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FEDERAL REGISTER

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U. S. GOVERNMENT PRINTING OFFICE: 1945

VOL 10

JUNE

FEDERAL REGISTER

VOLUME 10 NUMBER 109

Washington, Friday, June 1, 1945

The President

PROCLAMATION 2654

FLAG DAY, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

IT IS our custom each year to set aside a day on which to render special honor to our Flag.

We celebrate Flag Day this year with a fresh sense of our strength as a nation. Solemnly, we accept the responsibilities placed upon us by our power.

We honor the men and women in the armed services and in the factories and homes who, with God's help, have given us our victories. We face the battle ahead with solemn gratitude for the triumphs of the past.

Our Flag has accompanied our fighting men on a hundred battlefields. It flies beyond the seas over the friendly lands our arms have freed, and over the hostile countries our arms have conquered. Our Flag will be planted in the heart of the empire of our last remaining enemy.

As we press forward to final victory, we are strengthened with the knowledge that for millions of people in other lands as well as in our own our Flag is a living token of human integrity and freedom.

Let us observe this Flag Day by raising our Flag and beside it the flags of the United Nations. It is especially fitting that we thus honor our Allies at a time when we are working with them to lay a firm foundation for world peace. Let this display of the flags of the United Nations symbolize our unity with our Allies both upon the battlefields of war and under the skies of peace. Let us again dedicate ourselves and our Republic, under God, to the united cause of peace and justice and the brotherhood of all men everywhere.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate June 14, 1945, as Flag Day, and ask that the people of our nation on that day do especially honor our Flag, and the men and women of the armed services who have served under it, and that they also pay honor to our Allies of the United Nations.

I direct the officials of the Federal Government and I request the officials of the State and local governments to display the Flag of our Republic on all public buildings on Flag Day; and I urge the people of the United States on that day to fly the American Flag from their homes, and also to arrange wherever possible for joint displays of the flags of the freedom-loving United Nations, whose staunch collaboration has aided us to achieve the victories of war and will aid us to realize our hope for an enduring peace.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 28th of May in the year of our Lord nineteen hundred and forty-five, and of the Independence of the United States of America the one hundred and sixty-ninth.

[SEAL]

HARRY S. TRUMAN

By the President:

JOSEPH C. GREW,
Acting Secretary of State.

[F. R. Doc. 45-9379; Filed, May 30, 1945; 3:40 p. m.]

Regulations

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51242]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

WAIVER OF COASTWISE LAWS RESCINDED

MAY 29, 1945.

T. D. 50621, dated April 27, 1942, waiving compliance in certain cases with section 8 of the Act of June 19, 1886, as amended, and section 27 of the Merchant Marine Act, 1920, as amended, rescinded.

Upon the written recommendation of the Commissioner of Public Roads and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Sup. App. 635), as extended by the Act of December 20, 1944 (Public Law 509, 78th Congress), the following order is hereby rescinded:

The order of the Acting Secretary of the Treasury dated April 27, 1942 (T.D. 50621), waiving compliance with the provisions of section 8 of the Act of June 19, 1886, as amended (46 U.S.C. 289), and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), to the extent necessary to permit the transportation on Canadian vessels from points in the continental United States to points in Alaska of the following:

(a) Civilians engaged in the construction of access roads in Alaska, as defined in the Defense Highway Act of 1941 (23 U.S.C., Ch. 3), and their equipment.

(b) Equipment, materials, and supplies which are the property of contractors engaged in the construction of access roads in Alaska, as defined in the Defense Highway Act of 1941.

This order shall become effective at midnight June 15, 1945. If the transportation of any passenger or any merchandise on a Canadian vessel is not completed on or before midnight on June 15, 1945, the order of the Acting Secretary of the Treasury which is rescinded by this order will not relieve the vessel or merchandise concerned from the penalty prescribed by section 8 of the Act of June 19, 1886, as amended (46 U.S.C. 289), or section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883).

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-9380; Filed, May 30, 1945; 3:40 p. m.]

[T. D. 51243]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

CANADIAN VESSELS IN SOUTHEASTERN ALASKA; WAIVER OF COASTWISE LAWS

MAY 30, 1945.

Coastwise laws waived to extent necessary to permit Canadian vessels to transport merchandise between ports in southeastern Alaska, south of Yakutat, and British Columbia as a portion of the transportation of that merchandise between points in Alaska and the continental United States.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C. Sup. App. 635), as extended by the act of December 20, 1944 (Public Law 509, 78th Congress), I hereby waive compliance with the provisions of section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), to the extent necessary to permit the transportation of merchandise on Canadian vessels between ports in southeastern Alaska, south of Yakutat, and ports in British Columbia as a portion of the transportation of that merchandise between points in Alaska and points in the continental United States. This order shall be effective only during the period between June 1, 1945, and July 31, 1945, inclusive. I deem that such action is necessary in the conduct of the war.

If the transportation of any merchandise on a Canadian vessel is not completed on or before midnight on July 31, 1945, this order will not relieve the merchandise concerned from the penalty prescribed by section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883).

So much of the order of the Acting Secretary of the Treasury, dated May 21, 1945 (T. D. 51235), as permits the transportation of merchandise on Canadian vessels between points in Canada and Skagway, Alaska, as a portion of the transportation of that merchandise between points on the Pacific Coast of the continental United States and Skagway, Alaska, during the period between June 1, 1945, and July 31, 1945, is hereby rescinded.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-9429, Filed, May 31, 1945; 11:16 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter B—The Foreign Service

[Foreign Service Regs. S-10]

PART 81—PROTECTION OF SEAMEN

Pursuant to the authority vested in me by R.S. 1752 (22 U.S.C. 132), by Executive Order 9452 of June 26, 1944 (9 F.R. 7183), as amended by Executive Order 9514 of January 18, 1945 (10 F.R. 771), and by Executive Order 9521 of February 13, 1945 (10 F.R. 1991), the part heading is changed to read as set forth above and this regulation is prescribed to constitute Part 81 of Title 22 of The Code of Federal Regulations (Chapter XVIII of the Foreign Service Regulations of the United States in place of the present provisions of section 2 of Chapter XVI of the Foreign Service Regulations of the United States, in place of sections 189, 190, 191, 192, 194 and 195 of Chapter XII of Part II of the Foreign Service Regulations of the United States, in place of sections 200, 201, 202, 203, 204, 205, 206, 207 and 208 of Chapter XIII of Part II of the Foreign Service Regulations of the United States, in place of sections 218, 219, 220, 223, 224, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 251, 252, 253, 255, 256, 257 and 258 of Chapter XIV of Part II of the Foreign Service Regulations of the United Statas, in place of sections 259, 260, 262, 263, 268, 269, 271, 272 and 275 of Chapter XV of Part II of the Foreign Service Regulations of the United States, and in place of sections 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, and 286 of Chapter XVI of Part II of the Foreign Service Regulations of the United States).

Sec.
81.1 General information concerning seamen.
81.2 Shipment of seamen.
81.3 Discharge of seamen.
81.4 General policy in discharge of seamen.
81.5 Wages of seamen.
81.6 Relief and repatriation of seamen.
81.7 Deceased seamen.

§ 81.1 *General information concerning seamen.* The term "American seamen" shall, for the purposes of this part, be deemed to include the following classes of seamen:

(a) Seamen who are native-born or fully naturalized citizens of the United States and who are by habit and intent bona fide members of the American merchant marine.

(b) Aliens who have acquired and maintained the character of American seamen.

The term "alien seamen," when used herein, shall include all alien seamen who have not acquired and maintained the character of American seamen.

§ 81.2 *Shipment of seamen.* When a seaman is shipped before a consular officer at a foreign port, the consular officer shall make certain that the seaman understands all the terms of the contract and the exact nature of the work for which he is engaged. The consular officer shall then require the seaman to sign the shipping agreement, shall attest the agreement, and attach to it two executed copies of form 16. When the shipment of a seaman at another port is reported to a consular officer for certification, the officer shall assure himself that the seaman understands and has signed the shipping agreement. He shall then attest the shipping agreement and attach copies of form 16.

§ 81.3 *Discharge of seamen.* A consular officer is authorized to discharge a seaman upon the application of the master of any vessel or upon the application of any seaman for his own discharge, if it appears to such officer that the seaman has completed his shipping agreement or is entitled to his discharge under any act of Congress or according to the general principles or usages of maritime law as recognized in the United States. (46 U. S. C. 682.)

§ 81.4 *General policy in discharge of seamen.* When a master requests the discharge of a seaman, it is the duty of a consular officer to inquire carefully into the facts and circumstances, and to satisfy himself that good and substantial reasons exist for a discharge before granting the application.

§ 81.5 *Wages of seamen.* Upon the discharge of a seaman before a consular officer in a foreign port, the consular officer shall collect and pay to the seaman the arrears of wages and extra wages due him at the time of discharge except in those cases where the seaman elects to accept, instead of immediate payment of the whole or a portion of such wages, a wage voucher signed by both the master and the seaman and evidencing the amount owed the seaman to be paid in future settlement.

§ 81.6 *Relief and repatriation of seamen.* It shall be the duty of consular officers, from time to time, to provide for seamen of the United States who may be found destitute within their respective districts sufficient subsistence and passage to some port in the United States, in the most reasonable manner, at the expense of the United States, subject to such instructions as the Secretary of State shall give. The provisions respecting relief apply to American seamen on American or foreign built vessels purchased abroad and wholly owned by American citizens in the same manner as to seamen of regularly documented vessels.

§ 81.7 *Deceased seamen.* The consular officer shall take all appropriate measures as provided by statute, or otherwise, for

the interment of deceased American seamen and for the proper disposition of their respective effects.

In accordance with Executive Order 9521 of February 13, 1945 (10 F.R. 1991), it is determined that the subject matter of that part of Executive Order 8672 of February 4, 1941 establishing section 2 of Chapter XVI of the Foreign Service Regulations of the United States (Title 22, Cum. Supp., § 116.2 of the Code of Federal Regulations of the United States); the subject matter of those parts of Executive Order 7729 of October 16, 1937 establishing the provisions contained in sections 189, 190, 191, 192, 194 and 195 of Chapter XII of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 81.189, 81.190, 81.191, 81.192, 81.194 and 81.195); the subject matter of those parts of Executive Order 7729 of October 16, 1937 establishing the provisions contained in sections 200, 201, 202, 203, 204, 205, 206, 207 and 208 of Chapter XIII of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 81.200, 81.201, 81.202, 81.203, 81.204, 81.205, 81.206, 81.207 and 81.208); the subject matter of that part of Executive Order 7826 of February 28, 1938 amending section 202 of Chapter XIII of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 81.202); the subject matter of those parts of Executive Order 6942 of January 8, 1935 establishing the provisions contained in sections 218, 219, 223, 224 and 228 of Chapter XIV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 82.218, 82.219, 82.223, 82.224 and 82.228); the subject matter of that part of Executive Order 4255 of June 18, 1925 establishing the provisions contained in section 220 of Chapter XIV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 82.220); the subject matter of those parts of the Executive Order of December 31, 1896 establishing the provisions contained in sections 226, 227, 231, 232, 233, 234, 239, 240, 241, 242, 248 and 251 of Chapter XIV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 82.226, 82.227, 82.231, 82.232, 82.233, 82.234, 82.239, 82.240, 82.241, 82.242, 82.249 and 82.251); the subject matter of those parts of Executive Order 2262 of October 21, 1915 establishing the provisions contained in sections 229, 235, 238, 243, 247 and 252 of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 82.229, 82.235, 82.238, 82.243, 82.247 and 82.252); the subject matter of those parts of Executive Order 3313 of July 21, 1920 establishing the provisions contained in sections 230, 236 and 237 of Chapter XIV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 82.230, 82.236 and 82.237); the subject matter of those parts of Executive Order 7543 of January 29, 1937 establishing the provisions contained in sections 243, 244, 245, 246, 247 and 248 of Chapter XIV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 82.243, 82.244, 82.245, 82.246, 82.247 and 82.247); the subject matter of those parts of Executive Order 3731 of September 5, 1922 establishing the provisions contained in section 253 of Chapter XIV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 82.253); the subject matter of those parts of Executive Order 4943 of August 2, 1928 establishing the provisions contained in sections 255, 256, 257 and 258 of Chapter XIV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 82.255, 82.256, 82.257 and 82.258); the subject matter of that part of the Executive Order of December 31, 1896 establishing the provisions contained in section 259 of Chapter XV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 83.259); the subject matter of those parts of Executive Order 6942 of January 8, 1935 establishing the provisions contained in sections 260, 262, 263, 268, 269, 271 and 272 of Chapter XV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 83.260, 83.262, 83.263, 83.268, 83.269, 83.271 and 83.272); the subject matter of those parts of Executive Order 7543 of January 29, 1937 amending section 260 of Chapter XV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 83.260); the subject matter of those parts of Executive Order 3731 of September 5, 1922 establishing the provisions contained in sections 268 and 269 of Chapter XV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 83.268 and 83.269); the subject matter of those parts of Executive Order 4255 of June 18, 1925 establishing the provisions contained in section 275 of Chapter XV of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 83.275); and the subject matter of those parts of Executive Order 6942 of January 8, 1935 establishing the provisions contained in sections 276, 277, 278, 279, 280, 281, 282, 283, 284, 285 and 286 of Chapter XVI of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 83.276, 83.277, 83.278, 83.279, 83.280, 83.281, 83.282, 83.283, 83.284, 83.285 and 83.286) are covered by the present regulations, which is designed and intended to supersede the above-mentioned parts of the Executive Order of December 31, 1896, of Executive Order 2262 of October 21, 1915, of Executive Order 3313 of July 21, 1920, of Executive Order 3731 of September 5, 1922, of Executive Order 4255 of June 18, 1925, of Executive Order 4943 of August 2, 1928, of Executive Order 6942 of January 8, 1935, of Executive Order 7543 of January 29, 1937, of Executive Order 7729 of October 16, 1937, of Executive Order 7826 of February 28, 1938 and of Executive Order 8672 of February 4, 1941. In consequence whereof, said parts of said Executive orders have no further force and effect.

This regulation shall become effective immediately upon filing with the Division of the Federal Register.

For the Secretary of State.

[SEAL] J. C. HOLMES,
Assistant Secretary.

[F. R. Doc. 45-8831; Filed, May 24, 1945; 1:55 p. m.]

PART 82—SEAMEN'S WAGES

REVOCATION OF SECTIONS

NOTE: For revocation of certain portions of Executive orders codified in Part 82, see Part 81, *supra*.

PART 83—RELIEF OF SEAMEN

REVOCATION OF SECTIONS

NOTE: For revocation of certain portions of Executive orders codified in Part 83, see Part 81, *supra*.

[Foreign Service Regs. S-11]

PART 84—COMPLAINTS, DISPUTES AND OFFENSES

Pursuant to the authority vested in me by R.S. 1752 (22 U.S.C. 132), by Executive Order 9452 of June 26, 1944 (9 F.R. 7183), as amended by Executive Order 9514 of January 18, 1945 (10 F.R. 771), and by Executive Order 9521 of February 13, 1945 (10 F.R. 1991), the part heading is changed to read as set forth above and this regulation is prescribed to constitute Part 84 of Title 22 of the Code of Federal Regulations (Chapter XIX of the Foreign Service Regulations of the United States in place of the provisions of sections 293, 294, 295, 296, 297, 298, 300, 301, 302, 303, 304, 305 and 306 of Chapter XVII of Part II of the Foreign Service Regulations of the United States, in place of sections 312, 313, 314, 315, 317, 318 and 319 of Chapter XVIII of Part II of the Foreign Service Regulations of the United States, and in place of sections 350, 351, 352, 353, 354, 355, 357, 358 and 360 of Chapter XXI of Part II of the Foreign Service Regulations of the United States).

Sec.
84.1 Duty of consular officers.
84.2 Complaints and disputes.
84.3 Desertion of seamen.
84.4 Duty of consular officers in relation to crimes, mutiny and insubordination.

§ 84.1 *Duty of consular officers.* It shall be the duty of a consular officer to take appropriate action as provided by statute or otherwise in connection with complaints, disputes, and offenses arising aboard American vessels at ports within his jurisdiction.

§ 84.2 *Complaints and disputes.* A consular officer is regarded as the adviser and counsel of the seaman and if an officer has reason to believe that a seaman is in difficulty either aboard ship or ashore, he is enjoined to investigate at once and take appropriate action.

§ 84.3 *Desertion of seamen.* It shall be the duty of a consular officer to take appropriate action as provided by statute or otherwise in the event of the desertion of an American seaman from his vessel.

§ 84.4 *Duty of consular officers in relation to crimes, mutiny and insubordination.* It shall be the duty of a consular officer to take appropriate action as provided by statute or otherwise, upon the commission of any crime or misdemeanor, including mutiny or insubordination, aboard an American vessel.

In accordance with Executive Order 9521 of February 13, 1945 (10 F.R. 1991) it is determined that the subject matter of those parts of Executive Order 2262 of October 21, 1915 establishing the provisions contained in sections 293, 301, 302, 304 and 306 of Chapter XVII of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 84.293, 84.301, 84.302, 84.304 and 84.306); the subject matter of those parts of the Executive Order of December 31, 1896 establishing the provisions contained in sections 294, 295, 296, 297, 298, 300, 303 and 305 of Chapter XVII of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 84.294, 84.295, 84.296, 84.297, 84.298, 84.300, 84.303 and 84.305); the subject matter of that part of Executive Order 3731 of September 5, 1922 amending the provisions contained in section 301 of Chapter XVII of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 84.301); the subject matter of those parts of the Executive Order of December 31, 1896 establishing the provisions contained in sections 312, 313, 314, 318 and 319 of Chapter XVIII of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 85.312, 85.313, 85.314, 85.318 and 85.319); the subject matter of that part of Executive Order 2262 of October 21, 1915 establishing the provisions contained in section 315 of Chapter XVIII of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 85.315); the subject matter of that part of Executive Order 3731 of September 5, 1922 establishing the provisions contained in section 317 of Chapter XVIII of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 85.317); the subject matter of those parts of the Executive Order of December 31, 1896 establishing sections 350, 351, 352, 353, 354, 355, 357, 358 and 360, of Chapter XXI of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, §§ 88.350, 88.351, 88.352, 88.353, 88.354, 88.355, 88.357, 88.358 and 88.360); and the subject matter of that part of Executive Order 3731 of September 5, 1922 amending the provisions contained in section 352 of Chapter XXI of Part II of the Foreign Service Regulations of the United States (Title 22, Code of Federal Regulations of the United States, § 88.352) are covered by the present regulation which is designed and intended to supersede the above-mentioned parts of the Executive Order of December 31, 1896, of Executive Order 2262 of October 21, 1915, and of Executive Order 3731 of September 5, 1922. In consequence whereof, said parts of said Executive orders have no further force and effect.

This regulation shall become effective immediately upon filing with the Division of the Federal Register.

For the Secretary of State.

[SEAL] J. C. HOLMES,
Assistant Secretary.

[F. R. Doc. 45-8832; Filed, May 24, 1945; 1:55 p. m.]

PART 85—DISPUTES AMONG MASTERS, OFFICERS AND CREWS

REVOCATION OF SECTIONS

NOTE: For revocation of certain portions of Executive orders codified in Part 85, see Part 84, *supra*.

PART 88—MUTINY AND INSUBORDINATION; TRANSPORTATION OF PERSONS CHARGED WITH CRIMES AGAINST UNITED STATES

REVOCATION OF SECTIONS

NOTE: For revocation of certain portions of Executive orders codified in Part 88, see Part 84, *supra*.

PART 116—GENERAL INSTRUCTIONS RELATING TO NAVIGATION

REVOCATION OF SECTIONS

NOTE: For revocation of certain portions of Executive orders codified in Part 116, see Part 81, *supra*.

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 291]

REPORT OF PERSONNEL ACTION WITH RESPECT TO COMPENSATED EMPLOYEES

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 250, entitled "Report of Personnel Action taken by Local Board or Appeal Board with Respect to Compensated Employee".[1]

The foregoing discontinuance shall become a part of the Selective Service Regulations effective as of February 1, 1945.

LEWIS B. HERSHEY,
Director.

MAY 29, 1945.

[F. R. Doc. 45-9378; Filed, May 30, 1945; 3:37 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 22]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2. *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept. of Comm. Schedule B No.	Commodity	Gen. Lic. Country Group	GLV dollar value limit country group		G-Post dollar value limits
			K	G4	
	OTHER EDIBLE ANIMAL PRODUCTS				
0092.00	Eggs in the shell	None	10	10	1
0093.03	Egg albumen (frozen, dried or otherwise preserved)	None	10	10	1
0093.05	Eggs, dried	None	10	10	1
0093.07	Eggs, frozen	None	10	10	1
0093.08	Eggs, otherwise preserved	None	10	10	1
	TOBACCO AND MANUFACTURES				
	Tobacco Unmanufactured				
	Leaf tobacco:				
2601.10	Leaf tobacco, bright flue cured, unstemmed	K	100	25	25
2601.10	Other leaf tobacco, flue cured, unstemmed	K	100	25	25
2601.50	Leaf tobacco, bright flue cured, stemmed	K	100	25	25
2601.50	Other leaf tobacco, flue cured, stemmed	K	100	25	25
2602.00	Burley	K	100	25	25
2603.00	Dark-fired Kentucky and Tennessee	K	100	25	25
2604.00	Dark Virginia	K	100	25	25
2605.00	Maryland and Ohio export	K	100	25	25
2606.00	Green River	K	100	25	25

[1] Filed with the Division of the Federal Register.

Dept. of Comm. Schedule B No.	Commodity	Gen. Lic. Country Group	CLV dollar value limits country group		G-Post dollar value limits
			K	G4	
	TOBACCO AND MANUFACTURES—continued				
	Tobacco Unmanufactured—continued				
	Leaf tobacco—Continued.				
2007.00	Cigar leaf tobacco	K	100	25	25
2008.00	Black fat, waterbaler, and dark African	K	100	25	25
2011.00	Cigar leaf	K	100	25	25
2014.00	Perique tobacco	K	100	25	25
2015.00	Foreign leaf, re-exported	K	100	25	25
2017.50	Tobacco trimmings and scrap (cuttings and cigar clippings included)	K	100	25	25
2018.00	Tobacco stems	K	100	25	25
	Tobacco manufactures:				
2020.00	Cigars and cheroots	K	100	25	25
2021.50	Chewing tobacco and snuff	K	100	25	25
2025.00	Smoking tobacco in packages	K	100	25	25
2029.50	Smoking tobacco in bulk	K	100	25	25
	COTTON MANUFACTURES				
3140.00	Brown 8 canvas belts, endless, woven cotton nonelastic, not over 12 inches wide	Note	25	25	25
3140.00	Fan belt tape, cotton nonelastic, not over 12 inches wide	None	25	25	25
	VEGETABLE FIBERS AND MANUFACTURES				
3399.88	Flax semimanufactures	None	100	25	25
	WOOL MANUFACTURES				
3504.00	Oil press cloth, wool felt	None	100	25	1
3504.00	Shaker jackets, wool	None	100	25	1
	MISCELLANEOUS TEXTILE PRODUCTS				
3921.00	Sanitary belts of all materials except rubber or rubberized	None	25	25	25
3980.00	Surgical and medicinal gauze, sterilized, in bulk, not bleached, in lengths of 100 yards and over	None	1	1	1
3980.00	Other absorbent cotton gauze, not sterilized bandages	None	100	25	25
	PAPER, RELATED PRODUCTS, AND MANUFACTURES				
4735.00	Sisalkraft sheathing and building paper	None	25	25	25
	ELECTRICAL MACHINERY AND APPARATUS				
7002.98	Portable cloth cutters	K	100	25	25
7009.98	Portable cloth cutter parts	K	100	25	25
	SCIENTIFIC AND PROFESSIONAL INSTRUMENTS, APPARATUS AND SUPPLIES				
9155.50	Dental air compressors	K	100	25	None
9155.50	Dental engines	None	500	25	None
9155.50	Dental furnaces	K	100	25	None
9155.50	Dental lathes	None	100	25	None
9155.50	Dental operating chairs	K	100	25	None
9155.50	Dental operating units	K	100	25	None
9155.50	Gasoline gas outfits	K	100	25	None
9155.50	Orthodontic appliances of precious metals	K	100	25	None
9155.50	Wax for dentist use	K	100	25	None
9157.00	Hypodermic and surgeon's needles	K	100	25	None
9157.00	Other surgical and medical instruments	K	100	25	None
9158.00	Surgical appliances except elastic trusses and hearing devices and batteries	K	100	25	25
	MISCELLANEOUS COMMODITIES, N. E. S.				
	Commodities exported for relief or charity by individuals and private agencies (the following classifications are not used for exports for relief or charity by U. S. Government agencies or by UNRRA, except for exports of used clothing, blankets and bedding by such agencies, which are reported under 9968.20 or 9968.30. All other exports by U. S. Government agencies or by UNRRA, including new clothing, blankets and bedding are reported under their specific schedule B numbers):				
9968.10	Food	None	None	None	None
9968.20	Clothing, new	None	None	None	None
9968.30	Blankets and bedding, new	None	None	None	None
9968.40	Drugs and biological supplies	None	None	None	None
9968.50	Surgical, sanitary, and hospital supplies and equipment	None	None	None	None

Shipments of any of the above commodities removed from general license, or whose CLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

This amendment shall become effective immediately upon publication except that with respect to commodities removed from general license or whose GLV or G-Post dollar value limits have been reduced, it shall become effective on June 5, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 23, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9392; Filed, May 31, 1945; 9:23 a. m.]

[Amdt. 20]

PART 802—GENERAL LICENSES

NORWAY

Section 802.3 *General License Country Groups* is hereby amended in the following particulars:

Paragraph (a) is amended by adding to the countries designated as Group G therein the following destination:

	Country No.
Norway	None assigned

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E. O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 24, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9390; Filed, May 31, 1945; 9:22 a. m.]

[Amdt. 21]

PART 802—GENERAL LICENSES

FRENCH NORTH AFRICA AND FRENCH WEST AFRICA

Section 802.25 *General license "G-Post"* is hereby amended in the following particulars:

Subparagraph (2) of paragraph (b) is amended by deleting from the destinations listed in Group II the following destinations:

French North Africa
French West Africa

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 26, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9391; Filed, May 31, 1945; 9:22 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1029—FARM MACHINERY

[L-257, Direction 7]

REMOVAL OF QUOTA RESTRICTIONS

The following direction is issued pursuant to L-257:

(a) *Purpose.* This direction removes the quota restrictions of Orders L-257 and L-257-a for all producers who want to make more items of farm machinery and equipment before July 1, 1945. On and after that date, Order L-257-c will be effective, and there will be no quantitative limits on total production other than the WPB-4249 schedules for large producers as explained in that order.

(b) *Removal of quotas.* Any producer who has no quota for an item or who has completed his quota (whether under Schedule B of Order L-257 or an applicable Export Schedule of Order L-257-a), may make and ship additional quantities of the item before July 1, 1945, without regard to these quotas. This means that the quota percentages in the schedules and the provisions in the order relating to quotas are no longer effective. However, the producer may use only material now in his inventory, and any additional material he can get without the use of allotments or other priorities assistance. If he needs priorities assistance, he may apply on Form CMP-4B or other applicable form.

(c) *Production schedules on WPB-3181.* A producer who has an approved schedule for an item on Form WPB-3181 must file a revised schedule on that form in accordance with paragraph (e) of Order L-257 for any additional quantities he wants to make under this direction. However, any quantities of the item already scheduled for domestic non-farm use on Form WPB-3181 may be produced and delivered for farm use without filing a new schedule to the extent that the producer has no unfilled orders for the item for non-farm use, and as long as his total production of the item is not increased. With this exception, all provisions of paragraph (e) of Order L-257 continue to apply to producers who have production schedules.

(d) *Reports.* Producers who are required to report their production on Form WPB-1768 must include on their reports all additional quantities of items produced under this direction.

(e) *Previous violations.* This direction does not affect any liabilities incurred before May 31, 1945, for violation of Order L-257 or L-257-a, or of actions taken by the War Production Board under the orders.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9420; Filed, May 31, 1945; 11:14 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-123, Revocation]

Section 1226.1 *General Limitation Order L-123* is revoked. This revocation does not affect any liabilities incurred for violation of the order of actions taken by the War Production Board under the order. The delivery of air filters, air washers, arc welding machines, baling presses, compressors, ceramic machinery and equipment, concrete products machinery, dust collectors, industrial, dynamometers (electric type) and rotary converters, electric motors and generators (fractional horsepower), fans, blowers and exhausters, flexible metallic hose, tubing and fittings, heat exchangers, high pressure blowers, lifting magnets, oil filtering and re-refining machines, ovens, industrial; drying, curing and finish-baking types, paper shredders, pressure vessels (including air receivers); pumps, stationary steam engines, wire working machinery, insulation blowing machines, electroplating and anodizing equipment, oxyacetylene apparatus, and portable conveyors remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9426; Filed, May 31, 1945; 11:15 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13 as Amended May 31, 1945]

SPECIAL SALES

Explanation and Scope

(a) General explanation and definitions.
(b) Sales not covered by this regulation.

Kinds of Special Sales That May Be Made

(c) General rule; distinction between listed and unlisted items.
(1) Materials and products not on List A.
(2) Materials and products on List A.
(3) Special orders.
(4) Sales to Government agencies.
(5) Used materials.
(6) Sales as scrap of materials or products other than plant-generated scrap.
(7) Special sales for export.
(d) Transfers of surplus Government owned materials or products.

Other Provisions

(e) Effect of preference ratings and allotments.
(f) Other conditions relating to buyers.
(g) Use of material acquired with priorities assistance.
(h) Sales through an agent.
(i) Records.
(j) Letters and questions.
(k) Revisions of Lists A and B.

Explanation and Scope

§ 944.34 *Priorities Regulation 13*—(a) *General explanation and definitions.* (1) This regulation describes the rules under which materials or products may be sold by persons (including Government agencies) who acquired or made them for use and not for sale or resale. Such sales are called "special sales". For example, if a manufacturer sells the raw material he has bought to use in making his product, it is a special sale. Or, if a contractor has bought building materials and equipment, and because he cannot finish the job, sells them, that is a special sale since he bought the materials and equipment for use and not for resale as such. In addition, all sales by trustees in bankruptcy, receivers and other kinds of liquidators (in the course of liquidation as distinct from continued operation of a business) are special sales even though neither they nor their beneficiaries bought for use. All sales at public auction by general auctioneers are special sales regardless of the purpose for which the material or product was acquired. All sales of surplus materials or products by Government agencies are special sales. Transfers of materials acquired or made for use, from one plant or operating unit to another which is owned by the same person but which normally buys separately, are special sales.

(2) While this regulation deals only with special sales, it states the rules governing all special sales and only these rules apply. If a person wants to make a special sale, the rules stated in this regulation must be followed and he need not look at any other WPB order or regulation unless this regulation says he must. However, this regulation does not relate to use or resale by a person who buys at a special sale unless it expressly says so or unless the resale itself is a special sale. Otherwise, such use or resale is governed by all other applicable WPB regulations and orders as is more fully explained in paragraph (f).

(3) "Material or product" means any commodity, equipment, accessory, part, assembly or product of any kind in finished, semifinished or raw material form.

(4) "Used materials or products" means any materials or products which have been put into actual use.

(5) "Persons buying for use" include, among others, a contractor who buys with intent to incorporate the material in a building or product for a third person.

(b) *Sales not covered by this regulation.* The following types of sales are not considered special sales and are not governed by this regulation, even though they may involve materials or products acquired or made for use:

(1) A sale of a material or product by a person regularly engaged in the business of selling it. He is governed, however, by all WPB orders and regulations which apply to his business and to the material or product he is selling.

(2) Sales of plant-generated scrap, meaning scrap which is generated in the course of manufacture or is the waste of industrial fabrication. Sales of other kinds of scrap are covered by paragraph (c) (6).

(3) Sales of rationed products which are controlled by another Government Agency.

(4) Sales of foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(5) Sales of steel, copper or aluminum in controlled material form (as defined in CMP Regulation 1) acquired or produced by a controlled material producer for the purpose of further conversion into other controlled material forms.

(6) A sale of an entire business which is transferred as a going concern to a new owner who continues to operate it in the same or substantially the same form.

(7) A sale made by a utility producer under Order U–1 or a petroleum operator under Order P–98–c.

Kinds of Special Sales That May Be Made

(c) *General rule; distinction between listed and unlisted items.* Paragraphs (c) (1) through (7) below explain kinds of special sales which a seller may make. Special sales of materials or products shown on List A (domestic sales) are usually more strictly regulated than those not on the list, as explained in paragraphs (c) (1) and (2). Paragraphs (c) (3), (4), (5) and (6) give rules for certain types of special sales which apply whether or not the particular item is on List A. Similarly, as to special sales for export under paragraph (c) (7), the items on List B are more strictly controlled than those not on the list. With respect to all special sales, if the seller knows that a person who wants to buy the material or product will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale may not be made. The buyer's obligations are described in paragraph (f).

(1) *Materials and products not on List A.* A special sale of a material or product not on List A (other than a sale for export) may be made freely to any of the following buyers without WPB authorization and without requiring the buyer to apply or extend a preference rating:

(i) To a producer of the same kind of material or product.

(ii) To a reprocessor, which means any person who remakes, repairs or reworks new, rejected or second-grade materials or products of the kind being sold.

(iii) To a wholesaler or retailer regularly dealing in the material or product.

(iv) To any person buying the material or product for use, but not for resale in the form in which he buys it.

(v) In addition, even if the seller does not know whether the buyer comes under (c) (1) (i), (ii), (iii), or (iv) above, he may sell to any person who gives him the following certification, provided the seller has no knowledge or reason to believe that it is false:

> The undersigned buyer certifies under Priorities Regulation 13 to the seller and to the WPB (1) that he is a producer of the material or product covered by this order; or (2) that he is a reprocessor of it; or (3) that he will in good faith offer it for sale in substantially the same time and manner as would a person regularly dealing in such material or product, that he will render substantially the same type of service as would such a person, and that he will comply with all WPB regulations and orders applicable to such a person; or (4) that he is buying it for use and not for resale, and will use it in compliance with all applicable WPB regulations and orders.
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> ---
>
> Signature

Any person giving such a certification must comply with all applicable WPB regulations and orders as he has certified he will. The standard certification provided in Priorities Regulation 7 may not be used in place of this certification.

(vi) To anyone if the material is copper, copper base alloy, aluminum or steel in a form described as "controlled material" in CMP Regulation 1.

(2) *Materials and products on List A.* A special sale of a material or product on List A (other than a sale for export) may be made only as follows:

(i) To the persons and under the conditions provided in List A. If that list requires special authorization from the WPB in order for the sale to be made, or if other conditions imposed by the list cannot be met, the seller may apply on Form WPB–1161 for special permission to sell unless the list states that some other form must be used. If Form WPB–1161 is applicable, and permission is given, it may be restricted to a specific buyer or class of buyers, or may permit the sale to any buyer who gives the certification described in subparagraphs (c) (2) (iv) or (c) (1) (v).

(ii) To a producer of the same kind of material or product.

(iii) To a reprocessor (as defined in paragraph (c) (1) (ii)) unless a notation on List A restricts its sale.

(iv) In addition, where Column 3 of List A shows no restriction on the special sale of a material or product to a wholesaler or retailer regularly dealing in it, even if the seller does not know whether the buyer is such a wholesaler or retailer, he may sell the particular material or product to any person who gives him the following certification, provided the seller has no reason to believe that it is false:

> The undersigned buyer certifies under Priorities Regulation 13 to the seller and to the WPB that he will in good faith offer for sale the material or product covered by this order in substantially the same time and manner as would a person regularly dealing in it, that he will render substantially the same type of service as would such a person, and that he will comply with all WPB regulations and orders applicable to such a person.
>
> ---
>
> Signature

Any person giving such a certification must comply with all applicable WPB regulations and orders as he has certified he will. The standard certification provided in Priorities Regulation 7 may not be used in place of this certification.

(v) [Deleted May 10, 1945.]

(vi) [Deleted May 10, 1945.]

(vii) To anyone, if all the material or product of the same kind or type that the seller has at any one plant, operating unit or location did not cost him more than $100. In the case of any materials or products involved in a Government contract termination, a $100 exemption applies if there is no more than $100 worth of the material or product in the termination inventory at any one location. Similarly, $100 worth (at cost) of any material or product may be sold at any single public auction, regardless of the amount of the material or product the seller has. Also, for the purpose of determining whether a particular lot of material or product is suitable for the prospective customer's use, a person may make a special sale of a sample lot, provided the amount involved (at cost to the seller) of any such sample does not exceed $20.

(3) *Special orders.* If the War Production Board by an order or in any other way has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they may do so. For example, a special sale of class A products obtained under the controlled materials plan may be made as explained in paragraph (u) (4) in CMP Regulation 1 when directed by the War Production Board or on instructions of a Claimant Agency. Similarly, special sales of idle aircraft materials may be made as explained in Directive 16.

(4) *Sales to Government agencies.* For the purpose of making a settlement of a Government contract surplus materials or products may be transferred freely from any subcontractor or prime contractor to a procuring agency or disposal agency of the Government, providing the procuring agency has so directed. However, if such material is later withdrawn from the contract settlement, its disposition is controlled by this regulation. A person may also sell freely to one of the following Government Corporations or to anyone buying as agent for one of them, even if the surplus materials or products are not involved in a contract settlement: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve or Rubber Reserve Company.

(5) *Used materials.* Used materials may be sold freely to anyone unless there is a notation in Lists A or B restricting the sale of the particular used material which the holder wants to sell.

(6) *Sales as scrap of materials or products other than plant-generated scrap.* Any material or product (other than plant-generated scrap) may be sold as scrap in a special sale if it is obsolete, unusable or not-readily-salable and will be used or consumed principally as scrap although some part of it may possibly be salvaged by the scrap buyer. The exceptions to this rule follow:

Copper and copper base alloy (new and used) sold as scrap are governed by Order M–9

Used tin cans sold as scrap are governed by Order M–325.

Domestic Mechanical Refrigerators (new) may be sold as scrap only on specific War Production Board authorization—Apply on Form WPB–869.

If the buyer by contract, warranty or otherwise has stated that the particular material or product being sold as scrap will be used or disposed of as scrap, this regulation does not relieve the buyer from compliance with that condition.

(7) Unless a material or product is one of those listed above, a person may make a special sale of it as scrap without stripping, disassembling or breaking it up before sale. Such sales may be made either to any consumer of scrap to be used only as scrap, or to any person regularly engaged in the collection, disassembling, sorting and disposal of that kind of scrap material, primarily for remelt or other scrap use. Subsequent sales of any salvaged materials or products by such a scrap dealer are not covered by this regulation, but are subject to any War Production Board orders or regulations which apply to the distribution of the particular material.

(ii) The sale at low prices, even as low as scrap prices, of prime or off-grade materials or products for use or resale "as is" does not constitute a sale as scrap and such sales may not be made under this paragraph. Instead such a sale is subject to all the other rules of this regulation which apply to special sales of the particular materials or products.

(iii) This paragraph permits such sales only for use or resale within the U. S. A.

(7) *Special sales for export.* Where a special sale is made to a foreign purchaser or to a domestic purchaser who is buying for export or for resale to a foreign purchaser the following rules apply. If an exporter, other than a controlled material distributor or warehouse, is unable to export material purchased for export, he may make a special sale of it in the domestic market under the rules of this regulation.

(i) Materials or products not on List B may be sold in special sales for export without restriction.

(ii) Materials or products on List B may be sold in special sales for export in accordance with the conditions described in the list applying to the particular item. If the buyer cannot extend a preference rating equal to or higher than that shown for the item, or if the list states "No" special permission is required. Application should be made on Form WPB–1161 unless another form is specified in the remarks columns.

(iii) Nothing in this regulation relieves any exporter from complying with all applicable regulations of the Foreign Economic Administration or other Government Agencies who may have jurisdiction over exports.

(d) *Transfers of surplus Government-owned materials or products.* All sales by Government agencies of surplus, or of idle or excess materials or products not acquired for sale or resale, are controlled by this regulation. However, transfers of such Government-owned materials or products may be made freely to a Governmental Disposal Agency acting as such and may be made freely between and within the War Department, Navy Department, Maritime Commission, War Shipping Administration, Veterans' Administration, and the Defense Plant Corporation, and from the Government Disposal Agencies to any of the above, unless a note in Column 4 of List A referring to this paragraph or a direction to this regulation indicates otherwise.

Other Provisions

(e) *Effect of preference ratings and allotments.* (1) At special sales, preference ratings have no effect by way of obliging a holder to sell. However, if he sells at all, and the buyer properly gives a rating, the seller must honor it to the extent required by Priorities Regulation 1. For example, if two or more bidders at a public auction offer the same terms for any lot of materials or products, the seller must prefer the bidder who supplies the highest preference rating. Regardless of whether the sale is at auction, a holder need not give preference to a higher rated purchaser if a lower rated purchaser offers better terms which are not in violation of applicable OPA regulations.

(2) If a person sells material under this regulation to someone who gives him a preference rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(f) *Other conditions relating to buyers.* In addition to the requirement that a buyer who gives the certification described in subparagraph (c) (1) (v) or (c) (2) (iv) must comply with applicable WPB regulations and orders in accordance with his certification, there are some additional conditions relating to all buyers at special sales. They are the following:

(1) The buyer may not violate any regulation or order controlling the quantity of material which he may buy or the amount of any product he may make or the use or disposition that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect. In the case of chemicals, even though a special sale may not be restricted by this regulation, the buyer may have to get permission to use under the applicable M–Order unless the small order exemption applies. See, for example, paragraph (x) (6) of Order M–300.

(2) Inventories. A person buying for use may receive any item of surplus materials or products if his total inventory of that item is or will by virtue of accepting such delivery be not in excess of his succeeding six months' requirements. If any applicable order or regulation permits a larger inventory than six months, nothing contained herein shall restrict receipts below that permitted by such order or regulation. This permits a person to exceed applicable inventory limits only if he acquires such excess under this regulation; however, he may not thereafter receive further deliveries from producers or distributors until his inventory is reduced to a practicable minimum working inventory. This subparagraph does not apply to receipts of capital equipment nor to persons buying for resale.

(3) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(g) *Use of material acquired with priorities assistance.* This regulation does not change the general rule of § 944.11 of Priorities Regulation 1 that material acquired with priorities assistance must, if possible, be used for the purpose for which the assistance was given. Where such material cannot be used for this purpose, then this regulation applies if a special sale is made.

(h) *Sales through an agent.* Where a person sells through an agent, except at public auction sales, the sale is a special sale only if it would be a special sale if made directly by the principal. If it is a special sale, the restrictions of this regulation apply to the principal and also to his agent if the latter knows or has reason to know the facts. In cases of special sales made at public auction, the restrictions of this regulation are applicable both to the auctioneer and to his principal.

(i) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(j) *Letters and questions.* Any letters or questions about this regulation should be sent either to the War Production Board in Washington, marked "Ref: P. R. 13", or to any of the field offices of the War Production Board.

(k) *Revisions of Lists A and B.* Lists A and B attached to this regulation will be revised from time to time. A person wishing to sell material under this regulation should be sure that he has the lists which are in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Explanation of List A. Column (1) of List A lists the materials or products that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Columns (2) and (3) each apply to a type of possible sale. Opposite each material or product in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) refers to persons buying for use (subject always to the conditions stated in paragraph (f)).

Column (3) refers to persons who are regularly engaged in distributing the material the holder has, like a dealer in chemicals or textiles. A dealer means any wholesaler or retailer whose regular business consists in whole or in part of the sale from stock or inventory of the particular materials or products either to industrial users or to other persons. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such persons are not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by them.

Column (4). The provisions in Column (4) applicable to the particular material or product must be followed.

If the list shows "No," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in Column (4) allows certain kinds of sales. Paragraph (c) (2) (i) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA–5", it means that the holder can sell to anyone who has an AA–5 or higher priority rating which he has extended to the holder for the particular sale. This regulation does not in any way assign priority ratings.

If the list shows "W. O. P.", it means the holder can sell to the class of buyer listed at the head of the column without any priority rating or allocation or allotment being necessary.

If the list shows "X", it means that for the particular material or product the column in which it appears is not applicable.

List A is divided into five parts as follows:

Part I—Metals and Metallic Ores.
Part II—Chemicals.
Part III—Textile Fibers, Fabrics, Clothing, Leather and Related Products.
Part IV—Miscellaneous Materials and Products.
Part V—Machinery, Equipment and Components.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) OF THIS REGULATION

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1). This list does not apply to special sales for export. These are covered by List B

Materials or products (1)	Persons buying for use (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART I—METALS AND METALLIC ORES			
NOTE: Part I amended May 31, 1945.			
Antimony	No*	No*	*No authorization required providing the buyer's aggregate purchases from all sources in any month do not exceed 224 pounds (contained Antimony).
Babbitt (see Tin).			
Bismuth	No	WOP	
Cadmium[1] (new and used).	No	WOP**	[1]Includes metallic cadmium in all forms, residues, dross and other cadmium bearing material. **Includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.
Chromium	No	No	
Copper raw materials (refinery shapes and copper and copper base alloy ingots).	No*	No*	*Only to persons, including producers and reprocessors, authorized to accept delivery pursuant to Copper Order M-9 as amended.
Electrical resistance material, round or flat. Type A (80% nickel, 20% chromium).	No*	No*	*May only be sold pursuant to authorization on Form WPB-1319.
Inconel (see Nickel)			
Monel (see Nickel)			
Nickel (new and used):			
Nickel pig, ingot, cathode, pellet, shot and anode.	No	WOP	
Other nickel* (including monel and inconel).	PR-AA5	WOP	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Solder*	WOP	WOP	*Certification required (see schedule II, M-43).
Tin:			
Tin	No	No	
Babbitt or other high tin alloys (containing more than 12% tin)*	WOP	WOP	*Certification required (see schedule III, M-43).
Tin solder (see Solder).			
Uranium	No	WOP	
PART II—CHEMICALS			
All chemicals are unlisted but the use of certain chemicals are restricted by applicable M orders. See paragraph (f).			
PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS			
NOTE: Part III revised May 31, 1945.			
These restrictions do not apply if the material was acquired without a priority rating or authorization from the War Production Board.			
Cattlehides, calf and kip skins (raw)*.	No	WOP	*This includes the whole skins or portions thereof other than splits or glue stocks.
Cordage (see Rope).			
Cotton Linters* (chemical grade).	No	WOP	*Produced after July 31, 1943.

Materials or products (1)	Persons buying for use (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS—continued			
Equipage: Military luggage and sleeping bags.	No[1]	No[1]	[1]May be sold to Defense Supplies Corp. without authorization.
Fabrics (Woven, felted, knitted and braided):			
Burlap	PR-AA5	PR-AA5	
Cotton (except Duck)	PR-AA5	PR-AA5	
Cotton Duck (Width 15" or wider).	No[2]	No[2]	[2]May be sold to the Army or Navy. If a particular item is rejected in writing by both the Army and Navy, it may be sold without specific authorization.
Elastic (Synthetic rubber)	PR-AA5	PR-AA5	
Nylon	No	No	
Silk	No	No	
Wool	PR-AA5	PR-AA5	
Blends of the foregoing	PR-AA5	PR-AA5	
Feathers, waterfowl	No[1]	No[1]	[1]May be sold only to persons holding permits issued pursuant to M-102 or to the Philadelphia Quartermaster Depot.
Fibers:			
Cordage fibers:			
Manila, agave, hemp, ramie, jute, coir and other fibers (except istle) suitable for cordage.	PR-AA5	PR-AA5	
Textile fibers:			
Cotton	PR-AA5	PR-AA5	
Jute	PR-AA5	PR-AA5	
Nylon	No	No	
Silk	No	No	
Wool	PR-AA5	PR-AA5	
Blends of the foregoing	PR-AA5	PR-AA5	
Fibrous glass textiles, except tape 1½" and less in width, sleeving or tubing, multiple wound yarns (one or more ends wound parallel on tubes).	No	No	
Kapok	No[1]	No[1]	
Leather (meeting any military specifications). Includes leather made from cattlehides, calf, kip skins, horse-hide fronts, goat skins, cabretta and deer skins.	No	No	
Materials obtained under Conservation Orders M-328B, M-385, M-317, M-317A, M-317B and orders in the M-388 series.	PR-AA5	PR-AA5	
Rope*	PR-AA5	PR-AA5	*"Rope" means any rope or cable, treated or untreated, composed of three or more strands manufactured from cotton or any cordage fiber each strand composed of two or more yarns. May not be sold to a reprocessor.
Silk:			
Raw	No	No	
Sponges, marine and loofa	PR-AA5	PR-AA5	
Tanning material, vegetable	PR-AA5	PR-AA5	
Yarns and thread:			
Cotton	PR-AA5	PR-AA5	
Jute	PR-AA5	PR-AA5	
Nylon	No	No	
Silk	No	No	
Synthetic rubber	PR-AA5	PR-AA5	
Wool	PR-AA5	PR-AA5	
Blends of the foregoing	PR-AA5	PR-AA5	
PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS			
Graphite, strategic grades	No	No	
Logs (see Woods)			
Plywood (see Woods).			
Rubber:			
Latex and crude	No	No	
Compounded latex	No	No	
Chlorinated	No	WOP	
Butyl	No	No	
Polyisobutylene	No	No	
Rubber products:			
Elastic thread—see Part III.			
Elastic fabrics—see Part III.			
Yarn—see Part III			
Screen cloth, insect metal	AA-2X	AA-2X	
Wood pulp	No	No	

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1). This list does not apply to special sales for export. These are covered by List B.

Materials or products (1)	Persons buying for use (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART IV—MISCELLANEOUS MATERIALS, ETC.—Con.			
Woods:			
Lumber:			
Hardwoods:			
No 1 Commercial Better or equivalent grade of White Oak (including WHND), Red Oak, Birch, Beech, Pecan, Rock Elm, Hard Maple and Tough White Ash.*	PR-AA5**	WOP	**Persons buying for use must give appropriate certificate required by Order L-335 or holder may sell without rating if buyer gives certificate stated in par. (q) (2) of that order.
Other grades of the above.	PR-AA5**	WOP	*Persons buying for use must give certificate required by Dir. 6 to Order L-335 which is in addition to the regular certificate required by that order.
Mahogany, worthy grades (pattern stock).	PR-AA1	WOP	
Other hardwoods	PR-AA5**	WOP	
Plywood:			
Softwood	PR-AA2X	WOP	***Persons buying for use must give certificate required by Dir. 2A to Order L-335 which is in addition to the regular certificate required by that order.
Softwood lumber (except Western Pine).	PR-AA5**	WOP	
Western Pine**	PR-AA5**	WOP	
PART V—MACHINERY, EQUIPMENT AND COMPONENTS			
NOTE: Part V amended May 31, 1945.			
Bearings, anti-friction, including the following component parts: Inner and outer races, alloy steel balls, and balls and rollers assembled in retainers.	No[1]	No[1]	[1]Sales of excess bearings are limited to the following: 1. To any producer of bearings, but not to a reprocessor unless the sale is specifically authorized by the War Production Board; or 2. To the original supplier; or 3. On any AAA order; or 4. On any AA-5 or higher rated order placed directly by the Army, the Navy, the Maritime Commission or the War Shipping Administration, or directly by any prime or subcontractor of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or 5. If the holder has been unable to dispose of the bearings to the producer on a mutually satisfactory basis, the holder may sell them on any order rated AA-5 or higher regardless of order's source; or 6. If the quantity to be sold in any month costs less than $250, they may be sold on any order rated AA-2 or higher regardless of order's source; or 7. Specific sales authorized by the War Production Board.
Containers:			
V-boxes (corrugated and solid fibre).	WOP [4]	WOP	[4]A holder may only sell to a user who requires V-boxes to fill an order for the military or Lend-Lease specifying such boxes.

Materials or products (1)	Persons buying for use (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART V—MACHINERY ETC.—continued			
Containers—Continued.			
Compressed gas cylinders	PR-AA5[5]	PR-AA5	[5]Liquefied Petroleum gas cylinders may be sold only if prior authorization is obtained from PAW for the installation of liq. pet. gas equipment under the terms of General Limitation Order L-80.
Diamond dies (small)*	No	No	*With hole diameter of 0.0015 and smaller.
Electronic parts and equipment.[6]			Rejected components. Special sales of components on this list (except test equipment) which have been rejected after inspection for failure to meet military specifications may be made without restriction, provided that before such sales are made, any Army or Navy identifying marks or symbols have been defaced or removed from the components. Any persons making a special sale of such components must secure and retain a written statement of Army or Navy inspectors that the components are military rejects and must maintain records of such sales in accordance with paragraph (i) of this regulation.
Electronic equipments	PR-AA5	PR-AA5	[6]Except fire control equipment, and navigation instruments.
Capacitors:			
Paper dielectric:			
Wax impregnated	PR-AA3	PR-AA3	
Oil impregnated	PR-AA5	PR-AA5	
Oil impregnated power factor type.	PR-AA5	PR-AA5	
Molded bakelite	PR-AA5	PR-AA5	
Electrolytic	PR-AA3	PR-AA3	
Tubular ceramic	PR-AA1	PR-AA1	
Mica button	PR-AA1	PR-AA1	
Coaxial cable	PR-AA5	PR-AA5	
Instruments, electrical indicating combat type[7]	PR-AA5	PR-AA5	
Relays	PR-AA5	PR-AA5	
Resistors:			
Molded composition insulated:			
Quarter watt	PR-AA1	PR AA1	
Half watt	PR-AA1	PR-AA1	
Precision wire wound	PR-AA1	PR-AA1	
Wire wound, molded 2 watt	PR-AA3	PR-AA3	
Wire wound (others)	PR-AA5	PR-AA5	
Variable resistors	PR-AA3	PR-AA3	
Shock mounts	PR-AA5	PR-AA5	
Test equipment, commercial, electrical and electronic (new and used).[8]	No	No	[8]Includes all items of commercial, electrical and electronic test equipment.
Transformers and reactors:[9]			[9]Radio and radar types including coils and chokes, other than R. F. and I. F.
Hermetically sealed	PR-AA1	PR-AA1	
Others	PR-AA3	PR-AA3	
Tubes (radio and radar):			
Restricted tubes[10]: 1A3, 1H5, 1J5GP, 1J6G, 1L4, 1R5, 1S4, 1S5, 1T4, 3A, 3A5, 2C40, 2C43, 3C22, 5Z3, 3E29, 3Q4, 5R4GY, 5V4G, 5Y3GT/G, 6AC7, 6AC7W, 6AG5, 6AG7, 6AL5, 6AK5, 6A6, 6B1G, 6J1, 6J6, 6L6G, 6L6GA, 6S7, 6S4, 7GT, 6S17W, 6SN7GT, 6SN7W, 6X5GT/G, 6Y6G, 7F8, 12A17GT, 12S17, 12SN7GT, 12SN7W, 5Z4, 884, 955, 956, 931A, 1619, 1620, 1624, 2050, 9004, 25Z7, 304.	No	No	[10]Radio and radar types including coils and chokes, other than R. F. and I. F.
			[11]May not be sold to tube reprocessors except on specific authorization from WPB.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1). This list does not apply to special sales for export. These are covered by List B.

Materials or products (1)	Persons buying for use (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART V—MACHINERY, ETC.—continued			
Electronic equipments—con.			
Tubes, etc.—con.			
Other tubes:			
JAN Inspected	PR-AA1	PR-AA1	
ARMY Inspected	PR-AA3	PR-AA3	
NAVY Inspected	PR-AA3	PR-AA3	
Tubes not inspected	PR-AA5	PR-AA5	
Mining equipment and machinery [12] (new and used)	No	No	[12] Any equipment or machinery (whether mining, construction, industrial, or otherwise) acquired by a producer as defined in P-56 or which was in use in, or held in connection with a nonessential mine on the effective date, as defined in L-208, may be transferred only to a producer as defined in P-56, who holds a serial number under P-56, or with the written permission of the War Production Board applied for by letter to the Mining Division, Washington, D. C.
Motors and Generators:			
Fractional horsepower, electric	PR-AA5	WOP	
PART V—MACHINERY, ETC.—continued			
Refrigerators, domestic mechanical	No [17]	No [18]	[17] May be sold freely to fill contracts or purchase orders for delivery to or for the account of the U. S. Maritime Commission or the War Shipping Administration for shipboard use only, otherwise WPB Form 807 is required. [18] WPB Form 869 required.
Trucks, industrial power (new and used)	No*	WOP	*Sales of industrial power trucks may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Adm. or from any prime or subcontractor of any of them who will incorporate the industrial power trucks into or will deliver them as equipment with a product being manufactured by him. Otherwise may be sold only on WPB authorization (Form WPB-1319).

LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold for export in accordance with paragraph (c) (7) (i).

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART I—METALS AND METALLIC ORES		
NOTE: Part I amended May 31, 1945.		
Antimony	No*	*No authorization required providing the buyer's aggregate purchases from all sources in any month do not exceed 224 pounds (contained Antimony).
Babbitt and tin bearing alloys:		
Containing 1.5% or less tin by weight	No*	*No authorization required if the special sale does not exceed 1,000 lbs. for one shipment.
Containing more than 12% tin by weight	No	
Bismuth	No	
Cadmium	No	
Chromium	No	
Copper:		
Copper raw materials (refinery shapes and copper and copper base alloy ingots and copper and copper base alloy scrap)	No	
Electrical resistance material, round or flat. Type A (80% nickel, 20% chromium)	No*	*May only be sold pursuant to authorization on Form WPB-1319.
Inconel metal	No	
Monel metal	No	
Nickel and its compounds	No	
Platinum	No	
Solder—containing 30% or less tin content by weight	No*	*No authorization required if the special sale does not exceed 1,000 lbs. for one shipment.
Containing more than 30% tin by weight	No	
Tin	No	
Uranium	No	

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART II—CHEMICALS, CHEMICALS LISTED HEREIN WHEN SOLD UNDER TRADE NAMES MAY BE SOLD AS PROVIDED FOR THE PARTICULAR CHEMICAL		
NOTE: Part II amended May 31, 1945.		
ALLOCATED CHEMICALS:		
Acetaldehyde	No**	**The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945 or by letter to the Chemicals Bureau to buy the particular chemical for export unless the buyer's aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order.
Acetic anhydride*	No**	*Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acetone	No**	
Acetylene black	No**	
Acids:		
Acetic	No**	
Adipic*	No**	*Includes all derivatives except nylon.
Anhydrous hydrofluoric	No**	
Arsenious*	No**	*Also called arsenic trioxide and white arsenic.
Citric	No**	
Maleic	No**	
Naphthenic	No**	
Phosphoric (by-product)	No**	
Sulfuric	No**	

LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT—Continued

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART II—CHEMICALS, ETC.—continued.		
ALLOCATED CHEMICALS—continued.		
Alcohols:		
Butyl*	No**	*Includes isobutyl secondary butyl and tertiary butyl.
Ethyl	No**	
Hexanhydric alcohols:		
d-Sorbitol	No**	
Mannitol-crystalline	No**	
Higher Aliphatic Alcohols:		
Capryl*	No**	*Also called methyl hexyl-carbinol or 2-Octanol.
Normal octanol	No**	
Normal decanol	No**	
Lauryl alcohol	No**	
Mixed aliphatic alcohols	No**	
Octanol	No**	
2-ethyl hexanol	No**	
Isopropyl	No**	
Methyl (methanol)	No**	
Alkanolamines	No**	
Allyl alcohol	No**	
Allyl chloride	No**	
Aluminum hydrate	No**	
Aluminum chloride, anhydrous	No**	
Ammonia:		
By-product ammonia*	No**	*Including salts and solutions.
Sulphate of ammonia*	No**	*Containing 20.5% nitrogen or less.
Synthetic ammonia*	No**	*Including salts and solutions.
Ammonium silicofluoride	No**	
Aniline, aulline oil	No**	**The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945 or by letter to the Chemicals Bureau to buy the particular chemical for export unless the buyer's aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order.
Aromatic solvents*	No**	*Holder must notify purchaser whether Class A or B solvent or blend as defined in Order M-150.
Barbasco root	No**	
Barium carbonate	No**	
Barium chloride	No**	
Bentonite, dessicant grade	No**	
Benzaldehyde	No**	
Benzene	No**	
Benzene containing oils	No**	
Butadiene	No**	
2-butanol	No**	
Butyl acetate*	No**	*Normal, secondary and iso.
Butyl phthalyl butyl glycollate	No**	
Cadmium pigment	No	
Calcium carbide	No**	
Calcium hypochlorite, high test*	No**	*Available chlorine content 65% or more by weight.
Camphor, synthetic	No**	
Carbolates, containing 10% or more of phenols (see Phenols).		
Carbon black	No**	
Carbon tetrachloride	No**	
Castor oil phthalate	No**	
Castor oil phthalate hydrogenated	No**	
Charcoal	No**	
Chlorate and perchlorate chemicals*	No**	*Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates, perchloric acid, and any other chlorate or perchlorate chemical.
Chlorine	No**	
Chlorinated hydrocarbon solvents	No**	
Chlorinated paraffins	No**	
Chlorinated Rubber (see Rubber Part IV).		**The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945 or by letter to the Chemicals Bureau to buy the particular chemical for export unless the buyer's aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order.
Chrome pigments:		
Class A	No**	
Class B	No**	
Chromium Chemicals:		
Ammonium bichromate	No**	
Chromic acid	No**	
Potassium bichromate	No**	
Potassium chromate	No**	
Sodium bichromate	No**	
Sodium chromate	No**	
Chromium tanning compounds	No**	
Cobalt oxide	No**	
Copper carbonate	No**	
Copper chloride	No**	
Copper cyanide	No**	
Copper oxide	No**	
Copper sulphate	No**	
Cotton pulp, chemical	No**	
Cresols; ortho, meta and para	No**	
Cuprous oxide	No**	
Cyanamid	No**	
DDT	No**	

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART II—CHEMICALS, ETC.—continued.		
ALLOCATED CHEMICALS—continued.		
Diacetone	No**	
Diamyl phthalate	No**	
Di-butoxy ethyl phthalate	No**	
Dibutyl phthalate	No**	
Dicyandiamide	No**	
Di-cyclohexyl phthalate	No**	
Diethanolamine	No**	
Diethyl ethanolamine	No**	
Diethyl phthalate	No**	
Di-2-ethyl hexyl phthalate	No**	
Di-ethoxy ethyl phthalate	No**	
Di-methylcyclohexyl phthalate	No**	
Dimethyl amines	No**	
Dimethyl phthalate	No**	
Dipentene	No**	
Diphenylamine*	No**	*Also called phenylaniline.
Dyestuffs and organic pigments	No**	
E. W. naphtha	No**	
Ethyl acetate	No**	
Ethyl phthalyl ethyl glycollate	No**	
Ethyl ether	No**	
Ferro-Ferri-Cyanides:		
Sodium Ferro-cyanide	No**	
Potassium Ferro-cyanide	No**	
Potassium-Sodium-ferri-cyanide	No**	
Formaldehyde	No**	**The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945 or by letter to the Chemicals Bureau to buy the particular chemical for export unless the buyer's aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order.
Furfural	No**	
Gasoline Gum Inhibitors	No**	
Glycols:		
Ethylene glycol	No**	
Triethylene glycol	No**	
Mixed glycols	No**	
Glycol ethers:		
Monobutyl ether of ethylene glycol.	No**	
Monomethyl ether of ethylene glycol.	No**	
Monoethyl ether of ethylene glycol.	No**	
Monoethyl ether of diethylene glycol.	No**	
Guanidine	No**	
Hexamethylenetetramine	No**	
Hydrogen peroxide	No**	
Iron oxide, yellow	No**	
Isobutyl castor oil phthalate	No**	
Isobutyl acetate	No**	
Lacquer, lacquer thinners (see protective coatings).		
Maleic anhydride	No**	
Methanol	No**	
Methyl ethyl ketone	No**	
Methyl isobutyl ketone	No**	
Methyl phthalyl ethyl glycollate	No**	
Monoethanolamine	No**	
Monomethyl amines	No**	
Naphthalene	No**	
Napthenates	No**	
Naptha, high flash	No**	
Nickel chemicals (salts, oxides and carbonates).	No	
Nitrogen compounds	No**	
Oleum	No**	
Oxidized petrolatum	No**	
Paraformaldehyde	No**	
Pentaerythritol	No**	
Perchlorate chemicals	No**	
Perchlorethylene	No**	
Perchloric acid	No**	
Phenols*	No**	*Includes phenols, cresols and xylenols, substituted phenols, tar acid oil, carbolates and mixtures thereof.
Phosphorus (yellow and white)	No**	**The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945 or by letter to the Chemicals Bureau to buy the particular chemical for export unless the buyer's aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order
Phthalic anhydride	No**	
Pine oil	No**	
Pine tar	No**	
Plasticizers:		
Phosphate	No**	
Phthalate	No**	
Potash*	No**	*Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia and run-of-the-mine potash.
Potassium carbonate	No**	
Potassium tantalum fluoride	No**	
Pyrethrum	No**	
Pyridine	No**	
Pyronate	No**	
Rhodium chemicals	No**	
Rotenone	No**	

LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT—Continued

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART II—CHEMICALS, ETC.—continued		
ALLOCATED CHEMICALS—continued.		
Rubber, synthetic (see Rubber, Part III).		
Silica gel	No**	
Sodium cyanide	No**	
Sodium metallic	No**	
Sodium nitrate	No**	
Sodium perborate	No**	
Sodium phosphate	No**	
Stabilized resin	No**	
Tin chemicals	No	
Toluene (toluol)	No**	
Tributyl glycerol phthalate	No**	
Trichlorethylene	No**	
Tungsten chemicals	No	
Ultramarine blue	No**	
Uranium chemicals	No	
Vanadium chemicals	No	
Xylenols	No**	
Xylol	No**	
PLASTICS, ADHESIVES AND SYNTHETIC RESINS:		
Acrylic Monomers and Acrylic Resins		
Cast sheet—std. sizs	No**	
Cast sheet—odd sizs	No**	
Molding sheet	No**	
Molding powder	No**	
Cast shapes	No**	
Tube	No**	
Rod	No**	
Solution	No**	
Emulsion	No**	
Monomer*	No**	
Granular polymers	No**	
Casein*	No**	*In primary unfabricated forms.
Cellulose acetate:		
Sheet, rod and tube*	No**	*In primary unfabricated forms.
Molding powder	No**	
Cellulose acetate butyrate:		
Sheet, rod and tube*	No**	**The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945 or by letter to the Chemicals Bureau to buy the particular chemical for export unless the buyer's aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order.
Molding powder	No**	
Cellulose ester flake	No**	
Dichlorostyrene	No**	
Ethyl cellulose	No**	
Glue, hide, and extracted green bone.	No**	
Laminated plastics	No**	
Melamine molding compounds	No**	
Melamine resins	No**	
Nitro-cellulose	No**	
Phenolic molding compounds	No**	
Phenolic resins	No**	
Phthalic alkyd resins	No**	
Poly-dichlorostyrene	No**	
Polyethylene	No**	
Polystyrene	No**	
Tapioca	No**	
Urea molding compounds	No**	
Urea resins	No**	
Vinyl polymers	No**	
Vulcanized fibre, sheet	No**	
Vulcanized fibre, tube	No**	
PROTECTIVE COATINGS:		
Paint, varnish, enamel, lacquer, dope, lacquer or dope thinner, paint or varnish remover, and stain containing any of the ingredients listed in Column 3*.	No***	***The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-1161 to buy the particular critical protective coating for export unless the buyer's aggregate purchases are equal to or less than 275 gallons monthly. *Acetone, or diacetone, benzol, butyl alcohols or butyl acetates, cadmium pigments, chromium oxide pigment, cuprous oxide pigment, zinc chromate pigment, butyl or isopropyl acetates, ethyl cellulose, F. W. naphtha, isopropyl alcohol, methyl isobutyl ketone, methyl ethyl ketone, paraphenyl or butyl phenol resins, phosphate plasticizer, phthalate plasticizers, phthalic alkyd resins, toluene, vinyl polymers, and xylene.
PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS		
NOTE: Part III amended May 31, 1945.		
These restrictions do not apply if the material was acquired without a priority rating or authorization from the War Production Board.		
Animal bristles and hair	PR-AA5	

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS—continued		
Clothing, footwear (including safety shoes), hats, gloves, and all other outer or undergarments or apparel, is made in whole or part of leather or textile yarn, staple fiber or fabrics.	PR-AA5	
Cordage (see Rope).		
Cotton linters* (chemical grade)	No	*Produced after July 1, 1943.
Dyestuffs (defined in Conservation Order M-163).	PR-AA5	
Equipage: Military luggage and sleeping bags.	No	
Fabrics (Woven, felted, knitted and braided):		
Burlap	PR-AA5	
Cotton (except Duck)	PR-AA5	
Cotton Duck (Width 15" or wider)	No	
Elastic (Synthetic rubber)	PR-AA5	
Nylon	No	
Silk	No	
Wool	PR-AA5	
Blends of the foregoing	PR-AA5	
Feathers, waterfowl	No	
Fibers:		
Cordage fiber	No	
Manila, agave, hemp, ramie, jute, coir and other fibers (except istle) suitable for cordage.		
Textile fibers:		
Cotton	PR-AA5	
Jute	PR-AA5	
Nylon	No	
Silk	No	
Wool	PR-AA5	
Blends of the foregoing	PR-AA5	
Fibrous glass textiles, except tape 1½" and less in width, sleeving or tubing, multiple wound yarns four or more ends wound parallel on tubes).	No	
Findings, metal shoe:		
Arch supporters	PR-AA5	
Box toes and caps	PR-AA5	
Heel rims and plates	PR-AA5	
Heel washers	PR-AA5	
Shoe shanks	PR-AA5	
Steel wire shoe nails	PR-AA5	
Toe rims and plates	PR-AA5	
Hides, skins, furs and leather and products made primarily therefrom.	No	
Kapok	No	
Materials obtained under Conservation Orders M-328B, M-385, M-317, M-317A, M-317B, and orders in the M-388 series.	PR-AA5	
Rope	PR-AA5	
Silk (raw)	No	
Slide fasteners	PR-AA5	
Sponges, marine and boots	PR-AA5	
Tacks, steel (except thumb tacks)	PR-AA5	
Tanning material, vegetable	PR-AA5	
Yarns and thread:		
Cotton	PR-AA5	
Jute	PR-AA5	
Nylon	No	
Silk	No	
Synthetic rubber	PR-AA5	
Wood	PR-AA5	
Blends of the foregoing	PR-AA5	
PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS		
NOTE: Part IV amended May 31, 1945.		
Coarse paper, sanitary paper, container board and products therefrom.	No	
Graphite, strategic grades	No*	*Application should be filed on Form WPB-623.
Rubber:		
Natural rubber and latex	No	
Reclaimed	No	
Synthetic—all types	No	
Rubber Products:		
Belting and belts—all types	No	
Camelback and repair materials—all types.	No	
Footwear—all types	No	
Heels and soles—all types	No	
Hose—all types	No	
Proofed goods and drug sundries—all types.	No	
Tires and tubes—all types	No	
All other miscellaneous rubber goods.	No	
Screen cloth, insect, metal	No	

LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT—Continued

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS—con.		
Watches, jeweled and non-jeweled	No	
Woods:		
Lumber:		
Hardwoods:		
No. 1 Common and Better or equivalent grade of White Oak (including WHND), Red Oak, Birch, Beech, Pecan, Rock Elm, Hard Maple, and Tough White Ash.*	PR-AA5**	*Buyers must also give certificate required by Dir. 6 to Order L-335 assigned by FEA.
Other grades of the above	PR-AA5**	**Buyers must give certificate required by Order L-335 assigned by FEA.
Mahogany, wormy grades (pattern stock).	PR-AA1	
Other grades	WOP	***Buyers must also give certificate required by Dir 2A to Order L-335 assigned by FEA.
Other Hardwoods	PR-AA5**	
Plywood:		
Softwood	PR-AA2X	
Dressed wood (hardwood)	PR-AA3	
Softwood lumber, except Western Pine.	PR-AA5**	
Western pine***	PR-AA5**	
Wood pulp	No	
PART V—MACHINERY, EQUIPMENT AND COMPONENTS		
NOTE: Part V amended May 31, 1945.		
Bearings:		
Anti-friction including the following component parts: Inner and outer races, alloy steel balls, and balls and rollers assembled in retainers	No*	*Sales of excess bearings for export are limited to the following: 1. On any AAA order, or 2. If the quantity to be sold in any month costs less than $250 they may be sold on any order rated AA-5 or higher regardless of order's source; or 3. Specific sales authorized by the WPB
Boilers:		
Cast iron heating	AA-3	
Low pressure steel	AA-3	
Steel, high pressure (Table 14, M-2960).	AA-3	
Burners, oil, domestic	AA-3	
Clocks, alarm	No	
Containers:		
Corrugated and solid fibre shipping	PR-AA5	
Compressed gas cylinders	PR-AA5	
Diamond dies (small)*	No	*With hole diameter of .0615 and smaller.
Dishwashing machinery, commercial	No*	May be sold only on WPB authorization on Form WPB-1319.
Electronic parts and equipment*		*Rejected components. Special sales of components on this list (except test equipment) which have been rejected after inspection for failure to meet military specifications may be made without restriction provided that before such sales are made, any Army or Navy identifying marks or symbols have been defaced or removed from the components. Any person making a special sale of such components must secure and retain a written statement of Army or Navy inspectors that the components are military rejects and must maintain records of such sales in accordance with paragraph (i) of this regulation.
Electronic equipments	PR-AA5	
Capacitors:		
Paper dielectric:		
Wax impregnated	PR-AA3	
Oil impregnated	PR-AA5	
Oil impregnated power factor type.	PR-AA5	

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART V—continued		
Electronic parts, etc.—Continued.		
Capacitors—Continued.		
Paper dielectric—Continued.		
Molded bakelite	PR-AA5	
Electrolytic	PR-AA3	
Tubular ceramic	PR-AA1	
Mica button	PR-AA1	
Coaxial cable	PR-AA5	
Instruments electrical indicating, combat type*.	PR-AA5	*Except fire control equipment, and navigation instrument.
Relays	PR-AA5	
Resistors:		
Molded composition, insulated:		
Quarter watt	PR-AA1	
Half watt	PR-AA1	
Precision wire wound	PR-AA1	
Wire wound, molded, 2 watt	PR-AA3	
Wire wound (others)	PR-AA5	
Variable resistors	PR-AA3	
Shock Mounts	PR-AA5	
Test Equipment, commercial, Electrical and Electronic (new and used)*.	No	*Includes all items of commercial, electrical and electronic test equipment.
Transformers and reactors*		*Radio and radar types including coils and chokes, other than R. F. and I. F.
Hermetically sealed	PR-AA1	
Others	PR-AA3	
Tubes (Radio and Radar):		
Restricted tubes	No	
1A5, 1B38, 1D5GP, 1D6G, 1L4, 1R5, 1S4, 1S5, 1T4, 3A, 3A5, 3C40, 2C43, 3C22, 22, 3E29, 3Q4, 5R4GY, 5V4G, 5Y3GT G, 6AC7, 6AC7W, 6AG7, 6AG7, 6AJ5, 6AK5, 6A8, 6B4G, 6J4, 6J5, 6L6G, 6L6GA, 6SJ7, 6SL7GT, 6SL7W, 6SN7GT, 6SN7W, 6X5GT G, 6Y6G, 7E5, 12SL7GT, 12SL7W, 12SN7GT, 12SN7W, 8298, 884, 955, 956, 931A, 1619, 1-0, 1022, 2050, 9004, 2S07, 354.		
Other tubes		
JAN Inspected	PR-AA1	
ARMY Inspected	PR-AA3	
NAVY Inspected	PR-AA3	
Tubes not inspected	PR-AA5	
Furnaces, cast iron and steel	AA-3	
Laundry machinery, domestic	No	
Mining equipment and machinery* (new and used).	No	*Any equipment or machinery (whether mining, construction, industrial or otherwise, acquired by a producer as defined in P-56, or which was in use in, or held in connection with a non-essential mine on the effective date, as defined in L-208, may be transferred only to a producer as defined in P-56 who holds a serial number under P-56, or with the written permission of the War Production Board applied for by letter to the Mining Division, Washington, D. C.
Motors and Generators:		
Fractional horsepower, electric	PR-AA5	
Radiators, cast iron	No	
Ranges, electric	No	
Refrigerators:		
Commercial mechanical	No	
Domestic mechanical	No*	*Sold freely only to fill contracts or purchase orders for delivery to or for the account of U.S. Maritime Commission or the War Shipping Administration for ship-board use only. Otherwise WPB-367 is required.
Sewing machines	No	
Trucks, industrial power (new and used).	No*	*May be sold only on WPB authorization on Form WPB-1319.
Vacuum cleaners (domestic)	No	

DIRECTION 1

SPOT AUTHORIZATIONS UNDER PRIORITIES REGULATION NO. 25

(a) A holder may make a special sale of copper, copper base alloy, aluminum or steel in a form described as a controlled material in CMP Regulation 1, to a buyer who gives him an order bearing a CMP allotment symbol whose initial letter is "Z". The buyer need not charge material bought under this paragraph against any CMP allotment account. No special permission from the War Production Board is required to make such a sale to a buyer who has been authorized to use a CMP allotment symbol whose initial letter is "Z".

(b) A holder may also make a special sale of a noncontrolled material or product which, pursuant to Priorities Regulation 13, may be sold to a user on a rating of AA5, if the buyer furnishes an order bearing a CMP allotment symbol whose initial letter is "Z" which has been granted to him under Priorities Regulation 25.

(c) A production schedule authorized under Priorities Regulation 25 does not permit the person holding such a schedule to acquire materials or products which are limited under Priorities Regulation 13 to sales on ratings higher than AA-5 or which require special permission of the War Production Board (Issued Aug. 30, 1944.)

DIRECTION 3

SALES OF SURPLUS PROPERTY TO GOVERNMENT AGENCIES AND STATE OR LOCAL GOVERNMENTS

(a) *Purpose.* Government agencies and state or local governments are entitled to certain priorities in getting surplus property from government disposal agencies under the Surplus Property Act of 1944 and Surplus Property Board Regulation No. 2. This direction is issued to provide for these priorities and at the same time to make sure that the needs of the Armed Services, war production and essential civilian activities are met.

(b) *Applicability of WPB orders and regulations to sales under Surplus Property Board Regulation No. 2.* Disposal agencies, in making sales under Surplus Property Board Regulation No. 2, must comply with Priorities Regulation 13 and all other applicable orders, regulations or other action of the WPB, except that the requirements for the filling of rated orders are modified in the following two respects unless the WPB otherwise directs in writing.

(1) In the case of orders for any item received during the first 30 days following notice of availability under Surplus Property Board Regulation No. 2, preference may be given, to the extent indicated in that regulation, to government agencies or state or local governments ahead of other purchasers placing orders bearing the same rating.

(2) In addition, to the extent indicated in that regulation, the filling of rated orders received during the above 30-day period may be postponed within the period, and the sequence in which a disposal agency received rated orders bearing the same rating during the period may be disregarded. (Issued May 16, 1945.)

[F. R. Doc. 45-9424; Filed, May 31, 1945; 11:15 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 13, Revocation of Direction 2]

PUBLIC AUCTION OF CERTAIN CONTROLLED MATERIALS

Direction 2 to Priorities Regulation 13 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9423; Filed, May 31, 1945; 11:15 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-786, as Amended May 31, 1945]

HEARST PUBLICATIONS, INC.

Hearst Publications, Inc., is a corporation, one department of which publishes the Los Angeles Examiner, a morning newspaper published daily and Sunday at Los Angeles, California, having its principal place of business located at 1111 South Broadway, Los Angeles, California. During the first, second and third quarters of 1944, Hearst Publications, Inc., caused to be used in the printing of the Los Angeles Examiner an aggregate of 736.24 tons of print paper in excess of its allowable consumption of print paper permitted under the provisions of Limitation Order L-240. 299 tons of the excess use of print paper resulted from the gross negligence of Hearst Publications, Inc., in basing its allowable consumption upon its own calculated net paid circulation rather than the net paid circulation as audited by the Audit Bureau of Circulations as required by paragraph (g) of Limitation Order L-240. The balance of the excess use of print paper, 437.24 tons, resulted from an erroneous calculation by Hearst Publications, Inc. of its tonnage of print paper for the corresponding quarters of 1941, as required by Limitation Order L-240. Hearst Publications, Inc. was aware of War Production Board limitations on the use of print paper and the violations have diverted critical materials to use not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.786 *Suspension Order No. S-786 (as Amended).* (a) Hearst Publications shall deduct the less-than-quota savings of 299 tons of print paper effected by the Los Angeles Examiner during the fourth quarter of 1944 from its allowable consumption tonnage of print paper for publishing the Los Angeles Examiner.

(b) During the third and fourth quarters of 1945, Hearst Publications, Inc., unless otherwise specifically authorized in writing by the War Production Board, shall reduce its consumption of print paper for the printing of the Los Angeles Examiner by 437.24 tons under the consumption quota of print paper it otherwise would be entitled to use for these periods under the provisions of Limitation Order L-240: *Provided*, That it shall make a reduction of not less than 200 tons in the third quarter.

(c) Nothing contained in this order shall be deemed to relieve Hearst Publications, Inc. from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Hearst Publications, Inc., its successors or assigns or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9418; Filed, May 31, 1945; 11:14 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-792]

STANLEY ROY

Stanley Roy, of 14135 Seymour Street, Detroit, Michigan, is a building contractor, and during October 1944, without permission of the War Production Board, did construction of a store at 13324 Gratiot Avenue, Detroit, Michigan, at an estimated cost in excess of $200. Stanley Roy was aware of Conservation Order L-41, and his beginning and carrying on of this construction constituted a wilful violation of that order.

His acts of violation have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.792 *Suspension Order No. S-792.* (a) Stanley Roy shall do no construction on the premises at 13324 Gratiot Avenue, including putting up, altering or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Stanley Roy shall not, for four months from the effective date of this order, apply or extend any preference ratings, or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(c) Nothing contained in this order shall be deemed to relieve Stanley Roy from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Stanley Roy, his successors or assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Paragraph (b) of this order shall take effect on the 26th day of May 1945, and the rest of the order shall take effect on date of issuance.

Issued this 19th day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9416; Filed, May 31, 1945; 11:14 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, Direction 4]

PAPER CUPS EXEMPT FROM PARAGRAPH (G) QUOTA RESTRICTIONS

The following direction is issued pursuant to Limitation Order L-317:

(a) Those "cups" that are exempt from the Schedule III Class of Products entitled "Paper or paper products", shall be regarded as including only such cups that are made from paper which is restricted by Appendix B of Order M-241. Therefore, except for such cups, the use of new fibre shipping containers to store, pack or ship paper cups is subject to the quota restrictions of paragraph (g) of Order L-317. The paper that is referred to above as being restricted is described in Appendix B of Order M-241 as "Sanitary food container stock" and includes only those grades of paper which must be reported on WPB Form 514 under the following caption numbers in that Form: 224001, 224002, 224003, 224004, 224005 and 224008.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9421; Filed, May 31, 1945; 11:14 a. m.]

PART 1001—TIN

[General Preference Order M-43, as Amended May 31, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.1 *General Preference Order M-43*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Applicability of order.* Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of tin in the production of any item or article, the limitations of such other order shall be observed.

(c) *Definitions.* For the purposes of this order:

(1) "Tin" means and includes both pig tin and secondary tin.

(2) "Pig tin" means metal containing 98% or more by weight of the element tin, in shapes current in the trade (including anodes, small bars, and ingots) produced from ores, residues or scrap.

(3) "Secondary tin" means any alloy which contains less than 98% but not less than 1.5% by weight of the element tin.

(4) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat, or process in any way, but does not include the processing of tin ore, concentrates, residues or scrap into metallic tin.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with, or available for the use of such person.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Base period" means the corresponding calendar quarter of 1944.

(8) "Distributor" means any person regularly engaged in the business of buying and selling tin, and includes warehousemen and jobbers.

(9) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(d) *General restrictions on use of tin.* (1) No product or article or part thereof shall be manufactured of pig tin if it is possible to use secondary tin for such purpose.

(2) No tin in any form (including solder containing tin) shall be used in the manufacture of any item or in any process appearing on List A of this order, except as indicated; nor shall tin be used for any purpose except to manufacture the items or for the purposes listed in the schedules of this order and then only within the limitations and restrictions specified in the schedule with respect to such item or purpose.

(e) *Restrictions on the use of certain tin products.* No person shall use any of the tin bearing products on List B of this order in the manufacture or treating of any other product or article except that when any such tin bearing product is listed in a schedule of this order it may be used for the purposes for which it is permitted to be manufactured as specified in the schedule.

(e-1) The restrictions of paragraphs (d) and (e) and of the schedules to this order except quota restrictions shall not apply to the manufacture of "Implements of war" produced for the Army or Navy of the United States, U. S. Maritime Commission or War Shipping Administration where the use of tin contrary to those restrictions is required either by the latest applicable specifications, on drawings, or by letter or contract of the government service or agency for which the "Implements of war" are being produced.

(f) *Restrictions on deliveries of pig tin.* (1) No person shall deliver or accept delivery of pig tin without a specific allocation in writing by the War Production Board, except that pig tin may be delivered without specific allocation:

(i) To the Metals Reserve Company or to any other corporation organized under section 5(d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., sec. 606 (b)), or to any duly authorized agent of any such corporation.

(ii) By any distributor in lots of three long tons or less but not exceeding a total of five long tons to any one customer in the same calendar month. The aggregate of such deliveries which any person may receive from all distributors pursuant to the authority of this paragraph shall in no event exceed five long tons in any calendar month. Any person seeking such a delivery shall, at the time of placing his purchase order, designate his end use and file with the distributor a statement substantially in the following form, signed manually or as provided in Priorities Regulation No. 7 by an official duly authorized for such purpose.

The undersigned hereby certifies:

(a) That no allocation of pig tin has been made to the undersigned by the War Production Board during the calendar month in which delivery of the pig tin covered by the accompanying purchase order is specied:

(b) That such pig tin if delivered will not cause the undersigned's total receipts of pig tin from all distributors during the same calendar month pursuant to the authorization of paragraph (f) of General Preference Order M-43, as amended, to exceed five long tons; and

(c) That such pig tin will not be used or disposed of by the undersigned in violation of this order or any other order or regulation of the War Production Board.

(Name of purchaser)

By---
(Duly authorized official)

(2) On or before the 10th day of each calendar month, each distributor shall report to the War Production Board in such form and detail as said Board may from time to time prescribe, (subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942) his transactions in all pig tin during the previous month.

(g) *Allocations of pig tin.* The War Production Board will from time to time allocate the supply of pig tin, including all pig tin released by the Metals Reserve Company, and issue specific directions as to the source, destination and the amount of pig tin to be delivered or acquired. In general no person shall receive by allocation of the War Production Board during any calendar quarter a quantity of pig tin in excess of the quantity received by him during the base period. The War Production Board may also specifically direct the purposes and end products for which any person may convert, process or fabricate pig tin allocated to him.

(h) *Applications for and reports of pig tin.* Application for allocations of pig tin under paragraph (f) shall be made to the War Production Board not later than the 20th day of the month next preceding the month in which delivery is desired, on Form WPB-412 or such other form as the War Production Board may from time to time prescribe. Any person who on the first day of a calendar month has in his possession or under his control two long tons or more of pig tin or who used during the preceding calendar month, 3,000 pounds or more of pig tin, shall, not later than the 20th day of such month, report to the War Production Board on Form WPB-412 in accordance with the instructions accompanying such form, regardless of whether or not he seeks an allocation of pig tin during the next succeeding month.

(i) (1) *Prohibitions against sales or deliveries with knowledge of intended misuse.* Notwithstanding the authorization by the War Production Board of a sale or delivery of tin, no person shall sell or deliver any tin or tin-bearing material or product thereof in the form of raw materials, semi-processed materials, finished parts or sub-assemblies to any person if he knows or has reason to believe such material or any product thereof is to be used in violation of the term of this order. A supplier may rely upon the written statement of the customer seeking delivery of any such material,

as to the purposes for which it will be used, unless the supplier knows or has reason to believe such statement to be false, and any such statement shall constitute on the part of the person making the same, a representation to the War Production Board within the meaning of section 35 (A) of the United States Criminal Code, 18 UU.S.C. Sec. 80.

(2) *Prohibitions on purchases or sales of certain articles containing tin or tin plate on List A.* The use of tin in the manufacture of articles on List A marked with an asterisk has been prohibited since April 30, 1942. The use of tin plate in the manufacture of such articles is restricted by Schedule VI. No person, for the purpose of resale, shall buy or receive from a manufacturer any new articles of the kinds on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes. After February 28, 1945, no person shall sell or deliver any new articles of the kinds on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes, except as authorized in writing by the War Production Board. A person who wishes to secure such authorization shall file by letter in triplicate an inventory report of all new articles of the kinds on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes. For each group of items on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes, the letter shall state the quantities owned by him or in his possession on March 1, 1945, the names and addresses of the sellers from whom the purchases were made, and the date of the purchases. Authorizations will ordinarily be granted except where it appears that the articles were obtained in violation of this paragraph (i) (2). "New article" for the purpose of paragraph (i) (2) means an article which has not been used by an ultimate consumer. A purchaser of new articles for the purpose of resale of the kinds on List A marked with an asterisk may rely on a written certification by his supplier that they contain no tin plate or tin in any form other than solder used for joining purposes, unless the purchaser knows or has reason to believe that the statement is false.

(j) *Limitation on inventories.* No person shall receive delivery of tin, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of tin products by this order. Forty-five days inventory of pig tin shall, for the purpose of this order, be deemed a practicable working inventory for any person except a manufacturer of tin plate as tin plate is defined in Schedule VI, as from time to time amended.

(k) *Appeals and communications.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal. Appeals, reports and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., reference: M-43.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Pursuant to paragraph (d) (2) and Schedule VI of this order, the use of tin in any form, including semi-finished end products, and of tin plate, in the manufacture of items and for the purposes listed below is prohibited except as indicated; prohibitions against sales or purchases of the articles marked with an asterisk are set forth in paragraph (i) (2) of the order:

*1. Advertising specialties.
*2. Art objects.
3. Automobile body solder, or any similar material commonly used as a filler or smoother for automobile or truck bodies or fenders.
4. Band and other musical instruments (except as permitted in Schedule I under the item "pipe organs", paragraph 11).
*5. Britannia metal, pewter metal or other similar tin bearing alloy.
6. Broom wire.
*7. Buckles.
*8. Buttons.
9 Chimes and bells.
*10. Emblems and insignia.
11. Fasteners: eyelets, spiral binders, office and industrial staples, book match clips, paper clips, slide fasteners, dress hooks, snap fasteners, and other clothing fasteners.
12. Foil (except as permitted in Schedule I under the item "foil" paragraph 4).
13. Zinc galvanizing.
*14. Household furnishings and equipment.
*15. Jewelry.
16. Kitchen equipment (including cutlery and tableware), except as permitted in Schedule I, paragraphs 6 and 15.
*17. Novelties, souvenirs and trophies.
*18. Ornaments and ornamental fittings.
19. Plating or coating for decorative purposes.
20. Powder (decorative).
21. Refrigerator trays and shelves—all types.
22 Seals and labels.
23 Slot, game and vending machines.
24 Coated paper.
25. Tin oxide and other tin chemicals (except as permitted in Schedule I, paragraph 18).
*26. Toys and games.

LIST B

The following tin-bearing products shall not be used in the manufacture or treating of any other products except in accordance with the provisions of paragraph (e) of the foregoing order:

1. Automobile body solder or any similar material containing tin, commonly used as a filler or smoother for automobile or truck bodies or fenders.
2. Tin oxide and other tin chemicals.
3. Solder containing more than 30% tin by weight.
4. Babbitt metal or similar alloys used as babbitt containing more than 12% by weight of tin.
5. Britannia metal, pewter metal or other similar tin bearing alloy.
6. Foil containing more than 1% tin by weight.
7. Copper-base alloy containing more than 2% tin by weight.

SCHEDULES

Pursuant to the foregoing order, tin may be used only in the production of the items and for the purposes set forth in these Schedules, subject to any limitations, restrictions or conditions specified with respect to any such items or purpose and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

SCHEDULE I—MISCELLANEOUS

1. *Detonators and blasting caps (including electric blasting caps).* This item includes all necessary parts and accessories but is limited to detonators and blasting caps which are to be used in mining, quarrying, or oil drilling operations. Necessary materials to be incorporated in such detonators or blasting caps shall be exempt from the limitations, conditions and restrictions specified in this schedule with respect to any such material.

2. *Tin plate, terne plate, and terne metal.* Tin plate, terne plate and terne metal, as respectively defined in Schedule VI of this order, may be manufactured as permitted under the provisions of said Schedule VI. Terne metal, however, may be manufactured from secondary tin only.

3. *Collapsible tubes.* The use of tin in the manufacture of collapsible tubes is permitted subject to the limitations and restrictions of Conservation Order M-115, as amended from time to time.

4. *Foil.* In the manufacture of foil the tin content shall be limited as follows, according to the purposes for which it is to be used:

(i) Electrotypers foil—not more than 10% tin by weight.
(ii) Dental foil—not more than 30% tin by weight.
(iii) Foil to be used in condensers—not more than 4½% tin by weight.
(iv) Soft babbit foil for the preparation of industrial metallic packing—not more than 1.5% tin by weight.
(v) Foil to be used in aircraft magnetos—not more than 50% tin by weight.

The quantity of tin which any person may use in the manufacture of foil during any calendar quarter shall be limited to 80% of the quantity used by him in the manufacture of foil during the base period.

5. *Dairy equipment.* Tin may be used to coat fluid milk shipping containers which are manufactured within the restrictions and in accordance with the provisions of Conservation Order M-200. Tin may be used to manufacture dairy equipment other than such fluid milk shipping containers, but the total quantity used by any person in the manufacture of such other dairy equipment during any calendar quarter, shall be limited to the quantity used by him for such purposes during the base period. Any dairy equipment may be retinned, *Provided only,* That the amount of tin which any retinner may use during any calendar quarter, for the retinning of dairy equipment, shall be limited to the quantity used by him for such purposes during the base period.

6. Kitchen, galley and mess equipment for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Forest Service of the United States Department of Agriculture or the Veterans Administration. Tin may be used to coat the foregoing equipment excluding flat ware, to the extent required by the applicable specifications of the service or agency to which such equipment is to be delivered.

7. *Wire—Coating.* Tin or tin alloys may be prepared and used for coating wire only as follows and then, only when specified:

(a) *For copper wire.* There shall be no limitation upon the tin content of the coating alloy when the copper wire to be coated therewith is of a size of .0320" nominal diameter or finer. If the wire to be coated is of size larger than .0320" nominal diameter, the tin content of the coating alloy shall be limited to 12% tin by weight.

(b) *For steel wire.* (i) To be used as armature binding wire.

(ii) To be used in the manufacture of equipment for the production of textiles.

(iii) To be used in the packaging or marking of meat where the wire comes into actual contact with the meat.

(iv) In the liquor finishing process of fine steel bright wire.

8. *Foundry chaplets—Coating.* Alloys containing not more than 5% of tin by weight may be manufactured and used for coating foundry chaplets. Tin in no other form may be used for such coating, except as permitted under Schedule VI, as amended.

9. *Printing plates and type metal* for use by the printing, publishing and related service industries. Secondary tin only may be used in the manufacture of such plates and type metal. The quantity of secondary tin which any person may use in the manufacture of such plates and type metal during any calendar quarter, shall be limited to the quantity of tin used by him for such purposes during the base period.

10. *Dental amalgam alloys.* Tin may be used in the manufacture of dental amalgam alloys but the tin content of any such alloy shall be limited to 30% tin by weight.

11. *Pipe organs for religious and educational institutions.* Alloys containing tin may be taken from the inventories of organ builders to repair or rebuild pipe organs for religious or educational institutions provided alloys containing an equal or greater weight of tin can be salvaged from the repaired or rebuilt pipe organs and returned to said inventories.

12. Bolster metal for use in the manufacture of cutlery and surgical instruments for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Veterans Administration. The tin content of such bolster metal shall not exceed 10% by weight and shall be derived from secondary tin only.

13. *Fusible alloys and dry pipe valve seat rings.* Tin may be used in the manufacture of fusible alloys and dry pipe valve seat rings to the extent required to meet performance specifications with respect to the operation of the product in which such alloy is to be contained.

14. *Lead-base alloys for coating sheet, tube or wire.* Lead-base alloys containing tin may be manufactured and used to coat steel sheet, steel tubes or steel wire provided the tin content of any such alloy does not exceed 2.5% by weight and is not derived from pig tin.

15. *Equipment for preparing and handling food.* In addition to the purposes specified in item (5) of this schedule with respect to dairy products, tin may be used in the manufacture or repair of the following types of equipment, but only to the extent herein indicated:

(i) To coat or to retin articles of equipment used in the processing or handling of meat in the meat-packing industry, to the extent that any such articles come into actual contact with meat. The equipment intended to be covered by this provision includes, but is not limited to: bacon combs, hangers, metal molds, shovels, forks and scoops for handling sausage and cooking utensils.

(ii) To coat or retin utensils, forks, ladles, basting spoons, strainers, skimmers, colanders, and dishpans containing 21 quarts or more used in the processing or cooking of any food by institutions or by industrial or commercial establishments. (Each retailer of any of the above items shall furnish his supplier with a certification on his purchase order that he will sell such items only to institutions and industrial and commercial establishments and all suppliers shall require such certifications on all purchase orders from retailers. Suppliers must not sell such items to any users thereof except institutions and industrial or commercial establishments.)

16. Tin pipe and sheet tin for lining for use in the repair or maintenance of beverage dispensing units and parts thereof. Tin pipe and sheet tin may be manufactured only for use in the repair or maintenance of beverage dispensing units and parts thereof, provided that any customer for whom such pipe or sheet tin is manufactured shall return to the manufacturer a quantity of used pipe or scrap tin equal in tin content to that of the new pipe or sheet tin delivered to him.

17. [Deleted May 31, 1945.]

18. *Tin and tin chemicals.* Pig tin may be reprocessed for use as laboratory reagents and may be used in the manufacture of tin chemicals for use as such reagents, for medicinal purposes and also for use in plating processes where tin plating is permitted.

19. The total quantity of pig tin which any person may use during any calendar quarter for the production of any one of the items or for any one of the purposes set forth in this Schedule I shall not exceed the quantity used by him for any such production or for any such purpose during the base period, except in the case of the manufacturer of foil which is controlled by paragraph 4 of this Schedule I.

SCHEDULE II—SOLDERS

(a) No manufacturer or wholesale distributor shall sell or deliver any solder to a wholesale distributor or retailer and no wholesale distributor or retailer shall purchase or accept delivery of any solder unless the purchaser has given to the seller a statement that he will not resell the solder to a user without obtaining from the user the certificate called for below. No manufacturer, wholesale distributor or retailer shall sell or deliver any solder to a user and no user shall purchase or accept delivery of any solder from a manufacturer, wholesale distributor or retailer unless the user has given to the seller the certificate called for below. However, if the solder is in wire form, solid or cord, not to exceed ⅝ inch in diameter and contains not more than 30% of tin by weight, any person may sell or deliver it to a wholesale distributor or retailer without getting any statement from him and the retailer may sell it to a user without getting any certificate from him.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that the tin contained in the material covered by this order shall be used solely for the purpose listed in Schedule II, section ---- of General Preference Order M-43, or is to be incorporated in an "Implement of war" and the tin content of the material has been definitely specified in accordance with paragraph (e-1) of this order.

(b) In the manufacture of solder, the tin content by weight shall be limited as follows, according to the purpose for which it is to be used:

1. Manufacture of all cellular type radiators—solder per radiator shall average not more than 21% tin by weight.

2. Manufacture of all fin and tube type radiators for military and civilian use—solder per radiator shall average not more than 32% tin by weight.

3. Solder containing not more than 50% tin by weight may be used for the following:

(a) Ammunition box liners.

(b) Manufacture, maintenance and repair of refrigeration equipment, not including, however, coating such equipment or soldering the seams of ice cans.

(c) Manufacture, maintenance and repair of radio and radar equipment.

(d) Manufacture and repair of any type of indicating, recording, measuring or controlling instruments and their associate control valves, excluding manufacture and repair of gas meters which are provided for in paragraph (5) (g) and Schedule V.

4. Solder containing not more than 40% tin by weight may be used for the following:

(a) Manufacture and repair of all galvanized iron or zinc tanks.

(b) Installation and repair of water service pipes connecting the piping of a structure with the outside water main.

5. Solder containing not more than 35% tin by weight may be used for the following:

(a) All radiator repair, but only in the form of solid or cored wire solder not to exceed 5/32" in diameter.

(b) Manufacture and repair of tanks (except galvanized and zinc tanks). (Solder containing not more than 38% tin by weight may be used in the manufacture and repair of fuel tanks of more than 20 gallon capacity.)

(c) Manufacture and repair of dairy ware and dairy equipment where solder comes in contact with products.

(d) Manufacture, assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron."

(e) Manufacture, maintenance and repair of electric motors, generators, armatures, electrical equipment and appliances.

(f) Manufacture of electrical fuses.

(g) Manufacture of gas meters.

(h) Wiping lead sheathed cable joints or lead pipe joints.

(i) Manufacture or repair of lap and top combs, and other equipment used in the textile industry.

(j) Manufacture of foundry patterns and for soldering patterns to the gates.

(k) Manufacture and repair of the following dairy and egg processing equipment: cheese vats, clarifiers, separators, coolers, heaters and preheaters, dehydrators, fillers, filters, fore-warmers, hot wells, homogenizers and high pressure sanitary pumps, pasteurizers, sanitary centrifugal and positive pumps, vacuum pans and sanitary pipe lines in connection with soldering on sanitary ferrules and fittings.

6. Solder containing not more than 21% tin by weight may be used for the following:

(a) Sealing of milk cans. (Solder used for this purpose is commonly referred to as "tipping solder".)

7. Solder containing not more than 5% tin by weight may be used for the following:

(a) For soldering side seams in the manufacture of cans made with either lock or lap side seam or with a combination of lock and lap side seam.

8. Solder containing not more than 30% tin by weight may be used for the following:

(a) All other uses not covered above and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

9. The total quantity of pig tin which any person may use in the manufacture of solder during any calendar quarter shall not exceed the quantity used by him in the manufacture of solder during the base period.

SCHEDULE III—BABBITT

(a) No manufacturer or wholesale distributor of babbitt shall deliver any babbitt containing more than 12% tin by weight to any wholesale distributor of babbitt and no wholesale distributor of babbitt shall accept delivery from a manufacturer or a wholesale distributor unless he shall have furnished the manufacturer or other wholesale distributor with a statement on his purchase order to the effect that he will not resell such babbitt containing more than 12% tin by weight to any user unless he has received the certificate from such user set forth below. No manufacturer of babbitt or wholesale distributor of babbitt shall deliver any babbitt containing more than 12% tin by weight to any user and no user shall accept delivery of any babbitt containing more than 12% tin by weight from any manufacturer of babbitt or wholesale distributor of babbitt unless the user shall have furnished the manufacturer or wholesale distributor with the certificate set forth below.

No manufacturer of finished bearings containing babbitt metal of more than 12% tin by weight shall deliver such bearings to any user and no user shall accept delivery of such bearings from the manufacturer unless the user shall have furnished the manufacturer with the certificate set forth below.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code to the seller and to the War Production Board, that the tin contained in the material covered by this order shall be used solely for the purpose listed in Schedule III, section — of General Preference Order M-43, or is to be incorporated in an "Implement of war" and the tin content of the material has been definitely specified in accordance with paragraph (e-1) of said Order M-43.

(b) In the manufacture of babbitt metal and similar alloys used as babbitt, the tin content shall be limited as follows, according to the purpose for which it is to be used:

1. Repair, maintenance or replacement in existing diesel engines, turbines, locomotive connecting rod or coupling rod bearings, and irrigation water pumping engines and equipment—not more than 90% tin by weight.

2. Manufacture, repair, maintenance or replacement of multivane crosshead linings in locomotives and for lining aluminum crossheads—no restriction.

3. Repair, maintenance or replacement in an industrial engine, compressor, or pump being used by operator engaged in the petroleum industry: *Provided*, In any such case, that any priorities assistance required for such repair, maintenance or replacement is obtained in accordance with Preference Rating Order P-98-b, as amended—not more than 90% tin by weight.

4. Repair, maintenance or replacement in vessels or shipping facilities pursuant to a preference rating duly established or assigned by the United States Maritime Commission—not more than 90% tin by weight.

5. Manufacture, repair, maintenance or replacement of connecting rod and main engine bearings for trucks and tractors, and for passenger carriers having a seating capacity of not less than 11 persons as defined in Limitation Order L-158—not more than 90% tin by weight and then only to the extent that substitution of either a less critical material or one of lesser tin content has been proven impracticable in service.

6. For all other purposes—not more than 12% tin by weight, and then only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable. Only secondary tin shall be used.

7. The total quantity of pig tin which any person may use in the manufacture of babbitt metal or other similar alloys used as babbitt during any calendar quarter shall not exceed the quantity used by him in the manufacture of babbitt or other similar alloys used as babbitt during the base period.

SCHEDULE IV—BRASS AND BRONZE

A. CAST ALLOYS

(1) *Restrictions on new uses of copper-base alloy foundry products.* The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any copper-base alloy foundry product, either rough or finished, containing more than 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher copper or tin content;

(iii) The specifications of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration, applicable to the contract, sub-contract or purchase order call for an alloy with a higher copper or tin content, or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher tin content. (Applications for specific authorization under this sub-paragraph to use copper-base alloy foundry products containing more than 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Tin, Lead and Zinc Division, War Production Board, Washington 25, D. C., Ref.: M-43.)

(2) *General restrictions.* In any case where the tin content of brass or bronze foundry products used by a person is not restricted by the provisions of paragraph (1) of this Schedule IV, the tin content of the brass and bronze foundry products which he uses shall be limited as follows, according to the purpose for which such products are used:

(a) For the manufacture of high ratio worm gears, fire engine pump gears, jack nuts, feed nuts, elevating nuts, thrust washers or disks, machine tool spindle bearings, hydraulic pump bodies and ends for gear pumps, grinder spindle sleeve bearings or step bearings—not more than 12% tin by weight.

(b) For the manufacture of heavy, slow cooling castings (such as, for example, steel mill screw-down nuts) where the performance characteristics require that the alpha-delta eutectoid must be retained—not more than 18% tin by weight.

(c) For the manufacture of piston rings for airbrake equipment—not more than 21.5% tin by weight.

(d) For the manufacture of piston rings for locomotives—not more than 20% tin by weight.

(e) For all other purposes, a maximum tin content of 9% tin by weight, unless the lead content of the alloy is equal to, or greater than, the tin content, and in such event, not to exceed 12% tin by weight.

(f) The total quantity of pig tin which any person may use in copper base cast alloys during any calendar quarter shall be limited to 80% of the quantity used by him in copper base cast alloys during the base period.

B. WROUGHT ALLOYS

(3) *Restrictions on new uses of wrought copper-base alloy products.* The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any wrought copper-base alloy product, containing more than 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper-base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher tin content;

(iii) The specifications of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, applicable to the contract, subcontract or purchase order call for an alloy with a higher copper or tin content; or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher tin content. (Applications for specific authorization under this sub-paragraph to use wrought copper-base alloy products containing more than 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Tin, Lead and Zinc Division of the War Production Board, Washington 25, D. C., Ref: M-43.)

(4) *General restrictions.* In any case where the tin content of wrought brass or bronze products used by a person is not restricted by the provisions of paragraph (3) of this Schedule IV, the tin content of the wrought brass and bronze products which he uses shall be limited as follows, according to the purpose for which such products are used:

(i) For the manufacture of thermostatic discs or diaphragms, bronze welding rods, fourdrinier warp wire or rifle nuts in air hammers—not more than 9% tin by weight.

(ii) For all other purposes—not more than 5.8% tin by weight.

(iii) The total quantity of pig tin which any person may use in copper base wrought alloys during any calendar quarter shall be limited to 80% of the quantity used by him in copper base wrought alloys during the base period.

SCHEDULE V—USE OF TIN TO REPAIR GAS METERS

(a) *Restrictions on use of tin.* Solder containing not more than 38% tin by weight may be used for the repair of gas meters. The solder and other tin alloys used in such repair must be derived from alloys reclaimed from old meters brought in for repair or salvage.

SCHEDULE VI—TIN PLATE, TERNE PLATE AND TERNE METAL

(a) *Definitions.* For the purposes of this schedule:

(1) "Tin plate" means steel sheets coated with tin (including primes, seconds, and waste-waste) and includes:

(i) "Electrolytic tin plate," in which the tin coating is applied by electrolytic deposition, and

(ii) "Hot dipped tin plate," in which the tin coating is applied by immersion in molten tin.

(2) "Terne plate" means steel sheets coated with terne metal (including primes, seconds, and waste-waste) and includes:

(i) "Short ternes," meaning steel sheets coated with terne metal on tin mill coating machines, and

(ii) "Long ternes," meaning steel sheets coated with terne metal on sheet mill coating machines.

(3) "Reconditioned tin plate or terne plate" means damaged tin plate or terne plate which has been put into useable condition by recoating.

(4) "Terne metal" means the lead-tin alloy used as the coating for terne plate, but does not include lead recovered from a secondary sources which contains not more than 2½% residual tin.

(5) "Waste-waste" means hot dipped or electrolytic tin coated steel sheets or steel sheets coated with terne metal which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(b) *Restrictions on use of tin plate and terne plate.* Except to the extent specified in List C:

(1) No person shall use tin plate or terne plate in the production of any item or part thereof.

(2) No person shall use hot dipped tin plate with a pot yield in excess of 1.25 pounds per base box except in gauges heavier than 112 pounds per base box, which have been coated with the minimum practicable weight of tin.

(3) No person shall use electrolytic tin plate with a coating (as determined by average spot coating tests) in excess of .50 pound per base box.

(4) No person shall use short ternes with a pot yield in excess of 1.30 pounds per base box.

(5) No person shall use long ternes with a pot yield in excess of 4 pounds per base box.

(c) *Restrictions on use of terne metal.* (1) No person shall use terne metal containing over 15% tin in tin mill coating machines.

(2) No person shall use terne metal containing over 10% tin in sheet mill coating machines.

(d) *Restrictions on production, sale and delivery of tin plate and terne plate.* No person shall produce, sell, or deliver tin plate or terne plate to or for the account of any person if he knows or has reason to believe that such material will be used in violation of the terms of this order or any other or further order or direction of the War Production Board.

(e) *Exceptions.* The provisions of paragraph (b) shall not apply to the materials listed in List D, except that no person shall use such materials in the production of (1) any items, or parts thereof, other than those items in the production of which iron or steel is permitted by other existing or future orders of the War Production Board or (2) any article on List A of this order, except as indicated therein.

(f) *Substitution of material with lower tin content.* Wherever List C permits use of tin plate or terne plate in any grade, tin plate or terne plate coated with less tin per base box may be used.

(g) *Applicability of other orders.* Insofar as any other order of the War Production Board may have the effect of limiting to a greater extent than herein provided the use of any material in the production of any item, the limitation of such order shall be observed.

(h) The total quantity of pig tin which any person may use in the production of tin plate or terne plate for the purposes set forth in this Schedule VI during any calendar quarter shall not exceed the quantity used by him for such production during the base period.

LIST C

Permitted use	Permitted materials	Maximum permitted coating of tin or of terne metal (per single base box)
1. Cans	As specifically authorized by or pursuant to Conservation Order M-81 as amended.	
2. Closures	As specifically authorized by or pursuant to Limitation Order L-103-b, as amended.	
3. Baking pans for institutions and commercial bakers (Each retailer of such pans shall furnish his supplier with a certificate on his purchase order that he will sell such pans only to institutions and commercial bakers and all suppliers shall require such certifications on all purchase orders from retailers. Suppliers must not sell such pans to any users except institutions and commercial bakers).	Hot dipped tin plate Electrolytic tin plate Reconditioned tin plate	1.25 lbs. per base box. 0.50 lb. per base box.
4. Brushes, power driven	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box 4 lbs. per base box.
5. Carbide non-explosive emergency lights	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box.
6. Chaplets, skimgates and tin forms for foundry use	Hot dipped tin plate Electrolytic tin plate Reconditioned tin plate	1.25 lbs. per base box. 0.50 lb. per base box.
7. Cheese vats	Short ternes Long ternes Reconditioned terne plate Hot dipped tin plate Reconditioned tin plate	1.30 lbs. per base box 4 lbs. per base box. 11 lbs. per base box.
8. Component parts for: Internal combustion engines including air cleaners, cooling systems, fuel systems, and lubricating systems, but only where less essential material is impractical because of corrosion for solderability.	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box 4 lbs. per base box.
9. Cylinder liners for lard and fruit presses	Hot dipped tin plate	1.25 lbs. per base box
10. Dairy ware and equipment, including dairy pails, milk strainer pails, bonded milking pails, milk kettles, setter or creamis cans, welch cans, measures and test ware, bottle conveyors, ice cream freezers, milk filters, receiving tanks, separators, strainers, upper and lower troughs and covers for surface type heaters and coolers, and testing equipment.	Hot dipped tin plate Electrolytic tin plate Reconditioned tin plate	3.50 lbs. per base box (2A charcoal). 0.50 lb. per base box
11. Diamond cutting wheels	Electrolytic tin plate Reconditioned tin plate	0.50 lb. per base box.
12. Dusters and sprayers, hand, for disinfectant and pest control; parts requiring solderable coatings.	Short ternes Long ternes Reconditioned terne plate Electrolytic tin plate Reconditioned tin plate	1.30 lbs. per base box. 4 lbs. per base box. 0.50 lb. per base box.
13. Electrical equipment parts requiring solderable coatings.	Short ternes Long ternes Reconditioned terne plate Electrolytic tin plate Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box 4 lbs. per base box. 0.50 lb. per base box. 1.30 lbs. per base box. 4 lbs. per base box.
14. (a) Fuel tanks, except for automotive equipment	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box.
(b) Fuel tanks, for automotive equipment	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 6 lbs. per base box.
15. Gas mask canisters	Short ternes Long ternes Reconditioned terne plate Hot dipped tin plate	1.30 lbs. per base box 4 lbs. per base box. 3.50 lbs. per base box. (2A charcoal).
16. Gas meters	Electrolytic tin plate Reconditioned tin plate Short ternes Long ternes Reconditioned terne plate	0.50 lb. per base box. 1.30 lbs. per base box. 4 lbs. per base box.
17. Heat exchangers	Short ternes Long ternes Reconditioned terne plate Hot dipped tin plate Electrolytic tin plate Reconditioned tin plate	1.30 lbs. per base box. 4 lbs. per base box 1.25 lbs. per base box 0.50 lb. per base box.
18. Integral parts of signal cells—but only for current collectors and baskets.	Hot dipped tin plate Reconditioned tin plate	11 lbs. per base box.
19. Lining of drying chambers for milk and egg dehydration.	Hot dipped tin plate Reconditioned tin plate	11 lbs. per base box.
20. Maple syrup evaporators	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box.
21. Oilers (excluding cans as defined by Order M-81)	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box.
22. Oil lanterns	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box.
23. Safety cans for inflammable liquids	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box.
24. Textile spinning cylinders, card screens, spools and bobbins.	Hot dipped tin plate Electrolytic tin plate Reconditioned tin plate	1.25 lbs. per base box. 0.50 lb. per base box.
25. Torpedoes for oil and gas well shooting	Short ternes Long ternes Reconditioned terne plate Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box. 1.30 lbs. per base box. 4 lbs. per base box.
26. Vaporizing liquid fire extinguishers	Hot dipped tin plate Short ternes Long ternes Reconditioned terne plate	1.25 lbs. per base box. 1.30 lbs. per base box. 4 lbs. per base box.

LIST C—continued

Permitted use	Permitted materials	Maximum permitted coating of tin or of terne metal (per single base box)
27. Wick holders for oil stoves	Short ternes	1.50 lbs. per base box.
	Long ternes	4 lbs. per base box.
28. Closures for steel drums	Reconditioned terne plate	
	Hot dipped tin plate	1.25 lbs. per base box.
	Electrolytic tin plate	0.50 lb. per base box.
29. Repair parts for domestic laundry equipment	Short ternes	1.40 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Hot dipped tin plate	1.25 lbs. per base box.
	Electrolytic tin plate	0.50 lb. per base box.
	Reconditioned tin plate	
30. Articles to be purchased by or for the account of the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration and the Veterans Administration.	As specified (including performance specifications).	

LIST D

1. Hot dipped tin plate waste-waste.
   Electrolytic tin plate waste-waste.
   Short terne waste-waste.
2. Hot dipped tin plate, electrolytic tin plate, and terne plate where total annual consumption of all these grades does not exceed 100 base boxes.

[F. R. Doc. 45-9419, Filed, May 31, 1945; 11:14 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-316, Revocation]

VITRIFIED CLAY SEWER PIPE

Section 3284.101 *Limitation Order L-316* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of Vitrified Clay Sewer Pipe remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9425; Filed, May 31, 1945; 11:15 a. m.]

PART 3284—BUILDING MATERIALS

[Order L-236, Revocation of Schedule I]

BUILDERS' FINISHING HARDWARE, CABINET LOCKS AND PADLOCKS

Section 3284.82 *Schedule I to Limitation Order L-236 is revoked.* This revocation does not affect any liabilities incurred for violation of Schedule I or of actions taken by the War Production Board under Schdule I. The manufacture and delivery of Builders' Finishing Hardware, Cabinet Locks and Padlocks remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9423; Filed, May 31, 1945; 11:15 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. XII to Schedule A]

The following Supplement XII to Schedule A is issued pursuant to Conservation Order M-328B (§ 3290.120a):

WOMEN'S WORK CLOTHING

Item No.	Type of garment	Material	Applicable maximum yards per dozen
1	Coveralls	Hickory stripes, Sport Denim 36", Class A Sheeting 48 x 44—2.85 yd.—40".	45
2	Slack suits	Hickory stripes, Sport Denim 36", Class A Sheeting 48 x 44—2.85 yd.—40", Broadcloth, carded 140 x 60.	45
3	Overalls, bib overalls, high and low back	Hickory stripes, Sport Denim 36", Class A Sheeting 48 x 44—2.85 yd.—40", Broadcloth, carded 140 x 60.	35
4	Slacks, including dungarees and Western pants.	Hickory stripes, Sport Denim 36", Class A Sheeting 48 x 44—2.85 yd.—40".	28
5	Jackets	Hickory stripes, Sport Denim 36".	22
6	Blouses and shirts, long and short sleeves.	Sport Denim 36", Class A Sheeting, 48 x 44—2.85 yd.—40", Shirting flannelettes 140 yd.—36", Broadcloth, carded 140 x 60", Seersucker.	15
7	Bib aprons	Sport Denim 36", Class A Sheeting, 48 x 44—2.85 yd.—40".	15
8	Utility uniforms including regular, princess and princess-back model coat style dresses; wraparound style dresses, smock type dresses and bungalow aprons.	Class A sheeting 48 x 44—2.85 yd.—40", Broadcloth carded, 140 x 60, Seersucker, Sport Denim 36".	42
9	Hats and caps	Class A Sheeting 48 x 44—2.85 yd.—40", Print cloth, 60 x 48—6.25 yd., Broadcloth, 150 x 60, Marquisette (cards).	8

(a) Application on Form WPB-3732 (set forth separately and identify in column (f) of the form: (1), second quarter 1943 production on your facilities for your own account: (2), second quarter 1943 production on your facilities for the account of others; (3), second quarter 1943 production of others for your account).

All applicants under this program who supply production figures in column (f) of Form WPB-3732 as prescribed in subsection (2) above, "second quarter 1943 production on your facilities for the account of others," shall be subject to the provisions of paragraph (g) of this supplement to the extent of such production, and must therefore submit the information required in paragraph (g), with respect to such production.

(b) Filing date: Applications must be filed not later than June 15, 1945.

(c) These items will be required to be produced during June, July, and August, 1945.

(d) Priorities assistance will be given only for the woven fabrics specified above. Applications for other fabrics will be denied.

(e) Each applicant who, during the second quarter of 1943 (base period), produced the items listed in this program and whose application is granted must produce a portion of his total production of each item for sale at each of the prices (or any increased prices subsequently granted by the OPA for the items of the same specifications) at which he sold items in the base period; and the proportion of his production of each item for sale at each such price to his entire production of the item (under the program) shall be the same as the proportion of his production of the item for sale at each such price was to his total production of the item in the base period. The whole or part of a quota of any item to be sold at a base period price may be shifted from a higher to a lower price, but not from a lower to a higher price. "Price" means the manufacturer's invoice price before applying any discount.

(f) Each applicant who, during the base period produced items listed in this program must, in producing such items from materials obtained with a rating under this program, meet the same specifications, including standards of quality, workmanship (including but not limited to the number of stitches per inch), inspection, pricing, folding, and all other operations pertinent to the preparation of the completed garments for marketing, as were used by the applicant in producing such items sold at the same or nearest higher price during the second quarter of 1943.

(g) Each applicant who did not, during the base period, produce the item for his own account or have it produced for his own account, for which he makes application, shall file with his application the specifications (including the proposed sale price) of the item he proposes to manufacture or have produced for his own account and, if required by the War Production Board, a sample. If his application is granted, the applicant must produce the item in accordance with the specifications filed. These specifications shall include, but shall not be limited to, specifications as to dimensions, types of fabrics and stitches per inch as well as such other essential points as may insure a quality garment at the price at which the applicant proposes to sell each such item. It is suggested that wherever feasible the applicant shall use the standards prescribed by the American Standards Association for the manufacture of Women's Industrial Garments. If such standards are used, this fact should be disclosed in the application.

(h) Each applicant must include a statement under the section entitled "remarks" on Form WPB-3732 that he has complied with the OPA regulations regarding the prices he has included in columns (d) and (e) of the form.

(i) Each application must be accompanied by a copy of existing contracts with war or war-supporting plants calling for the production of women's industrial uniforms, or a letter from the contracting company indicating that such a contract is in existence.

(j) Applicants receiving priorities assistance under this program may not deliver any uniforms made with material obtained with such priorities assistance except to war or war-supporting plants with whom the applicant had contracts at the time of filing the application. Furthermore, an applicant may not deliver these uniforms even to a plant with whom he had such a contract if he knows or has reason to believe that the plant already has a three months' supply of such uniforms or that the delivery would result in its having more than a three months' supply.

(k) If the applications exceed the quantity of production of a particular item required under this program, grants of priority assistance will be approved equitably on the basis of production during the base period. However, any person who did not produce the item during the base period and who wants to make the item, or whose facilities for the production of the item have increased since the base period, or who wants to increase the production of the item, may apply for priorities assistance under the program, but his application will not be entertained unless it is accompanied by a signed statement setting forth the facilities or increased facilities he owns or has under contract for his exclusive use to produce the item(s) applied for within the program period. Where facilities or increased facilities are available because of a change from the production of other items, he must state whether production will be reduced on any other item and specify the item. Such applications will be granted on an equitable basis.

(l) Paragraphs (d) (1) and (d) (2) of Order M-328B do not apply to this program.

(m) Applications which do not provide completely and accurately the information required may be denied.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9422; Filed, May 31, 1945; 11:14 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Revocation of Schedule XII]

PLUMBING FIXTURES

Section 3288.24 *Schedule XII to Limitation Order L-42 is revoked.*

This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the Order. The manufacture and delivery of plumbing fixtures remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9427; Filed, May 31, 1945; 11:15 a. m.]

Chapter XI—Office of Price Administration

PART 1335—CHEMICALS

[RFS 42, Amdt. 7]

PARAFFIN WAX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Price Schedule No. 42 is amended in the following respects:

1. Paragraph (i) is added to § 1335.460 *Appendix A*, to read as follows:

(i) Notwithstanding anything to the contrary in the foregoing paragraph, Petroleum Specialties, Inc., a corporation having its principal place of business in New York, New York, and operating bulk plants in Chicago, Illinois, and in New York, New York, may sell, deliver and transfer to any consumers and such consumers may buy paraffin wax marketed by such corporation in quantities of less than 10,000 lbs. at the maximum prices listed in subparagraphs 1 and 2 of paragraph (a) above, plus the additions set forth below:

	Per lb.
Paraffin wax produced on the West Coast, delivered in States East of the Mississippi River	$0.02
All other deliveries of paraffin wax	.01½

If the maximum price of the Petroleum Specialties, Inc. in quantities of less than 10,000 lbs. at any point is less than their maximum price in quantities of over 10,000 lbs. at such point, then their maximum price in quantities of less than 10,000 lbs. may be increased to their maximum price of quantities of 10,000 lbs. and over, as determined under Section (a) above.

This amendment shall become effective June 5, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9436; Filed, May 31, 1945; 11:40 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 22 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

The third undesignated paragraph in section 1 (a) is amended to read as follows:

The provisions of this supplement apply to products packed during the year 1944 and after. If the major portion of the pack of any product was packed during the year 1944, the product shall be deemed to be of the 1944 pack.

This amendment shall become effective May 31, 1945.

[1] 10 F.R. 1750, 2188.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9438; Filed, May 31, 1945; 11:41 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 98]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 17 is amended in the following respects:

1. The Preamble of Ration Order 17 is deleted and the following is substituted instead:

Shoes were put under rationing control on February 7, 1943. This was done to protect then existing inventories and to prevent depletion of retail stocks. It was apparent that with heavy military demands on leather supply, civilian production under wartime conditions could not possibly keep up with demand.

Retail inventories have decreased from 237 million on April 10, 1943, to 151 million on January 1, 1945. Total sales in 1944 were 307 million pairs against a production of 257 million pairs. The best available estimate of rationed shoe production for civilians for 1945 is approximately 235 million pairs. With the high purchasing power existing in the country today and civilian production of shoes limited because of military demands, it is evident that a severe shortage of shoes would exist if consumer buying were not controlled through rationing.

The civilian supply of leather continues to be very low, and it is impossible to forecast when the time will come that rationing of shoes will no longer be necessary.

From time to time it has been necessary to amend the original ration order for purposes of making it more workable and to take care of needs of consumers and the trade. Since the ration order was issued Stamps No. 17 and 18 in War Ration Book One have been used for shoes, but have since been invalidated. Stamps No. 1, 2 and 3 in War Ration Book Three were validated on November 1, 1943, May 1, 1944, and November 1, 1944, respectively, and these stamps are still valid.

2. Section 2.3 (b) is amended to read as follows:

(b) Each distributing establishment filing an original inventory after November 23, 1943 shall file it with its District Office. Each manufacturing establish-

[1] 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4381, 5254, 5805, 6233, 6647, 6455, 7080, 7773, 8254, 8339, 8340, 8931, 9355, 9901, 15089, 10984, 10985, 11638, 11763, 12039, 12271, 12812, 13134, 13067, 13992, 14017, 14496; 10 F.R. 521, 1102, 1649, 1739, 2014, 2757, 3014, 3404.

ment filing an original inventory after June 4, 1945 shall file it with the OPA Inventory and Control Branch, Empire State Building, New York 1, New York.

3. Section 2.3 (c) is amended by inserting the word "distributing" before the word "establishment" in the two places it appears in the first sentence and by adding at the end of the paragraph the following: "Where an inventory filed by a manufacturing establishment is found to be erroneous, the establishment shall promptly file with the OPA Inventory and Control Branch, Empire State Building, New York 1, New York, a corrected inventory on the proper OPA Form, together with a copy of the incorrect inventory."

4. Section 2.3 (d) is amended to read as follows:

(d) Each establishment shall file the second inventory with the OPA Inventory and Control Branch, Empire State Building, New York 1, New York, on or before October 10, 1943. The inventory shall be taken as of the close of business on September 30, 1943 and all information required by the form (OPA Form R-1701A) must be furnished.

5. Section 2.13 (a)(5) (iv) and (v) are amended to read as follows:

(iv) Add debit items to the currency balance in the account, at least monthly.

(v) Subtract credit items from the currency balance in the account, at least monthly.

6. Section 2.13 (b) (4) is amended by inserting a period after the word "required" and deleting the following: "and, a record of the shoes marked and transferred as nonrationed pursuant to section 2.11 (e), (f), and (g) showing for each pair, the name and address of the buyer, the date of transfer, the type, style number, and selling price;".

7. Section 2.13 (b) (6) is deleted.

8. Section 2.16 is amended by inserting the word "distributing" before the word "establishment" in the first sentence.

9. Section 2.17 (a) is amended by inserting the word "distributing" before the word "establishment" in the first sentence.

10. Section 2.18 (d) is amended to read as follows:

(d) This section does not apply to shoes which are non-rationed under the provisions of section 2.11 other than section 2.11 (a) (1), (2), (3), (15), (21) and (22).

This amendment shall become effective June 4 1945.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9435; Filed, May 31, 1945; 11:40 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 487]

WHEAT

Revised Maximum Price Regulation No. 487 is redesignated Second Revised Maximum Price Regulation No. 487 and is revised and amended to read as set forth herein.

A statement of the considerations involved in the issuance of this revised regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—GENERAL PROVISIONS

Sec.
1.1 Applicability.
1.2 Sales at other than maximum prices.
1.3 Evasion.
1.4 Documents, records, and reports.
1.5 Separate statement of charges, markups and costs.
1.6 Licensing.
1.7 Enforcement.
1.8 Protests, interpretations and petitions for amendment.

ARTICLE II—BASIC RULES AND DEFINITIONS

2.1 Explanatory statement.
2.2 Definitions.
2.3 Rules relating to delivery.
2.4 Rules relating to commingling.
2.5 General rules for determining the price applicable to a withdrawal from a place of business.
2.6 Rules relating to persons performing several marketing functions ("Integrated Business" Rule).
2.7 Rules relating to pricing by processors.

ARTICLE III—BASE PRICES

3.1 Explanation of base prices.
3.2 Schedule of base prices.

ARTICLE IV—MAXIMUM PRICES AT THE VARIOUS LEVELS OF MARKETING AND DISTRIBUTION

4.1 Maximum prices for sales by producers.
4.2 Maximum prices for sales by trucker-merchants.
4.3 Maximum prices for sales by country-shippers.
4.4 Maximum prices for sales by merchandisers.
4.5 Maximum prices for sales by retailers.

ARTICLE V—RULES RELATING TO ADDITIONS TO MAXIMUM PRICES AND TO LIMITATIONS ON SUCH ADDITIONS

5.1 Limitations on total markups of country shippers and merchandisers and on service charges of commission merchants which may be included in a maximum price.
5.2 Rules relating to additions to maximum prices.

ARTICLE VI—SALES ON CONTRACT FUTURES MARKETS

6.1 Maximum prices for sales of wheat on contract futures markets.

AUTHORITY: § 1439.353 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS

SECTION 1.1 *Applicability.* Except for those sales exempted by paragraph (a) of this section, this regulation shall apply to all sales of imported and domestic wheat and to all deliveries of such wheat, whether immediate or future, in the United States.

(a) *Exempt sales*—(1) *Sales by retailers.* This regulation shall not apply to sales by retailers as defined herein. Supplement No. 1[1] to Food Products Regulation No. 2 shall apply to such sales.

(2) *Emergency purchases by the United States Government or any of its agencies.* Whenever circumstances of emergency make a purchase by the United States Government or any of its agencies imperative and it is impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, such purchases and deliveries may be made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended: *Provided, however,* That the Administrator may by order waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances and he may in lieu thereof require the reporting of other information more suited to the circumstances.

(3) *Seed wheat.* Sales and deliveries of wheat which the buyer intends to use for seed for planting or to resell for ultimate use as seed for planting are exempt from the provisions of this regulation: *Provided,* That

(i) Each buyer shall certify in writing to his supplier at the time he contracts for its purchase, both that such wheat is being purchased for use by the buyer as seed or for resale as seed, and that the wheat will not be used by him or by any person affiliated with him for any other purpose. The purchase of any lot of wheat above the maximum prices established herein for the same wheat when not sold or used for seed, followed by its use by the buyer or by any affiliated person for any other purpose will be a purchase above the maximum price and a violation of the regulation: except, that a producer who finds he has purchased more seed wheat than he needs for planting, may use the excess up to a reasonable amount, for feeding to his livestock on his farm; and except, that if a part of the wheat is separated as unfit for seed, such part may be used by the person for other normal uses; and, except, that this subparagraph shall not apply to (*a*) sales in any quantity of State certified seed wheat, or (*b*) to sales in quantities of less than 100 pounds of seed wheat if properly tagged or labeled to comply with the requirements of any applicable Federal or State seed law or when tagged or labeled to show the percentages of germination and foreign material in cases where there is no such Federal or State requirement.

(ii) If seed wheat is resold for use other than as seed, or if part is used for any other purpose, consistently with paragraph (a) (3) (i) of this section, the maximum price for such wheat shall be calculated in accordance with the provisions governing sales and deliveries of wheat other than seed wheat as elsewhere set forth in this regulation.

(iii) No wheat purchased for seed shall be commingled with wheat not purchased for seed, unless and until the owner has determined to sell for a different use as provided in paragraph (a) (3) (ii).

(4) *Prior contracts.* This regulation shall not apply to deliveries made pursuant to contracts for the sale of wheat entered into before the effective date of this regulation. Such deliveries shall remain subject to the provisions of Revised Maximum Price Regulation 487, as amended.

(5) *Export sales.* The maximum prices for export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation, as amended.

[1] 9 F.R. 8309; 10 F.R. 747, 2512.

SEC. 1.2 *Sales at other than maximum prices.* Regardless of any contract or obligation, no person shall sell or deliver and no person shall in the course of trade or business buy or receive any wheat at a price above the maximum price established by this regulation, nor shall any person agree, solicit, or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided for in paragraph (a) of this section.

(a) *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by an order of the Administrator or of any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

(b) *Prices lower than maximum prices.* Prices lower than the maximum prices established by this regulation may, of course, be charged or paid.

SEC. 1.3 *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to wheat, alone or in conjunction with any other commodity, or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tying agreement, or other trade understanding, or by any other means.

SEC. 1.4 *Documents, records and reports.* Every seller and every purchaser in the course of trade or business, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of all sales and purchases of wheat covered by this regulation, including the date thereof, the name of the seller and purchaser, the grade and quality upon which the maximum price was based, the price paid or received, buyer's receiving point, and the quantity sold.

SEC. 1.5 *Separate statement of charges, markups and costs.* When any selling price equals or exceeds the base price adjusted for grade and quality at point of origin plus freight, or exceeds the base price adjusted for grade and quality at the terminal through which the shipment moves plus freight, all service charges, markups, elevation and handling costs, and transportation costs permitted in respect to distributors of carload quantities, shall be separately stated on the invoice or on the confirmation of purchase or sale to each purchaser of a carload quantity.

SEC. 1.6 *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, apply to all sellers subject to this regulation, but no such license is required of, or granted to, a producer as a condition of selling an agricultural commodity produced by him. A seller's license may be suspended for violation of the license or of maximum prices provided in this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 1.7 *Enforcement.* Persons violating any provisions of this regulation are subject to the license revocation and suspension provisions, civil enforcement actions, suits for damages and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 1.8 *Protests, interpretations and petitions for amendment.* Any person desiring to file a protest against or seeking an interpretation or an amendment of any provision of this regulation may do so in accordance with Revised Procedural Regulation No. 1, as amended, issued by the Office of Price Administration.

ARTICLE II—BASIC RULES AND DEFINITIONS

SEC. 2.1 *Explanatory statement.* This regulation provides a maximum price for every kind of seller and every kind of sale except those specifically exempted in section 1.1 (a). As you may not always perform the same marketing or distributive functions with respect to all sales, you should determine what function you perform with respect to each sale and with respect to the definitions for various grain trade functionaries as set forth in sections 2.2 and 2.6. After making this determination you will find the method for determining your maximum price for such sales described in the appropriate section of Article IV. If service charges are involved you will refer to the appropriate section of Article V.

SEC. 2.2 *Definitions.* When used in this regulation the term:

(a) "Person" means an individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing; and includes the United States or any other Government or any political subdivision or agency of any of the foregoing.

(b) "United States" when it refers to an area, means the 48 states and the District of Columbia.

(c) "Producer" means, with respect to any lot of wheat grown in the United States, either:

(1) The person who grew or harvested such lot of wheat; or

(2) A landlord who received such lot of wheat as or in lieu of rent for the farm where grown; or

(3) Any person who delivers the wheat to his customer at the farm where grown or at roadside near such farm.

(d) "Country shipper" means, with respect to any lot of wheat, a person who purchases and receives the wheat from a producer in any quantity, at any point other than a terminal base point, before any movement by rail and who:

(1) Delivers it to his customer at a point which is neither on the farm where grown nor at roadside near such farm, and;

(2) Delivers it in any manner other than as a trucker-merchant or as a retailer.

NOTE: If you purchase and receive the wheat from a producer at a terminal base point, on your resale thereof you must determine your maximum price as a merchandiser or as a retailer, as the case may be, following the rules in section 4.4 of this regulation, or the rules in Supplement No. 1 to Food Products Regulation No. 2, as amended.

(e) "Trucker-merchant" means, with respect to any lot of wheat, a person who purchases such wheat for resale and without loading it into a barge or railroad car or unloading it into an elevator or warehouse for his own account and use, transports and delivers the same to his customer in a truck or other vehicle owned or leased and operated by him.

(f) "Merchandiser" means, with respect to any lot of wheat owned by him, a seller, other than a retailer, for whom a maximum price is not otherwise provided in this regulation. In other words, he is a person who merchandises the wheat other than as a producer, country shipper, trucker-merchant or retailer.

(g) "Commission merchant" means, with respect to any lot of wheat, a person who receives a carload quantity on behalf of another person who is the owner thereof and negotiates or has negotiated a sale of such wheat in his own name to a person other than himself (except as provided in (1) below) on a legally constituted grain exchange in any of the following cities:

Baltimore, Md.	Memphis, Tenn.
Boston, Mass.	Milwaukee, Wis.
Buffalo, N. Y.	Minneapolis, Minn.
Chicago, Ill.	New York, N. Y.
Cincinnati, Ohio	Nebraska City, Neb.
Dallas, Tex.	Omaha, Neb.
Denver, Colo.	Peoria, Ill.
Des Moines, Iowa	Philadelphia, Pa.
Duluth, Minn.	St. Joseph, Mo.
Enid, Okla.	St. Louis, Mo.
Ft. Worth, Tex.	Salina, Kan.
Hutchinson, Kan.	San Francisco, Calif.
Indianapolis, Ind.	Sioux City, Ia.
Kansas City, Mo.	Toledo, Ohio
Louisville, Ky.	Wichita, Kan.

(1) The requirement that the sale must be to a person other than the com-

mission merchant will be waived if at all times from January 1, 1943, to and including the time of sale such purchase has been permissible under the rules of the exchange or under the law of the State in which the exchange is located.

(2) Regardless of any of the provisions of this regulation, division of commission charges may be made with and paid to exchange members in accordance with the rules of the respective exchanges which were in effect January 1, 1943, and sellers of wheat who are members may receive such divisions.

(h) "Broker" means, with respect to any lot of wheat, a person who, acting for the account of either seller or buyer or both, negotiates a sale or purchase of such wheat for either seller or buyer or both, other than as a commission merchant, or as an employee of either seller or buyer. No person can be a broker as to wheat owned by him.

(i) "Retailer" means, with respect to any less than carload lot of wheat, a person who sells and delivers such lot to a feeder from his "store".

(j) "Store" means a building, or a separate unit in a building, where the business of buying, selling and delivering wheat at retail is carried on, or where a general business, of which such retail wheat business is a part, is conducted. In order to maintain its status as a store, such business shall carry a stock of grain for sale at retail, and, in addition, it may carry other stocks of merchandise.

(k) "His supplier" or "your supplier" means, as to any seller, the person from whom he or you purchased the wheat involved.

(l) "His customer" or "your customer" means, as to any seller, the person to whom he or you sell the lot of wheat involved.

(m) "Processor" means any person who converts wheat into a product other than grain or mixed grain.

(n) "Feeder" means, with respect to any lot of wheat, a person who uses such wheat for feeding to animals or poultry.

(o) "Distiller" means, with respect to any lot of wheat, a person who processes such wheat by distillation into beverage or industrial alcohol.

(p) "Wheat" and "mixed grain" mean such grains as defined in the Official Grain Standards of the United States.

(q) "Bushel" as a unit of measurement of wheat means 60 pounds of wheat.

(r) "Test weight per bushel" means that factor used in determining the grade of wheat under the method prescribed in the Official Grain Standards of the United States.

(s) "Standard grade", or "Standard grade and quality" with respect to any lot of wheat, means the appropriate grade designation specified in either Table I with a protein content of less than 13 percent, or in Table II with a protein content of less than 10 percent, or in Table III of section 3.2.

(t) "Base price" means the price, per bushel, with adjustments for grade and quality, as provided in Article III.

(u) "Terminal base point" means any city listed in Tables I or II of section 3.2 and includes all points within the corporate or reciprocal switching limits of such city.

(v) "Interior point" means any point other than a terminal base point, except that with respect to any particular lot of wheat it does not include the farm where such wheat was grown.

(w) "Interior rail point" means any point other than a terminal base point having facilities for the loading of railroad freight cars and from which railroad freight rates are published as provided by law.

(x) "Carload quantity" means any lot of wheat of 60,000 pounds or more not delivered by or into a truck, or any lot of wheat of 30,000 pounds or more when shipped by rail in such a manner as to take a carload rate under tariff requirements, and includes any quantity shipped in mixed and pool cars.

(y) "Less than carload lot" or "less than carload quantity" means a lot of wheat less than a carload quantity. It includes any delivery by or into a truck.

(z) "Your transportation cost" means:

(1) If you employ a common carrier, contract carrier, or other carrier for hire or compensation, the charge which you actually incur for the transportation service: *Provided*, That such charge shall not include the difference, if any, between the unload rate and the winter storage rate in the case of wheat shipped via lake vessel; or

(2) If you do your own hauling by truck or other vehicle, the hauling allowance at the scale set forth in paragraph (aa); or

(3) If you transport the lot by barge or vessel owned, leased, or chartered and operated by you, the going rate for the same movement, if there is such a going rate, or if there is no going rate for the same movement, then the going rate for the most similar movement, not to exceed the reasonable value of the service; or

(4) When any movement involves a combination of more than one of the types of transportation included in (1), (2) or (3), the transportation cost for the movement of each type shall be computed separately and the results added.

(5) If any part of the movement is by barge or vessel, you may add customary vessel brokerage, cargo insurance, and outturn insurance or allowances on such lot, to the extent not included in the cost computed under (1) or (3) above.

(aa) "Hauling allowance" means the following scale of charges:

If the total haul does not exceed 100 miles—3 cents per 100 pounds for the first five miles or fraction thereof, plus 1 cent per 100 pounds for each additional five miles or fraction thereof;

If the haul exceeds 100 miles, the lowest local carload wheat rail rate from the rail point nearest the point of origin to the rail point nearest point of destination plus 8 cents per 100 pounds, but not to exceed 22 cents per 100 pounds, plus ¼ cent per 100 pounds for each five miles or fraction thereof over 100 miles.

In applying the above mileage scale all distances shall be determined via the shortest route between point of origin and point of destination reasonably suitable for truck movement.

(bb) "Other vehicle" means any conveyance other than a truck, rail car, barge or vessel.

(cc) "Nearest" as used in section 3.2, paragraphs (e) and (f), means the shortest distance by a route suitable for truck movement.

(dd) "Area A" includes the District of Columbia and the following States or portions of States, to wit:

Arkansas
California
Colorado (east of the western boundaries of Larimer, Boulder, Gilpin, Clear Creek, Park, Fremont, Custer, Huerfano and Las Animas counties. That portion of Colorado west of the above boundaries is included in Area D.)
Idaho
Illinois
Indiana
Iowa
Kansas
Kentucky
Louisiana
Maryland (except the Eastern shore south of a line drawn east and west through Chesapeake City. The portion of Maryland excepted from this area is included in Area B.)
Michigan
Minnesota
Missouri
Montana
Nebraska
Nevada
New Mexico (The counties of Quay, De Baca, Curry, Roosevelt, Chaves, Lea, Eddy, Guadalupe, Lincoln and Otero. The remaining counties in New Mexico are included in Area C.)
New York
North Dakota
Ohio
Oklahoma
Oregon (except that portion of the State of Oregon west of the western boundaries of Wasco, Jefferson and Lake counties and west of the eastern boundary of Deschutes county. The portion of Oregon excepted from this area is included in Area E.)
Pennsylvania
South Dakota
Tennessee (except the area east of the western boundaries of Anderson, Campbell, Hamilton, Rhea and Roane counties. The portion of Tennessee excepted from this area is included in Area B.)
Texas
Utah
Washington (except the counties of Whatcom, Clallam, Kitsap, Mason, Jefferson, Grays Harbor, Pacific and Wahkiakum. The portion of Washington excepted from this area is included in Area E.)
Wisconsin
Wyoming

(ee) "Area B" includes the following States or portions of States, to wit:

Alabama
Connecticut
Delaware
Florida
Georgia
Maine
Maryland (The eastern shore of Maryland south of a line drawn east and west through Chesapeake City)
Massachusetts
Mississippi
New Hampshire
New Jersey
North Carolina
Rhode Island
South Carolina
Tennessee (That portion of Tennessee lying east of the western boundaries of Anderson, Campbell, Hamilton, Rhea and Roane Counties).
Vermont
Virginia
West Virginia

(ff) "Area C" includes all of the State of New Mexico, except Quay, De Baca, Curry, Roosevelt, Chaves, Lea, Eddy, Guadalupe, Lincoln and Otero counties.

(gg) "Area D" includes all of the State of Colorado, except that portion of Colorado east of the western boundaries of Larimer, Boulder, Gilpin, Clear Creek, Park, Fremont, Custer, Huerfano and Las Animas counties.

(hh) "Area E" includes the following States or portions of States, to wit:

Oregon (That portion lying west of the western boundaries of Wasco, Jefferson and Lake counties and west of the eastern boundary of Deschutes county.)
Washington (The counties of Whatcom, Clallam, Kitsap, Mason, Jefferson, Grays Harbor, Pacific and Wahkiakum.)

NOTE: Arizona is not included in any of the foregoing areas. Whenever pricing provisions refer to this state it is mentioned specifically by name.

SEC. 2.3 *Rules relating to delivery*—(a) *Quantity delivered.* Whenever a maximum price is dependent on the quantity delivered and the delivery is made by a vehicle such as a rail car, truck, wagon, barge or vessel, the quantity delivered shall be the quantity received by or for the customer at one time on one vehicle. Any practice of delivering in small quantities, which has no sound business reason other than to secure a higher maximum price will be an evasive device.

(b) *Point of delivery.* Under this regulation "point of delivery" is frequently made the test of what maximum price applies. In such cases, the term is not used in the sense of legal delivery under a contract, but of actual delivery to and receipt at the point. The obligation of the seller to consummate the movement to that point is a part of the consideration upon which the maximum price is based. When the price is dependent upon delivery to an elevator, warehouse or store, the delivery is not made unless the lot is delivered to and unloaded into an elevator, warehouse or store, which is commercially operated as such, or in the case of shipment by rail, the lot has arrived at the point at which physical delivery is to be made to the buyer and is ready for unloading.

(c) *Delivery by negotiable warehouse receipt or negotiable bill of lading.* It is common trade practice in dealing with wheat to accomplish delivery by transfer of a negotiable warehouse receipt or negotiable bill of lading. This practice is recognized as constituting delivery even though the point of delivery is determined under paragraph (b).

(d) *Delivery as related to the effective date of this regulation.* When a question arises as to whether a delivery was made before the effective date of this regulation, the general interpretation of the Office of Price Administration on the point governs. Information on this rule can be secured from any District Office.

SEC. 2.4 *Rules relating to commingling.* It is expected that a person may commingle a lot of wheat owned by him with other wheat owned by him. He may also commingle his wheat with wheat owned by others, provided such commingling is not used as a device to evade any maximum price. In either case he will continue to own an equivalent amount of wheat. In such cases, his relationship to the "equivalent amount" of wheat shall be deemed to be the same as his relationship to the original wheat and the terms "any particular lot" of wheat and "such" wheat as used herein shall be considered accordingly.

SEC. 2.5 *General rules for determining the price applicable to a withdrawal from a place of business.* If you unload a lot of wheat into a "place of business" such as an elevator, warehouse, processing plant or store, you will require a method of pricing the lot upon its "withdrawal" whether it is shipped out of the place of business, or is used there in processing, or is put into a mixed grain. If each such "inbound lot" were kept separate in your place of business, and were withdrawn separately, there would be no problem in determining its price upon withdrawal. In practice, however, such individual inbound lots are not kept separate, but usually are commingled or their identity is otherwise lost. For this reason, a method must be provided which permits you to select an inbound lot, or lots, or parts of lots, and use the "history" of such lots in determining the appropriate maximum price for a withdrawal of an equal quantity of the same wheat. This section provides two alternative methods for pricing such withdrawals from a place of business.

(a) *Definitions.* When used in this section, the following terms shall have the following meanings:

(1) "Place of business" means a warehouse, elevator, store or processing plant, or any combination of such facilities operated as a unit at one location.

(2) "Withdrawal" means any movement of wheat out of a place of business whether pursuant to a sale or otherwise, or any movement of wheat within a place of business for use in manufacturing or mixing with other grain in the same place of business.

(3) "Inbound lot" means any quantity of wheat unloaded into your place of business which was received at one time and which has the same "history".

(4) "History" means, with respect to any inbound lot of wheat your supplier's maximum price on his sale and delivery to you, plus your transportation cost, if any, to the place of business where it is unloaded and from which it will be withdrawn, and plus any other charges you are permitted to add under this regulation for handling of the lot prior to such unloading.

(b) *Rules for determination of uncancelled inbound lots in your stock*—(1) *Wheat.* In using this section you must know the uncancelled, inbound lots in your stock and the history of each such lot. At the time you commence using this section you must record the history of all wheat in stock at your place of business by determining the histories of your most recent receipts up to the total amount of wheat in your stock. These receipts constitute the uncancelled, inbound lots at that time and they remain such until cancelled as provided below.

Thereafter each new inbound lot and the history of the lot is carried in your records as uncancelled until it is used and cancelled as provided below.

(2) *Mixed grains.* An inbound lot of mixed grain may be carried with the history of such lot as mixed grain, until it is commingled or further mixed so as to change the proportions of the various grains in the mixture. If such proportions are changed, however, it cannot any longer be carried as an inbound lot of mixed grain, but must be carried as separate lots of each of the grains in the mixture. To do so, you must multiply the weight of the inbound lot by the percentage of each grain and of the foreign material, if any, in the mixture and carry the resulting weight of each as if they were separate inbound lots of each such grain and foreign material, together with the history of each lot separately. Thus, for example, if an inbound lot of 100,000 pounds contains 80 percent wheat and 20 percent rye, it must, if it is commingled or further mixed, be entered and carried as two separate receipts of 80,000 pounds of wheat and 20,000 pounds of rye, each with its own price as determined from the history of the lot.

(c) *Pricing withdrawals against individual inbound lots*—(1) *Rules.* You may, if you wish, determine your withdrawal price by reference to individual inbound lots. To do so, you select any uncancelled inbound lot, and the history of such lot is your withdrawal price for an equal weight of the grain withdrawn, except that if the grade or quality of the withdrawal differs from the grade or quality of the inbound lot, the price shall be adjusted according to the schedule of premiums and discounts in the applicable regulation. Thereafter, the inbound lot or lots selected are considered cancelled and their histories may not be used again.

(2) *Records.* You must keep some permanent record of your uncancelled inbound lots in stock and their history, you must also keep some permanent record of each withdrawal and cancellation so that no inbound lot may be twice applied. Such records may be kept on the invoices themselves or in any other form you select.

(d) *Pricing withdrawals against a weighted average of inbound lots*—(1) *Rules.* You may, if you prefer, select any uncancelled, inbound lots which could be applied against a withdrawal under paragraph (c) and determine a withdrawal price for the total quantity of such lots, by averaging them and adjusting them as follows:

(i) When a number of inbound lots are put into an average it is necessary (except in the case of a retail store as provided in Supplement No. 1 to Food Products Regulation No. 2) to eliminate the factors of grade and quality and previous markups from the history of the inbound lots. In order to accomplish this, you must deduct all previous markups (including commission merchants' service charges) from the history of each lot

being averaged and you must adjust such price to the corresponding price for the "standard grade and quality" (as defined in section 2.2 (s)) of each inbound lot.

(ii) Having selected the inbound lots you desire to average and having adjusted the prices to be used, as above, you determine a weighted average of such prices by multiplying each weight by its price, adding the resulting figures and dividing the total by the total weight averaged.

Example:

Inbound lot A—1,000 bushels at $1.40	$1,400
Inbound lot B—500 bushels at $1.34	670
1,500 bushels	2,070

Average price per bushel—$1.38.

When you average any inbound lots, the lots so averaged are cancelled and they may not be used again either in another average or for application as individual lots against a withdrawal. Withdrawals may be made against the average price so figured up to the weight of the lots averaged.

(iii) The price of each withdrawal under this method shall be determined by adjusting the average price computed as above (which is for "standard grade and quality" and without prior markups) to the grade and quality of the wheat withdrawn, by the appropriate premiums and discounts provided in section 3.2. Since this resulting price does not include prior markups (because under subdivision (i) such markups, if any, were deducted from the history of each inbound lot before averaging), you select any previously deducted prior markup or markups which have not since been used against any other withdrawal, and add it to the above resulting price to arrive at a withdrawal price. Of course, if any inbound lot had no prior markup, an equivalent quantity must be withdrawn without adding a prior markup.

(2) *Certification.* Each seller of lots withdrawn from a commingled lot shall certify on his invoice that the average price set forth thereon is the lawful average price and that the markups as listed on the said invoice of the lot or lots withdrawn from the commingled lot when added to such average price adjusted for grade and quality becomes the buyer's lawful maximum purchase price for such lot or lots.

(3) *Records.* A record must be kept of prior markups so deducted and the quantity of wheat involved, and when such a markup is added again in pricing a withdrawal, it shall be "cancelled" from the record for the quantity of wheat withdrawn. (This provision for deducting and re-adding markups applies only to inbound lots put into an average, since when pricing withdrawals against individual inbound lots, the actual markups for each such inbound lot must be used.)

A record must also be kept of each average, how it was computed, and the withdrawals applied against it.

(e) *Exception.* The provisions of this section may be used in the computation of a maximum price except when pricing provisions elsewhere in this regulation (see section 4.4 (a) (2)) establish maximum prices by reference to a base price at your place of business or at a subsequent destination.

SEC. 2.6 *Rules relating to persons performing several marketing functions (Integrated Business Rule).* Following are minimum tests which must be met before a country shipper or a merchandiser may qualify to add the additional merchandising markups provided in this section to his maximum price calculated under this regulation. To be eligible for these additional markups, you must maintain two or more offices located as indicated below, but not in the same town or city except as provided in paragraph (a) (2) (iii). Each office must be a place of business, owned or leased and maintained exclusively by you where you conduct a business of buying or selling grain at which place and in the course of which business you employ one or more full-time salaried employees or you yourself work on substantially a full-time basis. In respect to any lot of wheat one such office (hereinafter called the buying office) must buy the wheat and another such office (hereinafter called the selling office) must sell the wheat.

(a) *Merchandising markups permitted to such persons when they are country shippers.* If you are a country shipper under this regulation and comply with the above requirements as to buying and selling offices, you will be entitled to include the appropriate maximum markup shown below in your maximum price subject to all limitations on total markups set forth in this regulation.

(1) If you sell as a country shipper in a carload quantity, a markup of $1\frac{1}{2}$ cents per bushel: *Provided,*

(i) The lot is shipped from the point at which you receive it from your supplier and is sold on a recognized grain exchange by your selling office, or

(ii) The lot is shipped by rail or barge and after such shipment and before delivery to your customer is unloaded into an elevator or warehouse by or for your account, or

(iii) The lot is sold by your selling office to a feeder, retailer or processor, or

(iv) Your selling office is located at least 200 miles from your buying office and the lot is shipped to and received by your customer at a point at least 200 miles apart from the point at which you received the lot from your supplier.

(2) If you sell as a country shipper in a carload quantity, a markup of $2\frac{1}{4}$ cents per bushel: *Provided,*

(i) The lot is shipped to and received by your customer at a point at least 1,000 miles from the point at which you receive the lot from your supplier, and your selling office is at least 1,000 miles apart from your buying office; or

(ii) Your selling office is located at least 200 miles from your buying office, the lot is shipped to and received by your customer at a point at least 200 miles apart from the point at which you received the lot from your supplier, and before delivery to your customer, the wheat is unloaded into an elevator or warehouse by you or for your account, or

(iii) You have maintained at a terminal base point city two selling offices which are and have been operated as separate businesses, and one of which is the central selling office for your country elevators and/or country buying offices which have bought the lot in question while the other is strictly a terminal merchandising office buying wheat in carload quantities from other persons as well as handling wheat turned over to it by your other office, and which sells the lot in question. In order to qualify under this paragraph, the selling office for your country department must have sold wheat independently to other persons and your terminal merchandising department must have bought wheat independently from other persons, both in addition to the wheat transferred from the one to the other. Furthermore, before qualifying under this paragraph, a business so organized shall file with the District or Regional Office of the state in which such offices are located, an application to operate in such manner, stating in all necessary detail the location and nature of the two offices, the country elevators and buying offices served, terminal elevators operated at that point, if any, whether the two offices keep separate books, and the volume of wheat business in bushels done by each office with other persons as well as with each other during the crop year 1941–1942.

(3) If you sell as a country shipper in a carload quantity, a merchandising markup of 3 cents per bushel: *Provided,*

(i) Your selling office is located at least 1,000 miles from your buying office, the lot is shipped to and received by your customer at a point at least 1,000 miles apart from the point at which you received the lot from your supplier, and before delivery to your customer the wheat is unloaded into an elevator or warehouse by you or for your account.

(4) Qualifying under more than one of the tests set forth in subparagraph (1) does not entitle you to a greater markup than qualifying under a single test. The markups provided in subparagraphs (1), (2) and (3) are not cumulative.

(b) *Extra merchandising markups permitted to such persons when they are merchandisers.* If you are a merchandiser under this regulation and comply with the above requirements as to buying and selling offices, you will be entitled to add to any merchandising markup you may otherwise include in your maximum price, the appropriate extra markup shown below, subject to all limitations on total markups set forth in this regulation.

(1) If you sell as a merchandiser in a carload quantity, an extra markup of $\frac{3}{4}$ cent per bushel, *Provided:*

(i) The lot is shipped by rail or barge and after such shipment and before delivery to your customer is unloaded into an elevator or warehouse by or for your account, or

(ii) Your selling office is located at least 200 miles from your buying office and the lot is shipped to and received by your customer at a point at least 200 miles apart from the point at which you receive the lot from your supplier, or

(iii) The lot is sold by your selling office to a feeder, retailer or processor.

(2) If you sell as a merchandiser in a carload quantity, an extra markup of $1\frac{1}{2}$ cents per bushel, *Provided:*

(i) The lot is shipped to and received by your customer at a point at least 1,000 miles from the point at which you received the lot from your supplier, and your selling office is at least 1,000 miles apart from your buying office; or

(ii) Your selling office is located at least 200 miles from your buying office, the lot is shipped to and received by your customer at a point at least 200 miles apart from the point at which you received the lot from your supplier, and before delivery to your customer the wheat is unloaded into an elevator or warehouse by you or for your account.

(3) If you sell as a merchandiser in a carload quantity, an extra markup of $2\frac{1}{4}$ cents per bushel, *Provided:*

(i) Your selling office is located at least 1,000 miles from your buying office, the lot is shipped to and received by your customer at a point at least 1,000 miles apart from the point at which you received the lot from your supplier, and before delivery to your customer the wheat is unloaded into an elevator or warehouse by you or for your account.

(4) Qualifying under more than one of the tests set forth in subparagraph (1) does not entitle you to a greater markup than qualifying under a single test. The markups provided in subparagraphs (1), (2) and (3) are not cumulative.

SEC. 2.7 *Rules relating to pricing by processors.* In some cases other regulations require that a processor, in order to compute his maximum price on a processed commodity, know the maximum price he could have paid for a lot of grain received into his plant. If the processor operates a separate grain business at a different location from his processing plant, and that separate office sells grain to others besides supplying grain to the processing plant, the maximum price the processor could have paid for any lot of wheat purchased by such separate grain office and delivered to the processing plant shall be deemed to be the maximum price which the grain office could have charged another person for a like sale and delivery to the processing plant: *Provided,* That before delivery to the processing plant such wheat was unloaded by or for the grain office into an elevator or warehouse from which it was shipped to the processing plant as a carload or barge shipment. For example, this will permit markups to be added under section 2.6.

ARTICLE III—BASE PRICES

SEC. 3.1 *Explanation of base prices.* "Base prices" are not maximum prices but are used in the determination of maximum prices. All wheat does not have the same value because of variations in grade and quality and also because wheat located at one point may command a different price than wheat located at another point. Base prices are, accordingly, worked out to reflect differences in grade and quality and differences in location. Generally speaking, this regulation starts any lot of wheat into marketing channels with a maximum price at or near its origin, and these base prices are for the purpose of arriving at such initial maximum price for the particular grade, quality and location. At different levels of marketing the regulation permits the addition to base prices of transportation costs, markups, and similar incidents to distribution.

In order to provide a base price for wheat at every high point in the United States, for every grade and quality, it is necessary to establish base prices by location for "standard grades" of wheat, and to provide premiums and discounts from such grades for grades other than "standard", and for protein, moisture and the other factors affecting determination of quality. Such prices are set forth in section 3.2.

SEC. 3.2 *Schedule of base prices.*—(a) *Base prices at terminal base points other than West Coast terminal base points for wheat other than Durum wheat.* (1) Base prices per bushel, bulk, for the "standard grades" of wheat, dockage free, with a protein content of less than 13.0% at the following terminal base points shall be as follows:

TABLE I—BASE PRICES PER BUSHEL, BULK, AT TERMINAL BASE POINTS OTHER THAN WEST COAST TERMINAL BASE POINTS FOR "STANDARD GRADES" OF WHEAT OTHER THAN DURUM WHEAT

Terminal base point	Standard grades—No. 1 Heavy Dark Northern Spring, No. 1 Heavy Northern Spring, No. 1 Heavy Red Spring, No. 1 Dark Hard Winter, No. 1 Hard Winter, No. 1 Yellow Hard Winter, No. 1 Hard White	Standard grades—No. 1 Red Winter, No. 1 Western Red, No. 1 Soft White, No. 1 White Club, No. 1 Western White
	Base price, per bushel, bulk	*Base price, per bushel, bulk*
Atchison, Kan.	1.68¾	1.73½
Atlanta, Ga.	1.86¾	2.00½
Baltimore, Md.	1.92¾	1.92¾
Boston, Mass.	1.95¾	1.95¾
Chicago, Ill.	1.74½	1.78½
Council Bluffs, Ia.	1.68½	1.73½
Duluth, Minn.	1.70½	1.70½
East St. Louis, Ill.	1.70	1.74½
Galveston, Tex.	1.78¾	1.88½
Kansas City, Kan.	1.68¾	1.73½
Kansas City, Mo.	1.68¾	1.73½
Leavenworth, Kan.	1.68¾	1.73½
Memphis, Tenn.		1.82½
Milwaukee, Wis.	1.78½	1.78½
Minneapolis, Minn.	1.70½	1.70½
New Orleans, La.	1.88¾	1.88¾
New York City, N. Y.	1.94¾	1.94¾
Omaha, Neb.	1.68¾	1.73½
Philadelphia, Pa.	1.93¾	1.93¾
St. Joseph, Mo.	1.68¾	1.73½
St. Louis, Mo.	1.76	1.78½
Sioux City, Iowa	1.68¾	1.73½

(2) Base prices set forth in Table I of this section shall be decreased for grades of wheat lower than "standard", as follows:

TABLE I (A)—DISCOUNTS FOR GRADES LOWER THAN "STANDARD"

Grade	Standard grades—No. 1 Heavy Dark Northern Spring, No. 1 Heavy Northern Spring, No. 1 Heavy Red Spring	Standard grades—No. 1 Dark Hard Winter, No. 1 Hard Winter, No. 1 Yellow Hard Winter, No. 1 Red Winter, No. 1 Western Red, No. 1 Hard White, No. 1 Soft White, No. 1 White Club, No. 1 Western White
	Cents per bushel	*Cents per bushel*
#1 (not heavy)	1	0
#2	1½	1
#3	2½	2
#4	3½	3
#5	5	4½
Sample Grade (other than moisture)	6	6
"Light smutty"	1	1
"Smutty"	3	3
"Light Garlicky"	1	1
"Garlicky"	3	3
"Weevily"	1	1
"Ergoty"	5	5
"Treated"	2	2

NOTE: The foregoing discounts are cumulative. For example, wheat grading No. 2 garlicky is subject to a discount of at least 1 cent for grading No. 2 plus a further discount of at least 3 cents for grading "garlicky" or a total discount of at least 4 cents per bushel.

(3) Base prices set forth in Table I of this section shall be decreased by 1 cent per bushel for each ½ percent or fraction thereof of moisture over 14.5 percent of moisture in the case of Hard Red Spring wheat, and over 14.0 percent of moisture in the case of all other wheats mentioned in said table; *Provided:* That in the case of mixed wheat, the predominating class of the mixture shall govern in applying the moisture discount.

(4) Base prices set forth in Table I of this section may be increased for protein content as follows:

TABLE I (B)—PREMIUMS FOR PROTEIN CONTENT HIGHER THAN "STANDARD GRADE"

Percentage of protein	Premiums, per bushel	
	Hard Red Spring	Hard Red Winter, White Wheat
	Cents	*Cents*
13.0% to but not including 14.0%	2	2
14.0% to but not including 14.5%	4	3
14.5% to but not including 15.0%	6	4
15.0% to but not including 15.5%	8	5
15.5% to but not including 16.0%	10	6
16.0% to but not including 16.5%	12	7
16.5% to but not including 17.0%	14	8
17.0% to but not including 17.5%	16	9
17.5% to but not including 18.0%	18	10
18.0% and over	(1)	(2)

1 20, plus 2 for each ½% of protein over 18.0%.
2 12, plus 2 for each ½% of protein over 18.0%.

(b) *Base prices at West Coast Terminal base points for wheat other than Durum wheat.* (1) Base prices per bushel, bulk, for the "standard grades" of wheat other than Durum wheat, dockage free, with a protein content less than 10%, at the following West Coast terminal base points shall be as follows:

TABLE II—BASE PRICES PER BUSHEL, BULK, FOR WEST COAST TERMINAL BASE POINTS FOR "STANDARD GRADES" OF WHEAT OTHER THAN DURUM WHEAT

Standard grades (No. 1 Heavy Dark Northern Spring, No. 1 Heavy Northern Spring, No. 1 Heavy Red Spring, No. 1 Hard White, No. 1 Dark Hard Winter, No. 1 Hard Winter, No. 1 Yellow Hard Winter, No. 1 Red Winter, No. 1 Western Red, No. 1 White Club, No. 1 Soft White, No. 1 Western White)

Terminal base point:	*Price per bushel bulk*
Tacoma, Wash	1.63½
Seattle, Wash	1.63½
Portland, Oreg	1.63½
San Francisco, Calif	1.77½
Los Angeles, Calif	1.77½

(2) Base prices set forth in Table II of this section shall be decreased for grades of wheat lower than "standard" as follows:

TABLE II (A)—DISCOUNTS FOR GRADES LOWER THAN "STANDARD"

Grade	Standard Grade—No. 1 Heavy Dark Northern Spring, No. 1 Heavy Northern Spring, No. 1 Heavy Red Spring	Standard Grade—No. 1 Hard Winter, No. 1 Yellow Hard Winter, No. 1 Red Winter, No. 1 Western Red, No. 1 Soft White, No. 1 White Club, No. 1 Western White, No. 1 Hard White
	Cents	*Cents*
#1 (sub-heavy)	1	0
#2	1½	1
#3	2	2
#4	3	3
#5	5	4½
Sample grade (for any damage, except moisture)	6	6
1½% or more "smut (bunt) balls"	1	1
1% or over "garlicky"	3	3
"Light garlicky"	1	1
"Garlicky"	3	3
"Weevily"	1	1
"Ergoty"	5	5
"Treated"	2	2

NOTE: The foregoing discounts are cumulative. For example, wheat grading No. 2 garlicky is subject to a discount of at least 1 cent for grading No. 2, plus a further discount of at least 3 cents for grading "garlicky", or a total discount of at least 4 cents per bushel.

(3) Base prices set forth in Table II of this section shall be decreased by 1 cent per bushel for each ½ percent or fraction thereof of moisture over 14.5 percent of moisture in the case of Hard Red Spring Wheat and over 14.0 percent of moisture in the case of all other wheats mentioned in said table: *Provided:* That in the case of mixed wheat the predominating class of the mixture shall govern in applying the moisture discount.

(4) Base prices set forth in Table II of this section may be increased for protein content as follows:

TABLE II (B)—PREMIUMS FOR PROTEIN CONTENT HIGHER THAN "STANDARD GRADE"

Percentage of protein	Premiums per bushel	
	Hard Red Spring	Hard Red Winter, Soft Red Winter, White Wheat
	Cents	*Cents*
10.0% to but not including 11.0%	2	2
11.0% to but not including 12.0%	4	4
12.0% to but not including 13.0%	6	6
13.0% to but not including 14.0%	8	8
14.0% to but not including 14.5%	10	9
14.5% to but not including 15.0%	12	10
15.0% to but not including 15.5%	14	11
15.5% to but not including 16.0%	16	12
16.0% to but not including 16.5%	18	13
16.5% to but not including 17.0%	20	14
17.0% to but not including 17.5%	22	15
17.5% to but not including 18.0%	24	16
18.0% and over	(1)	(2)

1 28, plus 2 for each ½% over 18.0%.
2 18, plus 2 for each ½% over 18.0%.

(c) *Base prices at terminal base points for Durum wheat.* (1) Base prices per bushel, bulk, for the following "standard grades" of Durum wheat, dockage free, at the following terminal base points shall be as follows:

TABLE III—BASE PRICES PER BUSHEL, BULK, AT TERMINAL BASE POINTS FOR "STANDARD GRADES" OF DURUM WHEAT

Terminal base point	Standard grades (No. 1 Hard Amber Durum, No. 1 Amber Durum, No. 1 Durum, No. 1 Amber Mixed Durum, No. 1 Mixed Durum)	Standard grades (No. 1 Red Durum)
	Price per bushel, bulk	*Price per bushel, bulk*
Absaraka, Kans	1 72½	1 62½
Atlanta, Ga	2 03½	1 91½
Barton, Mass	1 99½	1 89½
Chicago, Ill	1 82½	1 72½
Council Bluffs, Iowa	1 72½	1 62½
Duluth, Minn	1 71½	1 61½
Galveston, Tex	1 92½	1 72½
Kansas City, Mo	1 72½	1 62½
Kansas City, Kans	1 72½	1 62½
Leavenworth, Kans	1 72½	1 62½
Los Angeles, Calif	1 87½	1 77½
Minneapolis, Minn	1 74½	1 64½
Omaha, Nebr	1 72½	1 62½
Philadelphia, Pa	1 97½	1 87½
Portland, Oreg	1 74½	1 63½
St. Joseph, Mo	1 72½	1 62½
Sioux City, Iowa	1 72½	1 62½

(2) Base prices set forth in Table III of this section shall be decreased for grades of wheat lower than "standard" as follows:

TABLE III (A)—DISCOUNTS FOR GRADES LOWER THAN "STANDARD"

Grade:	*Discounts, per bushel*
#1	0
#2	1
#3	2
#4	3
#5	4½
Sample Grade (other than moisture)	6
"Light smutty"	1
"Smutty"	3
"Light Garlicky"	1
"Garlicky"	3
"Weevily"	1
"Ergoty"	5
"Treated"	2

NOTE: The foregoing discounts are cumulative. For example, wheat grading No. 2 garlicky is subject to a discount of at least 1 cent for grading No. 2, plus a further discount of at least 3 cents for grading "garlicky", or a total discount of at least 4 cents per bushel.

(3) Base prices set forth in Table III of this section shall be decreased by 1 cent per bushel for each ½ percent or fraction thereof of moisture over 14.5 percent of moisture in the case of all wheats mentioned in said table: *Provided*, That in the case of mixed wheat the predominating class of the mixture shall govern in applying the moisture discount.

(d) *Base prices at interior rail points*—(1) *Area A.* The base price per bushel for any wheat, bulk, at any interior rail point in Area A shall be that terminal base price specified herein which, less transportation charges at the lowest published domestic carload rail transportation rate from that interior rail point to that terminal base point, will result in the highest price at said interior rail point.

(2) *Area B.* The base price per bushel for any wheat, bulk, at any interior rail point in Area B shall be the base price specified herein at either Chicago, Illinois, or St. Louis, Missouri which added to the transportation charges at the lowest domestic carload rail proportional rate from such point to the interior rail point in question results in the lower price.

(3) *Area C.* The base price per bushel for any wheat, bulk, at any interior rail point in Area C shall be the base price, specified herein, at Kansas City, Missouri, less 16¾ cents per bushel, plus the transportation charges at the lowest flat carload rail rate from Lamar, Colorado, to the interior rail point in question.

(4) *Area D.* The base price per bushel for any wheat, bulk, at any interior rail point in Area D shall be the base price, specified herein, at Kansas City, Missouri, less 12 cents per bushel.

(5) *Area E.* The base price per bushel for any wheat, bulk, at any interior rail point in Area E shall be the base price, specified herein, at Portland, Oregon, or Seattle, Washington, less 15½ cents per bushel, and plus the transportation charges at the lowest flat carload rail rate from Spokane, Washington, to the interior rail point in question.

(6) *Arizona.* The base price per bushel for any wheat, bulk, at any interior rail point in Arizona shall be the base price at Kansas City, Missouri, plus 17 cents per bushel.

(e) *Base prices at interior points other than interior rail points.* At any interior point, other than an interior rail point, the base price per bushel for any wheat, bulk, shall be the base price at the nearest interior rail point.

(f) *Base prices at the farm where grown.* The base price per bushel for any wheat, bulk, at the farm where grown, shall be the base price at the nearest interior rail point, less 4½ cents per bushel.

(g) *Base prices for mixed wheat.* The base price per bushel, bulk, for mixed wheat at any terminal base point, interior point or interior rail point shall be the appropriate base price for the "standard grade" of wheat predominating in the mixture, at such terminal base point, interior point or interior rail point, adjusted for moisture and protein content in accordance with the provisions of parts (a), (b) or (c) of this section, less 2 cents per bushel (unless the mixture consists wholly of hard red winter and hard red spring wheats or wholly of soft red winter and white wheats, or is of the sub-classes of amber mixed durum or mixed durum, in which case no discount for mixed wheat is taken): *Provided*, That the base price per bushel for mixed wheat containing in excess of 15% red durum shall be the appropriate base price for red durum.

(h) *Base prices for mixed grain.* The base prices for mixed grain (as defined in the Official Grain Standards of the United States for wheat) bulk, shall be determined pursuant to the provisions of Article IV of Food Products Regulation No. 2. Where reference is made in such Article to an "applicable supplement" such reference, for the purposes of this paragraph, shall be deemed to include this regulation.

ARTICLE IV—MAXIMUM PRICES AT THE VARIOUS LEVELS OF MARKETING AND DISTRIBUTION

SEC. 4.1 *Maximum prices for sales by producers.* You will find that the term "producer" has been defined to include several persons. It includes a person who grew or harvested the lot of wheat and a landlord who received such wheat as, or in lieu of, rent for the farm where grown. In addition, for the purposes of the maximum pricing provisions of this regulation, it includes any other person who delivers the wheat to his customer on the farm where grown or at roadside near such farm, the price result of this being that such person must deliver the wheat to his customer away from the farm where grown or roadside nearby in order to secure a higher price than the person who grew the wheat could have received.

You will not be acting as a producer in selling such wheat, but as a country shipper, merchandiser or retailer, as the case may be: *Provided*, That before selling the wheat you have it transported to a store, elevator, or warehouse operated by you at which you carry on a regular business of buying and selling grain produced by others. Under such circumstances, your maximum price shall be determined as though you purchased the wheat from another producer at such producer's maximum price on the delivery made to such store, elevator or warehouse.

In connection with any delivery by you as a producer, if your customer performs any service or incurs any expense in connection with growing, threshing, harvesting, collection from field, or assembling at point where available for ready transportation from farm, the reasonable value of all such services performed and the expense so incurred must be deducted when he pays you the appropriate maximum price.

The maximum price of a producer is as follows:

(a) *If delivery is made at the farm where grown or at roadside near such farm.* If you deliver any lot of wheat on the farm where grown or at roadside near such farm, your maximum price per bushel, bulk, shall be the base price at the farm where grown with the following two exceptions:

(1) If there is an interior rail point on the farm, and you deliver the wheat to your customer at a rail loading facility at such interior rail point, your maximum price shall be the base price at the interior rail point, less one cent per bushel if delivered to your customer loaded in a rail car, or less 3 cents per bushel if not so loaded.

(2) If you are a landlord and you receive the wheat from your tenant as or in lieu of rent, and if the lease or rental agreement between you provides for delivery of the wheat at some point other than the farm where grown, then your maximum price for the sale of the wheat to your tenant for delivery at such farm shall be the base price at the farm plus 1½ cents per bushel.

(b) *If delivery is made by truck or other vehicle from the farm where grown to a rail loading facility.* (1) If you deliver the wheat by truck or other vehicle from the farm where grown to your customer at a rail loading facility at an interior rail point, without loading into cars, your maximum price per bushel, bulk, shall be the base price at such point less 3 cents per bushel.

(2) If you deliver the wheat to your customer loaded aboard a rail car and if it is delivered at point of loading, your maximum price shall be the base price at point of loading, less 1 cent per bushel.

(3) If, after so loading the wheat on a rail car, you deliver it to your customer following a rail movement, your maximum price shall be the base price at point of loading, plus your transportation cost from the point of loading: *Provided*, That if after such a movement you have stored the wheat, you must either pay, or have deducted from the payment of such maximum price to you, all accrued storage and handling charges and the loading out charges. If your customer is also the warehouseman, such deduction for handling and loading out shall be not less than 1 cent per bushel.

(c) *If delivery is made by truck or other vehicle to a feeder, store or processing plant.* You may deliver the wheat by truck or other vehicle to either a feeder, store, or processing plant, in which case your maximum price per bushel, bulk, shall be the base price at the farm where grown plus your transportation cost from such farm to the point of delivery to your customer.

(d) *If delivery is made by truck or other vehicle from the farm where grown to or in store at an elevator or warehouse.* If you deliver the wheat by truck or other vehicle from the farm where grown to an elevator or warehouse (not including a delivery to a feeder, store or processing plant, which is covered in paragraph (c), separately) your maximum price per bushel, bulk, is as follows:

(1) If such elevator or warehouse is located at an interior point, your maximum price shall be the base price at such point, less 3 cents per bushel, or

(2) If you store the wheat in any elevator or warehouse located at an interior point, and deliver it to your customer in storage, your maximum price shall be the base price at such point, less 1 cent per bushel, but you must either pay, or have deducted from the payment of the maximum price to you, all accrued storage and handling charges, including the loading out charges. If your customer is also the warehouseman, the deduction for handling and loading out shall be not less than 2 cents per bushel.

(e) *If delivery is made in any other manner than is provided for above.* If you deliver the wheat to your customer in any manner other than as provided above, your maximum price shall be the base price on the farm where grown plus 1½ cents per bushel.

(f) *Adjustment of fractions.* If a maximum price, determined under this section, results in a fraction of a cent other than ⅛ of a cent, or a multiple thereof, the same may be increased to the next higher ⅛ of a cent.

SEC. 4.2 *Maximum prices for sales by trucker-merchants.* "Trucker-merchant" is defined as one who purchases wheat for resale and, without loading it into a barge or railroad car, or unloading it into an elevator or warehouse for his own account and use, transports and delivers the wheat to his customer in a truck or other vehicle owned or leased and operated by him.

If you are a trucker-merchant under this definition, your maximum price per bushel, bulk, for the sale of any lot of wheat is your supplier's maximum price on the sale and delivery to you plus your hauling allowance from the point where you received delivery from your supplier to the point of delivery to your customer: *Provided*, That if you deliver the wheat to a terminal base point your maximum price shall not exceed the base price at such terminal base point less 3 cents per bushel.

Every trucker-merchant shall, with respect to every lot of wheat transported by him as such, procure or prepare a statement of information which shall accompany the wheat while in transit on the truck or other vehicle. Such statement shall set forth the name and ad-

(6) *Arizona.* The base price per bushel for any wheat, bulk, at any interior rail point in Arizona shall be the base price at Kansas City, Missouri, plus 17 cents per bushel.

(e) *Base prices at interior points other than interior rail points.* At any interior point, other than an interior rail point, the base price per bushel for any wheat, bulk, shall be the base price at the nearest interior rail point.

(f) *Base prices at the farm where grown.* The base price per bushel for any wheat, bulk, at the farm where grown, shall be the base price at the nearest interior rail point, less 4½ cents per bushel.

(g) *Base prices for mixed wheat.* The base price per bushel, bulk, for mixed wheat at any terminal base point, interior point or interior rail point shall be the appropriate base price for the "standard grade" of wheat predominating in the mixture, at such terminal base point, interior point or interior rail point, adjusted for moisture and protein content in accordance with the provisions of parts (a), (b) or (c) of this section, less 2 cents per bushel (unless the mixture consists wholly of hard red winter and hard red spring wheats or wholly of soft red winter and white wheats, or is of the sub-classes of amber mixed durum or mixed durum, in which case no discount for mixed wheat is taken): *Provided*, That the base price per bushel for mixed wheat containing in excess of 15% red durum shall be the appropriate base price for red durum.

(h) *Base prices for mixed grain.* The base prices for mixed grain (as defined in the Official Grain Standards of the United States for wheat) bulk, shall be determined pursuant to the provisions of Article IV of Food Products Regulation No. 2. Where reference is made in such Article to an "applicable supplement" such reference, for the purposes of this paragraph, shall be deemed to include this regulation.

business of buying and selling grain produced by others. Under such circumstances, your maximum price shall be determined as though you purchased the wheat from another producer at such producer's maximum price on the delivery made to such store, elevator or warehouse.

In connection with any delivery by you as a producer, if your customer performs any service or incurs any expense in connection with growing, threshing, harvesting, collection from field, or assembling at point where available for ready transportation from farm, the reasonable value of all such services performed and the expense so incurred must be deducted when he pays you the appropriate maximum price.

The maximum price of a producer is as follows:

(a) *If delivery is made at the farm where grown or at roadside near such farm.* If you deliver any lot of wheat on the farm where grown or at roadside near such farm, your maximum price per bushel, bulk, shall be the base price at the farm where grown with the following two exceptions:

(1) If there is an interior rail point on the farm, and you deliver the wheat to your customer at a rail loading facility at such interior rail point, your maximum price shall be the base price at the interior rail point, less one cent per bushel if delivered to your customer loaded in a rail car, or less 3 cents per bushel if not so loaded.

(2) If you are a landlord and you receive the wheat from your tenant as or in lieu of rent, and if the lease or rental agreement between you provides for delivery of the wheat at some point other than the farm where grown, then your maximum price for the sale of the wheat to your tenant for delivery at such farm shall be the base price at the farm plus 1½ cents per bushel.

(b) *If delivery is made by truck or other vehicle from the farm where grown to a rail loading facility.* (1) If you deliver the wheat by truck or other vehicle to either a feeder, store, or processing plant, in which case your maximum price per bushel, bulk, shall be the base price at the farm where grown plus your transportation cost from such farm to the point of delivery to your customer.

(d) *If delivery is made by truck or other vehicle from the farm where grown to or in store at an elevator or warehouse.* If you deliver the wheat by truck or other vehicle from the farm where grown to an elevator or warehouse (not including a delivery to a feeder, store or processing plant, which is covered in paragraph (c), separately) your maximum price per bushel, bulk, is as follows:

(1) If such elevator or warehouse is located at an interior point, your maximum price shall be the base price at such point, less 3 cents per bushel, or

(2) If you store the wheat in any elevator or warehouse located at an interior point, and deliver it to your customer in storage, your maximum price shall be the base price at such point, less 1 cent per bushel, but you must either pay, or have deducted from the payment of the maximum price to you, all accrued storage and handling charges, including the loading out charges. If your customer is also the warehouseman, the deduction for handling and loading out shall be not less than 2 cents per bushel.

(e) *If delivery is made in any other manner than is provided for above.* If you deliver the wheat to your customer in any manner other than as provided above, your maximum price shall be the base price on the farm where grown plus 1½ cents per bushel.

(f) *Adjustment of fractions.* If a maximum price, determined under this section, results in a fraction of a cent other than ⅛ of a cent, or a multiple thereof, the same may be increased to the next higher ⅛ of a cent.

SEC. 4.2 *Maximum prices for sales*

dress of the trucker-merchant and of his supplier, the date of purchase, and the grade and purchase price of the wheat. Upon delivery of the wheat by the trucker-merchant to his customer, a copy of the statement of information signed by the trucker-merchant shall be given to his customer showing also the transportation charge being made. Copies of this statement shall be retained by the trucker-merchant and by his customer as a part of their records.

For enforcement purposes, it is necessary that both the shipments themselves and the records of the trucker-merchant covering such shipments be available for inspection while in transit. Failure of a trucker-merchant to stop for such inspection in response to instructions on a sign conspicuously posted at roadside or upon signal by an Office of Price Administration enforcement officer shall be a violation of this regulation, subject to all penalties of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

SEC. 4.3 *Maximum prices for sales by country shippers.* "Country shipper" is defined in section 2.2 (d) as a person who purchases and receives the wheat from a producer at any point other than a terminal base point, in any quantity, before any movement by rail or barge, and delivers it to his customer at a point which is neither on the farm where grown nor at roadside near such farm and delivers it in any manner other than as a trucker-merchant or retailer.

This section sets forth the maximum prices for the ordinary "country shipper" marketing transactions. To these prices you may be entitled to add various charges which you may incur or allowances for special handling of the wheat under the rules provided in section 5.2. Subject to such additions, the maximum prices per bushel, bulk, for sales by a country shipper are as follows:

(a) *If delivery is made in a carload quantity.* If you deliver the wheat in a carload quantity, loaded in a rail car or barge or after a movement by such rail car or barge, your maximum price per bushel, bulk, shall be the base price at the point where first so loaded plus your transportation cost, if any, from such point of loading: *Provided*, That, if, after such movement you store the wheat, you must either pay or have deducted from the payment to you of such maximum price all accrued storage and handling charges, and the loading out charge. If your customer is also the warehouseman, such deduction for handling and loading out shall be not less than 1 cent per bushel.

(b) *If delivery is made from the elevator or warehouse in less than carload quantities.* If you deliver the wheat from the elevator or warehouse to which it was hauled by truck or other vehicle from the farm where grown in a less than carload quantity, your maximum price per bushel, bulk, shall be the sum of the carload quantity base price at the elevator or warehouse, your transportation cost, if any, and the appropriate one of the following markups:

(1) 3 cents per bushel for deliveries to a feeder or distiller of more than 150 bushels but less than carload quantities; or

(2) 6 cents per bushel for deliveries to a feeder or distiller of 150 bushels or less; or

(3) $1\frac{1}{2}$ cents per bushel if delivered to any person other than a feeder, distiller or trucker-merchant: *Provided*, That, if, in making delivery, you do your own hauling, and, therefore, your transportation cost is the hauling allowances set forth in section 2.2 (aa), and if the distance you haul the wheat is more than 60 miles, you shall not add the extra markups provided in this paragraph. The additional markups in this paragraph will not be subject to the limitation on markups provided in section 5.1 of this regulation. However, if your delivery is to a trucker-merchant, your maximum price shall not exceed the base price at the point of delivery.

(c) *If delivery is made in storage.* If you deliver the wheat in any quantity, stored in the elevator or warehouse to which it was hauled by truck or other vehicle from the farm where grown, your maximum price per bushel, bulk, shall be the base price at the point where the elevator or warehouse is located, but you must either pay or have deducted from the payment of the maximum price to you all accrued storage and handling charges, and the loading out charge. If your customer is also the warehouseman, the deduction for handling and loading out shall be not less than $1\frac{1}{2}$ cents per bushel.

(d) *If delivery is made in less than carload quantities, after movement by rail or barge.* If your delivery, after any movement by rail or barge, is in a less than carload quantity, you shall add to your maximum price for a carload shipment, as computed in paragraph (a), your additional transportation cost to your customer's receiving point, if any, and the appropriate one of the following markups:

(1) 3 cents per bushel for deliveries to a feeder or distiller of more than 150 bushels but less than carload quantities; or

(2) 6 cents per bushel for deliveries to a feeder or distiller of 150 bushels or less; or

(3) $1\frac{1}{2}$ cents per bushel if delivered to any person other than a feeder, distiller or trucker-merchant: *Provided*, That, if, in making delivery, you do your own hauling, and, therefore, your transportation cost is the hauling allowances set forth in section 2.2 (aa), and if the distance you haul the wheat is more than 60 miles, you shall not add the extra markups provided in this paragraph. The additional markups in this paragraph will not be subject to the limitation on markups provided in section 5.1 of this regulation. However, if your delivery is to a trucker-merchant, your maximum price shall not exceed your maximum price as computed in paragraph (a).

(e) *If delivery is made by truck or other vehicle from the farm where grown to a store, feeder or processor.* If you deliver the wheat from the farm where grown in a for-hire truck or other vehicle to a store, feeder or processor, your maximum price per bushel, bulk, shall be the base price at such farm, plus 3 cents per bushel, and plus your transportation cost. (If you delivered in your own truck or other vehicle, you would come under the definition of "trucker-merchant" and price accordingly.)

(f) *If delivery is made in any manner, other than as provided for above.* The maximum price per bushel, bulk, for the sale by a country shipper of any lot of wheat handled in any manner, not specified above, shall be the base price at the farm where grown plus $1\frac{1}{2}$ cents per bushel.

SEC. 4.4 *Maximum prices for sales by merchandisers.* With the exception of persons acting as producers or country shippers, all sellers who deliver wheat in any manner, other than as trucker-merchants or retailers, are "merchandisers" by definition. This section sets forth the maximum prices for the ordinary "merchandiser" marketing transactions. All markups are subject to the limitations set forth in section 5.1 of this regulation unless they are specifically exempted from such limitations. To these prices, you may be entitled to add various charges which you may incur or allowances for special handling of the grain under the rules provided in section 5.2 of this regulation. Subject to such additions, the maximum prices per bushel, bulk, for sales by a merchandiser are as follows:

(a) *If you deliver in a carload quantity.* For all deliveries of wheat which you receive and deliver in a carload quantity, you calculate your maximum price either:

(1) By adding to your supplier's maximum price on the sale and delivery to you, or to the price of a withdrawal as determined under section 2.5 of this regulation, your transportation cost, and a markup of $1\frac{1}{2}$ cents per bushel; or

(2) If the wheat has moved into a terminal basing point, you may use the terminal base point price in calculating your maximum price, in lieu of your supplier's maximum price, and add to it (i) all previously allowable added markups and elevation charges, (ii) your transportation cost from the terminal base point to the point of delivery and (iii) a markup of $1\frac{1}{2}$ cents per bushel.

(b) *If delivery is made to you in a less than carload quantity.* (1) Except as provided in subparagraph (2), below, if you receive any lot of wheat from your supplier in a less than carload quantity and reship such wheat by rail or vessel, or sell it in storage in a carload quantity, you must use in place of your supplier's maximum price the base price at the point of reshipment or storage, less $1\frac{1}{2}$ cents per bushel and after such adjustment, you calculate your maximum price as provided in paragraph (a) of this section.

(2) If you receive any lot of wheat from your supplier in a less than carload quantity and you reship the wheat by rail or vessel from a terminal base point, or sell it in storage there in a carload quantity, you shall use the terminal base price less 3 cents per bushel, in place of your supplier's maximum price. Your markup on deliveries of carload quantities, in such cases, shall be 3 cents per bushel. The limitation on markups set forth in section 5.1 shall not apply to the markup provided in this subparagraph.

(c) *If you deliver in a less than carload quantity.* If you deliver any lot of wheat in a less than carload quantity, your maximum price shall be calculated by adding:

(1) Your supplier's maximum price on the sale and delivery to you (or the price of a withdrawal, as determined under section 2.5 of this regulation); and

(2) Your transportation cost; and

(3) A markup of $1\frac{1}{2}$ cents per bushel; and

(4) The appropriate one of the following additional markups:

(i) $4\frac{1}{2}$ cents per bushel if delivered to a feeder or distiller in quantities of more than 150 bushels; or

(ii) $7\frac{1}{2}$ cents per bushel if delivered to a feeder or distiller in quantities of 150 bushels or less; or

(iii) 3 cents per bushel if delivered to any person other than a feeder, distiller or trucker-merchant; or

(iv) $1\frac{1}{2}$ cents per bushel if delivered to a trucker-merchant;

Provided: That, if you do your own hauling, and, therefore, your transportation cost is the hauling allowance set forth in section 2.2 (aa), and if the distance hauled is more than 60 miles, you shall not be permitted to add the extra markups provided in subparagraph (4), above, in such case. The markups provided in subparagraph (4), above, will not be subject to the limitations on markups on carload shipments, as provided in section 5.1 of this regulation, but no more than one of such markups shall be added to the maximum price on the sale of any less than carload quantity except an additional markup on a sale to a feeder or distiller may be added to (4) (iii) above.

(d) *If you deliver in storage.* If you deliver the wheat to your customer in storage, you must either pay or have deducted from the payment of the maximum price to you all accrued storage and handling charges and the loading out charges. If your customer is also the warehouseman, such deduction for handling and loading out shall be not less than 1 cent per bushel.

(e) *Additional markups if the wheat is shipped by vessel on the Great Lakes, or by barge, south or east of Cairo, Illinois.* If you ship a lot of wheat by vessel on the Great Lakes, or by barge, south or east of Cairo, Illinois, you may add to the maximum price, otherwise applicable, a markup of $1\frac{1}{2}$ cents per bushel. The extra markup, provided in this paragraph, is not subject to the limitations set forth in section 5.1 of this regulation.

SEC. 4.5 *Maximum prices for sales by retailers.* The maximum prices for sales of wheat by retailers shall be determined pursuant to the provisions of Supplement 1 to Food Products Regulation No. 2, as amended.

ARTICLE V—RULES RELATING TO ADDITIONS TO MAXIMUM PRICES AND TO LIMITATIONS ON SUCH ADDITIONS

SEC. 5.1 *Limitations on total markups of country shippers and merchandisers and on service charges of commission merchants which may be included in a maximum price.* In order to prevent undue accumulation of markups for distributive services, all markups except those set forth in sections 4.3 (b) (3), 4.3 (d) (3), 4.4 (b) (2), 4.4 (c) (4) and 4.4 (e) are subject to the limitations provided in this section. These limitations apply to the total of all such markups and of service charges for commission merchants.

Except as heretofore set forth, the maximum price for the sale of any lot of wheat shall never include an amount in excess of $4\frac{1}{2}$ cents per bushel as a total of all merchandising markups and of all service charges for commission merchants.

SEC. 5.2 *Rules relating to additions to maximum prices*—(a) *Maximum charges for services of brokers and commission merchants.* (1) Notwithstanding the provisions of any other regulation, the maximum charge which a broker or a commission merchant may charge for all services in connection with any purchase and sale of a lot of wheat shall be as set forth below. These are maximum service charges regardless of whether the wheat is sold at its maximum price and regardless of whether the markups may be added to any maximum price.

(i) *Brokers.* The maximum service charge for all services of a broker with respect to a purchase and sale of any lot of wheat is $\frac{1}{2}$ cent per bushel.

(ii) *Commission merchants.* The maximum service charge for all services of commission merchants with respect to a purchase and sale of any lot of wheat is $1\frac{1}{2}$ cents per bushel.

(2) Subject to the limitations set forth in section 5.1 of this regulation, any seller may add the service charge of a commission merchant to the maximum price he would otherwise be entitled to charge: *Provided*, That the seller actually incurs such charge. However, no seller may add the service charge of a broker to the maximum price he is entitled to charge.

(b) *Elevation charges which may be added to your maximum price.* (1) Except as provided in subparagraph (2), below, if wheat is unloaded into an elevator or warehouse from a rail car, barge or vessel, the maximum price of the seller shall be increased by 1 cent per bushel, provided the seller has actually incurred or would otherwise bear the expense of such elevation or handling, including loading out into a rail car, barge or vessel, except that if the seller is not the warehouseman and the expense he incurs or bears is less than 1 cent per bushel, he shall add to his maximum price only the actual amount so incurred or borne.

(2) When any lot of wheat is transferred from rail cars or barge through an elevator or warehouse to lake vessel, the elevation or handling charges actually incurred by the seller (but not exceeding the charges in effect December 6, 1943) may be added to his maximum price: *Provided*, That, if the wheat is handled through an elevator or warehouse operated by the seller, he may add 1 cent per bushel.

(3) This paragraph (b) does not fix maximum prices which may be charged by warehousemen for elevating or handling wheat belonging to another person. The amount of such charges is determined under the General Maximum Price Regulation.

(c) *Inspection and weighing charges.* (1) Where to complete a contract of sale official inspection or weighing of the wheat is necessary, the cost thereof shall be borne by the seller.

(d) *Sacks and sacking.* (1) When wheat is sold in sacks furnished by the seller, there may be added to the appropriate maximum price the reasonable market value of the sacks used (not exceeding any maximum price established thereon) plus a sacking charge of 3 cents per bushel.

(2) When wheat is sold in sacks furnished by the buyer and the seller does the sacking, a sacking charge of 3 cents per bushel may be added to the appropriate maximum price.

(3) These charges may be added to the appropriate maximum price for succeeding sales while the wheat is sold in sacks.

(e) *Carrying charges.* (1) "Carrying charges" are the charges which a seller is permitted to add to the appropriate maximum price for wheat where the buyer requests deferment of delivery of the wheat beyond the free time allowed under the terms of the contract of sale. Carrying charges cover the cost of maintenance of condition and grade, financing, insurance and storage, and they involve the obligation on the part of the seller to make deferred delivery to the buyer, according to the grade, quality and quantity of wheat purchased by the buyer, at any time the buyer may select, after the expiration of the free time.

(2) In addition to the appropriate maximum prices for wheat, a carrying charge of $\frac{1}{30}$ of a cent per bushel, per day, may be charged by the seller from the date of expiration of the free time, under the contract of sale, to the date selected by the buyer as the date on which shipment shall be made, or the date on which shipment or delivery is actually made, whichever is earlier; *Provided*, That, in all cases, the seller may have five days from the date of receipt of instructions within which to make shipment, and he may charge carrying charges accordingly.

(3) On any resale, the maximum price of the seller shall not be increased by any such carrying charge so added.

(4) This provision for the addition of carrying charges shall have no application to wheat stored, or remaining, on the farm where grown.

(5) This paragraph (e) does not fix maximum prices which may be charged by warehousemen for storing wheat belonging to another person. The amount of such charges is determined under the General Maximum Price Regulation.

(f) *Special services.* Under certain special conditions persons performing several marketing functions may add to their maximum price merchandising

markups for special services. These markups, and the conditions under which they may be added, are set forth in section 2.6 of this regulation.

ARTICLE VI—SALES ON CONTRACT FUTURES MARKETS

SEC. 6.1 *Maximum prices for sales of wheat on contract futures markets.* The maximum price per bushel, bulk, for the sale of any wheat on any futures market, designated as a contract market under the authority of the Commodity Exchange Act, whose rules provide for the delivery of such wheat in store and for the subsequent resale and redelivery in store of the wheat delivered on such futures contracts, shall be the base price determined under this regulation for the applicable terminal base point for the grade and quality stipulated in such futures contract, plus the amount provided in this regulation for one merchandising markup and one commission merchant's service charge. In connection with any limitation in this regulation on the total number or amount of markups or the total amount of service charges that may be included in a maximum price, the above maximum price shall be deemed to include one merchandising markup and one commission merchant's service charge.

For the purposes of accomplishing delivery of the actual wheat on a futures market at such maximum price, the provisions of this section shall function as an exception to the rules provided in this regulation with respect to sales in store and no deduction need be made for the loading out charge, but when any wheat delivered against a futures contract is loaded out, the person taking such delivery shall for the resale of such wheat determine his maximum price under the provisions of this regulation regardless of the exception herein provided.

This revised regulation shall become effective May 30, 1945.

NOTE: The reporting and record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

Approved: May 29, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-9385; Filed, May 30, 1945; 4:43 p. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 50]

PART 4003—SUBSIDIES, SUPPORT PRICES

1945 CROP WHEAT LOAN

The War Food Administrator has, by letter dated May 10, 1945, recommended by approval of a loan program with respect to wheat of the 1945 crop to be carried out by Commodity Credit Corporation. Loans are to be made under the program at 90 per centum of the parity price of wheat as of July 1, 1945. The loan program is more fully described in the copy of the memorandum from the Director, Office of Basic Commodities enclosed with the War Food Administrator's letter.

Pursuant to the authority vested in me as Economic Stabilization Director, I hereby authorize and direct the War Food Administration to carry out through the Office of Basic Commodities, Commodity Credit Corporation, the 1945 wheat loan program described in the War Food Administrator's letter and the memorandum enclosed therewith.

(E.O. 9250 and E.O. 9328, 3 CFR Cum. Supp. pp. 1213, 1267)

Effective date: May 29, 1945.

Issued this 29th day of May 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-9394; Filed, May 31, 1945; 10:43 a. m.]

[Directive 51]

PART 4003—SUBSIDIES; SUPPORT PRICES

EXTENSION OF OFFER OF COMMODITY CREDIT CORPORATION TO PURCHASE UNREDEEMED 1944 LOAN WHEAT

The Economic Stabilization Director having, on October 23, 1944, issued Directive 20, approving a program whereby Commodity Credit Corporation was authorized and directed to purchase wheat upon which its loans were outstanding on May 1, 1945, such purchases to be made during May and June 1945 at a price equal to the loan value of the wheat, plus 15 cents per bushel; and

It now appearing necessary to extend this purchase offer with respect to 1944 farm-stored loan wheat delivery of which Commodity Credit Corporation is unable to accept within the period provided in the purchase offer;

I hereby find that the purchase offer should be extended with respect to such wheat to not later than April 30, 1946, with an allowance for an additional storage payment of not more than 5 cents per bushel, as set forth in the schedule submitted by the War Food Administrator with his letter of May 2, 1945.

Accordingly, it is hereby directed that the Commodity Credit Corporation's offer to purchase be extended with respect to such wheat to not later than April 30, 1946, as aforesaid, and that an additional storage payment of not more than 5 cents per bushel be allowed, as set forth in the War Food Administration's letter of May 2, 1945 and the memorandum attached thereto.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp., pp. 1213, 1267)

Issued this 29th day of May 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-9395; Filed, May 31, 1945; 10:48 a. m.]

[Directive 52]

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

PURCHASES BY COMMODITY CREDIT CORPORATION OF UNREDEEMED 1944 WHEAT

The Economic Stabilization Director having, on October 23, 1944, issued Directive 20, approving a program whereby Commodity Credit Corporation was authorized and directed to purchase wheat upon which its loans were outstanding on May 1, 1945, such purchases to be made during May and June, 1945, at a price equal to the loan value of wheat plus 15 cents per bushel; and, thereafter, having issued on May 29, 1945, Directive 51, approving an extension of this purchase offer to not later than April 30, 1946, with an allowance for an additional storage payment of not more than five cents per bushel, as set forth in a schedule submitted by the War Food Administrator with his letter of May 2, 1945, and having found that that program was necessary to accomplish, with respect to wheat, the objectives of Section 3 of the Stabilization Act of 1942, as amended; and

It now appearing that such purchases in some instances will be at prices higher than those authorized by Revised Maximum Price Regulation 487, issued by the Office of Price Administration;

I hereby find that such purchases of 1944-crop loan wheat by Commodity Credit Corporation should be excepted from the provisions of Revised Maximum Price Regulation 487.

Accordingly, pursuant to the authority vested in me as Economic Stabilization Director, I hereby authorize and direct the Price Administrator to except from the provisions of Revised Maximum Price Regulation 487 purchases of 1944-crop wheat by Commodity Credit Corporation under and pursuant to the provisions of Directives 20 and 51 of this Office to the extent necessary to permit the Commodity Credit Corporation to conform to the provisions of such Directives.

(E.O. 9250 and E.O. 9328)

Effective date: May 29, 1945.

Issued this 29th day of May, 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-9396; Filed, May 31, 1945; 10:48 a. m.]

[Directive 53]

PART 4003—SUBSIDIES; SUPPORT PRICES

1945 CROP PEANUT PRICE SUPPORT PROGRAM

The War Food Administrator having by letter dated May 10, 1945, submitted certain information and recommended a price support and subsidy program for peanuts of the 1945 crop under which Commodity Credit Corporation will make provisions for loans to, and purchases from, producers of peanuts and will absorb a portion of the amount by which maximum prices on peanut products do

not reflect the support price to producers;

I hereby find that the program proposed to me by the War Food Administrator will fulfill the requirements of section 8 (a) of the Stabilization Act of 1942, as amended (50 U.S.C. 968, Supp. III, 58 Stat. 632, 58 Stat. 765) and the requirements of section 4 (a) of the Act of July 1, 1941, as amended (15 U.S.C. 713a-8, Supp. III), and is necessary to effectuate the policy established by Executive Orders 9250 and 9328 and specifically to insure the maximum necessary production and distribution of peanuts and peanut products to meet military, lend lease, and civilian requirements.

Accordingly the War Food Administrator is hereby authorized and directed to carry out through Commodity Credit Corporation the program described in the War Food Administrator's letter and the memorandum enclosed therewitl .

(E.O. 9250 and E.O. 9328, 3 CFR Cum. Supp.)

Issued and effective on this 30th day of May 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-9397; Filed, May 31, 1945; 10:48 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 80, Amdt. 31]

PART 95—CAR SERVICE

DESIGNATION OF DAVENPORT, IOWA, AS MARKET AREA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of May, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 80 (8 F.R. 8514), as amended (codified as § 95.19):

It is ordered, That the city of Davenport, Iowa, is hereby designated as a market area subject to the Terms of Service Order No. 80 as amended.

It is further ordered, That George M. Cummins, Traffic Commissioner, Davenport Chamber of Commerce, is hereby designated and appointed as agent of the Commission to issue permits for the movement of grain (including rice) under the terms of this order in the market area of Davenport, Iowa. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 7, 1945; that copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-9413; Filed, May 31, 1945; 11:09 a. m.]

[S. O. 80, Amdt. 32]

PART 95—CAR SERVICE

APPOINTMENT OF PERMIT AGENT WITH RESPECT TO GRAIN

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of May, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 80 (8 F.R. 8514), as amended (codified as § 95.19):

It is ordered, That A. R. Hacker, Enid Board of Trade, Enid, Oklahoma, is hereby designated and appointed as Agent of the Commission to issue permits for the movement of grain under the terms of this order at the Enid, Alva, El Reno, Blackwell, and Medford, Oklahoma, market in lieu of F. A. Hague. The appointment of F. A. Hague is hereby vacated. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this amendment shall become effective at 12:01 a. m., June 4, 1945; that copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-9414; Filed, May 31, 1945; 11:09 a. m.]

Chapter II—Office of Defense Transportation

[General Permit ODT 17-31]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; EXCEPTIONS, PERMITS, AND EXEMPTIONS

WHOLESALE DELIVERIES OF FRESH FRUITS AND FRESH VEGETABLES

In accordance with the provisions of § 501.71 of General Order ODT 17, as amended, it is hereby authorized, that:

§ 521.2907 *Wholesale deliveries of fresh fruits and fresh vegetables.* Any motor carrier, while operating a motor truck for the purpose of making wholesale deliveries exclusively of fresh fruits or fresh vegetables, or both, during the months of June, July, August, and September:

(a) May make six wholesale deliveries of either or both of such commodities from any one point of origin to any one point of destination in any calendar week; and

(b) May operate a motor truck over any route or within any delivery area established pursuant to the provisions of paragraph (a) of § 501.75 of General Order ODT 17, as amended, on 6 days of any calendar week: *Provided*, That no more than one wholesale delivery shall be made from any one point of origin to any one point of destination during any calendar day.

This General Permit ODT 17-31 shall become effective June 1, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 12750, 14582, 9 F.R. 2795)

Issued at Washington, D. C., this 31st day of May 1945.

J. M. JOHNSON,
Director of the Office of Defense Transportation.

[F. R. Doc. 45-9434; Filed, May 31, 1945; 11:20 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 26—EAST CENTRAL REGION NATIONAL WILDLIFE REFUGES

KENTUCKY WOODLANDS NATIONAL WILDLIFE REFUGE, KY.; FISHING REGULATIONS

Under authority of § 12.3 of the General Regulations for the Administration of National Wildlife Refuges (5 F.R. 5284), as amended, the following is ordered:

Supersedes § 26.503 approved June 22, 1943 (8 F.R. 8554).

§ 26.503 *Kentucky Woodlands National Wildlife Refuge, Kentucky; fishing.* Fishing in accordance with the State laws of Kentucky is permitted in waters within the Kentucky Woodlands National Wildlife Refuge, Kentucky, as follows: (a) Noncommercial fishing is permitted during daylight hours in all ponds and lakes exclusive of the Gilbertsville impoundment during the period beginning April 1 and ending five days before the opening of the waterfowl hunting season; (b) Commercial and noncommercial fishing is permitted during daylight hours in the arms or inlets formed by the Gilbertsville impoundment in the valleys or streams tributary to the Tennessee River during the period beginning five days after the closing of the waterfowl hunting season and closing five days before the opening of the following season: (c) Commercial and noncommercial fishing is permitted in the waters between the former east bank of the Tennessee River and the western limits of the arms or inlets referred to in (b) above.

Entry on and use of the refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F.R. 5284), and strict compliance therewith is required. Persons entering the refuge for the purpose of fishing must follow such routes of travel within the refuge as are designated by posting. All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such law and regulations. No Federal permit will be required to exercise the fishing privileges permitted under this order.

During periods of waterfowl concentrations, wild turkey nesting, or other wildlife concentrations, fishing may be limited to either bank fishing, or boat fishing, or closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions to be clearly designated by posting.

Dated: May 23, 1945.

ALBERT M. DAY,
Acting Director.

[F. R. Doc. 45-9382; Filed, May 30, 1945; 4:33 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

CRUMPECKER & FUNK

ORDER REVOKING LICENSE, AND DIRECTING SURRENDER OF LICENSE

In the matter of licensee Crumpecker & Funk. Proceedings for revocation of license.

To: Crumpecker & Funk, Box 47, McGehee, Arkansas.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On February 16, 1945, a specification of charges against you setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from February 16, 1945, answering the charges against you and requesting an oral hearing if you wished.

2. More than 90 days have elapsed since February 16, 1945. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from McGehee, Arkansas, does not exceed four days. The only communication received from you is the answer dated February 28, 1945. You have not requested an oral hearing.

3. You have admitted that on or about November 10, 1944, you stored high explosives at a place approximately four miles south of Rohwer, Desha County, Arkansas, otherwise than in a magazine complying with the standards set forth in section 25 of the regulations, and that you thereby violated sections 24 and 25 of the regulations.

4. You have admitted that on or about November 10, 1944, you stored explosives near Rohwer, Desha County, Arkansas, on premises not marked with a sign containing the words "Explosives—Keep Off", and that you thereby violated section 12 of the act and section 25 (a) (2) of the regulations.

5. On or about November 10, 1944, you stored detonators at a place near Rohwer, Arkansas, otherwise than in a magazine complying with the standards set forth in regulation 27 and you thereby violated sections 24 and 27 of the regulations.

6. On or about November 10, 1944, you stored fuse at a place near Rohwer, Arkansas, without adequately protecting it against theft as prescribed by section 28 of the regulations and you thereby violated sections 24 and 28 of the regulations.

7. You have violated the act and the regulations in the particulars set out in findings numbered 3 through 6.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, May 31, 1945.

2. That prior to midnight, May 31, 1945, you shall sell or otherwise dispose of, to properly licensed persons, or destroy, all explosives, detonators and fuse owned or possessed by you or consigned to you or which are in your custody.

3. That after having sold or otherwise disposed of, or destroyed, all of the explosives, detonators and fuse, as required by paragraph 2 of this order, you shall, prior to midnight, May 31, 1945, deliver or mail to G. M. Kintz, Supervising Engineer, Bureau of Mines, Department of the Interior, 1416 Gulf States Building, Dallas 1, Texas, a sworn statement of your transactions in and destructions of explosives, detonators and fuse beginning with the date of this order and ending with the final sale or other disposition or destruction as required above. The statement shall set forth the amount of each kind of explosives, detonators and fuse, which you had on hand at each location on the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and adresses of the persons from whom acquired, the amount of each kind used by you, the dates on which used and the places where used, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of the Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind destroyed by you, the dates on which destroyed and the places where destroyed.

4. That prior to midnight, May 31, 1945, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. M. Kintz, Supervising Engineer, Bureau of Mines, Department of the Interior, 1416 Gulf States Building, Dallas 1, Texas.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 23d day of May, 1945.

R. R. SAYERS,
Director.

[F. R. Doc. 45-9383; Filed, May 30, 1945; 4:33 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

The Hallmark Manufacturing Corporation, Davidson Street, Clinton, South Carolina; men's shirts; 10 percent (T); effective May 22, 1945, expiring May 21, 1946.

His Nibs, Inc., 105 Main Street, Souderton, Pennsylvania; children's shirts, wash suits, and blouses; 15 (E); effective May 24, 1945, expiring November 23, 1945.

R. Lowenbaum Manufacturing Company, 8 Broadway, Sparta, Illinois; junior dresses; 10 percent (T); effective May 21, 1945, expiring May 20, 1946.

The Mack Shirt Corporation, 209 East 6th Street, Cincinnati, Ohio; men's shirts; 10 percent (T); effective May 23, 1945, expiring May 22, 1946.

GLOVE INDUSTRY

Morris Manufacturing Company, Newbern, Tennessee; work gloves; 10 (AT); effective May 22, 1945, expiring November 21, 1945.

HOSIERY INDUSTRY

Barber Hosiery Mills, Inc., Mount Airy, North Carolina; seamless; 10 percent (AT); effective May 21, 1945, expiring November 20, 1945.

Holeproof Hosiery Company, South Pittsburgh, Tennessee; seamless; 25 (AT); effective May 23, 1945, expiring November 22, 1945.

Industrial Hosiery Mills, Inc., Summit and Chestnut Streets, Mohnton, Pennsylvania; seamless; 4 (T); effective May 21, 1945, expiring May 20, 1946.

Signed at New York, New York, this 25th day of May 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-9381; Filed, May 30, 1945; 4:32 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-632]

THE MANUFACTURERS LIGHT AND HEAT CO.

ORDER FIXING DATE OF HEARING

MAY 29, 1945.

Upon consideration of the application filed April 7, 1945, by The Manufacturers Light and Heat Company (Applicant) for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following-described facilities:

(1) Remove two 1100-horsepower gas compressors from Applicant's Hundred compressing station in Wetzel County, West Virginia, and erect them at the proposed Hughes River compressing station in Ritchie County, West Virginia, together with auxiliary equipment;

(2) Remove the main compressor building at Hundred compressing station and erect it at the proposed Hughes River compressing station, and install a compressor building at the Hundred station which compressor building will be purchased from Applicant's associate company, Cumberland and Allegheny Gas Company;

(3) Remove auxiliary building at Rosbys Rock compressing station located in Clay District, Marshall County, West Virginia, and erect it at the proposed Hughes River compressing station;

(4) Remove two 80-horsepower gas compressors from the Sedalia compressing station, McClellan District, Doddridge County, West Virginia, and erect them at the proposed Hughes River compressing station as auxiliary power;

(5) Construct and operate 0.15 mile of 20-inch and 10.35 miles of 16-inch transmission pipe line beginning at Miller Farm in Sandhill District, Marshall County, West Virginia, and extending in a northerly direction to a point of connection with its existing loop line near Donegal Township, Washington County, Pennsylvania;

(6) Construct and operate 12 miles of 16-inch loop transmission pipe line beginning at the Hix Farm in Findley Township, Allegheny County, Pennsylvania, and extending in a northerly direction to a point of connection with its existing 16-inch pipe line at the town of Monaca, Beaver County, Pennsylvania;

(7) Install an additional 600-horsepower gas compressor at Applicant's Ellwood City compressing station in Beaver County, Pennsylvania, which compressor is to be purchased from Applicant's associate company, United Fuel Gas Company;

(8) Install a gas measuring station and gas cooling system at the Ellwood City compressing station;

(9) Install a 600-horsepower gas compressor at Applicant's Iowa compressing station in Jefferson County, Pennsylvania, which compressor will be purchased from Applicant's associate company, United Fuel Gas Company;

(10) Construct and operate 5.65 miles of six-inch transmission pipe line beginning at Applicant's pipe line No. 88 in Big Beaver Township, Beaver County, Pennsylvania, and extending in a northerly direction to Applicant's pipe line No. 126, Big Beaver Township, Lawrence County, Pennsylvania;

(11) Install and operate an additional 600-horsepower gas compressor at Applicant's Donegal compressing station located in Donegal Township, Washington County, Pennsylvania; and

It appearing to the Commission that:

(a) Pursuant to its Opinions Nos. 114 and 114-A and accompanying order of July 22, 1944, entered in Docket No. G-510, Applicant's predecessor company, The Manufacturers Light and Heat Company (old) was authorized to construct and operate certain of the facilities described above;

(b) By letter dated November 8, 1944, Applicant's predecessor company advised that after a further survey of the project authorized in Opinions Nos. 114 and 114-A and accompanying order of July 22, 1944, it decided many changes would have to be made necessitating the submission of a revised project which is now the subject of the present application;

(c) By the Commission's order of December 29, 1944, entered in Docket No. G-593, et al., Applicant was authorized to acquire and operate the facilities of The Manufacturers Light and Heat (old) and certain other constituent companies. Such authorization, in so far as it concerned the acquisition and operation of the facilities involved in Docket No. G-510, was limited to only such of the facilities as had been constructed strictly in conformity with the Commission's Opinion No. 114-A and accompanying order of July 22, 1944. Said order of December 29, 1944, also vacated the order of July 22, 1944, above referred to, to the extent that such order authorized Applicant's constituent companies, The Manufacturers Light and Heat Company (old) and Manufacturers Gas Company, to construct and operate the facilities involved in Docket No. G-510.

The Commission orders that:

A public hearing be held commencing June 13, 1945, at 10 a. m. (e. w. t.) in Court Room No. 4, Sixth Floor, New Federal Building, at Pittsburgh, Pennsylvania, respecting the matters involved and the issues presented in this proceeding.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-9393; Filed, May 31, 1945; 10:35 a. m.]

[Docket No. G-637]

NEW YORK STATE NATURAL GAS CORP.

ORDER FIXING DATE OF HEARING

MAY 29, 1945.

Upon consideration of the application filed April 23, 1945, by New York State Natural Gas Corporation (Applicant) for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following-described facilities at Applicant's Boom Compressing Station, located in Tioga County, Pennsylvania;

(1) An additional 500-horsepower gas engine and compressor;

(2) A 25-horsepower auxiliary gas engine;

(3) New gas coolers, circulating pumps, suction and discharge lines, enlargement of auxiliary building and other appurtenant equipment.

The Commission orders that:

A public hearing be held commencing June 12, 1945, at 10 a. m. (e.w.t.) in Court Room No. 4, Sixth Floor, New Federal Building, Pittsburgh, Pennsylvania, respecting the matters involved and the issues presented in this proceeding.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-9326; Filed, May 31, 1945; 10:35 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 288, Special Permit 25]

REFRIGERATION OF SHELL EGGS AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering

paragraph of Service Order No. 288 of February 27, 1945 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 insofar as it applies to the furnishing or supplying of one refrigerator car for loading with 480 cases of shell eggs shipped May 29, 1945, by the Booth Cold Storage, St. Louis, Mo., on a Government bill of lading, for account of U. S. Army, consigned to Greenville Army Air Base, Greenville, S. C. (Sou. Ry.).

The car order, bill of lading, other shipping papers and the waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of May, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-9415; Filed, May 31, 1945; 11:09 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4946]

RICHARD BITTLE

In re: Estate of Richard Bittle, deceased; File D-39-18338; E. T. Sec. 12200.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Cora L. Soto in and to the estate of Richard Bittle, Deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Cora L. Soto, Japan.

That such property is in the process of administration by The Central National Bank & Trust Company, Attica, Indiana, as Executor of the estate of Richard Bittle, deceased, acting under the judicial supervision of the Circuit Court of Fountain County, Indiana;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9293; Filed, May 31, 1945; 10:55 a. m.]

[Vesting Order 4947]

JERE W. CLEMENS

In re: Trust under the will of Jere W. Clemens, deceased; File D-28-3891; E. T. sec. 9154.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of William von Versen in and to the Trust created under Item SIX of the Will of Jere W. Clemens, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

William von Versen, Germany.

That such property is in the process of administration by Charles H. Zelbig and Fred W. Hanft, 719 Chestnut Street, St. Louis, Missouri, as Successor Trustees of the Trust under the Will of Jere W. Clemens, deceased, acting under the judicial supervision of the Circuit Court of the City of St. Louis, Missouri;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9399; Filed, May 31, 1945; 10:55 a. m.]

[Vesting Order 4948]

MARIE BADER GOEBEL

In re: Estate of Marie Bader Goebel, deceased; File D-28-8434; E. T. sec. 9849.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $692.57 in the possession and custody of Walter R. Mybeck, Clerk of the Lake Superior Court, Indiana, Depositary, which amount was deposited on June 7, 1940, by the Administrator of the Estate of Marie Bader Goebel, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Paul Schalle, Germany.

Heirs, next of kin and distributees, names unknown, of Wilhelmina Bader Feilmann, deceased, Germany.

That such property is in the process of administration by the Clerk of the Lake Superior Court, Gary, Indiana, as Depositary acting under judicial supervision of the Lake Superior Court, Gary, Indiana;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9400; Filed, May 31, 1945; 10:55 a. m.]

[Vesting Order 4949]

PAULINE A. HANSON

In re: Estate of Pauline A. Hanson, deceased; File D–28–9418; E. T. sec. 12576.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Agnes Wierzorke, Stephen Wierzorke, Herbert Wierzorke and Bernard Wierzorke, and each of them, in and to the estate of Pauline A. Hanson, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Agnes Wierzorke, Germany.
Stephen Wierzorke, Germany.
Herbert Wierzorke, Germany.
Bernard Wierzorke, Germany.

That such property is in the process of administration by Electa Fenstermaker, 712 West Jefferson Street, Bloomington, Illinois, as Executrix of the estate of Pauline A. Hanson, deceaaed, acting under the judicial supervision of the County Court of Traill County, North Dakota;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United Statea requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9401; Filed, May 31, 1945; 10:55 a. m.]

[Vesting Order 4950]

WARREN F. HENLEY

In re: Estate of Warren F. Henley, deceased, and Trust under the Will of Warren F. Henley, deceased; File D–66–456; E. T. sec. 2996.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ida Belle Thomas von Buelow in and to the estate of Warren F. Henley, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ida Belle Thomas von Buelow, Germany.

That such property is in the process of administration by Harris Trust & Savings Bank, as Executor of the estate of Warren F. Henley, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

2. That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Elizabeth Stuart Henley-Witthoeft-Emden, also known as Elizabeth Henley Witthoeft-Emden; the lawful descendants (names unknown) of Elizabeth Stuart Henley-Witthoeft Emden, also known as Elizabeth Henley Witthoeft-Emden; Jane Muriel Henley, also known as Jane Muriel Henley Zander; and the lawful descendants (names unknown) of Jane Muriel Henley, also known as Jane Muriel Henley Zander; and each of them, in and to the Trust under the Will of Warren F. Henley, deceased,

is property within the United States owned or controlled by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elizabeth Stuart Henley-Witthoeft-Emden, also known as Elizabeth Henley Witthoeft-Emden, Germany.

Lawful descendants (names unknown) of Elizabeth Stuart Henley-Witthoeft-Emden, also known as Elizabeth Henley Witthoeft-Emden, Germany.

Jane Muriel Henley, also known as Jane Muriel Henley Zander, Germany.

Lawful descendants (names unknown) of Jane Muriel Henley, also known as Jane Muriel Henley Zander, Germany.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9402; Filed, May 31, 1945; 10:55 a. m.]

[Vesting Order 4951]

GUSTAV KALIES

In re: Estate of Gustav Kalies, also known as Gust Kalies, deceased; File D-28-8630; E. T. sec. 10326.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emilie Kalies, Otto Kalies, Ella Kalies and Helena Spremberg, and each of them, in and to the estate of Gustav Kalies, also known as Gust Kalies, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emilie, Kalies, Germany.
Otto Kalies, Germany.
Ella Kalies, Germany.
Helena Spremberg, Germany.

That such property is in the process of administration by Margaret Mann, 206 North Vine Street, Horicon, Wisconsin, as Executrix of the estate of Gustav Kalies, also known as Gust Kalies, deceased, acting under the judicial supervision of the County Court of Dodge County, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9403; Filed, May 31, 1945; 10:55 a. m.]

[Vesting Order 4952]

ELSE KILLIAN

In re: Estate of Else Killian, deceased; File No. D-28-8672; E. T. Sec. 10459.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Martha Genzel in and to the estate of Else Killian, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Martha Genzel, Germany.

That such property is in the process of administration by Else Bystrom, 3451 Joseph Campau Avenue, Detroit 7, Michigan, as Administratrix of the estate of Else Killian, deceased, acting under the judicial supervision of the Probate Court for the County of Wayne, Detroit, Michigan;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9404; Filed, May 31, 1945; 10:55 a. m.]

[Vesting Order 4953]

MAX PESSARRA

In re: Estate of Max Pessarra, deceased; File D-28-3580; E. T. sec. 5787.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $500.72 in the possession and custody of Victor L. Schlaeger, Treasurer of Cook County, Illinois, Depositary, which amount was deposited on July 11, 1942, pursuant to an order of the Probate Court of Cook County, Illinois, entered June 19, 1942, in the matter of the Estate of Max Pessarra, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Lucy (Lucie) Raissmann, Germany.
Emma Haselaw, Germany.
Margarete Haselaw Haupt, Germany.
Executors, administrators, personal representatives, legatees, devisees, distributees, heirs and assigns of Reinhold Haselaw, deceased, names unknown, Germany.

That such property is in the process of administration by the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or

in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9405; Filed, May 31, 1945; 10:55 a. m.]

[Vesting Order 4954]

J. JOSEPH RICK

In re: Estate of J. Joseph Rick deceased; File D-28-9135; E. T. sec. 11778.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Joseph Manz, Joseph Niterau, Jr., members of family of Jean Bungard, first names unknown, Joseph Niterau, and the children, names unknown, of Kattarina Rick, marriage name unknown, and each of them, in and to the estate of J. Joseph Rick, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Joseph Manz, Germany.
Joseph Niterau, Jr., Germany.
Members of family of Jean Bungard, first names unknown, Germany.
Joseph Niterau, Germany.
Children, names unknown, of Kattarina Rick, marriage name unknown, Germany.

That such property is in the process of administration by William G. Schroedel, c/o First National Bank, Wisconsin Rapids, Wisconsin, and William E. Nash, 470 First Avenue South, Wisconsin Rapids, Wisconsin, as Co-executors of the estate of J. Joseph Rick, deceased, acting under the judicial supervision of the County Court of Wood County, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9406; Filed, May 31, 1945; 10:56 a. m.]

[Vesting Order 4955]

JOHN L. SASSEN

In re: Estate of John L. Sassen, deceased; File D-28-9399; E. T. sec. 12508.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Gerd Sassen, Rose Mary Sassen and Dr. William Sassen, and each of them, in and to the estate of John L. Sassen, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Gerd Sassen, Germany.
Rose Mary Sassen, Germany.
Dr. William Sassen, Germany.

That such property is in the process of administration by Lieutenant John F. Marsh, Jr., and Rev. H. E. Gerwert, Co-executors of the Estate of John L. Sassen, deceased, acting under the judicial supervision of the Probate Court of Allen County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9407; Filed, May 31, 1945; 10:56 a. m.]

[Vesting Order 4956]

MARIA THRAMM

In re: Estate of Maria Thramm, deceased; File D-28-7480; E. T. sec. 7686.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ernst Thramp and his heirs and Walter Thramp and his heirs, and each of them, in and to the Estate of Maria Thramm, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ernst Thramp and his heirs, Germany.
Walter Thramp and his heirs, Germany.

That such property is in the process of administration by the Bank of America National Trust and Savings Association, as Executor acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including

appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc 45-9408; Filed, May 31, 1945; 10:56 a. m.]

[Vesting Order 4957]

META WICKE

In re: Estate of Meta Wicke, deceased; File D-28-8654; E. T. sec. 10452).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Leopold Kabel, Willi Kabel, Mrs. Helene Hendrich and Mrs. Kathe Hertz, and each of them, in and to the estate of Meta Wicke, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Leopold Kabel, Germany.
Willi Kabel, Germany.
Mrs. Helene Hendrich, Germany.
Mrs. Kathe Hertz, Germany.

That such property is in the process of administration by J. E. Green, First National Bank Building, Bellaire, Ohio, as Administrator with the Will Annexed, of the estate of Meta Wicke, deceased, acting under the judicial supervision of the Probate Court of Belmont County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9409; Filed, May 31, 1945; 10:56 a. m.]

[Vesting Order 4966]

MARIA REICHERT

In re: Estate of Maria Reichert, deceased; File D-28-7383; E. T. Sec. 7573-A.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Lydia Orthmeyer in and to the estate of Maria Reichert, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Lydia Orthmeyer, Germany.

That such property is in the process of administration by Alma Figge, 5237 N. Laramie Avenue, Chicago, Illinois and Ruth Endersen, 4944 Byron Street, Chicago, Illinois, as Co-executrices of the estate of Maria Reichert, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9410; Filed, May 31, 1945; 10:56 a. m.]

[Vesting Order 4967]

ALMA FIGGE, ET AL.

In re: Alma Figge, et al., vs. Lydia Orthmeyer, et al.; File D-28-7383; E. T. sec. 7573B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Lydia Orthmeyer, in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled "Alma Figge et al., vs. Lydia Orthmeyer et al." No. 44 C 5914, in the Circuit Court of Cook County, Illinois,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Lydia Orthmeyer, Germany.

That such property is in the process of administration by William J. Mannion as Master in Chancery, acting under the judicial

supervision of the Circuit Court of Cook County, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9411; Filed, May 31, 1945; 10:56 a. m.]

[Vesting Order 4958]

JOSEPH REICHL

In re: Estate of Joseph Reichl, deceased; File D-6-1168; E. T. sec. 11813.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Johann Reichl, Anna Riesenhuber, Thomas Holzmayer, Joseph Holzmayer, and Marie Holzmayer, and each of them, in and to the estate of Joseph Reichl, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johann Reichl, Germany (Austria).
Anna Riesenhuber, Germany (Austria).
Thomas Holzmayer, Germany (Austria).
Joseph Holzmayer, Germany (Austria).
Marie Holzmayer, Germany (Austria).

That such property is in the process of administration by Edward A. Binder, Security Bank Building, Oshkosh, Wisconsin, as Executor of the estate of Joseph Reichl, deceased, acting under the judicial supervision of the County Court of Winnebago County, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9412; Filed, May 31, 1945; 10:56 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 17-6]

DELAWARE, MARYLAND, NEW JERSEY, NEW YORK, PENNSYLVANIA, AND THE DISTRICT OF COLUMBIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 17, as amended (7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 12750, 14582; 9 F.R. 2795), a copy of which plan is attached hereto as Appendix 2;[1] and,

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment of the carriers, and to conserve and providently utilize vital equipment, material, and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, schedules, contracts, or supplements to filed schedules or contracts, setting forth any changes in rates, charges, rules, regulations, or practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such schedules, contracts, or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service of another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this

[1] Filed as part of the original document.

such nationals are persons not within a designated enemy country.

And determining that to the extent that

County, Illinois;

Master in Chancery, acting under the judicial

Joseph Holzmayer, Germany (Austria).
Marie Holzmayer, Germany (Austria).

(7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 12750, 14582; 9 F.R. 2795), a copy of which

[1] Filed as part of the original document.

order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 5, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of May 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Rabiger-Kramer, Inc., Philadelphia, Pa.
M. Circilli, Inc., Philadelphia, Pa.
Murphy's Motor Freight, Inc., Philadelphia, Pa.
Jacob Haefele, Jr., Elsie C. Haefele, and Alvina Haefele, copartners, doing business as Jacob Haefele & Son, Philadelphia, Pa.

[F. R. Doc. 45-9376; Filed, May 30, 1945; 11:42 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-75, 70-726]

COMMONWEALTH AND SOUTHERN CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of May, A. D., 1945.

In the matter of the Commonwealth & Southern Corporation (Delaware), File No. 54-75; The Commonwealth & Southern Corporation (Delaware), File No. 70-726.

The Commonwealth & Southern Corporation (Commonwealth), a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder, regarding the proposed payment of a dividend of $1.25 per share (payable on the 28th day after approval by this Commission to stockholders of record at the close of business on the 14th day thereafter) on its 1,482,000 shares of preferred stock outstanding, the aggregate amount of such dividend payment being $1,852,500; and

Commonwealth having stated in the declaration that "The Board . . . recognizes that the restatement of the carrying value of Commonwealth's investments, which restatement it is proposed in the Amended Plan will be made upon consummation thereof, will result in a decrease in such carrying value in an amount not less than the sum of (a) the amount shown as "Earned Surplus" in the balance sheet as at April 30, 1945 and (b) the amount of net income to be received subsequent to April 30, 1945 and prior to the date of such restatement, provided such restatement is completed within some reasonable period, say by December 31, 1945, and, accordingly, the "Earned Surplus" account is so qualified that, under the rules and practice of the Commission, payment of said dividend is subject to the requirements of Commission authorization under the provisions of section 12 (c) of the Act and Rule U-46 in spite of the fact that, as authorized by Section 34 of the Delaware General Corporation Law, the source of payment of such dividend under such Law is Commonwealth's net profits for the current and preceding fiscal years"; and

Said declaration having been filed on May 11, 1945, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission regarding the proposed payment as similar in principle to those proposed by Commonwealth and permitted by the Commission's orders of June 24, September 13, November 26, 1943, March 8, June 3, September 5, December 21, 1944 and March 12, 1945 (Holding Company Act Releases Nos. 4383, 4560, 4709, 4933, 5084, 5268, 5508 and 5659) and, as in the case of said prior dividend payments, as being made out of capital; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective; and

Commonwealth having requested that the effective date of the declaration be accelerated to facilitate the prompt payment of the proposed dividend to the preferred stockholders and the Commission deeming it appropriate that such request for acceleration be granted;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith, *Provided, however*, That this order shall not be construed as a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code, and provided further that Commonwealth accompany the dividend checks with a statement to the effect (1) that the Commission regarded the dividend payment as being made out of capital for purposes of the Public Utility Holding Company Act of 1935 and (2) that the Commission's statement to this effect did not purport to be a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-9439; Filed, May 31, 1945; 11:16 a. m.]

[File No. 50-6]

PORTLAND GENERAL ELECTRIC CO. AND PORTLAND ELECTRIC POWER CO.

ORDER PERMITTING WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of May 1945.

In the matter of Portland General Electric Company, Portland Electric Power Company, Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company.

Portland General Electric Company, a registered holding company, Portland Electric Power Company, also a registered holding company and presently in reorganization under Chapter X of the Federal Bankruptcy Act, as amended, and Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, having filed a joint application with the Commission on December 7, 1944, pursuant to the Public Utility Holding Company Act of 1935, for an exemption from the competitive bidding requirements of Rule U-50 with respect to the contemplated issuance of new bonds to refund outstanding bonds of Portland General Electric Company, the necessary application or declaration in respect of issue and sale of the new bonds to be made at a subsequent date; and

Hearings having been convened in respect of the application for exemption from competitive bidding but, upon request of the applicants, having been continued subject to the call of the trial examiner; and

Portland General Electric Company having, on May 24, 1945, filed a separate application or declaration with the Commission (File No. 70-1084) with respect to the proposed issuance and sale of the new bonds, setting forth that the sale will be made pursuant to the competitive bidding requirements of Rule U-50; and

Applicants having now filed a written request for permission to withdraw their application for exemption from competitive bidding filed on December 7, 1944; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers to grant such request;

It is hereby ordered, That the request of Portland General Electric Company, Portland Electric Power Company, and Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, for withdrawal of said application for exemption from competitive bidding be, and the same hereby is, granted and that said application be, and the same hereby is, deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-9431; Filed, May 31, 1945; 11:17 a. m.]

[File No. 54-123]

CONSOLIDATED ELECTRIC AND GAS CO. AND THE ISLANDS GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of May, A. D. 1945.

Notice is hereby given that Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and its wholly-owned subsidiary, The Islands Gas and Electric Company ("Islands") have made a joint filing with this Commission pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which may be summarized briefly as follows:

Consolidated and Islands seek approval of a plan under section 11 (e) of the act, designated by them as the "Islands Plan", which plan proposes that Islands simplify its corporate structure by reducing its capitalization and by limiting such capitalization to common stock and one note, all of the securities of Islands to be owned by Consolidated.

At December 31, 1944, the security structure of Islands, all of which was owned by Consolidated, was as follows:

100,000 shares common stock par value $1 per share	$100,000.00
50,000 shares $7 cumulative preferred stock, par value $1 per share	$50,000.00
10-year 4% secured bonds, Series B, due March 1, 1953	1,193,500.00
Three matured notes aggregating	6,512,604.30
Demand note	2,500,000.00

To effectuate simplification of its capitalization, Islands proposes to issue to Consolidated 100,000 shares of new common stock, $25 per share par value in exchange for the common stock and preferred stock of Islands now outstanding, and a 10-year non-interest bearing note in the principal face amount of $4,000,000 to refund a like principal amount of its present note indebtedness. The balance of Islands' indebtedness is to be cancelled.

At the present time, $7,362,000 principal amount of the outstanding notes of Islands are pledged under the indenture securing the Collateral Trust Bonds of Consolidated, the balance of the securities of Islands being pledged under the indenture securing the 5% First Lien and Collateral Trust Bonds of Southern Cities Utilities Company ("Southern Cities' Bonds"). Upon the retirement of the Southern Cities' Bonds, (an order of this Commission approving a plan under section 11 (e) regarding this retirement and an enforcement order of the United States District Court for the District of Delaware regarding the execution of this plan have previously issued), all of the securities of Islands will be pledged as security for Consolidated's Collateral Trust Bonds. Upon the consummation of the Islands Plan, all of Island's new securities are to be pledged as security for Consolidated's Collateral Trust Bonds.

It is represented in the filing that the change in the capital stock of Islands will be effected under the laws of the State of Maryland, Islands being incorporated in that State. It is further represented that, in conformity with Consolidated's program for the divestment of all domestic public utility subsidiary companies, the continuance of Islands as a corporate entity may serve some useful purpose. Consolidated averring that such continued existence does not unduly or unnecessarily complicate the structure of the Consolidated system either at the present time or as contemplated upon the consummation of its program of divestment. It is further averred in the filing that the proposed security structure of Islands bears a fair relationship to the value and earning power of Islands' assets.

The Commission being required by the provisions of section 11 (e) of the act before approving any plan submitted thereunder to find, after notice and opportunity for hearing, that such plan as submitted or as modified, is necessary to effectuate the provisions of section 11 (b) and is fair and equitable to the persons affected by such plan; and

It appearing appropriate in the public interest and in the interest of investors and consumers that notice be given and a hearing be held with respect to said plan;

It is ordered, That a hearing on said matters under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on June 15, 1945 at 11:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, particularly Rule XVII, on or before June 12, 1945.

It is further ordered, That Henry C. Lank, or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to Consolidated Electric and Gas Company and The Islands Gas and Electric Company; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That, without limiting the scope of the issues presented by said filing, particular attention shall be directed at said hearing to the following matters and questions:

(1) Whether the proposed transactions are necessary to effectuate the provisions of section 11 (b) of said act and are fair and equitable to all persons affected thereby;

(2) Whether the continued existence of Islands unnecessarily complicates the corporate structure of the holding company system of which it is a member, and if not, whether the proposed capital sturcture for that company satisfies all the applicable statutory standards;

(3) Whether, and in what manner, the proposed plan should be modified to insure adequate protection of the public interest and the interest of investors and consumers and compliance with all the applicable provisions of the act and rules thereunder;

(4) Whether the disposition by Consolidated of its present security holdings in Islands and the acquisition by Consolidated of the proposed new securities of Islands satisfy the standards of sections 12 and 10 of the act and comply with all other applicable provisions of the act and rules thereunder; and

(5) Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or of any rules, regulations, or orders of this Commission promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-9432; Filed, May 31, 1945; 11:17 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Rev. Order 3597]

LUGGAGE EQUIPMENT AND STAMPING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3597 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model No. L6 Stamped Steel Slip Joint Pliers manufactured by Luggage Equipment and Stamping Company, of 25 Commerce Street, Mayville, Wisconsin.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Retailers	Retailers	Consumers
Stamped steel slip joint pliers	L6	*Dozen* $1.41	*Dozen* $1.92	*Dozen* $1.92	*Each* $0.24

These maximum prices are for the articles described in the manufacturer's application dated April 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, except that 50c per cwt. shall be allowed on shipments of 100 pounds or more. They are subject to a two percent discount for payment within ten days, except that sales to users are net.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.24
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9339; Filed, May 30, 1945; 11:29 a. m.]

[MPR 188, Order 3880]

F & G NOVELTY MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by F & G Novelty Manufacturing Co., 532 Fairfield Avenue, Bridgeport 3, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller	1	*Dozen* $1.89	*Dozen* $2.52	*Each* $0.35

These maximum prices are for the articles described in the manufacturer's application dated May 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% for 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9340; Filed, May 30, 1945; 11:29 a. m.]

[MPR 188, Order 3881]

DONALD, BRUCE & CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Donald, Bruce & Co., 29 East Hubbard Street, Chicago 11, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	1	*Each* $2.06	*Each* $2.75	[illegible]

These maximum prices are for the articles described in the manufacturer's application dated April 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.58 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9341; Filed, May 30, 1945; 11:29 a. m.]

[MPR 188, Order 3882]

ROLLERITE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Rollerite, 1864 Kinsey Street, Muskegon, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller	#1	*Dozen* $2.43	*Dozen* $3.24	*Each* $0.45

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.45 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9342; Filed, May 30, 1945; 11:30 a. m.]

[MPR 188, Order 3883]

IRVING WOLKOFF

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Irving Wolkoff, 29 Glenmore Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No. 40 hot plate	No. 42 hot plate
Maximum prices for sales by manufacturer to:		
Wholesaler	*Each* $1.08	*Each* $2.87
Retailer (in units of 6 or more)	1.31	3.40
Retailer (in less than 6 units)	1.41	3.65
Maximum prices for sales by sellers other than manufacturer to:		
Retailer (in units of 6 or more)	1.31	3.40
Retailer (in less than 6 units)	1.41	3.65
Consumer	2.12	5.50

These maximum prices are for the articles described in the manufacturer's application dated April 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal excise tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements, with the retail prices and model numbers properly filled in:

Irving Wolkoff
29 Glenmore Avenue
Brooklyn New York

Model No. ------
OPA Retail Ceiling Price—$----
Price Includes Federal Excise Tax
Do Not Detach

or

Order No. 3883

Model No. ------
OPA Retail Ceiling Price—$----
Price Includes Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9343; Filed, May 30, 1945; 11:30 a. m.]

[MPR 188, Order 3884]

LEXINGTON MACHINERY & DEVELOPMENT CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Lexington Machinery and Development Company, Inc., 619 Lexington Avenue, Clifton, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—No. 11 NON-AUTOMATIC DOMESTIC ELECTRIC TOASTER

	Each
Maximum prices for sales by manufacturer to—	
Distributor	$1.65
Wholesaler	1.80
Retailer (in units of 6 or more)	2.30
Retailer (in less than 6 units)	2.51
Maximum prices for sales by sellers other than manufacturer to—	
Retailer (in units of 6 or more)	2.30
Retailer (in less than 6 units)	2.51
Consumer	3.75

These maximum prices are for the articles described in the manufacturer's application dated May 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement in either form:

Lexington Machinery and Development Co., Inc.
619 Lexington Ave.
Clifton, New Jersey
Model No. 11
OPA Retail Ceiling Price—$3.75 each
Price Includes Federal Excise Tax
Do Not Detach

or

Order No 3884
Model No. 11
OPA Retail Ceiling Price—$3.75 each
Price Includes Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9344; Filed, May 30, 1945; 11:30 a. m.]

[MPR 188, Order 3885]

MONARCH TOOL & INSTRUMENT CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Monarch Tool and Instrument Company, 301 West G Street, San Diego 1, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum price for sales by manufacturer to—			Maximum prices for sales by sellers other than manufacturer to—	
		Jobber	Dept. store	Other retailer	Retailer	Consumer
		Each	*Each*	*Each*	*Each*	*Each*
Cookie Sheet 15⅝" x 12¼" x 3/16"	65	$0.59	$0.66	$0.74	$0.74	$1.[illegible]

These maximum prices are for the articles described in the manufacturer's application dated April 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.10
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9345; Filed, May 30, 1945; 11:31 a. m.]

[MPR 188, Order 3886]

MONARCH TOOL & INSTRUMENT CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Monarch Tool and Instrument Company, 301 West G Street, San Diego 1, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—			Maximum prices for sales by sellers other than manufacturer to—	
		Jobber	Department stores	Other retailer	Retailer	Consumer
		Each	*Each*	*Each*	*Each*	*Each*
Aluminum roaster pan	#116 with handles	$0.98	$1.17	$1.30	$1.30	$[illegible]
Roaster	#125	3.22	3.87	4.30	4.30	[illegible]
Roaster pan	#117 without handle	.88	1.05	1.17	1.17	[illegible]

These maximum prices are for the articles described in the manufacturer's application dated April 27 and April 18, 1945.

(2) For sales by the manufacurer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 1% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in.

OPA Retail Ceiling Price, $____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9346; Filed, May 30, 1945; 11:31 a. m.]

[MPR 183, Order 3387]

COLONIAL IRON CRAFTSMEN

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Colonial Iron Craftsmen of 3220 Walnut Street, Phil delphia, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES OF REVOLVING LAWN SPRINKLER—MODEL NO. 259

By manufacturer to—	*Each*
Distributors	$1.05
Wholesalers (jobbers)	1.15
Department stores	1.38
Other retailers	1.53
By sellers other than manufacturer to—	
Wholesalers (jobbers)	1.15
Department stores	1.38
Other retailers	1.53
Consumers	2.30

These maximum prices are for the articles described in the manufacturer's application dated March 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with full freight allowed on shipments of 100 pounds or more to jobbers' stock, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $2.30
Do Not Detach
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9347; Filed, May 30, 1945; 11:31 a. m.]

[MPR 188, Order 3388]

MAJOR SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Major Sales Co., 335 East 76th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—MODEL E76 ELECTRIC TWO-BURNER HOT PLATE

Maximum prices for sales by manufacturer to—	*Each*
Wholesaler	$3.10
Retailer (in units of 6 or more)	3.75
Retailer (in less than 6 units)	4.05
Maximum prices for sales by sellers other than the manufacturer to—	
Retailer (in units of 6 or more)	3.75
Retailer (in less than 6 units)	4.05
Consumer	6.05

These maximum prices are for the articles described in the manufacturer's application dated April 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements:

Major Sales Company
335 East 76th Street
New York, N. Y.
Model No. E76
OPA Retail Ceiling Price, $6.05
Price Includes Federal Excise Tax
Do Not Detach
or
Order No. ____
Model No. E76
OPA Retail Ceiling Price, $6.05
Price Includes Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of May 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9348; Filed, May 30, 1945; 11:31 a. m.]

[MPR 260, Order 1007]

LA MECA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Meca Cigar Factory, 2513 La Salle Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Meca	Brevas	50	$100	22
	Coronas	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9349; Filed, May 30, 1945; 11:32 a. m.]

[MPR 260, Order 1008]

UBALDINO GRACIANI

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ubaldino Graciani, Munoz Rivera St., Penuelas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corlado	4⅝"	50	$48	6
Coronu	4 ⅛"	50	48	6
	5¼"	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9350; Filed, May 30, 1945; 11:32 a. m.]

[MPR 260, Order 1009]

ANGEL C. BERRIOS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Angel C. Berrios #74, Celis Aquilera, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor de Comerio	Maravillas	50	$67	8
	Invincibles	50	60	2 for 15
	Perfectos	50	72	9
	Queens 5½"	50	72	9
	Coronitas	50	72	9
	Tacos	50	48	6
	Queens 5"	50	56	7
	Palmas	50	80	10

[1] Prices for this frontmark of 5½" size apply only to cigars containing long filler as specified in the application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9351; Filed, May 30, 1945; 11:32 a. m.]

[MPR 260, Order 1010]

CAYETANO MALAVE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cayetano Malave, Jose de Diego St., San Lorenzo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tano Special	Corona Pequena	50	$40	5
Coronas	Coronas 5"	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9352; Filed, May 30, 1945; 11:32 a. m.]

[MPR 260, Order 1011]

JOE DEL RIO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Joe Del Rio Cigar Factory, 1415½ Ninth Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Del Rio	Coronas [1]	50	$101.25	2 for 27

[1] Prices apply only to this brand and frontmark with tobacco composition specified in amended application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size

or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9353; Filed, May 30, 1945; 11:34 a. m.]

[MPR 260 Order No. 1012]

ARMANDO FERRER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Armando Ferrer, Palma Street, Penuelas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Certado	4½"	50	$40	7
Comando	4½"	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9354; Filed, May 30, 1945; 11:34 a. m.]

[MPR 260, Order 1013]

R. HERNANDEZ E HIJO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) R. Hernandez e Hijo, Dx. Veve St., San Lorenzo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Robin Hood De Luxe	Coronas	50	$80.00	12
Robin Hood Fancy Tales	Fancy Tales	50	108.75	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9355; Filed, May 30, 1945; 11:34 a. m.]

[MPR 260, Order 1014]

HERMINIO RODRIGUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Herminio Rodriguez, Eugenio Ma de Hostos St., Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Incomibles	5¼"	50	$75.00	10
Cetros	5¼"	50	97.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9356; Filed, May 30, 1945; 11:34 a. m.]

[MPR 260, Order 1015]

PEDRO PATRON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Patron, Townsend #7, Barrio Obrero, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Opia Especial	Perfecto	50	$75	10
Flor de Puerto Rico	do	50	75	10
	Corona	50	75	10
Opia	do	50	75	10
Opia Especial	Corona Especial	50	90	12
Flor de Puerto Rico	do	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9357; Filed, May 30, 1945; 11:35 a. m.]

[MPR 260, Order 1016]

J. BOCANEGRA CHARNECO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. Bocanegra Charneco, No. 9 Buenoventura St., Santurce 1, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Palmeras	Disputados	50	$50	7
	Pavitas	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be in-

creased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9358; Filed, May 30, 1945; 11:35 a. m.]

[MPR 260, Order 1017]

EAGLE MERCANTILE CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Eagle Mercantile Corporation, 72-76 Walker St., New York 13, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Flor de Gavilla	Conchas	50	$120	15

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9359; Filed, May 30, 1945; 11:35 a. m.]

[MPR 260, Order 1018]

TAMPA FLORIDA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tampa Florida Cigar Co., 2126 Union Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Thama	Londres Segundo	50	$160	12
	Panetelas	50	154	50
	Corona Extras	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9360; Filed, May 30, 1945; 11:36 a. m.]

[MPR 260, Order 1019]

EDUARDO VAZQUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Eduardo Vazquez, #18 Buenavista St., Belgica, Ponca, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tabacos	4¼"	50	*Per M* $40	*Cents* 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9361; Filed, May 30, 1945; 11:36 a. m.]

[MPR 260, Order 1020]

FRANK ESTRADA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frank Estrada, 3242 W. Allegheny Avenue, Philadelphia, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Hanci	Victory Bells[1]	50	*Per M* $130	*Cents* 3 for 50

[1] Prices apply to this brand and frontmark using long Havana and Porto Rico filler only in the proportions specified in the application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9362; Filed, May 30, 1945; 11:36 a. m.]

[MPR 260, Order 1021]

EDUARDO ENRIQUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Eduardo Enriquez, La Torre Ave., 11 Ciudad Nueva, P. O. Box 183, Hato Rey, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona Rocola	Corona 5¼"	50	*Per M* $82.50	*Cents* 11
Media Corona Rocola.	Media Corona 4¼".	50	75.00	10
Panatela Rocola.	Panatela 5"	50	44.00	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9363; Filed, May 30, 1945; 11:36 a. m.]

[MPR 260, Order 1022]

ANTONIO CORDERO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Antonio Cordero, Sanchez Lopez St., Manati, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cordero Cigars.	Corona Corta	50	$48	6
	Corona "Special"	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9364; Filed, May 30, 1945; 11:37 a. m.]

[MPR 260, Order 1023]

ERNESTO GARCIARDIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ernesto Garciardia, Palmer St., Toa Alto, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each branch and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Short Tubano....	4¾".....	80	$20	2 for 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this

order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9365; Filed, May 30, 1945; 11:37 a. m.]

[MPR 260, Order 1024]

JUAN CEREZO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan Cerezo, 137 Progreso St., Aguadilla, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Choice Cigar (cinnamon).	4".....	50	$32	4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9366; Filed, May 30, 1945; 11:37 a. m.]

[MPR 260, Order 1025]

ARMANDO ROMAELLA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Armando Romaella Cigar Factory, 2705 9th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Armando Romaella.	Blunts.....	50	$48.00	6
	Pahetela Especial.	50	154.00	20
	Palmas.....	50	161.50	21
	Diplomaticos.	50	78.75	2 for 21
	Kings.....	50	105.00	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9367; Filed, May 30, 1945; 11:38 a. m.]

[MPR 260, Order 1026]

FRANCISCO GONZALES VAZQUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Francisco Gonzales Vazquez, Baldorioty 33 Esq. Campio Alonzo, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each

brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona	5".....	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9368; Filed, May 30, 1945; 11:38 a. m.]

[MPR 260, Order 1027]

PEDRO PETERSON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Peterson, Mendez, Dorado, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Nirvana	4⅞".....	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES
Administrator.

[F. R. Doc. 45-9369; Filed, May 30, 1945 11:38 a. m.]

[MPR 580, Order 74]

MARSHALL FIELD & COMPANY, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 7 under Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-182.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Marshall Field & Company, Inc., 82 Worth Street, New York, N. Y., and described in the manufacturer's application dated May 10, 1945

Article	Brand name	Style No.	Maximum [illegible]
Blanket	Fieldcrest	Nobility, #[illegible]	$10.[illegible]
	...do.....	Kodiak, #[illegible]	[illegible]
	...do.....	Calamar, #1326	[illegible]

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 1, 1945, Marshall Field & Company, Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price—$----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9370; Filed, May 30, 1945; 11:39 a. m.]

[MPR 580, Order 75]

MAIDEN FORM BRASSIERE CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 75 under Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6065-580-13-194.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Maiden Form Brassiere Co., Inc., 154 Avenue E, Bayonne, New Jersey and described in the manufacturer's application dated May 11, 1945:

Article	Brand name	Style name	No.	Manufacturer's price line	Ceiling price at retail
				Per dozen	*Per unit*
Brassiere	Maiden Form	Adaglo	2760	$8.00	$1.00
			2702	8.00	1.00
			2710	8.00	1.00
			2720	9.00	1.25
		Overture	2800	15.00	2.00
			3801	13.50	1.75
			4703	12.00	1.50
		Allegro	3100	8.00	1.00
			3101	9.00	1.25
			3102	8.00	1.00
			3106	12.00	1.50
			3110	8.00	1.00
			3112	8.00	1.00
			3126	12.00	1.50
			3160	18.00	2.50
			3161	13.50	1.75
		Interlude	4928	8.00	1.00
			4938	8.00	1.00
			4982	9.00	1.25
			4930	9.00	1.25
			4929	9.00	1.25
		Variation	5100	8.00	1.00
			5101	9.00	1.25
			5102	8.00	1.00
			5104	8.00	1.00
			5108	8.00	1.00
			5120	9.00	1.25
			5130	9.00	1.25
			5161	13.50	1.75
		Allo	5300	9.00	1.25
			5310	9.00	1.25
			5308	12.00	1.50
			5320	12.00	1.50
			5361	18.00	2.50
			5362	13.50	1.75
			5367	18.00	2.50
			5368	15.00	2.00
	Maiden Form	Intimo	6400	8.00	1.00
			6401	9.00	1.25
			6402	8.00	1.00
			6410	8.00	1.00
			6412	8.00	1.00
			6420	9.00	1.25
			6430	9.00	1.25
			6460	21.00	3.00
			6461	15.00	2.00
			6462	15.00	2.00
			6463	18.00	2.50
		Masquerade	6500	15.00	2.00
		Nursing	7020	15.00	2.00
			7025	13.50	1.75
		Maternity	7120	15.00	2.00
		Half Way	7290	8.00	1.00
		Allo-Ette	7300	8.00	1.00
			7302	8.00	1.00
			7306	12.00	1.50
			7309	9.00	1.25
			7310	8.00	1.00
			7319	9.00	1.25
			7320	9.00	1.25
			7325	15.00	2.00
			7328	15.00	2.00
			7330	9.00	1.25
			7332	12.00	1.50
			7346	15.00	2.00
			7361	18.00	2.50
			7380	8.00	1.00
Garter Belt	Maiden Form	Garter Belt	850	12.00	1.50
			939	12.00	1.50
			1713	8.00	1.00
			1715	8.00	1.00
			1717	8.00	1.00
			1722	8.00	1.00
			1723	8.00	1.00
Girdle	do	Curtsy	1460	27.00	4.00
			1527	22.50	3.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 1, 1945, Maiden Form Brassiere Co., Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9371; Filed, May 30, 1945; 11:39 a. m.]

[RMPR 136, Order 450]

THE MURRAY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 450 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. The Murray Company. Docket No. 6083-136.25a-270.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales by The Murray Company, South Boston, Massachusetts, of woodworking machines, electric motors and cutterheads and cutter-head parts, shall be determined as follows: The manufacturer shall multiply by 120% the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order.

(b) The maximum prices for sales by resellers of woodworking machines, electric motors, cutter-heads and cutter-head parts manufactured by the Murray Company shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted by this order.

(c) The Murray Company shall notify each purchaser who purchases woodworking machines, electric motors, cutter-heads and cutter-head parts from the Murray Company for resale of the dollars-and-cents amount by which this order permits the reseller to increase his max-

imum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) The price increases permitted by this order for the manufacture of these items of woodworking machine, electric motors, cutter-heads and cutter-head parts apply only to The Murray Company, the current manufacturer thereof, and not to any subsequent manufacturer or producer of such items.

(e) The issuance of this order does not relieve The Murray Company of any liability for the violation of any price regulation or order issued by the Office of Price Administration.

(f) All requests not granted herein are denied.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9441; Filed, May 31, 1945; 11:42 a. m.]

[MPR 188, Amdt. 2 to Order 1444]

TOYS AND GAMES

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188 be and the same hereby is amended in the following respects:

(a) The second sentence of paragraph (a) is amended by deleting, therefrom, the words "Washington, D. C."

(b) The first sentence of paragraph (d) (1) is amended to read as follows:

(1) *Approval or disapproval of proposed maximum prices.* To determine a maximum price under this paragraph, the manufacturer shall submit to the district office of the Office of Price Administration having jurisdiction over the area in which his principal place of business is located a report in duplicate containing the following information.

This amendment shall become effective on the 5th day of June 1945.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9440; Filed, May 31, 1945; 11:41 a. m.]

[MPR 220, Amdt. 1 to Order 103]

M. AILETCHER & CO.

APPROVAL OF MAXIMUM PRICES

For the reasons given in an opinion issued simultaneously with this amendment and filed with the Division of the Federal Register and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14, to the General Maximum Price Regulation, *It is ordered:*

Paragraph (b) of Order No. 103 under Maximum Price Regulation 220 is amended to read as follows:

(b) *Sales by the manufacturer.* The maximum price for sales by M. Ailetcher and Company, 120 Second Street, Lakewood, New Jersey, of the commodity described in paragraph (a) of this order shall be :

$4.10 per dozen for sales to wholesalers.
$4.75 per dozen for sales to retailers east of the Rocky Mountains.
$4.95 per dozen for sales to retailers west of the Rocky Mountains.

This amendment shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9443; Filed, May 31, 1945; 11:42 a. m.]

[RMPR 528, Order 42]

GOODYEAR TIRE & RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528; *It is ordered:*

(a) The maximum retail prices for sales of new Lifeguard special purpose tubes manufactured by the Goodyear Tire & Rubber Company, Inc., Akron, Ohio, in the following sizes, shall be:

Size:	Maximum retail price (each)
6.50-15	$12.00
7.50-15	13.29
7.50-16	13.45

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9453; Filed, May 31, 1945; 11:45 a. m.]

Regional and District Office Orders.

[Region I Rev. Supp. Order 2 Under RMPR 122, Amdt. 17]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. The provisions for "No. 9 Colliery" and "Dial Rock" in paragraph (a) are amended to read as follows:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
No. 9 Colliery and Dial Rock: Broken, egg, stove, chestnut, buckwheat, and rice	$0.40	$0.20	$0.1[illegible]	None

This Amendment No. 17 to Revised Supplementary Order No. 2 shall become effective May 25, 1945.

Issued this 21st day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9298; Filed, May 29, 1945; 4:43 p. m.]

[Region I Supp. Order 8 Under RMPR 122, Amdt. 7]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 8 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Paragraph (e) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Dial Rock: Broken, egg, stove, chestnut, pea, buckwheat, and rice	$0.40	$0.20	$0.1[illegible]	None

This Amendment No. 7 shall become effective May 25, 1945.

Issued this 22d day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9297; Filed, May 29, 1945; 4:43 p. m.]

[Region I Supp. Order 10A Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 10A under Revised Maximum Price Regulation No. 122 is amended in the following respects:

(a) In addition to the maximum prices applicable to a one-ton delivery of solid fuels for which specific maximum prices are established by the Region I Area Price Orders under Revised Maximum Price Regulation No. 122 listed in paragraph (b) of this order, a dealer making deliveries of Pennsylvania Anthracite to consumers in one-ton lots pursuant to the directive issued by Solid Fuels Administration for War (effective May 15, 1945) may charge not more than 25¢ per net ton for each such delivery.

Where delivery is made in quantities of less than one ton, however, no charge shall be made in addition to the maximum price already established and applicable thereto.

(b) *Orders Affected.* The provisions of paragraph (a) above shall apply to Region I Orders under Revised Maximum Price Regulation No. 122, as follows:

Order Number:	Area
G-11	Lawrence, Mass.
G-12	Haverhill, Mass.
G-13	Lynn-Salem, Mass.
G-14	Lowell, Mass.
G-15	Manchester, N. H.
G-16	Brockton, Mass.
G-17	Taunton, Mass.
G-18	New London, Conn.
G-19	Concord, N. H.
G-21	Nashua, N. H.
G-22	Worcester, Mass.
G-23	Stoughton, Mass.
G-24	Bridgeport, Conn.
G-25	Portland, Maine.
G-26	Portsmouth-Kittery, N. H.
G-28	Bangor, Maine.
G-29	Lewiston - Auburn, Maine.
G-30	Augusta, Maine.
G-31	Brunswick, Maine.
G-32	Rockland, Maine.
G-33	Biddeford-Saco, Maine.
G-34	Bath, Maine.
G-35	Hampton-Seabrook, N. H.
G-36	Dover-Exeter, N. H.
G-37	Stamford - Norwalk, Conn.
G-38	Milford-Hopedale, Mass.
G-39	Providence, R. I.
G-40	Rutland, Vt.
G-41	Adams, Mass.
G-42	Bennington, Vt.
G-43	Manchester, Vt.
G-44	Danbury, Conn.
G-45	White River Junction, Vt.
G-46	Hartford, Conn.
G-47	New Haven, Conn.
G-48	Brattleboro-Keene, Vt.
G-49	Middletown, Conn.
G-50	St. Albans, Vt.
G-51	Waterbury, Conn.
G-52	Putnam, Conn.
G-53	Bellows Falls, N. H.-Vt.
G-54	Burlington, Vt.
G-55	Willimantic, Conn.
G-56	Montpelier, Vt.
G-57	Norwich, Conn.
G-58	St. Johnsbury, Vt.
G-59	Winsted, Conn.
G-60	Springfield, Vt., Claremont, N. H.
G-61	New Britain, Conn.
G-62	Torrington, Conn.
G-63	Woonsocket, R. I.
G-64	New Bedford, Mass.
G-65	Attleboro, Mass.
G-66	Fitchburg, Mass.
G-67	Gardner, Mass.

This Supplementary Order No. 10A shall become effective May 15, 1945.

Issued this 15th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9296; Filed, May 29, 1945; 4:43 p. m.]

[Region I Order G-61 Under RMPR 122, Amdt. 2]

PENNSYLVANIA ANTHRACITE IN NEW BRITAIN, CONN.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-61 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Paragraph (e) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Mineral Spring or Franklin: Broken, egg, stove, chestnut, pea, buckwheat, and rice	$0.50	$0.25	$0.13	None
Delano or Park:				
Broken, egg, stove, chestnut, and pea	.50	.25	.13	None
Buckwheat	.40	.20	.10	None
Rice	.10	.05	None	None

2. Subparagraph (5) (c) and (5) (d) are added to paragraph (f) to read as follows:

(c) "Mineral Spring or Franklin" means that Pennsylvania Anthracite produced by the Franklin Coal Mining Company and prepared at its Mineral Spring and Franklin Collieries located at Wilkes-Barre, Pennsylvania, and which meets the quality and preparation standards established by Order No. L-5 under Maximum Price Regulation No. 112.

(d) "Delano" means that Pennsylvania Anthracite which is produced by Delano Anthracite Colliery Company, Ashland, Pennsylvania and prepared at its Delano Breaker or its Park Breaker and which meets the quality and preparation standards established by Order No. 21 under Maximum Price Regulation No. 112.

This Amendment No. 2 to Order G-61 shall become effective May 29, 1945.

Issued this 22d day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9295; Filed, May 29, 1945; 4:42 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 48]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. The provisions for "No. 9 Colliery" and "Dial Rock" in subparagraph (2) of paragraph (e) are amended to read as follows:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
No. 9 Colliery and Dial Rock: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.40	$0.20	$0.10	None

This Amendment No. 48 to Order No. G-70 shall become effective May 25, 1945.

Issued this 21st day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9294; Filed, May 29, 1945; 4:42 p. m.]

[Region II Rev. Order G-18 Under RMPR 122, Amdt. 10]

SOLID FUELS IN ROCHESTER AND MONROE COUNTY, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-18 is amended in the following respects:

1. Paragraphs (e) (1) and (e) (2) are amended to read as follows:

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain kinds, sizes and quantities of underground mine bituminous coal, delivered to or at any point within Coal Area IV. There is a separate table for "Direct-Delivery" sales and "Yard" sales. This schedule does not apply to "strip mine" bituminous coal.

ment and filed with the Division of Price Regulation No. 122, Region I Re- That:

(1) *Sales on a "direct-delivery" basis.* For sales of underground mine bituminous coal of the kinds, sizes and quantities specified:

Kind and size of bituminous coal	*Per net ton*
High volatile bituminous coal from District No. 2:	
Lump, egg, nut, and stoker (except "Castle Shannon" coal, mine index No. 224)	$7.44
Nut and slack (except "Castle Shannon" coal, mine index No. 224)	7.34
Slack	7.14
"Castle Shannon" coal, mine index No. 224:	
Lump, egg, nut, and stoker	7.69
Nut and slack	7.59
High volatile bituminous coal from district Nos. 1, 3 or 4:	
Lump, egg, nut, and stoker	7.37
Nut and slack	7.27
Slack	7.07
Low volatile bituminous coal from district No. 1, Pennsylvania:	
All lump, all double screened coal with top sizes over 2" and coal customarily sold as run-of-mine:	
1. Coal in price classification "A"	8.73
2. Coal in price classification "B" through "E" inclusive	7.93

Where deliveries are requested in quantities of less than two tons, the foregoing prices, for the kinds and sizes of coal included in such deliveries, may be increased by 50¢ per net ton.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:	*Cents per net ton*
"Carry" or "wheel" (except for sales amounting to less than ½ ton)	75
"Carrying upstairs or downstairs" for each floor above or below the ground floor (except for sales amounting to less than ½ ton). The charge shall be in addition to any charge for "carry" or "wheel"	75

(2) *"Yard" sales.* For sales of underground mine bituminous coal of the kinds, sizes and quantities specified to dealers and to consumers:

Kind and size of bituminous coal	Sales to dealers per net ton, for sales of ½ ton or more	Sales to consumers per net ton, for sales of ½ ton or more
High volatile bituminous coal from district No. 2:		
Lump, egg, nut, and stoker (except "Castle Shannon" coal, mine index No. 224)	$6.44	$6.71
Nut and slack (except "Castle Shannon" coal, mine index No. 224)	6.34	6.61
Slack	6.14	6.41
"Castle Shannon" coal, mine index No. 224:		
Lump, egg, nut and stoker	6.69	6.96
Nut and slack	6.59	6.86
High volatile bituminous coal from districts Nos. 1, 3 or 4:		
Lump, egg, nut or stoker	6.37	6.67
Nut and slack	6.27	6.57
Slack	6.07	6.37
Low volatile bituminous coal from district No. 1 Pennsylvania:		
All lump, all double screened coal with top sizes over 2" and coal customarily sold as run-of-mine:		
(1 Coal in price classification "A"	7.74	8.03
(2 Coal in price classifications "B" through "E," inclusive	6.93	7.23

This Amendment No. 10 to Revised Order No. G–18 shall become effective on May 10, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-9293; Filed, May 29, 1945; 4:42 p. m.]

[Region II Rev. Order G-19 Under RMPR 122, Amdt. 4]

SOLID FUELS IN ATLANTIC COUNTY, N. J.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–19 is amended in the following respect:

1. Paragraphs (d) (1) and (d) (2) are amended by revising the prices for bituminous coal to read as follows:

(1) *Sales on a "direct-delivery" basis.* For sales of solid fuel of the kinds and sizes, and in the quantities specified:

Kind and size of fuel	Per net ton	Per net ½ ton	Per net ¼ ton
• • •	•	•	•
Bituminous (from underground mines):			
Low volatile from district 1, run of mine	$9.78	$5.11	$2.71
High volatile from districts 2, 3, and 7, stoker	9.68	5.06	2.71

(2) *"Yard sales".* For sales of solid fuel of the kinds and sizes, and in the quantities specified:

Kind and size of fuel	Per net ton	Per net ½ ton	Per net ¼ ton
• • •	•	•	•
Bituminous (from underground mines):			
Low volatile from district 1, run of mine	$8.78	$4.64	$2.47
High volatile from districts 2, 3, and 7, stoker	8.68	4.59	2.47

2. Paragraph (p) is amended by redesignating subparagraphs 11 and 12 as subparagraphs 12 and 13, respectively, and inserting a new subparagraph 11 to read as follows:

(11) "Underground mine coal" means coal that is taken entirely from underground seams from which the overburden is not removed, and does not include coal from a mine which takes coal from the ground by the stripping method.

This Amendment No. 4 to Revised Order No. G–19 shall become effective as of May 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-9292; Filed, May 29, 1945; 4:42 p. m.]

[Region V Rev. Order G-1 Under RMPR 122 Amdt. 1]

SOLID FUELS IN ST. LOUIS AND ST. LOUIS COUNTY, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended and the authority vested in the Regional Administrator of Region V, by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons set forth in the opinion issued simultaneously herewith: *It is ordered*, That Revised Order No. G-1 under Revised Maximum Price Regulation No. 122 be, and the same is, hereby amended, revised and corrected in the following respects:

Items (1), (2) and (3) under Price Schedule (c) (1) VI are amended to read as follows:

VI. Briquettes:	
(1) Made in Arkansas from District 14 low volatile bituminous coal	$12.65
(2) Made from District 7 low volatile bituminous coal	11.65
(3) Made in Illinois from Southern Illinois high volatile coal	8.20

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this the 25th day of May 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-9291; Filed, May 29, 1945, 4:42 p. m.]

[Region V Order G-2 Under RMPR 122, Amdt. 6]

SOLID FUELS IN KANSAS CITY, MO.-KANS AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith: *It is ordered*, That Order No. G-2 under Revised Maximum Price Regulation No. 122 be, and the same is hereby amended, revised and corrected in the following respects:

Items (1) and (2) to Price Schedule (d) (1) IV are hereby amended to read as follows:

IV. Briquettes:	
(1) Standard Briquettes produced in Kansas City, Missouri, manufactured from District 14 coal	$12.55
(2) Above Briquettes sacked (50 pounds)	14.55

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective the 26th day of May 1945.

W. A. ORTH
Regional Administrator.

[F. R. Doc. 45-9303; Filed, May 29, 1945 4:45 p. m.]

[Region V Order G-3 Under RMPR 122 Amdt. 3]

SOLID FUELS IN TOPEKA, KANS. AND SHAWNEE COUNTY, KANS.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the au-

thority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered*, That Order No. G-3 under Revised Maximum Price Regulation No. 122 be, and the same is, hereby amended, revised, and corrected in the following respects:

Item 1 under Price Schedule (c) (1) V is amended to read as follows:

V Briquettes:	
1 Standard Briquettes produced in Kansas City, Missouri, manufactured from District 14 coal	13 35

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this the 25th day of May 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-9290; Filed, May 29, 1945; 4:41 p. m.]

[Region V Order G-5 Under RMPR 122, Amdt. 6]

SOLID FUELS IN ST. JOSEPH, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered*, That Order No. G-5 under Revised Maximum Price Regulation No. 122 be and the same is, hereby amended, revised, and corrected in the following respects:

Item (1) under Price Schedule (c) (1) IV is amended to read as follows:

IV Briquettes:	
(1) Standard Briquettes produced in Kansas City, Missouri, manufactured from District 14 coal	$13.60

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this 25th day of May 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-9289; Filed, May 29, 1945; 4:41 p. m.]

[Region VII Order G-8 Under Supp. Order 94]

WALDEN FURNITURE CO.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and sections 11 and 13 of Supplementary Order No. 94, as amended, and for the reasons set forth in the accompanying opinion, this Order No. G-8 is issued:

(a) *What this order does.* This order establishes maximum prices for pillows heretofore declared to be surplus war commodities and as such sold by the Department of Commerce, Office of Surplus Property, and now owned by Walden Furniture Company of Denver, Colorado, when the same have been by the owner renovated, reprocessed, and tagged in conformance with the laws of the State of Colorado, as to sales made to retailers and to ultimate consumers in this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(b) *Description of commodities covered.* The commodities covered by this Order No. G-8 are pillows 16" x 27" size, having blue and white cotton twill ticking covers, filled with chicken feathers, and weighing approximately 4 3/8 pounds each, which said pillows were previously owned by the United States Government and were heretofore duly declared to be surplus war commodities at Fort Logan and Lowry Field military reservations near Denver, Colorado, and were as such surplus war commodities sold by the Department of Commerce, Office of Surplus Property, to Canvas Products Company of Denver, Colorado, and were by said Canvas Products Company of Denver, Colorado, resold to Walden Furniture Company of Denver, Colorado, as authorized by our regional letter order No. 7-SO 94-(11, 13)-15 of May 18, 1945; *Provided further*, That before such pillows can be sold that they be by the present owner renovated, reprocessed, and tagged in conformance with the laws of the State of Colorado.

(c) *Maximum prices.* The maximum prices for the renovated, reprocessed, and tagged chicken feather pillows hereinabove described, when sold by the present owner, Walden Furniture Company, Denver, Colorado, to any person who purchases for resale to the ultimate consumer, shall be 45¢ each, and when sold by said Walden Furniture Company or by any reseller purchasing from it at any place in this Region VII to an ultimate consumer, shall be 75¢ each.

(d) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this Order No. G-8. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(e) *Right to revoke or amend.* This Order No. G-8 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(f) *Effective date.* This Order No. G-8 shall become effective on the 24th day of May 1945.

Issued this 24th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-9299; Filed, May 29, 1945; 4:44 p. m.]

[Region VII Order G-1 Under Order 1444 Under MPR 188]

HI-JINX CO.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-1 is issued.

(a) *What this order does.* This order No. G-1 establishes maximum prices for a stick horse toy manufactured by The Hi-Jinx Company, of 5060 Ward Road, Wheatridge, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-1, the maximum prices for the stick horse toy manufactured by The Hi-Jinx Company of Wheatridge, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$4 80
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	6 00
	Each
(3) When sold by any seller to an ultimate consumer or user	.79

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-1 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-1 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum prices for this stick horse toy are:

	Per dozen
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	$6.00
(2) When sold by any seller to an ultimate consumer or user	*Each* .79

(d) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of any one or more of the terms and provisions of this Order No. G-1, all of the terms and provisions of Maximum Price Regulation No. 188 and Order No. 1444 thereunder shall remain in full force and effect as to all sellers covered by this order.

(e) *Geographical applicability.* The prices authorized by this Order No. G-1 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of

Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–1 shall become effective on the 24th day of May 1945.

Issued this 24th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-9300; Filed, May 29, 1945; 4:44 p. m.]

[Region VII Order G–10 Under MPR 188]

SALT LAKE NOVELTY CO.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–10 is issued.

(a) *What this order does.* This Order No. G–10 establishes maximum prices for a sundial compass bracelet manufactured by Clyde William Mills, doing business as Salt Lake Novelty Company, Salt Lake City, Utah, when sold by the manufacturer to jobbers or wholesalers and when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–10, the maximum prices for the sundial compass bracelet manufactured by Clyde William Mills, doing business as Salt Lake Novelty Company, of Salt Lake City, Utah, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Each
(1) When sold by the manufacturer, f. o. b. Salt Lake City, Utah, to a jobber or wholesaler	$1.91
(2) When sold on an f. o. b. basis by the manufacturer or any jobber or wholesaler to a retailer	2.39
(3) When sold by any seller to an ultimate consumer or user	3.98

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within ten days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–10 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable one of the following provisions:

By virtue of Order No. G–10 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this sundial compass bracelet are:

	Each
(1) When sold on an f. o. b. basis to one who purchases for resale to an ultimate consumer or user	$2.39
(2) When sold by any seller to an ultimate consumer or user	3.98

(d) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of any one or more of the terms and provisions of this Order No. G–10, all of the terms and provisions of Maximum Price Regulation No. 188 shall remain in full force and effect as to the manufacturer Clyde William Mills, doing business as Salt Lake Novelty Company of Salt Lake City, Utah, and all resellers of the commodity in question.

(e) *Geographical applicability.* The prices authorized by this Order No. G–10 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–10 shall become effective on the 21st day of May 1945.

Issued this 21st day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-9302; Filed, May 29, 1945; 4:44 p. m.]

[Region VIII Order G–10 Under MPR 418, Corr.]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

On May 3, 1945, an order under section 15 (d) of Maximum Price Regulation No. 418, as amended, was issued effective May 7, 1945. The title of this document should read "Order No. G–7 under Maximum Price Regulation No. 418, as amended".

Issued this 10th day of May 1945.

A. J. CATHCART,
Acting Regional Administrator.

[F. R. Doc. 45-9388; Filed, May 30, 1945; 4:44 p. m.]

[Region VIII Rev. Order G–6 Under MPR 418, Corr. to Amdt. 9]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

On April 28, 1945, there was issued Amendment 9 to Revised Order No. G–6 under Maximum Price Regulation No. 418, as amended. The effective date of such amendment should read "May 15, 1945".

Issued this 17th day of May 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-9389; Filed, May 30, 1945; 4:44 p. m.]

WAR PRODUCTION BOARD.

[C–347]

CARL B. DAMASKE

CONSENT ORDER

Carl B. Damaske of 300 Park Avenue, Salem, Oregon, is engaged in the business of constructing houses and selling them to the public. He is charged by the War Production Board by Charging Letter dated May 5, 1945 with having commenced and continued construction of a housing project consisting of 9 dwelling houses with garages at Salem, Oregon (but which is actually located outside of the city limits, in a tract known as Evergreen Acres) at an estimated cost of $40,500, without authorization by the War Production Board, in violation of Conservation Order L–41.

Carl B. Damaske admits the violation as charged, does not desire to contest the charge as made, and has consented to the issuance of this order.

Wherefore upon the agreement and consent of Carl B. Damaske, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Carl B. Damaske, his heirs or assigns, shall do any construction in the tract known as Evergreen Acres, in Marion County, Oregon, adjacent to the City of Salem, including the putting up or altering any structure unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Carl B. Damaske, his heirs or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN
Recording Secretary.

[F. R. Doc. 45-9417; Filed, May 31, 1945; 11:14 a. m.]

JUN 4 '45

FEDERAL REGISTER

VOLUME 10 NUMBER 110

Washington, Saturday, June 2, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 109, as Amended, Termination]

PART 1490—MISCELLANEOUS FOOD PRODUCTS

SOLUBLE COFFEE AND SOLUBLE COFFEE PRODUCTS

War Food Order No. 109, as amended (9 F.R. 9134; 10 F.R. 103), is terminated as of 12:01 a.m., e.w.t., June 1, 1945, but all soluble coffee and all soluble coffee products set aside, at the effective time of such termination, pursuant to War Food Order No. 109, as amended, shall continue to be held as set-aside soluble coffee or soluble coffee products and may be sold or disposed of only to a government agency, as defined in War Food Order No. 109, as amended, unless otherwise released, from the set-aside restriction, by the Director of Marketing Services, War Food Administration.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 109, as amended, prior to the effective time of this termination order, all provisions of said War Food Order No. 109, as amended, in effect prior to the effective time of this termination order shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 31st day of May 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-9454; Filed, May 31, 1945; 3:24 p. m.]

[WFO 75-2a]

PART 1410—LIVESTOCK AND MEATS

SCHEDULE OF GOVERNMENT BEEF PURCHASE AND SET ASIDE PERCENTAGES

Pursuant to the provisions of War Food Order No. 75-2, as amended (*supra*), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1410.27 *Establishment of base period; establishment of beef purchase and set aside percentages*—(a) *Definitions.* The terms used herein shall have the meaning set forth for such terms in War Food Order No. 75, as amended (10 F.R. 4649), and War Food Order No. 75-2, as amended.

(b) *Base period; current rate of slaughter.* The month of June 1944 is hereby established as the base period. Current rate of slaughter is determined by dividing the dressed weight of cattle slaughtered during a current week by the average weekly slaughter (dressed weight) of cattle during the base period (June 1944).

(c) *Government purchase and set aside percentages.* In accordance with the standards set forth in paragraph (e) of War Food Order 75-2, the following schedule of percentages is hereby established. The quantity of each grade of Army-style beef which the persons or agencies designated in War Food Order No. 75-2 may purchase is determined by applying the appropriate percentage to the total weekly production (dressed weight) of each of such grades of Army-style beef, and the quantities of Utility grade (Grade C) beef and of canner and cutter grade (Grade D) beef which are required to be set aside by any slaughterer is determined by applying the appropriate percentage to the total weekly production (dressed weight) of Utility grade beef and canner and cutter grade beef, respectively. All beef required to be set aside or made available for purchase by Zone 9 kosher slaughterers shall be in the form of hind quarters.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1941 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Current rate of slaughter (percent of June 1941 weekly average)	Percentage of beef products (dressed weight of slaughter)		
	Army-style		Utility, canner and cutter grades
	Regular	Kosher	
Less than 90.1	44.8	34.7	51.0
90.1–95.0	45.8	35.5	51.0
95.1–100.0	46.7	36.5	52.0
100.1–105.0	47.5	37.3	52.0
105.1–110.0	48.2	38.4	52.0
110.1–115.0	48.9	39.2	52.0
115.1–120.0	49.5	39.9	52.0
120.1–125.0	50.1	40.5	52.0
125.1–130.0	50.6	41.2	52.0
130.1–135.0	51.1	41.7	52.0
135.1–140.0	51.5	42.3	52.0
140.1–145.0	51.9	42.8	52.0
145.1–150.0	52.3	43.2	52.0
150.1–175.0	53.3	44.1	52.0
175.1–200.0	54.6	45.0	52.0
Over 200.0	56.1	45.7	52.0
Slaughterers without June 1941 slaughter history	56.1	45.7	52.0

(d) This order shall become effective at 12:01 a. m., e. w. t., June 3, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4650, WFO 75–2)

Issued this 1st day of June, 1945.

C. W. KITCHEN,
Director of Marketing Services

[F. R. Doc. 45-9514; Filed, June 1, 1945, 11:53 a. m.]

[WFO 75-2, Amdt. 24]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75–2, as amended (10 F.R. 4650), is further amended to read as follows:

§ 1410.18 *Beef required to be set aside*—(a) *Definitions.* (1) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), War Food Administration (including but not restricted to any corporate agency thereof), the War Shipping Administration, and the Veterans Administration.

(2) "Army-style beef" means (i) dressed steer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade weighing between 350 and 1,100 pounds; (ii) dressed heifer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade weighing between 300 and 1,100 pounds; and (iii) dressed cow carcasses of "U. S. Good" or "U. S. Commercial" grade weighing between 350 and 1,100 pounds.

(3) "Federally inspected slaughterer" means any slaughterer whose establishment is operated under Federal inspection.

(4) "Federal inspection" means inspection under the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U. S. C. 71, and as extended by Public Law 602, 77th Cong., approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(5) "Authorized purchaser" means: (i) Any person who is under contract to sell or deliver set aside beef, or products prepared in whole or part therefrom, to a governmental agency; (ii) Any person who has delivered set aside beef, or products prepared in whole or part therefrom, to a governmental agency, and has not replaced the set aside beef so delivered, or contained in the products so delivered, by a purchase of set aside beef under this order; (iii) Any person who is authorized by the Director to purchase set aside beef.

(6) "Contract school", "marine hospital", or "maritime academy" means any person defined as such in War Food Order No. 73, as amended (9 F.R. 10036, 10927, 13741).

(7) "Ship supplier" means any person defined as such in War Food Order No. 74, as amended (10 F.R. 5759), who holds a license under that order.

(8) "Set aside beef" means beef of the type and grade required to be set aside, reserved, and held under this order.

(9) "Base period" means such period of the calendar year 1944 as the Director may establish.

(10) "Current rate of slaughter" means the total dressed weight of cattle slaughtered during a current week divided by the average weekly slaughter (dressed weight) during the base period. Current rate of slaughter shall be stated in terms of percentage.

(11) "Northern Area of Zone 9" includes the following:

(i) Maine, New Hampshire, Vermont, Massachusetts, Connnecticut, and Rhode Island;

(ii) All that portion of New York east of and including the counties of Saint Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester; New York, Bronx, Kings, and Richmond;

(iii) All that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin;

(iv) New Jersey and Delaware;

(v) All that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys; and

(vi) The District of Columbia.

(12) "Zone 9 Kosher slaughterer" means any slaughterer of Kosher beef located in the Northern Area of Zone 9, who has registered with the Office of Price Administration as required by paragraph (d) of § 1364.407 of Maximum Price Regulation 169, as amended.

(13) "Conversion weight" means the dressed weight equivalent of the meat derived from the slaughter of cattle, determined as prescribed in paragraph (g) hereof.

(14) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(15) "Director" means the Director of Marketing Services, War Food Administration.

(16) Any term not specifically defined herein shall have the meaning set forth for such term in War Food Order No. 75, as amended (10 F.R. 4649).

(b) *Purpose of this order.* This order is intended to provide for the procurement by governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, of an amount of beef of the indicated grades equal to the following percentages of the aggregate total of all beef of such grades produced by slaughterers subject to the provisions of this order:

Army-style		Utility (grade C)	Cutter and canner (grade D)
Zone 9 kosher slaughterers	Slaughterers other than zone 9 kosher slaughterers	Federally inspected slaughterers only	Federally inspected slaughterers only
40%	50%	75%	75%

(c) *Army-style beef; slaughterers affected.* The provisions of this paragraph (c) shall apply to the following slaughterers:

All federally inspected slaughterers;

Every slaughterer whose cattle are slaughtered in an establishment operated under Federal inspection;

Every slaughterer who, in any calendar week, slaughters more than 51 head of cattle producing Army-style beef;

Every slaughterer whose cattle are slaughtered in an establishment in which, during any calendar week, there are slaughtered more than 51 head of cattle producing Army-style beef.

(1) No slaughterer subject to the provisions of this paragraph (c) shall deliver meat unless he shall set aside and reserve the total amount of each week's production of beef graded "U. S Choice", "U. S. Good", and "U. S. Commercial", obtained from steers, heifers, and cows, whose carcasses produce Army-style beef: *Provided, however,* That governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers may select and purchase not to exceed such percentage of each grade of beef so set aside, based upon the current rate of slaughter, as the Director may determine in accordance with the provisions of paragraph (c) hereof, and upon the delivery or execution of contracts to deliver, to such persons or agencies, of not less than the applicable percentage of each grade of beef so set aside, such slaughterer may deliver to any other person an amount not in excess of the remaining balance of such week's production of such grade of beef.

(2) No slaughterer subject to the provisions of this paragraph (c) shall deliver meat unless he shall bone, in accordance with Army-specifications for frozen boneless beef, not less than 90 percent of each grade of Army-style beef selected and purchased by governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers: *Provided, however,* That the Order Administrator may wholly or partially exempt any slaughterer from this requirement upon a proper showing that said slaughterer (i) does not have adequate facilities for boning; (ii) does not have, or is unable to obtain, sufficient personnel to bone said beef, or (iii) is unable to comply with this requirement for any reason which appears to the Order Administrator to warrant such exemption.

(d) *Utility grade and cutter and canner beef; federally inspected slaughterers.* This paragraph shall apply only to federally inspected slaughterers. No federally inspected slaughterer shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, such percentages, as the Director may determine in accordance with the provisions of paragraph (c) hereof, of the conversion weight of each week's production of beef derived from steers, heifers, cows, stags, and bulls of U. S. Utility grade (Grade C beef) and cutter and canner grade (Grade D beef).

(e) *Determination of percentages.* The specific percentage of each grade of Army-style beef which governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers may purchase out of the total quantity of such grade of beef set aside by any slaughterer, and the specific percentage of Utility grade (Grade C) beef and of cutter and canner grade (Grade D) beef which any

slaughterer shall be required to set aside, shall be proportional to and graduated in accordance with the current rate of slaughter of such slaughterer, with the result that a greater proportion of Government requirements will be drawn from those slaughterers who are slaughtering more, with reference to the base period, than their normal volume of cattle. Determination of such percentages will be made by the Director at periodic intervals.

(f) *Federal inspection.* (1) No slaughterer who is or who becomes subject to paragraph (c) of this order by virtue of slaughtering, in any calendar week, more than 51 head of cattle producing Army-style beef shall deliver meat unless he shall apply and qualify under the Meat Inspection Act (21 U.S.C. 71 et seq.) and the regulations applicable thereto, for Federal meat inspection of all Army-style carcasses and beef required to be set aside by him under this order. No such slaughterer who fails to apply or qualify for Federal inspection as herein provided shall thereafter slaughter, in any calendar week, more than 51 head of cattle producing Army-style beef.

(2) No owner or operator of slaughtering facilities, other than a farmer, shall slaughter or permit such facilities to be used for the slaughter, in any calendar week, of more than 51 head of cattle producing Army-style beef, unless he has qualified or shall hereafter apply and qualify under the Meat Inspection Act (21 U.S.C. 71 et seq.) and the regulations applicable thereto for Federal meat inspection of all Army-style carcasses and beef required to be set aside under this order.

(g) *Conversion weight.* (1) The conversion weight of all deliveries of beef, and the conversion weight of carcasses and of cuts and trimmings derived therefrom, and of beef products produced therefrom shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

Type and description of product	Conversion factor (multiplier)
Dressed carcasses and cuts, not boned, fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried—not boned	.95
Cured other than dried—boned	1.34
Dried (including smoked)	2.20
Boneless beef derived from cutter and canner grade steers, heifers, cows, stags and bulls (Grade D beef)	1.45
Canned beef and gravy	2.00

The term "boned" describes cuts from which 50 percent or more of the bone, by weight, has been removed by the process of boning, and the term "not boned" describes cuts from which none or less than 50 percent of the bone, by weight, has been removed, and primal cuts which contain no bone.

(2) The conversion weight of beef of any type used in the preparation of sausage or in the preparation of canned meat, or any other beef product not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of the beef used in such processing, and multiplying such net weight by the applicable conversion factor set forth above for such type of beef. The net weight of beef which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(3) The Director may, upon written application, revise any conversion weight factor where it is shown that such factor is working an undue hardship in the preparation of certain products.

(h) *Credits allowed on deliveries.* Subject to paragraph (i) hereof, any set-aside beef delivered to a governmental agency, authorized purchaser, contract school, marine hospital, maritime academy, or ship supplier may be credited against the requirements of paragraphs (c) and (d) hereof for beef of the type and grade so delivered.

(i) *Certificates.* No set-aside beef shall be delivered to any authorized purchaser, and no credit shall be allowed for any such delivery unless, within 10 days after delivery, the slaughterer obtains a certificate signed by the authorized purchaser, acknowledging receipt of the beef and containing the following: the name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser and the governmental agency; and a statement by the authorized purchaser that the set-aside beef so delivered, or an equivalent amount of set-aside beef, will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such beef, together with a description permitting conversion in accordance with paragraph (g) hereof. The slaughterer and the authorized purchaser shall each retain an original of such certificate for at least two years and shall submit the same to the Director upon request. All statements contained in or accompanying such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(j) *Storage; packaging.* All Army-style beef set aside and reserved under this order shall be stored in such manner as to maintain the quality thereof, and shall be prepared and packaged in accordance with Army specifications.

(k) *Authorized purchasers required to redeliver.* Each authorized purchaser who receives set-aside beef under the provisions of this order shall deliver all such beef, or an equivalent amount of set-aside beef, to a governmental agency, contract school, marine hospital, maritime academy, or ship supplier.

(l) *Allocation.* The Director may, by general order or written notice to individual slaughterers, order the allocation of beef set aside under this order to or among specific governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, or ship suppliers. In the absence of such allocation, slaughterers may, subject to paragraph (i) hereof, sell beef so set aside to any such person or agency.

(m) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any slaughterer is required to offer or to deliver under any existing contract with a governmental agency, as defined herein, or with the United States Maritime Commission.

(n) *Reports.* Every slaughterer subject to paragraph (c) hereof shall report to the Director concerning his production of and transaction in beef. Such reports shall be made at such times and upon such forms as the Director may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(o) *Audits and inspections.* The Director shall be entitled to make such audits and inspections of the books, records and other writings, premises, supplies of livestock or stocks of meat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(p) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(q) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(r) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 75–2, Livestock and Meats Branch, Office of Marketing Services, War Food Administration, 5 South Wabash Avenue, Chicago 3, Illinois.

(s) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(t) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., June 3, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649)

Issued this 1st day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-9499; Filed, June 1, 1945; 11:16 a. m.]

[WFO 75-3, Amdt. 15]

PART 1410—LIVESTOCK AND MEATS

PORK REQUIRED TO BE SET ASIDE

War Food Order No. 75–3, as amended (10 F.R. 4652, 5712) is further amended to read as follows:

§ 1410.20 *Pork required to be set aside*—(a) *Definitions.* (1) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding, for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), War Food Administration (including but not restricted to any corporate agency thereof), the War Shipping Administration, and the Veterans Administration.

(2) "Federally inspected slaughterer" means any slaughterer whose establishment is operated under Federal inspection.

(3) "Federal inspection" means inspection under the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U.S.C. 71, and as extended by Public Law 602, 77th Cong., approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(4) "Set aside pork" means pork or pork products (including lard) of the type and grade required to be set aside, reserved, and held under this order.

(5) "Authorized purchaser" means:

(i) Any person who is under contract to sell or deliver set aside pork, or products prepared in whole or part therefrom, to a governmental agency;

(ii) Any person who has delivered set aside pork, or products prepared in whole or part therefrom, to a governmental agency, and has not replaced the set aside pork so delivered, or contained in the products so delivered, by a purchase of set aside pork under this order;

(iii) Any person who is authorized by the Director to purchase set aside pork;

(iv) Any person who is under contract to sell or deliver set aside pork, or products prepared in whole or part therefrom, to an authorized purchaser as defined in paragraph (a) (5) (i) and (a) (5) (ii).

(6) "Contract school", "marine hospital", or "maritime academy" means any person defined as such in War Food Order No. 73, as amended (9 F.R. 10036, 10927, 13741).

(7) "Ship supplier" means any person defined as such in War Food Order No. 74, as amended (10 F.R. 5759), who holds a license under that order.

(8) "Base period" means such period of the calendar year 1944 as the Director may establish.

(9) "Current rate of slaughter" means the total live weight of hogs slaughtered during a current week divided by the average weekly slaughter (live weight) of hogs during the base period. Current rate of slaughter shall be stated in terms of percentage.

(10) "Dressed carcass" means a hog carcass dressed in accordance with normal trade custom, with the leaf fat and kidney out, the jowls on, the hams faced, and the head off.

(11) "Conversion weight" means the dressed weight equivalent of pork, determined as prescribed in paragraph (e) hereof.

(12) "Live weight", with reference to each week's slaughter of hogs, means the total live weight of all hogs purchased for slaughter each week, determined from scale tickets issued at the time of purchase, less the weight of hogs condemned during the same week converted to a live weight basis.

(13) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(14) "Director" means the Director of Marketing Services, War Food Administration.

(15) Any term not defined herein shall have the meaning set forth for such term in War Food Order No. 75, as amended, *supra*.

(b) *Purpose of this order.* This order is intended to provide for the procurement by governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, of dressed pork and pork products in an amount equal to the following percentages of the aggregate total of the live weight of hogs purchased for slaughter by slaughterers subject to the provisions of this order:

Percentage of Live Weight of Hogs Purchased for Slaughter

Type of dressed pork or pork product:	
Hams	6
Loins	5.5
Shoulders and manufacturing pork	10
Bellies	5.5
Lard	5.5

(c) *Slaughterers affected; set aside requirements.* The provisions of this order shall apply to the following slaughterers:

All federally inspected slaughterers;

Every slaughterer whose hogs are slaughtered in an establishment operated under Federal inspection.

No slaughterer subject to the provisions of this order shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, in the form of dressed pork and pork products, such percentages as the Director may determine, in accordance with the provisions of paragraph (d) hereof, of the total live weight of each week's slaughter of hogs.

(d) *Determination of percentages.* The specific percentage of each dressed pork cut or dressed pork product which any slaughterer shall be required to set aside under this order shall be proportional to and graduated in accordance with the current rate of slaughter of such slaughterer, except in the case of lard, with the result that a greater proportion of Government requirements will be drawn from those slaughterers who are slaughtering more, with reference to the base period, than their normal volume of hogs. Determination of such percentages will be made by the Director at periodic intervals. All dressed pork cuts and dressed pork products set aside under this order shall be prepared in accordance with specifications established by governmental agencies. Such specifications may be obtained by application addressed to the Order Administrator.

(e) *Conversion weight.* (1) The conversion weight of all deliveries of pork and the conversion weight of carcasses and of cuts and trimmings derived therefrom and of pork products procured therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

TYPE AND DESCRIPTION OF PRODUCT

	Conversion factors (multiplier)	
	Not boned	Boned
Cuts:		
Fresh (chilled)	1.00	1.15
Pork sides	1.00	----
Wiltshire sides (cured)	1.10	----
Pork loins	1.00	----
Pork loins (semi-boneless)	----	1.03
Fatted, skinless hams and shoulders	----	1.33
Boned, fatted, skinless hams, smoked	----	1.45
Fatted, skinless picnics	----	1.45
Overseas hams, 96 hours' smoke	1.25	----
Army hams, 48 hours' smoke	1.15	----
Standard domestic smoked hams	1.10	----
Other cured	1.00	1.10
Other smoked	1.10	1.24
Other cooked	1.20	1.15
Trimmings: Fresh (chilled) or frozen	----	1.00

CANNED MEATS

	Conversion factor (multiplier)
Chopped ham	1.28
Luncheon meat	1.35
Corned pork	2.22
Tushonka	1.80
Pork sausage	1.09
Issue bacon	1.13
Sliced bacon	1.25
Dehydrated pork (10% maximum moisture content)	4.75

The term "boned" describes cuts from which 50 percent or more of the bone, by weight, has been removed by the process of boning, and the term "not boned" describes cuts from which none

or less than 50 percent of the bone, by weight, has been removed, and primal cuts which contain no bone.

(2) The conversion weight of pork of any type used in the preparation of sausage, or in the preparation of canned meat, or any other meat product not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of the pork used in such processing, and multiplying such net weight by the applicable conversion factor set forth above for such type of pork. The net weight of pork which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(f) *Credits allowed on deliveries.* Subject to the provisions of paragraph (g) hereof, any set aside pork delivered to a governmental agency, authorized purchaser, contract school, marine hospital, maritime academy, or ship supplier may be credited against the set aside requirements of this order for pork or pork products of the type and grade so delivered.

(g) *Certificates.* No set aside pork shall be delivered to any authorized purchaser, and no credit shall be allowed for any such delivery unless, within 10 days after delivery, the slaughterer obtains a certificate signed by the authorized purchaser, acknowledging receipt of the pork and containing the following: the name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser and the governmental agency; and a statement by the authorized purchaser that the set aside pork so delivered, or an equivalent amount of set aside pork, will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such pork, together with a description permitting conversion in accordance with paragraph (e) hereof. The slaughterer and the authorized purchaser shall each retain an original of such certificate for at least two years, and shall submit the same to the Director upon request. All statements contained in or accompanying such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(h) *Specifications; storage; packaging.* All pork and pork products required to be set aside, reserved, and held under this order shall be stored in such a manner as to maintain the quality thereof and shall be prepared and packaged in accordance with specifications of the governmental agencies to whom delivered.

(i) *Authorized purchasers required to redeliver.* Each authorized purchaser who receives set aside pork under the provisions of this order shall deliver all such pork, or an equivalent amount of the same kind and type of set aside pork, to a governmental agency, contract school, marine hospital, maritime academy, or ship supplier.

(j) *Allocations.* The Director may, by general order or written notice to individual slaughterers, order the allocation of pork set aside under this order to or among specific governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, or ship suppliers. In making such allocations, the Director or the Order Administrator may specify the stage of processing (fresh, frozen, cured, smoked, or canned), and the weight ranges of all set aside pork so allocated. Such specifications shall be in addition to the specifications mentioned in paragraph (d) hereof. In the absence of such allocation, slaughterers may, subject to paragraph (g) hereof, sell pork so set aside to any such person or agency.

(k) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any slaughterer is required to offer or to deliver under any existing contract with a governmental agency, as defined herein, or with the United States Maritime Commission.

(l) *Records and reports.* (1) Every federally inspected slaughterer shall report to the Director concerning his production of and transactions in pork and pork products, including lard. Such reports shall be made at such times and upon such forms as the Director may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every federally inspected slaughterer shall keep such records with respect to inter or intra plant transactions as may be required by the Order Administrator.

(m) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises, supplies of livestock or stocks of meat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by a request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(o) *Violations.* Any person who violates any provision of this order may in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 75–3, Livestock and Meats Branch, Office of Marketing Services, War Food Administration, 5 South Wabash Avenue, Chicago 3, Illinois.

(q) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(r) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 3, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 4649)

Issued this 1st day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-9500; Filed, June 1, 1945; 11:16 a. m.]

[WFO 75-3a]

PART 1410—LIVESTOCK AND MEATS

SCHEDULE OF PORK SET ASIDE PERCENTAGES

Pursuant to the provisions of War Food Order No. 75–3, as amended (*supra*), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1410.26 *Establishment of base period; establishment of pork set aside percentages*—(a) *Definitions.* The terms used herein shall have the meaning set forth for such terms in War Food Order No. 75, as amended (10 F.R. 4649), and War Food Order No. 75–3, as amended.

(b) *Base period; current rate of slaughter.* The month of June 1944 is hereby established as the base period. Current rate of slaughter is determined by dividing the live weight of hogs slaughtered during a current week by the average weekly slaughter of hogs (live weight) during the base period (June 1944).

(c) *Set aside percentages.* In accordance with the standards set forth in paragraph (d) of War Food Order No. 75–3, the following schedule of percentages is hereby established. The quantity of dressed pork cuts and pork products of the type indicated which is required to be set aside by any slaughterer is determined by applying the appropriate percentage to the total weekly slaughter of hogs (live weight).

Current rate of slaughter (percent of weekly average June 1944)	Percentages of live weight of slaughter				
	Loins	Hams	Square-cuts and seed-less bellies	Shoul-ders and manu-facturing pork	Total
Less than 50.1	5.2	5.6	5.2	9.4	25.4
50.1–62.0	5.2	5.7	5.3	9.5	25.7
62.1–74.0	5.3	5.7	5.3	9.6	25.9
74.1–86.0	5.3	5.8	5.4	9.7	26.2
86.1–98.0	5.4	5.8	5.4	9.8	26.4
98.1–110.0	5.4	5.9	5.4	9.9	26.6
110.1–122.0	5.5	6.0	5.4	9.9	26.8
122.1–134.0	5.5	6.0	5.5	10.0	27.0
134.1–146.0	5.5	6.0	5.6	10.1	27.2
146.1–158.0	5.6	6.0	5.6	10.1	27.3
158.1–170.0	5.6	6.1	5.6	10.2	27.5
170.1–182.0	5.6	6.2	5.6	10.2	27.6
182.1–194.0	5.7	6.2	5.7	10.2	27.8
194.1–206.0	5.7	6.2	5.7	10.3	27.9
206.1–218.0	5.7	6.2	5.7	10.4	28.0
218.1–230.0	5.7	6.3	5.7	10.5	28.2
230.1–242.0	5.8	6.3	5.8	10.6	28.5
242.1–300.0	5.9	6.4	5.9	10.7	28.9
Over 300.0	6.0	6.5	6.0	10.8	29.3
Slaughterers without June 1944 slaughter history	6.0	6.5	6.0	10.8	29.3

In addition to the above, each slaughterer subject to the provisions of this order shall set aside a quantity of lard, the total weight of which shall be not less than 5.5 percent of the total live weight of each week's slaughter of hogs: *Provided*, That until further order of the Director this requirement shall not be applicable to slaughterers located in the States of California, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Virginia, Washington, and West Virginia.

(d) This order shall become effective at 12:01 a. m., e. w. t., June 3, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649; WFO 75–3)

Issued this 1st day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-9515; Filed, June 1, 1945; 11:53 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4590]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

EVERSHARP, INC.

§ 3.6 (h) *Advertising falsely or misleadingly—Fictitious or misleading guarantees:* § 3.72 (k5) *Offering deceptive inducements to purchase or deal—Repair or replacement guarantee.* In connection with the offering for sale, sale, and distribution of respondent's fountain pens and mechanical pencils in commerce, (1) using the words "guaranteed forever", or any word or words of similar import, alone or in conjunction with any other word or words, to designate, describe, or refer to respondent's products, or otherwise representing, directly or by implication, that such products are unconditionally guaranteed forever or without limitation as to time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated at any time by any cause other than wilful damage or abuse; or (2) representing, directly or by implication, that respondent's products are unconditionally guaranteed for any designated period of time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated during such designated period by any cause other than wilful damage or abuse; prohibited, subject to the provision, however, that nothing contained in the order shall be construed as prohibiting respondent from representing truthfully that the service on its products (as distinguished from the products themselves) is guaranteed forever or for any other designated period of time, even though a charge is imposed by respondent in connection with such servicing, provided the terms of such guarantee, including the amount of such charge, are clearly and conspicuously disclosed in immediate conjunction with such representation. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Eversharp, Inc., Docket 4590, May 3, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of May, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, brief in support of the complaint (no brief having been filed by respondent), and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Eversharp, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's fountain pens and mechanical pencils in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "guaranteed forever," or any word or words of similar import, alone or in conjunction with any other word or words, to designate, describe, or refer to respondent's products, or otherwise representing, directly or by implication, that such products are unconditionally guaranteed forever or without limitation as to time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated at any time by any cause other than wilful damage or abuse.

2. Representing, directly or by implication, that respondent's products are unconditionally guaranteed for any designated period of time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated during such designated period by any cause other than wilful damage or abuse.

Nothing contained in this order, however, shall be construed as prohibiting respondent from representing truthfully that the service on its products (as distinguished from the products themselves) is guaranteed forever or for any other designated period of time, even though a charge is imposed by respondent in connection with such servicing, provided the terms of such guarantee, including the amount of such charge, are clearly and conspicuously disclosed in immediate conjunction with such representation.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9490; Filed, June 1, 1945; 10:53 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51244]

PART 6—AIR COMMERCE REGULATIONS

REDESIGNATION OF AIRPORTS OF ENTRY

MAY 31, 1945.

The following-named airports are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C., sec. 179 (b)), for a period of one year from the dates shown opposite their names:

Name and location	*Date of redesignation*
John G. Hinde Airport, Sandusky, Ohio	June 1, 1945
Havre Municipal Airport, Havre, Montana	June 2, 1945
Watertown Municipal Airport, Watertown, N. Y.	June 2, 1945

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13), is hereby amended by changing the dates of the designations opposite the names of these airports as indicated herein.

(Sec. 7 (b), 44 Stat. 572; 49 U. S. C. 177 (b))

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-9502; Filed, June 1, 1945; 11:20 a. m.]

[T. D. 51245]

PART 51—IMPORTS AND EXPORTS SUBJECT TO THE PROVISIONS OF EXECUTIVE ORDER 8389, AS AMENDED, AND PROCLAMATION 2497, REGARDING "BLOCKED NATIONALS"

LICENSING REQUIREMENTS AND PROCEDURE

JUNE 1, 1945.

T. D. 50433 and T. D. 50530, as amended, prescribing procedure governing imports and exports subject to the provisions of Executive Order 8389, as amended, and Proclamation 2497 regarding "Blocked Nationals," further amended.

Treasury Decision 50433 (6 F.R. 3672), as amended by Treasury Decision 50530 (6 F.R. 6585), Treasury Decision 50548 (7 F.R. 304), and Treasury Decision 50600 (7 F.R. 2777), is hereby further amended as follows:

1. Section 51.1 is amended to read:

§ 51.1 *Submission of statement with export declaration.* With respect to each entry, withdrawal, or exportation of merchandise, there shall be submitted a list or statement showing the name and address of the ultimate and every intermediate consignee, consignor, and other person having an interest in the merchandise or in the transaction, unless such information is set forth in the appropriate customs or other documents. If it appears that any such consignee, consignor, or other person is named in "The Proclaimed List of Certain Blocked Nationals," the entry, withdrawal, or exportation of the merchandise involved shall be permitted only upon presentation of the original copy of a Treasury license authorizing the same. Such original copy shall bear a notation in ink by the person presenting it showing the de- [illegible]

July 2, 1940. Neither an export control license nor a Treasury license will be accepted in lieu of the other type of license.

4. Section 51.4 is hereby deleted.

Treasury Decision 50530 (6 F.R. 6585), as amended by Treasury Decision 50993 (9 F.R. 1003) is hereby further amended by deleting §§ 51.12 and 51.13; redesignated §§ 51.11, 51.12 by Treasury Decision 50993, January 31, 1944.

(40 Stat. 415, as amended, 54 Stat. 714, as amended; 12 U.S.C. and Sup. 95a, 50 U.S.C. App. Sup., 701; E.O. 8389, as amended, April 10, 1940; and Proc. 2497, July 17, 1941)

The provisions hereof shall be effective on and after June 4, 1945.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-9501; Filed, June 1, 1945; 11:19 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 221—OIL AND GAS OPERATING REGULATIONS

GOVERNMENT ROYALTY OIL

In the interest of encouraging and fostering small business enterprise in the oil industry, it is essential that adequate supplies of crude oil be made available to refiners who do not have access to sufficient supplies of to assure continued operation of refineries engaged in providing petroleum products for military or necessary civilian uses. To that end it will be the policy of the Department of the Interior upon a satisfactory showing [illegible]

and grade of crude oil refined each month, the kind and grade and amount of finished products; also an estimate of the total refinery through-put for the next succeeding year.

2. Upon receipt of such an application, a copy shall be submitted to the Petroleum Administration for War, which shall make its recommendations for the disposition of the application to the Secretary through the Geological Survey.

3. If, after considering the recommendations of the appropriate agencies of the Department and of the Petroleum Administration for War, the Department elects to take its royalty crude oil in kind, the oil will be advertised for sale at not less than the market price or at the maximum price established or authorized by the Office of Price Administration if it is greater. Where two or more identical bids are received for the same crude oil, the Secretary will give due consideration to the factors outlined in paragraph 1 and award the oil to such bidder as he determines would best serve the public interest. The Secretary reserves the right to reject any or all bids.

HAROLD L. ICKES,
Secretary of the Interior.

MAY 25, 1945.

[F. R. Doc. 45-9471; Filed, May 31, 1945; 4:29 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 292]

ARMY OCCUPATIONAL AND EDUCATIONAL RECORD AND VETERANS' ASSISTANCE PROGRAM

ORDER PRESCRIBING FORMS

[illegible]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 18]

PART 802—GENERAL LICENSES

PHILIPPINE ISLANDS; ADDITION TO LIST

Correction

In the document appearing at page 6171 of the issue for Tuesday, May 29, 1945, the Federal Register serial number should read: "45-9097".

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-787, Revocation]

LIBERTY INCANDESCENT SUPPLY CO.

Suspension Order No. S-787, effective May 25, 1945, was issued May 18, 1945, against Liberty Incandescent Supply Company, 805 Liberty Avenue, Pittsburgh, Pennsylvania, for violation of Limitation Order L-78. In view of the fact that Limitation Order L-78 was revoked on May 9, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-787 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.787, *Suspension Order No. S-787* be revoked, effective June 1, 1945.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[illegible]

(l) Carry-over.
(m) Consumption quotas for certain types of newspapers.
(n) Allotment to Army and Navy.

Delivery Quota

(o) Computation of delivery quota.
(p) Exceptions.
(q) Certification.
(r) Copies of orders.
(s) Inter-company transfers.

Miscellaneous Provisions

(t) Loans of print paper.
(u) Applicability of regulations.
(v) Appeals.
(w) Communications to the War Production Board.
(x) Violations.

Scope

§ 3133.6 *Limitation Order L-240*—(a) *The purpose of this order.* This order does two things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis.

Definitions and Explanations

(b) *Newspaper.* "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing [illegible]

separate newspapers for the purposes of this order.

The term "newspaper", as used in this order, does not include "servicemen's", "overseas", "pony", or other condensed editions of newspapers which (1) are printed by the Army or Navy outside the continental United States on print paper procured by the Army or Navy, and (2) are distributed exclusively to United States Armed Forces personnel outside the continental United States. A publisher need not deduct from his consumption quota the print paper used in such editions, even though he supplies to the Army or Navy the print paper, the editorial material, and the mats or plates.

If a publisher is uncertain as to whether or not his publication is a newspaper as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination, issued to the publisher in the name of the Recording Secretary of the War Production Board, shall be conclusive for the purposes of this order, unless revoked or modified by the same authority.

(c) *Camp papers and free distribution publications.* Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Order L-241 (commercial printing). Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recognized as newspapers within the meaning of this order and are governed by Order L-241, Schedule II. If a publisher issued a free distribution newspaper in 1941, his consumption quota shall be determined in accordance with Schedule II to Order L-241 and that order shall govern even if the circulation of the publication has subsequently been changed in whole or in part to a net paid basis.

(d) *Publisher.* "Publisher" means a [illegible]

or less than 50 percent of the bone, by weight, has been removed, and primal cuts which contain no bone.

(2) The conversion weight of pork of any type used in the preparation of sausage, or in the preparation of canned meat, or any other meat product not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of the pork used in such processing, and multiplying such net weight by the applicable conversion factor set forth above for such type of pork. The net weight of pork which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(f) *Credits allowed on deliveries.* Subject to the provisions of paragraph (g) hereof, any set aside pork delivered to a governmental agency, authorized purchaser, contract school, marine hospital, maritime academy, or ship supplier may be credited against the set aside requirements of this order for pork or pork products of the type and grade so delivered.

(g) *Certificates.* No set aside pork shall be delivered to any authorized purchaser, and no credit shall be allowed for any such delivery unless, within 10 days after delivery, the slaughterer obtains a certificate signed by the authorized purchaser, acknowledging receipt of the pork and containing the following: the name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser and the governmental agency; and a statement by the authorized purchaser that the set aside pork so delivered, or an equivalent amount of set aside pork, will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such pork, together with a description permitting conversion in accordance with paragraph (e) hereof. The slaughterer and the authorized purchaser shall each retain an original of such certificate for at least two years, and shall submit the same to the Director upon request. All statements contained in or accompanying such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(h) *Specifications; storage; packaging.* All pork and pork products required to be set aside, reserved, and held under this order shall be stored in such a manner as to maintain the quality thereof and shall be prepared and packaged in accordance with specifications of the governmental agencies to whom delivered.

(i) *Authorized purchasers required to redeliver.* Each authorized purchaser who receives set aside pork under the provisions of this order shall deliver all such pork, or an equivalent amount of the same kind and type of set aside pork, to a governmental agency, contract school, marine hospital, maritime academy, or ship supplier.

(j) *Allocations.* The Director may, by general order or written notice to individual slaughterers, order the allocation of pork set aside under this order to or among specific governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, or ship suppliers. In making such allocations, the Director or the Order Administrator may specify the stage of processing (fresh, frozen, cured, smoked, or canned), and the weight ranges of all set aside pork so allocated. Such specifications shall be in addition to the specifications mentioned in paragraph (d) hereof. In the absence of such allocation, slaughterers may, subject to paragraph (g) hereof, sell pork so set aside to any such person or agency.

(k) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any slaughterer is required to offer or to deliver under any existing contract with a governmental agency, as defined herein, or with the United States Maritime Commission.

(l) *Records and reports.* (1) Every federally inspected slaughterer shall report to the Director concerning his production of and transactions in pork and pork products, including lard. Such reports shall be made at such times and upon such forms as the Director may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every federally inspected slaughterer shall keep such records with respect to inter or intra plant transactions as may be required by the Order Administrator.

(m) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises, supplies of livestock or stocks of meat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by a request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(o) *Violations.* Any person who violates any provision of this order may in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 75–3, Livestock and Meats Branch, Office of Marketing Services, War Food Administration, 5 South Wabash Avenue, Chicago 3, Illinois.

(q) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(r) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 3, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 4649)

Issued this 1st day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-9500; Filed, June 1, 1945; 11:16 a. m.]

[WFO 75-3a]

PART 1410—LIVESTOCK AND MEATS

SCHEDULE OF PORK SET ASIDE PERCENTAGES

Pursuant to the provisions of War Food Order No. 75–3, as amended (*supra*), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1410.26 *Establishment of base period; establishment of pork set aside percentages*—(a) *Definitions.* The terms used herein shall have the meaning set forth for such terms in War Food Order No. 75, as amended (10 F.R. 4649), and War Food Order No. 75–3, as amended.

(b) *Base period; current rate of slaughter.* The month of June 1944 is hereby established as the base period. Current rate of slaughter is determined by dividing the live weight of hogs slaughtered during a current week by the average weekly slaughter of hogs (live weight) during the base period (June 1944).

(c) *Set aside percentages.* In accordance with the standards set forth in paragraph (d) of War Food Order No. 75–3, the following schedule of percentages is hereby established. The quantity of dressed pork cuts and pork products of the type indicated which is required to be set aside by any slaughterer is determined by applying the appropriate percentage to the total weekly slaughter of hogs (live weight).

Current rate of slaughter (percent of weekly average June 1944)	Percentages of live weight of slaughter				
	Loins	Hams	Square-cuts and seed-less bellies	Shoulders and manufacturing pork	Total
Less than 50.1	5.2	5.6	5.2	9.4	25.4
50.1–52.0	5.2	5.7	5.3	9.5	25.7
52.1–54.0	5.3	5.7	5.3	9.6	25.9
54.1–56.0	5.3	5.8	5.4	9.7	26.2
56.1–58.0	5.4	5.8	5.4	9.8	26.4
58.1–60.0	5.4	5.9	5.4	9.9	26.6
60.1–62.0	5.5	6.0	5.4	9.9	26.8
62.1–64.0	5.5	6.0	5.5	10.0	27.0
64.1–66.0	5.5	6.0	5.6	10.1	27.2
66.1–68.0	5.6	6.0	5.6	10.1	27.3
68.1–70.0	5.6	6.1	5.6	10.2	27.5
70.1–72.0	5.6	6.2	5.6	10.2	27.6
72.1–74.0	5.7	6.2	5.7	10.2	27.8
74.1–76.0	5.7	6.2	5.7	10.3	27.9
76.1–78.0	5.7	6.2	5.7	10.4	28.0
78.1–80.0	5.7	6.3	5.7	10.5	28.2
80.1–90.0	5.8	6.3	5.8	10.6	28.5
90.1–100.0	5.9	6.4	5.9	10.7	28.9
Over 100.0	6.0	6.5	6.0	10.8	29.3
Slaughterers without June 1944 slaughter history	6.0	6.5	6.0	10.8	29.3

In addition to the above, each slaughterer subject to the provisions of this order shall set aside a quantity of lard, the total weight of which shall be not less than 5.5 percent of the total live weight of each week's slaughter of hogs: *Provided*, That until further order of the Director this requirement shall not be applicable to slaughterers located in the States of California, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Virginia, Washington, and West Virginia.

(d) This order shall become effective at 12:01 a. m., e. w. t., June 3, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649; WFO 75–3)

Issued this 1st day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-9515; Filed, June 1, 1945; 11:53 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4590]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

EVERSHARP, INC.

§ 3.6 (h) *Advertising falsely or misleadingly—Fictitious or misleading guarantees:* § 3.72 (k5) *Offering deceptive inducements to purchase or deal—Repair or replacement guarantee.* In connection with the offering for sale, sale, and distribution of respondent's fountain pens and mechanical pencils in commerce, (1) using the words "guaranteed forever", or any word or words of similar import, alone or in conjunction with any other word or words, to designate, describe, or refer to respondent's products, or otherwise representing, directly or by implication, that such products are unconditionally guaranteed forever or without limitation as to time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated at any time by any cause other than wilful damage or abuse; or (2) representing, directly or by implication, that respondent's products are unconditionally guaranteed for any designated period of time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated at any time by any cause other than wilful damage or abuse; prohibited, subject to the provision, however, that nothing contained in the order shall be construed as prohibiting respondent from representing truthfully that the service on its products (as distinguished from the products themselves) is guaranteed forever or for any other designated period of time, even though a charge is imposed by respondent in connection with such servicing, provided the terms of such guarantee, including the amount of such charge, are clearly and conspicuously disclosed in immediate conjunction with such representation. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Eversharp, Inc., Docket 4590, May 3, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of May, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, brief in support of the complaint (no brief having been filed by respondent), and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Eversharp, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's fountain pens and mechanical pencils in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "guaranteed forever," or any word or words of similar import, alone or in conjunction with any other word or words, to designate, describe, or refer to respondent's products, or otherwise representing, directly or by implication, that such products are unconditionally guaranteed forever or without limitation as to time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated at any time by any cause other than wilful damage or abuse.

2. Representing, directly or by implication, that respondent's products are unconditionally guaranteed for any designated period of time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated during such designated period by any cause other than wilful damage or abuse.

Nothing contained in this order, however, shall be construed as prohibiting respondent from representing truthfully that the service on its products (as distinguished from the products themselves) is guaranteed forever or for any other designated period of time, even though a charge is imposed by respondent in connection with such servicing, provided the terms of such guarantee, including the amount of such charge, are clearly and conspicuously disclosed in immediate conjunction with such representation.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9490; Filed, June 1, 1945; 10:53 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51244]

PART 6—AIR COMMERCE REGULATIONS

REDESIGNATION OF AIRPORTS OF ENTRY

MAY 31, 1945.

The following-named airports are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C., sec. 179 (b)), for a period of one year from the dates shown opposite their names:

Name and location	Date of redesignation
John G. Hinde Airport, Sandusky, Ohio	June 1, 1945
Havre Municipal Airport, Havre, Montana	June 2, 1945
Watertown Municipal Airport, Watertown, N. Y.	June 2, 1945

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13), is hereby amended by changing the dates of the designations opposite the names of these airports as indicated herein.

(Sec. 7 (b), 44 Stat. 572; 49 U. S. C. 177 (b))

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-9502; Filed, June 1, 1945; 11:20 a. m.]

[T. D. 51245]

PART 51—IMPORTS AND EXPORTS SUBJECT TO THE PROVISIONS OF EXECUTIVE ORDER 8389, AS AMENDED, AND PROCLAMATION 2497, REGARDING "BLOCKED NATIONALS"

LICENSING REQUIREMENTS AND PROCEDURE

JUNE 1, 1945.

T. D. 50433 and T. D. 50530, as amended, prescribing procedure governing imports and exports subject to the provisions of Executive Order 8389, as amended, and Proclamation 2497 regarding "Blocked Nationals," further amended.

Treasury Decision 50433 (6 F.R. 3672), as amended by Treasury Decision 50530 (6 F.R. 6585), Treasury Decision 50548 (7 F.R. 304), and Treasury Decision 50600 (7 F.R. 2777), is hereby further amended as follows:

1. Section 51.1 is amended to read:

§ 51.1 *Submission of statement with export declaration.* With respect to each entry, withdrawal, or exportation of merchandise, there shall be submitted a list or statement showing the name and address of the ultimate and every intermediate consignee, consignor, and other person having an interest in the merchandise or in the transaction, unless such information is set forth in the appropriate customs or other documents. If it appears that any such consignee, consignor, or other person is named in "The Proclaimed List of Certain Blocked Nationals," the entry, withdrawal, or exportation of the merchandise involved shall be permitted only upon presentation of the original copy of a Treasury license authorizing the same. Such original copy shall bear a notation in ink by the person presenting it showing the description, quantity, and value of the merchandise. If the license in fact authorizes the entry, withdrawal, or exportation, the collector of customs at the port where the transaction is to be effected, or any authorized subordinate, shall verify the notation by signing or initialling it after first assuring himself that it accurately describes the merchandise that it purports to represent. The original copy shall thereafter be returned to the person presenting it.

2. Section 51.2 is amended to read:

§ 51.2 *Presentation of license before acceptance of entries for consumption etc.* Except as provided for in the preceding paragraph, as required by Treasury Decision 51072 (9 FR 6239), or as otherwise directed, Treasury licenses shall not be required with respect to the entry, withdrawal, or exportation of merchandise notwithstanding General Ruling No. 11, as amended, or that the consignee, consignor, or other person having an interest in the merchandise, or in the transaction, is a foreign country designated in Executive Order No. 8389, as amended, or a national thereof.

3. Section 51.3 is amended to read:

§ 51.3 *Necessity for license under the Export Control Act.* This part does not in any way affect the necessity for a license under the Export Control Act of July 2, 1940. Neither an export control license nor a Treasury license will be accepted in lieu of the other type of license.

4. Section 51.4 is hereby deleted.

Treasury Decision 50530 (6 F.R. 6585), as amended by Treasury Decision 50993 (9 F.R. 1003) is hereby further amended by deleting §§ 51.12 and 51.13; redesignated §§ 51.11, 51.12 by Treasury Decision 50993, January 31, 1944.

(40 Stat. 415, as amended, 54 Stat. 714, as amended; 12 U.S.C. and Sup. 95a, 50 U.S.C. App. Sup., 701; E.O. 8389, as amended, April 10, 1940; and Proc. 2497, July 17, 1941)

The provisions hereof shall be effective on and after June 4, 1945.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-9501; Filed, June 1, 1945; 11:19 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 221—OIL AND GAS OPERATING REGULATIONS

GOVERNMENT ROYALTY OIL

In the interest of encouraging and fostering small business enterprise in the oil industry, it is essential that adequate supplies of crude oil be made available to refiners who do not have access to sufficient supplies of to assure continued operation of refineries engaged in providing petroleum products for military or necessary civilian uses. To that end, it will be the policy of the Department of the Interior, upon a satisfactory showing in accordance with the procedure hereinafter prescribed and after reasonable notice to its lessees, to take its royalty oil in kind pursuant to section 36 of the Oil and Gas Leasing Act of February 25, 1920 (41 Stat. 451, 30 U.S.C. sec. 192).

1. Refiners unable to purchase in the open market an adequate supply of crude oil may file an application with the Secretary of the Interior. Such application, which shall be filed in triplicate, must be accompanied by a detailed statement containing the following information:

(a) The capacity of the refinery and the amount, source, and grade of all crude oil currently available to the applicant refiner.

(b) Factual data concerning existing refinery commitments, among other things indicating precisely to what extent the products are either sold under war contracts or tend to facilitate the successful prosecution of the war.

(c) The minimum amount and grade of additional crude oil needed to meet refinery commitments, the field or fields which the refiner believes offer a potential source of crude-oil supply because of proximity to the refinery, and the available transportation facilities which the refiner proposes to utilize.

(d) A tabulation for the preceding 12 months of the amount (in barrels daily) and grade of crude oil refined each month, the kind and grade and amount of finished products; also an estimate of the total refinery through-put for the next succeeding year.

2. Upon receipt of such an application, a copy shall be submitted to the Petroleum Administration for War, which shall make its recommendations for the disposition of the application to the Secretary through the Geological Survey.

3. If, after considering the recommendations of the appropriate agencies of the Department and of the Petroleum Administration for War, the Department elects to take its royalty crude oil in kind, the oil will be advertised for sale at not less than the market price or at the maximum price established or authorized by the Office of Price Administration if it is greater. Where two or more identical bids are received for the same crude oil, the Secretary will give due consideration to the factors outlined in paragraph 1 and award the oil to such bidder as he determines would best serve the public interest. The Secretary reserves the right to reject any or all bids.

HAROLD L. ICKES,
Secretary of the Interior.

MAY 25, 1945.

[F. R. Doc. 45-9471; Filed, May 31, 1945; 4:29 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 292]

ARMY OCCUPATIONAL AND EDUCATIONAL RECORD AND VETERANS' ASSISTANCE PROGRAM

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 130, entitled "Army Occupational and Educational Record." [1]

Discontinuance of DSS Form 141, entitled "Veterans' Assistance Program—Sample Survey." [1]

Discontinuance of DSS Form 142, entitled "Veterans' Assistance Program—Survey Questionnaire." [1]

The foregoing discontinuance shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 31, 1945.

[F. R. Doc. 45-9455; Filed, May 31, 1945; 3:54 p. m.]

[1] Filed with the Division of the Federal Register.

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 18]

PART 802—GENERAL LICENSES

PHILIPPINE ISLANDS; ADDITION TO LIST

Correction

In the document appearing at page 6171 of the issue for Tuesday, May 29, 1945, the Federal Register serial number should read: "45-9097".

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-787, Revocation]

LIBERTY INCANDESCENT SUPPLY CO.

Suspension Order No. S-787, effective May 25, 1945, was issued May 18, 1945, against Liberty Incandescent Supply Company, 805 Liberty Avenue, Pittsburgh, Pennsylvania, for violation of Limitation Order L-78. In view of the fact that Limitation Order L-78 was revoked on May 9, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-787 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.787, *Suspension Order No. S-787* be revoked, effective June 1, 1945.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9512; Filed, June 1, 1945; 11:31 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, as Amended May 31, 1945]

NEWSPAPERS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Scope

(a) The purpose of this order.

Definitions and Explanations

(b) Newspaper.
(c) Camp papers and free distribution publications.
(d) Publisher.
(e) Print paper.
(f) Use.
(g) Net paid circulation.
(h) Inventory.
(i) Transfer of quotas.

Consumption Quota

(j) Allowable consumption.
(k) Computation of consumption quota.
(l) Carry-over.
(m) Consumption quotas for certain types of newspapers.
(n) Allotment to Army and Navy.

Delivery Quota

(o) Computation of delivery quota.
(p) Exceptions.
(q) Certification.
(r) Copies of orders.
(s) Inter-company transfers.

Miscellaneous Provisions

(t) Loans of print paper.
(u) Applicability of regulations.
(v) Appeals.
(w) Communications to the War Production Board.
(x) Violations.

Scope

§ 3133.6 *Limitation Order L-240*—(a) *The purpose of this order.* This order does two things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis.

Definitions and Explanations

(b) *Newspaper.* "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing his consumption quota a publisher must make separate calculations for morning, evening and Sunday editions, but these figures must be consolidated into a single consumption quota for each newspaper, in accordance with the instructions contained in paragraph (k).

However, morning, evening, Sunday and other editions of the same newspaper shall operate under a single consumption quota and a single delivery quota.

In determining whether a publisher issues separate newspapers or separate editions of the same newspaper, the number and form of the reports filed by the publisher with the Audit Bureau of Circulations in 1941 will be controlling, in the absence of special circumstances. Thus, if a publisher in 1941 filed consolidated statements with the Audit Bureau of Circulations covering morning, evening and Sunday issues, even if these issues had different names, different formats and different staffs, they will ordinarily be considered as a single newspaper for the purposes of this order. If a publisher in 1941 filed separate statements with the Audit Bureau of Circulations covering his morning, evening, Sunday and other publications, they will ordinarily be considered as separate newspapers for the purposes of this order.

The term "newspaper", as used in this order, does not include "servicemen's", "overseas", "pony", or other condensed editions of newspapers which (1) are printed by the Army or Navy outside the continental United States on print paper procured by the Army or Navy, and (2) are distributed exclusively to United States Armed Forces personnel outside the continental United States. A publisher need not deduct from his consumption quota the print paper used in such editions, even though he supplies to the Army or Navy the print paper, the editorial material, and the mats or plates.

If a publisher is uncertain as to whether or not his publication is a newspaper as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination, issued to the publisher in the name of the Recording Secretary of the War Production Board, shall be conclusive for the purposes of this order, unless revoked or modified by the same authority.

(c) *Camp papers and free distribution publications.* Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Order L-241 (commercial printing). Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recognized as newspapers within the meaning of this order and are governed by Order L-241, Schedule II. If a publisher issued a free distribution newspaper in 1941, his consumption quota shall be determined in accordance with Schedule II to Order L-241 and that order shall govern even if the circulation of the publication has subsequently been changed in whole or in part to a net paid basis.

(d) *Publisher.* "Publisher" means a person who publishes a newspaper, including an individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(e) *Print paper.* "Print paper" means any grade, quality, type or basis weight of paper used in publishing a newspaper. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber. It also includes roll wrappers, newsprint used as wrappers, identification sheets and labels for newspapers, and production waste, whether or not this waste is subsequently salvaged for other uses.

(f) *Use.* All production waste shall be included in the tonnage of print paper "used" in printing a newspaper. Transit damage shall not be included in a publisher's "use" of print paper. A publisher may determine the dates on which paper is "used" under this order either on the basis of the dates when the paper is actually printed or the dates appearing on the respective issues of the newspaper, provided he continues to use the same

method which he used in computing his 1941 base tonnages.

(g) *Net paid circulation.* "Net paid circulation" means the number of copies of a newspaper which have been sold (exclusive of bulk sales), as audited by the Audit Bureau of Circulations or (in the case of newspapers which are not members of the Audit Bureau of Circulations) as verified in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(h) *Inventory.* "Inventory" means all the print paper which is owned by a publisher or is available for his use. It includes the print paper which he has on hand, in storage, and in transit and paper held for his use by a paper merchant, warehouseman or other person, regardless of its physical location. However, it does not include print paper shipped by water and held in warehouse by a paper manufacturer or merchant as part of the inventory of the manufacturer or merchant; such paper does not become part of a publisher's inventory until it is delivered to him.

(i) *Transfer of quotas*—(1) *Quotas established by different orders.* Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the printing of a newspaper any part of a consumption quota established under this order to be used for commercial printing, magazines or books. If a newspaper publisher also conducts a job printing business, he must keep these two operations separate for quota purposes. The amount of print paper which he is permitted to consume and the amount which he is permitted to order or accept for the publication of his newspaper is limited by this order. The amount of print paper which he is permitted to consume and the amount which he is permitted to accept for his commercial printing business is limited by Order L-241.

(2) *Transfer of quotas to different persons.* The rules governing the assignability of quotas are set forth in Priorities Regulation 7a.

Consumption Quota

(j) *Allowable consumption.* In the first quarter of 1944, and in each calendar quarter after that, no publisher may use or cause to be used, in the publication of a newspaper, print paper in excess of:

(1) His quarterly consumption quota, which shall be computed in accordance with the instructions set forth in paragraph (k) or (m) plus

(2) Any less-than-quota savings carried over from previous calendar quarters, as provided in paragraph (l), plus

(3) Ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(k) *Computation of consumption quota*—(1) *Base tonnages.* Ascertain, separately, the tonnage of print paper comprising the net paid circulation of morning, evening, Sunday or other issues of the newspaper in the corresponding quarter of 1941. Add 3 per cent to each figure. (This 3 per cent is an arbitrary allowance to compensate for production waste and should be added whether the actual production waste in 1941 was greater or less than 3 per cent). These are the "base tonnages" for morning, evening, Sunday or other issues of the newspaper, which shall be adjusted in accordance with instructions 2, 3, and 4.

(2) *Circulation increase.* Ascertain, separately, the percentage increase or decrease in average net paid circulation of morning, evening, Sunday or other issues of the newspaper in the calendar year 1942 as compared with the calendar year 1941. (The average net paid circulation for each year shall be determined by adding together the average net paid circulation for each of the four quarters of the year and dividing by four).

(3) *Tonnage equivalent of circulation increase.* Apply, separately, the respective percentages of circulation increase or decrease determined under instruction number 2 to the respective base tonnages determined under instruction number 1 for morning, evening, Sunday or other issues of the newspaper.

(4) *Adjustment of base tonnages.* Adjust the respective base tonnages determined under instruction number 1 by adding or subtracting the number of tons represented by the percentage circulation gain or loss determined under instruction number 3.

(5) *Total adjusted base tonnage.* Total the respective base tonnages for morning, evening, Sunday or other issues of the newspaper determined under instruction number 1. Total the respective adjusted base tonnages for morning, evening, Sunday, or other issues of the newspaper determined under instruction number 4. The larger of these two totals is the publisher's "total adjusted base tonnage" from which the required reductions shall be applied.

(6) *Sliding scale of reductions.* Reduce the total adjusted base tonnage by the following sliding scale of percentage cuts:

(i) Deduct 4% of the amount over 25 tons but not over 125 tons.
(ii) Deduct 8% of the amount over 125 tons but not over 250 tons.
(iii) Deduct 12% of the amount over 250 tons but not over 500 tons.
(iv) Deduct 20% of the amount over 500 tons but not over 1000 tons.
(v) Deduct 24% of the amount over 1000 tons.

(7) *Consumption quota.* The balance remaining after subtraction of the above reductions from the total adjusted base tonnage determined under instruction number 5 is the publisher's consumption quota for the quarter.

(8) *Adjustment for print paper lighter than 32-pound basis weight.* Beginning July 1, 1944, if a publisher orders print paper lighter than 32-pound basis weight, his consumption quota for the current calendar quarter shall be reduced proportionately as follows: First, determine the percentage by which 32-pound paper exceeds such lighter paper in weight. Second, multiply the tonnage of lighter paper so ordered by this percentage. Third, subtract the result from the publisher's consumption quota. For example, if a publisher has a consumption quota of 200 tons and orders 100 tons of 30-pound basis weight paper, his consumption quota shall be reduced by 6⅔ tons, since 32-pound paper is 6⅔% heavier than 30-pound paper.

(9) *Fourteenth Sunday in third quarter of 1945.* Inasmuch as there are 14 Sundays and 78 weekdays in the third quarter of 1945, compared with 13 Sundays and 79 weekdays in the third quarter of 1941 and 1944, the publisher of a daily and Sunday newspaper may increase his consumption quota in the third quarter of 1945 by the excess of his average Sunday use of print paper in the third quarter of 1944 over his average weekday use of print paper in the third quarter of 1944. The publisher of a newspaper issued only on Sundays may increase his consumption quota in the third quarter of 1945 by one-thirteenth of his allowable use of print paper in the third quarter of 1944. No publisher may increase his delivery quota because of any additional tonnage he may use for the fourteenth Sunday in the third quarter of 1945.

(l) *Carry-over.* If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, or in any calendar quarter after that, he may add this tonnage to his consumption quota but not to his delivery quota, in any succeeding quarter. This paragraph does not apply to the print paper which a publisher is permitted to use under paragraph (m) (2).

(m) *Consumption quotas for certain types of newspapers.* Excepted from the provisions of paragraph (k) are certain types of newspapers described in this paragraph (m), whose consumption quotas shall be computed as follows:

(1) *Special types of newspapers.* Any newspaper containing the equivalent of 8 standard-size pages or less which is authorized to be admitted to the mails as second-class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39, U. S. C., sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical, and scientific organizations and societies shall have a consumption quota of print paper in any calendar quarter equal to either:

(i) Its quarterly consumption of print paper in any one of the first three calendar quarters of 1944; or

(ii) Its consumption of print paper in the corresponding calendar quarter of 1943. If the publisher selects this latter method in any calendar quarter, he may increase his consumption quota in that quarter by that percentage by which the average number of copies per issue in the third quarter of 1944 exceeds the average number of copies per issue in the corresponding calendar quarter of 1943. For example, if a newspaper's consumption of print paper in the first quarter of 1943 was 5 tons with an average press-run in that quarter of 5,000 copies per issue, and its average press-run in the third quarter of 1944 was 6,250 copies per issue, his consumption quota for the first calendar quarter of 1945 is 6¼ tons.

(2) *Small newspapers.* Any person may use or cause to be used in the publication of a newspaper during any calendar quarter a tonnage of print paper equal to 1¼ tons multiplied by the number of days per week on which the newspaper is published. For example, any person may use 1¼ tons of print paper per calendar quarter for the publication of a weekly newspaper, 2½ tons per calendar quarter for the publication of a semi-weekly newspaper, etc. It makes no difference whether he used that much paper, or any paper, in the publication of a newspaper during any previous period.

(3) *Other newspapers using less than 25 tons per quarter.* If, prior to October 1, 1944, a publisher used less than 25 tons of print paper per calendar quarter for civilian readers (whether or not he used additional paper for military readers), his total quarterly consumption quota for all types of readers shall be computed as follows:

(i) Ascertain the total number of copies of all issues printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(ii) Ascertain the average number of pages per issue printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(iii) Multiply the highest quarterly figure determined under subdivision (i) by the highest quarterly figure determined under subdivision (ii). The weight of paper required to produce this number of pages is the publisher's quarterly consumption quota; *Provided, however,* That if this figure is in excess of 25 tons, the publisher shall be limited to 25 tons per quarter plus the tonnage in excess of 25 tons which he used for military circulation in the third quarter of 1944.

(n) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing "servicemen's", "overseas", "pony", or other condensed editions of newspapers which will be furnished to United States Armed Forces personnel overseas.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in such editions acquired by the Army and the Navy for distribution outside the continental limits of the United States. This allotment does not cover purchases of newspapers by military exchanges or service departments as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All newspapers sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

Delivery Quota

(o) *Computation of delivery quota.* In June 1945, and in each calendar month after that, no publisher may order or accept delivery of print paper in excess of his monthly delivery quota, which shall be computed in accordance with the following instructions:

(1) *Monthly base.* Total the publisher's consumption quotas for the first and second quarters of 1945 and add the exquota tonnage, if any, which may have been granted on appeal for the first quarter of 1945. Divide by 6. Add ⅓ of the exquota tonnage, if any, which may have been granted on appeal for the second quarter of 1945. (Do not add any carry-over from preceding quarters.)

(2) *Inventory ceiling.* The above amount shall be reduced accordingly if a publisher's inventory is, or by virtue of such order or acceptance will become, on June 30, 1945, greater than: (i) 30 days' supply for publishers in the states named in List A, (ii) 50 days' supply for publishers in the states named in List B, or (iii) 60 tons for publishers who would be limited to a smaller amount by subdivision (i) or (ii) above.

List A

Connecticut.	Nebraska.
District of Columbia.	New Hampshire
Delaware.	New Jersey.
Illinois.	New York.
Indiana.	North Dakota.
Iowa.	Ohio.
Kansas.	Pennsylvania.
Kentucky.	Rhode Island.
Maine.	South Dakota.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia.
Minnesota.	Wisconsin.
Missouri.	

List B

Alabama.	Nevada.
Arizona.	New Mexico.
Arkansas.	North Carolina.
California.	Oklahoma.
Colorado.	Oregon.
Florida.	South Carolina.
Georgia.	Tennessee.
Idaho.	Texas.
Louisiana.	Utah.
Montana.	Washington.
Mississippi.	Wyoming.

(3) *Exclusions.* In computing the maximum tonnage which a publisher may have in his inventory, he shall exclude any less-than-quota savings under his consumption quota carried over from previous quarters. He shall also exclude print paper which he has received by Great Lakes or coastal water-borne shipments; provided on May 1 of any calendar year he shall have on hand or available for use not more than (i) a 30 days' supply if he is located in one of the states named on List A above, or (ii) more than a 50 days' supply if he is located in one of the states named in List B above and provided further that no publisher may order or accept delivery of a total amount of print paper by water, rail or otherwise in any calendar year (including both the open and closed navigation seasons) in excess of his delivery quota for that calendar year.

(4) *Computation of rate of consumption.* The number of days' supply shall be computed at the average daily rate of allowable consumption for the first six months of 1944.

(5) *Fractional carloads.* If a publisher's delivery quota for any month is less than one carload, he may nevertheless order and accept, in that month, up to one full carload. If a publisher's delivery quota for any month is a whole number of carloads plus a fraction of another carload, the fraction may be added to his delivery quota for any succeeding month.

(6) *Transit damage.* If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable in publishing his newspaper, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may increase his delivery quota (but not his consumption quota) in the same or any subsequent month by an amount sufficient to replace such paper. It is immaterial whether or not the publisher is reimbursed for the destroyed or damaged paper by the shipper, the carrier, or an insurance company. It is also immaterial whether or not the publisher salvages all or part of the damaged paper for use other than in publishing his newspaper.

(7) *Report on transit damage.* Any publisher who increases his delivery quota to replace destroyed or damaged print paper in accordance with subparagraph 6 above shall, within 15 days after placing the order for such replacement, file a letter with the War Production Board stating the number of tons comprising the publisher's delivery quota for that month, the number of tons destroyed or damaged, the manner in which such print paper was rendered unfit for use in publishing his newspaper, and the number of tons ordered in excess of his delivery quota. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(p) *Exceptions.* Permission to order or accept delivery of print paper in excess of the tonnage allowed under paragraph (o) may be granted by the War Production Board upon a written request for specific authorization stating the number of tons and the number of days' supply of print paper which the publisher has in inventory, the number of tons comprising his delivery quota, the number of additional tons he desires to order and accept, and the reasons why the denial of the request would create undue hardship.

(q) *Certification.* No mill or other supplier may sell or deliver to any person, and no person may accept, any print paper for use under Order L-240 except on a delivery order bearing or accompanied by a certification substantially in the form set forth below. This certification must be signed manually or as provided in Priorities Regulation No. 7 by the purchaser or by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (a) of the U. S. Criminal Code, to the seller and to the War Production Board: (a) that he is permitted to place this delivery order and to accept the print paper ordered; (b) that the print paper will be used or delivered, or that it is required to replace in inventory print paper

previously used or delivered, under War Production Board Order L-240.

The above certification must be placed on, or must accompany, each delivery order placed by any person for print paper to be used under Order L-240, and the certification provided for in Priorities Regulation No. 7 may not be used in its place.

(r) *Copies of orders.* On and after March 1, 1944, the publisher of every newspaper which consumes 25 tons of print paper or more in any calendar quarter shall file with the War Production Board copies of all orders for the delivery of print paper placed by him or for his account. Such copies must be mailed within three days after the orders are placed. On or before March 15, 1944, every such publisher shall mail to the War Production Board copies of all orders for the delivery of print paper placed by him or for his account since January 1, 1944. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(s) *Intra-company transfers.* The foregoing restrictions apply not only to deliveries from one person to another, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

Miscellaneous Provisions

(t) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported to the War Production Board by letter within 15 days after the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement 1 to the order. Regardless of the provisions of Priorities Regulation 16 no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(w) *Communications to the War Production Board.* All reports required to be filed hereunder, requests for specific authorization, appeals and other communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240.

(x) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Dec. 24, 1943.

INTERPRETATION 2: Revoked Dec. 24, 1943.

INTERPRETATION 3: Revoked Dec. 24, 1943.

INTERPRETATION 4

TRANSIT DAMAGE

Paragraph (f) of Order L-240 states in part: "Transit damage shall not be included in a publisher's 'use' of print paper." This provision which was inserted in the order on December 24, 1943, merely explained, and did not change, the existing rule.

At all times since the issuance of Order L-240 on December 31, 1942, a publisher has been obliged to charge against his consumption quota only the print paper which was actually "used" in publishing his newspaper; print paper which was destroyed or damaged in transit need not be charged against the publisher's consumption quota to the extent that such print paper was rendered unusable in the publication of his newspaper. However, at all times since the issuance of Order L-240 on December 31, 1942, production waste has been included in the tonnage of print paper which is "used" in publishing a newspaper. (Issued Oct. 30, 1944.)

[F. R. Doc. 45-9456; Filed, May 31, 1945; 4:28 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 71]

OPERATIONS OF STEEL PRODUCERS AFTER JULY 1, 1945

The following direction is issued pursuant to Controlled Materials Plan Reg. 1:

(a) *General.* The amendment to CMP Regulation 1, dated May 10, 1945, defines unrated orders and authorizes their acceptance by producers for delivery of steel July 1 and later. Priorities Regulation No. 27, also dated May 10, 1945, tells how a small manufacturer may purchase steel by the use of the Z-3 allotment symbol. Orders placed with the Z-3 allotment symbol are authorized controlled material orders and are handled in accordance with Direction 54 to CMP Regulation 1. These changes in War Production Board regulations necessitate certain changes in the rules applicable to operations of producers, which are outlined below.

(b) *Steel for further conversion.* (1) Effective July 1, 1945, a producer may use the symbol FC-1 only to replace steel of the same product group listed in Schedule 1 that was used as conversion material to fill authorized controlled material orders, excluding orders bearing the Z-3 allotment symbol. A producer may use the allotment symbol FCZ to obtain conversion material of the same product group listed in Schedule 1 needed to fill orders bearing the Z-3 allotment symbol. Orders placed with the allotment symbol FCZ are deferrable authorized controlled material orders and must be handled in accordance with Direction 54 to CMP Regulation No. 1. A producer must use the allotment symbol FCN to order steel on an unrated basis as conversion material to fill unrated orders.

(2) *Cancellation of FC allotments.* The War Production Board will no longer issue FC allotments to steel producers not operating under production directives for steel for further conversion as the result of applications received on Form CMP-4B under CMP Regulation 8 and all such allotments for the third calendar quarter of 1945 and thereafter are hereby cancelled.

(3) *Producers not under production directives.* A producer not operating under production directives may use the FC-1 allotment symbol to replace conversion material used in filling authorized controlled material orders as follows:

For delivery during the month of July, 1945, a producer may use the FC-1 allotment symbol to place orders for carbon and alloy steel interchangeably for further conversion equal to the tonnage procured from other producers by extension of the FC symbol and used by him in filling authorized controlled material orders shipped by him in April. Similarly, August purchase authorizations may be equal to the tonnage used in filling authorized controlled material orders shipped in May. The same sequence shall be followed for future months; that is, conversion material used for filling authorized controlled material orders for the third Prior month constitute purchase authority to place "FC-1" orders in any one month. In determining the tonnage to be replaced by the use of the FC-1 allotment, orders bearing allotment symbol Z-3 shall not be considered as authorized controlled material orders. Conversion steel needed to fill orders bearing the allotment symbol Z-3 may be obtained through the use of the allotment symbol FCZ.

(4) *Producers under production directives.* The production directives under which certain producers operate will be adjusted to reflect only the order load of authorized controlled material orders. To the extent required to meet their order book pattern of authorized controlled material orders (excluding orders bearing the Z-3 allotment symbol) producers will be given specific allocations of steel for further conversion on Series B allocations, Form GA-193, which authorizes the use of symbol FC-1. Since Z-3 allotments are deferrable, FC-1 allocations will not include tonnage to fill such orders. Producers will receive instructions how to show in report form WPB-2848 the extent to which Z-3 orders are included in their order acceptance records. (FC-1 allocations will accordingly be adjusted by that amount.) A producer may use the allotment symbol FCZ to obtain conversion material needed to fill an order bearing a Z-3 allotment symbol.

When the supply-demand situation indicates production directives on a specific product may be eliminated, FC-1 Allocations for that product will be cancelled and the producer now obtaining conversion steel through allocation will thereafter operate in the same manner as other producers under paragraph (b) (3).

(5) An order with the FC-1 symbol is an authorized controlled material order and must be accepted as required by CMP Regulation 1. A producer receiving any "Further conversion" order must report it under the appropriate FC symbol on his WPB-2633 report of shipments. When resold by the purchasing producer, the material must be recorded on his WPB-2633 reports of shipments under the appropriate allotment symbol furnished by his customer. The material will be considered as part of the production of both producers. An order placed pursuant to an allocation on Form GA-193 must be endorsed in accordance with instructions on that form.

(c) *Warehouse load directives.* Most warehouses load directives will continue in effect

at least until September 30, and producers may, pursuant to Direction 3 to Order M-21, accept unrated orders as well as authorized stock replacement orders within the load directive. However, the producer must remove unrated orders to make space available for authorized stock replacement orders as received. After the expiration date of the space reservation, unrated orders accepted from distributors within the load directive have the same status as unrated orders accepted from users of steel and must be set back when it is necessary to accept authorized controlled material orders either from warehouses or from users of steel.

(d) *Acceptance of orders.* (1) All steel producers may accept unrated orders without limit, but authorized controlled material orders, including Z-3 and FCZ orders, must be accepted in accordance with CMP Regulation 1. A producer will continue to accept orders by month of delivery and fill them in accordance with CMP Regulations.

(2) Production directives wil be related to the available capacity in the case of tight items. Should a producer desire to accept additional authorized controlled material orders which can be filled in the month required, he may request the War Production Board to increase his production directive.

(3) It is not permissible for a producer to fill unrated orders at the expense of authorized controlled material orders. When the demand is heavy for a specific steel product a producer must fill authorized controlled material orders to the extent of his available capacity and in the case of a producer who has a production directive the excess demand must be handled on the basis of increases in production directives rather than by over-acceptance of orders.

(e) *Orders superseded.* This direction supersedes paragraph (a) (2) of Direction 6 to CMP Regulation 1.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9513; Filed, June 1, 1945; 11:39 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended June 1, 1945]

TEXTILE BAGS

Section 3270.23 *Conservation Order M-221* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States, has created a shortage in the supply of new and used textile bags for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3270.23 *Conservation Order M-221*—(a) *What this order does.* This order places limitations on the manufacture, delivery and use of textile bags. There are various restrictions on bag makers, such as the requirement of standard size bags for packing certain commodities (paragraph (e)). The bag makers' inventories of cotton textiles are also restricted (paragraph (c)). There are also various general restrictions on the delivery and use of new and used textile bags, such as the prohibition against converting and delivery of new and used textile bags (paragraphs (j) (1) and (j) (2)), and the requirement on the users' inventories of such bags (paragraphs (k) (1) and (k) (2)). There are also special restrictions on the use of new textile bags such as requirements that only certain products may be packed in such bags (paragraphs (n) and (o)). There are also certain special restrictions covering used textile bags, such as requirements on commercial emptiers with respect to the time limit on holding empty bags (paragraph (s)).

(b) *Definitions.* Wherever used in this order: (1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and manufactured of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton or twisted paper yarns, but excepting bags made from flannel, shopping bags, carry-out bags and combination textile paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or fabric has been previously used.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) "Commercial emptier" means any person who, in the preceding three months, acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the United States (the 48 states, the District of Columbia, the territories, the island possessions of the United States and the Panama Canal Zone).

(9) "Agricultural products" includes, but is not limited to, beans; chocolate; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

(10) "Wool bags" mean any new or used textile bag made of burlap between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a "wool bag" when it is no longer capable of carrying any of the following: Fleece wools, grease wools, pulled wools, scoured wools, noils, wool wastes or mohair.

RESTRICTIONS ON BAG MAKERS

(c) *Inventories of cotton textiles.* In addition to the restriction on the inventories of cotton textiles in Order M-317, no bag maker shall accept delivery of any cotton textiles as defined in Order M-317 which will increase his inventory of such cotton textiles to more than his reasonable requirements for the next 60 days, except that whenever such inventory is less than a 60-day supply, he may accept the minimum delivery customarily required by his supplier. For the purpose of this paragraph, a bag maker shall be deemed to "accept delivery" of such cotton textiles when he either takes legal title to such textiles or physical possession or control of them (whichever event occurs first) except that he may exclude from his inventory those textiles which are in transit to him or in transit to the finisher for his account. However, in addition to the above inventory restrictions, a bag maker's inventory as defined above plus such cotton textiles in transit to him or in transit to the finisher for his account must not exceed at any time his reasonable requirements for the next 90 days.

(d) *Rules applicable to inventory restrictions.* All bag makers owned or controlled directly or indirectly by the same person shall be deemed to be a single bag maker for the purpose of applying the inventory restrictions of this order. Any bag maker who accepts cotton textiles at more than one plant must apply the inventory restrictions of this order to the collective operations of all its plants. In the case where a bag maker is also engaged in the business of manufacturing cotton textiles, the inventory restrictions of this order shall apply to such a bag maker as if his operations as a bag maker are done by a separate person.

(e) *Bag sizes for certain commodities.* Except for bags to be exported, empty or filled, no bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs., or in any of the sizes specified below for that commodity.

Commodity	*Bag size (net weight capacity unless otherwise specified)*
Beans	2-5-10-25-50-100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat)[1]	2-5-10-25-50-100 lbs.
Meal	2-5-10-25-50-100 lbs.
Plaster (gypsum)	2-5-10-25-50-100 lbs. (gross weight).
Potatoes[2]	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill)	2-5-10-25-50-100 lbs.
Rice	2-3-5-10-15-25-50-100 lbs.
Salt	2-4-10-25-50-60-100 lbs.
Seeds	2-5-10-25-50-100 lbs. 1, 2 bu.[3]
Starch (corn)	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet)	2-5-10-25-50-100 lbs.

[1] "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, promated, enriched, phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

[2] These restrictions do not apply to open mesh bags used for packing potatoes.

[3] Additional sizes are permitted as follows: 8 lb. or ½ bu. of hybrid seed corn; 3 bu. for cotton seed.

(f) *Other prohibitions on bag makers*—(1) *Jeans.* No bag maker shall use cotton fabrics known as "Jeans" (CPRB Class 16A) for any other purpose than for making bags to pack Silica Jel or other desiccants.

(2) *False seams.* No bag maker shall manufacture any new textile bag in a manner that wastes materials, as for example, with a false seam that enables the bag to be packed with a lesser amount of any commodity than the bag would hold if there were no false seams.

(3) *Overstitching.* No bag maker shall overstitch the raw edges or selvage edge of any new cotton textile bag.

RESTRICTIONS ON DELIVERY OR USE OF NEW OR USED TEXTILE BAGS

(g) *Joint responsibility.* No person shall sell or deliver cotton textiles or new or used textile bags which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(h) *Use of preference rating*—(1) *Bag makers.* A bag maker obtains his burlap for the manufacture of textile bags under the provisions of Order M–47 which allocates certain quantities of burlap to him, and no preference ratings are needed by him for such purchases. A bag maker is entitled to a preference rating of AA–2X for purchasing certain cotton textiles for the manufacture of textile bags under the provisions of Order M–317 and M–317A.

(2) *Users of textile bags.* No preference rating shall be applied or extended to obtain delivery of new or used textile bags, except a rating which has been specifically assigned for textile bags by the Army, Navy, Maritime Commission or War Shipping Administration (including persons who have been specifically assigned ratings by the Maritime Commission on Form WPB–646) for the direct or ultimate delivery of such bags either filled or empty to them.

(i) *Bags to be fully packed.* No user (excluding the Army and the Navy) shall use a new or used textile bag that is larger in size than the bag customarily used by the trade for packing the number of pounds of the commodity that he is packing.

(j) *Converting or delivery of bags*—(1) *Converting.* No person shall commercially convert any new or used jute, burlap, or cotton textile bag into an article for any other use while it has a commercial use as a bag, with or without mending.

(2) *Delivery.* No bag maker, user, dealer or commercial emptier shall deliver any new or used jute, burlap or cotton textile bag, if he knows or has any reason to believe that such bags will be used for any purpose other than as a bag, while such bag has a commercial use as a bag, with or without mending. This restriction shall not apply to used cotton liners.

(k) *Users' inventories*—(1) *New textile bags.* No user shall accept delivery of or have set aside for his account, any new textile bags which will increase his inventory of new textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for packing the commodities which are permitted to be packed in such bags by this order. Except in the case of bags required by a user for packing a seasonal commodity, (whether or not produced by him) (see Interpretation 1A to Priorities Regulation 1) such inventory shall not exceed the aggregate number of new empty textile bags which will be required to carry on his business during the next sixty days.

(2) *Used textile bags.* No user shall accept delivery of, or have set aside for his account, any used textile bags which will increase his inventory of used textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal commodity (whether or not produced by him) (see Interpretation 1A to Priorities Regulation 1) such inventory shall not exceed the aggregate number of used empty textile bags which will be required to carry on his business during the next sixty days.

(l) *Use of wool bags.* Wool bags shall be used only for packing or wrapping wool or wool products.

(m) *Mohair bags.* No user shall use any new or used textile bags for packing mohair, unless the word "mohair" appears in legible type on both sides of the bag.

SPECIAL RESTRICTIONS ON NEW TEXTILE BAGS

(n) *Products permitted for new burlap bags.* No person shall use any new textile bag made of burlap for packing fertilizer, fish meal, fish scrap, tankage, meat scraps or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; crushed oyster shells; meat; mohair; petroleum waxes; stearic acid; wool or wool products; or chemicals for export. These restrictions do not apply to surplus new military sand bags which may be used to pack any product. Also, the above prohibition against using a new burlap bag to pack fertiliser shall not apply to new burlap textile bags which were in process of manufacture on or before June 1, 1945.

(o) *Products permitted for new cotton bags and open mesh bags made of cotton or twisted paper yarn*—(1) *Permitted products.* No user shall use any new textile bag made of cotton or open mesh bag made of cotton or twisted paper yarn for packing fish meal, fish scrap, tankage, meat scraps, or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; chemicals; cements; coins; currency; fertilizer; glue; gypsum; malt; meat; paste; plaster; samples; sand; securities; shell fish; small parts; tire chains; or such other uses as may be authorized by the War Production Board in writing pursuant to paragraph (o) (2) below.

(2) *Applications.* Applications for such authorizations should be made on Form WPB–1319, which is to be filed in accordance with the instructions for its use. Applications will be considered only on the basis of the essential need for new bags, the availability of the supply, and the availability of used bags or substitute containers. The application form and the instructions may be obtained at all War Production Board offices.

(p) *Certification.* No person shall sell or deliver any new textile bags in quantities of over 1,000 unless he has received from the purchaser a certificate signed manually or as provided in Priorities Regulation 7. This certificate shall be in substantially the following form, and once filed by a purchaser with a supplier covers all future deliveries from the supplier to that purchaser:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M–221 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order as amended from time to time.

The standard certificate provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the above certificate nor may the certificate be waived in accordance with paragraph (f) of that regulation.

SPECIAL RESTRICTIONS ON USED TEXTILE BAGS

(q) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or for delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further reuse.

(r) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(s) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal amount of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal reuse.* If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restrictions of paragraph (k) (2) above.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

GENERAL EXCEPTIONS

(t) *Bags for certain Government agencies.* The provisions of this order (except paragraphs (c), (d), and (h) (2)) shall not apply to (1) textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of the Government agencies or persons listed below, or (2) textile bags for delivery of a product for the account of any of the agencies or persons listed below, provided the packing specifications call for textile bags, or (3) the purchase, acceptance, use or export of textile bags by these agencies or persons: Army, Navy, United States Post Office, Federal Reserve System, United States Treasury Department, any agency procuring for delivery pursuant to the act of Congress of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), Veterans' Administration and Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon and other persons whose purchase orders bear a preference rating for textile bags assigned by the Maritime Commission under Form WPB–646 (formerly PD–300)).

(u) *Export of empty bags.* No permission from the War Production Board is necessary to export empty new or used textile bags. The War Production Board has assigned an export quota to the Foreign Economic Administration and no person is permitted to export such bags to any destination other than Canada unless authorized by the Foreign Economic Administration. Application for export licenses should be sent to the Foreign Economic Administration, Bureau of Supplies, Requirements & Supply Branch, Washington 25, D. C. General information and instructions for export are contained in the Comprehensive Export Schedule issued by the Foreign Economic Administration.

(v) *Exception for mailing bags.* The provisions of this order (except paragraphs (c), (d), (h) (2)) shall not apply to any textile bag which is purchased or used for commercial shipment of articles in the United States mails. In any case where a textile bag which was purchased for such mailing purposes is not used for these purposes, then the use of the bag is subject to the provisions of this order.

MISCELLANEOUS PROVISIONS

(w) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref: M–221.

(aa) *Appeals.* Appeals from Order M–221 shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: M–221. The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in excessive and individual hardship, and such other statistical and narrative information as may be pertinent.

(bb) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(cc) *Budget approval.* The application and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(dd) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction, may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–9509; Filed, June 1, 1945; 11:30 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L–303, as Amended June 1, 1945]

METAL INSECT SCREEN CLOTH

The fulfillment of requirements for the defense of the United States has created a shortage of materials, facilities, manpower and transportation for the manufacture and delivery of metal insect screen cloth for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.26 *General Limitation Order L–303*—(a) *Purpose of the order.* Because of the tremendous demands of the military and allied agencies for insect screen cloth, the importance of this product to the health and welfare of the civilian economy, and the inadequacy of present production to supply military and essential civilian needs, this order places certain restrictions on the manufacture and distribution of metal insect screen cloth. It authorizes the War Production Board to schedule deliveries and to direct transfers and changes in delivery schedules. It also requires metal insect screen cloth producers to file reports.

(b) *Definitions.* For the purpose of this order:

(1) "Metal insect screen cloth" means a fabric of woven wire designed and constructed primarily for installation in an opening or passageway of a building or structure for the purpose of preventing the entrance of insects.

(2) "Producer" means a person who weaves metal insect screen cloth.

(3) "Distributor" means any person who buys metal insect screen cloth direct from a producer for sale in full rolls or cut lengths.

(4) "Screen products" means window screens, screen doors, combination storm and screen sash or doors.

(5) "Essential civilian users" means any of the following:

(i) Hospitals, nurses' homes, health centers, asylums or other institutions for the care of the mentally or physically sick.

(ii) Institutions, other than named in (i), public or private including but not limited to schools, colleges, libraries, welfare establishments and churches (only for kitchens, dining rooms, sick rooms, laboratories or toilets).

(iii) Milk or food processing plants and establishments (only for those parts of the buildings where the processing occurs).

(iv) Establishments such as restaurants and retail stores where milk or food is served or sold.

(v) Public transportation and utilities (only for eating places, toilet rooms, laboratories, switchboard and control rooms and towers, and work cars).

(vi) Industrial operations (only as part of the equipment used in the industrial operations where substitute materials cannot be used, for example as a strainer or sieve, but not for use as a component part of products made in such industrial operations).

(c) *Simplification and standardization.* (1) No producer shall weave or fabricate any steel insect screen cloth except in conformity with the type, mesh, finish, diameter and widths established by Schedule I of this order.

(2) Notwithstanding the provisions of paragraph (c) (1) above, steel insect screen cloth may be woven or fabricated without conforming to the type, mesh, finish, diameter or widths specified in Schedule I if such cloth or screen products are required to fill an order actually on hand for delivery (i) to or for the account of an agency or government named in § 944.1, paragraph (b) (1) or (b) (2) of Priorities Regulation 1, or (ii) under an export license issued by the Foreign Economic Administration or for the account of the United Nations Relief and Rehabilitation Administration.

(d) *Reports and authorizations*—(1) *Monthly.* On or before the 10th day of each month, every producer shall file Form WPB–4062, showing the producer's shipments of metal insect screen cloth during the preceding month, unfilled orders, total orders received and the other data prescribed by that Form WPB–4062, in accordance with the instructions furnished with the form.

(2) *Quarterly.* For each calendar quarter every producer shall file Form WPB–4062 on or before the 10th day of the month immediately preceding the calendar quarter covered by the report Form WPB–4062. This form shall be prepared in accordance with the instructions furnished with it, and after this form has been processed by the War Production Board a copy will be returned

to the producer prior to the 1st day of the calendar quarter succeeding such filing, showing the deliveries he is authorized to make.

(e) *Restrictions on delivery by producers.* (1) No producer shall deliver metal insect screen cloth except in accordance with the delivery schedule which the War Production Board has determined for him and authorized on Form WPB-4062. This form will indicate the quantities of metal insect screen cloth which a producer is authorized to deliver on orders for the following classes:

Orders for the Military, bearing the symbol W, O, N, C, or M, or the project serial number for a Veterans Administration project. (See paragraph (h).)
Orders bearing the symbol E or L.
Orders bearing the symbol H.

All other orders bearing WPB symbols or preference ratings except those symbols indicating that the material is to be used for MRO supplies.

Moreover, no producer shall deliver metal insect screen cloth on unrated orders.

(2) *Sequence of deliveries by producers.* All deliveries must be made in accordance with Priorities Regulation 1 except, of course, a producer shall not deliver to purchasers in any one of the classes referred to in paragraph (e) (1) more than the amounts authorized for that class on Form WPB-4062.

(f) *Distribution of metal insect screen cloth to civilian users.* It is the policy of the War Production Board to grant priorities assistance to channel metal insect screen cloth to essential civilian users as defined in paragraph (b) (5), in the manner explained below.

(1) *Distributors.* Distributors may use Form WPB-547, filed in accordance with instructions on that form. Granting of preference ratings on WPB-547 applications for metal insect screen cloth to replenish stock will be subject to the available supply for this purpose.

Distributors receiving orders from essential civilian users, either directly or indirectly, should list in their application the name and address of each essential civilian user ordering one roll or more of metal insect screen cloth, indicating for each user the quantity ordered or shipped, and the class of essential civilian user as defined in paragraph (b) (5).

A distributor may also extend the preference rating of his customer and may further identify his orders by placing on them the appropriate identification (such as CMP allotment symbols) which appeared on the orders of his customers; he must do so when he requests the producer to make shipment directly to the customer of the distributor.

(2) *Direct purchasers from producers.* The War Production Board will generally assign preference ratings on Form WPB-541 to purchase metal insect screen cloth only to essential civilian users who bought 75% or more of their metal insect screen cloth directly from a producer in the year 1941 or in any previous year. An applicant who files Form WPB-541 should state whether he purchased more than 75% of his metal insect screen cloth directly from a producer in 1941 or an earlier year. If he did not purchase metal insect screen cloth before 1942, he should give full information why he is unable to purchase it from dealers or distributors.

(3) *MRO ratings.* Blanket MRO ratings (as defined in Priorities Regulation 3) may not be applied to get metal insect screen cloth. No person shall give any effect to any rating applied to his deliveries of metal insect screen cloth if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for metal insect screen cloth shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get metal insect screen cloth for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(4) The War Production Board generally will not grant priorities assistance to get metal insect screen cloth to any person who is not an essential civilian user.

(g) *Screen products manufacturers.* A manufacturer of screen products as defined in paragraph (b) (4), who has obtained a preference rating as a result of filing Form CMP-4B or Form WPB-2613, or who has the right to extend his customer's preference rating to get metal insect screen cloth may not receive from all sources more metal insect screen cloth for making screen products than has been authorized by the War Production Board on Form WPB-4079. This form must be filed with the War Production Board Lumber and Lumber Products Division, Washington 25, D. C. When a manufacturer of screen products purchases metal insect screen cloth in accordance with an authorization on Form WPB-4079, he shall state in writing on his order "Authorized on Form WPB-4079, Serial No. ----, for the ---- quarter" (specifying which quarter). Authorization on Form WPB-4079 does not of itself give the applicant a preference rating under Priorities Regulation 1. Screen cloth obtained under an authorization given on Form WPB-4079 may be used only for the manufacture of screen products.

(h) *Identification of purchase orders.* Orders originating with one of the following agencies will bear the identifying symbol: War Department (W) or (O), Navy Department (N), ARCO (C), Maritime Commission (M), War Shipping Administration (M), or containing a preference rating which has been assigned on Form WPB-646, Veterans Administration,[1] Foreign Economic Administration (E) or (L), or National Housing Agency (H). In the case of the Veterans Administration the purchase order must be directly from the Veterans Administration, or from a person doing construction work for the Veterans Administration, and in the latter case it must show the project serial number assigned by the War Production Board on Form GA-1456.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal. Such appeals shall be filed with the War Production Board, Building Materials Division, Washington 25, D. C.

(k) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board as amended from time to time, except as herein otherwise provided.

(l) *Reports.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Routing of correspondence.* All reports required by this order and all communications concerning this order, unless otherwise directed herein, shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: L-303.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[1] The Veterans Administration is not a claimant agency and has no allotment symbol under CMP Regulation 1.

SCHEDULE I

NOTE: Schedule I amended June 1, 1945.

Type wire	Mesh (per inch)	Finish	Diameter of wire[1]	Widths[2]
Low carbon steel	12 x 12	Painted	.0110	24", 26", 28", 30", 32", 36", 42", 48"
	16 x 16[3]	Painted or galvanized	.0110	24", 26", 28", 30", 32", 36", 42", 48"
	18 x 14	Painted or galvanized	.0110	24", 26", 28", 30", 32", 36", 42", 45"

[1] Two different sizes of warp and filler wires, approximately the same, having the average diameter of .0110 inch, shall be permitted. Permissible tolerance in wire diameter shall be .0005 inch.
[2] Non-conforming widths are permitted to fill an order or orders for a minimum production run of not less than 4000 linear feet of any one width.
[3] 16 x 16 may be manufactured until July 1, 1945, but not after that date.

[F. R. Doc. 45-9511; Filed, June 1, 1945; 11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-91, as Amended June 1, 1945]

COTTON DUCK

§ 3290.56 *Conservation Order M-91.* (a) (1) "Cotton duck" means cotton fabrics commonly known by that name, in any weight, 15 inches or wider, in the grey, bleached, dyed, printed or proofed state, including but not limited to the following types:

(1) Army duck (including woven awning stripe)
(2) Breaker duck (breaker fabric) including plain weave (cider-press) and leno weave
(3) Bootleg duck (boot duck)
(4) Chafer duck (chafer fabric) including single and plied yarn
(5) Flat duck, whether single or double filled, including enameling duck, gem duck, ounce duck and wagon cover duck
(6) Filter duck and filter twill
(7) Harvester duck
(8) Hose and belting duck
(9) Laundry duck, including apron duck and cover duck
(10) Numbered duck, including wide or sail, and narrow or naught
(11) Shelter tent duck
(12) Shoe duck

(2) "Producer" means a producer of cotton duck.

Restrictions

(b) No producer shall deliver cotton duck even though he receives a rated order, unless:

(1) It is to fill a direct order or contract (not including subcontracts) with the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration; or

(2) It is numbered duck, filter duck or filter twill produced on looms which on April 7, 1944 were producing or were assigned to produce cotton duck for manufacture into items listed on Schedule A, and the purchaser states in writing that it will be used for that purpose (Authorization to deliver other types of cotton duck may be granted on written application when specifications of the Army or Navy of the United States or the Maritime Commission require other types), or

(3) The producer is authorized, after application by him on Form WPB-678 (formerly PD-329), to deliver it for specified purposes. Deliveries of cotton duck, when so authorized, shall be made by such producer as nearly as possible pro rata to purchasers of cotton duck from him for the specified purposes during the year 1943, and only to purchasers who certify that the cotton duck will be used only for the purposes specified in the authorizations; or

(4) The purchaser is authorized, after application by him on Form WPB-678 (formerly PD-329) to accept delivery of cotton duck. However, no purchaser needing cotton duck for direct or ultimate delivery to, or for incorporation into any material to be delivered directly or ultimately to the Army or the Navy of the United States, the Maritime Commission or the War Shipping Administration, will be authorized to buy it unless, before filing his application with the WPB on Form 678, he has first made application for the necessary duck to the agency whose prime contract is to be filled or to the Office of the Quartermaster General, Washington, D. C., and accompanies his application to the WPB with a letter from such agency or the Office of the Quartermaster General refusing the delivery requested; or

(5) It has been rejected in writing by both the Army and Navy of the United States; or

(6) It is in lengths not exceeding ten yards produced in the ordinary course of manufacture; or

(7) [Deleted Sept. 14, 1944.]

(8) [Deleted Sept. 14, 1944.]

(c) No producer who has any loom designated for but not needed to fill orders for cotton duck for manufacture into items listed on Schedule A, shall use such looms except for deliveries to the Army or Navy of the United States. Not withstanding any contract or purchase order made with the Army or Navy of the United States for the production of such looms, the War Production Board may at any time direct that the production of such looms shall be delivered solely or to the extent designated for manufacture into items listed on Schedule A.

(d) No industrial consumer shall:

(1) Accept delivery in a calendar month of cotton duck designated for Schedule A items, in excess of 1/12 of the yards or pounds (whichever is the standard unit of purchase) which such person put into process in 1941 for the manufacture of such items. (The fact that cotton duck for the manufacture of items on Schedule A is needed for the delivery to the Armed Services or to persons producing for the Armed Services does not permit any industrial consumer to accept more cotton duck under paragraph (b) (2) than is permitted by paragraph (d) (1).)

(2) Accept delivery of Schedule A items, unless required by him within sixty days after receipt for actual use or resale in the 48 states (or within ninety days after receipt for actual use or resale outside the 48 states) or to enable him to have minimum spare materials in stock as a reserve for emergency breakdown.

(e) (1) No producer shall manufacture any cotton duck on looms which on April 7, 1944 were operating on or were assigned to produce cotton duck for incorporation into any item on Schedule A, except cotton duck for incorporation into Schedule A items, or for delivery to the Army or Navy of the United States to the extent permitted by paragraph (c).

(2) Every producer of cotton duck shall operate each of his looms suitable for the production of Army Duck (8 oz. on a 28½" width basis, and heavier), Numbered Duck, Flat Duck (12.10 oz. per square yard, and heavier), Shelter Tent Duck, Hose and Belting Duck and Chafer Fabric, single or ply, at least as many hours per week as the loom which is operated the most hours per week in his plant.

General Provisions

(f) All communications concerning this order shall, unless otherwise directed in writing, be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25; D. C., Ref. M-91.

(g) Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) Any person who wilfully violates any provision of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using materials under priorities assistance by the War Production Board.

(i) This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise provided in this order.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A amended by deleting Parts I, II and IV, June 1, 1945.

PART III—COTTON DUCK PRODUCTS LISTED BELOW MANUFACTURED FROM NUMBERED OR FILLER DUCK AND FILLER TWILLS

Chemical filters.
Cane and beet sugar industrial filters.
Oil and wax filters.
Paint filters.
Dyestuff filters.
Filters used in the processing of food products.
Mining, quarrying and smelting filters.
Filters used in the processing of ceramics.
Cement filters.

INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

[F. R. Doc. 45-9506; Filed, June 1, 1945; 11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 13 as Amended June 1, 1945]

CUTTING OF MANUFACTURERS'-BENDS-FOR-REPAIR

The following amended direction is issued pursuant to General Conservation Order M-310:

(a) Notwithstanding the provisions of Schedule B, no cutter shall cut any manufacturers'-bends-for-repair which are delivered to him during the period from February 13, 1945 through July 31, 1945 under Individual Direction L-114 to Conservation Order M-310 (issued to tanners) except as follows: so as to produce from manufacturers'-bends-for-repairs leather for civilian shoe repair purposes after first producing an average for each calender month of 3 pairs of military quality innersoles (as defined in Order M-310) from each hide. Only manufacturers'-bends-for-repair delivered under invoices bearing substantially the following notation shall be regarded as having been delivered under Direction L-114:

"Delivered under Direction L-114 to Order M-310."

(b) No cutter shall cut more than an average of 20% of these bends (excluding the strips from which the military quality innersoles have been removed) into strips (which shall not exceed eleven inches in width); the remainder shall be cut into taps. All of the manufacturers'-bends-for-repair, excluding the military quality innersoles which have been removed, shall be cut in a manner suitable for women's shoes.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9510; Filed, June 1, 1945; 11:30 a. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 188-A, Amdt 3]

DISTILLED SPIRITS SHIPPED FROM PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2 (a) is amended to read as follows:

SEC. 2. *Maximum prices*—(a) *F. o. b. maximum prices.* Maximum prices f. o. b. Puerto Rico port of embarkation for sales of rum per case produced in Puerto Rico, when such sales are consummated in Puerto Rico by any person to any importer, and for sales of such rum to any foreign purchaser, shall be the following:

TABLE I

Proof (degree)	Size of cases							
	6 1 gallons	12 ½ quarts	15 ⅕ quarts	12 quarts	24 pints	24 ½ pints	48 ½ pints	Miniature 144 1/10 pints
80	$10.45	$7.32	$6.15	$6.69	$6.19	$6.97	$6.69	$6.94
86	10.53	7.37	6.21	6.75	6.25	7.13	6.75	6.98
90	10.77	7.53	6.40	6.95	6.43	7.27	6.98	7.09
94	10.85	7.57	6.40	6.99	6.48	7.33	6.99	7.12
100	12.25	9.00	11.26	10.79	11.25	8.75	11.79	10.30
120	12.65	9.24	11.55	11.09	11.53	9.09	12.09	10.58
101	15.76	10.49	13.11	12.66	13.15	11.26	12.66	11.23

NOTE: The prices in this table do not include Federal excise and rectification taxes or the cost of strip stamps, which may be added to the above prices to the extent actually paid.

Maximum prices are established for all degrees of proof; the adjustment to determine the maximum price for any degree of proof not listed in the table is 9 cents per degree of proof per gallon.

This amendment shall become effective June 8, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc 45-9497; Filed, May 31, 1945; 11:41 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 593, Amdt. 7]

JOBBERS' SALES OF STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 525 is amended in the following respects:

1. A new section 24, Appendix L is added to read as follows:

SEC. 24. *Appendix L: Maximum prices for the Denver area*—(a) *Area definition.* The Denver area includes all of the State of Colorado; and the State of Wyoming, except the counties of Teton, Sublette, Lincoln, and Uinta and that portion of Sweetwater County east of a line starting at the point where the boundary line between Sublette and Fremont counties reaches the northern boundary of Sweetwater county and continuing south to and east of the town of Rock Springs, and thence south to the northern border of Colorado.

(b) *Items covered and stock lists.* The stock millwork items which are covered by this regulation in the Denver area are all of the items which meet the following tests:

(1) They are stock millwork items as defined in section 2 (a), and

(2) Regardless of trade name, they are a size and kind of stock millwork included in the millwork price list in effect in March 1942, section A, pages 1 to 32; section B, pages 1 to 16; and section D, pages 1 to 4, issued by Lumber Dealers, Incorporated of Denver and Pueblo, Colorado; and Cheyenne, Wyoming, which is designated as the area stock list.

If any items are listed as stock millwork on a stock list or price list (other than the area stock list as designated in the preceding paragraph numbered (2)) issued or used by any person in making a "jobber's sale of stock millwork" in this area, such items are stock millwork in this area when sold by such person, whether or not they are listed in the area stock list described above.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Denver area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork", plus the percentage mark-up in sub-paragraph (4) (i) below:

(2) For stock millwork priced in Revised Price Schedule 44, the maximum f. o. b. mill price established by Revised Price Schedule 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Denver area, plus the percentage mark-up in sub-paragraph (4) (ii) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), seller may apply for approval of a price under sections 3 (a) (2) and 3 (a) (3) of this regulation.

[9 F.R. 5726, 7093, 10426, 11793, 14978; 10 F.R. 117.

(4) *Mark-ups.* (i) All items covered by section 24, paragraph (c) (1):

	Percentage Mark-up
Glazed Sash, 1⅜" and 1⅛":	
Standard items	12½
Slow-moving items	57
Doors—W. P. P.:	
Panel:	
Standard	16
Slow-moving	55
Sash:	
Standard	18½
Slow-moving	47½
French:	
Standard	23½
Slow-moving	43½
Doors—Hardwood:	
Panel	40
Hollow core	15½
Slab—solid core	40
Cupboard Doors:	
Hollow core	14
Panel—W. P. P.	38
Garage Doors—W. P. P. (including overhead)	19½
Frames—W. P. P.:	
Outside door and window	22
Inside door jambs	43½
Window and Sash Screens	28
Window and Sash Units	42½
Lock—Joint Window and Door trim	42½
Entrance Frames	42½
Kitchen Units	38
Mantels	43
China Closets	42½
Other Stock Cabinet Work	43
Stair Parts	43
Louvres and Gable Openings	22
Blinds and Shutters	38

(ii) All items covered by section 24, paragraph (c) (2):

	Percentage mark-up
Fir Doors:	
Panel:	
Standard	29
Slow-moving	42
Sash:	
Standard	18½
Slow-moving	73½
French:	
Standard	17½
Slow-moving	52½
Garage (Including overhead)	24½

(5) *Designation of standard and slow-moving items.* (i) For this area, standard and slow-moving items are as shown by Lumber Dealers, Inc., Pueblo and Denver, Colorado; and Cheyenne, Wyoming in its stock list. Standard items are designated therein by * and slow-moving items are unmarked.

(ii) Any item on a stock list in effect on January 1, 1945 classified as standard shall not be transferred to the higher mark-up column, regardless of how marked in catalog or price list.

(d) *Maximum prices for quantity sales.* For less-than-carload sales of windows and sash in full bundle quantities, the maximum prices shall be 5 percent less than the maximum prices computed for sash and windows in paragraph (c) (4) (i) above.

(e) *Delivery.* (1) For delivery by company-owned trucks in a zone recognized by the jobber in March 1942 to be a free delivery zone, for any size order, containing full or broken bundles, no delivery charge may be added to the maximum prices computed according to paragraph (c) above. For delivery by company-owned trucks in other than a free delivery zone the same charges may be added to the maximum prices as were added in March 1942 on deliveries of like quantities to like classes of purchasers.

(2) When shipments are made by common carrier the maximum prices established by this regulation are f. o. b. warehouse, and the purchaser must pay the actual freight charges from warehouse location, unless the freight charges from either Cheyenne, Wyoming or Pueblo, Colorado, to the point of delivery are lower, in which case the purchaser shall pay only the lower freight charge from either of these points.

(3) When shipments are made by common carrier, the crating charges specified below may be added to the maximum prices:

Item	Number of size and kind in a full bundle	Crating charge permitted
Check rail windows	6	$0.30 per broken bundle.
Plain rail windows	8	$0.30 per broken bundle.
Single sash	12	$0.30 per broken bundle.
Storm sash	6	$0.30 per broken bundle.
Screens	12	$0.30 per broken bundle.
Doors 1⅜" and 1⅜" thick.	6	$0.60 per broken or full bundle.
Doors 1¾" thick	4	$0.60 per broken or full bundle.
Garage doors	1 pair or 1 set.	$0.60 per broken or full bundle.
Cupboard doors	8	$0.25 per broken or full bundle.
Set-up window units, e. g. Andersen.	1 unit	$1.00 per unit.

2. A new section 25, Appendix M is added to read as follows:

SEC. 25. *Appendix M: Maximum prices for the Salt Lake City area*—(a) *Area definition.* The Salt Lake City area consists of the State of Nevada; the State of Utah; the part of Idaho consisting of the counties of Twin Falls, Gooding, Jerome, Lincoln, Blaine, Butte, Clark, Fremont, Teton, Madison, Jefferson, Bonneville, Bingham, Power, Minidoka, Bannock, Caribou, Oneida, Franklin, Bear Lake, and Cassia; and the part of Wyoming consisting of Teton, Lincoln, Sublette, and Uinta Counties and the part of Sweetwater County west of a line starting at the point where the boundary line between Sublette and Fremont Counties reaches the northern boundary of Sweetwater County, and continuing south to and east of the town of Rock Springs, and thence south to the northern border of Colorado.

(b) The stock millwork items which are covered by this regulation in the Salt Lake City area are all of the items which meet the following tests:

(1) They are stock millwork items as defined in section 2 (a), and

(2) Regardless of trade name, they are a size and kind of stock millwork included during March 1942 in the 600 Series of the Price Guide issued by Morrison-Merrill and Company of Salt Lake City, Utah, which series is designated as the area stock list.

If any items are listed as stock millwork on a stock list or price list (other than the area stock list as described in the preceding paragraph numbered (2)) issued or used by any person in making a "jobber's sale of stock millwork" in this area, such items are stock millwork in this area when sold by such person, whether or not they are listed in the area stock list described above.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Salt Lake City area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in sub-paragraph (4) (i) below:

(2) For stock millwork priced in Revised Price Schedule 44, the maximum f. o. b. mill price established by Revised Price Schedule 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Salt Lake City area, plus the percentage mark-up in sub-paragraph (4) (ii) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the seller may apply for approval of a price under sections 3 (a) (2) and 3 (a) (3) of this regulation.

(4) *Mark-ups.* (i) All items covered by section 25, paragraph (c) (1):

	Percentage mark-up
Glazed Windows and Sash	25
Window Screens	31
Storm Sash	29½
Entrance and Interior Doors—W. P. P.	42
Inside Door Jambs	31½
Window and Door Frames	36½
Blinds and Shutters	68
Entrance Frames	28
Window and Sash Units	33½
Louvre and Gable Openings	28
Kitchen Units	21½
China Closets	21½
Mantels	17
Telephone Cabinets	32
Medicine Cabinets	18½
Stair Parts	25½

(ii) All items covered by section 25, paragraph (c) (2):

	Percentage mark-up
Fir House Doors (including French doors)	45
Fir Rim Doors	45
Fir Garage Doors	62

(d) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 12½ percent less than the maximum prices computed according to paragraph (c) above.

(e) *Delivery.* (1) For delivery by company-owned trucks in a zone recognized by the jobber in March 1942 to be a free delivery zone, for any size order, containing full or broken bundles, no delivery charge may be added to the maximum prices computed according to paragraph (c) above. For delivery by company-owned trucks in other than a free delivery zone the same charges may be added to the maximum prices as were added to March 1942 on deliveries of like quantities to like classes of purchasers.

(2) When shipments are made by common carrier the maximum prices established by this regulation are f. o. b. warehouse from which shipment is made.

(3) When shipments are made by common carrier the crating charges specified below may be added to the maximum prices:

Item	Number of size and kind in a full bundle	Crating charge permitted
Check rail windows	6	$0.30 per broken bundle.
Plain rail windows	8	$0.30 per broken bundle.
Single sash	12	$0.30 per broken bundle.
Storm sash	6	$0.30 per broken bundle.
Screens	12	$0.30 per broken bundle.
Doors 1⅜" and 1⅛" thick	6	$0.60 per broken or full bundle.
Doors 1¾" thick	4	$0.60 per broken or full bundle.
Garage doors	1 pair or 1 set.	$0.60 per broken or full bundle.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9526; Filed, June 1, 1945; 12:06 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 143, Amdt. 7]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 143 is amended in the following respects:

1. Footnote 2 to Table 1, Appendix I, is amended to read as follows:

[2] The discount base and maximum wholesale increase of a 6-ply tire shall be 115 percent of the discount base and maximum wholesale increase of a 4-ply tire of the same size.

2. Footnote 3 to Table 1, Appendix I, is amended to read as follows:

[3] The discount base and maximum wholesale increase of a 7-ply tire shall be 107 percent of the discount base and maximum wholesale increase of a 6-ply tire of the same size.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9521; Filed, June 1, 1945; 12:06 p. m.]

PART 1340—FUEL

[MPR 120, Amdt. 140]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1340.210 (a) (16) (iv) is amended by deleting the word and numerals "May 31" appearing after the word "until" and before the numerals "1945" and inserting in lieu thereof the word and numerals "June 30", and by deleting the word and numeral "May 3" appearing after the word "before" and before the numerals "1945" and inserting in lieu thereof the word and numerals "June 4".

This amendment shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9466; Filed, May 31, 1945; 5:06 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 268,[1] Amdt. 12]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 268 is amended in the following respects:

1. The item "Cabbage" listed under Food Commodity No. 12 (a) in Appendix A is deleted.

2. The definition of "Cabbage" under Appendix A, paragraph (c) (12) (a) is deleted.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: May 25, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-9519; Filed, June 1, 1945; 12:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[2] Amdt. 46]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 422 is amended in the following respects:

1. In section 28 (a), the item "Cabbage" is deleted from list (3) in Table B-I.

2. In section 28 (b) (3), the definition of "Cabbage" is deleted.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: May 25, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-9518; Filed, June 1, 1945; 12:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 45]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 423 is amended in the following respects:

1. In section 28 (a), the item "Cabbage" is deleted from list (3) in Table B-I.

2. In section 28 (b) (3), the definition of "Cabbage" is deleted.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: May 25, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-9517; Filed, June 1, 1945; 12:01 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 568,[3] Amdt. 4]

HARDWOOD PLYWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 568 is amended in the following respects:

1. In section 3, the heading of paragraph (a) is amended to read as follows:

(a) *Manufacturers' prices: Manufactured to Spec. CS-35-42, 32-17 § B-1b or JAN-P-46 § B-1b.*

2. In section 3, the heading of paragraph (b) is amended to read as follows:

(b) *Manufacturers' prices: Manufactured to other specification.*

3. In section 3 (b), subparagraph (1) is amended to read as follows, but subdivisions (i), (ii), (iii) and (iv) of said subparagraph remain as presently written:

(1) For plywood manufactured according to Spec. AN-NN-P-511b, 72-48,

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[1] 9 F.R. [illegible], 7110, 7961, [illegible], [illegible]; 10 F.R. [illegible].

[2] 10 F.R. 1866, 2026, 2297, 3014.

[1] 10 F.R. 1866, 2026, 2290, 3014.

[3] 9 F.R. 14298; 10 F.R. 1408, 3014.

39P15 (Int.), or 82-17 § B-1c and B-1d, Marine and Hutment grades, JAN-P-66 § B-1c, B-1d and B-1e, Marine, Hutment and Fire Retardant grades or JEG-11, the application will be considered only if such application is accompanied by a letter from the War Production Board approving the use to which the buyer applies the plywood, or on sales or quotations to the United States or any agency thereof, or to any government or agency thereof, the defense of which the President deems vital to the defense of the United States, or a subcontract under any such contract.

4. In section 3 (b) (1), a new subdivision, (v), is added immediately following the subdivision numbered (iv), to read as follows:

(v) If the plywood for which an application for price approval has been filed under this section 3 (b) (1) is to be used by the purchaser in the fulfillment of a government contract or subcontract of a type referred to in subparagraph (1) above, such application must show the government contract number.

5. In section 3, paragraph (c) is amended to read as follows:

(c) *Maximum f. o. b. mill prices; direct-mill sales by sellers other than manufacturers of hardwood plywood.* The maximum f. o. b. mill price on direct-mill shipments of hardwood plywood for sales made by a seller other than a manufacturer of hardwood plywood shall be the maximum price that would be permitted to that seller under the General Maximum Price Regulation. Such seller of hardwood plywood shall establish his maximum price in accordance with the provisions of the General Maximum Price Regulation.

Within 45 days from June 6, 1945, all sellers other than manufacturers of hardwood plywood who now make, or heretofore have made, sales of hardwood plywood on direct-mill shipments, shall submit to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., the following information:

(1) True copies of invoices on all direct-mill shipments of hardwood plywood which were made by such seller as follows:

(i) During the months of October 1941, March 1942, and June, July and August, 1942; except that the submission of invoices for June, July, and August 1942 need not include invoices covering specifications shipped on direct-mill shipments in March 1942.

(ii) During the first four months' period subsequent to March 1942 in which such seller started to make direct-mill shipments, if such seller did not make direct-mill shipments during the periods stated in (i) above.

(2) With each invoice referred to under subparagraphs (1) (i) and (1) (ii) above, such seller must also attach a true copy of the invoice covering the purchase by the seller of the particular hardwood plywood from the manufacturer of that plywood.

In submitting the copies of invoices referred to in subparagraphs (1) and (2) above, the seller must indicate in some manner, preferably by a blanket statement, that all copies of invoices are true copies.

6. In section 16, paragraph (b) is amended to read as follows:

(b) *Maximum prices for manufacturers.* The maximum prices for manufacturers f. o. b. mill per 1,000 surface feet for hardwood plywood manufactured to Spec. CS-35-42, 82-17, § B-1b or JAN-P-66 § B-1b shall be as follows:

7. In section 16 (b), Table 4, subdivision F, the following construction specifications, together with their respective price differentials applicable for zones 1, 2, and 3, are deleted:

For cores edge-glued from pieces under 3½" wide, and only when so specified by the buyer, add

For cores to be made of a single definitely specified species not at option of seller, add.

8. In section 16 (b) the headings which indicate the titles of Tables 6 and 7 are amended to read as follows:

TABLE 6—HARDWOOD PANELS
TABLE 7—HARDWOOD PANELS

9. In section 16 (b) the note entitled, "Note 1," under Table 7, is deleted.

This amendment shall become effective June 6, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9524; Filed, June 1, 1945; 12:03 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 1]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. A new § 1394.8350 is added to read as follows:

§ 1394.8350 *Invalidation of Non-Highway Gasoline Purchase Receipts.* (a) Notwithstanding any other provision of this order, on and after June 1, 1945, no dealer or distributor shall transfer gasoline to a consumer and no consumer shall accept a transfer of gasoline in exchange for any Non-Highway Gasoline Purchase Receipt (Form OPA R-562).

(b) Immediately upon the close of business on June 30, 1945, each dealer who has in his possession or control Non-Highway Gasoline Purchase Receipts (Form OPA R-582), which he acquired before July 1, 1945, in exchange for lawful transfers of gasoline, shall summarize the Non-Highway Gasoline Purchase Receipts (Form OPA R-582) on a summary form (Form OPA R-541) on which no other ration evidences are listed and attach such receipts to such summary form. On or before July 10, 1945, each dealer shall surrender such ration evidences and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which the place of business is located in exchange for one or more ration checks equal in gallonage value to the ration evidences so surrendered.

(c) After July 10, 1945, no distributor shall accept from any dealer or distributor any Non-Highway Gasoline Purchase Receipt (Form OPA R-582), nor shall any distributor make any transfers of gasoline in exchange for such ration evidences. On or before July 20, 1945, each distributor shall deposit in appropriate bank accounts maintained by him any such ration evidences received by him in exchange for any lawful transfers of gasoline made on or before July 10, 1945.

(d) Notwithstanding any other provisions of this order, a renewal of a ration which was issued in the form of a Non-Highway Purchase Receipt Book (Form OPA R-582) may be made at any time. At the time the ration holder applies for a renewal of the ration he must surrender to the Board the Non-Highway Purchase Receipt Book along with all unused and voided Receipts whether attached to the stubs or not.

This amendment shall become effective June 5, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; W. P. B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9523; Filed, June 1, 1945; 12:03 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 10,[1] Amdt. 2]

FOOD RATIONING REGULATIONS FOR VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 10 is amended in the following respects:

1. Table I in § 1407.687 is amended to read as follows:

[1] 10 F.R. 6030.

TABLE I

Ration period	Red stamp valid during period (Book No. 2)	Weight value of stamp (pounds of rice)
May 27 to June 2, 1945...	Stamp No. C-1..	1
June 3 to June 9, 1945....	Stamp No. C-2..	1
June 10 to June 16, 1945..	Stamp No. C-5..	1
June 17 to June 23, 1945..	Stamp No. C-8..	1
June 24 to June 30, 1945..	Stamp No. D-1..	1
July 1 to July 7, 1945.....	Stamp No. D-2..	1
July 8 to July 14, 1945....	Stamp No. D-5..	1
July 15 to July 21, 1945...	Stamp No. D-8..	1

This amendment shall become effective June 1, 1945.

Issued this 1st day of June 1945.

JACOB A. ROBLES,
Territorial Director, Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-9520; Filed, June 1, 1945; 12:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 60 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 26) (OPA Form R-1313) which is made a part hereof.[2]

This amendment shall become effective 12:01 a. m. June 3, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9469; Filed, May 31, 1945; 5:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[3] Amdt. 44 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 26 and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 26 which are made a part hereof.[2]

This amendment shall become effective 12:01 a. m. June 3, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9470; Filed, May 31, 1945; 5:03 p. m.]

PART 1413—SOFT WOOD LUMBER PRODUCTS

[RMPR 293, Amdt. 7]

STOCK MILLWORK

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 5 is amended to read as follows:

SEC. 5. *Items not specifically priced.*—(a) *What this section covers.* This section applies to any item covered by this regulation for which a specific maximum price is not fixed under the provisions of section 3 or section 4.

(b) *Pricing formula.*—(1) *When this paragraph shall be used.* The pricing formula set forth in this paragraph (b) shall be used to price a new item, where the manufacturer of the item being priced produces a "comparable item" for which a maximum price has already been established under this regulation. A "comparable item" for the purpose of this section means an item which meets all of the following conditions:

(i) It belongs to the narrowest trade category which includes the item being priced.

(ii) Its current unit direct costs vary from the current unit direct costs of the item being priced by not more than 25 percent.

(iii) It is currently being produced by the manufacturer.

(iv) If more than one "comparable" item meets all of the above conditions, the manufacturer must use the one whose current unit direct costs are nearest to the current unit direct costs of the item being priced.

(2) *Definition of "current unit direct costs".* "Current unit direct costs" for the purpose of this section means the sum of current unit direct labor and labor burden costs and current unit direct material costs including lumber kiln drying and handling cost, computed on a consistent basis for both the item being priced and the comparable item.

(3) *Maximum prices.* The maximum price to a particular class of purchaser for a commodity priced under this Section shall be determined in accordance with the following formula:

(i) Ascertain the maximum price to that class of purchaser of a comparable item,

(ii) Divide Item 1 by the current unit direct costs of such comparable item,

(iii) Multiply the result by the current unit direct costs of the item being priced,

(iv) The resulting amount is the maximum price of the item being priced to that particular class of purchaser.

(4) *Reports and approvals of maximum prices.* Before offering for sale or delivery an item for which maximum prices are determined under this paragraph (b), the manufacturer must file a report with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., setting forth the following information:

(i) A complete description of the item being priced and of the comparable item for which a maximum price has already been established.

(ii) The proposed maximum price for the item being priced, and the established maximum price for the comparable item.

(iii) A breakdown of the current unit direct costs as defined in this paragraph, for the item being priced and for the comparable item.

A proposed maximum price under this paragraph (b) shall be deemed to be approved automatically on the expiration of 20 days after the mailing of the report (or on the expiration of 20 days after the mailing of all additional information which may have been requested), unless within that time the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information.

The Office of Price Administration may approve or disapprove and may at any time after approval adjust maximum prices proposed or established under this paragraph so as to make them consistent with the level of maximum prices otherwise established by this regulation.

(c) *Items which cannot be priced under paragraph (b).* If an item covered by this section cannot be priced under paragraph (b) above, the maximum price shall be a price approved by the Office of Price Administration, consistent with the level of maximum prices established by this regulation. A maximum price will generally be approved under this paragraph (c) by adding to the current direct unit costs of the item being priced the average percentage margin over direct costs realized by the manufacturer on all of his sales of items covered by this regulation during his most recent accounting period. In each case covered by this paragraph (c), the manufacturer must file a report with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., giving the following information, before offering the item for sale:

(i) A description of the item being priced.

(ii) Reasons why the pricing provisions under paragraph (b) are not applicable.

(iii) His proposed maximum price.

(iv) A statement of the method of computation of the proposed price and

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[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10677, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15064; 10 F.R. 48, 776, 924.

[2] Filed as part of the original document.

[3] 9 F.R. 11906, 11955, 11961, 12814, 12867, 14287, 14645, 15056; 10 F.R. 48, 521, 857, 293, 294.

of the reasons why he believes it consistent with the level of prices fixed by this regulation.

(v) A breakdown of his current unit costs of direct materials and direct labor for the item being priced, and his average percentage mark-up over direct costs realized by him on all his sales of items covered by this Regulation during his most recent accounting period, supported by profit and loss statement for such period.

The Office of Price Administration may approve or disapprove and may at any time after approval adjust maximum prices proposed or established under this paragraph so as to make them consistent with the level of prices fixed by this regulation.

This amendment shall become effective June 6, 1945.

NOTE: The reporting requirement of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9522; Filed, June 1, 1945; 12:02 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 109]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 15, Appendix J is amended in the following respects:

1. In paragraph (d), Table 2 is amended to read as follows:

TABLE 2—MAXIMUM PRICES FOR APRICOTS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6		Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices for fruit loaded in car or truck at shipping points		Maximum prices for sales delivered to any wholesale receiving point in any quantity		Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, government procurement agency or institutional buyer.[4]
				5 (a) Produced in Zone I or II and destined for sale within the zone of production[1]	5 (b) Produced in Zone I or II and destined for sale outside the zone of production[1]	6 (a) Produced in Zone I or II for sale within the zone of production.[1]	6 (b) Produced in Zone I or II for sale outside the zone of production; and in Zone III for sale in any zone.[1]	
	Apricots graded and packed in the following containers:							
1	Northwest lugs (WPB L-232 No. 20) with a net weight of not less than 13 pounds nor more than 15 pounds.	Per lug.	Beginning-June 15	$1.26	$1.54	Column 5 (a) price plus freight (including 3% transportation tax) from Sacramento, California, for apricots produced in Zone I; and from Yakima, Washington, for apricots produced in Zone II. (No amount may be added for protective service allowance.)	Column 5 (b) price plus freight (including 3% transportation tax) from Sacramento, California, for apricots produced in Zone I; and from Yakima, Washington, for apricots produced in Zone II or III; and plus protective service allowances.[3]	Column 6 price plus 42 cents.
2			June 16-June 24	1.06	1.54			
3			June 25-end of season	1.06	1.34			
4	Brentwood lugs (WPB L-232 No. 4) with a net weight of not less than 24 pounds nor more than 26 pounds.	Per lug.	Beginning-June 15	2.25	2.75			Column 6 price plus 75 cents.
5			June 16-June 24	1.90	2.75			
6			June 25-end of season	1.90	2.40			
7	Any of the above containers but with a net weight of less than or more than that specified for each container, and in any other container.[2]	Per lb.	Beginning-June 15	*Cents* 9.6	*Cents* 11.0			Column 6 price plus 3 cents.
8			June 16-June 24	7.6	11.6			
9			June 25-end of season	7.6	9.6			
10	Apricots ungraded (orchard run) in any container.[2]	Per lb.	Beginning-June 15	*Cents* 7.5		Column 5 price plus freight (including 3% transportation tax) from Sacramento, California, for apricots produced in Zone I; and from Yakima, Washington, for apricots produced in Zone II or III. (No amount may be added for protective service allowance.)		Column 6 price plus 3 cents.
11			June 16-end of season	6.1				

[1] Zone I—State of California, Zone II—States of Oregon and Washington, Zone III—All other states.

[2] The maximum price for apricots sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate prices per pound listed for Items 10 and 11 in Columns 5, 6 and 7.

[3] Protective service allowances shall be added in accordance with the following schedule for apricots priced by Column 6 (b):

Wholesale Receiving Points	Items 1, 2 and 3 per lug	Items 4, 5 and 6 per lug	Items 7, 8 and 9 per pound
1. In all states east of the Mississippi River, except in Wisconsin and Illinois	$0.09	$0.13	$0.006
2. In all other states, except California, Oregon and Washington	0.07	0.10	0.004
3. In California, Oregon and Washington	0.03	0.04	0.002

[4] For sellers covered by Column 7, see general provisions of this Appendix.

2. In paragraph (d), Table 2a is deleted.

3. In paragraph (e) Examples 1–6 are deleted.

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[1] 8 F.R. 16408, 16804, 16819, 16423, 17372; 9 F.R. 790, 803, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 6088, 6104, 6108, 6120, 6711, 7259, 7268, 7494, 7423, 7560, 7588, 7759, 7774, 7834, 8142, 8268, 9080, 9228, 9358, 9509, 9512, 9549, 9785, 9896, 9897, 10182, 10183, 10486, 10677, 10777, 10878, 11250, 11534, 11546, 12088, 12208, 12260, 12341, 12368, 12412, 12567, 12643, 12968, 12973, 13067, 13126, 13203, 13761, 13884, 14062, 13886, 14467, 14761, 15107, 15107, 10 F.R. 46, 256, 480, 923, 1540, 1403, 1456, 1910, 2024, 2026, 2145, 2160, 2182, 2345, 2515, 2821, 2905, 3054, 4156, 4268, 4536, 4718, 4817, 5045, 5101, 5468.

4. In paragraph (e), Table A, Items 2 and 3 are amended to read as follows:

TABLE A—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES

[See column 6 of tables in paragraph (d)]

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
			Sales by growers				Sales by a grower-distributor, buyer-distributor and by a grower or any person through a grower's sales agent				
Item No.	Commodity	Unit	Through a broker in any quantity or through a commission merchant in carlots or truck-lots [1] [2]	Through a commission merchant in less-than-carlots or less-than-trucklots [3]		Through an auction in less-than-carlots or less-than-trucklots [3]	Direct sale (without the use of broker or any other agent) [1] [2]	Through a broker or salaried representative, or through a commission merchant in carlots or truck-lots [1] [2]	Through an auction in less-than-carlots or less-than-trucklots [3]	Through a commission merchant in less-than-carlots or less-than-trucklots [3]	
				Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse					Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse
2	Apricots	Items 1–11, table 2:									
		Northwest leg 13–15 pounds	$0.08	$0.09	$0.10	$0.08	$0.08	$0.08	$0.12	$0.14	$0.25.
		Brentwood leg 24–26 pounds	0.08	0.16	0.26	0.10	0.09	0.12	0.19	0.25	0.44.
		Above containers with a net weight of less than or more than that specified for each container, and apricots packed in any other container; and those sold ungraded (orchard run) in any container, or in bulk—per pound.	½ cent	1/10 cent	1 1/10 cents.	1/10 cent	½ cent	½ cent	1/10 cent	1 cent	1 1/10 cents.
3	Plums	Items 1–11, table 2:									
		Standard 4-basket crate with a net weight of 28–32 pounds	$0.08	$0.17	$0.20	$0.10	$0.09	$0.12	$0.19	$0.26	$0.48.
		Standard 4-basket crate with a net weight of less than 28 pounds or more than 32 pounds, and plums packed in any other container, and those sold ungraded in any container, or in bulk—per pound.	1/10 cent	1/10 cent	1 1/10 cents.	1/10 cent	1/10 cent	1/10 cent	1/10 cent	1/10 cent	1 1/10 cents.

[1] Maximum markups listed above in columns 4, 5, and 9 may be added to the maximum prices for fruit loaded on car or truck at shipping point (column 5 of applicable table in paragraph (d)) for sales made by agents of growers and primary sellers, other than growers, f. o. b. shipping point.

[2] For purposes of computing the maximum price, the amounts set forth in columns 4, 5, and 9 shall be used, but the maximum charge that may be made by any selling agent shall be determined under MPR 165, as amended, as between such selling agent and his principal.

[3] The actual charge not to exceed the maximum allowable charge under MPR 165 shall be used instead of the markup listed in columns 5, 6, 7, 10, 11, and 12 if the amount of such actual charge is lower than the amount shown.

5. In paragraph (e), Table B, Items 2 and 3 are amended to read as follows:

TABLE B—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES

[See column 6 of tables in paragraph (d)]

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
Item No.	Commodity	Unit	Sales by any person other than a grower or grower-distributor or buyer-distributor who has purchased a carlot or truck-lot and resells such carlot or truck-lot unbroken	Sales by primary receivers in less-than-carlots or less than trucklots		Sales by secondary jobbers in any quantity delivered to premises of the purchaser	Sales by service wholesalers delivered to premises of any retail store, government procurement agency or institutional buyer within the free delivery zone	
				Through an auction [1] or ex-car, dock, truck or terminal sales platform	Ex-store or ex-warehouse		Original container and quantities in excess of half of original container	Half original container or less
2	Apricots	Items 1–11, table 2:						
		Northwest leg 13–15 pounds	$0.12	$0.17	$0.27	$0.13	$0.13	
		Brentwood leg 24–26 pounds	0.23	0.28	0.47	0.75	0.75	
		Above containers with a net weight of less than or more than that specified for each container, and apricots packed in any other container, and those sold ungraded (orchard run) in any container, or in bulk—per pound.	½ cent	1½ cents	1½ cents	2 cents	2 cents	1 cents.
3	Plums	Items 1–11, Table 2:						
		Standard 4-basket crate with a net weight of 28–32 pounds	$0.20	$0.20	$0.51	$0.22	$0.22	
		Standard 4-basket crate with a net weight of less than 28 pounds or more than 32 pounds, and plums packed in any other container, and those sold ungraded in any container, or in bulk—per pound.	1/10 cent	1 cent	1½ cents	2½ cents	2½ cents	1½ cents.

[1] This markup applies not only to sales by primary receivers through auction but also to sales by all persons, other than primary sellers, through terminal auctions (see paragraph (g) (5)).

6. In paragraph (f) (2) (iii), the sub-paragraph headed "Example" is deleted.

7. Paragraph (i) is deleted.

This amendment shall become effective at 12:01 a. m., June 1, 1945, except as to apricots shipped from shipping point and actually sold before that date.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

Approved May 29, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the ceiling prices established by that amendment and the ceiling prices maintained for plums by Maximum Price Regulation 426 are necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-9466; Filed, May 31, 1945; 5:02 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426[1], Amdt. 110]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Maximum Price Regulation No. 426 is amended in the following respects:

1. Section 13a is added to read as follows:

Sec. 13a. *Adjustments required by section 3(g) of the Emergency Price Control Act.* The maximum prices established by this regulation may be adjusted by the Administrator, subject to the approval of the Secretary of Agriculture, at any time to make appropriate allowances for substantial reductions in merchantable crop yields, unusual increases in costs of production, and other factors which result from hazards occurring in connection with the production and marketing of commodities covered by this regulation. The adjustment, in each case, will be made by order issued by the Administrator, subject to the approval of the Secretary of Agriculture.

2. Section 15, Appendix H, paragraph (b), Table 7, Maximum Prices for Cucumbers is amended in the following respects:

a. Footnote reference 6 is deleted from Items 2, 6 and 10 and added to Items 15 and 16 in Column 5.

b. Footnote 6 is amended to read as follows:

[6] The Column 5 price for hothouse cucumbers in any container shall be 12.8 cents per pound during June 1945.

This amendment shall become effective at 12:01 a. m. June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

Approved: May 30, 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-9467; Filed, May 31, 1945; 5:02 p. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 7]

PART 8307—PREFERENCES FOR VETERANS

Sec.
8307.1 Definitions.
8307.2 Limitation of application; property excepted.
8307.3 Veteran's application for property useful in business or professional enterprises.
8307.4 Purchase by Smaller War Plants Corporation of property useful in business or professional enterprises.
8307.5 Veteran's application for property useful in agricultural enterprises.
8307.6 Certification by War Food Administrator to Smaller War Plants Corporation.
8307.7 Purchase by Smaller War Plants Corporation of property useful in agricultural enterprises.
8307.8 Pricing.
8307.9 Consignments directly to veterans by disposal agencies.
8307.10 Limit on purchases for resale to veterans.
8307.11 Consolidation of orders.
8307.12 Amendment or repeal.

AUTHORITY: §§ 8307.1 to 8307.12, inclusive, issued under Surplus Property Act of 1944, Public Law 457, 78th Cong., 2d Sess.; 58 Stat. 765.

§ 8307.1 *Definitions.* (a) "Disposal agency" means any Government agency designated pursuant to the Surplus Property Act of 1944 to dispose of one or more classes of surplus property.

(b) "His own small business or professional enterprise" shall include any commercial, industrial, manufacturing, financial, service, legal, medical, dental, or other lawful enterprise (other than agricultural) having an invested capital not in excess of $50,000, which a veteran maintains or desires to establish; *Provided*, That he is or will be, directly or indirectly, the sole proprietor thereof or that no person or persons, other than other veterans, have or will have any proprietary interest in the enterprise, singly or together, directly or indirectly, in excess of 50% of either the capital invested in such enterprise or of the gross profits or income thereof.

(c) "His own small agricultural enterprise" shall include any farming, fisheries, forestry, grazing, fruit-growing, livestock or poultry raising or other lawful enterprise (other than a business or professional enterprise) having an invested capital not in excess of $25,000, which a veteran maintains or desires to establish: *Provided*, That he is, or will be, directly or indirectly, the sole proprietor thereof or that no person or persons, other than other veterans, have or will have any proprietary interest in the enterprise, singly or together, directly or indirectly, in excess of 50% of either the capital invested in such enterprise or of the gross profits or income thereof.

(d) "Surplus property" means any property which has been determined to be surplus to the needs and responsibilities of the owning agency in accordance with the Surplus Property Act of 1944.

(e) "Veteran" means any person who served in the active military or naval service of the United States during the present war, or any person who served in the active military or naval service of the United States on or after September 16, 1940, and prior to the termination of the present war, and who has been discharged or released therefrom under honorable conditions.

§ 8307.2 *Limitation of application; property excepted.* This part shall apply only to property within the United States, its territories or possessions. It shall not apply to real property, nor to aircraft and parts peculiar to aircraft or any classes of property designated in section 19 of the Surplus Property Act of 1944. Whenever reference is made in this part to property useful to establish or maintain a small business, professional or agricultural enterprise, such property shall not include any property to be resold, with or without reprocessing or refabrication, in the regular course of business of such enterprise.

§ 8307.3 *Veteran's application for property useful in business or professional enterprises.* Any veteran desiring to exercise the preference hereby granted in the purchase of surplus property useful to establish or maintain his own small business or professional enterprise shall file an application for such property with the district office of the Smaller War Plants Corporation for the locality within which he maintains or intends to establish such enterprise.

§ 8307.4 *Purchase by Smaller War Plants Corporation of property useful in business or professional enterprises.* The Smaller War Plants Corporation will exercise its priority right in the manner and to the extent provided in Part 8302[1] and any amendments thereof, to purchase from the appropriate disposal agency for resale to the veteran such property as he may apply for which in its judgment is required to preserve or strengthen the competitive position of small enterprise. In forming such judgment the Smaller War Plants Corporation will take into account whether the property will be useful in and will aid the veteran to establish or maintain his own small enterprise and whether business conditions and other economic fac-

[1] SPB Reg. 2 (10 F.R. 5104).

[1] 8 F.R. 16409, 16394, 16519, 16423, 17372; 9 F.R. 799, 902, 1561, 3008, 3082, 3981, 3403, 4028, 4029, 4030, 4434, 4788, 4787, 4877, 5926, 6269, 6284, 6183, 6420, 6711, 7259, 7268, 7434, 7439, 7980, 7982, 7730, 7774, 7854, 8148, 9066, 9080, 9089, 9320, 9809, 9512, 9549, 9785, 9990, 9997, 10182, 10193, 10499, 10677, 10777, 10878, 11209, 11294, 11568, 11988, 12208, 12340, 12341, 12388, 12512, 12807, 12949, 12998, 12973, 13087, 13189, 13205, 13761, 13894, 14062, 13995, 14457, 14731, 15207; 10 F.R. 40, 266, 460, 823, 1940, 1402, 1483, 1910, 2094, 2086, 2145, 2160, 2188, 2265, 2815, 2921, 2965, 3064, 4156, 4306, 4665, 4718, 4817, 5045, 5101, 5488, 5721, 5787, 5955, 6087, 6107.

tors affecting the locality within which the veteran maintains or desires to establish such enterprise render the success thereof reasonably probable. Smaller War Plants Corporation will report to the Surplus Property Board all instances in which the veteran's application is rejected in whole or in part and the reasons for such rejection.

§ 8307.5 *Veteran's application for property useful in agricultural enterprises.* Any veteran desiring to exercise the preference hereby granted in the purchase of surplus property useful to establish or maintain his own small agricultural enterprise shall file with the War Food Administrator an application therefor.

§ 8307.6 *Certification by War Food Administrator to Smaller War Plants Corporation.* The War Food Administrator will certify to the Smaller War Plants Corporation for purchase by it for resale to the veteran such property as the veteran may apply for as in the judgment of the War Food Administrator will foster and render more secure family-type farming. In forming such judgment the War Food Administrator will take into account whether the property will be useful in and will aid the veteran to establish or maintain his own small agricultural enterprise and whether farming conditions and other economic and geographic factors affecting the locality within which the veteran maintains or desires to establish such enterprise render the success thereof reasonably probable.

§ 8307.7 *Purchase by Smaller War Plants Corporation of property useful in agricultural enterprises.* Upon the receipt of a certification hereunder from the War Food Administrator, the Smaller War Plants Corporation will exercise its priority in the manner and to the extent provided in Part 8302[1] and any amendments thereof to purchase from the appropriate disposal agency for resale to the veteran the property so certified.

§ 8307.8 *Pricing.* In selling surplus property to the Smaller War Plants Corporation for resale to a veteran hereunder, disposal agencies shall comply with applicable regulations of the Office of Price Administration, but in no case shall charge a price which is greater than the cost of acquisition thereof to the Government, less appropriate allowances for depreciation, obsolescence, wear and tear, and such other factors as may relate to the condition or utility of the property. The Smaller War Plants Corporation will charge the veteran no greater price than the price charged by the disposal agency: *Provided, however,* That the Smaller War Plants Corporation may increase such price by the actual cost of delivering the property to the veteran if such cost is not included in the disposal agency's price.

§ 8307.9 *Consignments directly to veterans by disposal agencies.* Upon the request of the Smaller War Plants Corporation, disposal agencies shall forward directly to the veteran property purchased hereunder for resale to him.

§ 8307.10 *Limit on purchases for resale to veterans.* The Smaller War Plants Corporation shall not purchase for resale to any one veteran hereunder surplus property in excess of $2500 as determined by the disposal agencies' sales prices.

§ 8307.11 *Consolidation of orders.* To the extent feasible, the Smaller War Plants Corporation shall consolidate its orders hereunder for like items of property and shall submit to the disposal agencies consolidated orders for the largest quantity of like items that the circumstances permit.

§ 8307.12 *Amendment or repeal.* This part shall be subject to amendment or repeal by the Surplus Property Board by any regulation or order of the Board duly published in the FEDERAL REGISTER.

This part shall become effective July 1, 1945.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

MAY 29, 1945.

[F. R. Doc. 45-9477; Filed, June 1, 1945; 10:34 a. m.]

[1] SPB Reg. 2 (10 F.R. 5104).

TITLE 37—PATENTS AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

[Order 366]

PART 3—LICENSES TO FILE APPLICATIONS FOR PATENTS IN FOREIGN COUNTRIES

OPTIONAL PROCEDURE

A new section is added reading as follows:

§ 3.16 *Optional procedure.* When a proposed foreign application is substantially identical with one or more applications filed in the United States Patent Office, the petition for license to file the application and any amendments thereto in certain foreign countries designated by the Commissioner of Patents may be made on Form O–1. Such petition will not be accompanied by the material specified in §§ 3.4, 3.9 and 3.10. The license need not be presented at the post office but the licensed material may be mailed or forwarded at option of licensee. The Commissioner of Patents will designate the foreign countries to which this optional procedure will apply by notice in the Official Gazette.

(Pub. Law 239, 77th Cong., approved Aug. 21, 1941, 55 Stat. 657, 35 U.S.C. 42a)

[SEAL] CONWAY P. COE,
Commissioner of Patents.

Approved: May 31, 1945.

H. A. WALLACE,
Secretary of Commerce.

[F. R. Doc. 45-9505; Filed, June 1, 1945; 11:31 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—RULES GOVERNING SHIP SERVICES

ALLOCATION FOR SHIP-SHORE AND INTERSHIP COMMUNICATION

The Commission on May 29, 1945, effective immediately, adopted new paragraph (g) of § 8.81 *Allocation for ship stations,* which reads:

(g) To ship telephone stations for communication with coastal harbor stations and with other ship stations:

37,580 kilocycles.

(Sec. 4 (i), 48 Stat. 1068; Sec. 303 (c), 48 Stat. 1082; 47 U.S.C. 154 (8), 303 (c))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-9504; Filed, June 1, 1945; 11:38 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 26—EAST CENTRAL REGION NATIONAL WILDLIFE REFUGES

NECEDAH NATIONAL WILDLIFE REFUGE, WIS.; HUNTING OF DEER

Under authority of section 84 of the act of March 4, 1909 (35 Stat. 1104; 18 U.S.C. 145), as amended, and § 12.9 of the regulations for the Administration of National Wildlife Refuges dated December 19, 1940 (5 F.R. 5284), as amended, the following is hereby ordered:

§ 26.678b *Necedah National Wildlife Refuge, Wisconsin; hunting of deer.* Deer may be taken, with bow and arrow only, during the open season prescribed by the State Conservation Department for the bow hunting of deer, on all of the lands of the Necedah National Wildlife Refuge, Wisconsin, except the following:

W½, sec. 3; secs. 4, 5, 6, 8, 9, 10, and 15; T. 18 N., R. 3 E; secs. 25 and 36; T. 19 N., R. 2 E; all of secs. 27, 28, 29 and 34 lying south and west of the road locally referred to as the "Speedway", all of secs. 30, 31, 32, and 33; T. 19 N., R. 3 E.

Entry on and use of the refuge for any purpose is covered by the regulations for the Administration of National Wildlife Refuges dated December 19, 1940 (5 F.R. 5284), as amended, and strict compliance therewith is required. Hunters must follow such routes of travel within the refuge as are designated by posting. In addition all hunters must comply with State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license or licenses as may be required by such laws and regulations.

Dated: May 28, 1945.

ALBERT M. DAY,
Acting Director.

[F. R. Doc. 45-9476; Filed, June 1, 1945; 9:40 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Air-Navigation Site Withdrawal 2, Revocation]

UTAH

AIR-NAVIGATION SITE WITHDRAWAL REVOKED

The order of the Acting Secretary of the Interior of July 18, 1928, withdrawing the following-described land in Utah as Air-Navigation Site Withdrawal No. 2, for use as an intermediate airport or landing field in the maintenance of air-navigation facilities on the Los Angeles-Salt Lake Airways, and the order of the First Assistant Secretary of March 16, 1931, continuing the withdrawal and making the lands subject to the use of the Department of Commerce, are hereby revoked;

SALT LAKE MERIDIAN

T. 27 S., R. 10 W.,
Sec. 31, N½ (lots 1 and 2, NE¼, and E½ NW¼).

The area described contins 319.61 acres.

OSCAR CHAPMAN,
Assistant Secretary of the Interior.

MAY 21, 1945.

[F. R. Doc. 45-9457; Filed, May 31, 1945; 4:29 p. m.]

[Misc. 1994112]

CALIFORNIA

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 24, 1945.

Restoration Order No. 1189 under Federal Power Act.

By Executive order of April 19, 1912, the NE¼SE¼ sec. 18, T. 6 N., R. 14 E., M. D. M., California, containing 40 acres, was reserved for power purposes and included in Power Site Reserve No. 261. On September 5, 1929, the land was also reserved from entry for Power Project No. 593.

The Federal Power Commission has determined (DA–632, California) that the value of the above-described land will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with and subject to the provisions and reservations of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U.S.C. sec. 818).

This order shall not become effective to change the status of this land until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of Section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Sacramento, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9458; Filed, May 31, 1945; 4:30 p. m.]

[Misc. 2020219]

CALIFORNIA

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 24, 1945.

Restoration Order No. 1185 under Federal Power Act.

By Executive order of May 27, 1913, the S½N½ sec. 20, T. 31 N., R. 1 W., M. D. M., California, containing 160 acres, was reserved for power purposes and included in Power Site Reserve No. 364.

The Federal Power Commission has determined (DA–629, California) that the value of the above-described land will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with, and subject to the provisions and reservations of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U. S. C. sec. 818).

This order shall not become effective to change the status of this land until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of Section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such vet-

erans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Sacramento, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9461; Filed, May 31, 1945; 4:30 p. m.]

[Misc. 2020318]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 24, 1945.

Restoration Order No. 1184 under Federal Power Act.

By Executive order of July 2, 1910, the SW¼NW¼ sec. 34, T. 3 S., R. 72 W., 6th P. M., Colorado, containing 40 acres, was reserved for power purposes and included in Power Site Reserve No. 81.

The Federal Power Commission has determined (DA-246, Colorado) that the value of the above-described land will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with and subject to the provisions and reservations of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U.S.C. sec 818).

This order shall not become effective to change the status of this land until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9462; Filed, May 31, 1945; 4:30 p. m.]

[Misc. 2021166]

UTAH

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 26, 1945.

Restoring Order No. 1186 under Federal Power Act.

On April 24, 1936, the SE¼NE¼ sec. 33, T. 3 S., R. 6 W., S. L. M., Utah, was reserved for power purposes and included in Power Project No. 1373.

The Federal Power Commission has determined (DA-64, Utah) that the value of the above-described land will not be injured or destroyed for the purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act and subject to a reservation to the United States, its successors and assigns, of the prior right to use any and all of the land occupied by the pipe line right-of-way location, being a portion of a strip of land 100 feet in width as shown and more accurately described on a map made a part of the license for Project No. 1373, designated as "Exhibits K & L" and entitled "Detail Map of South Willow Creek Project of Utah Power & Light Company, Showing Location of Dam, Power House, Center Line of Pipe Line and General Design Drawings," and filed in the office of the Federal Power Commission on April 24, 1936.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with and subject to the provisions and reservations of Section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U.S.C. sec. 818), and subject to the prior right of the United States, its successors and assigns, to use any and all of the land occupied by

this pipe line right-of-way location, being a portion of a strip of land 100 feet in width as shown on a map designated as "Exhibits K & L", filed April 24, 1936, as part of the license for Project No. 1273 of the Utah Light & Power Company.

This order shall become effective immediately as to the administration of the land by the Grazing Service, but shall not otherwise become effective to change its status until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L.D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9459; Filed, May 31, 1945, 4:30 p. m.]

[Misc. 2027579]

WASHINGTON

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 24, 1945.

Restoration Order No. 1190 under Federal Power Act.

By Executive order of May 28, 1912, the NE¼NE¼ sec. 8, T. 10 N., R. 3 E., W. M., Washington, was reserved for power purposes and included in Power Site Reserve No. 272.

The Federal Power Commission has determined (DA-94, Washington) that the value of the above-described land will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with and subject to the provisions and reservations of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1068), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U.S.C. sec. 818).

This order shall not become effective to change the status of this land until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of Section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Spokane, Washington, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9460; Filed, May 31, 1945; 4:30 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-639]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

NOTICE OF APPLICATION

JUNE 1, 1945.

Notice is hereby given that on May 19, 1945, Kansas-Nebraska Natural Gas Company, Inc. (Applicant), a Kansas corporation having its principal place of business at Phillipsburg, Kansas, filed with the Federal Power Commission an

application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following described facilities:

(a) Approximately 20 miles of 12¾-inch O. D. transmission pipe line to reinforce its present natural-gas pipe-line system in Phillips and Rooks Counties, Kansas;

(b) Two 1,000 H. P. compressor units and auxiliary equipment which are to be installed at Applicant's compressor station near Scott City, Kansas;

(c) A 250 H. P. compressor station now located at Elm Creek, Nebraska, which is to be removed and reconstructed at or near Holdrege, Nebraska.

Applicant asserts that the primary purpose of the new construction is to increase the amount of natural gas which Applicant will be able to deliver through its own lines into the area served by it east of Holdrege, Nebraska, and to shorten the distance which gas must be transported between Scott City, Kansas, and the areas served by Applicant by means of its lines from Plainville, Kansas, south; to enable Applicant to replace approximately 7 miles of existing 6⅝-inch pipe line requiring reconditioning between Phillipsburg and Stockton, Kansas; to enable Applicant to increase its operating pressures out of its Scott City compressor station to approximately 800 pounds; to enable Applicant to increase its operating pressures east of Holdrege, Nebraska; and to assure the maintenance of efficient natural-gas service for war, defense and essential civilian requirements in the areas in the States of Kansas and Nebraska served by Applicant.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 16th day of June, 1945, file with the Federal Power Commission, Washington 25, D. C., a petititon or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-9516; Filed, June 1, 1945; 11:56 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 288, Special Permit 26]

REFRIGERATION OF SHELL EGGS FROM ATCHISON, KANS., AND DELANO, MINN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 of February 27, 1945 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 insofar as it applies to the furnishing or supplying of two refrigerator cars, for loading with 480 cases of shell eggs each, for shipment May 31, 1945, on Government bills of lading for account of the U. S. Army Q. M. Corps, one to be shipped by Wilson and Company from Atchison, Kansas, to Sales Officer, Army Air Force Ordinance, Kearn Field, Kearns, Utah (Mo. Pac.-D. & R. G. W.), and one to be shipped by Keplinger Produce Company, Delano, Minn., to Central Utah War Relocation Project, Delta, Utah (Gr. Nor.-C. St. P. M. & O.-Union Pacific).

The car order, other shipping papers and the waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of May 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-9503; Filed, June 1, 1945; 11:23 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4959]

MARIE BAMBERG

In re: Estate of Marie Bamberg, deceased; File D-28-8597; E.T. sec. 10236.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: The sum of $9,525.73 in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited on January 17, 1945, pursuant to an order of the Probate Court of Cook County, Illinois, entered January 11, 1945, in the matter of the estate of Marie Bamberg, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

William Nietfeld, Germany.

That such property is in the process of administration by the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9478; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4960]

CARRIE E. BOLLERSLEV

In re: Estate of Carrie E. Bollerslev, deceased; File No. D-28-8513; E. T. sec. 10046.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of August Graf, Sr. in and to the estate of Carrie E. Bollerslev, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

August Graf, Sr., Germany.

That such property is in the process of administration by William Fritz, 819 North Porter, Saginaw, Michigan, as Executor of the estate of Carrie E. Bollerslev, deceased, acting under the judicial supervision of the Probate Court for the County of Saginaw, Saginaw, Michigan;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9479; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4961]

LOUIS KOELSCH

In re: Estate of Louis Koelsch, deceased; File No. D-6-922; E.T. sec. 5683.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mina Koelsch, the husband and children, names unknown, of Mina Koelsch, Elsie Plottner, the husband and children, names unknown, of Elsie Plottner, Lina Seifert, the husband and children, names unknown, of Lina Seifert, Thekla Fiedler, the husband and children, names unknown, of Thekla Fiedler, Edmond Koelsch, the wife and children, names unknown, of Edmond Koelsch, Eugene Koelsch, the wife and children, names unknown, of Eugene Koelsch, Maria Glahser, the husband and children, names unknown, of Maria Glahser, Katschen Kimmel, the husband and children, names unknown, of Katschen Kimmel, Elsie Kimmel, the husband and children, names unknown, of Elsie Kimmel, Pauline Weber, the husband and children, names unknown, of Pauline Weber, Elsie Muller, the husband and children, names unknown, of Elsie Muller, Louise May, the husband and children, names unknown, of Louise May, Ludwig Schuppert, the wife and children, names unknown, of Ludwig Schuppert, Martha Muller, the husband and children, names unknown, of Martha Muller, Jacob Steiner, the wife and children, names unknown, of Jacob Steiner, Wilhelm Steiner, and the wife and children, names unknown, of Wilhelm Steiner, and each of them, in and to the estate of Louis Koelsch, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mina Koelsch, Germany.
The husband and children, names unknown, of Mina Koelsch, Germany.
Elsie Plottner, Germany.
The husband and children, names unknown, of Elsie Plottner, Germany.
Lina Seifert, Germany.
The husband and children, names unknown, of Lina Seifert, Germany.
Thekla Fiedler, Germany.
The husband and children, names unknown, of Thekla Fiedler, Germany.
Edmond Koelsch, Germany.
The wife and children, names unknown, of Edmond Koelsch, Germany.
Eugene Koelsch, Germany.
The wife and children, names unknown, of Eugene Koelsch, Germany.
Maria Glahser, Germany.
The husband and children, names unknown, of Maria Glahser, Germany.
Katschen Kimmel, Germany.
The husband and children, names unknown, of Katschen Kimmel, Germany.
Elsie Kimmel, Germany.
The husband and children, names unknown, of Elsie Kimmel, Germany.
Pauline Weber, Germany.
The husband and children, names unknown, of Pauline Weber, Germany.
Elsie Muller, Germany.
The husband and children, names unknown, of Elsie Muller, Germany.
Louise May, Germany.
The husband and children, names unknown, of Louise May, Germany.
Ludwig Schuppert, Germany.
The wife and children, names unknown, of Ludwig Schuppert, Germany.
Martha Muller, Germany.
The husband and children, names unknown, of Martha Muller, Germany.
Jacob Steiner, Germany.
The wife and children, names unknown, of Jacob Steiner, Germany.
Wilhelm Steiner, Germany.
The wife and children, names unknown, of Wilhelm Steiner, Germany.

That such property is in the process of administration by Albert R. Koelsch, as Administrator c. t. a. of the estate of Louis Koelsch, acting under the judicial supervision of the Court of Probate, District of Ellington, State of Connecticut;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9480; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4962]

GUSTAV KUEHL

In re: Estate of Gustav Kuehl, deceased; File D-17-295; E. T. sec. 7109.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Amanda Ramm in and to the estate of Gustav Kuehl, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Amanda Ramm, Germany.

That such property is in the process of administration by Minna Kuehl, 4743 N. Spaulding Avenue, Chicago, Illinois, as Administratrix de bonis non of the estate of Gustav Kuehl, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9481; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4963]

ROBERT LUDDE

In re: Estate of Robert Ludde alias Robert Bernherd Ludde, deceased; File D–28–9103; E. T. sec 11712.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hildegard Mary Muller, Karl Ludde, also known as Carl Ludde-Neurath, and heirs at law, names unknown, of Robert Ludde alias Robert Bernherd Ludde, deceased, and each of them, in and to the estate of Robert Ludde alias Robert Bernherd Ludde, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hildegard Mary Muller, Germany.
Karl Ludde (also known as Carl Ludde-Neurath), Germany.
Heirs-at-law, names unknown, of Robert Ludde alias Robert Bernherd Ludde, deceased, Germany.

That such property is in the process of administration by John T. Dempsey, as Administrator of the estate of Robert Ludde alias Robert Bernherd Ludde, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9482; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4964]

JOSEPH LUKITSCH

In re: Estate of Joseph Lukitsch, deceased; File D–6–1002; E. T. sec. 7976.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $332.14 in the possession and custody of Victor L. Schlaeger, Treasurer of Cook County, Illinois, Depositary, which amount was deposited on May 28, 1943, pursuant to an order of the Probate Court of Cook County, Illinois, entered on July 15, 1942, in the matter of the estate of Joseph Lukitsch, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Gisella Lukitsch Pauer, Germany (Austria).

That such property is in the process of administration by the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9483; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4965]

JOHANN MULLER, ET AL.

In re: Johann Muller -v- Nickolaus Muller, et al.; file D–66–2041; E. T. sec. 12130.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $1,345.02 in the possession and custody of the Auditor of Hamilton County, Ohio, Depositary, representing the distributive shares of Nickolaus Muller, and Mathias Muller from the proceeds of the real estate sold pursuant to court order in a certain partition suit entitled "Johann Muller -v- Nickolaus Muller, et al., No. A55832", in the Court of Common Pleas of Hamilton County, Ohio,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Nickolaus Muller, Rumania.
Mathias Muller, Rumania.

That such property is in the process of administration by the Auditor of Hamilton County, Ohio, as Depositary, acting under the judicial supervision of the Court of Common Pleas of Hamilton County, Cincinnati, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9484; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4969]

JOHN REINDL

In re: Estate of John Reindl, deceased. File D–28–8980; E. T. sec. 11350.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ludwig Reindl, Georg Reindl, Theres Reindl, Senzi Reindl, Anna Hallmeier and Heirs of Mary Froeschl, names unknown, and each of them, in and to the estate of John Reindl, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ludwig Reindl, Germany.
Georg Reindl, Germany.
Theres Reindl, Germany.
Senzi Reindl, Germany.
Anna Hallmeier, Germany.
Heirs of Mary Froeschl, names unknown, Germany.

That such property is in the process of administration by Sebastian Reindl, 905 Toronto Street, Toledo, Ohio, as Administrator of the estate of John Reindl, deceased, acting under the judicial supervision of the Probate Court of Lucas County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9485; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4973]

MARIE HAHN

In re: Estate of Marie Hahn, deceased; File D–28–9279; E. T. sec. 12178.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of George Hahn, Heinrich Hahn (son of deceased brother Heinrich), Peter Hahn, August Hahn (son of deceased brother Heinrich), Wilhelm Hahn, Kathrina Hahn, Simon Seibel, Elizabeth Felix, Heinrich Seibel, Marie O. Pfeng, Elizabeth Stopp, Margarethe Schleinkoffer, Karl Hahn, Heinrich Hahn (son of deceased brother Peter), August Hahn (brother), Margaretha Hahn, Katchen Hahn, and "Jane" Kunz, first name unknown (daughter of brother Augustus), and each of them, in and to the Estate of Marie Hahn, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

George Hahn, Germany.
Heinrich Hahn (son of deceased brother Heinrich), Germany.
Peter Hahn, Germany.
August Hahn (son of deceased brother Heinrich), Germany.
Wilhelm Hahn, Germany.
Kathrina Hahn, Germany.
Simon Seibel, Germany.
Heinrich Seibel, Germany.
Elizabeth Felix, Germany.
Marie O. Pfeng, Germany.
Elizabeth Stopp, Germany.
Margarethe Schleinkoffer, Germany.
Karl Hahn, Germany.
Heinrich Hahn (son of deceased brother Peter), Germany.
August Hahn (brother), Germany.
Margaretha Hahn, Germany.
Katchen Hahn, Germany.
"Jane" Kunz, first name unknown (daughter of brother Augustus), Germany.

That such property is in the process of administration by Arthur Michel, and Ludwig Seibel, as Executors of the Estate of Marie Hahn, acting under the judicial supervision of the Circuit Court of Multnomah County, Oregon;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admis-

sion of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9486; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4974]

ELSE MERKEL

In re: Estate of Else Merkel, deceased. File D-28-9056; E. T. sec. 11391.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Cacilie Merkel in and to the Estate of Else Merkel, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Cacilie Merkel, Germany.

That such property is in the process of administration by Herman P. Weinrich, as Administrator with the will annexed of the Estate of Else Merkel, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9487; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4975]

ELSIE MIKLOSOVITZ

In re: Estate of Elsie Miklosovitz, also known as Elsa Miklosovitz, deceased; File D-34-789; E. T. sec. 12034.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Frans Miklos, Julie Steinacher, Hedwig Steinacher and Ferdinand Steinacher, and each of them, in and to the Estate of Elsie Miklosovitz, also known as Elsa Miklosovitz, deceased,

is property payable or deliverable to, or claimed by, nationals of designated enemy countries, Hungary and Germany, namely,

Nationals and Last Known Address

Frans Miklos, Hungary.
Julie Steinacher, Germany (Austria).
Hedwig Steinacher, Germany (Austria).
Ferdinand Steinacher, Germany (Austria).

That such property is in the process of administration by Hilda Newell Norton, as Executrix of the Estate of Elsie Miklosovitz, also known as Elsa Miklosovitz, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within designated enemy countries, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, (Hungary and Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9488; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4976]

CARL ZOBERBIER

In re: Estate of Carl Zoberbier, deceased, and trust created under the will of Carl Zoberbier, deceased; File D-28-8273; E. T. sec. 9437.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Betty Meiche, Amalie Zieseniss and Hanna Meiche, and each of them, in and to the Estate of Carl Zoberbier, deceased, and in and to the trust created under the will of Carl Zoberbier, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Betty Meiche, Germany.
Amalie Ziesenis, Germany.
Hanna Meiche, Germany.

That such property is in the process of administration by Alfred Medly Zoberbier, as Executor and Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or

in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9489; Filed, June 1, 1945; 10:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 122, Corr. to Order 55]

C. REISS COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 55 issued and effective May 21, 1945 is hereby corrected to read Order No. 56.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9439; Filed, May 31, 1945; 11:41 a. m.]

[MPR 188, Order 3890]

GENERAL CLAY PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.161 (a) (2) of Maximum Price Regulation 188 and § 1499.18 (c) of the General Maximum Price Regulation, *It is ordered:*

(a) The maximum f. o. b. plant and delivered prices for sales by the General Clay Products Company, Columbus, Ohio, of drain tile may be increased by amounts not in excess of the following:

Size	Weight, per foot	Adjustment, per M ft.
3"	4	$0.50
4"	6	.70
5"	9	1.10
6"	12	1.40
8"	18	2.20
10"	28	3.40
12"	36	4.30
15"	56	6.70
18"	78	9.40
20"	85	10.30
22"	107	12.80
24"	120	14.40

(b) Any person purchasing clay or shale drain tile manufactured by the General Clay Products Company, Columbus, Ohio, for the purpose of resale may increase his present maximum prices established under the General Maximum Price Regulation by a dollar-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted in paragraph (a), above.

(c) The amounts by which the General Clay Products Company's maximum prices are increased pursuant to paragraph (a) above, shall be separately stated on the invoice with the following notation:

Increases permitted by the Office of Price Administration to maintain supply.

The General Clay Products Company shall also furnish to each buyer purchasing its products for resale, on or before the date it makes the delivery at the adjusted price, a written statement as follows:

The Office of Price Administration has granted an adjustment in the maximum prices for drain tile manufactured by the General Clay Products Company. The amount of the price increase is shown separately on the invoice in per-thousand feet.

You are permitted to add the actual amount of this price increase to your existing maximum price for drain tile purchased from the General Clay Products Company, provided you specify the amount of the increase on your invoice given to the purchaser.

(d) The maximum prices established herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(e) Order No. L-496 under § 1499.161 (a) (2) of Maximum Price Regulation 188 is hereby revoked.

(f) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9442; Filed, May 31, 1945; 11:42 a. m.]

[MPR 260, Order 1028]

STATE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) State Cigar Factory, 2117 State Street, Tampa 6, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
State (Specials)	Coronas	50	*Per M* $72.00	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9444; Filed, May 31, 1945; 11:43 a. m.]

[MPR 260, Order 1029]

THREE COUSINS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Three Cousins Cigar Factory, 2503 Pine Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona Especial.	Coronas.....	50	$60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9445; Filed, May 31, 1945; 11:43 a. m.]

[MPR 260, Order 1030]

AROMA TROPICAL CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Aroma Tropical Cigar Factory, 1034 9th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Gator.....	Corona.....	50	$82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9446; Filed, May 31 1945; 11:43 a. m.]

[MPR 260, Order 1031]

FUMA TAMPA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Fuma Tampa Cigar Factory, 1103 N. Armenia Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Fuma Tampa....	Brevas Especial.	50	$169	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9447; Filed, May 31, 1945; 11:43 a. m.]

[MPR 260, Order 1032]

ZIGMUND SILVERMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Zigmund Silverman, 6048 Walnut Street, Philadelphia 39, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Val Rosa.....	Perfecto.....	50	$72	9
	Blunt.....	50	72	9

ferentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9448; Filed, May 31, 1945; 11:44 a. m.]

[MPR 260, Order 1033]

THOMAS F. HEALY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Thomas F. Healey, 155 John St., New York 7, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	
La Simbombo...	Aromaticos....	25	$525.00	$0.70
	Super Coronas.	25	450.00	.60
	Fancy Tales...	25	376.00	.50
	Excelsior #1...	25	487.50	.65
	Excelsior #2...	25	450.00	.60
	Coronas.....	25	385.00	.55
	Invencibles Finos.	25	262.50	.35
	Coronas Extras.	25	300.00	.40
	Coronitas Finas.	25	225.00	.30
	Petit Coronas.	25	250.00	3 for $1
	Half a Corona.	25	210.00	$0.28
	Perfectos.....	25	246.25	.33
	American.....	25	212.25	.28
	Belvederes....	25	203.50	.28
	Delicioso Extra.	50	176.00	.22
	Gardenias.....	50	164.00	3 for .55
	Regalia Predilecta.	50	206.25	.28
	Selecciones Finas.	25	300.00	.40
	Bocaditos.....	25	214.50	.28
	Aromas.....	25	262.50	.35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and front-

mark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9449; Filed, May 31, 1945; 11:44 a. m.]

[MPR 260, Order 1034]

CAUSO TRADING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Causo Trading Co., 82 Wall St., New York 5, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor de Tomas Gutierez.	Coronas Grande	25	$407.00	55
	Nacionales	25	248.75	35
	Americans	25	212.25	28
	Belvederes	25	203.50	28
	Conchas Finas	25	161.50	20
	Panetelas	50	150.00	20
	Londres	25	196.25	25
	Perfectos	25	246.25	33
	Petit Coronas	25	261.75	33
	Coronas	25	368.50	80

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9450; Filed, May 31, 1945; 11:45 a. m.]

[MPR 260, Order 1035]

MANHATTAN NOVELTY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Manhattan Novelty Co., 263 Canal St., New York 13, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
La Aroma de Cuba.	Cetros	25	$450.00	$0.60
	Coronas	25	368.00	.55
	Nacionales	25	334.50	.44
	Clubmas	25	268.00	.30
	Petit Coronas	25	200.00	2 for $1
	Elegantes	25	216.25	$0.25
	Nuevos Port	25	208.25	.28
	Symbols	25	208.50	.28
	Belvederes	25	208.50	.28

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be increased. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9451; Filed, May 31, 1945; 11:45 a. m.]

[MPR 260, Order 1036]

NICHOLAS COMPANY, LTD.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Nicholas Co., Ltd., 90 Wall St., New York 5, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	
Punch	Americans	25	$212.50	$0.28
Partagas	Corona Juniors	25	262.50	.35
	Corona Seniors	25	308.00	.39
	Corona Extra	25	426.25	.55
	Corona Nature	25	308.00	.39
	Corona Chico	25	261.75	.35
Bolivar	Champions	25	245.00	3 for $1
	Perfectos	25	246.50	$0.33
	Belvederes	25	203.00	.28
	Coronas de J. B. R.	25	400.00	.55
H. Upmann	Alonsos	25	212.25	.28

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9452; Filed, May 31, 1945; 11:45 a. m.]

[MPR 188, Amdt. 80 to Order A-1]

CLAY GLASS MELTING POTS AND RINGS

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new paragraph (a) (57) is added to Order A-1 to read as follows:

(57) *Modification of maximum prices for clay glass melting pots and rings.* (i) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 188, as amended, for clay glass melting pots and rings produced in the United States of America shall be their maximum f. o. b. plant prices, increased by 5.3 percent.

(ii) The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This amendment shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9526; Filed, June 1, 1945; 12:04 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register May 25, 1945.

REGION I

Augusta Order 1-W, Amendment 10, covering dry groceries. Filed 2:10 p. m.

Boston Order 1-C, Amendment 6, covering poultry. Filed 2:10 p. m.

Boston Order 1-W, Amendment 9, covering dry groceries. Filed 2:10 p. m.

Concord Order 20-C, Amendment 2, covering poultry in the Concord, New Hampshire Area. Filed 2:19 p. m.

Rhode Island Order 3-F, Amendment 1, covering fresh fruits and vegetables in the Providence, Rhode Island Area. Filed 2:19 p. m.

Rhode Island Order 3-P, Amendment 2, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 2:19 p. m.

Rhode Island Order 4-F, Amendment 1, covering fresh fruits and vegetables in the state of Rhode Island. Filed 2:10 p. m.

New Hampshire Order 9-F, Amendment 2, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 2:19 p. m.

REGION II

Altoona Order 18, covering dry groceries in the Altoona Area. Filed 9:42 a. m.

Albany Order 1-F, Amendment 58, covering fresh fruits and vegetables in certain areas in New York. Filed 9:39 a. m.

Altoona Order 5-W, covering dry groceries in the Altoona Area. Filed 9:42 a. m.

Albany Order 1-F, Amendment 59, covering fresh fruits and vegetables in certain cities in New York. Filed 9:36 a. m.

Albany Order 1-F, Amendment 60, covering fresh fruits and vegetables in certain cities in New York. Filed 9:36 a. m.

Albany Order 1-O, covering eggs in certain counties in New York. Filed 2:12 p. m.

Albany Order 2-O, covering eggs in certain counties in New York. Filed 2:11 p. m.

Albany Order 3-O, covering eggs in certain counties in New York. Filed 2:11 p. m.

Albany Order P-5, Amendment 5, covering fresh fish in certain counties in New York. Filed 9:36 a. m.

Albany Order P-5, Amendment 2, covering fresh fish in certain counties in New York. Filed 9:35 a. m.

Baltimore Order 4-F, Amendment 38, covering fresh fruits and vegetables in Baltimore, Maryland. Filed 2:17 p. m.

Baltimore Order 5-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Maryland. Filed 2:17 p. m.

Baltimore Order 6-F, Amendment 38, covering fresh fruits and vegetables in certain areas in Maryland. Filed 2:16 p. m.

Baltimore Order 8-F, Amendment 19, covering fresh fruits and vegetables in Allegany County and Cumberland, Maryland. Filed 2:16 p. m.

Camden Order 3-F, Amendment 32, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:35 a. m.

Camden Order 4-F, Amendment 32, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 9:35 a. m.

Camden Order W-5, Amendment 1, covering dry groceries in certain counties in New Jersey. Filed 2:17 p. m.

Camden Order 20, Amendment 1, covering dry groceries in certain areas in New Jersey. Filed 2:18 p. m.

Camden Order 21, Amendment 1, covering dry groceries in certain areas in New Jersey. Filed 2:18 p. m.

Camden Order 22, Amendment 1, covering dry groceries in certain areas in New Jersey. Filed 2:17 p. m.

District of Columbia Order 5-F, Amendment 7, covering fresh fruits and vegetables. Filed 11:26 a. m.

Erie Order 7-W, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 9:48 a. m.

Erie Order 20, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 11:26 a. m.

Erie Order 21, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 11:25 a. m.

Erie Order 22, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 9:47 a. m.

Newark Order 7-F, Amendment 2, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 11:25 a. m.

Newark Order 7-F, Amendment 5, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:42 a. m.

Pittsburgh Order 1-C, Amendment 1, covering poultry. Filed 11:25 a. m.

Pittsburgh Order 2-C, Amendment 1, covering poultry. Filed 11:24 a. m.

Pittsburgh Order 2-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 11:25 a. m.

Pittsburgh Order 3–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 11:25 a. m.

Scranton Order 18, covering dry groceries in certain counties in Pennsylvania. Filed 9:47 a. m.

Syracuse Order 3–F, Amendment 31, covering fresh fruits and vegetables in Syracuse, Watertown and Utica. Filed 2:15 p. m.

Wilmington Order 4–F, Amendment 35, covering fresh fruits and vegetables in certain areas in Delaware. Filed 2:15 p. m.

Wilmington Order 5–F, Amendment 9, covering fresh fruits and vegetables in certain areas in Delaware. Filed 9:39 a. m.

REGION IV

Birmingham Order 1–C, Amendment 4, covering poultry in certain counties in Alabama. Filed 2:15 p. m.

Birmingham Order 2–C, Amendment 4, covering poultry in certain counties in Alabama. Filed 2:15 p. m.

Jackson Order 4–F, Amendment 28, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 9:42 a. m.

Miami Order 1–F, Amendment 13, covering fresh fruits and vegetables in certain cities in Florida. Filed 2:13 p. m.

Miami Order 2–F, Amendment 13, covering fresh fruits and vegetables in certain cities in Florida. Filed 2:13 p. m.

Memphis Order 1–C, Amendment 1, covering poultry in certain areas in Tennessee. Filed 2:14 p. m.

Memphis Order 2–C, Amendment 1, covering poultry in certain counties in Tennessee. Filed 2:14 p. m.

Memphis Order 3–C, Amendment 1, covering poultry in certain areas in Tennessee. Filed 2:14 p. m.

Memphis Order 4–C, Amendment 1, covering poultry in certain counties in Tennessee. Filed 2:13 p. m.

Roanoke Order 11–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Virginia. Filed 9:41 a. m.

Roanoke Order 12–F, Amendment 9, covering fresh fruits and vegetables in certain counties in Virginia. Filed 9:41 a. m.

REGION V

San Antonio Order 4–W, Amendment 7, covering dry groceries. Filed 11:20 a. m.

San Antonio Order 15, Amendment 7, covering dry groceries in certain counties in Texas. Filed 11:20 a. m.

Fargo-Moorhead Order 3–W, Amendment 6, covering dry groceries in Bismarck, Mandan, and Minot, North Dakota. Filed 9:39 a. m.

Fargo-Moorhead Order 4–W, Amendment 6, covering dry groceries in Fargo and Grand Forks, North Dakota. Filed 9:39 a. m.

Fargo-Moorhead Order 25, Amendment 6, covering dry groceries in Bismarck, Devils Lake, Jamestown, Mandan, and Minot and Valley City. Filed 9:41 a. m.

Fargo-Moorhead Order 26, Amendment 6, covering dry groceries in certain areas in North Dakota. Filed 9:41 a. m.

Fargo-Moorhead Order 27, Amendment 6, covering dry groceries in certain areas in North Dakota. Filed 9:40 a. m.

Fargo-Moorhead Order 28, Amendment 6, covering dry groceries in certain areas in North Dakota. Filed 9:40 a. m.

Green Bay Order 4–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 11:19 a. m.

Green Bay Order 5–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 11:19 a. m.

Green Bay Order 6–F, Amendment 12, covering fresh fruits and vegetables in Florence, Forest and Marinette. Filed 11:19 a. m.

Sioux City Order 2–F, Amendment 69, covering fresh fruits and vegetables in Sioux City, Iowa and S. Sioux City, Nebraska. Filed 11:18 a. m.

Sioux City Order 18, Amendment 2, and Order 3–W, Amendment 2, covering dry groceries in certain counties in Nebraska. Filed 11:18 a. m.

Sioux City Order 18, Amendment 3, covering dry groceries in certain counties in Nebraska. Filed 11:20 a. m.

Sioux Falls Order 5–W, Amendment 3, covering dry groceries in certain areas in South Dakota. Filed 9:47 a. m.

Sioux Falls Order 17, Amendment 4, covering dry groceries in certain areas in South Dakota. Filed 9:47 a. m.

Springfield Order 13–F, Amendment 10, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 2:13 p. m.

Springfield Order 14–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Illinois. Filed 2:12 p. m.

Springfield Order 15–F, Amendment 11, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 2:12 p. m.

REGION VIII

Nevada Order 28, Amendment 1, covering dry groceries in the Reno and Sparks Area. Filed 11:24 a. m.

Phoenix Adopting Order 16 under Basic Order 1–B, Amendment 1, covering food prices in the Eastern Arizona Area. Filed 9:48 a. m.

Portland Order 4–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon and Washington. Filed 11:18 a. m.

Portland Order 4–F, Amendment 19, covering fresh fruits and vegetables in certain cities in Oregon and Washington. Filed 11:18 a. m.

Portland Order 5–F, Amendment 17, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:18 a. m.

Portland Order 5–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:17 a. m.

Portland Order 6–F, Amendment 17, covering fresh fruits and vegetables in Roseburgh, Sutherlin and Oakland, Oregon. Filed 11:17 a. m.

Portland Order 6–F, Amendment 18, covering fresh fruits and vegetables in Roseburgh, Sutherlin and Oakland, Oregon. Filed 11:17 a. m.

Portland Order 7–F, Amendment 16, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:48 a. m.

Portland Order 7–F, Amendment 17, covering fresh fruits and vegetables in Klamath Falls, Oregon. Filed 9:48 a. m.

Portland Order 8–F, Amendment 16, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:48 a. m.

Portland Order 8–F, Amendment 17, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:48 a. m.

Portland Order 9–F, Amendment 16, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:48 a. m.

Portland Order 9–F, Amendment 21, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:24 a. m.

Portland Order 10–F, Amendment 20, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 11:24 a. m.

Portland Order 12–F, Amendment 18, covering fresh fruits and vegetables in Salem and West Salem, Oregon. Filed 11:23 a. m.

Portland Order 13–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 14–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 15–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 16–F, Amendment 11, covering fresh fruits and vegetables in Bend, Oregon. Filed 11:23 a. m.

Portland Order 17–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 18–F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 19–F, Amendment 9, covering fresh fruits and vegetables in Dalles, Oregon. Filed 11:22 a. m.

Portland Order 20–F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:22 a. m.

Portland Order 21–F, Amendment 9, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 11:22 a. m.

Portland Order 22–F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:22 a. m.

Portland Order 27–F, Amendment 8, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 11:22 a. m.

Portland Order 28–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Oregon. Filed 11:22 a. m.

Portland Order 29–F, Amendment 5, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:21 a. m.

San Francisco Order 1–D, Amendment 2, covering butter and cheese in the San Francisco Area. Filed 11:21 a. m.

San Francisco Order F–1, Amendment 3, covering fresh fish in certain counties in California. Filed 11:20 a. m.

San Francisco Order G–13, Amendment 3, covering dry groceries in certain counties in California. Filed 11:21 a. m.

Seattle Order 2–W, Amendment 5, covering dry groceries in certain counties in Washington. Filed 9:43 a. m.

Seattle Order 30, and Order 1–W, Amendment 7, covering dry groceries in certain areas in Washington. Filed 9:46 a. m.

Seattle Order 30, Amendment 1, covering dry groceries in certain counties in Washington. Filed 9:46 a. m.

Seattle Order 31, covering dry groceries in certain areas in Washington. Filed 9:46 a. m.

Seattle Order 31, Amendment 1, covering dry groceries in certain counties in Washington. Filed 9:45 a. m.

Seattle Order 32, covering dry groceries in certain areas in Washington. Filed 9:45 a. m.

Seattle Order 32, Amendment 1, covering dry groceries in certain counties in Washington. Filed 9:45 a. m.

Seattle Order 33, covering dry groceries in certain areas in Washington. Filed 9:44 a. m.

Seattle Order 33, Amendment 1, covering dry groceries in certain counties in Washington. Filed 9:44 a. m.

Seattle Order 34, covering dry groceries in certain areas in Washington. Filed 9:43 a. m.

Seattle Order 34, Amendment 1, covering dry groceries in certain areas in Washington. Filed 9:43 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–9463; Filed, May 31, 1945; 5:01 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register May 28, 1945.

REGION I

Augusta Order 1–F, Amendment 49, covering fresh fruits and vegetables in Portland, South Portland and Westbrook, Maine. Filed 3:41 p. m.

Connecticut Order 6–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 3:01 p. m.

Connecticut Order 6–F, Amendment 2, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 3:00 p. m.

Connecticut Order 7–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 3:00 p. m.

Connecticut Order 8–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 3:00 p. m.

Connecticut Order 9–F, Amendment 2, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 2:45 p. m.

Vermont Order 3–F, covering fresh fruits and vegetables in certain areas in Vermont. Filed 2:44 p. m.

REGION II

New York Order 5–W, Amendment 1, covering dry groceries in New York City. Filed 3:10 p. m.

New York Order 25, Amendment 2, covering dry groceries in certain areas in New York. Filed 3:10 p. m.

New York Order 26, Amendment 2, covering dry groceries in certain areas in New York. Filed 3:10 p. m.

New York Order 28, Amendment 1, covering dry groceries in certain areas in New York. Filed 3:10 p. m.

REGION III

Charleston Order 7–F, Amendment 13, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:35 p. m.

Charleston Order 9–F, Amendment 13, covering fresh fruits and vegetables in Huntington and Wayne County, West Virginia. Filed 2:35 p. m.

Charleston Order 10–F, Amendment 13, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:35 p. m.

Charleston Order 11–F, Amendment 13, covering fresh fruits and vegetables in Jefferson and Morgan Counties, West Virginia. Filed 2:34 p. m.

Charleston Order 15–F, Amendment 9, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:34 p. m.

Charleston Order 16–F, Amendment 9, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:34 p. m.

Charleston Order 17–F, Amendment 9, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:34 p. m.

Cincinnati Order 4–F, Amendment 20, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 2:35 p. m.

Cincinnati Order 5–F, Amendment 20, covering fresh fruits and vegetables in certain counties in Ohio. Filed 2:33 p. m.

Cincinnati Order 7–F, Amendment 9, covering fresh fruits and vegetables in certain counties in Ohio. Filed 2:33 p. m.

Columbus Order 8–F, Amendment 18, covering fresh fruits and vegetables in Franklin County, Ohio. Filed 2:37 p. m.

Columbus Order 8–F, Amendment 22, covering fresh fruits and vegetables in Franklin County, Ohio. Filed 2:34 p. m.

Grand Rapids Order 14–A, Amendment 71, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 2:37 p. m.

Grand Rapids Order F–14–B, Amendment 71, covering fresh fruits and vegetables in Battle Creek, Kalamazoo and Muskegon. Filed 2:37 p. m.

Grand Rapids Order F–14–B, Amendment 72, covering fresh fruits and vegetables in Battle Creek, Kalamazoo and Muskegon. Filed 2:33 p. m.

Grand Rapids Order F–14–C, Amendment 46, covering fresh fruits and vegetables in certain areas in Michigan. Filed 2:37 p. m.

Grand Rapids Order F–14–C, Amendment 48, covering fresh fruits and vegetables in certain areas in Michigan. Filed 2:33 p. m.

Indianapolis Order 14–F, Amendment 18, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe. Filed 3:23 p. m.

Indianapolis Order 15–F, Amendment 18, covering fresh fruits and vegetables in Wayne, Delaware and Allen. Filed 3:23 p. m.

Indianapolis Order 16–F, Amendment 18, covering fresh fruits and vegetables in St. Joseph. Filed 3:23 p. m.

Indianapolis Order 17–F, Amendment 18, covering fresh fruits and vegetables in Vanderburgh. Filed 3:22 p. m.

Lexington Order 5–F, Amendment 8, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 2:33 p. m.

Lexington Order 5–F, Amendment 9, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 3:22 p. m.

Lexington Order 6–F, Amendment 8, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 2:32 p. m.

Lexington Order 6–F, Amendment 9, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 3:15 p. m.

Lexington Order 7–F, Amendment 8, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 2:32 p. m.

Lexington Order 7–F, Amendment 9, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 3:15 p. m.

Lexington Order 8–F, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 2:32 p. m.

Lexington Order 8–F, Amendment 1, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 2:32 p. m.

Louisville Order 1–C, Amendment 4, covering poultry in Jefferson, Kentucky, Clark and Floyd Counties, Indiana. Filed 2:43 p. m.

Louisville Order 2–C, Amendment 4, covering poultry in certain counties in Kentucky. Filed 2:43 p. m.

Louisville Order 2–F, covering fish and sea food in Jefferson, Kentucky, and Floyd and Clark Counties, Indiana. Filed 2:42 p. m.

Louisville Order 12–F, Amendment 18, covering fresh fruits and vegetables in certain counties in Kentucky and Indiana. Filed 2:44 p. m.

Louisville Order 12–F, Amendment 19, covering fresh fruits and vegetables in certain counties in Kentucky, and Indiana. Filed 2:44 p. m.

Louisville Order 12–F, Amendment 20, covering fresh fruits and vegetables in certain counties in Kentucky and Indiana. Filed 3:15 p. m.

Louisville Order 13–F, Amendment 18, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 2:44 p. m.

Louisville Order 13–F, Amendment 19, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 2:44 p. m.

Louisville Order 13–F, Amendment 20, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 3:15 p. m.

Louisville Order 14–F, Amendment 18, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 2:43 p. m.

Louisville Order 14–F, Amendment 19, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 2:43 p. m.

Louisville Order 14–F, Amendment 20, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 3:14 p. m.

Columbia Order 7–F, Amendment 1, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 2:41 p. m.

Columbia Order 7–F, Amendment 2, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 3:14 p. m.

REGION IV

Montgomery Order 20–F, Amendment 23, covering fresh fruits and vegetables in Mobile County, Alabama. Filed 2:37 p. m.

Montgomery Order 22–F, Amendment 29, covering fresh fruits and vegetables in Houston County. Filed 2:36 p. m.

Montgomery Order 21–F, Amendment 28, covering fresh fruits and vegetables in Montgomery County. Filed 2:36 p. m.

Montgomery Order 23–F, Amendment 8, covering fresh fruits and vegetables in certain counties in Alabama. Filed 2:36 p. m.

Montgomery Order 24–F, Amendment 26, covering fresh fruits and vegetables in Dallas County. Filed 2:36 p. m.

Roanoke Order 11–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Virginia. Filed 2:36 p. m.

Roanoke Order 12–F, Amendment 7, covering fresh fruits and vegetables in certain counties in Virginia. Filed 2:36 p. m.

Savannah Order 6–W under Basic Order 2–B, Amendment 2, covering dry groceries. Filed 3:07 p. m.

Savannah Order 20, Amendment 3, covering dry groceries. Filed 3:07 p. m.

Savannah Order 21, Amendment 2, covering dry groceries. Filed 3:07 p. m.

REGION V

Fort Worth Order 7–F, Amendment 9, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 3:13 p. m.

Fort Worth Order 8–F, Amendment 9, covering fresh fruits and vegetables in Taylor County, Texas. Filed 3:13 p. m.

Fort Worth Order 9–F, Amendment 9, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 3:12 p. m.

Fort Worth Order 10–F, Amendment 9, covering fresh fruits and vegetables in McLennan County, Texas. Filed 3:12 p. m.

Fort Worth Order 11–F, Amendment 9, covering fresh fruits and vegetables in Wichita County, Texas. Filed 3:12 p. m.

Little Rock Order 2–F, Amendment 55, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 2:39 p. m.

Little Rock Order 4–F, Amendment 46, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 2:39 p. m.

Little Rock Order 5–F, Amendment 47, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 2:39 p. m.

Little Rock Order 6–F, Amendment 47, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 2:39 p. m.

Lubbock Order 3–F, Amendment 53, covering fresh fruits and vegetables in certain areas in Texas. Filed 2:39 p. m.

St. Louis Order 3–F, Amendment 33, covering fresh fruits and vegetables in the city and county of St. Louis, Missouri. Filed 3:12 p. m.

REGION VI

Sioux Falls Order 18, Amendment 2, covering dry groceries in certain counties in South Dakota. Filed 2:38 p. m.

Springfield Order 13–F, Amendment 8, covering fresh fruits and vegetables in Springfield and Sangamon County, Illinois. Filed 2:38 p. m.

Springfield Order 13–F, Amendment 11, covering fresh fruits and vegetables in Springfield and Sangamon County, Illinois. Filed 3:12 p. m.

Springfield Order 14–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Illinois. Filed 2:38 p. m.

Springfield Order 14–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:11 p. m.

Springfield Order 15–F, Amendment 9, covering fresh fruits and vegetables in Decatur and Macon County, Illinois. Filed 2:38 p. m.

Springfield Order 15–F, Amendment 12, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 3:11 p. m.

REGION VIII

Fresno Order 34, covering certain food items in certain areas in California. Filed 2:41 p. m.

Los Angeles Order 1–F, Amendment 65, covering fresh fruits and vegetables in the Los Angeles Area. Filed 2:40 p. m.

Los Angeles Order 1–F, Amendment 3, covering fresh fish and seafood in the Los Angeles Area. Filed 2:40 p. m.

Los Angeles Order 1–W, Amendment 4, covering dry groceries in the Los Angeles Area. Filed 2:40 p. m.

Los Angeles Order L. A. 12, Amendment 3, covering dry groceries in the Los Angeles Area. Filed 2:40 p. m.

Seattle Order 2–W, Amendment 8, covering dry groceries in certain areas in Washington. Filed 2:41 p. m.

Seattle Order 32, Amendment 4, covering dry groceries in certain areas in Washington. Filed 2:42 p. m.

Seattle Order 33, Amendment 4, covering dry groceries in certain areas in Washington. Filed 2:42 p. m.

Seattle Order 34, Amendment 4, covering dry groceries in certain areas in Washington. Filed 2:42 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–9465; Filed, May 31, 1945; 5:01 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register, May 28, 1945.

REGION II

Buffalo Order 3–F, Amendment 10, covering fresh fruits and vegetables in certain cities in New York. Filed 12:12 p. m.

Buffalo Order 4–F, Amendment 10, covering fresh fruits and vegetables in certain cities in New York. Filed 12:12 p. m.

Camden Order 3–F, Amendment 33, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 12:12 p. m.

Camden Order 4–F, Amendment 33, covering fresh fruits and vegetables in Atlantic and Cape May Counties, New Jersey. Filed 12:11 p. m.

Des Moines Order 1–F, Amendment 64, covering fresh fruits and vegetables in Des Moines, Polk County. Filed 12:16 p. m.

District of Columbia Order 5–F, Amendment 10, covering fresh fruits and vegetables. Filed 12:11 p. m.

Philadelphia Order P–2, Amendment 5, covering fresh fish in Philadelphia, Pennsylvania. Filed 12:10 p. m.

Philadelphia Order 6–F, Amendment 28, covering fresh fruits and vegetables in Philadelphia, Pennsylvania. Filed 12:11 p. m.

Philadelphia Order 11–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 12:11 p. m.

Philadelphia Order 12–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 12:11 p. m.

Milwaukee Order 2–W, Amendment 3, covering dry groceries in certain areas in Wisconsin. Filed 12:16 p. m.

Milwaukee Order 12, Amendment 4, covering dry groceries in certain areas in Wisconsin. Filed 12:17 p. m.

Syracuse Order 3–F, Amendment 32, covering fresh fruits and vegetables in certain cities in New York. Filed 12:16 p. m.

Syracuse Order 4–F, Amendment 20, covering fresh fruits and vegetables in certain counties in New York. Filed 12:16 p. m.

REGION III

Columbus Order 15, Amendment 11, covering eggs in certain counties in Ohio. Filed 12:19 p. m.

Columbus Order 15, Amendment 12, covering eggs in certain counties in Ohio. Filed 12:19 p. m.

Columbia Order 16, Amendment 11, covering eggs in certain counties in Ohio. Filed 12:18 p. m.

Columbus Order 16, Amendment 12, covering poultry in certain counties in Ohio. Filed 12:18 p. m.

Detroit Order 2–C, Amendment 4, covering poultry in the Detroit Area. Filed 12:18 p. m.

Detroit Order 3–C, Amendment 4, covering poultry in the Detroit Area. Filed 12:18 p. m.

Detroit Order 5–F, Amendment 16, covering fresh fruits and vegetables in Wayne and Macomb Counties. Filed 12:12 p. m.

Grand Rapids Order 14–A, Amendment 73, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 12:12 p. m.

Louisville Order 1–C, Amendment 5, covering poultry in certain areas in Kentucky and Indiana. Filed 12:12 p. m.

Louisville Order 2–C, Amendment 5, covering poultry in certain counties in Kentucky. Filed 12:12 p. m.

Saginaw Order 5–W, Amendment 1, covering dry groceries in the Saginaw Area. Filed 12:17 p. m.

Saginaw Order 24, Amendment 1, covering dry groceries in the Saginaw Area. Filed 12:17 p. m.

Toledo Order 12, Amendment 1, covering dry groceries. Filed 12:17 p. m.

REGION V

Houston Order 1–C, Amendment 6, covering poultry. Filed 12:08 p. m.

Houston Order 1–F, Amendment 55, covering fresh fruits and vegetables in certain counties and cities in Texas. Filed 12:10 p. m.

Houston Order 3–F, Amendment 43, covering fresh fruits and vegetables in Jefferson and Orange Counties, Texas. Filed 12:08 p. m.

Little Rock Order 2–F, Amendment 58, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 12:08 p. m.

Little Rock Order 4–F, Amendment 49, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 12:08 p. m.

Little Rock Order 5–F, Amendment 50, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 12:08 p. m.

Lubbock Order 3–F, Amendment 56, covering fresh fruits and vegetables in certain counties in Texas. Filed 12:07 p. m.

REGION VI

Des Moines Order 3–F, Amendment 12, covering fresh fruits and vegetables in certain counties in Iowa. Filed 12:15 p. m.

Peoria Order 7–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

Peoria Order 8–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

Peoria Order 9–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

Peoria Order 10–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

REGION VII

Salt Lake City Order 1–B, Amendment 2, covering certain food items. Filed 12:06 p. m.

Salt Lake City Order 7–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:07 p. m.

Salt Lake City Order 8–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:07 p. m.

Salt Lake City Order 9–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:06 p. m.

Salt Lake City Order 10–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:06 p. m.

REGION VIII

Fresno Order 1–F, Amendment 66, covering fresh fruits and vegetables in Fresno, California. Filed 12:05 p. m.

Fresno Order 2–F, Amendment 54, covering fresh fruits and vegetables in Modesto, California. Filed 12:04 p. m.

Fresno Order 3–F, Amendment 51, covering fresh fruits and vegetables in certain areas in California. Filed 12:03 p. m.

Fresno Order 4–F, Amendment 26, covering fresh fruits and vegetables in certain areas in California. Filed 12:03 p. m.

Fresno Order 6–F, Amendment 37, covering fresh fruits and vegetables in Kern County, and city of Bakersfield. Filed 12:03 p. m.

Fresno Order 7–F, Amendment 16, covering fresh fruits and vegetables in Merced. Filed 12:03 p. m.

Seattle Order 6–F, Amendment 34, covering fresh fruits and vegetables in Seattle and Bremerton, Washington. Filed 12:14 p. m.

Seattle Order 7–F, Amendment 31, covering fresh fruits and vegetables in Tacoma, Washington. Filed 12:14 p. m.

Seattle Order 8–F, Amendment 29, covering fresh fruits and vegetables in Everett, Washington. Filed 12:14 p. m.

Seattle Order 9–F, Amendment 34, covering fresh fruits and vegetables in Seattle and Bremerton, Washington. Filed 12:14 p. m.

Seattle Order 10–F, Amendment 28, covering fresh fruits and vegetables in Bellingham, Washington Area. Filed 12:14 p. m.

Seattle Order 11–F, Amendment 28, covering fresh fruits and vegetables in Olympia, Washington. Filed 12:14 p. m.

Seattle Order 12–F, Amendment 28, covering fresh fruits and vegetables in Aberdeen-Hoquiam, Washington. Filed 12:13 p. m.

Seattle Order 13–F, Amendment 29, covering fresh fruits and vegetables in Centralia-Chehalis, Washington. Filed 12:14 p. m.

Seattle Order 14–F, Amendment 30, covering fresh fruits and vegetables in Wenatchee and East Wenatchee, Washington. Filed 12:13 p. m.

Seattle Order 15–F, Amendment 27, covering fresh fruits and vegetables in Yakima, Washington. Filed 12:13 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–9464; Filed, May 31, 1945; 5:01 p. m.]

[Region VII Order G–11 Under MPR 188]

BONHAM CO.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–11 is issued.

(a) *What this order does.* This Order No. G–11 establishes maximum prices for a gopher trap, as hereinafter defined, when sold by the manufacturer to jobbers or wholesalers, and when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–11, the maximum prices for the gopher trap defined in paragraph (e) hereof shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. his manufacturing plant, to a jobber, a wholesaler, a mail order establishment, or a chain store	$1.20
(2) When sold on an f. o. b. basis by the manufacturer, a jobber, a wholesaler, a mail order establishment, or a chain store to any person who purchases for resale to ultimate consumers or users	1.60
	Each
(3) When sold by any seller to an ultimate consumer or user	$0.23

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–11 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable one of the following provisions:

By virtue of Order No. G–11 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this gopher trap are:

	Per dozen
(1) When sold on an f. o. b. basis to one who purchases for resale to an ultimate consumer or user	$1.60
	Each
(2) When sold by any seller to an ultimate consumer or user	$0.23

(d) *Geographical applicability.* The maximum prices authorized by this Order No. G–11 are applicable only to sales within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(e) *Definition of gopher trap.* The gopher trap covered by this order is the one originally produced by Ross W. LeBaron of 1797 South State Street, Salt Lake City 4, Utah, in accordance with the design and specifications set forth by the said Ross W. LeBaron in his application now on file in this Regional Office and upon which our letter order No. 7–188–158–158a–9 was issued under date of February 14, 1945.

(f) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of any one or more of the terms and provisions of this Order No. G–11, all of the terms and provisions of Maximum Price Regulation No. 188 shall remain in full force and effect, and all sellers of the gopher trap in question shall remain subject thereto.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(i) *Effective date.* This Order No. G–11 shall become effective on the 24th day of May 1945.

Issued this 24th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–9301; Filed, May 29, 1945; 4:44 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register May 26, 1945.

REGION II

Altoona Order 2–F, Amendment 21, covering fresh fruits and vegetables in the entire Altoona Area. Filed 9:41 a. m.

Baltimore Order 36, Amendment 1, covering dry groceries in certain areas in Maryland and Delaware. Filed 9:40 a. m.

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Buffalo Order D–3, Amendment 1, covering poultry in certain counties in New York. Filed 9:40 a. m.

Buffalo Order E–1, Amendment 4, covering poultry in certain counties in New York. Filed 9:40 a. m.

Buffalo Order 2–F, Amendment 34, covering fresh fruits and vegetables in certain areas in New York. Filed 9:40 a. m.

Camden Order 1–O, covering eggs in Camden, New Jersey. Filed 9:52 a. m.

Camden Order 2–O, covering eggs in the Camden, New Jersey Area. Filed 9:51 a. m.

Scranton Order 16–C, Amendment 6, covering poultry in certain counties in Pennsylvania. Filed 9:39 a. m.

Scranton Order 17–C, Amendment 6, covering poultry in certain counties in Pennsylvania. Filed 9:39 a. m.

Trenton Order 12–F, Amendment 9, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:38 a. m.

Trenton Order 42, Amendment 1, covering poultry in the Trenton, New Jersey Area. Filed 9:38 a. m.

Trenton Order 43, Amendment 1, covering poultry in the Trenton, New Jersey Area. Filed 9:38 a. m.

Williamsport Order 2–F, Amendment 38, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:38 a. m.

Wilmington Order 19, Amendment 1, covering dry groceries in certain areas in Delaware. Filed 9:38 a. m.

Wilmington Order 20, Amendment 1, covering dry groceries in certain areas in Delaware. Filed 9:37 a. m.

REGION IV

Memphis Order 6–F, Amendment 31, covering fresh fruits and vegetables in Memphis and Shelby County, Tennessee. Filed 9:41 a. m.

Memphis Order 7–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Tennessee. Filed 9:41 a. m.

REGION V

New Orleans Order 2–F, Amendment 74, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:51 a. m.

Oklahoma City Order 4–W, Amendment 3, covering dry groceries. Filed 9:51 a. m.

Oklahoma City Order G–15, Amendment 5, covering dry groceries. Filed 9:51 a. m.

REGION VI

Duluth-Superior Order 1–F, Amendment 71, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 9:50 a. m.

Milwaukee Order 8–F, Amendment 9, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 9:50 a. m.

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Milwaukee Order 11–F, Amendment 1, covering fresh fruits and vegetables in Racine, Kenosha and Milwaukee County. Filed 9:49 a. m.

Omaha Order 22, Amendment 4, covering dry groceries in certain counties in Nebraska. Filed 9:49 a. m.

Omaha Order 23, Amendment 4, covering dry groceries in certain counties in Nebraska. Filed 9:49 a. m.

Sioux City Order 2–F, Amendment 72, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska. Filed 9:48 a. m.

REGION VIII

Los Angeles Order 1–F, Amendment 66, covering fresh fruits and vegetables in the Santa Barbara-San Luis Obispo Area. Filed 9:48 a. m.

Los Angeles Order 1–F, Amendment 67, covering fresh fruits and vegetables in the Santa Barbara-San Luis Obispo Area. Filed 9:48 a. m.

Los Angeles Order 1–F, Amendment 68, covering fresh fruits and vegetables in the Santa Barbara-San Luis Obispo Area. Filed 9:47 a. m.

Los Angeles Order 1–P, Amendment 5, covering fresh fish in a certain area in Los Angeles County. Filed 9:47 a. m.

Portland Order 5–F, Amendment 23, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:47 a. m.

Portland Order 4–F, Amendment 24, covering fresh fruits and vegetables in certain areas in Oregon and Washington. Filed 9:47 a. m.

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Portland Order 9–F, Amendment 23, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:46 a. m.

Portland Order 10–F, Amendment 21, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 9:45 a. m.

Portland Order 10–F, Amendment 22, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 9:45 a. m.

Copies of any of these orders may be obtained from the OPA Office [illegible]

EDWIN H. PAULEY,
Secretary.

F. R. Doc. 45-19010; Filed, May 28, 1945; 3:11 p. m.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised Supplementary Order 51 were filed with the Division of the Federal Register, May 28, 1945:

REGION I

Augusta Order 1 F, Amendment 49 covering fresh fruits and vegetables in Portland, South Portland and Westbrook, Maine. Filed 3:41 p. m.

Connecticut Order 6 F, Amendment 1 covering fresh fruits and vegetables in certain areas in Connecticut. Filed 3:01 p. m.

Grand Rapids Order F 14 C, Amendment 48 covering fresh fruits and vegetables in certain areas in Michigan. Filed 2:33 p. m.

Indianapolis Order 14 F, Amendment 18, covering fresh fruits and vegetables in Marion and Tipp[illegible]

[illegible] Order 12 F, Amendment 20, covering fresh fruits and vegetables in certain counties in Kentucky and Indiana. Filed 2:25 p. m.

Louisville Order 13 F, Amendment 18, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 2:44 p. m.

Louisville Order 13 F, Amendment 19, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 2:44 p. m.

Louisville Order 13 F, Amendment 20, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 3:15 p. m.

Louisville Order 14 F, Amendment 18, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 2:43 p. m.

Louisville Order 14 F, Amendment 19, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 2:43 p. m.

Louisville Order 14 F, Amendment 20, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 3:14 p. m.

Columbia Order 7 F, Amendment 1, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 2:41 p. m.

Columbia Order 7 F, Amendment 2, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 3:14 p. m.

REGION IV

Montgomery Order 20 F, Amendment 23, covering fresh fruits and vegetables in Mobile County, Alabama. Filed 2:37 p. m.

Montgomery Order 22 F, Amendment 29, covering fresh fruits and vegetables in Houston County. Filed 2:26 p. m.

[illegible] Order 3 F, Amendment 53 covering fresh fruits and vegetables in certain areas in Texas. Filed 2:34 p. m.

St. Louis Order 3 F, Amendment 24 covering fresh fruits and vegetables in the city and [illegible] Missouri. Filed 3:12 p. m.

REGION VI

Sioux Falls Order 18, Amendment 2 covering groceries in certain counties in South Dakota. Filed 2:38 p. m.

Springfield Order 13 F, Amendment 8 covering fresh fruits and vegetables in Springfield and Sangamon County, Illinois. Filed 2:28 p. m.

Springfield Order 13 F, Amendment 11 covering fresh fruits and vegetables in Springfield and Sangamon County, Illinois. Filed 3:12 p. m.

Springfield Order 14 F, Amendment 10, covering fresh fruits and vegetables in certain areas in Illinois. Filed 2:38 p. m.

Springfield Order 14 F, Amendment 13 covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:11 p. m.

Springfield Order 15 F, Amendment 9, covering fresh fruits and vegetables in Decatur and Macon County, Illinois. Filed 2:38 p. m.

Springfield Order 15 F, Amendment 12, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 3:11 p. m.

REGION VIII

Fresno Order 34, covering certain food items in certain areas in California. Filed 2:41 p. m.

Los Angeles Order 1–F, Amendment 65, covering fresh fruits and vegetables in the Los Angeles Area. Filed 2:40 p. m.

Los Angeles Order 1–P, Amendment 3, covering fresh fish and seafood in the Los Angeles Area. Filed 2:40 p. m.

Los Angeles Order 1–W, Amendment 4, covering dry groceries in the Los Angeles Area. Filed 2:40 p. m.

Los Angeles Order L–A–12, Amendment 3, covering dry groceries in the Los Angeles Area. Filed 2:40 p. m.

Seattle Order 2–W, Amendment 8, covering dry groceries in certain areas in Washington. Filed 2:41 p. m.

Seattle Order 32, Amendment 4, covering dry groceries in certain areas in Washington. Filed 2:42 p. m.

Seattle Order 33, Amendment 4, covering dry groceries in certain areas in Washington. Filed 2:42 p. m.

Seattle Order 34, Amendment 4 covering dry groceries in certain areas in Washington. Filed 2:42 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-9465, Filed, May 31, 1945; 5:01 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register, May 28, 1945.

REGION II

Buffalo Order 3–F, Amendment 10, covering fresh fruits and vegetables in certain cities in New York. Filed 12:12 p. m.

Buffalo Order 4–F, Amendment 10, covering fresh fruits and vegetables in certain cities in New York. Filed 12:12 p. m.

Camden Order 3–F, Amendment 33, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 12:12 p. m.

Camden Order 4–F, Amendment 33, covering fresh fruits and vegetables in Atlantic and Cape May Counties, New Jersey. Filed 12:11 p. m.

Des Moines Order 1–F, Amendment 64, covering fresh fruits and vegetables in Des Moines, Polk County. Filed 12:16 p. m.

District of Columbia Order 5–F, Amendment 10, covering fresh fruits and vegetables. Filed 12:11 p. m.

Philadelphia Order P–2, Amendment 5, covering fresh fish in Philadelphia, Pennsylvania. Filed 12:10 p. m.

Philadelphia Order 6–F, Amendment 28, covering fresh fruits and vegetables in Philadelphia, Pennsylvania. Filed 12:11 p. m.

Philadelphia Order 11–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 12:11 p. m.

Philadelphia Order 12–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 12:11 p. m.

Milwaukee Order 3–W, Amendment 3, covering dry groceries in certain areas in Wisconsin. Filed 12:16 p. m.

Milwaukee Order 12, Amendment 4, covering dry groceries in certain areas in Wisconsin. Filed 12:17 p. m.

Syracuse Order 3–F, Amendment 32, covering fresh fruits and vegetables in certain cities in New York. Filed 12:16 p. m.

Syracuse Order 4–F, Amendment 20, covering fresh fruits and vegetables in certain counties in New York. Filed 12:16 p. m.

REGION III.

Columbus Order 15, Amendment 11, covering eggs in certain counties in Ohio. Filed 12:19 p. m.

Columbus Order 15, Amendment 12, covering eggs in certain counties in Ohio. Filed 12:19 p. m.

Columbia Order 16, Amendment 11, covering eggs in certain counties in Ohio. Filed 12:18 p. m.

Columbus Order 16, Amendment 12, covering poultry in certain counties in Ohio. Filed 12:18 p. m.

Detroit Order 2–C, Amendment 4, covering poultry in the Detroit Area. Filed 12:18 p. m.

Detroit Order 3–C, Amendment 4, covering poultry in the Detroit Area. Filed 12:18 p. m.

Detroit Order 5–F, Amendment 16, covering fresh fruits and vegetables in Wayne and Macomb Counties. Filed 12:12 p. m.

Grand Rapids Order 14–A, Amendment 73, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 12:12 p. m.

Louisville Order 1–C, Amendment 5, covering poultry in certain areas in Kentucky and Indiana. Filed 12:12 p. m.

Louisville Order 2–C, Amendment 5, covering poultry in certain counties in Kentucky. Filed 12:12 p. m.

Saginaw Order 5–W, Amendment 1, covering dry groceries in the Saginaw Area. Filed 12:17 p. m.

Saginaw Order 24, Amendment 1, covering dry groceries in the Saginaw Area. Filed 12:17 p. m.

Toledo Order 12, Amendment 1, covering dry groceries. Filed 12:17 p. m.

REGION V

Houston Order 1–C, Amendment 6, covering poultry. Filed 12:08 p. m.

Houston Order 1–F, Amendment 55, covering fresh fruits and vegetables in certain counties and cities in Texas. Filed 12:10 p. m.

Houston Order 3–F, Amendment 43, covering fresh fruits and vegetables in Jefferson and Orange Counties, Texas. Filed 12:08 p. m.

Little Rock Order 2–F, Amendment 58, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 12:08 p. m.

Little Rock Order 4–F, Amendment 49, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 12:08 p. m.

Little Rock Order 5–F, Amendment 50, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 12:08 p. m.

Lubbock Order 3–F, Amendment 56, covering fresh fruits and vegetables in certain counties in Texas. Filed 12:07 p. m.

REGION VI

Des Moines Order 3–F, Amendment 12, covering fresh fruits and vegetables in certain counties in Iowa. Filed 12:15 p. m.

Peoria Order 7–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

Peoria Order 8–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

Peoria Order 9–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

Peoria Order 10–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

REGION VII

Salt Lake City Order 1–B, Amendment 2, covering certain food items. Filed 12:05 p. m.

Salt Lake City Order 7–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:07 p. m.

Salt Lake City Order 8–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:07 p. m.

Salt Lake City Order 9–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:06 p. m.

Salt Lake City Order 10–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:06 p. m.

REGION VIII

Fresno Order 1–F, Amendment 66, covering fresh fruits and vegetables in Fresno, California. Filed 12:05 p. m.

Fresno Order 2–F, Amendment 54, covering fresh fruits and vegetables in Modesto, California. Filed 12:04 p. m.

Fresno Order 3–F, Amendment 51, covering fresh fruits and vegetables in certain areas in California. Filed 12:03 p. m.

Fresno Order 4–F, Amendment 26, covering fresh fruits and vegetables in certain areas in California. Filed 12:03 p. m.

Fresno Order 6–F, Amendment 37, covering fresh fruits and vegetables in Kern County and city of Bakersfield. Filed 12:03 p. m.

Fresno Order 7–F, Amendment 16, covering fresh fruits and vegetables in Merced. Filed 12:03 p. m.

Seattle Order 6–F, Amendment 34, covering fresh fruits and vegetables in Seattle and Bremerton, Washington. Filed 12:14 p. m.

Seattle Order 7–F, Amendment 31, covering fresh fruits and vegetables in Tacoma, Washington. Filed 12:14 p. m.

Seattle Order 8–F Amendment 29, covering fresh fruits and vegetables in Everett, Washington. Filed 12:14 p. m.

Seattle Order 9–F, Amendment 34 covering fresh fruits and vegetables in Seattle and Bremerton, Washington. Filed 12:14 p. m.

Seattle Order 10–F, Amendment 28, covering fresh fruits and vegetables in Bellingham, Washington Area. Filed 12:14 p. m.

Seattle Order 11–F, Amendment 28, covering fresh fruits and vegetables in Olympia, Washington. Filed 12:14 p. m.

Seattle Order 12–F, Amendment 28, covering fresh fruits and vegetables in Aberdeen-Hoquiam, Washington. Filed 12:13 p. m.

Seattle Order 13–F, Amendment 29, covering fresh fruits and vegetables in Centralia-Chehalis, Washington. Filed 12:14 p. m.

Seattle Order 14–F, Amendment 30, covering fresh fruits and vegetables in Wenatchee and East Wenatchee, Washington. Filed 12:13 p. m.

Seattle Order 15–F, Amendment 27, covering fresh fruits and vegetables in Yakima, Washington. Filed 12:13 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-9464; Filed, May 31, 1945, 5:01 p. m.]

[Region VII Order G–11 Under MPR 188]

BONHAM CO.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–11 is issued.

(a) *What this order does.* This Order No. G–11 establishes maximum prices for a gopher trap, as hereinafter defined, when sold by the manufacturer to jobbers or wholesalers, and when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–11, the maximum prices for the gopher trap defined in paragraph (e) hereof shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. his manufacturing plant, to a jobber, a wholesaler, a mail order establishment, or a chain store	$1.20
(2) When sold on an f. o. b. basis by the manufacturer, a jobber, a wholesaler, a mail order establishment, or a chain store to any person who purchases for resale to ultimate consumers or users	1.60
(3) When sold by any seller to an ultimate consumer or user	Each $0.23

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–11 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable one of the following provisions:

By virtue of Order No. G–11 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this gopher trap are:

	Per dozen
(1) When sold on an f. o. b. basis to one who purchases for resale to an ultimate consumer or user	$1.60
(2) When sold by any seller to an ultimate consumer or user	Each $0.23

(d) *Geographical applicability.* The maximum prices authorized by this Order No. G–11 are applicable only to sales within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(e) *Definition of gopher trap.* The gopher trap covered by this order is the one originally produced by Ross W. LeBaron of 1797 South State Street, Salt Lake City 4, Utah, in accordance with the design and specifications set forth by the said Ross W. LeBaron in his application now on file in this Regional Office and upon which our letter order No. 7–188–158–158a–9 was issued under date of February 14, 1945.

(f) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of any one or more of the terms and provisions of this Order No. G–11, all of the terms and provisions of Maximum Price Regulation No. 188 shall remain in full force and effect, and all sellers of the gopher trap in question shall remain subject thereto.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(i) *Effective date.* This Order No. G–11 shall become effective on the 24th day of May 1945.

Issued this 24th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-9301; Filed, May 29, 1945; 4:44 p. m.]

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Portland Order 16–F, Amendment 12, covering fresh fruits and vegetables in Bend, Oregon. Filed 9:44 a. m.

Portland Order 16–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:44 a. m.

Portland Order 17–F, Amendment 12, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 17–F, Amendment 13, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 18–F, Amendment 10, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 19–F, Amendment 10, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:43 a. m.

Portland Order 19–F, Amendment 11, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:43 a. m.

Portland Order 20–F, Amendment 10, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:43 a. m.

Portland Order 20–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:43 a. m.

Portland Order 21–F, Amendment 10, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 9:43 a. m.

Portland Order 21–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:43 a. m.

Portland Order 22–F, Amendment 10, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:43 a. m.

Portland Order 22–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:42 a. m.

Portland Order 28–F, Amendment 9, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:42 a. m.

Portland Order 29–F, Amendment 6, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:42 a. m.

Portland Order 29–F, Amendment 7, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:42 a. m.

Portland Order 30–F, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:41 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-9384; Filed, May 30, 1945; 4:43 p. m.]

[Region IV Order G-15 Under SR 15, MPR 280 and MPR 329, Amdt. 2]

FLUID MILK IN ALABAMA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation, § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (g) of Maximum Price Regulation 329, *It is hereby ordered*, That the above enumerated order be amended in the following respect:

In section 14 (k), table 6A, the figure, 15½, in the column of wholesale prices opposite the quart container size is corrected to read 16.

This amendment shall become effective April 15, 1945.

Issued: April 14, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-9386; Filed, May 30, 1945; 4:43 p. m.]

[Region IV Orders G-15, G-16, G-17, G-18, G-19, G-20, G-21, G-22 Under SR 15, MPR 280 and MPR 329, Amdt. 1]

FLUID MILK IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation, § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (g) of Maximum Price Regulation 329, *It is hereby ordered*, That the above enumerated orders be amended in the following respects:

1. Section 11 (a) shall read as follows: "Milk" means liquid cows' milk in a raw, unprocessed state which is purchased in bulk for resale for human consumption as fluid milk.

2. Section 11 (b) shall read as follows: "Manufacturing Milk" means liquid cows' milk in a raw, unprocessed state which is purchased for use in (1) commercial or industrial products, or (2) manufactured dairy and food products such as butter, cheese, evaporated or condensed milk, powdered milk, casein, ice cream, and bakery products.

This amendment shall become effective April 15, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 6, 1945.

ALEXANDER HARRIS,
Regional Administrator.

Approved:

L. T. WELLS,
In charge Southern Field Office, Dairy and Poultry Branch, Office of Marketing Services, War Food Administration.

[F. R. Doc. 45-9387; Filed, May 30, 1945; 4:44 p. m.]

[Region I Order G-19 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN NEW HAMPSHIRE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1351.807 of Maximum Price Regulation 280, as amended, Order No. G-19 is hereby amended in the following respects:

1. In paragraph (f) (2), the period at the end of the first sentence is replaced by a semi-colon, and the following words are added: "*Provided, further*, That in each case the maximum price for bulk sales at wholesale in eight quart or larger cans shall be the same, per quart, as the maximum price for sales of Quarts at wholesale."

2. Subparagraph (11) is added to paragraph (1), to read as follows:

(11) Amendment No. 11 shall become effective at 12:01 a. m. on June 1, 1945.

Issued this 28th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc 45-9474; Filed, June 1, 1945; 9:00 a. m.]

[Williamsport Order G-1 Under RMPR 285]

IMPORTED FRESH BANANAS IN WILLIAMSPORT, PA., DISTRICT

For the reasons stated in the accompanying opinion and under the authority vested in the Regional Administrator of Region II by sections 5 (a) (2) and 5 (b) of Revised Maximum Price Regulation No. 285 and by him delegated to the Williamsport District Director this order is issued.

SECTION 1. *What this order does.* This order specifies an amount which may be added to the maximum prices of sellers, other than importers, of "processed bananas" to compensate for inbound delivery costs (not including local hauling) charged to or paid for or absorbed by such sellers.

SEC. 2. *Area covered.* This order applies where a "wholesale receiving point" is located in the Counties of Bradford, Cameron, Centre, Clinton, Elk, Lycoming, McKean, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga or Union, all in the Commonwealth of Pennsylvania.

SEC. 3. *Addition to maximum prices.* A seller, other than an importer, of "processed bananas", may increase his maximum price, as determined under RMPR No. 285, by his actual cost of motor-vehicle transportation, not to exceed 30¢ per cwt., for transportation from New York, N. Y., Philadelphia or Pittsburgh, Pa. or Baltimore, Md. to his "wholesale receiving point" located in the area described in section 2 above.

This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

SEC. 4. *Definitions.* The terms "processed bananas" and "wholesale receiving point" are to be understood as defined in section 2 of RMPR 285.

SEC. 5. *Effective date.* This order shall become effective at 12:01 a. m. on May 8, 1945.

Issued: May 4, 1945.

JOSEPH L. RAY,
District Director.

[F. R. Doc. 45-9473; Filed, June 1, 1945; 9:00 a. m.]

[Seattle Order G-28 Under 18 (c)]

CERTAIN MILLWOOD IN THE EAST LAKE WASHINGTON AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region; *It is hereby ordered:*

(a) The maximum prices for sales and deliveries in the East Lake Washington area of the types and kinds of firewood specified in this Order No. G-28 as established by § 1499.2 or § 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplemental regulation thereto are hereby adjusted to the maximum prices provided in this Order No. G-28; *Provided, however*, That the area maximum prices established by this Order No. G-28 shall have no application to sales or deliveries of the types and kinds of firewood by the producing mill.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "East Lake Washington area" means that portion of King County outside the area defined as the "Metropolitan Seattle area" in Second Revised Order No. G-7, and within the area bounded on the west by Puget Sound, on the north by the King County-Snohomish County line, on the east by a line drawn along Paradise Lake Road, Cottage Lake Road, Bear Creek Road and State Road No. 2 to Lake Sammamish, thence, along the westerly shore of Lake Sammamish to its most southerly point which is a juncture with State Road No. 2D, thence, south and west on State Road No. 2 to Renton, Washington, including the area within the corporate limits of Renton, Washington and an area within a radius of four miles from the corporate limits of Renton, Washington. The area defined as "East Lake Washington area" shall include the communities of Juanita, York, White, Firloch, Hollywood, Woodinville, Bothell, Hillcrest, Inglewood, Kenmore, Lake Forest Park, Richmond Highlands, Richmond Beach, Elliott, Orillia, Coalfield, Colman, Kennydale, Coal Creek, New Castle, Factoria, Wilburton, Bellevue, Kenilworth, Northrup, Houghton, Kirkland, Redmond, and Medina.

(2) "Local wood" means all wood fuels of the types and kinds described in Order No. G-28 produced by mills located within the area, defined as the "East Lake Washington area" and by mills located within the area defined as the "Metropolitan Seattle area" in Second Revised Order No. G-7, and by mills located in the town of Preston, Washington.

(3) "Imported wood" means all wood fuels of the types and kinds described in Order No. G-28 produced by mills located outside the area described as the "East Lake Washington area" except that produced by mills located within the town of Preston, Washington.

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet of loose measure. Reference is made to the definition of the term "cord" set forth in section 19 of Chapter 194 of the Laws of the State of Washington, 1927, relating to weights and measures, which definition is incorporated herein by reference as if set forth in full.

(5) "Consumer" means all ultimate users including domestic, industrial and commercial users.

(6) "Dry wood" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided*, That air-dried wood may not be sold as dry wood unless it has been seasoned for a period of not less than three months.

(c) *Maximum prices.* (1) The maximum prices for the kinds and types of wood described in Tables No. 1 and No. 2 set forth below delivered to the premises of the consumer within the area defined as the "East Lake Washington area" shall be the prices set forth in the appropriate column and line of the appropriate table set forth below:

TABLE I—LOCAL WOOD

Type of wood and lengths	*Maximum prices per cord*
Green mill slab, mixed mill, and mill run, 24" or less	$ 7.50
Dry mill slab, mixed mill, and mill run, 24" or less	10.00
Green inside block, green or dry planer ends	9.00

TABLE II—IMPORTED WOOD

Type of wood and lengths	*Maximum prices per cord*
Green mill slab, mixed mill, and mill run, 24" or less	$ 9.00
Dry mill slab, mixed mill, and mill run, 24" or less	12.00
Green inside block, green or dry planer ends	11.00

(2) The maximum prices for the kinds and types of wood fuel described in Tables No. 1 and No. 2 set forth above delivered to the premises of the consumer within the East Lake Washington area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above plus $.50 per half cord for sales in half cord lots, $.35 per third cord for sales in third cord lots, and $.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this Order No. G-28 are subject to the sellers discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) *Invoices and records.* Every person making a sale of fire wood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time. The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-28 shall become effective May 22, 1945.

Issued this 22d day of May 1945.

R. E. MORGAN,
Acting District Director.

[F. R. Doc. 45-9472; Filed, June 1, 1945; 9:00 p. m.]

[Region IX Order AG-12 Under MPR 288]

OSCAR SAMUELSON AND NORTHERN COMMERCIAL COMPANY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation 288; *It is ordered:*

(a) Specific authorization is hereby granted to Oscar Samuelson and the Northern Commercial Company, both of Bethel, Alaska, to increase their maximum prices established for packaged distilled spirits and wines by § 1418.363 (v), Table XXII, of Maximum Price Regulation 288, by adding to the specific prices fixed for sales in Zone 4 the applicable amount set forth below:

Bottle size:	*Permitted increase per bottle*
Tenth	$0.60
Pint	.70
Fifth	1.05
Quart	1.25

(b) This order supersedes Order AG-9 which is hereby revoked.

(c) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective February 1, 1945.

A copy of this order has been filed with the Territorial Office in Juneau where it is open to inspection by the public.

Issued this 1st day of February 1945.

MILDRED HERMANN,
Alaska Director.

[F. R. Doc. 45-9475; Filed, June 1, 1945; 9:01 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-45, 59-48]

SOUTHERN UNION GAS COMPANY, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of May, A. D. 1945.

Notice is hereby given that declarations or applications (or both) have been filed by Southern Union Gas Company with this Commission, pursuant to the Public Utility Holding Company Act of 1935, in the form of an amendment designated as Amendment No. 17 to its application, heretofore filed pursuant to section 11 (e) of the said act, for approval of a plan to effectuate the provisions of section 11 (b). This Commission by order entered on September 19, 1942, and certain subsequent supplemental orders, has approved said plan as heretofore modified.

All interested persons are referred to said Amendment No. 17, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

As a step in further compliance with the order of the Commission entered September 19, 1942, Southern Union Gas Company proposes to divest itself of all interest in, and all ownership and control of, its gas and water properties, with appurtenant assets, located in Oklahoma.

Southern Union Gas Company proposes to sell to E. R. Bahan, an individual, of Fort Worth, Texas, and several members of his family (all of whom are residents either of Fort Worth, Texas, or of Guthrie, Oklahoma), pursuant to an agreement dated May 15, 1945, its physical properties, with appurtenant assets, used in the operation of a natural gas distribution system serving three communities and their environs in Kingfisher County, Oklahoma, for a cash consideration of $237,000 (of which $5,000 is for warehouse stocks).

Southern Union Gas Company further proposes to sell to Frank O'Neill, an individual residing in Cook County, Illinois, pursuant to an agreement dated May 15, 1945, its physical properties, with appurtenant assets, used in the operation of a water distribution system serving the community of Kingfisher, Oklahoma, for a cash consideration of $70,000.

Each of the above-mentioned agreements provide that should either of the purchasers fail to consummate acquisition of the properties as therein provided, Southern Union Gas Company may effect the sale of such properties to the other purchaser.

Southern Union Gas Company states that it proposes to deposit the entire proceeds of the aforementioned sales with Harris Trust and Savings Bank, Trustee under the Indenture securing Southern Union Gas Company's First Mortgage Sinking Fund Bonds, 3¼% Series due 1962, to be applied toward the retirement of such bonds and to the payment of interest and retirement premiums applicable to bonds so redeemed.

Southern Union Gas Company requests that the Commission issue an appropriate order containing the findings and recitals in connection with the proposed transactions necessary to conform to the requirements of sections 371 and 1808 (f) of the Internal Revenue Code, as amended.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held in respect of such matters and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of the act and the rules of the Commission thereunder be held on June 15, 1945 at 11:00 a. m., e. w. t., at the office of the Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. It is requested that any person proposing to be heard or otherwise to participate in these proceedings shall file with the Secretary of the Commission on or before June 13, 1945, a written request relative thereto as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That Charles S. Lobingier or any officer or officers of this Commission designated by it for that purpose, shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transactions are in furtherance of, and not inconsistent with, the order of this Commission dated September 19, 1942, and are necessary to enable Southern Union Gas Company to comply with the provisions of section 11 (b) of the act.

2. Whether the considerations to be received are fair and reasonable.

3. The identity of the purchasers, and their interest, if any, in any other public utility or holding company.

4. Whether competitive conditions have been maintained.

5. Generally, whether the proposed transactions are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of said hearing is hereby given to Southern Union Gas Company and to all other persons, said notice to be given to Southern Union Gas Company, E. R. Bahan, Frank O'Neill, and the Corporation Commission of the State of Oklahoma by registered mail, and to all other persons by general release of this Commission, distributed to the press and mailed to the mailing list for releases issued under the act, and by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9492; Filed, June 1, 1945; 11:14 a. m.]

[File No. 59-76]

EASTERN GAS AND FUEL ASSOCIATES

NOTICE OF AND ORDER INSTITUTING PROCEEDINGS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of May, A. D. 1945.

I. The Commission having examined the corporate structure of Eastern Gas and Fuel Associates ("Eastern"), a registered holding company, and having examined the files and records of the Commission relating thereto, and such examination having disclosed data establishing, or tending to establish, the following:

(1) Eastern, a voluntary association formed in 1929 under the law of the Commonwealth of Massachusetts, filed its notification of registration under section 5 (a) of the Public Utility Holding Company Act of 1935 on October 4, 1944, and filed an amendment thereto on February 28, 1945. Eastern's notification of registration as amended, states among other things, that the filing thereof shall not be deemed either (a) to terminate the temporary exemption available to Eastern under section 3 (c) of the act upon the filing of its application for exemption now pending before the Commission, as such exemption applies to sections of the act other than sections 4, 5 (other than 5 (b)) and 11 (b) (2) and to the extent necessary to implement compliance with section 11 (b) (2), and only to that extent, sections 6, 7, 11 (c), (d), (e), (f) and (g); or (b) to cause any subsidiary company, affiliate, director, officer, or trustee of Eastern or of any subsidiary company thereof to be subject to any of the provisions of the act.

(2) Directly and through its subsidiaries, Eastern is engaged in the production, transportation and sale of bituminous coal, the conversion of such coal into coke, gas and other products, the distribution and sale of such products, and the carrying on of certain allied operations:

(3) As of December 31, 1944 Eastern owned all the outstanding securities of the subsidiaries listed in the following schedule which shows the state of organization and principal functions of Eastern and of each of its wholly-owned subsidiaries:

State of Organization and Principal Functions

Eastern Gas & Fuel Associates, Massachusetts, Holding and non-utility operating company — operation of bituminous coal mines in West Virginia, eastern Kentucky and western Pennsylvania, ownership and operation of fleet of steamships engaged principally in the transportation of coal from Norfolk, Virginia to other eastern ports, sale of coal through sales offices in 6 states, manufacture in Everett, Mass. of coke, gas and other related products and pig iron, sale and distribution of coke from New Haven and operation of mine stores in West Virginia and eastern Kentucky.

Boston Consolidated Gas Co., Massachusetts, Public utility—Distribution of manufactured gas in Boston and surrounding area and of electricity in Charlestown district of Boston.

Old Colony Gas Co., Massachusetts, Public utility—Distribution of manufactured gas in area adjacent to Boston.

Philadelphia Coke Co., Pennsylvania. Manufacture and sale of coke, gas and related products in Philadelphia.

The Connecticut Coke Co., Connecticut. Manufacture and sale of coke, gas and related products in New Haven.

New England Coal & Coke Co., Massachusetts, Coal sales at wholesale in New England.

New England Coke Co., Massachusetts. Coke sales in New England.

Castner, Curran & Bullitt, Inc., Virginia. Coal sales to foreign shipping companies.

Mystic Iron Works, Massachusetts, Pig iron sales principally in New England.

Koppers Stores, Inc.,[1] West Virginia. Operation of mine stores in western Pennsylvania.

Boston Tow Boat Co., Massachusetts. Operation of tow boats principally in Boston Harbor.

Doane-Commercial Towing Co., Massachusetts, Inactive.

Everett Coke Co., Massachusetts, Inactive.

Koppers Coke Co., Massachusetts, Inactive.

(4) In addition to the above wholly-owned subsidiaries, Eastern, as of December 31, 1944, owned 25% of the voting stock of Wyatt, Incorporated, a Connecticut corporation engaged in the distribution of fuel, and 66⅔% of the voting stock of The Virginian Corporation. The latter, in turn, owned 39.85% of the voting stock of The Virginian Railway Company, a Virginia corporation, which is a railroad common carrier and which owns all the voting stock of Loup Creek Colliery Company.

(5) Following is a condensed balance sheet of Eastern, per books, as of December 31, 1944 and a condensed balance sheet of Eastern and its wholly-owned subsidiaries per books as of the same date:[2]

[1] Liquidated February 28, 1945.

[2] Eastern follows the accounting practice of consolidating only wholly-owned subsidiaries. Therefore, the consolidated balance sheet of Eastern and its subsidiaries does not include Wyatt, Incorporated, or The Virginian Corporation.

	Eastern	Eastern and wholly-owned subsidiaries consolidated
ASSETS		
Current assets:		
Cash	$5,922,926	$7,544,339
U. S. Government securities and Treasury notes, less amount applied as reduction of accrued federal income taxes	137,561	2,950,000
Accounts and notes receivable	7,955,411	13,329,646
Due from affiliated companies	3,931,498	1,221,145
Inventories, less reserves	4,229,896	9,430,951
	22,157,892	34,479,081
Investments and other assets less reserves applicable to sundry note and accounts	96,318,029	3,633,907
Property, equipment and other capital assets (multiple properties):		
Commercial and coal mining	84,936,010	107,669,779
Less—reserves for depreciation, amortization and depletion	43,077,765	52,556,444
	41,858,245	54,513,335
Utility		58,296,101
Less—reserves for utility retirements		7,128,207
		51,167,894
Net tangible properties	41,858,245	105,681,229
Intangible assets	16,947,943	30,919,530
	58,806,188	136,600,759
Deferred charges:		
Unamortized debt discount and expense	1,627,078	2,147,696
Other deferred charges	329,370	486,441
	1,956,448	2,634,140
	179,248,553	181,047,907
LIABILITIES		
Current liabilities:		
Accrued federal income taxes	2,256,922	4,460,339
Less—U. S. Treasury notes—tax series		
	2,256,922	2,394,483
Due to affiliated companies	5,791,723	2,014,856
Other current liabilities	3,120,527	7,901,948
	10,852,294	10,184,753
Funded debt:		
First mortgage and collateral trust bonds, Series "A"	62,308,000	62,308,000
Less—reacquired bonds held in treasury		
	62,308,000	62,308,000
Reserves:		
Employees' benefits	6,811,000	7,031,000
Current and prior years' tax contingencies	35,197,000	35,271,000
Insurance and other purposes	1,074,171	1,074,171
	3,296,000	3,389,190
	590,390	660,058
	4,885,561	5,452,328

	Eastern		Eastern and subsidiaries consolidated	
	Amount	Percent	Amount	Percent
Long-term debt:				
First mtg. and collateral tr. bonds, Series A, 4% due 1956	$55,495,000	33.7	$55,274,000	33.4
Preferred stocks:				
Prior preferred, 4½% Cum. $100 p. v., 246,373 shs	24,637,300	15.0	24,637,300	14.9
Preferred, 6% cum., $100 p. v., 371,138 shs[3]	37,113,800	22.7	37,113,800	22.6
	62,051,100	37.7	62,051,100	37.5
Common stock and surplus:				
Common stk., no p. v., 1,088,400 shs	37,018,551	22.5	37,018,551	22.4
Earned surplus	10,923,515	6.4	11,067,075	6.7
	47,942,194	28.6	48,085,726	29.1
Total capital and surplus	164,500,294	100.0	165,410,826	100.0

[1] Cumulative dividends were in arrears at Dec. 31, 1944 in an amount of $12.25 per share, aggregating $12,065,951.

(6) Commercial and coal mining properties shown in the foregoing balance sheets include an amount of $2,903,602 representing cost of securities of subsidiaries in excess of their book values at dates of acquisition, which is being written off through depletion charges to profit and loss over a period of thirty-one years from December 31, 1944.[2] Except for this item, Eastern states that tangible properties are recorded at the amounts shown in the accounts of subsidiaries (present and former) at dates of acquisition, plus subsequent additions at cost, less retirements.

(7) The following tabulation shows the items classified as intangible assets on the books of Eastern as of December 31, 1944 and on a consolidated basis for Eastern and its wholly-owned subsidiaries, per books, as of the same date:

	Eastern	Consolidated
Cost of securities of subsidiaries (present and former) in excess of their book values at dates of acquisition	$1,904,375	$7,065,502
Commission and expense on sale of capital stock	11,286,185[1]	11,286,185
General property	697,133	697,133
Total	16,947,943	30,919,530

[1] Represents property account established in 1942 by a former subsidiary which account, Eastern states, apparently did not represent the cost of tangible property.

(8) The capitalization and surplus of Eastern, per books, as of December 31, 1944, and of Eastern and its consolidated subsidiaries as of the same date was as follows:

	Eastern	Eastern and subsidiaries consolidated
	Amount	Percent	Amount	Percent
Long-term debt:				
First mtg. and collateral tr. bonds, Series A, 4% due 1956	$55,495,000	33.7	$55,274,000	33.4
Preferred stocks:				
Prior preferred, 4½% Cum. $100 p. v., 246,373 shs	24,637,300	15.0	24,637,300	14.9
Preferred, 6% cum., $100 p. v., 371,138 shs[3]	37,113,800	22.7	37,113,800	22.6
	62,051,100	37.7	62,051,100	37.5
Common stock and surplus:				
Common stk., no p. v., 1,088,400 shs	37,018,551	22.5	37,018,551	22.4
Earned surplus	10,923,515	6.4	11,067,075	6.7
	47,942,194	28.6	48,085,726	29.1
Total capital and surplus	164,500,294	100.0	165,410,826	100.0

(9) If adjustments were made to reflect liability for preferred dividend arrearages and to write off the amounts Eastern classifies as intangibles ($16,947,943 applicable to Eastern and $39,919,530 applicable to Eastern and its consolidated subsidiaries), together with $2,903,602 representing cost of securities of subsidiaries in excess of their book values at dates of acquisition included in tangible property (applicable to Eastern and Eastern and its consolidated sub-

[2] Our records indicate that this amount arose in connection with the acquisition of certain former coal mining subsidiaries and is represented to be in effect a part of the cost of the coal reserves acquired.

sidiaries), the capitalization and surplus of Eastern and of Eastern and its consolidated subsidiaries as of December 31, 1944 would be as follows:

	Eastern		Eastern and Subsidiaries Consolidated	
	Amount	Percent	Amount	Percent
Long-term debt:				
First mortgage and collateral trust bonds	$55,497,000	38.3	$55,274,000	45.1
Preferred stocks:				
Prior preference, 4½%	24,637,300	17.0	24,637,300	20.1
Preferred 6%	37,413,800	25.8	37,413,800	30.5
Dividend arrearages on preferred 6% stock	12,065,951	8.4	12,065,951	9.8
	74,117,051	51.2	74,117,051	60.4
Common stock and surplus:				
Common stock	37,018,651	25.6	37,018,651	30.2
Earned surplus (deficit)	(21,893,981)	(15.1)	(43,822,008)	(35.7)
	15,124,670	10.5	(6,803,357)	(5.5)
Total capitalization and surplus	144,738,721	100.0	122,587,694	100.0

(10) Each share of common stock of Eastern is entitled to one vote per share. The 4½% Prior Preference and 6% Preferred Stocks have no voting rights except certain rights with respect to the issuance of additional stock and except that if there shall have been four quarterly dividends accrued on either the prior preference or the preferred, holders of these two classes of stock, as a joint class, shall have equal voting strength with the common stock in respect of the right to vote generally. Since more than four quarterly dividends are currently in arrears on the preferred, the prior preference and preferred stocks as a joint class now have 50% of the total voting power and the common stock has 50%.

(11) On an individual basis, for the years 1936–1944, inclusive, Eastern's net income available for fixed charges, together with the fixed charges and preferred dividend requirements have been as follows:

[000 omitted]

Year	Net income before fixed chgs.	Fixed chgs [1]	Net income	Div. requirements: Prior pref.	Div. requirements: Pfd.	Pfd. div. [2] taxes	Net income for common	Times fixed chgs. and all pfd. div. req. earned
1936	$5,492	$2,727	$2,765	$1,108	$2,177	$107	($5027)	$0.90
1937	6,271	3,592	2,679	1,109	2,245	48	(723)	.90
1938	4,978	3,554	1,425	1,109	2,245	33	(1,962)	.72
1939	4,724	3,454	1,270	1,109	2,245	29	(2,113)	.66
1940	6,638	3,333	3,305	1,109	2,245	55	(104)	.98
1941	3,829	3,205	624	1,109	2,245	53	(2,783)	.58
1942	5,730	3,144	2,586	1,109	2,245	50	(827)	.87
1943	5,941	2,970	2,971	1,109	2,245	(31)	(349)	.91
1944	4,895	2,543	2,352	1,109	2,245	30	(1,032)	.83
Avg. 9 yrs.	5,588	3,169	2,219	1,109	2,237	42	(1,168)	.82

[1] Consists of interest on long-term debt; amortization of debt discount and expense; taxes on interest, bonds, and capital stock paid for security holders; other interest charges and minor miscellaneous items.
[2] Provisions for state taxes on all preferred dividends paid for stockholders pursuant to Eastern's charter provisions.

(12) On a consolidated basis, for the same period, the net income available for the various classes of securities has been as follows:

[000 omitted]

Year	Net income before fixed charges	Fixed charges [1]	Net income	Net income for common	Times fixed charges and all pfd. div. req. earned
1936	$6,752	$3,875	$2,877	$(3515)	0.93
1937	6,708	3,669	3,038	(381)	.95
1938	4,058	3,656	402	(2,985)	.57
1939	4,797	3,332	1,265	(2,118)	.69
1940	6,379	3,389	2,989	(410)	.94
1941	6,721	3,239	3,482	75	1.01
1942	6,361	3,152	3,169	(241)	.96
1943	6,109	2,989	3,120	(200)	.97
1944	5,614	2,541	3,073	(341)	.95
Av. 9 yrs.	5,935	3,335	2,600	(788)	.88

[1] Includes interest on long-term debt; amortization of debt discount and expense, taxes on interest, bonds and capital stock paid for security holders; other interest charges; income applicable to minority stockholders in the years 1936–1939, inclusive, and minor miscellaneous items.
[2] After all preferred dividend requirements and provisions for state taxes on preferred dividends paid for stockholders pursuant to Eastern's charter provisions.

(13) The record of dividends per share paid by Eastern on its various classes of capital stock, from the first full year after its organization to date, has been as follows:

Year	4½% prior preference	6% preferred	Common
1930	$4.50	$6.00	.....
1931	4.50	6.00	.....
1932	4.50	6.00	.....
1933	4.50	6.00	$0.15
1934	4.50	6.00	.30
1935	4.50	6.00	.....
1936	4.50	6.00	.....
1937	4.50	3.00	.....
1938	2.25	.75	.....
1939	4.50	.....	.....
1940	6.75	.....	.....
1941	4.50	3.00	.....
1942	4.50	3.00	.....
1943	4.50	3.00	.....
1944	4.50	3.00	.....
Total paid	67.50	57.75	.45
Dividends in arrears as at Dec. 31, 1944	None	32.25	.....
Dividend requirements 1930–1944	67.50	90.00	.....

II. It appearing to the Commission in the light of the foregoing that it is appropriate in the public interest and in the interest of investors and consumers to institute proceedings with respect to Eastern, under section 11 (b) (2) of the Public Utility Holding Company Act of 1935, to determine whether certain orders should be entered pursuant to the provisions of said section of the Act:

III. *It is hereby ordered*, That proceedings pursuant to section 11 (b) (2) of the act be and hereby are instituted and that Eastern be and hereby is made Respondent in these proceedings; and

It is further ordered, That said Respondent shall file with the Secretary of the Commission on or before the twelfth day of June 1945, its answer, in the form prescribed by Rule U-25 of the General Rules and Regulations under the Act, admitting, denying or otherwise explaining its position with respect to the allegations set forth in Part I hereof. Such answer may also include a statement by Respondent of its views as to what action, if any, should be taken to bring the corporate structure and the distribution of voting power among security holders of the system into conformity with the provisions of section 11 (b) (2) of the act; and as to what other action may be necessary or appropriate under the provisions of section 11 (b) (2) with respect to said Respondent. In lieu of the statement of views as aforesaid, Respondent may, if it so desires, file a plan for the purpose of enabling it to comply with the provisions of section 11 (b) (2).

It is further ordered, That a hearing be held on the 26th day of June, 1945, at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or wishing to participate otherwise in the proceedings should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before June 25, 1945.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by the proceedings, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the allegations contained in Part I hereof are true and correct;

2. Whether the corporate structure of Eastern unduly or unnecessarily complicates the structure or unfairly or inequitably distributes voting power among security holders of Eastern's holding company system and, if so, whether and in what manner the corporate structure of Eastern should be revised;

3. What action, if any, should be required to be taken by Eastern to meet the requirements of section 11 (b) (2) of the act.

At the outset of said hearing, consideration will be given to such issues, if any as may arise from the allegations in Part I hereof, and Respondent's answer hereinbefore provided for, or in any other papers filed herein by interested persons. To the extent that any allegations set forth above are not controverted in the Respondent's answer and are not controverted by any other interested person, such facts shall be deemed to be admitted for the purposes of this proceeding.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other actions as may appear necessary to the orderly and economical disposition of the issues involved.

It is further ordered, That notice of this hearing be given to the Respondent and to all other persons; said notice to be given to Eastern and to the Massachusetts Department of Public Utilities and the City of Boston by registered mail, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the act and by publication in the FEDERAL REGISTER.

It is further ordered, That neither this order nor any future order in these section 11 proceedings nor the filing by Eastern of its Notification of Registration as amended or of the answer herein required shall be deemed to either (a) terminate as applied to sections of the act other than sections 4, 5 (other than 5 (b)) and 11 (b) (2) and to the extent necessary to implement compliance with section 11 (b) (2), sections 6, 7, 11 (c), (d), (e), (f) and (g), the temporary exemption available to Eastern upon the filing of its application for exemption, now pending before the Commission, as provided in section 3 (c) of the act; or (b) to cause any subsidiary company, affiliate, director, officer, or trustee of Eastern or of any subsidiary company thereof to be subject to any of the provisions of the act.

It is further ordered, That jurisdiction be and hereby is reserved with respect to the application by Eastern for exemption under sections 3 (a) (1) and 3 (a) (3) of the act from the provisions of the act other than sections 4, 5 (other than 5 (b)) and 11 (b) (2).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9433; Filed, May 31, 1945; 11:17 a. m.]

[File Nos. 7-785, 7-786]

PAN AMERICAN AIRWAYS CORP., AND WESTERN PACIFIC RAILROAD CO.

FINDINGS AND ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May, A. D. 1945.

No. 110——7

In the matter of applications by the Boston Stock Exchange to extend unlisted trading privileges to Pan American Airways Corporation, capital stock, $2.50 par value, File No. 7-785; Western Pacific Railroad Company, common stock, no par value, File No. 7-786.

The Boston Stock Exchange having made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to Pan American Airways Corporation Capital Stock, $2.50 Par Value, and Western Pacific Railroad Company Common Stock, No Par Value;

A public hearing having been held after appropriate notice;

The Commission, being duly advised, finds:

(1) That Pan American Airways Corporation capital stock is listed and registered on the New York Stock Exchange and that Western Pacific Railroad Company common stock is listed and registered on the New York and San Francisco Stock Exchanges;

(2) That sufficient public distribution of and sufficient public trading activity in these securities exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges is otherwise appropriate in the public interest and for the protection of investors.

Accordingly, *It is ordered*, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the applications of the Boston Stock Exchange for permission to extend unlisted trading privileges to: Pan American Airways Corporation, capital stock, $2.50 par value; Western Pacific Railroad Company, common stock, no par value, be and the same are hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9491; Filed, June 1, 1945; 11:13 a. m.]

[File No. 70-1044]

ELECTRIC POWER & LIGHT CORP. AND DALLAS POWER & LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of May, A. D. 1945.

Electric Power & Light Corporation ("Electric"), a registered holding company, and its electric utility subsidiary, Dallas Power & Light Company ("Dallas"), having filed a joint application-declaration with amendments thereto under sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 with respect to the issuance by Dallas of a series of 4½% preferred stock to be exchanged share for share for its outstanding 7% and $6 preferred stock, the call of all unexchanged 7% and $6 preferred stock, and the issuance and offer of sale of common stock to present common stockholders on a pro-rata basis; and

The Commission having, by order dated March 28, 1945, granted said application and permitted said declaration to become effective, reserving, however, jurisdiction over all legal fees to be paid by Dallas in connection with the proposed transactions; and

The record having been completed in respect of such legal fees to be paid by Dallas which consists of a fee of $8,500 of Reid and Priest, counsel for Dallas and a fee of $7,000 of Beekman & Bogue, counsel for the Dealer-Managers who effectuated the exchanges; and

The Commission having considered the record herein and finding that said fees are not unreasonable;

It is ordered, That the jurisdiction heretofore reserved over the legal fees incurred in connection with the proposed transactions be, and the same hereby is released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9494; Filed, June 1, 1945; 11:14 a. m.]

[File No. 70-1055]

CENTRAL NEW YORK POWER CORP.

NOTICE REGARDING FILING OF POST-EFFECTIVE AMENDMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of May 1945.

Notice is hereby given that a post-effective amendment to a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Central New York Power Corporation, a public-utility subsidiary of Niagara Hudson Power Corporation and of The United Corporation, a registered holding company.

Notice is further given that any interested person may, not later than June 4, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such post-effective amendment, as filed, or as amended, may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said post-effective amendment, which is on file in the office of the Commission, for a statement of the transaction therein proposed, which may be summarized as follows:

By order dated April 23, 1945 (Holding Company Act Release No. 5753) per-

mitting a declaration to become effective, the Commission authorized Central New York Power Corporation to purchase on the open market an aggregate of $3,792,000 principal amount of the non-callable bonds of the corporation, said purchases to consist of a maximum of $1,292,000 principal amount of Northern New York Utilities, Inc., First Mortgage Bonds, due 1947, and a maximum of $2,500,000 principal amount of Syracuse Lighting Company First Mortgage Bonds, due 1951, at proposed maximum purchase prices of 111½% and 121% of the respective principal amounts thereof.

Central New York Power Corporation now proposes to reduce the amount of Northern New York Utilities, Inc., and Syracuse Lighting Company bonds to be purchased and to include in said aggregate of $3,792,000 principal amount of non-callable bonds to be purchased, $1,000,000 principal amount of Utica Gas and Electric Company Refunding and Extension Mortgage, 5% Fifty-year Bonds, due July 1, 1957, at a price not to exceed 135% of the principal amount thereof. Said purchases are to be made in the open market from time to time during a period not to exceed one year from the date of this Commission's order permitting the post-effective amendment to become effective, and are to be in addition to bonds acquired pursuant to Rule U-42 (b) (4) in accordance with the requirements of the indentures securing bonds of the corporation.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9495; Filed, June 1, 1945; 11:13 a. m.]

[File No. 70-1074]

KINGS COUNTY LIGHTING CO.

INTERIM ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May 1945.

Kings County Lighting Company, a subsidiary of Long Island Lighting Company, a registered holding company, having filed an application-declaration, and amendments thereto, pursuant to sections 6 (a), 6 (b) and 7 of the Public Utility Holding Company Act of 1935, regarding (1) the issue and sale, pursuant to the competitive bidding requirements of Rule U-50, of $4,200,000 principal amount of its --% First Mortgage Bonds due 1975, the interest rate and redemption prices to be fixed by competitive bidding; and (2) the issue and sale, at a cash price of $4,200,000, of its promissory note (as interim financing, to be discharged with the proceeds of the issue and sale of its --% First Mortgage Bonds, due 1975, as described above), payable to the John Hancock Mutual Life Insurance Company in the principal amount of $4,200,000, said note to be dated June 26, 1945, to mature not later than November 30, 1945, to bear interest at a rate of 1½% per annum, and the proceeds thereof, together with treasury cash, to be used to redeem, on July 1, 1945, at the redemption price of 105% of principal amount, its outstanding $4,211,000 principal amount of First Refunding Mortgage Gold Bonds, due July 1, 1954, of which $2,389,000 bears interest at 5% and $1,822,000 at 6½%; and

Applicant-declarant having requested that the Commission enter an interim order at this time relating solely to the proposed issue and sale of said promissory note; and

A public hearing having been held after appropriate notice, at which the security holders of applicant-declarant and other interested persons were afforded opportunity to be heard; and requests for findings, briefs and oral argument having been waived as to the issue and sale of said promissory note; and

The Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declaration, as amended, solely in regard to the issue and sale of said promissory note to become effective:

It is hereby ordered, Pursuant to the applicable provisions of said act, including section 7 thereof, and subject to the provisions of Rule U-24 promulgated under the act, that the aforesaid declaration solely in regard to the issue and sale of said promissory note be, and hereby is, permitted to become effective forthwith; and

It is further ordered, That jurisdiction be, and hereby is, reserved over (1) the payment of all fees and expenses incurred in connection with the issue and sale of said promissory note, and (2) all aspects of the issue and sale of said ------% First Mortgage Bonds of Kings County Lighting Company due 1975.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9496; Filed, June 1, 1945; 11:14 a. m.]

[File No. 70-1082]

EASTERN UTILITIES ASSOCIATES

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of May, A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Eastern Utilities Associates, a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Eastern Utilities Associates has employed Georgeson & Co., 52 Wall Street, New York, New York, with branch offices at 24 Federal Street, Boston, Massachusetts, and elsewhere, to aid the management of the company in the solicitation of proxies for the adjourned annual meeting of the company, originally set for April 30, 1945 at 10 a. m., thereafter adjourned to May 4, 1945 at 10 a. m., and now adjourned to June 5, 1945 at 10 a. m. It is proposed that for such solicitation, including out-of-pocket expenses and disbursements and compensation to and expenses of assistance incurred in such solicitation, the company will pay to Georgeson & Co. the aggregate amount of $1,000 plus an additional amount not to exceed $4,000 provided that such additional payment is permitted by the Commission pursuant to the filing of this declaration.

The declaration states that no quorum for the annual meeting has as yet been obtained and that such failure to obtain a quorum appears to be due partly "to the usual failure of shareholders to send in their proxies" and partly to the activities of a committee styling itself "Committee to Inform 'Convertible' Shareholders of the Eastern Utilities Associates," consisting of Roger W. Babson, Babson Park, Mass., William L. Less, 2nd, 14 Wall Street, New York City, A. W. Newell, 150 Morris Ave., Providence, R. I., and Oscar H. Brinkman, Secretary, Wellesley Hills, Mass., which Committee has solicited stockholders of Eastern Utilities Associates to refrain from signing or sending in proxies for the annual meeting and to revoke any proxies already sent in.

Declarant designates Rule U-65 as applicable to the payment of such additional sum of not to exceed $4,000;

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission therein be held on June 13, 1945, at 10 o'clock a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 shall advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declaration shall become effective.

It is further ordered, That Allen McCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by said declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the payment of the initial sum of $1,000 by the company to Georgeson & Co. is exempt from the provisions of Rule U-56 by virtue of the provisions of subparagraph (b) thereof;

2. Whether the sums proposed to be paid to Georgeson & Co. are appropriate corporate expenditures and constitute reasonable compensation for the services rendered or to be rendered;

3. Whether the proposed transactions are in all respects in accordance with the provisions and standards of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Commission on or before June 11, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Eastern Utilities Associates; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9497; Filed, June 1, 1945; 11:13 a. m.]

[File No. 70-1085]

OGDEN CORP.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of May, A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, and the rules and regulations promulgated thereunder, by Ogden Corporation, a registered holding company. All interested persons are referred to said declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Ogden Corporation seeks a limited exemption from the terms and provisions of Rule U-45 promulgated under the Public Utility Holding Company Act of 1935. Rule U-45 reads, in pertinent part, as follows:

(a) *General provision.* No registered holding company or subsidiary company shall, directly or indirectly, lend or in any manner extend its credit to nor indemnify, nor make any donation or capital contribution to, any company in the same holding company system, except pursuant to a declaration notifying the Commission of the proposed transaction, which has become effective in accordance with the procedure specified in Rule U-23, and pursuant to the order of the Commission with respect to such declaration under the applicable provisions of the Act.

(b) *Exceptions.* The following transactions shall be exempt from the declaration requirements of this rule:

* * * * *

(6) A loan or extension of credit or an agreement of indemnity arising out of a joint tax return filed by a holding company (or other parent company) and its subsidiaries: *Provided*, That the top company in the group assumes primary responsibility for the payment of any tax liability involved, subject to the right to contribution from the several members of the group in an amount not exceeding as to any company that percentage of the total tax which the individual tax of such company (if paid under a separate return) would bear to the total amount of individual taxes for all members of the group, for the particular tax period.

Ogden proposes that for the year 1944 and subsequent years the consolidated income tax liability of Ogden and its subsidiaries be allocated among the companies included in the consolidated tax returns on the basis provided for in Rule U-45 (b) (6) except that in computing the amount of the liabilities of the several members of the group on a separate return basis there shall be excluded any capital gains either offset against capital losses or not recognized in the consolidated returns and thereby not subjected to tax.

The declarant represents that its subsidiary Interstate Power Company, in 1944 realized a capital gain which, on an individual tax return basis, would have been subjected to a capital gains tax but which, in fact, was offset by capital losses on a consolidated tax return basis, and that no capital gains tax liability was incurred by the consolidated group. It is stated that the provisions of Rule U-45 would nevertheless require that Interstate Power Company's capital gain, and the resultant capital gains tax liability on an individual tax return basis, be included in the calculation of Interstate Power Company's tax liability in allocation of the consolidated tax liability among the several members of the group. It is further represented by the declarant that the capital loss carry-over of Ogden and its subsidiaries, as of December 31, 1944, is so large as to render remote the possibility that capital gains, if any, within the next five years, of companies in the group will exceed the capital loss carry-over of the group.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters;

It is ordered, That a hearing on said matter under the applicable provisions of said act and rules of the Commission thereunder be held on June 18, 1945 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That Robert P. Reeder, or any officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed limited exemption from the provisions of Rule U-45 is appropriate in the public interest and in the interests of investors and consumers and consistent with all the applicable requirements of the act and the rules thereunder;

2. What terms and conditions, if any, should be imposed in the public interest or for the protection of investors and consumers.

It is further ordered, That notice of said hearing is hereby given to Ogden Corporation and its subsidiary companies and to all interested persons, said notice to be given to Ogden Corporation by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is requested that any person desiring to be heard in the proceeding shall file with the Secretary of the Commission, on or before June 15, 1945, an appropriate request or application to be heard, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9493; Filed, June 1, 1945; 11:14 a. m.]

[File No. 70-1091]

ROCHESTER GAS AND ELECTRIC CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May 1945.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Rochester Gas and Electric Corporation ("Rochester"), a subsidiary of NY PA NJ Utilities Company, a registered holding company which in turn is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, also a registered holding company.

All interested persons are referred to said document which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Rochester proposes to alter the priorities, preferences, voting power and other rights of its outstanding preferred and common stocks by reclassifying said stocks, and further proposes, in connection therewith, to retire 40,000 shares of its outstanding preferred stock, all in the following manner:

(1) Rochester proposes to reclassify its outstanding preferred stock, consisting of 120,000 shares of 6% Series D stock and 40,000 shares of 5% Series E stock, into 4% Preferred Stock, Series F, which will be redeemable at $105 per share plus

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accrued and unpaid dividends. The holders of shares of 4% Preferred Stock, Series F, which remain outstanding upon completion of the reclassification and retirement program described below, will receive dividends at existing rates through August 31, 1945, and dividends at the rate of 4% per annum, which will be cumulative, from September 1, 1945.

(2) Rochester further proposes to submit such reclassification program to the holders of its outstanding preferred and common stocks at a stockholders' meeting to be called for that purpose and, in connection therewith, proposes to solicit proxies authorizing votes in favor of the reclassification and to retain Georgeson & Co. to assist it in such solicitation. The proposed program will not become effective unless the holders of at least two-thirds of the outstanding preferred and common stocks, by classes, vote favorably thereon.

(3) Rochester states that any preferred stockholder who objects to the reclassification and demands payment for his stock prior to the stockholders' meeting will be entitled to an appraisal pursuant to the applicable provisions of the laws of New York. Rochester proposes to offer such objectors $105 per share, the redemption price of their stock, plus accrued dividends to the date of the stockholders' meeting: *Provided, however*, That if the holders of more than 40,000 shares of preferred stock object and request appraisals the entire program will be abandoned.

(4) Upon the reclassification program becoming effective, Rochester proposes to accept tenders of the reclassified preferred stock for a period of ten days following the effective date of the reclassification, at a price of $105 per share, plus accrued dividends through August 31, 1945, for an amount up to 40,000 shares of preferred stock less the number of shares for which appraisals may have been requested. If shares tendered are in excess of such amount, they will be accepted on the basis of selection by lot, in a manner to be determined by the Board of Directors.

(5) In the event that requests for appraisals and tenders do not aggregate 40,000 shares of preferred stock, Rochester proposes to call by lot an amount of reclassified preferred stock so that upon consummation of the entire program the preferred stock outstanding will amount to 120,000 shares of the aggregate par value of $12,000,000.

(6) It is further proposed that the voting rights attaching to the outstanding common stock of Rochester shall be changed from one vote for each ten shares held to one vote for each share held. The entire 775,914 shares of outstanding common stock are held by NY PA NJ Utilities Company, which, Rochester states, has indicated its intention to vote in favor of the reclassification program.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters:

It is ordered, That a hearing on such matters under the applicable provisions of the act and rules of the Commission thereunder be held on June 13, 1945, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the Public Service Commission of the State of New York and to Rochester Gas and Electric Corporation; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard or otherwise wishing to participate in said proceeding shall file with the Secretary of the Commission, on or before June 11, 1945, his request or application therefor, as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed alteration of the priorities, preferences, voting power and other rights of the preferred and common stockholders of Rochester complies with the applicable provisions and requirements of section 7 of the act;

(2) Whether the proposed reclassification of Rochester's preferred stock constitutes the issue or sale of securities and, if so, whether such issue or sale complies with the applicable provisions of sections 6 and 7 of the act;

(3) Whether the proposed solicitation of authorizations in connection with the proposed reclassification program complies with the applicable provisions of section 12 (e) of the act and Rules U-62 and U-65 thereunder;

(4) Whether the sums proposed to be paid to Georgeson & Co. are appropriate corporate expenditures and constitute reasonable compensation for the services to be rendered;

(5) Whether the fees, commissions, or other remunerations to be paid are reasonable;

(6) The propriety of the proposed accounting treatment to reflect the proposed transactions on the books of Rochester;

(7) Generally, whether the proposed transactions comply with the applicable provisions of the act, and the rules, regulations and orders promulgated thereunder; and

(8) Whether, in the event the application or declaration shall be granted or permitted to become effective, it is necessary or appropriate to impose terms or conditions to ensure compliance with the standards of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-9498; Filed, June 1, 1945 11:13 a. m.]

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JUN 9 '45

FEDERAL REGISTER

VOLUME 10 NUMBER 111

Washington, Tuesday, June 5, 1945

The President

EXECUTIVE ORDER 9560

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE MARY-LEILA COTTON MILLS, INC., LOCATED AT GREENSBORO, GEORGIA

WHEREAS after an investigation I find and proclaim that the plants and facilities of the Mary-Leila Cotton Mills, Inc., located at Greensboro, Georgia, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by such interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892), as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Mary-Leila Cotton Mills, Inc., located at Greensboro, Georgia, and, to the extent that he may deem necessary, of any real or personal property and other assets, wherever situated, used in connection with the operation thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Mary-Leila Cotton Mills, Inc., and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this Order.

2. The Secretary of War shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the directive order, dated October 31, 1944, of the Fourth (Atlanta) Regional War Labor Board.

3. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

4. Possession, control, and operation of any plant or facility, or part thereof, taken under this Order, shall be terminated by the Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruptions of production, referred to in the recitals of this Order, has been restored.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 1, 1945.

[F. R. Doc. 45-9637; Filed, June 2, 1945; 3:24 p. m.]

EXECUTIVE ORDER 9561

AMENDING EXECUTIVE ORDER NO. 9386 OF OCTOBER 15, 1943, PRESCRIBING REGULATIONS GOVERNING THE GRANTING OF ALLOWANCES FOR QUARTERS AND SUBSISTENCE TO ENLISTED MEN

By virtue of the authority vested in me by section 10 of the act of June 16, 1942, as amended, 56 Stat. 363 (37 U.S.C. Sup. 110), it is ordered as follows:

1. Paragraph "A. General" and Exception No. 1 of paragraph "B. Special" of Section I of Executive Order No. 9386, dated October 15, 1943, prescribing allowances for quarters and subsistence to enlisted men not furnished quarters or rations in kind, are hereby amended to

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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provide that the daily subsistence allowance therein authorized where no Government messing facilities are furnished shall be $2.25 instead of $1.80.

2. This order shall be effective from June 1, 1945, until June 30, 1946, unless sooner modified or revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 1, 1945.

[F. R. Doc. 45-9638; Filed, June 2, 1945; 3:24 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 120-6]

PART 1405—FRUITS AND VEGETABLES

IRISH POTATOES

Pursuant to the authority vested in me by War Food Order No. 120, as amended (9 F.R. 14475; 10 F.R. 103, 1823), and to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1405.57 *Territorial scope*—(a) *Definitions.* Each term defined in War Food Order No. 120, as amended, shall, when used herein, have the same meaning as is set forth for the respective term in War Food Order No. 120, as amended.

(b) *Specifications relative to territorial scope.* The provisions of War Food Order No. 120, as amended, shall be applicable to any shipment of Irish potatoes from (1) the counties of Pamlico, Beaufort, Hyde, Tyrrell, Pasquotank, Camden, or Currituck in the State of North Carolina, or (2) the counties of Princess Anne, Norfolk, Accomac, or Northampton in the State of Virginia.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 4, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 120, as amended, 9 F.R. 14475; 10 F.R. 103, 1823)

Issued this 2d day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-9587; Filed, June 2, 1945; 11:16 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 318-A]

STUDENT PILOTS

NONCOMPLIANCE WITH AGE REQUIREMENTS; EXTENSION OF EFFECTIVE DATE

Extending the effective period of Special Civil Air Regulation Serial Number 318. Noncompliance with the student pilot age requirements of the Civil Air Regulations.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 1st day of June 1945.

Effective June 15, 1945, Special Civil Air Regulation Serial Number 318 is amended by striking the words "June 15, 1945" and inserting in lieu thereof the words "June 15, 1946."

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-9672; Filed, June 4, 1945; 11:05 a. m.]

TITLE 15—COMMERCE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

[Order 367]

PART 301—CHINA TRADE ACT FORMS

CERTIFICATES AND ANNUAL REPORT

Sections 301.1, 301.3, 301.4, 301.5, 301.6, 301.7, containing forms of certificates, and 301.8, the form of annual report, are hereby amended to omit therefrom the oath requirement, and in lieu thereof to insert in the space above the signature or signatures the words:

The statements contained herein are true and correct to the best of my our knowledge and belief.

(Sect. 17 (a), 42 Stat. 854; 15 U.S.C. 157 (a))

Dated: May 31, 1945.

[SEAL] H. A. WALLACE,
Secretary of Commerce.

[F. R. Doc. 45-9599; Filed, June 2, 1945; 11:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4617]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

L. E. WATERMAN CO.

§ 3.6 (h) *Advertising falsely or misleadingly—Fictitious or misleading guarantees:* § 3.72 (k5) *Offering deceptive inducements to purchase or deal—Repair or replacement guarantee.* In connection with the offering for sale, sale, and distribution of respondent's fountain pens in commerce, (1) using the words "Hundred Year", "100 Year", "100 Year Guarantee", "Guaranteed for 100 Years", "Guaranteed for a Century", or any word or words of similar import, alone or in conjunction with any other word or words, to designate, describe, or refer to respondent's pens, or otherwise representing, directly or by implication, that such pens are unconditionally guaranteed for one hundred years, unless respondent does in fact make, without ex-

pense to the user, any repairs or replacement of parts which may be necessitated during such period of time by any cause other than wilful damage or abuse; or (2) representing, directly or by implication, that respondent's pens are unconditionally guaranteed for any designated period of time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated during such designated period by any cause other than wilful damage or abuse; prohibited, subject to the provision, however, that nothing contained in the order shall be construed as prohibiting respondent from representing truthfully that the service on its pens (as distinguished from the pens themselves) is guaranteed for one hundred years or other designated period of time, even though a charge is imposed by respondent in connection with such servicing, provided the terms of such guarantee, including the amount of such charge, are clearly and conspicuously disclosed in immediate conjunction with such representation. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) [Cease and desist order, L. E. Waterman Company, Docket 4617, May 3, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3rd day of May, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, L. E. Waterman Company, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's fountain pens in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Hundred Year," "100 Year," "100 Year Guarantee," "Guaranteed for 100 Years," "Guaranteed for a Century," or any word or words of similar import, alone or in conjunction with any other word or words, to designate, describe, or refer to respondent's pens, or otherwise representing, directly or by implication, that such pens are unconditionally guaranteed for one hundred years, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated during such period of time by any cause other than wilful damage or abuse.

2. Representing, directly or by implication, that respondent's pens are unconditionally guaranteed for any designated period of time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated during such designated period by any cause other than wilful damage or abuse.

Nothing contained in this order, however, shall be construed as prohibiting respondent from representing truthfully that the service on its pens (as distinguished from the pens themselves) is guaranteed for one hundred years or other designated period of time, even though a charge is imposed by respondent in connection with such servicing, provided the terms of such guarantee, including the amount of such charge, are clearly and conspicuously disclosed in immediate conjunction with such representation.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-9667; Filed, June 4, 1945; 11:22 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VI—Federal Public Housing Authority, National Housing Agency

PART 600—DELEGATIONS OF AUTHORITY

AUTHORIZATION OF DIRECTOR OF THE LABOR RELATIONS DIVISION TO DETERMINE PREVAILING WAGES OR FEES

MAY 30, 1945.

There is hereby delegated to the Director of the Labor Relations Division the power, under the provisions of section 16 (2) of the U. S. Housing Act of 1937, as amended, to make determinations of prevailing wages or fees.

[SEAL] PHILIP M. KLUTZNICK, *Commissioner.*

[F. R. Doc. 45-9652; Filed, June 4, 1945; 9:44 a. m.]

PART 600—DELEGATIONS OF AUTHORITY

DELEGATION OF POWERS TO REGIONAL OFFICIALS IN DEVELOPMENT OF WAR HOUSING PROJECTS

MAY 30, 1945.

The authority delegated to regional officials in the delegation of authority dated August 3, 1943, and published in 8 F.R. 11000 has been superseded by subsequent, more liberal delegations of authority to regional personnel. Interested parties may receive copies from the Commissioner or from the Regional Directors of the FPHA.

[SEAL] PHILIP M. KLUTZNICK, *Commissioner.*

[F. R. Doc. 45-9653; Filed, June 4, 1945; 9:44 a. m.]

PART 600—DELEGATIONS OF AUTHORITY

CONTRACTORS' APPEALS; AUTHORIZATION OF ASSISTANT COMMISSIONER FOR DEVELOPMENT TO ACT AS REPRESENTATIVE OF COMMISSIONER

MAY 30, 1945.

1. There is hereby delegated to the Assistant Commissioner for Development the power to hear, consider, and decide as the authorized representative of the Commissioner all appeals arising out of contracts made by or for the Federal Public Housing Authority in connection with the development of projects where contract provisions state substantially that:

> All disputes concerning questions of fact arising under this contract shall be decided by the contracting officer subject to appeal by the contractor within 30 days to the head of the department concerned or his duly authorized representative, whose decision shall be final and conclusive upon the parties thereto.

2. In discharging the functions and responsibilities set forth above, the Assistant Commissioner for Development may be assisted by review officers or examiners to obtain, compile and analyze evidence or data, submit recommendations on the basis of the examination thereof, or otherwise assist him in such manner as he deems appropriate for the purpose of facilitating the making of decisions by him with respect to such appeals.

3. This delegation is effective as of October 13, 1944 and supersedes the delegation dated September 4, 1942 to Henry G. Chapman (7 F.R. 7112).

[SEAL] PHILIP M. KLUTZNICK, *Commissioner.*

[F. R. Doc. 45-9651; Filed, June 4, 1945; 9:44 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter B—Estate and Gift Taxes

[T. D. 5455]

PART 82—TAXATION PURSUANT TO TREATIES

ESTATE TAX PURSUANT TO CONVENTION BETWEEN U. S. AND CANADA

Regulations relating to estate tax pursuant to Convention between the United States and Canada, proclaimed by the President of the United States on March 6, 1945.

Sec.

82.1 Introductory.
82.2 Scope of regulations.
82.3 Domicile and citizenship.
82.4 Situs of property.
82.5 Taxation on basis of domicile or citizenship.
82.6 Taxation on basis of situs of property.
82.7 Credit for Canadian succession duties.
82.8 Information furnished by each contracting country to the other.
82.9 Doubtful questions.
82.10 Protests by interested persons.

AUTHORITY: §§ 82.1 to 82.10, inclusive, issued under Article X of the Convention and section 3791 of the Internal Revenue Code (53 Stat. 467, 26 U.S.C., 3791); chapter 3 of the Internal Revenue Code (53 Stat. 119, 26 U.S.C., 800 et seq.).

§ 82.1 *Introductory.* The proclamation of the President of the United States, containing the text of the convention between the United States and Canada relating to Federal estate taxes and Dominion succession duties (hereinafter referred to as the convention) is set forth below:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention between the United States of America and Canada for the avoidance of double taxation and the prevention of fiscal evasion in the case of estate taxes and succession duties was signed by their respective Plenipotentiaries at Ottawa on the eighth day of June, one thousand nine hundred forty-four, the original of which convention is word for word as follows:

The Government of the United States of America and the Government of Canada, being desirous of avoiding double taxation and of preventing fiscal evasion in the case of estate taxes and succession duties, have decided to conclude a Convention and for that purpose have appointed as their Plenipotentiaries:

Ray Atherton, Ambassador Extraordinary and Plenipotentiary of the United States of America at Ottawa, for the United States of America; and

W. L. Mackenzie King, Secretary of State for External Affairs, and Colin W. G. Gibson, Minister of National Revenue, for Canada.

Who, having communicated to one another their full powers found in good and due form, have agreed upon the following Articles:

ARTICLE I

1. The taxes referred to in this Convention are:

(a) For the United States of America: the Federal estate taxes;

(b) For Canada: the taxes imposed under the Dominion Succession Duty Act.

2. In the event of appreciable changes in the fiscal laws of either contracting State, the competent authorities of the contracting States will consult together.

ARTICLE II

1. Real property situated in Canada shall be exempt from the application of the taxes imposed by the United States of America.

2. Real property situated in the United States of America shall be exempt from the application of the taxes imposed by Canada.

3. The question whether rights relating to or secured by real property are to be considered as real property for the purposes of this Convention shall be determined in accordance with the laws of the contracting State imposing the tax.

ARTICLE III

1. Shares in a corporation organized in or under the laws of the United States of America, of any of the states or territories of the United States of America, or of the District of Columbia, shall be deemed to be property situated within the United States of America.

2. Shares in a corporation organized in or under the laws of Canada, or of any of the provinces or territories of Canada, shall be deemed to be property situated within Canada.

3. This Article shall not be construed as limiting the liability of the estate of any person not domiciled in Canada or of any citizen of the United States of America, under the estate tax laws of the United States of America.

ARTICLE IV

1. The situs of property shall be determined in accordance with the laws of the contracting State imposing the tax, except as otherwise provided in this Convention.

2. Allowance for debts shall be determined in accordance with the laws of the contracting State imposing the tax.

3. Domicile shall be determined in accordance with the laws of the contracting State imposing the tax.

ARTICLE V

1. In the case of a decedent who at the time of his death was a citizen of, or domiciled in, the United States of America, the United States of America may include in the gross estate any property (other than real property) situated in Canada as though this Convention had not come into effect.

2. In the case of a decedent (other than a citizen of the United States of America) who at the time of his death was domiciled in Canada, the United States of America shall, in imposing the taxes to which this Convention relates:

(a) Take into account only property situated in the United States of America; and

(b) Allow as an exemption an amount which bears the same ratio to the personal exemption allowed in the case of a decedent who was at the time of his death a citizen of, or domiciled in, the United States of America as the value of the property of such decedent situated in the United States of America bears to the value of the property included in the entire gross estate of the decedent.

3. In the case of a decedent who at the time of his death was domiciled in Canada, Canada may include in the gross estate any property (other than real property) situated in the United States of America as though this Convention had not come into effect.

4. In the case of a decedent who at the time of his death was domiciled in the United States of America, Canada shall, in imposing the taxes to which this Convention relates:

(a) Take into account only property situated in Canada; and

(b) Allow as an exemption an amount which bears the same ratio to the personal exemption allowed in the case of a decedent who was at the time of his death domiciled in Canada as the value of the property of such decedent situated in Canada bears to the entire value of the property, wherever situated.

ARTICLE VI

1. In the case of a decedent who at the time of his death was a citizen of or domiciled in the United States of America, the United States of America shall impose the estate taxes to which this Convention relates upon the following conditions:

(a) In respect of property situated in Canada which, for the purpose of estate taxes, is included in the gross estate, less such property as is specifically deducted therefrom (either because of transfer for public, charitable, educational, religious or similar uses or because the property has been previously taxed under provisions of law relating to property previously taxed), there shall be allowed against the estate taxes a credit for Canadian succession taxes in respect of the property situated in Canada, the situs of such property being determined in accordance with the laws of Canada, subject to the provisions of this Convention.

(b) The portion of the Canadian succession taxes to be allowed as a credit against United States estate taxes shall be an amount which bears the same ratio to the total Canadian succession taxes as the value of the property situated in Canada and with respect to which estate taxes are imposed by the United States of America bears to the total value of the property with respect to which succession taxes are imposed by Canada.

(c) The credit in any such case shall not exceed an amount which bears the same ratio to such estate taxes, computed without the credit provided for herein, as the value of the property situated in Canada and not excluded or deducted from the gross estate as provided in (a) bears to the value of the entire gross estate.

(d) The values referred to in (c) are the values determined by the United States of America for the purpose of estate taxes.

(e) The credit provided for herein shall apply after the application of section 813 (b) of the Internal Revenue Code, as amended by the Revenue Act of 1942.

2. In the case of a decedent who at the time of his death was domiciled in Canada, Canada shall impose the succession taxes to which this Convention relates upon the following conditions:

(a) In respect of property situated in the United States of America which, for the purpose of succession taxes, is included in the gross estate, less such property as is specifically deducted therefrom (because of transfer for charitable, educational, religious or similar uses), there shall be allowed against the succession taxes a credit for United States estate taxes in respect of the property situated in the United States of America, the situs of such property being determined in accordance with the laws of the United States of America, subject to the provisions of this Convention.

(b) The portion of the United States estate taxes to be allowed as a credit against Canadian succession taxes shall be an amount which bears the same ratio to the total United States estate taxes as the value of the property situated in the United States of America and with respect to which succession taxes are imposed by Canada bears to the total value of the property with respect to which estate taxes are imposed by the United States of America.

(c) The credit in any such case shall not exceed an amount which bears the same ratio to such estate taxes, computed without the credit provided for herein, as the value of the property situated in the United States of America and not excluded or deducted from the gross estate as provided in (a) bears to the entire value of the property, wherever situated.

(d) The values referred to in (c) are the values determined by Canada for the purpose of succession taxes.

3. (a) The credit referred to in this Article may be allowed by the United States of America if claim therefor is filed within the periods provided in section 813 (b) of the Internal Revenue Code, as amended.

(b) The credit referred to in this Article may be allowed by Canada if claim therefor is filed within the period provided by subsection 4 of section 35 of the Dominion Succession Duty Act relating to refund of overpayment.

(c) A refund based on the credit may be made if a claim therefor is filed within the respective periods above provided.

(d) Any refund based on the provisions of this Article or any other provisions of this Convention shall be made without interest.

ARTICLE VII

1. With a view to the prevention of fiscal evasion each of the contracting States undertakes to furnish to the other contracting State as provided in the succeeding Articles of this Convention, the information which its competent authorities have at their disposal or are in a position to obtain under its revenue laws in so far as such information may be of use to the authorities of the other contracting State in the assessment of the taxes to which this Convention relates.

2. The information to be furnished under this Article, whether in the ordinary course or on request, may be exchanged directly between the competent authorities of the two contracting States.

ARTICLE VIII

1. The Commissioner shall notify the Minister as soon as practicable when the Commissioner ascertains that in the case of:

(a) A decedent, any part of whose estate is subject to the Federal estate tax laws, there is property of such decedent situated in Canada;

(b) A decedent domiciled in Canada, any part of whose estate is subject to the Dominion Succession Duty Act, there is property of such decedent situated in the United States of America.

2. The Minister shall notify the Commissioner as soon as practicable when the Minister ascertains that in the case of:

(a) A decedent, any part of whose estate is subject to the Dominion Succession Duty Act, there is property of such decedent situated in the United States of America;

(b) A decedent domiciled in the United States of America, any part of whose estate is subject to the Federal estate tax laws, there is property of such decedent situated in Canada.

ARTICLE IX

1. If the Minister deems it necessary to obtain the cooperation of the Commissioner in determination of the succession tax liability of any person, the Commissioner may, upon request, furnish the Minister such information bearing upon the matter as the Commissioner is entitled to obtain under the revenue laws of the United States of America.

2. If the Commissioner deems it necessary to obtain the cooperation of the Minister in the determination of the estate tax liability of any person, the Minister may, upon request, furnish the Commissioner such information bearing upon the matter as the Minister is entitled to obtain under the revenue laws of Canada.

ARTICLE X

The competent authorities of the contracting States may:

(a) Prescribe regulations to carry into effect this Convention within the respective States and rules with respect to the exchange of information;

(b) If doubt arises, settle questions of interpretation or application of this Convention by mutual agreement;

(c) Communicate with each other directly for the purpose of giving effect to the provisions of this Convention.

ARTICLE XI

If any fiduciary or beneficiary can show that double taxation has resulted or may result in respect of the taxes to which this Convention relates, such fiduciary or beneficiary shall be entitled to lodge a claim or protest with the State of citizenship or domicile of such fiduciary or beneficiary, or, if a corporation or other entity, with the State in which created or organized. If the claim or protest should be deemed worthy of consideration, the competent authority of such State may consult with the competent authority of the other State to determine whether the alleged double taxation exists or may occur and if so whether it may be avoided in accordance with the terms of this Convention.

ARTICLE XII

The provisions of this Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance accorded by the laws of one of the contracting States in the determination of the tax imposed by such State.

ARTICLE XIII

1. As used in this Convention:

(a) The term "Minister" means the Minister of National Revenue of Canada or his duly authorized representative.

(b) The term "Commissioner" means the Commissioner of Internal Revenue of the United States of America, or his duly authorized representative.

(c) The term "competent authority" or "competent authorities" means the Commissioner and the Minister and their duly authorized representatives.

2. When used in a geographical sense:

(a) The term "United States of America" includes only the states, the Territory of Alaska, the Territory of Hawaii, and the District of Columbia.

(b) The term "Canada" means the provinces, the territories and Sable Island.

ARTICLE XIV

1. This Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

2. This Convention shall be deemed to have come into effect on the fourteenth day of June, 1941. It shall continue in effect for a period of five years from that date and indefinitely after that period, but may be terminated by either of the contracting States at the end of the five year period or at any time thereafter; *Provided*, That at least six months prior notice of termination has been given.

Done in duplicate, at Ottawa, this eighth day of June, 1944.

[SEAL] RAY ATHERTON.
W. L. MACKENZIE KING.
COLIN GIBSON.

AND WHEREAS the said convention has been ratified on both parts, and the instruments of ratification of the two Governments were exchanged at Washington on the sixth day of February, one thousand nine hundred forty-five;

AND WHEREAS it is provided in Article XIV of the said convention that the convention shall be deemed to have come into effect on the fourteenth day of June, one thousand nine hundred forty-one;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and make public the said convention to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, the said convention being deemed to have come into effect on the fourteenth day of June, one thousand nine hundred forty-one.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of March in the year of our Lord one thousand nine hundred forty-five,
[SEAL] and of the Independence of the United States of America the one hundred sixty-ninth

FRANKLIN D ROOSEVELT

By the President:

JOSEPH C. GREW,
Acting Secretary of State.

Section 3791 of the Internal Revenue Code provides as follows:

(a) *Authorization*—(1) *In general.* • • • the Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of this title.

(2) *In case of change in law.* The Commissioner may make all such regulations, not otherwise provided for, as may have become necessary by reason of any alteration of law in relation to internal revenue.

(b) *Retroactivity of regulations or rulings.* The Secretary, or the Commissioner with the approval of the Secretary, may prescribe the extent, if any, to which any ruling, regulation, or Treasury decision, relating to the internal revenue laws, shall be applied without retroactive effect.

§ 82.2 *Scope of regulations.* Sections 82.1 to 82.10, inclusive, pertain to the application of the Federal estate taxes as modified under the provisions of the convention in cases of decedents dying on or after June 14, 1941, who were domiciled in either the United States or Canada, or who were citizens of the United States. Sections 82.1 to 82.10, inclusive, also pertain to related administrative matters and to the furnishing of information by the tax authorities of each country to such authorities of the other country which may be useful in the determination and enforcement of the Federal estate taxes and the Dominion succession duties.

The provisions of the convention are restricted to the estate taxes imposed by the Federal Government and the succession duties imposed by the Dominion Government, and do not comprehend estate, inheritance, legacy, or succession taxes imposed by any State, Territory, the District of Columbia, or possession of the United States or death duties imposed by any Province or Territory of Canada. (Paragraph 1 of Article I of the convention.) The credit against the Federal estate tax, authorized by section 813 (b) of the Internal Revenue Code, as amended, for estate, inheritance, legacy, or succession taxes paid any State, Territory, the District of Columbia, or possession of the United States, is not affected. (Paragraph 1 (e) of Article VI of the convention.)

§ 82.3 *Domicile and citizenship.* Determination with respect to the decedent's domicile and citizenship at time of death are required in order to ascertain whether the estate is within the scope of the convention, and if so, such determinations are necessary for two further purposes, i. e., first, in order to ascertain the property that may be included in the application of the tax, and, second, in order to ascertain the credit for death duties authorized by the convention. For such purposes, domicile and citizenship shall be determined in accordance with the laws of the contracting country which imposes the tax by reason of the decedent's being domiciled therein or a citizen thereof. (Paragraph 3 of Article III, paragraph 3 of Article IV, and paragraphs 1 and 2 of Article VI of the convention.) Where in a particular case only one of the contracting countries asserts tax by reason of the decedent's being domiciled therein, the other contracting country is bound by such determination of domicile for all purposes of the convention, and will not, for instance, in the imposition of its tax on the basis of situs of property disregard the situs rules established by Article III by contending that the decedent was domiciled in a third country.

For the purpose of determining whether the decedent was domiciled in either the United States or Canada at time of death, the United States includes the States thereof, the Territory of Alaska, the Territory of Hawaii, and the District of Columbia, and Canada includes the Provinces and Territories

thereof and Sable Island. (Paragraph 2 of Article XIII of the convention.)

§ 82.4 *Situs of property.* The determination of the situs of property is necessary for two purposes, i. e., first, in order to ascertain the property that may be included in the application of the tax if jurisdiction is based upon situs of property within the country, and, second, in order to ascertain the credit for death duties authorized by the convention since the crediting country only allows such credit with respect to property situated in the other country which is party to the convention. For such purposes, and subject to the provisions of the convention explained in the next paragraph, the situs of property shall be determined in accordance with the laws of the contracting country which imposes the tax by reason of situs of property therein or which imposes the tax for which credit is allowed by the other contracting country. (Paragraph 1 of Article IV, and paragraphs 1 (a) and 2 (a) of Article VI of the convention.)

The situs rules of both countries have been changed by the convention with respect to shares of stock in American and Canadian corporations. (Article III of the convention.) Under the convention, in the case of the estate of a decedent domiciled in either the United States or Canada at time of death, or in the case of the estate of a decedent who was a citizen of the United States at time of death, shares of the capital stock of a corporation organized in or under the laws of the United States, a State or Territory of the United States, or the District of Columbia, are deemed situated only in the United States, and shares of the capital stock of a corporation organized in or under the laws of Canada, or a Province or Territory of Canada, are deemed situated only in Canada. Thus in such a case shares of stock of a Canadian corporation are not regarded as situated in the United States even if the stock certificates are located in the United States, and shares of stock of an American corporation are not regarded as situated in Canada even if the stock certificates and the transfer registry are located in Canada.

The convention does not change the situs rules in cases of estates of decedents not citizens of the United States and not domiciled in either country, and accordingly in such cases, for the purposes of the Federal estate tax shares of stock of Canadian corporations are regarded as situated in the United States if the stock certificates are located in the United States.

Both the United States and Canada exempt real property situated outside the taxing country, and the convention confirms such rules insofar as real property situated in the United States or Canada is concerned. The convention provides that the question whether rights relating to or secured by real property are to be considered as realty or personalty will be determined in accordance with the laws of the contracting country imposing the tax. (Article II of the convention.)

For the purpose of determining whether property is situated in either the United States or Canada, the United States includes the States thereof, the Territory of Alaska, the Territory of Hawaii, and the District of Columbia, and Canada includes the Provinces and Territories thereof and Sable Island. (Paragraph 2 of Article XIII of the convention.)

§ 82.5 *Taxation on basis of domicile or citizenship.* In the case of the estate of a decedent domiciled in or a citizen of the United States at time of death, the United States will continue to include in the gross estate and subject to the Federal estate tax any property situated in Canada, other than real property, and the convention makes no change in this respect, except as to the credit provided in paragraph 1 of Article VI of the convention. (Paragraph 1 of Article V of the convention.) In the case of the estate of a decedent domiciled in Canada at time of death, Canada will continue to include in the gross estate and subject to the Dominion succession duties any property situated in the United States, other than real property, and the convention makes no change in this respect, except as to the credit provided in paragraph 2 of Article VI of the convention. (Paragraph 3 of Article V of the convention.)

§ 82.6 *Taxation on basis of situs of property.* In the case of the estate of a decedent who at time of death (on or after June 14, 1941) was domiciled in Canada and not a citizen of the United States, in imposing the Federal estate tax, the United States shall:

(a) Take into account only property situated in the United States, and

(b) Allow for each specific exemption an amount not less than that proportion of the specific exemption authorized for the estate of a decedent domiciled in the United States which the value of the property situated in the United States bears to the value of the entire gross estate wherever situated. (Paragraph 2 of Article V of the convention.)

The restriction relative to taking into account property situated outside the United States, set forth in (a) above, refers to what may be included for the purpose of fixing the rate of tax, and does not refer to what is included in the gross estate and utilized in ascertaining the proportionate specific exemption prescribed in (b) above and also utilized in ascertaining the proportionate deductions for administration expenses, debts, etc. prescribed in § 81.52 of this chapter and section 861 (a) (1) of the Internal Revenue Code. The restriction set forth in (a) above merely confirms existing practice and does not change the imposition of the Federal estate taxes. The convention expressly provides that allowance for debts shall be determined in accordance with the laws of the contracting State imposing the tax. (Paragraph 2 of Article IV of the convention.)

In the case of a decedent dying after October 21, 1942, the amount of the specific exemption will not be less than the $2,000 provided by statute. (Article XII of the convention.)

In computing the net estate for the purpose of the basic estate tax, the amount of the specific exemption is (a) that proportion of $100,000 which the value of the property situated in the United States bears to the value of the entire gross estate wherever situated, or (b) $2,000, if the decedent died after October 21, 1942, and such latter amount is the greater.

In computing the net estate for the purpose of the additional estate tax, the amount of the specific exemption is (a) if the decedent died after October 21, 1942, that proportion of $60 000 which the value of the property situated in the United States bears to the value of the entire gross estate wherever situated, or $2,000, whichever is the greater, or (b) if the decedent died before October 22, 1942, that proportion of $40,000 which the value of the property situated in the United States bears to the value of the entire gross estate wherever situated.

For example, if the decedent, domiciled in Canada at time of death and not a citizen of the United States, died on July 1, 1944, leaving a gross estate (other than real property outside the United States) of $500,000, of which $100,000 is situated in the United States, the amount of the specific exemption for the purpose of the basic tax is

$$\frac{100,000}{500,000} \times \$100,000 = \$20,000.$$

and the amount of the specific exemption for the purpose of the additional tax is

$$\frac{100,000}{500,000} \times \$60,000 = \$12,000.$$

If the Federal estate tax is imposed upon the basis of situs of property in the case of a decedent dying on or after June 14, 1941, who at the time of death was domiciled in Canada, supplemental Form 706b should be substituted for Schedule R of the estate tax return, Form 706.

Any claim for refund of estate tax based upon exclusion of shares of stock of a Canadian corporation or upon increased specific exemption should be made on Form 843, with supplemental Form 706b attached, and must be filed within three years after such tax was paid. Any refund of tax resulting from the application of the convention bears no interest. (Paragraph 3 (d) of Article VI of the convention.)

§ 82.7 *Credit for Canadian succession duties.* In the case of the estate of a decedent who at time of death was domiciled in or a citizen of the United States, credit is authorized against the Federal estate taxes for Dominion succession duties paid with respect to property situated in Canada and subjected to such taxes by both countries. (Paragraph 1 of Article VI of the convention.)

If at the time the Federal estate tax return is filed, the Dominion succession duties have not been determined and paid, credit therefor may be entered on the return in an estimated amount. However, before credit for Dominion succession duties is finally allowed, the representative of the estate must submit a statement by an authorized Dominion succession duty official certifying the total amount of the Dominion succession duties, without addition of any interest or penalties, that such duties were computed in accordance with limitations

provided in the convention and that the amount thereof has been paid, together with the date of payment. No credit is allowable with respect to any such interest or penalty. An itemized list of property situated in Canada and subjected to Dominion succession duties, disclosing values, must be shown. The certificate shall also show whether (1) a claim for refund of such duties or any part thereof is pending, and (2) whether a refund thereof has been authorized. If any refund or claim for refund is involved, the date, amount and description of the property affected shall be shown. The Commissioner may require the submission of any additional proof as is deemed necessary to establish the right to the credit.

If subsequent to the allowance of credit for Dominion sucession duties, a refund is made of any such succession duties, then the person to whom the refund is made is required to advise the Commissioner thereof and pay any further Federal estate tax resulting from any reduction in the credit.

The convention limits the imposition of the Dominion succession duties, in the case of a decedent domiciled in the United States, by permitting only property situated in Canada to be taken into account in determining the tax rate. (Paragraph 4 (a) of Article V of the convention.) Thus, in such a case Canada no longer fixes the "initial rate" of duty by reference to the total value of the property situated both inside and outside of Canada. This limitation is not applicable to the case of a decedent who was a citizen of the United States domiciled outside of the United States. The convention changes the application of the Dominion succession duties imposed upon the basis of situs of property, in the case of a decedent domiciled in or a citizen of the United States, by excluding from situs in Canada shares of the capital stock of any corporation organized in or under the laws of the United States, any of the States or Territories of the United States, or the District of Columbia, regardless of such other factors as the location of the transfer registry or the location of the stock certificates. The convention also changes the application of the Dominion succession duties imposed upon the basis of situs of property, in the case of a decedent domiciled in or a citizen of the United States, by including as situated in Canada shares of the capital stock of any corporation organized in or under the laws of Canada or any of the Provinces or Territories of Canada, regardless of such other factors as the location of the transfer registry or the location of the stock certificates. (Article III of the convention.)

The credit is limited to the amount of the Dominion succession duties attributable to property situated in Canada and subjected to Federal estate taxes. (Paragraph 1 (b) of Article VI of the convention.) The credit is also limited to the amount of the Federal estate taxes attributable to property situated in Canada and subjected to Canadian succession duties. (Paragraph 1 (c) of Article VI of the convention.) Property subjected to Federal estate tax does not include any real property situated in Canada. Furthermore it does not include any property previously taxed or any property specifically bequeathed or transferred for public, charitable, educational, religious or similar uses, and with respect to which a deduction is allowed for Federal estate tax purposes. (Paragraph 1 (a) of Article VI of the convention.)

If only a part of the property of a particular succession upon which Dominion succession duty is imposed constitutes Canadian property subjected to the Federal estate tax, only the portion of such Dominion succession duty attributable to such part may be included in the total Dominion succession duties for which credit is allowable. Such portion of the Dominion succession duty is the amount (a) which bears the same ratio to (b) the amount of the Dominion succession duty imposed upon the particular succession (without allowance of credit, if any, for Federal estate tax) that (c) the value of the part of the succession which constitutes Canadian property subjected to Federal estate tax bears to (d) the value of the entire property of the succession subjected to Dominion succession duty. The values used in this proportion are the values determined for the purpose of the Dominion succession duty. The amount of the Dominion succession duties for which credit is allowable must be converted into United States money.

The amount of the credit is limited to the proportion of the Federal estate tax (computed without allowance of credit for Canadian succession duties) which the value of the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax bears to the value of the gross estate. For the purpose of this proportion, the "Federal estate tax" refers to the amount of the tax after allowance of credit for State inheritance or similar taxes authorized by section 813 (b) of the Internal Revenue Code but before the allowance of credit for Canadian succession duties. If Federal gift tax is involved see the explanation following the first example in this section. For the purpose of this proportion the "property situated in Canada and subjected to both Dominion succession duties and Federal estate tax" and the "gross estate" do not include any real property situated in Canada, and also do not include any property previously taxed or any property specifically bequeathed or transferred for public, charitable, educational, religious or similar uses, and with respect to which a deduction is allowed for Federal estate-tax purposes. The values used in this proportion are the values determined for the purpose of the Federal estate tax. (Paragraph 1 (d) of Article VI of the convention.)

While in most instances the country which imposes the tax on the basis of the decedent's domicile in that country allows a credit for the tax imposed by the other country on the basis of situs of property therein, both countries will allow credits in the case of a decedent who was a citizen of the United States domiciled in Canada. However, in such case credit allowed by each country is restricted to the part of the tax attributable to property situated in the other country.

Credit for Dominion succession duties cannot be allowed unless claim therefor is made within four years after the estate tax return is filed, or within such further period as is provided by section 813 (b) of the Internal Revenue Code, as amended, relative to credit for State inheritance taxes, in the case of a petition filed with the Tax Court or in the case of an extension of time for the payment of tax. Any refund of tax resulting from the application of the convention bears no interest. (Paragraph 3 of Article VI of the convention.)

For computation of the estate tax with credit for Dominion succession duties, Form 706c should be used as a supplement to the estate tax return, Form 706. Any claim for refund based upon credit for Dominion succession duties should be filed on Form 843, with supplemental Form 706 attached.

Example (illustrating the operation of both limitations, but not involving credit for Federal gift tax). Decedent was at time of death domiciled in and a citizen of the United States, and his widow and daughter are the beneficiaries under his will. The value of the gross estate for the purpose of the Federal estate tax (in United States money) is $180,000, consisting of stocks of Canadian corporations, $50,000, and of other property, $130,000. The amount of the Federal estate tax without allowance of credit for Dominion succession duties is $20,140. The value in Canadian money of the widow's succession subjected to the Dominion succession duty is $500,000, consisting of Canadian real property, $460,000, and stocks of Canadian corporations, $40,000. The amount of the Dominion succession duty imposed upon the widow's succession is $79,433 in Canadian money. The value in Canadian money of the daughter's succession subjected to the Dominion succession duty is $15,000, consisting entirely of stocks of Canadian corporations. The amount of the Dominion succession duty imposed upon the daughter's succession is $1,215 in Canadian money. In computing the Dominion succession duties, no property situated outside Canada is taken into account in determining the tax rates. Computations are shown below:

Computation of portion of Dominion succession duty imposed upon widow's succession attributable to property subjected to Federal estate tax:

1. Amount of Dominion succession duty imposed upon the succession	$79,433 00
2. Value of property situated in Canada and subjected to both Dominion succession duty and Federal estate tax	40,000 00
3. Total value of property subjected to Dominion succession duty	500,000 00
4. Amount of Dominion succession duty attributable to item 2 (proportion of item 1 that item 2 bears to item 3)	6,354 64

Total Dominion succession duties for which credit is allowable:

1. For widow's succession	$6,354.64
2. For daughter's succession	1,215.00
3. Total	7,569.64

The amount of item 3 converted into United States money equals $6,881.49.

Computation of estate tax with credit for Canadian succession duties (values and amounts in United States money):

1.	Federal estate tax without allowance of credit for Dominion succession duties		$20,140.00
2.	Dominion succession duties attributable to Canadian property subjected to Federal estate tax	$6,881.49	
3.	Value of property situated in Canada and subjected to both Dominion succession duties and Federal estate tax	50,000.00	
4	Value of gross estate	180,000.00	
5	Federal estate tax attributable to Canadian property subjected to Dominion succession duties (proportion of item 1 that item 3 bears to item 4)	5,594.44	
6	Credit for Dominion succession duties (item 2, or item 5, if the latter item is the smaller)		5,594.44
7	Net Federal estate tax (item 1 minus item 6)		14,545.56

Under the convention the credit for Canadian succession duties is subordinated to the credit for State inheritance and similar taxes authorized by section 813 (b) of the Internal Revenue Code, but is accorded priority over the credit, if any, for Federal gift tax. (Paragraph 1 (e) of Article VI of the convention.) Consequently if credit for Federal gift tax is involved it will be necessary to allocate the credit for Canadian succession duties against the basic and additional estate taxes, and, if present, against the defense tax. The computations and allocations of the credits described in the remaining paragraphs of this section are only applicable to cases involving gift tax credits (which it is anticipated will rarely occur).

If the decedent died after October 21, 1942, the amount of the credit for Canadian succession duties allocated against the basic tax is (a) the amount of the Dominion succession duties attributable to the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax, or (b) the proportion of the difference between the gross basic estate tax and the credit for State inheritance or similar taxes which the value of the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax bears to the value of the gross estate, if (b) is the smaller. In such case the amount of the credit for Canadian succession duties allocated against the additional estate tax is (a) the excess of the amount of the Dominion succession duties attributable to the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax over the amount of the credit for Canadian succession duties allocated against the basic estate tax, or (b) the proportion of the gross additional estate tax which the value of the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax bears to the value of the gross estate, if (b) is the smaller.

If the decedent died on or before October 21, 1942, the Internal Revenue Code provides that credit for gift tax allocated against the basic tax be given priority over the credit for State inheritance or similar taxes. Accordingly, in such a case the amount of the credit for Canadian succession duties allocated against the basic tax is (a) the amount of the Dominion succession duties attributable to the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax, or (b) the proportion of the difference between the gross basic estate tax and the total amount of the credits for both State inheritance or similar taxes and Federal gift tax allocated against such basic tax which the value of the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax bears to the value of the gross estate, if (b) is the smaller. As no credit for State inheritance or similar taxes is allowed against the additional estate tax the credit for Canadian succession duties allocated against the additional estate tax is given priority over the gift tax credit. In such case the amount of the credit for Canadian succession duties allocated against the additional estate tax is (a) the excess of the amount of the Dominion succession duties attributable to the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax over the amount of the credit for Canadian succession duties allocated against the basic estate tax, or (b) the proportion of the gross additional estate tax which the value of the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax bears to the value of the gross estate, if (b) is the smaller. If the decedent died before September 21, 1941, the amount of the credit allocated against the defense tax is (a) the excess of the amount of the Dominion succession duties attributable to the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax over the total amount of the credits for Canadian succession duties allocated against the basic and additional estate taxes, or (b) the proportion of the gross defense tax which the value of the property situated in Canada and subjected to both Dominion succession duties and Federal estate tax bears to the value of the gross estate, if (b) is the smaller.

If the decedent died after October 21, 1942, any credit for gift tax against the basic tax can not exceed the proportion of the gross basic tax less credits for State inheritance of similar taxes and for Canadian succession duties which the value of the included gift taxed bears to the entire gross estate, unless the gift tax was imposed by the Revenue Act of 1924, as amended, in which case the entire amount is allowable. Any credit for gift tax allocated against the additional estate tax can not exceed the proportion of the gross additional tax less credit for Canadian succession duties which the value of the included gift taxed bears to the entire gross estate, and furthermore can not exceed the difference between the total amount of the gift tax and the gift tax credit allowed against the basic estate tax. No credit is allowable against the additional estate tax for gift tax imposed by the Revenue Act of 1924, as amended.

If the decedent died on or before October 21, 1942, any credit for gift tax allocated against the basic estate tax can not exceed the proportion of the gross basic tax which the value of the included gift taxed bears to the entire gross estate unless the gift tax was imposed by the Revenue Act of 1924, as amended, in which case the entire amount is allowable as a credit. Any credit for gift tax allocated against the additional estate tax can not exceed the proportion of the gross additional estate tax less credit for Canadian succession duties which the value of the included gift taxed bears to the entire gross estate, and furthermore can not exceed the difference between the total amount of the gift tax and the gift tax credit allowed against the basic estate tax. No credit is allowable against the additional estate tax for gift tax imposed by the Revenue Act of 1924, as amended. Thus, in allocating the proportion of the credit for Canadian succession duties against the additional estate tax in such a case, such credit is given priority over credit for gift tax.

Example (involving the allocation of credits for both the Canadian succession duties and Federal gift tax). Decedent was domiciled in and a citizen of the United States at time of death, July 1, 1944. The value of the gross estate is $200,000, and the amount of the deductions in addition to the specific exemptions is $10,000. Gift tax of $12,000 had been paid by the decedent on $75,000 of the property. The amount of the Dominion succession duties attributable to property (valued at $50,000) situated in Canada and subjected to both Dominion succession duties and Federal estate tax is $9,175 in United States money.

The computations for this example are set forth below:

A. Federal estate taxes attributable to property subjected to Canadian succession duties:

1.	Basic estate tax less credit for State inheritance or estate tax	$260
2.	Additional estate tax	28,400
3.	Value of property situated in Canada and subjected to both Dominion succession duties and Federal estate tax	50,000
4.	Value of gross estate	200,000
5.	Amount of basic estate tax attributable to item 3 (proportion of item 1 that item 3 bears to item 4)	65
6.	Amount of additional estate tax attributable to item 3 (proportion of item 2 that item 3 bears to item 4)	7,100

B. Computation of estate tax:

1. Gross basic tax	$1,300	
2. Credit for State inheritance or estate tax	1,040	
3. Gross basic tax less credit for State inheritance or estate tax (item 1 minus item 2)	260	
4. Credit for Canadian succession duties ($9,175 or item 5 of A, if the latter is the smaller)	65	
5. Gross basic tax less credits for items 2 and 4 (item 3 less item 4)	195	
6. Credit for gift tax (proportion of item 5 that value of gift bears to value of gross estate)	73 13	
7. Net basic tax (item 5 less item 6)		$121 87
8. Total gross taxes (basic and additional)	$29,700	
9. Gross basic tax	1,300	
10. Gross additional tax (item 8 minus item 9)	28,400	
11. Credit for Canadian succession duties (amount of (a) excess of $9,175 over item 4 above, or (b) item 6 of A, if the latter is the smaller)	7,100	
12. Gross additional tax less credit for Canadian succession duties (item 10 minus item 11)	21,300	
13. Credit for gift tax (amount of (a) proportion of item 12 that value of gift bears to value of gross estate or (b) the difference between amount of gift tax and item 6 if the latter is the smaller)	7,987.50	
14. Net additional tax (item 12 minus item 13)		13,312.50
15. Total estate tax payable (item 7 plus item 14)		13,434 37

§ 82.8 *Information furnished by each contracting country to the other.* In order to prevent evasion and to facilitate administration the United States and Canada will furnish each other such information as its competent authorities have at their disposal or are in a position to obtain under its revenue laws which may be of use in the assessment of the Federal estate taxes and Dominion succession duties. Such information may be exchanged directly between the competent authorities of the two countries. (Article VII of the convention.) The term "competent authorities" means the Commissioner of Internal Revenue of the United States or his duly authorized representative, and the Minister of National Revenue of Canada or his duly authorized representative. (Paragraph 1 of Article XIII of the convention.)

The Commissioner will notify the Minister as soon as practicable when the Commissioner ascertains that there is property situated in Canada in the case of an estate subject to the Federal estate tax, and that there is property situated in the United States in the case of a decedent domiciled in Canada whose estate is subject to the Dominion succession duty. The Minister will notify the Commissioner as soon as practicable when the Minister ascertains that there is property situated in the United States in the case of an estate subject to the Dominion succession duties and that there is property situated in Canada in the case of a decedent domiciled in the United States whose estate is subject to the Federal estate tax. (Article VIII of the convention.) The competent authority in each country will furnish specific information requested by the competent authority of the other country relative to Federal estate taxes or Dominion succession duties which may be obtained under the revenue laws. (Article IX of the convention.)

If subsequent to the allowance by one of the contracting States of a credit authorized by Article VI of the convention a refund of tax is made by the other contracting State, the latter shall promptly advise the former thereof.

§ 82.9 *Doubtful questions.* If doubt arises the competent authorities of the United States and Canada are authorized to settle questions of interpretation or application of the convention by mutual agreement, and are authorized to communicate with each other directly for the purpose of giving effect to the provisions of the convention. (Article X of the convention.)

§ 82.10 *Protests by interested persons.* If a fiduciary or beneficiary can show that double taxation has resulted or may result with respect to the Federal estate taxes and the Dominion succession duties such fiduciary or beneficiary is entitled to file a protest with the country of his citizenship or domicile, and in the discretion of the competent authority of such country (either the United States or Canada) the competent authority of the other country may be consulted in order to determine whether the alleged double taxation exists or may occur, and if so, whether it may be avoided in accordance with the convention. (Article XI of the convention.)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: May 31, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-9672; Filed, June 1, 1945; 4:16 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

COMMERCIAL GARAGES PERFORMING REPAIR WORK IN KANSAS CITY, MO.-KANS., AREA

The National War Labor Board, under paragraph (d) of § 803.4, has approved the following exception to the exemption provided for in paragraph (a) of this order:

(62) Commercial garages performing repair work for the public in the Metropolitan Kansas City area. (Approved May 11, 1945)

(E.O. 9250, Oct. 2, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-9686; Filed, June 4, 1945; 9:44 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 102—INSTRUCTIONS RELATING TO REPORTS OF CURRENCY TRANSACTIONS

MAY 21, 1945.

Pursuant to section 5 (b) of the act of October 6, 1917 (40 Stat. 415), as amended, and other authority vested in me by law, the following instructions are prescribed:

Sec.
102.1 Reports of currency transactions required.
102.2 Filing of reports.
102.3 Identification required.
102.4 Definitions.

AUTHORITY: §§ 102.1 to 102.4, inclusive, issued under R. S. 251; sec. 5 (b), 40 Stat. 415 and 968; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 839; E.O. 6073, Mar. 10, 1933, as amended by Proc. 2070, Dec. 30, 1933, and E.O. 6559, Jan. 15, 1934; E.O. 8389, Apr. 10, 1940, as amended; E.O. 9193, July 6, 1942.

§ 102.1 *Reports of currency transactions required.* Commencing with transactions occurring in the month of June, 1945, every financial institution in the United States shall file monthly reports on Form TCR-1 concerning each deposit or withdrawal, or other payment or transfer, effected by, through, or to such financial institution which involves United States currency in amounts or denominations which, in the judgment of the financial institution exceed those commensurate with the legitimate and customary conduct of the business, industry, or profession of the person or organization concerned. The fact that a transaction involves $1,000 or more of United States currency in denominations of $50 or higher, or involves $10,000 or more of United States currency in any denominations shall be deemed to necessitate the filing of a report on Form TCR-1, unless in the judgement of the financial institution the transaction is commensurate with the legitimate and customary conduct of the business, industry, or profession of the person or organization concerned.

§ 102.2 *Filing of reports.* Reports on Form TCR-1 shall be filed in duplicate, on or before the 15th day of the month following that in which the reported transactions occur, with the Federal Reserve Bank of the district in which the reporting financial institution is located. All information called for in such form shall be furnished.

§ 102.3 *Identification required.* No financial institution shall effect any transaction with respect to which a report is required unless the person or organization with whom such transaction is to be effected has been satisfactorily identified.

§ 102.4 *Definitions.* As used herein "payment or transfer" shall include exchange of currency, and "financial institutions" shall mean banks, trust companies, savings banks, private bankers, investment bankers, building and loan associations, securities and commodities brokers, and currency exchanges and other persons or organizations engaged primarily in cashing checks and exchanging currency.

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 45-9574; Filed, June 1, 1945; 4:16 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 24]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept. of Comm. Schedule B No.	Commodity	Gen. lic. country group	GLV dollar value limits country group		G-Post dollar value limits
			K	G-14	
	COAL AND RELATED FUELS				
5444.00	Iron pitch coke	None	100	25	25
	COAL-TAR PRODUCTS				
9825.87	Santobright	None	—	—	—
9850.00	Naphthanol	None	—	—	—
9904.00	Tonfluanine	None	—	—	—
	CHEMICAL SPECIALTIES				
9205.00	Derex	None	100	25	25
9206.00	Lethane	K	100	25	25
9207.00	Hydrogenic insecticide except Zyklon discoid with warning gas	None	100	25	25
9208.00	Fumigant preparations except Dowicide and Cresyl paradinitro sulfonic	None	—	—	—
9208.03	Acresol OT	K	100	25	25
9209.00	Chlorinated naphthalene except Halowax	None	—	—	—
9209.00	Diphenyl-diphenyl oxide mixtures except Dowtherm A	None	100	25	25
9209.00	Phthalyl glycollate plasticizers except Santicizers	None	100	25	25
	INDUSTRIAL CHEMICALS				
9820.98	G I C 78	K	100	25	25
9820.98	Silicones except Dow corning fluid	None	100	25	25
9820.98	S T 115	K	100	25	25

Dept. of Comm. Schedule B No.	Commodity	Gen. lic. country group	GLV dollar value limits country group		G-Post dollar value limits
			K	G-14	
	DAIRY PRODUCTS				
1050.03	Frozen powder	None	25	25	25
1050.03	Other ice cream powder, milk and preparations	None	25	25	25
	OTHER INEDIBLE ANIMALS AND ANIMAL PRODUCTS				
0.50.98	Animal bait (animal products)	None	100	25	25
0.50.98	Blood meal	None	100	25	25
0.50.98	Bone scrap	None	100	25	25
0.50.98	Liver meal	None	100	25	25
	GRAINS AND PREPARATIONS				
1051.00	Fodder corn seed, including Virginia horse tooth fodder corn seed, not including cushaw corn seed	K	100	25	25
	FODDERS AND FEEDS, N. E. S.				
1150.00	Stimulfos (distillers' dried grains used as feed)	None	100	25	25
	VEGETABLES AND PREPARATIONS				
1203.00	Onions	K	100	25	25
1240.00	Pumpkins	None	100	25	25
1240.00	Rhubarb	None	100	25	25
1253.00	Other vinegar (not including cider vinegar)	None	100	25	25
	TABLE BEVERAGE MATERIALS				
1511.00	Coffee, green	K	100	25	25
1512.00	Coffee, roasted (exclude decaffeinated)	K	100	25	25
1513.00	Coffee extract and substitutes	K	100	25	25

Dept. of Comm. Schedule B No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	OTHER EDIBLE ANIMAL PRODUCTS				
0660.00	Lecithin	K	100	25	25
	GLASS AND GLASS PRODUCTS				
7230.98	Lamp lenses	None	100	25	25
	CLAY AND CLAY PRODUCTS				
5979.00	Vitrilite	K	100	25	25
	OTHER NONMETALLIC MINERALS, INCLUDING PRECIOUS				
5472.03	Graphite, natural, Madagascar flake, crystalline lump or chip, other	K	100	25	1
5473.00	Carbon or graphite products: Electrodes for furnace or electrolytic work: 1" and over in diameter	K	100	25	25
	FERRO-ALLOYS				
6230.96	Ferrotungsten	K	100	1	1
6230.98	Other ferroalloys: Ferrozirconium	None	1	1	1
	ALUMINUM AND MANUFACTURES				
6301.00	Aluminum scrap	K	100	1	1
	LEAD AND MANUFACTURES				
6515.98	Lead manufactures, n. e. s.: Other lead manufactures	None	100	1 25	1
	NONFERROUS ORES, METALS AND ALLOYS EXCEPT PRECIOUS				
6949.98	Uranium metal	None	*1	*1	*1
	MEDICINAL AND PHARMACEUTICAL PREPARATIONS				
8180.98	Proprietary medicinal preparations n. e. s.:				
8180.98	Preparations, n. e. s., containing quinine	None	*None	*None	*None
	CHEMICAL SPECIALTIES				
8206.00	Thalmin sulfate	None	1	1	1
8209.00	Cresyl paratoluene sulfonate	None	1	1	1
	MISCELLANEOUS COMMODITIES, N. E. S.				
9824.00	Toilet brushes, other than toothbrushes (specify materials of which handles or backs are composed)	K	100	25	25
9825.01	Paint brushes: Other	K	100	25	25
9825.01					
9826.10	Household brushes: Other brushes	K	100	25	25
9826.10					
9826.91	Other brushes: Other brushes	K	100	25	25
9826.91					

1 GLV value limit for shipments to Argentina $1.00.

* An asterisk (*) preceding a value limit or the word "None" means that all forms, conversions, and derivatives of the particular commodity are included.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 1, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9582; Filed, June 2, 1945; 10:12 a. m.]

[Amdt. 23]

PART 802—GENERAL LICENSES

SHIPMENTS BETWEEN FOREIGN COUNTRIES VIA THE UNITED STATES

Section 802.9 *General In Transit Licenses "GIT"* is hereby amended to read as follows:

§ 802.9 *General In Transit Licenses "GIT"*—(a) *Definitions.* When used in this section:

(1) "In transit shipment" shall mean a shipment of a commodity or commodities from one foreign destination to another foreign destination, via the United States, for which no formal or informal consumption entry has been made at a United States customhouse.

(2) "S Countries" shall mean the following: Eire, Portugal, Portuguese Atlantic Islands, Portuguese Guinea, Spain, Spanish Atlantic Islands, Spanish and International Morocco and Tangier, Sweden, Switzerland, Turkey.

(3) "M Countries" shall mean the following: Aden, Anglo-Egyptian Sudan, Arabia (Saudi), British Somaliland, Cyprus, Egypt, Eritrea, Ethiopia, French Somaliland (French Somali Coast), Iran, Iraq, Italian Somaliland, Kamaran Island (Aden), Khorya-Morya Island (Aden), Lebanon (Syria), Libya, Perim Island (Aden), Saudi Arabia, Sokotra Island (Aden), Sudan (Anglo-Egyptian), Syria, Trans-Jordan and Palestine, Yemen.

(4) "Y Countries" shall mean the following: Australia, Burma, India, Newfoundland, New Zealand, Union of South Africa, British Colonies including only Aden, Bahamas, Barbados, Bermuda, British Guiana, British Honduras, Ceylon, Cyprus, Fiji, Gambia, Gold Coast, Jamaica, Kenya, Leeward Islands, Nigeria, Northern Rhodesia, Nyasaland, Palestine, and Trans-Jordania, Seychelles Islands, Sierra Leone, Tanganyika, Trinidad, Uganda, Western Pacific Islands, Windward Islands, Zanzibar.

(5) "V Countries" shall mean the following: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela.

(b) General licenses are hereby granted authorizing, subject to the other provisions of this section, the exportation of "in transit shipments" from those countries of origin to those countries of destination set forth directly opposite the respective general license designation for each such license in the following table.

General license designation	Countries of origin	Countries of destination
GIT-A/A	All countries except enemy or enemy occupied countries.	All countries to which country numbers have been assigned, except "S Countries" and "M Countries".
GIT-C/MS	Canada	"S Countries" and "M Countries".
GIT-Y/S	"Y Countries"	"S Countries".
GIT-V/MS	"V Countries"	"M Countries" and "S Countries".

(c) No in transit shipment originating Portugal, Spain, Switzerland or Sweden may be exported pursuant to any general license granted in this section unless there is presented to the United States Collector of Customs at the last port of exit from the United States a Certificate of Origin and Interest issued pursuant to directions of the Joint Anglo-American Blockade Committee, or a document replacing such certificate issued by a British consular officer in the United States, and unless the name and address of the ultimate consignee shown on said certificate or replacement document shall be the same as that shown on the pertinent shipping documents.

(d) No exportation may be made pursuant to general license GIT-C/MS, except to "M Countries" or when consigned to the Armed Forces of the United Nations, unless a Canadian export permit or British Imperial Export License, specifying the nature of the shipment and ultimate consignee in the country of destination, is surrendered to the United States Collector of Customs at the last port of exit from the United States.

(e) No exportation may be made pursuant to general license "GIT-Y/S" unless a British Imperial Export License or a Contraband Control Export License (Newfoundland Form C-205), specifying the nature of the shipment and ultimate consignee in the country of destination is surrendered to the United States Collector of Customs at the last port of exit from the United States.

(f) No commodity, except cotton textiles classified under Department of Commerce Schedule B Numbers 3023.00 through 3079.00, and 3082 through 3088.00 may be exported pursuant to general license GIT-V/MS. No such in transit shipment of cotton textiles, ex-

Schedule B No.	Commodity
2220.30	Copra
6401.00, 6412.00, 6413.00, 6422.00, 6423.00, 6424.00, 6425.00 thru	Copper

British Empire to any other destination in the British Empire, (ii) from Mexico to any other part of Mexico, (iii) between the Republic of Panama and any destination within the scope of Gen-

cept when consigned to one of the "M Countries" or when consigned to the Armed Forces of the United Nations, shall be cleared for export unless such shipments are accompanied by a British navi-

cept when consigned to one of the "M Countries" or when consigned to the Armed Forces of the United Nations, shall be cleared for export unless such shipments are accompanied by a British navicert issued pursuant to the directions laid down by the Joint Anglo-American Blockade Committee and such navicert is surrendered to the United States Collector of Customs at the last port of exit from the United States.

(g) The following commodities shall not be exported pursuant to any general license granted in this section except,

(1) When such commodities are incorporated in "in transit shipments" proceeding (i) from any destination in the British Empire to any other destination in the British Empire, (ii) from Mexico to any other part of Mexico, (iii) between the Republic of Panama and any destination within the scope of General License GIT-A/A through the Panama Canal Zone, (iv) from Canada to any designated country of destination, (v) from any country of origin included in the list of "Y Countries" to any country of destination included in the list of "S Countries."

(2) Quinine and quinine preparations when proceeding through the Panama Canal Zone from one of the "V Countries" to any other "V Country" except Argentina:

Commodity	*Schedule B No.*
Aircraft parts, equipment and accessories other than those listed in the President's Proclamation 2549 of April 9, 1942 (7 F.R. 2769).	All
Aconite	2209.88, 8124.98, 8127.98
Agar	2999.98, 8123.00
Aluminum	6290.00 thru 6305.00, 6308.50, 8336.00, 8339.05, 8339.98
Ammonium nitrate (except fertilizer)	8385.17
Antimony	6515.05, 6645.01, 6649.01, 6670.00, 8396.03, 8396.08
Asbestos, crude and fibre 3/8" and more in length	5451.05
Atropine	8135.08, 8135.96
Babassu nuts and kernels	2220.98
Babbitt metal, not including scrap and dross	6620.00
Beef and mutton tallow (edible and inedible) and oleo stock	0051.00, 0052.00, 0957.00
Belladonna leaves and root	2209.88
Beryllium, metallic	6649.05
Beryl and beryllium ore	6645.05, 5990.98
Beryllium oxide, carbonate and other beryllium salts	3398.98
Brass and bronze	6440.00 thru 6479.98, 7744.70, 7740.98
Bristles	0935.00
Caffeine	8135.11, 8135.12
Cadmium	6645.15, 6649.15, 8396.50, 8429.98
Canton and canton yarn	3205.01, 3499.09
Cashew nuts and cashew nut kernels	1379.95
Cashew nut oil and cashew nut shell oil	2249.98
Castor oil	2249.01, 8111.00
Castor beans	2220.01
Cerium	6645.98, 6649.18
Chromium	6645.20, 6649.20, 8429.99, 8429.05, 8329.98, 8429.05, 8396.70
Cinchona bark or other bark from which quinine may be extracted	2209.04
Cobalt	6645.25, 6649.25, 8299.90, 8396.91 thru 8396.97, 8429.09, 8299.70
Coconut oil	1420.00, 2230.00, 1449.05
Cod-liver oil	8119.05
Cod-liver oil except medicinal	0819.00
Cohune nuts and kernels	2220.20.
Columbite or columbium ore, columbium (niobium)	6645.30, 6649.30
Copra	2220.30
Copper	6401.00, 6412.00, 6413.00, 6422.00, 6423.00, 6424.00, 6425.00 thru 6439.98, 8201.00, 7750.98
Cordage, except of cotton or jute	3411.00 thru 3419.98, 9422.00
Corundum and emery wheels, in grains, or ground, pulverized, or refined.	5405.00, 5409.20, 5409.98
Corundum ore	5960.98
Cotton linters, munitions or chemical grades only (grades 3-6 according to Department of Agriculture Classification).	3004.00, 3004.01
Cottonseed oil, crude and refined	1425.00, 2231.00, 1449.05
Cresols and cresylic acid	8024.09
Cryolite	5960.10, 5960.15
Cube (timbo or barbasco) root	2209.88
Derris root and tuba or tube root	2209.88
Diamonds, industrial	5409.10, 5990.05, 7485.12
Digitalis seeds	2209.88
Ergot	2209.98
Ferromanganese	6213.03
Flax (not hackled)	3205.03
Flaxseed (linseed)	2220.03
Gauges, precision	6178.90, 7750.12, 9190.98
Glycerin, crude and refined	8314.00
Gold manufactures	6097.00, 9318.00
Graphite or plumbago, amorphous natural (except of Mexican origin), flake crystalline lump, chip or dust.	5472.01, 5472.98, 5472.03
Hemp, hempseed, and hemp yarn	2220.20, 3205.05, 3399.88
Henequen and henequen yarn	3205.19, 3499.09
Hides and skins (except goat skins)	0201.01 thru 0250.98 (except 0250.10 and 0250.12)
Homatropine	8135.98, 8180.03
Horse mane and tail hair	3693.50
Hyoscine (scopolamine)	8127.96, 8180.19
Hyoscyamus	8124.13, 8127.94, 8180.13, 2209.11
Istle or tampico fibre and istle or tampico yarn	3205.07, 3499.09
Jewel bearings	5920.98
Jute, fibre, yarn, cordage, twine and empty bags	3205.09, 3211.00, 3224.00, 3224.01, 3229.05, 3229.98
Kapok, fiber	3205.11, 3499.25
Kyanite and Sillimanite	5960.95
Lead	6091.09, 6435.00, 6504.06, 6507.00 thru 6515.98, 8202.00, 8299.90 8398.98, 8329.98
Leather, sole and belting, except offal	0324.00, 0330.00
Lenses for precision instruments	9147.00, 9149.98
Magnesium metal	6638.00, 6691.01, 6691.05
Maguey or cantala and maguey yarn	3205.13, 3499.09
Manganese	6645.40, 6649.40
Manila fibers	3414.00, 3205.15
Mercury metal (virgin, redistilled, or old)	6635.00
Mesothorium	6649.98, 8397.75, 8438.20
Mica	5510.00, 5513.00
Molybdenum	6649.45, 6636.00, 6636.01, 6691.08, 6691.98, 8397.58
Muru muru nuts and kernels	2220.98
Neat's-foot oil	0806.00
Nickel-chrome electric resistance wire	6630.00

Commodity	Schedule B No.
Tin	6565.02, 6565.03, 6565.07, 6565.08, 6565.09
Tin: alloys and scrap containing tin, except babbitt metal	6565.08
Toluol	6911.00
Tools incorporating industrial diamonds	5499.05, 6155.15, 6156.05, 6178.01, 7455.03, 7459.60, 7750.98, 6178.98, 7495.12
Tucuma nuts and kernels	2220.98
Tung oil	2259.10
Tungsten	6645.10, 6649.00, 8398.23
Uranium	6645.98
Vanadium	6649.90, 6637.00, 6637.01, 6691.98, 6220.97, 6178.98, 7495.12
Wool, unmanufactured and semimanufactured	3699.03 thru 3699.09
Wool grease	0858.05
Whale oil	0869.05
Zinc	6570.00 thru 6573.98, 6596.00, 6599.01, thru 6599.98, 8399.90, 8329.98, 8398.45 thru 8398.48, 8411.00, 8423.19
Zirconium	6220.98, 6645.95, 6649.95, 8398.54, 8398.58

[Amdt. 26]

PART 802—GENERAL LICENSES

SHIPMENTS OF LIMITED VALUE; PROHIBITED EXPORTATIONS

Section 802.10 *Shipments of limited value "GLV"* is hereby amended in the following particulars:

Paragraph (e) is hereby amended to read as follows:

(e) *Prohibited exportations.* (1) The following articles may not be exported in any amount to any destination under this general license:

Aircraft parts, equipment, and accessories other than those listed in the President's Proclamation of April 9, 1942 (Proc. 2549, 7 F.R. 2769)
Air-raid sirens and alarms
Ammunition for small arms, .22 caliber or less
Batteries, storage (including knock-down assemblies)
Batteries, wet-cell primary
Boots, shoes, and other footwear with leather uppers
Boots, shoes, and other footwear with uppers of materials other than leather and with soles of leather.
Cinchona bark, all forms
Cinchonidine, all forms
Cinchonine, all forms
Components for small-arms ammunition, .22 caliber or less
Diamonds, industrial
Digitalis seeds
Electric fans
Electric watt-hour meters
Emetine, all forms
Equipment and parts which can be used or adapted to use for the production of aviation motor fuel or tetraethyl lead
Equipment for the production of aviation lubricating oil
Fire-control instruments, military searchlights, aerial cameras, and other types of military equipment containing optical elements.
Firearms
Gas masks
Gauges, precision
Gum, benzoin
Hempseeds
Household electrical and mechanical refrigerators
Igepon T and Igepon TD
Indralatum wax
Metal drums, containers and gas cylinders
Mineral wax
Narcotics and narcotic preparations
Optical elements for fire-control instruments, aircraft instruments, etc.
Paraffin wax, refined or unrefined
Penicillin
Petroleum products as follows:
Natural gasoline
Aviation motor fuels (all)
Other motor fuels and gasoline
Kerosene
Plasticrude wax
Platinum jewelry
Quinidine (all forms)
Quinine and quinine preparations (all)
Radio transmitting sets
Shotgun shells
Slippers and moccasins for housewear, all leather
Telephone and telegraph equipment and repair parts, including telephone resisters
Tools incorporating diamonds
Wood and wood manufactures except as specifically authorized under this general license
Worsted fabrics (all)
Worsted wearing apparel (all)

(2) The following articles may not be exported in any amount to destinations in Group G or to Argentina under this general license:

Antiknock compounds not of petroleum origin (all)
Gasoline antioxidants
Petroleum and petroleum products, except shingle oil and sludge oil
White mineral oil

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 1, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9580; Filed, June 2, 1945; 10:11 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-530, Modification and Amdt.]

WINTHROP MILLS

Winthrop Mills, a corporation operating a woolen mill in Winthrop, Maine, in August, 1943, began construction of a carbonizing plant as an addition to its mill at an estimated cost of about $13,000 which was in excess of the $5,000 limitation for that type of construction provided by Conservation Order L-41. The Construction Bureau has determined that further construction in an amount not to exceed $4,375 permitting the proper housing and the installation and operation of $9,500 worth of carbonizing equipment is essential in the war effort. The Chief Compliance Commissioner has therefore directed that the suspension order be amended.

In view of the foregoing, it is hereby ordered, that: § 1010.530 *Suspension Order No. S-530* issued April 17, 1944 and effective April 24, 1944 be amended by substituting for the present paragraph (a) the following paragraph (a):

(a) Neither Winthrop Mills, its successors, assigns, nor any other person, shall do any construction on the carbonizing plant of Winthrop Mills at Winthrop, Maine, including putting up or altering the structure, except that further construction of the carbonizing plant be permitted in an amount not to exceed $4,375, permitting the proper housing and the installation and operation of $9,500 worth of carbonizing equipment: *Provided*, That the facilities so constructed shall be utilized only for the processing of fabrics required to fill rated orders or orders bearing a certification as provided by paragraph (g) of General Preference Order M-388, for a period of six months from the effective date of this order, unless hereafter specifically authorized in writing by the War Production Board.

Issued this 1st day of June, 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9573; Filed, June 1, 1945; 4:21 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CPM Reg. 1, Direction 6 as Amended June 1, 1945]

RULES GOVERNING CERTAIN DELIVERIES OF STEEL BETWEEN PRODUCERS AND OTHERS

The following amended direction is issued pursuant to CMP Regulation 1:

(a) Deliveries of steel in controlled material forms are generally governed by CMP Regulation Nos. 1 and 4 and by General Preference Orders M-21-b-1 and M-21-b-2. However, in the cases listed below the following procedures are prescribed:

(1) *Producers' exchange; shipment of steel in controlled material form by a producer or by a distributor to be physically delivered to the plant of a producer for resale without further conversion.* An order for such a shipment must be endorsed with or accompanied by a certificate bearing the symbol PX (meaning "producers' exchange") and stating that the controlled materials covered by the order will be resold in the form and shape in which received on authorized controlled material orders, other than Z-3 orders. Orders for resale on "Z3" orders for delivery to the producer placing the order after June 30, 1945, may be endorsed with the symbol Z-3. Steel bought on orders with the symbol PX may be sold only on authorized controlled material orders other than Z-3 orders, and material bought on orders bearing the symbol Z-3 may be sold only on authorized controlled material orders of any kind. The person receiving the order may accept it, but is not required to do so. If he accepts the order, it must be considered an authorized controlled material order and reported by him under the symbol PX on his reports of orders and shipments. When resold by the purchasing producer, the material must be reported on his report of shipments under the appropriate allotment symbol furnished by his customer. The material will not be considered a part of the purchasing producer's production. Hence it should be disregarded in determining the tonnage of orders that may be accepted under paragraph (t) (2) (iii) of CMP Regulation No. 1.

(2) *Further conversion; shipment of steel in controlled material form by a producer to another producer for resale in controlled material form after conversion.* For this type of shipment a producer may not extend an authorized controlled material order received from a customer. Shipment may be made only pursuant to allocation on Form GA-193 (formerly CMPL-182) or allotment issued under CMP Regulation No. 8 on Form CMPL-150. An order so placed must be accepted if rolling space within 110% of Production Directive or finished stock is available. A producer receiving any "further conversion" order must report it under the symbol FC on his reports of orders and shipments. When resold by the purchasing producer, the material must be reported on his reports of orders and shipments under the appropriate allotment symbol furnished by his customer. The material will be considered as part of the production of both producers. An order placed pursuant to allocation on Form GA-193 must be endorsed in accordance with instructions on that form. An order placed pursuant to allotment on Form CMPL-150 must be endorsed with the allotment symbol FC and the appropriate certification. This paragraph applies only to shipments prior to July 1. After that date, shipments for "further conversion" will be governed by Direction 71 to CMP Regulation 1.

(3) *Shipments by one producer to the customer of another producer.* Shipment of steel in controlled material form by a producer to the customer of another producer (regardless of who invoices the material) may be made on authorized controlled material orders if rolling space within 110% of Production Directive or finished stock on hand is available. The producer making the shipment must report it on his reports of orders and shipments from the appropriate allotment symbol furnished by the customer. The other producer must not report the order or shipment at all. The material will be considered as a part of the shipping pro-

ducer's production, and not as part of the production of the other producer.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9506; Filed, June 1, 1945; 11:30 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 70]

MILITARY CANCELLATIONS OF CLASS A CIVILIAN TYPE END PRODUCTS

The following direction is issued pursuant to CMP Regulation 1:

(a) *What this direction does.* This direction provides a way for manufacturers of Class A Civilian Type End Products to continue using military allotments and preference ratings that they have received from their customers for the production of such products for civilian use, after the customer cancelled the related order. This direction is intended to minimize the re-scheduling and re-ordering necessary in connection with the change from military to civilian production.

(b) Any person manufacturing a Class A Civilian Type End Product who is obtaining production materials by use of a rating and allotment received from his customer identified by the CMP allotment symbol whose initial letter is W, O, N, M, or C, need not cancel any use that he has made of the rating or allotment when the related order is cancelled, and may continue to use any unused balance of the military allotment to place further orders for civilian production of such product. He may also continue manufacturing such product, subject to the provisions of any other WPB order or regulation, at the same rate as previously authorized.

(c) Although he need not change any rating or allotment symbol on outstanding orders, any further orders that he places against the unused military allotment must be identified with the CMP allotment symbol assigned to him for the civilian proportion of his production by the WPB. The same symbol must be used on rated orders, and further ratings must be assigned within the "rating pattern" on his authorized production schedule received from the WPB.

(d) Separate records must be kept of his use of the military allotment. To do this, he may either set up an entirely separate account, indicating the amount already used against outstanding orders at the time of cancellation and separately the amount unused against which new orders are placed; or else he may transfer the unused allotment to the allotment received from WPB.

(e) Any manufacturer who continues to use military allotments under this direction must notify WPB, Washington 25, D. C., Ref: Appropriate Industry Division, by letter, within ten days from the date the military purchase order was cancelled, giving the following facts: (1) The product and the CMP product code number for which the allotment was used and will be used; (2) the amount of allotment (in tons or pounds) of each controlled material shape represented by the military cancellation which he would be otherwise required to return under paragraph (w) of CMP Regulation 1; (3) the amount of military allotment (including outstanding orders and unallotted balances) which he proposes to use in production for civilian purposes; and (4) the amount (by number, unit, or dollar value, as the case may be) of each product he proposes to make from the military allotment during each succeeding month.

(f) If a particular manufacturer wishes to make more of the product for civilian purposes than the amount allotted to him by the WPB for that purpose, *plus* the number made with military allotments under this direction, then he can apply on Form CMP-4B for the excess. This application should not include any amount which he proposes to make for civilian purposes from military allotments. The WPB will make adjustments in manufacturer's authorizations based on the letter required by paragraph (e), so that all manufacturers in the industry will be given equitable treatment.

(g) The WPB will notify the manufacturer within 10 days of the date it receives the letter required by paragraph (e), of the amount of military allotment the manufacturer may use and the adjusted total production for civilian purposes. If the WPB determines that the proposed production will result in the exceeding of the amount of civilian production of such product that the WPB proposes to give priorities assistance during the third and fourth quarter, the WPB will reduce the amount of military allotments the particular manufacturer can use for civilian purposes. In such a case, the manufacturer must cancel or reduce authorized controlled material orders, allotments, and rated orders to the extent that they exceed the amount determined by WPB.

(h) Nothing in this direction shall be construed to affect the liability of any person or agency for claims on contract settlement.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9597; Filed, June 2, 1945; 11:26 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L-265, as Amended June 2, 1945]

ELECTRONIC EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account, and for export, of electronic equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3289.31 *General Limitation Order L-265*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership association, business trust, corporation, or any organized group of individuals whether incorporated or not.

(2) "Manufacture" means produce, fabricate or assemble electronic equipment, or perform any act or operation upon electronic equipment so as to modify or convert it from one to another type, use or mode of operation, but shall not include acts incidental to the maintenance or repair of electronic equipment.

(3) "Electronic equipment" means any electrical apparatus or device involving the use of vacuum or gaseous tubes and any associated or supplementary device, apparatus or component part therefor, and shall include any acoustic phonograph other than those operated with spring motors. The term shall not include:

(i) Hearing aid devices;

(ii) Wire telephone and telegraph equipment;

(iii) Electric batteries;

(iv) Power and light equipment;

(v) Medical, therapeutic, x-ray and fluoroscopic equipment other than replacement electron tubes therefor;

(vi) Phonograph records, needles, blank recording discs and cutting styli.

(vii) Automotive maintenance equipment as defined in Limitation Order L-270;

(viii) Incandescent, fluorescent and other electric discharge lamps, as defined in Limitation Order L-28; and rectifier tubes, as defined in Limitation Order L-264.

(ix) Industrial type instruments and associated circuit devices, for measuring or controlling temperature, pressure, flow, liquid level, relative humidity, specific gravity, acidity, alkalinity, speed, power load, or frequency of electric power generating stations.

(x) Cabinets.

(xi) Antennae.

(4) "Preferred order" means any order for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or any order bearing a preference rating of AA-4 or higher.

(5) "Transfer" means sell, lease, trade, give, deliver, or physically transfer in any way so as thereby to make available for the use of a person other than the transferor, but shall not include the transfer of electronic equipment by one person to another person for repair or storage thereof nor the return of such equipment to the owner thereof (or his agent).

(6) "Producer" means any person to the extent engaged in the manufacture of electronic equipment for transfer or for commercial use.

(7) "Supplier" means any person to the extent that his business consists in whole or in part of the sale, distribution or transfer from stock or inventory of electronic equipment, and includes wholesalers, distributors, jobbers, dealers, retailers, servicemen, branch warehouses or other distribution outlets controlled by producers and other persons performing a similar function.

(8) "Consumer" means any person who owns, operates or purchases electronic equipment for his own use.

(b) *Restrictions* (1) No producer shall manufacture any electronic equipment except:

(i) To fill preferred orders, or

(ii) To fulfill, under the Controlled Materials Plan, any authorized production schedule or authorized program, as defined in CMP Regulation 1, except a schedule or program authorized under Priorities Regulation 25 ("Spot Authorization Plan").

(2) No producer or supplier (other than Defense Supplies Corporation) shall transfer any electronic equipment to any consumer, nor shall any consumer accept the transfer of any electronic equipment from any producer or supplier (other than Defense Supplies Corporation) except:

(i) To fill preferred orders, or

(ii) To fill orders bearing a preference rating of AA-5 or higher, or

(iii) To fill an order for any component part of electronic equipment provided the consumer delivers to the producer or supplier concurrently with the transfer a used, defective or exhausted part of similar kind and size which cannot be repaired or reconditioned; or, when circumstances render the delivery of a part for a part impractical, provided the consumer's purchase order (or written confirmation thereof) is accompanied by a certificate in substantially the following form signed by the consumer:

CONSUMER'S CERTIFICATE

I hereby certify that the part(s) specified on this order are essential for presently needed repair of electronic equipment which I own or operate.

Signature and Date

(3) No producer or supplier shall transfer any electronic equipment to any supplier, nor shall any supplier accept the transfer of any electronic equipment from any producer or supplier, except:

(i) To fill preferred orders, or

(ii) To fill orders bearing a preference rating of AA-5 or higher or

(iii) To fill an order for component parts of electronic equipment required by the receiving supplier for the repair of electronic equipment then in his possession, or to replace in the inventory of the receiving supplier parts similar in kind and equal in number which have been delivered on or after the 24th day of April 1943 by the receiving supplier to consumers against defective or exhausted parts or consumer's certificates, or to other suppliers against supplier's certificates, as specified in this order; provided the purchase order is accompanied by a certificate in substantially the following form signed by the receiving supplier:

SUPPLIER'S CERTIFICATE

I hereby certify that I am entitled to purchase the items specified on the accompanying purchase order under the provisions of Limitation Order L-265, with the terms of which I am familiar.

Signature and Date

The producer or supplier to whom the above certificate is furnished shall be entitled to rely thereon as evidence that the purchase order is within the provisions of this paragraph (b) (3) (iii), unless he has knowledge or reason to believe that it is false.

(4) No producer or supplier shall retain in his inventory, possession or control, for more than sixty (60) days, any used, defective, exhausted or condemned parts which cannot be reconditioned; but must dispose of them for salvage where practical, or destroy such parts as have no practical salvage value.

(5) After June 30, 1943, no person shall mark radio receiving type tubes with the symbol "MR" except when authorized or directed to do so by the War Production Board. No person shall use radio receiving type tubes which are marked "MR" in the manufacture of electronic equipment to fill any preferred order. No person shall transfer or accept the transfer of such tubes on any preferred order or any other order bearing a preference rating, except rated purchase orders for export. No producer shall transfer for export in any calendar quarter a quantity in excess of fifteen (15%) percent of his production of such tubes during that calendar quarter. Producers of such tubes may transfer them to each other without restriction.

(c) *Exceptions.* (1) The provisions of this order shall not apply:

(i) To the transfer of any finished product of the following kinds which was produced and designed for home use and the manufacture of which was completed on or before the 24th day of April 1943, to wit: radio receiving sets; phonographs and record players; sound motion picture projectors.

(ii) To transfers of electronic equipment which transfers are made on or before the 23d day of June 1943 pursuant to purchase orders placed prior to the 24th day of April 1943.

(iii) To the lease of electronic equipment to any person by any person: *Provided*, That the lessor was actually engaged in the leasing of such equipment as a normal incident and part of his established business prior to the 24th day of April 1943.

(iv) To the transfer of any finished product of the following kinds, the manufacture of which was completed on or before the 24th day of April 1943: automobile radio receiving sets designed for the reception of standard broadcasts; automatic phonographs as defined in Limitation Order L-21.

(v) To transfers of radio antennae; antenna couplers; power supplies and battery cables for battery type home radio receivers; automobile radio control assemblies, loudspeakers and cables; electric fence excitors; or musical instruments (other than phonographs and radios) which involve the use of vacuum or gaseous tubes and the manufacture of which was completed on or before the 24th day of April 1943.

(vi) To gratuitous transfers of electronic equipment to or for the account of War Emergency Radio Service by any person; and to the manufacture or transfer of electronic equipment for the account of War Emergency Radio Service by any individual who is not a commercial producer or supplier, of electronic equipment.

(vii) To the transfer of electronic equipment built under an authorized production schedule for use with sound motion pictures.

(2) The War Production Board may from time to time specifically authorize in writing exceptions to the provisions and restrictions of paragraphs (b) (2) and (b) (3) hereof.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to War Production Board, Radio and Radar Division, Washington 25, D. C., Ref: L-265.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 2

LABORATORY RESEARCH AND DEVELOPMENT; RELATION OF PREFERENCE RATING ORDER P-43 AND GENERAL LIMITATION ORDER L-265

The restrictions of paragraph (b) (1) of Order L-265 on manufacture apply to persons only to the extent that they are "engaged in the manufacture of electronic equipment for transfer or for commercial use". A person who gets materials with the priorities assistance given by Order P-43 may use those materials to make experimental electronic equipment for his own use without regard to the restrictions of paragraph (b) (1) of Order L-265. If he makes experimental electronic equipment for transfer or for commercial use he must do so only within the limits of paragraph (b) (1) of Order L-265. In all cases where he gets and uses materials with the priorities assistance of Order P-43, he must comply with all the provisions of Order P-43. (Issued April 28, 1944.)

INTERPRETATION 3

STATUS OF CERTIFICATE ORDERS

Purchase orders accompanied by either the "Consumer's Certificate" or the "Supplier's Certificate" specified in Order L-265 carry no priority by virtue of the certificate. They are unrated orders, and they must not be filled, therefore, to the prejudice of required deliveries on rated orders. The fact that a certificate order was placed earlier than a rated order does not give it any kind of preference. Shipments on certificate orders cannot be made to any extent that they will prevent or interfere with required shipments on rated orders. Furthermore, certificate orders do not give rise to any preference ratings. Ratings cannot be applied or extended by suppliers simply on the basis of certificate orders on hand. (Issued Aug. 22, 1944.)

INTERPRETATION 4

RESTRICTIONS UNDER PARAGRAPH (B) OF ORDER L-265 UNAFFECTED BY PR-27

Several questions have arisen with respect to the effect of Priorities Regulation 27 on the restrictions on the manufacture of electronic equipment contained in Order L-265.

Priorities Regulation 27 provides priorities assistance for manufacturers needing limited amounts of production materials and states the conditions under which the ratings assigned by the regulation may be used. Paragraph (g) (2) of Priorities Regulation 27 specifically points out that persons who operate under that regulation must comply with all applicable WPB orders and regulations which prohibit or restrict (by quotas or otherwise) the manufacture of products, the use of materials, and the purchase and sale of commodities.

Priorities Regulation 27 does not relax in any way the restrictions on the manufacture of electronic equipment under Order L-265. Under paragraph (b) (1) of that order no producer may manufacture any electronic equipment except (i) to fill preferred orders or (ii) to fill, under the Controlled Materials Plan, any authorized production schedule or authorized program, as defined in CMP Regulation 1, except a schedule or program authorized under Priorities Regulation 25. Priorities Regulation 27 does not establish any authorized production schedule or authorized program for electronic equipment, nor may the AA-4 rating assigned by the regulation be used to purchase complete equipment such as radios or phonographs since these are not production materials.

Paragraph (g) (3) of Priorities Regulation 27 points out that that regulation does not permit a person to purchase material for inventory contrary to the inventory restrictions of Priorities Regulation 1, CMP Regulation 2, or other applicable orders and regulations. Under § 944.14 of Priorities Regulation 1 this means that the priorities assistance granted by Priorities Regulation 27 may not be used to build up an inventory of component parts in anticipation of starting or resuming civilian production. While paragraph (b) (4), § 944.14 of Priorities Regulation 1 does allow the acceptance of a 30-day inventory in anticipation of starting or resuming civilian production, such an inventory is permitted only if it can be obtained without priorities assistance. Under Order L-265 the only electronic components that can be purchased without priorities assistance are those which are supported by a supplier's or consumer's certificate. It should be emphasized that the use of these certificates is limited to the receiving of repair parts and can not be used to obtain inventories for future production. (Issued May 25, 1945.)

[F. R. Doc. 45-9594; Filed, June 2, 1945; 11:26 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[Order L-265, Interpretation 1 as Amended June 2, 1945]

RADIO RECEIVING SETS

The following interpretation is issued with respect to Order L-265:

Paragraph (c) (1) (i) provides in part that the provisions of the order do not apply to the transfer of "radio receiving sets" which were produced and designed for home use and which were completely manufactured on or before April 24, 1943. There seems to exist on the part of some persons the erroneous impression that if a set were partly assembled or almost complete on or before April 24, 1943, it could be finished and transferred free of the restrictions of the order. Some persons have even taken the position that if parts were on hand on April 24, 1943, their assembly into a set and its transfer thereafter were not subject to the provisions of the order. Both such ideas are definitely mistaken. The term "radio receiving set" as used in paragraph (c) (1) (i), means a home radio receiver which was completely assembled (including cabinet installation), and ready for operation on or before April 24, 1943. If any part (such as cabinet, speaker, or transformers, etc.) has been added or has to be added to the set since that date and before its transfer, then its transfer is not exempt from the provisions of the order.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9593; Filed, June 2, 1945; 11:26 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-328, Direction 10 as Amended June 1, 1945]

CONVERSION TO COTTON YARNS OF AT LEAST 50% OF SPINNING MACHINERY OPERATING ON THE COTTON SYSTEM AND PRODUCING SPUN RAYON, COTTON-RAYON MIXED OR ANY OTHER MIXED OR BLENDED FIBER YARNS EXCEPT COTTON-WOOL MIXED OR BLENDED

The following amended direction is issued pursuant to General Conservation Order M-328:

(a) *Purpose.* The purpose of this direction is to convert at least 50% of the spinning machinery (i. e., roving, ring, mule or converted twister spindles) operating on the cotton system and producing spun rayon, cotton-rayon mixed or other blended or mixed fiber yarns except cotton-wool blended or mixed, in both sale yarn mills and integrated mills, to the production of cotton yarns suitable to be made into fabrics or products for the Army, Navy, Maritime Commission or War Shipping Administration, and to insure the delivery of these fabrics or products to these agencies.

(b) *Production directions.* Regardless of preference rated orders, any person who uses any spinning machinery in the production of yarns of any kind and who on or after September 30, 1944, operated, or had assigned for operation, on the cotton system any spinning machinery (i. e., roving, ring, mule or converted twister spindles) in the production of spun rayon, cotton-rayon mixed or any other mixed or blended fiber yarns except cotton-wool mixed or blended, either for sale or for his own use, must operate, and continue to operate, in the production of cotton yarns described below in paragraphs (c) (1) or (c) (2) a number of spinning spindles equal to at least 50% of the greatest number of roving, ring, mule and converted twister spindles that he operated, or had assigned for operation on the cotton system in the production of spun rayon, cotton-rayon mixed or any other mixed or blended fiber yarns except cotton-wool mixed or blended, at any time after September 29, 1944.

(c) *Yarns to be produced.* (1) A person who produces yarn but no fabrics and whose yarn production will be affected by this direction must produce under this direction one or more of the following cotton yarns:

24, 36 or 40 single or two-ply combed cotton yarn, other than machine knitting yarn, or
60 two-ply or three-ply, or 70 or 80 two-ply, combed cotton yarn, other than machine knitting yarn, or
26, 28 or 30 combed single machine knitting yarn, or
7 to 14 single, two-ply or three-ply carded cotton yarn, other than machine knitting yarn, or
16 to 20 single or two-ply carded cotton yarn, other than machine knitting yarn, or
30 two-ply carded cotton yarn, other than machine knitting yarn.

(2) A person who produces both yarn and fabrics and whose yarn production will be affected by this direction must produce under this direction one or more of the cotton yarns described above in paragraph (c) (1) or such other cotton yarns as are suitable to be made into any fabrics of the following descriptions and specifications:

Fabrics	*Specifications*
1. Duck, Cotton, 8.25 oz. (grey) Shelter Tent	USQM Corps Spec. JQD 208.
2. Duck, Flat, High Sley (combed and carded)	USQM Corps Spec. JQD 580.
3. Cloth, Cotton, Wind-Resistant Sateen, 9 oz	US Army Spec. 6-337.
4. Cloth, Cotton, Wind-Resistant Oxford, 6.5 oz	USQM Corps Spec. PQD 444.
5. Cloth, Cotton, Wind-Resistant Oxford, 9 oz	USQM Corps Spec. PQD 444.
6. Cloth, Cotton, Wind-Resistant Poplin, 5 oz	US Army Spec. 6-321A.
7. Cloth, Cotton, Wind-Resistant Twill, 5 oz	US Army Spec. 6-321A or AN-C-103A
8. Cloth, Mercerized Cotton Airplane	AN-C-121.
9. Cloth, Cotton (Grade B)	US Army Spec. 6-313.
10. Cloth, Cotton Water & Mildew Resistant	AAF Spec. 16159.
11. Fabric, Cotton Twill	US Army Spec. 6-315.

(d) *Restrictions on use and distribution of yarns and fabrics.* (1) No person shall use any yarn that he produces under this direction for incorporation into any product except one or more of the fabrics described above in paragraph (c) (2).

(2) No person shall sell or deliver any yarn that he produces under this direction or any fabric or product into which he incorporates any yarn that he produces under this direction, except:

(i) To fill a direct order of the Army, Navy, Maritime Commission or War Shipping Administration, or

(ii) To fill a rated order placed by any person and bearing a purchaser's certification substantially as follows: "This material will be used to fill Contract (insert number) of the (Army, Navy, Maritime Commission or War Shipping Administration)."

(e) *Restrictions on purchase of yarns and fabrics.* Also, no person shall buy or accept delivery of any yarn or fabric that he knows or has reason to believe is being sold or delivered in violation of paragraph (d) (2).

(f) *Appeals.* An appeal from any provision of this direction shall be made by filing a letter with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., referring to the particular provision appealed from and stating fully the

grounds of the appeal. A person may appeal on any grounds set forth in paragraph (g) (4) of Order M-323, and a person may also appeal (or re-appeal notwithstanding the denial of any former appeal) for complete or partial exception from the provisions of paragraph (b) of this direction on the grounds that:

(1) He has not owned, controlled or otherwise had the use of cotton opening, cleaning and picking equipment (that is (i) opening feeder or bale breaker, (ii) vertical opener and cage section or their equivalent, (iii) down stroke and cage section or their equivalent, and (iv) at least two-beater picking), since February 23, 1945, and since that date he has been and still is unable to arrange for his use of such equipment before August 1, 1945; or

(2) He has not owned, controlled, or otherwise had the use of revolving flat top cards since February 23, 1945, and since that date has been and still is unable to arrange for his use of such equipment before August 1, 1945, or

(3) He would be required to use roller top cards to produce cotton yarn, or

(4) The rolls on his drawing frames cannot be set to $1\frac{3}{8}$ inches or closer and the rolls on his roving frames cannot be set to $1\frac{1}{4}$ inches or closer; or

(5) He is a spinner of carded or combed yarns and the rolls on his spinning frames cannot be set to $1\frac{1}{8}$ inches or lower, or the front rolls exceed $1\frac{1}{8}$ inches in diameter; or

(6) His compliance with the production directions will interfere with his filling orders rated AA-2X or higher.

(g) *Reports.* Each person who produces yarn but no fabrics and whose yarn production will be affected by this direction must report by letter to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than March 10, 1945, the weekly poundages of cotton yarns by descriptions and counts that he expects to produce and sell under this direction. Each person who produces both yarn and fabrics and whose yarn production will be affected by this direction must report not later than March 26, 1945 (1) the weekly poundages of cotton yarns by descriptions and counts that he expects to produce and sell under this direction, and (2) the descriptions, and the weekly linear yardages of fabrics of the kinds described above in paragraph (c) (2) that he expects to sell made with yarns that he produces under this direction. These reporting requirements have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9507; Filed, June 1, 1945; 11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-375 as Amended June 2, 1945]

WORK GLOVES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of work gloves for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.336 *General Conservation Order M-375*—(a) *Definitions.* For the purpose of this order:

(1) "Work gloves" means any of the following gloves and mittens customarily graded as men's, women's and children's:

Canton flannel gloves and mittens.
Jersey gloves and mittens
Leather combination gloves and mittens.

"Gloves" means both gloves and mittens.

(2) "Put into process" means the first cutting of material in the manufacture of gloves and mittens.

(3) All terms used in this order shall have their usual and customary trade meanings unless stated otherwise.

(b) *General exceptions.* The provisions of this order shall not apply to orders for the delivery of work gloves to the United States Army, Navy, Maritime Commission or War Shipping Administration, or to other persons pursuant to authorization by the Maritime Commission on Form WPB-646.

(c) *General restrictions on processing and manufacturing of work gloves.* (1) No person shall, after May 15, 1944, manufacture work gloves or put into process or cause to be put into process by others for his account any material for the manufacture of work gloves with:

(i) Canton flannel other than 4 harness construction.

(ii) Thumb seam welts or welts at thumb crotch seam, or thumb straps, on other than side split leather or grain leather construction.

(iii) Pairs tacked, stapled or otherwise fastened together.

(iv) Rider tickets.

(v) Imprints on hand portion other than manufacturer's trade mark.

(2) No person shall, after May 15, 1944, manufacture work gloves, or put into process or cause to be put into process by others for his account any material for the manufacture of work gloves, of any style, type and construction not listed in Schedule A of this order, or more numbers of any style than is specified in Schedule A.

Each person who manufactures work gloves or puts into process materials for the manufacture of work gloves shall, within 15 days after May 15, 1944, file with the War Production Board a list of the specific numbers of each style of gloves listed in Schedule A which he intends to produce. The numbers shall be listed in the sequence of Schedule A, and each number fully identified to conform with Schedule A. For example: only one number may be selected in Class 2 Men's Safety Cuff. The selection made should be stated in this form: "Class 2, Men's Safety Cuff, 8 oz. palm, 10 oz. lining, without turtle neck, white back, quilted." If this is the number selected no other number of this style may be made. No person may make any number not set forth on his list filed with the War Production Board, or change from the production of any number of any style set forth in his list to any other number of that style, unless he is authorized by the War Production Board in writing to do so.

(3) The War Production Board may on written application authorize the production and sale of work gloves, other than those enumerated in Schedule A, for specific occupational requirements.

(4) No person shall, after May 15, 1944, manufacture work gloves or put into process or cause to be put into process by others for his account any material for the manufacture of work gloves except in accordance with the specifications set forth in Schedules A and B.

(5) *Exceptions.* The provisions of paragraph (c) shall not apply to:

(i) Work gloves put into process or manufactured prior to May 15, 1944.

(ii) Work gloves made and sold to conform with state, county and municipal safety laws, codes and regulations and in effect on May 15, 1944, and specifically requiring the use of work gloves made otherwise than as specified in this order.

(iii) Work gloves manufactured in the home except when made for sale or for a contractor or jobber or other person who sells the work gloves.

(iv) Work gloves made from materials and supplies in the inventory of a glove manufacturer on May 12, 1944, or purchased by him prior to May 12, 1944, provided such materials and supplies are consumed in the manufacture of gloves before June 30, 1944. However, such gloves may be sold and delivered only before July 31, 1944.

(d) *Restrictions on sales and deliveries.* (1) No person shall sell or deliver work gloves which he knows or has reason to believe were manufactured or the material for which was put into process contrary to the provisions of paragraph (c) of this order.

(2) No manufacturer of work gloves may deliver work gloves packed less than one dozen pairs to a package.

(3) No person shall sell, deliver or accept delivery of any hot mill flannel gloves, except upon a preference rated order, or pursuant to allocation or direction of the War Production Board. However, these restrictions do not apply to sales or deliveries of hot mill flannel gloves by an employer to his own employees, or by a retail establishment from its stocks on hand.

(4) Unless specifically authorized by the War Production Board, no person who purchases work gloves for distribution or sale to his own employees shall accept delivery of work gloves if by virtue of such acceptance his inventory of work gloves will be in excess of the minimum amount of work gloves required to supply the needs of his employees for a period of 30 days.

(e) *Assignment and use of ratings.* (1) The War Production Board may assign preference ratings for, or allocate, or direct the delivery of work gloves pursuant to application on Form WPB-541 filed with the nearest Field Office of the War Production Board. The War Production Board, in assigning a preference

rating for work gloves may specify that the rating shall be valid only to obtain delivery from a designated manufacturer or supplier; in such case the manufacturer or supplier so designated may not reject the order on the ground that he has not in the past accepted or filled orders from that particular class of customer.

(2) No person shall apply, extend or give any effect to any preference rating for work gloves unless the preference rating has been assigned on Form WPB–541, and the order contains the certification set forth in Priorities Regulation 3, and, in addition, a notation substantially as follows:

This rating for work gloves is assigned pursuant to Order M–375 on Form WPB–541, Serial No. ____, dated ____, for delivery in the ------ quarter of the year -----.

This will meet the requirements of Order M–328 without any other notation.

The standard certification provided for in paragraph (d) of Priorities Regulation 7 may not be used in place of the one mentioned above.

Before any person delivers work gloves on a rated order he must have received the original purchase order of the person to whom the preference rating was granted by the War Production Board.

(3) No person who is assigned a rating for more than 10 dozen pairs of work gloves may apply it to get any of them at retail prices. This does not prevent purchase at retail of more than 10 dozen pairs of gloves on an unrated order.

(4) Preference ratings for work gloves will be assigned on Form WPB–541 only to persons operating industrial plants, mines or lumber camps and to such other classes of persons as the War Production Board may from time to time designate. Each applicant for a preference rating must show:

(i) That the gloves are desired by the applicant for distribution or sale only to his own employees for use in their occupations.

(ii) That he has in effect or will put into effect the plan approved by the War Production Board to screen his orders and requisitions for work gloves and to eliminate unnecessary and wasteful use of such gloves. The plan will include a provision requiring each employee to turn in a worn-out pair of gloves before obtaining a replacement, and a provision requiring that soiled work gloves be washed or cleaned and used until they are worn-out. The Field Offices of the War Production Board will on request furnish the applicant with a copy of the approved plan and will assist applicants in working out practicable methods of conserving work gloves.

(iii) If there is any difference between the monthly quantity requested in the application and the monthly use for the preceding three months explain the reason for the change in requirements in block 16 (C) of Form WPB–541.

NOTE: Subdivision (iv), formerly subdivision (iii), redesignated June 2, 1945.

(iv) In the case of hot mill flannel gloves, the applicant must show that the gloves are required for his employees handling hot metals or ladles or other extremely hot materials requiring heavy insulation for handling and for which purposes other types of work gloves may not be practicably substituted. He must show the actual number of his employees so engaged.

(5) Any person to whom a rating has been assigned, applied or extended for work gloves who has difficulty getting his order accepted and filled, may apply by letter to the War Production Board, stating the facts, for a designation of supplier or direction.

(f) *Obligations with respect to rated orders.* (1) No person who manufactures or puts into process materials for the manufacture of the types of work gloves mentioned below, shall in any calendar quarter deliver on unrated orders for these types of gloves more than the maximum percentages shown below of his total production of such gloves in that quarter. Unless he so desires, he need not accept rated orders calling for delivery in any calendar quarter of more than the maximum percentages shown below of his production of such gloves.

NOTE: Table amended June 2, 1945.

	Maximum percentage of unrated orders	Maximum percentage of rated orders
	Percent	*Percent*
Leather combination gloves	70	40
Canton flannel gloves (excluding hot mill gloves and husking gloves or mittens)	65	45

Production for and delivery on orders of the United States Army, Navy, the Maritime Commission and the War Shipping Administration shall not be included in computing the above percentages.

Any person failing to fill the maximum percentage of rated orders for any gloves in the above table in the second quarter of 1945 or any later quarter must add such deficiency to the maximum percentage which he may deliver on rated orders in the next quarter. He must also reduce by the same amount the maximum percentage which he may deliver on unrated orders in the next quarter.

NOTE: Subparagraph (2), formerly subparagraph (3) redesignated June 2, 1945.

(2) The War Production Board may from time to time establish minimum quantities of specific types of work gloves that each manufacturer of work gloves shall be required to produce.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(h) *Reports.* Each manufacturer of gloves shall report monthly his production and deliveries of work gloves on WPB Form 3548. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing, and Leather Bureau, Washington (25), D. C., Reference M–375.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

WORK GLOVES—PERMITTED STYLES

Only the following styles of work gloves may be manufactured or put into process. No person may manufacture or put into process more numbers of any style than specifically permitted by this schedule. For example: Class 2, Men's Double Palm Safety Cuff—a manufacturer may make only one number. The option is given to use the construction of 8 ounce palm with 10 ounce lining or 10 ounce palm with 8 ounce lining, but not both. The construction chosen may be made either with or without turtle neck, but not both. The construction chosen may be made either with white back or striped back, but not both, and with palm parts either quilted or processed, but not both. Accordingly, a selection might be made as follows: "Class 2, Men's Safety Cuff 8 ounce palm with 10 ounce lining, without turtle neck, with white back, quilted." Any variation from this would constitute another number. This principle follows throughout the schedule.

Where ounces weight of Jersey cloth is specified it means ounces per square yard of material. Where ounces weight of flannel cloth is specified it means ounces per linear yard of cloth 34" wide.

1. *White canton flannel knit wrist, band top and gauntlet.*[1]—(A) *Clute pattern—knit wrist:*

Men's: 6-, 8-, 10-, 12-ounce. (4 numbers only).
Extra large: 12 ounces (1 number only).
Women's: 6-, 8-, 10-ounce (3 numbers only).
Small women's: 6 ounce (1 number only).

(B) *Clute pattern—band top:*

Men's: 8-, 10-, 12-ounce—optional as to weight (2 numbers only).
Women's: 8 ounce (1 number only).

(C) *Gauntlet—Double (2 ply) thickness cuff:*

Men's: 10 ounce without turtle neck (1 number only).

[1] Any four of the above numbers may be produced nap out for use in territories where such items have proved to be most satisfactory for special uses and are now in demand.

Men's: 12 ounce with or without turtle neck, not both (1 number only). Turtle neck 10 ounce minimum.

(D) *Gunn or fourchette pattern (optional) knit wrist:*

Men's: 8-, 10-, 12-ounce (3 numbers only).
Men's reversible 8 ounce or 10 ounce—optional (1 number only).

2. *Canton flannel gloves with double thickness nap out palm and single thickness back.*

Men's: *knit wrist:* 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining. (2 numbers only).
Women's: *knit wrist:* 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining. (1 number only).
Men's: *safety cuff*—double (2 ply) thickness cuff: 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining with or without turtle neck (optional). Turtle neck 10 ounce minimum. (1 number only).
Men's: *gauntlet*—Double (2 ply) thickness cuff: 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining; with or without turtle neck. Turtle neck 10 ounce minimum. (2 numbers only—to match knit wrist numbers).

NOTE: Backs may be either 10-ounce or 8-ounce stripe flannel with matching cuffs but not both.

Two-ply palm parts may be either quilted or processed.

3. *Hot mill Canton flannel gloves—nap out palm.*

Men's: *Band top:* 12-ounce palm and pull, 12-ounce lining, 12-ounce back, 12-ounce band, 10-ounce knuckle strap. *Inseam.* (1 number only.)
Men's: *Band top:* 12-ounce palm without pull, 12-ounce lining, 12-ounce back, 12-ounce band, 10-ounce knuckle strap. *Inseam.* (1 number only.)
Men's: *Band top:* 12-ounce palm and pull, 12-ounce lining, 12-ounce back, 12-ounce band, 10-ounce knuckle strap. *Outseam.* (1 number only.)
Men's: *Gauntlet:* Double (2-ply) thickness cuff, 12-ounce palm and pull, 12-ounce lining, 12-ounce back, 10-ounce knuckle strap. *Inseam.* (1 number only.)
Men's: *Gauntlet:* Double (2-ply) thickness cuff, 12-ounce palm without pull, 12-ounce lining, 12-ounce back, 10-ounce knuckle strap. *Inseam.* (1 number only.)
Men's: *Knit wrist:* 12-ounce palm, 12-ounce lining, 12-ounce back, 10-ounce knuckle strap. *Inseam.* (1 number only.)

NOTE: Two-ply palm parts quilted only. In addition to above band-top inseam may be produced nap-in palm on special order only, when necessary for specific occupational requirements.

4. *White Flannel Gloves, nap-in-double thickness palm and single thickness back.*

Men's: *Knit wrist:* 10-ounce palm, 8-ounce lining, 10-ounce back (1 number only).
Men's: *Gauntlet:* Double (2-ply) thickness cuff: 10-ounce palm, 8-ounce lining, 10-ounce back (1 number only.)

NOTE: Two-ply palm parts quilted only. Band wrist in lieu of gauntlet, optional.

5. *Double throughout: Nap-out-flannel "chore" gloves.*

Men's: *Knit wrist:* 6-ounce or 8-ounce shell, 6½-ounce or 8-ounce lining, or 10-ounce shell, 8-ounce lining. (2 numbers only) Quilted or processed.
Extra Large *Knit Wrist:* Same as above. (1 number only).
Women's: *Knit Wrist:* 6-ounce or 8-ounce shell, 6½-ounce or 8-ounce lining. Quilted or processed. (1 number only.)
Men's: *Safety Cuff:* (2-ply cuff): 6-ounce or 8-ounce shell, 6½ or 8-ounce lining. Quilted or processed. (2 numbers only).

6. *Gunn or fourchette pattern two-thumb knit wrist Canton flannel husking gloves, white only, single thickness.*

Men's: *Knit wrist:* 8-ounce nap-out (1 number only).
Men's: *Knit wrist:* 10-ounce nap-out (1 number only).
Men's: *Knit wrist:* 12-ounce nap-out (1 number only).
Women's: *Knit wrist:* 8-ounce or 10-ounce optional (1 number only).
Men's: *Knit wrist:* 12-ounce nap-out palm and thumb with 8-ounce white or colored, outside thumb patch. (1 number only).
Men's: *Knit wrist:* 12-ounce nap-out palm. 12-ounce white or colored, double throughout thumb with 8-ounce liner. (1 number only.)

7. *Two-thumb welt seam single thickness Canton flannel back and palm mittens, white only.*

Men's: *Knit wrist:* 12-ounce nap-out palm and thumb, 6-ounce thumb reinforcement. (1 number only.)
Women's: *Knit wrist:* 10-ounce nap-out palm and thumb, 6-ounce thumb reinforcement. (1 number only.)
Men's: *Knit wrist:* 12-ounce nap-out palm and thumb with 8-ounce white or colored outside thumb patch. (1 number only.)

8. *"Chore", Smelter's and Tick Mittens.*

(A) Men's: *Knit Wrist:* "Chore" Mittens, double throughout, nap-out flannel, 8 ounce shell, 6½ or 8 ounce lining, or 12 ounce shell, 8 ounce lining (1 number only).
(B) Men's: *Open Top:* Smelter Mitten, double throughout canton flannel, 10 ounce nap-out shell, 10 ounce lining (1 number only).
(C) Men's: *Knit Wrist:* 6½ to 8 ounce tick shell or 8 ounce flannel shell. Fleece-lined, with or without cotton wadding (1 number only).

8/1. *Women's Industrial Glove.*

Double-nap cloth band top style, one size only (1 number only).

9. *Jersey Gloves, single thickness.*

Men's: *Knit Wrist:* (A) 9 ounce; (B) 10½ ounce; (C) 13 ounce, plain (3 numbers only).
Small Women's: *Knit Wrist:* 9 ounce plain (1 number only).
Women's: *Knit Wrist:* 9 ounce, 10½ ounce, plain (2 numbers only).

10. *Full lined open wrist "slip-on" Jersey Gloves.*

Men's: 8 ounce plain shell, 5½ to 6 ounce lining (1 number only).
Men's Extra Large: same as above. (1 number only).
Women's: 8 ounce fleece-in or fleece-out, plain shell, not more than 3 colors, assorted, 5½ to 6 ounce lining (1 number only).
Men's: 8 ounce cut presser fancy shell, 5½ to 6 ounce lining (1 number only).

11. *Children's single thickness Jersey Gloves and Mittens.*

Gloves: Knit Wrist. Ages up to 15: 9 ounce plain, not more than 3 colors assorted (1 number only).
Mittens: Knit Wrist. Ages up to 15: 9 ounce plain, not more than 3 colors assorted (1 number only).
Gloves: Gauntlet. Ages up to 15: 9 ounce plain (1 number only).

LEATHER COMBINATION GLOVES

12. *Clute pattern, without tips, 8 ounce canton flannel back, 5 ounce or heavier palm lining.*

(A) Men's: *Knit Wrist:* Lined split leather palm (1 number only). Women's: *Knit Wrist:* same as above (1 number only).
(B) Men's: *Single ply safety cuff,* lined split leather palm (1 number only).
(C) Men's: *Single Ply Gauntlet:* Lined split leather palm (1 number only). Women's: *Single Ply Gauntlet,* Lined split leather palm (1 number only).

NOTE: The above may be made with either continuous or set-in thumb (not more than ¾ thumb), but not both. Leather colors optional and may be used in interchangeably when necessary, but not to duplicate numbers.

13. *Gunn pattern, knit wrist, continuous or set-in thumb, finger tips, 8 ounce flannel back; 6 ounce or heavier palm lining.*

One style of thumb only, not both.

(A) Men's: Lined split leather, ¾ thumb. (1 number only).
(B) Men's: Lined side split leather, ¾ thumb. (1 number only).
(C) Men's: Lined heavy side split leather. Full leather thumb, forefinger and little finger; separate wrist pull; with or without full length thumb strap (optional) for loggers and lumbermen). (1 number only).
(D) Men's: Lined heavy side split leather. Full leather thumb and forefinger. (1 number only).
(E) Men's: Lined side split leather, ¾ thumb, 10½ ounce plain Jersey back. (1 number only).

13/1. *Double (2 ply) thickness gauntlet and safety cuff; 6 ounces or heavier palm lining.*

(A) Men's: Lined split leather, ¾ thumb, Gauntlet. (1 number only).
(B) Men's: Lined split leather ¾ thumb, Safety Cuff. (1 number only).

14. *Gunn pattern, safety cuff, finger tips, continuous or set-in thumb, waterproof cuff, 8 ounce flannel back; 6 ounce or heavier palm lining.*[2]

One style of thumb only, not both.

(A) Men's: Lined split leather, ¾ thumb. (1 number only).
Women's: Lined split leather, ¾ thumb. (1 number only).
(B) Men's: Lined split leather, ¾ thumb with pull and knuckle strap (1 number only).
(C) Men's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).
Women's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).
(D) Men's: Lined side split leather with pull and knuckle strap with full leather thumb and full leather forefinger—thumb crotch seam protection optional. (1 number only).
(E) Men's: Lined side split leather palm, pull, full leather thumb and forefinger, ⅞ length leather back—thumb crotch seam protection optional. (1 number only).
(F) Men's: Lined Grain Leather; full leather thumb and forefinger, pull, knuckle strap—thumb crotch seam protection optional. (1 number only).
(G) Men's: Lined heavy side split leather, full leather thumb and forefinger, ¾ length leather back, welted thumb seam optional. Can be made only one way. (1 number only).
(H) Men's: Lined heavy side split leather palm. Full leather fingers, thumb, pull and knuckle strap. Thumb crotch seam protection optional. Gunn or Clute pattern optional. (1 number only).

15. *Gunn pattern, gauntlet style, finger tips, continuous or set-in thumb, waterproof cuff, 8 ounce flannel back; 6 ounce or heavier palm lining.*[2]

One style of thumb only, not both.

(A) Men's: Lined split leather, ¾ thumb. (1 number only).
Women's: Lined split leather, ¾ thumb. (1 number only).
(B) Men's: Lined split leather, ¾ thumb with pull and knuckle strap (1 number only).
(C) Men's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

[2] In the event that waterproof cuff material becomes unobtainable, double (2 ply) thickness cuffs may be used as alternate for Classes 14 and 15. Weight of waterproof cuff material shall be not less than 23 ounces per square yard.

rating for work gloves may specify that the rating shall be valid only to obtain delivery from a designated manufacturer or supplier; in such case the manufacturer or supplier so designated may not reject the order on the ground that he has not in the past accepted or filled orders from that particular class of customer.

(2) No person shall apply, extend or give any effect to any preference rating for work gloves unless the preference rating has been assigned on Form WPB–541, and the order contains the certification set forth in Priorities Regulation 3, and, in addition, a notation substantially as follows:

> This rating for work gloves is assigned pursuant to Order M–375 on Form WPB–541, Serial No. ____, dated ____, for delivery in the ------ quarter of the year ____.

This will meet the requirements of Order M–328 without any other notation.

The standard certification provided for in paragraph (d) of Priorities Regulation 7 may not be used in place of the one mentioned above.

Before any person delivers work gloves on a rated order he must have received the original purchase order of the person to whom the preference rating was granted by the War Production Board.

(3) No person who is assigned a rating for more than 10 dozen pairs of work gloves may apply it to get any of them at retail prices. This does not prevent purchase at retail of more than 10 dozen pairs of gloves on an unrated order.

(4) Preference ratings for work gloves will be assigned on Form WPB–541 only to persons operating industrial plants, mines or lumber camps and to such other classes of persons as the War Production Board may from time to time designate. Each applicant for a preference rating must show:

(i) That the gloves are desired by the applicant for distribution or sale only to his own employees for use in their occupations.

(ii) That he has in effect or will put into effect the plan approved by the War Production Board to screen his orders and requisitions for work gloves and to eliminate unnecessary and wasteful use of such gloves. The plan will include a provision requiring each employee to turn in a worn-out pair of gloves before obtaining a replacement, and a provision requiring that soiled work gloves be washed or cleaned and used until they are worn-out. The Field Offices of the War Production Board will on request furnish the applicant with a copy of the

(iv) In the case of hot mill flannel gloves, the applicant must show that the gloves are required for his employees handling hot metals or ladles or other extremely hot materials requiring heavy insulation for handling and for which purposes other types of work gloves may not be practicably substituted. He must show the actual number of his employees so engaged.

(5) Any person to whom a rating has been assigned, applied or extended for work gloves who has difficulty getting his order accepted and filled, may apply by letter to the War Production Board, stating the facts, for a designation of supplier or direction.

(f) *Obligations with respect to rated orders.* (1) No person who manufactures or puts into process materials for the manufacture of the types of work gloves mentioned below, shall in any calendar quarter deliver on unrated orders for these types of gloves more than the maximum percentages shown below of his total production of such gloves in that quarter. Unless he so desires, he need not accept rated orders calling for delivery in any calendar quarter of more than the maximum percentages shown below of his production of such gloves.

NOTE: Table amended June 2, 1945.

	Maximum percentage of unrated orders	Maximum percentage of rated orders
	Percent	*Percent*
Leather combination gloves	70	40
Canton flannel gloves (excluding hot mill gloves and husking gloves or mittens)	65	45

Production for and delivery on orders of the United States Army, Navy, the Maritime Commission and the War Shipping Administration shall not be included in computing the above percentages.

Any person failing to fill the maximum percentage of rated orders for any gloves in the above table in the second quarter of 1945 or any later quarter must add such deficiency to the maximum percentage which he may deliver on rated orders in the next quarter. He must also reduce by the same amount the maximum percentage which he may deliver on unrated orders in the next quarter.

NOTE: Subparagraph (2), formerly subparagraph (3) redesignated June 2, 1945.

(2) The War Production Board may from time to time establish minimum quantities of specific types of work gloves that each manufacturer of work gloves shall be required to produce.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing, and Leather Bureau, Washington (25), D. C., Reference M–375.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

WORK GLOVES—PERMITTED STYLES

Only the following styles of work gloves may be manufactured or put into process. No person may manufacture or put into process more numbers of any style than specifically permitted by this schedule. For example: Class 2, Men's Double Palm Safety Cuff—a manufacturer may make only one number. The option is given to use the construction of 8 ounce palm with 10 ounce lining or 10 ounce palm with 8 ounce lining, but not both. The construction chosen may be made either with or without turtle neck, but not both. The construction chosen may be made either with white back or striped back, but not both, and with palm parts either quilted or processed, but not both. Accordingly, a selection might be made as follows: "Class 2, Men's Safety Cuff 8 ounce palm with 10 ounce lining, without turtle neck, with white back, quilted." Any variation from this would constitute another number. This principle follows throughout the schedule.

Where ounces weight of Jersey cloth is specified it means ounces per square yard of material. Where ounces weight of flannel cloth is specified it means ounces per linear yard of cloth 34" wide.

1. *White canton flannel knit wrist, band top and gauntlet.*—(A) *Clute pattern—knit wrist:*

Men's: 6-, 8-, 10-, 12-ounce. (4 numbers only).
Extra large: 12 ounces (1 number only).
Women's: 6-, 8-, 10-ounce (3 numbers only).

Women's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

(D) Men's: Lined side split leather with pull and knuckle strap with full leather thumb and full leather forefinger—thumb crotch seam protection optional. (1 number only.)

(E) Men's: Lined side split leather palm, pull, full leather thumb and forefinger, ⅞ length leather back—thumb crotch seam protection optional. (1 number only.)

(F) Men's: Lined Grained Leather; full leather thumb and forefinger, pull, knuckle strap—thumb crotch seam protection optional. (1 number only.)

(G) Men's: Lined heavy side split leather, full leather thumb and forefinger, ¾ length leather back, welted thumb seam optional. Can be made only one way. (1 number only.)

(H) Men's: Lined heavy side split leather palm. Full leather fingers, thumb, pull and knuckle strap. Thumb crotch seam protection optional. Gunn or Clute pattern optional. (1 number only.)

16. *Gunn pattern, slip-on or driver's style, fingers tipped, full leather thumb, with or without draw strap on back optional.*

Side split or horse split leather, 8 ounce back. (1 number only.)

SCHEDULE B

Class	Maximum			Minimum measurement							
	Yards	Pounds	Feet	1	2	3	4	5	6	7	8
				Inch	Inch	Inch	Inch	Inch	Inch	Inch	Inch
1 Men's	3.00			7½	5	2½	5	7	5	2½	1¼
Men's with turtle neck	3.00			7½	5	2½	4½				1¼
Men's extra large	3.40			8¼	5½	2¾					
Women's	2.50			7¼	4½	2¼					
Small, women's	2.00			6¼	4½	2¼					1½
2 Men's	4.85			7½	5	2½	5	7	5	2½	
Men's with turtle neck	4.85			7¾	5	2¾	4½	7	5	2½	
Women's	3.85			7¼	4½	2¼					
3 Men's	5.40			7¾	5	2¾	5	7	5¼		2½
4 Men's	4.85			7¾	5	2¾	5	7	5		1¾
5 Men's	6.25			7¾	5½	2½				2½	
Men's extra large	6.50			8¼	5½	2¾					
Women's	5.25			7¼	4¾	2¼					
6 Men's	4.45			7¾	5	2½					
Women's	2.85			7	4½	2¼					
7 Men's	4.00			8	5	2½					
Women's	3.25			7½	4½	2¼					
8 (A) Men's	5.25			8	5	2¾					
8 (B) Men's	6.60			10¼	5						
8 (C) Men's	7.50			8	5	2¾					
8.1 Women's	4.00			7½	4						2¼
9 (A) Men's		1.50		7½	4¾	2½					
Women's		1.15		6½	3½	2¼					
Small		.90		6	3¼	2¼					
9 (B) Men's		1.70		7½	4¾	2½					
Women's		1.30		6½	3¾	2¼					
9 (C) Men's		2.10		7½	4¾	2½					
10 Men's		2.50		9	4¾						
Men's extra large		2.85		9½	4¾						
Women's fleece in or out		2.25		8½	3¾						
11 Children's											
12 Men's	2.70			14.50	5	2½	4½	6¾	5	2½	
Women's	2.40			13.50	7½	4¾	2¼	4	5¾	4¼	
13 (A) Men's	2.45			18.00	7½	5	2½				
13 (B) Men's	2.45			18.00	7½	5	2½				
13 (C) Men's	2.45			25.00	7¾	5	2¾				
13 (D) Men's	2.45			21.00	7¾	5	2¾				
13 (E) Men's		1.70		18.00	7½	4¾	2¾				
13.1 Men's	2.45			18.00	7½	5		4½	7	5	2½
14 (A) Men's	2.45			18.00	7½	5					2½
Women's	2.15			16.25	7¼	4¼				4¼	2
14 (B) Men's	2.45			22.00	7½	5					2½
14 (C) Men's	2.45			23.50	7½	5					2½
Women's	2.15			21.75	7¼	4¼				4¼	2
14 (D) Men's	2.45			25.00	7½	5					2½
14 (E) Men's	2.45			28.00	7½	5					2½
14 (F) Men's	2.45			28.00	7½	5					2½
14 (G) Men's	2.45			27.00	7½	5					2½
14 (H) Men's	2.50			26.00	7½	5					2½
15 (A) Men's	2.45			18.00	7½	5		4½	7	5	
Women's	2.15			16.25	7¼	4¼		4	5¾	4¼	
15 (B) Men's	2.45			22.00	7½	5		4½	7	5	
15 (C) Men's	2.45			23.50	7½	5		4½	7	5	
15 (C) Women's	2.15			21.75	7¼	4¼		4	5¾	4¼	
15 (D) Men's medium Leather	2.45			25.00	7½	5		4½	7	5	
15 (D) Men's heavy Leather	2.45			25.00	7½	5		5	7	5	
15 (E) Men's medium Leather	2.45			28.00	7½	5		4½	7	5	
15 (E) Men's heavy Leather	2.45			28.00	7½	5		5	7	5	
15 (F) Men's	2.45			28.00	7½	5		5	7	5	
15 (G) Men's	2.45			27.00	7½	5		5	7	5	
15 (H) Men's	2.50			26.00	7½	5		5	7	5	
16 Men's	1.25			21.00	9¼	4½					

1. "Class" refers to the various classes or categories of gloves and mittens as customarily described in the industry, as they are listed in the order designated in Schedule A.

"Gloves" means both gloves and mittens.

2. "Maximum yards" refers to linear yards of material used per dozen pairs in the hand portion of gloves below the wrist or cuff seam.

"Maximum pounds" refers to pounds of Jersey cloth per dozen pairs of jersey gloves.

"Maximum feet" refers to square feet of leather per dozen pairs of leather combination gloves.

Yards, poundage, or feet specified to the dozen pairs shall mean maximum average yardage, poundage, or footage consumed in the cutting of each respective style of gloves and mittens.

3. "Minimum measurements" refers to the dimensions of gloves finished and ready for shipment: (1) length of hand from wrist seam to end of second finger; (2) width across palm measured just below thumb crotch; (3) knit wrist length measured from wrist seam; (4) gauntlet length measured from turtle neck or wrist seam; (5) gauntlet width measured at top; (6) gauntlet width measured at bottom where joins hands; (7) safety cuff length measured from turtle neck or wrist seam; (8) length of band wrist measured from wrist seam.

4. Jersey cloth when steamed and pressed to remove wrinkles and bring to a uniform width shall not be stretched to finish wider than original mill width of the finished material.

5. Tubings for knit wrists shall be for (1) Men's: not less than 12 yards per pound, 2¼" width; (2) Women's: not less than 15 yards per pound, 2" width; (3) Children's: not less than 17 yards per pound, 1¾" width.

6. Where split leather is specified it means shoulders and other pound stock (except middle splits).

Where heavy side split leather is specified the minimum average weight of palm leather shall be not less than 3 ounces per square foot.

Medium side split leather means side leather weighing not less than 2¼ ounces per square foot and not more than 3 ounces per square foot.

Where side split leather is specified it means either medium or heavy palm leather. Only one weight may be used for any one style.

Side split cattlehide or horsehide of fairly equivalent weight and quality may be used interchangeably, but not to duplicate numbers. Colors of leather are optional and may be used interchangeably but not to duplicate numbers.

7. Where ounces weight of jersey cloth is specified, it means ounces per square yard of material. Where ounces weight of flannel cloth is specified, it means ounces per linear yard of cloth 34" wide.

8. Double (two-ply) thickness gauntlet and safety cuffs shall be not less than a combination of:

Covering material: 2.85 37" twill or 6 ounce 37" flannel.

Lining material: 2.95 36" to 37" osnaburg or 3 yard duck; or similar covering and lining materials of fairly equivalent quality and value. Materials may be combined by either processing or quilting.

[F. R. Doc. 45-9595; Filed, June 2, 1945; 11:25 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-801]

SEA FOOD GROTTO

James C. Constand, individually and doing business as Sea Food Grotto, at 24010 West Seven-Mile Road, Detroit, Michigan, is the owner and operator of a restaurant and bar. In October, 1944, without permission of the War Production Board, James C. Constand did construction of a brick, concrete-block building to be used for restaurant purposes at the above address, at an estimated cost in excess of $200, in violation of Conservation Order L-41. James C. Constand was familiar with Conservation Order L-41, and his acts of violation must be deemed wilful.

His violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered that:

§ 1010.801 *Suspension Order No. S-801.* (a) James C. Constand, individually and doing business as Sea Food Grotto, shall do no construction on the premises at 24010 West Seven-Mile Road, Detroit, Michigan, including putting up, altering or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve James C. Constand, individually and doing business as Sea Food Grotto, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to James C. Constand, individually and doing business as Sea Food Grotto, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9645; Filed, June 2, 1945; 4:39 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 19, as Amended June 2, 1945]

FARM SUPPLIES

Section 944.40 *Priorities Regulation 19* is amended to read as follows:

§ 944.40 *Priorities Regulation 19*—(a) *What this regulation does.* This regulation gives a farmer a priority if he needs one to buy farm supplies for use in his farm work or to get services for repairing his farm equipment. It also tells how dealers and suppliers may use this priority if necessary to fill the farmer's order or to maintain their stock of farm supplies. The kinds of farm supplies covered are only those on Lists I and II at the end of this regulation.

How a Farmer Gets Farm Supplies and Repair Service

(b) *Farmers use certificates to get a priority.* (1) Whenever a farmer needs a priority to get farm supplies on Lists I or II he must give his dealer a signed certificate as follows:

I certify to the War Production Board that I am a farmer and that the supplies (or repair services) listed below are needed now and will be used for other than household purposes in the operation of a farm.

Amount	*Kind of supplies (or repair service)*
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(Date) (Signature of Farmer)

(Address)

(2) *Limit on use of certificate.* A farmer may use this certificate to buy only up to $50 worth of any item on List I at any one time. However, if the item is a single unit costing over $50, such as an air compressor, he may use the certificate to buy one unit. In the case of items on List II there is an over-all limit of 10 tons on the total amount of these items that a farmer can use the certificate for, during any one of the three month periods, January through March, April through June, July through September, or October through December. As part of this 10-ton limit he can buy during any one of these periods only up to 300 feet of hay stacker cable (wire rope). He cannot use the certificate to get any item on List II made of stainless steel.

(c) *What the certificate does*—(1) *Items on List I have AA-2 priority rating.* A farmer's order for farm supplies on List I supported by this certificate has a priority rating of AA-2. This priority is good for listed supplies which the dealer has in stock or to help the dealer get supplies not in his stock to fill the farmer's order. Dealers may pass on this priority to their suppliers to get the same kinds and quantities of supplies as explained in paragraph (f) below.

(2) *Different kind of priority for steel items on List II.* If the farmer's order is for any of the steel items on List II and is supported by the above certificate, a dealer who has the item in stock must fill the order. However, instead of using a priority rating to replace his stock of those items, the dealer must use the method explained below in paragraph (g).

(3) *Priority to get repair services.* A farmer may also use this certificate at a repair shop to get a priority of AA-2 for the use of its equipment in repairing his farm equipment.

(d) *Sales may be made without a certificate.* Sales of most of the listed farm supplies may be made to any person including a farmer without a certificate. The only times the dealer needs to get a certificate at the time he sells is when he wants to use it to get a priority or other help on his own orders as explained in paragraphs (f) and (g), or when some other order or regulation forbids the sale of the item without a priority or a certificate. However, the dealer must sell any listed item that he has in stock to a farmer who wants to buy it and gives him a certificate.

(e) *Emergency help.* In emergencies, where a farmer needs a special priority to get repairs or supplies to fix something that is broken down or about to break down, he can tell this to his nearest WPB field office by letter, telegram, telephone or a personal visit. If the need is really urgent and the repair or supply item is of a kind that the WPB gives a priority for, the field office may give the farmer a priority up to AA-1 and will tell him how to use it. The field office cannot give a priority on repair parts for such things as a tractor or other farm machinery or implements. In these cases, the farmer should go direct to his dealer who will help him get the repairs quickly.

How a Dealer Gets Farm Supplies

(f) *Dealers get priority for items on List I under ordinary WPB rules.* (1) A dealer can use the farmers' certificates which he collects to get a priority of AA-2 on his own orders for farm supplies on List I. He can get this priority only for as much of any particular farm supply item on List I as has been bought or ordered from him by farmers with the use of farmers' certificates. Paragraph (g) below tells how to get supplies on List II.

(2) To get the priority, the dealer or other supplier passes on the farmer's rating of AA-2. This is called "extending" the rating and is done in the way explained in Priorities Regulation No. 3. The dealer should become familiar with that regulation or his supplier should explain it to him. One way for a dealer to extend the farmer's priority rating is to put "AA-2" next to the name of the farm supply item on the dealer's purchase order and to put the following signed statement on the order.

I certify, subject to criminal penalties for misrepresentation, that this order is rated AA-2 under Priorities Regulation 19, that it is for no more of any farm supply item than has been bought or ordered from me by farmers against farmers' certificates now in my possession, and that I have not used the same certificates as the basis for getting a priority on any other order.

(Signature of dealer)

The dealer may also use the statement shown in Priorities Regulation No. 3, and suppliers who are not dealers must use that statement.

(3) A dealer may find that he can get many of the farm supplies on List I without a priority rating. In that case, he does not have to go to the trouble of getting a certificate from the farmer or passing on the farmer's priority rating. However, if he does pass on the rating he must do so as explained above and must keep special records as explained in paragraph (i) below.

(g) *Dealers use different methods in getting items on List II.* A dealer may not use the method explained in paragraph (f) above to get the steel items which are on List II, because these are things which the War Production Board handles as "controlled materials". If the item is on List II and the dealer has sold it to fill orders supported by farmers' certificates, he can get replacement stocks of the same or other basic steel products as described in Order M-21-b-3. A dealer handling these items should become familiar with that order or his supplier should explain it to him. (Note: After June 30, 1945, the method of getting these replacement stocks will be covered by Direction 3 to Order M-21.)

(h) *Priorities may be made inapplicable to certain items.* The War Production Board may issue orders or regulations making all priorities or some priorities inapplicable to certain items. If any items on List I become subject to these special rules, the dealer cannot recognize the farmer's certificate as giving him a priority on them and he cannot pass on a priority to his suppliers. For example, Priorities Regulation No. 3 forbids the use of priority ratings for items on List A of that regulation, but the restrictions of List B (regarding maintenance, repair and operating supplies) do not apply to orders for farm supplies under this regulation.

(i) *Dealers must keep farmers' certificates.* Each dealer must keep for at least two years all farmers' certificates which he receives, and whenever he uses a certificate as a basis for a priority to his supplier he must mark the certificate to show which of his own orders he has

used it for. He must keep these marked certificates in a separate file or in such a way that they can easily be separated from certificates which have not been used as a basis for a priority to his suppliers.

Other Provisions

(j) *Orders and certificates given before June 2, 1945.* Any farmers' certificates already in the hands of dealers before June 2, 1945, must be treated for the next two months as if this regulation had not been amended on that date. This means that the old rules (explained in the May 6, 1944 edition of this regulation) still apply to orders and certificates already in the hands of dealers, and dealers' orders to suppliers based upon these certificates must be filled as if they were rated AA-2X for items formerly listed in paragraph (m) (1) and AA-3 for items formerly listed in paragraph (m) (2). However, from June 2, 1945 on, a farmer should use the new certificate as explained in paragraph (b) of this amended regulation instead of the former certificate, and after August 2, 1945 all orders supported by the old certificates must be treated as unrated. All orders rated AA-5 under this regulation as it read before May 6, 1944, which are specifically identified as having been rated under this regulation must be treated as unrated.

(k) *WPB may give special help in certain cases.* In cases of urgent need, the War Production Board may tell manufacturers of farm supplies to make part of their production available only to suppliers and direct buying dealers who show that they serve the farm trade.

(l) *Penalty for violations.* Any person who knowingly makes a false statement in a certificate to get a priority on farm supplies is guilty of a crime and may be punished by a fine or imprisonment.

(m) *What is meant by "farmer".* As used in this regulation, "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees, or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who just has a "victory garden" or raises food or other agricultural products primarily for his own use.

(n) *What is meant by "dealer".* As used in this regulation, "dealer" means any person engaged in the business of selling farm supplies directly to farmers. It includes a mail order house.

List of Farm Supplies Covered by This Regulation

This regulation covers only new farm supplies of the kinds on Lists I and II below which are needed and will be used by a farmer in farm work. It does not cover supplies bought for household use, for use on the farm house, or for use in any construction job for which the farmer has been given other priorities to get the materials needed.

LIST I

Axes
Barn door hangers and track
Baskets, galvanized metal
Dry batteries; fence controllers and ignition
Belts for power transmission
Belt fasteners; metal, for power transmission belts
Blow torches
Brooms; barn type
Brushes; cleaning (milk utensil)
Cans; galvanized five gallon kerosene and gasoline
Caps; well pipe driving
Chains; farm including sprocket
Clamps; cable
Clevises
Coils; spark
Compressors; air (costing less than $200)
Concrete block machines, hand operated
Corn hooks
Drivers; fence post
Fencing; wood slat and silo
Flashing; metal, coated with asbestos, asphalt, or bitumen
Forks; agricultural, except harpoon and grapple hay forks
Funnels
Grease fittings and oil cups
Grease guns; hand operated
Grinders for sharpening tools (excluding grinders equipped with electric motors)
Grinding wheels
Grindstones
Grub hoes
Hand cultivators; not wheel type
Hand sprayers; under 1 quart
Handles; wood
Hardware; builders
Hardware cloth
Harness; including collars and pads
Heaters; hot water, for dairy use
Hoes
Hoists; hand operated
Hose; for dairy, irrigation and spraying purposes
Knives; agricultural
Ladders
Lanterns
Load binders
Mattocks
Mauls
Measures; dry and liquid.
Mixers; concrete, less than 3½ cubic feet batch capacity
Motors; electric; fractional horsepower
Oilers; farm machinery
Padlocks
Pails; galvanized
Peavies and cant hooks
Picks
Pipe fittings; cast or malleable iron
Post hole diggers; hand operated
Pruners
Pulleys; hay fork and power transmission
Pumps:
  Barrel
  Dispensing, hand rotary
Repair parts for tools and for other listed items
Rivets and rivet washers
Roofing and siding; metal formed or coated with asbestos, asphalt or bitumen
Saddles; stock
Saw blades
Scales; portable platform (costing less than $50)
Scoops; grain and feed (not shovel)
Scrapers; barn and poultry house
Scythe blades
Scythes
Shears; pruning and hand sheep
Shovels and spades
Sickle cones
Snaths
Sprockets
Staple pullers; fence
Stones; sharpening
Stretchers; fence
Switches; electric, motor control and safety
Tanks; water storage (not stock watering tanks)
Thermometers
Thermostats
Threading equipment:
  Dies
  Tap and die holders
  Taps
Tubes, grain drill
V-Belt drives
Valves and faucets for water systems and milking machines
Ventilating equipment; agricultural
Vises
Webbing; harvester
Welding outfits; electric arc (costing less than $75)
Welding rods and electrodes
Wheelbarrows
Wiring materials and fixtures not including bars and insulated copper wire other than fixture wire incorporated in fixtures
Other hand tools for farm use

LIST II

Farmers can give a certificate to get the following steel "controlled material" items (except stainless steel) if the dealer has them in stock, but dealers must replace their stock as described in paragraph (g). However, a farmer may buy only up to 10 [illegible] of all of these items, including not more than 300 feet of hay stacker cable (wire rope), during any one of the three month periods January through March, April through June, July through September, or October through December.

Bars: hot rolled and cold finished
Cable: hay stacker (wire rope)
Fencing: woven or welded wire
Flashing: metal, not coated with asbestos asphalt or bitumen
Nails including horseshoe nails (excluding tacks, wire shoe nails, copper and alloy nails)
Netting: wire
Pipe: standard black and galvanized
Pipe couplings: steel, of the type normally supplied on threaded pipe by pipe mills
Posts: fence, metal
Poultry flooring: metal
Ridge roll
Rods: reinforcing
Roofing and siding: metal, plain sheets, not crimped or formed, not coated with asbestos, asphalt, or bitumen
Staples: fence and netting
Steel shapes such as I-beams, channel irons, angle irons, flat rods, square rods, round rods, etc.
Valley tin
Well casing (fabricated by pipe mills)
Wire: barbed
Wire: drawn
Wire: bale ties
Wire mesh: reinforcing

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9643; Filed, June 2, 1945, 4:39 p. m.]

PART 989—DOMESTIC MECHANICAL REFRIGERATORS

[Limitation Order L-5, Revocation]

Section 989.1 *Limitation Order L-5* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. Order L-5 is superseded by Order L-5-c, as amended simultaneously with this revocation.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9641; Filed, June 2, 1945; 4:39 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–745. Stay of Execution]

BELL LUMBER CO.

Bell Lumber Company, a Michigan corporation with principal offices at 5251 East Outer Drive, Detroit, Michigan, a distributor of lumber was suspended effective April 3, 1945 by Suspension Order No. S–745. On April 18, 1945 it appealed for a rehearing in the case. The appeal was reviewed by the Deputy Chief Compliance Commissioner who, on May 31, 1945 directed that the order be stayed and the case be remanded to the Compliance Commissioner for further hearing.

In view of the foregoing, it is hereby ordered, that: § 1010.745 *Suspension Order No. S–745* be stayed, subject to reinstatement, pending final determination of the rehearing before the Compliance Commissioner.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9644; Filed, June 2, 1945; 4:39 p. m.]

PART 3291 [1]—CONSUMERS DURABLE GOODS

[Limitation Order L–5–c as Amended June 2, 1945]

DOMESTIC MECHANICAL REFRIGERATORS

Section 3291.6 [1] *Limitation Order L–5–c* is hereby amended to read as follows:

§ 3291.6 [1] *Limitation Order L–5–c*—(a) *Definitions.* For the purpose of this order:

(1) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity (N. E. M. A. rating) of 16 cubic feet or less, except the following:

(i) A low temperature mechanical refrigerator designed for storage of frozen foods or for quick freezing food whose low temperature compartment customarily operates at a temperature not higher than 15 degrees above zero (Fahrenheit) and contains 50% or more of total refrigerating space in the refrigerator.

(ii) A refrigerator built to meet specifications of the Army, Navy, or the Maritime Commission for use on vessels built or operated by either of those agencies.

(2) "Manufacturer" means any person in the business of making or assembling domestic mechanical refrigerators.

(b) *Restrictions on production.* (1) No manufacturer shall make or assemble new domestic mechanical refrigerators except as specifically authorized by the War Production Board in writing. Application should be made by filing Form WPB–3700 (and Form WPB–3820 when required by the instructions) with the Field Office of the War Production Board for the district in which the plant where the domestic mechanical refrigerators are to be made or assembled, is located.

(2) Production authorizations under paragraph (b) (1) will be assigned within the approved War Production Board program, on an equitable basis among the applicants. Wherever practicable each applicant will receive a pro rata share of his capacity to produce, based on his facilities and the availability of manpower. Authorizations will not be dependent upon the applicant's having been engaged in the production of domestic mechanical refrigerators at some previous time. In general, smaller manufacturers will be authorized under paragraph (b) (1) to produce a greater percentage of their capacity than larger ones.

(c) *Repair parts.* There are no restrictions on the quantity of parts which may be made for use in servicing or repairing used domestic mechanical refrigerators. In order to insure the proper servicing of used domestic mechanical refrigerators, the War Production Board will give priorities assistance in the form of allotments of controlled materials and preference ratings for the acquisition of other materials and components to be used in the repairing or servicing of used domestic mechanical refrigerators. Applications for such assistance should be made by filing Form CMP–4b according to the instructions for filing that Form. No person shall use any materials which he has obtained with such assistance in the production or assembly of any new domestic mechanical refrigerator.

(d) *Distribution.* This order does not restrict the sale or transfer of domestic mechanical refrigerators. Limitation Order L–5–d, however, controls the sale, transfer and delivery of all new domestic mechanical refrigerators. Any manufacturer who wishes to transfer, sell or deliver any such refrigerator, is referred to Order L–5–d.

(e) *Additional production without priorities assistance.* In addition to the production authorized under paragraph (b), manufacturers may get permission to make or assemble domestic mechanical refrigerators as explained in Priorities Regulation 25.

(f) *Reports.* Any manufacturer making any new domestic mechanical refrigerators either as authorized under paragraph (b) (1) of this order or pursuant to Priorities Regulation 25, must file Form WPB–1600 with the War Production Board according to the instructions for filing that form.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes a false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25 D. C., Ref.: L–5–c.

NOTE: The application forms and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary,

[F. R. Doc. 45-9642; Filed, June 2, 1945; 4:39 p. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Utilities Order U–1 as Amended June 2, 1945]

UTILITIES

DEFINITIONS

(a) Definitions.

HOW TO OBTAIN MATERIAL

(b) Preference ratings.
(c) CMP allotment symbol.
(d) Certification.

RESTRICTIONS ON ORDERING MATERIAL

(e) Scheduling deliveries.
(f) Exceptions to paragraph (e).
(g) Short item deliveries.

RESTRICTIONS ON USE OF MATERIAL

(h) Restrictions on use of material for maintenance and repair.
(i) Restrictions on use of material for minor plant additions.
(j) Restrictions on use of material for major plant additions.

SELLING MATERIAL

(k) Sales of material.
(l) [Deleted May 12, 1945.]

INVENTORY REDISTRIBUTION

(m) [Deleted Aug. 31, 1944.]

GENERAL PROVISIONS

(n) Appeals and use of Form WPB–2774.
(o) Records.
(p) Communications to War Production Board.
(q) Violations.
(r) Applicability of WPB regulations.
(s) Special inventory directions.
(t) Special provisions relating to Form WPB–2774 approvals issued prior to May 12, 1945.

SCHEDULES

Schedule A. Material Classes.
Schedule B. [Deleted Aug. 31, 1944.]
Schedule C. Limits on Practical Working Minimum Inventory.
Schedule D. [Deleted Aug. 31, 1944.]

§ 4500.1 *Utilities Order U–1*—(a) *Definitions.* (1) "Producer" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, supplying, or having facilities built for supplying, directly or indirectly for general use by the public, one or more of the following services:

(i) Electric power,

(ii) Gas, natural or manufactured, exclusive of the production and transmission of natural gas up to the point of its entry into gas transmission lines from field gathering lines,

(iii) Water, other than exclusively for irrigation purposes,

[1] Formerly Part 989, § 989.4.

(iv) Central steam heating, or

(v) Any of the foregoing services but not for general use by the public, if a specific direction from the War Production Board entitles such person or agency to apply the ratings herein assigned. Application for such a specific direction should be made by letter to the War Production Board, Washington 25, D. C., Ref.: U-1.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "Controlled materials" means controlled materials as defined in Schedule I of CMP Regulation 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition. It does not include any plant addition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service. It does not include any plant addition.

(6) "Plant addition" means the construction or installation of new facilities or the replacement of existing facilities with facilities of greater capacity.

(7) "Minor plant addition" means a plant addition having a net material cost of not more than $25,000. No job or project may be subdivided to come within this limit.

(8) "Major plant addition" means a plant addition having a net material cost of more than $25,000.

(9) "Net material cost" means the cost of material incorporated in plant less the cost of material removed from plant, priced in accordance with the producer's regular accounting practice

(10) "Operating supplies" means material, other than fuel, which is used or consumed in the course of a producer's operations, except in maintenance, repair, and plant additions.

(11) "Inventory" means all material in the producer's possession, without regard to its accounting classification, excluding, however, (i) material incorporated in plant, (ii) appliances and merchandising supplies, (iii) fuel, (iv) water purification and treatment material except equipment, (v) gas chemical material, (vi) material segregated for use in major plant additions which are permitted by this order or which have been approved on Form WPB-2774, (vii) scrap and (viii) war surplus materials purchased.

(12) "Class" means any one of those categories of material established as a basis for classification of inventory in Schedule A of this order.

(13) "War surplus materials" means material designated as surplus to the war effort and offered for sale by any Federal government agency having jurisdiction over their disposal.

How To Obtain Material

(b) *Preference ratings.* Except as provided in paragraph (b) (7) below (1) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials), for use in maintenance and repair, as operating supplies, and for minor plant additions for which the net material cost is not more than $10,000, in every class except (i) the transmission and distribution class and (ii) the meter class.

(2) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials), for use in the repair of an actual or imminent breakdown, in (i) the transmission and distribution class and (ii) the meter class.

(3) A preference rating of AA-3 is hereby assigned to orders to be placed by a producer for material (other than controlled materials), for use in maintenance and repair, as operating supplies, and for minor plant additions, except where an AA-1 rating is assigned in paragraphs (b) (1) and (b) (2) above.

(4) Material obtained with the AA-1 rating may be used for purposes which are assigned lower ratings, but it may be replaced in inventory only by applying the lower rating to an equivalent dollar value of material in the same class. Material obtained with the AA-3 rating may be used for purposes which are assigned the AA-1 rating and may be replaced in inventory with either the AA-1 rating or an authorized AA-3 rating. The provisions of this paragraph (b) (4) supersede those of § 944.11, paragraph (a), of Priorities Regulation 1.

(5) Material in inventory in excess of a practical working minimum may be used for purposes for which no preference rating is assigned, but may not be replaced in inventory with the use of a preference rating.

(6) The preference ratings herein assigned may not be used to obtain material for major plant additions.

(7) The preference ratings above assigned may not be used to obtain material for the construction of a building.

(c) *CMP allotment symbol.* (1) The CMP allotment symbol U-9 is hereby assigned to orders to be placed by a producer for controlled materials for use in maintenance and repair, as operating supplies and for minor plant additions, except to obtain minerals for the construction of a building.

(2) An order for controlled materials for use in maintenance and repair, as operating supplies, and for minor plant additions bearing the CMP allotment symbol U-9 and the certification required by paragraph (d) of this order shall be deemed an authorized controlled materials order. This CMP allotment symbol shall constitute an "allotment number or symbol" for the purpose of CMP Regulation 3.

(3) Controlled materials in inventory in excess of a practical working minimum may be used for purposes for which no CMP allotment symbol is assigned, but may not be replaced in inventory with the use of a CMP allotment symbol.

(4) The CMP allotment symbol herein assigned may not be used to obtain material for major plant additions.

(d) *Certification.* The ratings assigned by subparagraphs (b) (1), (2) and (3) of this order and the CMP allotment symbol U-9 may be applied by a producer only by the use of a certification in substantially the following form unless an order of the War Production Board affecting a particular item of material requires some other form of certification:

Preference Rating ....., CMP Allotment symbol U-9. The undersigned producer certifies subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive, for utility uses under Utilities Order U-1, the material ordered, and to use the preference ratings or CMP allotment symbol which the undersigned has placed on this order.

The certifications set forth in Priorities Regulation 3 and CMP Regulations 1 and 5 may not be used but the standard form of certification provided in Priorities Regulation 7 is permissible if the producer adds a statement saying that material ordered is for utility uses under Utilities Order U-1. No certification may be used on orders placed without a preference rating or CMP allotment symbol.

Restrictions on Ordering Material

(e) *Scheduling deliveries.* (1) Except as permitted by paragraphs (f) and (g) below, no producer shall schedule for delivery to it any material to be used for maintenance and repair, as operating supplies, or for minor plant additions, unless the following condition is satisfied:

NOTE: Subdivision (i) formerly subparagraph (2) redesignated June 2, 1945.

(i) The producer does not have reason to believe that its inventory of material in the same class is or will, by virtue of its acceptance of the delivery when made, become in excess of a practical working minimum. A practical working minimum inventory is that amount of material which a producer, exercising prudent operating judgment, considers the smallest quantity of material it can hold and render service in accordance with sound and economical operating standards. It may be less than the values established in Schedule C but it shall in no case exceed them.

(2) Material required for major plant additions may not be acquired or scheduled for delivery in greater quantities or on dates earlier than required for the installation.

(3) No producer may place an order for any item of material, including material for major plant additions, if the required item or a practical substitute therefor is in the producer's inventory in excess of minimum requirements for that item.

(f) *Exceptions to paragraph (e).* (1) The restrictions of paragraph (e) do not apply to a producer so long as its inventory does not exceed $25,000 in

value, except that such a producer must restrict its inventory to that amount of material which in the exercise of prudent operating judgment, it considers the smallest quantity it can hold and render service in accordance with sound and economical operating standards. Each purchase of material by such a producer, however, must be treated as the purchase of a "short item", and is subject to the provisions of paragraph (g) below. A producer engaged in furnishing more than one of the services named in paragraph (a) (1) may consider its inventory for each service separately for the purposes of this paragraph.

(2) The restrictions of paragraph (g) (1) do not apply to material excepted from inventory by the definition in paragraph (a) (11).

NOTE: Subparagraphs (3) and (4) formerly (5) and (7) redesignated, June 2, 1945.

(3) The War Production Board may from time to time establish specific limits for permissible inventory for individual producers, modifying the provisions of Schedule C.

(4) Notwithstanding the restrictions of paragraph (e) or of paragraph (g) below a producer may schedule an item of material for delivery in a minimum procurable commercial quantity, and in the case of cast iron, carbon steel, and non-metallic pipe, may schedule for delivery a carload quantity.

(g) *Short item deliveries.* Even though it cannot schedule deliveries without exceeding the limits of paragraph (e) (1), a producer may schedule for delivery material which it will require for use in maintenance and repair, as operating supplies and for minor plant additions during the ninety-day period following the date it expects to receive such material, so long as the producer's inventory of the required material, including material segregated for use in major plant additions, together with material already scheduled for delivery, will be insufficient to meet requirements during such a ninety days period.

Restrictions on Use of Material

(h) *Restrictions on use of material for maintenance and repair.* A job which can be classed as maintenance or repair, as those terms are defined in paragraphs (a) (4) and (5), may be done without regard to the dollar value of the material required when the following standards are met:

(1) The job must be necessary to maintain or restore service in accordance with sound and economical operating standards or to prevent damage to facilities from serious overload, deterioration, storm, flood, climate, soil conditions, or similar contingencies.

(2) Design must emphasize economy of manpower and material as well as the substitution of the more plentiful for scarce material.

(i) *Restrictions on use of material for minor plant additions.* A job which is a plant addition, as defined in paragraph (a) (6), rather than maintenance and repair, may be done without special permission from the War Production Board, if it is a "minor plant addition"; that is, if its net material cost does not exceed $25,000. Paragraph (a) (9) explains what is meant by net material cost. However, all minor plant additions are subject to the following restrictions:

(1) [Deleted May 12, 1945.]

(2) Design must emphasize economy of manpower and material as well as the substitution of the more plentiful for scarce material.

(3) New facilities must be necessary for rendering service in accordance with sound and economical operating standards, or to restore the producer's facilities to safe and economical operating condition.

(4) [Deleted June 2, 1945.]

(j) *Restrictions on use of material for major plant additions.* No material may be used in the construction of a building which is a major plant addition, that is, for which the net material cost exceeds $25,000, unless the construction of the building has been approved on Form WPB-2774. No specific approval is required for other major plant additions.

Selling Material

(k) *Sales of material.* A producer may sell material which is in its inventory or which it acquired for major plant additions to any person. However, the preference ratings or allotment symbol assigned by this order may not be used to replace in inventory material sold by a producer unless the sale is to (1) another producer, or (2) a customer of a producer for the repair of the customer's facilities, or (3) a contractor for the installation of facilities for a customer of the producer under Direction 5 to Order U-1. Producers may sell material pursuant to this paragraph (k) or in accordance with the provisions of PR-13.

(l) [Deleted May 12, 1945.]

Inventory Redistribution

(m) [Deleted Aug. 31, 1944.]

General Provisions

(n) *Appeals and use of Form WPB-2774.* Appeals from the restrictions of this order may be filed by letter with the Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-1, stating fully the grounds for the appeal and the relief requested. If, however, the appeal involves an uprating or other special assistance to obtain material urgently required for maintenance or repair, or is for priorities assistance to obtain material for a major plant addition, or is a request to exceed the restrictions of paragraph (h), (i), or (j), the appeal should be filed on Form WPB-2774.

(o) *Records.* In addition to the records required to be kept under Priorities Regulation 1, each producer who applies the preference ratings or allotment number hereby assigned shall maintain a continuing record of inventory and of segregated material in his possession.

(p) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-1.

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(r) *Applicability of WPB regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time, unless there is a conflict between this order and such regulations, in which case this order shall govern, if it specifically so provides. No producer is, however, subject to the restrictions of CMP Regulation 5 nor may any producer in any way use the preference ratings therein assigned.

(s) *Special inventory directions.* Nothing in this order is intended to supersede any special inventory base established by a specific direction from the War Production Board to a named producer. All such directions shall remain in effect unless modified by a further specific direction to the producer affected.

(t) *Special provisions.* (1) With respect to WPB-2774 authorizations issued prior to May 12, 1945 and involving not in excess of $25,000 net material cost, producers may use the preference ratings and CMP allotment symbol assigned in paragraphs (b) and (c) of this order in lieu of those specifically assigned on such a Form WPB-2774 authorization.

(2) Any specific denials or prohibitions related to the installation of plant additions by a named producer, issued by the War Production Board prior to June 2, 1945, are hereby revoked.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

MATERIAL CLASSES

Material in the inventory of any producer which has an inventory, as defined in paragraph (a) (11), in excess of $25,000 shall be carried on the producer's own records and reported to the War Production Board as may be required, classified as follows:

WATER PRODUCERS

Class 1—Material for sources of supply, water treatment plants, reservoirs, elevated and pressure tanks, pumping and booster stations, including related pipe, valves, valve parts, and fittings.

Class 2—Meters.

Class 3—Transmission and distribution material (excluding meters), such as cast iron, steel, and wrought iron pipe, copper and brass pipe and tubing, lead pipe, pipe

fittings, valves and valve parts, hydrants, parts for meters and hydrants, and other transmission and distribution material and supplies except pipe, valves, valve parts, and fittings included in Class 1 above.

Class 4—Other material and supplies.

GAS PRODUCERS

Class 1—Production and pumping station material.

Class 2—Meters and house regulators.

Class 3—Transmission and distribution material (excluding meters and house regulators), such as cast iron, steel and wrought iron pipe, copper and brass pipe and tubing, pipe fittings, valves and valve parts, governors and regulators, parts for meters, regulators, and governors, other transmission and distribution material and supplies.

Class 4—Other material and supplies.

ELECTRIC POWER PRODUCERS

Class 1—Generating station material.

Class 2—Switching and substation material, such as power transformers, other station equipment, parts, and material, and other material and supplies.

Class 3—Wire, cable, and bus bar, such as bare copper and aluminum, weatherproof copper, underground cable, aluminum and copper shapes.

Class 4—Wood poles and cross arms.

Class 5—Meters.

Class 6—Transmission and distribution material (excluding Classes 2, 3, 4 and 5 above), such as iron and steel poles, towers and parts, line hardware, distribution transformers, meter and transformer parts, and other line material and equipment (including insulators, lightning arrestors, etc.).

Class 7—Other material and supplies.

CENTRAL STEAM HEATING PRODUCERS

Class 1—Production plant material.

Class 2—Transmission and distribution material.

Class 3—Other material and supplies.

[Schedule B deleted Aug. 31, 1944.]

SCHEDULE C

LIMITS ON PRACTICAL WORKING MINIMUM INVENTORY [2]

For purposes of paragraph (c) (1) a practical working minimum inventory (except for producers having a total inventory of $25,000 or less, who are exempted by paragraph (f)) may in no case exceed the following dollar values:

WATER PRODUCERS [2]

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—Four-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies" as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 3—Sixty per cent of the dollar value of material in this class in inventory on the most recent date in 1940 on which the producer's inventory was taken.

Class 4—Two-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

GAS PRODUCERS [2]

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Classes 2 and 3—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 4—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

ELECTRIC POWER PRODUCERS [2]

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken.

Classes 3 and 4—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 5—Fifty meters at each operating headquarters plus one and three-quarters percent of the meters installed in plant on the first day of the preceding calendar quarter.

Class 6—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 7—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

CENTRAL STEAM HEATING PRODUCERS [2]

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 3—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

[Schedule D deleted Aug. 31, 1944.]

[F. R. Doc. 45-9596; Filed, June 2, 1945; 11:26 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS [2]

[General Imports Order M-63, as Amended June 4, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M-63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the War Production Board, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon Lists A and B attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB-1041 addressed to the War Production Board Ref: M-63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) [Deleted Nov. 13, 1944.]

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(xi) To materials on List B which are located in, and are the growth, production, or manufacture of, and are transported into the Continental United States overland, by air, or by inland waterway from Canada, Mexico, Guatemala or El Salvador.

(c) [Deleted June 4, 1945.]

(d) [Deleted June 4, 1945.]

(e) *Restrictions on distribution of List A and List B materials.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List A or List B which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB-1040 in duplicate except in the case of a material described in paragraph (b) (4) (xi) when the person making the entry need not file with the entry Form WPB-1040. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M-63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(3) *Exceptions.* The provisions of this paragraph (f) shall not apply to materials imported and consigned as gifts for personal use by or to members of the Armed Services of the United States.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M-63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: List I eliminated June 4, 1945. Materials formerly on List I now appear on List A.

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[1] These definitions are reprinted here for convenience in reference; please note that they differ from definitions used in the current order:

"Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

"Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service.

"Operating supplies" means (1) material which is essential to the operation of any of the industries or services specified above and which is generally carried in a producer's inventory and charged to operating expense accounts, and (2) material for an addition to or an expansion of property or equipment (including a minor extension of lines), provided that such addition or expansion shall not include any work order, job, or project in which the cost of material shall exceed $1500 in the case of underground construction and $500 in the case of other construction, and provided that no single construction project shall be subdivided into parts in order to come below these limits.

[2] See Schedule A for complete identification of classes.

[1] Certain food items formerly on Lists I, II, and III are now subject to import control in accordance with War Food Administration Order 63.

LIST A

NOTE: List A formerly List II redesignated and amended June 4, 1945.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fibers, unmanufactured, not elsewhere specified on this order (except flume tow and bagasse waste)	N. S. C.	8/5/43
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred composed of 3 or more strands, each strand composed of 2 or more yarns	3417. 010	1/18/43
	3417. 110	1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	7/21/42
Cordage of agave fibers, other than sisal	N. S. C.	1/18/43
Cords and twines of agave fibers	N. S. C.	1/18/43
Fabrics woven of agave fibers	N. S. C.	9/11/42
Other manufactures (including all products in whole or in part of agave fibers)	N. S. C.	1/18/43
Algarrobas	0560. 500	6/28/43
Bones, crude	0911. 200	7/2/42
Brazilian pebble (quartz crystals) unmanufactured	5120. 000	10/6/42
Brazilian pebble (quartz crystal) manufactured and semimanufactured in blanks, slabs, bars, etc	N. S. C.	10/6/42
Bristles, hog and pig	0917. 000	3/14/42
	0979. 100	3/14/42
Broomcorn	2906. 000	11/23/42
Brushes, n. s. p. f.:		
Paint brushes (including artists)	9715. 100	9/23/43
Other (except toilet brushes and hair pencils)	9715. 900	9/21/43
Cattle, ox, and calf tail hair including switches	2906. 100	7/2/42
Chrome ore (Chromite)	0213. 100	12/28/43
	0213. 200	12/28/43
	0213. 300	12/28/43
Cinchona bark or other bark from which quinine may be extracted	2201. 000	5/22/42
Coir yarn and coir manufactures:		
Coir yarn	5420. 000	11/23/42
Matting and articles of vegetable fiber (coir fiber) or rattan	3669. 000	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber)	3669. 100	10/21/42
Coir manufactures (including all products of coir fiber), other than pile mats, floor coverings, matting, etc., elsewhere specified on this order	N. S. C.	11/23/42
Copper	6401. 500	12/28/41
	6417. 100	3/14/42
	6470. 000	3/14/42
	6418. 300	6/1/42
Corundum in grains, or ground, pulverized or refined	N. S. C.	5/22/42
Corundum ore	2460. 000	5/22/42
Cotton fabrics:		
Grey tracing cloth fabric	N. S. C.	11/23/42
Tracing cloth	3970. 000	8/21/42
Typewriter ribbon fabric	N. S. C.	8/21/42
Diamonds, rough or uncut (suitable for cutting into gem stones)	3660. 000	9/16/44
Diamonds, industrial (rough or uncut not advanced in condition or value by cleaving, splitting, cutting, boring, or other process):		
Carbonado and ballas	3662. 100	9/16/44
Diamond dust	3662. 000	9/16/44
Port (drafters' and engravers' diamonds not set, and miners' diamonds, n. e. s., and other industrial diamonds)	3662. 700	9/16/44
Emetine and salts thereof	N. S. C.	8/5/43
Feathers for beds (incl. geese and duck feathers and down, and mixture thereof, new and used)	6922. 200	6/28/43
Fish liver oil, n. e. s. (include halibut-liver oil)	2220. 250	1/12/44
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5730. 100	4/8/42
Crystalline flake	5730. 500	12/28/41
Crystalline, crucible lump and chip graphite	5730. 610	4/8/42

LIST A—Continued

Material	Commerce Import Class No.	Governing date
Graphite or plumbago—Con.		
Crystalline, dust and other crystalline lump and chip graphite	5730. 630	4/8/42
Hair, curled	3608. 800	6/29/41
Hemp (Cannabis sativa type only) unmanufactured:		
Hackled, including "line of hemp"	3263. 000	9/11/42
Not hackled	3263. 200	9/11/42
Tow	3263. 200	9/11/42
Hides and skins:		
Buffalo hides dry and wet	0203. 000	1/13/42
Buffalo hides (India water buffalo, for use in raw hide articles) dry and wet	0203. 000	9/16/44
	0209. 100	9/16/44
Cabretta skins or hair sheepskins	0215. 000	7/2/42
Calf, dry and wet	0207. 000	1/13/42
	0208. 000	1/13/42
Cattle hides, dry and wet	0201. 000	1/13/42
	0202. 000	1/13/42
Goat and kid skins, dry and wet	0241. 000	7/2/42
	0242. 000	7/2/42
Kip, dry and wet	0205. 000	1/13/42
	0206. 000	1/13/42
Horse mane and tail hair, raw and drawn, including switches	3004. 000	3/14/42
	3004. 100	3/14/42
Incense, crude and advanced in value or condition	2210. 450	1/18/43
	2220. 170	1/18/43
Iron and steel scrap fit only for remanufacture	6004. 000	6/1/42
	6004. 100	6/1/42
Istle or tampico rope, twine or yarn	N. S. C	11/23/42
Jute and manufactures:		
Waste burlap and waste sugar sack cloth	3243. 000	6/10/43
Jute yarns or roving, single	3244. 000	6/10/43
	3244. 100	6/10/43
	3244. 200	6/10/43
	3244. 300	6/10/43
Jute cordage, twine and twist or 2 or more yarns twisted together, size of single yarn or roving:		
Not bleached, dyed or otherwise treated	3245. 200	6/10/43
	3245. 300	6/10/43
	3245. 400	6/10/43
	3245. 500	6/10/43
Bleached, dyed or otherwise treated	3245. 220	6/10/43
	3245. 320	6/10/43
	3245. 420	6/10/43
	3245. 520	6/10/43
Bagging for cotton, gunny cloth, etc., of single yarns, not bleached, colored, or printed, not exceeding 16 threads in warp and filling to the square inch, or jute or other vegetable fiber	3246. 000	6/10/43
	3246. 100	6/10/43
Burlaps and other woven fabrics wholly of jute, n. s. p. f.	3247. 000	6/10/43
	3247. 500	6/10/43
Plain woven fabrics of jute, weighing less than 4 ounces per square yard	3248. 000	6/10/43
Woven fabrics of jute for paddings or interlinings exceeding 30 threads in warp and filling to the square inch weighing from 4½ to 12 ounces, inclusive, per square yard	3248. 100	6/10/43
Woven fabrics, n. s. p. f. in chief value but not wholly of jute	3248. 200	6/10/43
Jute sliver	3250. 000	6/10/43
Jute webbing, not exceeding 12 inches in width	3250. 700	6/10/43
Jute manufactures, n. s. p. f.	3250. 900	6/10/43
Jute bags or sacks	3249. 000	4/2/43
	3249. 100	4/2/43
Jute butts, unmanufactured	3242. 000	10/6/42
Jute, unmanufactured	3241. 000	10/6/42
Kapok	3403. 000	7/2/42
Lead manufactures:		
Collapsible tube discs or slugs and any other semi-fabricated form, manufactured in whole or in part of lead or lead alloy	N. S. C.	1/16/45
Collapsible tubes, manufactured in whole or in part of lead or lead alloy, filled or empty	N. S. C.	2/14/45
Foil, manufactured in whole or in part of lead or lead alloy	N. S. C.	2/14/45
Storage batteries (lead acid type)	N. S. C.	2/14/45
Leather, unmanufactured:		
Chamois leather	0335. 350	7/2/42
	0335. 800	7/2/42

LIST A—Continued

Material	Commerce Import Class No.	Governing date
Leather, unmanufactured—Cont.		
Goatskin and kidskin leather (except vegetable-tanned)	0333. 000 incl. 0333. 500 incl.	7/2/42
	0335. 400	7/2/42
	0340. 800	7/2/42
	0345. 200	7/2/42
	0345. 260	7/2/42
Leather made from hides or skins of cattle of the bovine species	0300. 100 incl. 0317. 900 incl.	7/2/42
Leather made from hides or skins of animals of the equine species	N. S. C.	7/2/42
Rough tanned leather (incl. India-tanned):		
Vegetable-tanned goat and sheepskins	0339. 000	7/2/42
	0339. 100	7/2/42
Sheep and lamb leather (including shearlings and cabrettas)	0332. 000	7/2/42
Leather for shoe purposes	0332. 100	7/2/42
Glove and garment leather	0335. 300	7/2/42
Leather n. s. p. f. cut into shoe uppers, vamps or other forms	N. S. C.	7/2/42
Patent leather for the manufacture of footwear	N. S. C.	7/2/42
Grained, embossed, etc., or fancy leather	0345. 460	7/2/42
Skivers, n. s. p. f.	0335. 200	7/2/42
In the rough, in the white, crust or russet, partly finished or finished	N. S. C.	7/2/42
Other (except glove and garment)	0332. 500	7/2/42
Leather products made in whole or in part of bovine, equine or goatskin leather:		
Aprons	N. S. C.	5/27/43
Belts, transmission	N. S. C.	5/27/43
Belts, designed to be worn on the person	N. S. C.	5/27/43
Chaps, work	N. S. C.	5/27/43
Flat leather goods	N. S. C.	5/27/43
Footwear (including slippers)	N. S. C.	5/27/43
Furniture	N. S. C.	5/27/43
Garments	N. S. C.	5/27/43
Handbags and purses	N. S. C.	5/27/43
Harness	N. S. C.	5/27/43
Horse collars	N. S. C.	5/27/43
Hydraulic, packing, mechanical, and textile leather products	N. S. C.	5/27/43
Laces and thongs	N. S. C.	5/27/43
Luggage and related articles (including suitcases, valises, satchels, traveling and overnight bags, hatboxes, trunks, and other luggage, and boxes, caskets, chests, baskets, rolls, brief cases, golf bags, and other cases)		
Made wholly or in part of bovine leather	N. S. C.	5/5/43
Made wholly or in part of equine leather	N. S. C.	5/27/43
Made wholly or in part of goatskin leather	N. S. C.	5/27/43
Rifle scabbards, rifle slings, pistol holsters and pistol belts	N. S. C.	5/27/43
Saddles and saddlery	N. S. C.	5/27/43
Suspenders	N. S. C.	5/27/43
Loofa (Luffa) sponges	N. S. C.	8/21/42
Maguey or cantala, unmanufactured	3409. 200	1/18/43
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4201. 100	7/21/42
Mahogany logs	4031. 000	7/2/42
Mahogany, rough (not further manufactured than sawed)	4202. 100	7/21/42
Manganese ore (incl ferruginous) or concentrates, and manganiferrous iron ore, containing 35 percent and over of manganese	6211. 200	5/14/43
	6211. 300	5/14/43
Manila or abaca cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns	3417. 095	6/28/43
	3417. 195	6/28/43
Manila or abaca fiber (except T grade tow)	3402. 200	4/28/43
Manila or abaca tow (T grade only)	3402. 500	4/28/43
Manila or abaca fiber manufactures (incl. all manila or abaca products)	N. S. C.	4/28/43
	N. S. C.	10/9/42
Mesilta fiber	5560. 810	5/14/43
Mica	5560. 840	5/14/43
	5560. 860	5/14/43
	5560. 890	5/14/43
	5560. 910	5/14/43

LIST A—Continued

Material	Commerce Import Class No.	Governing date
Mica—Continued.	5560. 940	3/14/42
	5560. 960	3/14/42
	5560. 980	3/14/42
	5561. 000	3/14/42
	5561. 300	3/14/42
	5561. 400	3/14/42
	5561. 500	7/21/42
	5561. 600	3/14/42
	5561. 950	3/14/42
	5564. 000	3/14/42
	5564. 200	3/14/42
Molasses and sugar sirup	1040. 000	7/2/42
Pyrethrum or insect flowers	2202. 000	10/21/42
Pyrethrum or insect flowers, advanced in value or condition	2220. 310	10/21/42
Quince fiber	N. S. C.	3/5/43
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	8102. 000	3/5/43
Quinine alkaloid	8103. 200	3/5/43
Other salts and derivatives of quinine	8103. 300	3/5/43
Cinchonidine and its salts	8103. 400	3/5/43
Cinchonine and its salts	8103. 500	3/5/43
Quinidine and its salts	8103. 600	3/5/43
Totaquine and totaquitic compounds	N. S. C.	3/5/43
Rotenone bearing roots (cube root derris or barbasco), derris and tubai, crude and advanced	2210. 280	5/1/42
	2210. 500	5/1/42
	2220. 360	5/1/42
	2220. 370	5/1/42
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.	0808. 730	1/12/44
Silk		
Cocoons	3703. 000	10/21/42
Silk waste	3704. 000	10/21/42
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819. 500	7/21/42
Bullion, refined	6819. 600	7/21/42
Coin, foreign	6819. 800	7/21/42
Sweepings and scrap, including silver sulphides	6819. 400	7/21/42
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/42
Sisal and henequen, unmanufactured (except flume tow and bagasse waste)	N. S. C.	1/18/43
Ixtle or tampico fiber	N. S. C.	10/9/42
Yucca fiber	N. S. C.	3/5/43
Zinc blocks, pigs or slabs	6308. 200	12/28/41

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST B

NOTE: List B formerly List III redesignated and amended June 4, 1945.

The numbers listed after the following materials are commodity numbers taken from Schedule A Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste)	N. S. C.	8/8/43
Agave flume tow and bagasse waste not elsewhere specified on this order	N. S. C.	8/5/43
Balata, Bahaconia	N. S. C.	10/1/44
Balata, Coquimara (crude and washed)	N. S. C.	5/27/44
Balata, Massarandiuba	N. S. C.	3/5/43
Balata, Peruvian chicken wire	N. S. C.	5/27/44
Balata, Peruvian F. A. Q. white	N. S. C.	3/5/43
Bone black, bone char, and blood char	0990. 130	7/2/42
Casein or lactarene	0943. 000	7/2/42

LIST B—Continued

Material	Commerce Import Class No.	Governing date
Congo gum copal	N. S. C.	1/12/44
Cotton linters (all grades)	3005. 000	7/2/42
Cotton, raw (all staple length)	3001. 000	7/2/42
	3002. 000	7/2/42
	3003. 700	7/2/42
	3003. 800	7/2/42
Glue stock, not elsewhere specified	0930. 900	8/5/43
Hide cuttings, raw	0930. 800	7/2/42
Hide splits, limed, pickled or dried (suitable for manufacturing into leather)	N. S. C.	1/12/44
Hides and skins:		
Horse, colt, and ass	0211. 100	7/2/42
	0211. 300	7/2/42
	0212. 100	7/2/42
	0212. 200	7/2/42
	0212. 300	7/2/42
	0212. 500	7/2/42
Sheep and Lambskins except Shearlings, Cabrettas, etc.:		
Pickled skins, not split, no wool	0231. 000	7/2/42
Pickled fleshers, split, flesh side	0234. 100	7/2/42
Pickled skivers, split, grainside	0234. 200	7/2/42
Lignaloe oil or Bois de Rose	2280. 270	7/2/42
Sisal and henequen flume tow and bagasse waste	N. S. C.	1/18/43
Tapioca, tapioca flour, and cassava (including manioca flour)	1228. 000	7/2/42
Wool, apparel, 40's or coarser, except on the skin	3709. 000	7/2/42
	3507. 100	7/2/42
	3507. 200	7/2/42
	3507. 300	7/2/42
	3508. 000	7/2/42
	3709. 100	7/2/42
	3709. 200	7/2/42
	3709. 300	7/2/42
Wool, apparel, finer than 44's, except on the skin	3520. 000	7/2/42
	3521. 100	7/2/42
	3521. 200	7/2/42
	3521. 300	7/2/42
	3522. 000	7/2/42
	3523. 100	7/2/42
	3523. 200	7/2/42
	3523. 300	7/2/42
	3526. 000	7/2/42
	3527. 100	7/2/42
	3527. 200	7/2/42
	3527. 300	7/2/42
	3528. 000	7/2/42
	3529. 100	7/2/42
	3529. 200	7/2/42
	3529. 300	7/2/42
Wool apparel, (finer than 40's but not finer than 44's) except on the skin	3513. 000	7/2/42
	3514. 100	7/2/42
	3514. 200	7/2/42
	3514. 300	7/2/42
	3524. 100	7/2/42
	3525. 100	7/2/42
	3525. 200	7/2/42
	3525. 300	7/2/42
	3501. 000	7/2/42
	3502. 100	7/2/42
	3502. 200	7/2/42
	3502. 300	7/2/42
Wool, carpet, except on the skin	3502. 400	7/2/42

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended.

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

[F. R. Doc. 45-9663; Filed, June 4, 1945; 11:20 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIAL

[General Imports Order M-63, Revocation of Interpretation 1]

Interpretation 1 to General Imports Order M-63 is revoked.

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9665: Filed, June 4, 1945; 11:21 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, Revocation of Interpretation 3]

Interpretation 3 to General Imports Order M-63 is revoked.

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9664; Filed, June 4, 1945; 11:21 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41-e as Amended June 4, 1945]

PUBLIC HIGHWAYS AND STREET CONSTRUCTION

§ 1075.16 *Conservation Order L-41-e*—(a) *What this order does.* The basic order, Conservation Order L-41, limits all types of construction work. This order, L-41-e, is a special adaptation written to apply specifically to public highway and street construction in attaining the objective of the basic order L-41; namely, the conservation of materials, construction equipment, labor and transportation. The governmental agency responsible for the proposed construction must get permission from the War Production Board to begin the work, unless it is of a kind which does not require permission, as described below in paragraphs (c) and (d). This permission, generally known as an "authorization to begin construction", should not be confused with preference ratings or priori-

ties. If a road project is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings and allotments for certain materials which will be required. On the other hand, if preference ratings have been obtained or if materials are on hand, it may still be necessary to get permission to begin construction of the project.

(b) *What is meant by the construction of a public highway or street.* A public highway or street is one which is open to the public and which is constructed and maintained by any Federal, State, territorial, county, city, district or other governmental agency. Construction of a highway or street includes the grading, draining and surfacing of the highway or street; erecting of bridges, grade separation structures, culverts, storm drains and similar structures; installing safety and control devices; and constructing curbs, gutters, sidewalks and other appurtenances.

(c) *Maintenance or repair of highways or streets does not require authorization.* It is not necessary to get permission from the War Production Board to perform maintenance and repair work on highways and streets. The kind of work which may be classed as maintenance and repair is as follows:

(1) Maintenance includes only the usual operations necessary from time to time to keep surfaces, shoulders, embankments, slopes, structures, rights-of-way and all appurtenances of a public highway or street in a safe and serviceable condition, such as blading and shaping surfaces and shoulders, cleaning ditches and waterways, patching, and the like.

(2) Repair consists of work necessary to make serviceable a damaged or deteriorated portion of a highway or structure or to restore it to its original condition or the equivalent. It does not mean reconstruction or even replacement. Repair does not include work which represents an improvement or departure from original types of construction. Examples of work which may be classed as repair include the replacement of damaged members or parts of highway bridges or grade separation structures; rehabilitation of deteriorated surfaces on graveled or earth roads, on existing line and grade, by the application of dust palliatives and bituminous preservative treatments; the rehabilitation of deteriorated surfaces on bituminous-surfaced roads, on existing line and grade, to restore such surfaces to their original condition or equivalent, including resurfacing not over 1½ inches in thickness; the rehabilitation of deteriorated surfaces on concrete or brick roads, on existing line and grade, by the application of wearing courses not to exceed 4" in nominal thickness for non-rigid types, or 5" in nominal thickness for rigid types; widening of surfaces where necessary to reduce serious traffic hazard or excessive shoulder maintenance when such widening does not provide additional traffic lanes, or require increase in the width of roadbed. Examples of work which may not be classed as repair include changes in line or grade; reconstruction of foundation, base and surface, except as may be incidental to patching preliminary to resurfacing; widening for the purpose of providing additional traffic lanes, reconstruction or replacement of bridges destroyed by fire or flood or other cause. Maintenance and repair are to be considered in terms of the kind of work to be done and not in terms of the method of doing it or of financing it. For example, the repair of a bridge floor is a repair operation even though it is done by a contractor and financed from the construction budget. On the other hand, the replacement of an old bridge with a new one is construction, not repair, even though the work is done with repair maintenance forces and is financed with maintenance funds.

(d) *Size and kind of highway and street construction which does not require authorization.* Highway and street construction may be started without specific War Production Board project authorization if the work consists of one or more of the following classes:

(1) A project costing $5,000 per mile or less providing the aggregate cost of the project does not exceed $25,000.

(2) A project costing $10,000 or less.

(3) A project providing access to sources of raw materials as provided for in section 6 of the Defense Highway Act of 1941 (55 Stat. 765, as amended) when such project is certified as essential to the war effort by the War Production Board.

(4) Highway construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civilian Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(5) Grading, ditch-digging or similar earth-moving operations, if no lumber or other building materials are permanently installed, except drainage pipe and culverts including headwalls therefor.

(e) *All other public highway and street construction forbidden without War Production Board permission.* No person shall do any construction on a public highway or street which has not been permitted by the War Production Board, unless it is of a kind described in paragraphs (c) or (d) above. This prohibition applies to a Governmental Agency which does its own construction work, to one who gets others to do the work for it, and to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for authorization.* The governmental agency responsible for the construction should file an application through the State Highway Department. This application also covers the matter of preference ratings and controlled materials allotments if these are required for the construction. The form is called "Application for Authority to Construct Public Highway or Street, Form PR.1-PA", and copies are obtainable from the State Highway Department or the U. S. Public Roads Administration. Authorizations for road construction will be made on Form GA-1456.

(g) *How to figure cost.* (1) For the purpose of determining whether construction may be started on a highway or street without permission of the War Production Board, cost means the cost of the whole job as estimated at the time of beginning construction, except that the cost of used materials or used fixtures may be disregarded.

(2) If any materials or fixtures which have not been used are obtained without buying them their value must be included as part of the cost.

(3) The cost of labor must be included, but if labor is unpaid its value need not be included. Contractors' fees also must be included, but architects' and engineers' fees need not be, nor need the cost of administration.

(4) The cost of the right-of-way, that is, the amount paid for the land, whether by purchase or condemnation, need not be included.

(5) All construction on the same project must be included. The word "project" includes all contiguous construction. It also includes all jobs on a street or highway between principal intersecting highways or streets. No project may be split into a number of projects to avoid the provisions of this order.

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9659; Filed, June 4, 1945, 11:20 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41-e, Interpretation 1, as Amended June 4, 1945]

BOARDWALKS AND OTHER PASSAGEWAYS FOR PEDESTRIANS

The following amended interpretation is issued with respect to Conservation Order L-41-e:

L-41-e applies to the construction of public highways and streets. These are excepted from L-41 by paragraph (e) (11) of L-41. L-41-e does not apply to boardwalks, footpaths, bridges or other passageways primarily for pedestrians except where they are part of a highway or street (like a sidewalk or traffic island or the like). As these passageways for pedestrians are not covered by L-41-e, they are covered by L-41 and construction on them is limited to $1000 a year under paragraph (d) (1) (vii) of L-41, except where they are part of a unit which has a larger allowance. Application for the construction of boardwalks, footpaths, bridges or other passageways primarily for pedestrians should be made on Form WPB-617.

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9660; Filed, June 4, 1945; 11:20 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-311 as Amended June 4, 1945]

LOGGING, LUMBER, AND WOOD PRODUCTS MACHINERY AND EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the production of woodworking machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.83 *General Limitation Order L-311*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any person who produces, manufactures or assembles woodworking machinery.

(2) "Dealer" means any person engaged in the business of acquiring woodworking machinery for resale; it includes a wholesaler, distributor, jobber, retailer, branch warehouse or other distribution or sales outlet, whether or not owned or controlled by a producer, and any other person performing similar functions.

(3) "Woodworking machinery" means any new machinery or equipment of the kinds specified in Schedule A of this order.

(4) "Class I woodworking machinery" means any woodworking machinery which had a producer's list price on October 15, 1942, of more than $350 for any single machine or piece of equipment.

(5) "Class II woodworking machinery" means any woodworking machinery which had a producer's list price on October 15, 1942, of $350 or less for any single machine or piece of equipment.

(6) "Order" means any commitment or other arrangement for the delivery of woodworking machinery, whether by sale, lease, consignment or otherwise.

(7) "Producer's list price" means the sale price at which the producer's catalog or other price publication listed the woodworking machinery, exclusive of the motor, motor drive or any attachments. However, where the motor, motor drive or any attachments are initially built into the basic machine as an integral part of it, the "producer's list price" shall mean the sale price at which the producer listed the machine as an assembled unit.

(8) "Army, Navy, Maritime Commission, or War Shipping Administration" do not include any privately operated plant or shipyard financed by, or controlled by, any of those agencies, or operated on a cost-plus-fixed-fee basis.

(b) *Restrictions on sale or delivery of Class I woodworking machinery*—(1) *Authorization of purchase orders for Class I woodworking machinery required.* After September 11, 1943, no person shall place an order for Class I woodworking machinery with a producer or dealer, and no producer or dealer shall accept any order for Class I woodworking machinery, or deliver any Class I woodworking machinery to fill any order received after that date, unless the order has been authorized by the War Production Board on Form WPB-3131. Application for an authorization and for a preference rating must be made by the purchaser by filing Form WPB-3131 with the War Production Board as explained in the instructions which accompany the form. When authorization is sought to purchase Class I woodworking machinery and at the same time a preference rating for the purchase of Class II woodworking machinery is applied for the application on Form WPB-3131 may also be used to include an application for such Class II woodworking machinery.

(2) *Exemptions.* The restrictions contained in paragraph (b) (1) shall not apply to:

(i) Any orders for or deliveries of Class I woodworking machinery to be used directly by the Army, Navy, Veterans' Administration, Maritime Commission or War Shipping Administration;

(ii) Any orders from or deliveries to a producer or dealer to enable him to fill orders authorized on Form WPB-3131 which he has actually received or to replace woodworking machinery delivered by him from his inventory to fill orders authorized on Form WPB-3131.

(iii) [Deleted June 4, 1945.]

(3) *Certification of authorization which may be used.* Any person applying or extending a preference rating on any order which any of the provisions of this paragraph (b) permit him to place may add to the certificate applying or extending the rating a statement substantially as follows: "This purchase is permitted by Order L-311 which I am familiar with." Any person receiving a certification and rating with this statement shall be entitled to rely on the representation thereof unless he knows or has reason to believe it to be false. However, the application or extension of a preference rating on any purchase order which a person is permitted under this paragraph (b) to place shall not be invalid for failure to place this statement on the order.

(c) *Ratings not required for orders for Class II woodworking machinery.* This order does not now prohibit deliveries of Class II woodworking machinery to fill purchase orders without a preference rating.

(d) [Revoked May 23, 1945.]

(e) [Revoked May 23, 1945.]

(f) *Operations reports.* Each producer shall, on or before the 10th day of each month after September 1943, file with the War Production Board an operations report on Form WPB-3130 as explained in the instructions which accompany the form.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L-311.

(5) *Approval of reporting requirements.* The form of application specified in paragraph (b) (1) and the reporting requirement of paragraph (f) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

I. The following machinery and equipment is included in the definition of "woodworking machinery" under paragraph (a) (3):

(1) Dry kilns and redriers, including all machinery and equipment used for the purpose of reducing the moisture content of wood or wood products.

(2) Wood treatment machinery and equipment, including all machinery and equipment used for the purpose of making wood or wood products resistant to fire, decomposition, insect and marine parasites, fungal or bacterial growth, stain or discoloration, or for the purpose of preparing wood or wood products for further processing.

(3) Logging machinery and equipment, including all machinery and equipment used for the purpose of felling, bucking, skidding, yarding or loading timber.

(4) Saw mill machinery and equipment, including all machinery and equipment used for the purpose of converting logs into rough sawn lumber.

(5) Veneer and plywood machinery and equipment, including all machinery and equipment used for the purpose of converting logs into veneer or for making plywood from veneer.

(6) Planing mill machinery and equipment, including all machinery and equipment used for sizing, planing, matching, moulding or remanufacturing lumber into commercial sizes or to special specifications, including box shooks.

(7) Wood by-products machinery and equipment, including all machinery and equipment used for the processing of wood refuse products.

(8) Wood container manufacturing machinery, including the following specialized machinery used for the the manufacture of wood or veneer containers:

(a) Nailing, splicing, and screw driving machines.

(b) Fruit and vegetable package machinery.

(c) Wood printing machines.

(d) Wire stitching machines used for stitching wood or wood veneer.

(e) Slack barrel and keg machines.

(f) Tight barrel and keg machines.
(g) Stave and barrel heading machines.
(h) Box board matches and squeezers.
(i) Wire bound box making machinery.
(j) Tub and pail machinery.
(k) Wood hamper and basket machinery.
(l) Wood dish machinery.
(m) Bottle box machinery including strapping machines.
(n) Lock and dovetail corner machines.
(9) General woodworking machinery and equipment, including all machinery and equipment used for the purpose of processing lumber or wood into finished wood products or structures, machinery used for maintenance of wood products or structures, machinery and equipment used for the cutting, sawing, shaping, gluing, embossing, stamping, compressing or otherwise processing of wood or wood products, and machinery and equipment primarily designed for wood processing, but used or adapted for use in the processing of other materials.
(10) Service machinery and equipment, including the following machinery and equipment used for the purpose of maintaining woodworking machinery and equipment in sound operating condition:
(a) Cutter head grinders, including balancing and setting devices.
(b) Knife grinders, including balancing and setting devices.
(c) Band, circular and chain saw sharpening machines.

II. The following machinery and equipment is not considered to be "woodworking machinery" for the purposes of this order:

(1) Track-laying tractors and auxiliary equipment as defined in Limitation Order L–53; (2) Construction machinery and equipment as defined in Limitation Order L–192; (3) Farm wood sawing and splitting machines (for fuel wood), 5 horse power and less, including self-powered cross cut and drag saws, saw mandrels, and wood splitting machines; (4) Spray guns, spray booths and other machinery and equipment used for painting, varnishing or lacquering; (5) Floor finishing, floor sanding and floor maintenance machines as defined in Limitation Order L–222; (6) Portable power driven woodworking tools (except timber falling or bucking saws) which, in the course of normal use, are lifted, held and operated by not more than two persons; (7) Waste disposal and conveyor machinery and equipment other than that which is built into woodworking machinery as an integral part of it; (8) Hand tools; (9) Light power driven tools as formerly covered by former Limitation Order L–237, and (10) Component parts such as electric motors, electric switches, and compressors, when manufactured or sold as such and not as integral parts of woodworking machinery.

[F R Doc. 45 9661; Filed, June 4, 1945; 11:20 a. m.]

PART 3175 — REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 30]

TRANSFER OF PURCHASE ORDERS WHEN ALLOTMENTS ARE TRANSFERRED

The following interpretation is issued with respect to CMP Reg. 1:

(a) Whenever an allotment of controlled materials is transferred from one person to another (either under paragraph (j) of CMP Regulation 1, or where a sub-contractor returns to his customer an allotment made for the production of Class A products), any outstanding purchase orders placed pursuant to the allotment, including rated purchase orders, orders for Class A products, and authorized controlled material orders, may be transferred also without losing position on the supplier's order boards.

(b) The supplier must, of course, be notified either by a change in the shipping destination or by a substitution of purchase orders (identifying the new order as a substitute for the old), or other appropriate means.

(c) The supplier is entitled to treat the changed order as a new order, with the exception stated in paragraph (a). Consequently, he may reject it if it does not meet regularly established prices and terms of sale or payment, or for other reasons permitted by CMP Regulation 1 and Priorities Regulation 1.

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R. Doc. 45-9666; Filed, June 4, 1945; 11:21 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 6, Schedule A, as Amended June 4, 1945]

CONSTRUCTION LIMITATIONS

§ 3175.6a *Schedule A of CMP Regulation 6*—(a) *What these construction limitations do.* These construction limitations apply to construction authorized on Form GA–1456 and to any other construction controlled by an order or authorized on a form which specifically states that the construction is to be performed in accordance with the terms of this schedule. Construction so authorized must be performed in accordance with the provisions of Appendix I and Appendix II (which are a part of this schedule) unless a waiver is granted on the authorization.

These construction limitations restrict the use of the materials and equipment listed, including materials to be incorporated in products where the materials are purchased through a fabricator or supplier by using the assigned allotment symbol or preference rating. They do not apply to:

The use of used materials except where specifically restricted.

The use by manufacturers of materials directly allocated to manufacturers for incorporation into "B" products (as defined in CMP Reg. 1).

The use of materials incorporated in "A" products of the kind to be listed in accordance with the provisions of Appendix II of this schedule.

(b) *Amendments to construction limitations.* The construction limitations may be amended from time to time. When a restriction on the use of an item is changed or removed by an amendment to the construction limitations issued after an authorization, the builder may, if he chooses, disregard the old restriction and follow the new provision. This applies to builders who have received authorizations on Form GA–1456, or other applicable forms, subject to the construction limitations dated February 1, 1944, or subject to Schedule A to CMP Regulation 6. It does not apply to changes made in Appendix II (formerly Appendix A) of the construction limitations.

(c) *Exceptions.* If any exceptions to the restrictions are required, the exceptions must be stated and justified in the application. Authorization will be made on Form GA–1456, GA–1456A, or other applicable form.

(d) *Structural design.* All building construction using any stress grade lumber shall be designed in accordance with the applicable provisions of the War Production Board Directive No. 29 "Design, Fabrication and Erection of Stress Grade Lumber and its Fastenings for Buildings," as amended. If any waiver of the provisions of this directive is required, the reasons for requesting such waiver must be stated in the application.

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX I—RESTRICTIONS

A. *Tin.* The use of tin and tin products is prohibited except as follows:

1. Solder: a. Not over 40% tin in solder (i) for wiping water service pipe, connecting the piping of a structure with the outside water main, (ii) for assembly and repair of galvanized iron or zinc tanks.

b. Not over 35% tin in solder (i) for assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron," (ii) for wiping lead sheathed cable joints or lead pipe joints.

c. Solder for electrical connections may be used only to the extent that solderless connectors, not containing copper or copper-base alloys, will not serve, and then not over 35% tin content.

d. Not over 30% tin in solder for all other uses not covered above, and then only to the extent that substitution of either a less critical material or use of less tin content is impracticable.

2. Fuses, fuse plugs, and sprinkler head fuses.

B. *Zinc.*

1. The use of zinc and zinc products is prohibited: a. For ornamental and decorative work

b. In the form of sheet, strip and rod except:

(i) Where essential for processing

(ii) Where the use of chemicals requires it

C. *Lumber and lumber products.* Every effort should be made to employ in construction non-critical materials as substitutes for lumber less than 3" nominal thickness.

1. The use of lumber 2" nominal thickness less than 8" nominal width and all lumber less than 2" nominal thickness is prohibited for the following:

a. Sheathing of walls and roofs
b. Facing of partitions and ceilings
c. Siding
d. Fencing
e. Sub-floors
f. Framing of exterior walls
g. Framing of interior partitions supported on other than wood-framed floors.

2. The use of lumber is prohibited for the framing of first or ground floors without basement or cellar beneath.

3. The use of lumber other than used lumber or used plywood for forms for concrete construction is prohibited, except that where neither used lumber nor used plywood is available, new lumber or new plywood may be used, provided that: a. Maximum reuse is made of forms

b. New plywood for forms is limited to the highly water-resistant type. Plywood form liners prohibited

4. The use of common grades of any kind of lumber is prohibited for mill work and trim.

5. The use of hardboard is prohibited.

6 The use of plywood is prohibited, except as permitted in paragraph K.3.c.

7. The use of western pine is prohibited for all uses except such mill work as sash, doors, windows, and door and window frames, window and door screens, trim and moulding.

The salvage of all reusable lumber, not specifically incorporated in a structure, is mandatory and its destruction is prohibited. Such lumber shall be made immediately available for reuse.

D *Mechanical ventilation.*

1. The use of mechanical ventilation is prohibited except for: a. Areas without natural ventilation

b. Hospital spaces

c. Spaces where industrial processes make its use mandatory

d. Interior toilet rooms and kitchens where gravity ventilation will not suffice.

2. Ventilation systems for winter operation in locations as outlined above shall be of the re-circulatory type, with quantity of make-up and exhaust air reduced to the minimum required to meet health requirements.

E. *Lead.* The use of lead and products is prohibited except where List I of Order M-38 permits it (applications for waivers should be filed on the WPB-617 application and if approved permission to deviate from M-38 will be given automatically).

APPENDIX II—EQUIPMENT REQUIRING SPECIFIC APPROVAL INCLUDING EQUIPMENT FOR WHICH A SPECIAL APPLICATION FORM IS REQUIRED

Form GA-1456 authorizes the installation of approved machinery and equipment and authorizes the use of an allotment symbol and preference ratings to get approved machinery and equipment. Equipment of the kinds specified in paragraphs A, B and C below are approved for the purpose of using the assigned rating and allotment symbol only when listed on the application form and not specifically disapproved by the War Production Board. Accordingly, the priority assistance given by the GA-1456 may not be used to get items of the kinds described in paragraphs A, B and C unless the item or items are specifically set forth on the application and not marked "Not Rated" or the equivalent. However, the rating and symbol assigned may be used to get items of equipment or machinery of kinds which are not described in paragraphs A, B or C, when the items are required for the project, even though the items are not listed, with certain exceptions. This includes expendible material consumed during the construction, such as explosives, perishable tools, scaffolding and the like (but not fuel or repair parts for construction machinery) and capital equipment required for operating the project, such as office and other equipment, cafeteria equipment, hospital and laboratory equipment. However, the rating and symbol assigned may not be used to get furniture or fixtures controlled by L-13-b or L-260-a or bedding products controlled by L-49. Furthermore, the rating and symbol may not be used to get operating supplies for use in the business or service to be carried on in the project. You can buy and install any equipment you can get without a rating, whether listed or not, except oil fired and natural gas fired equipment which must be listed and approved.

A The following kinds of equipment when required for the project must be listed in the project application form and justification must be given for each item shown, if a rating is needed in order to get it. Ratings or other priorities assistance may not be used to get these items unless they are listed and approved in accordance with the terms of the authorization form. Incidental items of equipment costing less than $500 for each item may be grouped under general descriptive headings. Authorization to purchase or install items so grouped is limited to the dollar limit approved.

Air conditioning and refrigerating equipment
Beauty and barber shop equipment and machinery
Blowers, electric hand portable
Boilers, power
Commercial laundry equipment, commercial dry cleaning equipment, tailors' pressing equipment
Compressors
Construction machinery and equipment except those items on List 2 of L-192 (this will ordinarily be approved only where it will be worn out in the construction of the project or will remain on the site as part of the project after completion)
Conveyors and conveying systems
Cranes and hoists, overhead
Dust collecting equipment, industrial
Electric power generators, turbines, transformers and switchgear
Elevators, new
Engines, diesel and gas
Fire protective signal and alarm equipment
Floor machines, finishing and maintenance
Heat treating equipment
Industrial instruments
Laundry equipment
Machine tools
Motion picture projection and sound reproducing equipment, 35 mm.
Office machines
Oil-fired equipment and natural gas-fired equipment, whether new or used regardless of whether or not a rating is requested (specify on the application which items are to be oil fired and which natural gas fired)
Pneumatic tube delivery systems
Power generating and distribution equipment
Pumps
Rug scrubbing machines (portable)
Sanding machines, floor
Scales, balances and weights
Turbo blowers and turbo exhausters
Typewriters
Vacuum cleaners, industrial
Vault doors of iron or steel
Water conditioning equipment
Welding equipment
Other industrial machinery and equipment which is to be used directly in processing

B. For the following equipment the separate application form shown must be used and authority to purchase or a rating must be secured under the terms of the governing order. Such equipment, however, must also be listed on the project application form. The separate application form designated should be prepared and filed with the project application form whenever possible.

	Governing order	Separate WPB form
Chemical machinery and other machinery covered by M-293, table 15	M-293	1319
Construction machinery (new) listed on list 2 of L-192	L-192	1319
Laboratory instruments on list A of L-144 (not industrial equipment)	L-144	1319
Liquefied petroleum gas equipment	L-86	809
Rubber processing equipment	L-143-a	1277
Trucks, industrial power	L-172	1319
Woodworking machinery (Class 1)	L-311	3131

C. For the following equipment application is ordinarily made on a separate form, but where the equipment is required for a project for which authorization is given on Form GA-1456 no separate application form is needed. Such equipment, however, must be listed in the project application form and must be justified in accordance with the instructions.

	Governing order
Cooking equipment, commercial, electric appliances	L-65
Dishwasher, commercial, new or used	L-248
Signal, public address, and intercommunication systems (electronic)	L-265

[F. R. Doc. 45-9658; Filed, June 4, 1945; 11:20 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P-152 as Amended June 4, 1945]

METAL STRAPPING

To facilitate the acquisition of metal strapping and seals and strapping tools, accessories and fittings in the public interest and to promote the defense of the United States, preference ratings are hereby assigned to deliveries of these items upon the following terms.

§ 3270.81 *Preference Rating Order P-152*—(a) *Definitions.* For the purposes of this order:

(1) "Strapping" means any round wire or flat band made of metal, (whether plain, punched, embossed, twisted or double edge) which is used in connection with the shipment or delivery of materials. The term includes reinforcement edging for returnable delivery cases (bottle box), and metal seals for flat strapping. It does not include "fittings" as defined in paragraph (a) (4) below, metal hoops, stitching wire, cotton bale ties, baling wire used without hand or power operated strapping tools, or binding and stitching wire used in the manufacture of wirebound boxes.

(2) "Tools" means hand or power operated stretchers, sealers, tying tools, snips and cutting tools, or combinations thereof, for use in the application of strapping.

(3) "Accessories" means metal or wood reels, coil holders, coil trays, reel trucks, strapping bucks, anchor threaders and strapping tables used in the application of strapping.

(4) "Fittings" means all of the items listed on Schedule A at the end of this order.

(5) "Carloading" means the use of strapping to secure or brace packaged or loose material in or on vehicles. The term does not include the use of strapping for the purposes defined in subparagraphs (6), (7), (8) and (9) of this paragraph (a).

(6) "Skidloading" means the use of strapping to secure materials, packaged or otherwise, to skids or pallets. The term does not include the use of strapping for container reinforcement as defined in subparagraph (9) below.

(7) "Baling" means the use of strapping to secure or hold compressed materials in bales.

(8) "Bundling" means the strapping together of loose or packaged materials (generally not compressed) into bundles or lifts, and the internal bracing of materials in containers. It shall not include the use of strapping for container

reinforcement as defined in subparagraph (9) below.

(9) "Container reinforcement" means the external strapping of single containers of merchandise to reinforce and protect the package and its contents against damage in transit or to permit the use of less wood or paperboard in the component parts of boxes, crates and cartons.

Assignment of Ratings

(b) *Strapping for uses other than container reinforcement.* (1) Any person may use a rating of AA-1 to get strapping which he will use for carloading, skidloading, baling or bundling.

(2) When he uses a rating under this paragraph, he must, in addition to the certification described in paragraph (o) below, certify in writing to his supplier substantially as follows:

All of the strapping covered by this purchase order will be used for carloading, skidloading, baling or bundling, as defined in Order P-152.

No person may use any strapping acquired with the rating assigned by this paragraph (b) for any purpose other than carloading, skidloading, baling or bundling unless he first obtains the written permission of the War Production Board.

The provisions of this paragraph (b) (2) do not apply to strapping purchased directly by the U. S. Army or the U. S. Navy on orders identified by Army or Navy contract numbers.

(c) *Strapping for container reinforcement*—(1) *Common carriers.* A common carrier may use a rating of AA-1 to get strapping which it will use itself for container reinforcement.

(2) *Other persons.* Any person, other than a common carrier, may use the same rating to get strapping for container reinforcement as he could to get the containers in connection with which the strapping will be used under either Order P-140 or Order P-146. If he uses strapping out of his inventory for container reinforcement, he may replace it with the rating which he used to get the containers on which the strapping was used.

(d) *AAA ratings.* Any person who receives an order rated AAA may use that rating to get strapping which he will actually use to deliver that order.

(e) *Ratings for tools, accessories and fittings.* Any person may use his blanket MRO rating to get tools, accessories and fittings. He may not use this rating to get strapping for any purpose.

(f) *Special ratings.* The War Production Board may assign special ratings in addition to those automatically assigned by this order. Application for special rating should be filed on Form WPB-4161.

(g) *Strapping for reinforcement edging.* Any person may use a rating of AA-5 to get strapping for the reinforcement edging of containers (generally multiple trip returnable containers). He may not use any other rating except a special rating (paragraph (f)) for this purpose.

(h) *Restrictions on strapping for export.* No ratings may be used to get strapping which will be delivered unused, to any foreign country, except in the following cases:

(1) Ratings assigned to persons located in the Dominion of Canada pursuant to any order of the Canadian government, provided such ratings are accompanied by the certification prescribed in Priorities Regulation 22.

(2) Ratings assigned by the Foreign Economic Administration.

(3) Ratings assigned for strapping to be delivered directly to and used directly by an agency of the United States Government.

(4) Ratings assigned pursuant to paragraph (f) (Special rating).

(i) *Direct purchases of strapping by certain agencies.* The Army, the Navy, the Maritime Commission and the War Shipping Administration may use ratings that they assign to get strapping which will be delivered directly to them and used directly by them, provided that they use the certifications prescribed by this order in assigning such ratings.

Producers and Distributors of Strapping

(j) *Procurement of strapping by "distributors"*—(1) *Definition.* Whenever used in this paragraph (j), a "distributor" shall mean a person engaged in the business of selling strapping to users—whether he fabricates it himself or not. The term shall not include a steel mill or warehouse which sells strip steel or wire in strapping sizes as a controlled material. Each branch outlet owned or controlled by the same person is considered a separate distributor under this paragraph (j).

(2) *How distributors get strapping from other distributors.* Subject to the provisions of paragraph (1) below, a distributor may extend his customers' ratings to get strapping from another distributor, for delivery on the rated orders or to replace in inventory any strapping so delivered. When he extends his customers' ratings for inventory replacement purposes, he must do so in accordance with Priorities Regulation 3.

(3) *How a distributor must distribute strapping to his branch outlets.* No distributor may deliver strapping to a branch outlet owned or controlled by him except as provided in Priorities Regulation 1, in accordance with the preference ratings extended to him by such branch outlet. Likewise he may not cause strip steel or wire to be delivered from a controlled materials producer or controlled materials warehouse to a branch outlet (other than a plant or warehouse customarily used by him as a central point from which strapping is delivered to his branch outlets) except in accordance with the preference ratings extended to such central point by the branch outlet.

(k) *Use of strapping by strapping manufacturers and distributors.* Any strapping manufacturer or distributor may use strapping, tools, accessories and fittings out of his own stocks for his shipments of these items regardless of whether this would prevent or delay the acceptance or fulfillment of rated orders for strapping, tools, accessories and fittings.

(l) *Limitation on use of ratings by persons owning production facilities.* No rated order for strapping, tools, accessories or fittings need be accepted if the person applying or extending the rating owns or controls facilities on which he normally produces strapping, tools, accessories or fittings. The only exception to this rule is where the purchaser's facilities are required to fill higher rated orders or previously received orders bearing an equal rating, or where the War Production Board specifically directs the acceptance of the rated order.

In order to avail himself of the provisions of this paragraph (1) a person who gets a rated order must first notify the person applying or extending the rating of his claim that this paragraph excuses acceptance of the rated order.

Existing Unfilled Orders

(m) *Permitted rerating of existing orders.* Preference ratings assigned or permitted to be used by this order may be applied or extended to any unfilled order for strapping, tools, accessories or fittings placed prior to April 6, 1945. Any rating so applied or extended is a rerating under the provisions of Priorities Regulation 12.

(n) *Termination of existing ratings on unfilled orders.* All ratings applied or extended to any order for strapping, tools, accessories or fittings before April 6, 1945, shall be ineffective after May 21, 1945. If delivery is not made before the last mentioned date and the order is not rerated in accordance with paragraph (m) above, the order shall be regarded as bearing an AA-5 rating and shall be scheduled and filled accordingly.

Certification

(o) *How ratings may be applied or extended*—(1) *Strapping.* Except as provided in paragraph (h) (1) (Canadian ratings), the ratings assigned or permitted to be used by this order for strapping may be applied or extended only by use of a certificate in substantially the following form, signed manually or as provided in Priorities Regulation 7.

The undersigned purchaser certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board that he is entitled to apply or extend the preference rating set forth on this order, and that such application or extension is in accordance with Priorities Regulation 3, and with the provisions of Order P-152.

The standard certificate provided for in paragraph (d) of Priorities Regulation 7 may not be used in place of the above certificate nor may the certificate provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

(2) *Tools, accessories and fittings.* The MRO ratings permitted to be used by this order for tools, accessories and fittings may be applied or extended only by use of the following standard certification prescribed in Priorities Regulation 7, signed manually or as provided in that regulation.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

However, Canadian purchasers may use the certification prescribed in Priorities Regulation 22.

Inventories

(p) *Inventory limitation.* No person shall knowingly deliver to any person, except a distributor or manufacturer of strapping, and no person except a distributor or manufacturer of strapping shall accept delivery of any quantity of strapping if such person's total inventory is, or will by virtue of such delivery become, in excess of the greater of (1) $300 worth of strapping, or (2) his reasonably anticipated requirements of strapping for the ensuing forty-five days.

The provisions of this paragraph shall not apply to deliveries of strapping to the U. S. Army or Navy, nor to their acceptance of strapping.

Miscellaneous

(q) *Restrictions on use and acceptance of ratings.* No person may use any rating except as provided in this order to get strapping, tools, accessories or fittings. No person receiving an order for strapping, tools, accessories or fittings shall give effect to any preference rating applied or extended thereto on or after April 6, 1945, if he knows or has reason to believe that the rating has not been applied or extended in accordance with the provisions of this order. A supplier must give effect to any rating applied or extended by a Canadian purchaser and accompanied by the certification prescribed in Priorities Regulation 22, unless he knows or has reason to believe that the purchaser was not authorized under applicable Canadian orders and regulations to use the rating.

(r) *Reports.* All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Applicability of regulations.* Except to the extent that this order specifies to the contrary, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time. For instance, when this order allows a rating to be used for inventory replacement, this must be done in accordance with Priorities Regulation 3.

(t) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(u) *Communications.* All reports to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref.: P-152.

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The following items are covered by the definition of fittings in paragraph (a) (4) of this order:

(a) Corner protectors—stake pocket protectors.
(b) Antiskid plates.
(c) Anchor and brakeman plates.
(d) Anchor nails and drive screws.
(e) Carloading stays and car banding loops.
(f) Box and crate fasteners and corner irons and straps.
(g) Barbed straps and fasteners—bung straps.
(h) Butter tub cover fasteners and pail fasteners.
(i) Poultry box hooks.
(j) Flexible clasps—revenue stamp protectors.
(k) Shingle bands—citrus straps and wires.
(l) Watch dog seals—seals and arrows.
(m) Drawer clips—separators.
(n) Corrugated joint fasteners.
(o) Strapping staples—plain and cement coated.
(p) Disc binders.

[F. R. Doc. 45-9657; Filed, June 4, 1945; 11:20 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, as Amended June 4, 1945]

CHEMICALS AND ALLIED PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of those chemicals and allied products subject to this order for defense, for private account and for export: and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

INTRODUCTION

(a) Purpose and effect.
(b) Definitions.

APPENDIX A MATERIALS—GENERAL REQUIREMENTS

(c) General requirements for suppliers and users of Appendix A materials.

APPENDIX B MATERIALS—GENERAL REQUIREMENTS

(d) General requirements for suppliers and users of Appendix B materials.

APPENDIX C MATERIALS—GENERAL REQUIREMENTS

(e) General requirements for suppliers and users of Appendix C materials.

SPECIAL RELEASE FOR CIVILIAN PURPOSES

(f) Policy.
(g) Procedure.
(h) [Deleted Oct. 2, 1944.]
(i) [Deleted Oct. 2, 1944.]

ADDITIONAL REPORTS AND CERTIFICATES—SPECIAL REQUIREMENTS

(j) Past use and inventory report.
(k) Supplementary use certificates.

EXISTING STOCKS ON INITIAL ALLOCATION DATE

(l) Suppliers' stocks.
(m) Exemption for stocks of suppliers who consume.
(n) Consumers' stocks.

SMALL ORDER EXEMPTION

(o) Small order deliveries by suppliers.
(p) Acceptance of delivery and use of small orders.

TERRITORIAL AND IMPORT-EXPORT PROVISIONS

(q) Territorial limitations.
(r) Imports.
(s) Exports.

DURATION OF AUTHORIZATIONS

(t) Duration of authorization for delivery.
(u) Duration of authorization for acceptance of delivery.
(v) Duration of authorization for use.

ACTION BY WAR PRODUCTION BOARD

(w) Individual actions.

MISCELLANEOUS PROVISIONS

(x) Rules governing disposition of materials.
(y) Other provisions.
(1-a) Toll arrangements for production of Appendix A, B, or C materials.
(1-b) Toll arrangements for processing of Appendix A, B, or C materials.
(2) Laboratories.
(3) Equivalent quantities.
(4) Full container adjustments.
(5) Brokers and sales agents.
(6) Effect of preference ratings.
(7) Applicability of regulations.
(8) Approval of reporting requirements.
(9) Violations.
(10) Communications.

APPENDICES A, B AND C

Lists of materials with outline of allocation requirements. These appendices are issued and printed separately.

APPENDIX D

Use certificates—general instructions.

APPENDIX E

Forms WPB-2945, 2946 and 2947—general instructions.

SCHEDULES

A schedule is issued separately for each material. Appendices A, B and C are amended from time to time to give cross references to the schedules then in effect for materials allocated under this order.

DIRECTIONS

Published directions may be issued and printed separately.

Introduction

§ 3293.1000 *General Allocation Order M-300*—(a) *Purpose and effect.* The purpose of this general allocation order is to provide a central framework for allocation of chemicals and allied products.

Three general systems of allocation are provided for in this order. Appendix A materials are allocated on customers' Form WPB-2945 (formerly PD-600) and suppliers' Form WPB-2946 (formerly PD-601). Appendix B materials are allocated on suppliers' Form WPB-2947 (formerly PD-602), on the basis of certified statements of proposed use from each customer. Appendix C materials are allocated on suppliers' Form WPB-2947 (formerly PD-602), on the basis of applications on customers' Form WPB-2945 (formerly PD-600) for large orders and certified statements of end use to the supplier from customers ordering intermediate quantities.

Special provision is made in paragraphs (f) and (g) for release for civilian purposes without further allocation control.

A separate schedule under this general order is issued for each subject material. The schedule details the information required for applications, and may contain special exemptions or additional requirements modifying the terms of the general order.

The appendices in this order outline the requirements for applying for each material and show the governing schedule numbers.

The general order will be amended and reprinted in its entirety whenever a change is made in the body of the order. Appendices A, B and C will be amended and reprinted separately about once a month, showing all materials subject to the order at that time. Schedules may be issued or amended at any time, and remain in effect until individually amended or revoked. A material is subject to the order as an Appendix A, B or C material as stated in the applicable schedule although the corresponding amendment to the appendix has not issued. In the event of inconsistency between a schedule and the general order or its appendices, the provisions of the schedule shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Material" means any chemical or allied product defined and made subject to this order as an Appendix A, B or C material by an M-300 schedule.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Supplier" of a material means any person who produces or imports the material for resale or for his own use, or who purchases the material for resale as such or for resale after processing into any form subject to allocation under the same schedule which controls the material.

(4) "Initial allocation date" means the date when a material first becomes subject to allocation under this order, or when it first became subject to allocation under another order prior to its transfer to this order, whichever date is earlier.

(5) "Allocation period" means the period, usually a calendar month or quarter, for which regular allocations will be made. The allocation period for each material is specified in the applicable schedule.

(6) "Military order" means a purchase order for material which is to be delivered to, or incorporated in material to be delivered to, the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission, War Shipping Administration, Panama Canal, Office of Scientific Research and Development, Veterans' Administration or any government agency when purchasing pursuant to the Act of March 11, 1941 (Lend-Lease Act). The term "Military order" shall not include any order for a military exchange or service department unless clearly indentified on its face as coming within the definition of "Overseas orders" under Priorities Regulation 17.

Appendix A Materials—General Requirements

(c) *General requirements for suppliers and users of Appendix A materials.* (1) On and after the initial allocation date, no supplier of an Appendix A material shall deliver it to any person, no person shall accept delivery of an Appendix A material from a supplier, and no person shall use an Appendix A material, except as specifically authorized in writing by the War Production Board upon application under this order. Applications to deliver are to be made on Form WPB-2946, and applications to accept delivery and use are to be made on Form WPB-2945.

(2) These general rules are modified by paragraph (x) and other provisions of this order, and special requirements and instructions may be contained in the schedules applying to particular Appendix A materials.

Appendix B Materials—General Requirements

(d) *General requirements for suppliers and users of Appendix B materials.* (1) On and after the initial allocation date, no supplier of an Appendix B material shall use or deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order. Suppliers' applications are to be made on Form WPB-2947.

(2) Persons seeking to purchase from suppliers must furnish statements of proposed use in the form prescribed in Appendix D, and must use the material received only for the purpose certified or as provided in paragraph (x). If the War Production Board has denied in whole or in part any item on a certified purchase order and the purchaser has been so advised by his supplier, the purchaser shall not use materials received on the order contrary to that limitation.

(3) A supplier making authorized deliveries of an Appendix B material shall not fill a certified order without first having notified the purchaser in writing of the separate quantity being delivered for each different class of proposed use certified with the order, unless only one class of use was specified in the certificate or unless the order is filled in full.

(4) These general rules are modified by the other provisions of this order, and special requirements and instructions may be contained in the schedules applying to particular Appendix B materials.

Appendix C Materials—General Requirements

(e) *General requirements for suppliers and users of Appendix C materials.* (1) On and after the initial allocation date, no supplier of an Appendix C material shall use or deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order. Suppliers' applications are to be made on Form WPB-2947.

(2) The applicable schedule for each Appendix C material requires applications to be made on Form WPB-2945 for specific authorization to receive quantities which equal or exceed an amount specified in the schedule. On and after the initial allocation date, no person shall accept delivery of such quantity of an Appendix C material in the aggregate from all suppliers during any allocation period except as specifically authorized in writing by the War Production Board under this order.

(3) Also, the applicable schedule for each Appendix C material requires use certificates with purchase orders for quantities greater than the small order exemption but not subject to the requirements for application on WPB-2945. Therefore, each person shall furnish a certificate of proposed use with each purchase order (in the form prescribed in Appendix D) when ordering in the aggregate from all suppliers for delivery during any allocation period a quantity of an Appendix C material which exceeds the small order exemption quantity but is less than the quantity for which application on Form WPB-2945 is required.

(4) The requirements for use of Appendix C materials appear in paragraph (x) of this order.

(5) Before filling a certified order for an Appendix C material in accordance with specific authorization, the supplier shall notify the purchaser in writing of the separate quantity being delivered for each different class of certified proposed use, unless only one class of use was specified in the certificate or unless the order is filled in full. This provision does not require notification before filling an order covered by authorization on Form WPB-2945.

NOTE: Subparagraph (6), formerly subparagraph (4), redesignated June 4, 1945.

(6) These general rules are modified by the other provisions of this order, and special requirements and instructions may be contained in the schedules applying to particular Appendix C materials.

Special Release for Civilian Purposes

(f) *Policy.* It may from time to time be practicable for the War Production Board to release a limited quantity of a particular Appendix A, B or C material through trade channels for general or limited civilian purposes without allocation control over the individual customers to be served. This will be done by releasing an aggregate quantity of the material on the supplier's (usually producer's) WPB-2946 or WPB-2947 Form for general or specifically limited civilian purposes.

(g) *Procedure.* (1) Material released in this way for a limited civilian purpose may be delivered, accepted and used by any person for the limited purpose without further authorization under this order. However, each person seeking to have any of this material delivered to him must file with the person from whom delivery is requested a statement, in the form prescribed in Appendix D, that the material will be used or redelivered only for a specified purpose (the filing of application on Form WPB-2945 is waived in this case). Material acquired on the basis of this representation must be used as stated, or as provided in paragraph (x) of this order. A person who has been allocated or who has received material under this exemption shall deliver it only on purchase orders accompanied by certified statements of proposed use which conform to the purpose for which the material was released, and only after he has advised each purchaser in writing that the material is delivered under this exemption.

(2) Material released for unlimited general civilian purposes may be delivered, accepted and used by any person for any purpose without further authorization under this order. The filing of Form WPB-2945 or of purchase order certificates is not necessary in this case. However, when this material is delivered or redelivered the seller shall notify the purchaser in writing that the material is delivered under this exemption without restriction on use or redelivery.

(3) If the total amount delivered by a seller to a purchaser during any small order exemption period does not exceed one small order exemption quantity, including quantities delivered pursuant to release, exemption and allocation, the written statements specified in paragraphs (g) (1) and (2) above need not be filed.

NOTE: Subparagraph (4), formerly subparagraph (2), redesignated June 4, 1945.

(4) Quantities released under paragraph (f) may be used or delivered for the authorized purpose without regard to preference ratings, and without limitation as to duration of authorization. However, material released under paragraph (f) may not be delivered or used by any person to an extent which would prevent or delay his delivery or use of the same kind of material pursuant to specific allocation under this order.

(h) [Deleted Oct. 2, 1944.]

(i) [Deleted Oct. 2, 1944.]

Additional Reports and Certificates—Special Requirements

(j) *Past use and inventory report.* Periodic or one-time reports on Form WPB-3442 covering past use and inventory may be required by the applicable schedule.

(k) *Supplementary use certificates.* Persons required to file statements of use with respect to materials subject to this order may be required by the applicable schedule to obtain supplementary statements of use from their customers.

Existing Stocks on Initial Allocation Date

(l) *Suppliers' stocks.* The restrictions on delivery and use of Appendix A, B, and C materials shall apply to all stocks of each supplier on the initial allocation date. Stocks of suppliers who resell exclusively on small orders are exempted by paragraph (o) (4).

(m) *Exemption for stocks of suppliers who consume.* If a supplier customarily maintains inventories of an Appendix A, B or C material for his own consumption separately, both physically and on his books from his inventory of the material for sale, his stocks on the initial allocation date for his own consumption shall be subject to the provisions of the following paragraph (n) regarding consumers' stocks and not to the restrictions of paragraph (l) above regarding suppliers' stocks. Prior to the initial allocation date, no supplier shall transfer any more material to his inventory as a consumer than his rated orders for derivatives of the material compared with his rated orders for the material itself would permit under Priorities Regulation No. 1.

(n) *Consumers' stocks.* Any person not a supplier may freely use, deliver or accept delivery of any Appendix A, B or C material which he had in stock on the initial allocation date or which was in transit consigned to him prior to that date, unless otherwise expressly provided in the applicable Schedule.

Small Order Exemption

(o) *Small order deliveries by suppliers.* A supplier may fill small orders without application or specific authorization, if he delivers not more than the small order exemption quantity specified in the applicable schedule to any customer during the designated small order exemption period, if he has received small order certificates when so required, and if the total amount delivered does not exceed the sum of the following:

(1) The amount which he has been specifically authorized, upon application on the applicable supplier's form (WPB-2946 or 2947) to deliver on small orders;

(2) The amount which he has received pursuant to specific authorization or certification for redelivery on small orders;

(3) The amount which he himself acquired on small orders and has not used for other purposes;

(4) The amount which he had on hand on the initial allocation date, if he sells exclusively on small orders.

(p) *Acceptance of delivery and use of small order quantities.* Any person during each designated small order exemption period may use and accept delivery of the small order exemption quantity provided in the applicable schedule for each material; *Provided*, That:

(1) The total accepted from all suppliers during each designated small order exemption period specified in the applicable schedule shall not exceed in the aggregate one small order exemption quantity;

(2) Quantities received under the small order exemption shall be used only for experimental purposes if additional quantities of the material are received during the same allocation period on specific allocation;

(3) Use of the material is subject to any special limitations on use contained in the applicable schedule;

(4) Acceptance is subject to the filing of a special small order certificate when required by the applicable schedule.

(5) Material allocated for a particular purpose (other than inventory) must be used for that purpose and not under this exemption, unless changing circumstances or expiration of the authorization to use make it impractical or impossible to use the material for the original purpose.

(6) An operating unit need not consider the purchases or allocations of other units in determining whether it comes within this exemption, if the unit normally buys separately and has not changed its practice to come within this provision.

Territorial and Import-Export Provisions

(q) *Territorial limitations.* This order applies only to acts occurring within the continental United States (the forty-

eight States and the District of Columbia), and deliveries across the borders of the continental United States shall constitute imports and exports for the purpose of this order. This provision may, however, be expressly modified in the applicable schedule.

(r) *Imports.* (1) Except in the case of imports from the Dominion of Canada, imports of Appendix A, B and C materials may be accepted by the original consignee without application or authorization under this order. The consignee as an importer shall be subject to requirements regarding suppliers. However, by arrangement between the consignee and any person who purchased or contracted to purchase the material prior to its importation, the latter may act as the importer. In that case, delivery may be made by the consignee and accepted by the purchaser without specific authorization; *Provided*, That the consignee has not received a purchase order use certificate or a copy of an application on Form WPB-2945 from the purchaser (or the purchaser has withdrawn the certificate or form): *And provided*, That the purchaser holds the material as a supplier subject to authorization by the War Production Board for use or delivery.

(2) In the case of imports from the Dominion of Canada, purchasers located in the United States shall transmit to the suppliers located in Canada (and to the War Production Board, except in the case of purchase order certificates) the same application forms and purchase order certificates which would be required if the suppliers were located in the United States. Action will be taken on the applications pursuant to arrangement between the War Production Board and the Department of Munitions and Supply of the Dominion of Canada.

(3) Nothing contained in this order limits the requirements of General Imports Order M-63.

(s) *Exports.* (1) No supplier shall export or deliver for export an Appendix A, B or C material after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order, or except to fill exempt small orders, or except as provided in paragraphs (s) (2) or (s) (3) of this order. A producer who is also an exporter shall treat the export part of his operations as a separate entity for the purpose of this order. An exporter applying on Form WPB-2945 (formerly PD-600) for allocation and to the Foreign Economic Administration for an export license for the same material subject to this order, shall file both sets of applications together with the Foreign Economic Administration. Before filing a certified purchase order for an Appendix B or C material, however, the exporter must first have obtained an approved export license from the Foreign Economic Administration.

(2) Authorized deliveries for export must be made within the authorized period, unless the exporter notifies the supplier and the War Production Board in writing that delivery must be postponed to a later specific period, in which case the limitation of duration of authorization in paragraph (t) is automatically waived, subject to any special directions from the War Production Board. After an exporter has accepted an authorized delivery for export he may export the material at any time to the destination for which allocation was made without further application or authorization under this order.

(3) Customers located and ordering for delivery outside of the continental United States need not file small order certificates which might otherwise be required under this order.

(4) An exporter (meaning any supplier located in the continental United States) who has or expects to have exempt small orders from customers located and ordering for delivery outside of the continental United States, may place a consolidated purchase order for the required material accompanied by a statement signed by an authorized official: "For exempt small orders outside continental United States—Ref: M-300". The supplier receiving the exporter's consolidated order with this statement may fill it from quantities of material which, upon his application, have been allocated by the War Production Board specifically for "Exporters, paragraph (s) (4) of M-300". The exporter may accept delivery of the material without further certification, application or authorization, and may deliver it only to customers located and ordering in exempt small order quantities for delivery outside of the continental United States.

Duration of Authorizations

(t) *Duration of authorization for delivery.* If it is not practicable for a supplier to make all deliveries in the allocation period for which authorized, he may complete them as early as practicable thereafter. However, authorization to deliver shall not be valid after the end of the month following the allocation period for which delivery was authorized, and shall terminate if the purchaser fails to place his order before the end of the allocation period or if the purchaser requires postponement of delivery beyond 10 days after the allocation period. When authorization to deliver is received before the specified allocation period, advance delivery may be made if it does not delay previously authorized deliveries.

(u) *Duration of authorization for acceptance of delivery.* A purchaser may accept delivery before or after the allocation period but shall notify the War Production Board and hold the material intact subject to direction from the War Production Board if he knows or has reason to believe that the shipment was made before authorization for delivery has been received or after the authorization for delivery had expired.

(v) *Duration of authorization for use.* Specific authorization issued on Form WPB-2945 or by letter or telegram for use of an Appendix A material, and specific authorization issued on Form WPB-2945 or 2947 for use of an Appendix C material, shall be valid from the time it is received until the end of the month following the allocation period for which the authorization was issued. Any unused portion remaining thereafter shall not be used for any purpose until further authorized by the War Production Board. There is no other limitation in this order on duration of authorization for use of Appendix A, B or C materials. This provision is subject to modification by directive or by the applicable schedule.

Action by War Production Board

(w) *Individual actions.* In addition to regular allocations under this order, the War Production Board may at any time issue special directions to any person with respect to:

(1) Use, delivery or acceptance of delivery of an Appendix A, B or C material; or

(2) Production or processing of an Appendix A, B or C material; or

(3) Preparation and filing of forms and certificates required by this order or by its schedules, subject to approval by the Bureau of the Budget when required by Federal Reports Act of 1942.

Miscellaneous Provisions

(x) *Rules governing disposition of materials.* On and after the initial allocation date a person may use or deliver Appendix A, B or C material only as follows:

(1) He may use material in accordance with specific written authorization, subject to the limitations in paragraph (v) on duration of authorizations for use on Form WPB-2945.

(2) He may use material as specified in a use certificate required to be filed with the purchase order for the material, unless advised by the supplier that a particular specified use has been denied or limited by the War Production Board.

(3) He may freely use stocks which he had on the initial allocation date if exempt under paragraph (n).

(4) He may use material within the small order exemption quantity and use limitations of paragraph (p), without application or specific authorization.

(5) Pending receipt of material allocated for a particular purpose, he may use stocks on hand for that purpose but must replace the stocks upon receipt of the allocated material.

(6) He may use material in accordance with an exemption provided in this order or in the applicable schedule.

NOTE: Subparagraphs (7) and (8) formerly subparagraphs (6) and (7) redesignated June 4, 1945.

(7) He must obtain specific authorization under this order for use of material which cannot be used as described above.

This includes material allocated for inventory and material received under Priorities Regulation 13, unless used in small quantities under paragraph (p). Application for authorization to use this material may be made on Form WPB-2945 or by letter, containing the same information as to quantity, grade and proposed use which would have to be given when applying for the material from a supplier.

(8) If he is a supplier he may deliver material only as authorized by or pursuant to this order. If he is not a supplier he may deliver material in accordance with Priorities Regulation 13, without application or specific authorization under this order for the delivery or its acceptance.

(y) *Other provisions*—(1-a) *Toll arrangements for production of Appendix A, B or C materials.* In the case of any toll arrangement where raw materials are converted into any Appendix A, B or C material by any person for the owner of the raw materials, the owner shall be considered the producer for the purpose of applications and authorizations under this order, and the Appendix A, B or C material may be delivered to him without restriction. The Appendix A, B or C material may also be delivered for the account of the owner to any third party to whom the owner could make delivery directly pursuant to specific authorization or exemption under this order or its schedules (the toll processor may assume that the owner has the right to direct such a delivery unless the processor knows or has reason to believe that the owner does not have that right).

(1-b) *Toll arrangements for processing of Appendix A, B or C materials.* The owner of an Appendix A, B or C material may deliver it for processing for him by any other person pursuant to toll arrangement, but only to the extent that the owner would be permitted to process or use the material himself pursuant to specific authorization or exemption under this order or its schedules. The processor may receive and process the material for the owner and return it to the owner, without restriction, unless he knows or has reason to believe that the owner is having the material processed in violation of War Production Board rules or unless the material is to be processed under the small order exemption. Material offered for toll processing in small order quantities shall be assumed to be offered for processing under the owner's small order exemption, unless the processor is advised to the contrary in writing by the owner. The total amount which a person may process on toll for owners whose permission to use the material is under the small order exemption, plus the amount which he processes for his own account under the small order exemption, shall not exceed one small order exemption quantity during each exemption period. The term "owner" shall include only persons within the territorial scope of this order or the applicable schedule. These provisions may be modified by the applicable schedule, heretofore or hereafter issued.

(2) *Laboratories.* This order is subject to the provisions of Supplementary Order P-135-a, which contains optional provisions for filing of small order and end use certificates by laboratories ordering reagent chemicals, and for acceptance by laboratories of small order deliveries of reagent chemicals.

(3) *Equivalent quantities.* The provisions of this order relate to quantities of material and not to the identity of any particular lot of material.

(4) *Full container adjustments.* A specifically authorized delivery (not including an exempt small order delivery) may be increased to the extent necessary to avoid shipping partly filled containers, if a container in the nearest practicable size is used. The person accepting overshipment shall hold the excess material as an advance shipment on subsequent allocations, and shall use it only for the purpose authorized for the subsequent allocation against which it is credited, or shall hold it in inventory subject to further directions from the War Production Board.

(5) *Brokers and sales agents.* Application and specific authorization shall not be required for the participation by a broker and sales agent in either of the following cases: (i) When material is ordered through a broker or sales agent and is to be delivered by the supplier direct to the purchaser and not to the broker or sales agent for redelivery to the purchaser; (ii) When material is sold by a supplier through an agent who submits the customers' purchase orders to the supplier for approval.

In either of these cases, the purchaser shall furnish the broker or sales agent with the necessary application form or certificate, and the broker or sales agent shall transmit the form or certificate or the necessary information to the supplier. The supplier shall then apply for authorization to deliver as if the order had been placed directly with him. Similarly, exempt small orders may be transmitted to the supplier and filled in accordance with paragraph (o) as if placed directly with the supplier.

(6) *Effect of preference ratings.* On and after the initial allocation date, preference ratings shall not be effective with respect to sequence of deliveries of any Appendix A, B or C material. However, this provision may be modified expressly in the applicable schedule.

NOTE: Subparagraphs (7) to (10) inclusive, formerly subparagraphs (6) to (9) inclusive, redesignated June 4, 1945.

(7) *Applicability of regulations.* This order, its schedules, and all transactions affected thereby, are subject to all applicable War Production Board regulations, as amended from time to time.

(8) *Approval of reporting requirements.* Forms WPB-2945, 2946, 2947 and 3442, and the instructions in this order and in its Appendices and schedules for applications and reports regarding materials subject to this order, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(9) *Violations.* Any person who wilfully violates any provision of this order or of its schedules or who, in connection with such order or schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priority assistance.

(10) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C.: Ref: M-200—(specify applicable schedule number).

Issued this 4th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDICES A, B AND C

Lists of materials with outline of allocation requirements. These appendices are issued and printed separately.

APPENDIX D—USE CERTIFICATES—GENERAL INSTRUCTIONS

(1) Each person required to file a use certificate with a purchase order for material subject to this order shall furnish the supplier with a certified statement of proposed use of the material in substantially the following form, either placed on or attached to the purchase order:

(Statement of quantity of listed material required for each specified product and end use—see instructions in the applicable schedule and the instructions in paragraphs (10), (11-a) and (11-b) of Appendix E for description of proposed use.)

USE CERTIFIED—REF. M-300

Name of purchaser

By: _____
(Signature and title of duly authorized officer)

(2) In the event two or more end uses are involved in a single purchase order, the amount of the material required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the supplier to advise his customer by purchase order number and item number as to the action taken in the supplier's application for authorization to make delivery.

(3) A written purchase order placed by any department or agency of the United States Government pursuant to the Act of March 11, 1941 (Lend-Lease Act) shall constitute a use certificate for the purpose of this order, if the purchase order specifies the Lend-Lease contract or requisition number.

(4) A certified statement on Form WPB-2945 (formerly PD-600), or on any equivalent form, of quantities of material ordered for

each intended product and end use, shall constitute a use certificate for the purpose of this order.

(5) The special certificate specified in Supplementary Order P-135-a may be used by laboratories when applicable instead of the above certificate.

(6) The standard form of certificate in Priorities Regulation 7 may be used instead of the above form of certificate if accompanied by the statement of proposed use.

(7) It is not necessary to have certified statements under this order notarized.

APPENDIX E—FORMS WPB-2945, 2946 AND 2947—GENERAL INSTRUCTIONS

CUSTOMERS FORMS

Customers' Form WPB-2945 (formerly PD-600). Each person applying on Form WPB-2945 for specific authorization to use or accept delivery shall fill in the form as shown therein, subject to the following instructions:

(1) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(2) *Special instructions in schedules.* The applicable schedule may contain special instructions for applying for the particular material, supplementing or modifying the following general instructions.

(3) *When application is required.* Rules requiring application on Form WPB-2945 for authorization to use or accept delivery are set forth in Order M-300 and in the applicable schedule. A supplier of an Appendix C material may apply for authorization for use on his WPB-2947 application by listing his name and proposed use on that form instead of filing a separate application for authorization for use on Form WPB-2945.

(4) *Time of filing.* Application for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in the applicable schedule (also shown in Column 3 of Appendix A or C).

(5) *Number of copies and where to file.* Prepare five copies (a continuation sheet for Table I is available), retain one, send one (reverse side blank) to the supplier, if any, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300-____ (specify schedule number). Exporters, however, when applying to the Foreign Economic Administration for an export license for material for which War Production Board allocation is requested, shall send both sets of applications to the Foreign Economic Administration. It is not necessary to have the certified copy of the application notarized.

(6) *Applications regarding suppliers and inventory.* When applying only for use from inventory, specify "Inventory" as supplier in the heading. When applying for material from other companies as suppliers, file separate sets of applications for each supplying company. A combined application may be made to accept delivery and use material from another company as supplier, and to use an additional quantity from inventory. It will be presumed that applications which name another company in the heading as supplier relate only to acceptance of delivery and use of material from that supplier, unless it is clearly indicated that part of the application relates to use of an additional quantity from inventory. This may be indicated by specifying the requested quantity from inventory separately in Column 2 (quantities requested) and by specifying in Column 10 (Remarks) "From Inventory").

(7) *Heading.* Fill in as indicated, specifying as WPB Order No., "M-300-____" (specify Schedule number).

(8) *Table I.* Specify in the heading the allocation period for which authorization for acceptance of delivery or use is sought.

(9) *Columns 1 and 2.* Fill in as indicated, subject to the instructions in the applicable Schedule.

(10) *Column 3.* Specify the proposed primary use of the material sought in terms of the proposed primary product to be made from the material (as indicated in the applicable Schedule), or specify the use as for resale, export or inventory of the requested material in original form.

(11-a) *Column 4.* Fill in as follows:

Opposite any primary product in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number (and Schedule number, if allocated under General Allocation Order M-300).

Opposite any primary product in Column 3 which is not under allocation, specify in Column 4 the end use accurately and briefly, giving Army or Navy specification or contract numbers, or Lend-Lease requisition and contract numbers, when practicable.

Opposite "resale" in Column 3, suppliers shall write into Column 4 "upon further authorization" or "for exempt small orders". Suppliers who resell in both large and small quantities should specify "upon further authorization" for the total quantity ordered, and should apply on their suppliers' Form WPB-2946 or 2947 for authorization to deliver an aggregate quantity for small orders.

Opposite "export" in Column 3 specify in Column 4 the name of the individual company or governmental agency to whom, or for whose account, the material will be exported, the country of destination, and the governing export license or contract number, unless Lend-Lease, in which case merely specify the Lend-Lease contract and requisition number.

Opposite "inventory" in Column 3, write into Column 4, "subject to further authorization".

(11-b) *Protective coatings.* When materials are sought for protective coatings columns 3 and 4 may be filled out in accordance with the Primary Products and End Use List for the Protective Coatings Industry (WPBI-217). Protective coating end uses shall be grouped in accordance with Direction 2 to Order M-300 when expressly required by the applicable schedule by reference to Direction 2 (or by reference to WPBI-1943, which has been superseded by Direction 2).

(12) *Columns 9 and 10.* Leave blank, except for remarks, if any, in Column 10.

(13) *Tables II, III and IV.* Fill in as indicated except as otherwise provided in the applicable schedule. In Columns 15 and 16, report entire physical inventory, whether or not subject to unexpired authorization or exemption on the dates specified. Suppliers who both sell and consume an appendix A material shall keep separate accounts of their sales and consumption inventories, reporting only the latter on customers' Form WPB-2945.

(14) *Table V.* Fill in only when and as required by the applicable schedule.

SUPPLIERS' FORMS

Suppliers' Forms WPB-1946 and 2947 (formerly PD-601 and 602). Suppliers' applications on Forms WPB-2946 and 2947 shall be filed as shown in these forms, subject to the following instructions:

(15) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(16) *Special instructions in schedule.* The applicable schedule may contain special instructions for applications to deliver the particular material, supplementing or modifying the following general instructions.

(17) *When application is required.* Application for specific authorization to deliver an Appendix A B or C material is required for any delivery by a supplier after the initial allocation date which is not subject to small order exemption.

A supplier who wishes to divert to his own use any part of his own production shall list his own name on the applicable supplier's form as in the case of any other customer, in addition to applying on customer's Form WPB-2945 (formerly PD-600) when so required. However, a supplier of an Appendix C material may apply for authorization for use by listing his name and proposed use on his WPB-2947 application instead of filing a separate application on Form WPB-2945, regardless of the quantity requested.

(18) *Time of filing.* Applications for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 4 of Appendix A or Column 3 of Appendix B or Column 6 of Appendix C.

(19) *Number of copies and where to file.* Unless otherwise instructed in the applicable schedule, prepare four copies, retain one, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-____ (specify schedule number). It is not necessary to have the certified copy of the application notarized.

(20) *Number of sets.* File a separate set of forms for each separately located plant or distributing point, unless otherwise expressly provided in the applicable schedule.

(21) *Heading.* Fill in as indicated, specifying as WPB Order No. "M-300-____" (specify schedule number).

(22) *Table I.* Fill in as indicated on Form WPB-2946 (formerly PD-601). List customers alphabetically, as far as practicable. On Form WPB-2947 (formerly PD-602) group customers according to end use and list alphabetically within each group, as far as practicable. Each person shall be listed who has furnished the applicant supplier with either a copy of the person's WPB-2945 application or a certified purchase order calling for delivery in the requested allocation period, and such other information shall be given as may be required by the form, subject to modification by the applicable schedule. However, the name of an exporter should not be listed if he files a purchase order certificate for an Appendix B or C material accompanied by a use certificate which does not state the approved export license number assigned by the Foreign Economic Administration (prior approval of the export license application is not required as a condition precedent to filing on Form WPB-2945). If the applicant supplier wishes to use any part of his own production, he should list his own name as a customer on his supplier's form as in the case of any other customer. An aggregate quantity may be requested for exempt small orders without listing individual customers' names. In the case of Appendix C materials specify "WPB-2945" without further use description in Column 1-a of Form WPB-2947 opposite the names of customers who have filed copies of Form WPB-2945 with the applicant supplier.

(23) *Table II.* Fill in as indicated. In Columns 10 and 13 report stocks on physical inventory basis regardless of whether any part of the stock is subject to valid authorization to deliver or use on the date specified. In Column 16, specify a quantity no greater than what is estimated will be available for allocation during the requested allocation period, taking into account undelivered balances on unexpired prior authorizations.

[F. R. Doc. 45-9662; Filed, June 4, 1945; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 270,[1] Corr. to Amdt. 8]

DRY EDIBLE BEANS AND CERTAIN OTHER DRY FOOD COMMODITIES

Amendment 8 to Second Revised Maximum Price Regulation No. 270 is corrected in the following respects:

1. In Item 1 the date following the words "Commodity Credit Corporation Instructions" is corrected to read "of June 30, 1943".

2. In Item 2 in the parenthetical statement in paragraph (c) (3), the word "charged" is corrected to read "charge".

This correction shall be effective as of May 22, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9606; Filed, June 2, 1945; 11:51 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[2] Amdt. 38]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 26 is amended by adding paragraph (f) to read as follows:

(f) The prices in Table II in section 24 for early onions of the 1945 crop are suspended and the following prices are substituted:

June 2 through June 15	$2.70
June 16 through June 20	$2.50

This amendment shall become effective 12:01 a. m. June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved June 1, 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-9577; Filed, June 1, 1945; 4:40 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 335,[3] Amdt. 8]

PEANUTS AND PEANUT BUTTER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 3 (b) is amended by adding thereto the following sentence: "At no time shall the total of the price collected by the seller and paid by the buyer for raw unshelled peanuts, plus the amount paid for any additional services in connection with the peanuts, such as shelling, cleaning, grading, etc., exceed the total maximum price which a sheller may charge for raw shelled peanuts."

This amendment shall become effective June 7, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9607; Filed, June 2, 1945; 11:52 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[4] Amdt. 6]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 19 (i) is added to read as follows:

(i) Within 30 days after the end of each quota period, every Class 2 slaughterer must file a report, on OPA Form MC-6, in duplicate, with the District Office with which his establishment is registered. He must give all information called for by the form. If more than one of his establishments is registered with the same District Office, his report must include all those establishments. If he has establishments registered with different District Offices, he must file with each District Office a separate report which shall include all the establishments registered with that office. However, for the quota period ending on or before June 2, 1945, he may (instead of reporting on OPA Form MC-6) file a report, in duplicate, on WFA Form FDO 75-5, giving, in addition to the information called for by the form, the OPA license number or numbers of the establishment for which the report is made. If the WFA form is used, a separate report must be filed with the District Office for each of his establishments registered with that office.

This amendment shall become effective at 12:01 a. m. June 4, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9601; Filed, June 2, 1945; 11:50 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[5] Amdt. 7]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 22 is added to read as follows:

SEC. 22. *Suppliers must sell meats to certain institutional users.* (a) Beginning June 1, 1945, any Group II or Group V institutional user (as defined in General Ration Order 5) may, for each allotment period starting with May 1945, give written notice, personally or by registered mail, to each person from whom he acquired meat during the March-April 1944 allotment period (or, if that person transferred his establishment, to any successor currently operating the establishment) containing all of the following information:

(1) The quantity and types of meat he acquired from the supplier during the March-April 1944 allotment period;

(2) His meats-fats allotment for meal services for the March-April 1944 allotment period; and

(3) His meats-fats allotment for meal services for the current allotment period.

(The information in (1) and (2) may be omitted from any subsequent notice given pursuant to (a), to the same supplier or successor to whom a previous notice, containing that information, has been given pursuant to (a).)

(b) Each supplier or successor to whom a notice is given pursuant to (a) must, irrespective of any claimed inaccuracy in the notice, sell or transfer to that institutional user, upon such user's request, during the allotment period specified in the notice (and during the first 15 days of the next allotment period as provided in (d)) the quantity of meat determined under (c) for the current allotment period, to the extent that such supplier or successor has meat available for sale or transfer regardless of any other contract, agreement or commitment (except any meat which he is required to set aside under War Food Order 75-2, 75-3, 75-4 and 75-5, and except commitments under this section to any other institutional user). Such sale or transfer may only be made upon the surrender to him by the institutional user of points in the way required under Revised Ration Order 16. The meat so sold or transferred must be of the same, comparable or reasonably substitutable types as he acquired from that supplier during March-April 1944. The supplier or successor, however, need not sell or transfer any such meat to the institutional user unless the user is willing to acquire such meat at ceiling prices established by the Office of Price Administration.

NOTE: Examples of comparable and reasonably substitutable types of meat are: 1. steaks, roasts or chops, or any wholesale cuts from which they are obtained; 2. ground meat or stew meat and the wholesale cuts from which they are obtained; 3. smoked

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[1] 10 F.R. 5696.

[2] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4047, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9763, 10089, 10199, 10981, 10778, 12270, 12475, 13262; 10 F.R. 1334, 2248, 2969, 3764, 4035, 4154, 4347, 4600, 5457.

[3] 6 F.R. 6834, 10264, 10987, 12445, 14852; 9 F.R. 10263, 11712, 12413; 10 F.R. 3642.

[4] 10 F.R. 4605.

[5] 10 F.R. 4605.

meats such as bacon, hams, or picnics; 4. dry salt meats such as bellies, jowls, plates or fatbacks; 5. processed meat products such as canned meats or sausage; 6. offal, such as livers, hearts, or kidneys; 7. miscellaneous items, such as tails, feet, snouts or ears.

(c) The quantity of meat which the supplier or successor is required under (b) to sell or transfer to the institutional user giving such notice shall be determined in the following way:

(1) Divide the institutional user's allotment for meats-fats for meal services for the current allotment period specified in the notice by his meats-fats allotment for meal services for the March–April 1944 allotment period;

(2) Multiply the amount of meat sold or transferred to such institutional user by the supplier during the March–April 1944 period by the result in (1);

(3) The result in (2), or the amount requested by the user, whichever is less, is the quantity of meat which must be sold or transferred to the institutional user during the current allotment period specified in the notice. However, for the period June 1, 1945 through June 30, 1945, the quantity shall be 50 percent of the result in (2), or the amount requested, whichever is less.

(d) If such institutional user has not, during the allotment period covered by the notice, acquired from the supplier or successor the quantity specified in (c) (3) for that period, the supplier or successor, upon the institutional user's request, must sell or transfer to him, during the first 15 days of the next allotment period, all or any part of the quantity not so acquired by him.

(e) Any supplier or successor who refuses to sell or transfer to a Group II or Group V institutional user who has given him notice under (a) covering any allotment period any part of the quantity of meat he is required, pursuant to this section, to sell or transfer to him during that allotment period or during the first 15 days of the next allotment period, may not sell or transfer any meat during that allotment period or the first 15 days of the next allotment period until he has sold or transferred to such user meat in the amounts required pursuant to this section. Such prohibition is in addition to any actions, penalties or proceedings which may be authorized by law for his failure to comply.

(f) Each notice given by an institutional user pursuant to (a) shall be deemed a certification to the Office of Price Administration as to the information contained in the notice.

(g) Each person to whom a notice is given pursuant to (a) must keep such notice at his establishment.

This amendment shall become effective at 12:01 a. m. June 4, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9602; Filed, June 2, 1945; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 58]

CATALOGUES, PRICE LISTS AND NOTIFICATIONS TO THE TRADE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respect:

A new § 1499.159d is added to read as follows:

§ 1499.159d *Catalogues, price lists, and notifications to the trade.* On or before July 15, 1945, every manufacturer of any consumers' durable goods listed in paragraph (b) of Appendix A (§ 1499.-166) of this regulation must file with the District Office of the Office of Price Administration having jurisdiction over the area in which his principal place of business is located, three copies of every catalogue and price list which was issued by him to the trade and is currently in effect. In addition every manufacturer must file three copies of every notification he issues to the trade on and after July 15, 1945 concerning new prices, changes in prices, changes in terms, discounts, allowances, and conditions of sale, and changes in the model designation of any article he manufactures. Copies of these notifications must be filed within ten days after they have been issued to the trade.

This amendment shall become effective on the 7th day of June 1945.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9604; Filed, June 2, 1945; 11:51 a. m.]

PART 1429—POULTRY AND EGGS

[2d Rev. MPR 269, Corr. to Amdt. 4 [1]]

POULTRY

Second Revised Maximum Price Regulation 269 is corrected in the following respect:

The words "delivered weights" in section 7.9 are corrected to read "farm or country shipping point weights".

This correction shall become effective as of May 11, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9605; Filed, June 2, 1945; 11:51 a. m.]

[1] 10 F.R. 5524.

PART 1340—FUEL

[RMPR 122, Amdt. 32]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 122 is hereby amended in the following respect:

Maximum price Rule 9 in § 1340.254 (e) is hereby deleted.

This Amendment No. 32 shall become effective June 9, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9674; Filed, June 4, 1945; 11:39 a. m.]

PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg.[1] Amdt. 16]

TEXTILES

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The Second Revised Maximum Export Price Regulation is amended in the following respects:

1. Section 7 (a) is revoked.

2. A new section 8.2 is added to read as follows:

SEC. 8.2. *Maximum export prices for textiles of cotton or artificial fibre.* This section establishes the maximum price which may be charged by any exporter making an export sale (other than to agencies of the United States buying for Lend-Lease purposes) of textiles, whether woven, twisted, or knitted, containing 75% or more by weight of cotton or artificial fibre, or a mixture of cotton and artificial fibre, including but not limited to finished piece goods and grey goods regardless of width, and articles which are transformed from piece goods into finished articles simply by cutting and/or hemming and/or overedging (but not including wearing apparel), and yarn, thread, twine, and rope of cotton or artificial fibre.[2] This section thus supersedes sections 3 and 4 with respect to such export sales except as otherwise provided below.

(a) *Computation of maximum export prices.* The maximum price which may be charged by an exporter making an export sale of such textiles shall be the maximum price which might be charged a similar domestic purchaser, plus the

[1] 8 F.R. 4132, 5397, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432.

[2] *Provided, however,* That shipments may be made at contract prices, against firm contracts made in conformity with this regulation prior to June 4, 1945, if delivery is made to the carrier prior to July 15, 1945.

export expenses allowed by section 4 (b): *Provided, however,* That, except in the case of export sales to purchasers in the Dominion of Canada, the exporter may, in the alternative, compute his maximum export price as set forth below in subparagraph (1) or (2) if he performs the export functions specified below in paragraph (b):

(1) *Sales by manufacturers or converters.* The manufacturer or converter of such textiles may take, as his maximum export price, the maximum price he might charge a similar domestic purchaser, plus 7% thereof, plus the export expenses allowed by section 4 (b).

(2) *Sales by export merchants.* An exporter other than the manufacturer or converter of such textiles may take, as his maximum export price, the maximum price the manufacturer or converter thereof might charge a domestic wholesaler or jobber, plus 25% thereof (except, where the textiles consist of yarn, thread, twine, or rope, plus a percentage thereof computed under section 4 (a)), plus the export expenses allowed by section 4 (b).

(b) *Required export functions.* The export functions which must be performed by the exporter in order to entitle him to compute his maximum export prices under subparagraph (1) or (2) of paragraph (a) are the following:

(1) He must obtain and have in his possession at the time of sale a bona fide order from the purchaser outside the Continental United States and a valid export license (if one is required) issued in his own name and properly identifying the material to be exported, and

(2) He must invoice and ship direct to the purchaser outside the Continental United States (although a recognized forwarder may be employed).

3. Section 11 (a) (5) is amended to read as follows:

(5) "Exporter who is the manufacturer or producer" and the terms "manufacturer," "producer," and "converter" shall include persons, firms, corporations, or other business organizations for whom or to whose specifications or under whose supervision products are manufactured, produced, or converted, as the case may be, and shall also include all persons, firms, corporations, or other business organizations owning or controlling, or owned or controlled by, or under common ownership or control with, the manufacturer, producer, or converter. Control shall be deemed to result from, but shall not be limited to, ownership or control of stock or other interests amounting to or exceeding 50%.

This amendment shall become effective June 9, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9680; Filed, June 4, 1945; 11:40 a. m.]

PART 1377—WOODEN CONTAINERS

[RMPR 434,[1] Amdt. 2]

USED FRUIT AND VEGETABLE CONTAINERS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 434 is amended in the following respects:

1. In section 1, the first sentence is amended to read as follows:

SECTION 1. *Prohibition against dealing in used fruit and vegetable containers and parts thereof at prices above the maximum.* On and after January 31, 1944, regardless of any contract or other obligation, no person may sell or deliver, and no person may buy or receive any used fruit and vegetable containers or their component parts at prices higher than those contained in this regulation.

2. In section 3 the first sentence is amended to read as follows:

SEC. 3. *Maximum prices.* The maximum prices f. o. b. seller's railhead, or f. o. b. seller's loading point where shipment is not made by rail for used fruit and vegetable containers and parts are listed in the price tables below:

3. Section 5 is amended to read as follows:

SEC. 5. *Addition for delivery.* On shipments by common or contract carriers, the actual cost of transportation paid or incurred by the seller may be added to the maximum price, f. o. b. seller's railhead, or f. o. b. seller's loading point where shipment is not made by rail. If shipment is by private truck owned or controlled by the seller, actual transportation costs may be added; except that in no case shall the addition exceed 80 percent of the common carrier truck charges for the same shipment.

4. In section 8, paragraph (c) is amended to read as follows:

(c) *Dealer.* A "dealer" as referred to in this regulation is any person who buys and sells used fruit and vegetable containers and maintains from season to season enclosed storage space and facilities for reconditioning such containers except that in the area covered by Table IV of this regulation, a dealer shall be considered as any person who buys and sells used fruit and vegetable containers and maintains facilities for reconditioning such containers. This category also includes those persons performing the functions of a broker, jobber, wholesaler and middleman who does not select and/or recondition used containers but who purchases only selected and/or reconditioned used fruit and vegetable containers from other dealers for resale.

The dealer level of price can be charged only by those persons who recondition and/or select all of the used containers which they handle and by persons who perform the functions of a broker, jobber, wholesaler, or middleman as specified above. The dealer level of price cannot be charged by those persons who select these containers in good condition and resell those containers in need of reconditioning or repair.

5. In section 8, paragraph (d) is deleted and paragraph (e) is redesignated paragraph (d).

This amendment shall become effective June 9, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9677; Filed, June 4, 1945; 11:40 a. m.]

[1] 9 F.R. 908, 12813.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[RMPR 136, Amdt. 2]

MACHINES, PARTS AND INDUSTRIAL EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 19 (f) is added to read as follows:

(f) *Buff and polishing wheels.* The maximum prices for sales of buff and polishing wheels (except those covered by Maximum Price Regulation 316) shall be determined by increasing by 9% the maximum net price which the seller (manufacturer or reseller) had in effect to a purchaser of the same class on March 31, 1942.

This amendment shall become effective June 4, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9675; Filed, June 4, 1945; 11:40 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[1] Amdt. 8]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Control Order 1 is amended in the following respects:

1. Section 21 is amended by adding the following definitions in their proper alphabetical order:

"Class 2A slaughterer" means any Class 2 slaughterer whose annual quota bases for all species total two million pounds or more.

"Class 2B slaughterer" means any Class 2 slaughterer other than a Class 2A slaughterer.

2. Section 23 is added to read as follows:

[1] 10 F.R. 4605, 5044, 5523.

SEC. 23. *Area distribution of meat by Class 1 and Class 2 slaughterers.* (a) For the purposes of this section:

(1) "Meat" has the meaning given to that term in Revised Ration Order 16.

(2) All requirements and computations in this section as to meat which a slaughterer delivers or causes to be delivered, apply to and cover all meat resulting from his slaughter or otherwise acquired by him, or by a corporation or organization referred to in paragraph (i) (4), including meat custom slaughtered for him or for such corporation or organization. (Custom slaughtered meat is to be treated as if it resulted from slaughter by the person for whom the custom slaughtering was done.)

(b) Beginning with his first reporting period under Revised Ration Order 16 beginning on or after June 17, 1945, no Class 1 or Class 2 slaughterer may deliver meat or cause it to be delivered except in accordance with the provisions of this section. (This section does not require a slaughterer to deliver meat. However, if he does deliver meat, he may do so only in the way and according to the proportions specified in paragraphs (c), (d) and (e).)

(c) Except as otherwise authorized or directed by the Office of Price Administration, each Class 1 or Class 2 slaughterer must, during each of his reporting periods under Revised Ration Order 16, deliver at least the amount of meat (by weight) determined by the calculation in paragraphs (d) and (e), into each county in the continental United States into which he made deliveries of meat during his first three full reporting periods in 1944. (The calculation gives the arithmetical steps for arriving at the amount. Its purpose and effect is that a slaughterer must, with an overall tolerance of 20% for any single reporting period and 10% for any three consecutive reporting periods, deliver his civilian meat, by period, to the same counties, and in the same proportion to each county that he did during the first three reporting periods in 1944.)

(d) The minimum amount of meat which a Class 1 or Class 2 slaughterer must deliver into a particular county during a particular reporting period is calculated as follows:

(1) Take the slaughterer's deliveries of meat into that county during his first three full reporting periods in 1944;

(2) Take his total deliveries of meat in the continental United States during those periods;

(3) Divide the figure in (1) by the figure in (2);

(4) Take his total deliveries of meat in the continental United States during the reporting period;

(5) Multiply the figure in (4) by the fraction obtained in (3);

(6) Take 80% of the figure obtained in (5);

(7) The result is the minimum amount he must deliver into that county during that reporting period.

(e) The minimum amount of meat which a Class 1 or Class 2 slaughterer must deliver into a particular county during any three consecutive reporting periods beginning on or after June 17, 1945 is calculated as follows:

(1) Take the slaughterer's deliveries of meat into that county during his first three full reporting periods in 1944;

(2) Take his total deliveries of meat in the continental United States during those periods;

(3) Divide the figure in (1) by the figure in (2);

(4) Take his total deliveries of meat in the continental United States during the three consecutive reporting periods in question;

(5) Multiply the figure in (4) by the fraction obtained in (3);

(6) Take 90% of the figure obtained in (5);

(7) The result is the minimum amount he must deliver into that county during those three consecutive reporting periods.

NOTE: As a practical matter, a slaughterer can comply with the provisions of paragraphs (d) and (e) by adhering to, or going back to, the distribution pattern he followed during his first three full reporting periods in 1944.

(f) Any Class 1 or Class 2 slaughterer who fails to comply with the provisions of paragraphs (c), (d) and (e) during any reporting period, or in any three consecutive reporting periods, beginning on or after June 17, 1945, must make up the difference during the next period in which he delivers meat, by adjusting his deliveries in that period so that his deliveries during the two periods, or four periods, as the case may be, taken together satisfy the requirements of those paragraphs. This requirement is in addition to any actions, penalties, or proceedings which may be authorized by law for his failure to comply.

(g) (1) Any slaughterer may apply, in duplicate, on OPA Form R-315 for authorization to comply with paragraphs (c), (d) and (e), and to keep his records and make his reports, on the basis of his customary trading area rather than on a county basis. The application shall be made by a Class 1 or Class 2A slaughterer to the Regional Office for the place where his principal business office is located, and by a Class 2B slaughterer to the District Office with which he is registered. The District Office shall send the application to the Regional Office, or take such other action as the Washington Office may authorize or direct. The Regional Office shall send the application to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct. Such authorization will be granted only if and to the extent consistent with the maintenance of the same distribution pattern with respect to the slaughter's meat as he had during the first three full reporting periods in 1944. Where such authorization is granted, the trading areas specified in the authorization shall be substituted for the counties, as the basis for the delivery calculations under paragraphs (c), (d) and (e). Such authorization may be withdrawn at any time as to any trading area if the Office of Price Administration finds a slaughterer's operations in that area are no longer consistent with his distribution pattern in that trading area during his first three full reporting periods of 1944.

(2) If a slaughterer customarily keeps combined records of meat and other items he may make deliveries of meat, and make his reports and keep his records, under this Section, as if all the deliveries covered by those records were of meat only, but only if the items other than meat covered by such records do not exceed 5% by weight of the total, and not more than 2% of the total, by weight, consists of items not rationed under Revised Ration Order 16. Any slaughterer who proposes to operate under this provision must notify the District Office with which he is registered, before July 1, 1945, that the provision is applicable to him and that he is operating, or proposes to operate, under it. He must state in such notification the products other than meat which he will include in his deliveries and records.

(h) Some Class 1 and Class 2 slaughterers maintain or control branch warehouses, or other establishments or facilities to which they ship their meat for local distribution or delivery. The maintenance of the same pattern of shipments within the slaughterer's organization would not suffice to ensure that the meat will be distributed to counties or areas in the same proportions as during his first three full reporting periods in 1944, since, for example, the distribution pattern adopted by the branch warehouse may have been changed. Consequently, these and other analogous types of deliveries are not used as a basis for computations under this section; the distribution requirement must be based and computed on deliveries by which the meat leaves the slaughterer's control. Also, deliveries to certain persons or agencies do not come within the scope or purpose of this section. The rule for determining which deliveries are covered by and included in the computations under this section is stated in paragraph (i).

(i) For all the purposes of this section:

(1) Only final deliveries are counted, and a delivery is not considered to have been made if the slaughterer retains possession or control of the meat;

(2) A slaughterer is considered to have made a delivery of meat, and such delivery is to be counted and included under this section, only when, and at the place where:

(i) He delivers it to a person, establishment or facility other than one specified in subparagraph (4); or

(ii) It is delivered by a person, or from an establishment or facility specified in subparagraph (4) to a person, establishment or facility not specified in that paragraph. (Such deliveries are considered to be deliveries made by the slaughterer.)

(3) The following deliveries are in any event not counted or included:

(i) Deliveries to any of the persons or agencies specified in section 12;

(ii) Deliveries to a person who is under contract to sell meat to a person or agency specified in section 12, if the

slaughterer knows or has reason to believe that such person has redelivered or will redeliver the meat to the specified persons or agency. (In case of doubt, the slaughterer must inform the District Office with which he is registered of the way he proposes to treat deliveries to such a person, and the District Office will investigate and determine the facts.);

(iii) Deliveries to a Group II or Group V institutional user, as defined in General Ration Order 5.

(4) The persons, establishments or facilities referred to in subparagraph (2) are:

(i) Any carrier;

(ii) Any primary distributor establishment (as defined in Article IV of Revised Ration Order 16) of the slaughterer;

(iii) A plant, establishment, warehouse (or branch warehouse), vehicle or other facility (other than a retail establishment as defined in section 6.1 of Revised Ration Order 16) owned or operated by the slaughterer, or by a corporation or other organization in which the slaughterer has an interest of more than 50% whether by stock ownership or otherwise.

(j) (1) The Director of the Food Rationing Division of the Office of Price Administration may authorize or direct a Class 1 or Class 2A slaughterer to deliver his meat in such manner or to such areas and in such quantities as he considers necessary to alleviate area shortages of meat or to further the fair distribution of meat among consumers or other users. Any such authorization or direction may supersede the requirements of paragraph (c), (d) and (e) of this section, or may apply only to the residual 10% or 20% of the slaughterer's meat not controlled by those paragraphs.

(2) The Director of the Food Rationing Division of the Office of Price Administration or any Regional or District Office authorized by him, may authorize or direct a Class 2B slaughterer to deliver his meat in such manner or to such areas and in such quantities as he or it considers necessary to alleviate area shortages of meat or to further the fair distribution of meat among consumers or other users. Any such authorization or direction may supersede the requirements of paragraphs (c), (d) and (e) of this section or may apply only to the residual 10% or 20% of the slaughterer's meat not controlled by those paragraphs.

(k) (1) Every Class 1 and Class 2 slaughterer must, on or before June 30, 1945, make and sign a report to the Office of Price Administration of the amount of meat, by weight, which he delivered in his first three full reporting periods in 1944, divided by the total number of weeks in those periods, to each county in the continental United States to which he delivered meat during those periods. The report can be in any form and shall be filed by Class 1 and Class 2A slaughterers, with the Washington Office, and, by Class 2B slaughterers, with the District Offices with which they are registered. The submission of such report shall constitute a certification and representation to the Office of Price Administration and to the United States of the truth of the statements contained therein. He must keep a copy of that report at his principal business office.

(2) Every Class 1 and Class 2A slaughterer must, within 21 days after the end of his first reporting period ending on or after June 17, 1945, and his first reporting period beginning on or after June 17, 1945, make and sign a report in any form to the Washington Office of the amount of meat, by weight, which he delivered in that reporting period, divided by the number of weeks in that period, to each county in the continental United States to which he delivered meat during his first three full reporting periods in 1944. The submission of such report shall constitute a certification and representation to the Office of Price Administration and to the United States of the truth of the statement contained therein. He must keep a copy of that report at his principal business office.

(l) Every Class 1 and Class 2 slaughterer must make a record of the amount of meat, by weight, which he delivers into each county in the continental United States during each reporting period under Revised Ration Order 16. He must keep a copy of that record at his principal business office. He must also keep his records of deliveries of meat during his first three full reporting periods in 1944.

(m) In some cases, a slaughtering establishment may have been operated by one slaughterer during his first three full reporting periods in 1944 most nearly approximating the first calendar quarter of 1944 and may then have been acquired by another. Since the establishment was part of the channel of distribution during the first calendar quarter of 1944, which generally is the time selected in this section as representing a period of fair area distribution of meat, that pattern of distribution can be restored and preserved only by going back to its operations during that period, regardless of the change in ownership or operation. Therefore, any slaughterer who, during 1944 or 1945, acquired a slaughtering establishment which was operated by another slaughterer prior to his acquisition must, as to that establishment, and regardless of any other provision of this section, comply with this section, make his reports and keep records, on the basis of its operation by that other slaughterer during his first three full reporting periods most nearly approximating the first calendar quarter of 1944. A slaughterer in this position must so state in his report under paragraph (k), and must give the name of the other slaughterer who operated the establishment during that period. If, because of unavailability of records, or other reasons, the slaughterer is unable to determine the distribution pattern followed by a previous operator of the establishment during his first three full reporting periods in 1944 most nearly approximating the first calendar quarter of 1944, he must apply to the District Office, or to the Washington Office if he is required to file reports under this section with that office, for determination by it of the distribution pattern to be followed. After that determination has been made, he must comply therewith just as if it were the pattern actually established by the prior slaughterer in his first three full reporting periods in 1944.

This amendment shall become effective June 17, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9603; Filed, June 2, 1945; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11, Amdt. 60]

PREPARATION OF RELIEF SUPPLIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.46 (b) is amended by adding a new subparagraph to read as follows:

(149) Services of cleaning, brushing, sorting, mending, stenciling, baling, boxing or in any other way preparing and packing bedding or wearing apparel in connection with relief supplies destined for war liberated areas when such services are rendered for the Procurement Division of the Treasury Department or any other government agency charged with such relief work.

This amendment shall become effective June 9, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9679; Filed, June 4, 1945; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Amdt. 1 to Rev. Supp. Service Reg. 18]

LOWER PRICED SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.670 (d) is amended to read as follows:

(d) *Delegation of authority.* The appropriate regional administrator of the Office of Price Administration is authorized at any time to approve, disapprove or modify any request to discontinue a service made subject to this regulation.

In case of modification or disapproval before or after the expiration of the 30 day period referred to in paragraph (c) of this regulation written notice of its action shall be given by OPA to the seller. Regional administrators are authorized to delegate the authority conferred by this section to the appropriate district director of the Office of Price Administration within their jurisdiction.

This amendment shall become effective June 9, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9678; Filed, June 4, 1945; 11:40 a. m.]

PART 1444—ICE BOXES

[MPR 399, Amdt. 19]

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 399 is amended in the following respects:

1. Section 14, "Table A—Retail Ceiling prices in each state for sales of ice boxes by ice companies and retail establishments controlled by ice companies" is amended by adding ceiling prices for the new model ice boxes set forth below:

TABLE A—RETAIL CEILING PRICES IN EACH STATE FOR SALES OF ICE BOXES BY ICE COMPANIES AND RETAIL ESTABLISHMENTS CONTROLLED BY ICE COMPANIES

Manufacturer	Brand	Model	Rated ice capacity pounds	Retail base price	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	D. C.	Fla.	Ga.	Idaho	Ill.
Doherty-Stirling, Inc.	Doherty-Stirling.	DS75-45	75	$53.50	$53.50	$54.25	$53.50	$54.25	$54.25	$54.25	$54.00	$54.00	$53.75	$53.50	$54.50	$54.25
Do	do	DS3-50-45	50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50
Greenpoint Table Co.	Greenpoint.	101	65	36.50	36.50	37.50	36.50	37.50	37.00	36.50	36.50	36.50	36.50	36.50	37.50	37.00

Manufacturer	Brand	Model	Rated ice capacity pounds	Retail base price	Ind.	Iowa	Kans.	Ky.	La.	Me.	Md.	Mass.	Mich.	Minn.	Miss.	Mo.
Doherty-Stirling, Inc.	Doherty-Stirling.	DS75-45	75	$53.50	$53.75	$54.00	$54.75	$53.75	$53.50	$53.75	$54.00	$54.25	$54.00	$54.50	$53.50	$53.75
Do	do	DS3-50-45	50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50
Greenpoint Table Co.	Greenpoint.	101	65	36.50	36.50	36.50	36.50	36.75	36.50	36.75	36.50	36.50	36.50	36.50	36.50	36.50

Manufacturer	Brand	Model	Rated ice capacity, pounds	Retail base price	Mont.	Nebr.	Nev.	N. H.	N. J.	N. Mex.	N. Y.	N. C.	N. Dak.	Ohio	Okla.	Oreg.
Doherty-Stirling, Inc.	Doherty-Stirling.	DS75-45	75	$53.50	$54.50	$54.25	$54.25	$54.25	$54.25	$54.50	$54.25	$55.75	$54.75	$53.75	$53.50	$54.75
Do	do	DS3-50-45	50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50
Greenpoint Table Co.	Greenpoint	101	65	36.50	37.50	36.50	37.50	36.50	36.50	37.50	36.50	36.50	36.75	36.50	36.75	36.50

Manufacturer	Brand	Model	Rated ice capacity, pounds	Retail base price	Pa.	R. I.	S. C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.
Doherty-Stirling, Inc.	Doherty-Stirling.	DS75-45	75	$53.50	$54.00	$54.25	$53.50	$54.75	$53.50	$53.50	$54.25	$54.25	$54.25	$54.50	$54.00	$53.75	$54.75
Do	do	DS3-50-45	50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50	37.50
Greenpoint Table Co.	Greenpoint	101	65	36.50	36.50	36.50	36.50	36.75	36.50	37.00	37.50	36.50	36.50	37.50	36.50	36.50	37.00

2. Section 15, "Table B: (1) Retail ceiling prices for sales of ice boxes by mail order houses when selling from a mail order catalog," is amended by adding ceiling prices for the new model ice box set forth below:

Manufacturer	Brand	Model	Rated ice capacity, pounds	Ceiling price
Spiegel	Snowflake	63-M-5-6401	75	$51.50

3. Section 15, "Table B: (2) *Retail ceiling prices for sales of ice boxes by mail order houses when selling from a mail order catalog*" is amended by adding ceiling prices for the new model ice box set forth below:

Manufacturer	Brand	Model	Rated ice capacity, pounds	F. o. b. factory	F. o. b. warehouse shipping point	
					Los Angeles	Seattle
Sears, Roebuck	Sears	934	75	$55.31	$55.50	$57.50

4. Section 16, "Table C—*Ceiling prices in each state for all other sales of ice boxes at retail*" is amended by adding ceiling prices for the new model ice boxes as set forth below:

TABLE C—CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL—NO AMOUNT MAY BE ADDED TO THESE CEILING PRICES FOR DELIVERY TO THE BUYER

Manufacturer	Brand	Model	Rated ice capacity pounds	Retail base price	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	D. C.	Fla.	Ga.	Idaho	Ill.
Doherty-Stirling, Inc.	Doherty-Stirling.	DS75-45	75	$60.50	$61.50	$62.75	$61.50	$62.75	$62.50	$62.75	$62.50	$62.50	$62.00	$61.75	$62.75	$62.00
Do	do	DS3-50-45	50	42.50	43.00	43.75	43.00	43.75	43.75	43.75	43.50	43.50	43.25	43.25	43.75	43.00
Greenpoint Table Co.	Greenpoint.	101	65	41.25	42.25	43.50	42.75	43.50	43.25	41.75	41.75	41.75	42.50	42.25	43.50	42.25

TABLE C—CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL—NO AMOUNT MAY BE ADDED TO THESE CEILING PRICES FOR DELIVERY TO THE BUYER—Continued.

Manufacturer	Brand	Model	Rated ice capacity pounds	Retail base price	Ind.	Iowa	Kans.	Ky.	La.	Me.	Md.	Mass.	Mich.	Minn.	Miss.	Mo.
Doherty-Stirling, Inc.	Doherty-Stirling.	DS75-45	75	$60.50	$62.00	$62.50	$62.25	$62.00	$61.25	$62.25	$62.50	$62.75	$62.50	$62.75	$61.25	$62.25
Do	do	DS3-50-45	50	42.50	43.50	43.50	43.50	43.25	42.75	43.50	43.50	43.75	43.50	43.75	43.00	43.50
Greenpoint Table Co.	Greenpoint	101	65	41.25	42.25	42.50	42.75	42.25	42.75	42.00	41.75	41.75	42.00	42.50	42.50	42.50

Manufacturer	Brand	Model	Rated ice capacity pounds	Retail base price	Mont.	Nebr.	Nev.	N. H.	N. J.	N. Mex.	N. Y.	N. C.	N. Dak.	Ohio	Okla.	Oreg.
Doherty-Stirling, Inc.	Doherty-Stirling.	DS75-45	75	$60.50	$62.75	$62.75	$62.75	$62.75	$62.50	$62.75	$62.75	$62.25	$63.25	$62.00	$62.00	$62.75
Do	do	DS3-50-45	50	42.50	43.75	43.75	43.75	43.75	43.75	43.75	43.75	43.50	44.00	43.50	43.25	43.75
Greenpoint Table Co.	Greenpoint	101	65	41.25	43.50	42.75	43.50	41.75	41.50	43.50	41.75	42.00	43.00	42.00	42.75	43.50

Manufacturer	Brand	Model	Rated ice capacity pounds	Retail base price	Pa.	R. I.	S. C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.
Doherty-Stirling, Inc.	Doherty-Stirling.	DS75-45	75	$60.50	$62.50	$62.75	$62.00	$63.00	$61.75	$62.00	$62.75	$62.75	$62.75	$62.75	$62.50	$62.00	$63.25
Do	do	DS3-50-45	50	42.50	43.50	43.75	43.25	44.00	43.25	43.25	43.75	43.75	43.75	43.75	43.50	43.50	44.00
Greenpoint Table Co.	Greenpoint	101	65	41.25	41.75	41.75	42.25	43.00	42.25	43.00	43.50	41.75	41.75	43.50	42.00	42.25	43.25

This amendment shall become effective on the 9th day of June 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9676; Filed, June 4, 1945; 11:40 a. m.]

Chapter XVII—Office of Economic Stabilization

[Directive 54]

PART 4003—SUBSIDIES; SUPPORT PRICES

1945 COTTON LOAN PROGRAM

Pursuant to the authority vested in me as Economic Stabilization Director, I hereby approve a 1945 cotton loan program to be carried out by Commodity Credit Corporation with respect to the 1945 crop of cotton, as recommended to me in the War Food Administrator's letter of May 17, 1945, and the memorandum attached thereto.

Under the program, loans will be made at the rate of 92½ percent of the July 15, 1945, parity price of cotton, in accordance with the requirements of section 8 of the Stabilization Act of 1942, as amended by the Stabilization Extension Act of 1944. Pending the determination of the amounts of such loans, loans will be made available on an interim basis with respect to early ginned cotton at approximately 25 points under 92½ percent of the April 15, 1945, parity price of cotton.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 31st day of May 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-9568; Filed, June 1, 1945; 2:08 p. m.]

[Directive 55]

PART 4003—SUPPORT PRICES; SUBSIDIES

1945–1946 BEEF CATTLE PRODUCTION

Pursuant to the authority vested in me by the act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation, and for Other Purposes", and by Executive Order No. 9250 of October 3, 1942, and Executive Order No. 9328 of April 8, 1943, *It is ordered:*

SECTION 1. This directive is designed to implement the stabilization and production programs with respect to livestock, as instituted and carried forward by the following directives of the Economic Stabilization Director: Directive No. 28, Control of Prices of Live Cattle and Calves, issued January 10, 1943; Directive No. 38, as amended, Livestock Slaughter Payments, issued March 21, 1945; Directive No. 41, Livestock Slaughter Payments, issued April 23, 1945; and Directive No. 48, Livestock Slaughter Payments, issued May 21, 1945.

SEC. 2. The War Food Administration is authorized and directed on and after May 19, 1945, and continuing until June 30, 1946, unless otherwise directed, by the use of Commodity Credit Corporation funds, in total amount not to exceed $40,000,000 to institute a program for making payments to feeders of beef cattle. Such payments shall be made at the rate of 50¢ per 100 lbs. live weight: (a) on cattle weighing not less than 800 lbs. sold by the feeder for slaughter, which were sold by the feeder for not less than $14.25 per 100 lbs., basis Chicago, and which were owned by the feeder-seller for 30 days or more immediately preceding sale; and (b) on cattle weighing not less than 800 lbs., slaughtered by the feeder which were owned by the feeder-slaughterer for 30 days or more immediately preceding slaughter and which produce beef grading A or AA. Only one payment shall be made on the same cattle. The weight may be determined from the average weight of a lot of cattle.

SEC. 3. (a) War Food Administration is directed to declare invalid, in whole or in part, any claim for payment filed by an applicant who, in the judgment of the Price Administrator, has wilfully violated any meat or livestock regulation or order issued by the Price Administrator. Such judgment shall be made only in the event the alleged violation is referred to the U. S. Attorney for prosecution.

(b) Upon nisi prius determination in a civil action or proceeding against an applicant for payment, that such applicant has violated any substantive provision of an Office of Price Administration meat or livestock regulation or order, the Office of Price Administration shall certify the determination to the War Food Administration, including the period of time during which the violation is found to have occurred. War Food Administration shall thereupon withhold payment on all claims of the applicant under this directive for the accounting period in which the violation is found to have occurred. In the event that the determination of violation shall be reversed and such reversal becomes final, the amount of subsidy withheld pursuant to this paragraph shall be paid forthwith. For the purposes of this section, every provision of the regulation or order shall be deemed substantive in nature unless the Office of Price Administration determines otherwise.

(c) The provisions of this section shall not be construed as prohibiting the imposition of other conditions to the receipt of payments which are authorized by law.

This directive shall become effective May 19, 1945.

Issued this 1st day of June 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-9586; Filed, June 2, 1945; 11:10 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1606]

PART 261 — DISPOSAL OF SAND, STONE, GRAVEL, VEGETATION, TIMBER OR OTHER FOREST PRODUCTS

Secs.

261.1 Statutory authority.
261.2 Period during which act and contract will remain in force.
261.3 Policy.
261.4 Appraisal; methods of sale.
261.5 Who may apply.
261.6 Application; contents.
261.7 Fees and purchase money.
261.8 Action by register.
261.9 Action by General Land Office.
261.10 Publication and posting.
261.11 Action on protests; procedure in event of sale to highest bidder.
261.12 Preparation and content of contract.
261.13 Offer of contract.
261.14 Bond.
261.15 Approval of contract.
261.16 Extensions of time.
261.17 Default; notice; expense incurred by Government chargeable to purchaser.
261.18 Termination of contract; refunds.
261.19 Removal of personalty or materials upon termination of contract.
261.20 Cancellation of contract.
261.21 Appeals.

AUTHORITY: §§ 261.1 to 261.21, inclusive issued under the act of Sept. 27, 1944 (58 Stat. 745, 50 U.S.C. App., 1601–1603).

§ 261.1 *Statutory authority.* The act of September 27, 1944 (58 Stat. 745, 50 U. S. C. App. 1601–1603), authorizes the disposal of sand, stone, gravel, vegetation, timber or other forest products on public lands of the United States which are under the exclusive jurisdiction of the Secretary of the Interior in the continental United States and Alaska but not situated in any national park or monument or on any Indian lands or lands set aside or held for the use or benefit of Indians. Such disposal may be made only on the following conditions:

(a) That it shall not be detrimental to the public interest;

(b) That it shall not have been expressly prohibited by laws of the United States;

(c) That it shall not have been otherwise expressly authorized by laws of the United States;

(d) That it shall not be for materials of a value exceeding $10,000.00 unless authorized by laws of the United States;

(e) That public notice of the contemplated disposal shall have been given;

(f) That adequate compensation shall be paid for such materials.

§ 261.2 *Period during which act and contract will remain in force.* The act of September 27, 1944, provides that the powers granted therein shall cease to exist at the cessation of hostilities in the present war as determined by proclamation of the President or by concurrent resolution of the Congress. Upon termination of said powers any contract then in force shall likewise terminate.

§ 261.3 *Policy.* Materials shall not be disposed of under the act if it appears that such disposal would endanger, destroy, or reduce the value of other resources in or upon the land or unduly interfere with other proper uses of the land or its resources.

All rights acquired hereunder shall be exercised in such manner as not to cause unnecessary reduction in the usefulness of the land for other purposes or to impair the scenic values or recreational uses of the land.

Where timber which is dead, down, damaged, or threatened with damage, is intermingled with timber which is live, standing, and of merchantable size and quality and it is not feasible to sell the two classes of timber separately, consideration will be given to the disposal of both classes in a single transaction under these regulations.

§ 261.4 *Appraisal; method of sale.* All materials disposed of hereunder shall be appraised and in no case shall they be sold at less than the appraised price. They may be sold to a qualified applicant under the form of contract described in § 261.12 and upon such additional terms as particular circumstances may make advisable or to the qualified person making the highest offer at public auction or under sealed bids.

§ 261.5 *Who may apply.* An applicant may be (a) an individual who is a citizen of the United States or one who has declared his intention to become a citizen, (b) a partnership or an association composed of such persons, or (c) a corporation organized under the laws of the United States or of a State or Territory thereof and authorized to transact business in the State or Territory in which the lands involved are situated.

§ 261.6 *Application; contents.* An application under this part must be filed in triplicate in the land office for the district in which is situated the land containing the materials desired. If there be no district land office in the State, the application shall be filed in the General Land Office. No specific form of application is required but it should contain the following data:

(a) The full name and address of the applicant, the general nature of his business, and the principal place of business;

(b) The age and proof of the citizenship of the applicant if an individual, or as to each partner or member if a partnership or association. If the applicant is native born, a statement to that effect will be sufficient. An applicant who is a naturalized citizen shall state the date of his naturalization, the court in which he was naturalized, and if he knows it, the number of his naturalization certificate. One who has only declared his intention to become a citizen shall state the date of his declaration and the court in which it was filed. If the applicant is a woman, she shall also state whether she is married or single, and if married, she must furnish the date of her marriage and the facts concerning her husband's citizenship.

A copartnership or an association applicant shall file a certified copy of whatever written articles of association its members may have executed.

A corporation applicant shall file a certified copy of its articles of incorporation and also state the residence and the citizenship of every one of its stockholders, listing its alien stockholders separately. Where the corporation is not organized under the laws of the State or Territory embracing the lands affected, such corporation shall file a certificate by the proper officer of the State or Territory of its incorporation showing its authority to do business in the jurisdiction where said lands are situated.

(c) Surveyed lands must be described according to legal subdivision, section, township, and range. Unsurveyed land must be described by metes and bounds with a tie to a corner of the public land surveys if within two miles, otherwise a tie must be made to some prominent topographic feature and the approximate latitude and longitude shall be given when practicable. The approximate acreage involved shall be given and the lands described shall be restricted to the smallest area that can supply the desired materials consonant with proper conservation measures.

(d) The serial numbers of all other applications filed by the applicant under this act.

(e) The nature and quantity of the material currently desired, the purpose for which it is needed and will be used, the amount of material estimated as being on the land, and its unit value.

(f) The experience and ability of the applicant to handle the material, the proposed method of taking it, and when the taking and removal could be commenced and completed.

(g) The facts as to the buildings and improvements which the applicant proposes to place on the land including their estimated cost and a description of the tracts desired for their site.

(h) Whether the land is occupied or improved by any person or is being worked under the United States mining laws, and if so, by whom and for what purpose.

(i) Whether the land contains any springs or water holes and if so, their size, volume, location, and usefulness in that locality.

§ 261.7 *Fees and purchase money.* The fees to be paid shall be $10.00 on any acreage up to 1,000 acres and $5.00 on every 1,000 acres or fraction thereof in excess of the first 1,000 acres. Pending action on the application, the fee shall be carried as unearned. If the application shall be rejected, the fee shall be returned. If a contract based on the application shall be offered to the applicant and refused by him, the fee shall be covered into the Treasury as earned. All moneys received from the sale of said materials shall be disposed of in the same manner as moneys received from the sale of public lands.

§ 261.8 *Action by register.* The register shall give to every application a current serial number and shall note it on the records of the district land office. He shall reject any application which shall not be properly executed and shall not be accompanied by the required fee. He shall forward to the General Land Office all applications filed under this part.

§ 261.9 *Action by General Land Office.* The General Land Office shall examine every application upon its receipt from the register. That office may reject an application which it shall find defective in any way or unsupported by an adequate and satisfactory showing, or it may require defects to be cured or additional evidence to be provided.

§ 261.10 *Publication and posting.* The Commissioner of the General Land Office if he shall find no objection to the granting of the application shall require the applicant to publish notice of the application at the applicant's own expense in a newspaper designated by the Commission and published in the county containing the materials, and if no newspaper be published in such county then in a paper published in the nearest county to such land. If the paper designated be a daily, the notice must be published in the Wednesday issue for five consecutive weeks; if it be a weekly, in five consecutive issues and if it be a semiweekly or triweekly, in any one of such issues for five consecutive weeks. The notice shall be prepared by the General Land Office and shall give the name and post office address of the applicant, the serial number and date of the application, description of the land, the nature and amount of material applied for, and the appraised price thereof. It shall also state that its purpose is to give to persons claiming any interest in the land or having bona fide objection to the disposal of the designated material, opportunity to file their protests. The register shall cause a similar notice to be kept posted in his office throughout the entire period of publication. Proof of publication shall consist of an affidavit by the publisher giving the dates of publication and a copy of the notice as published.

§ 261.11 *Action on protests; procedure in event of sale to highest bidder.* Upon receipt of a protest, the Commissioner of the General Land Office shall take appropriate action. If in any circumstances whether or not attendant upon a protest, the Commissioner shall deem it proper to order materials described herein to be disposed of at public auction or under sealed bids, publication of notice of such sale shall be at the Government's expense. If in pursuance of such an order, any materials shall be sold to a person other than the original applicant therefor, the Commissioner shall require the purchaser to pay the same fee and show the same qualifications as an original applicant, and he shall return any fee that may previously have been tendered by such original applicant.

§ 261.12 *Preparation and content of contract.* If all be found regular, the General Land Office shall prepare in quadruplicate a contract in accordance with Form 4–984, and if the contract shall be for the sale of timber shall append thereto and make a part thereof the Forest Practice Rules and General Timber Contract Stipulations prescribed on Form 4–984a regarding timber sales under the act of September 27, 1944.

Every contract shall contain whatever provisions may be required by the circumstances to safeguard the rights and interests of the United States. Such contract shall also contain provisions relating to the following matters:

(a) *Rights reserved.* The contract shall not interfere with or prevent:

(1) The prospecting, locating, developing, mining, entering, leasing, or patenting of the mineral resources under any laws or regulations applicable thereto.

(2) The issuance of grazing privileges under applicable laws and regulations.

(3) The use and disposal of resources other than those applied for on or in the lands under applicable laws and regulations.

(4) The acquisition or granting of rights-of-way or easements under applicable laws and regulations.

(5) The hunting and fishing by any person under applicable State or Federal hunting and fishing laws and regulations, but the Commissioner of the General Land Office may prohibit or restrict or he may authorize the purchaser to prohibit or restrict hunting or fishing on such parts of the lands and for such periods as he may determine to be necessary in order to prevent any substantial interference with the purposes for which this contract is issued.

(b) *Roads; utility facilities.* The purchaser shall not enclose roads or trails commonly used for public travel; shall protect existing telephone lines, fences, roads, trails, bridges, and other improvements, as far as possible in the operations; and shall promptly repair the damage whenever such utilities and improvements are broken, or obstructed or otherwise damaged.

(c) *Assignments.* The purchaser shall agree that he will not assign the contract or any interest therein without the consent of the Government; that any such assignment, if made, will contain all the terms and conditions agreed upon by the parties thereto; and that the proposed assignment will be forwarded in quadruplicate within 90 days from the date of its execution to the register of the proper district land office for transmittal to the Commissioner of the General Land Office.

(d) *Lien.* A lien for all payments which become due under the contract shall be reserved to the United States on all improvements, fixtures, and personal property of the purchaser on the lands and that no improvements or fixtures may be removed from the lands unless all moneys due the United States have been paid.

§ 261.13 *Offer of contract.* The proposed contract will be forwarded to the register for transmittal to the applicant for execution. The contract must be executed by the applicant in quadruplicate and returned to the register with any advance payments which may be required.

§ 261.14 *Bond.* The applicant shall provide with the proposed contract a bond on Form 4–982 in such amount as may be deemed necessary and having as surety thereon a commercial bonding or surety company which shall be on the approved list of the Treasury Department. When the consideration for the material shall be less than $100.00 and shall have been fully paid and where no special circumstances shall make a bond essential to the protection of the United States' interest, no bond will be required.

§ 261.15 *Approval of contract.* When all requirements shall have been fully met, the Commissioner of the General Land Office shall transmit the proposed contract to the Secretary of the Interior for approval.

§ 261.16 *Extensions of time.* An application for an extension of time within which to comply with the terms of the contract may be considered upon a showing by the purchaser that his delay in complying with the contract terms has been caused by circumstances over which he had no control and that the granting of an extension will not prejudice the Government's interest. However, no extension shall be granted or be effective after the cessation of hostilities as described in § 261.2.

§ 261.17 *Default; notice; expense incurred by Government chargeable to purchase.* If the purchaser shall fail to comply with any of the provisions of the contract and it becomes necessary for the United States to remove the debris or to incur other expense because of the default of the purchaser, the expense thereof shall be charged to the purchaser; *Provided, however,* That written notice shall first be given by the officer in charge that such action will be taken if the rules are not complied with within 30 days from the service of such notice.

§ 261.18 *Termination of contract; refunds.* The Government may terminate a contract at the request of a purchaser if he shall make satisfactory showing that such termination will not adversely affect the public interest; that he has paid all charges due the Government thereunder; and that he has paid all wages and moneys due his employees for their operations under said contract.

If a contract is terminated because of the cessation of hostilities as provided in the act prior to the removal of the materials authorized, a proportionate adjustment will be made.

§ 261.19 *Removal of personalty or materials upon termination of contract.* Upon the expiration of a contract or the earlier termination thereof pursuant to § 261.18, the purchaser shall have the right at any time within 90 days therefrom or such extension thereof as may be granted by the Secretary of the Interior, within which to remove any materials, equipment, machinery, improvements, or other personal property placed by him on the land, and also any materials cut or prepared for removal under the terms of the contract but not previously removed: *Provided,* All moneys due the United States shall have been paid. All such personalty and all such materials remaining on the land after the end of such period shall become the property of the United States.

§ 261.20 *Cancellation of contract.* A contract may be canceled by the Secretary of the Interior if the purchaser shall fail to make any payment required thereunder or to comply with any of the provisions thereof and such default shall continue for 30 days after written notice thereof to the purchaser.

§ 261.21 *Appeals.* A party aggrieved by any official action regarding his application, contract, or protest, may appeal to the Commissioner of the General Land Office and the Secretary of the Interior, pursuant to the rules of practice, 43 CFR, Part 221.

FRED W. JOHNSON,
Commissioner.

Approved: May 28, 1945.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 45-9579; Filed, June 2, 1945; 9:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[6th Rev. S. O. 259, Amdt. 5]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR SHIPMENT OF IRISH POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of June, A. D. 1945.

Upon further consideration of Sixth Revised Service Order No. 259 (10 F.R. 4266), as amended (10 F.R. 4360, 5603, 5764, 6314), and good cause appearing therefor: *It is ordered*, That:

Sixth Revised Service Order No. 259 (10 F.R. 4266) as amended (10 F.R. 4360, 5603, 5764, 6314), be, and it is hereby, further amended by substituting the following paragraph (f) and Appendix A for paragraph (f) and Appendix A thereof:

(f) *Expiration date.* This order shall expire at 12:01 a. m., e. w. t., June 30, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

APPENDIX A

Section No. 8: The County Kern in the State of California.

Section No. 9: The Counties of Beaufort, Camden, Currituck, Hyde, Pamlico, Pasquotank, and Tyrrell, in the State of North Carolina.

Section No. 10: The Counties of Accomac, Norfolk, Northampton, and Princess Anne, in the State of Virginia.

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 4, 1945, and shall vacate and set aside Amendment No. 4 to Service Order No. 259 on the effective date hereof; that copies of this order shall be served upon the State railroad regulatory bodies of the States of California, North Carolina, and Virginia, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-9584; Filed, June 2, 1945; 10:15 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT L-4, Amdt. 7]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF IRISH POTATOES FROM DESIGNATED AREAS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, War Production Board Directives 21 and 36, as amended, and authorizations and requests contained in certificates of the War Food Administration dated December 8, 1944, January 24, 1945, February 8, 1945, February 26, 1945, March 17, 1945, April 18, 1945, April 20, 1945, May 12, 1945, May 18, 1945, and June 1, 1945, respectively,

It is hereby ordered, That Appendix A to General Order ODT L-4, as amended (9 F.R. 14502, 10 F.R. 1245, 1705, 2248, 3290, 4505, 5961), be, and it hereby is, further amended by adding thereto a new paragraph to read as follows:

Area No. 8: The counties of Pamlico, Beaufort, Hyde, Tyrrell, Pasquotank, Camden, and Currituck in the State of North Carolina, and the counties of Princess Anne, Norfolk, Accomac, and Northampton in the State of Virginia.

This Amendment 7 to General Order ODT L-4 shall become effective June 4, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S. Code App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; WPB Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 3009; Certificates of WFA, dated Dec. 8, 1944, Jan. 24, 1945, Feb. 8, 1945, Feb. 26, 1945, Mar. 17, 1945, Apr. 18, 1945, Apr. 20, 1945, May 12, 1945, May 18, 1945, and June 1, 1945, respectively)

Issued at Washington, D. C., this 2d day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-9654; Filed, June 4, 1945; 10:19 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 2057]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTY IN PUGET SOUND AREA, WASH.

Whereas, by Executive Order No. 9280 of December 8, 1942, the President conferred upon the Secretary of Agriculture full responsibility and control over the Nation's food program in order to assure an adequate supply and efficient distribution of food to meet war and essential civilian needs; and

Whereas, by War Food Order No. 52, dated February 8, 1943, (8 F. R. 1777), as amended March 16, 1943 (8 F. R. 3280) (formerly known as Food Directive No. 2), the Secretary of Agriculture delegated to me, among other things, the right to exercise all of the powers conferred upon him by paragraph (b) of section 1 of Executive Order No. 9280, in so far as it relates to the production of fishery commodities and products; and

Whereas, by War Food Order No. 52, the Secretary of Agriculture authorized me to exercise these powers through such agencies and officers of the Department of the Interior or of the office established by Executive Order No. 9204 of July 21, 1942, as I may designate; and

Whereas, it is deemed imperative to effectuate a program designed to facilitate the production of an adequate supply of canned salmon in the Puget Sound Area, State of Washington, with a minimum utilization of critical material, manpower and shipping facilities; and

Whereas, representatives of practically the entire salmon canning industry in the Puget Sound Area, State of Washington, have indicated their willingness to join in such cooperative agreements as may be practicable and feasible in order to pool their operating facilities, and allocate available manpower on an equitable basis in an industry concentration program designed to minimize factors that tend to affect production adversely; and

Whereas, in the exercise of the powers conferred upon me, I have designated the Office of Fishery Coordination, established by Executive Order No. 9204, to execute, administer, regulate, and enforce the provisions of this order affecting the salmon canning industry in the Puget Sound Area, State of Washington; now therefore, it is hereby ordered:

§ 401.3 *Salmon canning industry in the Puget Sound Area, State of Washington*—(a) *Jurisdiction.* Complete control and authority over the salmon canning industry in the Puget Sound Area, State of Washington, solely for the purpose herein specified shall be vested in the Fishery Coordinator, and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, corporation, or any other business entity.

(2) "Salmon" means any fish of the following species: Red or sockeye (*Oncorhynchus nerka*); pink or humpback (*Oncorhynchus gorbuscha*); silver, medium red, or coho (*Oncorhynchus kisutch*); chum or keta (*Oncorhynchus keta*); king, chinook, or spring (*Oncorhynchus tschawytscha*).

(3) "Line" means the assembly of canning machinery operated in connection with each filling machine. The filling of cans by hand shall be construed to be a line.

(4) "Fishery Coordinator" means the Secretary of the Interior.

(5) "Nucleus plant" means a plant for the canning of salmon for commercial purposes which may be operated during the year 1945 under the terms of this order.

(6) "Canning salmon for commercial purposes" means the process of packing salmon for the purpose of sale in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(c) *Salmon canning for commercial purposes prohibited in the Puget Sound Area, State of Washington, except as herein provided.* No person shall engage in canning salmon for commercial purposes in the Puget Sound Area, State of Washington, including all coastal and tributary waters thereof over which the United States has jurisdiction, after the effective date of this order and prior to January 1, 1946, unless specifically authorized by this order or by the order of the Fishery Coordinator, and upon compliance with such directives, orders, and regulations as he may from time to time prescribe. Unless otherwise ordered by the Fishery Coordinator, any person named in Schedule A hereof may engage in canning salmon, during the period herein prescribed in the nucleus plant set forth opposite his name in the schedule. No person named in Schedule A, unless otherwise ordered by the Fishery Coordinator, shall operate either singly or in conjunction with any other person, in the nucleus plant so assigned to such person or persons more than the number of lines set forth in the schedule opposite the name of such nucleus plant.

SCHEDULE A—SALMON CANNERY OPERATING SCHEDULE—1945

Nucleus plant	Lines to operate	Name of person
(1) Fishermen's Packing Corp., Anacortes	2 1-pound 4 ½-pound	Fishermen's Packing Corp. Sebastian-Stuart Fish Co. Anacortes Canning Co. Farwest Fishermen, Inc.
(2) Friday Harbor Canning Co., Friday Harbor	3 1-pound 2 ½-pound	Astoria & Puget Sound Canning Co. Alaska Packers Association. Friday Harbor Canning Co. Beach Packing Co. Dressel-Collins Fish Co.
(3) Sebastian-Stuart Fish Co., Anacortes[1]		
(4) Deer Harbor Packing Co., Deer Harbor	2 ½-pound	Deer Harbor Packing Co.
(5) Whiz Fish Products Co., LaConner	1 1-pound 1 ½-pound	Whiz Fish Products Co.

[1] Standby plant for emergency use.

(d) *Agreements between persons named in Schedule A.* (1) Duplicate copies of all agreements entered into between persons named in Schedule A providing for the use in common of nucleus plants, lines, and other facilities, must be filed with the Office of Fishery Coordination, Department of the Interior, when required by the Fishery Coordinator. The Fishery Coordinator may review any agreement and shall have the right to disapprove it if its terms and conditions are deemed not to be in the public interest.

(2) Where any persons named in Schedule A are unable to reach a mutually fair and equitable agreement providing for the use in common of nucleus plants, lines, and other facilities, the Fishery Coordinator shall have the right, after reviewing all of the pertinent facts submitted by the interested persons and other available information, to prescribe joint operations on a basis which will protect adequately the rights of the persons affected thereby.

(e) *Petition for relief.* (1) Any person subject to this order who finds that compliance herewith is impracticable and would tend to create an unreasonable burden without facilitating the production of canned salmon in the Puget Sound Area, State of Washington, may file with the Fishery Coordinator a petition in writing for appropriate relief. Such petition should be filed in triplicate and contain a full showing of all the pertinent facts and the nature of the relief sought. The Fishery Coordinator shall thereupon take such action on the petition as he may deem appropriate, and any decision rendered shall be final and binding upon the petitioner.

(2) Any person not named in Schedule A of this order who believes that his name should properly be included therein, may file with the Fishery Coordinator a petition in writing for appropriate relief. The petition should conform with the requirements prescribed in the preceding paragraph (1) and any decision rendered by the Fishery Coordinator shall likewise be final and binding upon the petitioner.

(f) *Custom canning.* Any person, owning salmon, who hires a person designated in Schedule A to can the salmon for commercial purposes shall not be deemed to be engaged in canning salmon for commercial purposes within the meaning of this order, but the person who performs such services shall be deemed to be so engaged.

(g) *Audits and inspections.* Every person subject to this order shall, upon the request of the Fishery Coordinator or his duly authorized representative, permit inspections at all reasonable times of the stocks of canned salmon and the facilities used in his business, and shall also make available for inspection and audit all of his books, records, and accounts.

(h) *Records and reports.* Every person subject to this order shall maintain the books, records, and accounts of his business for at least two years after December 31, 1945 (or for such other periods of time as the Fishery Coordinator may provide), and shall execute and file such reports and submit such information as the Fishery Coordinator may deem necessary to accomplish the purpose of this order.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or wilfully conceals a material fact concerning a matter within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation, and such further action may be taken against him as the Fishery Coordinator deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. sec. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Office of Fishery Coordination, United States Department of the Interior, Washington 25, D. C.

(k) *Fishing regulations.* The provisions of this order are not to be construed as permitting fishing for salmon in violation of any order or regulation promulgated by the State.

(l) *Orders and directions; Deputy Fishery Coordinator.* The Fishery Coordinator, or his representative, may issue such orders and directions as he may deem necessary to accomplish the purposes of this order, and violation of any such order or direction shall be considered a violation of this order. For the purposes of this order, the functions, duties, and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator.

(m) *Designated representative.* The Area Coordinator for Area I is hereby designated as the representative of the Fishery Coordinator to perform any of the functions authorized by this order. In the performance of these functions, he may designate any members of his staff to carry out any specific functions that may be assigned. In any situation where, in the judgment of the Area Coordinator for Area I, the circumstances do not permit the delay which would otherwise result, Schedule A may be amended or extended, or any item thereof altered or deleted by the Area Coordinator for Area I, in such manner as he shall deem reasonable and advisable to secure maximum production with a minimum expenditure of critical materials and services. Any person claiming to be adversely affected by such amendment may file with the Fishery Coordinator a petition

for relief as set out in paragraph (f); pending action on such petition, the amendment by the Area Coordinator for Area I shall become and remain effective according to its terms.

Previous order superseded. The provisions of this order shall supersede Order No. 1942 issued by the Acting Secretary of the Interior on April 8, 1944, (9 F.R. 3979).

Effective date. This order shall become effective immediately.

Issued this 25th day of May 1945.

HAROLD L. ICKES,
Secretary of the Interior.

[F.R. Doc. 45-9578; Filed, June 2, 1945; 9 45 a. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 74]

HAROLD DAISLEY AND PAR-LOCK APPLIERS OF NEW JERSEY, INC.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF THE WAR

In the matter of Harold Daisley and Par-Lock Appliers of New Jersey, Inc., Trenton, New Jersey; Case No. S-2096.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Harold Daisley and Par-Lock Appliers of New Jersey, Inc., Trenton, New Jersey,

I find that the construction, installation and repair of roofing by Harold Daisley, Trenton, New Jersey, pursuant to contracts with Trenton Brass Co., the Philadelphia & Reading Railroad Co., the Ervine Crate Co., the Woodhouse Chainwork Co., and C. V. Hills Co., Trenton, New Jersey, and the construction, installation and repair of roofing and sheet metal by Par-Lock Appliers of New Jersey, Inc., Trenton, New Jersey, pursuant to contracts with Andrew Christensen & Son, Clark Township, New Jersey and the Austin Company, Yardville, New Jersey, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 1st day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-9585; Filed, June 2, 1945; 10 47 a. m.]

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representation that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificates. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Journal Printing Company, 119 S. Elson Street, Kirksville, Missouri; commercial printing; 1 learner; pressman for a learning period of 600 hours at 30 cents per hour for first 480 hours and 35 cents per hour for the next 120 hours, effective June 5, 1945, expiring December 4, 1945

Runkle Company, 901 S. Wayne Street, Kenton, Ohio; candies, cookies and chocolates; 6 learners; candy strokers and fancy chocolate packers for a learning period of 240 hours at 35 cents per hour; effective May 28, 1945, expiring September 1, 1945.

Signed at New York, New York, this 31st day of May 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-9656; Filed, June 4, 1945; 11:12 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Textile Learner Regulations, May 15, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Derby Underwear Company, Inc., Bowling Green, Kentucky; men's and boys' cotton shorts, Navy cotton drawers, Army O. D. drawers; 10 percent (AT); effective June 1, 1945, expiring November 30, 1945.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Alabama Textile Products Corporation, Laurel Hill, Florida; men's dress shirts, 25 learners (E); effective June 2, 1945, expiring December 1, 1945.

The Mack Shirt Corporation, 1416 Vine Street, Cincinnati, Ohio; men's shirts; ten learners (T); effective May 27, 1945 expiring November 26, 1945.

Vinita Manufacturing Company, Vinita, Oklahoma; men's pants; 50 learners (E); effective May 28, 1945, expiring November 27, 1945.

Wyoming Garment Company, 133 East 8th Street, Wyoming, Pennsylvania; dresses, 10 percent (T); effective May 25, 1945 expiring May 24, 1946.

HOSIERY INDUSTRY

Asheboro Hosiery Mills, Asheboro, North Carolina; full fashioned hosiery; 5 percent (T); effective May 27, 1945, expiring May 26, 1946

Belknap Mills Corporation, 37 Mill Street, Laconia, New Hampshire; seamless hosiery, 5 percent (T); effective June 3, 1945 expiring June 2, 1946.

Continental Hosiery Company, Henderson, North Carolina; seamless hosiery; 10 learners (AT); effective May 30, 1945, expiring November 29, 1945.

Elizabeth James Mills, No. 2, S. Logan Street, Marion, North Carolina; full-fashioned hosiery; 15 learners (AT); effective June 1, 1945, expiring November 30, 1945.

Holeproof Hosiery Company, Marietta, Georgia; seamless hosiery; 20 learners (AT); effective May 30, 1945, expiring November 29, 1945.

TELEPHONE INDUSTRY

Central Iowa Telephone Company, Traer, Iowa, to employ learners as commercial switchboard operators at its Traer, Iowa, exchange, located at Traer, Iowa; effective June 3, 1945, expiring June 2, 1946.

TEXTILE INDUSTRY

Darlington Manufacturing Company, Darlington, South Carolina; cotton print cloths, 3 percent (T); effective May 30, 1945 expiring May 29, 1946.

Signed at New York, N. Y., this 31st day of May 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-9655; Filed, June 4, 1945, 11:12 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Order 125]

RATES AND CHARGES FOR GOVERNMENT COMMUNICATIONS BY TELEGRAPH

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of May 1945:

The Commission having under consideration the matter of rates and charges for Government communications by telegraph: *It is ordered:*

1. That the charges for telegraph communications between the several departments of the Government and their officers, relating exclusively to the public business in their transmission over the lines or circuits of any telegraph company subject to the Post Roads Act, approved July 24, 1866, 14 Stat. 221, as amended, U. S. C. title 47), shall not exceed eighty (80) per centum of the charges applicable to commercial communications of the corresponding classification, of the same length, and between the same points in the United States, which shall be deemed herein to include Alaska, subject to the following: (a) The minimum charge for day messages (telegrams) shall be 25 cents, for day letters 45 cents, for night messages 20 cents, for night letters 30 cents, for serial messages 54 cents, for serial longrams 60 cents and for day letter/longrams 45 cents, unless any of these amounts shall be greater than the minimum for a corresponding commercial message in which event the provision set forth in paragraph 4 below shall apply; (b) a day letter shall be charged for as a day letter or a day message, according to which of these classifications shall produce the lower charge for the particular message; (c) a day letter/longram shall be charged for as a day letter longram or as a day message, according to which of these classifications shall produce the lower charge for the particular message; (d) an overnight message shall be charged for as a night message or a night letter, according to which of these two classifications shall produce the lower charge for the particular message; (e) when the first section of a serial message is not followed by another on the same day, it shall be charged for as a day message; when more than one section is filed on the same day, the sections shall be charged for at the serial rates or each section shall be charged for as a day message, according to which of these classifications shall produce the lower total charge; (f) when the first section of a serial longram is not followed by another on the same day, it shall be charged for as a day letter/longram or as a day message, according to which of these two classifications shall produce the lower charge for the particular message; when more than one section of a serial longram is filed on the same day, the sections shall be charged for at serial longram rates or at serial rates, or each section of the serial longram shall be charged for as a day letter/longram or as day message, according to which of these four classifications shall produce the lowest total charge; and (g) the provisions of this paragraph shall apply only to Government messages filed as day messages, day letters, day letter/longrams, night messages, night letters, serial messages, and serial longrams.

2. That the rates and charges for telegraph communications between the several departments of the Government and their officers, relating exclusively to the public business between points in the United States and points in possessions of the United States, between points in different possessions, and between points in the United States including such possessions and points in foreign countries and ships at sea, transmitted by any carrier or carriers subject to the Post Roads Act, or subject to the terms of a permit or license granted by the President of the United States giving the Postmaster General authority to fix rates for Government communications by telegraph (such a carrier being hereinafter called a domestic carrier) shall, between all points embraced within the scope of such Act, permit or license, not exceed fifty (50) per centum om the full ordinary charges applicable to commercial communications of the same length and between the same points, except that charges for Government code messages shall not exceed fifty (50) per centum of the charges for like commercial code messages, subject to the following: (a) In cases where Government messages are transmitted between any of such points in part over the facilities of any domestic carrier and in part over the facilities of any other carrier, or administration, (hereinafter called a foreign carrier), the charges for Government communications shall not exceed the following: (1) for Government communications between points in the United States and Mexico or Canada; and (2) for Government communications between all other points, the amounts derived by applying the percentages specified in the first ordering paragraph herein and the percentages specified in this paragraph, respectively, to the full portion of the commercial charges accruing to the domestic carriers, plus the charges actually made for United States Government communications by foreign carriers; (b) the charges for Government ordinary messages between the following named points, shall be:

	Per word
Between Fisherman's Point, Guantanamo Bay, Cuba, and Canal Zone	$0.09
Between Limon, San Jose, and Puntarenas, C. R., and Canal Zone	.075
Between Manila and China:	
Shanghai	.10
Hongkong	.0575
Kwangsi, Kwantung Provinces	.11
Macoa	.11
Manchuria (other than Japanese Offices)	.15
All other places	.15
Between Manila and Japan:	
Formosa	$0.23
All other places, including Caroline Islands, Chosen-Corea, Jaluit (Marshall Islands), Japanese Saghalien, Kwangtung Peninsula (China), Palaos Islands, Pescadores Islands, Saipan (Marianne Islands) and Japanese Office in Manchuria	.235

and the charges for Government code messages between the foregoing points shall be 60 per centum of the charges above specified for Government ordinary messages; and (c) with respect to Government messages to and from ships at sea the percentages specified shall not apply to the coastal station and ship station charges.

3. That if any new service shall be established, a supplementary order may be issued fixing the Government charge for such service.

4. That in no case shall the charge for a Government message exceed the charge for a corresponding commercial message; nor shall the portion of the through charges accruing to any domestic carrier for United States Government communications exceed the portion accruing to it for like communications of any foreign government between the same points.

5. That in cases where the charge for a Government message, as determined herein, shall include a fraction of a cent, such fraction, if less than one-half, shall be disregarded, if one-half or more, it shall be counted as one cent; except that the charge for Government code messages shall be rounded up to the next higher half cent, if the fraction be less than one-half and to a full cent, if the fraction be more than one-half.

6. That every Government message shall have priority over all other messages of the same classification, and every Government day message, serial message, ordinary message and code message shall also have priority over all other messages regardless of the classification; and every Government message shall, unless otherwise provided herein, be subject to the classifications, practices and regulations applicable to the corresponding commercial communications.

7. That every domestic carrier which is subject to the Communications Act of 1934, shall immediately file with this Commission all schedules of charges applicable to Government communications established pursuant to this order, said schedules to be filed in full compliance with the requirements of section 203 of the Communications Act of 1934, and with Part 61 of the Commission's rules and regulations (Title 47—Telecommunication), to be constructed in such manner and form that the full charges for all Government messages from origins to destinations can be exactly and readily ascertained therefrom, and to name effective dates as of July 1, next ensuing; *Provided, however*, That in cases where charges in excess of those herein prescribed are collected because of conditions over which domestic carriers have no control such charges shall be shown in the schedules but the excess shall be refunded to the United States Government.

8. That in every case where any schedule containing charges applicable to commercial messages shall be changed, or the charges made by any foreign carrier shall be changed, the schedule containing the charges applicable to Government messages shall be correspondingly changed, effective on the same date.

9. That nothing herein contained shall apply to charges fixed by agreement between any department of the United States Government and the companies performing the service if such agreement be authorized in any statute of the United States.

10. That nothing herein contained shall be construed to give Government messages priority over radio communications or signals which are given a higher priority under section 321 (b) of the Communications Act of 1934, as amended; or under Article 26 of the General Radio Regulations (Cairo Revision, 1938) annexed to the International Telecommunications Convention (Madrid, 1932); nor shall anything contained herein be construed to give Government messages priority over messages given a higher priority under any order of the Board of War Communications.

This order shall become effective on the first day of July, 1945 and shall continue in effect until June 30, 1946, both dates inclusive, unless subsequently changed by order of the Commission.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-9631; Filed, June 2, 1945; 12:06 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-641]

SOUTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

JUNE 2, 1945.

Notice is hereby given that on May 23, 1945, Southern Natural Gas Company, a Delaware corporation having its principal place of business in Birmingham, Alabama, filed with the Federal Power Commission its application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following-described facilities:

14.5 miles of 22-inch main transmission pipe line between Perryville and Onward compressor stations, Louisiana.

1 mile of 22-inch main transmission pipe line between Perryville and Onward compressor stations, Louisiana.

11.5 miles of 22-inch main transmission pipe line between Onward and Pickens compressor stations, Mississippi.

13.5 miles of 22-inch main transmission pipe line between Pickens and Louisville compressor stations, Mississippi.

14.3 miles of 22-inch main transmission pipe line between Louisville and Reform compressor stations, in the States of Mississippi and Alabama.

20.7 miles of 22-inch main transmission pipe line between Reform and Tarrant compressor stations, Alabama.

5.5 miles of 20-inch main transmission pipe line between Tarrant and DeArmanville compressor stations, Alabama.

12.1 miles of 20-inch main transmission pipe line near the City of Atlanta, Georgia.

10 miles of 6⅝-inch transmission pipe line on the Meridian (Mississippi) Branch Line.

13.2 miles of 12-inch transmission pipe line on the Montgomery-Columbus Branch Line.

A compressor station with an installed capacity of 1200 horsepower to be located on the Montgomery-Columbus Branch Line, near Wetumpka, Alabama.

7 domestic water supply systems to serve operators' dwellings at 7 compressor stations.

18 heat exchangers for engine water cooling at 4 compressor stations.

58 air-cooled exhaust line mufflers at 5 compressor stations.

3 operators' houses at 2 compressor stations and 3 at control measurement stations.

Miscellaneous items consisting principally of measuring equipment, station pumps, cooling tower additions and minor additions to compressor station electric systems.

Applicant asserts that the installation of the above facilities will increase the delivery capacity of its system from 220,000 mcf to 245,000 mcf per day.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 19th day of June, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-9647; Filed, June 4, 1945; 9:44 a. m.]

[Docket No. IT-5050]

IDAHO POWER CO.

NOTICE OF APPLICATION

JUNE 2, 1945.

Notice is hereby given that on June 2, 1945, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Idaho Power Company, a corporation organized under the laws of the State of Maine and doing business in the States of Idaho, Nevada and Oregon, with its principal business office at Boise, Idaho, seeking an order authorizing the issuance on or as of August 1, 1945, of 39,413 shares of 4% Preferred Stock, $100 par value; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 20th day of June, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-9673; Filed, June 4, 1945; 11:35 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5109]

SIMON ACKERMAN CLOTHES, INC. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of June, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That Webster Ballinger, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, June 12, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9668; Filed, June 4, 1945; 11:22 a. m.]

[Docket No. 5156]

ALLIED STORES CORP. ET AL

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of June, A. D. 1945.

In the matter of Allied Stores Corporation, a corporation; Allied Purchasing Corporation, a corporation; and B. Earl Puckett, Charles E. McCarthy and A. C. Hallan, individually and as officers and directors of Allied Stores Corporation and Allied Purchasing Corporation; L. S. Donaldson Company, a corporation; and Matthew J. Dunfey, T. R. Brouillette and H. R. Malcolm, individually and as officers and directors of L. S. Donaldson Company; Jordan-Marsh Company, a corporation; and George W. Mitton, Edward R. Mitton, Cameron S. Thomson, William A. Everett and Alonzo J. Everett, individually and as officers and directors of Jordan-Marsh Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, June 7, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The Trial Examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9669; Filed, June 4, 1945; 11:23 a. m.]

[Docket No. 5190]

U-C-A MANUFACTURING CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of June, A. D. 1945.

In the matter of Morris Shapiro, Charles Shapiro and Mary Shapiro, copartners trading as U-C-A Manufacturing Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, June 15, 1945, at ten o'clock in the forenoon of that day (central standard time), in Room 1121, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of fact; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9670; Filed, June 4, 1945; 11:23 a. m.]

[File No. 21-308]

WOOD CASED LEAD PENCIL INDUSTRY

NOTICE OF HEARING, AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 2d day of June, A. D. 1945.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, or other parties or groups (including consumers) affected by or having an interest in the proposed trade practice rules for the Wood Cased Lead Pencil Industry to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon application to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than June 19, 1945. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., June 19, 1945, in Room 532, Federal Trade Commission Building, Constitution Avenue at Sixth Street, Northwest, Washington, D. C., to any such persons, partnerships, corporations, associations, or other parties or groups (including consumers) desiring to appear and be heard. Upon due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9671; Filed, June 4, 1945; 11:23 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 266, Amdt. 1]

VIRGINIA, NORTH CAROLINA, SOUTH CAROLINA, AND TENNESSEE

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a petition filed with the Office of Defense Transportation by all of the carriers subject to Supplementary Order ODT 3, Revised-266 (9 F.R. 9309), and good cause appearing therefor.

It is hereby ordered, That Great Southern Trucking Company, of Jacksonville, Florida, be, and it hereby is, relieved from participation in the plan for joint action appended to said Supplementary Order ODT 3, Revised-266 as Appendix 2, with respect to the provisions of said plan relating to the route between Asheville, North Carolina, and Knoxville, Tennessee.

This Amendment 1 to Supplementary Order ODT 3, Revised-266 shall become effective the 6th day of June 1945.

Issued at Washington, D. C., this 2d day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-9571; Filed, June 1, 1945; 3:37 p. m.]

[Supp. Order ODT 3, Rev. 462, Amdt. 2]

ARIZONA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a petition filed with the Office of Defense Transportation by the persons named below, and good cause appearing therefor.

It is hereby ordered, That Supplementary Order ODT 3, Revised-462, as amended (10 F.R. 1294, 4114), be, and it hereby is, further amended by adding to Appendix 1 thereof the following persons as carriers subject to the said order:

E. McDowell, Ajo, Ariz.
P. L. Hamrick, Warren, Ariz.
P. A. Western, Benson, Ariz.
John D. Tynes, doing business as Hayden Transfer, Winkelman, Ariz.

This amendment shall become effective on June 6, 1945.

Issued at Washington, D. C., this 2d day of June, 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-9570; Filed, June 1, 1945; 3:37 p. m.]

[Special Order ODT B-9, Amdt. 6]

CHICAGO, ILL., AND NEW YORK, N. Y

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers and amendments thereof, filed with the Office of Defense Transportation by All American Bus Lines, Inc., Chicago, Illinois, and Northern Trails, Inc., Chicago, Illinois, pursuant to § 501.49 of General Order ODT 11, as amended, (7 F.R. 4389 and 11099; 8 F.R. 12028); *It is hereby ordered*, That:

1. Special Order ODT B-9, as amended, (7 F.R. 5926; 8 F.R. 1160 and 11000; 9 F.R. 5092 and 10310; 10 F.R. 2416), be, and it hereby is, amended by deleting the word and figures June 1, 1945, where they appear in paragraph 3 thereof and substituting therefor the word and figures December 31, 1945.

This amendment shall become effective on June 1, 1945.

Issued at Washington, D. C., this 1st day of June 1945.

J. M. JOHNSON,
Director, Office of Defense Transportation.

[F. R. Doc. 45-9569; Filed, June 1, 1945; 3:37 p. m.]

[MPR 120, Amdt. 1 to Order 1374]

AMERICAN FUEL CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.203 of Maximum Price Regulation No. 120; *It is ordered:*

Paragraph (a) is amended by inserting after the phrase, "and who transports coal by truck to a rail shipping point," and preceding the phrase, "may enter into agreements with their customers," the phrase, "and any person acting as a distributor of such coals."

This Amendment No. 1 to Order No. 1374 shall be effective as of May 22, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES.
Administrator.

[F. R. Doc. 45-9550; Filed, June 1, 1945; 12:29 p. m.]

[MPR 120, Order 1378]

GOODTOWN SMOKELESS COAL MINING CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

REDSTONE SEAM, MINE INDEX NO. 5368, SOMERSET COUNTY, PA., SUBDISTRICT 41, RAIL SHIPPING POINT: GOODTOWN, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	H	H	H	H	H
Rail shipment	348	348	328	303	303
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	368	343	343	333	323

ROARING RUN COAL CO., C/O CARL CHRISTIE, 1201 FRANKLIN ST., JOHNSTOWN, PA., ROARING RUN MINE, B SEAM, MINE INDEX NO. 5380, SOMERSET COUNTY, PA., SUBDISTRICT 36, RAIL SHIPPING POINT: JEROME, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	373	353	353	333	333
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	383	358	358	348	338

FRANK M. SHEESLEY, P. O. BOX 349, JOHNSTOWN, PA., FRANK M. SHEESLEY MINE, C' SEAM, MINE INDEX NO. 5401, SOMERSET COUNTY, PA., SUBDISTRICT 32, RAIL SHIPPING POINT: HOLLSOPPLE, PA., STRIP MINE

Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

SOUTHERN MOSHANNON COAL CO., GLEN HOPE, PA., DOTTS NO. 1 MINE, D SEAM, MINE INDEX NO. 5376, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT: IRVONA, PA., STRIP MINE

Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

SOUTHERN MOSHANNON COAL CO., GLEN HOPE, PA., PATTERSON NO. 1 MINE, E SEAM, MINE INDEX NO. 5377, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT: IRVONA, PA., DEEP MINE

Price classification	F	F	F	F	F
Rail shipment	353	353	353	323	323
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	378	353	353	343	333

STABLER COAL CO., 600 N. SECOND ST., HARRISBURG, PA., CATHY NO. 2-B MINE, BARNETT SEAM, MINE INDEX NO. 5392, HUNTINGDON COUNTY, PA., SUBDISTRICT 39, RAIL SHIPPING POINT: HEILNER, PA., STRIP MINE

Price classification	B	B	B	B	C
All methods of transportation and all uses	425	425	390	365	350

STABLER COAL CO., 600 N. SECOND ST., HARRISBURG, PA., CATHY NO. 2-F MINE, FULTON SEAM, MINE INDEX NO. 5393, HUNTINGDON COUNTY, PA., SUBDISTRICT 39, RAIL SHIPPING POINT: HEILNER, PA., STRIP MINE

Price classification	B	B	B	B	C
All methods of transportation and all uses	425	425	390	365	350

ROBERT E. TOMPKINS, 409 WILDER BLDG., ROCHESTER 4, N. Y., TOMPKINS, NO. 1 MINE, D SEAM, MINE INDEX NO. 5387, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: MAPLE RUN, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

VINGLAS COAL, C/O JOSEPH F. VINGLAS, 501 BRADLEY ST., GALLITZIN, PA., VINGLAS COAL MINE, F SEAM, MINE INDEX NO. 5382, BLAIR COUNTY, PA., SUBDISTRICT 27, DEEP MINE

Truck shipment	378	353	353	343	333

CUMBERLAND COAL CO., CUMBERLAND, MD., LUCINDA NO. 1 MINE, LUCINDA SEAM, MINE INDEX NO. 5400, ALLEGANY COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: LUCINDA, PA., DEEP & STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	353	353	353	[illegible]	323
Railroad locomotive fuel	338	338	323	[illegible]	313
Truck shipment*	378	353	353	[illegible]	333

F. R. ZUCK, STROBLETON, PA., KAHLE NO. 2 MINE, B SEAM, MINE INDEX NO. 5385, CLARION COUNTY, PA., SUBDISTRICT 1, STRIP MINE

Truck shipment	360	335	335	325	315

F. R. ZUCK, STROBLETON, PA., RAPP MINE, B SEAM, MINE INDEX NO. 5384, CLARION COUNTY, PA., SUBDISTRICT 1, DEEP MINE

Truck shipment	378	353	353	343	333

*Previously established.

† Above prices are for deep-mined coals—Strip mine prices are above prices minus 15 cents.

NOTE: The maximum prices listed in this order include the increases in maximum prices where authorized by Amendment No. 137 to M. P. R. 120 which became effective May 1, 1945.

This order shall become effective June 2, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1945.

CHESTER BOWLES.
Administrator.

[F. R. Doc. 45-9551; Filed, June 1, 1945; 12:32 p. m.]

[MPR 120, Order 1379]

ALKOL COAL CO. ET AL

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

ALKOL COAL CO., ALKOL, W. VA., ALKOL MINE, COALBURG SEAM, MINE INDEX NO. 7398, LINCOLN COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: FORK JUNCTION, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group numbers													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	J	J	J	J	H	H	G	G	E	G	C	G	G	G
Rail shipments and railroad fuel	390	385	375	375	360	350	330	325	325	360	315	310	300	295
Truck shipment	420	400	365	365	335	315	275	270	----	----	----	----	----	----

BELCHER POTTER & FLEMING COAL CO., C/O CLAUDE BELCHER, DORTON, KY., BELCHER POTTER & FLEMING NO. 2 MINE, ELKHORN SEAM, MINE INDEX NO. 7396, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: NEON, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	H	H	H	H	F	F	E	E	C	C	A	D	D	D
Rail shipments and railroad fuel	395	390	375	375	370	355	335	330	330	385	320	315	315	315
Truck shipment	395	375	350	335	310	275	270	----	----	----	----	----	----	----

J. C. BURDINE, STAR, KY., NO. 1 MINE, NO. 3 SEAM, MINE INDEX NO. 7381, PULASKI COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: SOMERSET, KY., F. O. G. 171, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	380	380	375	375	375	365	345	340	340	375	330	315	310	310
Truck shipment	395	375	350	350	335	310	275	270	----	----	----	----	----	----

CROLEY & BUNCH COAL CO., % LEE CROLEY, WILLIAMSBURG, KY., BUNCH & CROLEY MINE, JELLICO SEAM, MINE INDEX NO. 7367, WHITLEY COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: WILLIAMSBURG, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	H	H	H	H	F	F	E	E	C	E	C	G	G	G
Rail shipments and railroad fuel	410	405	380	390	385	370	350	345	345	400	330	325	315	310
Truck shipment	420	400	365	365	335	315	275	270	----	----	----	----	----	----

GREGORY & WHITES COAL CO. NO. 2, HIMA, KY., LITTLE COOSE MINE, HORSE CREEK SEAM, MINE INDEX NO. 7382, CLAY COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: MANCHESTER, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	380	380	375	375	375	365	345	340	341	375	330	315	310	310
Truck shipment	395	375	350	350	335	310	275	270	----	----	----	----	----	----

MEADOWS CREEK COAL CO., INC., MONTEREY, TENN., SOLON NO. 3 MINE, BON AIR NO. 2 SEAM, MINE INDEX NO. 7381, PUTNAM COUNTY, TENN., SUB-DISTRICT 6, RAIL SHIPPING POINT: MONTEREY, TENN., F. O. G. 210, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	P	P	P	P	M	M	L	K	J	M	G	O	O	O
Rail shipment	360	355	350	350	350	345	340	325	320	370	325	295	290	285
Railroad fuel	360	355	350	350	350	345	340	325	325	370	325	295	290	285
Truck shipment	395	375	350	350	335	310	275	270	----	----	----	----	----	----

PELFREY COAL CO., C/O CLIFTON STANLEY, P. O. BOX 542, PIKEVILLE, KY., PELFREY MINE, ELKHORN NO. 3 SEAM, MINE INDEX NO. 7375, PIKE COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: PIKEVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	H	H	G	E	C	C	D	G	G	G
Rail shipments and railroad fuel	380	375	365	365	360	350	330	330	330	385	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	----	----	----	----	----	----

POLLY & KINCER COAL CO., JACKHORN, KY., NO. 1 MINE, ELKHORN SEAM, MINE INDEX NO. 7397, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: NEON, KY., F. O. G. 62, DEEP MINE MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	H	H	H	H	F	F	E	E	C	C	A	D	D	D
Rail shipments and railroad fuel	395	390	375	375	370	355	335	330	330	385	320	315	315	315
Truck shipment	395	375	350	350	335	310	275	270	----	----	----	----	----	----

SAGERSVILLE COAL CO., C/O JESS CLOYD, EAST BERNSTADT, KY., SAGERSVILLE MINE, HORSE CREEK SEAM, MINE INDEX NO. 7368, LAUREL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: EAST BERNSTADT, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	380	380	375	375	375	365	345	340	340	375	330	315	310	310
Truck shipment	395	375	350	350	335	310	275	270	----	----	----	----	----	----

T. & T. COAL CO., C/O ADAM JOHNSON, PIKEVILLE, KY., T. & T. MINE, ELKHORN NO. 3 SEAM, MINE INDEX NO. 7374, PIKE COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: PIKEVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	H	H	G	E	C	C	D	G	G	G
Rail shipments and railroad fuel	380	375	365	365	360	350	330	330	330	385	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	----	----	----	----	----	----

NOTE: The maximum prices listed in this order include the increases in maximum prices where authorized by Amendment No. 137 to M. P. R. 120, which became effective May 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1945.

CHESTER BOWLES.
Administrator.

[F. R. Doc. 45-9552; Filed, June 1, 1945; 12:32 p. m.]

[MPR 120, Order 1380]

CASE COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

CASE COAL CO., CAMDEN-ON-GAULEY, W. VA., CHERRY FLATS NO. 1 MINE, EAGLE SEAM, MINE INDEX NO. 7629, NICHOLAS COUNTY, W. VA., RAIL SHIPPING POINT: TIOGA, W. VA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	A	A	A	A	A
Rail shipment and railroad fuel	408	368	348	333	333
Truck shipment [1]	378	373	348	338	318

GRAFTON DOMESTIC COAL CO., % J. A. SANDOR JR., GRAFTON, W. VA., SANDOR NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2134, TAYLOR COUNTY, W. VA., RAIL SHIPPING POINT: GRAFTON, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	F	F	F	F	F
Rail shipment and railroad fuel	298	298	283	273	273
Truck shipment	333	333	308	298	288

[1] Previously established.

NEGLEMAN & ABBOTT COAL CO., MT. MORRIS, PA., NEGLEMAN & ABBOTT COAL CO. MINE, SEWICKLEY SEAM, MINE INDEX NO. 2132, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: MAIDSVILLE, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group nos.				
	1	2	3	4	5
Price classification	J	J	J	J	J
Rail shipment and railroad fuel	283	283	273	298	253
Truck shipment	308	308	278	298	278

ROBINSON RUN COAL CO., BOX NO. 28, MAIDSVILLE, W. VA., ROBINSON RUN NO. 4 MINE, REDSTONE SEAM, MINE INDEX NO. 2131, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: MAIDSVILLE, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	J	J	J	J	J
Rail shipment and railroad fuel	283	283	273	298	253
Truck shipment	333	333	308	298	288

STAR COAL CO., KINGWOOD, W. VA., BETHLEHEM NO. 23 MINE, M. V. FREEPORT SEAM, MINE INDEX NO. 2135, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT SABRATON, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	J	J	J	J	J
Rail shipment and railroad fuel	283	283	273	298	253
Truck shipment	333	333	308	298	288

NOTE: The maximum prices listed in this order include the increases in maximum prices were authorized by Amendment No. 137 which became effective May 1 1945.

This order shall become effective June 2, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9553, Filed, June 1, 1945; 12:32 p. m.]

[MPR 136, Amdt. 2 to 2d Rev. Order 88]

GENERAL ELECTRIC CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Revised Maximum Price Regulation No. 136 and section 6.4 of Second Revised Supplementary Regulation No. 14, *It is ordered*, That Second Revised Order No. 88 under Maximum Price Regulation No. 136 be amended in the following respects:

1. Paragraph (a) is amended by adding following model numbers and maximum prices at the end of the list of models and prices headed "Monitor top sealed units":

Model:	*Maximum price for each unit*
FCA-1	$52.26
FCA-2	58.94

2. Paragraph (b) is amended by adding the following model numbers and maximum prices at the end of the list of models and prices headed "Monitor top sealed units":

Model:	*Maximum price for each unit*
FCA-1	$57.85
FCA-2	65.36

3. Paragraph (c) is amended in the following respects:

a. The list of models and prices headed "Monitor top sealed units" is amended by adding at the end thereof the following model numbers and maximum prices.

Model:	*Maximum price for each unit*
FCA-1	$77.00
FCA-2	87.00

b. The last sentence is amended to read as follows:

These prices include installation of the unit in the refrigerator of the consumer and the Federal excise tax, but whenever the dealer installs a model FCA-1 or FCA-2 replacement unit and also installs adaptor parts, he may add $1.00 to the maximum prices listed above for sales of these models by him.

This amendment shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9549; Filed, June 1, 1945; 12:30 p. m.]

[MPR 188, Order 95 Under Order A-2]

ESTEY ORGAN CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to paragraph (a)-16 of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Estey Organ Corporation, Brattleboro, Vermont, may add adjustment charges as indicated below for sales of its miniature pedal operated reed organ for sales to dealers and consumers.

	Maximum price	Adjustment charge permitted by this order	Adjusted maximum price
For sales to retailers	$16.50	$3.90	$20.40
For sales to consumers	27.50	3.90	31.40

The adjusted maximum prices may be charged and collected only if the amount of the adjustments are separately stated on each invoice. They are exclusive of Federal excise tax and are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter purchases for resale articles for which the manufacturer's maximum price has been adjusted by this order may collect from his customer in addition to his properly established maximum price in effect prior to the issuance of this order, an adjustment charge in the same amount as the adjustment charge herein authorized for and which he pays his supplier. If such a purchaser for resale did not have an established maximum price for sale of the article prior to the issuance of this order he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under an applicable price regulation. If the applicable regulation requires his maximum retail prices to be computed on the basis of the cost, the reseller must compute his maximum resale price (without the adjustment charge) by using as cost his invoice cost not including any adjustment charge stated on the invoice. For all such resales the adjustment charge may be made and collected only if it is separately stated on each invoice. Such adjusted prices are subject to each seller's customary terms, discounts and allowances on sale for the same or similar article.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests for adjustment of maximum prices not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9547; Filed, June 1, 1945; 12:40 p. m.]

[MPR 188, Order 96 Under 2d Rev. Order A-3]

J. H. ROSBERG MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* J. H. Rosberg Mfg. Company of 650 N. Kedzie Avenue, Chicago 12, Illinois, may sell and deliver to jobbers the articles listed below, which it manufactures and which are fully described in the manufacturer's application dated March 2, 1945, at prices no higher than its maximum prices to jobbers currently in effect immediately prior to the effective date of this order plus the appropriate one of the following adjustment charges:

Article:	*Adjustment charge*
No. 1 work bench	$1.92
No. 6 work bench	2.32
No. 9 work bench	.90
No. 12 work bench	.49
No. 14 work bench	.43
No. 17 work bench	1.22

Article—Continued.	*Adjustment charge*
No. 21 work bench	$1.22
No. 26 work bench	1.59
No. 29 work bench	.20
No. 501 unit	.32
No. 504 unit	1.06
No. 505 unit	1.23
No. 506 unit	1.23
No. 508 unit	.63
No. 512 unit	1.12
No. 514 unit	1.66
No. 515 unit	.47

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the articles for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user may add to his properly established maximum price for these articles in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, provided the amount of such adjustment charge has been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 96 under 2nd Rev. Order No. A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices, in effect prior to June 2, 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is stated separately on an invoice which contains this notice.

(d) *Statements to be submitted to the Office of Price Administration.* After the effective date of this order, J. H. Rosberg Mfg. Company, shall submit to the Office of Price Administration, Washington, D. C., a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9548; Filed, June 1, 1945; 12:40 p. m.]

[MPR 188, Rev. Order 1924]

HERRON STOVE AND FOUNDRY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1924 under § 1499.158 of Maximum Price Regulation No. 188 is redesignated Revised Order No. 1924 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum list price, f. o. b. point of shipment for sales by any person of the following cash iron hot water supply boiler manufactured by the Herron Stove and Foundry Company of Chattanooga, Tennessee, shall be:

No. 2-8-10-T Cast iron hot water supply boiler	$15.25

(b) The maximum list price specified in (a) above shall be subject to the following discounts:

	Percent
(1) On sales to consumers	List price
(2) On sales to small dealers	40
(3) On sales to large dealers	40-5
(4) On sales to jobbers	40-10

(c) In addition to the discounts enumerated above in (b) the maximum prices established by this revised order shall be subject to such further discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) The maximum prices for sales on an installed basis of the commodity covered by this revised order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this revised order the maximum prices established by this revised order for his sales to such purchasers and the maximum prices established for such purchasers resale.

(f) The Herron Stove and Foundry Company shall stencil in a conspicuous place on its hot water supply boiler covered by this revised order the maximum price to consumers established by this revised order and shall identify such price as the maximum price to consumers.

(g) This revised order may be amended or revoked by the Price Administrator at any time.

This revised order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9527; Filed, June 1, 1945; 12:39 p. m.]

[MPR 188, Rev. Order 3469]

AMERICAN EXCEL-DISTIL FILTER CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 3469 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model XL 3 in 1 Water Purifier manufactured by American Excel-Distil Filter Corp. of 653-467 Broadway, New York City, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

For sales by the manufacturer:	*Per dozen*
To jobbers	$6.95
To retailers	7.95
For sales by sellers other than the manufacturer:	*Each*
To retailers	$7.95
To consumers	1.00

These maximum prices are for the articles described in the manufacturer's application dated November 22, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchasers or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.00
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9528; Filed, June 1, 1945; 12:30 p. m.]

[MPR 188, Rev. Order 3610]

WESTERN STOVE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3610 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Western Stove Company of 8536 Hayes Street, Culver City, California.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Maximum prices for sales per unit to— (1) Distributors	(2) Jobbers	(3) Dept., chain and syndicate stores	(4) Retailers not covered under (3)	(5) Consumers
Model 21, (5¾ x 1 x 12) enamel skillet	$0.225	$0.25	$0.30	$0.32	$0.50
Model 11, (5¾ x 1 x 12) metal skillet	.13	.145	.17	.19	.29

These maximum prices are for the articles described in the manufacturer's application dated January 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and they are subject to no cash discount.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9529; Filed, June 1, 1945; 12:30 p. m.]

[MPR 188, Order 3891]

KRAUSSE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Krausse Manufacturing Company, 3603 Clinton Drive, P. O. Box 4238, Houston 14, Tex.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to— Wholesalers	Retailers	Consumers
Cigarette lighter	9	*Each* $0.90	*Each* $1.20	*Each* $2.00
	11	1.12	1.50	2.50

These maximum prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the blanks properly filled in:

OPA Retail Ceiling Price—$----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June, 1945.

Issued this 1st day of June, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9530; Filed, June 1, 1945; 12:39 p. m.]

[MPR 188, Order 3892]

ADVANCED PLASTICS MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Advanced Plastics Manufacturing Company, 131 West 45th Street, New York 18, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—No. 100 ALUMINUM SKILLET

Maximum prices for sales by manufacturer to—	*Each*
Jobber	$1.25
Department and chain stores	1.50
Other retailers	1.69
Maximum prices for sales by sellers other than manufacturer to—	
Retailers	1.69
Consumers	2.50

These maximum prices are for the articles described in the manufacturer's application dated May 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.50
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9531; Filed, June 1, 1945; 12:39 p. m.]

[MPR 188, Order 3893]

SUPERIOR SPECIALTY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Superior Specialty Company, 71 West 23d Street, New York 10, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to— Wholesalers	Retailers	Consumers
Cigarette lighter	1	*Each* $0.68	*Each* $0.90	*Each* $1.50

sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.50
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9532; Filed, June 1, 1945; 12:39 p. m.]

[MPR 188, Order 3894]

FLAM & KIRSH

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Flam & Kirsh, 307 East 21st Street, New York 10, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—NONELECTRIC TOASTER, BLACK TIN PLATE

Article	Model	Jobber	Maximum prices for sales by manufacturer to— Chain and dept. store buyer	Other retailer	Maximum prices for sales by sellers other than manufacturer to— Retailer	Consumer
Nonelectric toaster, Black tin plate		*Each* $2.10	*Each* $2.20	*Each* $2.50	*Each* $2.40	*Each* $2.70

These maximum prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.50
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9533; Filed, June 1, 1945; 12:36 p. m.]

[MPR 188, Order 3895]

Olson Products

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Olson Products, 2003 West 48th Street, Los Angeles 37, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	3	*Each* $2.02	*Each* $2.70	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated March 29, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9534; Filed, June 1, 1945; 12:38 p. m.]

Belle Manufacturing Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Belle Manufacturing Company, 98 First Avenue, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller	1	*Dozen* $1.35	*Dozen* $1.80	*Each* $0.25

These maximum prices are for the articles described in the manufacturer's application dated April 17, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $0.25 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9535; Filed, June 1, 1945; 12:38 p. m.]

[MPR 188, Order 3897]

Michigan Electrical Laboratories

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Michigan Electrical Laboratories, Post Office Box 655, Benton Harbor, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by—					
		Manufacturer to—			Sellers other than manufacturer to—		
		Wholesaler	Retailer		Retailer		User
			6 Lot	Less than 6	6 Lot	Less than 6	
6-pound nonautomatic iron	#100	*Each* $2.78	*Each* $3.28	*Each* $3.53	*Each* $3.28	*Each* $3.53	*Each* $5.30

These maximum prices are for the articles described in the manufacturer's application dated April 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. This tag or label shall contain either of the following statements:

Either

Order No. ------
Model No. 100
OPA Retail Ceiling Price—$5.30
Federal Excise Tax Included
Do Not Detach

Or

Michigan Electrical Laboratories
Post Office Box 655
Benton Harbor, Michigan
Model No. 100
OPA Retail Ceiling Price—$5.30
Federal Excise Tax Included
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9536; Filed, June 1, 1945; 12:37 p. m.]

[MPR 188, Order 3898]

Torpedo Products

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Torpedo Products, 11 Wallace Avenue, Baldwin, Long Island, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons—		
		To wholesalers	To retailers	To consumers
Cigarette roller	"Cig-o-matic"	*Dozen* $1.80	*Dozen* $2.52	*Each* $0.35

These maximum prices are for the articles described in the manufacturer's application dated March 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label, to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9537; Filed, June 1, 1945; 12:37 p. m.]

[MPR 188, Order 3899]

Asco Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Asco Company, 32 Jones Street, Newark 2, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—			Maximum prices for sales by sellers other than manufacturer to—	
		Jobber	Drop-ship jobber	Retailer	Retailer	Consumer
Cookie sheet	26T	*Ea.* $0.15	*Ea.* $0.15	*Ea.* $0.15	*Ea.* $0.19	*Ea.* $0.30
Cookie sheet	27T	.12	.12	.15	.15	.25
Cookie sheet	28A	.25	.29	.36	.36	.50
Aluminum cake turner	35A	.08	.08	.11	.11	.19
Tin plate cake turner	35T	.05	.05	.06	.06	.10
Towel bar	125	*Doz.* $0.75	*Doz.* $0.75	*Doz.* $0.90	*Doz.* $0.94	*Doz.* $0.12

These maximum prices are for the articles described in the manufacturer's application dated May 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

OPA Retail Ceiling Price—$----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-9538; Filed, June 1, 1945; 12:36 p. m.]

[MPR 188, Order 3901]

CALIFORNIA BRASS MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by the California Brass Manufacturing Company of Los Angeles, California, which were not delivered or offered for delivery by such person during March 1942, shall be 85 percent of the highest list prices for which he delivered or, if he did not deliver, at which he offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by the California Brass Manufacturing Company of Los Angeles, California.

(b) The maximum list prices for sales by any person of unplated unpolished brass fittings and trimmings manufactured by the California Brass Manufacturing Company, which were delivered or offered for delivery by such person during March 1942, shall be the highest list prices for which he delivered or if he did not deliver, at which he offered for delivery the identical unplated unpolished brass fittings and trimmings during March 1942.

(c) Each seller shall on sales of unplated unpolished brass fittings and trimmings extend discounts, allowances including transportation allowances, and render services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of the identical chrome plated brass fittings and trimmings during March 1942.

(d) The maximum prices for sales on an installed basis of the commodities covered by this Order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller, except a retailer, shall notify in writing each of its purchasers at or before the time of the first invoice, of the seller's maximum prices established by this order, as well as the maximum prices established for such purchasers upon resales.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9539; Filed, June 1, 1945; 12:36 p. m.]

[MPR 188, Order 3901]

THE S. S. WHITE DENTAL MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to the provisions of § 1499.157 of Maximum Price Regulation No. 188, and section 6.4 of 2d Revised Supplementary Regulation No. 14, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of the articles listed below, manufactured by the S. S. White Dental Manufacturing Company, 211 South 12th Street, Philadelphia 5, Pennsylvania, as follows:

(1) For all sales and deliveries by the manufacturer, the S. S. White Dental Manufacturing Company, to that class of purchasers designated by the manufacturer as "Dental Dealers" in March 1942, the maximum prices are those set forth below:

Articles	*Maximum price to "Dental dealers" (each)*
Dental operating stool No. 2	$36 00
Water-cooled impression trays	3 00
Amalgam carrier	1 72
Gold lingual bar—small	3 70
Gold lingual bar—medium	3 81
Gold lingual bar—large	4 25
Metalba lingual bar—small	1 86
Metalba lingual bar—medium	2 48
Metalba lingual bar—large	2 90

These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(2) For all sales and deliveries by "Dental Dealers" and by retail branches of the manufacturer to the retail trade, the maximum prices are those set forth below:

Articles	*Maximum prices for sales at retail (each)*
Dental operating stool No. 2	$60 00
Water-cooled impression trays	5 00
Amalgam carrier	2 15
Gold lingual bar—small	4 625
Gold lingual bar—medium	4 763
Gold lingual bar—large	5 313
Metalba lingual bar—small	2 325
Metalba lingual bar—medium	3 10
Metalba lingual bar—large	3 625

These prices are subject to the seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles at retail.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order is effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9540; Filed, June 1, 1945; 12:34 p. m.]

[MPR 188, Order 3902]

VICTORY MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Victory Manufacturing Company, 1403 Wyoming Place, San Antonio, Tex.

(b) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Manufacturer to	*Each*
Wholesalers (jobbers)	$1 35
Non-shipping jobbers	2 34
Non-shipping jobbers	2 60
Dealers	3 90
Retailers	
Non-shipping jobbers	2 34
Non-shipping jobbers	2 60
Consumers	3 90

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with full freight allowed on shipments of 100 pounds or more to jobbers' stock, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $2.30
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9541; Filed, June 1, 1945; 12:35 p. m.]

[MPR 188, Order 3903]

GOULD AND PRESNELL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Gould and Presnell of 1298 South Kalamath, Denver, Colo.

(b) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES OF GARDEN SPRINKLERS, MODEL NO. A

Manufacturer to	*Each*
Wholesalers (jobbers)	$1 35
Non-shipping jobbers	2 34
Retailers	
Non-shipping jobbers	2 60
Consumers	3 90

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with full freight allowed on shipments of 100 pounds or more to jobbers' stock, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(5) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $3.90
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9542; Filed, June 1, 1945; 12:35 p. m.]

[MPR 188, Order 3904]

ACCURATE TOOL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Accurate Tool Company of 1400 West Lane Avenue, Columbus, Ohio.

(b) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Manufacturer to	*Each*	*Each*	*Each*	*Each*
Wholesalers (jobbers)	$0 50	$0 75	$0 75	$0 75
Non-shipping jobbers	0 87	1 30	1 30	1 30
Retailers				
Non-shipping jobbers	0 97	1 46	1 46	1 46
Consumers	1 45	2 17	2 17	2 17

These maximum prices are for the articles described in the manufacturer's application dated March 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(5) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $1.45
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9543; Filed, June 1, 1945; 12:32 p. m.]

[MPR 188, Order 3905]

SLOAN MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Sloan Manufacturing Company of 2300 Torrence Boulevard, Torrence, Calif.

(b) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Manufacturer to	*Each*
Wholesalers (jobbers)	$0 50
Non-shipping jobbers	0 87
Retailers	
Non-shipping jobbers	0 97
Consumers	1 45

These maximum prices are for the articles described in the manufacturer's application dated April 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with full freight allowed on shipments of 100 pounds or more to jobbers' stock and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices

are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.20
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9544; Filed, June 1, 1945; 12:35 p. m.]

[MPR 188, Order 3906]

NASSAU SPONGE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of the Clix Chamois Mitt manufactured by Nassau Sponge Company, of 124 West Kinzie Street, Chicago 10, Illinois.

(1) For all sales and deliveries to ultimate consumers by any person, the maximum price is $.79 each. This maximum price is for the article described in the manufacturer's application filed December 9, 1944.

(2) For sales by persons other than the manufacturer, the maximum price applies to all sales and deliveries made after the expiration of sixty days from the effective date of this order.

(3) This price is subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$.79
Do Not Detach.

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum price and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9545; Filed, June 1, 1945; 12:36 p. m.]

[MPR 188, Order 3907]

BERGMAN SPECIALTIES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes a maximum price for sales and deliveries to ultimate users of the Model No. 50 Drain Tub (two tubs on one stand) manufactured by Bergman Specialties of 1609 North Jefferson Avenue, St. Louis, Missouri.

(1) For all sales and deliveries to ultimate users by any person, the maximum price is $9.40 each. This maximum price is for the article described in the manufacturer's application dated November 8, 1944.

(2) For sales by the manufacturer, the maximum price applies to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. It is f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum price applies to all sales and deliveries after the effective date of this order. In the case of such sales, this price is f. o. b. seller's city and it is subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to ultimate users is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $9.40
Do Not Detach.

(c) At the time of, or prior to, the first invoice to each person purchasing for resale to ultimate users, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of June 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9546; Filed, June 1, 1945; 12:36 p. m.]

[MPR 260, Order 1037]

O. GONZALEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) O. Gonzalez Cigar Factory, 1610 9th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Roy	Coronas Principe	50	$75.75	2 for 11
Don Pride	Nonplus	50	72.00	9
La Corona	Coronas	50	60.00	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9554; Filed, June 1, 1945; 12:34 p. m.]

[MPR 260, Order 1038]

L. & M. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) L. & M. Cigar Factory, 939½ 7th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tampa Rico	Corona Especial	50	$41	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9555; Filed, June 1, 1945; 12:34 p. m.]

[MPR 260, Order 1039]

FLORIDA CIGAR MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Florida Cigar Mfgr. Co., 124 W. Bay Street, Jacksonville, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cuba Libres	4¾".....	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9556; Filed, June 1, 1945; 12:30 p. m.]

[MPR 260, Order 1040]

RUBEN CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ruben Cigar Factory, 1813 15th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ruben	Corona Teros.	50	$185	21
	Brevas	50	160	22
	Londre Grando.	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9557; Filed, June 1, 1945; 12:34 p. m.]

[MPR 260, Order 1041]

R. B. DAVIS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) R. B. Davis Cigar Factory, 40th & Buffalo Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tampa Dots	Coronas	50	$32	4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9558; Filed, June 1, 1945; 12:33 p. m.]

[MPR 260, Order 1042]

D. VALENTI CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) D. Valenti Cigar Factory, 2922 22nd Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
"D" & "V" Cigars	Coronas	50	$50	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9559; Filed, June 1, 1945; 12:33 p. m.]

[MPR 260, Order 1043]

M. ALVAREZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. Alvarez Cigar Factory, 105½ South 22nd Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
M A	Corona	50	$40	5

or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9560; Filed, June 1, 1945; 12:33 p. m.]

[MPR 260, Order 1044]

PEDRO GURRI CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Gurri Cigar Co., 2415 13th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Gurri	Coronas	50	$78.75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9561; Filed, June 1, 1945; 12:33 p. m.]

[MPR 260, Order 1045]

GUSTAVE VELASCO & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gustave Velasco & Co., 2135 Pine Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ferco	Coronas	50	*Per M* $90	*Cents* 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R Doc. 45-9562; Filed, June 1, 1945; 12:29 p. m.]

[MPR 260, Order 1046]

V. G. SIGEMORE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) V. O. Sigemore, Galice Road, Merlin, Oreg. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Showanda	7¾	50	*Per M* $90	*Cents* 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9563; Filed, June 1, 1945; 12:29 p. m.]

[MPR 260, Order 1047]

J. M. MORERA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. M. Morera, 1216 11th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Vega de Morera	Brevas	50	*Per M* $80	*Cents* 10
	Londres	50	110	2 for 25
	Palmas	50	175	2 for 35
	Lords	50	90	2 for 20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9564; Filed, June 1, 1945; 12:31 p. m.]

[MPR 260, Order 1048]

INOCENCIO ROMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Inocencio Roman, 152 East 112 St., New York 1, N. Y., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic

cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Traymore	Traymore 5"	50	*Per M* $90	*Cents* 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9565; Filed, June 1, 1945; 12:31 p. m.]

[MPR 260, Order 1049]

SANTOS ALAVARRIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Santos Alavarria, 873 Columbus Avenue, New York, 1, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona	*Inches* 5	50	*Per M* $64	*Cents*

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maxi-

mum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9566; Filed, June 1, 1945; 12:31 p. m.]

[MPR 260, Order 1050]

GARCIA & GOEHRING

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Garcia & Goehring, 307 Grand Central Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Adam and Eve	Boston Grande	50	$93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9567; Filed, June 1, 1945; 12:31 p. m.]

[SR 15, Order 23]

AMERICAN PIGMENT CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.75 (a) (18) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Producer*—(1) *Sales in plain paper bags.* The maximum prices, f. o. b. plant, for sales by American Pigment Corporation, Hiwassee, Virginia, of the earth pigments of its own manufacture listed in its application for adjustment, dated February 16, 1945, under item No. 4 and packed in plain paper bags, shall be the unadjusted maximum prices as established under the General Maximum Price Regulation and so listed in its application under the heading "Current Ceiling Price Per Ton (In Bags)", plus an amount (in dollars and cents) equal to six per cent of such unadjusted maximum price.

(2) *Sales in other bags or barrels.* The maximum prices for sales by American Pigment Corporation in bags other than plain paper bags or in barrels shall be the maximum prices specified in subparagraph (1) above, plus or minus, as the case may be, the customary differential for sales in such bags or barrels.

(b) *Resellers.* A reseller making sales to industrial consumers of the earth pigments for which maximum prices are established under paragraph (a) above may add to his maximum price per unit immediately prior to this order for such sales his increased acquisition cost per unit under this order. His increased cost per unit is the increase (in dollars and cents) in the price to him per unit over American Pigment Corporation's maximum price per unit for sales to him immediately prior to this order as determined from the invoice required to be furnished him under (c) below.

(c) *Invoices.* American Pigment Corporation or any reseller making sales to an industrial consumer of the earth pigments for which maximum prices are established under paragraph (a) above shall show as separate items on all invoices therefor:

(1) The maximum price for such a sale immediately prior to this order.

(2) The adusted selling price (not in excess of the maximum price under this order).

An invoice containing the above required information shall be furnished the buyer prior to payment by him.

This order may be revoked or amended by the Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9608; Filed, June 2, 1945, 11:52 a. m.]

[Order 51 Under 3 (e)]

CHANITE LABORATORIES

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Maximum delivered prices for sales of "Chanite Flux on a Stick" manufactured by Chanite Laboratories, Ft. Worth, Texas, are established as follows:

	Cents
To wholesalers	15
To retailers	19
To consumers	29

(b) No additional charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a wholesaler, the manufacturer shall furnish such wholesaler with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been approved by the Office of Price Administration.

(d) Prior to making any delivery of Chanite Flux on a Stick after the effective date of this order, the manufacturer shall mark or cause to be marked on each item or the card holding same substantially the following legend:

Maximum retail price, 29¢ each.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9609; Filed, June 2, 1945; 11:52 a. m.]

[Order 52 Under 3 (e)]

FLEXOID PRODUCTS, INC.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) Maximum prices for sales of "Motorflex" and "Rustflex" manufactured by Flexoid Products, Inc. Boston, Massachusetts are established as follows:

Product	Size	Maximum price	For sales to—
Motorflex	12 ounces	$0.375	Jobber.
	do	.50	Retailer
	do	.75	Consumer.
	1 gallon	2.25	Jobber.
	do	3.00	Retailer
	do	4.50	Consumer.
Rustflex	1 pint	.50	Jobber.
	do	.67	Retailer.
	do	1.00	Consumer.
	1 gallon	2.25	Jobber.
	do	3.00	Retailer.
	do	4.50	Consumer.

The above prices subject to the same practice with respect to payment of freight charges as prevail on Motorflex in pint sizes.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodities to a jobber, the manufacturer shall furnish such jobber, with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of Motorflex and Rustflex, after the effective date of this order, the manufacturer shall mark or cause to be marked the following legends:

Motorflex:
12 ounces "Maximum retail price—75 cents."
1 gallon "Maximum retail price—$4.50."
Rustflex:
1 pint "Maximum retail price—$1.00."
1 gallon "Maximum retail price—$4.50."

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9610; Filed, June 2, 1945; 11:52 a. m.]

[MPR 120, Amdt. 2 to Order 1343]

BITUMINOUS COAL IN DISTRICT 8

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1343 under Maximum Price Regulation No. 120 is amended in the following respect:

In Footnote 2 below the table of maximum prices the date "6/2/45" is deleted and "12/2/45" is inserted in lieu thereof.

This amendment to Order No. 1343 shall become effective June 2, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9611; Filed, June 2, 1945; 11:53 a. m.]

[RMPR 136, Order 451]

H. B. SHERMAN MFG. CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 541 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. H. B. Sherman Manufacturing Company. Docket No. 6083-136, 25a-307.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136: *It is ordered:*

(a) The maximum price for sales by all persons of the No. 501 bronze fixture connector sold by the H. B. Sherman Manufacturing Company, Battle Creek, Michigan, shall be determined as follows: The seller shall add $0.995 per hundred to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order.

(b) H. B. Sherman Manufacturing Company shall notify each purchaser who buys the bronze fixture connectors listed in paragraph (a) for resale of the dollars-and-cents amounts by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9612; Filed, June 2, 1945; 11:53 a. m.]

[MPR 260, Order 1051]

EDWARD C. GROTHE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Edward C. Grothe, 215 S. Main Street, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Golden Hour	11/8 x 4"	Jo	85	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9613; Filed, June 2, 1945; 11:53 a. m.]

[MPR 260, Order 1052]

CABOT CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cabot Cigar Factory, 1715½ 13th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Edu.....	Coronas.....	50	*Per M* $80 00	*Cents* 12
	Couchas.....	50	44 00	2 for 11
	Kentucky.....	50	82 50	11
	Brevas.....	50	169 00	22
	Panetela Palma.	50	185 00	24

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9614; Filed, June 2, 1945; 11:53 a. m.]

[MPR 260, Order 1053]

SEVERINO PEREZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Severino Perez Cigar Factory, 1410 13th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Yes-Me.....	Corona #3.....	50	*Per M* $72	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9615; Filed, June 2, 1945; 11:54 a. m.]

[MPR 260, Order 1054]

PHILLIP DE MARCO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Phillip De Marco Cigar Factory, 1801 14th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Lina.....	Palmas.....	50	*Per M* $185	*Cents* 24
	Brevas.....	50	169	22
	Smokers.....	50	72	9
	Coronas.....	50	77	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9616; Filed, June 2, 1945; 11:54 a. m.]

[MPR 260, Order 1055]

MERCEDES CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mercedes Cigar Factory, 2003 15th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Mercedes.....	Brevas.....	50	*Per M* $169 00	*Cents* 22
	Especiales.....	50	108 75	2 for 25
	Corona.....	50	78 75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9617; Filed, June 2, 1945; 11:55 a. m.]

[MPR 260, Order 1056]

DIANA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Diana Cigar Factory, 1516 8th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Sonta.....	Elevantes.....	50	*Per M* $101.25	*Cents* 2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9618; Filed, June 2, 1945; 11:55 a. m.]

[MPR 260, Order 1057]

MARGARET PALAEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Margaret Palaez, 1777 Madison Avenue, New York 35, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Marco	Coronas	50	$173	2 for 45
	Coronita	50	64	8
	Continuboro	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9619; Filed, June 2, 1945; 11:55 a. m.]

[MPR 260, Order 1058]

V. PEREIRA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) V. Pereira Cigar Factory, 2607 10th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
V. Pereira	Petit Cetro	50	$90	7
	Straights	50	90	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9620; Filed, June 2, 1945; 11:55 a. m.]

[MPR 260, Order 1059]

C. W. MITZEL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) C. W. Mitzel, 201 S. Pine, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Mitzels Queens	Mitzels Queens	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9621; Filed, June 2, 1945; 11:56 a. m.]

[MPR 260, Order 1060]

PRIMERO DE MAYO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Primero de Mayo, 2709 Laurel, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Primero de Mayo	Corona	50	$60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9622; Filed, June 2, 1945; 11:56 a. m.]

[MPR 260, Order 1061]

JOHN E. KRANICK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) John E. Kranick, 1113 Pontiac St., Ann Arbor, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Charlies Pets	Charlies Pets 4¾"	50	$48	6
U of M	U of M, 5"	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9623; Filed, June 2, 1945; 11:57 a. m.]

[MPR 260, Order 1062]

LIKE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Like Cigar Co., Inc., 1459 Third Ave., New York 28, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Jose Vega	Bafian	50	$70	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9624; Filed, June 2, 1945; 11:57 a. m.]

[MPR 260, Order 1063]

U. S. O. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) U. S. O. Cigar Co., 406 S. Main St., Los Angeles 6, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
U. S. O.	Panatela Fins	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9625; Filed, June 2, 1945; 11:57 a. m.]

[MPR 260, Order 1064]

DANIEL P. REICHARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, that:

(a) Daniel P. Reichard, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ruth Ann	Deluxe	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9626; Filed, June 2, 1945; 11:57 a. m.]

[MPR 260, Order 1065]

LOPEZ & RIVERA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lopez & Rivera Cigar Co., 2614 16th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lopez & Rivera	Kings	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9627; Filed, June 2, 1945; 11:58 a. m.]

[MPR 260, Order 1066]

FRANK V. ROSSI

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frank V. Rossi, 70½ Stone St., Newark 4, N. J. (herinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Wellington	5"	50	$40	5
Bob Willie	#63 Special	50	72	9
Ranger	5"	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and

size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9628; Filed, June 2, 1945; 11:58 a. m.]

[MPR 260, Order 1067]

DIAMOND CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Diamond Cigar Factory, 1229 7th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Diamond Cigar	Byrons	50	$69 00	22
	Coronas	50	72 00	9
	Corona Extra	50	90 75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9629; Filed, June 2, 1945; 11:58 a. m.]

[MPR 260, Order 1068]

JAMES RIVAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) James Rivas, Rt. #4, Box 1420, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Club Queen	5"	50	$116 00	3
Panetelas	4¾"	50	80 00	2
Coronas	5"	50	108 75	3

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 4, 1945.

Issued this 2d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9630; Filed, June 2, 1945; 11:58 a. m.]

[Supp. Order 94, Rev. Order 22]

UNITED STATES DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR NEW AND USED ARMY PNEUMATIC LIFE RAFTS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, *It is ordered:*

Order No. 22 issued under Supplementary Order 94 is revised and amended to read as follows:

(a) *What this order does.* This order establishes maximum prices for sales at wholesale and retail of the army pneumatic life rafts hereinafter described which have been or may be sold by the Department of Commerce.

(b) *Maximum prices*—(1) *New rafts.* The maximum prices for the following new life rafts described herein shall be:

Article and description	Wholesaler's price to retailer f. o. b. point of shipment	Retailer's price
Army life raft, pneumatic, 1 man, 1 seat, size inflated 72" x 42" single tube construction, diameter of tube 13" packed in carrying case 12" x 20", weight 32 lbs. complete with oars (or paddles), hand pump and repair kit.	$70.00 each plus 125% of any amount in excess of $56.00 actually paid by the wholesaler to the government.	$127.00 each plus 182% of any amount in excess of $70.00 actually paid by the retailer to the government or a wholesaler.
Army life raft, pneumatic, 3 man, no seats, canvas tube inflated by means of 12 bladders each 12" wide, 22" long, 12" high, size inflated 100" x 42", packed in carrying case, complete with oars (or paddles) and repair kit.	$75.00 each plus 125% of any amount in excess of $60.00 actually paid by the wholesaler to the government.	$135.00 each plus 182% of any amount in excess of $75.00 actually paid by the retailer to either the government or a wholesaler.
Army life raft, pneumatic, 5 man, two seats inflatable independently of outside tube, tube composed of four compartments, size inflated 114" x 56" diameter of tube 15", packed in carrying case 13" x 36", weight 75 lbs., complete with oars (or paddles), hand pump and repair kit.	$82.50 each plus 125% of any amount in excess of $66.00 actually paid by the wholesaler to the government.	$150.00 each plus 182% of any amount in excess of $82.50 actually paid by the retailer to either the government or a wholesaler.
Army life raft, pneumatic, 6 man, two seats inflatable independently of outside tube, tube composed of four compartments separated by rubberized fabric, size inflated 114" x 58" diameter of tube 16", packed in carrying case 36" x 18", complete with oars (or paddles), hand pump and repair kit.	$82.50 each plus 125% of any amount in excess of $66.00 actually paid by the wholesaler to the government.	$150.00 each plus 182% of any amount in excess of $82.50 actually paid by the retailer to either the government or a wholesaler.
Army life raft, pneumatic, 7 man, three seats inflatable independently of outer tube, tube composed of four compartments, size inflated 144" x 72", complete with oars (or paddles), hand pump and repair kit.	$91.60 each plus 125% of any amount in excess of $73.00 actually paid by the wholesaler to the government.	$165.00 each plus 182% of any amount in excess of $91.60 actually paid by the retailer to either the government or a wholesaler.

(2) *Used rafts.* The maximum price per used raft that is described above shall be 75% of the appropriate maximum price set forth in subparagraph (1) herein (thus the maximum wholesaler's price for the used 1 man raft shall be $52.50 (75% of $70.00) plus 125% of any amount in excess of $42.00 (75% of $56.00) actually paid by the wholesaler to the government): *Provided*, That

(i) No part is missing which is necessary to make the raft fully useful, and

(ii) The raft is in good working condition, and can be used by the consumer for its proper purpose without further repair.

(3) The maximum price for used rafts which cannot be priced under (2) above shall be 33⅓% of the appropriate maximum price set forth in subparagraph (1) herein.

(4) These prices are subject to the seller's customary discounts for cash on sales of similar articles.

(c) *Notification.* Any person who sells the rafts described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum price for each type of raft and stating that the retailer is required by this order to attach to each raft before sale a tag or label stating the appropriate retail ceiling price.

(d) *Tagging.* Any person who sells the rafts described in paragraph (b) at retail shall attach to such raft before sale a tag or label which plainly states the appropriate retail ceiling price. If the raft has been used, a statement to that effect must appear on the tag or label.

(e) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a major part of his total sales.

(2) "Wholesaler" means any person other than a manufacturer who distributes or sells the life rafts to purchasers other than consumers.

(f) *Relation to other regulations and orders.* This order with respect to the life rafts it covers, supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 5, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9681; Filed, June 4, 1945; 11:39 a. m.]

[MPR 188, Order 3908]

BRIDGEPORT BRASS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by the Bridgeport Brass Company of Bridgeport, Connecticut, which were not delivered or offered for delivery by such person during March 1942, shall be 85 percent of the highest list prices for which he delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by the Bridgeport Brass Company of Bridgeport, Connecticut.

(b) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by the Bridgeport Brass Company of Bridgeport, Connecticut, which were delivered or offered for delivery by such person during March 1942, shall be the highest list prices for which he delivered or, if he did not deliver, at which he offered for delivery the identical unplated, unpolished brass fittings and trimmings during March 1942.

(c) The maximum list prices determined by the Bridgeport Brass Company of Bridgeport, Connecticut, under the provisions of (a) above, shall, on sales to jobbers, be subject to a discount of 45 percent.

(d) In addition to the discount enumerated in (c) above, all sellers shall extend or render discounts, allowances and services at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller, except a retailer, shall notify in writing each of its purchasers at or before the time of the first invoice, of the seller's maximum prices established by this order, as well as the maximum prices established for such purchasers upon resales.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 5, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9682; Filed, June 4, 1945; 11:41 a. m.]

[MPR 188, Order 3909]

KEENEY MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by the Keeney Manufacturing Company of Newington, Connecticut, which were not delivered or offered for delivery by such person during March 1942, shall be 85 percent of the highest list prices for which he delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by the Keeney Manufacturing Company of Newington, Connecticut.

(b) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufac-

tured by the Keeney Manufacturing Company, which were delivered or offered for delivery by such person during March 1942, shall be the highest list prices for which he delivered or, if he did not deliver, at which he offered for delivery the identical unplated, unpolished brass fittings and trimmings during March 1942.

(c) The maximum list prices determined by the Keeney Manufacturing Company of Newington, Connecticut, under the provisions of (a) above, shall, on sales to jobbers, be subject to a discount of 50 percent.

(d) In addition to the discount enumerated in (c) above, all sellers shall extend or render discounts, allowances and services at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller, except a retailer, shall notify in writing each of its purchasers at or before the time of the first invoice, of the seller's maximum prices established by this order, as well as the maximum prices established for such purchasers upon resales.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 5, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9683; Filed, June 4, 1945; 11:41 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register May 30, 1945.

REGION I

Rhode Island Order 3-F, Amendment 3, covering fresh fruits and vegetables in Rhode Island, filed 10:01 a. m.

Rhode Island Order 4-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Rhode Island, filed 9:57 a. m.

REGION II

New York Order 9-F, Amendment 11, covering fresh fruits and vegetables in the five boroughs in New York, filed 9:57 a. m.

New York Order 9-F, Amendment 13, covering fresh fruits and vegetables in the five boroughs in New York, filed 9:57 a. m.

New York Order 10-F, Amendment 11, covering fresh fruits and vegetables in Nassau and Westchester Counties, N. Y., filed 9:56 a. m.

New York Order 10-F, Amendment 13, covering fresh fruits and vegetables in Nassau and Westchester Counties, N. Y., filed 9:56 a. m.

New York Order 12-F, Amendment 4, covering fresh fruits and vegetables in certain counties in New York, filed 9:56 a. m.

New York Order 12-F, Amendment 6, covering fresh fruits and vegetables in certain counties in New York, filed 9:55 a. m.

Pittsburgh Order 2-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Pennsylvania, filed 9:55 a. m.

Pittsburgh Order 3-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 9:55 a. m.

Syracuse Order 4-W, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 9:31 a. m.

Williamsport Order 6-W, Amendment 1, covering dry groceries in certain areas in Pennsylvania. Filed 10:00 a. m.

REGION III

Charleston Order 7-F, Amendment 14, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:09 a. m.

Charleston Order 9-F, Amendment 14, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:08 a. m.

Charleston Order 10, Amendment 4, covering dry groceries in the entire state of West Virginia. Filed 10:05 a. m.

Charleston Order 10-F, Amendment 14, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:08 a. m.

Charleston Order 11-F, Amendment 14, covering fresh fruits and vegetables in Jefferson and Morgan Counties, West Virginia. Filed 10:08 a. m.

Charleston Order 15-F, Amendment 10, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:08 a. m.

Charleston Order 16-F, Amendment 10, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:06 a. m.

Charleston Order 17-F, Amendment 10, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:06 a. m.

Cincinnati Order 1-C, Amendment 3, covering poultry in certain areas in Ohio. Filed 10:05 a. m.

Cincinnati Order 4-F, Amendment 21, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 10:05 a. m.

Cincinnati Order 5-F, Amendment 21, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:05 a. m.

Cincinnati Order 7-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:05 a. m.

Cleveland Order F-1, Amendment 41, covering fresh fruits and vegetables in Cuyahoga County, Ohio. Filed 10:05 a. m.

Cleveland Order F-3, Amendment 41, covering fresh fruits and vegetables in Mahoning and Trumbull Counties, Ohio. Filed 10:04 a. m.

Cleveland Order F-4, Amendment 41, covering fresh fruits and vegetables in Stark and Summit Counties, Ohio. Filed 10:04 a. m.

Grand Rapids Order F-14A, Amendment 74, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 10:04 a. m.

Grand Rapids Order F-14B, Amendment 74, covering fresh fruits and vegetables in Battle Creek, Kalamazoo and Muskegon, Michigan. Filed 10:04 a. m.

Grand Rapids Order F-14C, Amendment 49, covering fresh fruits and vegetables in certain areas in Michigan. Filed 10:04 a. m.

REGION IV

Atlanta Order 6-F, Amendment 34, covering fresh fruits and vegetables in the Atlanta-Decatur Area. Filed 10:03 a. m.

Atlanta Order 7-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Georgia. Filed 10:03 a. m.

Atlanta Order 8-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Georgia. Filed 10:03 a. m.

Atlanta Order 9-F, Amendment 7, covering fresh fruits and vegetables in Bibb and Muscogee, Georgia and Phenix City, Alabama. Filed 10:03 a. m.

Birmingham Order 3-F, Amendment 10, covering fresh fruits and vegetables in Jefferson County, Alabama. Filed 10:03 a. m.

Jackson Order 4-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 10:03 a. m.

Miami Order 1, Amendment 4, covering poultry in certain counties in Florida. Filed 10:00 a. m.

Miami Order 1-F, Amendment 14, covering fresh fruits and vegetables in certain cities in Florida. Filed 10:02 a. m.

Miami Order 2-F, Amendment 14, covering fresh fruits and vegetables in certain cities in Florida. Filed 10:02 a. m.

Miami Order 3-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Florida. Filed 10:02 a. m.

Miami Order 4-F, Amendment 5, covering fresh fruits and vegetables in Manatee County, Florida. Filed 10:02 a. m.

Savannah Order 7-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:02 a. m.

Savannah Order 9-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:01 a. m.

Savannah Order 10-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:01 a. m.

REGION V

Fort Worth Order 2-C, Amendment 1, covering poultry in certain counties in Texas. Filed 9:34 a. m.

Kansas City Order 1-O, Amendment 3, covering eggs. Filed 9:58 a. m.

Kansas City Order 1-O, Amendment 4, covering eggs. Filed 9:58 a. m.

Kansas City Order 2-O, Amendment 3, covering eggs. Filed 9:59 a. m.

Kansas City Order 2-O, Amendment 4, covering eggs. Filed 9:59 a. m.

Kansas City Order 4-F, Amendment 37, covering fresh fruits and vegetables in Wichita, Planeview, Beechwood and Wichita Heights. Filed 9:55 a. m.

San Antonio Order 1-C, Amendment 2, covering poultry in certain counties in Texas. Filed 9:54 a. m.

Shreveport Order 2-F, Amendment 63, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:54 a. m.

Shreveport Order 3-F, Amendment 52, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:53 a. m.

REGION VI

Green Bay Order 4-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:53 a. m.

Green Bay Order 5-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:53 a. m.

Green Bay Order 6-F, Amendment 15, covering fresh fruits and vegetables in Florence, Forest and Marinette. Filed 9:53 a. m.

Milwaukee Order 8-F, Amendment 10, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 9:53 a. m.

Milwaukee Order 9-F, Amendment 10, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties, Wisconsin. Filed 9:35 a. m.

Milwaukee Order 11-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:35 a. m.

Omaha Order 10-F, Amendment 11, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 9:52 a. m.

Omaha Order 11-F, Amendment 12, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 9:52 a. m.

Quad-Cities Order 2-F, Amendment 37, covering fresh fruits and vegetables in certain areas in Iowa and Illinois. Filed 9:52 a. m.

Twin Cities Order 9, Amendment 3, covering dry groceries in the Twin Cities Area. Filed 9:51 a. m.

Twin Cities Order 10, Amendment 3, covering dry groceries in the Twin Cities Area. Filed 9:51 a. m.

REGION VII

Albuquerque Order 8-W, Amendment 5, covering dry groceries in certain areas in New Mexico. Filed 9:47 a. m.

Albuquerque Order 9-W, Amendment 5, covering dry groceries in certain areas in New Mexico. Filed 9:38 a. m.

Albuquerque Order 18, Amendment 5, covering dry groceries in certain areas in New Mexico. Filed 9:51 a. m.

Albuquerque Order 20, Amendment 4, covering dry groceries in certain areas in Southern and Eastern New Mexico. Filed 9:47 a. m.

REGION VIII

Fresno Order 1-F, Amendment 71, covering fresh fruits and vegetables in Fresno, California. Filed 9:34 a. m.

Fresno Order 2-F, Amendment 59, covering fresh fruits and vegetables in Modesto, California. Filed 9:34 a. m.

Fresno Order 3-F, Amendment 56, covering fresh fruits and vegetables in certain areas in California. Filed 9:33 a. m.

Fresno Order 4-F, Amendment 31, covering fresh fruits and vegetables in certain areas in California. Filed 9:33 a. m.

Fresno Order 6-F, Amendment 42, covering fresh fruits and vegetables in Bakersfield and Kern County, Calif. Filed 9:33 a. m.

Fresno Order 7-F, Amendment 21, covering fresh fruits and vegetables in Merced, California. Filed 9:32 a. m.

Nevada Order 6-F, Amendment 16, covering fresh fruits and vegetables in the Reno and Sparks Area, Nev. Filed 9:32 a. m.

Nevada Order 7-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:32 a. m.

Nevada Order 8-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:31 a. m.

Nevada Order 9-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:31 a. m.

Nevada Order 10-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:31 a. m.

San Francisco Order 1-C, Amendment 10, covering poultry. Filed 9:37 a. m.

San Francisco Order 2-B, covering fresh fruits and vegetables. Filed 9:37 a. m.

San Francisco Order of Revocation 7-F, covering fresh fruits and vegetables in the San Francisco Area. Filed 9:38 a. m.

San Francisco Order of Revocation 8-F, covering fresh fruits and vegetables in the San Jose Area. Filed 9:38 a. m.

San Francisco Order of Revocation 9-F, covering fresh fruits and vegetables in the Vallejo Area. Filed 9:37 a. m.

San Francisco Order of Revocation 10-F, covering fresh fruits and vegetables in the Monterey Area. Filed 9:37 a. m.

San Francisco Order of Revocation 11-F, covering fresh fruits and vegetables in the Marin Area. Filed 9:37 a. m.

San Francisco Order of Revocation 12-F, covering fresh fruits and vegetables in the Palo Alto Area. Filed 9:37 a. m.

Spokane Order 6-F, Amendment 17, covering fresh fruits and vegetables in Spokane County, Washington. Filed 9:37 a. m.

Spokane Order 8-F, Amendment 17, covering fresh fruits and vegetables in Kootenai County, Idaho. Filed 9:36 a. m.

Spokane Order 10-F, Amendment 16, covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho. Filed 9:36 a. m.

Spokane Order 11-F, Amendment 16, covering fresh fruits and vegetables in Latah County, Idaho and Whitman County, Washington. Filed 9:36 a. m.

Spokane Order 12-F, Amendment 17, covering fresh fruits and vegetables in Asotin County, Washington and Nez Perce County, Idaho. Filed 9:36 a. m.

Spokane Order 13-F, Amendment 18, covering fresh fruits and vegetables in Columbia and Walla Walla Counties, Washington. Filed 9:35 a. m.

Spokane Order 14-F, Amendment 18, covering fresh fruits and vegetables in Benton and Franklin Counties, Washington. Filed 9:35 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-9575; Filed, June 1, 1945; 4:40 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register May 29, 1945.

REGION I

Boston Order 7-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:48 a. m.

Boston Order 8-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:48 a. m.

Boston Order 9-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:48 a. m.

Boston Order 10-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:48 a. m.

Boston Order 11-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:48 a. m.

New Hampshire Order 9-F, Amendment 1, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:49 a. m.

New Hampshire Order 9-F, Amendment 3, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:47 a. m.

Vermont Order 2-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Vermont. Filed 9:47 a. m.

Vermont Order 2-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Vermont. Filed 9:47 a. m.

Vermont Order 1-C, covering poultry in the entire state of Vermont. Filed 9:46 a. m.

REGION II

New York Order 5-W, covering dry groceries in certain areas in New York. Filed 9:47 a. m.

New York Order 28, covering dry groceries in certain areas in New York. Filed 9:47 a. m.

REGION III

Toledo Order 10-C, Amendment 1, covering poultry in certain areas in Ohio. Filed 9:45 a. m.

Toledo Order 10-C, Amendment 2, covering poultry in certain areas in Ohio. Filed 9:45 a. m.

Toledo Order 10-C, Amendment 3, covering poultry in certain areas in Ohio. Filed 9:44 a. m.

Toledo Order 10-C, Amendment 4, covering poultry in certain areas in Ohio. Filed 9:44 a. m.

REGION IV

Miami Order 1-W, Amendment 1, covering dry groceries in certain areas in Florida. Filed 9:43 a. m.

Miami Order 2-W, Amendment 1, covering dry groceries in certain areas in Florida. Filed 9:42 a. m.

Miami Order 1, Amendment 3, covering certain food items in certain areas in Florida. Filed 9:43 a. m.

Miami Order 2, Amendment 3, covering certain food items in certain areas in Florida. Filed 9:43 a. m.

Miami Order 3, Amendment 3, covering certain food items in certain areas in Florida. Filed 9:43 a. m.

Miami Order 4, Amendment 3, covering certain food items in certain areas in Florida. Filed 9:43 a. m.

Montgomery Order 20-F, Amendment 26, covering fresh fruits and vegetables in Mobile County. Filed 9:46 a. m.

Montgomery Order 21-F, Amendment 31, covering fresh fruits and vegetables in Montgomery County. Filed 9:46 a. m.

Montgomery Order 22-F, Amendment 32, covering fresh fruits and vegetables in Houston County. Filed 9:46 a. m.

Montgomery Order 24-F, Amendment 29, covering fresh fruits and vegetables in Dallas County. Filed 9:46 a. m.

Nashville Order 12-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Tennessee and Bristol, Va. Filed 9:57 a. m.

Nashville Order 12-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Tennessee and Bristol, Va. Filed 9:56 a. m.

Nashville Order 12-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Tennessee and Bristol, Va. Filed 9:56 a. m.

Nashville Order 12-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Tennessee and Bristol, Va. Filed 9:56 a. m.

Nashville Order 12-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Tennessee and Bristol, Va. Filed 9:56 a. m.

Nashville Order 18, covering dry groceries in certain areas in Tennessee and Bristol, Va. Filed 9:55 a. m.

Savannah Order 7-F, Amendment 30, covering fresh fruits and vegetables in certain areas in Georgia. Filed 10:02 a. m.

Savannah Order 9-F, Amendment 30, covering fresh fruits and vegetables in certain areas in Georgia. Filed 10:02 a. m.

Savannah Order 10-F, Amendment 30, covering fresh fruits and vegetables in certain areas in Georgia. Filed 10:02 a. m.

Savannah Order 12-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Georgia. Filed 10:02 a. m.

REGION V

Kansas City Order 2-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Missouri. Filed 9:45 a. m.

San Antonio Order 1-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Texas. Filed 9:55 a. m.

San Antonio Order 2-F, Amendment 21, covering fresh fruits and vegetables. Filed 9:55 a. m.

San Antonio Order 3-F, Amendment 17, covering fresh fruits and vegetables in Austin, Texas. Filed 9:54 a. m.

San Antonio Order 4-F, Amendment 17, covering fresh fruits and vegetables in Corpus Christi, Texas. Filed 9:53 a. m.

REGION VI

Chicago Order 1-C, Amendment 8, covering poultry. Filed 9:53 a. m.

Chicago Order 1-C, Amendment 9, covering poultry in certain areas in Illinois and Indiana. Filed 9:53 a. m.

Chicago Order 2-F, Amendment 59, covering fresh fruits and vegetables in certain counties in Illinois and Lake County, Indiana. Filed 9:53 a. m.

Chicago Order 2-F, Amendment 63, covering fresh fruits and vegetables in certain counties in Illinois and Lake County, Indiana. Filed 9:42 a. m.

Des Moines Order 1-F, Amendment 63, covering fresh fruits and vegetables in Des Moines and Polk County, Iowa. Filed 10:09 a. m.

Des Moines Order 2-F, Amendment 22, covering fresh fruits and vegetables in certain areas in Iowa. Filed 10:09 a. m.

Des Moines Order 3-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Iowa. Filed 10:09 a. m.

Des Moines Order 11, Amendment 2, covering dry groceries in certain areas in Iowa. Filed 10:09 a. m.

Des Moines Order 12, Amendment 2, covering poultry in certain areas in Iowa. Filed 10:08 a. m.

Des Moines Order 13, Amendment 2, covering poultry in certain areas in Iowa. Filed 10:08 a. m.

Des Moines Order 17, Amendment 5, covering poultry in certain counties in Iowa. Filed 10:03 a. m.

Fargo-Moorhead Order 29, Amendment 4, covering dry groceries in certain areas in Minnesota. Filed 10:09 a. m.

La Crosse Order 1-F, Amendment 69, covering fresh fruits and vegetables in certain cities in Wisconsin and Winona, Minnesota. Filed 10:03 a. m.

La Crosse Order 1-F, Amendment 72, covering fresh fruits and vegetables in certain cities in Wisconsin and Winona, Minnesota. Filed 9:42 a. m.

La Crosse Order 3-F, Amendment 65, covering fresh fruits and vegetables in Eau Claire and Chippewa, Wisconsin. Filed 10:03 a. m.

La Crosse Order 3-F, Amendment 67, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 9:41 a. m.

La Crosse Order 5-F, Amendment 64, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 10:04 a. m.

La Crosse Order 5-F, Amendment 66, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 9:41 a. m.

Milwaukee Order 8-F, Amendment 8, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 10:04 a. m.

Milwaukee Order 9-F, Amendment 8, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties, Wisconsin. Filed 10:05 a. m.

REGION VII

Albuquerque Order 8-F, Amendment 16, covering fresh fruits and vegetables in the Albuquerque Area. Filed 9:41 a. m.

Albuquerque Order 23, Amendment 1, covering eggs in certain areas in New Mexico. Filed 9:52 a. m.

Albuquerque Order 24, Amendment 1, covering eggs in certain counties in New Mexico. Filed 9:52 a. m.

Albuquerque Order 25, Amendment 1, covering eggs in certain counties in New Mexico. Filed 9:51 a. m.

Albuquerque Order 26, Amendment 1, covering eggs in certain areas in Union County, New Mexico. Filed 9:51 a. m.

Boise Order 4-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Idaho. Filed 9:57 a. m.

Boise Order 41, covering dry groceries in the Boise, Idaho Area. Filed 9:58 a. m.

Cheyenne Order 7-F, Amendment 4, covering fresh fruits and vegetables in the Cheyenne Area. Filed 9:51 a. m.

Cheyenne Order 8-F, Amendment 3, covering fresh fruits and vegetables in the Laramie Area. Filed 9:51 a. m.

Cheyenne Order 9-F, Amendment 3, covering fresh fruits and vegetables in the Rock Springs Area. Filed 9:50 a. m.

Cheyenne Order 9-F, Amendment 4, covering fresh fruits and vegetables in the Rock Springs Area. Filed 9:50 a. m.

Cheyenne Order 10-F, Amendment 3, covering fresh fruits and vegetables in the Sheridan Area. Filed 9:50 a. m.

Cheyenne Order 10-F, Amendment 4, covering fresh fruits and vegetables in the Sheridan Area. Filed 9:50 a. m.

Cheyenne Order 10-F, Amendment 5, covering fresh fruits and vegetables in the Sheridan Area. Filed 9:50 a. m.

Salt Lake City Order 2-C, Amendment 2, covering poultry in the entire state of Utah. Filed 9:41 a. m.

REGION VIII

San Diego Order 1-F, Amendment 30, covering fresh fruits and vegetables in the San Diego Area. Filed 9:49 a. m.

Seattle Order 6-F, Amendment 32, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 10:05 a. m.

Seattle Order 7-F, Amendment 30, covering fresh fruits and vegetables in the Tacoma, Washington, Area. Filed 10:05 a. m.

Seattle Order 8-F, Amendment 27, covering fresh fruits and vegetables in the Everett, Washington, Area. Filed 10:06 a. m.

Seattle Order 9-F, Amendment 26, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington, Area. Filed 10:02 a. m.

Seattle Order 9-F, Amendment 32, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington, Area. Filed 10:06 a. m.

Seattle Order 10-F, Amendment 27, covering fresh fruits and vegetables in the Bellingham, Washington, Area. Filed 10:06 a. m.

Seattle Order 11-F, Amendment 27, covering fresh fruits and vegetables in the Olympia, Washington, Area. Filed 10:07 a. m.

Seattle Order 12-F, Amendment 27, covering fresh fruits and vegetables in the Aberdeen-Hoquiam, Washington Area. Filed 10:07 a. m.

Seattle Order 13-F, Amendment 28, covering fresh fruits and vegetables in the Centralia-Chehalis, Washington, Area. Filed 10:07 a. m.

Seattle Order 14-F, Amendment 29, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington, Area. Filed 10:08 a. m.

Seattle Order 15-F, Amendment 26, covering fresh fruits and vegetables in the Yakima, Washington, Area. Filed 10:08 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-9576; Filed, June 1, 1945, 4:40 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register May 31, 1945.

REGION I

Connecticut Order 5-F, Amendment 3, covering fresh fruits and vegetables in Waterbury and Watertown, Connecticut. Filed 9:49 a. m.

Connecticut Order 6-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 9:49 a. m.

Connecticut Order 7-F, Amendment 2, covering fresh fruits and vegetables in the New Haven Area. Filed 9:49 a. m.

Connecticut Order 8-F, Amendment 3, covering fresh fruits and vegetables in the Bridgeport Area. Filed 9:48 a. m.

REGION II

Albany Order 1-F, Amendment 61, covering fresh fruits and vegetables in certain areas in New York. Filed 9:48 a. m.

Baltimore Order 4-F, Amendment 39, covering fresh fruits and vegetables in Baltimore, Maryland. Filed 9:48 a. m.

Baltimore Order 6-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Maryland. Filed 9:48 a. m.

Baltimore Order 8-F, Amendment 20, covering fresh fruits and vegetables in Allegany County and Cumberland, Maryland. Filed 9:47 a. m.

Baltimore Order 12-W, covering dry groceries in certain counties in Maryland. Filed 9:43 a. m.

Baltimore Order 40, covering dry groceries in certain counties in Maryland. Filed 9:41 a. m.

Wilmington Order 2-F, Amendment 20, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:51 a. m.

Williamsport Order 1-O, Amendment 1 covering eggs in certain areas in Pennsylvania. Filed 9:50 a. m.

Williamsport Order 2-O, Amendment 1 covering eggs in certain counties in Pennsylvania. Filed 9:51 a. m.

Williamsport Order 3-O, Amendment 1 covering eggs in certain counties in Pennsylvania. Filed 9:51 a. m.

Williamsport Order 4-O, Amendment 1 covering eggs in certain counties in Pennsylvania. Filed 9:51 a. m.

REGION IV

Charlotte Order 3-F, Amendment 19 covering fresh fruits and vegetables in certain counties in North Carolina. Filed 9:50 a. m.

Roanoke Order 11-F, Amendment 13, covering fresh fruits and vegetables in certain cities in Virginia. Filed 9:50 a. m.

Roanoke Order 12-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Virginia. Filed 9:50 a. m.

Savannah Order 7-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:43 a. m.

Savannah Order 9-F, Amendment 27 covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:42 a. m.

Savannah Order 10-F, Amendment 27 covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:42 a. m.

REGION VI

Chicago Order 1-O, covering eggs in certain areas in Illinois and Indiana. Filed 9:34 a. m.

Chicago Order 2-O, covering eggs in certain areas in Illinois and Indiana. Filed 9:34 a. m.

Duluth-Superior Order 14, covering dry groceries in certain areas in Wisconsin and Minnesota. Filed 9:52 a. m.

Duluth-Superior Order 15, covering dry groceries in certain areas in Wisconsin. Filed 9:52 a. m.

REGION VII

Helena Order 6-W, Amendment 3, covering dry groceries in Glasgow, Sidney, Glendive and Miles City. Filed 9:40 a. m.

Helena Order 8-W, Amendment 3, covering dry groceries in Billings, Butte and Great Falls. Filed 9:36 a. m.

Helena Order 9-W, Amendment 3, covering dry groceries in Havre, Kalispell and Missoula. Filed 9:37 a. m.

Helena Order 89, Amendment 3, covering dry groceries in Glasgow, Sidney, Glendive and Miles City. Filed 9:40 a. m.

Helena Order 90, Amendment 3, covering dry groceries in certain counties in Montana. Filed 9:40 a. m.

Helena Order 93, Amendment 3, covering dry groceries in Billings, Butte, and Great Falls. Filed 9:38 a. m.

Helena Order 94, Amendment 3, covering dry groceries in certain counties in Montana. Filed 9:38 a. m.

Helena Order 95, Amendment 3, covering dry groceries in Havre, Kalispell and Missoula. Filed 9:37 a. m.

Helena Order 96, Amendment 3, covering dry groceries in certain counties in Montana. Filed 9:36 a. m.

Helena Order 97, Amendment 3, covering dry groceries in the entire State of Montana. Filed 9:36 a. m.

REGION VIII

San Francisco Order P-1, Amendment 4, covering fresh fish in certain counties in California. Filed 9:35 a. m.

San Francisco Order 13-F, covering fresh fruits and vegetables in the San Francisco Area. Filed 9:36 a. m.

San Francisco Order 14-F, covering fresh fruits and vegetables in the Bay County Area. Filed 9:35 a. m.

San Francisco Order 15-F, covering fresh fruits and vegetables in the Northern and Southern Coast County Area. Filed 9:35 a. m.

San Francisco Order 16-F, covering fresh fruits and vegetables in the Humboldt Area. Filed 9:35 a. m.

Seattle Order 6-F, Amendment 35, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:53 a. m.

Seattle Order 7-F, Amendment 32, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 9:53 a. m.

Seattle Order 8-F, Amendment 30, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 9:54 a. m.

Seattle Order 9-F, Amendment 35, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:53 a. m.

Seattle Order 10-F, Amendment 29, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 9:54 a. m.

Seattle Order 11-F, Amendment 29, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 9:53 a. m.

Seattle Order 12-F, Amendment 29, covering fresh fruits and vegetables in the Aberdeen and Hoquiam, Washington Area. Filed 9:53 a. m.

Seattle Order 13-F, Amendment 30, covering fresh fruits and vegetables in the Centralia and Chehalis, Washington Area. Filed 9:53 a. m.

Seattle Order 14-F, Amendment 31, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington Area. Filed 9:53 a. m.

Seattle Order 14-F, Amendment 31, covering fresh fruits and vegetables in the Wenatchee, Washington Area. Filed 9:53 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-9600; Filed, June 2, 1945; 11:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1054]

ENGINEERS PUBLIC SERVICE CO. ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of June A. D. 1945.

In the matter of Engineers Public Service Company, Missouri Service Company, and The Northern Kansas Power Company; File No. 70-1054.

Engineers Public Service Company, a registered holding company, and two of its wholly-owned subsidiaries, Missouri Service Company and The Northern Kansas Power Company, having filed with this Commission joint applications and declarations, and amendments thereto, pursuant to sections 9 (a), 10, 12 (b), 12 (c) and 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-44 and U-45 promulgated thereunder, with respect to the following transactions:

(1) Engineers Public Service Company proposes to sell to J. Leo Scanlon, of Buffalo, New York, a non-affiliate, all of the outstanding securities of Missouri Service Company, consisting of 7,500 shares of common stock without par value and $635,000 principal amount of First Mortgage Income Bonds, 6%, Series A, due July 1, 1953, for the basic price of $750,000 subject to certain adjustments at the closing date which will increase this amount. Immediately prior to the closing date, Missouri Service Company will pay to Engineers Public Service Company as interest on its First Mortgage Income Bonds such an amount (estimated at $35,600) as will reduce the actual purchase price to $850,000.

(2) Engineers Public Service Company further proposes, prior to the sale, to donate to The Northern Kansas Power Company, as a capital contribution, $8,000 open account indebtedness owed by The Northern Kansas Power Company to Engineers Public Service Company, and then proposes to donate to Missouri Service Company, as a capital contribution, all of the outstanding capital stock (100 shares of no par value common stock) of The Northern Kansas Power Company, which it now owns. Missouri Service Company will then cause The Northern Kansas Power Company to be liquidated and dissolved, the property, assets, and business being transferred to Missouri Service Company as a dividend in final liquidation and in consideration thereof, Missouri Service Company will assume all of the obligations of The Northern Kansas Power Company; and

Applicants-declarants having requested that the Commission enter an order conforming to the definition of the term "order of the Securities and Exchange Commission" contained in section 373 (a) of the Internal Revenue Code, as amended, and containing recitals, specifications and itemizations described in section 1808 (f) of the Internal Revenue Code, as amended, and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter, and having entered its findings and opinion herein;

It is ordered, That the aforesaid applications and declarations, as amended, be, and the same hereby are granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24.

It is further ordered and recited, That the sale and transfer by Engineers Public Service Company of all the outstanding securities of Missouri Service Company, consisting of 7,500 shares of common stock without par value and $635,000 principal amount of First Mortgage Income Bonds, 6%, Series A due July 1, 1953, to J. Leo Scanlon for the basic price of $750,000, subject to certain adjustments at the closing date which will increase this amount, is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and to effectuate and comply with a certain divestment order issued by the Commission on December 29, 1941, pursuant to said section, in a proceeding entitled "In the Matter of The Western Public Service Company et al., Respondents, File Nos. 59-4, 70-453".

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-9634; Filed, June 2, 1945; 2:18 p. m.]

[File No. 70-1081]

CONSOLIDATED NATURAL GAS CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of May, 1945.

Consolidated Natural Gas Company, a registered holding company, having filed a declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 of the General Rules and Regulations promulgated thereunder regarding a proposal to execute a contract of guaranty with the Industrial Commission of Ohio, the effect of which is to guarantee that The East Ohio Gas Company (East Ohio), its wholly owned public utility subsidiary, will pay claims estimated not to exceed $600,000 arising principally from deaths and injuries among employees of East Ohio as a result of a disastrous fire which occurred in the plant of East Ohio on or about October 20, 1944; and

Said declaration having been filed on the 12th day of May, 1945, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

Consolidated Natural Gas Company having requested that the effective date of the declaration be accelerated and the Commission deeming it appropriate that such request be granted; and

The Commission finding that the requirements under section 12 (b) and Rule U-45 are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration should be accelerated, and the Commission deeming it appropriate in the public interest and in the interests of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-9635; Filed, June 2, 1945; 2:18 p. m.]

[File No. 812-381]

ADAMS EXPRESS CO. ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of June A. D., 1945.

In the matter of The Adams Express Company, American International Corporation, Chess Lamberton and Continental Illinois Bank and Trust Company of Chicago; File No. 812-381.

The Adams Express Company, American International Corporation, New York, New York, and Chess Lamberton, Franklin, Pennsylvania have filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said act a transaction in which The Adams Express Company and American International Corporation propose to buy from Chess Lamberton, a director of Joy Manufacturing Company, 17,500 shares and 7,500 shares respectively of common stock of Joy Manufacturing Company at $22 net per share. The purchasers in the proposed transaction are registered investment companies. The seller is an affiliated person of an affiliated person of the investment companies.

On February 23, 1945, Chess Lamberton sold to The Adams Express Company and American International Corporation 17,500 shares and 7,500 shares respectively of common stock of Joy Manufacturing Company and on the same day the investment companies filed an application pursuant to section 17 (b) of the act for an order exempting the transaction from the provisions of section 17 (a) of the act. Since the transaction was consummated at the time of filing the application, the Commission by order dated April 9, 1945 dismissed the application for lack of jurisdiction.

The present application states that the applicants have rescinded the previous transaction and that the securities, dividends of $5,000 paid thereon and the purchase price of $550,000 have been placed in escrow with the Continental Illinois National Bank and Trust Company of Chicago, as escrow agent, that the new agreement of sale provides that a sale and purchase of the shares at $22 net per share is proposed, the purchaser to be entitled to the dividend of 20 cents per share paid on March 10, 1945 and to any other dividends that may be subsequently paid or declared thereon, and that the sale if consummated shall be considered made as of February 23, 1945.

The escrow agreement provides that if the Commission grants the present application for an order of exemption from section 17 (a) of the act, the purchase price of $550,000 will be paid to Chess Lamberton and the stock will be delivered to or for the account of the investment companies together with a sum representing the dividends paid on such shares on March 10, 1945 and any subsequent dividends paid thereon. If the Commission refuses to grant an exemption, the recission shall remain in effect and the escrow agent shall make the appropriate deliveries of stock and cash.

It is ordered, Pursuant to section 40 (a) of the said act that a hearing on the aforementioned application be held on June 13, 1945 at 10:00 a. m. eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania; and

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to The Adams Express Company, American International Corporation, Chess Lamberton, Continental Illinois National Bank and Trust Company of Chicago and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9636; Filed, June 2, 1945; 2:18 p. m.]

[File Nos. 54-117, 59-72]

COLUMBIA GAS & ELECTRIC CORP. ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of June 1945.

In the matter of Columbia Gas & Electric Corporation, File No. 54-117; Columbia Gas & Electric Corporation and its subsidiary companies, respondents, File No. 59-72.

The Commission having heretofore designated February 6, 1945 (subsequently postponed to February 27, 1945) as the date for the hearing in the above proceedings involving, among other things, an application by Columbia Gas & Electric Corporation under section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan, the stated purpose of which is to enable Columbia and certain of its subsidiaries to comply with the provisions of section 11 (b) of the act, the provisions of said plan being more fully set forth in the Commission's Notice of Filing and Order for Hearing dated January 9, 1945 (Holding Company Act Release No. 5542); and hearings having been held from time to time with respect to said plan and adjournments taken until June 5, 1945; and

Columbia Gas & Electric Corporation having requested that the hearing with respect to the above proceedings, now scheduled to reconvene on June 5, 1945, be postponed until July 17, 1945, stating in such request that Columbia Gas & Electric Corporation and The United Corporation (which is a holder of 19% of the Common Stock of Columbia and a party to the proceedings) have held meetings for the purpose of exploring, in view of recent substantial improvements in the market for securities of public-utility companies and in light of The United Corporation's opposition to the Columbia plan, the possibility of modifying the present plan so as to develop a program upon which Columbia and The United Corporation could agree; and that substantial progress in the process of exploration has already been made and the officers and representatives of Columbia are actively at work in developing various possible alternative steps which will require additional time and study; and that Columbia believes it will make for expedition in the ultimate consummation of a plan for the Columbia system and its compliance with the Commission's order of divestment entered November 30, 1944 (Holding Company Act Release No. 5455) if the hearings now scheduled for June 5, 1945 can be adjourned for an additional period of approximately six weeks; and

The Commission deeming it appropriate under the circumstances to grant an extension of the hearing date to July 17, 1945: *Provided, however*, That the hearing may be reconvened, upon notice, at an earlier date if it should appear to the Commission in the interim that an earlier hearing date would be advisable;

It is ordered, That the hearings in this matter presently scheduled for June 5, 1945, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be, and hereby are, postponed until July 17, 1945, at the same hour and place and before the same trial examiner as heretofore designated: *Provided, however*, That the hearings may be reconvened, upon notice, at an earlier date if it should appear to the Commission in the interim that an earlier hearing date would be advisable.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9648; Filed, June 4, 1945; 9:44 a. m.]

[File No. 70-1057, 70-1058]

MIDDLE WEST CORP. ET AL.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of June A. D., 1945.

In the matter of The Middle West Corporation, Gus B. Walton, and L. F. Rodgers, File No. 70-1057, and Arkansas-Missouri Power Corporation, The Middle West Corporation, and L. F. Rodgers, File No. 70-1058.

The Middle West Corporation, a registered holding company, its subsidiary, Arkansas-Missouri Power Corporation, also a registered holding company, and Gus B. Walton and L. F. Rodgers, individuals, having filed declarations and applications pursuant to sections 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-44 and U-50 with respect to the following transactions:

(a) The proposed sale by The Middle West Corporation to and the acquisition by Gus B. Walton of the common stock interest of The Middle West Corporation in its subsidiary, Arkansas-Missouri Power Corporation, for a base consideration of $925,000 cash;

(b) The proposed sale by The Middle West Corporation to and the acquisition by L. F. Rodgers of the common stock interest of The Middle West Corporation in its subsidiary, Missouri Edison Company, for a base consideration of $285,000 cash;

(c) The proposed sale by Arkansas-Missouri Power Corporation to and the acquisition by L. F. Rodgers of the common stock interest of Arkansas-Missouri Power Corporation in its subsidiary, East Missouri Power Company, for a base consideration of $600,000 cash;

(d) The redemption and retirement of $350,000 principal amount of First Mortgage Bonds, Series A, 4%, due June 1, 1965, of Arkansas-Missouri Power Corporation; and

(e) The redemption and retirement of all outstanding preferred stock of Arkansas-Missouri Power Corporation consisting of 18,510.5 shares $50 par value, 6% Cumulative Preferred Stock;

The Middle West Corporation and Arkansas-Missouri Power Corporation, having requested that the Commission enter an order finding that the proposed sales of the common stocks of Arkansas-Missouri Power Corporation, Missouri Edison Company and East Missouri Power Company are necessary or appropriate to effect the provisions of section 11 (b) of the act; and

A public hearing having been held after appropriate notice and the Commission having considered the facts and made and filed its opinion and findings herein:

It is ordered, That the declarations and applications of The Middle West Corporation, Arkansas-Missouri Power Corporation, Gus B. Walton and L. F. Rodgers are hereby granted and permitted to become effective respectively forthwith, subject, however, to the terms and conditions prescribed by Rule U-24; and subject to the further condition that Walton make an offer to the public holders of the common stock of Arkansas-Missouri Power Corporation to purchase any of such stock tendered at the same price per share ($12.88) as is being paid to The Middle West Corporation, such offer to be given to the public holders of such common stock by mail addressed to such holders as shown by the records of Arkansas-Missouri Power Corporation and to remain open for a period of at least fifteen days following the mailing of such offer; and subject further to the condition that jurisdiction is reserved to consider in connection with the refunding of the Arkansas-Missouri Power Corporation bonds now pending before the Commission any restriction of earned surplus.

It is further ordered, That the sales by The Middle West Corporation of 71,809 shares of common stock of Arkansas-Missouri Power Corporation for a base consideration of $925,000 cash and of 2,400 shares of common stock of Missouri Edison Company for a base consideration of $285,000 cash, and the sale by Arkansas-Missouri Power Corporation of 14,547 shares of common stock of East Missouri Power Company for a base consideration of $600,000 cash, are necessary or appropriate to effectuate the provisions of section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9649; Filed, June 4, 1945; 9:45 a. m.]

[File No. 70-1062]

WACHUSETT ELECTRIC CO., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 1st day of June 1945.

In the matter of Wachusett Electric Company, Leominster Electric Light and Power Company, Middlesex County Electric Company, and Massachusetts Utilities Associates, File No. 70-1062.

Massachusetts Utilities Associates, a non-registered subsidiary holding company of New England Power Association, a registered holding company, and three of Massachusetts Utilities Associates' wholly-owned subsidiaries, Wachusett Electric Company, Leominster Electric Light and Power Company and Middlesex County Electric Company, having filed joint applications and declarations, and amendments thereto, pursuant to sections 6 (b), 9, 10 and 12 of the Public Utility Holding Company Act of 1935, and the rules promulgated thereunder, and Instruction 8C of the Uniform System of Accounts for Public Utility Holding Companies, with respect to the following transactions:

1. Wachusett Electric Company proposes to issue 3,700 shares of additional capital stock with a par value of $100 each for the sole purpose of acquiring all of the outstanding capital stock of Leominster Electric Light and Power Company and Middlesex County Electric Company.

2. Massachusetts Utilities Associates, owning all the outstanding capital stocks of Wachusett Electric Company, Leominster Electric Light and Power Company and Middlesex County Electric Company, proposes to surrender to Wachusett Electric Company all of the stocks of Leominster Electric Light and Power Company and Middlesex County Electric Company, consisting of 3,200 shares of capital stock (par value $100 each) of Leominster Electric Light and Power Company and 2,000 shares of capital stock (par value $25 each) of Middlesex County Electric Company, and Wachusett Electric Company proposes to acquire the stocks of these companies, and to deliver to Massachusetts Utilities Associates, in exchange therefor, 3,700 shares of additional capital stock of Wachusett Electric Company on the basis of one share for each share of Leominster Electric Light and Power Company and one share for each 4 shares of Middlesex County Electric Company.

3. Leominster Electric Light and Power Company and Middlesex County Electric Company will be merged into Wachusett Electric Company pursuant to an agreement of merger and the General Laws of the Commonwealth of Massachusetts. Wachusett Electric Company will acquire all the assets and assume all the liabilities of Leominster Electric Light and Power Company and Middlesex County Electric Company. All of the outstanding capital stocks of Leominster Electric Light and Power Company and Middlesex County Electric Company will be cancelled.

4. Massachusetts Utilities Associates requests approval under Instruction 8C of the Uniform System of Accounts for Public Utility Holding Companies to record upon its books the shares of capital stock of Wachusett Electric Company (following the merger) at the same amount at which it presently carries the capital stocks of Leominster Electric Light and Power Company, Middlesex County Electric Company and Wachusett Electric Company; and

The respective applicants-declarants having requested that the Commission, in approving the proposed transactions, make the findings and recitals specified in section 1808 (f) of the Internal Revenue Code, as amended; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having entered its findings and opinion herein;

It is hereby ordered, That said joint applications and declarations, as amended, be granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24, and subject to the additional term and condition that jurisdiction with respect to the accounting entries proposed by Massachusetts Utilities Associates be and hereby is reserved.

It is further ordered and recited, That the issuance by Wachusett Electric Company of 3,700 shares of additional capital stock and the exchange thereof with Massachusetts Utilities Associates for 3,200 shares (par value $100 each) of capital stock of Leominster Electric Light and Power Company and 2,000 shares (par value $25 each) of capital stock of Middlesex County Electric Company for the sole purpose of effecting the merger of Leominster Electric Light and Power Company and Middlesex County Electric Company into Wachusett Electric Company are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9650; Filed, June 4, 1945; 9:45 a. m.]

WAR MANPOWER COMMISSION.

MANITOWOC, WIS.

MINIMUM WARTIME WORKWEEK

Designation of the Manitowoc, Wisconsin, labor market area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Manitowoc, Wisconsin, labor market area as subject to the provisions of Executive Order No. 9301.

1. For the purpose of this designation, the Manitowoc, Wisconsin, labor market area includes the following counties: Calumet and Manitowoc.

2. The effective date of this designation is May 11, 1945.

3. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

"Minimum wartime workweek" as used in this order means a workweek of 48 hours, except in cases where a workweek of 48 hours (a) would be impracticable in view of the nature of the operations, (b) would not contribute to the reduction of labor requirements, or (c) would conflict with any Federal, State or local law or regulation limiting hours of work. In such cases, "minimum wartime workweek" means the greatest number of hours (less than 48) feasible in the light of the nature of the operations, the reduction of labor requirements or the applicable Federal, State and local law or regulation, as the case may be.

Date of issuance: May 11, 1945.

W. H. SPENCER,
Regional Director.

[F. R. Doc. 45-9632; Filed, June 2, 1945; 12:17 p. m.]

[Amdt. 1]

ALLENTOWN, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Allentown Area, approved October 14, 1944 (9 F.R. 12793) is hereby amended as follows:

1. In section 3 *Minimum standards*, paragraph (f) (7) is added as follows:

(7) The hiring of a veteran of World War II.

2. In section 9 *Definitions as used in this plan*, paragraph (i) is added as follows:

(i) The term "Veteran of World War II" means any individual who has served in the armed forces of the United States subsequent to December 7, 1941, and has an other than dishonorable discharge. The term "armed forces" includes the Army, Navy, Marine Corps, Coast Guard, Naval Reserve, National Naval Volunteers, WACS, WAVES, SPARS, and the United States Marine Corps Women's Reserve.

Dated: November 29, 1944.

FRANK P. MAGUIRE,
Area Manpower Director.

Approved: December 12, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 45-9633; Filed, June 2, 1945; 12:17 p. m.]

WAR PRODUCTION BOARD.

[C-348]

CARROM INDUSTRIES, INC.

CONSENT ORDER

Carrom Industries, Inc., a Michigan corporation, with principal offices at Ludington, Michigan, is engaged in the manufacture of wood hospital furniture, and wood games and toys, and is charged by the War Production Board with having used, during the second, third and fourth quarters of 1944, 131,258 square feet in excess, and 6,905 tons in excess, of its quota for containerboard content for fibre shipping containers in the shipping of certain of its products, in violation of War Production Board Limitation Order L-317. Carrom Industries, Inc., admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Carrom Industries, Inc., the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Carrom Industries, Inc., shall, during the second, third, and fourth quarters of 1945, reduce its use of containerboard content for fibre shipping containers by using, during the second quarter of 1945, 17,410 square feet less and .355 tons less, during the third quarter of 1945, 68,196 square feet less and 4.35 tons less, and during the fourth quarter of 1945, 45,652 square feet less and 2.2 tons less, than the quotas it would otherwise be entitled to use during the applicable quarters as specified by the provisions of Limitation Order L-317, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Carrom Industries, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Carrom Industries, Inc., its successors and assigns, or persons, acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect as of April 1, 1945, and shall expire on January 1, 1946.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9588; Filed, June 2, 1945; 11:25 a. m.]

[C-349]

WOOLSON SPICE CO.

CONSENT ORDER

Woolson Spice Company, an Ohio corporation, with offices at Summit and Sandusky Streets, Toledo, Ohio, is engaged in the business of roasting and packing coffee, and the packing of spices and tea. Woolson Spice Company is charged by the War Production Board with having used, during the second and third quarters of 1944, 156,167 pounds of containerboard content in excess, and 1,553,645 square feet of containerboard content in excess, of its quota for containerboard content for fibre shipping containers, in violation of War Production Board Limitation Order L-317. Woolson Spice Company admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Woolson Spice Company, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That

(a) Woolson Spice Company shall, during the four quarterly periods beginning April 1, 1945, and ending April 1, 1946, reduce its use of containerboard content for fibre shipping containers by using, during the four aforesaid quarterly periods, a total of 156,167 pounds, and 1,553,645 square feet of containerboard content for fibre shipping containers less than the quotas it would otherwise be entitled to use during this period as specified by the provisions of Limitation Order L-317 unless otherwise authorized in writing by the War Production Board. Said reduction and usage shall be effected in the following manner: (1) On or before June 30, 1945, at least 10,000 pounds less and at least 92,234 square feet less; (2) on or before September 30, 1945, at least 30,000 pounds less and at least 293,456 square feet less; (3) on or before December 31, 1945, at least 86,000 pounds less and at least 855,593 square feet less; (4) on or before March 31, 1946, at least 156,167 pounds less and at least 1,553,645 square feet less than its quotas as aforesaid.

(b) Nothing contained in this order shall be deemed to relieve Woolson Spice Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restriction and prohibitions contained herein shall apply to Woolson Spice Company, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect as of April 1, 1945, and shall expire on April 1, 1946.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9589; Filed, June 2, 1945; 11:25 a. m.]

[C-351]

DEMOCRAT PUBLISHING CO.

CONSENT ORDER

Democrat Publishing Company is a corporation with its principal place of business at Davenport, Iowa. It is engaged in publishing and circulating a newspaper known as The Davenport Democrat and Leader, Davenport, Iowa. During the first, second and third calendar quarters of 1943 and the first and third quarters of 1944, it used or caused to be used in the publication of The Davenport Democrat and Leader print paper in excess of its quota established by Limitation Order L-240 amounting to 35.05 tons. The Democrat Publishing Company admits such excess usage of print paper and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of the Democrat Publishing Company, the Regional Compliance Chief, the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered*, that:

(a) The Davenport Democrat and Leader, its successors and assigns, shall reduce its consumption of print paper during each of the second, third and fourth calendar quarters of 1945 and the first calendar quarter of 1946 so that its total usage for each of such quarters shall be 8.76 tons less than it would otherwise be permitted to use during each of those quarters under the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve the Democrat Publishing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9590; Filed, June 2, 1945; 11:25 a. m.]

[C-352]

SAULT NEWS PRINTING CO.

CONSENT ORDER

Sault News Printing Company, a Michigan corporation, with offices at 113-119 Arlington Street, Sault Sainte Marie, Michigan, is the publisher of The Evening News, a newspaper circulated in and around Sault Sainte Marie, Michigan, and is charged by the War Production Board with having used, during the first, second, and third quarters of 1943, the first quarter of 1944, and the first quarter of 1945, print paper for the printing of The Evening News, in the amount of 27,718 pounds in excess of its quota, in violation of Limitation Order L-240. Sault News Printing Company admits the violations as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Sault News Printing Company, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Sault News Printing Company shall, during the second, third and fourth quarters of 1945, beginning April 1, 1945, and ending January 1, 1946, reduce its use of print paper for the printing of The Evening News by using, during the second quarter of 1945, 9,359 pounds less, during the third quarter of 1945, 9,359 pounds less, and during the fourth quarter of 1945, 9,000 pounds less, than the quotas it would otherwise be entitled to use during the applicable quarters as specified by the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Sault News Printing Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Sault News Printing Company, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect as of April 1, 1945, and shall expire on January 1, 1946.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9591; Filed, June 2, 1945; 11:25 a. m.]

[C-353]

WISCONSIN STATE JOURNAL PUBLISHING CO.

CONSENT ORDER

The Wisconsin State Journal Publishing Company is a corporation with its principal place of business at Madison, Wisconsin. It is engaged in publishing and circulating The Wisconsin State Journal newspaper at Madison, Wisconsin. During the second and third calendar quarters of 1943, and the first, second, third and fourth calendar quarters of 1944, it used or caused to be used in the publication of The Wisconsin State Journal print paper in excess of its quota established by Limitation Order L-240 amounting to 110.4 tons. Wisconsin State Journal Publishing Company admits such excess usage of print paper and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Wisconsin State Journal Publishing Company, the Regional Compliance Chief, the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered*, That:

(a) The Wisconsin State Journal, its successors and assigns, shall reduce its consumption of print paper during each of the second, third and fourth calendar quarters of 1945 and the first quarter of 1946, so that its total usage for each of such quarters shall be 42.4 tons, 20 tons, 24 tons, and 24 tons, respectively, less than it would otherwise be permitted to use during each of those quarters under the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Wisconsin State Journal Publishing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9592; Filed, June 2, 1945; 11:25 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 112

Washington, Wednesday, June 6, 1945

The President

EXECUTIVE ORDER 9562

TERMINATION OF THE OFFICE OF CIVILIAN DEFENSE

By virtue of the authority vested in me by the Constitution and laws of the United States, it is hereby ordered as follows:

1. The Office of Civilian Defense (hereinafter referred to as the Office), established by Executive Order No. 8757 of May 20, 1941,[1] is terminated. The functions of the Office and of the Director thereof are abolished, except to the extent that they are transferred by this order. The property, the records, and personnel of the Office are transferred as hereinafter indicated.

2. All protective property of the Office, acquired under the act of January 27, 1942, 56 Stat. 19, the act of February 21, 1942, 56 Stat. 98, or otherwise, is transferred to the Department of Commerce. All functions heretofore vested in the Office or in the Director thereof incident to the storage, care, transportation, inspection, and disposition of such property are transferred to the Secretary of Commerce, and shall be exercised by him in consonance with the Surplus Property Act of 1944 and the regulations and designations of the Surplus Property Board under that Act. The Secretary may carry out such functions through such agencies and personnel of the Department of Commerce as he shall designate. So much of the personnel, records, and other property of the Office as the Director of the Bureau of the Budget shall determine to be necessary for carrying out the purposes of this paragraph shall be transferred to the Department of Commerce.

3. The Secretary of the Treasury, acting through the Bureau of Accounts of the Treasury Department and such personnel of the Bureau of Accounts as he shall designate, shall, except as otherwise provided in paragraph 2 hereof, wind up the affairs of the Office. This shall include, but not be limited to, the separation of any excess personnel of the Office from the service; the liquidation of obligations incurred by the Office under its appropriations; the maintenance of expired appropriation accounts of the Office; the handling of residual pay-roll matters of the Office, including final payments to employees and action required with respect to bonds under the pay-roll deduction plan, withheld taxes, and retirement accounts; the effecting of collections and disposition of special deposit accounts relating to the Office; the clearance of post-audit exceptions and claims of the Office; and the disposition of such records of the Office as relate to the said affairs. All functions of the Office and of the Director thereof which are necessary to the effectuation of the provisions of this paragraph are transferred to the Secretary of the Treasury. So much of the funds, records, and property of the Office as the Director of the Bureau of the Budget shall determine, shall be transferred to the Treasury Department for the purpose of carrying out the provisions of this paragraph.

4. Such further measures and dispositions as may be determined by the Director of the Bureau of the Budget to be necessary to effectuate the purposes and provisions of this order shall be carried out in such manner as the Director may direct and by such agencies as he may designate.

5. All prior Executive orders which are in conflict with this order are amended to the extent of such conflict.

6. This order shall become effective at the close of business June 30, 1945.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 4, 1945.

[F. R. Doc. 45-9701; Filed, June 5, 1945; 10:43 a. m.]

[1] 3 CFR, Cum. Supp.

EXECUTIVE ORDER 9563

AMENDMENT OF RULE 46 OF EXECUTIVE ORDER NO. 4314 OF SEPTEMBER 25, 1925, ESTABLISHING RULES GOVERNING NAVIGATION OF THE PANAMA CANAL AND ADJACENT WATERS

By virtue of the authority vested in me by section 9 of title 2 of the Canal

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Zone Code, approved June 19, 1934, Rule 46 of Executive Order No. 4314 of September 25, 1925 (35 CFR 4.48), establishing rules governing the navigation of the Panama Canal and adjacent waters, is hereby amended to read as follows:

RULE 46. *Meals to be furnished by vessel in certain cases.* Pilots, extra deck hands, and other Panama Canal personnel on duty aboard a vessel during regular meal hours while the vessel is transiting the Canal, and pilots and extra deck hands on duty aboard a vessel during regular meal hours while the vessel is being shifted from one dock or berth to another, shall be furnished meals by the vessel without charge: *Provided*, That if the vessel is unable to furnish such meals they may be furnished by The Panama Canal at the expense of the vessel.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 4, 1945.

[F. R. Doc. 45-9700; Filed, June 5, 1945; 10:43 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter A—Commodity Standards and Standard Container Regulations

PART 28—COTTON STANDARDS

STANDARDS FOR GRADES OF COTTONSEED SOLD OR OFFERED FOR SALE FOR CRUSHING PURPOSES WITHIN UNITED STATES

Pursuant to the provisions of the act of Congress of June 28, 1944 (Pub. L. 367—78th Congress, 2d Sess.), and by virtue of the authority vested in the War Food Administrator, the regulations applicable to standards for grades of cottonseed sold or offered for sale for crushing purposes within the United States (7 CFR 1943 Supp. 28.401 et seq.) are amended, effective 12:01 a. m. August 1, 1945, to read as follows:

Sec.
28.401 Determination of grade.
28.402 Determination of quantity index.
28.403 Determination of quality index.
28.404 Sampling, analysis, and certification of samples and grades.

AUTHORITY: §§ 28.401 to 28.404, inclusive, issued under Pub. L. 367—78th Cong., 2d Sess.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 FR. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783.

§ 28.401 *Determination of grade.* The grade of cottonseed shall be determined from the analysis of samples, and it shall be the result, stated in the nearest whole or half numbers, obtained by multiplying a quantity index by a quality index and dividing the result by 100. The quantity index and the quality index shall be determined as hereinafter provided.

(a) The basis grade of cottonseed shall be grade 100.

(b) High grades of cottonseed shall be those grades above 100.

(c) Low grades of cottonseed shall be those grades below 100.

§ 28.402 *Determination of quantity index.* The following formulae shall be used in determining the quantity index of cottonseed:

(a) For cottonseed that by analysis contain 16.5 percent or more of oil, the quantity index shall equal 4 times the percentage of oil, plus 6 times the percentage of ammonia, plus 5.

(b) For cottonseed that by analysis contain less than 16.5 percent of oil, the quantity index shall equal 6 times the percentage of oil, plus 6 times the percentage of ammonia, minus 28.

§ 28.403 *Determination of quality index.* The quality index of cottonseed shall be an index of purity and soundness, and shall be determined as follows:

(a) *Prime quality cottonseed.* Cottonseed that by analysis contain not more than 1.0 percent of foreign matter, not more than 12.0 percent of moisture, and not more than 1.8 percent of free fatty acids in the oil in the seed, shall be known as prime quality cottonseed and shall have a quality index of 100.

(b) *Below prime quality cottonseed.* The quality index of cottonseed that, by analysis, contain foreign matter, moisture, or free fatty acids in the oil in the seed, in excess of the percentages prescribed in § 28.403 (a) shall be found by reducing the quality index of prime quality cottonseed as follows:

(1) Four-tenths of a unit for each 0.1 percent of free fatty acids in the oil in the seed in excess of 1.8 percent.

(2) One-tenth of a unit for each 0.1 percent of foreign matter in excess of 1.0 percent.

(3) One-tenth of a unit for each 0.1 percent of moisture in excess of 12.0 percent.

(c) *Off quality cottonseed.* Cottonseed that have been treated by either mechanical or chemical process other than the usual cleaning, drying, and ginning (except sterilization required by the United States Department of Agriculture for quarantine purposes) or that are fermented or hot, or that upon analysis are found to contain 12.5 percent or more of free fatty acids in the oil in the seed, or more than 10.0 percent of foreign matter, or more than 20.0 percent of moisture, or more than 25.0 percent of moisture and foreign matter combined, shall be designated as "off quality cottonseed."

(d) *Below grade cottonseed.* Cottonseed the grade of which when calculated according to § 28.401 is below grade 40.0 shall be designated as "below grade cottonseed," and a numerical grade shall not be indicated.

§ 28.404 *Sampling, analysis, and certification of samples and grades.* The drawing, preparation, and certification of samples of cottonseed, and the analysis and certification of grades of cottonseed shall be performed in accordance with methods approved from time to time for the purposes by the Director of Marketing Services, War Food Administration, or his representatives.

Issued at Washington, D. C., this 4th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-9705; Filed, June 5, 1945; 11:10 a. m.]

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 539]

PART 301—DOMESTIC QUARANTINE NOTICES

EFFECTIVE DATES OF JAPANESE BEETLE QUARANTINE ON FRUIT, VEGETABLE, AND CUT-FLOWER SHIPMENTS

Administrative instructions designating dates when restrictions on fruit, vegetable, and cut-flower shipments shall become effective under the provisions of § 301.48–4 (b) of the Japanese beetle quarantine.

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by paragraph (b) of § 301.48–4 (Notice of Quarantine No. 48), it has been determined that the period of the heavy flight of the adult beetle will begin in the localities listed below on the dates given; accordingly, *It is hereby ordered*, That the restrictions of §§ 301.48–4 (b) and 301.48–5 relating to the heavily infested areas (§ 301.48–3), and applying to:

(a) Unprocessed, fresh, cut flowers when moved in bulk direct from the field or greenhouse where grown, or from a distributor; and

(b) Fresh fruits and vegetables of all kinds when shipped by refrigerator car or motortruck only; shall begin for the present season on the following dates:

(1) On June 7, 1945 in the following area:

Virginia: Norfolk County: Magisterial district of Tanners Creek.

Princess Anne County: Magisterial district of Kempsville.

Entire counties of Accomac and Northampton.

Maryland: Entire counties of Worcester, Somerset, Wicomico, and Dorchester.

Delaware: Sussex County.

(2) On June 21, 1945 in the remainder of the heavily infested area.

These restrictions shall remain in effect during the current season until due notice of their discontinuance shall have been given.

(Sec. 8, 37 Stat. 318; 39 Stat. 1165; 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.48–4)

Done at Washington, D. C., this 1st day of June 1945.

[SEAL] P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 45-9688; Filed, June 4, 1945; 3:16 p. m.]

Chapter VIII—War Food Administration (Sugar Determinations)

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF FAIR AND REASONABLE WAGE RATES FOR PERSONS EMPLOYED IN THE PRODUCTION, CULTIVATION, OR HARVESTING OF SUGARCANE IN VIRGIN ISLANDS, 1945

Pursuant to the provisions of subsection (b) of section 301 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, and Executive Order No. 9392, issued October 28, 1943, the following determination is hereby issued.

§ 802.51c *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1945.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1945, if all persons employed on the farm during that period in the production, cultivation, or harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following:

(a) *Time rates.* Per day of 8 hours, $1.60. For a working day longer or shorter than 8 hours the rate shall be in proportion.

(b) *Piece rates.* Persons employed on a piece rate basis shall be paid at rates which will result in earnings of not less than the rate provided in paragraph (a).

(c) *General provisions.* (1) If the producer and laborer agree upon a wage rate for any class of work higher than that prescribed herein, payment in full of the agreed upon rate must be made to qualify the producer for payment.

(2) The producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as a dwelling, garden plot, pasture lot, and medical services.

(3) The producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 4th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-9704; Filed, June 5, 1945; 11:10 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5065]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LEMUEL FIRTH, ET AL.

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with the offering for sale, sale, and distribution of fish in commerce, and on the part of respondent Lemuel Firth, and 18 other individuals (owners or masters or both of fishing boats operating out of the city of Gloucester, Mass. and engaged in catching fish, particularly mackerel, in fishing grounds located more than three miles from shore in that portion of the Atlantic Ocean adjacent to the State of Massachusetts and adjoining States, and in the transportation and sale of such fish to dealers located in the cities of New Bedford, Boston, and Gloucester, Massachusetts), and on the part of the agents, representatives, and employees of said individuals, entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to instant proceeding, to (1) restrict the quantity of fish to be caught and sold to dealers; (2) fix the price at which fish are to be sold to dealers in any market, or establish or maintain any price differential between or among different markets; (3) prescribe the length of time a boat carrying fish to market shall remain in port; (4) prohibit the use of the radio phone in carrying on negotiations for the sale of fish; (5) hold meetings for the purpose of reaching agreements governing the quantity of fish to be caught or the price at which fish are to be sold; or (6) engage in any act or practice substantially similar to those set out in this order with the purpose or effect of establishing or maintaining uniform prices for fish; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Lemuel Firth, et al., Docket 5065, May 4, 1945]

At regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 4th day of May, A. D. 1945.

In the Matter of Lemuel Firth, Cyril Dyett, Jack Barrett, Frank Foote, Cy Tysfer, Benedetto Randazza, Phillip Curcuru, Thomas Scola, Joseph Sinagra, Pete Scola, Joseph Parisi, Frank Mineo, Isadoro Tarantino, Peter Mercurio, Paul Scola, Gerome Frontiero, Philip Nicastro, Leo Favaloro, and Alphonse Mineo

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony and other evidence introduced before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, and brief in support of the complaint (no brief having been filed on behalf of respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Lemuel Firth, Cyril Dyett, Jack Barrett, Frank Foote, Cy Tysfer, Benedetto Randazza, Phillip Curcuru, Thomas Scola, Joseph Sinagra, Peter Scola, Joseph Parisi, Frank Mineo, Isadoro Tarantino, Peter Mercurio, Paul Scola, Gerome Frontiero, Philip Nicastro, Leo Tavaloro, and Alphonse Mineo, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of fish in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to this proceeding, to do or perform any of the following acts or things:

1. Restricting the quantity of fish to be caught and sold to dealers.

2. Fixing the price at which fish are to be sold to dealers in any market, or establishing or maintaining any price differential between or among different markets.

3. Prescribing the length of time a boat carrying fish to market shall remain in port.

4. Prohibiting the use of the radio phone in carrying on negotiations for the sale of fish.

5. Holding meetings for the purpose of reaching agreements governing the quantity of fish to be caught or the price at which fish are to be sold.

6. Engaging in any act or practice substantially similar to those set out in this order with the purpose or effect of establishing or maintaining uniform prices for fish.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-9699; Filed, June 5, 1945; 10:36 a. m.]

[Docket No. 4767]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE JUNG ARCH BRACE CO.

§ 3.6 (a)—*Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Qualifications:* § 3.6 (a 10)—*Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (t)—*Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x)—*Advertising falsely or misleadingly—Results accomplished:* § 3.6 (y 10)—*Advertising falsely or misleadingly—Scientific or other relevant facts.* I. In connection with the offering for sale, sale, or distribution of respondent's Jung's Arch Braces, Jung's Ankle and Foot Braces, Jung's Posture Correctors, Jung's Futuro Knee Braces, Jung's Sanskin Corn Pads and Meds, Jung's Sanskin Callus Pads and Meds, Jung's Toe Guide, Jung's Foot Balm, and Jung's Nail-Rite, or any products of substantially similar construction or possessing substantially similar properties, whether sold under the same name or names or under any other name or names, disseminating, etc., any advertisements by means of the United States mails, or in commerce or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparations, which advertisements represent, directly or through inference, (a) that a feeling of discomfort or fatigue, tired, aching or strained sensations after use, dull aches in the calf of the leg, knee, hip or lumbar region, sensitiveness beneath the heel, loss of spring or inability to get comfortable shoes, cramps in toes, momentary sharp pains when stepping on uneven surfaces, aches or pains in the anterior or posterior metatarsal region, stiffness or sensitiveness upon arising in the morning or after sitting, a callosity beneath the metatarsal heads, bunions or hammertoes, necessarily or clearly indicate weak foot, splay foot, or flat foot, or that respondent's elastic braces constitute a competent treatment for all such symptoms and conditions; that the use of respondent's elastic braces has simplified and made easier the treatment of flat or splay foot; that 90 percent, or any other percent of people do not have normal feet and that most people have undeveloped, relatively weak feet, unless and until reliable statistics demonstrate such to be the fact; that almost all foot troubles are caused by weakened muscles; that diagnosis of foot troubles by the use of the impression of the foot is not satisfactory or reliable; that rigid arch supports are always harmful; that high arches are often more troublesome than lower ones and higher arched feet are generally weaker than flat feet; that complicated and difficult examinations are never necessary in diagnosing foot ailments in order to prescribe the proper treatment; that respondent's advice and recommendations are comparable to or an adequate substitute for the advice of a doctor; that it can diagnose foot ailments and prescribe the right treatment without examination of the foot; that its diagnosis, advice, recommendations, or prescriptions are similar to those given by a doctor after a personal physical examination; that its advice and recommendations, if followed, can be relied upon to stop foot pains, give complete relief, or permanently correct foot troubles; or that mental and body fatigue, backaches, pains in the hips, aching legs, nervousness, and the discomforts attributed to neuritis, sciatica, rheumatism, lumbago, and arthritis are frequently due to foot ailments; (b) that Jung's Arch Braces are more effective than the strapping process in the treatment of foot ailments; that they will lift metatarsal bones out of any incorrect position and thereafter hold them properly positioned; that the use of said braces will cure, or correct the cause of, or prevent the recurrence of pains in the feet, ankles, calf, knees, toes, instep, ball or heel of the foot, or prevent excess spreading of the feet; that said braces directly assist the muscles to function properly and restore muscular activity; that they act as an extra muscle; that they produce a massage action sufficient to stimulate the blood circulation and provide a fresh supply of energy; that the use of said braces will give immediate relief to foot ailments generally, or that continued use will cure such ailments; (c) that Jung's Ankle and Foot Braces give the ankle and foot more perfect bracing than all other devices or methods; that respondent's stock-sized braces usually fit the foot better than the highest grade, made-to-measure ankle brace; that said braces will cure weak ankles or foot conditions, will prevent strains or turning of ankles, correct or prevent swellings, hold the muscles or ligaments in place, or restore the arch to normal; that they will hold the foot and ankle in proper relation, or hold muscles and ligaments in place, or restore the arch to normal; (d) that Jung's Posture Correctors will relieve aches and pains caused by improper posture, eliminate sagging ankles, prevent run-over heels, correct improper distribution of weight, bring about proper balance, or relieve extra strain on arches; (e) that Jung's Futuro Knee Braces will help relieve weak or painful knees regardless of cause or will help secure comfort and relief in all types of knee troubles; (f) that Jung's Sanskin Corn Pads and Meds will permanently remove corns, warts, calluses, and bunions; (g) that Jung's Callus Pads and Meds will stop pain instantly, and permanently remove calluses; or that any relief afforded will be more than temporary in nature; (h) that Jung's Toe Guides will straighten out the distorted large toe, relieve and correct bunions, crooked or overlapping toes and soreness between the toes, except such soreness as may be caused by overlapping toes; (i) that Jung's Foot Balm will relieve irritated and aching feet in excess of affording temporary relief from pain and itching caused by minor irritation; will stimulate blood circulation in the feet to the extent that sluggishness and swelling of the feet, due to congestion, will be relieved, or that it will invigorate weak or overstrained muscles or restore vitality to the feet; or (j) that the use of Jung's Nail-Rite relieves ingrown toenails or aids in their correction; and II, in connection with the offering for sale, sale, and distribution in commerce, of Jung's Foot Soap, or any similar product, under the same or any other name, representing or implying that said product cleanses the pores or throughly deodorizes the feet; prohibited, subject to the provision, however, as respects prohibition (c) above, that nothing in said prohibition shall be construed to prevent respondent representing that the use of said braces will provide some support and may be of some assistance and aid in preventing simple sprains and strains and turning of ankles, and will furnish limited support to weak ankles. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Jung Arch Brace Company, Docket 4767, May 2, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2d day of May, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, and a stipulation as to the facts entered into between the respondent herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondent findings as to the facts and its conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, The Jung Arch Brace Company, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of its Jung's Arch Braces, Jung's Ankle and Foot Braces, Jung's Posture Correctors, Jung's Futuro Knee Braces, Jung's Sanskin Corn Pads and Meds, Jung's Sanskin Callus Pads and Meds, Jung's Toe Guide, Jung's Foot Balm, and Jung's Mail-Rite, or any products of substantially similar construction or possessing substantially similar properties, whether sold under the same name or names or under any other name or names, do forthwith cease and desist from directly or indirectly:

1. Disseminating, or causing to be disseminated, by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference:

(a) That a feeling of discomfort or fatigue, tired, aching or strained sensations after use, dull aches in the calf of the leg, knee, hip or lumbar region, sensitiveness beneath the heel, loss of spring or inability to get comfortable shoes, cramps in toes, momentary sharp pains when stepping on uneven surfaces, aches or pains in the anterior or posterior metatarsal region, stiffness or sensitiveness upon arising in the morning or after sitting, a callosity beneath the metatarsal heads, bunions or hammertoes, necessarily or clearly indicate weak foot, splay foot, or flat foot, or that respondent's elastic braces constitute a competent treatment for all such symptoms and conditions; that the use of respondent's elastic braces has simplified and made easier the treatment of flat or splay foot; that 90 percent, or any other percent, of people do not have normal feet and that most people have undeveloped, relatively weak feet, unless and until reliable statistics demonstrate such to be the fact; that almost all foot troubles are caused by weakened muscles; that diagnosis of foot troubles by the use of the impression of the foot is not satisfactory or reliable; that rigid arch supports are always harmful; that high arches are often more troublesome than lower ones and higher arched feet are generally weaker than flat feet; that complicated and difficult examinations are never necessary in diagnosing foot ailments in order to prescribe the proper treatment; that respondent's advice and recommendations are comparable to or an adequate substitute for the advice of a doctor; that it can diagnose foot ailments and prescribe the right treatment without examination of the foot; that its diagnosis, advice, recommendations, or prescriptions are similar to those given by a doctor after a personal physical examination; that its advice and recommendations if followed, can be relied upon to stop foot pains, give complete relief, or permanently correct foot troubles; or that mental and body fatigue, backaches, pains in the hips, aching legs, nervousness, and the discomforts attributed to neuritis, sciatica, rheumatism, lumbago, and arthritis are frequently due to foot ailments.

(b) That Jung's Arch Braces are more effective than the strapping process in the treatment of foot ailments; that they will lift metatarsal bones out of any incorrect position and thereafter hold them properly positioned; that the use of said braces will cure, or correct the cause of, or prevent the recurrence of pains in the feet, ankles, calf, knees, toes, instep, ball or heel of the foot, or prevent excess spreading of the feet; that said braces directly assist the muscles to function properly and restore muscular activity; that they act as an extra muscle; that they produce a massage action sufficient to stimulate the blood circulation and provide a fresh supply of energy; that the use of said braces will give immediate relief to foot ailments generally, or that continued use will cure such ailments.

(c) That Jung's Ankle and Foot Braces give the ankle and foot more perfect bracing than all other devices or methods; that respondent's stock-sized braces usually fit the foot better than the highest grade, made-to-measure ankle brace; that said braces will cure weak ankles or foot conditions, will prevent strains or turning of ankles, correct or prevent swellings, hold the muscles or ligaments in place, or restore the arch to normal; that they will hold the foot and ankle in proper relation, or hold muscles and ligaments in place, or restore the arch to normal. However, nothing in this paragraph shall be construed to prevent respondent representing that the use of said braces will provide some support and may be of some assistance and aid in preventing simple sprains and strains and turning of ankles, and will furnish limited support to weak ankles.

(d) That Jung's Posture Correctors will relieve aches and pains caused by improper posture, eliminate sagging ankles, prevent run-over heels, correct improper distribution of weight, bring about proper balance, or relieve extra strain on arches.

(e) That Jung's Futuro Knee Braces will help relieve weak or painful knees regardless of cause or will help secure comfort and relief in all types of knee troubles.

(f) That Jung's Sanskin Corn Pads and Meds will permanently remove corns, warts, calluses, and bunions.

(g) That Jung's Callus Pads and Meds will stop pain instantly, and permanently remove calluses; or that any relief afforded will be more than temporary in nature.

(h) That Jung's Toe Guides will straighten out the distorted large toe, relieve and correct bunions, crooked or overlapping toes and soreness between the toes, except such soreness as may be caused by overlapping toes.

(i) That Jung's Foot Balm will relieve irritated and aching feet in excess of affording temporary relief from pain and itching caused by minor irritation; will stimulate blood circulation in the feet to the extent that sluggishness and swelling of the feet, due to congestion, will be relieved, or that it will invigorate weak or overstrained muscles or restore vitality to the feet.

(j) That the use of Jung's Nail-Rite relieves ingrown toenails or aids in their correction.

2. Disseminating or causing to be disseminated, by any means, any advertisement for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said preparations in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That said respondent, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of Jung's Foot Soap,

or any similar product, under the same or any other name, do forthwith cease and desist from representing or implying that said product cleanses the pores or thoroughly deodorizes the feet.

It is further ordered. That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9698; Filed, June 5, 1945; 10:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-797]

HOLLAND FURNACE CO. (PORTLAND, OREGON BRANCH)

The Holland Furnace Co. branch in Portland, Oregon is a branch of Holland Furnace Co., Holland, Michigan, engaged in a general furnace business including a clearing service and the sale and installation of new furnaces.

During August, September and October, 1944, this branch made sales and installations of new heating furnaces, a List A item of General Limitation Order L-79, where the furnaces replaced were not worn out or damaged beyond repair in violation of General Limitation Order L-79. At the time of these transactions the responsible officers and employees of the company knew of the provisions of General Limitation Order L-79. These sales and installations constituted wilful violations of the restrictions of General Limitation Order L-79.

These violations of General Limitation Order L-79 have hampered and impeded the war effort by diverting critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.797 *Suspension Order No. S-797.* (a) For a period of three months from the effective date of this order, unless otherwise specifically authorized in writing by the War Production Board, the Portland, Oregon Branch of the Holland Furnace Co. shall not sell, deliver or install any new furnaces.

(b) Nothing contained in this order shall be deemed to relieve the Portland, Oregon Branch of Holland Furnace Co., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 4, 1945.

Issued this 25th day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9689; Filed, June 4, 1945; 4:23 p. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b, Direction 3 as Amended June 5, 1945]

ZINC QUOTA FOR MANUFACTURE OF HOME CANNING CLOSURES FOR SIX MONTHS BEGINNING APRIL 1, 1945

Direction 3 to Supplementary Order L-103-b is amended to read as follows:

(a) *Definitions.* For the purposes of this direction.

(1) "Home canning closure" means any new sealing or covering device to be affixed to a container which is designed for use as a home canning container (that is for the purpose of packing or preserving food or food products in the home).

(2) "Zinc" means zinc metal which has been produced by an electrolytic, electrothermic or fire refining process. The term shall include zinc scrap, zinc metal produced from scrap and any alloy in which the percentage of zinc metal by weight is more than 50%.

(b) *Quota restrictions on use of zinc for manufacture of home canning closures.* Notwithstanding the provisions of Order L-103-b, no person shall use in the manufacture of home canning closures during the period beginning April 1, 1945 and ending September 30, 1945, more than 70% of the weight of zinc he used in the manufacture of such closures during the period from October 1, 1940 through September 30, 1941.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45 9706; Filed, June 5, 1945; 11:33 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, as Amended Mar. 31, 1945, Amdt. 2]

PROVISIONS APPLICABLE TO TEXTILES, CLOTHING AND RELATED PRODUCTS

Section 3290.118 *Conservation Order M-328* is amended by changing the period at the end of Item 12 of Schedule A, to a comma, and adding "M-388C".

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9709; Filed, June 5, 1945; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Supplement XI to Schedule A as Amended June 5, 1945]

The following Supplement XI to Schedule A is issued pursuant to Conservation Order M-328B (§ 3290.120a):

GRADUATE NURSES' UNIFORMS

Item No.	Items	Materials
1	Uniforms	Broadcloth, Combed—6c Sley and higher. Poplin, Combed—88 Sley and higher. Broadcloth, Carded—112 x 60. Poplin, Carded—112 x 44. Poplin, Carded—100 x 44.
2	Caps	Lawns and Organdy—76 x 72 9.00 yd.

STUDENT NURSES' UNIFORMS

Item No.	Items	Materials
1	Uniforms (colored)	Chambray 4.20-4.30 yard. Class A Sheeting 48 x 44—2.85—40". Class C Sheeting 60 x 52 56 x 76—4.00 yd. 36".
2	Uniforms (White)	Class A Sheeting 48 x 44—2.85—40". Poplin, Carded 100 x 44. Lawns and Organdies 76 x 72—9.00.
3	Caps	Print Cloth 68 x 64 (4.85) 3 yd. 39".
4	Collars	Class C Sheeting 60 x 52 56 x 76—4.00 yd. 36".
5	Cuffs	Print Cloth 68 x 64 (4.85) 3 yd. 39". Class C Sheeting 60 x 52 56 x 76—4.00 yd. 36".
6	Aprons	Class A Sheeting 48 x 44—2.85—40". Class C Sheeting 60 x 52 56 x 76—4.00 yd. 36".
7	Bibs	Class A Sheeting 48 x 44—2.85—40". Class C Sheeting 60 x 52 56 x 76—4.00 yd. 36".

(a) Application Form WPB-3732 (set forth in column (f) of form, production during first quarter of 1943).

(b) Filing Date (May 1, 1945).

(c) These items will be required to be produced during June, July, August and September, 1945.

(d) Priorities assistance will be given only for the woven fabrics specified above.

(e) Applicants should base their estimated production on their present labor and machinery. The method used in computing the production should be explained.

(f) Each applicant who, during the first quarter of 1943 (base period), produced items listed in this program and whose application is granted must produce a portion of his total production of each item for sale at each of the prices (or any increased prices subsequently granted by the OPA for items of the same specifications) at which he sold such item in the base period; and the proportion of his production of each item for sale at each such price to his entire production of the item (under the program) shall be the same as the proportion of his production of the item for sale at each such price was to his total production of the item in the base period. The whole or part of a quota of any item to be sold at a base period price may be shifted from a higher to a lower price, but not from a lower to a higher price. "Price" means the manufacturer's invoice price, before applying any discount.

(g) Each applicant who during the base period produced items listed in this program must, in producing such items from materials obtained with a rating under this program, meet the same specifications including standards of quality, workmanship, inspection, pressing, folding, and all other operations pertinent to the preparation of the completed garments for marketing used by the applicant in producing such items sold at the same or nearest higher price during the first quarter of 1943.

(h) Each applicant who did not, during the base period, produce the item for which he makes application, shall file with his application the specifications (including the proposed sales price) of the item he proposes to manufacture and, if required by the WPB, a sample. If his application is granted, the applicant must meet the specifications filed. These specifications shall include, but not be limited to specifications as to dimensions, type of fabric, and stitches per inch as well as such other essential points as may insure a quality garment, and the price at which the applicant proposes to sell each such item.

(i) Each applicant must include a statement under the section entitled "remarks" on Form WPB-3732 that he has complied with the OPA regulations regarding the prices he has included in columns (d) and (e) of the form.

(j) Applicants shall submit separate application forms WPB-3732 for the graduate nurses' uniform program and for the student nurses' uniform program.

(k) Applicants desiring to participate in the student nurses' uniform program must submit a signed statement listing the name and address of each hospital or nurses' training school with which the applicant now has contracts to sell student nurses' uniforms and the number contracted to be sold to each.

Priority assistance will not be granted to produce more such uniforms than the applicant has already contracted to deliver to hospitals or nurses' training schools.

(l) Applicants desiring to participate in the graduate nurses' uniform program who did not produce such uniform during 1943 or 1944 shall not sell more than 10% of the quantity of uniforms produced with priority assistance granted under this program to any one purchaser. Purchasers who are subject to common control shall be deemed a single purchaser.

(m) Applications of any person able to produce the particular items in this program will be entertained.

(n) If the applications exceed the quantity of production of a particular item required under this program, grants of priority assistance will be apportioned equitably on the basis of production during 1943 and 1944. However, any person who did not produce the item in 1943 or 1944 and who wants to make it or whose facilities for the production of the item have increased since 1944 or who wants to increase the production of the item, may apply for priorities assistance under the program, but his application will not be entertained unless it is accompanied by a signed statement setting forth the facilities or increased facilities he owns or has under contract for his exclusive use to produce the item(s) applied for within the program period. Where facilities or increased facilities are available because of a change from the production of other items, he must state whether production will be reduced on any other items and specify the items. Such applications will be granted on an equitable basis.

(o) Paragraph (d) (1) and (d) (2) of Conservation Order M-328B do not apply to this program.

(p) Applications which do not provide completely and accurately the information required may be denied.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9710; Filed, June 5, 1945; 11:33 a. m.]

PART 3293—CHEMICALS

[Preference Rating Order P-149 as Amended June 5, 1945]

CAN ENAMELS

For the purpose of facilitating the acquisition of can enamels for the public interest and to promote the defense of the United States, preference ratings are hereby assigned to deliveries of materials necessary for the manufacture of such can enamels upon the following terms:

§ 3293.621 *Preference Rating Order P-149.*—(a) *Purpose.* The purpose of this order is to make it easier for producers of can enamels to obtain materials necessary for the production of such enamels required as coatings for containers to be used for certain limited purposes defined in the order.

(b) *Definitions.* (1) "Can enamels" mean any organic enamels, protective coatings and linings usable for coatings for containers.

(2) "Containers" mean any unused cans or other receptacles made in whole or in part of tinplate, terneplate or blackplate, and which are suitable for packing any product, and include any metal closure, fiber-base closure liner and any other device made of metal for sealing, covering, or closing a receptacle of any kind.

(3) "Producer" means any person who produces or manufactures can enamels.

(4) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the producer.

(5) "Malt beverages" includes only beer, ale, porter, near beer, and mixtures thereof.

(6) "Non-alcoholic beverages" includes only carbonated soft drinks, non-carbonated soft drinks, unflavored carbonated waters and unflavored naturally carbonated and still waters, drinks consisting of fruit juices, vegetable juices and combinations thereof, where less than 85% by weight of such drinks is pure fruit juices, vegetable juice, or a mixture thereof, and sterilized milk drinks made with powdered milk.

(c) *Assignment of preference rating.* Subject to the terms of this order, the preference rating of AA-2 is hereby assigned to deliveries to the producer by his suppliers of material to be physically incorporated by such producer into can enamels.

(d) *Application and extension of ratings.* The rating assigned by paragraph (c) of this order shall be applied and extended only in accordance with Priorities Regulation No. 3, as amended from time to time. Any person applying or extending such rating shall add to the required certification the notation "P-149, Can Enamels."

(e) *Limitation on sale of can enamels.* No producer shall sell or deliver any can enamels containing any materials obtained with a rating permitted by this Order, except where:

(1) Such can enamels are to be sold or delivered by the producer to container manufacturers for application to containers which are to be used only for the packaging of (i) products purchased by or for the account of the United States Army, Navy, Maritime Commission or the War Shipping Administration or (ii) food for human consumption (excluding malt beverages, non-alcoholic beverages, wines and distilled spirits), drugs, pharmaceuticals and insecticides; and

(2) The manufacturer of containers ordering the can enamels shall have furnished to the producer a signed certificate, in substantially the following form:

The can enamels hereby ordered will be used only for containers which will be sold to persons ordering them for one of the purposes specified by War Production Order P-149.

(Name of purchaser)

By ---
(Authorized official)

Certificates need not be filed with the War Production Board, but should be retained by each producer for at least two years.

(f) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: P-149.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45 9711; Filed, June 5, 1945; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1316—COTTON TEXTILES

[RPS 89, Amdt. 14]

BED LINENS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Price Schedule No. 89 is amended by adding paragraph (c) to § 1316.101 to read as follows:

(c) During the period beginning May 30, 1945 and ending July 30, 1945 the provisions of Revised Price Schedule No. 89 and of the General Maximum Price Regulation shall not apply to bed linens converted by the H. W. Baker Linen Company and sold by it to the War Shipping Administration.

This amendment shall become effective June 4, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9691; Filed, June 4, 1945; 4:44 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

Maximum Price Regulation No. 373 is redesignated Revised Maximum Price Regulation No. 373 and is revised and amended to read as set forth herein:

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.
1. Prohibiiton against dealing in certain commodities at prices above the maximum.
2. Less than maximum prices.
3. To what transactions, commodities and persons these ceilings apply.
4. Relation to other regulations.
5. Geographical applicability.

ARTICLE II—TERMS OF SALE

6. Prohibited practices.
7. Fractional prices for commodities sold at retail.

ARTICLE III—MISCELLANEOUS

8. Petitions for amendment.
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10. Maximum-prices for commodities covered by this regulation which cannot be priced because of the seller's inability to determine his maximum price under the applicable pricing section contained in this regulation.
11. Records and reports.
12. Enforcement and licensing.
13. Definitions.

ARTICLE IV—MAXIMUM PRICES

14. Maximum prices for certain food products sold in the Territory of Hawaii.
15. Maximum prices for sales of fine granulated sugar by primary distributors.
16. Maximum slaughterers' and wholesalers' prices for mainland meat products and certain mainland dairy products, and maximum prices for island meats, hogs, rabbits, poultry and eggs sold by slaughterers, wholesalers and producers.
17. Sales at retail of Island meats, poultry, and certain dairy products.
18. Ceiling prices for sales at retail of mainland meats, meat products, poultry, eggs and certain dairy products.
19. Maximum prices for Island fish and seafood.
20. Maximum prices for sales at wholesale and retail of imported fish and seafood.
21. Maximum prices for fresh fruits and fresh vegetables.
22. Maximum prices for petroleum products.
23. Maximum prices for new tires and tubes, used tires and tubes, recapping and repairing.
24. Maximum prices for intoxicating liquor, wine, beer and ale sold by the case or bottle at wholesale and retail.
25. Maximum prices for intoxicating liquor, wine, beer and ale, drinks served or sold by dispensers for consumption on the premises.
26. Maximum prices for war bicycles.
27. Maximum prices for sale and rental of used typewriters.
28. Maximum prices for soft drinks.
29. Maximum prices for used refrigerators.
30. Maximum prices for household mechanical refrigerators.
31. Maximum prices for Hawaiian standard blackout bulbs and motor headlight blackout services.
32. Maximum prices for "Kills 'Em Roach Spray".
33. Maximum prices for cosmetics.
34. Maximum prices for candy.
35. Maximum prices for phonograph records and albums.
36. Maxium prices for sanitary napkins.
37. Maximum prices for new radio receivers, phonographs, record changers and players.
38. Maximum prices for lauhala and lauhala products.
39. Maximum prices for certain grocery items.
40. Maximum prices at wholesale for certain grocery items.
41. Maximum prices for used washing machines.
42. Maximum prices for power laundry services.
43. Maximum millers', producers' and roasters' prices for Kona coffee sold or delivered in the Territory of Hawaii.
44. Ceiling prices for sales of imported shoes and slippers at wholesale and retail.
45. Maximum prices for hauling on the Island of Molokai.
46. Ceiling prices for taro and poi.
47. Maximum prices for certain shell jewelry manufactured in the Territory of Hawaii.
48. Maximum prices for wearing apparel and accessories at wholesale and at retail.
49. Maximum prices for all sales of second hand or used lumber at wholesale and retail.
50. Maximum prices for distribution yard sales of softwood.
51. Maximum prices for sales of feeds for animals and poultry.
52. Maximum prices for textile printing.
53. Maximum prices for finished piece goods at wholesale and retail.
54. Maximum prices for domestics at wholesale and retail.
55. Maximum prices for bamboo rakes.
56. Ceiling prices for sales of imported luggage at wholesale and retail.
57. Maximum prices for used passenger automobiles.
58. Maximum prices for molasses.
59. Ceiling prices for sales of imported furniture and bedding at wholesale and retail, and for sales of locally manufactured furniture and bedding at retail.
60. Manufacturer's ceiling prices for sales of locally produced furniture and bedding.
61. Maximum prices for sales of home building materials at wholesale.
62. Maximum prices for white pan bread.
63. Maximum prices for sales of fresh fluid milk at wholesale and retail.
64. Maximum prices for camera rentals.
65. Maximum prices for garbage and swill on the Islands of Kauai, Maui, and Oahu.
66. Ceiling prices for locally manufactured made to order auto tops and made to order seat covers.
67. Maximum prices for Christmas trees in the Territory of Hawaii.
68. Maximum prices for fountain pens and mechanical pencils at wholesale and retail

AUTHORITY: § 1418.151 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. ***Prohibition against dealing in certain commodities at prices above the maximum.*** (a) Maximum prices are established as follows:

(1) Regardless of any contract, agreement, lease, or other obligation or of any price regulation or order heretofore issued by the Office of Price Administration, no person to whom this regulation is applicable shall sell or deliver and no person in the course of trade or business shall buy or receive in the Territory of Hawaii any of the commodities set forth in this regulation at a price higher than the maximum prices specified herein; and no person shall offer, solicit or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those set forth in this Revised Maximum Price Regulation No. 373 may be charged, demanded, paid, or offered.

SEC. 3. *To what transactions, commodities and persons these ceilings apply*—(a) *What transactions are covered.* This regulation covers sales within the Territory of Hawaii, unless otherwise provided herein, of the commodities enumerated below. The type of transaction covered, is specified in each table or pricing section below.

(b) *What products are covered.* This regulation covers the commodities enumerated below.

(c) *What persons are covered.* Any person who sells or, in the usual course of business buys, any commodity enumerated below is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government or any of its political subdivisions; or any agency of any of the foregoing.

SEC. 4. *Relation to other regulations.* (a) The sale of commodities not otherwise governed by this regulation shall be covered by the General Maximum Price Regulation for Hawaii[1] and other price regulations applicable to sales within the Territory of Hawaii.

(b) This regulation supersedes the applicable provisions of General Order No. 49.[2]

SEC. 5. *Geographical applicability.* (a) The provisions of this regulation shall be applicable in the territory of Hawaii unless otherwise provided herein.

ARTICLE II—TERMS OF SALE

SEC. 6. *Prohibited practices*—(a) *General.* Any device to obtain a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, combination sales, trade understandings and the like or by making discounts or other terms of sale more onerous to the purchaser than those in effect at the time any commodity became or may become subject to this regulation.

[1] 8 F.R. 5307, 6362, 14765, 15586; 9 F.R. 579, 4239, 6238, 6817, 12132; 10 F.R. 2810.
[2] 8 F.R. 3076.

(b) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of any commodity covered by this regulation has been completed, but the price may be adjustable to the maximum price in effect at the time of delivery.

SEC. 7. *Fractional prices for commodities sold at retail.* (a) Whenever provision is made in this regulation for the calculation of a maximum price not otherwise specified in dollars and cents, for the sale of a commodity at retail, and such calculation results in a fraction of a cent, then the amount so calculated shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent, if the fraction is one-half cent or more.

ARTICLE III—MISCELLANEOUS

SEC. 8. *Petitions for amendment.* (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1;[3] *Provided, however,* That any such petition shall be filed with the Director of the Office of Price Administration for the Territory of Hawaii, Honolulu, T. H.

SEC. 9. *Applications for adjustment.* (a) Adjustment of a maximum price, for any commodity subject to this regulation, heretofore granted by the Office of the Military Governor for Hawaii, shall continue in full force and effect until revoked or modified by the Office of Price Administration.

(b) Any seller or group of sellers may apply for adjustment of a maximum price of a commodity established for him or them by this regulation, or any order issued thereunder, when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of such commodity which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(c) Except as otherwise provided in this section 9, all applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 7;[4] *Provided, however,* That the action to be taken thereunder by the Regional Administrator may be taken in like manner by the Director of the Office of Price Administration for the Territory of Hawaii.

SEC. 10. *Maximum prices for commodities covered by this regulation which cannot be priced because of the seller's inability to determine his maximum price under the applicable pricing section contained in this regulation.* The maximum price for the sale of a commodity covered by this regulation for which the seller is unable to determine his maximum price under the pricing method established, or otherwise, shall be a maximum price in line with the level of maximum prices established by this regulation and shall be determined in the following manner:

Such seller shall file an application with the Office of Price Administration, Honolulu 2, T. H. (unless otherwise directed by a uniform pricing order) for approval of a proposed maximum price for the commodity. This application shall contain:

(a) A full description of the commodity to be priced. The description should include such matters, when relevant, as model, use, manufacturer's list name or number, trade category (e. g., food, hardware, men's clothing, etc.), materials, unit in which priced, size, weight, package, brand or manufacturer's name, and any other pertinent information.

(b) The name and address of the manufacturer and/or supplier of the commodity.

(c) A statement of the reasons why the maximum price for such commodity can not be determined under this regulation.

(d) The method used in figuring the proposed maximum price, including a breakdown of your costs and your proposed markup.

(e) The reasons why seller believes the proposed price is in line with the maximum prices otherwise established by this regulation.

He shall also furnish any additional information which the Office of Price Administration may require.

A commodity for which a maximum price is proposed under this section may not be sold until that price has been approved by the Office of Price Administration, but the proposed price shall be deemed to be approved 15 days after mailing the application (or all additional information which may have been requested) unless, within that time the Office of Price Administration notifies the seller that his proposed price has been disapproved.

The Director of the Office of Price Administration for the Territory of Hawaii may at any time approve, disapprove or revise maximum prices proposed or established under this section so as to bring them in line with the level of maximum prices otherwise established by this regulation and may either in connection therewith or otherwise, issue orders establishing maximum prices or pricing methods for sale or resale of any commodity subject to this regulation.

SEC. 11. *Records and reports*—(a) *Records to be kept.* (1) Every person making sales at other than retail of the Commodities subject to this regulation shall, on and after the date any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the markup charged and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this regulation shall, on and after the date of any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, the quantity purchased, and the mark-up charged by the seller to the buyer.

(b) *Prices to be marked and posted.* (1) On and after the date any commodity becomes subject to this regulation, every person offering to sell at retail any such commodity, shall mark the maximum price of such commodity in a manner plainly visible to and understandable by, the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form "Ceiling Price $------," or "Our Ceiling $------."

(c) *Sales slips and receipts.* (1) Every seller at retail of the commodities subject to this regulation, who has customarily given purchasers sales slips or receipts, shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold, and the price received for it.

(d) *Notification of maximum retail prices by persons selling to retailers.* (1) Every person selling any of the commodities enumerated in the sections below, for which dollar-and-cents prices are established at retail, on and after the effective date of maximum prices established by this regulation, before or at the time of the first delivery to each purchaser, shall supply the purchaser with a statement of the maximum retail prices set forth below for the commodity or commodities delivered.

SEC. 12. *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceed-

[3] 9 F.R. 10476, 13715.
[4] 8 F.R. 5842, 6174.

ings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest office of the Office of Price Administration.

(c) *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Definitions.* (a) When used in this regulation, except as otherwise provided herein, the terms:

(1) "Sale at retail" means a sale to an ultimate consumer. However, a sale to any of the following types of purchasers by a retail store, which regularly and customarily sells to ultimate consumers other than industrial, commercial or institutional users, shall be deemed a sale at retail:

(i) A commercial or industrial user of any item: *Provided,* Such sale does not affect the direct cost of material sold by the purchaser or the direct cost of any service rendered by such commercial or industrial user, or

(ii) The United States, or any government, or any of its subdivisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, or any agency of the foregoing.

(2) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer and includes any sale to the United States, or any government, or any of its subdivisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged, or insane, or any school, hospital, library, commercial or industrial user, or any agency of the foregoing, except as such sales come within the provisions of subparagraph (1) above.

(3) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(4) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(5) "Commodity" means commodities, articles, products and materials, and it also includes services rendered otherwise than as an employee in connection with the processing, distribution, storage, installation, repair, or negotiation or purchases or sales of a commodity, or in connection with the operation of any service establishment for the servicing of a commodity.

[4] 8 F.R. 13240.

(b) **Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used herein.**

ARTICLE IV—MAXIMUM PRICES

SEC. 14. *Maximum prices for certain food products sold in the Territory of Hawaii.*

	Maximum price at retail (for sales in all islands except Oahu)
1. Peas, canned:	
Extra Standard No. 2 can	($0.19 per one can. $0.37 per two cans.
Ungraded No. 2 can	$0.19 per one can. ($0.37 per two cans.
2. Tomato juice, canned:	
All grades, No. 10 can	($0.70 per one can. $0.35 per one can.
All grades, No. 2 can	($0.15 per one can. ($0.29 per two cans.
All grades, No. 2 can, tall	$0.19 per one can.
All grades, No. 2½ can	($0.21 per one can. ($0.41 per two cans.
All grades, 13½ oz. can	($0.11 per one can. ($0.21 per two cans.
All grades, 12 oz. can	$0.10 per one can.
All grades, #1 (10½ oz. can	($0.10 per one can. ($0.19 per two cans.
All grades, 8 oz. can	$0.07 per one can.
3. Prunes, dried:	
1 lb. package 30/40	$0.18 per one pkg.
1 lb. package 50/60	$0.17 per one pkg.
1 lb. package 60/70	$0.15 per one pkg. ($0.27 per two pkgs.
1 lb. package 90/100	($0.14 per one pkg.
4. Raisins, dried:	
Grade A, 15 oz. pkg	$0.13 per one pkg.
Grade C, 25 lb. box	$0.13 per one lb.
5. Salmon, canned:	
Chinook #½ flats	$0.35 per one can.
Pink #1 can	$0.26 per one can.
Red #1 can	$0.45 per one can. ($0.36 per one can.
Medium Red #1 can	($0.71 per two cans.
Grade 1 (No designation of color)	$0.45 per one can.
Grade 3 (No designation of color)	$0. 26 per one can.
6. Sardines, canned:	
(Maine) Soya Oil 3¼ oz. can	$0.07 per one can.
(Maine) Tomato & Olive Oil #1 can oval	$0.17 per one can.
(Maine) Tomato 3½ oz. can	$0.07 per one can.
(Maine) Tomato 9 oz. can	$0.15 per one can.
(Maine) Tomato 3¼ oz. can	($0.07 per one can. ($0.13 per two cans.
(Maine) Tomato 10 oz. can	($0.16 per one can. ($0.31 per two cans.
Pilchards (Calif.) Natural 8 oz. can	$0.08 per one can.
Pilchards (Calif.) Natural #1 can tall	$0.13 per one can.
Pilchards (Calif.) Tomato 8 oz. can	($0.09 per one can. ($0.17 per two cans.
Pilchards (Calif.) Tomato #1 can tall	$0.13 per one can.
Pilchards (Calif.) Tomato 15 oz. can oval	($0.16 per one can. ($0.31 per two cans.
Pilchards (Calif.) Tomato #1 can oval	$0.14 per one can.
7. Canadian herring, canned: Tomato, #1 can oval	$0.15 per one can.
8. Peaches, canned:	
Grade B, sliced, #2 can	$0.18 per one can.
Grade B, sliced, #2½ can	$0.26 per one can.
Grade B, halves, #2½ can	$0.26 per one can.
Grade C, sliced, #2 can	($0.17 per one can. ($0.33 per two cans.
Grade C, sliced, #2½ can	$0.24 per one can.
Grade C, halves, #2 can	$0.17 per one can. ($0.33 per two cans.
Grade C, halves, #2½ can	$0.26 per one can.
Grade C, halves, #10 can	$0.87 per one can.
Grade D, sliced, #2½ can	$0.22 per one can. ($0.25 per one can.
Grade D, halves, #2½ can	$0.49 per two cans.
Grade D, mixed, #2½ can	$0.22 per one can.
9. Corned beef, canned:	
12 oz. can	($0.34 per one can. ($0.67 per two cans.
#6 can	($0.34 per one can. ($0.67 per two cans.
	$2.52 per one can.
10. Luncheon meat, canned:	
12 oz. can	$0.41 per one can.
#6 can	$3.28 per one can.
#2½ can	$1.41 per one can.
11. Dried beans:	
Baby Limas	$0.11 per one lb.
Large Limas	($0.15 per one lb. ($0.29 per two lbs.
Red Kidney	$0.11 per one lb.
12. Flour:	
All Purpose Family	$0.35 per 4.9 lb. bag.
All Purpose Family	$2.97 per 49 lb. bag.
Bakers Bread	
Cake and Pastry	
Special Cake	
Cracker	
13. Beans, baked:	
Tomato sauce, #1 can	($0.13 per one can. ($0.25 per two cans.
Pork and Beans, #2½ can	($0.25 per one can. ($0.49 per two cans.
14. Evaporated milk, canned 14½ oz. can, terms of sale:	*Per 14½ oz. can*
C. O. D. delivered to retailer in lots of 25 cases or more	$0.12.
C. O. D. delivered to retailer in lots of less than 25 cases	$0.12.
Credit sale, delivered to retailer, in lots of 25 cases or more	$0.12.
Credit sale, delivered to retailer, in lots of less than 25 cases.	$0.12.
#10 can	
15. Pork sausage, canned: 24 oz. can	$0.69 per one can.
16. Pork tongue, canned: #9 can	$3.40 per one can.
17. Dried Beef in jars: 7 oz. jar	$0.48 per one jar.

SEC. 15. *Maximum prices for sales of fine granulated sugar by primary distributors*—(a) *Definitions.* When used in this section 15 the term:

(1) "Primary distributor" means any person who manufactures fine granulated sugar or granulated sugar, or the agent of any such person. The term "agent" shall be deemed to include a broker, factor, commission merchant, or a person who takes title but actually performs functions commonly performed by brokers, factors, or commission merchants.

(2) "Canner" means a canner of pineapples.

(3) "Class of purchaser" refers to the practice adopted by the primary distributor in setting different prices for sales to different purchasers or kinds of purchasers (for example, jobber, wholesaler, Army, Navy, canner), or for purchasers located in different areas, or for different quantities or grades, or under different conditions of sale.

(b) *Maximum prices for sales of fine granulated sugar by primary distributors located on the island of Oahu.* (1) $5.50 per 100 pounds, f. o. b. refinery, when packaged in a paper container.

(2) $5.56 per 100 pounds, f. o. b. refinery, when packaged in a cotton container.

(3) $5.60 per 100 pounds, f. o. b. refinery, when packaged in a jute container with cotton liners.

(4) The following premiums may be added to the maximum prices set forth in sub-paragraphs (1), (2), and (3) above for packaging in less than 100 pounds packages.

(i) For packaging in 5 lb. pockets, $0.45 per 100 lbs.

(ii) For packaging in 10 lb. pockets, $0.30 per 100 lbs.

(iii) For packaging in 25 lb. pockets, $0.20 per 100 lbs.

(5) The maximum prices are for a quality and polarization of fine granulated sugar not below the average quality and polarization delivered to purchasers during the calendar year 1942.

(6) The maximum prices may be adjusted in accordance with the trade and polarization differentials employed by the primary distributor in December, 1942.

(7) The primary distributor shall not reduce his discounts and allowances to a particular purchaser or class of purchasers below those which he had in effect as to deliveries during December 1942 to the same purchaser or class of purchasers. Such discounts and allowances shall be deducted from the maximum price.

(c) *Maximum prices for sales of fine granulated sugar by primary distributors located on the island of Maui.* (1) Sales of granulated sugar to canners.

(i) $5.25 per 100 pounds, f. o. b. refinery, when packaged in a paper container.

(ii) $5.31 per 100 pounds, f. o. b. refinery, when packaged in a cotton container.

(iii) $5.35 per 100 pounds, f. o. b. refinery, when packaged in a jute container with cotton liners.

(iv) These maximum prices are for a quality and polarization of fine granulated sugar not below the average quality and polarization delivered to the same class of purchaser during the calendar year 1942.

(v) These maximum prices may be adjusted in accordance with the grade and polarization differentials employed by the primary distributor in December, 1942.

(2) Sales of granulated sugar to persons other than canners.

(i) $5.25 per 100 pounds, f. o. b. refinery, when packaged in a paper container.

(ii) $5.31 per 100 pounds, f. o. b. refinery, when packaged in a cotton container.

(iii) $5.35 per 100 pounds, f. o. b. refinery, when packaged in a jute container with cotton liners.

(iv) The following premiums may be added to the maximum prices set forth in sub-paragraphs (i), (ii), and (iii) above, for packaging in less than 100 pound packages.

(a) For packaging in 5 pound pockets, $0.45 per 100 pounds.

(b) For packaging in 10 pound pockets, $0.30 per 100 pounds.

(c) For packaging in 25 pound pockets, $0.20 per 100 pounds.

(v) These maximum prices are for a quality and polarization of fine granulated sugar not below the average quality and polarization delivered to the same class of purchaser during the calendar year 1942.

(vi) These maximum prices may be adjusted in accordance with the grade and polarization differentials employed by the primary distributor in December, 1942.

(vii) The primary distributor shall not reduce his discounts and allowances to a particular purchaser or class of purchasers below those he had in effect as to deliveries during December, 1942, to the same purchaser or class of purchasers. Such discounts and allowances shall be deducted from the maximum price.

SEC. 16. *Maximum slaughterers' and wholesalers' prices for mainland meat products and certain mainland dairy products, and maximum prices for island meats, hogs, rabbits, poultry and eggs sold by slaughterers, wholesalers and producers*—(a) *To what commodities and transactions this section applies.* (1) Maximum prices for sales by slaughterers and wholesalers of meats, poultry and certain dairy products imported from the mainland are covered in paragraphs (h), (i), (j) and (k). A wholesaler for the purposes of these paragraphs is any person who customarily distributes the mainland commodities covered by this section for resale by retail outlets, or to commercial, industrial, institutional users, or to the Armed Forces of the United States.

(2) Maximum prices for sales of island produced meats, hogs, rabbits, poultry and eggs by slaughterers, wholesalers, and producers are covered in paragraphs (l) and (m). The terms "slaughterer" and "wholesaler", as used in these paragraphs, are defined therein.

(b) *Permitted practices.* (1) Where a wholesaler purchases from a mainland seller a variety of wholesale cuts of a particular carcass which are billed at one price, the wholesaler may sell the various wholesale cuts at the current market price provided that the total margin of profit received from the sale of all such wholesale cuts does not exceed the appropriate margin specified in Table A.

(c) *Sales invoices.* Every person making a sale of any commodity subject to this section shall furnish the buyer at the time of the delivery of the commodity with a written invoice or sales memorandum setting forth the date of sale, the name and address of the buyer and seller, the quantity and description of the commodity sold (including kind, grade, brand, container size, sex, weight, weight classes, etc., whichever is applicable,) and the price therefor, (including all allowances and payments for all services rendered or to be rendered in connection with the sale.) On the sale of live animals and carcasses listed in paragraphs (l) and (m) wherein the price varies with the weight, the weight of each individual carcass or animal shall be shown.

(d) *Records and reports.* Every person making a sale or purchase of any commodity subject to this section shall keep and make available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remain in effect, all sales invoices and sales memoranda required in paragraph (c) above.

In addition, all wholesalers are required to keep and make available:

(1) All records and data reflecting the charges incurred by the wholesaler in arriving at the selling price.

(2) The wholesaler's error account provided for in paragraph (h) (2).

(e) *Averaging of inventories.* If an identical item of the same grade in the wholesaler's inventory on hand has two or more different base prices, then the base price for that item may be determined by calculating a weighted average base price for that item. Each wholesale establishment of the same seller may be treated as a separate unit.

(f) *Delivery charges.* No charges for delivery may be added to the ceiling prices established by this section unless authorized by order of the Office of Price Administration, Honolulu, T. H., upon the written application of the seller.

(g) *Gross income tax.* In the case of a sale to a buyer who does not have a gross income tax license, the seller may add one percent (1%) to the selling price.

(h) *How the primary wholesaler calculates his maximum price.* (1) The provisions of paragraphs (h), (i) and (j) apply only to those commodities which are imported direct from the mainland for distribution on the same island wherein is located the commodities' point of entry. The provisions of paragraph (k) apply to those commodities which are transshipped from or via another island. It is the intent of this section to allow only one wholesale markup on any one island. It is also the intent of this section to allow only one wholesale markup in the Territory of Hawaii when the secondary wholesaler is a branch office or a subsidiary (owned in whole or in part by the primary wholesaler or its officers) of the primary wholesaler. Independent secondary wholesalers importing from other islands shall compute their maximum price in accordance with the provisions of paragraph (k). Each Territorial importer or wholesaler making sales to a second Territorial wholesaler of the commodities covered by this section shall state his base price on each invoice.

(2) *The error account.* If the actual amount for a charge is not in hand with respect to a particular shipment of any item, the wholesaler may estimate the amount of the charge for the purpose of determining the base price, but upon the following conditions:

(i) That he set up an "error account";

(ii) That when the actual amount becomes known he immediately include in this account the difference between the actual amount and the estimated amount;

(iii) That if the difference is an amount in excess of the actual amount, such difference shall be deducted in calculating the base price for any item on hand or received in the next shipment;

(iv) That if the difference is an amount less than the actual amount, then such difference may be added in calculating the base price for any item on hand or received in the next shipment;

(v) That the error account show how the differences are applied.

(i) *Calculation of the maximum price.* The maximum price for each item (that is, kind, brand, grade, and container size) covered by Table A of this section shall be the sum of the base price described in paragraph (j) below and the appropriate margins set forth in Table A.

(j) *Calculation of the base price.* (1) Except in the case of purchases from the Federal Surplus Commodities Corporation, the base price shall be an amount not in excess of the items described in subdivisions (i) through (ix), below. If any of the items have been absorbed by the seller they may not again be added.

(i) An amount equal to the lower of either:

(*a*) The amount the local wholesaler paid the mainland supplier less all discounts and allowances except the discount for cash or prompt payment and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation,[4] or

(*b*) The mainland supplier's maximum price, excluding any wholesale markup, permitted under the following mainland maximum price regulations, whichever governs the sale of the commodity in question: Revised Maximum Price Regulation 148[5] (Dressed Hogs and Wholesale Pork Cuts), Revised Maximum Price Regulation 169[6] (Beef and Veal Carcasses and Wholesale Cuts), Revised Maximum Price Regulation 239[7] (Lamb and Mutton Carcasses and Wholesale Cuts), Second Revised Maximum Price Regulation 269[8] (Poultry), Revised Maximum Price Regulation 289[9] (Dairy Products), Revised Maximum Price Regulation 333[10] (Eggs and Egg Products), Maximum Price Regulation 389[11] (Certain Sausage Items at Wholesale), Maximum Price Regulation 398[12] (Variety Meats and Edible Byproducts at Wholesale.)

However, if the mainland supplier processes or otherwise prepares the commodity for shipment and bills the wholesaler for this service as a separate item on the invoice, the wholesaler may add the amount of any such charge actually incurred.

(ii) If the wholesaler must process or prepare the commodity for shipment at his own expense subsequent to purchase from the mainland supplier, an amount equal to such charges actually incurred.

(iii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery to the mainland port of shipment, including such charges in connection therewith as were therefore customarily included, such as icing charges, switching, demurrage, and the like.

(iv) An amount equal to the actual cold storage charges, and insurance in connection therewith at point of shipment actually incurred by the wholesaler.

(v) An amount computed at the rate of 12¢ per 100 pounds net weight to cover cartage from warehouse to dock at point of shipment, except that for eggs, the rate shall be 5¢ per case.

(vi) An amount no higher than the following for ocean freight, war risk and marine insurance:

	Per 100 pounds net weight
Refrigerated	
Beef, veal, pork, lamb and mutton carcases and wholesale cuts, bone in, in cloth or burlap	3.20
All meat cuts, boneless or bone in, in containers weighing over 15 pounds, per 100 pounds net weight of content	3.70
All meat cuts, boneless or bone in, in containers weighing from 10 pounds to 15 pounds, per 100 pounds net weight of content	3.55
All meat cuts, boneless or bone in, in containers weighing under 10 pounds, per 100 pounds net weight of content	3.45
Variety meats: Liver, sweetbreads, tongue, hearts, kidneys, brains, cooked tripe, etc	3.60
Smoked meats: Typical items are: ham, bacon, picnics, etc	3.70
Fresh or smoked sausage, or ready-to-eat meats: Typical items are: frankfurters, bologna, meat loaves, boiled hams, etc	3.70
Poultry (except turkeys):	
Regular dressed	3.45
Eviscerated	3.65
Turkeys: (dressed)	3.60
Canned eggs. Whole, Whites, or Yolks	3.40
Shell eggs. (Per 30 dozen case)	1.85
Cheese: Natural or Processed, bulk or packaged	3.50
Unrefrigerated	
Smoked meats: Typical items are: ham, bacon, picnics, etc	1.25
Dry Salt pork	1.00
Dry sausage: Typical items are: Salami, Cervelat, etc	1.25
Pork and beef cuts in brine	1.25
Fresh and smoked sausage or ready-to-eat meats	1.25
Cheese	1.00
Shell eggs: (Per 30 dozen case)	.70
Glue	.85

NOTE: For commodities other than those listed above, the amounts to be added for ocean freight and insurance in connection therewith shall be the charges actually incurred.

(vii) An amount for cartage charges from dock to warehouse computed at a rate of 12¢ per 100# net weight, except that for eggs the rate shall be 5¢ per case. These cartage charges may be added only if the commodity is moved from the dock at the wholesaler's expense.

(viii) An amount equal to cold storage charges actually incurred by the wholesaler in the Territory of Hawaii after the first 30 days but not exceeding 90 days. In the event a wholesaler operates his own storage plant, he may compute these charges according to established public cold storage rates. All storage charges for products that are in storage for 30 days or less shall be absorbed by the wholesaler.

(ix) On sales to other islands, an amount for cartage charges from warehouse to dock at the rate of 12¢ per 100# net weight, except that for eggs the rate shall be 5¢ per case. These cartage charges may be added only if the commodity is moved to the dock at the wholesaler's expense.

(2) In the case of purchases from the Federal Surplus Commodities Corporation, the base price shall be the net price paid plus an amount equal to cartage charges computed at a rate not in excess of 12¢ per 100# net weight.

(k) *Maximum prices for commodities transshipped from other islands.* The secondary wholesaler shall calculate his maximum price for each item (that is, kind, brand, grade, and container size) by adding to the primary wholesaler's base price the following:

(1) An amount equal to inter-Island ocean transportation charges actually incurred, including war risk and marine insurance.

(2) An amount not to exceed 12 cents per 100 pounds net weight to cover cartage from dock to warehouse at point of destination except that for eggs the rate shall be 5 cents per case.

(3) An amount equal to public cold storage at point of distribution in excess of the first month's charges. All storage charges for the first month's storage shall be absorbed by the wholesaler. This charge contemplates the wholesaler utilizing to the maximum, consistent with economic operation of his plant, all cold storage space owned and operated by him. The charges shall be computed and prorated according to the customary practices of the wholesaler.

(4) 150% of the margins specified for primary wholesalers in Table A, except that branch offices of a primary wholesaler, or offices owned wholly or in part by a primary wholesaler or its officers shall not be considered as secondary wholesalers, and the maximum margins shall be the applicable margin listed in Table A.

TABLE A—MAXIMUM MARGINS

(The maximum margins are permitted to be added to your base price calculated in accordance with paragraph (j) of this section)	Maximum margin on case lots, per lb. net wt.	Maximum margin on less than case lots, per lb. net wt.
(1) All—meat carcasses, sides and quarters. Hind quarters—5¢ per lb. over carcass price. Fore quarters—4½ cents per lb. under carcass price.	$0.02	.....
(2) All—wholesale meat cuts—smaller than quarters (in bales)	.02¼	$0.02½
(3) All—wholesale meat cuts (box packed)	.02¼	.03
(4) Fabricated pork and veal cuts (to retailers)	.02¼	.03
(5) Fabricated pork and veal cuts (to purveyors of meals)	.03	.03
(6) Fabricated beef cuts (to purveyors of meals only)	.03	.03
(7) Poultry and rabbits: Regular—dressed or drawn	.02½	.03½
(8) Poultry and rabbits—frozen eviscerated	.03	.03½
(9) Hams—smoked, cooked, boiled, ready-to-eat	.03	.04
(10) Smoked and dry salted meats—Typical items are: smoked bacon, dry salt pork, etc	.03	.04
(11) Fresh and smoked sausage and ready-to-eat meats—typical items are: frankfurters, bologna, sausage and meat loaves	.02½	.03½
(12) Dry sausage (Except Chinese sausage)—typical items are: cervelat, salami, etc	.05	.05
(13) Corned or pickled meats—typical items are: pickled tongues, pigs feet, pigstalls, corned beef, spareribs, etc	.03	.04
(14) Variety meats and edible by-products: (a) Liver or Sweetbreads (other than calf liver or calf sweetbreads) Tongues, Hearts, Kidneys, Brains, Tripe, etc	.02	.03
(b) Calf Liver or Calf Sweetbreads	.03	.03

[4] 8 F.R. 4182, 5987, 7662, 9998, 15193; 9 F.R. 1036, 7201, 9835, 11273, 12919.

[5] 9 F.R. 1998, 3088, 4099, 11076; 10 F.R. 703, 2095, 2514.

[6] 9 F.R. 1121, 2023, 2135, 3424, 4648, 4782, 5955, 9356, 9425, 9617, 10874, 13158, 13206, 13933; 10 F.R. 47, 861, 1099, 1547.

[7] 9 F.R. 2894, 5956, 10714, 13758; 10 F.R. 1547.

[8] 9 F.R. 15095; 10 F.R. 521, 1827, 2097.

[9] 10 F.R. 2352, 2658, 2928, 3554, 3948, 3950.

[10] 9 F.R. 11514, 12216; 10 F.R. 1609, 2025, 3221.

[11] 9 F.R. 2858, 3261, 6730, 9952, 14016; 10 F.R. 2020.

[12] 8 F.R. 6945, 7351, 13297, 15461; 9 F.R. 11073, 13759, 14987; 10 F.R. 1668.

TABLE A—MAXIMUM MARGINS—Continued

(The maximum margins are permitted to be added to your base price calculated in accordance with paragraph (j) of this section)	Maximum margin on case lots, per lb. net wt.	Maximum margin on less than case lots, per lb. net wt.
(15) Casings (natural or artificial)	(1)	(1)
(16) Meat items not covered above	$0.02	$0.02
(17) Powdered milk (bulk skim)	.02	.02
(18) Cheese:		
(a) Unprocessed cheddars, such as: single, double, or triple daisies, twins, longhorns, flats, square prints, young Americas, picnics, midgets, and natural loaf	.03	.04
(b) Processed loaf weighing over 2 lbs	.03	.04
(bb) 1 lb. and 2 lb. packages (processed)	.04	.05
(cc) ½ lb. packages (processed)	.05	.05
(c) Cheese items other than those mentioned above	(2)	(2)
(19) Butter—cartons or prints	.02½	.03½
(20) Shell eggs—loose or pre-cartoned (per dozen)	.03½	.04
Cartoned. (By local wholesaler) (per dozen)	.03½	.03½
(21) Powdered whole eggs: bulk	.08	.08
Jars—8 oz. size (per dozen)	.50	.50
Packages—5 oz. size (per dozen)	.37	.37
(22) Canned eggs, frozen	.02½	.02½
(23) Gelatin, bulk	.03	.04
(24) Glue, bulk or packaged	(3)	(3)

[1] 10% on selling.
[2] 12½% on selling.
[3] 15% on selling.
[4] 10% on selling.

However, the provisions of this paragraph as applied to certain commodities subject thereto may be modified by Order of the Territorial Director of the Office of Price Administration.

(l) *Maximum prices for sales by slaughterers of island produced meats, and for sales by any person of live island hogs*—(1) *Explanation.* (i) For the purposes of this paragraph, a slaughterer is anyone who kills the live animal, and, after dressing it, sells and distributes the carcass or wholesale cuts to wholesalers, retailers or to commercial, industrial, or institutional users, or to the Armed Forces of the United States.

(ii) The cuts or cutting methods referred to in this section are defined in paragraph (n) below.

(2) *Custom slaughtering.* The maximum remuneration which a slaughterer may receive for killing and dressing any animal except hogs is the retention of the hide, offal, and other by-products.

The maximum remuneration which a slaughterer may receive for killing any hog is the retention of the offal plus a fee for slaughtering of one cent per pound live weight, except that the minimum fee for slaughtering any hog may be $1.00 plus the offal.

(3) *Additional provisions.* The maximum prices established in this section are based upon the slaughterer's retention of the offal. If the slaughterer elects to sell the carcass and the offal together, an amount not exceeding the maximum price for the offal sold may be added to the maximum price for the carcass. In the case of a sale of a boned beef wholesale cut the slaughterer may add ½ cent per pound to the maximum price per pound for such wholesale cut with bone-in and multiply the total by the number of pounds in the bone-in cut.

(4) *Island beef.* (i) "Beef" means meat derived from the carcasses of bovine animals which does not qualify as veal as defined in subparagraph (5) (i).

(ii) "Beef carcass" means and is limited to the dressed carcass, side, or sides of beef which shall be dressed with tail, kidney knob or knobs, and hanging tender left on.

(iii) The beef carcass shall not be broken in any other manner than described in paragraph (n).

(iv) All steers and heifers shall be stamped "A". Cows and bulls shall be stamped "B".

TABLE B—SLAUGHTERERS' MAXIMUM PRICES FOR ISLAND BEEF AND HEIFER CARCASSES AND TRIMMED WHOLESALE CUTS

Commodity	Oahu Only			Other Islands		
	Grade A	Grade B	Bulls	Grade A	Grade B	Bulls
	Per lb.	*Per lb.*	*Per lb.*	*Per lb.*	*Per lb.*	*Per lb.*
Carcass	$0.235	$0.205	$0.17	$0.22	$0.19	$0.157
Hindquarter	.2725	.2375	.175	.2525	.22	.166
Forequarter	.20	.175	.150	.189	.1625	.145
Round, butt on	.2625	.24		.2565	.2255	
Trimmed full loin	.372	.32		.343	.301	
Short loin	.367	.331		.355	.304	
Sirloin	.357	.331		.333	.298	
Regular chuck	.211	.1795		.2055	.1805	
Short plate	.145	.129		.132	.127	
Brisket, 5 rib	.193	.167		.171	.149	
Flank	.139	.132		.13	.12	
Foreshank	.113	.111		.114	.093	
Prime rib, 7 rib	.282	.248		.254	.229	
COMBINATION CUTS						
Cross cut chuck	$0.211	$0.1835		$0.189	$0.165	
Arm chuck	.2145	.187		.1925	.1680	
Back	.2445	.2125		.2185	.194	
Triangle	.169	.174		.179	.158	
Long plate	.166	.1455		.1485	.136	

(5) *Island veal.* (i) "Veal" means meat derived from the carcasses of calves.

(ii) "Veal carcass" means, and is limited to, the dressed carcass, "skin on", or "skin off", or side of veal which shall be dressed with the kidney knob or knobs in, tail on, pluck out, and without caul fat dressing.

(iii) The veal carcass shall not be broken in any manner other than provided for in paragraph (n).

(iv) Depending upon condition of finish and conformation, veal not having the following qualifications must be priced lower than the maximum prices set forth herein.

(*a*) Veal shall have a blocky and good conformation, no bruises, and shall not weigh over 275 pounds, skin off or chilled, or 315 pounds, skin on and chilled. The maximum age shall be ten months.

(*b*) Proper reduction must be allowed for bruises.

TABLE C—SLAUGHTERERS' MAXIMUM PRICES FOR ISLAND VEAL CARCASSES AND TRIMMED WHOLESALE CUTS

Commodity	Oahu	Other Islands
	Per lb.	*Per lb.*
Carcass	$0.24	$0.225
Hindquarter	.256	.242
Forequarter	.225	.2065
Loin	.383	.365
Loin, untrimmed	.287	.274
Legs	.2745	.2575
Shoulder	.253	.236
Hotel rack	.361	.344
Breast, Neck & Foreshank	.159	.143

(6) *Island lamb.* (i) "Lamb" means the whole or any portion of the carcass of the young animal of the Genus Ovis, approximately a year old or less, as ascertained by the objective tests commonly recognized in the meat packing industry and specifically by the "break joint" and by bone and flesh coloration.

(ii) The lamb carcass shall not be broken in any other manner than provided for in paragraph (n).

TABLE D—SLAUGHTERERS' MAXIMUM PRICES FOR ISLAND LAMB CARCASSES AND TRIMMED WHOLESALE CUTS

Commodity	Oahu	Other Islands
	Per lb.	*Per lb.*
Carcass, dressed	$0.3575	$0.3225
Hindsaddle or hindquarter	.3845	.3465
Foresaddle or forequarter	.194	.175
Leg	.3855	.3605
Loin	.368	.352
Loin, untrimmed	.293	.271
Hotel Rack	.255	.24
Shoulder, 5 Rib, trimmed, breast, neck and shank removed	.218	.202
Yoke	.171	.157
Breast, neck and shank	.113	.097

(7) *Island mutton.* (i) "Mutton" means the whole or any portion of the carcass from a mature animal of the genus Ovis, approximately 20 to 24 months old or more, which has passed the lamb stage as ascertained by the objective tests commonly recognized in the meat packing industry and specifically by the "break joint" and by bone and flesh coloration.

(ii) The mutton carcass shall not be broken in any other manner than provided for in paragraph (n).

TABLE E—SLAUGHTERERS' MAXIMUM PRICES FOR ISLAND MUTTON CARCASSES AND TRIMMED WHOLESALE CUTS

Commodity	Oahu	Other Islands
	Per lb.	*Per lb.*
Carcass	$0.175	$0.16
Hind saddle or hindquarter	.20	.1855
Foresaddle or forequarter	.152	.139
Leg	.199	.1835
Loin	.245	.23
Loin, untrimmed	.202	.189
Hotel rack	.214	.199
Shoulder	.161	.145
Yoke	.132	.12
Breast, neck and shank	.077	.061

(8) *Hogs.* Table F below fixes ceiling prices for live hogs, including live pigs, sold or delivered by any person. It does not apply to sales or deliveries to bona fide hog raisers of live hogs for breeding purposes and of live hogs weighing 175

pounds or less for feeding for more than one month. The Office of Price Administration may establish ceiling prices in excess of those set forth in Table F below for sales of live hogs weighing more than 175 pounds for feeding for more than one month upon written application by the seller to the Office of Price Administration, Iolani Palace, Honolulu, T. H. No payments, commissions or allowances for any service, including feeding transportation or shrinkage should be made by the buyer of live hogs to the seller unless the total sales price, including such payment, commission, or allowances, is equal to or less than the maximum price. No extra charges may be made for delivery or other services.

TABLE F—MAXIMUM PRICES FOR LIVE ISLAND HOGS

Grade "A"; Hogs, excluding sows, stags and boars Live weight pounds:	*All islands (per pound)*
Under 175	$0.23
175–240	.22
241–275	.21
276–300	.195
301–325	.18
326–350	.17
351–400	.155
401–450	.14
451–500	.13
Grade "B": Good sows and good stags	.11
Grade "C": Poor sows, poor stags and all boars	.05

All of the above prices are delivered slaughterhouse.

TABLE G—SLAUGHTERERS' MAXIMUM PRICES FOR ISLAND PORK CARCASSES AN QUARTERS

[All islands—per pound]

Dressed carcass, weight (pounds)	Skipper style, hind on, whole or half carcass	Hindquarter	Forequarter
Grade "A": From top quality young hogs, other than sows, stags and boars:			
Under 140	$0.31	.....	.....
140–180	.30	$0.32	$0.29
181–210	.29	.31	.28
211–250	.27	.29	.26
251–275	.2475	.265	.24
276–300	.2325	.25	.225
301–340	.215	.23	.21
341–380	.20	.215	.195
381–480	.185	.20	.18
Grade "B": From good sows and stags	.17	.18	.168
Grade "C": From poor sows, poor stags and all boars	.08	.....	.....

TABLE H—SLAUGHTERERS' MAXIMUM PRICES FOR WHOLESALE CUTS OF ISLAND PORK

[All islands—per pound]

Cut	Grade "A" from top quality young hogs, other than sows, stags and boars	Grade "B" from good sows and good stags
Loin	$0.43	$0.30
Legs, bone in	.42	.25
Shoulder, bone in	.39½	.22
Bellies, ribs removed	.37	.17
Back fat	.08	.06
Leaf lard	.15	.15
Spare ribs	.35	.23
Neck bones	.15	.15
Sausage meat	.40	.30
Feet	.10½	.15
Head, bone in	.12	.09
Head, boneless	.17	.12
Tongue	.27	.27

TABLE I—SLAUGHTERS' MAXIMUM PRICES FOR ISLAND OFFAL

[All Islands (per lb.)]

Commodity	Beef	Veal	Lamb and mutton	Pork
Brains, per set	$0.12	$0.12	$0.12	$0.12
Caul fat	.10	.....	.....	.10
Cheek meat	.12	.12	.10	.18
Cheek meat trimmings	.08	.....	.....	.....
Head, skinned	.....	.....	.....	.09
Head meat	.....	.....	.....	.18
Heart	.15	.15	.12	.15
Kidneys	.....	.....	.....	.22
Leaf lard	.....	.....	.....	.12
Livers	.28	(1)	.23	.26
Lungs, large, each	.10	.10	.10	.15
Lungs, small, each	.05	.05	.05	.....
Lungs and heart, per set	.....	.....	.....	.20
Melts, each	.02½	.02½	.....	.....
Sweetbreads	.25	.40	.25	.....
Tails	.19	.19	.....	.27
Tongues	.17	.19	.15	.27
Tongues, untrimmed	.15	.16	.13	.23
Tripe, large	.07	.07	.05	.07
Tripe, small	.05	.05	.05	.05

[1]$0.35 (4½ lbs. and under), $0.28 (over 4½ lbs.)

(m) *Maximum prices for sales of island meats by wholesalers, and maximum prices for sales of island rabbits, poultry and eggs by wholesalers and producers.* (1) For the purposes of paragraph (m), a wholesaler is anyone whose selling establishment is not physically attached to a slaughtering plant, and who purchases carcasses or wholesale cuts and resells the same to retail outlets, or to commercial, industrial or institutional users, or to the Armed Forces of the United States. By this definition, any wholesaler who does any slaughtering must use the slaughterers' maximum prices on sales of those carcasses of cuts which he himself slaughters.

(2) Carcasses shall not be broken in any other manner than as described in paragraph (n).

(3) In the case of a sale of a boned wholesale cut the wholesaler may add ½ cent per pound to the maximum price per pound for such wholesale cut with bone-in and multiply the total by the number of pounds in the bone-in cut.

TABLE J—WHOLESALERS' MAXIMUM PRICES FOR ISLAND BEEF AND HEIFER CARCASSES AND TRIMMED WHOLESALE CUTS

Commodity	Oahu only (per lb.)			Other islands (per lb.)		
	Grade A	Grade B	Bulls	Grade A	Grade B	Bulls
Carcasses	$0.235	$0.205	$0.17	$0.22	$0.19	$0.155
Hindquarter	.2725	.2375	.1825	.2525	.22	.166
Forequarter	.20	.175	.159	.189	.1625	.145
Round, butt on	.3025	.276	.....	.291	.277	.....
Round, butt off	.412	.379	.....	.401	.392	.....
Trimmed full loin	.43	.39	.....	.415	.396	.....
Short loin	.395	.366	.....	.39	.378	.....
Sirloin	.265	.229	.....	.236	.2075	.....
Regular chuck, cross rib in	.169	.149	.....	.152	.146	.....
Short plate	.222	.192	.....	.167	.171	.....
Brisket, 5 rib	.16	.152	.....	.15	.138	.....
Flank	.15	.128	.....	.131	.104	.....
Foreshank	.324	.285	.....	.292	.263	.....
Prime rib, 7 rib						
COMBINATION CUTS						
Cross cut chuck	$0.2423	$0.211	.....	$0.2175	$0.1895	.....
Arm chuck	.2464	.2145	.....	.2215	.193	.....
Back	.2859	.244	.....	.231	.2025	.....
Triangle	.229	.20	.....	.2055	.1815	.....
Long plate	.1909	.167	.....	.1705	.1565	.....

TABLE K—WHOLESALERS' MAXIMUM PRICES FOR ISLAND VEAL CARCASSES AND TRIMMED WHOLESALE CUTS

Commodity	Oahu	Other islands
	Per lb.	*Per lb.*
Carcasses	$0.24	$0.225
Hindquarter	.256	.242
Forequarter	.225	.2095
Loin	.445	.424
Loin, untrimmed	.334	.318
Legs	.319	.2995
Shoulder	.294	.2745
Hotel rack	.42	.399
Breast, neck and shank	.185	.166

TABLE L—WHOLESALERS' MAXIMUM PRICES FOR ISLAND LAMB CARCASSES AND TRIMMED WHOLESALE CUTS

Commodity	Oahu	Other islands
	Per lb.	*Per lb.*
Carcass, dressed, pluck out	$0.2375	$0.2225
Hindsaddle or hindquarter	.2845	.2695
Foresaddle or forequarter	.194	.178
Legs	.332	.3135
Loin	.428	.409
Loin, untrimmed	.329	.315
Hotel rack	.297	.279
Shoulders, 5 rib, trimmed, breast, neck, and shank removed	.253	.235
Yoke	.20	.183
Breast, neck and shank	.131	.113

TABLE M—WHOLESALERS' MAXIMUM PRICES FOR ISLAND MUTTON CARCASSES AND TRIMMED WHOLESALE CUTS

Commodity	Oahu	Other islands
	Per lb.	*Per lb.*
Carcass	$0.175	$0.165
Hindquarter	.20	.185
Forequarter	.176	.136
Legs	.2015	.2335
Loin	.285	.267
Loin, untrimmed	.234	.22
Hotel rack	.249	.231
Shoulder	.187	.169
Yoke	.154	.14
Breast, neck and shank	.089	.071

TABLE N—WHOLESALERS' MAXIMUM PRICES FOR TRIMMED WHOLESALE CUTS, CARCASSES AND QUARTERS OF ISLAND PORK

[All islands—per pound]

Cut	Grade "A" from top quality young hogs, other than sows, stags and boars	Grade "B" from good sows and good stags
Loin, center chops or roast	$0.50	$0.35
Legs, bone in	.39	.24
Shoulder, bone in	.36	.20
Bellies, ribs removed	.32	.20
Back fat	.09	.06
Leaf lard	.18	.18
Spare ribs	.41	.27
Neck bones	.18	.18
Sausage meat	.47	.35
Feet	.23	.19
Head, bone in	.14	.10
Head, boneless	.20	.14
Tongue	.31	.31

The wholesalers' maximum prices for carcasses and quarters of Island pork shall be the slaughterers' maximum price for corresponding weights as set forth in Table G above plus 10%.

TABLE O—WHOLESALERS' MAXIMUM PRICES FOR ISLAND FANCY MEATS

[All Islands, per lb.]

Commodity	Beef	Veal	Lamb and mutton	Pork
Brains, per set	$0.14	$0.14	$0.14	$0.14
Head, skinned	.....	.....	.....	.11
Head meat	.....	.....	.....	.21
Heart	.18	.18	.14	.18
Kidneys	.20	.20	.22	.25
Leaf lard	.....	.....	.....	.14
Livers	.33	(1)	.27	.30
Lungs, large, each	.12	.12	.12	.18
Lungs, small, each	.07	.07	.07	.....
Lungs & Heart, per set	.....	.....	.....	.23
Melts, each	.03	.03	.....	.....
Sweetbreads	.29	.47	.29	.....
Tails	.23	.23	.....	.31
Tongues	.20	.22	.18	.32
Tongues, untrimmed	.17	.18	.15	.26
Tripe, large	.09	.09	.07	.09
Tripe, small	.07	.07	.07	.07

[1]$0.11 (4½ lbs. & under), 0.33 (over 4½ lbs.).

TABLE P—MAXIMUM PRICES FOR ISLAND POULTRY AND RABBITS SOLD BY WHOLESALERS OR PRODUCERS.

Commodity	*All islands (cents per lb.)*
Chickens* and guinea fowl:	
Dressed Weight	57
Live Weight	49
Hens:	
Dressed Weight	48
Live Weight	41
Turkeys:	
Dressed Weight	57
Live Weight	49
Turkeys (gobblers):	
Dressed Weight	48
Live Weight	41
Ducks and geese:	
Dressed Weight	48
Live Weight	41
Squabs:	
Dressed Weight	70
Live Weight	60
Island rabbits:	
Fryers, dressed and drawn 2½ lbs. or less	57
Fryers, live 4½ lbs. or less	30
Roasters, dressed and drawn over 2½ lbs.	48
Roasters, live over 4½ lbs.	27

*Includes broilers, fryers, roasters, and capons.

TABLE Q—MAXIMUM PRICES FOR ISLAND EGGS SOLD BY WHOLESALERS OR PRODUCERS

	All islands	
	Min. weight (per doz.)	Per doz.
	Oz.	
Shell eggs—large—cartoned	24	$0.78
Shell eggs—medium—cartoned	20½	.72
Shell eggs—small—cartoned	17	.55
Shell eggs—large—loose	24	.70
Shell eggs—medium—loose	20½	.70
Shell eggs—small—loose	17	.53

(n) *Wholesale cuts*—(1) *Beef.* (i) "Beef wholesale cut" means and is limited to any of the following cuts meeting the following minimum specifications derived from the beef carcass, but excluding the offal and any item not included herein. All cuts shall be made according to the definite guides and measurements specified. Ribs are designated as 1st to 13th, inclusive, counting as the 1st rib that one which is nearest the neck end of the side.

(ii) "Hindquarter" means the posterior portion of the side remaining after the severance of the 12-rib forequarter from the side, and comprising the round, full loin including the 13th rib, flank, kidney and hanging tender all in one piece, which posterior portion shall be obtained by cutting the beef side between the 12th and 13th ribs keeping the knife firmly against the 12th rib while cutting down the length of the rib to the point at the end of the rib where the rib joins the rib (costal) cartilage, from which point passing through the cartilage and meat of the flank and short plate in the same straight line, completing the cut.

(iii) "Forequarter" means the anterior portion of the side remaining after the severance of the 1st rib hindquarter from the side, and comprising the rib, regular chuck, brisket, short plate and foreshank all in one piece, which anterior portion contains the 1st to the 12th rib, inclusive. All heart (mediastinal) fat, but no other fat, shall be removed from the forequarter. The skirt (diaphragm) shall not be removed from any cut or part of the forequarter to which it is attached.

(iv) "Round" means the portion of the hindquarter remaining after the severance of the untrimmed full loin, and flank from the hindquarter, which portion shall be obtained as follows: the untrimmed full loin and flank shall be severed from the hindquarter by cutting in a straight line perpendicular to the contour of the outside or skin surface of the hindquarter. The cut shall be made on a straight line formed by and starting from that point on the backbone which is the juncture of the last (5th) sacral vertebra and the first (1st) tail (caudal) vertebra, and passing through that point which just misses the end of the protuberance of the femur bone and exposes the ball of the femur bone, continuing in the same straight line beyond the second point to complete the cut. Two tail vertebrae shall be left on the round. Attached to the tail bone of the round shall be the tip or rear corner of the fifth sacral vertebra all cod, rudder and pelvic fat remaining on the round after its severance from the full loin and flank shall remain on the round.

(v) "Trimmed full loin" means the portion of the hindquarter remaining after the severance of the round, flank, hanging tender (from the open side), kidney knob and excess loin (lumbar) and pelvic (sacral) fat from the inside of the loin, from the hindquarter, and comprising the short loin and sirloin (loin end) in one piece, the back bone of which portion shall include one and one-half (1½) thoracic vertebrae, six (6) lumbar vertebrae, and five (5) sacral vertebrae (the tip or rear corner of the fifth sacral vertebra shall have been sawed off in severing the round from the full loin and flank), and which portion shall be obtained as follows: Part of the kidney knob, all of the kidney and the fat lying closely around the kidney in open (left) and closed (right) sides shall be removed first by a cut starting at the rear end of the kidney and slanting directly to the front edge of the half of the 12th thoracic vertebrae at the point of severance of the hindquarter and the forequarter.

(vi) The hanging tender, which means the cylindrical shaped piece of lean meat attached at one end under the kidney knob in open (left) side hindquarters shall be removed entirely from open side loins by being severed at a point opposite the juncture of the 1st and 2nd lumbar vertebrae.

(vii) After the severance of the round from the hindquarter, the flank shall be severed from the full loin by a cut starting at the heavy end of the full loin at the ventral point of severance of the round from the hindquarter and continuing in a straight line to a fixed point on the inside of the 13th rib determined by measuring off ten inches in a straight line from the center of the protruding edge of the 13th thoracic vertebrae, but in making the cut no more than one inch of cod or udder fat shall be left on the flank side of the face of the loin. (The 10 inch measurement shall be made from the center of the protruding edge of the 13th thoracic vertebrae and not from the hollow of the chine bone where the 13th rib joins the 13th thoracic vertebrae).

(viii) The excess loin (lumbar) and pelvic (sacral) fat shall be trimmed from the inside of the full loin by placing the full loin upon a flat surface, with no other support to change its position, meat side down, and removing all fat which extends above a flat plane parallel with the flat surface supporting the full loin and on a level with the full length of the protruding edge of lumbar section of the chine bone. Then all fat shall be removed which extends above a flat plane using the following two lines as guides for each edge of the plane: an imaginary line parallel with the full length of the protruding edge of the lumbar section of the chine bone which line extends 1 inch directly above such protruding edge; a line on the inside of the loin two inches from the flank edge

and running parallel with such edge for the full length of the loin. All fat obstructing the measurement of the second line shall first be removed. In addition all rough fat in the pelvic cavity of the heavy end of the loin (sirloin) shall be trimmed smooth and trimming by a knife shall be apparent. No fat remaining in the pelvic cavity shall exceed one inch in depth.

(ix) "Short loin" means that portion of the trimmed full loin remaining after the severance of the sirloin (loin end) from the trimmed full loin, which portion shall be obtained by a cut perpendicular to the contour of the outside or skin surface of the trimmed full loin begun at a point which is the juncture on the chine bone of the 5th and 6th lumbar vertebrae and continuing in a straight line perpendicular to the contour of the outside or skin surface of the trimmed full loin to and through a point flush against the end of the hip (pin) bone, but leaving no part of the hip (pin) bone in the short loin. The backbone of the short loin shall include five (5) lumbar vertebrae, one and one-half (1½) thoracic vertebrae and part of the 13th rib.

(x) "Sirloin" (loin end) means the thick portion of the trimmed full loin remaining after the severance of the short loin from the trimmed full loin. The backbone of the sirloin shall include one (1) lumbar vertebra, five (5) sacral vertebrae (the tip or rear corner of the fifth (5th) sacral vertebra shall have been sawed off in separating the round from the trimmed full loin and flank), and the entire hip bone (ilium).

(xi) "Regular chuck" means the portion of the cross cut chuck remaining after the severance of the foreshank and brisket from the cross cut chuck, and containing most of the blade bone (scapula), part of the (humerus) arm bone, parts of the five ribs (1st to 5th, inclusive), that section of the backbone attached to the ribs, and neck bone (cervical vertebrae from 1 to 7, inclusive), which portion shall be obtained by a cut through the cross cut chuck made in a straight line perpendicular to the contour of the outside or skin surface of the cross cut chuck (thereby separating the brisket and foreshank from the cross cut chuck) starting at a fixed point on the inside of the 5th rib determined by measuring off ten (10) inches along the 5th rib in a straight line from the center of the protruding edge of the 5th thoracic vertebra, continuing in the same straight line to the tip of the forward end of the breast bone (forward end of 1st segment of sternum), and passing through the (humerus) arm bone in the same straight line to complete the cut. (Note: The 10-inch measurement shall be made from the center of the protruding edge of the 5th thoracic vertebra and not from the hollow of the chine bone where the 5th rib joins the 5th thoracic vertebra).

(xii) "Short plate" means the portion of the forequarter remaining after the severance of the cross cut chuck and the rib from the forequarter, and containing parts of seven ribs (6th to 12th, inclusive), the rib (costal) cartilages attached to them, and part of the breastbone.

(xiii) "Brisket" means the portion of the cross cut chuck remaining after the severance of the regular chuck and foreshank from the cross cut chuck, which portion contains part of 5 ribs (1st to 5th, inclusive), part of the breastbone and the rib (costal) cartilages which connect the ends of the rib bones with the breastbone. All heart fat, but no other fat shall be removed from the brisket.

(xiv) "Flank" means the portion of the hindquarter remaining after the severance of the round and untrimmed full loin from the hindquarter, which shall be obtained after the removal of the round by separation from the untrimmed full loin, starting the cut at the point at the lower end of the loin end (sirloin) which was the ventral point of separation of the full loin and round, leaving no more than one inch of cod or udder fat attached to the flank side of the face of the full loin, and continuing in a straight line to a fixed point on the inside of the 13th rib determined by measuring off ten inches in a straight line along the 13th rib from the center of the protruding edge of the 13th thoracic vertebra. (Note: The 10-inch measurement shall be made from the center of the protruding edge of the 13th thoracic vertebra and not from the hollow of the chine bone where the 13th rib joins the 13th thoracic vertebra.)

(xv) "Foreshank" means the portion of the cross cut chuck remaining after the severance of the regular chuck and brisket from the cross cut chuck, which portion shall be obtained (after separation of the regular chuck) by separation from the brisket by a cut following the natural seam and leaving the entire lip, or web muscle on the brisket.

(xvi) "Prime rib" means the portion of the forequarter remaining after the severance of the cross cut chuck and short plate from the forequarter, and containing parts of seven ribs (6th to 12th, inclusive), that section of the backbone attached to the ribs, posterior tip and cartilage of the blade bone (scapula), part of the blade bone (scapula), which portion shall be obtained (by separation from the short plate) by a straight cut across the ribs starting at a fixed point determined by measuring off 10 inches on the inside of the 12th rib along the 12th rib from the center of the inside protruding edge of the 12th thoracic vertebra and continuing to and through a fixed point determined by measuring off 10 inches on the inside of the 6th rib along the 6th rib from the center of the inside protruding edge of the 6th thoracic vertebra. (Note: The 10-inch measurements shall be made from the centers of the protruding edges of the 6th and 12th thoracic vertebrae, and not from the hollow of the chine.)

(xvii) "Cross cut chuck" means the portion of the forequarter remaining after the severance of the rib and short plate from the forequarter, and comprising the regular chuck, brisket and foreshank all in one piece, which portion shall be obtained by cutting through the forequarter in a straight line between the 5th and 6th ribs, keeping the knife firmly against the 5th rib while cutting to the point where the 5th rib joins the rib (costal) cartilage, at which point the cut shall continue in the same straight line through the cartilage, the breast bone (sternum) and the meat of the brisket and short plate to complete the severance. The cross cut chuck shall contain five (5) ribs (1st to 5th, inclusive).

(xviii) "Arm chuck" means the portion of the cross cut chuck remaining after the severance of the brisket from the cross cut chuck and containing the regular chuck and foreshank all in one piece.

(xix) "Back" means the portion of the forequarter remaining after the severance of the short plate, brisket and foreshank from the forequarter, and containing the rib and regular chuck all in one piece, which portion shall be obtained by a cut made in a straight line starting at a fixed point determined by measuring off 10 inches on the inside of the 12th rib along the 12th rib from the center of the inside protruding edge of the 12th thoracic vertebra and continuing to and through a fixed point at the tip of the forward end of the breastbone (forward end of 1st segment of sternum) through the (humerus) arm bone in the same straight line to complete the cut. (Note: Measurements shall be made from the center of the protruding edge of the 12th thoracic vertebra, and not from the hollow of the chine.)

(xx) "Triangle" means the portion of the forequarter remaining after the severance of the rib from the forequarter, and containing the short plate, brisket, foreshank and regular chuck all in one piece, which portion shall be obtained by removing the rib from the forequarter by a straight cut across the ribs starting at a fixed point determined by measuring off 10 inches on the inside of the 12th rib along the 12th rib from the center of the inside of the protruding edge of the 12th thoracic vertebra and continuing to a fixed point determined by measuring off 10 inches on the inside of the 6th rib along the 6th rib from the center of the inside protruding edge of the 6th thoracic vertebra, and severing the rib from the forequarter by a second cut made in a straight line between the 5th and 6th ribs keeping the knife firmly against the 5th rib to the point where the second cut meets the end of the first cut. (Note: Measurements shall be from the center of the protruding edge of the 12th and 6th thoracic vertebrae, and not from the hollow of the chine.)

(xxi) "Long plate" means the combination of the brisket and the short plate (12 ribs).

(2) *Veal.* (i) "Veal wholesale cut" means and is limited to any of the following cuts meeting the following minimum specifications, derived from the veal carcass, but excluding the offal and any item not included herein. Ribs are designated as first to thirteenth, inclusive, counting as the first rib that one which is nearest the neck end of the side.

(ii) "Hindsaddle or hindquarter" means the portion of the carcass or side, respectively, remaining after the severance of the 12-rib foresaddle or forequarter and comprising the legs or leg, and loin, double or single, including the 13th rib, flank and kidney, all in one piece, which portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs, keeping the knife firmly against the 12th rib and following the curvature of the rib to the point where the 12th rib turns, from which point the cut shall be continued by following a line through the cartilage and meat of the flank in the same straight line at right angles to the chine bone, completing the cut. Tail or caudal vertebrae to be left on the hindsaddle or hindquarter are not to exceed 2 in number.

(iii) "Foresaddle or forequarter" means the anterior portion of the carcass or side, respectively, remaining after the severance of the one-rib hindsaddle or hindquarter, which anterior portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs keeping the knife firmly against the 12th rib and following the curvature of the rib to the point where the 12th rib turns, from which point the cut shall be continued by following a line through the cartilage and meat of the flank in the same straight line at right angles to the chine bone, completing the cut.

(iv) "Loin, double or single", means that portion of the hindsaddle or hindquarter remaining after severance of the legs, which portion shall be obtained by cutting in a straight line at a right angle to the chine bone, starting at the juncture of the 5th and 6th lumbar vertebrae, and continuing through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hipbone in the leg. The cut shall be made in a straight line perpendicular to the contour of the outside or skin surface of the hindsaddle or hindquarter. The double loin is split through the center of the chine bone to make 2 single loins. The loin includes the 13th rib and is untrimmed, that is, it includes the flank, kidney, and fat.

(v) "Legs or leg" means the portion of the hindsaddle or hindquarter remaining after the severance of the loin from the hindsaddle or hindquarter, which portion shall be obtained by cutting squarely in a line at a right angle to the chine bone, starting at the juncture of the 5th and 6th lumbar vertebra and continuing in the same straight line through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hipbone in the leg. The cut shall be made in a straight line perpendicular to the contour of the outside or skin surface of the hindsaddle. The pair of legs may be split through the center to make 2 single legs. The tail or caudal vertebrae remaining on the legs or leg are not to exceed 2 in number.

(vi) "Shoulder" means that portion of the forequarter (1st 5 ribs) remaining after the severance of the breast, neck, shank, and ribs.

(vii) "Hotel rack" means that portion of the forequarter after the severance of the shoulder and breast, and continuing seven ribs, 6th to 12th inclusive.

(3) *Lamb and mutton.* (i) "Wholesale cut" means, and is limited, to the following cuts meeting the following minimum specifications, derived from the carcass of the lamb or mutton, excluding the offal and other by-products.

(*a*) "Hindsaddle" and "hindquarter" mean the double and single hindquarters, respectively, including the 13th rib. The hindsaddle is made by cutting between the 12th rib to the point where the 12th rib turns. The cut is completed by following a line through the flank at a right angle to the chine bone. This cut is split in half through the center of the chine bone to make the hindquarter.

(*b*) "Foresaddle" and "forequarter" mean the double and single forequarters, respectively, and includes 12 ribs. It is the anterior portion of the carcass remaining after the removal of the hindsaddle. The foresaddle is made by cutting between the 12th rib to the point where the 12th rib turns. The cut is completed by following a line through the flank at a right angle to the chine bone. This cut is split in half through the center of the chine bone to make the forequarter.

(*c*) "Legs" and "leg" mean a pair of legs and one leg, respectively. The legs are separated from the loin by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone and leaving all of the hip bone in the leg. The cut shall be made in a straight line which is perpendicular to the contour of the outside or skin surface of the hindsaddle. The pair of legs may then be split through the center to make a single leg.

(*d*) "Untrimmed loin" and "untrimmed half-loin" mean the double and single loin, respectively, and is the part of the hindsaddle which remains after the legs have been removed. The loin is separated from the hindsaddle by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone, leaving none of the hip bone in the loin. The cut shall be made in a straight line which is perpendicular to the outside or skin surface of the hindsaddle. The loin includes the 13th rib and is not trimmed, i. e., it includes the flank, kidney and fat. The half loin is made by splitting the loin in half through the center of the chine bone.

(*e*) "Hotel rack" may be either the double or single rib sections from the 6th to the 12th ribs, inclusive, minus the breast. It is made by cutting the foresaddle or forequarter, starting at a point on the 12th rib not more than four inches down from the point of the eye, cutting in a straight line to a point on the 5th rib which is not more than four inches from the hollow of the chine bone on the inside, in the lamb carcass, and not more than four and one-half inches from the hollow of the chine bone on the inside in the mutton carcass. It is then separated from the yoke by cutting between the 5th and 6th ribs following the curvature of the ribs close to the 5th rib. It may be split through the center of the chine bone to make two single rib sections.

(*f*) "5-rib shoulder" means a cut made from the yoke by cutting in a straight line starting at a point on the 5th rib not more than four inches from the hollow of the chine bone on the inside in the lamb carcass passing through a point at the forward end of the first segment of the sternum or breast bone. This cut will separate the shoulder from the breast and shank. When the shoulder has been separated from the breast and shank, the only bone to show on the side of the shoulder other than the ribs is the arm bone. It may be split through the center of the chine bone.

(*g*) "Yoke" means the foresaddle minus the hotel rack. It consists of the neck, brisket, breast, shanks, and shoulders. The half yoke is made by splitting the yoke in half through the chine bone and neck bone.

(*h*) "Breast or shank" means either the part which remains after the 5-rib shoulder has been removed from the yoke, in which case it includes the breast, brisket, and shank, or the part which remains after the 5-rib shoulder has been removed from the chuck, in which case it includes the breast and shank.

SEC. 17. *Sales at retail of Island meats, poultry, and certain dairy products—*(a) *Prices to be marked and posted.* Notwithstanding the provisions of this regulation on and after the date any commodity becomes subject to this section 17 every person offering to sell any such commodity shall mark the selling price of such commodity on the commodity itself in a manner plainly visible to and understandable by the purchasing public. In addition to this requirement, every retailer shall also place on his meat counter, or other location equally accessible to the public, one or more copies of the maximum prices established herein. Retailers located in Zones 2 and 3 of Hawaii and Zone 2 of Maui may not include in the posted prices the allowed additions specified in paragraph (c).

(b) *Definitions.* When used in this section 17 the term:

(1) "Sale at retail" means a sale or a selling to ultimate consumers, restaurants, hospitals, and institutions where the sale of commodities covered herein aggregates $100.00 or less to the same person in a period of twenty-four hours. Sales over this amount shall not exceed the maximum prices for sales at wholesale established by this regulation.

(2) "Zone 2 on the Island of Maui" shall comprise the district of Hana and that portion of the district of Makawao lying south of the south boundary of Ahupuha Kamaole.

(3) "Zone 2 on the Island of Hawaii" shall comprise the district of North Hilo, Hamakua, and Kau, as defined by Hawaiian Statute.

(4) "Zone 3 on the Island of Hawaii" shall comprise the districts of North Kohala, South Kohala, North Kona, and South Kona, as defined by Hawaiian Statute.

(c) The maximum prices of items of different grades from those specified shall be the most nearly comparable grade of that item for which a maximum price is established by this section 17.

(d) No retailer may store under refrigeration, for buyers' account, any of the commodities covered by this section 17 for periods exceeding 24 hours.

(e) The maximum price for sales of retail cuts of meat, or other commodities specifically covered by this section 17, aggregating between $50.00 and $100.00 shall be 10 per cent less than the

maximum price specified in this section 17.

(f) The maximum prices of wholesale cuts of Island meats sold by retailers shall be the same as those prescribed for wholesalers in section 16 of this regulation. It is the purposes of this provision to enable the retailer to compute his maximum prices on those carcasses or portions of carcasses from which are derived the retail cuts.

(g) The maximum price of any retail cut of meat where the various cuts from a particular carcass are all sold at the same price shall be 25% on selling price over the carcass cost.

TABLE A—ISLAND BEEF AT RETAIL

Grading. All Island steers and heifers shall be sold not higher than the maximum price of Grade A cuts. All Island cows shall be sold not higher than the maximum price of Grade B cuts.

Retail cut	Grade A maximum price (cents per lb.)		Grade B maximum price (cents per lb.)	
	Oahu	Other islands	Oahu	Other islands
Flank Steak	44	42	40	38
Sirloin Tip Steak (Top Sirloin or Sirloin Butt)	47	46	44	43
Sirloin Steak	47	46	44	43
Porterhouse or T-Bone	55	53	50	47
Regular Round Steak	44	42	40	38
Top Round Steak	47	45	42	41
Bottom Round Steak	40	40	38	36
Prime Rib Roast, 8 Rib	36	34	34	32
Prime Rib Roast Boned & Rolled	47	42	42	40
Rib Steak	45	40	40	38
Chuck Roast or Shoulder Rib Roast				
1st 5 Ribs	30	25	25	23
Chuck Roast Boneless	35	32	32	30
Chuck Steak	33	28	28	26
Round Bone Shoulder Roast, Ribs off, round bone in	35	29	30	27
Boneless Cross Rib	42	40	38	35
Trimmed Rump	35	32	32	30
Plate Beef	19	17	17	17
Short Ribs	25	22	22	20
Brisket 1st 5 Ribs, bone in	25	22	22	20
Soup Bones				
Center Shank	18	18	18	15
Knuckle Bones	2	2	2	2
Boneless Lean Stew Meat	35	32	35	32
Hamburger	30	30	30	30
Lean Ground Beef	40	35	40	35
Corned Beef, Boneless Brisket	34	30	34	30

NOTE: Beef corned from cuts other than boneless brisket shall sell at a maximum price not to exceed the maximum price of the original cuts as listed above.

TABLE B—ISLAND VEAL AT RETAIL

Retail cut	Maximum price (cents per lb.)	
	Oahu	Other islands
Loin Chops	53	51
Sirloin Tip, Roast or Steak	52	50
Loin Steak, Large	55	53
Leg Roast	38	36
Rump Roast	40	38
Leg Cutlet	63	61
Rib Chops	50	48
Shoulder Roast	35	33
Shoulder Chops	39	37
Round Bone Shoulder Roast	38	36
Breast, Neck & Shank	22	20
Trimming	30	28

TABLE C—ISLAND LAMB AT RETAIL

Retail cut	Maximum price (cents per lb.)	
	Oahu	Other islands
Rib Chops	34	32
Shoulder Chops	29	27
Legs	38	36
Small Loin	49	47
Large Loin	44	42
Breast, Neck or Shanks	15	13

TABLE D—ISLAND MUTTON AT RETAIL

Retail cut	Maximum price (cents per lb.)	
	Oahu	Other islands
Rib Chops	28	26
Shoulder Chops	21	19
Legs	26	24
Small Loin	32	30
Large Loin	28	26
Breast, Neck & Shanks	10	8

TABLE E—ISLAND PORK AT RETAIL

Grading: Grade A Island pork is pork derived from young pigs. Grade B Island pork is defined as pork derived from sows and stags. All Grade B cuts must be plainly marked as such when exhibited for sale. No cuts shall be offered for sale or sold other than those shown below.

Retail cut	All islands	
	Grade A maximum price (cents per lb.)	Grade B maximum price (cents per lb.)
Legs, Boneless	55	40
Bone in	53	32
Center Leg Slices	55	
Shoulder, Boneless	52	35
Bone in	50	28
Steaks	52	
Loin Roast, either end	52	40
Loin Center Chops or Roast	55	40
Spare Ribs	45	30
Bellies, Rib, Bone in	40	24
Ribs removed	35	22
Loin attached	40	24
Hocks, fresh	35	20
Feet, fresh	25	20
Jowl	25	20
Head, Boneless	25	15
Bone in	17	12
Tails, Fresh	35	20
Roasted or Barbecued, all cuts	70	Not permitted
Rendered Pork Fat or Leaf Lard	20	20
Pork Fat	10	10

TABLE F—ISLAND POULTRY AT RETAIL

Definition. "Dressed poultry" is poultry which has been killed, bled, and plucked.

Commodity	All islands maximum price, cents per lb.
Chickens—(Broilers, fryers, roasters and capons):	
Dressed weight	70
Live weight	61
Chickens—(Hens):	
Dressed weight	60
Live weight	52
Turkeys—(Young toms or young hens):	
Dressed weight	70
Live weight	61
Turkeys—(Gobblers or old hens):	
Dressed weight	60
Live weight	52
Ducks and geese:	
Dressed weight	60
Live weight	52
Squabs:	
Dressed weight	87
Live weight	76
Miscellaneous	
Island rabbits—(Fryers):	
Dressed, and drawn, 2½ pounds or less	70
Live, 4½ pounds or less	37
Island rabbits—(Roasters):	
Dressed and drawn, over 2½ pounds	60
Live, over 4½ pounds	34

TABLE G—ISLAND FANCY MEATS AT RETAIL

Commodity	All islands maximum price, cents per lb.
1 Brains:	
Beef	28
Veal	23
Lamb or mutton	28
Pork	23
2. Head, skinned:	
Pork	24
3 Heart:	
Beef	20
Veal	20
Lamb or mutton	16
Pork	24
4. Kidneys:	
Beef	28
Veal	28
Lamb or mutton	20
Pork	35
5 Liver:	
Beef	40
Veal	50
Lamb or mutton	34
Pork	35
6. Lungs, large, each:	
Beef	14
Veal	14
Lamb or mutton	14
Pork	20
7. Lungs, small, each:	
Beef	8
Veal	8
Lamb or mutton	8
8. Lungs & heart, per set:	
Pork	28
9. Sweetbreads:	
Beef	35
Veal	57
Lamb or mutton	35
10. Tails:	
Beef	27
Veal	27
Pork	38
11. Tongue, trimmed:	
Beef	35
Veal	27
Lamb or mutton	20
Pork	35
12. Tripe, large:	
Beef	12
Veal	12
Lamb or mutton	9
Pork	12
13. Tripe, small:	
Beef	9
Veal	9
Lamb or mutton	9
Pork	9

TABLE H—ISLAND EGGS AT RETAIL

COMMODITY	Maximum Price Cents per doz. all islands
Shell Eggs—large, cartoned	.85
Shell Eggs—medium, cartoned	.79
Shell Eggs—small, cartoned	.61
Shell Eggs—large, loose	.83
Shell Eggs—medium, loose	.77
Shell Eggs—small, loose	.59

SEC. 18. *Ceiling prices for sales at retail of mainland meats, meat products, poultry, eggs and certain dairy products*—(a) *What is covered by this section.* Ceiling prices for sales at retail of all mainland meats, meat products, poultry, eggs and certain dairy products are fixed in paragraph (h). The only mainland beef, veal, pork, lamb and mutton cuts and variety meats which you may sell or offer to sell at retail are those described in paragraph (e). Certain additional charges are permitted in paragraph (f) to cover transportation differentials existing in certain localities of the outer Islands. These localities are:

(1) "Zone 2 on the Island of Hawaii", which comprises the districts of North Hilo, Hamakua and Kau, as defined by section 7620 of Revised Laws of Hawaii, 1935.

(2) "Zone 3 on the Island of Hawaii", which comprises the districts of North Kahala, South Kahala, North Kona and South Kona, as defined by section 7620 of Revised Laws of Hawaii, 1935.

(3) "Zone 2 on the island of Maui", which comprises the districts of Hana and that portion of the district of Makawao lying south of the south boundary of Ahupuaa Kamaole, as defined by section 7620 of Revised Laws of Hawaii, 1925.

(b) *What beef, veal, pork, lamb and mutton cuts or variety meats or edible by-products you may sell.* On and after effective date of this section, the only beef, veal, pork, lamb, and mutton items you may sell are:

(1) Those cuts—fresh, frozen, cured or smoked—which are described and given dollar-and-cents ceiling prices under this section.

(2) Those variety meats and edible by-products which are described and given dollar-and-cents ceiling prices under this section.

(3) Fresh and smoked sausage and ready-to-eat items which are given dollar-and-cents ceiling prices or margins under this section.

(c) *Sales to eating places.* Your ceiling prices for sales to hotels, restaurants, institutions and other eating places selling or furnishing meals are ceiling prices fixed by section 16 of this regulation (Maximum Slaughterers' and Wholesalers' Prices for Mainland Meat Products and Certain Mainland Dairy Products, and Maximum Prices for Island Meats, Hogs, Rabbits, Poultry and Eggs Sold by Slaughterers, Wholesalers and Producers). Nevertheless, you may during any month use the ceiling prices fixed by this section in selling to eating places if 80% or more of your total dollar sales of the items covered by this section during the previous calendar month were retail sales to consumers; that is, persons who buy these items to be eaten by themselves or their families off your premises.

(d) *Grades.* Mainland beef, veal, lamb and mutton must be graded as required under Revised Maximum Price Regulation No. 169 (Beef and Veal Carcasses and Wholesale Cuts), Revised Maximum Price Regulation No. 239 (Lamb and Mutton Carcasses and Cuts at Wholesale and Retail) and Office of Economic Stabilization Regulation No. 1 (Grading and Grade Labeling of Meats).

The grades applicable to this section are these:

(1) Beef, veal and lamb grades:

Choice	or	AA
Good	or	A
Commercial	or	B
Utility	or	C

(2) Mutton grades:

Good	or	S
Commercial	or	M
Utility	or	R

Under the requirements of Office of Economic Stabilization Regulation No. 1, grade marks placed on mainland beef, veal, lamb and mutton carcasses and wholesale cuts in conformance with that regulation may not be removed before selling.

Mainland poultry must be classified by grades as set forth in Revised Maximum Price Regulation No. 269 (Poultry). The grades are:

Grade A
Grade B
Grade C

(e) *Description of the mainland retail beef, veal, pork, lamb and mutton cuts you may make.* This paragraph describes the different retail cuts of beef, veal, pork, lamb and mutton which you may sell and how they are to be cut. If you have on hand a carcass, side, quarter or combination cut of mainland beef, veal, pork, lamb or mutton you must first cut it into the standard wholesale cuts set forth in section 16 of this regulation (Maximum Slaughterers' and Wholesalers' Prices for Mainland Meat Products and Certain Mainland Dairy Products, and Maximum Prices for Island Meats, Hogs, Rabbits, Poultry and Eggs Sold by Slaughterers, Wholesalers and Producers), before you make the retail cuts.

All mainland wholesale cuts of beef, veal, pork, lamb and mutton sold in the Territory of Hawaii must comply either with the cutting specifications set forth in Revised Maximum Price Regulation No. 169 (Beef and Veal Carcasses and Wholesale Cuts), Revised Maximum Price Regulation No. 239 (Lamb and Mutton Carcasses and Cuts at Wholesale and Retail), Revised Maximum Price Regulation No. 148 (Dressed Hogs and Wholesale Pork Cuts), and Office of Economic Stabilization Regulation No. 1 (Grading and Grade Labeling of Meats), or with section 16 of this regulation.

All retail cuts covered in the following specifications shall be trimmed as described before the cuts may be weighed or sold to the customer. No fat shall be added to any of the cuts before they are weighed or sold to the customer.

(1) *Retail beef cuts*—(i) *Steaks.* (a) Flank steak is made from a standard wholesale beef flank. All membrane shall be removed from this steak. This steak shall not be cut into more than two pieces before selling.

(b) Porterhouse, T-bone and Club Steaks are made from the standard primal short loin. Porterhouse steaks contain a large portion of the tenderloin; T-bone steaks contain a small portion of the tenderloin; Club steaks contain no tenderloin. All fat exceeding 1" in thickness shall be trimmed from these steaks.

(c) Rib steaks are 10" and 7" cuts made from the standard primal rib after the blade bone or blade cartilage has been removed. The rib bone or bones in these cuts shall measure no longer than 10" or 7", respectively, in a straight line from the protruding edge of the chine bone.

(d) Round steak (bone in), full cut, includes a part of the top round, the bottom round, and the eye of the round and round bone. Round steaks (full cut) shall contain the round bone but no part of the knee cap or knuckle bone. All fat exceeding 1" in thickness shall be trimmed from this steak. It may be cut into two or more pieces before selling.

(e) Shoulder steak (blade bone) is made from the blade bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any blade bone shoulder steak. All fat exceeding 1" in thickness shall be removed from this steak.

(f) Shoulder steak (round bone or arm cut) is made from the shoulder round bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any round bone shoulder steak.

(g) Sirloin or pinbone (bone in) is made from the standard primal sirloin (loin end). All fat exceeding 1" in thickness shall be trimmed from this steak.

(h) Sirloin tip or butt steak (boneless) is made from the sirloin tip or butt roast.

(ii) *Roasts.* (a) Chuck or shoulder (round bone) roast is made from the shoulder round bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any chuck or shoulder (round bone) roast.

(b) Chuck or shoulder (blade bone) roast is made from the blade bone portion of the standard primal chuck. No portion of the knuckle shall be included in any blade bone roast.

(c) Heel of round (boneless) roast is separated from the hind shank according to the usual practice in each locality. It shall not include the front muscle of the shin bone and it shall be entirely boneless.

(d) Rib roast. This roast is made in 10" and 7" cuts from the standard primal rib. The rib bone shall measure no longer than 10" and 7", respectively, in a straight line from the protruding edge of the chine bone. The blade bone or cartilage shall be removed from this roast.

(e) Rump roast (trimmed, bone in) shall contain part of the aitch bone but no rump knuckle bone. Not more than 1" of fat shall be left on the outside or within the pelvic cavity of this cut.

(iii) *Stew and other cuts.* (a) Lean meat (boneless) is made from fresh,

lean, muscle beef including skirt, brisket, flank, shank, neck, plate, heel of round, or other beef trimmings.

(b) Brisket (bone in) is made from the standard primal brisket without removing the bones. All fat exceeding 1" thickness shall be removed from this cut.

(c) Brisket (boneless) is the boneless meat of the primal brisket after all bone, gristle, cartilage and excess fat have been removed.

(d) Flank meat (boneless) is the meat remaining after the flank steak, bone, gristle, membrane and cod fat have been removed from the primal cut.

(e) Ground beef or hamburger means ground or chopped fresh, lean, muscle beef including skirt, flank, shank, neck, plate, brisket, heel of round or lean beef trimmings, and must not contain more than 28% beef fat by chemical analysis. Head meat, glandular meats, blood, cartilage, gristle, bone, cereal of any kind or any other ingredient shall not be put into ground beef.

(f) Knuckle bones (closely trimmed) shall include rump knuckle, arm bone knuckle, shoulder knuckle, and stifle joints, but shall not include knee caps or other bone.

(g) Shin bones (meaty), hind or fore, center cuts, are made from the standard wholesale fore shank after the tongue piece, knee bone, and knuckle end has been removed, and hind shank after the heel of round and hock and stifle joint have been removed.

(h) Plate (bone in) is made from the standard primal plate without removing the bones. The diaphragm or skirt muscle may or may not be removed, but the membrane on each side of the skirt and on the inside of the plate and all loose fat shall be removed.

(i) Plate (boneless) is the boneless meat of the primal plate after all bone, gristle, cartilage, membrane and excess fat have been removed.

(j) Short ribs are the part of the ribs which are removed when making a 7" rib cut from the standard 10" primal rib.

(k) *Suet.* Suet means the fat covering around the kidney and on the inside of the loin and pelvic cavities and does not include cod or other beef fats.

(v) *Beef variety meats.* Beef variety meats means brains, heart, liver, sweetbreads, tongue, tripe, kidneys and tails.

(2) *Retail Veal Cuts*—(i) *Steaks and chops.* (a) Loin chops (small) (without kidney) means chops cut from the loin after removing the flank and the kidney. The fat may not be in excess of ½" on either side.

(b) Loin chops (large) means the large end of the veal loin or sirloin including the hip or pin bone.

(c) Rib chops means chops cut from the forequarter of veal and may include seven ribs. These chops shall not be over 6" in length on the inside from the protruding edge of the chine bone to the rib end of the chop and include the 6th and 12th ribs.

(d) Shoulder chops (blade or arm) mean any chops cut from the square cut shoulder. They shall not contain any part of the neck or shank or shoulder knuckle bone.

(e) Leg steaks or cutlets (round bone) are cut from the leg of veal "rump off". The portion known as the heel of round may not be included but may be used either as a boneless roast, boneless stewing veal, or ground veal.

(ii) *Roasts.* (a) Leg of veal (whole) means that portion of the hindquarter remaining after the severance of the loin at the pin bone. The hock joint must be removed before selling.

(b) Leg (shank half) means the whole leg as described, which has been cut in half. This must be sold without removing any round steaks (cutlets). The hock joint must be removed before selling.

(c) Rump of veal means the rump cut from the leg by placing the knife 1" from the knob at the aitch bone, continuing the cut close to the edge of the aitch bone perpendicular to the outside or skin surface.

(d) Sirloin roast (bone in) means the entire hip or sirloin of veal cut from the whole leg of veal.

(e) Chuck or shoulder (square cut) (bone in) means the forequarter of veal minus the rib, shank, breast and neck.

(f) Loin roast (without kidney) means that portion of the hindquarter of veal remaining after severance of the legs at the hip or pin bone. The kidney and 3" of flank must be removed.

(g) Rib roast means the 6th to 12th ribs, inclusive, cut from the foresaddle. The ribs shall not be over 6" in length on the inside from the protruding edge of the chine bone to the end of the rib.

(h) Rump and sirloin (bone in) means a combination of the rump and the sirloin cuts as defined under each of those headings.

(iii) *Stews and other cuts.* (a) Breast (bone in) means all or any part of the breast cut into one or more pieces.

(b) Neck (bone in) means the entire neck and veal. This cut may also be sold boneless or as ground veal.

(c) Shank (hind or fore) (knee removed) means the shank cut from the forequarter or from the hindquarter after the round steak, heel of round and stifle joints have been removed. Knee caps must also be removed from this cut. Shank meat may also be sold boneless or in ground veal or patties.

(d) Trimmings means fresh pieces of veal including skirt, flank, shank, neck, breast or heel of round after all gristle, cartilage and sinews have been removed.

(e) Ground veal or patties means any part of the veal boned and ground and sold in any form (patties, loaves, etc.). Head meat, glandular meats, blood, cartilage, gristle, bone, cereal of any kind, or any other ingredient shall not be put into ground veal or veal patties.

(iv) *Variety meats.* Variety meats means brains, heart, liver, sweetbreads, tongue, tails, tripe and kidneys, from veal or calves.

(v) *Fabricated veal cuts.* Fabricated veal cuts are standard wholesale cuts from which at least 25% of the bone has been removed. They include the following cuts:

(a) Shoulders (boned, rolled and tied) means the whole veal shoulder, boneless, as prepared by mainland packers.

(b) Legs (boned, rolled and tied) means the leg of veal with all bone removed, rolled and tied.

(c) Legs (oven prepared) means leg of veal partially boned with the rump and shank bones removed.

(d) Breast (boneless) means the entire breast of veal with all bone, gristle and excess fat removed.

No fabricated veal cut may be sold at retail unless it is imported as such and it is properly identified at the place where it is offered for sale with a tag or sign attached stating "Fabricated veal".

(3) *Pork*—(i) *Retail pork cuts.* Retail cuts of mainland pork are made from carcasses or standard wholesale cuts of pork imported from the mainland. They include the following:

(a) "Regular ham" includes hams cut from the hog carcass not less than 2¼" nor more than 2¾" from the exposed end of the aitch bone, properly faced, with the shank cut off at or above the hock joint, with loose fat and gut fat removed from the face and pelvic cavity with the cushion side well rounded and no excessive fat.

(b) "Skinned ham" includes hams cut as regular hams but with the skin removed to leave a collar covering not more than 40% of the length of the ham, with the fat beveled back at least 3" from the lean meat at the butt, neatly rounded and beveled on flank and cushion, with not over 1¼" of fat left on any portion of the ham from which the skin has been removed.

(c) "Regular picnic, shank on", includes picnics cut from the shoulders 2 ribs wide in such manner as to leave not less than 1" or more than 2½" of blade bone in the picnic, closely trimmed, properly faced, with the lip and breast flap removed, well rounded and with the fat properly beveled on the butt end.

(d) "Regular picnic, shankless" includes regular picnics from which the shank has been cut off close to the breast and parallel to the knee joint.

(e) "Regular shoulder" includes shoulders cut two ribs wide, with the breast flap taken off and the neck removed close to the body of the shoulder, and with the foot cut off at the knee joint.

(f) "Skinned shoulders" includes shoulders cut as regular shoulders, but with skin taken off within 4" of the base of the shank, neatly beveled on the edges, and with not over ¾" of fat left on any portion of the shoulder from which the skin has been removed.

(g) "Regular or skinned shoulder, shank off" includes regular or skinned shoulders from which the shank has been cut off close to the breast and parallel to the knee joint.

(h) "Boston butt" includes butts the surplus fat of which has been removed to within ½" of the lean meat on all portions of the butt and which are neatly beveled on the edges.

(i) "Regular pork loins" includes loins from which all excess fat over the tenderloin has been removed and the fat on the back of which does not exceed approximately ½" in thickness.

(j) "Boneless pork loins, or Canadian bacon" means the boneless eye muscle only, which has been separated from the other parts of the pork loin at the natural muscle seam. The fat shall not exceed ¼" in thickness.

(k) "Fat back pork" includes pork derived from the fat back of well finished hogs and cut into pieces about 6" square.

(l) "Virginia cured" includes products dry salted cured, washed, peppered and hung from 10 to 30 days before smoking, smoked and hung until product is at least 5 months old.

(m) "Pork bellies, fresh or cured" means bellies reasonably square cut without excessive bootjack and boneless.

(n) "Pork sausage, bulk, type 2" means sausage made from pork which has a fat content not in excess of 50% and contains no extender or cereals.

(o) "Variety meats" includes brains, hearts, kidneys, liver and tongues.

(p) "Leg steaks, center cuts" are made from a skinned leg of pork and must not exceed 20% of the weight of the entire leg from which it is derived.

(q) "Pork chops, center cuts" are made from regular pork loins and shall not exceed 50% of the weight of the entire pork loin from which it is derived.

(r) "Shoulder steaks or roasts, bone in and boneless" are slices or roasts cut from a skinned shoulder. No fat in excess of ¾" may be left on these steaks or roasts.

(s) "Sausage, pork and veal (bulk) (type 3)" means sausage containing not more than 70% ground veal as defined in (c) (2) (iii) (e) and not less than 30% pork trimmings and fat.

(ii) *Fabricated pork cuts.* Fabricated pork cuts are standard wholesale cuts of pork from which at least 25% of the bone has been removed. (Typical items are boneless or semi-boneless pork loins.) No fabricated pork cut may be sold at retail unless it is imported as such and it is properly identified at the place where it is offered for sale with a tag or sign stating "Fabricated Pork."

(4) *Retail lamb and mutton cuts*—(i) *Steaks and chops.* (a) Loin chops (large) are cut from the large end of the full loin or sirloin, including the entire hip or pin bone.

(b) Loin chops (small) are cut from the small end of the loin after removing the flank and kidney. The back fat, or suet, must not be in excess of ½" on either side.

(c) Shoulder (blade or arm chops) are cut from the square cut shoulder. They shall not contain any part of the shank or neck.

(d) Rib chops are cut from the hotel rack by cutting between the ribs. All chops that contain any segments of shoulder blade or cartilage shall be sold as shoulder lamb chops.

(ii) *Roasts.* (a) Leg means the whole leg of lamb after the loin has been removed at the hip or pin bone. (A short leg may also be sold by removing the sirloin or leg chops from the hip bone to the aitch bone).

(b) Chuck or shoulder (square cut, neck off) means the whole or any part of the lamb shoulders with neck, flank and breast removed.

(c) Sirloin roast (bone in) means the large or leg chops removed from the leg in one piece from the hip to the aitch bone.

(d) Rib roast means all or part of the hotel rack. The ribs shall not be more than 5" long from the hollow of the chine bone on the inside of a lamb or mutton carcass.

(e) Yoke or triangle (bone in) means the fore saddle minus the hotel rack. It consists of the neck, breast, flank, shank and 5-rib shoulder.

(iii) *Stews and other cuts.* (a) Breast or flank means all or any part of the breast or flank cut in one or more pieces.

(b) Neck (bone in) means all or any part of the neck cut in one or more pieces.

(c) Shanks (bone in) means shanks cut from the shoulder of lamb. The shin bone or trotters must be removed.

(d) Ground lamb or patties means any part of lamb boned and ground and sold in any form (patties, loaves, etc.). Head meat, glandular meats, blood, cereal of any kind, or any other ingredient except seasoning, shall not be put into ground lamb or lamb patties or ground mutton or mutton patties.

(iv) *Variety meats.* Variety meats means brains, heart, liver, sweetbreads, tongues, fries, and kidneys from lamb or mutton.

(f) *Additional charges.* Retailers whose stores are located in Zone 2 on the Island of Hawaii or in Zone 2 on the Island of Maui may add 2%, and retailers whose stores are located in Zone 3 on the Island of Hawaii may add 3% to the ceiling prices established by this section, provided sales slips are given to the buyers. Such sales slips shall list the prices charged for each commodity sold and the applicable additional charges as separate items.

(g) *Post your ceiling prices.* You must not later than March 1, 1944, post at your store your "Official OPA List of Retail Ceiling Prices of Mainland Meats, Meat Products, Poultry, Eggs and Certain Dairy Products". You may use an extra copy of the OPA list as long as the printing is just as legible and at least as large. The list should be put on or at the counter of the meat department of the store in one or more places where your customers may easily examine and read it. You must get your official copies of your price list for posting or copying from your War Price and Ration Board or from your district Office of Price Administration office. If you display any cut of beef, veal, pork, lamb or mutton or any variety meat or edible by-product, you must put on it your selling price for that cut. Section 11 (b) of this regulation shall not apply to this section.

(h) *Ceiling prices.*

TABLE A—MAINLAND BEEF AT RETAIL [1]

	Choice or Grade AA	Good or Grade A	Commercial or Grade B	Utility or Grade C
	Per lb.	*Per lb.*	*Per lb.*	*Per lb.*
Steaks:				
Porterhouse, T-bone or club	$0.65	$0.63	$0.58	$0.50
Rib, 7" cut	.52	.48	.45	.40
Rib, 10" cut	.48	.46	.42	.37
Sirloin or pin bone	.63	.53	.55	.47
Round (bone in) (full cut)	.57	.53	.50	.47
Sirloin tip or butt (boneless)	.57	.53	.50	.47
Shoulder (round bone)	.42	.40	.39	.37
Shoulder (blade bone)	.42	.40	.39	.37
Flank	.42	.40	.38	.36
Roasts:				
Tip or butt (boneless)	.53	.53	.47	.47
Rib standing 10" cut (chine bone in)	.48	.45	.42	.37
Rib standing 7" cut (chine bone in)	.52	.48	.45	.40
Rump (trimmed) (knuckle out)	.40	.39	.37	.34
Chuck—pot roast—(round bone)	.40	.38	.37	.35
Chuck—pot roast—(blade bone)	.40	.40	.37	.35
Heel (boneless) pot roast	.40	.40	.37	.37
Stews and other cuts short ribs:				
Short ribs	.30	.30	.25	.25
Plate (bone in)	.27	.27	.23	.23
Plate (boneless)	.30	.30	.25	.25
Brisket (bone in) (fresh or cured)	.30	.30	.25	.25
Brisket (boneless) (cured)	.49	.49	.44	.44
Flank meat (boneless)	.27	.27	.25	.24
Lean meat (boneless)	.40	.40	.37	.37
Meaty shinbone (hind or fore) (center cut)	.20	.20	.15	.15
Knuckle bones (closely trimmed)	.05	.05	.05	.05
Suet	.35	.35	.35	.35
Ground beef	.26			
Variety meats:				
Brains	.30			
Hearts	.28			
Kidneys	.47			
Liver A (unblemished)	.42			
Liver B (blemished)	.45			
Sweetbreads	.28			
Tails	.45			
Tongues	.24			
Tripe (cooked)	.15			
Tripe (fresh)	.53			
Smoked tongues				

[1] The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Paragraph (e) of this section, and he must not sell such ground meat at prices higher than those listed above. If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, but no additional charge may be made to the customer for grinding it.

TABLE D—MAINLAND LAMB AT RETAIL[1]

	Choice or Grade AA	Good or Grade A	Comm'l. or Grade B	Utility or Grade C
	Per lb.	*Per lb.*	*Per lb.*	*Per lb.*
Chops:				
Loin chops (large)	$0.52	$0.50	$0.49	$0.45
Loin chops (small) (without kidney)	.62	.60	.59	.55
Loin Chops (large)	.62	.60	.59	.55
Rib Chops	.55	.52	.49	.45
Shoulder Chops (blade or arm)				
Roasts:				
Leg	.52	.50	.49	.45
Leg (whole)	.52	.50	.49	.45
Leg (shank half)	.52	.50	.49	.45
Rump	.52	.50	.49	.45
Sirloin roast (bone in)	.52	.50	.49	.45
Square cut shoulder (square cut)	.52	.50	.49	.45
Loin	.52	.50	.49	.45
Rib	.52	.50	.49	.45
Rump and sirloin (bone in)	.50	.48	.47	.43
Stews and other cuts:				
Breast or flank	.19	.19	.17	.17
Neck (bone in)	.19	.19	.17	.17
Shank (hind or fore) (bone removed)	.19	.19	.17	.17
Trimmings	.35	.35	.35	.35
Ground lamb or patties				
Variety meats:	.27			
Hearts	.35			
Kidneys (fat removed)	.42			
Livers	.35			
Sweetbreads				
Tongues				
Tails				

[1] The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Paragraph (c) of this section, and he must not sell such ground meat at prices higher than those listed above. If a customer buys any cut of meat and requests that the retailer may grind that cut of meat for the customer, the retailer may grind that cut of meat for the customer, but no additional charge may be made to the customer for grinding it.

TABLE E—MAINLAND MUTTON AT RETAIL

	Grade B or good	(Grade M or commercial	Grade R or utility
	Per lb.	*Per lb.*	*Per lb.*
Chops:			
Loin chops (large)	$0.29	$0.28	$0.27
Loin chops (small)	.35	.32	.30
Shoulder (blade or arm)	.29	.28	.25
Rib	.30	.28	.27
Roasts:			
Chuck or Shoulder (square cut, neck off)	.29	.28	.27
Sirloin (bone in)	.35	.32	.25
Rib	.35	.32	.27
Yoke or triangle (bone in)	.30	.28	.25
Stews and other cuts:			
Breast or flank (bone in)	.15	.15	.15
Neck (bone in)	.15	.15	.15
Shanks	.15	.15	.15
Ground mutton or patties	.35	.35	.35
Variety meats:			
Brains	.35		
Hearts	.30		
Kidneys	.30		
Livers (fat removed)	.42		
Sweetbreads	.35		
Tongues			

TABLE B—MAINLAND VEAL AT RETAIL[1]

	Choice or Grade AA	Good or Grade A	Comm'l. or Grade B	Utility or Grade C
	Per pound	*Per pound*	*Per pound*	*Per pound*
Steaks and chops:				
Loin Chops (small) (without kidney)	$0.65	$0.63	$0.60	$0.55
Loin Chops (large)	.65	.63	.60	.55
Rib Chops	.55	.53	.50	.45
Shoulder Chops (blade or arm)	.55	.53	.50	.45
Roasts:				
Leg (whole)	.55	.53	.50	.45
Leg (shank half)	.55	.53	.50	.45
Rump	.55	.53	.50	.45
Sirloin roast (bone in)	.55	.53	.50	.45
Square cut shoulder (square cut)	.55	.53	.50	.45
Loin	.55	.53	.50	.45
Rib	.55	.53	.50	.45
Rump and sirloin (bone in)	.50	.48	.47	.47
Stews and other cuts:				
Breast or flank	.22	.22	.22	.22
Neck (bone in)	.22	.22	.22	.22
Shank (hind or fore) (bone removed)	.22	.22	.22	.22
Trimmings	.35	.35	.35	.35
Ground veal or patties				
Fabricated veal cuts:				
Shoulders, boned, rolled and tied	.55	.53	.50	.45
Legs, boned rolled and tied	.65	.63	.62	.55
Breast (boneless)	.55	.53	.55	.45
Variety meats:				
Brains	.45			
Hearts				
Kidneys				
Livers, type A				
Livers, type B				
Sweetbreads				
Tongues				
Tails				

[1] The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Paragraph (c) of this section, and he must not sell such ground meat at prices higher than those listed above. If a customer buys any cut of meat and requests that the retailer may grind that cut of meat for the customer, but no additional charge may be made to the customer for grinding it.

TABLE C—MAINLAND PORK AT RETAIL[1]

	Cents per pound
Steaks and chops:	
Leg steaks (center cut)	$0.49
Shoulder steaks (bone in)	.45
Shoulder steaks (boneless)	.50
Boston butts (sliced) (bone in)	.47
Boston butts (boneless) (sliced)	.50
Pork chops (semi-boneless)	.52
Pork chops (boneless)	.57
Pork chops (center cuts) (bone in)	.49
Pork chops (end cuts (rib or loin))	.40
Roasts:	
Leg (regular) (bone in) (whole or half)	.42
Leg (skinned) (bone in) (shank or butt)[1]	.45
Shoulder (bone in) (shank off)	.45
Shoulder (boneless)	.50
Pork loin (semi-boneless)	.52
Pork loin (boneless)	.57
Pork loin (whole or half) (or end cuts)	.40
Pork loin (center cuts) (bone in)	.49
Boston butts (bone in)	.47
Picnics (shank on—whole)	.42
Picnics (shankless) (whole or half)	.45
Miscellaneous pork cuts:	
Fat back (fresh or cured)	.25
Spare ribs (fresh or cured)	.38
Pork shanks or hocks (pickled)	$0.30
Pork shanks or hocks (fresh)	.26
Pigs feet (pickled)	.25
Pigs feet (fresh)	.20
Pork tails	.25
Pork bellies (fresh or cured)	.32
Tenderloin	.55
Sausage (bulk) (Type 2)	.40
All other pork or breakfast sausage	(*)
Sausage, pork and veal (bulk) (type 3)	.35
Variety meats:	
Brains	.27
Hearts	.29
Kidneys	.27
Liver	.32
Tongues	.37

[1] Ceiling prices for sales of mainland smoked or ready-to-eat meat items are fixed in Table H.

[2] If your "net cost" of the item being priced is under 40¢ per lb. add 12¢ per lb. to the "net cost". If your "net cost" of such item is 40¢ per lb. or more add 15¢ per lb. to your "net cost". "Net cost" is the amount you paid your supplier after deducting all discounts and allowances.

TABLE F—MAINLAND POULTRY AND RABBITS AT RETAIL[1]

(Cents per pound)

	Dressed grade			Drawn grade			Frozen eviscerated grade		
	A	B	C	A	B	C	A	B	C
Chickens:									
Broilers	57	55	52	71	69	66	70	78	75
Fryers	57	55	52	71	69	66	80	78	75
Roasters	57	55	52	69	67	64	76	74	71
Capons:									
Light	57	55	52	69	67	64	76	74	71
Heavy	61	59	56	72	70	67	78	76	73
Hens	52	50	47	63	61	58	69	67	64
Stewing and old roosters	43	41	38	51	49	46	57	55	52
Geese	46	44	41	63	61	58	68	66	63
Ducks	45	45	40	59	59	54	63	63	58
Turkeys (young):									
Light	62	60	57	73	71	68	77	75	72
Medium	62	60	57	72	70	67	76	74	71
Heavy	62	60	57	70	68	65	75	73	70
Turkeys (old):									
Light	60	58	55	70	68	65	74	72	69
Medium	60	58	55	68	66	63	73	71	68
Heavy	60	58	55	68	66	63	72	70	67
Rabbits[2]	57								

[1] "Dressed rabbits" means rabbit from which the head, skin, feet, entrails, and viscera have been removed.

No additional charge may be made for drawing or otherwise preparing dressed mainland poultry. The classifications and weight specifications of poultry items in this table must conform to those set forth in Second Revised Maximum Price Regulation No. 269.

TABLE G—MAINLAND EGGS AND DAIRY PRODUCTS AT RETAIL

	Maximum price
Cheese:	
Jack, Mount Hope, and Chantelle	$0.52 per pound
New York Martin	$0.60 per pound
Unprocessed Cheddars, such as: Single, Double or Triple Daisies, Twins, Longhorns, Flats, Square Prints, Young Americas, Picnics, Midgets, and Natural Loaf.	$0.50 per pound
Wisconsin Swiss, Wheel, or Loaf	$0.60 per pound
Processed Loaf: American, Pimiento, Swiss, Brick, and Neopolitan:	
5 Pound Loaf (sliced or piece)	$0.50 per pound
2 Pound Loaf	$0.93 per package
1 Pound package	$0.50 per package
½ Pound package	$0.28 per package
Old English—½ pound package	$0.30 per package
Processed or unprocessed cheese items other than those listed above.	"Net cost divided by $0.76[1]
Butter, Salted:	
U. S. Grade AA or U. S. 93 score	$0.60 per pound
U. S. Grade A or U. S. 92 score	$0.60 per pound
U. S. Grade B or U. S. 90 score	$0.59 per pound
U. S. Grade C or U. S. 89 score	$0.59 per pound
Eggs:	
Shell eggs, loose or delivered to retailer in cartons	$0.07 per dozen to "net cost."[1]
Shell eggs, cartoned by retailer	$0.09 per dozen added to "net cost."[1]
Powdered whole eggs, 8-ounce jar	$0.80 per jar
FSCC powdered whole eggs, 5-ounce package	$0.50 per package

[1] Your "net cost" is the amount you paid your supplier for the item being priced after deducting all discounts and allowances. If you purchase from another retailer you must secure a written record of that retailer's "net cost" and his "net cost" shall be your "net cost" for determining your ceiling price.

TABLE H—MAINLAND SMOKED OR READY-TO-EAT MEATS AT RETAIL

	Cents per pound
Ham:	
Regular (whole or half) (shank or butt end) (bone in)[1]	$0.47
Skinned (whole or half) (shank or butt end) (bone in)[1]	.50
Center slices (skinned)	.70
Ready-to-eat (regular) (whole or half) (shank or butt end) (bone in)	.50
Ready-to-eat (skinned) (whole or half) (shank or butt end) (bone in)	.53
Ready-to-eat (center slices) (skinned)	.75
Ham hocks (less than 4 lbs.)	.30
Virginia ham (whole, half or part)	.65
Cooked or boiled ham (sliced)	.85
Cooked or boiled ham (whole, half, or by the piece)	.75

[1] Butt or shank ends may be sliced and sold at prices not to exceed the price of the whole piece from which it is cut.

TABLE H—MAINLAND SMOKED OR READY-TO-EAT MEATS AT RETAIL—Continued

	Cents per pound
Picnics:	
Whole or half (bone in)	$0.47
Ready-to-eat (bone in)	.55
Boston butts (bone in)	.50
Boston butts (boneless)	.64
Canadian style bacon:	
Whole, half or part	.72
Sliced	.74
Bacon:	
Grade A (whole, half or part)	.47
Grade B (whole, half or part)	.45
Grade A (sliced, rind on)	.47
Grade B (sliced, rind on)	.45
Grade A (packaged or store sliced, de-rined)	.55
Grade B (packaged or store sliced, de-rined)	.52
Grade C (packaged or store sliced, de-rined)	.48

MEATS AT RETAIL—Continued

	Cents per pound
Miscellaneous:	
All other ready-to-eat or delicatessen meat items: Typical items are: all meat loaves, bologna, liver sausage, fresh, smoked and cooked sausage, frankfurters, salami, spiced luncheon meats, etc.	If your "net cost" of the item being priced is under 40¢ per lb. add 12¢ per lb. to the "net cost". If your "net cost" of such item is 40¢ per lb. or more, add 15¢ per lb. to your "net cost". "Net cost" is the amount you paid your supplier after deducting all discounts and allowances.
Plate Corned Beef, boneless:	
Grade AA	$0.39
Grade A	.39

(i) *Inability to determine ceiling prices.* If you are unable to determine your ceiling prices for sales at retail of any mainland products covered by this section, you shall apply to the Office of Price Administration for the establishment of a ceiling price.

(j) *Prohibited practices.* No retailer shall pre-wrap or package any meats, meat products, poultry or eggs or any dairy products subject to this section and keep the same in his store or cooler, unless the contents of said package has actually been sold to or ordered by a customer and unless there is attached thereto a sales slip showing the date of the sale, the name and address of the seller and purchaser, the contents of the package, including its weight or units, the price per pound or per unit, and the total price charged or received. A copy of such sales slip shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

SEC. 19. *Maximum price for island fish and seafood*—(a) *What this section does.* This section establishes maximum prices for all sales of fish and seafood caught or otherwise produced in the waters of, or adjacent to the Territory of Hawaii, including sales by producers, wholesalers, and retailers. A producer is the fisherman or those persons allied with him (including members of a fishing crew) as well as any other person who engages in fishing with nets, lines, or any other method of catching or producing fresh fish or seafood. A wholesaler is a person who buys fresh fish and seafood and resells the same and who during the previous calendar month resold more than 20 percent of such fresh fish and seafood to persons other than ultimate consumers. A retailer is a person other than the purveyor of meals who buys fresh fish or seafood and resells the same and who during the previous calendar month resold not less than 50 percent of such fish or seafood to ultimate consumers, other than industrial, commercial, or institutional users (including eating places).

The prices established by this section are maximum prices per pound for sales of the round fish or any portion thereof unless maximum prices per pound for sales of portions of the round fish are

otherwise specifically fixed. Tables A through E, inclusive, set forth the maximum prices for sales of fish on each island in the Territory. The place where the seller parts with the physical possession of the fish determines the applicable pricing table, except that if a delivered sale is made of fish and seafood shipped from one island to another, the maximum price for such delivered sale shall be the appropriate price set forth in the table applicable to the island of destination.

(b) *Maximum prices for sales by producers.* Except in the case of transactions covered by paragraph (d) below, the maximum prices for fresh fish and seafood by producers shall be the prices set forth in the columns entitled "Producers' Maximum Prices" in Tables A through E, inclusive. No additional charges may be made for delivery to the buyer.

(c) *Maximum prices for sales by wholesalers.* Except in the case of the transactions covered by paragraph (d) below, the maximum prices for sales by wholesalers of fresh fish and seafood shall be the prices set forth in the columns entitled "Wholesalers' Maximum Prices" in Tables A through E, inclusive. No additional charges may be made for delivery to the buyer.

(d) *Maximum prices for sales by producers and wholesalers to ultimate consumers other than commercial, industrial or institutional users, (including eating places).* The maximum prices for the sales of fresh fish and seafood by a producer or a wholesaler to an ultimate consumer, other than a commercial, industrial or institutional user (including eating places) shall be determined as follows:

For sales on the Island of Hawaii, multiply the price set forth in the column entitled "Producers' Maximum Prices" in Table B, by 1.25.

For sales on all other islands in the Territory of Hawaii, multiply the price set forth in the column entitled "Producers' Maximum Prices" in Tables A, C, D, and E, for the Island on which the item is being sold, by 1.20.

However, in the event that such price is lower than the price set forth in the column entitled "Wholesalers' Maximum Prices" for the item being sold, the maximum price shall be the price set forth in the column entitled "Wholesalers' Maximum Prices."

(e) *Maximum prices for sales by retailers*—(1) *Maximum prices for sales by retailers, to eating places.* The maximum prices for sales by retailers to hotels, restaurants, institutions and other eating places are the prices set forth in the column entitled "Wholesalers' Maximum Prices" in Tables A through E, inclusive. Nevertheless, a retailer may during any month use as his maximum prices the prices set forth in the column entitled "Retailers' Maximum Prices" in Tables A through E, inclusive, in selling to eating places if 80 percent or more of his total dollar sales of fresh fish and seafood during the previous calendar month were retail sales to consumers; that is, persons who buy these items to be eaten by themselves or their families off the retailer's premises.

(2) *Maximum prices for other sales by retailers.* The maximum prices for sales by retailers other than to eating places shall be the price set forth in the column entitled "Retailers' Maximum Prices" in Tables A through E, inclusive.

(f) *Maximum prices for sales of fish heads, bones, or viscera.* The maximum prices per pound for sales of fish heads, bones, or viscera shall not exceed 20 percent (⅕) of the maximum price per pound established by this section for the round fish from which such heads, bones, or viscera are derived.

(g) *Revocation of orders affecting commodities covered by this section.* Any order issued prior to January 2nd, 1945, pursuant to the provisions of section 9 or 10 of this regulation affecting maximum prices for the sale of any fish or seafood items covered by this section is revoked as of January 2nd, 1945.

(h) *Records and invoices.* (Note: Section 11 of this regulation shall not be applicable to this section.)

Every person making a sale and every person making a purchase in the course of trade or business of any fish or seafood covered by this section, or dealing therein, shall keep and make available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the following records and invoices:

(1) *Records.* Every seller shall keep complete and accurate records of each purchase made by him, and every producer and wholesaler shall keep complete and accurate records of each sale and transfer, of such fish or seafood, showing the date thereof, name and address of the buyer and seller, price charged, paid, or received, quantity in pounds, and the species of the fish or seafood bought or sold.

(2) *Sales invoices and sales slips*—(i) *Producers and wholesalers.* Every producer or wholesaler making a sale or transfer, of any fish or seafood covered by this section, shall, at the time of delivery, give the purchaser an invoice or sales slip showing the date of sale, name and address of the seller, name and address of the purchaser, species of fish or seafood, number of pounds, price per pound, and the total price charged or received, a copy of which must be retained by the seller.

(ii) *Retailers.* Every retailer making a sale or transfer of any fish or seafood, covered by this section, who has customarily given the purchaser a sales slip, receipt or similar evidence of purchase shall continue to do so. Upon request from a purchaser, every retailer, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, name and address of the seller and buyer, species of fish or seafood purchased, number of pounds, price per pound, and the total price charged or received, a copy of which must be retained by the seller.

(3) *Posting.* Every retailer offering to sell any fish or seafood item covered by this section shall mark the name of the species and the selling price of such fish or seafood in a manner plainly visible to and understandable by the purchasing public on the commodity itself or on the case or counter upon or in which the commodity is kept. A copy of the official Office of Price Administration list of ceiling prices must be displayed on or near the case or counter, or in the peddler truck where the fish or seafood is displayed for sale.

(i) *Prohibited practices.* Notwithstanding the provisions of section 6 of this regulation, the following practices are prohibited:

(1) The provisions of this section shall not be evaded either by direct or indirect methods in connection with an offer, solicitation, agreement, sales, delivery, purchase or receipt of, or relating to any fish or seafood covered by this section, separately or in combination with any other commodity or service, or by means of any device making use of commissions, services, transportation arrangements, containers, packaging, or other charge, discounts, premiums or other provisions, by agreement or other understanding or by changing the style of dressing of the fish or seafood, or any other arrangement.

(2) Specifically, but not exclusively, the following practices are prohibited:

(i) Falsely or incorrectly invoicing the item.

(ii) Offering, selling, or delivering any fish or seafood on conditions that the purchaser is required to purchase some other commodity or service.

(iii) Charging, paying, billing, or receiving any consideration for, or in connection with, any service for which a specific allowance has not been provided by this section.

(3) *Sales and transfers by producers to fishing crews.* Regardless of any previous sale, agreement or arrangement, no producer of any fish or seafood covered by this section shall sell or transfer any fish or seafood to any number of his fishing crew unless each such sale or transfer is accompanied by a sales slip or receipt showing the name and address of the producer and crew member, the number of pounds, and the species of fish or seafood involved in the transaction, a copy of which shall be retained by the producer.

(4) No retailer shall have in his store or cooler any fish or seafood subject to this section which has been bought or ordered by a customer and which is wrapped and ready for delivery to the customer, or any package containing fish ready for delivery to a customer, unless there is attached to such package a sales slip showing the date of sale, the name and address of the seller, the name and address of the purchaser, the species of fish, the number of pounds, the price per pound and the total price, a copy of which must be retained by the seller.

(j) *Definitions.* When used in this section, the term:

(1) "Dressed fish" means fish from which the head, fins, tails, viscera, and scales have been removed.

(2) "Fillet" means the heavily meated section or strip of dressed fish cut from along the backbone and outside the rib bones extending from the nape and gills to the tail.

(3) "Fish or seafood" means fish or seafood as it comes from the water.

(4) "Steak or slice" means a cross section cut from the dressed fish after the collarbone (nape bone) has been removed, and which does not exceed the thickness of the fish or four inches, whichever is smaller.

TABLE A—FRESH ISLAND FISH AND SEA FOOD

OAHU

Name	Producers' maximum price per lb.	Wholesalers' maximum price per lb.	Retailers' maximum price per lb.
Aawa	$0.23	$0.25	$0.30
Aba	.23	.25	.30
Ahi (Yellow Fin Tuna)	.29	.32	.40
Ahi (Steaks)			.65
Ahi (Fillets)			.70
Abelehole	.41	.42	.50
Aku (Tuna)	.29	.32	.40
Aku (Steaks)			.65
Aku (Fillets)			.70
Akule	.29	.32	.40
Akule (Dried)	.50	.52	.60
Alahi	.23	.25	.30
Amaama (Mullet, Pond and Sea)	.47	.52	.65
A'u (Swordfish)	.29	.32	.40
A'u (Steaks)			.55
A'u (Fillets)			.60
Awa	.29	.32	.40
Awa (Steaks)			.55
Awaawa	.40	.44	.55
Aweoweo	.37	.40	.50
Carp	.18	.20	.25
Catfish	.37	.40	.70
Clams	.10	.12	.15
Crab (Samoan)	.25	.28	.35
Crab (Kona)	.45	.50	.65
Crab (Red) Papai	.18	.20	.25
Crab (White) Papai	.26	.28	.35
Dee (squid)	.37	.40	.50
Dee (Fried)	.55	.60	.75
Hihimano (Sting Ray)	.18	.20	.25
Hihimano (Steaks)			.35
Hihiwai	.45	.50	.60
Hilu	.22	.24	.30
Himalea	.22	.24	.30
Honu (Whole Turtle)	.09	.10	.13
Honu (Dressed)	.18	.20	.25
Honu (Steaks)			.60
Humuhumu	.22	.24	.30
Hupipi	.28	.32	.40
Ihe-ihe (Stick Fish)	.29	.32	.40
Kahala	.40	.44	.55
Kahala (Steaks)			.65
Kaku	.47	.52	.65
Kaku (Steaks)			.70
Kala	.18	.20	.25
Kalikali	.40	.44	.55
Kawakawa (Bonito)	.37	.40	.50
Kawakawa (Bonito)	.37	.40	.50
Kawelea	.37	.40	.50
Kole	.18	.20	.25
Kumu	.18	.20	.25
Kupoupou	.65	.70	.80
Kupoupou	.37	.40	.50
Lai	.18	.20	.25
Laenihi	.29	.32	.40
Mahimahi (Dolphin)	.37	.40	.50
Mahimahi (Steaks)			.65
Malii	.22	.24	.30
Maiko	.29	.32	.40
Manini	.32	.35	.45
Manta	.32	.35	.45
Mano (Shark)	.65	.07	.10
Manô Dressed	.10	.12	.15
Mikiawa	.23	.25	.30
Moana	.47	.52	.65
Moi	.47	.52	.65
Mu	.65	.70	.80
Nanue	.14	.16	.20
Nenue (Enenue)	.29	.32	.40
Nohu	.32	.35	.45
Nunu	.18	.20	.25
Oio	.40	.44	.55
Omilu	.45	.48	.60
Opu	.37	.40	.50
Opu (Steaks)			.65
Opae (Shrimp)	.37	.40	.50
Opae (Shrimp)	.55	.60	.75
Opakapaka	.40	.44	.55
Opelu	.29	.32	.40
Opelu (Dried)			.65
Opihi	.35	.40	.50
Opihi (Shelled)	1.13	1.25	1.50
Opuhue (Balloon Fish)	.45	.48	.60
Opule	.09	.10	.13
Paku	.55	.60	.75
Pakuikui	.22	.24	.30
Palani	.18	.20	.25
Panchon	.32	.36	.45
Panuhunuhu	.37	.40	.50

TABLE A—FRESH ISLAND FISH AND SEA FOOD—Continued

OAHU—continued

Name	Producers' maximum price per lb.	Wholesalers' maximum price per lb.	Retailers' maximum price per lb.
Papio (Small Ulua)	$0.47	$0.52	$0.65
Pataalu	.18	.20	.25
Paiuu	.32	.25	.45
Puhi (Black Eel)	.09	.10	.15
Puhi (White Eel)	.18	.20	.25
Uhu	.29	.32	.45
Uku	.40	.44	.55
Ula (Lobster)	.55	.60	.75
Ulapapa	.32	.35	.47
Ulua	.40	.44	.55
Ulua (Steaks)			.70
Ulaula	.40	.44	.55
Uouoa	.40	.44	.55
U'u (Big Eye)	.45	.48	.60
Uukanipo	.47	.52	.65
Weke (Red or Green)	.45	.48	.60
Woowoo	.40	.44	.55
All fish not listed above	.10	.12	.15

TABLE B—FRESH ISLAND FISH AND SEA FOOD

HAWAII

Name	Producer's maximum price per lb.	Wholesaler's maximum price per lb.	Retailer's maximum price per lb.
Aba	$0.08	$0.14	$0.20
Ahi (Yellow Fin Tuna)	.22	.28	.35
Ahi—Steaks			.50
Ahi—Fillets			.55
Aholehole	.29	.35	.50
Aku (Tuna)	.20	.26	.35
Aku—Steaks			.50
Aku—Fillets			.55
Awa (Pond and Sea)	.25	.31	.40
Awa—Steaks			.50
Carp	.11	.14	.18
Catfish	.19	.24	.30
Crab (Samoan and Sand)	.18	.24	.35
Crab (Kona)	.18	.24	.35
Hapuu'pun	.32	.38	.45
Hee (Squid)	.25	.32	.40
Hee—Dried	.45	.52	.65
Hihimano (Sting Ray)	.08	.14	.20
Himalea	.08	.14	.20
Honu (Whole Turtle)	.07	.09	.12
Honu—Dressed	.14	.18	.30
Honu—Steaks (Boneless)			.40
Humuhumu	.08	.14	.20
Hupipi	.08	.14	.20
Ihe-ihe (Stick Fish)	.08	.14	.20
Kahala	.30	.36	.45
Kahala—Steaks			.60
Kaku	.28	.35	.45
Kaku—Steaks			.60
Kala	.08	.14	.20
Kalikali	.32	.38	.45
Kawakawa (Bonito)	.20	.27	.35
Kawelea	.28	.35	.45
Kole	.08	.14	.20
Kukui	.08	.14	.20
Kumu	.48	.54	.65
Lai	.08	.14	.20
Laenihi	.20	.26	.35
Mahimahi (Dolphin)	.25	.30	.40
Mahimahi—Steaks			.60
Malii	.08	.14	.20
Maiko	.16	.22	.30
Manini	.20	.26	.35
Mano (Shark)	.04	.07	.10
Mano—Dressed	.08	.12	.15
Mikiawa	.13	.19	.25
Moana	.36	.42	.50
Moi	.36	.42	.50
Mu	.33	.40	.50
Nanue	.08	.14	.20
Nenue (Enenue)	.16	.22	.30
Nohu	.25	.32	.40
Nunu	.08	.14	.20
Oio	.27	.33	.40
Omilu	.36	.42	.50
Ono	.24	.30	.40
Ono—Steaks or Fillets			.60
Opu	.24	.30	.40
Opae (Shrimp)	.48	.54	.65
Opakapaka	.27	.33	.40
Opakapaka—Steaks or Fillets			.60

TABLE B—FRESH ISLAND FISH AND SEA FOOD—Continued

HAWAII—continued

Name	Producers' maximum price per lb.	Wholesalers' maximum price per lb.	Retailers' maximum price per lb.
Opelu (Palahu or Lue)	$0.20	$0.26	$0.35
Opelu—Dried		.55	.65
Opihi	.13	.19	.25
Opihi—Shelled	.60	.75	.80
Pakuikui	.08	.14	.20
Palani	.08	.14	.20
Panchon	.24	.30	.40
Panuhunuhu	.16	.22	.30
Papio (Small Ulua) (Under 10 lbs.)	.41	.47	.55
Paniui (All sizes)	.08	.14	.20
Puhi (Black Eel)	.05	.10	.13
Puhi (White Eel)	.11	.16	.20
Uhu	.16	.22	.30
Uku	.32	.38	.45
Ula (Lobster)	.36	.42	.50
Ulapapa	.24	.30	.40
Ulua (Pampano) (10 to 20 lbs.)	.32	.38	.45
Ulua (Pampano) (20 lbs. and over)	.27	.33	.40
Ulua—Steaks or Fillets			.65
Ulaula	.33	.39	.50
Uouoa	.24	.30	.40
U'u (Big Eye)	.24	.30	.40
Uukanipo	.24	.30	.40
Weke (Red or Green)	.36	.42	.50
Woowoo	.27	.33	.40
All fish not listed above	.10	.12	.15

TABLE C—FRESH ISLAND FISH AND SEA FOOD

MAUI AND LANAI

Name	Producers' maximum price per lb.	Wholesalers' maximum price per lb.	Retailers' maximum price per lb.
Aawa	$0.17	$0.20	$0.25
Aba	.17	.20	.25
Ahi (Yellow fin tuna)	.23	.28	.35
Ahi (Steaks)			.50
Ahi (Fillets)			.55
Aholehole	.33	.37	.45
Aku (Tuna)	.24	.27	.35
Aku (Steaks)			.50
Aku (Fillets)			.55
Akule	.24	.27	.35
Akule (Dried)	.50	.52	.60
Alaihi	.10	.13	.18
Amaama (Mullet, Pond and Sea)	.42	.47	.55
A'u (Swordfish)	.24	.27	.35
A'u (Steaks)			.50
A'u (Fillets)			.55
Awa	.24	.27	.35
Awa (Steaks)			.50
Awaawa	.33	.39	.50
Aweoweo	.31	.35	.45
Carp	.13	.15	.20
Catfish	.15	.18	.25
Clams	.07	.09	.12
Crab (Samoan)	.20	.23	.30
Crab (Kona)	.40	.45	.55
Crab (Red) Papai	.13	.15	.20
Crab (White) Papai	.21	.23	.30
Hee (Squid)	.31	.35	.45
Hee (Dried)	.45	.50	.60
Hihimano (Sting Ray)	.13	.15	.20
Hihimano (Steaks)			.30
Hihiwai	.40	.44	.55
Hilu	.17	.19	.25
Himalea	.10	.12	.19
Honu (Whole Turtle)	.08	.09	
Honu (Dressed)			.30
Honu (Steaks) (Boneless)			.40
Humuhumu	.10	.12	.17
Hupipi	.24	.27	.35
Ihe-ihe (Stick Fish)	.24	.27	.35
Kahala	.31	.35	.45
Kahala (Steaks)			.65
Kaku	.43	.47	.55
Kaku (Steaks)			.65
Kala	.09	.11	.15
Kalikali	.35	.39	.50
Kawailo	.33	.37	.45
Kawakawa (Bonito)	.33	.37	.45
Kawelea	.31	.35	.45
Kole	.13	.15	.20
Kukui	.13	.15	.20
Kumu	.50	.55	.65
Kupoupou	.31	.35	.45
Lai	.18	.20	.25
Laenihi	.24	.27	.35
Mahimahi (Dolphin)	.31	.35	.45
Mahimahi (Steaks)			.60

TABLE C—FRESH ISLAND FISH AND SEA FOOD—Continued

MAUI AND LANAI—continued

Name	Producers' maximum price per lb.	Wholesalers' maximum price per lb.	Retailers' maximum price per lb.
Maiii	$0.17	$0.19	$0.25
Maiko	.24	.27	.35
Mamamu	.27	.30	.40
Manini	.28	.31	.40
Mano (Shark)	.05	.07	.10
Mano (Dressed)	.10	.12	.15
Mikiawa	.18	.20	.25
Moana	.45	.50	.60
Moi	.42	.47	.55
Mu	.25	.28	.35
Naenae	.09	.11	.15
Nenue (Enenue)	.27	.29	.35
Nohu	.28	.31	.40
Nunu	.13	.15	.20
Oili lepa	.22	.25	.33
Oio	.35	.39	.50
Omilu	.43	.47	.55
Ono	.31	.35	.45
Ono (Steaks)			.60
Oopu	.31	.35	.45
Opae (Shrimp)	.49	.55	.65
Opakapaka	.35	.39	.50
Opelu (Palahu or Lee)	.24	.27	.35
Opelu (Dried)		.55	.65
Opihi	.28	.31	.40
Opihi (Shelled)	.95	1.05	1.25
Opuhue (Balloon Fish)	.25	.28	.35
Opule	.08	.10	.13
Pakii	.25	.28	.35
Pakuikui	.15	.17	.20
Palani	.13	.15	.20
Panchon	.28	.31	.40
Panuhunuhu	.24	.27	.35
Papio (Small Ulua) (Under 15 lbs.)	.43	.47	.55
Paualu	.13	.15	.20
Pauu	.27	.30	.40
Puhi (Black Eel)	.05	.08	.15
Puhi (White Eel)	.15	.18	.23
Uhu	.24	.27	.35
Uku	.35	.39	.50
Ula (Lobster)	.39	.43	.50
Ulapapa	.28	.31	.40
Ulua	.35	.39	.50
Ulua (Steaks or Fillets)			.55
Ulaula	.35	.39	.50
Uouoa	.35	.39	.50
U'u (Big Eye)	.33	.37	.45
Uukanipo	.46	.51	.65
Weke (Red or Green)	.40	.44	.55
Woowoo	.36	.40	.50
All Fish not listed above	.10	.12	.15

TABLE D—FRESH ISLAND FISH AND SEA FOOD

MOLOKAI

Name	Producers' maximum price per lb.	Wholesalers' maximum price per lb.	Retailers' maximum price per lb.
Aawa	$0.19	$0.21	$0.25
Aha	.19	.21	.25
Ahi (Yellow Fin Tuna)	.28	.31	.40
Ahi (Steaks)			.55
Ahi (Fillets)			.65
Aholehole	.35	.38	.45
Aku (Tuna)	.26	.28	.35
Aku (Steaks)			.50
Aku (Fillets)			.60
Akule	.36	.38	.45
Akule (Dried)	.50	.52	.60
Alaihi	.19	.21	.25
Amaama (Mullet, Pond and Sea)	.38	.42	.54
A'u (Swordfish)	.28	.31	.40
A'u (Steaks)			.50
A'u (Fillets)			.60
Awa	.24	.26	.35
Awa (Steaks)			.45
Awaawa	.36	.40	.50
Aweoweo	.33	.36	.45
Carp	.14	.16	.20
Catfish	.33	.36	.45
Clams	.08	.10	.13
Crab (Samoan)	.22	.24	.30
Crab (Kona)	.40	.45	.55
Crab (Red) Papai	.14	.16	.20
Crab (White Papai)	.22	.24	.30
Hee (Squid)	.13	.16	.25
Hee (Dried)	.45	.51	.65
Hihimano (Sting Ray)	.14	.16	.30
Hihimano (Steaks)			.30
Hihiwai	.40	.45	.55
Hilu	$0.18	$0.20	$0.25
Hinalea	.19	.21	.25
Honu (Whole Turtle)	.08	.09	.12
Honu (Dressed)	.16	.18	.30
Honu (Steaks, boneless)			.40
Humuhumu	.18	.20	.25
Hupipi	.26	.28	.35
Ihe-ihe (Stick fish)	.26	.28	.35
Kahala	.36	.40	.50
Kahala (Steaks)			.65
Kaku	.40	.44	.50
Kaku (Steaks)			.60
Kala	.12	.15	.20
Kalikali	.36	.40	.50
Kawailo	.35	.38	.45
Kawakawa (Bonito)	.35	.38	.45
Kawelea	.33	.36	.45
Kole	.14	.16	.20
Kuikui	.14	.16	.20
Kumu	.51	.56	.65
Kupoupou	.33	.36	.45
Lai	.14	.16	.20
Laenihi	.26	.28	.35
Mahimahi (Dolphin)	.33	.36	.45
Mahimahi (Steaks)			.60
Maiii	.18	.20	.25
Maiko	.26	.28	.35
Mamamu	.28	.31	.40
Manini	.29	.32	.40
Mano (Shark)	.05	.07	.10
Mano (Dressed)	.10	.12	.15
Mikiawa	.19	.21	.25
Moana	.36	.40	.50
Moi	.40	.44	.55
Mu	.51	.56	.65
Naenae	.10	.12	.15
Nenue (Enenue)	.27	.29	.35
Nohu	.29	.32	.40
Nunu	.14	.16	.20
Oili Lepa	.47	.52	.65
Oio	.36	.40	.50
Omilu	.40	.41	.55
Ono	.33	.36	.45
Ono (Steaks)			.60
Oopu	.33	.36	.45
Opae (Shrimp)	.51	.56	.65
Opakapaka	.36	.40	.50
Opelu	.26	.28	.35
Opelu (Dried)		.55	.65
Opihi	.29	.32	.40
Opihi (Shelled)	.95	1.05	1.25
Opuhue (Ballon Fish)	.40	.44	.55
Opule	.08	.10	.13
Pakii	.51	.56	.65
Pakuikui	.16	.18	.25
Palani	.12	.15	.20
Panchon	.29	.32	.40
Panuhunuhu	.33	.36	.45
Papio (Small Ulua)	.44	.48	.60
Paualu	.12	.15	.20
Pauu	.28	.31	.40
Puhi (Black Eel)	.08	.10	.13
Puhi (White Eel)	.15	.17	.20
Uhu	.26	.28	.35
Uku	.36	.40	.50
Ula (Lobster)	.40	.44	.55
Ulapapa	.29	.32	.40
Ulua	.25	.30	.40
Ulua (Steaks)			.60
Ulaula	.36	.40	.50
Uouoa	.36	.40	.50
U'u (Big Eye)	.38	.42	.54
Uukanipo	.47	.52	.65
Weke (Red or Green)	.19	.23	.33
Woowoo	.36	.40	.50
All Fish not listed above	.10	.12	.15

TABLE E—FRESH ISLAND FISH AND SEA FOOD

KAUAI

Name	Producers' maximum price per lb.	Wholesalers' maximum price per lb.	Retailers' maximum price per lb.
Aawa	$0.18	$0.20	$0.25
Aha	.18	.20	.25
Ahi (Yellow fin tuna)	.28	.32	.40
Ahi (Steaks)			.50
Ahi (Fillets)			.55
Aholehole	.32	.36	.45
Aku (Tuna)	.25	.28	.35
Aku (Steaks)			.55
Aku (Fillets)			.60
Akule	$0.25	$0.28	[illegible]
Akule (Dried)	.50	.52	[illegible]
Alaihi	.18	.20	[illegible]
Amaama (Mullet, Pond and Seal)	.42	.48	[illegible]
A'u (Swordfish)	.28	.32	[illegible]
A'u (Steaks)			[illegible]
A'u (Fillets)			[illegible]
Awa	.25	.28	[illegible]
Awa (Steaks)			[illegible]
Awaawa	.34	.40	[illegible]
Aweoweo	.40	.44	[illegible]
Carp	.14	.16	[illegible]
Catfish	.32	.36	[illegible]
Clams	.07	.09	[illegible]
Crab (Samoan)	.21	.21	[illegible]
Crab (Kona)	.38	.44	[illegible]
Crab (Red) Papai	.14	.16	[illegible]
Crab (White) Papai	.21	.24	[illegible]
Hee (Squid)	.32	.36	[illegible]
Hee (Dried)	.55	.60	[illegible]
Hihimano (Sting Ray)	.14	.16	[illegible]
Hihimano (Steaks)			[illegible]
Hilu	.18	.20	[illegible]
Hinalea	.18	.20	[illegible]
Honu (Whole Turtle)	.07	.09	[illegible]
Honu (Dressed)	.25	.28	[illegible]
Honu (Steaks, boneless)			[illegible]
Humuhumu	.18	.20	[illegible]
Hupipi	.25	.28	[illegible]
Ihe-ihe (Stick Fish)	.25	.28	[illegible]
Kahala	.34	.40	[illegible]
Kahala (Steaks)			[illegible]
Kaku	.34	.40	[illegible]
Kaku (Steaks)			[illegible]
Kala	.12	.14	[illegible]
Kalikali	.34	.40	[illegible]
Kawailo	.32	.36	[illegible]
Kawakawa (Bonito)	.32	.36	[illegible]
Kawelea	.32	.36	[illegible]
Kole	.14	.16	[illegible]
Kuikui	.14	.16	[illegible]
Kumu	.45	.52	[illegible]
Kupoupou	.32	.36	[illegible]
Lai	.14	.16	[illegible]
Laenihi	.25	.28	[illegible]
Mahimahi (Dolphin)	.32	.36	[illegible]
Mahimalu (Steaks)			[illegible]
Maiii	.18	.20	[illegible]
Maiko	.25	.28	[illegible]
Mamamu	.29	.32	[illegible]
Manini	.29	.32	[illegible]
Mano (Shark)	.06	.08	[illegible]
Mano (Dressed)	.10	.12	[illegible]
Mikiawa	.18	.20	[illegible]
Moana	.34	.40	[illegible]
Moi	.42	.48	[illegible]
Mu	.45	.52	[illegible]
Naenae	.10	.12	[illegible]
Nenue (Enenue)	.14	.16	[illegible]
Nohu	.28	.32	[illegible]
Nunu	.14	.16	[illegible]
Oili Lepa	.45	.52	[illegible]
Oio	.34	.40	[illegible]
Omilu	.34	.40	[illegible]
Ono	.32	.36	[illegible]
Ono (Steaks)			[illegible]
Oopu	.32	.36	[illegible]
Opae (Shrimp)	.45	.52	[illegible]
Opakapaka	.34	.40	[illegible]
Opelu	.25	.28	[illegible]
Opelu (Dried)		.52	[illegible]
Opihi	.28	.32	[illegible]
Opihi (Shelled)	.95	1.05	[illegible]
Opuhue (Ballon Fish)	.34	.40	[illegible]
Opule	.08	.10	[illegible]
Pakii	.45	.52	[illegible]
Pakuikui	.14	.16	[illegible]
Palani	.10	.12	[illegible]
Panchon	.28	.32	[illegible]
Panuhunuhu	.32	.36	[illegible]
Papio (Small Ulua)	.42	.48	[illegible]
Paualu	.11	.15	[illegible]
Pauu	.28	.32	[illegible]
Puhi (Black Eel)	.08	.10	[illegible]
Puhi (White Eel)	.14	.16	[illegible]
Uhu	.25	.28	[illegible]
Uku	.34	.40	[illegible]
Ula (Lobster)	.34	.40	[illegible]
Ulapapa	.28	.32	[illegible]
Ulua	.42	.48	[illegible]
Ulua (Steaks)			[illegible]
Ulaula	.34	.40	[illegible]
Uouoa	.34	.40	[illegible]
U'u (Big Eye)	.42	.48	[illegible]
Uukanipo	.45	.52	[illegible]
Weke (Red or Green)	.32	.36	[illegible]
Woowoo	.34	.40	[illegible]
All Fish not listed above	.10	.12	[illegible]

SEC. 20. *Maximum prices for sales at wholesale and retail of imported fish and seafood*—(a) *What this section does.* This section covers sales at wholesale and sales at retail of imported fish and seafood in the Territory of Hawaii. In paragraph (b) below, dollars and cents maximum prices at both wholesale and retail are established for most of the various species of salt water fish, shell fish, and mollusks imported into the Territory. This paragraph also indicates the procedure for determining the maximum prices for any other species of fish and seafood which may be imported.

(b) *Maximum wholesale and retail prices for imported fish and seafood.* (1) Maximum prices for sales at wholesale and retail for imported fish and seafood in the Territory of Hawaii, shall be as follows:

FISH AND SEAFOOD

Name and description	Style of processing	Size	Wholesale maximum price per pound net weight	Retail maximum price per pound net weight
Albacore	Round	All	$0.38	$0.50
Albacore	Steak	All		.78
Bonita	Round	All	.20	.27
Bonita	Steak	All	.35	.42
Butterfish	Round	All	.30	.40
Cod (Black)	Dressed	All	.30	.40
Cod (Black)	Fillets	All	.50	.60
Cod (Black)	Steaks	All	.37	.45
Cod (Eastern)	Fillets	All	.41	.55
Cod (Kippered)			.65	.85
Crab Meat			1.08	1.30
Halibut	Dressed	10 to 60 lbs	.38	.50
Halibut	Dressed	Under 10 over 60	.35	.47
Halibut	Steaks	All	.48	.60
Herring (Sea)	Round	All	.13	.17
Haddock	Fillets	All	.44	.58
Mackerel	Round	All	.24	.31
Mackerel	Fillets	All	.36	.48
Mullet (Pacific)	Round	Over 2 lbs	.33	.43
Mullet (Gulf or East Coast)	Round	All	.24	.31
Mullet (Pacific)	Steaks	All		.60
Oysters (Eastern Standards)		All	.67	.89
Oysters (Eastern Selects)		All	.71	.95
Oysters (Pacific Coast)		½-⅗-1 gal	.70	.88
Oysters (Pacific Coast)		Pints and quarts	.75	.95
Perch (Pacific)	Round	All	.27	.35
Pollock	Fillets	All	.32	.43
Porgy	Round	All	.23	.30
Red Snapper	Dressed	All	.46	.62
Red Snapper	Cleaned	All	.38	.50
Red Rock Cod	Fillets	All	.42	.57
Rosefish	Fillets	All	.44	.58
Salmon (Pacific Silver)	Dressed	All	.38	.50
Salmon (Pacific Silver)	Steak	All	.47	.60
Salmon (Pacific Fall)	Dressed	All	.31	.41
Salmon (Pacific Fall)	Steak	All	.39	.48
Salmon (Pacific King)	Dressed	12¾ lbs. and up	.47	.62
Salmon (Pacific King)	Dressed	Under 12¾ lbs	.42	.57
Salmon (Pacific King)	Steak	All	.55	.69
Salted Fish or Dry Salted Fish (not including Mild Cured Fish).		All	(1)	(2)
Sardines (California)			.18	.25
Sea Bass	Dressed	All	.40	.53
Sea Bass	Steak	All		.63
Sole or Flounder	Fillets	All	.47	.63
Smelts		All	.21	.29
Squid (Pacific)		All	.22	.30
Whiting	Skinned or fillets	All	.33	.44

[1] 20% over landed cost. Net cost is the amount you paid your supplier after deducting all discounts and allowances except discounts for prompt payment not exceeding 2%.

[2] 40% over net cost. Net cost is the amount you paid your supplier after deducting all discounts and allowances except discounts for prompt payment not exceeding 2%.

SHRIMP AND PRAWN

Style of processing	Size (Count)	Wholesale maximum price per pound net weight	Retail maximum price per pound net weight
Head on	Under 9	$0.38	$0.48
Head on	9 to 12	.36	.45
Head on	12 to 15	.33	.41
Head on	15 to 18	.30	.38
Head on	18 to 26	.28	.35
Head on	26 to 40	.26	.33
Head on	40 and over	.24	.30
Headless	Under 15	.60	.75
Headless	15 to 21	.54	.67
Headless	21 to 26	.49	.61
Headless	26 to 31	.44	.55
Headless	31 to 43	.41	.51
Headless	43 to 66	.38	.48
Headless	66 and over	.35	.44
Peeled	Under 18	.71	.89
Peeled	18 to 26	.65	.81
Peeled	26 to 32	.58	.73
Peeled	32 to 38	.53	.66
Peeled	38 to 52	.49	.61
Peeled	52 to 81	.45	.56
Peeled	81 and over	.41	.51
Peeled and veined	Under 20	.81	1.00
Peeled and veined	20 to 28	.72	.90
Peeled and veined	28 to 34	.66	.82
Peeled and veined	34 to 41	.60	.75
Peeled and veined	41 to 57	.56	.70

SHRIMP AND PRAWN—Continued

Style of processing	Size (Count)	Wholesale maximum price per pound net weight	Retail maximum price per pound net weight
Peeled and veined	57 to 87	$0.51	$0.64
Peeled and veined	87 and over	.47	.59
Headless and veined.	Under 16	.65	.80
Headless and veined.	16 to 22	.58	.73
Headless and veined.	22 to 28	.53	.66
Headless and veined.	28 to 33	.48	.60
Headless and veined.	33 to 46	.45	.56
Headless and veined.	46 to 70	.42	.52
Headless and veined.	70 and over	.38	.48

NOTE: 1½¢ per pound for sales at wholesale and 2¢ per pound for sales at retail may be added to the above listed maximum prices in the case of sales of imported shrimp and prawn received and sold in containers of one pound or less.

"SMOKED" AND "MILD CURED" FISH

Name and description	Style of processing	Size	Wholesale maximum price per pound net weight	Retail maximum price per pound net weight
Mild Cured Salmon King or Silver (Select)	Slabs or sides	Over 5 lbs	$0.53	$0.70
Mild Cured Salmon King or Silver (No. 2)	Slabs or sides	All	.46	.60
Smoked Salmon King of Silver	Slabs or sides	All	.71	.88
Smoked Kippered Salmon King or Chinook	Chunked		.69	.86
Smoked Sablefish (Black Cod or Sable Cod)	Dressed	All	.63	.78
Smoked Haddock Fillets (Finnan Haddie)	Fillets	All	.49	.65

All "cuts" of dressed fish other than steaks or fillets may be sold at prices not to exceed the maximum price per pound of the dressed fish from which it is derived.

The prices set forth herein for round and cleaned fish are for round and cleaned fish sold as whole or half (the word "half" as used in this sentence means 45% to 55% of the total weight of the round or cleaned fish), and halves may be sold at prices not to exceed the maximum price per pound of the round or cleaned fish from which it is derived.

All fish heads, bones or viscera from any imported fish may be sold at prices not to exceed 2¢ per pound.

(2) Broken lots. On sales of broken lots of frozen fish and seafood other than steaks, fillets, shrimp or prawn, the wholesaler is permitted to add 10% to the maximum prices for sales at wholesale, as set forth in this section. However, on sales of broken lots to other wholesalers no addition may be added. "Broken lots" are defined as partial lots of imported fish and seafood that have been broken or separated from the orig-

inal contents of the immediate container in which the product has been packed by the processor, and which broken lots are sold, made ready for delivery, shipped out to a customer apart from the remainder of the original content of the immediate container.

(3) Inability to fix maximum prices. If the seller's maximum price for any imported fish or seafood item cannot be determined under the provisions of this section, he shall apply for a maximum price in accordance with the provisions of Section 10 of this regulation.

(c) *Maximum prices for sales to eating places.* The maximum prices for sales to hotels, restaurants, institutions and other eating places are the maximum prices for sales at wholesale fixed under paragraph (b) of this section. Nevertheless, if you are a retailer, you may during any month, use the maximum prices fixed by paragraph (b) of this section for sales at retail in selling to eating places if 80 percent or more of your total dollar sales of imported fish and seafood items during the previous calendar month were retail sales to consumers; that is, persons who buy these items to be eaten by themselves or their families off your premises.

(d) *Additional charge in the case of a sale at wholesale to a buyer located on another island.* In the case of a sale at wholesale by a seller located on one island to purchasers located on another island, an additional charge not to exceed inter-island ocean transportation costs actually incurred by the seller, may be added to the maximum prices for sales at wholesale established under paragraph (b), provided it is listed as a separate item on the seller's invoice.

(e) *How a wholesaler calculates his landed cost in advance of certain necessary information as to incidental charges.*

(1) *The error account.* If the actual amount for a charge other than the invoice cost is not in hand with respect to the landed cost of a particular shipment of any item, the wholesaler may estimate the amount of the charge for the purpose of determining the landed cost, but upon the following conditions:

(i) That he set up an "error account";

(ii) That when the actual amount becomes known he immediately include in this account the difference between the actual amount and the estimated amount;

(iii) That if the difference is an amount in excess of the actual amount, such difference shall be deducted in calculating the landed cost for any item on hand or received in the next shipment;

(iv) That if the difference is an amount less than the actual amount, then such difference may be added in calculating the landed cost for any item on hand or received in the next shipment;

(v) That the error account show how the differences are applied.

(f) *Definitions.* As used in this section 20a, the term:

(1) "Cleaned fish" means fish from which the viscera or entrails have been removed.

(2) "Count" as applied to shrimp and prawn, means the number of shrimp or prawn to the pound.

(3) "Cuts" means pieces or chunks of dressed fish other than steaks or fillets but does not include "nape bones," "backbones," "tails," "fins," or "belly trimmings."

(4) "Dressed fish" means fish from which the viscera and head have been removed.

(5) "Fillet" means the heavy meated section or strip of fish from along the backbone and outside the rib-bone, extending from the nape and gills to the tail.

(6) "Headless" means shrimp and/or prawn from which the head has been removed.

(7) "Headless and Veined" means shrimp and/or prawn from which the head and alimentary canal (sand vein) have been removed.

(8) "Head on" as applied to shrimp and prawn means shrimp and/or prawn as it comes from the water.

(9) "Landed cost" shall consist of the supplier's selling price less all discounts and allowances except cash discounts up to 2%, plus freight, storage, and cartage charges actually incurred by the buyer prior to exporting, plus ocean freight, war risk and marine insurance.

(10) "Peeled" means shrimp and/or prawn from which the head and shell have been removed.

(11) "Peeled and Veined" means shrimp and/or prawn from which the head, shell and alimentary canal (sand vein) have been removed.

(12) "Salted fish" or "dry salted fish" means only fish that has been preserved by salt treatment and is imported as "salted fish," or "dry salted fish" but does not include mild cured fish.

(13) "Smoked fish" and "mild cured fish" means only such imported "smoked fish" and "mild cured fish" as are given maximum prices in this regulation.

(14) "Round fish" means fish as it comes from the water.

(15) "Steak or slice" means a cross-section piece from the dressed fish after the tail, fins and collarbone (nape bone) have been removed which does not exceed the thickness of the fish or 4 inches, whichever is smaller.

(16) "Sales at retail" means sales to ultimate consumers; that is, persons who buy these items to be eaten by themselves or their families off your premises.

(17) "Sales at wholesale" means sales to any person other than an ultimate consumer and shall include sales to licensed retail stores, peddlers, hotels, restaurants, licensed boarding houses, the United States or any of its political subdivisions or agencies, public institutions, and all commercial and industrial users.

(g) *Revocation of orders affecting commodities covered by this section.* Any order issued prior to February 15, 1945 pursuant to the provisions of Sections 9 or 9a of Maximum Price Regulation 373 affecting maximum prices for the sale of any fish or seafood items covered by this section is revoked as of February 15, 1945.

(h) *Records and invoices.* (NOTE.—Section 11 of this regulation shall not be applicable to this section.)

Every person making a sale and every person making a purchase in the course of trade or business of any imported fish or seafood covered by this section, or dealing therein, shall keep and make available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect the following records and invoices.

(1) *Records.* Every seller shall keep complete and accurate records of each purchase made by him, and every wholesaler shall keep complete and accurate records of each sale and transfer, of such imported fish or seafood, showing the date thereof, name and address of the buyer and seller, price charged, paid, or received, quantity in pounds, the species, and style of dressing of the fish or seafood bought or sold.

(2) *Sales invoices and sales slips.* (i) Every wholesaler making a sale or transfer of any imported fish or seafood covered by this section shall, at the time of delivery, give the purchaser an invoice or sales slip showing the date of sale, name and address of the seller, name and address of the purchaser, species of fish or seafood, style of dressing, number of pounds, price per pound, and the total price charged or received, a copy of which must be retained by the seller.

(ii) *Retailers.* Every retailer making a sale or transfer of any imported frozen fish or seafood, covered by this section, who has customarily given the purchaser a sales slip, receipt or similar evidence of purchase shall continue to do so. Upon request from a purchaser, every retailer, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, name and address of the seller and buyer, species of fish or sea food purchased, style of dressing, number of pounds, price per pound, and the total price charged or received, a copy of which must be retained by the seller.

(i) *Posting requirements for retailers.* Every retailer offering to sell any imported fish or seafood item covered by this section shall mark the name of the species and the selling price of such fish or seafood in a manner plainly visible to and understandable by the purchasing public on the commodity itself or on the case or counter upon or in which the commodity is kept. A copy of the official Office of Price Administration list of ceiling prices must be displayed on or near the case or counter, or in the peddler truck where the fish or seafood is displayed for sale.

(j) *Prohibited practices.* Notwithstanding the provisions of Section 6 of this regulation, the following practices are prohibited.

(1) The provisions of this section shall not be evaded either by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any imported fish or seafood covered by this section, separately or in combination with any other commodity or service, or by means of any device making use of commissions, services, transportation arrangements, containers, packaging, or other charge, discounts, premiums or other provisions, by agreement or other trade understanding or by changing the style of dressing of the imported fish or seafood, or any other arrangement.

(2) Specifically, but not exclusively, the following practices are prohibited.

(i) Falsely or incorrectly invoicing the item.

(ii) Offering, selling, or delivering any imported fish or seafood on condition that the purchaser is required to purchase some other commodity or service.

(iii) Charging, paying, billing, or receiving any consideration for, or in connection with, any service for which a specific allowance has not been provided in this section.

(3) No retailer shall have in his store or cooler any imported fish or seafood subject to this section which has been bought or ordered by a customer and which is wrapped and ready for delivery to the customer or any package containing fish ready for delivery to a customer, unless there is attached to such package a sales slip showing the date of sale, the name and address of the seller, the name and address of the purchaser, the species of fish, the style of dressing, the number of pounds, the price per pound and the total price, a copy of which must be retained by the seller.

SEC. 21. *Table VIII: Maximum prices for fresh fruits and fresh vegetables—*(a) *Scope of section and definitions.* This section fixes maximum prices for sales at wholesale and retail of fresh fruits and vegetables in the Territory of Hawaii. Paragraph (b) incorporates special pricing provisions to cover broken lot sales and retail sales to eating places.

Paragraph (c) sets maximum prices for sales of mainland fresh vegetables and paragraph (d) establishes maximum prices for sales of mainland fresh fruits. These two paragraphs apply only to sales in the islands of Oahu, Hawaii, Maui, and Kauai. In paragraph (e), however, maximum prices are fixed for sales of island-grown produce throughout the Territory of Hawaii.

When used in this section, the term:

(1) "Sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user, except that a sale at retail shall not include any sale to the United States or public institution or agency of either.

(2) "Sale at wholesale" means a sale to any person other than the ultimate consumer and shall include sales to licensed retail stores, peddlers, hotels, restaurants, licensed boarding houses, the United States public institutions, and all commercial and industrial users.

(b) *Special provisions—*(1) *Wholesaler's broken lots sales of fresh fruits and vegetables imported from the mainland.* Wholesale sales of fresh fruits and vegetables imported from the mainland may be made by broken lots, that is, a part of a bag, box or crate, but the aggregate price received from the sale of such parts may not exceed the wholesale ceiling for the entire bag, box or crate. For example, for sales made by the half box, quarter box, etc., the maximum price shall be computed by dividing the wholesale ceiling by two, four, etc.

(2) *Retailers maximum prices for sales to eating places.* The maximum prices for sales of fresh fruits and vegetables to hotels, restaurants, institutions and other eating places are the maximum prices for sales at wholesale fixed under this section. Nevertheless, if you are a retailer, you may, during any month, use the maximum prices for sales at retail fixed under this section, if 80% or more of your total dollar sales of the fresh fruits and vegetables during the previous calendar month were retail sales to consumers, that is, persons who buy those items to be eaten by themselves or their families off your premises.

(3) *Gross income tax.* In the case of a sale at wholesale to any buyer who does not have a gross income tax license, the seller may add one per cent to the wholesale ceiling price.

(4) *Extra charges.* No charges may be made for cartage or any other service rendered, or cost incurred, in connection with the sale of the fresh fruits and vegetables covered by this section if such charges result in higher prices than the maximum prices established herein.

(c) *Maximum prices for sales in the Islands of Oahu, Hawaii, Maui, and Kauai of fresh vegetables imported from the mainland.* (1) Where the total price for the aggregate quantity of any commodity sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

	Wholesale maximum prices	Retail maximum prices
Beans, mung	$38.50 per 100 lb. bag.	$0.48 per lb.
Beets	$0.055 per lb.	$0.075 per lb.
Carrots	$3.45 per crate	$0.10 per lb.
Garlic	$0.41 per lb.	$0.52 per lb.
Lettuce	$16.00 per crate	$0.24 per head.
Onions, dry, Australian Brown	$4.20 per 50 lb. bag.	$0.11 per lb.
Rutabaga turnips	$0.055 per lb.	$0.07 per lb.
Onions, dry, yellow	$2.90 per 50 lb. bag.	$0.09 per lb.
Potatoes, Maine, Rhode Island and Green Mountain	$6.80 per 100 lb. bag.	$0.95 per lb.
Potatoes, all others	$5.60 per 100 lb. bag.	$0.08 per lb.

(d) *Maximum prices for sales in the Islands of Oahu, Hawaii, Maui, and Kauai of fresh fruits imported from the mainland.* (1) Where the total price for the aggregate quantity of any commodity sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

	Wholesale maximum prices	Retail maximum prices
Apples	$6.48 per box	$0.22 per lb.
Grapefruit:		
64's	$4.80 per box	$0.10 each.
70's	$4.80 per box	$0.09 each.
80's	$4.80 per box	$0.08 each.
Lemons:		
252's	$7.15 per box	$0.43 per doz.
300's	$7.15 per box	$0.36 per doz.
360's	$7.15 per box	$0.32 per doz.
Oranges:		
100's	$5.65 per box	$0.60 per doz.
126's	$5.65 per box	$0.72 per doz.
150's	$5.65 per box	$0.60 per doz.
176's	$5.65 per box	$0.51 per doz.
200's	$5.65 per box	$0.45 per doz.
220's	$5.65 per box	$0.41 per doz.
252's	$5.65 per box	$0.36 per doz.
288's	$5.65 per box	$0.31 per doz.
Cantaloupes:		
27's	$11.25 per case	$0.20 per lb.
36's	$11.60 per case	$0.21 per lb.
45's	$11.60 per case	$0.21 per lb.
Plums:		
Santa Rosa & Duarte:		
3 x 4 x 4 and 4 x 4	$8.10 per crate	$0.39 per lb.
3 x 4 x 5 and 4 x 5	$7.50 per crate	$0.39 per lb.
4 x 5 x 5 and 5 x 5	$6.80 per crate	$0.39 per lb.
Kelsey:		
3 x 4	$7.60 per crate	$0.37 per lb.
4 x 4 and 4 x 5	$7.00 per crate	$0.37 per lb.
Sugar	$6.50 per crate	$0.37 per lb.

(e) *Maximum prices for sales in the Territory of Hawaii of island-grown produce.* (1) All grades shall conform to the specifications therefor established by the Agricultural Extension Service of the University of Hawaii and contained in Agricultural Extension Circular No. 156 as amended November 15, 1943. These specifications may be obtained at the University or at the Office of Price Administration, Honolulu, Hawaii, or at the District Offices of the Office of Price Administration, or from the County Agents on each island. "Commercial quality" (CQ) means that stock is of generally good quality and condition, and that size and appearance are acceptable to consumers. Generally good quality means that approximately 85% is desirable quality. Stock must not contain more than 10% serious damage nor more than 2% soft rot. "Merchantable quality" (MQ) means produce having not more than 15% serious damage and not more than 1/3 of this, or 5%, shall be soft rot. Size and appearance are not considered as important factors in this classification.

(2) Where the total price for the aggregate quantity of any item of produce sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(3) Maximum prices for island-grown produce. (i) On the Island of Oahu:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.28	$0.35
Asparagus, fresh	B	.25	.32
Asparagus, fresh	C	.23	.30
Avocado, butter pears	A	.15	.20
Avocado	B and MQ	.10	.14
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem)	CQ	.0475	
Bananas, hands	CQ	.0625	.085
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) cooking	CQ	.08	
Bananas, hands, cooking	CQ	.10	.14

(ii) On the Island of Hawaii.

Item	Grade	Maximum price to retail dealers	Maximum price to institutional buyers	Maximum price at retail
		Per pound	*Per pound*	*Per pound*
1.A. Asparagus, fresh	A	$0.23	$0.2415	$0.30
1.B. Asparagus, fresh	B	.18	.189	.25
1.C. Asparagus, fresh	C	.13	.105	.15
2.B. Avocado, butter pears	A	.07	.0735	.10
2.C. Avocado	B and MQ	.04	.0420	.05
3.A. Bananas, stems (stem limited to 8 in. above first hand where hand joins stem) Bluefield.	CQ	.05	.0525	.07
3.B. Bananas, hands, Bluefield	CQ	.035	.03675	.05
3.C. Bananas, stems (stem limited to 8 in. above first hand where hand joins stem) Chinese and others.	CQ	.05	.0525	.07
3.F. Bananas, hands, Chinese and others	CQ	.035	.03675	.05
3.G. Bananas, stems (stem limited to 8 in. above first hand where hand joins stem) Cooking.	CQ	.04	.0420	.06
4.A. Beans, snap, green, string and yellow wax	A	.09	.0945	.11
4.B. Beans, snap, green, string, yellow wax and other unclassified varieties.	MQ	.07	.0735	.10
5.A. Beans, green lima (pod)	CQ	.07	.0735	.10
5.B. Beans, green limas (shelled)	CQ	.14	.1470	.20
7.A. Bean sprouts, cleaned	CQ	.10	.1050	.15
8.A. Beet tops (tubers not to exceed one inch)	CQ	.04	.0420	.05
9.A. Beets, bunched	A	.04	.0420	.055
10.A. Beets, topped	MQ	.03	.0315	.04
11.A. Bitter melon	CQ	.06	.0630	.08
12.A. Broccoli	CQ	.11	.1155	.16
13.A. Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Choy).	CQ	.05	.0525	.07
14.A. Cabbage, head, Jan. 1-June 30	AA&A	.07	.0735	.10
14.B. Cabbage, head, Jan. 1-June 30	MQ	.04	.0420	.05
14.C. Cabbage, head, July 1-Dec. 31	AA&A	.04	.0420	.05
14.D. Cabbage, head, July 1-Dec. 31	CQ	.04	.0420	.05
15.A. Carrots, bunched	A	.065	.06825	.09
15.B. Carrots, topped	MQ	.045	.04725	.065
16.A. Cauliflower, trimmed	CQ	.10	.1050	.15
17.A. Celery	A	.065	.06825	.09
	MQ	.045	.04725	.065
	CQ	.07	.0735	.10
		Per doz.	*Per doz.*	*Per doz.*
19.A. Corn, green, sweet	A	.35	.3675	.47
19.B. Corn, green, sweet	B	.25	.2625	.35
		Per lb.	*Per lb.*	*Per lb.*
19.C. Corn, green, including field corn	MQ	.06	.0630	.09
20.A. Cucumbers	CQ	.06	.0630	.09
21.A. Dasheen, (Japanese Taro) (#1)	MQ	.045	.04725	.065
21.B. Dasheen, (Japanese Taro) (#2)	CQ	.03	.0315	.045
22.A. Eggplant, long (Molokai type)	CQ	.07	.0735	.10
23.A. Eggplant, round and half long	CQ	.05	.0525	.07
24.A. Ginger	CQ	.11	.1155	.15
25.A. Gobo, medium and long stem	CQ	.07	.0735	.10
25.B. Gobo, small and short stem	CQ	.05	.0525	.07
26.C. Gobo, large stem	CQ	.11	.1155	.15
27.A. Kohlrabi, bunched or topped	CQ	.08	.0840	.11
28.A. Lettuce, all types July 1-Dec. 31	CQ	.10	.1050	.15
28.A. Lettuce, all types Jan. 1-June 30	CQ	.12	.1260	.18
29.A. Okra	CQ	.07	.0735	.10
32.A. Onions, dry	CQ	.07	.0735	.10
33.A. Onions, bunching green	CQ	.04	.0420	.055
34.A. Peanuts, cured, in shell	A	.03	.0315	.04
35.B. Papaya, Solo and common	MQ	.015	.01575	.02
36.A. Peanuts, cured, in shell	CQ	.015	.01575	.02
38.A. Peas, Chinese	CQ	.15	.1575	.22
39.A. Peas, green pod	CQ	.12	.1260	.17
40.A. Peppers, sweet, (bell)	CQ	.035	.03675	.05
41.A. Peppers, hot and chile	CQ	.035	.03675	.05
42.A. Pineapples	A and A	.045	.04725	.065
43.B. Potatoes, Irish	MQ	.035	.03675	.05
43.C. Potatoes, Irish	CQ	.035	.03675	.05
44.A. Pumpkin, (Japanese)	CQ	.045	.0525	.07
46.A. Pumpkin, mainland varieties and Kona Crop	CQ	.05	.0525	.07
47.A. Radish, red (per bunch of not less than 12)	CQ	.06	.0630	.09
NOTE: For white radish, see turnips.				
48.A. Rhubarb	CQ	.08	.0840	.11
49.A. Soybeans, edible, green, including vines	CQ	.05	.0525	.07
50.A. Soybeans, edible, green, in pods	CQ	.07	.0735	.10
51.A. Spinach, all types	CQ	.05	.0525	.07
52.A. Squash, Chinese (Tung Qua, Poo Qua, Long Squash) large (2½ lbs. or over).	CQ	.05	.0525	.07
52.B. Squash, Chinese, young, small (below 2½ lbs.)	CQ	.04	.0420	.055
53.A. Squash, Hubbard	A	.04	.0420	.055
53.B. Squash, Hubbard	MQ	.03	.0315	.04
54.A. Squash, Italian	CQ	.04	.0420	.055
55.A. Squash, summer	CQ	.04	.0420	.055
56.A. Squash, queen or acorn	CQ	.04	.0420	.055
57.A. Sweet potatoes (specified varieties)	AA	.05	.0525	.07
		Per doz.	*Per doz.*	*Per doz.*
58.A. Sweet potatoes, yellow and red (potatoes)	A	.35	.3675	.47
		Per lb.	*Per lb.*	*Per lb.*
58.B. Sweet potatoes	B	.06	.0630	.09
59.A. Swiss chard, bunched or loose	MQ	.045	.0420	.055
60.A. Taro, Hawaiian and Chinese, (bunched and not for manufacture)	CQ	.07	.0735	.10
60.A. Taro tops or luau, bunched or loose	CQ	.10	.1050	.15
61.A. Tomatoes, large, wrapped, in standard lugs	A	.12	.1260	.18
61.B. Tomatoes, large (2" min. diam.)	B	.09	.0945	.14
61.C. Tomatoes, large (2" min. diam.)	MQ	.07	.0735	.10
61.D. Tomatoes, large or small	CQ	.07	.0735	.10
61.A. Tomatoes, egg or plum	CQ	.07	.0735	.10
62.A. Turnip tops, (tubers not exceed one inch)	CQ	.03	.0315	.04
63.A. Turnips, bunched or topped, long white, round white, purple top, golden ball, daikon, white Chinese, white radish and similar types.	CQ	.03	.0315	.04
64.A. Turnips, rutabagas, topped	CQ	.045	.04725	.07
65.A. Watercress (tied in 1 lb. bunch)	CQ	.06	.0630	.08
66.A. Watermelon	CQ	.03	.0315	.04
67.A. Yam, (Chop Sui) or Fern Quat	CQ	.02	.0210	.03
67.A. Yam, Mountain or Dai Sec	CQ	.08	.0840	.125
68.A. Figs		*Each*	*Each*	*Each*
26.A. Grapefruit (local)	CQ	$0.07	$0.0735	$0.085
26.B. Grapefruit (local)	MQ	.05	.0525	.065
		Per doz.	*Per doz.*	*Per doz.*
27.A. Limes, Tahitian	CQ	$0.22	$0.2310	$0.30
27.B. Limes, Tahitian	MQ	.18	.1890	.24
27.C. Limes, Tahitian	CQ	.10	.1050	.12
27.E. Limes, Mexican	CQ	.08	.0840	.10
27.D. Lemons, Mexican	MQ	*Per lb.*	*Per lb.*	*Per lb.*
27.F. Limes, Kusae	CQ	$0.06	$0.0630	$0.08
27.G. Limes, Kusae	MQ	.05	.0525	.07
27.H. Limes, Kusae	CQ	.06	.0630	.08
28.A. Oranges, Navel	MQ	.05	.0525	.07
28.B. Oranges, Navel	CQ	.05	.0525	.07
28.C. Oranges, Valencia	CQ	.04	.0420	.06
28.D. Oranges, Valencia	MQ	.07	.0735	.09
29.A. Papa	CQ	.10	.1050	.125
30.A. Tangerines	MQ	.08	.0840	.105

(a) Sales to institutional buyers for the purpose of this section shall include sales to the United States, or any of its political subdivisions, the Army, Navy, Marine Corps, Coast Guard, or any agency of the foregoing, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, and industrial or commercial user.

(b) Where delivery is made to any of the institutional buyers, a delivery charge not to exceed 5% of the maximum price to institutional buyers may be added.

(iii) On the Island of Kauai:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.23	$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado butter pears	A	.12	.16
Avocado	B and MQ	.08	.12
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem).	CQ	.04	------
Bananas, hands	CQ	.055	.075
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) cooking.	CQ	.08	------

(ii) On the Island of Hawaii—Continued.

Item	Grade	Maximum price to retail dealers	Maximum price to institutional buyers	Maximum price at retail
		Per pound	*Per pound*	*Per pound*
33.A. Spinach, Savoy, prickley winter, other mainland type.	CQ	$0.07	$0.0735	$0.10
34.A. Squash, Chinese (Tung Qua, Poo Qua, Long Squash) large (2½ lbs. or over).	CQ	.03	.0315	.05
34.B. Squash, Chinese, young, small (below 2½ lbs.)	CQ	.06	.0630	.09
35.A. Squash, Hubbard	CQ	.05	.0525	.07
36.A. Squash, Banana	CQ	.05	.0525	.07
37.A. Squash, Hubbard	A	.07	.0735	.10
37.B. Squash, Hubbard	MQ	.05	.0525	.08
38.A. Squash, Italian	MQ	.07	.0735	.10
39.A. Squash, Italian	CQ	.07	.0735	.07
40.A. Squash, summer	CQ	.05	.0525	.07
41.A. Squash, queen or acorn	CQ	.05	.0525	.065
42.A. Squash, queen or acorn	AA	.04	.0420	.055
43.A. Sweet potatoes, (specified varieties)	A	.04	.0420	.04
43.B. Sweet potatoes, yellow	B	.03125	.034125	.03
43.C. Sweet potatoes, yellow and red	MQ	.025	.02625	.03
43.D. Sweet potatoes	CQ	.035	.03675	.05
44.A. Swiss chard, bunched or loose	CQ	.035	.03675	.05
45.A. Taro, Hawaiian and Chinese, (bunched and not for manufacture).	CQ	.10	.1050	.15
45.A. Taro tops or luau, bunched or loose	CQ	.14	.1470	.18
46.A. Tomatoes, large, wrapped, in standard lugs	A	.12	.1260	.18
46.B. Tomatoes, large (2" min. diam.)	B	.09	.0945	.14
46.C. Tomatoes, large (2" min. diam.)	MQ	.07	.0735	.10
46.D. Tomatoes, large or small	CQ	.07	.0735	.10
46.A. Tomatoes, egg or plum	CQ	.07	.0735	.10
47.A. Turnip tops, (tubers not exceed one inch)	CQ	.03	.0315	.04
48.A. Turnips, bunched or topped, long white, round white, purple top, golden ball, daikon, white Chinese, white radish and similar types.	CQ	.03	.0315	.04
49.A. Turnips, rutabagas, topped	CQ	.045	.04725	.07
50.A. Watercress (tied in 1 lb. bunch)	CQ	.06	.0630	.08
51.A. Watermelon	CQ	.03	.0315	.04
52.A. Yam, (Chop Sui) or Fern Quat	CQ	.02	.0210	.03
52.A. Yam, Mountain or Dai Sec	CQ	.08	.0840	.125
53.A. Figs		*Each*	*Each*	*Each*
26.A. Grapefruit (local)	CQ	$0.07	$0.0735	$0.085
26.B. Grapefruit (local)	MQ	.05	.0525	.065
		Per doz.	*Per doz.*	*Per doz.*
27.A. Limes, Tahitian	CQ	$0.22	$0.2310	$0.30
27.B. Limes, Tahitian	MQ	.18	.1890	.24
27.C. Limes, Tahitian	CQ	.10	.1050	.12
27.E. Limes, Mexican	CQ	.08	.0840	.10
27.D. Lemons, Mexican	MQ	*Per lb.*	*Per lb.*	*Per lb.*
27.F. Limes, Kusae	CQ	$0.06	$0.0630	$0.08
27.G. Limes, Kusae	MQ	.05	.0525	.07
27.H. Limes, Kusae	CQ	.06	.0630	.08
28.A. Oranges, Navel	MQ	.05	.0525	.07
28.B. Oranges, Navel	CQ	.05	.0525	.07
28.C. Oranges, Valencia	CQ	.04	.0420	.06
28.D. Oranges, Valencia	MQ	.07	.0735	.09
29.A. Papa	CQ	.10	.1050	.125
30.A. Tangerines	MQ	.08	.0840	.105

(iii) On the Island of Kauai—Con.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Bananas, hands, cooking	CQ	$0.10	$0.14
Beans, snap, green, string, yellow wax, and other unclassified varieties.	A	.12	.16
Beans, snap, green, string, yellow wax, and other unclassified varieties.	MQ	.10	.135
Beans, green lima (pod)	CQ	.07	.10
Beans, green limas (shelled)	CQ	.18	.25
Bean sprouts—cleaned		.14	.20
Beet tops (tubers not to exceed 1 inch)	CQ	.10	.15
Beets, bunched	CQ	.055	.08
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter Melon	CQ	.12	.16
Broccoli	CQ	.14	.18
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Choy).	CQ	.06	.08
Cabbage, head, Jan. 1-June 30.	AA and A	.05	.07
Cabbage, head, Jan. 1-June 30.	MQ	.035	.06
Cabbage, head, July 1 to Dec. 31.	AA and A	.06	.08
Cabbage, head, July 1 to Dec. 31.	MQ	.05	.07
Carrots, bunched	CQ	.055	.08
Carrots, topped	A	.07	.09
Carrots, topped	MQ	.045	.06
Cauliflower	CQ	.18	.25
Celery	CQ	.15	.20

(iii) On the Island of Kauai—Con.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per dozen	*Per dozen*
Corn, green, sweet	A	$0.45	$0.60
Corn, green, sweet	B	.30	.45
		Per pound	*Per pound*
Corn, green, including field corn.	MQ	.03	.04
Cucumbers	A	.08	.12
Cucumbers	MQ	.06	.09
Dasheen, (Japanese Taro) (#1).	CQ	.06	.09
Dasheen, (Japanese Taro) (#2).	MQ	.035	.05
Eggplant, long (Molokai type).	CQ	.05	.08
Eggplant, round and half long.	CQ	.04	.06
Ginger	CQ	.08	.12
Gobo, medium and long stem	CQ	.13	.17
Gobo, small and short stem	MQ	.09	.12
Gobo, large stem	MQ	.09	.12
Kohlrabi, bunched or topped.	CQ	.06	.09
Lettuce, all types, Jan. 1-June 30.	CQ	.12	.16
Lettuce, all types, July 1-Dec. 31.	CQ	.15	.20
Lotus root or lilly root	CQ	.11	.15
Okra	CQ	.09	.14
Onion, dry	CQ	.07	.09
Onions, bunching green	CQ	.12	.16
Papaya, solo	A	.0425	.06
Papaya, solo & common	MQ	.035	.05
Peanuts, cured, in shell	CQ	.12	.16
Peas, Chinese	CQ	.50	.70
Peas, green pod	CQ	.15	.22
Peppers, sweet, (bell)	CQ	.13	.18
Peppers, hot and chile	CQ	.35	.50
Pineapples	CQ	.0275	.04
Potatoes, Irish	AA and A	.055	.07
Potatoes, Irish	MQ	.035	.045
Pumpkin, (Japanese)	CQ	.04	.055
		Per doz. bunch	*Per bunch*
Radish, red (per bunch of not less than 12).	CQ	.40	.05
NOTE: For white radish see turnips.			
		Per pound	*Per pound*
Rhubarb	CQ	.10	.15
Soybeans, edible, green, including vines.	CQ	.07	.10
Soybeans, edible, green, in pods.	CQ	.16	.24
Spinach, (all types)	CQ	.08	.12
Squash, Chinese, (Tung Qua, Poo Qua, Long Squash) large, (2½ pounds or over).	CQ	.06	.08
Squash, Chinese, young, small (below 2½ pounds.)	CQ	.08	.12
Squash, banana	CQ	.055	.08
Squash, Hubbard	CQ	.055	.08
Squash, Hubbard	A	.09	.14
Squash, Italian	MQ	.07	.11
Squash, Italian	CQ	.09	.14
Squash, summer	CQ	.07	.10
Squash, queen or acorn	AA	.05	.065
Sweet potatoes, (specified varieties.)			
Sweet potatoes, yellow	A	.04	.055
Sweet potatoes, yellow and red.	B	.0325	.04
Sweet potatoes	NQ	.025	.03
Swiss chard, bunched or loose.	CQ	.04	.06
Taro, Hawaiian and Chinese, (bunched and not for manufacture).	CQ	.035	.05
Taro tops or luau, bunched or loose.	Q	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (2" minimum diam.)	A	.12	.18
Tomatoes, large (2" minimum diam.)	B	.09	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnip tops, (tuber not to exceed 1 inch).	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.035	.045

(vi) On the Island of Kauai—Con.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Turnips, rutabagas, topped.	CQ	$0.04	$0.055
Watercress (tied in 1 pound bunch).	CQ	.08	.12
Watermelon	CQ	.07	.09
Yam, (Chop Suil or Farn Quat.	CQ	.09	.13
Yam, Mountain or Dai See.	CQ	.05	.07

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(iv) On the Island of Lanai:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.23	$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado, butter pears	A	.12	.16
Avocado	B and MQ	.07	.10
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem). Bluefield.	CQ	.04	
Bananas, hands. Bluefield.	CQ	.005	.07
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem). Chinese and others.	CQ	.03	
Bananas, hands, Chinese and others.	CQ	.04	.055
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem). cooking.	CQ	.06	
Bananas, hands, cooking.	CQ	.08	.11
Bean sprouts, cleaned	CQ	.14	.20
Beans, snap, green, string and yellow wax.	A	.09	.12
Beans, snap, green, string, yellow wax and other unclassified varieties.	MQ	.07	.10
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled).	CQ	.18	.25
Beet tops (tubers not to exceed 1 inch).	CQ	.07	.10
Beets, bunched	CQ	.03	.04
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter Melon	CQ	.12	.16
Broccoli	CQ	.11	.15
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili and swamp (Ung Choy).	CQ	.05	.09
Cabbage, head, Jan. 1-June 30.	AA and A	.03	.045
Cabbage, head, Jan. 1-June 30	MQ	.02	.03
Cabbage, head, July 1-Dec 31.	AA and A	.04	.06
Cabbage, head, July 1-Dec. 31.	MQ	.03	.045
Carrots, bunched	CQ	.04	.05
Carrots, topped	A	.055	.075
Carrots, topped	MQ	.04	.06
Celery	CQ	.15	.20
		Per dozen	*Per dozen*
Corn, green, sweet	A	.35	.47
Corn, green, sweet	B	.25	.35
		Per pound	*Per pound*
Corn, green, including field corn.	MQ	.02	.03
Cucumbers	A	.08	.12
Cucumbers	MQ	.06	.09
Dasheen, (Japanese Taro) (#1).	CQ	.045	.06
Dasheen, (Japanese Taro) (#2).	MQ	.03	.04
Eggplant, long (Molokai type).	CQ	.06	.08

(iv) On the Island of Lanai—Con.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*P pound*
Eggplant, round and ball long.	CQ	$0.04	$0.06
Ginger	CQ	.10	.15
Gobo, medium and long stem.	CQ	.15	.20
Gobo, small and short stem.	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types, Jan. 1-June 30.	CQ	.10	.15
Lettuce, all types, July 1-Dec. 31.	CQ	.15	.20
Lotus root or lily root	CQ	.07	.10
Okra	CQ	.09	.14
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.07	.10
Papaya, solo and common.	MQ	.03	.06
Papaya, solo	A	.04	.08
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.35	.50
Peas, green-pod	CQ	.15	.22
Peppers, sweet (bell)	CQ	.15	.20
Peppers, hot and chile	CQ	.35	.50
Pineapples	CQ	.0575	.04
Potatoes, Irish	AA and A	.055	.07
Potatoes, Irish	MQ	.04	.05
Pumpkin (Japanese)	CQ	.035	.05
		Per dozen bunches	*Per bunch*
Radish, red (per bunch of not less than 12).	CQ	.50	.06
NOTE: For white radish, see turnips.			
		Per pound	*Per pound*
Rhubarb	CQ	.07	.10
Soybeans, edible, green, including vines.	CQ	.16	.24
Soybeans, edible, green, in pods.	CQ	.05	.08
Spinach, New Zealand, Australian, Chinese other foreign types.	CQ	.05	.08
Spinach, Savoy, Prickly Winter, other mainland types.	CQ	.07	.10
Squash, Chinese, (Tung Qua, Poo Qua, Long Squash) Large, (2½ pounds or over).	CQ	.04	.06
Squash, Chinese, young, small, (below 2½ pounds).	CQ	.08	.12
Squash, banana	CQ	.05	.07
Squash, Hubbard	CQ	.05	.07
Squash, Italian	A	.07	.10
Squash, Italian	MQ	.05	.08
Squash, summer	CQ	.07	.10
Squash, queen or acorn	CQ	.06	.08
Sweet potatoes (specified varieties).	AA	.05	.065
Sweet potatoes, yellow	A	.04	.055
Sweet potatoes, yellow and red.	B	.0325	.04
Sweet potatoes	MQ	.025	.03
Swiss chard, bunched or loose	CQ	.035	.05
Taro, Hawaiian and Chinese, (bunched and not for manufacture).	CQ	.035	.05
Taro tops or luau, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (6½" minimum diameter).	A	.12	.18
Tomatoes, large (6½" minimum diameter).	B	.07	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnips (tubers not to exceed 1 inch).	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.035	.045
Turnips, rutabagas, topped.	CQ	.04	.055
Watercress (tied in 1 pound bunch).	CQ	.05	.08
Watermelon	CQ	.07	.10
Yam, (Chop Suil) or Farn Quat.	CQ	.03	.04
Yam, Mountain or Dai See.	CQ	.02	.03

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(v) On the Island of Maui:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.23	$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado, butter pears	A	.10	.15
Avocado	Band MQ	.07	.10
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem). Bluefield.	CQ	.04	
Bananas, hands. Bluefield.	CQ	.005	.07
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem). Chinese and others.	CQ	.03	
Bananas, hands, Chinese and others.	CQ	.04	.055
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem). cooking.	CQ	.06	
Bananas, hands, cooking.	CQ	.08	.11
Bean sprouts, cleaned	CQ	.14	.20
Beans, snap, green string and yellow wax.	A	.09	.12
Beans, snap, green, string, yellow wax and other unclassified varieties.	MQ	.07	.10
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled).	CQ	.18	.25
Beet tops (tubers not to exceed 1 inch).	CQ	.07	.10
Beets, bunched	CQ	.03	.04
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter Melon	CQ	.12	.16
Broccoli	CQ	.11	.15
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili and swamp (Ung Choy).	CQ	.05	.07
Cabbage, head, Jan. 1-June 30	AA and A	.03	.045
Cabbage, head, Jan 1-June 30.	MQ	.02	.03
Cabbage, head July 1-Dec 31.	AA and A	.04	.06
Cabbage, head, July 1-Dec. 31.	MQ	.03	.045
Carrots, bunched	CQ	.04	.05
Carrots, topped	A	.055	.075
Carrots, topped	MQ	.04	.06
Cauliflower	CQ	.15	.20
Celery	CQ	.15	.20
		Per dozen	*Per dozen*
Corn, green, sweet	A	.35	.47
Corn, green, sweet	B	.25	.35
		Per pound	*Per pound*
Corn, green	MQ	.02	.03
Corn, green, field corn	CQ	.04	.06
Cucumbers	A	.08	.12
Cucumbers	MQ	.06	.09
Dasheen (Japanese Taro). (#1).	CQ	.045	.06
Dasheen (Japanese Taro). (#2).	MQ	.03	.04
Eggplant, long (Molokai type).	CQ	.05	.08
Eggplant, round and half long.	CQ	.04	.06
Ginger	CQ	.10	.15
Gobo, medium and long stem	CQ	.15	.20
Gobo, small and short stem	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types, Jan. 1-June 30.	CQ	.10	.15
Lettuce, all types, July 1-Dec. 31.	CQ	.15	.20
Lotus root or lily root	CQ	.07	.10
Okra	CQ	.09	.14
Onions, dry	CQ	.07	.10
Onions, bunching green	CQ	.07	.10
Papaya, solo	A	.04	.055
Papaya, solo and common	MQ	.03	.04
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.35	.50
Peas, green pod	CQ	.15	.22
Peppers, sweet (bell)	CQ	.15	.20

(v) On the Island of Maui—Continued.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Peppers, hot and chile	CQ	$0.35	$0.50
Pineapples	CQ	.0275	.04
Potatoes, Irish	AA	.055	.07
Potatoes, Irish	A	.055	.07
Potatoes, Irish	MQ	.04	.05
Pumpkin (Japanese)	CQ	.025	05
		Per dozen bunches	*Per bunch*
Radish, red (per bunch of not less than 12).	CQ	.50	.06
NOTE: For white radish, see turnips			
		Per pound	*Per pound*
Rhubarb	CQ	.07	.10
Soybeans, edible, green, including vines.	CQ	.07	.10
Soybeans, edible, green, in pods.	CQ	.16	.24
Spinach, New Zealand, Australian, Chinese, other foreign types.	CQ	.05	.08
Spinach, Savoy, Prickly Winter, other mainland types.	CQ	.07	.10
Squash, Chinese (Tung Qua, Poo Qua, Long Squash) large, (2½ pounds or over).	CQ	.04	.06
Squash, Chinese, young, small (below 2½ pounds).	CQ	.08	.12
Squash, Hubbard	CQ	.05	.07
Squash, Italian	A	.07	.10
Squash, Italian	MQ	.05	.08
Squash, summer	CQ	.07	.10
Squash, queen or acorn	CQ	.06	.08
Sweet potatoes (specified varieties)	AA	.05	.065
Sweet potatoes, yellow	A	.04	.055
Sweet potatoes, yellow and red.	B	.0325	.04
Sweet potatoes	MQ	.025	.03
Swiss chard, bunched or loose	CQ	.035	.05
Taro, Hawaiian and Chinese (bunched and not for manufacture).	CQ	.035	.05
Taro tops or luau, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (2" minimum diameter).	A	.12	.18
Tomatoes, large (2" minimum diameter).	B	.09	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnip tops, (tubers not to exceed 1 inch).	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar tyws.	CQ	.035	045
Turnips, rutabagas, topped	CQ	.04	.055
Watercress (tied in 1 lb bunch).	CQ	.05	.08
Watermelon	CQ	.07	.09
Yam, (Chop Suil) or Farn Quat.	CQ	.03	.04
Yam, Mountain or Dai See.	CQ	.02	.03

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(vi) On the Island of Molokai:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.23	$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado, butter pears	A	.12	.16

(vi) On the Island of Molokai—Con.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Avocado	Band MQ	$0.08	$0.12
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem).	CQ	.04	
Bananas, hands	CQ	.05	.07
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem). cooking.	CQ	.06	
Bananas, hands, cooking	CQ	.08	.12
Beans, snap, green, string	A	.11	.15
Beans, snap, green, string, and other unclassified varieties.	MQ	.09	.12
Beans, yellow wax	CQ	.055	.08
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled).	CQ	.18	.25
Bean sprouts, cleaned	CQ	.14	.20
Beet tops (tubers not to exceed 1 inch).	CQ	.07	.10
Beets, bunched	CQ	.045	.06
Beets, topped	A	.04	.06
Beets, topped	MQ	.03	.04
Bitter melon	CQ	.14	.18
Broccoli	CQ	055	.08
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Choy).	CQ	.04	.06
Cabbage, head, Jan. 1-June 30	AA and A	.03	045
Cabbage, head, Jan 1-June 30.	MQ	.02	.03
Cabbage, head, July 1-Dec. 31.	AA and A	.05	.07
Cabbage, head, July 1-Dec. 31	MQ	.04	.055
Carrots, bunched	CQ	.04	.06
Carrots, topped	A	.06	.08
Carrots, topped	MQ	.045	.06
Celery	CQ	.15	20
		Per dozen	*Per dozen*
Corn, green, sweet	A	.40	.53
Corn, green, sweet	B	.30	.40
Corn, green, including field corn.	MQ	.02	.03
Cucumbers	A	.10	.14
Cucumbers	MQ	.08	.12
Dasheen, (Japanese Taro) (#1).	CQ	.06	.08
Dasheen, (Japanese Taro) (#2).	MQ	.05	.07
Eggplant, long (Molokai type).	CQ	.05	.07
Eggplant, round and half long.	CQ	.04	.06
Ginger	CQ	.08	.12
Gobo, medium and long stem	CQ	.15	.20
Gobo, small and short stem	MQ	.11	.15
Gobo, large stem	MQ	.11	15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types, Jan. 1-June 30.	CQ	.10	.15
Lettuce, all types, July 1-Dec. 31.	CQ	.15	.20
Okra	CQ	.10	.15
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.09	.12
Onions, Kalina Bulb, bunching.	CQ	.12	.16
Papaya, solo	A	.04	.055
Papaya, solo and common	MQ	.03	.04
Peanuts, cured, in shell	CQ	.15	20
Peas, Chinese	CQ	.35	.50
Peppers, sweet (bell)	CQ	.15	.20
Pineapples	CQ	.0275	.04
Potatoes, Irish	AA and A	.055	.07
Potatoes, Irish	MQ	.035	.045
Pumpkin, (Japanese)	CQ	.04	.055
		Per dozen bunches	*Per bunch*
Radish, red (per bunch of not less than 12).	CQ	.50	.06
NOTE: For white radish see turnips.			

(vi) On the Island of Molokai—Con.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Soybeans, edible, green, including vines.	CQ	$0.07	$0.10
Soybeans, edible, green, in pods.	CQ	.16	.24
Spinach, all types	CQ	.08	.12
Squash, Chinese (Tung Qua, Poo Qua, Long Squash) large, (2½ lbs or over)	CQ	.04	.06
		Per dozen bunches	*Per bunch*
Squash, Chinese, young, small (below 2½ lbs.).	CQ	.08	.12
Squash, banana	CQ	.05	.07
Squash, Hubbard	CQ	.05	.07
Squash, Italian	A	.07	.10
Squash, Italian	MQ	.05	.08
Squash, summer	CQ	.07	.10
Squash, queen or acorn	CQ	.06	.08
Sweet potatoes, (specified varieties).	AA	.05	.065
Sweet potatoes, yellow	A	.04	.055
Sweet potatoes, yellow and red.	B	0325	.04
Sweet potatoes	MQ	.025	.03
Swiss chard (bunched or loose)	CQ	.035	.05
Taro tops or luau, bunched or loose	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs	A	.14	.18
Tomatoes, large (2" minimum diameter).	A	.12	.18
Tomatoes, large (2" minimum diameter).	B	.09	.14
Tomatoes, egg or plum	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.04	.05
Watercress, (tied in 1 pound bunch).	CQ	.07	.10
Watermelon	CQ	.06	.08
Yam, Mountain or Dai See.	CQ	.05	.07

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(f) *Records and reports*—(1) *Records to be kept.* Notwithstanding the provisions of section 11 of this regulation, every person making sales of any of the commodities covered by this section 21 shall on and after the date any such produce becomes subject to this paragraph keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records as follows:

(i) *Persons making sales at wholesale.* Copies of the invoices or sales memoranda given to purchasers as required by subparagraph (3) below. Purchase records showing the date of purchase, name and address of supplier, kind and grade purchased, number of pounds or other unit of purchase, price per unit, total price paid and the quantity of each kind and grade on hand or order at the close of each calendar month.

(ii) *Persons making sales at retail.* Copies of the invoices and sales memoranda received from suppliers.

(2) *Prices to be marked and posted.* On and after the date any island-grown produce becomes subject to this section 21 every person offering to sell such produce at retail shall mark the maximum

price of such produce in a manner plainly visible to and understandable by the purchasing public.

The maximum price shall be marked on each item of produce itself or on the shelf, bin, rack, or other holder or container upon or in which the produce may be kept for purposes of sale. The maximum price shall be indicated in the form "Ceiling price $____", or "Our Ceiling $_____".

(3) *Sales slips and receipts.* (i) Every person selling at wholesale shall give the purchaser an invoice or sales memorandum showing the date of sale, name and address of the seller, the name and address of the purchaser, and with reference to each item of produce sold the following: The kind and grade, the number of pounds or other unit of sale, the price per unit and the total price received.

(ii) Every person selling at retail who has customarily given purchasers sales slips or receipts or similar evidences of purchase shall continue to do so. However, upon request from a purchaser every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, the name and address of the purchaser, and with reference to each item of produce sold, the following: The kind and grade, the number of pounds or other unit of sale, the price per unit and the total price received.

SEC. 22. *Table IX: Maximum prices for petroleum products.* (a) Revised Maximum Price Regulation No. 137 [15] and Maximum Price Regulation 88,[16] except as otherwise provided herein, govern the sales of petroleum products in the Territory of Hawaii.

(b) On sales in the Territory of Hawaii, amounts not in excess of the following may be added to the maximum prices established by Maximum Price Regulation 88, and Revised Maximum Price Regulation No. 137 for gasoline, kerosene, and Diesel fuel:

(1) One cent per gallon for shipments from Honolulu to Kaumalapau, Lanai, Kaunakakai, Molokai, and Hana, Maui and points serviced therefrom. This addition may only be made on shipments from Honolulu, and does not apply to direct shipments.

(2) Two cents per gallon for shipments from Hilo to Honuapo, Hawaii.

(3) One and one-half cents per gallon for shipments by barge from Honolulu to Makukona and Kailua, Hawaii.

(4) Two and one-half cents per gallon for shipments by rail or tank truck, or both, from Hilo to Mahukona and Kailua, Hawaii.

(5) Two and one-half cents per gallon for gallon shipments from Kahului, Maui, to Hana, Maui.

(6) Seventy-five hundredths cents per gallon for shipments of gasoline, kerosene, and diesel fuel by barge from Honolulu to Lahaina.

(7) One and one-quarter cents per gallon for shipments of gasoline, kerosene and diesel fuel by barge from Honolulu to Honuapo.

(8) ¾ cents per gallon for shipments by barge from Honolulu to Kawaihae.

SEC. 23. *Maximum prices for new tires and tubes, used tires and tubes, recapping and repairing*—(a) *What this section covers*—(1) *Transactions covered*—(i) *New tires and tubes.* This section applies to all retail sales in the Territory of Hawaii of new rubber tires and tubes for automobiles, trucks, busses, trailers, off-the-road equipment, farm implements, tractors, industrial equipment, and motorcycles. A tire or tube is "new" if it has been used less than 1,000 miles. "Retail sale" means a sale to a buyer for his own use and not for resale. This section, however, does not apply to manufacturers' or to brand owners' sales of any new tires and tubes to any agency in the United States Government. Neither does this section apply to sales at wholesale, which are covered by Revised Maximum Price Regulation 143.[17]

(ii) *Used tires and tubes.*

This section applies to all sales of used tires and tubes of a size and type listed in Appendix B, at both the retail and wholesale level, except sales for an ultimate purpose other than used on the wheel of the vehicle. A tire or tube is "used" if it has been used 1,000 miles or more, or if it is a recapped tire that has been used 1,000 miles or more after latest recapping. It also applies to all sales of "basic tire carcasses" of the size and type listed in Appendix C. "Basic tire carcasses" are defined in paragraph (c) (3) of Appendix B, below.

(iii) *Recapped tires and recapping.* This section applies to all recapping and all sales of newly recapped tires, in sizes listed in Appendix C, at both the retail and wholesale level. "Recapping" includes retreading and means any process of tread renewal in which rubber is applied to the tread surface of a tire.

(iv) *Tire and tube repairing.* This section applies to all vulcanized repairs to tires of the sizes and types listed in Appendix D, and all repairs, including cold repairs, to tubes (except special purposes tubes) at both the retail and wholesale level. "Vulcanized" refers to repairing by applying external heat. This section does not apply to temporary or emergency repairs to tire casings, such as cold patches applied with cement and not vulcanized. Neither does this section apply to repairs to special purpose tubes; "special purpose tubes" are tubes defined as such in Table B–VII of Appendix B. Revised Maximum Price Regulation 165,[18] covers emergency repairs to tire casings and repairs to special purpose tubes.

(v) *Definition of rubber.* "Rubber" means substitute rubber and all types and forms of rubber, including scrap, synthetic, balata, and reclaimed rubber.

(2) *Transactions not covered*—(i) *Leasing or renting.* Maximum Price Regulation 414 [19] covers any supplying of tire mileage at stated prices per mile of service. Revised Maximum Price Regulation 165 covers any other leasing or renting of tires or tubes.

(ii) *Termination sales under tire mileage contracts.* Maximum Price Regulation 414 covers any termination sale or transfer of tires or tubes under a tire mileage contract.

(3) *Relation to other regulations.* This section supersedes any other regulation issued by the Office of Price Administration, including Maximum Price Regulation 528,[20] and the General Maximum Price Regulation for the Territory of Hawaii, as to transactions covered by this section.

(b) *Extra charges for repairs*—(1) *Used tires and tubes and recapped tires.* No extra charge for repairs may be added to the maximum price of a sound used tire or tube or to the maximum price of a newly recapped tire when the tire carcass is furnished by the seller.

(2) *Recapping.* Where necessary repairs are made to a tire carcass furnished by the buyer for recapping, the seller may add to the maximum recapping price an amount not exceeding the maximum price for the repairs, provided he bills it separately in accordance with paragraph (f).

(c) *Extra charges for extra services other than repairs*—(1) *Meaning of extra service and extra charge.* "Extra charge" means a charge which may be added to the applicable maximum price when an extra service is actually supplied in connection with a tire or tube sale or a recapping or repairing job. "Extra service" means a service (other than repairs) that is generally recognized as giving the buyer something in addition to the tire or tube or to the completed recapping or repairing job. The chief examples of such extra services are: extension of credit, mounting and demounting, loaning tires, and pick-up and delivery between the seller and buyer.

(2) *Extra services offered during April 1942.* This subparagraph (2) states the rules for figuring maximum extra charge which apply to extra services offered during April 1942.

(i) No extra charge may be made for a service if the seller customarily supplied or offered that service during April 1942, and did not have a separate extra charge then in effect for it.

(ii) A seller may charge the maximum price for tires or tubes or for recapping or repairing only if he continues to supply all services which he customarily supplied or offered and included in his price with no separate extra charge during April 1942. For any service which he discontinues, he must deduct from his maximum price the highest charge made for that service during April 1942 by his most closely competitive seller who had a separate extra charge in effect for that service.

(iii) A seller who supplies an extra service for which he had an extra charge in effect during April 1942, may add an amount not exceeding his highest price then in effect for that extra service to the maximum price for tires or tubes or for recapping or repairing. He must bill such extra charge separately.

(iv) Maximum extra charges shall be figured under subparagraph (3) for any extra service which the seller did not supply or offer during April 1942.

(v) This subdivision (v) applies if the business, assets or stock in trade are sold or otherwise transferred after April 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or service in an establishment separate from any other such establishment previously owned or operated by him. In such a case, the rules for extra services and for adding extra service charges which apply to the transferee shall be the same as those which would apply to his transferor if no such transfer had taken place.

(3) Extra services not offered during April 1942. This subparagraph (3) states the rules for figuring maximum extra charges which apply to extra services not offered during April 1942. The maximum extra charge which the seller may add to the maximum price for tires or tubes or for recapping or repairing shall be the same as the maximum extra charge for the same extra service of his most closely competitive seller who had a separate extra charge in effect during April 1942 for that service. The seller must bill such extra charge separately.

(4) No seller may require as a condition of sale that the buyer must receive any service for which the seller makes an extra charge, other than necessary repairs to the tire carcass in connection with recapping.

(d) *Federal and territorial taxes.* The Federal excise tax on new tires and tubes, if stated separately by the seller, may be added to the maximum prices of new tires and tubes. Any tax upon or incident to, the sale, delivery, or processing or use of a tire or tube or recapping imposed by any statute of the United States or statute or ordinance of the Territory of Hawaii or subdivision thereof, shall be treated as follows: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

(e) *Posting of prices.* Notwithstanding the provisions of section 11 of this regulation, every person engaged in the business of selling new tires or tubes at retail, in the business of selling recapped tires or used tires and tubes, or in the business of selling recapping, or tire or tube repairing services, shall keep posted at each place of business in a manner visible to the purchasing public, the following, clearly identified as such:

(1) A list of the maximum retail prices for the tires and tubes sold by him.

(2) A list of the maximum retail prices for his recapping services, and the additional charges that may be made for a tire carcass furnished by the seller.

(3) A list of the maximum retail prices for his tire and tube repair services.

(4) A list of the maximum prices which this section permits him to charge for extra services.

(f) *Sales slips and receipts.* Notwithstanding the provisions of section 11 of this regulation, if more than one article is included in one transaction, only one sales slip or receipt is required, provided that it contains the specified information for each article. The name and address of the seller must appear on every sales slip or receipt.

(1) *New tires and tubes.* Every seller of new tires or tubes at retail shall give every buyer a sales slip listing:

(i) The type, size, ply, and brand name of the new tire or tube.

(ii) The price.

(iii) Whether or not the tire or tube is a factory second.

(4) *Repairing.* Every person engaged in the business of repairing tires shall give every buyer a sales slip listing:

(i) The type, ply, and size of tire.

(ii) For each repair, the type of repair (such as spot or sectional), and

(iii) The price for each repair and the total for all repairs made.

(g) *Records.* Notwithstanding the provisions of section 11 of this regulation, every person engaged in the business of selling or recapping tires or tubes shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of every sale of tires or tubes and of every recapping and repairing operation performed showing all of the items listed under (1) and the appropriate items listed under (2) for the commodity or services involved. If more than one article is included in a transaction, only one record is required for that transaction, provided that it contains the specified information for each article.

(1) *General items for each record.*

(i) Date of sale.

(ii) Name and address of buyer.

(iii) Size, type and quantity of tires or tubes.

(iv) Price.

(2) *Particular items for each record.*

(i) *New tires or tubes.* Brand name and ply.

(ii) *Used tires and tubes.* Whether the tire is sound, unrepaired or unsound, whether it is a tire with a continuous tread design, a smooth tire, or a basic tire carcass; and whether the tube is sound or unrepaired.

(iii) *Recapped tires or recapping.* Grade of camelback used and type of tread applied, specifying whether it is passenger car, conventional truck and bus, mud and snow or motorcycle.

(iv) *Repairing of tires.* Type of repair (spot or sectional).

APPENDIX A—MAXIMUM RETAIL PRICES FOR NEW TIRES AND TUBES

(a) *Passenger car and motorcycle tires and tubes*—(1) *Synthetic rubber tires and tubes.* The prices set forth in Tables A–I and A–II are the maximum retail prices for new synthetic rubber passenger car and motorcycle tires and tubes of the sizes and plies listed in those tables. A "Synthetic rubber" tire or tube means a tire or tube which contains any synthetic rubber and which is marked with the symbol designated by the War Production Board, Office of Rubber Director, to identify it as containing synthetic rubber. The symbol is an "S3" in the case of tires, and a colored circumferential band in the case of tubes.

(2) *Natural rubber tires and tubes other than Exhibit C.* The prices set forth in brand owners' retail price lists in effect on February 1, 1944, shall be the maximum retail prices for the new natural rubber passenger car and motorcycle tires and tubes listed in such price lists. If the prices set forth in such lists for passenger car tires and tubes do not include the 16 per cent increase resulting from the Dealer Tire Return Plan, that amount may be added to such prices.

(3) *Exhibit C—tires and tubes.* The retail prices set forth in Exhibit C, filed by manufacturers or distributors in April 1942 with the Office of Price Administration, shall be the maximum retail prices for the new natural rubber passenger car tires or tubes listed in such exhibits. Information concerning these prices can usually be obtained from the brand owner of the tire or tube, or it will be furnished upon request by the Office of Price Administration, Honolulu, T. H.

(4) *Reclaimed rubber war tires.* The prices set forth in Table A–III are the maximum retail prices for new passenger car reclaimed rubber war tires of a size and ply listed in that table. A "reclaimed rubber war tire" means a passenger car tire which has been manufactured primarily of reclaimed rubber under restrictions of the War Production Board and which has the words "War Tire" marked on the sidewall.

(b) *Tires and tubes other than passenger car and motorcycle.* (1) The prices set forth in Tables A–IV and A–V are the maximum retail prices for new tires and tubes (other than passenger car and motorcycle) of a type, size and ply listed in such tables, whether constructed from natural, synthetic or reclaimed rubber.

(2) For tires or tubes not listed in Tables A–IV and A–V, the prices set forth in brand owners' retail price lists in effect on February 1, 1944, shall be the maximum retail prices for new tires and tubes (other than passenger car and motorcycle) of the types, sizes and plies listed in such price lists.

(c) *Factory second tires and tubes.* Notwithstanding the provisions of paragraphs (a) and (b), the maximum retail prices for factory second tires and tubes shall be determined by deducting the following minimum discounts from the maximum retail price which would apply if the tire or tube were not a factory second:

	Percent
All tubes	25
Passenger car tires	25
All other tires	20

"Factory second" means a new tire or tube from which the brand name has been removed by the manufacturer or brand owner or upon which the manufacturer or brand owner has placed a special identifying mark to indicate that he has found it to be defective in his final inspection.

(d) *Tires and tubes which cannot be priced under paragraphs (a), (b) or (c).* The maximum retail price for a new tire or tube which cannot be priced under paragraphs (a), (b) or (c), shall be a price consistent with the level of maximum prices otherwise fixed by this regulation, specifically authorized by the Office of Price Administration. Notwithstanding any other provision of this section, new synthetic special purpose tubes shall also be priced under this paragraph.

No seller may offer for sale a tire or tube covered by this paragraph until a maximum retail price has been approved by the Office of Price Administration. Applications for maximum retail prices under this paragraph may be filed by any seller, including the manufacturer or distributor of a tire or tube. Such applications must be filed with the Office of Price Administration, Honolulu, T. H., and must contain the following information:

[15] 10 F.R. 741, 2082.

[16] 9 F.R. 14944; 10 F.R. 739, 1146, 2080, 2517.

[17] 9 F.R. 4286, 7260, 12270, 14724; 10 F.R. 3013.

[18] 10 F.R. 2097, 2250.

[19] 8 F.R. 8854; 9 F.R. 4945.

[20] 10 F.R. 2726, 4600.

(1) A description of the tire or tube for which a maximum retail price is sought, including the type, brand name, size, number of plies and construction.

(2) A statement of the reasons why the tire or tube cannot be priced under paragraphs (a), (b) or (c) of this Appendix A.

(3) A proposed maximum retail price, a description of the proposed pricing method, and a statement of the reasons why the seller believes that the use of this method will result in a maximum retail price which is consistent with the level of maximum prices fixed by this section.

The Director of the Office of Price Administration for the Territory of Hawaii may approve or disapprove, and may at any time after approval correct maximum retail prices proposed or established under this paragraph so as to make them consistent with the level of prices otherwise established by this section. If approval of a maximum wholesale price is required, application must be made in accordance with the provisions of section 7 of Revised Maximum Price Regulation 148, and in connection with the approval or correction of maximum wholesale prices under Revised Maximum Price Regulation 148, the Director of the Office of Price Administration for the Territory of Hawaii may issue orders establishing maximum retail prices.

(c) *Definitions.* (1) "Truck and bus type of tire" means a tire of a type generally recognized as designed primarily for ordinary "on the road" use on trucks or busses.

(2) "Stop-start type of tire" means a tire having an extra heavy tread of a type generally recognized as designed primarily for city commercial use on trucks or busses.

(3) "Mud and snow type of tire" means a tire having a tread of a deep-cut, cleated type generally recognized as designed primarily for "on the road" use on trucks for traction through mud, snow, sand, or soft earth.

(4) "Farm implement type of tire" means a tire which has the word "implement" or the name of a type of farm equipment, other than a tractor or combine, molded into the sidewall of the tire by the manufacturer.

(5) "Farm tractor type of tire" means a tire of a type generally recognized as designed primarily for use on the front or rear wheel of a farm tractor, including rear tires designed for use on either wide or narrow base rims.

(6) Special purpose tube means a rubber tube designed to be puncture resisting by the use of an extra layer or layers of soft rubber or plastic material or by the use of dual tube construction, such special purpose tube being similar in type and construction to the brands listed in footnote 1 to Table B-VII of Appendix B of this section.

TABLE A-I—MAXIMUM RETAIL PRICES FOR NEW SYNTHETIC RUBBER PASSENGER CAR TIRES AND TUBES

Tire and tube size [1]	4-ply tire price [2]	6-ply tire price [3]	Tube price
4.75–19	$13.35	$15.80	$2.80
4.75–21	12.60		2.80
4.75/5.00–19	12.65	15.40	2.95
4.75/5.00/5.25–20	13.35		2.80
4.75/5.00/5.25–21	12.95		3.05
5.00–15	11.75		2.80
5.00–16	11.65		2.65
5.00–17	12.75		2.75
5.00–19	12.35	15.40	2.95
5.00–20	13.35	16.65	2.80
5.00–21	12.60		2.95
5.00–22	12.45		3.05
5.00/5.25–20	13.45		3.60
5.00/5.25–21	10.85		3.95
5.25–12		20.15	
5.25–17	14.75	18.40	3.00
5.25–18	14.45	19.85	2.75
5.25–19	15.80	19.70	3.50
5.25–20	16.45	20.50	3.90
5.25–21	16.95	21.15	3.95
5.25/5.50–17	14.75	18.40	3.50
5.25/5.50–18	14.45	19.85	2.75
5.25/5.50–19	15.05	22.30	3.50
5.25/5.50–20	18.25	20.50	3.80
5.50–16	14.20	17.80	3.05
5.50–17	14.75	18.40	3.50
5.50–18	15.10	19.85	DC 3.75 FB 3.50
5.50–19	17.05	22.30	3.50
5.50–20	18.25	22.70	3.80
5.50/6.00–17	14.75		3.90
5.50/6.00–18	15.40		FB 3.50
5.50/6.00–19	17.05		3.50
5.50/6.00/6.50–20	18.25		3.80
5.75–16			3.05
6.00–16	16.05	20.10	3.05
6.00–17	17.10	22.50	3.30
6.00–18	18.80	23.50	DC 3.50 FB 3.50
6.00–19	19.25	23.95	3.50
6.00–20	19.60	22.80	3.80
6.00–21	20.35	25.20	3.80
6.00–22		25.10	3.65
6.00–23		26.95	3.65
6.00/6.25–16	16.05	20.10	3.65
6.00/6.50–17	17.40	22.30	3.90
6.00/6.50–18	18.80	23.50	3.50
6.00/6.50–19		23.95	3.50
6.00/6.50–20		22.95	3.50
6.00/6.50–21		24.65	4.05
6.25–16	18.10	22.70	3.65
6.25/6.50–16	19.50	24.45	4.30
6.50–15	19.05	23.85	4.25
6.50–16	19.50	24.45	4.30
6.50–17	17.50	22.50	3.50
6.50–18	19.30	23.50	3.50
6.50–19	19.20	23.95	3.50
6.50–20		24.65	4.05
6.50–21			4.05
6.50/7.00–17		26.50	4.40
6.50/7.00–18		25.05	4.40
6.50/7.00–19		27.00	4.40
7.00–15	21.55	26.95	4.30
7.00–16	22.10	27.05	4.30
7.00–17	23.50	29.75	4.40
7.00–18	24.95	31.05	4.40
7.00–19	25.50	31.85	4.40
7.00–20	26.35	32.95	4.05
7.00–21		33.75	5.00
7.50–16	28.05	35.10	5.20
7.50–17		40.45	4.40
7.50–18		41.40	4.40
7.50–19		41.65	4.60
8.25–15	30.65		4.95
8.25–16		40.55	4.75
30 x 3	7.30		2.60
30 x 3½	10.25	11.45	2.90
31 x 4	12.35		3.60
32 x 4	12.60		3.60
32 x 4½		24.50	4.60
33 x 4½		25.95	4.60
14" Jumbo		36.20	6.25
15" Jumbo		39.50	6.70

TABLE A-II—MAXIMUM RETAIL PRICES FOR NEW SYNTHETIC RUBBER MOTORCYCLE TIRES AND TUBES

Tire and tube size [1]	2-ply tire price	4-ply tire price	Tube price
3.50–18	$8.80	$9.25	$1.85
3.50–18			1.85
3.85–18	10.00	10.45	2.20
3.85–18		11.30	2.20
4.00–18	10.25	10.75	2.20
4.00–19	10.45	11.05	2.20
4.50–18	11.05	11.75	2.20
4.50–19	11.45	12.00	2.20
5.00–16	12.40	13.00	2.30

[1] The maximum price of a combination size tube shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

TABLE A-III—MAXIMUM RETAIL PRICES FOR NEW PASSENGER CAR RECLAIMED RUBBER WAR TIRES

Tire size:	4-ply tire price
7.00–15	$17.80
6.00–16	13.25
6.25/6.50–16	16.65
7.00–16	18.25
5.25/5.50–17	12.20
5.25/5.50–18	11.10
4.75/5.00–19	9.95
4.50/4.75/5.00–20	11.05
4.40/4.50–21	9.90
30 x 3½	8.45

TABLE A-IV—MAXIMUM RETAIL PRICES FOR NEW TRUCK AND BUS, STOP-START AND MUD AND SNOW TREAD TIRES AND TUBES

Tire and tube size [1]	Stop-start size	No. ply	Truck and bus tire price [2]	Stop-start tire price [3]	Mud and snow tire price [3]	Tube price
5.25/5.50–17	11	6	$18.70	$22.05		$3.65
5.50–17		6	18.70			3.65
6.00–16	10	6	20.95	23.10	$22.00	3.90
6.00–16		8	26.30			3.90
6.00–17		6	23.25			3.80
6.00–20	11	6	24.00	29.75	27.20	4.15
6.00–20 32 x 6	17	8	37.70	36.40	29.05	4.15
6.00–20		10	37.10			4.15
6.00/6.50–20		6	24.05			4.05
6.25/6.50–16		6			25.45	4.05
6.50–16	13	6	24.20	26.60	25.45	4.05
6.50–17		6	26.40			5.80
6.50–18		6	28.00			5.80
6.50–20		6	28.60		29.40	5.00
6.50–20 32 x 6	19	8	35.30	47.55	37.60	4.10
15" Special		6	24.60		25.80	4.10
15" Special		8	28.05			4.10
7.00–15	16	8	28.40	33.60	29.80	4.50
7.00–15		8	31.20			4.50
7.00–16	15	6	29.60	31.80	30.50	4.05
7.00–16	15	8	31.90	34.95		4.05
7.00–17		6	32.95		34.55	4.75
7.00–17			35.55		37.30	4.75
7.00–17	20	10		50.60		4.80
7.00–18		8	35.80			6.80
7.00–20	19	8	36.10	47.55	38.25	6.80

[1] The maximum price of a combination size tube shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

[2] The maximum price of a rayon truck tire shall be 112½% of the maximum price of a cotton truck tire of the same type, size and ply.

TABLE A-V—MAXIMUM RETAIL PRICES FOR NEW FARM IMPLEMENT AND FARM TRACTOR FRONT TIRES AND TUBES

Tire and tube size [1]	Ply	Farm implement tire price	Farm tractor front tire price	Tube price
3.00–7	2	$4.60	$7.60	$1.30
3.00–7	4	5.80	9.55	1.55
3.50–12	4	6.30		1.65
4.00–7	4	6.90	8.30	1.65
4.00–8	4	6.90	10.05	1.65
4.00–12	4	8.60		1.75
4.00–15	4	10.70	11.55	1.80
4.00–18	4	12.15	11.95	1.90
4.00–19	4	12.65		1.90
4.00–36	4	25.05		3.55
4.75–15	4	10.95	10.05	1.85
5.00–15	4	11.15	11.55	1.90
5.00–16	4	11.35	11.95	1.90
5.00–21	4	15.85		2.65
5.00–30	4	20.80		3.30
5.00–40	4	27.15		4.30
5.25–21	4	16.15		2.70
5.50–15	4	12.80	12.05	2.00
5.50–16	4	13.05	12.45	2.00
5.50–17	4	13.30	12.85	2.00
5.50–18	4	13.55	13.25	2.00
5.50–19	4	13.80	13.70	2.00
5.50–20	4	14.05	14.05	2.00
5.50–21	4	14.30	14.45	2.00
5.50–22	4	14.55	14.85	2.00
5.50–23	4	14.80	15.25	2.00
5.50–24	4	15.05	15.65	2.00
5.50–36	4	25.05		3.55
6.00–12	4	12.50	12.05	2.00
6.00–15	4	14.30	12.45	2.00
6.00–16	4	14.70	12.85	2.00
6.00–18	4	15.05	13.25	2.00
6.00–19	4	15.35	13.70	2.00
6.00–20	4	15.65	14.05	2.00
6.00–21	4	15.95	14.45	2.00
6.00–24	4	16.85	15.65	2.00
6.00–36	4	25.05		3.55
6.50–15	4	13.95	12.45	2.00
6.50–16	4	14.30	12.85	2.00
6.50–18	4	14.95	13.25	2.00
6.50–20	4	15.65	14.05	2.00
6.50–24	4	16.85	15.65	2.00
7.00–15	4	15.05	13.25	2.00
7.00–16	4	15.35	13.70	2.00
7.00–18	4	15.95	14.45	2.00
7.00–20	4	16.70	15.25	2.00
7.00–24	4	17.95	16.70	2.00
8.25–20	4	18.95	17.45	2.00
8.25–24	4	20.40	18.95	2.00
9.00–20	4	20.40	18.95	2.00
9.00–24	4	22.10	20.55	2.00
10.00–20	4	22.10	20.55	2.00
10.00–24	4	23.95	22.25	2.00
11.25–24	4	26.75	24.85	2.00
12.00–24	4	28.55	26.55	2.00
13.00–24	4	30.35	28.25	2.00
14.00–24	4	32.15	29.90	2.00
15.00–24	4	33.95	31.60	2.00
16.00–24	4	35.75	33.25	2.00
18.00–24	4	39.30	36.55	2.00
20.00–24	4	42.90	39.90	2.00
21.00–24	4	46.45	43.20	2.00
24.00–32	4	51.80	48.20	2.00
30.00–40	4	61.50	57.20	2.00
3.00–7	6	$5.20	$8.20	$1.40
3.50–7	6	6.15	9.15	1.45
3.50–12	6	6.80		1.55
4.00–7	6	6.90	9.15	1.55
4.00–8	6	6.90	9.15	1.55
4.00–12	6	9.65		1.65
4.00–15	6	11.95	12.80	1.70
4.00–18	6	13.55	13.20	1.80
4.00–19	6	14.15		1.80
4.00–36	6	28.10		3.45
4.75–15	6	12.25	11.15	1.75
5.00–15	6	12.45	12.80	1.80
5.00–16	6	12.70	13.20	1.80
5.00–18	6	13.15	13.70	1.80
5.00–19	6	13.40	14.15	1.80
5.00–20	6	13.70	14.60	1.80
5.00–21	6	14.00	15.00	1.80
5.00–22	6	14.25	15.40	1.80
5.00–23	6	14.50	15.80	1.80
5.00–24	6	14.75	16.25	1.80
5.00–36	6	28.10		3.45
5.25–21	6	15.85		2.55
5.50–15	6	13.95	12.80	1.90
5.50–16	6	14.30	13.20	1.90
5.50–17	6	14.60	13.70	1.90
5.50–18	6	14.95	14.15	1.90
5.50–19	6	15.25	14.60	1.90
5.50–20	6	15.55	15.00	1.90
5.50–21	6	15.85	15.40	1.90
5.50–22	6	16.15	15.80	1.90
5.50–23	6	16.45	16.25	1.90
5.50–24	6	16.75	16.70	1.90
6.00–12	6	12.50	12.05	1.90
6.00–15	6	14.30	12.80	1.90
6.00–16	6	14.70	13.20	1.90
6.00–18	6	15.05	13.70	1.90
6.00–19	6	15.35	14.15	1.90
6.00–20	6	15.65	14.60	1.90
6.00–21	6	15.95	15.00	1.90
6.00–24	6	16.85	16.25	1.90
6.00–36	6	28.10		3.45
6.50–15	6	14.30	12.80	1.90
6.50–16	6	14.70	13.20	1.90
6.50–18	6	15.35	13.70	1.90
6.50–20	6	16.05	14.60	1.90
6.50–24	6	17.25	16.25	1.90
7.00–15	6	15.45	13.70	1.90
7.00–16	6	15.75	14.15	1.90
7.00–18	6	16.35	14.95	1.90
7.00–20	6	17.10	15.70	1.90
7.00–24	6	18.40	17.15	1.90
8.25–20	6	19.40	17.90	1.90
8.25–24	6	20.85	19.40	1.90
9.00–20	6	20.85	19.40	1.90
9.00–24	6	22.60	21.00	1.90
10.00–20	6	22.60	21.00	1.90
10.00–24	6	24.50	22.70	1.90
11.25–24	6	27.35	25.35	1.90
12.00–24	6	29.20	27.15	1.90
13.00–24	6	31.05	28.85	1.90
14.00–24	6	32.85	30.55	1.90
15.00–24	6	34.70	32.25	1.90
16.00–24	6	36.55	33.90	1.90
18.00–24	6	40.20	37.25	1.90
20.00–24	6	43.85	40.60	1.90
21.00–24	6	47.45	43.90	1.90
24.00–32	6	52.95	49.00	1.90
30.00–40	6	62.90	58.20	1.90
3.00–7	8	$6.30	$8.20	$1.40
3.50–7	8	7.45	9.15	1.45
3.50–12	8	7.75		1.55
4.00–7	8	7.75	9.15	1.55
4.00–8	8	7.75	9.15	1.55
4.00–12	8	10.80		1.65
4.00–15	8	13.40	12.80	1.70
4.00–18	8	15.20	13.20	1.80
4.00–19	8	15.85		1.80
4.00–36	8	31.50		3.45
4.75–15	8	13.75	11.15	1.75
5.00–15	8	13.95	12.80	1.80
5.00–16	8	14.25	13.20	1.80
5.00–18	8	14.75	13.70	1.80
5.00–19	8	15.05	14.15	1.80
5.00–20	8	15.35	14.60	1.80
5.00–21	8	15.70	15.00	1.80
5.00–22	8	15.95	15.40	1.80
5.00–23	8	16.25	15.80	1.80
5.00–24	8	16.55	16.25	1.80
5.00–36	8	31.50		3.45
5.25–21	8	17.80		2.55
5.50–15	8	15.65	12.80	1.90
5.50–16	8	16.05	13.20	1.90
5.50–17	8	16.40	13.70	1.90
5.50–18	8	16.75	14.15	1.90
5.50–19	8	17.15	14.60	1.90
5.50–20	8	17.50	15.00	1.90
5.50–21	8	17.80	15.40	1.90
5.50–22	8	18.15	15.80	1.90
5.50–23	8	18.50	16.25	1.90
5.50–24	8	18.85	16.70	1.90
6.00–12	8	12.50	12.05	1.90
6.00–15	8	16.05	12.80	1.90
6.00–16	8	16.45	13.20	1.90
6.00–18	8	16.90	13.70	1.90
6.00–19	8	17.25	14.15	1.90
6.00–20	8	17.60	14.60	1.90
6.00–21	8	17.95	15.00	1.90
6.00–24	8	18.95	16.25	1.90
6.00–36	8	31.50		3.45
6.50–15	8	16.05	12.80	1.90
6.50–16	8	16.45	13.20	1.90
6.50–18	8	17.25	13.70	1.90
6.50–20	8	18.05	14.60	1.90
6.50–24	8	19.40	16.25	1.90
7.00–15	8	17.35	13.70	1.90
7.00–16	8	17.70	14.15	1.90
7.00–18	8	18.40	14.95	1.90
7.00–20	8	19.25	15.70	1.90
7.00–24	8	20.70	17.15	1.90
8.25–20	8	21.80	17.90	1.90
8.25–24	8	23.40	19.40	1.90
9.00–20	8	23.40	19.40	1.90
9.00–24	8	25.40	21.00	1.90
10.00–20	8	25.40	21.00	1.90
10.00–24	8	27.50	22.70	1.90
11.25–24	8	30.65	25.35	1.90
12.00–24	8	32.75	27.15	1.90
13.00–24	8	34.85	28.85	1.90
14.00–24	8	36.85	30.55	1.90
15.00–24	8	38.90	32.25	1.90
16.00–24	8	41.00	33.90	1.90
18.00–24	8	45.10	37.25	1.90
20.00–24	8	49.10	40.60	1.90
21.00–24	8	53.25	43.90	1.90
24.00–32	8	59.40	49.00	1.90
30.00–40	8	70.25	58.20	1.90
3.00–7	10	$7.10	$8.20	$1.40
3.50–7	10	8.40	9.15	1.45
4.00–7	10	8.60	9.15	1.55
4.00–8	10	8.60	9.15	1.55
4.00–12	10	12.05		1.65
4.00–15	10	14.95	12.80	1.70
4.00–18	10	16.95	13.20	1.80
4.00–19	10	17.70		1.80
4.00–36	10	35.15		3.45
4.75–15	10	15.35	11.15	1.75
5.00–15	10	15.55	12.80	1.80
5.00–16	10	15.90	13.20	1.80
5.00–18	10	16.45	13.70	1.80
5.00–19	10	16.80	14.15	1.80
5.00–20	10	17.15	14.60	1.80
5.00–21	10	17.55	15.00	1.80
5.00–22	10	17.80	15.40	1.80
5.00–23	10	18.15	15.80	1.80
5.00–24	10	18.50	16.25	1.80
5.00–36	10	35.15		3.45
5.25–21	10	19.85		2.55
5.50–15	10	17.45	12.80	1.90
5.50–16	10	17.90	13.20	1.90
5.50–17	10	18.25	13.70	1.90
5.50–18	10	18.70	14.15	1.90
5.50–19	10	19.10	14.60	1.90
5.50–20	10	19.50	15.00	1.90
5.50–21	10	19.85	15.40	1.90
5.50–22	10	20.25	15.80	1.90
5.50–23	10	20.60	16.25	1.90
5.50–24	10	21.00	16.70	1.90
6.00–12	10	12.50	12.05	1.90
6.00–15	10	17.90	12.80	1.90
6.00–16	10	18.30	13.20	1.90
6.00–18	10	18.80	13.70	1.90
6.00–19	10	19.20	14.15	1.90
6.00–20	10	19.60	14.60	1.90
6.00–21	10	20.00	15.00	1.90
6.00–24	10	21.00	16.25	1.90
6.00–36	10	35.15		3.45
6.50–15	10	17.85	12.80	1.90
6.50–16	10	18.25	13.20	1.90
6.50–18	10	19.05	13.70	1.90
6.50–20	10	19.90	14.60	1.90
6.50–24	10	21.40	16.25	1.90
7.00–15	10	19.85	13.70	1.90
7.00–16	10	20.25	14.15	1.90
7.00–18	10	21.05	14.95	1.90
7.00–20	10	21.95	15.70	1.90
7.00–24	10	23.55	17.15	1.90
8.25–20	10	24.90	17.90	1.90
8.25–24	10	26.70	19.40	1.90
9.00–20	10	26.70	19.40	1.90
9.00–24	10	28.75	21.00	1.90
10.00–20	10	28.75	21.00	1.90
10.00–24	10	31.00	22.70	1.90
11.25–24	10	34.65	25.35	1.90
12.00–24	10	37.00	27.15	1.90
13.00–24	10	39.35	28.85	1.90
14.00–24	10	41.65	30.55	1.90
15.00–24	10	43.95	32.25	1.90
16.00–24	10	46.30	33.90	1.90
18.00–24	10	50.95	37.25	1.90
20.00–24	10	55.50	40.60	1.90
21.00–24	10	60.15	43.90	1.90
24.00–32	10	67.10	49.00	1.90
30.00–40	10	79.35	58.20	1.90

[1] The maximum price of a combination size tube shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

(2) Farm tractor rear tires and tubes.[2]

Tire and tube size	Ply	Tube price
5.20	4	$2.85
5.20	6	3.25
6.00	4	3.45
6.00	6	3.65
6.50	4	3.55
6.50	6	3.65
7.50	4	4.05
7.50	6	4.25
9.00	4	5.25
9.00	6	5.35
10.00	4	6.25
10.00	6	6.35

[2] The maximum price of a farm tractor rear tire or tube carrying the marking conventional and wide-base shall be determined by the wide-base size marking. The maximum price of such a tire or tube carrying only a conventional (narrow base) marking shall be the maximum price of a farm implement tire or tube of the same size.

TABLE A–V—Continued.

Tire and tube size	Ply	Tire price	Tube price
5.50–18	4	$40.95	$6.05
6.00–16	4	42.15	7.45
6.00–18	4	48.15	8.05
6.00–19	4	50.40	8.45
6.00–20	6	57.95	8.45
6.00–21	4	52.45	8.85
6.00–24	4	41.40	6.90
6.00–24	4	47.10	6.90
6.00–24	4	44.15	7.05
6.00–24	4	47.45	8.40
6.00–24	4	57.55	10.00
6.00–24	4	60.50	10.45
6.00–24	6	70.05	10.45
6.00–24	4	49.70	9.50
6.00–24	6	57.95	9.50
6.00–24	4	53.80	9.80
6.00–24	6	62.10	9.80
6.00–24	4	54.20	10.20
6.00–24	4	62.05	11.75
6.00–24	6	72.55	11.75
6.00–24	4	69.10	12.55
6.00–24	6	79.45	12.55
6.00–24	4	72.95	13.10
6.00–24	6	86.45	13.10
6.00–24	4	84.60	10.85
6.00–24	6	97.15	11.50
6.00–24	6	70.65	11.25
6.00–24	4	84.05	14.25
6.00–24	6	85.05	15.35
6.00–24	6	85.10	LP 11.30
6.00–24	4	62.70	10.50
6.00–24	6	73.05	10.50
6.00–24	6	75.05	13.50
6.00–24	4	86.45	13.10
6.00–24	4	68.50	11.85
6.00–24	6	80.15	11.85
6.00–24	6	87.60	15.20
6.00–24	4	77.05	14.25
6.00–24	6	90.75	14.25
6.00–24	4	86.00	15.25
6.00–24	6	101.50	15.25
6.00–24	6	89.50	12.45
6.00–24	6	98.70	15.80
6.00–24	6	109.25	20.30
6.00–24	6	108.55	17.00
6.00–24	6	124.85	21.15
6.00–24	6	100.05	11.45
6.00–24	6	110.80	13.85
6.00–24	6	119.70	17.00

APPENDIX B—MAXIMUM PRICES FOR THE SALE AND PURCHASE OF USED TIRES AND TUBES

(a) *Maximum prices for the sale of used tires and tubes*—(1) *Sound used tires.* The maximum prices for sound used tires are the prices set forth in Tables B–I to B–IV, inclusive. However, in no case shall the maximum price of a sound used recapped tire exceed the maximum price of the same tire newly recapped. A tire is "sound" if it has not been damaged to the extent that it is in need of repair or if it has been repaired with vulcanized repairs in compliance with the minimum quality specifications in Appendix E.

(2) *Unrepaired used tires that can be made sound.* The maximum prices for unrepaired used tires that can be made sound are the prices set forth in Tables B–I to B–IV, inclusive, less the deductions set forth in such tables for the repairs needed by the tires being sold. However, the maximum prices of such unrepaired tires shall in no case be less than the maximum prices for unsound tires set forth in Table B–V.

(3) *Unsound used tires.* A used tire is "unsound" if it cannot be repaired with vulcanized repairs but can be made usable with cold or emergency repairs such as cold patches, boots and reliners. The maximum prices for unsound used tires shall be:

(i) *When sold unrepaired.* The maximum prices are the prices set forth in Table B–V.

(ii) *When sold repaired.* The maximum price for an unsound used tire which has been repaired shall be the maximum price in Table B–V plus the seller's maximum price for each repair performed. However, the maximum price for such a tire shall in no case exceed the maximum price of a sound basic tire carcass of the same size and type as set forth in Tables B–II and B–IV.

(4) *Sound used tubes.* The maximum prices for sound used tubes are the prices set forth in Tables B–VI and B–VII. A tube is "sound" if it has not been damaged to the extent that it is in need of repair or if it has been repaired in accordance with the minimum quality specifications in Appendix E.

(5) *Unrepaired used tubes.* The maximum prices for unrepaired used tubes are the prices set forth in Tables B–VI and B–VII, less the deductions set forth in such tables for the repairs needed by the tubes being sold. In the case of unrepaired used special purpose tubes, the seller shall deduct the total of his maximum prices for the repairs needed by the tube being sold. However, the maximum prices of unrepaired tubes shall in no case be less than the prices set forth in Table B–VIII.

(6) *Maximum prices where minimum quality specifications are not met.* (i) The maximum prices for sound used tires and tubes which have been made sound by repairs apply only when the repairing complies with the minimum quality specifications set forth in Appendix E.

(ii) If any such repair does not comply with the minimum quality specifications in Appendix E, then as to the repair which does not so comply, the tire or tube shall be considered an unrepaired used tire or tube and shall be priced as such under subparagraph (2) or (5).

(7) *Sales on a per ton basis.* (i) The maximum prices fixed by the other paragraphs of this appendix are on a per tire or a tube basis. Used tires and tubes may not be sold at a bulk price unless the seller has applied for and received approval under this subparagraph (7) to make sales of used tires or tubes at per ton prices.

(ii) A seller who wishes to sell used tires on a per ton basis, or used tubes on a per ton basis, must file with the Office of Price Administration, Honolulu, T. H., an application for approval of his proposed per ton price. (Note: This paragraph applies only to used tires or tubes and no applications will be approved under this paragraph for sales of mixed lots of used and scrap tires or tubes. Sales of mixed lots of scrap and used tires and tubes shall be considered sales of scrap tires or tubes if the used tires or tubes are not segregated from the scrap). The application must include the following information:

(*a*) A statement as to whether his application covers used tires or used tubes, and the source of supply of the used tires or tubes.

(*b*) The number of tons involved, and the number and percent in weight of passenger car tires or tubes, and the number and percent in weight of truck and bus tires or tubes.

(*c*) For passenger car sizes, the range of sizes, the predominating size or sizes, the percent usable as is, and the percent which can be made usable with repairs.

(*d*) For truck and bus sizes, the range of sizes, the predominating size or sizes, the percent usable as is, and the percent which can be made usable with repairs.

(*e*) The proposed per ton price, and the reasons why the seller believes such price is consistent with the level of maximum prices fixed by this appendix.

(iii) The maximum per ton price under this paragraph shall be a price consistent with the level of maximum prices fixed by this appendix, specifically approved by the Office of Price Administration. The seller may not offer to sell used tires or used tubes at a per ton price (unless specifically authorized to do so by the Office of Price Administration) until the Director of the Office of Price Administration for the Territory of Hawaii has approved a maximum per ton price. The proposed maximum price, however, shall be deemed to be approved unless within twenty days after the mailing of the application (or within twenty days after the mailing of any additional information which may have been requested), the Director of the Office of Price Administration for the Territory of Hawaii notifies the seller that his proposed maximum per ton price has been disapproved or that action thereon has been deferred pending receipt of further information. Within this period, the Office of Price Administration may, if it is deemed necessary, have an inspection of the used tires or used tubes made by one of its representatives. The Director of the Office of Price Administration for the Territory of Hawaii may approve or disapprove, and may at any time after approval correct maximum prices proposed or established under this paragraph so as to make them consistent with the level of maximum prices fixed by this appendix.

(b) *Maximum prices for purchases of used tires and tubes by dealers from consumers.* The maximum prices for purchases of used tires by dealers from consumers shall be 75% of the prices set forth in Tables B–I to B–IV, inclusive; the maximum prices for purchases of used tubes by dealers from consumers shall be 75% of the prices set forth in Tables B–IV to B–VII, inclusive.

(c) *Definitions.* (1) "Tires with continuous tread design" mean tires not worn smooth for four or more consecutive inches in any direction, except regrooved or remolded tires.

(2) "Smooth tires" mean tires worn smooth for four or more consecutive inches in any direction, but not worn to the breaker strip at any point, and regrooved and remolded tires.

(3) "Basic tire carcasses" mean tires which should be recapped. Tires that should be recapped are:

(i) Worn to the breaker strip at any point.

(ii) If passenger car tires, not worn through more than one body ply at any point. Moreover, if worn into body ply, the worn spot must not exceed a total length of four inches in any direction.

(iii) If truck or bus tires, not worn through more than two body plies at any point. Moreover, if worn into body plies, the worn spot must not exceed a total length of four inches in any direction.

(4) "Limited service tires" are unsound tires not eligible for recapping and yet sound enough to warrant usage for limited service.

(5) "Unsound tires" include tires other than "limited service tires" which have any of the following:

(i) Ply separation.

(ii) Broken or exposed bead wires.

(iii) Breaks in the bead reinforcement plies.

(iv) Breaks or cuts in the carcass longer than half the width of the tire cross section.

(6) "Spot repair" means a vulcanized repair which in accordance with recognized commercial practice is applied to such tire damages as: surface blisters, cuts, and other injuries which can be satisfactorily repaired without fabric reinforcement, small injuries to not more than one ply in a four ply tire and to not more than two plies in a six ply tire; small injuries to not more than one-fourth of the total plies in heavier tires.

(7) "Sectional repair" means a vulcanized repair requiring fabric reinforcement which in accordance with recognized commercial practice is applied to such tire damage as breaks or cuts through the entire tire casing, nail holes enlarged by prolonged neglect, or other injuries which do not leave two of the plies sound and uninjured and thus involve ply damage exceeding that to which a reinforcement repair should be applied.

TABLE B–III—USED TRUCK AND BUS TIRES OTHER THAN BASIC TIRE CARCASSES, THAT ARE SOUND OR THAT CAN BE MADE SOUND

Tire size	Ply	Maximum prices for sound tires: Tires with continuous tread design	Maximum prices for sound tires: Smooth tires	Deductions required on unrepaired tires: Each spot repair needed	Deductions required on unrepaired tires: Each sectional repair needed
6.00–15	6	$80.45	$6.30	$2.05	$4.95
6.00–16	6	10.45	7.00	2.05	4.95
6.00–17	6	12.45	7.70	2.05	4.95
6.00–18	6	10.95	7.35	2.05	5.75
6.00–19	6	12.60	8.40	2.75	5.75
6.00–20	6	15.90	10.65	2.75	5.75
6.00–21	6	12.95	8.50	2.75	6.95
6.00–24	6	13.45	9.00	3.00	6.95
7.00–15	6	16.00	10.65	3.00	8.15
7.00–16	6	16.80	11.20	3.00	8.15
7.00–17	6	16.10	10.75	3.00	8.15
7.00–18	6	21.90	14.60	3.00	9.25
7.00–20	6	24.90	16.60	4.15	10.70
7.00–24	6	16.80	11.20	4.15	8.00
7.50–16	6	17.95	11.95	4.15	9.05
7.50–17	6	19.50	13.00	4.15	9.05
7.50–18	6	25.05	16.65	4.15	10.70
7.50–18	8	31.80	21.20	4.15	9.05
7.50–20	6	28.20	18.80	4.15	11.60
7.50–20	8	29.00	19.35	4.15	10.70
7.50–24	6	28.20	18.80	4.15	11.60
8.25–15	6	20.45	13.65	4.15	12.75
8.25–18	6	25.60	17.05	4.15	11.60
8.25–20	6	34.40	22.90	4.15	11.60
8.25–22	6	36.45	24.30	4.15	10.05
9.00–15	6	26.15	17.45	4.15	13.75
9.00–18	6	32.75	21.85	4.15	12.45
9.00–20	6	42.25	28.15	4.15	13.75
9.00–22	6	30.65	20.45	4.15	15.75
9.00–24	6	43.95	29.30	4.15	15.75
10.00–15	6	44.90	29.95	4.15	15.75
10.00–18	6	55.45	36.95	4.15	16.95
10.00–20	6	55.45	36.95	4.15	16.95
10.00–22	6	62.95	41.95	4.15	16.95
10.00–24	6	64.40	42.95	4.15	16.95
11.00–20	6	65.30	43.55	4.15	18.95
11.00–24	6	72.40	48.25	4.15	18.95
12.00–20	6	59.50	39.65	4.15	22.50
12.00–24	6	71.15	47.40	4.15	22.50
13.00–20	6	76.20	50.80	4.15	25.30
13.00–24	6	86.55	57.70	4.15	25.30
14.00–20	6	106.45	70.90	4.15	30.45
14.00–24	6	115.25	76.85	4.15	33.50

TABLE B–II—USED PASSENGER CAR TIRES OTHER THAN BASIC TIRE CARCASSES, THAT ARE SOUND OR THAT CAN BE MADE SOUND

Tire size[1]	Maximum prices for sound tires: Tires with continuous tread design	Maximum prices for sound tires: Smooth tires	Deductions required on unrepaired tires: Each spot repair needed	Deductions required on unrepaired tires: Each sectional repair needed
3.75–18	$3.65	$2.75	$1.50	$2.35
4.00–18	3.50	2.75	1.50	2.35
4.00–19	4.05	3.15	1.50	2.35
4.25–19	3.85	2.75	1.50	2.35
4.40–21	4.10	3.20	1.50	2.35
4.50–20	4.05	3.30	1.50	2.35
4.50–21	4.05	3.30	1.50	2.50
4.75–19	4.85	3.25	1.50	2.75
4.75–21	4.85	3.30	1.50	2.90
5.00–16	4.80	3.25	1.50	2.75
5.00–17	5.20	3.50	1.60	2.75
5.00–19	4.95	3.30	1.50	2.75
5.00–20	4.95	3.30	1.50	2.75
5.00–21	4.95	3.45	1.50	2.75
5.00–22	5.20	3.55	1.50	2.95
5.25–17	5.55	3.75	1.50	2.95
5.25–18	6.75	4.50	1.50	2.95
5.25–19	6.80	4.55	1.50	2.95
5.25–20	6.80	4.60	1.50	2.95
5.25–21	6.90	4.60	1.50	3.20
5.50–17	6.80	4.55	1.50	3.20
5.50–18	6.80	4.70	1.50	3.20
5.50–19	6.80	4.55	1.50	3.20
5.50–20	6.80	4.45	1.50	3.20
6.00–17	6.85	4.60	1.50	3.50
6.00–18	7.75	5.20	1.50	3.50
6.00–19	7.80	5.25	1.50	3.50
6.00–20	9.65	6.45	1.50	3.50
6.00–21	9.65	6.45	1.50	3.50
6.00–22	9.80	6.60	1.50	3.75
6.00–23	9.45	6.45	1.70	3.85
6.00–24	7.90	5.35	1.70	3.85
6.50–15	8.05	5.25	1.70	3.85
6.50–16	8.70	5.90	1.70	3.85
6.50–17	8.80	5.90	1.70	3.85
6.50–18	8.80	5.75	1.70	3.85
6.50–19	9.45	6.45	1.70	4.35
6.50–20	9.15	6.30	1.70	4.35
7.00–15	10.45	7.05	1.70	4.35
7.00–16	12.35	8.20	1.70	4.35
7.00–17	10.60	7.05	1.70	4.35
7.00–18	9.10	6.05	1.70	4.35
7.00–19	11.60	7.75	1.70	5.10
7.00–20	11.00	7.40	2.00	5.10
7.00–21	11.60	7.75	2.00	5.10
7.00–24	16.70	11.15	2.00	5.10
7.50–15	12.35	7.90	2.00	5.10
7.50–16	10.45	7.00	2.00	5.10
7.50–17	12.35	8.20	2.00	5.10
7.50–18	12.35	8.45	2.00	6.55
7.50–19	12.35	8.45	2.00	6.55
8.25–15	16.75	11.20	2.00	6.55

[1] The maximum price for a combination size shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

All limited service tires—maximum price $1.00.

TABLE B-VII—USED SPECIAL PURPOSE TIRES [1]

Tube size:	Maximum prices
4.00-18	$3.00
4.00-19	3.10
4.50-18	3.30
4.50-19	3.40
4.75-19	4.15
4.40 4.50 4.75-21	4.60
5.00-16	3.40
4.75 5.00 5.25-19	4.75
5.00 5.25 17	4.80
5.25-18	4.95
5.50-16	4.70
5.50-17	5.05
5.50 6.00-17	5.45
5.50 6.00-18	5.60
5.50 6.00 19	5.65
5.50 6.00-20 (30 x 5)	8.05
6.00-16	5.45
6.00-20 (30 x 5)	6.70
6.25-18	6.00
6.00 6.25-16	5.45
6.50-15	6.40
7.00-15	6.70
7.00-16	6.90
7.00-17	6.90
7.00-18	7.05
7.00-20 (32 x 6)	8.60
7.00-24	10.25
6.50/7.00-17	7.15
6.50/7.00-18	7.15
7.50-15	7.05
7.50-16	7.20
7.50-17	7.50
7.50-18 (32 x 7)	7.75
7.50-20 (34 x 7)	11.55
7.50-24 (38 x 7)	12.45
7.00 7.50-17	8.55
8.25-16	8.30
8.25-18	11.60
8.25-20	12.25
8.25 22	13.45
8.25-24 (40 x 8)	14.45
9.00-18	14.00
9.00-20 (36 x 8)	14.25
9.00-22	15.50
9.00-24 (40 x 8)	16.70
9.75-20	14.60
9.75-22	15.50
9.75-24	16.70
9.75/10.00-20 (38 x 9)	14.60
9.75/10.00-22	15.50
9.75/10.00-24 (42 x 9)	16.70
10.50-20	16.30
10.50-22	17.40
10.50-24	18.10
10.50/11.00-18	15.45
10.50/11.00-20 (40 x 10)	16.40
10.50/11.00-22	17.50
10.50/11.00-24 (44 x 10)	18.20

[1] Footnote at end of table.

TABLE B-V—USED TRUCK AND BUS TIRES

Type and size	Maximum prices
Passenger car:	
All sizes	$0.25
Truck and bus:	
7.00-18 and smaller	.50
7.00-20 (32 x 6) through 8.25-18	.75
8.25-20 through 10.00-18 (9.75-18)	1.25
10.00-20 (9.75-20) through 11.00-24	1.50
(10.50-24)	
12.00-20 (11.25-20) through 13.00-24	1.50
(12.75-24)	
14.00-20 through 14.00-24	2.00
	3.00

TABLE B-VI—USED TUBES, OTHER THAN SPECIAL PURPOSE TUBES

Brand name	Manufacturer	Tube size	Maximum prices
Puncture Proof	The Firestone Tire & Rubber Co.	11.25-24	$18.50
		11.25 12.00-18	17.00
		11.25 12.00-24	19.00
		12.00-24	20.00
		12.75-24	21.75
		13.00-24	23.00
		12.75 13.00-24	23.00
Life Protectors	The Firestone Tire & Rubber Co.	[1]	
Puncture Proof	The General Tire & Rubber Co.	[1]	
Retain-Air	The General Tire & Rubber Co.	[1]	
Seal-O-Matic	The B. F. Goodrich Co.	[1]	
Air Container	The B. F. Goodrich Co.	[1]	
Quick Seal	The B. F. Goodrich Co. (Brunswick tires and tubes).	[1]	
Quick Seal	The B. F. Goodrich Co. (Diamond tires and tubes).	[1]	
Quick Seal	The B. F. Goodrich Co. (Hood tires and tubes).	[1]	
Quick Seal	The B. F. Goodrich Co. (Miller tires and tubes).	[1]	
Puncture Seal	The Goodyear Tire & Rubber Co.	[1]	
Life Guards	The Goodyear Tire & Rubber Co.	[1]	
Air-Core	The Kelly-Springfield Tire Co.	[1]	
Puncture-Sealing	The Polson Rubber Co.	[1]	
Sealed Air	Selberling Rubber Co.	[1]	
Master Seal	United States Rubber Co.	[1]	

[1] Special purpose tube means any rubber tube of the following brands produced by the following manufacturers:

TABLE B-VIII

Size	Special purpose tubes	All tubes other than special purpose
Passenger car:		
All sizes	$0.75	$0.90
Truck and bus:		
7.00-18 and smaller	.50	.35
7.00-20 (32 x 6) through 8.25-18	1.50	.50
8.25-20 through 10.00-18 (9.75-18)	2.25	.75
10.00-20 (9.75-20) through 11.00-24 (10.50-24)	2.75	.90
12.00-20 (11.25-20) through 13.00-24 (12.75-24)	3.50	1.15
14.00-20 through 14.00-24		1.50

TABLE B-IV—USED TRUCK AND BUS BASIC TIRE CARCASSES THAT ARE SOUND OR THAT CAN BE MADE SOUND

Tire size	Ply	Maximum prices for sound basic tire carcasses	Deductions required on tube-type tire carcasses: Each spot repair needed	Deductions required on tube-type tire carcasses: Each section repair needed
6.00-16	6	$4.30	$0.70	$2.80
6.00-17	6	4.30	.70	2.80
6.00-20 (30 x 5)	6	6.85	1.25	5.00
6.50-16	6	4.45	.70	2.80
6.50-17	6	4.45	.70	2.80
6.50-20 (32 x 6)	6	6.90	1.30	5.20
7.00-15	6	5.00	.80	3.20
7.00-16	6	5.00	.80	3.20
7.00-17	6	5.00	.80	3.20
7.00-18	6	5.00	.80	3.20
7.00-20	6	6.90	1.30	5.20
7.00-24 (32 x 6)	6	8.60	1.60	6.40
7.50-15	6	5.45	.90	3.60
7.50-16	6	5.45	.90	3.60
7.50-17	6	5.45	.90	3.60
7.50-18 (32 x 7)	6	5.45	.90	3.60
7.50-20 (34 x 7)	8	8.60	1.60	6.40
7.50-24 (38 x 7)	8	10.25	1.90	7.60
8.25-15	6	6.30	1.05	4.20
8.25-16	6	6.30	1.05	4.20
8.25-18	6	6.30	1.05	4.20
8.25-20	8	8.60	1.60	6.40
8.25-22	8	8.60	1.60	6.40
8.25-24	8	8.60	1.60	6.40
9.00-15	8	8.60	1.60	6.40
9.00-16	8	8.60	1.60	6.40
9.00-18	8	8.60	1.60	6.40
9.00-20	8	8.60	1.60	6.40
9.00-22	8	8.60	1.60	6.40
9.00-24 (40 x 8)	8	8.60	1.60	6.40
9.75-20	8	8.60	1.60	6.40
9.75-22	8	8.60	1.60	6.40
9.75-24	8	8.60	1.60	6.40
10.00-15 (9.75-15)	8	8.60	1.60	6.40
10.00-16 (9.75-16)	8	8.60	1.60	6.40
10.00-20 (9.75-20)	8	8.60	1.60	6.40
10.00-24 (9.75-24)	8	8.60	1.60	6.40
11.00-20 (10.50-20)	8	8.60	1.60	6.40
11.00-22 (10.50-22)	8	8.60	1.60	6.40
11.00-24 (10.50-24)	8	8.60	1.60	6.40
12.00-20 (11.25-20)	8	8.60	1.60	6.40
12.00-24 (11.25-24)	8	8.60	1.60	6.40
13.00-20 (12.75-20)	8	8.60	1.60	6.40
13.00-24 (12.75-24)	8	8.60	1.60	6.40
14.00-20 (13.50-20)	8	8.60	1.60	6.40
14.00-24 (13.50-24)	8	8.60	1.60	6.40

APPENDIX C—MAXIMUM PRICES FOR RECAPPED TIRES AND RECAPPING

(a) *Retail sales (to a buyer for his use and not for resale)*—(1) *By seller who actually did the recapping*—(i) *Recapping (tire carcass furnished by buyer)*. The maximum prices for recapping tires are the prices set forth in Tables C–I to C–IV, inclusive, for the applicable recapping operations.

(ii) *Recapped tires (tire carcass furnished by seller)*. The maximum price for the sale of a recapped tire is the sum of the maximum price for the applicable recapping operation plus the maximum price set forth in Tables C–I to C–IV, inclusive, for the particular tire carcass which is furnished by the seller.

(2) *By seller who did not do the recapping*—(i) *Recapping (tire carcass furnished by buyer)*. The seller may add to the maximum price fixed by (1) above for this type of sale, the actual transportation expense paid by him in having the tire recapped. If the seller transports the tire himself, he may add to the maximum price fixed by (1), an amount not exceeding the cost of transportation by the common carrier having the lowest rate between the seller's and the actual recapper's shipping points. Where more than one tire is involved in a shipment, each tire may be charged only with its proportionate share of the total transportation expense incurred by the seller, and the total of the amounts added for transportation of all the tires in a shipment shall not exceed the total transportation expense of the seller for that shipment. The amount added for transportation expense must be stated separately from the maximum price.

(ii) *Recapped tires (tire carcass furnished by the seller)*. The maximum prices are those fixed by (1) for this type of sale, and no additional charge may be made for transportation expenses.

(b) *Wholesale sales (to a buyer for resale)*—(1) *Discounts*—(i) *Recapping (tire carcass furnished by buyer)*. The maximum wholesale price for recapping a tire shall be determined by deducting from the applicable maximum prices set forth in Tables C–I to C–IV, inclusive, a discount of at least 20 percent. If the seller had in effect on February 1, 1944, to a buyer of the same class for the same type of recapping a percentage discount greater than 20 percent, he must deduct a percentage discount at least as large as he had in effect on February 1, 1944, to that class of buyer. However, in no case is a discount greater than 35 percent required. If the seller did not have any percentage discount in effect on February 1, 1944, to a buyer of the same class for the same type of recapping, he must determine his percentage discount under subparagraph (3) below.

(ii) *Recapped tires (tire carcass furnished by seller)*. The maximum wholesale price for a recapped tire shall be the maximum price for the recapping service supplied as calculated under (1) above, plus the maximum price set forth in Tables C–I to C–IV, inclusive, for the particular tire carcass which is furnished by the seller. The discount required under (1) above shall not apply to the maximum price for the tire carcass.

(2) *Transportation expenses*. No seller shall require any buyer and no buyer shall be permitted to pay a larger proportion of transportation expense than the seller required buyers of the same class to pay during February 1944 in connection with the delivery of tires for recapping and of recapped tires.

(3) *Sellers who cannot apply (1) or (2) above*. The percentage discounts to be deducted under (1) above, and the proportion of transportation expense to be borne under (2) above, by a seller who cannot make these determinations in accordance with (1) and (2), shall be consistent with those established by this regulation for competitive sellers in the same locality, specifically approved upon application by the seller to the Territorial Office of the Office of Price Administration, Honolulu, T. H. The Director of the Office of Price Administration for the Territory of Hawaii may approve or disapprove and may, at any time after approval, correct discount and transportation provisions proposed or established under this subparagraph (3) so as to bring them into line with the level of such provisions otherwise fixed by this regulation.

(c) *Maximum prices where minimum quality specifications are not met*. (1) The maximum prices fixed by paragraphs (a) and (b) apply only when the recapping of a tire carcass furnished by the buyer of the recapped tire (tire carcass furnished by the seller) comply with the minimum quality specifications set forth in Appendix E.

(2) No charge may be made for recapping a tire carcass furnished by the buyer when the recapping does not comply with the minimum quality specifications in Appendix E.

(3) The maximum price for a recapped tire which does not comply with the minimum quality specifications in Appendix E shall be the maximum price which that tire would have as a used tire under Appendix B if it had not been recapped.

(d) *Definitions*. (1) "Grades A, C, and F camelback" means camelback which complies with the specifications issued by the War Production Board for Grades A, C, and F camelback, respectively.

(2) "Passenger car type of tread" includes any tread of a type generally recognized as designed primarily for use on passenger automobiles.

(3) "Conventional truck and bus type of tread" includes any tread of a type generally recognized as designed primarily for ordinary "on the road" use on trucks or busses.

(4) "Mud and snow type of tread" must contain at least as much rubber in the undertread and have a tread design depth at the center circumference of the tire which is at least 2/32 inch deeper than the conventional truck and bus type of tread of the same recapper for the same tire size. Mud and snow type of tread includes any such tread of a deep-cut, cleated type generally recognized as designed primarily for use on trucks for traction through mud, snow, sand, or soft ground.

(5) "Motorcycle type of tread" includes any tread of a type generally recognized as designed primarily for use on motorcycle.

TABLE C–I—MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING PASSENGER CAR TIRES AND FOR BASIC TIRE CARCASSES

Tire size	Maximum prices when grade A camelback used	Maximum prices when grade C or F camelback used	Basic tire carcasses. Add this price whenever any basic tire carcass is furnished by the seller
3.75-18	$4.55	$4.35	$2.75
4.25-12	4.50	4.30	2.75
4.40-21	5.85	5.00	2.75
4.50-20	6.50	5.65	2.75
4.75-19	6.50	5.65	3.20
4.75-20	6.50	5.65	3.20
5.00-16	6.50	5.65	3.20
5.00-17	6.50	5.65	3.20
5.00-19	6.50	5.65	3.20
5.00-20	6.50	5.65	3.20
5.00-21	7.00	6.15	3.20
5.25-17	7.35	6.50	3.20
5.25-18	7.35	6.50	3.20
5.25-19	7.85	7.00	3.20
5.25-20	7.85	7.00	3.20
5.25-21	7.85	7.00	3.20
5.50-16	7.15	6.30	3.20
5.50-17	7.35	6.50	3.20
5.50-18	7.35	6.50	3.20
5.50-19	7.85	7.00	3.20
5.50-20	7.85	7.00	3.20
6.00-16	8.25	7.40	3.50
6.00-17	8.25	7.40	3.50
6.00-18	8.40	7.55	3.50
6.00-19	$8.40	$7.55	$3.50
6.00-20	10.35	9.50	3.50
6.00-21	10.35	9.50	3.50
6.25-16	9.70	8.75	4.00
6.50-16	9.70	8.75	4.00
6.50-17	9.70	8.75	4.00
6.50-18	9.70	8.85	4.00
6.50-19	9.85	9.00	4.00
6.50-20	10.55	9.70	4.00
7.00-14	10.55	9.70	4.55
7.00-15	10.55	9.70	4.55
7.00-16	10.55	9.70	4.55
7.00-17	10.55	9.70	4.55
7.00-18	10.85	10.00	4.55
7.00-19	12.10	11.25	4.55
7.00-20	13.75	12.80	4.55
7.50-15	12.00	11.75	5.25
7.50-16	14.95	14.10	5.25
7.50-17	15.40	14.55	5.25
Jumbo "14"	11.60	10.15	6.55
Jumbo "15"	12.60	11.75	6.55

TABLE C–II—MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING BUS AND TRUCK TIRES AND BASIC TIRE CARCASSES

Tire size	Maximum prices when grade A camelback used for conventional truck and bus type tread	Basic tire carcasses. Add this price whenever any basic tire carcass is furnished by the seller
6.00-20/30 x 5	$11.40	$6.00
6.50-20/32 x 6 8 ply	15.05	6.00
7.00-16	11.60	5.00
7.00-17	15.75	5.00
7.00-20/32 x 6 10 ply	16.10	8.40
7.00-24/36 x 6	20.60	7.75
7.50-16	16.95	6.50
7.50-17	17.50	6.50
7.50-18/32 x 7	17.80	6.80
7.50-20/34 x 7	19.15	6.80
7.50-24/38 x 7	24.70	8.00
8.25-18	22.80	10.80
8.25-20	26.00	10.80
8.25-24	28.05	10.80
9.00-16	23.05	12.00
9.00-18	26.05	12.00
9.00-20/36 x 8	29.10	12.00
9.00-22	30.35	12.00
9.00-24/40 x 8	30.50	12.00
9.75-20/38 x 9	32.45	12.00
10.00-18	30.55	13.20
10.00-20/38 x 9	32.45	13.20
10.00-22	32.65	13.20
10.00-24/42 x 9	33.70	13.40
10.50-20	34.55	14.40
11.00-20	34.75	14.40
10.50-22	36.40	14.40
11.00-22	36.40	14.40
10.50-24	41.00	14.40
11.00-20	41.00	14.40
11.00-24	41.00	14.40
11.25-20/40x10	42.60	16.80
12.00-20/40x10	42.60	16.80
11.25-24/44x10	47.10	16.80
12.00-24/44x10	47.10	16.80
12.75-24	51.50	18.00
13.00-24	51.50	18.00
14.00-24	56.75	19.20

TABLE C–III—MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING FOR MUD AND SNOW TYPE TREAD

Tire size	Maximum prices for mud and snow type tread	Basic tire carcasses. Add this price whenever tire carcass is furnished by the seller
5.50-17	$8.10	$4.50
6.00-16 6 ply	9.10	4.50
6.25-16	10.55	4.75
6.50-16 8 ply	10.55	4.75
7.00-20/32 x 6 10 ply	18.35	8.40
7.50-18	18.15	6.50
8.25-20	27.60	10.80

TABLE C III—Continued

Tire size	Maximum prices for tread and sidewall type tread	Basic tire carcasses. Add this price whenever tire carcass is furnished by the seller
9.00-16	$27.95	$12.00
9.00-18	29.05	12.00
9.00-20	31.00	12.00
9.00-24	33.00	12.00
9.75-20	38.50	12.00
10.00-20	38.50	12.20
10.00-22	42.45	13.40
10.50-24	44.45	13.40
11.00-24	45.10	16.80
11.25-24	47.30	16.80
12.00-24	47.30	16.80
12.75-24	51.50	18.00
13.00-24	53.50	18.00
13.00-28	57.75	18.00
15.50-24	60.75	19.20
11.00-25	59.75	19.20

TABLE C IV—MAXIMUM PRICES FOR RETREADING MOTORCYCLE TIRES

Tire size	Maximum prices when grade A camelback is used	Maximum prices when grade C or F camelback is used	Basic tire carcasses. Add this price whenever tire carcass is furnished by the seller
4.00-18	$7.00	$4.95	$2.75
4.00-19	7.30	4.95	2.75
4.00-21	6.50	4.10	2.75
4.50-19	6.80	4.65	2.75

When the tire carcass is furnished by the purchaser, the maximum prices for retreading or recapping such tires are the prices shown in any applicable column to the left of the last column. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapped), the sum of the price for the retreading or recapping, shown in any applicable column to the left of the last column, plus the tire carcass price indicated in the last column.

APPENDIX D—MAXIMUM PRICES FOR TIRE AND TUBE REPAIRING

(a) *Retail sales (to a buyer for his use and not for resale).*—(1) *By seller who actually did the repairing.* Maximum prices for repairing tires or tubes are the prices set forth for such repairing in Tables D-I to D-IV, inclusive.

(2) *By seller who did not do the repairing.* The seller may add to the maximum price fixed by (1) above, the actual transportation expense paid by him in having the tire or tube repaired. If the seller transports the tire or tube himself, he may add to the maximum price fixed by (1), an amount not exceeding the cost of transportation by the common carrier having the lowest rate between the seller's and the actual repairer's shipping points. Where more than one tire or tube is involved in a shipment, each tire or tube may be charged only with its proportionate share of the total transportation expense incurred by the seller, and the total of the amounts added for transportation of all the tires or tubes in a shipment shall not exceed the total transportation expense of the seller for that shipment. The amount added for transportation expense must be stated separately from the maximum price.

(b) *Wholesale sales (to a buyer for resale).*—(1) *Discounts.* The maximum wholesale price for repairing a tire or tube shall be determined by deducting from the applicable maximum prices set forth in Tables D-I to D-IV, inclusive, a discount of at least 20 percent. If the seller had in effect on February 1, 1944, to a buyer of the same class for the same type of repairing a percentage discount greater than 20 percent, he must deduct a percentage discount at least as large as he had in effect on February 1, 1944, to that class of buyer. However, in no case is a discount greater than 35 percent required. If the seller did not have any percentage discount in effect on February 1, 1944, to a buyer of the same class for the same type of repairing, he must determine his percentage discount under subparagraph (3) below.

(2) *Transportation expenses.* No seller shall require any buyer and no buyer shall be permitted to pay a larger proportion of transportation expense than the seller required buyers of the same class to pay during February 1944 in connection with the delivery of tires or tubes for repairing and of repaired tires or tubes.

(3) *Sellers who cannot apply (1) or (2) above.* The percentage discounts to be deducted under (1) above, and the proportion of transportation expenses to be borne under (2) above, by a seller who cannot make these determinations in accordance with (1) and (2), shall be consistent with those established by this regulation for competitive sellers in the same locality, specifically approved upon application by the seller to the Territorial Office of the Office of Price Administration, Honolulu, T. H. The Territorial Director for the Territory of Hawaii may approve or disapprove and may, at any time after approval, correct discount and transportation provisions proposed or established under this subparagraph (3) so as to bring them into line with the level of such provisions otherwise fixed by this regulation.

(c) *Maximum prices where minimum quality specifications are not met.* The maximum prices fixed by paragraphs (a) and (b) apply only when the repairing complies with the minimum quality specifications set forth in Appendix E. No charge may be made for repairing which does not comply with the minimum quality specifications in Appendix E.

(d) *Definitions.* (1) Tire sizes are given in cross-sectional markings. Each size includes all tires in that cross-sectional group regardless of the rim diameter.

(2) "Spot repair" means a vulcanized repair which in accordance with recognized commercial practice is applied to such tire damage as: surface blisters, cuts, and other injuries which can be satisfactorily repaired without fabric reinforcement; small injuries to not more than one ply in a four ply tire and to not more than two plies in a six ply tire; small injuries to not more than one-fourth of the total plies in heavier tires.

(3) "Reinforcement repair" means a vulcanized repair requiring fabric reinforcement which in accordance with recognized commercial practice is applied to such tire damage as worn spots or other injuries which involved ply damage exceeding that to which a spot repair should be applied but where at least two of the plies are sound and uninjured.

(4) "Sectional repair" means a vulcanized repair requiring fabric reinforcement which in accordance with recognized commercial practice is applied to such tire damage as breaks or cuts through the entire tire casing, nail holes enlarged by prolonged neglect, or other injuries which do not leave two of the plies sound and uninjured and thus involve ply damage exceeding that to which a reinforcement repair should be applied.

TABLE D-I—PASSENGER CAR AND MOTORCYCLE TIRES

Tire size	Maximum prices for repairing: Sectional repair	Spot repair
3.50	$2.35	$
4.00	2.35	
4.40	2.65	
4.50	2.65	
4.75	2.70	
5.00	2.75	
5.25	2.95	
5.50	3.20	
6.00	3.50	
6.25	3.75	
6.50	3.85	
7.00	4.25	
7.50	5.10	
8.25	6.35	

TABLE D-II—TRUCK AND BUS TIRES

Tire size	Ply	Sectional repair	Spot repair
6.00	6	$3.95	$2
6.00-20	8	6.05	
6.50	6	5.25	
6.50-20	8	7.50	
7.00	6	6.05	
7.00-16	8	8.15	
7.00-20	10	9.25	
7.50	6	8.00	
7.50	8	9.05	
7.50-20	10	10.20	
7.50-24	12	11.55	
8.25	6	9.00	
8.25	8	10.20	
8.25	10	11.50	
8.25	12	12.75	
8.25	14	14.20	
9.00	6	10.05	
9.00	8	11.60	
9.00	10	12.95	
9.00-20	12	13.55	
10.00	8	13.40	
10.00	10	15.15	
10.00-20	12	16.75	
10.00-24	14	16.35	
11.00	8	14.80	
11.00-10-20	12	16.25	
11.00	14	18.10	
12.00	8	16.95	
12.00	10	18.50	
12.00	12	19.20	
12.00-11.25	14	22.65	
13.00	10	25.20	
13.00-12.75	12	27.50	
13.00	6	14.85	
13.00	8	17.25	
13.00	10	20.15	
13.00	12	23.05	
13.00-14.50	16	30.15	
14.00	6	16.15	
14.00	8	18.75	
14.00	10	22.00	
14.00	12	25.00	
14.00-14.50	16	30.50	
14.00	18	36.95	
14.00	20	40.55	
16.00	16	44.75	
16.00	18	45.95	
16.00	20	48.10	

TABLE D-III—TRACTOR AND IMPLEMENT TIRES

Size	Maximum prices for repairing: Sectional repair	Spot repair
4.00-5.00	$3.40	$1
6.00-9	5.45	1
6.00	4.75	1
6.50-16	4.25	2
6.50-20	7.35	2
7.00	4.75	1
7.50-10	10.25	2
7.50-16-24-30	6.00	
9.00-7.50-26-36	9.65	4
10.00-8.25	10.85	3
11.00-9.00	11.50	3
12.00-10.00	14.30	3
13.00-11.25-12.00	14.05	3
14.00-12.75-13.00	14.75	4
15.00-13.50-14.00	19.35	4

TABLE D-IV—TUBES (EXCEPT SPECIAL PURPOSE TUBES)

Tube	Maximum price for repairing: Any repair of one inch or less, including pin and nail holes	Add this amount for each additional lineal inch of repair
Any tube with 7.00 inches diameter or smaller	$0.50	$0.25
Any tube over 7.00 inches in diameter	1.00	.50

APPENDIX E—MINIMUM QUALITY SPECIFICATIONS

(a) *Used tires and tubes.* Sound used tires and tubes which have been made sound by repairs must have been repaired in compliance with the minimum quality specifications for repairing set forth in paragraphs (d) and (e).

(b) *Recapping (tire carcass furnished by buyer).* The recapping of a tire carcass furnished by the buyer must comply with the following minimum requirements:

(1) Tire casings must be uniformly buffed.

(2) Tire casing and all materials must be moisture free and free of dirt.

(3) Camelback must be applied to completely cemented and dried surface and stitched down thoroughly.

(4) Curing must be in full circle molds or steam kettle in accordance with instructions of the manufacturer of the camelback used.

(5) Finished tire must be usable as a tire, and finished tire tread must adhere uniformly, must be a circle without bulges or sunken areas, and must be completely filled out and free of porosity and imperfections.

(c) *Recapped tires (tire carcass furnished by the seller).* A recapped tire (tire carcass furnished by the seller) must comply with the following minimum requirements:

(1) The tire carcass must have been at least a sound basic tire carcass as defined in Appendix B.

(2) If the tire carcass was made sound by repairs, the repairing must comply with the minimum quality specifications for repairing set forth in paragraphs (d) and (e).

(3) The recapping must be performed in compliance with the minimum quality specifications for recapping set forth in paragraph (b).

(d) *Tire repairing.* Tire repair means a vulcanized spot, or sectional repair, which is accomplished in accordance with recognized commercial practice and which can be reasonably expected to render satisfactory service under limited operating conditions so that the tire when repaired will be in a safe condition for service.

(1) A vulcanized spot repair must meet at least the following conditions:

(i) Loose portions of tread and sidewall rubber must be removed.

(ii) Surfaces must be skived, roughened, cemented.

(iii) Tire casing and repair materials must be moisture free.

(iv) Rubber must be applied after cement is dry.

(v) Curing must be in accordance with instructions of the manufacturer of the repair materials used.

(2) A vulcanized sectional repair must meet at least the following conditions:

(i) Injured rubber and fabric must be removed.

(ii) Area around injury must be skived at an angle to give maximum bonding surface and stress resistance (usually 45 degrees).

(iii) Tire casing and repair materials must be moisture free.

(iv) Surface must be buffed, cemented, and allowed to dry; then cemented again, and allowed to dry again.

(v) Skived portion of the inner casing must be filled with cushion gum level with the inner body ply.

(vi) Ready-built patch or built-in cord fabric must be applied in accordance with the manufacturer's instructions regarding number of plies, size of patch, ply direction, and application.

(vii) Tread portion of skive must be lined with skim coating of cushion gum or tie gum and filled with tread gum slightly above level of the tread.

(viii) Curing must be in accordance with instructions of the manufacturer of the repair materials being used. Proper pressure must be maintained during cure.

(ix) Repaired portions must present smooth surfaces inside and out; tread, buttress, and sidewall designs must be restored to match those on the rest of the tire; and exterior contour must be maintained.

(x) Finished repair must be free of porosity and other imperfections.

(e) *Tube repairing.* Tube repair means a repair which is accomplished in accordance with recognized commercial practice and which can be reasonably expected to render satisfactory service under limited operating conditions so that the tube when repaired will be in a safe condition for service.

SEC. 24. *Maximum prices for intoxicating liquor, wine, beer and ale sold by the case or bottle at wholesale and retail—*(a) *Maximum prices for sales in Oahu.* Except as otherwise provided herein, the maximum prices for intoxicating liquors, wine, beer, and ale sold at wholesale and retail, on the Island of Oahu, shall be:

(1) *Mainland hard liquor*—(i) *Sales at wholesale.* At the option of the wholesaler, the maximum wholesale prices shall be calculated by one of the following methods:

Method One: In the case of hard liquors which are listed in the "Tax Commissioner's Findings as to Tax Values of Liquor as of October 1, 1941," published by the Territorial Government, the maximum wholesale price shall be the highest price charged by the seller in the Territory on December 6, 1941, exclusive of any discounts for quantity purchases, plus all federal excise taxes imposed since that time, and the 6% Territorial tax, when applicable, or

Method Two: On all hard liquors not priced under Method One, the maximum wholesale price per case shall be the landed cost multiplied by 1.15, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax, when applicable.

(ii) *Sales at retail.* At the option of the retailer, the maximum retail prices shall be calculated by one of the following methods:

Method One: In the case of hard liquors which are listed in the "Tax Commissioner's Findings as to Tax Values of Liquor as of October 1, 1941," published by the Territorial Government, the maximum retail price shall be the highest price charged by the seller in the Territory on December 6, 1941, plus all federal excise taxes imposed since that time, and the 6% Territorial tax, or

Method Two: On all hard liquors not priced under Method One, the maximum retail price shall be the landed cost as defined herein, multiplied by 1.58, plus the federal excise tax of April 1944, and the 6% Territorial tax. This calculated per case price shall be divided by the number of bottles per case to determine the retail ceiling price per bottle.

(2) *Wines*—(i) *Sales at wholesale.* The maximum price per case for all wines shall be the landed cost multiplied by 1.25, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax, when applicable.

(ii) *Sales at retail.* The maximum retail price for all wines shall be the landed cost multiplied by 1.87, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax. This calculated per case price shall be divided by the number of bottles per case to determine the retail ceiling price per bottle.

(3) *Cordials, liqueurs, and specialties*—(i) *Sales at wholesale.* The maximum wholesale price per case of all cordials, liqueurs, and specialties shall be the landed cost multiplied by 1.20, plus the federal excise tax of April 1944, and the 6% Territorial tax, when applicable.

(ii) *Sales at retail.* The maximum retail price of all cordials, liqueurs, and specialties shall be the landed cost multiplied by 1.74, plus the federal excise tax of April 1944, and the 6% Territorial tax. This calculated per case price shall be divided by the number of bottles per case to determine the retail ceiling price per bottle.

(4) *Mainland beer and ale*—(i) *Sales at wholesale.* The maximum wholesale price per case, delivered to the purchaser's place of business, of all mainland beer or ale shall be the landed cost multiplied by 1.13, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax, when applicable. In case the wholesaler does not make delivery to the purchaser's place of business, the maximum wholesale price shall be the maximum wholesale price set forth above less 5 cents per case.

(ii) *Sales at retail.* The retail ceiling price per case of all mainland beer or ale shall be the landed cost multiplied by 1.41, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax.

(iii) Customary bottle deposits and allowances must be continued.

(5) *Island beer*—(i) *Sales at wholesale.* The maximum wholesale price for island produced beer per case, delivered to the purchaser's place of business, shall be $2.23 per case. This price includes all federal taxes, but does not include the 6% Territorial tax, which may be added, when applicable. In case the wholesaler does not make delivery to the purchaser's place of business, the maximum wholesale price shall be the maximum wholesale price set forth above less 5 cents per case.

(ii) *Sales at retail.* The maximum retail price for island produced beer per case, shall be $2.68. This price includes all federal taxes, but does not include the 6% Territorial tax, which may be added.

(iii) Customary bottle deposits and allowances must be continued.

(6) *Island liquor.* Maximum prices for sales of island liquor by wholesalers or manufacturers and by retailers shall be as follows:

(i) 90 Proof Liquor

Number of bottles per case	Size of bottles	Maximum wholesale prices per case	Maximum retail prices per bottle
4	1 gallon	$42 51	
6	1 gallon	31 88	
6	½ gallon	32 19	$6.52
12	1 quart	32 86	3.43
12	4/5 quart	26 07	2.71
24	1 pint	34 96	1.73
48	½ pint	37 68	.93

(ii) *Liquor other than 90 proof.* For liquor other than 90 proof, maximum prices shall be the prices determined by applying the factors shown in the following conversion table for each variation of 1 degree in proof content.

Conversion Table

Number of bottles per case	Size of bottles	Factors for adjusting maximum prices per case for sales at wholesale	Factors for adjusting maximum prices per bottle for sales at retail
4	1 Gallon	$0.1475	
6	1 Gallon	.3356	
6	½ Gallon	.3356	$0.05593
12	1 Quart	.3356	.03384
12	4/5 Quart	.2685	.02707
24	1 Pint	.3356	.01692
48	½ Pint	.3356	.00846

Note: *Fractions.* Drop fractions of less than ½ cent. For fractions of ½ cent or over, raise to the next highest whole cent.

Variations of less than one degree in proof content. Adjust proportionally, (e. g., half the above amounts for variations of ½ degree, etc.)

(iii) *Examples.*

No. 1. To determine the maximum wholesale price for a case of 12 one-quart bottles of 85 proof gin (or other Hawaiian manufactured compound liquor):

Maximum price for a similar case of 90 proof liquor	$32 86
Factor for adjusting prices (from conversion table)	$0.3356
Number of degrees variation in proof content (85-90)	−5
Adjustment of 90 proof price $0.3356×(−5)	−$1.6780
Adjustment after raising fraction of more than ½ cent	−1.68
Maximum price for a case of 85 proof liquor	$31.18

No. 2. To determine the maximum retail price for one-quart bottle of 85 proof liquor:

Maximum price for one quart bottle of 90 proof liquor	$3 33
Factor for adjusting prices (from conversion table)	$0 03384
Number of degrees variation in proof content (85-90)	−5
Adjustment of 90 proof price ($0.03384×5 (−5))	−$ 16920
Adjustment after raising fraction of more than ½ cent	−.17
Maximum price for one-quart bottle of 85 proof liquor	$3.16

No. 3. Complete schedule of 85 proof liquor prices resulting from application of Conversion Table in accordance with above examples:

85 Proof Liquors

Number of bottles per case	Size of bottles	Maximum wholesale prices per case	Maximum retail prices per bottle
4	1 gallon	$40 37	
6	1 gallon	30 30	
6	½ gallon	30 51	$6.18
12	1 quart	31 18	3.16
12	4/5 quart	25 38	2.57
24	1 pint	32 28	1.65
48	½ pint	33 40	.86

(iv) *Transportation addition.* The maximum prices above established for sales at wholesale, are for delivery at the seller's warehouse. In the event the seller delivers to the buyer's place of business or to any other point designated by the buyer, he may add to the maximum price an amount not in excess of charges for transportation actually paid, or to be paid, in connection with such delivery. The seller may not make any additional charge for delivery made in vehicles owned or controlled by him without first obtaining written authorization from the Office of Price Administration.

(v) *Taxes.* The prices contained in paragraphs (a) (6) (i), through (iv), above, do not include the 6% Territorial tax, which may be added, but they do include the federal tax on distilled spirits of $9.00 per proof gallon, and all other taxes.

(vi) *Less than case lots.* Maximum prices for sales at wholesale of less than case lots should be proportional to the prices contained in paragraphs (a) (6) (i) through (v), above, for full cases. For this purpose, where fractions occur the next highest whole cent may be used. For example, the maximum price to be charged dispensers for a case of twelve ⅘ quart bottles of 85 proof gin is $25.33. The price of three bottles would be three-twelfths of $25.33. Since this would produce a price of $6.33¼, the fraction may be raised to the next highest cent, and $6.34 charged. The price for six bottles, however, would be $12.67, for seven bottles $14.78, etc. With respect to less than case sales in gallon sizes, the prices should be proportional to the price for a full case of three bottles. (Note that the rule for handling fractions for purposes of determining less than case prices is not the same as the rule for handling fractions when using the Conversion Table.)

(b) *Maximum prices for sales on all other islands in the Territory of Hawaii—*(1) *Direct shipments of any imported liquor, wine, beer or ale.* In the case of direct shipments from without the Territory of Hawaii to any island other than the Island of Oahu, of any intoxicating liquor, wine, beer, and ale set forth in paragraphs (a) (1) through (4), the maximum wholesale and retail prices shall be calculated as provided in paragraphs (a) (1) through (4).

(2) *Inter-island shipments.* In the case of any intoxicating liquor, wine, beer and ale originally imported from without the Territory of Hawaii to one island of the Territory and subsequently shipped to another island in the Territory or in the case of any island produced liquor or beer shipped from one island to another, maximum prices shall be calculated as follows:

(i) *Sales at wholesale.* For sales at wholesale the maximum price shall be the maximum price as calculated under paragraphs (a) (1) through (6), plus an amount equal to the sum of the following amounts:

(a) Actual cost of freight, marine, and war risk insurance incurred for shipment between the Islands calculated in accordance with the provisions of paragraphs (c) (3) and (5).

(b) Actual cost of cartage charges from warehouse to dock in the island from which shipment is made, computed at a rate not to exceed $1.20 per ton, and from dock to warehouse, or to purchaser's place of business, in the island of destination, computed at a rate not to exceed $1.20 per ton.

(ii) *Sales at retail.* For sales at retail the maximum price shall be the maximum price as calculated under paragraphs (a) (1) through (6), plus an amount equal to the sum of the following amounts:

(a) Actual cost of freight, marine, and war risk insurance incurred for shipment between the Islands calculated in accordance with the provisions of paragraphs (c) (3) and (5).

(b) Actual cost of cartage charges from warehouse to dock in the island from which shipment is made, computed at a rate not to exceed $1.20 per ton, and from dock to warehouse in the island of destination, computed at a rate not to exceed $1.20 per ton.

(c) Actual cost of cartage charges incurred for hauling from dock or seller's warehouse to the buyer's place of business.

(d) The amounts to be so added to the maximum price per bottle shall be calculated by dividing the added costs as outlined above by the number of bottles per case.

(c) *Landed cost.* Landed cost is an amount not in excess of the sum of the amounts set forth below in subparagraphs (1) through (6). If any of the items specified in any subparagraph below have already been included in an amount determined under another subparagraph, they may not again be added.

(1) An amount equal to your invoice cost. Invoice cost shall include:

(i) In the case of any intoxicating liquors, wines, beers and ales, covered by this section, which were imported to or sold on the mainland and priced under Maximum Price Regulation 445[1] or RMPR 259,[2] as the case may be: The amount you paid your supplier or the manufacturer's maximum price established by Maximum Price Regulation 445 or RMPR 259, whichever is lower, less all discounts and allowances except the discount for cash or prompt payment.

[1] 9 F.R. 4687, 7708, 9505, 11533, 13096, 14464, 14817; 10 F.R. 48, 1789, 2877, 3054.

[2] 9 F.R. 14537, 14781, 15107; 10 F.R. 2585.

This amount will include all Federal excise taxes except those imposed on or after April 1, 1944. No export premium may be included in the computation of your "landed cost".

(ii) In the case of any intoxicating liquors, wines, beers and ales, covered by this section imported directly into the Territory, which were not previously imported to or sold on the mainland and priced under Maximum Price Regulation 445 or RMPR 259: An amount to be determined upon application to the Office of Price Administration, Iolani Palace, Honolulu 2, T. H.

(2) An amount equal to import duties and custom house brokerage fees.

(3) An amount equal to the transportation charges actually incurred by the wholesaler for transportation from the point at which the wholesaler received delivery to Hawaii, including transportation taxes, terminal charges, extra charges for shipments of less than carload lots, and territorial tolls and tonnage tax as shown on the bill of lading.

(4) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the wholesaler.

(5) An amount equal to charges for war risk and marine insurance actually incurred by the wholesaler. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(6) An amount equal to actual cartage charges in Hawaiian port of discharge from dock to warehouse, or retailer's customary receiving point, computed at a rate not in excess of $1.20 per ton, provided the commodity is moved from the dock at the wholesaler's expense. The wholesaler may, at his option, determine the tonnage on either weight or measurement basis.

(d) *Change in maximum prices.* Maximum prices for any brand or size of beverage coming under the terms of this section shall be fixed by determining the maximum price as provided herein on the first shipment to arrive in the Territory after the effective date of this amendment. The price thus determined shall remain the maximum price for such brand and size until a change in landed costs occurs, which, if recalculated, would result in a change in price upward or downward, of two percent or more in the maximum retail price per bottle, in which case the maximum price shall be recalculated as provided herein.

(e) *Filing and posting.* In addition to the requirements set forth in Section 11 relating to records and reports, all wholesalers or importers coming under the terms of this section are required to file with the Office of Price Administration, Honolulu, T. H., on Form THP-10, provided by this office, each calculation of wholesale and retail prices as provided herein. Wholesalers and importers are required to (1) furnish the retailer with a statement of retail ceiling price thus calculated, or (2) furnish the retailer with a statement of the landed cost of such items before the merchandise is sold by the wholesaler or importer.

(f) *Inability to determine maximum prices.* Any person who is unable to determine his maximum price for any intoxicating liquor, wine, beer, or ale, under the provisions of this section, shall apply to the Office of Price Administration, Honolulu, T. H., for the establishment of such maximum price.

(g) *Definitions.* (1) Except as otherwise provided herein, all liquors, wines cordials, liqueurs, beer, ale, and other alcoholic, vinous, spiritous, or malt beverages covered by this section are defined as set forth in Regulations 4 and 5 and Amendments thereto, issued under the terms of the Federal Alcohol Administration Act as amended and under the terms of Maximum Price Regulation 445 or RMPR 259, as the case may be, as now or hereinafter amended.

(2) "Mainland hard liquor, beer or ale" means any hard liquor, beer ale imported in the Territory of Hawaii.

(3) "Island liquor or beer" means any liquor or beer manufactured in the Territory of Hawaii.

(4) "Sale at retail" means a sale or selling to an ultimate consumer.

(5) "Sale at wholesale" means a sale to any person other than an ultimate consumer, and includes, but is not limited to, sales to wholesalers, retailers and dispensers by manufacturers, brewers, importers, and other wholesalers.

(6) "6% Territorial Tax" means the liquor tax imposed under the terms of the Hawaii Liquor Tax Act of July 1, 1939.

(7) The "highest price charged by the seller in the Territory on December 6, 1941," means the highest price at which the seller sold or offered to sell, in the Territory of Hawaii, on December 6, 1941, any hard liquor listed in the "Tax Commissioner's Findings as to Tax Values of Liquor as of October 1, 1941," published by the Territorial Government.

Sec. 25. *Maximum prices for intoxicating liquor, wine, beer and ale drinks served or sold by dispensers for consumption on the premises—*(a) *What this section covers.* This section sets maximum prices for all intoxicating liquor, wine, beer and ale drinks served or sold by dispensers for consumption on the premises, in the Territory of Hawaii.

(b) *Maximum prices for sales by dispensers other than cabaret dispensers.*

	Maximum price per drink (cents)
(1) *Mainland liquor.*	
(i) *Scotch whiskey.* King's Ransom, Johnnie Walker, Black Label, Haig and Haig Pinch Bottle, Ballantyne, Cutty Sark, Peter Dawson 20 Years Old, John Crabbie, Findlators', or any other Scotch Whiskey 12 years old or more, straight or mixed	50
All other brands of Scotch Whiskey, straight or mixed	45
(ii) *Bourbon, rye, and Canadian whiskies.* Bourbon or Rye Whiskey, 100 Proof, which has been bottled in bond, Canadian Club Whiskey, Seagram VO Canadian Whiskey, straight or mixed	50
All other Bourbon, Rye, Canadian or Blended Whiskies, straight or mixed	40
(iii) *Rum:*	
Imported Cuban Bacardi, straight or mixed	45
Imported Myers' Jamaica, straight or mixed	45
All other Imported, straight or mixed	40
Domestic, straight or mixed	40
(iv) *Brandy:* Imported, straight or mixed	45
Domestic, straight or mixed	35
(v) *Mainland or imported gin:* Straight	30
Mixed	35
(vi) *Neutral spirits:*	
Arechabalaya Cuban Specialty with Brandy Flavoring	45
Demador Cuban Specialty with Brandy Flavoring	45
Commendador, straight or mixed	45
(vii) *Miscellaneous sprits:*	
Mexican Domestic Tequila, Habanero, and Vodka	40
(2) *Island liquor.*	
(i) Island compounded gin, imitation whiskey, rum, okolehao, arrack, vodka, any other kind of island-produced liquor:	
Straight	25
Mixed	30
(3) *Beer and ale.*	
(i) *Mainland beer and ale,* per 11 or 12 oz. bottles, steinie, or can, all brands	25
Per 22 oz. bottle, all brands	40
Per 32 oz. bottle, all brands	60
(ii) *Island beer.*	
Primo or Royal, per 11 or 12 oz. bottle	20
Draught Beer, 12 oz.	20

Maximum prices for draught beer served or sold in quantities other than 12 ounces shall be in direct proportion per ounce to the maximum price of 20¢ for 12 ounces. For example, the maximum price for 6 ounces of draught beer shall be 10¢.

	Cents
(4) *Wine.*	
(i) *By the glass:*	
Domestic wine, portion or serving, not less than three ounces	25
Imported wine, portion or serving, not less than three ounces	35
Special wines, domestic or imported, portion or serving, not less than three ounces	50
(ii) *By the bottle:*	

When domestic, imported, or special wines are served by the bottle the maximum price shall be the maximum retail price, as determined under Section 25 of this Regulation, plus the following charges for chilling and serving:

	Cents
For still wines	25
For sparkling wines	50

(c) *Maximum prices for sales by cabaret dispensers.*

	Maximum price per drink	Cabaret tax	Maximum price per drink including tax
(i) *Mainland Liquor:*			
(a) Scotch Whiskey, King's Ransom, Johnnie Walker Black Label, Haig and Haig Pinch Bottle, Ballantynes, Cutty Sark, Peter Dawson 20 Years Old, John Crabbie, Findlaters', or any other Scotch Whiskey 12 years old or more, straight or mixed	Cents 50	Cents 10	Cents 60
All other brands of Scotch Whiskey, straight or mixed	46	9	55
(ii) *Bourbon, Rye, and Canadian Whiskies:*			
Bourbon or Rye Whiskey, 100 Proof, which has been bottled in bond, Canadian Club Whiskey, Seagrams VO Canadian Whiskey, Straight or Mixed	46	9	55
All other Bourbon, Rye, Canadian or Blended Whiskies, Straight or Mixed	42	8	50
(iii) *Rums:*			
Imported, straight or mixed	42	8	50
Domestic (including Puerto Rican), straight	33	7	40
Domestic (including Puerto Rican), mixed	42	8	50
(iv) *Brandy:*			
Imported, straight or mixed	46	9	55
Domestic, straight or mixed	34	7	40
(v) *Mainland or imported gin:*			
Straight	33	7	40
Mixed	33	7	40
(2) *Island liquor.*			
(i) Island compounded gin, imitation whiskey, rum, okolehao, arrack, vodka, or any other kind of Island-produced liquor:			
Straight	29	6	35
Mixed	29	6	35
(3) *Beer and Ale—(i) Mainland beer and ale:*			
Per 11 or 12 oz. bottle, steinie, or can, all brands	25	5	30
Per 22 oz. bottle, all brands	42	8	50
Per 32 oz. bottle, all brands	58	12	70
(ii) *Island beer:*			
Primo or Royal, per 11 or 12 oz. bottle	21	4	25
(4) *Wine—(i) By the glass:*			
Domestic wine, portion or serving, not less than three ounces	25	5	30
Imported wine, portion or serving, not less than three ounces	33	7	40
Special wines, domestic or imported, portion or serving, not less than three ounces	50	10	60
(ii) *By the bottle.*			
When domestic, imported, or special wines are served by the bottle, the maximum price shall be the maximum retail price, as determined under section 25 of this regulation, plus 20% cabaret tax, plus the following charges for chilling and serving:			
For still wines	53		
For sparkling wines	80		

(d) *Inability to determine maximum prices.* Any dispenser who is unable to determine his maximum price for any intoxicating liquor, wine, beer or ale drink, under the provisions of this section, shall apply to the Office of Price Administration, Honolulu, T. H., for the establishment of such price.

(e) *Clubs, non-profit associations and hotels.* (1) any club, non-profit association or any hotel may apply to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for permission to sell liquor drinks at a price not in excess of the highest price for which such drinks were sold or offered for sale by such club, non-profit association or hotel on December 6, 1941.

(f) *Evasion.* (1) The limitations set forth in this section shall not be evaded whether by direct or indirect methods.

(2) Specifically, but not exclusively, the following practices are prohibited:

(i) Serving or selling any straight drink in a glass or other container other than one having a capacity of one fluid ounce.

(ii) Serving or selling any straight drink without filling to the capacity, with liquor, the glass or other container in which it is served;

(iii) Measuring the liquor to be put into a mixed drink in a glass or other container other than one having a capacity of one fluid ounce.

(iv) Diluting, cutting or mixing with another ingredient a liquor prior to its being served as a drink or its incorporation into a mixed drink;

(v) Charging a cover or service charge to a consumer. If such a charge was normally made on December 6, 1941, application may be made to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for permission to continue to make a similar charge.

(vi) Refusing to sell a drink, mixed drink, beer or ale except in connection with the sale of another commodity.

(g) *Posting of prices.* Every dispenser selling or offering for sale any intoxicating liquor, wine, beer or ale drinks, covered by this section, shall post, in a conspicuous and accessible place where such drinks are sold or offered for sale, a statement or list showing the maximum for every drink sold or offered for sale. The provisions of paragraph (b) (1) of section 11, relating to the marking and posting of prices, shall not be applicable to this section.

(h) *Definitions.* When used in this section the term:

(1) "Drink" or "straight drink" means a drink of not less than one fluid ounce of liquor.

(2) "Mixed drink" means a drink containing not less than one fluid ounce of liquor mixed with an ingredient other than liquor. A drink served with a chaser is not a mixed drink.

(3) "Beer" and "ale" means malt beverages made by the alcoholic fermentation of an infusion or decoction, or combinations of both, in potable brewing water, of malted, barley with hops or their parts or products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

(4) "Liquor" means a distilled or compounded alcoholic beverage of not less than 80° proof, except that sloe gin of not less than 70° proof shall also be deemed "liquor."

(5) "Wine" means any alcoholic beverage commonly known as such, produced by fermentation, and of not more than 24% alcoholic content by volume.

(6) "Imported wine" means wine manufactured outside of the United States, its territories or possessions.

(7) "Domestic wine" means wine manufactured in the United States, its territories or possessions, except the Territory of Hawaii.

(8) "Special wines" means any wine, either imported or domestic, for which the maximum wholesale price, as determined under Section 25 of this Regulation, exceeds $2.75 per four-fifths quart.

(9) "Mainland liquor, beer and ale" means any liquor, beer and ale imported into the Territory of Hawaii.

(10) "Island liquor or beer" means any liquor or beer manufactured in the Territory of Hawaii.

(11) "Dispenser" means any person licensed by the Territorial Government to serve or sell, for consumption on the premises, any alcoholic drinks covered by this section.

(12) "Cabaret dispenser" is any dispenser whose receipts, under the cabaret tax contained in Chapter 10 of the Internal Revenue Code, as amended, are subject to the 30% excise tax effective April 1, 1944.

SEC. 26. *Table XIII: Maximum prices for war bicycles.* (a) Maximum Price Regulation No. 158,[23] except as otherwise provided herein, governs the sale of war bicycles in the Territory of Hawaii.

(b) The maximum prices for war bicycles sold or delivered in the Territory of Hawaii shall be:

	Sales at wholesale	*Sales at retail*
War bicycles	$33.25	$43.75

(1) These maximum prices apply to all war bicycles shipped directly from the mainland of the continental United States to the Islands of Hawaii, Molokai, Kauai, or Maui. If war bicycles are trans-shipped from Honolulu to any other of the Hawaiian Islands the maximum prices set forth above may be increased by the amount of the cost of inter-island transportation actually paid or incurred by the seller.

(2) Any additional equipment or accessories placed on the war bicycle prior to sale and not ordinarily a part of the equipment of such bicycle shall be added only at the option of the purchaser. The maximum prices for such additional items, which must be sold separately, are governed by the General Maximum Price Regulation for Hawaii.

SEC. 27. *Table XIV: Maximum prices for sale and rental of used typewriters.* (a) Revised Maximum Price Regulation No. 162,[24] except as otherwise provided herein, governs the sale and rental of used typewriters in the Territory of Hawaii.

(b) On sales of used typewriters the maximum prices set forth in Revised Maximum Price Regulation No. 162 may be increased by the cost of transporting at the time of sale of a similar typewriter from San Francisco, California, to the Territory of Hawaii.

SEC. 28. *Table XV: Maximum prices for soft drinks.* (a) Maximum prices for all soft drinks ordinarily sold over the counter in the bottle not exceeding twelve ounces in size shall be five cents per bottle.

(b) A bottle deposit, which must be refunded when the bottle is returned, of not more than five cents per bottle may be charged.

(c) This maximum price may not be increased by changing customary methods of serving soft drinks by adding a service charge or any additional charge.

(d) For the purposes of this table, the term "soft drinks" means flavored or unflavored non-alcholic beverages and waters in bottles or other closed containers, whether carbonated or not, but excluding milk drinks, fruit juices, vegetable juices, and combinations thereof where at least 85% by weight is pure fruit juice, vegetable juice, or a mixture thereof.

SEC. 29. *Table XVI: Maximum prices for used refrigerators.* (a) Revised Maximum Price Regulation No. 139,[25] except as otherwise provided herein, governs the sale of used refrigerators in the Territory of Hawaii.

(b) On sales of used refrigerators in the Territory of Hawaii, in order to allow for transportation charges, the maximum prices set forth in Revised Maximum Price Regulation No. 139 may be increased by an amount not in excess of the following:

Interior measurement:	
4 cu. ft. or less	$12.00
Over 4 cu. ft. to 5 cu. ft. inc	13.00
Over 5 cu. ft. to 6 cu. ft. inc	15.00
Over 6 cu. ft. to 7 cu. ft. inc	16.00
Over 7 cu. ft	17.00

(c) The maximum price for any 1941 or 1942 model of used household mechanical refrigerator shall be 70% of the original list price of an identical new refrigerator for sale, delivered in Hawaii, without the addition of the above allowance.

SEC. 30. *Table XVII: Maximum prices for household mechanical refrigerators.* (a) The maximum price for household mechanical refrigerators in the Territory of Hawaii shall be the landed cost multiplied by 1.77. The maximum price for any lower price at which the refrigerator may be sold below the ceiling herein set includes delivery, installation, servicing, and a 5-year warranty by the seller, and all Federal and Territorial taxes, including the Hawaii Gross Income Tax.

(1) Landed cost is the sum of such of the following items as are expenses actually incurred:

(i) *Factory cost.* Factory cost is the amount actually paid or to be paid to the manufacturer.

(ii) *Cost of warranty contract.* This item may not be included if no additional charge is made therefor by the manufacturer over and above the factory cost.

(iii) *Federal excise tax.* This item may not be included if no additional charge is made therefor by the manufacturer over and above the factory cost.

(iv) *Mainland freight.* Under this item the cost of all freight covering transportation from the point of manufacture to the port of shipment to Hawaii may be included. Federal transportation taxes, terminal charges, and extra charges for shipment of less than carload lots may also be included.

(v) *Cost of mainland storage.* Under this item all warehousing costs incurred as a result of the War Production Board's action in freezing new refrigerator stocks may be included. Other warehousing costs actually incurred by the seller for storage on the mainland United States may be included, but any cost for such storage in excess of three months shall not be included. Insurance charges incurred as a result of such storage may also be included, but limited to three months as above.

(vi) *Ocean freight.* Under this item the cost of all freight covering transportation from the port of shipment to Hawaii, plus Territorial tolls and tonnage taxes as shown on the bill of lading may be included. The cost of freight for shipments between islands of the Hawaiian group may also be included.

(vii) *Cost of transportation insurance.* Under this item the cost of rail, marine and war risk insurance may be included, except that any cost of war risk insurance in excess of the rates charged by the War Shipping Administration shall not be included.

(viii) *Cost of exchange.* Under this item the cost of exchange at rates prevailing in the Territory of Hawaii may be included.

(b) *Evasion.* The limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to household mechanical refrigerators alone, or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or by tying-agreement, or otherwise.

(c) Specifically, but not exclusively, the following practices are prohibited:

(1) Increasing charges for deferred payment, or for any other form of installment or time payment or credit accounts, above those in effect on February 2, 1942.

(2) Failing to give or shortening the warranty, or failing to give delivery, installation and other services available or in effect to the same general class of purchaser in exchange for the prices prevailing on February 2, 1942.

(d) *Definitions.* When used in this section, the term:

(1) "Manufacturer" means any person who operates a plant or factory which manufactures household mechanical refrigerators;

(2) "Distributor" means any person other than a manufacturer or dealer, who, prior to February 14, 1942, was engaged in the business of selling household mechanical refrigerators to dealers;

(3) "Dealer" means any person other than a manufacturer or distributor, engaged in the business of selling household mechanical refrigerators to persons purchasing for use, rather than resale;

(4) "Household mechanical refrigerator" means any new refrigerator for household use which operates either by compression or absorption;

(5) "Model" means any combination of size and specifications of equipment;

(6) "Ultimate consumer" means a person who purchases a household mechanical refrigerator for use in his own premises.

SEC. 31. *Table XVIII: Maximum prices for Hawaiian standard blackout bulbs and motor headlight blackout services.* (a) The maximum price at retail for sales of Hawaiian standard blackout bulbs in the Territory of Hawaii shall be 33 cents per bulb.

(b) The maximum price for blacking out the headlights on a motor vehicle in accordance with the specifications of Part 3 of General Orders No. 3 as amended by General Orders No. 36 of the Military Governor of the Territory of Hawaii, shall be $5.00 when such service is guaranteed in the manner provided in paragraph (e) below.

(c) The maximum price for changing the blackout on the headlights of a motor vehicle, which blackout had originally been made in accordance with the specifications of Part 3 of said General Orders No. 3 prior to its amendment by said General Orders No. 36, to conform with the maximum specifications for light permitted by Part 3 of said General Orders 3 as amended by said General Orders No. 36 shall be $2.00 when such service is guaranteed in the manner provided in paragraph (e) below. Such changing shall include any and all scraping and/or repainting of the headlight lenses which is necessary in order to make such headlights conform to said specifications. If such change requires that the hoods on the headlights be replaced by new shields an additional charge of $1.50 may be made for each shield so replaced.

(d) The maximum price for blacking out the rear light or rear lights on a motor vehicle in accordance with the specifications of Part 3 of said General Orders 3 as amended by General Orders 36 shall be $0.50 when such service is guaranteed in the manner provided in paragraph (e) below. Such maximum price shall apply for the blacking out of the total of all rear lights whether one or more than one and regardless of whether such rear light or lights have previously been blacked out.

(e) The maximum prices prescribed above apply only in the event that the person selling such service guarantees to the purchaser to do, without charge, all repair or alteration work necessary to make such blacking out conform to the said specifications for a period of thirty days from the time of completion. Such guarantee need not cover any repair or alteration work made necessary because of damage caused by collision or

[23] 7 F.R. 4295, 7452, 8948, 10294; 9 F.R. 14721.
[24] 9 F.R. 526, 4350.
[25] 8 F.R. 3706, 5484, 9779, 10079.

misuse. A more comprehensive guarantee than the one above may be given, but no extra charge may be made therefor.

(f) In the event that such guarantee is not given the maximum price for the services specified in paragraphs (b), (c) and (d) shall be 50% of the maximum prices above specified.

(g) The maximum price for the removal of the blackout on a motor vehicle, which has been installed as the result of part 3 of General Order No. 3, as amended, and General Order No. 36 of the Military Governor of the Territory of Hawaii, shall be $1.50 per blackout removal job. Such removal job shall include any and all removal of paint from headlight lenses, headlights, rear lights and lenses, and the removal of light shutters from the motor vehicle as permitted under the provisions of General Order No. 62 of the Military Governor of the Territory of Hawaii.

SEC. 32. *Table XIX: Maximum prices for "Kills 'Em Roach Spray".* (a) The maximum prices for sales of "Kills 'Em Roach Spray" in the Territory of Hawaii shall be:

	Maximum price at wholesale per case	Maximum price at retail
11 ounce bottles, 24 to a case	$4.68	*Each* $0.235
11½ ounce bottles, 24 to a case	4.80	.24
12 ounce bottles, 24 to a case	4.90	.25
Pints, 24 to a case	6.60	.30
Quarts, 12 to a case	5.70	.58
Half-gallons, 6 to a case	5.30	1.05
Gallons, 4 to a case	6.00	1.75

(b) The maximum prices for sales at wholesale on all Islands other than Oahu shall be the maximum prices at wholesale set forth in paragraph (a) above, plus transportation costs from Oahu actually incurred by the buyer. "Transportation costs" are defined to mean and shall include only freight and marine and war risk insurance charges, plus an amount equal to cartage charges in the port of discharge from dock to warehouse computed at a rate not in excess of $1.20 per ton, weight or measurement, except on the Island of Molokai, where it shall be computed at a rate not in excess of $2.65 per ton. Transportation costs must be stated separately by the wholesaler on his bill or invoice to the purchaser.

(c) The maximum prices for sales at retail on all Islands other than Oahu shall be the maximum prices at retail set forth in paragraph (a) above, plus transportation costs actually incurred by the retailer, or such transportation costs as are separately billed and stated to the retailer by the wholesaler.

SEC. 33. *Table XX: Maximum prices for cosmetics.* (a) Maximum prices for sales in the Territory of Hawaii of the following Hawaii Eiko Sha Cosmetics shall be:

	Maximum manufacturer's price per gross	Maximum wholesale price per dozen	Maximum retail price per package
Eiko hair pomade 16 oz	$50.40	$5.19	$0.59
Eiko hair pomade 8 oz	30.44	3.11	.32
Eiko hair pomade 4 oz	21.49	2.10	.25
Eiko hair pomade 2 oz	14.40	1.45	.16
Eiko brilliantine 16 oz	45.53	6.96	.78
Eiko brilliantine 8 oz	38.53	4.07	.45
Eiko brilliantine 4 oz	28.16	2.86	.33
Bouquet brilliantine 8 oz	55.43	6.00	.75
Bouquet brilliantine 4 oz	35.66	3.97	.44
Bouquet brilliantine 2 oz	21.99	2.23	.26
Eiko Powder Shampoo 4 oz	24.84	2.61	.29
Eiko Powder Shampoo 8 oz	46.80	4.93	.54
Eiko Beauty Cream 2 oz	26.16	2.75	.30
Eiko Beauty Cream 8 oz	37.20	3.92	.43
Cammen Cleansing Cream 2 oz	27.72	2.91	.32
Cammen Cleansing Cream 3 oz	39.84	4.19	.46

(b) Maximum prices for sales at retail of packaged cosmetics, which packages have been marked "Retail ceiling price $____ (MPR 393)" in accordance with the provisions of Maximum Price Regulation 393,[3] as amended, shall be the prices so marked on such packages plus an amount equal to the actual cost of transportation to the territory of Hawaii.

(c) "Cosmetic" means any product intended to be rubbed, poured, sprinkled, or sprayed upon, or introduced into or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance. "Cosmetic" does not include any product for internal or external use intended to be used for the diagnosis, cure, mitigation, or prevention of diseases of man or other animals, or any product whose label indicates it may be for such use. Soaps are not cosmetics, but as used herein, the term "cosmetic" includes shaving soaps and liquid shampoos.

(d) "Packaged" means packaged by or for a manufacturer in a package of a size and type customarily sold to an ultimate consumer.

SEC. 34. *Table XXI: Maximum price for candy.* (a) Maximum prices for sales in the Territory of Hawaii of Hester May marshmallows shall be:

	Sales at wholesale per lb.	Sales at retail per lb.
Hester May marshmallows	$0.40	$0.60

(1) Maximum prices for sales of different quantities shall be computed proportionately.

(2) In the case of sales on Islands other than Oahu, 1 cent per pound, or fraction thereof, may be added to the maximum prices set forth above both at wholesale and at retail.

SEC. 35. *Table XXII: Maximum prices for phonograph records and albums.* (a) The maximum prices for sales of phonograph records and albums in the Territory of Hawaii shall be:

[3] 8 F.R. 6268, 12478, 12661; 9 F.R. 2440, 4225, 6830; 10 F.R. 200.

Make or label	Wholesale	Retail
1. Bluebird 10"	$0.30	$0.46
2. Victor Black Label 10"	.40	.61
3. Victor Black Label 12"	.56	.85
4. Victor Red Label 10"	.56	.85
5. Victor Red Label 12"	.75	1.10
6. Decca Blue Label 10"	.28	.45
7. Decca Blue Label 12"	.40	.65
8. Decca Black or Red Label 10"	.32	.51
9. Decca Black or Red Label 12"	.47	.75
10. Decca Red Seal 10"	.49	.80
11. Okeh 10"	.25	.42
12. Vocalion 10"	.25	.42
13. Columbia Red Label 10"	.34	.55
14. Columbia Red Label 12"	.51	.85
15. Columbia Classical Blue or Green Label 10"	.51	.85
16. Columbia Classical Blue or Green Label 12"	.69	1.15
17. Columbia Blue Label (Adda-part) 10"	.69	1.15
18. Columbia Blue Label (Adda-part) 12"	1.02	1.65
19. Columbia YB Black Label 10"	.51	.85
20. Columbia M E Gold Label 12"	.69	1.10
21. Hit records 10"	.36	.60
22. Hawaiian transcription 10"	.50	.85
23. Silvertone 10"		.45
24. Silvertone 12"		.65
25. Conqueror 10"		.45
26. Capitol 10"		.75
27. Elite 10"	.21	.40
28. Immortal 10" Black Label	.25	.50
29. Excelsior 10" Red Label		.30
30. Philharmonic transcription 12" Classic. Albums included with record sets	.30	.50
31. Music Appreciation Records, 12" Standard Records	.48	.75
32. 12" Standard Opera Records	.55	.85
33. 12" DeLuxe Records	.75	1.15
34. 12" DeLuxe Opera Records	.60	.95
35. 10" Symphonic Records	.32	.50
36. 10" Classical Records	.25	.39
37. Columbia Records, Sets J-1-2-3-4-5-6-7-8-9-10 3-10" Records	1.60	2.50
38. Sets J-3-4-5-11-12-13-14-18-20-2-10" Records	1.62	1.87
39. Sets J-8-15-16-21 6-10" Records	2.38	3.75
40. Sets J-6-17-22 3-10" Records	1.35	2.14
41. Sets J-19-23 2-10" Records	.60	1.05
42. Party Records, Albums numbered 5, 6, 8, 9, 10, 11 (including albums)	1.57	2.25
43. Album No. 7 (including album)	3.67	5.25

NOTE: Prices for J-Record Sets include albums.

(b) *Allowance for record scrap.* If the seller of new records requires the buyer to furnish record scrap in order to purchase new records he shall make an allowance to the purchaser for such record scrap at the following rates (where an amount to be allowed or paid includes a fraction of a cent, such amount shall be adjusted to the next higher cent):

(1) In the case of a sale by a retail seller not less than:

(i) 2¢ for each 10" solid stock scrap record;

(ii) 3¢ for each 12" solid stock scrap record;

(iii) 1¢ for each 10" laminated scrap record;

(iv) 1½¢ for each 12" laminated scrap record;

(v) 4¢ per pound for broken record scrap in bulk.

(2) In the case of sales by wholesalers or distributors not more than:

(i) 2½¢ for each 10" scrap record;

(ii) 4¢ for each 12" scrap record;

(iii) 6¢ per pound for record scrap in bulk.

(c) *Maximum charge for securing scrap for buyer.* If the seller of new records, either at wholesale or at retail, requires the buyer to furnish record scrap in order to purchase new records, and the buyer is unable to furnish such record scrap, the seller may make a charge of not more than three cents for each new record sold, for securing for such buyer the required record scrap. In such case, no allowance for record scrap need be made by the seller to the buyer.

(d) *Evasion.* (1) The price limitations set forth herein shall not be evaded directly or indirectly.

(2) Specifically, but not exclusively, the sale of a new record to a buyer, in connection with the sale of another new record or records to the buyer, for use by the buyer in furnishing record scrap to the seller in connection with the sale of such other records, is prohibited.

(3) The seller of a new record or records may not require the buyer thereof to furnish scrap as a condition of sale except to the extent that the seller was required by his supplier to furnish scrap or to promise to furnish scrap in connection with the purchase of such record or records by the seller from his supplier.

SEC. 36. *Table XXIII: Maximum prices for sanitary napkins.* (a) Maximum Price Regulation No. 140,[5] except as provided elsewhere herein, governs sales of sanitary napkins in the Territory of Hawaii.

(b) The maximum prices for sales of sanitary napkins in the Territory of Hawaii shall be:

	Maximum wholesale price	Maximum retail price
1 case lot 54s or 56s	$6.41 per case	$1.03 per box of 54 or 56.
4 case lots 54s or 56s	6.21 per case	
20 case lots 54s or 56s	6.06 per case	
1 case lot 12s	9.33 per case	$0.25 per box of 12.
4 case lots 12s	9.04 per case	
20 case lots 12s	8.85 per case	

SEC. 37. *Table XXIV: Maximum prices for new radio receivers, phonographs, record changers and players.*—(a) *Definitions.* When used in this section the term:

(1) "Radio receiver" means any of the following, alone or in combination with a record playing device: home receiving sets, portable receiving sets, and automobile receiving sets.

(2) "Phonograph" means any device for the playing of records by the use of electrical amplification.

(3) "Record changers or players" means any device for the playing of records intended to be used in conjunction with a radio receiver or a phonograph.

(4) "Dealer" means any person engaged in the business of selling new radio receivers or phonographs or record changers or players to persons purchasing for use rather than resale.

(5) "Consumer" means a person who purchases for use rather than resale.

(6) "Model" means any radio receiver or phonograph or record player or changer sold as a distinct item.

(b) Maximum prices for sales of the following makes and models of new radio receivers, phonographs, record changers and players in the Island of Oahu only shall be:

Model	*Ceiling price*
Philco:	
42-1015	$406.50
RP1	25.75
PT95	27.50
1008	194.95
RP2	34.95
PT96	24.95
322T	39.50
327T	46.95
340T	49.50
350T	76.50
355T	85.00
380X	106.95
H361	82.50
801GS	104.50
41-300X	149.50
42-345T	57.95
42-724	61.50
41-256	64.50
A361	82.50
A80ICS	95.00
HR75	79.50
AR-40	42.50
AR-10	29.95
42-395	129.95
42-730	91.95
42-760	128.75
Harris: 201	24.50
Gibb Portable: 7006	36 50
Admiral:	
422D5	24.00
4204-B6	33.95
4203-B6	38.50
4207-A10	189.95
4214-L5	78.50
4221-N6	98.50
79P6	43.95
78P6	41.95
77P5	36.50
4215-C7	124.95
105 Record Changer	38.95
4217-P6	47.95
4207 B12	226.00
4218 C7	158.95
16 B5	29.15
Emerson:	
426	32.95
301 Wal	20.95
301 Ivory	23.00
450	51.95
423	51.95
424	42.95
428	47.50
454	24.50
336	22.50
421	26.50
441	28.50
425	26.50
427	38.50
434	37.00
EF-353	69.95
Crosley:	
53TP	51.95
83CP	123.45
83CQ	202.50
03CP	194.50
63TA	58.50
62PA	44.95
52PB	41.95
03CR	256.95
Detrola:	
433	110.50
3893	43.95
D419	85.50
448	79.95
EP2124	35.95
3782	38.95
Music Master:	
640	76.95
TK509	54.95
Knight:	
D165	54.95
LCU-154	102.95
D-125	74.50
D-162	44.95
D-367	46.95
Packard Bell:	
88 PA	$81.95
51 B P R	207.50
67 B P R	175.50
88 PA Deluxe Bleach	131.00
5 EP	52.50
67 BA	130.50
Traveler:	
515	36.95
T3726	54.95
503	36.50
640	64.95
512	36.95
TK510	52.95
507	30.50
221	39.95
T530	33.95
Capehart:	
111 M2	741.95
112 M2	795.00
Panamuse Capehart:	
15M4	197.50
16M4	208.50
14M3	234.95
17M3	277.95
19M3	299.00
21M2	309.95
22M2	341.95
Zenith:	
7G-605ML	93.00
105-690	242.00
22=698	708.00
12=650	175.50
12=670	175.50
7S685	186.50
6G-601M	49.50
6G-601L	60.50
6S-646	82.50
7S-633	65.95
10S-669	136.50
5R-680	56.95
6R683	64.95
7S681	154.50
14H-697	475.00
4K600	28.50
5R641	35.95
5S619	49.50
5R1618	29.95
5S1680	87.50
6D614	31.95
6D619	47.50
6S624	67.50
6S1624	77.50
6S633	79.50
6G638	80.50
6S1692	222.95
7J645	112.95
7D624	65.50
7D643	74.95
8W645	119.50
8W662	143.00
6R684	76.95
General Electric:	
LB703	46.95
LB701	42.95
LB641	31.95
LB642	31.95
LB702	46.95
LB700	42.95
LB530	59.50
LB612	31.95
L500	15.95
LF115	181.50
LF116	202.75
LFC118	245.50
LFC1228	346.95
L678	47.95
LB603	31 95
LC619	159.95
LC638	47.95
LC658	79.95
LC758	202.75
X108	74.95
X156	59.50
LC648	127.95
L640	53.50
M40	445.00
M-30-C	274.50
M-30-M	245.50

[5] 7 F.R. 3410, 5563, 7178, 8996, 8948; 8 F.R. 7108, 13247; 9 F.R. 8254.

Model	Ceiling price
RCA-Victor:	
O2 Phono	$20.50
QU55	289.00
QU5	235.00
QU51	269.00
Q33	99.50
Q16	63.00
Q14	52.00
Q11A	45.00
QU8	1,485.00
QU56	95.00
QB1	70.00
QB5	35.00
QB6	59.00
Q15	55.00
25PB	38.50
26B3	51.00
V105	56.00
Duette	55.00
12X	21.00
16X2	27.50
28X5	63.00
V-225	485.00
Stewart Warner: 206GA	49.95
Majestic: 6P1	46.95
Swing Master:	
Radio Wired R/C	46.50
Electric Mhg. Auto R/C	73.50
Electric Blond Auto R/C	75.95
Music King: IRW	22.95
Pal Standard: Portable	29.50
Pal De Luxe	35.95
Isis: Wireless record player	31.00
Silvertone (Sears):	
7036A	33.50
7058	65.50
2411	29.95
7063A record player	44.50
5818 portable phone	32.50
Olympic: 550	65.95
501	60.50
P51	41.95
Magnavox:	
55G	395.00
42-G Console combination	399.00
General Television: M47	37.50
Firestone:	
7403-1	23.70
7397-1	22.40
7397-5	26.55
Lafayette:	
FE225	125.78
JA 308	39.25
JA 309	41.50
22543	97.82
B112	113.92
B275	145.00
FE253	127.21
B272	174.56
B214	296.42
M212B	222.95
M212F	210.66
B280	139.44
K21880	17.69
Templetone:	
G121	47.50
G93	158.50
Symphony:	
90 Portable Phonograph	32.95
Wurlitzer:	
750-E Juke Box	795.00
750 Juke Box	725.00
Wilcox Gay:	
A-114	277.95
Motorola:	
51 x 19	25.95
61T21	43.00
61 x 17	29.50
302	35.00
352	41.00
402	45.00
452	53.50
552	64.00
61T21	43.00
61L11	46.50
81F22	169.50
61F23	130.95
Chairside	109.95
46C1	51.50
49BU	61.70
Motorola:	
39B	$61.75
52S	51.00
Airline:	
14WG-499 Comb	79.50
Fada:	
Baby Grand Table	64.50
Federal:	
118 Recorder	165.00
Franklin:	
E43	316.50
E43A with cabinet	164.00
E43A without cabinet	146.50
E43X	233.00
V76	71.50
70	165.00
E4384	433.50
E43T	185.00
General Industries:	
201 Changer	32.50
SWP200 Changer	25.95
950 AWP Record Changer	36.50
201 ARP Record Changer	42.50
Hammerlund:	
HQ-120 XG Receiver	280.00
SP-220X Receiver	550.00
Howard:	
810	253.00
892	32.50
Imperial:	
4200-S Record Player	33.95
Karadio:	
1162	73.75
1179	88.00
Kenwood:	
Converted Table Model	53.95
Midwest:	
446B with Detrola Changer	345.00
New Process:	
1201 Record Changer	41.12
1301 Record Changer	31.12
Remler:	
442C	91.00
Setchell Carlson:	
421 RD	$37.31
Sonora:	
LU170	24.90
LD161	35.50
MC190	35.80
MC176	32.90
Sparton:	
842SX	93.50
652SXD	44.95
581	28.95
Webster Record Changer:	
M61	99.50

(c) Maximum prices for sales of new radio receivers, phonographs, record changers and players in the Territory of Hawaii, but not in the Island of Oahu, shall be the maximum prices set forth in subparagraph (2) of this section, plus ocean freight and war risk insurance premiums actually incurred in any shipment from the Island of Oahu to the place where sale or offer of sale is made.

(d) Maximum prices for sales of new radio receivers, phonographs, record changers and players not set forth in paragraph (b) of this section shall be a price approved by the Office of Price Administration, Iolani Palace, Honolulu, Hawaii, which approval shall be obtained before any such new radio receiver, phonograph, record changer and player is sold or offered for sale.

SEC. 38. *Maximum prices for lauhala and lauhala products*—(a) *Lauhala purses.* (1) The maximum price for sales of shells of square, rectangular, half moon or oval, and round purses shall be:

Weave	Sizes									
	16" or 17"	14" or 15"	12" or 13"	10" or 11"	9"	8"	7"	6"	5"	4"
1/8" to 2 1/4" natural	$1.28	$1.24	$1.13	$0.99	$0.78	$0.64	$0.43	$0.30	$0.18	$0.12
1/4" to 3/8" natural	1.65	1.53	1.41	1.29	1.06	.94	.62	.40	.27	.16
5/16" natural	1.80	1.73	1.60	1.48	1.26	1.13	.81	.59	.37	.21
1 1/16" to 1/8" natural	2.75	2.62	2.49	1.77	1.55	1.42	1.10	.88	.66	.42
1/2" to 3/4" 2-tone	1.94	1.78	1.62	1.42	1.11	.92	.61	.43	.26	.16
1/4" to 3/4" 2-tone	2.35	2.19	2.02	1.84	1.52	1.34	.89	.57	.39	.22
5/16" 2-tone	2.63	2.47	2.29	2.12	1.80	1.62	1.16	.85	.53	.32
1 1/16" to 1/4" 2-tone	3.54	3.38	3.18	2.41	2.09	1.91	1.45	1.14	.82	.52
1/2" to 3/4" bleached	2.14	1.96	1.78	1.56	1.32	1.01	.67	.47	.29	.17
1/4" to 3/4" bleached	2.59	2.41	2.22	2.02	1.67	1.47	.98	.63	.43	.33
5/16" bleached	3.00	2.72	2.52	2.33	1.98	1.78	1.28	.94	.58	.36
1 1/16" to 1/8" bleached	3.89	3.61	3.41	2.62	2.27	2.07	1.57	1.23	.87	.56
1/2" to 3/4" 2nd grade	.99	.89	.81	.71	.56	.46	.31	.22	.13	.08
1/4" to 3/4" 2nd grade	1.20	1.10	1.01	.92	.76	.67	.45	.29	.20	.11
1/2" to 3/4" 3rd grade	1.54	1.24	1.15	1.06	.80	.81	.58	.43	.23	.11
2 1/2" and wider, natural, 2-tone or bleached	1.92	1.64	1.42							

NOTE.—The maximum price for shells made of rectangular mats shall be the sum of the maximum prices for the producers of the mats used (computed under paragraph (b) (1) of this section).

(2) *Maximum prices for sales of completed purses at wholesale.* (i) The maximum price for sales at wholesale of completed purses shall be the sum of maximum price of the shell, plus the "cost of completion" as determined below, multiplied by 1.2.

(ii) The "cost of completion" shall be the amount appearing in the following table which is appropriate to the size of the purse and the manner in which it has been completed or finished.

	Sizes									
	16" or 17"	14" or 15"	12" or 13"	10" or 11"	9"	8"	7"	6"	5"	4"
Tapa or lau, lining & zipper	$1.00	$1.00	$0.90	$0.80	$0.70	$0.60	$0.50	$0.50	$0.50	$0.50
Other linings & zipper	.90	.90	.80	.70	.60	.50	.40	.40	.40	.40
Zipper & no lining	.50	.50	.45	.40	.35	.35	.30	.30	.30	.30
Tapa or lau, lining—no zipper	.50	.50	.45	.40	.35	.25	.20	.20	.20	.20
Other linings—no zipper	.40	.40	.35	.30	.25	.15	.10	.10	.10	.10
Lauhala lining and zipper	1.25	1.25	1.15							

NOTE.—If a purse has a sterling silver zipper, the excess of cost of such zipper over an ordinary zipper may be added to the appropriate figure.

(3) *Maximum prices for sales of completed purses at retail.* The maximum price for sales at retail of completed purses shall be the maximum wholesale price multiplied by 1.5. If initials are woven into the purse at the request of the purchaser, the maximum price may be increased by ten cents for each initial thus woven into the purse.

(b) *Maximum prices for sales of lauhala table mats.*

MAXIMUM PRICES PER SQUARE INCH

	Single rectangular or square mats	Double rectangular or square mats	Oval and round mats
1/8" to 2 1/4" natural lauhala	$0.0025	$0.003	
1/4" to 3/8" natural lauhala	.003	.0045	$0.004
5/16" braided lauhala	.0035	.004	.0045
1/16" to 1/8" natural lauhala	.004	.0045	.005
1/2" to 3/4" 2-tone lauhala	.003	.0035	
1/4" to 3/4" 2-tone lauhala	.0035	.004	.0045
5/16" 2-tone lauhala	.004	.0045	.005
1/16" to 1/8" lauhala	.0045	.005	.0055
1/2" to 3/4" bleached lauhala	.003	.0035	
1/4" to 3/4" bleached lauhala	.004	.0045	.005
5/16" bleached lauhala	.0055	.005	.0055
1/16" to 1/8" bleached lauhala	.005	.0055	.006

(1) *Producer sales.* Maximum prices for sales by producers shall be determined by multiplying the prices per square inch of the appropriate weave listed above by the number of square inches in the mat to be sold. Oval and round mats shall be measured through the center to find the length and width measurements.

(2) *Wholesale sales.* The maximum price for sales at wholesale shall be the maximum producer's price multiplied by 1.2.

(3) *Retail sales.* The maximum price for sales at retail shall be the maximum wholesale price multiplied by 1.5.

(c) The maximum price for sales by producers and for sales at retail and at wholesale of lauhala coasters, cigarette cases, and slippers shall be:

	Coasters			Cigarette cases		
	Producer price	Wholesale price	Retail price	Producer price	Wholesale price	Retail price
1/8" to 3/8" natural lauhala	$0.14	$0.17	$0.26	$0.27	$0.33	$0.50
1/4" natural lauhala	.16	.19	.29	.32	.38	.58
5/16" natural lauhala	.19	.23	.34	.38	.46	.65
1/2" to 3/4" 2-tone lauhala	.17	.20	.30	.31	.37	.55
1/4" 2-tone lauhala	.19	.23	.34	.37	.44	.67
5/16" 2-tone lauhala	.22	.26	.40	.44	.53	.79
1/2" to 3/4" bleached lauhala	.20	.24	.36	.33	.40	.60
1/4" to 3/4" bleached lauhala	.22	.26	.40	.40	.48	.72
5/16" bleached lauhala	.25	.30	.45	.48	.58	.85

	Producer price	Wholesale price	Retail price
Adult's slippers—All weaves—Sizes 7" and up	$0.83	$1.00	$1.50
Children's slippers—All weaves—Sizes 6½" and smaller	.69	.83	1.25

(d) *Maximum prices for sales of lauhala shopping bags*—(1) *Producer sales.* The maximum prices for sales by producers of shopping bags shall be:

	12" length shopping bags	
	Without lids	With lids
1/8" to 3/8" natural lauhala	$1.25	$1.75
1/4" to 3/8" natural lauhala	1.50	2.00
1/2" to 3/4" 2-tone lauhala	1.50	2.00
1/4" to 3/4" 2-tone lauhala	1.75	2.25
1/2" to 3/4" bleached lauhala	1.75	2.25
1/4" to 3/4" bleached lauhala	2.00	2.50

NOTE: The producer's maximum price for shopping bags of other lengths shall be determined as follows: for every additional inch in length in excess of 12 inches, the maximum price shall be increased by 10 cents for bags without lids and increased 15 cents for bags with lids; for every inch in length less than 12 inches the maximum price shall be decreased 10 cents per inch for shopping bags without lids and 15 cents for shopping bags with lids. For purposes of this paragraph, "length" of the bag is the sum in inches of the length and width of the bag, bottom of the bag.

(2) *Wholesale sales.* The maximum price for sales at wholesale of shopping bags shall be the maximum producer price multiplied by 1.2.

(3) *Retail sales.* The maximum price for sales at retail of shopping bags shall be the maximum wholesale price multiplied by 1.5.

(e) *Maximum prices for sales of lauhala leaves.* (1) The maximum price for sales of lauhala leaves shall be as follows:

	Each
White, bleached wide long	5¢
White, bleached, wide, extra long	6¢
White, bleached wide short	4¢
Brown, bleached white wide long	4¢
Brown, bleached white wide short	3¢
Red, wide long	3¢
Red, wide short	2¢
Brown, wide long	2¢
Brown, wide short	1½¢
Molokai, natural, wide long, 1st grade	2½¢
Natural, wide long, 1st grade	1½¢
Natural, wide short, 1st grade	1¢
Natural, wide long, 2nd grade	1¢
Natural, wide short, 2nd grade	½¢
Green, wide, long, 1st grade	1½¢
Green, wide, short, 1st grade	1¢

"Long" means a leaf 30" or more in length.
"Extra long" means a leaf 42" or more in length.
"Short" means a leaf less than 30" in length.
"2nd grade" means a leaf which is spotted and very brittle.

(f) Maximum prices for sales of lauhala, cocoanut fiber or hau bark hula skirts.

(1) The maximum price for sales of the hula skirts set forth below shall be:

	Size	Maximum producer price	Maximum wholesale price	Maximum retail price
Lauhala or cocoanut fiber hula skirts	Large	$1.79	$1.67	$2.50
	Small	1.11	1.33	2.00
	Children's	.83	1.00	1.50
Natural hau bark, washed, first grade	Large	1.67	2.00	3.00
	Small	1.39	1.67	2.50
	Children's	1.11	1.33	2.00
Dyed hau bark, first grade	Large	1.85	2.22	3.33
	Small	1.59	1.91	2.87
	Children's	1.01	1.77	2.66

(2) The maximum price for second grade washed or dyed hau bark hula skirts shall be 20% less than the applicable price for first grade washed or dyed hau bark hula skirts, 35% less for third grade washed or dyed hau bark hula skirts, 50% less for fourth grade washed or dyed hau bark hula skirts, and 65% less for fifth grade washed hau bark hula skirts.

(g) *Definitions.* As used in this section the term:

(1) "Two-tone weave" means a weave using substantially equal amounts of two or more different colors of lauhala, or a natural or two tone weave in which the word "Aloha," "Hawaii," or some other similar word is woven into the product by use of different colors of lauhala.

(2) "Bleached lauhala" means any article that is woven with weaving strands three-fourths or more of which have been subjected to a bleaching process.

(3) "Tapa" means genuine tapa cloth and does not include other cloth printed or otherwise marked with a design normally used on tapa cloth.

(4) "First, second, third, fourth and fifth grades" of washed hau bark have the same meaning as is presently attributed to them by persons in the trade.

(5) "Size" means the length in inches of the base or bottom of the purse except in the case of round purses where "size" means the length in inches of the diameter of the purse.

(6) "Shell" means the completed lauhala portion of a lauhala purse from which the completed purse is made by adding thereto a lining or zipper, or both.

SEC. 39. *Maximum prices at retail for certain grocery items*—(a) *What this section covers.* This section fixes maximum prices at retail for all grocery items listed and described in paragraph (f) of this section.

(b) *Maximum prices.* There are two types of maximum prices fixed by this section.

(1) *Dollars and cents prices.* Flat, or dollars and cents maximum prices are established and listed for certain named items according to commodity classifications in Table A. In addition, provision is made in paragraph (e) for the addition in certain zones of transportation and delivery differentials to these prices.

(2) *Calculated maximum prices.* The maximum prices for all items other than

those named items which are given dollars and cents maximum prices in Table A are established according to the method set forth in Table B. As in the case of dollars and cents maximum prices, provision is made in paragraph (e) for the addition of transportation and delivery differentials to these prices in certain areas. However, if a specific dollars and cents maximum price is set forth in Table A for any item, you may not compute your maximum price for that item under Table B.

(c) *How you determine your "net cost" for calculated maximum prices.* (1) If you are a peddler, i. e., an itinerant retail merchant, and your supplier has purchased from a wholesaler in the Territory of Hawaii, your "net cost" shall be the maximum price of the primary wholesaler as established under Section 40 of this regulation.

(2) If you are a retailer (other than a peddler) located on the islands of Oahu, Molokai, Kauai, or in an area other than the island of Lanai and zones 2 and 3 on the islands of Hawaii and Maui, you shall determine your "net cost" for all grocery items as follows:

(i) *Local purchases.* "Net cost", in case the item is purchased from a supplier on the same island, means an amount equal to your supplier's selling price, less all discounts except the discount for prompt payment.

(ii) *Inter-island purchases.* "Net cost" for items bought by a retailer located on one island in the Territory of Hawaii from a supplier located on another island in the Territory of Hawaii shall consist of the sum of the amounts permitted in subdivisions (a) through (d) set forth below. If any of the elements, or any part thereof, specified in any of these subdivisions has already been included in another subdivision, it may not again be added.

(*a*) An amount equal to the manufacturer's, producer's, wholesaler's or other supplier's selling price, less all discounts and allowances except the discount for prompt payment up to 2%.

(*b*) An amount equal to cartage charges for cartage from the seller's shipping point to dock in the island from which the item is shipped calculated at a rate of $1.20 per ton, weight or measurement except in cases where the seller's selling price regularly includes delivery to the dock.

(*c*) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the retailer for shipment between the islands, and there may be included in this amount territorial tolls and tonnage tax as shown on the bill of lading. In lieu of ocean transportation costs, air transportation costs may be substituted by the retailer if he receives written permission of the District Manager of the Office of Price Administration in the island of destination.

(*d*) An amount equal to cartage charges in the port of entry, in the island on which the purchasing retailer is located, from dock to the retailer's establishment or to the ultimate purchaser's establishment, computed at a rate of $1.20 per ton, weight or measurement, *Provided*, That the merchandise is moved from the dock at the retailer's expense.

(iii) *Mainland purchases.* "Net cost", in case the item is imported and purchased directly from a supplier located on the Mainland, means an amount equal to the maximum wholesale price of primary wholesalers to retail grocery stores in the island of destination for such items determined under section 40 of this regulation.

(3) If you are a retailer (other than a peddler) located on the Island of Lanai or in zones 2 and 3 on the islands of Hawaii and Maui, you shall determine your "net costs" for all grocery items as follows:

(i) "Net cost" on the island of Lanai shall be determined in the manner set forth in subparagraph (2) above except that under subdivision (ii) (Inter-Island Purchases) no transportation costs incurred by you to place the item at the shipping terminal on the island of Lanai may be added.

(ii) "Net cost" in zones 2 and 3 on the island of Hawaii shall be determined in the manner set forth in subparagraph (2) above, except that no transportation costs to zones 2 and 3 from any point within the island of Hawaii shall be included, whether incurred by you or by your supplier.

(iii) "Net cost" in zones 2 and 3 on the island of Maui shall be determined in the manner set forth in subparagraph (2) above, except that when your supplier is located outside the zone in which you are located, your "net cost" shall be the sum you paid your supplier less all discounts except the discount for prompt payment, plus all transportation costs actually incurred to bring the commodity to your place of business, not to exceed public carrier rates.

(4) If you are a retailer operating multiple grocery outlets and you receive an item which has a "net cost" different from that of an identical item on hand, you may use as your "net cost" for that item a weighted average "net cost" of the inventory on hand. If you operate only one store, you must determine your "net cost" for each such delivery separately, and market the item on a "first in first out" basis.

(d) *Record and posting requirements.* Notwithstanding the provisions of section 11 (a) and (b) of this regulation, you must comply with the following record and posting requirements:

(1) Keep and maintain for one year after you received them all of your invoices, freight bills and other records showing the price you paid and the date you received delivery of each item covered by this section. In addition, these records should include the name and address of the person selling to you, the direct cost of the merchandise and the quantity purchased.

(2) Prepare and keep a "Price Book" and enter therein, in the case of items for which you must compute your ceiling prices under Table B (not the items for which dollars and cents prices are specified), the following information with respect to each such item.

(i) Your "net cost".

(ii) The number of retail units in the customary wholesale unit (e. g. 48 cans to a case).

(iii) Every step in the calculation, including the division factor used, and

(iv) The resulting ceiling price per retail unit. In addition, multiple outlet retail stores must enter in the "Price Book" the quantity purchased in case their ceiling price for a particular item is computed on a weighted average net cost basis.

You must show your records and your "Price Book" to any OPA representative on request.

(3) Prices which you must post. At all times you must have your current selling price for each item covered by this section clearly shown on the item or at or near the place in your store where the item is offered for sale. Of course, this posted price must never exceed your ceiling price.

You must also post in a conspicuous place your official list of "OPA Grocery Ceiling Prices" and the printed statement that "All Grocery Prices in This Store Are at or Below OPA Ceiling Prices."

In addition, if your store is located in zones 2 and 3 in the Territory of Hawaii, for which a transportation differential is permitted under paragraph (e) below, you must also post and prominently display your official OPA poster which states the right of your store to such differential.

You may obtain copies of the required OPA list, statement, or poster from your local War Price and Rationing Board or local OPA Office.

(e) *Zones and transportation differentials.* In order to allow for the varying transportation costs involved in the different localities in the Territory, the following pricing zone and transportation differentials are established:

The geographic areas located in the precincts and districts referred to in this paragraph are defined in the proclamation issued by the Government of the Territory of Hawaii on August 2, 1938, governing the election precincts and districts in the Territory of Hawaii, except where otherwise specified.

(1) *Zone 1.* Zone 1 is comprised of the following areas:

(i) *Oahu.* All of the island of Oahu except the City of Honolulu as defined by section 3001, Revised Laws of Hawaii, 1935.

(ii) *Hawaii.* All of precincts 1, 2, 3, 4, and 5, and all territory south of the line connecting the east corner to the west corner of precinct 6, in the First Representative District. All of precincts 1, 2, 3, 4, 5, 10, 11, 12, and 13, and all of precinct 9 except that section lying northwest of the line connecting the topmost point of Mount Hualalai to the southern boundary of Keauhou Bay, in the Second Representative District.

(iii) *Maui.* All of precincts 26 and 27 on the Island of Maui.

(iv) *Kauai.* All of precincts 9, 10, and 11 on the island of Kauai.

(v) *Molokai.* All of precincts 29, 30, and 33 on the island of Molokai.

Specific maximum prices for family flour, milled rice and white granulated sugar have been established in Table A for retailers whose stores are located in Zone 1.

(2) *Zone 2.* Zone 2 is comprised of the following areas:

(i) *Lanai.* All of the island of Lanai.

(ii) *Maui.* All of precincts 21, 22, 23, and 24, on the Island of Maui.

(iii) *Hawaii.* All of precincts 22, 23, 24, 25, 26, 27, 28, and 29 of the First Representative District, and all of precincts 14 and 15 of the Second Representative District, on the island of Hawaii.

Retailers whose stores are located in zone 2 may add 2% to the maximum prices listed in Table A or computed under Table B of this section. This addition must be made as a separate computation at the time of payment.

(3) *Zone 3.* Zone 3 is comprised of the following areas:

(i) *Molokai.* All of the island of Molokai.

(ii) *Maui.* All of precinct 25 on the Island of Maui.

(iii) *Hawaii.* All of precincts 1 through 13, inclusive, of the Second Representative District on the Island of Hawaii.

Retailers whose stores are located in zone 3 may add 3% to the maximum prices listed in Table A or computed under Table B of this section. This addition must be made as a separate computation at the time of payment.

(f) *Definitions.* All grocery items covered by this section are divided into commodity classification numbers which are defined as follows:

When any grocery item covered by this section is composed of commodities defined under two or more of the following commodity classifications contained in this paragraph (f), such item shall be classified under that commodity classification in which the largest single ingredient (measured by weight) is defined.

(1) "Baby foods" mean all foods prepared in containers of glass, tin, or other material, especially designed for the nourishment of infants and juniors, such as strained or diced vegetables, and baby cereals such as Pablum, Pabena, and Cerevim. Excluded from this classification are SMA products, Mead Johnson products other than Pablum and Pabena, Nestle's and Mellin's Baby Foods, Lactogen, Beta-Lactose, and other proprietary baby foods customarily listed by drug wholesalers, and normally purchased for use under the direction of a physician. Sales of baby cereals such as Pablum, Pabena, and Cerevim by drug stores are not covered by this section.

(2) "Beans and peas, dried edible" mean all bulk or packaged threshed and dried field or garden beans, peas, and lentils, used for human consumption, except mung beans.

(3) "Beverage bases and concentrates" mean any preparations in concentrated form used for the home preparation of a non-alcoholic beverage by the addition of liquid, and for the base in the home preparation of preserves, jellies and similar items. This classification includes, but is not limited to, such preparations as Certo, Kool-Aid, Ovaltine, Hires Root Beer Extracts, Instant Coffee, and similar products. Excluded from this classification are unconcentrated coffee, malted milk tablets, or any bottled ready to drink beverage such as Ginger Ales, Colas, and Tom Collins mixes. Malted milk, chocolate and plain, shall be considered a beverage concentrate only when sold by grocery stores.

(4) "Bakers supplies" mean all supplies sold for use in the home preparation of bakery products, and shall include, but are not limited to, baking powder, baking soda, mince meats, bread crumbs, cracker crumbs, and yeast. This classification does not include flour, sugar or any other commodity included in any other classification contained in this section or specifically covered by another regulation.

(5) "Cereals" mean bulk or packaged processed cereal grains used as breakfast foods, both uncooked and ready to eat types. This classification includes, but is not limited to, hominy grits, puffed rice and puffed wheat. It does not include buckwheat flour, corn meal, pancake flour, pearled barley, and rice.

(6) "Cocoa and chocolate" include, but are not limited to, powdered, cake, and cooking chocolate. This classification does not include chocolate candy, chocolate coated candy, or liquid chocolate.

(7) "Condiments and sauces" mean any food garnishes in metal, glass or any other containers, including, but not limited to, mustard, mustard horseradish, vinegar, soy, catsup, tomato sauce, hot sauce or paste, miso sauce, chili sauce, chutney, meat sauces, tobasco sauce, worcestershire sauce, cocktail sauce, pimientos, and maraschino cherries. This classification does not include dry mustard.

(8) "Charcoal" means any bagged charred wood, imported or locally produced.

(9) "Corn starch and other edible starches" means edible starches of all kinds, such as corn starch or potato starch.

(10) "Crackers, cookies, and specified cakes" means crackers, cookies, biscuits, pralines, fruit cakes, rum cakes, plum puddings, and filbits.

(11) "Dessert powders" means all concentrates of fruits or vegetables used in the preparation of gelatinous desserts, tapioca and sago.

(12) "Dessert preparations" means all canned and packaged preparations ready to serve for dessert and all preparations used primarily in the serving or preparation of desserts, such as chocolate sauce, marshmallow cream, assorted fruits for fruit cake, glazed fruits, orange citron and lemon peel.

(13) "Flour, bakers and family". "Bakers flour" means wheat flour in bulk which is sold for use by commercial, institutional, or governmental users. "Family flour" means wheat flour which is packed and sold for ultimate use in the home.

(14) "Flour, prepared packaged" means flour and flour mixes made from buckwheat, corn, potatoes, rice, wheat, and soy bean, and includes, but is not limited to, corn meal, pancake, waffle and biscuit flours, and any other ready-to-use packaged flour, which is not set forth in any other classification contained in this section.

(15) "Flour, prepared packaged cake" means flour and flour mixes made from buckwheat, corn, potatoes, rice, wheat or any other material and designed primarily for use in the making of cakes.

(16) "Fruits and vegetables, quick-frozen". Quick-frozen fruits means all fruits, berries, fruit or berry juices, and mixtures which have been quick-frozen. Quick-frozen vegetables means all vegetables, vegetable juices, and mixtures which have been subjected to a quick-freezing process.

(17) "Fruits and berries, canned" means fruits and berries in containers of metal, glass, or any other material, and include, but are not limited to, such fruits or berries as apples, applesauce, apricots, cranberries, cherries (both dark and light), papaya, guava, and raspberries. This classification does not include fruits or berries packed in liquors or vinegars, quick-frozen fruits or berries, maraschino cherries, and cranberry sauce.

(18) "Fruits, dried" mean fruits or parts thereof from which the major portion of moisture has been removed by natural or artificial drying, and include, but are not limited to, apples, apricots, currants, dates, figs, grapes (raisins), nectarines, peaches, pears, and prunes.

(19) "Juices, canned" mean berry juices, citrus fruit juices, fruit juices and nectar, and vegetable juices packed in containers of metal, glass, or any other material. This classification does not include quick-frozen juices.

(20) "Mayonnaise, salad dressings, and sandwich spreads" means all prepared dressings for salads, relish, spreads, sandwich spreads with a mayonnaise or cheese base, and welsh rarebit. This classification does not include cooking and salad oils, or cheeses in other than spread form.

(21) "Chicken, turkey, and other poultry preparations" means preparations of chicken and turkey, geese, pheasant or other poultry or game packed in metal, glass, or any other material, and includes mixtures of poultry with noodles or other ingredients, goose liver mixes, and any other preparations made from poultry.

(22) "Meats, canned" means canned meats and meats in combination with other foods (in containers of tin, glass, or any other material) such as luncheon meats, meat spreads, sausages, hamburger, loaf goods, brains, tongues, bacon, corned beef, spaghetti and meat balls, stew (if in chief part meat), chili con carne, tamales, raviolas, tortillas, and similar items, when sold uncut by the retailer, whether in shelf sizes or not, and whether or not customarily stored under refrigeration. This classification does not include meats opened by the retailer and then sold in less than the customary retail unit.

(23) "Milk products" indicates derivative milk products from cows, goats, or other animal milk, and includes, but is not limited to, evaporated milk, powdered milk (other than skim), condensed milk, homogenized cream. This classification does not include butter, cheese, powdered skim milk, fresh milk, or malted milk.

(24) "Nuts". "Packaged nuts" means all nuts packed in glass, tin, or cartons, shelled or unshelled, roasted or unprocessed, and includes but is not limited to, almonds, macadamia nuts, and peanuts whether locally grown or imported. "Bulk nuts" means nuts which are not customarily sold by the retailer in the original package. This classification does not include any packaged nuts sold at retail for 10¢ or less per minimum retail unit.

(25) "Olives" means all kinds of olives, whether green, ripe, stuffed, oiled, brined, and includes olives packed in vinegar and mustard.

(26) "Paper products" means specifically toilet tissue, paper towels, paper napkins, picnic supplies, and wax paper. Picnic supplies include only paper eating implements, drinking straws, paper table cloths, plates, and cups.

(27) "Paste products" means all canned, packaged and bulk macaroni, shells, noodles, spaghettis, vermicelli, and long rice, whether cooked or uncooked. This classification does not include cooked paste products containing meat or poultry.

(28) "Pet foods and supplies" means all kinds of pet foods, packaged, bulk, canned or dry and such pet supplies as catnip, cuttlebone and gravel. This classification does not include pet foods and supplies sold in pet stores.

(29) "Pickles and certain fruits and vegetables" means all kinds of pickles, whole, diced, or sliced, including pickles packed in vinegar, brine or mustard, and fruits or vegetables packed in vinegar or liquors, such as spiced tomatoes, but does not include other fruits and vegetables packed in brine or heavy syrup, either spiced or unspiced.

(30) "Popcorn, potato chips, and shoestring potatoes". "Popcorn" means corn intended for the purpose of making popcorn and corn already popped, packed in cartons, bags, or any other containers. "Potato chips and shoestring potatoes" means thinly sliced, fried, ready to eat potatoes packed in cartons, bags, or any other containers. This classification does not include popcorn sold in other than retail grocery stores.

(31) "Preserves, jams, jellies, and peanut butters" means all preserves, jams, jellies and marmalades including preserves of fruit, berries, or vegetables, and all kinds of spreads of ground peanuts irrespective of the size of the granules or pieces of peanuts contained therein and peanut butter chunk, and cranberry sauce.

(32) "Rice" means all grades of white and brown milled rice sold in all types of containers.

(33) "Salt" includes all table and cooking salt, and salt for home use such as the making of ice cream.

(34) "Seafood, canned" means all processed fish and sea food packed in metal, glass or any other container and includes, but is not limited to, abalone, crab meat, shrimp, codfish, clams, prawns, canned clam juice, and clam broth. This classification does not include seaweed, clam and fish chowder, or fresh, dried, salted, smoked, shredded or frozen fish.

(35) "Soap, laundry" means all bar and packaged soap for home use other than toilet soap. This classification includes laundry soap in bars, cakes, chips, powder, plain, granulated, or liquid form.

(36) "Soap, toilet" means bar and packaged toilet soaps in bar, cake, chip, powder, plain, granulated, or liquid form used primarily for the purpose of personal cleanliness. This classification does not include toilet soaps, which, when priced in accordance with the provisions of this section, results in a maximum price at retail in excess of 10¢ per minimum retail unit, unless a dollar and cent price for such soap is specifically listed in Table A of this section. Wherever a soap is in general use, both for household and personal use, it may be priced as a toilet soap.

(37) "Soups, canned" means any soups, chowder, or broths in containers of metal, glass, or any other material and includes condensed soups, clam or fish chowders and broths. This classification does not include clam juices or broth.

(38) "Soups, dehydrated" means any commodity intended for the making of soup by the addition of liquid and shall include, but is not limited to, noodle soup mixes, pearl barley, and other grains used in the making of soup.

(39) "Spices and extracts" means all kinds of spices and extracts, including, but not limited to sodium glutenate, food seasoning, grated cheese, cinnamon, pepper, bouillon cubes, coloring matter, and dry mustard.

(40) "Cleansers and certain home supplies" includes bleaches, abrasive powders for scouring, laundry starch, bluing and other home laundry supplies, paro wax, canning rubbers, and other home preserving supplies. This classification does not include poisonous home supplies the merchandising of which requires a license, and brass, metal, and silver polish, upholstery, floor, rug, wall, and dry cleaners or certo.

(41) "Sugar" means all sugar or specialty sugar, sold in packages, carton, or bulk, imported from the mainland or manufactured in the Territory of Hawaii.

(42) "Syrups, molasses, and honey" means all edible molasses, sorghum, cane, maple and corn syrups and blends thereof, and all locally produced and imported comb and extracted honey and combinations of extracted and comb honey.

(43) "Tea" means all kinds of tea, green and black, packaged and in bulk.

(44) "Vegetables, canned" means vegetables packed in containers of metal, glass, or any other material and includes but is not limited to, beans, carrots, corn, okra, mushrooms, seaweed, poi, wild rice, rhubarb, sauerkraut, stew, if in chief part vegetables, and all vegetables packed in brine or heavy syrup, either spiced or unspiced.

(45) "Vegetables, dehydrated" means vegetables or vegetable mixtures which are prepared for consumption by the addition of liquid to restore the product to its original condition.

(46) "Wooden products" means products of wood locally made or imported, and limited specifically to the following: housebrooms with brushes of straw and their constituent parts, matches (including book matches), clothes pins and tooth picks.

(47) "Coffee" means roasted coffee either whole or ground; decaffeinated coffee; chicory; coffee compounds consisting of a blend of coffee and any other product; cereals, beans, peas, and other products and concentrates thereof designated as or intended for use as coffee substitutes or coffee extenders. This classification includes all imported and locally produced coffee but does not include coffee concentrates such as Instant Coffee.

(48) "Oils, cooking and salad" means all vegetable, fruit and leaf plant oils, whether pure or mixed. This classification includes, but is not limited to, olive, peanut, cottonseed and corn oils. It does not include prepared dressings, nor does it include mineral and olive oil sold by drug stores or department stores.

(49) "Oleomargarine" means any packaged colorless spread for bread, the merchandising of which requires a Federal license.

(50) "Shortening and lard" means any vegetable or animal fats used for cooking, sold in bulk or in packaged shelf sizes.

(51) "Sea food, dried and shredded" means sea food such as codfish and shrimp imported in a dried condition, and sold either shredded or unshredded.

(52) "Candy, imported" means any imported confectionery, the maximum price of which, if priced in accordance with the provisions of this section, would be 11¢ or over per minimum retail unit.

(53) "Miscellaneous grocery items" means any food items sold in retail grocery stores which are not specifically set forth in any other commodity classification contained in this paragraph and which are not covered by any other section of this regulation, or the General Maximum Price Regulation for the Territory of Hawaii.

TABLE A—DOLLARS AND CENTS MAXIMUM PRICES FOR CERTAIN GROCERY ITEMS IN THE TERRITORY OF HAWAII

(a) This Table A applies to all retailers of grocery items covered by this section located in the Territory of Hawaii. If the item being priced is not listed in this Table A then the retailer shall compute his maximum prices in accordance with the provisions set forth in Table B of this section.

(b) "Commodity classification number", as used in this table, means the number assigned to the particular subdivision contained in paragraph (f) of this section in which the grocery items listed are classified and defined.

(c) The following maximum prices are established for sales by retailers in the Territory of Hawaii. To these prices may be added the transportation differentials of 2% in Zone 2 and 3% in Zone 3 set forth in paragraph (e) of this section.

NOTE: Unless otherwise specified in the following table, the prices listed shall apply throughout the Territory of Hawaii.

Commodity classification No.	Grocery item	Maximum price per unit	
1	Baby foods:		
	Cerevim, 16 oz. pkg.	$0.39	
	Cerevim, 8 oz. pkg.	.23	
	Heinz Baby Food, strained:		
	Asparagus, 4½ oz. can	.09	
	Beef and liver soup, 4½ oz. can	.09	
	Beef broth with barley, 4½ oz. can	.09	
	Green beans, 4½ oz. can	.09	
	Beets, 4½ oz. can	.09	
	Carrots, 4½ oz. can	.09	
	Custard pudding, 4½ oz. can	.09	
	Peas, 4½ oz. can	.09	
	Prunes, 5 oz. can	.09	
	Spinach, 4½ oz. can	.09	
	Vegetable soup, 4½ oz. can	.09	
	Tomato soup, 4½ oz. can	.09	
	Pears and pineapple, 4½ oz. can (2 for 10¢)	.10	
	Applesauce and apricot, 4½ oz. can (2 for 10¢)	.10	
	Applesauce, 4½ oz. can	.10	
	Heinz junior foods, 6½ oz. can:		
	Lamb and liver	.11	
	Chicken Farina vegetable porridge	.11	
	Chopped green beans	.11	
	All others (2 for 21¢)	.11	
	Libby baby foods, 4½ oz. can	.08	
	Pabena, 8 oz. pkg	.22	
	Pablum, 18 oz. pkg	.44	
	Pablum, 8 oz. pkg	.22	
	Stokeley baby foods:		
	Applesauce, fruits, 4½ oz. can	.09	
	Prunes, 4½ oz. can	.07	
	Liver soup, 4½ oz. can	.07	
	Beets, 4½ oz. can	.08	
	Carrots, 4½ oz. can	.08	
	Green beans, 4½ oz. can	.08	
	Peas, 4½ oz. can	.08	
	Vegetable soup, 4½ oz. can (2 for 17¢)	.09	
2	Beans and peas, dried edible (see table B).		
3	Beverage bases and concentrates:		
	Cocomalt, 1 lb. gl.	.60	
	Cocomalt, 1 lb. tin	.50	
	Cocomalt, ½ lb. gl	.35	
	G. Washington Instant Coffee, 1¾ oz. gl	.39	
	Kool-Aid, assorted, Pkg	.05	
	Malted Milk:		
	Horlick, plain or chocolate, 1 lb. gl	.69	
	Horlick, plain or chocolate, ½ lb. gl	.38	
	Carnation, plain, 1 lb.	.48	
	Kraft, 2 lb. gl	.63	
	Kraft, 1 lb. gl	.34	
	Thompson's chocolate, 16 oz. gl	.43	
	Wom, 1 lb. gl	.39	
	Ovaltine, plain, 14 oz	.82	
	Ovaltine, plain, 6 oz	.43	
	Ovaltine, chocolate, 16 oz	.82	
	Ovaltine, chocolate, 8 oz	.43	
	Postum, Instant, 8 oz	.57	
	Postum, Instant, 4 oz	.33	
4	Bakers' supplies:		
	Arm and Hammer baking soda, 1 lb.	.11	
	Arm and Hammer baking soda, ½ lb.	.06	
	Calumet baking powder, 1 lb.	.22	
	K. C. baking powder, 25 oz.	.25	
	K. C. baking powder, 10 oz.	.10	
	K. C. baking powder, 8 oz. gl.	.09	
	Royal baking powder, 12 oz.	.55	
	Royal baking powder, 6 oz.	.28	
	Fleischmann's yeast, ¾ oz. cake	.05	
5	Cereals:		
	(i) Prepared, ready to eat breakfast cereals:		
	All bran, Kellogg, 16 oz	.20	
	All bran, Kellogg, 10 oz	.16	
	Bran Flakes, Kellogg, 8 oz	.14	
	Cheerioats, Gold Medal, 7 oz	.16	
	Corn Flakes, Albers, 6 oz	.09	
	Corn Flakes, Kellogg, 6 oz	.10	
	Grapenuts, Post, 12 oz	.18	
	Grapenut Flakes, Post, 12 oz	.20	
	Grapenut Flakes, Post, 7 oz	.14	
	Kix, Gold Medal, 7 oz	.16	
	Krumbles, Kellogg, 9 oz	.15	
	Pep, Kellogg, 8 oz	.17	
	Puffed Rice, Sparkies, Quaker, 4½ oz	.17	
	Puffed Wheat, Sparkies, Quaker, 4 oz	.15	
	Rice Krispies, Kellogg, 5½ oz	.16	
	Shredded Wheat, NBC, 12 oz	.15	
	Toasties, Post, 11 oz	.15	
	Toasties, Post, 6 oz	.09	
	Wheaties, Gold Medal, 8 oz	.15	
	(ii) Cooking cereals:		
	Carnation Quick Wheat, 40 oz	.37	
	Carnation Quick Wheat, 16 oz	.17	
	Carnival Oats, with premium, 48 oz	.49	
	China Oats, Mother's with premium, 48 oz	.52	
	Cream of Wheat, all types, 28 oz	.31	
	Cream of Wheat, all types, 14 oz	.18	
	Grapenut Wheat Meal, Post, 16 oz	.18	
	Pearls of Wheat, Farina, Albers, 28 oz	.27	
	Pearls of Wheat, Farina, Albers, 14 oz	.12	
	Quaker Oats, all types, 48 oz	.44	
	Quaker Oats, all types, 20 oz	.21	
	Rolled Oats, Alber's Quick, 48 oz	.42	
	Rolled Oats, Alber's Quick, 20 oz	.20	
	Rolled Oats, Alber's Oldfashioned, 48 oz	.42	
	Rolled Oats, Alber's Oldfashioned, 20 oz	.20	
5	Cereals:—Continued.		
	(ii) Cooking cereals—Continued.		
	Wheat Hearts, Sperry, 28 oz	$0.28	
	Wheat Hearts, Sperry, 14 oz	.16	
	Wheat Flakes, Albers Carnation, 40 oz	.33	
	Wheat Flakes, Albers Carnation, 10 oz	.17	
6	Cocoa and chocolate:		
	Baker's Breakfast Cocoa, ½ lb.	.13	
	Baker's Premium unswt. chocolate, ½ lb.	.20	
	Ghirardelli ground chocolate, 1 lb.	.34	
	Hershey Cocoa, ½ lb.	.13	
7	Condiments and sauces:		
	(i) Mustard, vinegar, soy, catsup, tomato sauce or paste and miso.:		
	Catsup:		
	Del Monte, 14 oz	.20	
	Exquisite, 14 oz	.21	
	Heinz Ketchup, 14 oz	.25	
	Helmet Ketchup, 14 oz	.18	
	S & W, 14 oz	.24	
	Santa Cruz, 14 oz	.17	
	Sea Rock, 14 oz	.16	
	Stokeley, 14 oz	.21	
	Yolo, 14 oz	.18	
	Mustard:		
	French's, 9 oz	.11	
	Gulden's, 8½ oz	.15	
	Heinz yellow or brown, 6 oz	.11	
	Libby, 9 oz	.12	
			Hawaii, Maui, Kauai
	Soya Sauce:		
	CHB, 1 pt.	.27	
	Diamond, 1 gal.	2.63	$2.72
	Fuji, 1 gal.	2.47	2.56
	Fukushima, 1 gal.	2.38	2.47
	Kikkoki, 1 gal	2.06	2.15
	King, 1 gal	1.78	1.87
	King, 22 oz	.38	.40
	King, 11 oz	.27	.28
	Tomato Sauce:		
	All brands (not hot sauce) 7¾–8 oz	.07	
	Vinegar:		
	CHB, cider, qt	.21	
	CHB, white, qt	.18	
	CHB, cider, pt	.12	
	CHB, white, pt	.11	
	Heinz, cider, qt	.25	
	Heinz, white, qt	.24	
	Heinz, cider, pt	.13	
	Heinz, white, pt	.13	
	Lady's Choice, qt	.20	
	Lady's Choice, white, distilled, pt	.13	
	Silver Thistle, gal	.85	
	Silver Thistle, qt	.26	
	Silver Thistle, pt	.15	
	(ii) Other condiments and sauces:		
	A-1 Sauce, 6 oz	.37	
	Bouquet, Kitchen, 4 oz	.49	
	Durkee Famous Dressing Meat Sauce, 10 oz	.36	
	Heinz Beefsteak Sauce, 8 oz	.31	
	Heinz India Relish, 7½ oz	.22	
	Heinz Worcestershire Sauce, 6 oz	.30	
	Heinz Horseradish, 2½ oz. gl	.23	
	Lea & Perrins Worcestershire Sauce, 10 oz	.73	
	Lea & Perrins Worcestershire Sauce, 5 oz	.40	
	McIlhenny's Tobasco Sauce, 2 oz	.42	
	Snider Oyster Cocktail Sauce, 14 oz	.34	
	Snider Oyster Cocktail Sauce, 8 oz	.25	
	Trappey's Tobasco Peppers, red or green, 3 oz	.11	
	Trappey's Torrido Peppers, 12 oz. gl	.19	
8	Charcoal (See Table B).		
9	Corn starch and other edible starches:		
	Kingsford, 1 lb.	.11	
	Staleys, 1 lb.	.10	
10	Crackers, cookies and specified cakes:		
	Cookies, Loves and Diamond, var. types, #15 cel. pkg.	.15	.16
	Cookies, Loves and Diamond, var. types, #20 cel. pkg.	.20	.21
	Cookies, Loves and Diamond, var. types, #25 cel. pkg.	.25	.27
	Crackers, Home Run, Diamond and Loves:		
	Oyster, Soda, Salty Wafers, Cream and Saloon Pilots, 5 lbs.	1.06	1.09
	4 lbs.	.80	.86
	2 lbs.	.40	.45
	16 oz.	.20	.23
	12 oz.	.16	.18
	8½ oz.	.11	.12
	Animal, 11 oz.	.25	.27
	Animal, 6 oz.	.15	.16
	Cream, Jersey and Royal, 5 lbs.	1.12	1.21
	Cream, Jersey and Royal, 2½ lbs.	.56	.60
	Graham, 6 lbs.	1.35	1.45
	Graham, 5 lbs.	1.12	1.21
	Graham, 3½ lbs.	.74	.79
	Graham, 1 lb.	.23	.25
	Graham, 12 oz.	.19	.20
	Graham, 7½ oz.	.10	.11
11	Dessert powders:		
	Jello, all flavors, 3 oz	.08	
	Royal, all flavors, 3½ oz	.08	
	Knox Gelatine, carton of 4 env.	.23	
12	Dessert preparations:		
	Hershey Chocolate Syrup, 16 oz. tin	.12	

Commodity classification No.	Grocery item	Maximum price per unit				
		Zone 1 on Islands of Oahu, Hawaii, Maui, and Kauai	All other areas on Islands of Oahu, Hawaii, Maui, and Kauai	Zone 1 on Island of Molokai	All other areas on Island of Molokai	Lanai
13	Flour, bakers and family:					
	Flour, family, 4.9 or 5 lbs	$0.33	$0.32	$0.32	$0.31	$0.31
	49 or 50 lbs	2.80	2.70	2.72	2.62	2.65

Commodity classification No.	Grocery item	Maximum price per unit	
14	Flour, prepared packaged:		
	Bisquick, Gold Medal, 40 oz	$0.40	
	Bisquick, Gold Medal, 20 oz	.22	
	Biskit Mix, Fisher's, 40 oz	.40	
	Buckwheat flour, Aunt Jemima, 20 oz	.22	
	Buckwheat flour, Albers, 20 oz	.19	
	Cornmeal, Albers white or yellow, 20 oz	.13	
	Cornmeal, Sperry's white or yellow, 16 oz	.12	
	Flapjack flour, Albers, 20 oz	.15	
	Hot Cake Mix, Cinch, 16 oz	.25	
	Pancake and waffle flour, Aunt Jemima, 20 oz	.17	
	Pancake and waffle flour, Sperry, 28 oz	.25	
	Pancake and waffle flour, Sperry, 14 oz	.14	
	Waffle mix, Cinch, 16 oz	.30	
15	Flour, prepared packaged cake:		
	Cinch, Golden cake flour, 17 oz	.35	
	Cinch Corn bread mix, 16 oz	.23	
	Cinch Deviled Fudge mix, 16 oz	.35	
	Duff's Gingerbread mix, 14 oz	.32	
	Duff's Hot Muffin mix, 14 oz	.32	
	Gold Medal, Softasilk, 44 oz	.34	*Kauai* $0.41
	Swansdown, 44 oz	.38	
16	Fruits and vegetables, quick frozen (see table B).		
17	Fruits and berries, canned:		
	Applesauce, Libby, No. 2 can	.20	
	Figs, Del Monte, 303 gl	.26	
	Figs, Del Monte, 2½ gl	.42	
	Figs, S & W Delphia, No. 2 cyl. can	.47	
	Fruit Cocktail, Exquisite, No. 2½ can	.36	
	Fruit Cocktail, Exquisite, No. 1 can	.20	
	Fruit Cocktail, S & W, No. 2½ can	.42	
	Fruit Cocktail, Stokeley, No. 2½ can	.36	
	Fruit Cocktail, Stokeley, No. 1 can	.20	
	Pears, V. B., No 2½ can	.32	
			Molokai $0.22
	Peaches, halves, "C", all brands, No. 2 can	.23	
	Peaches, halves, "C", all brands, No. 2½ can	.30	.29
	Peaches, sliced, "C", all brands, No. 2½ can	.30	.29
			Kauai and Hawaii $0.25
	Pineapples, Libby, Del Monte and Dole, sliced, No. 2½ can.	.24	
	Pineapples, Libby, Del Monte and Dole, sliced, No. 2 can.	.20	.21
	Pineapples, Libby, Del Monte, and Dole, crushed, No. 2 can.	.19	.20
	Pineapples, Vitagold, King of Hawaii, sliced, No. 2 can.	.19	
	Pineapples, Vitagold, King of Hawaii, crushed, No. 2 can.	.18	
	Plums, Del Monte Deluxe, No. 2½ gl	.28	
	Prunes, All Gold Prepared, No. 2½ gl	.31	
18	Fruits, dried:		*Molokai* $0.26
	Prunes 30/40, lb. (if unmarked, costing $4.68–$4.77)	.27	
	Prunes, 40/50, lb. (if unmarked, costing $4.45–$4.60)	.26	.25
	Prunes 50/60, lb. (if unmarked, costing $4.20–$4.50)	.25	.24
	Prunes 60/70, lb. (if unmarked, costing $3.98–$4.35)	.25	.24
	Raisins, 15 oz. box	.20	
19	Juices, canned:		
	Apple cider, Martinelli, ½ gal	.63	
	Apple cider, Martinelli, qt	.31	
	Apple juice:		
	Hartmann, 12 oz	.18	
	Hood, River, gal	.98	
	Hood River, 32 oz	.33	
	Hood River, 16 oz	.18	
	Miller, 6 oz	.12	
	S & W, 12 oz	.20	
	Grape Juice:		*Kauai*
	Church's, 16 oz	.24	
	S & W, qt	.46	$0.51
	S & W, pt	.25	.27
	Welch, qt	.58	.60
	Welch, pt	.31	
	Grapefruit juice:		
	Exquisite, all types, No. 2 can	.18	
	Florida Gold, unswt., 46 oz	.42	
	Florida Gold, unswt., 18 oz	.18	
	Floriland, No. 2 can	.18	
	Silver Nip, 46 oz	.43	
	Silver Nip, No. 2 can	.18	
	Stokeley, all types, No. 2 can	.18	
	Orange juice:		
	Golden Nip, unsweetened, No. 2 can	.25	
	Sunshine, No. 2 can	.25	

Commodity classification No.	Grocery item	Maximum price per unit	
19	Juices, canned:		
	Pineapple juices:		
	Del Monte, Dole, Libby, 46 oz	$0.32	*Kauai and Hawaii* $0.33
	Del Monte, Dole, Libby, No. 2 can	.13	.14
	Vitagold, King of Hawaii, 46 oz	.30	
	Vitagold, King of Hawaii, No. 2 can	.13	
	Tomato juice:		
	CHB, 12 oz	.09	
	Del Monte, No. 2 can (2 for 25c)	.13	
	Del Monte, 47 oz	.27	
	Exquisite, 46 oz	.26	
	Exquisite, No. 2 can	.12	
	Glorietta, No. 2 tall (2 for 25c)	.13	
	Libby, 47 oz	.20	
	Libby, No. 2 can (2 for 25c)	.13	
	Stokeley, 46 oz	.26	
	Stokeley, No. 2 can	.12	
	Swift's, No. 2 can (2 for 25c)	.13	
	Vegetable juice:		
	Here's Health, No. 1 can	.11	
	V-8 vegetable juice, 46 oz	.37	
	V-8 vegetable juice, No. 2 can	.19	
20	Mayonnaise, salad dressings and sandwich spreads:		
	Mayonnaise:		
	Best Foods, 1 pt	.35	
	Best Foods, 8 oz	.20	
	Durkee, 1 pt	.36	
	Durkee, 8 oz	.21	
	Kraft, 1 qt	.66	
	Kraft, 16 oz	.38	
	Kraft, 8 oz	.22	
	Salad dressings:		
	Best Foods French Dressing, 8 oz	.17	
	Durkee Salad Aid, 16 oz	.30	
	Kraft French Dressing, 8 oz	.19	
	Kraft Miracle Whip Salad Dressing, 32 oz	.52	
	Kraft Miracle Whip Salad Dressing, 16 oz	.32	
	Kraft Miracle Whip Salad Dressing, 8 oz	.19	
	Kraft Miracle Whip French Dressing, 8 oz	.19	
	Sandwich spreads:		
	Best Foods Relish Spread, 16 oz	.35	
	Best Foods Relish Spread, 8 oz	.20	
	Kraft cream spreads:		
	Old English and Roka, 5 oz	.24	
	Pimento, Olive Pimento and Relish Spread, 5 oz.	.21	
	Kraft Miracle Whip Sandwich Spread, 16 oz	.33	
	Kraft Miracle Whip Sandwich Spread, 8 oz	.19	
	Pabstette cream spreads:		
	Blue Label, Olive Pimento, 5 oz	.19	
	Blue Label, Relish Spred, 5 oz	.19	
	Blue Label, Pimento Spred, 5 oz	.19	
	Blue Label, American Spred, 5 oz	.22	
	Blue Label, American Pimento Spread, 5 oz.	.22	
	Cream Spreds, 6½ oz pkg	.22	
21	Chicken, turkey, and other poultry preparations:		
	Lynden Egg Noodles and Chicken, 16 oz. gl	.36	
	Lynden Egg Noodles and Turkey, 16 oz. gl	.36	
	Lynden Twistee Noodle Dinner, 16 oz. gl	.17	
	Lynden Ravioli Italian Style, 16 oz. gl	.23	
	Lynden Ravioli with chicken, 16 oz. gl	.23	
	Lynden Boned Chicken, 3½ oz. gl	.54	
	Lynden Sliced Chicken, 5½ oz. gl	.83	
	Lynden Minced Chicken, 4 oz. gl	.45	
	Lynden Diced Chicken, 4 oz. gl	.51	
	Lynden Boned Turkey, 8 oz. gl	1.02	
	Lynden Chunk Turkey, 16 oz. tin	1.74	
	Lynden Chunk Chicken, 5½ oz. gl	.83	
	Lynden Chicken a la King, 16 oz. gl	.49	
	R & R Boned Chicken, 4½ oz	.80	
22	Meats, canned:		
	Bacon, Hygrade, sliced, 24 oz. tin	.81	
	Chile con carne IXL, 15¼ oz. gl	.50	
	Corned Beef Hash, Libby, No. 2 can	.28	
	Chile con carne, Van Camp's, 17 oz. gl	.38	
	Chile con carne (without beans), Cudahy, 16 oz. gl	.35	
	Deviled Ham, Libby, ¼ tin	.19	
	Deviled Ham, Cudahy, ¼ tin	.19	
	Deviled Ham, Underwood, ¼ tin	.22	
	Deviled or Potted Meat, All Brands, ½ tin	.12	
	Deviled or Potted Meat, All Brands, ¼ tin (2 for 15c)	.08	
	Ham Spread, Libby, ¼ tin	.19	
	Lunch, Tongue, Star, No. 1 tin	.51	
	Lunch Tongue, Libby, No. ½ tin	.27	
	Lunch Tongue, Cudahy, No. ½ tin	.29	
	Pork Feet Cutlets, Star, 9 oz	.26	
	Pork Sausage, Eagle, 24 oz	.53	
	Pork Sausage, Hy-Grade Bulk, 24 oz. tin	.70	
	Pork Link Sausage, Hygrade, 2 lbs	1.22	
	Pork Link Sausage, Cudahy, 8 oz	.37	
	Ravioli Riviera, 16 oz. gl	.17	
	Sheep Tongue, Star No. 1 tin	.39	
	Sheep Tongue, Star No. ½ tin	.21	
	Tamales, Star, 10½ oz	.21	
	Tongue Spread, Libby, No. ¼ tin	.13	
	Veal Loaf, Libby, 7 oz	.22	
	Vienna Sausage, Libby, No. ½ tin	.14	
	Vienna Sausage, Star, No. ½ tin	.15	
	Vienna Sausage, Cudahy, No. ½ tin	.17	
	Vienna Sausage, Hy-Grade, 24 oz. tin	.60	
	Vienna Sausage, Dold, 24 oz. tin	.99	
23	Milk products:		
	Avoset Whipping Cream, ½ pt	.37	
	Avoset Light Cream, ½ pt	.27	
	Eagle Condensed Milk, 14 oz. can	.21	

Commodity classification No.	Grocery item	Maximum price per unit	
			Molokai
23	Milk products—Continued.		
	Evaporated Milk, All Brands, 48/14½ oz. can	$5.90	$5.72
	Evaporated Milk, All Brands, 2/14½ oz. can	.25	.24
	Evaporated Milk, All Brands, 1/14½ oz. can	.13	.13
	Klim Powdered Milk, 1 lb. can	.76	
24	Nuts:		
	Planters' Peanuts, 5 oz	.17	
	West Star Almonds, 4 oz. pkg	.50	
	West Star Mixed Nuts, 4 oz. pkg	.35	
25	Olives:		
	Libby Jumbo Ripe, 303 gl	.41	
26	Paper products:		
	Embassy Toilet Tissue, roll (2 for 17¢)	.08	
	Gem Toilet Tissue, roll (2 for 17¢)	.08	
	Scott Toilet Tissue, roll (2 for 25¢)	.13	
	Waldorf Toilet Tissue, roll (2 for 17¢)	.09	
	Wax Paper, Sunrise, 125 ft	.21	
	Wax Paper, Waxtex, 125 ft	.27	
	Wax Paper, Waxtex, 40 ft	.11	
			Kauai, Hawaii, Maui
	Kitchen Towels, Milady, roll	.16	$0.18
	Paper Napkins, Palm Tea, 1 Eg. of 50	.11	.12
5	Paste products:		
	Eagle Brand, Plain Noodle (Udon), 12 oz	.15	.16
	Eagle Brand, China Saimin Noodle & Hibiscus Saimin Noodle, 14 oz.	.15	.16
	Eagle Brand, Fancy Noodles (Somen), 14 oz	.15	.16
	Eagle Brand, Round Noodle (Maruba), straight cut, 10 oz.	.13	.14
	Eagle Brand, Round Noodle (Maruba), fancy curled, 8 oz. cel. pkg.	.15	.16
	Eagle Brand, Saimin & Chow Fun, 8 oz	.15	.16
	Eagle Brand, Macaroni, spaghetti, Ditalini and shells, 8 oz	.10	.11
	Fonta na Egg Noodles, 4 oz. (2 for 21¢)	.11	
	Fontafna, other paste products, 8 oz	.10	
	Gold Medal elbow, cut and salad macaroni, 1 lb. (2 for 35¢).	.18	
	Gold Medal Macaroni and spaghetti, 1 lb (2 for 35¢)	.18	
	Gold Medal Shells, 1 lb	.18	
	Gold Medal Egg Noodles, 1 lb. (2 for 59¢)	.30	
	Gold Medal Egg Noodles, 8 oz. (2 for 31¢)	.16	
	Kraft's Italian Dinner, 7½ oz	.12	
	Royal egg noodles, 6 oz	.10	
	Royal, other paste products, 8 oz	.10	
	Van Camp's Tenderoni, 6 oz	.11	
	Paste products, all brands, in bulk:		
	Semolina macaroni, spaghetti and all semolina paste products, all brands in bulk, lb.	.14	
	Flour macaroni, spaghetti and all flour paste products, all brands in bulk, lb.	.12	
8	Pet foods and supplies:		
	Dog Food		
	Friskies, Albers, 4½ lb	.59	
	Friskies, Albers, 2 lbs	.28	
	Friskies, Albers, 12 oz	.11	
	Husky Concentrated, 8 oz	.09	
	Pard Dog Food, 8 oz	.13	
	Swift's Dog Meal, 50 lb. bag	5.55	
	Swift's Dog Meal, 25 lb. bag	2.58	
	Swift's Dog Meal, 5 lb. bag	.61	
	Bird Supplies:		
	French's Bird Gravel, 1½ lb	.12	
	Robinson Blue Label Bird Seed, 12 oz	.14	
	S & W bird seed, 12 oz	.28	

Commodity classification No.	Grocery item	Maximum price per unit	
			Maui, Kauai Hawaii
29	Pickles and certain fruits and vegetables:		
	CHB Sweet Whole, 24 oz	$0.52	
	CHB Sweet Whole, 12 oz	.31	
	CHB Dill, 24 oz	.36	
	CHB Dill, 12 oz	.23	
	CHB, Sweet Mixed, 12 oz	.31	
	CHB, Sweet Mixed, 8 oz	.22	
	CHB, Preserved Ting Sweet Midgets, 12 oz	.38	
	Libby Green Spiced Tomato Slices, No. 2½ gl	.32	
30	Popcorn, potato chips, and shoestring potatoes:		
	Potato Chips, all brands, 4 oz. pkg	.20	
	Potato Chips, all brands, 3 oz. pkg	.15	
	Potato Chips, all brands, 2 oz. pkg	.10	
	Potato Chips, all brands, 1 oz. pkg	.05	
31	Preserves, jams, jellies and peanut butters:		
	Berryland assorted preserves, 2 lb	.56	
	Cranberry Sauce, Ocean Spray (dehydrated), 4 oz. pkg.	1.02	
			Kauai
	Dude Ranch Loganberry Jam, 2 lb	.59	$0.61
	Dude Ranch Boysenberry Jam, 2 lb	.57	.59
	King Kelly Orange Marmalade, 2 lb	.36	
	King Kelly Orange Marmalade, 1 lb	.21	
	Mary Ellen Grape Jam, 2 lb	.51	
	Mary Ellen Cherry Preserves, 1 lb	.43	
	Prince Finest Peach Preserves, 1 lb	.26	
	Tru-Hawaiian Guava Jelly, 20 oz	.38	
	Tru-Hawaiian Guava Jelly, 9 oz	.15	
	Tru-Hawaiian Youngberry Jelly, 9 oz	.19	
	Tru-Hawaiian Boysenberry Jelly, 9 oz	.19	
	Tru-Hawaiian Quince & Lemon Jelly, 9 oz	.16	
	Tru-Hawaiian Blackberry Jelly, 9 oz	.21	
	Valamont Raspberry Preserves, 2 lb	.70	
	Valamont Raspberry Preserves, 1 lb	.37	
	Valamont Blackberry Preserves, 2 lb	.75	
	Valamont Blackberry Preserves, 1 lb	.39	
	Valamont Pinecat Preserves, 2 lb	.57	
	Valamont Cherry Preserves, 2 lb	.70	
	Valamont Grape Preserves, 1 lb	.28	
	Valamont Peach Preserves, 1 lb	.36	
	Valamont Plum Preserves, 1 lb	.30	
	Welch's Grapelade, 2 lb	.51	
	Welch's Grapelade, 1 lb	.27	
	Wellman's Orange Marmalade, 2 lb	.46	
	Wellman's Orange Marmalade, 1 lb	.25	
	Peanut butter:		
	Armour's Star, 2 lbs	.64	
	Jane Goode, 32 oz	.69	
	Jane Goode, 24 oz	.54	
	Jane Goode, 16 oz	.36	
	Jane Goode, 8 oz	.20	
	Pickwick, 32 oz	.76	
	Pickwick, 24 oz	.61	
	Pickwick, 16 oz	.41	
	Pickwick, 8 oz	.24	
	Smile-Boy, 32 oz	.68	
	Smile-Boy, 24 oz	.54	
	Smile-Boy, 16 oz	.36	
	Smile-Boy, 8 oz	.20	
	Skippy Chunk, 16 oz	.46	
	Skippy Creamy, 16 oz	.46	

Commodity classification No.	Maximum price per unit				
32 Rice	Zone 1 on islands of Oahu, Hawaii, Maui, Kauai	All other areas on islands of Oahu, Hawaii, Maui, Kauai	Zone 1 on island of Molokai	All other areas on island of Molokai	Island of Lanai
U. S. No. 1					
100 pounds	$9.17	$8.97	$8.91	$8.71	$8.80
50 pounds	4.64	4.54	4.51	4.41	4.45
25 pounds	2.32	2.29	2.27	2.22	2.25
10 pounds	.93	.93	.91	.90	.91
1 pound	.095	.095	.095	.095	.095
U. S. No. 2					
100 pounds	9.07	8.87	8.81	8.61	8.70
50 pounds	4.59	4.49	4.46	4.36	4.40
25 pounds	2.32	2.27	2.25	2.20	2.23
10 pounds	.93	.92	.90	.89	.90
1 pound	.095	.095	.095	.095	.095
U. S. No. 3 and Brown					
100 pounds	8.97	8.77	8.71	8.51	8.60
50 pounds	4.54	4.44	4.41	4.31	4.35
25 pounds	2.29	2.24	2.22	2.18	2.20
10 pounds	.92	.91	.89	.88	.89
1 pound	.095	.095	.095	.095	.095
U. S. No. 4					
100 pounds	8.87	8.67	8.62	8.42	8.51
50 pounds	4.49	4.39	4.36	4.26	4.31
25 pounds	2.27	2.22	2.20	2.16	2.18
10 pounds	.91	.90	.88	.87	.88
1 pound	.095	.095	.095	.095	.095
U. S. No. 5					
100 pounds	8.77	8.57	8.52	8.32	8.41
50 pounds	4.44	4.34	4.31	4.21	4.26
25 pounds	2.24	2.19	2.17	2.13	2.15
10 pounds	.90	.89	.87	.86	.87
1 pound	.095	.095	.095	.095	.095

Commodity classification No.	Grocery item	Maximum price per unit
33	Salt:	
	Arden shaker, 2 lb	$0.08
	Arden shaker, 1½ lb	.05
	Diamond Crystal shaker, 26 oz	.11
	Leslie shaker, 2 lb	.09
	Morton plain and iodized shaker, 26 oz	.09
	Snowflake shaker, 2 lb	.11
	Bulk salt, lb	.02
34	Seafood, canned:	
	Crabmeat, Newport, No. 1½ tin	.52
	Crabmeat, Dungeness, regular, No. ½ tin	.56
	Crabmeat, Dungeness, legmeat, No. ½ tin	.70
	Crabmeat, Tokeland, fancy, No. ½ tin	.55
	Mackerel, Sea Ave, No. 1 tall tin	.19
	Mackerel, Filets, Sea Ave, No. 1 tall tin	.57
	Oysters, American Beauty, 7½ oz	.43
	Oysters, Biloxi, 7½ oz	.50
	Oysters, C. C., 7½ oz	.43
	Oysters, Clipper, 7 oz	.42
	Oysters, Green Wave, 7½ oz	.43
	Oysters, High Seas, 7 oz	.42
	Oysters, Marinelo, 5 oz	.33
	Oysters, Sea Coast, 7½ oz	.50
	Oysters, Treasure Bay, 7½ oz	.50
	Squid, Cresta Blanca, No. 1 tall	.18
	Squid, Prefet, No. 1 tall	.17
	Herring, Happy Landing, Kippered, No. ¼ tin	.22
	Sardines, FSCC (packed in cottonseed oil) No. ¼ tin	.07
	Sardines, FSCC (packed in tomato sauce) No. ¼ tin	.07
	Tuna, various brands, light meat, fancy, FSCC No. ½ tin	.33
	Tuna, various brands, flaked or grated, FSCC, 6 oz. tin	.27
	Tuna, various brands, flaked or grated, FSCC, 6½ oz. tin	.30
	Tuna, various brands, standard, FSCC, 7 oz. tin	.30
35	Soap, laundry:	
	Blue mottled soap, cake—6 cakes (2 for 15¢)	.08
	Blue mottled soap, cake—10 cakes	.16
	Borene, granulated, giant pkg	.50
	Borene, granulated, thrift pkg	.46
	Borene, granulated, lge. pkg	.32
	Calla Lilly granulated, 23 oz. pkg	.29
	Crystal White, reg. size pkg	.05
	Fels Naphtha, bar pkg	.06
	Ivory soap flakes, large pkg	.30
	Ivory soap flakes, small pkg	.12
	Ivory Snow, large pkg	.30
	Ivory Snow, small pkg	.12
	Lava, lge. bar	.12
	Lava, sml. bar	.08
	Lux flakes, lge. pkg	.20
	Lux flakes, small pkg	.12
	Nu Born granulated, giant pkg	.66
	Nu Born granulated, lge. pkg	.25
	OK blue soap, cake (2 for 15¢)	.08
	OK brown soap, cake	.07
	Oxydol, giant pkg	.85
	Oxydol, large pkg	.30
	Oxydol, small pkg	.12
	Poets granulated, giant pkg	.66
	Poets granulated, 33 oz. pkg	.33
	Poets granulated, 21 oz. pkg	.25
	P & G laundry soap, cake	.06
	Rinso, large pkg	.29
	Rinso, small pkg	.12
	Supersuds, giant pkg	.81
	Supersuds, large pkg	.28
	White King (W. K.) gran. giant	.63
	White King (W. K.) gran. fam., 29 oz	.39
	White King (W. K.) gran., lge., 23 oz	.30
	White King (W. K.) gran., small, 8 oz	.14
	White King (W. K.) laun. soap, cake (3 for 10¢)	.06
36	Soap, toilet:	
	Camay, reg. cake	.09
	Cashmere Bouquet, reg. cake	.10
	Cashmere Bouquet, small cake (2 for 11¢)	.06
	Ivory, lge. cake	.13
	Ivory, med. cake (3 for 25¢)	.08
	Ivory, guest cake	.06
	Lifebuoy, reg. cake (2 for 17¢)	.09
	Lifebuoy, guest or small cake	.05
	Lux, cake (3 for 25¢)	.09
	Palmolive, large or bath cake (3 for 35¢)	.12
	Palmolive, reg. cake (3 for 25¢)	.08
	Poets mechanics soap, cake	.08
	Swan soap, large cake	.13
	Swan soap, reg. cake (3 for 20¢)	.08
37	Soups, canned:	
	Campbells:	
	Chicken, 10½ oz. to 11½ oz. can	.20
	Mushroom, 10½ oz. to 11½ oz. can	.20
	Beef noodle, 10½ oz. to 11½ oz. can	.18
	Beef, 10½ oz. to 11½ oz. can	.18
	Bouillon, 10½ oz. to 11½ oz. can	.18
	Chicken gumbo, 10½ oz. to 11½ oz. can	.18
	Chicken noodle, 10½ oz. to 11½ oz. can	.18
	Consomme, 10½ oz. to 11½ oz. can	.18
	Consomme Madrilene, 10½ oz. to 11½ oz. can	.18
	Asparagus, 10½ oz. to 11½ oz. can (2 for 29¢)	.15
	Bean with bacon, 10½ oz. to 11½ oz. can (2 for 25¢)	.15
	Black bean, 10½ oz. to 11½ oz. can (2 for 29¢)	.15
	Green pea, 10½ oz. to 11½ oz. can (2 for 25¢)	.15
	Mock turtle, 10½ oz. to 11½ oz. can (2 for 25¢)	.15
	Pepper Pot, 10½ oz. to 11½ oz. can (2 for 29¢)	.15
	Scotch broth, 10½ oz. to 11½ oz. can (2 for 29¢)	.15
	Vegetable, 10½ oz. to 11½ oz. can (2 for 31¢)	.16
	Vegetarian, veg., 10½ oz. to 11½ oz. can (2 for 31¢)	.16
	Vegetable-beef, 10½ oz. to 11½ oz. can	.18
	Tomato, 10½ oz. to 11½ oz. can	.11
37	Soups—canned—Continued.	
	Heinz:	
	Chicken noodle, 11 oz. can	$0.18
	Asparagus, 11 oz. can	.18
	Bean, 11 oz. can	.18
	Gumbo creole, 11 oz. can (2 for 33¢)	.17
	Scotch broth, 11 oz. can (2 for 33¢)	.17
	Vegetable, 11 oz. can (2 for 23¢)	.12
	Vegetarian, 11 oz. can (2 for 33¢)	.17
	Green pea, 11 oz. can	.17
	Tomato, 11 oz. can	.13
	Lynden's chicken noodle soup, 10½ oz. can	.11
	Morton House turkey consomme with noodles, 10½ oz. can	.12
	Richardson & Robbins chicken broth (R&R), 12½ oz. can	.16
	Snow's clam chowder, 15 oz. can	.26
	Snow's fish chowder, 15 oz. can	.26
	Van Camp's asparagus soup, 10½ oz. can	.16
38	Soups, dehydrated:	
	Dainty noodle, 2¼ oz. pkg	.09
	Lipton, 2¼ oz. pkg. (2 for 19¢)	.10
	Rhapsody, 2¼ oz. pkg	.10
39	Spices and extracts:	
	Brer Rabbit:	
	Vanilla extract, 4 oz	.83
	Vanilla extract, 2 oz	.44
	Vanilla extract, 1 oz	.24
	Schilling's:	
	Lemon extract, 8 oz	1.51
	Lemon extract, 4 oz	.82
	Lemon extract, 2 oz	.44
	Lemon extract, 1 oz	.26
	Vanilla extract, 8 oz	1.61
	Vanilla extract, 4 oz	.82
	Vanilla extract, 2 oz	.43
	Vanilla extract, 1 oz	.24
	Pepper, black, 8 oz. tin	.73
	Pepper, black, 2 oz. gl	.10
	Pepper, black, 2 oz. tin	.07
	Pepper, cayenne, 2 oz. gl	.13
	Pepper, white, 2 oz. gl	.14
	Pepper, white, 2 oz. tin	.10
	Spices, miscellaneous:	
	Schilling's:	
	Allspice, 2 oz. gl	.15
	Celery salt, 3 oz. gl	.16
	Chili powder, 2 oz. gl	.20
	Cinnamon, 2 oz. gl	.20
	Cloves, 2 oz. gl	.15
	Curry powder, 2 oz. gl	.14
	Garlic salt, 3 oz. gl	.16
	Ginger, 2 oz. gl	.20
	Mace, 2 oz. gl	.27
	Mustard powder, 2 oz. gl	.16
	Nutmeg, 2 oz. gl	.20
	Onion salt, 3 oz. gl	.16
	Paprika, 2 oz. gl	.24
	Sage, 2½ oz. gl	.16
	Salad salt, 3 oz. gl	.16
	Tartar, cream of, 2½ oz. gl	.26
	Thyme, 2 oz. tin	.12
	Thyme, 1½ oz. gl	.15
	Grated cheese, Carmo, 1½ oz. tin	.17
	Mustard, Coleman's (dry), ¼ tin	.21
40	Cleansers and certain home supplies:	
	Babbitt's cleanser, 13 oz	.06
	Bear brand bluing, 32 oz	.30
	Bear brand bluing, 22 oz	.17
	Bear brand bluing, 16 oz	.12
	Bear brand bluing, 10 oz	.11
	Blue, Magic or Robin, square	.10
	Dark bluing, quart	.24
	Dark bluing, 12 oz	.16
	Mrs. Stewart's bluing, 16 oz	.18
	Sunnyscene liquid bluing, 1 pt	.11
	Bon Ami, cake	.12
	Bon Ami, powder, 12 oz. tin	.14
	Clorox, ½ gal	.30
	Clorox, 1 qt	.17
	Clorox, 1 pt	.10
	Crystal White cleanser, 13 oz	.05
	Lighthouse Cleanser, 13 oz	.08
	Old Dutch Cleanser, can	.11
	Pearline, 10 oz	.05
	Purex, 1 gal	.74
	Purex, ½ gal	.39
	Purex, 1 qt	.17
	Purex, 1 pt	.09
	Sapollo, cake	.11
	Locally manufactured chemical bleach, 5% or more chlorine, bulk:	
	1 gal	.43
	½ gal	.25
	1 qt	.15
	1 pt	.08
	SOS Cleanser, box of 4	.13
	Starch Gloss, Argo, 1 lb. (2 for 25¢)	.11
	Starch Gloss, Calumet, 1 lb. (2 for 21¢)	.10
	Starch Gloss, Elastic, 12 oz	.11
	Starch Gloss, Kingsford, 1 lb	.14
	Starch Gloss, Staley's, 1 lb. (2 for 21¢)	.11
	Starch Gloss, Red, bulk, 1 lb	.14
	Stryker's Cleanser, 9 oz. can	.07
	Sunbrite Cleanser, 9 oz. can	.07

Commodity classification No.	Grocery item	Pounds	Maximum price per unit: Zone 1 on Islands of Oahu and Molokai	Zone 1 on Island of Oahu and all other areas on Islands of Oahu and Molokai	Zone 1 on Island of Maui	All other areas on Island of Maui	Zone 1 on Islands of Kauai and Hawaii	All other areas on Islands of Kauai and Hawaii
41	Sugar:							
	Granulated sugar, white	100	$6.68	$6.78	$6.60	$6.69	$7.24	$7.64
	These prices for less than 100-lb. sizes apply whether bagged by producer or by retailer.	25	1.80	1.75	1.75	1.70	1.87	1.82
		10	.73	.71	.70	.69	.76	.74
		5	.37	.36	.35	.35	.38	.37
		2	.15	.15	.14	.14	.15	.15
		1	.08	.08	.07	.07	.08	.08
	C & H powdered sugar	1	.11	.11	.11	.11	.11	.11

Commodity classification No.	Grocery item	Maximum price per unit	
			Oahu
42	Syrups, molasses and honey:	$0.27	$0.34
	Comb Honey, 4½" Sq	.35	
	Ewa cane syrup, 24 oz. gl	.09	
	Brer Rabbit Molasses, gold label, 16 oz. gl	.25	
	Brer Rabbit Molasses, green label, 16 oz. gl	.21	
	Karo Syrup, blue label, 24 oz. gl	.23	
	Karo Syrup, red label, 24 oz. gl	.47	
	Log Cabin Syrup, 24 oz. gl	.35	
	Log Cabin Syrup, 16 oz. gl	.25	
	Log Cabin Syrup, 12 oz. gl	.20	
	Staley's Golden Syrup, 24 oz	.33	
43	Teas:		
	Maxwell House, ¼ lb	.26	
	Tenderleaf, ¼ lb	.27	
	Tenderleaf, 20 tea balls	.20	
	Tenderleaf, 16 tea balls	.16	
	Tenderleaf, 8 tea balls	.08	
	Schilling's ¼ lb		
44	Vegetables, canned:		
	Beans:		
	Del Monte Early Garden lima beans, No. 303 gl	.24	
	DX pork and beans, No. 2½ can	.23	
	Gibbs pork and beans, No. 2½ can	.20	
	Golden Isle, No. 2 can	.24	
	Green Pearl, No. 2 can	.20	
	H-B sliced, No. 2	.24	
	Ritter beans with pork, No. 1 can (2 for 25¢)	.13	
	Sailor Man Soy, No. 2 can	.14	
	Whatcom, No. 2 can	.18	
	FSCC Beans with Pork, No. 1 can (except Ritter Beans)	.13	
	Beets:		
	All Gold, medium whole, No. 303 gl	.19	
	All Gold, medium whole, No. 2 can	.17	
	All Gold, diced, No. 303 gl	.15	
	All Gold, sliced, No. 2 can	.17	
	Del Monte, sliced, No. 303 gl	.19	
	Del Monte, diced, No. 303 gl	.16	
	Del Monte, medium, whole, No. 2 can	.18	
	Del Monte, medium, whole, No. 303 gl	.21	
	Del Monte, midget, whole, No. 2 can	.20	
	Exquisite, diced, No. 2 can	.16	
	Exquisite, sliced, No. 2 can	.16	
	Jory, diced, No. 2 can	.14	
	Krasdale, cut, 16 oz. gl	.21	
	Stokeley, diced, No. 2 can	.16	
	Stokeley, sliced, No. 2 can	.16	
	Carrots:		
	All Gold, diced, No. 303 gl	.17	
	Del Monte, diced, No. 303 gl	.17	
	Exquisite, diced, No. 2 can	.14	
	Stokeley, diced, No. 2 can	.14	
	Corn:		
	Del Maiz, cream style, 17 oz. can	.14	
	Del Monte, tiny kernel cream style, No. 2 can (2 for 35¢)	.18	
	Del Monte, golden bantam cream style, No. 2 can (2 for 35¢)	.18	
	Del Monte, whole kernel golden, 12 oz. can (2 for 33¢)	.17	
	Exquisite, Golden bantam cream style, No. 2 can	.18	
	Grimes, Golden Bantam, cream style, No. 2 can	.17	
	Grimes, white, cream style, No. 2 can	.16	
	Knokos, white, cream style, No. 2 can	.19	
	Niblets, 12 oz. can	.16	
	Niblets Mexicorn, No. 2 can	.18	
	Nile Valley, Golden bantam cream style, No. 2 can	.21	
	Queenia, Golden bantam cream style, No. 2 can	.15	
	Rosebowl white, cream style, No. 2 can	.20	
	S & W, baby kernel, No. 2 can	.20	
	S & W, Delero bantam cream style, No. 2 can	.21	
	Stokeley, Golden bantam cream style, No. 2 can	.18	

Commodity classification No.	Grocery item	Maximum price per unit	
44	Vegetables, canned—Continued.		
	Corn—Continued.		
	Sundstrand, No. 2 can	$0.17	
	Hominy, Burbank, 29 oz. gl	.21	
	Peas:		
	Del Monte, small, No. 2 can	.18	
	Del Monte, very small, No. 2 can	.20	
	Economy, No. 2 can	.20	
	Exquisite, fancy ungraded, No. 2 can	.18	
	Fowler, No. 2 can	.13	
	Green Giant, No. 2 can	.24	
	Happydale, No. 2 can	.15	
	Lavora, No. 303 can	.15	
	Rolling Green, substandard, No. 2 can	.11	
	Sea Rock, std., No. 2 can	.15	
	Stokeley, ungraded, No. 2 can	.18	
	Sunset Valley, No. 2 can	.16	
	Sunsirand No. 3 sieve, No. 2 can	.18	
	V. B., No. 2 can	.14	
	Pumpkin, Del Monte, No. 2½ can	.17	
	Spinach, Libby, No. 2½ can	.20	
	Stew, FSCC, all brands, 20 oz. tin	.35	
	Stew, FSCC, all brands, 28 oz. tin	.52	
	Tomatoes:		
	Cal-Fine, No. 2½ can	.17	
	Exquisite, Solid Pack, No. 2½ can	.22	
	Fowler, No. 2½ can	.17	
	Great Value, No. 2½ can	.16	
	Lakewell, No. 2½ can	.17	
	Premium Standard, No. 2½ can	.17	
	Premium Standard, No. 2 can	.13	
	Rosedale, No. 2½ can	.19	
	Sea Rock, No. 2½ can	.15	
	Silverdale, No. 2½ can	.17	
	Stokeley, solid pack, No. 2½ can	.22	
	Town Talk, solid pack, No. 2½ can	.20	
	V. B., solid pack, No. 2½ can	.22	
45	Vegetables, dehydrated (see table B).		
46	Wooden products:		
	Matches, all brands, Carton of 10 boxes	.10	
	Book matches, all brands, 10 books	.18	
	Toothpicks, all brands, pkg. of 750	.05	
47	Coffee:		
	Chase and Sanborn, 2 lbs	.73	
	Chase and Sanborn, 1 lb	.38	
	Folgers, 2 lbs	.76	
	Folgers, 1 lb	.38	
	Hill Bros., 2 lbs	.81	
	Hill Bros., 1 lb	.42	*Maui, Hawaii, Kauai*
	Kona:		
	Ka Moi, 1 lb	.35	$0.36
	Mayflower, 1 lb	.36	.37
	Splendid, 1 lb	.31	.32
	Wing, 1 lb	.35	.36
	Maxwell house, 1 lb	.42	
	MJB, 2 lb	.75	
	MJB, 1 lb	.39	
	S & W, 1 lb	.36	
	Sanka, 1 lb	.47	
	Schillings, 1 lb	.41	
48	Oils, cooking and salad:		
	Challenge, qt	.58	
	Durkee Cottonseed oil, 1 gal	2.05	
	Durkee Cottonseed oil, ½ gal	1.10	*Kauai*
	Durkee Cottonseed oil, qt	.62	$0.67
	Durkee Cottonseed oil, pt	.33	
	Durkee Supreme (soy oil), gal	1.99	
	Durkee Supreme (soy oil), ½ gal	1.07	
	Durkee Supreme (soy oil), qt	.59	
	Fluffo, qt	.60	
	Fluffo, pt	.32	
	Jewel, gal	2.00	
	Jewel, ½ gal	1.07	
	Jewel, qt	.60	
	Jewel, pt	.32	
	Mazola, qt	.75	
	Mazola, pt	.39	
	Primrose, ½ gal	1.69	
	Primrose, qt	.61	
	Sayola, gal	1.88	
	Sayola, qt	.79	
	Wesson, gal	2.01	
	Wesson, ½ gal	1.10	
	Wesson, qt	.62	
	Wesson, pt	.33	
49	Oleomargarine:		
	Nucoa, 1 lb	.31	
	Troco, 1 lb	.31	
50	Shortening and lard:		
	Crisco, 3 lbs	.88	
	Crisco, 1 lb	.31	
	Snowdrift, 3 lbs	.87	
	Snowdrift, 1 lb	.30	
	Spry, 3 lbs	.88	
	Spry, 1 lb	.31	
51	Sea food, dried and shredded (see Table B).		
52	Candy, imported (see Table B).		
53	Miscellaneous grocery items (see Table B).		

TABLE B—CALCULATED MAXIMUM PRICES FOR CERTAIN GROCERY ITEMS IN THE TERRITORY OF HAWAII

(a) This Table B applies to all retailers of grocery items covered by this section located in the Territory of Hawaii. However, if a specific dollars and cents maximum price for any item is set forth in Table A of this section, the retailer may not compute his maximum price for that item under this Table B.

(b) "Commodity classification number", as used in this table, means the number assigned to the particular subdivision, contained in paragraph (f) of this section, in which the grocery items listed are classified and defined.

(c) You shall compute your maximum price, under this table, by dividing your "net cost" as defined by paragraph (c) of this section, by the appropriate division factor set forth in this table. You may add to the prices so computed the transportation differentials, of 2% in Zone 2 and 3% in Zone 3, set forth in paragraph (e) of this section.

(d) *Division factors.* (1) If you are a retailer whose store is located in the Island of Molokai or in Zone 3 of the Island of Maui, you shall use the division factors set forth in column numbered (3).

(2) If you are a retailer whose store is located in Zone 2 of the Island of Maui, you shall use the division factors set forth in column numbered (2).

(3) If you are a retailer located elsewhere in the Territory of Hawaii except the areas set forth in subparagraphs (1) and (2) above, you shall use the division factors set forth in column numbered (1).

Commodity classification No.	Grocery items	Division factor		
		Column 1	Column 2	Column 3
1	Baby foods:			
	(i) Packaged	$0.80	$0.82	$0.83
	(ii) Tinned	.82	.84	.85
7	Beans and peas, dried, edible:			
	(i) Bulk	.77	.79	.80
	(ii) Packaged	.79	.81	.82
	Beverage bases and concentrates	.75	.77	.78
4	Bakers' supplies:			
	(i) Baking soda	.82	.84	.85
	(ii) All others	.80	.82	.83
	Cereals:			
	(i) Ready-to-eat	.82	.84	.85
	(ii) Cooking	.80	.82	.83
6	Cocoa and chocolate	.80	.82	.83
7	Condiments and sauces:			
	(i) Mustard, vinegar, soy, catsup, tomato sauce or paste, and miso sauce	.80	.82	.83
	(ii) All others	.75	.77	.78
8	Charcoal	.82	.84	.85
9	Corn starch and other edible starches	.80	.82	.83
10	Crackers, cookies, and specified cakes:			
	(i) Crackers	.80	.82	.83
	(ii) Cookies	.78	.80	.81
	(iii) Plum puddings, pralines, fruit cakes and dibits	.75	.77	.78
11	Dessert powders	.80	.82	.83
12	Dessert preparations	.77	.79	.80
13	Flour, bakers and family	.84	.86	.87
14	Flour, prepared packaged (other than cake)	.80	.82	.83
15	Flour, prepared packaged, cake	.77	.79	.80
16	Fruits and vegetables, quick-frozen	.75	.77	.78
17	Fruits and berries, canned:			
	(i) Peaches, pears, pineapples, fruit cocktails, in tin	.83	.85	.86
	(ii) Peaches, pears, pineapples, fruit cocktails, in glass	.82	.84	.85
	(iii) Apples, applesauce, apricots, Royal Anne (dark and light) cherries, citrus, and combinations, in tin	.82	.84	.85
	(iv) Apples, applesauce, apricots, Royal Anne (dark and light) cherries, citrus, and combinations, in glass	.81	.83	.84
	(v) All others, in tin	.79	.81	.82
	(vi) All others, in glass	.77	.79	.80
18	Fruits, dried:			
	(i) Bulk	.80	.82	.83
	(ii) Packaged	.82	.84	.85
19	Juices, canned:			
	(i) Tomato and pineapple	.82	.84	.85
	(ii) Citrus	.80	.82	.83
	(iii) All others	.78	.80	.81
20	Mayonnaise, salad dressings, and sandwiches spreads	.80	.82	.83
21	Chicken, turkey, and other poultry preparations	.77	.79	.80
22	Meats, canned:			
	(i) FSCC meats, luncheon meat, corned beef and corned beef hash, Vienna sausage, deviled and potted meat, and all meats packed in containers of over 2 pounds, if unopened, in tin	.84	.86	.87
	(ii) FSCC meats, luncheon meat, corned beef and corned beef hash, Vienna sausage, deviled and potted meat and all meats packed in containers of over 2 pounds, if unopened, in glass	.82	.84	.85
	(iii) All others, in tin	.82	.84	.85
	(iv) All others, in glass	.80	.82	.83
23	Milk products	.80	.82	.83
24	Nuts:			
	(i) Salted, shelled, packaged peanuts	.80	.82	.83
	(ii) Unsalted, shelled, packaged nuts	.75	.77	.78
	(iii) Salted, shelled, packaged, nuts, (not peanuts)	.70	.72	.73
	(iv) All others	.77	.79	.80
25	Olives	.75	.77	.78
26	Paper products:			
	(i) Toilet tissue	.82	.84	.85
	(ii) Paper towels	.80	.82	.83
	(iii) Paper napkins and picnic supplies	.77	.79	.80
	(iv) Waxed paper	.80	.82	.83
27	Paste Products:			
	(i) Bulk	.78	.80	.81
	(ii) Packaged	.80	.82	.83
28	Pet foods and supplies	$0.80	$0.82	$0.83
29	Pickles and certain fruits and vegetables	.78	.80	.81
30	Popcorn, potato chips, and shoestring potatoes	.77	.79	.80
31	Preserves, jams, jellies and peanut butters	.78	.80	.81
32	Rice	.84	.86	.87
33	Salt:			
	(i) Bulk	.80	.82	.83
	(ii) Packaged	.82	.84	.85
34	Seafood, canned:			
	(i) Salmon, sardines (not in olive oil), pilchards, herring (not pickled), tuna, and mackerel	.84	.86	.87
	(ii) Oysters, barracuda, codfish, codfish cakes, fish flakes, squid and all others not elsewhere specified	.80	.82	.83
	(iii) Lobster, crab, shrimp, clam, shadroe, abalone, anchovies, caviar, pickled herring, and sardines in olive oil	.75	.77	.78
35	Soap, laundry:			
	(i) Bulk	.80	.82	.83
	(ii) Packaged	.82	.84	.85
36	Soap, toilet	.80	.82	.83
37	Soups, canned	.80	.82	.83
38	Soups, dehydrated	.80	.82	.83
39	Spices and extracts:			
	(i) Pepper and vanilla extract	.75	.77	.78
	(ii) All others	.73	.75	.76
40	Cleansers and certain home supplies	.82	.84	.85
41	Sugar:			
	(i) Local refined, white	.84	.86	.87
	(ii) All others	.82	.84	.85
42	Syrups, molasses, and honey	.80	.82	.83
43	Tea:			
	(i) Bulk	.78	.80	.81
	(ii) Packaged	.80	.82	.83
44	Vegetables, canned:			
	(i) Peas, corn, tomatoes, and FSCC beans, in tin	.83	.85	.86
	(ii) Peas, corn, tomatoes, and FSCC beans, in glass	.82	.84	.85
	(iii) Asparagus, other beans, beets, carrots, potato, pumpkin, stew, spinach, and combinations, in tin	.82	.84	.85
	(iv) Asparagus, other beans, beets, carrots, potato, pumpkin, stew, spinach, and combinations, in glass	.81	.83	.84
	(v) All others, in tin	.79	.81	.82
	(vi) All others, in glass	.77	.79	.80
45	Vegetables, dehydrated	.80	.82	.83
46	Wooden products:			
	(i) Toothpicks and matches	.75	.77	.78
	(ii) Brooms, clothespins	.80	.82	.83
47	Coffee	.84	.86	.87
48	Oils, cooking and salad:			
	(i) Olive oil	.80	.82	.83
	(ii) All others	.81	.86	.87
49	Oleomargarine	.80	.82	.83
50	Shortening and lard	.81	.86	.87
51	Seafood, dried and shredded:			
	(i) Bulk	.78	.80	.81
	(ii) Packaged	.80	.82	.83
52[1]	Imported candy	.70	.72	.73
53	Miscellaneous grocery items	.80	.82	.83

[1] However, any retailer of an item covered by commodity classification number 52 may use as his maximum price the established and mainland price of the manufacturer thereof, upon proper application to, and approval by, the Office of Price Administration, rather than the calculated maximum price determined under paragraph (c) of this table through the use of the division factor above. Such application may be made for approval of a price of such item which is established and maintained by the manufacturer thereof, and who requires that such article be sold at the price established and maintained by such manufacturer. The applicant must set forth:

(i) Description of the article or line to be priced.

(ii) Proof that the manufacturer has established and maintained a resale price and that the manufacturer will not sell to a wholesaler or a retailer who does not maintain this price.

(iii) A statement that the seller will not sell such article at a higher price than such established and maintained price.

Such application, of course, need not be made where such established and maintained price is not in excess of the maximum price as calculated under this section.

SEC. 40. *Maximum prices at wholesale for certain grocery items*—(a) *What this section covers.* This section fixes maximum prices at wholesale for all grocery items listed and described in paragraph (n) of this section. There are two types of maximum prices fixed by this section.

(1) *Dollars and cents prices for certain locally produced grocery items.* Flat, or dollars and cents maximum prices are established and listed for certain named locally produced grocery items according to commodity classifications in Table C.

(2) *Calculated maximum prices.* The maximum prices for all items other than those named items which are given dollars and cents maximum prices in Table C are established according to the methods set forth in paragraphs (b), (c), (d) and (e), whichever is applicable. However, if a specific dollars and cents maximum price is set forth in Table C for any item, you may not compute your maximum price for that item under paragraphs (b), (c), (d), or (e).

(b) *Maximum prices for grocery items imported directly from the mainland.* In the case of sales of any grocery items covered by this section, which are imported directly from the mainland, except any items imported from the mainland which are purchased from the Federal Surplus Commodities Corporation, or any items which are received from or via any other island in the Territory, the wholesaler shall calculate his maximum price for each item (that is, for each kind, brand, grade, variety, container type and container size) as follows:

(1) The wholesaler shall first ascertain his "landed cost" for the item he is pricing by adding the amounts permitted in subdivisions (i) through (vi) set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions has already been included in another subdivision, it may not again be added.

(i) An amount equal to the mainland seller's selling price, less all discounts and allowances except the discount for prompt payment up to 2%, and the customary swell and label allowances as received, and promotional allowances to the extent received in the calendar year 1941: *Provided*, That in all cases where the purchase is made from and billed by a local representative or agent of a mainland manufacturer, the wholesaler must obtain from such local representative or agent a written statement of his mainland principal's maximum price for the items sold.

(ii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery to the mainland port of shipment, including Federal transportation tax, terminal charges, demurrage, and extra charges for shipment in less than carload lots.

(iii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the wholesaler.

(iv) An amount equal to cartage charges actually incurred by the wholesaler for cartage from warehouse to dock in port of shipment.

(v) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included in the event that the difference between the two rates exceeds 1%, but the type of coverage is at the discretion of the buyer or seller.

(vi) An amount equal to cartage charges in the port of entry in the Territory of Hawaii, from dock to the wholesaler's warehouse or to the ultimate purchaser's establishment, computed at a rate of $1.20 per ton, weight or measurement: *Provided*, That the merchandise is moved from the dock at the wholesaler's expense.

(2) When the item which the wholesaler is pricing is listed in Table A of this section, he shall then add to his "landed cost" computed in accordance with the provisions of paragraph (b) (1) above, the markup set forth in Table A for that item. When the item is not listed in Table A, the wholesaler shall divide such "landed cost" by the applicable division factor set forth in Table B of this section. The resulting price shall be the wholesaler's maximum price for that item.

(c) *Maximum prices for grocery items purchased from the Federal Surplus Commodities Corporation located on the same island as the buyer.* In the case of sales of any grocery items covered by this section which are purchased from the FSCC located on the same island as the buyer, the wholesaler shall calculate his maximum price for each item (that is, for each kind, brand, grade, variety, container type and container size) as follows:

(1) The wholesaler shall first ascertain his "landed cost" for the item he is pricing by adding the amounts permitted in subdivisions (i) and (ii) set forth below. If any of the amounts, or any part thereof, specified in either of these subdivisions has already been included in the other subdivision, it may not again be added.

(i) An amount equal to the selling price of the Federal Surplus Commodity Corporation, less all discounts and allowances except the discount for prompt payment up to 2%, and the customary swell and label allowance as received.

(ii) An amount equal to cartage charges computed at a rate of $1.20 per ton, weight or measurement, for cartage from the Federal Surplus Commodities Corporation's warehouse, or from the dock, to the wholesaler's warehouse or to the ultimate purchaser's establishment. *Provided*, That the merchandise is moved from the dock or Federal Surplus Commodities Corporation's warehouse at the wholesaler's expense.

(2) When the item which the wholesaler is pricing is listed in Table A of this section, he will then add to his "landed cost," computed in accordance with the provisions of paragraph (c) (1) above, the markup set forth in Table A for that item. When the item is not listed in Table A, the wholesaler shall divide such "landed cost" by the applicable division factor set forth in Table B of this section. The resulting price shall be the wholesaler's maximum price for that item.

(d) *Maximum prices for grocery items purchased from manufacturers or producers located on the same island as the wholesaler.* In the case of sales of any grocery items covered by this section which are purchased from a manufacturer or producer located on the same island as the wholesaler, the wholesaler shall calculate his maximum price for each item (that is, for each kind, brand, grade, variety, container type and container size) as follows:

(1) The wholesaler shall first ascertain his "landed cost" for the item he is pricing by adding the amounts permitted in subdivisions (i) and (ii) set forth below. If any of the amounts, or any part thereof, specified in either of these subdivisions has already been included in the other subdivision, it may not again be added.

(i) An amount equal to the manufacturer's or producer's selling price, less all discounts and allowances, except the discount for prompt payment up to 2%, and the customary swell and label allowances as received, and promotional allowances to the extent received in the calendar year 1941.

(ii) An amount equal to cartage charges for cartage from the manufacturer's or producer's establishment to the wholesaler's warehouse or to the ultimate purchaser's establishment, computed at a rate of $1.20 per ton, weight or measurement, provided, that the merchandise is moved from the manufacturer's or producer's establishment at the wholesaler's expense.

(2) When the item which the wholesaler is pricing is listed in Table A of this section he shall then add to his "landed cost", computed in accordance with paragraph (d) (1) above, the markup set forth in Table A for that item. When the item is not listed in Table A, the wholesaler shall divide such "landed Cost" by the applicable division factor set forth in Table B of this section. The resulting price shall be the wholesaler's maximum price for that item.

(e) *Maximum prices for grocery items received from or via another Island in the Territory of Hawaii.* In the case of sales of any grocery items covered by this section which have been received from or via another Island in the Territory of Hawaii, the wholesaler shall calculate his maximum price for each item (that is, for each kind, brand, grade, variety, container type and container size) as follows:

(1) *For grocery items manufactured or produced in the Territory of Hawaii.* (i) The wholesaler shall first ascertain his "landed cost" for the item he is pricing by adding the amounts permitted in subdivisions (*a*) through (*d*), set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions has already been included in another subdivision, it may not again be added.

(*a*) An amount equal to the manufacturer's or producer's selling price, less

all discounts and allowances except the discount for prompt payment up to 2% and the customary swell and label allowances as received, and the promotional allowances to the extent received in the calendar year 1941.

(*b*) An amount equal to cartage charges for cartage from the seller's shipping point to dock in the Island from which the item is shipped, calculated at a rate of $1.20 per ton, weight or measurement, except in cases where the seller's selling price regularly includes delivery to the dock.

(*c*) An amount equal to charge for ocean freight, war risk and marine insurance actually incurred by the wholesaler for shipment between the Islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included in the event that the difference between the two rates exceeds 1%, but the type of coverage is at the discretion of the buyer or seller.

(*d*) An amount equal to cartage charges in the port of entry, in the Island in which the purchasing wholesaler is located, from dock to the wholesaler's warehouse or to the ultimate purchaser's establishment, computed at a rate of $1.20 per ton, weight or measurement: *Provided*, That the merchandise is moved from the dock at the wholesaler's expense.

(i) When the item which the wholesaler is pricing is listed in Table A of this section, he shall then add to his "landed cost", computed in accordance with the provisions of paragraph (e) (1) (i) above, the mark-up set forth therein for that item. When the item is not listed in Table A, the wholesaler shall divide the "landed cost" by the applicable division factor set forth in Table B of this section. The resulting price shall be the wholesaler's maximum price for that item.

(2) *For grocery items imported from the mainland.* The wholesaler shall ascertain his maximum price for the item he is pricing by adding the amounts permitted in subdivisions (i) through (iv) set forth below. If any of the items, or any part thereof, specified in any of these subdivisions has already been included in another subdivision, it may not again be added.

(i) An amount equal to the primary wholesaler's maximum price in the Island from which the item is shipped, computed in accordance with the provisions of paragraph (b) of this section.

(ii) An amount equal to cartage charges for cartage from the seller's warehouse to dock in the Island from which the item is shipped, calculated at a rate of $1.20 per ton, weight or measurement, except in cases where the seller's maximum price regularly includes delivery to the dock.

(iii) An amount equal to charge for ocean freight, war risk and marine insurance actually incurred by the wholesaler for shipment between the Islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included in the event that the difference between the two rates exceeds 1%, but the type of coverage is at the discretion of the buyer and seller.

(iv) An amount equal to cartage charges in the port of entry in the Island on which the purchasing wholesaler is located from dock to the wholesaler's warehouse or to the ultimate purchaser's establishment, computed at a rate of $1.20 per ton, weight or measurement, *Provided*, That the merchandise is moved from the dock at the wholesaler's expense.

(v) In the case of purchases from the Federal Surplus Commodities Corporation located on an island other than the island on which the buyer is located, any costs, or any part of any costs, which are refunded to the buyer by the FSCC may not be included in the computation of the "landed cost" of any such item.

(f) *Error account.* In computing the maximum wholesale price for the sale of any item covered by this section, when the actual amount of any charge, except the invoice cost, which is to be used in the computation of such price, is at that time unascertainable with respect to a particular shipment of any such item, the wholesaler may estimate the amount of the charge for the purpose of determining the maximum price only in case he fulfills the following conditions:

(1) That he set up an "error account."

(2) That when the actual amount of the charge becomes known he shall immediately include in this account the difference between the actual amount and the estimated amount.

(3) That if the difference is an amount in excess of the actual amount, then the amount of such difference shall be deducted in calculating the maximum price for any item on hand or received in the next shipment;

(4) That if the difference is an amount less than the actual amount, then the amount of such difference may be added in calculating the maximum price for any item on hand or received in the next shipment;

(5) That the error account show how the differences are applied.

(g) *Special services.* In appropriate cases where special service is rendered, the wholesaler may make application to the Office of Price Administration, Honolulu 2, T. H., for an additional margin based upon the cost of service, and the Territorial Director of the Office of Price Administration for the Territory of Hawaii may authorize an additional margin for such service.

(h) *Weighted average "landed cost."* If an identical item (that is, the same kind, brand, grade, variety, container type and container size) in the wholesaler's inventory on hand has two or more different landed costs, then the "landed cost" for the item may be determined by calculating a weighted average "landed cost" for the entire inventory of that item on hand. Weighted average "landed cost" shall be calculated as follows: Each different "landed cost" shall be multiplied by the number of units having such "landed cost." The products of such multiplication shall be added and the sum thereof divided by the total number of the units for which a weighted average "landed cost" is desired. The quotient or result of such division is the weighted average "landed cost." This provision is permissive and not mandatory.

(i) *Customary units of sale and fractional prices.* Any maximum prices, calculated in accordance with the provisions of this section, shall be based on the wholesaler's customary unit of sale (that is, per case, box, bag, dozen, or the like). All such calculations resulting in a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(j) *Delivery charges.* No extra charges may be added by the wholesaler to the purchaser for delivery, except as follows:

(1) *Customary delivery charges.* In cases where it was the custom of the seller to make an extra charge for delivery during the calendar year 1941, the seller may upon approval of the Office of Price Administration, Honolulu 2, T. H., add to his maximum price an amount not in excess of local commercial trucking rates for such delivery.

(2) *Island of Maui.* For delivery in the Hana section of the Island of Maui of salt and any item bearing a margin of 9% or less as set forth in Table B, and all items listed in Table A, a wholesaler may add a hauling charge in amount not in excess of $5.00 per ton, weight or measurement. However, in cases where cartage charges to the ultimate purchaser's establishment have been included in the computation of the "landed cost", no extra delivery charges may be added. The Hana section shall comprise all of the district of Hana and that portion of the district of Makawao lying south of the south boundary of the Ahupuaa of Kamaole, as defined by section 7620 of the Revised Laws of Hawaii, 1935.

(3) *Island of Hawaii.* For delivery from the City of Hilo to a retail establishment, or to the wholesaler's warehouse, located outside of Zone 1, a wholesaler may add an amount not in excess of the trucking charge actually incurred. However, in cases where cartage charges to the ultimate purchaser's establishment have been included in the computation of the "landed cost", no extra delivery charges may be added. Zone 1 of the Island of Hawaii shall comprise the area of Puna and South Hilo, as defined by section 7620 of the Revised Laws of Hawaii, 1935.

(4) *Island of Kauai.* For delivery from any part of the Island of Kauai to retail grocery stores located in Zone 1, as defined by section 39 (e) (1) (iv), of flour, rice or sugar, the wholesaler may add to his maximum price 15¢ per 100 pounds, provided that the wholesaler maintains on sale at his place of business cash and carry prices for such items.

(k) *Multiple wholesaling.* Except as otherwise provided in subparagraph (1) of this paragraph (k), the maximum price for any wholesaler other than the primary wholesaler of any grocery items covered by this section shall be the maximum price of the primary wholesaler in the Territory of Hawaii. The primary wholesaler in the Territory of Hawaii making the importation or local purchase, shall furnish any wholesaler purchasing from him a written statement of his "landed cost", and of the maximum wholesale price determined in accordance with the provisions of this section, and thereafter in case of any further sales to other wholesalers, the seller shall furnish to the buyer a statement of the primary wholesaler's maximum price. This provision applies to all sales at wholesale except the following:

(i) *Sales to peddlers.* Where a wholesaler has purchased any such grocery items from another wholesaler in the Territory of Hawaii, the maximum wholesale price for sales by the second or subsequent wholesaler to peddlers (itinerant retail merchants) shall be the net price actually paid to the first wholesaler, plus 5%. The wholesaler shall furnish the peddler with a statement of the first wholesaler's maximum price or prices for the grocery items sold.

(j) *Records and reports.* The provisions of section 11 of this regulation relating to records and reports, shall not apply to this section.

(l) *Records*—(i) *Purchase and sales records.* Every person making sales of any grocery items covered by this section shall keep and make available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, a full and complete description of the grocery item purchased or sold, name and address of the buyer and seller, the price paid or received, quantity purchased or sold, and all data including sales, freight and other invoices or memoranda reflecting the charges incurred by the wholesaler in arriving at his "landed cost" and maximum price.

(ii) *Error account.* Every person who maintains an Error Account in accordance with the provisions of paragraph (f) of this section, shall keep and maintain in a form suitable for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, an account setting forth all credits and debits to the account, together with date of the entry and the reason for such entry.

(iii) *Invoices.* Every person making a sale at wholesale of any grocery items covered by this section shall deliver to the buyer an invoice or sales slip setting forth a full and complete description of the grocery items sold, including name of brand, size of container, number of retail units in the wholesale units, name and address of buyer and seller, discounts allowed, quantity sold, the price paid or charged and the date of sale.

(2) *Reports.* Every person making a sale of any grocery items covered by this section shall prepare and file with the Office of Price Administration the following reports:

(i) *OPA Form THP 9, notification of changes in maximum prices established under Revised Maximum Price Regulation No. 373, section 40.* Any seller, whose maximum wholesale price for any grocery item is determined by this section, and whose maximum price per wholesale unit has changed by an amount equal to one-half cent or more per retail unit since last reported to the Office of Price Administration, or since May 22, 1944, if no report has been filed for that item since that date, shall report such change in price to the District Office of the Office of Price Administration on the Island on which the seller is located, on OPA Form THP 9, prior to any sales of the item at the new maximum wholesale price. However, such report need be filed only in the case that three hundred or more wholesale units were received in one shipment by a wholesaler on the Island of Oahu, or one hundred or more wholesale units were received in one shipment by a wholesaler on any other Island in the Territory of Hawaii, and where these items are to be sold to retail grocery stores.

(ii) Any other reports that the Office of Price Administration, Honolulu 2, T. H., may from time to time require.

(m) *Inability to determine maximum prices.* Any person who is unable to determine his maximum wholesale price for any grocery item covered by this section shall apply to the District Office of the Office of Price Administration on the island on which the seller is located for the establishment of a maximum price for that item.

(n) *Definitions.* All grocery items covered by this section are divided into commodity classifications which are defined as follows:

(1) "Canned fruits and berries" means fruits and berries packed in metal, glass or any other containers, and include but are not limited to the following: apples, apple sauce, apricots, cherries, figs, fruit cocktails, fruits for salads, peaches, pears, pineapples, plums, blackberries, blue berries, boysenberries, cranberries, gooseberries, huckleberries, loganberries, raspberries, strawberries, and youngberries.

(2) "Canned vegetables" mean vegetables packed in metal, glass, or any other containers, and include but are not limited to beans, carrots, corn, okra, peas, pumpkins, puree of chopped vegetables, rhubarb, sauerkraut, spinach and tomatoes.

(3) "Canned seafood" means all processed fish and seafood packed in metal, glass or any other containers, and includes but is not limited to abalone, crab meat, lobster, salmon, sardines, shrimp, canned clam juice and broth, but shall not include fresh, dried, salted, smoked and frozen fish and seafood.

(4) "Canned juices" means berry juices, citrus fruit juices, fruit juices and nectar, and vegetable juices packed in metal, glass or any other containers.

(5) "Canned citrus fruit" means oranges, grapefruit and any other citrus fruits preserved in metal, glass or any other containers.

(6) "Canned and dehydrated soup". Canned soups means any soups or broths in metal, glass or any other containers and includes condensed soups, broths and chowders. Dehydrated soup means any commodity intended for the making of soup by the addition of liquid and shall include noodle-soup mixes.

(7) "Pickles, olives and certain spiced fruits and vegetables" means all kind of pickles and olives, whether green, ripe, stuffed, oiled, brined, and include pickles and olives packed in vinegar and mustard, and fruits or vegetables packed in vinegar or liquors, such as spiced tomatoes, but does not include other fruits and vegetables packed in brine or heavy syrup, either spiced or unspiced.

(8) "Condiments and sauces" means any food garnishes in metal, glass, or any other containers, including but not limited to catsup, chili sauce, chutney, meat sauces, mustard, soys, tobasco sauce, tomato sauce, vinegar, Worcestershire sauce, cocktail sauce, bagoon and miso sauce.

(9) "Breakfast cereals" means bulk or packaged processed cereal grains used as breakfast foods, both uncooked and ready to eat types. This classification includes hominy grits, puffed rice and puffed wheat, but shall not include buckwheat flour, corn meal, pancake flour, pearled barley, and rice.

(10) "Preserves, jams, and jellies" means all preserves, jams, jellies, and marmalade, packed in metal, glass or any other containers. This classification does not include bakers' jam and jellies.

(11) "Peanut butter" means all spreads of ground peanuts, irrespective of the size of the granules or pieces of peanuts contained therein. This classification includes peanut butter chunk.

(12) "Bakers' and family flour." Bakers' flour means flour in bulk which is sold for use by commercial, institutional, or governmental users, and which has been purchased from the Federal Surplus Commodities Corporation. Family flour means flour in bulk which is packed and sold for ultimate use in the home.

(13) "Prepared packaged flour" means flour and flour mixes made from buckwheat, corn, potatoes, rice, or wheat, and includes Aunt Jemima, Bisquick, corn meal, Dromedary, Sperry, buckwheat flour, Swansdown, and any other ready to use packaged flour.

(14) "Spices and extracts" means all kinds of spices and extracts, and includes but is not limited to sodium glutenate, mapleline, and extracts in shelf sizes, such as cinnamon, pepper, vanilla, and bouillon cubes.

(15) "Paste products" means all canned, packaged and bulk macaroni, shells, noodles, spaghetti, and vermicelli.

(16) "Dried fruits" means fruits or parts thereof from which the major portion of moisture has been removed by natural or artificial drying, and includes but are not limited to apples, apricots, currants, dates, figs, grapes, nectarines, peaches, pears, and prunes.

(17) "Dried edible beans and peas" means all bulk or packaged, threshed and dried field or garden beans, peas, and lentils used for human consumption.

(18) "Pet foods and supplies" means all kinds of pet foods, packaged, bulk, canned or dry, and such pet supplies as cuttlebone and gravel. Pet foods and supplies sold by a specializing pet food and supply wholesaler are exempted

from this section. "A specializing pet food and supply wholesaler" means any wholesaler over 70% of whose business has, in the last quarter year before any sale, consisted of sales of pet foods and pet supplies.

(19) "Beverage bases and concentrates" means Kool-Aid, Ovaltine, Hires Root Beer Extract and similar products.

(20) "Tea" means all kinds of tea, green and black, packaged and in bulk.

(21) "Cocoa and chocolate" include, but are not limited to, powdered, cake and cooking chocolate. This classification does not include chocolate-coated candy or any other chocolate candy.

(22) "Laundry soap" means bar and packaged laundry soap. This classification includes laundry soap in bars, cakes, chips, powder, plain, granulated or liquid form.

(23) "Toilet soap" means bar and packed toilet soap. This classification includes toilet soap in bars, cakes, chips, powder, plain, granulated or liquid form.

(24) "Cleansers and home laundry supplies" includes Clorax, Old Dutch Cleanser, laundry starch, Drano, bluing, powder and cake cleansers other than soaps, and other home laundry supplies. This classification does not include brass, metal and silver polish, upholstery, floor, rug, wall and dry cleaners.

(25) "Salt" means all table and cooking salt, and salt used for industrial or commercial purposes.

(26) "Sugar" means all sugar or specialty sugars, sold in packages, cartons, or bulk, imported from the mainland or manufactured in the Territory of Hawaii.

(27) "Mayonnaise, salad dressing and sandwich spreads" means all prepared dressings for salads except cooking and salad oils and sandwich spreads with a mayonnaise or cheese base.

(28) "Dessert powders" means all concentrates of fruits or vegetables used in the preparation of gelatinous desserts.

(29) "Fountain supplies" means imported grocery items customarily sold to soda fountains. This classification includes, but is not limited to, crushed strawberries, fruit syrups in bottles, chocolate sauce, vanilla syrup, maraschino cherries and other similar articles used for preparation of food and drink for sales on the premises. It does not include rice, bakers' and family flour, sugar, evaporated milk, shortening and lard. However, any other imported grocery item covered by this section may, at the option of the seller, be considered as a fountain supply, if sold to a fountain.

(30) "Bakers' and confectioners' supplies" means imported grocery items sold to bakers and confectioners and similar establishments for use in the preparation of bakers' and confectioners' products and also shelf sizes of certain items sold in grocery stores which are used primarily for home cooking. In the case of sales to bakers, confectioners and similar establishments, this classification includes, but is not limited to, baking powder, baking soda, coloring matter, mince meat and yeast. It does not include rice, bakers' and family flour, sugar, evaporated milk, shortening and lard. However, any other imported grocery item covered by this section may, at the option of the seller, be considered as a bakers' and confectioners' supply if sold to a baker or confectioner. In the case of sales to grocery stores of shelf size home baking products, this classification includes, and is limited to, baking powder, baking soda and any other shelf size grocery item used primarily for home baking which is not specifically covered by any other classification contained in this paragraph (n).

(31) "Evaporated milk" means evaporated milk packed in metal, glass or any other containers.

(32) "Other milk products" means any food commodity which is processed or manufactured from cow's milk and shall include Klim, Avoset, condensed milk, and malted milk. This classification does not include butter, cheese, powdered skim milk and fresh milk.

(33) "Packaged nuts" mean all nuts, shelled or unshelled, roasted or unprocessed, which are packed in metal, glass, cartons or any other containers, and are sold in shelf sizes, and include almonds, brazil nuts, macadamia nuts and peanuts, and all other nuts whether locally grown or imported.

(34) "Bulk nuts" means all nuts set forth in Commodity Classification No. 33, which are not customarily sold by the retailer in the original package.

(35) "Syrup and honey". Syrup means all edible molasses, sorghum, cane, maple and corn syrup and blends thereof. Honey means imported and local extracted honey and includes combinations of extracted comb honey.

(36) "Cooking starch" means corn starch used for cooking.

(37) "Rice" means all grades of white and brown milled and wild rice sold in all types of containers.

(38) "Baby foods" means all foods prepared in containers of glass, tin, or other material, especially designed for the nourishment of infants and juniors, such as strained or diced vegetables, and baby cereals, such as Pablum, Pabena, and Cerevim. Excluded from this classification are SMA products, Mead Johnson products other than Pablum and Pabena, Nestle's and Mellin's Baby Foods, Lactogen, Beta-Lactose, and other proprietary baby foods customarily listed by drug wholesalers and normally purchased for use under the direction of a physician. Sales of baby cereals such as Pablum, Pabena, and Cerevim to drug stores are not covered by this section.

(39) "Crackers, cookies and specified cakes" means crackers, cookies, biscuits, pralines, fruit cakes, rum cakes and plum puddings.

(40) "Specified wooden products" means products of wood locally made or imported, and limited specifically to the following: Brooms and broom parts, matches (including book matches), clothes pins and tooth picks.

(41) "Popcorn, potato chips and shoestring potatoes". Popcorn means corn intended for the purpose of making popcorn and corn already popped, packed in bags, metal or any other containers. Potato chips and shoestring potatoes means sliced, fried potatoes packed in cartons, bags or any other containers.

(42) "Charcoal" means any bagged charred wood, imported or locally produced.

(43) "Dehydrated vegetables" means vegetables or vegetable mixtures which are prepared for consumption by the addition of liquid to restore the product to its original condition.

(44) "Canned meats" means meats and meats in combination with other foods, packed in metal, glass or any other containers, such as luncheon meats, spreads, sausages and sausage meats, frankfurters, hamburger, loaf goods, brains, tongue, bacon, corned beef, dried beef, sliced dried beef, hash, potted and deviled meats, spaghetti and meat balls, spaghetti sauce with meat, noodles and meat, vegetables and meat, stews, chilli con carne, prepared hot tamales, chicken, turkey and other poultry, and similar items, whether in shelf sizes or not, and whether or not customarily stored under refrigeration.

(45) "Coffee" means roasted coffee either whole or ground; decaffeinated coffee; coffee concentrates; chicory; coffee compounds consisting of a blend of coffee and any other product; cereals, beans, peas, and other products and concentrates thereof designated as or intended for use as coffee substitutes or coffee extenders. This classification includes only coffee imported from the mainland.

(46) "Cooking and salad oils" means all vegetable, fruit and leaf plant oils, whether pure or mixed. This classification includes but is not limited to olive, peanut, cottonseed and corn oils. It does not include prepared dressings, nor does it include mineral and olive oil sold by drug stores or department stores.

(47) "Oleomargarine" means any vegetable or animal fats used for cooking, sold in bulk or in packaged shelf sizes.

(48) "Shortening and lard" means any vegetable or animal fats used for cooking, sold in bulk or in packaged shelf sizes.

(49) "Quick-frozen fruits and vegetables". Quick-frozen fruits means all fruits, berries, fruit or berry juices, and mixtures which have been quick-frozen. Quick-frozen vegetables means all vegetables, vegetable juices, and mixtures which have been subjected to a quick-freezing process.

(50) "Dried and shredded seafood" means seafood such as codfish and shrimp imported in a dried condition.

(51) "Candy, imported" means any imported confectionery, packaged or in bulk, other than imported candy that sells for 10¢ or less per retail unit under the General Maximum Price Regulation for the Territory of Hawaii.

When any grocery item covered by this section is composed of commodities defined under two or more of the above commodity classifications contained in this paragraph (n), such item shall be classified under that commodity classification in which the largest single ingredient (measured by weight) is defined.

TABLE A—SPECIFIC MARKUPS FOR CERTAIN GROCERY ITEMS

(a) This Table A applies to all wholesalers of the grocery items covered by this section located in the Territory of Hawaii. All wholesalers shall use these markups listed if the item being priced is contained herein. If the item being priced is not listed in this Table A, then the wholesaler shall use the applicable division factor set forth in Table B of this section.

(b) *Specific markups for sales to retail grocery stores.* Any wholesaler making a sale to a retail grocery store of any of the items set forth below, shall add the following markups to his "landed cost" as provided in paragraphs (b), (c), (d) and (e) of this section. "Commodity classification number", as used in this table, means the number assigned to the particular subparagraph of paragraph (n) of this section, in which the grocery items listed are classified and defined.

Commodity classification number	Grocery items	Unit	Maximum wholesale markup over landed cost per unit
12	Family Flour	1 lb	$0.0055
12	Family Flour	48–100 lbs	.25
12	Family Flour	49–50 lbs	.175
12	Locally produced refined white sugar	1 lb	.012
26	Locally produced refined white sugar	100 lbs	.20
24	Evaporated Milk, FSCC	48 14½ oz. can	.25
31	Evaporated Milk, FSCC	48 6 oz. can	.13
57	Rice, FSCC	1 lb	.0055
57	Rice FSCC	100 lbs	.35

(c) *Specific markups for sales to buyers other than retail grocery stores or other wholesalers.* In the case that a wholesaler makes his sale of any grocery item listed in paragraph (b) of this table to a buyer other than a retail grocery store or another wholesaler he may add to the maximum wholesale price, computed in accordance with the provisions of said paragraph (b), an amount equal to 5% of such maximum wholesale price.

TABLE B—MARGINS FOR CERTAIN GROCERY ITEMS

(a) The division factors set forth in this Table B shall apply to all wholesalers of the grocery items covered by this section located in the Territory of Hawaii. Each wholesaler shall divide his "landed cost", as defined by paragraphs (b), (c), (d) and (e) of this section, by the appropriate division factor set forth in Table B.

(b) *Sales to retail grocery stores only.* The following division factors shall apply to all sales to retail grocery stores, except as provided in paragraph (d) of this table. "Commodity Classification Number", as used in this table, means the number assigned to the particular subparagraph of paragraph (n) of this section, in which the grocery items listed are classified and defined.

Commodity classification number	Grocery items	Division factor
1	Canned fruits and berries:	
	(a) Peaches, pears, pineapples, and fruit cocktail	$0.90
	(b) All others	.88
2	Canned vegetables:	
	(a) Peas, corn, tomatoes, and FSCC beans	.90
	(b) All others	.88
3	Canned seafood:	
	(a) FSCC, all kinds	.88
	(b) Oysters, codfish cakes, fish flakes, barracuda, squid and mackerel	.86
	(c) All others	.84
4	Canned juices:	
	(a) Pineapple and tomato	.89
	(b) All others	.87
5	Canned citrus fruits	.87
6	Soups:	
	(a) Canned soups	.90
	(b) Dehydrated soups	.88
7	Pickles and olives and certain spiced fruits and vegetables	.85
8	Condiments and sauces:	
	(a) Tomato, tomato hot sauce and soya	.88
	(b) Catsup, mustard and vinegar	.86
	(c) All others	.82
9	Cereals:	
	(a) Ready to eat	.90
	(b) Cooking	.87

TABLE B—Continued

Commodity classification number	Grocery items	Division factor
10	Preserves, jams and jellies	$0.88
11	Peanut butter	.88
12	Bakers' and family flour:	
	(a) Bakers' flour	.91
	(b) Family flour	None
13	Prepared package flour:	
	(a) Without shortening	.90
	(b) Containing shortening	.88
14	Spices and extracts:	
	(a) Black pepper	.83
	(b) Vanilla extract	.81
	(c) All others	.78
15	Paste products	.86
16	Dried fruits:	
	(a) Prunes and raisins, FSCC	.89
	(b) All others	.85
17	Dried edible beans and peas:	
	(a) Packaged or in bag lots	.87
	(b) In less than bag lots	.85
18	Pet foods and supplies	.88
19	Beverage bases and concentrates	.84
20	Tea	.85
21	Cocoa and chocolate	.81
22	Soap, bar and package laundry	.88
23	Soap, toilet	.88
24	Cleansers and home laundry supplies	.87
25	Salt:	
	(a) Package	.90
	(b) In bulk	.85
26	Sugar:	
	(a) Local Refined, white	None
	(b) All other	.92
27	Mayonnaise, salad dressing, sandwich spreads	.84
28	Dessert powders	.88
29	Fountain supplies	.83
30	Bakers' and Confectioners' supplies:	
	(a) Shelf sizes of baking powder and baking soda	.88
	(b) All others	.84
31	Evaporated milk	None
32	Milk products other than evaporated milk	.86
33	Packaged nuts:	
	(a) Peanuts	.88
	(b) Others	.86
34	Bulk nuts:	
	(a) In bag lots	.86
	(b) In less than bag lots	.84
35	Syrup and honey	.88
36	Cooking starch	.89
37	Rice:	
	(a) FSCC	None
	(b) All other	.88
38	Baby foods:	
	(a) Strained and diced fruits and vegetables	.89
	(b) All other	.87
39	Crackers, cookies, and specified cakes:	
	(a) Crackers	.89
	(b) Cookies	.87
	(c) Rum cakes, fruitcakes, plum puddings and pralines	.85
40	Specific wooden products	.89
41	Popcorn, potato chips and shoestring potatoes	.85
42	Charcoal	.86
43	Dehydrated vegetables	.86

TABLE B—Continued

Comm. Class. No.	Grocery item	Division factor
44	Canned meats:	
	(a) FSCC meats and cans of 2½ lbs. and over	$0.90
	(b) Vienna sausage, deviled meat	.89
	(c) Chicken, turkey, and other poultry	.87
	(d) All others	.85
45	Coffee	.92
46	Cooking and salad oils:	
	(a) olive oil	.85
	(b) All others	.90
47	Oleomargarine	.85
48	Shortening and lard	.92
49	Quick frozen fruits and vegetables	.81
50	Dried and shredded seafood:	
	(a) Fish	.80
	(b) Shrimp	.85
51	Candy, imported	.85

[1] However, any wholesaler of an item covered by commodity classification number 51 may use as his maximum price the established and maintained price of the manufacturer thereof, upon proper application to, and approval by the Office of Price Administration, rather than the calculated maximum price determined under this Table through the use of the division factor above. Such application may be made for approval of a price of such item which is established and maintained by the manufacturer thereof, and who requires that such article be sold at the price established and maintained by such manufacturer. The applicant must set forth:

(1) Description of the article or line to be priced.

(2) Proof that the manufacturer has established and maintained a resale price and that the manufacturer will not sell to a wholesaler or a retailer who does not maintain this price.

(3) A statement that the seller will not sell such article at a higher price than such established and maintained price.

Such application, of course, need not be made where such established and maintained price is not in excess of the maximum price as calculated under this section

(c) *Sales to buyers other than retail grocery stores or other wholesalers.* In case the wholesaler makes a sale to a buyer other than a retail grocery store or another wholesaler, the wholesaler shall deduct .05 from all division factors set forth in paragraph (b) of this table, except in the case of sales of shortening and lard where the wholesaler shall deduct .01 from the applicable division factor. However, no such deduction shall be made for the grocery items contained in commodity classification numbers 12, 19, 29, 30, and 41 except shelf sizes of baking powder and soda, contained in commodity classification number 30.

(d) *Special provisions relating to the margins established in paragraphs (b) and (c) of this table.* The following division factors shall be applied to the grocery items, contained in the commodity classifications set forth below, in lieu of those set forth in paragraphs (b) and (c) in the following instances:

Commodity Classification Number	
1	In the case of sales of any canned fruits and berries packed in glass containers, the applicable division factor shall be reduced by .02.
2	In the case of sales of any canned vegetables packed in glass containers the applicable division factor shall be reduced by .02.
19	In the case of sales of any beverage bases and concentrates in less than case lots, the division factor shall be .77. An "assortment" shall not be considered as less than a case lot so long as the buyer is willing to take all of the items in a case containing any element of the assortment.
29	In the case of sales of any "fountain supplies" in less than a case lot the division factor shall be .77. An "assortment" shall not be considered as less than a case lot so long as the buyer is willing to take all of the items in a case containing any element of the assortment.

TABLE B—Continued

Commodity Classification Number	
30	In the case of sales in less than a case lot of any "bakers' and confectioners' supplies", except sales of baking powder and baking soda in shelf sizes that are sold to retail grocery stores, the division factor shall be .77. An "assortment" shall not be considered as less than a case lot so long as the buyer is willing to take all of the items in a case containing any element of the assortment.
44	In the case of sales of any "canned meats" packed in glass containers the applicable division factor shall be reduced by .02.

TABLE C—DOLLARS AND CENTS MAXIMUM PRICES FOR CERTAIN LOCALLY PRODUCED GROCERY ITEMS

(a) This Table C applies to all wholesalers of locally produced grocery items covered by this section located in the Territory of Hawaii. If the item being priced is not listed in this Table C, then the wholesaler shall compute his maximum price in accordance with the provisions of paragraphs (b), (c), (d) or (e) of this section, whichever is applicable.

(b) "Commodity classification number," as used in this table, means the number assigned to the particular subdivision contained in paragraph (n) of this section, in which the grocery items listed are classified and defined.

(c) The following maximum prices are established for all sales by wholesalers of the locally produced grocery items set forth below.

Commo. Class No.	Grocery item	Maximum price (cents per doz.)
41	Potato chips, 1 oz. container	46

SEC. 41. *Table XXX: Maximum prices for used washing machines.* (a) Maximum Price Regulation 372,[1] except as otherwise provided herein, governs the sale of used washing machines in the Territory of Hawaii.

(b) On sales of used washing machines in the Territory of Hawaii in order to allow for transportation charges the maximum prices set forth in Maximum Price Regulation 372 may be increased by an amount not in excess of the following:

Wringer type	$10.50
Spinner type	14.00
Small automatic	13.00
Large automatic	15.00

SEC. 42. *Table XXXI: Maximum prices for power laundry services.* (a) The maximum prices established by Revised Maximum Price Regulation 165, for the family laundry services specified in paragraph (e) are modified as hereinafter provided. The maximum prices for family laundry services, when sold by power laundries located on the Island of Oahu, shall be the prices set forth in paragraph (e). The maximum prices for all other laundry services rendered by power laundries on the Island of Oahu shall be governed by Revised Maximum Price Regulation 165, or other applicable regulation. Power laundries in this area shall continue to accept as wearing apparel and flat work, those articles which have customarily been accepted as such. In finished and list price services starch must be supplied where necessary for proper finishing of wearing apparel (including shirts), unless the customer requests no starch.

(b) When used in this section the term:

(1) "Family laundry services" means all laundry services except those supplied on a commercial or institutional basis.

(2) "Power laundries" means all establishments on the island of Oahu offering laundry services for sale with the exception of those laundries which have less than eight employees.

(c) Within thirty days after the issuance of this regulation, power laundries located on the Island of Oahu and offering family laundry services, shall post each in its own establishment, in a place and manner so that it is plainly visible to the purchasing public, a placard or card containing the maximum prices for the family laundry services set forth in paragraph (e) of this section, and for any other family laundry service if offered. Also within thirty days after the issuance of this regulation, power laundries in this area shall furnish to each customer a statement of the maximum prices of the services offered, with a description of each. In this statement the description of the listed services and their prices shall be exactly as set forth in paragraph (e). Thereafter new customers shall be furnished a similar statement.

(d) A laundry may not refuse to supply any low price laundry service which it supplied in April, 1942, if it supplies or offers to supply any higher price service which includes the same, or substantially the same processes (with or without additional processes) as the low price services.

(e) Price list, a service in which wearing apparel, flat work and specialties are washed and returned finished, ready for use:

Men's shirts, plain	$0.18
Men's shirts, cotton khaki, Army or Navy	.20
Men's shirts, work	.15
Men's shorts	.10
Men's socks cotton, rayon (per pair)	.05
Men's undershirts	.10
Men's pants, dungarees	.20
Men's pants, khaki	.25
Trousers, white sailor	.20
Jumpers, white sailor	.20
Pajamas (per pair)	.20
Handkerchiefs	.03
Nurses' uniforms (plain cotton)	.35
Women's slips	.20
Pillow cases	.04
Sheets	.07
Napkins, machine ironed	.03
Table cloths, small, not over 4 sq. yds.	.15
Table cloths, more than 4 sq. yds., but less than 6 sq. yds.	.25
Table cloths, 6 yds. and over	.50
Towels, bath	.04
Towels, dish	.03
Towels, hand	.03

NOTE: In the price list of service there may be imposed a minimum charge of fifty-one cents (51¢) for delivery customers. All power laundries must offer at least the same discount to cash and carry customers for all laundry services heretofore granted in April, 1942. No additional charge of any kind whatsoever may be added to the maximum prices listed in this regulation, except that where, during April, 1942, a laundry customarily made an extra charge for doing laundry work in less than the regularly scheduled time, such laundry may make a charge for the same service in addition to the maximum prices set forth above; the amount of such charge shall be determined in the same manner as such charges were determined during April, 1942, although a smaller charge may be made.

SEC. 43. *Maximum millers', producers' and roasters' prices for Kona coffee sold or delivered in the Territory of Hawaii*—(a) *Records and reports.* Notwithstanding the provisions of section 11 of this regulation, every person making sales of the commodities covered by this section shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each purchase and each sale made by such person, showing the date thereof, name and address of the buyer and seller, the grade or brand and the price paid or received. Millers and roasters shall report to the Office of Price Administration, Honolulu, all 1942–43 crop green coffee inventories held on July 31, 1943, and shall make such further reports as the Office of Price Administration may from time to time require.

(b) *Definitions.* When used in this section the term:

(1) "Kona coffee" means all coffee produced in the Territory of Hawaii.

(2) "Roaster" shall be synonymous with the term "wholesaler."

(3) "Crop year" for the purpose of this section shall begin on August 1, 1943.

(c) *Gross income tax.* In the case of a sale to a buyer who does not have a gross income tax license, the seller may add to the maximum price one and one quarter percent (1¼%) of the selling price.

(d) *Geographical applicability.* The provisions of this section shall be applicable to the entire Territory of Hawaii.

TABLE XXXIII—MAXIMUM PRICES FOR PARCHMENT, GREEN KONA AND KONA COFFEES

1 *Parchment coffee.* (a) The maximum price of parchment coffee, clean basis, delivered roadside shall be $0.1161 per pound

(1) This maximum price is based on 125 pounds of parchment coffee yielding 100 pounds of the following green grades:

Grade of green	Percent yield	Maximum price of green delivered roaster
		Per lb.
No. 1 extra prime, Extra prime, Peaberry	77	$0.1[illegible]
Prime	70	.[illegible]
No. 3X	[illegible]	.[illegible]
No. 3	[illegible]	.[illegible]

(1) Parchment coffee sold on a clean basis yielding grades higher than the percentages listed above may command a premium over the maximum price commensurate with the actual increased value. Should the yield be lower, a discount commensurate with the decreased value must be subtracted from the maximum price.

2. *Green coffee*—(a) *Used and returnable new bags.* All green coffee maximum prices established in this section are for packing in good used bags, or in new bags returnable at the seller's expense. If the green coffee is sold in non-returnable new bags, or if the new bags are not returned, an additional charge of $0.16 per bag may be made.

(b) *Shipments via Hilo.* All maximum prices established are for shipments via Hilo. In the case of shipments via Kailua, Hawaii, the maximum price shall be computed by subtracting $0.0045 from the established maximum price. In the case of shipments from ports other than Hilo or Kailua, the maximum price will be established by the Office of Price Administration upon application of the seller or buyer.

(c) *War risk and marine insurance.* All maximum prices established (except f. o. b. mill) include an allowance of $0.0021 per pound freight, $0.15 per $100.00 value marine insurance and $0.50 per $100.00 value war risk insurance calculated on the green coffee cost ex-dock Honolulu. These allowances are based on present freight and insurance rates. In the event that such rates are increased, increased costs actually incurred by the seller may be added. In the event such rates are reduced, the maximum price shall be correspondingly reduced.

(1) In the event that such rates are subsequently changed, war risk and marine insurance shall be calculated on a basis not higher than:

	Per lb.
No. 1 extra prime, Extra prime, Peaberry	$0.181
Prime	.17
No. 3X	.152
No. 3	.136

(d) *Grading.* No grades of green coffee other than specified in paragraph (e) may be sold without prior application to the Office of Price Administration for a maximum price.

(e) *Maximum prices.* The maximum prices for green coffee f. o. b. mill shall be as follows:

Grade	*Maximum price per lb.*
No. 1 extra prime, Extra prime, Peaberry	$0.1736
Prime	.1632
No. 3X	.1448
No. 3	.1288

(1) The maximum prices for green coffee ex-dock Honolulu and ex-warehouse Honolulu shall be as follows:

Grade	Maximum price ex-dock Honolulu	Maximum price ex-warehouse Honolulu
	Per lb.	*Per lb.*
No. 1 extra prime, Extra prime, Peaberry	$0.1824	$0.183
Prime	.1719	.1725
No. 3X	.1532	.1538
No. 3	.1372	.1378

(2) The maximum price of green coffee, ungraded basis, delivered ex-dock Honolulu shall be $0.17465 per pound.

(3) The maximum price of green coffee, ungraded basis, delivered ex-warehouse Honolulu shall be $0.17525 per pound.

(4) The maximum price of green coffee delivered at points other than Honolulu shall not exceed the f. o. b. mill price plus transportation charges from mill to place of destination.

(5) The maximum price of green coffee sold in quantities of less than 5 bags (approximately 500 lbs.) shall be an amount not to exceed 5% above the maximum prices listed in paragraph (e); the maximum price of green coffee sold in quantities of less than one bag (approximately 100 lbs.) shall be an amount not to exceed 10% above the maximum prices listed in paragraph (e).

3. *Roasted Kona coffee.* (a) The maximum prices for bulk and packaged coffees established below in paragraphs (d) to (j), inclusive, apply to sales of coffees made on the Island on which the coffees were roasted. Maximum prices for coffees received via another Island are set forth in paragraph (c) below. It is the intent of this section to allow only one markup in the Territory of Hawaii at the wholesale distribution level. If a roaster or primary wholesaler sells to a second wholesaler or ships to another Island, he shall state on the invoice his maximum price determined in accordance with this section.

(b) No extra charges may be made for local delivery. For deliveries outside the local area, the seller by obtaining prior approval of the Office of Price Administration, Honolulu, may add to the ceiling price an amount not to exceed the prevailing local commercial trucking rates provided that during the calendar year 1941 it was his custom to make extra charges for such deliveries. Roasters making sales to other Islands may add to the maximum prices set forth below in paragraphs (d) to (j), inclusive, cartage charges from warehouse to dock computed at a rate not in excess of $1.20 per ton, weight or measurement, provided the coffee is moved to the dock at the roaster's expense.

(c) To the roaster's or primary wholesaler's maximum price, the distributor of Kona coffees received from or via another Island may add the following:

(1) The ocean transportation charges actually incurred including war risk and marine insurance, and Territorial tolls.

(2) Cartage charges in the port of destination from dock to warehouse computed at a rate not in excess of $2.65 per ton on Molokai and $1.20 per ton on all other Islands weight or measurement, provided that the coffee is moved from the dock at the secondary wholesaler's expense.

(d) The maximum wholesale bulk prices established in paragraph (e) below are for bulk coffees sold in paper bags. When sold in containers other than paper bags, the actual package costs may be added to the price.

(e) The maximum wholesale prices of roasted Kona coffees in bulk in paper bags shall be as follows:

ALL ISLANDS EXCEPT HAWAII

Grade of green	Maximum prices effective Aug. 1, 1943	Maximum prices effective Jan. 1, 1944	Maximum prices effective April 1, 1944
	Per lb.	*Per lb.*	*Per lb.*
No. 1 extra prime, Extra prime	$0.249	$0.267	$0.28
Peaberry	.24	.254	.265
Prime	.225	.234	.241
No. 3X	.21	.216	.22
No. 3			

HAWAII

No. 1 extra prime, Extra prime, Peaberry	$0.241	$0.258	$0.272
Prime	.232	.246	.257
No. 3X	.217	.227	.233
No. 3	.202	.209	.212

(f) *Formulas.* The maximum prices of bulk Kona coffees in paragraph (e) above are based upon the cost of the green coffees. If the formula of any roaster contains two or more grades selling at two or more different prices, the maximum price for that brand shall be the weighted average price of the maximum prices of the various grades contained in the roaster's formula. For example, if a particular brand of coffee roasted on Oahu has a formula of 60% Extra prime and 40% prime, the maximum price would be:

.60 × $0.246 = $0.1476
.40 × 0.239 = 0.0956

Maximum wholesale price = $0.2432 per pound.

(1) Maximum prices as computed above may be reduced to the nearest lower tenth of a cent if the fraction is less than 5/100ths of a cent and may be increased to the nearest higher tenth of a cent if the fraction is 5/100ths of a cent or more.

(g) The maximum wholesale prices of packaged Kona coffees shall be the sum of the maximum prices listed in paragraph (h) below plus the cost of the package provided for in paragraph (i) below.

(h)

ALL ISLANDS EXCEPT HAWAII

Grade of green	Maximum prices effective Aug. 1, 1943	Maximum prices effective Jan. 1, 1944	Maximum prices effective April 1, 1944
	Per lb.	*Per lb.*	*Per lb.*
No. 1 extra prime, Extra prime	$0.246	$0.267	$0.28
Peaberry	.24	.254	.265
Prime	.225	.234	.241
No. 3X	.21	.216	.22
No. 3			

HAWAII

No. 1 extra prime, Extra prime, Peaberry	$0.238	$0.255	$0.269
Prime	.231	.245	.256
No. 3 X	.216	.225	.232
No. 3	.201	.207	.211

(1) To the maximum prices established in paragraph (h) above may be added the actual cost of the containers including the corrugated shipping cartons used for shipment to other Islands.

(j) *Formulas.* The maximum prices of packaged Kona coffees are based upon the cost of the green coffees. If the formula of any roaster contains two or more grades selling at two or more different prices, the maximum price for that brand shall be the weighted average price of the maximum prices of the various grades contained in the roaster's formula. For example, if a particular brand of packaged coffee roasted on Oahu has a formula of 80% Prime and 20% No. 3, the maximum price would be:

.80 × $0.24 = $0.1920
.20 × 0.21 = 0.042

Maximum wholesale price before addition of package cost = $0.234

(1) Maximum prices as computed above may be reduced to the nearest lower tenth of a cent if the fraction is less than 5/100ths of a cent and may be increased to the nearest higher tenth of a cent if the fraction is 5/100ths of a cent or more.

SEC. 44. *Ceiling prices for sales of imported shoes and slippers at wholesale and retail*—(a) *Scope of this section.* This section applies to sales at wholesale and sales at retail of all shoes and slippers which are imported into the Territory of Hawaii. Imported shoes and slippers are classified as follows:

(1) *Women's and misses' shoes and slippers.* This applies to all feminine footwear commonly known as ladies', women's, girls' and misses' shoes and slippers, in size 4 and over, including, but not limited to, street, evening, play, sport, uniform, sandals, and like types.

[1] 8 F.R. 5533; 9 F.R. 5217.

No. 112——9

(2) *Men's and boys' shoes and slippers.* This applies to all masculine footwear commonly known as men's and boys' shoes and slippers, in size 4 and over, including, but not limited to, street, work, sport, play, boots, slippers, and like types.

(3) *Children's shoes and slippers.* This applies to all footwear commonly known as children's shoes and slippers, in sizes up to and including size $3\frac{1}{2}$.

(4) *Infants' shoes and slippers.* This applies to all infants' shoes and slippers, including, but not limited to, both hardsoled and softsoled shoes and slippers.

(b) *Wholesaler's ceiling prices.* If you are a wholesaler, you calculate your ceiling prices for imported shoes and slippers in the following manner:

(1) *For out of stock sales.* First, add your manufacturer's or original importer's selling price and your landing costs. Then multiply this amount by 1.20. The resulting price is your ceiling price.

(2) *For sales on a drop shipment basis.* Multiply your manufacturer's or original importer's selling price by 1.12. The resulting price is your ceiling price.

(3) *For sales of articles purchased from a local wholesaler.* If you purchased an article from another local wholesaler whose ceiling price is established under sub-paragraph (1) or (2) above, you must secure a written record of your supplier's ceiling price. Your ceiling price shall be your supplier's ceiling price.

(c) *Retailer's ceiling prices.* If you are a retailer, you calculate your ceiling prices for imported shoes and slippers in the following manner:

(1) For sales of articles purchased directly from mainland manufacturers.

(i) *Women's and misses' shoes and slippers.* Multiply your manufacturer's selling price by 1.80. The resulting price is your ceiling price.

(ii) *Men's and boys' shoes and slippers.* Multiply your manufacturer's selling price by 1.75. The resulting price is your ceiling price.

(iii) *Children's shoes and slippers.* Multiply your manufacturer's selling price by 1.85. The resulting price is your ceiling price.

(iv) *Infants' shoes and slippers.* Multiply your manufacturer's selling price by 1.85. The resulting price is your ceiling price.

(2) For sales of articles purchased directly from mainland wholesalers.

(i) *Women's and misses' shoes and slippers.* First add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.55. The resulting price is your ceiling price.

(ii) *Men's and boys' shoes and slippers.* First add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.50. The resulting price is your ceiling price.

(iii) *Children's shoes and slippers.* First add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.60. The resulting price is your ceiling price.

(iv) *Infants' shoes and slippers.* First add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.60. The resulting price is your ceiling price.

(3) For sales of articles purchased from local wholesalers out of locally warehoused stock.

(i) *Women's and misses' shoes and slippers.* Multiply your wholesaler's selling price by 1.55. The resulting price is your ceiling price.

(ii) *Men's and boys' shoes and slippers.* Multiply your wholesaler's selling price by 1.50. The resulting price is your ceiling price.

(iii) *Children's shoes and slippers.* Multiply your wholesaler's selling price by 1.60. The resulting price is your ceiling price.

(iv) *Infants' shoes and slippers.* Multiply your wholesaler's selling price by 1.60. The resulting price is your ceiling price.

(4) For sales of articles purchased from local wholesalers on a drop shipment basis.

(i) *Women's and misses' shoes and slippers.* Multiply your wholesaler's selling price by 1.80. The resulting price is your ceiling price.

(ii) *Men's and boys' shoes and slippers.* Multiply your wholesaler's selling price by 1.75. The resulting price is your ceiling price.

(iii) *Children's shoes and slippers.* Multiply your wholesaler's selling price by 1.85. The resulting price is your ceiling price.

(iv) *Infants' shoes and slippers.* Multiply your wholesaler's selling price by 1.85. The resulting price is your ceiling price.

(5) Any maximum retail price calculated under this paragraph (c) may be adjusted to the nearest nickel.

(d) *Ceiling prices for articles having a nationally advertised or a manufacturer's established and maintained price*—(1) *Nationally advertised prices.* Application may be made for approval of a price for an article listed and described in paragraph (a) which is nationally advertised by the manufacturer thereof, and who requires that such article be sold at the prices established by such manufacturer. The applicant must set forth:

(i) Description of the article or line to be priced.

(ii) Proof that the manufacturer has established a resale price and that such price is so marked on the article that any purchaser can know that it is a nationally advertised price.

(iii) A statement that the seller will not sell such article at a higher price than such nationally advertised price. Such application, of course, need not be made where such nationally advertised price is not in excess of the maximum price as calculated under this section.

(2) *Manufacturer's established and maintained price.* Application may be made for approval of a price for any article covered by this section which is established and maintained by the manufacturer thereof, and who requires that such article be sold at the price established and maintained by such manufacturer. The applicant must set forth:

(i) Description of the article or line to be priced.

(ii) Proof that the manufacturer has established and maintained a resale price, and that the manufacturer will not sell to a wholesaler or a retailer who does not maintain this price.

(iii) A statement that the seller will not sell such article at a price higher than such established and maintained price. Such application, of course, need not be made where such established and maintained price is not in excess of the maximum price as calculated under this section.

(e) *Ceiling prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application shall show the resulting wholesaler or retail ceiling price determined on the basis of such allocated costs.

(f) *Ceiling prices for certain merchandise purchased at lower than manufacturer's ceiling price.* In cases where a wholesaler or retailer purchases from a manufacturer or wholesaler located outside the Territory of Hawaii, any article covered by this section, at a price lower than the manufacturer's ceiling price and lower than a price which the purchaser previously paid for the same merchandise, and where such lesser price was paid by reason of the size of the purchase of the seasonal nature of the goods, application may be made to the Office of Price Administration for a ceiling price for resale of the merchandise, which ceiling price is based upon the higher price previously paid to such manufacturer, and the appropriate multiple provided by this section. Any such application must be accompanied by the invoice for the goods in question and the invoice establishing the former higher price, or other evidence of a similar nature.

(g) *Inability to determine ceiling prices.* Any person who is unable to determine his ceiling price for the sale of any article covered by this section shall apply the provisions of section 10 of this regulation to determine his ceiling price.

(h) *Landing cost.* (1) Landing cost for articles imported from the mainland shall be the total of the following amounts:

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of six months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War Risk and Marine Insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds the rates charged by the War Shipping Administration shall not be included, but the type of coverage is at the discretion of the buyer and seller.

(v) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to the establishment of the purchaser, computed at a rate not in excess of $1.20 per ton weight or measurement: *Provided*, That the commodity is moved from a dock at the purchaser's expense.

(2) Landing cost in cases of inter-island shipments: In cases where the article has been shipped from one island to another island in the Territory of Hawaii, the following additional charges may be added to those set forth in subparagraph (1), above:

(i) An amount equal to the actual transportation cost to be computed in accordance with the applicable provisions of sub-divisions (iii), (iv), and (v), of sub-paragraph (1) above.

(i) *Records and reports.* For the purposes of this section this paragraph supersedes the provisions of section 11 of this regulation.

(1) *Required of persons making sales at wholesale*—(i) *Purchase records.* If you make sales of any article covered by this section at wholesale, you must keep and make available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each such article, showing:

(a) The date of purchase and the date of receipt.

(b) The name and address of the seller.

(c) Description of the article purchased, including the manufacturer's stock number (if available).

(d) The price paid or charged.

(e) The quantity purchased.

(f) The manufacturer's or original importer's selling price.

If you did not purchase the article from the manufacturer, but relied upon the seller's written statement of the manufacturer's selling price, you shall keep such statement.

(g) All data including purchase, freight, and other invoices or material reflecting the charges incurred by you in arriving at your landing costs.

(ii) *Sales records.* If you make sales of any article covered by this section at wholesale you shall invoice each sale of each such article. A copy of this invoice shall be made and kept by you for examination by this Office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

The original invoice shall be delivered to the buyer, and shall state:

(a) The date of sale.

(b) Itemized list of articles sold.

(c) Description of the article sold, including the manufacturer's stock number (if available).

(d) Wholesaler's selling price of each article.

(e) Retailer's ceiling price for each article as calculated under paragraph (c). (Use by the wholesaler of a rubber stamp stating in effect "Your retail ceiling price is ____ times the wholesaler's selling price" will be considered compliance with this requirement. Blank spaces should, of course, be filled in with the appropriate multiple.)

(2) *Required of persons making sales at retail.* The retailer may list the information required below on each purchase invoice covering the article.

If the retailer did not purchase the article from the manufacturer but is relying upon his supplier's written statement of the manufacturer's selling price, he shall keep such statement and make it available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The retailer shall likewise keep and make available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, his purchase invoice covering the article.

(i) *Purchase records.* If you make sales at retail of any article covered by this section, you must complete and make available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each such article, showing:

(a) The date of purchase and the date of receipt.

(b) The name and address of the seller.

(c) A description of the article purchased, including the manufacturer's stock number (if available).

(d) The manufacturer's selling price if priced under (c) (1).

(e) If priced under (c) (2), all data including purchase, freight, and other invoices or material reflecting the charges incurred by you in arriving at your landing costs.

(f) The wholesaler's selling price if priced under (c) (2), (c) (3), or (c) (4).

(g) Price paid or received.

(h) The retailer's ceiling price.

(i) The retailer's stock number, if any.

(j) The multiple used in determining the retail ceiling price.

(ii) *Sales records.* (a) Any retailer who has customarily given a purchaser a sales slip, receipt, or other evidence of purchase, shall continue to do so. Upon a request from a purchaser, any retailer regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the retailer, a description of the article sold, and the price received for it.

(b) Every retailer shall keep and make available for examination by this office, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind he has customarily kept relating to the price charged for such article, and in addition, records showing as precisely as possible the basis upon which he determined the ceiling price for such article.

(j) *Posting and marking of prices.* For the purposes of this section this paragraph supersedes the provisions of section 11 (b) of this regulation.

(1) *Posting.* Every person who sells or offers to sell at retail any article covered by this section shall post in a conspicuous place in a manner plainly visible to and understandable by the purchasing public in the department or portion of the premises where any such article is sold or offered for sale, a sign stating "Each pair of shoes and slippers in this store (or in this counter, shelf, or in this case, bin, or rack) is marked and sold at our ceiling price or less."

(2) *Marking.* No person shall sell or deliver or offer for sale at retail any article covered by this section unless there is firmly attached to such article a stamp, tag, or other marking showing the selling price. Such selling price must be plainly visible to and understandable by the purchasing public.

(k) *Definitions.* When used in this section, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o. b. factory, less all discounts and allowances except cash discounts up to 5% and quantity pairage discounts, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(2) "Original importer's selling price" means the price at which the original importer of the article from outside continental United States sold and invoiced it, less all discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(3) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer, less all discounts and allowances, except cash discount up to 2% and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(4) "Out of stock sales" means sales of articles which are sold out of the seller's stock and which are invoiced and shipped to the establishment of the seller.

(5) "Sales on a drop shipment basis" means sales of articles which are consigned to the seller, but not shipped to his establishment, and which are not delivered out of stock.

(l) *Revocation of orders affecting commodities covered by this section.* Any orders issued prior to August 28, 1944, pursuant to the provisions of sections 9 or 9a of Maximum Price Regulation 373 affecting commodities covered by this section are revoked as of August 28, 1944.

SEC. 45. *Maximum prices for hauling on the Island of Molokai*—(a) *Definitions.* When used in this section the term:

(1) "Package" means a parcel of merchandise in the customary wholesale unit.

(2) "Hauling" means the transportation from one point to another of a package by means of a motor vehicle

other than a common carrier and includes such loading and unloading as has been customary in the trade.

TABLE A—FOR HAULING BETWEEN POINTS WITHIN THE CITY LIMITS OF KAUNAKAKAI

Drums of oil and gasoline	$0.25 per drum
Automobile motors	.15 per motor
Other merchandise when hauled for a retailer or wholesaler in the course of his business:	
Weighing under 105 pounds	.05 per pkg.
Weighing over 105 pounds	.10 per pkg.
Other merchandise when hauled for persons not retailers or wholesalers—the maximum prices established under the General Maximum Price Regulation for the Territory of Hawaii.	

TABLE B—FOR HAULING BETWEEN HOMESTEAD AIRPORT AND HOOLEHUA, C.P.C. OR KAUNAKAKI

Package weighing:	*Per package*
1 to 50 pounds	$0.25
51 to 100 pounds	.35
101 to 150 pounds	.45
Over 150 pounds	.55

NOTE: For all other hauling on the Island of Molokai 15¢ per package.

SEC. 46. *Ceiling prices for taro and poi*—(a) *What this section covers.* This section fixes ceiling prices for all sales of wetland taro, poi, sub-standard poi, and readymixed poi in the Territory of Hawaii.

(b) *Ceiling prices for sales of wetland taro.* Ceiling prices for sales of wetland taro which has been pulled, sacked in sacks furnished by the buyer, and delivered at roadside, shall be:

	Oahu	Other islands
	Cents per pound	*Cents per pound*
Grade A taro	3.6	3.35
Marketable quality taro	2.4	2.15

(c) *Ceiling prices for sales of poi, sub-standard poi, and ready-mixed poi at wholesale and at retail.* (1) Ceiling prices for sales of poi, sub-standard poi, and ready-mixed poi at wholesale and retail shall be:

	Sales at wholesale		Sales at retail	
	Oahu	Other islands	Oahu	Other islands
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*
Poi	11	8	13	10
Substandard poi	9	6	11	8
Ready mixed poi	7	4	9	6

Wholesalers may add 1% to the ceiling prices listed above on sales to buyers who do not have a gross income license.

(d) *Inability to price.* Any person who is unable to determine his ceiling price for any sale of wetland taro, poi, substandard poi, and ready-mixed poi under this section shall apply the provisions of section 10 of this regulation for the establishment of such maximum price.

(e) *Definitions.* When used in this section, the term:

(1) "Grade A taro" means taro suitable for poi manufacture which meets the specifications set forth under the title, "Suggested Hawaiian Grades on Taro for Poi Manufacture" in Agricultural Circular #156, Revised November 15, 1943, prepared by the Agricultural Economic Division, Agricultural Extension Service, University of Hawaii.

(2) "Marketable quality taro" means any taro suitable for poi manufacture which does not meet the specifications of Grade A taro.

(3) "Poi" means the unadulterated product of the edible taro root made into a paste, which shall contain not less than 30% of total solids.

(4) "Sub-standard poi" means the unadulterated product of the edible taro root made into a paste, which contains less than 30%, but not less than 26%, of total solids.

(5) "Ready-mixed poi" means strained poi mixed with water which contains less than 26%, but not less than 18%, of total solids.

(6) "Sale at wholesale" means any sale, including a sale by a manufacturer, other than a retail sale.

(f) *Records and invoices.* In addition to the records required by the provisions of section 11 of this regulation, sellers making sales covered by this section other than at retail shall at the time of delivery furnish the buyer with an invoice or sales memorandum showing the name and address of the seller and buyer, the kind, quantity, and grade of the commodity sold and the price charged or received therefor.

(g) *Poi bag deposit.* Sellers of poi, who sell such poi in bags, may charge a deposit of not more than five cents per bag, which must be refunded when the bag is returned.

SEC. 47. *Maximum prices for certain shell jewelry manufactured in the Territory of Hawaii*—(a) *Maximum prices for Niihau shell leis.* (1) Maximum prices for sales in the Territory of Hawaii of Niihau shell leis shall be:

	Size	Maximum wholesale price	Maximum retail price
Leis made exclusively of white Niihau shells (momi keokeo or white Niihau shells mixed with lesser amounts of Niihau colored shells.	36" strand	$1.00	$1.50
Leis made exclusively of Niihau yellow or tan colored shells (momi lenalena), except as varied by small admixtures of other Niihau colored shells.	36" strand	1.25	1.90
Leis made exclusively of Niihau small pink, red, or brown shells known as kahelelani, or of kahelelani varied with small amounts of other Niihau colored shells.	36" strand	1.50	2.25

(b) *Maximum prices for jewelry made with cowry shells and cat's eyes*—(1) *Manufacturer's maximum prices.* If you are a manufacturer of any item of jewelry made from cowry shells or cat's eyes, you determine your maximum prices for such items in the following manner: First, multiply the number of shells used by the price per shell listed in the Shell Price Table below, for the type and size of shell used. To this amount add the net cost of other materials used in the article being manufactured, which in no case may be higher than the maximum wholesale price. Then multiply this total by 1.50. The resulting price is your maximum price.

SHELL PRICE TABLE

Type	Size	Price
		Each
Cowry shell	Small, ¾" long or less	$0.05
Cowry shell	Medium, ¾" to 1¼" long	.10
Cowry shell	Large, over 1¼" long	.15
Cat's eye	Small, ½" long or less	.50
Cat's eye	Medium, ¾" to ¾" long	.75
Cat's eye	Large, over ¾" long	1.00

(2) *Retailer's maximum prices.* If you are a retailer, you determine your maximum prices for sales of any item of jewelry made from cowry shells or cat's eyes in the following manner: First, multiply your manufacturer's selling price by 1.50. Then adjust this amount to the nearest nickel. The resulting price is your maximum price.

(c) *Inability to determine maximum prices.* If you are unable to determine your maximum price for any article covered by this section, you shall apply to the Office of Price Administration for the establishment of a maximum price.

(d) *Definitions.* (1) "Shell jewelry" means all jewelry made of, set or mounted with natural shells or parts of shells.

(2) "Cowry shell" is the solid oval or pear-shaped shell of a genus of good-sized mollusks. There are many species of cowries, differing both in color and size. Money cowries, ring cowries, gold-ringer cowries, measled cowries, tiger cowries, humpback cowries, and leho are among the names commonly given to these shells.

(3) "Cat's eye" is the thick calcareous operculum to a turbine shell. A cat's eye is convex on the exterior and polished, with ordinarily a bright green spot in the center.

(4) "Other materials used" include such materials as chains, pins, earrings, rings, etc., which are used in the manufacture of jewelry made with cowry shells and cat's eyes, but do not include cotton or other material used for packing the shells, cement, and similar incidental supplies.

(5) "Net cost" is the amount the manufacturer paid his supplier (a manufacturer or wholesaler) for "other materials used" less all discounts and allowances.

(6) "Niihau shell leis" mean leis made exclusively of shells commonly known in the Territory of Hawaii as Niihau shells.

SEC. 48. *Maximum prices for wearing apparel and accessories at wholesale and retail*—(a) *What this section does.* This section sets maximum prices for all sales at wholesale and retail of the wearing apparel and accessories which are classified and defined in subparagraphs (1), (2) and (3) below. Sales by manufacturing wholesalers and manufacturing retailers are also covered by this section. This section does not apply to sales by custom tailors of any tailored wearing apparel which is made to the individual measurements of the ultimate consumer.

(1) *Women's wear and girls' wear, sizes 7 and up*—(i) *Dresses.* This classification includes all feminine outerwear garments of one or more pieces sold at a unit price commonly known as dresses whether used for street, evening, house or utility wear, and including jumpers, smocks, pinafores, brunch coats, uniform dresses, aprons and similar articles.

(ii) *Suits.* This classification includes all two-piece feminine outerwear garments, untrimmed, trimmed or fur-trimmed, commonly known as suits and consisting of a separate jacket and skirt sold at a unit price and which are intended for wear with a blouse, dickey or similar garments, and includes uniform suits.

(iii) *Coats and jackets.* This classification includes feminine outerwear garments commonly known as coats or jackets whether sport, two-third, three-quarter or full length, and whether trimmed, fur-trimmed, or untrimmed, sport or dress, and includes capes, wraps, separate redingotes and similar articles, but does not include rainwear garments, sweaters and sweater type jackets, beach or play coats or jackets.

(iv) *Rainwear.* This classification includes all those feminine outerwear garments which are commonly regarded as having as their chief use protection against rain, and includes coats, jackets, capes, hoods, hats, umbrellas, and similar items designed for this use.

(v) *Slack suits.* This classification includes two-piece feminine outerwear garments commonly known as slack suits and consisting of separate slacks and blouse and shirt, slacks and jacket or jerkins sold at a unit price, but does not include coveralls, overalls, jeans, clamdiggers, and similar garments.

(vi) *Separate slacks and coveralls.* This classification includes all feminine outerwear garments commonly known as separate slacks, coveralls, overalls, jeans, clamdiggers and similar garments.

(vii) *Skirts.* This classification includes all feminine outerwear garments commonly known as separate skirts, including evening skirts, and culottes.

(viii) *Shirts and blouses.* This classification includes feminine outerwear garments commonly known as shirts, blouses, and waists with short or long sleeves and made of woven fabric and including jersey knit fabrics, but does not include any other knitted or knit garments such as cotton beach combers, polo shirts, and similar items which are considered to be sweaters.

(ix) *Sweaters.* This classification includes feminine outerwear garments commonly known as sweaters, sweater coats and pull-overs which are knit or knitted, and whether made of wool, cotton, rayon or any mixture thereof, and includes sleeveless sweaters, twin sweater sets, sweater coats, pull-overs, knitted polo shirts, beach combers, knitted jerkins, sweat coats, and similar items not specifically defined as coats, blouses or play clothes.

(x) *Play clothes.* This classification includes feminine outerwear garments commonly known as play clothes and designed primarily for play, swim or beach wear, and includes combinations of shorts, short skirt with blouse or bra-top attached or detached, which are sold at a unit price with or without a detachable over-shirt, and also includes separate shorts, halters, beach coats, capes, swim suits, sun suits, and similar items.

(xi) *House coats and robes.* This classification includes all feminine garments commonly known as lounge or hostess wear, and includes robes, housecoats, hostess coats, coolie coats, hostess pajamas, negligees, negligee and gown sets, and similar items, whether made of knitted or woven fabrics.

(xii) *Underwear and nightwear.* This classification includes all feminine garments commonly known as underwear or nightwear, including but not limited to slips, petticoats, nightgowns, pajamas, bed jackets, panties, chemises, panti-bra sets sold at a unit price, and similar items whether trimmed or untrimmed.

(xiii) *Foundation garments.* This classification includes all feminine undergarments commonly known as foundation garments and includes all elastic and non-elastic corsets, combinations, girdles, surgical belts, pads and similar items.

(xiv) *Brassieres.* This classification includes all feminine undergarments commonly known as brassieres.

(xv) *Millinery* This classification includes feminine wear commonly known as millinery or hats, whether made of fabric, straw or felt, and includes hats, caps, veils, snoods, turbans, and similar items, but does not include fabric head scarfs or straw hats which are made locally of native Hawaiian lauhala, coconut or other similar plant fibres.

(xvi) *Handbags.* This classification includes all bags or purses made of fabric, leather, leatherette, plastic, beads or similar materials whether designed for use for street, beach, or evening wear, and whether trimmed or untrimmed, but does not include bags or purses made in the Territory of Hawaii of lauhala, bamboo, coconut or similar plant fibres and does not include any metallic, mesh and beaded bags which are covered by Territorial Consumer Goods Regulation No. 1.[29]

(xvii) *Hosiery.* This classification includes all women's hosiery of any length, whether made of nylon, silk, rayon, cotton, wool, or any mixture thereof, and including anklets, socks, and peds.

(xviii) *Gloves.* This classification includes all feminine gloves made of leather, fabric, leatherette, crocheted or knitted goods or similar materials.

(xix) *Handkerchiefs.* This classification includes all handkerchiefs made of cotton, linen, rayon, silk or similar fabrics, whether designed for sport, dress or evening wear, but does not include bandanas or neckerchiefs.

(xx) *Scarfs.* This classification includes all scarfs of wool, cotton, rayon, silk, or any other woven or knitted materials, whether designed for use as head scarfs or neck scarfs, and includes all neckerchiefs, bandanas, and shawls designed to be worn on the person.

(xxi) *Neckwear.* This classification includes feminine wear commonly known as neckwear and includes collars, dickeys, vests, vestees, cuffs, jabots, whether made of fabric, plastic or beads, readymade collars or sets of flouncing, ruching, and similar items.

(xxii) *Belts and sashes.* This classification includes feminine wear commonly known as belts and sashes which are designed to be worn over outerwear, whether made of fabric, leather, leatherette, wood, lauhala, or similar materials.

(xxiii) *Miscellaneous accessories.* This classification includes articles of adornment for wear on the person, including, but not limited to, cloth or fabric artificial flowers, but does not include jewelry accessories covered by Territorial Consumer Goods Regulation No. 1.

(2) *Men's wear and boys' wear, size 7 and up*—(i) *Topcoats and overcoats.* This classification includes masculine outerwear garments commonly known as topcoats and overcoats and designed to be worn over other outer apparel.

(ii) *Dress, tropical and wash suits.* This classification includes masculine wear commonly known as men's and boys' suits consisting of a coat and trousers, with or without a vest, and sold at a unit price; military uniforms (except those covered by Maximum Price Regulation No. 385).

(iii) *Separate or sport coats.* This classification includes all masculine garments commonly sold as separate coats and of a type designed to be worn with dress trousers or slacks, but does not include topcoats, overcoats, or rainwear.

(iv) *Separate trousers and slacks.* This classification includes all masculine garments commonly sold as separate trousers, slacks, and breeches, but does not include work pants.

(v) *Active sportswear.* This classification includes golf, tennis, and other outer shorts, athletic supporters, and sport uniforms, such as basketball, baseball and swim suits, and like garments.

(vi) *Dress shirts.* This classification includes masculine garments, commonly known as dress shirts in neck sizes, with or without a collar attached, designed to be worn with a tie for street or evening wear, but does not include sport shirts and other casual shirts not sized in neck sizes.

(vii) *Sport shirts.* This classification includes all masculine wear commonly known as sport shirts, and includes Aloha shirts, "T" shirts and Polo shirts, and all other shirts not defined as Dress Shirts in (vi) above, or as work shirts in (xii) below.

(viii) *Pajamas.* This classification includes men's and boys' wear commonly known as pajamas, and includes regular pajamas, brief pajamas, sleep coats, nightgowns, sleep shorts and similar items.

(ix) *Underwear.* This classification includes all masculine garments commonly known as underwear, and includes athletic shirts, athletic drawers, union suits, support garments, and similar items.

[29] 10 F.R. 4911.

(x) *Headwear.* This classification includes all masculine wear commonly known as hats or caps, whether made of fabric, straw, or felt, but does not include straw hats which are made locally of native Hawaiian lauhala, coconut, or other similar plant fibers.

(xi) *Rainwear.* This classification includes all masculine garments which are commonly regarded as having for their use protection against rain, and includes jackets, coats, hats, pants, umbrellas, and similar items, but does not include rubbers and other waterproof footwear.

(xii) *Work clothes.* This classification includes all masculine garments commonly known as work clothes, and includes work pants, shirts, socks, gloves, jackets, jumpers, aprons, overalls, dungarees, khaki, denim and work uniforms, and similar items.

(xiii) *Accessories.* This classification includes all items worn by men and boys as accessories to the above garments, and includes handkerchiefs, garters, belts, suspenders, and dress or sport socks (except work socks), but does not include jewelry accessories covered by Territorial Consumer Goods Regulation No. 1.[9]

(xiv) *Neckwear.* This classification includes all masculine articles worn around the throat, and includes cravats, collars, mufflers, and similar items.

(3) *Children's and infants' wear.* Children's wear in girls' sizes 2–6, and boys' sizes 2–6, and infants' wear in sizes 0–2, except layette sets which are assembled into sets and sold as sets by the manufacturer.

(i) *Girls' dresses and suits.* This classification includes all girls' outerwear garments of one or two pieces sold at a unit price commonly known as dresses and suits, whether made of knitted or woven fabric, and includes jumpers, pinafores, brunch coats, aprons and similar articles.

(ii) *Boys' suits.* This classification includes all boys' outerwear garments commonly known as boys' suits, consisting of coat or shirt with short or long pants, and sold at a unit price.

(iii) *Children's coats.* This classification includes children's outerwear garments commonly known as coats or jackets, whether loose or fitted styles, trimmed or untrimmed, sport or dress, and includes capes, but does not include rainwear garments, sweaters, beach coats, or play coats.

(iv) *Rainwear.* This classification includes children's outerwear garments which are commonly regarded as having as their chief use protection against rain, such as coats, umbrellas, jackets, capes and similar items.

(v) *Slacks, slack suits and shorts.* This classification includes children's outerwear garments, commonly known as slacks, slack suits and shorts, and includes separate slacks, overalls, jeans, coveralls, shorts and slack suits of two pieces, consisting of slacks and shirt or jacket, sold at a unit price.

(vi) *Girls' skirts.* This classification includes all girls' outerwear garments commonly known as separate skirts.

[9] 10 F.R. 4911.

(vii) *Boys' trousers.* This classification includes all boys' outerwear garments, commonly known as separate trousers.

(viii) *Blouses and shirts.* This classification includes all children's outerwear garments, commonly known as blouses or shirts, made of woven or jersey knit fabric, but does not include any other knit or knitted garments, such as sweaters, polo shirts and the like.

(ix) *Sweaters.* This classification includes all children's outerwear garments commonly known as sweaters, sweater coats, pullovers, polo shirts which are knit or knitted.

(x) *Playclothes.* This classification includes all children's outerwear garments commonly known as play clothes, and which are designed primarily for play, swim or beach wear, and includes sun suits, swim suits, rompers, beach coats and capes, and similar articles. This classification does not include costumes such as cowboy suits, Halloween suits, etc.

(xi) *Headwear.* This classification includes all children's headwear and includes hats, caps, bonnets, berets and similar articles, but does not include straw hats which are made of native Hawaiian lauhala, coconut, or other similar plant fibres.

(xii) *School uniforms.* This classification includes all outerwear garments that are especially designed for school wear as a uniform.

(xiii) *Housecoats and robes.* This classification includes the children's garments commonly known as lounge wear and includes robes and housecoats, and similar articles.

(xiv) *Underwear and nightwear.* This classification includes those children's garments commonly known as underwear and nightwear and includes both knit and woven union suits, nightgowns, pajamas, undershirts, panties, shorts, slips, vests and similar articles.

(xv) *Infants' dresses, rompers, creepers and coats.* This classification includes all infants' outerwear garments commonly known as infants' dresses, rompers, creepers, coats and similar articles, whether knitted or made of woven fabric and includes sets of two or more pieces of these items and other items of infants' wear when sold at a unit price.

(xvi) *Infants' sweaters, sacques and wrappers.* This classification includes all infants' outerwear garments commonly known as infants' sweaters, sacques, wrappers, shawls and similar articles, whether knitted or made of woven fabric.

(xvii) *Bonnets.* This classification includes all infants' headwear items and includes bonnets, caps and similar articles.

(xviii) *Booties and socks.* This classification includes infants' booties, socks and similar items.

(xix) *Harnesses.* This classification includes all harnesses and similar articles made of fabric and leather which are designed and used primarily for infants.

(xx) *Infants' underwear and nightwear.* This classification includes all infants' underwear and nightwear, whether knitted or woven, and includes undershirts, nightgowns, sleepers, vests, binders, panties, training panties, soaker panties, waterproof panties, and similar items.

(b) *Maximum prices for sales at wholesale.* If you are a wholesaler, you calculate your maximum prices in the following manner:

(1) *For articles manufactured in the Territory of Hawaii*—(i) *Sales of articles purchased from a local manufacturer.* Multiply the manufacturer's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, by 1.12. The resulting price is your maximum wholesale price.

(ii) *Sales by a manufacturing wholesaler.* (a) Multiply your cost of manufacturing by 1.15. The resulting price is your maximum wholesale price.

(b) Your cost of manufacturing shall include only (1) the wholesale price of the materials used, which shall be no higher than the maximum wholesale price for such material established by section 53 of this regulation, and (2) your maximum sewing charges which have been established under Revised Maximum Price Regulation 165.

(2) *For articles imported into the Territory of Hawaii*—(i) *Sales of articles purchased from a mainland manufacturer or an original mainland importer*—(a) *For sales from stock.* You may compute your maximum prices by either of the following methods:

(1) Multiply the manufacturer's or the original importer's selling price, less all discounts and allowances except discounts for prompt payment up to 2% by 1.25. The resulting price is your maximum wholesale price, or

(2) Add the manufacturer's or the original importer's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, to your "landing costs" as defined in paragraph (c). Then multiply this amount by 1.20. The resulting price is your maximum wholesale price.

You must elect to use one of the two alternate methods of determining your maximum prices for all articles sold by you which are covered by this subdivision. The method elected may not thereafter be changed without first obtaining written permission from the Office of Price Administration, Iolani Palace, Honolulu 2, T. H.

(b) *For sales of articles shipped by the manufacturer or original importer directly to the retailer.* Multiply the manufacturer's or the original importer's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, by 1.12. The resulting price is your maximum wholesale price.

(ii) *Sales of articles purchased from a mainland wholesaler or jobber.* Add the primary mainland wholesaler's or jobber's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, to your "landing costs" as defined in paragraph (c). The resulting price is your maximum wholesale price.

(iii) *Sales of articles manufactured in and imported directly from a foreign country.* Add the foreign exporter's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, to your "landing costs" as defined in paragraph (c). Then multiply this amount by 1.20. The resulting price is your maximum wholesale price.

(3) *Sales by local sub-jobbers.* (i) You may not establish maximum prices as a sub-jobber under this paragraph (b) (3) until you have filed with the Office of Price Administration, Iolani Palace, Honolulu 2, T. H., an application for permission to do so. Such application must show that you had been regularly engaged in performing the function of a sub-jobber during the calendar year of 1943 and must also show the estimated percentage of sub-jobbing business done in relation to the total sales during the years 1942 and 1943. You may not use the maximum prices established by this paragraph (b) (3) until you have received written permission from the Office of Price Administration.

(ii) If you have received permission to sub-job under sub-division (i) above, you shall compute your maximum wholesale prices in the following manner:

(a) *Articles purchased from a mainland wholesaler or jobber.* Multiply the primary wholesaler's or jobber's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, by 1.20. The resulting price is your maximum wholesale price regardless of whether the articles were shipped from the establishment of the wholesaler or jobber or direct from the factory.

(b) *Articles purchased from a local wholesaler or jobber who has computed his maximum price under paragraph (b) (2) (i) (a) applying to "sales from stock".* Multiply the local wholesaler's or jobber's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, by 1.15. The resulting price is your maximum wholesale price.

(4) *Allowance for textile printing.* When you textile print, or have textile printed for you, any article covered by this section, you may add to your maximum wholesale price for the finished unblocked article the maximum price permitted under section 52 of this regulation for such textile printing.

(5) *Odd cent maximum wholesale prices.* Whenever the calculation of a maximum wholesale price results in a fraction of a cent, the maximum price shall be adjusted to the nearest cent.

(6) *Restrictions on markup at wholesale.* (i) Except as provided in paragraph (b) (3) of this section, with reference to sub-jobbers, your maximum price for sales at wholesale of any article covered by this section which you purchased from a local wholesaler, jobber, or manufacturing wholesaler shall not exceed the maximum wholesale price which the primary wholesaler, jobber or manufacturing wholesaler in the Territory of Hawaii would be entitled to charge under this section.

(ii) If you are a wholesaler-retailer, you may not take any part of the wholesale markup allowed by this paragraph (b) for any article sold by any retail outlet owned, controlled by, under the control of, controlling, or in any other way affiliated with respect to ownership or control with the wholesale establishment.

(c) *"Landing cost"*—(1) "Landing cost" for articles imported from the mainland shall be computed by adding the amounts permitted in subdivisions (i) through (v) set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions has already been included in another subdivision, it may not again be added.

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading.

(v) An amount equal to cartage charges in the Port of Entry in the Territory of Hawaii from the dock to the establishment of the purchaser, computed at a rate not in excess of $1.20 per ton weight or measurement; *Provided*, That the commodity is moved from a dock at the purchaser's expense.

(2) "Landing cost" for articles imported directly from a foreign country, shall be computed by adding the amounts permitted in subdivisions (i) through (iv) set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions has already been included in another subdivision it may not again be added.

(i) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading.

(ii) An amount equal to cartage charges in the Port of Entry in the Territory of Hawaii from the dock to the establishment of the purchaser, computed at a rate not in excess of $1.20 per ton, weight or measurement; *Provided*, That the commodity is moved from the dock at the purchaser's expense.

(iii) An amount equal to charges for consular invoice fees actually incurred by the purchaser.

(iv) An amount equal to charges for export and import duties actually incurred by the purchaser.

(3) *"Landing cost" in cases of inter-island shipments.* In cases where the article has been shipped from one island to another island in the Territory of Hawaii the charges set forth below may be added to the maximum wholesale price as computed under paragraph (b) of this section.

(i) An amount equal to the actual transportation costs incurred to be computed in accordance with the applicable provisions of subdivisions (iii), (iv) and (v) of subparagraph (1) above.

The transportation costs incurred for one inter-island shipment only may be added to the maximum wholesale price. The costs incurred for any subsequent inter-island shipment may not be added.

(d) *Maximum prices for sales at retail.* If you are a retailer, you calculate your maximum prices in the following manner:

(1) *Sales of articles manufactured in the Territory of Hawaii*—(i) *Sales of articles purchased from a manufacturing-wholesaler.* Multiply the manufacturing-wholesaler's selling price by the figure set forth in column 3 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(ii) *Sales of articles purchased from a local manufacturer.* Multiply the manufacturer's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, by the figure set forth in column 4 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(iii) *Sales of articles purchased from a local wholesaler.* Multiply the manufacturer's selling price by the figure set forth in column 4 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(iv) *Sales by a manufacturing-retailer.* First compute the maximum manufacturing-wholesale price in accordance with the provisions of paragraph (b) (1) (ii) of this section. Then multiply that amount by the figure set forth in Column 3 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(v) *Sales by dressmakers.* (a) If you are a dressmaker who sews to the individual measurements of the ultimate consumer, and you furnish the material used from your own stock, you must compute your maximum retail price in the manner set forth below. (If you do not furnish the material used in making the garment, you are not covered by this section. Such services are covered by Revised Maximum Price Regulation 165.)

First, compute the maximum retail price of the yardage used in accordance with the provisions of section 53 of this regulation. Then add to this amount your maximum dressmaking charge for the garment as established in accordance with the provisions of RMPR 165—Services. The resulting price is your maximum retail price.

(b) Extra charges for zippers and fancy buttons. If you furnish zippers and fancy buttons for the garment, you may add the maximum retail prices of such zippers and fancy buttons to your

maximum retail price as computed under subdivision (*a*) above.

(2) *For articles imported into the Territory of Hawaii*—(i) *Sales of articles purchased from a mainland manufacturer or an original mainland importer.* Multiply the manufacturer's or the original importer's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, by the figure set forth in Column 1 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(ii) *Sales of articles purchased from a mainland wholesaler or jobber.* Multiply the primary mainland wholesaler's or jobber's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, by the figure set forth in Column 2 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(iii) *Sales of articles purchased from a local wholesaler, jobber, or importer.* (*a*) Articles purchased from stock: Multiply the primary local wholesaler's, jobber's, or original importer's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, by the figure set forth in Column 3 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(*b*) Articles shipped by the manufacturer or original importer directly to the retailer: Multiply the local primary wholesaler's, jobber's or importer's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, by the figure set forth in Column 5 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(iv) *Sales of articles purchased from a local sub-jobber.* Multiply the subjobber's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, by the figure set forth in Column 6 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(v) *Sales of articles manufactured in and imported directly from a foreign country.* First, add to the foreign exporter's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, the consular invoice fees, export and import duties actually paid by you. Then multiply that amount by the figure set forth in Column 1 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(3) *Table of retail multiplication figures.*

	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
A. WOMEN'S AND GIRLS' WEAR						
1. Dresses, coats, jackets, suits, rainwear, slack suits, play clothes, housecoats:						
a. Budget, to $12.95 each inclusive	1.77	1.77	1.58	1.65	1.68	1.70
b. Better, over $12.95 each	1.82	1.82	1.63	1.77	1.77	1.91
2. Slacks, shorts and blouses, skirts and sweaters	1.77	1.77	1.58	1.68	1.68	1.70
3. Underwear, nightwear, lingerie	1.77	1.77	1.58	1.65	1.65	1.90
4. Foundation garments:						
a. Budget, to $5 each inclusive	1.77	1.77	1.58	1.65	1.65	1.90
b. Better, over $5 each	1.82	1.82	1.63	1.80	1.72	1.90
5. Millinery	2.00	2.00	1.80	1.95	1.80	1.95
6. Hosiery, (except full-length nylon hosiery)	1.77	1.77	1.58	1.65	1.65	1.90
7. Gloves and handbags	1.77	1.77	1.58	1.65	1.65	1.90
8. Miscellaneous accessories, handkerchiefs, scarfs, belts and neckwear	1.70	1.70	1.50	1.65	1.65	1.90
B. MEN'S AND BOYS' WEAR						
1. Topcoats and overcoats	1.80	1.77	1.58	1.75	1.77	1.95
2. Dress, tropical, slack and wash suits, separate trousers and slacks; separate coats, sport coats, sweaters, sport or dress shirts, pajamas, loungewear, neckwear, rainwear, underwear	1.77	1.77	1.58	1.65	1.68	1.90
3. Work clothes, active sportswear, sweatshirts or shorts	1.70	1.70	1.50	1.65	1.65	1.90
4. Handkerchiefs, belts, garters, suspenders, drop-seat pants, etc.	1.70	1.70	1.50	1.65	1.65	1.90
C. CHILDREN'S AND INFANTS' WEAR						
1. Budget, to $12.95 each, inclusive	1.77	1.77	1.58	1.65	1.68	1.90
2. Better, over $12.95 each	1.80	1.80	1.58	1.75	1.73	1.90

All designations of price in the above table with respect to "Budget" or "Better" items refer to the appropriate price limit upon which the retailer will use the multiple in the above table to determine the maximum price. For example, if the maximum price of a lamp sold by a retailer is to be determined by a multiple of $2.00 by one of the multiples, the lamp is a "Budget" item.

(4) *Maximum prices for articles which you textile print.* When you textile print, or have textile printed for you, any article covered by this section, you shall compute your maximum retail prices in accordance with the applicable provisions of paragraphs (d) (1) and (2) above, except that you may add the maximum price permitted under section 52 of this regulation for such textile printing to the manufacturer's, importer's or wholesaler's selling price, whichever is applicable, and then multiply the total amount by the applicable retail multiplication figure. The resulting amount will be your maximum retail price

(5) *Odd cent maximum retail prices.* Whenever the calculation of a maximum retail price results in an odd cent maximum price, the maximum price may be adjusted to the nearest nickel.

(e) *Maximum prices for nationally advertised articles.* Application may be made for approval of a price for any article covered by this section which is nationally advertised by the manufacturer thereof, and who also requires that such article be sold at the prices established by such manufacturer. Such application, of course, need not be made when the nationally advertised price is not in excess of the maximum price allowed by this section. Your application must set forth:

(1) Description of the article or line to be priced.

(2) Proof that the manufacturer has established a nationally advertised resale price and that such price is so marked on the article.

(3) A statement that you will not sell such article at a price higher than such nationally advertised price.

(f) *Maximum prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration, Honolulu 2, T. H., for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application must show the allocation made by the wholesaler or retailer and shall show the resulting maximum wholesale or retail prices determined on the basis of such allocated costs.

(g) *Maximum prices for certain merchandise purchased at lower than the manufacturer's or wholesaler's maximum price.* In cases where a retailer or wholesaler purchases from a manufacturer or from a wholesaler any article covered by this section, at a price lower than such manufacturer's or wholesaler's maximum price and lower than a price which the purchaser previously paid to such manufacturer or wholesaler for the same merchandise, and where such lesser price was paid by reason of the seasonal nature of goods, application may be made to the Office of Price Administration, Honolulu 2, T. H., for a maximum price for resale of this merchandise, which maximum price is based upon the higher price previously paid to such manufacturer or wholesaler, and the appropriate multiple provided by this section. Any such application must be accompanied by the invoice with the lot or stock number for the goods in question and the invoice establishing the former higher price, or other evidence of a similar nature, and any other information the Office of Price Administration may require.

(h) *Maximum prices for full-length nylon hosiery.* The maximum price for sales at wholesale of any full-length nylon hosiery shall not exceed $1.65 per pair. The maximum price for sales at retail of any full-length nylon hosiery shall not exceed $2.50 per pair.

(i) *Records and reports.* For the purposes of this section, this paragraph supersedes the provisions of section 10 of this regulation.

(1) *Purchase records.* If you make sales of any article covered by this section, you must keep and make available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each such article showing:

(i) The date of purchase and the date of receipt.

(ii) The name and address of the seller.

(iii) A description of the article purchased, including the manufacturer's lot or stock number.

(iv) The quantity purchased.

(v) The manufacturer's, original importer's or primary wholesaler's or jobber's selling price, whenever such price must be used in computing your maximum price. If you did not purchase the article from the manufacturer, original importer, or primary wholesaler or jobber, you must secure a written statement from your supplier setting forth the name of the manufacturer, original importer, or primary wholesaler or jobber and the manufacturer's, original importer's, or primary wholesaler's or jobber's selling price for the article so purchased.

(vi) Your invoice cost in all other cases.

(vii) Your stock number, if any.

(viii) The price paid or charged.

(ix) The multiple used in determining your maximum price.

(x) Your maximum price.

(xi) All records and data including purchase, freight, consular fees and all other invoices or memoranda reflecting the charges incurred by you in arriving at your "landing cost" and your selling price. However, retailers need not keep any records with reference to "landing costs".

You may list the information required above on each purchase invoice covering the article.

(2) *Sales records*—(i) *Required of persons making sales at other than retail.* If you make sales at other than retail of any article covered by this section, you must invoice each sale of each such article. You must make and keep a copy of this invoice for examination by the OPA for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The original invoice must be delivered to the buyer and must set forth the following information:

(*a*) The date of sale.

(*b*) Itemized list of articles sold and the quantity of articles sold.

(*c*) A description of the articles sold, including the manufacturer's lot number.

(*d*) The manufacturer's or the original importer's selling price for each such article if your maximum price is determined under paragraphs (b) (1) (i) and (b) (2) (i).

(*e*) Either your maximum price for each article or a statement that "Prices herein stated for wearing apparel and accessories are at or below our OPA ceiling prices."

(*f*) Either the retailer's maximum price for each article as calculated under paragraph (d) or the appropriate retail multiple set forth in the Table of Retail Multiplication Figures in paragraph (d), which the retailer must use in computing his maximum price.

(*g*) The price charged or received.

(ii) *Required of persons making sales at retail.* (*a*) If you have customarily given a purchaser a sales slip, receipt or similar evidence of purchase, you must continue to do so. Upon request from a purchaser, you must, regardless of previous custom, give the purchaser a receipt showing the date, your name and address, a description of the article sold and the price received for it.

(*b*) You must keep and make available for examination by the OPA for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as you customarily kept to show the price charged for any article covered by this section and, in addition, records showing as precisely as possible the basis upon which you determined the maximum price for such article.

(3) *Additional records required of manufacturing-wholesalers, manufacturing-retailers and dressmakers in addition to the records and reports required by subparagraphs (1) and (2) above.* If you are a manufacturing-wholesaler, manufacturing-retailer or dressmaker, making a sale of any article covered by this section, you must keep and make available for examination by the OPA, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each article made showing:

(i) The date of purchase and date of receipt of the material used.

(ii) The name and address of the seller.

(iii) A description of the material purchased, including the manufacturer's and/or supplier's lot or stock number.

(iv) A complete and accurate description of the article made.

(v) The yardage used in making the article.

(vi) The price paid or charged.

(vii) The maximum wholesale price of the material used as computed under section 53 of this regulation, if you are a manufacturing-wholesaler or manufacturing-retailer.

(viii) The maximum retail price of the material used as computed under section 53 of this regulation, if you are a dressmaker.

(j) *Posting and marking of prices.* For the purposes of this section, this paragraph supersedes the provisions of section 10 (b) of this regulation.

(1) *Posting.* If you sell at retail any article covered by this section, you must post in a conspicuous place, in a manner plainly visible to and understandable by the purchasing public, in the department or portion of the premises where such article is sold or offered for sale, a sign stating, "Each article of wearing apparel and accessories in this store (or on this counter, shelf, or in this case, bin or rack) is marked and sold at our ceiling price or less."

(2) *Marketing.* (i) You may not sell, deliver, or offer for sale at retail, any article covered by this section, unless there is firmly attached to such article a stamp, tag or other marking showing the selling price. Such selling price must be plainly visible to and understandable by the purchasing public.

(ii) All merchandise that is priced pursuant to paragraph (f) must have the lot number which appears on the invoice also clearly marked on the price ticket of each article.

(k) *Inability to determine maximum prices.* If you are unable to determine your maximum wholesale or retail prices for any article covered by this section, you must apply the provisions of section 10 of this regulation to determine such maximum prices.

(l) *Record-keeping violations; failure to establish maximum prices.* In addition to the requirements set forth in section 11 of this regulation, relating to enforcement and licensing, if you fail to keep the records required by paragraph (i) of this section, or if you fail to apply the provisions of section 10 of this regulation for the establishment of a maximum price if you are required to do so under paragraph (k) of this section, the OPA may issue an order establishing a maximum price for you for such article in line with the level of maximum prices established by this section. This will not relieve you of your obligation to comply with any of the requirements of this section, or of the various penalties for any failure to do so.

(m) *Treatment of Federal and territorial taxes.* If, at the time you determine your maximum price for any article covered by this section, the Statute of the United States, or the Territory of Hawaii imposing any tax upon, or incident to, the sale or delivery of any such article, does not prohibit you from stating and collecting the tax separately from the purchase price, and you do so state it separately, you may collect, in addition to the maximum price, the amount of the tax actually paid by you or an amount equal to the amount of the tax paid by any prior seller and which has been separately stated and collected from you by the seller from whom you purchased the article. In such case you may not include such amount in the computation of your maximum price. In addition, in the case of a sale of any article at wholesale to a buyer who does not have a gross income tax license, you may add one percent to your maximum wholesale price.

(n) *Definitions.* When used in this section, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o. b. factory, before the deduction of any discounts or allowances, and before the addition of any premium or other charges permitted under the Second Revised Maximum Export Price Regulation.

(2) "Original importer's selling price" means the price at which the original importer of the article from outside the Continental limits of the United States sold and invoiced it, before the deduction of any discounts or allowances, and before the addition of any premium or other charges permitted under the Second Revised Maximum Export Price Regulation.

(3) "Foreign exporter's selling price" means the price at which the foreign exporter of the article sold and invoiced it to the purchaser f. o. b. foreign country, before the deductions of any discounts and allowances.

(4) "Wholesaler or jobber's selling price" means the price appearing on the wholesaler's or jobber's invoice to the retailer before the deduction of any discounts or allowances, and before the addition of any premium or other charges permitted under the Second Revised Maximum Export Price Regulation.

(5) "Sales from stock" means sales of articles which the seller carries in stock, sells out of stock, and which were invoiced to and received at the establishment of the seller.

(6) "Sales of articles shipped from the manufacturer or original mainland importer directly to the retailer" means sales by a local wholesaler, jobber or importer of articles which are not delivered out of stock, and which are shipped directly to the retailer rather than to the seller's establishment, but which are consigned to the seller who is responsible financially to the manufacturer or importer for the account.

(7) "Primary Wholesaler or jobber" means the person who purchased the article from a manufacturer for the purpose of resale at wholesale.

(8) "Sub-jobber" means a person who purchases an article from a wholesaler or jobber for the purpose of resale to retail sellers.

(9) "Manufacturing-wholesaler" means a wholesaler who makes, or has made for him from materials owned by him, articles for sale to retail sellers.

(10) "Manufacturing-retailer" means a retailer who makes, or has made for him from materials owned by him, articles for sale to ultimate consumers.

(11) "Wholesaler-retailer" means a person or firm operating a wholesale establishment and who has also sold at least 50% of the articles covered by this section at retail in his own or an affiliated concern during the preceding calendar year.

(12) "Dressmaker" means any person, except a custom tailor, who makes, or has made for him, from materials owned by him, women's and children's garments exclusively to the individual measurement of the ultimate consumer. Dressmakers who do not own the yardage from which the article is made, or do not carry such yardage in stock are not covered by this section. A custom tailor who makes, or has made for him, from materials owned by him, any tailored garments to the individual measurement of the ultimate consumer is covered by the General Maximum Price Regulation for the Territory of Hawaii.

(13) "Sewing charges" means the maximum charges for sewing quantity lots of merchandise for resale as established in accordance with the provisions of Revised Maximum Price Regulation 165, but does not include charges for sewing to the individual measurements of the ultimate consumer.

(14) "Dressmaking charges" means the maximum charges for sewing to the individual measurements of the ultimate consumer from material owned by the dressmaker as established in accordance with the provisions of Revised Maximum Price Regulation 165, but does not include charges for sewing by custom tailors. For the purposes of this section, dressmaking charges include but are not limited to the following: Designing, pattern making, shrinking, cutting, pressing, sewing and incidental trimmings such as tape, thread, and non-decorative utility buttons and buttonholes.

(15) "Local" means the Territory of Hawaii.

(16) "Mainland" means the forty-eight states and the District of Columbia.

SEC. 49. *Maximum prices for all sales of second hand or used lumber at wholesale and retail*—(a) *What products are covered.* This section covers all sales of second hand or used lumber. Second hand or used lumber for the purpose of this section is all used lumber that has been recovered as salvage from any source whatsoever. For example, some of the specific sources of such material are demolished buildings, dunnage, crating, scrap from construction projects, and odds and ends purchased from distributors of new lumber which because of the condition of the material can no longer be considered new lumber.

(b) *What persons are covered.* All persons selling second hand lumber either wholesale or retail, regardless of whether or not they maintain distribution yards or sell direct from the original source of the supply.

(c) *Classifications of second hand or used lumber.* For the purpose of this section, second hand lumber shall be divided into the following grades or classifications: firewood, salvage, reclaimed and refined. The following description of the grades is general and not all inclusive. The use intended must be considered in all grades. Recoverable lumber means lumber which is sound and free from any structural defects that will prevent its use for ordinary construction.

(1) "Firewood" is second hand lumber which contains less than 50% recoverable lumber or is the waste resulting from the refining of second hand lumber.

(2) "Salvage" is second hand lumber which is in its original salvaged condition. It will, however, show more than 50% recoverable lumber in one foot multiple lengths longer than three feet when cleaned of cement, barnacles or other foreign matter, will be free from nails or bolts, and trimmed or ripped to eliminate broken ends, splits, rot or other defects.

(3) "Reclaimed" is second hand lumber from which all the nails, bolts, or other foreign matter has been removed and trimmed if necessary. Although it may be stained, weathered and worn from use, it must be sound and 100% usable for the purpose intended.

(4) "Common refined" is second hand lumber, remanufactured from larger material to a standard uniform size, sawsized or surfaced and trimmed to standard lengths. The lumber must be sound strong lumber, well manufactured of firm grain and suitable for good substantial construction purposes, free from loose or rotten knots, knot holes, shakes, rot and defects which materially impair the strength of the piece. Size of the knots, nail or bolt holes shall be considered in connection with the size of the piece and in combination must not impair the strength of the lumber. This classification may also include lumber which due to only temporary use has the appearance of new lumber and will meet the above requirements without further remanufacture.

(5) "Clear refined" is second hand lumber remanufactured from larger material to a standard uniform size, sawsized or surfaced and trimmed to standard lengths. Defects based on 8" widths 12' long are to be considered in connection with the size of the piece and its general quality. It will allow three of the following defects for each 8 board feet including corresponding half of the edges: sap ¼" width and ¾" thickness, pitch pockets narrow, each not over 4", knots sound, if not in clusters ½" and less in 1" stock varying according to thickness up to 1½" and 5" and thicker, seasoning checks slight, split or check not over width of the piece or equivalent in both ends. Occasional nail holes may be substituted for allowable defects if they do not impair the use of the lumber for the purpose intended. The grade must contain an average of six or more annual rings per inch at either one end or the other of the piece. In general this grade must be suitable for interior finish, furniture manufacture, or other similar uses for which a clear type of lumber with limited defects is needed.

(d) *Maximum prices for second-hand lumber.* (1) Firewood, per cord, 4' x 4' x 8'

F. o. b. salvage point	$2
F. o. b. distribution yard	5

(2) Second-hand lumber, F. O. B. distribution yard per MBM.

	Sal-vage	Re-claimed	Com-mon re-fined	Clear re-fined
Oak	$40	$100	$100	$125
All species except oak	20	75	75	85

Firewood "as is" at original source—$2 per cord

Salvage "as is" at original salvage source—$15 per MBM

Salvage F. O. B. trucks at original salvage source—$20 per MBM

For sales totaling less than $7.50, 10% may be added to the maximum price of reclaimed common refined, and clear refined.

(e) *Delivery charges.* (1) Where the delivery is made by common or contract carrier, an amount equal to the charge made by the carrier to the seller for such delivery.

(2) Where the delivery is made with equipment owned or operated by the seller, an amount not in excess of a maximum charge for such delivery which has been authorized by the Office of Price Administration. In order to obtain authorization for such charges, the seller should file with the Office of Price Administration, Honolulu, T. H., a list of proposed maximum charges for such deliveries. If such proposed charges are not in excess of those currently made by common or contract carriers whose services are available in the area served by the seller, such charges will be authorized and the seller notified that such authorization has been made. Such authorization shall be subject to revocation by the Office of Price Administration.

(3) Any charge made for delivery must be separately stated and shown on the invoice, bill of sale, or such sales memorandum as may be used in connection with the sale.

(f) *Maximum milling charges.* (1) The following additions per 1,000 feet B. M. may be made to the maximum prices when the following workings are required to be performed by a seller and are actually performed:

	6" x 6" and under	Over 6" x 6"	4/4, 5/4, 6/4	4/4, 5/4, 6/4 x 6" & 8"	4/4, 5/4, 6/4 x 10" & 12"	All sizes	All sizes
S1S	4.50	12.00					
S2S	6.00	13.00					
S1S1E	7.50	14.00					
S4S	9.00	15.00					
D & M Shiplap, rustic, V or beaded			9.00				
Special patterns:							
Less than 500' BM				15.00	18.00		
More than 500' BM				9.00	15.00		
Cross cutting						3.00	
Resawing:							
Less than 500' BM							
One cut							15.00
Additional cuts							7.50
More than 500' BM							
One cut							10.00
Additional cuts							5.00

Ripping all sizes:
Less than 500' BM, $0.005 per lineal foot.
More than 500' BM, 1st cut $4.50; Additional cuts $1.50 per MBM.
Mouldings, $0.005 per lineal foot.
Permitted minimum milling charge $0.50.

(2) The above charges for ripping or resawing may be added only to the "reclaimed" or lower grades, and then only upon the specific request of the buyer.

(3) When the work required cannot be performed by the seller making the sale because he does not have the necessary facilities, he may add to the maximum prices the milling charges set forth in subparagraphs (f) (1) and (2) having the work performed at a custom establishment. In adding the working charges permitted by this section, the seller may not make any extra charge for hauling or trucking that may be required in getting the stock to or from the custom establishment.

(4) When any of the above charges for workings at the yard or custom establishment are made, the invoice, bill of sale or other billings must clearly state that the work was done at the distribution yard or at the custom establishment, and the amount must be separately shown.

(g) *What the invoice must contain.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not; i. e., grade, quantity, size, type of dressing, pattern or any other extras of specifications which affect the maximum prices.

(h) *Prohibited practices.* In addition to the practices prohibited by section 6 of this regulation the following specific practices are prohibited:

(1) Getting the effect of a higher price by changing credit practices on cash discounts from what they were October 1941 or any subsequent date of the establishment of the concern. This includes reducing the cash discount period, increasing credit periods, or making greater charges for extension of credit. For purposes of this paragraph, no discount over 2% is considered a cash discount.

(2) Grading lumber into any other grades than permitted by this regulation; or wrongly grading or invoicing lumber in any other way.

(3) Refusing to sell on an f. o. b. yard basis, and insisting on selling on a delivered basis.

(4) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(5) Failing to invoice properly and in accordance with the requirements of this regulation.

(i) *Special specifications, workings, or extras.* For special workings, specifications, services or extras not specifically priced under any provision of this regulation, the seller should apply to the Office of Price Administration, Honolulu, T. H. for instructions. In the application the seller must set forth the amount customarily charged (not to exceed the maximum price fixed by the regulation previously controlling such as the General Maximum Price Regulation for the Territory of Hawaii), for the special working, specifications, service or extra, or in the absence of a customary charge, the amount which in his opinion represents a fair and reasonable charge, together with a statement of how it was arrived at. Instructions will be furnished by letter or telegram. After writing for instructions the seller may quote and deliver at the requested price, but must not accept final payment until the instructions have been received. In the event that they are not received within 30 days after application has been made, the price for which approval is requested shall be deemed to have been approved and may be used by the seller. Instructions issued pursuant to this paragraph apply only to the particular seller who has applied for them.

(j) *Posting of price and delivery charges.* (1) Every person offering to sell second hand lumber shall post the maximum prices for second hand lumber in a manner plainly visible to and understandable by the purchasing public, in his place of business.

(2) Upon authorization pursuant to paragraph (e) of this section by the Office of Price Administration of maximum delivery charges which may be made by the seller of second hand lumber, such seller shall immediately post a list of such charges at the place in the establishment where second hand lumber is sold.

SEC. 50. *Maximum prices for distribution yard sales of softwood*—(a) *What products are covered.* This section covers sales out of distribution yard stock of any lumber or shingles for which "direct mill" maximum prices are fixed in the following maximum price regulations as amended or revised:

Douglas Fir and other West Coast Lumber—Rev. MPR 26[30]
Western Pine and Associated Species of Lumber—MPR 94[31]
Red Cedar Shingles—MPR 164[32]
Redwood Lumber—MPR 253[33]
Sitka Spruce—MPR 24[34]
Western Red Cedar—MPR 402.[35]

This section sets maximum prices which are based upon the price definitions contained in the above "direct mill" regulations. Every dealer affected by this section should, therefore, secure copies of the above regulations for use in connection with this section. Any amendments or revisions subsequently issued to the above regulations shall become effective in the Territory of Hawaii sixty days after the effective date set forth in any such amendment or revision.

(b) *What a distribution yard is.* (1) A "distribution yard" is a wholesale or retail yard which gets lumber from mills or other yards; unloads, sorts, stores and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which is equipped to make quick deliveries of different items of lumber and which has been located at its particular site in order to be near a lumber consuming area.

(2) Any wholesale or retail distributor, of softwood covered by this section, who does not maintain a "yard" but who performs any of the operations outlined in subparagraph (1) above, or who sells to his customers on a drop shipment basis, shall be considered to be operating a "distribution yard" for the purposes of this section.

(c) *Maximum prices.* (1) The maximum price for sales out of distribution yard stock is the sum, less the amount of any cash discount up to 2% allowed by the seller during October, 1941, of the following:

(i) "Landed cost" as determined under paragraph (d) hereof, plus

(ii) $5.00 per MBM "handling charge" (or 30¢ per square for shingles and 60¢ per M pieces of lath), plus

[30] 9 F.R. 1016, 3513, 4227, 7505, 9720, 11112, 12537.
[31] 9 F.R. 6634, 12966.
[32] 9 F.R. 12618.
[33] 7 F.R. 9230, 10848; 8 F.R. 4136, 4720, 7197, 1169, 11479; 9 F.R. 5482, 12620, 13262.
[34] 9 F.R. 5727, 12746; 10 F.R. 1142.
[35] 8 F.R. 7662, 5422; 10 F.R. 1548.

(iii) The following percentage mark-ups to be applied to the sum of (i) and (ii) above.

(a) Quantities of over MBM—45%.
(b) Quantities of MBM, or less—50%.

(iv) The amount of any charges permitted under paragraphs (e), (g), (h), and (n) hereof.

(2) The maximum price for sales of softwood ordered for the buyer by a distribution yard and delivered to him at the dock in the port of entry in the Territory of Hawaii shall be the sum of the following:

(i) "Landed cost" as determined under paragraph (d) hereof, plus

(ii) 10% of the f. o. b. mill maximum price.

(d) *Landed cost.* (1) For lumber imported directly from the mainland of the United States landed cost shall be the sum of the following amounts:

(i) F. o. b. mill maximum price, in the mill regulation for the particular species, regardless of the amount actually paid to the mill.

(ii) An amount equal to the transportation charges, if any, actually incurred by the dealer for transportation from the mainland point at which the dealer received delivery to the mainland port of ocean shipment, including Federal transportation taxes and terminal charges.

(iii) An amount equal to any charges incurred on the mainland of the United States for wharfage, demurrage, handling, and/or spraying of lumber for the purpose of camouflaging.

(iv) An amount equal to mainland storage charges and insurance in connection with such storage, actually incurred by the dealer. Charges for storage and insurance in connection therewith in excess of three months shall not be included.

(v) An amount equal to cartage charges actually incurred by the dealer for cartage from the storage yard to the dock in port of ocean shipment.

(vi) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the dealer, including Territorial tolls and tonnage tax shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rate charged by the War Shipping Administration shall not be included.

(vii) An amount not in excess of $1.50 per MBM where cartage from the dock to the yard in the port of entry in the Territory of Hawaii is at the expense of the distribution yard. Where such cartage is for longer hauls than those normally made prior to December 7, 1941, such amount may be equal to the actual costs incurred for such cartage in the following cases only:

(a) Where the customary port of entry has, due to war conditions, been closed to commercial shipping.

(b) Where a yard is now located farther from its customary port of discharge due to war conditions.

(2) For lumber received from or via another island in the Territory of Hawaii, landed cost shall be the sum of the following amounts:

(i) An amount equal to the maximum price in the island from which the lumber was shipped, as determined under paragraph (d) (1) above:

(ii) An amount equal to cartage charges for cartage from the yard to dock in the island from which the lumber was shipped, but shall not exceed the rate permitted in paragraph (d) (1) (vii) above:

(iii) An amount equal to ocean freight, war risk and marine insurance actually incurred by the dealer for shipment between the islands, including Territorial tolls and tonnage tax shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rate charged by the War Shipping Administration shall not be included.

(iv) An amount equal to cartage charges from dock to yard in the island on which the dealer is located, but shall not exceed the rate permitted in paragraph (d) (1) (vii) above.

(3) If an identical item on hand in the distribution yard has two or more different landed costs then the landed cost for the item may be determined by calculating a weighted average landed cost for the entire inventory of that item on hand. Weighted average landed cost shall be calculated as follows:

(i) Each different landed cost shall be multiplied by the number of units having such landed cost. The products of such multiplication shall be added and the sum thereof divided by the total number of units for which the weighted average landed cost is desired. The quotient or result of such division is the weighted average landed cost. This provision is permissible and is not mandatory. The distribution yard need not average the different landed costs for the identical item but may establish the maximum price for each of the items on the basis of its appropriate landed cost.

(e) *Delivery charges.* (1) No charges for deliveries may be made for deliveries within a radius of five miles of the distribution yard.

(2) For deliveries to points more than five miles from the distribution yard, the following delivery charges may be made:

(i) Where the delivery is made by common or contract carrier, an amount equal to the charge made by the carrier to the distribution yard for such delivery.

(ii) Where the delivery is made with equipment owned or operated by the distribution yard, an amount not in excess of a maximum charge for such delivery which has been authorized by the Office of Price Administration. In order to obtain authorization for such charges, the distribution yard should file with the Office of Price Administration, Honolulu, T. H., a list of proposed maximum charges for such deliveries. If such proposed charges are not in excess of those currently made by common or contract carriers whose services are available in the area served by the distribution yard, such charges will be authorized and the distribution yard notified that such authorization has been made. Such authorization shall be subject to revocation by the Office of Price Administration.

(3) Any charge made for delivery must be separately stated and shown on the invoice, bill of sale, or such sales memorandum as may be used in connection with the sale.

(f) *Prices must be evened out.* In all sales under this section the maximum prices shall be evened out to the nearest 25¢ per MBM on all sales involving a quantity over 1 MBM (or to the nearest 5¢ per square for shingles, or thousand pieces of lath). Where the quantity is 1 MBM or less, the maximum price may be established as per foot or lineal foot, in which event it must be evened out to the nearest quarter of a cent per foot.

(g) *Maximum milling charges.* (1) The following additions per 1000 ft. BM may be made to the maximum prices when the following workings are required to be performed by a distribution yard and are actually performed by it. These charges are to apply to the total quantity involved in one order where the milling does not involve a change in the machine set-up. These are to be added to the maximum price as determined under paragraph (c) hereof; that is, no percentage mark-up may be applied to the amount of the working charge.

MAXIMUM MILLING CHARGES

Price Per MBM

	1 x 1½ to 2 x 2	1 x 3 to 6 x 6	Over 6 x 6	4/4, 5/4, 6/4	4/4, 5/4, 6/4 x 6" and 8"	Over 4/4, 5/4, 6/4 x 8"	All sizes	2 x 4 or under	Over 2 x 4	All sizes
S1S	5.00	3.00	8.50							
S2S	5.00	4.00	9.00							
S3S	10.00	5.00	9.50							
S4S	10.00	6.00	10.00							
D & M, Shiplap, Rustic, "V" or Beaded				6.00						
Special patterns										
Less than 500'					10.00	12.50				
More than 500'					6.00	10.00				
Cross Cutting							2.00			
Ripping—One Cut								6.00	3.00	
Additional Cuts								3.00	1.00	
Resawing—Less than 500' one cut										10.00
Additional cuts										5.00
More than 500'—one cut										6.50
Additional cuts										3.50
Moulding .005 per lineal foot. Permitted minimum milling charge $0.50.										

Set up charge for special patterns in quantities of less than 100 ft. BM $2.50.

(2) Where the required working cannot be performed by the distribution yard making the sale because it does not have the necessary facilities, the yard may add to the maximum prices the milling charges set forth in subparagraph (1) above for having this work performed at a custom establishment. In adding the working charges permitted by this regulation, the distribution yard may not make any extra charge for hauling or trucking that may be required in getting the stock to or from the custom establishment.

(3) When any of the above charges for workings at the yard or at a custom establishment are made, the invoice, bill of sale or other billings must clearly state that the working was done at the distribution yard or at the custom establishment, and the amount must be separately shown.

(4) When lumber is normally ordered rough, due to shipping and climatic conditions an addition for surfacing when required may be added. However, when lumber is ordered surfaced or run to pattern at the mill, no addition over the mill ceiling prices may be added. The additions for ripping, resawing and cross cutting to standard sizes may only be added when it is impossible to procure through normal channels the desired size. In no case may the final cost including milling charges, saw-kerf and waste exceed the most economical final cost of producing the required size. The addition of unnecessary milling charges as a means of increasing the maximum selling price is a violation of this regulation.

(5) When remanufacturing boards, dimension, plank or small timbers from heavier lumber at the yard, a listing of the original sizes as well as a copy of the invoice covering the transaction must be kept on file for inspection by the Office of Price Administration.

(h) *Seasoned lumber.* An addition of $4.00 per MBM may be added for lumber seasoned in the Territorial distribution yards. For the purpose of this regulation seasoned lumber means lumber which has been properly stuck for drying, protected from the elements and which has been on sticks not less than 180 days. This addition is to be added after the percentage mark-up has been added; that is, no percentage mark-up may be applied to the amount of the seasoning charges.

(i) *Lumber in transit.* A sale by a distribution yard may be considered a sale out of distribution yard stock even if the sale was made while the lumber was in transit to the yard.

(j) *What the invoice must contain.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not: i. e., grade, quantity, size, condition of dressing, pattern, species, and any other extra, or specification which affects the maximum prices. The amount added for each specification or extra does not have to be separately shown except in those cases where the provision permitting the addition expressly requires it. Where the invoice does not specify the amount of each grade shipped or delivered the maximum price of the lowest grade in the shipment shall apply to the whole order.

(k) *Prohibited practices.* In addition to the practices prohibited by section 6 of this regulation, the following specific practices are prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were in October, 1941. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit. For purposes of this paragraph, no discount over 2 percent is considered a cash discount.

(2) Selling as specified lengths a shipment of lumber which is substantially equivalent to standard or random lengths.

(3) Grading as a special grade lumber which can be graded as a standard grade; or wrongly grading or invoicing lumber in any other way.

(4) Refusing to sell on an f. o. b. yard basis, and insisting on selling on a delivered basis, except in the case of sales whose price includes free delivery; or refusing to make delivery within the free delivery zone, unless it has not been the practice of the seller to make delivery in the particular circumstances.

(5) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(6) Breaking up an order which would normally be a single order into a series of smaller orders in order to evade the maximum price limitations in this regulation.

(7) Failing to invoice properly and in accordance with requirements of this regulation.

(l) *Combination grades.* Lumber sold on combination grades may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as No. 2 Common and better is the maximum price fixed for No. 2 Common lumber. But it is permissible to quote a grade with specified percentages of higher grade: *Provided,* That when the lumber is shipped, lumber of each grade is tallied on a board foot basis and invoiced separately at prices not in excess of ceiling prices for the respective grades.

(m) *Determination of quantities.* Quantity is in every instance to be determined by the total amount ordered without regard to the number of kinds or species or grades of lumber included. Furthermore, the amount delivered at a particular time does not determine the quantity. The test is the total amount involved in the transaction. For example, if buyer and seller at the time the sale is negotiated know that the quantity to be bought for a particular job will run to 20,000 feet, the sale is one for 20,000 feet even though it may be split into five orders of 4,000 each or requisitioned in quantities of 4,000 feet, and this is true regardless of whether five different deliveries in loads of 4,000 feet each are made on different days. In determining the size of sale of shingles or lath, a conversion ratio of 10,000 shingles to 1,000 board feet of lumber and 6,000 lath to 1,000 board feet of lumber shall be used.

(n) *Special specifications, workings or extras.* For special workings, specifications, services or extras not specifically priced under any provision of this regulation, the seller should apply to the Office of Price Administration, Honolulu, T. H., for instructions. In the application the seller must set forth the amount customarily charged (not to exceed the maximum price fixed by the regulation previously controlling such as the General Maximum Price Regulation), for the special working, specifications, service or extra, or in the absence of a customary charge, the amount which in his opinion represents a fair and reasonable charge, together with a statement of how it was arrived at. Instructions will be furnished by letter or telegram. After writing for instructions the seller may quote and deliver at the requested price, but must not accept final payment until the instructions have been received. In the event that they are not received within 30 days after application has been made, the price for which approval is requested shall be deemed to have been approved and may be used by the seller. Instructions issued pursuant to this paragraph apply only to the particular seller who has applied for them.

(o) *Effect of changes in mill ceilings.* (1) All changes in the f. o. b. mill ceiling prices (on which the prices established herein are built) apply to all sales made under this regulation as of their effective date. For example, if the ceiling price of No. 1 Common 2 x 4—16' Douglas fir, which is priced at $29.50 per MBM under RMPR 26, should be reduced to $28.50 per MBM, effective December 1, 1943, in establishing the maximum price under this regulation for that item after December 1, 1943, the reduced price, i. e., $28.50 per MBM, shall be used in building up the distribution yard maximum ceiling price regardless of whether or not the seller had stocks on hand at the time which had been purchased at the higher price. The same rule applies to ceiling increases.

(2) Where an amendment to, or a revision of, a mill schedule deletes a specific price for an item theretofore priced, a distribution yard having stocks of the item in inventory or actually in transit on the effective date of the amendment or revision shall have 90 days from the effective date thereof within which to sell these stocks on the basis of ceiling prices in effect before the deletion. Thereafter, it may not use the additions previously established in computing its selling price.

(3) Where producer establishes a specific price for an item under a special pricing provision of a mill schedule, any distribution yard selling that item may use the price so established in figuring its selling price under this regulation, provided it first obtains from the producer written assurances that an authorization has been issued to him, and provided further, that the distribution yard files a copy of its purchase invoice with the Office of Price Administration, Honolulu, T. H.

(p) *Issuance and posting of dollar and cents prices and delivery charges.* (1)

On or before November 30, 1943, every distribution yard offering to sell any lumber covered by this section shall prepare a dollar and cents price schedule covering all standard items of lumber. Standard items means the items which have heretofore normally been included in the price lists issued by the distribution yard. A copy of such price schedule must be posted at the place in the establishment where lumber is sold. A copy of such price schedule must also be filed with the Office of Price Administration, Honolulu, T. H.

(2) Upon authorization pursuant to paragraph (e) (2) (ii) by the Office of Price Administration of maximum delivery charges which may be made by a distribution yard, such distribution yard shall immediately post a list of such charges at the place in the establishment where lumber is sold.

SEC. 51. *Maximum prices for sales of feeds for animals and poultry*—(a) *What this section covers.* This section establishes maximum prices for sales and deliveries of all feeds for animals and poultry, including sales by manufacturers, wholesalers and retailers.

(b) *Definitions.* When used in this section:

(1) "Feed" means all feed used for the purpose of feeding animals and poultry.

(2) "Straight item" means all unmixed ingredients or single items used for feeding animals or poultry.

(3) "Mixed feeds" for animals and poultry includes "mixed feed" and "mineral mixed feed" as hereinafter defined.

(4) "Mixed feed" is a mixture or blend of more than one feed ingredient for the purpose of feeding animals and poultry, except the following commodities:

(i) Mixed feeds for any house pet birds.

(ii) Cat and dog food for which a ceiling price has been determined under the provisions of section 40 of this regulation which cat and dog foods shall be and remain subject to said provisions; and

(iii) All other cat and dog foods for which a maximum price has been determined under the provisions of the General Maximum Price Regulation for Hawaii, which cat and dog foods shall remain subject to such provisions.

(5) "Pelleted mixed feed" is a mixed feed further processed into pellets.

(6) "Mineral mixed feed" is a mixed feed at least 60 percent of which consists of a mixture of two or more chemicals or minerals, with or without mixture with other ingredients, and customarily regarded as dietary factors in the feeding of animals and poultry.

(7) "Manufacturer" is one who produces and sells a mixed feed by grinding, mixing or blending, whether by stationary or portable equipment.

(8) A "custom mixer" is one who furnishes to a consumer for a recompense the services of producing mixed feed; either the custom mixer or the consumer or both may furnish the ingredients for the mixed feeds.

(9) A "private brand dealer" is one who resells mixed feed or mineral mixed feed ordered and bought by him from a manufacturer who produced and packed the same in containers bearing the dealer's private brand.

(10) A "wholesaler" is one who buys any feed item and resells the same to:

(i) A retailer, or

(ii) A consumer on a f. o. b. warehouse basis in lots of five tons or over, or on a f. o. b. destination dock basis.

(11) A "wholesale outlet" is a department, branch or unit of a concern or an affiliated group of concerns or organizations performing like functions as a wholesaler, and which concern or affiliated group of concerns or organizations also handles commodities subject to this section at other levels of distribution: *Provided*, That said wholesale outlet must be a place of business separate from any producing plant of such concern, affiliated group of concerns or organizations.

(12) A "retailer" is one who buys a feed and resells it to consumers.

(13) A "retail outlet" is a department, branch or unit of a concern or an affiliated group of concerns or organizations performing like functions as a retailer and which concern or affiliated group of concerns or organizations also handles commodities subject to this section at other levels of distribution: *Provided*, That said retail outlet must be a place of business separate from any producing plant of such concern or affiliated group of concerns or organizations.

(14) "Reasonable market value" shall have the meaning ascribed thereto by law. It is also known in the trade as replacement value.

(15) "L. c. l. quantities" or less than carload lots or quantities, refers to sales or deliveries of quantities less than the stated capacity of any railroad car, whether the shipment is by rail, motor vehicle, water or other means.

(16) A "billing charge" is a charge or entry as a part of the bookkeeping system of debits and credits made between different departments, branches, or units of one concern or between different units of an affiliated group of concerns or organizations for services rendered or commodities produced by one and furnished or delivered by another.

(17) "F. o. b destination dock basis" means the invoice cost of the feed plus an amount equal to the charges for ocean freight, war risk and marine insurance actually incurred not to exceed the rates charged by the War Shipping Administration and Territorial tolls and tonnage taxes shown on the bill of lading.

(18) "FSCC" refers to The Federal Surplus Commodities Corporation.

(19) "Sub-order FSCC basis" refers to a sale made to a purchaser by a seller who has authority to purchase direct from FSCC where the purchaser receives a sub-order from the seller and takes delivery himself directly either from a FSCC warehouse or directly from the dock.

(20) A "consumer" is one who buys feed for the purpose of actually feeding it to animals and poultry.

(c) *Maximum prices for manufacturers.* Every manufacturer of mixed feeds shall determine his maximum price per 100 pounds seller's container for l. c. l. quantities for sales of each mixed feed item as follows:

(1) He shall first compute his cost per 100-pound container of the commodity to be priced as follows:

(i) He shall include the cost of every ingredient which is subject to maximum prices prescribed by the Office of Price Administration at the actual cost thereof to him as if purchased at the time of the calculation not exceeding the maximum price thereon to him at said time, for the quantities normally purchased by him.

(ii) He shall include the cost of every other ingredient used which is not subject to the maximum prices prescribed by the Office of Price Administration at the reasonable market value thereof to him when purchased, for the quantities normally purchased by him: *Provided*, That said reasonable market value shall be such value at his producing plant.

(iii) He shall include either the cost of one 100-pound new bag or container for the commodity to be priced at the maximum price thereof to him at the time of the bag or container purchase, where he furnishes such a bag or container; or, in such cases where second-hand bags furnished by the seller are used, he may add the reasonable market value of the bags used (not exceeding any maximum prices established thereon by Revised Maximum Price Regulation 55,[36]—Second-hand Bags).

(iv) In the case of feeds purchased from the FSCC stocks, he may include an allowance for shrinkage actually incurred on such purchases, not to exceed two (2) per cent.

(2) Then, for sales to wholesalers and for deliveries to his wholesale outlets, he shall add his cost per 100-pound container and the applicable dollar and cent markup set forth below:

Class 1 (except scratch feeds)[1]	$0.38
Class 2[1]	.50
Class 3[1]	.60
Scratch feeds (containing cracked corn purchased by manufacturer)	.30
Scratch feeds (containing whole corn cracked by manufacturer)	.38

[1] Classifications of mixed feeds are set forth in paragraph (e), Table 1.

The resulting price is the maximum price and billing charge at his producing plant. It shall also be known as the manufacturer's list price for sales to wholesalers and for deliveries to his wholesale outlets.

(3) Then, for sales to retailers and for deliveries to his retail outlets, he shall add his cost per 100-pound container and the applicable dollar and cent markup set forth below:

Class 1 (except scratch feeds)[1]	$0.53
Class 2[1]	.65
Class 3[1]	.75
Scratch feeds (containing cracked corn purchased by manufacturer)	.35
Scratch feeds (containing whole corn cracked by manufacturer)	.43

[1] Classifications of mixed feeds are set forth in paragraph (e), Table 6.

The resulting price is the maximum price and billing charge at his producing plant. It shall also be known as the manufacturer's list price for sales to retailers and for deliveries to his retail outlets.

[36] 7 F.R. 10104, 10554, 10585; 8 F.R. 12447; 10 F.R. 1141.

(d) Then, for sales to consumers, he shall add his cost per 100-pound container and the applicable dollar and cent markup set forth below:

Class 1 (except scratch feeds)[1]	$0.78
Class 2[1]	.90
Class 3[1]	1.00
Scratch feeds (containing cracked corn purchased by manufacturer)	.60
Scratch feeds (containing whole corn cracked by manufacturer)	.68

[1] Classifications of mixed feeds are set forth in paragraph (e), Table 1.

The resulting price is the maximum price f. o. b. his producing plant.

(5) For sales in seller's containers of less than 100 pounds, the maximum price shall be the applicable maximum price less any container allowance permitted under paragraph (c) (1) (iii) above, plus the appropriate differential at the rate per ton set forth in the following schedule:

Size of container	Paper bags	Cotton bags	Other container (rate per ton)	Bales
Up to and including 5 pounds	$6.00	$6.00	Reasonable market value of containers at time of sale plus 50¢ per ton.	Reasonable market value of bales at time of sale over opposite differential for small size packages.
Over 5 pounds and up to and including 10 pounds	5.00	5.00		
Over 10 pounds and up to and including 25 pounds	1.50	2.50		
Over 25 pounds and up to and including 50 pounds	1.00	1.25		

(d) *Maximum prices for wholesalers and wholesale outlets of a mixed feed manufacturer.* Every wholesaler and wholesale outlet of a mixed feed manufacturer shall determine his maximum price and billing charge as follows:

(1) For sales of feed per 100-pound container to a retailer store and a retail outlet of a mixed feed manufacturer.

(i) On an f. o. b. destination dock basis or sub-order FSCC basis.

The maximum price shall be the sum of:

(*a*) The actual cost to the seller determined either by the list price of the mixed feed manufacturer or the current FSCC feed price list, and

(*b*) $4.00 per ton or 20¢ per 100-pound container less $1.00 per ton or 5¢ per 100-pound container for cash payment within 10 days after billing.

(ii) On a f. o. b. seller's warehouse basis.

The maximum price shall be the sum of:

(*a*) The actual cost to the seller determined either by the list price of the mixed feed manufacturer or the current FSCC Feed Price list;

(*b*) Transportation costs actually incurred by the seller in hauling to his warehouse, and

(*c*) $6.60 per ton or 33¢ per 100-pound container less $1.00 per ton or 5¢ per 100-pound container for cash payment within 10 days after billing.

(2) For sales of feed per 100-pound container to consumers.

(i) On a f. o. b. destination dock basis or sub-order FSCC basis: The maximum price shall be the applicable maximum price determined under paragraph (d) (1) (i) above, plus 1%.

(ii) On a f. o. b. seller's warehouse basis, in lots of five tons or more of any feed item: The maximum price shall be the applicable maximum price determined under paragraph (d) (1) (ii) above, plus 1%.

(3) For sales of feed in containers of 50 pounds or less the maximum price shall be the applicable maximum price determined under paragraph (d) (1) or (2) above, plus $1.50 per ton.

(e) *Maximum prices for retailers and retail outlets of a mixed feed manufacturer.* Every retailer and retail outlet of a mixed feed manufacturer shall determine his maximum price for sales of all feeds including mixed feeds as follows:

(1) For sales of all feed items purchased by the retailer from the FSCC, the maximum price shall be the sum of the following:

(i) His FSCC invoice cost.

(ii) All transportation costs actually incurred by the retailer for transportation of the item being priced to his place of business, and

(iii) A maximum markup of $10.00 per ton.

(2) For sales of all other feed items the maximum price shall be the sum of the following:

(i) Either the list price set forth in paragraph (c) (3) above, or the supplier's maximum price set forth in paragraph (d) (1) above, whichever is applicable.

(ii) All transportation costs actually incurred by the retailer for transportation of the item being priced to his place of business, and

(iii) The applicable dollar and cent markup listed in the schedule of the retail markups set forth below.

SCHEDULE OF MARKETS

(a) For sales per 100-pound container.

TABLE 1

Commodity	Maximum markup: Per ton	Maximum markup: Per 100 pound container
Class I—All straight items, and the following mixed feed, all dairy and cattle feeds except calf feeds, all horse and mule feeds, all poultry, duck and turkey feeds except as set forth below	$7.00	$0.35
Class II—All rabbit feeds, all pig and hog feeds, all growing, broiler and laying mashes and pellets for poultry, ducks and turkeys, except (1) flushing mashes, concentrates, and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain and (2) starting mashes and pellets for poultry, ducks and turkeys	8.40	.42
Class III—All pigeon and squab feeds, all mineral mixed feeds, all calf feeds, all poultry, duck and turkey mashes and pellets designed for starting poultry, ducks and turkeys, and flushing mashes, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain	11.40	.57

TABLE 2—MIXED FEED CLASSIFICATION[1]

Commodity	Class
For chickens, turkeys, ducks and geese:	
Chick starter mash	3
All mash chick starter	3
Baby chick mash	3
Baby chick ration (mash)	3
Baby chick food mash	3
Starting feed (mash)	3
All mash chick mash	3
Developing mash	2
Growing mash	2
Egg-producing mash	2
Laying mash	2
Breeder mash	2
Laxative mash (specialty)	3
Egg mash	2
All mash egg food	2
All mash laying food	2
Hen mash	2
All mash growing pullet food	2
All mash growing pullet mash	2
Flushing mash (specialty)	3
Flush tonic mash (specialty)	3
Fattening mash	2
Scratch feed (hen)	1
Scratch feed (pullet and growing)	1
Chick scratch	1
Intermediate grain	1
Developing grains	1
Baby chick grains	1
Pig and hog feeds:	
Pig meal	2
Hog meal	2
Pig and hog feed	2
Calf feeds:	
Calf meal or pellets	3
Calf grower	3
Miscellaneous:	
Dairy feed	1
Horse feed	1
Mule feed	1
Sheep feed	2
Goat feed	2
Pigeon feed	3
All rabbit feeds—mash and pellets	2
All mineral mixed feed	3
Pheasant feeds	3
All purpose or combination mash	2
All straight items	1

[1] Table shows individual classification of feeds in Table 1.

(b) For sales in containers of 50 pounds or less.

Size of container:	*Maximum markup per bag*
Up to and including 5 pounds	$0.06
Over 5 pounds and up to and including 10 pounds	.10
Over 10 pounds and up to and including 25 pounds	.20
Over 25 pounds and up to and including 50 pounds	.35

(f) *Maximum prices and base period reports for persons doing both wholesale and retail business*—(1) *Maximum prices.* The maximum prices for any person doing both a wholesale and a retail business shall be determined as follows:

(i) For sales as a wholesaler, his maximum price shall be the applicable maximum price set forth in paragraph (d) hereof.

(ii) For sales as a retailer of the percentage of tonnage volume of sales as retailer listed in his base period report, his maximum price shall be the applicable maximum price set forth in paragraph (d) hereof, plus the maximum markup set forth in paragraph (e) (2) above.

(iii) For sales as a retailer of any increase in retail sales over the percentage of tonnage volume of sales as a retailer listed in his base period report, his maxi-

mum price shall be his invoice cost plus the maximum markup set forth in paragraph (e) (2) above.

(2) *Base period reports.* Any person doing both a wholesale and a retail business shall report to the Office of Price Administration, Iolani Palace, Honolulu, 2, T. H., within two weeks after April 1, 1944, his tonnage volume of sales as a wholesaler and his tonnage volume of sales as a retailer during the immediately preceding week, month or four months period, whichever he may, at the time of his first calculation of prices, select.

He shall also report to the Office of Price Administration, Iolani Palace, Honolulu 2, Territory of Hawaii, before the 15th day of each calendar month the total amount of tonnage sales he has made as a wholesaler and the total amount of tonnage sales he has made as a retailer during the immediately preceding month.

(g) *Delivery charges.* Any seller may add to the maximum prices established by this section the actual transportation costs incurred by him for deliveries from his place of business to the buyer's receiving point, provided such deliveries are made by the usual route and method of transportation.

(h) *Inability to determine maximum prices.* If you are unable to determine the maximum price for any feed item covered by this regulation, you shall apply to the Office of Price Administration, Iolani Palace, Honolulu, 2, T. H., for establishment of a maximum price.

(i) *Rounding of maximum prices.* (1) In ascertaining maximum prices hereunder on a per ton basis round the figure obtained as the maximum price to the nearest even 20 cents.

(2) Notwithstanding the provisions of section 7 of this Revised Maximum Price Regulation 373, in ascertaining maximum prices hereunder on a one 100-pound container basis round the figure obtained as the maximum price to the nearest one cent.

(j) *Dealings between persons of the same class.* No person shall sell feeds including mixed feed or mineral mixed feed bought from a person of the same class to which he belongs at higher than the maximum price at which he may buy the same from such person hereunder.

(k) *Prices to be marked and posted.* Notwithstanding the provisions of section 11 of this regulation, every wholesaler or retailer shall post in his place of business a copy of his maximum prices as computed hereunder.

(l) *Records and reports.* Notwithstanding the provisions of section 11 of this regulation.

(1) Every manufacturer and wholesaler shall keep for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, a complete record of each sale or purchase subject hereto showing the date thereof, the names and addresses of the buyer and seller, the price contracted for, paid or received, and the quantity of the feeds for animals and poultry sold or purchased.

(2) Every retailer shall keep for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase subject hereto showing the date thereof, the names and addresses of the buyer and seller, the price contracted for, or paid, and the quantity of the feeds for animals and poultry purchased. He shall also keep for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, like records of his sales as he kept during the year 1942.

(3) All sales invoices shall, in addition to the above requirements, specify as a separate item such charges as may be allowed for transportation or delivery.

SEC. 52. *Maximum prices for textile printing.*—(a) *Scope of this section.* This section fixes maximum prices for all textile printing in the Territory of Hawaii, including hand-carved linoleum block printing, wood and zinc block printing, and screen printing.

(b) *Maximum prices.* The maximum price for the textile printing of any article listed in Table A which has not heretofore been so printed shall be determined as follows:

(1) *An article printed with 100% textile ink*—(i) *Hand-carved linoleum block prints.* The maximum price for linoleum block printing such article shall be either:

(a) The price listed in Column I of Table A for the article, or

(b) An amount determined by multiplying the maximum wholesale price of the finished unblocked article by the fraction listed in Column II of Table A for such article.

However, the maximum price for such article shall in no event exceed the dollars and cents price listed in Column III of Table A for such article.

(ii) *Wood or zinc block prints or screen prints.* The maximum price for wood or zinc printing or for screen printing such article shall be one-half the maximum price for linoleum block printing such article as determined under subparagraph (1) (i) above.

(2) *An article printed with a medium other than 100% textile ink*—(i) *Hand carved linoleum block prints.* The maximum price for linoleum block printing such article shall be one-half the maximum price for linoleum block printing such article with 100% textile ink as determined under subparagraph (1) (i), above.

(ii) *Wood or zinc block prints or screen prints.* The maximum price for wood or zinc block printing or for screen printing such article shall be one-fourth the maximum price for linoleum block printing such article with 100% textile ink as determined under subparagraph (1) (i), above.

(3) *Rounding off of maximum prices.* Any maximum price determined under this paragraph (b) shall be adjusted to the nearest nickel.

(c) *Inability to price.* Any person who is unable to determine his maximum prices for any textile printing covered by this section shall apply the provisions of section 10 of this regulation to determine his maximum price.

(d) *Records and reports.* In addition to such records as the seller is required to keep under section 11 (a) (1) of this regulation, every person making a charge for textile printing, including hand-carved linoleum block printing, wood and zinc block printing, and screen printing, shall furnish the buyer at the time of delivery with a written invoice or sales memorandum, setting forth the following information:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) A description of the item printed and the number of each such items.

(4) The type of textile printing used.

(5) The method used in pricing the textile printing, i. e., "Column I" or "Column II".

(6) The word "Textile" or "T" if 100% textile ink is used in reproducing the printing.

(7) The price paid or received.

A duplicate of this invoice or sales memorandum must be kept by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended remains in effect.

(e) *Definitions.* When used in this section, the term:

(1) "Textile printing" means printing on cloth.

(2) "Block printing" is the reproduction of a decorative design or pattern on cloth by means of a carved linoleum, zinc, or wood block, whereby the finished print is executed manually with respect to each unit printed in the Territory of Hawaii.

(3) "Screen printing" is the reproduction of a decorative design or pattern by means of forcing paint through a design on a screen.

(4) "Textile inks" are those inks commonly known as and labeled as textile inks.

TABLE A

Article	Column I	Column II	Column III
Aprons	$0.25	1/5	.....
Aprons with bib, both blocked	.50	1/4	.....
Blouse front	.30	1/5	.....
Blouse, sleeve, each	.25	1/5	.....
Dresses and jumpers, blouse and skirt blocked	.70	1/5	$0.00
Handkerchiefs, 41" to 64" perimeter	.10	1/3	.....
Handkerchiefs, over 64" perimeter	.15	1/4	.....
Handkerchiefs, up to 40" perimeter	.05	1/3	.....
Jackets, bed	.40	1/3	1.00
Lingerie cases, up to 40" perimeter	.15	1/6	.....
Lingerie cases, 41" to 60" perimeter	.25	1/6	.....
Lingerie cases, over 60" perimeter	.35	1/6	.....
Mats, place	.20	1/2	.....
Napkins, up to 64" perimeter	.10	1/2	.....
Napkins, over 64" perimeter	.15	1/2	.....
Napkins, cocktail	.10	1/3	.....
Neckties	.10	1/10	.....
Nightgowns, top and skirt	1.00	1/5	2.00
Pajamas, lounging	1.20	1/4	4.00
Pajamas, sleeping	.75	1/4	.....
Pillowcase	.25	1/3	.....
Pillow tops, all over design	.50	1/3	.....
Pinafores and skirts with straps	.75	1/5	.....
Pocket pieces for slacks, skirts or blouses or shirts	.10	1/50	.....
Pocket pieces for slacks, skirts, or blouses or shirts, over 8" ea	.15	1/50	.....
Pockets on slacks, skirt, blouse, shirt	.15	1/50	.....
Purses, perimeter up to 40"	.15	1/6	.....
Purses, perimeter 41" to 60"	.25	1/6	.....
Purses, perimeter over 60"	.35	1/6	.....
Purses, all over design, perimeter over 48"	.35	1/3	.....
Robes, kimonos, negligees, lostess or breakfast coats	1.30	1/4	4.00
Runners, up to 90" perimeter	.35	1/3	.....
Runners, over 90" perimeter	.50	1/3	.....
Scarfs, long, not less than 124" perimeter	.50	1/3	.....

TABLE A—Continued

Article	Column I	Column II	Column III
Scarfs, head, perimeter not less than 60"	$0.35	1/5	.....
Sheets, bed	.25	1/6	.....
Shirts, men's sport, back or front or both	.30	1/5	.....
Shorts, swimming, sports wear	.25	1/10	.....
Shirts, T., polo shirts, undershirts, front and back, or both	.25	1/4	.....
Shorts and bra, swimming, both blocked	.50	1/6	$2.00
Skirts	.50	1/5	2.00
Slacks, both jacket and trousers blocked	1.00	1/5	2.00
Swimming suits, top and skirt blocked	.75	1/6	2.00
Tablecloths up to 144" perimeter	1.10	1/2	2.00
Tablecloths up to 180" perimeter	1.30	1/2	4.00
Tablecloths up to 216" perimeter	1.75	1/2	4.00
Tablecloths over 216" perimeter	2.00	1/2	4.00
Towels up to 60" perimeter	.15	1/4	.....
Towels 61" to 100" perimeter	.20	1/4	.....
Towels over 100" perimeter	.25	1/4	.....
Turbans	.35	1/5	.....
INFANTS' AND CHILDREN'S ITEMS INCLUDING AGE 6 /			
Aprons, bib only blocked	.10	1/6	.....
Aprons, bib and pocket blocked	.20	1/6	.....
Apron with skirt bordered	.35	1/4	.....
Blankets, baby	.15	1/6	.....
Blouses	.15	1/6	.....
Jumpers or dresses—blouses and skirt blocked	.50	1/5	.....
Kimonos, robes	.30	1/4	.....
Pajamas, lounging, blouse and trouser blocked	.50	1/4	.....
Pajamas, sleeping	.35	1/6	.....
Pillow, baby	.20	1/5	.....
Pinafores, blouse and skirt blocked	.50	1/5	.....
Pockets	.10	1/50	.....
Shirts, polo, T., sport	.10	1/10	.....
Shorts, swimming, sports wear	.15	1/6	.....
Sleeve, each	.10	1/6	.....
Sun suit, bib only blocked	.10	1/6	.....
Sun suit, bib and pocket blocked	.20	1/6	.....
Sweaters	.10	1/10	.....
Swimming suit, top and skirt blocked	.35	1/6	.....
Swimming shorts and bra blocked	.25	1/6	.....

SEC. 53. *Maximum prices for finished piece goods at wholesale and retail*—(a) *To what commodities and transactions this section applies*—(1) *What commodities are covered.* This section applies to all finished piece goods 12" or more in width. These are classified as follows:

(i) *Woolen or worsted fabrics.* This classification includes all finished piece goods composed of 5% or more of woolen fiber.

(ii) *Dress goods.* This classification includes all finished piece goods commonly used for dress or other garment making except the following: Woolen or worsted fabrics, canvas, denim, cotton duck, cotton drill, men's shirting chambray, work clothing, suedes, whipcord, khaki, buckram, cotton jean, lining materials, sateen, terry cloth, cotton twill, cotton flannel and flannelette, belting cloth, moleskin and coutil.

(iii) *Table damask.* This classification includes finished piece goods commonly known as table damask.

(iv) *Upholstery and drapery fabrics.* This classification includes all finished piece goods commonly used for upholstery and for draperies and includes repp, monk's cloth, damask, cretonne, brocatelle, mohair, brocades, tapestry, novelty upholstery fabrics, and chenille, but does not include denim, canvas, blackout cloth, ticking, buckram, burlap, lining materials, sateen, automobile upholstery and top material, window shade cloth and awning materials.

(v) *Curtain materials.* This classification includes all finished piece goods commonly used for curtains and includes marquisette, net scrim, lace and dotted swiss, but does not include oilcloth, kitchen cloth, shower cloth, gauze, mosquito netting and cheesecloth.

(vi) *All other fabrics.* This classification includes all finished piece goods not included in any of the foregoing classifications and includes finished piece goods commonly used for utility or household purposes such as oilcloth, kitchen cloth, shower cloth, canvas, demin, cotton duck, cotton drill, men's shirting chambray, work clothing suedes, whipcord, khaki, waterproof sheeting, blackout cloth, sheeting, towelling, casing, gauze, ticking, unbleached muslin, mosquito netting, cheesecloth, awning material, buckram, burlap, cotton jean, lining materials, sateen, terry cloth, cotton twill, cotton flannel and flannelette, diaper cloth, belting cloth, bunting, table and laundry felt, moleskin, coutil, buff cloth, filter press cloth, auto upholstery and top material, window shade cloth, and similar materials.

(2) *What transactions are covered.* This section applies to all sales by converter-jobbers and sales at wholesale and retail of the finished piece goods described in subparagraph (1) above.

(3) *Effect upon General Maximum Price Regulation for Hawaii and other maximum price regulations.* The provisions of this section supersedes the provisions of the General Maximum Price Regulation for the Territory of Hawaii, General Order No. 49, and all other maximum price regulations issued by the Office of Price Administration, except as hereinafter provided, with respect to sales at wholesale and at retail in the Territory of Hawaii of the finished piece goods set forth in subparagraph (1) above.

(b) *Maximum prices for sales at wholesale.* The maximum prices for sales at wholesale of finished piece goods shall be:

(1) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland converter as a Class I purchaser, the maximum price shall be an amount equal to the sum of the invoice price, less all allowable discounts and allowances except cash discounts up to 2% and the "landing costs" (as defined in paragraphs (f) or (g)), multiplied by 1.22; *Provided*, That:

(i) The wholesaler or jobber carries such finished piece goods in stock, and

(ii) The particular finished piece goods are to be sold out of such stock, and

(iii) The particular finished piece goods are invoiced and shipped directly from the establishment of the converter to the establishment of the wholesaler or jobber, and

(iv) The wholesaler or jobber has in his possession proof that he purchased as a Class I purchaser from the converter. (Where the wholesaler or jobber has purchased finished piece goods from a converter-jobber, he must also have in his possession proof that such finished piece goods were finished by or for the account of such converter-jobber and that no wholesale mark-up has been taken on the finished piece goods.)

(2) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland converter as a Class I purchaser and does not sell such finished piece goods out of stock and the finished piece goods were not shipped directly from the establishment of the converter to the establishment of the wholesaler, or jobber, the maximum price shall be an amount equal to the invoice price, less all allowable discounts and allowances multiplied by 1.12; *Provided*, That:

(i) The wholesaler or jobber has in his possession proof that he purchased as a Class I purchaser from the converter. (Where the wholesaler or jobber has purchased finished piece goods from a converter-jobber, he must also have in his possession proof that such finished piece goods were finished by or for the account of such converter-jobber and that no wholesale mark-up has been taken on the finished piece goods.)

(3) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a local wholesaler or jobber, the maximum price shall be the same as the maximum price of the local wholesaler or jobber from whom he purchased, as computed under subparagraph (1) or subparagraph (2) of this paragraph.

(4) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland converter as a Class II purchaser, or has purchased from a mainland wholesaler or jobber, the maximum price shall be an amount equal to the sum of the invoice price, less all allowable discounts and allowances except cash discounts up to 2% and the "landing costs" (as defined in paragraph (f) or (g)), except in the case of woolen or worsted fabrics sold to custom tailors. In such case the maximum price shall be determined by the pricing formula provided in subparagraph (1) above.

(5) *Sales by local sub-jobbers.* (i) The maximum price for sales by a local sub-jobber of any finished piece goods, listed and described in paragraph (a) of this section, to a retail establishment shall be:

(a) Where the sale is by a sub-jobber who purchased the finished piece goods from a mainland converter, as a Class II purchaser, or from a mainland converter-jobber, wholesaler or jobber, the maximum price shall be computed by multiplying the converter's, converter-jobber's, wholesaler's or jobber's maximum selling price less all allowable discounts and allowances except cash discounts up to 3%, by 1.25.

(b) Where the sale is by a sub-jobber who purchased the finished piece goods from a local converter-jobber, wholesaler, or jobber, the maximum price shall be computed by multiplying the converter-jobber's, wholesaler's or jobber's maximum wholesale price, as computed under subparagraph (1) of this paragraph, by 1.18.

(ii) Any sub-jobber who wishes to establish maximum prices in accordance with this paragraph must file with the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., a petition for permission to do so. Such petition must show that the applicant has been regularly engaged in performing

the function of a sub-jobber during the year 1943 and must also show the estimated percentage of sub-jobbing business done in relation to the total sales during the years 1942 and 1943.

(6) *Inability to price finished piece goods.* Any person who is unable to determine his maximum price for finished piece goods under subparagraphs (1), (2), (3), (4), or (5) above, shall apply to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for determination of the maximum price.

(c) *Maximum prices for sales by converter-jobbers.* The maximum price for sales by a local converter-jobber of finished piece goods which the converter-jobber finishes or causes to be finished for his account shall be the maximum price established for each converter-jobber upon his application to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H. The application of a converter-jobber for the establishment of such maximum prices must show:

(1) The basic grey goods cost.
(2) The grey freight.
(3) Working allowance.
(4) Finishing cost.
(5) Put-up charges.
(6) The "landing costs" (as defined in paragraph (f) or (g)). With the exception of "landing costs", the foregoing items of cost shall be determined in the manner specified in Maximum Price Regulation 127,[2] as now or hereafter amended.

(d) *Averaging of prices by converter-jobber, wholesaler or jobber.* Where a converter-jobber finishes or causes to be finished for his account or a wholesaler or jobber purchases various colors of the same pattern or style, and where the maximum prices for such colors vary, or where maximum prices for separate lots of the same pattern or style vary, the converter-jobber, jobber or wholesaler shall, after computing the maximum price for each color or lot, determine and use as his maximum price for the entire pattern, style or lot a weighted average of such varying prices.

(e) *Premiums allowed wholesalers—*(1) *Sales of cut lengths.* A premium not in excess of 10% of the applicable maximum price may be charged on the sale of cut lengths less than 20 yards when such lengths are cut from a larger piece by the wholesaler to fill a specific order.

(2) *Sales of woolen or worsted fabrics, lining materials and canvas to custom or merchant tailors.* (i) A premium not exceeding 10% of the applicable maximum price may be charged on the sale of full lengths.

(ii) A premium not exceeding 20% of the applicable maximum price may be charged on the sale of cut lengths.

(iii) A premium not exceeding 30% of the applicable maximum price may be charged on the sale of cut lengths of 15 yards or less when the woolen or worsted fabric is purchased by the local wholesaler from a mainland converter or manufacturer.

(iv) A premium not exceeding 40% of the applicable maximum price may be charged on the sale of cut lengths of 15 yards or less when the woolen or worsted fabric is purchased by the local wholesaler from a mainland wholesaler or jobber.

(f) *Landing costs.* For articles imported from outside the Territory of Hawaii "landing costs" shall be the total of the following amounts:

(1) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery, to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(2) An amount equal to mainland storage charges, and insurance in connection therewith, actually incurred by the wholesaler, but charges for storage and insurance in connection therewith in excess of three months shall not be included.

(3) An amount equal to cartage charges actually incurred by the wholesaler for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(4) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler, and there may be included in this amount Territorial tolls and tonnage taxes as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included but the type of coverage is at the discretion of the buyer and seller.

(5) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to warehouse, computed at a rate not in excess of $1.20 per ton, weight or measurement: *Provided*, That the commodity is moved from the dock at the wholesaler's expense.

(g) *Landing costs in cases of inter-island shipments.* In the case of finished piece goods originally imported from without the Territory of Hawaii to one island of the Territory and subsequently shipped to another island in the Territory, the "landing costs" in the island of final destination for sale at wholesale shall be:

(1) An amount equal to the "landing costs" at the island from which the article was shipped, calculated under paragraph (f), above.

(2) An amount equal to cartage charges for cartage from the warehouse to the dock in the island from which the article was shipped, calculated at the rate set forth in paragraph (f) (5), above, whether or not such cartage charges are actually incurred but in no event shall such cartage charges exceed public (common or contract) carrier rates.

(3) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler for shipment between the islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(4) An amount equal to cartage charges on the island of destination, from dock to warehouse, computed at a rate not in excess of the amount set forth in paragraph (f) (5), above: *Provided*, That the articles are moved from the dock at the wholesaler's expense.

(h) *Maximum prices for sales at retail—*(1) *Mainland purchases.* The maximum price for sales at retail of finished piece goods shall be computed by multiplying the converter's or the primary converter-jobber's, wholesaler's or jobber's invoice price, less all allowable discounts and allowances except cash discounts up to 3%, by the figure in column (1) of the table below for the classification of goods to be priced.

(2) *Local purchases.* The maximum price for sales at retail of finished piece goods shall be:

(i) Where the sale is by a retailer who has purchased the finished piece goods from a local converter-jobber, wholesaler or jobber who has computed his maximum price for the sale under paragraph (b) (1), the maximum price shall be an amount equal to the invoice price, less all allowable discounts and allowances except cash discounts up to 3%, multiplied by the figure in column (2) of the table below for the classification of goods to be priced.

(ii) Where the sale is by a retailer who has purchased the finished piece goods from a local converter-jobber, wholesaler or jobber who has computed his maximum price for the sale under paragraph (b) (2), the maximum price shall be an amount equal to the invoice price, less all allowable discounts and allowances, multiplied by the figure in column (1) of the table below for the classification of goods to be priced.

(iii) Where the sale is by a retailer who has purchased the finished piece goods from a local sub-jobber who has computed his maximum price for the sale under paragraph (b) (5), the maximum price shall be an amount equal to the sub-jobber's maximum allowable price multiplied by the figure in column (3) of the table below for the classification of goods to be priced.

TABLE OF RETAIL MULTIPLICATION FIGURES

	Mainland purchases	Local purchases	
	Column (1)	Column (2)	Column (3)
Woolen or worsted fabrics	1.80	1.65	1.[illegible]
Dress goods	1.75	1.60	1.[illegible]
Table damask	1.75	1.60	1.[illegible]
Upholstery and drapery fabrics	1.85	1.65	1.[illegible]
Curtain materials	1.75	1.60	1.[illegible]
All other fabrics	1.65	1.50	1.[illegible]

(3) *Inability to determine maximum price at retail.* Any person who is unable to determine his maximum price at retail under subparagraph (1) or (2) of this paragraph (h) shall apply to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for determination of the maximum price.

(i) *Maximum prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application shall show the resulting maximum wholesale or retail prices determined on the basis of the allocated costs.

(j) *Maximum prices for certain merchandise purchased at lower than manufacturer's, wholesaler's or converter's maximum price.* In cases where a retailer or wholesaler purchases any finished piece goods listed and described in paragraph (a) of this section at a price lower than a price which the purchaser previously paid to the same seller for the same or similar merchandise, and where such lesser price was paid by reason of the size of the purchase or the seasonal nature of the goods, application may be made to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for a maximum price for resale of this merchandise, which maximum price is based upon the higher price previously paid to such seller, and the appropriate multiple provided by this section. Any such application must be accompanied by the invoice for the goods in question and invoice establishing the former higher price or other evidence of a similar nature.

(k) *Odd cent maximum prices at wholesale or at retail.* Whenever the calculation of a maximum wholesale or retail price results in a fraction of a cent, the maximum price shall be adjusted to the nearest cent, except that on finished piece goods retailing for $1.00 per yard and above, the maximum retail price shall be adjusted to the nearest nickel.

(l) *Definitions.* When used in this section the term:

(1) "Class I purchaser" means a wholesaler or jobber who buys finished piece goods at the converter's price to Class I purchasers in accordance with the provisions of the mainland regulation, Maximum Price Regulation 127, Finished Piece Goods.

(2) "Class II purchaser" means a person who buys finished piece goods at the converter's price to Class II purchasers in accordance with the provisions of the mainland regulation, Maximum Price Regulation 127, Finished Piece Goods.

(3) "Converter" means a person who sells finished piece goods after having finished such goods or after causing such goods to be finished for his account.

(4) "Converter-jobber" means a converter who is also regularly engaged in performing, in addition to his converting business, the function of a jobber or wholesaler, and includes a jobber or wholesaler controlling, controlled by or under common control with a converter.

(5) "Wholesaler or jobber" means a person who purchases finished piece goods from a manufacturer or converter for the purpose of resale at wholesale.

(6) "Primary converter-jobber, wholesaler or jobber" means a converter-jobber, wholesaler or jobber who has purchased the finished piece goods directly from the converter or manufacturer.

(7) "Sub-jobber" means a jobber who purchases finished piece goods from primary wholesalers or jobbers and resells them to retail sellers.

(8) "Finished piece goods" means woven fabrics, more than 12" in width, bleached, dyed, printed, mercerized or otherwise finished or processed.

(9) "Weighted average" price means the price computed on the basis of the actual yardage acquired at each separate price.

(m) *Records and reports by sellers other than at retail.* In addition to such records as the seller is required to keep under section 11 of this regulation, every person making a sale of finished piece goods other than at retail shall furnish the buyer at the time of the delivery of the finished piece goods with a written invoice or sales memorandum, setting forth the date of sale, the name and address of the buyer and seller, quantity and description of the finished piece goods sold (style or lot number), the price charged or received therefor, and either the retailer's ceiling price for the finished piece goods as calculated under paragraph (h) or the appropriate retail multiple figure as given in the tables in paragraph (h).

SEC. 54. *Maximum prices for domestics at wholesale and retail—*(a) *To what transactions, products, and persons this section applies—*(1) *What commodities are covered.* This regulation applies to all dry goods items commonly known as domestics which are classified and defined as follows:

(i) *Sheets and pillow cases.* This classification includes all bed sheets and pillow cases.

(ii) *Towels.* This classification includes all hand, bath, kitchen, dish, beach and other towels; wash cloths, bath mats, toilet seat covers and similar articles and combination sets of any of the above listed or similar items when sold at a unit price.

(iii) *Pads and covers.* This classification includes mattress pads and covers, crib pads, ironing board pads and covers, table pads and covers, hot pads, table covers of oil cloth or of materials other than woven fabric, and excludes table mats made of lauhala or other native fibers.

(iv) *Table linens and decorative items.* This classification includes table cloths, napkins, luncheon sets and bridge sets, bureau scarfs, decorative pillow tops, table runners, doilies, art linens and similar fabric articles.

(v) *Bedspreads and blankets.* This classification includes all blankets, comforters, quilts, automobile robes, bedspreads, matched sets of spreads and other articles such as draperies when sold at a unit price, and all similar articles.

(vi) *Pillows and cushions.* This classification includes all pillows and cushions, except office chair cushions, and includes automobile seat cushions.

(vii) *Ready-made curtains.* This classification includes all ready-made curtain and panels, whether used in kitchen, bathroom, shower, bedroom, living room or elsewhere.

(viii) *Ready-made draperies and slip covers for furniture.* This classification includes all ready-made draperies and slip covers for furniture and similar fabric articles.

(ix) *Batting materials.* This classification includes all wool, cotton or other bats.

(x) *Window shades and awnings.* This classification includes window shades, awnings, porch curtains, and similar articles, whether made of woven fabric, paper or synthetics.

(xi) *Diapers.* This classification includes all diapers, whether cloth or paper.

(2) *What transactions are covered.* This regulation applies to sales at wholesale, sales at retail, sales by manufacturing-wholesalers and sales by manufacturing-retailers, of domestics as set forth in paragraph (a).

(3) *Effect upon General Maximum Price Regulation for Hawaii and other maximum price regulations.* The provisions of this section supersede the provisions of the General Maximum Price Regulation for the Territory of Hawaii, General Order No. 49, and all other maximum price regulations issued by the Office of Price Administration, except as may hereinafter be provided, with respect to sales at wholesale and at retail and sales by manufacturing-wholesalers and manufacturing-retailers in the Territory of Hawaii of domestics as set forth in paragraph (a).

(b) *Maximum prices for sales at wholesale—*(1) *Wholesalers and jobbers.* The maximum prices for sales at wholesale of domestics listed and described in paragraph (a), which were manufactured outside the Territory of Hawaii, shall be an amount equal to the sum of the manufacturer's selling price less all allowable trade and cash discounts and allowances except cash discounts up to 2% and the "landing cost" (as defined in paragraphs (g) and (h)), multiplied by 1.20: *Provided*, That

(i) The wholesaler or jobber regularly carries such classification of domestics in stock and has heretofore carried such classification of articles in stock, and

(ii) The particular articles being priced were sold out of such stock, and

(iii) The particular articles being priced were invoiced and shipped to the establishment of the wholesaler or jobber.

(2) *Drop shipments.* Maximum prices for sales at wholesale of any article listed and described in paragraph (a) of this section by a person who has not heretofore regularly carried such articles in stock, and such article is not being sold out of stock, and such article was not shipped to the establishment of such person, shall be an amount determined by multiplying the manufacturer's or original importer's selling price, less all allowable discounts and allowances, by 1.12.

(3) *Maximum prices for locally made articles.* The maximum prices for sales at wholesale of any article manufactured in the Territory of Hawaii listed and described in paragraph (a) of this section by a wholesaler or jobber who satisfies

[2] 9 F.R. 2464, 3031, 4029, 4879, 10088, 12020, 12636, 13067, 14014; 10 F.R. 412, 2014, 3693.

the conditions as to inventory set forth in subdivision (i), (ii) and (iii) of paragraph (b) (1) above, shall be those established by sections 2 and 3 of the General Maximum Price Regulation.

(4) *Manufacturing-wholesalers and manufacturing-retailers.* The maximum price for sales at wholesale of any article listed or described in paragraph (a) of this section which the wholesaler or retailer makes or has made for him from materials owned by him shall be computed by multiplying the sum of the costs of manufacturing by 1.15. The costs of manufacturing shall include only the following amounts actually incurred by the manufacturing-wholesaler or manufacturing-retailer.

(i) An amount equal to the wholesale price of the material, which for the wholesaler shall be no higher than his maximum wholesale price for such material, and for the retailer shall be the actual cost of the material to him, which may in no case be higher than the wholesale price.

(ii) An amount not to exceed $0.03 per yard for cutting and fringing to a depth of at least ⅓ inch.

(iii) An amount not to exceed $0.07 per yard for hand sewing or hand hemming.

(iv) An amount not to exceed $0.05 per yard for hemstitching.

(v) An amount not to exceed $0.02 per yard for machine sewing.

(vi) Other charges for sewing which in no case may exceed the maximum price permitted under Revised Maximum Price Regulation No. 165.

(5) *Allowance for textile printing.* Where a wholesaler textile prints or has textile printed for him any article covered by this section, he may, for the purpose of determining his maximum price for such article under this section, adds to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 52 of this regulation for such textile prints.

(6) *Inability to determine price at wholesale.* Any person who is unable to determine prices under paragraphs (b) (1), (2), (3) or (4) shall apply to the Office of Price Administration for a maximum price. Such application must set forth the manufacturer's selling price less all allowable discounts and allowances except cash discounts up to 2% and the "landing cost" for such articles as specified in paragraphs (g) and (h).

(7) *Restrictions on markup at wholesale*—(i) The maximum price for sales of commodities at wholesale by persons who have purchased from a local wholesaler, jobber, manufacturing-wholesaler or manufacturing-retailer shall be the maximum price which the first wholesaler, jobber, manufacturing-wholesaler or manufacturing-retailer would have been entitled to charge under this section, except maximum prices computed under the provisions of paragraph (b) (8) of this section. The purpose of this paragraph is to prevent the addition of more than one full wholesale markup to a commodity, regardless of the number of wholesalers or jobbers purchasing and reselling the commodity.

(ii) No part of the wholesale markup may be taken by a wholesaler-retailer on any article listed and described in paragraph (a) of this section that is sold by any retail outlet owned, controlled by, under the control of, controlling, or in any other way affiliated with respect to ownership or control with the wholesaler.

(8) *Sales by local sub-jobbers.* The maximum price for sales by a local subjobber of any article, listed and described in paragraph (a) of this section, to a retail establishment, shall be:

(i) Where the sale is by a sub-jobber who has purchased the article from a mainland wholesaler or jobber, whether shipped from the establishment of the wholesaler or jobber or direct from the factory, the maximum price shall be computed by multiplying the sum of the wholesaler's or jobber's selling price less all allowable discounts and allowances, except cash discounts up to 8%, plus "landing cost" (as defined in paragraphs (g) and (h)), by 1.15.

(ii) Where the sale is by a sub-jobber who has purchased the article from a local wholesaler or jobber who has computed the maximum price for the sale under paragraph (b) (1) of this section, the maximum price shall be computed by multiplying the wholesaler's or jobber's allowable maximum price by 1.15.

(iii) Where the sale is by a sub-jobber who has purchased the article from a local wholesaler or jobber who has computed the maximum price for the sale under paragraph (b) (2) of this section applying to drop shipments, the maximum price shall be computed by multiplying the sum of the manufacturer's selling price, plus "landing cost" (as defined in paragraphs (g) and (h), by 1.25.

Any sub-jobber who wishes to establish maximum prices in accordance with this paragraph must file with the Office of Price Administration, Honolulu, T. H., a petition for permission to do so. Such petition must show that the applicant has been regularly engaged in performing the function of a sub-jobber during the year 1943 and must also show the estimated percentage of sub-jobbing business done in relation to the total sales during the years 1942 and 1943.

(c) *Maximum prices for sales at retail*—(1) *Purchases from mainland manufacturers.* The maximum price for sales at retail for any article listed and described in paragraph (a) of this section which the retailer purchases from a mainland manufacturer shall be the amount determined by multiplying the manufacturer's selling price less all allowable discounts and allowances except cash discounts up to 8% plus the "landing cost" by the figure given below in the first column of the table for the classification to be priced.

(2) *Purchases of drop shipments from local wholesalers or jobbers.* The maximum price for sales at retail for any article which the retailer purchases from a person selling at wholesale, whose maximum price for such sale is determined by paragraph (b) (2), (Drop shipments), shall be determined by multiplying the wholesaler's or jobber's selling price by the figure given below in the 2nd column (2) of the Table for the classification of goods to be priced.

(3) *Purchases from mainland wholesalers or jobbers.* The maximum price for sales at retail for any article, listed and described in paragraph (a) of this section, which the retailer purchases from a mainland wholesaler or jobber shall be the amount determined by multiplying the primary wholesaler's or jobber's selling price less all allowable discounts and allowances, except cash discounts up to 8% plus the "landing cost" by the figure given in the second column of the Table for the classification of goods to be priced.

(4) *Purchases from local wholesalers and jobbers.* The maximum price for sales at retail for any article listed and described in paragraph (a) of this section that is imported from the mainland and which the retailer purchases from a local wholesaler or jobber shall be the amount determined by multiplying the wholesaler's or jobber's selling price less all allowable discounts and allowances except cash discounts up to 8% by the figure given below in the second column of the table for the classification of goods to be priced.

(5) *Locally manufactured articles.* The maximum price for sales at retail of any article listed and described in paragraph (a) of this section which is made by a manufacturer located in the Territory of Hawaii shall be: If the retailer purchases direct from the manufacturer or from a wholesaler the amount determined by multiplying the manufacturer's selling price less all allowable discounts and allowances except cash discounts up to 8% by the figure given in the second column of the table for the classification of goods to be priced.

(6) *Manufacturing-wholesalers and manufacturing-retailers.* The maximum price for any article listed and described in paragraph (a) of this section which the retailer purchases from a local manufacturing-wholesaler or manufacturing-retailer, or which he makes or has made for him, shall be the amount determined by multiplying the wholesale price as determined under paragraph (b) (4) by the figure given in the second column of the table for the classification of goods to be priced.

TABLE OF RETAIL MULTIPLICATION FIGURES

	Column 1	Column 2
Sheets and pillow cases, pads and covers, pillows and cushions, batting materials, window shades and awnings, diapers	$1.60	$1.[illegible]
Towels, ready-made curtains, ready-made draperies	1.65	1.[illegible]
Table linens, blankets and bedspreads:		
Budget to $8.75	1.65	1.[illegible]
Better over $8.75	1.75	1.[illegible]

NOTE: The price designation in the table above with respect to Budget and Better refers to the cost price upon which the retailer will use the multiple in the above table to determine his maximum retail price.

(7) *Allowance for textile printing.* Where a retailer textile prints or has textile printed for him any article covered by this section, he may, for the purpose of determining his maximum price for such article under this section, add to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 52 of this regulation for such textile prints.

(8) *Inability to determine price at retail.* Any person who is unable to determine prices at retail under subparagraphs (1) through (6) of this paragraph (c) shall apply to the Office of Price Administration for the establishment of a maximum price.

(9) *Odd cent maximum prices at retail.* Whenever the calculation of a maximum retail price results in a fraction of a cent, the maximum price shall be adjusted to the nearest cent.

(10) *Purchases from local sub-jobbers.* The maximum price for a sale at retail of any article, listed and described in paragraph (a) of this section, purchased from a local sub-jobber, shall be computed by multiplying the sub-jobber's maximum price, less all allowable discounts and allowances, by 1.30.

(d) *Maximum price for nationally advertised articles.* Application may be made for approval of a price for an article listed in paragraph (a) which is nationally advertised by the manufacturer thereof, and who requires that such article be sold at the prices established by such manufacturer. The applicant must set forth:

(1) Description of the article or line to be priced.

(2) Proof that the manufacturer has established a resale price and that such price is so marked on the article that any purchaser can know that it is a nationally advertised price.

(3) A statement that the seller will not sell such article at a price higher than such nationally advertised price. Such application, of course, need not be made where such nationally advertised price is not in excess of the maximum price as calculated under this section.

(e) *Maximum prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application shall show the allocation made by the wholesaler or retailer and shall show the resulting maximum wholesale or retail prices determined on the basis of such allocated costs.

(f) *Maximum prices for certain merchandise purchased at lower than manufacturer's maximum price.* In cases where a wholesaler or retailer purchases from a manufacturer or wholesaler any article listed and described in paragraph (a) of this section, at a price lower than the manufacturer's or wholesaler's maximum price and lower than a price which the purchaser previously paid to such manufacturer or wholesaler for the same or similar merchandise, and where such lesser price was paid by reason of the size of the purchase or the seasonal nature of the goods, application may be made to the Office of Price Administration for a maximum price for resale of the merchandise, which maximum price is based upon the higher price previously paid to such manufacturer or wholesaler, and the appropriate multiple provided by the section. Any such application must be accompanied by the invoice for the goods in question and the invoice establishing the former higher price, or other evidence of a similar nature.

(g) *"Landing cost".* For articles imported from outside the Territory of Hawaii "landing cost" shall be the total of the following amounts:

(1) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery, to the mainland port of shipment (including Federal transportation tax and terminal charges), not in excess of public (common or contract) carrier rates.

(2) An amount equal to mainland storage charges, and insurance in connection therewith, actually incurred by the purchaser, but charges for storage and insurance in connection therewith in excess of three months shall not be included.

(3) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(4) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the purchaser and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included but the type of coverage is at the discretion of the buyer and seller.

(5) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to warehouse, computed at a rate not in excess of 1.20 per ton, weight or measurement: *Provided*, That the commodity is moved from the dock at the purchaser's expense.

(h) *"Landing cost" in cases of interisland shipments.* In the case of a commodity originally imported from without the Territory of Hawaii to one island of the Territory and subsequently shipped to another island in the Territory, the "landing cost" in the island of final destination shall be the sum of the amounts specified in subparagraphs (1) through (4) below.

(1) An amount equal to the "landing cost" at the island from which the article was shipped, calculated under paragraph (g) above.

(2) An amount equal to cartage charges for cartage from the warehouse to the dock in the island from which the article was shipped, calculated at the rate set forth in paragraphs (g) (2) and (5) above, whether or not such cartage charges are actually incurred, but in no event shall such cartage charges exceed public (common or contract) carrier rates.

(3) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the purchaser for shipment between the islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(4) An amount equal to cartage charges on the island of final destination, from dock to warehouse, computed at a rate not in excess of the amount set forth in paragraphs (g) (2) and (5) above: *Provided*, That the articles are moved from the dock at the purchaser's expense.

(i) *Records and reports.* For the purposes of this section this paragraph supersedes the provisions of section 11 of Revised Maximum Price Regulation 373.

(1) *Required of person making sales at wholesale*—(i) *Purchase records.* Every person making sales at wholesale of any article listed in paragraph (a) of this section shall keep and make available for examination by this office for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each article showing:

(a) The date of purchase and date of receipt.
(b) The name and address of the vendor.
(c) The price paid, or charged.
(d) The quantity purchased.
(e) The manufacturer's selling price. If the person did not purchase the article from the manufacturer but is relying upon his vendor's written statement of the manufacturer's selling price, he shall keep such statement and make it available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.
(f) All records and data reflecting the charges incurred by the wholesaler in arriving at the selling price.

(ii) *Sales records.* Every person making sales at wholesale of any article listed in paragraph (a) of this section shall invoice each sale of each such article. The original invoice shall be delivered to the buyer and shall state:

(a) The date of sale.
(b) Itemized list of articles sold.
(c) The manufacturer's selling price for each such article if the maximum price at wholesale is determined under (b) (2) or (3).
(d) Such person's ceiling price at wholesale for each article.
(e) The retailer's ceiling price for each article as calculated under (c).
(f) The price charged or received.

A copy of this invoice shall be made and kept by the person making sales at wholesale, for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) *Required of person making sales at retail*—(i) *Purchase records.* Every person making sales at retail of any article listed in paragraph (a) of this section shall keep and make available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each such article showing:

(a) The date of receipt.
(b) The name and address of the vendor.
(c) The manufacturer's selling price if priced under (c) (1), (2) or (5).
(d) The invoice cost if priced under (c) (3) or (4).
(e) The manufacturer's stock number if available.

(*f*) The retailer's stock number if any.
(*g*) The percentage used in determining the maximum price.
(*h*) The retailer's ceiling price.

The retailer may list the information required above on each purchase invoice covering the article. If the retailer did not purchase the article from the manufacturer but is relying upon his supplier's written statement of the manufacturer's selling price he shall keep such statement and make it available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The retailer shall likewise keep and make available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, his purchase invoice covering that article.

(ii) *Sales records.* (*a*) Any retailer who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any retailer, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the retailer, a description of the article sold and the price received for it.

(*b*) Every retailer shall keep and make available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind he has customarily kept relating to the price charged for such article and in addition records showing as precisely as possible the basis upon which he determined the maximum price for such article.

(j) *Posting and marking of prices.* For the purposes of this section, this paragraph supersedes the provisions of section 11 of this regulation.

(1) *Posting.* Every person who sells or offers to sell any article listed and described in paragraph (a) of this section at retail shall post in a conspicuous place, in a manner plainly visible to and understandable by the purchasing public in the department or portion of the premises where any such article is sold or offered for sale, a sign stating "Each article of domestics in this store (or on this counter, shelf, or in this case, bin, or rack) is marked and sold at our ceiling price or less."

(2) *Marking.* (i) No person shall sell or deliver or offer for sale any article listed and described in paragraph (a) of this section at retail unless there is firmly attached to such article a stamp, tag or other marking showing the selling price. Such selling price must be plainly visible to and understandable by the purchasing public.

(ii) All merchandise that is priced pursuant to paragraph (e) must have the lot number which appears on the invoice also clearly marked on the price ticket of each article.

(k) *Definitions.* When used in this section, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it, before the deduction of any discounts or allowances, and shall not include any transportation costs, marine or war risk insurance, storage charges, or any other charge.

(2) "Sale at wholesale" means a sale by a person who received delivery of a commodity and resells it, without changing its form, to any person other than an ultimate consumer, and includes sales to retailers by manufacturing-wholesalers or manufacturing-retailers, but does not include any sale by a producer or manufacturer. (This definition is in lieu of the definition contained in section 13 of this regulation, and is to be used for the purposes of this section only.)

(3) "Sale at retail" means a sale or selling to an ultimate consumer, provided that purchasers for resale, commercial and industrial users, shall not be deemed ultimate consumers.

(4) "Wholesaler-retailer" means a firm or person who customarily sells at least 50% of the articles listed and described in paragraph (a) of this section in his own or in an affiliated store.

(5) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer before the deduction of cash discounts or other discounts for prompt payment.

(6) "Manufacturing-wholesaler" means a wholesaler who has made for him from materials owned by him, articles for sale to a retailer.

(7) "Manufacturing-retailer" means a retailer who has made for him from materials owned by him, articles for sale to an ultimate consumer.

(8) "Wholesaler or jobber" means a person who purchases articles from a manufacturer for the purpose of resale at wholesale.

(9) A "sub-jobber" is a jobber who purchases merchandise from primary wholesalers or jobbers and resells it to retail sellers.

(10) "Primary wholesaler or jobber" means a wholesaler or jobber who has purchased the article directly from the manufacturer.

(11) "Original importer's selling price" means the price at which the mainland original importer of the article from outside the Continental United States sold and invoiced it, before the deduction of any discounts or allowances.

SEC. 55. *Maximum prices for bamboo rakes.* (a) The maximum prices for bamboo rakes manufactured in the Territory of Hawaii shall be:

Manufacturer's maximum price	Maximum wholesale price	Maximum retail price
Bamboo rakes:		
Island of Oahu only, $0.75	$0.57	$0.95
All other Islands, $0.70	.78	.85

SEC. 56. *Ceiling prices for sales of imported luggage at wholesale and retail—*(a) *Scope of this section.* This section applies to sales at wholesale and sales at retail of all leather and non-leather luggage which has been imported into the Territory of Hawaii. "Luggage" means any container commonly used for the transportation of personal effects on a journey; for example, furlough bags, zipper bags, utility kits, utility bags and cases, travel cases, buddy kits, overnight cases, travel packs, duffel bags, weekend cases, Pullman cases, men's wardrobes, foot lockers, suitcases and trunks. In addition, the term "luggage" includes physician's bags, sample cases, sample trunks, brief cases and school bags. Furthermore, the term "luggage" as used in this section includes only new luggage; used or reconditioned luggage is not covered by this section.

(b) *Wholesaler's ceiling prices.* If you are a wholesaler, you calculate your ceiling prices for luggage in the following manner:

(1) For out of stock sales: First, multiply your manufacturer's or original importer's selling price by 1.25. Then to this amount add your landing costs. The resulting price is your ceiling price.

(2) For sales on a drop shipment basis: Multiply your manufacturer's or original importer's selling price by 1.17. The resulting price is your ceiling price.

(3) For sales of luggage purchased from a local wholesaler: If you purchased a luggage item from another local wholesaler whose ceiling price is established under subparagraphs (1) and (2) above, you must secure a written record of your supplier's ceiling price. Your ceiling price shall be your supplier's ceiling price.

(c) *Retailer's ceiling prices.* If you are a retailer, you calculate your ceiling prices in the following manner:

(1) For sales of articles purchased directly from your mainland manufacturer or original importer: First: multiply your manufacturer's or original importer's selling price by 1.87. To this amount add your landing cost and the Federal excise tax, and adjust to the nearest 5¢. The resulting price is your ceiling price, inclusive of Federal excise tax.

(2) For sales of articles purchased directly from mainland wholesalers: First, multiply your wholesaler's selling price by 1.58. To this amount add your landing cost and the Federal excise tax and adjust to the nearest 5¢. The resulting price is your ceiling price, inclusive of Federal excise tax.

(3) For sales of articles purchased from local wholesalers out of locally warehoused stock: First, multiply the wholesaler's selling price, less the landing cost, by 1.50. To this amount add the landing cost and the Federal excise tax, and adjust to the nearest 5¢. The resulting price is your ceiling price, inclusive of Federal excise tax.

(4) For sales of articles purchased from local wholesalers on a drop shipment basis: First, multiply your manufacturer's or original importer's selling price by 1.87. To this amount add your landing cost and the Federal excise tax, and adjust to the nearest 5¢. The resulting price is your ceiling price, inclusive of Federal excise tax.

(d) *Inability to determine ceiling prices.* If you are unable to determine your ceiling price of any luggage item, you shall apply to the Office of Price Administration for the establishment of a ceiling price.

(e) *Landing cost—*(1) *Landing cost for articles imported from the mainland.* Landing cost, in the case of articles imported from the mainland, shall be the total of the following amounts:

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds the rates charged by the War Shipping Administration shall not be included, but the type of coverage is at the discretion of the buyer and seller.

(v) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to the establishment of the purchaser, computed at a rate not in excess of $1.20 per ton weight or measurement; *Provided*, That the commodity is moved from a dock at the purchaser's expense.

(2) *Landing cost in cases of interisland shipments.* In cases where the article has been shipped from one island to another island in the Territory of Hawaii, the following additional charges may be added to those set forth in subparagraph (1), above:

(i) An amount equal to the actual transportation cost to be computed in accordance with the applicable provisions of divisions (iii), (iv) and (v), above.

(f) *Posting and marking of prices—*(1) *Posting.* Any person who sells or offers to sell any luggage item at retail shall post in a conspicuous place in a manner plainly visible to and understandable by the purchasing public in a department or portion of his premises where such article is sold or offered for sale, a sign stating, "Each article of luggage in this store (or on this counter, shelf, or in this case, bin or rack) is marked and sold at our ceiling price or less."

(2) *Marking.* Every person who sells or offers for sale any luggage item at retail shall attach to the top or handle of the item a tag containing in easily readable lettering a statement of the retail ceiling price, retail selling price and the manufacturer's lot number and size. The statement shall be in the following form:

O. P. A. retail ceiling price including federal excise tax_____
Selling price_____
Stock or lot number_____
Size_____
Do not detach

The tag may not be removed until after the luggage has been delivered to the consumer.

Section 11 (b) of Revised Maximum Price Regulation No. 373 shall not apply to this section.

(g) *Records and invoices.* In addition to such records as the seller is required to keep under section 11 (a) (1) of this regulation, every person making a sale of a luggage item other than at retail shall furnish the buyer at the time of the delivery of the article with a written invoice or sales memorandum, setting forth the date of sale, the name and address of the buyer and seller, quantity and description of article sold, manufacturer's lot number and size, the amount of the "landing cost" for each article if paid by the seller, the price charged and received therefor, and the retailer's ceiling price, inclusive of excise tax, for each article as calculated under paragraph (c).

(h) *Definitions.* When used in this section, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o. b. factory, less all allowable discounts and allowances except cash discounts up to 8%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(2) "Original importer's selling price" means the price at which the mainland original importer of the article from outside continental United States sold and invoiced it, less all discounts and allowances except cash discounts up to 8%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(3) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer, less all allowable discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charges permitted under the Second Revised Maximum Export Regulation.

(4) "Out of stock sales" means sales of articles which the seller carries in stock, sells out of stock and which were invoiced and shipped to the establishment of the seller.

(5) "Sales on a drop shipment basis" means sales of articles which the seller does not carry in stock, which are not sold out of stock and which are not shipped to the establishment of the seller.

SEC. 57. *Maximum prices for used passenger automobiles—*(a) *Applicability of this section.* This section applies to all sales by dealers and other persons of used passenger automobiles.

(b) *Prohibition against dealing in used cars at prices above the maximum.* (1) On and after December 1, 1943, regardless of any contract or other obligation, except as provided in subparagraphs (2), (3) and (4) below,

(i) No person shall sell or deliver any used car at a price higher than the maximum price permitted by this section; and

(ii) No person, in the course of trade or business, shall buy or receive a used car at a price higher than the maximum price permitted by this section, but if he, the purchaser, has received from the seller a statement that the price charged does not exceed the maximum price, and he has no knowledge to the contrary, he shall be deemed to have complied with this subdivision (ii); and

(iii) No person shall agree, offer or attempt to do any of the acts prescribed in subdivisions (i) and (ii) of this section.

(2) The provisions of subdivision (ii) above shall not be applicable to any War Procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer of the United States, with respect to this section, shall be relieved of any and every liability, civil or criminal, imposed by this section or by the Emergency Price Control Act of 1942, as amended.

(3) Nothing in this section shall prevent the fulfillment of any contract for the purchase of a used car whether in the nature of a conditional sales agreement, rental contract providing for purchase or other arrangement, entered into before December 1, 1943, and under which the used car has been delivered prior to December 1, 1943.

(4) Where a promissory note covering payment to a dealer or other seller for a car is discounted by a bank, finance company, or other person and the latter takes possession of the used car after default by the maker of the note, the return of the repossessed used car to the dealer in connection with recovery from him of the unpaid balance of the note does not constitute a sale, purchase, or transfer subject to this section. However, the sale of a repossessed used car by such a holder of "car paper" at public or private sale, except the return of a used car in connection with a contract to repurchase, is subject to this section. Notwithstanding the provisions of this paragraph, where a promissory note covering payment to a dealer or other seller for a car is discounted by a bank, finance company, or other person and the latter takes possession of the used car after default by the maker of the note, nothing in this section shall prevent the bank, finance company, or other person who discounted the note from selling the used car for an amount not exceeding the unpaid balance on the note, or the applicable maximum price if it is higher, in the case of a used car delivered prior to December 1, 1943, by the dealer to the person making the note. For the purposes of this paragraph, a conditional sale agreement shall be deemed a promissory note, and the buyer under such contract the maker thereof.

(c) *Relation to other regulations.* The transactions, persons, and commodities subject to this section shall not be subject to any other regulation issued by the Office of Price Administration insofar as they are affected by this section.

(d) *Less than maximum prices.* Prices lower than maximum prices established by this section may be charged and paid.

(e) *Maximum prices for used cars.* To figure the maximum price for the sale of a used car, the seller must:

(1) Find the base price according to paragraph (f); and

(2) Add to it the allowance in Table C for any piece of equipment listed there which is sold attached to the car; and

(3) If the car is a warranted car (as defined in paragraph (g)), add $100.00 or, if it is higher, add 20% of the total of the base price and any equipment allowance.

(f) *How to find the base price.* In figuring his base price the seller shall take as his base price a price found by following the descriptions given below which apply to the used car he is selling.

NOTE: The base prices of 1935 and later year model used cars are listed in Table B, while the base prices of 1925 to 1934, inclusive, year model used cars are listed in Table D.

(1) For a complete car listed in Table B: Take the base price listed in Table B.

(2) For a complete car listed in Table D: Take the base price of the year model of that car listed in Table D.

(3) For a complete car which is not listed in Table B whose year model is 1935 or later:

(i) If its body and chassis were made by different manufacturers: Take the base price in Table B for the most comparable car of the same make, model year, body type, passenger capacity, and wheel base.

(ii) If its make is not listed in Table B: Take the base price for the most comparable car as to make, model, year, body type, passenger capacity, and wheel base.

(4) For a complete car which is not listed in Table D whose model year is 1934 or before:

(i) If its body and chassis were made by different manufacturers: Take the base price in Table D for the most comparable car of the same make and model year.

(ii) If its model year is from 1925 to 1934, inclusive, and its make is not listed in Table D: Take the base price in Table D for the most comparable car as to make which has the same year model.

(iii) If its model year is 1925 or before: Take the base price of the year model car which is of the same make.

(5) For a chassis or body:

(i) If a chassis of a car is sold separately, the base price shall be 70 percent of the base price established by this section for the complete car.

(ii) If the body of a car is sold separately the base price shall be 30 percent of the base price established by this section for the complete car.

(6) For a complete car consisting of a used chassis and a new body: When a seller sells a complete car consisting of a new body attached to a used chassis, the base price shall be: (i) the base price for the used chassis as established by this section, plus (ii) the price of the new body under the applicable maximum price regulation.

(7) Inability to determine base price. If you are unable to determine your base price for any used passenger automobile under the provisions of this paragraph, you shall apply the provisions of section 10 of this regulation to determine such price.

(g) *Warranted used cars.* (1) A warranted used car is one in good operating condition for which the dealer furnishes to the purchaser the following warranty in writing:

DEALER'S WARRANTY

The used car described below is hereby warranted to be in good operating condition, and to remain in such condition, under normal use and service for a period of 30 days after delivery, or 500 miles, whichever may first occur.

We agree, if said car is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements which may be necessary to its good operating condition in accordance with normal use and service.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.

Make of used car_____
Date of delivery_____
Serial or motor number_____
Model _____
Speedometer reading_____
Total Selling Price $_____

_____
(Name of dealer making sale)

(Per) _____
(Name of proper representative thereof and title)

_____
(Address)

(2) *Additional warranties by dealer.* A dealer may extend to the purchaser warranties in addition to those provided in the warranty stated in subparagraph (1) above, but this shall be done in a warranty separate and in addition to the warranty provided in subparagraph (1) above, and the maximum price established by paragraph (e) shall not be increased thereby.

(3) *Purchaser's legal remedies for dealer's failure to perform obligations of warranty.* The nature of a purchaser's legal remedies for the breach of a dealer's warranty, which are those existing under Territorial law, is not changed by this section.

(h) *Federal and other taxes.* There may be added to the maximum price for any used car the amount of any Federal, Territorial, and municipal tax upon, or incident to, the sale, delivery, processing or use of such used car. The amount of such tax must be stated separately on the report of transfer required under paragraph (k). Any taxes paid on the car or extra equipment when new are not to be added to, or included in, the maximum price under this section. Where a tax is based on a period of use, only the portion of such tax proportionate to the unexpired portion of the period may be added.

(i) *Evasion.* It shall be a violation of this section to charge a price above the applicable maximum price in connection with any sale of a used car, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, the seller is not permitted to require the purchaser, as a condition of the sale or transfer of the car, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging or transferring or trading in any other vehicle or other product or commodity, or where there is an exchange, transfer or trade-in, to require him to accept an allowance for the vehicle, product, or commodity exchanged, transferred or traded in which is below its reasonable value. Furthermore, the seller is prohibited from providing for purchase of the used car by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of same more onerous to purchasers than they have customarily been except to the extent allowed by this section. However, the Office of Price Administration, Hawaii Territorial Office, may upon written request grant written permission to any dealer subject to this section to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States.

(j) *Label or tag to be attached by dealer to a used car.* Every dealer offering a used car for sale shall attach to it in a conspicuous place a label or tag not smaller than 4" x 8" in the form set forth in Table A, on which shall be set forth legibly all of the information called for in Table A.

(k) *Report of transfer which must be completed for a sale of a used car.* Every person, when he sells or purchases a used car, shall complete a report of transfer which may be obtained from dealers or from local War Price and Rationing Boards. In the case of used cars subject to Ration Order 2C—Used Passenger Automobiles (that is, all 1938 and later year model used cars), such report of transfer shall be on OPA Form THR 33—Certificate To Purchase A Rationed Passenger Car For Use. In the case of all 1937 and earlier year model used cars, such report of transfer shall be on OPA Form THP-3—Report of Transfer of Used Passenger Automobile.

The seller shall insert the details of the sale on the applicable report form, and shall sign such report and certify as to the truth and accuracy of the same before the Executive Secretary or an authorized clerk of the War Price and Rationing Board that issued the gasoline rations for the car that is being sold. However, where the seller is a dealer, he may sign the appropriate form without appearing before the Board representative. Upon completion of the above requirements, the seller shall deliver such report to the buyer, who shall then sign and certify as to the truth and accuracy of the same before the Executive Secretary or an authorized clerk of his local War Price and Rationing Board. The completed report must then be filed by the buyer with the said Board. This paragraph shall not be applicable to sales when made to dealers.

(l) *Definitions.* When used in this section, the term:

(1) "Used passenger automobile" (called "used car") means any automobile which has a seating capacity of less than eleven persons and which, irrespective of mileage, has been used for any purpose other than for the purpose of selling it. The definition includes, but is not limited to, taxicabs and station wagons and chassis and bodies for used cars, but does not include 1942 model cars used as demonstrators, or chassis and bodies of 1942 model cars used as demonstrators.

(2) "Dealer" means a person engaged in whole or in part, in the business of buying, selling, repairing and reconditioning used cars and who maintains a place of business for the display, sale, repairing and reconditioning of such cars. A person who cannot qualify as a dealer because he does not maintain a place for repairing and reconditioning may be approved in writing as a dealer under this section by the Office of Price Administration, Hawaii Territorial Office, or by the nearest District Office of the Office of Price Administration, if he provides adequate evidence to that office that he has established, and is in a financial position to maintain, a working arrangement with a reputable business engaged in the repair and reconditioning of used cars.

(3) "Sale" includes sales, dispositions, exchange, and other transfers and contracts and offers to do any of the foregoing. It includes conditional sales and sales under rental contracts, lease agreements or other agreements. It also includes transfers by banks, finance companies, or other persons discounting promissory notes following the taking of possession by such persons upon default of the person making such promissory notes. The term "sale" does not refer to the adjustment of losses made in connection with settlements of claims under policies of insurance against fire, theft, collision, other loss of property or other coverage, even though the right of subrogation may be involved. The terms "sale", "seller", "selling", "purchase", "purchaser" and "purchasing" shall be construed accordingly.

(4) "War Procurement Agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, and the following subsidiaries of the Reconstruction Finance Corporation: Rubber Reserve Corporation, Metals Reserve Corporation, Defense Plant Corporation and Defense Supplies Corporation, or any agency of any of the foregoing.

TABLE A—TAGS TO BE AFFIXED BY DEALERS

The labels or tags prescribed in paragraph (j) hereof shall identify the used passenger automobile not less fully than by setting forth the make, year, model, series, if any; body type, "in-built" equipment or radio, if any; amount of allowance for "in-built" equipment or radio, if any; and the maximum price warranted, if the vehicle is sold with the written warranty as provided in paragraph (g) hereof; or the maximum price without warranty if sold without warranty; and further, each tag must show the statement: "The prices itemized do not exceed the maximum prices established by section 57, OPA Regulation 373, a copy of which is available for inspection."

An example of such tag is set forth below:

Make—Chevrolet.	Maximum price (warranted) $1,275.60
Year—1941.	
Model—A H.	Maximum price (without warranty) -----
Series—Spec. deluxe.	
Equipment—Radio.	Price of equipment (Included in maximum price) $30.00

The prices itemized do not exceed the maximum prices established by section 57, OPA Regulation 373, a copy of which is available for inspection.

TABLE B—BASE PRICES FOR 1935 AND LATER YEAR MODEL USED CARS

List of abbreviations used in Table B

A/S	Auxiliary seat.
A/W	All weather.
Bus	Business.
Comb	Combination.
Comp	Compartment.
Cont	Continental.
Conv	Convertible.
Cur	Curtain.
Div	Division.
Dr	Door.
F/B	Fast back.
F/W	Full-width rear seat.
Holyd	Hollywood.
LeB	LeBaron.
N/C	Noncollapsible.
Nos	Numbers.
O/S	Opera seats.
P Top	Power Top.
Riv	Riverside.
S/C	Semi-collapsible.
SE	Super equipped.
S/L	Streamlined.
S/S	Self shifter.
Tk	Trunk.
Tour	Touring.
2W. 5W	2 window, 5 window.
W/P	With partition.
Wilby	Willoughby.

(1) AMERICAN BANTAM

Model, serial number, body type and passenger capacity	*Base price*
1941—Series 4-65—Super "4"—Serial Continued through from 1940:	
Standard Coupe 2	$428
Master Coupe 2	458
Conv. Coupe 2	513
Master Roadster 2	473
Conv. Sedan 4	533
Station Wagon	558
1940—Series 4-65—Serial Nos. 65-500 and up:	
Standard Coupe 2	868
Master Coupe 2	393
Conv. Coupe 2	433
Master Roadster 2	398
Conv. Sedan 4	443
Station Wagon	463
Conv. Coupe Holyd. 2	488
Speedster 4	443
Conv. Sedan Riv. 4	463

TABLE B—Continued

(1) AMERICAN BANTAM—continued

Model, serial number, body type and passenger capacity	*Base price*
1939—Series 4-62—Serial Nos. 62-001 to 63-999:	
Sport Roadster 2	$283
Special Roadster 2	308
Deluxe Roadster 2	318
Standard Coupe 2	268
Special Coupe 2	293
Sunair Coupe 2	293
Deluxe Coupe 2	318
Speedster 4	318
Deluxe Speedster 4	338
Station Wagon	368
1938—Series 4-60—Serial Nos. 60-001 to 61-999:	
Special Roadster 2	207
Standard Roadster 2	207
Deluxe Roadster 2	222
Business Coupe 2	197
Standard Coupe 2	212
Master Coupe 2	242
Deluxe Coupe 2	197
Speedster 4	232
Station Wagon	252
1937—Series 4-575 — Bantam — Serial Nos. R10000 and up—Motor Nos. E21000 and up:	
Roadster 2	164
Roadster Custom 2	174
Business Coupe 2	162
Standard Coupe 2	162
Deluxe Coupe	172
1936—Series 4-575A—Serial Nos. 575-9000 and up—Motor Nos. M-21000 and up:	
Roadster 2	116
Business Coupe 1	107
Business Coupe 2	115
Standard Coupe 2	127
Deluxe Coupe 2	127
1935—Series 4-475—Serial Nos. 475-7801 and up—Motor Nos. 19507 and up:	
Business Coupe 2	80
Standard Coupe 2	90
Deluxe Coupe 2	95
Suburban Coupe 2	105
Roadster 2	105

(2) BUICK

1942—Series 8-40—Special—Serial Nos 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941A to 4556599—Motor Nos. 4457941 to 4-4556599:	
Utility Coupe 3-44	1,342
Conv. Coupe F/W 6-44 C	1,614
Business Sedanet 3-48	1,362
Family Sedanet 6-48 S	1,402
Tour. Sedan 4 Dr. 6-47	1,437
Series 40-B:	
Business Sedanet 3-46	1,377
Family Sedanet 6-46 S	1,432
SE Family Sedanet 6-46 SE	1,492
Tour. Sedan 4 Dr. 6-41	1,482
SE Tour. Sedan 4 Dr. 6-46 SE	1,562
Estate Wagon 6-49	1,857
1942—Series 8-50—Super—Serial Nos. 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941A to 4556599—Motor Nos 4457941 to 5-4556599:	
Conv. Coupe F/W 6-56 C	1,847
Sedanet F/W 6-56 S	1,622
Tour. Sedan 4 Dr. 6-51	1,677
1942—Series 8-60—Century—Serial Nos. 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941A to 4556599—Motor Nos. 4457941 to 6-4556599:	
Sedanet F/W 6-66 S	1,702
Tour. Sedan 4 Dr. 6-61	1,752
1942—Series 8-70—Roadmaster—Serial Nos. 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941A to 4556599—Motor Nos. 4457941 to 7-4556599:	

TABLE B—Continued

(2) BUICK—continued

Model, serial number, body type and passenger capacity	*Base price*
1942—Series 8-70—Continued.	
Conv. Coupe F W 6-76 C	$2,089
Sedanet F/W 6-76 S	1,814
Tour. Sedan 4 Dr 6-71	1,884
1942—Series 8-90—Limited—Serial Nos. 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941A to 4556599—Motor Nos. 4457941 to 9-4556599:	
Tour Sedan 4 Dr 6-91	2,579
Tour. Sedan 4 Dr. A/S 8-90	2,774
Formal Sedan 6-91 F	2,714
Limousine A/S 8-90 L	2,879
1941—Series 8-40 A Special—Serial Nos. 14034052 to 14257441 23904170 to 24245877, 34007924 to 34253683—Motor Nos. A 4074859 to A 4457940:	
Business Coupe 3-44	1,169
Conv. Coupe F W 6-44 C	1,360
Sport Coupe F W 6-44 S	1,229
Tour Sedan 4 Dr 6-47	1,259
1941—Series 8-40 Special—Serial Nos. 13880012 to 14257441, 23892008 to 24245877, 33897008 to 34253683—Motor Nos. 44074859 to 4-4457940:	
Business Coupe 3-46	1,189
Sedanet F W 6-46 S	1,254
Sport Coupe F W 6-44S	1,229
Tour Sedan 4 Dr 6-41	1,284
SE Tour Sedan 4 Dr 6-41 SE	1,339
Estate Wagon 49	1,543
1941—Series 8-50—Super—Serial Nos. 13880012 to 14257441, 23892008 to 24245877, 33897008 to 34253683—Motor Nos. 54074859 to 5-4457940:	
Conv. Phaeton 4 Dr. 6-51 C	1,614
Business Coupe 3-56	1,274
Conv. Coupe F W 6-56 C	1,435
Sport Coupe F W 6-56 S	1,329
Tour Sedan 4 Dr 6-51	1,379
1941—Series 8-60—Century—Serial Nos 13880012 to 14257441, 23892008 to 24245877, 33897008 to 34253683—Motor Nos. 64085000 to 6—4453893:	
Business Coupe 3-66	1,306
Sedanet F/W 6-66 S	1,346
Tour. Sedan, 4 Dr 6-61	1,371
1941—Series 8-70—Roadmaster—Serial Nos 13880012 to 14257441, 23892008 to 24245877, 33897008 to 34253683—Motor Nos. 74085000 to 7—4453893:	
Conv. Phaeton, 4 Dr. 6-71C	1,687
Conv. Coupe F W 6-76 C	1,487
Sport Coupe F W 6-76 S	1,366
Tour. Sedan, 4 Dr. 6-71	1,421
1941—Series 8-90—Limited—Serial Nos. 13880012 to 14257441, 23892008 to 24245877, 33897008 to 34253683—Motor Nos. 94085000 to 9-4453893:	
Tour. Sedan, 4 Dr. 6-91	1,766
Tour Sedan, 4 Dr. A/S 8-90	1,906
Formal Sedan 6-91 F	1,881
Limousine A S 8-90 L	1,971
1940—Series 8-40—Special—Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783—Motor Nos. 4-3786214 to 44074857:	
Conv. Sport Phaeton 5-41C	1,075
Business Coupe 2-46	937
Sport Coupe F W 5-46 S	982
Conv. Coupe F W 5-46 C	1,055
Tour. Sedan TK, 2 Dr. 5-48	962
Tour. Sedan TK, 4 Dr. 5-41	1,002
1940—Series 8-50—Super—Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783—Motor Nos. 5-3786214 to 54074857:	
Conv. Sport Phaeton 5-51 C	1,175
Sport Coupe F W 6-56 S	1,077
Conv. Coupe 5-56 C	1,155
Tour Sedan TK 4 Dr 6-51	1,097
Estate Wagon 6-59	1,181
1940—Series 8-60—Century — Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783—Motor Nos. 6-3812000 to 64074858:	
Conv. Sport Phaeton TK 5-61 C	1,175

TABLE B—Continued

(2) BUICK—continued

Model, serial number, body type and passenger capacity	*Base price*
1940—Series 8-60—Continued.	
Business Coupe 5-66	$977
Sport Coupe 5-665	1,012
Conv. Coupe F/W 5-66 C	1,140
Tour. Sedan TK, 4 Dr. 5-61	1,042
1940—Series 8-70—Roadmaster—Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783—Motor Nos. 7-3812000 to 74074858:	
Conv. Sport Phaeton 5-71 C	1,195
Sport Coupe F/W 6-76 S	1,067
Conv. Coupe 5-76 C	1,170
Tour Sedan TK, 4 Dr. 6-71	1,112
1940—Series 8-80—Limited—Serial Nos. 135v6807 to 13880011, 23601856 to 23871217, 33611858 to 33874783—Motor Nos. 8-3812000 to 84074858:	
S L Conv. Sport Phaeton 6-80 C	1,180
Conv. Sport Phaeton TK 6-81 C	1,175
Tour. Sedan TK, 4 Dr. 6-81	1,090
S L Sport Sedan, 4 Dr. 6-87	1,095
Formal Sedan TK 6-81 F	1,120
S L Formal Sedan 6-87 F	1,120
1940—Series 8-90—Limited—Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783—Motor Nos. 9-3812000 to 94074858:	
Tour. Sedan TK, 4 Dr. 6-91	1,110
Tour. Sedan TK, 4 Dr. A/S 8-90	1,155
Limousine TK A S 8-90 L	1,170
1939—Series 8-40—Special—Serial Nos. 13588547 to 13479236, 23395088 to 23403982, 33405088 to 33448272—Motor Nos 4-3572652 to 43786213:	
Conv. Sport Phaeton TK 5-41 C	864
Business Coupe 2-46	754
Sport Coupe 4-46 S	759
Conv. Coupe 4-46 C	844
Tour. Sedan TK, 4 Dr. 5-48	779
Tour Sedan TK, 4 Dr. 5-41	804
1939—Series 8-60 — Century — Serial Nos 13388547 to 13479236, 23395088 to 23403982, 33405088 to 33448272—Motor Nos. 6-3576652 to 63755912:	
Conv. Sport Phaeton TK 5-61 C	893
Sport Coupe O/S 4-66 S	778
Conv. Coupe O S 4-66 C	838
Tour. Sedan TK, 2 Dr. 5-68	773
Tour. Sedan TK, 4 Dr. 5-61	803
1939—Series 8-80—Roadmaster — Serial Nos. 13388547 to 13479236, 23395088 to 23403982, 33405088 to 33448272—Motor Nos. 8-3576652 to 8-3755912:	
Sport Phaeton, 4 Dr. 6-80 C	904
Sport Phaeton TK, 4 Dr. 6-81 C	919
Tour. Sedan TK, 4 Dr. 6-81	789
Sport Sedan 6-87	779
Formal Sedan TK 6-81 F	834
1939—Series 8-90—Limited Serial Nos. 13388547 to 13479236, 23395088 to 23403982, 33405088 to 33448272—Motor Nos. 9-3576652 to 9-3755912:	
Tour. Sedan TK, 4 Dr. 6-91	799
Tour. Sedan TK, 8-90	844
Limousine TK, 8-90 L	849
1938—Series 8-40—Special—Serial Nos. 12219848 to 13388546, 23238767 to 23386843, 33245765 to 33376283—Motor Nos 43396937 to 43572651:	
Conv. Phaeton 5-40 C	683
Business Coupe 2-46	637
Sport Coupe O/S 4-46 S	657
Conv. Coupe 4-46 C	678
Sport Sedan TK, 2 Dr. 5-44	632
Tour. Sedan TK, 2 Dr. 5-48	647
Sport Sedan, 4 Dr. 5-47	657
Tour. Sedan TK, 4 Dr. 5-41	672
1938—Series 8-60—Century—Serial Nos. 13219848 to 13388546, 23238767 to 23386843, 33245765 to 33376283—Motor Nos. 63396937 to 63544292:	
Conv. Phaeton 5-60 C	692
Sport Coupe O/S 4-66 S	661
Conv. Coupe 4-66 C	697
Tour. Sedan TK, 2 Dr. 5-68	656
Sport Sedan, 4 Dr. 5-67	656
Tour. Sedan TK 4 Dr. 5-61	676

TABLE B—Continued

(2) BUICK—continued

Model, serial number, body type and passenger capacity	*Base price*
1938—Series 8-80—Roadmaster—Serial Nos. 13219848 to 13388546, 23238767 to 23386843, 33245765 to 33376283—Motor Nos. 83396937 to 83544292:	
Conv. Phaeton TK, 6-80 C	$686
Tour. Sedan TK, 4 Dr. 6-81	655
Sport Sedan 6-87	650
Formal Sedan 6-81 F	670
1938—Series 8-90—Limited—Serial Nos. 13219848 to 13388546, 23238767 to 23386843, 33245765 to 33376283—Nos. 93396937 to 93545292:	
Tour. Sedan TK, 4 Dr. 6-91	650
Tour Sedan TK 8-90	685
Limousine TK 8-90 L	675
1937—Series 8-40—Serial Nos. 2999497 to 3219847—Motor Nos. 4-3166225 to 43396936:	
Conv. Phaeton 5-40 C	573
Business Coupe 2-46	541
Sport Coupe 4-46 S	551
Conv. Coupe 4-46 C	568
Sedan, 2 Dr. 5-44	526
Tour. Sedan TK, 2 Dr. 5-48	531
Sedan, 4 Dr. 5-47	551
Tour. Sedan TK, 4 Dr. 5-41	566
1937—Series 8-60—Serial Nos. 2999497 to 3219847—Motor Nos. 6-3176225 to 63396936:	
Conv. Phaeton 5-60 C	566
Sport Coupe 4-66 S	529
Conv. Coupe 4-66 C	551
Sedan, 2 Dr. 5-64	509
Tour. Sedan TK, 2 Dr. 5-68	524
Sedan, 4 Dr. 5-67	520
Tour. Sedan TK, 4 Dr. 5-61	549
1937—Series 8-80—Roadmaster—Serial Nos. 2999497 to 3219847—Motor Nos. 8-3176225 to 83396936:	
Conv. Phaeton TK 6-80 C	554
Sedan Tk, 4 Dr. 6-81	522
Formal Sedan 6-81 F	537
1937 — Series 8-90 — Limited — Serial Nos. 2999497 to 3219847—Motor Nos. 9-3176225 to 93396936:	
Sedan TK, 4 Dr. 6-91	527
Formal Sedan TK, 4 Dr. 6-91 F	537
Sedan TK 8-90	532
Limousine TK 8-90 L	537
1936—Series 8-40—Serial Nos. 2830899 to 2999496—Motor Nos. 4-2995523 to 4-3166224:	
Business Coupe 2-46	391
Sport Coupe O S 3-46 S	401
Sport Coupe 2 4-46 S	406
Conv. Coupe 2 4-46 C	419
Victoria Coupe TK, 2 Dr. 3-48	401
Sedan TK, 4 Dr. 5-41	416
1936—Series 8-60—Serial Nos. 2830899 to 2999496—Motor Nos. 6-3001000 to 6-3166224:	
Sport Coupe O S 3-66 S	401
Sport Coupe 2 4-66 S	391
Conv. Coupe 2 4-66 C	414
Victoria Coupe TK, 2 Dr. 5-68	391
Sedan TK, 4 Dr. 5-61	411
1936—Series 8-80—Roadmaster—Serial Nos. 2830899 to 2999496—Motor Nos. 8-3001000 to 8-3166224:	
Conv. Phaeton TK 6-80 C	413
Sedan TK, 4 Dr. 6-81	406
1936—Series 8-90—Limited—Serial Nos. 2830899 to 2999496—Motor Nos. 9-3001000 to 9-3166224:	
Sedan TK, 4 Dr. 6-91	396
Formal Sedan TK, 4 Dr. 6-91 F	401
Sedan TK 8-90	406
Limousine TK 8-90 L	406
1935—Series 8-40—Serial Nos. 2777650 to 2830898—Motor Nos. 4-2937408 to 4-2995237:	
Business Coupe 2-46	260
Sport Coupe 2 4-46 S	270
Conv. Coupe 2 4-46 C	273
Tour. Sedan, 2 Dr. 5-48	270
Sedan, 4 Dr. 5-47	270
Club Sedan 5-41	260

TABLE B—Continued

(2) BUICK—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series 8-50—Serial Nos. 2777650 to 2830898—Motor Nos. 2922072 to 2984413:	
Business Coupe 2—56	$267
Sport Coupe 2-4—56 S	271
Conv. Coupe 2-4—56 C	279
Victoria Coupe 5—58	271
Sedan, 4 Dr. 5—57	271
Series 8-60:	
Conv. Phaeton 6W 5—68 C	270
Sport Coupe 2-4—66 S	268
Conv. Coupe 2-4—66 C	270
Victoria Coupe 5—68	268
Sedan, 4 Dr. 5—67	273
Club Sedan 5—61	278
Series 8-90:	
Conv. Phaeton 6W 5—98 C	263
Sport Coupe 2-4—96 S	265
Conv. Coupe 2-4—96 C	243
Victoria Coupe 5—98	260
Sedan, 4 Dr. 5—97	275
Sedan, 4 Dr. 7—90	265
Club Sedan 5—91	270
Limousine 7—90 L	265

(3) CADILLAC

Model, serial number, body type and passenger capacity	*Base price*
1942—Series 8-61—Serial Nos. 5360001 to 5385237, 5386001 to 5386463:	
Club Coupe 5-6107	1,888
Sedan, 4 Dr. 5-6109	1,968
1942—Series 8-62—Serial Nos. 8380001 to 8384401, 8386001 to 838650:	
Club Coupe 5-6207	1,988
Deluxe Club Coupe 5-6207D	2,073
Sedan, 4 Dr. 5-6269	2,073
Deluxe Sedan, 4 Dr. 5-6269D	2,153
Club Conv. Coupe 5-6267D	2,322
1942—Series 8-63—Serial Nos. 7380001 to 7381500, 7386001 to 7386250:	
Sedan, 4 Dr. 5-6319	2,193
1942—Series 8-60—Fleetwood—Serial Nos. 6380001 to 6381500, 6386001 to 6386375—Special:	
Sedan, 4 Dr. 5-6069	2,751
Sedan (Div.), 4 Dr. 5-6069F	2,906
1942—Series 8-67—Serial Nos. 9380001 to 9380520, 9386001 to 9386180:	
Sedan 5-6719	3,061
Sedan (Div.) 5-6719F	3,236
Sedan 7-6723	3,216
Imperial Sedan 7-6733	3,371
1942—Series 8-75—Fleetwood—Serial Nos. 3380001 to 3381200, 3386001 to 3386327:	
Sedan 5-7519	3,411
Sedan (Div.) 5-7519F	3,566
Business Sedan 9-7523L	3,261
Imperial Business Sedan 9-7533L	3,446
Sedan 7-7523	3,571
Imperial Sedan 7-7533	3,711
Formal Sedan 5-7559	4,386
Formal Sedan 7-7533F	4,526
1941—Series V8—61—Serial Nos. 5340001 to 5369258:	
Coupe 5-6127	1,609
Deluxe Coupe 5-6127D	1,684
Tour. Sedan 5-6109	1,689
Deluxe Tour. Sedan 5-6109D	1,759
1941—Series V8—62—Serial Nos. 8340001 to 8364734:	
Coupe 4-6227	1,654
Deluxe Coupe 2-4—6227D	1,729
Deluxe Conv. Coupe 2-4—6267D	1,804
Tour Sedan 5-6219	1,724
Deluxe Tour Sedan 5-6219D	1,794
Deluxe Conv. Sedan 5-6223D	1,999
1941—Series V8-63—Serial Nos. 7340001 to 7345050:	
Tour Sedan 5-6319	1,824
1941—V8-60—Fleetwood—Serial Nos. 6340001 to 6344101—Special:	
Tour. Sedan 5—6019	2,064
Tour. Sedan (Div.) 6019F	2,139

TABLE B—Continued

(3) CADILLAC—continued

Model, serial number, body type and passenger capacity	*Base price*
1941—V8-67—Serial Nos. 9340001 to 9340922:	
Tour Sedan 5—6719	$2,289
Tour Sedan (Div.) 5—6719F	2,399
Tour Sedan 7—6723	2,389
Tour Imperial Sedan 7—6733	2,459
1941—Series V8-75—Fleetwood—Serial Nos. 3340001 to 3342104:	
Tour Sedan 5—7519	2,494
Tour Sedan (Div.) 5—7519F	2,574
Business Sedan 9—7523L	2,324
Business Imperial Sedan 9—7535L	2,434
Tour Sedan 7—7523	2,609
Tour Imperial Sedan 7—7533	2,774
Formal Sedan 5—7559	2,999
Formal Sedan 7—7533F	3,054
1940—Series V8-60S—Serial Nos. 6320001 to 6324600:	
Tour. Sedan, 4 Dr. 5—6019S	1,308
Tour. Sedan (Div.) 5—6019FS	1,353
Town Car 5—6053MB	1,676
Town Car 5—6053LB	1,686
1940—Series V8-62—Serial Nos 8320001 to 8325903:	
Coupe 2-4—6227	1,127
Conv. Coupe 2-4—6267	1,236
Tour. Sedan, 4 Dr. 5—6219	1,187
Conv. Sedan 5—6229	1,266
1940—Series V8-72—Fleetwood—Serial Nos. 7320001 to 7321525:	
Tour. Sedan, 4 Dr. 5—7219	1,452
Tour. Sedan (Div.) 5—7219F	1,477
Tour. Sedan 7—7223	1,502
Tour. Imperial Sedan 7233	1,557
Tour. Sedan 7—7223L	1,482
Tour. Imperial Sedan 7233L	1,522
Formal Sedan 5—7259	1,707
Formal Sedan 7—7233F	1,687
1940—Series V8-75—Fleetwood—Serial Nos. 3320001 to 3320956:	
Coupe 2-4—7557	1,742
Coupe 5—7557B	1,832
Conv. Coupe 2-4—7567	1,826
Tour. Sedan 5—7519	1,567
Tour. Sedan (Div.) 5—7519F	1,587
Town Sedan 5—7539	1,802
Conv. Sedan TK 5—7529	1,856
Formal Sedan TK 5—7559	1,867
Formal Sedan TK 7—7533F	1,882
Tour. Sedan 7—7523	1,587
Tour. Imperial Sedan 7—7533	1,662
Town Car TK 7—7653	1,912
1940—Series V16-90—Serial Nos. 5320001 to 5320061:	
Coupe 2-4—9057	1,947
Conv. Coupe 2-4—9067	2,066
Coupe 5—9057B	2,077
Tour. Sedan 5—9019	1,852
Tour. Sedan (Div.) 5—9019F	1,882
Town Sedan TK 5—9039	2,032
Tour. Sedan 7—9023	1,862
Tour. Imperial Sedan 7—9033	1,922
Formal Sedan TK 5—9059	2,142
Formal Sedan TK 7—9033F	2,032
Town Car TK 7—9053	2,192
Conv. Sedan TK 5—9029	2,146
1939—Series V8-61—Serial Nos. 8290001 to 8295904:	
Coupe 2-4—6127	864
Conv. Coupe 2-4—6167	950
Tour. Sedan 5—6119	899
Conv. Sedan, TK 5—6129	1,029
1939—Series V8-60S—Serial Nos. 6290001 to 6295506:	
Tour. Sedan 5-6019	1,054
1939—Series V8-75—Fleetwood—Serial Nos. 3290001 to 3292066:	
Coupe 2-4—7557	1,078
Coupe 5—7557B	1,093
Conv. Coupe 2-4—7567	1,154
Tour. Sedan 5—7519	1,058
Tour. Sedan (Div.) 5—7519F	1,103

TABLE B—Continued

(3) CADILLAC—continued

Model, serial number, body type and passenger capacity	*Base price*
1939—Series V8—Continued.	
Town Sedan TK 5—7539	$1,148
Conv. Sedan TK 5—7529	1,294
Formal Sedan TK 5—7559	1,273
Formal Sedan TK 7—7533F	1,278
Tour. Sedan 7—7523	1,103
Tour. Imperial Sedan 7—7533	1,113
Business Tour. Sedan 7—7523L	1,098
Tour. Imperial Sedan 8—7533L	1,123
Town Car TK 7—7533	1,493
1939—Series V16-90—Fleetwood—Serial Nos. 5290001 to 5290155:	
Coupe 2-4—9057	1,288
Conv. Coupe 2-4—9067	1,389
Coupe 5—9057B	1,343
Tour. Sedan 5—9019	1,298
Town Sedan TK 5—9039	1,363
Conv. Sedan TK 5—9029	1,414
Tour. Sedan (Div.) 5—9019F	1,258
Tour. Sedan 7—9023	1,243
Tour. Imperial Sedan 9033	1,363
Formal Sedan TK 5—9059	1,408
Formal Sedan TK 7—9033F	1,423
Town Car TK 7—9053	1,618
1938—Series V8-60—Serial Nos. 6270001 to 6272052:	
Coupe 2—6127	692
Conv. Coupe 2—6167	744
Tour. Sedan 5—6119	712
Conv. Sedan 5—6149	774
1938—Series V8-60—Special—Serial Nos. 6270001 to 6273704:	
Tour. Sedan 5—6019S	842
1938—Series V8-65—Serial Nos 7270001 to 7271476:	
Tour. Sedan 5—6519	766
Tour. Sedan (Div.) 5—6519F	791
Conv. Sedan 5—6549	838
1938—Series V8-75—Fleetwood—Serial Nos. 3270001 to 3271911:	
Coupe 2—7557	826
Coupe 2—7557B	886
Conv. Coupe 2—7567	883
Tour. Sedan 5—7519	831
Tour. Sedan (Div.) 5—7519F	866
Town Sedan 5—7539	926
Conv. Sedan TK 5—7529	1,003
Formal Sedan 5—7559	991
Formal Sedan 7—7533F	931
Tour. Sedan 7—7523	841
Tour. Imperial Sedan 7—7533	881
Tour. Sedan 8—7523L	816
Tour. Imperial Sedan 8—7533L	841
Town Car 7—7553	981
1938 — Series V16-90 — Fleetwood — Serial Nos. 5270001 to 5270315:	
Coupe 2—9057	771
Conv. Coupe 2—9067	833
Coupe 5—9057B	826
Tour. Sedan 5—9019	771
Town Sedan 5—9039	831
Conv. Sedan, TK 5—9029	883
Tour. Sedan (Div.) 5—9019F	796
Tour. Sedan 7—9023	801
Tour. Imperial Sedan 7—9033	831
Formal Sedan 5—9059	896
Formal Sedan TK 7—9033F	906
Town Car 7—9053	976
1937—Series V8-60—Serial Nos. 6030001 to 6037003:	
Coupe 2—6027	498
Conv. Coupe 2—6067	541
Tour. Sedan 5—6019	518
Conv. Sedan 5—6049	561
Club Coupe	508
1937—Series V8-65—Serial Nos. 7030001 to 7032406.	
Tour. Sedan 6519	546
1937—Series V8-70—Fleetwood—Serial Nos. 3130001 to 3134232:	
Sport Coupe 2—7057	546
Conv. Coupe 2—7067	578
Tour. Sedan 5—7019	546
Conv. Sedan 5—7029	593

TABLE B—Continued

(3) CADILLAC—continued

Model, serial number, body type and passenger capacity	*Base price*
1937—Series V8-75—Fleetwood—Serial Nos. 3130001 to 3134232:	
Tour. Sedan 5—7519	$531
Town Sedan 5—7539	591
Conv. Sedan 5—7529	608
Formal Sedan 5—7509F	631
Special Tour. Sedan 7—7523S	526
Special Tour. Imperial Sedan 7—7533S	551
Tour. Sedan 7—7523	546
Tour. Imperial Sedan 7—7533	561
Business Tour. Sedan 8—7523SL	516
Bus. Imperial Tour. Sedan 8—7533SL	536
Town Car 7—7543	601
1937—Series V12-85—Fleetwood—Serial Nos. 4130001 to 4130478:	
Tour. Sedan 5-8519	521
Town Sedan 5-8539	581
Conv. Sedan 5-8529	598
Formal Sedan 5-8509F	601
Tour. Sedan 7-8523	536
Tour. Imperial Sedan 7-8533	546
Town Car 7-8543	581
1937—Series V16-90—Fleetwood—Serial Nos. 5130301 to 5130350:	
Coupe 2-5876	551
Conv. Coupe 2-5899	603
Conv. Coupe 5	643
Town Sedan 5-5833S	551
Conv. Sedan 5-5880	638
Sedan 7-5875S	516
Limousine 7-5875	536
Imperial Cabriolet 5-5875FL	581
Town Cabriolet 5	601
Imperial Cabriolet 7-5875FL	601
Town Cabriolet 7-5825	611
Limousine Brougham 7	616
1936—Series V8-60—Serial Nos. 6010001 to 6016713:	
Coupe 2-6077	402
Conv. Coupe 2-4-6067	430
Tour. Sedan 5-6019	417
1936—Series V8-70—Fleetwood—Serial Nos. 3110001 to 3115249:	
Coupe 2-7057	417
Conv. Coupe 2-4-7067	424
Tour. Sedan 5-7019	417
Conv. Sedan 5-7029	444
1936—Series V8-75—Fleetwood—Serial Nos. 3110001 to 3115249:	
Sedan 5-7509	417
Tour. Sedan 5-7519	427
Conv. Sedan 5-7529	464
Formal Sedan 5-7519F	457
Town Sedan 5-7539	451
Sedan 7-7503	432
Tour. Sedan 7-7523	442
Imperial Sedan 7-7513	442
Imperial Tour. Sedan 7-7533	447
Town Car 7-7543	437
1936—Series V12-80—Fleetwood—Serial Nos. 4110001 to 4110901:	
Coupe 2-8057	367
Conv. Coupe 2-4-8067	379
Tour. Sedan 5-8019	377
Conv. Sedan 5-8029	409
1936—Series V12-85—Fleetwood—Serial Nos. 4110001 to 4110901:	
Sedan 5-8509	392
Tour. Sedan 5-8519	397
Conv. Sedan 5-8529	419
Formal Sedan 5-8519F	417
Town Sedan 5-8539	397
Sedan 7-8503	402
Tour. Sedan 7-8523	407
Imperial Sedan 7-8513	412
Imperial Tour. Sedan 7-8533	413
Town Car 7-8543	402
1936 — Series V16-90 — Serial Nos. 5110201 to 5110252:	
Conv. Sedan 5-5880	399
Town Sedan 5-5833S	367
Sedan 7-5875S	377
Limousine 7-5875	372
Imperial Cabriolet 7-5875FL	372
Town Cabriolet 7-5825	392

TABLE B—Continued

(3) CADILLAC—continued

Model, serial number, body type and passenger capacity	*Base price*
1935 — Series V8-355E — Serial Nos. 3105001 to 3108318 Series 10—Fisher:	
Coupe 2-4-728	$255
Conv. Coupe 2-4-718	288
Conv. Sedan 5-721	293
Town Coupe 5-722	275
Sedan 5-709	270
Town Sedan 5-702	285
Series 20—Fisher:	
Coupe 2-4-678	267
Conv. Coupe 2-4-668	275
Sedan 5-659	277
Town Sedan 5-652	287
Sedan 7-662	302
Imperial Sedan 7-663	292
Conv. Sedan 5-671	290
Series 30—Fleetwood—Straight Windshield:	
Sedan 5—6030S	282
Town Sedan 5—6033S	297
Sedan 7—6075S	302
Limousine 7—6075	307
Imperial Cabriolet 5—6030FL	297
Imperial Cabriolet 7—6075FL	302
With "V" Windshield:	
Coupe 4—5676	317
Conv. Coupe 4—5635	320
Special Sedan 5—5630S	312
Special Town Sedan 5—5633S	317
Conv. Sedan Imperial 5—5680	330
Special Sedan 7—5675S	307
Special Limousine 7—5675	312
Town Cabriolet 5—5612	322
Town Cabriolet 7—5625	322
Special Imperial Cabriolet 5—5630FL	302
Special Imperial Cabriolet 7—5675FL	297
Limousine Brougham 7—5691	327
1935 —Series V12-370E—Serial Nos. 4100701 to 4101098 Series 40—Fleetwood—Straight Windshield:	
Sedan 5—6130S	277
Town Sedan 5—6133S	292
Sedan 7—6175S	287
Limousine 7—6175	287
Imperial Cabriolet 5—6130FL	287
Imperial Cabriolet 7—6175FL	287
With "V" Windshield:	
Coupe 4—5776	292
Conv. Coupe 4—5735	305
Special Sedan 5—5730S	297
Special Town Sedan 5—5733S	292
Conv. Sedan Imperial 5—5780	310
Special Sedan 7—5775S	302
Special Limousine 7—5775	292
Town Cabriolet 5—5712	307
Town Cabriolet 7—5725	312
Special Imperial Cabriolet 5—5730FL	307
Special Imperial Cabriolet 7—5775FL	297
Limousine Brougham 7—5791	297
1935—Series V16-452E—Serial Nos. 5100101 to 5100150 Series 60—Fleetwood—Straight Windshield:	
Sedan 5—6230S	277
Town Sedan 5—6233S	292
Sedan 7—6275S	287
Limousine 7—6275	277
Imperial Cabriolet 5—6230FL	272
Imperial Cabriolet 7—6275FL	272
With "V" Windshield:	
Coupe 4—5876	292
Conv. Coupe 4—5835	305
Special Sedan 5—5830S	282
Special Town Sedan 5—5833S	297
Conv. Sedan Imperial 5—5880	300
Special Sedan 7—5875S	292
Special Limousine 7—5875	277
Town Cabriolet 5—812	292
Town Cabriolet 7—5825	282
Special Imperial Cabriolet 5—5830FL	287
Special Imperial Cabriolet 7—5875FL	277
Limousine Brougham 7—5891	287

(4) CHEVROLET

1942—Series 6-BG—Stylemaster—Serial Nos. BG-1001 to 13310—Motor Nos. 2 AA-1001 and up, BA-1001 and up, 2 AC-1001 and up:	

TABLE B—Continued

(4) CHEVROLET—continued

Model, serial number, body type and passenger capacity	*Base price*
1942—Series 6-BG—Continued.	
Coupe 2	$1,126
Coupe 5	1,151
Town Sedan, 2 dr. 6	1,166
Sport Sedan, 4 dr. 6	1,206
1942—Series 6-BH—Fleetmaster—Serial Nos. BH-1001 to 27530—Motor Nos. 2 AA-1001 and up, BA-1001 and up, 2 AC-1001 and up:	
Coupe 2	1,181
Coupe 5	1,216
Cabriolet 5	1,456
Town Sedan, 2 dr. 6	1,226
Sport Sedan, 4 dr. 6	1,266
Station Wagon 8	1,488
Fleetline Aero Sedan 6	1,246
Sportmaster 6	1,291
1941—Series 6-AG—Master Deluxe—Serial Nos. AG-1001 to 62708 Motor Nos. AA-1001 to 1163729, AC-1001 to 195459:	
Business Coupe 2	998
Coupe 5	1,028
Town Sedan, 2 dr. 5	1,033
Sport Sedan, 4 dr. 5	1,068
1941—Series 6-AH—Special Deluxe—Serial Nos. AH-1001 to 92374—Motor Nos. AA-1001 to 1163729, AC-1001 to 195459:	
Business Coupe 2	1,033
Coupe 5	1,058
Cabriolet 5	1,163
Town Sedan 2 dr. 5	1,073
Sport Sedan 4 dr. 5	1,103
Fleetline Sedan 4 dr. 5	1,128
Station Wagon 8	1,192
1940—Series 6-KB-85—Master—Serial Nos. KB-1001 to 20946—Motor Nos. 2697268 to 3665902, B-105462 to 221935:	
Business Coupe 2	794
Town Sedan TK, 2 dr. 5	824
Sport Sedan TK, 4 dr. 5	854
Station Wagon 8	925
1940—Series 6-KH—Master Deluxe—Serial Nos. KH-1001 to 37644—Motor Nos. 2697268 to 3665902, B-105462 to 221935:	
Business Coupe 2	829
Town Sedan TK, 2 dr. 5	849
Sport Sedan TK, 4 dr. 5	869
Sport Coupe F/W 4	869
1940—Series 6-KA—Special Deluxe—Serial Nos. KA-1001 to 72089, 2697268 to 3665902, B-105462 to 221935:	
Business Coupe 2	844
Sport Coupe F/W 4	874
Conv. Cabriolet F/W 4	950
Town Sedan TK, 2 dr. 5	879
Sport Sedan TK, 4 dr. 5	894
Station Wagon 8	973
1939—Series 6-JB-85—Master—Serial Nos. JB-1001 to 33221—Motor Nos. 1915447 to 2697267, B-10503 to 105461:	
Coupe 2	668
Coach 5	678
Town Sedan TK 2 dr. 5	688
Sedan, 4 dr. 5	698
Sport Sedan TK, 4 dr. 5	708
Station Wagon	761
1939—Series 6-JA—Master Deluxe—Serial Nos. JA-1001 to 58510—Motor Nos. 1915447 to 2697267:	
Business Coupe 2	713
Sport Coupe 4	728
Coach 5	718
Town Sedan TK, 2 dr. 5	728
Sedan 4 dr. 5	728
Sport Sedan TK, 4 dr. 5	743
Station Wagon	791
1938—Series 6-HB-Master—Serial Nos. HB-1001 and up—Motor Nos. 1187822 to 1915447:	
Coupe 2	569
Cabriolet 4	604

TABLE B—Continued

(4) CHEVROLET—continued

Model, serial number, body type and passenger capacity	*Base price*
1938—Series 6-HB—Continued.	
Coach 5	$569
Town Sedan TK, 2 Dr. 5	589
Sedan 4 Dr. 5	589
Sport Sedan TK 5	599
1938—Series 6-HA-Master Deluxe—Serial Nos. HA-1001 and up—Motor Nos. 1187822 to 1915447:	
Coupe 2	594
Sport Coupe 4	604
Coach 5	589
Town Sedan TK, 2 Dr. 5	604
Sedan, 4 Dr. 5	604
Sport Sedan TK 5	614
1937—Series 6-GB-Master—Serial Nos. GB-1001 and up—Motor Nos 1 to 1187821:	
Coupe 2	471
Cabriolet 2-4	496
Coach 5	476
Town Sedan TK, 2 Dr. 5	486
Sedan, 4 Dr. 5	486
Sport Sedan TK 5	496
1937—Series 6-GA-Master Deluxe—Serial Nos. GA-1001 and up—Motor Nos. 1 to 1187821:	
Coupe 2	491
Sport Coupe 2-4	496
Coach 5	491
Town Sedan TK, 2 Dr. 5	501
Sedan 4 Dr. 5	506
Sport Sedan TK 5	516
1936—Series 6-FC-Standard—Serial Nos. FC-1001 and up—Motor Nos. M-5500179 to M-6784512:	
Coupe 2	353
Cabriolet 2-4	373
Coach 5	348
Sedan 5	368
Town Sedan 5	363
Sport Sedan 5	378
1936—Series 6-FD-Master Deluxe—Serial Nos. FD-1001 and up—Motor Nos. 5500179 to 6784512:	
Coupe 2	368
Sport Coupe 2-4	378
Coach 5	373
Sedan 5	383
Town Sedan 5	383
Sport Sedan 5	398
1936—Series 6-FA-Master Deluxe—Serial Nos. FA-1001 and up—Motor Nos. 5500179 to 6784512:	
Coupe 2	373
Sport Coupe 2-4	383
Coach 5	383
Sedan 5	388
Town Sedan 5	393
Sport Sedan 5	403
1935—Series 6-EC-Standard—Serial Nos. EC-1001 and up—Motor Nos. M-4708995 to M-5500178:	
Sport Roadster 2-4	232
Phaeton 5	217
Coupe 2	252
Coach 5	252
Sedan 5	267
1935—Series 6-ED-Master Deluxe—Serial Nos. ED-1001 and up—Motor Nos. 4708995 to 5500178:	
Coupe 2	285
Sport Coupe 2-4	290
Coach 5	280
Town Sedan 5	290
Sedan 5	295
Sport Sedan 5	305
1935—Series 6-EA-Master Deluxe—Serial Nos. EA-1001 and up—Motor Nos. 4708995 to 5500178:	
Coupe 2	290
Sport Coupe 2-4	295
Coach 5	285
Sedan 5	305
Town Sedan 5	295
Sport Sedan 5	310

TABLE B—Continued

(5) CHRYSLER

Model, serial number, body type and passenger capacity	*Base price*
1942—Series 6-C34—Royal—Serial Nos. 70001001 to 70010179, Motor Nos. C34-1001 to 23920:	
Coupe 3	$1,441
Club Coupe 6	1,536
Brougham 6	1,521
Sedan 6	1,546
Town Sedan 6	1,586
Sedan 8	1,946
Limousine 8	2,021
1942—Series 6-C34—Windsor—Serial Nos. 70501001 to 70514481, Motor Nos. C34-1001 to 23922:	
Coupe 3	1,501
Club Coupe 6	1,601
Conv. Coupe 6	1,790
Brougham 6	1,596
Sedan 6	1,626
Town Sedan 6	1,671
Town and Country Wagon 6	1,996
Town and Country Wagon 9	2,091
Sedan 8	2,023
Limousine 8	2,108
1942—Series 8-C36—Saratoga—Serial Nos. 6762501 to 6764094, Motor Nos. C36-1001 to 13516:	
Coupe 3	1,716
Club Coupe 6	1,776
Brougham 6	1,761
Sedan 6	1,816
Town Sedan 6	1,866
1942—Series 8-C36—New Yorker—Serial Nos. 6674201 to 6684754, Motor Nos. C36-1001 to 13526:	
Coupe 3	1,781
Club Coupe 6	1,846
Conv. Coupe 6	2,050
Brougham 6	1,836
Sedan 6	1,891
Town Sedan 6	1,936
1942—Series 8-C37—Crown Imperial—Serial Nos. 7808401 to 7808844, Motor Nos. C37-1001 to 1457:	
Sedan 6	3,043
Sedan 8	3,133
Limousine 8	3,273
1941—Series 6-C28—Royal—Serial Nos. 7657501 to 7736429, Motor Nos. C28-1001 to 135725:	
Coupe 3	1,174
Club Coupe 6	1,254
Luxury Brougham 6	1,229
Sedan 6	1,259
Town Sedan 6	1,304
Sedan 8	1,379
Limousine 8	1,419
1941—Series 6-C28—Windsor—Serial Nos. 7901601 to 7957099, Motor Nos. C28-1001 to 135725:	
Coupe 3	1,204
Club Coupe 6	1,269
Conv. Coupe 6	1,290
Luxury Brougham 6	1,264
Sedan 4 Dr. 6	1,304
Town Sedan 6	1,329
Town and Country Wagon 6	1,499
Town and Country Wagon 9	1,569
Sedan 8	1,428
Limousine 8	1,478
1941—Series 6-C28—Highlander—Add $35 to the Prices shown for the Windsor.	
1941—Series 8-C30—Saratoga—Serial Nos. 676501. to 6762251 Motor Nos. C30-1001 to 25734:	
Coupe 3	1,332
Club Coupe 6	1,367
Luxury Brougham 6	1,352
Sedan 6	1,382
Town Sedan 6	1,412
1941—Series 8-C30—New Yorker—Serial Nos. 6624101 to 6642655—Motor Nos. C30-1001 to 25734:	
Coupe 3	1,367
Club Coupe 6	1,407
Conv. Coupe 6	1,514

TABLE B—Continued

(5) CHRYSLER—continued

Model, serial number, body type and passenger capacity	*Base price*
1941—Series 8-C30—Continued.	
Luxury Brougham 6	$1,407
Sedan 6	1,427
Town Sedan 6	1,432
1941—Series 8-C30—Highlander: Add $35 to the prices shown for the New Yorker.	
1941—Series 8-C30—Crown Imperial—Serial Nos. 6624101 to 6642655—Motor Nos. C33-1001 to 1735:	
Special Town Sedan 6	1,653
1941—Series 8-C33—Crown Imperial—Serial Nos 7807501 to 7808214—Motor Nos. C33-1001 to 1735:	
Sedan 6	2,053
Sedan 8	2,118
Limousine 8	2,173
1940—Series 6-C25—Royal—Serial Nos. 7625001 to 7657487—Motor Nos. C25-1001 to 70147:	
Coupe 3	906
Coupe 6	951
Victoria Sedan 6	956
Sedan 6	976
Sedan 8	1,056
Limousine 8	1,066
1940—Series 6-C25—Windsor—Serial Nos. 6955201 to 6993727—Motor Nos. C25-1001 to 72067:	
Coupe 3	836
Coupe 6	876
Conv. Coupe 6	1,063
Victoria Sedan 6	976
Sedan 6	1,001
Sedan 8	1,097
Limousine 8	1,097
1940—Series 6-C25—Highlander: Add $25 to the prices shown for the Windsor.	
1940—Series 8-C26—Traveler—Serial Nos. 6750101 to 6756417—Motor Nos. C26-1001 to 13753:	
Coupe 3	963
Coupe 6	1,003
Victoria Sedan 6	998
Sedan 6	1,023
1940—Series 8-C26—New Yorker—Serial Nos. 6613401 to 6624087—Motor Nos. C26-1001 to 18761:	
Coupe 3	993
Coupe 6	1,028
Conv. Coupe 6	1,090
Victoria Sedan 6	1,023
Sedan 6	1,043
Special Formal Sedan 6	1,063
1940—Series 8-C26—Highlander: Add $25 to the prices shown for the New Yorker.	
1940—Series 8-C26—Saratoga—Serial Nos. 6673501 to 6674100—Motor Nos. C26-1001 to 18700:	
Sedan 6	1,073
Special Formal Sedan 6	1,113
1940—Series 8-C27—Crown Imperial—Serial Nos. 7806551 to 7807401—Motor Nos. C27-1001 to 1875:	
Sedan 6	1,292
Sedan 8	1,332
Limousine 8	1,337
1939—Series 6-C22—Royal—Serial Nos. 7574001 to 7624876—Motor Nos. C22-1001 to 58748:	
Coupe 2	730
Victoria Coupe 4	760
Brougham 5	755
Sedan 5	780
Sedan 7	812
Limousine Sedan 7	817
1939—Series 6-C22—Royal Windsor—Serial Nos. 6948301 to 6954947—Motor Nos. C22-1001 to 58748:	
Coupe 2	745
Victoria Coupe 4	780
Club Coupe 5	815
Sedan 5	800

TABLE B—Continued

(5) CHRYSLER—continued

Model, serial number, body type and passenger capacity	*Base price*
1939—Series 8-C23—Imperial—Serial Nos. 6742201 to 6750055—Motor Nos. C23-1001 to 13107:	
Coupe 2	$735
Victoria Coupe 4	760
Brougham 5	760
Sedan 5	780
1939—Series 8-C23—New Yorker—Serial Nos. 6609901 to 6613333—Motor Nos. C23-1001 to 13107:	
Coupe 2	750
Victoria Coupe 4	770
Club Coupe 5	815
Sedan 5	795
1939—Series 8-C23—Saratoga—Serial Nos. 6672701 to 6673414—Motor Nos. C23-1001 to 13107:	
Club Coupe 5	830
Sedan 5	810
1939—Series 8-C24—Custom Imperial—Serial Nos. 7806201 to 7806507—Motor Nos. C24-1001 to 1322:	
Sedan 5	902
Sedan 7	897
Sedan Limousine 7	897
1938—Series 6-C18—Royal—Serial Nos. 7532801 to 7573257—Motor Nos. C18-1001 to 43001:	
Business Coupe 2	581
Coupe 2 to 4	591
Conv. Coupe 2 to 4	626
Brougham Comp. 5	576
Tour. Brougham TK 5	591
Sedan Comp. 5	596
Tour. Sedan TK 5	606
Conv. Sedan TK 5	643
Sedan TK 7	610
Sedan Limousine TK 7	615
1938—Series 8-C19—Imperial—Serial Nos. 6734001 to 6742105—Motor Nos. C19-1001 to 9172:	
Business Coupe 2	575
Coupe 2 to 4	585
Conv. Coupe 2 to 4	625
Tour. Brougham TK 5	585
Tour. Sedan TK 5	605
Conv. Sedan TK 5	640
1938—Series 8-C19—New York Special—Serial Nos. 6607901 to 6609802—Motor Nos. C19-1001 to 9172:	
Business Coupe 2	600
Sedan TK 5	630
1938—Series 8-C20—Custom Imperial—Serial Nos. 7805501 to 7806033—Motor Nos. C20-1001 to 3525:	
Sedan TK 5	635
Sedan TK 7	625
Sedan Limousine TK 7	620
1937—Series 6-C16—Royal—Serial Nos. 6865101 to 6948225—Motor Nos. C16-1001 to 88646:	
Business Coupe 2	460
Coupe 2 to 4	465
Conv. Coupe 2 to 4	502
Brougham Comp. 5	460
Tour. Brougham TK 5	475
Sedan Comp. 5	480
Tour. Sedan TK 5	490
Conv. Sedan TK 5	530
Sedan TK 7	509
Sedan Limousine TK 7	494
1937—Series 8-C14—Imperial—Serial Nos. 6719601 to 6733606—Motor Nos. C14-1001 to 15572:	
Business Coupe 2	457
Coupe 2 to 4	467
Conv. Coupe 2 to 4	488
Tour. Brougham TK 5	472
Tour. Sedan TK 5	482
Conv. Sedan TK 5	512
1937—Series 8-C17—Airflow—Serial Nos. 7019401 to 7024000—Motor Nos. C17-1001 to 5618:	
Coupe 6	505
Sedan TK 6	510

TABLE B—Continued

(5) CHRYSLER—continued

Model, serial number, body type and passenger capacity	*Base price*
1937—Series 8-C15—Custom Imperial—Serial Nos. 7804001 to 7805201—Motor Nos. C15-1001 to 2237:	
Sedan TK 5	$489
Sedan TK 7	479
Sedan Limousine TK 7	479
1936—Series 6-C7—Airstream—Serial Nos. 6823301 to 6865003—Motor Nos. C7-1001 to 44530:	
Business Coupe 2	362
Coupe 2-4	367
Conv. Coupe 2-4	389
Tour. Brougham, 2 Dr. 5	372
Conv. Sedan 5	397
Tour. Sedan, 4 Dr. 5	382
1936—Series 8-C8—Airstream Deluxe—Serial Nos. 6710501 to 6719499—Motor Nos. C8-1001 to 10554:	
Business Coupe 2	357
Coupe 2-4	362
Conv. Coupe 2-4	384
Tour. Brougham, 2 Dr. 5	367
Conv. Sedan, 4 Dr. 5	389
Tour. Sedan, 4 Dr. 5	377
Traveler Sedan 5	378
Sedan 7	383
Sedan Limousine 7	383
Town Sedan 7	413
1936—Series 8-C9—Airflow—Serial Nos. 6606201 to 6607879—Motor Nos. C9-1001 to 2852:	
Coupe 6	379
Sedan 6	389
1936—Series 8-C10—Airflow Imperial—Serial Nos. 7014901 to 7019398—Motor Nos. C10-1001 to 5536:	
Coupe 6	389
Sedan 6	399
1936—Series 8-C11—Airflow Custom Imperial—Serial Nos. 7803851 to 7803825—Motor Nos. C11-1001 to 1075:	
Sedan 5	403
Sedan Limousine 7	398
1935—Series 6-C6—Airstream—Serial Nos. 6800001 to 6823300—Motor Nos. C6-1001 to 25519:	
Business Coupe 2	266
Coupe 2-4	271
Conv. Coupe 2-4	289
Tour. Brougham, 2 Dr. 5	276
Sedan 5	276
Tour. Sedan, 4 Dr. 5	286
1935—Series 8-CZ—Airstream—Serial Nos. 6701501 to 6710500—Motor Nos. CZ-1001 to 6710500:	
Business Coupe 2	266
Coupe 24	271
Tour. Brougham, 2 Dr. 5	276
Sedan 5	276
Tour. Sedan, 4 Dr. 5	281
1935—Series 8-CZ—Airstream Deluxe—Serial Nos. 6707677 to 6710500—Motor Nos. CZ-1001 to 10341:	
Business Coupe 2	276
Coupe 2-4	276
Conv. Coupe 2-4	269
Tour. Brougham, 2 Dr. 5	286
Sedan, 4 Dr. 5	291
Tour. Sedan, 4 Dr. 5	301
Sedan 5 (Traveler)	296
Sedan 7	296
1935—Series 8-C1—Airflow—Serial Nos. 6601201 to 6606200—Motor Nos. C1-1001 to 6037:	
Business Coupe 2	278
Coupe 6	303
Sedan 6	303
1935—Series 8-C2—Airflow Imperial—Serial Nos. 7012301 to 7014900—Motor Nos. C2-1001 to 3632:	
Coupe 6	303
Sedan 6	313

TABLE B—Continued

(5) CHRYSLER—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series 8-C3—Airflow Custom Imperial—Serial Nos. 7528551 to 7528675—Motor Nos. C3-1001 to 1135:	
Sedan 6	$326
Town Sedan 6	331
Sedan Limousine 8	326
Town Sedan Limousine 8	321
1935—Series 8-CW—Airflow Custom Imperial—Serial Nos. 7803799 to 7803835—Motor Nos. CW-1049 to 1080:	
Sedan 8	331
Town Sedan 8	326
Sedan Limousine 8	316
Town Sedan Limousine 8	316

(6) CROSLEY

1942—Series 2-CB-42—Serial Nos. CB-42-32000 to 35050:	
Conv. Coupe 4	551
Conv. Sedan 4	606
Deluxe Sedan 4	672
Station Wagon 4	747
1941—Series 2-CB-41—Serial Nos. 390-30000 to 31999:	
Conv. Coupe 2	359
Standard Conv. Sedan 4	409
Deluxe Conv. Coupe 4	419
Covered Wagon 4	465
Station Wagon 4	515
1940—Series 2-2A—Serial Nos. 390-20000 to 29999:	
Conv. Coupe 2	292
Standard Sedan 4	336
Deluxe Sedan 4	351
Covered Wagon 4	369
Station Wagon 4	399
Conv. Sedan Coupe 4	307
Station Wagon 2	394
1939—Series 2-2—Serial Nos. 390-10000 to 19999:	
Conv. Coupe 2	238
Conv. Sedan 4	248

(7) DE SOTO[1]

1942—Series 6-S10—Deluxe — Serial Nos. 6142001 to 6153101—Motor Nos. S10-1001 to 25551:	
Business Coupe 2	1,384
Coupe 6	1,469
Sedan, 2 Dr. 5	1,454
Sedan, 4 Dr. 5	1,484
Town Sedan 5	1,529
Sedan 7	1,614
1942—Series 6-S10—Custom — Serial Nos. 5771001 to 5783503—Motor Nos. S10-1001 to 25551:	
Coupe 2	1,424
Club Coupe 5	1,524
Conv. Coupe 5	1,697
Brougham 5	1,524
Sedan, 4 Dr. 5	1,534
Town Sedan 5	1,579
Sedan 7	1,869
Limousine 7	1,914
1941—Series 6-S8—Deluxe—Serial Nos. 6096001 to 6141720—Motor Nos. S8-1001 to 100247:	
Business Coupe 2	1,148
Coupe 5	1,228
Sedan, 2 Dr. 5	1,198
Sedan, 4 Dr. 5	1,238
Sedan 7	1,402
1941—Series 6-S8—Custom—Serial Nos. 5720401 to 5770981—Motor Nos. S8-1001 to 100247:	
Coupe 2	1,183
Club Coupe 5	1,278
Conv. Coupe 5	1,373
Brougham, 2 Dr. 5	1,253
Sedan, 4 Dr. 5	1,278

[1] The basic price for any De Soto the serial number of which bears the prefix "SP" shall be that of the most comparable model of Plymouth.

TABLE B—Continued

(7) DE SOTO—continued

Model, serial number, body type and passenger capacity	*Base price*
1941—Series 6-S8-Custom—Continued.	
Town Sedan 5	$1,313
Sedan 7	1,422
Limousine 7	1,492
1940—Series 6-S7—Deluxe—Serial Nos. 6064201 to 6095928—Motor Nos. S7-1001 to 67427:	
Business Coupe 2	913
Coupe A/S 2-4	958
Tour. Sedan, 2 Dr. 5	943
Tour. Sedan, 4 Dr. 5	993
Tour. Sedan 7	1,040
1940—Series 6-S7—Custom—Serial Nos. 5688001 to 5720329—Motor Nos. S7-1001 to 67427:	
Coupe 2	933
Coupe A/S 2-4	988
Conv. Coupe 4	1,064
Tour. Sedan, 2 Dr. 5	988
Tour. Sedan, 4 Dr. 5	1,008
Tour. Sedan 7	1,050
Limousine	1,088
1939—Series 6-S6—Deluxe—Serial Nos. 5634001 to 5687134—Motor Nos. S6-1001-55461:	
Business Coupe 2	757
Coupe A/S 2-4	787
Tour. Sedan, 2 Dr. 5	777
Tour. Sedan, 4 Dr. 5	807
Tour. Sedan 7	835
Limousine-Sedan 7	835
1939—Series 6-S6—Custom—Serial Nos. 5634001 to 5687134—Motor Nos. S6-1001 to 55461:	
Coupe 2	722
Coupe A/S 2-4	802
Club Coupe 4	842
Tour. Sedan, 2 Dr. 5	807
Tour. Sedan, 4 Dr. 5	827
Tour. Sedan 7	840
Limousine-Sedan 7	850
1938—Series 6-S5—Serial Nos. 5598301 to 5632912—Motor Nos. S5-1001 to 39664:	
Business Coupe 3	581
Conv. Coupe 3-5	616
Tour. Brougham TK, 2 Dr. 6	598
Sedan Comp., 4 Dr. 6	601
Tour. Sedan TK, 4 Dr. 6	611
Conv. Sedan TK 5	636
Sedan TK 7	626
Limousine Sedan 7	626
1937—Series 6-S3—Serial Nos. 5517301 to 5597700—Motor Nos. S3-1001 to 77230:	
Business Coupe 3	462
Coupe 3-5	467
Conv. Coupe 3-5	488
Brougham Comp., 2 Dr. 6	472
Tour. Brougham TK, 4 Dr. 6	477
Sedan Comp., 4 Dr. 6	462
Tour. Sedan TK, 4 Dr. 6	492
Conv. Sedan TK 5	493
Sedan TK 7	504
Limousine Sedan 7	509
1936—Series 6-S1—Deluxe Airstream—Serial Nos. 6043701 to 6061693—Motor Nos. S1-1001 to 39756:	
Business Coupe 2	348
Tour. Brougham 5	353
Tour. Sedan 5	363
1936—Series 6-S1—Custom Airstream—Serial Nos. 5500001 to 5517216—Motor Nos. S1-1001 to 39756:	
Business Coupe 2	348
Coupe 2-4	353
Conv. Coupe 2-4	375
Tour. Brougham 5	363
Tour. Sedan 5	378
Conv. Sedan 5	380
Traveler Sedan 5	383
Sedan 7	378
1936—Series 6-S2—Airflow III—Serial Nos. 5089001 to 5093971—Motor Nos. S2-1001 to 6038:	
Coupe 5	372
Sedan 6	392

TABLE B—Continued

(7) DE SOTO—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series 6-SF—Airstream—Serial Nos. 6023501 to 6043679—Motor Nos. SF-1001 to 21874:	
Business Coupe 2	$261
Coupe 2-4	266
Conv. Coupe 2-4	274
Sedan, 2 Dr. 5	261
Tour. Sedan, 2 Dr. 5	271
Sedan 5	276
Tour. Sedan 5	286
1935 — Series 6-SG — Airflow — Serial Nos. 5082201 to 5088967—Motor Nos. SG-1001 to 7843:	
Business Coupe 3	266
Coupe 5	271
Sedan 6	281
Town Sedan 6	288

(8) DODGE[1]

1942 — Series 6-D22 — Serial Nos. 30577001 and up—Motor Nos. D22-1001 and up:	
Deluxe:	
Coupe 3	1,263
Club Coupe 6	1,368
Sedan, 2 Dr. 6	1,328
Sedan, 4 Dr. 6	1,368
Custom:	
Club Coupe 6	1,423
Conv. Coupe 5	1,621
Brougham 6	1,378
Sedan, 4 Dr. 6	1,423
Town Sedan 6	1,483
Sedan 7	1,822
Limousine 7	1,887
1941 — Series 6-D19 — Serial Nos. 30342401 and up—Motor Nos. D19-1001 and up:	
Deluxe:	
Coupe 2	1,096
Sedan, 2 Dr. 6	1,136
Sedan, 4 Dr. 6	1,171
Custom:	
Club Coupe 6	1,216
Conv. Coupe 5	1,315
Brougham, 2 Dr. 6	1,176
Sedan, 4 Dr. 6	1,221
Town Sedan 6	1,261
Sedan 7	1,355
Limousine 7	1,370
1940—Series 6-D17—Serial Nos. 4349001 to 4415505—Motor Nos. D14-1001 to 193835:	
Special:	
Coupe 2	862
Sedan, 2 Dr. 5	892
Sedan, 4 Dr. 5	932
1940 — Series 6-D14 — Serial Nos. 30216001 to 30342333—Motor Nos. D14-1001 to 193835:	
Deluxe:	
Coupe 2	897
Coupe A/S 2-4	937
Conv. Coupe 5	1,013
Sedan, 2 Dr. 5	917
Sedan, 4 Dr. 5	962
Sedan 7	1,045
Limousine 7	1,030
1939—Series 6-D11—Luxury Liner—Serial Nos. 4276701 to 4347700—Motor Nos. D11-1001 to 186148:	
Coupe 2	715
Sedan, 2 Dr. 5	720
Sedan, 4 Dr. 5	755
Serial Nos. 30100001 to 30214458—Motor Nos. D11-1001 to 185881:	
Deluxe:	
Coupe 2	862
Coupe A/S 2-4	765
Town Coupe 5	810
Sedan, 2 Dr. 5	755
Sedan, 4 Dr. 5	790
Limousine 7	836
Sedan 7	816

[1] The basic price for any Dodge the serial number of which bears the prefix "DP" shall be that of the cost comparable model of Plymouth.

TABLE B—Continued

(8) DODGE—continued

Model, serial number, body type and passenger capacity	*Base price*
1938 Series 6-D8—Serial Nos. 30001001 to 30097066, 40001001 to 40016525—Motor Nos. D8-1001 to 114530:	
Business Coupe 2	$588
Coupe 2-4	598
Conv. Coupe 2-4	623
Comp. Sedan, 2 Dr. 5	593
Tour. Sedan TK, 2 Dr. 5	608
Comp. Sedan, 4 Dr. 5	613
Tour. Sedan TK, 4 Dr. 5	623
Conv. Sedan TK 5	643
Sedan TK 7	636
Limousine TK 5	626
1937—Series 6-D5—Serial Nos. 4530451 to 4789907, 9118501 to 9149361—Motor Nos. D5-1001 to 294170:	
Business Coupe 2	484
Coupe 2-4	489
Conv. Coupe 2-4	520
Comp. Sedan, 2 Dr. 5	489
Tour. Sedan TK, 2 Dr. 5	499
Comp. Sedan, 4 Dr. 5	509
Tour. Sedan TK, 4 Dr. 5	519
Conv. Sedan 5	530
Sedan 7	534
Limousine 5	504
1936—Series 6-D2—Beauty Winner—Serial Nos. 4015051 to 4276687—Motor Nos. D2-1001 to 266089:	
Coupe 2	358
Coupe 2-4	363
Conv. Coupe 2-4	405
Sedan, 2 Dr. 5	363
Tour. Sedan, 2 Dr. 5	368
Sedan 5	373
Tour. Sedan 5	378
Conv. Sedan 5	395
Sedan 7	410
1935—Series 6-DU—New Value Six—Serial Nos. 3756501 to 3913106—Motor Nos. DU-1001 to 155544:	
Coupe 2	277
Coupe 2-4	287
Conv. Coupe 2-4	300
Sedan, 2 Dr. 5	262
Tour. Sedan, 2 Dr. 5	292
Sedan 5	297
Tour. Sedan, 4 Dr. 5	307
Caravan Sedan 5	317
Sedan 7	312

(9) FORD

1942—Series 6—2GA—90 h. p.—Serial Nos. 1GA-34801 and up:	
Special:	
Coupe 3—77C	1,132
Tudor Sedan 6—70C	1,162
Fordor Sedan 6—73C	1,197
Deluxe:	
Coupe 3—77A	1,147
Sedan Coupe 6—72A	1,212
Tudor Sedan 6—70A	1,195
Fordor Sedan 6—73A	1,232
Station Wagon 8—79A	1,408
Super Deluxe:	
Coupe 3—77B	1,187
Sedan Coupe 6—72B	1,242
Conv. Club Coupe 5—76	1,431
Tudor Sedan 6—70B	1,232
Fordor Sedan 6—73B	1,272
Station Wagon 8—79B	1,498
1942—Series V-8—21A—90 h. p.—Serial Nos. 18-6769036 and up:	
Deluxe:	
Coupe 3—77A	1,157
Sedan Coupe 6—72A	1,232
Tudor Sedan 6—70A	1,207
Fordor Sedan 6—73A	1,237
Station Wagon 8—79A	1,463
Super Deluxe:	
Coupe 3—77B	1,207
Sedan Coupe 6—72B	1,272
Conv. Club Coupe 5—76	1,441
Tudor Sedan 6—70B	1,247
Fordor Sedan 6—73B	1,282
Station Wagon 79B	1,513

TABLE B—Continued

(9) FORD—continued

Model, serial number, body type and passenger capacity	*Base price*
1941—Series 6—1GA—90 h. p.—Serial Nos. 1GA-1 and up:	
Special:	
Coupe 2	$879
Tudor Sedan 5	899
Fordor Sedan 5	924
Deluxe:	
Coupe 5W 2	914
Coupe A/S 2-4	954
Tudor Sedan 5	954
Fordor Sedan 5	984
Station Wagon	1,129
Super Deluxe:	
Coupe 5W 2	959
Coupe A/S 2-4	994
Sedan Coupe 5	1,029
Conv. Club Coupe 2-4	1,119
Tudor Sedan 5	1,044
Fordor Sedan 5	1,044
Station Wagon	1,164
1941—Series V-8—11A—85 h. p.—Serial Nos. 18-5896295 and up:	
Special:	
Coupe 2	904
Tudor Sedan 5	934
Fordor Sedan 5	974
Deluxe:	
Coupe 5W 2	949
Coupe A/S 2-4	984
Tudor Sedan 5	984
Fordor Sedan 5	1,019
Station Wagon	1,144
Super Deluxe:	
Coupe 5W 2	994
Coupe A/S 2-4	1,024
Sedan Coupe 5	1,054
Conv. Club Coupe 2-4	1,129
Tudor Sedan 5	1,019
Fordor Sedan 5	1,054
Station Wagon	1,184
1940—Series V-8—01A—85 h. p.—Serial Nos. 54-506501 and up:	
Coupe 5W 2	672
Business Coupe 2	692
Tudor Sedan 5	692
Fordor Sedan 5	722
1940—Series V-8—01A—85 h. p.—Serial Nos. 18-5210701 to 18-5896294:	
Standard:	
Coupe 5W 2	737
Business Coupe 2	762
Tudor Sedan 5	782
Fordor Sedan 5	812
Station Wagon	900
Deluxe:	
Coupe 5W 2	787
Business Coupe 2	817
Conv. Club Coupe 2-4	873
Tudor Sedan 5	832
Fordor Sedan 5	857
Station Wagon	960
1939—Series V-8—922 A—60 h. p.—Serial Nos. up to 54-506500:	
Standard:	
Coupe 5W 2	557
Tudor Sedan 5	572
Fordor Sedan 5	597
1939—Series V-8—91A—85 h. p.—Serial Nos. 18-4661001 to 5210700:	
Standard:	
Coupe 5W 2	627
Tudor Sedan 5	642
Fordor Sedan 5	667
Station Wagon	764
Deluxe:	
Coupe 5W 2	667
Conv. Coupe 2-4	736
Tudor Sedan 5	692
Fordor Sedan 5	712
Conv. Sedan 5	786
Station Wagon	814
1938—Series V-8—82A—60 h. p.—Serial Nos. 54-358335 and up:	
Standard:	
Coupe 5W 2	455
Tudor Sedan 5	460
Fordor Sedan 5	485

TABLE B—Continued

(9) FORD—continued

Model, serial number, body type and passenger capacity	*Base price*
1938—Series V-8—81A—85 h. p.—Serial Nos. 18-4186447 to 18-4661000:	
Standard:	
Coupe 5W 2	$540
Tudor Sedan 5	550
Fordor Sedan 5	560
Station Wagon	621
Deluxe:	
Phaeton 5	605
Coupe 5W 2	575
Conv. Coupe 2-4	619
Club Coupe 5	605
Conv. Club Coupe 5	634
Tudor Sedan 5	590
Fordor Sedan 5	605
Conv. Sedan 5	649
1937—Series V-8—74—60 h. p.—Serial Nos. 54-6602 to 54-358334:	
Coupe 5W 2	378
Tudor 5	378
Tour. Tudor 5	388
Fordor 5	393
Tour Fordor 5	403
Station Wagon (cur.)	424
Station Wagon (glass)	444
1937—Series V-8—78—85 h. p.—Serial Nos. 18-3331857 to 18-4186446:	
Standard:	
Coupe 5W 2	428
Tudor 5	433
Tour. Tudor 5	443
Fordor 5	448
Tour. Fordor 5	453
Station Wagon (cur.)	504
Station Wagon (glass)	519
Deluxe:	
Roadster 2-4	448
Phaeton 5	443
Coupe 5W 2	448
Cabriolet 2-4	473
Club Coupe 5W 5	498
Club Cabriolet 4	508
Tudor 5	458
Tour. Tudor 5	468
Fordor 5	473
Tour. Fordor 5	488
Conv. Sedan 5	519
1936—Series V-8-68—85 h. p.—Serial Nos. 18-2207111 to 18-3331856:	
Standard:	
Coupe 5W 2	358
Coupe 5W 2-4	363
Tudor 5	353
Tour. Tudor 5	363
Fordor 5	368
Tour. Fordor 5	383
Station Wagon	398
Deluxe:	
Roadster 2-4	368
Phaeton 5	358
Coupe 3W 2	378
Coupe 3W 2-4	383
Coupe 5W 2	373
Coupe 5W 2-4	378
Cabriolet 2-4	383
Club Cabriolet 2-4	393
Tudor 5	373
Tour. Tudor 5	383
Fordor 5	393
Tour. Fordor 5	393
Conv. Sedan 5	393
Conv. Sedan TK 5	403
1935—Series V-8-48—85 h. p.—Serial Nos. 18-1234357 to 18-2207110:	
Standard:	
Coupe 5W 2	277
Coupe 5W 2-4	292
Conv. Cabriolet 2-4	293
Tudor 5	277
Fordor 5	292
Conv. Sedan 5	303
Deluxe:	
Roadster 2-4	272
Phaeton 5	267
Coupe 3W 2	287
Coupe 3W 2-4	292

TABLE B—Continued

(9) FORD—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series V-8-48—85 h. p.—Deluxe—Continued.	
Coupe 5W 2	$282
Coupe 5W 2-4	297
Tudor 5	282
Fordor 5	292
Tour. Tudor 5	287
Tour. Fordor 5	297
Station Wagon	318

(10) GRAHAM

1941—Series 6—113—Serial Nos. 900001 and up—Motor Nos. 910001 and up—Custom Hollywood:	
Sedan, 4 Dr. 5	861
1941—Series 6—109—Serial Nos. 700146 and up—Motor Nos. 710046 and up—Custom Hollywood Supercharger:	
Sedan, 4 Dr. 5	856
1940—Series 6—108—Serial Nos. 605001 to 605661—Motor Nos. 615001 to 615657—	
Deluxe:	
Comp. Coupe 5	652
Sedan TK, 2 Dr. 5	657
Sedan TK, 4 Dr. 5	667
Custom:	
Comb. Coupe 5	687
Sedan TK, 2 Dr. 5	687
Sedan TK, 4 Dr. 5	692
1940—Series 6—107—Serial Nos. 505001 to 505358—Motor Nos. 515001 to 515575—	
Deluxe Supercharger:	
Comb. Coupe 5	712
Sedan TK, 2 Dr. 5	707
Sedan TK, 4 Dr. 5	717
Custom Supercharger:	
Comb. Coupe 5	737
Sedan TK, 2 Dr. 5	732
Sedan TK, 4 Dr. 5	742
1940—Series 6—109—Serial Nos. 700001 to 700145—Motor Nos. 710001 to 710045—	
Hollywood Custom Super:	
Conv. Coupe 3	774
Sedan, 4 Dr. 5	749
1939—Series 6—96—Serial Nos 600001 to 602913—Motor Nos. 610001 to 612920:	
Special:	
Comb. Coupe 5	595
Sedan TK, 2 Dr. 6	595
Sedan TK, 4 Dr. 6	610
Custom Special:	
Comb. Coupe 5	615
Sedan TK, 2 Dr. 6	615
Sedan TK, 4 Dr. 6	625
1939—Series 6—97—Serial Nos. 500001 to 502479—Motor Nos. 510001 to 512507:	
Supercharger:	
Comb. Coupe 5	615
Sedan TK, 2 Dr. 6	615
Sedan TK, 4 Dr. 6	630
Custom Supercharger:	
Comb. Coupe 5	640
Sedan TK, 2 Dr. 6	650
Sedan TK, 4 Dr. 6	650
1938—Series 6—96—Serial Nos. 225000 to 227602—Motor Nos. 230000 to 232605:	
Standard:	
Sedan TK, 4 Dr. 6	455
Special:	
Sedan TK, 4 Dr. 6	475
1939—Series 6—97—Serial Nos. 140000 to 142403—Motor Nos. 145000 to 147434:	
Supercharger:	
Sedan TK, 4 Dr. 6	485
Custom Supercharger:	
Sedan TK, 4 Dr. 6	500
1937—Series 6-85—Serial Nos. 315001 to 319318—Motor Nos. 320001 to 324360:	

TABLE B—Continued

(10) GRAHAM—continued

Model, serial number, body type and passenger capacity	*Base price*
1937—Series 6-85—Continued.	
Crusader:	
Tour. Sedan, 2 Dr. 5	$299
Tour. Sedan, TK, 2 Dr. 5	314
Tour. Sedan, 4 Dr. 5	319
Tour. Sedan TK, 4 Dr. 5	324
1937—Series 6-95—Serial Nos. 215001 to 223250—Motor Nos. 220001 to 226370:	
Cavalier:	
Business Coupe 3	314
Coupe 3-5	324
Conv. Coup 3-5	352
Tour. Sedan, 2 Dr. 5	319
Tour. Sedan TK, 2 Dr. 5	334
Tour. Sedan, 4 Dr. 5	339
Tour. Sedan TK, 4 Dr. 5	354
1937—Series 6-116—Serial Nos. 130001 to 135551—Motor Nos. 135001 to 140209:	
Supercharger:	
Business Coupe 3	334
Coupe 3-5	344
Conv. Coupe 3-5	366
Tour. Sedan, 2 Dr. 5	344
Tour. Sedan TK, 2 Dr. 5	359
Tour. Sedan, 4 Dr. 5	364
Tour. Sedan TK, 4 Dr. 5	374
1937—Series 6-120—Serial Nos. 120001 to 120199; 110001 to 113002—Motor Nos. 115001 to 118864:	
Custom Supercharger:	
Business Coupe 3	340
Coupe 3-5	350
Conv. Coupe 3-5	378
Tour. Sedan, 4 Dr. 5	365
Tour. Sedan TK, 4 Dr. 5	375
1936—Series 6-80—Serial Nos. 300001 to 308220—Motor Nos. 305001 to 313250:	
Crusader:	
Tour. Sedan, 2 Dr. 6	243
Tour. Sedan TK, 2 Dr. 6	248
Tour. Sedan, 4 Dr. 6	258
Tour. Sedan TK, 4 Dr. 6	268
1936—Series 6-80 A—Serial Nos. 300001 to 308220—Motor Nos. 305001 to 313250:	
Crusader:	
Tour. Sedan, 2 Dr. 6	223
Tour. Sedan TK, 2 Dr. 6	233
Tour. Sedan, 4 Dr. 6	238
Tour. Sedan TK, 4 Dr. 6	253
1936—Series 6-90—Serial Nos. 200001 to 202755—Motor Nos. 205001 to 207850:	
Cavalier:	
Business Coupe 2	238
Coupe 2-4	243
Tour. Sedan, 2 Dr. 6	253
Tour. Sedan TK, 2 Dr. 6	263
Tour. Sedan, 4 Dr. 6	268
Tour. Sedan TK, 4 Dr. 6	273
1936—Series 6-90 A—Serial Nos. 205001 to 212750—Motor Nos. 210001 to 217800:	
Cavalier:	
Business Coupe 2	208
Coupe 2-4	218
Tour. Sedan, 2 Dr. 6	228
Tour. Sedan TK, 2 Dr. 6	238
Tour. Sedan, 4 Dr. 6	243
Tour. Sedan TK, 4 Dr. 6	253
1936—Series 6-110—Serial Nos. 100001 to 105500—Motor Nos. 105001 and up:	
Super:	
Coupe 2	218
Coupe 2-4	223
Tour. Sedan, 2 Dr. 6	228
Tour. Sedan TK, 2 Dr. 6	243
Tour. Sedan, 4 Dr. 6	248
Tour. Sedan TK, 4 Dr. 6	258
Custom Sedan, 4 Dr. 6	268
1936—Series 6-68—Serial Nos. 1623501 to 1627520, Motor Nos. 1620001 to 1632050—Standard:	

TABLE B—Continued

(10) GRAHAM—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series 6-68—Continued.	
Business Coupe 3	$168
Coupe 3 5	166
Conv. Coupe 3 5	165
Sedan 6	176
Sedan TK 6	186
1935—Series 8-67—Serial Nos. 1805015 to 1807575, Motor Nos. 1310001 to 1811780—Special:	
Coupe 3	166
Coupe 3 5	171
Conv. Coupe 3 5	170
Sedan 6	176
Sedan TK 6	186
Standard:	
Business Coupe 2	166
Coupe 3-5	171
Sedan 6	181
Sedan TK 6	191
1935—Series 8-69—Serial Nos. 1025646 to 1027507, Motor Nos. 1030620 to 1031950—Special:	
Coupe 3	161
Coupe 3-5	166
Conv. Coupe 3-5	165
Sedan 6	175
Sedan TK 6	186
1935—Series 8-69—Serial Nos. 1025089 to 1027507, Motor Nos. 1030001 to 1031950—Custom Supercharger:	
Coupe 3	161
Coup 3-5	166
Conv. Coupe 3-5	166
Sedan 6	176
Sedan TK 6	186
1935—Series 6-74—Serial Nos. 1700001 to 1711470, Motor Nos. 1705001 to 1717200—Graham:	
Tour. Sedan, 2 Dr. 5	186
Tour. Sedan, 4 Dr. 5	206
Tour. Sedan Deluxe, 3 Dr. 5	196
Tour. Sedan Deluxe, 4 Dr. 5	211
1935—Series 6-73—Serial Nos. 1635001 to 1638903, Motor Nos. 1640001 to 1645100—Special:	
Coupe 2	196
Coupe 2-4	201
Conv. Coupe 2-4	205
Tour. Sedan, 4 Dr. 5	211
1935—Series 8-72—Serial Nos. 1800001 to 1811020, Motor Nos. 1815001 to 1815990:	
Coupe 2	166
Coupe 2-4	166
Conv. Coupe 2-4	165
Tour. Sedan, 4 Dr. 5	176
1935—Series 8-75—Serial Nos. 1035001 to 1036252, Motor Nos. 1040001 to 1042050—Supercharger:	
Coupe 2	156
Coupe 2-4	166
Conv. Coupe 2-4	166
Tour. Sedan, 4 Dr. 5	176

(11) HUDSON

1942—Series 6-20 T—Traveler—Serial Nos. T-20101 to T-2041232:	
Coupe 3	1,108
Club Coupe 4	1,178
Club Sedan, 2 dr. 6	1,158
Tour. Sedan, 4 dr. 6	1,188
1942—Series 20 P—De Luxe—Serial Nos. P-20101 to P-2041232:	
Coupe 3	1,198
Club Coupe 4	1,253
Club Sedan, 2 dr. 6	1,233
Tour. Sedan, 4 dr. 6	1,263
Conv. Sedan 6	1,498
1942—Series 6-21—Super—Serial Nos. 21101 to 2141232:	
Coupe 3	1,332
Club Coupe 4	1,382
Club Sedan, 2 dr. 6	1,357
Tour. Sedan, 4 dr. 6	1,387
Conv. Sedan 6	1,586
Station Wagon	1,699

TABLE B—Continued

(11) HUDSON—continued

Model, serial number, body type and passenger capacity	*Base price*
1942—Series 6-22—Commodore—Serial Nos. 22101 to 2241232:	
Coupe 3	$1,412
Club Coupe 5	1,472
Club Sedan, 2 dr. 6	1,447
Tour. Sedan, 4 dr. 6	1,482
Conv. Sedan 6	1,666
1942—Series 8-24—Commodore—Serial Nos. 24101 to 2441232:	
Coupe 3	1,452
Club Coupe 5	1,507
Club Sedan, 2 dr. 6	1,487
Tour. Sedan, 4 dr. 6	1,522
Conv. Sedan 6	1,716
1942—Series 8-25—Commodore—Custom—Serial Nos. 25101 to 2541232:	
Club Coupe 4	1,602
1942—Series 8-27—Commodore—Custom—Serial Nos. 27101 to 2741232:	
Tour. Sedan, 4 dr. 6	1,722
1941—Series 6-10 T—Traveler—Serial Nos. T-10101 and up:	
Coupe 3	949
Club Coupe 4	1,024
Club Sedan, 2 dr. 6	1,019
Tour. Sedan, 4 dr. 6	1,044
1941—Series 6-10 C—Utility—Serial Nos. C-10101 and up:	
Coach 6	1,034
Coupe 6	974
1941—Series 6-10 P—DeLuxe—Serial Nos. 10101 and up:	
Coupe 3	1,069
Club Coupe 4	1,104
Club Sedan, 2 dr. 6	1,089
Tour. Sedan, 4 dr. 6	1,114
Conv. Sedan 6	1,239
1941—Series 6-11—Super—Serial Nos. 11101 and up:	
Coupe 3	1,138
Club Coupe 4	1,183
Club Sedan, 2 dr. 6	1,153
Tour. Sedan, 4 dr 6	1,178
Conv. Sedan 6	1,334
Station Wagon	1,404
1941—Series 6-12—Commodore—Serial Nos. 12101 and up:	
Coupe 3	1,188
Club Coupe 4	1,253
Club Sedan, 2 dr. 6	1,228
Tour. Sedan, 4 dr. 6	1,253
Conv. Sedan 6	1,353
1941—Series 6-18—Big Boy—Serial Nos. P-18101 and up:	
Sedan 7	1,257
Carry-All	1,157
1941—Series 8-14—Commodore—Serial Nos. 14101 and up:	
Coupe 3	1,228
Club Coupe 4	1,273
Club Sedan, 2 dr. 6	1,243
Tour. Sedan, 4 dr. 6	1,268
Conv. Sedan 6	1,393
Station Wagon	1,440
1941—Custom Series 8-15—Commodore Custom—Serial Nos. 15101 and up:	
Coupe 3	1,228
Club Coupe 4	1,283
1941—Series 8-17—Commodore Custom—Serial Nos. 17101 and up:	
Tour. Sedan, 4 Dr. 6	1,337
Sedan 7	1,492
1940—Series 6-40 T-Traveler—Serial Nos. 40101 to 4089192:	
Coup 3	862
Victoria Coupe 4	827
Tour Sedan, 2 Dr. 6	817
Tour Sedan, 4 Dr. 6	852
1940—Series 6-40 P—De Luxe—Serial Nos. 40101 to 4089192:	
Coupe 3	822
Victoria Coupe 4	847
Conv. Coupe 5	898
Tour. Sedan, 2 Dr. 6	847
Tour. Sedan, 4 Dr. 6	897
Conv. Sedan 6	968

TABLE B—Continued

(11) HUDSON—continued

Model, serial number, body type and passenger capacity	*Base price*
1940—Series 6-41—Super—Serial Nos. 41101 to 4189192:	
Coupe 3	$865
Victoria Coupe 4	900
Conv. Coupe 5	932
Tour. Sedan, 2 Dr. 6	885
Tour. Sedan, 4 Dr. 6	915
Conv. Sedan 6	952
1940—Series 6-43—Country Club—Serial Nos. 43101 to 4389192:	
Tour. Sedan 4 Dr. 6	937
Sport Tour. Sedan, 4 Dr. 6	947
Sedan 7	1,012
1940—Series 6-48—Big Boy—Serial Nos. 48101 to 4889192:	
Carry-All	867
Sedan 7	942
1940—Series 8-44—Hudson Eight—Serial Nos 44101 to 4489192:	
Coupe 3	880
Victoria Coupe 4	940
Conv. Coupe 5	967
Tour Sedan, 2 Dr. 6	920
Tour. Sedan, 4 Dr. 6	940
Conv. Sedan 6	967
1940—Series 8-45—De Luxe—Serial Nos. 45101 to 4589192:	
Tour. Sedan, 2 Dr. 6	930
Tour. Sedan, 4 Dr. 6	955
1940—Series 8-47—Country Club—Serial Nos. 47101 to 4789192:	
Tour. Sedan, 4 Dr. 6	997
Sport Tour. Sedan, 4 Dr 6	1,017
Sedan 7	1,097
1939—Series 6-90—Hudson 112 De-Luxe—Serial Nos. 90101 to 9054902:	
Traveler Coupe 3	586
Coupe 3	616
Victoria Coupe 4	646
Conv. Coupe 3	684
Tour. Brougham 6	636
Conv. Brougham 6	699
Tour. Sedan 6	666
Utility Coach 6	596
Utility Coupe 3	601
Station Wagon	689
1939—6-91—Hudson Pacemaker—Serial Nos. 91101 to 9154902:	
Coupe 3	653
Victoria Coupe 5	683
Tour. Brougham 6	668
Tour. Sedan 6	693
1939—6-92—Hudson Six—Serial Nos. 92101 to 9254902:	
Coupe 3	668
Victoria Coupe 5	703
Conv. Coupe 3	722
Tour. Brougham 6	688
Conv. Brougham 6	742
Tour. Sedan 6	713
1939—Series 6-93—Country Club Six—Serial Nos. 93101 to 9354902:	
Coupe 3	693
Victoria Coupe 6	718
Conv. Coupe 3	757
Tour. Brougham 6	708
Conv. Brougham 6	717
Tour. Sedan, 4 Dr. 6	743
1939—Series 6-98—Big Boy—Serial Nos. 98101 to 9854902:	
Tour Sedan 6	663
Sedan 7	748
1939—Series 8-95—Country Club Eight—Serial Nos. 95101 to 9551902:	
Coupe 3	698
Victoria Coupe 5	728
Conv. Coupe 3	767
Tour. Brougham 6	718
Conv. Brougham 6	787
Tour Sedan 6	743
1939 — Series 8-97 — Custom — Serial Nos. 97101 to 9754902:	
Tour. Sedan 6	775
Sedan 7	800
1938—Series 6-80—Terraplane Utility—Serial Nos. 80101 to 8056040—Motor Nos. 360000 and up:	
Coupe 3	$509
Coach 6	504
Tour. Coach 6	529
Station Wagon	564
1938—Series 6-88—Big Boy—Serial Nos. 88101 to 8856040:	
Sedan 6-7	555
Tour. Sedan 6	570
1938—Series 6-81—Terraplane De-luxe—Serial Nos. 81101 to 8156040—Motor Nos. 360000 and up:	
Coupe 3	534
Victoria Coupe 3-5	549
Conv. Coupe 3	564
Brougham 6	535
Tour. Brougham 6	549
Sedan 6	559
Tour. Sedan 6	579
Conv. Brougham 6	589
1938—Series 6-82—Terraplane Super—Serial Nos. 82101 to 8256040—Motor Nos. 360000 and up:	
Coupe 3	534
Victoria Coupe 3-5	549
Conv. Coupe 3	584
Brougham 6	544
Tour. Brougham 6	559
Sedan 6	564
Tour. Sedan 6	579
Conv. Brougham 6	589
1938—Series 6-83—Hudson Custom—Serial Nos. 83101 to 8356040—Motor Nos. 98000 and up:	
Coupe 3	551
Victoria Coupe 3-5	571
Conv. Coupe 3	588
Brougham 6	556
Tour. Brougham 6	566
Sedan 6	581
Tour. Sedan 6	601
Conv. Brougham 6	596
1938—Series 6-89—Hudson 112—Serial Nos. 89101 to 8956040:	
Standard:	
Coupe 3	479
Victoria Coupe 4	499
Conv. Coupe 3	514
Brougham 6	504
Tour. Brougham 6	499
Sedan 6	509
Tour. Sedan 6	519
Conv. Brougham 6	544
Utility:	
Coupe 3	489
Coach 6	479
Tour. Coach 6	489
Deluxe:	
Coupe 3	489
Victoria Coupe 4	514
Conv. Coupe 3	529
Brougham 6	509
Tour. Brougham 6	519
Sedan 6	524
Conv. Brougham 6	544
Tour. Sedan 6	534
1938—Series 8-84—Hudson Deluxe—Serial Nos. 84101 to 8156040—Motor Nos. 35000 and up:	
Coupe 3	551
Victoria Coupe 3-5	571
Conv. Coupe 3	601
Brougham 6	566
Tour. Brougham 6	576
Sedan 6	581
Tour. Sedan 6	597
Conv. Brougham 6	621
1938—Series 8-85—Hudson Custom—Serial Nos. 85101 to 8556040—Motor Nos. 35000 and up:	
Coupe 3	**566**
Victoria Coupe 3-5	**571**
Brougham 6	**576**
Tour. Brougham 6	**581**
Sedan 6	**591**
Tour. Sedan 6	**601**
1938—Series 8-87—Country Club—Serial Nos. 87101 to 8756040—Motor Nos. 35000 and up:	
Sedan 6	$616
Tour. Sedan 6	631
1937—Series 6-70—Terraplane Deluxe Six—Serial Nos. 70101 to 708001—Motor Nos. 250000 to 352074:	
Station Wagon	447
1937—Series 6-71—Terraplane Deluxe Six—Serial Nos. 71101 to 7170246—Motor Nos. 250000 to 352074:	
Business Coupe 2	396
Coupe 3	406
Victoria Coupe 3	426
Conv. Coupe 2	482
Brougham, 2 dr. 5	406
Tour. Brougham, 2 dr. 5	416
Sedan, 4 dr. 5	426
Tour. Sedan, 4 dr. 5	496
Conv. Brougham 4	437
1937—Series 6-72—Terraplane Super Six—Serial Nos. 72101 to 7219307—Motor Nos. 250000 to 352074:	
Coupe 3	416
Victoria Coupe 3	436
Conv. Coupe 2	452
Brougham, 2 dr. 5	421
Tour. Brougham, 2 dr. 5	431
Sedan, 4 dr. 5	441
Tour. Sedan, 4 dr. 5	451
Conv. Brougham 4	452
1937—Series 6-73—Hudson Custom Six—Serial Nos. 73101 to 736913—Motor Nos 90000 to 97082:	
Business Coupe 2	447
Coupe 3	402
Victoria Coupe 3	462
Conv. Coupe 2	473
Brougham, 2 dr. 5	452
Tour. Brougham, 2 dr. 5	467
Sedan, 4 dr. 5	477
Tour. Sedan, 4 dr. 5	487
Conv. Brougham 4	503
1937—Series 8-74—Hudson Deluxe Eight—Serial Nos. 74101 to 745728—Motor Nos. 18000 to 34162:	
Coupe 3	492
Victoria Coupe 3	482
Conv. Coupe 2	498
Brougham, 2 dr. 5	477
Tour. Brougham, 2 dr. 5	487
Sedan, 4 dr. 5	487
Tour. Sedan, 4 dr. 5	487
Conv. Brougham 4	493
1937—Series 8-76—Hudson Deluxe Eight—Serial Nos. 76101 to 761197—Motor Nos. 18000 to 34162:	
Sedan, 4 dr. 5	495
Tour. Sedan, 4 dr. 5	510
1937—Series 8-75—Hudson Custom Eight—Serial Nos. 75101 to 753374—Motor Nos. 18000 to 34162:	
Coupe 3	467
Victoria Coupe 3	482
Conv. Coupe 2	498
Brougham, 2 Dr. 5	477
Tour. Brougham, 2 Dr. 5	487
Sedan, 4 dr. 5	492
Tour. Sedan, 4 Dr. 5	502
Conv. Brougham 4	493
1937—Series 8-77—Hudson Custom Eight—Serial Nos. 77101 to 773752—Motor Nos. 18000 to 34162:	
Sedan, 4 Dr. 5	505
Tour. Sedan, 4 Dr. 5	515
1937—Series 6-61—Terraplane Deluxe Six—Serial Nos. 61101 and up—Motor Nos. 157000 and up:	
Coupe 2	311
Coupe 2-4	321
Conv. Coupe 2-4	331
Brougham 2 Dr. 5	316
Tour. Brougham, 2 Dr. 5	321
Sedan, 4 Dr. 5	331
Tour. Sedan, 4 Dr. 5	341
Custom Station Wagon	340

TABLE B—Continued

(11) HUDSON—continued

Model, serial number, body type and passenger capacity	*Base price*
1936—Series 6-62—Terraplane Custom Six—Serial Nos. 62101 and up—Motor Nos. 157000 and up:	
Coupe 2	$321
Coupe 2-4	336
Conv. Coupe 2-4	343
Brougham, 2 Dr. 5	331
Tour. Brougham, 2 Dr. 5	336
Sedan, 4 Dr. 5	346
Tour. Sedan, 4 Dr. 5	356
1936—Series 6-63—Hudson Custom Six—Serial Nos. 63101 to 639820—Motor Nos. 79000 to 89999:	
Coupe 2-4	328
Conv. Coupe 2-4	334
Brougham, 2 Dr. 5	338
Tour. Brougham, 2 Dr. 5	343
Sedan, 4 Dr. 5	353
Tour. Sedan, 4 Dr. 5	363
Coupe 2	318
1936—Series 8-64—Hudson Deluxe Eight—Serial Nos. 64101 to 645456—Motor Nos. 1000 to 17999:	
Coupe 2	338
Coupe 2-4	348
Conv. Coupe 2-4	359
Brougham, 2 Dr. 5	348
Tour. Brougham, 2 Dr. 5	358
Sedan, 4 Dr. 5	363
Tour. Sedan, 4 Dr. 5	373
1936—Series 8-66—Hudson Deluxe Eight—Serial Nos. 66101 to 663543—Motor Nos. 1000 to 17999:	
Sedan, 4 Dr. 5	375
Tour. Sedan, 4 Dr. 5	385
1936—Series 8-65—Hudson Custom Eight—Serial Nos. 65101 to 652514—Motor Nos. 1000 to 17999:	
Coupe 2	345
Coupe 2-4	360
Conv. Coupe 2-4	377
Brougham, 4 Dr. 5	370
Tour. Brougham, 4 Dr. 5	380
Sedan, 4 Dr. 5	385
Tour. Sedan, 4 Dr. 5	385
1936—Series 8-67—Hudson Custom Eight—Serial Nos. 67101 to 675004—Motor Nos. 1000 to 17999:	
Sedan, 4 Dr. 5	390
Tour. Sedan, 4 Dr. 5	400
1935—Series 6-G—Terraplane, Special Six—Serial Nos. 51101 and up—Motor Nos. 103000 and up:	
Coupe 2	228
Coupe 2-4	233
Tour. Brougham, 2 Dr. 5	238
Coach 5	233
Sedan 5	253
Suburban Sedan 5	258
1935—Series 6-GU—Terraplane, Deluxe Six—Serial Nos. 52101 and up—Motor Nos. 103000 and up:	
Coupe 2	238
Coupe 2-4	248
Conv. Coupe 2-4	255
Tour. Brougham 5	243
Coach 5	238
Sedan, 4 Dr. 5	258
Suburban Sedan 5	268
1935—Series 6-GH—Hudson Big Six—Serial Nos. 53101 to 537724—Motor Nos. 70000 to 78999:	
Coupe 2	228
Coupe 2-4	238
Conv. Coupe 2-4	250
Tour. Brougham, 2 Dr. 5	233
Coach 5	223
Sedan, 4 Dr. 3	253
Suburban Sedan 5	263
1935—Series 8-HT—Hudson Eight, Special—Serial Nos. 54101 to 547250—Motor Nos. 55000 to 69107:	
Coupe 2	223
Coupe 2-4	228
Conv. Coupe 2-4	240
Tour. Brougham 5	233
Coach 5	223

TABLE B—Continued

(11) HUDSON—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series 8-HT—Continued.	
Sedan, 4 Dr. 5	$243
Suburban Sedan 5	253
1935—Series 8-HU—Hudson Eight, De Luxe—Serial Nos. 55101 to 553197—Motor Nos. 55000 to 69107:	
Coupe 2	233
Coupe 2-4	248
Conv. Coupe 2-4	255
Tour. Brougham 5	248
Coach 5	233
Sedan 5	258
Suburban Sedan 5	268
1935—Series 8-HTL—Hudson Eight, Special — Serial Nos. 57101 to 571068—Motor Nos. 55000 to 69107:	
Brougham 5	276
Tour. Brougham 5	281
Club Sedan 5	266
Suburban Sedan 5	281
1935—Series 8-HUL—Hudson Eight, De Luxe—Serial Nos. 58101 to 58821—Motor Nos. 55000 to 69107:	
Brougham 5	276
Tour. Brougham 5	286
Club Sedan 5	271
Suburban Sedan 5	281
1935—Series 8-HHU—Hudson Eight, Custom — Serial Nos. 56101 to 561560—Motor Nos. 55000 to 69107:	
Brougham 5	256
Tour. Brougham 5	271
Club Sedan 5	261
Suburban Sedan 5	266

(12) HUPMOBILE

1941—Series 6-R115—Serial Nos. R-100590 and up:	
Tour. Sedan, 4 Dr. 5-RQK	834
1940—Series 6-R-015 Custom—Serial Nos. R-100532 to 100589—Skylark Custom:	
Tour. Sedan, 4 Dr. 5-RQK	703
1939—Series 6-922E—Serial Nos. E72001 to 72800:	
Deluxe:	
Tour. Sedan, 4 Dr. 6-EQ	498
Custom:	
Tour. Sedan, 4 Dr. 6-EQD	518
1939—Series 8-925H—Serial Nos. H30001 to 30200:	
Deluxe:	
Tour. Sedan, 4 Dr. 6-HQ	546
Custom:	
Tour. Sedan, 4 Dr. 6-HQD	566
1938—Series 6-822E—Serial Nos. 35001 to 35300, E50001 to 72000:	
Standard Tour. Sedan, 4 Dr. 6	381
Regular Tour. Sedan, 4 Dr. 6	406
Deluxe Tour. Sedan, 4 Dr. 6	416
Custom Tour. Sedan, 4 Dr. 6	436
1938—Series 8-825H—Serial Nos. H25001 to 30000:	
Regular Tour. Sedan, 4 Dr. 6	423
Deluxe Tour. Sedan, 4 Dr. 6	433
Custom Tour. Sedan, 4 Dr. 6	448
1937—Series 6-G—Serial Nos. G6551 to 6749:	
Business Coupe 3	222
Coupe 3-5	232
Sedan, 2 Dr. 6	242
Tour. Sedan, 2 Dr. 6	247
Sedan, 4 Dr. 6	252
Tour. Sedan, 4 Dr. 6	262
1937—Series 8-N—Serial Nos. N5251 to 5289:	
Coupe 3-5	252
Sedan, 2 Dr. 6	257
Tour. Sedan, 4 Dr. 6	262
Sedan, 4 Dr. 6	267
Tour. Sedan, 4 Dr. 6	277
1936—Series 6-618D—Serial Nos. D-10901 and up—First Series:	
Sedan 6	222
Tour. Sedan 6	242
Sedan Deluxe 6	277
Tour. Sedan Deluxe 6	277

TABLE B—Continued

(12) HUPMOBILE—continued

Model, serial number, body type and passenger capacity	*Base price*
1936—Series 8-621-O—Serial Nos. O-5401 and up—First Series:	
Coupe 3-5	$302
Victoria 5	207
Sedan 6	222
Tour. Victoria 5	217
Tour. Sedan 6	227
Deluxe Coupe 3-5	252
Deluxe Victoria 5	257
Deluxe Sedan 6	267
Deluxe Tour. Victoria 5	272
Deluxe Tour. Sedan 6	282
1936—Series 6-6180—Special — Serial Nos. G5001 and up—Second Series:	
Business Coupe 3	237
Coupe 3-5	237
Sedan, 2 Dr. 6	227
Tour. Sedan, 2 Dr. 6	242
Sedan, 4 Dr. 6	242
Sedan Tour., 4 Dr. 6	257
1936—Series 8-621N—Special—Serial Nos. N5001 and up—Second Series:	
Coupe 3-5	222
Sedan, 2 Dr. 6	217
Tour. Sedan, 2 Dr. 6	227
Sedan, 4 Dr. 6	237
Tour. Sedan, 4 Dr. 6	247
1935—Series 6-517W—Serial Nos. W-8001 and up:	
Coupe 2	179
Coupe 2-4	179
Sedan 5	189
Tour. Sedan 5	204
Deluxe Coupe 2	204
Deluxe Coupe 2-4	204
Deluxe Sedan 5	224
Deluxe Tour. Sedan 5	229
1935—Series 6-521-J—Serial Nos. J-14001 and up:	
Coupe 3-5	159
Victoria, 4 Dr. 5	209
Sedan, 4 Dr. 6	209
Deluxe Coupe 3-5	224
Deluxe Victoria, 4 Dr. 5	234
Deluxe Sedan, 4 Dr. 6	239
1935—Series 8-527T—Serial Nos T0001 and up:	
Coupe 3-5	179
Victoria, 4 Dr. 5	184
Sedan, 4 Dr. 6	189
Deluxe Coupe 3-5	224
Deluxe Victoria, 4 Dr.	234
Deluxe Sedan, 4 Dr. 6	239
1935—Series 6-518D—Serial Nos. D5001 to D10900:	
Sedan 6	189
Tour. Sedan 6	204
Deluxe Sedan 6	214
Deluxe Tour Sedan 6	219
1935—Series 8-521-O—Serial Nos 05001 to 0-5400:	
Coupe 3-5	169
Victoria 5	174
Tour. Victoria, 4 Dr. 6	179
Sedan 6	184
Tour. Sedan, 4 Dr. 6	194

(13) LA SALLE

1940—Series V8-50—Fleetwood—Serial Nos. 2320001 to 2330382:	
Coupe A/S 2-4—5027	965
Conv. Coupe 2-4—5067	1,037
Tour. Sedan TK, 4 Dr. 5—5019	1,015
Conv. Sedan, 4 Dr. 5—5029	1,104
Tour. Sedan TK, 2 Dr. 5—5011	955
1940—Series V8-52—La Salle Special—Serial Nos. 4320001 to 4333751:	
Coupe 2-4—5227	1,035
Conv. Coupe 2-4—5267	1,144
Conv. Sedan TK, 4 Dr. 5—5229	1,164
Tour. Sedan TK, 4 Dr. 5—5219	1,095
1939—Series V8-50—Serial Nos 2290001 to 2312002:	
Coupe O/S 2-4—5027	779
Conv. Coupe O/S 2-4—5067	864
Tour. Sedan TK, 4 Dr. 5—5019	824
Conv. Sedan TK, 4 Dr. 5—5029	874
Tour. Sedan TK, 2 Dr. 5—5011	789

TABLE B—Continued

(11) HUDSON—continued

Model, serial number, body type and passenger capacity	*Base price*
1936—Series 6-62—Terraplane Custom Six—Serial Nos. 62101 and up—Motor Nos. 157000 and up:	
Coupe 2	$321
Coupe 2-4	336
Conv. Coupe 2-4	343
Brougham, 2 Dr. 5	331
Tour. Brougham, 2 Dr. 5	336
Sedan, 4 Dr. 5	346
Tour. Sedan, 4 Dr. 5	356
1936—Series 6-63—Hudson Custom Six—Serial Nos. 63101 to 639820—Motor Nos. 79000 to 89999:	
Coupe 2-4	328
Conv. Coupe 2-4	334
Brougham, 2 Dr. 5	338
Tour. Brougham, 2 Dr. 5	343
Sedan, 4 Dr. 5	353
Tour. Sedan, 4 Dr. 5	363
Coupe 2	318
1936—Series 8-64—Hudson Deluxe Eight—Serial Nos. 64101 to 645456—Motor Nos. 1000 to 17999:	
Coupe 2	338
Coupe 2-4	348
Conv. Coupe 2-4	359
Brougham, 2 Dr. 5	348
Tour. Brougham, 2 Dr. 5	358
Sedan, 4 Dr. 5	363
Tour. Sedan, 4 Dr. 5	373
1936—Series 8-66—Hudson Deluxe Eight—Serial Nos. 66101 to 663543—Motor Nos. 1000 to 17999:	
Sedan, 4 Dr. 5	375
Tour. Sedan, 4 Dr. 5	385
1936—Series 8-65—Hudson Custom Eight—Serial Nos. 65101 to 652514—Motor Nos. 1000 to 17999:	
Coupe 2	345
Coupe 2-4	360
Conv. Coupe 2-4	377
Brougham, 4 Dr. 5	370
Tour. Brougham, 4 Dr. 5	380
Sedan, 4 Dr. 5	385
Tour. Sedan, 4 Dr. 5	385
1936—Series 8-67—Hudson Custom Eight—Serial Nos. 67101 to 675004—Motor Nos. 1000 to 17999:	
Sedan, 4 Dr. 5	390
Tour. Sedan, 4 Dr. 5	400
1935—Series 6-G—Terraplane, Special Six—Serial Nos. 51101 and up—Motor Nos. 103000 and up:	

TABLE B—Continued

(11) HUDSON—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series 8-HT—Continued.	
Sedan, 4 Dr. 5	$243
Suburban Sedan 5	253
1935—Series 8-HU—Hudson Eight, De Luxe—Serial Nos. 55101 to 553197—Motor Nos. 55000 to 69107:	
Coupe 2	233
Coupe 2-4	248
Conv. Coupe 2-4	255
Tour. Brougham 5	248
Coach 5	233
Sedan 5	258
Suburban Sedan 5	268
1935—Series 8-HTL—Hudson Eight, Special—Serial Nos. 57101 to 571068—Motor Nos. 55000 to 69107:	
Brougham 5	276
Tour. Brougham 5	281
Club Sedan 5	266
Suburban Sedan 5	281
1935—Series 8-HUL—Hudson Eight, De Luxe—Serial Nos. 58101 to 58821—Motor Nos. 55000 to 69107:	
Brougham 5	276
Tour. Brougham 5	286
Club Sedan 5	271
Suburban Sedan 5	281
1935—Series 8-HHU—Hudson Eight, Custom—Serial Nos. 56101 to 561560—Motor Nos. 55000 to 69107:	
Brougham 5	256
Tour. Brougham 5	271
Club Sedan 5	261
Suburban Sedan 5	266

(12) HUPMOBILE

1941—Series 6-R115—Serial Nos. R-100590 and up:	
Tour. Sedan, 4 Dr. 5-RQK	831
1940—Series 6-R-015 Custom—Serial Nos. R-100532 to 100589—Skylark Custom:	
Tour. Sedan, 4 Dr. 5-RQK	703
1939—Series 6-922E—Serial Nos. E72001 to 72800:	
Deluxe:	
Tour. Sedan, 4 Dr. 6-EQ	498
Custom:	
Tour. Sedan, 4 Dr. 6-EQD	518
1939—Series 8-925H—Serial Nos. H30001 to 30200:	
Deluxe:	

TABLE B—Continued

(12) HUPMOBILE—continued

Model, serial number, body type and passenger capacity	*Base price*
1936—Series 8-621-O—Serial Nos. O-5401 and up—First Series:	
Coupe 3-5	$202
Victoria 5	207
Sedan 6	222
Tour. Victoria 5	217
Tour. Sedan 6	227
Deluxe Coupe 3-5	252
Deluxe Victoria 5	257
Deluxe Sedan 6	267
Deluxe Tour. Victoria 5	272
Deluxe Tour. Sedan 6	282
1936—Series 6-6180—Special — Serial Nos. G5001 and up—Second Series:	
Business Coupe 3	237
Coupe 3-5	237
Sedan, 2 Dr. 6	227
Tour. Sedan, 2 Dr. 6	242
Sedan, 4 Dr. 6	242
Sedan Tour., 4 Dr. 6	257
1936—Series 8-621N—Special—Serial Nos. N5001 and up—Second Series:	
Coupe 3-5	222
Sedan, 2 Dr. 6	217
Tour. Sedan, 2 Dr. 6	227
Sedan, 4 Dr. 6	237
Tour. Sedan, 4 Dr. 6	247
1935—Series 6-517W—Serial Nos. W-8001 and up:	
Coupe 2	179
Coupe 2-4	179
Sedan 5	189
Tour. Sedan 5	204
Deluxe Coupe 2	204
Deluxe Coupe 2-4	204
Deluxe Sedan 5	224
Deluxe Tour. Sedan 5	229
1935—Series 6-521-J—Serial Nos. J-14001 and up:	
Coupe 3-5	159
Victoria, 4 Dr. 5	209
Sedan, 4 Dr. 6	209
Deluxe Coupe 3-5	224
Deluxe Victoria, 4 Dr. 5	234
Deluxe Sedan, 4 Dr. 6	239
1935—Series 8-527T—Serial Nos T6001 and up:	
Coupe 3-5	179
Victoria, 4 Dr. 5	184
Sedan, 4 Dr. 6	189
Deluxe Coupe 3-5	224
Deluxe Victoria, 4 Dr	234

TABLE B—Continued

(13) LA SALLE—continued

Model, serial number, body type and passenger capacity	*Base price*
1938—Series V8-50—Serial Nos. 2270001 to 2285501:	
Coupe O S 2-4—5027	$610
Conv. Coupe (Rumble) 2-4—5067	663
Tour. Sedan TK, 4 Dr. 5—5019	645
Conv. Sedan TK, 4 Dr. 5—5049	677
Tour. Sedan TK, 2 Dr. 5—5011	620
1937—Series V8-50—Serial Nos. 2230001 to 2262005:	
Coupe O S 2-4—5027	481
Conv. Coupe (Rumble) 2-4—5067	508
Tour. Sedan TK, 2 Dr. 5011	486
Tour. Sedan TK, 4 Dr. 5—5019	506
Conv. Sedan 5—5049	513
1936—Series Straight Eight-50—Serial Nos. 2210001 to 2223004:	
Coupe 2—5077	346
Conv. Coupe 2-4—5067	365
Tour. Sedan 2 Dr. 5—5011	346
Tour. Sedan 4 Dr. 5—5019	356
1935—Series 8-350—Serial Nos. 2106171 to 2107232:	
Coupe 2—6376	186
Conv. Coupe 2-4—6335	205
Sedan 5—6330S	196
Club Sedan 5—6333S	201
1935—Series Straight Eight—50—Serial Nos. 2200001 to 2208653:	
Coupe 2—5077	251
Conv. Coupe 2-4—5067	275
Tour. Sedan 2-4—5011	251
Tour. Sedan 4 Dr. 5—5019	266

(14) LINCOLN

1942—Series 12-V12-26H—Custom—Serial Nos. H-129691 and up:	
Sedan 8-31	3,135
Limousine 8-32	3,250
1942—Series 12-V13-26H—Continental—Serial Nos. H-129-691 and up.	
Coupe 3-57	3,171
Conv. Cabriolet 6-56	3,186
1941—Series 12-V12-168H—Custom Serial Nos. H-107688 and up:	
Sedan 8-31	2,119
Limousine 8-32	2,159
1941—Series 12-V12-16H—Continental—Serial Nos. H-107688 and up:	
Coupe 6-57	2,192
Cabriolet 6-56	2,287
1940—Series 12-V12—Serial Nos. K-9451 and up (continued thru from 1939):	
Conv. Roadster LeBaron 2-4-410	1,711
LeBaron Coupe 2-412	1,736
Wilby Coupe 5-406	1,826
Sedan 2W/3 W5-404A	1,556
Brunn Conv. Victoria 5-408	1,793
Judkins Berline 2W 5-417A	1,806
Judkins Berline 3W 5-417B	1,836
Judkins Sedan Limousine 7-415	1,971
Brunn Cabriolet N/C-409A	2,091
Brunn Cabriolet S/C-409B	2,131
Brunn Tour. Cabriolet 2-425	2,156
Brunn Brougham 7-411	2,076
Sedan 7-407A	1,586
Limousine 7-407B	1,626
Conv. Sedan LeBaron 5-413A	1,733
Conv. Sedan LeBaron W/P-413B	1,803
Wilby Limousine 7-419	1,891
Wilby Sport Sedan 5-421	2,031
1939—Series 12-V12—Serial Nos. K9451 and up:	
Conv. Roadster LeBaron 2-4-410	1,243
LeBaron Coupe 5-412	1,220
Wilby Coupe 5-406	1,300
Sedan 2W 3W 5-404A	1,050
Brunn Conv. Victoria 5-408	1,278
Judkins Berline 2W 5-417A	1,310
Judkins Berline 3W 5-417B	1,330
Judkins Sedan Limousine 7-415	1,395
Brunn Cabriolet N/C 409A	1,555
Brunn Cabriolet S/C 409B	1,580
Brunn Tour. Cabriolet 2-425	1,570
Brunn Brougham 7-411	1,575
Sedan 7-407A	1,075
Limousine 7-407B	1,100
Conv. Sedan LeBaron 5-413A	1,263

TABLE B—Continued

(14) LINCOLN—continued

Model, serial number, body type and passenger capacity	*Base price*
1939—Series 12-V12—Continued.	
Conv. Sedan LeBaron W/P 5-413B	$1,318
Wilby Limousine 7-419	1,325
Wilby Sport Sedan 5-421	1,510
1938—Series 12-V12—Serial Nos. K9001 to 9450:	
Conv. LeBaron Roadster 2-4-410	779
Coupe LeBaron 2-412	781
Wilby Coupe 5-406	836
Sedan 2W/3W 5-404A	721
Brunn Conv. Victoria 5-408	824
Wilby Tour. Sedan 7-403	816
Judkins Berline 2W 5-417A	861
Judkins Berline 3W 5-417B	871
Judkins Sedan Limousine 7-415	871
Brunn Cabriolet N/C 5-409A	1,006
Brunn Cabriolet S/C 5-409B	1,011
Brunn Tour. Cabriolet 2-425	1,021
Brunn Brougham 7-411	1,001
Sedan 7-407A	731
Limousine 7-407B	721
LeBaron Conv. Sedan 5-413A	869
LaBaron Conv. Sedan W/P 5-413B	884
Wilby Limousine 7-419	886
Wilby Sport Sedan 5-421	1,011
Wilby Panel Brougham 7-423	1,036
1937—Series 12-V12—Serial Nos. K-7500-8490:	
Conv. Roadster LeBaron 5—360	540
Coupe LeBaron 2—362	521
Wilby Coupe 5—356	556
Sedan 2W/3W 5—354A	486
Brunn Conv. Victoria 5—358	575
Wilby Tour. Sedan 5—353	481
Judkins Berline 2W 4—367A	576
Judkins Berline 3W 4—367B	578
Judkins Sedan Limousine 7—365	596
Brunn Cabriolet N/C 359A	621
Brunn Cabriolet S/C 359B	626
Brunn Tour. Cabriolet 5—375	706
Brunn Brougham 7—361	641
Sedan 7—357A	506
Limousine 7—357B	511
Conv. Sedan LeBaron 5—363A	575
Conv. Sedan LeBaron W/P 363B	595
Wilby Limousine 7—369	561
Wilby Sport Sedan 5—371	716
Wilby Panel Brougham 7—373	731
1936—Series 12-V12—Serial Nos. K-5501 to 7014:	
LeBaron Conv. Roadster 2-4	383
LeBaron Coupe 2	374
Coupe 5	344
Sedan 2W/2W 5	349
Brunn Conv. Victoria 5	403
Conv. Sedan Phaeton LeBaron 5	398
Wilby Panel Brougham	409
Sedan 3W 5	349
Touring 7	284
Judkins Berline 2W 4	434
Judkins Berline 3W 4	439
Brunn Cabriolet N/C 5	404
Brunn Cabriolet S/C 5	419
Brunn Brougham 7	419
Conv. Sedan LeBaron W/P 5	398
Wilby Sport Sedan	409
Sedan 7	354
Limousine 7	354
Judkins Limousine Sedan 7	419
Wilby Limousine	389
1935—Series 12-V12—Serial Nos. K-3501 to 4919:	
LeBaron Conv. Roadster 2-4—542	262
LeBaron Coupe 2—548	263
Coupe 5—545	248
Sedan 2W 5—543	253
Brunn Conv. Victoria 5—547	272
LeBaron Conv. Sedan Phaeton 546	272
Sedan 3W 5—544	253
Touring 7—302	218
Judkins Berline 2W 4—309A	288
Judkins Berline 3W 4—309B	293
Brunn Cabriolet N/C 304A	298
Brunn Cabriolet S/C 304B	303
Brunn Brougham 7—305	318
Conv. Sedan LeBaron W/P 5—307	297
Wilby Sport Sedan 311	313
Sedan 7—303A	263

TABLE B—Continued

(14) LINCOLN—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series 12-V12—Continued.	
Limousine 7—303B	$253
Judkins Sedan Limousine 7—308	268
Wilby Limousine 7—310	278

(15) LINCOLN ZEPHYR

1942—Series 12-V12-26H—Serial Nos. H-129691 to 136254:	
Coupe 3-72A	2,034
Club Coupe 6-77	2,084
Conv. Coup- 6-76	2,489
Sedan, 4 Dr. 6-73	2,084
Custom Interior	
Coupe 3-73A	2,109
Club Coupe 6-77	2,104
Sedan, 4 Dr. 6-73	2,104
1941—Series 12-V12-16H—Serial Nos. H-107688 and up:	
Coupe 3-72A	1,427
Coupe A/S 3-6-72B	1,477
Club Coupe 6-77	1,487
Conv. Coupe 6-76	1,483
Sedan, 4 Dr 6-73	1,487
Custom Interior	
Coupe 3-72A	1,517
Club Coupe 6-77	1,587
Sedan, 4 Dr. 6-73	1,582
1940—Series 12-V12-06H—Serial Nos. H-85641 and up:	
Coupe 3-72A	1,065
Coupe A/S 5-72B	1,070
Club Coupe 6-77	1,100
Conv. Coupe 5-76	1,234
Cont. Club Coupe 5-57	1,665
Cont. Cabriolet 5-56	1,680
Sedan 6-73	1,100
Custom Interior	
Coupe 3-72A	1,115
Club Coupe 6-77	1,150
Sedan 6-73	1,165
Town Limousine 5-22	1,285
1939—Series 12-V12—Serial Nos. H-6464 to 85640:	
Coupe 3-720	788
Conv. Coupe 2-4—760B	927
Coupe Sedan, 2 Dr. 5—700	793
Sedan, 4 Dr. 5—730	818
Conv. Sedan 5—740	927
Custom Interior	
Coupe 3—720	883
Coupe Sedan, 2 Dr. 5—700	873
Sedan, 4 Dr. 5—730	883
Town Limousine Sedan 5-737	933
1938—Series 12-V12-86H—Serial Nos. H-45530 to 64640:	
Coupe 3—720	614
Conv. Coupe 3—760B	721
Coupe Sedan, 2 Dr. 5—700	614
Sedan, 4 Dr. 6—730	639
Conv. Sedan 5—740	721
Town Limousine 5—737	644
1937—Series 12-V12-HB—Serial Nos. H-15550 to 45529:	
Coupe 3—720	467
Coupe Sedan, 2 Dr. 6—700	467
Sedan, 4 Dr. 6—730	482
Town Sedan 6—737	482
1936—Series 12-V12-H—Serial Nos. H-1 to 15528:	
Sedan, 2 Dr. 6	360
Sedan, 4 Dr. 6	380

(16) MERCURY

1942—Series 8-V8-29A—95 h. p.—Serial Nos. 99A-466701 and up:	
Coupe 3	1,319
Sedan Coupe 6	1,379
Conv. Club Coupe 5	1,548
Tudor Sedan 6	1,359
Town Sedan, 4 Dr. 6	1,399
Station Wagon 8	1,624

TABLE B—Continued

(16)—MERCURY—continued

Model, serial number, body type and passenger capacity	*Base price*
1941—Series 8-V8-19A—95 h. p.—Serial Nos. 99A-257101 and up:	
Coupe 5W 2	$1,098
Coupe A/S 2-4	1,128
Sedan Coupe 6	1,163
Conv. Club Coupe 2-4	1,259
Tudor Sedan 6	1,123
Town Sedan, 4 Dr. 6	1,168
Station Wagon	1,308
1940—Series 8-V8—95 h. p.—Serial Nos. 99A-101701 and up:	
Club Conv. Coupe 5	996
Sedan, 2 Dr. 6	903
Coupe Sedan 2 Dr. 6	938
Town Sedan, 4 Dr. 6	935
Conv. Sedan 6	1,021
1939—Series 8-V8—95 h. p.—Serial Nos. 99A-1 to 101700:	
Club Conv. Coupe 5	793
Sedan, 2 Dr. 5	739
Coupe Sedan, 2 Dr. 5	784
Town Sedan 5	779

(17) NASH

1942—Series 6-4240—Ambassador "600"—Serial Nos. K-56001 to 77660:	
Business Coupe 3—4242	1,180
Brougham, 2 Dr. 6—4243	1,220
S/S Sedan, 2 Dr. 6—4249	1,215
S S Sedan, 4 Dr. 6—4248	1,230
Tour. Sedan, 4 Dr. 6—4240	1,260
1942—Series 6-4260—Ambassador Six—Serial Nos. R-384001 to 393090:	
Business Coupe 3—4262	1,342
Brougham, 2 Dr. 6—4263	1,397
S/S Sedan 2 Dr. 6—4269	1,382
S S Sedan, 4 Dr. 6—4268	1,407
Tour. Sedan, 4 Dr. 6—4260	1,427
1942—Series 8-4280—Ambassador Eight—Serial Nos. B-114001 to 115000:	
Brougham, 2 Dr. 6—4283	1,447
S/S Sedan, 4 Dr. 6—4288	1,457
Tour. Sedan, 4 Dr. 6—4280	1,482
1941—Series 6-4140—Ambassador "600"—Serial Nos. K-5001 to 55100:	
Special	
Business Coupe 3—4145	888
F/B Sedan, 2 Dr. 6—4146	918
F/B Sedan, 4 Dr. 6—4147	948
Deluxe	
Business Coupe, 3—4142	928
Brougham, 2 Dr. 6—4143	963
F/B Sedan, 2 Dr. 6—4149	938
F/B Sedan, 4 Dr. 6—4148	973
Tour. Sedan, 4 Dr. 6—4140	1,008
1941—Series 6-4160—Ambassador Six—Serial Nos. R-353001 to 383400:	
Business Coupe 3—4162	1,037
Special Business Coupe 3—4165	1,047
All purpose Cabriolet 5—4161	1,133
Brougham, 2 Dr. 6—4163	1,087
Special F/B Sedan, 2 Dr. 6—4169	1,133
Special F/B Sedan, 4 Dr. 6—4167	1,133
Deluxe F/B Sedan, 4 Dr. 6—4168	1,143
Tour. Sedan, 4 Dr. 6—4160	1,148
1941—Series 8-4180—Ambassador Eight—Serial Nos. B-110001 to 113500:	
Cabriolet 5—4181	1,277
Deluxe Brougham, 2 Dr. 6—4183	1,162
Special F/B Sedan, 4 Dr. 6—4187	1,177
Deluxe F/B Sedan, 4 Dr. 6—4188	1,187
Tour. Sedan, 4 Dr. 6—4180	1,222
1940—Series 6-4010—Deluxe Lafayette—Serial Nos. H-57000 to 103362, Motor Nos. HE-56500 to 102862:	
Business Coupe 3—4014	800
All Purpose Coupe 5—4012	830
All Purpose Cabriolet 5—4011	900
F/B Sedan, 2 Dr. 6—4013	830
F/B Sedan, 4 Dr. 6—4018	860
Sedan, 4 Dr. 6—4010	860

TABLE B—Continued

(17) NASH—continued

Model, serial number, body type and passenger capacity	*Base price*
1940—Series 6-4020—Nash Ambassador Six Serial Nos. R-340000 to 352517, Motor Nos. E-339500 to 352017:	
Business Coupe 3—4025	$875
All Purpose Coupe 5—4022	900
All Purpose Cabriolet 5—4021	965
F/B Sedan, 2 Dr. 6—4023	890
F/B Sedan, 4 Dr. 6—4028	920
Sedan TK, 4 Dr. 6—4020	920
1940—Series 8-4080—Nash Ambassador Eight—Serial Nos. B-106300 to 109549, Motor Nos. B-105800 to 109049:	
Business Coupe 3—4085	930
All Purpose Coupe 5—4082	955
All Purpose Cabriolet 5—4081	1005
F/B Sedan, 2 Dr. 6—4083	945
F/B Sedan, 4 Dr. 6—4088	980
Sedan TK, 4 Dr. 6—4080	985
1939—Series 6-3910—Nash Lafayette—Serial Nos. H-19450 to 56761, Motor Nos. HE-18950 to 56261:	
Special	
Business Ccupe 3—3915	675
Comp. Sedan, 2 Dr. 6—3916	690
Comp. Sedan, 4 Dr. 6—3917	710
Sedan TK, 4 Dr. 5—3919	715
Deluxe	
Business Coupe 3—3914	695
All Purpose Coupe 5—3912	705
All Purpose Cabriolet 5—3911	745
Comp. Sedan, 2 Dr. 6—3913	705
Comp. Sedan, 4 Dr. 6—3918	730
Sedan TK, 4 Dr. 6—3910	730
1939—Series 6-3920—Nash Ambassador Six—Serial Nos. R331400 to 339899 Motor Nos. E 82800 to 339999:	
Business Coupe 3—3925	703
All purpose Coupe 5—3922	723
All Purpose Cabriolet 5—3921	773
Comp. Sedan, 2 Dr. 6—3923	723
Comp. Sedan, 4 Dr. 6—3928	748
Sedan TK, 4 Dr. 6—3920	748
1939—Series 8-3980—Nash Ambassador Eight—Serial Nos. 89000 to 106051 Motor Nos. B 101700 to 105551:	
Business Coupe 3—3985	727
All Purpose Coupe 5—3982	747
All Purpose Carbiolet 5—3981	792
Comp. Sedan 2 Dr. 6—3983	737
Comp. Sedan, 4 Dr. 6—3988	767
Sedan TK, 4 Dr. 6—3980	767
1938—Series 6-3810—Nash Lafayette—Serial Nos. L 106281 to 128924, H 10501 to 19413, Motor Nos. LE 105781 to 128424, HE 10001 to 18913:	
Master	
Business Coupe 3—3815	523
Victoria, 2 Dr. 6—3816	538
Sedan TK, 4 Dr. 6—3817	553
Deluxe	
Business Coupe 2—3814	543
All Purpose Coupe 3812	558
Cabriolet 3—3811	578
Victoria 6—3813	553
Sedan TK, 4 Dr. 6—3818	573
1938—Series 6-3820—Nash Ambassador Six—Serial Nos. R 324311 to 331350, Motor Nos. E 75711 to 82750:	
Business Coupe 3—3825	555
All Purpose Coupe—3822	575
Cabriolet 3-5—3821	590
Victoria 6—3823	570
Sedan TK, 4 Dr. 6—3828	585
1938—Series 8-3880—Nash Ambassador Eight—Serial Nos. B 86031 to 88975 Motor Nos. B 98731 to 101675:	
Business Coupe 3—3885	554
All Purpose Coupe—3882	584
Cabriolet 3-5—3881	599
Victoria 6—3883	574
Sedan TK, 4 Dr. 6—3888	594

TABLE B—Continued

(17) NASH—continued

Model, serial number, body type and passenger capacity	*Base price*
1937—Series 6-3710—Nash Lafayette "400"—Serial Nos. L-50781 to 106280, H-1001 to 10500, Motor Nos. LE-50281 to 105780, HE-501 to 10000:	
Business Coupe 3—3712	$426
Coupe 3-5—3712R	436
All Purpose Coupe 3712A	446
Cabriolet 3-5—3711	461
Victoria Sedan, 2 Dr. 3713	441
Sedan TK, 4 Dr. 6—3718	451
1937—Series 6-3720-Nash Ambassador Six—Serial Nos. R-309311 to 324310 Motor Nos. E-60711 to 75710:	
Business Coupe 3—3722	439
Coupe 3-5—3722R	454
All Purpose Coupe 3722A	474
Cabriolet 3-5—3721	474
Victoria Sedan, 2 Dr. 6—3723	449
Sedan TK 6—3728	469
1937—Series 6-3780-Nash Ambassador Eight—Serial Nos. B-80031 to 86030, Motor Nos. B-92731 to 98730:	
Business Coupe 3—3782	434
Coupe 3-5—3782R	444
All Purpose Coupe 3782A	459
Cabriolet 3-5—3781	469
Victoria Sedan, 2 Dr. 6—3783	449
Sedan TK 6—3788	469
1936—Series 6—Lafayette Six—Serial Nos. L-23101 to 50777. Motor Nos. LE-22601 to 50277:	
Business Coupe 3—3612	268
Business Coupe 5W 3—3612W	273
Coupe 3-5—3612R	293
Coupe 5W 3-5—3612RW	298
Cabriolet 3-5—3611	323
Sedan, 4 Dr. 6 W-6—3610	308
Victoria, 2 Dr. 6—3615	298
Tour. Victoria TK 6—3613	303
Tour. Sedan TK 6W 6—3618	318
1936—Series 6-3640-Standard Six "400"—Serial Nos. C-1001 to 9500—Motor Nos. CE-501 to 9000:	
Business Coupe 3—3642	262
Business Coupe 3-5—3642 R	272
Victoria 6—3645	267
Tour. Victoria TK 6—3643	282
Sedan 6—3640	287
Tour. Sedan TK 6—3648	302
1936—Series 6—3640 A—Deluxe Six "400"—Serial Nos. C-9501 to 23000—Motor Nos. CE-9001 to 22500:	
Business Coupe 3—3642 A	292
Coupe 3-5—3642 R-A	297
Sport Cabriolet 3-5—3641 A	317
Victoria 5—3645 A	292
Tour. Victoria TK 6—3643 A	302
Sedan 6—3640 A	307
Tour. Sedan TK 6—3648 A	322
1936—Series 6-3620-Ambassador Six—Serial Nos. R 303301 to 309300—Motor Nos. E 54701 to 60700:	
Victoria 6—3625	325
Sedan TK 6W—6—3620	340
1936—Series 8—3680—Ambassador—Super Eight—Serial Nos. B 77325 to 80026—Motor Nos. B 90025 to 92726:	
Super Sedan TK 6W—6—3680	345
1935—Series 6-Lafayette—Six—Serial Nos. L 13701 to L 23100—Motor Nos. LE 13201 to LE 22600:	
Standard:	
Business Coupe 2—3512	197
Sedan, 2 Dr. 5—3516	212
Brougham Trunk 4 W 5—3518	227
Tour. Sedan TK, 2 Dr. 5—3515	222
Town Sedan 4—W—5—3517	217
Special:	
Coupe 2—4—3512 R	202
Sedan 6 W—5—3510	212
Brougham Sedan TK 6 W—5—3513	227

TABLE B—Continued

(17) NASH—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series 6-3520-Advanced Six—Serial Nos. R 294725 to 303300—Motor Nos. E 46125 to 54700:	
Victoria 6—3525	$238
Sedan 6 W—6—3520	258
1935—Series 8-3580-Advanced Eight—Serial Nos. B 75010 to 77324—Motor Nos. B 87710 to 90024:	
Victoria 6—3585	245
Sedan, 4 Dr. 6 W—5—3580	260
Ambassador Eight:	
Victoria 6—3589	245
Sedan 6 W 6—3588	260
(18) OLDSMOBILE	
1942—Series 6-66—Serial Nos. 66-86001 to 111810, 66L12001 and up, 6609001 and up—Motor Nos. G-424001 to 472869:	
Business Coupe 3	1,291
Club Coupe 3-6	1,331
Conv. Coupe 3-6	1,539
Club Sedan 6	1,346
Sedan, 2 Dr. 6	1,336
Sedan, 4 Dr. 6	1,381
Town Sedan 6	1,381
Station Wagon 3-8	1,682
1942—Series 6-76—Serial Nos. 76-73001 to 91101, 76L11001 and up, 76C7001 and up—Motor Nos. G424901 to 472869:	
Club Sedan 6	1,402
Sedan, 4 Dr. 6	1,462
"Seventy" 76-D	
Club Sedan 6	1,492
Sedan, 4 Dr. 6	1,547
1942—Series 8-68—Serial Nos. 68-9001 to 12599, 68L3001 and up, 68C3001 and up—Motor Nos. L450001 to 468773:	
Business Coupe 3	1,331
Club Coupe 3-8	1,371
Conv. Coupe 3-6	1,604
Club Sedan 6	1,386
Sedan, 2 Dr. 6	1,376
Sedan, 4 Dr. 6	1,426
Town Sedan 6	1,426
Station Wagon 3-8	1,737
1942—Series 8-78—Serial Nos. 78-26001 to 32881, 78L4001 and up, 78C4001 and up—Motor Nos. L450001 to 468773:	
Club Sedan 6	1,447
Sedan, 4 Dr. 6	1,502
"Seventy" 78-D	
Club Sedan 6	1,537
Sedan, 4 Dr. 6	1,592
1942—Series 8-98—Serial Nos. 98-25001 to 31097, 98L6001 and up, 98C4001 and up—Motor Nos. L450001 to 468773:	
Conv. Coupe 3-6	1,882
Club Sedan 3-6	1,627
Sedan, 4 Dr. 6	1,682
1941—Series 6-66-Special—Serial Nos. 66-1001 to 85192, 66L1001 to 72537, 66C1001 to 85216—Motor Nos. G225001 to 410506:	
Business Coupe 3	1,089
Club Coupe 3-6	1,149
Conv. Coupe 3-6	1,259
Sedan, 2 Dr. 6	1,144
Sedan, 4 Dr. 6	1,184
Town Sedan 6	1,179
Station Wagon 3-8	1,320
1941—Series 6-76-Dynamic—Serial Nos. 76-1001 to 47617, 76L1001 to 10426, 76C1001 to 6813—Motor Nos. G225001 to 353779:	
Business Coupe 3	1,167
Club Sedan 6	1,207
Sedan, 4 Dr 6	1,247
Deluxe 76-D	
Business Coupe 3	1,247
Sedan Club 5	1,287
Sedan, 4 Dr. 6	1,327

TABLE B—Continued

(18) OLDSMOBILE—continued

Model, serial number, body type and passenger capacity	*Base price*
1941—Series 6-96-Custom—Serial Nos. 96-1001 to 6730, 96L1001 to 1101, 96C1001 to 1930—Motor Nos. G225001 to 422099:	
Club Coupe 3-6	$1,262
Conv. Coupe 3-6	1,377
Sedan, 4 Dr. 6	1,302
1941—Series 8-68—Special—Serial Nos. 68-1001 to 8817, 68L1001 to 8622, 68C1001 to 8827—Motor Nos. L379001 to 448676:	
Business Coupe 3	1,114
Club Coupe 3-6	1,149
Conv. Coupe 3-6	1,274
Sedan, 2 Dr. 6	1,159
Sedan, 4 Dr. 6	1,204
Town Sedan 6	1,204
Station Wagon	1,360
1941—Series 8-78—Dynamic—Serial Nos. 78-1001 to 25163, 78L1001 to 3524, 78C1001 to 3055—Motor Nos L379001 to 447803:	
Dynamic:	
Business Coupe 3	1,187
Club Sedan 6	1,227
Sedan, 4 Dr 6	1,252
Deluxe—78D	
Business Coupe 3	1,267
Club Sedan, 2 Dr 5	1,307
Town Sedan, 4 Dr. 5	1,327
1941—Series 8-98—Custom—Serial Nos. 98-1001 to 24679, 98L1001 to 13195, 98C1001 to 3352—Motor Nos. L379001 to 449095:	
Club Coupe 3-6	1,282
Conv. Coupe 3-6	1,387
Conv. Phaeton 6	1,582
Sedan 4 Dr. 6	1,332
1940—Series 6-60—F40—Serial Nos. F703001 to 758579, LF556001 to 563474, GF515001 to 519651—Motor Nos G79001 to 224653:	
Business Coupe 2	873
Club Coupe 2	908
Conv. Coupe 2	990
Tour. Sedan, 2 Dr. 5	913
Tour. Sedan, 4 Dr. 5	948
Station Wagon	1,006
Conv. Coupe P. Top	990
1940—Series 6-70—G40—Serial Nos. G355001 to 417940, LG108001 to 117596, CG16001 to 21070—Motor Nos. G79001 to 224652:	
Business Coupe 2	806
Club Coupe 2	926
Conv. Coupe 2	1,008
Tour. Sedan, 2 Dr. 5	931
Tour Sedan, 4 Dr. 5	978
1940—Series 8-90—L40—Serial Nos. L242001 to 281191, LL202001 to 205267, CL190501 to 192700—Motor Nos. L334001 to 378661:	
Custom Cruiser:	
Conv. Phaeton 5	1,180
Club Coupe 2	1,013
Conv. Coupe 2	1,095
Tour. Sedan, 4 Dr. 5	1,038
1939—Series 6-60—Serial Nos. F663001 to 702538, CF511001 to 514115, LF-551301 to 555685—Motor Nos. F-965001 to 952730:	
Business Coupe 2	695
Club Coupe 2-4	720
Sedan, 2 Dr. 5	725
Sedan, 4 Dr. 5	740
1939—Series 6-70—Serial Nos. G300001 to 354552 CG10001 to 15325, LG-10001 to 107782—Motor Nos. G-10001 to 78468:	
Business Coupe 2	717
Club Coupe 2-4	757
Conv. Coupe 2-4	816
Sedan, 2 Dr. 5	757
Sedan, 4 Dr. 5	782
1939—Series 8-80—Serial Nos. L228201 to 241850, CL189001 to 190358, LL199001 to 201119—Motor Nos. L316001 to 333127:	

TABLE B—Continued

(18) OLDSMOBILE—continued

Model, serial number, body type and passenger capacity	*Base price*
1939—Series 8-80—Continued.	
Business Coupe 2	$712
Club Coupe 2-4	742
Conv. Coupe 2-4	816
Sedan, 2 Dr. 5	747
Sedan, 4 Dr. 5	777
1938—Series 6-F38—Serial Nos. F600001 to 662212, CF504001 to 510598, LF545001 to 551236—Motor Nos. 828001 to 904002:	
Business Coupe 2	593
Club Coupe 2	613
Conv. Coupe 2	653
Sedan, 2 Dr. 5	598
Tour. Sedan, 2 Dr. 5	609
Sedan, 4 Dr. 5	623
Tour. Sedan, 4 Dr. 5	633
1938—Series 8-L38—Serial Nos. 1212001 to 228126, CL167001 to 188751, LL197001 to 198859—Motor Nos. 296001 to 298859:	
Business Coupe 2	589
Club Coupe 2	604
Conv. Coupe 2	644
Sedan, 2 Dr. 5	599
Tour. Sedan, 2 Dr. 5	609
Sedan, 4 Dr. 5	619
Tour. Sedan, 4 Dr. 5	629
1937—Series 6-F37—Serial Nos. 353001 to 503200—Motor Nos. 670001 to 818948:	
Business Coupe 2-4	509
Club Coupe 2-4	520
Conv. Coupe 2-4	545
Sedan, 2 Dr. 5	514
Tour Sedan TK, 2 Dr. 5	524
Sedan, 4 Dr. 5	539
Tour. Sedan TK, 4 Dr. 5	549
1937—Series 8-L37—Serial Nos. 140001 to 186544—Motor Nos. 256001 to 295824:	
Business Coupe 2	481
Club Coupe 2-4	496
Conv. Coupe 2-4	512
Sedan, 2 Dr. 5	486
Tour. Sedan TK, 2 Dr. 5	496
Sedan, 4 Dr. 5	505
Tour. Sedan TK, 4 Dr. 5	521
1936—Series 6-F36—Serial Nos. 206001 to 352357—Motor Nos. 506001 to 659165:	
Business Coupe 2	386
Sport Coupe 2-4	398
Conv. Coupe 2-4	418
Coupe 5	386
Tour. Coupe TK 5	406
Sedan, 4 Dr. 5	416
Tour. Sedan TK, 4 Dr. 5	426
1936—Series 8-L36—Serial Nos. 100001 to 139926—Motor Nos. 202001 to 242916:	
Business Coupe 2	377
Sport Coupe 2-4	397
Conv. Coupe 2-4	404
Coupe 5	382
Tour. Coupe TK 5	392
Sedan, 4 Dr. 5	402
Tour. Sedan TK, 4 Dr. 5	412
1935—Series 6-F35—Serial Nos. 103001 to 193468—Motor Nos. 405001 to 496693:	
Business Coupe 2	270
Sport Coupe 2-4	284
Conv. Coupe 2-4	307
Coupe 5	270
Tour. Coupe 5	286
Sedan, 4 Dr. 5	294
Tour. Sedan, 4 Dr. 5	309
1935—Series 8-L35—Serial Nos. 44001 to 73977—Motor Nos. 45001 to 76257:	
Business Coupe 2	260
Sport Coupe 2-4	270
Conv. Coupe 2-4	273
Coupe 5	270
Tour. Coupe 5	275
Sedan, 4 Dr. 5	280
Tour. Sedan, 4 Dr. 5	285

TABLE B—Continued

(19) PACKARD

Model, serial number, body type and passenger capacity	*Base price*
1942—Series 6-110—Clipper — Serial Nos. E-1501 to 12906:	
Special Series 2000:	
Business Coupe 2—1588	$1,536
Club Sedan, 2 Dr. 6—1585	1,571
Tour. Sedan, 4 Dr. 6—1582	1,608
Custom Series 2010:	
Club Sedan, 2 Dr. 6—1505	1,641
Tour. Sedan 4 Dr. 6—1502	1,676
Series 2020:	
Conv. Coupe 5—1589	1,745
1942—Series 8-120—Clipper — Serial Nos. E300001 to 319350:	
Special Series 2001:	
Business Coupe 3—1598	1,581
Club Sedan, 2 Dr. 6—1595	1,611
Tour. Sedan, 4 Dr. 6—1592	1,651
Custom Series 2011:	
Club Sedan, 2 Dr. 6—1515	1,701
Tour. Sedan, 4 Dr. 6—1512	1,761
Series 2021:	
Conv. Coupe 5—1599	1,880
1942—Series 8-160—Super Clipper—Serial Nos. E-500001 to 503371:	
Series 2003:	
Club Sedan, 2 Dr. 6—1575	2,051
Tour. Sedan, 4 Dr. 6—1572	2,111
Series 2023:	
Conv. Coupe 5—1579	2,218
Series 2004:	
Tour. Sedan, 4 Dr. 6—1562	2,338
Series 2005:	
Tour. Sedan, 4 Dr. 7—1571	2,488
Tour. Limousine 7—1570	2,528
Series 2055:	
Business Sedan, 4 Dr. 7—1591	2,333
Business Limousine 7—1590	2,463
1942—Series 8-180—Custom Super—Serial Nos. CE500001 to 503371:	
Series 2006:	
Tour. Sedan, 4 Dr. 6—1525	2,561
Tour. Sedan, 4 Dr. 6—1522	2,646
Special Series 2006:	
Victoria Conv. Darrin 5—1529	4,780
Series 2007:	
Tour. Sedan, 4 Dr. 6—1542	2,773
Formal Sedan 6—1532	3,343
Cabriolet A/W Rollson 7—894	5,068
Series 2008:	
Tour. Sedan, 4 Dr. 7—1551	2,868
Tour. Limousine 7—1550	2,983
Tour. Sedan, LeBaron 7—1521	5,723
Tour. Limousine LeBaron 7—1520	5,958
Town Car A/W Rollson 7—895	5,168
1941—Series 6-110 Series 1900—Serial Nos. D1501 to 99999:	
Special:	
Business Coupe 2—1488	1,129
Club Coupe 2 4—1485	1,209
Conv. Coupe 2 4—1489	1,330
Tour. Sedan, 2 Dr. 5—1484	1,199
Tour. Sedan, 4 Dr. 5—1482	1,229
Station Wagon 8—1483	1,419
Deluxe:	
Club Coupe 2 4—1485DE	1,229
Conv. Coupe 2 4—1489DE	1,370
Tour. Sedan, 4 Dr. 5—1484DE	1,243
Tour. Sed. 4 Dr. 5—1482DE	1,253
Station Wagon 8—1463	1,449
1941—Series 8-120—Serial Nos. DE300001 to 399999:	
Series 1901:	
Business Coupe 2—1498	1,282
Club Coupe 2 4—1495	1,332
Conv. Coupe 2 4—1499	1,453
Tour. Sedan, 2 Dr. 5—1494	1,332
Tour. Sedan, 4 Dr. 5—1492	1,362
Conv. Sedan 5—1497	1,698
Station Wagon 8—1493	1,512
Deluxe Station Wagon 8—1473	1,592
1941—Series 8-1951—Clipper—Serial Nos. D400001 to 499999:	
Tour. Sedan, 4 Dr. 5—1401	1,572
1941—Series 8-160—Super Eight—Serial Nos. D500001 to 599999:	
Series 1903:	
Business Coupe 2—1478	1,507
Club coupe 2-4—1475	1,632

TABLE B—Continued

(19) PACKARD—continued

Model, serial number, body type and passenger capacity	*Base price*
1941—Series 8-160—Continued.	
Series 1903—Continued.	
Con. Coup 2-3—1479	$1,703
Tour. Sedan, 4 Dr. 5—1472	1,612
Conv. Sedan, 5—1477	1,913
Deluxe Series 1903:	
Conv. Coupe 2-4—1479DE	1,798
Conv. Sedan 5—1477DE	2,008
Series 1904:	
Tour. Sedan, 4 Dr. 5—1462	1,738
Series 1905:	
Tour. Sedan, 7—1471	1,828
Tour. Limousine, 7—1470	1,918
1941—Series 8-180—Custom Super—Serial Nos. CD500001 to 599999:	
Series 1906:	
Victoria Conv. Darrin 5—1429	3,303
Series 1907:	
Tour. Sedan, 4 Dr. 5—1442	2,063
Formal Sedan 5—1432	2,428
Sport Brougham, 4 Dr. 5—1452	2,768
Cabriolet A/W Rollson 7—794	3,388
Sport Sedan Darrin 5—1422	3,418
Series 1908:	
Tour. Sedan 7—1451	2,298
Tour. Limousine 7—1450	2,273
Town A/W Rollson 7—795	3,553
Tour. Sedan LeBaron 7—1421	3,813
Tour. Limousine LeBaron 7—1420	3,943
1940—Series 6-110—Serial Nos. C1501 to 99999:	
Series 1800:	
Business Coupe 2—1388	883
Club Coupe 2-4—1385	918
Conv. Coupe 2-4—1389	1,015
Tour. Sedan, 2 Dr. 5—1384	943
Tour Sedan, 4 Dr. 5—1382	968
Station Wagon 8-1383	1,101
1940—Series 8-120—Serial Nos. C300001 to 399999:	
Series 1801:	
Business Coupe 2—1398	954
Club Coupe 2-4—1395	1,004
Conv. Coupe 2-4—1399	1,106
Tour. Sedan, 2 Dr. 5—1394	1,009
Tour. Sedan, 4 Dr. 5—1392	1,029
Club Sedan 5—1396	1,084
Conv. Sedan 5—1397	1,201
Station Wagon 8—1393	1,217
Victoria Conv. Darrin 5—700	2,199
Deluxe Series 1801:	
Club Coupe 2-4—1395D	1,029
Conv. Coupe 2-4—1399D	1,146
Tour. Sedan, 4 Dr. 5—1392D	1,084
Club Sedan 5—1396D	1,119
1940—Series 8-160—Super Eight Serial Nos. C500001 to 599999:	
Series 1803:	
Business Coupe, 2 Dr. 2—1378	1,074
Club Coupe, 2 Dr. 4—1375	1,124
Conv. Coupe 2-4—1379	1,221
Tour. Sedan, 4 Dr. 5—1372	1,154
Club Sedan 5—1376	1,209
Conv. Sedan 5—1377	1,308
Series 1804:	
Tour. Sedan, 4 Dr. 5—1362	1,262
Series 1805:	
Tour. Sedan 7—1371	1,297
Tour. Limousine 7—1370	1,377
1940—Series 8-180 Custom Super—Serial Nos. CC500001 to 599999:	
Series 1806:	
Club Sedan, 4 Dr. 5—1356	1,354
Victoria Conv. Darrin 5—700	2,094
Series 1807:	
Tour. Sedan, 4 Dr. 5—1342	1,347
Formal Sedan 5—1332	1,552
Cabriolet A/W Rollson 7—694	2,022
Conv. Sedan Darrin 5—710	2,700
Series 1808:	
Tour. Sedan 7—1351	1,397
Tour. Limousine 7—1350	1,447
Town Car A/W Rollson 7—695	2,137
1939—Series 6—Motor Nos. B1501 to 99999:	
Series 1700:	
Business Coupe 2—1288	711

TABLE B—Continued

(19) PACKARD—continued

Model, serial number, body type and passenger capacity	*Base price*
1939—Series 6—Continued.	
Series 1700—Continued.	
Tour Limousine 7—1115	$722
Club Coupe 2-4—1285	756
Conv. Coupe 2-4—1289	830
Tour. Sedan, 2 Dr. 5—1284	761
Tour. Sedan, 4 Dr. 5—1282	796
Station Wagon	897
1939—Series 8—Motor Nos. B-300001 to 399999:	
Series 1701:	
Business Coupe 2—1298	781
Club Coupe 2-4—1295	806
Conv. Coupe 2-4—1299	870
Tour. Sedan, 2 Dr. 5—1294	806
Tour. Sedan, 4 Dr. 5—1292	836
Conv. Sedan, 5—1297	940
Station Wagon	967
Series 1702:	
Tour. Sedan 7—1291	887
Tour. Limousine 7—1290	897
1939—Series 8—Super Eight—Motor Nos. B500001 to 599999:	
Series 1703:	
Club Coupe 2-4—1275	846
Conv. Coupe 2-4—1279	935
Tour. Sedan, 4 Dr. 5—1272	876
Conv. Sedan 5—1277	1,000
Series 1705:	
Tour. Sedan 7—1271	952
Tour. Limousine 7—1270	957
1939—Series 12—Motor Nos. B600001 to 620999:	
Series 1707:	
Coupe 2-4—1238	1,007
Coupe 5—1237	1,017
Conv. Coupe 2-4—1239	1,111
Tour. Sedan, 4 Dr. 5—1233	1,072
Club Sedan 5—1236	1,057
Formal Sedan 5—1232	1,292
Victoria 5—1227	1,432
Cabriolet A/W Rollston 7—594	2,002
Series 1708:	
Tour. Sedan 7—1234	1,122
Conv. Sedan 5—1253	1,486
Tour. Limousine 7—1235	1,187
Town Car A/W Packard Rollston 7—595	1,952
Tour. Cabriolet Brunn 5—4086	2,382
Cabriolet A/W Brunn 6—4087	2,347
1938—Series 6—Motor Nos. A1501 to 99999:	
Series 1600:	
Business Coupe 2—1188	595
Club Coupe 2-4—1185	620
Conv. Coupe 2-4—1189	671
Tour. Sedan, 2 Dr. 5—1184	625
Tour. Sedan, 4 Dr. 5—1182	645
1938—Series 8—Motor Nos. A300001 to 399999:	
Series 1601:	
Business Coupe 2—1198	643
Club Coupe 2-4—1195	648
Conv. Coupe 2-4—1199	689
Tour. Sedan, 2 Dr. 5—1194	638
Tour. Sedan, 4 Dr. 5—1192	663
Conv. Sedan 5—1197	704
Series 1601 D:	
Tour. Sedan, 4 Dr. 5—1172	668
Series 1602:	
Tour. Sedan 7—1191	672
Tour. Limousine 7—1190	672
1938—Series 8—Super Eight—Motor Nos. A500001 to 599999:	
Series 1603:	
Tour. Sedan, 4 Dr. 5—1103	698
Series 1604:	
Coupe 2-4—1118	702
Coupe 5—1117	707
Conv. Coupe 2-4—1119	778
Club Sedan 5—1116	727
Tour. Sedan, 4 Dr. 5—1113	732
Formal Sedan 5—1112	717
Victoria 5—1107	692
Series 1605:	
Tour. Sedan 7—1114	722
Conv. Sedan 5—1143	768
Tour Limousine 7-1115	722

TABLE B—Continued

(19) PACKARD—continued

Model, serial number, body type and passenger capacity	*Base price*
1938—Series 12—Motor Nos A600001 to 620999:	
Series 1607:	
Coupe, 2 Dr. 4—1138	$732
Coupe 5—1137	752
Conv. Coupe 2-4—1139	813
Tour. Sedan, 4 Dr. 5—1133	782
Club Sedan 5—1136	792
Formal Sedan 5—1132	832
Victoria 5—1127	847
Series 1608:	
Tour Sedan 7—1134	792
Conv. Sedan 5—1153	868
Tour. Limousine 7—1135	782
1937—Series 6—Motor Nos. T 1500 to 99999:	
Series 115C:	
Business Coupe 2—1088	464
Conv. Coupe, 2 Dr. 4—1089	497
Sport Coupe, 2 Dr. 4—1085	474
Tour. Coupe 5—1084	484
Sedan 5—1083	484
Club Sedan 5—1086	494
Tour. Sedan 5—1082	499
1937—Series 8—Motor Nos. X-100000 to 199999:	
Series 1200:	
Business Coupe 2—1098	460
Conv. Coupe 2-4—1099	508
Sport Coupe 2-4—1095	475
Tour. Coupe 5—1094	470
Sedan 5—1093	485
Club Sedan 5—1096	495
Town Sedan 5—1092	500
Conv. Sedan 5—1097	513
Series 120CD:	
Tour. Coupe 5—1094CD	480
Club Sedan 5—1096CD	510
Tour. Sedan 5—1092CD	515
Series 138CD:	
Tour. Limousine 7—CD1090	535
Tour. Sedan 7—CD1091	540
1937—Series 8—Super Eight—Motor Nos. 395500 to 449999:	
Series 15C0:	
Tour. Sedan 5—1003	502
Series 1501:	
Coupe Roadster, 2 Dr. 4—1019	530
Coupe 2-4—1018	485
Coupe 5—1017	490
Club Sedan 5—1016	505
Tour. Sedan 5—1013	505
Formal Sedan 5—1012	545
Victoria 5—1007	555
Cabriolet A/W LeBaron 5-7—L394	640
Series 1502:	
Conv. Sedan 5—1063	557
Tour. Sedan 5-7—1014	505
Business Sedan 5-8—1014	485
Tour. Limousine 5-7—1015	505
Business Limousine 5-8—1015	485
Town Car 7—L395	605
1937—Series 12—Motor Nos. 905500 to 919999:	
Series 1506:	
Tour. Sedan 5—1023	510
Series 1507:	
Coupe Roadster 2-4—1039	495
Coupe 2-4—1038	490
Coupe 5—1037	490
Club Sedan 5—1036	525
Tour. Sedan 5—1033	515
Formal Sedan 5—1032	555
Conv. Victoria 5—1027	587
Cabriolet A/W LeBaron 5-7—L394	595
Series 1508:	
Conv. Sedan 5—1073	557
Tour. Sedan 5-7—1034	520
Tour. Limousine 5-7—1035	505
Town Car A/W LeBaron 5-7—L895	595
1936—Series 8—Motor Nos. X-27500 to 99999:	
Series 120B:	
Business Coupe 2—998	357
Conv. Coupe 2-4—999	390
Sport Coupe 2-4—995	362
Tour. Coupe 5—994	362

TABLE B—Continued

(19) PACKARD—continued

Model, serial number, body type and passenger capacity	*Base price*
1936—Series 8—Continued.	
Series 120B—Continued.	
Sedan 5—993	$362
Club Sedan 5—996	372
Tour. Sedan 5—992	372
Conv. Sedan 5—997	390
1936—Series 8—Motor Nos. 390500 to 395499:	
Series 1400:	
Sedan 5—903	378
Series 1401:	
Coupe Roadster 2-4—919	335
Phaeton 4—911	370
Coupe 2-4—918	360
Coupe 5—917	350
Club Sedan 5—916	375
Sedan 5—913	370
Formal Sedan 5—912	395
Conv. Victoria 5—907	393
Cabriolet A/W LeBaron 5-7—294	375
Series 1402:	
Touring 5-7—910	350
Conv. Sedan 5—963	413
Sedan 5-7—914	390
Business Sedan 5-8—914	370
Limousine 5-7—915	360
Business Limousine 5-8—915	335
Town Cruiser A/W LeBaron 5-7—295	390
1936—Series 8—Super Eight—Motor Nos. 757000 to 758499:	
Series 1403:	
Sedan 5—943	385
Series 1404:	
Coupe Roadster 2-4—959	360
Phaeton 5—951	360
Sport Phaeton 5—941	360
Coupe 2-4—958	350
Coupe 5—957	360
Club Sedan 5—956	390
Formal Sedan 5—952	395
Conv. Victoria 5—947	398
Cabriolet A/W LeBaron 5-7—294	385
Series 1405:	
Tour. 5-7—950	335
Conv. Sedan 5—983	408
Sedan 5-7—954	400
Business Sedan 5-8—954	365
Limousine 5-7—955	360
Business Limousine 5-8—955	370
Town Cruiser A/W LeBaron 5-7—295	395
1936—Series 12—Motor Nos. 904000 to 905499:	
Series 1407:	
Coupe Roadster 2-4—939	375
Phaeton 5—931	380
Sport Phaeton 5—921	390
Coupe 2-4—938	370
Coupe 5—937	380
Club Sedan 5—936	390
Sedan 5—933	385
Formal Sedan 5—932	405
Conv. Victoria 5—927	413
Cabriolet A/W LeBaron 5-7—294	395
Series 1408:	
Touring 5-7—930	335
Conv. Sedan 5-973	433
Sedan 5-7—934	405
Limousine 5-7—935	395
Town Cruiser A/W LeBaron 5-7—295	415
1935—Series 8—Motor Nos. 385001 to 390499:	
Series 1200:	
Sedan 5—803	285
Series 1201:	
Coupe Roadster 2-4—819	292
Phaeton 5—811	277
Coupe 2-4—818	272
Coupe 5—817	267
Club Sedan 5—816	292
Sedan 5—813	287
Formal Sedan 5—812	307
Conv. Victoria 5—807	296
Cabriolet A/W LeBaron 5-7—194	297

TABLE B—Continued

(19) PACKARD—continued

Model, serial number, body type and passenger capacity	*Base price*
1935—Series 8—Continued.	
Series 1202:	
Conv. Sedan 5—863	$311
Sedan 5-7—814	297
Limousine 5-7—815	297
Town Car A/W LeBaron 5-7—194	287
1935—Series 8—Super Eight—Motor Nos. 755001 to 756999:	
Series 1203:	
Sedan 5—843	292
Series 1204:	
Coupe Roadster 2-4—859	302
Phaeton 5—851	192
Sport Phaeton 5—841	197
Coupe 2-4—858	217
Coupe 5—857	237
Club Sedan 5—856	227
Formal Sedan 5—852	312
Conv. Victoria 5—847	316
Cabriolet A/W LeBaron 5-7—195	207
Series 1205:	
Conv. Sedan 5—883	321
Sedan 5-7—854	297
Limousine 5-7—855	302
Town Car A/W LeBaron 5-7—194	302
Series 12-1207:	
Sedan 5—833	302
Formal Sedan 832	307
Club Sedan 836	297
Coupe 5—837	282
Coupe 2-4—838	277
Coupe Roadster 839	287
Phaeton 831	272
Sport Phaeton 821	277
Victoria 827	297
Cabriolet A/W LeBaron 7—195	277
Series 12-1208:	
Conv. Sedan 873	306
Sedan 7—834	272
Limousine 835	262
Town Car A/W LeBaron 194	277
1935—Series 8—Motor Nos. X-1501 to X-27499:	
Series 120:	
Business Coupe 2—898	262
Conv. Coupe 899	291
Sport Coupe 895	267
Tour. Coupe 5—894	267
Sedan 5—893	277
Club Sedan 5—896	287
Tour. Sedan 5—892	287

(20) PLYMOUTH

1942—Series 6—P14—Deluxe—Serial Nos. 15135501 to 15153935, 3134501 to 3136266, 22037001 to 22041356—Motor Nos. 14-1001 to 149158:	
Coupe 3	1,162
Club Coupe 6	1,237
Sedan, 2 Dr. 6	1,207
Sedan, 4 Dr. 6	1,242
Utility Sedan, 2 Dr. 2	1,197
1942—Series 6—P14—Special Deluxe—Serial Nos. 11399501 to 11494048, 3297001 to 3306756, 20148001 to 20164436—Motor Nos. P14-1001 to P14-149158:	
Coupe 3	1,212
Club Coupe 6	1,282
Conv. Coupe 6	1,432
Sedan, 2 Dr. 6	1,241
Sedan, 4 Dr. 6	1,287
Town Sedan 6	1,327
Station Wagon 8	1,527
1941—Series 6—P11—Serial Nos. 15000101 to 15135031, 3121501 to 3133963, 22001001 to 22036668—Motor Nos. P11-1001 to 535086:	
Coupe 2	939
Sedan, 2 Dr. 5	969
Sedan, 4 Dr. 5	999
Utility Sedan, 2 Dr. 2	949
Deluxe	
Coupe 2	974
Sedan, 2 Dr. 5	1,004
Sedan, 4 Dr. 5	1,034

TABLE B—Continued

(20) PLYMOUTH—continued

Model, serial number, body, type and passenger capacity	*Base price*
1941—Series 6—P12—Serial Nos. 1123001 to 11399251, 3269301 to 3296573, 20105001 to 20147922—Motor Nos. P12-1001 to 535086:	
Special Deluxe	
Coupe 2	$1,019
Coupe 2-4	1,049
Conv. Coupe 2-4	1,189
Sedan, 2 Dr. 5	1,049
Sedan, 4 Dr. 5	1,079
Station Wagon 8	1,184
Sedan 7	1,169
1940—Series 6-P9—Roadking—Serial Nos. 1378001 to 1454305, 3114801 to 3121386, 9062201 to 9081376—Motor Nos. P9-1001 to 415462:	
Coupe 2	815
Tour. Sedan, 2 Dr. 5	810
Tour. Sedan, 4 Dr. 5	835
Utility Sedan, 2 Dr.	790
1940—Series 6-P10—Deluxe—Serial Nos. 10883001 to 11122539, 3242501 to 3269067, 20063001 to 20104166—Motor Nos. P-10-1001 to 415462:	
Deluxe Coupe 2	840
Coupe 2-4	855
Conv. Coupe 2-4	945
Tour. Sedan, 2 Dr 5	855
Tour. Sedan, 4 Dr. 5	875
Station Wagon (Glass) 8	940
Sedan Limousine 7	940
Sedan 7	970
1939—Series 6-P7—Roadking—Serial Nos. 1298001 to 1377476, 3110001 to 3114681, 9154301 to 9164594—Motor Nos. P8-1001 to 411924:	
Coupe 2	643
Sedan, 2 Dr. 5	653
Tour. Sedan TK, 2 Dr. 5	663
Sedan, 4 Dr. 5	673
Tour. Sedan TK, 4 Dr. 5	688
Utility Sedan, 2 Dr.	648
1939—Series 6-P8-Deluxe—Serial Nos. 10630001 to 10879875, 3222001 to 3242204, 20027001 to 20062200—Motor Nos. P8-1001 to 411924:	
Coupe 2	688
Coupe 2-4	698
Conv. Coupe 2-4	770
Sedan, 2 Dr. 5	693
Tour. Sedan TK, 2 Dr. 5	698
Sedan, 4 Dr. 5	708
Tour. Sedan TK, 4 Dr. 5	718
Suburban (Cur.) 8	733
Suburban (Glass) 8	768
Conv. Sedan TK 5	850
Sedan TK 7	738
Sedan Limousine 7	728
1938—Series 6-P5—Roadking — Serial Nos. 1240001 to 1296616, 3105301 to 3109408, 9097601 to 9107726—Motor Nos. P6-1001 to 286620:	
Coupe 2	534
Sedan, 2 Dr. 5	539
Sedan, 4 Dr. 5	543
Tour. Sedan TK, 2 Dr. 5	559
Tour. Sedan TK, 4 Dr. 5	569
1938—Series 6-P6—Deluxe—Serial Nos. 10470001 to 10625651, 3206001 to 3220998, 20001001 to 20025901—Motor Nos. P6-1001 to 286620:	
Coupe 2	574
Coupe 2-4	584
Conv. Coupe 2-4	607
Sedan, 2 Dr. 5	574
Tour. Sedan TK, 2 Dr 5	594
Sedan, 4 Dr. 5	594
Tour. Sedan TK, 4 Dr. 5	604
Suburban 8	619
Sedan TK 7	622
Sedan Limousine 7	612
1937—Series 6-P3—Business — Serial Nos. 1184001 to 1237460, 3101401 to 3105159, 9085551 to 9097493—Motor Nos. P4-1001 to 571569:	

TABLE B—Continued

(20) PLYMOUTH—continued

Model, serial number, body, type and passenger capacity	*Base price*
1937—Series 6-P3—Business—Continued.	
Coupe 2	$431
Sedan, 2 Dr. 5	436
Sedan, 4 Dr. 5	451
1937—Series 6-P4—Deluxe—Serial Nos. 10101001 to 10468044, 3162501 to 3205879, 9950001 to 9999000, 9190021 to 9199074—Motor Nos. P4-1001 to 571569:	
Coupe 2	466
Coupe 2-4	471
Conv. Coupe 2-4	499
Sedan, 2 Dr. 5	476
Tour. Sedan TK, 2 Dr. 5	481
Sedan, 4 Dr. 5	491
Tour. Sedan TK, 4 Dr. 5	496
Sedan, 4 Dr. 7	507
Sedan Limousine 7	497
1936—Series 6-P1—Business — Serial Nos. 1111701 and up, 3157151 and up, 9000101 and up—Motor Nos. P2-1001 and up:	
Coupe 2	322
Sedan, 2 Dr. 5	327
Sedan, 4 Dr. 5	337
Station Wagon	346
1936—Series 6-P2—Deluxe—Serial Nos. 2641401 and up, 3040601 and up, 9025101 and up—Motor Nos. P2-1001 and up:	
Coupe 2	347
Coupe 2-4	352
Conv. Coupe, 2-4	379
Sedan, 2 Dr. 5	352
Tour. Sedan, 2 Dr. 5	357
Sedan 5	367
Tour. Sedan, 4 Dr. 5	377
Tour. Sedan 7	377
1935—Series 6-PJ—Plymouth Six—Serial Nos. 1039101 and up, 3151501 and up—Motor Nos. PJ-1001 and up:	
Business Coupe 2	242
Business Sedan, 2 Dr. 5	242
Business Sedan, 4 Dr. 5	247
Coupe 2	252
Sedan, 2 Dr. 5	257
1935—Series 6-PJ—Plymouth Deluxe Six—Serial Nos. 2397601 and up, 3019401 and up—Motor Nos. PJ—1001 and up:	
Business Coupe 2	257
Coupe 2-4	262
Conv. Coupe 2-4	282
Sedan, 2 Dr. 5	264
Tour. Sedan, 2 Dr. 5	272
Sedan 5	277
Tour. Sedan, 4 Dr. 5	277
Sedan Traveler 5	280
Sedan 7	280

(21) PONTIAC

1942—Series 6-25 KA—Torpedo—Serial Nos. P6KA—1001-25802, C6KA—1001 to 3260, L6KA-1001 to 3428:	
Coupe 3	1,268
Sedan Coupe 5	1,328
Sport Coupe 5	1,313
Conv. Sedan Coupe 5	1,541
Sedan, 2 Dr. 5	1,318
Sedan, 4 Dr. 5	1,363
Metropolitan Sedan 5	1,363
1942—Series 6-26 KB—Serial Nos. P6-KB-1001-11115, C6KB-1001 to 2170, L6KB-1001 to 2181:	
Streamliner:	
Sedan Coupe 5	1,358
Sedan, 4 Dr. 5	1,418
Station Wagon 8	1,669
Streamliner Chieftain:	
Sedan Coupe 5	1,423
Sedan, 4 Dr. 5	1,468
Station Wagon 8	1,724

TABLE B—Continued

(21) PONTIAC—continued

Model, serial number, body, type and passenger capacity	*Base price*
1942—Series 8-27 KA-Torpedo—Serial Nos. P8KA-1001-13146, C8KA-1001 to 2070, L8KA-1001 to 2205:	
Coupe 3	$1,298
Sedan Coupe 5	1,353
Sport Coupe 5	1,338
Conv. Sedan Coupe 5	1,566
Sedan, 2 Dr. 5	1,343
Sedan, 4 Dr. 5	1,388
Metropolitan Sedan 5	1,388
1942—Series 8-28 KB—Serial Nos. P8KB-1001-22928, C8KB-1001 to 3127, L8KB-1001 to 3451:	
Streamliner:	
Sedan Coupe 5	1,383
Sedan, 4 Dr. 5	1,438
Station Wagon 8	1,694
Streamliner Chieftain:	
Sedan Coupe 5	1,433
Sedan, 4 Dr. 5	1,493
Station Wagon 8	1,759
1941—Series 6—JA25—Deluxe Torpedo—Serial Nos. 6JA-1001 to 80460, Motor Nos. 6-761501 to 971788:	
Business Coupe 3	1,076
Sedan Coupe 5	1,131
Conv. Sedan Coupe	1,230
Metropolitan Sedan 5	1,191
Sedan, 2 Dr. 5	1,131
Sedan, 4 Dr. 5	1,171
1941—Series 6—JB26—Streamliner "Torpedo"—Serial Nos. 6JB-1001 to 62545, Motor Nos. 6-761501 to 971788:	
Sedan Coupe 5	1,181
Super Sedan, Coupe 5	1,221
Sedan, 4 Dr. 5	1,231
Super Sedan, 4 Dr. 5	1,256
1941—Series 6-JC24—Custom "Torpedo"—Serial Nos. 6JC-1001 to 6345, Motor Nos. 6-761501 to 971788:	
Sedan Coupe 5	1,226
Sedan, 4 Dr. 5	1,256
Standard Station Wagon 8	1,346
Deluxe Station Wagon 8	1,361
1941—Series 8—JA27—Deluxe "Torpedo"—Serial Nos. 8JA-1001 to 27219, Motor Nos. 8-246501 to 368240:	
Business Coupe 3	1,081
Sedan Coupe 5	1,136
Conv. Sedan Coupe 5	1,230
Sedan, 2 Dr. 5	1,136
Sedan, 4 Dr. 5	1,171
Metropolitan Sedan, 5	1,186
1941—Series 8-JB28—Streamliner "Torpedo"—Serial Nos. 8JB—1001 to 52428, Motor Nos. 8-246501 to 368240:	
Sedan Coupe 5	1,206
Super Sedan Coupe 5	1,221
Sedan, 4 Dr. 5	1,236
Super Sedan, 4 Dr. 5	1,256
1941—Series 8-JC29—Custom Torpedo—Serial Nos. 8JC-1001 to 12576, Motor Nos. 8-246501 to 368240:	
Sedan Coupe 5	1,236
Sedan, 4 Dr. 5	1,268
Standard Station Wagon 8	1,356
Deluxe Station Wagon 8	1,396
1940—Series 6—25—HA—Special—Serial Nos. 6HA—1001 to 84545, L6HA—1001 to 13111, C6HA—1001 to 10328—Motor Nos. 6-595801 to 761172:	
Business Coupe 3	874
Sport Coupe 4	889
Sedan TK, 4 Dr. 5	924
Sedan TK, 2 Dr. 5	869
Deluxe Station Wagon 8	988
1940—Series 6—26 HB—Deluxe—Serial Nos. 6 HB—1001 to 44296, C6HB—1001 to 5184, L6HB—1001 to 10988—Motor Nos. 6—595801 to 761162:	

TABLE B—Continued

(21) PONTIAC—continued

Model, serial number, body, type and passenger capacity	*Base price*
1940—Series 6—26 HB—Deluxe—Continued.	
Business Coupe 3	$908
Sport Coupe 4	938
Conv. Cabriolet 4	979
Sedan, 4 Dr. 5	968
Sedan, 2 Dr. 5	933
1940—Series 8—28 HA—Deluxe—Serial Nos. 8 HA-1001 to 16817, C8HA-1001 to 2363, L8HA-1001 to 4253—Motor Nos. 8-194401 to 246073:	
Business Coupe 3	898
Sport Coupe 4	923
Conv. Cabriolet 4	989
Sedan, 4 Dr. 5	943
Sedan, 2 Dr. 5	918
1940—Series 8—29 HB—Torpedo—Serial Nos. 8 HB-1001 to 44296, C8HB-1001 to 5184, L8HB-1001 to 10988—Motor Nos. 8—194401 to 761142:	
Sport Coupe 4	1,008
Sedan TK, 4 Dr. 5	1,033
1939—Series 6—25 EA—Quality Deluxe Serial Nos. P6EA-1001 to 43679, C6EA-1001 to 4938, L6EA-1001 to 7503—Motor Nos. 6-486201 to 6-595105:	
Sedan TK, 4 Dr. 6	760
Sedan TK, 2 Dr. 6	740
Business Coupe 3	710
Sport Coupe O/S 5	735
Station Wagon	877
1939—Series 6—26EB—Quality Deluxe—Serial Nos. P6EB-1001 to 41263, C6EB-1001 to 5120, L6EB-1001 to 8599—Motor Nos. 6-486201 to 6-595104:	
Sedan TK, 4 Dr. 6	790
Sedan TK, 2 Dr. 6	765
Business Coupe 3	730
Sport Coupe Opera 5	765
Conv. Cabriolet 5	803
1939—Series 8—28EA—Deluxe—Serial Nos. P8EA-1001 to 27627, C8EA-1001 to 3625, L8EA-1001 to 6522—Motor Nos. 8-159601 to 8-191910:	
Sedan TK, 4 Dr. 6	710
Sedan TK, 2 Dr. 6	755
Business Coupe 6	725
Sport Coupe 5	755
Conv. Coupe 5	803
1938—Series 6-6DA—Deluxe—Serial Nos. 6DA-1616 to 60416, C6DA-2001 to 8155, L6DA-1001 to 8942, C6DA-1001 to 1615:	
Sedan, 4 Dr. 5	604
Tour. Sedan TK, 4 Dr. 5	619
Conv. Sedan, 4 Dr. 5	670
Sedan, 2 Dr. 5	589
Tour. Sedan TK, 2 Dr. 5	589
Business Coupe 2	579
Sport Coupe 2-4	594
Conv. Coupe 2-4	624
Station Wagon	693
1938—Series 8-8DA—Deluxe—Serial Nos. 8DA-1001 to 15729, L8DA-1001 to 4071, C-8DA-1001 to 2530—Motor Nos. 8-140001 to 159441:	
Sedan, 4 Dr. 5	606
Tour. Sedan TK, 4 Dr. 5	616
Conv. Sedan, 4 Dr. 5	667
Sedan, 2 Dr. 5	581
Tour. Sedan TK, 2 Dr. 5	596
Business Coupe 2	581
Sport Coupe 2-4	596
Conv. Coupe 2-4	632
1937—Series 6-6CA—Deluxe—Serial Nos. 6CA-1001 to 154827—Motor Nos. 6-220001 to 399286:	
Sedan, 4 Dr. 5	529
Tour Sedan TK, 4 Dr. 5	544
Conv. Sedan, 4 Dr. 5	555
Sedan, 2 Dr. 5	544
Tour. Sedan TK, 2 Dr. 5	519
Business Coupe 2	529
Sport Coupe 2-4	514
Conv. Coupe 2-4	535
Station Wagon	568

TABLE B—Continued

(21) PONTIAC—continued

Model, serial number, body, type and passenger capacity	*Base price*
1937—Series 8-8CA—Deluxe—Serial Nos. 8CA-1001 to 49442—Motor Nos. 8-83001 to 139968:	
Sedan, 4 Dr. 5	$521
Tour. Sedan TK, 4 Dr. 5	526
Conv. Sedan, 4 Dr. 5	527
Sedan, 2 Dr. 5	506
Tour. Sedan TK, 2 Dr. 5	511
Business Coupe 2	506
Sport Coupe 2-4	516
Conv. Coupe 2-4	530
1936—Series 6-6BB—Master Silver Streak—Serial Nos. 6BB-1001 and up—Motor Nos. 6-84001 and up:	
Sedan, 4 Dr. 5	390
Tour. Sedan TK, 4 Dr. 5	405
Sedan, 2 Dr. 5	375
Tour. Sedan TK, 2 Dr. 5	385
Business Coupe 2	370
Sport Coupe 2-4	380
Cabriolet 2-4	405
1936—Series 6-6BA—Deluxe Silver Streak—Serial Nos. 6BA-1001 and up—Motor Nos. 684001 and up:	
Sedan, 4 Dr. 5	400
Tour. Sedan TK, 4 Dr. 5	410
Sedan, 2 Dr. 5	385
Tour. Sedan TK, 2 Dr. 5	385
Business Coupe 2	375
Sport Coupe 2-4	385
Cabriolet 2-4	415
1936—Series 8-8BA—Deluxe Silver Streak—Serial Nos. 8BA-1001 and up—Motor Nos. 8-44001 and up:	
Sedan, 4 Dr. 5	385
Tour. Sedan TK, 4 Dr. 5	395
Coach Sedan, 2 Dr. 5	370
Tour. Sedan TK, 2 Dr. 5	380
Business Coupe 2	365
Sport Coupe 2-4	375
Cabriolet 2-4	400
1935—Series 6-701 Standard—Serial Nos. 6AB-1001 and up—Motor Nos. 6-1001 and up:	
Sedan, 4 Dr. 5	279
Tour. Sedan TK, 4 Dr. 5	289
Sedan, 2 Dr. 5	264
Tour. Sedan TK, 2 Dr. 5	274
Business Coupe 2	264
1935—Series 6-701—Deluxe—Serial Nos. 6AA-1001 and up—Motor Nos. 6-1001 and up:	
Sedan, 4 Dr. 5	284
Tour. Sedan TK, 4 Dr. 5	294
Sedan, 2 Dr. 5	269
Tour. Sedan, 2 Dr. 5	274
Business Coupe 2	264
Sport Coupe (Rumble) 2-4	274
Cabriolet (Rumble) 2-4	279
1935—Series 8-605—Straight Eight—Serial Nos. 8 AA-1001 and up, Motor Nos. 8-1001 and up:	
Sedan, 4 Dr. 5	269
Tour. Sedan TK, 4 Dr. 5	274
Sedan, 2 Dr. 5	254
Tour. Sedan TK, 2 Dr. 5	274
Business Coupe 2	259
Sport Coupe (Rumble) 2-4	259
Cabriolet (Rumble) 2-4	269

(22) STUDEBAKER

1942—Series 6-4G—Champion—Serial Nos. G-165501 to 192583, G-821001 to 823645—Motor Nos. 186301 to 216050:	
Custom:	
Coupe 3	1,079
Double-Dater Coupe 5	1,099
Club Sedan, 2 Dr. 5	1,114
Cruising Sedan 5	1,139
Delux style:	
Coupe 3	1,119
Double-Dater Coupe 5	1,139
Club Sedan, 2 Dr. 5	1,144
Cruising Sedan 5	1,179

TABLE B—Continued

(22) STUDEBAKER—continued

Model, serial number, body type and passenger capacity	*Base price*
1942—Series 6-12A—Commander—Serial Nos. 4216501 to 4232296, 4816601 to 4818305—Motor Nos. H-164301 to 181812:	
Custom:	
Sedan Coupe 6	$1,394
Cruising Sedan 6	1,424
Land Cruiser 6	1,469
Delux style:	
Sedan Coupe 6	1,449
Cruising Sedan 6	1,469
Land Cruiser 6	1,509
Skyway:	
Sedan Coupe 6	1,474
Cruising Sedan 6	1,509
Land Cruiser 6	1,539
1942—Series 8-8C — President — Serial Nos. 7146501 to 7148659, 7804601 to 7804943—Motor Nos. B-52101 to 55608:	
Custom:	
Sedan Coupe 6	1,539
Cruising Sedan 6	1,569
Land Cruiser 6	1,594
Delux style:	
Sedan Coupe 6	1,589
Cruising Sedan 6	1,609
Land Cruiser 6	1,639
Skyway:	
Sedan Coupe 6	1,624
Cruising Sedan 6	1,659
Land Cruiser 6	1,729
1941—Series 6-3G—Champion—Serial Nos. G-90101 to 165400, G-811201 to 820902—Motor Nos. 101201 to 186259:	
Custom:	
Coupe 3	942
Opera Coupe 5	967
Club Sedan, 2 Dr. 5	977
Cruising Sedan 5	1,007
Double-Dater Coupe 5	997
Custom Deluxe:	
Coupe 3	957
Opera Coupe 5	997
Club Sedan, 2 Dr. 5	1,002
Cruising Sedan 5	997
Double-Dater Coupe	997
Delux-Tone:	
Coupe 3	992
Opera Coupe 5	1,028
Club Sedan, 2 Dr. 5	1,023
Cruising Sedan 5	1,047
Double-Dater Coupe	1,028
1941—Series 6-11A—Commander—Serial Nos. 4178801 to 4216180, 4811901 to 4816518—Motor Nos. H-122201 to 164222:	
Custom:	
Sedan Coupe 6	1,183
Cruising Sedan 6	1,213
Land Cruiser 6	1,243
Deluxe-Tone:	
Cruising Sedan 6	1,258
Land Cruiser 6	1,288
Skyway:	
Sedan Coupe 6	1,263
Cruising Sedan 6	1,278
Land Cruiser 6	1,298
1941—Series 8-7C — President — Serial Nos. 7139101 to 7145407, 7803901 to 7804592—Motor Nos. B-43001 to 52012:	
Custom:	
Cruising Sedan 6	1,288
Land Cruiser 6	1,323
Deluxe-Tone:	
Cruising Sedan 6	1,353
Land Cruiser 6	1,373
Skyway:	
Sedan Coupe 6	1,353
Cruising Sedan 6	1,368
Land Cruiser 6	1,383
1940—Series 6-2G—Champion—Serial Nos. G-30501 to 90069, G-803701 to 811191—Motor Nos. 34101 to 101169:	

TABLE B—Continued

(22) STUDEBAKER—continued

Model, serial number, body type and passenger capacity	*Base price*
1940—Series 6-2G—Champion—Continued.	
Custom:	
Coupe 3	$757
Opera Coupe 5	787
Club Sedan, 2 Dr. 5	787
Cruising Sedan 5	822
Deluxe:	
Coupe 3	772
Opera Coupe 5	812
Club Sedan, 2 Dr. 5	812
Cruising Sedan 5	837
Custom Deluxe:	
Coupe	787
Opera Coupe	817
Club Sedan	822
Cruising Sedan	847
Champion Deluxe-Tone:	
Coupe 3	802
Opera Coupe	827
Club Sedan	832
Cruising Sedan	862
1940—Series 6-10A—Commander—Serial Nos. 4148501 to 4178797, 4807601 to 4811895—Motor Nos. H-87601 to 122190:	
Custom:	
Coupe 3	932
Club Sedan, 2 Dr. 6	957
Cruising Sedan 6	987
Deluxe-Tone:	
Coupe 3	972
Club Sedan	997
Cruising Sedan	1,022
1940—Series 8-6C—President—Serial Nos. 7133101 to 7139058, 7803301 to 7803885—Motor Nos. B-38501 to 44999:	
Coupe 3	962
Club Sedan, 2 Dr. 6	987
Cruising Sedan 6	1,022
Deluxe-Tone	
Coupe 3	1,002
Club Sedan	1,027
Cruising Sedan	1,057
1939—Series 6-G—Champion—Serial Nos. G-001 to 30400, G-800001 to 803600—Motor Nos. 001 to 34100:	
Custom:	
Coupe 3	647
Club Sedan 6	672
Cruising Sedan 6	682
Deluxe:	
Coupe 3	657
Club Sedan 6	677
Cruising Sedan 6	692
1939—Series 6-9A—Commander—Serial Nos. 4110001 to 4148500, 4802301 to 4807600—Motor Nos. H-42501 to 87550:	
Business Coupe 3	747
Custom Coupe 3	772
Club Sedan 6	792
Cruising Sedan 6	797
Conv. Sedan 6	857
1939—Series 8-5C—State President—Serial Nos. 712501 to 7133050, 7802501 to 7803250—Motor Nos. B-30201 to 38500:	
Custom Coupe 3	749
Club Sedan 6	779
Cruising Sedan 6	794
Conv. Sedan 6	889
1938—Series 6-7A—Commander—Serial Nos. 5582001 to 5599146, 5857501 to 5859614—Motor Nos. H-101 to 42253:	
Business Coupe 3	598
Custom Coupe 3	608
Club Sedan 6	618
Cruising Sedan 6	633
Conv. Sedan 6	663
1938—Series 6-8A—State Commander—Serial Nos. 4090001 to 4103817, 4800001 to 4802235—Motor Nos. H-101 to 42253:	

TABLE B—Continued

(22) STUDEBAKER—continued

Model, serial number, body type and passenger capacity	*Base price*
1938—Series 6-8A—State Commander—Con.	
Custom Coupe 3	$613
Club Sedan 6	633
Cruising Sedan 6	643
Conv. Sedan 6	678
1938—Series 8-4C—State President—Serial Nos. 7120101 to 7125062, 7801801 to 7802311—Motor Nos. B-24601 to 30090:	
Coupe 3	588
Club Sedan 6	608
Cruising Sedan 6	618
Conv. Sedan 6	683
1937—Series 6-5A—Dictator Six—Serial Nos. 5536001 to 5581500, 5852801 to 5857400—Motor Nos. B-112601 to 201637:	
Business Coupe 3	448
Custom Coupe 3	458
Custom Coupe 5	463
St. Regis Custom Sedan 5	468
St. Regis Cruising Sedan TK 6	473
Custom Sedan 6	483
Cruising Sedan TK 6	488
1937—Series 8-3C—President Eight—Serial Nos. 7111001 to 7119150, 7800801 to 7801750—Motor Nos. B-15501 to 24504:	
Custom Coupe 3	448
Custom Coupe 5	478
St. Regis Custom Sedan 6	488
St. Regis Cruising Sedan TK 6	488
Custom Sedan 6	493
Cruising Sedan TK 6	498
1936—Series 6-3A—Dictator Six—Serial Nos. 5512001 to 5536000, 5850001 to 5852800—Motor Nos. D-63001 and up:	
Business Coupe 3	349
Custom Coupe 3	354
Custom Coupe 5	359
St. Regis Custom Sedan 5	364
St. Regis Cruising Sedan TK 5	369
Custom Sedan 6	374
Cruising Sedan TK 6	374
1936—Series 8-2C—President Eight—Serial Nos. 7104001 to 7111000, 7800001 to 7800800—Motor Nos. B-7901 and up:	
Custom Coupe 3	343
Custom Coupe 5	348
St. Regis Custom Sedan 5	343
St. Regis Cruising Sedan TK 5	353
Custom Sedan 6	363
Cruising Sedan TK 6	378
1935—Series 6-1A—Dictator Six—Serial Nos. 5500001 to 5512000—Motor Nos. D-27501 and up:	
Roadster 3-5	223
Regal Roadster 3-5	228
Coupe 3	233
Regal Coupe 3	238
Coupe 3-5	243
Regal Coupe 3-5	253
St. Regis Sedan 5	238
St. Regis Regular Sedan 5	253
Sedan 6	258
St. Regis Custom Sedan 5	248
Regal Sedan 6	268
Custom Sedan 5	268
Land Cruiser 5	273
Regal Land Cruiser 5	273
1935—Series 6-2A—Dictator Planar—Serial Nos. 5212001 to 5235000—Motor Nos. D-27501 and up:	
Coupe 2	243
Coupe 4	253
Roadster	243
St. Regis Sedan	253
Sedan	268
Land Cruiser	283
Custom	
St. Regis Sedan	263
Sedan	273

TABLE B—Continued

(22) STUDEBAKER—continued

Model, serial number, body type and passenger capacity	*Base price*
Regal.	
Coupe 2	$248
Coupe 4	268
Roadster	248
St. Regis Sedan	263
Sedan	278
Land Cruiser	288
1935—Series 8—Commander Eight—Serial Nos. 8103001 to 8109000—Motor Nos. C-30501 and up:	
Coupe 3	244
Coupe 3-5	249
Roadster 3-5	234
Land Cruiser 5	269
St. Regis Custom Sedan 5	249
Custom Sedan 6	259
Regal Coupe 3	249
Regal Coupe 3-5	254
Regal Roadster 3-5	244
St. Regis Regal Sedan 5	254
Regal Sedan 6	259
Regal Land Cruiser 5	274
1935—Series 8—President Eight—Serial Nos. 7101001 to 7104000—Motor Nos. B-5501 and up:	
Coupe 3	240
Coupe 3-5	250
Roadster 3-5	235
Land Cruiser 5	265
Custom Sedan 5	255
Custom Berline	270
Regal Coupe 3	245
Regal Coupe 3-5	255
Regal Roadster 3-5	240
Regal Sedan 6	260
Regal Land Cruiser 5	270
Regal Berline 5	270

(23) WILLYS

1942—Series 4—Americar—Serial Nos. 80101 to 92020—Motor Nos. 80301 to 92020:	
Speedway:	
Coupe 2	991
Sedan, 4 Dr. 5	1,046
Deluxe:	
Coupe 2	1,071
Sedan, 4 Dr. 5	1,096
Station Wagon 5	1,266
Plainsman:	
Coupe 2	1,131
Sedan, 4 Dr. 5	1,151
1941—Series 4-441—Americar—Serial Nos. 50001 to 80099:	
Speedway:	
Coupe 2	758
Sedan, 4 Dr. 5	768
Deluxe:	
Coupe 2	788
Sedan, 4 Dr. 5	813
Station Wagon 5	943
Plainsman:	
Coupe 2	833
Sedan, 4 Dr. 5	858
1940—Series 4-440—Serial Nos. 17001 to 49341:	
Speedway:	
Coupe 2	561
Sedan, 4 Dr. 5	601
Deluxe:	
Coupe 2	616
Sedan, 4 Dr. 5	636
Station Wagon 6	695
1939—Series 4-39—Overland—Serial Nos. 39-1001 to 17000:	
Speedway:	
Coupe 2	451
Sedan, 2 Dr. 5	461
Sedan, 4 Dr. 5	471
Deluxe:	
Coupe 2	471
Sedan, 2 Dr. 5	486
Sedan, 4 Dr. 5	491
Speedway Special:	
Coupe 2	461
Sedan, 2 Dr. 5	466
Sedan, 4 Dr. 5	476

TABLE B—Continued

(23) WILLYS—continued

Model, serial number, body type and passenger capacity	*Base price*
1939—Series 4-48—Serial Nos. 91751 to 94375:	
Coupe 2	$406
Sedan, 2 Dr. 5	436
Sedan, 4 Dr. 5	451
1939—Series 4-38—Serial Nos. 89001 to 91750:	
Standard:	
Coupe 2	406
Sedan, 2 Dr. 5	426
Sedan, 4 Dr 5	441
Deluxe:	
Coupe 2	441
Sedan, 2 Dr. 5	451
Sedan, 4 Dr. 5	456
1938—Series 4—Serial Nos. 65001 to 89000:	
Standard Coupe 2	313
Deluxe Coupe 2	323
Clipper Sedan, 2 Dr 5	318

TABLE B—Continued

(22) STUDEBAKER—continued

Model, serial number, body, type and passenger capacity	*Base price*
1938—Series 4—Continued.	
Standard Sedan 5	$328
Deluxe Clipper Sedan, 2 Dr. 5	328
Deluxe Sedan 5	343
Custom Sedan 5	363
1937—Series 4-37—Serial Nos. 1001 to 65000:	
Coupe 2	259
Deluxe Coupe 2	269
Sedan 5	269
Deluxe Sedan 5	274
1936—Series 4-77—Serial Nos. 37001 and up—Serial Nos. 42002 and up:	
Coupe 2	152
Sedan 4	162
Deluxe Sedan 4	167
1935—Series 4-77—Serial Nos 27001 to 37000:	
Coupe 2	116
Sedan 4	126

TABLE C—ALLOWANCES FOR "IN-BUILT" EQUIPMENT AND RADIOS WHICH MAY BE INCLUDED IN MAXIMUM PRICES

Year and make	Description	Price
(1) 1942 Cadillac	Hydramatic transmission	$160
(2) 1941 Cadillac	Hydramatic transmission	85
(3) 1942 Chrysler	Varimatic transmission and fluid drive	45
(4) 1941 Chrysler	Vacumatic transmission and fluid drive	35
(5) 1940 Chrysler	Overdrive transmission	25
(6) 1939 Chrysler	Overdrive transmission	20
(7) 1942 Desoto	Simplimatic transmission and overdrive	45
(8) 1941 Desoto	Simplimatic transmission and overdrive	35
(9) 1940 Desoto	Overdrive transmission	25
(10) 1939 Desoto	Overdrive transmission	20
(11) 1942 Dodge	All fluid drive	30
(12) 1941 Dodge	Fluid drive	25
(13) 1942 Hudson	Drivemaster	45
(14) 1942 Hudson	Overdrive transmission	35
(15) 1942 Hudson	Vacumotive drive	35
(16) 1941 Hudson	Overdrive transmission	25
(17) 1941 Hudson	Vacumotive drive	25
(18) 1940 Hudson	Overdrive transmission	25
(19) 1942 Lincoln	Liquamatic drive	65
(20) 1941 Lincoln	Liquamatic drive	55
(21) 1942 Lincoln Zephyr	Liquamatic drive	35
(22) 1941 Lincoln Zephyr	Overdrive transmission	25
(23) 1940 Lincoln Zephyr	Overdrive transmission	20
(24) 1939 Lincoln Zephyr	Overdrive transmission	65
(25) 1942 Mercury	Liquamatic drive	65
(26) 1941 Mercury	Overdrive transmission	25
(27) 1940 Mercury	Overdrive transmission	20
(28) 1939 Mercury	Overdrive transmission	40
(29) 1942 Nash	Overdrive transmission	30
(30) 1941 Nash	Overdrive transmission	25
(31) 1940 Nash	Overdrive transmission	25
(32) 1939 Nash	Overdrive transmission	25
(33) 1942 Oldsmobile	Hydramatic transmission	65
(34) 1941 Oldsmobile	Hydramatic transmission	50
(35) 1940 Oldsmobile	Hydramatic transmission	25
(36) 1939 Oldsmobile	Automatic transmission	50
(37) 1942 Packard	Electromatic clutch and overdrive	45
(38) 1941 Packard	Electromatic clutch and overdrive	30
(39) 1940 Packard	Overdrive transmission	25
(40) 1939 Packard	Overdrive transmission	40
(41) 1942 Studebaker	Overdrive transmission	30
(42) 1941 Studebaker	Overdrive transmission	25
(43) 1940 Studebaker	Overdrive transmission	25
(44) 1939 Studebaker	Overdrive transmission	35
(45) 1942 Willys	Overdrive transmission	25
(46) 1941 Willys	Overdrive transmission	30
(47) All years and makes	Radio	

TABLE D—BASE PRICES FOR 1934 AND EARLIER YEAR MODEL USED CARS

[Year model (base price)]

	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925
Am. Bantam	76	72	68	64	60	56	52	48	44	40
Buick	231	219	207	194	183	170	158	146	134	122
Cadillac	242	230	217	204	191	179	166	153	140	128
Chevrolet	220	209	197	185	174	162	151	139	128	116
Chrysler	253	239	226	213	200	186	173	160	146	133
De Soto	248	235	222	209	196	183	170	157	144	131
Dodge	203	249	235	222	208	194	180	166	152	139
Ford	208	244	231	218	204	191	177	163	150	136
Graham	148	140	133	125	117	109	101	94	86	78
Hudson	212	201	190	178	167	156	145	134	123	112
Hupmobile	151	143	135	127	119	111	103	95	87	80
LaSalle	177	167	158	149	139	130	121	112	102	93
Lincoln	266	223	211	198	186	174	161	149	136	124
Nash	187	177	167	158	148	138	128	118	108	99
Oldsmobile	247	234	221	208	195	182	169	156	143	130
Packard	249	236	223	210	196	183	170	157	144	131
Plymouth	230	218	206	194	181	169	157	145	133	121
Pontiac	246	233	219	207	194	181	169	155	142	130
Studebaker	212	201	190	178	167	156	145	134	123	112
Willys	110	104	99	93	87	81	75	70	64	58

SEC. 58. *Maximum prices for molasses.* (a) The maximum prices for sales of molasses produced from sugarcane for alcohol purposes shall be $14.25 per ton, delivered at Oahu Railroad and Land Depot, Honolulu.

SEC. 59. *Ceiling prices for sales of imported furniture and bedding at wholesale and retail, and for sales of locally manufactured furniture and bedding at retail*—(a) *Scope of this section.* This section applies to all sales at wholesale and at retail of furniture and bedding which has been imported into the Territory of Hawaii, and to all sales at retail of locally manufactured furniture and bedding. The term "furniture and bedding" includes:

(1) *Living room furniture:* All types of upholstered furniture, whether entirely or partially upholstered, and shall include studio couches, punees, pouf cushions, hassocks and ottomans.

(2) *Case goods:* All types and pieces of bedroom and dining room furniture and shall include all types of novelty and occasional furniture such as end tables, coffee tables, smoking stands, mirrors, wall racks, radio cabinets that are sold without the radio set installed, record cabinets, folding chairs, folding card tables, ice-refrigerators (except electric), kitchen tables and chairs, bases, cabinets, dinette sets, stools and bars.

(3) *Outdoor and lanai furniture:* All types of furniture used on lanais or outdoors, whether stationary, portable or collapsible, and shall include steamer and deck chairs, portable barbecue sets, hammocks of all types, umbrellas, portable awnings or sun shades and cabanas.

(4) *Juvenile furniture and bedding:* All types of juvenile furniture, chests, cribs, bunks, chairs and tables, all types of mattresses and bassinets, baby carriages and strollers; but shall not include such items as are used for children's entertainment such as slides, sand boxes, swings for larger children, velocipedes, or wagons.

(5) *Beds and bedding:* All types of beds and cots, including folding or collapsible types; all types of bedding, made of new materials and bedding made with reprocessed cotton, hair and feathers and down, including mattresses, but not including domestics such as sheets, pillow cases, blankets and comforters; and all types of bed springs regardless of material used for construction.

(6) *Office furniture:* All types of office furniture, tables such as are used for supporting machines, filing cabinets and other cabinets; but shall not include safes or any type of office machines.

(7) *Institutional furniture:* All types of institutional furniture and such items as are used for similar purposes as household furniture; and shall include portable blackboards, map cases or racks, tablet arm chairs; all types of hospital furniture other than surgical or medical appliances; wheel chairs, invalid chairs and bed trays.

(8) *Unpainted furniture:* All types of unpainted furniture.

(b) *Wholesaler's ceiling prices.* If you are a wholesaler, you calculate your ceiling prices in the following manner:

(1) For out of stock sales: Add your manufacturer's selling price and your landing costs. Then multiply this amount by 1.25. The resulting price is your ceiling price.

(2) For sales on a drop shipment basis: Multiply your manufacturer's selling price by 1.15. The resulting price is your ceiling price.

(3) For sales of furniture and bedding purchased from a local wholesaler: If you purchase furniture and bedding from another local wholesaler whose ceiling price is established under subparagraphs (1) or (2) above, you must secure a written record of your supplier's ceiling price, and your ceiling price shall be your supplier's ceiling price.

(c) *Retailer's ceiling prices.* If you are a retailer, you calculate your ceiling prices in the following manner:

(1) For sales of articles purchased directly from mainland manufacturers:

(i) Add your manufacturer's selling price and your landing costs. Then multiply this amount by 1.70. The resulting price is your ceiling price.

(2) For sales of articles purchased directly from mainland wholesalers.

(i) *Articles purchased from primary wholesalers.* Add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.50. The resulting price is your ceiling price. In order to compute your ceiling price under this subdivision you must secure a statement from your seller certifying that the merchandise being priced was purchased by the seller direct from the producer and that the seller is the primary wholesaler. If you can not secure such certification you must compute your ceiling price under subdivision (ii) below.

(ii) *Articles purchased from other wholesalers.* Add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.36. The resulting price is your ceiling price.

(3) For sales of articles imported from the mainland and purchased from local wholesalers out of locally warehoused stock:

(i) *Articles purchased from primary wholesalers.* Add your wholesaler's selling price and an amount equal to local transportation charges actually incurred by you not to exceed public (common or contract) carrier rates. Then multiply this amount by 1.50. The resulting price is your ceiling price. In order to compute your ceiling price under this subdivision you must secure a statement from your local wholesaler certifying that the merchandise being priced was purchased by the seller direct from the producer and that the seller is the primary wholesaler. If you can not secure such certification you must compute your ceiling price under subdivision (ii) below.

(ii) *Articles purchased from other wholesalers.* Add your wholesaler's selling price and an amount equal to local transportation charges actually incurred by you not to exceed public (common or contract) carrier rates. Then multiply this amount by 1.36. The resulting price is your ceiling price.

(4) For sales of articles imported from the mainland and purchased from local wholesalers on a drop shipment basis:

(i) Add your manufacturer's selling price and your landing costs. Then multiply this amount by 1.70. The resulting price is your ceiling price.

(5) For sales of all locally manufactured articles:

(i) Add your manufacturer's selling price and an amount equal to local transportation charges actually incurred by you not to exceed public (common or contract) carrier rates. Then multiply this amount by 1.70. The resulting price is your ceiling price.

(d) *Landing costs.* (1) "Landing cost" for articles imported from the mainland shall be the total of the following amounts:

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal Transportation Tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds the rates charged by the War Shipping Administration shall not be included, but the type of coverage is at the discretion of the buyer and seller.

(v) An amount equal to cartage charges in the Port of Entry in the Territory of Hawaii from dock to establishment of the purchaser, computed at a rate not in excess of $1.20 per ton, weight or measurement, or $1.50 per ton weight if the particular single unit exceeds 300 pounds in weight; *Provided*, That the commodity is moved from the dock at the purchaser's expense.

(2) "Landing cost" in cases of Inter-Island shipments. In cases where the article has been shipped from one island to another island in the Territory of Hawaii, the following additional charges may be added to those set forth in subparagraph (1), above:

(i) An amount equal to the actual transportation cost to be computed in accordance with the applicable provisions of subdivisions (iii), (iv) and (v), above.

(3) If an identical item on hand in the wholesaler's or retailer's stock has two or more different landing costs then the "landing cost" for the item may, at the option of the seller, be determined by calculating a weighted average "landing cost" for the entire inventory of that identical item on hand. Weighted average "landing cost" shall be calculated as follows:

(i) Each different landing cost shall be multiplied by the number of units having such landing cost. The products of such multiplication shall be added and the sum thereof divided by the total number of units for which the weighted average landing cost is desired. The quotient or result of such division is the weighted average landing cost.

(e) *Delivery charges.* (1) No charges for deliveries may be made for the following deliveries:

(i) Between Wialupi Radio Station, Kapalama Canal and the mountain range on the Island of Oahu.

(ii) Within a radius of five miles of the seller's place of business on all other islands. However, you may not refuse to make free delivery within the free delivery zones above unless it was not your practice, as a seller, during April, 1942 to make free deliveries in these zones.

(2) For deliveries other than those specified in subparagraph (1), above, you may add an amount not in excess of the charge currently made by common or contract carriers for such services. Any charge made for delivery must be separately stated and shown on the invoice used in connection with the sale.

(f) *Records and reports.* For the purposes of this section, this paragraph supersedes the provisions of section 11 of this regulation.

(1) Required of persons making sales at wholesale.

(i) *Purchase records:* If you make sales of any furniture or bedding article covered by this section at wholesale, you must keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect complete and accurate records of each purchase of each such article showing:

(*a*) The date of purchase and the date of receipt.

(*b*) The name and address of the seller.

(*c*) A description of the article purchased, including the manufacturer's lot number.

(*d*) The price paid or charged.

(*e*) The quantity purchased.

(*f*) The manufacturer's selling price if priced under (b) (1) and (b) (2), above, or the invoice cost if purchased under (b) (3), above. If you did not purchase the article from the manufacturer, but rely upon your vendor's written statement of the manufacturer's selling price, you shall keep such statement.

(*g*) All data including purchase, freight and other invoices or memoranda reflecting the charges incurred by you in arriving at your landing cost.

(ii) *Sales records:* If you make sales of any furniture and bedding articles covered by this section at wholesale you shall invoice each sale of each such article. A copy of this invoice shall be made and kept by you for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in

effect. The original invoice shall be delivered to the buyer and shall state:

(*a*) The date of sale.

(*b*) Itemized list of articles sold.

(*c*) A description of the articles sold, including the manufacturer's lot number.

(*d*) The manufacturer's selling price for each such article if the ceiling price at wholesale is determined under (b) (2).

(*e*) Either your ceiling price at wholesale for each article or a statement that Prices herein stated for furniture and bedding are at our ceiling prices or less.

(*f*) The price charged or received.

(2) Required of persons making sales at retail. The retailer may list the information required below on each purchase invoice covering the article. If the retailer did not purchase the article from the manufacturer but is relying upon his supplier's written statement of the manufacturer's selling price he shall keep such statement and make it available for examination by this Office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The retailer shall likewise keep and make available for examination by this Office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, his purchase invoice covering that article.

(i) *Purchase records:* If you make sales at retail of any furniture and bedding article you must keep and make available for examination by this Office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records of each purchase of each such article, showing:

(*a*) The date of purchase and date of receipt.

(*b*) The name and address of the seller.

(*c*) A description of the article purchased, including the manufacturer's lot number.

(*d*) The manufacturer's selling price if priced under (c) (1), (c) (4) or (c) (5), above.

(*e*) The invoice cost if priced under (c) (2), or (c) (3), above.

(*f*) The price paid or received.

(*g*) The retailer's ceiling price.

(ii) *Sales records:* If you make sales of any furniture and bedding article at retail you shall invoice each sale of each such article. A copy of this invoice shall be made and kept by you for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The original invoice shall be given to the buyer, and shall state:

(*a*) The date of sale.

(*b*) Itemized list of the articles sold.

(*c*) A description of the articles sold, including the manufacturer's lot number.

(*d*) Either your ceiling price at retail or a statement that "Prices herein stated for furniture and bedding are at our ceiling prices or less."

(*e*) The price charged or received.

(3) Every retailer shall keep and make available for examination by this office, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept relating to the price charged for such article and in addition records showing as precisely as possible the basis upon which he determined the maximum price for such article.

(g) *Posting and marking of price.* For the purpose of this section, this paragraph supersedes the provisions of section 11 (b) of this regulation.

(1) *Posting.* If you sell any furniture and bedding item at retail, you shall post in a conspicuous place in a manner plainly visible to and understandable by the purchasing public in the department or portion of the premises where such article is sold or offered for sale, a sign stating: "Each article of furniture and bedding in this store (or on this counter, shelf, or in this case, bin or rack) is marked and sold at our ceiling price or less."

(h) *Inability to determine maximum prices.* If you are unable to determine your maximum price for any article covered by this section, you shall apply to the Office of Price Administration for the establishment of a maximum price.

(i) *Definitions.* (1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o. b. factory, less all discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(2) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer, less all discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(3) "Out of stock sales" means sales of articles which the seller carries in stock, sells out of stock, and which were invoiced and received at the establishment of the seller.

(4) "Sales on a drop shipment basis" means sales of articles which were not delivered out of stock, but are consigned to the seller, but are not shipped to the establishment of the seller.

(5) A primary wholesaler means a wholesaler who purchases the article directly from the manufacturer.

SEC. 60. *Manufacturer's ceiling prices for sales of locally produced furniture and bedding*—(a) *Scope of this section.* This section applies to all sales by manufacturers of locally produced furniture and bedding. The term "furniture and bedding" includes:

(1) *Living room furniture:* All types of upholstered furniture, whether entirely or partially upholstered, and shall include studio couches, punees, punee cushions, hassocks and ottomans.

(2) *Case goods:* All types and pieces of bedroom and dining room furniture and shall include all types of novelty and occasional furniture such as end tables, coffee tables, smoking stands, mirrors, wall racks, radio cabinets that are sold without the radio set installed, record cabinets, folding chairs, folding card tables, ice-refrigerators, (except electric), kitchen tables and chairs, bases, cabinets, dinette sets, stools and bars.

(3) *Outdoor and Lanai furniture:* All types of furniture used on lanais or outdoors, whether stationary or collapsible, and shall include steamer and deck chairs, portable barbecue sets, hammocks of all types, umbrellas, portable awnings or sun shades, cabanas.

(4) *Juvenile furniture and bedding:* All types of juvenile furniture, chests, cribs, bunks, chairs and tables, all types of mattresses and protective pads, bassinets; but shall not include such items as are used for children's entertainment such as slides, sand boxes, swings for larger children, velocipedes or wagons.

(5) *Beds and bedding:* All types of beds and cots, including folding or collapsible types; all types of bedding made of new materials and bedding made with reprocessed cotton, hair and feathers and down, including domestic pads (but not including domestics such as bed pillows, sheets, pillow cases, blankets and comforters), and all types of bed springs, regardless of material used for construction.

(6) *Office furniture:* All types of office furniture, tables, such as are used for supporting machines, filing cabinets and other cabinets; but shall not include safes or any type of office machines.

(7) *Institutional furniture:* All types of institutional furniture and such items as are used for similar purposes as household furniture; and shall include portable blackboards, map cases or racks, tablet arm chairs; all types of hospital furniture other than surgical or medical appliances, wheel chairs, invalid chairs and bed trays.

(8) *Unpainted furniture:* All types of unpainted furniture. The term furniture and bedding does not include lamps, floor coverings, rugs, stoves or musical instruments. However, the term furniture and bedding as used in this section applies to new furniture and bedding. Used or reconditioned furniture and bedding is not covered by this section other than bedding made from reprocessed cotton, hair, feathers and down.

The term "manufacturer" means the person who makes the first sale of a furniture and bedding article listed above after the article has been completed to a point indicated by the terminology stated in this paragraph (a).

(b) *Ceiling prices.* If you are a manufacturer you calculate your ceiling prices for any locally produced furniture or bedding article in the following manner:

(1) Multiply your current cost per unit of direct labor and materials involved in the production of the article by 1.30. The resulting price is your ceiling price.

However, prior to offering any furniture and bedding article for sale, you must comply with the applicable reporting provision set forth in subparagraphs (2) (i) and (2) (ii), below.

(2) *Reports of ceiling prices*—(i) *Articles first offered for sale before May 15, 1944.* In the case of articles first offered for sale before May 15, 1944 for which a ceiling price was determined under the General Maximum Price Regulation for the Territory of Hawaii, the manufacturer shall report the new ceiling price for the item as determined under subparagraph (1), above, to the Office of Price Administration, Iolani Palace, Honolulu, T. H., on or before May 30, 1944. The report shall contain a description of the article being priced including the manufacturing process and the current unit material cost and wage rates involved in the production of the item. At any time prior to May 30, 1944, the manufacturer may offer for sale, sell or deliver the item at a tentative price if he informs the purchaser that the maximum price is calculated under subparagraph (1), above. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time on the written order of the Office of Price Administration.

(ii) *Articles offered for sale after May 15, 1944.* In the case of articles first offered for sale after May 15, 1944, the manufacturer shall submit to the Office of Price Administration, Iolani Palace, Honolulu, T. H., the report required in subparagraph (2) (i), above, prior to first offering the article for sale. Fifteen days after mailing the report, in the absence of contrary direction from the Office of Price Administration, the manufacturer may offer the article for sale at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time on the written order of the Office of Price Administration.

(iii) *Example of report required in subparagraph (2), above.* If the item involved is a dressing table, 24" x 16" x 12", the manufacturer should state in his description of his direct cost of materials, the number of feet of lumber used, the type of lumber, the cost per foot of lumber used, whether the lumber is finished or not, the number of drawers contained in the item, the type of article, and any other information pertinent to the cost of materials. In his statement of wage rates involved, he should submit the number of hours of labor involved, for carpentry, painting and upholstering, etc., and the wage rate per hour for each type of labor.

(c) *Inability to determine maximum prices.* If you are unable to determine your maximum price for any article covered by this section, you shall apply to the Office of Price Administration for the establishment of a maximum price.

(d) *Delivery charges.* (1) No charges for deliveries may be made for the following deliveries:

(i) Within the area bounded by Wialupi Radio Station, Kapalama Canal and the mountain range on the Island of Oahu.

(ii) Within a radius of five miles of the seller's place of business on all other Islands. However, you may not refuse to make free delivery within the free delivery zones above unless it was not your practice, as a seller during April, 1942, to make free deliveries in these zones.

(2) For deliveries other than those specified in subparagraph (1), above, you may add an amount not in excess of the charge currently made by common or contract carriers for such services. Any charge made for delivery must be separately stated and shown on the invoice used in connection with the sale.

(e) *Records and invoices.* Sections 11 (a) (2), 11 (b), 11 (c) and 11 (d) of this regulation shall not apply to this section.

In addition to such records required to be kept under section 11 (a) (1) of this regulation, every manufacturer of furniture and bedding must keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the following records:

(i) Delivered cost of materials used.

(ii) Material supplier's name.

(iii) Description of material purchased.

(iv) Purchase price.

(v) Date of purchase and amount of purchase.

(vi) All factory production records, time sheets, job tickets, and payroll records and any other data affecting labor costs.

(f) *Sales invoices.* Every manufacturer shall invoice each sale of furniture. A copy of the invoice shall be delivered to the buyer and shall state:

(i) Date of sale.

(ii) Name and address of the buyer and seller.

(iii) Itemized list of articles sold.

(iv) Description of articles sold, including manufacturer's lot number.

(v) The price charged or received.

(vi) Delivery charges.

A copy of this invoice shall be kept by the manufacturer for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

SEC. 61. *Maximum prices for sales of home building materials at wholesale*—(a) *What is covered by this section.* This section establishes maximum prices for sales at wholesale of the home building materials listed in Appendix A.

(b) *Wholesalers' maximum prices.* If you are a wholesaler of any home building material item listed in Appendix A, your maximum prices shall be determined as follows:

(1) For out of stock sales of any item manufactured outside the Territory of Hawaii (i. e. all items except those listed under the classification Brick):

First, add the manufacturer's selling price and your "landing cost," computed in accordance with the provisions of paragraph (e). Then multiply this amount by the applicable multiplication factor listed in Appendix A for the particular item and class of purchaser involved. The resulting price shall be your maximum price.

(2) For sales on a drop shipment basis of any item manufactured outside the Territory of Hawaii (i. e. all items except those listed under the classification Brick):

Your maximum price shall be the maximum price established by sections 2 and 3 of the General Maximum Price Regulation for the Territory of Hawaii.

(3) For sales of any locally manufactured item (i. e. all items listed under the classification Brick): Add the manufacturer's selling price and the applicable dollars and cents markup listed in Appendix A for the particular item and class of purchaser involved. The resulting price shall be your maximum price.

(4) For sales of any item purchased from another wholesaler: If you purchase any home building material item from another wholesaler, you must secure a written record of your supplier's maximum price, and your maximum price shall be your supplier's maximum price.

(c) *Effect of changes in the manufacturer's selling price.* All changes in the manufacturer's selling prices shall be reflected in the computation of your maximum price under paragraph (b) above, as of the date merchandise is received in the Territory at the adjusted price. For example, your manufacturer of Wall Board reduces his selling price from $29.00 MBH to $28.00 MBH. At the time you receive a new purchase of this item from him in the Territory at the reduced price, i. e., $28.00 MBM, you must reflect this figure in establishing your maximum price for sales of that item in accordance with the provisions of subparagraphs (b) (1) and (b) (3). Accordingly, the reduced price ($28.00 MBM) shall be used in computing your maximum price regardless of whether or not you have stocks on hand at the time which have been purchased at the higher price. The same rule applies in the computation of your maximum price when your manufacturer's selling price has increased: *Provided*, That such increased price shall not exceed the established maximum price for sales by your supplier to you.

(d) *Inability to price.* If you are unable to determine your maximum price for any article covered by this section under the pricing provisions set forth in paragraph (b), above, you shall apply the provisions of section 10 of this regulation to determine your maximum price.

(e) *"Landing cost" for items imported from outside the Territory of Hawaii.* (1) "Landing cost" for items imported from outside the Territory of Hawaii shall be computed by adding the amounts permitted in subdivisions (i) through (v) set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions, has already been included in another subdivision, it may not again be added.

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in cer-

nection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds the rates charged by the War Shipping Administration shall be included, but the type of coverage is at the discretion of the buyer and seller.

(v) An amount equal to cartage charges in the Port of Entry in the Territory of Hawaii from dock to the establishment of the purchaser, computed at a rate not in excess of prevailing (common or contract) carrier rates: *Provided*, That the commodity is moved from the dock at the purchaser's expense.

(2) Weighted average "landing cost". If an identical item on hand in the wholesaler's stock has two or more different "landing costs," then the landing cost for the item may, at the option of the seller, be determined by calculating a weighted average "landing cost" for the entire inventory of that identical item on hand. Weighted average "landing cost" shall be calculated as follows:

(i) Each different "landing cost" shall be multiplied by the number of units having such "landing cost." The products of such multiplication shall be added and the sum thereof divided by the total number of units for which the weighted average "landing cost" is desired. The quotient or result of such division is the weighted average "landing cost."

(f) *"Landing cost" in cases of inter-island shipments.* In the case that any item covered by this section is shipped from one island to another island in the Territory of Hawaii, the "landing cost" for such inter-island shipment may be added only after the maximum prices for such items have been computed under paragraph (b) above. "Landing cost" for inter-island shipments will be computed by adding the amounts permitted in subparagraph (1) through (3) set forth below.

(1) An amount equal to cartage charges actually incurred for cartage from warehouse to dock in the island from which the item was shipped, not in excess of prevailing public (common or contract) carrier rates.

(2) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred for shipment between the islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds rates charged by the War Shipping Administration shall not be included, but the type of coverage is at the discretion of the buyer and seller.

(3) An equal amount to cartage charges on the island of final destination, from dock to the establishment of the purchaser, computed at a rate not in excess of prevailing public (common or contract) carrier rates, *Provided*, That the commodity is moved from the dock at the wholesaler's expense.

(g) *Delivery charges.* (1) No charge shall be made for deliveries within a radius of 5 miles of the seller's warehouse or place of business of any of the home building materials listed in Appendix A, except those items specifically listed therein as sold on a f. o. b. basis; for example, cement in quantities of 100 bags. However, you may not refuse to make free delivery within the free zone unless it was not your practice as a seller during April 1942 to make free deliveries in this zone.

(2) For deliveries of items listed in Appendix A as priced on a f. o. b. basis, and for deliveries of all other items listed in Appendix A to points beyond a radius of 5 miles of the wholesaler's warehouse or place of business, the wholesaler may add an amount not in excess of the charges currently made by public (common or contract) carriers for similar services, except that in the case of sales of brick the wholesaler must add the delivery charges set forth in Appendix A for that item. Any charges made for delivery must be separately stated and shown on the invoice used in connection with the sale.

(h) *Records and invoices.* The following provisions regarding records and invoices shall apply in lieu of the provisions of paragraphs (a) and (c) of section 11 of this regulation.

(1) Purchase records: If you make sales at wholesale of any article listed and described in Appendix A, you must keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each such article, showing

(i) The date of purchase and the date of receipt.

(ii) The name and address of the seller.

(iii) A description of the article purchased.

(iv) The price paid or charged.

(v) The quantity purchased.

(vi) All data including the purchase, freight and other invoices or memoranda reflecting the charges incurred by you in arriving at your landing cost.

(2) Sales invoices: If you make sales of any item listed in Appendix A at wholesale, you shall invoice each sale of each such item. The original invoice shall be delivered to the buyer and shall state:

(i) Date of sale.

(ii) The name and address of the seller and buyer.

(iii) Itemized list of the articles sold.

(iv) A complete description of the articles sold, including grade, quantity, size, make or any other pertinent specification.

(v) The price charged or received.

(vi) All delivery charges.

A copy of this invoice shall be made and kept by you for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

(i) *Definitions.* When used in this section, the term

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o.b. factory, less all allowable discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Regulation.

(2) "Out of stock sales" means sales of items which the seller carries in stock, sells out of stock and which were invoiced and shipped to the establishment of the seller.

(3) "Sales on a drop shipment basis" means sales of items which the seller does not carry in stock, which were not sold out of stock and which were not shipped to the establishment of the seller.

(4) "Sale at wholesale" means a sale by any person who maintains warehouse stock or renders a selling service, and who buys any home building material item listed in Appendix A and resells it, without materially changing its form, to plantations, industrial users, the United States Government, or any agency thereof, contractors, builders or retail dealers.

APPENDIX A

Classification	Description	Multiplication factor or dollars and cents markup on sales to contractors, builders, and industrial users and the United States Government	Multiplication factor or dollars and cents markup on sales to retail dealers
Cement	All types	1 to 99 bags, 1.36 delivered. 100 to 399 bags, 1.17½ f. o. b. wharf or warehouse. 400 to 999 bags, 1.12½ f. o. b. wharf or warehouse. 1,000 and over, 1.10 f. o. b. wharf or warehouse.	1 to 99 bags, 1.36 delivered. 100 to 399 bags, 1.17½ f. o. b. wharf or warehouse. 400 to 999 bags, 1.12½ f. o. b. wharf or warehouse. 1,000 and over, 1.10 f. o. b. wharf or warehouse.
Knobs and handles: Knobs, handles, escutcheons, roses, key plates, push buttons, lever handles, drop and ring handles.		1.60	1.33⅓.
Miscellaneous door hardware: Door closers, door holders, door bumpers, door stays, square spring bolts, door pulls, doorbell plates and push buttons, door bolts, checks (screws), fasteners (chain), thumb latches, push and kick plates, panic bolts, exit bolts, door stops.		1.60	1.33⅓.
Window hardware: Window bolts (casement window bolts, casement window adjusters, casement window operators), French window bolts, hinge bolt backs, sash lifts, sash fasteners, pulleys, springs.		1.60	1.33⅓.
Screen hardware: Window screen brackets and corners, door screen brackets and corners, door screen catches, hooks (screen), springs (screen).		1.60	1.33⅓.
Miscellaneous hardware: Letter box plates, number plates, name plates, house numbers, snap catches, closet locks, thumb latches, transom and sash rivets, transom chains, transom lifters, transom catches, spring window locks, window safety catches, window safety locks.		1.60	1.33⅓.
Hinges: Loose pin, ball bearing, frictionless hinge, plates, transom hinges, floor spring hinges, strap hinges, spice case hinges, screen door hinges, cabinet hinges, lavatory door cranes and keepers, spring hinges, screen hinges (double fold).		1.60	1.33⅓.
Locks: Upright rim knob locks, pantlocks, rim knob latches, cylinder rim dead locks, bathroom locks, sliding door locks, drawback knob locks, horizontal rim knob locks, rim knob locks, communication door locks, school house locks, asylum latches, French door latches, cylinder apartment locks, cylinder hotel locks, cylinder sliding door locks, cylinder Mortise locks, key blanks for all types of doors.		1.60	1.33⅓.
Insect screen cloth: Commercial bronze, galvanized, hand drawn copper, Knoblshade fabric, plastic.	Full rolls	1.60	1.33⅓.
Insect screen cloth: Commercial bronze, galvanized, hand drawn copper, Knoblshade fabric, plastic.	Less than full roll	1.80	1.33⅓.

Classification	Description	Multiplication factor or dollars and cents markup on sales to contractors, builders, and industrial users and the United States Government	Multiplication factor or dollars and cents markup on sales to retail dealers
Wall board—synthetic, except plywood: Canec	All types and sizes of ½" thickness.	1.33⅓	1.20.
Canec	1" thickness	1.23⅓	1.15.
Masonite	All types and sizes of hard boards processed from wood including Masonite, Presdwood, Tempr Presdwood, Temprtile and Quarterboard.	1.50	1.33⅓.
Flexboard	All types and sizes of Flexboard products of Johns-Manville Sales Corporation.	1.40	1.33⅓.
Asbestos cement board	All types and sizes, except Flexboard.	1.40	1.33⅓.
Plasterboard	All types and sizes of gypsum board including wallboard, lath sheathing, liner board, tile and joint systems.	1.33⅓	1.20.
Roofing materials (except clay tile roofing and wooden shingles): Composition and asbestos shingles.	All makes, types and sizes, single and multi-strip shingles used as but not confined to roofing and siding.	1.47	1.33⅓.
Roll roofing	All weights and widths of asphalt and/or tarred roll roofing, including mineral-surfaced and plain roofing and felts.	1.40	1.30.
Steel roofing	All gauges and sizes of steel and iron roofing material; corrugated, crimped or flat; galvanized, copper bearing or plain, used as but not confined to roofing, siding, ridge roll, ridge cap or flashing.	1.37½	1.30.
Brick, all makes and sizes in lots of 1000 bricks or over: Gray or natural color bricks	Random pick	$20.00M	$18.00M.
Cinder brick	Random pick	$30.00M	$27.00M.
Red brick	Random pick	$30.00M	$27.00M.
Cinder brick and/or red brick.	Hand picked	$35.00M	$32.00M.

(The above prices are f. o. b. factory)

Delivery charges—Honolulu proper—within 6 mile radius $3.00M beyond 6 miles—first 6 miles $3.00M, and $0.22 per M additional for each mile thereafter.

Concrete hollow tile brick:			
Full tile	12" x 8" x 16"	$0.264 each	$0.264 each.
Half tile	6" x 4" x 8"	$0.132 each	$0.132 each.
Full tile	10" x 8" x 16"	$0.232 each	$0.232 each.
Half tile	5" x 4" x 8"	$0.166 each	$0.166 each.
Full tile	8" x 8" x 16"	$0.176 each	$0.176 each.
Half tile	4" x 4" x 8"	$0.088 each	$0.088 each.
Full tile	4" x 8" x 16"	$0.136 each	$0.136 each.
Half tile	2" x 4" x 8"	$0.068 each	$0.068 each.
Full tile	5" x 8" x 16"	$0.128 each	$0.128 each.
Half tile	11⅝" x 4" x 8"	$0.064 each	$0.064 each.
Full tile	2" x 8" x 16" slab	$0.128 each	$0.128 each.
Half tile	1" x 4" x 8" slab	$0.064 each	$0.064 each.

(The above prices are f. o. b. factory)

Concrete hollow tile brick:			
Small units	12" x 3⅝" x 12"	$0.105 each	$0.105 each.
Small units	12" x 3⅝" x 16"	$0.08 each	$0.08 each.
Small units	7⅝" x 3⅝" x 12"	$0.07 each	$0.07 each.
Small units	7⅝" x 3⅝" x 10"	$0.065 each	$0.065 each.
Small units	7⅝" x 3⅝" x 6"	$0.04 each	$0.04 each.
Small units	5⅝" x 3⅝" x 12"	$0.07 each	$0.07 each.
Small units	5⅝" x 3⅝" x 6"	$0.035 each	$0.035 each.
Small units	3⅝" x 3⅝" x 12"	$0.06 each	$0.06 each.
Small units	3⅝" x 3⅝" x 6"	$0.03 each	$0.03 each.
Concrete block	7" x 3⅝" x 7"	$0.15 each	$0.15 each.
Concrete stepping stone	12" x 2½" x 12"	$0.30 each	$0.30 each.

(The above prices are f. o. b. factory)

APPENDIX A—Continued

Classification	Description	Multiplication factor or dollars and cents markup on sales to contractors, builders, and industrial users and the United States Government	Multiplication factor or dollars and cents markup on sales to retail dealers
Window glass:			
All sizes of single and double strength, "B" quality.	In full case lots	1.70	1.70.
Nails:			
All sizes, lengths and gauges of nails included but not confined to common, box, finishing, casing, lath or roofing nails, galvanized, bright, blue or cement coated.	Less than keg lots	1.70	1.70.
All sizes, lengths and gauges of nails included but not confined to common, box, finishing, casing, lath or roofing nails, galvanized, bright, blue or cement coated.	In keg lots	1.28	1.28.
Paint:			
Exterior house paint	Ready mixed or paste type.	1.40	1.33⅓.
Flat wall finishes	Ready mixed or paste type.	1.40	1.33⅓.
Casein lithopone or resin emulsion finishes.	Water thinned	1.40	1.33⅓.
Semi-gloss wall finishes	Ready mixed or paste type.	1.40	1.33⅓.
Pigmented wall primers and/or sealers.		1.40	1.33⅓.
Floor and/or porch enamels or paints.		1.40	1.33⅓.
Exterior concrete or stucco coating.	Oil base or water thinned.	1.40	1.33⅓.
Roof paints, including shingle stains and asphalt coatings.		1.40	1.33⅓.
Interior enamels and enamel undercoats.		1.40	1.33⅓.
Varnish and shellac:			
Architectural varnishes		1.60	1.45.
Shellac and shellac substitutes.		1.60	1.45.
Thinners:			
Turpentine, pure gum or steam distilled.		1.50	1.33⅓.
Mineral paint thinners for oil base paints or varnishes.		1.50	1.33⅓.
Linseed oil and substitute linseed oil.		1.50	1.33⅓.
Plumbing:			
Galvanized and black pipe		1.33⅓	1.25.
Galvanized and black pipe fittings.		1.53	1.40.
Cast iron soil and drainage pipe.		1.34	1.28.
Cast iron soil and drainage pipe fittings.		1.44	1.35.
Fixtures—staple.	Less trim:		
Toilets, lavatories, kitchen sinks, vitreous china laundry trays, bath tubs, urinals, range boilers, and water heaters, except electric.	50 to 100 units	1.30	1.10.
	26 to 49 units	1.35	1.15.
	11 to 25 units	1.40	1.20.
	6 to 10 units	1.45	1.25.
	1 to 5 units	1.50	1.25.
Fixtures—miscellaneous:			
Cement laundry trays and shower stalls.		1.50	1.33⅓.
Fixture trim:			
All exposed metal or substitute trim as known to the trade, such as supply and waste fittings for bath tubs, lavatories, sinks, urinals, toilets, showers, trays, angle and straight supplies, basin faucets, lavatory plugs, shower valves, shower heads, faucet hole covers, flanges, tailpieces, traps, flush valves, toilet seats, shower rods, left wastes and chain stays.		1.50	1.33⅓.
Repair parts for fixture trim:			
Parts for items listed under "Trim" as known to the trade; also toilet tank flush valves, ballcocks, fill wires, stems, overflow and refill tubes, trap levers, floats, tank balls, washers, and closet seat bumpers.		1.60	1.40.
Bathroom accessories:			
Medicine cabinets, paper holders, tumbler and tooth brush holders, towel bars, shelves, robe hooks, towel hooks, soap holders.		1.70	1.33⅓.
Oakum	In bale lots	1.33⅓	1.33⅓.
Caulking lead	To 499#	1.43	
	500–999#	1.40	
	1,000–1,999#	1.37	
	Full roll	1.48	
Sheet lead	Cut across sheet	1.57	
	Cut to size	2.10	
Stock doors, windows and screen millwork.		1.50	1.50.
Hand tools			1.33⅓.
Axes.			
Bars—ripping.			
Bevels—T.			
Bits—auger and expansion.			
Bits.			
Braces.			
Chisels—cold and wood.			
Clamps—woodworking.			
Coppers—soldering, electric and regular.			
Cutters—pipe.			
Dies.			
Drills—automatic, hand and twist.			
Files.			
Gauges—woodworking.			
Hammers—claw and stone.			
Hatchets.			
Ladles—soldering.			
Levels—woodworking and masons'.			
Mattocks.			
Nail sets.			
Picks.			
Planes.			
Pliers.			
Plumb bobs.			
Pots—soldering.			
Reamers.			
Rules—wood and push pull.			
Saw sets.			
Saws—hand (woodworking).			
Screw drivers.			
Shovels.			
Snips.			
Squares—woodworking.			
Stocks and dies—pipe.			
Stones—sharpening.			
Taps.			
Vises—pipe and woodworking.			
Wrenches—crescent and pipe.			

SEC. 62. *Maximum prices for white pan bread.* (a) The maximum prices for sales of white pan bread on the Islands of Hawaii, Kauai, Lanai, Maui, and Molokai in the Territory of Hawaii shall be the following maximum prices:

Item	Net weight per loaf	Sales at wholesale	Sales at retail
		Cents	*Cents*
White pan bread, sliced or unsliced, wrapped or unwrapped.	15¾ to 16¼ oz.	9½	11

(b) "White pan bread" means any white bread baked in a pan, form or screen.

(c) *What this section covers.* This section applies to all sales at wholesale and retail of fresh and flavored fluid cow's milk on the Islands of Oahu, Hawaii, Maui, Kauai and Lanai, with the exception of sales of fresh fluid milk and flavored fresh fluid milk in ½ pint containers and flavored fresh fluid milk in ¾ pint containers for consumption on the premises by hotels, restaurants, soda fountains, cafes and other eating establishments located on the Islands of Oahu, Hawaii and Maui. These excepted sales are covered by the provisions of Restaurant Maximum Price Regulation 9–1.[18]

SEC. 63. *Maximum prices for sales of fresh fluid milk at wholesale and retail—*(b) *Maximum prices on the Island of Oahu.* Maximum prices for fresh fluid milk on the Island of Oahu shall be:

[18] 9 F.R. 2478, 7076, 5737; 10 F.R. 2115.

	Quantity	Maximum wholesale price	Maximum retail price
Grade AA	Quart	$0.19	$0.22
Grade AA	Pint	.11	.13
Grade AA	½ Pint	.055	.08
Grade A	Quart	.17	.20
Grade A	Pint	.10	.12
Grade A	¾ Pint	.08	.10
Grade A	½ Pint	.05	.07
Premium grade milk	Quart	.20	.23
Premium grade milk	Pint	.12	.14
Premium grade milk	½ Pint	.06	.08

(c) *Maximum prices on the Islands of Hawaii, Maui, Kauai and Lanai.* Maximum prices for fresh fluid milk on the Islands of Hawaii, Maui, Kauai, and Lanai shall be:

	Quantity	Maximum wholesale price	Maximum retail price
Grade AA	Quart	$0.17	$0.20
Grade AA	Pint	.09	.11
Grade AA	½ Pint	.05	.07
Grade A	Quart	.15	.18
Grade A	Pint	.08	.10
Grade A	¾ Pint	.06	.08
Grade A	½ Pint	.045	.06

In the case of sales on the Island of Lanai of any fresh fluid milk transported from the Island of Maui wholesalers and retailers may add three cents per quart for sales in quart containers and one cent per pint for sales in pint containers to the maximum prices set forth above.

(d) *Inability to price.* If you are unable to determine your maximum price for sales of any fresh fluid milk in quantities and grades not set forth in paragraphs (b) and (c), you shall apply the provisions of Section 10 of this regulation to determine your maximum price.

(e) *Maximum prices for flavored milk.* Maximum wholesale and retail prices for flavored fresh fluid milk shall not exceed the maximum wholesale and retail prices established by paragraphs (b), (c) and (d) of this section for Grade A fresh fluid milk.

(f) *Grading.* All grades of fresh fluid milk refer to the specifications therefor established by the Board of Health of the Territory of Hawaii and contained in the Public Health Dairy Regulations under the heading, "Classification and Grading of Milk."

(g) *Prohibited practices.* No seller of milk for the purpose of filling an order for a specified unit of one quart or less, who substitutes smaller units aggregating the unit ordered, may charge more therefor than is established as the maximum price of the ordered unit.

(h) *Additional charges.* An additional charge for containers, not to exceed replacement cost of the same, may be charged as a deposit to be refunded upon return of the container.

SEC. 64. *Maximum prices for camera rentals—*(a) *Scope of this section.* This section fixes maximum prices for the lease or rental of cameras in the Territory of Hawaii.

(b) *Maximum prices—*(1) *Box cameras and all other cameras having a maximum retail price when new of less than $25.00.* The maximum price for lease or rental of such cameras shall be computed at a rate of $0.25 per hour, but shall not exceed $2.00 for any rental period up to and including 24 hours.

(2) *Cameras having a maximum retail price when new of $25.00 or more.* The maximum price for the lease or rental of such cameras shall be 10% of the maximum retail price of such camera when new for any rental period up to and including 24 hours.

(c) *Deposits.* Any person engaged in the business of leasing or renting cameras may require a deposit to be made by the lessee as a condition of leasing or renting a camera. Such deposit shall not be in excess of twice the Class I maximum price of the camera as established under Maximum Price Regulation 516,[19] Used Photographic Equipment, or $10.00, whichever is higher.

(d) *Inability to price.* Any person who is unable to determine his maximum prices for any camera rental under this section shall apply the provisions of section 10 of this regulation to determine his maximum price.

(e) *Posting of prices.* (For the purposes of this section, this paragraph supersedes section 11 (b) of this regulation.)

Any person who rents or leases cameras shall post in his own place of business, in a place and manner so that it is plainly visible to the purchasing public, a sign or placard, no smaller than 11" x 17" in size, containing the maximum prices for the lease or rental on an hourly and 24-hour basis of all classes of cameras rented by such person.

(f) *Records and reports.* (For the purposes of this section this paragraph supersedes section 11 of this regulation.

(1) *Sales slips and receipts.* Every person making a charge for the lease or rental of cameras, shall furnish the lessee at the time of the return of a leased or rented camera with a written invoice or sales memorandum, setting forth the following information:

(i) The date of lease or rental.

(ii) The name and address of the lessee and lessor.

(iii) The make or model of the camera leased or rented.

(iv) The time in hours and minutes when the rental occurred.

(v) The time in hours and minutes when the rental camera was returned to the lessor.

(vi) The rate charged per unit of time.

(vii) The price charged or received.

(viii) The amount of deposit required.

A copy of this invoice or sales memorandum must be kept by the lessor for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 65. *Maximum price for garbage and swill on the Islands of Kauai, Maui, and Oahu.* (a) The maximum price for the sale of garbage and swill on the Islands of Kauai, Maui, and Oahu shall be $2.00 per ton.

In addition, sellers of garbage may add to this amount any cost of hauling or cartage actually incurred by such seller.

(b) Garbage and swill means any refuse, accumulated or rejected, animal and vegetable matter, liquid or solid, that attends the cleaning, preparation, storage, consumption, spoilage or decay of food, and which is fit for use as feed for animals and poultry.

[19] 9 F.R. 2563, 9897, 12034, 12132.

SEC. 66. *Ceiling prices for locally manufactured made to order auto tops and made to order auto seat covers—*(a) *Scope of this section.* This section fixes ceiling prices for all made to order auto tops and made to order auto seat covers manufactured and installed in the Territory of Hawaii.

(b) *Maximum prices—*(1) *Auto tops.* The maximum prices installed for sales of locally manufactured made to order auto tops shall be as follows:

(i) Tops designed for use on open or convertible cars of makes and models having a wheel base up to and including 115".

Body type	Year—model 1921–1931	Year—model 1932–1934	Year—model 1935–1936	Year—model 1937–1939	Year—model 1940–1942
Roadster	$30.00	$35.00	$37.00	.....	.....
Sport Coupe	35.00	35.00	.....	.....	.....
Convert. Coupe—2 Pass.	35.00	37.00	40.00	$45.00	$50.00
Convert. Coupe—4 Pass.	.....	.....	.....	50.00	55.00
Touring	40.00	40.00	45.00	45.00	.....
Victoria	50.00	50.00	.....	.....	.....
2–4 Sedan	50.00	50.00	.....	.....	70.00
Convert. Sedan	60.00	60.00	65.00	70.00	75.00

(ii) Tops designed for use on open or convertible cars of make and models having a wheel base of over 115".

Body type	Year—model 1921	Year—model 1932	Year—model 1935	Year—model 1937	Year—model 1940
Roadster	$35.00	$40.00	$42.00	.....	.....
Sport Coupe	40.00	40.00	.....	.....	.....
Convert. Coupe—2 Pass.	40.00	42.00	45.00	$50.00	$55.00
Convert. Coupe—4 Pass.	.....	.....	.....	55.00	60.00
Touring	45.00	45.00	50.00	50.00	.....
Victoria	65.00	65.00	.....	.....	.....
2–4 Sedan	65.00	65.00	.....	.....	75.00
Convert. Sedan	65.00	65.00	70.00	75.00	80.00

(iii) Tops designed for use on closed car of any make, model, or wheel base.

Sedan	$15.00
Coupe	10.00
Station wagon	20.00

(2) *Made-to-order auto seat covers.* The maximum prices installed for sales of locally manufactured made-to-order auto seat covers shall be as follows:

(i) STANDARD SEAT COVERS

Body types	Light cars (all cars having a wheel base up to and including 115")	Heavy cars (all cars having a wheel base over 115")
Coupe:		
Full seat	$10.00	$12.00
Broken lazy back	11.00	.....
Sedan:		
Four door	20.00	22.00
Two door—broken lazy back	21.75	23.00
Two door—bucket seats	22.75	.....

(ii) DE LUXE SEAT COVERS

Body types	Light cars (all cars having a wheel base up to and including 115")	Heavy cars (all cars having a wheel base over 115")
Four door	$25.00	$27.50
Coupe:		
Full seat	12.50	15.00
Broken lazy back	13.75	----------
Two door:		
Broken lazy back	27.20	28.75
Bucket seats	28.45	----------

In the event an arm rest center rear upholstered seat cover is furnished on a particular job, $5.00 may be added to the applicable maximum prices set forth above. No additional charge may be made for installation or any other extra services.

(c) *Definitions.* (1) "Standard seat covers" means custom made covers specially designed for automobile seats which include covers for the seat and lazy-back made of fiber material and lap-overs constructed from cloth bound in leatherette.

(2) "Deluxe seat covers" means custom made covers specially designed for automobile seats which include covers for the seat and lazy-back made of fiber material and lap-overs constructed from leatherette bound in leatherette.

(3) "Lap-over" means a strip 4" to 5" in width of composition material at the head of the lazy-back and on the side of seats which is designed to hold the fiber material in place on the automobile seats.

SEC. 67. *Maximum prices for Christmas trees in the Territory of Hawaii*—(a) *What this section covers.* This section sets maximum prices for all sales of Christmas trees, or any part thereof, grown and produced in the Territory of Hawaii.

(b) *Maximum prices for Christmas trees.* Maximum prices for all sales of Christmas trees in the Territory of Hawaii shall be as follows:

Size of trees	Maximum prices for sales at the roadside by the producer	Maximum prices for sales at wholesale		Maximum prices for sales at retail	
		On the island of Oahu	On all other islands	On the island of Oahu	On all other islands
Under 6 ft.	$1.00	$1.75	$1.50	$2.50	$2.00
6 to 8 ft.	1.50	2.60	2.25	3.75	3.00
8 to 10 ft.	2.00	3.50	3.00	5.00	4.00
10 to 12 ft.	3.00	5.25	4.50	7.50	6.00
12 to 14 ft.	5.00	8.75	7.50	12.50	10.00
14 to 16 ft.	10.00	----------	----------	15.00	14.00
16 to 18 ft.	15.00	----------	----------	22.00	20.00
18 to 20 ft.	22.50	----------	----------	33.00	30.00
20 to 25 ft.	30.00	----------	----------	44.00	40.00
Over 25 ft.	45.00	----------	----------	65.00	60.00

(c) *Maximum prices for Christmas tree branches at retail.* The maximum price for sales at retail of Christmas tree branches shall not exceed 25¢ per branch regardless of the size of the branch.

(d) *Transportation and delivery charges.* No extra charge for transportation, delivery, or any other services may be added to the maximum prices established by this section.

(e) When used in this section, a "Christmas tree" means any tree, or any part thereof, grown and produced in the Territory of Hawaii which is sold for the purpose of ornamentation and decoration at Christmas time.

(f) Any person who is unable to ascertain his maximum price for the sale of any Christmas tree, or part thereof, covered by this section, shall apply the provisions of section 10 of this regulation to determine his maximum price.

SEC. 68. *Maximum prices for fountain pens and mechanical pencils at wholesale and retail*—(a) *Articles covered by this section.* (1) This section covers all fountain pens and mechanical pencils (including fountain pen and mechanical pencil sets imported from the Mainland into the Territory of Hawaii) except the following:

(i) Used articles. (These are covered by Maximum Price Regulation No. 429.*)

(ii) Articles with barrel or cap of solid gold, platinum, or palladium. (These are covered by the General Maximum Price Regulation for the Territory of Hawaii.)

(iii) Articles imprinted with advertising and which are designed to be given, rather than sold, to the ultimate user. (These are covered by the General Maximum Price Regulation for the Territory of Hawaii.)

(iv) Articles sold as parts of a desk set together with a stand or well. (These are covered by the General Maximum Price Regulation for the Territory of Hawaii.)

(2) For the purposes of this section, a fountain pen is a writing device equipped to hold writing fluid in its barrel; and a mechanical pencil is a writing device equipped with a mechanism for propelling a movable core of marking material. In the case of a fountain pen customarily sold with renewable or replaceable points which screw into the section or barrel, the term "fountain pen" includes both the holders and the points, even though they may be sold separately. Otherwise, parts of fountain pens and mechanical pencils are not covered.

(3) Whenever the terms "fountain pen" and "mechanical pencil" are hereafter used in this section, they include only those articles which are covered by this section.

(b) *Transactions covered by this section*—(1) *Wholesalers and retailers.* This section applies to all sales and deliveries at wholesale and at retail of fountain pens and mechanical pencils imported from the Mainland into the Territory of Hawaii.

(2) *Purchasers in the course of trade or business.* This section also covers every purchase in the course of trade or business in connection with a sale covered by this section.

(c) *Wholesalers' maximum prices.* The maximum price at which wholesalers may sell or deliver fountain pens and mechanical pencils shall be the lowest of the following amounts:

(1) The retail ceiling price for the particular article set forth in paragraph (p) or approved under paragraph (d) of this section, less the customary discount granted by the wholesaler, during April, 1942, on sales of the same or similar article of the same make to the same class of purchaser and on the same terms and conditions of sale; or

(2) The retail ceiling price for the particular article set forth in paragraph (p) or approved under paragraph (d) of this section, less 33⅓%; or

(3) 133⅓% of the wholesaler's net invoice cost plus incoming transportation costs paid by the wholesaler; or

(4) 133⅓% of the manufacturer's ceiling price to purchasers of the wholesaler's class, plus incoming transportation costs paid by the wholesaler.

(d) *Wholesaler's applications for retail ceiling prices.* On and after January 1, 1945, a wholesaler may not sell or deliver a fountain pen or mechanical pencil which is not listed in paragraph (p) until he has applied by letter to the Office of Price Administration, Honolulu, 2, T. H. and until a retail ceiling price has been approved for the article, under this paragraph in line with the level of retail ceiling prices established by this section. The application must set forth a complete description of the article, the model designation, his supplier's name and address, the name of the manufacturer (if known), his acquisition cost, and a proposed retail ceiling price.

The proposed retail ceiling price shall be deemed approved 20 days after mailing the application (or all additional information which may be requested) unless within that time the Office of Price Administration notifies the seller that his proposed price has been disapproved.

(e) *Wholesalers' invoices.* Every wholesaler selling fountain pens or mechanical pencils, must furnish each purchaser for resale with an invoice or other similar written evidence of purchase showing the date of purchase, the seller's name and address, the terms of sale, the model designation, the quantity purchased, the price charged per unit, the retail ceiling price for the article listed in paragraph (p) or approved under paragraph (d), and the name and address of the buyer. This invoice must be kept by every person who buys any fountain pen or mechanical pencil for resale and a copy shall be kept by every wholesaler for inspection by the Office of Price Administration.

(f) *Retail ceiling prices.* The maximum price (exclusive of any taxes) for the sale at retail of a fountain pen or mechanical pencil is the retail ceiling price for the article listed in paragraph (p) or approved under paragraph (d) or paragraph (h) of this section.

(g) *Retail sales and tagging.* On and after January 1, 1945, a retailer may not offer for sale, sell, or deliver any fountain pen or mechanical pencil unless the manufacturer's firm name or brand name, the model designation of the article, and its retail ceiling price as listed in paragraph (p) or as approved under paragraph (d) or paragraph (h) of this section have been affixed to the article either by permanent imprinting or engraving on the exterior surface of the article, or by a tag or band containing that information.

*9 F.R. 10420, 13716.

If a tag or band is attached to the article it may not be removed until the article has been sold at retail.

(h) *Retailers' applications for retail ceiling prices.* On and after February 1, 1945, a retailer may not offer for sale, sell, or deliver a fountain pen or mechanical pencil which is not listed in paragraph (p) or for which a retail ceiling price has not been approved under paragraph (d), or for which the supplier cannot furnish the retailer with a statement of the retail ceiling price established for the manufacturer as required by Maximum Price Regulation No. 564," until he has applied by letter to the Office of Price Administration, Honolulu 2, T. H., and until a retail ceiling price has been approved for the article, under this paragraph, in line with the level of retail ceiling prices established by this section. The application should set forth a complete description of the article, the model designation, the supplier's name and address, the name of the manufacturer (if known), the acquisition cost, and a proposed retail ceiling price.

The proposed retail ceiling price shall be deemed approved 20 days after mailing the application (or all additional information which may be requested) unless, within that time the Office of Price Administration notifies the seller that his proposed price has been disapproved.

(i) *Charges for credit and other services*—(1) *Credit charges.* Charges for the extension of credit may be added to the retail ceiling prices established by this section only as follows:

(i) Sellers who in April 1942 collected a separately stated additional charge for the extension of credit on sales of fountain pens or mechanical pencils, may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in April, 1942 on a similar sale on similar terms to the same class of purchaser.

(ii) Sellers who did not so state and collect an additional charge, may collect a charge for the extension of credit only on instalment-plan sales and such charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in April 1942 by the seller's closest competitor who made such a separately stated charge. An instalment-plan sale is a sale where the unpaid balance is to be paid in instalments over a period of either six weeks or more from the date of sale in the case of weekly instalments, or eight weeks or more in the case of other than weekly instalments.

(iii) All charges for the extension of credit shall be quoted and stated separately.

(iv) No seller may require as a condition of sale, that the purchaser must buy on credit.

(2) *Other services.* Charges for other services may be added to the maximum prices set forth in this section only if: (i) The seller during April 1942 made a separate charge for those services, the amount of which was separately quoted and billed to the purchaser, (ii) the amount charged for those services is not in excess of the charge in effect during April 1942 upon sales of fountain pens and mechanical pencils, and (iii) such charges are quoted and billed separately. No seller may require the acceptance of any services as a condition of sale.

(j) *Sales slips and receipts.* A retailer who customarily gave a purchaser a sales slip, receipt, or other similar evidence of purchase must continue to do so. Upon request, all retailers must give the customer a receipt showing the date of purchase, the retailer's name and address, the model designation, the price paid, the kind and amount of any additional charge, and the name and address of the customer.

(k) *Relation between this section and Territorial Consumer Goods Regulation No. 1 and the General Maximum Price Regulation for the Territory of Hawaii.* This section replaces Territorial Consumer Goods Regulation No. 1 and the General Maximum Price Regulation for the Territory of Hawaii insofar as they establish maximum prices for sales at wholesale and retail of fountain pens and mechanical pencils, except that the provisions of section 7 (Transfer of business or stock in trade), section 11 (Base Period Records), section 12 (Current Records) and section 20 (Definitions and Explanations) of the General Maximum Price Regulation for the Territory of Hawaii are incorporated into this section and shall apply to all sales at wholesale and retail of fountain pens and mechanical pencils.

(l) *Records.* In addition to the records which wholesalers and retailers are required to keep under sections 11 and 12 of the General Maximum Price Regulation for the Territory of Hawaii, they must keep all invoices which manufacturers and wholesalers are required to furnish to them under Maximum Price Regulation 564 or this regulation.

(m) *Taxes.* Any tax upon or incident to the sale of a new fountain pen or mechanical pencil imposed by any statute or ordinance may be added to the maximum price established by this regulation: *Provided*, That the tax is separately stated and charged.

(n) *Maximum prices for sales made without required OPA Price Approval.* If any person covered by this regulation who is required to file a report or application with the Office of Price Administration for approval of a maximum or ceiling price, violates that requirement by making sales or deliveries of the article before the maximum or ceiling price is approved, the seller's maximum price for these sales or deliveries is the maximum or ceiling price subsequently approved by the Office of Price Administration, or the properly computed price based upon that maximum or ceiling price, whichever the applicable provision of the regulation requires.

(o) *Adjustments.* The Director of the Office of Price Administration for the Territory of Hawaii may, by order, fix dollars-and-cents retail ceiling prices upon receipt of applications under paragraphs (d) and (h) of this section.

(p) *Table of retail ceiling prices.* The following are the retail ceiling prices for fountain pens and mechanical pencils, exclusive of any taxes. Unless a fountain pen and mechanical pencil set is specifically listed in this section, the ceiling price for a set is the sum of the ceiling prices for the fountain pen and the mechanical pencil comprising the set.

*9 F.R. 12920, 13716, 14939; 10 F.R. 2247, 4712, 5091.

Manufacturer	Brand	Article	Model	Retail ceiling price
Adler Pen & Pencil Co.		Fountain pen	6S	$0.89
		do	A-80	.80
Advertising Pencil Co.	Sharpencil	Mechanical pencil	176	1.20
		do	350	2.80
Aero Pen & Pencil Co.	Fill-O-Matic	do	24, 26	1.00
B. L. Arnold Pen Co., Inc.		do	M-59, L-59	.60
		do	RL 1	1.08
		do	P 9L	1.00
		Mechanical pencil	P59	.29
		do	P-100	.60
Associated Pen Co.		Fountain pen	SPR 84	.89
		do	1000	1.04
		do	SSR	1.18
		do	PLS-4	.81
		do	440	.73
		do	440H	0.80
			PLS4B	.88
Autopoint Co.	Autopoint	Mechanical pencil	48G, 148G	1.25
	Realite	do	90	.35
	Autopoint	do	6, 106	.48
	Realite	do	98	.50
Autopoint Co.—Con.	Autopoint	Mechanical pencil	64, 164, 72, 172, 72X, 172X, 64C, 164C, 82N, 76, 176	$0.60
	do	do	12T, 112T, 8, 108, 62, 162, 2C	.75
	do	do	48, 148, 62G, 162G	.85
	do	do	72G, 172G, 72XG	1.00
	do	do	52GS, 152GS	1.50
		do	68	1.75
			69	2.65
			70	3.75
Avon Products Co.		Fountain pen	150	.85
		do	250	.87
		do	350	.95
		do	450	1.31
Baff Manufacturing Co.		Mechanical pencil	5752, 6190X, 6890, 6392	.10
		do	5027, 6190	.15
C. E. Barrett & Co.	Aristocrat	Fountain pen	3501, 3941	3.50
	Webster	do	5791, 5792	3.95
	do	do	5789	5.00
	Gold Medal	do	141, 241, 341, 400, 741, 841, 941	4.00

(p) *Table of retail ceiling prices*—Continued.

Manufacturer	Brand	Article	Model	Retail ceiling price
C. E. Barrett & Co.—Continued.	Gold Medal	Fountain pen.	850, 2741, 2841, 2941, 3041, 3141, 3241, 3941, 4041, 4141, 4241, 4341, 4441.	$5.50
	do	do	770, 1541, 1641, 1741, 1841, 1941, 2041.	7.50
	do	Desk pen	350D	3.50
	do	do	550D	5.50
	do	Desk pencil	850D	5.50
	Aristocrat	Pen-pencil set	192	4.50
	Webster	do	5793, 5794	5.00
	do	do	5780	7.00
	Gold Medal	do	441, 541, 550S, 641, 1041, 1141, 1241.	5.50
	do	do	950, 3541, 3441, 3541, 3641, 3741, 3841, 4541, 4641, 4741, 4841, 4941, 5041.	9.50
	do	do	1150, 2141, 2241, 2341, 2441, 2541, 2641.	11.50
	do	do	1341, 1375, 1441	13.75
J. Barthio		Packard fountain pen.	C100	.92
		do	B100	1.67
Camel Pen Co		Fountain pen	CA-2	4.00
Columbia Pencil Co		Mechanical pencil.	241	0.50
	Wings	do	266	.89
Conklin Pen Co	Conklin	Fountain pen.	50	1.00
	do	do	DN 34	2.75
	do	Pen and pencil set.	DNP 34	3.95
A. T. Cross Pencil Co		Mechanical pencil.	850, 892	1.00
	do	do	600	5.00
A. G. Debs	A. G	Fountain pen	4, 6	.93
Louis F. Dow Co	do	Mechanical pencil.	300	.25
Duo Craft Co		Packard fountain pen.	P2, P3	2.85
Eagle Pencil Co		Fountain pen.	2111	1.15
	Palmer Method	do	5200, Artpaco	2.41
		Mechanical pencil.	1800	.27
	do	do	1802	.46
	Scout	Fountain pen.	51703	2.39
	Belmont	Mechanical pencil.	75-60, S2100	.17
Eberhard Faber		Renewable fountain pen point.	1203	.32
	do	Fountain pen holder.	1201, 1201 L	.79
	do	Desk pen	1204	1.09
	do	Mechanical pencil.	152	.25
	do	do	1200, 1200 C, 1200 L	.50
Eberhard Faber	Permanent	Fountain pen.	2401	1.50
Esaex Corporation	Venus	Fountain pen.	0561	1.00
	do	do	095-6C	3.50
	do	do	095-10	3.10
	American	Mechanical pencil.	045-C	.29
	Venus	do	041	.60
	do	do	047	1.40
Esterbrook Steel Pen Manufacturing Co.	Re-New-Point	Fountain pen holders.	A, B, H, W	.75
	do	do	J	1.25
	Duracrome	Re-New-Point fountain pen points.	Series 1000, 2000	.25
	Osmiridium	do	Series 3000	.50
	Master	do	Series 6000	.75
	Palladar	do	Series 8000	1.75
	Re-New-Point	Fountain pen	A, B, H, or W holders with 1000 or 2000 series points.	1.00
	do	do	A, B, H, or W holders with 3000 series points.	1.25
	do	do	A, B, H, or W holders with 6000 series points.	1.50
	do	do	A, B, H, or W holders with 8000 series points.	2.50
	do	do	J holders with 1000 or 2000 series points.	1.50
	do	do	J holders with 3000 series points.	1.75
	do	do	J holders with 6000 series points.	2.00
	do	do	J holders with 8000 series points.	3.00
	Push pencil	Mechanical pencil.	P, F, FH, FH	1.00
	do	do	PJ, FJ	1.50
Esquire Manufacturing Co.	Lord Chesterfield	Fountain pen.	LC1	$1.00
		do	10748, 324, 328	.85
Eternal Pen & Pencil		do	10748, 3068, 397	.91
		do	314, 394RT	2.07
		do	398RT	2.22
Eversharp, Inc		do	83 series	1.00
		do	1	2.50
		do	84, 85	2.97
		do	72, 73, 74, 75, 94, 95, J94, J95.	3.95
		do	76, 77, J74, J75, 2	5.00
		do	76M, 77M	6.00
		do	3	7.50
		do	79	8.75
		do	60, 70, 61, 71, J70, J77.	9.75
		do	78W	11.75
		do	20, 21, 22	12.50
		do	J70	13.75
		do	J70, J71	15.75
		do	48Y, 68Y, 49Y, 78Y	17.00
		do	J68Y, J78Y	20.00
		Mechanical pencil.	08510 series	.69
		do	100, 101, 183	1.00
		do	184, 185	1.50
		do	172, 173, 174, 175, 193, 195, J194, J195.	2.00
		do	178W	2.00
		do	176, 177, J174, J175	2.75
		do	176M, 177M, 179	4.00
		do	160, 170, 161, 171, J176, J177, J179.	5.00
		do	J170, J171	6.00
		do	120, 121, 122	6.50
		do	148Y, 168Y, 149Y, 178Y.	7.50
		do	J168Y, J178Y	9.50
Frank Feldman	Imperial	Fountain pen	200	1.00
	do	do	27	1.25
	do	Desk fountain pen.	1008	.77
	do	do	1000	1.85
	do	Pen-pencil set	37	2.00
The Gilfred Corp	Everfeed	Fountain pen.	951P	1.00
	do	do	851SP	1.37
	do	do	951SP	1.62
	do	do	951G	2.50
	do	Mechanical pencil.	1100	.90
	do	do	1200	1.60
	do	Pen-pencil set	1951SP	3.00
	do	do	1951G	3.50
Globe Pencil Advertising Co.		Mechanical pencil.	33, 66	.19
		do	1200, 1233	.26
		do	50	.43
		do	98	.64
Graphomatic Corp	Inkmaker	Fountain pen (with 2spare inksticks).	Deluxe	8.75
Milder-Graph Pen Co		Fountain pen.	Black	.83
		do	Pearl	.97
Guth, Stern & Co., Inc.		do	L-1000, M-1000	5.00
H. & K. Trading Co		do	4	.80
		do	6	.90
J. Harris & Co	Majestic	do	7	.80
	do	do	5	1.60
	do	do	11	.80
	do	do	9	1.17
John Holland Gold Pen Co.	J. H. Regular	do	2, 2V, 21	3.00
	do	do	2TC, 2TCY	3.50
	J. H. Jewel	do	3, 3V, 3D	5.00
	do	do	3WB, 2WBV	6.00
	do	do	6, 6V, 6D	7.00
	do	do	3CV, 3CBV	8.00
	Jewel Deluxe	do	3LS, 3LSV, 3WM, 3WMV.	10.00
	do	do	3YM, 3YMV	12.50
	do	do	14KT, Trim, 14KT Trim V.	20.00
		Mechanical pencil.	2JH	3.00
		do	2WM, 2WC	5.00
		do	2YC, 2YCV	6.50
		do	14KT. Trim	10.00
		do	200	2.25
P. W. Holmes Sons		do	1855, 2655	2.50
		do	185, 260, 3802	3.50
		do	380	3.90
		do	275	4.45
		do	381	4.85
		do	325	5.60
		do	322	8.00
Hutcheon Bros	Finerpointe	Fountain pen.	S129, P129	12.00
	do	Mechanical pencil.	S211	.60
	do	do	S221	1.20
	do	do	NS360, NS370, NS380.	2.40

(p) *Table of retail ceiling prices*—Continued.

Manufacturer	Brand	Article	Model	Retail ceiling price
Hutcheson Bros.—Continued.	Finerpointe	Mechanical pencil.	P350, P360, P370, P375, P380, S370, S375, S380, S380.	$6.00
	do	do	NS420	7.20
	do	do	P373, S373	9.00
	do	do	S420, P185, S185	13.20
Inkograph Co	Inkograph	Fountain pen.	70	2.00
J & W. Pencil Co	Mechanical pencil.	Mechanical pencil.	20	.30
Jolie Pen Co		Fountain pen	221	.85
		Mechanical pencil.	220	.80
Geo. H. Jung Co	Baseball bat	do	2 B. B	.15
David Kahn, Inc	Supreme	Fountain pen.	262	.25
	do	do	260	.29
	do	do	174	.50
	Wearever	do	831, Deluxe	1.00
	do	do	845, Zenith	1.95
	do	do	855	2.75
	do	Mechanical pencil.	325	.15
	do	do	345	.25
	do	do	45, Zenith	.80
	do	do	31, Deluxe	.80
	do	do	55	1.60
C. J. Kavenaugh		Fountain pen.	Duopoint	1.95
W. K. Kerr Pen Co	Changepoint	Desk pen	3J	1.25
	do	do	5J	2.00
	do	Fountain pen.	6J	2.00
		Combination pen.	7J	2.50
King, Larson & McMahon.	Penman	Fountain pen.	325	1.35
Laughlin Mfg. Co		Fountain pen.	Ink pencil	2.50
	do	do	No. 2 Regular	3.00
	do	do	No. 3 Regular	4.00
	do	do	No. 4 Regular	5.00
	do	do	No. 5 Acct	5.00
	do	do	No. 4 Deluxe Manifold.	6.00
Jos. Lilple Pen Co		Mechanical pencil.	L-300-X	1.00
Listo Pencil Corp		do	1620	.25
Moore Pen Co		Fountain pen.	25-A	1.25
	do	do	70-A, 90-A	2.50
	do	do	72-A, 92-A	3.50
	do	do	84-A, 94-A	5.00
	do	do	83-A, 93-A	7.50
	do	do	96-A	8.75
	do	Mechanical pencil.	5-A	.75
	do	do	3-A, 4-A	1.45
	do	do	8-A, 9-A	3.00
	do	do	88-A, 99-A	5.00
	Silencil	do	100	1.00
	do	do	250	2.50
	do	do	350	3.50
	do	do	500	5.00
Morrison Fountain Pen Co., Inc.		Pen-pencil set	66	6.00
New Diamond Point Pen Co., Inc.	Moz	Fountain pen.	33	6.25
	do	do	4	1.13
	do	do	16	1.80
Nichols Products Co		Mechanical pencil.	2B1, 2B2, 2B3, 2B4.	4.25
		do	2B5	2.50
		do	2B7	2.75
		do	2B12	2.00
		do	2B13	3.00
		do	2B14	5.00
		do	6B17, 6B20	1.10
		do	6B1, 6B9, 6B10	.60
		do	6B2, 6B3, 6B4	.65
		do	6B5	.70
		do	6B7	.85
		do	6B18	.45
		do	6B15	.35
		do	6B16	.40
Ne-Mek Pen Products		Fountain pen (without filler).	FQG, FPG, FLG	5.80
		do	FQ1, FP1, FL1	4.80
Norma Multicolor		Mechanical pencil.	504	10.00
Parker Pen Co	Duofold	Fountain pen.	295	2.95
	do	do	395	3.95
	Vac-Duo	do	109, 119, 129, 139, 500.	5.00
	do	do	4, 6, 14, 16, 20, 21, 24, 26, 30, 31, 34, 36, 40, 41, 54, 56, 875, 1109, 1119, 1129, 1139.	8.75
	"51"	do	1250, 51001, 51002, 51003, 51004, 51121, 51122, 51123, 51124.	12.50
	do	do	1500, 51011, 51012, 51013, 51004, 51111, 51112, 51113, 51114.	15.00
	do	do	1750, 51024, 51025, 51026, 51027.	17.50
	do	do	2500, 51031, 51032, 51033, 51034.	25.00
Parker Pen Co., Con.	Duofold	Mechanical pencil	240	$2.00
	do	do	250	2.50
	Vac-Duo	do	375, 600, 610, 620, 630, 650.	3.75
	do	do	400, 504, 506, 514, 526, 530, 531, 534, 536, 540, 541, 544, 550, 1009, 1619, 1629, 1639.	4.00
	"51"	do	500, 51501, 51502, 51503, 51504, 51021, 51022, 51023, 51024.	5.00
	do	do	750, 51511, 51512, 51513, 51514, 51611, 51612, 51613, 51614	7.50
	do	do	1000, 51521, 51522, 51526, 51527.	10.00
	do	do	1500, 51531, 51532, 51533, 51534.	15.00
	Duofold	Pen-pencil set	410	4.10
	do	do	500	5.00
Peerless Fountain Pen & Pencil Co.		Fountain pen.	Insignia	.70
		Fountain pen (with leather case).	do	.90
		Fountain pen.	DeLuxe	3.50
		Fountain pen (with leather case).	do	3.90
		Fountain pen.	P-38	6.12
		Mech. pencil.	DeLuxe	.95
		do	P-38	2.05
		Pen and pencil set.	Insignia	1.10
		Pen and pencil set (with leather case).	do	1.55
		Pen-pencil set.	DeLuxe	4.10
	Non-Stop	Pen-pencil set (with leather case).	do	4.85
		Pen-pencil set	P-38	8.80
Pen-N-Pencil Co	Marvel	Mechanical pencil.	85	1.00
		do	83	1.50
		do	80	2.00
Reliable Pen & Pencil Co.		Fountain pen.	Stylo	1.05
Ritepoint Co		Mechanical pencil.	7884	.05
Rite-Rite Mfg. Co		Fountain pen.	250	.25
		do	633	.50
		do	111, 111C	1.00
		do	222	2.50
		Mechanical pencil.	14	.11
		do	2B, H15, 13, 13B, 13 Spec. B, 13M, 29B, 113, 113B, 113R, 113S, 113R-B, 113S-B.	.15
		do	213-B	.17
		do	209-Spec. 209, 29-SP, 29B, 25B-Spec., 25P-B, 25T-B, 33, 33B, 33X, 229, 4213, 4213B, 4225, 4225B, 4233, 4233B.	.20
		do	21	.26
		do	25, 25A, 25NP, 25T, 25TNP.	.33
		do	550	1.00
		Fountain pen.	24J, 30, 30B, 30J, 30RWB, 35, 230, 1390.	.35
		do	39	.39
		do	49, 49B, 49RWB, 49RWB-B, 55, 55B, 490D.	.49
		Mechanical pencil.	D75, 374, D75B, 324, 324B, 325, 325B, 330, 330B, 630T.	.50
		do	630, 630R	.63
		do	55X, 65	.50
		do	75, 75-B, 460, 1630C-B.	.75
		do	100, 100B, 100CP, 101, 101B, 104, 122, 132, 6306, 630RG, 1630G-B.	1.00
		do	125	1.25
Romco Products Co	Lafayette, Skylark.	do	101	1.75
St. Louis Pencil Co	Arelite	do	75	.45
		do	700SP	.85
Salz Brothers, Inc		do	77P	.50
		do	701	.65
Saltz Mfg. Co	Stratford	Fountain pen	838SP	1.00

(p) *Table of retail ceiling prices*—Continued.

Manufacturer	Brand	Article	Model	Retail ceiling price
Scripto Mfg. Co		Mechanical pencil.	77	$0.20
W. A. Schaeffer Pen Co.	Addipoint	Fountain pen.	100	1.00
	do	do	125	1.25
	Clipper	do	195	1.95
	Junior	do	275	2.75
	Clipper	do	295	2.95
	Craftsman, Miss Universe.	do	350	3.50
	Clipper	do	395	3.95
	Commandant	do	400	4.00
	Clipper, Admiral, Milady, Defender.	do	500	5.00
	Sovereign, Vigilant, Lady Schaeffer, Lady Skyboy.	do	875	8.75
	Sky Boy, Military Skyboy, Statesman, Valiant, Premier.	do	1000	10.00
	Tuckaway	do	1200	12.00
	Triumph, Triumph Tuckaway.	do	1250	12.50
	Lady Crest	do	1275	12.75
	Crest, Triumph, Crest Tuckaway.	do	1375	13.75
	Triumph Crest	do	1500	15.00
	Autograph Viceroy, Service.	do	1650	16.50
	Lady Autograph	do	1800	18.00
	Autograph Executive, Heritage, Triumph.	do	2000	20.00
		Mechanical pencil.	75	.75
		do	100	1.00
		do	185	1.85
		do	200	2.00
		do	250	2.50
		do	300	3.00
		do	350	3.50
		do	400	4.00
		do	500	5.00
		do	600	6.00
		do	850	8.50
		do	1200	12.00
		do	1500	15.00
Affipoint		Pen-pencil set	175	1.75
do		do	195	1.95
Clipper		do	295	2.95
Clipper, Junior		do	395	3.95
Clipper, Craftsman, Miss Universe.		do	500	5.00
Commandant		do	600	6.00
Clipper		do	750	7.50
Milady		do	850	8.50
Admiral Defender.		do	900	9.00
Sovereign, Lady Sheaffer, Vigilant, Lady Skyboy.		do	1275	12.75
Skyboy, Military Skyboy, Statesman, Valiant.		do	1400	14.00
Premier		do	1500	15.00
Triumph Tuckaway.		do	1650	16.50
Tuckaway		do	1675	16.75
Triumph		do	1791	17.50
Lady Crest		do	1775	17.75
Triumph Crest Tuckaway.		do	1875	18.75
Crest		do	1975	19.75
Triumph Crest		do	2100	21.00
Autograph Viceroy, Service.		do	2500	25.00
Lady Autograph		do	3000	30.00
Autograph Executive, Heritage Triumph.		do	3500	35.00
		Desk fountain pen.	300	3.00
		do	500	5.00
		do	800	8.00
		Desk mechanical pencil.	500	5.00
Wasp		Fountain pen.	100	1.00
do		do	125	1.25
do		do	195	1.95
do		do	295	2.95
do		do	395	3.95
do		do	500	5.00
do		Mechanical pencil.	75	.75
W. A. Schaeffer Pen Co.—Continued.	Wasp	Mechanical pencil.	100	$1.00
	do	do	200	2.00
	do	do	250	2.50
	do	Pen-pencil set	175	1.75
	do	do	195	1.95
	do	do	295	2.95
	do	do	395	3.95
	do	do	500	5.00
	do	do	750	7.50
Schlosser Mfg. Co	Wonder	Mechanical pencil.	18	.75
Servall Pen Co	Wonder	Fountain pen	200	2.00
	do	do	108, 34, 38	.80
	do	do	50, 508, 267	.90
	do	do	440, 455	4.00
	do	do	580 (7, 8810)	5.00
	do	do	580 (7, 8814)	5.00
Sloane Pen Company	Impervo, West End.	do	225, 275, 279	2.75
	do	do	275, 287, 288	2.75
	do	do	922, 928	9.25
	do	do	975, 999	9.75
Southern Pen Co	Champion	do	114	1.00
	do	do	3, 5, 9, 9-1, 3 PVA, 5-SPA, 6-SPA, 9-1-SPA.	2.50
	do	do	7, 7-SPA	3.00
	do	do	6, 6-SPA	3.50
	do	do	8, 8-SPA	5.00
	do	Mechanical pencil.	11, 11-1	1.00
	do	do	13	1.00
	do	do	10, 10-1	1.00
	do	do	12	1.00
Travelers Pen Co		Fountain pen	600	6.00
		do	200	2.00
		do	400	4.00
		do	250	2.50
		do	600	6.00
		do	450	4.50
J. Ullrich & Co	Juco	do	14	1.00
	Independent, Vulcan, Juco, Kompacter.	do	1, 11, 12, 20, 10.	1.00
	Vulcan, Independent	do	13, 2	1.75
	Independent, Juco, Lord Hamilton	do	8, 28, 37, 42	2.00
	Independent	do	88, 8G, 8R	2.50
	Independent	do	81	3.00
	Independent	do	101, Visa	1.00
Universal Fountain Pen & Pencil Co.		do	Uni-Flow	1.00
		do	Rite-O-Matic	1.00
Victor Fountain Pen Co.		do	6F	1.00
		do	6LF	1.00
		do	600MC	1.00
		do	6806	1.00
L. E. Waterman Co		do	Viso, Classmate	1.00
		do	2702	1.00
		do	11 Pemex, Skywriter.	1.00
		do	175	1.75
		do	621V, 751, Crescent, 652V, 659, Converted 30V.	2.00
		do	Miniature 8864X, Converted Patrician, 3, 5X, 12, 12-5, 32, 32X, 52, 52X, 621, 621-5, 652V, 72, 721, Converted 12, 301, 301V, 304.	3.00
		do	32 w/cross	3.50
		do	42, 42½, 421V	4.00
		do	52 GF Clip, 52-X, GF Clip, 62, 62V, 351, 351V, 352, 352V, 354, 475, 475-X, 0852½V, 0872½V, 0872½V, Dynomeder.	5.00
		do	12 Slender, 42 GF Clip, 0652½V, 0852½V, 0872½V.	6.00
		do	11, 44, 54, 54-X, 71	7.00
		do	0652, 0652½, 0752, 0752½, 0852, 0852½V, 0872	8.00
		do	Lady Patricia Regular, 3, 44, Silver Rims, 74, Visible, 81, 74, 741, 742V, 745, 745, 815V, 854, 0644, 0742½, 0754, 0872½V, Lace, 0892½V, Signagraph.	10.00

(p) *Table of retail ceiling prices*—Continued.

Manufacturer	Brand	Article	Model	Retail ceiling price
L. E. Waterman Co.—Continued.		Fountain pen.	15, 45, 54 GF Clip, 55, 75, 75V.	$5.25
		do	Plain 442½V, 551, 552, 01854, 01854V.	5.50
		do	54, 54 K, 442½, 0744, 0755.	6.00
		do	16, 48, 55 GF Clip, 56, 56V, 76.	6.25
		do	442½V Barley Corn, 651V, 01855, 01855V.	6.50
		do	7, 76 Visible 77, 0615, 0655, 0656, 0756, 01845, 01955.	7.00
		do	56 GF Clip	7.25
		do	442½V-Tel., 472½V, 956, 0542½V-Plain, 0852 Emblem Band, 01856, 01856V.	7.50
		do	752½, 0542½, 0716	8.00
		do	18, 48, 58, 78	8.25
		do	87, 442½V-HEV, 442½V Barley Corn-Tel., 442½V-Scroll, 851.	8.50
		do	875, 875V, 1202, 1202V	8.75
		do	442½V Plain F. C.-Tel., 852½V Plain, 0648.	9.00
		do	58 G. F. Clip	9.25
		do	0158	9.50
		do	Lady Patricia Plain, Patrician, 442½V-HEV-Tel., 442½V-H. E. Vire-Tel., 442½V-Scroll F. C. Tel., 452½V, 852 White, 875 White, 1001V, 1002, 1003, 0542½V Plain-Tel., 0572½V, 0758.	10.00
		do	20	10.25
		do	0542½V-Filigree	10.50
		do	1101, Silver Cap	11.00
		do	852½V-HEV	11.50
		do	Lady Patricia 14K, Lady Patricia Twist, Lady Patricia Bayleaf, 452, 452½, 452½ Pan Panel, 452½ E. C., 452½ Filigree Gothic, 452½ HEV, 463, 454, 952½V, 1201, 1854.	12.00
		do	0544	12.50
		do	0542	13.00
		do	1351V, 1352, 0652½ V., Gold Cap.	13.50
		do	442½ V-HEV F. C. Tel.	14.00
		do	0542½VFC Plain	14.50
		do	7 Jet 14K, 94 14K, 494 Bayleaf E. C., 774, 854, 0552, 0552½, 0554, 0594, 1501.	15.00
		do	775, 0542½V F. C. Plain Tel.	17.00
		do	0556	18.00
		do	Patrician 14K, Lady Patricia Ink Vue, 87 14K, 494 Plain F. C., 845, 2001.	20.00
		do	0558	21.00
		do	302, 302V	2.95
		do	42 Artist	3.00
		do	72½ Gillott, 72½ Gregg.	4.00
		do	876	8.75
		Desk pen	321	3.00
		do	322	3.50
		do	421	4.00
L. E. Waterman Co.—Continued.		Desk pen	262½V, 521	$5.00
		do	622	6.00
		do	67, 721, Patrician	7.00
		do	262, 262½, 0302½	8.00
		do	521, 522	8.50
		do	0305	10.00
		do	265	12.00
		Mechanical pencil.	Classmate	.50
		do	175, Skywriter	.75
		do	251, Coronet, 21 G. S. C. 14 K. 21VGS Clip, 21 VGF Ring, 21 VGS Ring, 965, 0721, V-S GF Ring.	1.00
		do	31, 31-1, 31V, 93, 93V, 291, 301V, 302, 302V.	1.25
		do	26, 28, 31, with cross, 21 GF Clip, 21 VGF Clip, 91, 91V, 265, 278, 351, 351V, 352, 352V, 354, 475, 475V, 1751, V-S, GF Clip, 0721-S-GF Clip.	1.50
		do	25, 0721, 0721V, 0821V, 0725N, 0872V, 0825I.	2.00
		do	66	2.50
		do	Lady Patricia Chrome, Lady Patricia G. F., 85, 95, 97, 742V, 815, 815V, 0672S, 0725, 0755, 3092.	3.00
		do	501, P651V, 651V, 852V, 853	3.50
		do	851, 852, 852V, 875, 875V, 1002, 1003, 1202, 1202V.	3.75
		do	88, 425, 851 White, 852 White, 875 White, 0571V, 0725 Plain.	4.00
		do	1191	4.50
		do	Lady Patricia Plain, Patrician Chrome, Patrician G. F., 1001V, 421V, 0525 with design.	5.00
		do	421, 427, 493, 1201	5.50
		do	1352	6.75
		do	95 with Knife, 721 Plain, 721 Sheraton, 721V Plain.	6.00
		do	0521V, 1351V	6.50
		do	0527	7.00
		do	721 HEV 721V-Aine, 0521, 1501.	7.50
		do	Lady Patricia 14 Kt., Lady Patricia Bayleaf, Lady Patricia Twist, 921 V, 9725.	8.00
		do	725	9.00
		do	95 14 Kt., 97 14 Kt., 495 Bayleaf, 895 Plain.	10.00
		do	Patrician 14 Kt., 88 14 Kt., 495 F. C. Plain, 2001.	15.00
		Desk pencil	27	3.00
		do	0527	8.00
		Combination pen and pencil.	201	1.50
		do	32	5.00
		do	74	6.00
		do	444	12.00
Weidlich Pen Co	Weidlich, Star	Fountain pen	2 F, 800 F	1.00
	do	do	800-2	1.25
	do	do	1200, 4 F	1.50
	do	do	1200, 1 W	2.00
	do	do	2 W	3.00
	do	do	4 W	4.00
	do	do	6 W	5.00
	do	do	8 W	6.00
	do	Mechanical pencil.	33	.50
	do	do	37	1.00
Welsh Manufacturing Co.	Welsharp	Fountain pen	100	1.00

This regulation shall become effective June 11, 1945.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9713; Filed, June 5, 1945; 11:40 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 113]

MANUFACTURERS' MAXIMUM AVERAGE PRICE FOR WOOL CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

SEC.
1. What this supplementary order does.
2. What fabrics are subject to this order.
3. This supplementary order applies to "manufacturers"; the term "manufacturer" given a broad meaning.
4. Explanation of "weighted average price" and other terms.
5. Choice between year 'round, half-yearly, or quarterly basis.
6. How most manufacturers will determine their "maximum average price".
7. Other manufacturers.
8. Maximum average price limitation.
9. Petitions for amendment.
10. Invoices.
11. Records.
12. Reports.
13. Prohibitions and enforcement.
14. Licenses required.

AUTHORITY: § 1305.141 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *What this supplementary order does.* (a) This supplementary order, which applies to "manufacturers" of certain fabrics, is issued in conjunction with other orders and regulations which establish "maximum average prices" and other new controls for manufacturers of apparel and apparel accessories.

(b) This supplementary order requires "manufacturers" of wool civilian apparel fabrics to maintain or restore their sales of lower priced goods to the extent necessary to keep their "weighted average price" for such fabrics from being higher than a "maximum average price". A "manufacturer's" "maximum average price" will usually be determined by reference to his "weighted average price" for a "base period" but in certain cases it will be a price established by the Office of Price Administration upon application by the "manufacturer."

(c) This order applies not only to "deliveries by" "manufacturers" of fabrics in the sense in which that word is generally used, but also to "deliveries" by persons (whom this order includes in a broad definition of the term "manufacturer") who have goods woven or knitted on a commission basis or who buy cloth from a weaver or knitter, himself a "manufacturer" under this order, to whom they sell yarn. It applies, moreover, to a "manufacturer" of woven or machine knitted wool apparel fabrics even though he sells part of his production in the form of manufactured articles. This order does not apply to a "manufacturer" who uses all his production of fabrics subject to this order in making manufactured articles.

(d) This supplementary order, as applied to fabrics subject to it, is supplementary to Maximum Price Regulation No. 163, as amended, and to the General Maximum Price Regulation. Under certain circumstances (see section 4 (a) (1) (ii) and paragraph (a) (4) of section 13) it affects the pricing, by a "manufacturer" of such fabrics, of other commodities made from them. To that extent this order is also supplementary to all price regulations affecting commodities made from fabrics subject to it.

(e) This supplementary order does not relieve "manufacturers" from the obligation of complying with any other applicable maximum price regulation. Each seller is still required to observe the maximum prices for the fabrics he manufactures as established by the applicable OPA maximum price regulations.

SEC. 2. *What fabrics are subject to this order—(a) All provisions apply separately to woven and to knit fabrics.* This order applies to "woolen and worsted civilian apparel fabrics". Its provisions apply separately to each of two classes of those fabrics. Class I consists of woven goods, Class II of machine knit goods. "Woolen and worsted civilian apparel fabrics" means domestic men's, women's, children's and infants' suiting, dress goods, topcoatings, overcoatings, cloakings, ski or snow cloths, mackinaws, bathrobe fabrics, necktie fabrics including linings, shirtings, and meltons containing 25% or more of woolen fiber by weight and manufactured on the woolen or worsted systems or knitted on machines, except pile fabrics and fabrics composed of 50% or more by weight of continuous filament rayon yarn. However, it does not apply:

(1) To fabrics, or to "cancellations", "over-runs", or "rejects" of such fabrics, made pursuant to a contract with a war procurement agency or a sub-contract under such a contract or to any other contract bearing a preference rating of AA-2X or higher. As used in this order:

(i) "War Procurement Agency" means the War Department, Department of the Navy, the United States Maritime Commission, the Training Organization of the War Shipping Administration, or the Lend-Lease Section in the Procurement Division of the Treasury Department; (ii) "Cancellations" means yardage which would have been delivered pursuant to a contract but for its cancellation and which was produced or in production prior to the cancellation;

(iii) "Overruns" means excess yardage unavoidably produced in the course of fulfilling a contract;

(iv) "Rejects" means yardage manufactured, processed or procured pursuant to a war procurement contract, but which fails to meet the contract specifications for first quality goods, whether inspected and rejected by, or never offered to the war procurement agency or prime contractor under the war procurement contract.

(2) To fabrics declared surplus by and purchased from the Procurement Division of the Treasury Department.

(3) To fabrics woven on a hand loom.

(b) While this order applies, essentially, to the fabrics defined in the introductory paragraph above, which will be referred to as "fabrics subject to this order", it is to be noted that, as explained in section 1 (d), prices of other commodities produced from "fabrics subject to this order" may under certain circumstances be affected by this order.

SEC. 3. *This supplementary order applies to "manufacturers"; the term "manufacturer" given a broad meaning.* (a) Except as provided in paragraph (b) of this section, this supplementary order applies to "deliveries" by all "manufacturers" of the fabrics subject to it. The word "manufacturer" in this order, intended to have a broad meaning, means (1) any person who as owner, lessee, or in any other capacity, operates a mill or mills in which fabrics subject to this order are woven or knitted; (2) any person who directly or indirectly supplies raw material to a mill or mills for weaving or knitting such fabrics "on a commission basis"; or (3) any person who purchases such fabrics from a mill or mills to which he sells or supplies raw material. "On a commission basis" refers to sale of the service of weaving or knitting, as distinguished from sale of a commodity produced in part or in whole by weaving or knitting.

(b) This supplementary order does not apply to, and the term "manufacturer" shall not include (1) any person to the extent that he weaves or knits fabrics on a commission basis, but any person whose weaving or knitting on a commission basis constitutes only a part of his production of fabrics subject to this order is subject to this order with respect to the balance of that production; or (2) any person who transfers all his production of fabrics subject to this order to his own organization to be made into manufactured articles, but any person who so transfers only a part of his production is subject to this order with respect to all of his production.

(c) Even if operating more than one mill in which fabrics subject to this order are manufactured, a corporation or other person constitutes only one "manufacturer" and must plan the combined operations of all such mills to conform to the requirements of this order as they relate to a single "manufacturer," except that the provisions of this order shall apply separately to the fabrics in Class I and Class II as defined in section 2.

SEC. 4. *Explanation of "weighted average price" and other terms.* (a) "Weighted average price" is a key phrase in this supplementary order, because manufacturers are required by Section 6 to compute their "weighted average price" for a "base period" and by other sections to compute their "weighted average price" for other periods of time. Used with reference to any given period, "weighted average price" means the "weighted average price" (rounded to the nearest tenth of a cent) at which goods subject to this order were "delivered" during that period and is computed by dividing the "total net dollar amount charged" by the number of "yards" which were "delivered" during the period. The terms "total net dollar amount charged", "yards", and "delivered" are defined in subparagraphs (1), (2), and (3) immediately following.

(1) *"Total net dollar amount charged."* "Total net dollar amount charged" has to be computed somewhat differently as applied, on the one hand, to fabrics "delivered" pursuant to actual sales and, on the other hand, to fabrics which, as later explained, are treated as "delivered" even though they are transferred only within a manufacturer's own organization.

(i) When applied to "deliveries" pursuant to actual sales, "total net dollar amount charged" means the sum of all the prices for all yardage "delivered" by the manufacturer during a given period, less (*a*) transportation charges appearing separately on the invoice, (*b*) the dollar amount of all returns and allowances made during the period, and (*c*) the dollar amount of cash and trade discounts actually taken by purchasers during the period to the extent that such discounts in the aggregate exceed 1 per cent.

(ii) When applied to "deliveries" represented by mere transfers within or for the account of a manufacturer's own organization, "total net dollar amount charged" means the value computed at the applicable ceiling prices,[1] except that it may mean the value computed at any lower prices assigned by the manufacturer to the goods if he has complied with whichever of the following two conditions pertain to the manufacturer's pricing of manufactured articles made from the fabrics to which he has assigned a lower price. Where a manufacturer has assigned a value of less than ceiling to fabrics subject to this order which are transferred within his company, but is unable to support the burden of proving that the conditions have been or will be complied with, "total net dollar amount charged" shall be computed on the basis of the applicable ceiling prices of those fabrics.

(*a*) The first condition applies when the manufactured articles are subject to a ceiling price determined by any formula of the cost-plus type. In this situation, if the manufacturer has assigned to the fabrics "delivered" within his own organization a lower value than ceiling, the maximum price for the resulting manufactured articles shall be the price arrived at under the applicable price regulation after reducing the otherwise allowable cost by the actual difference between the ceiling value and the lower assigned value of the fabrics used.

(*b*) The second condition applies when the manufactured articles made from fabrics to which the manufacturer has assigned a value lower than ceiling are subject to a ceiling price determined in any other manner than by a formula of the cost-plus type. In this situation the maximum price for the manufactured articles shall be the otherwise applicable ceiling price reduced by one and one-half times the actual difference between the ceiling value and the lower assigned value of the fabrics used (the reduction by an additional half of the difference being intended to compensate for the markup which otherwise would be realized on that difference.)

(2) *Yard.* "Yard" means "linear yard," unless a manufacturer produces both narrow and wide fabrics (narrow fabrics are fabrics 40 inches or less in width finished) in which case it means "square yard."

(3) *Delivered.* "Delivered" (as well as "deliver" or "delivery") has the following meaning:

(i) In the case of any fabric which is actually sold by the manufacturer in a state in which it falls within the definition of fabrics in section 2, "delivered" refers to a manufacturer's invoicing of fabrics which, in accordance with the purchaser's order, have been shipped or are being held for him.

(ii) In the case of fabrics converted or made by or for the account of the manufacturer into manufactured articles "delivered" refers to the transfer of fabrics from the last plant, department, or process in their production as fabrics subject to this order to the first subsequent plant, department, or process in their conversion into manufactured articles. A transfer shall be regarded as taking place at the time of physical "delivery" to that subsequent plant or department or of the inception of that subsequent process: *Provided,* That, if the manufacturer's record of transfer required by section 11 (e) is systematically based on some other related occurrence (such as completion of work, packaging or notification of subsequent department) the transfer shall be regarded as taking place at the time of that occurrence.

(b) The terms "total net dollar amount charged", "yard", and "delivered" (as well as "deliver" and "delivery") shall have the meanings set forth in paragraph (a) (1), (2), and (3) wherever they are used in this supplementary order.

(c) The term "person" includes an individual, corporation, partnership, or association of individuals.

(d) The term "quarter" means calendar quarter or a closely corresponding 13-week quarter, as each manufacturer shall for himself elect. If the manufacturer elects to use calendar quarters the first "quarter" shall be that commencing July 1, 1945. For a manufacturer electing to use 13-week quarters, the first "quarter" shall consist of 13-weeks commencing on any day during the first week of July 1945; subsequent "quarters" shall consist of consecutive 13-week periods thereafter.

(e) The term "price regulation" means a maximum price regulation, price schedule, or order issued by the Office of Price Administration.

SEC. 5. *Choice between year 'round, half-yearly, or quarterly basis.* The wool fabrics produced by a manufacturer for the Fall season are typically different from those produced by him for the Spring season. As a result, there normally is an appreciable difference in the average price of a manufacturer's Fall and Spring fabrics. Taking account of this seasonal variation, this supplementary order gives each manufacturer whose previous sales reflect such a difference the privilege of choosing between a "maximum average price" which remains constant the year 'round and "maximum average prices" which are different for each half or even for each quarter of the year. However, having once made his choice of the year 'round, half-yearly, or quarterly "maximum average price" basis, he may not thereafter switch to another basis. If a manufacturer chooses the half-yearly or quarterly basis, each half or quarter of 1943 shall be his "base period" for each corresponding half or quarter year during which he is subject to this supplementary order.

SEC. 6. *How most manufacturers will determine their "maximum average price".* (a) A manufacturer must himself compute his "maximum average price" (or prices) by reference to a "base period" (or periods) if (1) he delivered fabrics subject to this order in 1943 and in each calendar quarter of 1943 delivered at least 10% of the total yardage he delivered in that entire year and (2) since January 1, 1943 has not acquired the business or a predominant part of the production facilities of another manufacturer. Otherwise a manufacturer must apply to the Office of Price Administration for a "maximum average price" (or prices) as provided in section 7.

(b) A manufacturer who delivered fabrics subject to this order in 1943 and in each calendar quarter of 1943 delivered at least 10% of the total yardage he delivered in that entire year shall have as his "base period" (or periods):

(1) The calendar year 1943, if he elects to have a year 'round "maximum average price";

[1] In some cases there will be no applicable ceiling price for a fabric. This may occur if all of a manufacturer's production of the fabric is (or was) used by him in producing garments or other manufactured articles so that none of it is (or was) sold by him in the form of fabric. Under these circumstances, the maximum price shall be determined as though the fabric were to be sold.

The maximum price for a woven fabric should be determined in accordance with Maximum Price Regulation No. 163. Since § 1410.102 (a) of that regulation does not adapt itself to use in this situation, the fabric should be priced in accordance with § 1410.102 (c) if it is "comparable", or with § 1410.102 (i) if it is "similar", to a fabric for which that manufacturer has a maximum price under Maximum Price Regulation No. 163. However, the fabric should be priced in accordance with § 1410.102 (d) if it is a "new" one as there defined. If a manufacturer cannot determine the maximum price in accordance with the foregoing, he shall apply for such a price to the Office of Price Administration, Washington 25, D. C.

Where, because of the same circumstances, a knit fabric has no maximum price, a maximum price for it should be determined in accordance with the General Maxium Price Regulation.

It is to be remembered that, as provided in section 3, this order does not apply to a manufacturer who sells or transfers all his production to his own organization to be made into manufactured articles.

(2) Each calendar half of 1943, if he elects to have half-yearly "maximum average prices"; or

(3) Each calendar quarter of 1943, if he elects to have quarterly "maximum average prices".

(c) Each manufacturer who has a base period must compute for each class of fabrics (Class I—woven; Class II—knitted) his "maximum average price" (or prices), which shall be the weighted average price (or prices) at which he delivered all fabrics within the class during his base period (or periods). A maximum average price is computed by dividing the total net dollar amount charged for his base period deliveries in each class, by the number of yards of these fabrics, less returns and allowances, which he delivered in a base period.

(d) Regardless of any mistake in his maximum average price (or prices) as filed with the Office of Price Administration pursuant to section 12 (a), the manufacturer's maximum average price (or prices) shall not exceed the price he has filed unless and until he has received acknowledgment of the filing of a corrected price (or prices) as provided therein.

(e) In calculating his average price for any period prior to July 1, 1945, the manufacturer shall treat any deliveries made at more than the then applicable ceiling price as though they had been made at that ceiling price.

SEC. 7. *Other manufacturers*—(a) *Filing of application.* The maximum average price of any manufacturer who cannot determine one under section 6 shall be a price authorized by the Administrator. Such a manufacturer shall file an application for a maximum average price (or prices) with the Office of Price Administration, Washington 25, D. C., and may specify his preference for an annual, semi-annual, or quarterly maximum average price basis. A manufacturer required to apply for a maximum average price may not after July 30, 1945 sell or deliver fabrics subject to this order unless he has received an acknowledgment from OPA of the filing of an application; however, even if he has filed such an application and received an acknowledgment, the maximum average price (or prices) established by the Administrator pursuant to such application will ordinarily become effective as of July 1, 1945. Paragraph (b) below specifies the information to be furnished in the application by all applicants; paragraph (c) specifies the additional information to be furnished only by certain applicants specified therein.

(b) *Contents of application; information to be furnished by all applicants.* (1) The applicant's business name, the address of the office where most of his invoices are or will be prepared, and the name and address of any mills operated by him which produce fabrics subject to this order;

(2) The class of fabrics (i. e., Class I or Class II) for which he cannot determine a maximum average price and why he cannot determine a maximum average price for that class under section 6;

(3) The price (or prices) he seeks to have authorized as his maximum average price (or prices);

(4) For each calendar quarter between January 1, 1943 and March 31, 1945 in which he delivered fabrics subject to this order, the total net dollar amount charged for fabrics he delivered, the total number of yards (specifying whether linear or square) he delivered, less returns and allowances, and his weighted average price.

(5) The kind of quarters on which he elects to operate in accordance with paragraph (d) of section 4 (i. e., calendar quarters beginning July 1, 1945 or 13-week quarters, specifying the date on which his first quarter will begin).

(c) *Contents of application; additional information to be furnished only by certain applicants.* (1) Any applicant whose information given under paragraph (b) (4) above includes data for any other business or for the production facilities of another manufacturer which he acquired after January 1, 1943 shall state:

(i) The name and address of such business or facilities,

(ii) The date of acquisition by him, and

(iii) Insofar as possible, for such business or facilities the information specified in paragraph (b) (4) for each calendar quarter between January 1, 1943 and the date of the acquisition by the applicant;

(2) Any applicant who made his first delivery of fabrics subject to this order after June 30, 1944 and any applicant who cannot determine his maximum average price for lack of records shall state:

(i) The previous business experience of all officers and principals of the applicant and of any persons owning 10 per cent or more of the applicant in the following detail:

(a) Business name and address of each firm, which produced fabrics subject to this order, with which each person was connected during 1941, 1942 and 1943,

(b) Position of the person in each firm, i. e., owner, plant manager, etc.,

(c) A brief description of the fabrics produced by each firm;

(ii) An identification of the manufacturing facilities which the applicant is using or proposes to use, stating whether they are owned by the applicant or belong to another manufacturer or to a commission weaver or knitter, and, if owned, when they were acquired and from whom; and

(iii) A brief description and the estimated yardage of each kind of fabric the applicant proposes to manufacture during each of the two quarters subsequent to the date of his application.

(d) In authorizing maximum average prices under this section, the Administration will give primary consideration to the kinds of fabrics made during the year 1943 on the manufacturing facilities which the applicant is using or proposes to use or avail himself of. However, in appropriate cases, and especially in cases where the manufacturer does not himself operate production facilities, consideration will also be given to the applicant's prior experience and to the general level of maximum prices in the industry for the kinds of fabrics the applicant is making or proposes to make.

SEC. 8. *Maximum average price limitation.*—(a) *"Surcharge" and "credit".* If a manufacturer's weighted average price for any quarter exceeds his maximum average price, for that quarter, he has incurred a "surcharge"; if it is less than his maximum average price, he has earned a "credit". The dollar amount of the "surcharge" or "credit" is computed by first finding the difference between the manufacturer's weighted average price and his maximum average price for the quarter, and then multiplying that difference by the number of yards of fabrics subject to this order delivered during the quarter.

(b) *"Net surcharge".* At the end of each quarter a manufacturer must determine whether he has a "net surcharge", and, if so, the amount of it. A manufacturer has a "net surcharge" only if and to the extent that the total of his surcharges exceeds the total of his credits, for all quarters since July 1, 1945 taken together, by more than the allowable tolerance. The allowable tolerance for computing a manufacturer's "net surcharge" at the end of any quarter shall be 2 per cent of the dollar amount which results from multiplying the manufacturer's maximum average price for the quarter by the largest number of yards he delivered in that or any previous quarter after June 30, 1945.

(c) *Makeup rule to be observed by manufacturer having net surcharge at end of each of two consecutive quarters.* Any manufacturer who has a net surcharge at the end of each of two consecutive quarters shall not thereafter deliver fabric subject to this order at a net price per yard above his maximum average price until he has "made up" the net surcharge existing at the end of the second such quarter.

(d) *When a net surcharge is "made up" and makeup rule ceases to apply.* A net surcharge is "made up" when (1) the manufacturer's maximum average price multiplied by the number of yards of fabrics subject to this order, less returns and allowances, delivered by the manufacturer since becoming subject to the makeup rule, less (2) the total net dollar amount charged for those goods, equals (3) the net surcharge which was to be "made up". Once the manufacturer has "made up" his net surcharge, his operations under the make up rule cease. However, a manufacturer must resume observance of the makeup rule whenever he again has a net surcharge for each of two consecutive quarters. It should be noted that a manufacturer necessarily again has a net surcharge for each of two consecutive quarters if he has a net surcharge for a quarter in which he "makes up" a previous net surcharge.

SEC. 9. *Petitions for amendment.* Any person seeking amendment of any provisions of this supplementary order may file a petition for amendment of general applicability in accordance with the provisions of Revised Procedural Regulation No. 1. Where found appropriate, the Administrator will add to the order provisions setting criteria of general applicability for the granting of merited individual adjustment.

SEC. 10. *Invoices.* Every manufacturer must, in connection with every delivery pursuant to an actual sale (including deliveries for cash) of fabrics subject to this order, furnish an invoice to the purchaser. This invoice must contain at least the following information:

(a) The date,

(b) The name and address of the seller and purchaser,

(c) For each different fabric delivered, the manufacturer's style number,

(d) The number of linear yards delivered of each fabric described, and

(e) The price per linear yard charged and terms of sale for each fabric described.

SEC. 11. *Records.* Every manufacturer must keep the records required by this order available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The records required by this order, including invoices, must be kept in the manufacturer's office where most of his invoices are prepared.

(a) *Base period records.* Every manufacturer must keep all the original records, including invoices and other data, used by him in preparing his base period report described in section 12.

(b) *Invoices.* Every manufacturer must keep a copy of each invoice he furnished to the purchaser in connection with his deliveries of fabrics subject to this order.

(c) *Reports and orders.* Every manufacturer must keep a copy of all reports he files with the Office of Price Administration under this order and all individual orders affecting him issued by the Office of Price Administration under this order.

(d) *Makeup operation record.* During so much of any quarter as a manufacturer is operating on a makeup basis, he must keep a daily or weekly cumulative record showing the date of each entry and, for the quarter to date, the total net dollar amount charged for fabrics delivered, the total number of yards delivered, less returns and allowances, and the amount of net surcharge made up. To find the total net dollar amount charged as of the end of any day or week, the manufacturer adds the day's or week's net charges to the total of all his preceding net charges since the beginning of the quarter. Similarly, to find the total number of yards delivered, he adds the yards delivered, less returns and allowances, for the day or week to the total of all the yards he previously delivered since the beginning of the quarter. To find the amount of net surcharge made up as of the end of any day or week, the manufacturer multiplies the total number of yards delivered, less returns and allowances, by his maximum average price and subtracts from the result the total net dollar amount charged. A manufacturer has not completed his makeup operation until his last entry showing the amount of net surcharge made up at least equals the amount of net surcharge existing at the end of the preceding quarter.

(e) *Record of deliveries within manufacturer's own organization.* As explained in section 4 (a) (3) the term delivery refers not only to actual sales but also sometimes to mere transfer of fabrics subject to this supplementary order within or for the account of a manufacturer's own organization. For such deliveries every manufacturer must keep a continuous record showing for each delivery at least the following information:

(1) The date,

(2) An identification of the plants or departments making and receiving the delivery,

(3) For each different fabric delivered, the manufacturer's style number,

(4) The number of linear yards delivered of each fabric described, and

(5) The price per linear yard at which each fabric described is delivered.

(f) *Optional records.* (1) It is not required but it is suggested that every manufacturer keep at all times, to assist him in complying with this Order, a daily cumulative record of the total net dollar amount charged for fabrics delivered and the total number of yards delivered, less returns and allowances, as described in paragraph (d) above. It is also suggested that manufacturers keep a daily record of their cumulative weighted average price. To find his daily cumulative weighted average price, a manufacturer divides his cumulative net dollar amount charged by the cumulative number of yards he delivered. In this way, he can see from day to day whether his weighted average price is higher or lower than his maximum average price.

(2) In addition or as an alternative to the cumulative delivery record discussed in (1) above, it is suggested that manufacturers keep a simple record of their deliveries of fabrics subject to this Order. For each day's or week's or month's deliveries, a manufacturer would record: (i) the period covered (day, week, or month); (ii) the total net dollar amount charged for fabrics delivered during that period; and (iii) the total number of yards, less returns and allowances, delivered during that period.

SEC. 12. *Reports*—(a) *Base period report*—(1) *Filing of base period report.* On or before July 15, 1945, every manufacturer whose maximum average price must be determined under section 6, must file with the Office of Price Administration, Washington 25, D. C., two copies (signed by an owner, officer, or principal) of a base period report.

(2) *Deliveries prohibited after July 30, 1945 unless report filed and acknowledged.* After July 30, 1945 no manufacturer obliged to file a base period report shall deliver any fabric subject to this order or any commodity made therefrom until he has received acknowledgment from the Office of Price Administration of the filing of his base period report.

(3) *Contents of base period report.* Every manufacturer's base period report must contain the following information:

(i) His business name, the address of the office where most of his invoices are prepared, the name and address of any mills operated by him which produce fabrics subject to this order and the class of fabrics (i. e., Class I or Class II), covered by his report;

(ii) The beginning and end dates of each of his base periods;

(iii) The total net dollar amount charged for fabrics subject to this order which he delivered during each of his base periods;

(iv) The total number of yards, less returns and allowances, delivered by him in each base period (specifying whether linear or square yards);

(v) His maximum average price (or prices);

(vi) The kind of quarters on which he elects to operate in accordance with paragraph (d) of section 4 (i. e., calendar quarters beginning July 1, 1945 or 13-week quarters, specifying the date on which his first quarter will begin);

(vii) The total net dollar amount charged for fabrics he delivered, the total number of yards he delivered, less returns and allowances, and his weighted average price, for the three months between January 1 and March 31, 1945.

(4) *Correction of base period report.* If a manufacturer has filed a base period report and later finds that any of items (i) through (v) called for in paragraph (a) (3) of this section was incomplete or incorrect, he must file two copies of the correct information at once with the Office of Price Administration, Washington 25, D. C. However, if a corrected maximum average price is higher than a maximum average price listed on his previously filed report, he may not use the higher maximum average price until he has received acknowledgement from the OPA of the receipt of his corrected information.

(b) *Quarterly reports.* Within 20 days after the end of each quarter, every manufacturer must file with the Office of Price Administration, Washington 25, D. C., two copies (signed by an owner, officer, or principal) of a report covering all deliveries of fabrics subject to this order which he made during the quarter, including deliveries made while he was operating on a makeup basis. Each quarterly report must contain the following information:

(1) The manufacturer's business name and address and the class of fabrics (i. e., Class I or Class II), covered by his report;

(2) His maximum average price for the quarter covered by the report;

(3) The beginning and end dates of the quarter covered by the report;

(4) Total net dollar amount charged for deliveries during the quarter;

(5) Total number of yards delivered during the quarter less returns and allowances (specifying whether linear or square yards);

(6) Weighted average price for the quarter;

(7) Dollar amount of credit or surcharge, if any, for the quarter;

(8) Dollar amount of allowable tolerance and the beginning and end dates of the quarter after June 30, 1945 in which the manufacturer delivered the largest number of yards and on which the manufacturer based his computation of the tolerance;

(9) Dollar amount of net surcharge, if any, existing at the end of the quarter; and

(10) Dollar amount of net surcharge, if any, existing at the end of the quarter immediately preceding the quarter covered by the report.

(c) *Makeup reports.* Within 10 days after completely making up the net surcharge existing at the end of the second of two consecutive quarters in which the manufacturer had net surcharges, every manufacturer must file with the Office of Price Administration, Washington 25, D. C., two copies (signed by an owner, officer, or principal) of a makeup report. Each makeup report must contain the following information:

(1) The manufacturer's business name and address; and the class of fabrics (i. e., Class I or Class II) covered by his report;

(2) His maximum average price during the makeup operation covered by the report;

(3) The beginning and end dates of the makeup operation covered by the report;

(4) The dollar amount of net surcharge which he had to make up;

(5) Total net dollar amount charged for deliveries during the makeup operation;

(6) Total number of yards delivered, less returns and allowances, specifying whether square or linear yards, during the makeup operation; and

(7) Dollar amount of net surcharge made up during the makeup operation.

SEC. 13. *Prohibitions and enforcement*—(a) *Prohibitions.* Regardless of any contract or other obligation:

(1) On and after July 30, 1945 no manufacturer shall deliver any fabric subject to this order or any commodity made therefrom unless he has received an acknowledgment from the Office of Price Administration that he has filed the report required by section 12 (a), or the application under section 7.

(2) A manufacturer who fails to file any other report required by this order by the date it is due shall thereafter deliver no fabrics subject to this order or any commodity made therefrom until the overdue report has been filed.

(3) A manufacturer, when subject to the makeup rule, shall deliver no fabric subject to this order at a price per yard higher than his maximum average price.

(4) A manufacturer who has assigned a value of less than ceiling to fabrics subject to this order transferred in part within his organization shall not sell the manufactured articles made from such fabrics at prices higher than those specified in section 4 (a) (1) (ii).

(5) No person shall, for the purpose of evading the price limitations set forth in this order, sell, purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling or otherwise affiliated with the seller.

(6) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in this section.

(b) *Enforcement.* Persons violating any provisions of this order are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Licenses required.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license is suspended.

This Supplementary Order No. 113 shall become effective June 9, 1945.

NOTE: All reporting and record-keeping requirements of this Supplementary Order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9690; Filed, June 4, 1945; 4:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15,[1] Amdt. 40]

GELATIN DESSERT PREPARATIONS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.75 (a) is amended by adding a subparagraph (24) to read as follows:

(24) *Gelatin dessert preparations.* (i) Individual adjustment of manufacturers' maximum prices for gelatin dessert preparations.

(a) *When adjustments may be granted.* Either upon application for adjustment in accordance with Revised Procedural Regulation 1, or on his own motion, the Price Administrator may adjust a manufacturer's maximum price established for an item under the General Maximum Price Regulation for gelatin dessert preparations where it appears that:

(*1*) The maximum price is below the general level of prices prevailing for the same or similar items sold to the same class of purchasers by other manufacturers; and

(*2*) The maximum price is such as to prevent or threaten to prevent his continued production of the item; and

(*3*) An increase in the maximum price will enable him to continue production; and

(*4*) The loss of his production would result in consumers having to pay higher prices for the same or for the most nearly similar item available; and

(*5*) In the judgment of the Price Administrator, an increase in his maximum price would, under all the circumstances, be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9326.

(*b*) *Amount of adjustment.* The maximum prices as adjusted under this section shall in no event exceed the general level of prices prevailing for the same or similar items of gelatin dessert preparations sold to the same class of purchasers by other manufacturers. Subject to this limitation and the limitation of paragraph (a) (5), the adjusted maximum price shall not exceed the following amount:

(*1*) Processing costs for the item, if the applicant had any net profit (before income and excess profits taxes) on his gelatin dessert preparation operations during his most recent fiscal period; or

(*2*) Total costs for the item, if the applicant had no net profit (before income and excess profits taxes) on his gelatin dessert preparation operations during his most recent fiscal period.

(c) *Cost definitions.* (*1*) "Processing costs" shall be determined per unit to include actual costs (not to exceed maximum prices and lawful wages) of (*i*) ingredients, (*ii*) packaging materials, (*iii*) direct labor, (*iv*) indirect labor, (*v*) incoming transportation, (*vi*) outgoing transportation if sold on a delivered basis, (*vii*) depreciation, (*viii*) factory rental, (*ix*) insurance, and (*x*) all other cost factors generally pertaining to processing operations, but shall not include general administrative and selling costs.

(*2*) "Total costs" shall be determined by adding to manufacturing costs, general administrative and selling costs.

This amendment shall become effective June 11, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9716; Filed, June 5, 1945; 11:41 a. m.]

[RMPR 186,[1] Corr. to Amdt. 11]

PART 1377—WOODEN CONTAINERS

WESTERN WOODEN AGRICULTURAL CONTAINERS

1. In § 1377.111, Appendix B, Form 186-A, Item 6, is corrected to read as follows:

6. Item 4 divided by Item 5.

2. In § 1377.111, Appendix B, Instructions for Form 186-A, Item 3, is corrected to read as follows:

3. In reports covering the months of May and June, 1945, this entry should be omitted.

[1] 7 F.R. 8959, 9819, 10584, 11006; 8 F.R. 1201, 6443, 8814, 9026, 11873, 13255, 13395, 13724, 15197, 16298, 16796, 17228; 9 F.R. 755, 908, 1948, 2569, 3460, 3653, 3858, 5806, 6451, 7425, 7775, 8256, 9107, 9271, 3953, 10305, 11968, 13961, 15004; 10 F.R. 1668, 3870.

[1] 8 F.R. 1591, 3529, 3842, 2905, 3076, 3529, 3842, 4479, 6177, 7505, 8205, 8751.

In the report for July, enter Item H from the report on Form 186-B for May; in August, enter from the June report, and so on.

This correction shall become effective June 11, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9715; Filed, June 5, 1945; 11:41 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[MPR 589]

DOUGLAS FIR STOCK MILLWORK

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the Douglas fir stock millwork industry. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

ARTICLE I—SCOPE OF THE REGULATION

See
1. Sales of Douglas fir stock millwork at higher than maximum prices prohibited.
2. To what products, transactions and persons this regulation applies.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

3. Maximum prices for carload sales.
4. Maximum prices for less-than-carload sales.
5. Maximum prices for items not specifically priced.
6. Primary market.
7. Charges for special cars and bracing.
8. Addition for storage in transit.
9. Invoicing requirements.
10. Prohibited practices.
11. Adjustable pricing.
12. Cash discounts.

ARTICLE III—MISCELLANEOUS

13. Applications for adjustment and petitions for amendment.
14. Records.
15. Enforcement.
16. Licensing.
17. Imports.
18. Exports.

ARTICLE IV—APPENDICES

19. Appendix A: Douglas fir frames.
20. Appendix B: Douglas fir open windows and sash.
21. Appendix C: Douglas fir lineal sash stock.
22. Appendix D: Douglas fir screen doors.
23. Appendix E: Douglas fir combination storm and screen doors.
24. Appendix F: Douglas fir porchwork.

AUTHORITY: § 1413.104 issued under 56 Stat. 23,765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Sales of Douglas fir stock millwork at higher than maximum prices prohibited.* (a) On and after June 11, 1945, regardless of any contract or obligation, no person shall sell or deliver and no person shall buy or receive any Douglas fir stock millwork covered by this regulation, in transactions covered by this regulation at prices higher than the maximum prices established by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged or paid.

SEC. 2. *To what products, transactions and persons this regulation applies*—(a) *Products covered by the regulation.* This regulation covers stock millwork (except Douglas fir doors and mouldings), including but not limited to, woodwork items referred to in the appendices, when such stock millwork is made principally with lumber cut from any of the following woods: Douglas fir (Pseudotsuga taxifolia), West Coast hemlock (Tsuga heterophylla and tsuga mertensiana), and sitka spruce (Picea sitchensis).

(b) *Transactions covered by the regulation; direct-mill sales.* This regulation covers the following direct-mill sales:

(1) A sale of millwork weighing 15,000 pounds or more, when shipped at one time by rail to one or more places; and a sale of millwork weighing 12,000 pounds or more, when shipped at one time by truck to a single place.

(2) A sale of millwork in any quantity, when it is shipped in a mixed shipment with Douglas fir plywood, Douglas fir mouldings, Douglas fir doors, and/or softwood lumber of any species, and the weight of the total shipment, if by rail to one or more places, is 15,000 pounds or more; or, if by truck to a single place, is 12,000 pounds or more.

A "direct-mill sale", as referred to in this regulation, is a sale in which the shipment originates at a factory or factory warehouse, no matter who the seller is, and reaches the purchaser without becoming an integral part of the stock of a jobber's or other distributor's warehouse or plant. A shipment which is temporarily stored in such a warehouse or plant but does not become a part of its stock for purposes of resale or redistribution is considered a direct-mill sale. Sales out of jobbers' warehouses which are situated in the same locality as a manufacturing plant and which are controlled by the plant, or control it, or are under common control with it, are direct-mill sales.

(c) *Persons covered by the regulation.* Any person who sells or purchases Douglas fir stock millwork covered by this regulation, in transactions covered by this regulation, is subject to the regulation.

(d) *Transactions not covered by the regulation.* The following transactions are not covered by this regulation but maximum prices in such cases are governed by the General Maximum Price Regulation (until such time as they are included in the coverage of this or any other regulation):

(1) Direct-mill sales in shipments weighing less than the minimum weights provided in paragraph (b) of this section.

(2) Sales other than direct-mill sales.

(3) Contract sales to a person other than a jobber or other distributor of Douglas fir millwork in which the seller provides his own takeoff from plans and specifications, quotes a flat price, and guarantees enough material, whether manufactured or purchased by him, to complete the job.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 3. *Maximum prices for carload sales.* (a) The maximum f. o. b. mill prices for carload sales of Douglas fir stock millwork are set out in Appendices A through F, inclusive, (sections 19 through 24 inclusive) of this regulation.

(b) *Carload sale.* The carload ceiling price shall be applicable to sales of Douglas fir stock millwork covered in this regulation when:

(1) The total weight of the millwork in a sale is 34,000 pounds or more, regardless of how it is shipped (except that a straight car sale of Douglas fir open sash takes the carload ceiling price if the total weight of the sale is 24,000 pounds or more); or

(2) Regardless of the weight of the millwork involved in a sale, it is shipped in a mixed car with Douglas fir plywood, Douglas fir moldings, Douglas fir doors, and/or softwood lumber of any species, and the weight of the total shipment is 34,000 pounds or more.

(c) *Addition for delivery on carload sales.* When a particular appendix does not contain any provisions for figuring delivered prices, delivered prices in excess of the maximum f. o. b. mill prices set forth in that appendix may be charged, computed according to the method used by the seller during March 1942, provided, however, that the charges do not exceed the actual cost of delivery.

SEC. 4. *Maximum prices for less-than-carload sales.* (a) The maximum f. o. b. mill (no freight allowed) prices for less-than-carload sales of Douglas fir millwork for which f. o. b. mill (no freight allowed) prices are established in this regulation shall be the same as for carload sales, f. o. b. mill, plus 5 percent of that price.

(b) The maximum f. o. b. mill (no freight allowed) prices for less-than-carload sales of Douglas fir millwork for which only f. o. b. mill (full freight allowed) prices are established in this regulation shall be figured as follows:

(1) Take the maximum price which would govern the sale if it were a carload sale;

(2) Add 5 percent of that price;

(3) Deduct freight on the weight of the shipment at the carload rate from the mill to the buyer.

(c) *Addition for delivery on less-than-carload sales.* If shipment is made by common carrier, the seller may add to the maximum f. o. b. mill price the actual transportation charges paid or incurred by him.

If shipment is by truck owned or controlled by the seller, actual transportation costs may be added. In no case, however, may such addition exceed 80 percent of the common carrier charge for the same shipment.

(Where only f. o. b. mill (full freight allowed) prices are established in this regulation, apply (b) (3) above before adding the applicable charge under this paragraph (c)).

SEC. 5. *Maximum prices for items not specifically priced.* Any person desiring to sell an item covered by the regulation, but not specifically priced therein, or wishing to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, must apply to the Building Materials Branch, Office of Price Administration, Washington 25, D. C., for a maximum price.

The seller's application may be (a) for specific approval in reference to a particular order or inquiry; or (b) for general approval in reference to a price or price list which he seeks to set up for general use in the future on items included in the coverage of the regulation (section 2) but not specifically priced in the appendices of the regulation.

(a) Where the application is for specific approval in reference to a particular order or inquiry, it shall be made prior to any shipment, or within 5 days after acceptance of order, whichever be the earlier date. The following information shall be set forth: (1) the requested price; (2) a complete description of the item to be priced, which may be made by reference to a standard item, with an explanation of the differences; (3) the price differential between it and the most comparable item in the price table between October 1, 1941 and March 31, 1942 from the seller's own records, or if that is impossible, from such price tables of other sellers in the trade. If no established price differential existed, analysis of comparative cost of manufacture should be furnished; (4) the purchaser's name, and points of origin and delivery of shipment.

If the application is for specific approval in reference to a particular order or inquiry which is identical with an order or inquiry upon which specific approval has previously been granted by the Office of Price Administration, it is sufficient for the seller to identify, by reference, such previous application and approval. In such case, the only additional information required is the purchaser's name, and points of origin and delivery of shipments.

A seller using this pricing method may quote and make sales and deliveries prior to receipt of official approval. He also may collect the price he has requested, provided that he has first received a written acknowledgment of his application from the Office of Price Administration and has so informed the purchaser, in writing. The requested price is subject to revision within 30 days after the date of the acknowledgment, and, if the price is ordered to be reduced, the seller must refund any excess collected over the price which is officially approved. If a requested price is not disapproved within 30 days of the date of the acknowledgment, it is approved. Where, after receipt of an application for specific approval, the Office of Price Administration requests additional information from the seller upon which to base its approval of a ceiling price, the time within which the requested price may be revised is automatically extended to 30 days after receipt of the requested information. An officially approved price shall be subject to further adjustment at any time, even after the 30-day period, as to all shipments made after the date of such further adjustment.

An authorization number will be assigned in every case where a special price is approved. Within 10 days after receipt of such number the seller must notify the purchaser in writing of the price which has been officially approved and the authorization number assigned; and the authorization number must appear on all invoices covering shipments made after the date the number was received by the seller.

(b) Where the seller's application is for general approval in reference to a price list which he seeks to set up for general use in the future, for items included in the coverage of the regulation but not specifically priced in the appendices of the regulation, he shall set forth the information required for specific approvals by (1), (2), and (3) in paragraph (a) above, and, in addition, a description of the uses to which the items will be put, and the purposes they will serve.

Quotations may not be made, orders taken, or shipments commenced until a maximum price has been officially approved.

An authorization number will be assigned in every instance where a special price or price list is approved; and this number must appear on all orders accepted and sales made, as well as on all invoices covering shipments. A file of all general approvals under this section will be open for inspection at the Office of Price Administration District Office at Portland, Oregon, as well as at the National Office, Building Materials Branch, Washington, D. C.

The approval of a maximum price shall not prevent a further adjustment in ceiling prices from being made, as the result of, or without, further application by the seller; and such further adjustment may be made to apply to all sales or shipments after the date of the adjustment is issued.

SEC. 6. *Primary market.* "Primary market", which is referred to in the appendices, is defined as that portion of the states of Oregon and Washington west of the crest of the Cascade Mountains.

SEC. 7. *Charges for special cars and bracing.* (a) No addition to the maximum prices may be made for pool car, community car or stop-over car shipments, except that in the case of stop-over car shipments by rail, the seller may require the purchaser to pay stop-over charges made by the railroad.

(b) Where bracing is required to permit partial unloading of a railroad car, a charge not to exceed $3.50 may be made for one brace and $2.50 for each additional brace.

SEC. 8. *Addition for storage-in-transit.* When a jobber's or other distributor's warehouse or yard sells millwork that it does not already have in stock, and then, instead of shipping it directly from the mill to the buyer, stores it in its warehouse or yard and delivers it in quantities less than the total order to the buyer as he calls for it, the distributor may increase the applicable ceiling price on so much of the millwork as is actually stored, as follows:

(a) Where the price is expressed as a discount off the list: Shorten applicable base discount 2 points.

(b) Where the price is expressed as a specific dollar and cents price: Add 5% to the applicable maximum price.

(Note that the sale is still a direct-mill sale.)

This addition may not be made when the distributor merely reloads millwork at the warehouse or yard, or handles and stores it no more than is necessary in a normal case where the distributor receives a mill shipment, reloads it, and delivers it to the buyer. Nor may this addition be made if the millwork is stored at the job site since this is not storage-in-transit.

SEC. 9. *Invoicing requirements.* An invoice must be rendered in all sales. All invoices must contain a sufficiently complete description of the millwork to show whether or not the price is proper, whether the sale is a direct-mill sale, whether it is a carload or less-than-carload sale, and the origin and destination of the shipment. The amount added for extras does not have to be shown separately, except for storage-in-transit and bracing. Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

SEC. 10. *Prohibited practices.* — (a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of the regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, changes in discount practices, and the like.

(b) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive, or pay a commission for the service of procuring (including buying, selling or locating fir millwork, or for any related service such as "expediting") which does not involve physical handling of fir millwork, if the commission plus the purchase price results in a total payment by the buyer of the fir millwork which is no higher than the maximum price of the fir millwork. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of fir millwork and is based directly or indirectly on the quantity, price or value of the fir millwork in connection with which the service is rendered.

SEC. 11. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. However, when a request for an individual adjustment under or amendment to the applicable maximum price is pending, such authorization may be given in writing if it is deemed necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated.

SEC. 12. *Cash discounts.* When cash is paid within 5 days after arrival of car, the maximum price must be reduced by 2 percent. On specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms thirty days net may be used by the seller regardless of his established practice.

ARTICLE III—MISCELLANEOUS

SEC. 13. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* Individual adjustments may be made in maximum prices in certain Government contracts and sub-contracts upon compliance with Procedural Regulation No. 6,[1] issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 14. *Records.* All sellers must keep for inspection by the Office of Price Administration, records which will show a complete description of the fir millwork sold, the name and address of the buyer, the date of sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be complete for any month in which the seller or buyer sold or bought $200.00 or more of fir millwork in transactions which are covered by this regulation, and shall be kept for a period of two years or the duration of the Emergency Price Control Act of 1942, as amended, whichever is the shorter period.

SEC. 15. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 16. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations.

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256; 10 F.R. 1382.
[2] 9 F.R. 10476, 13715.
[3] 8 F.R. 13240.

SEC. 17. *Imports.* The maximum price for which Douglas fir stock millwork produced in Canada may be purchased by a buyer covered by this regulation from a seller not covered by this regulation shall be the maximum price set forth in this regulation for direct-mill sales plus additions for actual transportation cost not to exceed the additions permissible under this regulation if the shipment had originated at Seattle, Washington.

SEC. 18. *Exports.* The maximum prices for export sales of Douglas fir millwork are governed by the Second Revised Export Price Regulation.[4]

ARTICLE IV—APPENDICES

SEC. 19. *Appendix A: Maximum prices for Douglas fir frames.* (a) The maximum prices for Grade A, Douglas fir frames sold alone, or with other softwood lumber or lumber products, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed by applying the following base discounts to the list prices and list extras contained in Standard Pine Frames, Catalogue No. 8-A, published by the Pinney Printing Company, Clinton, Iowa:

Description of product: Knocked-down or semi-assembled frames; 1,200 or more frames to one order; 20 frames and/or sections of a size and kind	Delivered to—						
	Zones 1, 8, 14, 15, 16, 17	Zones 1½, 2, 3	Zone 3½	Zone 4	Zones 5, 6, 7, 9, 12, 13	Zone 10	Zone 11
To persons who during the first 9 months of 1941 received the seller's maximum prevailing discount	67	66	65	64½	67½	66½	66
To all other persons	65	64	63	62½	67½	64½	67

(b) The maximum prices established in paragraph (a) of this Appendix A may be adjusted in accordance with the following additions for the specified services and conditions:

(1) 500 to 1199 frames to one order: 1 point shorter discount.

(2) 200 to 499 frames to one order: 3 points shorter discount.

(3) Less than 200 frames to one order: 5 points shorter discount.

(4) Less than 20 frames and/or sections of a size and kind: $0.10 net per frame or $0.05 net per section.

(5) Priming joints and dadoes with aluminum or lead and oil: $0.05 net per single frame; $0.02½ net per set of width members per single frame; $0.02½ net per set of height members per single frame.

(6) Priming the entire frame, except jambs, with aluminum or lead and oil, and oiling jambs: $0.20 net per frame.

(7) Preservative treatment with both water-repellant and toxic preservative, entire frame: $0.20 net per single frame.

(8) Treating with toxic solution only: 6" up the side members and the entire sill section: $0.06 net per single frame; entire frame: $0.12 net per single frame.

(9) Single notching inside head jambs (for pullman or similar balance): $0.02 net per notch. Double notching: $0.03 net per notch.

(10) Setting up window or door frames (including extra freight): $0.60 net per single frame.

(11) Boring pulley stile of window frame for spring bolt: $0.12 net per single frame.

(12) Slotting door frame for hinges: $0.08 net per hinge.

(13) Applying (only) hinges: $0.04 net per hinge.

(14) Housing jamb for keeper: $0.15 net per frame.

(15) Applying (only) keeper to jamb: $0.07 net per jamb.

(16) Applying weather strip: $0.60 net per frame.

(17) Kerfing sills for sill pans: $0.02½ net per single frame.

(c) The price zones referred to in paragraph (a) of this Appendix A shall be as pictured in the map[4] which follows, and as described below:

Zone 1: Illinois; Wisconsin; Upper Michigan; that portion of Minnesota not included in Zone 16, Iowa except Sioux City and Council Bluffs; that portion of Texas and Oklahoma not included in Zone 17; Arkansas, except Fort Smith; Missouri, except St. Joseph, Kansas City, and Joplin; Louisiana; also Memphis as the only point in Tennessee; also East Chicago, Indiana Harbor, Whiting, Hammond and Gary as the only points in Indiana.

Zone 1½: That portion of Indiana bounded as follows: On the south by the Ohio River from the Illinois-Indiana line to a point directly north of Louisville, Kentucky; on the east by a straight line drawn from a point on the Ohio River directly north of Louisville, Kentucky, to and including Indianapolis, Indiana; on the north by a straight line drawn due west from Indianapolis, Indiana, to the Illinois-Indiana line; on the west by the Illinois-Indiana line; also Louisville as the only point in Kentucky.

Zone 2: Michigan (except Upper Michigan); Indiana (except five cities included in Zone 1 and that portion of the State included in Zone 1½); Ohio, Kentucky (except Louisville), Tennessee (except Memphis); Mississippi; Alabama; and those parts of New York, Pennsylvania, and West Virginia on and west of a direct line from Buffalo, New York to the junction of the Virginia, Tennessee, and Kentucky State lines, but including Buffalo, New York; Pittsburgh, Pennsylvania; Charleston, West Virginia, and Wheeling, West Virginia.

Zone 3: Virginia; Maryland; District of Columbia; Delaware; New Jersey; Connecticut; Massachusetts; Rhode Island; Vermont; New Hampshire; Maine; New York, east of the boundary line of Zone 2; Pennsylvania, east of the boundary line of Zone 2; and West Virginia, east of the boundary line of Zone 2.

Zone 3½: North Carolina; South Carolina; Georgia; and that part of northern Florida lying on and north of a direct line from Jacksonville, Florida to Pensacola, Florida, but including those points as well as Tallahassee.

Zone 4: All that part of Florida lying south of the southern boundary of Zone 3½.

Zone 5: That part of Colorado lying on and east of the line of the Colorado Southern Railroad from the Colorado-New Mexico line to the Colorado-Wyoming line thus including Branson, Trinidad, Pueblo, Colorado Springs, Denver, Boulder, and Fort Collins, Colorado; also Cheyenne, Wyoming as the only point in Wyoming.

Zone 6: Wyoming (except Cheyenne); Utah; and all of Colorado not included in Zone 5.

Zone 7: Montana.

[4] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923.
[4] Filed as part of the original document.

Zone 8: Arizona.

Zone 9: Idaho, and those portions of Washington and Oregon not included in Zones 11 and 13.

Zone 10: That part of California lying south of a direct line drawn from Monterey, California through Fresno and Owenyo to the California-Nevada State line but not including points on that line.

Zone 11: That part of Washington south of the Canadian border and west of a line drawn directly south from the border to Wenatchee, Washington, then through Yakima to The Dalles, Oregon; that part of Oregon lying west of a direct north and south line drawn from The Dalles, Oregon to Redmond, Oregon and north of a direct westerly line drawn from Redmond, Oregon through Corvallis to Yaquina but not including points named on the line in either Washington or Oregon but including Albany, Oregon.

Zone 12: Nevada.

Zone 13: That part of Oregon on and south of the southern boundary of Zone 11 and east of a line drawn directly south from Redmond, Oregon to the California-Oregon State line but including Klamath Falls, Oregon and that part of California north of the northern boundary of Zone 10.

Zone 14: New Mexico.

Zone 15: All of North Dakota, except Fargo and Grand Forks; and all of South Dakota, except Sioux Falls.

Zone 16: All of Minnesota, including St. Paul, lying on and north of a direct line from St. Paul to the southwestern corner of the State; also Sioux Falls as the only point in South Dakota; and Fargo and Grand Forks as the only points in North Dakota.

Zone 17: Includes Nebraska; Kansas; that portion of Texas north of a line drawn east and west through and including Amarillo and across Oklahoma through and including McAlester to the Arkansas State line, including Fort Smith as the only city in Arkansas; Kansas City, Joplin, St. Joseph as the only cities in Missouri; Council Bluffs and Sioux City in Iowa.

SEC. 20. *Appendix B: Maximum prices for Douglas fir open windows and sash.* (a) The maximum prices for Douglas fir open windows and sash sold alone, or with other softwood lumber or lumber products, in carload quantities shall be the net prices, f. o. b. mill, computed by applying the following base discounts to the list prices and list extras contained in Standard Woodwork Lists, Catalogue No. 40; corrected to March 1, 1941 and published by the Pinney Printing Company, Clinton, Iowa:

Description of product:

No. 1 Douglas fir windows and sash; Western, New York, Texas, and Boston openings; set up; cleated in bundles; 25 or more of a size and kind.

All 1⅛" and 1¾" windows and sash (including storm sash).

	Percent
To persons who during the first 9 months of 1941 received the seller's maximum prevailing discount	64
To all other persons	62

(b) The maximum prices established in paragraph (a) of this Appendix B shall be subject to the following deductions:

(1) Knocked-down windows and sash:

Mixed carload: 1 point longer discount.

Straight carload: 3 points longer discount.

(2) Straight carload of any sizes or styles of open windows and sash in a single thickness set up: 1 point longer discount.

(c) The maximum prices established in paragraph (a) of this Appendix B may be adjusted in accordance with the following additions for the specified services and conditions:

(1) Orders for 10 to 24 of a size and kind: 10% of the net price for each unit in sales of 25 of a size and kind.

(2) Orders for less than 10 of a size and kind: 20% of the net price for each unit in sales of 25 of a size and kind.

(3) All 1¾" open windows and sash: Use same discount as for 1⅜" after applying Rule 6, on page 79 of Standard Woodwork Lists, Catalogue No. 40.

(4) Special machining on windows (involving the use of Unique, Grand Rapids, Pullman, N. S. W. or R. O. W. balances): Net extra per window as follows:

Quantities	Unique	Grand Rapids	Pullman		N. S. W.	R. O. W. and all others
			One or two springs	More than two springs		
1 to 99	$0.10	$0.10	$0.12	$0.24	$0.15	$0.15
100 to 499	$0.05	$0.05	.08	.16	.10	.10
500 or more	No extra	No extra	.03	.06	.04	.04

(5) Wider stiles and rails: Ohio, Philadelphia, Baltimore, and Washington sizes, including cellar and barn sash, but excluding 1⅜", 4, 8, and 12 light windows: 2 points shorter discount. Indianapolis and Wilkes-Barre openings: 3 points shorter discount. Where eastern openings are narrower than western, use western opening discounts.

(d) If the sale of windows and sash is made on a delivered basis, the maximum base discounts established in paragraph (a) of this Appendix B may be adjusted in accordance with the following additions for the applicable freight rate:

Rail freight rates:	*Shorten base discount*
Primary market	1 point.
Other than primary market:	
Up to $0.187	1 point.
$0.188 to $0.28	1½ points.
$0.281 to $0.374	2 points.
$0.375 to $0.467	2½ points.
$0.468 to $0.561	3 points.
$0.562 to $0.654	3½ points.
$0.655 to $0.748	4 points.
$0.749 to $0.841	4½ points.
$0.842 to $0.935	5 points.
$0.936 to $1.028	5½ points.
$1.029 to $1.121	6 points.
$1.122 to $1.225	6½ points.
$1.226 to $1.308	7 points.
$1.309 to $1.402	7½ points.
$1.403 to $1.495	8 points.
$1.496 to $1.589	8½ points.
$1.59 to $1.682	9 points.

SEC. 21. *Appendix C: Maximum prices for Douglas fir lineal sash stock.* (a) The maximum prices, f. o. b. mill, for Douglas fir lineal sash stock sold with Douglas fir open sash or windows shall be the net prices computed by applying the following base discounts to the list prices contained on page 70 of Standard Woodwork Lists, Catalogue No. 40, corrected to March 1, 1941 and published by the Pinney Printing Company, Clinton, Iowa:

Description of product: No. 1 Douglas fir lineal sash stock; string tied, 1000 lineal feet or more of a size and kind; prices per C lineal feet:

	Percent
Under $3.00 list	45
$3.00 list and over	40

(b) The maximum prices established in paragraph (a) of this Appendix C may be adjusted in accordance with the following additions for the specified services and conditions:

(1) Orders for 500 to 1000 lineal feet of a size and kind: 10% of the net price per C lineal feet in sales of 1000 lineal feet of a size and kind.

(2) Orders for less than 500 lineal feet of a size and kind: 20% of the net price per C lineal feet in sales of 1000 lineal feet of a size and kind.

(3) Delivered prices: Shorten base discount one point for each $.08 of freight rate or major portion thereof.

SEC. 22. *Appendix D: Maximum Prices for Douglas fir screen doors.* (a) The maximum prices for Douglas fir screen doors sold alone, or with other softwood lumber or lumber products, in carload quantities shall be the following net prices, f. o. b. mill: (the pattern designations in this Appendix D refer to the patterns pictured in the attached chart[1] which is incorporated herein).

To persons who during the first 9 months of 1941 received the seller's prevailing lowest price. The maximum prices set forth in the tables below less 20 percent discount.

To all other persons. The maximum prices as set forth in the tables below.

Description of product: No. 2 clear and better grade Douglas fir screen doors; per dozen; in the white; not crated; 12 of a size and kind	Price per dozen				
	2-6 x 6-6	2-6 x 6-8 2-8 x 6-8	2-8 x 7-0 2-10 x 6-10	2-10 x 7-0 3-0 x 6-8	3-0 x 7-0
A-2 1¼"—4" stiles and top rail; 12" bottom rail:					
Open, with mouldings bundled	$20.65	$21.35	$22.10	$22.25	$22.75
14 mesh galvanized wire	27.10	28.40	29.20	30.15	31.00
16 mesh galvanized wire	27.70	29.20	30.00	31.20	32.10
16 mesh bronze wire	37.35	39.90	42.45	43.40	45.15
BB-2 ¾"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	17.60	17.45	18.60	18.20	18.45
14 mesh galvanized wire	24.15	25.30	26.35	26.80	27.50
16 mesh galvanized wire	24.95	26.15	27.40	27.90	28.70
16 mesh bronze wire	35.10	37.45	39.95	40.95	42.10
B-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	19.85	20.45	21.15	21.20	21.75
14 mesh galvanized wire	26.65	27.95	29.15	29.65	30.50
16 mesh galvanized wire	27.45	28.85	30.15	30.65	31.50
16 mesh bronze wire	37.50	40.00	42.45	43.50	45.10
CC-1 ¾"—3 stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	16.80	17.40	17.90	18.05	18.30
14 mesh galvanized wire	24.35	25.40	26.55	27.05	27.70
16 mesh galvanized wire	25.15	26.35	27.45	28.15	28.90
16 mesh bronze wire	35.80	38.15	40.50	41.65	43.05

[1] Filed as part of the original document.

Description of product: No. 2 clear and better grade Douglas fir screen doors; per dozen; in the white; not crated; 12 of a size and kind	Price per dozen				
	2-6 x 6-6	2-6 x 6-8 2-8 x 6-8	2-8 x 7-0 2-10 x 6-10	2-10 x 7-0 3-0 x 6-8	3-0 x 7-0
C-1 1¼"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	$18.90	$19.60	$20.20	$20.75	$20.75
14 mesh galvanized wire	25.75	26.85	27.65	28.45	29.35
16 mesh galvanized wire	26.45	27.60	28.45	29.35	30.15
16 mesh bronze wire	37.70	40.15	42.45	43.60	45.10
CC-2 ¾"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	19.05	19.55	20.15	20.50	20.75
14 mesh galvanized wire	26.35	27.45	28.15	28.75	29.60
16 mesh galvanized wire	27.25	28.35	29.25	29.75	30.65
16 mesh bronze wire	38.75	41.25	43.30	44.25	45.90
C-2 1⅜"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	21.75	22.50	23.40	23.40	24.10
14 mesh galvanized wire	29.70	30.95	31.95	32.40	33.55
16 mesh galvanized wire	30.60	32.00	32.90	33.45	34.75
16 mesh bronze wire	42.90	44.75	46.85	47.35	48.30
D-1 ¾"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	18.85	19.50	20.10	20.35	20.65
14 mesh galvanized wire	26.45	27.65	28.40	29.05	29.85
16 mesh galvanized wire	27.25	28.55	29.35	29.95	30.75
16 mesh bronze wire	37.20	39.80	42.30	43.35	45.00
D-1 1¼"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	20.95	21.60	22.35	22.65	23.00
14 mesh galvanized wire	29.65	30.95	31.90	32.25	33.45
16 mesh galvanized wire	30.45	31.75	32.65	33.15	34.35
16 mesh bronze wire	42.25	44.10	46.35	47.20	48.50
DD-2 ¾"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	21.00	21.75	22.40	22.65	23.05
14 mesh galvanized wire	29.15	30.40	31.60	31.95	33.15
16 mesh galvanized wire	30.05	31.35	32.55	32.95	34.15
16 mesh bronze wire	41.90	43.75	45.75	46.50	47.70
D-2 1⅛"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	24.50	25.25	26.25	26.75	27.65
14 mesh galvanized wire	33.15	34.65	35.80	36.50	37.70
16 mesh galvanized wire	34.15	35.65	36.85	37.60	38.75
16 mesh bronze wire	46.80	48.85	50.85	51.80	53.35
EE-1 ¾"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	17.65	18.25	18.80	19.05	19.30
14 mesh galvanized wire	25.25	26.35	27.25	27.70	28.45
16 mesh galvanized wire	26.05	27.20	28.05	28.55	29.35
16 mesh bronze wire	36.75	38.35	39.80	40.45	41.65
E-1 1¼"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	19.90	20.80	21.50	21.80	22.15
14 mesh galvanized wire	28.45	29.85	30.90	31.35	32.30
16 mesh galvanized wire	29.30	30.60	31.70	32.15	33.05
16 mesh bronze wire	40.45	42.25	43.70	44.35	45.70
EE-2 ¾"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	20.15	21.05	21.80	22.10	22.55
14 mesh galvanized wire	28.35	29.60	30.70	31.15	32.10
16 mesh galvanized wire	29.15	30.45	31.55	32.00	33.00
16 mesh bronze wire	40.25	42.05	43.50	44.15	45.50
E-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	23.25	24.30	25.15	25.50	26.05
14 mesh galvanized wire	32.75	34.20	35.45	35.95	37.05
16 mesh galvanized wire	33.75	35.25	36.50	37.00	38.15
16 mesh bronze wire	46.50	48.55	50.30	51.05	52.60
K-1 1¼"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	19.90	20.80	21.50	21.80	22.15
14 mesh galvanized wire	28.45	29.85	30.90	31.35	32.30
16 mesh galvanized wire	29.30	30.60	31.70	32.15	33.05
16 mesh bronze wire	40.45	42.25	43.70	44.35	45.70
K-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	23.25	24.30	25.15	25.50	26.05
14 mesh galvanized wire	32.75	34.20	35.45	35.95	37.05
16 mesh galvanized wire	33.75	35.25	36.50	37.00	38.15
16 mesh bronze wire	46.50	48.55	50.30	51.05	52.60
I-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	24.70	25.80	26.70	27.05	27.65
14 mesh galvanized wire	34.75	36.30	37.60	38.15	39.30
16 mesh galvanized wire	35.85	37.45	38.75	39.30	40.45
16 mesh bronze wire	49.60	51.80	53.65	54.40	56.05
L-1 1¼"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	20.95	21.90	22.65	22.95	23.30
14 mesh galvanized wire	29.95	31.30	32.40	32.85	33.95
16 mesh galvanized wire	30.85	32.20	33.35	33.80	34.95
16 mesh bronze wire	42.55	44.45	46.00	46.65	48.05
L-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	25.00	26.10	27.00	27.35	28.00
14 mesh galvanized wire	35.75	37.35	38.65	39.20	40.40
16 mesh galvanized wire	36.85	38.45	39.80	40.35	41.55
16 mesh bronze wire	51.05	53.30	55.20	55.95	57.65
M-1 1¼"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	21.90	22.90	23.70	24.00	24.35
14 mesh galvanized wire	31.30	32.70	33.85	34.30	35.50
16 mesh galvanized wire	32.20	33.65	34.85	35.30	36.50
16 mesh bronze wire	44.50	46.50	48.10	48.75	50.25
M-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	26.15	27.30	28.25	28.60	29.30
14 mesh galvanized wire	37.40	39.05	40.40	40.95	42.20
16 mesh galvanized wire	38.55	40.25	41.60	42.15	43.45
16 mesh bronze wire	53.40	55.75	57.70	58.50	60.25
N-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	24.70	25.80	26.70	27.05	27.65
14 mesh galvanized wire	34.75	36.30	37.60	38.15	39.30
16 mesh galvanized wire	35.85	37.45	38.75	39.30	40.45
16 mesh bronze wire	49.60	51.80	53.65	54.40	56.05
O-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	25.45	26.60	27.50	27.85	28.40
14 mesh galvanized wire	35.75	37.35	38.65	39.20	40.40
16 mesh galvanized wire	36.85	38.45	39.80	40.35	41.55
16 mesh bronze wire	51.05	53.30	55.20	55.95	57.65
P-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	19.70	20.60	21.30	21.60	22.00
14 mesh galvanized wire	28.15	29.45	30.45	30.90	31.85
16 mesh galvanized wire	29.00	30.30	31.35	31.80	32.75
16 mesh bronze wire	40.00	41.80	43.25	43.85	45.20
FF-1 ¾"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	18.45	19.30	19.90	20.15	20.50
14 mesh galvanized wire	26.35	27.65	28.65	29.05	29.85
16 mesh galvanized wire	27.15	28.40	29.40	29.80	30.60
16 mesh bronze wire	37.60	39.30	40.70	41.25	42.50
F-1 1¼"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	21.40	22.35	23.15	23.45	23.80
14 mesh galvanized wire	30.55	31.95	33.05	33.50	34.65
16 mesh galvanized wire	31.45	32.85	34.05	34.50	35.65
16 mesh bronze wire	43.60	45.60	47.25	47.90	49.50
FF-2 ¾"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	20.75	21.70	22.45	22.75	23.10
14 mesh galvanized wire	30.15	31.55	32.65	33.10	34.25
16 mesh galvanized wire	31.05	32.45	33.65	34.10	35.25
16 mesh bronze wire	43.05	45.00	46.60	47.25	48.90
F-2 1¼"—4" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	24.45	25.55	26.45	26.80	27.40
14 mesh galvanized wire	33.95	35.50	36.75	37.25	38.40
16 mesh galvanized wire	34.95	36.55	37.85	38.35	39.55
16 mesh bronze wire	47.45	49.60	51.35	52.05	53.65
GG-1 ¾"—3" stiles and top rail; 6" bottom rail:					
Open, with mouldings bundled	18.15	19.10	19.75	20.00	20.35
14 mesh galvanized wire	25.95	27.15	28.10	28.50	29.35
16 mesh galvanized wire	26.70	27.90	28.95	29.35	30.20
16 mesh bronze wire	37.00	38.70	40.05	40.60	41.80

Description of product: No. 2 clear and better grade Douglas fir screen doors; per dozen; in the white; not crated, 12 of a size and kind	Price per dozen				
	2-6 x 6-6	2-6 x 6-8 2-8 x 6-8	2-8 x 7-0 2-10 x 6-10	2-10 x 7-0 3-0 x 6-8	3-0 x 7-0
R-2 1⅛"—4" stiles and top rail, 6" bottom rail:					
Open, with mouldings bundled	$26.40	$26.95	$27.40	$27.70	$28.20
14 mesh galvanized wire	33.70	34.15	36.20	36.65	37.50
16 mesh galvanized wire	34.60	35.90	37.20	37.70	38.60
16 mesh bronze wire	44.60	46.95	49.50	50.50	52.15
T-3 1⅛"—5" stiles and top rail, 10" bottom rail:					
Open, with mouldings bundled	32.35	33.45	34.60	35.15	35.75
14 mesh galvanized wire	38.85	40.15	42.25	43.20	44.10
16 mesh galvanized wire	39.60	41.35	43.20	44.10	45.15
16 mesh bronze wire	48.15	51.35	52.25	55.70	57.45
U-2 1⅛"—4" stiles and top rail, 12" bottom rail:					
Open, with mouldings bundled	36.25	37.10	38.10	38.45	39.35
14 mesh galvanized wire	44.35	45.75	47.40	47.90	49.25
16 mesh galvanized wire	45.00	46.80	48.25	48.95	50.25
16 mesh bronze wire	54.65	57.25	60.15	61.20	63.25
V-2 1⅛"—4" stiles and top rail, 12" bottom rail:					
Open, with mouldings bundled	32.80	33.85	34.70	35.00	35.70
14 mesh galvanized wire	40.45	42.00	43.50	44.00	45.15
16 mesh galvanized wire	41.20	43.10	44.15	44.90	46.15
16 mesh bronze wire	50.75	53.15	56.25	57.25	59.20

(b) The maximum prices established in paragraph (a) of this Appendix D shall be subject to the following deduction:

A-2 door with 10" bottom rail: Deduct net per dozen doors: $0.60 for wired doors; $0.84 for open doors.

(c) The maximum prices established in paragraph (a) of this Appendix D may be adjusted in accordance with the following additions for the specified services and conditions:

(1) Add for stiles and rails wider than standard: (Standard refers to specifications listed for each door in the tables.)

	Net per dozen	
	Wired	Open
4" stiles and top rail to 5" stiles and top rail	$1.80	$2.40
6" bottom rail to 7" or 8" bottom rail	.60	.84
6" bottom rail to 10" bottom rail	1.08	1.32
6" bottom rail to 12" bottom rail	1.44	1.80

(2) Raised mouldings: $1.08 net per dozen.

(3) Raised panels: $.05 net per panel.

(4) Wider than standard screen doors (½" and 1" wider than standard; standard doors are ½" wider and 1" longer than regular doors): $1.50 net per dozen.

(5) 1⅜" thick screen doors: Add 20% to the maximum price for 1⅛" screen doors.

(6) 2 x 2 hardware cloth in bottom half of screen door (mesh ½" square—19 gauge): $6.00 net per dozen.

(7) Prefitting to height only (horns trimmed): $.10 net per door.

(8) Less than 12 of a size and kind: 10% to the maximum price established in paragraph (a) above.

(9) Crating: 6 to a bundle: $1.20 net per dozen. Less than 6 to a bundle: $.50 net per bundle.

(10) Stock sizes not listed: Take price of next larger listed size.

(d) If the sale of screen doors is made on a delivered basis, the maximum prices established in paragraph (a) of this Appendix D may be adjusted in accordance with the following additions for the applicable freight rate:

Rail freight rates	Net per dozen				
	1¼" thick doors		1⅜" thick doors		
	3" stiles and top rail	4" stiles and top rail	3" stiles and top rail	4" stiles and top rail	5" stiles and top rail
Primary market	$0.45	$0.55	$0.60	$0.75	$1.05
Other than primary market:					
Up to $0.28	.45	.55	.60	.75	1.05
$0.281 to $0.374	.60	.75	.85	.95	1.35
$0.375 to $0.467	.75	.90	1.05	1.20	1.70
$0.468 to $0.561	.90	1.10	1.25	1.45	2.05
$0.562 to $0.654	1.05	1.30	1.45	1.65	2.35
$0.655 to $0.748	1.20	1.45	1.65	1.90	2.70
$0.749 to $0.841	1.35	1.65	1.85	2.15	3.05
$0.842 to $0.935	1.50	1.80	2.05	2.40	3.40
$0.936 to $1.028	1.60	2.00	2.25	2.60	3.70
$1.029 to $1.121	1.75	2.15	2.45	2.85	4.05
$1.122 to $1.215	1.90	2.35	2.65	3.10	4.40
$1.216 to $1.308	2.05	2.55	2.85	3.30	4.75
$1.309 to $1.402	2.20	2.70	3.05	3.55	5.05
$1.403 to $1.495	2.35	2.90	3.25	3.80	5.40
$1.496 to $1.589	2.50	3.05	3.45	4.00	5.75
$1.59 to $1.682	2.65	3.25	3.65	4.25	6.10
$1.683 to $1.77	2.80	3.45	3.85	4.50	6.45

SEC. 23. *Appendix E: Maximum prices for Douglas fir combination storm and screen doors.* (a) The maximum prices for Douglas fir combination doors sold alone, or with other softwood lumber or lumber products, in carload quantities, shall be the following net prices, f. o. b. mill: (The design numbers refer to page 22 in Stock Millwork Catalogue No. 39, printed by Dempsey, Kimsey and Downs of Portland, Oregon. Sizes shown are regular door opening sizes stated in feet and inches.)

DESCRIPTION OF PRODUCT: NO. 2 CLEAR AND BETTER GRADE DOUGLAS FIR COMBINATION DOORS; IN THE WHITE; 12 OF A SIZE AND KIND; NOT CRATED; FLUSH MITRED MOULDED; FLAT VENEERED PANELS; SASH SECTION OPEN FOR PUTTY GLAZING; SCREEN SECTION WIRED WITH 14-MESH GALVANIZED WIRE

DESIGN NO. 836, 1⅛" THICK COMBINATION DOORS

[With screen inserts and 6 or 8-light sash insert]

Size:	Price per door
2-6 x 6-6	$4.45
2-8 x 6-8	4.50
2-10 x 6-10	4.60
3-0 x 6-8	4.65
3-0 x 7-0	4.75

DESIGN NO. 838, 1⅛" THICK COMBINATION DOORS WITH SASH INSERTS

[Screen wiring permanently fixed in door]

Size:	Price per door
2-6 x 6-6	$3.40
2-8 x 6-8	3.50
2-10 x 6-10	3.65
3-0 x 6-8	3.80
3-0 x 7-0	3.85

(b) The maximum prices established in paragraph (a) of this Appendix E may be adjusted in accordance with the following additions for the specified services and conditions:

(1) Less than 12 of a size and kind: 10% of the price for 12 of a size and kind.

(2) Doors wired with 16-mesh galvanized wire: $.06 net per door.

(3) Sash sections furnished with glass beads: $.06 net per light.

(4) Doors furnished with standard raised panels: $.05 net per panel.

(5) Unlisted stock sizes: Price at the next larger listed size.

(c) If the sale of combination doors is made on a delivered basis, the maximum prices established in paragraph (a) of this Appendix E may be adjusted in accordance with the following additions for the applicable point of destination:

(1) Primary market: $.05 net per door

(2) That portion of the States of Washington and Oregon east of the crest of the Cascade Mountains, and the States of Idaho and Montana: $.20 net per door.

(3) All other points of delivery: As set forth in section 3 (c) of this regulation.

SEC. 24. *Appendix F: Maximum prices for Douglas fir porchwork.* (a) The maximum prices for Douglas fir porchwork sold alone, or with other softwood lumber or lumber products in carload quantities shall be the following net prices, f. o. b. mill: (The design numbers are those shown in the Mutual Fir Column Co., "Schedule 41-C" and/or the Washington Manufacturing Company "Column Price List".)

No 2216-C BUILT-UP COLONIAL COLUMNS PRICES PER COLUMN (INCLUDE CAPS AND BASES)

Size	Heavy	Standard
6" x 6":		
6'	$1.70	$1.61
8'	2.10	1.98
9'	2.32	2.20
8" x 8":		
6'	2.37	2.25
8'	2.78	2.64
9'	3.00	2.85
10'	3.39	3.22
10" x 10":		
6'	2.81	2.65
8'	3.48	3.27
9'	3.94	3.71
10'	4.29	4.05
12" x 12":		
6'	3.65	----------
8'	4.44	----------
9'	4.85	----------
10'	5.29	----------

No. 2216-B and 2217 Built-up Colonial Columns—Prices per Column (Include Caps and Bases)

Size	Heavy	Standard
6" x 6":		
7'	$1.78	$1.69
8'	2.16	2.08
9'	2.33	2.21
8" x 8":		
7'	2.49	2.37
8'	2.71	2.58
9'	3.11	2.97
10'	3.42	3.26
10" x 10":		
7'	2.97	2.82
8'	3.56	3.39
9'	4.07	3.88
10'	4.66	4.41
12" x 12":		
7'	3.95	----------
8'	4.95	----------
9'	5.37	----------
10'	5.81	----------

No. 2214 and 2215 Built-up Square Columns—Prices per Column (Include Caps and Bases)

Height	6" x 6"	8" x 8"	10" x 10"	12" x 12"
6'	$1.47	$2.16	$2.75	$3.23
8'	1.92	2.68	3.39	3.99
9'	2.12	2.92	3.75	4.39
10'	2.29	3.18	4.07	4.75

Fir Newels—4-0 (per Newel)

Size	No. 2223	No. 2224	No. 2225	No. 2226	No. 2227
6" x 6"	$1.33	$1.13	$1.13	$1.13	$1.13
8" x 8"	1.90	1.53	1.53	1.53	1.53
10" x 10"	2.60	1.87	1.87	1.87	1.87

Cap and Base Schedule

Size	Nos. 2216-C, 2214, 2215, 2224, 2225, 2226, 2227			Nos. 2216-B, 2215, 2223		
	Cap	Base	Set	Cap	Base	Set
6"	$0.11	$0.25	$0.36	$0.13	$0.26	$0.39
8"	.15	.29	.44	.22	.40	.62
10"	.18	.40	.58	.26	.56	.82
12"	.23	.47	.70	.34	.65	.99

Solid Turned Work

Nos. 2200, 2221, 2222 ---------- $74.75 per M' BM.

Size: Turned table legs 30"

1¾" x 1¾" ---------- $8.95 per C pieces.
2¾" x 2¾" ---------- $20.03 per C pieces.
3½" x 3½" ---------- $31.56 per C pieces.

Balusters, 24" (Per C Pieces)

Size	Turned	Size	Square
1¼" x 1¼"	$5.42	1¼" x 1¼"	$2.06
2¼" x 2¼"	10.17	1½" x 1½"	2.88
2¾" x 2¾"	14.40	2" x 2"	4.79

Porch Rail (Per M'BM)

2" x 3"	$64
2" x 4"	58
3" x 3"	74
3" x 4"	72
3" x 5"	89

This regulation shall become effective June 11, 1945.

Note: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-9714; Filed, June 5, 1945; 11:40 a. m.]

Chapter XIX—Defense Supplies Corporation

[Reg. 7]

Part 7007—Stripper Well Compensatory Adjustments

April 10, 1945.

Defense Supplies Corporation Regulation No. 7, Stripper Well Compensatory Adjustments is as follows:

Sec.
7007.1 Definitions.
7007.2 Persons eligible to file claims.
7007.3 Filing claims for compensation.
7007.4 Inspection and payment of claim.
7007.5 Amount of claims.

Authority: § 7007.1 to 7007.5, inclusive, issued under sec. 5d of Reconstruction Finance Corporation Act, as amended, 52 Stat. 212, 54 Stat. 573; 15 USC 606b; Defense Supplies Corporation Charter, 6 F.R. 2972.

§ 7007.1 *Definitions.* When used in this part, the following terms shall have the following meanings:

(a) "Crude" means crude petroleum.

(b) "Barrel" means a quantity equal to 42 U. S. gallons of 231 cubic inches.

(c) "Claim" means a claim under this part computed in accordance with the provisions hereof.

(d) "Applicant" means a person who files a claim for compensation pursuant to this part but shall not include the United States or any of its political subdivisions or any agency thereof, or any other Government or any of its political subdivisions or any agency thereof.

(e) "Person" means an individual, corporation, partnership, association or legal successor or representative of any of the foregoing.

(f) "Designated area" means any pool or area listed in OPA Revised Maximum Price Regulation 436, section 12, hereto attached as Schedule A and made a part hereof.

(g) "Receiving tank" means the tank, sometimes called stock tank or shipping tank, in which the crude from one or more well is first gauged or measured for sale, delivery or storage.

§ 7007.2 *Persons eligible to file claims.* The following persons shall be eligible to file claims for compensatory adjustments with respect to the particular crude hereinafter described:

(a) With respect to all crude produced in a designated area which is sold by the producers (including owners of interest) prior to or at the time it is removed from the receiving tank, or which is refined or consumed by the producers before sale, the person eligible to file claims pursuant to this part shall be the person who has title or acquires title to such crude as it passes through the exit valve of the receiving tank.

(b) With respect to all crude produced in a designated area which is not sold by the producers (including owners of interest) prior to or at the time it is removed from the receiving tank but is transported through a pipe-line gathering system for sale upon delivery out of such system, the person eligible to file claims pursuant to this part shall be the purchaser of such crude upon delivery out of such pipe-line gathering system.

(c) In some instances for convenience of administration, Defense Supplies Corporation may designate a person or persons other than those specified in paragraphs (a) and (b) of this section as the person or persons eligible to file claims with respect to particular crude.

§ 7007.3 *Filing claims for compensation*—(a) *Place of filing.* Claims shall be filed with Defense Supplies Corporation, 811 Vermont Avenue, Washington 25, D. C., or at such other place or places as may from time to time be designated by Defense Supplies Corporation.

(b) *Time of filing.* Claims shall be filed not later than the 20th day of the second calendar month following the month covered by the claim.

(c) *Form of claim.* A separate claim shall be filed for each calendar month. All claims shall be filed in triplicate on forms approved by Defense Supplies Corporation and in accordance with the instructions on such forms and shall be accompanied by such documents, data and information as may be required by Defense Supplies Corporation.

§ 7007.4 *Inspection and payment of claim.* (a) If Defense Supplies Corporation determines that a valid claim has been filed within the provisions of this part, then Defense Supplies Corporation will pay to the applicant the amount thereof. Payments of claims will be made only to applicants; Defense Supplies Corporation will not recognize assignments of claims by applicants to other parties.

(b) Defense Supplies Corporation may at any time make or cause to be made an examination or audit of any books, records and other supporting data as it may deem necessary to verify further the validity and correctness of any claim filed hereunder.

(c) If any claim which has theretofore been paid is found incorrect upon examination or audit, then the amount of such payment shall be due and payable to Defense Supplies Corporation and shall be returned to it upon demand and without limitation of any other rights accruing to Defense Supplies Corporation. No further advances or payments shall be made to such applicant until such deficiency has been returned.

(d) Should any claim be rejected in whole or in part or should any applicant desire an interpretation of this part, the applicant may request Defense Supplies Corporation to reconsider its action or issue an interpretation. If the request

is in connection with a rejected claim, it must be filed within thirty (30) days after such claim is rejected. Such request shall be addressed to Defense Supplies Corporation, 811 Vermont Avenue, N. W., Washington 25, D. C., and shall state clearly and concisely the questions involved and the applicant's views thereon. If Defense Supplies Corporation finds justification for reopening the claim it shall so notify the applicant and the latter may thereupon submit a new claim which shall be processed in the same manner as though submitted within the required time. Upon the announcement of any decision or interpretation issued hereunder any applicant may within thirty (30) days apply to Defense Supplies Corporation for the right to modify or revise any claims theretofore filed which are affected by such decision or interpretation and which accrued within the period of ninety (90) days immediately preceding the first of the month following the date when the decision or interpretation was announced.

§ 7007.5 *Amount of claims.* (a) A claim with respect to the purchase of crude produced from any designated area shall be in an amount equal to the number of barrels of such crude purchased and paid for multiplied by the excess, if any, by which the amount per barrel paid for such crude exceeds the amount per barrel which the Office of Price Administration had specified as the maximum price which could be charged or paid for such crude prior to August 1, 1944: *Provided, however,* That such claim shall in no event be greater than an amount equal to the number of barrels of such crude purchased and paid for, multiplied by the amount per barrel appearing in the attached Schedule A opposite the designated area in which such crude was produced. Crude for which an applicant is prohibited from paying the purchase price in whole or in part because of inability on the part of applicant to determine the legal owner or owners, or by reason of other legal prohibitions, shall be deemed to have been paid for when there has been recorded in applicant's books a suspense or other account reflecting a liability on the part of applicant for such purchase price which applicant will ultimately pay to the party or parties legally entitled thereto.

(b) A claim with respect to crude produced in any designated area and not sold, but refined or consumed by the applicant, shall be in an amount equal to the number of barrels of such crude run by applicant from the receiving tank, multiplied by the amount per barrel appearing in the attached Schedule A opposite the designated area in which such crude was produced. The number of barrels shall be calculated after such corrections for temperature, basic sediment, water, etc., as are customary in arriving at volumes of crude purchased in the designated area.

(c) Claims may be filed only on crude run from receiving tanks on or after August 1, 1944.

Effective date. This Regulation No. 7 shall become effective as of August 1, 1944.

This Regulation No. 7 may be amended, revised or revoked at any time by Defense Supplies Corporation.

Issued this 7th day of August 1944.

DEFENSE SUPPLIES CORPORATION,
By GEORGE STONER,
Vice President.

SCHEDULE A

NOTE: Schedule A is derived from section 12 of Office of Price Administration, RMPR 436, Amdt. 4, Aug. 1, 1944.

	Amount of increase (dollars per 42-gal. barrel)
(1) Alabama.	
(2) Arizona.	
(3) Arkansas.	
Pool and county:	
El Dorado, East, Union	$0.25
El Dorado, South, Union	.35
Lewisville, Lafayette	.20
Lisbon, Union	.35
Nick Springs-Cotton Valley, Union	.35
Smackover, Ouachita, Union	.20
Stephens, Columbia, Nevada, Ouachita	.35
(4) California.	
(5) Colorado.	
Pool and county:	
Berthoud, Larimer	.20
Boulder, Boulder	.35
Florence, Fremont	.35
Orchard-Greaswood, Weld	.25
(6) Connecticut.	
(7) Delaware.	
(8) Florida.	
(9) Georgia.	
(10) Idaho.	
(11) Illinois.	
Pool and county:	
Barnhill, Wayne	.35
Bartelso, Clinton	.25
Bartelso-South, Clinton	.25
Beaver Creek, Bond	.20
Beman, Lawrence	.35
Browns-South, Edwards	.35
Burnt Prairie, White	.20
Carlyle, Clinton	.35
Centralia, Clinton, Marion	.25
Cisne, Wayne	.25
Colmar-Plymouth, McDonough-Hancock	.35
Cordes, Washington	.25
Cowling, Edwards	.35
Cravat, Jefferson	.25
Dahlgren, Hamilton	.35
Du Bois, Washington	.35
Du Bois, West, Washington	.25
Dundas Consolidated, Richland and Jasper	.35
Dupo, St. Clair	.35
Eldorado, Saline	.35
Elkville, Jackson	.25
Gillespie Wyen, Macoupin	.35
Hoffman, Clinton	.35
Ingraham, Clay	.35
Inman, Gallatin	.25
Johnsonville-South, Wayne	.35
Junction, Gallatin	.35
Keensburg Consolidated, Wabash	.20
Lakewood, Shelby	.20
Lancaster, Wabash and Lawrence	.25
Leech, Wayne	.20
Litchfield, Montgomery	.35
Mason, Effingham	.35
Mt. Carmel-West Wabash	.25
Mt. Erie-North, Wayne	.25
Patoka, Marion	.20
St. Francisville, E., Lawrence	.20
Sainte Marie, Jasper	.20
Sesser, Franklin	.25

	Amount of increase (dollars per 42-gal. barrel)
(11) Illinois—Con.	
Pool and county:	
Southeastern Field, Lawrence, Clark, Crawford and Wabaah	$0.35
Stewardson, Shelby	.20
Storms, White	.20
Thompsonville, Franklin	.35
Toliver, Clay	.35
Wamac, Marion, Clinton and Washington	.35
Waterloo, Monroe	.35
Whittington-West, Franklin	.25
Woburn, Bond	.25
Xenia, Clay	.25
(12) Indiana.	
Pool and county:	
Bristow-old, Perry	.35
Bufkin, Posey	.20
Cannelburg-old, Daviess	.35
Caborn West, Posey	.35
Columbia, Gibson	.35
Enterprise, Spencer	.35
Evansville Area-old, Posey and Vanderburgh	.35
Francisco, E. & W., Gibson	.35
Grandview, Spencer	.35
Hatfield, Spencer	.20
Hazelton-old, Gibson	.35
Hensler, Posey	.20
Hovery Lake, Posey	.20
Johnson, Gibson	.35
Kirksville, Gibson	.20
Mt. Carmel, Gibson	.20
Petersburg-old, Pike	.35
Rockport, Spencer	.25
St. Francisville, Knox	.35
St. Francisville E., Knox	.20
St. Thomas, Knox	.35
Shelburn-old, Sullivan	.35
Siosi, Sullivan and Vigo	.20
Somerville, Gibson and Pike	.35
Trenton Pool (Old), Jay, Blackford, Grant, Huntington, Wells, Adams, Wabash, Delaware, Madison	.35
Troy-old, Spencer	.35
Veale-old, Daviess	.35
Washington-old, Daviess	.35
Wheeling, Gibson	.35
(13) Iowa.	
(14) Kansas.	
Pool and county:	
All pools, Allen	.35
All pools, Anderson	.35
All pools, Chautauqua	.35
All pools, Franklin	.35
All pools, Labette	.35
All pools, Linn	.35
All pools, Miami	.35
All pools, Montgomery	.35
All pools, Neosho	.35
All pools, Wilson	.35
All pools, Woodson	.35
Abbyville, Reno	.25
Augusta, Butler	.35
Augusta, North, Butler	.35
Baird, Cowley	.20
Baird, East, Cowley	.20
Bausinger, Butler	.35
Benton, Butler	.25
Bidde, Cowley	.35
Blackwell, Greenwood	.35
Blankenship, Butler	.35
Bridfeldt, West, Rice	.20
Bringar, Greenwood	.35
Browning, Greenwood	.35
Burden, Cowling	.35
Bush-Denton, Elk (West Half)	.35
Callyer, Elk (West Half)	.25
Chandler, Sumner	.25
Chindburg, McPherson	.25
Christy, Greenwood	.35
Churchill, Sumner	.25
Clark, Cowley	.20
Clever, Cowley	.25
Countrymen, Cowley	.35
Covert-Sellers, Marion	.25
David, Cowley	.20
David, South, Cowley	.35

(14) Kansas—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Demalcris-Snowden, Greenwood	$0.25
Dory, Elk (West Half)	.35
Douglas, Butler	.35
Dunaway, Greenwood	.35
Dunkelberger, Elk (West Half)	.35
Eastborough, Sedgwick	.20
Eastman, Cowley	.35
Eckles, Butler	.20
Eichman, Russell	.35
El Dorado, Butler	.35
Eureka, Greenwood	.35
Fairfield, Russell	.25
Fall City, Cowley	.35
Halstead, Harvey	.20
Ferguson, East, Elk (West Half)	.20
Ferguson, West, Cowley	.35
Florence, Marion	.35
Fox Bush, Butler	.35
Garden, Butler	.35
Gelwick, Butler	.20
Gettysburg, Graham	.25
Graber, McPherson	.20
Graham, Cowley	.20
Grand Summit, Cowley	.35
Gueda Springs, Cowley	.25
Haller, Ellis	.25
Halstead, Harvey	.20
Hamilton, Greenwood	.35
Haverhill, Butler	.25
Helken, Ellsworth	.35
Hinchman, Greenwood	.35
Hollis, Greenwood	.35
Hower, Cowley	.25
Jackson, Greenwood	.35
Keighley, Butler	.35
Keller, Greenwood	.35
Kramer-Stein, Butler	.35
Krilex, Rooks	.25
Lamont, Greenwood	.35
Leon, Butler	.35
Lerado, Reno	.35
Lost Springs, West, Marion	.25
Lyon, Harvey	.35
Lyons, Rice	.35
Madison, Greenwood	.35
Mahoney, Russel	.35
McCullough, Butler	.25
McPherson, McPherson	.25
Mills, Elk (West Half)	.35
Mohannah, Cowley	.35
Moline, Elk (West Half)	.35
Morrison, Clark	.35
Murphy, Cowley	.25
Nohl, Russel	.20
Olson, Cowley	.35
Otter Creek, Cowley	.35
Padgett, Sumner	.20
Peabody, Marion	.25
Penokee, Graham	.20
Pierce, Butler	.35
Pippas, Greenwood	.35
Pollamus, Greenwood	.35
Porter, Elk (West Half)	.35
Potwin, Butler	.25
Potwin, South, Butler	.20
Rainbow Bend, Cowley	.25
Reese, Greenwood	.35
Reiken, Ellsworth	.35
Reynolds-Schaffer, Butler	.20
Robbins, Sedgwick	.35
Rock, Cowley	.35
Rock, North, Cowley	.35
Ruder, Ellis	.20
Sallyards, Greenwood	.35
Scott, Greenwood	.35
Seeley-Wick, Greenwood	.35
Severy, Elk (West Half)	.35
Seward, Butler	.35
Slick-Carson, Cowley	.25
Smith, Cowley	.35
Smock-Sluss, Butler	.35
State, Cowley	.35
Steinhoff, Butler	.25
Teeter, Greenwood	.35
Telchgraber, Greenwood	.35
Thrall-Agard, Greenwood	.35
Thurlow, Cowley	.35

(14) Kansas—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Trees, Cowley	$0.25
Tulney, Greenwood	.35
Turner, Cowley	.25
Udall, Cowley	.25
Van Roy, Coffey	.35
Virgil, Greenwood	.35
Virgil, North, Greenwood	.35
Walker, Elk (West Half)	.35
Weathered, Cowley	.20
Weaver, Butler	.35
Webb, Elk (West Half)	.35
Welch, North, Rice	.25
Wellington, Sumner	.25
Wherry, Rice	.20
Wiggins, Greenwood	.35
Wilkerson, Greenwood	.35
Willard, Greenwood	.35
Winfield, Cowley	.35
Yoder, Reno	.35
Young, Butler	.25
Zurich, Rooks	.20
(15) Kentucky:	
Pool and county:	
Cairo, Henderson	.20
Coryden, Henderson	.20
Greenbriar, Henderson	.25
Hebbardsville, Henderson	.25
Sebree, Webster	.25
Spring Grove, Union	.20
Zion, Henderson	.25
All other pools in the State of Kentucky except Gilmore, Poole, Reed, Robards, Smith Mills and Spottsville Pools, Henderson County; Livermore Pool, McLean County; Hitesville, Morganfield, St. Vincent, Uniontown, Utley and Wathen Pools, Union County; East Poole and Pratt Pools, Webster County	.35
(16) Louisiana.	
Pool and parish:	
Bayou Bouillon, St. Martin	.35
Bellevue, Bossier	.35
Belle Isle, St. Mary	.25
Bisteneau, Bienville-Bossier	.35
Branch, Acadia	.35
Caddo, Caddo	.25
Carterville, Bossier-Webster	.35
Converse, Sabine	.25
Delta Duck Club, Plaquemines	.35
Driscoll, Bienville	.35
Edgerly, Calcasieu	.20
Elm Grove, Bossier-Caddo	.20
Homer, Claiborne	.20
Lake End, Red River	.35
Lake Hermitage, Plaquemines	.35
Logansport-Joaquin, De Sota	.20
Manifest, Catahoula	.25
Oakland, Union	.35
Perkins, Cameron	.35
Pleasant Hill, De Soto-Sabine	.35
Sibley, Webster	.25
Simsboro, Lincoln	.20
Welsh, Jefferson Davis	.35
(17) Maine.	
(18) Maryland.	
(19) Massachusetts.	
(20) Michigan.	
Pool and county:	
Beaverton, Gladwin	.35
Bentley, Gladwin	.25
Birch Run, Saginaw	.35
Bloomington, Van Buren	.35
Casco, Allegan	.35
Clare City, Clare	.35
Columbia, Van Buren	.35
Crystal, Montcalm	.25
Dalton, Muskegon	.35
Deerfield, Monroe	.25
Diamond Springs, Allegan	.35
Dorr, Allegan	.35
Edenville, Midland	.35
Edmore, Montcalm	.35
Freedman, Clare	.20
Grant, Gladwin	.35
Hope, Barry	.25

(20) Michigan—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Hopkins, Allegan	$0.35
Lakefield, Saginaw	.35
Leaton, Isabella	.25
Monterey, Allegan	.35
Mt. Pleasant and East Ext., Isabella	.35
Muskegon, Muskegon	.35
Muskrat Lake, Van Buren	.35
New Salem, Allegan	.35
Oberisel, Allegan	.35
Otisville, Genessee	.20
Pine River, Gratiot	.25
Porter, Midland	.20
Saginaw, Saginaw	.35
Salem, Allegan	.35
Sauble, Lake	.20
Sherman, Isabella	.35
South Akron, Tuscola	.35
South Buckeye, Gladwin	.35
South Tallmadge, Ottowa	.35
Trowbridge, Allegan	.35
Vernon, Isabella	.25
Walker, Kent	.35
West Branch, Ogemaw	.35
West Hopkins, Allegan	.35
Winfield, Montcalm	.35
Wise, Isabella	.20
Wyoming Park, Kent	.35
Yost-Jasper, Midland	.20
(21) Minnesota.	
(22) Mississippi.	
(23) Missouri.	
All pools in the State of Missouri except Tarkio Pool, Atchison County	.35
(24) Montana.	
Pool and county:	
Border, Toole	.35
Cat Creek, Petroleum	.35
Kevin Sunburst, Toole	.35
Pondera, Teton	.35
Reagan, Nose, Glacier	.25
Sweet Grass Hills Area, Toole	.35
(25) Nebraska.	
Pool and county:	
Barada, Richardson	.20
(26) Nevada.	
(27) New Hampshire.	
(28) New Jersey.	
(29) New Mexico.	
Pool and county:	
Anderson, Eddy	.20
Artesia	.35
Aztec, San Juan	.35
Dayton, Eddy	.20
High Lonesome, Eddy	.35
Rattlesnake, San Juan	.35
Red Lakes, Eddy	.25
Turkey Track, Eddy	.25
(30) New York.	
All pools producing Pennsylvania Grade crude in the State of New York	.75
(31) North Carolina.	
(32) North Dakota.	
(33) Ohio.	
All pools producing Pennsylvania Grade crude in the State of Ohio	.75
All other pools in the State of Ohio	.35
(34) Oklahoma.	
Pool and county:	
All pools, Craig	.35
All pools, Nowata	.35
All pools, Rogers	.35
All pools, Washington	.35
Ada, East Pontotoc	.35
Alabama, Hughes	.35
Allen (Shallow) Pontotoc	.35
Almeda, Osage	.35
Alsuma, Tulsa	.35
Altus, Jackson	.35
Arno, Creek	.20
Asher, West, Pottawatomie	.20
Avant, Osage	.35
Avant, West, Osage	.35
Avery, Lincoln	.35
Aztec, Okmulgee	.35
Backius, Osage	.35

(34) Oklahoma—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Bald Hill, Okmulgee	$0.35
Baltimore, North, Okfuskee	.35
Bandwheel, Osage	.35
Barker, Osage	.25
Barnes, Garfield	.35
Barnsdall, Csage	.35
Barnsdall, South, Osage	.35
Barnsdall, West, Osage	.35
Bartlesville, Osage	.35
Bebee, East, Pontotoc	.35
Beggs, North, Okmulgee	.35
Beggs, South, Okmulgee	.35
Beidleman, Okfuskee	.35
Bethel, Seminole	.35
Bethel, Northeast, Seminole	.35
Big Horse, Osage	.35
Bilby, Wagoner	.35
Bird Creek, Tulsa	.35
Birch Creek, Osage	.35
Bixby, Tulsa	.35
Blackwell, Kay	.20
Boston, Osage	.20
Boston, North, Osage	.35
Bowring, Osage	.35
Boyle, Muskogee	.35
Boynton, Muskogee	.35
Braman, Kay	.25
Branstetter, Osage	.35
Brinton, Okmulgee	.35
Bristow, Creek	.25
Bristow, North, Creek	.35
Bristow, West, Creek	.35
Britton, Oklahoma	.20
Brock, Carter	.35
Broken Arrow, Tulsa	.35
Brown, Garfield	.35
Broyles, Payne	.25
Bruce, Creek	.35
Bruce, East, Creek	.35
Bruner-Vern, Tulsa	.35
Buell, Osage	.35
Bulldog, Osage	.35
Burbank (Osage), Osage	.35
Burbank (Kay), Osage	.20
Butler, Muskogee	.35
Candy Creek, Osage	.35
Carey, Okfuskee	.25
Castle, South, Okfuskee	.35
Clarita, Coal	.35
Clearview, Okfuskee	.35
Cleveland, Pawnee	.35
Coalton, Okmulgee	.35
Cole, Muskogee	.35
Collinsville, Tulsa	.35
Comanche, Stephens	.35
Conservation, Pontotoc	.35
Corine, Wagoner	.35
Council, Muskogee	.35
Country Club, Osage	.35
Coweta, Wagoner	.35
Cruce, Stephens	.35
Cushing, Creek	.35
Dalton, Osage	.35
Davenport, Lincoln	.35
Davenport, North, Lincoln	.35
Dawson, Tulsa	.35
Deaner, Okfuskee	.35
Deep Fork, Creek	.35
Deer Creek, Grant	.25
Dewey, Osage	.35
Dilworth, Kay	.20
Domes, Osage	.35
Donnelly, Creek	.20
Dora, Seminole	.25
Duncan, North, Stephens	.35
Duncan, West, Stephens	.35
Ed Cox, Carter	.35
Edgewood, Osage	.35
Edna, Creek	.20
Edna, East, Okmulgee	.35
Elgin, South, Osage	.35
Empire, Stephens	.25
Enfisco, Osage	.35
Enos, Marshall	.35
Eram, Okmulgee	.35
Fairfax, Osage	.35
Falls Dome, Osage	.35
Fields, Okfuskee	.35

(34) Oklahoma—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Fisher, Tulsa	$0.35
Fitts, North, Pontotoc	.35
Fitts, South, Pontotoc	.25
Flat Rock, Osage	.35
Flesher, Osage	.35
Foraker, Osage	.20
Forty-five, Osage	.35
Fox, Carter	.20
Francis, West Pontotoc	.35
Frederick, Tillman	.35
Garber, Garfield	.35
Garber, North, Garfield	.20
George, Wagoner	.35
Gessman, Lincoln	.20
Gillette, Wagoner	.35
Gilliland, Osage	.35
Glenn Pool, Creek	.35
Goble, Wagoner	.35
Graham, Carter	.35
Gregory, Okfuskee	.35
Gypsy Hill, Okfuskee	.35
Gypsy Hill, Northwest, Okmulgee	.35
Hallett, Pawnee	.35
Hamilton Switch, Okmulgee	.35
Hanbury, Comanche	.35
Happy Hollow, Osage	.35
Haskell, Muskogee	.35
Hector, Okmulgee	.35
Henryetta, Okmulgee	.35
Healdton, Carter	.35
Hewitt, Carter	.25
Hickory Creek, Osage	.35
Hickory Creek, South, Osage	.35
Hickory Grove, Creek	.25
Hobart, Kiowa	.25
Hoffman, McIntosh	.35
Holdenville, West, Hughes	.35
Hominy, Osage	.35
Hominy, East, Osage	.35
Hominy Falls, Osage	.35
Hominy, South, Osage	.35
Independent, Creek	.35
Ingalls, Northeast, Payne	.25
Iron Post, Creek	.35
Isom Springs, Marshall	.35
Jenks, Tulsa	.35
Jennings, Pawnee	.35
Josey, Okfuskee	.20
Kasishke, Osage	.35
Kaw, Osage	.20
Kellyville, Creek	.35
Keystone, Pawnee	.35
Kingston, Marshall	.35
Konawa, Seminole	.20
Konawa, East, Seminole	.25
Konawa, South, Seminole	.25
Knox, Grady	.25
Langston, South, Logan	.20
Lauderdale, Pawnee	.35
Lawton, Comanche	.35
Lee Dome, Osage	.35
Leonard, Tulsa	.35
Lincreek, Lincoln	.35
Link, Muskogee	.35
Little River, East, Seminole	.20
Loco, Stephens	.35
Lovell, Logan	.20
Lyons-Quinn, Okfuskee	.35
Madalene, Osage	.35
Madelene, East, Osage	.35
Madill, Marshall	.35
Manion, Osage	.35
Manion, North, Osage	.35
Mannford, Creek	.35
Maramec, Pawnee	.25
Markham, Payne	.35
Marshall, Logan	.20
Masham, Pawnee	.35
Maud, Pottawatomie	.20
Mehan, Payne	.35
Mercer, Creek	.25
Meridian, Logan	.20
Milroy, Stephens	.35
Montezuma, Okmulgee	.35
Morgan, Okfuskee	.25
Morris, Okmulgee	.35
Mounds, Creek	.35
Muskogee, Muskogee	.35

(34) Oklahoma—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Natura, Okmulgee	$0.35
Nuyaka, South, Okmulgee	.35
Nuyaka, Southwest, Okmulgee	.35
New England, Osage	.35
Nicoma Park, Oklahoma	.20
Norfolk, Payne	.35
Norfolk, West, Payne	.20
Oakman, Pontotoc	.35
Ochelata, North, Osage	.35
Okemah, Okfuskee	.35
Okemah, West, Okfuskee	.35
Okesa, Osage	.35
Okfuskee, Okfuskee	.35
Oklahoma Central, Okmulgee	.35
Okmulgee, Okmulgee	.35
Olean, Creek	.35
Olive, Creek	.35
Olympic, Okfuskee	.35
Oneta, Wagoner	.35
Osage City, Osage	.35
Osage City, East, Osage	.35
Osage-Hominy, Osage	.35
Oscar, Jefferson	.25
Overbrook, Love	.20
Owasso, Tulsa	.35
Page, Osage	.35
Pollyanna, Okmulgee	.35
Papoose, Hughes	.20
Pawhuska, Osage	.35
Pawhuska, West, Osage	.35
Pershing, Osage	.35
Pettit, Osage	.35
Phillipsville, Okmulgee	.35
Pickett-Prairie, Creek	.35
Pine, Okmulgee	.35
Pioneer, Osage	.35
Ponca City, Kay	.25
Pond Creek, Osage	.35
Poor Farm, Creek	.35
Prue, Osage	.35
Quapaw, Osage	.35
Rainola, Stephens	.35
Ramona, Osage	.35
Red Bank, Creek	.20
Red Fork, Tulsa	.35
Red River Bed, Tillman	.35
Ripley, Payne	.20
Robbertson, Garvin	.35
Sac & Fox, Lincoln	.35
Sacred Heart, Pottawatomie	.35
Sancho, Seminole	.25
Sand Springs, Tulsa	.35
Sapulpa, South, Creek	.35
Sasakwa, East, Seminole	.25
Sasawa, East, Seminole	.25
Schulter, Omulgee	.35
Searight, East, Seminole	.35
Seay, Jefferson	.35
Seltzer, Wagoner	.35
Seminole, East, Seminole	.20
Sheldon, Okfuskee	.35
Sheppard, Muskogee	.35
Sholem-Alechem, Carter	.25
Simmons-Black, Okmulgee	.35
Skedee, Pawnee	.35
Skellyville, Lincoln	.35
Sklatook, Osage	.35
Slick, Creek	.20
Spaulding, Hughes	.20
Spaulding, Southeast, Hughes	.35
Spencer, Omulgee	.35
Stillwater, Payne	.25
St. Louis, East, Pottawatomie	.25
Stone Bluff, Wagoner	.35
Stroud, East, Creek	.25
Summers, Okmulgee	.35
Sunset, Osage	.35
Swan, Seminole	.25
Tatums, Carter	.20
Tecumseh, East, Pottawatomie	.25
Terlton, Pawnee	.35
Terlton, North, Pawnee	.35
Tibbens, Creek	.35
Tidal-Osage, Osage	.35
Tipton, Jackson	.25
Tonkawa, Kay	.20
Transcontinental, Muskogee	.35
Turkey Mountain, Tulsa	.35
Turley, Tulsa	.35

(34) Oklahoma—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Tuskegee, Creek	$0.35
Velma, Stephens	.35
Walker, Creek	.25
Walker, West, Creek	.35
Walters, Cotton	.35
Webster, Wagoner	.35
Weleetka, Okfuskee	.25
Weleetka, South Okfuskee	.35
Wetley, Seminole	.35
Wetumka, Hughes	.20
Wetumka, South, Hughes	.35
Wheeler, Carter	.35
Wicey, Tulsa	.35
Whitetail, Osage	.35
Wilcox, Creek	.20
Wildhorse, Osage	.35
Wildhorse, North, Osage	.35
Wildhorse, South, Osage	.35
Woolaroc, Osago	.35
Woolsey, Stephens	.35
Wynona, Osage	.35
Yeager, North, Hughes	.20
Youngstown, Okmulgee	.35
(35) Oregon.	
(36) Pennsylvania.	
Pool and county:	
All pools producing Pennsylvania grade crude in the State of Pennsylvania	.75
All other pools in the State of Pennsylvania	.35
(37) Rhode Island.	
(38) South Carolina.	
(39) South Dakota.	
(40) Tennessee.	
All pools in the State of Tennessee	.35
(41) Texas.	
Pool and county:	
All pools in Archer County Excepting: Burns Ickert, Cooper, Hull Silk Sikes, Hull Silk Sikes Caddo, Kadane, Kadane Shallow, Mankins, Scotland, Scotland Mississippi Lime, Vogtsberger.	.35
All pools in Baylor County Excepting: Rendham, Seymour.	.35
All pools in Brown County	.35
All pools in Callaman County Excepting: Scranton.	.35
All pools in Clay County Excepting: Antelope, Antelope Mississippi Lime, Burns Browning, Burns Midway, Halsell, Hapgood, Joy Mississippi Lime, New York City Mississippi Lime, Ross, Stephens, Watson, Wynn.	.35
All pools in Coleman County Excepting: Anzac-Morris, Coker, Boyle, Goldsboro, Jim Ned, Novice, Novice North, Overall, Silver Valley.	.35
All pools in Comanche County	.35
All pools in Cooke County Excepting: Bindle, Bindle Ellenberger, Dangle, Fleitmann, Walnut Bend, Walnut Bend-Winger, Wilson.	.35
All pools in Eastland County Excepting: Carbon.	.25
All pools in Erath County	.35
All pools in Foard County Excepting: Johnson.	.25
All pools in Haskell County	.35
All pools in Jack County Excepting: Birdwell, East Bryson, Ellis, Hoefle, McDonald, Meyers, Peex, Weir, Wolfe, Worsham Steed.	.35
All pools in Jones County Excepting: Akard; Appling; Avoca; Avoca, North; Avoca, West; Griffin; Grogan; Hardy; Noodle, South; Sagles; Stitch; Strand; Triplett; Wimberly.	.35

(41) Texas—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
All pools in Montague County Excepting: Benson, Bonita, Barners, Chapman McFarlin, Clingingsmith, Dobson, Forestburg, Hildreth, Hults and Owens, Illinois Bend, Mueller, Mueller Caddo, Ringold, Rogers & Rogers, Sanders, Stoneburg, Turner.	$0.35
All pools in Palo Pinto County	.35
All pools in Shackelford County Excepting: Joy, Nail, Roark-Nail.	.35
All pools in Stephens County Excepting: Brownville, Donnell, Hill, Loving.	.35
All pools in Taylor County Excepting: Bowles, Lake Kirby, Merkel, Reddin, Reddin Frazier, Trent.	.20
All pools in Throckmorton County Excepting: McKnight, Parratt.	.35
All pools in Wichita County Excepting: Airport, Davidson, K. M. A., K. M. A. Ellenberger, West.	.35
All pools in Wilbarger County Excepting: Consolidated, Electra-Ellenberger, Fargo, Harrold, Main, Potts-Ellenberger, Rock Crossing (Canyon), Rock Crossing (Ellenberger)	.35 .3
All pools in Young County Excepting: Allar, Allar Caddo, Anzac-Graham, Briar Creek, Burns Larimore, Burns Ragland Mississippi Lime, Davis, Garvey, Halbert Caddo, James, Kerlyn Loving, Knight, Knox; Knox, North (Caddo); Knox, Mississippi Lime; Upton McLester, Murray, Murray Caddo, Padgett Mississippi Lime, Servell, Williamson.	.85
Adami, Webb	.35
Agua Prieta, Duval	.35
Angleton, Brazoria	.35
Appling, Jones	.25
Aviators, Webb	.35
Bateman, Bastrop	.20
Bateman, Ranch, King	.35
Bee Creek, Caldwell	.35
Bennett, (W. S. Rotan), Fisher	.20
Bird Island, Kleberg	.25
Blackwell, Coke	.20
Bolivar, Denton	.35
Bolt, Kimble	.35
Bowles, Taylor	.35
Brenham, Austin	.35
Bruni, Webb	.35
Bruni, East, Webb	.35
Buchanan, Caldwell	.35
Burdette, Wells, Caldwell	.35
Burnell, South, Karnes	.20
Caesar, Bee	.35
Camada, Jim Wells	.35
Calliham, McMullen	.35
Carbon, Eastland	.35
Cedar Creek, Bastrop	.35
Chapman Abbott, Williamson	.35
Charamousca, South, Duval	.20
Charco Redona, Zapata	.35
Chicon Lake, Medina	.35
Chiltipin, Duval	.35
Clara Couch, Crockett	.20
Clark, Guadalupe	.25
Cole West, Webb	.25
Collinsville, Grayson	.35
Colmena, Duval	.20
Comitas, Zapata	.35
Corsicana Shallow, Navarro	.35
Cowden, Crane, Crane	.35
Crockett, Crockett	.25
Cuellar, Zapata	.35
Currie, Navarro	.25
Dale, Caldwell	.35
Dale, West, Caldwell	.35
Damon Mound, Brazoria	.25
Deep Rock, Andrews	.25

(41) Texas—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Deupree, Bexar	$0.35
Diamond Half, Goliad	.25
Dobbs, Ward	.25
Dunlap, Guadalupe & Caldwell	.35
Eckert, Bexar	.35
Ellison Young, Caldwell	.35
El Tangue, Starr	.35
Emperor Deep, Winkler	.20
Escobas, Zapata	.35
Ezzell, Live Oak & McMullen	.25
Fairfield, Bexar	.35
Fleitmann, Cooke	.25
Fostoria, Montgomery	.25
Fromme, Pecos	.35
Frost, Starr	.35
Garza, Garza	.20
Gas Ridge, Bexar	.35
Ginter, Angelina	.35
Goldsmith, North, Ector	.20
Grosbeck, Limestone	.25
Halley, Winkler	.20
Holbein, Jim Hogg	.20
Huntington, Angelina	.35
Humble, Harris	.25
Hurdle, Upton	.35
Jacob, McMullen	.35
James, Young	.20
Kermit, Winkler	.35
Killam, Webb	.35
Killam, North, Webb	.35
Knight, Young	.25
Knox, Young	.20
Kohler, Duval	.35
Lake Kirby, Taylor	.35
La Reforma, Starr	.25
Las Animas, Jim Hogg	.25
La Vernia, Guadalupe	.35
Lehn, Pecos	.35
Lentz, Bastrop	.20
Live Oak, Crockett	.35
Loma Novia, Duval	.20
Loma Vista, Duval	.35
Lopez, Webb	.20
Los Olmos, Starr	.35
Lost Lake, Chambers	.35
Luby Deep, Nueces	.20
Luling Branyon, Guadalupe & Caldwell	.25
Lykes, Webb	.35
Lytton Springs, Caldwell	.35
Manila, Jim Hogg	.25
Marion Co. Shallow, Marion	.35
Masterson, Pecos	.35
Matthews, Williamson	.35
McMillan, Runnels	.35
Mexia, Limestone	.20
Minerva Rockdale, Milan	.35
Mirando City, Webb	.35
Mirando Valley, Zapata	.35
Moore, Howard	.25
Munson, McMullen	.35
Mykawa, Harris	.25
Netterville, Pecos	.35
Noack, Williamson	.35
Normanna, Bee	.35
O'Connor McFaddin, Refugia	.20
Oilton, Webb	.35
Old Batson, Hardin	.35
Orange, Orange	.20
Overall, Coleman	.20
Panola Co. (Bethany), Panola	.35
Payton, Pecos & Ward	.25
Pecos Valley L. G., Pecos	.35
Pecos Valley H. G., Pecos and Ward	.35
Peters, Duval	.20
Plummer, Bee	.25
Potter, Marion	.35
Pottsboro, Grayson	.35
Potts-Ellenberger, Willbarger	.25
Premont, Jim Wells	.25
Pruett, Ward	.35
Rancho Salo, Duval	.35
Rancho Salo Extension, Duval	.35
Randado, Jim Hogg	.35
Rhodes, Cochran	.35
Ricaby, Starr	.35

(41) Texas—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Richards, Cochran	$0.35
Richland, Navarro	.25
Rio Grande, Starr	.35
Riddle, Bastrop	.20
Robinson, Duval	.35
Roselyn, Harris	.35
Rotan, Fisher	.20
Royston, Fisher	.20
Sadler, Grayson	.35
Salt Flat, Caldwell	.40
Sam Fordyce, Hildalgo	.25
Sandhills, West, Crane	.20
Sandia, Jim Wells	.35
Sam Fordyce, North, Starr	.20
Saratoga, Hardin	.35
Sarnosa, Duval	.20
Scranton, Callahan	.25
Scarborough, Winkler	.20
Sharon Ridge, Mitchell and Scurry	.25
Shearer, Pecos	.20
Snyder, Howard	.25
Somerset, Bexar and Atascosa	.35
South Bosque, McLennan	.35
South Liberty, Liberty	.20
Southton, Bexar	.35
Spiller, Guadalupe	.35
Spindletop, Jefferson	.20
St. Charles, Aransas	.25
Taborg, Pecos	.25
Taylor Ina, Medina	.35
Tehuacana, Limestone	.20
Telferner, Victoria	.25
Thrall, Williamson	.35
Trent, Taylor	.35
Triplet, Jones	.25
Tuleta, Bee	.35
Tulsita, Bee	.35
Van Shallow, Van Zandt	.35
Victoria, Victoria	.20
Vincent, Howard	.20
Van Ormy, Bexar	.35
Walnut Creek, Caldwell	.35
Ward, South, Ward	.35
Waskom, Harrison	.35
Webb Ray, Upton	.35
West Andrews, Andrews & Ector	.35
Westbrook, Mitchell	.20
White Creek, Live Oak	.25
Wortham Shallow, Freestone	.35
Yoast, Bastrop	.35
Zaboroski, Guadalupe	.35
(42) Utah.	
(43) Vermont.	
(44) Virginia.	
(45) Washington.	
(46) West Virginia.	
All pools producing Pennsylvania grade crude in the State of West Virginia	.75
(47) Wisconsin.	
(48) Wyoming.	
Pool and county:	
Big Muddy, Converse	.20
Dewey, Weston	.35
G. P. Lease, Carbon	.35
Grass Creek, Hot Springs	.20
Hidden Dome, Washakie	.35
Horse Creek, Laramie	.35
Iron Creek, Natrona	.35
Kirby Creek, Hot Springs	.35
Osage, Weston	.35
Poison Spider, Natrona	.25
Rex Lake, Albany	.25
Simpson Ridge, Carbon	.35
Spring Valley, Vinta	.35
Teapot, outside Naval Reserve, Natrona	.35
W. Mule Creek, Niobrara	.35
W. Warm Springs, Hot Springs	.25

[Schedule A, Amdt. 1]

Effective August 1, 1944, Schedule A is hereby amended by adding the pools or areas listed below in Part I hereof; by revising to the amounts listed below in Part II hereof the maximum amounts per barrel which Defense Supplies Corporation will pay as compensation under Regulation No. 7 for crude produced in certain pools or areas; and by deleting from said Schedule A the pools or areas listed below in Part III hereof.

PART I

(Pools or areas to be added to Schedule A)

	Amount of increase (dollars per 42-gal. barrel)
Arkansas:	
Irma Pool, Nevada County	$0.20
California:	
Bardsdale (all pools excepting Elkins Area), Santa Paul-Newhall District, Coastal Area	.25
Belridge South, Middle Belridge Area (Shallow), San Joaquin Valley	.25
Capitan (Sespe), Santa Barbara District, Coastal Area	.25
Chico Martinez, Kern County	.20
Edna, San Luis Obispo, Coastal Area	.35
Ex-Mission, Santa Paula, Santa Paula-Newhall District, Coastal Area	.35
Kern River (All Pools), San Joaquin Valley	.35
Los Angeles, Los Angeles District, Los Angeles Basin	.35
McVan, Poso Creek District, San Joaquin Valley	.25
Modelo, Piru, Santa Paula-Newhall District, Coastal Area	.35
Newhall (Newhall), Santa Paula-Newhall District, Coastal Area	.35
Puente Hills, Los Angeles Basin	.35
Pyramid Hills, San Joaquin Valley	.20
Santa Barbara (Vaqueros), Santa Barbara District, Coastal Area	.25
Sargent, Santa Clara, Coastal Area	.35
Sespe Canyon, Santa Paula-Newhall District, Coastal Area	.20
Shiells Canyon (All Pools), Santa Paula-Newhall District, Coastal Area	.20
Simi-Conejo-Oxnard (Simi), Santa Paula-Newhall District, Coastal Area	.35
Sisar-Silverthread, Santa Paula, Santa Paula-Newhall District, Coastal Area	.35
Summerland (All Pools), Santa Barbara District, Coastal Area	.20
Sunset, Mt. Poso District, San Joaquin Valley	.25
Tapo-Eureka, Piru, Santa Paula-Newhall District, Coastal Area	.35
Temblor Ranch, McKittrick District, San Joaquin Valley	.35
Timber Canyon, Santa Paula, Santa Paula-Newhall District, Coastal Area	.35
Torrance Area (Flint), Torrance-Hermosa, Los Angeles Basin	.25
Torrey Canyon, Piru, Santa Paula-Newhall District, Coastal Area	.35
Wasco (Shale), San Joaquin Valley	.35
Wheeler Ridge (All Pools), San Joaquin Valley	.20
Whittier (Central Area), Los Angeles Basin	.25
Whittier (Rideout-Heights Area), Los Angeles Basin	.20
Wiley-Towsley Canyon, Newhall, Santa Paula-Newhall District, Coastal Area	.35
Illinois:	
Maud Pool, Wabash County	.25
Noble South Pool, Richland County	.20
Indiana:	
Alford Pool, Pike County	.35
Barrett Mitchell Pool, Gibson County	.35
Bowman Pool, Pike County	.35
Dodd's Bridge (Old Shallow) Pool, Sullivan County	.35
Monroe City Pool, Knox County	.35
Oatesville Pool, Pike County	.35
Oakland City Pool, Pike County	.35
Princeton East Pool, Gibson County	.35
Santa Claus Pool, Spencer County	.35
Sullivan Pool, Sullivan County	.35
Indiana—Con.	*Amount of increase (dollars per 42-gal. barrel)*
Tri-County Pool, Gibson and Pike Counties	$0.35
Union Pool, Pike County	.35
Varner Pool, Spencer County	.35
Vernon Heights Pool, Vanderburgh County	.25
West Princeton Pool, Gibson County	.35
Kansas:	
All Pools, Bourbon County	.35
Alyeo Pool, Lyon County	.35
Climax Pool, Greenwood County	.35
Frankhauser Pool, Lyon and Greenwood Counties	.35
Lost Springs East Pool, Marion County	.25
New Albany Pool, Elk County	.35
Quincy Pool, Greenwood County	.35
Wintershied Pool, Coffey and Woodson Counties	.35
Louisiana:	
Georgetown Pool, Grant County	.20
Haynesville (Buck Range or Blossom Sand) Pool, Claiborne County	.20
Lisbon (Pettit) Pool, Claiborne and Lincoln Counties	.20
Tullos-Urania Pool, La Salle and Winn Counties	.20
Michigan:	
Huron Pool, Wayne County	.35
Marne Pool, Ottawa County	.35
Mill Lake Pool, Van Buren County	.35
North Buckeye Pool, Gladwin County	.25
South Adams Pool, Arenac County	.35
Montana:	
Elk Basin-Frontier Sand (Light Oil) Pool, Carbon County	.35
New Mexico:	
Hardy Pool, Lea County	.20
Penrose Pool, Pawnee County	.20
Oklahoma:	
Boston Northeast Pool, Osage County	.35
Bowden Pool, Creek County	.35
Canfield Pool, Pawnee County	.35
Cole Pool, Payne County	.35
Huffman Pool, Pottawatomie County	.35
Lookout Pool, Osage County	.35
Penn Creek Pool, Osage County	.35
Piggott Pool, Osage County	.25
Wilson Pool, Pawnee County	.25
Wood Pool, Creek County	.25
Texas:	
Sour Lake Pool, Hardin County	.20
South Seven Sisters Pool, Duval County	.35
Wyoming:	
Elk Basin-Frontier Sand (Light Oil) Pool, Park County	.35
Salt Creek (1st Wall Creek) Pool, Natrona County	.35
Salt Creek (Morrison) Pool, Natrona County	.25
Salt Creek (Shale) Pool, Natrona County	.35
West Salt Creek (Shale) Pool, Natrona County	.35

PART II

(Revised maximum amounts of compensation provided for in Schedule A)

	Amount of increase (dollars per 42-gal. barrel)
Illinois:	
Dundas Consolidated Pool, Richland and Jasper Counties	$0.20
Inman Pool, Gallatin County	.20
Kentucky:	
Barnett Creek Pool, Ohio County	.20
Sebree Pool, Webster County	.20
Louisiana:	
Caddo (Pine Island) Pool, Caddo Parish	.35
Michigan:	
New Salem Pool, Allegan County	.25
Montana:	
Reagan Nose Pool, Glacier County	.35

	Amount of increase (dollars per 42-gal. barrel)
Oklahoma:	
Fox (Shallow) Pool, Carter County	$0.25
Hewitt Pool, Carter County	.35
Texas:	
Manila Pool, Jim Hogg County	.35
Wyoming:	
Grass Creek, Frontier Sand, Light Oil Pool, Hot Springs County	.25

PART III

(Pools or areas to be deleted from Schedule A)

Kentucky:
Cairo Pool, Henderson County.
Chapman Pool, Union County.
Clay Pool, Webster County.
Coryden Pool, Henderson County.
Geneva Pool, Henderson County.
Greenbriar Pool, Henderson County.
North Livermore Pool, McLean County.
Panther Pool, Henderson County.
Raleigh Pool, Union County.
Spring Grove Pool, Union County.
Oklahoma:
Fox (all pools excepting shallow) Pool, Carter County.
Milroy (all pools excepting shallow) Pool, Stephens County.
Velma (all pools excepting shallow) Pool, Stephens County.
Texas:
Bowers Pool, Montague County.
Burns Ragland Strawn Pool, Young County.
Dews Pool, Young County.
Edmonds Pool, Young County.
Gayle Pool, Coleman County.
Ivy Pool, Shackelford County.
Rogers-McCrary Pool, Wilbarger County.
Sewell Pool, Young County.
Stroud Deep Pool, Stephens County.
Wyoming:
Grass Creek Frontier-Lower Sand-Heavy Oil Pool, Hot Springs County.

[Schedule A, Amdt. 2]

Effective October 1, 1944, except as indicated otherwise, Schedule A is hereby amended by adding the pools or areas listed below in Part I hereof; by revising to the amounts listed below in Part II hereof the maximum amounts per barrel which Defense Supplies Corporation will pay as compensation under Regulation No. 7 for Crude produced in certain pools or areas; and by deleting from said Schedule A the pools or areas listed below in Part III hereof.

PART I

(Pools or areas to be added to Schedule A)

	Amount of increase (dollars per 42-gal. barrel)
Arkansas:	
El Dorado East (old) Pool, Union County	$0.35
Grimes (Woodley) Pool, Union County	.35
Hillsboro (Modisette) Pool, Union County	.20
Stephens-Old (Nacatoch and Buckrange) Pool, Columbia, Nevada and Ouachita Counties	.35
Indiana:	
Francisco Pool, Gibson County	.35
Ridge Pool, Posey County	.35
West Knox Pool, Knox County	.35
Kansas:	
All Pools in Crawford County	.35
Brown Pool, Cowley County	.25
Hollow-Nikkel Pool, Harvey County	.20
Hubbard Pool, Greenwood County	.35
Inge Pool, Elk and Chautauqua Counties	.35
Kruse Pool, Rooks County	.25
Louisiana:	
Cententon (0-1300') Pool, St. Mary Parish	.20
Michigan:	
Geneva Pool, Van Buren County	$0.35
Oklahoma:	
Billings (Shallow) Pool, Noble County	.35
Billings (Silicious Lime) Pool, Noble County	.20
Cement (Fortuna) Pool, Caddo County	.35
Earlsboro West Pool, Pottawatomie County	.25
Edgewood South Pool, Osage County	.35
Fish (Booch) Pool, Seminole County	.35
Fitts (Cromwell, Gilcrease, Hunton Lime and Upper Simpson series) Pool, Pontotoc County (Effective Sept. 1, 1944)	.20
Henryetta Northeast Pool, Okmulgee County	.35
Jackson Pool, Seminole County	.20
Me-Gra-To-Mole Pool, Osage County	.35
Paden Pool, Okfuskee County	.35
Pettiquah Pool, Okfuskee and Lincoln Counties	.35
Platter Pool, Osage County	.35
Reed Pool, Garfield County	.25
Rosanna Pool, Seminole County	.20
Sams (Oswego) Pool, Noble County	.35
Sams (Pennsylvania) Pool, Noble County	.35
Southwest Romulus Pool, Pottawatomie County	.20
Traugh Pool, Seminole County	.20
Texas:	
Powell Pool, Navarro County	.20
West Virginia:	
All pools except those producing Pennsylvania Grade Crude Oil	.35
Wyoming:	
North La Barge Unit Area, Sublette County	.35

PART II

(Revised maximum amounts of compensation provided for in Schedule A)

	Amount of increase (dollars per 42-gal. barrel)
Illinois:	
Dundas Consolidated Pool, Richland and Jasper Counties	$0.25
Elkville Pool, Jackson County	.35
Indiana:	
Rockport Pool, Spencer County	.35
Louisiana:	
Converse Pool, Sabine Parish	.55
Michigan:	
Pine River Pool, Gratiot County	.35
Oklahoma:	
Asher, West Pool, Pottawatomie County	.25
Penn Creek Pool, Osage County	.35

PART III

(Pools or areas to be deleted from Schedule A)

Arkansas:
El Dorado, East Pool, Union County.
Stephens Pool, Columbia, Nevada and Ouachita Counties.
California:
Pyramid Hills, San Joaquin Valley.
Louisiana:
Bisteneau Pool, Bienville and Bossier Parishes.
Driscoll Pool, Bienville Parish.
Logansport-Joaquin Pool, De Soto Parish.
Sibley Pool, Webster Parish.
Simsboro Pool, Lincoln Parish.
Texas:
Bateman Ranch Pool, King County (Effective Sept. 1, 1944).
Clara Couch Pool, Crockett County.
Scaling Pool, Clay County.

[Schedule A, Amdt. 3]

Effective November 1, 1944, Schedule A is hereby amended by adding the pools or areas listed below in Part I hereof; by revising to the amounts listed below in Part II hereof the maximum amounts per barrel which Defense Supplies Corporation will pay as compensation under Regulation No. 7 for crude produced in certain pools or areas; and by deleting from said Schedule A the pools or areas listed below in Part III hereof.

PART I

(Pools or areas to be added to Schedule A)

	Amount of increase (dollars per 42-gal. barrel)
Illinois:	
Raymond Pool, Montgomery County	$0.35
Waggoner Pool, Montgomery County	.35
Indiana:	
Prairie Pool, Posey County	.25
Kansas:	
All Pools, Elk (East Half) County	.35
Baldwin Pool, Douglass County	.35
Bird Pool, Barton County	.20
Cross Pool, Sedgwick County	.20
De Moss Pool, Butler County	.35
Iuka-Arbuckle Pool, Pratt County	.35
Kuske Pool, Sedgwick County	.35
Ponce Pool, Rice County	.25
Soeken Pool, Rice County	.35
New Mexico:	
Leo Pool, Eddy County	.25
Oklahoma:	
Breene Pool, Osage County	.35
Candy Creek South Pool, Osage County	.35
Cromwell (Gilcrease) Pool, Seminole County	.25
Kasishke South Pool, Osage County	.35
Long Pool, Hughes County	.25
March (Layton-Skinner) Pool, Payne County	.35
Mobbs Pool, Wagoner County	.35
Price Pool, Pawnee County	.35
Tull Pool, Creek County	.35
Wewoka (Hunton Lime) Pool, Seminole County	.35
Wyoming:	
Greybull Pool, Big Horn County	.35
Pilot Butte (Upper Light Oil) Pool, Fremont County	.35
Salt Creek (First, Second and Third Wall Creek, Shale) Pool, Natrona County	.20

PART II

(Revised Maximum amounts of compensation provided for in Schedule "A")

	Amount of increase (dollars per 42-gal. barrel)
Oklahoma:	
Piggot Pool, Osage County	$0.35
Texas:	
Blackwell Pool, Coke County	.25

PART III

(Pools or areas to be deleted from Schedule A)

Wyoming:
Salt Creek (1st. Wall Creek) Pool, Natrona County.[1]
Salt Creek (Shale) Pool, Natrona County.[1]

SCHEDULE A

[Revised Oct. 1, 1944]

NOTE: Amendment 6 to Office of Price Administration Revised Maximum Price Regulation 436 was made effective October 1, 1944. Section 12 of this Amendment 6 is hereby designated as Schedule A (Revised October 1, 1944) of Stripper Well Compensatory Adjustments Regulation No. 7 of Defense Supplies Corporation and supersedes, effective Oct. 1, 1944, the former Schedule A and Amendments Nos. 1 and 2. In con-

[1] Included under Part I with second and third Wall Creek Sands, all Sands being entitled to price increase of 20¢ per barrel.

	Amount of increase (dollars per 42-gal. barrel)
Oklahoma:	
Fox (Shallow) Pool, Carter County	$0.25
Hewitt Pool, Carter County	.35
Texas:	
Manila Pool, Jim Hogg County	.35
Wyoming:	
Grass Creek, Frontier Sand, Light Oil Pool, Hot Springs County	.25

PART III

(Pools or areas to be deleted from Schedule A)

Kentucky:
Cairo Pool, Henderson County.
Chapman Pool, Union County.
Clay Pool, Webster County.
Coryden Pool, Henderson County.
Geneva Pool, Henderson County.
Greenbriar Pool, Henderson County.
North Livermore Pool, McLean County.
Panther Pool, Henderson County.
Raleigh Pool, Union County.
Spring Grove Pool, Union County.
Oklahoma:
Fox (all pools excepting shallow) Pool, Carter County.
Milroy (all pools excepting shallow) Pool, Stephens County.
Velma (all pools excepting shallow) Pool, Stephens County.
Texas:
Bowers Pool, Montague County.
Burns Ragland Strawn Pool, Young County.
Dews Pool, Young County.
Edmonds Pool, Young County.
Gayle Pool, Coleman County.
Ivy Pool, Shackelford County.
Rogers-McCrary Pool, Wilbarger County.
Sewell Pool, Young County.
Stroud Deep Pool, Stephens County.
Wyoming:
Grass Creek Frontier-Lower Sand-Heavy Oil Pool, Hot Springs County.

[Schedule A, Amdt. 2]

Effective October 1, 1944, except as indicated otherwise, Schedule A is hereby amended by adding the pools or areas listed below in Part I hereof; by revising to the amounts listed below in Part II hereof the maximum amounts per barrel which Defense Supplies Corporation will pay as compensation under Regulation No. 7 for Crude produced in certain pools or areas; and by deleting from said Schedule A the pools or areas listed below in Part III hereof.

PART I

(Pools or areas to be added to Schedule A)

	Amount of increase (dollars per 42-gal. barrel)
Arkansas:	
El Dorado East (old) Pool, Union County	$0.35
Grimes (Woodley) Pool, Union County	.35
Hillsboro (Madison) Pool, Union County	.35
Michigan:	
Geneva Pool, Van Buren County	.35
Oklahoma:	
Billings (Shallow) Pool, Noble County	.35
Billings (Siliceous Lime) Pool, Noble County	.20
Cement (Fortuna) Pool, Caddo County	.35
Earlsboro West Pool, Pottawatomie County	.25
Edgewood South Pool, Osage County	.35
Fish (Booch) Pool, Seminole County	.35
Fitts (Cromwell, Gilcrease, Hunton Lime and Upper Simpson series) Pool, Pontotoc County (Effective Sept. 1, 1944)	.20
Henryetta Northeast Pool, Okmulgee County	.35
Jackson Pool, Seminole County	.20
Me-Gra-To-Mole Pool, Osage County	.35
Paden Pool, Okfuskee County	.35
Pettiquah Pool, Okfuskee and Lincoln Counties	.35
Platter Pool, Osage County	.35
Reed Pool, Garfield County	.25
Rosanna Pool, Seminole County	.20
Sams (Oswego) Pool, Noble County	.35
Sims (Pennsylvania) Pool, Noble County	.35
Southwest Romulus Pool, Pottawatomie County	.20
Traugh Pool, Seminole County	.20
Texas:	
Powell Pool, Navarro County	.20
West Virginia:	
All pools except those producing Pennsylvania Grade Crude Oil	.35
Wyoming:	
North La Barge Unit Area, Sublette County	.35

PART II

(Revised maximum amounts of compensation provided for in Schedule A)

	Amount of increase (dollars per 42-gal. barrel)
Illinois:	
Dundas Consolidated Pool, Richland and Jasper Counties	$0.25
Elkville Pool, Jackson County	.35
Indiana:	
Rockport Pool, Spencer County	.35
Louisiana:	
Converse Pool, Sabine Parish	.55
Michigan:	
Pine River Pool, Gratiot County	.35
Oklahoma:	
Asher, West Pool, Pottawatomie County	.25
Penn Creek Pool, Osage County	.35

PART III

(Pools or areas to be deleted from Schedule A)

Arkansas:
El Dorado, East Pool, Union County.

listed below in Part I hereof; by revising to the amounts listed below in Part II hereof the maximum amounts per barrel which Defense Supplies Corporation will pay as compensation under Regulation No. 7 for crude produced in certain pools or areas; and by deleting from said Schedule A the pools or areas listed below in Part III hereof.

PART I

(Pools or areas to be added to Schedule A)

	Amount of increase (dollars per 42-gal. barrel)
Illinois:	
Raymond Pool, Montgomery County	$0.35
Waggoner Pool, Montgomery County	.35
Indiana:	
Prairie Pool, Posey County	.25
Kansas:	
All Pools, Elk (East Half) County	.35
Baldwin Pool, Douglass County	.35
Bird Pool, Barton County	.20
Cross Pool, Sedgwick County	.20
De Moss Pool, Butler County	.35
Iuka-Arbuckle Pool, Pratt County	.35
Kuske Pool, Sedgwick County	.35
Ponce Pool, Rice County	.25
Soeken Pool, Rice County	.35
New Mexico:	
Leo Pool, Eddy County	.25
Oklahoma:	
Breene Pool, Osage County	.35
Candy Creek South Pool, Osage County	.35
Cromwell (Gilcrease) Pool, Seminole County	.25
Kasishke South Pool, Osage County	.35
Long Pool, Hughes County	.25
March (Layton-Skinner) Pool, Payne County	.35
Mobbs Pool, Wagoner County	.35
Price Pool, Pawnee County	.35
Tull Pool, Creek County	.35
Wewoka (Hunton Lime) Pool, Seminole County	.35
Wyoming:	
Greybull Pool, Big Horn County	.35
Pilot Butte (Upper Light Oil) Pool, Fremont County	.35
Salt Creek (First, Second and Third Wall Creek, Shale) Pool, Natrona County	.20

PART II

(Revised Maximum amounts of compensation provided for in Schedule "A")

	Amount of increase (dollars per 42-gal. barrel)
Oklahoma:	
Piggot Pool, Osage County	$0.35
Texas:	
Blackwell Pool, Coke County	.25

PART III

(Pools or areas to be deleted from Schedule A)

Wyoming:
Salt Creek (1st, Wall Creek) Pool, Natrona

nection with this Amendment 6 the following corrections should be observed:

1. Indiana:
   (a) Amount of price increase for St. Francisville Pool, Knox County should be $0.35 instead of $0.25.
   (b) Amount of price increase for St. Francisville East Pool, Knox County should be $0.20 instead of $0.35.
2. Kansas:
   (a) New Albany Pool should be shown as being in Elk instead of Wilson County.
   (b) Van Hoy Pool, Coffey County should be Van Noy Pool.
3. Michigan:
   (a) Mt. Pleasant and Extension Pool, Isabella County should be Mt. Pleasant and East Extension Pool.
4. Oklahoma:
   (a) Collinsville Pool, Tulsa County should be Collinsville Pool.
   (b) Hoffman Pool, Pottawatomie County should be Huffman Pool.
   (c) Amount of price increase for Milroy (Shallow) Pool, Stephens and Carter Counties should be $0.35 instead of $0.25.
5. Texas:
   (a) Galley Pool, Winkler County should be Halley Pool.
   (b) Richards Pool should be shown as being in Pecos instead of Cochran County.

SCHEDULE A (REVISED)

	Amount of increase (dollars per 42-gallon barrel)
(1) Alabama.	
(2) Arizona.	
(3) Arkansas. Pool and county:	
El Dorado East-old, Union	$0.35
El Dorado South, Union	.35
Grimes (Woodley), Union	.35
Hillsboro (Modisette), Union	.20
Irma, Nevada	.20
Lewisville, Lafayette	.20
Lisbon, Union	.35
Nick Springs-Cotton Valley, Union	.35
Smackover, Ouachita, Union	.20
Stephens-old (Nacatoch and Buckrange), Columbia, Nevada, Ouachita	.35
(4) California: Pool and county:	
Bardsdale (All pools excepting Elkins Area), Santa Paula-Newhall District, Coastal Area	.25
Belridge South, Middle Belridge Area, (Shallow) San Joaquin Valley	.25
Capitan (Sespe), Santa Barbara District, Coastal Area	.25
Chico Martinez, Kern	.20
Edna, San Luis Obispo, Coastal Area	.35
Ex-Mission, Santa Paula, Santa Paula-Newhall District, Coastal Area	.35
Kern River (all pools), San Joaquin Valley	.35
Los Angeles, Los Angeles District, Los Angeles Basin	.35
McVan, Poso Creek District, San Joaquin Valley	.25
Modelo, Piru, Santa Paula-Newhall District, Coastal Area	.35
Newhall (Newhall), Santa Paula-Newhall District, Coastal Area	.35
Puente Hills, Los Angeles Basin	.35
Santa Barbara (Vaqueros), Santa Barbara District, Coastal Area	.25
Sargent, Santa Clara, Coastal Area	.35
Sespe Canyon, Santa Paula-Newhall District, Coastal Area	.20
Shiells Canyon (All Pools), Santa Paula-Newhall District, Coastal Area	.20
Simi-Conejo-Oxnard (Simi), Santa Paula-Newhall District, Coastal Area	.35
Sisar-Silverthread, Santa Paula, Santa Paula-Newhall District, Coastal Area	.35
(4) California—Con.	
Summerland (All Pools), Santa Barbara District, Coastal Area	$0.20
Sunset, Mt. Poso District, San Joaquin Valley	.25
Tapo-Eureka, Piru, Santa Paula-Newhall District, Coastal Area	.35
Temblor Ranch, McKittrick District, San Joaquin Valley	.35
Timber Canyon, Santa Paula, Santa Paula-Newhall District, Coastal Area	.35
Torrance Area (Flint), Torrance-Hermosa, Los Angeles Basin	.25
Torrey Canyon, Piru, Santa Paula-Newhall District, Coastal Area	.35
Wasco (Shale), San Joaquin Valley	.35
Wheeler Ridge (All Pools), San Joaquin Valley	.20
Whittier (Central Area), Los Angeles Basin	.25
Whittier (Rideout-Heights Area), Los Angeles Basin	.20
Wiley-Towsley Canyon, Newhall, Santa Paula-Newhall District, Coastal Area	.35
(5) Colorado: Pool and county:	
Berthoud, Larimar	.20
Boulder, Boulder	.35
Florence (Includes Canon City Area), Freemont	.35
Orchard-Greaswood, Weld	.25
(6) Connecticut.	
(7) Delaware.	
(8) Florida.	
(9) Georgia.	
(10) Idaho.	
(11) Illinois: Pool and county:	
Barnhill, Wayne	.35
Bartelso, Clinton	.25
Bartelso-South, Clinton	.25
Beaver Creek, Bond	.20
Beman, Lawrence	.35
Browns-South, Edwards	.35
Burnt Prairie, White	.20
Carlyle, Clinton	.35
Centralia, Clinton, Marion	.25
Cisne, Wayne	.25
Colmar-Plymouth, McDencugh-Hancock	.35
Cordes, Washington	.25
Cowling, Edwards	.35
Cravat, Jefferson	.25
Dahlgren, Hamilton	.35
Du Bois, Washington	.35
Du Bois, West, Washington	.25
Dundas Consolidated, Richland and Jasper	.25
Dupo, St. Clair	.35
Eldorado, Saline	.35
Elkville, Jackson	.35
Gillespie Wyen, Macoupin	.35
Hoffman, Clinton	.35
Ingraham, Clay	.35
Inman, Gallatin	.20
Johnsonville-South, Wayne	.35
Junction, Gallatin	.35
Keensburg Consolidated, Wabash	.20
Lakewood, Shelby	.20
Lancaster, Wabash and Lawrence	.25
Leech, Wayne	.20
Litchfield, Montgomery	.35
Mason, Effingham	.35
Maud, Wabash	.25
Mt. Carmel-West, Wabash	.25
Mt. Erie-North, Wayne	.25
Noble South, Richland	.20
Pateka, Marion	.20
St. Francisville, E., Lawrence	.20
Sainte Marie, Jasper	.20
Sesser, Franklin	.25
Southeastern Field, Lawrence, Clark, Crawford, Wabash, Coles, Edgar and Cumberland	.35
Stewardson, Shelby	.20
Storms, White	.20
Thompsonville, Franklin	.35
Toliver, Clay	.35
Wamac, Marion, Clinton and Washington	.35
(11) Illinois—Con.	
Waterloo, Monroe	$0.25
Whittington-West, Franklin	.35
Woburn, Bond	.35
Xenia, Clay	.20
(12) Indiana: Pool and county:	
Alford, Pike	.25
Barrett Mitchell, Gibson	.25
Bristow-old, Perry	.35
Bufkin, Posey	.20
Cannelburg-old, Daviess	.25
Caborn West, Posey	.20
Columbia, Gibson	.25
Dodd's Bridge (Old Shallow), Sullivan	.25
Enterprise, Spencer	.20
Evansville Area-old, Posey and Vanderburgh	.35
Francisco, Gibson	.25
Francisco, E. & W., Gibson	.25
Grandview, Spencer	.35
Hatfield, Spencer	.20
Heuzler, Posey	.20
Hovery Lake, Posey	.20
Johnson, Gibson	.35
Kirksville, Gibson	.20
Monroe City, Knox	.35
Mt. Carmel, Gibson	.20
Oakland City, Pike	.35
Oatsville, Pike	.35
Petersburg-old, Pike	.35
Princeton East, Gibson	.35
Princeton West, Gibson	.35
Ridge, Posey	.35
Rockport, Spencer	.35
St. Francisville, Knox	.25
St. Francisville, E., Knox	.35
Santa Claus, Spencer	.35
St. Thomas, Knox	.35
Shelburn-old, Sullivan	.35
Siost, Sullivan and Vigo	.20
Somerville, Gibson and Pike	.35
Sullivan, Sullivan	.35
Trenton Pool (Old), Jay, Blackford, Grant, Huntington, Wells, Adams, Wabash, Delaware, Madison	.35
Tri-County, Gibson and Pike	.35
Troy-old, Spencer	.25
Union-Bowman, Pike and Gibson	.25
Varner, Spencer	.25
Veale-old, Daviess	.35
Vernon Heights, Vanderburgh	.25
Washington-old, Daviess	.35
West Knox, Knox	.35
Wheeling, Gibson	.35
(13) Iowa.	
(14) Kansas: Pool and county:	
All pools, Allen	.35
All pools, Anderson	.35
All pools, Bourbon	.25
All pools, Chautauqua	.25
All pools, Crawford	.35
All pools, Franklin	.35
All pools, Labette	.25
All pools, Linn	.35
All pools, Miami	.25
All pools, Montgomery	.35
All pools, Neosho	.25
All pools, Wilson	.25
All pools, Woodson	.25
Abbyville, Reno	.25
Atyeo, Lyon	.25
Augusta, Butler	.25
Augusta, North, Butler	.25
Baird, Cowley	.20
Baird, East, Cowley	.20
Bausinger, Butler	.35
Benton, Butler	.25
Biddle, Cowley	.35
Blackwell, Greenwood	.35
Blankenship, Butler, Greenwood	.25
Bredfelt, West, Rice	.20
Brinegar, Greenwood	.35
Brown, Cowley	.25
Browning, Greenwood	.35
Bunden, Cowley	.35
Bush-Denton, Elk (West Half)	.35
Chandler, Sumner	.25
Chindberg, McPherson	.25

	Amount of increase (dollars per 42-gallon barrel)
(14) Kansas—Con.	
Christy, Greenwood	$0.35
Churchill, Sumner	.25
Clark, Cowley	.20
Clever, Cowley	.25
Climax, Greenwood	.35
Collyer, Elk (West Half)	.25
Countrymen, Cowley	.35
Covert-Sellers, Marion	.25
David, Cowley	.20
David, South, Cowley	.35
Demalorie-Sowder, Greenwood	.25
Dory, Elk (West Half)	.35
Douglas, Butler	.35
Dunaway, Greenwood & Coffey	.35
Dunkelberger, Elk (West Half)	.35
Eastborough, Sedgwick	.20
Eastman, Cowley	.35
Eckel, Butler	.20
Elchman, Russell	.35
El Dorado, Butler	.35
Eureka, Greenwood	.35
Fairfield, Russell	.25
Fall City, Cowley	.35
Halstead, Harvey	.20
Fankhauser, Lyon & Greenwood	.35
Ferguson, East, Elk (West Half)	.20
Ferguson, West, Cowley	.35
Florence, Marion	.35
Fox, Bush, Butler	.35
Garden, Butler	.35
Gelwick, Butler	.20
Gettysburg, Graham	.25
Graber, McPherson	.20
Graham, Cowley	.20
Grand Summit, Cowley	.35
Geuda Springs, Cowley	.25
Haller, Ellis	.25
Halstead, Harvey	.20
Hamilton, Greenwood	.35
Haverhill, Butler	.25
Heiken, Ellsworth	.35
Hinchman, Greenwood	.35
Hollis, Greenwood	.35
Hollow-Nikkel, Harvey	.20
Hubbard, Greenwood	.35
Hower, Cowley	.25
Inge, Elk, and Chautauqua	.35
Jackson, Greenwood	.35
Keighley, Butler	.35
Keller, Greenwood	.35
Kramer-Stern, Butler	.35
Kriley, Rooks	.25
Kruse, Rooks	.25
Lamont, Greenwood	.35
Leon, Butler	.35
Lerado, Reno	.35
Lost Springs, East, Marion	.25
Lost Springs, West, Marion	.25
Lyons, Rice	.35
Madison, Greenwood	.35
Mahoney, Russell	.35
McCullough, Butler	.25
McPherson, McPherson	.25
Mills, Elk (West Half)	.35
Mohannah, Cowley	.35
Mohl, Russell	.20
Moline, Elk (West Half)	.35
Morrison, Clark	.35
Murphy, Cowley	.25
New Albany, Wilson	.35
Olsen, Cowley	.35
Otter Creek, Cowley	.35
Padgett, Sumner	.20
Peabody, Marion	.25
Penokee, Graham	.20
Pierce, Butler	.35
Pixlee, Greenwood	.35
Polhamus, Greenwood	.35
Porter, Elk (West Half)	.35
Potwin, Butler	.25
Potwin, South, Butler	.20
Quincy, Greenwood	.35
Rainbow Bend, Cowley	.25
Reece, Greenwood	.35
Reynolds-Schaffer, Butler	.20
Robbins, Sedgwick	.35
Rock, Cowley	.35
Rock, North, Cowley	.35
(14) Kansas—Con.	
Ruder, Ellis	$0.20
Sallyards, Greenwood	.35
Scott, Greenwood	.35
Seeley-wick, Greenwood	.35
Severy, Elk, Greenwood	.35
Seward, Butler	.35
Slick-Carson, Cowley	.25
Smith, Cowley	.35
Smock-Sluss, Butler	.35
State, Cowley	.35
Steinhoff, Butler	.25
Teter, Greenwood Chase	.35
Teichgraber, Greenwood	.35
Thrall-Agard, Greenwood	.35
Thurlow, Cowley	.35
Trees, Cowley	.25
Turner, Cowley	.25
Udall, Cowley	.25
Van Hoy, Coffey	.35
Virgil, Greenwood	.35
Virgil, North, Greenwood, Coffey and Woodson	.35
Walker, Elk (West Half)	.35
Weathered, Cowley	.20
Weaver, Butler	.35
Webb, Elk (West Half)	.35
Welch, North, Rice	.25
Wellington, Sumner	.25
Wherry, Rice	.20
Wiggins, Greenwood	.35
Wilkerson, Greenwood	.35
Willard, Greenwood	.35
Winfield, Cowley	.35
Wintershied, Coffey and Woodson	.35
Yoder, Reno	.35
Young, Butler	.25
Zurich, Rooks	.20
(15) Kentucky: Pool and county:	
Barnett Creek, Ohio	.20
Hebbardsville, Henderson	.25
Sebree, Webster	.20
Zion, Henderson	.25
All other pools in the State of Kentucky except Cairo, Coryden, Geneva, Gilmore, Greenbrier, Panther, Poole, Reed, Robards, Smith Mills and Spottsville Pools, Henderson County; Livermore and North Livermore Pools, McLean County; Chapman, Hitesville, Morganfield, Raleigh, Spring Cove, St. Vincent, Uniontown, Utley and Wathen Pools, Union County; Clay East Poole and Pratt Pools, Webster County	.35
(16) Louisiana: Pool and parish:	
Bayou Bouillion, St. Martin	.35
Bellevue, Bossier	.35
Belle Isle, St. Mary	.25
Branch, Acadia	.35
Caddo (Pine Island Area) Caddo	.35
Carterville, Bossier-Webster	.35
Charenton (0-1300 ft.) St. Mary	.20
Converse, Sabine	.35
Delta Duck Club, Plaquemines	.35
Edgerly, Calcasieu	.20
Elm Grove, Bossier	.20
Georgetown, Grant	.20
Haynesville (Buck Range or Blossom) Claiborne	.20
Homer, Claiborne	.20
Lake End, Red River	.35
Lake Hermitage, Plaquemines	.35
Lisbon (Pettit) Claiborne, Lincoln	.20
Manifest, Catahoula	.25
Oakland, Union	.35
Perkins, Cameron	.35
Pleasant Hill, De Sota-Sabine	.35
Tullos-Urania, La Salle and Winn	.20
Welsh, Jefferson Davis	.35
(17) Maine.	
(18) Maryland.	
(19) Massachusetts.	
(20) Michigan: Pool and county:	
Beaverton, Gladwin	.35
Bentley, Gladwin	.25
Birch Run, Saginaw	.35
Bloomingdale, Van Buren	.35
(20) Michigan—Con.	
Casco, Allegan	$0.35
Clare City, Clare	.35
Columbia, Van Buren	.35
Crystal, Montcalm	.25
Dalton, Muskegon	.35
Deerfield, Monroe	.25
Diamond Springs, Allegan	.35
Door, Allegan	.35
Edenville, Midland	.35
Edmore, Montcalm	.35
Freeman, Clare	.20
Geneva, Van Buren	.35
Grout, Gladwin	.35
Hope, Barry	.25
Hopkins, Allegan	.35
Hopkins West, Allegan	.35
Huron, Wayne	.35
Lakefield, Saginaw	.35
Leaton, Isabella	.25
Marne, Ottawa	.35
Mill Lake, Van Buren	.35
Monterey, Allegan	.35
Mt Pleasant and Ext., Isabella	.35
Muskegon, Muskegon	.35
Muskrat Lake, Van Buren	.35
New Salem, Allegan	.25
North Buckeye, Gladwin	.25
Overisel, Allegan	.35
Otisville, Genessee	.20
Pine River, Gratiot	.35
Porter, Midland	.20
Saginaw, Saginaw	.35
Salem, Allegan	.35
Sauble, Lake	.20
Sherman, Isabella	.35
South Adams, Arenac	.35
South Akron, Tuscola	.35
South Buckeye, Gladwin	.35
South Tallmadge, Ottawa	.35
Trowbridge, Allegan	.35
Vernon, Isabella	.25
Walker, Kent	.35
West Branch, Ogemaw	.35
Winfield, Montcalm	.35
Wise, Isabella	.20
Wyoming Park, Kent	.35
Yost-Jasper, Midland	.20
(21) Minnesota.	
(22) Mississippi.	
(23) Missouri: All pools in the State of Missouri except Tarkio Pool, Atchison County	.35
(24) Montana: Pool and county:	
Border, Toole	.35
Cat Creek, Petroleum	.35
Elk Basin-Frontier Sand (Light Oil), Carbon	.35
Kevin Sunburst, Toole	.35
Pondera, Teton & Pondera	.35
Reagan Nose, Glacier	.35
Sweet Grass Hills Area, Toole & Liberty	.35
(25) Nebraska: Pool and county:	
Barada, Richardson	.20
(26) Nevada.	
(27) New Hampshire.	
(28) New Jersey.	
(29) New Mexico: Pool and county:	
Anderson, Eddy	.20
Artesia	.35
Aztec, San Juan	.35
Dayton, Eddy	.20
Hardy, Lea	.20
High Lonesome, Eddy	.35
Penrose, Lea	.20
Rattlesnake, San Juan	.35
Red Lakes, Eddy	.25
Turkey Track, Eddy	.25
(30) New York: All pools producing Pennsylvania grade crude in the State of New York	.75
(31) North Carolina.	
(32) North Dakota.	
(33) Ohio: All pools producing Pennsylvania grade crude in the State of Ohio	.75
All other pools in the State of Ohio	.35

	Amount of increase (dollars per 42-gallon barrel)
(34) Oklahoma: Pool and county:	
All pools, Craig	$0.35
All pools, Nowata	.35
All pools, Rogers	.35
All pools, Washington	.35
Ada, East Pontotoc	.35
Alabama, Hughes	.35
Allen (Shallow), Pontotoc	.35
Almeda, Osage	.35
Alsuma, Tulsa	.35
Altus, Jackson	.35
Arno, Creek	.20
Asher West, Pottawatomie	.25
Avant, Osage	.35
Avant West, Osage	.35
Avery, Lincoln	.25
Aztec, Okmulgee and Okfuskee	.35
Backius, Osage	.35
Bald Hill, Okmulgee	.35
Baltimore North, Okfuskee and Okmulgee	.35
Bandwheel, Osage	.35
Barker, Osage	.25
Barnes, Garfield	.35
Barnsdall, Osage	.35
Barnsdall, South, Osage	.35
Barnsdall, West, Osage	.35
Bartlesville, Osage and Washington	.35
Bebee East, Pontotoc	.35
Beggs North, Okmulgee	.35
Beggs South, Okmulgee	.35
Beldleman, Okfuskee	.35
Bethel, Seminole	.35
Bethel, Northeast, Seminole	.35
Big Horse, Osage	.35
Bilby, Wagoner	.35
Billings (Shallow), Noble	.35
Billings (Silicous Lime) Noble	.20
Bird Creek, Tulsa and Osage	.35
Birch Creek, Osage	.35
Bixby, Tulsa	.35
Blackwell, Kay	.20
Boston, Osage	.20
Boston North, Osage	.35
Boston Northeast, Osage	.35
Bowden, Creek & Tulsa	.35
Bowring, Osage	.35
Boyle, Muskogee	.35
Boynton, Muskogee	.35
Braman, Kay	.25
Branstetter, Osage	.35
Brinton, Okmulgee	.35
Bristow, Creek	.25
Bristow North, Creek	.35
Bristow West, Creek	.35
Britton, Oklahoma	.20
Brock, Carter	.35
Broken Arrow, Tulsa and Wagoner	.35
Brown, Garfield	.35
Broyles, Payne	.25
Bruce, Creek	.35
Bruce East, Creek	.35
Bruner-Vern, Tulsa	.35
Buell, Osage	.35
Bulldog, Osage	.35
Burbank (Osage), Osage	.35
Burbank (Kay), Osage	.20
Butler, Muskogee and Okmulgee	.35
Candy Creek, Osage, Washington	.35
Canfield, Pawnee	.35
Carey, Okfuskee	.25
Castle, South, Okfuskee	.35
Cement (Fortuna), Caddo	.35
Clarita, Coal	.35
Clearview, Okfuskee	.35
Cleveland, Pawnee	.35
Coalton, Okmulgee and McIntosh	.35
Cole, Muskogee	.35
Cole, Payne	.35
Collinsville, Tulsa	.35
Comanche, Stephens	.35
Conservation, Pontotoc	.35
Corine, Wagoner	.35
Council, Muskogee	.35
Country Club, Osage	.35
Coweta, Wagoner	.35
Cruce, Stephens	.35

(34) Oklahoma—Con.	Amount of increase (dollars per 42-gal. barrel)
Cushing Creek and Payne	$0.35
Dalton, Osage	.35
Davenport, Lincoln	.35
Davenport, North, Lincoln	.35
Dawson, Tulsa	.35
Deaner, Okfuskee	.35
Deep Fork, Creek	.35
Deer Creek, Grant	.25
Dewey, Osage and Washington	.35
Dilworth, Kay	.20
Domes, Osage	.35
Donnelly, Creek	.20
Dora, Seminole	.25
Duncan, North, Stephens	.35
Duncan, West, Stephens	.35
Earlsboro, West, Pottawatomie	.25
Ed Cox, Carter	.35
Edgewood, Osage	.35
Edgewood, South, Osage	.35
Edna, Creek	.20
Edna, East, Okmulgee	.35
Elgin, South, Osage	.35
Empire, Stephens	.25
Enfisco, Osage	.35
Enos, Marshall	.35
Eram, Okmulgee	.35
Fairfax, Osage	.35
Falls Dome, Osage	.35
Fields, Okfuskee	.35
Fish (Booch) Seminole	.35
Fisher, Tulsa	.35
Fitts (Gilcrease, Cromwell, Hunton Lime, Upper Simpson Series) Pontotoc	.20
Fitts, North, Pontotoc	.35
Fitts, South, Pontotoc	.25
Flat Rock, Osage	.35
Flesher, Osage	.35
Foraker, Osage	.20
Forty-five, Osage and Washington	.35
Fox, (Shallow) Carter	.25
Francis West, Pontotoc	.35
Frederick, Tillman	.35
Garber, Garfield	.35
Garber, North, Garfield	.20
George, Wagoner	.35
Gessman, Lincoln	.20
Gillette, Wagoner	.35
Gilliland, Osage	.35
Glenn Creek and Tulsa	.35
Goble, Wagoner	.35
Graham, Carter	.35
Gregory, Okfuskee	.35
Gypsy Hill, Okfuskee and Okmulgee	.35
Gypsy Hill, Northwest, Okmulgee	.35
Hallett, Pawnee	.35
Hamilton Switch, Okmulgee	.35
Hanbury, Comanche	.35
Happy Hollow, Osage	.35
Haskell, Muskogee and Okmulgee	.35
Hector, Okmulgee	.35
Henryetta, Okmulgee	.35
Henryetta, Northeast, Okmulgee	.35
Healdton, Carter and Jefferson	.35
Hewitt, Carter	.35
Hickory Creek, Osage	.35
Hickory Creek South, Osage	.35
Hickory Grove, Creek	.25
Hobart, Kiowa	.25
Hoffman, McIntosh and Okmulgee	.35
Holdenville West, Hughes	.35
Hominy, Osage	.35
Hominy East, Osage	.35
Hominy Falls, Osage	.35
Hominy South, Osage	.35
Hoffman, Pottawatomie	.35
Independent, Creek, Tulsa, and Okmulgee	.35
Ingalls, Northeast, Payne	.25
Iron Post, Creek	.35
Isom Springs, Marshall	.35
Jackson, Seminole	.20
Jenks, Tulsa	.35
Jennings, Pawnee and Creek	.35
Josey, Okfuskee	.20
Kasishke, Osage	.35
Kaw, Osage	.20
Kellyville, Creek	.35

(34) Oklahoma—Con.	Amount of increase (dollars per 42-gal. barrel)
Keystone, Pawnee, Tulsa and Creek	$0.35
Kingston, Marshall	.35
Konawa, Seminole	.20
Konawa East, Seminole	.25
Konawa South, Seminole and Pottawatomie	.25
Knox, Grady and Stephens	.35
Langston South, Logan	.20
Lauderdale, Pawnee	.35
Lawton, Comanche	.35
Lee Dome, Osage	.35
Leonard, Tulsa and Wagoner	.35
Limcreek, Lincoln and Creek	.35
Link, Muskogee	.35
Little River East, Seminole	.20
Loco, Stephens	.35
Lookout, Osage	.35
Lovell, Logan	.20
Lyons-Quinn, Okfuskee and Okmulgee	.25
Madalene, Osage	.35
Madalene East, Osage	.35
Madill, Marshall	.35
Manion, Osage	.35
Manion North, Osage	.35
Mannford, Creek and Pawnee	.35
Maramec, Pawnee	.35
Markham, Payne	.35
Marshall, Logan	.20
Masham, Pawnee	.35
Maud, Pottawatomie	.20
Me-Gra-To-Moie, Osage	.35
Mehan, Payne	.35
Mercer, Creek	.25
Meridian, Logan	.20
Milroy, (Shallow) Stephens and Carter	.25
Montezuma, Okmulgee	.35
Morgan, Okfuskee	.25
Morris, Okmulgee and McIntosh	.35
Mounds, Creek, Okmulgee and Tulsa	.35
Muskogee, Muskogee	.35
Natura, Okmulgee	.35
Nuyaka South, Okmulgee	.35
Nuyaka Southwest, Okmulgee	.35
New England, Osage	.35
Nicoma Park, Oklahoma	.20
Norfolk, Payne	.35
Norfolk West, Payne	.20
Oakman, Pontotoc	.35
Ochelata North, Osage and Washington	.35
Okemah, Okfuskee	.35
Okemah West, Okfuskee	.35
Okesa, Osage	.35
Okfuskee, Okfuskee	.35
Oklahoma Central, Okmulgee and Creek	.35
Okmulgee, Okmulgee	.35
Olean, Creek	.35
Olive, Creek	.35
Olympic, Okfuskee and Hughes	.35
Oneta, Wagoner	.35
Osage City, Osage	.35
Osage City East, Osage	.35
Osage-Hominy, Osage	.35
Oscar, Jefferson	.25
Overbrook, Love	.20
Owasso, Tulsa	.35
Paden, Okfuskee	.35
Page, Osage and Tulsa	.35
Papoose, Hughes and Okfuskee	.20
Pawhuska, Osage	.35
Pawhuska West, Osage	.35
Penn Creek, Osage	.35
Pershing, Osage	.35
Pettit, Osage	.35
Pettiquah, Okfuskee and Lincoln	.35
Phillipsville, Okmulgee	.35
Pickett-Prairie, Creek	.35
Piggot, Osage	.35
Pine, Okmulgee	.35
Pioneer, Osage	.35
Platter, Osage	.35
Pollyanna, Okmulgee	.35
Ponca City, Kay	.25
Pond Creek, Osage	.35
Poor Farm, Creek	.35

(34) Oklahoma—Con.	Amount of increase (dollars per 42-gal. barrel)
Prue, Osage	$0.35
Quapaw, Osage	.35
Ramola, Stephens	.35
Ramona, Osage and Washington	.25
Red Bank, Creek	.20
Red Fork, Tulsa	.35
Red River Bed, Tillman	.35
Reed, Garfield	.25
Ripley, Payne	.20
Robberson, Garvin	.35
Romulus Southwest, Pottawatomie	.20
Rossanna, Seminole	.20
Sac and Fox, Lincoln	.35
Sacred Heart, Pottawatomie	.35
Sams (Oswego) Noble	.35
Sams (Pennsylvanian) Noble	.35
Sancho, Seminole	.25
Sand Springs, Tulsa	.35
Sapulpa, Creek	.35
Sapulpa South, Creek	.35
Sasakwa East, Seminole and Hughes	.25
Schulter, Okmulgee	.35
Searight East, Seminole	.35
Seay, Jefferson	.35
Seltzer, Wagoner	.35
Seminole East, Seminole	.20
Sheldon, Okfuskee	.35
Sheppard, Muskogee	.35
Sholem-Alechem, Carter and Stephens	.25
Simmons-Black, Okmulgee	.35
Skedee, Pawnee	.35
Skellyville, Lincoln	.35
Skinlock, Osage and Tulsa	.35
Slick, Creek	.20
Spaulding, Hughes	.20
Spaulding, Southeast, Hughes	.35
Spencer, Okmulgee, Tulsa and Wagoner	.35
Stillwater, Payne	.25
St. Louis East, Pottawatomie	.25
Stone Bluff, Wagoner and Tulsa	.35
Stroud East, Creek	.25
Summers, Okmulgee	.35
Sunset, Osage	.35
Swan, Seminole	.25
Tatums, Carter	.20
Tecumseh East, Pottawatomie	.25
Terlton, Pawnee and Creek	.35
Terlton North, Pawnee	.35
Tibbens, Creek	.35
Tidal-Osage, Osage	.35
Tipton, Jackson	.25
Tonkawa, Kay and Noble	.20
Transcontinental, Muskogee	.35
Traugh, Seminole	.20
Turkey Mountain, Tulsa	.35
Turley, Tulsa and Osage	.35
Tuskegee, Creek	.35
Velma (Shallow) Stephens	.35
Walker, Creek	.25
Walker West, Creek	.35
Walters, Cotton and Stephens	.35
Webster, Wagoner	.35
Weleetka, Okfuskee	.25
Weleetka South, Okfuskee	.35
Wetley, Seminole	.35
Wetumka, Hughes	.20
Wetumka South, Hughes	.35
Wheeler, Carter	.35
Wiley, Tulsa	.35
Wilcox, Creek and Okmulgee	.20
Wildhorse, Osage	.35
Wildhorse North, Osage	.35
Wildhorse South, Osage	.35
Wilson, Pawnee	.25
Wood, Creek	.25
Woolaroc, Osage	.35
Woolsey, Stephens	.35
Wynona, Osage	.35
Yeager North, Hughes	.20
Youngstown, Okmulgee	.35
(35) Oregon.	
(36) Pennsylvania: Pool and county:	
All pools producing Pennsylvania grade crude oil in the State of Pennsylvania	.75
All other pools in the State of Pennsylvania	.35

(37) Rhode Island. (38) South Carolina. (39) South Dakota.	Amount of increase (dollars per 42-gal. barrel)
(40) Tennessee: All pools in the State of Tennessee	$0.35
(41) Texas: Pool and county:	
All pools in Archer County	.35
Excepting: Burns Ickert, Cooper, Hull Silk Sikes, Hull Silk Sikes Caddo, Kadane, Kadane Shallow, Mankins, Scotland, Scotland Mississippi Lime, Vogtsberger.	
All pools in Baylor County	.35
Excepting: Rendham, Seymour.	
All pools in Brown County	.35
All pools in Callahan County	.25
Excepting: Scranton.	
All pools in Clay County	.35
Excepting: Antelope, Antelope Mississippi Lime, Burns Browning, Burns Midway, Halsell, Hapgood, Joy Mississippi Lime, New York City Mississippi Lime, Ross, Scaling, Stephens, Watson, Wynn.	
All pools in Coleman County	.35
Excepting: Anzac-Morris, Coker, Gayle, Goldsboro, Jim Ned, Novice, Novice North, Overall, Silver Valley.	
All pools in Comanche County	.35
All pools in Cooke County	.35
Excepting: Bindle, Bindle Ellenberger, Dangle, Fleitman, Walnut Bend, Walnut Bend-Winger, Wilson.	
All pools in Eastland County	.25
Excepting: Carbon.	
All pools in Erath County	.35
All pools in Foard County	.25
Excepting: Johnson.	
All pools in Haskell County	.35
All pools in Jack County	.35
Excepting: Birdwell, East Bryson, Ellis, Hoefle, McDonald, Meyers, Peek, Weir, Wolfe, Worsham, Steed.	
All pools in Jones County	.35
Excepting: Akard; Appling; Avoca; Avoca, North; Avoca, West; Griffin; Grogan; Hardy; Noodle, South; Sayles; Stitch; Strand; Triplett; Wimberly.	
All pools in Montague County	.35
Excepting: Benson, Bonita, Bowers, Chapman, McFarlin, Clingingsmith, Dobson, Forestburg, Hildreth, Hults and Owens, Illinois Bend, Mueller, Mueller, Caddo, Ringold, Rogers and Rogers, Sanders, Stoneburg, Turner.	
All pools in Palo Pinto County	.35
All pools in Shackelford County	.35
Excepting: Nail, Roark-Nail, Ivy.	
All pools in Stephens County	.35
Excepting: Brownville, Donnell, Hill, Loving, Stroud Deep.	
All pools in Taylor County	.20
Excepting: Bowles, Lake Kirby, Markel, Reddin, Reddin Frazier, Trent.	
All pools in Throckmorton County	.35
Excepting: McKnight, Parratt.	
All pools in Wichita County	.35
Excepting: Airport, Davidson, K. M. A., K. M. A. Ellenberger, West.	
All pools in Wilbarger County	.35
Excepting: Consolidated, Electra-Ellenberger, Fargo, Harrold, Main, Potts-Ellenberger, Rock Crossing (Canyon), Rock Crossing (Ellenberger), Rogers-McCrary.	
All pools in Young County	.35
Excepting: Allar, Allar Caddo, Anzac-Graham, Briar Creek, Burns Larimore, Burns Ragland Mississippi Lime, Burns-Ragland Strawn, Daws, Edmonds, Garvey, Halbert Caddo, James, Kerlyn Loving, Knight, Knox; Knox, North (Caddo); Knox, Mississippi Lime; Lupton McLester, Murray, Murray Caddo, Padgett Mississippi Lime; Sewell, Williamson.	

(41) Texas—Continued	Amount of increase (dollars per 42-gal. barrel)
Adami, Webb	$0.35
Agua Prieta, Duval	.35
Angleton, Brazoria	.35
Appling, Jones	.25
Aviators, Webb	.35
Bateman, Bastrop	.20
Bee Creek, Caldwell	.35
Bennett, (W. S. Rotan), Fisher	.20
Bird Island, Kleberg	.25
Blackwell, Coke	.20
Bolivar, Denton	.35
Bolt, Kimble	.35
Bowles, Taylor	.35
Brenham, Austin	.35
Bruni, Webb	.35
Bruni East, Webb	.35
Buchanan, Caldwell	.35
Burdette, Wells, Caldwell	.35
Burnell South, Karnes	.20
Caesar, Bee	.35
Camada, Jim Wells	.35
Callihan, McMullen	.35
Carbon, Eastland	.35
Cedar Creek, Bastrop	.35
Chapman Abbott, Williamson	.35
Charamousca, South, Duval	.20
Charco Redona, Zapata	.35
Chicon Lake, Medina	.35
Chiltipin, Duval	.35
Clark, Guadalupe	.25
Cole West, Webb	.25
Collinsville, Grayson	.35
Colmena, Duval	.20
Comitas, Zapata	.35
Corsicana Shallow, Navarro	.35
Cowden, Crane, Crane	.35
Crockett, Crockett	.25
Cuellar, Zapata	.35
Currie, Navarro	.25
Dale, Caldwell	.35
Dale West, Caldwell	.35
Damon Mound, Brazoria	.25
Deep Rock, Andrews	.25
Deupree, Bexar	.35
Diamond Half, Goliad	.25
Dobbs, Ward	.25
Dunlap, Guadalupe and Caldwell	.35
Eckert, Bexas	.35
Ellison Young, Caldwell	.35
El Tangue, Starr	.35
Emperor Deep, Winkle	.20
Escobas, Zapata	.35
Ezzell, Live Oak and McMullen	.25
Fairfield, Bexar	.35
Fleitmann, Cooke	.25
Fostoria, Montgomery	.25
Fromme, Pecos	.25
Frost, Starr	.35
Garza, Garza	.20
Gas Ridge, Bexar	.35
Ginter, Angelina	.35
Goldsmith, North, Ector	.20
Grosbeck, Limestone	.25
Halley, Winkler	.20
Holbein, Jim Hogg	.20
Huntington, Angelina	.35
Humble, Harris	.25
Hurdle, Upton	.35
Jacob, McMullen	.35
James, Young	.20
Kermit, Winkler	.35
Killam, Webb	.35
Killam, North, Webb	.35
Knight, Young	.25
Knox, Young	.20
Kohler, Duval	.35
Lake Kirby, Taylor	.35
La Reforma, Starr	.25
Las Animas, Jim Hogg	.25
La Vernia, Guadalupe	.35
Lehn, Pecos	.35
Lentz, Bastrop	.20
Live Oak, Crockett	.35
Loma Novia, Duval	.20
Loma Vista, Duval	.35
Lopez, Webb and Duval	.20
Los Olmos, Starr	.35
Lost Lake, Chambers	.35
Luby Deep, Nueces	.20

	Amount of increase (dollars per 42-gal. barrel)
(41) Texas—Continued.	
Luling Branyon, Guadalupe and Caldwell	$0.25
Lykes, Webb	.35
Lytton Springs, Caldwell	.35
Manila, Jim Hogg	.35
Marion Co. Shallow, Marion	.35
Masterson, Pecos	.35
Matthews, Williamson	.35
McMillian, Runnels	.35
Mexia, Limestone	.20
Minerva Rockdale, Milan	.35
Mirando City, Webb	.35
Mirando Valley, Zapata	.35
Moore, Howard	.25
Munson, McMullen	.35
Mykawa, Harris	.25
Netterville, Pecos	.35
Noack, Williamson	.35
Normanna, Bee	.35
O'Connor McFaddin, Refugio	.20
Oilton, Webb	.35
Old Batson, Hardin	.35
Orange, Orange	.20
Overall, Coleman	.20
Panola Co. (Bethany), Panola	.35
Payton, Pecos & Ward	.25
Pecos Valley L. G., Pecos	.35
Pecos Valley H. G., Pecos and Ward	.20
Peters, Duval	.25
Plummer, Bee	.35
Potter, Marion	.35
Pottsboro, Grayson	.25
Potts-Ellenberger, Willbarger	.20
Powell, Navarro	.25
Piemont, Jim Wells	.35
Pruett, Ward	.35
Rancho Salo, Duval	.35
Rancho Salo Extension, Duval	.35
Randado, Jim Hogg	.35
Rhodes, Cochran	.35
Ricaby, Starr	.35
Richards, Cochran	.35
Richland, Navarro	.35
Rio Grande, Starr	.35
Riddle, Bastrop	.20
Robinson, Duval	.35
Roselyn, Harris	.35
Rotan, Fisher	.20
Royston, Fisher	.20
Sadler, Grayson	.35
Salt Flat, Caldwell	.20
Sam Fordyce, Hidalgo	.25
Sandhills, West, Crane	.20
Sandia, Jim Wells	.35
Sam Fordyce North, Starr	.20
Saratoga, Hardin	.35
Sarnosa, Duval	.20
Scranton, Callahan	.25
Searborough, Winkler	.20
Sharon Ridge, Mitchell and Scurry	.25
Shearer, Pecos	.20
Snyder, Howard	.25
Somerset, Bexar and Atascosa	.35
Sour Lake, Hardin	.20
South Bosque, McLennan	.35
South Liberty, Liberty	.20
South Seven Sisters, Duval	.35
Southton, Bexar	.35
Spiller, Guadalupe	.35
Spindletop, Jefferson	.20
St. Charles, Aransas	.25
Teborg, Pecos	.25
Taylor Ina, Medina	.35
Tehuacana, Limestone	.20
Telferner, Victoria	.25
Thrall, Williamson	.35
Trent, Taylor	.35
Triplet, Jones	.25
Tuleta, Bee	.35
Tulsita, Bee	.35
Walnut Creek, Caldwell	.35
War, South, Ward	.35
Waskom, Harrison	.35
Webb Ray, Upton	.35
West Andrews, Andrews and Ector	.35
Westbrook, Mitchell	.20
White Creek, Live Oak	.25

	Amount of increase (dollars per 42-gallon barrel)
(41) Texas—Con.	
Wortham Shallow, Freestone	$0.35
Van Shallow, Van Zandt	.35
Victoria, Victoria	.20
Vincent, Howard	.20
Von Ormy, Bexar	.35
Yoast, Bastrop	.35
Zaboroski, Guadalupe	.35
(42) Utah.	
(43) Vermont.	
(44) Virginia.	
(45) Washington.	
(46) West Virginia:	
All pools producing Pennsylvania grade crude oil in the State of West Virginia	.75
All pools in West Virginia, Except those producing Pennsylvania grade crude oil.	.35
(47) Wisconsin.	
(48) Wyoming: Pool and county:	
Big Muddy, Converse	.20
Dewey, Weston	.35
Elk Basin-Frontier Sand (Light Oil), Park	.35
G. P. Lease, Carbon	.35
Grass Creek, Frontier Sand (Light Oil), Hot Springs	.25
Hidden Dome, Washakie	.35
Horse Creek, Laramie	.35
Iron Creek, Natrona	.35

	Amount of increase (dollars per 42-gallon barrel)
(48) Wyoming—Con.	
Kirby Creek, Hot Springs	$0.35
North La Barge, Sublette	.35
Osage, Weston	.35
Poison Spider, Natrona	.25
Rex Lake, Albany	.25
Salt Creek (1st Wall Creek), Natrona	.25
Salt Creek (Morrison), Natrona	.25
Salt Creek (Shale), Natrona	.35
Simpson Ridge, Carbon	.35
Spring Valley, Vinta	.35
Teapot, outside Naval Reserve, Natrona	.25
W. Mule Creek, Niobrara	.35
West Salt Creek, (Shale), Natrona	.35
West Warm Springs, Hot Springs	.25

[Schedule A, Revised Oct. 1, 1944, Amdt. 1]

Effective October 1, November 1 and December 1, 1944, and January 1, 1945, as indicated herein, Schedule A (Revised October 1, 1944) is hereby amended by adding the pools or areas listed below in Part I hereof; by revising to the amounts listed below in Part II hereof the maximum amounts per barrel which Defense Supplies Corporation will pay as compensation under Regulation No. 7 for Crude produced in certain pools or areas; and by deleting from said Schedule A (Revised October 1, 1944) the pools or areas listed below in Part III hereof.

PART I

(Pools or areas to be added to Schedule A [Revised October 1, 1944])

	Amount of increase (dollars per 42-gal. barrel)	*Effective date*
Arkansas:		
Urbana (Nacatoch) Pool, Union County	$0.25	Jan. 1, 1945
California:		
Belridge North (Shallow) Pool, San Joaquin Valley	.20	Dec. 1, 1944
Coalinga-Oil City Pool, San Joaquin Valley	.20	Dec. 1, 1944
Devil's Den Pool, San Joaquin Valley	.35	Dec. 1, 1944
Elwood (Monterey) Pool, Santa Barbara County	.20	Dec. 1, 1944
Kendon Pool, Kern County	.25	Dec. 1, 1944
Moody Gulch Pool, Santa Clara County	.35	Dec. 1, 1944
Newport Pool, Los Angeles Basin	.25	Dec. 1, 1944
Illinois:		
Cisne North Pool, Wayne County	.35	Dec. 1, 1944
Raymond Pool, Montgomery County	.35	Nov. 1, 1944
Tamaroa Pool, Perry County	.35	Dec. 1, 1944
Waggoner Pool, Montgomery County	.35	Nov. 1, 1944
Indiana:		
Prairie Pool, Posey County	.25	Nov. 1, 1944
Kansas:		
All Pools, Elk (East Half) County	.35	Nov. 1, 1944
Baldwin Pool, Douglas County	.35	Nov. 1, 1944
Bird Pool, Barton County	.20	Nov. 1, 1944
Cross Pool, Sedgwick County	.20	Nov. 1, 1944
De Moss Pool, Butler County	.35	Nov. 1, 1944
Iuka-Arbuckle Pool, Pratt County	.35	Nov. 1, 1944
Kuske Pool, Sedgwick County	.35	Nov. 1, 1944
Ponce Pool, Rice County	.25	Nov. 1, 1944
Rettig Pool, Elk County	.35	Dec. 1, 1944
Soeken Pool, Rice County	.35	Nov. 1, 1944
Kentucky:		
Cairo Pool, Henderson County	.35	Dec. 1, 1944
Clay Pool, Webster County	.20	Jan. 1, 1945
Michigan:		
Chase Pool, Lake County	.25	Dec. 1, 1944
Montana:		
Conrad-Midway Pool, Pondera County	.25	Dec. 1, 1944
New Mexico:		
Getty Pool, Eddy County	.14	Jan. 1, 1945
Leo Pool, Eddy County	.25	Nov. 1, 1944
Skelly Pool, Lea County	.20	Dec. 1, 1944
Oklahoma:		
Ball Pool, Payne County	.35	Jan. 1, 1945
Breene Pool, Osage County	.35	Nov. 1, 1944
Candy Creek South Pool, Osage County	.35	Nov. 1, 1944
Cement (Fortuna & Permian) Pool, Caddo County	.35	Dec. 1, 1944
Cement West (Noble-Oleson) Pool, Caddo County	.25	Jan. 1, 1945
Cromwell (Gilcrease) Pool, Seminole County	.25	Nov. 1, 1944

PART I—continued

(Pools or areas to be added to Schedule A)

	Amount of increase (dollars per 42-gal. barrel)	*Effective date*
Oklahoma—Continued.		
Gray (Calvin) Pool, Pottawatomie County	.20	Jan. 1, 1945
Hensley Pool, Okfuskee County	.25	Dec. 1, 1944
Hillsdale Pool, Garfield County	.35	Jan. 1, 1945
Kaslshke South Pool, Osage County	.35	Nov. 1, 1944
Long Pool, Hughes County	.25	Nov. 1, 1944
March (Layton-Skinner) Pool, Payne County	.35	Nov. 1, 1944
Mobbs Pool, Wagoner County	.35	Nov. 1, 1944
Mervin South Pool, Kay County	.35	Dec. 1, 1944
Nelagoney Pool, Osage County	.25	Jan. 1, 1945
Price Pool, Pawnee County	.35	Nov. 1, 1944
Seminole Northeast Pool, Seminole County	.25	Jan. 1, 1945
Simmons Pool, Muskogee County	.35	Dec. 1, 1944
St. Louis North Pool, Pottawatomie County	.25	Jan. 1, 1945
Tyrola Pool, Seminole County	.20	Jan. 1, 1945
Tyrola East Pool, Seminole County	.25	Jan. 1, 1945
Tull Pool, Creek County	.35	Nov. 1, 1944
Wewoka (Hunton Lime) Pool, Seminole County	.35	Nov. 1, 1944
Whitetail Pool, Osage County	.35	Oct. 1, 1944
Yahola Pool, Muskogee County	.35	Dec. 1, 1944
Texas:		
Aspermont Pool, Stonewall County	.25	Dec. 1, 1944
Bob Rose Pool, Caldwell County	.35	Dec. 1, 1944
Clabberhill Pool, Andrews County	.12	Jan. 1, 1945
Grayson Pool, Reagan County	.13	Jan. 1, 1945
Kimbro Pool, Travis County	.35	Jan. 1, 1945
Sharon Ridge (1700' Zone) Pool, Scurry and Mitchell Counties	.35	Dec. 1, 1944
Sharon Ridge (2400' Zone) Pool, Scurry and Mitchell Counties	.25	Dec. 1, 1944
Virginia:		
Lee County Pool, Lee County	.75	Dec. 1, 1944
Wyoming:		
Greybull Pool, Big Horn County	.35	Nov. 1, 1944
Mule Creek East Pool, Niobrara County	.20	Dec. 1, 1944
Pilot Butte (Upper Light Oil) Pool, Fremont County	.35	Nov. 1, 1944
Salt Creek (First, Second and Third Wall Creek, Shale) Pool, Natrona County.	.20	Nov. 1, 1944

PART II

(Revised maximum amounts of compensation provided for in Schedule A [Revised October 1, 1944])

	Amount of increase (dollars per 42-gal. barrel)	*Effective date*
Kentucky:		
Barnett Creek Pool, Ohio County	$0.35	Dec. 1, 1944
Oklahoma:		
Piggot Pool, Osage County	.35	Nov. 1, 1944
Texas:		
Blackwell Pool, Coke County	.25	Nov. 1, 1944
Emperor (Deep) Pool, Winkler County	.25	Jan. 1, 1945

PART III

(Pools or areas to be deleted from Schedule A [Revised October 1, 1944])

	Effective date
California:	
Shiells Canyon (Deep Zone), Santa Paula-Newhall District	Dec. 1, 1944
Kansas:	
Lost Springs West Pool, Marion County	Dec. 1, 1944
Texas:	
Pursley Pool, Jack County	Dec. 1, 1944
Wyoming:	
Salt Creek (1st Wall Creek) Pool, Natrona County [1]	Nov. 1, 1944
Salt Creek (Shale) Pool, Natrona County [2]	Nov. 1, 1944

[1] Included under Part I with Second and Third Wall Creek Sands, all Sands being entitled to a price increase of 20¢ per barrel.

[Schedule A, Revised Oct. 1, 1944, Amdt. 2]

Effective February 1, 1945, Schedule A (Revised October 1, 1944) is hereby amended by adding the pools or areas listed below in Part I hereof; by revising to the amounts listed below in Part II hereof the maximum amounts per Barrel which Defense Supplies Corporation will pay as compensation under Regulation No. 7 for Crude produced in certain pools or areas; and by deleting from said Schedule A (Revised October 1, 1944) the pools or areas listed below in Part III hereof.

PART I

(Pools or areas to be added to Schedule A [Revised October 1, 1944])

	Amount of increase (dollars per 42-gal. barrel)
Arkansas:	
Troy (Nacatoch and Tokio) Pool, Nevada County	$0.35
California:	
Shiells Canyon, all pools except Deep Zone), Santa Paula-Newhall District, Coastal Area	.20
Illinois:	
Brown Pool, Marion County	$0.20
Concord East Pool, White County	.35
Cooks Mills Pool, Coles County	.35
Indiana:	
Hazelton-Mt. Olympus-Union-Bowman Pool, Pike and Gibson Counties	.35
Kansas:	
Laton Pool, Brooks County	.20
Louisiana:	
Jennings (Evangeline) (0-3750') Pool, Acadia Parish	.25
Nebraska:	
Falls City Pool, Richardson County	.18
New Mexico:	
Artesia Pool, Eddy County	.35
Oklahoma:	
Airport Pool, Tulsa County	.35
Beland Pool, Muskogee County	.35
Dill Pool, Okfuskee County	.20
Jolly Patton Pool, Muskogee County	.35
Kidd Pool, Seminole County	.35
McLish Pool, Carter County	.35
Muskogee North Pool, Muskogee County	.35
Naval Reserve Pool, Osage County	.20
Oklahoma City (Arbuckle Lime) Pool, Oklahoma County	.35
Robinson Pool, Muskogee County	.35
Twin Creek Pool, Osage County	.35
Wagoner Pool, Wagoner County	.35
Wagoner South Pool, Wagoner County	.35
Watkins Pool, Osage County	.20
Texas:	
Gayle Pool, Coleman County	.20
Goodrich Pool, Polk County	.35
Johnson Pool, Foard County	.35
White and Baker Pool, Pecos County	.03

PART II

(Revised maximum amounts of compensation provided for in Schedule "A" [Revised October 1, 1944])

	Amount of increase (dollars per 42-gallon barrel)
Kansas:	
Collyer Pool, Elk (West Half) County	$0.35
Haller Pool, Ellis County	.35
Oklahoma:	
Hensley Pool, Okfuskee County	.35
Loco Pool, Stephens County	.20
Seminole Northeast Pool, Seminole County	.20

PART III

(Pools or areas to be deleted from Schedule A [Revised October 1, 1944])

California:
Shiells Canyon (All Pools), Santa Paula-Newhall District, Coastal Area.[1]
Indiana:
Union-Bowman Pool, Pike and Gibson Counties.[1]
Louisiana:
Bell Isle Pool, St. Mary Parish.
Branch Pool, Acadia Parish.
New Mexico:
Artesia Pool.[1]

[1] See corrected listing of pool or area under Part I.

[F. R. Doc. 45-9598; Filed, June 2, 1945; 11:36 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 4, Amdt. 1]

PART 8304—DISPOSAL OF SURPLUS AERONAUTICAL PROPERTY TO EDUCATIONAL INSTITUTIONS FOR NON-FLIGHT USE

Surplus Property Board Regulation No. 4, May 4, 1945, entitled "Disposal of Sur-

plus Aeronautical Property to Educational Institutions for Non-Flight Use", (10 F. R. 5460) is hereby amended as follows:

1. Insert in Exhibit A thereto, in the listing of "Engines" after *"Radial Type"* under the appropriate columns, the following:

T-1020-Gulberson Diesel Aircraft Co-250-	$10
T-1400-Gulberson Diesel Aircraft Co-350-	10

2. Insert in Exhibit A thereto, in the listing of "Miscellaneous" in the proper alphabetical sequence of items under *"Accessories"*, the following items:

Compass assembly, pilot	$1
Generator assembly	3
Generator assembly, tachometer	1
Indicator assembly, gyro horizon (flight)	1
Solenoid, starter meshing	1

This amendment shall become effective June 1, 1945.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 1, 1945.

[F. R. Doc. 45-9702; Filed, June 5, 1945; 10:57 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 281]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF NAVY DEPARTMENT AS ANTIAIRCRAFT FIRING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Navy Department for aviation purposes:

SAN BERNARDINO MERIDIAN

T. 7 S., R. 12 E.,
Sec. 34, SE¼SE¼;
Sec. 35, NE¼SW¼, S½SW¼, and SE¼;
Sec. 36, S½NE¼ and S½.
T. 8 S., R. 12 E.,
Secs. 1 to 5, inclusive;
Sec. 6, E½E½;
Sec. 7, E½E½;
Secs. 8 to 16, inclusive;
Sec. 17, N½, NE¼SW¼, and SE¼;
Sec. 20, NE¼NE¼;
Sec. 21, N½, NE¼SW¼, and SE¼;
Secs. 22 to 25, inclusive;
Sec. 26, N½, N½SW¼, and SE¼;
Sec. 27, NE¼ and N½NW¼;
Sec. 35, lot 1;
Sec. 36, N½, NE¼SW¼, and SE¼.
T. 9 S., R. 12 E.,
Sec. 1, N½ and SE¼;
Sec. 12, NE¼NE¼.
T. 7 S., R. 13 E.,
Sec. 21, SE¼;
Sec. 22, NE¼ and S½;
Secs. 23 to 28, inclusive;
Sec. 29, NE¼NE¼, SE¼NE¼, and S½;
Secs. 31 to 36, inclusive.
T. 8 S., R. 13 E.
T. 9 S., R. 13 E.,
Secs. 1 to 6, inclusive;
Sec. 7, N½, NE¼SW¼, and SE¼;
Secs. 8 to 16, inclusive;
Sec. 17, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 18, NE¼;
Sec. 20, N½NE¼, SE¼NE¼, and NE¼NW¼;
Sec. 21, N½NE¼SW¼, and N½SE¼;
Sec. 22, N½, N½SW¼, and SE¼;
Secs. 23, 24, and 25;
Sec. 26, NE¼, N½NW¼, SE¼NW¼, and N½SE¼;
Sec. 36, NE¼, E½NW¼, N½SE¼, and SE¼SE¼.
T. 7 S., R. 14 E.,
Sec. 19;
Sec. 20, SW¼SW¼;
Sec. 25, SW¼ and S½SE¼;
Sec. 26, S½;
Sec. 27, S½;
Sec. 28, S½;
Secs. 29 to 36, inclusive.
Tps. 8 and 9 S., R. 14 E.
T. 10 S., R. 14 E.,
Secs. 1 to 4, inclusive;
Sec. 5, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 6, lots 3, 4, 5, 8, 9, 10, 11, 12, and NE¼SE¼;
Sec. 8, N½NE¼ and SE¼NE¼;
Sec. 9, N½, NE¼SW¼, and SE¼;
Secs. 10 to 14, inclusive;
Sec. 15, N½, E½SW¼ and SE¼;
Sec. 22, N½NE¼ and SE¼NE¼;
Sec. 23, N½, N½SW¼, and SE¼;
Sec. 24;
Sec. 25, N½, NE¼SW¼, and SE¼;
Sec. 36, NE¼NE¼.
T. 7 S., R. 15 E.,
Sec. 29, S½SW¼;
Sec. 30, lot 4, SE¼SW¼, and S½SE¼;
Secs. 31 and 32;
Sec. 33, SW¼NE¼, S½NW¼, and S½;
Sec. 34, NW¼SW¼ and S½SW¼.
T. 8 S., R. 15 E.,
Secs. 2 to 36, inclusive.
T. 9 S., R. 15 E.
T. 10 S., R. 15 E.,
Secs. 1 to 12, inclusive;
Sec. 13, N½NE¼, SW¼NE¼, NW¼, and N½SW¼;
Secs. 14 to 21, inclusive;
Sec. 22, N½ and SW¼;
Sec. 23, NW¼;
Sec. 28, NW¼;
Sec. 29, N½ and SW¼;
Sec. 30;
Sec. 31, lot 3 and NE¼NW¼.
T. 8 S., R. 16 E.,
Sec. 7;
Sec. 8, SW¼NE¼, S½NW¼, and S½, unsurveyed;
Sec. 9, SW¼ and S½SE¼, unsurveyed;
Sec. 14, SW¼SW¼, unsurveyed;
Sec. 15, NW¼NW¼, S½NW¼, SW¼, NW¼SE¼, and S½SE¼;
Secs. 16 to 22, inclusive;
Sec. 23, S½NE¼, NW¼, and S½;
Sec. 24, SW¼SW¼, unsurveyed;
Sec. 25, W½ and W½SE¼;
Secs. 26 to 36, inclusive.
T. 9 S., R. 16 E.,
Secs. 1 to 11, inclusive;
Sec. 12, NW¼;
Secs. 16 to 20, inclusive;
Sec. 21, W½W½;
Sec. 28, W½W½;
Secs. 29 to 32, inclusive.
T. 10 S., R. 16 E.,
Sec. 5, lots 3, 4, 5, 6, 11, 12, and SW¼;
Sec. 6;
Sec. 7, lots 1 to 16, inclusive, and NE¼;
Sec. 8, NW¼NW¼.
T. 8 S., R. 17 E.,
Sec. 31, lots 1 to 4, inclusive, SE¼NW¼, E½SW¼, and SE¼;
Sec. 32, SW¼.
T. 9 S., R. 17 E.,
Sec. 6, NW¼.

The areas described, including both public and non-public lands, aggregate approximately 218,864 acres.

This order shall be subject to the transmission line withdrawal of August 14, 1930 (Federal Power Commission Project No. 1109), and Executive order of January 24, 1914, creating Public Water Reserve No. 14, so far as such withdrawals affect any of the above-described lands.

This order is subject to the conditions that (1) no firing or movement of vehicles or troops, except for the necessary road crossing, shall be permitted within two miles of the Coachella Canal; (2) that the representatives of the Bureau of Reclamation shall have access to the entire area for the maintenance of its existing structures or for the construction of any additional storm water control features necessary to protect the works of the Bureau; and (3) there shall be no obstruction in the present storm water courses in the area which would interfere with the present natural flow.

This order shall take precedence over but not modify (1) the withdrawal for classification and other purposes by Executive Order No. 6910 of November 26, 1934, as amended, (2) the withdrawal by Executive Order No. 6361 of October 25, 1933, for classification and pending a determination as to the advisability of including certain lands in a national monument, and (3) the withdrawal orders made by the Secretary of the Interior for reclamation purposes of April 2 and 9, 1909, October 19, 1920, and June 4, 1930, so far as they affect the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior and any other department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 29, 1945.

[F. R. Doc. 45-9694; Filed, June 5, 1945; 9:35 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 13528]

PART 132—POWER BRAKES AND DRAW BARS (RAILROAD)

INVESTIGATION OF POWER BRAKES AND APPLIANCES FOR OPERATING POWER-BRAKE SYSTEMS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of May, A. D. 1945.

It appearing, that by order of February 20, 1922, the Commission instituted this proceeding upon its own motion, and made all carriers by railroad subject to the interstate commerce act respondents; that hearings were held; and that on July 18, 1924, the Commission made and filed a report containing is findings of fact and conclusions thereon, and held the proceeding open for the entry of an order.

It further appearing, that subsequently the Commission transferred this proceeding to Division 3, and that further hearings have been held therein.

And it further appearing, that a full investigation of the matters and things involved has been made and that said division, on the date hereof, has made and filed a report on further hearing containing its findings of fact and conclusions thereon, which said report and the report of July 18, 1924, are hereby referred to and made parts hereof: it is ordered, that:

§ 132.3 *Power brakes and appliances for operating power-brake systems.* (a) The specifications and requirement for power brakes and appliances for operating power-brake systems for freight service set forth in the appendix to the report on further hearing, of May 30, 1945,[1] are hereby adopted and prescribed.

(b) The respondents are hereby notified and required to install brakes and appliances in conformity with the said specifications and requirements on all of their cars used in freight service, except those equipped with passenger-car brakes, on or before a date or dates which will hereafter be prescribed.

(c) Each respondent is hereby notified and required to file with the Commission on or before August 28, 1945, a statement of its best estimate of the time when it can complete installation of brakes and appliances in conformity with the said specifications and requirements on its interchange and non-interchange cars used in freight service, except cars equipped with passenger-car brakes, together with supporting data as outlined in the said report on further hearing.

(d) This proceeding be held open for the prescription of the date or dates on or before which the installation of brakes and appliances herein required, shall be completed. (32 Stat. 943; 45 U. S. C. 8)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-9695; Filed, June 5, 1945; 10:13 a. m.]

[1] Filed as part of the original document.

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

COLUMBIA BASIN PROJECT, WASH.

FIRST FORM RECLAMATION WITHDRAWAL

APRIL 17, 1945.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388).

COLUMBIA BASIN PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 28 N., R. 30 E.,
Sec. 4, NW¼SW¼.
T. 11 N., R. 32 E.,
Sec. 6, Lot 4.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: May 21, 1945.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

MAY 23, 1945.

[F. R. Doc. 45-9692; Filed, June 5, 1945; 9:35 a. m.]

SUN RIVER PROJECT, MONT.

ORDER OF REVOCATION

APRIL 17, 1945.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Sun River Project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by Departmental Order of January 8, 1926, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

SUN RIVER PROJECT

PRINCIPAL MERIDIAN, MONTANA

T. 21 N., R. 2 W.,
Sec. 15, W½NE¼, SW¼, W½SE¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: May 17, 1945.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

MAY 18, 1945.

[F. R. Doc. 45-9693; Filed, June 5, 1945; 9:35 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 1017]

RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, June 2, 1945, by Simon Siegel Co., of car PFE 62128, tomatoes, now on the St. L-S. F. Railway, to F. Albertson, advise Mathew Mercurio, Youngstown, Ohio, (Santa Fe-B&O), account error of St. L-S. F. Railway in notifying.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of June 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-9696; Filed, June 5, 1945; 10:13 a. m.]

[S. O. 288, Special Permit 26]

REFRIGERATION OF SHELL EGGS FROM ATCHISON, KANS., AND DELANO, MINN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 of February 27, 1945 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 insofar as it applies to the furnishing or supplying of two refrigerator cars, for loading with 480 cases of shell eggs each, for shipment not later than June 10, 1945, on Government bills of lading for account of the U. S. Army Q. M. Corps, one to be shipped by Wilson and Company from Atchison, Kansas, to Sales Officer, Army Air Force Ordnance, Kearn Field, Kearns, Utah. (Mo. Pac.-D. & R. G. W.), and one to be shipped by Keplinger Produce Company, Delano, Minnesota, to Central Utah War Relocation Project, Delta, Utah (Gr. Nor.-C. St. P. M. & O.-Union Pacific).

The car order, other shipping papers and the waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-9697; Filed, June 5, 1945; 10:13 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 711]

FORT WAYNE, GARRETT, AND AUBURN, IND.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 8, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Security Cartage Company, Inc., Fort Wayne, Ind.

Days Transfer, Inc., successor to C. H. Etter, doing business as Etter Trucking Company, Elkhart, Ind.

[F. R. Doc. 45-9639; Filed, June 2, 1945; 3:41 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 712]

MEMPHIS, TENN., AND CHICAGO, ILL.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 8, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Gordons Transports, Inc., Memphis, Tenn.
Kimbel Lines, Inc., Cape Girardeau, Mo.
Plaza Express Company, Inc., St. Louis, Mo.
Viking Freight Co., St. Louis, Mo.

[F. R. Doc. 45-9640; Filed, June 2, 1945; 3:41 p. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1381]

ARCADIA CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

THE ARCADIA CO., INDIANA, PA., ARCADIA NO. 9 MINE, E SEAM, MINE INDEX NO. 5802, INDIANA COUNTY, PA., SUBDISTRICT 12, RAIL SHIPPING POINT, HOOVERHURST, PA., DEEP MINE.

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	G	G
Rail shipment	348	348	333	323	323
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	373	348	348	358	328

HARRY C. FLICK, ROUTE 6 SOMERSET, PA., N. C. FLICK MINE, C' SEAM, MINE INDEX NO. 5405, SOMERSET COUNTY, PA., SUBDISTRICT 36, RAIL SHIPPING POINT, SOMERSET, PA., DEEP MINE.

Price classification	E	E	E	E	E
Rail shipment	373	353	353	333	333
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	383	358	358	348	378

MCCOMBIE COAL MINING CO., SPANGLER, PA., MCCOMBIE NO. 10 MINE, D SEAM, MINE INDEX NO. 5889, CAMBRIA COUNTY, PA., SUBDISTRICT 24, RAIL SHIPPING POINT: BAKERTON, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	295	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

MEYERS & KERR, C/O POTTS RUN COAL CO., MESSOP BLDG., CLEARFIELD, PA., CRAMER MINE, B SEAM, MINE INDEX NO. 5378, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT, BOARDMAN, PA., STRIP MINE

Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

C. F. MILLER, BOX 112, HAWTHORN, PA., CANAL MINE, C' & CANNEL SEAM, MINE INDEX NO. 5383, ARMSTRONG COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT, HAWTHORN, PA., DEEP MINE

Price classification	G	G	G	H	H
Rail shipment	348	348	333	303	303
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	373	348	348	333	323

DALLAS MILLER, C/O J. D. WALKER, BRISBIN, PA., MILLER MINE, B SEAM, MINE INDEX NO. 12350, CLEARFIELD COUNTY, PA., SUBDISTRICT 18, RAIL SHIPPING POINT, MAHAFFEY, PA., DEEP MINE

Price classification	D	D	D	D	D
Rail shipment	378	356	353	343	343
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	388	363	363	353	343

MILSOM COAL CO., WINDBER, PA., MILSOM NO. 1 MINE, D SEAM, MINE INDEX NO. 4395, CENTRE COUNTY, PA., SUBDISTRICT 14, RAIL SHIPPING POINT, OSCEOLA HILLS, PA., PHILIPSBURG, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

EVERETT MOORE COAL CO., P. O. BOX 422, PUNXSUTAWNEY, PA., NO. 5 MINE, D SEAM, MINE INDEX NO. 5407, JEFFERSON COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT, CONIFER, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

[1] Previously established.

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ROBERT LAFFERTY, JR., SALISBURY, PA., LAFFERTY NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 5556, SOMERSET COUNTY, PA., SUBDISTRICT 01, RAIL SHIPPING POINT, MEYERSDALE, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

J. F. O'HARAH, ROUTE NO. 3, REYNOLDSVILLE, PA., O'HARAH MINE, D SEAM, MINE INDEX NO. 5360, JEFFERSON COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT, REYNOLDSVILLE, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	320	320

P. & N. COAL CO., ROSSITER, PA., P. & N. MINE, E SEAM, MINE INDEX NO. 5367, INDIANA COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, ROSSITER, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

NOTE: The maximum prices listed in this order include the increases in maximum prices where authorized by amendment No. 137 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 5, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9684; Filed, June 4, 1945; 11:42 a. m.]

[MPR 120, Order 1382]

H. S. ALE

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Oakland No. 3 Mine of H. S. Ale is hereby assigned the Mine Index No. 5402.

(b) Deep-mined coals produced by H. S. Ale from the B Seam at his Oakland No. 3 Mine, Mine Index No. 5402, located in Clearfield County, Pennsylvania in Subdistrict No. 18 of District No. 1 may be purchased and sold for the indicated uses and movements at per net ton prices, which include the increase in maximum prices authorized by Amendment No. 137 to Maximum Price Regulation No. 120, not exceeding the following:

	Size group Nos.				
	1	2	3	4	5
Price classification	D	D	D	D	D
All methods of transportation (except truck or wagon) and for all uses (except railroad locomotive fuel)	$3.75	$3.55	$3.50	$3.43	$3.43
Truck or wagon shipment	3.88	3.68	3.63	3.56	3.43
Railroad locomotive fuel	3.38	3.38	3.23	3.13	3.13

(c) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and for railroad locomotive fuel.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) Except as specifically provided in this order the provisions of Maximum Price Regulation No. 120 shall remain in effect.

(f) The price classifications and the mine index number assigned herein are permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective June 5, 1945.

Issued this 4th day of June, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9685; Filed, June 4, 1945; 11:42 a. m.]

[MPR 120, Order 1383]

PEARSON COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The No. 10 Mine of Pearson Coal Company is hereby assigned Mine Index No. 1009 and its coals are classified in Maximum Truck Price Group No. 34.

(b) Coals produced by Pearson Coal Company from the Nodaway Seam at its No. 10 Mine, Mine Index No. 1009, located in Page County, Iowa, in District No. 12 may be purchased and sold for the indicated movement at per net ton prices, which include the increase in maximum prices authorized by Amendment No. 137 to Maximum Price Regulation No. 120, not exceeding the following:

	Size group Nos.			
	1	2, 3, 4	5	6, 7
Truck or wagon shipments	$5.07	$4.97	$4.77	$4.87

	Size group Nos.			
	7a	8	9	10
Truck or wagon shipments	$4.97	$3.77	$4.07	$2.77

(c) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(f) The price classifications and mine index number assigned herein are permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective June 5, 1945.

Issued this 4th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9686; Filed, June 4, 1945; 11:42 a. m.]

[RMPR 436, Amdt. 3 to Order 37]

CRUDE PETROLEUM AND NATURAL AND PETROLEUM GAS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) of Order No. 37 to Revised Maximum Price Regulation No. 436 is amended by adding thereto the following pool with the designated increase:

Pool, County and State	Amount of increase per 42-gallon barrel
Sasakwa (Calvin Sand) Seminole, Oklahoma	$0.35

This amendment shall become effective as of May 1, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9717; Filed, June 5, 1945; 11:41 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

LIFEBOAT

26' x 8'3⅜" x 3'7¼", metallic motor-propelled lifeboat (43-person peacetime capacity, 32-person wartime capacity) (Construction and Arrangement Dwg. No. 2985, dated 23 March, 1945, revised 14 April, 1945, and Specifications dated 3 May, 1945), submitted by Welin Davit and Boat Corporation, Perth Amboy, New Jersey.

LIFE PRESERVER

Model No. 2 adult kapok life preserver (C. G. Dwg. No. F-49-6-1, and Specification dated 10 June, 1944), Approval No. B-266, manufactured by Mebane-Royall Company, Mebane, North Carolina. (For general use)

LIFE RAFT

24-person improved type life raft, plywood construction with metal air tanks (General Arrangement Dwg. No. 8040-D-1, dated 24 March, 1944), submitted by Colvin-Slocum Boats, Inc., Amesbury, Mass.

SKATES FOR LIFEBOATS

Laminated hardwood skates for lifeboats (General Arrangement Dwg. No. 4A, dated 20 April, 1945, Alt. 1, dated 7 May, 1945), submitted by Kargard Boat & Engine Company, Chicago, Illinois.

Dated: June 4, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-9703; Filed, June 5, 1945; 11:13 a. m.]

JUN 11 '45

FEDERAL REGISTER

VOLUME 10 NUMBER 113

Washington, Thursday, June 7, 1945

The President

EXECUTIVE ORDER 9564

AUTHORIZING THE PETROLEUM ADMINISTRATOR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE HUMBLE OIL AND REFINING COMPANY LOCATED IN INGLESIDE, TEXAS

WHEREAS after an investigation I find and proclaim that the plants and facilities of the Humble Oil and Refining Company located in Ingleside, Texas, are equipped for the production of crude oil and its products that are required for the war effort, or that are useful in connection therewith; that there is a threatened interruption of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by such interruption; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Petroleum Administrator is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Humble Oil and Refining Company located in Ingleside, Texas, and, to the extent that he may deem necessary, of any real or personal property and other assets, wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Humble Oil and Refining Company, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale, and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Petroleum Administrator shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the directive order dated April 1, 1944, of the National War Labor Board.

3. The Petroleum Administrator is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein, and upon the request of the Petroleum Administrator, or such person as may be designated to act for him, the Secretary of War shall take such action as may be necessary to provide such protection to such persons and property.

4. All Federal agencies, including, but not limited to, the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Petroleum Administrator to the fullest extent possible in carrying out the purposes of this order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Petroleum Administrator within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the threatened interruption of production, referred to in the recitals of this order, has been restored.

6. The Petroleum Administrator may delegate any and all power, authority, and discretion conferred upon him by this order to the Deputy Petroleum Administrator. The Petroleum Administrator and Deputy Petroleum Administrator may exercise the powers, authority, and discretion conferred upon them by or under the provisions of this order through such personnel of the Petroleum

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Administration for War as they may determine.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 5, 1945.

[F. R. Doc. 45-9825; Filed, June 5, 1945; 10:56 a. m.]

EXECUTIVE ORDER 9565

AUTHORIZING THE PETROLEUM ADMINISTRATOR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES AT THE CABIN CREEK OIL FIELD OF THE PURE OIL COMPANY LOCATED AT DAWES, WEST VIRGINIA

WHEREAS after an investigation I find and proclaim that the Cabin Creek Oil Field of the Pure Oil Company, located at Dawes, West Virginia, is equipped with plants and facilities for the production and refining of crude oil and its products that are required for the war effort, or that are useful in connection therewith; that there is an existing interruption of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by such interruption; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892), as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Petroleum Administrator is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities at the Cabin Creek Oil Field of the Pure Oil Company, located at Dawes, West Virginia; and, to the extent that he may deem necessary, of any real or personal property and other assets, wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Pure Oil Company, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Petroleum Administrator shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the directive order dated August 25, 1944, of the Fifth Regional War Labor Board.

3. The Petroleum Administrator is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein, and upon the request of the Petroleum Administrator, or such person as may be designated to act for him, the Secretary of War shall take such action as may be necessary to provide such protection to such persons and property.

4. All Federal agencies, including, but not limited to, the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Petroleum Administrator to the fullest extent possible in carrying out the purposes of this order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Petroleum Administrator within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruption of production, referred to in the recitals of this order, has been restored.

6. The Petroleum Administrator may delegate any and all power, authority, and discretion conferred upon him by this order to the Deputy Petroleum Administrator. The Petroleum Administrator and Deputy Petroleum Administrator may exercise the powers, authority, and discretion conferred upon them by or under the provisions of this order through such personnel of the Petroleum Administration for War in such manner as the Petroleum Administrator or Deputy Petroleum Administrator may determine.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 5, 1945.

[F. R. Doc. 45-9824; Filed, June 6, 1945; 9:03 a. m.]

EXECUTIVE ORDER 9566

REVOCATION OF EXECUTIVE ORDER 9090 OF MARCH 6, 1942, ESTABLISHING AN AIRSPACE RESERVATION OVER PORTIONS OF ULSTER AND DUTCHESS COUNTIES, NEW YORK

By virtue of and pursuant to the authority vested in me by section 4 of the Air Commerce Act of 1926 (44 Stat. 570), as amended, Executive Order 9090 of March 6, 1942, establishing an airspace reservation over portions of Ulster and Dutchess Counties, New York, is hereby revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 5, 1945.

[F. R. Doc. 45-9823; Filed, June 6, 1945; 11:58 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 66, Amdt. 10]

PART 1468—GRAINS

MALTED GRAINS, MALT SYRUP, RICE, HOPS, AND HOP PRODUCTS

War Food Order No. 66, as amended (8 F.R. 10480, 13841; 9 F.R. 1084, 4321, 4319, 9584, 11461, 11929, 14122; 10 F.R. 103, 1722, 4849), is further amended by deleting the provisions of § 1468.2 (b) (3) and inserting, in lieu thereof, the following:

(3) Notwithstanding the limitations contained in (b) (1) and (2) hereof, any brewer who was engaged in the manufacture of malt beverages during the base year may use, in any quota period, in lieu of a quota computed pursuant to (b) (1) or (2) hereof, a total quantity of malted grain which is not in excess of 3,000 bushels.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., on the 1st day of June 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 66, as amended, prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 66, as amended, in effect prior to the effective time hereof, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 4th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-9785; Filed, June 5, 1945; 3:19 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 293]

ADJUSTED RATING CARD

ORDER PRESCRIBING FORM

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of a new form designated as DSS Form 416, entitled "Adjusted Rating Card".

The foregoing addition shall become a part of the Selective Service regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 2, 1945.

[F. R. Doc. 45-9791; Filed, June 5, 1945; 4:06 p.m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 27]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept. of Comm. schedule B No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+1	
	PETROLEUM AND PRODUCTS				
504260	Petrolatum and petroleum jelly (all grades) packaged for pharmaceutical purposes with individual packages bearing trade mark or brand name of the manufacturing or processing company, and contents of each individual container not to exceed five pounds	K	100	25	25
	OTHER NONMETALLIC MINERALS, INCLUDING PRECIOUS				
545698	Asbestos: Asbestos cement roofing accessories, (ridge rolls, corner rolls, etc.)	K	100	25	25
547201	Graphite, natural: Other Ceylon lump (except 97–98% Ceylon lump)	None	250	25	25

Dept. of Comm. schedule B No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	OTHER NONMETALLIC MINERALS, INCLUDING PRECIOUS—con.				
5472[illegible]	Other flake, crystalline lump or chip (except Madagascar flake, crystalline lump or chips)	None	250	25	25
5473[illegible]	Carbon or graphite products:				
	Carbon brushes and stock for automotive use	None	25	25	25
5473[illegible]	Lighting carbons	None	250	25	25
[illegible]	Graphite crucibles	K	100	25	25
5474[illegible]	Other graphite manufactures in which either flake graphite or crystalline lump or chip graphite is an essential component (except graphite crucibles, stoppers, retorts and electrodes)	None	250	25	25
	ELECTRICAL MACHINERY AND APPARATUS				
7[illegible]	Starting, lighting and ignition equipment, automotive (report spark plugs in 79[illegible])	None	25	25	25
	AUTOMOBILES, PARTS, ACCESSORIES AND SERVICE EQUIPMENT				
792[illegible]	Spark plugs	None	25	25	25
792[illegible]	Bolts, machine screws, nuts, rivets and washers, automotive replacement	None	25	25	25
792[illegible]	Bus bodies and parts, automotive replacement	None	25	25	25
792[illegible]	Headlight lenses, automobile, for replacement	None	25	25	25
792[illegible]	Taillight lenses, automobile, for replacement	None	25	25	25
792[illegible]	All other automotive parts for replacement	None	25	25	25
792[illegible]	Automobile horns, hand and electric	None	25	25	25
792[illegible]	Other automobile accessories, n. e. s. (except chains, automobile and truck tires)	None	25	25	25
7031[illegible]	Automobile, motor truck and bus engines for replacement on vehicles with either American or foreign trade name or assembly on new vehicles with foreign trade name	None	25	25	25
7031[illegible]	Gasoline carburetor type not including starting, ignition and fuel systems)	None	25	25	25
	MEDICINAL AND PHARMACEUTICAL PREPARATIONS				
8173[illegible]	Penicillin	None	*10	*10	*10
	INDUSTRIAL CHEMICALS				
8924[illegible]	Formaldehyde, 37% solution by volume (37% by weight (formalin))	None	100	25	25
	MISCELLANEOUS COMMODITIES, N. E. S.				
1849[illegible]	Candles	None	None	None	None

An asterisk (*) preceding a value limit or the word "None" means that all forms, conversions, and derivatives of the particular commodity are included.

Shipments of any of the above commodities removed from general license, or whose GLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

This amendment shall become effective immediately upon publication except that with respect to commodities removed from general license or whose GLV or G-Post dollar value limits have been reduced, it shall become effective on June 12, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320.)

Dated: May 29, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9804; Filed, June 5, 1945; 5:03 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 987—COBALT

[General Preference Order M-39, Revocation]

Section 987.1 *General Preference Order M-39* is hereby revoked. Transactions relating to cobalt remain subject to all other applicable rules and regulations of the War Production Board. This revocation does not affect any liabilities incurred under the order.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9794; Filed, June 5, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-722, Revocation]

JAECKEL MANUFACTURING CO., INC.

Suspension Order No. S-722 was issued against Jaeckel Manufacturing Co., Inc., 7 Beverly Street, Providence, Rhode Island engaged in the manufacturing of jewelry. An appeal was filed with the Chief Compliance Commissioner on March 12, 1945 and pending final determination of the appeal a stay was granted on March 3, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Curtis Bok who has directed that the suspension order be revoked.

In view of the foregoing, it is hereby ordered, that: § 1010.722 *Suspension Order No. S-722* be revoked.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9796; Filed, June 5, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-796, Stay of Execution]

MAX LAWRENCE & CO.

Max Lawrence & Company, a partnership composed of Max Lawrence and Elsie Lawrence, his wife, in business at 13 West 37th Street, New York City, as a "converter" of textiles is appealing from the provisions of Suspension Order No. S-796 issued May 23, 1945 and effective May 30, 1945 and has requested a stay of the suspension order pending final determination of the appeal. On May 29, 1945, the Chief Compliance Commissioner directed that a seven day temporary stay be issued effective May 30, 1945 to expire on June 5, 1945. After further consideration of the request for a stay the Chief Compliance Commissioner has directed a further stay of the order pending final determination of the appeal.

In view of the foregoing, it is hereby ordered, that: § 1010.796 *Suspension Order No. S-796*, issued May 23, 1945 and effective May 30, 1945 be further stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9712; Filed, June 5, 1945; 11:33 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-193, Revocation]

CONVEYING MACHINERY AND MECHANICAL POWER TRANSMISSION EQUIPMENT

Section 1226.52 *General Limitation Order L-193* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of conveying machinery and mechanical power transmission equipment remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9707; Filed, June 5, 1945; 11:33 a. m.]

PART 1296—PYRIDINE

[Conservation Order M-185, Revocation]

Section 1296.1 *Conservation Order M-185* is revoked. This revocation does not affect any liabilities incurred for violations of the order or of actions taken by the War Production Board under the order.

Pyridine is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 109, issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-185 are effective under the schedule, but are limited in duration as if originally issued under the schedule. Pending applications need not be refiled.

Issued this 6th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9807; Filed, June 6, 1945; 11:29 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-244, as Amended Apr. 4, 1945, Amdt. 1]

MAGAZINES AND PERIODICALS

Section 3133.15 *Limitation Order L-244* is hereby amended as follows:

1. By adding a new subparagraph (6) to paragraph (q), as follows:

(6) No person may export for resale magazines which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9708; Filed, June 5, 1945; 11:33 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Direction 14]

PRODUCTION OF HEAVY WEIGHT KNIT UNDERWEAR IN THE THIRD QUARTER OF 1945

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of knit underwear and of materials and facilities used in the production of knit underwear for defense, for private account and for export, and the following direction is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) *Production quotas.* Each person in the business of producing knit underwear who, in the third calendar quarter of 1943, produced any of the types of knit underwear listed in paragraph (b) below, shall produce in the third calendar quarter of 1945, at least as many dozens of each type as he produced in the corresponding calendar quarter of 1943. Production shall be maintained at such a rate that at least 25% of the quarterly quota will have been produced by the end of July and at least 60% by the end of August. Production of knit underwear on orders to or for the account of the United States Army or Navy or procurement agencies of the United States Government shall be included in computing these quotas.

(b) *Types of knit underwear.* The types of knit underwear covered by this direction are:

(1) Men's knit union suits, 9 lbs. and over per dozen in weight, based on size 42, long sleeves, ankle length.

(2) Men's knit shirts, 7 lbs. and over per dozen in weight, based on size 42, long sleeves.

(3) Men's knit drawers, 7 lbs. and over per dozen in weight, based on size 38, ankle length.

(4) Boys' knit union suits, 6 lbs. and over per dozen in weight, based on size 34, long sleeves, ankle length.

(c) *Reports.* Each person subject to the provisions of this direction shall submit a statement by telegraph addressed to the War Production Board, Textile, Clothing & Leather Bureau, Washington 25, D. C., on each Monday during the third calendar quarter of 1945, unless the War Production Board notifies such person in writing that such report will no longer be required. This telegram shall state the quantity of each type of knit underwear covered by this direction finished during the week ending that Friday. The production of such items shall be reported separately for Governmental procurement agencies, including Army and Navy, and for civilian sale, and in addition shall state combined total units produced of all the following items:

Women's and children's heavy weight union suits.

Men's and boys' medium and light weight union suits, shirts and drawers.

Men's, women's and boys' polo, tennis, basque, sweat and T-shirts.

The reporting requirements of this paragraph have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(d) Any appeal from the provisions of this direction shall be made pursuant to the provisions of paragraph (g) (4) of Order M-328.

(e) This direction shall expire on October 1, 1945, unless previously extended.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9795; Filed, June 5, 1945; 4:25 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 109]

PYRIDINE

Section 3293.1109 *Schedule 109 to General Allocation Order M-300*—(a) *Definition.* "Pyridine" means the pure chemical known by that name, or any crude or refined mixture of pyridine and its homologues.

(b) *General restrictions.* Pyridine is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is September 1, 1942, when pyridine was first put under allocation by Order M-185 (revoked). The allocation period is the calendar month and the small order exemption is 82 lbs. (10 gals.) per person per month.

(c) *Transition from M-185.* Regular and interim allocations heretofore issued under Order M-185 are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refiled.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946. Filing date is the 18th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-109. The unit of measure is pounds. Specify grade in terms of boiling range (degrees Centigrade). An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945. Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier and for each plant of the applicant. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-109, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Specify grade in terms of boiling range (degrees Centigrade). Fill in Column 3 in terms of the following:

Sulfa drugs (specify)
Other medicinals (specify)
Vitamins (specify)
Water repellents
Stabilizers
Dyestuffs
Disinfectants
Rubber chemicals
Reagents
Other primary product (specify)
Export (as pyridine)
Inventory (as pyridine)
Resale (as pyridine)

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated.

Fill in Table IV as indicated for each primary product listed in Column 3 of the application.

Leave Table V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to

Dept. of Comm. schedule B No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	OTHER NONMETALLIC MINERALS, INCLUDING PRECIOUS—con.				
547.3	Other flake, crystalline lump or chip (except Madagascar flake, crystalline lump or chip).	None	250	25	25
54.100	Carbon or graphite products:				
	Carbon brushes and stock for automotive use	None	25	25	25
547800	Lighting carbons	None	250	25	25
54.048	Graphite crucibles	K	100	25	25
54.048	Other graphite manufactures in which either flake graphite or crystalline lump or chip graphite is an essential component (except graphite crucibles, stoppers, retorts and electrodes).	None	250	25	25
	ELECTRICAL MACHINERY AND APPARATUS				
729210	Starting, lighting and ignition equipment, automotive (report spark plugs in 792100).	None	25	25	25
	AUTOMOBILES, PARTS, ACCESSORIES AND SERVICE EQUIPMENT				
792100	Spark plugs	None	25	25	25
792307	Bolts, machine screws, nuts, rivets and washers, automotive replacement.	None	25	25	25
792305	Bus bodies and parts, automotive replacement	None	25	25	25
792305	Headlight lenses, automobile, for replacement	None	25	25	25
792305	Taillight lenses, automobile, for replacement	None	25	25	25
792.05	All other automotive parts for replacement	None	25	25	25
792700	Automobile horns, hand and electric	None	25	25	25
792700	Other automobile accessories, n. e. s. (except chains, automobile and truck tires)	None	25	25	25
	Automobile, motor truck and bus engines for replacement on vehicles with either American or foreign trade name or assembly on new vehicles with foreign trade name:				
793130	Diesel and semi-diesel (injection type) (not including starting, ignition and fuel systems)	None	25	25	25
793150	Gasoline (carburetor type) not including starting ignition and fuel systems)	None	25	25	25
	MEDICINAL AND PHARMACEUTICAL PREPARATIONS				
813[illegible]	Penicillin	None	*10	*10	*10
	INDUSTRIAL CHEMICALS				
832.01	Formaldehyde (37% solution by volume (37% by weight (formalin)).	None	100	25	25
	MISCELLANEOUS COMMODITIES, N. E. S.				
889.50	Candles	None	None	None	None

An asterisk (*) preceding a value limit or the word "None" means that all forms, conversions, and derivatives of

PART 1010—SUSPENSION ORDERS

[Suspension Order S–722, Revocation]

JAECKEL MANUFACTURING CO., INC.

Suspension Order No. S–722 was issued against Jaeckel Manufacturing Co., Inc., 7 Beverly Street, Providence, Rhode Island engaged in the manufacturing of jewelry. An appeal was filed with the Chief Compliance Commissioner on March 12, 1945 and pending final determination of the appeal a stay was granted on March 3, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Curtis Bok who has directed that the suspension order be revoked.

In view of the foregoing, it is hereby ordered, that: § 1010.722 *Suspension Order No. S–722* be revoked.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–9796; Filed, June 5, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–796, Stay of Execution]

MAX LAWRENCE & CO.

Max Lawrence & Company, a partnership composed of Max Lawrence and Elsie Lawrence, his wife, in business at 13 West 37th Street, New York City, as a "converter" of textiles is appealing from the provisions of Suspension Order No. S–796 issued May 23, 1945 and effective May 30, 1945 and has requested a

War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-109.

Issued this 6th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9808; Filed, June 6, 1945; 11:29 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-23-a, Revocation]

VANADIUM

Section 3294.26 *General Preference Order M-23-a* is hereby revoked. Transactions relating to vanadium remain subject to all other applicable rules and regulations of the War Production Board. This revocation does not affect any liabilities incurred under the order.

Issued this 5th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9793; Filed, June 5, 1945; 4:25 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Rev. Supp. Order 99]

ADJUSTMENT OF MAXIMUM PRICES FOR SPECIFIED KNITTED UNDERWEAR GARMENTS MANUFACTURED PURSUANT TO DIRECTION OF THE WAR PRODUCTION BOARD

Supplementary Order 99 is redesignated Revised Supplementary Order 99 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

§ 1305.127 *Adjustment of ceiling prices for specified knitted underwear garments manufactured pursuant to direction of the War Production Board*—(a) *Who may apply.* Any manufacturer required to produce any garment of knitted underwear by direction of War Production Board, pursuant to General Direction 14 to Conservation Order M-328, issued June 5, 1945, may apply for an adjustment of his ceiling price on such garment.

(b) *Amount of adjustment.* Existing ceiling prices will be adjusted as follows when, and to the extent that, existing ceiling prices are found to be lower than:

(1) a price equal to the total unit cost of the garment, or

(2) a price equal to the total unit cost of the garment plus 2% of such cost if current net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations are either (i) less than 6.5% or (ii) less than double the average percentage realized by the applicant during the years 1936 to 1939, inclusive. However, if current net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations are 13% or over, the adjustment shall be limited to a price equal to the total unit cost of the garment.

(c) *Filing of applications.* Applications must be filed by registered mail with the Consumer Goods Price Division, Office of Price Administration, Washington, 25, D. C., and in accordance with Article III of Revised Procedural Regulation No. 1, and must contain, unless the information is already on file with the Office of Price Administration, Washington, D. C.:

(1) Balance sheets and profit and loss statements for the years (fiscal or calendar) 1936 to 1939, inclusive, the most recent calendar or fiscal year and the most recent quarter or half year period.

(2) A statement in detail, on a form prescribed by the OPA, of the applicant's total current unit cost for the garment for which an adjustment is being sought.

(3) A statement giving applicant's present ceiling price for the garment for which an adjustment is being sought and the amount of the adjustment requested by applicant in accordance with the standards set forth in paragraph (b) above.

(d) *Granting of application by order.* If the Price Administrator determines that the applicant is entitled to an adjustment of his ceiling price under the standards set forth in paragraph (b) above, he will issue an order granting such adjustment and containing such other provisions as may be deemed necessary.

(e) *Granting of application by automatic approval.* In the case of any application properly filed by a manufacturer as required by paragraph (c) above, the adjustment requested by the manufacturer in his application shall be deemed to be granted on and after the twentieth day following the date of the mailing of the application (or on and after the twentieth day following the date of mailing of all additional information which may have been requested by the OPA) unless within that time the OPA issues an order disapproving the requested adjustment or granting an adjustment under paragraph (d) of this order.

(f) *Modification or revocation of adjustment.* The Price Administrator may at any time modify or revoke any adjustment granted under this order.

(g) *Denial of application.* An application may be denied, notwithstanding the standards in paragraph (b), if price relief under an alternate method has been provided for the applicant or his industry or if the Price Administrator determines that granting the application would not accord with the purpose of the directive issued by the Director of the Office of Economic Stabilization on November 16, 1943, and any supplements or amendments thereto.

This Revised Supplementary Order No. 99 shall become effective June 5, 1945.

NOTE: The reporting requirements of this supplementary order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I hereby approve the issuance of this revised supplementary order and find that it is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-9797; Filed, June 5, 1945; 4:41 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 452, Amdt. 8]

MANUFACTURERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 452 is amended in the following respects:

The effective date provision of amendment 7 to Maximum Price Regulation 452 is amended to read as follows:

This amendment shall become effective June 2, 1945, except as to section 7 (a) it shall become effective June 18, 1945.

This amendment shall be effective as of June 2, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9798; Filed, June 5, 1945; 4:41 p. m.]

PART 1305—ADMINISTRATION

[Rev. Supp. Order 111]

MAXIMUM PRICES FOR CERTAIN ITEMS OF PACKED FRUITS, BERRIES AND VEGETABLES UNDER SUPPLEMENT 7 TO FOOD PRODUCTS REGULATION NO. 1 [1]

Supplementary Order No. 111 is redesignated Revised Supplementary Order No. 111 and is revised to read as set forth below.

A statement of the considerations involved in the issuance of this order has been issued and filed with the Division of the Federal Register.

§ 1305.139 *Maximum prices for certain items of packed fruits, berries and vegetables under Supplement 7 to Food Products Regulation No. 1*—(a) *Extension to 1945 pack of prices individually approved or authorized for the 1944 pack under section 10 (c) and (d)*—(1) *Prices approved or authorized by order.* Any maximum price for the 1944 pack of any item approved or authorized by order issued pursuant to section 10 (c) or 10 (d) of Supplement 7 to Food Products Regulation No. 1 shall apply to sales and deliveries of the seller's 1945 pack of the item until the establishment by the Office of Price Administration of new maximum prices for the 1945 pack of that commodity.

(2) *Price approved or authorized automatically.* Any maximum price for the 1944 pack of any item approved or authorized automatically upon expiration of the 30-day period specified in section 10 (c) or 10 (d) of Supplement 7 to Food Products Regulation No. 1 shall apply to sales and deliveries of the seller's 1945 pack of the item until the establishment by the Office of Price Administration of new maximum prices for the 1945 pack of that commodity.

(b) *Amendment of certain orders issued under section 10 (c) and (d).* The orders issued by the Price Administrator under section 10 (c) and (d) of Supplement 7 to Food Products Regulation No. 1 and listed herein are amended as set forth below.

(1) *Orders establishing maximum prices for tomato juice for processors whose factories are located in certain states.* The orders listed below establishing maximum prices, f. o. b. factory, for the 1944 pack of tomato juice for processors whose factories are located in the States of Ohio, Indiana, Kentucky, Illinois, Michigan, Wisconsin, Minnesota, Nebraska, Kansas, Iowa, Tennessee, North Dakota, South Dakota and Missouri, are amended as follows:

(i) Paragraph 1 (a) of each order naming a maximum price for sales to all buyers except government procurement agencies for No. 2 cans or for 46-ounce cans of Fancy Tomato Juice is amended by changing the maximum price named therein for No. 2 cans to $0.97 per dozen, and the maximum price for 46-ounce cans to $1.98 per dozen.

(ii) Paragraph 1 (b) of each order naming a maximum price for sales to government procurement agencies for No. 2 cans or for 46-ounce cans of Fancy Tomato Juice is amended by changing the maximum price named therein for No. 2 cans to $0.99 per dozen, and the maximum price for 46-ounce cans to $2.05 per dozen.

The individual orders amended by paragraph (b) (1) are:

7	20	L-120	L-97
L-23	L-9	L-118	L-184
19	L-24	9	L-12
8	L-80	16	L-144
L-96	L-105	13	L-7

(2) *Orders establishing maximum prices for tomato paste for processors whose factories are located in the State of California.* The orders listed below establishing maximum prices, f. o. b. factory, for the 1944 pack of tomato paste for processors whose factories are located in the State of California are amended as follows:

(i) Paragraph 1 (a) of each order naming a maximum price for sales to all buyers except government procurement agencies for 6-ounce cans, 7-ounce cans or No. 10 cans of Fancy Tomato Paste, of 26 percent solids, is amended by changing the maximum price named therein for 6-ounce cans to $0.68 per dozen, for 7-ounce cans to $0.82 per dozen, and for No. 10 cans to $9.73 per dozen.

(ii) Paragraph 1 (b) of each order naming a maximum price for sales to government procurement agencies for 6-ounce cans, 7-ounce cans, or No. 10 cans of Fancy Tomato Paste, of 26 percent solids, is amended by changing the maximum price named therein for 6-ounce cans to $0.71 per dozen, for 7-ounce cans to $0.85 per dozen, and for No. 10 cans to $10.52 per dozen.

The individual orders amended by paragraph (b) (2) are:

L-42
L-30
L-53
L-103
L-77

(3) *Notification of new maximum prices.* Each processor must supply written notification of his new maximum price established by paragraph (b) of this order in accordance with section 14 (d) of Supplement 7 to Food Products Regulation No. 1.

(c) This supplementary order shall become effective June 11, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9815; Filed, June 6, 1945; 11:38 a. m.]

[1] 10 F.R. 1750, 2188.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 585, Amdt. 1]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 585 is amended in the following respects:

1. Section 2.1 (a) (7) is amended to read as follows:

(7) *Importer.* "Importer" means, with respect to any lot of mixed feed manufactured outside of the United States, the first person who owns such lot after entry into the United States and who sells it in the United States or uses it as an ingredient in a mixed feed. He may be a manufacturer, wholesaler or retailer.

2. Section 2.1 (a) (9) (ii) is amended to read as follows:

(ii) Screenings consisting of a mixture of mill or elevator run materials or a combination of varying amounts of ground or unground materials obtained in the process of cleaning grain or seed, either or both, such as inferior, light or broken grain or seed, weed seeds, hulls, chaff, joints, straw, elevator dust and floor sweepings. For maximum prices see Maximum Price Regulation 417.

3. Section 2.1 (a) (10) is amended to read as follows:

(10) *Private brand feeds*—(i) *Private brand dealer.* "Private brand dealer" means, with respect to any lot of mixed feed, a person who resells mixed feed bought by him from a manufacturer who produced and packed it in containers bearing the dealer's private brand. He may be either a wholesaler or a retailer.

(ii) *Feeder's private brand.* "Feeder's private brand" means a mixed feed manufactured for a feeder, not for resale, from either a formula or a list of ingredients furnished by the feeder and packed in containers bearing a tag identifying such mixed feed.

4. A new sentence is added to section 3.1 (b) to read as follows: "Until such time as the manufacturer becomes subject to this regulation, the manufacturer's price lists issued under Maximum Price Regulation No. 378 shall be deemed to be his 'price list' under this regulation."

5. The first paragraph of section 3.4 is amended to read as follows:

No manufacturer or importer shall sell any mixed feed in a state until the guaranteed minimum of protein and fat and the guaranteed maximum of fibre of such mixed feed is filed either pursuant to the requirements of a statute in that state or with a district office of the Office of Price Administration in that state. This requirement is included in this regulation for the purpose of identifying mixed feeds.

6. Section 3.7 is amended to read as follows:

SEC. 3.7 *Differentials in lieu of actual transportation cost*—(a) *Base period system.* Any seller who, during the whole of the months of January, March, May, October, November and December of 1942, made charges for rail shipment of his mixed feeds on the basis of a system of differentials, rather than on the basis of actual transportation costs, may at his option continue to use such system. If he does so, he may use differentials not exceeding those he would have applied in January 1942 consistent with his system, plus 3% to compensate for the tax provided for in section 620 of the Revenue Act of 1942, on all shipments of each mixed feed to all areas with respect to which such system was in effect on such mixed feed during the 1942 base months. On shipments to a destination in an area which is not included in his 1942 system of differentials, he may, if he desires, use the differential in effect on shipments to the point nearest such destination that takes the same or a lower flat freight rate, from shipping point, increased by the difference, if any, between the flat rate from shipping point to such point and the flat rate from shipping point to the destination. The applicable differential, plus 3% shall be deemed to be the "transportation cost" for purposes of this regulation.

(b) *System based on weighted average of actual costs.* Any seller may apply to the district or regional office of the Office of Price Administration for the district or region in which his principal place of business is located, for permission to establish a system of dif-

ferentials for any area for which he did not use such a system during the whole of the months of January, March, May, October, November and December of 1942. Such application shall contain the following information with respect to the shipments for which the seller desires to establish the system:

(1) With respect to ingredients for which transit rates are available, the estimated average transit balance from the seller's place of business to the destination area on the basis of the purchase of such ingredients from normal sources of supply.

(2) With respect to ingredients for which transit rates are not available, the estimated average local rate from the seller's place of business to the destination area.

(3) The estimated weighted average of the amounts determined under 1 and 2 above, for each mixed feed or group of mixed feeds for which differentials are desired.

In addition the applicant may furnish other relevant information to the Office of Price Administration in support of his application.

(c) *Truck delivery system.* Any seller may apply to the district or regional office for the district or region in which his principal place of business is located for permission to establish uniform truck delivery charges for any one or more geographical zones selected by him by filing a weighted average of the actual costs of transportation on all truck sales and deliveries of the mixed feed or feeds for which a uniform delivery charge is desired for any two consecutive months preceding the effective date of this regulation, or by filing such other relevant information, in lieu thereof, as may seem to him desirable.

(d) *Authorization.* Upon authorization by the Office of Price Administration the applicant may use the authorized differentials or uniform delivery charges provided for in (b) and (c) above, as his "transportation cost" on such shipments under this regulation. Within sixty days after such authorized differentials or uniform delivery charges have been in effect for six months, the applicant shall report to the office of the Office of Price Administration with which he filed his application, the actual average cost of shipments made under such system of differentials or uniform delivery charges, or such information in lieu thereof as may be requested by such district or regional office. At any time thereafter the seller may apply for, or the Office of Price Administration may require, adjustment of the system to reflect the actual experience of the seller.

7. Section 3.12 (a) is amended to read as follows:

(a) Every person subject to this regulation shall keep, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a record of all sales of mixed feeds sold by him, showing the date thereof, the quantity and kinds of mixed feeds sold by him, the agreed price and, with respect to all sales in excess of one ton, the name of the buyer, whose address shall be supplied upon request made by a duly authorized representative of the Office of Price Administration, except that if a person posts his maximum prices for sales to feeders conspicuously in his place of business, he need not keep a record of such sales at such place of business.

8. Section 3.14 is amended to read as follows:

SEC. 3.14 *Delegation of authority to determine import purchase prices, differentials and delivery charges, margins and base prices for ingredients and containers.* The Administrator, any regional administrator or any district director authorized by the appropriate regional administrator may establish maximum import purchase prices pursuant to the provisions of section 5.5, system of differentials and delivery charges pursuant to the provisions of section 3.7 and may approve, disapprove and allow margins pursuant to the provisions of section 4.1 and base prices for ingredients and containers pursuant to the provisions of section 4.2.

Whenever authority pursuant to the provisions of this section has not been delegated to a district office, the district director of such district office shall receive such applications as are provided for in sections 3.7 and 5.5 and such filings as are provided for in sections 4.1 and 4.2, and shall transmit them to the appropriate regional office for processing.

9. Section 4.1 (b) (1) is amended to read as follows:

(1) *Definition of margin.* A margin is that portion of the price of a mixed feed, in dollars and cents, which is not attributable to either ingredients or containers. It includes such factors as labor and other manufacturing expense, research and laboratory expense, feeder service, overhead expense, taxes, sales expense, advertising and profit.

10. Section 4.1 (b) (2) is amended to read as follows:

(2) *Treatment of shrinkage, cleaning loss and processing cost.* The manufacturer shall treat any items of shrinkage, cleaning loss, and cost of processing of ingredients prior to mixing, either as part of his margin or as part of his ingredient cost according to the following rules, but such treatment must be consistent in the determination of margins under this section and in the determination of base ingredient prices under section 4.2.

(i) If during the 1942 base months of January, March, May, October, November and December, he absorbed any such item in his margin by failing to set it out as an item in his price calculations, his margin as calculated under this section shall be deemed to include such item without any special addition of it and he shall, therefore, exclude it from his base ingredient prices determined under section 4.2. He shall do this in all cases where he does not have records of his computations during the 1942 base months showing the amounts that he allocated to shrinkage, cleaning loss and processing costs or from which they can be determined.

(ii) If during the 1942 base months he set out any such item as an item in his price calculations he may elect either (a) to include it in his margin determined under this section and to exclude it from the base ingredient prices determined under section 4.2, or (b) to exclude it from his margin and to include it in his base ingredient prices determined under section 4.2.

11. Section 4.1 (b) (8) is amended to read as follows:

(8) *Determination of averages.* When the method of determining a margin or differential requires the computation of averages such averages may be either simple or weighted: *Provided*, That the selection of the kind of averaging used under a particular method shall be used consistently for the determination of all margins under that method.

12. The first paragraph of section 4.1 (c) (2) is amended to read as follows:

(2) *Methods for determining margins for Class A plants.* The method below chosen by you for a plant shall be used on all mixed feeds manufactured at that plant, except that if you choose to use one of the first three methods, you may instead, at your election, with respect to any particular mixed feed, use the fourth method, or the fifth method, if you qualify. The methods are as follows:

13. The first two paragraphs under the fifth method in section 4.1 (c) (2) are amended to read as follows:

Fifth method. If (1) you are determining a margin for a private brand mixed feed or for a feeder's private brand or (2) you cannot determine a margin by any of the foregoing methods, or (3) you want to determine a margin for a mixed feed which you did not sell during the 1942 base months, determine such margin in accordance with either of the following methods:

(i) You may select the margin determined under any of the first three methods for a mixed feed manufactured at any of your Class A plants having the same or most similar feeding purpose: *Provided*, That it does not belong to a higher price line, except that in the case of a private brand feed or of a feeder's private brand, you may select the margin on sales of such same or most similar mixed feed to others than private brand dealers or feeders having private brands. Such margin shall be the margin which you shall file for the mixed feed under this regulation; or

14. Items (*h*) and (*i*) in subparagraph (ii) of the fifth method in section 4.1 (c) (2) are amended to read as follows:

(*h*) Names and addresses of closely competitive sellers of similar mixed feeds.

(*i*) Information and scope of activity, if you operate a laboratory, do advertising or supply farm services.

15. The first paragraph of section 4.1 (d) (2) is amended to read as follows:

(2) *Methods for Class B plants for sales to feeders.* The method below chosen by you shall be used on all mixed feeds manufactured at the Class B plant for which you are determining margins for sales to feeders, except that if you choose the second, third or fourth method, you may instead, at your election, with respect to any particular mixed feed use the first, fifth or sixth method, if you qualify. The methods are as follows:

16. The first paragraph of the first method in section 4.1 (d) (2) is amended to read as follows:

First method. You may use this method only for a plant at which you manufactured less than 3,500 tons of mixed feeds in the year 1944. If you use this method you shall calculate your margins for a mixed feed on the basis of its current formula on the effective date of this regulation as follows:

17. The last paragraph in the first method in section 4.1 (d) (2) is amended to read as follows:

NOTE: An example of the calculation of a margin under this first method is shown in Appendix A of this regulation. Calculate a margin in the same manner for each mixed feed for which you elect to file your margin under the first method. For the determination of your control price see section 4.4. For the requirements relating to price lists see section 4.6.

18. Items (*h*) and (*i*) in subparagraph (ii) of the sixth method in section 4.1 (d) (2) are amended to read as follows:

(*h*) Names and addresses of closely competitive sellers of similar mixed feed.

(*i*) Information and scope of activity if you operate a laboratory, do advertising or supply farm services.

19. The last paragraph in the first method in section 4.1 (d) (3) is amended to read as follows:

You shall determine the margin separately for each regular price list issued or applicable for such plant during the base months and the average of such margins for each mixed feed shall be the margin for that mixed feed for sales to retailers in carload lots which you may file under this regulation for that mixed feed.

20. The last paragraph in the second method in section 4.1 (d) (3) is amended to read as follows:

Your margin so determined shall be the margin for that mixed feed which you may file under this regulation.

20a. The first two paragraphs of the sixth method in section 4.1 (d) (2) are amended to read as follows:

Sixth method. If (1) you are determining a margin for a feeder's private brand or (2) you cannot determine a margin by any of the foregoing methods, or (3) you want to determine a margin for a mixed feed you did not sell during the 1942 base months, determine such margin in accordance with either of the following methods:

(i) You may select the margin determined under the second, third or fourth methods for a mixed feed manufactured at any of your Class B plants for the mixed feed having the same or most similar feeding purpose: *Provided*, That it does not belong to a higher price line except that, in the case of a feeder's private brand, you may select the margin on sales of such same or most similar mixed feed to others than feeders having private brands. Such margin shall be the margin which you shall file for the mixed feed under this regulation; or

21. The third method in section 4.1 (d) (3) is amended to read as follows:

Third method. In order to use this method you must have records showing that you made sales to retailers during the 1942 base months and showing the discounts, from your selling price to feeders, that you gave to such retailers.

If you use this method your margin for carload sales to retailers, other than private brand dealers, shall be your margin on sales to feeders of the mixed feed in one to five 100-pound containers determined under subparagraph (2) above less the discounts that you gave to retailers during the 1942 base months. Your margin for carload sales to private brand dealers for any mixed feed shall be your margin on your sales to retailers other than to private brand dealers, of the mixed feed manufactured at any of your Class B plants having the same or most similar feeding purpose. Such margin shall be the margin which you may file for that mixed feed under this regulation.

22. The first sentence in section 4.2 (a) is amended to read as follows: "Each manufacturer shall determine for each Class A and Class B plant his base ingredient price for each ingredient used by him in the manufacture of mixed feeds at that plant and base container prices for containers in which he packs mixed feed at such plant, except that a Class B manufacturer, who determines his margin under the first method for sales to feeders, may, instead of determining a base ingredient price for a mixed feed purchased by him, price such mixed feed in the manufacture of his own mixed feed at the maximum price at which he could resell such mixed feed under section 5.3 hereof, less the markups provided in Schedule II of that section."

23. The first sentence in the last paragraph in section 4.2 (a) (1) is amended to read as follows: "If in determining a base ingredient price or adjusted base ingredient price a manufacturer finds it necessary to convert the cost, or value, or maximum price of an ingredient in processed form to that of the ingredient in unprocessed form, he shall do so by application of the differential between the maximum prices of such commodities in the two different forms."

24. Section 4.2 (a) (6) is amended to read as follows:

(6) *Pricing of ingredients having different maximum prices for different qualities and dates.* When an ingredient has different maximum prices for different qualities and dates, a manufacturer may determine its base ingredient price and adjusted base ingredient price on the basis of any quality or date he chooses. If he determines its base ingredient price or adjusted base ingredient price by reference to certain receipts, he shall adjust the price of those receipts to the price of the quality and date he has chosen by use of the differentials in the price regulation covering such ingredient. In determining his control price at any time under section 4.4 he shall adjust his price for such ingredient to the quality and date he is using in his current formula as defined in that section.

25. A new subparagraph (8) is added to section 4.2 (a) to read as follows:

(8) In the case of wheat, a manufacturer may treat different varieties as different ingredients or may treat several varieties as the same ingredient. In the latter case he shall determine the base ingredient price or adjusted base ingredient price for such several varieties on the basis of any variety he chooses. In such case he may determine his base ingredient price or adjusted base ingredient price in reference to certain receipts. He shall adjust the price of those receipts to the variety he has chosen by use of the differential in Revised Maximum Price Regulation 487 for the terminal city nearest his plant which has a differential between the two varieties in question, and in determining his control price at any time under section 4.4 he shall in the same manner adjust his price for such ingredient to the variety he is using in his current formula that is found in that section.

26. The number "4" at the end of the first paragraph of section 4.2 (b) (1) is changed to "2".

27. A new sentence is added at the end of the first paragraph of section 4.2 (b) (1) to read as follows: "The maximum prices referred to in this paragraph (b) shall not include any carrying charges, drying charges or charges of a similar nature even though such charges have been lawfully paid by the manufacturer."

28. The first sentence in the third method in section 4.2 (b) (1) is amended by inserting the word "simple" between the words "the" and "average".

29. The following note is added at the end of section 4.2 (b) (3):

NOTE: If the ingredient is in processed form and you did the processing yourself, you may determine the prices you paid delivered at your plant for the above described receipts of the commodity you process into the ingredient, and add full processing costs. The results will be deemed to be the "prices you paid" for the above described receipts of the ingredient under this subdivision (iii).

30. The second sentence in section 4.2 (c) (1) is amended to read as follows: "After a period of 60 days from the effective date of this regulation no manufacturer shall sell any mixed feed containing such ingredients manufactured at a plant at which more than 3500 tons of mixed feeds were manufactured in the year 1944 until he has filed such base ingredient prices."

31. Section 4.2 (d) is amended to read as follows:

(d) *Prohibition against selling until base ingredient prices are filed.* No manufacturer subject to this regulation shall sell any mixed feeds, after 60 days from the effective date of this regulation, until he has filed base ingredient prices for each of the ingredients listed in paragraph (c) of this section that he uses in the manufacture of such mixed feeds at a plant at which more than 3500 tons of mixed feeds were manufactured in the year 1944.

32. Section 4.3 (a) and (b) are amended to read as follows:

(a) A manufacturer shall make his first calculation of an adjusted base ingredient price as to any ingredient by determining a weighted average price for the receipts of such ingredient at his plant for any immediately preceding period not exceeding one month, determined on the basis of actual prices (not exceeding the lawful maximum prices he could have paid to his supplier delivered at his plant, exclusive of carrying charges,

drying charges and charges of a similar nature) for such receipts. If the ingredient is in processed form and he did the processing himself, he shall determine his price for it at its full manufactured cost on the basis of such receipts of the commodity in its form prior to such processing. If a receipt of processed grain is being priced as an ingredient under this section by a manufacturer whose margin was filed on a basis of the whole grain unprocessed and (1) the margin included grinding costs, the adjusted price of the processed ingredient shall be reduced by $2.50 per ton, or (2) the margin did not include grinding costs and such processing costs were set up as a separate factor, the adjusted price shall be reduced by the amount of this separate factor. He shall begin to use such adjusted base ingredient price on his next pricing day and shall continue using it until the pricing day following the time when he has sold mixed feeds requiring the amount of such ingredient equivalent to the amount used in such average, except that, if he elects to calculate a new adjusted base ingredient price before he has sold mixed feeds requiring such equivalent amount of the ingredient, he shall treat the excess portion as a receipt in determining a new weighted average of prices of that ingredient received at his plant since he last calculated an adjusted base ingredient price.

(b) On the first pricing day after he has sold mixed feeds requiring the amount so averaged, he shall, at his option, either resume the use of his base ingredient price for such ingredient or calculate another adjusted base ingredient price for such ingredient on the basis of the weighted average of the actual prices (not exceeding the lawful maximum prices he could have paid to his supplier delivered at his plant exclusive of carrying charges, drying charges and charges of a similar nature) he has paid for the receipts of such ingredient at his plant since he last calculated an adjusted base ingredient price. If he resumes the use of his base ingredient price instead of recalculating, he shall, on his next recalculation, use his receipts for the period selected as though he were calculating an adjusted base ingredient price for the first time, but he shall not include receipts used in any previous average.

33. The first sentence in section 4.4 (a) (2) is amended to read as follows: "A manufacturer's current formula, for the purpose of determining his control price, shall be deemed to be the formula used in calculating his selling prices for the week in which the price list will be current."

34. Section 4.6 (c) (3) is amended to read as follows:

(3) That prices quoted are for carload sales to retailers, except that the prices quoted may be for less than carload sales to retailers provided the price list also shows the price for carload sales to retailers.

35. Section 4.7 (a) is amended to read as follows:

(a) *Computation of transportation cost for shipment to point from which you sell.* For the purpose of determining your maximum price on sales of mixed feeds at a point separate from your plant, you may, if you desire, determine your transportation cost to such point by dividing the total amount of the transportation cost for your last shipment of usual quantity to such point by the total number of tons of mixed feeds of all kinds in such last shipment. The resulting figure will be your transportation cost per ton for each kind of mixed feed to that point.

36. Section 4.8 (a) (4) is amended to read as follows:

(4) The applicable retail markup as set forth in Schedule II in section 5.3.

37. Sections 4.9 (a) (1), (a) (2) and (a) (4) are amended to read as follows:

(1) Your control price for sales to feeders in lots of one to five 100-pound containers; plus

(2) Your transportation cost from your plant or other f. o. b. point as of which you compute your margins; plus

(4) On lots you have unloaded into a warehouse after shipment from your plant and from which you sell to feeders, a handling charge in addition of $2.50 per ton.

38. Section 4.10 (b) (5) is amended to read as follows:

(5) *Returned containers.* The seller must give due credit for containers from former sales accepted from his buyer.

39. Section 5.1 (a) is amended to read as follows:

(a) *Computation of transportation cost to your place of business.* You may, if you desire, determine your transportation cost for shipment from your supplier by dividing the total amount of the transportation cost for the last shipment of usual size from such supplier by the total number of tons of mixed feeds of all kinds in such shipment. The resulting figure will be your transportation cost per ton for each kind of mixed feed of such supplier.

40. The words "or (c)" are inserted between "(b)" and "above" in the first sentence in section 5.2 (d).

41. Section 5.3 is amended to read as follows:

SEC. 5.3 *Maximum prices for sales by retailers, including private brand dealers and importers selling at retail.* You may determine your maximum price by either of the following methods.

(a) *List price method.* Under this method you shall determine your maximum price for each sale of mixed feed by you as a retailer as follows:

(1) If you bought the mixed feed from its manufacturer, the list price shown by the manufacturer, for the applicable rate point, on either (i) the price list on the basis of which you bought such mixed feed, or (ii) the current price list (Note: Section 5.4 explains what price list is "current" as to you), plus, in either case, such additions to the list price as the manufacturer could lawfully have charged you on your purchase of such mixed feed; or

(2) If you bought the mixed feed from a wholesaler or importer, the maximum price he could lawfully have charged you at the time you bought it, or the maximum price he could lawfully charge you at the time of your sale, whichever maximum price is higher; or

(3) If you are an importer your maximum purchase price, plus

(4) In addition to (1), (2) or (3) above:

(i) Any transportation cost that you incur to your place of business and from your place of business to the buyer's receiving point; and

(ii) On lots you have unloaded into a wholesale warehouse before reloading, shipping to, and unloading into your retail place of business from which you sell to feeders, a handling charge in addition of $2.50 per ton for mixed feeds in 100-pound containers, and $4.00 per ton for mixed feeds in containers of less than 100 pounds: *Provided*, That you shall not add such charges on lots with respect to which such charges have been made by a prior seller; plus

(iii) The applicable of the following markups:

SCHEDULE II—MARKUPS

(1) *For sales in 100-pound containers.*

Commodity	Maximum markup: Per ton	Maximum markup: Per 100-pound bag
1. All dairy and cattle feed except colt feeds, all horse and mule feeds and all poultry, duck and turkey feeds except as set forth below	$5.70	$0.057
2. All rabbit feeds, all pig and hog feeds, all sheep and goat feeds, all laying, growing, and broiler mashes and pellets for poultry, ducks and turkeys, except (a) finishing mashes, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 20% of grain and (b) starting mashes and pellets for poultry, ducks and turkeys	7.10	.071
3. All pigeon and squab feeds, all calf feeds, all poultry, duck and turkey mashes and pellets designed for starting poultry, ducks and turkeys and finishing mashes, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 20% of grain	10.00	.10
4. Fox, mink and similar fur-bearing animal feeds except rabbits, and all feeds for game birds and feeds for animals raised in laboratories	15.00	.15

(2) *For sales in containers of less than 100 pounds.*

Sizes of container	Maximum markup per bag
Up to and including 5 pounds	$0.06
Over 5 pounds and up to and including 10 pounds	.10
Over 10 pounds and up to and including 25 pounds	.20
Over 25 pounds and up to and including 50 pounds	.30
Over 50 pounds and up to and including 99 pounds, same prices as for 100-pound containers.	

(3) For sales in containers of less than 100 pounds packed by you as a retailer in containers furnished by you, the maximum markup per container specified in subparagraph (2) of this schedule, plus the appropriate differential for small containers as set forth in Schedule I in section 4.10 hereof.

(4) For sales in containers of 100 pounds packed by you as a retailer in containers furnished by you the reasonable market value of the containers furnished by you less the manufacturer's base container price for new 100-pound containers.

(b) *Base price method.* Under this method you shall determine your maximum price for each sale of mixed feed by you as a retailer as follows:

(1) *Determining the base price.* If you use this method, your base price f. o. b. your place of business for any mixed feed shall be determined by reference to your last receipt of the mixed feed from your normal supplier and shall be the sum of

(i) Your transportation cost to your place of business, plus

(ii) Any addition you are permitted to add under section 5.3 (4) (ii) for handling through a separate warehouse prior to receipt at such place of business, plus

(iii) The invoice price for the mixed feed on such shipment, plus

(iv) All transportation cost of prior sellers in delivering that shipment of mixed feed if charged to you separately from the invoice price.

You may use this price as your base price f. o. b. your place of business until the receipt of another shipment of the same mixed feed from your normal supplier.

(2) *Use of base price.* Having determined your base price under the provisions of subparagraph (1) above, your maximum price for the period in which you are permitted to use such base price consistently with the provisions of such paragraph shall be the sum of

(i) Your base price for the mixed feed, plus

(ii) Your transportation cost from your place of business, plus

(iii) The applicable of the markups specified in section 5.3 (c)

This amendment shall become effective June 6, 1945.

NOTE: The reporting and record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9811; Filed, June 6, 1945; 11:37 a. m.]

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 564, Amdt. 1]

FEATHER FILLED PILLOWS AND UPHOLSTERY CUSHION INNERCASINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 564 is amended in the following respects:

1. Section 6 (a) (1) is amended to read as follows:

(1) After the effective date of this regulation no manufacturer shall sell, offer to sell or deliver a new pillow unless the appropriate tag, described in paragraph (b) of this section, is attached to it, except that pillows sold to the United States Government, pursuant to a contract between it and the manufacturer, need not be tagged.

2. Section 6 (b) is amended to read as follows:

(b) The tag shall be of durable white cloth, stating the following items in the sequence listed, or in any other sequence approved by letter from the Office of Price Administration, Washington, D. C. The type sizes listed below must be used.

Space to attach	Gothic type size
	12 point (capitals)
Mfrs. Name or Reg. No.:	8 point (small)
Designation of Pillow:	
Finished Size:	12 point (capitals)
Gross Weight:	
This Pillow Contains—% Second-Hand Filling Materials.[1]	14 point (capitals)
OPA Retail Ceiling Price: $——	

[1] If the filling components are all new filling materials, substitute "*This pillow contains all new filling materials*" in 14 point Gothic type (capitals).

3. Section 10 (a) (6) is amended to read as follows:

(6) A computation of the value of the filling shall be made in the manner set forth in paragraph (b) (1) of Appendix A. However, if the components of the filling material consist of feathers and downs and other materials, then, the value of the filling material shall be determined in the following manner:

(i) The value of the feathers and down components shall be determined in the manner set forth in paragraph (b) (1) of Appendix A, and the value of the other components shall be calculated by multiplying the supplier's maximum price for his sale of the filling material to the pillow manufacturer by 135%. If the invoice price of the filling material to the pillow manufacturer is less than his supplier's maximum price, then the invoice price shall be used in place of the supplier's maximum price.

4. The following notes are added at the end of Table I-B of paragraph (a) (4) of Appendix A:

NOTE: If the components of the filling mixture of a pillow contain more than three percent of colored chicken and turkey feathers or fibre, the maximum price of the pillow shall be determined as if such feather and fibre components were one hundred percent colored

If the filling components of a pillow include both chicken and turkey feathers and chicken and turkey fibre, the price of the pillow shall be determined as if such feather and fibre components were one hundred percent chicken and turkey feathers.

The maximum price for sales to retailers or to institutional users of pillows 21 inches and 27 inches in size containing percentage compositions other than those listed in Table I-B shall be the maximum price of that pillow listed in the table having the percentage composition next lowest to that of the pillow being priced.

5. The following is added to Table II of paragraph (a) (4) of Appendix A:

a. Under the heading "Finished pillow sizes", insert "20 x 27."

b. Under the heading "Pillows with 10% down cluster or more", insert "96."

c. Under the heading "All other pillows", insert "97."

d. Under the heading "Minimum filling weight", insert "94."

6. The following note is added at the end of Table IV of paragraph (a) (4) of Appendix A:

NOTE: A person intending to manufacture pillows with tailoring extras other than those listed above shall apply to the Office of Price Administration, Durable Goods Price Branch, Washington 25, D. C., for the establishment of a maximum price differential for such tailoring extras. The application shall set forth:

The date of the application.

The specifications and a complete description of the tailoring extra.

The additional direct labor and material costs in manufacturing the extra over the direct costs of manufacturing the pillows.

The application shall be accompanied by a sample of the tailoring extra.

After receiving the application and sample, the Office of Price Administration will issue an order establishing a maximum price differential for the tailoring extra which will be in line with the level of prices listed in Table IV above. No person may add any differential to his maximum price for any pillow manufactured with a tailoring extra not listed in Table IV until a maximum price differential for such extra has been established by the Office of Price Administration.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective on June 11, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9810; Filed, June 6, 1945; 11:37 a. m.]

PART 1393—ICE

[MPR 154, Amdt. 9]

ICE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraphs (c), (d), and (e) of § 1393.12 are redesignated (d), (e), and (f), respectively, and a new paragraph (c) is added to read as follows:

(c) *Maximum prices for specially treated ice not sold prior to April 1942.* The maximum price for specially treated ice for which a maximum price is not established by paragraphs (a) or (b) above shall be determined upon application filed with the Director of the Transportation and Public Utilities Division, Office of Price Administration, Washington 25, D. C. Such maximum prices will

[1] 7 F.R. 5139, 5276, 5944, 8840, 8948; 8 F.R. 1270, 7593, 8844, 10514, 12660; 9 F.R. 2300, 14852.

be established by order of the Administrator in line with the level of maximum prices otherwise established by this regulation. Applications under this paragraph shall contain the following:

1. Name and address of the seller, indicating whether an individual, partnership, association, or corporation;
2. Brief description of the business;
3. Description of the customers or class of customers to be served;
4. A complete description of the specially treated ice for which a maximum price is sought;
5. A statement of the reasons why such specially-treated ice cannot be priced under paragraphs (a) or (b) above;
6. The maximum price proposed by the seller, and a specific breakdown of all relevant cost factors, including material, fuel or power, direct labor, other direct operating expenses, and applicable overhead costs; and
7. Any other facts which the seller wishes to submit in support of the application.

The application must be signed by the applicant personally, or if a partnership by a partner, or if an association or corporation by a duly authorized officer thereof.

Pending consideration of the application, sales and deliveries of the commodity may be made at prices not in excess of the maximum prices for untreated ice in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration in conformity with § 1393.3 of this regulation, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Orders issued under this paragraph may be made applicable to all sellers of a particular kind of specially-treated ice and will contain such restrictions and limitations as are deemed necessary by the Administrator.

This amendment shall become effective June 11, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9812; Filed, June 6, 1945; 11:40 a. m.]

PART 1412—SOLVENTS

[MPR 28,[1] Amdt. 12]

ETHYL ALCOHOL (EXCLUDING WEST COAST ETHYL ALCOHOL)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1412.263 (h) (1) is amended by substituting for the phrase "November 1, 1943," wherever it appears in the second sentence, the phrase "October 1, 1943,".

This amendment shall become effective June 11, 1945.

[1] 8 F.R. 2339.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9814; Filed, June 6, 1945; 11:38 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 288,[1] Amdt. 1]

TERRITORIAL ADJUSTMENT OF MAXIMUM PRICES IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 5 is amended to read as follows:

SEC. 5. *Territorial adjustment of maximum prices.* The Territorial Director of the Office of Price Administration in Alaska may issue an order adjusting the maximum price of any item for any locality listed in the sections set forth below whenever such action is necessary to correct an error or to prevent substantial hardship caused by an unanticipated increase in the maximum wholesale price or costs of shipment. The said Territorial Director may also issue orders adjusting the maximum prices of any items listed in the sections set forth below to reflect decreases or increases in landed cost, and establishing prices for items similar to those priced in the regulation computed in the same manner as the prices of such items. Any order issued pursuant to this section shall remain in effect until superseded by an appropriate amendment.

This amendment shall become effective June 11, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9813; Filed, June 6, 1945; 11:38 a. m.]

PART 1433—FEATHERS AND DOWN

[MPR 318, Amdt. 5]

FEATHERS AND DOWN

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 318 is amended in the following respects:

1. Table II of § 1433.3 (b) is amended by inserting the words "sold separately" after the word "fibre" in column one.

2. Section 1433.3 (c) (1) (ix) is added to read as follows:

(ix) White feathers and fibre are feathers and fibre containing not more than 3 percent of colored feathers and fibre.

3. Section 1433.3 (e) is added to read as follows:

(e) Each processor shall affix to each package containing processed feathers and down, before sale, a tag or label which shall state the following:

(1) The processor's name and address.
(2) The net weight of contents.
(3) The percentage by weight of each component.

This amendment shall become effective on June 11, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9809; Filed, June 6, 1945; 11:37 a. m.]

[1] 10 F.R. 5909.

Chapter XX—Office of Contract Settlement

[Reg. 18]

PART 8075—SETTLEMENT PROPOSAL FORMS

FORM OF APPLICATION FOR DISPOSITION OF PLANT EQUIPMENT

Pursuant to the authority conferred upon me by sections 4 (b) and 12 (g) of the Contract Settlement Act of 1944, the attached forms,[1] designated thereon Office of Contract Settlement Form 5 and Form 5a, are hereby prescribed for use, in accordance with "General Instructions" and "Instructions for Supporting Schedules" incorporated in Form 5, by all Government agencies in receiving applications for disposition of plant equipment.

ROGER L. PUTNAM,
Acting Director.

JUNE 1, 1945.

[F. R. Doc. 45-9740; Filed, June 5, 1945; 11:02 a. m.]

[1] Filed as part of the original document.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[2d Rev. S. O. 300]

PART 95—CAR SERVICE

ICING RESTRICTION ON POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of June, A. D. 1945.

It appearing, that the icing of potatoes originating at points in certain States, in refrigerator cars impedes unduly the use, control, supply, movement, and distribution of such cars and contributes to the shortage of equipment and congestion of traffic; the Commission is of opinion an emergency requiring immediate action exists in the eastern section of the country; it is ordered, that:

(a) (1) *Icing restrictions on Maine potatoes.* No common carrier by railroad subject to the Interstate Commerce Act shall initially ice, or reice in transit at any point located east of the Mississippi River and north of the southern boundaries of the States of Tennessee and North Carolina, a refrigerator car or cars loaded with potatoes originating at any point or points in the State of Maine.

(2) *Cars of potatoes originating in certain States not to be initially iced or reiced.* No common carrier by railroad subject to the Interstate Commerce Act shall initially ice, or reice in transit, at any point east of the Mississippi River, any refrigerator car or cars loaded with potatoes originating in the States of Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Pennsylvania, Delaware, New Jersey, or New York (Long Island only).

(b) *Application.* The provisions of this order shall apply to all such shipments billed or rolling on or after the effective date of this order.

(c) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each railroad affected by this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein affected by this order.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. Second Amended General Permit No. 1, Amended General Permit No. 2, General Permit No. 3, and General Permit No. 4, under Revised Service Order No. 300 shall be considered in effect as though issued under the authority delegated in this paragraph.

(f) *Effective date.* This order shall become effective at 12:01 a. m., June 7, 1945.

(g) *Expiration date.* This order shall expire at 11:59 p. m., September 15, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17).)

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-9806; Filed, June 6, 1945; 11:26 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 898]

ALLOCATION OF FUNDS FOR LOANS

MAY 19, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Iowa 5-46005G1 Carroll	$150,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-9789; Filed, June 5, 1945; 3:19 p. m.]

[Administrative Order 899]

ALLOCATION OF FUNDS FOR LOANS

MAY 21, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Alabama 5020C3 Baldwin	$50,000
Alabama 5022C3 Butler	50,000
Iowa 5-46003C1 Plymouth	150,000
Iowa 5-46015C1 Harrison	100,000
Iowa 5-46019C1 Adams	100,000
Iowa 5-46057C2 Mitchell	75,000
Iowa 5-46075B1 Montgomery	100,000
Kentucky 5-46049D4 Harrison	60,000
Mississippi 5-46021F4 Coahoma	50,000
Mississippi 5031D3 Washington	10,000
Mississippi 5-46031D3 Washington	50,000
Missouri 5-46022C1 Howard	125,000
Missouri 5-46034E1 Macon	150,000
Missouri 5-46041A5 Platte	60,000
Missouri 5-46049C1 Howell	125,000
Ohio 5-46075C3 Williams	80,000
Oklahoma 5-46014C2 Love	40,000
Oklahoma 5-46025C5 Rogers	50,000
Oklahoma 5-46029C1 Hughes	125,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-9787; Filed, June 5, 1945; 3:19 p. m.]

[Administrative Order 900]

ALLOCATION OF FUNDS FOR LOANS

MAY 23, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Alaska 5-46002A5 Matanuska	$10,000
Arkansas 5-46024F2 Washington	150,000
Arkansas 5-46031A2 Ashley	50,000
Iowa 5-46016C1 Monona	45,000
Kansas 5-46031B2 Crawford	50,000
Kentucky 5-46018E2 Meade	50,000
Kentucky 5-46024E2 Barren	50,000
Kentucky 5-46035F2 Warren	50,000
Kentucky 5-46050E3 Graves	50,000
Kentucky 5-46051A2 Hardin	50,000
Minnesota 5-46057F1 Ottertail	211,000
Missouri 5-46022C2 Howard	140,000
New Mexico 5-46019A1 Colfax	150,000
Tennessee 5001H3 Meigs	50,000
Texas 5-46030F2 Upshur	100,000
Texas 5-46040E4 Bowie	50,000
Texas 5-46089A2 Houston	100,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-9788; Filed, June 5, 1945; 3:19 p. m.]

[Administrative Order 901]

ALLOCATION OF FUNDS FOR LOANS

MAY 19, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Michigan 5-46028G1 Presque Isle	$349,000

WILLIAM J. NEAL
Acting Administrator.

[F. R. Doc. 45-9769; Filed, June 5, 1945; 3:19 p. m.]

[Administrative Order 902]

ALLOCATION OF FUNDS FOR LOANS

MAY 24, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
North Carolina 5-46066A1 Chowan	$685,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-9790; Filed, June 5, 1945; 3:19 p. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 75]

NASH-FINCH CO., AND RYAN FRUIT CO.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Nash-Finch Company and Ryan Fruit Company, Bozeman, Montana; Case No. S-2105.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89,

78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Nash-Finch Company and Ryan Fruit Company, Bozeman, Montana

I find that transportation by motor vehicle of fruits, vegetables and groceries sold at wholesale by the Nash-Finch Company and the Ryan Fruit Company, Bozeman, Montana, pursuant to contracts for the sale and delivery thereof, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 5th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-9805; Filed, June 6, 1945; 10:10 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

WENTWORTH BUS LINES, INC. AND AMALGAMATED ASSOCIATION OF STREET, ELECTRIC RAILWAY AND MOTOR COACH EMPLOYEES OF AMERICA

DIRECTIVE TO OFFICE OF DEFENSE TRANSPORTATION AND OFFICE OF PRICE ADMINISTRATION

In the matter of Wentworth Bus Lines, Inc., Dover, N. H. and Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, Local 1340, AFL; WLB Case No. 111-4667-D.

Preliminary statement. The National War Labor Board, pursuant to Executive Order 9370, has reported to the Director of Economic Stabilization that the Wentworth Bus Lines, Inc., of Dover, N. H. has failed to comply with a directive order heretofore issued by the Board in final determination of a labor dispute between the Company and the Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, Local 1340, AFL.

The War Labor Board, acting under the provisions of the War Labor Disputes Act of June 25, 1943 in accordance with its regular procedure decided the dispute and provided by appropriate order the wages and hours and other terms and conditions that should govern the relations between the parties. The company has refused to comply with this order. I hereby find that this refusal threatens to delay and impede the effective prosecution of the war.

In the interest of the war effort, it is imperative that wartime labor disputes of the type involved in this case be resolved through the peaceful procedures established by law. The persistent refusal of this employer to comply with the National War Labor Board's order is disruptive of the government's wartime labor relations program.

I am informed by the Navy Department that it has no direct contracts with this company but that the company supplies common carrier and other transportation services to certain employees of the Portsmouth Navy Yard. The Navy Department also advises me that the company supplies transportation facilities for some employees of the Navy Department's plant at Somersworth and for some employees at the plant of the Sylvania Electric Products, Inc., at Dover, N. H. The Navy Department states that "present public transportation facilities and potential bus equipment in the area are sufficient to provide substitute service" for employees of the Portsmouth Navy Yard; that private transportation is available or could be arranged for a majority of the Somersworth plant employees serviced by the Wentworth Bus Lines; that arrangements for other transportation services for employees of the Sylvania Electric Products, Inc. serviced by this bus line could be worked out in about 30 days.

The Office of Defense Transportation has informed me that the military and war plant transportation of the Wentworth Bus Lines, Inc. could be handled by other carriers operating in the same area. It also advised me that it would take a minimum of 30 days to make adjustments necessary to such a shift and that under the circumstances it has no objections to the line shutting down if sufficient notice is given.

In view of the foregoing, I find that the allocation to this employer of materials in short supply, or extension of priority assistance to the employer, would delay and impede rather than promote the effective prosecution of the war; and would be contrary to the requirements of the national defense and the public interest.

Under the circumstances, I am of the opinion that the company should be granted a period of 7 days from the issuance of this directive within which to comply fully with the directive order of the National War Labor Board in Case No. 111-4667-D. It also appears from the record that the Office of Defense Transportation or the Navy Department, as the case may be, should have a period of 30 days within which to make arrangements for transportation services, wherever necessary, to replace those now provided by the Wentworth Bus Lines, Inc. in the event that the withdrawal of allocations or priority assistance to the company results in termination of its operations.

DIRECTIVE

Pursuant to the authority vested in me by Executive Order 9370, I hereby direct the Office of Defense Transportation and the Office of Price Administration, within 30 days from the effective date of this directive, to deny the Wentworth Bus Lines, Inc., of Dover, N. H., its successors and assigns, all applications for priority assistance or for the allocation of materials which are short in supply and to cancel all outstanding priorities and allocations of that company.

I further direct the Office of Defense Transportation and the Office of Price Administration to report to me within 14 days after July 9, 1945, the action taken by it pursuant to this directive.

This directive shall become effective June 9, 1945 and shall remain in effect until such time as the Office of Economic Stabilization informs the Office of Defense Transportation and the Office of Price Administration that the company is in compliance with the National War Labor Board's order.

Effective date: June 9, 1945.

(E.O. 9370, Aug. 16, 1943, 8 F.R. 11463)

Issued this 2d day of June 1945.

WILLIAM H. DAVIS,
Director.

[F. R. Doc. 45-9739; Filed, June 5, 1945; 1:07 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[SR 15, Order 43]

S. WATERBURY AND SON CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 43 Under section 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. S. Waterbury and Son Co. Docket No. 6064-SR 15.75 (a) (10)-36.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum prices for sales of footwear manufactured by S. Waterbury and Son Company*—(1) *Maximum prices.* On and after June 6, 1945, the maximum prices at which S. Waterbury and Son Company, 62 Schenectady Avenue, Brooklyn, New York, may sell and deliver the footwear specified below to retailers shall be as follows:

Style No.	Description	Size run	OPA adjustment charge (cents per pair)	Adjusted maximum price per pair (net)
172	Babies' White Buck Blucher Boot	3-6	13	[illegible]
84	do	3-6	14	[illegible]
0857	do	3-6	13	[illegible]
351	do	3-6½	9	[illegible]
1785	do	3-6	12	[illegible]
PAH755	do	3-6	13	[illegible]
181	Babies' Brown Elk Blucher Boot	3-6	21	[illegible]
181	Infants' Brown Elk Blucher Boot	6½-8	9	[illegible]
81810	Babies' Brown Elk Blucher Boot	3-6	19	[illegible]
2411A	do	3-6	21	[illegible]
353	do	3-6½	17	[illegible]
1765	do	3-6	20	[illegible]
PAH522	do	3-6	21	[illegible]
182	Babies' White Elk Blucher Boot	3-6	20	[illegible]
182	Infants' White Elk Blucher Boot	6½-8	9	2.70

Style No.	Description	Size run	OPA adjustment charge (cents per pair)	Adjusted maximum price per pair (net)
89	Infants' White Elk Blucher Boot	3-6	22	$2.40
S1820	do	3-6	18	2.39
2451A	do	3-6	20	2.39
356	do	3-6½	17	2.40
1725	do	3-6	20	2.43
182-15	do	3-6	16	2.39
182-15	do	6½-8	5	2.70
PAH701	Babies' White Elk Blucher Boot	3-6	20	2.39
1943A	Babies' Brown Elk Blucher Oxford	3-6	12	2.21
453	do	3-6½	8	2.22
282	Infants' White Elk Blucher Oxford	6½-8	12	2.59
282	Misses' White Elk Blucher Oxford	12½-3	13	3.60
1953A	Babies' White Elk Blucher Oxford	3-6	11	2.20
456	do	3-6½	7	2.21
332	Misses' Brown Elk Blucher Oxford, Shark Tip	12½-3	23	3.70
270	Infants' Brown Elk Blucher Boot	6½-8	11	2.72
270	Misses' Brown Elk Blucher Boot	12½-3	25	3.86
621	Infants' Brown Elk Blucher Boot	6½-8	10	2.71
1657	do	6½-8	14	2.76
W353	do	7-8	11	2.72
3441A	do	6½-8	11	2.72
181-15	do	6½-8	6	2.71
181-109	do	6½-8	6	2.71
1-101-2	do	6½-8	10	2.81
PBH522	do	6½-8	10	2.71
1620	Infants' White Elk Blucher Boot	6½-8	8	2.82
312	do	6½-8	11	2.72
625	do	6½-8	10	2.71
1855	do	6½-8	12	2.73
W356	do	7-8	11	2.72
3451A	do	6½-8	11	2.72
PBH701	do	6½-8	10	2.70
I-103	do	6½-8	10	2.80
281	Infants' Brown Elk Blucher Oxford	6½-8	13	2.60
281	Misses' Brown Elk Blucher Oxford	12½-3	13	3.60
259	Infants' Brown Elk Blucher Oxford	6½-8	14	2.61
259	Misses' Brown Elk Blucher Oxford	12½-3	15	3.62
261	Infants' Brown Elk Blucher Oxford	6½-8	14	2.61
261	Misses' Brown Elk Blucher Oxford	12½-3	15	3.62
622	Infants' Brown Elk Blucher Oxford	6½-8	13	2.60
1637	do	6½-8	14	2.61
W453	do	7-8	14	2.61
2143A	do	6½-8	14	2.61
PBX538	do	6½-8	13	2.60
281-15	do	6½-8	9	2.60
281-15	Misses' Brown Elk Blucher Oxford	12½-3	11	3.62
630	Infants' White Elk Blucher Oxford	6½-8	13	2.60
W456½	do	7-8	14	2.61
1553A	do	6½-8	14	2.61
282-15	do	6½-8	8	2.59
282-15	Misses' White Elk Blucher Oxford	12½-3	13	3.62
B403	Babies' White Elk Blucher Boot	3-6	20	2.39
192	Child's Brown Elk Blucher Boot, Shark Tip	8½-12	1	3.05
192	Misses' Brown Elk Blucher Boot, Shark Tip	12½-3	29	3.81
302	Child's Brown Elk Blucher Boot, Shark Tip	8½-12	3	3.07
302X	do	12½-3	32	3.81
PCH537	Child's Brown Elk Blucher Boot, Shark Tip	8½-12	2	3.05
181-102X	Misses' Brown Elk Blucher Boot, Shark Tip	12½-3	29	3.83
181-100	Child's Brown Elk Blucher Boot, Shark Tip	8½-12	4	3.15
181-100	Misses' Brown Elk Blucher Boot, Shark Tip	12½-3	28	3.91
C101-2	Child's Brown Elk Blucher Boot, Shark Tip	8½-12	3	3.10
405	Misses' Brown Elk Blucher Oxford	12½-3	15	3.62
281-107	do	12½-3	14	3.62
320	Infants' White Elk Blucher Oxford	6½-8	14	2.61
320	Misses' White Elk Blucher Oxford	12½-3	14	3.61
292	Child's Brown Elk Blucher Oxford, Shark Tip	8½-12	3	2.93
292	Misses' Brown Elk Blucher Oxford, Shark Tip	12½-3	21	3.61
260X	Child's Brown Elk Blucher Oxford, Shark Tip	8½-12	5	2.95
260X	Misses' Brown Elk Blucher Oxford, Shark Tip	12½-3	26	3.63
2635	Child's Brown Elk Blucher Oxford, Shark Tip	8½-12	5	2.95
411	do	8½-12	6	2.95
411	Misses' Brown Elk Blucher Oxford, Shark Tip	12½-3	27	3.65
PCX-537	Child's Brown Elk Blucher Oxford, Shark Tip	8½-12	5	2.93
6443A	do	8½-12	5	2.95
281-102X	do	8½-12	2	2.95
281-102X	Misses' Brown Elk Blucher Oxford, Shark Tip	12½-3	21	3.61
432	Child's Brown Elk Blucher Oxford, Shark Tip	8½-12	1	3.00
281-16	do	8½-12	2	2.95
35402	Misses' Brown Elk Blucher Oxford, Shark Tip	12½-3	24	3.61

Style No.	Description	Size run	OPA adjustment charge (cents per pair)	Adjusted maximum price per pair (net)
321	Misses' Brown Elk Blucher Boot	12½-3	18	$3.89
M101-2	Misses' Brown Elk Blucher Boot, Shark Tip	12½-3	27	3.92
331	do	12½-3	26	3.96
322	Misses' Brown Elk Blucher Oxford	12½-3	14	3.60
2543A	do	12½-3	15	3.62
KDX538	do	12½-3	16	3.60
330	Misses' White Elk Blucher Oxford	12½-3	13	3.60
3635	Misses' Brown Elk Blucher Oxford, Shark Tip	12½-3	26	3.63
6543A	do	12½-3	26	3.63
281-16X	do	12½-3	24	3.64
KDX537	do	12½-3	26	3.61
281-100	do	12½-3	24	3.72
W281	Infants' Brown Elk Blucher Oxford	6½-8	12	2.61
W281	Misses' Brown Elk Blucher Oxford	12½-3	11	3.62
W292	Child's Brown Elk Blucher Oxford, Shark Tip	8½-12	2	2.95
W292	Misses' Brown Elk Blucher Oxford, Shark Tip	12½-3	22	3.63
C281	Misses' Brown Elk Blucher Oxford	12½-3	15	3.62
C292	Child's Brown Elk Blucher Oxford, Shark Tip	8½-12	5	2.95
C292	Misses' Brown Elk Blucher Oxford, Shark Tip	12½-3	26	3.63
3172	Babies' White Buck Blucher Boot Cemented	3-6	27	2.55
84X	do	3-6	27	2.56
3385	do	3-6	28	2.56
0354	do	3-6	27	2.55
PAH777	do	3-6	27	2.55
172-02	do	3-6	27	2.55
2161X	Babies' Brown Elk Blucher Boot Unlined, Cemented.	2-6	28	2.18
2161X	Infants' Brown Elk Blucher Boot Unlined, Cemented.	6½-8	13	2.41
356XT	Babies' Brown Elk Blucher Boot Unlined, Cemented.	3-4	28	2.18
356XT	Infants' Brown Elk Blucher Boot Unlined, Cemented.	4½-8	18	2.41
3379X	Babies' Brown Elk Blucher Boot Unlined, Cemented.	2-6	28	2.18
2162X	Babies' White Elk Blucher Boot Unlined, Cemented.	2-6	26	2.16
2162X	Infants' White Elk Blucher Boot Unlined, Cemented.	6½-8	12	2.40
182-07	Babies' White Elk Blucher Boot Unlined, Cemented.	2-6	30	2.16
356X	do	3-4	26	2.16
356X	Infants' White Elk Blucher Boot Unlined, Cemented.	4½-8	16	2.40
3375X	Babies' White Elk Blucher Boot Unlined, Cemented.	2-6	26	2.16
PAH702	do	2-6	26	2.16
2262X	do	2-6	15	2.00
2262X	Infants' White Elk Blucher Oxford Unlined, Cemented.	6½-8	9	2.28
357X	Babies' White Elk Blucher Oxford Unlined, Cemented.	3-4	15	2.00
357X	Infants' White Elk Blucher Oxford Unlined, Cemented.	4½-8	4	2.28
3376X	Babies' White Elk Blucher Oxford Unlined, Cemented.	2-6	15	2.00
2182	Babies' White Elk Blucher Boot Cemented	3-6	35	2.34
2182	Infants' White Elk Blucher Boot Cemented	6½-8	25	2.62
182-02	Babies' White Elk Blucher Boot Cemented	3-6	39	2.34
3325	do	3-6	35	2.35
710W	do	3-6	35	2.34
PAH702X	do	3-6	34	2.34
2182B	Babies' Brown Elk Blucher Boot Cemented	3-6	35	2.35
181-02	do	3-6	40	2.35
3321	do	3-6	36	2.35
2282	Babies' White Elk Blucher Oxford Cemented	3-6	25	2.15
2282	Infants' White Elk Blucher Oxford Cemented	6½-8	28	2.51
2282B	Babies' Brown Elk Blucher Oxford Cemented	3-6	26	2.16
2282B	Infants' Brown Elk Blucher Oxford Cemented	6½-8	29	2.52
3380X	Babies' Brown Elk Blucher Oxford Unlined, Cemented	2-6	17	2.02
357XT	do	3-4	17	2.02
357XT	Infants' Brown Elk Blucher Oxford Unlined, Cemented	4½-8	6	2.29
3279X	Infants' Brown Elk Blucher Boot Cemented	6½-8	13	2.41
3257X	Infants' White Elk Blucher Boot Cemented	6½-8	12	2.40
3276X	Infants' White Elk Blucher Oxford Cemented	6½-8	9	2.28
3225	do	6½-8	25	2.63
3221	Infants' Brown Elk Blucher Oxford Cemented	6½-8	26	2.63

78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Nash-Finch Company and Ryan Fruit Company, Bozeman, Montana

I find that transportation by motor vehicle of fruits, vegetables and groceries sold at wholesale by the Nash-Finch Company and the Ryan Fruit Company, Bozeman, Montana, pursuant to contracts for the sale and delivery thereof, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 5th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-9805; Filed, June 6, 1945; 10:10 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

WENTWORTH BUS LINES, INC. AND AMALGAMATED ASSOCIATION OF STREET, ELECTRIC RAILWAY AND MOTOR COACH EMPLOYEES OF AMERICA

DIRECTIVE TO OFFICE OF DEFENSE TRANSPORTATION AND OFFICE OF PRICE ADMINISTRATION

In the matter of Wentworth Bus Lines, Inc., Dover, N. H. and Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, Local 1340, AFL; WLB Case No. 111-4667-D.

Preliminary statement. The National War Labor Board, pursuant to Executive Order 9370, has reported to the Director of Economic Stabilization that the Wentworth Bus Lines, Inc., of Dover, N. H. has failed to comply with a directive order heretofore issued by the Board in final determination of a labor dispute between the Company and the Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, Local 1340, AFL.

The War Labor Board, acting under the provisions of the War Labor Disputes Act of June 25, 1943 in accordance with its regular procedure decided the dispute and provided by appropriate order the wages and hours and other terms and conditions that should govern the relations between the parties. The company has refused to comply with

company but that the company supplies common carrier and other transportation services to certain employees of the Portsmouth Navy Yard. The Navy Department also advises me that the company supplies transportation facilities for some employees of the Navy Department's plant at Somersworth and for some employees at the plant of the Sylvania Electric Products, Inc., at Dover, N. H. The Navy Department states that "present public transportation facilities and potential bus equipment in the area are sufficient to provide substitute service" for employees of the Portsmouth Navy Yard; that private transportation is available or could be arranged for a majority of the Somersworth plant employees serviced by the Wentworth Bus Lines; that arrangements for other transportation services for employees of the Sylvania Electric Products, Inc. serviced by this bus line could be worked out in about 30 days.

The Office of Defense Transportation has informed me that the military and war plant transportation of the Wentworth Bus Lines, Inc. could be handled by other carriers operating in the same area. It also advised me that it would take a minimum of 30 days to make adjustments necessary to such a shift and and that under the circumstances it has no objections to the line shutting down if sufficient notice is given.

In view of the foregoing, I find that the allocation to this employer of materials in short supply, or extension of priority assistance to the employer, would delay and impede rather than promote the effective prosecution of the war; and would be contrary to the requirements of the national defense and the public interest.

Under the circumstances, I am of the opinion that the company should be granted a period of 7 days from the issuance of this directive within which to comply fully with the directive order of the National War Labor Board in Case No. 111-4667-D. It also appears from the record that the Office of Defense Transportation or the Navy Department, as the case may be, should have a period of 30 days within which to make arrangements for transportation services, wherever necessary, to replace those now provided by the Wentworth Bus Lines, Inc. in the event that the withdrawal of allocations or priority assistance to the company results in termination of its operations.

DIRECTIVE

Pursuant to the authority vested in me by Executive Order 9370, I hereby direct the Office of Defense Transportation and the Office of Price Administration, within 30 days from the effective date of this directive, to deny the Wentworth Bus Lines, Inc., of Dover, N. H., its successors and assigns, all applications for priority assistance or for the allocation of materials which are short in supply and to cancel all outstanding priorities and allocations of that company.

I further direct the Office of Defense Transportation and the Office of Price Administration to report to me within 14 days after July 9, 1945, the action taken by it pursuant to this directive.

This directive shall become effective June 9, 1945 and shall remain in effect until such time as the Office of Economic Stabilization informs the Office of Defense Transportation and the Office of Price Administration that the company is in compliance with the National War Labor Board's order.

Effective date: June 9, 1945.

(E.O. 9370, Aug. 16, 1943, 8 F.R. 11463)

Issued this 2d day of June 1945.

WILLIAM H. DAVIS,
Director.

[F. R. Doc. 45-9739; Filed, June 5, 1945; 1:07 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[SR 15, Order 43]

S. WATERBURY AND SON CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 43 Under section 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. S. Waterbury and Son Co. Docket No. 6064-SR 15.75 (a) (10)-36.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum prices for sales of footwear manufactured by S. Waterbury and Son Company*—(1) *Maximum prices.* On and after June 6, 1945, the maximum prices at which S. Waterbury and Son Company, 62 Schenectady Avenue, Brooklyn, New York, may sell and deliver the footwear specified below to retailers shall be as follows:

Description	Size run	OPA adjustment charge (covers per pair)	Adjusted maximum price per pair (net)
Style No.			

Style No.	Description	Size run	OPA adjustment charge (cents per pair)	Adjusted maximum price per pair (net)
3280X	Infants' Brown Elk Blucher Oxford Unlined, Cemented.	6½-8	11	$2.29
2182H	Infants' Brown Elk Blucher Boot Cemented	6½-8	25	2.63
PAH302X	Babies' Brown Elk Blucher Oxford Lined	3-6	35	2.35

(2) *Invoicing of "OPA adjustment charges."* The "OPA adjustment charges" listed in subparagraph (1), above, may be made and collected only if separately stated on the invoice accompanying each sale and delivery.

(3) *Discounts.* Any shoe listed in subparagraph (a) (1), above, may be billed at a gross price provided that the net price, after discounts, does not exceed the applicable maximum price specified.

(b) *Maximum prices for sales at retail—(1) Sales subject to the General Maximum Price Regulation.* Except as provided in subparagraph (3) of this paragraph, the maximum price for a sale or delivery at retail of any shoe listed in subparagraph (a) (1), above, shall be the retailer's maximum price previously established under the General Maximum Price Regulation and may not be increased by reason of the adjustment granted to S. Waterbury and Son Company under this order. A retailer who has not previously established a maximum price for such shoe under the General Maximum Price Regulation may not, in determining his maximum price, consider the "OPA Adjustment Charge" specified in subparagraph (a) (1) as a part of his net unit replacement cost for the shoe.

(2) *Sales subject to Maximum Price Regulation 580.* Except as provided in subparagraph (3) of this paragraph, the maximum price for a sale or delivery at retail of any shoe listed in subparagraph (a) (1), above, shall be the retailer's maximum price determined by applying to his invoice net cost, exclusive of the "OPA Adjustment Charge" specified in subparagraph (a) (1), the applicable pricing rule of section 7 of Maximum Price Regulation 580 and may not be increased by reason of the adjustment granted to S. Waterbury and Son Company under this order.

(3) *Adjusted maximum prices for sales of certain specified styles.* The maximum price for a sale or delivery at retail of a style of footwear specified below shall be:

(i) *Sales subject to the General Maximum Price Regulation.* For sales and deliveries subject to the General Maximum Price Regulation, the retailer's maximum price previously established under the General Maximum Price Regulation, increased only by the amount specified in subparagraph (ii), below. A retailer who has not previously established a maximum price for such shoe under the General Maximum Price Regulation may not, in determining his maximum price, consider the "OPA Adjustment Charge" as part of his net unit replacement cost for the shoe but may add the amount specified in subparagraph (ii), below, to the maximum price otherwise determined.

(ii) *Sales subject to Maximum Price Regulation 580.* For sales or deliveries subject to Maximum Price Regulation 580, the retailer's maximum price determined by applying to his invoice net cost, exclusive of the "OPA Adjustment Charge" specified in subparagraph (a) (1), above, the applicable pricing rule of section 7 of Maximum Price Regulation 580. To this maximum price may be added the amount specified below.

Style No.	Description	Size run	Amount of adjustment (cents per pair)
2161X	Babies' brown elk blucher boot unlined, cemented.	2-6	6
3280XT	do	3-4	6
3379X	do	2-6	6
2162X	Babies' white elk blucher boot unlined, cemented.	2-6	4
182-07	do	2-6	9
3356X	do	3-4	4
3377X	do	2-6	4
PAH702	do	2-6	3
2182	Babies' white elk blucher boot, cemented.	3-6	11
182-02	do	3-6	16
3325	do	3-6	11
7100W	do	3-6	11
PAH702X	do	3-6	11
2182H	Babies' brown elk blucher boot, cemented.	3-6	12
181-02	do	3-6	17
3321	do	3-6	13
2282	Babies' white blucher oxford, cemented.	3-6	3
2282	Infants' white blucher oxford, cemented.	6½-8	2
2282B	Babies' brown elk blucher oxford, cemented.	3-6	4
2282B	Infants' brown elk blucher oxford, cemented.	6½-8	3
PAH302X	Babies' brown elk blucher boot, lined.	3-6	12

(c) *Notification.* At the time of (or prior to) the first delivery hereafter of each shoe listed in subparagraph (a) (1), above, S. Waterbury and Son Company shall notify the purchaser in writing of the applicable method established by paragraph (b), above, for determining his maximum price at retail for sales of such shoe. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be amended, modified, revised or revoked by the Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9722; Filed, June 5, 1945; 11:43 a. m.]

[MPR 188, Order 3912]

GREENSPRAY PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Greenspray Products Company of P. O. Box 1311, Richland, Wash.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by—			
	Manufacturer to—		Sellers other than manufacturer to—	
	Wholesalers (Jobbers)	Retailers	Retailers	Consumers
Lawn sprinkler	*Each* $1.15	*Each* $1.53	*Each* $1.53	*Each* $2.30

These maximum prices are for the articles described in the manufacturer's application dated May 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with full freight allowed on shipments of 100 pounds or over to jobbers' stock, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.30
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9721; Filed, June 5, 1945; 11:42 a. m.]

[MPR 188, Order 3913]

DANIEL ALTMAN

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Daniel Altman, 3133 Rochambeau Avenue, New York 67, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—MODEL XZ 5½" BURNER HOT PLATE

Maximum prices for sales by manufacturer to—	*Each*
Wholesaler	$0.83
Retailer (in units of 6 or more)	.98
Retailer (in units of less than 6)	1.10
Maximum prices for sales by sellers other than the manufacturer to—	
Retailer (in units of 6 or more)	.98
Retailer (in units of less than 6)	1.10
Consumer	1.58

These maximum prices are for the articles described in the manufacturer's application dated May 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements:

Daniel Altman
3133 Rochambeau Avenue
New York 67, New York
Model XZ
OPA Retail Ceiling Price—$1.58
Do Not Detach
Price Includes Federal Excise Tax

Order No. 3913
Model XZ
OPA Retail Ceiling Price—$1.58
Do Not Detach
Price Includes Federal Excise Tax

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9720; Filed, June 5, 1945; 11:42 a. m.]

[MPR 188, Order 3914]

RO-CO PRODUCTS MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ro-Co Products Manufacturing Company, 1011 East 41st Street, Kansas City, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	#1	*Each* $0.68	*Each* $0.90	*Each* $1.50

These maximum prices are for the articles described in the manufacturer's application dated April 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9719; Filed, June 5, 1945; 11:42 a. m.]

[MPR 188, Order 3915]

THORE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Thore Manufacturing Company, 220 South State Street, Chicago 4, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	X01	*Each* $2.02	*Each* $2.70	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales

and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9718; Filed, June 5, 1945; 11:42 a. m.]

[Order 53 Under 3 (c)]

B. F. GOODRICH CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.3 (c) of the General Maximum Price Regulation; it is ordered:

(a) *Applicability of the order.* This order applies to all sales in the shoe factory trade of women's molded plastic soles bearing the brand name Koroseal, which are manufactured by the B. F. Goodrich Company, Akron, Ohio.

(b) *Manufacturer's and wholesalers' maximum prices.* The maximum prices for sales of the soles described in paragraph (a) of this order by manufacturers and wholesalers in the shoe factory trade, shall be as follows:

Description	Maximum list prices (per pair)	
	For sales by the manufacturer [1]	For sales by wholesalers [2]
Women's 6 iron Koroseal soles	$0.35	$0.35
Women's 7 iron Koroseal soles	.385	.385
Women's 8 iron Koroseal soles	.42	.42

[1] Terms: 2% 10th proximo, net 60 days, f. o. b. point of shipment, freight allowed on 100 lbs. or over.
[2] These prices are subject to the transportation terms and all discounts, allowances and other deductions from list prices for rubber soles that the wholesaler had in effect to a purchaser of the same class during March 1942.

(c) Before or at the time of the first delivery of the molded plastic soles described in paragraph (a) by the manufacturer to a wholesaler after the effective date of this order, the manufacturer shall notify the wholesaler of the maximum wholesale price applicable to the wholesaler's sales of these soles as established by paragraph (b) of this order.

(d) All provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9741; Filed, June 5, 1945; 2:40 p. m.]

[MPR 64, Order 179]

COLE HOT BLAST MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) This order establishes maximum prices for sales of the Models No. 832, 842, and 852 Coal Circulating Heaters with cast iron elbows, manufactured by the Cole Hot Blast Manufacturing Co., 3108–28 West 51 Street, Chicago 32, Illinois, as follows:

(i) For sales in each zone by wholesale distributors to retail dealers the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by wholesale distributors to retail dealers			
		Zone 1	Zone 2	Zone 3	Zone 4
		Each	*Each*	*Each*	*Each*
Coal circulating heater with cast iron elbow.	832	$35.94	$37.03	$38.72	$39.97
	842	41.41	42.97	45.47	47.19
	852	51.09	53.09	56.41	58.59

These prices are f. o. b. the seller's city and are subject to each seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles.

(2) For sales in each zone by retail dealers to ultimate consumers the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by retail dealers to ultimate consumers			
		Zone 1	Zone 2	Zone 3	Zone 4
		Each	*Each*	*Each*	*Each*
Coal circulating heater with cast iron elbow.	832	$57.50	$59.25	$61.95	$63.95
	842	66.25	68.75	72.75	75.50
	852	81.75	84.95	90.25	94.75

These prices are subject to each seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles.

(b) At the time of or prior to the first invoice to each purchaser for resale after the effective date of this order the Cole Hot Blast Manufacturing Company and each wholesale distributor shall notify the purchaser of the maximum prices and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form. In addition, the Cole Hot Blast Manufacturing Company, before delivering any heater covered by this order, shall attach to it a tag or label showing the model number of the heater, its maximum price for sales to ultimate consumers in each zone, and a list of the states included in each zone.

(c) For the purposes of this order, Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Kentucky, Ohio, Indiana, Illinois, Wisconsin, Michigan, Iowa, and Missouri.
Zone 2: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Tennessee, Oklahoma, Arkansas, Minnesota, North Dakota, South Dakota, Kansas, Nebraska, and the District of Columbia.
Zone 3: Florida, Louisiana, Texas, New Mexico, Colorado, Montana, and Wyoming.
Zone 4: Washington, Oregon, Idaho, California, Nevada, Utah, and Arizona.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9744; Filed, June 5, 1945; 2:39 p. m.]

[MPR 188, Amdt. 1 to Order 80 Under Order A–2]

DUANE CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Order A–2 under § 1499.159b of Maximum Price Regulation No. 188; *It is ordered*, That Order No. 80 under Order A–2 under § 1499.159b of Maximum Price Regulation No. 188 be amended in the following respects:

1. The maximum prices set forth in Paragraph (a) for four stools manufactured by the Duane Chair Company, Dalton, Ga., are amended to read as follows:

FOR SALES TO JOBBERS

Article and model No.	Maximum price per dozen	Adjustment permitted by par. (d) of order No. 1052	Additional adjustment permitted by this order	Total adjusted maximum price per dozen
Stool, 302, finished	$9.80	.....	$1.86	$11.66
Stool, 302, unfinished	8.20	.....	1.93	10.13
Stool, 303, finished	11.60	.....	2.09	13.69
Stool, 303, unfinished	10.00	.....	2.28	12.28

FOR SALES TO RETAILERS

Stool, 302, finished	$11.03	.....	$1.94	$12.97
Stool, 302, unfinished	9.23	.....	1.99	11.22
Stool, 303, finished	13.05	.....	2.18	15.23
Stool, 303, unfinished	11.25	.....	2.36	13.61

2. All other provisions of Order No. 80 under Order A–2 under Maximum Price Regulation No. 188 remain in full force and effect.

This amendment shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc 45-9757; Filed, June 5, 1945; 2:40 p. m.]

[MPR 188, Order 96 Under Order A–2]

FISCHER CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order A–2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Fischer Chair Company, Tell City, Indiana, may add the following additional adjustment charges to its maximum prices for sales and deliveries to the classes of purchasers specified, of the articles listed below, which it manufactures, resulting in the following adjusted maximum prices:

FOR SALES TO JOBBERS

Article and Model No.	Maximum price	Adjustment permitted by par. (d) of order No. 1052	Additional adjustment permitted by this order	Total adjusted maximum price
Chair, 830	$2.70	$0.14	$0.55	$3.39

FOR SALES TO RETAILERS

Chair, 830	$3.18	$0.16	$0.60	$3.94

The adjustment charges listed above may be made and collected only if each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price, (not including the permitted adjustment charge), by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount.

On all sales other than sales to the ultimate consumer this additional adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted price is subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles. The adjustment charge authorized in this paragraph (b) is in addition to any adjustment charge permitted for wholesalers by Order No. 1052 under Maximum Price Regulation No. 188.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining maximum adjusted prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9758; Filed, June 5, 1945; 2:39 p. m.]

[MPR 188, Order 40 Under Order 1052]

FISCHER CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (h) of Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Fischer Chair Co., Tell City, Indiana, may add the following additional adjustment charges to its maximum prices for sales and deliveries to the classes of purchasers specified, of the articles listed below, which it manufactures, resulting in the following adjusted maximum prices:

FOR SALES TO JOBBERS

Article and Model No.	Maximum price	Adjustment permitted by par. (d) of order No. 1052	Additional adjustment permitted by this order	Total adjusted maximum price
Rocker, 105, finished	$1.35	$0.07	$0.28	$1.70
Chair, 112, unfinished	.97	.05	.13	1.15
Chair, 112, finished	1.22	.06	.34	1.62
Chair, 104, finished	.74	.04	.48	1.26

FOR SALES TO RETAILERS

Rocker, 105, finished	$1.59	$0.08	$0.33	$2.00
Chair, 112, unfinished	1.14	.06	.15	1.35
Chair, 112, finished	1.44	.07	.40	1.91
Chair, 104, finished	.87	.05	.56	1.48

The adjustment charges listed above may be made and collected only if each is separately stated on each invoice. The adjusted price is subject to each seller's customary terms, discounts, allowances, and other price differentials in effect during March 1942.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customers, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount.

On all sales other than sales to the ultimate consumer this additional adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted price is subject to each seller's customary terms, discounts and allowances on sales of the same or similar articles. The adjustment charge authorized in this paragraph (b) are in addition to any adjustment charge permitted for wholesalers by Order No. 1052 under Maximum Price Regulation No. 188.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date

of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9745; Filed, June 5, 1945; 2:46 p. m.]

[MPR 188, Corr. to Order 2291]

THE LLOYD CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, Order No. 2291 is corrected as follows:

The sentence in paragraph (a) (1) (i) of that order reading, "These prices are f. o. b. factory and are subject to a cash discount of payment within ten days, net thirty days and is for the article described in the manufacturer's application dated June 15, 1944" is corrected to read as follows: "These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated June 15, 1944."

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9746; Filed, June 5, 1945; 2:46 p. m.]

[MPR 188, Rev. Order 2591]

A. LINCOLN HARTMAN

APPROVAL OF MAXIMUM PRICES

Order No. 2591 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model E Ironing Board manufactured by A. Lincoln Hartman of Maupin, Oregon.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

	Each
For sales to distributors	$2.57
For sales to jobbers	2.86
For sales to department stores	3.39
For sales to retailers other than department stores	3.57
For sales to consumers	5.95

These maximum prices are for the article described in the manufacturer's application dated July 25, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain one of the following statements:

A. Lincoln Hartman
Maupin, Oregon
OPA Retail Ceiling Price—$5.95
Do Not Detach
or
Revised Order 2591 under MPR 188
OPA Retail Ceiling Price—$5.95
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9747; Filed, June 5, 1945; 2:46 p. m.]

[MPR 188, Order 3910]

BURTON-THOMAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. factory, for sales by Burton-Thomas of Los Angeles, California of the 3½" x 1" x 1¼" polished aluminum door stop manufactured by it and described in the manufacturer's application dated April 3, 1945, shall be:

(1) On sales to wholesalers and jobbers—with screws, $3.00 per dozen.

(2) On sales to dealers—with screws, $4.00 per dozen.

(3) On sales to consumers—with screws, $0.50 each.

(b) The maximum net prices for sales by jobbers of the 3½" x 1" x 1¼" polished aluminum door stop manufactured by Burton-Thomas of Los Angeles, California and described in the manufacturer's application dated April 3, 1945, shall be:

(1) On sales to dealers—with screws, $4.00 per dozen.

(2) On sales to consumers—with screws, $0.50 each.

(c) The maximum net price for sales by retailers of the 3½" x 1" x 1¼" polished aluminum door stop manufactured by Burton-Thomas of Los Angeles, California and described in the manufacturer's application dated April 3, 1945, shall be:

(1) On sales to consumers—with screws, $0.50 each.

(d) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) Every person selling the commodity covered by this order, except on sales to consumers shall notify each of its purchasers in writing at or before the time of the first invoice of the maximum prices established by this order for each seller as well as the maximum prices established for each purchaser on resale.

(f) Burton-Thomas shall print in a conspicuous place on the box containing the 3½" x 1" x 1¼" door stop, the maximum retail price thereof.

(g) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9748; Filed, June 5, 1945; 2:42 p. m.]

[MPR 188, Order 3911]

LOGAN TOY MANUFACTURING

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Logan Toy Manufacturing, 3125 North California Avenue, Chicago 18, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Dozen	*Dozen*	*Each*
Cigarette roller	1	$2.43	$3.24	$0.45

These maximum prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.45 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9749; Filed, June 5, 1945; 2:46 p. m.]

[MPR 188, Order 3916]

MIDLAND MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Midland Manufacturing Company, 600 South Frederick Street, Oelwein, Iowa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—12" DUST PAN

	Dozen
Maximum prices for sales by manufacturer to—	
Distributors	$2.16
Jobbers	2.40
Chain and department stores	2.88
Other retailers	3.20
Maximum prices for sales by sellers other than manufacturer to—	
Retailers	3.20
	Each
Consumers	$0.45

These maximum prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.45
Do not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9750; Filed, June 5, 1945; 2:45 p. m.]

[MPR 188, Order 3917]

AJAX WOODWORK CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Ajax Woodwork Co., Inc., 4455 Bronx Boulevard, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
		Each	*Each*	*Each*
Bookcase	2	$4.00	$4.25	$5.00
	3	3.02	3.20	3.77
	5	2.60	2.81	3.25
	6	3.54	3.77	4.43
	1	2.43	2.58	3.04
	4	4.28	4.65	5.47
	7	4.12	4.38	5.15
	8	2.43	2.58	3.04
	21	2.49	2.64	3.11
	2896	4.43	4.71	5.54
Night table	400	2.90	3.09	3.63
	401	3.42	3.63	4.27
	402	3.42	3.63	4.27
	403	3.38	3.60	4.23
	404	4.46	4.73	5.57
	405	3.98	4.23	4.98

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within thirty days, net sixty days, and are for the articles described in the manufacturer's application dated February 21, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9751; Filed, June 5, 1945; 2:45 p. m.]

[MPR 188, Order 3918]

CHICAGO CABINET CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Chicago Cabinet Co., Inc., 6100 West Grand Avenue, Chicago, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to the exclusive distributor	For sales by the exclusive distributor to other wholesalers	For sales by any person to retailers	For sales by any person to ultimate consumers
		Each	*Each*	*Each*	*Each*
Utility cabinet..	RC-1	$7.10	$7.51	$9.39	$15.65
	RC-2	8.93	9.44	11.80	19.65

These prices are for the articles described in the manufacturer's application dated February 5, 1945.

(2) For the sales by the manufacturer the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, except that in the case of sales to ultimate consumers these prices are net.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9752; Fled, June 5, 1945; 2:41 p. m.]

[MPR 188, Order 3919]

COLLEGE INDUSTRIES, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by College Industries, Inc., Collegedale, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—PLAIN UNPADDED IRONING BOARD, 47 x 13½ x 32

	Each
Maximum prices for sales by manufacturer to—	
Jobber	$1.28
Dropship Jobber	1.43
Retailer	1.60
Maximum prices for sales by sellers other than the manufacturer to—	
Retailer	1.60
Consumer	2.69

These maximum prices are for the articles described in the manufacturer's application dated April 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.69
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9753; Filed, June 5, 1945; 2:46 p. m.]

[MPR 188, Order 3920]

PRECISION METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Precision Metal Products Company, 840 East 98th Street, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—No. 10" ALUMINUM SKILLET

	Each
Maximum prices for sales by manufacturer to:	
Jobbers	$0.975
Department and chain stores	1.17
Other retailers	1.30
Maximum prices for sales by sellers other than the manufacturer to:	
Retailers	1.30
Consumers	1.95

These maximum prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices

are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.95
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9754; Filed, June 5, 1945; 2:41 p. m.]

[MPR 188, Order 3921]

BERTEX INDUSTRIAL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bertex Industrial, Majestic Theatre Building, San Antonio, Tex.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	1	*Each* $2.02	*Each* $2.70	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9755; Filed, June 5, 1945; 2:41 p. m.]

[MPR 188, Order 3922]

DELUXE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by DeLuxe Manufacturing Company, 1914 East Franklin Avenue, Minneapolis 4, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller	#1	*Dozen* $1.35	*Dozen* $1.80	*Each* $0.25

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.25 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of June 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9756; Filed, June 5, 1945; 2:41 p. m.]

[MPR 220, Order 105]

M. L. HARVEY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1315.1558 of Maximum Price Regulation No. 220 and section 6.4 of Revised Supplementary Regulation No. 14, it is ordered:

(a) *Applicability.* This order applies to the manufacturer's, wholesalers' and retailers' sales of the baby pants and bathing caps made of 6 gauge vinyl resin film and manufactured by the M. L. Harvey Company of New York, New York.

(b) *Sales by the manufacturer.* The maximum price for sales by the M. L. Harvey Company, 10 East 23d Street, New

York, New York, of the commodities described in paragraph (a) of this order shall be as follows:

Baby pants made of 6 gauge vinyl resin film:
$3.95 per dozen for sales to wholesalers.
$4.60 per dozen for sales to retailers.
Bathing caps made of 6 gauge vinyl resin film:
$4.10 per dozen for sales to wholesalers.
$4.75 per dozen for sales to retailers.

(c) *Sales by wholesalers.* The maximum prices for sales at wholesale of the commodity described in paragraph (a) of this order shall be the maximum price for such sales furnished the wholesaler by the manufacturer and computed by the manufacturer according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220.

(d) *Sales at retail.* The maximum prices for sales at retail of the commodity described in paragraph (a) shall be the maximum prices for such sales furnished the retailer by his seller and computed according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220.

(e) *Notification of maximum prices by the manufacturer and wholesalers.* The manufacturer shall compute the maximum prices applicable to sales by wholesalers and retailers of the commodity priced by this order according to the method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220. The notification of maximum price provisions and other provisions of § 1315.1559a are applicable to the commodity priced by this order.

(f) Between 60 and 75 days after the effective date of this order the manufacturer shall recompute its costs and report them to the Office of Price Administration. The costs shall be recomputed in the manner provided in § 1315.1557 (a) except that the actual number of labor hours, October, 1944, labor rates, actual quantities of materials, and October, 1944, materials prices shall be used in its recomputations.

(g) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9742; Filed, June 5, 1945; 2:39 p. m.]

[MPR 220, Order 106]

UNIVERSAL LATEX AND PLASTICS CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to the manufacturer's, wholesalers' and retailers' sales of the bathing caps made of dipped neoprene latex by the Universal Latex and Plastics Corporation of Avenel, New Jersey.

(b) *Sales by the manufacturer and by wholesalers.* The maximum prices for sales by the Universal Latex and Plastics Corporation, Avenel, New Jersey, and by wholesalers of the commodity described in paragraph (a) of this order shall be:

$4.56 per dozen for sales to wholesalers.
$5.70 per dozen for sales to retailers.
Seconds:
$2.00 per dozen for sales to wholesalers.
$2.50 per dozen for sales to retailers.

(c) *Sales at retail.* The maximum prices for sales at retail of the commodity described in paragraph (a) shall be:

$0.79 per each.
Seconds: $0.35 per each.

(d) *Notification of maximum prices by the manufacturer and wholesalers.* The notification of maximum price provisions and other provisions of § 1315.1559a are applicable to the commodity priced by this order. However, the wholesale and retail prices for the commodities priced by this order that shall be given wholesalers and retailers shall be the prices established by paragraphs (b) and (c) of this order.

(e) Between 60 and 75 days after the effective date of this order the manufacturer shall recompute its costs and report them to the Office of Price Administration. The costs shall be recomputed in the manner provided in § 1315.1557 (a) except that the actual number of labor hours, March, 1945, labor rates, actual quantities of materials, and March, 1945, materials prices shall be used in its recomputations.

(f) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9743; Filed, June 5, 1945; 2:39 p. m.]

[MPR 260, Order 1069]

SCHARF BROS. TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Scharf Bros. Tobacco Co., 1539 S. Broadway, St. Louis 4, Mo. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Red Birds	Invincibles	50	$	
	Bats	50		
	Favorites	50		

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9759; Filed, June 5 1945; 2:42 p. m.]

[MPR 260, Order 1070]

RAMON RODRIQUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ramon Rodriquez, 1790 Madison Avenue, New York 35, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Elsol	Coronas	50	$64	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9760; Filed, June 5, 1945; 2:45 p. m.]

[MPR 260, Order 1071]

R. G. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) R. G. Cigar Company, 3104 Ybor Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Rodriquez & Gonzalez	Specials	50	$56	7
	Brevas	50	160	22
	Londres	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9761; Filed, June 5, 1945; 2:44 p. m.]

[MPR 260, Order 1072]

LOS AMIGOS CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That

(a) Los Amigos Cigar Co., 2009 14th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmarks	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
D-Day	Palmas	50	$177.00	23
	Panetela Bate	50	161.50	21
	Queens	50	161.50	21
	Panetelas	50	134.00	2 for 35
	Brevas	50	169.00	22
City Connell	Blunts	50	101.25	2 for 27
	Blunts	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless

a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9762; Filed, June 5, 1945; 2:42 p. m.]

[MPR 260, Order 1073]

LA NINA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Nina Cigar Factory, 919 11th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
The Nina	Londres	50	*Per M* $48	*Cents* 6
	Cadetes	50	48	6
	Panetela Ba	50	146	19
	Panetela Palma	50	154	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9763; Filed, June 5, 1945; 2:42 p. m.]

[MPR 260, Order 1074]

HARRY FRIEDMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That

(a) Harry Friedman, 1046 Blue Hill Avenue, Boston, Mass. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Inspiro	Junior	50	*Per M* $25	*Cents* 5 for 15
Kenmore	Londres	50	110	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9764; Filed, June 5, 1945; 2:43 p. m.]

[MPR 260, Order 1075]

HARRY A. RUNKLE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That

(a) Harry A. Runkle, Howard Street, Red Lion, Pa., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Patty	Perfecto [1]	50	*Per M* $56	*Cents* 7

[1] Prices apply to this brand and frontmark using Florida Shade (Type 62) wrappers only.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9765; Filed, June 5, 1945; 2:43 p. m.]

[MPR 260, Order 1076]

A. Z. HOOD CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That

(a) A. Z. Hood Cigar Co., 2050 Broad, Paducah, Ky. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Retiro	4¾"	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9766; Filed, June 5, 1945; 2:43 p. m.]

[MPR 260, Order 1077]

CURVIN E. MILLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Curvin E. Miller, Rear 30 Pine St., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Millers De Luxe	Perfecto 4½	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9767; Filed, June 5, 1945; 2:43 p. m.]

[MPR 260, Order 1078]

JOSEPH A. CADIEUX

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That.

(a) Joseph A. Cadieux, 16 High St., Chicopee Falls, Mass. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Statesman	Statesman	50	$63.75	2 for 25
Westover	Westover	50	56.00	7
Sixteen Hi	Sixteen Hi	50	56.00	7
Comedor	4¾"	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9769; Filed, June 5, 1945, 2:44 p. m.]

[MPR 260, Order 1079]

PEREZ & DIAZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That

(a) Perez & Diaz Cigar Factory, 107 W. 7th Avenue, Tampa 3, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Perez & Diaz	Corona	50	$63	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9769; Filed, June 5, 1945; 2:44 p. m.]

[MPR 260, Order 1080]

JUAN MARTINEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan Martinez, Calle B. 68, Aguadilla, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Choix Cigar	4¼"	50	$16	2

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1945.

Issued this 5th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9770; Filed, June 5, 1945; 2:44 p. m.]

[MPR 122, Amdt. 22 to Rev. Order 47]

SOLID FUELS IN WASHINGTON, D. C., AREA AND ALEXANDRIA, VA.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In the table under paragraph (c) in Federal Register Document 45-7244, appearing on page 5005 of the issue for Friday, May 4, 1945, the price per ½ ton, net, 1,000 lbs. for domestic run-of-mine in quantities of two tons or less should read "4.74".

[MPR 188, Order 20 Under 2d Rev. Order A-3]

BARDCO MFG. AND SALES CO.

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this order of revocation issued simultaneously, has been filed with the Division of the Federal Register.

(a) Order No. 20 under Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation 188 which adjusted the maximum prices of the Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company on its sales of irrigation valves and parts thereof as well as the maximum prices of resellers of such irrigation valves and parts thereof is hereby revoked.

(b) *Maximum prices for Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company.* (1) In view of the revocation of Order 20 the maximum prices for sales by the Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company shall revert to its previous maximum prices, that is, the highest prices for which that company delivered, or if it did not deliver, the highest prices for which it offered to deliver its irrigation valves and parts thereof during March 1942 to each class of purchaser.

(2) The maximum prices set forth under (b) (1) shall be subject to discounts and allowances including transportation allowances and price differentials, and the rendition of services which are at least as favorable as those the Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company extended or rendered to purchasers of the same class on comparable sales of irrigation valves or parts during March 1942.

(3) The Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company shall send the following notice at or before the time of the first invoice after the effective date of this order to each purchaser of irrigation valves or parts thereof:

On June 7, 1945, the OPA revoked Order No. 20 under Second Revised Order A-3 under § 1499.159b of MPR 188 which granted us an increase in the maximum prices of irrigation valves and parts thereof equal to 25 percent of our highest prices in effect to our various classes of purchasers during March 1942 for each type and size of irrigation valves and parts thereof.

In view of the revocation of Order No. 20 our maximum prices revert to the highest prices for which we delivered or offered for delivery each type and size of irrigation valve and part thereof to each class of purchaser during March 1942.

This notice is given to you at the express direction of the OPA.

(c) *Maximum prices for persons other than the Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company.* (1) In view of the revocation of Order 20 on and after July 7, 1945, the maximum prices for sales by any person of irrigation valves or parts purchased from the Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company, shall revert to his previous maximum prices, that is, the highest price for which such person delivered, or if he did not deliver, the highest price for which he offered to deliver during March 1942 each type and size of irrigation valve and part thereof manufactured by the Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company to each class of purchaser.

(2) The maximum prices set forth under (c) (1) shall be subject to discounts and allowances including transportation allowances and price differentials, and the rendition of services which are at least as favorable as those which each seller extended or rendered

to purchasers of the same class on comparable sales of irrigation valves or parts during March 1942.

(3) All sellers selling irrigation valves or parts thereof covered by this order shall send the following notice at or before the time of the first invoice after the effective date of this order to each purchaser of irrigation valves or parts thereof:

Order No. 20 under Second Revised Order A-3 under § 1499.159b of MPR 188 which established adjusted maximum prices for irrigation valves and parts thereof manufactured by the Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company has been revoked by the Office of Price Administration as of June 7, 1945. On and after July 7, 1945, our maximum prices for irrigation valves purchased by us from the Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company shall revert to the highest price for which we delivered, or if we did not deliver, the highest price for which we offered to deliver each type and size of such irrigation valve and parts to each class of purchaser during March 1942.

This notice is sent to you at the express direction of the Office of Price Administration.

This order of revocation shall become effective June 7, 1945 as to the Snow Irrigation Supply Division, Bardco Manufacturing and Sales Company and July 7, 1945 as to all other sellers.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9820; Filed, June 6, 1945; 11:38 a. m.]

[MPR 188, Order 3896]

BELLE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-9535, appearing on page 6610 of the issue for Tuesday, June 5, 1945, the bracketed designation head-note should appear at the top of the document as set forth above.

[MPR 154, Order 12]

No-Bac Ice

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1393.12 (c) of Maximum Price Regulation 154, *It is ordered:*

(a) The maximum price per ton for "No-Bac Ice" sold at wholesale or retail shall be the appropriate maximum price for "untreated ice" under MPR 154, plus $3.50.

(b) The addition permitted by paragraph (a) may not be made by any seller of untreated ice who sells or offers for sale No-Bac ice unless such seller:

(1) Shall continue to sell, or offer for sale, untreated ice of the usual qualities to the extent of the demand for untreated ice at not more than the ceiling price in effect for such untreated ice.

(2) Shall positively identify such ice for the protection of the customer.

(3) Shall, not later than July 16, 1945, file with the Director, Transportation and Public Utilities Division, Office of Price Administration, Washington 25, D. C. a statement, covering the period April 1 through June 30, 1945, providing the following information:

1. Total tons of ice manufactured containing No-Bac.
2. Total cost of No-Bac chemical used in manufacturing the indicated tonnage of No-Bac ice.
3. Total labor cost for placing No-Bac in make-up water to produce that tonnage.
4. Total cost of separate storage and handling of the indicated tonnage of No-Bac Ice in excess of the normal cost for storage and handling of untreated ice.
5. Total of any other applicable costs for manufacturing or handling the indicated tonnage of No-Bac Ice in excess of the normal costs for untreated ice, with a breakdown to show how this total is reached.
6. Certification that the seller did at all times sell, or offer for sale, untreated ice at the applicable ceiling prices in all customary classifications and in quantities desired by purchasers, and at no time, by any method or device, caused purchasers to purchase No-Bac Ice in instances when such purchasers desired to purchase untreated ice.

(c) *Definitions.* (1) The term "No-Bac Ice" as used herein, means ice which contains a bacteria-retarding compound known by the trade name of No-Bac, and, when frozen into ice, comprising principally Sodium Benzoate .00032 by volume and Chloramine T .00016 by volume.

(2) "Untreated ice" means ice which does not contain No-Bac.

(d) This order shall expire at the end of 90 days from its effective date, unless it is sooner revoked or modified by the Administrator.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

This order shall become effective June 11, 1945.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9816; Filed, June 6, 1945; 11:38 a. m.]

[MPR 260, Order 871]

H. L. REICHARD

AUTHORIZATION OF MAXIMUM PRICES

Correction

In Federal Register Document 45-7247, appearing on page 5011 of the issue for Friday, May 4, 1945, the words *"Per M"* should appear immediately above the prices in the fourth column of the table.

Regional and District Office Orders.

[Region I Order G-44 Under RMPR 122, Amdt. 3]

SOLID FUELS IN DANBURY, CONN., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-44 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In paragraphs (b), (c) and (e) the provisions, prices and references relating to "Franklin" are hereby deleted.

2. Paragraph (i) is hereby revoked, and a new paragraph (i) is inserted to read as follows:

(i) *Certain named Pennsylvania coals.* The specific maximum prices set forth above for Pennsylvania Anthracite may be increased by the following amounts when the following sizes of named Pennsylvania Anthracite coals are sold; provided the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Franklin:				
Egg, stove, and chestnut	$1.00	$0.50	$0.25	[illegible]
Jeddo Highland:				
Broken, egg, stove, chestnut, pea, and buckwheat	.25	.15	.05	None
Rice	.15	.10	None	None

3. Subparagraph (4) of paragraph (f) is renumbered subparagraph (4b).

4. Subparagraph (4a) is added to paragraph (f) to read as follows:

(4a) "Jeddo Highland" means that Pennsylvania Anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal," "Highland Coal" or "Hazel Brook Coal".

This Amendment No. 3 shall become effective May 5, 1945.

Issued this 27th day of April 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9725; Filed, June 5, 1945; 12:40 p. m.]

[Region IV Order G-43 Under RMPR 122]

SOLID FUELS IN WAYNESBORO, VA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Waynesboro, in the State of Virginia, and by dealers whose places of business are located therein. On sales by such dealers outside said corporate limits certain additions are allowed for deliveries.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945, by the Atlanta Regional Office, Region IV, Office of Price Administration, are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect, all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* Supplementary Order No. 1 issued under Order No. G-37 under Revised Maximum Price Regulation No. 122 shall not be applicable to this Order No. G-43 under Revised Maximum Price Regulation No. 122, inasmuch as the increases provided thereby have been included in the prices established herein.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) Low volatile bituminous coal from district No. 7 and 8:

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Treated:			
Egg	$9.15	$4.83	$2.54
Stove	8.90	4.70	2.48
Nut	8.30	4.40	2.33
Mine run	8.15	4.33	2.29

(2) High volatile bituminous coal from district No. 8:

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Treated:			
Egg	$8.15	$4.33	$2.29
Stove	7.85	4.18	2.21
Yard sales from Districts 7 and 8	6.50	3.50	1.88

(f) *Maximum authorized service charges and required deductions*—(1) *Carrying from curb.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carrying up or down stairs.* If buyer requests such service, dealer may charge not more than $1.00 per ton therefor.

(3) *Yard sales.* For sales at the yard, the dealer must reduce the domestic price at least 50¢ per ton.

(4) *Sacked coal.* For coal sold in sacks at the yard, the dealer may charge not more than 50¢ for 100 pounds, customer furnishing sack.

(5) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of Waynesboro, Virginia. For deliveries beyond such corporate limits, dealer may charge not more than 10¢ per ton per mile and may make a minimum charge of not more than 50¢ for each such delivery.

(6) *Credit.* No additional charge may be made for extension of credit.

(g) *Definitions.* The kinds and sizes of coal priced in this order are those customarily sold by dealers whose places of business are located in Waynesboro, Virginia, as reported to the Office of Price Administration in connection with the establishment of the prices named in this order. Maximum prices for all other kinds and sizes of coal shall be determined under the applicable pricing provisions of Revised Maximum Price Regulation No. 122. The kinds and sizes of coal referred to are specifically defined as follows:

(i) Low Volatile Bituminous Coal from District No. 7 (Southern West Virginia and Northwestern and Central Virginia), and from Subdistrict 9 in District No. 8.

(i) *Egg.* Top size larger than 3", bottom size no limit, in Price Classifications A through C, inclusive.

(ii) *Stove.* Top size larger than 1¼", but not exceeding 3"; bottom size smaller than 3", in Price Classification A.

(iii) *Nut.* Top size larger than ¾", but not exceeding 1¼"; bottom size smaller than 1¼", in Price Classification A.

(iv) *Pea (stoker).* Top size not exceeding ¾"; bottom size smaller than ¾", in Price Classification A.

(2) High Volatile Bituminous Coal from District No. 8 (Eastern Kentucky, Southwestern West Virginia, Western Virginia, Northern Tennessee and North Carolina).

(i) *Egg.* All double screened egg coals, (1) top size larger than 5" but not exceeding 6" and bottom size 2" and smaller; and (2) top size 3" and larger, but not exceeding 5", and bottom size larger than 2" but not exceeding 3", in Price Classifications G through K, inclusive.

(ii) *Stove.* All double screened stove coals, top size larger than 2", but not exceeding 3" and bottom size 2" and smaller, in Price Classifications C through G, inclusive.

Effective date. This order shall become effective May 31, 1945.

Issued: May 26, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-9734; Filed, June 5, 1945; 12:43 p. m.]

[Region IV Order G-44 Under RMPR 122]

SOLID FUELS IN STAUNTON, VA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (d) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Staunton, in the State of Virginia and by dealers whose places of business are located therein. On sales by such dealers outside said corporate limits certain additions are allowed for deliveries.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) Low volatile bituminous coal from district No. 7:

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Double Screened and Treated:			
Egg and Lump	$9.31	$4.90	$2.58
Stove	8.91	4.70	2.48
Treated:			
Run of Mine	8.36	4.43	2.34
Pea	8.31	4.40	2.33
Nut	8.41	4.46	2.35

(2) High volatile bituminous coal from district No. 8:

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Double Screened and Treated			
Stove	$9.15	$4.83	$2.54

(e) *Maximum authorized service charges and required deductions*—(1) *Carrying.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Yard sales.* When buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least 50¢ per ton.

(3) *Sacked coal.* For coal sold in sacks at the yard, the dealer may charge not more than 50¢ for 75 pounds of District No. 7 Egg, Lump, or Stove coal, and not more than 40¢ for 75 pounds of District

No. 8 Stove coal. For deliveries of 75 pounds of such coal in sacks, dealer may add not more than 10¢ per sack of 75 pounds to above prices.

(4) *Delievery zone.* The dealer may make no extra charge for delivery within the corporate limits of Staunton, Virginia. For deliveries beyond such corporate limits, dealer may charge not more than ten cents per ton per mile and may make a minimum charge of not more than 50¢ for each such delivery.

(5) *Credit.* The prices specified are for cash within ten days of date of delivery. For credit of more than ten days, dealer may add not more than 50¢ per ton to the prices specified.

(f) *Definitions.* The kinds and sizes of coal priced in this order are those customarily sold by dealers whose places of business are located in Staunton, Virginia, as reported to the Office of Price Administration in connection with the establishment of the prices named in this order. Maximum prices for all other kinds and sizes of coal shall be determined under the applicable pricing provisions of Revised Maximum Price Regulation No. 122. The kinds and sizes of coal referred to are specifically defined as follows:

(1) Low Volatile Bituminous Coal from District No. 7 (Southern West Virginia and Northwestern and Central Virginia).

(i) *Egg and lump.* All lump, bottom size 3/8"; and egg, top size larger than 3"; bottom size, no limit, all in Price Classification A.

(ii) *Stove.* Top size larger than 1¼", but not exceeding 3"; bottom size smaller than 3", in Price Classification A.

(iii) *Run-of-mine.* Screened Run-of-Mine in Price Classifications A and B.

(iv) *Pea.* Top size not exceeding ¾", bottom size smaller than ¾", in Price Classification A.

(v) *Nut.* Top size larger than ¾", but not exceeding 1¼", bottom size smaller than 1¼", in Price Classification A.

(2) High Volatile Bituminous Coal from District No. 8 (Eastern Kentucky, Southwestern West Virginia, Western Virginia, Northern Tennessee and North Carolina).

(i) *Stove.* All double-screened stove coals, top size larger than 2", but not exceeding 3"; and bottom size 2" and smaller, in Price Classification F.

(g) *Relationship between this order and previous orders.* Supplementary Order No. 1 issued under Order No. G–37 under Revised Maximum Price Regulation No. 122 shall not be applicable to this Order No. G–44 under Revised Maximum Price Regulation No. 122, inasmuch as the increases provided thereby have been included in the prices established herein.

Effective date. This order shall become effective May 31, 1945.

Issued: May 26, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-9735; Filed, June 5, 1945; 12:43 p. m.]

[Region IV Order G–21 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN TENNESSEE

Correction

In Federal Register Document 45–6621, appearing at page 4638 of the issue for Friday, April 27, 1945, paragraph (e) of section 2 and paragraph (j) of section 3 should read, respectively, as follows:

(e) Sales or deliveries by a producer, if his sales of all commodities produced or processed on his farm totaled $75.00 or less in the preceding calendar month. This order shall apply, however, to such sales and deliveries made by a farmers' cooperative either as agent or otherwise.

* * * * *

(j) "Plain buttermilk" means buttermilk from which all or a portion of the butterfat has been removed by churning, skimming, or the application of centrifugal force and which has been inoculated with lactic acid forming bacteria or in which such bacteria have been incubated through processes, with the result that the product contains lactic acid in excess of ½ percent.

[Region VI Rev. Order G–11 Under RMPR 122]

SOLID FUELS IN CHICAGO, ILL., AREA

Order No. G–11 under Revised Maximum Price Regulation No. 122 is redesignated Revised Order No. G–11 and is revised and amended to read as follows:

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels delivered in the cities and villages of:

Bellwood.	Maywood.
Berwyn.	McCook.
Broadview.	Melrose Park.
Brookfield.	Morton Grove.
Chicago.	Niles.
Cicero.	Oak Park.
Elmwood Park.	Park Ridge.
Evanston.	River Forest.
Forest Park.	River Grove.
Franklin Park.	Riverside.
Hillside.	Schiller Park.
LaGrange.	Skokie.
Lincolnwood.	Westchester.
Lyons.	

all within Cook County, Illinois. These are the highest prices that any dealer may charge when he delivers any of such fuel at or to a point within these cities and villages named; they are also the highest prices that any buyer in the course of trade or business may pay for such solid fuels.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Revised Order No. G–11; but less than the maximum prices may at any time be charged, paid, or offered.

(2) Obtain a higher than maximum price by,

(i) Charging for a service unless expressly requested by the buyer and unless specifically authorized to do so by this order;

(ii) Charging a price higher than the schedule price for a service;

(iii) Making a charge higher than the schedule charge authorized for the extension of credit;

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him; or

(v) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Relationship to Revised Maximum Price Regulation No. 122 and to Regional Order No. G–19.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122. In so far as any provision in this order may be inconsistent with any provision of Revised Maximum Price Regulation No. 122, the provision contained in this order shall be controlling. Except as herein otherwise provided the provisions of Revised Maximum Price Regulation No. 122 remain in full force and effect.

Dealers whose prices are established by this order are not required to file reports under § 1340.262 (c) of Revised Maximum Price Regulation No. 122 for those solid fuels for which specific maximum prices are established herein. This order supersedes Order No. G–19 as to dealers covered hereby.

(d) *Price schedule.* Immediately below and as a part of this paragraph (d) is a price schedule that sets forth maximum prices for domestic, commercial and yard sales by dealers of specified kinds, sizes and quantities of solid fuels. Service charges are set forth in section (e). Discounts are set forth in section (f). Charges for treatment of coal are set forth in section (g). Taxes are set forth in section (h).

(1) The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal derived from District Nos. 1, 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. District No. 10 (Illinois) prices for coal described in paragraph IV, A, 1–7 inclusive apply to coal derived from Deep Machine Mines and for coal described in paragraph IV, B, 1–5 inclusive the prices vary as specified for coal obtained from Deep Machine Mines and Strip Mines. As to all other solid fuels listed the prices are unaffected by the type of mine operation.

PRICE SCHEDULE

(1)	1 ton or less, domestic, delivered, per ton (2)	1, 2, 3 Tons, domestic, delivered, per ton (3)	2 ton, domestic, delivered, per ½ ton (4)	½ ton, domestic, delivered, per ¼ ton (5)	Yard sales to dealers, per ton (6)	Commercial, per ton (7)
IV. High volatile coal from District No. 10 (Illinois):						
A. Southern District (Deep machine mines):						
1. Lump and egg—Size groups 1, 2, and 3. All lump or egg coal, bottom size larger than 2", washed or raw, price groups 1, 2, and 3	$9.24	$9.74	$5.40	$3.21	$7.60	
2. Egg and stove—Size groups 4, 5, 6, and 8. All egg and stove coals bottom size 2" and smaller, washed or raw. Price Groups 1, 2, and 8. (Include 4" x 2", 3" x 2" and 2" x 1¼".)	8.04	9.44	5.25	3.12	7.39	
3. Mine run—Size group 7; price groups 1, 2, and 8	7.74	8.24	4.96	2.82	6.54	
4. Special stoker—Size groups 21, 22, and 26. Washed or air cleaned nut and pea coal, bottom size larger than 1 inch, top size not exceeding 2", and 12% or less of fines through 3/8" mesh and top size not exceeding 3/8". Price groups 1, 2 and 8	8.09	8.59	4.80	2.92	6.89	
5. Washed or cleaned screenings—Size groups 23, 24, 25 and 27, washed, air cleaned or raw. Price groups 1, 2, and 8						$6.94
6. Raw and washed chestnut—Size groups 10 and 18, raw washed or air cleaned nut, coal, bottom size 2" and smaller, top size not exceeding 2". Price groups 1, 2, and 8						7.14
7. Raw washed pea—Size groups 12 and 20. Raw washed or air cleaned pea coal, bottom size larger than ½ inch, top size not exceeding 1". Price groups 1, 2, and 8						7.34
B. Central District, Belleville Subdistricts:						
1. Lump or egg—Size groups 1, 2, and 3. All lump or egg coals, bottom size larger than 2", washed or raw, price groups 10, 12, 13, 16, 24, and 25:						
a. Deep machine mine	8.29	8.79	4.90	2.97	6.79	6.51
b. Strip mines	8.20	8.70	4.85	2.95	6.70	6.45
2. Egg and stove—Size groups 4, 5, 6, and 8. All egg and stove coals, bottom size 2" and smaller, washed or raw. Price groups 10, 12, 13, and 25 (Include 1" x 2" and 3" x 3" and 2" x 1¼"):						
a. Deep machine mines	8.14	8.64	4.85	2.92	6.64	
b. Strip mines	8.05	8.55	4.80	2.90	6.55	
3. Washed chestnut—Size group 18. Washed or air cleaned nut coal, bottom size larger than 10 mesh, top size not exceeding 2". Price groups 10, 16-22, inclusive, 12, 13, and 25:						
a. Deep machine mine						6.51
b. Strip mines						6.45
4. Washed pea—Size group 20. Washed or air cleaned pea coal, bottom size larger than 10 mesh, top size not exceeding 1". Price groups 10, 16-22, inclusive, 12, 13, and 25:						
a. Deep machine mines						6.59
b. Strip mines						6.53
5. Washed screenings—Size groups 23 and 24. Washed or air cleaned screenings, top size not exceeding 1", and 12% or less through 3/8" mesh, price groups 10, 12, 13, and 25:						
a. Deep machine mines						6.49
b. Strip mines						6.49

(1)	1 ton or less, domestic, delivered, per ton (2)	1, 2, 3 Tons, domestic, delivered, per ton (3)	2 ton, domestic, delivered, per ½ ton (4)	½ ton, domestic, delivered, per ¼ ton (5)	Yard sales to dealers, per ton (6)	Commercial, per ton (7)
I. Low volatile bituminous coal from District No. 7 (West Virginia and Virginia):						
1. Lump—3" and larger in price classification A or B	$12.71	$13.21	$7.13	$4.07	$11.06	
2. Lump—2" and larger in all other price classifications	12.26	12.76	6.88	3.95	10.61	
3. Egg—2" x 2" and larger in price classifications A and B	12.81	13.31	7.18	4.12	11.16	
4. Egg—1¼" and larger in all other price classifications	12.36	12.86	6.93	3.97	10.71	
5. Stove—Nut or range, 2" x 1¼" and larger	12.46	12.96	6.98	4.02	10.81	
6. Nut—Tea or Small Nut, 1¼" x ¾" and larger	10.81	11.31	6.18	3.62	9.51	$10.16
7. Pea or Buckwheat—Top size not exceeding 1¼", bottom size smaller than ¾"	10.06	10.56	5.78	3.42	8.81	9.61
8. Domestic nine run	10.36	10.86	5.93	3.47	9.11	
9. Screenings—1¼" and smaller	9.71	10.21	5.63	3.32	8.46	9.31
II. High volatile bituminous coal from District No. 8 (east Kentucky and West Virginia):						
1. Lump—3" and larger (including coals from Miller's Creek, High Splint, and Jellico Seams and No. 5 Seam coal in Price Classification A)	11.55	12.05	6.53	3.79	9.95	
2. Lump or Block—3" and larger (from seams and in price classifications other than above)	11.05	11.55	6.28	3.64	9.15	
3. Egg—3" x 2" and larger (including coals from Miller's Creek, High Splint, and Jellico Seam and No. 5 Seam Coal in Price Classification A)	11.55	12.05	6.53	3.79	9.95	
4. Egg—2" and larger (from seams and price classifications other than above)	10.75	11.25	6.13	3.59	9.15	
5. Stove—Premium nut 2" x 2"	10.65	11.15	6.08	3.54	9.05	
6. Nut—1¼" x 2"	10.35	10.85	5.78	3.39	8.80	
7. Domestic stoker	10.05	10.55	5.78	3.34	8.45	
8. Run of Mine—Screened, bottom size 3/4" or smaller	9.70	10.20	5.63			9.45
9. Screenings—2" or 1½" x 0, Mine Index #196						9.05
10. Screenings—Size Group No. 14, modified as to sizing and ash and sulfur content						
III. High volatile coal from District No. 9 (west Kentucky):						
A. 6th Seam:						
1. Size groups 1 through 6. All single screen sized coals and all double screened coals, top size larger than 3"	9.26	9.76	5.38	3.22	7.71	
2. Size groups 8 to 12, inclusive. All raw, double-screened nut, stoker and peat coals, top size not exceeding 2" and bottom size 1¼" by mesh	8.76	9.26	5.13	3.07	7.56	
3. Size group 7—Straight mine run no lines removed. Mine run modified by removal of any intermediate size or sizes—no lines removed. Mine run modified by removal of fines—no lines removed. All fines removed plants larger than 3"	7.91	8.41	4.73	2.87	6.71	
4. Size groups 26 to 29 inclusive. All dry double-screened screenings, top size not exceeding 2"						7.71
B. 14th and 15th Seams:						
1. Size groups 21, 24. All washed or air-cleaned screenings larger than 3/8" x 0 but not exceeding 2" x 0						6.86
C. 9th, 11th and all other seams:						
1. Size groups 23 and 27. All washed or air cleaned screenings larger than 3/8" x 0 but not exceeding 2" x 0						7.16

PRICE SCHEDULE—Continued

(1)	4 tons or more domestic delivered, per ton (2)	1, 2, 3 tons domestic delivered, per ton (3)	½ ton domestic delivered, per ½ ton (4)	¼ ton domestic delivered, per ¼ ton (5)	Yard sales to dealers, per ton (6)	Commercial, per ton (7)
IV. High volatile coal from District No. 10—Con.						
C. Northern Subdistrict:						
1. Washed screenings—Size groups 23 and 24. Washed or air cleaned screenings, top size not exceeding 2". Price group 23: a. Strip mines						$6.20
V. High volatile bituminous coal from District No. 11 (Indiana):						
1. Lump and egg—Size groups 1, 2, and 3. All lump and egg coals, bottom size larger than 2", washed or raw. Price groups 5, 6, 13, 14, 15, 16 and 20	$9.39	$9.89	$5.45	$3.22	$7.84	.....
2. Egg and stove—Size groups 4, 5, 6 and 8. All egg and stove coals, bottom size 2" and smaller, washed or raw. Price groups 5, 6, 13, 14, 15, 16, and 20; including 4" x 2", 3" x 2", and 2" x 1¼"	8.69	9.19	5.10	3.07	7.11	.....
3. Mine run—Size group 7, price groups 5, 6, 13, 14, 15, 16, and 20	7.29	7.79	4.40	2.72	6.09	.....
4. Stoker nut—Size groups 9-12, inclusive. Raw nut and pea coal, bottom size larger than 10 mesh, top size not exceeding 2", price groups 6 and 14	7.79	8.29	4.65	2.82	6.59	.....
5. Lump and egg—Size groups 1, 2, and 3. All lump and egg coals, bottom size larger than 2", washed or raw. Price groups 7, 9-12, inclusive, 18 and 19	8.34	8.84	4.95	2.97	6.79	.....
6. Egg and stove—Size groups 4, 5, 6, and 8. All egg and stove coals, bottom size 2" and smaller. Washed or raw. Price groups 7, 9-12, inclusive, 18 and 19; including 1" x 2", 3" x 2" and 2" x 1¼"	8.19	8.69	4.85	2.92	6.64	.....
7. Screenings—Washed and deducted. Size groups 25, 21, 26, and 27						6.54
VI. Low volatile smithing coal from District No. 1 (Pennsylvania)	12.48	12.98	6.99	4.00	10.98	.....
VII. A. Pennsylvania anthracite[1]						
1. Egg, stove, nut	16.55	17.05	9.05	5.05	14.75	.....
2. Pea	15.00	15.50	8.25	4.65	13.25	.....
3. Buckwheat	13.20	13.70	7.35	4.20	11.80	.....
4. Rice	11.95	12.45	6.75	3.90	10.60	.....
VIII. Chicago manufactured coke:						
1. Egg, stove, nut	14.80	15.30	8.15	4.60	13.10	.....
2. Pea	13.80	14.30	7.65	4.35	12.10	.....
IX. Canned coal from District No. 8: 1. Lumps and chunks	14.75	15.25	8.13	4.59	13.25	.....
X. Briquettes: 1. District No. 7—Low volatile coal	13.10	13.60	7.33	4.16	11.45	.....

[1] The maximum prices for Pennsylvania Anthracite sold in Evanston, Skokie, and Morton Grove shall be the maximum prices established in the above schedule, plus the following amounts, whichever is applicable:

	Cents
1 or more tons	60
½ ton, egg, stove, and nut	35
½ ton, all other sizes	50
¼ ton, egg, stove, and nut	20
¼ ton, all other sizes	15

(2) No prices are shown in Column 7, "commercial," for those fuels customarily used only for domestic purposes. Similarly, no prices are shown in Columns 1 to 6 for those fuels customarily used only for commercial purposes. For such fuels, however, the prices shown in the schedule (adjusted for the quantity delivered) are the maximum prices irrespective of the type of sale. Fuel for which only a commercial price is shown may not be sold at a price higher than the price shown in Column 7 of the schedule, irrespective of the use. Fuels for which domestic, but not commercial, prices are shown may be sold at the domestic prices indicated in the schedule, irrespective of the use to which the fuels are put. The maximum prices for solid fuels of a size and type not provided for in the schedule, shall be established under the applicable provisions of Revised Maximum Price Regulation No. 122, as amended.

(e) *Service charges.* Immediately below and as a part of this paragraph (e) is a schedule which sets forth maximum prices which a dealer may charge for special services described according to ordinary and popular trade meaning, rendered in connection with all sales under paragraph (e). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Such service charge shall be separately stated in the dealer's invoice.

Trim	Per ton coal	Per ton coke
	Cents	
Single—Outside	50	$0.35
Double—Inside only	40	.45
Wheel		
Lowls	70	.85
Dump and Carry		
Loads	95	1.10

Bags	Coal			Coke		
	Over ½ ton	½ ton	¼ ton	Over ½ ton	½ ton	¼ ton
	Per ton	*Cents*	*Cents*	*Per ton*	*Cents*	*Cents*
Ground floor	$0.95	50	25	$1.10	55	30
Second floor	1.20	60	30	1.35	70	35
Third floor	1.40	70	35	1.55	80	40
Fourth floor	1.70	85	45	1.85	95	50

(f) *Discounts and time payment charges.* (1) The maximum prices provided for in this order shall be reduced by 25¢ a ton for domestic coal and 15¢ a ton for commercial coal if payment is made within 10 days from the date invoice is rendered.

(2) Any seller covered by this order who during December 1941 had in effect a regularly established plan for selling coal at retail on an installment basis with specific charges for the privilege of deferring payments may file an application with the Chicago Regional Office of the Office of Price Administration requesting permission to continue such plan in effect. Such application shall set forth the plan in detail. The Regional Administrator of the Office of Price Administration may grant permission to continue the use of such plan in whole or in part.

(g) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this order: *Provided*, That the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(h) *Taxes.* (1) The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. But no part of that tax may be collected in addition to the maximum price on sales of quarter-ton or lesser quantities, or on sales of any quantity of sacked coal.

(2) No amount equivalent to the Illinois Retailer's Occupational tax, nor any other tax may be added to the maximum prices herein set forth.

(i) *Addition of increases in supplier's price prohibited.* Notwithstanding the provisions of Revised Maximum Price Regulation No. 122, the maximum prices set by this order may not be increased and need not be decreased by a dealer to reflect increases or decreases in purchase costs or in his supplier's maximum prices occurring after the effective date hereof; but increases or decreases in the maximum prices set hereby, to reflect such changes, are within the discretion of the Regional Administrator.

(j) *Petitions for amendments.* This order may be revoked, amended, or modified at any time. Any dealer may at any time file with the Chicago Regional Office of the Office of Price Administration a petition for amendment to this order in accordance with the provisions of Revised Procedural Regulation No. 1.

(k) *Posting of maximum prices and records.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Rev. Maximum Price Regulation No. 122.

(2) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date; the name and address of the buyer, if known; the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Definitions.* (1) (i) "Delivery" or "delivered" means dumping or chuting by single chute the fuel from the seller's truck directly into the buyer's bin or storage space. This method of delivery covers all jobs where the delivery can be made by team or truck alongside the building or coal hole and not over 6 feet therefrom, or by team or truck where same can be placed on an approved driveway or surface no further from the coal hole than the distance an 8 foot chute would reach when placed at an angle permitting coal to run from the vehicle to the coal hole, or when a dealer desires, in order to speed up the truck, to dump the coal from the truck and have it shovelled into the coal hole.

(ii) If the foregoing is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(2) "Outside trim" means all deliveries where coal cannot be handled under the conditions described in paragraph (1) (i) of definitions, where the coal hole is up to 14 feet from the street side of the curb or point where the vehicle can get on an approved driveway or surface or where the distance from the street side of the curb to the outside building wall at a point where the coal enters the building is not more than 14 feet.

(3) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard or at any place other than by his truck.

(4) "Commercial sales" means sales made to commercial and industrial users such as hotels, industrial plants, office buildings, large department stores, apartment buildings having 3 or more apartments, and to institutional users such as hospitals, public institutions and public buildings.

(5) "Domestic sales" shall mean all sales of coal or coke other than commercial sales and yard sales.

(6) "Pennsylvania anthracite" means only coal produced in the Lehigh, Schuylkill and Wyoming regions in the commonwealth of Pennsylvania.

(7) "Egg, stove, nut," etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Committee, effective December 15, 1941.

(8) Whenever reference is made herein to "price classification," "minimum price schedule," "Production Group," "Size Group," "Price Group," "District No.," or "Sub-district," the reference shall have the meaning, definition, force and effect given those terms under the Bituminous Coal Act of 1937, or under any order, schedule, rule or regulation issued by the Bituminous Coal Division of the U. S. Department of the Interior and established or in effect as of midnight, August 23, 1943.

(9) "Low volatile bituminous coal" refers to coal produced in the low volatile sections of the producing districts specified herein.

(10) "Medium volatile bituminous coal" refers to coal produced in the medium volatile sections of the producing districts specified herein.

(11) "High volatile bituminous coal" refers to coal produced in the high volatile sections of the producing districts specified herein.

(12) "Egg, stove, nuts," etc., sizes of bituminous coal received entirely by rail refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the U. S. Department of the Interior, except that "domestic run-of-mine" shall be that size sold as such by the dealer and which he customarily purchased at the mine as lump size.

(13) "Egg, stove, nut," etc., sizes of bituminous coal received via the Great Lakes refer to the sizes of coal sold at the docks under such designations during December 1941.

(14) Except as otherwise provided herein or as the context may otherwise require all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; or if not therein defined, they shall be given their ordinary and popular trade meaning.

(m) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind and size as specified in the price schedule herein, and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated: *And further provided*, That provisions of this paragraph (m) shall not apply to sales of solid fuels in less than quarter-ton lots unless requested by the purchaser.

This Revised Order No. G-11 shall become effective immediately.

Issued this 18th day of May, 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-9724; Filed, June 5, 1945; 12:40 p. m.]

[Region VII Order G-9 Under Supp. Order 94]

FOLDING BED SCREEN FRAMES IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and sections 11 and 13 of Supplementary Order No. 94, as amended, and for the reasons set forth in the accompanying opinion, this Order No. G-9 is issued.

(a) *What this order does.* This order establishes maximum prices for folding bed screen frames when sold as surplus war commodities by the Department of Commerce, Office of Surplus Property, and when sold by resellers.

(b) *Geographical applicability.* This Order No. G-9 covers sales of the surplus war commodities in question only when made in or made for delivery in Region VII, which includes all of the states of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(c) *Description of commodities covered.* The surplus war commodities covered by this Order No. G-9 are folding bed screen frames, some of which are new, some of which have been reconditioned, and some of which not being new are sold in their "as is" condition, and all of which are made of 1¼" x 2" oak bars, have three sections hinged together, are without screens, and each section is 66" high and 24" wide. The center section has pedestal legs, and each section has at the top and at the bottom of the opening therein a ½" oak bar for attaching suitable screening material to cover the opening. All sections have dark oak finish.

(d) *Maximum prices.* The maximum prices for the folding bed screen frames covered by this Order No. G-9, when sold by the Department of Commerce, Office of Surplus Property, f. o. b. shipping point, or by resellers f. o. b. shipping point, or at retail, shall be per screen frame as follows:

When sold by—	"As is"	Reconditioned	New
(1) Department of Commerce, Office of Surplus Property, to wholesaler	$3.30	$4.70	$6.00
(2) Department of Commerce, Office of Surplus Property, or wholesaler, to retailer	4.40	6.00	8.00
(3) Department of Commerce, Office of Surplus Property, or any reseller, to ultimate consumer or user	6.60	9.00	12.00

(e) *Definitions.* (1) "As is" means with the finish scratched, weathered, or otherwise damaged, but leaving the article otherwise unimpaired and in good, usable condition, with no parts broken or missing.

(2) "Reconditioned" means refinished and repaired to remove scratches, weathering, or other damage, and put in good usable condition by replacing all broken or missing parts.

(3) "New" means in substantially the same condition as when the article left the factory.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this Order No. G–9. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This Order No. G–9 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–9 shall become effective on the 25th day of May, 1945.

Issued this 25th day of May, 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–9736; Filed, June 5, 1945; 12:43 p. m.]

[Region VII Order G–10 Under Supp. Order 94]

USED RENOVATED MATTRESSES IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and sections 11 and 13 of Supplementary Order No. 94, as amended, and for the reasons set forth in the accompanying opinion, this Order No. G–10 is issued.

(a) *What this order does.* This Order No. G–10 establishes maximum prices for used renovated mattresses purchased from the Department of Commerce, Office of Surplus Property, as used surplus war commodities, when sold or sold and delivered in this Region VII by resellers.

(b) *Geographical applicability.* This Order No. G–10 covers sales of the surplus war commodities in question only when made in or made for delivery in Region VII, which includes all of the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(c) *Description of commodities covered.* The "used, renovated mattresses" covered by this Order No. G–10 are size 30" x 78", No. 4 box—23 lb. cotton felt, 6.2 oz. ACA ticking, sold by the Department of Commerce, Office of Surplus Property, as used commodities and therefore exempt from price control at that level, and which previous to a resale under this Order No. G–10 have by reconditioning and renovation in accordance with the requirements of the state and/or municipal laws and regulations in force at the place of sale been made sanitary and usable.

(d) *Maximum prices.* The maximum prices for the used and reconditioned mattresses covered by this order shall be as follows:

	Each
(1) When sold to wholesalers, f. o. b. shipping point	$2.75
(2) When sold by wholesalers to retailers, f. o. b. shipping point	3.70
(3) When sold by any seller to an ultimate consumer or user	6.20

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this Order No. G–10. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Right to revoke or amend.* This Order No. G–10 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(g) *Effective date.* This Order No. G–10 shall become effective on the 25th day of May 1945.

Issued this 25th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc 45–9737; Filed, June 5, 1945; 12:44 p. m.]

[Region VII Order G–29 Under RMPR 122]

SOLID FUELS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.259 (a) (2) of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Order No. G–29 is issued.

(a) *Adjustment to cover transportation increase.* Any equipped retail coal dealer with railroad trackage facilities who sells coal any part of the transportation of which from the source of supply is, after May 21, 1945, over the Rio Grande Southern Railroad Co. may, on and after the effective date hereof, add 85¢ per ton to his maximum prices as established under Revised Maximum Price Regulation No. 122 or any adjustment or area pricing order issued by this Regional Office.

(b) *Geographical applicability.* This Order No. G–29 shall apply only to dealers making sales at retail within this Region VII, which includes all of the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(c) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this Order No. G–29. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(d) *Right to revoke or amend.* This Order No. G–29 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(e) *Effective date.* This Order No. G–29 shall become effective retroactively as of May 22, 1945.

Issued this 25th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–9738; Filed, June 5, 1945; 12:44 p. m.]

[Spokane Order 56–B Under MPR 426]

LEMONS IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lemons.
(b) Basing point: Phoenix, Ariz.
(c) Wholesale receiving point: Spokane, Wash.
(d) Method of transportation: Carlot.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.88

	Per unit of sale (per case)
(f) Freight charge by method (d)	$0.79
(g) Basing point cost	5.57
(h) Protective services	.14
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	6.50

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45–9726; Filed, June 5, 1945; 12:41 p. m.]

[Spokane Order 57–B Under MPR 426]

LEMONS IN WALLACE, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lemons.
(b) Basing point: Phoenix, Ariz.
(c) Wholesale receiving point: Wallace, Idaho.
(d) Method of transportation: Carlot Spokane, LCL Wallace.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $0.88 plus 51.

	Per unit of sale (per case)
(f) Freight charge by Method (d)	$1.25
(g) Basing point cost	5.57
(h) Protective services	.17
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	6.99

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45–9727; Filed, June 5, 1945; 12:41 p. m.]

[Spokane Order 58–B Under MPR 426]

LEMONS IN PULLMAN, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; and in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lemons.
(b) Basing point: Phoenix, Ariz.
(c) Wholesale receiving point: Pullman, Wash.
(d) Method of transportation: Carlot Spokane, LCL Pullman.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.88 plus 41.

	Per unit of sale (per case)
(f) Freight charge by method (d)	$1.16
(g) Basing point cost	5.57
(h) Protective services	.17
(i) Maximum price in wholesale receiving point (sum of "f", "g", and "h")	6.90

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45–9729; Filed, June 5, 1945; 12:41 p. m.]

[Spokane Order 59–B Under MPR 426]

LEMONS IN LEWISTON, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lemons.
(b) Basing point: Phoenix, Ariz.
(c) Wholesale receiving point: Lewiston, Idaho.
(d) Method of transportation: Car Lot Walla Walla, L. C. L. Lewiston.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.88 plus 54.

	Per unit of sale (per case)
(f) Freight charge by method (d)	$1.27
(g) Basing point cost	5.57
(h) Protective services	.17
(i) Maximum price in wholesale receiving point (sum of "f", "g", and "h")	7.01

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45–9729; Filed, June 5, 1945; 12:41 p. m.]

[Spokane Order 60-B Under MPR 426]

LEMONS IN WALLA WALLA, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lemons.
(b) Basing point: Phoenix, Ariz.
(c) Wholesale receiving point: Walla Walla, Wash.
(d) Method of transportation: Carlot.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.83.

	Per unit of sale (per case)
(f) Freight charge by method (d)	$0.79
(g) Basing point cost	5.57
(h) Protective services	.14
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	6.50

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9730; Filed, June 5, 1945; 12:42 p. m.]

[Spokane Order 61-B Under MPR 426]

LEMONS IN KENNEWICK, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lemons.
(b) Basing point: Phoenix, Ariz.
(c) Wholesale receiving point: Kennewick, Wash.
(d) Method of transportation: Carlot Lewiston, L. C. L. Kennewick.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.88 plus $0.54.

	Per unit of sale (per case)
(f) Freight charge by method (d)	$1.27
(g) Basing point cost	5.57
(h) Protective services	.17
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	7.01

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9731; Filed, June 5, 1945; 12:42 p. m.]

[Spokane Order 62-B Under MPR 426]

CARROTS IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing Point: El Centro, Calif.
(c) Wholesale receiving point: Spokane.
(d) Method of transportation: Carlo
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.08 per cwt.

	Per unit of sale *Per crate of 72 bunches*	*Per lb.*
(f) Freight charge by method (d)	$0.94	-------
(g) Basing point cost	3.00	-------
(h) Protective services	.26	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.20	$0.0444

This order shall become effective April 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9732; Filed, June 5, 1945; 12:42 p. m.]

[Spokane Order 63-B Under MPR 426]

CARROTS IN PULLMAN, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Pullman, Wash.
(d) Method of transportation: Carlot $1.05, L. c. l. $0.41.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.46.

	Per unit of sale *Per crate of 72 bunches*	*Per lb.*
(f) Freight charge by method (d)	$1.31	------
(g) Basing point cost	3.00	------
(h) Protective services	.26	------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.57	$0.0487

This order shall become effective April 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9733; Filed, June 5, 1945; 12:42 p. m.]

[Region IX Order G-2 Under 3 (b)]

MARYE BERNE EHLER

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator for the IXth Region by § 1499.3 (b) (2) of the General Maximum Price Regulation, and General Order No. 32, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the new handmade corde hand bags hereinafter described may be sold by Marye Berne Ehler of Juneau, Alaska (hereinafter called the manufacturer), and by any retailer in the Territory of Alaska.

(b) *Maximum prices.* The maximum prices for sales of the hand bags covered by this order are as follows:

HAND-MADE CORDE HAND BAGS

Description	Maximum prices: Manufacturer to retailer	Maximum prices: At retail
#1 All rayon cord, buckrum, metal rings, lining, zippers, zipper pull	$17.50	$30.00
#2 Rosette, buckrum, lining, zippers, zipper pull	19.70	35.50
#3 Cordette, buckrum, lining, zippers, zipper pull	20.70	34.50
#4 Cordtwill, buckrum, lining	13.40	22.50

The maximum prices listed above for sales by the manufacturer are f. o. b. Juneau, Alaska.

(c) *Notification.* The manufacturer shall notify each retailer at the time of first sale after the effective date of this order of the maximum prices established by this order and shall include on every invoice covering a sale of these hand bags the following statement:

Region IX, OPA Order No. G-2, under the GMPR, establishes the maximum prices at which you may sell these hand bags.

(d) This order may be revoked or amended at any time.

(e) Except as provided in this order, all provisions of the General Maximum Price Regulation remain in effect.

This order shall become effective June 9, 1945.

Issued this 4th day of June 1945.

JAMES P. DAVIS,
Regional Administrator.

[F. R. Doc. 45-9723; Filed, June 5, 1945; 12:40 p. m.]

SELECTIVE SERVICE SYSTEM.

[Camp Order 149]

U. S. FOREST SERVICE RESEARCH PROJECT

DESIGNATION AS CONSCIENTIOUS OBJECTOR CAMP

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the U. S. Forest Service Research Project is designated as work of national importance and shall be known as Civilian Public Service Camp No. 149. Said project, located within several States, will be the base of operations for work under the supervision of the U. S. Forest Service, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

2. That the men assigned to said project will be engaged in gathering, compiling, and analyzing research information in the fields of forest management, watershed management, forest resources, forest products, and range management, and will participate in the preparation of reports thereon. The planning and direction of the work program shall be under the technical direction of the Forest Service of the Department of Agriculture. This Bureau will also be responsible for the housing, feeding, clothing, discipline and provision of necessary medical and dental care. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Supervision and control of the Forest Service Research Project shall be under the Selective Service System through the Assistant Director of Selective Service in charge of Camp Operations.

LEWIS B. HERSHEY,
Director.

JUNE 4, 1945.

[F. R. Doc. 45-9792; Filed, June 5, 1945; 4:06 p. m.]

WAR MANPOWER COMMISSION.

[Amdt. 5]

WILLIAMSPORT, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for Williamsport Area VI, dated September 15, 1943, is hereby amended as follows:

Section 3 (f) (7) shall be added: "In accordance with the War Manpower Commission policy, this exclusion shall also apply to the hiring of a veteran of World War II."

Section 10 (i) shall be added: *"Veterans of World War II* are those persons who have served in the armed forces of the United States subsequent to September 16, 1940, and have other than dishonorable discharges."

Dated: October 18, 1944.

F. D. SMITH,
Area Director.

Approved: October 25, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 45-9687; Filed, June 4, 1945; 2:45 p. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 114

Washington, Friday, June 8, 1945

Regulations

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 27-1]

PART 27—AIRCRAFT DISPATCHER CERTIFICATES

REDUCTION OF REQUIRED INTERVAL OF TIME FOR REEXAMINATION OF AIRCRAFT DISPATCHERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 5th day of June 1945.

Effective June 5, 1945, § 27.27 of the Civil Air Regulations is amended by striking the number "90" and inserting in lieu thereof the number "30".

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 45-9850; Filed, June 7, 1945; 10:30 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 28]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; PHOTOGRAPHIC GOODS

Amendment No. 13 published May 30, 1945 at 10 F.R. 6291 is hereby amended by striking out the effective date "June 2, 1945" and substituting therefor the effective date "July 1, 1945".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 31, 1945.

WALTER FREEDMAN, *Acting Director, Requirements and Supply Branch, Bureau of Supplies.*

[F. R. Doc. 45-9826; Filed, June 6, 1945; 2:47 p. m.]

[Amdt. 29]

PART 802—GENERAL LICENSES

IN TRANSIT SHIPMENTS

Section 802.9 *General in transit licenses "GIT"* is hereby amended in the following particulars:

Paragraph (b) is hereby amended to read as follows:

(b) General licenses are hereby granted authorizing, subject to the other provisions of this section, the exportation of "in transit shipments" from those countries of origin to those countries of destination set forth directly opposite the respective general license designation for each such license in the following table.

General license designation	Countries of origin	Countries of destination
GIT-A/A.	All countries except enemy or enemy occupied countries.	All countries to which country numbers have been assigned, except "S Countries" and "M Countries."
GIT-C/MS.	Canada	"M Countries", "S Countries", Belgium, Czechoslovakia, Denmark, France, Luxemburg, The Netherlands, and Norway.
GIT-Y/S.	"Y Countries"	"S Countries."
GIT-Y/MS.	"Y Countries"	"M Countries" and "S Countries."

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Dated: June 1, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9827; Filed, June 6, 1945; 2:47 p. m.]

[Amdt. 30]

PART 802—GENERAL LICENSES

IN TRANSIT SHIPMENTS; AUTOMOTIVE VEHICLES

Section 802.9 *General in transit licenses "GIT"* is hereby amended in the following particulars:

Paragraph (g) is amended by adding to the list of commodities therein the following:

Commodity:	*Schedule B Nos.*
Automotive vehicles	7901.01 through 7911.00

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 1, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9828; Filed, June 6, 1945; 2:47 p. m.]

[Amdt. 31]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, SUPPLIES AND EQUIPMENT

Section 802.13 *Ship and plane stores, supplies and equipment; dunnage "GLD"* is hereby amended to read as follows:

§ 802.13 *Ship and plane stores, supplies and equipment; dunnage "GLD".* (a) General licenses are hereby issued permitting exportation on freight or passenger vessels:

(1) (i) Owned by or under charter to the United States Maritime Commission,

War Shipping Administration, British Ministry of War Transport, Canadian Department of Munitions and Supply, or the Soviet Government Purchasing Commission, proceeding to any destination; or

(ii) Which have been approved to the Collector of Customs by special authorization from the Requirements and Supply Branch; or

(iii) Which have secured an authentic and acceptable document from the War Shipping Administration, British Ministry of War Transport, Canadian Department of Munitions and Supply, or the Soviet Government Purchasing Commission, certifying that the vessel is operating on the instant voyage in the interest of the respective agency issuing the certificate; or

(iv) Of registry of countries designated by numbers 1 to 3, 5 to 58, 60 to 67, 71 to 81, or 99 in § 802.2 (a) of this subchapter, or the Netherlands, Norway, or Poland: *Provided*, That the destination of such vessels shall be one of the aforenumbered countries; of the following commodities:

(2) (i) Bunker fuel for use or consumption on board during the outgoing and any immediate return voyage, which, in the case of exportation on a vessel operating under a certificate issued by one of the agencies described in subdivision (iii) of subparagraph (1) of this paragraph, shall not exceed the amount recommended by an authorized representative of the War Shipping Administration by endorsement on said certificate.

(ii) Other ordinary ship stores, sea stores and supplies for both port requirements and use or consumption on board such vessels during the outgoing voyage and any immediate return voyage scheduled in such quantities as the Collector of Customs deems necessary and reasonable.

(iii) Equipment and spare parts intended for permanent use on such vessels when necessary for their proper operation and approved by the Collector of Customs; *Prorided:* That no new marine diesel engine (Schedule B Nos. 7145.00 and 7146.00) the installation of which is to take place at dockside, may be exported under this general license except new marine diesel engines installed in shipyards under the jurisdiction of the Coordinator for Ship Repairs and Conversions, U. S. Maritime Commission.

(b) (1) A general license is hereby granted authorizing the exportation of food stores for consumption on vessels during the outgoing and any immediate scheduled return voyage. *Prorided:* That:

(i) The total amount of said food stores does not exceed beyond 20 per cent, an amount equal to 6.25 pounds times the number of days of the voyage for every crew member and passenger carried by such vessels; plus a tolerance not to exceed .15 pounds per man per day, when, due to packaging, food stores cannot be split up; and

(ii) The total amount of any specific food item, class or group of food items does not exceed the amount set forth for said food item, class or group of food items in subparagraph (4) of this paragraph.

(2) The operators of vessels shall furnish to the Collector of Customs requisitions based upon the information set forth in said food list, and shall furnish the following additional information: name of vessel; nationality; name of agent; aproximate number of days required for the outgoing and return voyage; the vessel's probable itinerary; and the number of crew and passengers. When presenting a requisition for cigarettes to Collectors of Customs the operators of vessels shall also submit an inventory of the total number of cigarettes on board such vessels at the time of arrival in port.

(3) Foodstuffs to be used as lifeboat provisions are considered as "deck stores", and are not within the purview of this section.

(4) *Item and allowance authorized per man per day.* The allowable quantities per man per day are indicated in the table following. Where a number preceded by an asterisk (*) appears immediately after a food item, this refers to the conversion factor applicable to such item for the purpose of determining food value equivalents. In the case of such items, the weight shall be multiplied by said number in computing the total amount authorized for a certain item within the particular group or class. For example, each pound of dehydrated vegetables will use 6 pounds of the total of Group 6 food stores permitted under this general license.

FOOD STORES LIST

Group 1. Meat, poultry, fish, all (not in excess of 1.00 pound):
  Meat, poultry, fish, rationed (not in excess of 0.80 pound):
    Meat:
      Fresh.
      Fresh boneless: 1.2.*
      Canned: 1.2.*
      Dried: 1.7.*
      Live: 0.55.*
      Fish, canned.
      Poultry, canned.
    Other poultry and fish (not in excess of 1.00 pound):
      Poultry, fresh.
      Poultry, live: 0.88.*
      Fish, fresh and dried.
Group 2. Dairy product, all (not in excess of 0.80 pound):
  Cheese (not in excess of 0.12 pound).
  Milk and cream, canned weight.
Group 3. Fats, all (not in excess of 0.25 pound):
  Butter (not in excess of 0.1 pound).
  Other fats.
Group 4. Eggs (not in excess of 0.25 pound): (9 egg=1 pound).
Group 5. Sugar (not in excess of 0.25 pound).
Group 6. Vegetables and fruits, all (not in excess of 3.00 pounds:
  Vegetables and fruits, processed (not in excess of 1.90 pounds):
    Canned fruits and vegetables.
    Dried fruit: 4*.
    Dehydrated vegetables (except potatoes): 6*.
  Other vegetables and fruits (not in excess of 3.00 pounds):
    Dehydrated potatoes: 4*.
    Dry beans, peas, and nuts (not in excess of 0.05 pound).
    All other vegetables and fruits.
Group 7. Grains and cereals, all (not in excess of 1.00 pound).
Group 8. Beverages, all (not in excess of 0.25 pound):
  Coffee.
  Tea (not in excess of 0.04 pound).
  Cocoa (not in excess of 0.01 pound).
  Other beverages (not in excess of 0.15 pound).
Group 9. Other groceries (not in excess of 0.25 pound):
  Jams.
  Jellies.
  Condiments.
  Pepper (not in excess of 1.4 oz. per man per 100 days).
  Other spices.
Group 10. Tobacco:
  Cigarettes (1 package) or
  Other tobacco (not in excess of 4 oz.).

The total number of cigarettes on board at the time of arrival in port shall be deducted in computing the authorized allowance of cigarettes.

The foregoing limits on the quantity of cigarettes which may be exported under this general license do not apply to vessels owned by or under charter to the War Shipping Administration. Such vessels may export cigarettes under this general license in such quantities as may be authorized by the War Shipping Administration.

(5) Upon specific authorization to Collectors of Customs by the Foreign Economic Administration food stores in excess of the amounts otherwise authorized in this section may be exported under this general license.

(c) Individual vessels included in the list set forth in paragraph (a) of this section may export, under the general licenses granted by paragraphs (a) and (b) of this section, quantities of bunker fuel, food stores, and ship and sea stores in excess of their normal requirements for the outgoing and any immediate return voyage; *Provided*, That such surplus amounts are exported for the purpose of establishing reserve stocks at friendly ports and that such surplus amounts have been approved in writing by an authorized representative of the War Shipping Administration.

(d) General licenses are hereby granted permitting the exportation in planes departing from the United States of fuel, ordinary plane stores and supplies for use or consumption during the outgoing trip of such planes and any immediate return trip scheduled, and of equipment and spare parts when necessary for the proper operation of such planes.

(e) *Dunnage*—(1) *Definition.* When used in this paragraph:

(i) "Dunnage" shall mean any number of a grade No. 3 common or lower, matting, jute or burlap bagging, paper or other materials customarily used to secure or stow cargo aboard a vessel, when such materials are not carried as cargo and not assessed freight charges. Materials of better quality than herein defined may be used as dunnage only when it has been established to the satisfaction of the United States Collector of Customs that ordinary grades are unobtainable.

(ii) A general license designated "GLD" is hereby granted authorizing the exportation of dunnage when exported

solely for use as dunnage on the immediate voyage of an exporting carrier; *Provided:* That the amount of said dunnage to be exported on any such carrier does not exceed the amount necessary to properly stow or secure the cargo then being carried.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 1, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9829; Filed, June 6, 1945; 2:47 p. m.]

[Amdt. 32]

PART 802—GENERAL LICENSES

RETURN OF TIRES AND TUBES IMPORTED INTO U. S.

Section 802.26 *Return of certain commodities imported into the United States "GLR"* is hereby amended in the following particulars:

Paragraph (f) is hereby amended to read as follows:

(f) Tires and tubes owned and used in foreign countries which are imported into the United States for repair or recapping purposes may be returned to the country of origin together with any material incorporated into such tires or tubes in the process of repair or recapping, provided such tires and tubes are imported into the United States (1) under a six months' bond for exportation, or (2) under any other form of entry pursuant to which such tires and tubes are marked or recorded by the Collector of Customs at the port of importation so that they may be identified when exported.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 4, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9830; Filed, June 6, 1945; 2:48 p. m.]

[Amdt. 33]

PART 804—INDIVIDUAL LICENSES

DIAMONDS AND TOOLS INCORPORATING INDUSTRIAL DIAMONDS

Section 804.11 *Diamonds and tools incorporating industrial diamonds* is hereby amended to read as follows:

§ 804.11 *Diamonds and tools incorporating industrial diamonds.* When an individual license has been issued authorizing the exportation of any of the commodities listed hereafter in this section, the license and the package containing the licensed commodities must be presented to a Collector of Customs for examination prior to exportation even when an exportation is to be made by mail. If the contents of the package agree as to weight and description with the data set forth on the license, the Collector will attach an appropriate Customs seal, indicating that the package has been inspected. If exportation is to be made by mail, the package shall then be placed in the mail under Customs supervision. If the contents of the package do not agree with the weight or description as set forth on the license, the Collector will return the package to the licensee and the contents of the package shall not be exported from the United States unless a proper license authorizing the exportation thereof is subsequently issued by the Foreign Economic Administration. The provisions of this section requiring examination by Collectors of Customs prior to exportation shall not apply to tools incorporating diamonds or diamond dies except that Collectors of Customs may in any case in their discretion require such examination before clearing shipments of tools incorporating diamonds or diamond dies. The list of commodities covered by the provisions of this action are as follows:

Classification	*Schedule B No.*
1. Diamonds (loose):	
Diamond dust (include powder)	5403.10
Diamonds suitable for industrial use, cut or uncut (include splints and bort)	5990.05
Diamonds, other than industrial (include gem cut or rough diamonds, cuttable)	5990.98
2. Tools incorporating industrial diamonds:	
Diamond core drills (when containing diamonds)	7310.00
Diamond core drill bits and other mining and quarrying machinery and parts containing diamonds	7339.03
Diamond dies for power-driven metal-working machinery	7455.03
Diamond disc points, dental, and other dental instruments containing diamonds	9150.00
Diamond grinding wheels	5409.05
Hand tools incorporating diamonds (include wheel dressers)	6178.91
Metal slugs containing diamonds	7485.12
Penetrators and other hardness-testing machines and parts containing diamonds	7740.20, 7750.98
Saws, diamond, circular	6155.15
Saws, diamond, other than circular	6156.05
3. Jewelry containing diamonds:	
Jewelry and other articles of solid gold or platinum containing diamonds	9620.00
Men's jewelry of metals other than solid gold or platinum containing diamonds	9621.00
Women's jewelry of metals other than solid gold or platinum containing diamonds	9621.00
Articles of other metals (except gold or platinum) containing diamonds	9620.00
4. Other miscellaneous commodities containing diamonds	All

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16255; Delegation of Authority No. 21, 8 F.R. 16320)

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9831; Filed, June 6, 1945; 2:48 p. m.]

[Amdt. 34]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

BLOCKADE CONTROL PERMIT; EIRE

Section 805.4 *Blockade control permit* is hereby amended in the following particulars:

1. So much of paragraph (b) as relates to Eire is amended to read as follows:

Eire.
All commodities, except castor oil (medicinal and industrial grades), paraffin wax, steel mill products, automobile and truck replacement parts and accessories, tobacco (including cigars and cigarettes).

2. Paragraph (c) is amended to read as follows:

(c) *Exceptions.* The requirements of this section shall not apply to:

(1) Exportations to Eire when made by mail, regardless of value.

(2) Exportations to Eire of any commodity or commodities when the total value of the commodity or commodities included in a single application for individual export license does not exceed $100.

(3) Exportations to all destinations subject to the blockade control permit regulations, other than Eire, of non-commercial consignments when shipped by mail, provided the commodities so shipped are for the personal use of the consignee or ultimate consignee. Where this exception is applicable, the application for license must specify the "personal use".

(4) Exportations of normal trade samples of reasonable quantity, when shipped by mail, to all destinations subject to blockade control permit regulations other than Eire. Where this exception is applicable the license application must specify that the intended shipment will consist of samples and describe such samples in detail.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 2, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-9832; Filed, June 6, 1945; 2:48 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1109—MICA

[Conservation Order M-101, As Amended June 7, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of mica for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1109.1 *Conservation Order M-101*—(a) *Definitions.* For the purpose of this order:

(1) "Mica" means muscovite, block and film mica of all qualities but excluding remnant mica, scrap mica or splittings used in making built-up mica;

(2) "Remnant mica" means the by-product mica obtained from fabrication of block or film mica and which is better than scrap. The term does not include film obtained from splitting block mica, or sorted from film.

(3) "Scrap mica" means mica which has no further usability for fabrication except for grinding purposes.

(4) "Fabrication" or "to fabricate" means to cut, stamp, punch or split, to predetermined shape or dimensions or to change in any manner the form, shape or size of mica, except for the purpose of making emergency repairs or emergency replacements to prevent a threatened breakdown.

(5) "Product containing mica" means a product into which fabricated mica is assembled or inserted such as a spark plug, condenser or radio tube.

(b) *Restrictions on fabrication and causing fabrication of mica.* No person shall, without authorization from the War Production Board on Form WPB-1085 (Revised) fabricate or cause fabrication of mica (1) of a quality better than is necessary for the particular purpose for which the mica will be used; (2) for use where a substitution of other material is practicable, or (3) of a grade (size) larger than is required to yield the desired pattern. Provision (3) of this paragraph (b) shall not apply to Brazilian or other scalings. If authorization is granted it will permit the person or persons named in said Form WPB-1085 (Revised) to fabricate the mica defined and use such mica for the product described in said form.

(c) [Deleted June 7, 1945.]

(d) *Required demonstration of economic use of mica.* The War Production Board may at any time require satisfactory evidence from a fabricator of mica or a manufacturer of any product into which mica is to be assembled or inserted that a lesser quantity, a lower quality or a smaller grade (size) could not be used than the quantity, quality or grade (size) applied for, or that the use of mica is required for the particular purpose.

(e) *Release of mica from Government stockpile.* (1) Mica, grade 4 and larger, regardless of quality, will be released from Government stockpile only upon application on Form WPB-1085 (Revised) to the War Production Board by the manufacturer of the product containing the mica and the person, if any, who will fabricate the mica for such manufacturer. If the mica is released the person or persons named in the application shall fabricate the mica and use such mica for the product described in the application.

(2) To obtain release from Government stockpile of mica smaller than grade 4, the person who will fabricate the mica for a manufacturer shall submit to the War Production Board in the form of a letter a request showing the grade (size), quantity and quality of mica desired, the product in which the fabricated mica is to be assembled, and a statement to the effect that fabrication will be in accordance with the provisions of this order. If the mica is released the fabricator shall fabricate the mica described in his letter for the product named therein and in accordance with the provisions of this order.

(f) *Reports covering block and film mica.* Any person fabricating 100 pounds or more of any block or film mica in any one month, or who on the last day of any month possesses 500 pounds or more of such mica or of the value of $500 or more, shall file Form WPB-3464, properly filled out, on or before the 15th day of the month following.

(g) *Miscellaneous provisions* — (1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Applicability of order.* In so far as any other War Production Board order may have the effect of limiting or curtailing the fabrication of mica to a greater extent than herein provided, the limitations of such order shall be observed.

(3) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Budget Bureau approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(5) *Communications to War Production Board.* All reports required to be filed hereunder, and all other communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Miscellaneous Minerals Division, Washington 25, D. C., Ref: M-101.

(6) [Deleted June 7, 1945.]

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9877; Filed, June 7, 1945; 11:28 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 10 as Amended June 7, 1945]

CHANGES MADE BY CUSTOMERS IN ORDERS PLACED WITH PRODUCERS

The following amended interpretation is issued with respect to CMP Reg. 1:

(a) This interpretation deals with the procedure to be followed when a customer, having placed an authorized controlled material order with a producer, wishes to make changes in that order.

(b) The general rule is that any change in a customer's order constitutes a cancellation of the earlier order and must be considered as a new order received on the date of the change, if (but only if) the change necessitates alteration of the producers' production schedule to a point which would interfere with production. For example:

(1) The mere substitution of one allotment number for another which does not require alteration of the producer's schedule is not considered to constitute the placing

of a new order. The customer must, of course, have an allotment identified by the substituted allotment number to support the change.

NOTE: Subparagraphs (2) and (3), formerly (5) and (7), redesignated; former subparagraphs (2), (3), (4), and (6) deleted, June 7, 1945.

(2) A reduction in the total amount ordered will presumably not require a change in the producer's schedule and will not constitute a new order. Of course, if the quantity is reduced below a minimum mill quantity, the producer may reject the order and remove it from his schedule, as provided in paragraph (i) (2) (i) of CMP Regulation No. 1, though he must not discriminate between customers in so doing.

(3) Where minor variations in size, shape, gauge, etc., are requested by the customer and can be arranged by the producer without interfering with his production, such changes do not constitute a new order.

(c) In no case does a change in shipping destination constitute the placing of a new order

(d) The following changes in an order will always constitute the placing of a new order, which must be treated as though it were a new order received on the date of the change:

(1) An increase in the total amount ordered constitutes the placing of a new order to the extent of the increase.

(2) An advancement or deferment of delivery, when made by the customer, will constitute entry of a new order.

(3) When the customer directs the producer to hold or suspend production on an order, without specifying a new delivery date, the order will not be considered as on a producer's books for the purpose of determining his obligation to accept other orders. When the customer instructs the producer to reinstate a suspended order, it shall be considered a new order as of the date of such instruction.

NOTE: Paragraphs (e) and (f), formerly (c) and (d), redesignated June 7, 1945.

(e) In the case of changes which constitute a new order under this interpretation, the acceptance or rejection of the new order and its place on the producer's schedule shall be governed by conditions existing at the time the changes are received.

(f) This interpretation, as amended, supersedes Interpretation 12 of CMP Regulation No. 1 and CMP'L letter 414, which are hereby revoked.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9876; Filed, June 7, 1945; 11:28 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-6, as Amended June 7, 1945]

DOMESTIC WASHING MACHINES

Section 3291.25 *General Limitation Order L-6* is amended to read as follows:

§ 3291.25 *General Limitation Order L-6*—(a) *What this order does.* This order permits the unlimited production of domestic washing machines. It also provides a method for granting priorities assistance to manufacturers for the production of a limited number of domestic washing machines within approved War Production Board programs. It states the conditions under which that priority assistance will be extended to manufacturers by the War Production Board.

(b) *Definition.* For the purpose of this order "domestic washing machine" means any machine which is designed for washing laundry in the home and which is powered by gasoline or electricity.

(c) *Conditions under which priorities assistance will be given.* (1) The War Production Board may give priorities assistance for the production of domestic washing machines in the form of allotments of controlled materials and preference ratings for the purchase of other materials and components. However, in addition to the production for which they have received priorities assistance, manufacturers may produce and assemble any domestic washing machines for which they are able to obtain the materials.

(2) Any person who wants priorities assistance to make domestic washing machines should file his application on Form WPB-3700 (and Form WPB-3820 when required by the instructions) with the field office of the War Production Board in which is located the plant or branch of the applicant where the domestic washing machines will be produced.

(3) Priorities assistance will be given for the production of a fixed number of domestic washing machines according to the approved War Production Board program. In giving this assistance, the War Production Board will make an equitable allocation of the total amount of materials for which it will give priorities assistance to each manufacturer. Wherever practicable, each applicant will receive a pro rata share of his productive capacity based upon his facilities and the availability of manpower. Assignment of priorities assistance will not be dependent upon any applicant's having been engaged in the production of domestic washing machines at some previous time.

(4) The War Production Board will also give priorities assistance for the production of service and repair parts for used domestic washing machines. Any person who wants such assistance should apply on Form CMP-4B according to the instructions for filing that form. No person shall use any materials which he has obtained with such assistance in the production or assembly of any new domestic washing machine.

(d) *Distribution.* So long as a manufacturer complies with all applicable orders and regulations he may distribute his domestic washing machines as he sees fit unless he is directed otherwise in writing by the War Production Board.

(e) *Reports.* Any person who commercially manufactures or assembles domestic washing machines must file with the War Production Board Form WPB-1600 according to the instructions for filing that form.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed and all other communications concerning this order, should be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-6.

NOTE: The reporting requirements and application forms of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9873; Filed, June 7, 1945; 11:28 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 48 as Amended June 7, 1945]

PYRETHRUM

§ 3293.1048 *Schedule 48 to General Allocation Order M-300*—(a) *Definitions.* (1) "Pyrethrum" means pyrethrum flowers and the powder, dust or extract derived therefrom, excluding, however, pyrethrum insecticide.

(2) "Pyrethrum insecticide" means any compound containing pyrethrum combined with other liquid or dry materials whether active or inert, which is suitable for use as an insecticide.

(b) *General restrictions.* Pyrethrum is subject to allocation under General Allocation Order M-300 as an Appendix B material. The initial allocation date is July 1, 1942, when pyrethrum was first put under allocation by Order M-178 (revoked). The allocation period is the calendar quarter and the small order exemption is one pound per person per month, for experimental purposes only.

(c) *Transition from Appendix A to Appendix B control.* For calendar months prior to July, 1945, allocation control of pyrethrum is as an Appendix A material, and for calendar quarters beginning with July-September, 1945, allocation control is as an Appendix B material. Regular and interim authorizations to deliver made on Form WPB-2946 for allocation periods prior to July, 1945 are not affected by the change to Appendix B control, but are subject to the limitations on duration of authorization under paragraph (t) of Order M-300. Regular and interim authorizations to use or accept delivery made on Form WPB-2945 for allocation periods prior to July, 1945, remain in effect without limitation on duration of authorization notwithstanding paragraph (v) of Order M-300.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver pyrethrum shall file application on Form WPB-2947. Filing date is the 15th of the month before the proposed delivery quarter. File separate sets of forms for agricultural customers and other customers. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-48. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders for experimental uses. Do not include in the form orders received after the 10th day of the month before the proposed allocation quarter. Fill in Table II.

(e) *Certified statements of use.* (1) Each person ordering pyrethrum from any supplier, unless ordering one pound or less for experimental purposes under the small order exemption, shall furnish with the order a statement of proposed use. The statement shall be followed by the certification "Use certified: Ref: M-300" (as prescribed in Appendix D to Order M-300). If the proposed use is for insecticide, specify the kind of insecticide in terms of insect, animal or crop, and also, in the case of agricultural insecticides, specify whether the insecticide is to be put up in small or large size package. Proposed use may also be specified in terms of any other product and end use, or as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license or requisition number).

(2) Orders for delivery of pyrethrum during any calendar quarter must be placed with the supplier on or before the 10th day of the month before that quarter in order to be considered for regular allocation.

(f) *Agricultural use and distribution of pyrethrum insecticides.* Use of pyrethrum insecticides in agriculture and distribution of pyrethrum insecticides to agricultural consumers (which matters are not the subject of this order) are subject to any applicable orders or regulations of the War Food Administration.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-48.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9878; Filed, June 7, 1945; 11:28 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 49 as Amended June 7, 1945]

ROTENONE

§ 3293.1049 *Schedule 49 to General Allocation Order M-300*—(a) *Definitions.* (1) "Rotenone" means the active insecticidal ingredients of the roots of derris, cube, barbasco, tuba or timbo. The term includes:

(i) "Crude rotenone" in the form of root or of root which has been dried, broken, shredded, cut or chipped;

(ii) "Processed rotenone" in the form of finely ground or powdered crude rotenone; also in the form of liquid or solid extracts (or resins) obtained from crude rotenone.

(2) "Rotenone insecticide" means any compound containing rotenone combined with other liquid or dry materials, whether active or inert; provided that such compound is suitable for use as an insecticide.

(b) *General restrictions.* Rotenone is subject to allocation under General Allocation Order M-300 as an Appendix B material. The initial allocation date is January 23, 1943, when rotenone was first put under allocation by Order M-133 (revoked). The allocation period is the calendar quarter and the small order exemption per person per month is 5 lbs. in solid form or one gallon of liquid extract.

(c) *Transition from Appendix A to Appendix B control.* For calendar months prior to July, 1945, allocation control of rotenone is as an Appendix A material, and for calendar quarters beginning with July-September, 1945, allocation control is as an Appendix B material. Regular and interim authorizations to deliver made on Form WPB-2946 for allocation periods prior to July, 1945 are not affected by the change to Appendix B control, but are subject to the limitations on duration of authorization under paragraph (t) of Order M-300. Regular and interim authorizations to use or accept delivery made on Form WPB-2945 for allocation periods prior to July, 1945, remain in effect without limitation on duration of authorization notwithstanding paragraph (v) of Order M-300.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver rotenone shall file application on Form WPB-2947. Filing date is the 15th day of the month before the proposed delivery quarter. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-49. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Do not include in the form orders received after the 10th day of the month before the proposed allocation quarter. Fill in Table II.

(e) *Certified statements of use.* (1) Each person placing orders for delivery of more than 5 pounds in solid form (or one gallon of liquid extract) of rotenone per month in the aggregate from all suppliers, shall furnish with a purchase order a statement of proposed use. The statement shall be followed by the certification "Use certified: Ref: M-300" (as prescribed in Appendix D of Order M-300). If the proposed use is for insecticide, specify the kind of insecticide in terms of insect, animal or crop and also, in the case of agricultural insecticides, specify whether for small or large size package. Proposed use may also be specified as "pharmaceuticals", or in terms of any other specified product and end use, or as "for resale on further authorization", "for resale on exempt small orders", or "for export" (stating destination and export license or requisition number).

(2) Orders for delivery of rotenone during any calendar quarter must be placed with the supplier on or before the 10th day of the month before that quarter in order to be considered for regular allocation.

(f) *Restrictions on manufacture and processing.* (1) [Revoked June 7, 1945.]

(2) The War Production Board may from time to time issue to processors of rotenone or to manufacturers of rotenone insecticides written directions as to the content, kinds and grades of processed rotenone or of rotenone insecticides to be produced, or as to size of packages in which rotenone or rotenone insecticides may be packed.

(g) *Agricultural use and distribution of rotenone insecticides.* Use of rotenone insecticides in agriculture and distribution of rotenone insecticides to agricultural consumers (which matters are not the subject of this order) are subject to applicable orders and regulations of the War Food Administration.

(h) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-49.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9879; Filed, June 7, 1945; 11:28 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-21, Direction 1 as Amended June 6, 1945]

DISTRIBUTORS' ORDERS FOR HOT ROLLED OR COLD REDUCED CARBON STEEL SHEETS OR STRIP

The following amended direction is issued pursuant to Order M-21:

(a) *Purpose and scope of this direction.* The tonnage of hot rolled and cold reduced carbon steel sheets and strip ordered by distributors from producers' scheduled rollings for delivery in each month of 1945 after June 30, is considerably in excess of the tonnage of such products which the War Production Board can allocate to the warehouse industry. So as to make room on mill schedules for urgent war orders which require shipment direct from producers to consumers, and to insure an equitable distribution among all distributors of the scheduled carbon steel sheet and strip tonnage available to the warehouse industry, the following direction is issued pursuant to the provisions of paragraph (f) (1) of Order M-21. The terms of this direction apply only to carbon steel sheets and strip ordered by distributors from producers' scheduled rollings, and do not apply to distributors' orders for steel sheets or strip to be filled from mill accumulations.

(b) *Limitations on distributors' orders.* (1) *Scheduled carbon steel sheets and strip.* Effective immediately, no distributor shall order hot rolled carbon steel sheets and strip for delivery to his stock from all producers' scheduled rollings during any calendar quarter following June 30, 1945, exceeding 25% of the tonnage of such material he received into his stock from all producers' scheduled rollings during the calendar year 1944. In addition, no distributor shall order cold reduced carbon steel sheets and strip for delivery to his stock from all producers' scheduled rollings during any calendar quarter following June 30, 1945, exceeding 30% of the tonnage of such material he received into his stock from all producers' scheduled rollings during the calendar year 1944. As an alternative for the above provisions of this paragraph (b) (1), a distributor may order up to but not more than a total of 60 tons of hot rolled and cold reduced carbon steel sheets and strip for delivery to his stock from all producers' scheduled rollings in any calendar quarter following June 30, 1945.

(2) *Hot rolled pickled carbon steel sheets or strip.* Within the total tonnage allowed in paragraph (b) (1), no distributor shall order any hot rolled pickled carbon steel sheets or strip for delivery to his stock from producers' scheduled rollings during any calendar quarter following June 30, 1945, exceeding whichever is the greater of 30 tons, or 12½% of the total tonnage of hot rolled pickled carbon steel sheets or strip which he received into his stock from all producers' scheduled rollings during the calendar year 1944.

(c) *Excess orders must be cancelled.* Each distributor who, prior to May 15, 1945, ordered carbon steel hot rolled or cold reduced sheets or strip to be delivered from producers' scheduled rollings after June 30, 1945, shall immediately notify each of his suppliers in writing which of the orders that he placed prior to May 15 shall remain in schedule. Any distributor who has already placed orders for hot rolled or cold reduced carbon steel sheets or strip to be delivered to his stock from producers' scheduled rollings during any calendar quarter following June 30, 1945 in excess of the amounts permitted by paragraph (b) shall cancel such excess orders, or he shall defer the delivery quarter specified on such orders to the extent necessary for him to comply with the terms of this direction. A producer shall return to a distributor as cancelled any orders for carbon steel sheets or strip to be delivered from scheduled rollings which he accepted from the distributor prior to May 15, 1945, for production and delivery in the third quarter of 1945 if such orders have not been revalidated in writing by the distributor prior to June 16, 1945. A producer shall return to a distributor as cancelled any orders for carbon steel sheets or strip to be delivered from scheduled rollings which he accepted from the distributor prior to May 15, 1945 for production and delivery in the fourth quarter of 1945 if such orders have not been revalidated in writing by the distributor prior to August 1, 1945.

Issued this 6th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9833; Filed, June 6, 1945; 4:24 p. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-21, Direction 4]

STEEL PRODUCTS FOR DISASTER RELIEF

The following direction is issued pursuant to Order M-21:

(a) *What this direction does.* The purpose of this direction is to set forth the procedure which has been worked out by the War Production Board with the American Red Cross to provide steel products for local relief from disasters, such as floods, tornadoes, etc., which cause considerable damage to property. It replaces Direction 4 to Order M-21-b-2.

(b) *Action to be taken by the War Production Board and the American Red Cross.* The War Production Board each quarter, through the Office of Civilian Requirements, will set aside a tonnage of steel to meet disaster relief requirements. In the event of a disaster, the American Red Cross will estimate the amount of steel products not available locally which are needed to provide relief for the community. The American Red Cross will then apply to the Office of Civilian Requirements of the War Production Board for an allotment of steel sufficient to provide the necessary relief. If the appeal is granted, the War Production Board will issue an allotment to the American Red Cross bearing the CMP symbol V-2 and a quarterly identification. The American Red Cross will then divide its allotment among distributors serving the affected area in proportion to the respective needs of each.

(c) *Action to be taken by a Steel Distributor.* Each steel distributor receiving a portion of this allotment should immediately place orders with producers or other distributors in an amount not to exceed the allotment granted him for the steel products he needs for disaster relief. Each such order placed must bear the certification authorized by CMP Regulation No. 7 and, in addition, the following:

CMP Allotment No. V-2 (and quarterly identification) for Disaster Relief Pursuant to Direction (4) to Order M-21.

Any steel products ordered pursuant to such an allotment shall be ordered by the distributor for shipment to his stock. When the steel for disaster relief has been received by a distributor, it must be sold by him to consumers in accordance with the provisions of CMP Regulation No. 4, or to other distributors as directed by the American Red Cross. The delivery of any material which was obtained by a distributor by use of the V-2 allotment, however, may not be used by him to support a WH-Authorized Stock Replacement Order on a producer or another distributor.

(d) *Treatment of a distributor's disaster relief orders by a supplier.* A producer who receives an order for steel products from a distributor certified in the manner outlined in paragraph (c) must accept such an order for the earliest possible delivery by deferring deliveries on distributors' orders to the extent necessary. Such an order, however, must not delay deliveries on authorized controlled material orders received from persons other than distributors. A distributor who receives an order for steel products from another distributor certified in the manner outlined in paragraph (c) must accept such an order and fill it immediately from his stock if the material is available, or he must arrange for direct shipment of the order from a producer in the manner prescribed by Direction 48 to CMP Regulation No. 1.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9875; Filed, June 7, 1945; 11:28 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-21-b-2, Revocation of Direction 4]

STEEL PRODUCTS FOR DISASTER RELIEF

Direction 4 to Order M-21-b-2 is revoked. This revocation does not affect any liabilities incurred for a violation of the direction or of actions taken by the War Production Board under the direction. The direction is superseded by Direction 4 to Order M-21.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9874; Filed, June 7, 1945; 11:28 a. m.]

Chapter XI—Office of Price Administration

PART 1377—WOODEN CONTAINERS

[MPR 481[1], Amdt. 9]

KNIFE-CUT SLACK STAVES, SLACK HEADING AND SLACK COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 481 is hereby amended in the following respects:

1. Section 4 (b) is hereby amended by adding an undesignated paragraph immediately after the first paragraph to read as follows:

A warehouseman who had no such mark-up in March 1942 may apply in writing to the Office of Price Administration, Washington 25, D. C., setting forth the nature of his business operations including such facts as the classes of customers to which he sells, a description of the items to be sold, the requested mark-up and the names and addresses or his nearest competitors. The Administrator will by order establish a mark-up for the applicant based on the mark-ups used by his competitors.

[1] 8 F.R. 14312, 16790; 9 F.R. 2946, 3512, 4985, 8815, 8931, 10776, 13208, 14107.

2. Section 5 is amended by adding a new paragraph (d) to read as follows:

(d) *Sales by new sellers other than manufacturers.* A warehouseman, dealer or merchant who did not sell slack cooperage covered by this regulation in March 1942 may make application in writing to the Office of Price Administration, Washington 25, D. C. setting forth the nature of his business operations, including such facts as the classes of customers to which he sells, a description of the items to be sold, the requested mark-up and the names and addresses of his nearest competitors. The Administrator will by order establish a mark-up for the applicant based on the mark-ups used by his competitors.

3. Section 11 is hereby amended with appropriate correction in the contents to read as follows:

SEC. 11. *Records and reports*—(a) *Records.* Persons making sales covered by this regulation must keep records for each sale amounting to $15.00 or more which will show a complete description of the products sold, name and address of the buyer, the date of the transaction and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for two years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever period is the shorter, for inspection by the Office of Price Administration.

(b) *Reports.* Any person operating as a dealer, warehouseman, or merchant of slack cooperage or as a warehouseman of slack cooperage stock under this regulation must file with the Office of Price Administration, Washington 25, D. C. a report showing the types of slack cooperage or slack cooperage stock handled and his weighted average percentage mark-up on sales of slack cooperage or slack cooperage stock in March 1942 within thirty days after June 12, 1945.

Any dealer, merchant or warehouseman operating under this regulation who fails to file his mark-up as required above may not use such mark-up during the period of non-compliance.

This amendment shall become effective June 12, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9890; Filed, June 7, 1945; 11:57 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 18,[1] Amdt. 81]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 11.2a is added to read as follows:

SEC. 11.2a *Where and how the transferee registers industrial user establishments acquired by him.* (a) A person who buys or otherwise acquires an industrial user establishment of any type and who already has two or more industrial user establishments which are registered together must register the new establishment together with his other establishments at the same Board or District Office. If he already has other industrial user establishments registered separately, the new establishment must be registered separately with the Board or District Office for the place where it is located. If he has only one other industrial user establishment he may elect whether his industrial user establishments will be registered together or separately. If he registers them together, registration shall be at the Board or District Office for the place where his principal office is located. If he registers them separately, registration shall be at the Board or District Office for the place where the industrial user establishment is located. If a person who acquires more than one industrial user establishment is entitled to or is required to, register them separately, the District Office must compute separately the portion of the transferor's allotment and quarterly use allocable to each of the establishments acquired, in the way described in section 11.2.

(b) If a person who acquires more than one industrial user establishment is entitled to or is required to, register them separately, the District Office must compute separately the portion of the transferor's allotment and quarterly use allocable to each of the establishments acquired, in the way described in section 11.2.

This amendment shall become effective June 11, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9898; Filed, June 7, 1945; 11:57 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[2] Amdt. 18]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 8.4 (a) is amended to read as follows:

(a) A person who buys or otherwise acquires an industrial user establishment of any type and who already has two or more industrial user establishments which are registered together must register the new establishment together with his other establishments at the same Board or District Office. If he already has his other industrial user establishments registered separately, the new establishment must be registered separately with the Board or District Office for the place where it is located. If he has only one other industrial user establishment he may elect whether his industrial user establishments will be registered together or separately. If he registers them together, registration shall be at the Board or District Office for the place where his principal office is located. If he registers them separately, registration shall be at the Board or District Office for the place where the industrial user establishment is located. If a person who acquires more than one industrial user establishment is entitled to or is required to, register them separately, the District Office must compute separately the portion of the transferor's allotment and quarterly use allocable to each of the establishments acquired, in the way described in section 8.3.

This amendment shall become effective June 11, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9887; Filed, June 7, 1945; 11:56 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 59 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (c) (20) is added to read as follows:

(20) For the reporting period beginning July 1, 1945 and ending July 28, 1945—4.

This amendment shall become effective June 11, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9888; Filed, June 7, 1945; 11:57 a. m.]

[1] 9 F.R. 3, 105, 574, 695, 765, 858, 1397, 1727, 1817, 1908, 2233, 2334, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 3453, 4476, 4604, 5818, 4885, 5074, 5436, 5695, 5829, 6234, 6235, 6647, 6951, 7080, 7081, 7202, 7257, 7345, 7437, 7773, 8793, 9169, 9954, 10087, 10636, 11113, 11593, 11798, 11902, 12269, 12971, 12972, 13849, 13993, 14062, 14643, 15002, 15052; 10 F. R. 201, 431, 1538.

[2] 8 F.R. 1433, 1534, 2233, 2826, 2828, 8031, 8513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5150, 5166, 5426, 5346.

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7433, 7433, 9169, 9170, 9266, 9780, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15054; 10 F.R. 48, 776, 924.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 101]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

Correction

In Federal Register Document 45-7686, appearing at page 5458 of the issue for Saturday, May 12, 1945, the last two figures in Column 5 of Table 1 should be centered, so that the column reads as follows:

Col. 5	
Maximum prices for fruit loaded in car or truck at shipping point	
Produced in zone I or zone II for sale within the zone of production [1]	Produced in zone I or zone II for sale outside the zone of production, and those produced in zone III for sale in any zone [1]
$2.66	$3.04.
$2.55	$1.25.
$3.02	$3.78.
$2.80	$3.66.
$3.55	$4.45.
$3.40	$4.30.
$4.55	$4.45.
$3.40	$4.30.
$4.28	$5.31.
$4.08	$5.16.
17.75 cents	22.25 cents.
17.00 cents	21.50 cents.
14.75 cents.	
14.00 cents.	

PART 1441—TANNING MATERIALS

[RMPR 531]

IMPORTED VEGETABLE TANNING MATERIALS

Maximum Price Regulation 531 is amended and revised to read as follows:

A statement of the considerations involved in the issuance of this revised regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Sec.

1. Definitions.
2. Prohibition against purchases and sales of imported vegetable tanning materials at higher than maximum prices.
3. Less than maximum prices.
4. Adjustable pricing.
5. Relationship of this regulation to the General Maximum Price Regulation and the Maximum Import Price Regulation.
6. Geographical applicability.
7. Maximum prices for imported vegetable tanning materials.
8. Records and reports.
9. Evasion.
10. Enforcement.
11. Licensing.
12. Petitions for amendment.

Appendix A—Maximum prices for sales by importers.

Appendix B—Maximum prices for sales by grinders and liquefiers.

Appendix C—Maximum prices for sales by distributors.

AUTHORITY: § 1441.3 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Definitions.* (a) When used in this regulation the term:

(1) "Imported vegetable tanning materials" means imported vegetable tanning extracts and the domestically ground, powdered or liquefied materials (except blends) processed therefrom and from wattle bark; also all imported raw vegetable tanning materials.

(2) "Basis ____ per cent tannin" means the percentage of tannin content of any imported vegetable tanning material upon which the maximum price per pound of each lot is calculated.

(3) "Guaranteed ____ per cent tannin" means the minimum percentage of tannin content of any imported vegetable tanning material in specific lots as guaranteed by the shipper.

(4) "Importer" means any person in the United States:

(i) Who purchases imported vegetable tanning materials directly from a foreign seller whose place of business is located outside the United States; or

(ii) Who acts as selling agent of such foreign seller; or

(iii) Who imports vegetable tanning materials of his own manufacture for sale in the United States.

(5) "Grinders and liquefiers" means persons who buy or receive imported vegetable tanning materials and convert same into ground, powdered or liquid extracts.

(6) "Distributor" means any person who buys or receives imported vegetable tanning materials from importers, grinders or liquefiers for the purpose of resale without altering the form of the material.

(7) "Original package" means the following, for the commodities mentioned below:

(i) Solid quebracho or urunday extract, bags of approximately 106 pounds.

(ii) Solid wattle extract, bags of approximately 112 pounds.

(iii) Ground or powdered quebracho or urunday extract, bags of 100 pounds.

(iv) Ground or powdered wattle extract, bags of 100 pounds.

(v) Liquid extract, barrels of 500 to 550 pounds.

(8) "Carload" of any imported vegetable tanning material means a car containing a minimum of 36,000 pounds per car.

(9) "Tank car" of liquid extract means a tank car containing at least six thousand gallons.

(10) "Tank truck" of liquid extract means a tank truck containing at least 10,000 pounds.

(11) "Total insurance" means both marine risk and war risk insurance. Marine risk insurance includes marine extension clause, and covers strikes, riots and civil commotions. War risk insurance includes extended transshipment coverage, but the premium shall not exceed the premium at current commercial rates based on no more than 105 percent of actual out-of-pocket cost. As used herein, actual out-of-pocket cost means the actual amount paid or payable to the foreign seller for the tanning material, less all discounts, plus freight to port of entry, plus premiums paid or payable for marine and war risk insurance.

(12) "United States" means the forty-eight states of the United States and the District of Columbia.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 2. *Prohibition against purchases and sales of imported vegetable tanning materials at higher than maximum prices.* Regardless of any contract, agreement, lease, or other obligation:

(a) No person in the United States who deals directly with a foreign seller or with his selling agent, shall buy or receive any imported vegetable tanning material in the course of trade or business at higher prices than the maximum prices established under this regulation for sales by importers.

(b) No person shall sell, deliver, or transfer any imported vegetable tanning materials at higher prices than the maximum prices established under this regulation.

(c) No person shall buy or receive any such imported vegetable tanning materials in the course of trade or business at higher prices than the maximum prices established under this regulation.

(d) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 3. *Less than maximum prices.* Prices lower than the maximum prices prescribed herein may be charged and paid.

SEC. 4. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 5. *Relationship of this regulation to the General Maximum Price Regulation and the Maximum Import Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation and the Maximum Import Price Regulation, and their amendments, with respect to sales and deliveries of imported vegetable tanning materials for which maximum prices are established by this regulation.

SEC. 6. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

SEC. 7. *Maximum prices for imported vegetable tanning materials.* The maximum prices established under this regulation for each seller of imported vegetable tanning materials shall be subject to the same discounts, credit terms, freight allowances, and all other deductions and trade practices as prevailed on his sales of such materials during the month of March 1942.

(a) *Adjustment of maximum prices.* The maximum prices for imported vegetable tanning materials set out in Appendices A and B of this regulation shall be subject to the following adjustments:

(1) *Less than original packages.* For sales of quebracho, urunday or wattle extract in lots totalling less than the quantity in an original package, the following may be added to the maximum prices for sales in the smallest quantity listed in Appendix B:

(i) 25 pounds or more, but less than an original package—3 cents per pound.

(ii) Less than 25 pounds—10 cents per pound.

(2) *Variations in basic tannin content.* The maximum prices designated in the schedules for commodities "basis ____ per cent tannin" shall be adjusted up or down in proportion to variations in actual tannin content from that base as determined in accordance with sampling and analysis methods approved by the American Leather Chemists' Association.

(3) *Variations in guaranteed tannin content.* The maximum prices designated in the schedules for commodities guaranteed to contain a given percentage of tannin shall be adjusted downward in proportion to variations in actual tannin content as determined by sampling and analysis methods approved by the American Leather Chemists' Association. No additional charge shall be made for any percentage or fraction thereof of tannin content found in excess of the guaranteed minimum percentage.

(4) *Sales by importers of material landed off the Atlantic seaboard.* In the case of sales ex warehouse by importers of material landed at ports off the Atlantic seaboard and at which no warehouse is normally maintained, the seller may add to the maximum prices designated in Appendix A or established under section 7 (b) the actual freight charges (not in excess of applicable tariffs) from dock to warehouse. Such additional charge and the method of calculating same, shall be shown separately on the invoice and a copy thereof furnished the Office of Price Administration on request.

(5) *Sales by liquefiers and grinders of material received from abnormally distant ports.* (i) In the event of sales by a grinder or liquefier of extract produced from solid quebracho, urunday or wattle extract or wattle bark landed at a port from which such producer received less than 25% of his shipments in the six months period immediately preceding April 1, 1944 (hereinafter called "abnormal port"), he may add to the maximum prices established by Appendix B or under section 7 (b) hereof the normal per pound finished extract equivalent of the amount by which the actual freight charge to his plant from such port per pound of solid quebracho, urunday or wattle extract or wattle bark exceeds the actual freight charge per pound to his plant from the port supplying the bulk of his supplies during such period.

(ii) *Provided, however,* That at the option of the seller the maximum prices for the sale of his entire production of ground, powdered or liquid extract (or either of them) may, under the circumstances described above, be computed as follows: The seller shall from time to time charge against his running inventories of solid quebracho, urunday and wattle extracts and wattle bark the average cost per pound of excess freight into his plant from abnormal ports. He may add the normal per pound finished extract equivalent of such average cost to the maximum prices established by Appendix B or under section 7 (b) hereof. (In the illustration shown below, the "permissible addition to maximum price" listed in the last column is the "average excess freight per pound" of raw material inventory at time of sale converted to the seller's normal yield of finished extract per pound of raw material. For purposes of this example, it is assumed that liquid quebracho extract is the subject of the two sales shown below and that one pound of solid quebracho extract makes two pounds of liquid quebracho extract. Therefore, the permissible addition to the maximum price for the commodity in question is one-half of the average excess freight per pound of raw material on hand at the time of sale.)

Purchases (tons)	Excess freight	Sales in pounds of raw material consumed	Inventory in pounds	Accrued excess freight	Average excess freight per pound of raw material consumed	Permissible addition to maximum price per pound of finished extract sold
			280,000	$700	$0.0025	
100	None		400,000	700	.00175	
50	$350		500,000	1,050	.0021	
		200,000		Deduct 420		$0.00105
			300,000	630	.0021	
200	1,600		700,000	2,230	.0032	
		600,000		Deduct 1,920		.0016
			100,000	310	.0031	

(iii) Regardless of which of the methods outlined in (i) and (ii) above is used the amount of such additional charge shall be invoiced separately or shown separately on the invoice and the records on the basis of which such charge was calculated shall be kept for inspection by the Office of Price Administration on request.

(6) *Solid quebracho or urunday extract shipped from River Plate ports other than Buenos Aires.* In the case of sales to industrial users of solid quebracho or urunday extract (or of ground, powdered or liquid extract manufactured therefrom) which was loaded on an ocean-going vessel at a River Plate port other than Buenos Aires for shipment to Atlantic ports in the United States, the importers' maximum prices, and liquefiers' and grinders' maximum prices established by this regulation, may be increased by the amount by which the actual freight charges involved in delivering the material to such River Plate port exceeds the actual freight charges which would have been incurred if the material had been delivered to Buenos Aires: *Provided, however,* That (except where shipments are diverted by government order) in the case of importers' sales, such additional charges may in no event exceed the difference in inland freight to the industrial buyers' plant from New Orleans and the actual Atlantic Coast port of arrival, and in the case of sales by liquefiers and grinders, such additional charge, which may be averaged out substantially in accordance with the method outlined in section 7 (a) (5) (ii) above, may in no event exceed the addition permitted therein for material landed at the abnormal port of New Orleans.

The amount of such additional charge shall be invoiced separately or shown separately on the invoice and the records on the basis of which such charge was calculated shall be kept for inspection by the Office of Price Administration on request.

(b) *Maximum prices for sales for which no maximum prices are established by the appendices hereto.* Maximum prices for sales by distributors of all commodities subject to this regulation and for sales by all sellers of grades or types of imported vegetable tanning materials for which no maximum prices are specified in Appendices A or B (or shipped from points not designated therein), shall be the maximum prices authorized by the Office of Price Administration in response to an application therefor filed by the seller and in line with the level of maximum prices established by this regulation.

Applications for the establishment of such maximum prices shall be submitted by registered mail to the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., prior to sale, and shall be accompanied by a description of the particular imported vegetable tanning material and the nature of the transaction involved, the seller's maximum price under the General Maximum Price Regulation or the Maximum Import Price Regulation, the current selling price and the maximum price proposed. Sales may be made at such proposed price after the date of mailing such application subject, however, to approval by the Price Administrator. If, at the expiration of 20 days from the date of receipt thereof, the Office of Price Administration has not in writing disapproved or modified the pro-

posed maximum price, such proposed price, shall be considered as authorized.

Maximum prices established under this paragraph (b) prior to February 1, 1945, may be increased by the following amounts per 100 pounds:

Solid quebracho extract	$0.83
Ground or powdered clarified quebracho extract, basis 70% tannin	.90
Ground or powdered quebracho extract, no tannin basis (for oil well drilling purposes)	.83
Liquid quebracho extract, basis 35% tannin	.45
Spray-dried clarified quebracho extract, basis 70% tannin	.90

SEC. 8. *Records and reports.* (a) Every person making sales or purchases in the course of trade or business of imported vegetable tanning materials after May 12, 1944, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received, the quantity of each type and grade of such imported vegetable tanning material purchased or sold, the commissions, if any, paid with respect thereto, and the names and addresses of the persons to whom such commissions were paid.

(b) Such persons shall keep such other records and shall submit such other reports to the Office of Price Administration in addition to or in place of the records required in paragraph (a) of this section or the reports mentioned in section 7 hereof as the Office of Price Administration may from time to time require.

SEC. 9. *Evasion.* Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to imported vegetable tanning materials, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or otherwise.

If a buyer purchases through a broker, finder or other agent acting for the buyer, the sum of the price paid by the buyer to the seller plus the commission fee or other charge or consideration paid by the buyer to his broker, finder or other agent may not exceed the maximum prices established by this regulation.

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 11. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 12. *Petitions for amendment.* Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

APPENDIX A—MAXIMUM PRICES FOR SALES BY IMPORTERS

(For adjustments which may be made in these prices see section 7 of this regulation).

(a) *Tanning extracts.* [Note: The conditions specified in this Appendix A (a) of Maximum Price Regulation 531, as amended, prior to this revision, with respect to the applicability of the maximum prices listed below to certain sales of solid quebracho extract (including material diverted to low-inventory buyers) shall remain in full force and effect.]

(1) *Solid quebracho and urunday extracts.*

[Cents per pound, ex dock, U. S. port of arrival]

	Carload	Less than carload
Solid ordinary quebracho extract, basis 63% tannin	5.625	5.875
Solid clarified quebracho extract, basis 64% tannin	6.125	6.375
Solid urunday extract, basis 63% tannin	5.00	5.25

These maximum prices are based upon the gross landed weight at United States port of arrival and include bags with a tare allowance of 1¾ pounds per bag. They are based on an ocean freight rate of $12.00 and total insurance of $1.00 per ton of 2,240 pounds gross shipping weight, any increase or decrease for buyer's account. Duty is for buyer's account.

(1) *Deliveries from warehouses.*

[Cents per pound, duty paid, f. o. b. seller's warehouse]

	Carload	Less than carload
Solid ordinary quebracho extract, basis 63% tannin	7.135	7.385
Solid clarified quebracho extract, basis 64% tannin	7.76	8.01
Solid urunday extract, basis 63% tannin	7.07	7.32

These maximum prices are based on duty amounting to 7½ per cent ad valorem in the case of quebracho and 20 per cent ad valorem in the case of urunday, any increase or decrease for buyer's account. They include bags with a tare allowance of 1¾ pounds per bag.

(2) *Solid wattle extract.*

[Cents per pound, ex dock, U. S. port of arrival]

	Carload	Less than carload
South African, guaranteed 62% tannin	5.72	5.97
East African, guaranteed 61% tannin	5.595	5.845

These maximum prices are based upon gross landed weight at United States port of arrival, and include bags with a tare allowance of one pound per bag. They are based on an ocean freight rate of $20.00 and total insurance of $2.50 per ton of 2,240 pounds gross shipping weight, any increase or decrease for buyer's account. Duty is for buyer's account.

(1) *Deliveries from warehouses.*

[Cents per pound, duty paid, f. o. b. seller's warehouse]

	Carload	Less than carload
South African, guaranteed 62% tannin	7.12	7.37
East African, guaranteed 61% tannin	6.97	7.22

These maximum prices are based on duty amounting to 15 per cent ad valorem, any increase or decrease for buyer's account. They include bags with a tare allowance of one pound per bag.

(b) *Raw tanning materials.*

[Per ton of 2,240 pounds ex dock, U. S. port of arrival]

	Carload	Less than carload
(1) Wattle bark:		
South African chopped prime	$64.25	$65.75
South African chopped average	61.25	61.75
South African chopped merchantable	58.95	61.95
East African chopped, all grades	58.05	61.05
(2) Myrobalans:		
J-1 Genuine (Whole)	53.50	56.50
J-1 Whole (Bombay or Ordinary)	51.00	54.00
J-1 Genuine (Crushed)	68.00	71.00
J-1 Crushed (Bombay or Ordinary)	64.75	68.05
J-2 Whole	40.00	43.00
J-2 Crushed	52.50	55.50
(3) Mangrove bark:		
East African, guar. 38% tannin	66.75	70.05
South American, guar. 32% tannin	56.75	60.05
(4) Divi Divi:		
Colombian Divi Divi:		
Guaranteed 38% tannin	63.05	66.35
Guaranteed 40% tannin	65.25	68.45
Guaranteed 42% tannin	69.1	72.85
Curacaon Divi Divi:		
Guaranteed 48% tannin	79.15	82.45
Guaranteed 50% tannin	82.30	85.60
Guaranteed 52% tannin	85.45	88.75
(5) Tara:		
Powder	112.75	116.05
Pods	77.25	80.55
(6) Algarobilla	67.50	71.80

These maximum prices are based upon gross landed weight at U. S. port of arrival, and on an ocean freight rate of $12.00 and total insurance of $1.00 per ton of 2,240 pounds gross shipping weight, any increase or decrease for buyer's account. For deliveries ex warehouse, add $3.80 per long ton. No additional charges may be made for containers. Duty, if any, is for buyer's account.

APPENDIX B—SALES BY GRINDERS AND LIQUEFIERS

(The following maximum prices are f. o. b. seller's plant or warehouse at the points indicated. For adjustments which may be made in these prices see section 7 of this regulation.)

(a) *Quebracho extracts.* (1) Ground or powdered clarified quebracho extract, basis 70 per cent tannin.

[Cents per pound, gross for net]

	Carload	Less than carload	Less than 2 bags
F. o. b. Staten Island, N. Y., and Newark, N. J.	9.17	9.47	9.67
F. o. b. Peabody and Salem, Mass., and Chester, Pa.	9.40	9.62	9.82
F. o. b. Baltimore, Md., and Chicago, Ill.	9.65	9.90	10.15

[1] These maximum prices include bags and duty.

(2) Ground or powdered quebracho extract, no tannin basis (for oil well drilling purposes).

[Cents per pound, gross for net]

	Carload	Less than carload	Less than 20 bags
F. o. b. Azusa, Calif., and Kansas City, Mo.	9.83	10.08	10.33
F. o. b. Houston, Tex.	9.33	9.58	9.83
F. o. b. New Orleans, La.	8.83	9.08	9.33

[1] These maximum prices include bags and duty.

(3) Liquid quebracho extract, basis 35 per cent tannin.

[Cents per pound net]

	Tank cars or tank trucks	Minimum 50 barrels	Barrels, minimum 10 barrels	Less than 10 barrels
F. o. b. Newark, N. J. and Staten Island, N. Y.	4.075	4.575	4.825	5.075
F. o. b. Camden, N. J., Peabody, Mass., and Baltimore, Md.	4.20	4.70	4.95	5.20
F. o. b. Chicago, Ill.	4.325	4.825	5.075	5.325
F. o. b. Chester, Pa.	4.95	5.45	5.70	5.95

[1] These maximum prices include barrels if shipped in bulk.

(b) *Wattle extract.* (1) Ground or powdered wattle extract, basis 66 per cent tannin.

[Cents per pound, gross for net]

	Carload	Less than carload	Less than 20 bags
F. o. b. Newark, N. J. and Staten Island, N. Y.	9.20	9.45	9.70
F. o. b. Chester, Pa., Camden, N. J., Peabody, Mass., and Salem, Mass.	9.45	9.70	9.95

[1] These maximum prices include bags and duty.

(2) Liquid wattle extract, basis 35 percent tannin.

[Cents per pound net]

	Tank cars or tank trucks	Minimum 50 barrels	Barrels, minimum 10 barrels	Less than 10 barrels
F. o. b. Staten Island, N. Y. and Newark, N. J.	4.75	5.25	5.50	5.75
F. o. b. Chester, Pa., Camden, N. J., Salem and Peabody, Mass.	5.25	5.75	6.00	6.25

[1] These maximum prices include barrels if shipped in bulk.

APPENDIX C—SALES BY DISTRIBUTORS

Maximum prices for sales by distributors of all imported vegetable tanning materials shall be established in accordance with section 7 (b) of this regulation.

Effective date. This regulation shall become effective June 12, 1945.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9891; Filed, June 7, 1945; 11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 59]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respect:

1. Section 1499.166, Appendix A, is amended by deleting from paragraph (b) (5) (ii) the following commodities:

Anvils.
Jacks and Jack Screws.
Turnbuckles.

2. Section 1499.166, Appendix A, is amended by deleting from paragraph (b) (5) (iii) the following words:

Sprayers, dusters, hand operated.

3. Section 1499.166, Appendix A, is amended by adding to paragraph (b) (5) (iii) the following words:

Sprayers and dusters of the simple pump type which are hand held and hand operated.

This amendment shall become effective on the 12th day of June 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9889; Filed, June 7, 1945; 11:57 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

GENERAL LICENSES

Pursuant to the authority vested in the Commandant, U. S. Coast Guard, by § 6.18 of this part, and finding that it would not be inimical to the national war effort or to the safety and protection of vessels or the territorial waters, General Licenses Nos. 1, 2, 3, and 4 (§§ 6.200–6.203 of this part) are superseded and repealed and new General Licenses Nos. 1 and 2 are issued as follows, effective upon publication in FEDERAL REGISTER.

§ 6.201 *General License No. 1.* (a) All vessels exclusive of those covered by § 6.19 of this part which are now in or which may hereafter enter the local waters of the United States as defined in § 6.1 (b) of this part bordering on or emptying into the Great Lakes and their connecting waters, the Atlantic Ocean, or the Gulf of Mexico are hereby generally licensed to move within or to depart from such local waters by crossing the international boundary between the United States and Canada or to operate in the waters of the Atlantic Ocean or Gulf of Mexico subject to the terms and conditions prescribed in paragraph (b).

(b) This general license is granted subject to the following terms and conditions:

(1) No vessel may operate under the terms of this license unless it complies with the instructions and directions of the Captain of the Port having jurisdiction over the waters within which such vessel operates.

(2) Operation within restricted, prohibited or anchorage areas shall be in accordance with regulations governing such areas as provided for under Subpart C.

(3) The Captain of the Port, subject to the approval of the District Coast Guard Officer, may exclude individual vessels from this general license upon notification to the owners, agents, masters, or operators thereof: *Provided*, That any vessel so excluded may be granted an individual license under the provisions of §§ 6.15 or 6.16 of this part.

(4) No vessel which is not a common carrier primarily engaged in the transportation of passengers for hire over regularly scheduled routes may have an enemy alien on board in any capacity: *Provided*, That an enemy alien may be on board a common carrier primarily engaged in the transportation of passengers for hire over regularly scheduled routes only in the capacity of passenger.

(5) This general license may be revoked by the Commandant of the Coast Guard whenever he finds that its continuance in force would be inimical to the interests of the war effort or to the safety and protection of vessels or the territorial waters of the United States.

(6) This general license does not provide authority for the operation of any vessel which has heretofore been denied an individual movement license for local waters or which has heretofore been excluded from the benefits of a general license for local waters issued by the Captain of the Port: *Provided*, That any such vessel may be issued an individual license under the terms of §§ 6.15 or 6.16 of this part, or may be granted the privileges of this general license by written order of the Captain of the Port or of the Commandant of the Coast Guard.

(7) The issuance of this general license does not in any manner relieve any vessel covered thereby, or its owner, master, or operator from compliance with the provisions of any other applicable law or regulation.

§ 6.202 *General License No. 2.* (a) All vessels which are now in or which may hereafter enter the local waters of the United States as defined in § 6.1 (b) of this part bordering on or emptying into the Pacific Ocean are hereby generally licensed to move within, but not to depart from such local waters subject to the terms and conditions prescribed in paragraph (b).

(b) This general license is granted subject to the following terms and conditions:

(1) No vessel may operate under the terms of this license unless it complies with the instructions and directions of the Captain of the Port having jurisdiction over the waters within which such vessel operates.

(2) Operation within restricted, prohibited or anchorage areas shall be in accordance with regulations governing such areas as provided for under Subpart C.

(3) The Captain of the Port, subject to the approval of the District Coast Guard Officer, may exclude individual vessels from this general license upon notification to the owners, agents, masters, or operators thereof: *Provided*, That any vessel so excluded may be granted an individual license under the provisions of § 6.16 of this part.

(4) No vessel which is not a common carrier primarily engaged in the transportation of passengers for hire over regularly scheduled routes may have an enemy alien on board in any capacity: *Provided*, That an enemy alien may be on board a common carrier primarily engaged in the transportation of passengers for hire over regularly scheduled routes only in the capacity of passenger.

(5) This general license may be revoked by the Commandant of the Coast Guard whenever he finds that its continuance in force would be inimical to the interests of the war effort or to the safety and protection of vessels or the territorial waters of the United States.

(6) This general license does not provide authority for the operation of any vessel which has heretofore been denied an individual movement license for local waters or which has heretofore been excluded from the benefits of a general license for local waters issued by the Captain of the Port: *Provided*, That any such vessel may be issued an individual license under the terms of § 6.16 of this part, or may be granted the privileges of this general license by written order of the Captain of the Port or of the Commandant of the Coast Guard.

(7) The issuance of this general license does not in any manner relieve any vessel covered thereby, or its owner, master, or operator from compliance with the provisions of any other applicable law or regulation.

Dated: May 31, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-9863; Filed, June 7, 1945; 11:21 a. m.]

TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 35—VETERANS' REGULATIONS

FORFEITURE OF RIGHTS AND ADJUSTMENT OF AWARDS

Instruction No. 1-A, sections 4 and 5, Public No. 144, 78th Congress (act of July 13, 1943). Forfeiture of rights and adjustment of awards under sections 4 and 5, Public No. 144, 78th Congress.

Paragraph 3, Instruction No. 1, Sections 4 and 5, Public No. 144, 78th Congress (F. R. Doc. 43-20376) is hereby canceled and superseded by the following:

3. Section 5, Public No. 144, 78th Congress, is for application in conjunction with the provisions of Public No. 828, 76th Congress, as amended by Public No. 783, 77th Congress. Accordingly, deposits into the Special Deposit Account of Miscellaneous Receipts will be continued only in the case of citizens. In cases of non-citizens located in the territory of or under military control of an enemy of the United States or of any of its allies, payments will be stopped effective as of the date prior to date of approval of Public No. 144, 78th Congress. Before the release of funds in the Special Deposit Account or payments of benefits, otherwise in order, may be made in favor of any person who has been located in the territory of or under military control of an enemy of the United States or of any of its allies, a new claim will be required and a prima facie showing made, that the applicant has not been guilty of any of the offenses enumerated in section 4, Public No. 144, 78th Congress. Upon receipt of such claim, the matter will be referred to the chief, claims division, veterans claims service, if disability benefits are involved, or the chief, adjudication division, dependents claims service, if death benefits are involved, for adjudication and certification to the chief, payees accounts division, finance service, central office, as follows:

(a) For the purpose of effecting discontinuance of payments to non-citizens, the finance service will furnish the chief, claims division, veterans claims service, and the chief, adjudication division, dependents claims service, transcripts respectively of disabled veterans and beneficiaries of deceased veterans located in the territory of or under the military control of an enemy of the United States or any of its allies. These cases will be called for review and if the evidence of record does not establish that the veteran or other beneficiary is a citizen of the United States, a stop payment notice will be completed effective July 12, 1943. If the evidence of record shows the claimant is a citizen of the United States, the effective award will be continued if otherwise in order. No action will be taken to secure evidence of citizenship in cases where payment is stopped until claim is filed for resumption of payments as provided above. If evidence secured through the Department of State or otherwise confirms the fact that the claimant is a citizen of the United States, the stop payment will be canceled by appropriate awards action.

(b) If the evidence indicates claimant is guilty of any of the offenses enumerated in section 4, Public No. 144, 78th Congress, the case will be referred to the central committee on waivers and forfeitures, as provided in paragraph 2. The citizen shown by evidence satisfactory to the Administrator to be guilty of any of the offenses specified in section 4, Public No. 144, 78th Congress, forfeits as of the date of commission of the offense or the date of Public No. 144, 78th Congress, whichever is later, all future benefits, and all accrued benefits, including amounts theretofore paid into the fund created by Public No. 828, 76th Congress. Membership in the Facist or Nazi Party or holding office under the Facist or Nazi regime (at any time from and after December 7, 1941) will be considered prima facie evidence of guilt under section 4, Public No. 144, 78th Congress.

(c) If the evidence shows that claimant is not a citizen of the United States and does not show him guilty of any of the offenses enumerated in section 4, Public No. 144, 78th Congress, the award, if otherwise in order shall be reopened effective as of the date of receipt of claim, as required by section 5, Public No. 144, 78th Congress, or other effective law or regulation, as amended, whichever is the later date. If claimant is still in a country specified by Public No. 828, 76th Congress, checks will be disposed of under that Act, as amended, unless and until the Secretary of the Treasury determines that conditions are such as to reasonably assure that the beneficiary will actually receive and be able to negotiate them for full value.

(d) Upon receipt of a claim from a citizen of the United States who has been living in the territory of or under the military control of an enemy of the United States or of any of its allies, evidence will be secured to show whether he has been guilty of any of the offenses enumerated in section 4. If claimant is still in a country specified by Public No. 828, 76th Congress, as amended, checks will be disposed of under that Act as amended, unless and until the Secretary of the Treasury determines that conditions are such as to reasonably assure that the beneficiary will actually receive and be able to negotiate them for full value.

(e) New claims as well as reopened claims are subject to section 4, Public No. 144, 78th Congress, and the usual showing as to innocence of the offenses specified therein is required from citizens or non-citizens who have been living in the territory of or under the military control of an enemy of the United States or any of its allies. If claimant is still in a country specified by Public No. 828, 76th Congress, as amended, checks will be disposed of as heretofore provided.

(f) Where there is involved the matter of release of amounts within the purview of Public No. 828, 76th Congress, as amended, for example, where a citizen in whose case no award action is required is determined to be not guilty of one of the offenses specified in section 4, and where a current award is approved in a case affected by this instruction and Public No. 828, 76th Congress, as amended, a certification by memorandum to the chief, payees accounts division, finance service, as to entitlement of the payee to the amount in question will be prepared by the chief, claims division, veterans claims service, or the chief, adjudication division, dependents claims service, in cases involving disability and death benefits respectively.

(57 Stat. 554; 38 U. S. C. 728, 729)

[SEAL] FRANK T. HINES,
Administrator of Veterans' Affairs.

JUNE 2, 1945.

[F. R. Doc. 45-9880; Filed, June 7, 1945; 11:39 a. m.]

PART 36—REGULATIONS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

PREPARATION OF AWARDS OF SUBSISTENCE ALLOWANCE

Preparation of awards of subsistence allowance under Veterans Regulation No. 1 (a), Part VIII, Public No. 346, 78th Congress, personnel in receipt of retirement or retainer pay.

Sec.
36.245 Preparation of awards.
36.246 Determination of amount of retirement or retainer pay and subsistence allowance.
36.247 Right of election of retirement or retainer pay or pension.

AUTHORITY: §§ 36.245 to 36.247, inclusive, issued under 58 Stat. 284; 38 U.S.C. 693.

§ 36.245 *Preparation of awards.* Where an officer or member of the enlisted personnel of the Army, Navy, Marine Corps, or Coast Guard in receipt of retirement or retainer pay because of disability makes application for education or training under Veterans Regulation No. 1 (a), Part VIII, including a claim for subsistence allowance, and enters upon a course of education or training, Form 1907c will be referred to the adjudication division, regional office, or the claims division, central office.

§ 36.246 *Determination of amount of retirement or retainer pay and subsistence allowance.* The adjudication division, regional office, or claims division, central office, will promptly secure the service and medical records, if not already of record, from the respective Service Departments, including the amount of retirement or retainer pay if this information is not available, and upon receipt of the records refer the case to the rating board or central disability board for a determination as to the existence of a vocational handicap. If this determination is in the affirmative, Form 1900 will be sent to the veteran and an award of subsistence allowance prepared effective as of the date the veteran entered training in an amount which, when added to the retirement or retainer pay, will not exceed the amount to which the veteran would be entitled under § 35.017 of this chapter. If the determination is in the negative the veteran is entitled to the full amount of retirement or retainer pay and subsistence allowance.

If a veteran who has been found to have a vocational handicap files Form 1900 and determination is made that he is not in need of vocational rehabilitation to overcome the handicap of his disability, the full amount of subsistence allowance will be awarded from the date of receipt of application for benefits under Veterans Regulation No. 1 (a), Part VIII, formal or informal, or date of entrance into training, whichever is later.

§ 36.247 *Right of election of retirement or retainer pay or pension.* Form 526 will not be forwarded to officers and enlisted personnel in receipt of retirement or retainer pay unless the amount of pension to which the veteran would be entitled exceeds or closely approaches his retired or retainer pay. In this event he will be informed of his right of election. (June 1, 1945.)

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 45-9881; Filed, June 7, 1945; 11:38 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1607]

PART 115—REVESTED OREGON AND CALIFORNIA RAILROAD AND RECONVEYED COOS BAY WAGON ROAD GRANT LANDS IN OREGON

GRAZING LEASES OF REVESTED AND RECONVEYED LANDS

Sec.
115.128 Statutory authority.
115.129 Policy.
115.130 Establishment of units.
115.131 Grazing leases.
115.132 Preference right.
115.133 Grazing of livestock kept for domestic use.
115.134 Crossing permits.
115.135 Application.
115.136 Rights under an application.
115.137 Action upon application.
115.138 Offer of lease.
115.139 Execution of lease.
115.140 Rental.
115.141 Grazing of lands under lease.
115.142 Leased lands subject to disposal.
115.143 Assignments.
115.144 Renewal of lease.
115.145 Causes for cancellation of lease.
115.146 Timber and other uses of land.
115.147 Protests and appeals.
115.148 Trespass.
115.149 Regulations a part of each lease.

AUTHORITY: §§ 115.128 to 115.149, inclusive, issued under sec. 4, 50 Stat. 875.

§ 115.128 *Statutory authority.* Section 4 of the Act of August 28, 1937 (50 Stat. 875) authorizes the Secretary of the Interior in his discretion to lease for grazing purposes any revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands, in the State of Oregon, which may be so used without interfering with the production of timber or other purposes specified in section 1 of the act, and to formulate rules and regulations for the use, protection, improvement and rehabilitation of such grazing lands.

§ 115.129 *Policy.* Since the statutory authority for grazing on these lands subordinates such use to the primary purposes of the act, namely, to provide a permanent source of timber supply by managing the lands in conformity with the sustained yield principle, protect watersheds, regulate streamflow, and contribute to the economic stability of local communities and industries, no lease will be issued unless the Chief Forester, Oregon and California Revested Lands Administration, hereinafter referred to as the Chief Forester, who is charged with the administration of grazing on such lands under the supervision of the Commissioner of the General Land Office, determines that grazing on the lands to be included in the lease will not interfere with the production of timber or any of the other purposes of the act.

§ 115.130 *Establishment of units.* Where practicable and desirable for the purpose of conservation and effective management of the grazing resources, the Chief Forester may divide the grant land range area into range units.

§ 115.131 *Grazing leases.* When a range unit has been established and the carrying capacity determined, grazing privileges may be granted by the Chief Forester through the medium of grazing leases, not to exceed ten year's duration or for such lesser periods as may be determined by him. He may also issue such leases for grant lands outside of established units. A lease may also be issued to two or more persons who may wish to graze their stock in common.

§ 115.132 *Preference right.* Applicants actually engaged in the livestock business who are owners, homesteaders, lessees or other lawful occupants of privately owned lands contiguous to the grant lands applied for shall have a preference right to lease so much of the grant lands as may be necessary to permit proper use of the privately owned or controlled lands.

Lands suitable for grazing purposes for which there is no demand from qualified local stockowners may be leased to qualified stockowners from other localities.

§ 115.133 *Grazing of livestock kept for domestic use.* Milk and work stock owned and used by settlers or prospectors and not exceeding ten head in number may graze on the grant lands without payment of fees, when permitted in writing by the Chief Forester and under such conditions as he may prescribe.

§ 115.134 *Crossing permits.* The Chief Forester may permit the transit of stock on established stock driveways or thoroughfares on such grant lands free of charge. He or his agent may grant, under such conditions and restrictions as are necessary, permission to cross allotments of other lessees, areas closed to grazing, or unleased grant lands and such permission must be obtained before such crossing occurs. In the event any damage is caused to the range, the Chief Forester will collect reasonable charges therefor.

§ 115.135 *Application.* All applications for grazing leases must be filed in duplicate with the Chief Forester, Portland, Oregon, or with officers in charge of the district offices of the Administration. Application forms may be obtained from the offices referred to and only the original thereof need be sworn to. The application, Form 4-986, is attached to and made a part hereof.

§ 115.136 *Rights under an application.* The filing of an application for a grazing lease will not create any right in the applicant to the use of the grant lands for grazing purposes. No right will be obtained until the lease is duly executed by the Chief Forester.

§ 115.137 *Action upon application.* When an application is received in the Chief Forester's office, it will be identified by a number preceded by the letters G. L. A. which will identify it as a grazing lease application. In acting upon the application, the Chief Forester will make a determination as to the grant lands which in his opinion the applicant is entitled to lease. In making such a determination, consideration will be given to the information furnished in the application together with other available information. Where two or more persons apply for the same lands, consideration will be given to the ownership and control of base lands, the need for additional grazing lands and to the grazing operations of the individuals involved. Conflicting applicants will be afforded an opportunity to agree to the division of the lands involved, and if an acceptable adjustment cannot be made by the conflicting parties, the Chief Forester will make the determination on the basis of all facts and award the lease.

§ 115.138 *Offer of lease.* When determinations have been made as to the grant lands to be awarded and the rental to be charged therefor, the Chief Forester will prepare and forward to the applicant by registered mail, a lease, in quadruplicate, advising the applicant

that he will be allowed 15 days from receipt thereof within which to sign the four copies of the proposed lease and to return them to the Chief Forester together with the amount due as the first year's rental.

§ 115.139 *Execution of lease.* If within the time allowed, the applicant returns the lease forms properly signed, together with the first year's rental, the Chief Forester will date and sign the four copies and make appropriate notations on the records of his office.

§ 115.140 *Rental.* Each lessee of grant lands for grazing purposes shall pay to the Chief Forester a fair annual rental, which will be determined by that officer. The charges will be consistent with those made for grazing privileges on State, Federal, and privately owned lands of similar character in the same general locality. The rental for the second and subsequent years must be paid each year on or before the anniversary date of the lease. The rental may be adjusted at the end of the third year and at the end of each three-year period thereafter.

§ 115.141 *Grazing of lands under lease.* The grazing lease will be issued on Form 4–987, attached hereto, and will be subject to all conditions stated in the form and others which may be added thereto by the Chief Forester prior to its execution. All lessees will be required to graze their livestock in accordance with approved grazing practices for the region, as determined by the Chief Forester.

§ 115.142 *Leased lands subject to disposal.* Land embraced in a grazing lease shall be subject to disposal by homestead entry, sale or any other manner provided by applicable laws in the event it is determined by the Secretary of the Interior that the land is more suitable for disposal than for afforestation, reforestation, streamflow protection, recreation, or other public purposes. However, before the allowance of an entry, evidence must be furnished that the applicant has agreed to compensate the lessee for any grazing improvements placed upon the land under authority of the lease and for any special injury due to the adjustment of the lessee's business as a result of the entry but such special injury shall not be recognized as continuing for a period of more than one year. If the interested parties are unable to reach an agreement as to the amount of such compensation, the amount shall be fixed by the Chief Forester subject to the right of appeal to the Commissioner, General Land Office. All such agreements, to be effective, must be approved by the Chief Forester. The failure of the applicant to pay the lessee in accordance with the agreement shall be just cause for cancellation of the entry, selection or location. All subsequent annual rental charges will be proportionately reduced for the loss of the lands from the leasehold. Any agency of the Federal Government which needs any part or all of the leased land for a governmental use other than one described in subsection 2 (c) of the lease and requests a permit, withdrawal, reservation, lease or patent shall be considered a preferred applicant within the meaning of this section.

§ 115.143 *Assignments.* Proposed assignments of a lease, in whole or in part, must be submitted to the Chief Forester for approval; must be accompanied by the same showing by the assignee as is required of applicants for a lease; and must be supported by a showing that the assignee agrees to be bound by the provisions of the lease. No assignment will be recognized unless and until approved by the Chief Forester.

§ 115.144 *Renewal of lease.* A lessee who desires to renew the lease should file a petition therefor, identifying the lease and setting forth wherein any change has taken place since the original application for lease was filed.

§ 115.145 *Causes for cancellation of lease.* A lease may be canceled by the Chief Forester for any of the following reasons:

(a) If the lessee permits the lands to be overgrazed or uses the lands in any manner which causes range deterioration, soil erosion, or for any purposes detrimental to the lands or the livestock industry.

(b) If the lessee uses the leased premises, or any part thereof, for any purpose foreign to grazing or in violation of any terms of the lease.

(c) If the lessee shall fail to pay the annual rental, or any part thereof.

(d) If the lessee shall fail to comply with the regulations or the terms of the lease.

(e) If a preference-right lessee fails to retain ownership or control of the lands tendered as a basis for such preference right.

(f) If the lessee assigns or subleases all or any part of the leased area without obtaining the approval of the Chief Forester.

§ 115.146 *Timber and other uses of land.* A lease issued for grazing purposes will not entitle the lessee to cut and remove timber from the land, or to take any other asset therefrom, or to use such land for purposes other than grazing. In order to obtain such rights or privileges, the lessee must make application therefor in accordance with the governing laws and regulations.

§ 115.147 *Protests and appeals.* Protests or other objections filed against applications for grazing leases or requests for crossing permits will be considered and settled by the Chief Forester. A party aggrieved by any action of the Chief Forester may appeal to the Commissioner of the General Land Office and the Secretary of the Interior pursuant to the rules of practice, 43 CFR, Part 221.

§ 115.148 *Trespass.* The unauthorized grazing upon or driving across any grant lands of any livestock will be considered as a trespass upon such lands and will render the owners of the stock liable to the United States for such trespass. The unlawful cutting or removal of timber or other asset, or the unlawful use of the land by the lessee will also constitute a trespass for which the person responsible will be held liable.

§ 115.149 *Regulations a part of each lease.* Sections 115.128 to 115.149, inclusive, shall be considered to be a part of every grazing lease issued pursuant to the provisions of section 4 of the act of August 28, 1937.

Regulations superseded. Sections 115.128 to 115.149, inclusive, supersede §§ 115.86 to 115.93, inclusive (Circular No. 1458 of July 6, 1939).

FRED W. JOHNSON,
Commissioner.

Approved: May 29, 1945.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

Form 4–986

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

Oregon and California Revested Lands Administration, Portland, Oreg.

APPLICATION FOR GRAZING LEASE

_____G. L. A. Serial No. _____
Date _____, 19__

I, the undersigned, _____ of _____
(Name of applicant) (Post-office address)
_____, hereby apply to lease for grazing purposes under section 4 of the act of August 28, 1937 (50 Stat. 875), the following-described lands: _____

_____

Section _____, Township _____, Range _____, _____ Meridian, containing _____ acres and in support thereof submit the following answers to the questions contained in this application:

1. Describe by legal subdivisions the lands upon which a preference right to a lease is based, the nature of the claims thereto, and the dates initiated or acquired, and when the right will expire, if it is held for a period of years.

_____

Section _____, Township _____, Range _____, _____ Meridian.

2. How many acres of your privately owned lands are under cultivation? _____ acres.

3. How many acres were used for grazing purposes? _____ acres.

4. State briefly your experience in the livestock industry and give two references.

_____

5. State what interests, if any, you have in any other lease or pending application for lease under section 4 of the act approved August 28, 1937.

_____

6. Are you a citizen of the United States? ____ By birth? ____ By naturalization? ____ (If by naturalization, evidence of such naturalization must be furnished.)

7. If not a citizen, have you filed the necessary declaration of intention to become such? ____ When? _____ Where? _____

(If the applicant is a corporation, a certified copy of the Articles of Incorporation and the minutes of the meeting authorizing the filing of the application together with an affidavit showing the citizenship of the stockholders must be furnished. If an association, a copy of the constitution and by-laws and evidence of the citizenship of each member must be submitted.)

8. Do the lands applied for contain any springs or water holes? ____ If so, describe them, giving the location by section, township and range _____

_____

9. Are the lands applied for occupied or used for any purpose? _____
By whom? _____
For what purpose? _____

10. Do you own or control any source of water supply needed or used for livestock purposes? _____
Describe it. _____
Where located _____
(Subdivision, section, township, and range)

11. State the number and kind of stock to be grazed on the leased lands _____, _____ seasons of contemplated use _____, the manner in which you plan to graze the lands applied for in connection with your general operations _____

12. Have you previously used the lands covered by this application? _____ If so, for how many years and for what usual period each year? _____

13. How many stock have you grazed thereon during the average year? _____

14. Have the lands been used for grazing purposes during the last twelve months? ____ If so, by whom? _____
To what extent? _____

15. How many head of livestock do you own? _____ Cattle _____; horses _____; sheep _____; goats _____.

_____
(Signature of applicant)

Subscribed and sworn to before me this the ____ day of _____, 19____.

_____
(Official designation of officer)

Form 4–987 To be executed in quadruplicate

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

Oregon and California Revested Lands Administration

LEASE OF LANDS FOR GRAZING LIVESTOCK

Serial _____

This indenture of lease, entered into as of _____ by and between the United States of America, hereinafter called the lessor, by the Chief Forester, Oregon and California Revested Lands Administration, and _____,
(Name of applicant)
of _____,
(Post-office Address)
hereinafter called the lessee, pursuant and subject to the terms and provisions of section 4 of the act of Congress approved August 28, 1937 (50 Stat. 875).

Witnesseth:

That the lessor, in consideration of the rents to be paid and the covenants to be observed, does hereby grant and lease to the lessee the exclusive right and privilege of using for grazing purposes the following-described land _____ containing approximately _____ acres, for a period of ____ years.

Section 1. In consideration of the foregoing, the lessee hereby agrees to:

(a) Pay the lessor as annual rental the sum of $_____, in advance. The rental may be adjusted at the end of the third year and at the end of each three-year period thereafter.

(b) Use the lands in a manner that will not cause overgrazing, range deterioration, or soil erosion, or be detrimental to the lands or the livestock industry.

(c) Observe the laws and regulations for the protection of game animals, game birds, and non-game birds, and not unnecessarily disturb such animals or birds.

(d) Comply with the provisions of the laws of the State with respect to the cost and maintenance of partition fences.

(e) Allow authorized representatives of the Department of the Interior at any time to enter the leased premises for the purpose of inspection, and allow Federal agents, including game wardens, at all times to enter the leased area on official business.

(f) Take all reasonable precautions to prevent and suppress forest, brush, and grass fires.

(g) Comply with all Federal and local laws regarding sanitation and take such other sanitary measures as may be necessary.

(h) Use no part of the leased premises for any purpose foreign to grazing.

(i) Retain ownership or control of any lands that have been recognized as the basis for a preference right.

Section 2. The lessor expressly reserves the right to:

(a) Permit prospecting, locating, developing, mining, entering, leasing, or patenting the mineral resources, the disposition of such resources under any laws applicable thereto, and permit the use and disposition of timber on the lands embraced in this lease, under existing laws and regulations.

(b) Close portions of the leased area to grazing whenever, because of drought, epidemic or disease, incorrect handling of the stock, overgrazing, fire, or other cause, such action is deemed necessary to restore the range to its normal condition. However, such temporary closing of any area shall not operate to exclude such area from the boundaries of the lease.

(c) Reduce the leased area if it is excessive for the number of stock owned by the lessee, or if it is determined that such area is required for the protection of camping places, sources of water supply to communities, stock driveways, roads and trails, town sites, mining claims, and for feeding grounds near villages for the use of draft animals or near the slaughtering or shipping points for use of stock to be marketed. However, a proportionate reduction will be made in the annual rental charges.

(d) Dispose of by homestead entry, sale, or any other manner provided by applicable laws, any of such leased land, which, in the judgment of the Secretary of the Interior, is more suitable for disposal than afforestation, reforestation, streamflow protection, recreation, or other public purposes: *Provided*, That before the allowance of any application therefor the applicant shall agree, subject to the approval of the Chief Forester, to compensate the lessee in accordance with the regulations, 43 CFR 115.142. Any agency of the Federal Government which needs any part or all of the leased land for a governmental use other than one described in subsection 2 (c) and requests a permit, withdrawal, reservation, lease or patent shall be considered an applicant within the meaning of this subsection.

Section 3. It is further understood and agreed that:

(a) This lease is granted subject to valid existing rights and to all present and future rules and regulations of the Secretary of the Interior. Nothing herein contained shall restrict the acquisition, granting, or use of permits or rights-of-way under existing law.

(b) That the lessee shall not sell or remove for use elsewhere any timber growing on the leased land without specific authorization in advance by the Chief Forester. Such authority may be granted only for the erection and maintenance of improvements required in the operation of this lease.

(c) The lessee may construct, or maintain and utilize any fence, building, corral, reservoir, well, or other improvements needed for the exercise of the grazing privileges of this lease, but any such fence shall be so constructed as to permit ingress and egress for miners, prospectors for minerals, and other persons entitled to enter such area for lawful purposes.

(d) Upon cancellation of this lease for any reason or upon termination thereof, the Chief Forester may, in his discretion and upon a written petition filed by the lessee within 30 days from date of the cancellation or termination, require a subsequent lessee, prior to the execution of a new lease, to reimburse the former lessee a reasonable amount for any grazing improvements of a permanent nature that may have been placed upon the leased lands during the period of the lease. The decision of the Chief Forester will be subject to the right of appeal to the Commissioner of the General Land Office. As to any improvements not disposed of in the manner set forth above, the lessee will be allowed three months from the date of cancellation or termination of the lease within which to remove such improvements, but, if not removed or other disposition made within the said period, such improvements shall become the property of the United States.

(e) If the lessee shall default in the performance or observance of any of the terms, covenants, and stipulations hereof or of the general regulations now or hereafter in force, and such default shall continue 60 days after service of written notice thereof by the lessor, then the lessor may terminate and cancel this lease.

(f) The lessee shall not assign this lease or any interest therein, nor sublet any portion of the leased premises without the written consent of the Chief Forester.

(g) The leased lands shall be subject to entry for hunting and fishing by any person under applicable State or Federal hunting and fishing laws and regulations, but in any event the Chief Forester may prohibit or restrict or he may authorize the lessee to prohibit or restrict hunting or fishing on such parts of the leasehold and for such periods as he may determine to be necessary in order to prevent any substantial interference with the purpose for which the lands are leased, that is, grazing.

(h) The lessee may, on consent of the Chief Forester, first had and obtained, surrender and terminate this lease or any legal subdivision of the area included within the lease: *Provided*, All rental payments due have been made.

(i) No Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and no officer, agent or employee of the Department of the Interior, other than members of the district advisory boards, appointed in accordance with section 18 of the Taylor Grazing Act, which was added by the act of July 14, 1939 (53 Stat. 1002, 43 U.S.C., sec. 315o–1) shall be admitted to any share or part in this lease, or derive any benefit that may arise therefrom, and that the provisions of section 3741 of the Revised Statutes and sections 114, 115, and 116 of the Criminal Code, approved March 4, 1909 (35 Stat. 1109, 18 U.S.C., sec. 204), relating to contracts, enter into and form a part of this lease so far as the same may be applicable.

It is further covenanted and agreed that each obligation hereunder shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, and assigns of the respective parties hereto.

THE UNITED STATES OF AMERICA,
By _____
Chief Forester, Oregon and California Revested Lands Administration

_____
Lessee.

In witness whereof:
Witnesses to signature of lessee:

_____

_____

[F. R. Doc. 45-9351; Filed, June 7, 1945; 9:36 a. m.]

Appendix—Public Land Orders

[Public Land Order 282]

ALASKA

REVOKING EXECUTIVE ORDER 6118 OF MAY 2, 1933, TRANSFERRING CONTROL OF CERTAIN LAND TO SECRETARY OF WAR

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 6118 of May 2, 1933, transferring control of certain land to the Secretary of War for the use of the Washington-Alaska Military Cable and Telegraph System, is hereby revoked.

The land hereby released shall remain reserved under the provisions of Executive Order No. 5391 of July 8, 1930.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 31, 1945.

[F. R. Doc. 45-9852; Filed, June 7, 1945; 9:36 a. m.]

[Public Land Order 283]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF NAVY DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Navy Department for aviation purposes:

SAN BERNARDINO MERIDIAN

T. 15 S., R. 18 E.,
Sec. 19, S½SW¼NE¼, SW¼NE¼NW¼, NW¼SE¼NW¼, E½SE¼NW¼, NW¼NW¼SE¼, E½NW¼SE¼, W½NE¼SE¼.

The area described contains 110 acres.

This order shall take precedence over but not modify (1) the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, and (2) the withdrawal order made by the Secretary of the Interior for reclamation purposes of April 9, 1909.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior and any other Department or agency of the Federal Government, according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 31, 1945.

[F. R. Doc. 45-9853; Filed, June 7, 1945; 9:36 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Appendix A—Waiver of Navigation and Vessel Inspection Laws and Regulations

COMMANDANT, U. S. COAST GUARD

DELEGATION OF AUTHORITY TO EFFECTUATE WAIVERS

Amendment of order of Acting Secretary of the Navy dated October 1, 1942, conferring authority to effectuate waivers on Commandant, U. S. Coast Guard.

Pursuant to the authority of section 501 of the Second War Powers Act (Act of March 27, 1942, c. 199, Title V, sec. 501, 56 Stat. 180, 50 Appendix U.S.C., Sup. III, 635), and the act of December 20, 1944, c. 614, 58 Stat. 827, and deeming such action necessary in the conduct of the war, *It is ordered*, That the last paragraph of the order of the Acting Secretary of the Navy, dated 1 October 1942 (F.R. Doc. 42-9999; 7 F.R. 7979) is hereby amended so as to read as follows:

By virtue of the authority vested in me by the provisions of section 501 of the Second War Powers (Act of March 27, 1942, c. 199, Title V, sec. 501, 56 Stat. 180, 50 Appendix U.S.C., Supp. III, 635), and the act of December 20, 1944, c. 614, 58 Stat. 827, I hereby waive compliance with the navigation and vessel inspection laws and regulations administered by the United States Coast Guard, to such extent and in such manner and upon such terms as the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war, either upon his own initiative or upon the written recommendation of the head of any other Government agency.

Nothing herein shall impair the continuing effectiveness of waivers heretofore effectuated pursuant to the said order dated October 1, 1942, prior to its amendment by this order.

Dated: June 5, 1945.

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 45-9864; Filed, June 7, 1945; 11:21 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 242-B, Amdt. 1]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON CLOSED BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of June, A. D. 1945.

Upon further consideration of Service Order No. 242-B (10 F.R. 2939) and good cause appearing therefor: *It is ordered*, That:

Service Order No. 242-B (10 F.R. 2939) be, and it is hereby, amended by substituting the following paragraph (c) (4) for paragraph (c) (4) thereof:

(4) *Exemption of transshipments.* This order shall not apply to traffic, consigned or reconsigned for export, coastwise or intercoastal movement, which is held at or short of ports for transshipment.

Eliminate paragraph (c) (5) and subparagraphs (1), (2) thereof.

It is further ordered, That this order shall become effective at 7:00 a. m., June 7, 1945; that a copy of this order and direction shall be served upon each State regulatory body and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-9862; Filed, June 7, 1945; 11:16 a. m.]

Notices

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 3923]

CARU STUDIOS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Caru Studios, 114 Liberty Street, New York 6, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
15" rayon silk lamp shade	15	*Each* $3.40	*Each* $4.00	*Each* $7.20
16" heavy ruching and rayon bell shape crepe lamp shade	500-G	3.82	4.50	8.10
16" heavy ruching rayon crepe bell shape lamp shade	500-S	4.25	5.00	9.00

These maximum prices are for the articles described in the manufacturer's application dated April 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 7th day of June 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9817; Filed, June 6, 1945; 11:39 a. m.]

[MPR 188, Order 3924]

QUEENS LIGHTER CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Queens Lighter Company, 72-34 51st Drive, Woodside, Long Island, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	8	*Each* $0.19	*Each* $0.25	*Each* $0.42

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.42 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 7th day of June 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9818; Filed, June 6, 1945; 11:40 a. m.]

[MPR 188, Order 3925]

OTTO MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Otto Manufacturing Company, 37 Treat Place, Newark, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	"B"	*Each* $2.02	*Each* $2.70	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated May 11, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 7th day of June 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9819; Filed, June 6, 1945; 11:40 a. m.]

[MPR 260, Order 1086]

SILVER EAGLE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Silver Eagle Cigar Co., 406 S. Main St., Los Angeles 13, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Silver Eagle	Ambassador	50	$130	3 for 50
	Brevas	50	115	15
	Queens	50	141	3 for 55

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9821; Filed, June 6, 1945; 11:39 a. m.]

[MPR 260, Order 1087]

SOL BERGER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That

(a) Sol Berger, 830½ Stony Island Avenue, Chicago 49, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lady Mobra	Breva	50	$124.00	16
Florosita	do	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9822; Filed, June 6, 1945; 11:39 a. m.]

[MPR 580, Order 7]

WONDER-BRA CO.

ESTABLISHMENT OF MAXIMUM PRICES

Correction

In Federal Register Document 45-7765, appearing on page 5473 of the issue for Saturday, May 12, 1945, the date occurring in the fourth line of paragraph (a) should read "April 20, 1945".

[Supp. Order 94, Order 63]

UNITED STATES DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR CERTAIN FIRST AID DRESSINGS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales at wholesale and retail of certain new first aid dressings hereinafter described, which have been or may be purchased from the Department of Commerce.

(b) *Maximum prices.* Maximum prices per new first aid dressing described herein shall be:

Description of dressing	Price for all sales at wholesale, f. o. b. shipping point	Price for all sales at retail
Small first aid dressing, Army Carlisle Model, approximately 3" x 3" cotton filled pad with ties of split gauze. Each packed singly, 500 to wooden box	$0.03	$0.05
Large first aid dressing, Army Carlisle Model, approximately 5" x 6" cotton filled pad with 20" long cotton ties. Each packed singly, 288 or 250 to wooden box	.06½	.10

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the first aid dressings described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the maximum prices for sales at retail, and stating that the retailer is required by this order to conspicuously display at the place where the dressings are offered for sale a suitable sign which plainly states the appropriate retail ceiling prices.

(e) *Tagging.* Any person who sells the first aid dressings described in paragraph (b) at retail shall conspicuously display at the place where they are offered for sale a suitable sign which plainly states the appropriate ceiling prices.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) "Wholesaler" means any person other than a manufacturer who distributes or sells first aid dressings to resellers.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9832; Filed, June 7, 1945; 11:58 a. m.]

[Supp. Order 94, Order 64]

RECONSTRUCTION FINANCE CORP., ET AL.

SPECIAL MAXIMUM PRICES FOR TANNED SHEARLINGS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which tanned shearlings hereinafter described may be sold and delivered by the Reconstruction Finance Corporation or by any other Government agency, and by any subsequent reseller.

(b) *Maximum prices.* Maximum prices (f. o. b. point of shipment) per square foot of the hereinafter described tanned shearlings shall be as follows:

(1) *Unbacked shearlings.*

Pile length	Price for sales by Reconstruction Finance Corporation or any government agency		Price for sales by all other persons	
	Non-electrified	Electrified	Non-electrified	Electrified
½" to ⅝"	$0.21	$0.23	$0.235	$0.255
¾"	.22	.24	.245	.265
⅞"	.23	.25	.255	.275
1"	.24	.26	.265	.29
1½"	.25	.27	.275	.30

(2) *Backed shearlings.*

Pile length	Price for sales by Reconstruction Finance Corporation or any government agency		Price for sales by all other persons	
	Non-electrified	Electrified	Non-electrified	Electrified
½" to ⅝"	$0.24	$0.26	$0.265	$0.29
¾"	.25	.27	.275	.30
⅞"	.26	.28	.29	.31
1"	.27	.29	.30	.32
1½"	.28	.30	.31	.33

NOTE: A backed shearling is a tanned shearling with a polyacrylate base plastic finish on flesh side.

(3) Freight charges actually paid by the reseller may be added to the aforesaid prices provided such charges are separately stated on the invoice of sale.

(c) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(d) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 9898; Filed, June 7, 1945; 11:58 a. m.]

[MPR 188, Rev. Order 3463]

GUS L. HEYMAN

APPROVAL OF MAXIMUM PRICES

Order No. 3463 under § 1499.158 of Maximum Price Regulation No. 188, is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model No. 51MM Water Bottle Cap manufactured by Gus L. Heyman of 201, Realty Building, Louisville, Kentucky.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Maximum price for sales by the manufacturer: To retailers, $6.00 per C.

Maximum price for sales by retailers: To users, $0.10 each.

These maximum prices are for the articles described in the manufacturer's application dated December 12, 1944.

(2) For sales by the manufacturer, the maximum price applies to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and they are subject to a cash discount of one percent for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been established by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.10
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 8th day of June 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9902; Filed, June 7, 1945; 12:01 p. m.]

[MPR 188, Amdt. 1 to Order 3470]

PHILADELPHIA WOODWORK CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered*, That paragraph (a) (1) of Order No. 3470 under § 1499.158 of Maximum Price Regulation No. 188 be and the same hereby is amended to read as follows:

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article: Bernard Safety Heater, Black Heat Model B, maximum selling prices for sales by manufacturer to:

	Each
Wholesalers	$7.00
Retailers (units of 3 or more)	8.26
Retailers (units of less than 3)	8.90

Maximum Selling Prices for Sellers other than the Manufacturer to:	*Each*
Retailers (units of 3 or more)	$8.26
Retailers (units of less than 3)	8.90
Consumers	13.35

These maximum prices are for the articles described in the manufacturer's application dated February 26, 1945. They include the Federal Excise Tax.

This amendment shall become effective on June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9603; Filed, June 7, 1945; 12:01 p. m.]

[2d Rev. MPR 195, Order 8]

INDUSTRIAL WOODEN BOXES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 7a of 2d Revised Maximum Price Regulation 195, it is ordered:

(a) *What this order covers.* This order covers all sales of "West coast shook" for which specific maximum prices are set forth herein. The maximum prices fixed by this order supersede any maximum price or pricing method previously established under 2d Revised Maximum Price Regulation 195.

(b) *Definition of "West coast shook."* For the purpose of this order, "West coast shook" means shook produced in the States of California, Oregon, Washington and Idaho for boxes containing at least one and one-half board feet for powder, T. N. T., old style M-1917 30 50 caliber small arms ammunition, other small arms ammunition, bombs, shells, rockets (up to 60" in length), lard, cheese, butter, eggs, ration, meat, milk and cannery other than fruits and vegetables.

(c) *Maximum prices.* (1) The maximum prices, f. o. b. mill for one thousand feet of "West coast shook," calculated as set out in Tariff No. 1, Official Box and Crate Specifications of the Pacific Division of the National Wooden Box Association, as revised, shall be:

Item	*Maximum price per M*
Powder Shook, T. N. T., and items subject to ICC 14	$70.00
30/50 Caliber small arms ammunition (old style M-1917 only)	70.00
Other small arms ammunition	67.75
Rocket up to 60", bomb, shell and fuze	66.50
Lard, cheese, butter and egg case	66.50
Ration, meat, milk and cannery other than fruits and vegetables	63.00

(2) The maximum prices for the following additions shall be:

Additions	
1. Cleating egg case ends	87½¢ per 100 ends.
2. Boring holes ⅞" or less in diam., 1⅛" or less in depth	1¢ per hole.
a. Single holes	1¢ for first hole.
b. Multiple holes	¼¢ for each additional hole.
3. Notching Style No. 2½ cleats	3¢ per box (8 notches).
4. Notching and slotting	40¢ per 100 operations.
5. Dadoing, grooving and rabbetting	40¢ per 100 operations.
6. Beveling lengthwise	25¢ per 100 pieces up to 24". Add 15¢ per 100 pieces for each additional foot or fraction thereof.
7. Printing:	
a. Commercial specifications	25¢ per 100 impressions.
b. Government specifications	30¢ per 100 impressions.
8. Chamfering	20¢ per 100 chamfers.
9. Government label recess and straight hand-hole part way	25¢ per 100 recesses or hand-holes.
10. Hand-holes thru or special hand-holes	50¢ per 100 operations.
11. Double wire or double rope tying	$1.25 per 1,000 feet of footage tied.
12. Triple wiring or triple rope tying	$2.50 per 1,000 feet of footage tied.
13. For longer lengths. The length addition may be taken on meat, bomb, shell, fuze and rocket shook and is further limited to shook produced according to Government Specifications 100-14A and subject to government inspection:	
a. Over 30" through 36" inclusive	Add $2.00 per M' on footage involved.
b. Over 36" through 48" inclusive	Add $5.00 per M' on footage involved.
c. Over 48"	Add $10.00 per M' on footage involved.
14. Width. When pieces wider than 11⅝" are required to be one-piece or tongue and grooved whether or not glued and are so furnished, add $5.00 per M' to footage involved. If these pieces are tongue and grooved and have corrugated fasteners, add the $5.00 per M' as mentioned plus 30¢ per hundred corrugated fasteners. No addition may be made for widths of 11⅝" or less whether or not tongue and grooving is required. For shook parts wider than 11⅝" butt jointed requiring corrugated fasteners, add 30¢ per hundred corrugated fasteners.	

(3) Manufacturers located within the city limits of the following cities may make the following additions per M BM:

	Lumber buying manufacturers	Other [illegible]
Spokane	$	$
Seattle, Tacoma, Portland		
Oakland, San Francisco, Los Angeles		

A lumber buying manufacturer is one who [illegible] purchased at least 50 percent of his lumber [illegible] with which he has no common ownership or control.

The Regional Administrator of the Office of Price Administration, San Francisco, California, may, by order extend the right to make other additions to manufacturers located in sections contiguous to the city limits of the above cities, if he finds such manufacturers subject to similar cost conditions as exist within the city limits. The principal cost elements to be considered are labor costs and incoming freight.

(d) *Discounts and allowances.* The maximum prices set forth in this order apply to all shipments of shook on orders of 2000 feet or over of one size no matter who the seller is, and they include all commissions, discounts and allowances for resellers (except assemblers and exporters). The maximum prices shall be reduced by all discounts or allowances customarily made by the seller for the same class of purchaser.

(e) *Other provisions.* The provisions of sections 9, 10, 11 and 12 and 13 of the regulation shall apply to sales made under this order.

(f) *Other items or additions not covered by this order.* Any industrial wooden boxes or component parts not specifically priced by this order shall remain subject to the provisions of 2d Revised Maximum Price Regulation No. 195.

Any addition for an item subject to this order which is not specifically priced shall be established by application under section 7 of the regulation.

(g) For a period of thirty days after the effective date of this order any person may elect to sell at prices no higher than those heretofore properly computed and established under the regulation.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9894; Filed, June 7, 1945; 11:58 a. m.]

Regional and District Office Orders.

[Spokane Order 64-B Under MPR 426]

CARROTS IN WALLACE, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing Point: El Centro, Calif.
(c) Wholesale receiving point: Wallace, Idaho.
(d) Method of transportation: carlot, $1.05; l. c. l., $0.51.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.56.

	Per unit of sale	
	Per crate of 72 bunches	*Per lb.*
(f) Freight charge by method (d)	$1.36	-------
(g) Basing point cost	3.00	-------
(h) Protective services	.26	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.62	$0.0493

This order shall become effective April 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9771; Filed, June 5, 1945; 2:50 p. m.]

[Spokane Order 65-B Under MPR 426]

CARROTS IN WALLA WALLA, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing Point: El Centro, Calif.
(c) Wholesale receiving point: Walla Walla, Wash.
(d) Method of transportation: Carlot, Portland, Oreg., $0.93; l. c. l., $0.71 Walla Walla.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.64.

	Per unit of sale	
	Per crate of 72 bunches	*Topped*
(f) Freight charge by method (d)	$1.43	-------
(g) Basing point cost	3.00	-------
(h) Protective services	.26	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.69	$0.0501

This order shall become effective April 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9772; Filed, June 5, 1945; 2:50 p. m.]

[Spokane Order 66-B Under MPR 426]

CARROTS IN LEWISTON, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing Point: El Centro, Calif.
(c) Wholesale receiving point: Lewiston, Idaho.
(d) Method of transportation: carlot Portland, $0.93; l. c. l., Lewiston, Id., $0.96.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.91.

	Per unit of sale	
	Per crate of 72 bunches	*Topped*
(f) Freight charge by method (d)	$1.66	-------
(g) Basing point cost	3.00	-------
(h) Protective services	.26	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.92	$0.0529

This order shall become effective April 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9773; Filed, June 5, 1945; 2:49 p. m.]

[Spokane Order 67-B Under MPR 426]

CARROTS IN KENNEWICK, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of

transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Kennewick, Wash.
(d) Method of transportation: carlot Portland, Oreg., $0.93; l. c. l., Kennewick, $0.51.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.44.

	Per unit of sale	
	Per crate of 72 bunches	*Topped*
(f) Freight charge by method (d)	$1.25	-------
(g) Basing point cost	3.00	-------
(h) Protective services	.26	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.51	$0.0481

This order shall become effective April 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9774; Filed, June 5, 1945; 2:49 p. m.]

[Spokane Order 68-B Under MPR 426]

LETTUCE IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lettuce.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Spokane, Wash.
(d) Method of transportation: carlot.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.90.

	Per unit of sale	
	Per crate of 60 lbs.	*Per lb.*
(f) Freight charge by method (d)	$0.70	-------
(g) Basing point cost	3.25	-------
(h) Protective services	.25	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g", and "h")	4.20	$0.07

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9775; Filed, June 5, 1945; 2:49 p. m.]

[Spokane Order 69-B Under MPR 426]

LETTUCE IN KENNEWICK, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lettuce.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Kennewick, Wash.
(d) Method of transportation: carlot to Walla Walla, l. c. l., Kennewick.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.90 plus $0.32.

	Per unit of sale	
	Per crate of 60 lbs.	*Per lb.*
(f) Freight charge by method (d)	$0.95	-------
(g) Basing point cost	3.25	-------
(h) Protective services	.25	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g", and "h")	4.45	$0.0741

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9776; Filed, June 5, 1945; 2:49 p. m.]

[Spokane Order 70-B Under MPR 426]

LETTUCE IN WALLACE, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: lettuce.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Wallace, Idaho.
(d) Method of transportation: carlot to Spokane l. c. l. Wallace.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.90 plus $0.51=$1.41.

	Per unit of sale	
	Per crate of 60 lbs.	*Per lb.*
(f) Freight charge by method (d)	$1.10	-------
(g) Basing point cost	3.25	-------
(h) Protective services	.25	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.60	$0.0766

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9777; Filed, June 5, 1945; 2:48 p. m.]

[Spokane Order 71-B Under MPR 426]

LETTUCE IN LEWISTON, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: lettuce.
(b) Basing point: Salinas, Calif.

(c) Wholesale receiving point: Lewiston, Idaho.
(d) Method of transportation: carlot.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.90 cwt.

	Per unit of sale	
	Per crate of 60 lbs.	*Per lb.*
(f) Freight charge by method (d)	$0.70	-------
(g) Basing point cost	3.25	-------
(h) Protective services	.25	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.20	$0.07

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9778; Filed, June 5, 1945; 2:48 p. m.]

[Spokane Order 72-B Under MPR 426]

LETTUCE IN WALLA WALLA, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lettuce.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Walla Walla, Wash.
(d) Method of transportation: carlot.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.90.

	Per unit of sale	
	Per crate of 60 lbs.	*Per lb.*
(f) Freight charge by method (d)	$0.70	-------
(g) Basing point cost	3.25	-------
(h) Protective services	.25	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.20	$0.07

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9779; Filed, June 5, 1945; 2:48 p. m.]

[Spokane Order 73-B Under MPR 426]

LETTUCE IN PULLMAN, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d) the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lettuce.
(b) Basing point: Salinas, California.
(c) Wholesale receiving point: Pullman, Washington.
(d) Method of transportation: carlot Spokane, l. c. l. Pullman.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.90 plus .41—$1.31.

	Per unit of sale	
	Per crate of 60 lbs.	*Per lb.*
(f) Freight charge by method (d)	$0.70	-------
(g) Basing point cost	3.25	-------
(h) Protective services	.25	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.20	$0.07

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9779; Filed, June 5, 1945; 2:48 p. m.]

	Per unit of sale	
	Per crate of 60 lbs.	*Per lb.*
(f) Freight charge by method (d)	$1.02	-------
(g) Basing point cost	3.25	-------
(h) Protective services	.25	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.52	$0.0753

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9780; Filed, June 5, 1945; 2:48 p. m.]

[Spokane Order 74-B Under MPR 426]

GREEN PEAS IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Green Peas
(b) Basing point: Santa Barbara, Calif.
(c) Wholesale receiving point: Spokane, Wash.
(d) Method of transportation: carlot to Portland, Oreg.; l. c. l. Portland to Spokane.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.79 per cwt.

	Per unit of sale	
	Per 28 lbs.	*Per lb.*
(f) Freight charge by method (d)	$0.57	-------
(g) Basing point cost	2.80	-------
(h) Protective services	.20	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	3.57	$0.0128

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9781; Filed, June 5, 1945; 2:47 p. m.]

[Spokane Order 75-B Under MPR 426]

CUCUMBERS (EXCEPT HOTHOUSE) IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cucumbers (except hothouse).
(b) Basing point: Chula Vista, Calif.
(c) Wholesale receiving point: Spokane, Wash.
(d) Method of transportation: Carlot to Portland, Oreg., plus l. c. l. Spokane, Wash.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.98.

	Per unit of sale	
	Per lug of 28 lbs.	*Per lb.*
(f) Freight charge by method (d)	$0.63	-------
(g) Basing point cost	2.60	-------
(h) Protective services	.08	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	2.71	$0.967

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9782; Filed, June 5, 1945; 2:47 p. m.]

[Spokane Order 76-B Under MPR 426]

SWEET PEPPERS IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Sweet peppers.
(b) Basing point: Nogales, Ariz.
(c) Wholesale receiving point: Spokane, Wash.
(d) Method of transportation: Carlot to Portland, Oreg.; l. c. l. Portland to Spokane.
(e) Freight rate by method (d) from basing point to wholesale receiving point $1.19 plus $1.01=$2.20.

	Per unit of sale	
	Per crate of 42 lbs.	*Per lb.*
(f) Freight charge by method (d)	$1.10	-------
(g) Basing point cost	4.90	-------
(h) Protective services	.15	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	6.15	$0.1465

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9783; Filed, June 5, 1945; 2:47 p. m.]

[Spokane Order 77-B Under MPR 426]

SNAP BEANS IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Snap beans (green or wax).
(b) Basing point: San Jose, Calif.
(c) Wholesale receiving point: Spokane, Wash.
(d) Method of transportation: Carlot to Portland; l. c. l. Portland to Spokane.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.53.

	Per unit of sale	
	Per bu. of 28 lbs.	*Per lb.*
(f) Freight charge by method (d)	$0.52	-------
(g) Basing point cost	2.70	-------
(h) Protective services	.10	-------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	3.32	$0.119

This order shall become effective May 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9784; Filed, June 5, 1945; 2:47 p. m.]

[Region II Order G-12 Under SR 15 and MPR 280]

FLUID MILK IN NEW YORK

For the reasons set forth in an opinion issued and filed with the FEDERAL REGISTER and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, and §§ 1351.807 and 1351.817a of Maximum Price Regulation No. 280, as amended, and upon the written authorization of the Price Administrator pursuant to a directive from the Economic Stabilization Director, it is hereby ordered:

SECTION 1. *Explanation of the order.* This order fixes adjusted maximum prices for sales at wholesale and retail of Grade A raw and pasteurized fluid milk and special or premium fluid milk, both bulk and packaged, in specified summer resort areas within the State of New York for the period May 28, 1945 through September 15, 1945. Previous coverage under the General Maximum Price Regulation and Regional Order No. G-9, issued under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, as amended, is withdrawn simultaneously with the effective date of this order and is reinstated simultaneously with the expiration date of this order.

SEC. 2. *Definitions.* For the purposes of this order:

(a) "Fluid milk" means cow's milk, raw or processed, which is sold for human consumption in fluid form as whole milk. It shall not include condensed or evaporated milk.

(b) "Packaged" or "in packages" means contained in glass or paper containers.

(c) "Bulk" means contained in other than glass or paper containers.

(d) "Approved fluid milk" means fluid milk which at least satisfies the minimum butterfat content, sanitary and health standards established by the appropriate statutes, orders or regulations of the State of New York, unless such definitions are superseded by statutes, orders or regulations of the State of New York within such type of milk is sold and delivered.

(e) "Special fluid milk" means approved fluid milk, which in addition (i) complies with quality or production standards established by governmental authorities or non-governmental medical, farm or trade bodies, or (ii) contains high butterfat content, or (iii) is processed in addition to, or other than by, cooling, weighing, testing, pasteurization, reconstitution, packaging, or separation. For example, it includes certified, golden guernsey, high fat, homogenized, Vitamin D, Homogenized-Vitamin D, soft curd, skim, buttermilk (both cultured and churned) chocolate and chocolate drink.

(f) "Standard fluid milk" or "regular fluid milk" means approved fluid milk other than special fluid milk as defined above.

(g) "Grade A pasteurized fluid milk" and "Grade A raw fluid milk" are standard or regular fluid milk and shall have the meanings prescribed for such types of milk by the appropriate statutes, orders or regulations of the State of New York unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which such types of milk are sold and delivered.

(h) "Premium fluid milk" means special fluid milk (i) which was sold at a price differential above Grade A pasteurized fluid milk in a particular market during March 1942, or (ii) for which a price differential above Grade A pasteurized is established under the provisions of this order.

(i) "Subdealer" means any milk dealer handling Grade A pasteurized or raw fluid milk or any premium or special milk within the summer resort areas described herein who purchases such Grade A pasteurized or raw fluid milk or special or premium milk from processors or other milk dealers and who resells such milk in the same containers as those in which he purchased it.

(j) "Delivered" means delivered to the place of business of the purchaser or to the home of an ultimate consumer or to any place designated for the receipt of such Grade A pasteurized or raw fluid milk or special or premium milk by the purchaser, and shall not include sales at the handler's or dealer's own place of business.

(k) "F. o. b. the handler's receiving or processing plant" means a sale of Grade A pasteurized or raw fluid milk or special or premium milk, delivery of which is made to the purchaser at the handler's place of business.

(l) "At wholesale into-store", "at wholesale into-rooming house" and "at wholesale into-hotel and restaurant" mean a sale of Grade A pasteurized or raw fluid milk or special or premium milk delivered to the store, rooming house, hotel or restaurant as the case may be.

(m) "At retail out-of-store" and "at retail into-rooming house" means a sale of Grade A pasteurized or raw fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house, or other establishment which delivers Grade A pasteurized or raw fluid milk or premium or special milk separately or together with other purchases and shall include a sale of Grade A pasteurized or raw fluid milk or premium or special milk at retail by a handler or subdealer at his plant or place of business.

(n) "At retail to-the-home" means a sale and delivery of Grade A pasteurized or raw fluid milk or special or premium milk at retail from an inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes and shall not include a sale of Grade A pasteurized or raw fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house or other establishment which delivers such milk separately or together with other purchases.

(o) "To subdealers" means the sale of Grade A pasteurized or raw fluid milk or special or premium milk in glass or paper containers delivered to a subdealer at his plant or place of business.

(p) "Handler" means any person who on his own behalf or on behalf of another purchases fluid milk from producers, associations of producers or from other handlers, and who sells such fluid milk at wholesale in other than glass or paper

containers to other than stores, hotels, restaurants and institutions.

SEC. 3. *Maximum prices: Grade A pasteurized fluid milk*—(a) *Sales at wholesale and retail of Grade A pasteurized fluid milk in packages.* The maximum price for sales of Grade A pasteurized fluid milk in packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home, shall be the applicable adjusted maximum price listed in Appendix A of this order for the particular sale in the particular area.

(b) *Sales at wholesale of Grade A pasteurized fluid milk in bulk to stores, hotels, restaurants and institutions.* The maximum price for sales at wholesale of Grade A pasteurized fluid milk in bulk to stores, hotels, restaurants and institutions shall be the applicable adjusted maximum price listed in Appendix B of this order for the particular sale in the particular area.

(c) *Sales by handlers of Grade A pasteurized fluid milk in bulk.* (1) The maximum prices for sales by handlers at wholesale of Grade A pasteurized fluid milk in bulk to purchasers other than stores, hotels, restaurants and institutions, delivered at a place designated by the purchaser within the summer resort areas listed in Appendix C of this order, shall be the applicable adjusted maximum price set forth in Appendix C for the particular sale in the particular area.

(2) In the event that a handler sells such Grade A pasteurized fluid milk to a purchaser, f. o. b. the handler's receiving or processing plant, he shall deduct ½¢ per quart from the applicable adjusted maximum price set forth in Appendix C of this order.

SEC. 4. *Maximum prices: Grade A raw fluid milk*—(a) *Sales at wholesale and retail of Grade A raw fluid milk in packages and in bulk.* The maximum price for sales of Grade A raw fluid milk in the summer resort areas listed in Appendices A and B of this order, in quart or pint packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the seller's maximum price in March 1942 for such milk for the same type of sale and delivery in the same type and size of container, plus the appropriate figure for his area set forth in table A below.

TABLE A

		Per quart	Per pint
		Cents	Cents
Appendices A and B	Area I		½
	Area II		½
	Area III		½
	Area IV		½
	Area V		½
	Area VI	½	
	Area VII	1	½
	Area VIII	2	1
	Area IX	2	1
	Area X	1	½
Appendix B	Area XI		
	Area XII		

SEC. 5. *Maximum prices; special pasteurized and raw fluid milk*—(a) *Sales of special, raw or pasteurized fluid milk by sellers who sold Grade A pasteurized fluid milk in March 1942.* The maximum price for sales of special raw or pasteurized fluid milk, in the summer resort areas listed in Appendices A and B of this order, in packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the seller's maximum price for the same type of sale and in the same type and size of container of special fluid milk in March 1942, plus an amount equal to the seller's absolute differential, if any, between his March 1942 price for Grade A pasteurized fluid milk and the applicable adjusted maximum price for the sale of Grade A pasteurized fluid milk listed in the appropriate area of Appendices A and B for the same type of sale in the same type and size of container.

(b) *Sales of special raw or pasteurized fluid milk by sellers who did not sell Grade A pasteurized fluid milk in March 1942*—(1) *Special pasteurized fluid milk with 4.2% butterfat content or higher.* The maximum price for sales of special fluid milk in the summer resort areas listed in Appendices A and B of this order in quart or pint packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the maximum prices set forth in Table B below.

TABLE B

Type and Size of Container and Maximum Price

In bulk or in quart packages: The applicable maximum price specified for the sale of Grade A pasteurized fluid milk in the appropriate area of Appendices A and B for the same type and size of container, plus ½ cent.

In pint packages: The applicable maximum price specified for the sale of Grade A pasteurized fluid milk in the appropriate area of Appendices A and B, for the same type of sale and delivery in the same type and size of container.

(2) *Special raw fluid milk with 4.2% butterfat content or higher.* The maximum price for sales of special raw fluid milk with a butterfat content of 4.2% or higher in the summer resort areas listed in Appendices A and B of this order in quart or pint packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the seller's applicable maximum price as specified in the appropriate area of Appendices A and B for sales of Grade A pasteurized fluid milk for the same type of sale and in the same type and size of container.

(3) *Special raw or special pasteurized fluid milk with less than 4.2% butterfat content.* The maximum price for sales of special raw or special pasteurized fluid milk with less than 4.2% butterfat content in the summer resort areas listed in Appendices A and B of this order in quart or pint packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the seller's maximum price in March 1942 for such milk for the same type of sale and delivery in the same type and size of container, plus the appropriate figure for his area set forth in Table A of section 4.

SEC. 6. *Calculations.* Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller must multiply such fractional unit figure by the total number of units in each sale or series of sales for which a single collection is made. Where the resulting amount contains a fraction of a cent, or where only one unit is sold, the seller shall adjust the maximum price to the nearest full cent, except that if the fraction should be a half cent, the seller shall adjust the maximum price to the next higher full cent (for example, a maximum price of 4½¢ for one unit shall be adjusted to 5¢ for one unit, 9¢ for two units, 14¢ for three units, etc.).

SEC. 7. *Geographical applicability.* The provisions of this order shall apply to all sales and deliveries of Grade A pasteurized and raw fluid milk, special and premium fluid milk in packages in the summer resort areas described in Appendix A hereof; to all sales and deliveries of Grade A pasteurized and raw fluid milk, special and premium fluid milk in bulk in the summer resort areas described in Appendices B and C hereof.

SEC. 8. *Appendices.* Appendices A, B and C, are set forth on pages 9, 10 and 11, respectively, of this order.

Effective period. This Order No. G-12 shall become effective May 28, 1945 and shall terminate on September 15, 1945 unless earlier revoked.

This Order No. G-12 may be amended at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4861)

Issued this 5th day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

For the reasons set forth in the accompanying opinion, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of Regional Order No. G-12 under § 1499.75 (b) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under §§ 1351.807 and 1351.817a of Maximum Price Regulation No. 280, as amended, is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

APPENDIX A—ADJUSTED MAXIMUM PRICES FOR SALES AND DELIVERIES OF GRADE A PASTEURIZED FLUID MILK IN PACKAGES

Summer Resort Areas	To subdealer	At wholesale into store	At wholesale into rooming-house	At wholesale into hotel and restaurant	At retail out-of-store, route delivery and to the home
I. Greene County:	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
Per quart	11	13½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5
II. Sullivan County (except the villages of Liberty and Monticello)					
Per quart	11½	13½	13½	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5
III. Sullivan County in part (villages of Liberty and Monticello only)					
Per quart	11½	13½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5
Per ½ quart	5	----	----	5½	----
V. Orange County in part (towns of Crawford, Deerpark and Mount Hope only)					
Per quart	11½	13½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5
VI. Columbia County:					
Per quart	11	13	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5
VII. Warren County:					15
Per quart	11	13	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5
Per ½ quart	4½	----	----	5½	----
VIII. Washington County in part (towns of Putnam, Dresden, Fort Ann, Kingsbury, and Fort Edward only):					
Per quart	11	13	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5
Per ½ quart	4½	----	----	5½	----
IX. Delaware County in part (towns of Andes, Middletown, Roxbury and Stamford only):					
Per quart	11	13	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5
X. Saratoga County in part (town of Moreau only):					
Per quart	11	13	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5
XI. Dutchess County:					
Per quart	11	13	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5
XII. Putnam County:					
Per quart	11	13½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5

(City of Kingston only.

APPENDIX B—ADJUSTED MAXIMUM PRICES FOR SALES AND DELIVERIES OF GRADE A PASTEURIZED FLUID MILK IN BULK TO STORES, HOTELS, RESTAURANTS AND INSTITUTIONS

Summer resort areas	Per quart	Per can
I. Greene County	*Cents*	
40-quart can	12	$4.80
20-quart can	12½	2.50
II. Sullivan County (except the villages of Liberty and Monticello):		
40-quart can	13	5.20
20-quart can	13½	2.70
III. Sullivan County in part (villages of Liberty and Monticello only):		
40-quart can	13	5.20
20-quart can	13½	2.70
IV. Ulster County:		
40-quart can	13	5.20
20-quart can	13½	2.70
V. Orange County in part (Towns of Crawford, Deerpark and Mount Hope only):		
40-quart can	13	$5.20
20-quart can	13½	2.70
VI. Columbia County:		
40-quart can	12	4.80
20-quart can	12½	2.50
VII. Warren County:		
40-quart can	12	4.80
20-quart can	12½	2.50
VIII. Washington County in part (towns of Putnam, Dresden, Fort Ann, Kingsbury, and Fort Edward only):		
40-quart can	12	4.80
20-quart can	12½	2.50
IX. Delaware County in part (towns of Andes, Middletown, Roxbury and Stamford only):		
40-quart can	12	4.80
20-quart can	12½	2.50
X. Saratoga County in part (town of Moreau only):		
40-quart can	12	4.80
20-quart can	12½	2.50
XI. Dutchess County:		
40-quart can	11	4.40
20-quart can	11½	2.30
XII. Putnam County:		
40-quart can	11	4.40
20-quart can	11½	2.30

APPENDIX C—ADJUSTED MAXIMUM PRICES FOR SALES AND DELIVERIES OF GRADE A PASTEURIZED FLUID MILK IN BULK TO PURCHASERS OTHER THAN STORES, HOTELS, RESTAURANTS AND INSTITUTIONS

Summer resort areas	Per quart	Per can
I. Greene County:	*Cents*	
40-quart can	10	$4.00
20-quart can	10½	2.10
II. Sullivan County (except the villages of Liberty and Monticello):		
40-quart can	10½	4.30
20-quart can	11¼	2.25
III. Sullivan County in part (Villages of Liberty and Monticello only):		
40-quart can	10½	4.30
20-quart can	11¼	2.25
IV. Ulster County:		
40-quart can	10½	4.30
20-quart can	11¼	2.25
V. Orange County in part (Towns of Crawford, Deerpark and Mount Hope only):		
40-quart can	10½	4.30
20-quart can	11¼	2.25
VI. Columbia County:	10	4.00
40-quart can	10½	2.10
20-quart can		
VII. Warren County:	10	4.00
40-quart can	10½	2.10
20-quart can		
VIII. Washington County in parts (towns of Putnam, Dresden, Fort Ann, Kingsbury, and Fort Edward only):		
40-quart can	10	4.00
20-quart can	10½	2.10
IX. Delaware County in part, (towns of Andes, Middletown, Roxbury, and Stamford only):		
40-quart can	10	4.00
20-quart can	10½	2.10
X. Saratoga County in part (town of Moreau only):		
40-quart can	10	4.00
20-quart can	10½	2.10

[F. R. Doc. 45-9800; Filed, June 5, 1945; 4:42 p. m.]

[Charlotte Order G-2 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN CHARLOTTE, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Charlotte District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order No. G-1 under General Order 50 issued by the District Director of the Charlotte District Office of the Office of Price Administration on the 30th day of June 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order 50 is redesignated Order No. G-2 under General Order 50, and is revised and amended as herein set forth and issued for the same purpose and for the further purpose of clarifying and strengthening the order.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of North Carolina:

Alexander, Alleghany, Anson, Ashe, Avery, Buncombe, Burke, Cabarrus, Caldwell, Catawba, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Graham, Guilford, Haywood, Henderson, Iredell, Jackson, Lincoln, Macon, Madison, McDowell, Mecklenburg, Mitchell, Montgomery, Polk, Randolph, Richmond, Rockingham, Rowan, Rutherford, Stanly, Stokes, Surry, Swain, Transylvania, Union, Watauga, Wilkes, Yadkin and Yancey.

SEC. 3. *Ceiling prices.* (a) On and after August 21, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Charlotte District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Charlotte District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for the same to the list set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to

which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1–B.* Your establishment belongs to Group 1–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1–B establishments.

(2) *Group 2–B.* Your establishment belongs to Group 2–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2–B establishments, but were less than those provided in Appendix A for Group 1–B establishments.

(3) *Group 3–B.* Your establishment belongs to Group 3–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2–B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3–B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1–B or Group 2–B, you may, but not later than the first day of October, 1944, file an application with the Charlotte District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3–B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.
2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.
3. The selling price by brand name of all beverages sold since the beginning of its operation.
4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.
5. Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3–B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3–B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1–B or Group 2–B seller, you may, within and not later than 30 days from the time you began operating, file an application with the Charlotte District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3–B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in Section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above, you must, on or before September 15, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3–B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3–B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such informaton as may be requred, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment, you must not evade the ceiling prices established by this order by any type or scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order, you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating or drinking establishment, you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught, or

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

(c) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3–B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order, you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA–1B", "OPA–2B", or "OPA–3B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3–B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license is suspended for violation of the license or of the order. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer."

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverage for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices

of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transaction prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Charlotte District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This order shall become effective on August 21, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808).

Issued at Charlotte, North Carolina this August 19, 1944.

JAMES J. KILROY,
Acting District Director.

APPENDIX A

GROUP 1–B

Brand or trade name:	*Maximum price per bottle (cents)*
Carta Blanca	35
Champ Ale	30
Indian Ale	30

Beer and ale	Brewers	12-ounce	32-ounce
		Cents	*Cents*
Ballantine	P. Ballantine & Sons	25	50
Ballantine Ale	do	25	50
Barbarossa	Red Top Brewing Co	25	50
Blatz Pilsner	Blatz Brewing Co	25	50
Budweiser	Anheuser-Busch, Inc	25	50
Canadian Ace	Manhattan Brewing Co	25	50
Canadian Ace Ale	do	25	50
Carling's Red Cap Ale	Brewing Corp. of America	25	50
Kreuger Cream Ale	G. Kreuger Brewing Co	25	50
Loewers	Loewers-Gambrinus Brewing Co	25	50
Miller's High Life	Miller Brewing Co	25	50
National Premium	National Brewing Co	25	50
Pabst Blue Ribbon	Pabst Brewing Co	25	50
Red Top Ale	Red Top Brewing Co	25	50
Schlitz	Jos. Schlitz Brewing Co	25	50
Trim	Genesee Brewing Co	25	50
Tru-Blu	Northampton Brewing Corp	25	50
Tru-Blu Old Fashioned	do	25	50
All other brands not listed above, including unlabelled beer and ale.		20	45

Draught beer (State and Federal Tax): *Cents*

8-ounce glass	13
10-ounce glass	15
12-ounce glass	17
14-ounce glass	19
16-ounce glass	21
20-ounce glass	24
24-ounce glass	24

All other sizes 1¢ per ounce.

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2–B

Brand or trade name:	*Maximum price per bottle (cents)*
Carta Blanca	30
Champ Ale	27
Indian Ale	27

Beer and ale	Brewers	12-ounce	32-ounce
		Cents	*Cents*
Bay State	Commonwealth Brewing Co	18	42
Bay State Ale	do	18	42
Burger Brau	Burger Brewing Co	18	42
Ehrets	Geo. Ehrets Brewing Co	18	42
Esslinger	Esslinger, Inc	18	42
Esslinger (Little Man) Ale	do	18	42
Gold Medal	Commonwealth Brewing Co	18	42
Hornung	Jacob Hornung Brewery	18	42
Kreuger	G. Kreuger Brewing Co	18	42
Lion	Greater New York Brewing Co	18	42
Oxford	Commonwealth Brewing Co	18	42
Oxford Ale	do	18	42
Victory	do	18	42

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 45-9803; Filed, June 5, 1945; 4:43 p. m.]

[Charlotte Order G-2 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN CHARLOTTE DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Charlotte District Office of Region IV, of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration and Region IV Revised Delegation Order No. 17, issued May 5, 1944, *It is hereby ordered*, That section 15 of Order G–2 under General Order No. 50 be, and the same hereby is, amended to read as follows:

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license may be suspended for violation of the license or of the order. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

Further, *It is hereby ordered*, That *Appendices A and B* under Order G–2 under General Order No. 50 be, and the same hereby are amended to read as they appear on the sheets attached hereto.

This Amendment No. 1 to Order No. G–2 under General Order No. 50 shall become effective November 8, 1944 and supersede any provision of said order No. G–2 which is inconsistent with the provisions of this Amendment.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Charlotte, North Carolina, this 3d day of November 1944.

L. WILLIAM DRISCOLL,
District Director.

APPENDIX A

GROUP 1–B

Brand or trade name:	*Maximum price per bottle (cents)*
Carta Blanca	35
Champ Ale	30
Indian Ale	30

Beer and ale	Brewers	12-ounce	32-ounce
		Cents	*Cents*
Ballantine	P. Ballantine & Sons	20	45
Ballantine Ale	do	20	45
Barbarossa	Red Top Brewing Co	20	45
Blatz Pilsner	Blatz Brewing Co	20	45
Budweiser	Anheuser-Busch, Inc	20	45
Canadian Ace	Manhattan Brewing Co	20	45
Canadian Ace Ale	do	20	45
Carling's Red Cap Ale	Brewing Corp. of America	20	45
Kreuger Cream Ale	G. Kreuger Brewing Co	20	45
Loewers	Loewers-Gambrinus Brewing Co	20	45
Miller's High Life	Miller Brewing Co	20	45
National Premium	National Brewing Co	20	45
Pabst Blue Ribbon	Pabst Brewing Co	20	45
Red Top Ale	Red Top Brewing Co	20	45
Schlitz	Jos. Schlitz Brewing Co	20	45
Trim	Genesee Brewing Co	20	45
Tru-Blu	Northampton Brewing Corp	20	45
Tru-Blu Old Fashioned	do	20	45
All other brands not listed above, including unlabelled beer and ale.		15	40

Draught beer (State and Federal tax): *Cents*

8-ounce glass	10
10-ounce glass	12
12-ounce glass	14
14-ounce glass	16
16-ounce glass	18
20-ounce glass	22
24-ounce glass	26

All other sizes 1¢ per ounce.

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 3–B

Brand or trade name:	*Maximum price per bottle (cents)*
Carta Blanca	27
Champ Ale	25
Indian Ale	25

Beer and ale	Brewers	12-ounce	32-ounce
		Cents	*Cents*
Ballantine	P. Ballantine & Sons	18	42
Ballantine Ale	do	18	42
Barbarossa	Red Top Brewing Co	18	42
Blatz Pilsner	Blatz Brewing Co	18	42
Budweiser	Anheuser-Busch, Inc	18	42
Canadian Ace	Manhattan Brewing Co	18	42
Canadian Ace Ale	do	18	42
Carling's Red Cap Ale	Brewing Corp. of America	18	42
Kreuger Cream Ale	G. Kreuger Brewing Co	18	42
Loewers	Loewers-Gambrinus Brewing Co	18	42
Miller's High Life	Miller Brewing Co	18	42
National Premium	National Brewing Co	18	42
Pabst Blue Ribbon	Pabst Brewing Co	18	42
Red Top Ale	Red Top Brewing Co	18	42
Schlitz	Jos. Schlitz Brewing Co	18	42
Trim	Genesee Brewing Co	18	42
Tru-Blu	Northampton Brewing Co	18	42
Tru-Blu Old Fashioned	do	18	42
All other beers not listed above, including unlabelled beer and ale.		13	37

Draught beer (State and Federal tax): *Cents*

8-ounce glass	09
10-ounce glass	11
12-ounce glass	13
14-ounce glass	15
16-ounce glass	17
20-ounce glass	21
24-ounce glass	25

All other sizes 1¢ per ounce.

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

APPENDIX B

The brands listed herein are not to be used for the purpose of classification into groups as provided in Section 4 of the order.

Draught beer (State and Federal tax): *Cents*

8-ounce glass	10
9-ounce glass	11
10-ounce glass	12
12-ounce glass	14
14-ounce glass	16
16-ounce glass	18
20-ounce glass	22
24-ounce glass	26

All other sizes 1¢ per ounce.

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

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Budweiser	Anheuser-Busch, Inc	18	42
Canadian Ace	Manhattan Brewing Co	18	42
Canadian Ace Ale	do	18	42
Carling's Red Cap Ale	Brewing Corp. of America	18	42
Kreuzer Cream Ale	G. Krueger Brewing Co	18	42
Loewers	Loewers-Gambrinus Brewing Co	18	42
Miller's High Life	Miller Brewing Co	18	42
National Premium	National Brewing Co	18	42
Pabst Blue Ribbon	Pabst Brewing Co	18	42
Red Top Ale	Red Top Brewing Co	18	42
Schlitz	Jos. Schlitz Brewing Co	18	42
Trim	Genesee Brewing Co	18	42
Tru-Blu	Northampton Brewing Co	18	42
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All other beers not listed above, including unlabelled beer and ale		13	37

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The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

APPENDIX B

The brands listed herein are not to be used for the purpose of classification into groups as provided in Section 4 of the order.

GROUP 2-B

Beer and ale	Brewers	12-ounce	32-ounce
		Cents	*Cents*
Bay State	Commonwealth Brewing Co	18	42
Bay State Ale	do	18	42
Burger Brau	Burger Brewing Co	18	42
Ehrets	Geo. Ehrets Brewing Co	18	42
Esslinger	Esslinger, Inc	18	42
Esslinger (Little Man) Ale	do	18	42
Gold Medal	Commonwealth Brewing Co	18	42
Graham's Ale	Burton Brewing Co	18	42
Holland	Eastern Beverage Corp	18	42
Hornung	Jacob Hornung Brewery	18	42
Kreuger	G. Krueger Brewing Co	18	42
Lion	Greater New York Brewing Co	18	42
Morlein	Burton Brewing Co	18	42
Nectar	Ambrosia Brewing Co	18	42
Oxford	Commonwealth Brewing Co	18	42
Oxford Ale	do	18	42
Victory	do	18	42

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

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Gold Medal	Commonwealth Brewing Co	18	42
Graham's Ale	Burton Brewing Co	18	42
Holland	Eastern Beverage Corp	18	42
Hornung	Jacob Hornung Brewery	18	42
Kreuger	G. Krueger Brewing Co	18	42
Lion	Greater New York Brewing Co	18	42
Morlein	Burton Brewing Co	18	42
Nectar	Ambrosia Brewing Co	18	42
Oxford	Commonwealth Brewing Co	18	42
Oxford Ale	do	18	42
Victory	do	18	42

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 45-9802; Filed, June 5, 1945; 4:43 p. m.]

[Spokane Order 2-R Under Restaurant MPR 2]

ALCOHOLIC BEVERAGES IN WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Spokane, Washington, District Office by Order 3 as amended under Restaurant Maximum Price Regulation No. 2, and by Regional VIII Order of Delegation No. 71, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment offering alcoholic beverages for consumption on the premises, you must on or before April 26, 1945, show on posters to be supplied by the Office of Price Administration, your lowest, lawful ceiling price per drink when the customer does not specify the brand, for each alcoholic beverage listed in section 2 (a) which you offer.

SEC. 2. *Preparation of lists.* (a) Prepare a list in triplicate showing all of the following alcoholic beverages which you offer, the number of ounces served per drink during the week of April 4-10, 1943, and your lowest, lawful ceiling price per drink for each, when the customer does not specify the brand:

Type	Ounces (net)	Ceiling price per drink (cts.)
Sherry wine		
Port wine		
White Port wine		
Muscatel wine		
Tokay wine		
Angelica wine		
Loganberry wine		
Currant wine		
Riesling wine		
Chablis wine		
Burgundy wine		
Zinfandel wine		
Claret wine		
Sauterne wine		

(b) Check your prices carefully to make sure they do not exceed your lawful ceiling prices. Under Restaurant Maximum Price Regulation No. 2, your prices in general may not be higher than those you charged during the week of April 4-10, 1943, for the same quantity.

SEC. 3. *Preparation of posters.* (a) When you have prepared the three copies of the list in accordance with section 2 of this order, copy the items from your list onto the poster.

(b) The list of individual items must be printed in ink on the poster in letters large enough to be easily read by your customers.

(c) You must place the poster in a conspicuous place so that it will be plainly visible to your customers.

SEC. 4. *Filing of list of posted prices.* You must send or deliver the three copies of the list to your local War Price and Rationing Board on or before April 26, 1945. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of your establishment following his signature.

The War Price and Rationing Board shall check the list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on a copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference so that corrections may be made.

SEC. 5. *Adding items to your poster.* You may not sell any alcoholic beverage listed in section 2 (a) unless your lowest, lawful ceiling price per drink for such beverage, when the customer does not specify the brand, appears on your poster. If you wish to add beverages to your poster, you must prepare a supplemental list as set forth in section 2 for the alcoholic beverages you wish to add.

The list must be filed in triplicate with your local War Price and Rationing Board. After you have filed the list you may add the beverages to your poster.

SEC. 6. *Replacement of poster.* Erasures or changes of prices listed on the poster are prohibited. If you make a mistake in preparing the poster or if the poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. The new poster must be filled out to show the correct item and the correct price for each item which appeared or should have appeared in the original.

SEC. 7. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located in the following areas in the State of Washington: All of Ferry, Douglas, Grant, and Benton Counties, and all portions of said State lying east of any of said counties; also all that portion of Okanogan County lying east of Douglas County, and south and east of a line extending north 45 degrees east from the most northerly point in said Douglas County.

This order shall become effective April 26, 1945.

Issued this 13th day of April 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-9799; Filed, June 5, 1945; 4:41 p. m.]

Charlotte Order G-2 Under Gen. Order 50, Amdt. 2]

MALT AND CEREAL BEVERAGES IN CHARLOTTE, N. C. DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Charlotte District Office, Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration and by Region IV Regional Delegation Order No. 17, issued May 5, 1944; *It is hereby ordered:*

That Appendix B to Order No. G-2 under General Order No. 50 be, and the same hereby is, amended to include the following beverages, both as to Group 2-B and Group 3-B sellers:

Beer and ale	Brewers	12-ounce	32-ounce
		Cents	*Cents*
Red Fox	Lazay Brewing Co., Inc	18	42
New England Ale	Commonwealth Brewing Co	18	42

This Amendment No. 2 to Order No. G-2 under General Order No. 50 shall become effective December 4, 1944, and supersede any provisions of said Order No. G-2 which is inconsistent with the provisions of this amendment.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Charlotte, North Carolina, this 28th day of November 1944.

L. WILLIAM DRISCOLL,
District Director.

[F. R. Doc. 45-9801; Filed, June 5, 1945; 4:43 p. m.]

[Region IV Order G-38 Under RMPR 122]

SOLID FUELS IN VIRGINIA

Correction

In Federal Register Document 45-7372, appearing at page 5153 of the issue for Tuesday, May 8, 1945, the eighth line of paragraph (f) (7) should read: "per ton per mile, and may make a mini-".

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 2, 1945.

REGION II

New York Order 3-C, Amendment 7, covering poultry in certain areas in New York and New Jersey. Filed 2:46 p. m.

New York Order 4-C, Amendment 7, covering poultry in certain areas in New York and New Jersey. Filed 2:44 p. m.

New York Order 9-F, Amendment 14, covering fresh fruits and vegetables in the five boroughs in New York. Filed 2:45 p. m.

New York Order 10-F, Amendment 14, covering fresh fruits and vegetables in Nassau and Westchester Counties, New York. Filed 2:44 p. m.

New York Order 12-F, Amendment 7, covering fresh fruits and vegetables in certain counties in New York. Filed 2:45 p. m.

Pittsburgh Order 2-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 2:45 p. m.

Pittsburgh Order 2-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 2:46 p. m.

Scranton Order P-3, Amendment 2, covering fresh fruits and vegetables in Lackawanna and Luzerne Counties and Pottsville in Schuylkill. Filed 2:46 p. m.

Scranton Order 4-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 2:46 p. m.

Wilmington Order P-1, Amendment 7, covering fresh fish in certain areas in Delaware. Filed 2:39 p. m.

Wilmington Order 4-F, Amendment 36, covering fresh fruits and vegetables in certain areas in Delaware. Filed 2:40 p. m.

REGION III

Charleston Order 11-C, Amendment 4, covering poultry in certain areas in West Virginia. Filed 2:40 p. m.

Charleston Order 12-C, Amendment 4, covering poultry in certain areas in West Virginia. Filed 2:40 p. m.

REGION IV

Jacksonville Order 9-F, Amendment 24, covering fresh fruits and vegetables in Jacksonville, Florida. Filed 2:43 p. m.

Jacksonville Order 9-F, Amendment 25, covering fresh fruits and vegetables in Jacksonville, Florida. Filed 2:43 p. m.

Jacksonville Order 11-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Florida. Filed 2:43 p. m.

Jacksonville Order 13-W, Amendment 1, covering dry groceries in certain areas in Florida. Filed 2:47 p. m.

Jacksonville Order 14-W, Amendment 1, covering dry groceries in certain areas in Florida. Filed 2:48 p. m.

Jacksonville Order 40, Amendment 1, covering dry groceries in certain areas in Florida. Filed 2:47 p. m.

Jacksonville Order 41, Amendment 1, covering dry groceries in certain areas in Florida. Filed 2:48 p. m.

Jacksonville Order 42, Amendment 1, covering dry groceries in certain areas in Florida. Filed 2:48 p. m.

Memphis Order 6-F, Amendment 32, covering fresh fruits and vegetables in Memphis and County of Shelby, Tennessee. Filed 2:42 p. m.

REGION VI

Duluth-Superior Order 1-F, Amendment 72, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 2:41 p. m.

North Platte Order 17-F, covering fresh fruits and vegetables in North Platte, Nebraska. Filed 2:42 p. m.

North Platte Order 5-C, covering poultry in certain areas in Nebraska. Filed 2:41 p. m.

North Platte Order 5-CA, covering poultry in certain areas in Nebraska. Filed 2:42 p. m.

North Platte Order 6-C, covering poultry in certain areas in Nebraska. Filed 2:42 p. m.

North Platte Order 6-CA, covering poultry in certain areas in Nebraska. Filed 2:42 p. m.

Sioux City Order 2-F, Amendment 73, covering fresh fruits and vegetables in Sioux City, Iowa and S. Sioux City, Nebraska. Filed 2:41 p. m.

REGION VII

Cheyenne Order 4-C, Amendment 1, covering poultry in certain areas in Wyoming. Filed 2:39 p. m.

Cheyenne Order 6-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Wyoming. Filed 2:40 p. m.

Cheyenne Order 7-F, Amendment 3, covering fresh fruits and vegetables in the Cheyenne Area. Filed 2:39 p. m.

Cheyenne Order 7-F, Amendment 5, covering fresh fruits and vegetables in the Cheyenne Area. Filed 2:39 p. m.

Cheyenne Order 8-F, Amendment 5, covering fresh fruits and vegetables in the Laramie Area. Filed 2:39 p. m.

REGION VIII

Seattle Order 1-OC, Amendments 13 and 14, covering poultry in certain counties in Washington. Filed 2:47 p. m.

Seattle Order 1-OC, Amendments 15 and 16 covering eggs in certain counties in Washington. Filed 2:47 p. m.

Seattle Order 2-O, Amendments 4 and 3, covering eggs in certain counties in Washington. Filed 2:46 p. m.

Seattle Order 2-C, Amendment 11, covering poultry in certain areas in Washington. Filed 2:41 p. m.

Seattle Order 2-C, Amendments 12 and 13, covering poultry in certain counties in Washington. Filed 2:47 p. m.

Seattle Order 15-F, Amendment 28, covering fresh fruits and vegetables in the Yakima, Washington, Area. Filed 2:41 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-9882; Filed, June 7, 1945; 11:54 a. m.]

[Region V Order G-12 Under 18 (c)]

FUELWOOD IN ARKANSAS

Correction

In Federal Register Document 45-7376, appearing in the issue for Tuesday, May 8, 1945, at page 5154, the next to the last paragraph should read as follows:

This order shall become effective this 11th day of April 1945.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1092]

UNITED GAS IMPROVEMENT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of June 1945.

Notice is hereby given that a declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under section 12 (d) and Rule U-44 promulgated thereunder, by The United Gas Improvement Company ("U. G. I."), a registered holding company.

All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transaction therein proposed which is summarized as follows:

U. G. I. proposes to sell to Tennessee Natural Gas Lines, Inc., a non-utility company, all the outstanding capital stock (20,000 shares, par value $100) of Nashville Gas and Heating Company ("Nashville") for a basic consideration of $1,100,000.

U. G. I. requests that the order of the Commission to be issued herein conform to the pertinent requirements of section 1808 (f) of the Internal Revenue Code, as amended.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said declaration, and that said declaration shall not be permitted to become effective except pursuant to further order of the Commission;

It is ordered, That a hearing on said declaration under the applicable provisions of the act and the rules of the Commission thereunder be held on June 15, 1945, at 10:00 a. m., e. w. t., in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That William W. desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before June 10, 1945, his request or application therefor, as provided in Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at such hearing to the following matters:

(1) Whether the proposed consideration to be received for such stock is fair and reasonable;

(2) Whether the maintenance of competitive conditions, fees and commission, accounts, disclosure of interest and similar matters in connection with such proposed sale are such as will permit approval of the proposed sale;

(3) Whether the proposed sale of stock of Nashville shall be exempted from the requirements of Rule U-50;

(4) What terms and conditions, if any, with respect to the proposed transaction should be prescribed in the public interest or for the protection of investors and consumers;

(5) Generally, whether the proposed transaction complies in all respects with the applicable provisions of the act and the rules thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-9834; Filed, June 6, 1945; 4:26 p. m.]

[File No. 70-1094]

MONTANA POWER CO.

ORDER AUTHORIZING SOLICITATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of June, A. D., 1945.

A declaration having been filed by The Montana Power Company on May 29, 1945, pursuant to sections 6 (a) (2) and 7 (e) of the Public Utility Holding Company Act of 1935, regarding a reduction of the stated capital for its common stock from $49,633,300 to $20,700,000 for the purpose of creating a capital surplus of $28,833,300 to be utilized in meeting certain orders of the Montana Public Service Commission and the Federal Power Commission with respect to the company's accounts, and regarding an increase in the stated capital for the preferred stock from $15,869,773 to $15,958,900 for the purpose of stating such capital for the preferred stock at the liquidating value thereof; and

The Montana Power Company having filed, as an amendment to said declaration, a declaration pursuant to section 12 (e) and Rule U-62 thereunder proposing to solicit authorizations from its stockholders for approval of the reduction in the stated capital for the common stock and the increase in the stated capital for the preferred stock and for authority to use the resulting capital surplus in meeting the aforesaid orders with respect to the company's accounts; and

The Montana Power Company having requested that the declaration with respect to such solicitation of authority under section 12 (e) and Rule U-62 be permitted to become effective prior to the issuance of orders by this Commission with respect to the declaration pursuant to sections 6 (a) (2) and 7 (e) in order to permit the vote on the reduction of capital to be taken at the next annual meeting of the stockholders, notice of which must be mailed on or before June 7, 1945; and

Said declaration, pursuant to Rule U-62, having contained copies of the proposed letter of solicitation, copies of all other documents proposed to be transmitted with such letter of solicitation and a full statement of the manner in which the solicitation is proposed to be made; and

It appearing that the solicitation of proxies of the stockholders as proposed to be conducted does not make it necessary or appropriate in the interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the act or the general rules and regulations thereunder for the Commission to issue any order with respect thereto other than an order permitting the declaration with respect to such solicitation to become effective;

It is, therefore, ordered, That, without in any manner passing upon the merits of the declarations filed pursuant to other applicable provisions of the act and the general rules and regulations thereunder, the declaration with respect to solicitation of proxies pursuant to Rule U-62 be and hereby is permitted to become effective forthwith.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-9835; Filed, June 6, 1945; 4:26 p. m.]

WAR PRODUCTION BOARD.

[C-339]

MOORE-GRIGGERS COMPANY, LTD.

CONSENT ORDER

Moore-Griggers Company, Ltd., is a limited partnership composed of James C. Moore and Rayford E. Griggers, with offices at 240 Peachtree Street, N. E., Atlanta, Georgia. It is engaged in the business of distributing, selling and installing air conditioning units. Under a purchase order dated November 14, 1944 and bearing a preference rating of AA-4, it obtained delivery from its supplier of twenty-five (25) three h. p. and fifty (50) five h. p. air conditioning units whereas it was only authorized by the War Production Board to apply a AA-4 preference rating to purchase five (5) three h. p. and five (5) five h. p. air conditioning units. This constituted a violation of War Production Board Priorities Regulation No. 3. Moore-Griggers Company, Ltd. admits the violation and, although denying wilfulness, does not care to contest this issue, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Moore-Griggers Company, Ltd., the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Moore-Griggers Company, Ltd., a limited partnership composed of James C. Moore and Rayford E. Griggers shall not sell, deliver or install any one of the twenty (20) three h. p. nor any one of the forty-five (45) five h. p. excess air conditioning units obtained under said purchase order and in the manner above set forth except on orders bearing a preference rating of AA-3 or higher, nor shall it extend any one of such preference rating orders of AA-3 or higher, upon which any of said specified sixty-five (65) air conditioning units are sold, for the purpose of replacing in its stock any of said units so sold, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing herein contained shall in any way affect the sale, delivery, installation or stock replacement of the remaining ten (10) air conditioning units which Moore-Griggers Company, Ltd. were authorized to and did receive under said purchase order: *Provided, however*, That none of said air conditioning units which Moore-Griggers Company, Ltd. were authorized to receive shall be sold, delivered or installed until the sixty-five (65) air conditioning units described in Paragraph (a) above have been sold and delivered under the provisions and limitations set out therein.

(c) Nothing contained in this order shall be deemed to relieve Moore-Griggers Company, Ltd., a partnership composed of James C. Moore and Rayford E. Griggers, whether doing business under said name or otherwise, or said partners individually, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9866; Filed, June 7, 1945; 11:27 a. m.]

[C 354]

TOLEDO ADVERTISER SHOPPING NEWS

CONSENT ORDER

J. B. Rosenbaum, individually and doing business as Toledo Advertiser Shopping News, 245 Huron Street, Toledo, Ohio, is the publisher of "Toledo Advertiser Shopping News", a free distribution advertising publication, and is charged by the War Production Board with having caused to be consumed during the fourth quarter of 1944 and the first quarter of 1945 paper in the printing of the aforesaid publication in the amount of 55,754 pounds in excess of his consumption quota, in violation of Limitation Order L-241. J. B. Rosenbaum, individually and doing business as Toledo Advertiser Shopping News, admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of J. B. Rosenbaum, individually and doing business as Toledo Advertiser Shopping News, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered*, That:

(a) During the four calendar quarters beginning April 1, 1945, and ending April 1, 1946, J. B. Rosenbaum, individually and doing business as Toledo Advertiser Shopping News, shall reduce his consumption of paper for the printing of the aforesaid publication by consuming, during the second calendar quarter of 1945, at least 8,363 pounds of paper less, during the third calendar quarter of 1945, at least 16,726 pounds of paper less, during the fourth calendar quarter of 1945, at least 16,726 pounds of paper less, and during the first calendar quarter of 1946, at least 13,939 pounds of paper less, than the quota he would otherwise be entitled to consume during the said applicable quarters as specified by the provisions of Limitation Order L-241, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve J. B. Rosenbaum, individually and doing business as Toledo Advertiser Shopping News, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to J. B. Rosenbaum, individually and doing business as Toledo Advertiser Shopping News, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9867; Filed, June 7, 1945; 11:27 a. m.]

[C 355]

STYLECRAFT DIVISION OF L. GORDON & SON, INC.

CONSENT ORDER

The Stylecraft Division of L. Gordon & Son, Inc., 1050 S. Paca Street, Baltimore, Maryland is engaged in the assembly and manufacture of albums, paper wastebaskets and other paper specialties. Between August 1, 1943 and December 31, 1944 the company consumed 117,060 pounds of paper for fillers and covers to manufacture albums in excess of its quota under General Conservation Order M-241-a. During the last three quarters of 1944 the company accepted delivery or used 9,625 square feet and 1,552 pounds of fibre shipping containers in excess of its quota under Limitation Order L-317 in the packing and shipping of wastebaskets.

The Stylecraft Division of L. Gordon & Son, Inc. admits the violations as hereinbefore set forth, does not desire to contest the charge and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Stylecraft Division of L. Gordon & Son, Inc., the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered*, That:

(a) During each of the second, third and fourth quarters of 1945 and the first quarter of 1946, beginning April 1, 1945 and ending March 31, 1946, the Stylecraft Division of L. Gordon & Son, Inc. shall reduce its consumption of paper for fillers and covers in the manufacture of albums to 6,666 pounds. However, if by amendment to General Conservation Order L-241-a, or by any other order of the War Production Board, the company's quota is reduced below 6,666 pounds per quarter, this more restrictive quota shall prevail.

(b) During each of the second, third and fourth quarters of 1945, beginning April 1, 1945 and ending December 31, 1945, the Stylecraft Division of L. Gordon & Son, Inc. shall reduce its use of containerboard content of new fibre shipping containers by 3,208 square feet and by 517 pounds, under the quota it would otherwise be entitled to use during each of these quarters, as specified by the provisions of Limitation Order L-317, unless otherwise authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve the Stylecraft Division of L. Gordon & Son, Inc. from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to the Style-

craft Division of L. Gordon & Son, Inc., its successors and assigns, or any persons acting on its behalf. Prohibition against the taking of any action includes the taking indirectly as well as directly of any such action.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9868; Filed, June 7, 1945; 11:27 a. m.]

[C-356]

EVERETT L. LADD

CONSENT ORDER

Everett L. Ladd, of 4460 East Ten Mile Road, Centerline, Michigan, is charged by the War Production Board with having done construction, during November, 1944, and thereafter, without permission of the War Production Board, of four log houses, at Torch Lake, Kalkaska County, Michigan, the estimated cost of each of which was in excess of the limitations on construction contained in order L-41 and in violation thereof. Everett L. Ladd admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Everett L. Ladd, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Everett L. Ladd shall do no construction on the premises at Torch Lake, Michigan, including putting up, altering or finishing the structures, unless hereafter specifically authorized in writing by the War Production Board or by the Federal Housing Administration.

(b) Nothing contained in this order shall be deemed to relieve Everett L. Ladd from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Everett L. Ladd, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9869; Filed, June 7, 1945; 11:27 a. m.]

[C-357]

J. S. BUSH

CONSENT ORDER

J. H. Bush of 1900 S. Holladay Drive, Seaside, Oregon, is charged by the War Production Board by charging letter dated May 9, 1945 with having commenced and thereafter continued construction of two apartment buildings and a central heating plant at First Avenue and Promenade, Seaside, Oregon, during June 1944 at a cost in excess of the limitations contained in Conservation Order L-41, without War Production Board authorization. J. H. Bush admits the violation as charged, does not desire to contest the charge as made and has consented to the issuance of this order.

Wherefore upon the agreement and consent of J. H. Bush, the Regional Compliance Manager and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither J. H. Bush, his heirs or assigns, nor any other person shall do any construction on the two apartment buildings or central heating plant located at First Avenue and Promenade, Seaside, Oregon, including the putting up or altering of said structures, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve J. H. Bush, his heirs or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9870; Filed, June 7, 1945; 11:27 a. m.]

[C-358]

HENRY J. MEYER

CONSENT ORDER

Henry J. Meyer, of 22104 Roxford Avenue, Detroit, Michigan, is charged by the War Production Board with having done construction, during April, 1945, without permission of the War Production Board, of a house and two-car garage, at Trail's End, Roscommon, Michigan, the estimated cost of which was in excess of the limitations on construction contained in, and in violation of War Production Board Conservation Order L-41. Henry J. Meyer admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Henry J. Meyer, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Henry J. Meyer shall do no construction on the premises at Trail's End, Roscommon, Michigan, including putting up, altering, or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Henry J. Meyer from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Henry J. Meyer, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R. Doc. 45-9871; Filed, June 7, 1945; 11:27 a. m.]

[C-359]

CHURCH SHOE REPAIR SHOP

CONSENT ORDER

J. F. Church, individually and doing business as Church Shoe Repair Shop, with his principal place of business at 131 South Main Street, Bowling Green, Ohio, is engaged in the business of shoe repairing, and is charged by the War Production Board with having done construction, in January, 1945, without permission of the War Production Board, of a store building at an estimated cost in excess of the limitation contained in, and in violation of Conservation Order L-41. J. F. Church admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of J. F. Church, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered*, That:

(a) J. F. Church, individually and doing business as Church Shoe Repair Shop, shall do no construction on the premises at 131 South Main Street, Bowling Green, Ohio, including putting up, altering, or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve J. F. Church, individually and doing business as Church Shoe Repair Shop, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to J. F. Church, individually and doing business as Church Shoe Repair Shop, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9872; Filed, June 7, 1945; 11:27 a. m.]

FERENCE

JUN 15 '45

FEDERAL REGISTER

VOLUME 10 NUMBER 115

Washington, Saturday, June 9, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75-5, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

LAMB SET ASIDE REDUCTION

War Food Order No. 75-5 (10 F.R. 4655) is amended by deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity; quality; specifications.* No Federally inspected slaughterer shall deliver meat unless he shall set aside, reserve, and hold the total amount of each week's production of lamb graded "U. S. Choice", "U. S. Good", and "U. S. Commercial" (not including yearlings or mutton), obtained from lambs whose carcasses weigh from 30 to 70 pounds dressed, both inclusive: *Provided, however,* That governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers may select and purchase not to exceed 20 percent of each grade of lamb so set aside, and upon the delivery or execution of contracts to deliver, to such person or agencies, not less than 20 percent of any grade of lamb so set aside, such slaughterer may deliver to any other person not in excess of 80 percent of such grade of lamb.

This amendment shall become effective at 12:01 a. m., e. w. t., June 10, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-5, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649)

Issued this 8th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-9966; Filed, June 8, 1945; 11:38 a. m.]

[WFO 29, Partial Suspension]

PART 1480—FATS AND OILS

DELIVERY OF CRUDE COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL TO REFINERIES

The provisions of paragraph (b) of War Food Order No. 29 as amended (8 F.R. 15551; 9 F.R. 651; 3252, 4319), are suspended with respect to the delivery of crude oil to and the receipt of crude oil by refiners. Unless otherwise ordered by the Director, this suspension shall remain in effect until September 30, 1945.

This order shall become effective at 12:01 a. m., e. w. t., June 8, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 6th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-9931; Filed, June 7, 1945; 12:20 p. m.]

TITLE 15—COMMERCE

Chapter I—Bureau of the Census, Department of Commerce

[Order 369; Foreign Commerce Statistical Decision 57]

PART 30—FOREIGN TRADE STATISTICS

SHIPMENTS OF FURNITURE, SUPPLIES, AND EQUIPMENT OWNED BY GOVERNMENT OFFICES AND EMPLOYEES

MAY 31, 1945.

Section 30.46 is amended to read as follows:

§ 30.46 *Shipments of furniture, supplies, equipment owned by Government offices and employees.* No export declarations are required for shipments of office furniture, equipment and supplies, household goods and personal property to United States offices or employees in foreign countries or noncontiguous territories for their exclusive use, or for shipments of books, maps, charts, and pamphlets made by United States Government offices to foreign libraries or

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Government establishments or for shipment of military and naval supplies and equipment for the use of United States military and naval forces abroad.

(R.S. 161, sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

H. A. WALLACE,
Secretary of Commerce.

[F. R. Doc. 45-9974; Filed, June 8, 1945; 12:00 m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Rev. Supp. 26]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN HARVESTING OF POTATOES, HAY, ONIONS, WHEAT, BARLEY AND OTHER GRAINS, AND IN PERFORMING GENERAL FARM LABOR FOR ALL FARMING OPERATIONS IN PORTIONS OF MODOC AND SISKIYOU COUNTIES, CALIF.

Supplement No. 26 (formerly referred to as Specific Wage Ceiling Regulation 26), issued September 7, 1944 (9 F.R. 11056, 11389; 10 F.R. 3518), is hereby amended and revised to read as follows:

§ 1102.14 *Wages of workers engaged in harvesting potatoes, hay, onions, wheat, barley and other grains, and in performing general farm labor for all farming operations in portions of Modoc and Siskiyou Counties, California.* Pursuant to § 4091.7 of the regulations of the Economic Stabilization Director relating to wages and salaries, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator, issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations," and based upon certifications of the California WFA Wage Board and the Oregon WFA Wage Board that a majority of the producers of potatoes, a majority of the producers of hay, a majority of the producers of onions, a majority of the producers of wheat, a majority of the producers of barley, a majority of the producers of other grains, a majority of producers engaged in each type of farming operations, and a majority of the producers engaged in all farming operations, in the area described in paragraph (a) of § 1110.2 of this chapter and described in paragraph (a) of this section, have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the California WFA Wage Board and the Oregon WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in harvesting potatoes, hay, onions, wheat and barley and other grains and in performing general farm labor for all farming operations in portions of Modoc and Siskiyou Counties, California, described as follows: Beginning on the Oregon-California state line at the Northwest corner of Township 48 North, Range 3 West, Mt. Diablo Base and Meridian, thence south to the southwest corner of Township 45 North, Range 3 West, Mt. Diablo Base and Meridian, thence east to the southeast corner of Township 45 North, Range 6 East, thence north to the northeast corner of Township 48 North, Range 6 East, M. D. B. M., on the California-Oregon state line, thence west on the California-Oregon state line to point of beginning, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Economic Stabilization Director issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Definitions.* When used in this section:

(1) The term "general farming operations" shall include all services performed in connection with the planting, cultivating, growing, producing and harvesting of agricultural commodities, except those services specifically enumerated in paragraph (c) (2) hereof.

(2) The term "housing" means shelter, such as a tent, cabin or house.

(c) *Maximum wage or salary rates*—(1) *General farm labor.* $1.00 per hour when no housing or other perquisites are furnished, or $200 per month plus housing and other perquisites exclusive of board.

(2) *Harvest labor.* (i) Maximum wage rates for harvesting all varieties of potatoes:

(a) For picking potatoes—5 cents per half sack of 60 pounds.

(b) For all other potato-harvest labor—$1.25 per hour.

(ii) Maximum wage rates for harvesting hay:

(a) For hay stackers—$1.25 per hour.

(b) For all other hay-harvest labor—$1.00 per hour.

(iii) Maximum wage rates for harvesting wheat, barley, and all other kinds of grain:

(a) Header tender—$8.00 per day and board.

(b) Jigger and cartman—$9.00 per day and board.

(c) Sack sewers—$10.00 per day and board.

(d) Truck drivers—$10.00 per day and board.

(e) Machine man (combine or separator) operator—$12.00 per day and board.

(f) Caterpillar drivers (single combine)—$9.00 per day and board.

(g) Caterpillar drivers (2 or more combines)—$10.00 per day and board.

(h) Bucking sacks—$10.00 per day and board.

In the event board is not furnished in connection with any of the maximum wage rates specified in (iii) (a) to (h), inclusive, the rates set out therein may be increased by $1.00 per day.

(iv) Maximum wage rates for harvesting all varieties of onions:

(a) Hand topping and sacking—20 cents per sack of 100 pounds.

(b) Loading, bucking and swamping—$1.25 per hour.

(v) Maximum wage or salary rates for all other harvest labor. The maximum wage or salary rates for all other services than those specified in (c) (2) (iii) and (c) (2) (iv) performed in connection with the harvesting of wheat, barley, or other kinds of grain and onions and the maximum wage or salary rates for all services performed in connection with the harvesting of all other agricultural commodities, except potatoes and hay which are specified in (c) (2) (i) and (c) (2) (ii), shall be the rate specified for general farm labor in paragraph (c) (1) above.

Workers paid on hourly basis in lieu of piece-work rates established herein may be paid at a rate not to exceed the rate established for general farm labor specified in paragraph (c) (1) above. No prequisites may be paid in addition to the maximum wage rates specified above, unless otherwise specifically provided herein. This supplement shall not be construed as establishing maximum wage or salary rates for services performed by farm managers or farm superintendents.

(d) *Administration.* The Oregon WFA Wage Board located at 701 Pittock Block, Portland 5, Oregon, will have charge of the administration of this Supplement 26 in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177).

(e) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This revised Supplement No. 26 shall become effective at 12:01 a. m., Pacific war time, June 9, 1945.

(56 Stat. 765 (1942); 50 U.S.C. App. 961 et seq. (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 7th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-9952; Filed, June 8, 1945; 11:07 a. m.]

[Rev. Supp. 25]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN THE HARVESTING OF POTATOES, HAY, ONIONS, WHEAT, BARLEY AND OTHER GRAINS, AND IN PERFORMING GENERAL FARM LABOR FOR ALL FARMING OPERATIONS IN KLAMATH COUNTY, OREG.

Supplement No. 25 (formerly referred to as Specific Wage Ceiling Regulation 25), issued September 7, 1944 (9 F.R. 11056, 11389; 10 F.R. 3518), is hereby amended and revised to read as follows:

§ 1110.2 *Wages of workers engaged in harvesting potatoes, hay, onions, wheat, barley and other grains, and in performing general farm labor for all farming operations in Klamath County, Oregon.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator, issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944, and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations," and based upon certifications of the Oregon WFA Wage Board and the California WFA Wage Board that a majority of the producers of potatoes, a majority of the producers of hay, a majority of the producers of onions, a majority of the producers of wheat, a majority of the producers of barley, a majority of the producers of other grains, a majority of producers engaged in each type of farming operations, and a majority of the producers engaged in all farming operations, in the area described in paragraph (a) of this section and described in paragraph (a) of § 1102.14 of this chapter, have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Oregon WFA Wage Board and the California WFA

Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in harvesting potatoes, hay, onions, wheat and barley and other grains and in performing general farm labor for all farming operations in Klamath County, Oregon, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Economic Stabilization Director issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Definitions.* When used in this section:

(1) The term "general farming operations" shall include all services performed in connection with the planting, cultivating, growing, producing and harvesting of agricultural commodities, except those services specifically enumerated in paragraph (c) (2 hereof.

(2) The term "housing" means shelter, such as a tent, cabin or house.

(c) *Maximum wage or salary rates*—(1) *General farm labor.* $1.00 per hour when no housing or other perquisites are furnished, or $200 per month plus housing and other perquisites exclusive of board.

(2) *Harvest labor.* (i) Maximum wage rates for harvesting all varieties of potatoes:

(*a*) For picking potatoes—5 cents per half sack of 60 pounds.

(*b*) For all other potato-harvest labor—$1.25 per hour.

(ii) Maximum wage rates for harvesting hay:

(*a*) For hay stackers—$1.25 per hour.

(*b*) For all other hay-harvest labor—$1.00 per hour.

(iii) Maximum wage rates for harvesting wheat, barley, and all other kinds of grain:

(*a*) Header tender—$8.00 per day and board.

(*b*) Jigger and cartman—$9.00 per day and board.

(*c*) Sack sewers—$10.00 per day and board.

(*d*) Truck drivers—$10.00 per day and board.

(*e*) Machine man (combine or separator) operator—$12.00 per day and board.

(*f*) Caterpillar drivers (single combine)—$9.00 per day and board.

(*g*) Caterpillar drivers (2 or more combines)—$10.00 per day and board.

(*h*) Bucking sacks—$10.00 per day and board.

In the event board is not furnished in connection with any of the maximum wage rates specified in (iii) (*a*) to (*h*), inclusive, the rates set out therein may be increased by $1.00 per day.

(iv) Maximum wage rates for harvesting all varieties of onions:

(*a*) Hand topping and sacking—20 cents per sack of 100 pounds.

(*b*) Loading, bucking and swamping—$1.25 per hour.

(v) Maximum wage or salary rates for all other harvest labor. The maximum wage or salary rates for all other services than those specified in (c) (2) (iii) and (c) (2) (iv) performed in connection with the harvesting of wheat, barley, or other kinds of grain and onions and the maximum wage or salary rates for all services performed in connection with the harvesting of all other agricultural commodities, except potatoes and hay which are specified in (c) (2) (i) and (c) (2) (ii), shall be the rate specified for general farm labor in paragraph (c) (1) above.

Workers paid on hourly basis in lieu of piece-work rates established herein may be paid at a rate not to exceed the rate established for general farm labor specified in paragraph (c) (1) above. No perquisites may be paid in addition to the maximum wage rates specified above, unless otherwise specifically provided herein. This supplement shall not be construed as establishing maximum wage or salary rates for services performed by farm managers or farm superintendents.

(d) *Administration.* The Oregon WFA Wage Board located at 701 Pittock Block, Portland 5, Oregon, will have charge of the administration of this Supplement 25 in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177).

(e) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Revised Supplement No. 25 shall become effective at 12:01 a. m., Pacific War Time, June 9, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 7th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-9951; Filed, June 8, 1945; 11:07 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 53—RETIREMENT

Correction

In Federal Register document 45-6844, appearing at page 4685 of the issue for Tuesday, May 1, 1945, the following changes should be made:

1. The eighteenth line of § 53.9 (d) should read as follows: "addressed furnished by him for confirma-".

2. In § 53.102 (f) (5) the act of December 21, 1944 should be cited as Public Law 525.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 55 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-807]

LESTER T. FAY

Lester T. Fay, 3316 Northeast 18th Street, Fort Lauderdale, Florida, between July 1 and August 14, 1944 did construction without authorization from the War Production Board on his residence located at 3316 Northeast 18th Street, Fort Lauderdale, Florida. The construction consisted of the erection of a new residence and before construction was discontinued approximately $3,000.00 had been expended, thus exceeding the limit of $200.00 permitted by Conservation Order L-41 as amended June 20, 1944.

Lester T. Fay was aware of War Production Board restrictions on construction and doing this construction without authorization constituted a wilful violation of said order. This violation of Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.807 *Suspension Order No. S-807.* (a) Lester T. Fay shall not do any construction on the premises known as 3316 Northeast 18th Street in the City of Fort Lauderdale, Florida, including the putting up or altering construction located on said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) The restrictions and prohibitions contained herein shall apply to Lester T. Fay, his successors or assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve Lester T. Fay, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9948; Filed, June 7, 1945; 4:30 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-809]

STANDARD TRAVELLING GOODS CO. INC.

Standard Travelling Goods Co. Inc. is a corporation engaged in the manufacture of luggage, at 331 Race Street, Philadelphia, Pennsylvania. During the calendar semi-annual period from January 4, 1944 to June 30, 1944, the corporation produced luggage having a net dollar volume of approximately $27,076. in excess of its quota, and during the semi-annual period from July 1, 1944 to December 31, 1944, it produced luggage having a net dollar volume of $5,258. in excess of its quota, each in violation of Limitation Order L-284. During the four quarters of 1944 the company exceeded its production schedule of $12,800. per quarter assigned on Form WPB 2613 for the production of luggage pursuant to Priorities Regulation 11-B, by a total of $43,322. During the calendar year 1944 the company failed to maintain adequate records covering its production and extension of ratings and otherwise keep complete and accurate records, in violation of Priorities Regulation No. 1.

The responsible officers of Standard Travelling Goods Co. Inc. were familiar with the provisions of Limitation Order L-284, Priorities Regulations Nos. 1 and 11-B, and its actions constituted wilful violations thereof. These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.809 *Suspension Order No. S-809.* (a) During each of the last three quarters of 1945 and the first quarter of 1946, beginning April 1, 1945 and ending March 31, 1946, Standard Travelling Goods Co. Inc. shall reduce the net dollar volume of its production of civilian luggage by $8,000. under the amount which it otherwise would be entitled to produce during this period, as specified by its production schedule assigned on Form WPB 2613, pursuant to Priorities Regulation 11-B, unless otherwise specifically authorized in writing by the War Production Board. This provision for reduction shall not apply to luggage produced for Post Exchanges and Ships' Service Stores.

(b) Nothing contained in this order shall be deemed to relieve Standard Travelling Goods Co. Inc. from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Standard Travelling Goods Co. Inc., its successors and assigns, or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9949; Filed, June 7, 1945; 4:31 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-112, Revocation]

CITY OF PAWTUCKET

Suspension Order No. S-112 was issued October 15, 1942, against the City of Pawtucket, Rhode Island, for violation of Supplementary Conservation Order No. L-41-a. The Chief Compliance Commissioner has directed that Suspension Order No. S-112 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.112 *Suspension Order No. S-112* be revoked, effective June 7, 1945.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9945; Filed, June 7, 1945; 4:30 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-119, Revocation]

APRIL SHOWERS CO.

Suspension Order No. S-119 was issued October 29, 1942, against April Showers Company, Washington, D. C. for violation of Supplementary Orders M-9-c and M-9-c-4. In view of the fact that Supplementary Orders M-9-c and M-9-c-4 were revoked on May 12, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-119 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.119 *Suspension Order No. S-119* be revoked, effective June 7, 1945.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9946; Filed, June 7, 1945; 4:30 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-294, Revocation]

ANDERSON FUR CO.

Suspension Order No. S-294 was issued April 23, 1943, against Anderson Fur Company, 106 South Main Street, Fall River, Massachusetts, for violation of Conservation Order L-41. In view of the fact that Conservation Order L-41 was amended May 29, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-294 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.294 *Suspension Order No. S-294* be revoked, effective June 7, 1945.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9947; Filed, June 7, 1945; 4:30 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 31]

PRODUCTION AND ORDER ADJUSTMENTS

The following interpretation is issued with respect to CMP Regulation 1:

(a) It is important that requirements of WPB regulations requiring cancellation of orders, ratings, and return of allotments be carefully followed.

(b) It is necessary that ratings and authorized controlled material orders no longer needed for their original purpose be promptly cancelled in order to open up suppliers' order boards. WPB will be unable to relax many of its remaining controls until it can be sure of the existence of substantial supplies that will flow without ratings.

(c) It is important that allotments be promptly returned. The return of unused allotments is the only definite way WPB can determine the effect of military cutbacks on the supply of controlled material. Rapid relaxation of WPB controls depends upon early and accurate information of supply and demand for materials during the third and fourth quarters of 1945. Your attention is called to the following requirements.

(d) Actions which must be taken by a Class A product manufacturer. When the manufacturer of a Class A product has an order cancelled or adjusted by his customer so that an allotment can no longer be used under paragraph (u) of CMP Regulation 1, he must: (1) promptly cancel any authorized controlled material order, allotments and rated orders for other materials, components and containers based on his customer's allotments; and (2) promptly return to his customer any unused allotments together with all allotments returned from his suppliers. He should demand that his suppliers of Class A products also cancel their authorized controlled material orders and return the unused allotments they will have as consequence of the cancellations. (See paragraphs (l), (u) (2), and (w) of CMP Regulation 1.)

(e) Actions which must be taken by Class B product manufacturers. Although Class B product allotments are not related to particular orders, the cancellation of a customer's order for a B product may require the cancellation of orders upon suppliers. If, after receiving cancellation, a manufacturer does not intend to continue making his B product at the same high rate, he must, to the extent he reduces the level of B product production, promptly cancel or reduce any use he has made of the allotment, insist on returns of unused allotments from his suppliers of Class A products and return the total promptly to the War Production Board. (See paragraph (u) (2) of CMP Regulation 1.) Similar rules apply to manufacturers who have received preference ratings and a production schedule on Form WPB-2613 ("unclassified products" under Priorities Regulation 11B).

(f) Actions which must be taken by other manufacturers. Manufacturers of products which contain no controlled materials, who obtain production materials, through extension of their customers' ratings must adjust

their rated purchase orders for materials, components, and containers upon receipt of an adjustment of a rated order from their customer. General requirements covering adjustment of rated orders are contained in Priorities Regulation 1.

(g) It is suggested that copies of this interpretation be furnished your suppliers. Copies may be obtained from your local field office or by addressing the War Production Board, Business Services Branch, Washington 25, D. C.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9965; Filed, June 7, 1945; 11:27 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Revocation of Table 3]

ALUMINUM AND MAGNESIUM DIVISION

Section 3208.4 *Table 3 of General Scheduling Order M-293* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture, use and delivery of aluminum forgings remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9962; Filed, June 8, 1945; 11:18 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-81, as Amended Apr. 6, 1945, Amdt. 1]

CANS

Section 3270.31 *Conservation Order M-81* is amended in the following respect:

1. Paragraph (f-1) of the order is amended to read as follows:

(f-1) *Prohibition against cans and bails.* No person shall manufacture, and no packer shall use a tinplate or terneplate can which is equipped with ears or bails except cans to pack honey or cans to be delivered either packed or empty to the Army or the Navy.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9960; Filed, June 8, 1945; 11:18 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b, Revocation of Direction 2]

SECOND QUARTER 1945 CMP ALUMINUM ALLOTMENTS FOR CLOSURES

Direction 2 to Supplementary Order L-103-b is revoked. This revocation does not affect any liabilities incurred for violations of the direction or of actions taken by the War Production Board under the direction. The manufacture of closures remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9958; Filed, June 8, 1945; 11:17 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, as Amended Apr. 30, 1945, Amdt. 2]

FIBRE SHIPPING CONTAINERS: MANUFACTURE, DELIVERY AND USE

Section 3270.6 *Limitation Order L-317* is amended in the following respects:

The last paragraph of paragraph (m) (2) is amended to read as follows:

In computing his "maximum permitted inventory" as described above, a person must exclude any fibre shipping containers in his inventory which he expects to use for packing drugs, medicinals, pharmaceuticals, biologicals or seasonal foods. Such containers are exempt from the inventory restrictions of this paragraph and the "practical minimum working inventory" provision in § 944.14 of Priorities Regulation 1 (and Interpretation 1A of that regulation) shall apply to them.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9959; Filed, June 8, 1945; 11:18 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-7-c and Schedule XI, Revocation]

DOMESTIC ICE REFRIGERATORS

Sections 3291.16 and 3291.27 *Limitation Order L-7-c and Schedule XI to L-7-c* are revoked. Manufacturers may now produce and deliver domestic ice refrigerators without regard to the provisions of Limitation Order L-7-c, any schedules issued to it, or any grant of appeal or authorization relaxing its restrictions. This revocation does not affect any liabilities incurred for violation of the order, any schedules issued to it or any actions taken by the War Production Board under it. The manufacture and delivery of domestic ice refrigerators remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9944; Filed, June 7, 1945; 4:31 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 103 as Amended June 8, 1945]

MALEIC, FUMARIC, "CARBIC" AND PENTAERYTHRITOL OILS AND RESINS

§ 3293.10103 *Schedule 103 to General Allocation Order M-300*—(a) *Definition.* "Maleic, fumaric, 'Carbic' and pentaerythritol oils and resins" means:

(1) Any reaction product of maleic, fumaric, or "Carbic" acid or anhydride, with a polyhydric alcohol, whether or not modified with other materials; or

(2) Any reaction product of technical grade pentaerythritol or its polymers with rosin or its derivatives or with polybasic acids, or with oils or their acids, whether or not modified with other materials. The term includes, but is not limited to synthetic resins, mixing varnishes and treated drying oils normally used in protective coatings. The term shall not include those synthetic resins or plastics which are allocated under Schedule 17 (acrylic resins), Schedule 19 (polystyrene), Schedule 34 (urea and melamine aldehyde resins), Schedule 54 (vinyl polymers), Schedule 59 (phthalic alkyd resins) or Schedule 87 (phenolic resins).

(b) *General provisions.* Maleic, fumaric, "Carbic" and pentaerythritol oils and resins are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is June 1, 1945. The allocation period is the calendar month. The small order exemption is 125 pounds (solvent free basis) aggregate of all types per person per month.

(c) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947, on or before the 12th day of the month before the proposed month of delivery or use. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-103. The unit of measure is pounds, solvent free basis. File separate sets of forms for each of the following classes, marking on the upper right hand margin of the form the proper class designation:

Type A for oils or resins containing pentaerythritol but no maleic or fumaric acid or anhydride;

Type B for oils or resins containing both pentaerythritol and maleic or fumaric acid or anhydride;

Type C for oils or resins containing maleic acid or anhydride but no pentaerythritol;

Type D for all other oils or resins as defined in paragraph (a) above which are not included in Types A, B or C above.

In the heading of Column 1 write in "Grade" and strike out "Customer's Name and Delivery Destination". In Column 1 specify grade in terms of trade mark or code designation in the case of resins or oils containing more than 5% by weight (based on total weight of resin or oil, solvent free) of the following reactants in the aggregate: pentaerythritol, maleic acid or anhydride, fumaric acid. In the case of resins or oils containing 5% or less of these reactants specify "miscellaneous resins" or "miscellaneous oils" as the grade in Column 1. In Column 1a list each class of certified end use opposite each grade in Column 1, and list the requested quantity for each grade and class of use in Column 5 (customers' names shall not be specified). Following the various end uses listed in Column 1a for each specific grade, an aggregate quantity may be requested for each grade for delivery on uncertified exempt small orders (by specifying "aggregate small orders" in Column 1a and the total quantity in Column 5). Fill in Table II.

(d) *Customers' certificate of end use.* (1) Each person placing purchase orders for delivery per month in the aggregate from all suppliers of more than 125 pounds (solvent free basis) of maleic, fumaric, "Carbic" and pentaerythritol oils and resins, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M-300. End use for protective coating purposes shall be stated in terms of the end use groups of Direction 2 to M-300. For non-protective coating purposes, state primary product and specific end use. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", and "for export" (specify destination and approved export license number or UNRRA requisition number). Customers' certified purchase orders should be sent to suppliers on or before the 5th day of the month preceding the proposed delivery month.

(2) The above certification requirements shall apply to orders placed or to be placed for delivery during May, 1945, as well as for delivery after the initial allocation date (June 1, 1945). On and after May 1, 1945, no supplier shall fill any order for a quantity required by this schedule to be certified unless the order has been certified, and no person who receives maleic, fumaric, "Carbic" or pentaerythritol oils or resins on a certified order shall use or redeliver such oils or resins for any purpose not covered by the certification, unless specifically authorized in writing by the War Production Board.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-103.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9962; Filed, June 8, 1945; 11:17 a. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 77]

WILSON & CO. ET AL.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Wilson & Co. et al., Chicago, Illinois; Case No. S-2150.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Locals Nos. 710, 721 and 742 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America and certain concerns engaged in the transportation of meat and meat products in and around Chicago, Illinois.

I find that the transportation of meat and meat products by any such concerns pursuant to any contract, whether or not with the United States to and from any plant or facility equipped for producing any articles, commodities or materials which may be required or useful in the prosecution of the war, or to or from any establishment engaged in wholesaling or storing any such articles, commodities or materials is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 7th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-9964; Filed, June 8, 1945; 11:37 a. m.]

[WLD 78]

MERCURY MOTORS, INC.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Mercury Motors, Inc., Memphis, Tennessee; Case No. S-2136.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Local Unions Nos. 667, 878 and 373 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America and Mercury Motors, Inc. engaged in transportation activities in and around Memphis, Tennessee.

I find that the transportation of goods, articles and commodities by the Mercury Motors, Inc. pursuant to any contract, whether or not with the United States, to or from any plant, mine or facility equipped for manufacturing, producing or mining any articles or materials which may be required or useful in the prosecution of the war, or from or to any establishment engaged in wholesaling or storing any such articles or materials, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 7th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-9965; Filed, June 8, 1945; 11:37 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4856]

So-Lo WORKS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D., 1945.

In the matter of The Perfect Manufacturing Company, a corporation, trading and doing business as the So-Lo Works.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, June 19, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Court Room Number 2, Room 820, Federal Building, Cincinnati, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9967; Filed, June 8, 1945; 11:40 a. m.]

[Docket No. 5281]

LILEE PRODUCTS CO. AND PAUL GRANT ADVERTISING AGENCY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D. 1945.

In the matter of Lee Goldstine and Lillian Goldstine, individuals trading as Lilee Products Company and Paul Grant, an individual trading as Paul Grant Advertising Agency.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, June 21, 1945, at ten o'clock in the forenoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9968; Filed, June 8, 1945; 11:40 a. m.]

[Docket No. 5292]

CHARLES A. GEARING

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, June 27, 1945, at ten o'clock in the forenoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9969; Filed, June 8, 1945; 11:40 a. m.]

[Docket No. 5132]

ZO-LON CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 5th day of June A. D. 1945.

In the matter of A. T. Wilson, an individual, trading as Zo-Lon Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, June 22, 1945, at ten o'clock in the forenoon of that day (central standard time), in Hearing Room (Office of Building Manager), Records Building, Dallas, Texas.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9970; Filed, June 8, 1945; 11:40 a. m.]

[Docket No. 5142]

BLUMENTHAL PRINT WORKS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of June, A. D. 1945.

In the matter of Sidney E. Blumenthal, Harry J. Blumenthal and Mrs. Ruby S. Blumenthal, trading as Blumenthal Print Works.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, June 28, 1945, at ten o'clock in the forenoon of that day (Central Standard Time), in Hearing Room, 1107 Pere Marquette Building, New Orleans, Louisiana.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9971; Filed, June 8, 1945; 11:41 a. m.]

[Docket No. 5259]

DOUBLEWEAR SHOE CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of June A. D. 1945.

In the matter of Harry G. Kuechle, an individual, trading as Doublewear Shoe Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, June 22, 1945, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 307, United States Court House, Minneapolis, Minnesota.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9972; Filed, June 8, 1945; 11:41 a. m.]

[Docket No. 5264]

FLEMING & SONS, INC., AND COUCHMAN ADVERTISING AGENCY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of June, A. D. 1945.

In the matter of Fleming & Sons, Inc., a corporation, and Albert Couchman, an individual doing business under the name of Couchman Advertising Agency.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 18, 1945, at ten o'clock in the forenoon of that day (Central Standard Time), in Hearing Room (Office of Building Manager), Records Building, Dallas, Texas.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-9973; Filed, June 8, 1945; 11:41 a. m.]

WAR PRODUCTION BOARD.

[C-350]

WATERBURY BUCKLE CO.

CONSENT ORDER

Waterbury Buckle Company, located at 952 South Main Street, Waterbury, Connecticut, engaged in the manufacture of buckles and metal specialties in brass and steel, is charged by the War Production Board in a letter dated April 26, 1945 with having manufactured by means of processing, assembling or finishing certain items between July 1, 1943 and January 31, 1945 which items contain 1,003 pounds of copper products or copper base alloy products. This manufacture constituted a violation of War Production Board Order M-9-c which order prohibits the manufacture by means of processing, assembling, or finishing of certain listed items, if such items contain copper products or copper base alloy products. Waterbury Buckle Company admits the violation but denies that it was wilful and does not care to contest the issue of wilfulness.

Wherefore upon the agreement and consent of Waterbury Buckle Company, the Regional Compliance Manager, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Waterbury Buckle Company nor its successors or assigns, will use any brass or copper anodes and brass plating of any items other than those items covered by "defense orders" as defined in Priorities Regulation No. 1, for a period of four months from the date of issue of this order.

(b) Nothing contained in this order shall be deemed to relieve Waterbury Buckle Company, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9953; Filed, June 8, 1945; 11:17 a. m.]

[C-360]

ARTHUR PLESUM

CONSENT ORDER

Arthur Plesum, Route 2, Au Gres, Michigan, is charged by the War Production Board with having done construction, during the period from June, 1942, to April 26, 1945, said construction not being continuous during that period, without permission of the War Production Board, of a residence and office building at Hammell Beach, Au Gres, Michigan, the estimated cost of which was in excess of the limitations contained in, and in violation of War Production Board Conservation Order L-41. Arthur Plesum admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Arthur Plesum, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Arthur Plesum shall do no construction on the aforesaid residence and office building at Hammell Beach, Au Gres, Michigan, including putting up, altering or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Arthur Plesum from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Arthur Plesum, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9954; Filed, June 8, 1945; 11:17 a. m.]

[C-361]

HERALD-RECORD CO.

CONSENT ORDER

Herald-Record Company, a Michigan corporation, publisher of Traverse City Record Eagle, Traverse City, Michigan, is charged by the War Production Board with having used, during the first and third quarters of 1945, print paper for the printing of Traverse City Record Eagle in the amount of 11,801 pounds in excess of its quota, in violation of Limitation Order L-240. Herald-Record Company admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Herald-Record Company, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Herald-Record Company shall, during the second quarter of 1945, beginning April 1, 1945, and ending July 1, 1945, reduce its use of print paper for the printing of Traverse City Record Eagle by using, during said period, at least 11,801 pounds less than the quota it would otherwise be entitled to use during said quarter as specified by the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Herald-Record Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Herald-Record Company, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect as of April 1, 1945, and shall expire on July 1, 1945.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9955; Filed, June 8, 1945; 11:17 a. m.]

[C-362]

GLO-LITE LIGHTING CO., INC.

CONSENT ORDER

The Glo-Lite Lighting Company, Inc., a New York corporation, located at 233 West 42nd Street, New York City, is a manufacturer of portable desk lamps and electric hot plates. William Mahler is President of said corporation and its operating head. The corporation is charged by the War Production Board with wilful violations of Limitation Order L-65 and Priorities Regulation No. 1 in that (1) it produced 830 new electrical appliances, namely hot plates, for

purposes other than repair or replacement and in fulfilment of orders which were not preferred orders as defined in Limitation Order L–65; (2) it transferred the physical possession of and title to 830 new electrical appliances, namely, hot plates, which appliances were manufactured after June 17, 1943 and the transfer of which was not in fulfilment of preferred orders nor pursuant to specific authorization of the War Production Board as required by Limitation Order L–65; (3) it failed to keep and preserve accurate and complete records of its inventory, production, purchases and sales of hot plates and records of purchase orders covering materials received and used in the manufacture and assembly of hot plates as required by Priorities Regulation No. 1.

The violations in question began on July 16, 1943 and continued to July 18, 1944. Glo-Lite Lighting Company, Inc. and William Mahler, individually, admit the violations charged and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of Glo-Lite Lighting Company, Inc. and William Mahler, individually, the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Glo-Lite Lighting Company, Inc. and William Mahler, individually, their successors and assigns, shall not manufacture, assemble or deliver any electrical appliances as defined in Limitation Order L–65, or component parts thereof except as hereafter specifically authorized in writing by the War Production Board.

(b) Glo-Lite Lighting Company, Inc. and William Mahler, individually, their successors and assigns, shall not apply or extend any preference rating or use any CMP allotment symbol pursuant to the provisions of Priorities Regulation No. 27 or any amendments or supplements thereto.

(c) The restrictions contained in paragraph (a) hereof shall not apply to the delivery of component parts of electrical appliances when such delivery is to be made for maintenance, repair or operating supplies as the same may be authorized and permitted by any applicable order.

(d) Nothing contained in this order shall be deemed to relieve Glo-Lite Lighting Company, Inc. and William Mahler, individually, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on date of issuance and shall expire on December 8, 1945.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9956; Filed, June 8, 1945; 11:17 a. m.]

[C–363]

TWO SIZE DRESSES, INC., AND BON-LEE FASHIONS

CONSENT ORDER

Two Size Dresses, Inc., a New York corporation, was formerly located at 463 Seventh Avenue, New York City, and was engaged in the manufacture of rayon dresses and housecoats. Benjamin Rich and Jack Rich were officers and principal stockholders of said company, Benjamin Rich serving as President and Jack Rich as Secretary-Treasurer. Two Size Dresses, Inc., is charged by the War Production Board with wilful violations of Priorities Regulation No. 1 and section 35 (a) of the United States Criminal Code in that (1) it filed with the War Production Board, on Form WPB–541, applications requesting priority assistance to purchase 14,400 yards of rayon fabric. In these applications, it falsely represented to the War Production Board that that amount of rayon fabric was required to manufacture 4,650 dresses and did not exceed the quantity of such material which was needed to fill certain export orders then on hand. However, said representations so made to the War Production Board were false, in that the export orders then held by Two Size Dresses, Inc., required that company to deliver only 26 dresses which would consume approximately only 104 yards of rayon fabric; (2) it received rayon fabric pursuant to purchase orders bearing preference ratings of AA–5 which ratings had been assigned to Two Size Dresses, Inc. in accordance with certain applications for priority assistance which had been filed with the War Production Board. However, Two Size Dresses, Inc. did not use or dispose of such material for the purposes indicated in said applications and authorized by the War Production Board.

The violations in question began on May 10, 1944 and continued to October 30, 1944. On or about January 31, 1945, Two Size Dresses, Inc. discontinued its business and the company is now in the process of formal dissolution. On March 1, 1945, Benjamin Rich and Jack Rich, previously mentioned, entered into a partnership agreement and began doing business thereunder under the trade name and style of Bon-Lee Fashions located at 28 West 38th Street, New York City. The business operations now being conducted by Benjamin Rich and Jack Rich under the trade name and style of Bon-Lee Fashions are substantially the same as those which were formerly carried on by Two Size Dresses, Inc. Benjamin Rich and Jack Rich do now individually admit the violations which were previously charged against Two Size Dresses, Inc. and each of them has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Benjamin Rich and Jack Rich and the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of cotton, rayon and woolen fabrics to Benjamin Rich and Jack Rich whether doing business under the trade name and style of Bon-Lee Fashions, or otherwise, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by any preference rating order, preference rating certificate, general preference order, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Benjamin Rich and Jack Rich whether doing business under the trade name and style of Bon-Lee Fashions, or otherwise, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance and shall expire on December 8, 1945.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9957; Filed, June 8, 1945; 11:17 a. m.]

[Certificate 214]

WINTERIZED MEDIUM PRESSURE HYDRAULIC HOSE FOR MILITARY AIRCRAFT

APPROVAL OF AGREEMENT TO EXCHANGE AND USE TECHNICAL INFORMATION

The ATTORNEY GENERAL.

I submit herewith a proposed "Agreement to Exchange and Use Technical Information for Winterized Medium Pressure Hydraulic Hose for Military Aircraft", to be effective as of January 8, 1945, between The United States of America; the United States Rubber Company; The B. F. Goodrich Company; The Goodyear Tire & Rubber Company; Electric Hose & Rubber Company; and Raybestos-Manhattan, Inc. The agreement is recommended for certification by the War Department.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the agreement; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing or the omission to do any act or thing, by the parties to the agreement in compliance with the terms thereof is requisite to the prosecution of the war.

Dated: June 4, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-9963; Filed, June 8, 1945; 11:27 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 500A-143]

COPYRIGHTS OF R. OLDENBOURG AND INSEL-VERLAG, GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on March 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A For [illegible]	Handbuch der Gasindustrie. 1938, v. 1: Gaserzeugungsöfen.	Karl Horst Brückner (nationality not established).	R. Oldenbourg, München, Germany (nationality German).	Owner.
Unknown	Karl und Anna. 1928. Published in 1929	Leonhard Frank (nationality not established)	Insel-Verlag, Leipzig, Germany (nationality German).	Owner.

[F. R. Doc. 45-9854; Filed, June 7, 1945; 11:05 a. m.]

[Vesting Order 500A-150]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument,

accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 20, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Beitrage zur Geschichte der Romanismen. 1. Chronologische Phonetik des Franzosischen bis zum ende des x. Jahrhunderts, 1934	Elise Richter (nationality not established).	Max Niemeyer Verlag, Halle (Saale), Germany (nationality German).	Owner.
Unknown	Die Zwischenprodukte der Teerfarbenfabrikation, ein Tabellenwerk für den Praktischen Gebrauch, 1920.	Otto Lange (nationality not established).	Verlag von Otto Spamer, Leipzig, Germany (nationality German).	Owner.
Unknown	Das grosse Kurzwellen-und Ultrakurzwellen-Empfänger-Schaltungsbuch. 2. vollig neubearb. und erweit. Aufl., 1942. (Deutsche Radio-Bucherei. Bd. 70).	Werner W. Diefenbach (nationality not established).	Deutsch-Literarisches Institut, Berlin, Germany (nationality German).	Owner.
Unknown	Aluminium-Freileitungen, ein Hilfsbuch (für die Planung und den Bau von Starkstrom-Freileitungen. 6 Aufl., 1943.	Paul Behrens, L. Lux, and J. Netzer (nationalities not established).	Aluminium-Zentrale, Berlin, Germany (nationality German).	Owner.
A For 5000	Analyse der Azofarbstoffe, 1929	Albert Brunner (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Vorlesungen uber Maschinenelemente. 2. vollständig neubearb. Aufl., 1940.	Maurits ten Bosch (nationality not established).	Julius Springer Berlin, Germany (nationality German).	Owner.
Unknown	Chemotherapie bakterieller Infektionen. 2. verb. und erweit. Aufl., 1944	Gerhard Domagk and Carl Hegler, (nationalities not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.
Unknown	Titanweiss, 1936. (Technische Fortschritts-berichte. Bd. 37.)	Kurt Heise (nationality not established).	T. Steinkopf, Dresden, Germany (nationality German).	Owner.
Unknown	Kosmische Strahlung, 1943	Werner Heisenberg, ed. (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.

[F. R. Doc. 45-9855; Filed, June 7, 1945; 11:05 a. m.]

[Vesting Order 500A-151]

COPYRIGHTS OF JULIUS SPRINGER AND J. F. LEHMANN, GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 20, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Die Eingriffe an der Brust und in der Brusthöhle, 1940 (Dritter Band-Dritter Teil of Allgemeine und Spezielle Chirurgische Operations-lehre).	Otto Kleinschmidt (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Zur Chemie der Kunststoffe. 2. neu filerarbeit und erweit. Aufl., 1941.	Emil Dreher (nationality not established).	J. F. Lehmann, München, Germany (nationality German).	Owner.

[F. R. Doc. 45-9856; Filed, June 7, 1945; 11:05 a. m.]

[Vesting Order 500A-152]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A for [illegible]	Codicum Novi Testamenti Specimina, 1929	Heinrich Josef Vogels of Germany (nationality German).	Peter Hanstein, Bonn Rh., Germany (nationality German).	Author and owner.
A for [illegible]	Wieder erstehende Babylon, 1925	Robert Koldewey, of Germany (nationality German).	J. C. Hinrichs' sche buchhandlung, Blumengasse 2, Leipzig, Germany (nationality German).	Author and owner.

EXHIBIT A—Continued

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Die Inschriften der jüdischen Katakombe am Monteverde zu Rom, 1919.	N. Müller (nationality not established).	Gesellschaft zur Förderung der Wissenschaft des Judentums in Berlin, Berlin, Germany (nationality German).	Owner.
A For. 27004	Aerodynamik. 2. völlig neubearb. neubearb. und ergänzte Aufl., 1934-35, 2 vols.	Richard Fuchs, L. Hopf, and F. Seewald (nationalities not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
A For. 35055	Allaminothermie. 1925. (Chemie und Technik der Gegenwart. Bd. 5).	Karl Goldschmidt (nationality not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.
Unknown	Hormontherapie, 1943 (Beiträge zur Arzneimittel-therapie. Bd. 11).	Arnold Loeser and Hellmuth Marx (nationalities not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.
Unknown	Kurze Einführung in die Kolloidchemie, unter besonderer Berücksichtigung der anorganischen Kolloide, 1944.	Alfred Lottermoser (nationality not established).	T. Steinkopff, Dresden, Germany (nationality German).	Owner.
Unknown	Lehrbuch der Elektrizität und des Magnetismus. Eine Experimentalphysik des Weltäthers für Physiker, Chemiker, Elektrotechniker. 2. vollständig umgearb. Aufl., 1941.	Gustav Mie (nationality not established).	F. Enke, Stuttgart, Germany (nationality German).	Owner.
A For. 24315	Rohrhydraulik, 1934	Hugo Richter (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Die Elektronenröhre als physikalisches Messgerät. Röhrenvoltmeter, Röhrengalvanometer, Röhrenelektrometer. 2. neubearb. und erg. Aufl., 1943.	Josef Schintlmeister (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
A For. 14087	Ernährungslehre, Grundlagen und Anwendung, 1939.	Wilhelm Otto Stepp (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Lehrbuch der Hochfrequenztechnik. 3. verb. und erweit. Aufl., 1942-43. 2 vols.	Fritz Vilbig (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
A For. 1059	Die Malzextrakte, 1928	Josef Weichherz (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.

[F. R. Doc. 45-9857; Filed, June 7, 1945; 11:06 a. m.]

[Vesting Order 500A-153]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 30, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Differential-gleichungen Reeller Funktionen, 1930.	E. Kamke (nationality not established).	Akademische Verlagsgesellschaft, m. b. H., Leipzig, Germany (nationality German).	Owner.
Unknown	Grundlagen der Analysis, 1930	Edmund Landau (nationality not established).	Akademische Verlagsgesellschaft, m. b. H., Leipzig, Germany (nationality German).	Owner.
Unknown	Vorlesungen über Reelle Funktionen, 1927	Constantin Carathéodory (nationality not established).	D. G. Teubner, Leipzig, Germany (nationality German).	Owner.
Unknown	Naphtanverbindungen, Terpene und Kampherarten, 2 kl. Pinushars-säuren sowie Körper der Kautschukgruppe, 1929.	Ossian Aschan (nationality not established).	Walter de Gruyter, Berlin, Germany (nationality German).	Owner.
Unknown	Das Hartverdrommungsverfahren. Die elektrolytische Ausscheidung von Hartchrom, Arbeitstechnik und Anwendungsgebiete. 2., wesentlich erweit. stark verm. Aufl., 1943.	Robert Bilfinger (nationality not established).	Beyer, Leipzig, Germany (nationality German).	Owner.
Unknown	Einführung in die innere Ballistik, 1942	E. Bellé (nationality not established).	Vieweg, Braunschweig, Germany (nationality German).	Owner.
A For. 17884	Die Metallseifen. 1932	Hans Julius Braun (nationality not established).	Spamer, Leipzig, Germany (nationality German).	Owner.
Unknown	Knickung, Kippung, Beulung. 1937	Friedrich Hartmann (nationality not established).	Deutcke, Leipzig, Germany (nationality German).	Owner.
Unknown	Handbuch der gesamten Kautschuktechnologie. 2 vols., 1935.	Ernst Alfred Hauser, ed. (nationality not established).	Union Deutsche, Verlagsgesellschaft Berlin, Germany (nationality German).	Owner.
Unknown	Das Adenylsäuresystem, 1943 (Arzneimittelforschungen. Bd. 2).	W. Herbrand and K. H. Jaeger (nationalities not established).	Rosenmeier, Berlin, Germany (nationality German).	Owner.
Unknown	Chlorkautschuk-Anstrichmittel. 1938	F. Kolke (nationality not established)	Union Deutsche Verlagsgesellschaft, Berlin, Germany (nationality German).	Owner.
Unknown	Chlorkautschuk und die übrigen Halogenverbindungen des Kautschuks (Chemie und Technik der Gegenwart. Bd. 16. 1937).	A. Nielsen (nationality not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.
Unknown	Die Sexualhormone als Heilmittel innerer Krankheiten. 2. erg. und umgearb. Aufl. 1944.	Max Ratschow (nationality not established).	F. Enke, Stuttgart, Germany (nationality German).	Owner.
Unknown	Transformatorenkurzschlüsse. 1940 (Sammlung Vieweg, Hft. 118).	Milan Vidmar (nationality not established).	Vieweg, Braunschweig, Germany (nationality German).	Owner.

[F. R. Doc. 45 9858; Filed, June 7, 1945; 11:06 a. m.]

[Vesting Order 500A-157]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which, are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 3, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Copyright numbers	Titles of works	Names and last known nationalities of authors	Names and last known addresses of owners or presumptive owners of copyrights	Identified [illegible] whose interests are being vested
Unknown	Zeitschrift fur Forst-und Jagdwesen	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Werft Reederei Hafen	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Archiv fur Wissenschaftliche Tierheilkunde	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Jahresbericht Veterinar Medizin	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Warme Und Kaltetechnik	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Feuerungstechnik	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Der Zuchter	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Biochemische Zeitschrift	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Zentralblatt Fur Mechanik	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Luftfahrtmedizin	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Klinische Wochenschrift	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Archiv Fur Gewerbepathologie Und Gewerbehygiene	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Zentralblatt Fur Die Gesamte Hygiene Mit Einschluss Der Bakteriologie Und Immunitatslehre	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Deutsche Zeitschrift Fur Gesamte Gerichtliche Medizin	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Chirurg Zeitschrift F. Alle Gebiete D. Operativen Medizin Der Chirurg	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Archiv fur Klinische Chirurgie	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Archiv fur Orthopadische Und Unfall-Chirurgie	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Deutsche Militararzt	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Planta, Archiv fur Wissenschaftliche Botanik	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Archiv fur Mikrobiologie	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Zeitschrift fur Untersuchung der Lebensmittel	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Zeitschrift fur vergleichende Physiologie	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Zeitschrift fur Astrophysik	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Ergebnisse D. Chirurgie u. Orthopadie	Unknown	Julius Springer, Linkstr. 22-24, Berlin W 9, Germany	Owner.
Unknown	Mikrochimica Acta (combined with Mikrochemie)	Unknown	Julius Springer, Schottengasse 4, Vienna I, Germany	Owner.
Unknown	Mikrochemie	Unknown	Julius Springer, Schottengasse 4, Vienna I, Germany	Owner.
Unknown	Zeitschrift fur Physik	Unknown	Julius Springer, Schottengasse 4, Vienna I, Germany	Owner.
Unknown	Zeitschrift fur Kinderheilkunde	Unknown	Julius Springer, Schottengasse 4, Vienna I, Germany	Owner.
Unknown	Zeitschrift fur Hygiene und Infektionskrankheiten	Unknown	Julius Springer, Schottengasse 4, Vienna I, Germany	Owner.
Unknown	Zeitschrift fur Instrumentenkunde	Unknown	Julius Springer, Schottengasse 4, Vienna I, Germany	Owner.
Unknown	Zeitschrift fur Parasitenkunde	Unknown	Julius Springer, Schottengasse 4, Vienna I, Germany	Owner.
Unknown	Zentralblatt fur Das Gesamte Forstwesen	Unknown	Julius Springer, Schottengasse 4, Vienna I, Germany	Owner.
Unknown	Wiener Klinische Wochenschrift	Unknown	Julius Springer, Schottengasse 4, Vienna I, Germany	Owner.
Unknown	Monatshefte fur Chemie	Unknown	Akademische Verlagsgesellschaft m. b. H., Sternwartenstr. 8, Leipzig C-1, Germany.	Owner.
Unknown	Zeitschrift fur Physikalische Chemie	Unknown	Akademische Verlagsgesellschaft m. b. H., Sternwartenstr. 8, Leipzig C-1, Germany.	Owner.
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Unknown	Bibliographischer Monatsbericht über Neuerschienene Schul- und Universitäts-Schriften.	Unknown	Buchhilfe Gustav Fock G. m. b. H., Sternwartenstr 8, Leipzig C 1, Germany.	Owner.
Unknown	Deutsche Nationalbibliographie, Reihe A. Neuerschenunngen Ausserhalb des Buch-Handels.	Unknown	Verlag des Borsenvereins der Deutschen Buchhandler zu Leipzig, Postschliessfach 274/75, Leipzig C 1, Germany.	Owner.
Unknown	Patent Blatt: Ausg. C	Unknown	Carl Heygmanns Verlag, Mauerstr. 44, Berlin W 8, Germany.	Owner.
Unknown	Fette und Seifen	Unknown	Industrieverlag von Hornhausen R.-G., Lietzenburger Str. 39, Berlin W 15, Germany.	Owner.
Unknown	Zeitschrift fur die gesamte Schiess und Sprengstoffwesen.	Unknown	Dr. Ang. Schrimpff, Komeinstr. 11, Munich 22, Germany.	Owner.
Unknown	Melliand Textilberichte	Unknown	Melliand Textilberichte, Wredeplatz 3, Heidelberg, Germany.	Owner.
Unknown	Sirene, Illustrierte Zeitschrift	Unknown	Deutscher Verlag, Kochstr. 22/26, Berlin SW 68, Germany.	Owner.
Unknown	Die Gasmaske	Unknown	Amt-esellschaft A. G., Friederich-Krause-Ufer 24, Berlin N 65, Germany.	Owner.
Unknown	Zeitschrift fur de Heeresverwaltung	Unknown	Wehrmacht-Presse-Verlag Reif & Co., Zimmerstr. 35, Berlin SW 68, Germany.	Owner.
Unknown	Deutsche Wehr	Unknown	Gerhard Stalling A. G., Ritterstr. 2-4, Oldenburg (Old.), Germany.	Owner.
Unknown	Uniformen Markt	Unknown	Otto Dietrich, Zimmerstr. 72/74, Berlin SW 68, Germany.	Owner.
Unknown	Allgemeine Vermessungsnachrichten	Unknown	Herbert Wichmann, Königsallee 21, Berlin-Grunewald, Germany.	Owner.
Unknown	Mitteilungen d Deut. Dendrologischen Gesellschaft.	Unknown	Deutsche Dendrologische Gesellschaft E. V., Sitz Berlin, Geschaftsstelle, Seeckstr. 31, Dortmund, Germany.	Owner.
Unknown	Kriminalistik	Unknown	Kriminal-Wissenschaft und Praxis Verlag, Schweder Str. 263, Berlin N 54, Germany.	Owner
Unknown	Der Adler	Unknown	Walter Klemm, Fuhrmannsstrasse 18a Vienna 65, Germany	Owner.
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Unknown	Der Flughafen	Unknown	Albert Limbach, Rauchstrasse 8, Berlin W 35, Germany.	Owner.
Unknown	Verkehrstechnik	Unknown	Verkehrstechnik Verlag, Charlottenstr. 6, Berlin SW 68, Germany.	Owner.
Unknown	Stadtereinigung	Unknown	Buchdruckerie u. Verlagsanstalt Mellmann & Co. Feudingen (Kr. Wittengenstein), Germany.	Owner.

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Unknown	Die Wehrmacht	Unknown	Verlag "Die Wehrmacht" G. m. b. H., Kronenstr. 30/37, Berlin W 8, Germany.	Owner.
Unknown	Allgemeine Forst- u. Jagdzeitung	Unknown	V. J. D. Sauerlanders Verlag, Finkenhofstr. 21, Frankfurt (Main) 1, Germany.	Owner.
Unknown	Technisches Gemeindeblatt	Unknown	Albert Rauck & Co., Mauerstr. 44, Berlin W 8, Germany.	Owner.
Unknown	Wasser und Abwasser	Unknown	Albert Rauck & Co., Mauerstr. 44, Berlin W 8, Germany.	Owner.
Unknown	Werkzeugmaschine, Die	Unknown	Albert Rauck & Co., Mauerstr. 44, Berlin W 8, Germany.	Owner.
Unknown	Archiv für Kriminologie	Unknown	F. C. W. Vogel, Linkstr. 22/24, Berlin W 9, Germany	Owner.
Unknown	Deutsche Zeitschrift für Chirurgie	Unknown	F. C. W. Vogel, Linkstr. 22/24, Berlin W 9, Germany	Owner
Unknown	Papierfabrikant	Unknown	Otto Elsner Verlagsgesellschaft, Oranienstr. 140/42, Berlin SW 68, Germany.	Owner
Unknown	Cellulosechemie	Unknown	Otto Elsner Verlagsgesellschaft, Oranienstr. 140/42, Berlin SW 68, Germany.	Owner.
Unknown	Physikalische Zeitschrift	Unknown	S. Hirzel, Konigstr. 2, Leipzig C-1, Germany	Owner
Unknown	Akustische Zeitschrift	Unknown	S. Hirzel, Königstr. 2, Leipzig C-1, Germany	Owner
Unknown	Schwarze Korps	Unknown	Franz Eher Nachf. G. m. b. H., Zimmerstr. 88/91, Berlin SW 68, Germany.	Owner
Unknown	Der Vierjahresplan	Unknown	Franz Eher Nachf. G. m. b. H., Zimmerstr. 88/91, Berlin SW 68, Germany.	Owner.
Unknown	Zeitschrift für Klinische Medizin	Unknown (periodical publication).	Julius Springer, of Berlin W 9, Germany	Owner.
Unknown	Zeitschrift für Zellforschung und Mikroskopische Anatomie, Abt. B, Chromosoma.	Unknown (periodical publication).	Julius Springer, of Berlin W 9, Germany.	Owner.
Unknown	Zentralblatt für Allgemeine Pathologie und Pathologische Anatomie.	Unknown (periodical publication).	Gustav Fischer, of Jena, Germany	Owner.
Unknown	Zentralblatt für Gynäkologie	Unknown (periodical publication).	Johann Ambrosius, Barth, of Leipzig C 1, Germany	Owner.
Unknown	Zoologischer Anzeiger	Unknown (periodical publication).	Akademische Verlagsgesellschaft m. b. H., of Leipzig C 1, Germany.	Owner.
Unknown	Klepzig's Textilzeitschrift	Unknown (periodical publication).	L. A. Klepzig, Leipzig, Germany (nationality German)	Owner.
Unknown	Technik in der Landwirtschaft	Unknown (periodical publication).	V. D. I.-Verlag, G. m. b. H., Berlin, Germany (nationality German).	Owner.
Unknown	Zeitschrift f. tierzüchtung und Zuchtungsbiologie	Unknown (periodical publication).	Paul Paren, Berlin, Germany (nationality German).	Owner
Unknown	Zeitschrift fuer wissenschaftliche Mikroskopie und fuer Mikroskopische Technik.	Unknown (periodical publication).	S. Hirzel, Leipzig, Germany (nationality German)	Owner.
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Unknown	Archiv fur Experimentelle Zellforschung	Unknown (periodical publication).	Gustav Fischer, Jena, Germany (nationality German)	Owner.
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Unknown	Endokrinologie	Unknown (periodical publication).	Johann Ambrosius Barth, Leipzig C 1, Germany (nationality German).	Owner.
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Unknown	Geologisches Zentralblatt Abt. A, Geologie. Abt. B, Palaeontologie.	Unknown (periodical publication).	Gebruder Borntraeger, Berlin W 35, Germany (nationality German).	Owner.
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Unknown	Glastechnische berichte	Unknown (periodical publication).	Deutsche Glastechnische Gesellschaft, Gutleutstrasse 91, Frankfort a. Main, Germany (nationality German).	Owner.
Unknown	Ingenieur-archiv	Unknown (periodical publication).	Julius Springer, Linkstrasse 22, Berlin W 9, Germany (nationality German).	Owner.
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Unknown	Botanisches Zentralblatt (Deutsche Botanische Gesellschaft).	Unknown (periodical publication).	Gustav Fischer, Jena, Germany (nationality German).	Owner.
Unknown	Jahrbucher fur Wissenschaftliche Botanik	Unknown (periodical publication).	Gebruder Borntraeger, Berlin W 35, Germany nationality German).	Owner.
Unknown	Monatshefte fur Mathematik und Physik	Unknown (periodical publication).	Akademische Verlags-gesellschaft m. b. H., Leipzig C 1, Germany (nationality German).	Owner.
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Unknown	Archiv f. bienenkunde	Unknown (periodical publication).	Archiv f. bienenkunde Berlin-Zehlendorf, Germany (Nationality German).	Owner.
Unknown	Auszuge a. d. patentschriften	Unknown (periodical publication).	Carl Heymanns Verlag, Berlin W 8, Germany (Nationality German).	Owner.
Unknown	Blatt f. patent, muster u. zeichenwesen	Unknown (periodical publication).	Carl Heymanns Verlag Berlin W 8, Germany (Nationality German).	Owner
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Unknown	Monatsschrift f. krebsbekampfung	Unknown (periodical publication).	J. F. Lehmanns Verlag, Munich 15, Germany (nationality German).	Owner.
Unknown	P.-Z. Korrespondenz	Unknown (periodical publication).	Dr. Jur. Gunther von Floetz, Berlin-Grunewald, Germany (nationality German).	Owner.
Unknown	Psychiatrische-neurologische wochenschrift	Unknown (periodical publication).	Carl Marhold, Halle, Germany (nationality German).	Owner.
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Unknown	Lorenz Bericht	Unknown (periodical publication).	C. Lorenz Aktiengesellschaft, Berlin-Tempelhof, Germany (nationality German).	Owner.
Unknown	Reichsverkehrsministerium Nautischer Funkdienst. Die Auflage.	Unknown (periodical publication).	E. S. Mittler & Sohn 1939, Hochstrasse 68-71, Berlin, Germany (nationality German).	Owner.
Unknown	Der Soldatenfreund. Taschenjahrbuch für d. Heer und Kriegsmarine, und die Luftwaffe.	Unknown (periodical publication).	Adolf Sponholtz, Verlag, Hindenburgstrasse 6, Hanover, Germany (nationality German).	Owner.
Unknown	Acta speicherchimica	Unknown (periodical publication).	Julius Springer, Linkstrasse 22/24, Berlin W 9, Germany (nationality German).	Owner.
Unknown	Schiffbautechnische Gesellschaft. Jahrbuch	Unknown (periodical publication).	Julius Springer, Linkstrasse 22/24, Berlin W 9, Germany (nationality German).	Owner.
Unknown	Statistisches Reichsamt. Statisches Jahrbuch für das Deutsche Reich.	Unknown (periodical publication).	Statisches Reichsamt, Berlin, Germany (nationality German).	Owner.
Unknown	Mitteilungen des Fachausschusses für Holzfragen beim V. D. I. und Deutschen Forstverein.	Unknown (periodical publication).	Triesdruck G. m. b. H., Dresdener Strasse 97, Berlin SW 68, Germany (nationality German).	Owner.
Unknown	Verein für Wasser-, Boden-, und Lufthygiene Kleine Mitteilungen.	Unknown (periodical publication).	Verein für Wasser-, Boden-, und Lufthygiene Kleine Mitteilungen, Wassermannplatz 1, Berlin-Dahlem, Germany.	Owner.
Unknown	Almanach de Gotha	Unknown (periodical publication).	Justus Perthes, Gotha, Germany	Owner.
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Unknown	Oertzenscher Taschenkalendar für die Offiziere des Heeres.	Unknown (periodical publication).	Alfred Walterg, Grimmen, Germany	Owner.
Unknown	Deutsche Gesellschaft für Wehrpolitik und Wehrwissenschaften, Jahrbuch 1934/1935.	Unknown (periodical publication).	Hanseatische Verlags-Anstalt, Hamburg 36, Germany.	Owner.
Unknown	Die natürlichen Pflanzenfamilien	Unknown (periodical publication).	Wilhelm Engelmann, Mittelstrasse 2, Leipzig C 1, Germany.	Owner.
Unknown	Deutsche Luftfahrtforschung Jahrbuch	Unknown (periodical publication).	R. Oldenbourg, Schliesstach 31, Munchen 1, Germany	Owner.
Unknown	Motortechnische Zeitschrift Jahrgang 2	Unknown (periodical publication).	Frankh'sche Verlagshandlung, W. Keller und Co., Pfitzerstrasse 5-7, Stuttgart, Germany.	Owner.
Unknown	Amtlicher Marktbericht Marktberichtsstelle des Reichsnährstandes für die Ostmark.	Unknown (periodical publication).	Agrarverlag, Trattnerhof 2, Vienna 1, Germany	Owner.
Unknown	Schwachstrom Bau- und Betriebstechnik	Unknown (periodical publication).	Franz Westphal, Wolfshagen-Scharbeutz, Germany (Lubecker-Bucht)	Owner.
Unknown	Journal für die Reine und Angewandte Mathematik	Unknown (periodical publication).	Walter de Gruyter & Co., Berlin, Germany (nationality German).	Owner.
Unknown	Naunyn-Schmiedeberg's Archiv für Experimentelle Pathologie und Pharmakologie.	Unknown (periodical publication).	F. C. W. Vogel, Berlin, Germany (nationality German)	Owner.
Unknown	Mathematische Annalen	Unknown (periodical publication).	Julius Springer, Berlin, Germany (nationality German)	Owner.
Unknown	Mathematische Zeitschrift	Unknown (periodical publication).	Julius Springer, Berlin, Germany (nationality German)	Owner.
Unknown	Anatomischer Anzeiger	Unknown (periodical publication).	Gustav Fischer, Jena, Germany (nationality German)	Owner.
Unknown	Virchows Archiv für pathologische Anatomie und Physiologie und klinische Medizin	Unknown (periodical publication	Julius Springer, Berlin, Germany (nationality German	Owner.
Unknown	Journal für Psychologie und Neurologie	Unknown (periodical publication).	Johann Ambrosius Barth, Leipzig, Germany (nationality German).	Owner.

[F. R. Doc. 45-9861; Filed, June 7, 1945; 11:07 a. m.]

[Vesting Order 500A-154]

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Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

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b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, and with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 3, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
R [illegible]	Schachmatt 1933	Grauert & Zink of Germany (nationality German).	Grauert & Zink, Des Marksts. 97/98, Berlin-Charlottenburg, Germany (nationality German).	Owner.

[F. R. Doc. 45-9859; Filed, June 7, 1945; 11:06 a. m.]

[Vesting Order 500A-155]

COPYRIGHTS OF HERMANN LONS AND EUGEN DIEDERICHS VERLAG, GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 3, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A [illegible]	Der Wehrwolf, eine Bauernchronik, 1922	Hermann Löns of Germany (nationality German).	Eugen Diederichs Verlag, Jena, Germany (nationality German).	Author and owner.

[F. R. Doc. 45-9860; Filed, June 7, 1945; 11:06 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 1081]

ROMANO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Romano Cigar Factory, 1909½ 13th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Romano cigar	Commanders	50	*Per M* $80	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9836; Filed, June 6, 1945; 4:47 p. m.]

[MPR 260, Order 1082]

JOSE PATINO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose Patino, 1710 19th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Jose Patino	Senadores	50	*Per M* $72	*Cents* 9
	Daniels	50	50	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9837; Filed, June 6, 1945; 4:48 p. m.]

[MPR 260, Order 1083]

MEYER MAGIDSON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Meyer Magidson, 614 Chestnut St., St. Louis 1, Mo. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Factory 7-20-4	[illegible]	50	*Per M* $56.00	*Cents* [illegible]
Perdieus	Loudres	50	72.00	[illegible]
Claremont	[illegible]	50	158.00	[illegible]
Perdieus Perfecto	[illegible]	50	78.57	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9838; Filed, June 6, 1945; 4:48 p. m.]

[MPR 260, Order 1084]

W. J. STECKBECK & SONS CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) W. J. Steckbeck & Sons Cigar Co., 2217 S. Lafayette St., Fort Wayne 5, Ind. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Red Bird	Queens	50	*Per M* $68	*Cents* 2 for 17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9839; Filed, June 6, 1945; 4:48 p. m.]

[MPR 260, Order 1085]

F. FERNANDEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompany this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) F. Fernandez Cigar Factory, 2206 N. Blvd., Tampa 3, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Boulevard	Corona	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9840; Filed, June 6, 1945; 4:47 p. m.]

[MPR 260, Order 1088]

DOUGHBOY CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Doughboy Cigar Factory, 510 W. Carey Place, Lakeland, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Doughboy	Hand-Made	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9841; Filed, June 6, 1945; 4:45 p. m.]

[MPR 260, Order 1089]

JACINTO LEBRON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jacinto Lebron, 5 San Jose St., Guayama, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona	5"	50	$48	6
Corbato O Philippin.	4¾"	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9842; Filed, June 6, 1945; 4:45 p. m.]

[MPR 260, Order 1090]

PARK ROSE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Park Rose Cigar Company, 25-27 East Broadway, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Puro	Corona	50	$56	7
	Londre	50	56	7
	Perfecto	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9843; Filed, June 6, 1945; 4:45 p. m.]

[MPR 260, Order 1091]

UTUADO LEAF TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Utuado Leaf Tobacco Co., Subida Hospital, Utuado, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Brevas	Puerto Rico Cigars.	50	$56	7
Ulico Perfecto	Ulico	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9844; Filed, June 6, 1945; 4:45 p. m.]

[MPR 260, Order 1092]

TOMAS H. ROSA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tomas H. Rosa, Padre Quinonez St., Aguas Buenas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Coronas (figure cigar)	4½	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily

granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9845; Filed, June 6, 1945; 4:46 p. m.]

[MPR 260, Order 1093]

JULIA BARBOSA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Julia Barbosa, 564 Ninth Avenue, New York City, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Palma	Panetelas	50	$123.00	16
	Londres	50	72.00	9
	Queens	50	131.00	2 for 35
	Rhetts	50	131.00	17
	Longfellows	50	123.00	16
	Bankers	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc 45-9846, Filed, June 6, 1945; 4:46 p m.]

[MPR 260, Order 1094]

RAMON HERNANDEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ramon Hernandez, 6 West 116th St., New York City, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
None	"Corona" 5"	50	$82.50	11
	"Corona" 4¾"	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9847; Filed, June 6, 1945; 4:46 p. m.]

[MPR 260, Order 1095]

SANCHEZ & BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Sanchez & Bros., 2919 22nd St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
C. A. S.	Bijou	50	$64	8
	Cremos	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9848; Filed, June 6, 1945; 4:47 p. m.]

[MPR 260, Order 1096]

S. C. KLING

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That

(a) S. C. Kling, 36 East Newton St., York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Toyanah	Toyanah	50	$50	6
White Flash	White Flash	50	40	5
La Sadio	La Sadio	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1945.

Issued this 6th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9849; Filed, June 6, 1945; 4:47 p. m.]

[MPR 120, Order 1384]

EDMOR POCAHONTAS COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 7. The mines index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipment are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.218 and all other provisions of Maximum Price Regulation No. 120.

EDMOR POCAHONTAS COAL CO., C/O W. C. MORGAN, WELCH, W. VA., EDMOR POCAHONTAS COAL CO. MINE, POCAHONTAS NO. 3 SEAM, MINE INDEX NO. 1064, MERCER COUNTY, W. VA., SUBDISTRICT 3, RAIL SHIPPING POINT FREEMAN, W. VA., DEEP MINE

	Size group numbers									
	1	2	3	4	5	6	7	8	9	10
Price classification	B	B	A	A	A	B	B	C	C	-----
Rail shipment	421	431	426	381	371	406	376	341	336	-----
Truck shipment	491	411	441	376	361	396	-----	-----	-----	-----

EASTERN GAS & FUEL ASSOCIATES (KOPPERS COAL DIV.), PITTSBURGH 19, PA., POWELLTON NO. 6 MINE, NO. 2 GAS SEAM, MINE INDEX NO. 1092, FAYETTE COUNTY, W. VA., SUBDISTRICT 6, RAIL SHIPPING POINT, STAHL, W. VA., DEEP MINE

	Size group numbers													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	L	L	L	L	F	F	F	E	C	E	A	A	A	A
Rail shipment	381	381	376	376	386	371	341	336	331	401	336	336	336	331
Truck shipment	451	386	416	326	301	256	-----	-----	-----	-----	-----	-----	-----	-----

Railroad locomotive fuels for the following Mine Index No. 1064:

Any single-screened lump or double-screened coals	391
Run of Mine	376
Screenings, larger than 1¼" x 0 but not exceeding 2½" x 0	361
Screenings 1¼" x 0 and smaller	336

Railroad locomotive fuel for the following Mine Mine Index No. 1062 (High Volatile):

Any single-screened lump or double-screened coals	341
Run of Mine	326
Screenings, larger than 1¼" x 0 but not exceeding 2½" x 0	301
Screenings 1¼" x 0 and smaller	301

This order shall become effective June 8, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9895; Filed, June 7, 1945; 11:59 a. m.]

[MPR 120, Order 1385]

HUTCHINSON COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Reject coal produced by Hutchinson Coal Company from its Dabney and MacBeth Mines, Mine Index Nos. 150 and 304, respectively, located in Logan County, West Virginia, in Subdistrict No. 5 of District No. 8 may be purchased and sold for the indicated uses and movements at per net ton prices not exceeding the following:

Size Group Nos.	23
Price Classification	D
All methods of transportation (except truck or wagon) and for all uses	$2.65

(b) The prices established herein are f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel, all uses.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) Except as specifically provided in this order the provisions of Maximum Price Regulation No. 120 shall remain in effect.

(e) The maximum price established herein may be changed by order or amendment.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9896; Filed, June 7, 1945; 11:59 a. m.]

[MPR 120, Order 1386]

ELKHORN CREEK COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

ELKHORN CREEK COAL CO., DORTON, KY., ELKHORN CREEK MINE, ELKHORN SEAM, MINE INDEX NO. 7388, PIKE COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, JENKINS, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	K	K	K	K	H	H	G	E	C	C	D	G	G	G
Rail shipments and railroad fuel	380	375	365	365	360	330	330	330	330	305	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

EPIC COAL CO., BOX 1150, LOGAN, W. VA., WILBER MINE, EAGLE SEAM, MINE INDEX NO. 7385, LOGAN COUNTY W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT, WILBER, W. VA., F. O. G. 150, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Q	Q	Q	Q	L	L	K	G	E	G	B	F	F	F
Rail shipments and railroad fuel	345	340	345	335	345	345	325	325	325	360	320	310	305	305
Truck shipment	395	375	350	350	345	310	275	270	-----	-----	-----	-----	-----	-----

GROSS AND CORNETT, WALLINS CREEK, KY., WALLINS FUEL CO. MINE, HARLAN SEAM, MINE INDEX NO. 7389, HARLAN COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT ESSON, KY., F. O. G. 80, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	O	O	O	O	L	L	K	F	D	D	D	H	H	H
Rail shipments and railroad fuel	360	355	340	340	335	335	325	330	330	385	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

HENSLEY AND COLLINS, C/O SIDNEY HENSLEY, WHITESBURG, KY., HENSLEY & COLLINS MINE, ELKHORN SEAM, MINE INDEX NO. 7373, LETCHER COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: BELCRAFT, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	K	K	J	G	F	G	D	J	J	J
Rail shipments and railroad fuel	380	375	365	365	360	350	330	325	325	360	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

HIGH POINT ELKHORN COAL CO., C/O J. E. BOWMAN, PIKEVILLE, KY., NO. 1 MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7363, PIKE COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: ROOKHOUSE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	H	H	H	H	F	F	F	E	C	C	A	D	D	D
Rail shipments and railroad fuel	365	360	375	375	370	355	335	330	330	385	320	315	315	315
Truck shipment	395	375	350	340	335	310	275	270	-----	-----	-----	-----	-----	-----

RUFUS K. HOLBROOK, POLLY, KY., HOLBROOK MINE, ELKHORN SEAM, MINE INDEX NO. 7380, LETCHER COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: BELCRAFT, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J
Rail shipments and railroad fuel	380	375	365	365	360	350	330	325	325	360	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

LITTLE CREEK COAL CO., NEON, KY., LITTLE CREEK MINE, ELKHORN SEAM, MINE INDEX NO. 7377, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, PEEDEE, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J
Rail shipments and railroad fuel	380	375	365	365	360	350	330	325	325	360	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

CHESTER RICHMOND (BOX 402, WHITESBURG, KY., RICHMOND MINE, ELKHORN SEAM, MINE INDEX NO. 7376, LETCHER COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: BELCRAFT, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J
Rail shipments and railroad fuel	380	375	365	365	360	350	330	325	325	360	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

STONEGA COAL AND COKE CO., 2500 FIDELITY, PHILA. TRUST BLDG., PHILADELPHIA, PA., DUNBAR NO. 5 MINE, TAGGART SEAM, MINE INDEX NO. 7223, WISE COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: DUNBAR, VA. F. O. G. 200, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

Truck shipment	430	410	365	380	345	320	275	270	-----	-----	-----	-----	-----	-----

NOTE: The maximum prices listed in this order include the increases in maximum prices where authorized by amendment No. 137 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 8, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9897; Filed, June 7, 1945; 11:59 a. m.]

[MPR 120, Order 1387]

A. & A. COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

A. & A. COAL CO., C/O EARL W. KIRTLEY, EAST PALESTINE, OHIO, A. & A. NO. 6 MINE, NO. 5 AND/OR NO. 6 SEAM, MINE INDEX NO. 4154, PERRY COUNTY, OHIO, SUBDISTRICT 6, STRIP MINE, RAIL SHIPPING POINT: MCLUNEY, OHIO

	Size group Nos.												
	1	2	3	3A	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	325	325	295	295	295	295	285	245	245	250	210	-----	250
Truck shipment	360	360	360	320	320	265	265	230	230	265	-----	-----	265

FISK COAL CO., C/O VERA FISK, ROUTE 2, NELSONVILLE, OHIO, FISK COAL CO. MINE, NO. 6 SEAM, MINE INDEX NO. 4149, ATHENS COUNTY, OHIO, SUBDISTRICT 5, RAIL SHIPPING POINT: NELSONVILLE, OHIO, DEEP MINE

Rail shipments and railroad fuel	391	391	351	351	351	351	331	306	296	331	-----	-----	331
Truck shipment	416	416	416	376	376	316	316	276	266	316	-----	-----	316

IMPERIAL COAL CO., C/O LLOYD BUSBY, BOX 323, ADENA, OHIO, HOWARD MINE, NO. 8 SEAM, MINE INDEX NO. 4150, JEFFERSON COUNTY, OHIO, SUBDISTRICT 1, RAIL SHIPPING POINT: ADENA, OHIO, STRIP MINE

Rail shipments and railroad fuel	305	305	285	285	285	285	270	235	225	260	210	-----	270
Truck shipment	350	350	350	310	310	280	280	255	245	280	-----	-----	280

MYSTIC MINES, C/O W. PARENT, NEW LEXINGTON, OHIO, MYSTIC NO. 5 MINE, NO. 5 SEAM, MINE INDEX NO. 4151, PERRY COUNTY, OHIO, SUBDISTRICT 6, RAIL SHIPPING POINT MC LUNEY, OHIO, STRIP MINE

Rail Shipments and Railroad Fuel	325	325	295	295	295	295	285	245	245	250	210	-----	250
Truck Shipment	360	360	360	320	320	265	265	230	230	265	-----	-----	265

MYSTIC MINES, C/O W. PARENT, NEW LEXINGTON, OHIO, MYSTIC NO. 6 MINE, NO. 6 SEAM, MINE INDEX NO. 4152, PERRY COUNTY, OHIO, SUBDISTRICT 6, RAIL SHIPPING POINT, MC LUNEY, OHIO, STRIP MINE

Rail shipments and railroad fuel	325	325	295	295	295	295	285	245	245	250	210	-----	250
Truck shipment	360	360	360	320	320	265	265	230	230	265	-----	-----	265

REP COAL CO., C/O CHARLES RAMSELL, 412 S. MAIN ST., NEW LEXINGTON, OHIO, REP COAL CO. MINE, NO. 8 SEAM, MINE INDEX NO. 4154, ATHENS COUNTY, OHIO, SUBDISTRICT 5, RAIL SHIPPING POINT; LATHROP, OHIO, STRIP MINE

Rail shipments and railroad fuel	365	365	325	325	325	325	305	280	270	305	245	-----	305
Truck shipment	390	390	390	350	350	290	290	250	240	290	-----	-----	290

NOTE: The maximum prices listed in this order include the increases in maximum prices where authorized by Amendment No. 137 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 8, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9899; Filed, June 7, 1945; 12:00 p. m.]

[MPR 260, Order 1101]

MRS. F. E. CLEMONS & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Mrs. F. E. Clemons & Co., 210 West Platt St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list

price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Gasparilla Club	Corona	50	$90	2 for 15
Tampa Wanna	Blunt	50	90	2 for 15
Whistling Tom	Straight	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9883; Filed, June 7, 1945; 11:54 a. m.]

[MPR 260, Order 1102]

S. ESPERANZA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) S. Esperanza Cigar Factory, 1906½ 15th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
S. Esperanza	Coronas	50	$75	10
	Brevas	50	169	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmafk of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9884; Filed, June 7, 1945; 11:54 a. m.]

[MPR 260, Order 1103]

EDDIE SAN JUAN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Eddie San Juan Cigar Co., 2929 Banza St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Quivican	Brevas	50	$154.00	20
Don Baroso	Coronas	50	64.00	8
La Adelia	Delias	50	40.00	5
Don Baroso	Delicioso	50	134.00	2 for 35
Eddie San Juan	Palmas de Luxe	50	164.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9885; Filed, June 7, 1945; 11:55 a. m.]

[MPR 260, Order 1104]

E. C. POWELL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) E. C. Powell, 202 Board of Trade Bldg., Plume St., Norfolk 10, Va. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
De Oro	Cremas	25	$190.00	25
	Londres	25	169.25	22
	Perfectos	25	199.00	28
	Conchas	50	135.00	18
	Petit Cetros	25	176.00	22
	Panetelas	50	135.00	18
Venus	American Cello	25	203.50	28
	Belvederes	25	203.50	28
	Conchas Finas	50	135.00	18

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942

on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9886; Filed, June 7, 1945; 11:56 a. m.]

[MPR 260, Order 1105]

GONZALES & GUERRA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Gonzales & Guerra, 302 N. Howard, Tampa 6, Fla. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Carantia	Corona	25	$202.50	35
	½ Corona	25	203.50	28
	Cremas	25	203.50	28
	National	25	203.50	28
	Libertos	50	160.00	25
	Petit Cetros	50	185.00	25
	Londres	50	176.00	22
	Panetelas	50	150.00	20
	Conchas	50	150.00	20
	Exquisitos	50	150.00	20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9909; Filed, June 7, 1945; 12:03 p. m.]

[MPR 260, Order 1106]

LOMA LINDA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Loma Linda Cigar Factory, 2510 Walnut Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Serina	Habaneros	50	$154	20
Lonnie's Cigar	Cadetes	50	123	16
Leslie's	Palmas	50	185	24
	Queens	50	169	22
	Corona 43	50	139	3 for 50
	Charros	50	77	10
	Peters	50	64	8
	Blunts	50	56	7
	Particulas	50	146	19

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9910; Filed, June 7, 1945; 12:03 p. m.]

[MPR 260, Order 1107]

ASTORIA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Astoria Cigar Co., Inc., 42-15 26th Avenue, Long Island City, N. Y., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Astoria Cigar	(2¼" x 32" 2 for 15 cents	50	$96	2 for 9
	(2¼" x 32" 15 cents	20	96	2 for 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9911; Filed, June 7, 1945; 12:04 p. m.]

[MPR 260, Order 1103]

BIG H. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Big H. Cigar Co., 1910 Valley Blvd., Rosemead, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Pals	Club	50	$40.00	5
R. A. C.	King	50	93.75	2 for 25
Genevieve	Londres	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9912; Filed, June 7, 1945; 12:04 p. m.]

[MPR 260, Order 1109]

GREAT EASTERN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Great Eastern Cigar Co., Dallastown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Train Master	Ambassador	50	$82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9913; Filed, June 7, 1945; 12:05 p. m.]

[MPR 260, Order 1110]

VICTORY CIGAR MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Eugene Levy, d/b/a Victory Cigar Mfg. Co., 284 Pearl St., New York 7, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Las Habaneros	Blunts	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for

which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9914; Filed, June 7, 1945; 12:05 p. m.]

[MPR 260, Order 1111]

H-K CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H-K Cigar Co., Barnesville, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
London Bank	London Bank	50	$40	5
Hebbie	Hebbie	50	48	6
Radiance	Radiance	50	32	4
Spinoza	Spinoza	50	44	2 for 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9915; Filed, June 7, 1945; 12:05 p. m.]

[MPR 260, Order 1112]

LELA MILLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lela Miller, 5837 Cecelia Street, Bell, S. Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Priso Quality	Panatela	50	$82.50	11
	Club	50	105.00	14
	Panatela Special.	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9916; Filed, June 7, 1945; 12:05 p. m.]

[MPR 260, Order 1113]

FRED C. GROMMEL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Fred C. Grommel, 512 25th St., Moline, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the approximate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Yankee Queen	Yankee Queen	50	$56	7
O. K.	O. K.	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9917; Filed, June 7, 1945; 12:06 p. m.]

[MPR 260, Order 1114]

MARTINEZ AND CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Martinez and Company, 33-03 30th Avenue, Long Island City 3, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Los Tres	Panatella	50	$131.00	17
	Palmas	50	161.50	21
	Cigaros	50	48.00	6
	Blunts	50	48.00	6
	Chicas	50	72.00	9
	Coronita	50	75.00	10
	Corona	50	108.75	2 for 29
	Queens	50	131.00	17
	Queens De Luxe.	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9918; Filed, June 7, 1945; 12:07 p. m.]

[MPR 260, Order 1115]

BENIGNO GARCIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Benigno Garcia, 270 West 38th Street, New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Pan America	Perlas 4½"	50	$75.00	10
	Senators 5"	50	82.50	11
	Queens 5"	50	115.00	15
	Commandos 5½"	50	131.00	17
	Invincibles 5½"	50	131.00	17
Flor de Cadiz	Blunts 3¾"	50	90.00	12
	Perfectos 4¼"	50	115.00	15
	Panatelas 4¾"	50	90.00	12
	Queens 5"	50	115.00	15
	Coronas 5½"	50	138.00	18
	Palmas 6"	50	131.00	17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a

change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9919; Filed, June 7, 1945; 12:07 p. m.]

[MPR 260, Order 1116]

ESTEBAN ACOSTA RAMIREZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Esteban Acosta Ramirez, 720 W. Winnebago St., Milwaukee 5, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cuban Star	Corona	50	$115.00	15
	Orientales	50	115.00	15
Siboney	Especiales	50	101.25	2 for 27
Cuban Star	Selectos	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9920; Filed, June 7, 1945; 12:07 p. m.]

[MPR 260, Order 1117]

A. E. MUNIZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) A. E. Muniz Cigar Factory, 302 N. Westland Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Everlit	Blunts	50	$40.00	5
	Londres Especial	50	93.75	2 for 27
	Coronas	50	82.50	11
	Londres	50	78.75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9921; Filed, June 7, 1945; 12:07 p. m.]

[MPR 260, Order 1118]

RAYMOND G. KLING

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Raymond G. Kling, R. D. #1, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Boston Grande	Perfectos	50	$50	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9922; Filed, June 7, 1945; 12:08 p. m.]

[MPR 260, Order 1119]

MENENDEZ & GARCIA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Menendez & Garcia Cigar Factory, 1506 18th Avenue (Rear), Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Menendez and Garcia	Coronas [1]	50	$90	12
	Brevas	50	160	22
	Epicures	50	105	14
	Corona Chica	50	141	3 for 55

[1] Prices apply only to cigars of this brand and frontmark of tobacco composition specified in amended application submitted 3/21/45.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9923; Filed, June 7, 1945; 12:08 p. m.]

[MPR 260, Order 1120]

K. S. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) K. S. Cigar Factory, 1903 Rear Nebraska Avenue, Tampa 3, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the ap-

propriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ex Voto	Comandos	50	$56	7
K-5	Straights	50	44	2 for 11
K-5	Babies	50	32	4
Ex Voto	Habaneros	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9924; Filed, June 7, 1945; 12:08 p. m.]

[MPR 260, Order 1121]

RAMON RODRIGUEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ramon Rodriguez Cigar Factory, 2017 Thrace Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ramon Rodriguez	Tampa's Friendly	50	$66.00	2 for 15
	Coronas	50	90.00	12
	Brevas	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9925; Filed, June 7, 1945, 12:09 p. m.]

[MPR 260, Order 1122]

GENERAL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) General Cigar Co., Inc., 119 West 40th St., New York 18, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
C. I. A.	C. I. A.	50	$101.25	3 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9926; Filed, June 7, 1945; 12:09 p. m.]

petitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9926; Filed, June 7, 1945; 12:09 p. m.]

[MPR 260, Order 1123]

H. E. CORRY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H. E. Corry, 201 South Roberts Street, Quincy, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cuban Naturals	Panatellas	50	$26.65	3 for 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9927; Filed, June 7, 1945; 12:09 p. m.]

[MPR 260, Order 1124]

MYER COHN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Myer Cohn, 315 S. 45 St., Philadelphia 4, Pa. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Figaro	Corona	25	$85.00	55
	Senator	25	85.00	55
	Fancy Tales	25	93.00	60
	Torpedo	25	295.00	39
	Derby	25	264.00	33
	Perfecto	25	240.25	33
	Belvederes	25	240.00	28
	Legislative	25	240.25	28
	Ambassador	50	200.25	28
	Dixie	25	180.00	25
	Coronitas	50	161.50	20
	Diplomat	50	161.50	20
	Envoy	50	161.50	20
	Chico	50	161.50	20
	Havana Special	50	145.00	3 for 55
	Habanero	50	145.00	3 for 55

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the can may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 9928; Filed, June 7, 1945; 12:09 p. m.]

[MPR 260, Order 1125]

VALDES CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Valdes Cigar Factory, 2401 14th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Flor de Bonan	King	50	$108.75	14
	Rosa Grade	50	[illegible]	12
	Londres	50	108.75	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 9929; Filed, June 7, 1945; 12:10 p. m.]

[MPR 260, Order 1126]

RALPH W. RAWHEISER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ralph W. Rawheiser, 407 Elm Street, Watsontown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Verne	5" length	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9930; Filed, June 7, 1945; 12.10 p. m.]

[MPR 260, Order 1037]

EXPORT FINDERS BUREAU

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Export Finders Bureau, 8 Bridge St., New York 4, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Fantina	Panetelas	50	135.00	18
	Conchas	50	135.00	18
	Petit Cetros	25	176.00	22
	Super-Panetelas	50	176.00	22
	Londres	50	176.00	22
	Sabrosus	50	176.00	22
	Medias Coronas	25	206.25	28
	Coronas	25	200.00	28

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9905; Filed, June 7, 1945; 12:02 p. m.]

[MPR 260 Order 1098]

D. RODITI & SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) D. Roditi & Sons, 1440 Broadway, New York 18, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Antilla Cubana	Fancy Tales	25	300.00	$0.40
	Celestiales	25	350.00	.48
	Presidentes	25	350.00	.48
	Coronas	25	350.00	.48
	Coronas Campanas	25	350.00	.48
	Cremas Extra	25	225.00	.25
	Coronados	25	300.00	.40
	Coronas Club	25	275.00	2 for 1.10
	Petit Coronas	25	249.75	.35
	Belvederes	25	203.50	.28
	Perfectos	25	240.50	.33
	Londres	50	190.00	.25
	Clavcles	50	176.00	.22
	Victorias	50	176.00	.22
	Reinas Conchas	50	161.50	.20
	Panetelas	50	150.00	.20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9906; Filed, June 7, 1945; 12:02 p. m.]

[MPR 260, Order 1099]

P. J. RUBEY, CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) P. J. Rubey, Co., Inc. 9023 Baltimore Ave., Chicago 17, Ill. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagas	Corona Junior	25	$292.50	35
	Corona Extra	25	426.25	55
	Corona Senior	25	308.00	39
	Corona Nature	25	308.00	39
	Pomo Cedro Corona	50	385.00	55
	Pomo Cedro Corona Chicos	50	261.75	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or

frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9907; Filed, June 7, 1945; 12:03 p. m.]

[MPR 260, Order 1100]

SECOND FRONT CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Second Front Cigar Factory, 2213 Armenia Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Second Front....	Coronas.....	50	*Per M* $36	*Cents* 2 for 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 8, 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9908; Filed, June 7, 1945; 12:03 p. m.]

[MPR 188, Rev. Order 3598]

KERK-GUILD, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 3598 under § 1499.158 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Kerk-Guild, Inc., Whitesboro, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Wardrobe.	160/3830-S	*Each* $10.28	*Each* $12.09
	160/3830-W	11.27	13.26
	160/3830-CLS	11.36	13.36
	160/3830-CLW	12.14	14.28
	160/3830-SM	10.80	12.71
	160/3830-WM	11.80	13.88
	160/3830-CLSM	11.85	13.94
	160/3830-CLWM	12.46	14.66
	261/3830-S	7.99	9.24
	261/3830-W	7.79	9.17
	261/3830-CLS	7.80	9.18
	261/3830-CLW	8.50	10.11
	370/3830-S	9.62	10.49
	370/3830-W	9.85	11.59
	370/3830-CLS	10.07	11.85
	370/3830-CLW	10.90	12.82
	370/3830-SM	9.57	11.02
	370/3830-WM	10.19	11.99
	370/3850-CLSM	10.41	12.25
	370/3850-CLWM	11.25	13.24
	261/3830-Sears Special.	7.25	8.50
	160/3850-Sears Special.	10.61	12.48

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated February 9, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of Maximum Price Regulation 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 8th day of June 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9904; Filed, June 7, 1945; 12:01 p. m.]

[MPR 188, Order 3926]

GRESHAM CABINET WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Gresham Cabinet Works, of 4 Kelly Street, Gresham, Oreg.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Retailers	Retailers	Consumers
Wooden Christmas tree holders	X-6	*Per doz.* $3.13	*Per doz.* $4.44	*Per doz.* $4.44	*Each* $0.56

These maximum prices are for the articles described in the manufacturer's application dated March 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with full freight allowed not to exceed $1.00 per 100 pounds on shipments of 200 pounds or over, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.56
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 7th day of June 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9900; Filed, June 7, 1945; 12:00 m.]

[MPR 188, Order 3927]

DAVIS MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Davis Manufacturing Company, of 3147 N. E. 22nd Avenue, Portland 12, Oreg.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by—			
	Manufacturer to—		Sellers other than manufacturer to—	
	Wholesalers (jobbers) (per dozen)	Retailers (per dozen)	Retailers (per dozen)	Consumers (each)
Wooden weight-clock Christmas tree stand.....	$3.13	$4.44	$4.44	$0.56

These maximum prices are for the articles described in the manufacturer's application filed approximately in February, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with full freight allowed not to exceed $1.00 per 100 pounds on shipments of 200 pounds or more, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.56
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 7th day of June 1945.

Issued this 7th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9901; Filed, June 7, 1945; 12:00 m.]

[MPR 188, Rev. Order 3746]

DETROIT MANUFACTURERS' SUPPLY CO.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-8173, appearing at page 5668 of the issue for Thursday, May 17, 1945, the fourth article in the first column of the table should read "Exhaust fan with ¼ h. p. single phase induction motor" and the first number in the fourth column should be $52.50".

Regional and District Office Orders.

[Augusta Order G-1 Under RMPR 285]

BANANAS IN AUGUSTA, MAINE, DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the District Director of the Augusta, Maine District Office by section 5 (a) (2) under Revised Maximum Price Regulation 285, as amended, and by Region I Order of Delegation, Item No. 285.1; *It is hereby ordered:*

(a) That the delivery charge for deliveries outside the seller's customary free delivery zone shall be the actual cost of transportation, such cost not to exceed the lowest available common carrier rate by the most direct route from the seller's place of business or other customary shipping dock or platform within the free delivery zone to the premises of retailers or institutional users located outside such free delivery zone. This delivery charge must be added after computation of seller's maximum price and in no instance may exceed 35¢ per hundredweight. No markup may be taken on such charge.

(b) This order may be revoked, amended, or corrected at any time.

This order shall become effective the 21st day of May 1945.

Issued this 19th day of May 1945.

PRESCOTT H. VOSE,
Director.

[F. R. Doc. 45-9935; Filed, June 7, 1945; 2:49 p. m.]

[Region I Order G-3 Under MPR 188]

CRUSHED STONE IN CONNECTICUT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, as amended; *It is hereby ordered:*

(a) The maximum prices of producers of crushed stone quarried from trap rock whose plants are located within the state of Connecticut, as established by § 1499.153 of Maximum Price Regulation No. 188, are modified so that their maximum prices shall be as follows:

	Sizes and prices per net ton f. o. b. quarry				
	2"	1¼"	¾"	½"	⅜"
For crushed stone produced in the territory commonly known as Metropolitan New Haven	$1.25	$1.35	$1.60	$1.80	$1.95
For crushed stone produced in the rest of Connecticut	1.25	1.35	1.45	1.60	1.70

(b) No producer covered by this order shall change his customary discounts unless such change results in a price no higher than the maximum price permitted by this order (after applying the Applicant's customary discounts).

(c) Any producer of crushed stone quarried from trap rock who is given the right under § 1499.161 (a) (2) to petition for adjustment of maximum prices established by Maximum Price Regulation No. 188, as amended, may petition for adjustment of maximum prices as established by this order.

(d) This order may be amended, revised, or revoked at any time.

This order is effective as of May 28, 1945.

Issued: May 31, 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9941; Filed, June 7, 1945; 2:50 p. m.]

[Region I Order G-21 Under SR 15, MPR 280 and MPR 329, Amdt. 12]

FLUID MILK IN MAINE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, and by § 1351.807 of Maximum Price Regulation No. 280, subsection (10) of section (b) of Order No. G-21 is amended to read as follows:

(10) *Summer establishments.* The maximum price for a delivery of fluid milk to a summer establishment during the summer season (June 1 to September 30, both inclusive) shall be the appropriate maximum price set forth in section (a) of this order for the zone in which the milk is delivered or any one of the following which is applicable and is elected by the seller:

(i) If, during the 1941 summer season, the seller delivered milk in a particular area both to summer establishments and to year-round purchasers, and charged summer establishments a differential over his price to year-round purchasers of the same type, the zone price for the zone in which the milk is delivered plus such 1941 summer season differential. Any seller who is eligible so to price and elects to do so, shall file a report with the Maine District Office of the Office of Price Administration on or before June 15, 1945, setting forth such maximum prices, a description of the locations and types of summer establishments to which they apply and the manner in which they were computed.

(ii) The zone price for the zone in which the seller's place of business is located if the summer establishment is located in a different zone and if the seller properly used as his maximum price for deliveries during the 1944 summer season to summer establishments in a particular area the price for the zone in which his place of business is located. Each seller who may and does elect to price under this paragraph (ii) shall file a report with the Maine District Office of the Office of Price Administration on or before June 15, 1945, setting forth the zones in which the summer establishments involved are located, the zone in which his place of business is located, the prices charged during the 1944 summer season and the facts upon which he relied as a basis for using that method of pricing during the 1944 summer season.

(iii) If the summer establishments are located in communities which have a year-round population of less than 2,500, a seller who does not wish to deliver at the appropriate maximum prices set forth in section (a) of this order for the zone in which the summer establishments are located, and who is not eligible to charge a higher price under either paragraph (i) or (ii) above, or does not elect to proceed thereunder even though eligible, may apply to the Boston Regional Office of the Office of Price Administration for the establishment of a differential, not to exceed one cent per quart. Applications hereunder shall contain a description of the types of summer establishments to which deliveries are to be made, the locations thereof, the location of the plant from which deliveries are to be made, the amount of the differential requested for each type of establishment and kind of sale (not to exceed one cent per quart), and the facts upon which the applicant relies in support of his request.

Any summer establishment (for example, a store) which resells milk, the maximum price for which has been established by this subsection, may increase its maximum price therefor by the exact amount of any increase in the cost of such milk to it effected by this subsection. "Summer establishment" shall include any retail store, hotel, boarding house, restaurant, camp, dwelling or other living or retail selling establishment which is not regularly occupied or operated, as the case may be, at any time during the year except for one or more periods between June 1 and September 30, both dates inclusive.

A new subparagraph (12) is added to paragraph (h) to read as follows:

(12) Amendment No. 12 shall become effective on June 1, 1945, at 12:01 A. M.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 30th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9940; Filed, June 7, 1945; 2:50 p. m.]

[Region IV Order G-2 Under 2d Rev. MPR 269]

LIVE POULTRY EXCEPT TURKEYS IN ATLANTA REGION

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the Regional Administrator of the Office of Price Administration, Region IV, by section 2.3 (a) of 2d Revised Maximum Price Regulation 269, as amended, it is hereby ordered:

(a) *Permitted increase to maximum base prices.* (1) Permitted increases for transporting live poultry. Any "authorized poultry buyer" who transports live poultry items, except turkeys, which are produced within, and delivered from the Georgia "poultry area" designated in War Food Administration Order 119, as amended, to the plant of any "authorized processor" may sell or deliver such live poultry items to any such "authorized processor" at the approximate maximum base price established for such place plus the following trucking mark-ups in cents per pound:

TABLE 1

Shortest distance in road or railroad miles from the place within the Georgia "poultry area" where the transportation of live poultry items begins, to processing plant where transportation ends.	*Maximum trucking additions in cents per pound*
Less than 25 miles	1½
25–49 miles	1½
50–149 miles	2
150 miles and over	3

The weight of the live poultry items sold or delivered shall be the actual weight determined at the time of delivery at the processing plant.

(b) *Definitions.* "Authorized poultry buyer" means any person other than an authorized processor who holds authorization from the Director of Distribution, War Food Administration to purchase, contract to purchase, and accept delivery of poultry for purposes of resale and delivery to an "authorized processor".

"Authorized processor" means any person who holds a letter of authority issued to him by the "Order Administrator" designated by the Director of Distribution, War Food Administration, to receive and process poultry to be set aside pursuant to the provisions thereof.

"Poultry area" means the territory included within the counties of the State of Georgia named in War Food Administration Order 119, as amended, § 1414.7 (a) (12) (iii). This area includes Cherokee, Dawson, Forsyth, Lumpkin, Hall, White and Habersham Counties at the time of issuance of this order. It shall always include the Georgia counties named in War Food Administration Order 119, regardless of the subsequent alteration in the list of the Georgia counties contained therein.

(c) *Applicability of 2d Revised Maximum Price Regulation 269.* (1) Except as provided in paragraph (a) above, all the provisions of 2d Revised Maximum Price Regulation 269 continue in effect.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective January 15, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: January 19, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-9932; Filed, June 7, 1945; 2:48 p. m.]

[Region IV Order G-26 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ALABAMA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subdivision (c) (1) (i) of Order No. G-26 under Revised Maximum Price Regulation No. 122, issued by the Atlanta Regional Office October 14, 1944, is amended in the following respects:

1. Under the heading "Mine run and resultants over 3 inches (size groups 13, 19, 20 and 21, raw)" the first listings of mine sources is amended (with no changes in prices) to read as follows:

From mines in price group 8, and from (exceptions) mine index Nos. 22, 1306, 1735, and 2011, all in subdistrict No. 1, and trucked from (exceptions) mine index Nos. 3 and 4, in subdistrict No. 2	$7.85	$4.18	$2.21

2. Immediately following the heading "Resultants and screenings 3 inches and under (size groups 17 and 18, washed)" a new listing of mine sources and prices is inserted as follows:

From (exceptions) mine index Nos. 22, 1306 and 2011, in subdistrict No. 1	$8.10	$4.30	$2.28

3. Immediately following the heading "Resultants and screenings 3 inches and under (size groups 22 and 23, raw)" a new listing of mine sources and prices is inserted as follows:

From (exceptions) mine index Nos. 22, 1306 and 2011, in subdistrict No. 1	$7.85	$4.18	$2.21

This Amendment No. 2 to Order No. G-26 under Revised Maximum Price Regulation No. 122 shall become effective December 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9238, 8 F.R. 4681)

Issued: December 15, 1944.

GEORGE D. PATTERSON, Jr.,
Acting Regional Administrator.

[F. R. Doc. 45-9934; Filed, June 7, 1945; 2:48 p. m.]

[Region IV Order G-26 Under RMPR 122, Amdt. 3]

SOLID FUELS IN ALABAMA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subdivision (c) (1) (i) of Order No. G-26 under Revised Maximum Price Regulation No. 122, issued by the Atlanta Regional Office, October 14, 1944, is amended in the following respects:

1. Under the heading "All lump and double screened egg coal (size group 1 through 5)" following the first listing of mine sources together with retail prices of coal from those sources, a new listing of mine sources and prices is inserted as follows:

From (exceptions) mine index Nos. 22, 1306, and 2011	$9.20	$4.85	$2.55

2. Under the heading "Nut and chestnut coals (size groups 6, 8, and 10, washed)" following the first listing of mine sources together with retail prices of coal from those sources, a new listing of mine sources and prices is inserted as follows:

From (exceptions) mine index Nos. 22, 1306, and 2011	$8.70	$4.60	$2.43

3. Under the heading "Nut and chestnut coals (size groups 7, 9, and 11, raw)" following the first listing of mine sources together with retail prices of coal from those sources, a new listing of mine sources and prices is inserted as follows:

From (exceptions) mine index Nos. 22, 1306, and 2011	$8.60	$4.55	$2.40

This Amendment No. 3 to Order No. G-26 under Revised Maximum Price Regulation No. 122 shall become effective January 3, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 11, 1945.

GEORGE D. PATTERSON, Jr.,
Acting Regional Administrator.

[F. R. Doc. 45-9933; Filed, June 7, 1945; 2:48 p. m.]

[Region IV Order G-26 Under RMPR 122, Amdt. 4]

SOLID FUELS IN ALABAMA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subdivision (c) (1) (i) of Order No. G-26 under Revised Maximum Price Regulation No. 122, issued by the Atlanta Regional Office October 14, 1944, is amended in the following respects:

1. Immediately following the heading "All lump and double screened egg coal (size groups 1 through 5)" a new listing of mine sources and prices is inserted as follows:

From (exceptions) mine index Nos. 22, 1306, and 2011	$8.60	$4.55	$2.40

This Amendment No. 3 to Order No. G-26 under Revised Maximum Price Regulation No. 122 shall become effective January 3, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 11, 1945.

GEORGE D. PATTERSON, Jr.,
Acting Regional Administrator.

[F. R. Doc. 45-9933; Filed, June 7, 1945; 2:48 p. m.]

[Region IV Order G-26 Under RMPR 122, Amdt. 4]

SOLID FUELS IN ALABAMA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subdivision (c) (1) (i) of Order No. G-26 under Revised Maximum Price Regulation No. 122, issued by the Atlanta Regional Office October 14, 1944, is amended in the following respects:

1. Immediately following the heading "All lump and double screened egg coal (size groups 1 through 5)" a new listing of mine sources and prices is inserted as follows:

From (exceptions) mine index No. 6, subdistrict No. 1	$10.60	$5.55	$2.60

2. Immediately following the heading "Nut and chestnut coals (size groups 6, 8, and 10, washed)" a new listing of mine sources and prices is inserted as follows:

From (exceptions) mine index No. 6, in subdistrict No. 1	$9.80	$5.15	$2.70

3. Under the heading "Resultants and screenings 3 inches and under (size groups 17 and 18, washed)" the first listing of mine sources is amended (no change in prices) to read as follows:

From (exceptions) mine index Nos. 6, 22, 1306 and 2011, in subdistrict No. 1	$8.10	$4.30	$2.28

This Amendment No. 4 to Order No. G-26 under Revised Maximum Price Regulation No. 122 shall become effective March 5, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: March 5, 1945.

GEORGE D. PATTERSON, Jr.,
Acting Regional Administrator.

[F. R. Doc. 45-9942; Filed, June 7, 1945; 2:51 p. m.]

[Region VIII Order G–6 Under RMPR 122, Amdt. 3]

BITUMINOUS COAL IN SACRAMENTO, CALIF., AREA

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G–8 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. The table of maximum prices in paragraph (b) is amended to read as follows:

Size	Group and trade size	Delivered to buyer's premises: 1 ton	½ ton	¼ ton	100 lb. sack	Cash and carry 100 lb sack
1	Lump 11 x 8".....	$18.85	$9.90	$5.20	$1.15	$1.00
2	Lump 10".....					
3	Lump 5".....					
4	Lump 1¼".....	17.55	9.30	4.90	1.10	.95
5	Stove 8 x 5".....					
6	Egg 8 x 1¼".....					
7	Nut 3 x 1¼".....	16.90	8.95	4.75	1.05	.90

This amendment to Order No. G–6 shall become effective May 28, 1945.

Issued this 28th day of May 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45–9938; Filed, June 7, 1945; 2:49 p. m.]

[Columbia Order 1 Under Order 3 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SOUTH CAROLINA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Columbia (South Carolina) District Office of Region IV, Office of Price Administration, by Regional Delegation Order No. 72, issued under section 2 (a) of Order No. 3 under Restaurant MPR 2; *It is hereby ordered:*

1. That on and after the effective date of this order, each establishment in the State of South Carolina which sells wine for consumption on the premises shall prepare a price list setting out not more than 14 types of wine sold by such establishment for consumption on the premises.

2. Such price list shall be prepared in triplicate, and shall set out the brand, number of ounces, and the ceiling price as required under Section 2 of Order No. 3 of Restaurant MPR 2.

3. (a) After such price list has been prepared, the items on such list shall be printed in ink on a poster which shall be furnished by the Office of Price Administration in letters and figures large enough to be easily read by the customers.

(b) You must place this poster in a conspicuous place so that it will be plainly visible to the customers.

4. Three copies of the price list shall be delivered to the Local War Price & Rationing Board appropriate to the establishment on or before the effective date of this order.

5. You may not sell or offer to sell any wine for consumption on the premises unless the posting provisions of this order have been fully met.

6. Except as otherwise provided herein, all other provisions of Rest. MPR 2 shall remain in full force and effect.

This order shall become effective on the 20th day of June 1945.

Issued this 31st day of May 1945.

EDWARD H. TALBERT,
District Director.

[F. R. Doc. 45–9936; Filed, June 7, 1945; 2:49 p. m.]

[Region VI Order G–3 Under RMPR 251]

INSTALLED MINERAL WOOL INSULATION IN CHICAGO REGION

Correction

The last paragraph of Federal Register Document 45–8022, appearing at page 5626 of the issue for Wednesday, May 16, 1945, should read:

Issued this 9th day of March 1945.

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination 16]

KNAUS TRUCK LINES, INC.

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Knaus Truck Lines, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Knaus Truck Lines, Inc., 17th and Charlotte Streets, Kansas City, Missouri, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., June 9, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 16."

Issued at Washington, D. C., this 8th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45–9943; Filed, June 7, 1945; 4:14 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–1086]

UNION ELECTRIC CO. OF MISSOURI

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of June, A. D., 1945.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Union Electric Company of Missouri, a registered holding company; and

Notice is further given that any interested person may, not later than June 15, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application or declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application or declaration which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Union Electric Company of Missouri proposes: (a) to issue its promissory notes in the aggregate face amount of $9,000,000, dated June 28, 1945, maturing December 28, 1945, and bearing interest at the rate of 1½% per annum, payable quarterly, and (b) to deliver such notes in exchange for and cancelation of its presently outstanding promissory notes which are held by 44 commercial banks in the aggregate amount of $9,000,000, dated June 28, 1944, bearing interest at 1½% per annum, and maturing June 28, 1945. The presently outstanding notes were heretofore authorized by order of this Commission, dated April 19, 1944 (Holding Company Act Release No. 5005). The maturity date as originally provided for by the terms of the presently outstanding notes was March 28, 1945, which date was extended by the Company to June 28, 1945, pursuant to an order of this Commission dated March 27, 1945 (Holding Company Act Release No. 5684).

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45–9950; Filed, June 8, 1945; 9:39 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 116

Washington, Tuesday, June 12, 1945

The President

EXECUTIVE ORDER 9567

AMENDING EXECUTIVE ORDER NO. 9095, AS AMENDED BY EXECUTIVE ORDER NO. 9193, TO DEFINE FURTHER THE FUNCTIONS AND DUTIES OF THE ALIEN PROPERTY CUSTODIAN WITH RESPECT TO PROPERTY OF GERMANY AND JAPAN AND NATIONALS THEREOF

By virtue of the authority vested in me by the Constitution, by the First War Powers Act, 1941 (50 U.S.C. App., Sup., 601 et seq.), by the Trading with the Enemy Act of October 6, 1917, as amended (50 U.S.C. App., Sup., 1 et seq.), and as President of the United States, it is hereby ordered as follows:

Section 2 (c) of Executive Order No. 9095 of March 11, 1942, as amended by Executive Order No. 9193 of July 6, 1942 (3 CFR Cum. Supp.), is amended to read as follows:

"(c) any other property or interest within the United States of any nature whatsoever owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country or national thereof: *Provided, however,* That with respect to any such country or national other than Germany or Japan or any national thereof, such property or interest shall not include cash, bullion, moneys, currencies, deposits, credits, credit instruments, foreign exchange, and securities except to the extent that the Alien Property Custodian determines that such cash, bullion, moneys, currencies, deposits, credits, credit instruments, foreign exchange, and securities are necessary for the maintenance or safeguarding of other property belonging to the same designated enemy country or the same national thereof and subject to vesting pursuant to section 2 hereof;"

HARRY S. TRUMAN

THE WHITE HOUSE,
June 8, 1945.

[F. R. Doc. 45–10016; Filed, June 8, 1945; 4:44 p. m.]

EXECUTIVE ORDER 9568

PROVIDING FOR THE RELEASE OF SCIENTIFIC INFORMATION

By virtue of the authority vested in me as President of the United States by the Constitution and Statutes, and as Commander in Chief of the Army and Navy, and in order to provide for the release for publication by individuals or groups, in so far as it may be done without prejudice to the public interest, of certain scientific and technical data now or hereafter withheld from public dissemination for the purpose of national military security, to the end that such information may be of maximum benefit to the public, it is hereby ordered as follows:

1. For the purpose of determining what portion thereof should be released for publication and making appropriate recommendations therefor to the War and Navy Departments, the Director of War Mobilization and Reconversion (hereinafter referred to as the Director) is hereby authorized to review all scientific and technical information, which (1) has been, or may hereafter be developed by, or for, or with funds of any department or agency of the Government, and (2) is now, or may hereafter be classified as secret, confidential, restricted, or by other comparable designation, or otherwise withheld from the public for purposes of the national military security. This information is hereinafter referred to as scientific information.

2. All departments and agencies shall furnish the Director all information that he may request as essential to the performance of his duties under this order. Any provision of this order notwithstanding, there shall be excluded from the scope of this order any scientific information which the President shall declare to be in a closed field of information, except as the President shall subsequently remove any such information from the closed field.

3. In determining what scientific information may be released, and generally in the performance of his duties under this order, the Director shall proceed in the manner hereinafter outlined

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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and in accordance with such procedures as may be adopted by him, utilizing such governmental and private agencies and personnel as he shall deem appropriate:

(a) Should the Director desire to recommend the release for publication of any scientific information, he shall discuss such a proposed release with the department or agency which has classified it or otherwise withheld it from the public, and with other interested agencies.

(b) Notwithstanding objection on the part of the agency which has classified or otherwise withheld information, the Director may recommend release of such information for publication to the Secretary of War or the Secretary of the Navy, whichever shall have primary interest in such information, or to both the Secretary of War and the Secretary of the Navy when they shall both have a substantial interest in such information. The decision of the Secretary of War or the Secretary of the Navy shall be final as to whether the national military security permits that the scientific information in question be released.

(c) The procedure for removing security classifications in order to effectuate the release for publication of scientific information in pursuance hereof shall be determined by the Director.

(d) When it shall be determined that any scientific information may properly be released for publication, the Director shall take such measures as may be appropriate to effectuate the release and publication of such scientific information. In connection with such release and publication, the Director may, in so far as practicable, give, without creating substantive rights, appropriate recognition to the relative professional contribution to such information of those persons or groups of persons who perform for, or at the request of the Government, or with Government funds the research involved in the discovery or development of such information.

4. The Director is authorized, in consultation with the Department of State, to deal with duly accredited representatives of those foreign governments with which exchange of classified information has taken place, in order that similar policies and procedure will be observed so far as practicable by such Governments in dealing with the subject of the declassification and publication of scientific information.

5. To assist the Director in the performance of his duties hereunder, there is hereby established an interdepartmental board to be known as the Publication Board, which shall consist of the Director as Chairman, the Attorney General, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor, each of whom may designate an alternate to act in his stead. The Director may from time to time designate a member of the Board as Vice Chairman of the Board. The Secretary of War, the Secretary of the Navy, the Director of the Office of War Information, the Director of the Office of Scientific Research and Development, and the Chairman of the National Advisory Committee for Aeronautics may designate one liaison officer each, who may attend the meetings and participate in the discussions of the Board. The function of the Board shall be to bring to the attention of the Director any information within the scope of this order and to advise with him concerning its release for publication.

6. To assist the Board or the Director in carrying out their respective duties, the Director may establish committees composed of civilian employees of the Government or of officers of the Army

and Navy, or of both such civilians and officers.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 8, 1945.

[F. R. Doc. 45-10111; Filed, June 9, 1945; 2:54 p. m.]

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Offices of the Secretary and the War Food Administrator

PART 6—WAR CONTRACT SETTLEMENT

The Contract Settlement Act of 1944 (58 Stat. 649; 41 U. S. C. App. Supp. 101–125) (hereinafter called the act) became effective July 21, 1944. This law requires the Department of Agriculture and the War Food Administration (hereinafter called the Department [1]) to carry out the policies and procedures established therein and the regulations promulgated by the Director of Contract Settlement. It is the policy of the Government and the responsibility of the Department to provide war contractors having contracts with the Department and their subcontractors with speedy and fair compensation for the termination of any such war contract, in accordance with and subject to the provisions of the act, giving priority to contractors whose facilities are privately owned or privately operated.

The Department acting pursuant to the provisions of the act has prescribed the following regulations with respect to the settlement of claims arising under terminating war contracts:

SUBPART A—GENERAL PROVISIONS

Sec.
6.1 Definitions.
6.2 Orders and regulations of the Director of Contract Settlement.
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SUBPART I—APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

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SUBPART J—CLAIMS UNDER DEFECTIVE INFORMAL, OR QUASI CONTRACTS

6.35 Form of claim and supporting evidence.
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SUBPART K—REMOVAL AND STORAGE OF MATERIAL

6.39 Termination inventory.
6.40 Government-owned machinery, tools, and equipment.

SUBPART L—INTEREST

6.41 Interest on termination claims.

SUBPART M—INTERIM FINANCING

6.42 Interim financing.
6.43 Suspension or modification of penalty for over-statement in connection with interim financing.

AUTHORITY: §§ 6.1 to 6.43, inclusive, issued under Contract Settlement Act of 1944, 58 Stat. 649.

SUBPART A—GENERAL PROVISIONS

§ 6.1 *Definitions.* (a) All terms used in this part which are used in the Contract Settlement Act of 1944 have the same meaning as given such terms in such act.

(b) "War contract" is defined in the act, in effect, as a contract "connected with or related to the prosecution of the war". In view of the large number of transactions of differing type and purpose entered into by the Department under a wide range of program activities which may or may not be related to the war effort, whether or not any such transaction is a war contract shall be determined by the Director of Surplus Property and Reconversion after consultation with the Solicitor.

(c) The "terminating officer" with respect to any particular contract shall be the head of the office, agency, or bureau having jurisdiction over such contract, or the officer designated by the head of such office, agency, or bureau.

(d) "Settlement Review Board" in any individual case means the Settlement Review Board designated by the head of the office, agency, or bureau within the Department which had jurisdiction over the terminated contract under which the settlement is being made.

(e) "Director of Surplus Property and Reconversion" means the Director of Surplus Property and Reconversion of the United States Department of Agriculture and the War Food Administration.

§ 6.2 *Orders and regulations of the Director of Contract Settlement.* The exercise of any authority or discretion and the performance of any duty or function conferred or imposed by this part shall be subject to the orders or regulations issued by the Director of Contract Settlement within the scope of the authority conferred upon him by the act. Such orders or regulations, whenever issued, must be complied with by all officers and employees of the Department whose duties or functions are affected thereby. Anything contained in this part which may be inconsistent with any such order or regulation will be deemed amended so as to remove such inconsistency.

§ 6.3 *Assistance to war contractors.* Employees of the Department dealing in any capacity with the war contract terminations shall as a part of their official duties advise, aid, and assist war contractors in preparing and presenting termination claims, in obtaining interim financing, and in related matters, *Provided*, That the employees do not receive therefor benefits or compensation of any kind directly or indirectly from the war contractor.

§ 6.4 *Amendments to provide for fair compensation.* (a) Contracting officers of the Department may, to the extent deemed feasible, give prime war contractors an opportunity to amend their war contracts to include the "Uniform Termination Article for Fixed-price Supply Contracts" set forth in Office of War Mobilization Directive Order No. 1.[2]

(b) Contracting officers of the Department may embody in any war contract with a prime contractor a special agreement with respect to amount of fair compensation, upon termination in accordance with Regulation 3 of the Office of Contract Settlement (9 F.R. 11854).

§ 6.5 *Scope of review by Settlement Review Boards.* The sole function of the Settlement Review Board is to determine the over-all reasonableness of the proposed settlement from the standpoint of protecting the Government's interest.

§ 6.6 *Determining amount of claim or settlement.* When any action under this part depends upon the amount of a termination claim or settlement, then, unless specifically provided otherwise, in determining the amount of claim or set-

[1] As used herein the word "Department" means the War Food Administration whenever the action contemplated by this regulation relates to a contract under the jurisdiction of any office or agency comprising the War Food Administration.

[2] 9 F.R. 478.

tlement (a) credits for retention or disposal of termination inventory allocated to the claim and advance or partial payments shall not be deducted from the gross claim or settlement, but (b) amounts payable for completed articles or work at the contract price, for the discharge of termination claim of subcontractors and for interest shall be deducted.

§ 6.7 *Notice from war contractors.* Any request, demand, or notice required or authorized to be made under this part shall be given or made in writing by registered mail, postage prepaid.

§ 6.8 *Supervision.* All functions and duties hereby conferred or imposed upon any officer of the Department shall be performed under the general supervision of the Director of Surplus Property and Reconversion.

§ 6.9 *Authorizations.* The head of each agency, office, or bureau is hereby vested with authority to terminate war contracts; to create settlement review boards, where necessary; to handle defective, informal and quasi contracts; to provide interim financing; to do all acts not otherwise assigned which are required or authorized under these regulations, the regulations of the Director of Contract Settlement, and the act, and, except as otherwise specifically provided, to delegate to subordinates any or all of the powers and duties vested in him. Such head may prescribe such conditions, regulations, and restrictions as he may deem necessary for the Department within his agency of the functions provided for hereunder as are consistent with this part.

SUBPART B—ADVANCE PREPARATIONS FOR TERMINATION SETTLEMENTS

§ 6.10 *Value of advance preparations.* In order to effectuate the transition from war to civilian production with the greatest possible speed, diligent efforts should be made before actual termination to prepare for the decisions and actions which must be made by war contractors and the Department in connection with the settlement of terminated contracts.

§ 6.11 *Types of advance preparation.* Preparation for termination with any contractor may take the form of:

(a) Advance planning, consisting of:

(1) Discussions with the contractor relating to termination education, organization, procedures and problems; and

(2) Tentative understanding or arrangements, not binding upon the Government or the contractor, covering some or all elements of the termination settlement; or

(b) Pretermination agreements between the Department and the contractor covering the elements of the termination settlement in accordance with Regulation 3 of the Office of Contract Settlement.[3]

[3] 9 F.R. 11854.

§ 6.12 *Conditions applicable to use of pretermination settlement agreements.* Pretermination settlement agreements may be made only when the contractor has had sufficient experience in the type of production to which the contract relates to insure reasonable accuracy of the information on which the agreement is based. When an agreement involves a forecast of the factors involved in determining fair compensation, the available data must permit a reasonable forecast consistent with sound commercial standards of such factors, and the agreement will so state.

§ 6.13 *Approval required.* Whenever any pretermination settlement agreement, in an original contract or supplement to an existing contract, involves major elements of a termination settlement, it must be approved by the Director of Surplus Property and Reconversion before it will be considered a binding agreement upon the Department.

§ 6.14 *Subcontractor pretermination agreements.* Pretermination agreements in subcontracts will be recognized on substantially the conditions applicable to such agreements in prime contracts stated in § 6.12. Any settlements made in accordance with such agreement are subject to review to the same extent as other subcontract settlements.

SUBPART C—NOTICE OF TERMINATION

§ 6.15 *Notice of termination.* The terminating officer will give each prime contractor, work under whose contract is terminated for the convenience or at the option of the Government, notice of such termination. Such notice shall be given as far in advance of cessation of work under the contract as is feasible and consistent with the national security without permitting unneeded production or performance.

§ 6.16 *Election to treat suspension notice as termination notice.* Whenever the terminating officer directs a prime contractor to cease or suspend all or a substantial part of work under prime contract, without terminating the contract, then, unless the contract otherwise provides, (a) the Department shall compensate the contractor for reasonable costs and expenses resulting from such cessation or suspension, and (b) if the cessation or suspension extends 30 days or more, the contractor may elect to treat it as a termination by delivering written notice of his election so to do to the terminating officer, at any time before the contractor is directed to resume work under the contract.

SUBPART D—IMMEDIATE ACTION AFTER TERMINATION

§ 6.17 *Stoppage of work.* The prime contractor must discontinue the making of subcontracts and must take all necessary steps to stop work as promptly as possible on and after the effective date of the termination notice, except that the prime contractor may continue any part of the work for his own account, unless the notice expressly provides otherwise.[4] The prime contractor is not entitled to compensation or reimbursement of costs, for work done after he should have stopped work, or for work continued on his own account. The contractor should immediately call to the attention of the terminating officer any special circumstances which make it necessary or desirable to continue some or all of the work for the account of the Government in order to avoid waste of materials or work in process or injury to the plant or other property.[4] The terminating officer is authorized to modify the notice of termination in appropriate cases.

§ 6.18 *Termination of subcontracts.* Except as the termination notice provides otherwise, the prime contractor must take steps to terminate, with or without the consent of the subcontractors, all unperformed or partially performed subcontracts related to the terminated portion of the prime contract, except that he may continue any such subcontracts for his own account unless the notice expressly provides otherwise. Such subcontracts must be terminated as promptly as practical on and after the effective date of the termination notice or if the termination notice so provides, at such later time as the terminating officer may direct. The prime contractor will notify his subcontractors of the termination as far in advance of the effective date as possible. Subcontractors, in turn, should be required to pass along the same requirements to their immediate subcontractors. If any subcontractor continues work after it should have been stopped, neither he nor the prime contractor is entitled to compensation or reimbursement from the Government for such work.

§ 6.19 *Termination inventory.* The prime contractor and each subcontractor must use reasonable care, and, in addition, take such action as the terminating officer may direct or approve, to protect and preserve property in his possession in which the Government has or may acquire an interest, and to reduce or prevent loss or damage to the Government.

§ 6.20 *Notice of suits.* The prime contractor should promptly notify the terminating officer in writing of any legal proceedings against the contractor based upon any subcontract or commitment related to the terminated contract, which are pending on the effective date of the termination notice or are brought at any time thereafter. The Director of Surplus Property and Reconversion will decide whether to assume control of any such case and defend against such claim by suitable arrangement with the prime contractor.

SUBPART E—METHODS OF SETTLEMENT

§ 6.21 *Methods of settlement.* (a) The act provides that fair compensation to war contractors shall be determined (1) by agreement with the war contrac-

[4] See also Director of War Mobilization and Reconversion regulation entitled "Processing of Uncompleted Items; Retention of Work in Progress by Contractor; Taking over of Contracts by Other Agencies or Governments" dated October 24, 1944 (9 F.R. 12850).

tor, (2) by determination without agreement, (3) by any combination of these two methods, and (4) by arbitration.

(b) It is the policy of the Department to settle termination claims by agreement to the maximum extent feasible. Other methods of settlement will be resorted to only when a termination claim cannot be fairly settled by agreement.

§ 6.33 *Duty to submit claim promptly.* Each war contractor should prepare and submit his own claim as promptly as practicable following the cutback or termination. Likewise it is the duty of the contracting officer to expedite the consideration and settlement of the claim with the contractor. Undue delay in the preparation, presentation or settlement of claims is contrary to the public interest.

§ 6.34 *Settlement and payment of subcontractors' claims.* Unless a different procedure is approved by the terminating officer, settlement of subcontractors' claims and payment thereof will be made by the war contractor who placed the contract. Where a subcontractor is of the opinion that any war contractor is not financially responsible or where the death or dissolution of such contractor or other circumstances make it necessary for the protection of the subcontractor that settlement or payment be made speedily with or by the contracting officer, such fact should be promptly brought to the attention of the contracting officer. Upon receipt of such information the contracting officer will promptly take such steps as may be necessary to protect the interests of the subcontractor and the Government. Such steps may include the making of payments to the subcontractor by the contracting officer, the withholding of payments to the war contractor, the taking of possession of the subcontractor's claim and the settlement thereof by the contracting officer, or the making of payments to the subcontractor by the war contractor under the supervision of the contracting officer. Where the contracting officer takes possession of the subcontractor's claim, he will, if necessary, assist the subcontractor in the preparation of his claim and will expedite the settlement thereof.

§ 6.35 *Settlement of subcontractors' claims by agreement.* Settlement of termination claims between a war contractor and a subcontractor by agreement should be made on the basis of the contract price for the work done and accepted, adjusted to reflect any savings in cost or increase in cost resulting from the termination. Such settlements may be made on the basis of unit prices specified in the contract, or on the basis of estimates of the total number of units of the various classes of work involved, or on any other reasonable basis. Settlements may include a reasonable allowance for profit on work done, or on preparations made for the performance of the part terminated, even though the contractor would have sustained a loss if the entire contract had been completed. Settlements may also include a reasonable allowance for unabsorbed overhead and for the reasonable cost of the preparation of the settlement claim and supporting data. Settlements may not include any amount on account of anticipated profits on performance which would have been required had the contract been completed.

§ 6.36 *Settlement of subcontractors' claims by determination.* Where a settlement cannot be effected by agreement, the contracting officer will determine the amount due on account of the termination of each subcontract. Such determination will be made on the basis of the contract price for the work done and accepted, adjusted to reflect any savings in cost or increase in cost resulting from the termination. Such determinations may be made on the basis of unit prices specified in the contract, or on the basis of estimates of the total number of units of the various classes of work involved, or on any other reasonable basis. Determinations may include a reasonable allowance for profit on work done, or on preparations made for the performance of the part terminated, even though the contractor would have sustained a loss if the entire contract had been completed. Determinations may also include a reasonable allowance for unabsorbed overhead and for the reasonable cost of the preparation of the settlement claim and supporting data. Determinations may not include any amount on account of anticipated profits on performance which would have been required had the contract been completed.

§ 6.37 *Settlement of subcontractors' claims by arbitration.* Where a settlement cannot be effected by agreement and the contracting officer is unable to determine the amount due on account of the termination of each subcontract, he will submit to the Appeal Board whenever any dispute exists between any war contractor and a subcontractor regarding any termination claim, either of them, by agreement with the other, may submit the dispute to the terminating officer using the termination notice for submission to arbitration. The war contractor and subcontractor will be notified by such terminating officer as to whether he will undertake the mediation or arbitration.

PART 7—APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

§ 7.31 *Settlement of subcontractors' claims without approval.* Settlement of termination claims between a war contractor and a subcontractor may be made by the war contractor without the approval of the contracting officer, except as otherwise provided in the regulations of the Office of Contract Settlement.

§ 7.32 *Direct settlement and payment of subcontractors' claims.* Unless a different procedure is approved by the terminating officer, settlement of subcontractors' claims and payment thereof will be made by the war contractor who placed the contract. Where a subcontractor is of the opinion that any war contractor is not financially responsible or where the death or dissolution of such contractor or other circumstances make it necessary for the protection of the subcontractor that settlement or payment be made speedily with or by the contracting officer, such fact should be promptly brought to the attention of the contracting officer. Upon receipt of such information the contracting officer will promptly take such steps as may be necessary to protect the interests of the subcontractor and the Government. Such steps may include the making of payments to the subcontractor by the contracting officer, the withholding of payments to the war contractor, the taking of possession of the subcontractor's claim and the settlement thereof by the contracting officer, or the making of payments to the subcontractor by the war contractor under the supervision of the contracting officer. Where the contracting officer takes possession of the subcontractor's claim, he will, if necessary, assist the subcontractor in the preparation of his claim and will expedite the settlement thereof.

SUBPART K—REMOVAL AND STORAGE OF MATERIAL

§ 6.39 *Termination inventory.* The policies, principles, methods, procedures and standards relating to the removal of termination inventory from plants of war contractors shall be those prescribed by Regulation 10 of the Office of Contract Settlement (10 F.R. 1279). The terminating officer is authorized to exercise all of the powers and functions required of the Department under said Regulation 10 and to determine interests which are required to be filed by the contractor with the Department could be filed with such officer.

§ 6.40 *Government-owned termination inventory.*

and Navy, or of both such civilians and officers.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 8, 1945.

[F. R. Doc. 45-10111; Filed, June 9, 1945; 2:54 p. m.]

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Offices of the Secretary and the War Food Administrator

PART 6—WAR CONTRACT SETTLEMENT

The Contract Settlement Act of 1944 (58 Stat. 649; 41 U. S. C. App. Supp. 101–125) (hereinafter called the act) became effective July 21, 1944. This law requires the Department of Agriculture and the War Food Administration (hereinafter called the Department [1]) to carry out the policies and procedures established therein and the regulations promulgated by the Director of Contract Settlement. It is the policy of the Government and the responsibility of the Department to provide war contractors having contracts with the Department and their subcontractors with speedy and fair compensation for the termination of any such war contract, in accordance with and subject to the provisions of the act, giving priority to contractors whose facilities are privately owned or privately operated.

The Department acting pursuant to the provisions of the act has prescribed the following regulations with respect to the settlement of claims arising under terminating war contracts:

SUBPART A—GENERAL PROVISIONS

Sec.
6.1 Definitions.
6.2 Orders and regulations of the Director of Contract Settlement.
6.3 Assistance to war contractors.
6.4 Amendments to provide for fair compensation.
6.5 Scope of review by Settlement Review Boards.
6.6 Determining amount of claim or settlement.
6.7 Notice from war contractors.
6.8 Supervision.
6.9 Authorization.

SUBPART B—ADVANCE PREPARATIONS FOR TERMINATION SETTLEMENTS

6.10 Value of advance preparations.
6.11 Types of advance preparation.
6.12 Conditions applicable to use of pretermination settlement agreements.
6.13 Approval required.
6.14 Subcontractor pretermination agreements.

SUBPART C—NOTICE OF TERMINATION

6.15 Notice of termination.
6.16 Election to treat suspension notice as termination notice.

[1] As used herein the word "Department" means the War Food Administration whenever the action contemplated by this regulation relates to a contract under the jurisdiction of any office or agency comprising the War Food Administration.

SUBPART D—IMMEDIATE ACTION AFTER TERMINATION

Sec.
6.17 Stoppage of work.
6.18 Termination of subcontracts.
6.19 Termination inventory.
6.20 Notice of suits.

SUBPART E—METHODS OF SETTLEMENT

6.21 Methods of settlement.
6.22 Duty to submit claim promptly.

SUBPART F—SETTLEMENT PROPOSALS FOR FIXED PRICE CONTRACTS

6.23 Forms.
6.24 Deviation from forms.

SUBPART G—BASIS FOR NEGOTIATED SETTLEMENT OF FIXED-PRICE CONTRACTS

6.25 General standards for negotiating settlement.
6.26 Costs.
6.27 Profits.

SUBPART H—SETTLEMENTS NOT MADE BY AGREEMENT

6.28 Determination without agreement.
6.29 Settlement review
6.30 Arbitration settlement.

SUBPART I—APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

6.31 Settlement of subcontracts without approval.
6.32 Approval authority.
6.33 Review of and policy governing approval.
6.34 Direct settlement and payment of subcontractors' claims.

SUBPART J—CLAIMS UNDER DEFECTIVE INFORMAL, OR QUASI CONTRACTS

6.35 Form of claim and supporting evidence.
6.36 Formalization of obligations and commitments.
6.37 Investigation and notice of disposition of claim.
6.38 Procedure if claim not settled by agreement.

SUBPART K—REMOVAL AND STORAGE OF MATERIAL

6.39 Termination inventory.
6.40 Government-owned machinery, tools, and equipment.

SUBPART L—INTEREST

6.41 Interest on termination claims.

SUBPART M—INTERIM FINANCING

6.42 Interim financing.
6.43 Suspension or modification of penalty for over-statement in connection with interim financing.

AUTHORITY: §§ 6.1 to 6.43, inclusive, issued under Contract Settlement Act of 1944, 58 Stat. 649.

SUBPART A—GENERAL PROVISIONS

§ 6.1 *Definitions.* (a) All terms used in this part which are used in the Contract Settlement Act of 1944 have the same meaning as given such terms in such act.

(b) "War contract" is defined in the act, in effect, as a contract "connected with or related to the prosecution of the war". In view of the large number of transactions of differing type and purpose entered into by the Department under a wide range of program activities which may or may not be related to the war effort, whether or not any such transaction is a war contract shall be determined by the Director of Surplus Property and Reconversion after consultation with the Solicitor.

(c) The "terminating officer" with respect to any particular contract shall be the head of the office, agency, or bureau having jurisdiction over such contract, or the officer designated by the head of such office, agency, or bureau.

(d) "Settlement Review Board" in any individual case means the Settlement Review Board designated by the head of the office, agency, or bureau within the Department which had jurisdiction over the terminated contract under which the settlement is being made.

(e) "Director of Surplus Property and Reconversion" means the Director of Surplus Property and Reconversion of the United States Department of Agriculture and the War Food Administration.

§ 6.2 *Orders and regulations of the Director of Contract Settlement.* The exercise of any authority or discretion and the performance of any duty or function conferred or imposed by this part shall be subject to the orders or regulations issued by the Director of Contract Settlement within the scope of the authority conferred upon him by the act. Such orders or regulations, whenever issued, must be complied with by all officers and employees of the Department whose duties or functions are affected thereby. Anything contained in this part which may be inconsistent with any such order or regulation will be deemed amended so as to remove such inconsistency.

§ 6.3 *Assistance to war contractors.* Employees of the Department dealing in any capacity with the war contract terminations shall as a part of their official duties advise, aid, and assist war contractors in preparing and presenting termination claims, in obtaining interim financing, and in related matters, *Provided*, That the employees do not receive therefor benefits or compensation of any kind directly or indirectly from the war contractor.

§ 6.4 *Amendments to provide for fair compensation.* (a) Contracting officers of the Department may, to the extent deemed feasible, give prime war contractors an opportunity to amend their war contracts to include the "Uniform Termination Article for Fixed-price Supply Contracts" set forth in Office of War Mobilization Directive Order No. 1.[2]

(b) Contracting officers of the Department may embody in any war contract with a prime contractor a special agreement with respect to amount of fair compensation, upon termination in accordance with Regulation 3 of the Office of Contract Settlement (9 F.R. 11854).

§ 6.5 *Scope of review by Settlement Review Boards.* The sole function of the Settlement Review Board is to determine the over-all reasonableness of the proposed settlement from the standpoint of protecting the Government's interest.

§ 6.6 *Determining amount of claim or settlement.* When any action under this part depends upon the amount of a termination claim or settlement, then, unless specifically provided otherwise, in determining the amount of claim or settlement (a) credits for retention or disposal of termination inventory allocated to the claim and advance or partial payments shall not be deducted from the gross claim or settlement, but (b) amounts payable for completed articles or work at the contract price, for the discharge of termination claim of subcontractors and for interest shall be deducted.

[2] 9 F.R. 478.

§ 6.7 *Notice from war contractors.* Any request, demand, or notice required or authorized to be made under this part shall be given or made in writing by registered mail, postage prepaid.

§ 6.8 *Supervision.* All functions and duties hereby conferred or imposed upon any officer of the Department shall be performed under the general supervision of the Director of Surplus Property and Reconversion.

§ 6.9 *Authorizations.* The head of each agency, office, or bureau is hereby vested with authority to terminate war contracts; to create settlement review boards, where necessary; to handle defective, informal and quasi contracts; to provide interim financing; to do all acts not otherwise assigned which are required or authorized under these regulations, the regulations of the Director of Contract Settlement, and the act, and, except as otherwise specifically provided, to delegate to subordinates any or all of the powers and duties vested in him. Such head may prescribe such conditions, regulations, and restrictions as he may deem necessary for the Department within his agency of the functions provided for hereunder as are consistent with this part.

SUBPART B—ADVANCE PREPARATIONS FOR TERMINATION SETTLEMENTS

§ 6.10 *Value of advance preparations.* In order to effectuate the transition from war to civilian production with the greatest possible speed, diligent efforts should be made before actual termination to prepare for the decisions and actions which must be made by war contractors and the Department in connection with the settlement of terminated contracts.

§ 6.11 *Types of advance preparation.* Preparation for termination with any contractor may take the form of:

(a) Advance planning, consisting of:

(1) Discussions with the contractor relating to termination education, organization, procedures and problems; and

(2) Tentative understanding or arrangements, not binding upon the Government or the contractor, covering some or all elements of the termination settlement; or

(b) Pretermination agreements between the Department and the contractor covering the elements of the termination settlement in accordance with Regulation 3 of the Office of Contract Settlement.[3]

[3] 9 F.R. 11854.

§ 6.12 *Conditions applicable to use of pretermination settlement agreements.* Pretermination settlement agreements may be made only when the contractor has had sufficient experience in the type of production to which the contract relates to insure reasonable accuracy of the information on which the agreement is based. When an agreement involves a forecast of the factors involved in determining fair compensation, the available data must permit a reasonable forecast consistent with sound commercial standards of such factors, and the agreement will so state.

§ 6.13 *Approval required.* Whenever any pretermination settlement agreement, in an original contract or supplement to an existing contract, involves major elements of a termination settlement, it must be approved by the Director of Surplus Property and Reconversion before it will be considered a binding agreement upon the Department.

§ 6.14 *Subcontractor pretermination agreements.* Pretermination agreements in subcontracts will be recognized on substantially the conditions applicable to such agreements in prime contracts stated in § 6.12. Any settlements made in accordance with such agreement are subject to review to the same extent as other subcontract settlements.

SUBPART C—NOTICE OF TERMINATION

§ 6.15 *Notice of termination.* The terminating officer will give each prime contractor, work under whose contract is terminated for the convenience or at the option of the Government, notice of such termination. Such notice shall be given as far in advance of cessation of work under the contract as is feasible and consistent with the national security without permitting unneeded production or performance.

§ 6.16 *Election to treat suspension notice as termination notice.* Whenever the terminating officer directs a prime contractor to cease or suspend all or a substantial part of work under prime contract, without terminating the contract, then, unless the contract otherwise provides, (a) the Department shall compensate the contractor for reasonable costs and expenses resulting from such cessation or suspension, and (b) if the cessation or suspension extends 30 days or more, the contractor may elect to treat it as a termination by delivering written notice of his election so to do to the terminating officer, at any time before the contractor is directed to resume work under the contract.

SUBPART D—IMMEDIATE ACTION AFTER TERMINATION

§ 6.17 *Stoppage of work.* The prime contractor must discontinue the making of subcontracts and must take all necessary steps to stop work as promptly as possible on and after the effective date of the termination notice, except that the prime contractor may continue any part of the work for his own account, unless the notice expressly provides otherwise.[4] The prime contractor is not entitled to compensation or reimbursement of costs, for work done after he should have stopped work, or for work continued on his own account. The contractor should immediately call to the attention of the terminating officer any special circumstances which make it necessary or desirable to continue some or all of the work for the account of the Government in order to avoid waste of materials or work in process or injury to the plant or other property.[4] The terminating officer is authorized to modify the notice of termination in appropriate cases.

§ 6.18 *Termination of subcontracts.* Except as the termination notice provides otherwise, the prime contractor must take steps to terminate, with or without the consent of the subcontractors, all unperformed or partially performed subcontracts related to the terminated portion of the prime contract, except that he may continue any such subcontracts for his own account unless the notice expressly provides otherwise. Such subcontracts must be terminated as promptly as practical on and after the effective date of the termination notice or if the termination notice so provides, at such later time as the terminating officer may direct. The prime contractor will notify his subcontractors of the termination as far in advance of the effective date as possible. Subcontractors, in turn, should be required to pass along the same requirements to their immediate subcontractors. If any subcontractor continues work after it should have been stopped, neither he nor the prime contractor is entitled to compensation or reimbursement from the Government for such work.

§ 6.19 *Termination inventory.* The prime contractor and each subcontractor must use reasonable care, and, in addition, take such action as the terminating officer may direct or approve, to protect and preserve property in his possession in which the Government has or may acquire an interest, and to reduce or prevent loss or damage to the Government.

§ 6.20 *Notice of suits.* The prime contractor should promptly notify the terminating officer in writing of any legal proceedings against the contractor based upon any subcontract or commitment related to the terminated contract, which are pending on the effective date of the termination notice or are brought at any time thereafter. The Director of Surplus Property and Reconversion will decide whether to assume control of any such case and defend against such claim by suitable arrangement with the prime contractor.

SUBPART E—METHODS OF SETTLEMENT

§ 6.21 *Methods of settlement.* (a) The act provides that fair compensation to war contractors shall be determined (1) by agreement with the war contrac-

[4] See also Director of War Mobilization and Reconversion regulation entitled "Processing of Uncompleted Items; Retention of Work in Progress by Contractor; Taking over of Contracts by Other Agencies or Governments" dated October 24, 1944 (9 F.R. 12850).

diction of any office or agency comprising the War Food Administration.

(c) The "terminating officer" with respect to any particular contract shall be

[2] 9 F.R. 478.

tor, (2) by determination without agreement, (3) by any combination of these two methods, and (4) by arbitration.

(b) It is the policy of the Department to settle termination claims by agreement to the maximum extent feasible. Other methods of settlement will be resorted to only when a termination claim cannot be fairly settled by agreement.

§ 6.22 *Duty to submit claim promptly.* Each war contractor should prepare and submit his own claim as promptly as possible without waiting for the claims of his subcontractors. Likewise, a war contractor should promptly transmit up the contractual chain all his settlements with his subcontractor which require approval by the Department.

SUBPART F—SETTLEMENT PROPOSALS FOR FIXED-PRICE CONTRACTS [4]

§ 6.23 *Forms.* In order to expedite the preparation and review of settlement proposals, the Director of Contract Settlement has prescribed standard forms for settlement proposals under fixed-price war supply contracts.[4] The forms are for use by prime contractors and their subcontractors. The forms are designed to present the information required both for settlement of the claim and for disposal of termination inventory.

§ 6.24 *Deviation from forms.* Although minor deviations from the requirements of the forms are permissible, prior approval of the Department or the customer (contractor in the next higher tier) must be obtained for any substantial deviation from the requirements. A contractor receiving such approval may not require his subcontractors to submit their proposals on other than the prescribed standard forms. The terminating officer, with the approval of the Director of Surplus Property and Reconversion, may authorize substantial deviations in the standard form or the use of some other suitable form for presenting the proposal.

SUBPART G—BASIS FOR NEGOTIATED SETTLEMENT OF FIXED-PRICE CONTRACTS

§ 6.25 *General standards for negotiating settlement.* The primary objective in negotiating a settlement is to agree to an amount to compensate the war contractor for work done and the preparations made for the terminated portion of the contract, with such allowance for profit thereon as is reasonable under the circumstances. Such fair compensation is inherently a matter of judgment. In a given case, various methods may be equally appropriate for arriving at fair compensation; and differing amounts, resulting from reasonable variations of methods and sound judgment, may all be regarded as constituting fair compensation. Costs and accounting data, like other criteria for judgment, are to be regarded as guides to the ascertainment of fair compensation and not as rigid measures of it. The amount agreed upon may be determined as an entirety, leaving flexibility in the determination of any particular element entering into the final result. However, in the consideration of costs and profits as elements of the total amount to be agreed upon as fair compensation, certain principles set forth in §§ 6.26 and 6.27 hereof should be observed to the extent not inappropriate in the light of the particular contract.[7]

§ 6.26 *Costs.* Regulation No. 5 of the Office of Contract Settlement (9 F.R. 12282) sets forth a Statement of Principles for the Determination of Costs upon Termination of Government Fixed-Price Supply Contracts (hereinafter referred to as the Statement of Cost Principles). To serve as a guide in interpreting and applying the Statement of Cost Principles, the Director of Contract Settlement has issued Regulation No. 14 (10 F.R. 2312), amended (10 F.R. 3925) and incorporated therein certain Termination Cost Memorandums.[8]

§ 6.27 *Profits.* Profits should be limited to preparations made and work done for the terminated portion of the contract; but, subject to this limitation, any reasonable method of arriving at a fair profit may be used. Regulation 7 of the Office of Contract Settlement (9 F.R. 12285) sets forth certain standards for guidance in determining profit.

SUBPART H—SETTLEMENTS NOT MADE BY AGREEMENT

§ 6.28 *Determination without agreement.* (a) In cases where termination claims are not settled by agreement and the amount of fair compensation is for determination by the Department pursuant to subsection (c) of section 6 and subsection (a) of section 13 of the act, the terminating officer is authorized to make such determination. In making such determination, the terminating officer will take into account the includible charges, and shall exclude as elements of cost, the items listed in subsection (d) of section 6 of the act; subject, however, to such inclusions or exclusions as the Director of Contract Settlement may by regulation prescribe; [9] however, where the small size of claims or the nature of production or performance or other factors make it impracticable to apply the principles stated in subsection (d) of section 6 of the act, to any class of settlements which are subject to such subsection, the terminating officer in determining fair compensation for that class of termination claims, shall use such other standards or methods as in the particular case will result in the contractor receiving fair compensation: *Provided*, That the aggregate amount of compensation in accordance with this paragraph (excluding costs of the kind referred to in paragraphs (3) and (4) of subsection (d) of section 6 of the act) shall not exceed the total contract price reduced by the amount of payments otherwise made or to be made under the contract.

(b) In cases where the contractor and the terminating officer are unable to settle a claim in full by agreement and the contractor desires to have the Department determine the amount due on the claim or unsettled part pursuant to clause (2) of subsection (a) of section 13 of the act, the contractor shall make written demand for such determination on the terminating officer.

(c) Contractors normally will be given advance notice of the intention on the part of the Department, pursuant to clause (1) of subsection (a) of section 13 of the act, to make a determination of the amount due on any claim or any unsettled part of any claim in cases where the termination claim has not been settled by agreement or has been so settled only in part. Notice of the intention to make any such determination, the amount ultimately determined to be payable, and a copy of the findings by the terminating officer indicating the basis of the determination, shall be forwarded to the contractor over the signature of the terminating officer.

§ 6.29 *Settlement review.* No settlement [10] involving payment to a war contractor of an amount in excess of $50,000 shall become binding upon the Department until such settlement has been reviewed and approved by the appropriate Settlement Review Board of the Department, or not disapproved by such board within thirty (30) days after the date of its submission, or in the event of disapproval by the Settlement Review Board, unless approved by the head of the agency, bureau, or office in which settlement is being made.

§ 6.30 *Arbitration settlement.* (a) Pursuant to subsection (e) of section 13 of the act, the terminating officer and the war contractor asserting the claim, by agreement, may submit all or any part of the termination claim to arbitration, without regard to the amount in dispute. Any war contractor asserting any such claim and desiring so to arbitrate shall serve written notice thereof on the terminating officer and shall give such other notice thereof as may be required by the terms of the war contract.

(b) Pursuant to subsection (f) of section 13 of the act, in addition to the right

[4] In the event the terminated contract is other than a fixed-price contract, appropriate forms and instructions will be sent to the contractor with the notice of termination.

[5] See Office of Contract Settlement Forms 1, 1a, 1b, 2a, 2b, 2c, 2d, and 3, and Instructions for Use of Standard Contract Settlement Proposal Forms (dated Oct. 1, 1944) which were prescribed by the Director of Contract Settlement by Regulation 8, dated Oct. 13, 1944 (9 F.R. 12541), for use by contractors and subcontractors in settling terminated fixed-price war supply contracts.

[7] In this connection, see Office of Contract Settlement Reg. No. 5 (9 F.R. 12282) and Reg. No. 7 (9 F.R. 12285).

[8] Nine Termination Cost Memorandums have been issued as of the date of this regulation. Memorandums Nos. 1 through 8 are published in 10 F.R. 2312; Memorandum No. 9 is published in 10 F.R. 3925.

[9] See for guidance, Office of Contract Settlement, Reg. 5, dated Sept. 30, 1944 (9 F.R. 12282), Reg. 7, dated Oct. 5, 1944 (9 F.R. 12285) and Reg. 14, dated Feb. 22, 1945 (10 F.R. 2312).

[10] Including settlements under defective, informal and quasi contracts.

to submit to the Appeal Board, whenever any dispute exists between any war contractor and a subcontractor regarding any termination claim, either of them, by agreement with the other, may submit the dispute to the terminating officer issuing the termination notice for mediation or arbitration. The war contractor and subcontractor will be notified by such terminating officer as to whether he will undertake the mediation or arbitration.

SUBPART I—APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

§ 6.31 *Settlement of subcontracts without approval.* Settlement of termination claims arising under subcontracts may be made by war contractors without the approval of the Department when such settlements are made on the basis of settlement proposals submitted by subcontractors on copie sof OCS Form 1a (9 F.R. 12547) for use where it is proposed to retain or dispose of all inventory and the amount of the net settlement of termination claims arising under subcontracts without approval in the event that (1) the amount of the claim does not exceed $5,000 and (2) authority has been granted by the Director of Surplus Property and Reconversion to settle such claims. Authority to settle any claim without approval may be revoked, at any time before the settlement is concluded, by notice in writing to the war contractor over the signature of the Director of Surplus Property and Reconversion. Except as provided in this section, no settlement of the termination claims of subcontractors, made without approval, shall be binding.

§ 6.32 *Approval authority.* Terminating officers are authorized to approve termination claims of subcontractors with respect to those contracts which such officers are authorized to terminate. In the event the subcontract is a fixed-price contract (whether or not underlying cost-plus-a-fixed fee or fixed-price contract), such approvals may be granted only in those cases where the claim is made upon forms approved by the Director of Contract Settlement,[11] except where deviation from such forms is approved as provided in § 6.24.

§ 6.33 *Review of and policy governing approval.* No approval of the termination claims of subcontractors granted under the provisions of § 6.32 hereof shall be binding upon the Department if the amount of the claim shall exceed the sum of $5,000, unless it shall have been submitted to the appropriate Settlement Review Board and approved by such Board or not disapproved by it within 30 days of the date of its submission. In approving termination claims arising under fixed-price supply orders or subcontracts, the officers of the Department shall conform to the provisions of the regulations of the Office of Contract Settlement.[12]

§ 6.34 *Direct settlement and payment of subcontractors' claims.* Unless a different procedure is approved by the terminating officer, settlement of subcontractors' claims and payment thereof will be made by the war contractor who placed the contract. Where a subcontractor is of the opinion that any war contractor is not financially responsible or where the death or dissolution of such contractor, or other circumstances, make it necessary for the protection of the subcontractor that settlement or payment be made directly with or to the subcontractor, such fact should be reported immediately to the terminating officer. Whenever the terminating officer is satisfied of the inability of a war contractor to meet his obligations to a subcontractor, such terminating officer is authorized to require such supervision or control over payments to the war contractor on account of the termination claims of subcontractors of such war contractor to such extent and in such manner as the terminating officer deems necessary or desirable for the purpose of assuring the receipt of the benefit of such payments by the subcontractors. Such decision by the terminating officer is subject to review by the Director of Surplus Property and Reconversion.

SUBPART J—CLAIMS UNDER DEFECTIVE, INFORMAL, OR QUASI CONTRACTS

§ 6.35 *Form of claim and supporting evidence.* A claim for relief under section 17 of the act shall be filed with the Director of Surplus Property and Reconversion. Such claim shall be in the form and supported by the information set forth in Regulation No. 12 of the Office of Contract Settlement (10 F.R. 1278) unless the Director of Surplus Property and Reconversion shall otherwise direct.

§ 6.36 *Formalization of obligations and commitments.* Where an obligation or commitment created or incurred by the Department might be invalidated because of a formal or technical defect or omission in a prime contract or in any grant of authority to an officer or agent, the appropriate officer of the Department, if, in his judgment, such action is warranted, shall formalize the obligation or commitment within 90 days from the notice to the Director of Surplus Property and Reconversion of such formal or technical defect or omission.

§ 6.37 *Investigation and notice of disposition of claim.* All claims submitted under section 17 of the act will be investigated and the claimant notified of the disposition made or proposed disposition of the claim.

§ 6.38 *Procedure if claim not settled by agreement.* Where any claim or any part of a claim asserted under section 17 of the act is not settled by agreement, the dispute shall be subject to the provisions of section 13 of the act.

SUBPART K—REMOVAL AND STORAGE OF MATERIAL

§ 6.39 *Termination inventory.* The policies, principles, methods, procedures, and standards relating to the removal of termination inventory from plants of war contractors shall be those prescribed by Regulation 10 of the Office of Contract Settlement (10 F.R. 1279).[13] The terminating officer is authorized to exercise all of the powers and functions required of the Department under said Regulation 10, and all termination inventory schedules required to be filed by the contractor with the Department shall be filed with such officer.

§ 6.40 *Government-owned machinery, tools, and equipment.* The policies, principles, methods, procedures, and standards relating to removal of any machinery, tools, or equipment of the Department which are installed in a war contractor's plant and which the contractor desires to remove or have removed from his plant pursuant to subsection (g) of section 12 of the act shall be those prescribed by regulation of the Director of Contract Settlement.[14] Pursuant to subsection (g) of section 12 of the act, the head of any agency, office, or bureau may waive or release, on behalf of the United States, any obligation of war contractors with respect to machinery, tools, or equipment upon such terms and conditions as he deems appropriate, and may delegate this function with the specific approval of the Director of Surplus Property and Reconversion. All requests, demands, and notices with respect to such removals shall be addressed to the officer of the Department who negotiated the contract under which the property is being used, or his successor.

SUBPART L—INTEREST

§ 6.41 *Interest on termination claims.* Interest on termination claims under a prime contract or subcontract shall be allowed in accordance with the provisions of subsection (f) of section 6 of the act at the rate of 2½ percent per annum. Such interest shall not accrue for the period prior to July 29, 1944, nor for the 30-day period next after the date fixed for termination of such contract and may be denied or reduced in accordance with the provisions of such subsection (f). For the purpose of computing interest, the term "date fixed for termination" means the date upon which the notice of termination first requires the contractor (a) to reduce or stop deliveries under his contract, or (b) if no deliveries are being made or called for under the contract, to reduce or stop performance under the contract. If in the opinion of the Department the war contractor unreasonably delays settlement of his claim, interest shall not accrue for the period of

[11] See Office of Contract Settlement Forms and Instructions for Use of Standard Contract Settlement Proposal Forms (dated October 1, 1944) which were prescribed by the Director of Contract Settlement by Reg. 8, dated October 13, 1944 (9 F.R. 12541) for use by contractors and subcontractors in settling terminated fixed-price war supply contracts.

[12] See Reg. 6, dated October 4, 1944 (9 F.R. 12283), Reg. 7, dated Oct. 5, 1944 (9 F.R. 12285, and Reg. 14, dated Feb. 22, 1945 (10 F.R. 2312), as amended (10 F.R. 3925).

[13] The forms and instructions referred to in said Reg. 10 are those set forth in Instructions for Use of Standard Settlement Proposal Forms dated October 1, 1944, which were prescribed by the Director of Contract Settlement by Reg. 8, dated October 13, 1944 (9 F.R. 12541).

[14] See Reg. 4, dated Sept. 28, 1944 (9 F.R. 11964) of the Office of Contract Settlement.

such delay as determined by the Department. Ordinarily, a delay of longer than 60 days in submitting a claim is considered an unreasonable delay unless the terminating officer determines otherwise.

SUBPART M—INTERIM FINANCING

§ 6.42 *Interim financing.* Applications for advance or partial payments on account of the termination claim of a war contractor should be made to the terminating officer. Such application shall be made in such form as may be prescribed by the Director of Contract Settlement," or in the event no applicable form has been prescribed by the Director of Contract Settlement, in such form as may be approved by the Department.[16] In determining the amount of the partial or advance payment to be made, the Department will consider the provisions of sections 8 and 9 of the act and appropriate regulations of the Director of Contract Settlement.

§ 6.43 *Suspension or modification of penalty for overstatement in connection with interim financing.* To the extent delegation is authorized under Regulation 13 of the Office of Contract Settlement (10 F.R. 2036) the Director of Surplus Property and Reconversion is hereby authorized to suspend or modify and determine the dollar value of the penalty provided in section 8 (d) of the act, whenever, in connection with any interim financing furnished or guaranteed by or on behalf of the Department, any war contractor overstates the amount due on his termination claim or claims and the Director of Surplus Property and Reconversion determines that under the standards prescribed in Regulation 13 of the Office of Contract Settlement such penalty would be inequitable.

Issued this 8th day of June, 1945.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.
MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-10066; Filed, June 9, 1945; 11:10 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75-3a, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

PORK SET ASIDE SPECIFICATIONS

War Food Order No. 75-3a (10 F.R. 6500) is amended by inserting, immediately after the table and prior to the last subparagraph in paragraph (c), the following:

Not less than 70 percent of the total weight of all loins set aside shall be converted into semi-boneless (partially boneless) loins.

Not less than 30 percent of all hams set aside shall be processed into overseas hams requiring 96 hours' smoke, and not less than 20 percent of all hams set aside shall be processed into Army hams requiring 48 hours' smoke.

Not less than 35 percent of all square-cuts and seedless bellies set aside shall be processed into overseas bacon requiring 96 hours' smoke, and not less than 20 percent of such bellies shall be processed into Army bacon requiring 48 hours' smoke.

This order shall become effective at 12:01 a. m., e. w. t., June 10, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3a, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649)

Issued this 9th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-10075; Filed, June 9, 1945; 11:23 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-4E]

PART 704—EXCEPTIONS OF CREDIT FOR DEFENSE HOUSING FROM CONSUMER CREDIT REGULATIONS

Repeal of NHA Regulation No. 60-4D, 10 F.R. 945 (§§ 704.1 to 704.5, inclusive), together with regulations or General Orders Nos. 60-4, 8 F.R. 1831; 60-4A; 60-4B, 8 F.R. 15312; and 60-4C, 9 F.R. 14887, entitled "Declaration of authority to creditors and lenders to except remodeling and rehabilitation credits from the provisions of Regulation W".

AUTHORITY: 55 Stat. 838; E.O. 9070, 3 CFR, Cum. Supp.; 40 Stat. 415, as amended; E.O. 8843, 3 CFR, Cum. Supp.; 12 CFR, Cum. Supp., 222.8 (e).

Purpose. Regulation W issued by the Board of Governors of the Federal Reserve System, as amended from time to time, restricts all types of consumer credit for a comprehensive list of durable and semi-durable goods for civilian consumption. Section 8 (e) of Regulation W delegates authority to the Administrator of the National Housing Agency to exempt remodeling or rehabilitation of structures designated as "defense housing" from the restrictions of said Regulation. The Board of Governors of the Federal Reserve System has further amended Regulation W by Amendment No. 16, effective June 11, 1945, which deletes said section 8 (e), among other things. Consequently, it is necessary to repeal NHA Regulations, as herein provided, issued pursuant to the delegation of authority contained in said Section 8 (e).

Repeal and revocation. NHA Regulation No. 60-4D (§§ 704.1 to 704.5, inclusive), together with Regulations or General Orders Nos. 60-4, 60-4A, 60-4B and 60-4C, are hereby repealed and all delegations thereunder heretofore authorized by the National Housing Agency are hereby revoked.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 45-10113; Filed, June 9, 1945; 4:06 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

GENERAL AUTOMOBILE REPAIR INDUSTRY IN CHICAGO AND PEORIA, ILL., MILWAUKEE, WIS., INDIANAPOLIS, IND., AND TWIN CITIES, MINN.

The National War Labor Board, under paragraph (d) of § 803.4, has approved the following exception to the exemption provided for in paragraph (a) of this order:

(64) The general automobile repair industry in the metropolitan areas of Chicago (defining Chicago as including all of Cook County, Illinois and Lake County, Indiana); Milwaukee, Wisconsin, Indianapolis, Indiana, and the Twin Cities, Minnesota, and also Peoria, Illinois. (Approved June 6, 1945.)

(E.O. 9250, Oct. 2, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-10133; Filed, June 11, 1945; 9:49 a. m.]

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 49]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN PICKING CHERRIES IN NEZ PERCE AND LATAH COUNTIES, IDAHO

§ 1108.6 *Wages of workers engaged in picking cherries in Nez Perce and Latah Counties, Idaho.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator, issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations," and based upon certifications of the Idaho WFA Wage Board and the Washington WFA Wage Board that a majority of the producers of cherries in Nez Perce and Latah Counties, Idaho, and Asotin and Whitman Counties, Washington, have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Idaho WFA Wage Board and the Washington WFA Wage Board and from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking cherries in Nez Perce and Latah Counties, Idaho, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage rates for picking cherries.*

Piece rates—3¢ per pound

If workers are paid on any other basis the rate of compensation shall not exceed the equivalent of the rate herein provided. No perquisites may be paid in addition to maximum wage rates specified above.

(c) *Administration.* The Idaho WFA Wage Board located in Room 621, Idaho Building, Boise, Idaho, will have charge of the administration of this Supplement No. 49, in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F. R. 831) as revised October 23, 1944 and March 23, 1945 (9 F. R. 12807, 14206; 10 F. R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This Supplement No. 49 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 23, 1945 (9 F. R. 12807, 14206; 10 F.R. 3177) and the provisions of such regulations shall be applicable to this Supplement No. 49 and any violation of this Supplement No. 49 shall constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement No. 49 shall become effective at 12:01 a. m., mountain war time, June 12, 1945.

(56 Stat. 765 (1942), 50 U. S. C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U. S. C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F. R. 3177)

Issued this 11th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10147; Filed, June 11, 1945; 11:04 a. m.]

[Supp. 46]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING RASPBERRIES IN PIERCE COUNTY, WASH.

§ 1111.9 *Wages of workers engaged in picking raspberries in Pierce County, Washington.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator, issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Washington WFA Wage Board that a majority of the producers of raspberries in Pierce County, Washington, have requested the intervention of the War Food Administrator, and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking raspberries in Pierce County, Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Definitions.* When used in this Supplement No. 46 the term "picking" means the removal of the raspberries from vines and placing them in crates furnished by the producer.

(c) *Wage rates, maximum wage rates for picking raspberries.*

Piece rate—$1.25 per 30-pound crate, plus a bonus of 25 cents per crate if the worker continues to pick raspberries throughout the season.

(d) *Administration.* The Washington WFA Wage Board located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this Supplement No. 46 in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177).

(e) *Applicability of specific wage ceiling regulations.* This Supplement No. 46 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177) and the provisions of such regulations shall be applicable to this Supplement No. 46 and any violation of this Supplement No. 46 shall constitute a violation of such specific wage ceiling regulations.

(f) *Effective date.* This Supplement No. 46 shall become effective at 12:01 a. m., Pacific war time, June 12, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177).

Issued this 11th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10148; Filed, June 11, 1945; 11:04 a. m.]

[Supp. 48]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING CHERRIES IN ASOTIN AND WHITMAN COUNTIES, WASH.

§ 1111.10 *Wages of workers engaged in picking cherries in Asotin and Whitman Counties, Washington.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator, issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations," and based upon certifications of the Washington WFA Wage Board and the Idaho WFA Wage Board that a majority of the producers of cherries in Asotin and Whitman Counties, Washington, and Nez Perce and Latah Counties, Idaho, have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Washington WFA Wage Board and the Idaho WFA Wage Board and from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking cherries in Asotin and Whitman Counties, Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage rates for picking cherries.*

Piece Rate—3¢ per pound

If workers are paid on any other basis the rate of compensation shall not exceed the equivalent of the rate herein provided. No perquisites may be paid in addition to maximum wage rates specified above.

(c) *Administration.* The Idaho WFA Wage Board located in Room 621, Idaho Building, Boise, Idaho, will have charge of the administration of this Supplement No. 48, in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This Supplement No. 48 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177) and the provisions of such regulations shall be applicable to this Supplement No. 48 and any violation of this Supplement No. 48 shall constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement No. 48 shall become effective at 12:01 a. m., Pacific war time, June 12, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O.

[16] With respect to partial payments; see Reg. 2, dated September 8, 1944 (9 F.R. 11275) of the Office of Contract Settlement.

[16] In the event no applicable forms have been prescribed by the Director of Contract Settlement, appropriate forms will be furnished by the terminating officer upon request.

9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 11th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10146; Filed, June 11, 1945; 11:04 a. m.]

TITLE 39—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 221—OIL AND GAS OPERATING REGULATIONS

GOVERNMENT ROYALTY OIL

Correction

In Federal Register Document 45-9471, appearing on page 6502 of the issue for Saturday, June 2, 1945, the sixth line of the first paragraph should read as follows: "sufficient supplies of oil to assure continued".

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 35]

PART 802—GENERAL LICENSES

IN TRANSIT SHIPMENTS PROCEEDING FROM DESIGNATED COUNTRIES

Section 802.9 *General in transit licenses "GIT"* is hereby amended in the following particulars:

That portion of paragraph (g) preceding the list of commodities is amended to read as follows:

(g) The following commodities shall not be exported pursuant to any general license granted in this section except when such commodities are incorporated in "in transit shipments" proceeding:

(1) From any destination in the British Empire to any other destination in the British Empire, (2) from Mexico to any other part of Mexico, (3) between the Republic of Panama and any destination within the scope of General License GIT-A/A through the Panama Canal Zone, (4) from Canada to any designated country of destination, (5) from any country of origin included in the list of "Y Countries" to any country of destination included in the list of "S Countries", (6) from any country of origin included in the list of "V Countries" to any country of destination included in the list of "V Countries" through the Panama Canal Zone.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 8, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-10110; Filed, June 9, 1945; 2:42 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 55 Stat. 177, 58 Stat. 627; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-724, Revocation]

RICHARD IVES CO.

Richard Ives and Helen Ives, husband and wife, partners doing business as Richard Ives Company at 661 West Colfax Avenue, Denver, Colorado, as dealers in and distributors of metal working machinery, cutting tools, and accessories were suspended effective March 1, 1945 by Suspension Order No. S-724. They appealed from the provisions of the suspension order and pending final determination of the appeal the order was stayed effective March 1, 1945 by the Chief Compliance Commissioner. The appeal was considered by Deputy Chief Compliance Commissioner Curtis Bok who directed that the suspension order be reinstated effective May 18, 1945, the stay be revoked and the order be amended in order to reduce the period of suspension from 90 days to 30 days. Through error the respondent began compliance with the order 7 days before the termination of the stay. The Chief Compliance Commissioner has therefore directed that the stay be revoked effective June 11, 1945 in order to give the respondent credit for the 7 days.

In view of the foregoing: it is hereby ordered, that: § 1010.724 *Suspension Order No. S-724* be revoked effective June 11, 1945.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10015; Filed, June 8, 1945; 4:22 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Direction 7]

ALUMINUM DISTRIBUTORS

The following direction is issued pursuant to CMP Regulation 4:

(a) *Purpose.* The purpose of this direction is to explain how an aluminum distributor uses AM numbers in ordering material for his stock.

(b) *The use of AM numbers in the 9600 series.* An aluminum distributor to whom the War Production Board has assigned an AM number in the series AM 9600 through AM 9699 shall endorse his AM number on all orders for aluminum placed by him with producers or with other distributors. He may place orders bearing an AM number in the 9600 series without limit as to quantity.

(c) *Use of AM numbers in the 9500 series.* An aluminum distributor to whom the War Production Board has assigned an AM number in the series AM 9500 through AM 9599 shall endorse all orders for aluminum placed by him with producers or with other distributors as follows:

(1) He must use his individually assigned AM number in the 9500 series to the extent that the total amount of aluminum that he wishes to order for delivery in the third calendar quarter of 1945 or any calendar quarter thereafter does not exceed the amount of aluminum that he delivered in the preceding calendar quarter on authorized controlled material orders, including deferred ("Z") orders, and any orders that he has been directed to fill by the War Production Board.

(2) In endorsing orders for aluminum in excess of the quantities specified in paragraph (c) (1) above, he must not use his individually assigned AM number in the 9500 series, but must use instead, the number AM 9600.

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10076; Filed, June 9, 1945; 11:29 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99, Direction 2, as Amended June 8, 1945]

CONVERSION OF LOOMS TO PRODUCTION OF TENTAGE FABRICS

The following direction is issued pursuant to Limitation Order L-99:

(a) Notwithstanding any of the provisions of Limitation Order L-99 or any of the schedules of that order and regardless of any rated order heretofore or hereafter placed, commencing October 28, 1944 looms which on July 1, 1944 produced or were assigned to produce the cotton textiles listed in column I may, except as provided in paragraphs (g) and (h), to the extent of the percentage indicated for each group in column II, produce only the cotton textiles of the constructions specified in column III, unless otherwise expressly authorized in writing by the War Production Board. The percentages are applicable to the daily average number of looms on assignment or production. All column references in this direction are to Table I.

(b) Each loom which under this direction may be operated only to produce the fabrics listed in column III shall be operated at least as many hours per week as the loom which is operated the most hours per week at the same plant.

(c) All the fabrics produced on looms which under this direction may be operated only to produce the frabrics listed in column III may be sold or delivered only to the U. S. Army or Navy unless rejected in writing by both the Army and Navy.

(d) No application for an exception from the provisions of this direction will be considered unless it is filed in triplicate with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than September 25, 1944 and contains the following information with respect to each plant affected by this direction:

(1) Total number of spindles (running and idle) classified according to ring sizes.

(2) Total number of looms (running and idle), stating with respect to each loom (i) the name of the manufacturer, (ii) the model, (iii) the width between swords, and (iv) the auxiliary shaft and cam equipment.

(3) A list of fabric constructions now being woven in the plant and number of looms assigned to or being operated on each construction.

(4) The yardages due on outstanding contracts for each of the fabric constructions listed in column I, classified according to proposed uses, i. e., type of clothing or other product, where known.

(e) Each person operating looms affected by this direction must report in writing to the War Production Board by September 25, 1944 the Army and Navy contracts (direct or subcontracts) he holds for fabrics which are presently being produced on the looms affected by this direction. This information may be included in an application filed in accordance with paragraph (d).

(f) Each person operating looms affected by this direction must report in writing to the War Production Board not later than October 30, 1944, the number of his looms that have been converted to produce each of the fabrics listed in column III and the estimated weekly production of each such fabric construction.

(g) After June 8, 1945 the other provisions of this direction shall be applicable to Group No. 74 only to the extent that producers may at their election continue until July 21, 1945 to produce the cotton textiles of the constructions listed in Column III for Group No. 74 to fill contracts with the United States Army or Navy.

Except as provided in paragraphs (g) and (h) producers of the constructions listed in Column III for Group No. 74 are governed by paragraph (b) (5) of Order L-99 and must produce at least the minimum linear yardage of each construction required by paragraph (b) (5) of Order L-99.

(h) Applications may be filed by producers who desire to produce after July 21, 1945, cotton textiles of the constructions specified in Group No. 74, Column III, to meet programmed requirements for the Armed Services and essential civilian purposes. Applications for such exceptions shall be filed in writing at least fifteen days before the beginning of any calendar quarter. If the applications are for the production of yardage in excess of the program requirements, the War Production Board will grant the applications on a pro rata basis.

NOTE: The reporting requirements of this direction have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I

Group No.	Form WPB-658-B (6/9/44) item number	Column I	Column II	Column III
72	14 thru 20	Class A sheetings	*Percent* 125	Tent twill (U. S. Army Spec. JQD-48) 31" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy; Flat duck, high sley, 9.5 oz. per sq. yd. (tentative Army Spec. JQD-580) 33" or 65" width or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck weighing 12.10 or more ounces per square yard in any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
73	51 53 54 thru 59 63, 65 thru 69 70 72	Carded poplins (sheeting yarns) All three leaf herringbone twills except jeans and 8.5 oz. herringbone made to U. S. Army Spec. 6-261. All drills All four leaf twills except tent twills made to U. S. Army Spec. JQD-48. Warp and filling sateens, (Sheeting yarns) less than 42" wide. Carded gabardines.	75	Tent twill (U. S. Army Spec. JQD-48) 31" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck, high sley, 9.5 oz. per sq. yd. (tentative Army Spec. JQD-580) 33" or 65" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck weighing 12.10 or more ounces per square yard in any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
71	98 thru 104 106 107 thru 110 111	Denim Pin stripes, pin checks, express stripes, hickory stripes, etc. Gettonades and suiting coverts. Whipcords and bedford cords.	50	Tent twill (U. S. Army Spec. JQD-48) 31" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck, high sley, 9.5 oz. per square yard (tentative U. S. Army Spec. JQD-580) 33" or 65" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck weighing 12.10 or more ounces per square yard in any width which may be developed by negotiation between the producer and the U. S. Army or Navy.

[F. R. Doc. 45-10014; Filed, June 8, 1945; 4:22 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-375, Direction 1]

RESTRICTIONS ON PURCHASE AND SALE OF WELDERS' GLOVES AND MITTENS

The fulfillment of the requirements for the defense of the United States has created shortages in the supply of leather and leather welders' gloves and mittens for defense, for private account and for export; and the following direction is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) *Definition of welders' gloves.* "Welders' gloves" means any type of gauntlet style leather glove or mitten designed for workers' wear while engaged in welding operations.

(b) *Restrictions on sale of welders' gloves—*(1) *Deliveries by manufacturers to dealers.* No manufacturer of, or dealer in, welders' gloves shall sell or deliver any new welders' gloves for resale except on rated orders bearing substantially the following certification: "These gloves will be sold only for use in welding operations."

(2) *Deliveries to consumers.* No manufacturer of, or dealer in, welders' gloves, shall sell or deliver any new welders' gloves to any consumer except on a rated order from a person whom he knows, or has reason to believe, will use the product for welding operations. He should satisfy himself that the gloves will be used for welding operations in some reasonable manner before delivery. He may, but need not, require a statement in writing from the purchaser stating substantially: "These gloves will be used for welding operations."

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10077; Filed, June 9, 1945; 11:29 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Revocation of Table 3]

ALUMINUM AND MAGNESIUM DIVISION

Correction

In the document appearing on page 6874 of the issue for Saturday, June 9, 1945, the FEDERAL REGISTER serial number should read: "45-9961".

PART 1010—SUSPENSION ORDERS

[Suspension Order S-700, Reinstatement and Amdt.]

HERRMAN LUMBER CO.

Herrman Lumber Company, Springfield, Missouri, engaged in the retail sale of lumber, building supplies, and plumbing and heating equipment was suspended on February 10, 1945, effective

Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R.

uses AM numbers in ordering material for his stock.

the following information with respect to each plant affected by this direction:

February 20, 1945. It appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on March 23, 1945. The appeal has been considered by the Chief Compliance Commissioner who has directed that the stay be terminated and the suspension order be amended and reinstated effective June 10, 1945, to expire September 7, 1945.

In view of the foregoing, it is hereby ordered, that: § 1010.700 *Suspension Order No. S–700*, issued February 10, 1945, and effective February 20, 1945, be reinstated as of June 10, 1945, to expire September 7, 1945, the stay of execution be revoked as of June 9, 1945, and the suspension order be amended by substituting the following paragraphs (a), (b), (c), (d), and (g) for the present paragraphs (a), (b), (c), (d), and (g):

(a) Jesse Herrman and Carrie M. Herrman shall not from June 10, 1945, to September 7, 1945, apply or extend preference rating to obtain plumbing and heating equipment regardless of the delivery date named in any purchase order for plumbing and heating equipment to which such ratings may be applied or extended.

(b) Jesse Herrman and Carrie M. Herrman shall cancel immediately all preference ratings which they have applied or extended to orders for plumbing and heating equipment which have not yet been filled except that they have extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory) they need not cancel the rating provided the item when received is promptly delivered to the customer whose rating was extended.

(c) All preference ratings outstanding in connection with orders for delivery of plumbing and heating equipment to Jesse Herrman or Carrie M. Herrman or placed prior to the termination date of this reinstatement are void and shall not be given any effect by suppliers of Jesse Herrman or Carrie M. Herrman or by any other person. This does not apply to material already delivered or in transit for delivery to them on the effective date of this reinstatement.

(d) Jesse Herrman and Carrie M. Herrman shall not from June 10, 1945 until September 7, 1945, receive or accept delivery of any hot water heaters as defined on List A of Order L–79 as amended from time to time. This shall not apply to hot water heaters now in transit for delivery to them.

(g) This reinstatement shall take effect on June 10, 1945 and shall expire on September 7, 1945.

Issued this 30th day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10116; Filed, June 9, 1945; 4:12 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–800]

A. DIAMOND

A. Diamond, of 13922 Schaefer Highway, Detroit, Michigan, is a building contractor. In October, 1944, without permission of the War Production Board, he did construction on a brick, concrete-block building to be used for restaurant purposes at 24010 West Seven-Mile Road, Detroit, Michigan, at an estimated cost in excess of $200, in violation of Conservation Order L–41. A. Diamond had knowledge of Conservation Order L–41, and his acts of violation must be deemed wilful.

His violations have diverted critical materials to use not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.800 *Suspension Order No. S–800.* (a) A. Diamond shall not, for three months from the effective date of this order, apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve A. Diamond from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to A. Diamond, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on June 9, 1945, and shall expire on September 9, 1945.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10117; Filed, June 9, 1945; 4:12 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–802]

HUDSONVILLE BOX AND BASKET CO.

Hudsonville Box and Basket Company, a Michigan corporation, with principal offices at Hudsonville, Michigan, is engaged in the manufacture and sale of wooden fruit and vegetable shipping containers. During the period September 11 to November 2, 1944, Hudsonville Box and Basket Company commercially manufactured and assembled wooden shipping containers for celery crates which did not meet the specifications contained in Table II, Schedule A, of Limitation Order L–232; the company likewise manufactured wooden parts designed for wooden shipping containers for the crating of celery, which did not conform with the specifications of Table II, Schedule A, of the same order. The responsible officers of the corporation were familiar with the provisions of Limitation Order L–232, and these acts constituted wilful violations thereof.

The violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.802 *Suspension Order No. S–802.* (a) Hudsonville Box and Basket Company shall not, for two months from the effective date of this order, manufacture or assemble any wooden shipping container or any wooden parts designed therefor to be used for celery crates, unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Hudsonville Box and Basket Company from any restriction, prohibition or provisions contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Hudsonville Box and Basket Company, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on the 9th day of June 1945.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10118; Filed, June 9, 1945; 4:12 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–812]

SAN HYGENE UPHOLSTERY CO.

The San Hygene Upholstery Company, an Ohio corporation with its principal office at 692 Miami Street, Akron, Ohio, is engaged in the manufacture of living room, dining room, and juvenile furniture. During the third and fourth quarters of 1944, it used in the manufacture and crating of its furniture over 80,000 board feet of wood in excess of the amount it was permitted to use by Limitation Order L–260–a, in violation of that order.

This violation has diverted critical materials to uses not authorized by the War Production Board.

In view of the foregoing, it is hereby ordered, that:

§ 1010.812 *Suspension Order No. S–812.* (a) During the third and fourth calendar quarters of 1945 and the first and second calendar quarters of 1946, the San Hygene Upholstery Company, its successors or assigns, shall reduce its use of wood in the manufacture and crating of furniture by 20,000 board feet per calendar quarter below the amount of wood it otherwise would be permitted to use under the provisions of Limitation Order L–260–a, as amended from time to time, aggregating a total reduction in permitted usage of wood during this period of 80,000 board feet.

(b) Nothing contained in this order shall be deemed to relieve the San Hygene Upholstery Company, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10119; Filed, June 9, 1945; 4:11 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–814]

THE GLOBE BREWING CO.

The Globe Brewing Company is a corporation engaged in the brewing, bottling, packing and distribution of beer, with its principal place of business located at 327 S. Hanover Street, Baltimore, Maryland. During the calendar year 1944, the company used new fibre shipping containers, as defined in Limitation Order L–317, in excess of its quota, as established by that order, in the packing of beverages. The responsible officers of the company were grossly negligent in not ascertaining the restrictions placed on the company by said Limitation Order L–317, in committing the aforementioned violation.

This violation of Limitation Order L–317 has diverted critical materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.814 *Suspension Order No. S–814.* (a) During the second, third and fourth calendar quarters of 1945, beginning April 1, 1945, and ending December 31, 1945, the Globe Brewing Company shall reduce its use of new fibre shipping containers, as defined in Limitation Order L–317, by 3500 pounds and 5000 square feet in each quarter under the quota it would otherwise be entitled to use as specified by the provisions of Limitation Order L–317, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve the Globe Brewing Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions thereof.

(c) The restrictions and provisions contained herein shall apply to the Globe Brewing Company, a corporation, its successors or assigns, or persons acting in its behalf. The prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10120; Filed, June 9, 1945; 4:11 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 16, Revocation]

IDLE AIRCRAFT MATERIAL

Section 903.28 *Directive 16* is revoked. This revocation does not affect any liabilities incurred for violation of the directive or of actions taken by the War Production Board under the directive.

Issued this 9th day of June 1945.

J. A. KRUG,
Chairman,
War Production Board and
Aircraft Production Board.

[F. R. Doc. 45-10114; Filed, June 9, 1945; 4:11 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–816]

KLUNK BROTHERS

Wm. J. Kunk, Jr., David H. Klunk, and Robert J. Klunk, copartners, doing business as Klunk Brothers, at 544 Carlisle Street, Hanover, Pennsylvania, are general building contractors. On or about October 1, 1943 without authorization from the War Production Board, the partnership began and carried on construction consisting of the erection of an addition to the L. K. Beaudin Shoe Company plant in Fairfield, Pennsylvania at a cost in excess of $35,000, in violation of Conservation Order L–41. The partners should have been aware of the provisions of Conservation Order L–41 and the beginning and carrying on of this construction constituted a grossly negligent violation of that order. This violation of Conservation Order L–41 has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.816 *Suspension Order No. S–816.* (a) Wm. J. Klunk, Jr., David H. Klunk and Robert J. Klunk shall not do any further construction on the premises of L. E. Beaudin Shoe Company's plant at Fairfield, Pennsylvania, including putting up or altering the structure located on said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) For a period of two months from the effective date of this order, Wm. J. Klunk, Jr., David H. Klunk and Robert J. Klunk shall not apply or extend any preference ratings regardless of the delivery date named in any purchase order to which such ratings may be applied or extended unless otherwise specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Wm. J. Klunk, Jr., David H. Klunk and Robert J. Klunk, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Wm. J. Klunk, Jr., David H. Klunk and Robert J. Klunk, doing business as Klunk Brothers, their successors or assigns, or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Paragraph (b) of this order shall take effect on June 16, 1945, and the balance of the order shall take effect on the date of issuance.

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10121; Filed, June 9, 1945; 4:11 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328, Direction 15]

SEAMLESS KNIT GLOVES AND INSERTS FOR MILITARY REQUIREMENTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of seamless knit gloves and inserts for defense, for private account and for export; and the following direction is deemed necessary and appropriate in the public interest and to promote the national defense.

(a) Beginning June 18, 1945, no person may operate fingering machines in ranges from 4 to 7 cut, inclusive, except to produce seamless gloves, mittens or inserts contracted by or for the account of the United States Army or Navy. Any person affected by this direction must accept and fill contracts and orders of or for the account of the United States Army and Navy for such gloves, mittens or inserts.

(b) Any appeal from the provisions of this direction shall be made pursuant to the provisions of paragraph (g) (4) of Order M–328.

(c) This direction shall expire on October 1, 1945, unless previously extended.

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10115; Filed, June 9, 1945; 4:11 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L–41, as Amended June 11, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities required for construction for defense, for private account and for export, and the following order is deemed

necessary and appropriate in the public interest and to promote the national defense.

§ 1075.1 *Conservation Order L–41*—(a) *What this order does.* This order forbids most kinds of construction by any person who has not received specific authorization from the War Production Board. The prohibition on construction applies whether or not priorities assistance is necessary to get materials for the construction. It may therefore be necessary to apply for permission to do a job for which all materials are on hand. It may also be necessary to apply for priorities assistance even though the work is not forbidden by this order. Other orders of the War Production Board place restrictions on the use of certain kinds of scarce materials. The provisions of these other orders must be observed even though the work does not require permission under L–41.

(b) *What is meant by construction.* The word "construction" as used in this order means putting up, altering, remodeling, rehabilitating, reconstructing or repairing any structure such as a building, road, bridge, dam, sewer or the like. The installation of equipment or fixtures in a building is considered construction if the equipment or fixture is attached to the building and used as a part of the building or is so firmly attached that removal would result in material injury to the building or the fixture. The erection of a prefabricated or portable building is considered construction except where the use to which the building is put requires that it be moved about so frequently that the building is left upon skids or wheels.

(c) *Prohibited construction.* No person shall begin or carry on any construction which has not been specifically authorized under this order unless the construction is of a kind described in and permitted under paragraph (d) or paragraph (e) of this order. This prohibition applies to a person who does his own construction work, to a person who gets a contractor to do it for him and to any contractor, subcontractor, architect, or engineer who works on the job or gets others to work on it or to supply materials for it. No person shall accept an order for, sell, deliver or cause to be delivered materials which he knows or has reason to believe will be used in violation of the terms of this order.

(d) *Permitted construction.* (1) It is not necessary to get War Production Board permission under this order for construction jobs done on a unit if the total cost of all of the construction jobs begun on that unit in the same calendar year does not exceed the appropriate allowance indicated below. If a building is used for more than one purpose and might therefore fall within more than one of the classes indicated, the use to which the greatest part of the floor area is or will be put will determine the allowance. If a building is being converted from one purpose to another, the allowance applicable to the building after the conversion is available for the conversion, less any amounts previously spent on the unit during the calendar year.

(i) $1,000 for a house designed for occupancy by one family (including a farmhouse, i. e., a building on a farm used for residential purposes); $2,000 for a residential building designed for occupancy by two families; $3,000 for a residential building designed for occupancy by three families; $4,000 for a residential building designed for occupancy by four families; $5,000 for a residential building designed for occupancy by five families. Note that paragraph (e) (1) does not give an exception for maintenance and repair for residential buildings covered by this subparagraph. Accordingly, the limits given above apply to repair jobs and maintenance work as well as to alterations and new construction.

(ii) $1,000 for a farm, excluding the farmhouses which are covered by paragraph (d) (1). A "farm" means a place used primarily for raising crops, livestock, dairy products, poultry, etc., for the market.

(iii) $1,000 for an irrigation or drainage system serving more than one farm.

(iv) $5,000 for a hotel, apartment building or other residence for six or more families. Note that paragraph (e) (1) limits the amount of maintenance and repair work which may be done in these buildings.

(v) $5,000 for a building used for an office, bank, store, laundry, garage, restaurant, theatre, warehouse or other retail or wholesale service establishment, including a frozen food locker plant. Note that paragraph (e) (1) limits the amount of maintenance and repair work which may be done in these buildings.

(vi) $10,000 for a church, hospital, school, college, USO club, public playground for children, for a publicly owned building or group of buildings used for public purposes, for an orphanage or other building used exclusively for charitable purposes, for a military exchange situated on a reservation of the Army or Navy, or for a canal, storm sewer, dam, levee or for a jetty or retaining wall needed for shore protection.

(vii) $25,000 for a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, including logging and lumber camps, or for a bridge, overpass, underpass, tunnel, dock, pier, commercial airport, bus terminal, truck terminal operated by a common or contract carrier by truck, or for a railroad or street railway building or group of buildings, or for a research laboratory or pilot plant.

(viii) $1,000 for any other kind of unit.

(2) The word "unit" means a single independently operated structure or building, or a group of buildings or structures (including roadways, pipelines, etc.) which are situated near to each other and which serve the same general purpose or closely related purposes. For example, each of the following is a unit: a suburban house together with a detached garage, tennis court, swimming pool, etc., a farm including the barns, hen houses, dairy, etc., but excluding the farm house, a manufacturing plant with a number of buildings used for the same or different processes together with administration buildings, cafeterias, etc. On the other hand, every separate house or building used for residential purposes constitutes a separate unit. If a person owns several different houses and apartment houses, each one must be treated as a separate unit and the appropriate allowance for each must be determined under paragraph (d). In no case may a single building or structure be treated as more than one unit.

(3) For the purpose of determining whether a construction job may be started without getting permission from the War Production Board, "cost" means the cost of the entire construction job including the cost of all paid labor regardless of who pays for it and including the cost or value of new machinery, equipment, fixtures and materials incorporated in the construction, whether or not obtained without paying for them, excluding, however, the cost or value of previously used machinery, equipment, fixtures and materials, the value of unpaid labor and the cost of architects' and engineers' fees. A construction job which would ordinarily be done as a single piece of work may not be subdivided for the purpose of coming within the exemptions given by this paragraph (d).

(e) *Exceptions for special kinds of construction.* It is not necessary to get War Production Board permission under this order for the following kinds of construction and the cost of such construction need not be charged against the annual limits stated in paragraph (d):

(1) Maintenance and repair on units other than houses or residential property covered by paragraph (d) (1) (i) above. "Maintenance and repair" means the minimum work necessary to keep a building or structure in sound working condition or to fix it when it has become unsafe or unfit for service because of wear and tear. Changes in material are permitted in doing maintenance and repair work where it is necessary to replace materials which have become unsafe or unfit for service because of wear and tear. The following kinds of work are not permitted as maintenance and repair: the construction of an addition to a building, the completion of an unfinished part of a building, a structural alteration to a building, a non-structural alteration except where the only alteration is a permitted change in materials, and the remodeling of a building either for the purpose of modernizing or improving it or for the purpose of converting it to a new use. Maintenance and repair work on a building covered by paragraph (d) (1) (iv) (hotels, apartment houses, etc.) or paragraph (d) (1) (v) (offices, banks, stores, etc.) is further limited in any calendar year to the amount obtained by multiplying by 20 cents the gross floor area (in square feet) of the building. If maintenance or repair work costing more than this amount is necessary, permission under L–41 must be obtained from the War Production Board, unless the maintenance and repair work can be done within the appropriate annual allowance under paragraph (d) (1) (iv) or (d) (1) (v), in which case the cost must be charged against the annual allowance. CMP Regulation 5 and other regulations and orders provide priorities assistance for materials for maintenance and repair work. The limitations contained in these regulations must be observed. For example, Interpretation 8 to CMP Regulation 5 indicates situations where that regulation does not apply.

(2) The minimum work necessary to prevent more damage to a building or structure (or its contents) which has been damaged by fire, flood, tornado, earthquake, acts of war or the like. However, rebuilding or restoring a building or structure after being damaged by these causes is not permitted under this subparagraph.

(3) The rebuilding or restoring of a house (including a farmhouse) or other residential building damaged or destroyed after July 1, 1943, by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000.

(4) The rebuilding or restoring of farm buildings damaged or destroyed by fire, flood, tornado, earthquake, acts of war or the like, if the cost of rebuilding or restoring is less than $5,000, where the immediate reconstruction is determined by the War Food Administration to be essential to the agricultural program.

(5) The rebuilding or restoring of a building or structure damaged or destroyed by disaster, where the Red Cross has been given priority assistance to restore the disaster area, and where the rebuilding or restoring has been determined by the Red Cross to be essential.

(6) Construction necessary to prevent threatened loss of farm products, where immediate construction is determined by the War Food Administration to be essential to the agricultural program.

(7) Putting up wire fencing on farms, and the erection of farm silos which were manufactured by a "producer" as defined in Order L–257.

(8) Drilling and casing water wells, not including any use of pipe to conduct water on the surface.

(9) Grading, ditch-digging or similar earth-moving operations, if no lumber or other building materials are permanently installed, except drainage pipe. This applies only to jobs to the extent that they can be carried on without the permanent installation of any other materials.

(10) The use by any logger or lumber manufacturer of lumber, nails, gravel, or clay products in construction needed to change the site of logging or lumbering operations.

(11) Construction of public highways and public streets by a government agency (construction of this kind is controlled by Order L–41–e).

(12) Construction of structures which are to be used directly in the discovery, development or depletion of mineral deposits; also minor capital additions given priorities assistance under Order P–56 (relating to mines and smelters).

(13) Construction which is regulated by any petroleum administrative order or other order issued or administered by the Petroleum Administration for War.

(14) Construction of facilities which will be used directly in furnishing wire communications services and which will be owned by an operator as defined in Orders U–3 and U–4.

(15) Construction of facilities which will be used directly in furnishing electric, gas, water or central steam heating utility services and which will be owned by a utility producer as defined in Order U–1.

(16) Construction of facilities which will be used directly for a sewerage system and which will be owned by a sewerage system operator as defined in Order P–141.

(17) The laying of railroad tracks and the construction of other necessary railroad operating facilities. This subparagraph does not exempt construction of or on bridges, overpasses, underpasses, tunnels or buildings. See paragraph (d) (1) (vii) for the allowance applicable to those structures.

(18) Construction jobs which are classed as minor capital additions under CMP Regulation 5 when done in industrial plants, or under CMP Regulation 5A.

(19) Construction given priorities assistance under paragraph (e) (2) of Order P–43 (relating to laboratories), Order P–47 (relating to civilian aircraft facilities), Order P–68 (relating to facilities for the manufacture of steel), Order P–89 (relating to facilities for the manufacture of chemicals), and Direction 23 to CMP Regulation 5 (relating to facilities for international point-to-point radio communication carriers).

(20) The installation in an existing building, or the erection outside of a building, of any piece of machinery or equipment which is to be used for the manufacture, processing or assembling of any goods or materials. The installation in an existing building, or the erection outside of a building, of any piece of machinery or equipment for which a special authorization was given to the person making the installation. In connection with such an installation of such machinery or equipment, all building alterations required for the installation or operation of the machinery or equipment may be made. However, no new buildings or additions to existing buildings may be built under the exemption given by this subparagraph.

(21) Construction of buildings or structures owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Veterans' Administration, Civil Aeronautics Administration, Coast and Geodetic Survey or Panama Canal.

(22) Facilities to house prisoners of war assigned by the Army to the builder when priorities assistance for the construction has been granted on Form CMPL–593 Navy (Army).

(23) Construction jobs which began before this order originally became effective (April 9, 1942) or at a time when the job was not limited by this order and which have gone on without interruption.

(f) *Applications and authorizations.* (1) Applications may be filed for permission to do construction jobs which may not be done under paragraph (d) or paragraph (e) of this order, or for priorities assistance for materials for construction jobs whether or not permission for the job is needed. When a specific authorization under L–41 is given for a job, the cost of the job need not be deducted from the annual allowance given under paragraph (d) (1). If the construction to be done is housing covered by WPB Directive 24, application Form WPB–2896 should be filed with the FHA field office having jurisdiction over the site. If the application is for farm construction, including farm dwellings, application Form WPB–617 should be filed with the County Agricultural Conservation Committee having jurisdiction over the site. Applications for other kinds of construction restricted by this order should be made on Form WPB–617 and filed with the local War Production Board district office. (The application forms specified in this paragraph have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(2) In case of emergency, application may be made by wire or in person. Application should be made to the office where the written application form would otherwise be filed. The emergency application should state the cause of the emergency (fire, flood, etc.), the use to which the building will be put, the type of construction, the estimated cost of construction and the reasons why immediate construction is necessary.

(3) The issuance of certain preference rating orders or certificates constitutes authorization under L–41 even though the order or certificate does not specifically state that construction is authorized. If you receive or have in the past received one of the following orders or certificates you are authorized under L–41 to perform the work covered by the authorization: orders in the P–14 series, orders in the P–19 series, P–41, orders in the P–55 series, P–110, PD–3, PD–3A, WPB–542, CMPL–593 Navy (Army), CMPL–224, GA–1456 and WPB–2774. The issuance of preference rating orders or certificates other than those listed in this subparagraph does not authorize construction under these orders, except to the extent covered by paragraph (e) (20) of this order.

(g) *Penalties for violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any Department or Agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

unit during the calendar year.

or different processes together with administration buildings, cafeterias, etc.

lowance. CMP Regulation 5 and other regulations and orders provide priorities

INTERPRETATION 1: Revoked Nov. 1, 1943.

INTERPRETATION 2

MOTION PICTURE SETS

Conservation Order L–41 (§ 1075.1) does not apply to the construction or erection of temporary motion picture sets of a kind which may be stored between the taking of pictures, nor to the incorporation of such temporary sets into permanent sets for the taking of a single motion picture. However, it does apply to the construction of permanent outdoor motion picture sets and foundations for sets of a kind which are designed for use in more than a single picture at one location (Issued Nov. 13, 1943).

INTERPRETATION 3: Revoked Sept. 28, 1944.
INTERPRETATION 4: Revoked May 29, 1945.
INTERPRETATION 5: Revoked Sept. 28, 1944.
INTERPRETATION 6: Revoked May 29, 1945.
INTERPRETATION 7: Revoked Sept. 28, 1944.
INTERPRETATION 8: Revoked Aug. 19, 1944.
INTERPRETATION 10: Revoked May 29, 1945.
INTERPRETATION 12: Revoked May 29, 1945.

INTERPRETATION 9

INSTALLATION OF EQUIPMENT AND FIXTURES

Paragraph (b) of L–41 provides that the installation of equipment or fixtures in a building is construction if the equipment or fixture is attached to the building and is used as a part of the building or is so firmly attached that removal would result in material injury to the building or the fixture.

The following kinds of installations are construction under L–41:

The installation of any piece of equipment or fixture which is attached to the plumbing system of a building; the installation of any piece of equipment or fixture which involves putting new wiring in a building; the installation of any piece of equipment or fixture for which a base or foundation must be built; the installation of any piece of equipment or fixture cemented to a floor or wall of a building; the installation of a furnace or stoker connected by pipes or flues or wiring to the building; cementing linoleum, tiles or the like to a building.

The following kinds of installations are not construction under L–41:

The installation of a counter, table or booth which is attached to the building only by nails or screws and which can be removed as a unit and will only make it necessary to fill up the holes left by the nails or screws (however, if the counter contains equipment which is attached to the plumbing system, construction is involved); the installation of a piece of equipment or fixture which requires only making a connection to an existing wiring outlet (if new wires must be run or a new outlet built into the wall or ceiling, construction is involved).

These examples illustrate the general principles. In case of doubt as to a particular installation, consult the nearest WPB office or file an application for permission to do the work, if the cost of the work plus the cost of other construction already done on the building during the calendar year exceeds the allowance given under the applicable subparagraph of paragraph (d) (1) of L–41 and if the installation is not permitted under paragraph (e) (1) or paragraph (e) (20) of L–41. (Issued May 29, 1945.)

INTERPRETATION 11

INSTALLATION OF MACHINERY AND EQUIPMENT UNDER PARAGRAPH (E) (20) OF L–41 (FORMERLY DIRECTION 2 TO L–41)

Paragraph (e) (20) of L–41 exempts from the restrictions of L–41 the installation in an existing building or the erection outside of a building of any piece of machinery or equipment which is to be used in the manufacturing, processing or assembling of any goods or materials. This exception applies regardless of how the equipment is obtained. It also applies when the equipment is on hand already. Paragraph (e) (20) also exempts from L–41 the installation in an existing building or the erection outside of a building of other machinery or equipment, such as service equipment or building service equipment, when the equipment was obtained on a special form.

Building alterations may be made when required for the installation or operation of the machinery or equipment being installed or relocated under paragraph (e) (20). Building alterations which are not required for the installation or operation of the equipment, or new buildings or additions or extensions to existing buildings, may not be made under paragraph (e) (20). For example, in installing a piece of processing machinery, foundations may be placed under it, walls may be demolished or moved in order to install it and new walls or partitions may be put in where the operation of the equipment requires a wall or partition, as in the case of a machine which must operate in a dust-free or quiet location. Pipes to run water to the equipment, power lines to the equipment and fixtures to provide light to run the equipment may also be installed where necessary. On the other hand, the installation of processing machinery does not make it permissible under paragraph (e) (20) to install offices or office partitions, storage rooms or facilities for the operators of the machines, such as cafeterias, toilets, etc. When equipment other than processing equipment is installed under paragraph (e) (20), i. e., after approval on a special form, all building alterations normally required for the use or installation of such equipment are permitted. For example, if a new furnace obtained on a special form is being installed, the necessary changes in the plumbing system, electric system and the like may be made and if necessary partitions or other enclosures may be put up. On the other hand, if a furnace is obtained without approval by the War Production Board on a special form, an application for permission under L–41 to make the installation is necessary unless the cost of the work plus the cost of other jobs started on the building during the calendar year is within the allowance given under the applicable subparagraph of paragraph (d) of L–41 or unless the installation is permitted under paragraph (e) (1) of L–41.

When equipment is being erected outdoors, foundations may be built and pipes and wiring may be run, where necessary to the installation or operation of the equipment, but no new buildings or additions may be built to shelter the equipment.

If the installation of equipment in an existing building is part of a single construction job, the balance of which requires specific authorization for example, an addition to the building, the application must cover the entire job, including both the installation in the existing building and the construction of the addition. However, if the installation and the new addition are separate jobs, the installation may be made under paragraph (e) (20) and the addition may be applied for separately without reference to the installation.

Direction 15 to CMP Regulation 5 and other regulations and orders give priorities assistance to get installation materials and building materials for such work under certain circumstances. These regulations should be consulted. (Issued May 29, 1945.)

DIRECTION 1: Revoked Nov. 1, 1943.
DIRECTION 2: Revoked May 29, 1945.

DIRECTION 3

BLANKET PERMISSION FOR MISCELLANEOUS CONSTRUCTION

(a) Blanket authorizations will be issued only in cases where it appears that the filing of individual project applications will interfere with the war effort or cause extreme hardship.

(b) Applications for blanket authorization may be made on Form WPB–617. Separate applications must be made for each "unit" as defined in paragraph (d) (2) of L–41. The applicant will prepare his application in the same way he would prepare an application to do a single job and in accordance with the instructions to Form WPB–617. The need for a blanket authorization must be firmly established.

(c) Blanket authorizations will permit the builder to do miscellaneous routine construction. While the blanket authorization will cover a number of jobs, no one job costing more than $10,000 will be authorized, and in certain cases a lower cost limit per job may be fixed. No job for which tax amortization privileges will be requested may be included in a blanket application. A separate application should be filed for each such job at the time the request for tax amortization is made. (Issued May 29, 1945.)

DIRECTION 4: Revoked May 29, 1945.
DIRECTION 5: Printed separately.

[F. R. Doc. 45-10150; Filed, June 11, 1945; 11:21 a. m.]

PART 1075—CONSTRUCTION

[L–41, Direction 5, as Amended June 11, 1945]

CONSTRUCTION PROJECTS FOR CIVILIAN PRODUCTION OR SERVICES

The following amended direction is issued pursuant to L–41:

(a) *General policy.* Applications for permission under L–41 to do construction may now be filed and may be approved when the construction meets the requirements stated in paragraph (b), (c), (d), or (e) below. However, no application will be approved where the construction will interfere with war production or more essential war-supporting activities.

(b) *Authorization without priorities assistance.* When the requirements stated in paragraph (c), (d), or (e) below are met, the WPB may grant an AA–3 rating and a firm allotment for the construction. Projects which do not completely meet these requirements, or for which materials, equipment, and other resources required are on hand or available without priorities assistance, may be authorized without priorities assistance. However, such projects will not be approved unless there is reason to believe that the project can be completed without supplementary requests for priority assistance on bottleneck items, as the WPB does not propose to give such assistance, and as materials incorporated in a project which cannot be finished are wasted.

(c) *Additions to or alteration of existing facilities to make civilian products.* Priorities assistance may be granted for construction in the form of an addition to or the alteration of existing facilities which are necessary to enable the applicant to begin or resume production of a civilian product where:

(1) Postponement of construction would result in unduly delaying the beginning or resuming of production, and

(2) The construction is a relatively minor expansion of the applicant's facilities which are to be used in the production for which the expansion is requested, and

(3) The construction is no more than is needed for production at the minimum economic rate, and

(4) The construction is not for replacement or improvement of existing facilities which are adequate though less efficient.

(d) *Facilities for production of bottleneck materials or components.* Priorities assistance may be granted for construction, either in the form of additions to or alterations of existing facilities or in the form of new facilities, where necessary to enable the applicant to produce or increase his production of a material or component used in other industries, where:

(1) Postponement of construction would result in unduly delaying production of the materials or components when they are needed for other manufacturing operations, and

(2) Lack of the materials or components would seriously retard other manufacturing operations, and

(3) A shortage of the materials or components for other manufacturing operations is threatened when other materials and components needed for the operations will be available.

(e) *Facilities for needed civilian production or services.* Priorities assistance may also be given for construction either in the form of additions or alterations or of new facilities where needed for the production of civilian goods or carrying on civilian services where:

(1) Postponement of construction would result in unduly delaying the production or service, and

(2) The production of the product has been permitted throughout the war for general civilian use, and

(3) (i) The product is an essential item serving basic needs of the population, or

(ii) The service is an essential requirement of the community or will contribute substantially to the national economy, and

(4) There is now a shortage of the product or service for civilian use and a continued shortage is expected.

(f) *Applications.* Applications for construction under this direction should be filed on Form WPB–617 in the regular manner. The application should refer to the paragraph of the direction under which the application is filed, and a complete statement should be given regarding each point set forth in that paragraph.

Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–10151; Filed, June 11, 1945; 11:21 a. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U–3 as Amended June 9, 1945]

PREFERENCE RATING ORDER (MRO) FOR TELEPHONE INDUSTRY

Section 4501.6 Utilities Order U–3 is amended to read as follows:

(a) Definitions.
(b) CMP allotment symbol and preference ratings.
(c) Use of material obtained under this order.
(d) Authority to begin construction.
(e) Restrictions on inventory.
(f) Exemptions.
(g) Sales of material.
(h) Records and reports.
(i) Applicability of regulations.
(j) Violations.
(k) Communications.

§ 4501.6 *Utilities Order U–3—(a) Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative, or other division or agency thereof, to the extent engaged in rendering telephone communication service to the public (and such telegraph and teletypewriter service as may also be conducted by him) within, to, or from the United States, its territories, or possessions. Public law enforcement agencies and public fire protection agencies are excluded from this definition for the purpose of this order.

"Operator" also includes any persons operating a rural cooperative or mutually-owned telephone system. It further includes persons owning either a telephone or a telephone system which is connected to a telephone system rendering service to the public, so long as they do not generally use an MRO order other than Order U–3. Those who generally use another MRO order for their business operations, as, for example, railroads using Order P–142 or a manufacturer using CMP Reg. 5, are excluded from this definition.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) Without regard to accounting practices:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(4) "Operating supplies" means any material essential to the operator's business and used for purposes other than maintenance and repair.

(5) Without regard to accounting practices, "Operator's inventory" means the aggregate of material currently owned by an operator and not incorporated into plant or in the process of being consumed, exclusive of:

(i) At the operator's option, the dollar value of material offered for sale and listed by categories in column (b) of Form WPB–1127 for the third quarter of 1944.

(ii) Material for use on a project approved by the War Production Board on Form WPB–2774 or any alternative form, or segregated for use on construction jobs permitted by this Order.

(iii) Poles, crossarms, insulators and non-metallic conduit, furniture and fixtures; office machinery; printing, stationery and office supplies; house service supplies; and coal and petroleum products.

(b) *CMP allotment symbol and preference ratings.* (1) An operator is authorized to use the CMP allotment symbol U–9 and is assigned the preference rating of AA–1 for deliveries of material for maintenance, repair and operating supplies, except for:

(i) Telephone sets;

(ii) Material for the construction of a building;

(iii) Material for a construction project other than a building where the total cost of material is more than $25,000 or the cost of material obtained under this order is more than $2,500.

(2) An operator is authorized to use the CMP allotment symbol U–9 and is assigned the preference rating AA–3 for deliveries of:

(i) Telephone sets;

(ii) Material for a construction project other than a building where the total cost of material is not more than $25,000 and the cost of material obtained under this order is more than $2,500.

(3) No preference rating or allotment symbol is assigned for deliveries of materials for construction of a building.

(4) An operator may apply and a supplier may extend the CMP allotment symbol or ratings in the manner provided in Priorities Regulation 3 and CMP Regulation 3, by placing on his delivery order substantially the certification set forth below in paragraph (b) (5).

(5) Utilities maintenance, repair and operating supplies certification.

CMP allotment symbol U–9, preference rating ——. The undersigned operator certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders and under all provisions of Utilities Orders U–2 and U–3, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered and to use any CMP allotment symbol or rating which the undersigned has placed on this order.

(c) *Use of material obtained under this order.* (1) Material obtained under this order may be used by an operator only within the limitations of Order U–2.

(2) Material costing not more than $50 obtained under this order on AA–1 rating or U–9 allotment symbol, may be used on any construction project permitted under this order, or authorized on Form WPB–2774 or alternative form, even though the project has been assigned a lower rating or different symbol or is unrated.

(3) Material obtained under this order which is in inventory may be used on any permitted construction project, even though the project is assigned a different allotment symbol or a lower rating either by this order or by the War Production Board on Form WPB–2774, or any alternative form. However, material so used may only be replaced in inventory by use of the different allotment symbol or the lower preference rating authorized by this order or by the War Production Board on Form WPB–2774 or alternative form.

(4) An operator, who does not furnish telephone service to the public, whose "operator's inventory" at the end of 1942 or whose use of material during 1942 did not exceed $10,000 may not, in any single case, use material obtained under this order costing more than $500 for operating supplies.

(5) No operator shall subdivide a single order, job, or project to qualify it under the dollar limitations of this Order U–3.

(6) Material obtained under this order may be used for maintenance and repair, including maintenance and repair of buildings, without regard to dollar limitations on the use of material for operating supplies.

(7) The dollar limits of this order shall not prevent the use of material on hand to meet temporary traffic or emergency requirements, but where the dollar limits are exceeded the material must be returned to inventory or to its original location in plant within thirty days, unless application has been made to the War Production Board for authority to continue the use of material.

(d) *Authority to begin construction.* No material may be used in the construction of a building which involves a total cost in material in excess of $25,000, unless the operator has obtained authority to begin construction of the building on Form WPB–2774. No approval is required before beginning construction of telephone, telegraph or teletypewriter plant, other than buildings.

(e) *Restrictions on inventory.* (1) No operator shall accept deliveries of material unless after the delivery his operator's inventory will not exceed a practical working minimum. A practical working minimum shall in no case be greater than 27½% of the dollar value of material used during the calendar year 1940 for all purposes exclusive of the items in paragraph (a) (5) (iii) and materials which were used for building construction. The items in (a) (5) (iii) may be accepted by an operator even if his operator's inventory exceeds 27½% of his 1940 usage of material.

(2) No operator shall accept delivery of a size, type, gauge and length of cable, wire or strand, if the operator's inventory of that size, type, gauge and length is in excess of requirements for the next ninety days. However, if an operator needs some wire, cable or strand, this provision does not forbid purchase of the minimum standard reel-length, even though the operator does not expect to use the whole reel in the next ninety days.

(f) *Exemptions.* Any operator whose operator's inventory did not exceed $25,000 at the end of 1942 is exempt from the inventory restrictions of paragraph (e) (1).

(g) *Sales of material.* Material sold between operators must be sold without a preference rating or CMP allotment symbol.

(h) *Records and reports.* Each operator acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired which shall, upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board. In addition, each operator affected by this order shall file such reports with the Communications Division, Office of War Utilities, as may from time to time be required by the War Production Board.

(i) *Applicability of regulations.* (1) This order and all transactions affected by it, except as expressly provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations No. 5 or 5A shall apply to operators as defined in paragraph (a) (1) of this order, and no such operator shall obtain any material under the provisions of these regulations.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(k) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: Communications Division, Office of War Utilities, War Production Board, Washington 25, D. C. Ref.: U–3.

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R. Doc. 45–10128; Filed, June 9, 1945; 4:48 p. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U–4, as Amended June 9, 1945]

PREFERENCE RATING ORDER (MRO) FOR TELEGRAPH INDUSTRY

Section 4501.11 Utilities Order U–4 is amended to read as follows:

(a) Definitions.
(b) CMP allotment symbol and preference ratings.
(c) Use of material obtained under this order.
(d) Authority to begin construction.
(e) Restrictions on inventory.
(f) Restrictions on purchases.
(g) Records and reports.
(h) Applicability of regulations.
(i) Violations.
(j) Communications.

§ 4501.11 *Utilities Order U–4—(a) Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering wire telegraph, cable or related communications service (exclusive of telegraph and teletypewriter service rendered by operators of telephone communications systems), within, to, or from the United States, its territories or possessions, either private or public in character, which involves the transmission and reception of coded impulse signals in numerical variety not less than twenty-six. "Operator" also includes the same persons to the extent engaged in rendering telephone communication service. Public law enforcement agencies and public fire protection agencies are excluded from this definition for the purpose of this order.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) Without regard to accounting practices:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(4) "Operating supplies" means any material essential to the operator's business and used for purposes other than maintenance and repair.

(5) Without regard to accounting practices, "operator's inventory" means the aggregate of material currently owned by an operator and not incorporated into plant or in the process of being consumed, exclusive of:

(i) At the operator's option, the dollar values of material reported for sale by categories in Column (b) of Form WPB–1131 for the third quarter of 1944.

(ii) Material for use on a project approved by the War Production Board on Form WPB–2774 or any alternative form or segregated for use on projects permitted by this order.

(iii) Stocks of lead covered cable or bare line wire maintained by an operator for repair of major breakdowns due to storms, floods, etc., except that the dollar value of such material whioh may be excluded from inventory may not exceed the dollar value of material reported in Column (c) of Form WPB–1131 for the third quarter 1944.

(iv) Poles, crossarms, insulators and non-metallic conduit, furniture and fixtures; clothing (uniforms, etc.); printing, stationery and office supplies; house service supplies and coal and petroleum products.

(v) Ocean cable, grapnel rope and buoy rope.

(b) *CMP Allotment Symbol and Preference Ratings.* (1) An operator is authorized to use the CMP allotment symbol U–9 and is assigned the preference rating of AA–1 for deliveries of material for maintenance, repair and operating supplies, except for:

(i) Telephone sets;

(ii) Material for the construction of a building;

(iii) Material for a construction project other than a building where the total cost of material is more than $25,000 or the cost of material obtained under this order is more than $2,500.

(2) An operator is authorized to use the CMP allotment symbol U–9 and is assigned the preference rating AA–3 for deliveries of:

(i) Telephone sets;

(ii) Material for a construction project other than a building where the total cost of material is not more than $25,000 and the cost of material obtained under this order is more than $2,500.

(3) No allotment symbol or preference rating is assigned for deliveries of materials for construction of a building.

(4) An operator may apply and a supplier may extend the CMP allotment symbol or ratings in the manner provided in Priorities Regulation 3 and CMP Regulation 3, by placing on his delivery order substantially the certification set forth below in paragraph (b) (5).

(5) Utilities maintenance, repair and operating supplies certification.

CMP allotment symbol U–9, preference rating —. The undersigned operator certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders, and under all provisions of Utilities Order U–4, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered and to use any CMP allotment symbol or rating which the undersigned has placed on this order.

(c) *Use of material obtained under this order.* (1) Material obtained under this order may be used for an operator's telephone operations only within the limitations of Order U–2.

(2) Material costing not more than $50 obtained under this order on the U–9 allotment symbol or AA–1 rating, may be used on any construction project permitted under this order, or authorized on Form WPB–2774 or any alternative form, even though the project has been assigned a different symbol, a lower rating or is unrated.

(3) Material obtained under this order which is in inventory may be used on any permitted construction project, even though the project is assigned a different allotment symbol or a lower rating either by this order or by the War Production Board on Form WPB–2774, or any alternative form. However, material so used may only be replaced in inventory by use of the different allotment symbol or the lower preference rating authorized by this order or by the War Production Board on Form WPB–2774 or alternative form.

(4) No operator shall subdivide a single order, job, or project to qualify it under the dollar limitations of Order U–4.

(5) Material obtained under this order may be used for maintenance and repair including the maintenance and repair of buildings without regard to dollar limitations on the use of material for operating supplies.

(6) The dollar limits of this order shall not prevent the use of material on hand to meet temporary traffic or emergency requirements, but where the dollar limits are exceeded the material must be returned to inventory or to its original location in plant within thirty days, unless application has been made to the War Production Board for authority to continue the use of material.

(d) *Authority to begin construction.* No material may be used in the construction of a building which involves a total cost of material in excess of $25,000, unless the operator has obtained authority to begin construction of the building on Form WPB–2774. No approval is required before beginning construction of telegraph or telephone plant, other than buildings.

(e) *Restrictions on inventory.* (1) No operator shall accept deliveries of material unless after the delivery his operator's inventory will not exceed a practical working minimum. A practical working minimum shall in no case be greater than 27½% of the dollar value of material used during the calendar year 1940 for all purposes exclusive of the items in paragraph (a) (5) (iv) and materials which were used for building construction. The items in (a) (5) (iv) may be accepted by an operator even if his operator's inventory exceeds 27½% of his 1940 usage of material.

(2) No operator shall accept delivery of a size, type, gauge and length of cable, wire or strand, if the operator's inventory of that size, type, gauge and length is in excess of requirements for the next ninety days. However, if an operator needs some wire, cable or strand, this provision does not forbid him to accept the minimum standard reel-length, even though the operator does not expect to use the whole reel in the next ninety days. Nor does this provision forbid him to accept ocean cable approved under paragraph (f) below.

(f) *Restrictions on purchases.* No operator shall use the allotment number assigned by this order to obtain ocean cable. An operator who needs ocean cable should apply to the Office of War Utilities on Form WPB–2774.

(g) *Records and reports.* Each operator acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board. In addition, each operator affected by this order shall file such reports with the Communications Division, Office of War Utilities, as may from time to time be required by the War Production Board; subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Applicability of regulations.* (1) This order and all transactions affected by it, except as expressly provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations No. 5 or 5A shall apply to operators as defined in paragraph (a) (1) of this order, and no such operator shall obtain any material under the provisions of these regulations.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(j) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: Communications Division, Office of War Utilities, War Production Board, Washington 25, D. C. Ref. U–4.

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–10129; Filed, June 9, 1945; 4:48 p. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 19]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Second Revised Ration Order 3 is amended in the following respects:

1. Section 2.2 (b) is amended by adding after the second sentence the following: "If a spare stamp 13 from the War Ration Book Four of any member of the family unit covered by the application is missing from such ration book and cannot be attached to the application, the applicant shall attach a statement to the application giving the circumstances under which spare stamp 13 was detached from such ration book and shall present to the Board the War Ration Book Four from which the spare stamp 13 is missing."

2. Section 2.2 (c) is amended by adding at the end thereof the following: "The Board may grant the application even if a spare stamp 13 for each person covered by the application is not attached thereto, if the War Ration Book Four in lieu thereof is submitted with the application and the Board finds that the spare stamp 13 is missing and that no home canning application has been made by or for the person who claims that spare stamp 13 is missing from his ration book."

This amendment shall become effective June 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10153; Filed, June 11, 1945; 11:49 a. m.]

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[1] 9 F.R. 13992, 14642, 15048; 10 F.R. 201, 412, 1143, 1537, 2144, 2581, 2874, 3223, 4105, 4715.

PART 1340—FUEL

[MPR 88, Amdt. 27]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.14 (v) is added to read as follows:

(v) "Blending naphtha" means a petroleum naphtha sold for use as a blending agent to produce gasoline or for direct use as a substitute for gasoline.

2. Section 2.4 (c) is added to read as follows:

(c) *In the San Diego Tank Wagon Area and nearby tank wagon areas—Maximum tank wagon prices of P. S. 100 fuel oil.* Within the reference seller's free delivery limits in the tank wagon areas listed below, maximum tank wagon prices (in cents per gallon) for P. S. 100 fuel oil, also known as stove oil, shall be as follows:

Tank wagon areas	For deliveries of less than 75 gallons	For deliveries of 75 gallons or more
San Diego	8	7
Palm City	8	7
La Mesa	8	7
Solano Beach	8¼	7¼
Ocean Side	8¼	7¼
Escondido	8¼	7¼
Fall Brook	8¼	7¼
Ramona	8½	7½

In any of the above tank wagon areas, at any point outside the free delivery limits, a seller may add the increase for the particular point specified in the reference seller's pamphlet of its October 14, 1941, posted tank wagon prices.

3. Section 2.4 (d) is added to read as follows:

(d) *In the Grass Valley Tank Wagon area—Maximum tank wagon prices of P. S. 100 fuel oil and P. S. 200 fuel oil.* Within the reference seller's free delivery limits of the tank wagon area listed below, maximum tank wagon prices (in cents per gallon) for P. S. 100 fuel oil, also known as stove oil, and P. S. 200 fuel oil, also known as furnace oil, shall be as follows:

Tank wagon area	For deliveries of less than 40 gallons		For deliveries of 40 gallons or more	
	P. S. 100	P. S. 200	P. S. 100	P. S. 200
Grass Valley	11	10	9	8

In the above tank wagon area, at any point outside the free delivery limits, a seller may add the increase for the particular point specified in the reference seller's pamphlet of its October 14, 1941 posted tank wagon prices.

4. Section 2.11 (b) (2) (i) is amended by inserting the words "and at bulk plants serving the said city" between the words "East St. Louis" and "the".

5. Section 2.23 (a) (2) (i) is amended by inserting the words "and at bulk plants serving the said city" between the words "St. Louis" and "the".

6. The first sentence of footnote 6, section 3.4, is amended to read as follows: This price shall not be applicable on sales to tank wagon resellers when shipment is made to St. Louis, Missouri, East St. Louis, Illinois, or bulk plants serving either of such cities.

7. Section 4.34 (a) (3) is added to read as follows:

(3) *Aviation gasoline.* Maximum prices of aviation gasoline in bulk lots f. o. b. refineries in the State of Oklahoma, loaded into tank cars, motor transports and pipe lines shall be as follows:

Grade	To class 1 purchasers (cents per gallon)	To class 2 purchasers (cents per gallon)	To class 3 purchasers (cents per gallon)
62-65 Octane ASTM aviation gasoline	7.375	7.50	7.75
73 Octane ASTM aviation gasoline	7.625	7.75	8.00
80 Octane ASTM aviation gasoline	7.875	8.25	8.50

"Class 1 purchasers" are refiners, the United States Government or any agency thereof, and buyers purchasing for ultimate shipment to Petroleum Administration for War District No. 1.

"Class 2 purchasers" are resellers (except airport dealers) not included in Class 1.

"Class 3 purchasers" are airport dealers and consumers not included in Class 1.

8. Section 5.1 (e) (4) is added to read as follows:

(4) *Diesel fuels and tractor fuels.* In the above states (except in the Southern Peninsula of Michigan and in the Metropolitan Chicago area, as said area is defined in section 5.1 (e) (1) (iii) above), a supplier's maximum delivered-at-destination tank car prices for diesel fuels and tractor fuels, delivered in tank cars or motor transports, of the grades hereinafter referred to shall be as set forth below, except that the sum of .125¢ per gallon may be added by an eligible marketer.

(i) *Tank wagon resellers; contract buyers.* If on October 1, 1941 there was a written contract in effect extending over a period of not less than one year for deliveries by a supplier to a tank wagon reseller, then the particular supplier's maximum delivered-at-destination price to such reseller shall be determined in accordance with the provisions of section 5.2 and Article VI, or shall be established pursuant to section 8.3.

(ii) *Consumers and tank wagon resellers.* If (i) is inapplicable, any supplier's maximum delivered-at-destination price (exclusive of any applicable taxes incident to the sale but not the transportation of such products) for a particular grade of one of the products listed below shall be the applicable rail rate of transportation for the product as of October 1, 1941 from Tulsa, Oklahoma to the particular destination, plus the amount designated below for the particular grade:

DIESEL FUELS [1]

Grade:	Cents per gallon to be added
Diesel Index 56 and above or 50 cetane and above	4.125
Diesel Index 45–55	4.00
Diesel Index 44 and below	3.625

[1] These maximum prices apply only to fuels sold for use in diesel engines.

TRACTOR FUELS [2]

Grade:	Cents per gallon to be added
Gasoline type (volatile)	5.00
Distillate type (non-volatile) 40 octane ASTM and above	5.00
Distillate type (non-volatile) 30–39 octane ASTM	4.625

[2] For grades of tractor fuel other than those listed, maximum prices shall be established pursuant to section 8.3 of this regulation.

9. Section 5.1 (h) is added to read as follows:

(h) *At any shipping or delivery point—Blending naphtha.*—(1) *At any shipping point.* A seller's maximum price (or prices) f. o. b. any shipping point for blending naphtha loaded into tank cars or transport trucks shall be the same as his maximum price (or prices) for automotive gasoline of the same ASTM octane number. If, in the case of sales of automotive gasoline f. o. b. a particular shipping point, price distinctions, dependent on ultimate destination or the seller's customary pricing practice, are required by the regulation, the same price distinctions shall be required on sales of blending naphtha f. o. b. the same shipping point.

(2) *At any delivery point.* A seller's maximum delivered-at-destination tank car price for any blending naphtha delivered in tank cars, transport trucks shall be the sum of his maximum shipping point price to the same purchaser, as determined under subparagraph (1) above or as established under section 8.3, plus the cost of transportation [1] to the particular destination.

10. Section 6.2 (d) is amended to read as follows:

(d) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin.*—(1) *On delivered-at-destination sales at the tank car level to certain tank wagon resellers.* If, for the sale of a particular grade of kerosene or fuel oil, there was a contract in effect on October 1, 1941 between a supplier and a tank wagon reseller; and if such contract provided for varying the

[1] On deliveries in Petroleum Administration for War District No. 1 the cost of transportation means the net cost after allowing for that portion of the transportation cost which is compensated for by the Defense Supplies Corporation.

supplier's price to the reseller on the basis of the tank wagon price at the delivery point; and if the maximum tank wagon price at such delivery point is increased by the provisions of either section 7.4 or Article II, then the supplier's maximum price at the particular delivery point to the particular reseller shall be as determined below or as determined under section 5.2, whichever price shall be higher. In computing, as set forth below, the supplier's maximum price, the maximum tank wagon price used in any computation therein shall be regarded as .3 of a cent less than the actual maximum price of the tank wagon reseller.

(a) If the maximum tank wagon price at the delivery point is increased to the normal tank wagon price posted for such point by the reference seller on October 1, 1941, then the supplier may charge the reseller the highest price that he could have charged him under the terms of the contract on October 1, 1941 had the tank wagon price at the delivery point then been normal.

(b) If the maximum tank wagon price at the delivery point is increased, toward but not to the normal tank wagon price posted for such point by the reference seller on October 1, 1941, then the supplier's maximum price shall be a price which is equal to the adjusted maximum tank wagon price less the margin which would have been provided on October 1, 1941 by the terms of the contract had the tank wagon price at the delivery point then been normal.

(2) *On f. o. b. shipping point sales to certain tank wagon resellers.* If on October 1, 1941 there was a contract in effect for the sale of a particular grade of kerosene or fuel oil by a supplier to a tank wagon reseller; and if such contract provided for varying the supplier's f. o. b. shipping point price on the basis of the tank wagon price at a stipulated point; and if the maximum tank wagon price at such point is increased by section 7.4 or Article II, then, by application in writing to the Administrator, the supplier may apply for a written order increasing his maximum price, as determined under section 5.2, to the particular reseller. The tank wagon price to be used by the Administrator in any determination hereunder shall be .3 of a cent less than the actual maximum price of the tank wagon reseller.

11. Section 6.5 (c) is amended to read as follows:

(c) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin.*—(1) *On delivered-at-destination sales at the tank car level to certain tank wagon or service station resellers.* If, for the sale of a particular grade of gasoline there was a contract in effect on October 1, 1941 between a supplier and either a tank wagon or service station reseller; and if such contract provided for varying the supplier's price to the reseller on the basis of the tank wagon price at the delivery point; and if the maximum tank wagon price at such delivery point is increased by the provisions of either section 7.4 or Article IV, then the supplier's maximum price at the particular delivery point to the particular reseller shall be as determined below or as determined under section 5.2, whichever price shall be higher.

(a) If the maximum tank wagon price at the delivery point is increased to the normal tank wagon price posted for such point by the reference seller on October 1, 1941, then the supplier may charge the reseller the highest price that he could have charged him under the terms of the contract on October 1, 1941 had the tank wagon price at the delivery point then been normal.

(b) If the maximum tank wagon price at the delivery point is increased toward but not to the normal tank wagon price posted for such point by the reference seller on October 1, 1941, then the supplier's maximum price shall be a price which is equal to the adjusted maximum tank wagon price less the margin which would have been provided on October 1, 1941 by the terms of the contract had the tank wagon price at the delivery point then been normal.

(2) *On f. o. b. shipping point sales to certain tank wagon or service station resellers.* If on October 1, 1941 there was a contract in effect for the sale of a particular grade of gasoline by a supplier to a tank wagon or service station reseller; and if such contract provided for varying the supplier's f. o. b. shipping point price on the basis of the tank wagon price at a stipulated point; and if the maximum tank wagon price at such point is increased by section 7.4 or Article IV, then, by application in writing to the Administrator, the supplier may apply for a written order increasing his maximum price, as determined under section 5.2, to the particular reseller.

12. In section 6.4 (a) (1) (i), the figure "50" is amended to read "45".

13. Section 7.4 (a) is amended to read as follows:

(a) *When use of reference seller's maximum tank wagon price is required.* Except as provided in paragraph (b) below, a seller's maximum tank wagon price for a particular grade of gasoline, stove and lamp naphtha, kerosene, range, stove or heater, oil, distillate fuel oil, diesel fuel or tractor fuel,[1] at a particular point in any of the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, or Wisconsin shall be either (1) the reference tank wagon seller's normal price, as posted on October 1, 1941 for the same point, plus, in the case of tank wagon deliveries in rationed areas of any of the above products which are rationed, the sum of .3 of a cent per gallon or (2) said reference seller's maximum tank wagon price for such product at the same point, as determined under section 5.2 and Article VI, plus .7 of a cent per gallon, whichever results in the lower price.[2]

If the reference seller has no maximum price at a particular point for a particular grade of any of the products named above, then a tank wagon seller's maximum price shall be his maximum price as determined or established under other provisions of this regulation.

14. Section 7.5 (a) is amended by substituting for the phrase "73 Octane ASTM aviation gasoline" the phrase "80 and 73 Octane ASTM aviation gasoline".

This amendment shall become effective June 13, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9979; Filed, June 8, 1945; 1:25 p. m.]

[1] For the purposes of section 7.4 distillate type (non-volatile) tractor fuels of 40 octane ASTM and above and of 30-39 octane ASTM are to be considered the same grade of tractor fuel.

[2] For deliveries of 100 gallons and over of Stanolind High Speed diesel fuel or any diesel fuel of the same grade, deduct 1 cent per gallon.

PART 1340—FUEL

[MPR 121, Amdt. 32]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 121 is amended in the following respects:

1. Section 1340.247a (d) is amended to read as follows:

(d) In connection with any application for adjustment filed under the provisions of this section, the applicant shall submit in duplicate detailed statements of cost and realization for the last calendar or fiscal year preceding the date of filing and for the current year to date. The applicant may also be required to submit such additional information as may be requested by the Office of Price Administration to enable it to give proper consideration of its application.

2. In § 1340.249 (d) (1) (iii) the proviso is amended to read as follows:

Provided, however, a Producer's maximum price need not be decreased if he incurs a decrease in the cost of solid fuel by reason of using, at the request of the Solid Fuels Administrator for War, Pennsylvania Anthracite as a substitute for a portion of the bituminous coal formerly used in the manufacture of briquettes or packaged fuel.

This amendment shall become effective June 13, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9980; Filed, June 8, 1945; 1:25 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 569, Amdt. 2]

MAXIMUM PRICES FOR USED MOTORCYCLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 569 is amended in the following respects:

1. Subparagraph (3) of section 2 (a) is redesignated subparagraph (4) and is amended to read as follows:

(4) No person shall agree, offer or attempt to do any of the acts prescribed in subparagraphs (1), (2) and (3) of this section.

2. A new subparagraph (3) is added to section 2 (a) to read as follows:

(3) No dealer shall retain payment in excess of the adjusted maximum price where the maximum price has been adjusted downward, pursuant to section 5 (c), because of his refusal to make the repairs or replacements required under his warranty.

3. The following undesignated paragraphs are added to section 5 (c):

The inclusion in the maximum price of an additional amount when a used motorcycle is warranted is conditioned on the used motorcycle being in good operating condition as defined in section 7 (b). If a dealer sells at the warranted maximum price a used motorcycle not in good operating condition he makes an overcharge in excess of the permitted maximum price (the non-warranted maximum price).

The inclusion in the maximum price of an additional amount when a used motorcycle is warranted is also conditioned upon the making of repairs or replacements in accordance with the dealer's warranty. If the dealer refuses to make these repairs or replacements, the maximum price for the used motorcycle shall be the maximum price for the used motorcycle when warranted reduced by 50% of the amount the purchaser would have to pay for the repairing or replacement which the dealer should have made under his warranty, and the dealer shall refund the amount of that reduction to the buyer. Refusal to refund that amount will constitute an overcharge in excess of the maximum price. If upon the dealer's refusal to make repairs or replacements in accordance with his warranty, the purchaser has such work done by another before receiving a refund from the dealer, the actual cost of such work shall be considered the amount by which the maximum price is reduced. For the purposes of this section, failure to make repairs or replacements required by the warranty within a reasonable time from the date the used motorcycle is delivered to the place of business of the dealer shall constitute a refusal to make such repairs or replacements regardless of the reasons why they are not made.

4. Section 7 is amended to read as follows:

SEC. 7. *Warranted used motorcycle*—(a) *Definition.* A warranted used motorcycle is a used motorcycle:

(1) Which is in good operating condition as defined in paragraph (b); and

(2) For which a dealer (as defined in section 16 (b) furnishes in writing to the purchaser at the time of sale the warranty in paragraph (c); and

(3) In the case of a dealer who does not have a shop and equipment adequate for repairing or reconditioning used motorcycles, it shall be a used motorcycle which, in addition to satisfying the conditions in (1) and (2), is one for which the service supplier that makes the repairs or replacements for the dealer in accordance with section 16 (b) guarantees in writing the making of the repairs or replacements the dealer is obligated to make under his warranty. The guaranty shall be made in the manner stated in paragraph (d).

(b) *Good operating condition.* A used motorcycle is in good operating condition when its functional parts, and those of its non-functional parts which are customarily attached to a motorcycle, are in a condition that will permit the used motorcycle to be driven safely and efficiently.

(c) *Dealer's warranty.* The warranty a dealer shall furnish in writing to a purchaser at the time of sale is:

DEALER'S WARRANTY

The used motorcycle described below is hereby warranted to be in good operating condition, and to remain in such condition under normal use and service for a period of 30 days after delivery, or 1000 miles, whichever may first occur.

We agree, if said vehicle is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements which may be necessary to its good operating condition in accordance with normal use and service at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.

Make of used motorcycle_____
Date of delivery_____
Serial number_____
Total selling price $_____

Name of purchaser

Address

Model_____
Speedometer reading_____
Motor number_____

Signature of dealer making sale, or name of dealer and signature of authorized agent.

Dealer's Address

(d) *Service supplier's guaranty.* The guaranty which a service supplier shall furnish in connection with the sale of a warranted used motorcycle shall be part of the same document that contains the "Dealer's Warranty" for such a used motorcycle, and shall be stated in that document immediately below the address of the dealer given in that warranty. The service supplier's guaranty is as follows:

The undersigned service supplier guarantees the making of the repairs or replacements which the dealer furnishing the above warranty is required to make under that warranty.

Signature of Service Supplier who will perform reconditioning or repairing under the warranty, or name of such person and signature of authorized agent.

Service Supplier's Address

(e) *Additional warranties by dealer.* A dealer may extend to the purchaser warranties in addition to those provided in the warranty stated in paragraph (c) but this shall be done in warranties separate and in addition to the warranty provided in paragraph (c), and the maximum price established by section 5 shall not be increased thereby.

(f) *Purchaser's customary legal remedies for dealer's failure to perform obligations of warranty or service supplier's failure to perform obligations of his guaranty.* Nothing in this regulation restricts the legal remedies available to a purchaser of a used motorcycle under the applicable state law for the breach either of a dealer's warranty or a service supplier's guaranty.

5. Section 11 is amended to read as follows:

SEC. 11. *Certificate of transfer and purchaser's statement that must be completed for a sale of a used motorcycle.* Every person when he sells a used motorcycle covered by this regulation shall prepare a certificate of transfer, Appendix C, in accordance with the instructions in that appendix, sign the certificate and give it to the purchaser.

When a dealer or other person generally engaged in the business of selling used motorcycles is the purchaser, he shall sign the purchaser's certification on the reverse side of the certificate and turn the certificate in to his local War Price and Rationing Board. The only action a purchaser who is not a person generally engaged in the business of selling used motorcycles takes with respect to the certificate is to turn it in to his local War Price and Rationing Board. However, every purchaser who is not a dealer or other person generally engaged in the business of selling used motorcycles shall complete a purchaser's statement which he shall also turn in to his local War Price and Rationing Board. This purchaser's statement is set out in Appendix D of this regulation. Where the purchaser is not a dealer or other person generally engaged in the business of selling used motocycles, he shall turn in the certificate of transfer and the purchaser's statement to his local War Price and Rational Board on or before the date he applies to that Board for a gasoline ration for the used motorcycle he has purchased. Where the purchaser is a dealer, or other person generally engaged in the business of selling used motorcycles, he shall turn in the certificate of transfer to his local War Price and Rationing Board not later than 5 days from the date he purchases the used motorcycle. For the purpose of this section a trade-in of a used motorcycle is a sale, and the person trading in the used motorcycle must take the steps required of sellers by this section, and the person accepting the used motorcycle traded in must take steps required of purchasers by this section. Copies of the certificate of transfer may be obtained from sellers generally engaged in the business of selling used motorcycles or from local War Price and Rationing Boards. The purchaser's statement will be obtained by the purchaser from his local War Price and Rationing Board when he submits the certificate of transfer to that Board.

6. Section 12 is amended to read as follows:

SEC. 12. *Records and reports*—(a) *Records.* Every person generally engaged in the business of selling used motorcycles shall, so long as this regulation remains in effect, keep and make available for examination by the Office of Price Administration the following information in regard to every used motorcycle he has acquired for resale:

(1) A complete description of the used motorcycle including make, model year, serial number, motor number and type;

(2) The name and address of the person from whom he acquired the used motorcycle;

(3) The price he paid for the used motorcycle either on an outright basis or on a trade-in;

(4) The cost of repairs and replacements made in the used motorcycle and a description of the repairs and replacements made;

(5) The name and address of the person to whom he sold the used motorcycle;

(6) The price he charged the purchaser for the used motorcycle excluding taxes and finance charges;

(7) The amount he charged the purchaser to cover taxes and the taxes for which the amount was charged;

(8) The amount he charged the purchaser for financing the sale on an instalment basis, if any;

(9) A copy of the warranty he furnished the purchaser if he sold the used motorcycle at a price higher than the as-is price.

(b) *Additional records and reports.* Every dealer, or other seller generally engaged in the business of selling used motorcycles, shall keep such records in addition to those required by paragraph (a), and file such reports, as the Office of Price Administration may from time to time require. Such records and reports, however, shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

7. Section 13 is amended to read as follows:

SEC. 13. *Evasion.* It shall be a violation of this regulation to charge a price above the applicable maximum price in connection with any sale of a used motorcycle, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, but not exclusively, the seller is not permitted to require the purchaser, as a condition of the sale or transfer of the used motorcycle, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts, or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging, transferring or trading in any other vehicle, product or commodity. Where there is an exchange, transfer or trade-in in connection with a sale, it is a violation for the seller to give the purchaser an allowance for the vehicle, product or commodity, exchanged, transferred, or traded in, which is less than its reasonable value.

Furthermore, the seller is prohibited from providing for the purchase of the used motorcycle by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they customarily have been except to the extent allowed by this regulation. However, the Office of Price Administration may upon written request grant written permission to any dealer subject to this regulation to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States Government.

It shall also be a violation for any person to charge, pay or receive a finder's fee or other compensation in connection with the procurement of a used motorcycle where the finder's fee or other compensation plus the purchase price for the used motorcycle exceeds the permitted maximum price, except that this prohibition shall not apply to the case of a bona fide employer-employee relationship between a seller generally engaged in the business of selling used motorcycles and an employee of the type of employee generally considered by the motorcycle trade to be a used motorcycle salesman.

8. Paragraphs (a) and (b) of Appendix B are amended by changing the listing of model years for each model which reads "1942, 1943, 1944" to read "1942, 1943, 1944, 1945."

9. A new Appendix C is added to the regulation to read as follows:

APPENDIX C

OPA Form 694—2427 Form Approved Budget Bureau No. 08-R1397

This form may be reproduced without change

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

CERTIFICATE OF TRANSFER OF USED MOTORCYCLES

Under the provisions of
Maximum Price Regulation No. 569
Maximum Prices for Used Motorcycles

The seller is to prepare and sign this certificate and give it to the purchaser.

Where the purchaser is a dealer, or other seller generally engaged in the business of selling used motorcycles, he must present this certificate to his local War Price and Rationing Board not later than 5 days after he purchases the used motorcycle.

Where the purchaser is neither a dealer nor other seller generally engaged in the business of selling used motorcycles, he must present this certificate to his local War Price and Rationing Board on or before the date he applies for a gasoline ration for the used motorcycle he purchased.

The information required under "Description of Motorcycle" shall be supplied insofar as possible from the vehicle registration card.

Do Not Write In Space Within Heavy Lines

BOARD ACTION

Board No. | Date

City and postal zone | State

Board recommendation:

Sign Here_____
(Signature of Board Member)

DISTRICT OFFICE ACTION

Reviewed by_____

Remarks_____

Name of purchaser

Address—number and street

City and postal zone No. | State

Name of seller

Dealer authorization No. (if any)

Address—number and street

City and postal zone No. | State

To be filled in by seller

Description of motorcycle

Make | Year

Model

Serial No. | Motor No.

Price calculation

1	Base price of motorcycle as listed in Appendix B of MPR 569	$
2	Is motorcycle equipped with side car? Yes ☐ No ☐	$
3	Maximum price for motorcycle without dealer warranty: (Total of 1 and 2.)	$
4	Maximum price for motorcycle if sold with dealer warranty.	$
5	Federal, State, and local taxes which may be collected by seller	$
6	Actual sales price for motorcycle including taxes	$
	State or Territory in which motorcycle was last registered or titled by the owner.	$

Is the seller a dealer?
Yes ☐
No ☐

If you are a dealer selling with a warranty, did you deliver to the purchaser a copy of the warranty?

Yes ☐ No ☐

WARNING

Any misrepresentation on this certificate may be cause for $10,000 fine or 10 years imprisonment, or both.

A statement [illegible] filed with the Division of the Federal Register.

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.14 [illegible] is added to read as follows:

(x) "Blending naphtha" [illegible] gasoline or [illegible]

2. Section 2.4 [illegible] is added to read as follows:

(c) *In the St. Louis [illegible] Area and [illegible]—Maximum tank wagon prices of P. S. 100 fuel oil.* Within the reference seller's free delivery limits in the tank wagon areas listed below maximum tank wagon prices (in cents per gallon) for P. S. 100 fuel oil, also known as stove oil, shall be as follows:

[illegible]	[illegible]

In any of the above tank wagon areas, at any point outside the free delivery limits, a seller may add the increase for the particular point specified in the reference seller's pamphlet of its October 14, 1941, posted tank wagon prices.

3. Section 2.4 (d) is added to read as follows:

(d) *In the Grass Valley Tank Wagon area—Maximum tank wagon prices of P. S. 100 fuel oil and P. S. 200 fuel oil.* Within the reference seller's free delivery limits of the tank wagon area listed below, maximum tank wagon prices (in cents per gallon) for P. S. 100 fuel oil, also known as stove oil, and P. S. 200 fuel oil, also known as furnace oil, shall be as follows:

Tank wagon area	For deliveries [illegible]		For deliveries [illegible]	
	P. S. 100	P. S. 200	P. S. 100	P. S. 200
Grass Valley	11	10	9	8

In the above tank wagon area, at any point outside the free delivery limits, a seller may add the increase for the particular point specified in the reference seller's pamphlet of its October 14, 1941 posted tank wagon prices.

[illegible] St. Louis and the [illegible]

[illegible] Section 2.4 [illegible] is amended to read as follows: [illegible] This price shall not be applicable on sales to tank wagon resellers when shipment is made to St. Louis, Missouri, East St. Louis, Illinois, or bulk plants [illegible] of such cities.

7. Section 4.34 [illegible] (3) is added to read as follows:

[illegible] Maximum [illegible] aviation gasoline in bulk [illegible] the State of [illegible]

"Class 1 purchasers" are refiners, the United States Government or any agency thereof and buyers purchasing for ultimate shipment to Petroleum Administration for War District No. 1.

"Class 2 purchasers" are resellers (except airport dealers) not included in Class 1.

"Class 3 purchasers" are airport dealers and consumers not included in Class 1.

8. Section 5.1 (e) (4) is added to read as follows:

(4) *Diesel fuels and tractor fuels.* In the above states except in the Southern Peninsula of Michigan and in the Metropolitan Chicago area, as said area is defined in section 5.1 (e) (1) (iii) above, a supplier's maximum delivered-at-destination tank car prices for diesel fuels and tractor fuels, delivered in tank cars or motor transports, of the grades hereinafter referred to shall be as set forth below, except that the sum of .125¢ per gallon may be added by an eligible marketer.

(i) *Tank wagon resellers; contract buyers.* If on October 1, 1941 there was a written contract in effect extending over a period of not less than one year for deliveries by a supplier to a tank wagon reseller, then the particular supplier's maximum delivered-at-destination price to such reseller shall be determined in accordance with the provisions of section 5.2 and Article VI, or shall be established pursuant to section 8.3.

(ii) *Consumers and tank wagon resellers.* If (i) is inapplicable, any supplier's maximum delivered-at-destination price (exclusive of any applicable [illegible] to the particular [illegible] as follows:

Diesel Index 58 and above [illegible]	[illegible]
Diesel Index 45-57	[illegible]
Diesel Index 44 and below	[illegible]

[illegible] ASTM [illegible]

9. Section 5.3 [illegible] is added to read as follows:

[illegible] *blending naphtha*—(1) *At any shipping point.* A seller's maximum price (or prices) f. o. b. any shipping point for blending naphtha loaded into tank cars or transport trucks shall be the same as his maximum price (or prices) for automotive gasoline of the same ASTM octane number. If, in the case of sales of automotive gasoline f. o. b. a particular shipping point, price distinctions, dependent on ultimate destination or the seller's customary pricing practice, are required by the regulation, the same price distinctions shall be required on sales of blending naphtha f. o. b. the same shipping point.

(2) *At any delivery point.* A seller's maximum delivered-at-destination tank car price for any blending naphtha delivered in tank cars, transport trucks shall be the sum of his maximum shipping point price to the same purchaser as determined under subparagraph (1) above or as established under section 8.3, plus the cost of transportation[1] to the particular destination.

10. Section 6.2 (d) is amended to read as follows:

(d) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin.*—(1) *On delivered-at-destination sales at the tank car level to certain tank wagon resellers.* If, for the sale of a particular grade of kerosene or fuel oil, there was a contract in effect on October 1, 1941 between a supplier and a tank wagon reseller; and if such contract provided for varying the

[1] On deliveries in Petroleum Administration for War District No. 1 the cost of transportation means the net cost after allowing for that portion of the transportation cost which is compensated for by the Defense Supplies Corporation.

particular reseller shall be as determined [illegible] section 5.2 whichever price shall be [illegible]. In computing, as set forth below, a supplier's maximum price, the maximum tank wagon price used in any computation therein shall be regarded as .3 cent less than the actual maximum price of the tank wagon reseller.

(i) If the maximum tank wagon price at the delivery point is increased to the normal tank wagon price posted for such point by the reference seller on October 1, 1941 then the supplier may charge the reseller the highest price that he could have charged him under the terms of the contract on October 1, 1941 had the tank wagon price at the delivery point then been normal.

(ii) If the maximum tank wagon price at the delivery point is increased toward but not to the normal tank wagon price posted for such point by the reference seller on October 1, 1941 then the supplier's maximum price shall be a price which is equal to the adjusted maximum tank wagon price less the margin which would have been provided on October 1, 1941 by the terms of the contract had the tank wagon price at the delivery point then been normal.

(2) *On f. o. b. shipping point sales to certain tank wagon resellers.* If on October 1, 1941 there was a contract in effect for the sale of a particular grade of kerosene or fuel oil by a supplier to a tank wagon reseller; and if such contract provided for varying the supplier's f. o. b. shipping point price on the basis of the tank wagon price at a stipulated point; and if the maximum tank wagon price at such point is increased by section 7.4 or Article II, then, by application in writing to the Administrator, the supplier may apply for a written order increasing his maximum price, as determined under section 5.2, to the particular reseller. The tank wagon price to be used by the Administrator in any determination hereunder shall be .3 of a cent less than the actual maximum price of the tank wagon reseller.

11. Section 6.5 (c) is amended to read as follows:

(c) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin*—(1) *On delivered-at-destination sales at the tank car level to certain tank wagon or service station resellers.* If, for the sale of a particular grade of gasoline there was a contract in effect on October 1, 1941 between a supplier and either a tank wagon or service station reseller; and if such contract provided for varying the supplier's price to the reseller on the basis of the tank wagon price at the delivery point; and if the maximum tank wagon price at such delivery point is increased by the

at the delivery point is increased to the normal tank wagon price posted for such point by the reference seller on October 1, 1941 then the supplier may charge the reseller the highest price that he could have charged him under the terms of the contract on October 1, 1941 had the tank wagon price at the delivery point then been normal.

(b) If the maximum tank wagon price at the delivery point is increased toward but not to the normal tank wagon price posted for such point by the reference seller on October 1, 1941 then the supplier's maximum price shall be a price which is equal to the adjusted maximum tank wagon price less the margin which would have been provided on October 1, 1941 by the terms of the contract had the tank wagon price at the delivery point then been normal.

(2) *On f. o. b. shipping point sales to certain tank wagon or service station resellers.* If on October 1, 1941 there was a contract in effect for the sale of a particular grade of gasoline by a supplier to a tank wagon or service station reseller, and if such contract provided for varying the supplier's f. o. b. shipping point price on the basis of the tank wagon price at a stipulated point; and if the maximum tank wagon price at such point is increased by section 7.4 or Article IV, then, by application in writing to the Administrator, the supplier may apply for a written order increasing his maximum price, as determined under section 5.2, to the particular reseller.

12. In section 6.4 (a) (1) (i), the figure "50" is amended to read "45".

13. Section 7.4 (a) is amended to read as follows:

(a) *When use of reference seller's maximum tank wagon price is required.* Except as provided in paragraph (b) below, a seller's maximum tank wagon price for a particular grade of gasoline, stove and lamp naphtha, kerosene, range, stove or heater, oil, distillate fuel oil, diesel fuel or tractor fuel,[1] at a particular point in any of the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, or Wisconsin shall be either (1) the reference tank wagon seller's normal price, as posted on October 1, 1941 for the same point, plus, in the case of tank wagon deliveries in rationed areas of any of the above products which are rationed, the sum of .3 of a cent per gallon or (2) said reference seller's maximum tank wagon price for such product at the same point, as determined under section 5.2 and Article VI, plus .7 of a

[1] For the purposes of section 7.4 distillate type (non-volatile) tractor fuels of 40 octane ASTM and above and of 30-39 octane ASTM are to be considered the same grade of tractor fuel.

as determined or established under [illegible]

14. Section 7.5 [illegible] is amended by substituting for the phrase "73 Octane ASTM aviation gasoline" the phrase "80 and 73 Octane ASTM aviation gasoline".

This amendment shall become effective June 13, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-[illegible]; Filed, June 8, 1945; [illegible] p. m.]

PART 1340—FUEL

[MPR 121, Amdt. [illegible]]

MAXIMUM PRICES FOR SOLID FUELS DELIVERED FROM MINES [illegible]

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 121 is amended in the following respect:

1. Section 1340.247a (d) is amended to read as follows:

(d) In connection with any application for adjustment filed under the provisions of this section, the applicant shall submit in duplicate detailed statements of cost and realization for the last calendar or fiscal year preceding the date of filing and for the current year to date. The applicant may also be required to submit such additional information as may be requested by the Office of Price Administration to enable it to give proper consideration of its application.

2. In § 1340.249 (d) (1) (iii) the proviso is amended to read as follows:

Provided, however, a Producer's maximum price need not be decreased if he incurs a decrease in the cost of solid fuel by reason of using, at the request of the Solid Fuels Administrator for War, Pennsylvania Anthracite as a substitute for a portion of the bituminous coal formerly used in the manufacture of briquettes or packaged fuel.

This amendment shall become effective June 13, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9980; Filed, June 8, 1945; 1:25 p. m.]

[2] For deliveries of 100 gallons and over of Stanolind High Speed diesel fuel or any diesel fuel of the same grade, deduct 1 cent per gallon.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 569, Amdt. 2]

MAXIMUM PRICES FOR USED MOTORCYCLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 569 is amended in the following respects:

1. Subparagraph (3) of section 2 (a) is redesignated subparagraph (4) and is amended to read as follows:

(4) No person shall agree, offer or attempt to do any of the acts prescribed in subparagraphs (1), (2) and (3) of this section.

2. A new subparagraph (3) is added to section 2 (a) to read as follows:

(3) No dealer shall retain payment in excess of the adjusted maximum price where the maximum price has been adjusted downward, pursuant to section 5 (c), because of his refusal to make the repairs or replacements required under his warranty.

3. The following undesignated paragraphs are added to section 5 (c):

The inclusion in the maximum price of an additional amount when a used motorcycle is warranted is conditioned on the used motorcycle being in good operating condition as defined in section 7 (b). If a dealer sells at the warranted maximum price a used motorcycle not in good operating condition he makes an overcharge in excess of the permitted maximum price (the non-warranted maximum price).

The inclusion in the maximum price of an additional amount when a used motorcycle is warranted is also conditioned upon the making of repairs or replacements in accordance with the dealer's warranty. If the dealer refuses to make these repairs or replacements, the maximum price for the used motorcycle shall be the maximum price for the used motorcycle when warranted reduced by 50% of the amount the purchaser would have to pay for the repairing or replacement which the dealer should have made under his warranty, and the dealer shall refund the amount of that reduction to the buyer. Refusal to refund that amount will constitute an overcharge in excess of the maximum price. If upon the dealer's refusal to make repairs or replacements in accordance with his warranty, the purchaser has such work done by another before receiving a refund from the dealer, the actual cost of such work shall be considered the amount by which the maximum price is reduced. For the purposes of this section, failure to make repairs or replacements required by the warranty within a reasonable time from the date the used motorcycle is delivered to the place of business of the dealer shall constitute a refusal to make such repairs or replacements regardless of the reasons why they are not made.

4. Section 7 is amended to read as follows:

SEC. 7. *Warranted used motorcycle*—(a) *Definition.* A warranted used motorcycle is a used motorcycle:

(1) Which is in good operating condition as defined in paragraph (b); and

(2) For which a dealer (as defined in section 16 (b) furnishes in writing to the purchaser at the time of sale the warranty in paragraph (c); and

(3) In the case of a dealer who does not have a shop and equipment adequate for repairing or reconditioning used motorcycles, it shall be a used motorcycle which, in addition to satisfying the conditions in (1) and (2), is one for which the service supplier that makes the repairs or replacements for the dealer in accordance with section 16 (b) guarantees in writing the making of the repairs or replacements the dealer is obligated to make under his warranty. The guaranty shall be made in the manner stated in paragraph (d).

(b) *Good operating condition.* A used motorcycle is in good operating condition when its functional parts, and these of its non-functional parts which are customarily attached to a motorcycle, are in a condition that will permit the used motorcycle to be driven safely and efficiently.

(c) *Dealer's warranty.* The warranty a dealer shall furnish in writing to a purchaser at the time of sale is:

DEALER'S WARRANTY

The used motorcycle described below is hereby warranted to be in good operating condition, and to remain in such condition under normal use and service for a period of 30 days after delivery, or 1000 miles, whichever may first occur.

We agree, if said vehicle is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements which may be necessary to its good operating condition in accordance with normal use and service at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.

Make of used motorcycle _____
Date of delivery _____
Serial number _____
Total selling price $ _____

_____
Name of purchaser

_____
Address

Model _____
Speedometer reading _____
Motor number _____

_____
Signature of dealer making sale, or name of dealer and signature of authorized agent.

_____
Dealer's Address

(d) *Service supplier's guaranty.* The guaranty which a service supplier shall furnish in connection with the sale of a warranted used motorcycle shall be part of the same document that contains the "Dealer's Warranty" for such a used motorcycle, and shall be stated in that document immediately below the address of the dealer given in that warranty. The service supplier's guaranty is as follows:

The undersigned service supplier guarantees the making of the repairs or replacements which the dealer furnishing the above warranty is required to make under the warranty.

_____
Signature of Service Supplier who will perform reconditioning or repairing under the warranty, or name of such person and signature of authorized agent.

_____
Service Supplier's Address

(e) *Additional warranties by dealer.* A dealer may extend to the purchaser warranties in addition to those provided in the warranty stated in paragraph (c) but this shall be done in warranties separate and in addition to the warranty provided in paragraph (c), and the maximum price established by section 5 shall not be increased thereby.

(f) *Purchaser's customary legal remedies for dealer's failure to perform obligations of warranty or service supplier's failure to perform obligations of his guaranty.* Nothing in this regulation restricts the legal remedies available to a purchaser of a used motorcycle under the applicable state law for the breach either of a dealer's warranty or a service supplier's guaranty.

5. Section 11 is amended to read as follows:

SEC. 11. *Certificate of transfer and purchaser's statement that must be completed for a sale of a used motorcycle.* Every person when he sells a used motorcycle covered by this regulation shall prepare a certificate of transfer, Appendix C, in accordance with the instructions in that appendix, sign the certificate and give it to the purchaser.

When a dealer or other person generally engaged in the business of selling used motorcycles is the purchaser, he shall sign the purchaser's certification on the reverse side of the certificate and turn the certificate in to his local War Price and Rationing Board. The only action a purchaser who is not a person generally engaged in the business of selling used motorcycles takes with respect to the certificate is to turn it in to his local War Price and Rationing Board. However, every purchaser who is not a dealer or other person generally engaged in the business of selling used motorcycles shall complete a purchaser's statement which he shall also turn in to his local War Price and Rationing Board. This purchaser's statement is set out in Appendix D of this regulation. Where the purchaser is not a dealer or other person generally engaged in the business of selling used motocycles, he shall turn in the certificate of transfer and the purchaser's statement to his local War Price and Rational Board on or before the date he applies to that Board for a gasoline ration for the used motorcycle he has purchased. Where the purchaser is a dealer, or other person generally engaged in the business of selling used motorcycles, he shall turn in the certificate of transfer to his local War Price and Rationing Board not later than 5 days from the date he purchases the used motorcycle. For the purpose of this section a trade-in of a used motorcycle is a sale, and the person trading in the used motorcycle must take the steps required of sellers by this section, and the person accepting the used motorcycle traded in must take steps required of purchasers by this section. Copies of the certificate of transfer may be obtained from sellers generally engaged in the business of selling used motorcycles or from local War Price and Rationing Boards. The purchaser's statement will be obtained by the purchaser from his local War Price and Rationing Board when he submits the certificate of transfer to that Board.

6. Section 12 is amended to read as follows:

SEC. 12. *Records and reports*—(a) *Records.* Every person generally engaged in the business of selling used motorcycles shall, so long as this regulation remains in effect, keep and make available for examination by the Office of Price Administration the following information in regard to every used motorcycle he has acquired for resale:

(1) A complete description of the used motorcycle including make, model year, serial number, motor number and type;

(2) The name and address of the person from whom he acquired the used motorcycle;

(3) The price he paid for the used motorcycle either on an outright basis or on a trade-in;

(4) The cost of repairs and replacements made in the used motorcycle and a description of the repairs and replacements made;

(5) The name and address of the person to whom he sold the used motorcycle;

(6) The price he charged the purchaser for the used motorcycle excluding taxes and finance charges;

(7) The amount he charged the purchaser to cover taxes and the taxes for which the amount was charged;

(8) The amount he charged the purchaser for financing the sale on an instalment basis, if any;

(9) A copy of the warranty he furnished the purchaser if he sold the used motorcycle at a price higher than the as-is price.

(b) *Additional records and reports.* Every dealer, or other seller generally engaged in the business of selling used motorcycles, shall keep such records in addition to those required by paragraph (a), and file such reports, as the Office of Price Administration may from time to time require. Such records and reports, however, shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

7. Section 13 is amended to read as follows:

SEC. 13. *Evasion.* It shall be a violation of this regulation to charge a price above the applicable maximum price in connection with any sale of a used motorcycle, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, but not exclusively, the seller is not permitted to require the purchaser, as a condition of the sale or transfer of the used motorcycle, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts, or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging, transferring or trading in any other vehicle, product or commodity. Where there is an exchange, transfer or trade-in in connection with a sale, it is a violation for the seller to give the purchaser an allowance for the vehicle, product or commodity, exchanged, transferred, or traded in, which is less than its reasonable value.

Furthermore, the seller is prohibited from providing for the purchase of the used motorcycle by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they customarily have been except to the extent allowed by this regulation. However, the Office of Price Administration may upon written request grant written permission to any dealer subject to this regulation to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States Government.

It shall also be a violation for any person to charge, pay or receive a finder's fee or other compensation in connection with the procurement of a used motorcycle where the finder's fee or other compensation plus the purchase price for the used motorcycle exceeds the permitted maximum price, except that this prohibition shall not apply to the case of a bona fide employer-employee relationship between a seller generally engaged in the business of selling used motorcycles and an employee of the type of employee generally considered by the motorcycle trade to be a used motorcycle salesman.

8. Paragraphs (a) and (b) of Appendix B are amended by changing the listing of model years for each model which reads "1942, 1943, 1944" to read "1942, 1943, 1944, 1945."

9. A new Appendix C is added to the regulation to read as follows:

APPENDIX C

OPA Form 694—2127 — Form Approved Budget Bureau No. 08-R1397

This form may be reproduced without change

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

CERTIFICATE OF TRANSFER OF USED MOTORCYCLES

Under the provisions of
Maximum Price Regulation No. 569
Maximum Prices for Used Motorcycles

The seller is to prepare and sign this certificate and give it to the purchaser.

Where the purchaser is a dealer, or other seller generally engaged in the business of selling used motorcycles, he must present this certificate to his local War Price and Rationing Board not later than 5 days after he purchases the used motorcycle.

Where the purchaser is neither a dealer nor other seller generally engaged in the business of selling used motorcycles, he must present this certificate to his local War Price and Rationing Board on or before the date he applies for a gasoline ration for the used motorcycle he purchased.

The information required under "Description of Motorcycle" shall be supplied insofar as possible from the vehicle registration card.

Do Not Write In Space Within Heavy Lines

BOARD ACTION

Board No. | Date

City and postal zone | State

Board recommendation:

Sign Here _____
(Signature of Board Member)

DISTRICT OFFICE ACTION

Reviewed by _____

Remarks _____

Name of purchaser

Address—number and street

City and postal zone No. | State

Name of seller

Dealer authorization No. (if any)

Address—number and street

City and postal zone No. | State

To be filled in by seller

Description of motorcycle

Make | Year

Model

Serial No. | Motor No.

Price calculation

1	Base price of motorcycle as listed in Appendix B of MPR 569	$
2	Is motorcycle equipped with side car? Yes ☐ No ☐	$
3	Maximum price for motorcycle without dealer warranty (Total of 1 and 2)	$
4	Maximum price for motorcycle if sold with dealer warranty.	$
5	Federal, State, and local taxes which may be collected by seller	$
6	Actual sales price for motorcycle including taxes	$
	State or Territory in which motorcycle was last registered or titled by the owner.	

Is the seller a dealer?
Yes ☐
No ☐

If you are a dealer selling with a warranty, did you deliver to the purchaser a copy of the warranty?

Yes ☐ No ☐

WARNING

Any misrepresentation on this certificate may be cause for $10,000 fine or 10 years imprisonment, or both.

Certification of Seller

The undersigned hereby certifies that he has complied with the requirements of Maximum Price Regulation No. 509, Maximum Prices for Used Motorcycles, and that the actual sale price of the motorcycle is not more than the maximum selling prices established by Maximum Price Regulation No. 509, and further certifies that no payment directly or indirectly was or will be made in addition to the actual sale price of the motorcycle as shown on this certificate.

Sign Here ..... (Signature of seller) ..... (Date)

If buyer is a dealer, or other seller generally engaged in the business of selling used motorcycles, complete Purchaser's Cert ification on reverse side

To be signed by purchaser who is a dealer, or other person generally engaged in the business of selling used motorcycles

PURCHASER'S CERTIFICATION

The undersigned hereby certifies that he has complied with the requirements of Maximum Price Regulation 509, Maximum Prices for Used Motorcycles, and that the actual sales price of the used motorcycle is not more than the actual sales price shown on the face of this certificate, and further certifies that no payment directly or indirectly was or will be paid in addition to the actual sales price of the used motorcycle.

Sign Here ..... (Purchaser or authorized agent)

Date .....

OPA ceiling prices protect both the buyer and the seller—help fight inflation

Consult ceiling price list at your local War Price and Ration Board

Report overcharges to the price panel of your local board

OPA Form 6[illegible]—

10. A new Appendix D is added to the regulation to read as follows:

APPENDIX D

OPA Form 6[illegible]-[illegible]-[illegible] (Form Approved Budget Bureau No. 08-R1399)

This form may be reproduced only by authorization of the Office of Price Administration

Purchaser's statement regarding his purchase of a used motorcycle

To be completed by every purchaser except a dealer under Section 16 (b) of Maximum Price Regulation 509 or other person generally engaged in the business of selling used motorcycles.

Help OPA help you

If the used motorcycle was not purchased in the course of trade or business you did not incur any liability by paying more than the permitted maximum price. Moreover, you may obtain a refund of as much as three times the amount of the overcharge. Your local War Price and Rationing Board will tell you how this may be done. If any of the statements on the Certificate of Transfer are not true or correct, inform your local War Price and Rationing Board of the untrue or incorrect statements.

If you purchased a warranted motorcycle did the dealer give you a written warranty? Yes ☐ No ☐

Name of purchaser

Address—number and street

City and postal zone No. | State

Purchaser's statement

The undersigned submits the following information regarding his purchase of a used motorcycle.

Description of motorcycle

Make | Year

Model | Serial No. | Motor No.

Name of seller

Address—number and street

City and State

Date of purchase | Price paid (less finance charges)

Sign Here ..... (Signature of purchaser)

See reverse side

NOTICE

THIS STATEMENT IS FOR YOUR PROTECTION. READ IT CAREFULLY

The person who sold you the motorcycle is in violation of Maximum Price Regulation 509 if:

1. He required you to pay any money or to give him any other consideration, not shown on the Certificate of Transfer.
2. He required you to pay for the used motorcycle on time when you offered to pay cash.
3. He charged you excessive time payments so that the correct charge for time payments plus the purchase price exceeds the maximum price.
4. He required you to trade in a vehicle to obtain the motorcycle you purchased.
5. He did not give you a reasonable trade-in allowance on your old vehicle.
6. He required you to purchase another commodity in order to obtain the motorcycle you purchased.
7. He required you to purchase extra equipment and the amount you paid him for this equipment is not shown on the Certificate of Transfer.
8. He required you to pay full maximum price when standard equipment was missing from the motorcycle.

Your War Price and Rationing Board is here to assist you. Tell it about anything the seller did which you believe is not in accordance with the regulation.

Help OPA help you

This amendment shall be effective this 13th day of June 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9333; Filed, June 8, 1945; 1:29 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341,[1] Amdt. 8]

MAXIMUM PRICES FOR USED COMMERCIAL MOTOR VEHICLES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 341 is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) On and after August 16, 1943, regardless of any contract or other obligation, except as provided in paragraphs (b), (c) and (d):

(1) No person shall sell or deliver any used vehicle at a price higher than the maximum price permitted by this regulation; and

(2) No person in the course of trade or business shall buy or receive a used vehicle at a price higher than the maximum price permitted by this regulation, but if he, the purchaser, has received from the seller a statement that the price charged does not exceed the maximum price, and he has no knowledge to the contrary, he shall be deemed to have complied with this subparagraph; and

(3) No dealer shall retain payment in excess of the adjusted maximum price where the maximum price has been adjusted downward pursuant to section 5 (b), because of his refusal to make the repairs or replacements required under his warranty; and

(4) No person shall agree, offer or attempt to do any of the acts prescribed in subparagraphs (1), (2) and (3) of this section:

2. Section 5 (b) is amended to read as follows:

(b) Multiply such "base price" by the percentage in section 7 (a) applicable to the model year of the vehicle and the condition in which it is sold ("as is" or "warranted"). Before the percentage applicable to a "warranted" vehicle can be used the vehicle must be in the condition required by section 8, the warranty in that section must be furnished in writing to the purchaser, and the sale must be to a purchaser other than a person generally engaged in the business of selling used vehicles.

The inclusion in the maximum price of an additional amount when a used vehicle is warranted is conditioned on the used vehicle being in good operating condition as defined in section 8 (b). If a dealer sells at the warranted maximum price a used vehicle not in good operating condition he makes an overcharge in excess of the permitted maximum price (the as-is maximum price).

The inclusion in the maximum price of an additional amount when a used vehicle is warranted is also conditioned upon the making of repairs or replacements in accordance with the dealer's warranty. If the dealer refuses to make these repairs or replacements, the maximum price for the used vehicle shall be the maximum price for the used vehicle when warranted reduced by 50% of the amount the purchaser would have to pay for the repairing or replacement which the dealer should have made under his warranty, and the dealer shall refund the amount of that reduction to the buyer. Refusal to refund that amount will constitute an overcharge in excess of the maximum price. If upon the dealer's refusal to make repairs or replacements in accordance with his warranty, the purchaser has such work done by another before receiving a refund from the dealer, the actual cost of such work shall be considered the amount by which the maximum price is reduced.

[1] 8 F.R. 11175, 17036, 17414, 9 F.R. 3847, 4096, 7069, 10641.

For the purposes of this section, failure to make repairs or replacements required by the warranty within a reasonable time from the date the used vehicle is delivered to the place of business of the dealer shall constitute a refusal to make such repairs or replacements regardless of the reasons why they are not made.

3. Section 8 is amended to read as follows:

SEC. 8. *Warranted used vehicle*—(a) *Definition.* A warranted used vehicle is a used vehicle:

(1) Which is in good operating condition as defined in paragraph (b); and

(2) For which a dealer (as defined in section 18 (b)) furnishes in writing to the purchaser at the time of sale the warranty in paragraph (c); and

(3) In the case of a dealer who does not have a shop and equipment adequate for repairing or reconditioning used vehicles, it shall be a used vehicle which, in addition to satisfying the conditions in (1) and (2), is one for which the service supplier that makes the repairs or replacements for the dealer in accordance with section 18 (b) guarantees in writing the making of the repairs or replacements the dealer is obligated to make under his warranty. The guaranty shall be made in the manner stated in paragraph (d).

(b) *Good operating condition.* A used vehicle is in good operating condition when its functional parts, and those of its non-functional parts which are customarily attached to a used vehicle, are in a condition that will permit the used vehicle to be driven safely and efficiently. Functional parts include, but are not limited to: the chassis, motor, clutch, transmission, drive shaft, differential, steering mechanism, front axle, rear axle, brakes, battery and lighting system.

(c) *Dealer's warranty.* The warranty a dealer shall furnish in writing to a purchaser at the time of sale is:

DEALER'S WARRANTY

The used vehicle described below is hereby warranted to be in good operating condition, and to remain in such condition under normal use and service for a period of 30 days after delivery, or 1000 miles, whichever may first occur.

We agree, if said vehicle is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements which may be necessary to its good operating condition in accordance with normal use and service at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.

Make of used vehicle .....
Date of delivery .....
Serial or motor number .....
Total selling price $.....
Model .....
Speedometer reading .....

Name of Purchaser

Address

Signature of Dealer making sale, or name of Dealer and signature of authorized agent.

Dealer's Address

(d) *Service supplier's guaranty.* The guaranty which a service supplier shall furnish in connection with the sale of a warranted used vehicle shall be part of the same document that contains the "Dealer's Warranty" for such a used vehicle, and shall be stated in that document immediately below the address of the dealer given in that warranty. The service supplier's guaranty is as follows:

The undersigned service supplier guarantees the making of the repairs or replacements which the dealer furnishing the above warranty is required to make under that warranty.

Signature of Service Supplier who will perform reconditioning or repairing under the warranty, or name of such person and signature of authorized agent.

Service Supplier's Address.

(e) *Additional warranties by dealer.* A dealer may extend to the purchaser warranties in addition to those provided in the warranty stated in paragraph (c) but this shall be done in warranties separate and in addition to the warranty provided in paragraph (c), and the maximum price established by section 5 shall not be increased thereby.

(f) *Purchaser's customary legal remedies for dealer's failure to perform obligations of warranty or service supplier's failure to perform obligations of his guaranty.* Nothing in this regulation restricts the legal remedies available to a purchaser of a used vehicle under the applicable state law for the breach either of a dealer's warranty or a service supplier's guaranty.

4. Section 11 is amended to read as follows:

SEC. 11 *Evasion.* It shall be a violation of this regulation to charge a price above the applicable maximum price in connection with any sale of a used vehicle, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, but not exclusively, the seller is not permitted to require the purchaser, as a condition of the sale or transfer of the vehicle, to make payment over a period of time; to require him to finance the purchaser through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts, or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging, transferring or trading in any other vehicle, product or commodity. Where there is an exchange, transfer or trade-in, in connection with a sale, it is a violation for the seller to give the purchaser an allowance for the vehicle, product or commodity, exchanged, transferred, or traded in, which is less than its reasonable value.

Furthermore, the seller is prohibited from providing for the purchase of the vehicle by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they customarily have been except to the extent allowed by this regulation. However, the Office of Price Administration may upon written request grant written permission to any dealer subject to this regulation to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States Government.

It shall also be a violation for any person to charge, pay or receive a finder's fee or other compensation in connection with the procurement of a used vehicle where the finder's fee or other compensation plus the purchase price for the used vehicle exceeds the permitted maximum price, except that this prohibition shall not apply to the case of a bona fide employer-employee relationship between a seller generally engaged in the business of selling used vehicles and an employee of the type of employee generally considered by the automotive trade to be a used vehicle salesman.

5. Section 14 is amended to read as follows:

SEC. 14. *Records and reports*—(a) *Records.* Every person generally engaged in the business of selling used vehicles shall, so long as this regulation remains in effect, keep and make available for examination by the Office of Price Administration the following information in regard to every used vehicle he has acquired for resale:

(1) A complete description of the used vehicle including make, model year, serial number, motor number, body type and carrying capacity;

(2) The name and address of the person from whom he acquired the used vehicle;

(3) The price he paid for the used vehicle either on an outright basis or on a trade-in;

(4) The cost of repairs and replacements made in the used vehicle and a description of the repairs and replacements made;

(5) The name and address of the person to whom he sold the used vehicle;

(6) The price he charged the purchaser for the used vehicle excluding taxes and finances charges;

(7) The amount he charged the purchaser to cover taxes and the taxes for which the amount was charged;

(8) The amount he charged the purchaser for financing the sale on an instalment basis, if any;

(9) A copy of the warranty he furnished the purchaser if he sold the used vehicle at a price higher than the as-is price. Other sellers of used vehicles shall keep and make available for examination by the Office of Price Administration records customarily kept in connection with the sale of a used vehicle.

(b) *Additional records and reports.* Every dealer, or other seller generally engaged in the business of selling used vehicles, shall keep such records in addition to those required by paragraph (a), and file such reports, as the Office of Price Administration may from time to time require. Such records and reports, however, shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

6. Section 18 (a) is amended to read as follows:

(a) "As-is" refers to a used vehicle for which the highest price that may be charged is the base price permitted by section 6 multiplied by the applicable as-is percentage in section 7.

This amendment shall become effective June 13, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9982; Filed, June 8, 1945; 1:25 p. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[MPR 382, Amdt. 7]

WIDE MOUTH GLASS CONTAINERS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 382 is amended in the following respects:

1. Section 1.10 (e) is revoked.

2. A new section 3.5 is added to read as follows:

SEC. 3.5. *Modification of maximum prices on shipments into the Western Area by manufacturers located in the Eastern Area*—(a) *Purpose of this section.* It is the purpose of this section to provide for the modification of maximum prices of certain commodities covered by Maximum Price Regulation 382, of manufacturers located in the Eastern Area as defined in section 2.1, whether or not they have manufacturing facilities in the Western Area, as defined in section 3.1, on shipments into the Western Area only.

(b) *Maximum prices.* Regardless of any other section of this regulation, the maximum prices for sales by any manufacturer located in the Eastern Area on shipments into the Western Area of wide mouth glass containers covered by this regulation shall be the higher of the following:

(1) The maximum base price for the commodity when sold within Zone 1 of the Eastern Area as set forth in section 5.1 plus the lowest applicable freight rate to the purchaser's destination in the Western Area, less 35¢ cwt., or

(2) The maximum base price for the commodity when sold in the Western Area as set forth in section 5.2.

(c) *Applicable period of this section.* The provisions of this section shall be applicable only on sales made prior to August 1, 1945.

(d) *Reports required.* Any manufacturer modifying his maximum prices in accordance with section 3.5 (b) (1) shall submit a report to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., on the 15th day of each month containing the following information for each shipment made during the previous calendar month:

(1) The name and address of the purchaser.

(2) The location of the factory from which the shipment was made.

(3) A description of the commodities shipped together with the quantities thereof.

(4) A statement setting forth the modified maximum prices showing how they were deterimined.

(5) A statement from the purchaser, submitted by the manufacturer, that the excess permitted under this section 3.5 over the applicable maximum base price set forth in section 5.2 will not be passed on to purchasers in the first sale of any commodity as packaged in the containers, and that the increase in the maximum price will not be made the basis of an application to the Office of Price Administration by the seller of such commodity to increase his maximum price. This statement need not be submitted monthly. However, one such statement must be submitted to cover all purchases made in accordance with section 5.3 at the time the first shipment is made to the purchaser.

(6) A statement that the maximum prices as modified have been computed in accordance with section 4.8, in that the industry price differentials, whether published or unpublished which were or would have been allowed in the Eastern Area by that manufacturer on August 1, 1941, to purchasers who resell these containers as such, have been maintained.

(e) *When modified maximum prices may be revised.* The maximum prices determined under the provisions of this section 3.5 may at any time after receipt of the report required in (d) be revised by the Price Administrator.

This amendment shall become effective June 15, 1945.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10083; Filed, June 9, 1945; 11:37 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 2]

MILAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.8112 (b) is amended by substituting for the first sentence the following sentence: "Every consumer who has in his possession or control any Class B-6 or Class C-6 coupons which were issued to him as a ration and which have not expired may surrender such coupons to the Board having jurisdiction to renew such rations or, upon good cause shown to any Board.

2. Section 1394.8153 (a) (6) (ii), is amended by inserting after the expression "Class B-5 coupons" the expression "issued on Form OPA R-527G".

3. Section 1394.8153 (a) (6) (iii) is amended by inserting after the expression "Class C-5 coupons" the expression "issued on Form OPA R-528G".

4. Section 1394.8153 (a) (6) (iv) is amended to read as follows:

(iv) Class D coupons which are not serially numbered issued on Forms R-529, R-529A or R-529B.

5. Section 1394.8153 (b) (4) (i) is amended by inserting after the expression "Class E-1 coupons" the expression "issued on Form OPA R-530C".

6. Section 1394.8153 (b) (4) (ii) is amended by inserting after the expression "Class R-1 coupons" the expression "issued on Form OPA R531C".

7. A new § 1394.8153 (a) (7) is added to read as follows:

(7) On and after July 1, 1945 no transfer may be made in exchange for any Class B-6 or Class C-6 coupons issued on Form OPA R-527H or R-528H.

8. Section 1394.820b (a) (23) is amended to read as follows:

(23) After April 20, 1945, any Class D coupon which is not serially numbered, issued on Forms OPA R-529, R-529A or R-529B or Class B-5 or C-5 coupons issued on Forms OPA R-527G or R523G, or Class E-1 or R-1 coupons issued on Forms OPA R-530C or R-531C.

9. Section 1394.8206b (a) (25) is added to read as follows:

(25) After July 20, 1945, any Class B-6 or Class C-6 coupons issued on Forms OPA R-527H or R-528H.

10. Section 1394.8207 (d) is amended by substituting for the expression "or (22)" the expression "(22), or (23)".

11. Section 1394.8207 (f) is revoked because the present effect of this paragraph has been incorporated in § 1394.8207 (d).

12. A new § 1394.8207 (f) is added to read as follows:

(f) On and after July 11, 1945, no distributor shall transfer or offer to transfer gasoline to any dealer and no dealer shall accept a transfer of gasoline in exchange for any Class B-6 or Class C-6 coupons issued on Forms OPA R-527H or R-528H.

13. Section 1394.8215 (f) is revoked and a new § 1394.8215 (f) is added to read as follows:

(f) (1) Immediately upon the close of business on June 30, 1945, each dealer who has in his possession or control Class B-6 or Class C-6 coupons which he acquired before July 1, 1945, in exchange for lawful transfers of gasoline, shall attach each type of such coupons to separate gummed sheets (Form OPA R-120) to which no other coupons are attached. Each dealer shall summarize such coupons on a summary form (Form OPA R-541) on which no other coupons are listed. On or before July 10, 1945, each dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located in exchange for one or more ration checks equal in gallonage value to the coupons so surrendered.

(2) After July 10, 1945, no distributor shall accept from any dealer or distributor any Class B-6 or Class C-6 coupons, nor shall any distributor make any transfers of gasoline in exchange for such coupons. On or before July 20, 1945, each distributor shall deposit in appropriate bank accounts maintained by him any such coupons received by him in exchange for any lawful transfers of gasoline made on or before July 10, 1945.

This amendment shall become effective June 12, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong., Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1G, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9976; Filed, June 8, 1945; 1:24 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 3]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.7602 (e) is revoked.

2. Section 1394.7653 (d) (2) is amended to read as follows:

(2) In respect to a basic ration for a motorcycle issued for use after June 10, 1945, the Board shall issue twenty coupons in strip form bearing consecutive serial numbers and accompanied by an identification folder marked "Basic" and bearing "December 22, 1945" as the expiration date. However, if such ration is issued after June 10, 1945, the Board shall reduce such number of coupons by one coupon for each full ten days which have elapsed after June 10, 1945.

3. Section 1394.7701 (c) is revoked.

4. Section 1394.7704 (b) (1) is amended to read as follows:

(1) No Board shall allow mileage in excess of 650 miles per month unless the mileage in excess of such maximum is defined as preferred mileage under the provisions of § 1394.7706, or is additional mileage allowed pursuant to § 1394.7707, or is defined as semi-preferred mileage under the provisions of § 1394.7708.

5. Section 1394.7705 (a) (1) is amended to read as follows:

(1) In the case of a passenger automobile for which application for a supplemental ration is made, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 650 miles per month or less: Class B coupons in the number specified in Table I for the mileage allowed.

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7704 (b) or § 1394.7707 exceeds 650 miles per month: Class C coupons in the number specified in Table II for the mileage allowed.

6. Section 1394.7705 (a) (2) is revoked.

7. Section 1394.7705 (a) (3) is revoked.

8. Section 1394.7705 (a) (4) is redesignated subparagraph (2) of paragraph (a) of that section; the subparagraph is amended to read as follows:

(2) In the case of a motorcycle the Board shall issue Class D coupons in strip form bearing serial numbers in consecutive order and issued in connection with a folder (to be marked "supplemental") containing the number of coupons specified in Table III to provide the mileage allowed by the Board.

TABLE I—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION

For passenger automobiles with an allowed mileage of 650 miles per month or less.

(For motorcycles, use Table III)

Miles per month:	"B" coupons for 3 months
1–25	1
26–50	2
51–75	3
76–100	4
101–125	5
126–150	6
151–175	7
176–200	8
201–225	9
226–250	10
251–275	11
276–300	12
301–325	13
326–350	14
351–375	15
376–400	16
401–425	17
426–450	18
451–475	19
476–500	20
501–525	21
526–550	22
551–575	23
576–600	24
601–625	25
626–650	26

TABLE II—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION

For passenger automobiles with an allowed mileage of more than 650 miles per month.

(For motorcycles, use Table III)

Miles per month:	"C" coupons for 3 months
651–675	27
676–700	28
701–725	29
726–750	30
751–775	31
776–800	32
801–825	33
826–850	34
851–875	35
876–900	36
901–925	37
926–950	38
951–975	39
976–1000	40
1001–1025	41
1026–1050	42
1051–1075	43
1076–1100	44
1101–1125	45
1126–1150	46
1151–1175	47
1176–1200	48
1201–1225	49
1226–1250	50
1251–1275	51
1276–1300	52

NOTE: In the event the allowed mileage exceeds 1300 miles, one additional coupon shall be issued for each 25 miles, or fraction thereof, of allowed mileage in excess of 1300 miles.

TABLE III—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION FOR MOTORCYCLES

All allowed mileage in excess of 650 miles per month must be preferred mileage, semi-preferred mileage or mileage allowed under § 1394.7707.

Miles per month:	"D" coupons for 3 months
Up to 20	1
21–40	2
41–60	3
61–80	4
81–100	5
101–120	6
121–140	7
141–160	8
161–180	9
181–200	10
201–220	11
221–240	12
241–260	13
261–280	14
281–300	15
301–320	16
321–340	17
341–360	18
361–380	19
381–400	20
401–420	21
421–440	22
441–460	23
461–480	24
481–500	25
501–520	26
521–540	27
541–560	28
561–580	29
581–600	30
601–620	31
621–640	32
641–660	33
661–680	34
681–700	35
701–720	36
721–740	37
741–760	38
761–780	39
781–800	40
801–820	41
821–840	42
841–860	43
861–880	44
881–900	45
901–920	46
921–940	47
941–960	48
961–980	49
981–1,000	50
1,001–1,020	51
1,021–1,040	52
1,041–1,060	53

NOTE: In the event the allowed mileage exceeds 1,060 miles, one additional coupon shall be allowed for each 20 miles, or fraction thereof, of allowed mileage in excess of 1,060 miles.

9. Section 1394.7706 (x) (8) (ii) is amended to read as follows:

(ii) No mileage in excess of the general limitation of an average of 650 miles per month for non-preferred occupational mileage shall be allowed under

this subparagraph (8) unless excess mileage is for travel on which the applicant is exclusively engaged in the performance of his duties as such member, and such excess mileage for such purpose shall not exceed an average of 360 miles per month for any one vehicle or for any such member.

10. Section 1394.7707 (a) is amended to read as follows:

(a) In any case where the applicant or person entitled to the use of a vehicle requires mileage under any of the circumstances described in subparagraph (1) of this paragraph, and the driving to be performed in such circumstances is not preferred mileage, the Board, upon approval of the District Director, may allow such mileage, to the extent required for such driving. If any mileage is allowed pursuant to this section, no mileage shall be allowed for driving in course of work, unless the driving in the course of work consists of preferred mileage as defined in § 1394.7706 (or semi-preferred mileage as defined in § 1394.7708).

(1) Where the applicant or person entitled to the use of the vehicle requires more than 650 miles per month for driving between home and a fixed place or places of work, or between fixed places of work in connection with his principal occupation.

11. Section 1394.7708 (c) is amended to read as follows:

(c) No mileage may be allowed under this section for driving between home and a fixed place or places of work or between fixed places of work. Such mileage in excess of an average of 650 miles per month is additional mileage and may be allowed only in accordance with § 1394.7706 or § 1394.7707.

12. In § 1394.7751 (b) the first sentence is amended to read: Official or fleet rations shall be issued in Class B, C, or D coupons in the number specified in the tables set forth in § 1394.7705 (according to the type of coupon) necessary to provide the mileage allowed by the Board.

13. Section 1394.7754 (b) is amended to read as follows:

(b) Subject to the provisions of paragraph (a) of this section, the Board shall allow the average occupational mileage per month determined by it to be required for driving within the continental United States during the three month period specified in § 1394.7753 and shall issue a ration in accordance with the provisions of § 1394.7755 to provide such mileage. However, no Board may allow an average mileage for any one vehicle or an average mileage per vehicle for any group of vehicles in excess of 650 miles per month unless the mileage in excess of such amount is defined as preferred mileage under the provision of § 1394.7706 or as semi-preferred mileage under the provisions of § 1394.7708.

14. Section 1394.7755 (a) (1) is amended to read as follows:

(1) In the case of passenger automobiles for which application is made for official or fleet rations, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 650 miles per month or less: Class B coupons in the number specified in Table I in § 1394.7705 (a) (2) for the mileage allowed.

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 650 miles per month: Class C coupons in the number specified in Table II in § 1394.7705 (a) (2) for the mileage allowed.

15. Section 1394.7755 (a) (2) is revoked.

16. Section 1394.7755 (a) (3) is revoked.

17. Section 1394.7755 (a) (4) is redesignated § 1394.7755 (a) (2) and amended to read as follows:

(2) In the case of a motorcycle the Board shall issue Class D coupons in strip form bearing serial numbers in consecutive order and issued in connection with a folder (to be marked "Fleet" if issued for use with a fleet motorcycle and "Official" if issued for use with an official motorcycle) containing the number of coupons specified in Table III in § 1394.7705 (a) (2) to provide the mileage allowed by the Board. The Board shall note the date of issuance on such folder as the date on which the coupons become valid, and an earliest renewal date three months from the date of issuance.

18. In § 1394.7851 (b) (2) (ii) (*a*) the third sentence is amended to read "No ration shall be issued, under this subdivision, for use by the principal campaign manager which will allow an average mileage in excess of 650 miles per month." and subdivisions 1, 2 and 3 are deleted. The final sentence beginning "The total mileage . . ." remains unaltered.

19. Section 1394.7851 (b) (2) (xii) is amended to read as follows:

(xii) To operate such vehicle (not including a vehicle operated on behalf of a day nursery or pre-school nursery) for the purpose of transporting one or more children to and from a day nursery or pre-school nursery. No ration shall be issued under this subdivision which will allow an average mileage in excess of 650 miles per month.

20. Section 1394.8052 (a) (2) is amended to read as follows:

(2) A reduction in the unit value of Class B or C coupons, by reason of which the holder of the ration cannot perform the driving essential to carry on his occupation, or, in the case of a special ration, he cannot perform the purpose for which it was issued.

21. In § 1394.8052 (c) the last sentence is amended to read as follows: "However, the Board may grant a ration to compensate for mileage lost by reason of a reduction in the unit value of Class B or C coupons only if it finds that the applicant still requires the mileage lost by reason of such reduction."

22. Section 1394.8052 (d) is amended to read as follows:

(d) No further supplemental, official or fleet ration, or ration issued pursuant to §1394.7757 for use with a motor vehicle operated on dealer plates or pursuant to § 1394.7758 for use with a leased vehicle shall be granted, pursuant to this section, which would permit the applicant to exceed the maximum limitations on non-preferred or semi-preferred mileage in effect during the valid period of his current ration or in effect on the date of issuance of such further ration. No further non-highway ration shall be granted which would permit the applicant to exceed the maximum limitations on the amount of gasoline allowable for use with a boat for non-occupational purposes.

23. Section 1394.8053 (b) (2) is amended to read as follows:

(2) If such current ration is a supplemental ration based, in whole or in part, upon an allowed mileage of more than 400 miles per month for travel between home and a fixed place or places of work, or between fixed places of work and there is no adequate alternative means of transportation for such travel. However, in such case the further ration shall be issued only to adjust that portion of the allowed mileage which is used for driving between home and a fixed place or places of work, or between fixed places of work and for which there is no adequate alternative means of transportation.

24. Section 1394.8056 is added to read as follows:

§ 1394.8056 *Special rules governing further rations based on increase in general limitation on non-preferred mileage effective June 11, 1945*—(a) *General.* On June 11, 1945, the general limitations on non-preferred mileage (the so-called "B" ceiling) are raised in three gasoline rationing areas and equalized at 650 miles per month throughout the country. This means that a person holding an occupational ration issued at the "B" ceiling (that is, a ration based on an allowed occupational mileage of 400 miles per month in Area A, 475 miles per month in Area B or 325 miles per month in the gasoline shortage area) can get a further or additional ration for use before the end of his current ration period if he really needs more occupational mileage than he was allowed under his current ration. He cannot get more mileage than he needs nor can he get an allowance of non-preferred mileage greater than the new "B" ceiling of 650 miles per month. This section governs the application for and issuance of a further passenger automobile ration to a person who holds a current ration issued for a three month period at the old "B" ceiling and is entitled under the new "B" ceiling to a new average monthly mileage not greater than 650 miles per month.

(Other applications for further rations by applicants who do not come within the class of persons described above are governed by the provisions of § 1394.8052 through § 1394.8054.)

(b) *Application.* The application for a further ration under this section must be made in the same manner as the application for the current ration.

(c) *Allowance of mileage.* If the Board determines that the applicant requires more non-preferred occupational mileage than the mileage allowed under the current ration, and that he has satisfied all of the requirements of this order with respect to the allowance of the ration for which he has applied, it shall determine the average monthly mileage required by the applicant and allowable to him under this order during the three month period following the date of his application. (This determination is made in the same manner as in the case of a renewal of the ration. The non-preferred mileage allowed shall not exceed an average of 650 miles per month; and the sum of the monthly average semi-preferred mileage, if any, and the monthly average non-preferred mileage shall not exceed 825 miles per month.)

(d) *Computing the ration.* When the Board has determined and allowed the mileage under paragraph (c) of this section it shall compute the amount of the further ration as follows:

(1) The Board shall determine the number of days remaining in the applicant's current ration between the date of application for the further ration and the earliest renewal date of the current ration. (The number of days so determined shall never exceed ninety days.)

(2) The Board shall then ascertain from Table A, B, or C, whichever is appropriate, the number of coupons specified for the newly allowed average monthly mileage during the number of days remaining in his current ration determined pursuant to subparagraph (1). This represents the number of coupons to be issued to the applicant in addition to his current ration for use during the remainder of his current ration period.

If the number of days determined under subparagraph (1) of this paragraph (d) is more than thirty days, the Board will issue the number of coupons ascertained from Table A, B or C in accordance with paragraph (e) of this section.

If the number of days determined under subparagraph (1) of this paragraph (d) is thirty days or less, the Board will refer to Table I in § 1394.7705 (a) (2) and ascertain the number of coupons specified for a three month period for the new average monthly mileage allowed and will add this number to the number of coupons ascertained from Table A, B or C and will issue the total number in accordance with paragraph (e) of this section.

(e) *Issuance.* The Board shall issue to the applicant Class B coupons, in the number determined pursuant to paragraph (d) of this section. The coupons shall be issued in strip form bearing consecutive serial numbers, and be accompanied by an identification folder. The folder shall bear the usual information and an earliest renewal date. If the further ration covers only the period between the date of application and the earliest renewal date of the applicant's current ration, the earliest renewal date of the further ration shall be the same as that of the current ration. If the further ration covers a three month period beyond the earliest renewal date of the applicant's current ration, its earliest renewal date shall be a date three months later than the earliest renewal date of the current ration.

(f) *Current rations remain valid.* If any applicant receives a further ration under the provisions of this section, any remaining portion of his current ration shall be deemed to be a portion of his further ration.

TABLE A—AREA A

TABLE FOR DETERMINING NUMBER OF ADDITIONAL COUPONS TO BE ISSUED APPLICANT FOR REMAINDER OF HIS CURRENT RATION PERIOD

[For use in Area A]

Average monthly mileage allowed on new application	Number of days applicant applied in advance of earliest renewal date																		
	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71-75	76-80	81-85	86-90	91
	Number of additional coupons to be issued																		
401-425	0	0	0	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1	1
426-450	0	0	0	0	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2
451-475	0	0	0	1	1	1	1	1	2	2	2	2	2	2	3	3	3	3	3
476-500	0	0	1	1	1	2	2	2	2	3	3	3	3	3	3	4	4	4	4
501-525	0	1	1	1	2	2	2	3	3	3	4	4	4	4	5	5	5	5	5
526-550	0	1	1	1	2	2	2	3	3	3	4	4	4	5	5	6	6	6	6
551-575	0	1	1	2	2	2	3	3	3	4	4	5	5	5	6	6	6	7	7
576-600	0	1	1	2	2	3	3	3	4	4	5	5	6	6	7	7	7	8	8
601-625	0	1	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9
626-650	1	1	2	2	3	3	4	4	5	5	6	7	7	8	8	8	9	10	10

Find column heading at top of table representing number of days applicant applies in advance of earliest renewal date. Go down this column until you meet horizontal line representing average monthly mileage allowed on basis of new application. The resulting figure is the number of additional coupons to be issued for remainder of current ration period.

TABLE B—AREA B

TABLE FOR DETERMINING NUMBER OF ADDITIONAL COUPONS TO BE ISSUED APPLICANT FOR REMAINDER OF HIS CURRENT RATION PERIOD

(For use in Area B)

Average monthly mileage allowed on new application	Number of days applicant applied in advance of earliest renewal date																		
	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71-75	76-80	81-85	86-90	91
	Number of additional coupons to be issued																		
476-500	0	0	0	0	0	0	0	0	1	1	1	1	1	2	2	2	2	2	2
501-525	0	0	0	0	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2
526-550	0	0	0	1	1	1	1	2	2	2	2	2	2	2	3	3	3	3	3
551-575	0	0	1	1	1	1	2	2	2	2	3	3	3	3	4	4	4	4	4
576-600	0	1	1	1	2	2	2	2	3	3	3	4	4	4	4	5	5	5	5
601-625	0	1	1	1	2	2	2	3	3	3	4	4	4	5	5	5	6	6	6
626-650	0	1	1	2	2	2	3	3	3	4	4	5	5	5	6	6	6	7	7

Find column heading at top of table representing number of days applicant applies in advance of earliest renewal date. Go down this column until you meet horizontal line representing average monthly mileage allowed on basis of new application. The resulting figure is the number of additional coupons to be issued for remainder of current ration period.

TABLE C—GASOLINE SHORTAGE AREA

TABLE FOR DETERMINING NUMBER OF ADDITIONAL COUPONS TO BE ISSUED APPLICANT FOR REMAINDER OF HIS CURRENT RATION PERIOD

Average monthly mileage allowed on new application	Number of days applicant applies in advance of earliest renewal date												
	1-7	8-14	15-21	22-28	29-35	36-42	43-49	50-56	57-63	64-70	71-77	78-84	85-91
	Number of additional coupons to be issued												
326-350	0	0	0	0	0	0	1	1	1	1	1	1	1
351-375	0	0	0	1	1	1	1	1	1	1	2	2	2
376-400	0	0	1	1	1	1	2	2	2	2	2	3	3
401-425	0	1	1	1	2	2	2	2	3	3	3	3	4
426-450	0	1	1	2	2	2	3	3	3	4	4	4	5
451-475	0	1	1	2	2	3	3	4	4	5	5	6	6
476-500	1	1	2	2	3	3	4	4	5	5	6	6	7
501-525	1	1	2	2	3	4	4	5	5	6	7	7	8
526-550	1	1	2	3	3	4	5	5	6	7	7	8	9
551-575	1	2	2	3	4	5	5	6	7	8	8	9	10
576-600	1	2	3	3	4	5	6	7	8	8	9	10	11
601-625	1	2	3	4	5	6	7	8	9	10	11	11	12
626-650	1	2	3	4	5	6	7	8	9	10	11	12	13

Find column heading at top of table representing number of days applicant applies in advance of earliest renewal date. Go down this column until you meet horizontal line representing average monthly mileage allowed on basis of new application. The resulting figure is the number of additional coupons to be issued for remainder of current ration period.

25. The introductory text of § 1394.8153 (a) (3) is amended to read as follows:

Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book or folder presented. This rule, however, is subject to the following two exceptions:

26. Section 1394.8153 (a) (3) (i) is revoked.

27. Section 1394.8153 (a) (3) (ii) and (iii) are redesignated § 1394.8153 (a) (3) (i) and (ii) respectively.

28. Section 1394.8165 is revoked.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective June 11, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9978; Filed, June 8, 1945; 1:24 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 1 to Supp. 1]

MILEAGE RATIONING: GASOLINE REGULATIONS

Supplement No. 1 to Revised Ration Order 5C is amended in the following respects:

Section 1394.8401 (a) (1) is amended to read as follows:

(1) Four gallons of gasoline with respect to Class A coupons which bear the numerals 13, 14 or 15; six gallons of gasoline with respect to Class A coupons which bear the numeral 16 or higher.

This amendment to Supplement No. 1 to Revised Ration Order 5C shall become effective June 11, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong., Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9977; Filed, June 8, 1945; 1:24 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 395, Amdt. 1]

KEROSENE IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 395 is amended in the following respects:

Section 48 is added to read as follows:

SEC. 48. *Maximum retail prices for kerosene imported in returnable steel drums sold or delivered in the Virgin Islands of the United States*—(a) *Definitions.* When used in the section 48, the term:

(1) "Gallon" means a container of 4 liquid quarts or 128 fluid ounces.

(2) "$\frac{1}{4}$ Quart" means a container of 25.6 fluid ounces or $\frac{1}{5}$ of a gallon.

(b) *Maximum prices.* The maximum retail prices for kerosene sold or delivered in the Virgin Islands of the United States shall be the pertinent prices set forth in Table XXXVIII.

TABLE XXXVIII—MAXIMUM RETAIL PRICES FOR KEROSENE

Commodity	Unit	Island of St. Croix	Island of St. Thomas	Island of St. John
Kerosene	(1 gallon	$0.23	$0.23	$0.25
	(¼ quart	.05	.05	.06

This amendment shall become effective June 13, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9981; Filed, June 8, 1945; 1:25 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 110, Amdt. 1]

MANUFACTURERS' MAXIMUM AVERAGE PRICE FOR GREY AND CERTAIN FINISHED RAYON AND OTHER SYNTHETIC WOVEN FABRICS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 110 is amended in the following respects:

1. In Section 10 (a) (1) the date June 11, 1945 is amended to read June 30, 1945.

2. In section 10 (a) (2) the date June 30, 1945 is amended to read July 21, 1945.

3. In section 10 (a) (4) the phrase "the OPA District Office with which he filed his original base period report" is amended to read "the Office of Price Administration, Washington 25, D. C."

4. In section 10 (c) the phrase "his OPA District Office" is amended to read "the Office of Price Administration, Washington 25, D. C."

5. In section 11 (a) (1) the date July 1, 1945 is amended to read July 22, 1945.

This amendment shall become effective June 9, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10087; Filed, June 9, 1945; 11:38 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 105]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 5 is amended in the following respects:

1. Sections 5.7 and 5.8 are revoked.
2. Section 13.3 (d) (3) is deleted.
3. Section 13.3 (f) is amended to read as follows:

(f) At the end of the first thirty days, he shall report to the Board on OPA Form R-1307 (Revised), the information called for by Part II of that form. The Board shall then compute a base for meal services for each rationed food in the following way:

(1) The number of meals actually served is multiplied by the result, arrived at in (d) (1) for each rationed food;

(2) His use of each rationed food is determined;

(3) The lower of the figures in (1) and (2) is his base for meal services.

This amendment shall become effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10090; Filed, June 9, 1945; 11:39 a. m.]

[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15400, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2780, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5919, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121, 12449, 13919.

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 9 to Supp. 1[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

Supplement No. 1 to General Ration Order 5 is amended in the following respects:

1. Section 1305.203 (b) is amended to read as follows:

(b) Allowance per person for Group II users for the July-August 1945 and subsequent allotment periods.

Rationed food:	*Allowance per person*
Processed foods	0.7 point.
Sugar	0.03 pound.

2. Section 1305.203 (c) is amended to read as follows:

(c) Allowance per person under Article XXVI for the July-August 1945 and subsequent allotment periods.

Rationed food:	*Allowance per person*
Processed foods	0.6 point.
Sugar	0.015 pound.
Food covered by Revised Ration Order 16	0.64 point.

This amendment shall become effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10091; Filed, June 9, 1945; 11:39 a. m.]

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15486, 17486.
[2] 8 F.R. 2597, 4840, 5529, 7601, 14154.

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 2 to Supp. 2[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

Section 1305.205 (c) is amended to read as follows:

(c) The allowance per person for Group II users for the July-August 1945 and subsequent allotment periods for foods covered by Revised Ration Order 16 shall be 0.7.

This amendment shall become effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10092; Filed, June 9, 1945; 11:39 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 5 to Supp. 3[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

Supplement 3 to General Ration Order 5 is amended in the following respects:

1. Section 1305.216 (b) is amended to read as follows:

(b) December use factors (for determining percentage reduction of December use of rationed foods) for meal services.

Class of foods	December use factor (percent)	
	Group III, IV, or V user	Group V user
Sugar		
1. If institutional users whose baking percentage is less than 40% in December 1942		
(a) If month used in determining the base was after April 1942	*Percent* 100	*Percent* 100
(b) If month used in determining the base was April 1942 or earlier	60	60
2. If institutional users whose baking percentage is 40% or more in December 1942		
(a) If month used in determining the base under this order was after April 1942	120	120
(b) If month used was April 1942 or earlier	72	72
Processed foods		
1. If month used in determining the base was February 1943 or earlier	70	100
2. If month used in determining the base was after February 1943	100	100
Food covered by Ration Order 16		
1. If month used in determining the base was March 1943 or earlier	60	100
2. If month used in determining the base was after March 1943	100	100

[1] 8 F.R. 1002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15482, 16787, 17480, 9 F.R. 401, 455, 692, 1810, 2287, 2789, 3030, 3340, 3701, 3577, 4647, 5232, 5864, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 12121, 12449, 12919.
[2] 8 F.R. 2195, 2348.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 17483, 14472, 15498, 16787; 9 F.R. 801, 455, 692, 1810, 2212, 2287, 2252, 2476, 9 F.R. 2019.

2. Section 1305.216 (c) is amended to read as follows:

(c) *Allowance per person.* (1) Institutional users whose baking percentage of baked products (bread, rolls, doughnuts and crullers, pies, cake and pastries) is less than forty percent (40%) in December 1942, apply the following allowances per person:

Class of food	*Allowance per person*
Sugar	0.015 pound.
Processed foods:	
1. If the user himself baked less than 80% of the pies served.	0.6 point.
2. If he baked 80% or more of the pies served.	0.7 point.
Foods covered by Ration Order 16.	0.64 point.

(2) Institutional users whose baking percentage of baked products (bread, rolls, doughnuts and crullers, pies, cake and pastries) is forty percent (40%) or more in December 1942, apply the following allowance per person:

Class of food	*Allowance per person*
Sugar:	
1. If baking percentage was less than 75%.	0.022 pound.
2. If baking percentage was 75% or more.	0.03 pound.
Processed foods:	
1. If the user himself baked less than 80% of the pies served.	0.6 point.
2. If he baked 80% or more of the pies served.	0.7 point.
Foods covered by Ration Order 16.	0.7 point

NOTE: For the purposes of determining the percentage of baked products baked by institutional users, Form R-1307 Supplement contains the question: "Of the total number of each of the following baked products that you SERVED in December 1942 what percentage of each did you BUY?" This question is intended for the purpose of determining the amount of baked goods which the institutional user himself baked on the assumption that all baked products served which he did not buy were products which he baked. For example, if an institutional user reported that he bought 35% of the baked products which he served, it is taken to indicate that he baked the remaining 65%.

In determining an institutional user's baking percentages, the percentage that he himself baked of the total number of the items that he served in each of the six (6) categories listed in the parentheses is to be found; those percentages are added; the sum is divided by six (6); the result is considered to be his baking percentage. (If he did not serve any item in a category, the percentage that he baked for that category is zero.)

3. Section 1305.216 (d) is amended to read as follows:

(d) December use factors for services of refreshments only:

Class of foods	*Refreshment December use factor (Percent)*
Sugar:	
1. If month used in determining the base under this Order was after April 1942	80
2. If month used in determining the base was April 1942 or earlier	43
Processed foods:	
1. If month used in determining the base was February 1943 or earlier	70
2. If month used in determining the base was after February 1943	100
Food covered by Ration Order 16:	
1. If month used in determining the base was March 1943 or earlier	60
2. If month used in determining the base was after March 1943	100

This amendment shall become effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10093; Filed, June 9, 1945; 11:39 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-1,[1] Amdt. 1]

INSULATION AND FELT CORDWOOD AND RELATED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 535-1 is hereby amended in the following respects:

1. A new undesignated paragraph is added to section 11 (n) (3) which reads as follows:

Buying plants whose March 1943 delivered-to-the-mill by truck price is the same as the f. o. b. cars price may apply in writing to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for an adjustment in their delivered-to-the-mill by truck price.

The application must state:

(a) The requested price.

(b) That the requested price will not be used to obtain an increase in the end product ceiling price.

(c) Why the requested price is necessary and how the applicant arrived at the price.

(d) That the requested price will not be used to divert wood away from competing buyers.

The Administrator may grant the application wholly or in part, if in his judgment the adjustment will place the buyer's purchasing price in line with other prices established in this zone of the regulation.

2. A new paragraph (4) is added to section 11 (m), to read as follows:

(4) *Banking addition.* For storing at a rail siding at buyer's request, and subsequent loading at seller's expense, an addition of 80 cents per cord may be made to the f. o. b. rail car maximum price.

This amendment shall become effective June 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10085; Filed, June 9, 1945; 11:37 a. m.]

[1] 9 F.R. 5306.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535–5,[1] Amdt. 1]

CHESTNUT CORDWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 535–5 is amended in the following respects:

1. In section 10, Table 2 is amended to read as follows:

TABLE 2

$10.50 per unit of 160 cubic feet delivered to the mill by truck, or at rail or water loading point; either loaded on cars or barge or vessel, or piled on the ground at the buyer's option.

Where a rail loading point is abolished by reason of abandonment of the railroad, the same point may be used as a truck loading point and the price for delivery to rail loading point may be paid for wood either piled on the ground or loaded on the buyer's trucks, at the buyer's option.

2. In section 10, the first sentence in Table 3 is amended to read as follows:

$10.50 per unit of 160 cubic feet at rail or water loading point; either loaded on cars or barge or vessel; or piled on the ground at the buyer's option.

This amendment shall become effective June 15, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10109; Filed, June 9, 1945; 11:37 a. m.]

PART 1340—FUEL

[RMPR 436, Amdt. 15]

CRUDE PETROLEUM, AND NATURAL AND PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 436 is amended in the following respects:

1. Section 10 (n) is amended by adding subparagraph (20) to read as follows:

(20) *Luby Field.* On and after June 1, 1945, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Luby field, Nueces County, Texas, shall be $1.40 per barrel with a 2-cent per degree differential for lower gravities down to 98 cents for below 20°.

2. Section 10 (o) is amended by adding subparagraph (5) to read as follows:

(5) *Badger Basin, Bailey Dome, Cole Creek, Crooks Gap, Elk Basin, Grass Creek, Rock Creek.* On and after June 1, 1945, the maximum price at the receiving tank for sweet crude petroleum of 40° API gravity and above produced in the Bailey Dome and Rock Creek fields, Carbon County, the Badger Basin and Elk Basin fields in Park County, the Grass Creek field in Hot Springs County, the Cole Creek field, Natrona County and the Crooks Gap field in Fremont County, Wyoming, shall be $1.25 per barrel with a 2-cent per degree differential for lower gravity crudes.

This amendment shall become effective June 14, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10084; Filed, June 9, 1945; 11:37 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 2 to Supp. 1]

COTTONSEED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement No. 1 to Food Products Regulation No. 3 is amended in the following respect:

Section 6 (a) (1) (i) is amended to read as follows:

(i) *For the following points of production.*

Point of production	Oil cake		Oil meal [1]		Sized cake [1]		Pellets [1]	
	Cottonseed	Whole pressed cottonseed	Cottonseed	Whole pressed cottonseed	Cottonseed	Whole pressed cottonseed	Cottonseed	Whole pressed cottonseed
Mississippi	$44.25	$37.25	$45.00	$38.00	$46.00	$39.00	$47.25	$40.25
Tennessee	44.75	37.75	45.50	38.50	46.50	39.50	47.75	40.75
East Arkansas [2]	44.75	37.75	45.50	38.50	46.50	39.50	47.75	40.75
West Arkansas [3]	45.25	38.25	46.00	39.00	47.00	40.00	48.25	41.25
Missouri	45.25	38.25	46.00	39.00	47.00	40.00	48.25	41.25
Illinois	45.50	38.50	46.25	39.25	47.25	40.25	48.50	41.50
Louisiana	45.25	38.25	46.00	39.00	47.00	40.00	48.25	41.25
Oklahoma	46.25	39.25	47.00	40.00	48.00	41.00	49.25	42.25
El Paso, Texas	47.25	40.25	48.00	41.00	49.00	42.00	50.25	43.25
All other points in Texas	46.25	39.25	47.00	40.00	48.00	41.00	49.25	42.25
Alabama	45.25	38.25	46.00	39.00	47.00	40.00	48.25	41.25
Georgia	45.75	38.75	46.50	39.50	47.50	40.50	48.75	41.75
Florida	45.75	38.75	46.50	39.50	47.50	40.50	48.75	41.75
South Carolina	46.25	39.25	47.00	40.00	48.00	41.00	49.25	42.25
North Carolina	46.75	39.35	47.50	40.50	48.50	41.50	49.75	42.75
New Mexico	47.25	40.25	48.00	41.00	49.00	42.00	50.25	43.25
Arizona	47.25	40.25	48.00	41.00	49.00	42.00	50.25	43.25
California	47.25	40.25	48.00	41.00	49.00	42.00	50.25	43.25

[1] If oil meal, sized cake or pellets are produced by the processor from slab cake which he purchased, the basic price is increased by 50 cents per ton, to which may be added the transportation cost, if any, from the point of production of the slab cake to the point of production of the oil meal, sized cake or pellets.

[2] Eastern Arkansas consists of the following counties in Arkansas: Arkansas, Clay, Craighead, Crittenden, Lonoke, Lawrence, Lee, Mississippi, Monroe, Phillips, Poinsett, Randolph, St. Francis and Woodruff.

[3] West Arkansas consists of all points in Arkansas not included in East Arkansas.

This amendment shall become effective June 14, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10086; Filed, June 9, 1945; 11:38 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 148, Amdt. 27]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Paragraph (c) to § 1364.23 is added to read as follows:

(c) *"Group I ship chandler" adjustments affecting pork.* (1) Notwithstanding the pricing provisions of Schedule III (e) of § 1364.35 pertaining to maximum prices for wholesale pork cuts sold to ship operators by licensed ship suppliers, the Price Administrator at Washington, D. C., may, by order, adjust the licensed ship supplier's selling addition established in Schedule III (e) (5) of § 1364.35 for any "Group I ship chandler" (defined in § 1364.32 (a) (26) (i)) who shows:

(i) That in the period covering the entire calendar or fiscal year of 1944, whichever period is used by the applicant for filing Federal Income Tax returns, at least 85% of his total dollar volume of sales consisted of sales of food items;

(ii) That during his most recent 3 month fiscal or calendar accounting period, his total dollar volume derived from the sale of all his products, including but not limited to food items, exceeded his total cost of products sold during such period, adjusted for inventory changes, by an amount which was less than 12½%; and

(iii) That no adequate alternative exists to the price adjustment, such as a reduction of other operating costs.

(2) Any applicant requesting a price adjustment under this paragraph (c) shall file a written application with the Price Administrator, at Washington, D. C., in which he shall certify that he is a "Group I ship chandler", as defined in § 1364.32 (a) (26) (i) of this regulation, that he meets the requirements of subdivisions (1) (i) through (iii) above, and sets forth:

(i) His annual total dollar volume as computed in accordance with the pro-

[1] 9 F.R. 5249, 10579.

visions of § 1364.32 (a) (26) (iii) of this regulation;

(ii) His total dollar volume derived from the sale of food items only during the same period, covered by subdivision (i) above;

(iii) The total cost of all products purchased by him (adjusted for inventory changes) during the three consecutive months specified in subdivision (i) (ii) above, and his total dollar volume derived from sales of such products during the same period, setting forth the total dollar volume of sales of (*a*) all products, including foods, (*b*) foods, including all meats, (*c*) beef and veal, and (*d*) pork; and the total pounds of beef and veal, and pork, separately stated, sold during the same period.

In addition to the foregoing, each application shall be accompanied by a letter signed by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, certifying that the applicant is a "Group I ship chandler" as defined in § 1364.32 (a) (26) (i) herein.

(3) Upon receipt of an application satisfying the requirements of subparagraph (c) (2) hereof, the Price Administrator may, subject to such terms and conditions as he may deem necessary, adjust the selling addition established in Schedule III (e) (5) of § 1364.35 for sales by a licensed ship supplier to such an extent as to increase the applicant's gross operating margin percentage-wise to 12½% over cost of products sold, except that in no case shall an adjustment be granted in excess of 50 cents per cwt.

(4) If during any 3 consecutive calendar or fiscal months following the granting of an adjustment pursuant to this paragraph (c), the applicant's dollar volume sales of food items fall below 85% of his total dollar volume of sales of all products sold during such 3 month period the adjustment granted shall be deemed null and void thereafter. If during any three month calendar or fiscal perior or a fiscal or calendar year closing after the granting of an adjustment pursuant to this paragraph (c), the applicant's gross operating margin is more than 12½% of cost of products sold, the adjustment granted under this paragraph (c) shall be subject to revocation or modification.

(5) For purposes of convenience an application filed under this section may be combined with a similar application filed under the provision of Revised Maximum Price Regulation No. 169.

2. Subparagraph (26) of § 1364.32 (a) is added to read as follows:

(26) (i) A "Group I ship chandler" means a licensed ship supplier (as defined in § 1364.32 (a) (19)) (*a*) who does not engage in the fabrication of meats of any kind and who does not own or control in whole or in substantial part any slaughtering plant or facilities and who is not owned or controlled in whole or in substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities; (*b*) who has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products in addition to meats: butter, cheese, canned fruit and fruit juices, and canned vegetables and vegetable juices; (*c*) who is currently engaged in the business of selling a complete line of foods and other products to ship operators, including but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish, and (*d*) whose "annual total dollar volume" of sales is $500,000.00 or more. (The term "annual total dollar volume" is explained in subdivision (iii) below).

(ii) A "Group II ship chandler" means a licensed ship supplier as defined in § 1364.32 (a) (19) who has met all the requirements of subdivision (i) hereof for a Group I ship chandler except that his "annual total dollar volume" of sales shall be less than $500,000.00 and who has filed a statement with the appropriate regional office of the Office of Price Administration, signed by him and approved by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, setting forth that he meets each of the requirements of a "Group II ship chandler" as defined herein, and setting forth in addition his annual total dollar volume of sales. The selling addition provided in Schedule III (e) (8) of § 1364.35 for a "Group II ship chandler" shall not be taken until this statement has been filed as provided herein.

(iii) (*a*) The term "annual total dollar volume" means the total dollar volume of sales made by a ship chandler during the calendar or fiscal year 1944, whichever he used for filing his Federal Income Tax return. All sales, whether of food or not, as shown on the books shall be used. The ship chandler's Federal Income Tax return shall be used to obtain the dollar volume of sales. (*b*) If the ship chandler was engaged in business during only a part of the fiscal or calendar year of 1944, he shall divide his total dollar volume of sales from the time he began operations up to and including June 8, 1945, by the number of weeks he was in business. This will represent the weekly average dollar volume of sales. This figure shall be multiplied by 52 and the result shall be deemed his "annual total dollar volume." (*c*) If the ship chandler started business after June 8, 1945, he shall be deemed to be a "Group II ship chandler." However, after he has been in operation for 3 months, he shall determine again what class he is in by taking his total dollar volume of sales for the three month period and multiplying it by 4. The result will be his "annual total dollar volume."

3. Subparagraph (5) of Schedule III (e) of § 1364.35 is amended to read as follows:

(5) To a ship operator by a licensed ship supplier other than a slaughterer or other than a "Group II ship chandler"—$2.00.

4. Subparagraph (8) of Schedule III (e) of § 1364.35 is added to read as follows:

(8) To a ship operator by a "Group II ship chandler—$3.00.

This amendment shall become effective June 9, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10080; Filed, June 9, 1945; 11:36 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 389, Amdt. 19]

CEILING PRICES FOR CERTAIN SAUSAGE ITEMS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 389 is amended in the following respects:

1. Subdivisions (i), (ii) and (v) of section 12 (c) (1) are amended, and subdivisions (vii) and (viii) of section 12 (c) (1) are added, respectively, to read as follows:

(i) On sales to wholesalers, peddler-truck sellers, hotel supply houses, ship chandlers, and sales to Great Lakes marine suppliers for resale to operators of lake vessels—$0.50.

(ii) On sales, other than peddler-truck sales, to retailers and purveyors of meals other than ship operators, by sellers other than hotel supply houses—$1.50.

(v) On sales to purveyors of meals, including ship operators, by hotel supply houses—$2.75.

(vii) On sales to ship operators by Group II ship chandlers—$3.00.

(viii) On sales, other than peddler-truck sales, to ship operators by sellers other than hotel supply houses and other than Group II ship chandlers—$1.50.

2. Subparagraph (2) of section 12 (c) is amended by changing the last sentence thereof to read as follows: "A store means a restaurant, hotel, retail store, a wholesaler's, hotel supply houses, ship chandler's or Great Lakes marine supplier's warehouse, or the place where actual physical possession of the product is taken by a government agency."

3. Subdivisions (i), (ii) and (iii) of section 12 (c) (4) is amended to read as follows:

(i) If a hotel supply house, wholesaler, peddler truck seller, ship chandler or Great Lakes marine supplier has paid a charge under subdivision (i) of section 12 (c) (1), he may, upon resale, add $0.50 per hundred-weight to the base price.

(ii) If a hotel supply house, wholesaler, peddler truck seller, ship chandler or Great Lakes marine supplier has paid any charge under subparagraph (2) of section 12 (c), he may, upon resale, add the amount of such charge to the base price: *Provided*, That in no event may the total of all charges for local delivery exceed $0.50 per hundred-weight. For the purposes of this subdivision (ii) of section 12 (c) (4) launch deliveries, as provided for in subdivision (iv) of this section 12 (c) (4) shall not be deemed local deliveries.

(iii) If a hotel supply house, wholesaler, peddler truck seller, ship chandler or Great Lakes marine supplier has paid any transportation charge to a common carrier under section 2 (c) (1) (ii) (*d*), he may, upon resale, add the amount of such charge to the base price.

4. Paragraph (a) of section 13 is amended by the addition of definitions for "licensed ship supplier", "ship operator" and "ship chandler", respectively to read as follows:

"Licensed ship supplier" means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended (issued October 8, 1943) to sell and or deliver meats and other food products to ship operators.

"Ship operator" means any person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

"Ship chandler". (i) A "Group I ship chandler" means a licensed ship supplier as defined elsewhere in this section 13 (a), (*a*) who does not engage in the fabrication of meats of any kind and who does not own or control in whole or in substantial part any slaughtering plant or facilities and who is not owned or controlled in whole or in substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities; (*b*) who has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products in addition to meats: butter, cheese, canned fruit and fruit juices, and canned vegetables and vegetable juices; (*c*) who is currently engaged in the business of selling a complete line of foods and other products to ship operators, including but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish, and (*d*) whose "annual total dollar volume" of sales is $500,000.00, or more. (The term "annual total dollar volume" is explained in subdivision (iii) below).

(ii) A "Group II ship chandler" means a licensed ship supplier as defined elsewhere in this section 13 (a), who has met all the requirements of subdivision (i) hereof for a "Group I ship chandler" except that his "annual total dollar volume" of sales shall be less than $500,000.00, and who has filed a statement with the appropriate regional office of the Office of Price Administration, signed by him and approved by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, setting forth that he meets each of the requirements of a "Group II ship chandler" as defined herein, and setting forth in addition his annual total dollar volume of sales. The selling addition provided in section 12 (c) (1) (vii) for a "Group II ship chandler" shall not be taken until this statement has been filed as provided herein.

(iii) (*a*) The term "annual total dollar volume" means the total dollar volume of sales made by a ship chandler during the calendar or fiscal year 1944, whichever he used for filing his Federal Income Tax return. All sales, whether of food or not, as shown on the books shall be used. The ship chandler's Federal Income Tax return shall be used to obtain the dollar volume of sales; (*b*) If the ship chandler was engaged in business during only a part of the fiscal or calendar year of 1944, he shall divide his total dollar volume of sales from the time he began operations up to and including June 8, 1945, by the number of weeks he was in business. This will represent the weekly average dollar volume of sales. This figure shall be multiplied by 52 and the result shall be deemed his "annual total dollar volume;" (*c*) If the ship chandler started business after June 8, 1945, he shall be deemed to be a "Group II ship chandler." However, after he has been in operation for 3 months, he shall determine again what class he is in by taking his total dollar volume of sales for the three-month period and multiplying it by 4. The result will be his "annual total dollar volume."

This amendment shall become effective June 9, 1945.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10091; Filed, June 9, 1945; 11:36 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 4]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respect:

Section 1394.7706 (n) (7) is added to read as follows:

(7) By a person skilled in the use of hydrocyanic fumigants for travel to Army or Navy establishments or facilities, in response to prior calls of such establishments or facilities, for the purpose of giving expert advice and training to members of the armed forces in the safe use and application of hydrocyanic fumigants.

This amendment shall become effective June 13, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10088; Filed, June 9, 1945; 11:38 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 5]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.7706 (q) (8) is added to read as follows:

(8) By a person, regularly employed on a full time basis by an insurance or adjustment company, for necessary travel to, from, within or between farms for the purpose of inspecting growing farm crops damaged by hail, wind or other storms if the inspection is necessary for the adjusting and settling of insurance claims based on such damage, and for necessary travel to a storm area and return for the purpose of making such inspections at farms. However, no mileage may be allowed under this subparagraph to a person while engaged in any activity other than storm damage adjustment work. No ration may be issued unless the applicant submits a statement from the insurance or adjustment company setting forth the following information:

(i) That the person for whom the application is made is a regular full-time employee of such company principally assigned to storm damage adjustment work; and

(ii) An estimate of the mileage needed for travel to storm areas and farms for making such inspections.

2. Section 1394.7706 (q) (9) is added to read as follows:

(9) By a person highly skilled in inspecting, grading and classifying commodities, for necessary travel from place to place to buy commodities for the account of establishments or facilities listed in § 1394.7706 or construction jobs which will be such essential establishments or facilities when completed. Use of the commodities must be necessary to the operation or functioning, as that phrase is explained in § 1394.7706, of such essential establishments or facilities, or to completion of such construction jobs. No mileage may be allowed under this subparagraph for use by a person who is compensated by any person from whom he buys, and no mileage may be allowed to a person for use while engaged in sales promotion activities at the same time he is engaged in buying.

3. Section 1394.7706 (u) is amended by inserting after the phrase "By a full-time social worker employed" the words "and compensated".

4. Section 1394.7708 (a) (2) is revoked.

5. Section 1394.7708 (a) (1) (iv) is amended by substituting for the present parenthetical phrase after the words "construction job" the following phrase: (but excluding a person while engaged in settling property insurance damages or losses to growing farm crops caused by hail, wind, or other storms or in supervising the salvage of such crops, or a person who engages in selling insurance).

6. Section 1394.7851 (b) (2) (xiii) is added to read as follows:

(xiii) By a person, temporarily employed by an insurance or adjustment company, for necessary travel to, from, within or between farms for the purpose of inspecting growing crops damaged by hail, wind or other storms if the inspection is necessary for the adjusting and settling of insurance claims based on such damage. However, no mileage may be allowed under this subdivision to a person while engaged in any activity other than storm damage adjustment work. A ration may be issued under this subdivision only for necessary travel after specific storms and shall be made valid only for the period needed for carrying on such inspections of crop damage caused by such storms. No ration shall be issued unless the applicant submits a statement from the insurance or adjustment company, setting forth the following information:

(*a*) That the person for whom the application is made is temporarily employed by such company for storm damage adjustment work;

(*b*) An estimate of the mileage needed for travel to farms for making such inspections; and

(*c*) The area to be traveled and the approximate time to be required for such inspection work.

7 Section 1394.7853 (e) is added to read as follows:

(e) *Temporary duty orders for rehabilitation, recuperation and recovery.* The provisions of this section shall also apply to a member of the armed forces of the United States returned from a foreign theatre of operations who is assigned to temporary duty for rehabilitation, recuperation and recovery, under an order issued at a reception center. Such an applicant shall present to the Board, instead of a leave or furlough authorization, such a temporary duty order containing the words "for rehabilitation, recuperation and recovery." All other provisions with relation to application and limitations on issuance remain the same as in the case of furlough or leave. The Board shall note on such order the time and amount of the ration allowed.

This amendment shall become effective June 9 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; W.P.B. Dir. 1, Supp. Dir. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10089; Filed, June 9, 1945; 11:38 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 52]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 7.19 is added to read as follows:

SEC. 7.19 *Restriction on acquisition of canned milk.* (a) An industrial user, beginning June 10, 1945, may not acquire "canned milk", as defined in section 27.1. However, an industrial user may apply, on OPA Form R-315, to the Board (or District Office) with which he is registered, for permission to acquire canned milk if fluid milk or other adequate substitutes are unavailable in the area and he needs canned milk because he is unable to obtain fluid milk or other adequate substitutes. The application must show the products in which he will use canned milk, the amount he needs to acquire during the quarterly period, and state that he is unable to obtain fluid milk or other adequate substitutes. If the Board (or District Office) finds that fluid milk is unavailable in the area and that the applicant needs canned milk to produce his products and that no other adequate substitutes are available, it may grant him permission to acquire canned milk in such quantities as it shall determine he needs.

This amendment shall become effective at 12:01 a. m. June 10, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10126; Filed, June 9, 1945; 4:14 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[2] Amdt. 106]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 15.7 is added to read as follows:

SEC. 15.7 *Restriction on acquisition of canned milk.* (a) An institutional user, other than a Group I, V and VI user, beginning June 10, 1945, may not acquire "canned milk", as defined in section 27.1 of Revised Ration Order 16, unless he is an institutional user entitled to allotments under sections 7.9 or 31.1, or he is applying for a special allotment under section 27.2. However, an institutional user may apply to the Board on OPA Form R-315 for permission to acquire canned milk if fluid milk or other adequate substitutes are not available in an area, and he needs canned milk because he is unable to obtain fluid milk or other adequate substitutes. The application must state the amount he needs to acquire in the allotment period, and that he is unable to obtain fluid milk or other adequate substitutes. The Board shall send the application to the District Office. If the District Office finds that fluid milk or other substitutes are unavailable in the area and that the applicant needs canned milk because fluid milk or other adequate substitutes are unavailable in that area, it may grant him permission to acquire canned milk in such quantities as it shall determine he needs.

This amendment shall become effective at 12:01 a. m. June 10, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10125; Filed, June 9, 1945; 4:14 p. m.]

PART 1300—PROCEDURE

[Procedural Reg. 12,[1] Amdt. 8]

REPLACEMENT OF LOST, STOLEN, DESTROYED, MUTILATED, OR WRONGFULLY WITHHELD RATION BOOKS OR COUPON SHEETS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Procedural Regulation No. 12 is amended in the following respects:

1. Section 1300.953 (b) is amended to read as follows:

(b) A ration book is not mutilated merely because a stamp for which a validation period has not yet been designated is accidentally or mistakenly detached and an application for replacement of such book cannot be made. However, if a validation period is subsequently designated for that stamp, the book shall then be deemed to be mutilated and application for its replacement may be made. An application for replacement of War Ration Book Four, however, may not be filed if spare stamp 13, designated for use in connection with application for home canning sugar, is the only stamp which has been accidentally or mistakenly detached from such book.

2. Section 1300.956 (b) is amended to read as follows:

(b) If a War Ration Book Three or a War Ration Book Four is being replaced because of the loss, theft, destruction or

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[1] 10 F.R. 2521, 2875, 3223, 3556, 3549.

[2] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5919, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121, 12449, 13919.

[1] 8 F.R. 3171, 6543, 11688, 14737, 15461; 9 F.R. 6108, 14556.

wrongful withholding of the original ration book, the Board, before issuing the new ration book, shall remove all expired stamps and all valid stamps except the valid stamps which it finds were in the book at the time of the loss, theft, destruction or wrongful withholding. However, in no event shall the newly issued ration book contain more valid stamps than the last stamp (or series of stamps) which became valid on or before the book is issued.

This amendment shall become effective June 15, 1945.

Issued this 11th day of June, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10164; Filed, June 11, 1945; 11:48 a. m.]

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 138]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 138 to Maximum Price Regulation No. 120 is hereby corrected as follows:

1. In the table of maximum prices in § 1340.225 (b) (2), the maximum prices "615" for Size Group No. 23 in Production Groups 1, 2, 3, 6, 7, 8 and 9 are deleted.

2. In the specific description of Size Group No. 11 in § 1340.225 (b) (3) the word "and" appearing after the words "bottom size larger" and before the size "$^7/_8$" is deleted and the word "than" is inserted.

3. In the table of production group and mine index numbers of solid shot mines in § 1340.225 (b) (5) (i) the following corrections are made:

a. In Production Group No. 2B, the mine index number "45" is inserted before the mine index number "104", and "168" is inserted after "104" and before "179".

b. In Production Group No. 5B, the mine index number "607" is inserted after "605" and before "611"; the word "and" after "611" and before "1011" is deleted and "and 1043" is inserted after "1011".

c. In Production Group 8B, the mine index number "627" following mine index number "533" is deleted and the mine index number "624" is inserted.

d. In Production Group 10B, the word "and" before the mine index number "316" is deleted and the word and mine index number "and 330" are inserted after "316".

4. In the table of production group and mine index numbers of strip mines in § 1340.225 (b) (5) (i) the following corrections are made:

a. In Production Group No. 5 the word "and" is inserted before the number "1033", and the word and mine index number "and 1043" appearing after "1033" are deleted.

This correction to Amendment No. 138 shall become effective June 16, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10155; Filed, June 11, 1945; 11:50 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 296, Amdt. 8]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS, BLENDERS, PRIMARY DISTRIBUTORS AND FLOUR JOBBERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 296 is amended in the following respects:

1. Paragraph (b) of section 10 is deleted in its entirety.

2. Section 18 is added to read as follows:

SEC. 18. *Sales made under conditions of uncertainty in respect to continuation of the flour production payments program.* (1) Whenever uncertainties in respect to the continuation of the flour production payments program create risks which make it unfair to require or to expect the miller to sell flour for future delivery at the maximum price that may be in effect at the time of delivery, the miller may contract to sell and the purchaser may contract to buy at a price no higher than the maximum price in effect on the date of the contract of sale and they may include in such contract a provision to the effect that if, at the time of delivery, the flour production payments program has been modified or eliminated, the purchaser may pay and the miller may receive the amount agreed upon in the contract of sale (not exceeding the applicable maximum price on the date of the contract of sale) plus an amount equal to any decrease in flour production payments applicable to the flour sold resulting from such modification or elimination.

(2) Any miller, holding a contract with a purchaser pursuant to the provisions of subparagraph (1) above, may subcontract with another miller for the production and delivery of the whole or any portion of the flour covered by such contract. Such subcontract may include a provision similar to the one set forth in subparagraph (1) above to cover any such decrease.

(3) On resale of any flour for which more than the maximum price otherwise applicable has been paid pursuant to the provisions of subparagraph (1) above, such excess payment may be added to the maximum price otherwise applicable on such resale: *Provided*, That this subparagraph (3) shall have no application, if prior to the resale of such flour, the regulation is amended so that the maximum price in effect at the time of such resale will reflect to such seller his increased cost of such flour.

This amendment shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10124; Filed, June 9 1945, 4:15 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 582,[1] Amdt. 2]

HAY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 582 is amended in the following respects:

1. The definition "carload lot" in section 3 is amended to read as follows:

"Carload lot" means either a lot of hay of 20,000 pounds or more or a lot of hay of any quantity when shipped in a mixed or pool car.

2. A new paragraph (e) is added to section 10 to read as follows:

(e) When the producer sells the hay in any other manner, his maximum price shall be the appropriate base price plus his transportation cost.

3. The following sentence is added at the end of the first paragraph of section 11: "The seller may also add the premiums set forth in section 9 for official grade or baling in the case of any lot of hay which has been officially graded or baled when such premium has not been included in his supplier's maximum price."

This amendment shall become effective June 16, 1945.

Issued the 11th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 2, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10163; Filed, June 11, 1945, 11:50 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341,[2] Amdt. 9]

MAXIMUM PRICES FOR USED COMMERCIAL MOTOR VEHICLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

[1] 10 F.R. 3090.

[2] 8 F.R. 11175, 17036, 17414; 9 F.R. 3557, 4396, 7009, 10641, 15059; 10 F.R. 5457.

Revised Maximum Price Regulation 341 is amended in the following respects:

1. Section 18 (b) is amended to read as follows:

(b) "Dealer" is a person who has received an order from the Office of Price Administration authorizing him to charge for a warranted used vehicle defined in section 8 a warranted maximum price permitted by section 5, and whose authorization has not been revoked in accordance with paragraph (2) or (5) below.

(1) *Application for dealer authorization*—(i) *Preparation of application form.* A person who seeks authorization to act as a dealer must request this authorization from the Office of Price Administration on OPA Form No. 694-2163, "Application for Authorization to Act as a Dealer in Automotive and Related Vehicles." This form is Appendix E of the regulation. The form will be acceptable as an application only when the information the form requests is inserted in, or attached to, the form, and it is signed by the applicant or his authorized representative.

(ii) *Place of filing.* The application must be filed in the district office of the Office of Price Administration having jurisdiction of the area in which the place of business of the applicant is located. If applicant has a place of business in more than one district office area a separate application must be filed for each place of business with the district office having jurisdiction over the area in which the place of business is located. If the applicant has more than one place of business within one district office area, he shall file one application for the group of businesses in that area.

(iii) *Investigation of application.* Upon receipt of an application for dealer authorization, the authorized district office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information, as may be necessary to the disposition of the application.

(iv) *Disposition of application for dealer authorization by District Director.* The District Director of the district office having jurisdiction over the area in which the applicant's place of business is located shall either grant or deny by order an application for dealer authorization. The requirements that must be present before the grant shall be made are contained in (v) below. If they are not all present the application shall be denied.

(v) *Requirements for grant of application by District Director.* An application for authorization to sell as a dealer shall be granted if:

(*a*) The applicant is generally engaged in the business of acquiring for sale, selling, displaying, repairing and reconditioning used vehicles; and

(*b*) The applicant has a place for selling and displaying used vehicles; and

(*c*) The applicant has a shop and equipment for reconditioning and repairing which in general are adequate for placing used vehicles in good operating condition as defined in section 8 (b) and for fulfilling the terms of the warranty in section 8 (c). (The location of the shop and equipment beyond a reasonable distance from the place of delivery of used vehicles to purchasers, is one of the reasons why such facilities are not adequate); but

(*d*) In the case of an applicant who does not have the facilities described in (*c*) above, as a substitute for them, he may have a working arrangement, evidenced by a written contract, with a service supplier, who has adequate reconditioning and repairing facilities described in (*c*) above, whereby the service supplier will perform the reconditioning and make the replacements the applicant, as a dealer, is required to make to place a used vehicle in good operating condition as defined in section 8 (b) or to fulfill the terms of the warranty in section 8 (c); but

(*e*) Notwithstanding the requirements in (*a*) to (*d*) inclusive, an application for authorization of an owner and operator of any number of commercial motor vehicles shall be granted if such an applicant has an established place of business and a shop and equipment which in general are adequate for the repairing and reconditioning of used vehicles to place them in good operating condition as defined in section 8 (b) and for fulfilling the terms of the warranty in section 8 (c).

(vi) *Publicizing of dealer authorization.* Every person who receives an order authorizing him to sell as a dealer shall place this order in a conspicuous place in his place of business. Such a person shall also state on every Certificate of Transfer he prepares in accordance with the regulation the dealer authorization number which he shall receive in the dealer authorization order.

(2) *Revocation of dealer authorization*—(i) *General.* The District Director of a district office having jurisdiction over the area in which a dealer's place of business is located may by order revoke a dealer's authorization for the reasons stated in (ii) below. However, no order of revocation shall be effective unless the dealer against whom the order is directed was notified by registered mail or by personal service of the District Director's intention to revoke the authorization and the reasons for such action at least ten days prior to the issuance date of the revocation order, and had a reasonable opportunity prior to the issuance of the order to present information either orally or in writing to the District Director, or a responsible official in the district office designated by the District Director, to show that the authorization should not be revoked.

(ii) *Basis for revocation of dealer authorization.* An order granting a dealer authorization may be revoked if the District Director finds from substantial evidence that:

(*a*) Any one of the requirements in (b) (1) (v) was not in existence at the time the applicant filed his application although he represented in his application that the requirement was in existence; or

(*b*) Any one of the requirements in (b) (1) (v) is not in existence after the date of filing of the application; or

(*c*) A person authorized to sell as a dealer does not comply with the provisions of the regulation which permit the charging of a price higher than the maximum as-is price; or

(*d*) Reconditioning and repairing facilities are beyond a reasonable distance from the dealer's place of delivery of used vehicles.

(3) *Request for review*—(i) *General.* Any person generally engaged in the business of selling used vehicles whose application for dealer authorization has been denied, or whose dealer authorization has been revoked, by an authorized District Director of a district office may file with that district office a request for review by the Regional Administrator for the region in which the district office is located. The request for review shall be made on OPA Form 694-2350 set out in Appendix F, and shall be filed not later than 60 days after the date on which the order of denial or revocation was mailed. Requests for review shall be deemed filed on the date received by the district office. However, requests for review addressed to the appropriate district office bearing a postmark dated within the 60 days after the date the order of denial or revocation was mailed which are received after the expiration of the 60-day period shall be considered filed within that period.

(ii) *Action on review.* After due consideration, the Regional Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation issued by the District Director. The person whose application has been reviewed or the person who has had the revocation of his dealer authorization reviewed, shall be informed by order of the action taken.

(iii) *Maximum prices of applicant for dealer authorization or of person whose dealer authorization has been revoked*—(*a*) *Applicant for dealer authorization.* No applicant for dealer authorization shall charge prices higher than as-is maximum prices unless he is specifically authorized by order to charge maximum warranted prices for warranted used vehicles defined in section 8.

(*b*) *Person whose dealer authorization has been revoked by District Director of appropriate district office.* No person whose dealer authorization has been revoked shall charge prices higher than as-is maximum prices unless he is specifically authorized by order to resume charging warranted maximum prices for warranted used vehicles defined in section 8.

(4) *Protest of denial of application for dealer authorization or of revocation of dealer authorization.* When on request for review, the Regional Administrator issues an order denying an application for dealer authorization, or affirming a revocation of a dealer authorization, the applicant, or the person whose dealer authorization has been revoked, whichever the case may be, may file a protest against such order in accordance with the provisions of Revised Procedural Regulation No. 1. There is no specific

statutory limit of time within which protests must be filed. However, if the filing of a protest is unduly delayed, the defense of laches (unreasonable delay) may be available to the Administrator. Where an order is issued denying an application for dealer authorization or revoking a dealer authorization ordinarily there will be no reason why a protest cannot be filed promptly after the order of denial is issued. Accordingly, if a protest is filed more than 90 days after the issuance of the order, the Administrator will ordinarily regard the delay as unreasonable and dismisss the protest unless special circumstances are shown which justify the delay.

(5) *Revocation of authorization to sell as dealers in effect prior to August 1, 1945.* Any and all authorizations to sell as dealers which were granted under section 18 (b) prior to its amendment by Amendment 9 either by the wording of that section alone or by its wording and a special authorization issued by the Office of Price Administration are revoked as of August 1, 1945.

2. Appendix B is amended by inserting in the block designated for name of seller and directly under the phrase "Name of seller" the phrase "Dealer authorization No. (if any)."

3. A new Appendix E [1] is added.

4. A new Appendix F [1] is added.

This amendment shall be effective August 1, 1945.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10157; Filed, June 11, 1945; 11:47 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 540,[2] Amdt. 7]

MAXIMUM PRICES FOR USED PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 540 is amended in the following respects:

1. Section 15 (b) is amended to read as follows:

(b) "Dealer" is a person who has received an order from the Office of Price Administration authorizing him to charge for a warranted used car defined in section 7 a warranted maximum price permitted by section 5, and whose authorization has not been revoked in accordance with paragraph (2) or (5) below.

[1] Filed as part of the original document.

[2] 10 F.R. 1383, 1911, 5037.

(1) *Application for dealer authorization*—(i) *Preparation of application form.* A person who seeks authorization to act as a dealer must request this authorization from the Office of Price Administration on OPA Form No. 694-2163, "Application for Authorization to Act as a Dealer in Automotive and Related Vehicles." This form is Appendix J of the regulation. The form will be acceptable as an application only when the information the form requests is inserted in, or attached to, the form, and it is signed by the applicant or his authorized representative.

(ii) *Place of filing.* The application must be filed in the district office of the Office of Price Administration having jurisdiction of the area in which the place of business of the applicant is located. If applicant has a place of business in more than one district office area a separate application must be filed for each place of business with the district office having jurisdiction over the area in which the place of business is located. If the applicant has more than one place of business within one district office area he shall file one application for the group of businesses in that area.

(iii) *Investigation of application.* Upon receipt of an application for dealer authorization, the authorized district office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information, as may be necessary to the disposition of the application.

(iv) *Disposition of application for dealer authorization by District Director.* The District Director of the district office having jurisdiction over the area in which the applicant's place of business is located shall either grant or deny by order an application for dealer authorization. The requirements that must be present before the grant shall be made are contained in (v) below. If they are not all present the application shall be denied.

(v) *Requirements for grant of application by District Director.* An application for authorization to sell as a dealer shall be granted if:

(a) The applicant is generally engaged in the business of acquiring for sale, selling, displaying, repairing and reconditioning used cars; and

(b) The applicant has a place for selling and displaying used cars; and

(c) The applicant has a shop and equipment for reconditioning and repairing which in general are adequate for placing used cars in good operating condition as defined in section 7 (b) and for fulfilling the terms of the warranty in section 7 (c). (The location of the shop and equipment beyond a reasonable distance from the place of delivery of used cars to purchasers, is one of the reasons why such facilities are not adequate); but

(d) In the case of an applicant who does not have the facilities described in (c) above, as a substitute for them, he may have a working arrangement, evidenced by a written contract, with a service supplier, who has the adequate reconditioning and repairing facilities described in (c) above, whereby the service supplier will perform the reconditioning and make the replacements the applicant, as a dealer, is required to make to place a used car in good operating condition as defined in section 7 (b) or to fulfill the terms of the warranty in section 7 (c);

(vi) *Publicizing of dealer authorization.* Every person who receives an order authorizing him to sell as a dealer shall place this order in a conspicuous place in his place of business. Such a person shall also state on every Certificate of Transfer he prepares in accordance with the regulation the dealer authorization number which he shall receive in the dealer authorization order.

(2) *Revocation of dealer authorization*—(i) *General.* The District Director of a district office having jurisdiction over the area in which a dealer's place of business is located may by order revoke a dealer's authorization for the reasons stated in (ii) below. However, no order of revocation shall be effective unless the dealer against whom the order is directed was notified by registered mail or by personal service of the District Director's intention to revoke the authorization and the reasons for such action at least 10 days prior to the issuance date of the revocation order, and had a reasonable opportunity prior to the issuance of the order to present information either orally or in writing to the District Director, or a responsible official in the district office designated by the District Director, to show that the authorization should not be revoked.

(ii) *Basis for revocation of dealer authorization.* An order granting a dealer authorization may be revoked if the District Director finds from substantial evidence that:

(a) Any one of the requirements in (b) (1) (v) was not in existence at the time the applicant filed his application although he represented in his application that the requirement was in existence; or

(b) Any one of the requirements in (b) (1) (v) is not in existence after the date of filing of the application; or

(c) A person authorized to sell as a dealer does not comply with the provisions of the regulation which permit a markup of the base price plus Appendix D equipment allowances by 25% or $100, whichever is higher; or

(d) Reconditioning and repairing facilities are beyond a reasonable distance from the dealer's place of delivery of used cars.

(3) *Request for review*—(i) *General.* Any person generally engaged in the business of selling used cars whose application for dealer authorization has been denied, or whose dealer authorization has been revoked, by an authorized District Director of a district office may file with that district office a request for review by the Regional Administrator for the region in which the district office is located. The request for review shall be made on OPA Form 694-2350 set out in Appendix K, and shall be filed not later than 60 days after the date on which the order of denial or revocation was mailed. Requests for review shall be deemed filed on the date received by the district office. However, requests for review addressed to the appropriate district office bearing a postmark dated within 60 days after the date the order of denial or revocation was mailed which are received after the expiration of the 60 day period shall be considered filed within that period.

(ii) *Action on review.* After due consideration, the Regional Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation issued by the District Director. The person whose application has been reviewed or the person who has had the revocation of his dealer authorization reviewed, shall be informed by order of the action taken.

(iii) *Maximum prices of applicant for dealer authorization or of person whose dealer authorization has been revoked—(a) Applicant for dealer authorization.* No applicant for dealer authorization shall charge prices higher than base prices determined in accordance with section 6 plus permissible equipment allowances in Appendix D unless he is specifically authorized by order to charge maximum warranted prices in section 5 for warranted used cars defined in section 7.

(b) Person whose dealer authorization has been revoked by District Director of appropriate district office. No person whose dealer authorization has been revoked shall charge prices higher than base prices determined in accordance with section 6 plus permissible equipment allowances in Appendix D unless he is specifically authorized by order to resume charging warranted maximum prices in section 5 for warranted used cars defined in section 7.

(4) *Protest of denial of application for dealer authorization or of revocation of dealer authorization.* When on request for review, the Regional Administrator issues an order denying an application for dealer authorization, or affirming a revocation of a dealer authorization, the applicant or the person whose dealer authorization has been revoked, whichever the case may be, may file a protest against such order in accordance with the provisions of Revised Procedural Regulation No. 1. There is no specific statutory limit of time within which protests must be filed. However, if the filing of a protest is unduly delayed, the defense of laches (unreasonable delay) may be available to the Administrator. Where an order is issued denying an application for dealer authorization or revoking a dealer authorization ordinarily there will be no reason why a protest cannot be filed promptly after the order is issued. Accordingly, if a protest is filed more than 90 days after the issuance of the order, the Administrator will ordinarily regard the delay as unreasonable and dismiss the protest unless special circumstances are shown which justify the delay.

(5) *Revocation of authorizations to sell as dealers in effect prior to August 1, 1945.* Any and all authorizations to sell as dealers which were granted under section 15 (b) prior to its amendment by Amendment 7 either by the wording of that section alone or by its wording and a special authorization issued by the Office of Price Administration are revoked as of August 1, 1945.

2. A new Appendix J [1] is added.

3. A new Appendix K [1] is added.

This amendment shall be effective August 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the Federal Register are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10160; Filed, June 11, 1945; 11:48 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 569,[1] Amdt. 3]

MAXIMUM PRICES FOR USED MOTORCYCLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 569 is amended in the following respects:

1. Section 16 (b) is amended to read as follows:

(b) "Dealer" is a person who has received an order from the Office of Price Administration authorizing him to charge for a warranted used motorcycle defined in section 7 a warranted maximum price permitted by section 5, and whose authorization has not been revoked in accordance with paragraph 2 or 5 below. (1) *Application for dealer authorization*—(i) *Preparation of application form.* A person who seeks authorization to act as a dealer must request this authorization from the Office of Price Administration on OPA Form No. 694-2163, "Application for Authorization to Act as a Dealer in Automotive and Related Vehicles." This form is Appendix E of the regulation. The form will be acceptable as an application only when the information the form requests is inserted in, or attached to, the form, and it is signed by the applicant or his authorized representative.

(ii) *Place of filing.* The application must be filed in the district office of the Office of Price Administration having jurisdiction of the area in which the place of business of the applicant is located. If applicant has a place of business in more than one district office area a separate application must be filed for each place of business with the district office having jurisdiction over the area in which the place of business is located. If the applicant has more than one place of business within one district office area, he shall file one application for the group of businesses in the area.

(iii) *Investigation of application.* Upon receipt of an application for dealer authorization, the authorized district office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information, as may be necessary to the disposition of the application.

(iv) *Disposition of application for dealer authorization by District Director.* The District Director of the district office having jurisdiction over the area in which the applicant's place of business is located shall either grant or deny by order an application for dealer authorization. The requirements that must be present before the grant shall be made are contained in (v) below. If they are not all present the application shall be denied.

(v) *Requirements for grant of application by District Director.* An application for authorization to sell as a dealer shall be granted if:

(a) The applicant is generally engaged in the business of acquiring for sale, selling, displaying, repairing and reconditioning used motorcycles; and

(b) The applicant has a place for selling and displaying used motorcycles; and

(c) The applicant has a shop and equipment for repairing and reconditioning which in general are adequate for placing used motorcycles in good operating condition as defined in section 7 (b) and for fulfilling the terms of the warranty in section 7 (c). (The location of the shop and equipment beyond a reasonable distance from the place of delivery of used motorcycles to purchasers, is one of the reasons why such facilities are not adequate); but

(d) In the case of an applicant who does not have the facilities described in (c) above, as a substitute for them, he may have a working arrangement, evidenced by a written contract, with a service supplier, who has adequate repairing and reconditioning facilities described in (c) above, whereby the service supplier will perform the reconditioning and make the replacements the applicant, as a dealer, is required to make to place a used motorcycle in good operating condition as defined in section 7 (b) or to fulfill the terms of the warranty in section 7 (c).

(vi) *Publicizing of dealer authorization.* Every person who receives an order authorizing him to sell as a dealer shall place this order in a conspicuous place in his place of business. Such a person shall also state on every Certificate of Transfer he prepares in accordance with the regulation the dealer authorization number which he shall receive in the dealer authorization order.

(2) *Revocation of dealer authorization*—(i) *General.* The District Director of a district office having jurisdiction over the area in which a dealer's place of business is located may by order revoke a dealer's authorization for the reasons stated in (ii) below. However, no order of revocation shall be effective unless the dealer against whom the order is directed was notified by registered mail or by personal service of the District Director's intention to revoke the authorization

[1] Filed as part of the original document.

[1] 10 F.R. 2658.

and the reasons for such action at least ten days prior to the issuance date of the revocation order, and had a reasonable opportunity prior to the issuance of the order to present information either orally or in writing to the District Director, or a responsible official in the district office designated by the District Director, to show that the authorization should not be revoked.

(ii) *Basis for revocation of dealer authorization.* An order granting a dealer authorization may be revoked if the District Director finds from substantial evidence that:

(*a*) When any one of the requirements in (b) (1) (v) was not in existence at the time the applicant filed his application although he represented in his application that the requirement was in existence; or

(*b*) When any one of the requirements in (b) (1) (v) is not in existence after the date of filing of the application; or

(*c*) When a person authorized to sell as a dealer does not comply with the provisions of the regulation which permit a markup of the base price and the allowance of $75 for side car, if any; or

(*d*) When repairing and reconditioning facilities are beyond a reasonable distance from the dealer's place of delivery of used motorcycles.

(3) *Request for review*—(i) *General.* Any person generally engaged in the business of selling used motorcycles whose application for dealer authorization has been denied, or whose dealer authorization has been revoked, by an authorized District Director of a district office may file with that district office a request for review by the Regional Administrator for the region in which the district office is located. The request for review shall be made on OPA Form 694-2350 set out in Appendix F and shall be filed not later than 60 days after the date on which the order of denial or revocation was mailed. Requests for review shall be deemed filed on the date received by the district office. However, requests for review addressed to the appropriate district office bearing a postmark dated within the 60 days after the date the order of denial or revocation was mailed which are received after the expiration of the 60 day period shall be considered filed within that period.

(ii) *Action on review.* After due consideration, the Regional Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation issued by the District Director. The person whose application has been reviewed or the person who has had the revocation of his dealer authorization reviewed, shall be informed by order of the action taken.

(iii) *Maximum prices of applicant for dealer authorization or of persons whose dealer authorization has been revoked*—(*a*) *Applicant for dealer authorization.* No applicant for dealer authorization shall charge prices higher than base prices in Appendix B plus the allowance of $75 for side car, if any, unless he is specifically authorized by order to charge maximum warranted prices in section 5 for warranted used motorcycles defined in section (7).

(*b*) *Person whose dealer authorization has been revoked by District Director of appropriate district office.* No person whose dealer authorization has been revoked shall charge prices higher than base prices in Appendix B plus allowance of $75 for side car, if any, unless he is specifically authorized by order to resume charging warranted maximum prices for warranted used motorcycles defined in section (7).

(4) *Protest of denial of application for dealer authorization or of revocation of dealer authorization.* When on request for review, the Regional Administrator issues an order denying an application for dealer authorization, or affirming a revocation of a dealer authorization, the applicant, or the person whose dealer authorization has been revoked, whichever the case may be, may file a protest against such order in accordance with the provisions of Revised Procedural Regulation No. 1. There is no specific statutory limit of time within which protests must be filed. However, if the filing of a protest is unduly delayed, the defense of laches (unreasonable delay) may be available to the Administrator. Where an order is issued denying an application for dealer authorization or revoking a dealer authorization ordinarily there will be no reason why a protest cannot be filed promptly after the order of denial is issued. Accordingly, if a protest is filed more than 90 days after the issuance of the order, the Administrator will ordinarily regard the delay as unreasonable and dismiss the protest unless special circumstances are shown which justify the delay.

(5) *Revocation of authorization to sell as dealers in effect prior to August 1, 1945.* Any and all authorizations to sell as dealers which were granted under section 16 (b) prior to its amendment by Amendment 3 either by the wording of that section alone or by its wording and a special authorization issued by the Office of Price Administration are revoked as of August 1, 1945.

2. A new Appendix E[1] is added.

3. A new Appendix F[1] is added.

This amendment shall be effective August 1, 1945.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the Federal Register are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10161; Filed, June 11, 1945; 11:49 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE TRANSPORTATION

[MPR 569, Amdt. 4]

MAXIMUM PRICES FOR USED MOTORCYCLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 569 is amended in the following respects:

The effective date provision of Amendment 2 to Maximum Price Regulation 569 is amended to read as follows:

This amendment shall become effective June 13, 1945, except as to section 11 and Appendices C and D it shall become effective July 10, 1945.

This amendment shall be effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10123; Filed, June 9, 1945; 4:14 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169,[1] Amdt. 55]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.401 (c) is amended to read as follows:

(c) *Maximum prices for custom slaughtering of cattle or calves.* (1) On and after June 15, 1945, regardless of any contract, agreement, or other obligation, no person shall custom slaughter cattle or calves as a service for the owner of such cattle or calves and no person in the course of trade or business shall cause cattle or calves to be custom slaughtered at a price higher than the maximum price permitted by paragraph (c) (2) hereof, and no person shall agree, offer, solicit or attempt to do any of the foregoing. The term "custom slaughter" or "custom slaughtering" wherever used in this paragraph (c) means the performance of an act or series of acts rendered, otherwise than as employee, in connection with the killing of cattle or calves for the owner thereof. The rental, leasing, sub-leasing, assignment or otherwise transferring of a packing or slaughtering plant or slaughtering facilities to the owner of cattle or calves killed in such plant or facilities shall be deemed an evasion of this paragraph (c) and is prohibited, unless such rental, lease, sublease, assignment or transfer is made to such owner as an individual corporation, partnership or agency of the United States government and (i) covers a definite, full-time and continuous period of not less than six months without the privilege of interim cancellation, (ii) is for a specified consideration notwithstanding the number or volume of cattle or calves slaughtered in such plant or facilities by the owner thereof, and (iii) grants full, complete and exclusive use and control of such plant or facilities to the owner of the cattle or calves other than the usual rights of inspection by the lessor.

(2) The maximum amount which may be charged or received by any person for the custom slaughtering of cattle or calves shall be determined as follows:

(i) If the packing or slaughtering plant at which the slaughtering service is performed is equipped with facilities for the commercial rendering of waste fats into tallows and greases, the custom slaughterer shall assume ownership of all edible and inedible by-products, including the hide (except in the case of calves, dressed, hide on) derived from the cattle or calves custom slaughtered by him and shall remit to the owner thereof, whichever is appropriate of the following amounts:

(All amounts are on dollars per cwt., dressed carcass, hot weight basis.)

Cattle	Grades	Weight classifications		
		Under 451 pounds	451 to 650 pounds	651 pounds up
(a) Steers, heifers, cows, stags and bulls	Choice or A A, Good or A, Commercial or B and Utility or C	$1.50	$1.90	$2.10
(b) Steers, heifers, cows and stags	Cutter and Canner or D	1.25	1.65	1.85
(c) Bulls (bologna)	Cutter and Canner or D	1.00	1.40	1.60

Calves		153 pounds and under	154 to 275 pounds
(d) Calves (hide off)	All grades	$3.60	$3.10
(e) Calves (hide on)	All grades	1.00	1.00

(ii) If the custom slaughterer is not subject to the provisions of subdivision (i) hereof, he shall assume ownership of all edible and inedible by-products, including the hide (except in the case of calves, dressed, hide on) derived from the cattle or calves custom slaughtered by him and shall remit to the owner thereof, whichever is appropriate of the following amounts:

(All amounts are on dollars per cwt., dressed carcass, hot weight basis.)

Cattle	Grades	Weight classifications		
		Under 451 pounds	451 to 650 pounds	651 pounds up
(a) Steers, heifers, cows, stags and bulls	Choice or A A, Good or A, Commercial or B and Utility or C	$0.85	$1.25	$1.45
(b) Steers, heifers, cows and stags	Cutter and Canner or D	.65	1.00	1.25
(c) Bulls (bologna)	Cutter and Canner or D	.50	.85	1.10

Calves		153 pounds and under	154 to 275 pounds
(d) Calves (hide off)	All grades	$3.05	$2.75
(e) Calves (hide on)	All grades	.50	.50

(3) On or after June 15, 1945, each person performing custom slaughtering of cattle and/or calves pursuant to this paragraph (c) shall keep for inspection by representatives of the Office of Price Administration, complete and accurate records for each transaction showing the name and address of the person for whom the custom slaughtering is performed, the date the service was performed, the total number and dressed (hot) weights of carcasses by grades, separately itemized for each class of cattle or calves and each carcass weight classification specified herein, and the amount remitted to the owner thereof pursuant to this paragraph (c).

2. Section 1364.405 (e) (2) (v) is added to read as follows:

(v) *Unreasonably low yield.* If the applicant obtains an unreasonably low yield in the production of frozen boneless beef (Army specifications) his higher direct labor costs due to such low yield shall be adjusted downward accordingly.

3. Section 1364.405 (f) is amended to read as follows:

(f) *Special adjustments affecting frozen boneless beef (Army specifications).* (1) Any person other than a slaughterer whose boning plant is located in Zone 1, 2, 8, 9 or 10 who shows by records covering his production of frozen boneless beef (Army specifications) during a sixty-day period that his gross margin, as determined herein, during such period was less than $0.75 per cwt. on a boneless basis, may apply for an adjustment of his applicable maximum f. o. b. boning plant price established in § 1364.452 (m) of this regulation. The sixty-day period shall cover an operating period ending not more than two weeks prior to the date of the filing of the application. As used herein the term "slaughterer" means a person who owns or controls in whole or in substantial part a slaughtering plant or facilities, or who is owned or controlled in whole or in substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities.

(2) Any application filed pursuant to this paragraph (f) shall be made on Form No. 636-2454, a copy of which is contained in § 1364.533 (Appendix H) of this regulation, and shall be accompanied by duplicate copies of Form No. 636-590 (Revised) (see § 1364.531 Appendix F for a copy) giving the information requested therein in Tables A, B and C relating to direct labor costs. The application shall be filed in duplicate with the appropriate regional office of the Office of Price Administration. The Regional Administrator shall, within 21 days after receipt of the application, issue an order either denying the application or granting it in whole or in part.

(3) If the amount of the gross margin per cwt. determined in Item 5 of the application (Form No. 636-2454) and as adjusted pursuant to subparagraph (f) (6) is less than $0.75 per cwt., an adjustment shall be granted in an amount sufficient to increase the gross margin up to $0.75 per cwt., except that in no event shall the amount of the adjustment exceed $1.50 per cwt.

(4) Any adjustment granted to an applicant under § 1364.405 (e), or under § 1364.405 (f) as it existed prior to June 9, 1945, shall be revoked as of the issuance of an order granting an adjustment to such applicant pursuant to this paragraph (f). Any order issued pursuant to this paragraph (f) shall be for a period of 90 days, but the Regional Administrator may amend or revoke the order if he deems such action necessary.

(5) Within 30 days of the expiration date of any order issued pursuant to this paragraph (f), the applicant, if he desires a further adjustment shall file another application in duplicate on Form No. 636-2454 in which he shall submit data covering a sixty-day period, or in the event that 60 days have not elapsed since the last adjustment was granted, for the period between the date on which the last adjustment was granted and 3 days prior to the filing of the application. In determining the amount of such further adjustment, the Regional Administrator shall be guided by the adjustment instructions provided in paragraph (f) (3) hereof.

(6) Notwithstanding any other provision of this paragraph (f) the appropriate Regional Administrator shall:

(i) in the event that the cost of packaging materials exceeds $0.75 per cwt. (boneless beef basis), adjust downward such cost to that amount, and

(ii) in the event that the reported labor cost exceeds the amount which may properly be considered under the provisions of § 1364.405 (e), adjust downward the labor cost in the manner prescribed therein.

(7) Any adjustment granted under this paragraph (f) shall be conditioned upon the keeping by the applicant of records covering his current operations, showing all the basic data required in the application form. These records shall be available for inspection by representatives of the Office of Price Administration.

(8) Following the issuance of an order pursuant to this paragraph (f), the Regional Administrator shall forward to the Administrator at Washington, D. C., for review, a copy of the application together with a copy of the order and such other data as were considered in connection with the application. After review, the Regional Administrator shall modify or revoke the order if the Admin-

[1] Filed as part of the original document.

[1] 9 F.R. 14294; 10 F.R. 2658.

istrator deems such modification or revocation appropriate. However, the provisions of the Regional Administrator's order shall remain in full force and effect until such time as they are modified or revoked.

4. Section 1364.405 (h) is added to read as follows:

(h) *"Group I ship chandler" adjustments affecting fabricated beef cuts and veal carcasses (War Shipping Administration specifications).* (1) Notwithstanding the pricing provisions of § 1364.452 (o) (1) (iii) and § 1364.467 (n) (1) (ii), pertaining to maximum prices for fabricated beef cuts and veal carcasses (War Shipping Administration specifications), the Price Administrator at Washington, D. C., may, by order, adjust the applicable zone prices established in § 1364.452 (o) (6) for beef and § 1364.467 (n) (6) for veal, for any "Group I ship chandler" (defined in § 1364.452 (o) (9) (iv)) who shows:

(i) That in the period covering the entire calendar or fiscal year of 1944, whichever period is used by the applicant for filing his Federal Income Tax return, at least 85% of his total dollar volume of sales consisted of sales of food items,

(ii) That during his most recent 3 month fiscal or calendar accounting period, his total dollar volume derived from the sale of all his products, including but not limited to food items, exceeding his total cost of products sold during such period (adjusted for inventory changes) by an amount which was less than 12½%, and

(iii) That no adequate alternative exists to the price adjustment, such as a reduction of other operating costs.

(2) Any applicant requesting a price adjustment under this paragraph (h) shall file a written application with the Price Administrator at Washington, D. C., in which he shall certify that he is a "Group I ship chandler" as defined in § 1364.452 (o) (9) (iv) of this regulation, that he meets the requirements of subparagraphs (1) (i) through (iii) above, and sets forth:

(i) His "annual total dollar volume" as computed in accordance with the provisions of § 1364.452 (o) (9) (vi) of this regulation.

(ii) His total dollar volume derived from the sale of food items only during the same period covered by subdivision (i) above,

(iii) The total cost of all products purchased by him (adjusted for inventory changes) during the three consecutive months specified in subparagraph (1) (ii) above, and his total dollar volume derived from sales of such products during the same period, setting forth the total dollar volume of sales of (*a*) all products, including foods, (*b*) foods, including all meats, (c) beef and veal, and (*d*) pork; and the total pounds of beef and veal, and pork, separately stated, sold during the same period.

In addition to the foregoing, each application shall be accompanied by a letter signed by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, certifying that the applicant is a "Group I ship chandler" as defined in § 1364.452 (o) (9) (iv) herein.

(3) Upon receipt of an application satisfying the requirements of paragraph (h) (2) hereof, the Price Administrator may, subject to such terms and conditions as he may deem necessary, adjust the maximum prices established for fabricated beef cuts and veal carcasses (War Shipping Administration specifications) for sales by the applicant to such an extent as to increase the applicant's gross operating margin percentage-wise to 12½% over cost of products sold, except that in no case shall an adjustment be granted in excess of 75 cents per hundredweight.

(4) If during any 3 consecutive calendar or fiscal months following the granting of an adjustment pursuant to this paragraph (h), the applicant's dollar volume sales of food items fall below 85% of his total dollar volume of sales of all products sold during such 3 months period, the adjustment granted shall be deemed null and void thereafter. If during any 3 month calendar or fiscal period or a fiscal or calendar year closing after the granting of an adjustment pursuant to this paragraph (h), the applicant's gross operating margin is more than 12½% of cost of products sold, the adjustment granted under this paragraph (h) shall be subject to revocation or modification.

(5) For purposes of convenience, an application filed under this § 1364.405 (h) may be combined with a similar application filed under the provisions of Revised Maximum Price Regulation No. 148.

5. A footnote reference 8 is added to appear after the words "licensed ship supplier" in item (vii) below Column I in the table of § 1364.452 (o) (6) and a footnote 8 is added to read as follows:

[8] A "Group II ship chandler" (defined in § 1364.452 (o) (9) (v)) may add $2.50 per cwt. to the table price, unless the meats were obtained from the "stockpile", in which case the "Group II ship chandler" may add $3.00 per cwt. to the table price.

6. Section 1364.452 (o) (9) is amended by the addition of subdivisions (iv), (v) and (vi) to read as follows:

(iv) A "Group I ship chandler" means a licensed ship supplier as defined in subdivision (ii) hereof (*a*) who does not engage in the fabrication of meats of any kind and who does not own or control in whole or substantial part any slaughtering plant or facilities and who is not owned or controlled in whole or substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities; (*b*) who has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products in addition to meats: butter, cheese, canned fruit and fruit juices and canned vegetables and vegetable juices; (c) who is currently engaged in the business of selling a complete line of foods and other products to ship operators, including but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish; and (*d*) whose "annual total dollar volume" of sales is $500,000.00 or more. (The term "annual total dollar volume" is explained in subdivision (vi) below.)

(v) A "Group II ship chandler" means a licensed ship supplier as defined in subdivision (ii) hereof who has met all the requirements of subdivision (iv) hereof for a "Group I ship chandler," except that his "annual total dollar volume" of sales shall be less than $500,000.00 and who has filed a statement with the appropriate regional office of the Office of Price Administration, signed by him and approved by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, setting forth that he meets each of the requirements of a "Group II ship chandler" as defined herein and setting forth in addition his annual total dollar volume of sales. The addition of $2.50 per cwt. or $3.00 per cwt., as the case may be, provided in the table of § 1364.452 (o) (6), (beef), and § 1364.467 (n) (6), (veal), for a "Group II ship chandler" shall not be taken until this statement has been filed as provided herein.

(vi) (*a*) The term "annual total dollar volume" means the total dollar volume of sales made by a ship chandler during the calendar or fiscal year 1944, whichever he uses for filing his Federal income tax return. All sales, whether of food or not, as shown on the books shall be used. The ship chandler's Federal income tax return shall be used to obtain the dollar volume of sales.

(*b*) If the ship chandler was engaged in business during only a part of the fiscal or calendar year of 1944, he shall divide his total dollar volume of sales from the time he began operations up to and including June 8, 1945, by the number of weeks he was in business. This will represent the weekly average dollar volume of sales. This figure shall be multiplied by 52 and the result shall be deemed to be his "annual total dollar volume."

(*c*) If the ship chandler started business after June 8, 1945, he shall be deemed to be a "Group II ship chandler." However, after he has been in operation for 3 months, he shall determine again what class he is in by taking his total dollar volume of sales for the three-month period and multiplying it by 4. The result will be his "annual total dollar volume."

7. A footnote reference 6 is added to appear after the words "licensed ship supplier" in Item (vii) below Column I in the table of § 1364.467 (n) (6) and a footnote 6 is added to read as follows:

[6] A "Group II ship chandler" (defined in § 1364.467 (n) (9) (v)) may add $2.50 per cwt. to the table price, unless the meats were obtained from the "Stockpile," in which case the "Group II ship chandler" may add $3.00 per cwt. to the table price.

8. Section 1364.467 (n) (9) is amended by the addition of subdivisions (iv), (v) and (vi) to read as follows:

(iv) A "Group I ship chandler" means a licensed ship supplier as defined in subdivision (ii) hereof (*a*) who does not engage in the fabrication of meats of any kind and who does not own or control in whole or substantial part any slaughtering plant or facilities and who is not owned or controlled in whole or substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities; (*b*) who has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products in addition to meats: butter, cheese, canned fruit and fruit juices, and canned vegetables and vegetable juices; (*c*) who is currently engaged in the business of selling a complete line of foods and other products to ship operators, including but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish; and (*d*) whose "annual total dollar volume" of sales is $500,000.00 or more. (The term "annual total dollar volume" is explained in subdivision (vi) below.)

(v) A "Group II ship chandler" means a licensed ship supplier as defined in subdivision (ii) hereof who has met all the requirements of subdivision (iv) hereof for a "Group I ship chandler", except that his "annual total dollar volume" of sales shall be less than $500,000.00 and who has filed a statement with the appropriate regional office of the Office of Price Administration, signed by him and approved by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, setting forth that he meets each of the requirements of a "Group II ship chandler" as defined herein and setting forth in addition his annual total dollar volume of sales. The addition of $2.50 per cwt. or $3.00 per cwt., as the case may be, provided in the table of § 1364.452 (o) (6), (beef), and § 1364.467 (n) (6), (veal), for a "Group II ship chandler" shall not be taken until this statement has been filed as provided herein.

(vi) (*a*) The term "annual total dollar volume" means the total dollar volume of sales made by a ship chandler during the calendar or fiscal year 1944, whichever he uses for filing his Federal income tax return. All sales, whether of food or not, as shown on the books shall be used. The ship chandler's Federal income tax return shall be used to obtain the dollar volume of sales.

(*b*) If the ship chandler was engaged in business during only a part of the fiscal or calendar year of 1944, he shall divide his total dollar volume of sales from the time he began operations up to and including June 8, 1945, by the number of weeks he was in business. This will represent the weekly average dollar volume of sales. This figure shall be multiplied by 52 and the result shall be deemed to be his "annual total dollar volume".

(*c*) If the ship chandler started business after June 8, 1945, he shall be deemed to be a "Group II ship chandler". However, after he has been in operation for 3 months, he shall determine again what class he is in by taking his total dollar volume of sales for the three month period and multiplying it by 4. The result will be his "annual total dollar volume".

9. The effective date of Amendment No. 54 to Revised Maximum Price Regulation No. 169 is changed from June 1, 1945, to June 14, 1945, with respect to § 1364.401 (c). To incorporate the change, the editorial note appearing after § 1364.401 (c) in the compilation to Revised Maximum Price Regulation No. 169, including Amendments 1-54, is amended to read as follows:

[Paragraph (c) (formerly (d), amended by Am. 3, 8 F.R. 491, effective 1-16-43; redesignated (d) and amended by Am. 4, 8 F.R. 4997, effective 4-3-43; Am. 6 F.R. 4844, effective 4-14-43; Am. 25, 8 F.R. 11298, effective 7-16-43; redesignated (c) and proviso amended by Am. 54, effective 6-14-45]

10. Section 1364.533 Appendix H is added to read as follows:

§ 1364.533 *Appendix H.*

OPA FORM 636-2471 (6-45) — Bureau of Budget Approval No. 08-R1413

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICE OF FROZEN BONELESS BEEF

(ARMY SPECIFICATIONS)

Pursuant to RMPR 169, § 1364.405 (f)

Name of firm .....

Address of plant for which adjustment is sought .....

Addresses of other plants at which applicant is producing frozen boneless beef (Army specifications) .....

Period covered by this application

From ..... 194.. to ..... 194..

1 | a. Amount of adjustment granted under § 1364.405 (f) | $ .....per cwt. | b. Amount of adjustment granted under § 1364.405 (f) | $ .....per cwt.

2. Total receipts from sales of frozen boneless beef (Army specifications) and by-products

		Grade	Pounds	Sales value
a	Receipts from sales or transfer value of frozen boneless beef (Army specifications)			
	1			$
	2			
	3			
	4			
	5	Total—All grades		

		By product	Pounds	Sales value
b	Receipts from sales or transfer value of by-products			
	1	Bones		
	2	Fat		
	3	Kidneys		
	4	Trimmings		
	5	Total		
c	Total sales (sum of items 2a (5) and 2b (5))			

3. Total direct expenses incurred in connection with production of frozen boneless beef (Army specifications)

a	Cost of carcass beef:			
	1	Invoice cost of beef	Wt. ..... lbs.	$
	2	Freight and hauling		
	3	Local delivery		
	4	Handling expense		
	5	Total		
b	Cost of packaging materials:			
	1	Boxes	No. of boxes	$
	2	Straps and seals		
	3	Wrapping paper		
	4	Total		
c	Freezer Costs:			
	1	Cartage to freezer		$
	2	Freezer		
	3	Total		
d	Direct labor			
e	Total direct expenses (Sum of items 3a (5), 3b (4), 3c (3) and 3d)			

4. Gross margin (item 2c minus item 3e)

5. Gross margin per cwt. (Divide item 4 by item 2a (5) and multiply by 100)

▲ A false certification is a criminal offense.

I certify that the information contained herein is true and correct.

Sign here.....

(Name of Company Official) (Title) (Date)

EXPLANATORY NOTES

1. *General use of Form.* This form must be submitted in duplicate to the appropriate regional OPA office. Copies of the form may be obtained from any regional office, or if no copies of the form are available, they may be reproduced by the applicant. All information requested in the form must be given. Duplicate copies of OPA Form No. 636-590 (Revised) must be submitted with this application.

2. *Period covered by the application.* The period covered by the application must be a full 60 day period ending within two weeks of the filing of the application, except that if 60 days have not elapsed since the last adjustment was granted, the application shall cover the period from the date the last adjustment was granted up to the third day prior to the filing of this application.

3. *Adjustments granted under § 1364.405, paragraphs (e) and (f). (Item 1).* If the applicant received an adjustment under § 1364.405 (e) for excessive direct labor cost, the amount of such adjustment should be entered in Item 1a. If there was one adjustment under this section during part of the period covered by the application and another adjustment during the remainder of the period covered by the application, a statement should be attached to the application showing the dates during which each adjustment was in effect. If the applicant received an adjustment under § 1364.405 (f), the amount of such adjustment should be entered in Item 1b. Enter the word "none" in Item 1a or 1b if no adjustment has been granted.

4. *Receipts from sales of frozen boneless beef (Army specifications) and from sale of by-products. (Item 2).* Enter separately in Item 2a the total weight of each type and grade of frozen boneless beef (Army specifications) produced during the period and delivered to the freezer and the total sales value of each type and grade. For example, choice grade boneless carcass beef should be listed separately from choice grade boneless hindquarter beef. To determine the sales value of each type and grade of beef, multiply the total weight of each type and grade by the current ceiling price for that type and grade specified in Section 1364.452 (m). In figuring sales value, do not include the adjustments, if any, granted under § 1364.405 (e) or § 1364.405 (f).

Enter separately in Item 2b the total weight of each type of by-product derived from the production of frozen boneless beef (Army specifications) during the period and the sales value of each of such by-products. The sales value of each of the by-products shall be obtained from the sale invoices if the by-products were sold. If the by-products were utilized by the applicant, the sales value shall be figured by using OPA ceiling prices.

5. *Total direct expense. (Item 3).* Enter in Item 3a 1 the total weight of beef (carcasses and or hindquarters) used during the period in the production of frozen boneless beef (Army specifications) and the actual invoice cost of such beef.

Enter in Item 3a 2 freight and icing charges actually paid to the common carrier which delivered the meat or to the seller for the initial icing of cars.

Enter in Item 3a 3 the total amount paid to sellers for local delivery.

Enter in Item 3a 4 the following expenses, if incurred: the cost of delivery of beef from the seller's plant to the applicant's boning plant, if the applicant used his own trucks and personnel to make such delivery, but in no event may such cost exceed the local delivery charge which the seller could have made. Handling expense may also include the expense incurred in bringing the carcass beef and/or hindquarters from the railroad car or motor truck into the applicant's boning plant.

Enter in Item 3b 1 the total number of boxes used during the period and the total cost of such boxes. The cost shall include the delivered cost of the boxes and the cost of the stitching wire or staples used in assembling the boxes. Boxing costs shall not include labor charges for assembling, stenciling or otherwise handling the boxes.

Enter in Item 3b 2 the total cost of the straps and seals used during the period. This amount may not include the wages paid to employees for putting straps on the boxes. If the strapping is done on a contract basis, an apportionment must be made between material and labor costs.

Enter in Item 3b 3 the cost of wrapping paper used during the period.

Enter in Item 3c 1 the cost of carting the frozen boneless beef (Army specifications) to the freezer. If the cartage is performed by commercial dray companies, the actual amount paid such companies may be included. If the applicant uses its own trucks and personnel for cartage, the wages paid the personnel and a fair rental value of the trucks may be included but in no event may such charges exceed 10 cents per hundredweight.

Enter in Item 3c 2 the total freezer charges for the frozen boneless beef (Army specifications) delivered to the freezer during the period. Where the freezing is done in commercial freezers, the entry shall be the charges made for freezing the first month's storage. If the freezing is done in the applicant's own freezer, the actual cost of such freezing may be entered, but in no event may such cost exceed commercial rates.

Enter in Item 3d total direct labor costs incurred in production of frozen boneless beef (Army specifications) during the period. This amount may include only wages paid to weighers, breakers, boners, trimmers, luggers, packers, strappers, grinders, box makers, porters and utility men in the boning room and other personnel in the boning room who are directly connected with the boning operations. This amount may not include wages or salaries paid to men on delivery trucks, supervisors or non-working foremen, office help or officers or executives.

6. *Gross margin. (Items 4 and 5.)* Obtain the entry for Item 4 by subtracting Item 3e from Item 2e. To obtain the entry for Item 5, divide the entry in Item 4 by the total number of pounds shown in Item 2a 5 and multiply by 100. If the entry in Item 4e exceeds the entry in Item 2e, the entries in Items 4 and 5 should be shown by a red figure or preceded by a minus sign (−).

7. *Certification.* The form shall not be submitted to the OPA until it has been properly certified by a responsible official of the company who shall have affixed his signature, official title, and the date in the spaces provided therefor.

This amendment shall become effective on June 9, 1945, except that the provisions of § 1364.401 (c) shall become effective on June 15, 1945.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10082; Filed, June 9, 1945; 11:36 a. m.]

PART 1389—APPAREL

[MPR 578,[1] Amdt. 4]

MAXIMUM PRICES FOR CERTAIN GARMENTS PRODUCED WITH WAR PRODUCTION BOARD PRIORITIES ASSISTANCE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 578 is amended in the following respects:

1. Section 2 (b) (1) is amended to read as follows:

(1) *Group I, garments formerly covered by the General Maximum Price Regulation.*[2] Group I consists of garments which were covered by the General Maximum Price Regulation prior to issuance of this regulation. For these garments the maximum prices shall be determined under the provisions of the General Maximum Price Regulation.

2. Section 2 (b) (4) is amended to read as follows:

(4) *Group IV, garments formerly covered by Revised Maximum Price Regulation 287.*[3] Group IV consists of garments which were covered by Revised Maximum Price Regulation 287 prior to issuance of this regulation. For these garments the maximum prices shall be determined under the provisions of Revised Maximum Price Regulation 287, except that a manufacturer or manufacturing-retailer of such garments may add to his direct cost of each garment under that regulation, the direct labor cost incurred in attaching labels as provided in section 6 (d) of this regulation.

This amendment shall become effective June 25, 1945. However, any manufacturer or manufacturing-retailer may begin to operate under this amendment on or after June 11, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10162; Filed, June 11, 1945; 11:50 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[4] Incl. Amdts. 1-100]

SHOES

This compilation of Ration Order 17 includes Amendment 100, effective June 15, 1945. Text added by Amendment 100 is underscored. Deletions are indicated by note.

Shoes were put under rationing control on February 7, 1943. This was done to protect then existing inventories and to prevent depletion of retail stocks. It was apparent that with heavy military demands on leather supply, civilian production under wartime conditions could not possibly keep up with demand.

[1] 10 F.R. 2388, 2756, 3052, 5794.
[2] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.
[3] 8 F.R. 9122, 10001, 10304; 9 F.R. 974, 12590.
[4] 8 F.R. 15839.

Retail inventories have decreased from 237 million on April 10, 1943, to 151 million on January 1, 1945. Total sales in 1944 were 307 million pairs against a production of 257 million pairs. The best available estimate of rationed shoe production for civilians for 1945 is approximately 235 million pairs. With the high purchasing power existing in the country today and civilian production of shoes limited because of military demands, it is evident that a severe shortage of shoes would exist if consumer buying were not controlled through rationing.

The civilian supply of leather continues to be very low, and it is impossible to forecast when the time will come that rationing of shoes will no longer be necessary.

From time to time it has been necessary to amend the original ration order for purposes of making it more workable and to take care of needs of consumers and the trade. Since the ration order was issued Stamps No. 17 and 18 in War Ration Book One have been used for shoes, but have since been invalidated. Stamps No. 1, 2 and 3 in War Ration Book Three were validated on November 1, 1943, May 1, 1944, and November 1, 1944, respectively, and these stamps are still valid.

[Preamble amended by Am. 46, 8 F.R. 15839, effective 11-24-43 and Am. 98, 10 F.R. 6453, effective 6-4-45]

§ 1404.101 *Rationing of shoes.* Under the authority vested in the Office of Price Administration and the Price Administrator by Executive Order 9125 issued by the President on April 7, 1942, by Directive 1 and Supplementary Directive 1-T of the War Production Board, issued January 24, 1942, and February 7, 1943, respectively, this Ration Order 17 (Shoes) which is annexed hereto and made a part hereof, is hereby issued.

ARTICLE I—HOW CONSUMERS BUY SHOES

Sec.
1.1 Buyer must give up evidence of his right to buy shoes.
1.2 How war ration stamp is used.
1.3 War ration book turned over to boarding house may be returned to get shoes.
1.4 Consumers may get special ration in certain cases.
1.4a [Revoked.]
1.4b [Revoked.]
1.4c [Revoked.]
1.5 How to get extra shoes for one's own use.
1.6 How special shoe stamp is used.
1.7 Employers, institutions, and recreational facilities.
1.8 How certificates may be used.
1.9 [Revoked.]
1.10 Consumer may exchange new shoes and may get Special Shoe Stamp to replace defective shoes.
1.11 District Office may issue ration currency to welfare agency.
1.12 Anyone may acquire used shoes.
1.13 Anyone may acquire non-rationed shoes.
1.14 Members of Armed Services and of Maritime Service, and civilians required to wear regulation army uniform overseas, may acquire shoes.
1.15 Erasures, changes, and mutilation invalidates stamps and certificates.
1.16 What war ration stamps are for shoes.
1.17 Gifts of shoes by consumers.

ARTICLE II—HOW THIS ORDER AFFECTS THE TRADE

Sec.
2.1 [Revoked.]
2.2 [Revoked.]
2.3 Establishments must file inventory.
2.4 What establishments must open ration bank accounts.
2.5 How to open a shoe ration bank account.
2.6 Distributors may get initial allowance and registration number.
2.7 Establishments may deal in shoes.
2.8 Distributors having no ration bank account use ration currency.
2.9 How to deposit ration currency.
2.10 Refunds to consumers and to other establishments.
2.11 Shoes which are nonrationed.
2.12 Shoes may be used for wear-testing or as samples.
2.13 Establishments must keep records; accountability.
2.14 Manufacturer's report; acquisition of shoes by manufacturers.
2.15 Replacement certificates may be issued to distributors.
2.16 New businesses may get inventory allowance.
2.17 Establishments may get increased inventory.
2.18 Establishments must mark certain shoes.
2.19 Shoes may be acquired for testing.
2.20 Transfers to and by the Procurement Division of the Treasury Department.
2.21 Ration bank accounts shall be opened by District Offices and the National Office.
2.22 Rationed shoes which may be transferred without ration currency on certain conditions.

ARTICLE III—GENERAL PROVISIONS

Other Transfers Permitted

Sec.
3.1 Transfers to carriers, warehouses, and repair shops permitted.
3.2 Transfer of damaged, lost, or stolen shoes permitted.
3.3 Transfer by operation of law or for security purposes permitted.
3.4 Shoes may be imported.
3.5 How shoes may be exported.
3.6 Shoes may be transferred to exempt persons.
3.7 Closing and transfer of businesses and institutions.

Prohibited Acts Relating to Shoes and Certificates

3.8 Transfer of shoes is prohibited.
3.9 Other prohibitions.

Appeals and Suspension Orders

3.10 Persons affected may appeal.
3.11 Violators may lose right to rationed products.

Scope of Ration Order No. 17

3.12 Where this order applies.

Definitions

3.13 Terms explained.

APPENDIX A

AUTHORITY: § 1404.101 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supplementary Directive No. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719.

ARTICLE I—HOW CONSUMERS BUY SHOES

(This part tells all one must know to get shoes for use)

SECTION 1.1 *Buyer must give up evidence of his right to buy shoes.* A person who wants to buy or otherwise acquire shoes for use may do so if he first gives the seller or other person making the transfer valid shoe ration currency. The ration currency used by a consumer may be a "war ration shoe stamp," a "special shoe stamp," or a "certificate." Ration currency may be used only to get shoes for the person for whom it was issued, except that a war ration stamp issued to a member of a family may be used to get shoes for any member of his family. Ration currency may be used during the time and in the way this order permits but not otherwise. A stamp having an expiration date and sent by a consumer to an establishment with a mail order is considered used within its valid period, if the envelope in which it is enclosed is postmarked within the time it is valid for consumer use. (Some words are used in this order with a special meaning. Examples are "acquire", "transfer", "person", "family", and "stamp". These terms are fully explained in section 3.13.)

[Section 1.1 amended by Am. 21, 8 F.R. 8064, effective 6-11-43 and Am. 74, 9 F.R. 10589, effective 9-2-44]

SEC. 1.2 *How war ration stamp is used.* (a) Everyone who has a valid war ration book may use each shoe stamp in it to get one pair of shoes. Section 1.16 tells what war ration stamps are for shoes and when they may be used. The stamp must be torn out of the war ration book in the presence of the supplier or his employee or a person making the delivery for him either when the shoes are ordered or when they are delivered. If the war ration stamp is removed in any other manner or at any other time it is void. However, when a consumer orders shoes by mail and he or his agent does not personally select or receive the shoes at his supplier's place of business, the consumer may tear out the stamp and send it by mail with his order but the supplier may not deliver the shoes until he has received the stamp.

[Paragraph (a) amended by Am. 31, 8 F.R. 11445, effective 8-16-43, Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 46, 8 F.R. 15839, effective 11-24-43]

(b) Any consumer who has inadvertently detached a shoe stamp from his War Ration Book or who did so without knowing this action rendered the stamp void for over-the-counter transfers, may surrender it to the Board during the time it is valid for shoes and the Board may issue him a special shoe stamp in exchange. The Board shall write on the stamp the serial number of the War Ration Book from which the stamp has been detached.

[Paragraph (b) added by Am. 37, 8 F.R. 12548, effective 9-15-43; amended by Am. 44, 8 F.R. 15191, effective 11-9-43; and Am. 74, 9 F.R. 10589, effective 9-2-44]

SEC. 1.3 *War ration book turned over to boarding house may be returned to get shoes.* A person who has turned his war ration book over to a boarding house, hospital, or a similar institution when required by any ration order may get it back to use it to get shoes if the institu-

tion does not furnish his shoes. However, he must return it promptly.

[Sec. 1.3 amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 1.4 *Consumers may get special ration in certain cases.* (a) *Consumers not eligible for War Ration Books may get special shoe stamps.* (1) Any individual consumer who is in the United States and who does not have and is not eligible for a War Ration Book 3, and who is not eligible for shoe rations under the next paragraph or under section 1.14 may obtain a special shoe stamp, on written application to a District Office or to a Board designated by the District Office. However, a resident of an institution of involuntary confinement may not apply if shoes are furnished him by the institution, and no consumer may apply under this section if he has made a previous application, or has obtained a special shoe stamp, since the last war ration shoe stamp became valid. The applicant shall appear in person and a separate application shall be made for each applicant, except that an application may be made by an agent for any or all eligible consumers who are confined in an institution of involuntary confinement within the United States. The application need not be in any prescribed form, but shall contain all information needed to establish the eligibility of each applicant.

[Subparagraph (1) amended by Am. 73, 9 F.R. 9901, effective 8-18-44]

(2) In issuing a stamp under this paragraph, the District Office or Board shall write on it the words "No Book".

[Subparagraph (2) amended by Am. 74, 9 F.R. 10589, effective 9-2-44]

(b) *Certain residents of Mexico may get special shoe stamps.* (1) Any person who resides in Baja California, Mexico, within 90 kilometers of the border between Mexico and the United States, or in any other part of Mexico, within 20 kilometers of the border, may apply for a special stamp to acquire shoes in the United States, if he meets the need requirements of section 1.5. The application shall be made by the applicant, or a duly authorized agent, on OPA Form R-1714, to the Board whose office is nearest his customary point of entry into the United States. One application form shall be filed for each applicant. The application must contain or be accompanied by all information needed to establish the applicant's eligibility. The applicant and the agent, if any, must appear before the Board in person. However, the Board may excuse the applicant's appearance if it finds that this requirement would cause him undue hardship. The application shall be accompanied by a currently valid "immigration document" for the applicant or one on which he is regularly listed or shall contain information necessary to show why he does not have, or is not listed on, such a document. If an "immigration document" is presented, it shall be returned by the Board to the applicant or his agent after the Board has examined it.

(2) If the application is accompanied by the required "immigration document", the Board may issue to the applicant one special shoe stamp (OPA Form R-1708A), if he meets the need requirements of section 1.5 and satisfies the other requirements of subparagraph (1). However, the Board may not issue to the applicant more than one special shoe stamp in any period between the opening validity date of one war ration shoe stamp and the opening validity date of the next war ration shoe stamp. If a second special shoe stamp is applied for in that period, the Board shall forward the application to the District Office together with the Board's recommendations and a statement that the required "immigration document" has been submitted.

(3) If the application is not accompanied by the required "immigration document", the Board shall not grant the application, but shall forward it to the District Office, together with the Board's recommendations.

(4) If the District Office finds with respect to an application forwarded to it under subparagraph (2) or (3) that the applicant satisfies the need requirements of section 1.5 and the provisions of subparagraph (1) and that he has a currently valid "immigration document" or is regularly listed on one, or that he is not entitled to have or be listed on one, the District Office shall approve the application and return it to the Board with instructions to issue the stamp. If the applicant is not entitled to have, or be listed on, an "immigration document", the District Office shall also instruct the Board to insert the word "waived" on the stamp.

(5) The Board shall insert on each stamp issued under this paragraph the word "Mexico", the date on which the stamp expires (which shall be 30 days from the date of issuance) and the serial number of the "immigration document", if any. The Board shall mark on the "immigration document" the letter "S" and the date of issuance of the stamp.

[Paragraph (b) amended by Am. 62, 9 F.R. 6233, effective 7-1-44]

(c) *Special shoe stamps may be issued for prisoners of war and internees outside the United States.* (1) The nearest relative or other agent of a United States citizen or member of the armed services of the United States who is interned in a foreign country, or held as a prisoner of war by an enemy nation, may obtain a special shoe stamp from his Board to permit him to buy shoes to send to the internee, or prisoner of war.

(2) The stamp may be obtained on written application to the Board, accompanied by a document showing that the person for whom the application is made is interned or held as a prisoner of war by a foreign country. If a stamp is issued on the application, the Board shall so indicate on the document supporting the application unless it is retained with the application. The Board should write on each stamp issued the words "No Book."

[Subparagraph (2) amended and (3) revoked by Am. 74, 9 F.R. 10589, effective 9-2-44]

(d) *Stamps issued to imported laborers.* (1) Any person who is or has been brought into the continental United States by a federal government agency who has not been issued a War Ration Book 3 or who has surrendered it in accordance with General Ration Order 12[1] shall be eligible for one special shoe stamp in each period between the opening validity date of one war ration shoe stamp and the opening validity date of the next war ration shoe stamp. A special shoe stamp shall be issued to each such person by the federal government agency or employer contracting for such services, or by a local Board or other office of the Office of Price Administration, upon the authorization and instructions of the National office of the Office of Price Administration. The person authorized to issue a stamp under this paragraph shall write on it the words "No Book".

[Paragraph (d) added by Am. 72, 9 F.R. 9355, effective 8-5-44 and amended by Am. 74, 9 F.R. 10589, effective 9-2-44]

[Sec. 1.4 amended by Am. 1, 8 F.R. 2040, effective 2-13-43; Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 44, 8 F.R. 15181, effective 11-9-43]

SEC. 1.4a [Revoked].

[Sec. 1.4a added by Am. 8, 8 F.R. 3948, effective 3-29-43, amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and revoked by Am. 44, 8 F.R. 15181, effective 11-9-43]

SEC. 1.4b [Revoked].

[Sec. 1.4b added by Am. 13, 8 F.R. 5567, effective 4-26-43, amended by Am. 36, 8 F.R. 12547, effective 9-15-43, Am. 41, 8 F.R. 14560, effective 10-30-43 and revoked by Am. 44, 8 F.R. 15181, effective 11-9-43]

SEC. 1.4c [Revoked].

[Sec. 1.4c added by Am. 26, 8 F.R. 9422, effective 7-8-43 and revoked by Am. 44, 8 F.R. 15181, effective 11-9-43]

SEC. 1.5 *How to get extra shoes for one's own use.* (a) Any person residing in the United States for a period of sixty days or more, or who is in the United States in connection with work related to the war, who needs extra shoes may get a special shoe stamp to permit him to get the extra shoes he needs. He should apply to the War Price and Rationing Board serving the area in which he lives, on OPA Form R-1703. A person who needs safety shoes may apply on Form R-1712. If it is impracticable for him to apply at the proper Board, any Board may, in its discretion, accept and act on his application. In cases of emergency where an applicant has immediate need for shoes, and it is impractical for him to apply at a local Board, any District Office may issue him the

[1] 8 F.R. 7453, 11514, 17183; 9 F.R. 6504, 9355, 10706, 11760.

necessary stamps. He may mail or bring his application to the Board or may have someone else do so for him. In most cases, the applicant must sign the application himself, but if he is a minor, is legally incompetent, or is physically unable to sign it himself someone else may sign it as his agent. The Board may require the applicant to appear before it to give more information before acting on the application and may deny an application of a person who has acquired or transferred shoes in violation of this order. A separate application shall be made for each applicant except that one application may be made by an agent for any or all eligible consumers who are confined in a state or federal institution or any institution of involuntary confinement within the United States. Such a multiple application may be filed with the District Office and need not be on any prescribed form, but shall contain all information needed to establish the eligibility of each applicant.

[Paragraph (a) amended by Am. 37, 8 F.R. 12548 effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 59, 9 F.R. 5254, effective 5-20-44; Am. 63, 9 F.R. 6647, effective 6-19-44 and Am. 97, 10 F.R. 5994, effective 5-28-45]

(b) Except for some special reason, everyone will be given the right to buy all the shoes he needs for ordinary wear by using the stamps in his war ration book. Therefore, a person does not have "need" for extra shoes: (1) if the kind of shoes he wants are non-rationed or are furnished him by his employer or by an institution; or (2) if he has two or more pairs of wearable (or repairable) shoes of the kind wanted or which he could use for the same purpose; or (3) if he wants them simply for recreational or non-professional gymnasium use, sportswear or to maintain his personal appearance; or (4) if he already has valid shoe ration currency, or he can obtain a war ration stamp from a member of his family, which he could use to get the shoes he wants. The Board or District Office may also find that "need" does not exist if it would not be a hardship for the applicant to wait until his next shoe stamp is valid to get the shoes he wants or if he can get a certificate under section 1.14. However, an applicant applying for safety shoes required to protect his health or safety because of the conditions under which he works, may be found to have "need" for them even though a member of his family has a War Ration Shoe Stamp which the applicant could use.

[Paragraph (b) amended by Am. 5, 8 F.R. 3971, effective 3-24-43; Am. 46, 8 F.R. 15839, effective 11-24-43; Am. 59, 9 F.R. 5254, effective 5-20-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(c) If the applicant's occupation requires him to be away from home for a long period of time, in a locality where he has no access to establishments selling shoes, or in a foreign country, the Board or District Office may issue him special shoe stamps to permit him to buy the number of pairs he will need during such time. The Board or District Office will take into account any stamps he has but not those of other members of his family.

[Paragraph (c) added by Am. 44 and amended by Am. 59, 9 F.R. 5254, effective 5-20-44 and former (c) redesignated (d) by Am. 44]

(d) If a special shoe stamp is issued, the Board or District Office shall write on it the serial number of the applicant's War Ration Book 3 or, if he has none, the words "No Book". However, in cases of emergency where the applicant has immediate need for safety shoes to continue his work and does not have his Book with him, the Board may write the name of the applicant on the stamp in place of the serial number of the Book. If the application is for a stamp to secure safety shoes the words "Safety Shoes" shall be written on the stamp. If a Board desires to specify the use to which a stamp may be put when secured for shoes other than safety shoes, it shall write on the stamp the words "Men's Use", "Women's Use", or in the case of a stamp issued to a child under 14 years of age, the words, "Children's Use".

[Paragraph (d), formerly (c) amended by Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 59, 9 F.R. 5254, effective 5-20-44; Am. 73, 9 F.R. 9901, effective 8-18-44; Am. 74, 9 F.R. 10589, effective 9-2-44 and Am. 79, 9 F.R. 12039, effective 10-6-44]

(e) No applicant may receive a stamp under this section if he is entitled to but has not received a stamp under section 1.4, or a War Ration Book 3. A stamp may not be issued under this section to a person entitled to apply for replacement of a War Ration Book 3 under Procedural Regulation No. 12 unless the applicant will suffer undue hardship if he is forced to wait for shoes until his War Ration Book is replaced or unless he has been denied replacement of the Book by the Board. When the Board subsequently issues a War Ration Book 3 to a person who has received a stamp under this paragraph, it shall remove from the War Ration Book one currently valid shoe stamp for each stamp so issued. (However, this requirement shall be deemed satisfied if all currently valid shoe stamps have been removed under this paragraph and Procedural Regulation No. 12.)

[Paragraph (e) added by Am. 78, 9 F.R. 11763, effective 9-29-44]

SEC. 1.6 *How special shoe stamp is used.* A consumer who gets a special shoe stamp in a way permitted by this order may use it to get one pair of shoes, but where the use to which the stamp may be put is specified on the stamp, it is not valid for any other use. Before using the stamp the consumer must write on it the serial number of his War Ration Book 3 or, if he has none, the words "No Book", unless the serial number of his war ration book or the words "No Book" or the name of the consumer is already written on the stamp. If a serial number is written on a stamp the consumer must show his war ration book having the same serial number to the person to whom he gives the stamp, except when he sends it with a mail order. A special shoe stamp which is not marked "Mexico" is valid for consumer use at any time regardless of date of issuance. A special shoe stamp marked "Mexico" is valid for consumer use for thirty days after the date of issue.

[Sec. 1.6 amended by Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 73, 9 F.R. 9901, effective 8-18-44; Am. 74, 9 F.R. 10589, effective 9-2-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 1.7 *Employers, institutions, and recreational facilities.* (a) *Employers and institutions may get shoes.* (1) Any employer who furnishes his employees with special shoes necessary for the performance of their jobs; any educational institution that furnishes its students with shoes of a special type required for athletic activities (including physical training); or any correctional or charitable institution that furnishes shoes to its residents may get a ration check or special shoe stamps to acquire the number of pairs of shoes it needs for that purpose. To get the ration check or special shoe stamps, the employer or institution should apply (on OPA Form R-1702) to the District Office for the area where the institution, or the employer's principal business office is located. In emergencies, however, any District Office may accept and act on the application. The applicant shall furnish all the information called for by the form prescribed or needed to establish the eligibility and need for the number of pairs applied for. If a special shoe stamp is issued, the District Office will write on it the words "No Book".

[Subparagraph (1), formerly paragraph (a) amended by Am. 15, 8 F.R. 6046, effective 5-7-43; Am. 39, 8 F.R. 13301, effective 10-2-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 58, 9 F.R. 4391, effective 4-27-44; Am. 74, 9 F.R. 10589, effective 9-2-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

[Section heading added; former section heading designated as paragraph (a), and former (a), (b), (c), and (d) redesignated as subparagraphs (1), (2), (3), and (4) by Am. 44, 8 F.R. 15181, effective 11-9-43]

(2) An employer or educational institution may get a ration check or special shoe stamps for not more than the number of pairs of shoes needed to give it a total supply of wearable shoes of the kind desired (including any already owned, whether in use or not, that are wearable or that can be repaired) equal to one pair for each employee or student to be supplied, plus a reserve of 50 percent.

[Subparagraph (2), formerly paragraph (b) amended by Am. 6, 8 F.R. 3853, effective 4-2-43; Am. 15, 8 F.R. 6046, effective 5-7-43; Am. 44, 8 F.R. 15181, effective 11-9-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(3) A charitable or correctional institution may get a ration check or special shoe stamps under this section for not more than the number of pairs of shoes needed of the kind applied for or a kind

that could be used for the same purpose to give it a total supply of wearable shoes (including any already owned, whether in use or not, that are wearable or that can be repaired) equal to two pairs of shoes for each resident to be supplied, plus a reserve of 50 percent.

[Subparagraph (3), formerly paragraph (c) amended by Am. 6, 8 F.R. 3853, effective 4-2-43; Am. 15, 8 F.R. 6046, effective 5-7-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(4) An employer or institution that gets shoes under this section or section 3.6 may let its employees, students, or residents, as the case may be, use the shoes but it must keep title to them. However, if a resident of a charitable or correctional institution leaves the institution, it may give him the shoes he has been wearing to take with him and, if it is the custom of the institution, it may give him a new pair of discharge shoes. Upon the termination of an employee's contract of employment and after collecting ration currency from the employee, an employer may, without registering as an establishment, transfer to the employee the shoes he has been wearing. It shall surrender all ration currency so received to the District Office within five days.

[Subparagraph (4), formerly paragraph (d) amended by Am. 15, 8 F.R. 6046, effective 5-7-43; Am. 59, 9 F.R. 5254, effective 5-20-44 and Am. 75, 9 F.R. 10984, effective 9-9-44]

(5) An institution receiving ration currency under this paragraph may, with the approval of the Office that supplies the ration currency, open a shoe ration bank account. An institution that has opened an account under the authority of this section may use ration checks to acquire shoes and may also continue to receive and use special shoe stamps to acquire shoes if it so desires.

[Subparagraph (5) added by Am. 50, 9 F.R. 573, effective 1-17-44]

(6) A department of a State Government may apply to the District Office for the area where the State Capital is located for all shoe stamps or a ration check needed to acquire shoes to be furnished to residents of any eligible institution for which the department procures shoes. One application may be made for all such institutions but in such case, a list shall be attached to the application showing the number of residents who are furnished shoes by each institution for which application is made and the number of pairs of shoes owned by that institution. If application is made for an institution in this manner, it shall not make application to any other District Office. Any shoes which a state institution has in stock may be transferred to another state institution without the collection of ration currency and without registering the institutions as establishments if shoes are procured for the institutions by the same department of the State.

[Subparagraph (6) added by Am. 58, 9 F.R. 4391, effective 4-27-44, amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) *Employer may get stamps for safety shoes.* (1) Any employer having employees who require safety shoes for the protection of their health or safety may make application to, and upon approval obtain from, the District Office the number of special shoe stamps necessary to allow the acquisition by his employees of a two months' supply of safety shoes. However, the District Director may refuse such application if he determines that the plant is adequately served by a Plant Area Board. The employer shall apply in writing and shall furnish to the District Office all information necessary to show his eligibility and the number of stamps required during the two month period.

[Subparagraph (1), formerly paragraph (a) of Sec. 1.7a, amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 87, 10 F.R. 521, effective 1-16-45]

(2) Any employer acquiring stamps under this section shall appoint some person or committee to issue the stamps to his employees and shall notify the District Office of the appointment and obtain its approval of the appointment. The person or committee so appointed shall have no connection with the sale of safety shoes and the place at which stamps are issued may not be in the same part of the plant as a location where safety shoes are sold. When a stamp is issued to an employee by such person (or committee), he shall write on it the words "Safety shoes", and the number of the employee's War Ration Book 3 or, if the employee does not have a War Ration Book 3, he shall write on it the words, "No book." However, in cases of emergency where the applicant has immediate need for safety shoes to continue his work and does not have his Book with him, the person (or committee) may write the name of the applicant on the stamp in place of the serial number of the Book. A stamp may be issued only to an employee who has filled out an application under section 1.5 and who meets the need requirements of section 1.5. These individual applications shall be filed by the employer with the District Office when he makes his next application under this section. Application may be made by the employer before he has exhausted his supply of stamps but he must state in his application the number of stamps he has on hand and the number of individual applications he is forwarding.

[Subparagraph (2), formerly paragraph (b) of Sec. 1.7a, amended by Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 73, 9 F.R. 9801, effective 8-18-44; Am. 74, 9 F.R. 10589, effective 9-2-44 and Am. 79, 9 F.R. 12039, effective 10-6-44]

[Former paragraph (c) of Sec. 1.7a revoked by Am. 37, 8 F.R. 12548, effective 9-15-43]

[Paragraph (b), formerly Sec. 1.7a, added by Am. 7, 8 F.R. 4129, effective 4-5-43 and redesignated paragraph (b) of Sec. 1.7 by Am. 44]

(c) *Operators of recreational facilities may obtain athletic shoes for rental.* (1) Any person operating a bowling alley open to the general public or operated primarily for use by members of the armed services may obtain a ration check in an amount sufficient to enable him to have in stock, for loan or rental to his patrons, ten pairs of bowling shoes per alley for the first four alleys and seven pairs of bowling shoes per alley for every alley above four.

(2) A person operating any other recreational facility open to the general public or operated primarily for use by members of the armed services may obtain a ration check to acquire the number of pairs of athletic shoes of a particular type needed to maintain the supply of such shoes which he had on February 7, 1943 for loan or rental to his patrons.

(3) Application should be made (on OPA Form R-1702) to the District Office for the area in which the shoes are to be used and should contain all information needed to establish eligibility under subparagraph (1) or (2) above and the number of pairs for which he is eligible. Shoes acquired under this paragraph and shoes held for loan or rental on February 7, 1943, may be loaned or rented without collecting ration currency. However, they may not be loaned or rented to any person for use off the applicant's premises nor for a period longer than twelve hours at a time to the same person. The applicant must keep title to the shoes and they may not be transferred as "used" shoes under section 1.13.

[Paragraph (c), formerly Sec. 1.7b, added by Am. 24, 8 F.R. 9062, effective 7-7-43, redesignated paragraph (c) of Sec. 1.7 by Am. 44. Former paragraphs (a), (b) and (c) redesignated subparagraphs (1), (2) and (3); amended by Am. 93, 10 F.R. 2757, effective 3-16-45)]

(d) *Employers and institutions may dispose of shoes.* (1) If an employer or institution discontinues furnishing shoes to its employees, residents or students, or if it has worn shoes which can no longer be used by its employees, students or residents for the purposes for which it furnishes shoes to them it may make application to the District Office to transfer such worn shoes ration-free, without registering as an establishment. The application shall state the number of employees, students or residents who are furnished shoes, the number of pairs of shoes acquired since February 7, 1943, the condition of the shoes sought to be transferred ration-free and the reasons why they can no longer be used or that the employer or institution is no longer furnishing shoes. If the District Office is satisfied that the worn shoes sought to be transferred ration-free cannot be worn by the applicant's employees, students, or residents for the purposes for which it furnishes shoes to them, or that it has in fact discontinued the furnishing of shoes to its employees, students or residents, it shall issue to the applicant a written authorization to transfer such shoes as non-rationed without registering as an establishment. However, such shoes may not be transferred as non-rationed if the price charged for them is more than fifty percent of the price paid for them by the applicant. For the purposes of this subparagraph, "price paid" means the invoice price paid by the employer or institution, plus any separable transportation expense (a charge for freight or postage not included in the invoice price). In determining the price paid, a cash or trade discount need not be deducted from the invoice price.

(2) If an employer or institution has odd lot shoes on hand which it desires to transfer or if it discontinues furnishing shoes to its employees, students or residents and desires to transfer its stock of new shoes, it may make application to the District Office for permission to transfer such shoes without registering as an establishment. The application shall state the number of shoes on hand, and in the case of odd lot shoes sought to be transferred, their size and type. If the District Office is satisfied that the applicant is in fact discontinuing the furnishing of shoes for the use of its employees, students or residents, or that the shoes it desires to transfer cannot be used by its employees, students or residents, the District Office shall send the applicant a written authorization to transfer the shoes for ration currency, without registering as an establishment. The applicant shall surrender all ration currency so received to the District Office within five days.

(3) If an employer or institution desires to resume the furnishing of shoes to its employees, students or residents, after having discontinued this practice in accordance with the provisions of subparagraph (1) or (2) above, it may apply to the District Office for stamps or a ration check. The District Office may grant the application only if it determines that there has been a substantial change in circumstances (other than the disposition of shoes under subparagraphs (1) or (2)) leading to the decision by the employer or institution to resume furnishing shoes for the use of its employees, students or residents.

[Paragraph (d) added by Am. 75, 9 F.R. 10984, effective 9-9-44; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(e) *American National Red Cross may get special shoe stamps.* (1) The National Office of the American Red Cross may make application to, and upon approval obtain from, the National Office of the Office of Price Administration, the number of special shoe stamps necessary to allow it to issue the necessary number of shoe stamps to its employees assigned to overseas service during a two-month period. The National Red Cross shall apply in writing and shall furnish information necessary to show the number of stamps required during the two-month period.

(2) The American National Red Cross shall appoint some person to issue the stamps to its employees who are given overseas assignments. When a stamp is issued to a Red Cross employee by such person, he shall write on it the number of the employee's War Ration Book Three or if the employee does not have a War Ration Book Three, he shall write on it the words, "No Book." A stamp may be issued only to an employee who has been given an overseas assignment, who has filled out an application under Sec. 1.5 and who meets the need requirements of Sec. 1.5. These individual applications shall be filed by the National Red Cross with the National Office of the Office of Price Administration when it makes its next application under this section. Application may be made by the American National Red Cross before it has exhausted its supply of stamps but it must state in its application the number of stamps it has on hand and the number of individual applications it is forwarding.

[Paragraph (e) added by Am. 97, 10 F.R. 5994 effective 5-28-45]

SEC. 1.8 *How certificates may be used.* A member of the armed services who receives a certificate (OPA Form R-1705B) in a way permitted by this order, may use it at any time to get one pair of shoes regardless of the date on which it was issued. It may be used by consumers only by or for the member of the armed service to whom it was issued. If it is sent by a consumer with a mail order, the shoes may be delivered only to the name and address written on the certificate.

[Sec. 1.8 amended by Am. 37, 8 F.R. 12548, effective 9-15-43; Am. 57, 9 F.R. 3944, effective 4-15-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 1.9 [Revoked.]

[Sec. 1.9 revoked by Am. 37, 8 F.R. 12548, effective 9-15-43]

SEC. 1.10 *Consumer may exchange new shoes and may get Special Shoe Stamp to replace defective shoes.* (a) Any consumer may return new shoes (including infants' shoes in sizes 0-4 returned after May 1, 1945) to the establishment from which he got them and with the latter's consent may get another pair in exchange or may get back a special shoe stamp if the establishment accepts the shoes returned and also refunds the full purchase price. New shoes (other than infants' shoes in sizes 0-4) which were non-rationed when transferred but which have been given a ration status since the time of purchase may be returned to the establishment from which they were purchased but may not be accepted on their return in exchange for rationed shoes without the surrender of ration currency. Neither may an establishment give a special shoe stamp on the return of shoes (other than infants' shoes in sizes 0-4) non-rationed when transferred, but which have a rationed status at the time of their return.

[Section heading amended by Am. 6, 8 F.R. 3853, effective 4-2-43. Paragraph (a) amended by Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43 and Am. 97, 10 F.R. 5994, effective 5-28-45]

(b) A consumer may get a special shoe stamp from the Board to replace defective shoes if (1) he surrendered ration currency for them; (2) the establishment from which he got them accepts their return within sixty days from the date of purchase and does not return them to the consumer; and (3) they are defective because of workmanship or material and cannot reasonably be repaired. The applicant must present to the Board a statement signed by the establishment stating, (1) that the shoes are defective because of workmanship or material and cannot reasonably be repaired; (2) that if the Board desires, the shoes may be examined by it before it acts on the application; and (3) giving the date the shoes were bought, the date returned and the nature of the defect.

[Paragraph (b) added by Am. 6, 8 F.R. 3853, effective 4-2-43; amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 59, 9 F.R. 5254, effective 5-20-44]

(c) [Revoked]

[Paragraph (c) added by Am. 44, 8 F.R. 15181, effective 11-9-43 and revoked by Am. 74, 9 F.R. 10589, effective 9-2-44]

SEC. 1.11 *District Office may issue ration currency to welfare agency.* To avoid hardship caused by flood, tornado, or other public disaster, a District Office or the National Office may issue ration currency to the American Red Cross (or any of its branches) or other recognized welfare agency (on written application made on OPA Form R-1702) to permit it to acquire shoes for free distribution to persons who lose their shoes in the catastrophe. Shoes acquired by the welfare agency with ration currency so issued may be transferred to anyone having need for them as a result of a catastrophe, without getting ration currency for them.

[Sec. 1.11 amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 1.12 *Anyone may acquire used shoes.* Anyone may acquire used shoes without giving up ration currency. However, shoes returned for exchange under section 1.10 (a) and shoes acquired for wear-testing or as samples may not be transferred or acquired as used shoes. Shoes acquired by employers and institutions under section 1.7 (a) may be transferred or acquired as used shoes only in accordance with the provisions of section 1.7 (d). (The term "used" is explained in section 3.13.)

[Sec. 1.12 amended by Am. 6, 8 F.R. 3853, effective 4-2-43; Am. 31, 8 F.R. 11445, effective 8-16-43; and Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 75, 9 F.R. 10984, effective 9-9-44]

SEC. 1.13 *Anyone may acquire non-rationed shoes.* Anyone may acquire, without giving up a stamp or other ration currency, shoes that have been marked non-rationed as allowed under section 2.11 of this order.

SEC. 1.14 *Members of Armed Services and of Maritime Service, and civilians required to wear regulation army uniform overseas, may acquire shoes.* (a) Any member of the armed services of the United Nations may acquire shoes furnished or sold him by a branch of the armed services of the United States, without surrendering ration currency. Any person with a civilian status who is given an overseas assignment in work supervised by the United States Govern-

ment and who is required to wear a regulation army uniform may acquire Government Issue shoes from a Quartermaster Sales Store of the United States Army, without surrendering ration currency, on presentation of his official government travel orders.

[Paragraph (a) amended by Am. 1, 8 F.R. 2040, effective 2-13-43 and Am. 65, 9 F.R. 7080, effective 6-30-44. Section heading amended by Am. 17, 8 F.R. 6687, effective 5-25-43 and Am. 65]

(b) Any member of the armed services of the United States who wants shoes that he cannot get from his branch of the armed services and who does not have a war ration shoe stamp may get certificates for the shoes he needs. Certificates for this purpose may be issued by an authorized officer of his branch of the armed services. Any member of the armed services of other United Nations residing within the United States, who does not have a war ration shoe stamp may get certificates for the shoes he needs from any authorized issuing officer of the armed services of the United States, or from an authorized issuing officer designated by the armed service of which he is a member and approved by a branch of the armed services of the United States. Supplies of certificates for this purpose may be furnished to an armed service of another nation by the branch of the armed service of the United States approving the appointment of the issuing officer.

[Paragraph (b) amended by Am. 12, 8 F.R. 5679, effective 5-5-43; Am. 50, 9 F.R. 573, effective 1-17-44 and Am. 53, 9 F.R. 2656, effective 3-11-44]

(c) Any branch of the armed services of the United Nations may get a ration check from any District Office to acquire the shoes it needs for members of its armed services within the United States and may furnish or sell shoes to any member of the armed services of the United Nations without collecting ration currency.

[Paragraph (c) added by Am. 3, 8 F.R. 2943, effective 3-13-43; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(d) Any member of the Merchant Marine Cadet Corps or of the United States Maritime Service stationed ashore or on a training ship who does not have a valid war ration shoe stamp and who is not furnished shoes by the War Shipping Administration may get certificates (OPA Form R-1705B) for the shoes he needs. Certificates for this purpose may be issued by an authorized officer of the training organization of the War Shipping Administration.

[Paragraph (d) added by Am. 17, 8 F.R. 6687, effective 5-25-43]

(e) The officer in charge of athletic activities for any post, camp or station of the armed services of the United Nations may acquire a ration check for the number of pairs of athletic shoes needed for the carrying on of athletic activities at the camp, post or station. Application for the ration check shall be made to the nearest District Office on OPA Form R-1702. The District Office on approving the application shall issue a ration check for the number of pairs of athletic shoes needed.

[Paragraph (e) added by Am. 70, 9 F.R. 8931, effective 7-28-44; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 1.15 *Erasures, changes, and mutilation invalidates stamps and certificates.* Any omission, erasure, or change on a special shoe stamp or a shoe purchase certificate makes it void. A stamp that has been torn or mutilated is valid only if more than one half of it remains intact when presented, and, in the case of a special shoe stamp, only if it shows the serial number of the holder's War Ration Book or the words "No Book" or the name of the holder. A certificate that is torn shall be valid only if the remaining portion can be read and shows the date, the number of pairs for which it is good, the name of the holder, and the signature of the issuing officer.

[Sec. 1.15 amended by Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 73, 9 F.R. 9901, effective 8-18-44 and Am. 74, 9 F.R. 10583, effective 9-2-44]

SEC. 1.16 *What war ration stamps are for shoes.* The following schedule shows what stamps are evidence of a right to acquire shoes and the time they are valid.

War ration book No.	Stamp number	Valid period (for men's, women's, and children's shoes)
One....	17.....	First Tuesday after effective date of order to June 15, 1943, inclusive.
One....	18.....	June 16, 1943, to April 30, 1944, inclusive.
Three..	Airplane 1..	Nov. 1, 1943, to date to be announced by the Office of Price Administration.
Three..	Airplane 2..	May 1, 1944, to date to be announced by the Office of Price Administration.
Three..	Airplane 3..	Nov. 1, 1944, to date to be announced by the Office of Price Administration.

[Sec. 1.16 amended by Am. 21, 8 F.R. 8064, effective 6-11-43; Am. 40, 8 F.R. 13128, effective 9-27-43; Am. 56, 9 F.R. 3340, effective 3-30-44; Am. 58, 9 F.R. 4891, effective 4-27-44 and Am. 81, 9 F.R. 12812, effective 10-27-44]

SEC. 1.17 *Gifts of shoes by consumers.* (a) An individual who has acquired shoes as a consumer, either with a war ration shoe stamp or as an import from outside the continental United States, may give the shoes to another consumer, ration-free, if no consideration is received.

[Sec. 1.17 added by Am. 47, 8 F.R. 16605, effective 12-8-43]

ARTICLE II—HOW THIS ORDER AFFECTS THE TRADE

(This part should be read by everyone who deals in shoes)

SEC. 2.1 [Revoked].

[Sec. 2.1 revoked by Am. 37, 8 F.R. 12548, effective 9-15-43]

SEC. 2.2 [Revoked].

[Sec. 2.2 revoked by Am. 37]

SEC. 2.3 *Establishments must file inventory.* (a) No establishment may acquire or transfer shoes unless it has registered by filing an original inventory of its supply of shoes and ration currency in the manner required by this Order. If the establishment was in business on April 10, 1943, the inventory shall be taken and filed as of that date, on OPA Form R-1701. New establishments must file their original inventory as of the date and in the form required by the Office of Price Administration.

[Paragraph (a) amended by Am. 9, 8 F.R. 4716, effective 4-8-43 and Am. 46, 8 F.R. 15839, effective 11-24-43]

(b) Each distributing establishment filing an original inventory after November 23, 1943 shall file it with its District Office. Each manufacturing establishment filing an original inventory after June 4, 1945 shall file it with the OPA Inventory and Control Branch, Empire State Building, New York 1, New York.

[Paragraph (b) amended by Am. 43 8 F.R. 15839, effective 11-24-43 and Am. 98, 10 F.R. 6453, effective 6-4-45]

(c) Where an inventory filed by a distributing establishment is found to be erroneous, the distributing establishment shall promptly file with the District Office a corrected inventory on the proper OPA Form, together with a copy of the incorrect inventory. If rationed shoes were omitted from the first inventory (OPA Form R-1701) the District Office shall issue to the establishment a ration check for the difference between the shoe purchase allowance received and the amount to which it was entitled, but only if the corrected inventory is filed with the District Office before May 15, 1945. If the number of pairs of shoes in the corrected inventory is less than in the original inventory, the establishment shall surrender to the District Office ration currency in an amount equal to the difference between the shoe purchase allowance it received and the amount to which it was entitled. Where an inventory filed by a manufacturing establishment is found to be erroneous, the establishment shall promptly file with the OPA Inventory and Control Branch, Empire State Building, New York 1, New York, a corrected inventory on the proper OPA Form, together with a copy of the incorrect inventory.

[Paragraph (c) added by Am. 16, 8 F.R. 6046, effective 5-10-43; amended by Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 98, 10 F.R. 6453, effective 6-4-45]

(d) Each establishment shall file the second inventory with the OPA Inventory and Control Branch, Empire State Building, New York 1, New York, on or before October 10, 1943. The inventory shall be taken as of the close of business on September 30, 1943 and all information required by the form (OPA Form R-1701A) must be furnished.

[Paragraph (d) added by Am. 38, 8 F.R. 12515, effective 9-10-43; amended by Am. 98]

(e) Each establishment shall file the third inventory with the Inventory and Control Branch of the Office of Price Administration, Empire State Building, New York 1, New York, on or before August 5, 1944. (An inventory shall be deemed "filed" on time if the envelope in which it is enclosed is postmarked not later than midnite, August 5, 1944.) The inventory shall be taken as of the close of business on July 31, 1944, and all information required by the form (OPA Form R-1701B) must be furnished.

[Paragraph (e) added by Am. 68, 9 F.R. 8339, effective 7-25-44]

SEC. 2.4. *What establishments must open ration bank accounts.* (a) Every establishment having access to ration banking facilities must open a ration bank account on or after April 12, 1943 if it has a dollar checking account in any bank. No other establishment may open a shoe ration account except that:

(1) An establishment owned by a government agency may open a shoe ration account even though it does not have a dollar checking account;

(2) A person owning one establishment having a dollar checking account in any bank may open shoe ration accounts for other establishments owned by him even though he does not maintain a separate checking account for each establishment.

(b) [Revoked].

[Paragraph (b) revoked by Am. 93, 10 F.R. 2757, effective 3-16-45]

[Sec. 2.4 amended by Am. 9, 8 F.R. 4716, effective 4-8-43 and Am. 46, 8 F.R. 15839, effective 11-24-43]

SEC. 2.5 *How to open a shoe ration bank account.* (a) A separate account must be opened for each establishment even though two or more are owned by the same person. However, a person selling or storing shoes at two or more locations in the same city or community, that are not parts of a manufacturing establishment, may open a joint ration bank account for two or more of them. (Such locations served by a joint ration bank account are treated for all the purposes of this order just as if they were parts of a single establishment.) There may be two or more establishments at the same location if separate records and inventories are kept.

[Paragraph (a) amended by Am. 9, 8 F.R. 4716, effective 4-8-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) To open a ration bank account, a person or establishment must comply with the procedure set forth in Revised General Ration Order 3A and shall present to the bank at which the account is to be opened a written statement from the District Office authorizing the opening of the account.

[Paragraph (b) amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 46, 8 F.R. 15839, effective 11-24-43 and Am. 94, 10 F.R. 3014 effective 3-24-45]

SEC. 2.6 *Distributors may get initial allowance and registration number.* (a) A distributing establishment that was in business on April 10, 1943, and has not previously received a shoe purchase allowance may be permitted by the District Office to file a late inventory and receive a shoe purchase allowance, in the form of a ration check, equal to 50 percent of the number of pairs of rationed shoes properly included in the establishment's inventory.

(b) An establishment which is not eligible for a shoe ration bank account may obtain a registration number from its District Office upon complying with the provisions of this order with respect to filing inventory. (An establishment which does not have an account may acquire shoes only if it has a registration number.)

[Sec. 2.6 amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 46, 8 F.R. 15839, effective 11-24-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 2.7 *Establishments may deal in shoes.* (a) *Transfer must be made for ration currency.* An establishment may acquire shoes only if its supplier has first received from it valid shoe ration currency in an amount equal to the number of pairs of shoes acquired. An establishment may transfer shoes to a consumer or to another establishment if it first gets ration currency from him. If an establishment requests the return of ration currency it forwarded to a supplier, against which shoes have not been shipped, the supplier shall return the currency to the establishment. Shoes may be returned by an establishment to the establishment from which they were acquired without the surrender of ration currency in advance, if a proper ration credit is given to the establishment returning them. Where the use to which a special shoe stamp may be put is specified on the stamp, it shall not be valid for any other use by the consumer. Only ration checks drawn on the account of the purchaser may be used as ration currency for transfers between establishments except as permitted under section 2.8.

[Paragraph (a) amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 11, 8 F.R. 5678, effective 5-5-43; Am. 18, 8 F.R. 7198, effective 6-2-43; Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 46, 8 F.R. 15839, effective 11-21-43; Am. 90, 10 F.R. 1649, effective 2-7-45; Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 94, 10 F.R. 3014, effective 3-24-45]

(b) *Transfers by chain establishments.* A central office of a chain store organization acting as supplier for a branch establishment, shall not notify another supplier to deliver shoes to the branch establishment unless the establishment has on deposit with the central office ration currency in a net amount at least equal to the total number of pairs of shoes noticed to be delivered to the establishment. A distributing establishment of a chain transferring shoes to another distributing establishment in the same chain may treat the transaction as a transfer to the central office supplier and a subsequent transfer from the central office to the transferee establishment, if all provisions of this order are complied with in the same manner as if the shoes were returned to the central office and transferred from the central office to the transferee establishment.

[New paragraph (b) added by Am. 96, 10 F.R. 5324, effective 5-11-45, former (b) amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 14, 8 F.R. 5756, effective 5-1-43; Am. 46, 8 F.R. 15839, effective 11-24-43; Am. 50, 9 F.R. 573, effective 1-17-44; revoked by Am. 93, 10 F.R. 2757, effective 3-16-45]

(c) *Sign prohibiting acceptance of loose stamps must be displayed.* On and after September 1, 1943, every establishment selling shoes at retail in over-the-counter transactions must keep a notice posted in a conspicuous manner at each place where shoes are sold directly to consumers, containing substantially the following statement: "Rationing regulations prohibit this store from accepting loose war ration stamps for shoes selected or delivered at the store."

[Paragraph (c) added by Am. 31, 8 F.R. 11445, effective 8-16-43]

(d) *Layaways, special orders, and will calls.* Shoes for which ration currency must be collected may be placed or held on special order, will call, or layaway only if ration currency will be received for them within 30 days after the shoes are available for delivery to the consumer. In any case the currency must be received before the shoes are delivered.

[Paragraph (d) added by Am. 46, 8 F.R. 15839, effective 11-24-43]

(e) [Revoked].

[Paragraph (e) added by Am. 62, 9 F.R. 6233, effective 7-1-44 and revoked by Am. 99, 10 F.R. 6008, effective 5-23-45]

(f) Special shoe stamps issued to residents of Mexico and accepted by an establishment located in an area under the jurisdiction of a District Office located in Lubbock, Texas; San Antonio, Texas; Albuquerque, New Mexico; Phoenix, Arizona or San Diego, California, shall not be further negotiable by the establishment. The establishment may apply to the Board on OPA Form R-1704 for replacement of all such valid stamps that are received by the establishment in accordance with the provisions of this order. A special shoe stamp marked "Mexico" must be surrendered by any establishment described above to the Board within 30 days after the expiration date appearing on the stamp. The Board shall request the District Office to, and the District Office shall, issue a ration check for the number of such valid stamps surrendered, which were received by the establishment in accordance with the provisions of this order.

[Paragraph (f) added by Am. 62, 9 F.R. 6233, effective 7-1-44; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(g) Nothing in this order shall be construed to prohibit the surrender of ration currency, in exchange for a transfer of shoes, subsequent to the time at which ration currency is required to be surrendered. However, such late surrender shall not relieve the transferor or the transferee of the consequences of the failure to receive or surrender ration currency at the time required.

[Paragraph (g) added by Am. 69, 9 F.R. 8340, effective 7-25-44]

SEC. 2.8 *Distributors having no ration bank account use ration currency.* (a) Any distributor who has received a reg-

istration number from the District Office may replenish his stock by sending to his supplier his registration number together with stamps, certificates and ration checks he has received, for the number of pairs of shoes ordered. He may present ration currency received by him to the District Office and receive in exchange ration checks in such denominations as he desires, equal in total to the ration currency surrendered.

War ration shoe stamps may be forwarded to a supplier only within twenty days after their expiration for consumer use or to the District Office within the time they are valid for deposit as provided in the next section.

An establishment forwarding a certificate to a supplier or to the District Office must endorse its name on the reverse side. Distributors who do not have a ration bank account are not required to surrender ration currency to their suppliers in the manner prescribed in General Ration Order 7.

[Paragraph (a) amended by Am. 55, 9 F.R. 2329, effective 3-18-44; Am. 74, 9 F.R. 10589, effective 9-2-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) No establishment may transfer rationed shoes to an establishment which does not have an account unless the transferee has furnished its registration number with its order.

[Sec. 2.8 amended by Am. 9, 8 F.R. 4716, effective 4-8-43 and Am. 46, 8 F.R. 15839, effective 11-24-43]

SEC. 2.9 *How to deposit ration currency.* (a) *Time for depositing is limited.* A war ration shoe stamp may not be deposited to an establishment's account later than thirty days after its expiration for consumer use. A ration check may be deposited at any time. A certificate (OPA Form 1705B), regardless of when issued, may be deposited at any time and shall be valid for consumer use at any time after its date of issue. (This includes certificates that had expired before April 15, 1944.) A special shoe stamp may be deposited at any time. However, a special shoe stamp marked "Mexico" and received by an establishment within the jurisdiction of a District Office located in Lubbock, Texas; San Antonio, Texas; Albuquerque, New Mexico; Phoenix, Arizona or San Diego, California, shall not be valid for deposit.

[Paragraph (a) amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 13, 8 F.R. 5567, effective 4-26-43; Am. 37, 8 F.R. 12548, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 57, 9 F.R. 3944, effective 4-15-44; Am. 62, 9 F.R. 6233, effective 7-1-44; Am. 74, 9 F.R. 10589, effective 9-2-44 and Am. 93, 10 F.R. 2757, effective 3-16-45].

(b) *Endorsement.* Before depositing a ration check or certificate the establishment should endorse it.

(c) *Manner of deposit.* All ration currency shall be deposited in the manner prescribed in General Ration Order 7.[3]

[Paragraph (c) added by Am. 55, 9 F.R. 2829, effective 3-18-44; amended by Am. 62, 9 F.R. 6233, effective 7-1-44 and Am. 74, 9 F.R. 10589, effective 9-2-44. Former (c) revoked by Am. 44, 8 F.R. 15181, effective 11-9-43]

SEC. 2.10 *Refunds to consumers and to other establishments.* (a) An establishment that is unable to fill a consumer's order for which it has received valid ration currency, and an establishment making a refund for returned shoes as permitted by section 1.10 (a), must return to the consumer a special shoe stamp as a refund for the currency or shoes received. War ration shoe stamps may not be used for refund purposes. Where an establishment is able to fill a consumer's order, but does not do so, it may return a special shoe stamp to the consumer if it has received valid ration currency for the order. The establishment may get special shoe stamps for this purpose from its Board, in exchange for a ration check drawn to the account of the Office of Price Administration or in exchange for valid shoe stamps or certificates received from customers.

[Paragraph (a) amended by Am. 6, 8 F.R. 3853, effective 4-2-43; Am. 35, 8 F.R. 12180, effective 9-7-43; Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 37, 8 F.R. 12548, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 66, 9 F.R. 7773, effective 7-15-44 and Am. 74, 9 F.R. 10589, effective 9-2-44]

(b) An establishment that does not fill an order from another establishment for which it has received valid ration currency, may return as a refund a ration check drawn on its own account for the amount of such ration currency received in excess of the number of pairs of rationed shoes, if any, which it has transferred against such ration currency. If the establishment making the refund does not have an account it may return any valid ration currency in lieu of a ration check.

[Paragraph (b) added by Am. 35, 8 F.R. 12180, effective 9-7-43]

SEC. 2.11 *Shoes which are non-rationed.* (a) Shoes of the following types are non-rationed:

[Section heading amended by Am. 100, effective 6-15-45]

[Paragraph (a) amended by Am 43, 8 F.R. 15194, effective 11-8-43]

(1) Imported huaraches and imported huarache oxfords, released by the Collector of Customs before June 1, 1943.

[Subparagraph (1) amended by Am. 28, 8 F.R. 9884, effective 7-15-43]

(2) Shoes completed, packaged, and shipped from a factory in the United States before April 16, 1943, or imported before that date of the following kinds, except that shoes which did not fall within the specifications of this paragraph at the time they were shipped from a factory in the United States or imported, may not be marked or transferred as non-rationed even though their design or heel height has been altered to meet the following classifications:

[Subparagraph (2) amended by Am. 10, 8 F.R. 5589, effective 5-3-43 and Am. 76, 9 F.R. 10985, effective 9-5-44]

(i) Ski and skate shoes;

(ii) Locker sandals and bathing slippers;

(iii) Shoes with a fabric upper and a rubber sole;

(iv) Shoes with a platform and with a heel height of $1\frac{5}{8}$ inches or less and whose upper is made wholly of fabric, imitation leather, sheepskin, cape, or a combination of these materials;

(v) Shoes with a platform and an open back, and with a heel height of $1\frac{5}{8}$ inches or less, whose upper is made of kipskin or kipsides, wholly or in combination with fabric, imitation leather, sheepskin, or cape;

(vi) Shoes with a wedge heel of $1\frac{5}{8}$ inches or less, in height whose upper is made wholly of patent leather, and which have a platform and an open back;

(vii) Shoes with a heel height of $1\frac{5}{8}$ inches or less whose upper is made wholly of imitation leather;

(viii) Shoes (sandals), other than imported huaraches, with a heel height of $1\frac{1}{8}$ inches or less with an open back;

[Subparagraph (viii) amended by Am. 5, 8 F.R. 3371, effective 3-24-43]

(ix) Shoes which have rubber or leather in the sole only as hinges, tabs, heel inserts or other non-skid or soundproofing features covering not more than 25 percent of the area of the bottom of the sole. (Any material may be used in other parts of the shoe.)

[Subparagraph (ix) added by Am. 5, 8 F.R. 3371, effective 3-24-43]

(3) Shoes completed, packaged, and shipped from a factory in the United States before August 16, 1943, or imported before that date made wholly of materials other than leather (which may however use leather as top lifts) and the sole of which is of one of the following constructions:

(i) A sole made principally of rope, fabric or fiber in which rubber is used primarily as a binder; (ii) a sole made principally of wood, in which rubber is used only as toe or heel inserts, or both, covering not more than 25 percent of the area of the bottom of the sole.

[Subparagraph (3) added by Am. 25, 8 F.R. 9062, effective 7-7-43; amended by Am. 28, 8 F.R. 9884, effective 7-15-43 and Am. 76, 9 F.R. 10985, effective 9-5-44]

(4) [Revoked]

[Subparagraph (4) added by Am. 32, 8 F.R. 11515, effective 8-18-43; amended by Am. 42, 8 F.R. 15194, effective 11-8-43; Am. 76, 9 F.R. 10985, effective 9-5-44 and revoked by Am. 77, 9 F.R. 11638, effective 9-25-44]

(5) Unassembled moccasins or moccasin kits made for use in handicraft activities if manufactured in the United States before August 31, 1943, or imported before that date.

[Subparagraph (5) added by Am. 33, 8 F.R. 12026, effective 8-31-43; amended by Am. 39, 8 F.R. 13301, effective 10-2-43 and Am. 76]

(6) [Revoked]

(7) [Revoked]

[Subparagraphs (6) and (7) added by Am. 42, 8 F.R. 15194, effective 11-8-43; amended by Am. 76 and revoked by Am. 77]

(8) Burial slippers made in the United States or imported.

(9) House slippers made in the United States or imported.

[Subparagraphs (8) and (9) amended by Am. 76, 9 F.R. 10985, effective 9-5-44]

(10) Ballet slippers which were manufactured in the United States before January 1, 1944, or imported before that date, or which, if manufactured in the United States or imported after that date, have no cattle hide leather in the uppers and no cattle hide grain leather in the outsoles (other than heads, bellies, shins or shanks of 5 iron or less).

[Subparagraph (10) amended by Am. 48, 8 F.R. 16996, effective 12-18-43 and Am. 76]

(11) Evening slippers made in the United States before September 5, 1944, or imported before July 7, 1943, which at the time of manufacture were made with uppers principally of gold or silver leather or imitation leather with gold or silver finish.

(12) Baseball, track and football shoes made in the United States or imported.

(13) Men's and women's knee-height riding boots made in the United States before July 7, 1943, or imported before that date (including boots without lacing and with partial lacing but not including full lace boots, or jodhpur or cowboy boots).

[Subparagraphs (11), (12), and (13) amended by Am. 76]

(14) Infants' footwear of size 4 or smaller transferred before May 1, 1945. (All transfers and imports of such footwear on and after this date must be accompanied by the surrender of ration currency.)

[Subparagraph (14) amended by Am. 76 and Am. 95, 10 F.R. 3404, effective 5-1-45]

(15) Shoes constructed to be worn over another shoe, which are shipped from a factory in the United States before July 15, 1944 or imported before that date.

[Subparagraph (15) amended by Am. 61, 9 F.R. 5805, effective 6-3-44 and Am. 76]

(16) Shoes manufactured in the United States or imported which contain no leather except: (i) as hinges, tabs, heel inserts, top lifts, or other non-skid or sound-proofing features covering an area not more than 25% of the area of the bottom of the sole, or (ii) as leather dust derived directly from a permitted manufacturing process or from a waste product resulting from such a manufacturing process.

[Subparagraph (16) amended by Am. 76 and Am. 77]

[Subparagraphs (8) through (16) added by Am. 46, 8 F.R. 15839, effective 11-24-43]

(17) Women's and misses' evening slippers manufactured in the United States before December 18, 1943 or imported before that date, which at the time of manufacture were made with trimming of gold or silver leather or imitation leather with gold or silver finish, or which were made with uppers principally of one or a combination of the following materials: metallic mesh, metallic fabric, brocade, satin, crepe, moire, faille, or any material with sequin or rhinestone applique.

(18) Men's patent leather shoes made in the United States before September 5, 1944, or imported before that date.

[Paragraphs (17) and (18) added by Am. 48, 8 F.R. 16996, effective 12-18-43 and amended by Am. 76]

(19) Shoes manufactured in the United States or imported which contain no leather other than shearling.

[Subparagraph (19) added by Am. 61, 9 F.R. 5805, effective 6-3-44; amended by Am. 76 and Am. 77]

(20) Shoes made in the United States before November 6, 1944, or imported before that date, with a non-leather outsole, and with a fabric upper which uses leather only for reinforcement purposes.

[Subparagraph (20) added by Am. 82, 9 F.R. 13134, effective 11-6-44]

(21) Shoes made with a non-leather outersole, midsole and innersole and which contain no leather in the upper other than bacon-rind pigskin if shipped from the factory after November 30, 1944. For the purposes of this paragraph the term "bacon-rind pigskin leather" includes leather made from ham-rind pigskin.

[Subparagraph (21) added by Am. 85, 9 F.R. 14017, effective 12-1-44]

(22) Shoes made with a non-leather outersole, midsole and innersole and which contain no leather in the upper other than pig strips which were processed as upper leather before January 16, 1945.

[Subparagraph (22) added by Am. 87, 10 F.R. 521, effective 1-16-45]

(23) Kits containing partially assembled or unassembled pieces of leather for the construction of footwear, shipped from a factory in the United States before June 16, 1945.

[Subparagraph (23) added by Am. 97, 10 F.R. 5994, effective 5-28-45]

(b) No one may receive or pay ration currency (or offer to receive or pay ration currency) for non-rationed shoes or return them or accept their return (or offer to return or accept their return) in exchange for a pair of rationed shoes or a stamp pursuant to section 1.10.

[Paragraph (b) amended by Am. 43, 8 F.R. 15194, effective 11-8-43; Am. 49, 9 F.R. 92, effective 1-17-44; and Am. 100, effective 6-15-45]

(c) [Revoked].

[Paragraph (c) added by Am. 4, 8 F.R. 3315, effective 3-18-43; and revoked by Am. 100, effective 6-15-45]

(d) [Revoked].

[Paragraph (d) added by Am. 4, 8 F.R. 3315, effective 3-18-43; amended by Am. 22, 8 F.R. 8357, effective 6-22-43; and revoked by Am. 100, effective 6-15-45]

(e) [Revoked].

[Paragraph (e) added by Am. 27, 8 F.R. 9567, effective 7-19-43; revoked by Am. 46, 8 F.R. 15839, effective 11-14-43.]

(f) [Revoked].

[Paragraph (f) added by Am. 27, 8 F.R. 9567, effective 7-19-43; amended by Am. 29, 8 F.R. 10269, effective 7-19-43; Am. 46, 8 F.R. 15839, effective 11-24-43 and revoked by Am. 100, effective 6-15-45]

(g) [Revoked].

[Paragraph (g), formerly Sec. 2.11a added by Am. 34, 8 F.R. 12137, effective 9-6-43; redesignated paragraph (g) of Sec. 2.11 and amended by Am. 43, 8 F.R. 15194, effective 11-8-43; Am. 61, 9 F.R. 5805, effective 6-3-44; Am. 86, 9 F.R. 14497, effective 12-15-44; and revoked by Am. 100, effective 6-15-45]

(h) [Revoked].

[Paragraph (h) added by Am. 49, 9 F.R. 92, effective 1-17-44; amended by Am. 51, 9 F.R. 764, effective 1-19-44; and revoked by Am. 100, effective 6-15-45]

(i) [Revoked].

[Paragraph (i) added by Am. 54, 9 F.R. 2947, effective 3-20-44; and revoked by Am. 100, effective 6-15-45]

(j) [Revoked].

[Paragraph (j) added by Am. 64, 9 F.R. 6455, effective 6-15-44; and revoked by Am. 100, effective 6-15-45]

(k) [Revoked].

[Paragraph (k) added by Am. 67, 9 F.R. 8254, effective 7-24-44; and revoked by Am. 100, effective 6-15-45]

(l) [Revoked].

[Paragraph (l) added by Am. 88, 10 F.R. 1103, effective 2-5-45; amended by Am. 90, 10 F.R. 2014, effective 2-16-45; Am. 91, 10 F.R. 1739, effective 2-10-45; Am. 92, 10 F.R. 2014, effective 2-16-45; and revoked by Am. 100, effective 6-15-45]

(m) [Revoked].

[Paragraph (m) added by Am. 88, 10 F.R. 1103, effective 2-5-45; and revoked by Am. 100, effective 6-15-45]

[Sec. 2.11 amended by Am. 2, 8 F.R. 2487, effective 2-25-43 and as otherwise noted]

SEC. 2.12 *Shoes may be used for wear-testing or as samples.* (a) A manufacturer may use shoes for wear-testing them and for this purpose may let its employees or others use them without getting ration currency.

(b) An establishment may use shoes as samples and for this purpose may furnish single shoes (not a pair) to salesmen or to other establishments, without getting ration currency.

(c) An establishment furnishing new shoes to another under this section must keep title to the shoes unless ration currency is received for them or they are permitted to be sold as "non-rationed" shoes under the above section. They may not be considered to be "used" shoes. Separate records must be kept of all shoes used or transferred under this section.

SEC. 2.13 *Establishments must keep records; accountability.* (a) (1) Every establishment shall furnish an invoice to each person (other than an individual consumer) to whom it makes a transfer of shoes. The invoice must contain the date of transfer, the number of pairs transferred, and the name and address of the persons (or establishments) by whom and to whom the transfer is made. Separate invoices shall be furnished for rationed shoes and non-rationed footwear. Each invoice shall be plainly marked with the word "rationed" or "non-rationed." In the case of a transfer of rationed shoes permitted by sec-

[3] 8 F.R. 2858, 2997, 4840, 6965, 11738, 16279, 16839; 9 F.R. 2387, 5216, 7704, 9163, 10578, 15047; 10 F.R. 318, 1145.

tions 3.5 or 3.6, for which ration currency is not received, the word "exempt" shall be written on the invoice.

[Above paragraph amended by Am. 20, 8 F.R. 8061, effective 6-16-43; Am. 50, 9 F.R. 573, effective 1-17-44; Am. 79, 9 F.R. 12039, effective 10-6-44; Am. 95, 10 F.R. 3404, effective 5-1-45; redesignated (a) (1), new (2) added by Am. 85, 9 F.R. 14017, effective 12-1-44. Headnote amended by Am. 53, 9 F.R. 2656, effective 3-11-44]

(2) Any person who transfers bacon-rind pigskin leather to a manufacturing establishment shall furnish, and such establishment shall obtain an invoice containing the date of transfer, the amount of leather transferred, a statement that the leather is "bacon-rind pigskin leather", and the name and address of the persons (or establishments) by whom and to whom the transfer is made. Also, a manufacturing establishment that has in stock or in transit to it on December 1, 1944, bacon-rind pigskin leather shall take an inventory of the amount in square feet of such leather that it has in stock and in transit to it on that date. For the purposes of this paragraph the term "bacon-rind pigskin leather" includes leather made from ham-rind pigskin.

(3) Each supplier shall on or before June 16, 1945 send a written notice to each establishment having any ration currency on deposit with it, showing the net amount of such currency on deposit with it as of the close of business on May 31, 1945 and, if a ration check or shoes were received from the establishment on or after May 1, 1945 and before June 1, 1945, a statement showing the date and amount of the last ration currency payment received by it and the date and number of pairs of shoes last returned to it by the establishment, in this period. Each supplier shall also keep records showing the amounts of ration currency received from (and shoes returned by) each establishment, the number of pairs of shoes sent (and amounts of ration currency returned) to each establishment and stating the net amount of ration currency each establishment has on deposit with it as of the close of business on May 31, 1945, and showing at least monthly balances thereafter. (The following is an example of the manner in which records may be kept to satisfy the above requirements:

(i) Set up a separate account for each establishment to which shoes are supplied.

(ii) Enter as credits in this account the net amount of ration currency an establishment has on deposit at the close of business on May 31, 1945; the amount of each ration check (or other currency) received from the establishment after that date and the amounts of ration currency equivalent to the number of pairs of shoes returned by the establishment after that date.

(iii) Enter as debits in this account the amount of ration currency equivalent to the number of pairs of shoes transferred to the establishment after May 31, 1945 and the amount of ration currency returned to the establishment after that date.

(iv) Subtract debit items from the currency balance in the account, at least monthly.

(v) Add credit items to the currency balance in the account, at least monthly.)

(4) The central office of a chain store organization that acts as supplier for the establishments in the chain must satisfy the requirements of subparagraph (3). The records required by section 2.13 (b) (11), other than deposit slips and notices of errors in deposit slips, may be kept at a central office acting as a supplier provided all the conditions of this subparagraph (4) are satisfied:

(i) The establishment must notify the District Office in writing that all checks on its account are drawn by the central office and that the central office supplies all its shoes.

(ii) The central office must notify the establishment in writing on or before June 16, 1945, of the check book balance of the establishment's ration bank account as of the close of business on May 31, 1945.

(iii) For the purposes of subparagraphs (3) and (5) the amount of ration currency in the establishment's account and all future deposits in that account shall be treated by the establishment as deposits with the central office. However, the central office may not treat deposits in the establishment's account as currency on deposit with it until it has been transferred to the ration bank account of the central office.

(5) Each establishment shall keep records showing the number of pairs of shoes (and amounts of ration currency) received from each supplier, the amounts of ration currency (and number of pairs of shoes, if any) sent to each supplier and stating the net amount of ration currency it has on deposit with each supplier as of the close of business on May 31, 1945 and showing at least monthly balances thereafter. (The following is an example of the manner in which records may be kept to satisfy the above requirements:

(i) Set up a separate account for each supplier from whom shoes are received.

(ii) Enter as a charge against the supplier the net amount of ration currency on deposit with the supplier as of the close of business on May 31, 1945. (The establishment should add to the ration deposit figure furnished by the supplier any ration currency forwarded and shoes returned to the supplier before June 1, 1945 but which were not included in such figure.) Also enter as a charge against the supplier the amount of ration currency forwarded to the supplier after May 31, 1945 and the number of pairs of shoes returned to the supplier after that date.

(iii) Enter as credits in favor of the supplier in this account the amounts of ration currency equal to the number of pairs of shoes received from the supplier after May 31, 1945 (except shoes invoiced to the establishment before June 1, 1945 but received on or after that date) and the amount of ration currency returned by the supplier on or after that date (except the amount of a ration check dated before June 1, 1945 but received on or after that date).

(iv) Add debit items to the currency balance in the account, at least monthly.

(v) Subtract credit items from the currency balance in the account, at least monthly.)

[Subparagraphs (iv) and (v) amended by Am. 98, 10 F.R. 6453, effective 6-4-45]

[Subparagraphs (3), (4) and (5) added by Am. 96, 10 F.R. 5324, effective 5-11-45]

(b) Each establishment must keep the following records until further notice by amendment to the order:

[Above paragraph amended by Am. 90, 10 F.R. 1649, effective 2-7-45]

(1) All invoices received for shoes acquired, and also in the case of a manufacturing establishment, all invoices received for the acquisition of bacon-rind pigskin leather pursuant to section 2.13 (a) (2);

[Subparagraph (1) amended by Am. 85, 9 F.R. 14017, effective 12-1-44]

(2) Copies of all invoices furnished by it pursuant to the above paragraph;

(3) Records of any new shoes acquired for which invoices were not received containing the same information as is called for by the above paragraph;

(4) The number of pairs of new shoes transferred to consumers, to other establishments, and to any person from whom ration currency is not required.

[Subparagraph (4) amended by Am. 27, 8 F.R. 9567, effective 7-19-43; Am. 43, 8 F.R. 15194, effective 11-8-43 and Am. 98, 10 F.R. 6453, effective 6-4-45]

(5) A copy of each inventory of its stock of shoes required by this order;

[Subparagraph (5) amended by Am. 11, 8 F.R. 5678, effective 5-5-43 and Am. 38, 8 F.R. 12515, effective 9-10-43]

(6) [Revoked]

[Subparagraph (6) revoked by Am. 98]

(7) Copies of any reports of shoe production or transfers, made to the Office of Price Administration or any other Government agency;

(8) Records, which shall be attached to its inventory (OPA Form R-1701) within five days after the event, showing the date and amount of each increase or decrease of its inventory resulting from an adjustment of its inventory, or a loan or advance of ration currency granted by the District Office, or from the repayment of a loan or advance, pursuant to section 2.17;

(9) Records, which shall be attached to its inventory (OPA Form R-1701) within five days after the event showing:

(i) In the case of a release of shoes from rationing by order of the Office of Price Administration, a list of the type and number of pairs so released which the establishment had in inventory, or in transit to it, or in storage for it at a place other than an establishment, at the time of such release.

(ii) In case non-rationed shoes are given a rationed status by order of the Office of Price Administration, a list of the type and number of pairs given a rationed status, which the establishment had in inventory or in transit to it, or in storage for it at a place other than an establishment, at the time of the change in rationed status and the number of pairs of such shoes (other than infants' shoes in sizes 0-4) transferred as non-rationed and returned to the establishment under section 1.10, after the shoes have been given a rationed status.

[Subparagraph (ii) added by Am. 95, 10 F.R. 3404, effective 5-1-45; amended by Am. 97, 10 F.R. 5994, effective 5-28-45]

[Subparagraphs (8) and (9) added by Am. 25, 8 F.R. 9062, effective 7-7-43]

(10) In the case of a manufacturing establishment, a record of its inventory of bacon-rind pigskin leather taken as of December 1, 1944 in accordance with section 2.13 (a) (2).

[Subparagraph (10) added by Am. 85, 9 F.R. 14017, effective 12-1-44]

(11) Deposit slips, notices of errors in deposit slips, statements of account received by him, cancelled checks returned to him, all stubs from which checks have been detached or other record used in place of stubs. (These records, other than deposit slips and notices of errors in deposit slips, may be kept at the central office of a chain organization, under the circumstances set forth in section 2.13 (a) (4).)

(12) Written notices received from suppliers showing the net amount of ration currency on deposit with them as of the close of business on May 31, 1945, and in the case of a chain establishment whose central office draws ration checks on its ration bank account, the written notice from the central office showing the check book balance in its ration bank account as of the close of business on May 31, 1945.

[Subparagraphs (11) and (12) added by Am. 96, 10 F.R. 5324, effective 5-11-45]

(c) All records required to be kept shall be kept at the place where the establishment is located and shall be made available for inspection by an authorized representative of the Office of Price Administration. However, a manufacturing establishment shall keep such records at the office where it prepares its monthly report as required by section 2.14. Where two or more locations at which shoes are sold or stored constitute a single distributing establishment, the records may be kept at any of such locations.

[Paragraph (c) amended by Am. 71, 9 F.R. 9355, effective 8-5-44; Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 96, 10 F.R. 5324, effective 5-11-45]

(d) Every establishment shall be accountable for all ration currency received by it. The amount of ration currency an establishment has on hand or on deposit at a bank or which it has forwarded to a supplier plus the number of pairs of shoes it has in inventory shall at all times be equal to but not in excess of its inventory responsibility as established by OPA Form R-1701 or R-1701 (Revised), as adjusted by the records showing increases or decreases in inventory responsibility required by paragraph (b) above, except to the extent it can account for such excesses or deficits by reason of conditions which are not due to its violation of other provisions of this Order.

[Paragraph (d) added by Am. 53, 9 F.R. 2656, effective 3-11-44]

(e) The term "invoice" as used in this section includes any written evidence of transfer furnished by a supplier.

[Paragraph (e) added by Am. 79, 9 F.R. 12039, effective 10-6-44]

SEC. 2.14 *Manufacturer's report; acquisition of shoes by manufacturers.*—(a) *Acquisition of shoes by manufacturer.* A manufacturer may acquire shoes from another person or establishment and for this purpose may use any ration currency on deposit in his ration bank account or, if he is not a depositor, any ration currency which he has on hand.

(b) *Who must file reports and forms to be used.* Each manufacturer shall file on or before the 10th day of each month, a report for each of his manufacturing establishments (including in the same report all factories, warehouses, storage places, salesrooms and distributing agencies) whose inventories were included in the same inventory, OPA Form R-1701, filed pursuant to Ration Order 17. Manufacturers who receive Form M68A shall file their reports on such form with the Bureau of the Census. All other manufacturers shall file their reports on OPA Form R-1707 with the Inventory and Control Branch, Empire State Building, New York City.

(c) *What shall be reported.* The manufacturer shall furnish all information required by the form or by the accompanying instructions. A manufacturer shall in his report for the calendar month of April 1945 add to the number of pairs of rationed shoes on hand at the close of the reporting period, the number of pairs of infants' shoes in sizes 0 to 4 which are in inventory, or in transit to him, or in storage for him as of the close of business on April 30, 1945. His normal closing inventory for April and the number of pairs of shoes so added to his April closing inventory shall be shown as separate items.

He shall also show as an addition to his closing inventory, the number of pairs of shoes (other than infants' shoes in sizes 0-4) transferred as non-rationed and returned to him by a consumer during the reported period under section 1.10, after the shoes have been given a rationed status.

[Paragraph (e) amended by Am. 95, 10 F.R. 3404, effective 5-1-45 and Am. 97, 10 F.R. 5994, effective 5-28-45]

(d) *Surrender of currency to the Office of Price Administration.* There shall be attached to each report the manufacturer's certified ration check drawn to the account of the Office of Price Administration for the net number of pairs of rationed shoes of its own manufacture which it transferred during the period for which the report is made, to persons or establishments required to surrender ration currency. If during this period, he transferred "purchased shoes" under section 3.5 or 3.6 or without receiving ration currency because the "purchased shoes" were released from rationing, he shall deduct the number so transferred from the amount of the check. A manufacturer may not use for the purpose of payment of ration currency to the Office of Price Administration, ration currency received for shoes which he had not transferred by the end of the reporting period. If a manufacturer is unable to send a ration check for the full amount required, because of loss or destruction of ration currency, use of ration currency (over and above the amount received against which shoes have not been transferred) for the acquisition of "purchased shoes" or for other reasons, he shall submit a ration check for the amount of ration currency available which he is permitted to use. In such case he shall attach to his report an explanation of the deficiency. If a manufacturer receives ration currency for an item represented in a prior deficiency, he shall include the amount so received in the ration check sent with his next report and attach a statement designating the deficiency which is being liquidated. (If a manufacturer is not eligible for a ration bank account, he may send ration currency other than a ration check.)

[Sec. 2.14 amended by Am. 89, 10 F.R. 1649, effective 2-9-45]

SEC. 2.15 *Replacement certificates may be issued to distributors.* (a) Any registered distributing establishment whose ration currency has been destroyed, damaged, lost, stolen or paid to the Collector of Customs for non-rationed shoes, or whose shoes have been (1) taken from him by judicial process, or the enforcement of a security interest, (2) exported to a foreign country or to a territory or possession of the United States (other than the District of Columbia) or delivered as slop-chest supplies, ships' stores, or to Ships' Service Stores Afloat, pursuant to section 3.5, or transferred to or for the account of an exempt person or agency designated in section 3.6, without getting ration currency, (3) damaged, destroyed, lost or stolen, or (4) released from rationing under section 2.11 (a) (7) after the establishment paid ration currency for them, may get a ration check to replace the ration currency or shoes, as the case may be. Application for the replacement currency should be made to the District Office (on OPA Form R-1704) and should show the facts necessary to establish the eligibility for the replacement currency, including all information required by the form prescribed. In the case of an application for currency to replace shoes which have been exported, there shall be attached to the application, a shipper's export declaration certified by the Collector of Customs or ocean bill of lading signed by the steamship company, or if the shoes were mailed, a certificate of mailing certified by a postal employee, covering the shoes which were exported. However, if the shoes are being exported to a member of the foreign service of the United States, through the Department of State, a receipt of the mail room of the Department

of State may be accepted as proof of export.

[Paragraph (a) amended by Am. 26, 8 F.R. 9422, effective 7-8-43; Am. 42, 8 F.R. 15194, effective 11-8-43; Am. 50, 9 F.R. 573, effective 1-17-44; Am. 55, 9 F.R. 2829, effective 3-18-44; Am. 76, 9 F.R. 10985, effective 9-5-44; Am. 80, 9 F.R. 12271, effective 10-13-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) If an establishment should recover shoes or ration currency for which replacement currency has been issued under this section it shall within five days deliver to the District Office ration currency of a kind prescribed by the Office of Price Administration for the number of pairs of shoes, or the amount of the ration currency, so recovered. Any establishment which has invalid certificates (OPA Form R-1705A), which were received in exchange for shoes, or which were received in accordance with this order, may have them replaced by the District Office with a ration check, if the application is filed with the District Office before May 23, 1945.

[Paragraph (b) amended by Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 94, 10 F.R. 3014, effective 3-24-45]

SEC. 2.16 *New businesses may get inventory allowance.* Any new distributing establishment, opened in good faith after the time set for filing inventories, may get a shoe purchase allowance in the form of a ration check for the number of pairs of shoes it needs to service its expected customers. (Except for some unusual reason, the establishment will not be allowed an inventory of more than its expected sales for six months.) Application should be made (on OPA Form R-1704) to the District Office serving the area in which the establishment is or will be located and should contain all information required by the form or necessary to establish the number of pairs of shoes it needs. The District Office may issue a ration check to the applicant on such terms as it may prescribe and permit him to open an account. The District Office may require the applicant to make subsequent reports to it of his actual sales and may adjust his inventory accordingly by giving him a ration check for additional shoes or requiring him to surrender ration currency for any stock above his needs.

[Sec. 2.16 amended by Am. 46, 8 F.R. 15839, effective 11-24-43; Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 98, 10 F.R. 6453, effective 6-4-45]

SEC. 2.17 *Establishments may get increased inventory.* (a) Any distributing establishment may apply for an adjustment of its inventory allowance. However, an establishment may not make a second application within six months except with the approval of the District Office. Application should be made (on OPA Form R-1704) to the District Office serving the area in which the establishment is located and should contain all facts necessary to establish its need for extra shoes. In all cases the applicant shall submit with its application a copy of its original inventory (Form R-1701) and a statement showing the number of pairs of rationed shoes, if any, transferred by it to other establishments owned by the same person during the period from February 7 to April 10, 1943.

[Paragraph (a) amended by Am. 98]

(b) The District Office may issue a ration check to a distributing establishment for the extra shoes it needs if (1) it is unable to service its customers because its stock of shoes was greatly below normal when it filed its inventory, (2) the volume of its normal sales to other persons during the period since April 10, 1943, has increased to the extent that it cannot service its normal share of the customer demand in its area, or (3) its supply of ration currency is not sufficient to allow it to continue its normal business.

[Paragraph (b) amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(c) In addition to or in lieu of an adjustment granted under the above paragraph, an establishment may be granted a temporary loan of ration currency when needed to enable it to pay ration debts incurred for shoes acquired during the period from February 7 to April 10, 1943, or to acquire a necessary working inventory where a substantial part of its inventory of rationed shoes consists of slow-moving merchandise, or in other cases authorized by the National Office. Also, an establishment may be granted an advance of ration currency to enable it to acquire shoes for export or transfer to an exempt person or agency, or to replenish a supply of shoes segregated for export or transfer to an exempt person or agency. Any ration currency issued pursuant to this paragraph shall be repaid to the District Office within the period specified by the District Office and in any event within six months from the date the currency is issued. The establishment may not deliver ration currency to any supplier after such period until it has repaid the ration currency loaned or advanced to it by the District Office. In the case of an advance granted to enable an establishment to acquire shoes for lawful export or for lawful transfer to an exempt person or agency, for which ration currency is not received, the amount of the advance shall be deemed to be repaid to the extent of the number of pairs so exported or transferred upon the making of a full report thereof to the District Office and the approval of the report.

(d) The District Office may require any establishment receiving ration currency under this section to make subsequent reports to it concerning its transfers, receipts, or inventory of shoes and may adjust the applicant's inventory by requiring him to surrender ration currency for any supply of shoes or ration currency above his needs.

(e) The District Office may deny any application by a person who has violated any provision of this order. The granting of any application under this section shall not be deemed to condone any violation of this order nor to waive the right to impose sanctions for such a violation.

[Sec. 2.17 amended by Am. 23, 8 F.R. 8601, effective 6-21-43]

SEC. 2.18 *Establishments must mark certain shoes.* (a) (1) Manufacturers shall mark on one shoe of each pair of the types specified in section 2.11 (a) (2) which is completed, packaged, or shipped from the factory after April 15, 1943, and on one shoe of each pair of the types specified in section 2.11 (a) (3) which is completed, packaged, or shipped from the factory after August 15, 1943, the month and year in which the shoe is packaged.

(2) Manufacturers shall mark on one shoe of each pair of women's plastic or fibre box toe safety shoes which is shipped from the factory after May 15, 1944, and on one shoe of each pair of the type specified in section 2.11 (a) (15) (unless it contains no leather other than shearling) which is shipped from the factory after July 14, 1944, the month and year in which the shoe is shipped.

(3) A manufacturing establishment shall mark on one shoe of each pair of the type specified in section 2.11 (a) (21) and (22) the word "non-rationed" and the War Production Board quota number assigned to that manufacturer for the purchase of leather before the shoes are shipped from the factory.

[Subparagraph (3) amended by Am. 67, 10 F.R. 521, effective 1-16-45]

(4) The mark may be on either the right or the left shoe but the marking in this respect must be uniform. The mark on shoes marked in accordance with subparagraph (1) and (2) above shall be embossed or indented in the shank of the outersole or written or marked by indelible contrasting colors on the inside quarter before the shoe is packaged. The mark on shoes marked in accordance with subparagraph (3) above shall be embossed, indented or marked by indelible contrasting colors on the heel seat or sock lining of the shoe.

[Paragraph (a) amended by Am. 11, 8 F.R. 5678, effective 5-5-43; Am. 25, 8 F.R. 9062, effective 7-7-43; Am. 46, 8 F.R. 15839, effective 11-24-43; Am. 60, 9 F.R. 5254, effective 5-16-44; Am. 61, 9 F.R. 5805, effective 6-3-44 and Am. 85, 9 F.R. 14017, effective 12-1-44]

(b) Any establishment importing huaraches released by the Collector of Customs after May 31, 1943, shall, before transfer and within ten days of their receipt by the establishment, plainly mark on each shoe by indelible contrasting color, the month and year in which it was released by the Collector of Customs.

(c) Shoes marked in the manner required by this section shall be deemed to be rationed shoes, regardless of the date on which they were imported, packaged or shipped.

(d) This section does not apply to shoes which are non-rationed under the provisions of section 2.11 other than section 2.11 (a) (1), (2), (3), (15), (21) and (22).

[Paragraph (d) added by Am. 46, 8 F.R. 15839, effective 11-24-43; amended by Am. 98, 10 F.R. 6453, effective 6-4-45]

[Sec. 2.18 added by Am. 2, 8 F.R. 2487, effective 2-25-43]

SEC. 2.19 *Shoes may be acquired for testing.* Any person who requires shoes for testing may apply to the Office of Price Administration, Washington, D. C., for the number of pairs of shoes needed. In a proper case, a ration check or special shoe stamps may be issued to acquire shoes for this purpose, upon such conditions as the Office of Price Administration may prescribe.

[Sec. 2.19 added by Am. 3, 8 F.R. 2943, effective 3-13-43; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 2.20 *Transfers to and by the Procurement Division of the Treasury Department.* (a) Ration currency need not be collected when shoes are transferred by an agency of the United States Government to the Procurement Division of the Treasury Department if the shoes are acquired by the Procurement Division for transfer.

(b) The Procurement Division of the Treasury Department may dispose of the shoes in the same way that a distributor is permitted by this order to transfer shoes. (However, for that purpose, the Procurement Division need not register as a distributor.) Not later than the twentieth day following the month in which any transfer is made, the Procurement Division shall account to the "Washington Office" of the Office of Price Administration for ration currency covering the number of pairs of shoes transferred.

[Sec. 2.20 added by Am. 52, 9 F.R. 2232, effective 2-29-44. Former sec. 2.20 added by Am. 4, 8 F.R. 3315, effective 3-18-43 and revoked by Am. 45, 8 F.R. 15784 effective 1123-43]

SEC. 2.21 *Ration bank accounts shall be opened by District Offices and the National Office.* (a) Each District Office and the National Office shall open before December 1, 1944 a shoe ration bank account. After November 30, 1944 it shall issue a ration check whenever this Order permits the issuance of ration currency, except in cases where the issuance of special shoe stamps is permitted. No certificate (OPA Form R-1705A) shall be valid after January 31, 1945 regardless of date of issuance.

[Paragraph (a) amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) The shoe ration bank account opened by the National Office shall receive periodic credits through credit memoranda issued by the National Office as authorized by General Ration Order 3A.[1] At the time a shoe ration bank account is opened by a District Office and on the first day of each month thereafter, the District Office shall draw a ration credit draft on the shoe ration bank account of the National Office in the amount of shoe ration currency which it estimates will be needed for the monthly period. Such ration credit drafts and all ration checks received by a District Office shall be endorsed by the District Office and deposited in its ration bank account. When the credit in the ration bank account of a District Office will not be sufficient to cover its needs for the monthly period, it may draw a supplemental ration credit draft for the additional amount needed and deposit it to its account.

[Sec. 2.21 added by Am. 84, 9 F.R. 13992, effective 11-27-44]

SEC. 2.22 *Rationed shoes which may be transferred without ration currency on certain conditions.*—(a) *General* The shoes covered by this section remain under rationing control. Therefore, this section does not permit a person to receive, acquire, transfer, or otherwise deal in these shoes if he is prohibited, by an order issued under Procedural Regulation No. 4, from doing any of these things with respect to rationed shoes or shoes covered by Ration Order 17. Persons not so prohibited may deal in those shoes, without the surrender or collection of ration currency, in the manner and upon the conditions specified in this section. If shoes have been transferred without ration currency in accordance with the provisions of this section no one may return them or accept their return (or offer to return or accept their return) in exchange for a pair of rationed shoes or a stamp pursuant to section 1.10.

(b) *Damaged shoe release.* (1) Any person or establishment entitled to transfer shoes which have been damaged by fire, water, steam, or a similar accidental cause to the extent that they cannot reasonably be sold for ration currency may be authorized by the District Office to transfer them without ration currency. Application for the authority shall be made by letter, giving all facts available to show the time, place, manner, and extent of the damage. If the applicant is an establishment, the application shall be made to the District Office for the area where the establishment is located; otherwise, to the District Office for the area where the damaged shoes are located. The applicant shall be required to furnish two copies of a list of the shoes to be marked non-rationed prepared as directed by the District Office. The approval of the application shall be in writing, and one copy of the approval shall be retained by the applicant.

(2) Shoes permitted to be transferred without ration currency on the authority of this paragraph shall be marked with the word "non-rationed" and a code number to be assigned by the District Office. The mark shall be written or stamped on one shoe of each pair or on a sticker affixed to the shoe, before the shoes are transferred. When the official sticker (OPA Form R-1711) is available it shall be used and the mark shall be made on it.

(c) *Single and obsolete shoe release.* Any establishment or person having single shoes that cannot be mated, or obsolete shoes which cannot reasonably be sold for ration currency, may be authorized by the District Office to transfer them without ration currency, in accordance with the following provisions:

(1) For the purpose of this section, "obsolete shoes" include only shoes which (i) have deteriorated substantially as a result of age; or (ii) are of an outmoded last or design.

(2) Application to transfer the shoes without ration currency shall be made to the District Office for the area where the establishment is located or, in the case of a person other than an establishment, to the District Office where the shoes are located. Only one application may be made unless the District Office, in its discretion, otherwise permits. The application need not be made on any prescribed form but shall contain, or be accompanied by, the following:

(i) Two copies of a list of the shoes proposed to be transferred without ration currency, with detailed information concerning the color, materials, age, and condition, and any additional pertinent facts which the District Office may require;

(ii) With respect to single shoes, a statement that they cannot be mated.

(3) The District Office, if it approves the application in whole or in part shall indicate its approval in writing and shall attach thereto a copy of the list of shoes submitted by the applicant, on which it shall indicate the specific shoes authorized to be transferred without ration currency. The District Office shall issue to the applicant official Non-Rationed stickers (OPA Form R-1711) equal to the number of pairs, plus the number of single shoes, permitted to be transferred without ration currency. If Form R-1711 is not available, OPA Form R-123 may be used, with the words "Non-Rationed Shoes" printed on it. The District Office (or the applicant if required by the District Office) shall write or print on each such sticker the word "Obsolete" or, in the case of single shoes, the word "Mismate" and a code number assigned by the District Office. However, if the shoes are to be transferred for salvage purposes to a specified person engaged in the business of repairing or making shoes, or to a shoe findings distributor or a dealer in scrap materials, the District Office may authorize the transfer of the shoes without ration currency without requiring them to be marked.

(4) Before any of such shoes may be transferred or offered for sale without ration currency except for salvage purposes pursuant to written authorization of the District Office, the applicant shall attach to one shoe of each pair and, in the case of single shoes that cannot be mated, to each single shoe, an official

[1] 9 F.R. 11669, 13738; 10 F.R. 619.

non-rationed sticker supplied by the District Office. Such sticker may be affixed only to shoes specifically permitted by the District Office to be transferred without ration currency.

(5) These shoes may be transferred without ration currency only if sold at a price not in excess of $1.00 a pair (or 50 cents for a single shoe). If the shoes are sold by any establishment or person at a price in excess of $1.00 a pair (or 50 cents for a single shoe) he must collect ration currency and turn in the currency to the District Office within five days after the transfer.

(6) Shoes acquired by a person for salvage purposes, pursuant to a specific authorization of a District Office, may not be transferred thereafter as complete shoes, but the parts of the shoes may be used for the repair of or manufacture of other shoes or may be transferred to other persons for such purpose.

(d) *Old releases.* Shoes may be transferred without ration currency if they are transferred in accordance with former section 2.11 (f), (h) and (k), now appearing in Appendix A.

[Sec. 2.22 added by Am. 100, effective 6-15-45]

ARTICLE III—GENERAL PROVISIONS

(This part should be referred to when special problems arise)

Other Transfers Permitted

SEC. 3.1 *Transfers to carriers, warehouses, and repair shops permitted.* Shoes may be transferred to or from a carrier or a public warehouse in connection with their shipment or storage, and to or from a shoe repair shop in connection with their repair, without the giving up of ration currency. (This does not permit a transfer of title to the shoes in violation of other provisions of this order.)

SEC. 3.2 *Transfer of damaged, lost, or stolen shoes permitted.* (a) Shoes that have been substantially destroyed so as to be no longer usable as shoes may be transferred to anyone without getting ration currency.

(b) A person whose shoes have been lost or stolen may get them back without giving up ration currency. If a distributor has received replacement currency for them, he must send ration currency (of a type to be prescribed by the Office of Price Administration) to the District Office for the number of pairs of shoes returned.

[Paragraph (b) amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(c) Shoes that have been damaged but which are still usable as shoes and undamaged shoes mingled therewith, shoes that were stolen, and shoes in imminent danger of being damaged or stolen may be acquired without the surrender of ration currency, for the purpose of transfer only, by: (1) Persons lawfully engaging in the insurance business and common or contract carriers in connection with the right of subrogation or by virtue of the payment by them of a claim for damage to or loss of the shoes; and (2) persons performing public fire or safety functions, warehousemen, or persons engaged primarily in the business of adjusting losses and selling or reconditioning and selling damaged commodities, who take possession of or receive them on the occurrence or imminence of casualties.

(d) A transfer of the shoes by any person included in paragraph (c) of this section may be made without the surrender of ration currency to another person so included, or to the owner, or to the person from whose lawful custody the shoes were taken. All other transfers of the shoes (if new) must be made in exchange for ration currency, except as otherwise permitted under section 2.11 for non-rationed shoes. Any ration currency so received must be surrendered to a District Office within five days.

[Paragraph (d) amended by Am. 4, 8 F.R. 3315, effective 3-18-43]

SEC. 3.3 *Transfer by operation of law or for security purposes permitted.* (a) Any person may acquire shoes or a lien thereon, without giving up ration currency, for permissible transfer only, if the shoes are acquired or the lien is created through judicial process, operation of law, or through an order issued by a court of competent jurisdiction. (A State or the United States or any agency of a State or the United States may do so through the enforcement of statutory rights against the shoes.)

(b) A lien may be created on shoes for security purposes, without the surrender of ration currency, in favor of: (1) A State or the United States or any agency or political subdivision of a State or the United States; (2) any person licensed by a State or the United States to engage in the business of making loans upon collateral; and (3) any person if the lien is or is to be on all or substantially all of the shoes owned by an establishment or on all or substantially all of the business assets of an employer-consumer.

(c) Shoes or any interest in shoes acquired pursuant to this section may be returned to the person from whom acquired, or a lien on shoes may be released, without the surrender of ration currency. (If a distributor has received replacement currency for them, he must send ration currency (of a type prescribed by the Office of Price Administration) to the District Office for the number of pairs of shoes returned.)

[Paragraph (c) amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(d) Any person holding a lien on shoes or a security interest in shoes permitted by this section or created before this order became effective may enforce the security interest or lien in the manner provided by applicable laws.

(e) New shoes acquired by a person under this section (except when returned to a person who had owned them for use) may not be used by him and may be transferred only in exchange for ration currency. Any ration currency so received must be surrendered to a District Office within five days.

SEC. 3.4 *Shoes may be imported.* (a) New shoes may be brought into the continental United States (the forty-eight States and the District of Columbia) from an outside point if they are delivered to the Collector of Customs at the point of entry. They may be delivered to him without getting ration currency.

(b) The Collector may release the shoes without getting ration currency if the shoes (1) were imported by one of the exempt agencies referred to in section 3.6; (2) were imported as a part of the personal effects of a consumer who had not been in the continental United States during the previous 30 days; (3) were not made in the continental United States, are not imported for sale, and not more than two pairs of shoes are released to the same person in one transaction; (4) are non-rationed shoes under section 2.11; (5) were imported by representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or Article 433 (c), Customs Regulations of 1937; (6) were imported by or consigned or addressed to members of the armed services of the United Nations, other than those of the United States, who are on duty within the United States if the shoes are intended for their personal or official use; or (7) are consigned or addressed to enemy prisoners of war or civilian internees or detainees in the United States, for their personal use.

[Subparagraph (3) added by Am. 47, 8 F.R. 16605, effective 12-3-43]

[Subparagraph (4) added by Am. 76, 9 F.R. 10985, effective 9-5-44]

[Paragraph (b) amended by Am. 2, 8 F.R. 2467, effective 2-25-43, Am. 12, 8 F.R. 5679, effective 5-5-43; original subparagraphs (3) and (4) revoked by Am. 46, 8 F.R. 15839, effective 11-24-43]

(c) In all other cases the Collector may return or otherwise transfer the shoes if he first gets valid ration currency for the number of pairs of new shoes so transferred. A shoe distributor who desires to get new shoes from the Collector under this paragraph must give him a ration check drawn to the account of the Office of Price Administration. (A ration check may be secured for this purpose from the District Office on such terms as it may provide as to the giving up of other ration currency.)

[Paragraph (c) amended by Am. 66, 9 F.R. 7773, effective 7-15-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(d) Ration currency received by the Collector of Customs shall be delivered, at least once each calendar month, to the District Office for the area in which the ration currency is received.

SEC. 3.5 *How shoes may be exported.* (a) Any person may export shoes without receiving ration currency in the following cases, and in accordance with the following provisions:

(1) Shoes may be shipped to a territory, possession, or dependency of the United States (other than the District of Columbia) or transferred to Ship's Service Stores Afloat, or to any person as slopchest supplies or ships' stores for use of crew members aboard any ocean-going vessel operating in foreign, coastwise, or intercoastal trade, without prior consent from any person or agency.

(2) Shoes may be exported to any foreign country, other than Canada, under an individual, special program or special project license issued by the Foreign Economic Administration.

[Subparagraph (2) amended by Am. 37, 8 F.R. 12543, effective 9-15-43; Am. 55, 9 F.R. 2829, effective 3-18-44; Am. 90, 10 F.R. 1649, effective 2-7-45 and Am. 99, 10 F.R. 6008, effective 5-23-45]

(3) Shoes having a declared value of $25 or more may be exported to Canada under a purchase order approved by the Canadian Administrator of Wholesale Trade. Shoes having a declared value of less than $25 may be exported to Canada by a registered establishment without prior approval if the shoes are exported by mail, parcel post, express, or other common carrier or are shoes exported through the Department of State.

[Subparagraph (3) amended by Am. 99, 10 F.R. 6008, effective 5-23-45]

(4) Shoes may be sent to any Army or Fleet Post Office address or to the address of any representative of the United States residing in a foreign country, by a registered establishment, without prior approval from any person or agency.

[Subparagraph (4) amended by Am. 80, 9 F.R. 12271, effective 10-13-44; Am. 90, 10 F.R. 1649, effective 2-7-45 and Am. 99, 10 F.R. 6008, effective 5-23-45]

(b) Shoes acquired by an exempt person or agency in a way permitted by section 3.6, may be exported without further approval.

[Paragraph (b) amended by Am. 90, 10 F.R. 1649, effective 2-7-45 and Am. 99, 10 F.R. 6008, effective 5-23-45]

(c) Nothing in this section shall be deemed to authorize any export of shoes to be made in violation of any other applicable law or regulation.

[Sec. 3.5 amended by Am. 11, 8 F.R. 5678, effective 5-5-43 and Am. 26, 8 F.R. 9422, effective 7-8-43]

SEC. 3.6 *Shoes may be transferred to exempt persons.* (a) Any person may transfer shoes to any of the exempt agencies or persons or for the account of any of the government agencies listed in the next paragraph, without getting ration currency.

(b) The exempt agencies and persons to which this section applies are:

(1) The Army and Navy of the United States;

(2) U. S. Maritime Commission;

(3) The Panama Canal;

(4) The Coast and Geodetic Survey;

(5) Civil Aeronautics Authority;

(6) National Advisory Commission for Aeronautics;

(7) The Office of Scientific Research and Development;

(8) The Office of Lend Lease Administration;

(9) The War Shipping Administration;

(10) Any agency of the United States to the extent it acquires shoes for export to and use in a foreign country or a Territory, Possession, or Dependency of the United States (other than the District of Columbia).

(11) [Revoked]

[Subparagraph (11) amended by Am. 11, 8 F.R. 5679, effective 5-5-43; Am. 26, 8 F.R. 9422, effective 9-15-43, and revoked by Am. 55, 9 F.R. 2829, effective 3-18-44]

(c) A person who acquires shoes under this section "for the account of" one of the above exempt government agencies without giving up ration currency (for example, a contractor who has a war contract with an exempt government agency) must give his supplier a written signed statement that the shoes to be acquired will become the property of the exempt government agency and that it will keep title to them, and a copy of his war contract or other proof to support the statement. (For rules governing the use and disposition of shoes acquired under this section by an employer or institution, see section 1.7.)

[Paragraph (c) amended by Am. 75, 9 F.R. 10964, effective 9-5-44]

SEC. 3.7 *Closing and transfer of businesses and institutions*—(a) *Closing of establishments.* Whenever an establishment is closed, the owner or his representative shall report that fact to the District Office within five days and furnish a statement of the amount of ration currency, if any, owed to or by the establishment, with the name and address of each person or establishment to or from whom the ration currency is due. He shall also surrender to the District Office, with the report, all ration currency on hand, including a ration check drawn to the account of the Office of Price Administration for the net balance of its shoe ration bank account. Any ration currency owed to the establishment by another shall thereafter be deemed to be owed to the District Office. However, the District Office may require the owner of the establishment to collect all ration currency owed to it and pay all ration currency it owes to other persons or establishments.

[Paragraph (a) amended by Am. 66, 9 F.R. 7773, effective 7-15-44]

(b) *Transfer of establishments.* When substantially all the stock of shoes of an establishment is to be transferred to another person or establishment (other than by operation of law or judicial process) the parties shall notify the District Office, in advance, of the details of the proposed transfer; and the person or establishment acquiring the shoes must pay ration currency to the District Office for all rationed shoes to be acquired. (Sections 2.16 and 2.17 permit a new or existing establishment to get ration currency to acquire a stock of shoes.) However, if the shoes are acquired by a person who will operate the business, or liquidate it, at the same location, the District Office may waive the payment of ration currency, and may also permit him to get the establishment's ration currency, instead of issuing him a shoe purchase allowance as a new establishment under section 2.16. In such a case the new owner shall file an inventory for the business as a new establishment and open an account, or obtain a registration number if he is not eligible for an account. A person making a transfer under this paragraph and ceasing to deal in rationed shoes at the same location shall comply with the provisions of the preceding paragraph.

(c) *Moving of establishment.* If a person moves his establishment to a new location, that moving is treated as a transfer subject to the previous paragraph, except where both the old and the new locations are in the same District Office area and the establishment is not merged or consolidated with another establishment. In the latter case the owner of the establishment must notify the District Office of the new address, within five days after the establishment is moved.

(d) *Transfer of institutions and businesses.* Any person who buys (or otherwise acquires) substantially all the assets of an institution or business, other than an establishment, may acquire any shoes included among the assets without giving up ration currency. He may furnish the shoes to the students or residents of the institution, or to the employees of the business, as the case may be, if he keeps title to them. If any rationed shoes so acquired are transferred in any other manner, ration currency must first be obtained, and such ration currency must be surrendered to the District Office within five days.

(e) *Closing of institutions or businesses.* If an institution or business, other than an establishment, is closed it may transfer ration-free any shoes which have been worn. It may transfer new shoes if it gets ration currency.

The currency received must be surrendered to the District Office within five days.

[Sec. 3.7 amended by Am. 45, 8 F.R. 15784, effective 11-23-43]

Prohibited Acts Relating to Shoes and Certificates

SEC. 3.8 *Transfer of shoes is prohibited.* (a) No person shall transfer or acquire shoes (or offer to do so) except in accordance with this order.

(b) [Revoked]

[Paragraph (b) revoked by Am. 95, 10 F.R. 3404, effective 5-1-45]

[Sec. 3.8 amended by Am. 10, 8 F.R. 5589, effective 5-2-43]

SEC. 3.9 *Other prohibitions*—(a) *Evidences generally not transferable.* No person shall use, possess without authority, or transfer a stamp, certificate, or ration check except as permitted in this order.

[Paragraph (a) amended by Am. 46, 8 F.R. 15839, effective 11-24-43]

(b) *Other prohibitions in General Ration Order 8.*[1] General Ration Order 8 contains provisions, applicable to this and all other ration orders, which prohibit, among other matters:

(1) Making false or misleading statements in a ration document or to the Office of Price Administration;

(2) Altering, defacing, mutilating, or destroying a ration document;

(3) Forging or counterfeiting a ration document;

[1] 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1325, 2746, 4196, 4878, 7419; 10 F.R. 860.

(4) Acquiring, using, transferring or possessing a forged, counterfeited, altered, defaced, or mutilated ration document;

(5) Wrongfully withholding a ration document;

(6) Transferring a rationed commodity in exchange for an invalid or improperly acquired ration document;

(7) [Revoked]

[Subparagraph (7) revoked by Am. 87, 10 F.R. 521, effective 1-16-45]

(8) Bribing, hindering, or interfering with rationing officials;

(9) Attempting to do any act in violation of a ration order, directly or indirectly, or to aid or encourage another to do so.

[Sec. 3.9a added by Am. 31, 8 F.R. 11445, effective 8-16-43; redesignated Sec. 3.9 (b) by Am. 46, 8 F.R. 15839, effective 11-24-43]

Appeals and Suspension Orders

SEC. 3.10 *Persons affected may appeal.* Any person directly affected by the action of a Board, District Director, or Regional Administrator taken with respect to any matter before him under this order may appeal from the action in the way permitted by Procedural Regulation No. 9.[1] (Uniform Appeals Procedure).

[Sec. 3.10 amended by Am. 37, 8 F.R. 12548, effective 9-15-43]

SEC. 3.11 *Violators may lose right to rationed products.* Any person who violates this order may, by administrative suspension order, be prohibited from acquiring or transferring new shoes or other rationed products for such period as in the judgment of the Administrator is necessary or appropriate in the public interest and to promote national security.

Scope of Ration Order No. 17

SEC. 3.12 *Where this order applies.* Ration Order No. 17 shall apply within the 48 States of the United States and the District of Columbia.

Definitions

SEC. 3.13 *Terms explained.* (a) When used in this order the term:

"Account" means the shoe ration bank account opened for an establishment at a bank pursuant to this order.

"Acquire" means to accept a transfer.

"Bank" means the bank at which the shoe ration bank account of an establishment is opened.

"Board" means a war price and rationing board or the war price and rationing board having jurisdiction over a certain person or establishment, as the language indicates. The term also includes the war plant area boards authorized to act on applications under this order.

"Certificate" means a shoe purchase certificate (OPA Form 1705B).

[Above definition amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

"Convert to use" means to use shoes held for some purpose other than use, whether or not there is a change of ownership or possession.

"Consumer" means any individual acquiring or seeking to acquire shoes for personal use, or an employer or institution acquiring or seeking to acquire shoes for the use of its employees, students, residents, or members.

"Distributing establishment" means a business, other than a manufacturing establishment or public warehouse, conducted at a certain location from which rationed shoes are sold or at which rationed shoes are stored or the business of a central office of a chain store organization which acts as supplier for a branch establishment with respect to shoes delivered directly to the establishment by another supplier or the business of any person accepting a transfer or making a transfer of shoes in connection with the exporting of shoes for commercial purposes. Where a person does not sell or store shoes at any fixed location, his operations as a whole are regarded as a single establishment. (This may be true, for example, in the case of some exporters or auctioneers.) In such cases, his principal place of business, or if he has no place of business, then, his home, is considered as the location of the establishment. Where one person owns two or more locations at which he sells or stores shoes in the same city or community all such locations served by the same ration bank account are treated as one establishment.

[Above definition amended by Am. 55, 9 F.R. 2929, effective 3-18-44, Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 96, 10 F.R. 5324, effective 5-11-45]

"Distributor" means any person operating a distributing establishment.

"District Office" means a District Office of the Office of Price Administration, or the District Office of the Office of Price Administration having jurisdiction over a certain person or establishment, as the language indicates.

[Above definition amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

"Establishment" means a manufacturing or distributing establishment, or both, as the language indicates.

"Family" means a group of two or more persons living in the same household who are related by blood, marriage, or adoption.

"House slippers" means any footwear constructed exclusively for indoor or house wear other than athletic, sport, or gymnasium use. However, the term does not include footwear made with any cattle hide leather in the upper, or with cattle hide grain leather outsoles (other than heads, bellies, shins, and shanks), if such footwear was shipped from the factory in the United States after August 31, 1943, or imported into the United States after August 31, 1943. Neither does the term include footwear having a leather outsole heavier than five iron, or footwear having leather outsoles and raised or flat seam moccasin type vamps (or genuine moccasins utilizing leather outsoles) manufactured in the United States after December 31, 1944 or imported after that date.

[Above definition added by Am. 30, 8 F.R. 10762, effective 8-7-43; amended by Am. 32, 8 F.R. 11515, effective 8-18-43; Am. 46, 8 F.R. 16996, effective 12-18-43; Am. 77, 9 F.R. 11638, effective 9-25-44; Am. 79, 9 F.R. 12039, effective 10-6-44; Am. 83, 9 F.R. 10762, effective 11-1-44, amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

"Immigration document" means a Border Crossing Identification Card or Passport issued to a non-resident alien, bearing either a visa for entry into the United States or a notification showing that such a visa has been issued. It also includes a U. S. Citizen's Identification Card, passport, or other immigration papers issued to non-resident citizens for entry into Mexico.

[Above definition added by Am. 62, 9 F.R. 6233, effective 7-1-44]

"Manufacturing establishment" means a business manufacturing, processing, or assembling shoes. All factories, warehouses, storage places, salesrooms, and distributing agencies owned by one person may constitute one manufacturing establishment. However, if more than 50% of the dollar value of the shoes transferred by the warehouse, storage place, salesroom, or distributing agency is to consumers it may not be considered a part of a manufacturing establishment.

"Manufacturer" means any person operating a manufacturing establishment.

[Above definition amended by Am. 89, 10 F.R. 1649, effective 2-9-45]

"New", as applied to shoes, means any shoes other than "used" shoes.

"Person" includes an individual, institution, corporation, partnership, association, business trust, or any organized group or enterprise, and includes the United States or any agency thereof and any government or any political subdivision or agency thereof.

"Purchased shoes" means shoes acquired by a manufacturer from other persons or establishments in a transaction separate from the return of shoes by customers in the ordinary course of business.

[Above definition added by Am. 89, 10 F.R. 1649, effective 2-9-45]

"Ration currency" means the evidence of authority to acquire shoes and includes war ration stamps, special shoe stamps, shoe purchase certificates, and shoe ration checks.

[Above definition amended by Am. 37, 8 F.R. 12548, effective 9-15-43]

"Rubber." [Revoked]

[Above definition added by Am. 25, 8 F.R. 9062, effective 7-7-43 and revoked by Am. 77, 9 F.R. 11638, effective 9-25-44]

"Rubber sole." [Revoked]

[Above definition added by Am. 46, 8 F.R. 15839, effective 11-24-43 and revoked by Am. 77]

"Safety shoes" means protective occupational shoes incorporating one or more of the following safety features: (1) steel toe box, (2) electrical conductivity, (3) electrical resistance, (4) nonsparking, (5) molders' (Congress type) protection, (6) plastic or fibre toe box for use in women's safety shoes only, if designed to furnish the same type of protection as a steel toe box. (Women's shoes made with a plastic or fiber box toe may be considered safety shoes only if shipped from the factory before May 16, 1944.) The term "safety shoes" also includes genuine logger boots with calks.

[Above definition added by Am. 5, 8 F.R. 3371, effective 3-24-43; amended by Am. 19, 8 F.R. 7411, effective 6-3-43; Am. 53, 9 F.R. 2656, effective 3-11-44; Am. 60, 9 F.R. 5254, effective 5-26-44, and Am. 87, 10 F.R. 521, effective 1-16-45]

"Shoes" means any footwear made in whole or in part of leather, or kits containing partially assembled or unassembled pieces of leather for the construction of shoes.

[Above definition amended by Am. 2, 8 F.R. 2487 effective 2-25-43; Am. 11, 8 F.R. 5676, effective 5-5-43; Am. 25, 8 F.R. 9062, effective 7-7-43, Am. 30, 8 F.R. 10762, effective 8-7-43, Am. 32, 8 F.R. 11515, effective 8-18-43; Am. 46, 8 F.R. 15839, effective 11-24-43; Am. 77, 9 F.R. 11638, effective 9-25-44, and Am. 97, 10 F.R. 5994, effective 5-28-45]

"Shoes of its own manufacture" means all shoes manufactured by the establishment except "purchased shoes", as defined above.

[Above definition added by Am. 89, 10 F.R. 1649, effective 2-9-45]

"Stamp" means a war ration stamp contained in a war ration book and designated for shoes or a special shoe stamp, or both, as the language indicates.

"Supplier" means any person supplying shoes to an establishment. A central office of a chain is also considered the supplier of a branch establishment as to shoes treated by the central office as transferred by it to the branch establishment, even though the shoes are delivered by another supplier directly to the branch establishment.

[Above definition added by Am. 96, 10 F.R. 5324, effective 5-11-45]

"Temporary shoe purchase certificate." [Revoked.]

[Above definition revoked by Am. 37, 8 F.R. 12548, effective 9-15-43]

"Transfer" means convert to use, sell, lease, lend, trade, exchange, give, ship, deliver, physically transfer to another in any manner, or make any transaction involving a change in possession, right, title, or interest; when used as a noun the term means a conversion to use, sale, lease, loan, trade, gift, exchange, shipment, delivery, physical transfer to another in any manner, and any transaction involving a change in possession, right title, or interest. Shoes are also transferred to a commercial exporter at the time they are shipped or sent by the supplier on the exporter's order.

[Above definition amended by Am. 55, 9 F.R. 2929, effective 3-18-44]

"Used", as applied to shoes, means any shoes that have been used as footwear to the extent that they cannot be sold as new.

[Above definition amended by Am. 1, 8 F.R. 2910, effective 2-13-43]

(b) Words of the masculine gender shall also denote the feminine and neuter genders; words of the singular shall also denote the plural; and vice versa.

(c) When any right or duty is conferred or imposed upon an establishment by this order, the right or duty must be deemed to be conferred or imposed upon the owner of the establishment.

(d) Whenever the term "shoes" is used in this order, it refers to rationed shoes unless the context of the language used indicates otherwise.

[Paragraph (d) added by Am. 76, 9 F.R. 10955, effective 9-5-44]

APPENDIX A

Provisions of Ration Order No. 17 (now primarily of historical interest) relating to the transfer of certain shoes without ration currency upon specified conditions.

(i) *First odd lot release.* (Former section 2.11 (f)) Any establishment whose sales of shoes to consumers for ration currency during the period from February 7, 1943 to April 10, 1943, inclusive, were less than its other transfers of rationed shoes during that period or were principally by mail order, may transfer shoes without ration currency pursuant to the following provisions:

(1) Application shall be made in writing to the District Office for permission to transfer shoes without ration currency. Only one application may be made for an establishment, and no application may be filed after November 20, 1943.

(ii) The application need not be in any prescribed form but the applicant shall furnish a copy of its inventory Form R-1701 as of April 10, 1943; a statement of the number of pairs of shoes in each class which it desires to transfer without ration currency under this paragraph; and all other information needed to establish its eligibility.

(iii) Such transfers, in any of the following classes, shall not exceed the applicable stated percentage of the number of pairs of shoes within the same class which the establishment had in its inventory on April 10, 1943 (as reported on OPA Form R-1701) reduced by the number of pairs of shoes within that class which the establishment had in its inventory as rationed shoes at the close of business on July 6, 1943 and which were released from rationing on July 7, 1943 by section 2.11 (a) (3) or as baseball, track, or football shoes, riding boots, or gold or silver evening slippers:

	Percent
Class I—Men's dress shoes, men's work shoes, youths' and boys' shoes	1
Class II—Women's shoes	4
Class III—Misses', Children's and Infants' shoes	2
Class IV—All other rationed footwear	2

(iv) The District Office, if satisfied that the establishment is eligible, shall issue to it the number of non-rationed stickers, Form R-1711, requested, but not more than the maximum number of pairs of shoes within each class permitted to be transferred by the applicant without ration currency. If Form R-1711 is not available, Form R-123 may be used with the words "non-rationed shoes" printed, stamped, or written on it. The District Office (or the applicant if required by the District Office) shall write on each sticker the class number for which the sticker may be used, the letters "O. L.", and a code number assigned by the District Office. Such stickers shall be fixed to one shoe of each pair before the shoes are offered for sale or transferred without ration currency. A sticker may be affixed only to a shoe of the same class as that designated on the sticker.

(v) Shoes marked in accordance with this paragraph may be transferred without ration currency by and to any person at any time on or after July 19, 1943.

(vi) The price at which such shoes may be sold to any buyer by the establishment securing the permission to transfer them without ration currency may not exceed the price paid for the shoes by the owner of the establishment or, if such price cannot be ascertained or the shoes were made by the owner of the establishment, a price twenty-five per cent below the establishment's regular selling price for the shoes on July 1, 1943 to a buyer of the same class. If such shoes are transferred directly or indirectly to another establishment owned by the same person, the sale price of the shoes by the establishment acquiring them without ration currency shall not exceed ten per cent markup on the sale price permitted to be charged by the establishment marking the shoes as non-rationed.

(vii) When such shoes are offered for sale in any notice or advertisement, they shall be referred to as "OPA Odd Lot Release."

(viii) The owner of an establishment securing non-rationed stickers under this paragraph may use them on shoes located at another establishment owned by him. This may be done without physical delivery of the shoes if all provisions of this order are complied with in the same manner as if the shoes were first delivered to the establishments securing the stickers.

(2) *Women's low-priced shoe release.* (Former section 2.11 (h)) Any establishment which has filed an inventory Form R-1701A, as required by section 2.3 (d), may transfer without ration currency a limited quantity of women's shoes, in accordance with the following provisions:

(i) During the period from January 17 to February 5, 1944, inclusive, an establishment whose transfers of shoes are made principally to consumers, other than one whose transfers are made principally on mail orders, may transfer to consumers without ration currency any women's shoes located at the establishment on January 16, 1944 if the price charged does not exceed $3.00 per pair and the total number of pairs so transferred without ration currency does not exceed 15 percent of the number of pairs of women's shoes in its inventory on September 30, 1943 as reported on OPA Form R-1701A (line 4).

(ii) In the case of any other eligible establishment desiring to transfer women's shoes under this paragraph, the establishment must apply to its District Office for non-rationed stickers. The application must be filed, or placed in the mail, on or before January 29, 1944. The application need not be on any prescribed form, but must be ac-

[1] 7 F.R. 8796; 8 F.R. 856, 1838, 2030, 2595, 2941, 4350, 4929, 7381, 11480, 11806, 12482, 14211; 9 F.R. 1594, 4539, 10491.

companied by a copy of its inventory form R–1701A and must contain a statement of the number of pairs of women's shoes in its inventory January 16, 1944 which it desires to transfer without ration currency under this paragraph. The District Office, if satisfied that the applicant is eligible and that the application is made in good faith, shall issue to it a supply of official non-rationed stickers (OPA Form R–1711, or OPA Form R–123 with the words "Non-Rationed Shoes" printed on it) not in excess of 15 percent of the number of pairs of women's shoes the establishment had in its inventory on September 30, 1943, as reported on OPA Form R–1701A (line 4). Before transferring any shoes without ration currency under this subparagraph the establishment must affix one of such stickers to each pair of shoes and the establishment shall write or print on each sticker the words "Frozen Stock" and a code number assigned by the District Office. The stickers may be affixed only to women's shoes which were physically located at the establishment on January 16, 1944. Any unused stickers must be returned to the District Office within 30 days after their receipt by the establishment.

(iii) Shoes marked in accordance with subparagraph (ii) above may be transferred without ration currency by the applicant, and all other persons unless they are sold at a price in excess of $3.00 per pair. Any establishment or person selling such shoes at a price in excess of $3.00 per pair must collect ration currency for them and surrender the currency to the District Office within five days.

(iv) When such shoes are offered for sale in any notice or advertisement, they shall be referred to as "OPA Release—Women's Low-Priced Shoes".

(v) Each establishment shall keep a record, in the manner required by Section 2.13 (b) (9), showing the amount of the reduction of its rationed shoe inventory resulting from the transfer of shoes without ration currency under this paragraph.

(3) *Children's shoe release.* (Former section 2.11 (j).) Any establishment may transfer without ration currency children's shoes in the following sizes, which were manufactured in the United States before March 16, 1944, or imported before March 16, 1944, and which will not sell for ration currency, in accordance with the following provisions:

(i) *Retailers.* During the period from May 1 to May 20, 1944, inclusive, any establishment whose transfers of shoes are made principally to consumers, other than one whose transfers are made principally on mail orders, may transfer to consumers without ration currency, children's shoes of sizes 8½ to 12, inclusive, little boys' shoes of sizes 12½ to 3, inclusive, and misses' shoes sizes 12½ to 3, inclusive, if the price charged to the consumer does not exceed $1.60 a pair. Shoes so transferred shall be marked with the date of the transfer and the word "Released." The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil after the sale to the consumer but before they are removed from the establishment.

(ii) *Mail order houses.* During the period from May 1 to May 20, 1944, inclusive, any establishment whose transfers are made principally on mail orders may transfer to consumers without ration currency, children's shoes in the sizes specified in subparagraph (i) above, if the price charged for them does not exceed $1.60 a pair. Such shoes may be transferred without ration currency to other establishments during the period from March 20 to April 29, 1944, inclusive, if the price charged for them does not exceed $1.10 a pair. One shoe of each pair transferred to consumers shall be marked or stamped with the date of transfer and the word "Released." The mark shall be made with ink, indelible stamp or indelible pencil, after the sale to the consumer but before they are removed from the establishment. If the shoes are being transferred to other establishments, they shall not be marked.

(iii) *Wholesalers and manufacturers.* During the period from March 20 to April 29, 1944, inclusive, any other eligible establishment may transfer without ration currency to other establishments, children's shoes in the sizes specified in subparagraph (i) above, if the price charged for them does not exceed $1.10 a pair.

(iv) *Advertisement.* When such shoes are offered for sale to consumers in any notice or advertisement, they shall be referred to as "OPA Release—Children's low-priced shoes. Ration-free from May 1 through May 20, 1944."

(v) *"Price charged" explained.* For the purpose of this section "price charged to an establishment" means the invoice price less any separable transportation expense (a charge for freight or postage which is stated separately on the invoice but which is part of the invoice price). In determining the price charged, a cash or trade discount may not be deducted from the invoice price.

(vi) *Records to be kept.* Each establishment shall keep a record, in the manner required by section 2.13 (b) (9), showing the number of pairs of shoes transferred without ration currency under this paragraph; and the number of pairs of shoes acquired by the establishment without ration currency under this paragraph.

(4) *Second odd lot release.* (Former section 2.11 (j).)

(i) *Transfers to establishments.* During the period from June 15, 1944 to July 15, 1944, inclusive, any establishment may transfer without ration currency, to any other establishment not to exceed, in any class listed below, the applicable stated percentage of the number of pairs of shoes which it had in its inventory on September 30, 1943, in such class (as reported on Form R–1701A).

	Percent
Class I—Men's dress and work shoes	3
Class II—Youths' and boys' shoes (sizes 1 to 6)	3
Class III—Women's shoes	5

The sale price of each pair so transferred may not exceed a price 25 percent below the lowest price at which such shoes were offered on June 1, 1944 to persons other than consumers.

(ii) *Transfers to consumers.* (a) During the period from July 10, 1944 to July 29, 1944, inclusive, any establishment whose transfers of shoes are made principally to consumers, may transfer to consumers without ration currency, shoes which it acquired from another establishment pursuant to subparagraph (i) above. The sale price of each pair so transferred may not exceed a price 25 per cent above the price paid by the owner of the establishment for such shoes.

(b) During the period from July 10, 1944 to July 29, 1944, inclusive, an establishment whose sales of shoes are made principally to consumers may also transfer to consumers without ration currency, in each class listed in subparagraph (i) above, the applicable stated percentage (set forth in subparagraph (i)) of the number of pairs of shoes it had in its inventory on September 30, 1943 in such class (as reported on Form R–1701A). However, in computing the number of pairs of shoes in each class that may be transferred without ration currency under this subparagraph, an establishment must deduct the number of pairs of shoes in each class that it transferred or transfers to another establishment pursuant to subparagraph (i) above. The sale price of each pair of shoes so transferred may not exceed a price 25 per cent below the establishment's regular retail price for the shoes on June 1, 1944.

(c) Shoes transferred to consumers in accordance with this subparagraph shall be marked with the date of transfer and the words "Odd Lot", after the sale to the consumer but before they are removed from the establishment. The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil.

(d) When such shoes are offered for sale to consumers in any notice or advertisement, they shall be referred to as "OPA Odd Lot Release, Ration-free, July 10, 1944 through July 29, 1944."

(iii) For the purposes of this paragraph "price paid" by an establishment means the invoice price paid by the owner of the establishment, plus any separable transportation expense (a charge for freight or postage not included in the invoice price). In determining the price paid, a cash or trade discount need not be deducted from the invoice price.

(iv) Each establishment shall keep a record in the manner required by section 2.13 (b) (9) showing the number of pairs of shoes transferred without ration currency under this paragraph and the number of pairs of shoes acquired by the establishment without ration currency under this paragraph.

(5) *Factory damaged shoe release.* (Former section 2.11 (k).) Any establishment may be authorized to transfer without ration currency, men's and women's factory damaged shoes which cannot reasonably be sold for ration currency, in accordance with the following provisions:

(i) For the purposes of this paragraph, a factory damaged shoe is a shoe damaged in the process of manufacturing to such an extent that the imperfection or damage substantially decreases the value of the shoe, the damage being due to defective machinery, poor workmanship or use of imperfect materials, and the imperfection or damage being visible before the shoes are or were first transferred by the manufacturer. (However, if shoes were damaged because of the use of imperfect materials and the damage due to such imperfect materials substantially decreases the value of the shoes and is or was plainly visible at the time the shoes are or were returned to the manufacturer, or inspected by the District Office, they may be included as factory damaged shoes.)

(ii) Application to transfer shoes without ration currency under this paragraph, shall be made to the District Office for the area where the establishment is located. No application shall be acted upon by the District Office before August 5, 1944. No application may be made after August 31, 1944. Only one application may be made unless the District Office in its discretion otherwise permits. The application need not be made on any prescribed form but shall contain or be accompanied by two copies of a list of the shoes proposed to be transferred without ration currency, showing the number of pairs of shoes of each type (as set forth on OPA Form R–1701 or OPA Form R–1701A) sought to be transferred without ration currency. Only factory damaged shoes which the establishment has in its inventory on the date of the application may be included in the application. Establishments, other than manufacturing establishments, may include in the application only shoes which were invoiced as factory damaged shoes unless the shoes are damaged because of the use of imperfect materials and are inspected by the District Office. Before the District Office approves an application, it may inspect any shoes included therein to determine whether or not they are "factory damaged shoes" within the meaning of subparagraph (i) above.

(iii) The District Office, if it approves the application in whole or in part shall indicate its approval in writing and shall attach thereto a copy of the list of shoes submitted by the applicant, on which it shall indicate the number of pairs of shoes authorized to be transferred without ration currency. The District Office shall issue to the applicant official non-rationed stickers (OPA Form R–1711 or R–123 with the words "Non-Rationed" printed on it) equal to the number of pairs of shoes permitted to be transferred without ration currency. Before transferring any shoes without ration currency under this subparagraph, the establishment must attach one of such stickers to the inside of the left shoe of each pair of shoes and the establishment shall write or print on each sticker the words "Factory Damaged", or the letters "F. D.", and a code number assigned by the District Office.

(iv) Any establishment may transfer without ration currency to any other establishment factory damaged shoes that are marked in accordance with subparagraph (iii) above, if the price charged does not exceed $1.20 per pair. Any establishment whose sales of shoes are made principally to consumers may transfer such shoes to consumers without ration currency, if the price charged does not exceed $1.80 per pair. Any establishment selling such shoes at a price in excess of these limitations must collect ration currency for them and surrender the currency to the District Office within five days.

(v) When such shoes are offered for sale to consumers in any notice or advertisement, they shall be referred to as "OPA Release—Factory Damaged Shoes."

(vi) For the purposes of this paragraph the price charged to an establishment is the invoice price less any separable transportation expense (a charge for freight or postage which is stated separately on the invoice but which is part of the invoice price). In determining the price charged, a cash or trade discount may not be deducted from the invoice price.

(vii) Each establishment shall keep a record, in the manner required by section 2.13 (b) (9) showing the number of pairs of shoes in its inventory which were released under this paragraph, and the number of pairs of shoes released or acquired without ration currency under this paragraph which later could not be transferred without ration currency because the stickers were detached or because the shoes were sold at a price in excess of the price limitations of this paragraph.

(6) *Third odd lot release.* (Former section 2.11 (l)) (a) *Transfers to establishments.* (i) During the period from February 5, 1945 to February 24, 1945, inclusive, any establishment whose transfers of shoes are made principally to other establishments or any establishment whose transfers of shoes are made principally on mail order may transfer without ration currency to any other establishment, not to exceed in any class listed below, the applicable percentage of the number of pairs of shoes which it had in its inventory on July 31, 1944, in such class (as reported on Form R–1701B).

Class I—Men's dress and work shoes	3%
Class II—Women's shoes	5%

Any establishment transferred to a new owner under Sec. 3.7 (b) after July 31, 1944 may transfer shoes under the conditions stated in subparagraph (i) using as the base to which the percentage applies the number of pairs of shoes its transferor had in inventory on July 31, 1944 (as reported on Form R–1701B). The price of each pair so transferred between establishments not owned by the same person may not exceed a price 25% below the lowest price at which shoes were sold by the transferor on February 1, 1945 (or if there was no sale of such shoes on February 1, 1945, the closest date thereto) to persons other than consumers. If there is no established price for such shoes to persons other than consumers, they may be transferred at a price not to exceed 10% above the price paid by the owner of the establishment for such shoes. An establishment may transfer shoes under this subparagraph to another establishment owned by the same person only if the price to consumers for such shoes will not exceed a price 33⅓% above the lowest price paid by the owner of the establishment for such shoes.

(ii) Shoes acquired without ration currency under this subparagraph by any establishment whose transfers of shoes are made principally to other establishments may be transferred without ration currency to another establishment without relation to the percentage specified in subparagraph (i) of this paragraph. The price of each pair so transferred between establishments not owned by the same person may not exceed a price 10% above the price paid by the owner of the transferor establishment for such shoes.

(iii) Each establishment shall, when transferring shoes without ration currency under this subparagraph, state on each invoice furnished pursuant to section 2.13 the price per pair and in total of all shoes included in the invoice. Where shoes are transferred between establishments owned by the same person, the invoice shall state the price at which such shoes are to be sold to consumers.

(b) *Transfers to consumers.* (i) During the period from February 19, 1945 to March 10, 1945, inclusive an establishment whose sales of shoes are made principally to consumers may transfer to consumers without ration currency in each class listed in paragraph (a) above the applicable stated percentage of the number of pairs of shoes it had in its inventory on July 31, 1944, in such class (as reported on Form R 1701B) Any establishment transferred to a new owner under section 3.7 (b) after July 31, 1944 may transfer shoes under the conditions stated in this subparagraph, using as the base to which the percentage applies the number of pairs of shoes in that class in the inventory of the old owner on July 31, 1944 (as reported on OPA Form R–1701B).

(ii) Any establishment whose transfers of shoes are made principally to consumers may transfer to consumers without ration currency during the period from February 19, 1945 to March 10, 1945, inclusive, shoes which it acquired from another establishment pursuant to paragraph (a). The number of pairs of shoes so transferred need not be deducted by the establishment from the number of pairs of shoes permitted to be transferred without ration currency under subparagraph (i) of this paragraph.

(iii) The sale price of each pair of shoes transferred under subdivision (i) of this paragraph may not exceed a price 25% below the establishment's regular price to consumers for such shoes on February 1, 1945. If the price of shoes had been permanently reduced before February 1, 1945, the reduced price is the regular price to consumers for the purpose of this subparagraph. If the shoes were on special sale on February 1, 1945, the regular price to the consumer for those shoes is the last price at which they were sold immediately preceding the special sale. The sale price of shoes transferred under subparagraph (ii) of this paragraph may not exceed a price 33⅓% above the price paid by the owner of the establishment for such shoes.

(iv) Shoes transferred to consumers in accordance with this subparagraph shall be marked with the words "Release No. 88" after the sale to the consumer but before they are removed from the establishment. The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil.

(v) When such shoes are offered for sale to consumers in any advertisement or notice, they shall be referred to as "OPA Odd Lot Release. Ration-free from February 19, 1945 to March 10, 1945, inclusive."

(c) *Definition of price.* For the purpose of this paragraph the term "price" shall mean the invoice price less any trade or cash discount but plus any separable transportation expense (a charge for freight or postage which is not included in the invoice price). However, the term "price" when

used in relation to the amount which may be charged to a consumer means the amount actually charged less any local sales tax.

(d) *Records and reports.* Each establishment shall keep a record in the manner required by section 2.13 (b) (9) showing the number of pairs of shoes transferred without ration currency under this paragraph and the number of pairs of shoes acquired by the establishment without ration currency under this paragraph.

(e) *Surrender of ration currency.* If shoes acquired without ration currency under subparagraph (a) are sold by an establishment to a consumer at a price in excess of 33⅓% above the price paid by the owner of the establishment for such shoes, it shall collect ration currency and surrender it to the District Office within five days after the transfer.

[Appendix A added by Am. 100, effective 6-15-45]

Effective Dates

This Ration Order No. 17 shall become effective at 3:00 p. m. February 7, 1943.

[Ration Order 17 originally issued February 7, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: The record keeping and reporting provisions of this ration order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10154; Filed, June 11, 1945; 11:47 a. m.]

PART 1426—PRIMARY FOREST PRODUCTS

[MPR 535-2,[1] Amdt. 3]

LAKE STATES CORDWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 535-2 is hereby amended in the following respects:

Section 3 is amended to read as follows:

SEC. 3. *Items not listed.* The maximum price for Lake States cordwood items or grades not listed in the regulation may be determined by applying to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The application must contain:

(a) The name and address of the buyer.

(b) The end product to be manufactured.

(c) The species to be purchased.

(d) Grade specifications:

(1) Minimum diameter

(2) Specified lengths

(3) Specifications with respect to defects, crook, percent of heartwood, etc.

(e) The unit of measure to be used in scaling.

(f) The requested price:

(1) Roadside

(2) F. O. B. cars at rail siding

(3) Delivered to the mill by truck.

(g) Method of computing requested price.

(h) A statement from the buyer that the requested price can be paid under the end product dollars and cents ceiling in effect on the date of application, or if his end-product ceiling is based upon a formula that he will continue to base such ceiling upon the formula in effect on the date of the application.

(i) A statement from the buyer why he believes that the requested price will not be out of line with the maximum prices established in this regulation.

The Administrator may approve the application wholly or in part if, in his judgment, the requested price is reasonable (based upon prices expected to be paid and their relationship to prices for items specifically priced in this regulation), and the granting of the application will not contravene the intent and purposes of the Emergency Price Control Act of 1942, as amended.

Maximum prices previously established under the regulation at the September–October 1942 level shall continue in effect for a period of thirty days from June 16, 1945, unless maximum prices are sooner approved under this section.

This amendment shall become effective June 16, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10159; Filed, June 11, 1945; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 55]

HAND LAUNDRIES IN THE MILWAUKEE, WIS. AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 55 has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 55 is hereby issued.

§ 1499.696 *Hand laundries in the Milwaukee Area*—(a) *Maximum Prices.* The maximum prices established by Revised Maximum Price Regulation No. 165 for hand laundry services sold by hand laundries in the Milwaukee area are hereby modified and henceforth shall be the prices set forth in Appendix A. Lower prices than those established by this regulation may be charged.

(b) *Definitions.* As used in this supplementary service regulation the term:

"Hand Laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing 8 or less employees.

"Milwaukee area" means the corporate limits of the county of Milwaukee in the state of Wisconsin.

"Shirts" as used in Appendix A means all shirts except the following: Shirts made of silk, wool, gabardine, rayon and other artificial fibers; full dress shirts. The prices of shirts included within the above exceptions shall be the prices for these items which were filed by the individual laundry with the Office of Price Administration in accordance with section 14 of RMPR 165. If no such prices have been filed, the maximum price to be charged for all shirts shall be the price established for shirts by Appendix A.

(c) *Posting requirements.* Within 30 days after the issuance of this supplementary service regulation, every hand laundry subject to it shall post on its premises in a place and a manner so that it is plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix A.

(d) *Elimination of individual adjustments.* Section 16 of Revised Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation; furthermore, any adjustment in prices heretofore granted to any establishment is hereby revoked as to the services listed in Appendix A.

(e) *Other services supplied by hand laundries.* Laundry services not listed in Appendix A performed by hand laundries shall be governed by Revised Maximum Price Regulation No. 165.

APPENDIX A

Shirts	$0.16
Collars	.05
Undershirts	.08
Shorts	.08
Socks	.05
Pajamas	.20
Handkerchiefs	.03
Hand towels	.03
Bath towels	.05
Pillow cases	.05
Sheets	.15
Union suits (cotton)	.15
Union suits (wool)	.20
Trousers and slacks	.35
Overall jackets	.25
Overall pants	.25
Overalls	.30
Coveralls	.45
Nurses' uniforms	.45
Shop aprons	.15

This supplementary service regulation shall become effective June 16, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10156; Filed, June 11, 1945; 11:49 a. m.]

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[1] 9 F.R. 5246, 7571, 14836.

Chapter XIII—Petroleum Administration for War

[Petroleum Dir. 72, as amended June 12, 1945]

PART 1530—MARKETING ROAD OIL

PROHIBITION OF DELIVERY AND USE OF ROAD OIL

The fulfillment of the requirements for the defense of the United States has created in certain areas a shortage of petroleum for defense, for private account and for export; and the following directive is deemed necessary for the prosecution of the war and to provide adequate supplies of petroleum for military and other essential uses.

§ 1530.1 *Petroleum Directive 72, as amended June 12, 1945*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Road oil" means crude petroleum or any product derived therefrom (except mexoium curing cutback asphalt, or flux oil when used exclusively for fluxing natural rock or native asphalt, or when mixed with powdered asphalt for the purpose of preparing plant-mixed paving mixtures) which, upon distillation to 680 degrees Fahrenheit, will yield a residue having a penetration greater than 350 at 77 degrees, 100 grams, 5 seconds.

(b) *Delivery and use of road oil prohibited.* (1) No person shall deliver or accept delivery of road oil for use as a paving material or as a dust palliative on roads or any other surfaces.

(2) No person shall use road oil as a paving material or a dust palliative on roads or any other surfaces, and no person shall deliver or otherwise supply, directly or indirectly, any road oil which he knows or has reason to believe is intended for such uses.

(c) *Communications.* All communications concerning this directive shall, unless otherwise directed, be addressed to: The Director of Distribution and Marketing, Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: PD 72.

(d) *Area of applicability.* This directive shall apply to the continental United States.

(e) *Date of applicability.* Within the States of Washington, Oregon, California, Nevada and Arizona the provisions of this directive shall be applicable upon date of issuance. In all other States and in the District of Columbia the delivery of road oil shall be permitted for a period of ten (10) days after the date of issuance of this Directive, and the use of road oil shall be permitted for a period of twenty (20) days after such issuance date.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3807)

Issued June 12, 1945.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 45-10165; Filed, June 11, 1945; 12:00 m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 6, Amdt. 1]

PART 8306—SALE OF GOVERNMENT-OWNED PLANT EQUIPMENT IN CONTRACTORS' PLANTS

Surplus Property Board Regulation No. 6, May 21, 1945, entitled "Sale of Government-Owned Plant Equipment in Contractor's Plants," (10 F.R. 6309) is hereby amended by adding at the end of § 8306.2 the following paragraph:

Nothing herein shall be construed to authorize the disposal of any plant equipment used or intended to be used for or in connection with the production of alumina or the manufacture, processing, or fabrication of aluminum unless such disposal is first approved in writing by the Board.

This amendment shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 7, 1945.

[F. R. Doc. 45-10112; Filed, June 9, 1945; 3:18 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

SACRAMENTO AND SAN JOAQUIN RIVERS, KNIGHTS LANDING, CALIF.

Pursuant to section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the regulations governing operation of the State highway bridges across the Sacramento and San Joaquin Rivers at Knights Landing and Mossdale, California, are hereby amended as follows:

§ 203.710 *State of California; bridge regulations for all navigable waterways of the United States within California, including San Francisco Bay and connecting bays and river systems tributary thereto.* * * *

(b) *Special regulations.* * * *

(4) *Sacramento River.* * * *

BELOW CHICO LANDING

* * * * *

Highway Bridge at Knights Landing. Between the hours of 8:00 a. m. and 5:00 p. m. daily and during such periods when in the opinion of the District Engineer an emergency exists which requires a draw tender in constant attendance, this bridge shall upon proper signal, be opened promptly for the passage of any vessel or vessels or other water craft not able to pass underneath.

Prompt opening of this bridge upon proper signal shall be made at all times during a hauling season which requires twenty (20) or more passages through this bridge in any 30-day period, provided 15 days' written notice of the contemplated traffic is given to the Highway Maintenance Superintendent at Woodland by the operators of the hauling vessels.

Between the hours of 5:00 p. m. and 8:00 a. m. daily during the periods not specified above, opening of the bridge may be assured only after previously notifying before 4:00 p. m. either the Highway Maintenance Superintendent at Woodland or the bridge tender on duty. When previous notice, including the time of intended passage is given, the bridge shall be opened upon proper signal as promptly as possible. Vessels making trips through this bridge without proper notification as specified above, will be delayed until the bridge tender is contacted and notified of the desired opening. Every reasonable means, however, shall be used by the bridge owners to expedite openings at all times. A sign showing where and how the bridge owners' representatives may be reached shall be posted in a conspicuous place on each side of the bridge.

* * * * *

(5) *San Joaquin River below Paradise Dam, Middle River, Burns Cut-Off and Potato Slough.* * * *

Highway (Mossdale) Bridge. Between the hours of 8:00 a. m. and 5:00 p. m. daily, the Mossdale Highway Bridge (crossing the San Joaquin River between the Southern Pacific Railroad and the Western Pacific Railroad bridges) shall, upon proper signal, be opened promptly for the passage of any vessel or vessels or other water craft not able to pass underneath.

Between the hours of 5:00 p. m. and 8:00 a. m. daily, opening of the bridge may be assured only after previously notifying before 4:00 p. m. either the Highway Maintenance Superintendent's office at Stockton or the bridge tender on duty. When previous notice, including the time of intended passage, is given, the bridge shall be opened upon proper signal as promptly as possible. Vessels making trips through this bridge without proper notification as specified above, will be delayed until the bridge tender is contacted and notified of the desired opening. Every reasonable means, however, shall be used by the bridge owners to expedite openings at all times. A sign showing where and how the bridge owners' representatives specified above may be reached shall be posted in a conspicuous place on each side of the bridge.

(Sec. 5, 28 Stat. 362; 33 U.S.C. 499) [Regs. 4 June 1945 (CE 823 (Sacramento River-Knights Landing, Calif-Mil) (9.8)-SPEWR)]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 45-10067; Filed, June 9, 1945; 11:21 a. m.]

TITLE 31—NAVY

Chapter I—Department of the Navy

PART 21—BOARDS FOR THE REVIEW OF DISCHARGES AND DISMISSALS OF FORMER PERSONNEL OF THE NAVY, MARINE CORPS AND COAST GUARD

ESTABLISHMENT AND PROCEDURE

Pursuant to the authority vested in the Secretary of the Navy by the act of

June 22, 1944 (58 Stat. 284), the following regulations to govern the review, under the authority of subject act, of discharges and dismissals of former personnel of the Navy, Marine Corps and Coast Guard (9 F.R. 11805) are revised to read as follows:

Sec.
21.1 General provisions; jurisdiction.
21.2 Procedure.
21.3 Action by the Board.
21.4 Review by the Secretary of the Navy.
21.5 The Panel.
21.6 The Board.
21.7 Representatives.
21.8 Correspondence; addressing of requests.

AUTHORITY: §§ 21.1 to 21.8, inclusive, issued under 58 Stat. 284.

§ 21.1 *General provisions; jurisdiction.* (a) In accordance with the Secretary of the Navy's precept of July 22, 1944, the Navy Department Board of Review, Discharges and Dismissals, hereinafter known as the Board, has been established within the Navy Department to review, upon its own motion, or upon request by or on behalf of the individual former officer or enlisted man or woman, or if deceased, by the surviving spouse, next of kin or legal representative concerned, or if incompetent, by the guardian, the type and nature of discharge or dismissal certificate or other documentary evidence of discharge or dismissal of former members of the naval service, except a discharge or dismissal by reason of the sentence of a general court-martial. This jurisdiction is construed to include every separation from the naval service, irrespective of the manner evidenced or brought about, except separations by reason of the sentence of a general court-martial.

(b) The scope of the review shall be to determine whether, under reasonable standards of naval law and discipline, the type and nature of the discharge or dismissal should be changed, corrected or modified, and, if so, to decide what change, correction or modification should be made.

(c) The Board has no authority to revoke any discharge or dismissal, to reinstate any person in the military service subsequent to his discharge or dismissal, or to recall any person to active duty.

§ 21.2 *Procedure*—(a) *Request for review.* (1) The petitioner should submit a written request for a review to the Board, with the certificate of discharge or dismissal in question, if available, and such other statements or affidavits as he desires to present.

(2) The request should state in brief: (i) The type of discharge or dismissal received; (ii) the full name, former rank or rating and the service or file number of the person whose discharge or dismissal is in question; (iii) the place to which any notices in connection with the review may be sent; (iv) the basis of the claim for review; (v) what action is desired of the Board; and (vi) whether the petitioner desires the review on basis of petition and accompanying papers or whether he desires to appear in person before the Board and/or be represented by counsel. (If counsel is desired, the petitioner should designate such counsel by name.)

(3) When the request for review is submitted by a surviving spouse, next of kin, legal representative or guardian, satisfactory evidence of the required relationship must be submitted.

(4) No request for review of a discharge or dismissal shall be valid unless filed within fifteen years after such discharge or dismissal or within fifteen years from June 22, 1944, whichever be the later.

(b) *Review on own motion.* (1) The Board shall not conduct a review on its own motion without first transmitting a written notice to the person concerned or, if such person is deceased, to his surviving spouse, next of kin, legal representative or guardian, by registered mail, return receipt requested.

(2) Such notice shall state that a review of the type and nature of this discharge or dismissal is to be held by the Board, and shall advise the addressee of his right to appear before the Board, in person or by counsel, and to present evidence before the Board in the manner herein prescribed.

(c) *Methods of presenting case.* (1) The petitioner may present his case:

(i) By letter with certificate of discharge or dismissal, if available and affidavits.

(ii) In person, with or without counsel.

(iii) By counsel.

(2) Upon application in person at the office of the Board of Review, the Board may furnish to a petitioner or his counsel such information from the official records pertaining to a discharge or dismissal as may be necessary in order to permit of a fair and impartial review. However, classified matter of the Navy Department will not be disclosed or made available to the applicant or his counsel. When it is necessary in the interests of justice to acquaint the applicant with the substance of such matter, the Board will obtain and make available to the petitioner or his counsel such summary of the classified matter as may be in the judgment of the Board relevant to the case and as will not be incompatible with the public interest.

(d) *Counsel.* The term "counsel," as used herein, shall include members of the bar in good standing and accredited representatives of veterans' organizations recognized by the Veterans' Administration under section 200 of the act of June 29, 1936 (Public Law 844, 74th Congress).

(e) *Witnesses.* (1) The Board shall require that all testimony be given under oath or by affirmation.

(2) Witnesses shall be subject to examination and/or cross-examination as appropriate, by the Members of the Board, the petitioner, his counsel, or by the Government Representative.

(3) The testimony of witnesses may be presented either in person or by affidavits.

(f) *Expenses.* No expense of any nature whatsoever incurred by the petitioner, his counsel, his witnesses, or by any other person on his behalf, shall be paid by the Government.

(g) *Notice of hearing.* The Board shall give a petitioner at least thirty days' written notice of the time and the place of the hearing. Such time shall be computed from the time of mailing of the notice. The petitioner may waive such time limit and an earlier hearing date may be set by the Secretary of the Panel.

(h) *Continuances.* A continuance may be granted by the Board on its own motion, or at the request of the petitioner or Government Representative, when such continuance appears necessary in order to insure a full and fair hearing.

(i) *Failure of petitioner to appear.* A petitioner who requests a hearing and who, after being duly notified of the time and place of hearing, fails to appear at the appointed time, either in person or by counsel, thereby waives his right to be present and cannot thereafter take exception to the findings or conclusions arrived at in his absence.

(j) *Evidence.* (1) The Board, in its review, shall consider as evidence all available records of the Navy Department, the Marine Corps or the Coast Guard, together with such evidence as may be submitted by the petitioner and/or his counsel. Whenever, during a review, it appears to the Board's satisfaction that the facts have not been fully and fairly disclosed in the records of the Navy Department and in the testimony and other evidence before the Board, the Board may obtain such further evidence as it may consider essential to a fair and impartial understanding of the facts.

(2) The Board shall not be restricted by legal rules of evidence.

(k) *Records.* Records of the Board shall be open to the Veterans' Administration.

(l) *Withdrawal.* The Board may, at its discretion and for good cause shown, permit the petitioner to withdraw his request for review without prejudice at any time before the Board begins its deliberations.

§ 21.3 *Action by the Board*—(a) *Deliberations.* (1) After a full and fair review of the evidence, the Board shall deliberate in closed session, and shall be governed in its action by the vote of a majority of the Board.

(2) No persons other than members of the Board shall be present at or participate in its deliberations.

(3) Members not concurring may file a minority report.

(4) The findings, conclusions, decision and order shall be signed by the concurring majority members.

(5) In its deliberations a Board shall be guided by the following principles:

(i) Relevant and material facts concerning the petitioner found by a general or summary court martial, or by a court of inquiry or board of investigation where petitioner was in the status of a defendant or interested party, as approved by the reviewing authorities, shall be presumed by the Board as established facts in the absence of manifest error.

(ii) Relevant and material facts stated in a specification to which the petitioner pleaded guilty before a general or summary court martial, or where upon being confronted by such a specification the petitioner elected to resign for the good of the service or to accept a discharge to escape trial by a general court martial, shall be presumed by the Board as established facts, in the absence of manifest error, or unless the petitioner shall show to the Board's satisfaction, or it shall otherwise appear, that arbitrary or coercive action was taken against him at the time which was not apparent to the reviewing authority from the face of the record.

(iii) A document evidencing separation from the naval service relates only to such naval service. Accordingly, the evidence to be considered will be restricted to that covering relevant and material facts concerning petitioner's naval service, or his character, conduct, physical condition, or other material matter at the time of his entry into the naval service, during such naval service or at the time of separation therefrom (which appear in available records of the Navy Department and in testimony and other evidence before the Board).

(iv) In order to warrant a change, correction or modification of the original document evidencing separation from the naval service, it is incumbent on the petitioner to show to the satisfaction of the Board, or it must otherwise satisfactorily appear, that the original document was improperly or inequitably issued under standards of naval law and discipline existing at the time of such original separation, or under such standards differing therefrom in the petitioner's favor which subsequent to his separation were made retroactive specifically to separations of the type and character had by the petitioner. The standards of naval law and discipline herein contemplated are those standards stated in statutes, regulations, bureau manuals, directives of the Navy Department and other appropriate authority, together with interpretations thereof by the courts, the Attorney General, and of the Judge Advocate General of the Navy.

(b) *Findings of facts.* The Board shall make findings of facts in each case which shall include the following:

(1) Type and nature of discharge or dismissal certificate or other documentary evidence of discharge or dismissal which was issued to the person concerned upon separation from the naval service.

(2) Authority under which discharge or dismissal was issued.

(3) Circumstances surrounding the discharge or dismissal as found by the Board to be established from all the evidence considered. This includes material and relevant facts showing in what specific particulars the original discharge or dismissal certificate was or was not proper or equitable under standards of naval law and discipline applicable to the case as defined in § 21.3 (a) (5) (iv).

(4) Conduct and character of petitioner during the entire period of his naval service in the enlistment or other service period which was terminated by the discharge or dismissal under consideration.

(5) Such other facts as may be disclosed that are necessary and pertinent to the issue in any particular case.

(c) *Conclusion.* The Board, on the basis of its findings, shall prepare conclusions which shall state (1) whether or not any change, correction, or modification should be made in the type or character of the discharge or dismissal given, (2) where pertinent, the particular change, correction or modification that should be made, and (3) the reasons why a change, correction or modification should or should not be made. This should not include comments on the actions of others in the naval service. Where such comment is warranted, it should be made the subject of an official communication entirely independent of petitioner's case.

(d) *Decision.* The Board shall next record its decision. The nature of any change, correction or modification to a certificate of discharge or dismissal shall be specified with particularity. The type and character of document evidencing discharge, dismissal, or other separation which may be adjudged shall be that form of separation certificate in use at the time of petitioner's separation from the naval service which the petitioner would have received had he been given a proper form of separation certificate at that time.

(e) *Order.* A written order based on the decision shall be prepared for transmittal to the Chief of Navy Personnel, the Commandant of the Marine Corps or the Commandant, U. S. Coast Guard, as appropriate.

(f) *Record of proceedings.* (1) When the Board has concluded its proceedings, the Secretary of the Panel shall prepare a complete original record thereof. Such record shall include the request for review, a transcript of the hearing, if any; affidavits, papers and documents considered by the Board; all briefs and written arguments filed in the case; the findings, conclusions, decision and order of the Board; any minority report prepared by dissenting members of the Board, and all other papers and documents necessary to reflect a true and complete history of the proceedings. The record will be authenticated by the Secretary of the Panel as being true and complete.

(2) The record of proceedings of the Board and the action transmitting the record to the Secretary of the Navy for review shall not contain recommendations of any character which relate to matters beyond the scope of the Board's authority. To the extent that such recommendations are warranted, they should be made a matter for separate communication with the departmental agency having cognizance of the subject matter but should not be associated with the records of the petitioner before the Board.

§ 21.4 *Review by the Secretary of the Navy*—(a) *Transmittal of record.* The original record of the proceedings in each case shall be transmitted forthwith by the President of the Board of Review, Discharges and Dismissals, to the Secretary of the Navy for final review.

(b) *Action by the Secretary of the Navy.* (1) The Secretary of the Navy will direct such action in each case as he determines to be appropriate, including the return of the record to the Board for further consideration when deemed necessary.

(2) The procedure of the Board on such further consideration will conform as nearly as practicable to that heretofore prescribed, except that the scope of the action of the Board will be limited to the matters specified by the Secretary of the Navy in the directive ordering such reconsideration.

(3) The Secretary of the Navy, after his final action, will return all records to the Board of Review. After recording the final action in the journal, the Board will notify the petitioner of the action taken in his case, then forward all records to the Chief of Naval Personnel, Commandant of the Marine Corps, or Commandant, U. S. Coast Guard, whichever the case may be, for the following administrative acts:

(i) Carry out the order of the Board of Review in respect to the discharge or dismissal in question.

(ii) Place copies of the Board's order and of the record of proceedings in the service record. A reference shall be made in the copy of the Board's report of all enclosures or exhibits which are to be filed elsewhere.

(iii) Place all records in their proper files for safe custody.

§ 21.5 *The Panel*—(a) *Members.* (1) The Panel shall consist of all members of the several Boards of Review and of all officers detailed to the Office of the Board of Review.

(2) Members of the Panel shall report to and be responsible to the President of the Panel.

(b) *Changes in.* Additions to and other changes in the membership of the Panel shall be made as circumstances warrant, with the approval of the Secretary of the Navy.

(c) *Meetings.* Meetings of the Panel may be called by the President of the Panel. The Panel will meet in Washington at such times and places as designated by the President.

(d) *Administrative regulations.* The Panel shall, from time to time, initiate such changes in the Administrative regulations and procedures as may be deemed advisable, for the approval of the Secretary of the Navy.

(e) *Duties of Panel officers*—(1) *President.* (i) The President of the Panel shall, from time to time, constitute Boards charged with the review functions over discharges and dismissals of Navy, Marine Corps and Coast Guard personnel, as required by section 301 of Public Law 346, 78th Congress.

(ii) He shall designate a Secretary for the Panel, Recorders for each of the several Boards, and the Government and Petitioner's Representatives.

(iii) He shall make provision for close liaison between the Army and Navy to include periodic joint conferences to discuss common problems and to study results of action taken.

(iv) He shall maintain close contact with the Veterans' Administration.

(v) He shall report to and be responsible to the Secretary of the Navy.

(vi) He shall prepare an annual report of the activities of the Panel and of the Boards for submission to the Secretary of the Navy.

(vii) In the absence or incapacity of the President, the next senior member of the Panel will serve as acting President for all purposes.

(2) *Secretary.* (i) The Secretary shall examine requests for review and, when necessary, obtain from the petitioner or from the records of the interested bureau or service, such additional data as may be required to furnish complete information to the Board.

(ii) He shall keep the minutes of the Panel.

(iii) He shall keep a docket of pending petitions, and record of completed reviews.

(iv) He shall assign petitions to appropriate Board for review.

(v) He shall maintain custody of all records and documents transmitted to or filed with the Board.

(vi) He shall perform such other duties as may be prescribed by the President of the Panel.

§ 21.6 *The Board*—(a) *Members.* A Board of Review shall consist of five members and at least three of the five members of each Board should belong to the branch of the naval service (Navy, Marine Corps or Coast Guard) from which the person whose case is being reviewed was discharged or dismissed. In event of the absence or incapacity of the chairman, the next senior member of the Board shall serve as chairman for all purposes. Alternates shall be named for each Board in order to assure full membership at all times.

(b) *Reporter.* The reporter shall record the testimony of witnesses and the proceedings of a board. He shall prepare a written transcript of the proceedings in manner and form as directed by the chairman of the Board.

(c) *Time and place of meetings.* The Boards shall be convened at the call of the President of the Panel and shall recess and adjourn at his order. The Boards shall sit at a time and place to be fixed by the President of the Panel.

(d) *Duties*—(1) *Board.* (i) The Board shall review, on its own motion or upon the request of a former officer or enlisted man or woman or, if deceased, by the surviving spouse, next of kin, legal representative or guardian, the type and nature of the discharge or dismissal in question.

(ii) In the event the petitioner does not appear in person or by counsel, the Board shall review the case on the basis of documentary or oral evidence presented by or on behalf of the petitioner and by the Government Representative.

(iii) In the event the petitioner appears in person or by counsel, the Board shall assemble to hear evidence offered by or on behalf of the petitioner and by the Government Representative. After the conclusion of such hearings, the Board shall, as soon as practicable, arrive at their findings, conclusions and decision. Based thereon, the Board shall prepare its order to the Service concerned.

(2) *Senior member.* The Senior member of a Board shall serve as chairman thereof and shall rule upon matters of evidence and procedure. He may be overruled by a majority vote.

(3) *Recorder.* The Recorder is a member of the Board. He shall:

(i) Carefully summarize the testimony presented at hearings.

(ii) Prepare the findings, conclusions, decision and order of the Board.

(iii) Perform such other duties as may be assigned to him by the President of the Panel.

§ 21.7 *Representatives*—(a) *Government Representative.* When a Government Representative appears and acts as such at a review he may:

(1) Submit to the Recorder of the Board a written brief, when considered warranted, analyzing the evidence presented.

(2) In cases where the petitioner does not request to be present in person or by counsel, submit pertinent evidence in the Government's behalf in proper documentary form, or orally.

(3) In all cases, when he has knowledge of evidence which would substantiate the petitioner's claim, he shall disclose such evidence to the Board.

(b) *Petitioner's Representative.* In those instances where the petitioner presents his case by letter and affidavits, a member of the Panel, who is not a member of the Board reviewing the case, will be appointed to act as the Petitioner's Representative. The Petitioner's Representative shall:

(1) Submit pertinent evidence in the petitioner's behalf in proper documentary form or orally.

(2) Submit to the Recorder of the Board a written brief, when considered warranted, analyzing the evidence presented.

§ 21.8 *Correspondence: addressing of requests.* A request for review of a discharge or dismissal with the view of having it changed, corrected or modified should be addressed to:

The Secretary of the Navy
(Board of Review, Discharges and Dismissals)
Navy Department, Washington, D. C.

A request for other purposes, such as permission to reenlist, should be addressed to the appropriate address indicated below, depending on whether the person in question was formerly in the U. S. Navy, U. S. Marine Corps or U. S. Coast Guard:

The Chief of Naval Personnel, Navy Department, Washington, D. C.
The Commandant of the Marine Corps, Washington, D. C., or
The Commandant, U. S. Coast Guard, Washington, D. C.

RALPH A. BARD,
Acting Secretary of the Navy.

[F. R. Doc. 45-10136; Filed, June 11, 1945; 10:07 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838, Amdt. 4]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

By virtue of the authority conferred upon me by War Food Order No. 52 (formerly known as Food Directive No. 2 of February 8, 1943, 8 F.R. 1777, as amended on March 16, 1943, 8 F.R. 3220) issued pursuant to Executive Order No. 9280 of December 8, 1942, (7 F.R. 10179), and in order to carry out the purposes of Title III of the Second War Powers Act as amended (50 App. U.S.C. sec. 633) by facilitating the production of an adequate supply of pilchard to meet war and essential civilian needs with a minimum utilization of critical materials and manpower, Order No. 1838 of the Secretary of the Interior (8 F.R. 9233) issued June 30, 1943, as amended (8 F.R. 13517, 9 F.R. 7171, 9 F.R. 9749) is amended and completely revised to read as follows:

§ 401.2 *Coordinated pilchard production plan*—(a) *Jurisdiction.* Control over the activities of pilchard vessels in gainful pursuits on the Pacific Coast of the United States and Alaska and of pilchard plants in the same area through the stage of processing fish, for the purposes herein specified, shall be vested in the Fishery Coordinator and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Statement of policy.* Increased national requirements for food for human consumption, including fish, and especially for proteins and fats, shortage in the supply of such food elements normally secured from other sources, coupled with the limitation of manpower on boats and in plants, shortage of critical materials used in the fishing and fish processing industry, and other war-connected stringencies, have created a condition calling for Government supervision to insure that all pilchard fishing and processing facilities be used with the maximum effectiveness in the production of pilchard and other related fishery commodities and products. It is the purpose and intent of the Fishery Coordinator in administering and enforcing this order to facilitate the maximum production of pilchard and other related fishery commodities and products, especially in the categories most essential to the maintenance of the national war economy, such as canned pilchard for direct human consumption, with also as large an amount of other important products such as fish meal and oil as can be secured without interfering with maximum production in the more essential categories. To this end, the aim will be to insure as nearly as possible a continuous operation at full capacity of all pilchard vessels and of pilchard processing plants, with the least possible use, however, of critical materials and manpower, and with the least possible interference with the economic and industrial freedom of activity of all persons concerned. In the interest of effective mobilization of material resources necessary to the successful prosecution of the war, it is expected that persons affected by this order will cooperate with the United States Government in the attainment of the objectives which prompt the issuance of this order; among other things, it is expected that those engaged in the industry will make every effort to settle disputes among themselves before the disputes

interfere with maximum production or the other aims of the order.

(c) *Definitions.* For the purpose of interpreting this order and directions, applications, permits and all administrative instruments based upon it:

(1) "Person" means any individual, partnership, association, corporation, or any other business entity.

(2) "Pilchard" means raw, unprocessed pilchard (*Sardinia caerulea*), by whatever name known, including sardines.

(3) "Delivery" means the transfer of pilchard to a processing plant, for canning or reduction, to a transporting facility, or to a place of storage, whether or not the same person owns or controls the vessel from which it is transferred, the plant, and the fish.

(4) "Port" means a single harbor or group of contiguous or nearly contiguous harbors at which pilchard are landed. San Pedro means the ports of San Pedro, Wilmington and Long Beach. Monterey means the ports of Monterey and Moss Landing. San Francisco means the harbors on San Francisco Bay, and the tributaries thereof. Ports may be added or regrouped in the discretion of the Area Coordinator.

(5) "Registration port" means the port where the permanent document of the vessel issues.

(6) The "home port" of a vessel is the port where the operating owner and the Master and a majority of the crew have all resided a substantial portion of the time since May, 1940, and where the operating owner, the Master, the Fishing Captain, and most members of the crew, have fished for pilchard, each of them during at least half of the period of his pilchard fishing activity in each pilchard season since that date. The Area Coordinator may designate the home port of any vessel for which these criteria are conflicting, if in his opinion there is sufficient consistency among the criterial facts to constitute a basis for such designation.

(7) "Fishing port" means a port from which the vessel operates for the purpose of pilchard fishing.

(8) "Operating owner" means the person (or one of the persons) to whom the vessel is chartered, or if there is no charter, the person who receives (or one of the persons who participates in) the share of the earnings commonly called the "boat's share" as distinct from that of the crew, and distinct from the share paid for use of the net.

(9) "Pilchard vessel" includes any vessel fishing for or delivering pilchard, and also any vessel which has engaged in fishing for pilchard at any time since May 1940, and also any vessel constructed, remodeled, or converted since that date for fishing for pilchard with any type of gear whether such fishing be intermittent or continuous within the pilchard season, and any vessel constructed, remodeled or converted with the aid of priority assistance secured partly by means of a statement of intent expressed or implied, to use the boat in pilchard fishing during a part of the year. The provisions of this order and of any direction issued under it shall be applicable to any such vessel regardless of size, except as expressly specified otherwise.

(10) "Pacific Coast" means the coast of Alaska and of the States of Washington, Oregon, and California.

(11) "Fishery Coordinator" means the Secretary of the Interior in the sense in which the Secretary is so designated by Executive Order No. 9204 (7 F.R. 5657).

(12) "Representative" means any person or persons duly designated by the Fishery Coordinator to perform any of the delegable functions authorized by this order.

(13) "Fishery commodities and products" includes any edible or non-edible fish, any form of aquatic animal or plant life, and any other commodity and product, including fats and oils, of marine or fresh water origin, which is within the meaning of the term "food" as defined in section 10 of Executive Order No. 9280 (7 F.R. 10179).

(14) "Pilchard and other related fishery commodities and products" includes, in addition to pilchard and pilchard products, such other fish as are caught with pilchard gear during the pilchard season, and the products of these fish.

(15) "Pilchard season" means the usual sardine or pilchard fishing season, varying in different areas of the Pacific Coast, and in waters off the California coast it means the seasons as set out in section 1065 of the California Fish and Game Code.

(16) Except when the context clearly indicates otherwise each term and phrase has the same meaning as is given to it in War Food Order No. 52 (formerly known as Food Directive No. 2, as amended, 8 F.R. 1777, 3280).

(d) *Catching or delivering pilchard without a permit prohibited.* No person owning or controlling a vessel of 20 register net tons or over shall fish for and deliver pilchard to any cannery, reduction plant, or other establishment at any port on the Pacific Coast of the United States, except as otherwise provided in paragraph (m), unless expressly authorized by a permit issued by the Area Coordinator.

(e) *Clearance of pilchard vessels from ports without a permit prohibited.* Except where there has been an emergency modification of the permit as provided in paragraph (m):

(1) No pilchard vessel of 20 register net tons or over shall be cleared from any port on the Pacific Coast of the United States or Alaska for a fishing voyage of any sort or for a voyage during which it is to be engaged in any gainful pursuit, or enter any port to deliver fish or otherwise to complete such gainful pursuits except in accordance with the terms of a permit issued as set out in this order.

(2) Clearance from a port will not be permitted except when the Master of the vessel shall have such permit in his possession.

(f) *Terms and conditions of permits.* (1) Each permit shall provide specifically the period for which it is issued; the port or ports from which clearance is authorized; and such other reasonable terms and conditions as may be deemed necessary to accomplish the purpose of this order. When a new Master is placed in charge of the vessel, unless the arrangement is temporary for fifteen days or less, the old permit shall be invalid and should be surrendered to the Area Coordinator with an application for immediate issuance of a new permit.

(2) Each permit shall provide that if it shall be ordered suspended (as distinct from revoked) for a violation of this order in the handling of a load of fish, the permittee shall have the option, in lieu of suffering such permit suspension, of paying to the United States Government a sum of money, to be specified in the suspension order, and computed as follows: For each day in the designated suspension period, 50 per cent of the value of fish involved, plus an additional ten per cent of the value for each previous wilful violation of this order by the same person or his representative, whether a penalty has been imposed for such prior violation or not, but disregarding violations prior to July 1, 1944. For the purpose of this clause, infractions during a single trip shall be considered a single violation.

(3) Permits may be amended at any time or new permits issued when deemed necessary by the Area Coordinator to provide an adequate number of fishing vessels at any given port and to assure an even flow of pilchard to canning or reduction plants in order to facilitate the maximum production of pilchard and other related fishery commodities and products commensurate with available manpower and plant facilities.

(4) The terms of a permit may be modified by the Area Coordinator on request of the holder of such permit when conditions are shown to exist which warrant such modification.

(5) Any permit for pilchard fishing may be cancelled by the Area Coordinator if the permittee does not actually start fishing operations thereunder by engaging in one or more pilchard fishing trips within the first five fishing days after the beginning of the pilchard fishing period named therein. A fishing day is a day when a substantial portion of the pilchard fleet in the port in question leaves the port to fish for pilchard.

(6) Whenever the Area Coordinator, after a permit has been issued based upon a home port preference claim, has doubt about the facts upon which the claim is based, he may require a sworn statement as to the facts; and if a sufficient showing is not made within a reasonable time specified in a notice from him to the permittee, the permit so issued may be amended pursuant to subparagraph (3) of this paragraph (f).

(g) *Applications for permits; Master as agent for operating owners.* (1) Applications for permits shall be filed with the Area Coordinator not later than June 1 of each year, except for vessels built or acquired for pilchard fishing during the course of the season, in which case applications shall be filed not less than 10 days prior to the time operation of the vessel is contemplated.

(2) Applications shall contain the following information:

(i) The name of the vessel, the registration port and official number, the name of the operating owner (or if there are several operating owners, the name of the one representing the group in applying for a permit) and the name of the Master of the vessel.

(ii) The permanent residence of the operating owner in whose name as representative of all operating owners the permit is requested to be issued, and of the Master of the vessel, and the date when each such residence was established.

(iii) The fishing ports, during the period since May, 1940, of the Master or such other person as is to be in charge of fishing operations of the vessel as distinct from navigation.

(iv) The port claimed by the applicant as a home port.

(v) The fishing port or ports from which a permit to fish is desired and the period of time during which fishing operations are to be conducted at each of the fishing ports.

(vi) Any other information deemed necessary by the Area Coordinator to accomplish the purposes of this order, including the submission of copies of contracts bearing on the determination of the home port or of the fishing ports or affecting the delivery of pilchard.

(3) The Master of the vessel named in an application for fishing during a particular pilchard, tuna, or other season, shall be deemed the agent of the operating owners for all purposes of administration of this order, including, but not limited to, filing subsequent applications, receiving all communications and service of all notices in any proceedings for violation of the order, waiving notice and hearing in such proceedings. Such agency shall continue until the end of the seasons for all species of fish named in the application, or earlier receipt of notice by the Area Coordinator of designation of another Master for the vessel; such notice shall terminate the permit. The first application for a particular season may be filed by the Master as agent of the operating owners with their consent; and such consent shall be conclusively presumed unless the operating owner named as permittee repudiates the application promptly after learning that it was filed, or that a permit was issued under it, or that the vessel is operating under the permit. The Master of the vessel actually in charge of it, whether named in the application or not, shall also be deemed the agent of the operating owners for the purposes specified.

(h) *Action on applications.* (1) The Area Coordinator shall consider each application on the basis of (i) military and essential civilian requirements for canned sardines, sardine meal and oil; (ii) the necessity of maintaining an even flow of pilchard to available canneries or reduction plants; and (iii) the condition of fishing in the waters adjacent to each port.

(2) So far as is consistent with the factors referred to in subparagraph (1) of this paragraph (h), in acting upon applications preference in assignment to ports shall be given to applicants for home port fishing permits. Whenever the Area Coordinator has doubt as to the facts upon which a home port preference claim is based, he may require that the application be supported by a sworn statement as to the facts. When assignment of vessels to ports other than their home ports is deemed necessary to secure maximum production, or to further the other purposes of this order, it will be given, so far as possible, to vessels which, even without such action would not be operating at their home ports during the period in question.

(3) Permits may be granted on applications filed after the dates specified in paragraph (g) but the rules stated in subparagraph (2) of this paragraph (h) as to the preferential assignment of fishing ports shall not apply to such late applications.

(i) *Individually directed deliveries; new plants; disputes.* (1) The Area Coordinator when it is necessary in his opinion to assure maximum production of all pilchard products, or of the pilchard product deemed most essential, or to assure production of each type of pilchard product in proper proportion to meet the requirements for military and essential civilian supply, or to promote an even flow of the material to canning or reduction plants, or to promote other purposes of this order, may set up a system for distributing in any port, loads of pilchard, mackerel, and any other fish brought into port by pilchard vessels, and direct specifically where and to whom each load shall be delivered. The delivery or the receipt of fish, contrary to such direction shall be a violation of this order.

(2) Whether such a system of directed deliveries has been set up or not, no plant shall receive fish knowing it to have been caught or brought into port in violation of this order or of any permit issued thereunder, except pursuant to a direction from the Area Coordinator, or his representative, given with knowledge of the violation.

(3) When, after the opening of the pilchard season at a particular port and after a system of directed deliveries has been set up there and is operating pursuant hereto for the season, a new plant, whether independently owned or an addition to the facilities of a processor already operating there, is ready to begin operations in the port, application may be made to the Area Coordinator to have a share of the pilchard landings in that port delivered to the new plant, and such application shall be considered and granted or denied on its merits, giving proper weight to all the purposes of this order, including maximum production in the most essential categories to meet the requirements for military and essential civilian supply, and economy in use of manpower and critical material.

(4) The Area Coordinator may refuse or reduce deliveries to any plant the operation of which in his opinion will not further the purposes of this order, if a Government Agency having jurisdiction over the subject has determined that, or has instituted proceedings to determine whether, critical materials or services have been improperly obtained or used in constructing or equipping the plant, preparing it for operation, or placing or keeping it in operation. The phrase "critical materials or services" shall be understood to include any materials or services which, when obtained or used, were subject to restriction, allocation or control by the War Production Board, the War Manpower Commission, or any other Government Agency.

(5) Any person having a substantial interest in the matter may, upon written petition filed with the Area Coordinator, as described in paragraph (p), secure an advance decision as to whether a share of the pilchard landings in a port will be assigned to a proposed plant if and when it is completed. A hearing shall be held upon such petition if deemed necessary by the Area Coordinator. Such a petition may not be filed, however, more than six months before the prospective plant is ready to operate, and the decision shall be ineffective if the plant is not ready to operate within six months after filing, or within such longer time as is specified in the decision itself. Moreover, such decision when given may be otherwise conditioned as the Area Coordinator deems necessary in order to further the purposes of the order.

(6) In the event of any dispute between any person designated to deliver pilchard and the person to whom such delivery is assigned, concerning quantity, quality, payment or other terms of a transaction directed under subparagraph (1) of this paragraph (i), if the Grievance Committee or other conference group established by participants in the industry to settle such disputes in the particular port concerned fails to reach a settlement accepted by both parties, either party may petition the Area Coordinator for exemption from any requirement to deliver pilchard to, or receive pilchard from, the other party. The petition shall set out the facts and shall be served on the other party to the dispute, the respondent, who may serve and file a reply; a hearing shall be held thereon if either party requests it. If in the opinion of the Area Coordinator the facts indicate that the failure to settle the dispute was substantially attributable to respondent's unjustified failure to cooperate reasonably in submitting the dispute for settlement or in carrying out a settlement award, and that such action would further the purposes of this order, he may grant the exemption requested, directing deliveries in that port thereafter so as not to require business transactions between the two parties to the dispute, providing alternative transactions for the petitioner without providing the respondent with alternative transactions to compensate him for transactions lost as the result of such action.

(j) *Designation of particular uses.* The Area Coordinator may direct or prohibit the use of pilchard for canning or for reduction into meal and oil or may direct the use of any specified percentage for each particular purpose or may designate what minimum quantities of canned fish must be packed from the fish dispatched to any specific canning plant, or from any specified portion of such fish

when deemed necessary in order to meet the requirement for military and essential civilian supply.

(k) *Agreements to limit production prohibited.* No contract or agreement, written or verbal, shall be entered into or carried out in whole or in part, and no action shall be taken which directly or indirectly operates to limit the amount of pilchard which may be caught or delivered by any fishing vessel or the frequency with which any pilchard fishing vessel shall leave port for or return from the fishing grounds except as may be ordered by the Area Coordinator. Any limits set by the Area Coordinator may be made applicable to mackerel as well as pilchard and other fish landed by pilchard vessels.

(l) *Records and reports.* (1) All persons engaged in processing pilchard and who are affected by this order shall keep and preserve, for not less than two years, accurate records concerning purchases (including names of sellers and vessels) and production of pilchard and other related fishery commodities and products, and such other material information as may be required by the Area Coordinator.

(2) All records required to be kept by this order or by any order of the Area Coordinator shall be made available for inspection and audit by the Area Coordinator upon request.

(3) The Area Coordinator may require from persons affected by this order daily or other periodic reports with respect to amounts and quality of pilchard and other related fishery commodities and products received, production capacity, quantities of each product produced, and such other material information as may be deemed necessary by the Area Coordinator to carry out the purposes of this order. These record keeping requirements have been approved by the Bureau of the Budget and specific recording and reporting requirements subsequently prescribed will be subject to the approval of the Bureau of the Budget, all pursuant to the Federal Reports Act of 1942.

(4) Any person engaged in processing pilchard or in operation of a pilchard vessel who furnishes false information, through himself or an agent, either orally or in writing, to any representative of the Fishery Coordinator, with respect to any matter within the jurisdiction of this order, shall be guilty of violating this order.

(m) *Modification of permit by radio, etc.* (1) In unusual circumstances, when deemed necessary to meet the exigencies of the occasion, the Area Coordinator may, verbally or by radiotelephone, modify the terms of a permit by change of port for a single trip or otherwise, subject to confirmation in writing within a reasonable period of time thereafter. Any permit modification granted hereunder shall be invalid if the permittee requesting the modification shall deliberately have made a false statement, or failed to make a complete statement, as to the emergency circumstances, including all facts indicating the possibility of meeting the emergency otherwise than by permit modification. Any false or wilfully incomplete statement in requesting such a modification shall be a violation of this order.

(2) Any such emergency modification permitting entry to and delivery of pilchard at a port contrary to the terms of the permit as issued must be secured before the vessel deviates from its course to a permitted port in order to enter another port for delivery of pilchard; after such deviation no action taken by any representative of the Area Coordinator to enable the vessel to discharge its load in the other port shall constitute a modification of the permit or relieve the permittee from responsibility for coming to or delivery at such port contrary to the terms of his permit, unless the action is accompanied by an express provision for such modification and relief.

(n) *Orders and directions.* The Area Coordinator may issue such orders and directions as he may deem necessary to accomplish the purposes of this order, and violation of any such order or direction shall be a violation of this order.

(o) *Violation; revocation.* Each permittee shall be responsible for any violation occurring through operation of the vessel under his permit. Any person who violates this order or any order, direction, or prohibition of the Fishery Coordinator, or his representative, or any term or condition of any permit issued by either, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may, by a decision of the Area Coordinator based upon findings of fact made after reasonable notice and hearing, be prohibited from fishing by suspension or revocation of any permit issued, or prohibited from receiving any type of fish for a specified period of time. If the Area Coordinator shall have reasonable grounds to believe that such violation has occurred and if the circumstances are such that he shall deem such action reasonably necessary to carry out the purposes of this order, he may immediately suspend the permit or privilege of receiving fish pending such hearing. In all such remedial proceedings hereunder the Master of the vessel shall be an authorized representative of the operating owners as set out in paragraph (g) (3). Such further action may be taken against the violator as the Fishery Coordinator deems appropriate, including the recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. sec. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws. If the permit shall be ordered suspended as provided in this paragraph the permittee shall have the option to make the payment described in paragraph (f) (2), in lieu of suffering such suspension; such option shall not be available in lieu of revocation.

(p) *Appeals and petitions for relief.* Any person who finds that compliance with this order imposes an unreasonable burden upon him may petition the Fishery Coordinator for appropriate relief. Any person aggrieved by any action taken by the Area Coordinator, or one of his staff hereunder, or by any direction issued hereunder, or who finds that compliance therewith imposes an unreasonable burden upon him may petition the Area Coordinator for appropriate relief; and after the hearing or other presentation of the matter before the Area Coordinator and his decision, any person affected may appeal from the decision by filing a petition with the Fishery Coordinator. Any petition filed under this paragraph must include a full showing of the pertinent facts, and must be filed in triplicate; and when any petition is filed with the Fishery Coordinator a copy thereof shall be filed at or before that time with the Area Coordinator.

(q) *Surrender of permits; applications; communications.* Permits which have been superseded by amended permits, or which have been revoked, shall be surrendered at once to the Area Coordinator; and all applications, petitions, and communications referred to herein shall, unless otherwise directed, be addressed to and filed with the Area Coordinator, Area II, Office of the Coordinator of Fisheries, 901 Alexander Building, 155 Montgomery Street, San Francisco 4, California.

(r) *Deputy Fishery Coordinator; delegation of authority; designated representative.* For the purposes of this order, the functions, duties and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator. The Area Coordinator in Area II is designated as the representative of the Fishery Coordinator in immediate charge of the administration of this order, is authorized to perform any of the functions of the representative of the Fishery Coordinator hereunder, and is the person referred to whenever the term "Area Coordinator" is used herein. In the performance of these functions the Area Coordinator may designate any members of his staff to carry out any specific functions he may assign to them, and in addition he may delegate specific functions to any member of the staff of the Office of Fishery Coordination or of the Fish and Wildlife Service, with the consent of the superior of such staff member. The Area Coordinator may also designate other Federal officers or employees who are qualified therefor by training or experience to serve as hearing officers with the consent of their superiors in any hearings necessary hereunder.

(s) *Previous orders superseded.* This order shall supersede Conservation Order M-206 as amended September 30, 1942 (7 F.R. 8274), issued by the War Production Board.

(t) *Separability; effective date.* The various clauses and provisions herein are intended to be separable and the invalidity of any one shall not affect any other provision. This order shall become effective immediately.

Issued this 6th day of June 1945.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 45-10064, Filed, June 9, 1945; 9:31 a. m.]

Notices

DEPARTMENT OF THE NAVY.

NAVY DEPARTMENT CONTRACTORS

NOTICE REGARDING CLAIMS FOR PATENT INFRINGEMENTS

By letter of January 15, 1945, the Navy Department suggested to contractors the possibility of reducing claims for patent infringement for the use of inventions in the war effort by agreement of such contractors not to assert any claims for patent infringement arising out of the utilization of inventions during the war for governmental purposes. This letter stated that "it is intended that no acceptance of this proposal shall be binding until substantial unanimity of agreement has, in the opinion of the Secretary, been indicated".

The possibility that some contractors may benefit from the generosity of those who have accepted such letter requires me to state that no substantial unanimity has been reached, and that therefore the Navy Department does not consider the acceptances of the letter of January 15, 1945, as binding upon those contractors who have signed acceptances.

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 45-10137; Filed, June 11, 1945; 10:07 a. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc 2047815]

WYOMING

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MAY 30, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

6TH P. M.

T. 18 N., R. 86 W., sec. 16, All.
T. 16 N., R. 87 W.,
Sec. 4, Lots 1, 7, 8;
Sec. 5, Lots 2, 7, 8.
T. 18 N., R. 87 W., sec. 16, All.
T. 24 N., R. 87 W., sec. 16, All
T. 23 N., R. 89 W., sec. 16, N½NE¼.
T. 12 N., R. 91 W., sec. 2, Lot 4.
T. 17 N., R. 91 W., sec. 16, SE¼SW¼.

The above described lands contain 2,269.80 acres.

These lands are a part of Grazing District No. 3, and subject to administration by the Grazing Service.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20 day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Cheyenne, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-10063; Filed, June 9, 1945; 9:31 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

RULES OF PRACTICE

MISCELLANEOUS AMENDMENTS

Effective upon publication in the FEDERAL REGISTER Rules X, XI and XII of the rules of practice[1] are hereby amended to read as follows:

X. *Exceptions to examiner's report.* (a) Within ten (10) days after service of the examiner's report, any interested party upon whom such report has been served, or the trial attorney for the Government, may file with the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C. an original and four copies of a statement in writing, setting forth such exceptions to the report or the proceedings (including rulings upon all motions or objections) as he relies upon, together with the original and four copies of any brief he may wish to file in support thereof. Any interested party upon whom the report has been served, or the trial attorney for the Government, may file, within twenty (20) days after service of the report a brief in support thereof.

(b) The statement of exceptions and the briefs filed in support thereof shall set out separately and particularly each exception to the trial examiner's report or rulings, and specific reference shall be made to the pages of the transcript or of the exhibits which are relevant to such exceptions. Consideration of the record on review will be limited to the specific matters raised by the statements of exceptions or briefs filed hereunder. No exception to a finding of fact will be considered by the Administrator unless it is supported by the record references required by this rule.

(c) After the expiration of the time fixed for the filing of exceptions to the examiner's report, the Administrator shall make his decision based on the record of the proceedings, including such exceptions and briefs as may have been filed. The Administrator, on his own motion, may consider any matter raised by the record, may order the reopening of the proceeding before the trial examiner to take further evidence, or may permit or require oral argument before him on any of the issues involved in the proceeding.

XI. *Decision of Administrator.* (a) The Administrator shall issue an order embodying his decision on all issues as to whether respondent has violated the act and the amount of damages due therefor, which shall become final, unless a petition for review is filed under Rule XII, on the expiration of the period provided for the filing of such petition. If the respondent is found guilty of violating the act, the Administrator shall make recommendations to the Secretary in his decision as to whether respondent shall be relieved from the application of the ineligible list provisions of section 3 of the act.

(b) The Decision of the Administrator shall be made part of the record of proceedings, and a copy thereof shall be served in the manner provided for the serving of the examiner's report, upon all parties who were served a copy of the examiner's report, including the respondent or the attorney of record and upon such other parties as the Administrator may direct.

XII. *Review.* (a) Within ten (10) days after service of the Decision of the Administrator any interested party upon whom such decision has been served may file with the Administrator an original and four copies of a petition for review of his decision by the Secretary of Labor which shall set out separately and particularly each error asserted. The request for review and the record will then be certified to the Secretary of Labor.

(b) The petitioner may file a brief (original and four copies) in support of his petition within the period allowed for the filing of the petition. Any interested party upon whom the report has been served, or the trial attorney for the Government, may file within five (5) days after the date upon which the petition is to be filed a brief in support of or in opposition to the Administrator's decision.

(c) The petition and the briefs filed under this rule shall make specific reference to the pages of the transcript or of the exhibits which are relevant to the errors asserted with respect to findings of fact, and objections to such findings which are not so supported will not be considered.

(d) No matter properly subject to objection before the Administrator will be considered by the Secretary unless it shall have been raised before the Administrator or unless there were reasonable grounds for failure so to do; nor will any matter be considered by the Secretary unless included in the assignment of errors. In the discretion of the Secretary, review may be denied if the petition and brief in support thereof fail to show adequate cause for such review.

(e) The order denying review, or the Decision of the Secretary, whichever is entered, will be made a part of the record, and a copy of such order or Decision will be served upon the parties who were served with a copy of the Administrator's decision.

Signed at Washington, D. C., this 6th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-10130; Filed, June 9, 1945; 2:34 p. m.]

[1] Not filed with the Division of the Federal Register.

FEDERAL POWER COMMISSION.

[Docket No. G-561]

THE MANUFACTURERS LIGHT AND HEAT CO.

ORDER FIXING DATE OF HEARING

JUNE 9, 1945.

Upon consideration of the application filed June 6, 1945, by The Manufacturers Light and Heat Company (applicant) for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize (1) the operation of an existing connection between Applicant's pipe line and the pipe line of Bessemer Natural Gas Company, where such pipe lines cross at a point located on the Irene Metz farm in North Beaver Township, Lawrence County, Pennsylvania, and (2) the sale of an average of 1,000 mcf of natural gas per month by Applicant to the Bessemer Natural Gas Company; and

It appearing to the Commission that:

(a) On August 4, 1944, Applicant was granted temporary authorization to deliver 60 mcf per day to Bessemer Natural Gas Company for a period not to exceed three months;

(b) On November 4, 1944, Applicant was authorized to continue the delivery of 60 mcf per day to Bessemer Natural Gas Company for a further period of six months;

(c) By letter of April 28, 1945, Applicant was granted permission to continue making such delivery of natural gas to Bessemer Natural Gas Company from May 4, 1945, to November 4, 1945.

The Commission orders that:

A public hearing be held commencing June 14, 1945, at 10 a. m. (e. w. t.) in Court Room No. 4, Sixth Floor, New Federal Building, at Pittsburgh, Pennsylvania, respecting the matters involved and the issues presented in this proceeding.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10131; Filed, June 11, 1945; 9:49 a. m.]

[Docket No. IT-5829]

ARKANSAS POWER & LIGHT CO.

ORDER POSTPONING DATE OF HEARING

JUNE 8, 1945.

It appearing to the Commission that:

(a) On February 8, 1945, the Commission, upon consideration of the petition of Arkansas Power & Light Company, postponed the public hearing in this matter then set to commence at 10:00 a. m. (e. w. t.) on February 20, 1945, in the Commission's Hearing Room, 1800 Pennsylvania Avenue, NW., Washington, D. C., until May 22, 1945, at the same time and place; on April 24, 1945, the hearing upon this matter was further postponed to June 25, 1945;

(b) Good cause exists for the further postponement of the public hearing in this matter as hereinafter provided;

The Commission orders that:

The public hearing in the above-entitled proceeding, now set to commence on June 25, 1945, be and the same is hereby postponed to commence at 10:00 a. m. (e. w. t.) on September 26, 1945, in the Commission's Hearing Room, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10132; Filed, June 11, 1945; 9:49 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Rev. S. O. 300, Special Permit 9]

REFRIGERATION OF POTATOES FROM PAHOKIE, FLA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Revised Service Order No. 300 of April 19, 1945 (10 F.R. 4359), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on two refrigerator cars, FGE 18710 and URT 97145, loaded with potatoes, shipped May 18, 1945, by J. H. Barwick, from Pahokie, Florida, to R. H. Dietz Co., Chicago, Illinois (F. E. C.-Sou. Ry.-C. & O.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-10065; Filed, June 9, 1945; 11:00 a. m.]

[2d Rev. S. O. 300, 2d Amended Gen. Permit 2]

ICING OF POTATOES FROM GEORGIA, SOUTH CAROLINA AND FLORIDA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 of June 4, 1945 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide initial icing only at the first regular icing station available en route after cars are loaded and billed, on any refrigerator car loaded with potatoes originating at any point in the States of Georgia or South Carolina; and on any refrigerator car loaded

with potatoes originating at any point in the State of Florida, to provide initial icing, and one reicing in transit only at a regular icing station en route.

This general permit shall become effective at 12:01 a. m., June 11, 1945. The icing authorized herein may be accorded only on such refrigerator cars billed on or after that time. This general permit shall expire at 11:59 p. m., July 31, 1945.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-10138; Filed, June 11, 1945; 10:57 a. m.]

[S. O. 313]

UNLOADING OF MANURE AT REDLANDS, CALIF.

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of June, A. D. 1945.

It appearing, that cars PRR 861579 and SP 45617 containing manure at Redlands, California, on the Southern Pacific Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

Manure at Redlands, California, be unloaded. (a) The Southern Pacific Company, its agents or employees, shall unload forthwith cars PRR 861579 and SP 45617 containing manure shipped by Muyres and Dahlanie, now on hand at Redlands, California.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of manure have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2).)

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Southern Pacific Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10139; Filed, June 11, 1945; 10:57 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination 17]

RELIABLE MOTOR FREIGHT LINE

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Reliable Motor Freight Line by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of W. G. Burgess, doing business as Reliable Motor Freight Line, 8 No. Greenwood, Tulsa, Oklahoma, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., June 12, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 17."

Issued at Washington, D. C., this 11th day of June, 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-10149; Filed, June 11, 1945; 11:15 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

BRESSLER BROS., INC., AND INTERNATIONAL LADIES GARMENT WORKERS UNION

DIRECTIVE TO WAR PRODUCTION BOARD

In the matter of: Bressler Brothers, Inc. (Atlanta, Georgia), and International Ladies Garment Workers Union, Local No. 122, AFL; WLB Case No. 111-3654-D.

Preliminary statement. The National War Labor Board, pursuant to Executive Order 9370, has reported to the Director of Economic Stabilization that Bressler Brothers, Inc., of Atlanta, Georgia, has failed to comply with a directive order heretofore issued by the Board in final determination of a labor dispute between the company and International Ladies Garment Workers Union, Local No. 122.

The War Labor Board, acting under the provisions of the War Labor Disputes Act of June 25, 1943, in accordance with its regular procedure decided the dispute and provided by appropriate order the wages and hours and other terms and conditions that should govern the relations between the parties. The Company has refused to comply with this order. I hereby find that this refusal threatens to delay and impede the effective prosecution of the war.

In the interest of the war effort, it is imperative that wartime labor disputes of the type involved in this case be resolved through the peaceful procedures established by law. The persistent refusal of this employer to comply with the National War Labor Board's order is disruptive of the government's wartime labor relations program.

I am informed by the Navy Department that it has no direct contracts with this company and that the application of sanctions "would not appear to interfere with the war effort so far as the Navy Department is concerned." The War Department has advised me that action taken pursuant to Executive Order 9370 in this case "would not adversely affect the War Department's program."

Under these circumstances, I find that the allocation to this employer of materials in short supply, or extension of priority assistance to the employer, would delay and impede rather than promote the effective prosecution of the war; and would be contrary to the requirements of the national defense and the public interest.

DIRECTIVE

Therefore, pursuant to the authority vested in me by Executive Order 9370, I hereby direct the War Production Board to deny Bressler Brothers, Inc., of Atlanta, Georgia, its successors and assigns, all applications for priorities assistance or for the allocation of materials which are short in supply and to cancel all outstanding priorities and allocations of that company.

I further direct the War Production Board to report to me within fourteen days after June 18, 1945, the action taken by it pursuant to this directive.

This directive shall become effective June 18, 1945 and shall remain in effect until such time as the Office of Economic Stabilization informs the War Production Board that the company is in compliance with the National War Labor Board's order.

Effective date: June 18, 1945.

(E.O. 9370, Aug. 16, 1943, 8 F.R. 11463)

Issued this 8th day of June 1945.

WILLIAM H. DAVIS,
Director.

[F. R. Doc. 45-10152; Filed, June 11, 1945; 11:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SR 15, Order 44]

NATIONAL SHOE AND LEATHER CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 44 under § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. National Shoe and Leather Company, Inc.; Docket No. 6064-SR 15.75 (a) (10)-40.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum prices for sales of footwear manufactured by National Shoe and Leather Co., Inc.* (1) The maximum prices at which National Shoe and Leather Co., Inc., of Epping, New Hampshire, may sell and deliver the styles of footwear specified below to wholesalers shall be $1.55 per pair, net. The "OPA Adjustment Charge" shall be, in each case, 5 cents per pair.

Style No.	*Description*
700	Nurses' white elk, rubber sole, leather heel.
385	Old ladies' congress gaiter
6676	Black kid imitation gypsy oxford.
6676X	White kid imitation gypsy oxford.
6690	Brown kid imitation gypsy oxford, leather heel.
6327	Misses' plain oxford, black kid, imitation tip.
6327X	Misses' plain oxford, white kid, imitation tip.
6622	Black kid gore pump, split vamp, patent tip.
6622X	White kid gore pump, split vamp, white kid tip.
6846	Patent leather tip, black kid oxford.
6846X	White kid tip oxford.
6819	Black kid stetson tie oxford, leather heel.
6819X	White kid stetson tie oxford, leather heel.
6525	Split vamp gypsy, in brown or black kid, patent leather tip.
6525X	White kid split vamp gypsy.
6478	Blue gabardine oxford, blue kid eyelet.
6628	Black kid gore pump.
6628X	White kid gore pump.
6790	Old ladies' bal oxford, black kid.
6110	Black gabardine oxford, patent leather tip, wood heel.
6790	Black kid gore saddle pump.
6790X	White kid gore saddle pump.

(2) *Invoicing of "OPA adjustment charge."* The "OPA adjustment charge" specified in subparagraph (1), above, may be made and collected only if separately stated on the invoice accompanying each sale and delivery.

(3) *Discounts.* Any style of shoe listed in subparagraph (a) (1), above, may be billed at a gross price provided that the net price, after discount, does not exceed the applicable maximum price specified.

(b) *Maximum prices for sales at wholesale.* The maximum price for a sale at wholesale of any style of shoe listed in subparagraph (a) (1), above shall be the wholesaler's maximum price previously established under the General Maximum Price Regulation. The "OPA adjustment charge" specified in subparagraph (a) (1) may not be added to this price. A wholesaler who has not previously established a maximum price for such style of shoe may not, in determining his maximum price therefor, consider the "OPA adjustment charge" specified in subparagraph (a) (1) as a part of his net unit replacement cost for the shoe.

(c) *Notification.* At the time of (or prior to) the first delivery hereafter of each style of shoe listed in subparagraph (a) (1), above, to a purchaser, National Shoe and Leather Co., Inc., shall notify the purchaser in writing of the provisions of paragraph (b), above.

(d) All requests not specifically granted by this Order are denied.

(e) This order may be amended, modified, revised or revoked by the Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10019; Filed, June 8, 1945; 4:43 p. m.]

[MPR 188, Rev. Order 638]

GEORGE T. WOOD & SONS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 638 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by George T. Wood & Sons, Inc. High Point, N. C.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Steamer chair	*Dozen* $11.16	*Dozen* $13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated July 12, 1943.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10020; Filed, June 8, 1945; 4:41 p. m.]

[MPR 188, Rev. Order 1414]

J. P. METS AND SONS

APPROVAL OF MAXIMUM PRICES

Order No. 1414 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by J. P. Mets and Sons 1675 Clinton Avenue North, Rochester, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Deck chair	------	*Dozen* $11.16	*Dozen* $13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated March 6, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class

of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10021; Filed, June 8, 1945; 4:41 p. m.]

[MPR 188, Rev. Order 1527]

C. L. BRADFORD & ASSOCIATES

APPROVAL OF MAXIMUM PRICES

Order No. 1527 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by C. L. Bradford & Associates, 222 W. North Bank Drive, Chicago 54, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
Lawn chair	.....	$11.16	$13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated March 4, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10022; Filed, June 8, 1945; 4:40 p. m.]

[MPR 188, 20 Rev. Order 1545]

MARTIN LEATHERMAN MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 1545 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Martin Leatherman Manufacturing Company, Little Rock, Ark.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from their own stock	Maximum price for the manufacturer's sales to the trade
		Dozen	*Dozen*	*Dozen*
Folding canvas chair	1	$8.04	$8.54	$10.05
Folding canvas chair	2	6.68	7.10	8.35

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated April 19, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10023; Filed, June 8, 1945; 4:41 p. m.]

[MPR 188, Rev. Order 1560]

ARKCO SALES CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1560 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Arkco Sales Company, 1110 Woodrow Street, Little Rock, Ark.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from their own stock	Maximum price for the manufacturer's sales to the trade
		Dozen	*Dozen*	*Dozen*
Canvas chair	26	$6.68	$7.10	$8.35
Canvas chair	70	8.04	8.54	10.05
Rockerless rocker	.....	9.54	10.14	11.93

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated April 8, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10024; Filed, June 8, 1945; 4:42 p. m.]

[MPR 188, Rev. Order 1979]

GENNETT LUMBER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1979 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Gennett Lumber Company, 52 Page Avenue, Asheville, North Carolina.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
Folding rocker type cane seat lawn chair	.....	$11.16	$13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated May 20, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10025; Filed, June 8, 1945; 4:39 p. m.]

[MPR 188, Rev. Order 2079]

J. B. HOLMES

APPROVAL OF MAXIMUM PRICES

Order No. 2079 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by J. B. Holmes, Whitehaven, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
Lawn chair	.....	$10.14	$11.93

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated May 5, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158, of MPR 188; for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10026; Filed, June 8, 1945; 4:42 p. m.]

[MPR 188, Rev. Order 2367]

NORTH SHORE WOODWORKERS & MANUFACTURERS

APPROVAL OF MAXIMUM PRICES

Order No. 2367 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by North Shore Woodworkers & Manufacturers, 2570 Sheridan Road, Zion, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
Folding chair steamer	Finished	$11.16	$13.13
		Each	*Each*
Play pen	do	3.95	4.65
Teeter totter	1200	3.15	3.94
Buzz wagon	.....	1.66	2.07

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty

days, and are for the articles described in the manufacturer's application dated June 26, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10027; Filed, June 8, 1945; 4:42 p. m.]

[MPR 188, Rev. Order 2381]

L. J. TUCK

APPROVAL OF MAXIMUM PRICES

Order No. 2381 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by L. J. Tuck, 214 Forest Park Court, Pacific Grove, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
Steamer chair	.....	$11.16	$13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 26, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10028; Filed, June 8, 1945; 4:43 p. m.]

[MPR 188, Rev. Order 3035]

UNION CABINET WORKS

APPROVAL OF MAXIMUM PRICES

Order No. 3035 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Union Cabinet Works, 2008 St. Ferdinand Street, New Orleans, La.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
Lawn chair	"Rocka-Rest"	$16.26	$19.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated July 5, 1945.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10029; Filed, June 8, 1945; 4:43 p. m.]

[MPR 188, Amdt. 1 to Order 3240]

CABINET SUPPLY

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

The last sentence of paragraph (a) (1) (i) of Order No. 3240 under Maximum Price Regulation No. 188 is amended to read as follows: "These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within twenty days, net thirty days, and are for the articles described in the manufacturer's application dated October 2, 1944.

This amendment shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10030; Filed, June 8, 1945; 4:40 p. m.]

[MPR 188, Rev. Order 3434]

ALAN FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3434 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Alan Furniture Company, 149 Warrington Drive, Rochester 7, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailer, who sell from the manufacturer's stock
		Dozen	*Dozen*	*Dozen*
Pedestal chair	24	$9.51	$10.14	$11.93

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated December 22, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been established by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10031; Filed, June 8, 1945; 4:42 p. m.]

[MPR 188, Rev. Order 3558]

STANTON PRODUCTS

APPROVAL OF MAXIMUM PRICES

Order No. 3558 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model No. 101-17 Andirons Set manufactured by Stanton Products of 204-09 Jamaica Avenue, Bellaire, Long Island, N. Y.

For all sales and deliveries to retailers by the manufacturer, the maximum price is $4.53 per set.

Retailers making sales of these articles shall determine their maximum prices pursuant to the regulations applicable to their sales. The maximum price established for sales by the manufacturer is for the article described in its application dated February 12, 1945. It applies to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(b) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been established by the Office of Price Administration.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10032; Filed, June 8, 1945; 4:40 p. m.]

[MPR 188, Rev. Order 3706]

LIVON UPHOLSTERING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Livon Upholstering Company, 1920 Lyndale Avenue South, Minneapolis, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
2 piece upholstered suite	1	$84.49	$98.77
	2	66.10	77.25
	3	69.94	82.25
	5	78.35	92.41
	7	74.89	87.80
	8	67.11	78.99
	9	82.46	97.01
	11	68.21	80.25
	13-2	92.51	108.60
Upholstered chair	16	28.09	33.05

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days.

These prices are approved in H grade cover fabric only. For the purpose of determining your maximum prices in other grades of cover fabric the following grade chart shall be used.

Cost of upholstery fabric per yard 54" width, and grade designation

Up to $0.50	A
Over $0.50 to $0.75	B
Over $0.75 to $1.00	C
Over $1.00 to $1.25	D
Over $1.25 to $1.50	E
Over $1.50 to $1.75	F
Over $1.75 to $2.00	G
Over $2.00 to $2.25	H
Over $2.25 to $2.50	I
Over $2.50 to $2.75	J
Over $2.75 to $3.00	K
Over $3.00 to $3.25	L
Over $3.25 to $3.50	M
Over $3.50 to $3.75	N
Over $3.75 to $4.00	O

For sales of the articles when covered with other grades of fabric the maximum prices shall be determined by adding to or deducting from the prices of the articles in H grade of fabric, an amount equal to 28¢ per yard of fabric for each grade of variation from Grade H.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158 of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Alan Furniture Company, 149 Warrington Drive, Rochester 7, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*	*Dozen*
Pedestal chair	24	$9.54	$10.14	$11.93

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated December 22, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliv-

[MPR 188, Rev. Order 3558]

Stanton Products

Approval of Maximum Prices

Order No. 3558 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model No. 101–17 Andirons Set manufactured by Stanton Products of 204–09 Jamaica Avenue, Bellaire, Long Island, N. Y.

For all sales and deliveries to retailers by the manufacturer, the maximum price is $4.50 per set.

Retailers making sales of these articles shall determine their maximum prices pursuant to the regulations applicable to their sales. The maximum price established for sales by the manufacturer is for the article described in its application dated February 12, 1945. It applies to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(b) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales,

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
2 piece upholstered suite	1	$63.10	$75.77
	2	66.10	77.77
	3	69.94	82.25
	5	78.36	92.31
	7	74.20	87.30
	8	67.11	78.99
	9	82.36	97.01
	11	68.21	80.25
	K-2	92.31	108.60
Upholstered chair	16	28.09	33.05

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days.

These prices are approved in H grade cover fabric only. For the purpose of determining your maximum prices in other grades of cover fabric the following grade chart shall be used.

Cost of upholstery fabric per yard 54" width, and grade designation

Up to $0.50	A
Over $0.50 to $0.75	B
Over $0.75 to $1.00	C
Over $1.00 to $1.25	D
Over $1.25 to $1.50	E
Over $1.50 to $1.75	F
Over $1.75 to $2.00	G
Over $2.00 to $2.25	H
Over $2.25 to $2.50	I
Over $2.50 to $2.75	J
Over $2.75 to $3.00	K
Over $3.00 to $3.25	L

revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10033; Filed, June 8, 1945; 4:40 p. m.]

[MPR 220, Order 107]

RUBY PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to § 1315.1558 of Maximum Price Regulation No. 280, it is ordered:

(a) *Applicability.* This order applies to all sales of buna-S rubber bands, packed by the Ruby Products Company, 345 North Water Street, Milwaukee, Wis., in packages containing one-half ounce buna-S rubber bands, each package containing a notation thereon showing that it contains one-half ounce of rubber bands and that the retail price is 10 cents per package.

(b) *Maximum prices.* The maximum price for sales of the commodity described in paragraph (a) shall be:

$1.60 per lb. (32 one-half oz. packages) for sales to dealers.
$0.10 per package for sales at retail.

(c) *Terms.* The cash discount and freight allowance provisions of § 1315.1557d shall apply to sales by Ruby Products Company and by dealers of the commodity covered by this order.

(d) *Notification of maximum prices.* With or prior to the first delivery to a dealer of the commodity priced by this order, the seller shall notify the purchaser in writing of the maximum retail price established by this order for sales at retail. If such purchaser is a wholesaler, such notification shall also give the specific maximum prices for sales to dealers as established by paragraph (b) of this order.

(e) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10018, Filed, June 8, 1945; 4:43 p. m.]

[MPR 260, Order 1127]

ROMANO & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Romano & Co., 1225 Biscayne Blvd., Miami 36, Fla. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Trans-Atlantic	Cesares	25	$185.00	5
	Aristocrats	25	245.00	20
	Corona Suberbas	25	365.00	30
	Fancy Tubes	25	365.00	30
	Brasil No. 1	25	365.00	30
	Brasil No. 2	25	315.00	25
	Clarins	25	330.00	25
	Cetros Finos	25	260.00	20
	Fleches	25	365.00	30
	Imperiales	25	285.00	25
	Petit Coronas	25	225.00	20
	Perfectos	25	245.00	20
	Belvederes	25	260.00	25
	Selectos de Oro	25	245.00	20
	Prudentes	25	215.00	25
	Trabucos	25	185.00	25
	Special			

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10034, Filed, June 8, 1945; 4:44 p. m.]

[MPR 260, Order 1128]

MID-CONTINENT EXPORT CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Mid-Continent Export Co., P. O. Box 2646, Tulsa, Okla. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Felipe	Finos	50	$	
	Palmitas	50		
	Brevas Tapa Cedro	50		
	Favoritas	25		
	Petit Coronas	50		
	Club	25		
	Cetros Tapa Cedro	25		
	Petit Coronas	25		
	Tapa Cedro Mundial	25		
	Finos Tapa Cedro	50		
Estrella	Habaneras	50		
	Londres	50		
	Imperial Tapa Cedro	50		
	Palmitas	50		
	Mundiales	50		
	Delicadas	25		
	Estrellas No. 2	25		
	Cetros Finos	25		
	Estrella No. 4	25		
	Havana Club	50		
	Belvederes Tapa Cedro	50		
	Palmitas Cedro	25		
	Virginia	50		
	Kentucky	50		
	Alhambra	50		
	Allegros	25		
	Felipes	25		
	Martins Club	50		

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10035; Filed, June 8, 1945; 4:45 p. m.]

[MPR 260, Order 1129]

REX PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Rex Products Co., 46 S.W. First St., Miami 32, Fla., (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	
El Premio	Panetelas	50	$154.00	$0.20
	Petit Cetros	25	190.00	.25
	Petit Coronas	25	225.00	.30
	Nacionales	25	249.75	.35
	Coronas	25	330.00	.44
Minerva	Panetelas	50	150.00	.20
	Victorias	50	190.00	.25
	Americans	25	212.25	.29
	Belvederes	25	203.50	.28
	Perfectos	25	225.00	.30
	Coronas	25	385.00	.55
Ellos	Londres	50	161.50	.20
	Petit Cetros	50	154.00	3 for .55
	Cremas	25	176.00	.22
	Coronas	25	176.00	.22
El Luchador	Cazadores	25	195.00	.25
	Panetelas	50	135.00	.18
	Conchas	50	142.00	3 for .55
	Londres	50	154.00	3 for .55
	Cremas	50	190.00	.25
	Coronas	25	275.00	3 for 1.10
	Coronas Grande	25	330.00	.44

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10036; Filed, June 8, 1945; 4:45 p. m.]

[MPR 260, Order 1130]

LA FAVORITA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Favorita Cigar Factory, 2603 17th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
S. Prisel	Corona	50	$60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10037; Filed, June 8, 1945; 4:45 p. m.]

[MPR 260, Order 1131]

EL FABER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Harry Farber, d/b/a El Faber Cigar Co., 2561 30th St., Sacramento 17, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Faber	Rothschilds	50	*Per M* $80 00	*Cents* 12
	Magnolia	50	97 50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10038; Filed, June 8, 1945; 4:46 p. m.]

[MPR 260, Order 1132]

PATRICK BURNS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Patrick Burns, 407 South Minn. Avenue, St. Peter 5, Minn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
James Allen	5"	50	*Per M* $92	*Cents* 4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10039; Filed, June 8, 1945; 4:46 p. m.]

[MPR 260, Order 1133]

JOSEPH LACINA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Joseph Lacina, 1716 Bergenline Avenue, Union City, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
[illegible]	4½"	50	*Per M* $75	*Cents* 10

[illegible] apply only to cigars of the brand and frontmarks [illegible] being Puerto Rican fillers.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10040; Filed, June 8, 1945; 4:46 p. m.]

[MPR 260, Order 1134]

ASCHENBACH BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Aschenbach Bros., 2224 N. 15th St., Sheboygan, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
White Birch	4¾"	50	*Per M* $60	*Cents* 2 for 15
Mayola	5"	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10041; Filed, June 8, 1945; 4:47 p. m.]

[MPR 260, Order 1135]

GARCIA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompany this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Garcia Cigar Factory, 1412½ 7th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Pural de Sylvia	Londres	50	*Per M* $56 00	*Cents* 7
Garcia-Cigar	Brevas	50	82 50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each

brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10042; Filed, June 8, 1945; 4:47 p. m.]

[MPR 260, Order 1136]

JAMES F. FELTY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) James F. Felty, 1702 South Michigan Avenue, Chicago 28, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Calumet—15	Breva	50	$110	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10043; Filed, June 8, 1945; 4:47 p. m.]

[MPR 260, Order 1137]

INSPIRATION CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Inspiration Cigar Factory, 2128 Main Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Inspiration	Corona	50	*Per M* $	*Cents*

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10044; Filed, June 8, 1945; 4:47 p. m.]

[MPR 260, Order 1138]

CARL K. SHEETZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Carl K. Sheetz, E. High Street, Extended, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible]	Perfecto	50	$50	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10045; Filed, June 8, 1945; 4:48 p. m.]

[MPR 260, Order 1139]

PACKER BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Packer Brothers, 318 W. 47 St., New York 19, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagas	Corona Junior	25	$262.50	35
	Corona Extra	25	426.25	55
	Corona Senior	25	308.00	39
	Corona Nature	25	308.00	39
	Pomo Cedro	50	261.75	35
	Corona Chica			
	Pomo Cedro Corona	50	385.00	55

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10046; Filed, June 8, 1945; 4:48 p. m.]

[MPR 260, Order 1140]

ARCO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Arco Cigar Company, 1921 12th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Garcia Master...	Sublimes	50	$93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of

domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10047; Filed, June 8, 1945; 4:48 p. m.]

[MPR 260, Order 1141]

MANFRED SIMON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Manfred Simon, 1620 14 Ave., Seattle 22, Wash. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Noble Habana	Corona	25	330.00	11
	Petit Corona	25	225.00	8
	Perfectos	25	246.25	8
	Noble Corona	25	385.00	15
	Belvederes	50	199.00	7
	Panetelas	50	150.00	5
	Petit Cetros	25	201.75	7
El Mayal	Habaneros	25	171.50	6
	Comando-Figura	50	176.00	6
	Conchita	50	154.00	3 for 25

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10048; Filed, June 8, 1945; 4:48 p. m.]

[MPR 260, Order 1142]

CESAR RIVERO MAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Cesar Rivero Mas, 1613 12 Ave., Tampa, Fla. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Jacinto	Londres	50	[illegible]	[illegible]
	Coronas	25	[illegible]	[illegible]
	Petit Brevas	50	1	15

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars

of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc 45-10049; Filed, June 8, 1945; 4:49 p. m.]

[MPR 260, Order 1143]

ELUM SALES CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Elum Sales Co., 127 Tremont St. SW., P. O. Box 56, Massillon, Ohio (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible]	Selectos	50	$161.50	20
	Petit Coronas	25	212.50	28
	Panetelas	50	135.00	17
	Londres	50	176.00	22
	Coronas	25	249.75	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10050; Filed, June 8, 1945; 4:49 p. m.]

[MPR 260, Order 1144]

HUDSON COUNTY TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended. *It is ordered*, That:

(a) Hudson County Tobacco Co., 84 Montgomery St., Jersey City, N. J. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Punch	Best Value	50	$190.00	25
	Americans	25	212.50	28
	Perfecto	25	240.00	33
	Petit Coronas	25	264.75	33
	After Dinner	25	297.00	39
	Premiers	25	330.00	44
Mundial	Half Crown	50	190.00	25
	Panetelas	50	150.00	20
Luceros Konukos	Luceros Konukos	50	115.00	15

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10051; Filed, June 8, 1945; 4:49 p. m.]

[MPR 260, Order 1145]

B. WASSERMAN CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended: *It is ordered*, That:

(a) B. Wasserman Co., 261 Fifth Ave., New York 16, N. Y., (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagubares	Panetelas	50	$154.00	3 for 55
	Twentys	50	161.50	20
	Cadets	25	176.00	22
	Bankers	25	212.25	28
Bolivar	Magnificos Cello	25	300.25	39
	Corona Imperiales Cello.	25	425.00	55
Partagas	Corona Chicos	25	261.75	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10052; Filed, June 8, 1945; 4:49 p. m.]

[MPR 260, Order 1146]

WM. DEICHES & CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Wm. Deiches & Co., Inc., 26 S. Hanover St., Baltimore 1, Md. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagas	Corona Junior	25	$92.50	15
	Corona Extra	25	126.25	15
	Corona Senior	25	308.00	39
	Corona Nature	25	308.00	39
	Pomo Cedro Corona Chico	50	261.75	35
	Pomo Cedro Corona	50	385.00	45

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES
Administrator.

[F. R. Doc. 45-10053; Filed, June 8 1945; 4:50 p. m.]

[MPR 260, Order 1147]

J. B. ROBINSON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) J. B. Robinson, 1337 W. 9th, Cleveland 13, Ohio (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
M. Tapanes	Lonjo	10	*Per M* $150	*Cents* 20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10054; Filed, June 8, 1945; 4:50 p. m.]

[MPR 260, Order 1148]

ANTONIO GASQUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Antonio Gasquez, 41-38 39th Place, Long Island City 4, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Eulogio Soto	Flor Fina	24	*Per M* $161.50	*Cents* 20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10055; Filed, June 8, 1945; 4:50 p. m.]

[MPR 260, Order 1149]

MIDWOOD TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) M. Lemberg D/B/A Midwood Tobacco Co., 1463 Flatbush Ave., Brooklyn, 10, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Elite	Coronas	25	$345.00	50
	Bates	25	360.00	40
	Alfonsinos	25	280.00	37
	Media Corona	25	253.00	33
	Perfectos	25	246.25	33
	Cigars de Luxe	25	225.00	30
	Petit Cetros	25	212.25	28
	Belvederes	25	202.50	28
	Londres	50	195.00	25
	Symbols	50	195.00	25
	Petit Lirios	50	176.00	22
	Habaneros	50	161.50	20
	Regalia Sports	50	161.50	20
	Panatelas	50	130.00	19
	Royal Palm	50	115.00	15
	Cremo Finos	25	225.00	30
	Pantentinas Herba.	100	$2.50	11
La Devesa De Murias	Coronas	25	345.00	50
	Petit Coronas	25	253.00	33
	Perfectos	25	246.25	33
	Belvederes	25	202.50	28
	Petit Cetros	25	212.25	28
	Panetelas	50	149.00	3 for 55
	Marcenas	25	246.25	33
	Londres	25	246.25	28
	Jockey Club	25	330.00	44
Para Mi	Idenbs	25	330.00	44
	Coronas	25	385.00	55
	Nacionales	25	319.00	44
	Media Corona	25	261.75	35
	Perfectos	25	246.50	33
	Londres Imperial.	50	206.25	28
	Belvederes	25	202.50	28
	Cometas	50	200.00	25
	Mermandos	50	153.00	22
	Delitos	50	200.00	28
	Perfeccionados	25	203.50	28
	Cadetes	50	140.00	3 for 50
	Panetepas	50	140.00	3 for 50
	Diplomaticos	50	145.00	20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of

imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10056; Filed, June 8, 1945; 4:51 p. m.]

[MPR 260, Order 1150]

MOSS AND LOWENHAUPT CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Moss and Lowenhaupt Cigar Co., 1507 Olive St., St. Louis, Mo. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagas	Corona Junior	25	$262.50	35
	Corona Extra	25	420.25	55
	Corona Senior	25	308.00	39
	Corona Nature	25	308.00	39
	Corona Pomo Dero Chica	50	261.75	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10057; Filed, June 8, 1945; 4:51 p. m.]

[MPR 260, Order 1151]

FRED SELIG

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Fred Selig, 1134 S. W. Harrison St., Portland 7, Oreg., P. O. Box 8845 (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Diana	Dianas	50	115	17
	Dianas Esp	50	115	15
	Conchas	50	125	17
	Brevas	50	155	20
	Panetelas	50	150	20
	Londres	50	176	22
	Petit Cetros	50	176	22
	Nacionales	50	190	25

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of im-

ported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10058; Filed, June 8, 1945; 4:51 p. m.]

[MPR 260, Order 1152]

WOODHOUSE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Woodhouse Cigar Co., 37 W. Jefferson, Detroit 26, Mich. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible]	Corona Junior	25	$262.50	35
	Corona Extra	25	426.25	55
	Corona Senior	25	308.00	39
	Corona Nature	25	308.00	39
	Corona Pomo Cedro	25	385.00	55
	Corona Chica Pomo Cedro	50	261.75	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10059; Filed, June 8, 1945; 4:52 p. m.]

[MPR 260, Order 1153]

JOSE GUITIAN CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose Guitian Cigar Factory, 3017 Ivy Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Larry	Cadetes	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10060; Filed, June 8, 1945; 4:52 p. m.]

[MPR 260, Order 1154]

INDUSTRIAL SUPPLY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Industrial Supply Co., 140 Riverside Drive, New York 24, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list

price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cabaf	Coronas	25	$225.00	33
	Petit Cetros	25	200.00	25
	½ Coronas	25	200.00	25
	Cremitas	25	169.25	22
	Conchas	50	150.00	3 for 55
	Perlitas	50	135.00	17

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler durmg March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10061; Filed, June 8, 1945; 4:52 p. m.]

[MPR 188, Rev. Order 3500]

HUSKEY MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-7727, appearing on page 5475 of the issue for Saturday, May 12, 1945, the following changes are made:

In the table under paragraph (a) (1), the last price in the fourth column, reading "16.51", should read "16.61".

In paragraph (a) (3), the reference to § 1499.156 should read "§ 1499.158".

[Supp. Order 108,[1] Special Order 1]

APPAREL AND APPAREL ACCESSORIES

ADDITIONAL INSTRUCTIONS FOR FINDING MAXIMUM AVERAGE PRICE

An opinion accompanying this Special Order No. 1, under section 17 of Supplementary Order 108 has been issued simultaneously herewith and filed with the Division of the Federal Register.

SECTION 1. *Purpose of this order.* Under section 3 of SO 108, you find a category's maximum average price by dividing the "total net dollar amount charged" for all items of the category which you delivered as a manufacturer during the applicable base period, by the total number of "units" so delivered. However, due to special circumstances during the base period (such as deliveries of job lots, deliveries of the same items as a manufacturer and as a jobber, etc.), in certain cases you may not be able to find, from your records, the precise totals required under section 3. The purpose of this special order is to provide additional instructions which tell you how to handle such special cases in calculating your maximum average price for a category.

SEC. 2. *Job lots.* If, during the base period for a particular category, you made a delivery of a lot for which your invoice or other records do not show both the number of units of that category in the lot and the total net dollar amount charged for items of that category in the lot, you exclude that delivery in figuring your maximum average price for that category.

You must keep for inspection by the OPA your records of such deliveries excluded under this provision as well as all other records of deliveries made during the base periods. You must attach to each copy of your maximum average price chart, a statement showing the total net dollar amount charged for all of these deliveries combined which you excluded in figuring your maximum average prices. If you have excluded any of these deliveries in figuring your maximum average prices, the OPA may, at any time, revise your maximum average prices downward.

SEC. 3. *Sellers who cannot determine the category in which an item belongs.* This section provides rules for sellers whose base period invoices or other records do not indicate the category to which the item belongs (such as records which do not show the size range or materials from which the items delivered were made).

If you can find from any of your records (e. g. your delivery records for other deliveries of the same style or lot number, your cutting records, other production records, promotional material, specifications, etc.) the category of items you delivered during the base period, you must include those items in figuring your maximum average price for that category.

For example: A glove manufacturer has a record of a delivery of 100 dozen pairs of Style 101 at $20 net per dozen during the base period. The delivery record does not show whether this was a man's, woman's or child's glove or whether it was 100% leather or some other fabric. However, his cutting records of Style 101 show that it was made only in men's sizes. While the cutting records do not show the material, they do contain references to the invoices covering his purchases of the materials of which the glove was made. Examination of these invoices shows that they covered only purchases of leather. Also, a circular which the manufacturer furnished to his salesmen describes Style 101 as being made of leather. These records therefore establish that this delivery of Style 101 was in Category F-25 (men's 100% leather gloves). The manufacturer must therefore include the 100 dozens and the $2,000, in this delivery in figuring his maximum average price for Category F-25.

(a) *Calculation of maximum average prices by exclusion of unidentified deliveries.* If none of your records enable you to determine the category of certain items included in a particular delivery made during the base period, you must exclude that delivery in figuring your maximum average prices. You must also attach to each copy of your maximum average price chart, a statement showing for each delivery you exclude in calculating your maximum average prices (1) the number of units of each item in the delivery, (2) the description shown on your delivery record for each item, and (3) the net amount charged per unit for each item. If you have excluded any unidentified deliveries in figuring your maximum average prices, the OPA may, at any time, revise your maximum average price downward.

For example: A manufacturer has a record of a delivery of 50 misses' dresses of Style 201 at $3.50 less 8/10 EOM each during the base period. His delivery record does not indicate whether these dresses were made of wool, cotton or other fabrics. None of his delivery records for Style 201 shows the fabric of which the dresses were made. His production records (cutting tickets and fabric purchase invoices) show that some dresses in Style 201 were made of rayon fabrics and some were made of cotton fabrics. He therefore cannot determine whether the dresses included in this delivery belonged to Category A-27 (Women's, Misses' and Juniors' Cotton dresses) or to Category A-28 (Women's, Misses' and Juniors' dresses of all other fabrics). He therefore excludes that delivery in figuring his maximum average prices for Categories A-27 and A-28.

(b) *Sellers who delivered all items at the same net price.* If you delivered all of your items at the same net price during the base period, but cannot tell the category of particular deliveries, you must allocate these deliveries among all

[1] 10 F.R. 4336.

the categories which you delivered during the base period, in whatever fashion you choose.

For example: In the base period a manufacturer of misses' dresses made only one price line—$3.50 less 8/10 EOM. Although he manufactured several different styles, and used both cotton and rayon fabrics, his records show that he made each of these styles in both rayon and cotton fabrics. His delivery records describe the items delivered only as "dress" and state the style number. Therefore he cannot tell whether any particular delivery covered a dress in Category A-27 or A-28. However, his records show that all deliveries were made at $3.50 less 8/10 EOM per dress or $3.22 net. He delivered 2,002 units at a total net dollar amount of $6,440 in the base period. He may allocate 1,000 units and $3,220 to each of Categories A-27 and A-28 or 1,500 units and $4,830 to one category and 500 units and $1,610 to the other or he may allocate in any other proportions. In any case his maximum average price for each category is $3.22 net.

(c) *Applications for authorization by sellers who cannot determine the category in which an item belongs.* If you do not choose to figure your maximum average prices by excluding deliveries of items whose categories you cannot determine, you must (except in the case described in (b) above) apply to the OPA under section 9 (b) of SO 108 for an order establishing maximum average prices for the categories to which your records indicate the excluded items might have belonged. In filing this application, you must add to the information required by section 9 (b), a statement listing each delivery of items whose category you cannot determine, and for each delivery (1) the number of units of each item, (2) the description shown on your delivery record for each item, and (3) the net amount charged per unit for each item.

SEC. 4. *Items for which base period records as to deliveries are not obtainable.* If you are unable to make an accurate determination of your maximum average price for one or more categories which you delivered during the base period because your records as to deliveries of some items are missing or unobtainable, you may calculate your maximum average price on the basis of the obtainable records which show your base period deliveries of the remaining items. However, you must attach to your maximum average price chart a statement showing:

(a) The quantity of unobtainable records (for example, if you are figuring your maximum average price on the basis of invoices and your invoices are kept in numerical order, the number of the missing invoices) and,

(b) The approximate total number of units covered by unobtainable records.

The OPA may, at any time, revise downward your maximum average prices for categories for which some of your records are unobtainable.

If you do not choose to calculate your maximum average price for a particular category on the basis of incomplete records or if you have no records at all for the base period, you must apply to your OPA District Office for an authorized maximum average price, as explained in section 9 (b) of SO 108. You must add to the information required by section 9 (b) the information required in (a) and (b) above as to each category for which you are requesting a maximum average price.

SEC. 5. *Sellers who manufactured and jobbed items within the same category.* If, during the base period, you delivered items within the same category as a manufacturer and also as a jobber, and with respect to certain deliveries of items in this category you are unable to determine on the basis of your invoices or other records whether these deliveries were made by you as a manufacturer or as a jobber, you must include all the items making up these deliveries in figuring your maximum average price for that category. Of course, you must not include any deliveries of items which your invoices or other records show were delivered by you as a jobber.

For purposes of this order, "delivery as a jobber" means a delivery of an item to a person other than an individual ultimate consumer by a seller who purchased the item in the same form in which he sold it.

For example: A manufacturer, during the base period, produced women's fabric gloves (Category C-16) to sell at $10 and $15 per dozen and jobbed women's fabric gloves to sell at $15 and $18 per dozen. He cannot tell from his records of his $15 per dozen deliveries, which of them cover the gloves he made and which cover gloves he jobbed. He excludes his $18 deliveries altogether in figuring his maximum average price for Category C-16, since he knows he did not manufacture any of them. He includes all of his $10 deliveries since he knows he made all of those gloves himself, and he includes all his $15 deliveries since he does not know which of these gloves he made and which he bought.

SEC. 6. *Sellers who deliver sets or combinations of which they did not manufacture all component parts*—(a) *Calculation of maximum average prices.* If, during the base period for a category which consists of a set or combination of items, you delivered sets in that category composed of one or more component parts which you manufactured and one or more component parts which you purchased in the same form in which you sold it, and if you cannot, from your invoices or other records determine the net amount charged for the component parts which you manufactured, you must calculate your maximum average price for sets in that category as if you had manufactured all the component parts of the set. That is, you include in the total net dollar amount charged, your total net charge for the set. Of course, if you can determine the net amount charged for each item in the set, which you manufactured, you must figure a maximum average price for the category which includes each of those items, and you must not include this set in calculating a maximum average price for the category which includes the set.

For example: A manufacturer of women's hats bought gloves from another manufacturer and delivered hat and glove sets at a unit price. If he can separate the amount he charged for hats from the total charge for the sets, he includes this amount and the corresponding number of units in Category C-7 in determining his maximum average price for women's and misses' millinery, and does not include these sets in figuring a maximum average price for Category C-23 (Women's and Misses' sets). If he cannot separate the amount charged for the sets, he includes the total amount charged for the sets and the number of units delivered in Category C-23 and figures a maximum average price for sets as if he had been the manufacturer of the entire set.

(b) *Maximum average price limitation.* On and after June 1, 1945, your weighted average price for deliveries in any calendar quarter of a set or combination which you deliver at a unit price and which is composed of one or more component parts which you manufacture and one or more component parts which you purchase in the same form in which you sell it, should not be higher than your maximum average price for the category which includes the set in the period in which that quarter occurs. Thus, if you deliver the set at a unit price and do not make a separate charge for the items in the set which you manufacture, you must figure a weighted average price for the category which includes the set even though you did not manufacture all the items in it and this weighted average price should not exceed your maximum average price for the set.

This special order shall become effective June 9, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10017; Filed, June 8, 1945; 4:36 p. m.]

[Order 54 Under 3 (e)]

GENERAL MOTORS CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.3 (e) of the General Maximum Price Regulation: *It is ordered:*

(a) The maximum prices, f. o. b. Dayton, Ohio, for sales by the Frigidaire Division of the General Motors Corporation to distributors, dealers and consumers of various parts and sub-assemblies sold by it for which maximum prices have not heretofore been established shall be the prices derived by applying the formula contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington, D. C.

(b) The maximum prices for sales by distributors to dealers and consumers of the parts and sub-assemblies manufactured by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the maximum prices derived from the formula for sales by it to dealers and consumers contained in the March 12, 1945, letter from the company, which is on

file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(c) The maximum prices for sales by dealers to consumers of parts and subassemblies manufactured by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the prices derived from the formula for sales by it to dealers and consumers contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(d) The Frigidaire Division, General Motors Corporation, shall notify each of its distributors and dealers, in writing, at or before the issuance of the first invoice after the effective date of this Order, of the maximum prices in dollars-and-cents established for it and shall also inform each distributor and dealer of their dollars-and-cents maximum resale prices.

(e) The Frigidaire Division, General Motors Corporation, shall report the maximum prices in dollars and cents for sales by it to its various classes of customers and dollars and cents resale prices resulting from the application of the formula contained in its letter of March 12, 1945, for each of the items priced by such formula, within 30 days after a maximum price is computed under this Order. Such report shall be submitted to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(f) This order may be amended or revoked by the Price Administrator at any time.

Issued this 9th day of June 1945.

Effective this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10101; Filed, June 9, 1945; 11:40 a. m.]

[SR 15, Amdt. 1 to Order 22]

GRANULATED CHARCOAL

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.75 (a) (18) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and Appendix A (a) of Maximum Price Regulation No. 431, *It is ordered:*

Order No. 22 under § 1499.75 (a) (18) of Supplementary Regulation No. 15 to the General Maximum Price Regulation is amended by inserting in the table in paragraph (a) between the listings for "Granulated charcoal in bags, ground and sized (bags included)" and "Standard briquettes in bulk" the following:

Granulated charcoal in bags, ground and sized (bags included), produced by milling lump charcoal or reground granular charcoal	$44

This amendment shall be effective as of May 29, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10095; Filed, June 9, 1945; 11:40 a. m.]

[MPR 120, Amdt. 2 to Order 1289]

CONSOLIDATED FUEL COMPANY, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, Order No. 1289 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

1. In the table of maximum price exceptions in paragraph (1) the following changes are made:

(a) The symbol "1" appearing before the item "All mines in Tyson and Big Vein seams" is deleted and "1" is inserted in lieu thereof, and in the above item the word "Strip" is inserted between the words "All" and "Mines".

(b) Between the symbols "1" and "2" and their respective items, subdistrict numbers, and maximum prices, the symbol "1b", item, subdistrict numbers and maximum prices are inserted as follows:

Mine index No.	Mine name	Subdistrict No.	Rail shipments				
			1	2	3	4	5
1b	All deep mines in Tyson & Big Vein Seams	43 and 44	425	415	415	400	400

Railroad locomotive fuel					Truck shipments					Stoking coal
1	2	3	4	5	1	2	3	4	5	
435	415	415	400	400	435	415	415	400	400	4

2. In the footnotes below the table of maximum price exceptions in paragraph (1) the following changes are made:

(a) The footnote 1 is deleted and in lieu thereof footnote 1a is inserted to read as follows:

1a All strip mines in subdistricts 43 and 44 producing coal in tyson and big vein seams, including new mines for which prices have been established by the OPA, Order Nos. 327 and 1289, as amended; Mine Index Nos. 3382, 2807, 3817, 3818 and 5082.

(b) The footnote 1b is inserted between footnotes 1a and 2 to read as follows:

1b All deep mines in subdistricts 43 and 44 producing coal in Tyson and Big Vein seams, including new mines for which prices have been established by the OPA, Order Nos. 327 and 1289; Mine Index Numbers 52, 77, 84, 85, 94, 108, 109, 110, 111, 112, 113, 175, 177, 215, 254, 305, 397, 500, 515, 516, 517, 535, 632, 642, 679, 691, 692, 799, 865, 866, 897, 929, 965, 1027, 1043, 1071, 1088, 1121, 1182, 1204, 1215, 1304, 1311, 1341, 1358, 1490, 1544, 1615, 1644, 1707, 1710, 1719, 1904, 1908, 2101, 2142, 2166, 2167, 2002, 2248, 2265, 2318, 2731, 2755, 2890, 2953, 3282, 3295, 3307, 3517, 3619, 3667, 3773, 3821, 3983, 5087, and 5165.

This amendment to Order No. 1289 shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10096; Filed, June 9, 1945; 11:40 a. m.]

[RMPR 136, Order 452]

WHEELCO INSTRUMENTS CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 452 under Revised Maximum Price Regulation 136—machines, parts and industrial equipment, Wheelco Instruments Company; Docket No. 6083-136.21-333.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales by Wheelco Instruments Company, Chicago, Illinois, of industrial measuring and control instruments to equipment manufacturers and stocking jobbers shall be determined as follows: The company shall apply the following discounts to the list prices it had in effect on October 1, 1941:

Item	Percentage discount
Standard assemblies of indicating pyrometric type temp. controllers:	
Potentiotrols	15
Capacitrols	15
Limitrols	15
Resistance thermotrols	15
Standard assemblies of indicator pyrometers:	
Port. types millivolt	15
Potentiometers	15
Wall and panel types	15
Standard assemblies of combustion safeguards:	
Flameotrols	20
Accessories:	
Rheotrols, imputrols, throttletrols	20
Assembled thermocouples and bulbs	20
Protecting tubes and wells	20
Thermocouple wire, ext. leads, parts	20
Control motors	20
Steel panels and multiple switches	20
Internal replacement parts	20
Electrodes and flame eyes	20
Limit switches and alarm bells	20
Cables	20
Push button switches	20
Relay and transformers	20
Pilot burners	20
Internal replacement parts	20

(b) The maximum prices for sales by resellers of industrial measuring and control instruments manufactured by Wheelco Instruments Company shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted by this order.

(c) Wheelco Instrument Company shall notify each purchaser who purchases industrial measuring and control instruments from Wheelco Instruments Company for resale of the dollars-and-cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10097; Filed, June 9, 1945; 11:41 a. m.]

[MPR 188, Amdt. 81 to Order A-1]

NARROW MOUTH GLASS CONTAINERS

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (58) is added to read as follows:

(58) *Modification of maximum prices for certain narrow mouth glass containers*—(i) *Purpose of this paragraph.* It is the purpose of this paragraph to provide for the modification of maximum prices for certain narrow mouth glass containers covered by Maximum Price Regulation 188 of manufacturers located in the Eastern Area (as defined in section 2.1 of Maximum Price Regulation 382) on shipments into the Western Area (as defined in section 3.1 of Maximum Price Regulation 382).

(ii) *Commodities covered by this paragraph.* This paragraph shall apply only to machine made glass bottles, jars or tumblers with a capacity of 140 fluid ounces or less, except ampules or vials made from glass tubing, which are suitable for packing any products.

(iii) *Maximum prices.* The maximum prices for sales by any manufacturer located in the Eastern Area of the commodities described in (ii) on shipments into the Western Area shall be the higher of the following:

(a) The maximum price of the commodity as established under Maximum Price Regulation 188 when sold within Zone 1 of the Eastern Area plus the lowest applicable freight rate to the purchaser's destination in the Western Area, less 35¢ per cwt., or

(b) The maximum price for the commodity as established under Maximum Price Regulation 188 when sold within the Western Area.

(iv) *Applicable period of this paragraph.* The provisions of this paragraph shall be applicable only on sales made prior to August 1, 1945.

(v) *Definition of areas.* For the purpose of this paragraph the term

(a) "Eastern Area" shall include all of the continental United States east of a line determined by the western boundaries of New Mexico and Colorado and by the western boundaries of the Counties of Carbon, Natrona, Washakie and Big Horn in Wyoming and by the southern boundaries of the Counties of Park, Meagher, Judith, Basin, Fergus and Blaine in Montana.

(b) "Zone 1 of the Eastern Area" shall include all territory within the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, Kentucky, Ohio, Indiana, Illinois, the District of Columbia, and the Cities of Hannibal and St. Louis in Missouri; the Cities of Davenport, Clinton, Cedar Rapids, Dubuque, Keokuk, Fort Madison and Burlington in Iowa, the Counties of Kenosha, Racine, Waukesha, and Milwaukee in Wisconsin; and in Michigan all territory south of and including the Counties of Muskegon, Kent, Ionia, Clinton, Saginaw, Genesee, Lapeer and St. Clair.

(c) "Western Area" shall include the States of California, Arizona, Utah, Nevada, Oregon, Washington, Idaho; and in Montana, all Counties west of and including the Counties of Hill, Chouteau, Cascade, Lewis and Clark, Broadway, and Gallatin; and in Wyoming, all Counties west of and including the Counties of Park, Hot Springs, Fremont and Sweetwater.

(vi) *Reports required.* Any manufacturer modifying his maximum prices in accordance with (iii) (a) above shall submit to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., a report on the 15th day of each month containing the following information for each shipment made during the previous calendar month:

1. The name and address of the purchaser.
2. The location of the factory from which shipments were made.
3. A description of the commodities shipped together with the quantities thereof.
4. A statement setting forth the modified maximum prices showing how they were determined.
5. A statement from each purchaser, submitted by the manufacturer, that the excess permitted under this paragraph over the applicable maximum price as established under Maximum Price Regulation 188 will not be passed on to the purchasers in the first sale of any commodity packed in the containers, and that the increase in the maximum price will not be made the basis of an application to the Office of Price Administration by the seller of such commodity to increase his maximum price. This statement need not be submitted monthly. However, one such statement must be submitted to cover all purchases made in accordance with this paragraph at the time the first shipment is made to the purchaser.
6. A statement that the modified maximum prices have been properly computed by maintaining the most favorable price differentials, whether published or unpublished, which were or would have been allowed in the Eastern Area by the manufacturer during March 1942 to purchasers who resell the containers as such.

(vii) *When modified maximum prices may be revised.* The maximum prices determined in accordance with this paragraph may at any time, after receipt of the report required in (vi), be revised by the Price Administrator.

This amendment shall become effective June 15, 1945.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10100; Filed, June 9, 1945; 11:40 a. m.]

[MPR 186, Order 3928]

ICE COOLING APPLIANCE CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. Chicago, Illinois, for sales by any person of the following farm and home freezer manufactured by the Ice Cooling Appliance Corporation shall be:

Item	On sales to distributors	On sales to dealers	On sales to consumers
111-9 Koldmaster home freezer	$107.20	$129.00	$215.00

(b) On sales by the Ice Cooling Appliance Corporation the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $4.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $4.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in

writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Ice Cooling Appliance Corporation shall stencil on the inside of the lid or cover of the farm and home freezer covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $215

Plus freight and crating as provided in Order No. 3928 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10096; Filed, June 9, 1945; 11:41 a. m.]

[MPR 188, Order 3929]

GENERAL MOTORS CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices, f. o. b. Dayton, Ohio, for sales by the Frigidaire Division of the General Motors Corporation to distributors, dealers and consumers of various parts and sub-assemblies manufactured by the company but not previously sold as repair parts and sub-assemblies for which maximum prices have not heretofore been established shall be the prices derived by applying the formula contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(b) The maximum prices for sales by distributors to dealers and consumers of the parts and sub-assemblies manufactured by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the maximum prices derived from the formula for sales by it to dealers and consumers contained in the March 12, 1945, letter from the company, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(c) The maximum prices for sales by dealers to consumers of parts and sub-assemblies manufactured by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the prices derived from the formula for sales by it to dealers and consumers contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(d) The Frigidaire Division, General Motors Corporation, shall notify each of its distributors and dealers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices in dollars-and-cents established for it and shall also inform each distributor and dealer of their dollars-and-cents maximum resale prices.

(e) The Frigidaire Division, General Motors Corporation, shall report the maximum prices in dollars and cents for sales by it to its various classes of customers and dollars and cents resale prices resulting from the application of the formula contained in its letter of March 12, 1945, for each of the items priced by such formula, within 30 days after a maximum price is computed under this order. Such report shall be submitted to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(f) This order may be amended or revoked by the Price Administrator at any time.

Issued this 9th day of June 1945.

Effective this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10099; Filed, June 9, 1945; 11:42 a. m.]

[MPR 260, Order 1155]

MANUEL RODRIGUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Manuel Rodriguez, 318 West Madison St., Chicago 6, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Romo	5"	50	$115	15
Sol Patros	4¾"	50	115	15
Reverente	4¾"	50	115	15
Hearst Annex	4¾"	50	115	15
Plantes	4¾"	50	50	7
Manuel Rodriguez	5"	50	130	3 for 50
Reverente	5"	50	130	3 for 50

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10102; Filed, June 9, 1945; 11:42 a. m.]

[RMPR 369, Order 1]

DRY ROOFING AND FLOORING FELTS

AUTHORIZATION OF MAXIMUM PRICES

Section 10 of Revised Maximum Price Regulation 369 provides that the Office of Price Administration may, when a request for a change in the applicable maximum price is pending, authorize any person to deliver or agree to deliver dry roofing felt at prices to be adjusted upward in accordance with action taken by the Office of Price Administration. The section also provides that authorization may only be given when it is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

It appears that there are several petitions on file requesting the amendment of Revised Maximum Price Regulation 369 so as to allow an increase in the maximum prices of dry roofing felt. This Office is reviewing the existing maximum prices for dry roofing felt with a view to afford relief in case the petitioners' claims are justifiable. Since final action cannot be taken immediately, the granting of an authorization to use adjustable pricing is deemed necessary to promote production and distribution of the commodities involved. The granting of such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, nor will it defeat or impair the policy of Executive Orders 9250 and 9328.

After due consideration of the foregoing and pursuant to Section 10 of Revised Maximum Price Regulation 369, *It is ordered,* That:

(a) Manufacturers may sell or agree to sell and anyone may buy or agree to buy dry roofing felt for which maximum prices are established in Appendix A of Revised Maximum Price Regulation 369, at prices to be adjusted in accordance with the disposition by the Office of Price Administration of the petitions which are now on file with the Office of Price Administration requesting an amendment to Revised Maximum Price Regulation 369.

(b) Payments in excess of the maximum prices established by Revised Maximum Price Regulation 369 may not be collected or paid pending further action by this Office.

This order shall become effective June 11 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

F R Doc. 45-10094; Filed, June 9, 1945; 11:42 a. m.]

[MPR 426, Order 4]

CANT LOUPS, HONEYBALL MELONS AND HONEYDEW MELONS

EXTENSION OF EARLY SEASON MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order and pursuant to section 13a of Maximum Price Regulation 426. *It is ordered,* That:

Maximum prices set for cantaloups, honeyball melons and honeydew melons for the period May 1-June 25 (see Maximum Price Regulation 426, section 15, Appendix H, paragraph (b)), Tables 10 and 11) shall apply through July 7, 1945, and that the maximum prices set for those melons for the period June 26-July 25 shall not be effective until July 8, 1945.

This order shall become effective June 25, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 8, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10127; Filed, June 9, 1945; 4:15 p. m.]

[RMPR 499, Order 23]

LONGINES-WITTNAUER WATCH CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 14 of Revised Maximum Price Regulation 499, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices for all sales by the classes of sellers named of the Swiss watches specified below imported by Longines-Wittnauer Watch Company, Inc., 580 Fifth Avenue, New York, New York, hereinafter called the "importer."

(b) *Maximum prices.* The maximum prices for sales of the Longines, Le Coultre and Wittnauer watches identified below are as follows:

LONGINES WATCHES

LADIES WATCHES

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
Aida, 17J 5L, gold filled, cord	$80.75	$95.00
Chico, 17J 6L, gold filled, cord	28.25	39.50
Delmar, 17J 5L, gold filled, cord	32.50	42.50
Dinah, 17J 5L, gold filled, cord	29.75	65.00
Ella, 17J 5L, gold filled, cord	29.75	67.50
Gilda, 17J 6L, gold filled, cord	28.50	69.50
Karen, 17J 6L, gold filled, cord	28.50	65.00
Lille, 17J 5L, gold filled, cord	32.50	71.50
Loretta, 17J 5L, gold filled, cord	30.50	65.00
Marseilles, 17J 5L, gold filled, cord	28.50	65.00
Mignon, 17J 5L, gold filled, cord	32.50	71.50
Mina, 17J 5L, gold filled, cord	29.75	65.00
Myra, 17J 5L, gold filled, cord	30.50	65.00
Norma, 17J 5L, gold filled, cord	32.50	71.50
Sharon, 17J 5L, gold filled, cord	32.50	69.50
Tally-Ho, 17J 5L, gold filled, cord	32.75	67.50
Thelma, 17J 5L, gold filled, cord	29.75	62.50
Valarie, 17J 5L, gold filled, cord	30.75	67.50
Vivian, 17J 5L, gold filled, cord	30.50	67.50
Alexandra, 17J 5L, 14K, cord	42.50	100.00
Augusta, 17J 5L, 14K, cord	39.50	93.50
Calais, 17J 5L, 14K, cord	40.75	95.00
Carolyn, 17J 5L, 14K, cord	40.75	100.00
Ceres, 17J 5L, 14K, cord	35.50	71.50
Fairlawn, 17J 5L, 14K, bracelet	91.00	215.00
Laurel, 17J 5L, 14K cord	35.50	71.50
Linda, 17J 5L, 14K, cord	40.75	95.00
Lucille, 17J 5L, 14K, cord	40.75	100.00
Marianne, 17J 5L, 14K, cord	40.75	100.00
Miriam, 17J 5L, 14K, cord	35.50	71.50
Moderne, 17J 5L, 14K, cord	47.50	125.00
Pompadour, 17J 5L, 14K, cord	35.50	71.50
Riviera, 17J 5L, 14K, bracelet	166.00	375.00
Saratoga, 17J 5L, 14K, cord	45.50	100.00
Sherry, 17J 5L, 14K, cord	40.75	100.00
Sylvia, 17J 5L, 14K, cord	34.75	71.50
Theodora, 17J 5L, 14K, cord	37.50	90.00
Trinidad, 17J 5L, 14K, cord	40.75	100.00
Vanity Fair, 17J 5L, 14K, bracelet	68.50	160.00
Wanda, 17J 5L, 14K, cord	35.50	71.50

LONGINES WATCHES—Continued

MEN'S WATCHES

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
Barton, 17J 10½L, gold filled, strap	26.95	$39.50
Berkshire, 17J 7¾ x 11L, gold filled, strap	29.75	67.50
Burton, 17J 10½L, gold filled, strap	$26.95	37.50
Calhoun, 17J 7¾ x 11L, gold filled, strap	29.75	69.50
Cambridge, 17J 7¾ x 11L, gold filled, strap	29.75	67.50
Cameron, 17J 8¾L, gold filled, strap	35.50	71.50
Claridge, 17J 7¾ x 11L, gold filled, strap	29.75	69.50
Cranton, 17J 10½L, gold filled, strap	26.95	39.50
Custer, 17J 7¾ x 11L, gold filled, strap	29.75	65.00
Edison, 17J 8¾L, gold filled, strap	35.50	71.50
Embassy, 17J 8¾L, gold filled, strap	35.50	71.50
Franklin, 17J 7¾ x 11L, gold filled, strap	29.75	69.50
Herbert, 17J 10½L, gold filled, strap	24.45	32.50
Hickham, 17J 8¾L, gold filled, strap	32.50	69.50
Lansley, 17J 7¾ x 11L, gold filled, strap	29.75	69.50
Lindbergh, 10 12½L, gold filled, strap	40.75	87.50
Milburn, 17J 10½L, gold filled, strap	26.95	37.50
Nassau, 17J 8¾L, gold filled, strap	33.50	71.50
Official MM, 17J 10½L, gold filled, strap	29.75	62.00
Perry, 17J 10½L, gold filled, strap	26.95	37.50
Walton, 17J 7¾ x 11L, gold filled, strap	29.75	67.50
Weems G. F., 17J 10½L, gold filled, strap	32.50	71.50
Whistler, 17J 10½L, gold filled, strap	26.95	39.50
Whitman, 17J 10½L, gold filled, strap	26.95	37.50
Whitney, 17J 7¾ x 11L, gold filled, strap	29.75	65.00
Orville, 17J 7¾ x 11L, gold filled, strap	29.75	65.00
Wilbur, 17J 7¾ x 11L, gold filled, strap	29.75	67.50
Rector, 17J 8¾L, gold filled, strap	32.50	69.50
Adams, 17J 7¾ x 11L, 14K strap	40.75	95.00
Anniversary, 17J 7¾ x 11L, 14K strap	40.75	97.50
Calvin, 17J 7¾ x 11L, 14K strap	63.50	150.00
Chadwick, 17J 8¾L, 14K strap	50.75	125.00
Chester, 17J 10½L, 14K strap	42.50	100.00
Clayton NW, 17J 10½L, 14K strap	48.75	115.00
Collyer, 17J 7¾ x 11L, 14K strap	50.50	120.00
Ersier, 17J 10½L CS, 14K strap MP	68.75	165.00
Fillmore, 17J 7¾ x 11L, 14K strap	43.50	110.00
Grant, 17J 7¾ x 11L 14K strap	56.00	137.50
Gridley, 17J 8¾L, 14K strap	63.50	150.00
Hardin, 17J 7¾ x 11L, 14K strap	58.50	140.00
Harrison, 17J 8¾L, 14K strap	63.50	150.00
Hayes, 17J 7¾ x 11L, 14K strap	39.50	95.00
Jackson, 17J 8¾L, 14K strap	50.50	120.00
Lincoln, 17J 7¾ x 11L, 14K strap	43.50	100.00
Madison, 17J 7¾ x 11L, 14K strap	39.50	92.50
McKinley, 17J 7¾ x 11L, 14K, strap	66.00	160.00
Monte Carlo, 17J 8¾L, 14K, bracelet	235.00	595.00
Richmond, 17J 8¾L, 14K, strap	66.00	160.00
Schuyler, 17J 10½L, 14K, strap	45.50	110.00
Sheridan, 17J 8¾L, 14K, strap	56.00	135.00
Van Dyke, 17J 8¾L, 14K, strap	53.50	125.00
Weems G., 17J 10½L, 14K, strap	59.50	145.00
Winthrop, 17J 8¾L, 14K, strap	52.25	125.00

SPECIAL WATCHES

Chronograph, without Totalizer 17J 12½L, steel, strap	77.00	187.50
13ZN Chronograph, 17J 13L, strap, steel	80.50	195.00
Hour Angle, 17J 10½L, steel, strap	100.75	245.00
Single action Chronograph, 17J 18L, metal case	72.50	175.00
Moisture-proof man's watch, 16J 10½L, steel, strap	27.95	70.50
Moisture-proof lady's watch, 17J 8¾L, steel, strap	31.75	77.50
Professional men's watch, 16J 10½L, steel, strap	29.75	67.00
Professional ladies' watch, 17J 8¾L, steel, strap	29.75	71.50
Weems steel 15J 10½L, strap	28.75	69.00

POCKET WATCHES

Anniversary, 17J 17L, gold filled	40.75	97.50
Coronation, 17J 17L, 14K	66.00	160.00
Dewey, 17J 17L, 14K	54.25	125.00
Duke of Kent, 17J 17L, 14K	76.00	180.00
Duke of Norfolk, 17J 17L, 14K	48.50	120.00
Droitsham, 17J 17L, gold filled	28.50	65.50
Hall of Fame, 17J 17L, gold filled	40.75	100.00
Norfolk, 17J 17L, 14K	66.00	150.00

LONGINES WATCHES—Continued

DE LUXE SERIES

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
DeLuxe, L #2 17J $8\frac{3}{4}$L 14K, strap	$56.00	$117.00
DeLuxe, L #4 17J $8\frac{3}{4}$L 14K, strap	58.50	140.00
DeLuxe, M #5 17J $7\frac{3}{4}$ x 11L 14K, strap	68.50	160.00
DeLuxe, L #6 17J $8\frac{3}{4}$L SS Steel, strap	33.50	71.50
DeLuxe, M #7 17J $7\frac{3}{4}$ x 11L 14K, strap	68.50	160.00
DeLuxe, M #9 17J $7\frac{3}{4}$ x 11L 14K, strap	68.50	160.00
DeLuxe, M #11 17J $11\frac{1}{2}$L, 14K, strap	76.00	180.00
DeLuxe, M #15 17J $11\frac{1}{2}$L SS Steel, strap	32.50	69.50
DeLuxe, M #17 17J $11\frac{1}{2}$L 14K, strap	88.50	210.00
DeLuxe, M #19 17J $7\frac{3}{4}$ x 11L 14K, strap	58.50	140.00
DeLuxe, Molsture-proof #20 17J $10\frac{1}{2}$L 14K, strap	97.50	225.00
DeLuxe, M #21 17J $11\frac{1}{2}$L 14K, strap	72.00	175.00
DeLuxe, M #22 17J $11\frac{1}{2}$L 14K, strap	72.00	175.00

LE COULTRE WATCHES

LADIES WATCHES

Alicia, 17J 5L gold filled, cord	33.95	71.50
Belmont, 17J 5L gold filled, strap	33.95	71.50
Carole, 17J 5L gold filled, cord	32.50	71.50
Leila, 17J 5L gold filled, cord	32.50	71.50
Margot, 17J 5L gold filled, cord	32.50	71.50
Marie, 17J 5L gold filled, cord	33.95	71.50
Stephanie, 17J 5L gold filled, cord	32.50	71.50
Claire, 17J 5L 14K, cord	40.75	95.00
Concerto A, 17J 5L 14K, bracelet	125.00	275.00
Concerto B, 17J 5L 14K, bracelet	130.00	275.00
Concerto C, 17J 5L 14K, bracelet	125.00	275.00
Concerto D, 17J 5L 14K, bracelet	110.00	225.00
Dorris, 17J 5L 14K, cord	44.50	110.00
Ermine, 17J 5L 14K, cord	41.65	95.00
Lorna, 17J 5L 14K, cord	41.65	95.00
Lydia, 17J 5L 14K, cord	46.00	110.00
Marina, 17J 5L 14K, cord	40.75	95.00
Monica, 17J 5L 14K, cord	40.75	95.00
Victoria, 17J 5L 14K, cord	41.65	95.00
Virginia, 17J 5L 14K, cord	40.75	95.00

MEN'S WATCHES

Bellows, 17J $7\frac{3}{4}$ x 11L, gold filled, strap	30.75	70.00
Conrad, 17J $7\frac{3}{4}$ x 11L, gold filled, strap	32.75	70.00
Polen, 17J $7\frac{3}{4}$ x 11L, gold filled, strap	30.75	70.00
Lasalle, 17J $7\frac{3}{4}$ x 11L, gold filled, strap	32.50	71.50
Lathrop, 17J $7\frac{3}{4}$ x 11L, gold filled, strap	30.75	70.00
Matthew, 17J $7\frac{3}{4}$ x 11L, gold filled, strap	32.75	70.00
Newport, 17J $7\frac{3}{4}$ x 11L, gold filled, strap	32.50	71.50
Bradley, 17J $9\frac{3}{4}$L, 14K, strap	63.50	150.00
Judge, 17J $7\frac{3}{4}$ x 11L, 14K, strap	56.00	135.00
Pierre, 17J $7\frac{3}{4}$ x 11L, 14K, strap	60.50	150.00
Stewart, 17J $7\frac{3}{4}$ x 11L, 14K, strap	63.50	150.00
Trylon A & B, 17J $7\frac{3}{4}$ x 11L, 14K, strap	60.50	150.00
Trylon J, 17J $7\frac{3}{4}$ x 11L, Pall. strap	63.50	150.00
Trylon R, 17J $9\frac{3}{4}$L, 14K, strap	63.50	150.00
Wingate, 17J $7\frac{3}{4}$ x 11L, 14K, strap	60.50	150.00
Commodore, 17J $7\frac{3}{4}$ x 11L, steel, strap	38.50	90.00
Victory, 17J $11\frac{1}{2}$L, steel, strap	34.75	71.50
Trylon S, 17J $9\frac{3}{4}$L, 14K, strap	56.00	135.00

WITTNAUER WATCHES

LADIES WATCHES

Alva, 17J $6\frac{3}{4}$ x SL, solid gold, cord	22.70	49.75
Antoinette C, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	39.75
Antoinette R, S, 15J $6\frac{3}{4}$ x SL CS, RGP, cord	19.70	41.75
Beatrice, 15J $6\frac{3}{4}$ x SL CS, bracelet	20.70	47.50
Bethel 17J 5L CS, cord	20.70	47.50
Bettina, 15J $6\frac{3}{4}$ x SL, CS, bracelet	18.70	41.50
Caprice, 15J $6\frac{3}{4}$ x SL, solid gold, cord	27.80	62.50
Celeste, 17J 5L, solid gold, cord	24.50	52.50
Chartreuse, 17J 5L, solid gold, cord	29.25	65.00
Cleo, 15J $6\frac{3}{4}$ x SL solid gold, cord	21.70	47.50
Correcta, 15J $6\frac{3}{4}$ x SL, solid gold, cord	21.70	47.50
Cynthia, 17J $6\frac{3}{4}$ x SL, solid gold, cord	23.25	49.75
Ellen, 15J 5L, RGP, cord	19.70	47.50
Fairview, 15J $8\frac{3}{4}$L, RGP, cord	17.70	37.50
Fay, 15J 5L, solid gold, cord	23.25	49.75
Fern, 15J 5L, RGP, cord	18.70	47.50
Gloria, 15J $6\frac{3}{4}$ x SL, solid gold, cord	22.70	49.75
Holyoke, 15J 5L, RGP	18.70	41.75
Hurricane, 17J 5L, solid gold, cord	29.25	65.00
Jennifer, 15J 5L, solid gold, cord	28.25	62.50
Jo Anne, 17J 5L, solid gold, cord	24.50	52.50
Karla, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	44.75
Kathy, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	44.75
Lara, 15J $6\frac{3}{4}$ x SL, solid gold, cord	22.70	49.75
Leona, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	41.75

WITTNAUER WATCHES—Continued

LADIES WATCHES—continued

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
Lisa, 15J $6\frac{3}{4}$ x SL, solid gold, cord	$22.70	$49.75
Lizette, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	44.75
Lorna, 15J $6\frac{3}{4}$ x SL, solid gold, cord	22.70	49.75
Lotus, 15J 5L, RGP, cord	18.70	49.75
Marinetta, 15J $8\frac{3}{4}$L CS, gold filled, cord	20.25	45.00
Marilyn, 15J $6\frac{3}{4}$ x SL, solid gold, cord	22.70	49.75
Millie, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	41.50
Nancy, 15J $6\frac{3}{4}$ x SL, gold filled, cord	21.25	47.50
Natalie, 15J $6\frac{3}{4}$ x SL, solid gold, cord	22.70	49.75
Natalie sw, 15J $6\frac{3}{4}$ x SL, CS, solid gold, cord	23.70	52.50
Nightingale, 15J $6\frac{3}{4}$ x SL, CS, solid gold, cord	28.30	65.00
Olga, 17J 5L, solid gold, cord	24.50	52.50
Olivia, 15J 5L, solid gold, cord	29.25	49.75
Paulette, 15J $6\frac{3}{4}$ x SL, solid gold, strap	29.25	65.00
Paulette sw, 15J $6\frac{3}{4}$ x SL, CS, solid gold, strap	30.45	67.50
Queen, 15J $6\frac{3}{4}$ x SL, solid gold, cord	22.70	49.75
Rosa, 15J $6\frac{3}{4}$ x SL, solid gold, cord	22.70	49.75
Rosalyn, 15J 5L, solid gold, cord	28.25	62.50
Santa C, S, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	41.50
Santa F, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	43.75
Sari, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	43.75
Spar, 15J $8\frac{3}{4}$ L steel, strap, moisture-proof	24.50	52.70
Spar sw, 15J $8\frac{3}{4}$ L steel, CS steel, strap, moisture-proof	25.70	55.00
Sportswoman, 15J $6\frac{3}{4}$ x SL, RGP, strap	19.70	41.50
Viola, 15J $6\frac{3}{4}$ x SL, solid gold, cord	27.80	62.50
Yvonne, 15J $6\frac{3}{4}$ x SL, RGP, cord	18.70	43.75
Waac, 15J $8\frac{3}{4}$ CS, RGP, cord	17.70	37.50

MEN'S WATCHES

Aberdeen, 15J $10\frac{1}{2}$L gold filled, strap	21.50	47.50
Anthony, 15J $7\frac{3}{4}$ x 11 L RGP, strap	18.70	43.75
Auburn, 15J $7\frac{3}{4}$ x 11 L RGP, strap	18.70	45.00
Bombardier, 15J $7\frac{3}{4}$ x 11L steel, strap MP	25.50	55.00
Cadet, 15J $10\frac{1}{2}$L steel, strap	23.25	49.75
Christopher, 15J $7\frac{3}{4}$L, gold filled, strap	21.70	49.75
Colonel, 17J $8\frac{3}{4}$L, solid gold, strap	72.25	69.50
Cornwall, 15J $7\frac{3}{4}$ x 11 L, RGP, strap	18.70	39.75
Cornwallis, 15J $10\frac{1}{2}$L, RGP, strap	18.70	43.75
Croyden, 17J $8\frac{3}{4}$L, solid gold, strap	32.25	69.50
Croyden SP, 17J $8\frac{3}{4}$L, solid gold, strap	30.70	67.50
Delano, 15J $7\frac{3}{4}$ x 11L, gold filled, strap	21.90	49.75
DeLuxe Moistureproof, 15J $10\frac{1}{2}$L CS, solid gold, strap	50.50	150.00
Douglas, 17J $8\frac{3}{4}$L RGP, strap	20.70	47.50
Emery, 15J $10\frac{1}{2}$L RGP, strap	17.70	39.75
Lansing, 15J $10\frac{1}{2}$L, RGP, strap	19.70	47.50
Longton, 17J $7\frac{3}{4}$ x 11L, RGP, strap	20.00	44.75
Ludlow, 17J $7\frac{3}{4}$ x 11L, solid gold, strap	30.00	71.50
Major, 15J $10\frac{1}{2}$L, RGP, strap	17.50	39.75
Marshall A & B, 17J $8\frac{3}{4}$L, RGP, strap	20.00	47.50
Marshall C & D, 17J $8\frac{3}{4}$L, RGP, strap	20.00	44.75
Martin, 17J $8\frac{3}{4}$L, RGP, strap	20.70	47.50
Moistureproof G, 15J $10\frac{1}{2}$L, steel, str p	23.25	49.75
Moistureproof G sw, 15J $10\frac{1}{2}$L, CS, steel, strap	24.50	52.50
Ranger, 15J $10\frac{1}{2}$L, CS, RGP, strap	19.70	47.50
Roland, 15J $7\frac{3}{4}$ x 11L, RGP, strap	18.70	47.50
Russell, 17J $8\frac{3}{4}$L, solid gold, strap	32.50	71.50
Scribner, 17J $7\frac{3}{4}$ x 11L, gold filled, strap	22.70	49.75
Sutton, 15J $10\frac{1}{2}$L, RGP, strap	17.70	39.75
Sutton B, 15J $10\frac{1}{2}$L, RGP, strap	17.70	37.50
Tyler, 17J $7\frac{3}{4}$ x 11L, RGP, strap	20.70	47.50
Tyrone, 17J $7\frac{3}{4}$ x 11L, RGP, strap	20.70	47.50
Warden, 15J $10\frac{1}{2}$ L, RGP, strap	17.60	39.75
Weems, 15J $10\frac{1}{2}$L, CS, RGP, strap	22.60	49.75
Weems, 15J $10\frac{1}{2}$L, CS, steel, strap	18.25	43.75
York, 15J $10\frac{1}{2}$, solid gold, strap	35.50	71.50
Award, 15J 17L, gold filled, pocket	22.70	49.75
Courtney, 15J 17L, RGP, pocket	19.70	47.50

The importer's maximum prices set forth above are subject to its customary March 1942 terms and allowances.

No charge for the extension of credit may be added to the above maximum retail prices which are inclusive of the Federal excise tax.

(c) *Notification.* Any person who sells the above watches to a purchaser for resale shall furnish the purchaser with a copy of this order or a price list incorporating the above prices and containing a certification that they are maximum prices established by the Office of Price Administration. In addition, he shall include on every invoice covering a sale of these watches the following statement:

OPA Order No. 23 under RMPR 499 establishes the maximum prices at which you may sell these watches.

This notification requirement supersedes the notification requirement in section 12 of Revised Maximum Price Regulation 499 with respect to the watches covered by this order.

(d) *Tagging.* The importer shall include with every watch covered by this order delivered to a purchaser for resale after its effective date, a tag or label setting forth the style name and the maximum retail price of the particular watch. This tag or label may not be removed until the watch is sold to an ultimate consumer.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in section 2 of Revised Maximum Price Regulation 499 shall apply to the terms used herein.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945

CHESTER BOWLES
Administrator.

[F. R. Doc 45 10158; Filed, June 11, 1945. 11:50 a. m.]

Regional and District Office Orders.

[Region VII Order G–16 Under MPR 188]

ABE TOCKMAN, ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–16 is issued.

(a) *What this order does.* This Order No. G–16 establishes maximum prices for a wall mirror manufactured by Abe Tockman, 1228 West Alaska Place, Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–16, the maximum prices for the wall mirror manufactured by Abe Tockman, of 1228 West Alaska Place, Denver, Colorado, in accordance with the specifications set forth in the application of said Abe Tockman on file in this Regional Office as a part of the record in this case, in Models No. 24, No. 25 and No. 44, respectively, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$2.65

(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a reailer $3.30
(3) When sold by any seller to an ultimate consumer or user 5.00

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-16 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-16 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this wall mirror, in Models No. 24, No. 25, and No. 44, are:

	Each
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	$3.30
(2) When sold by any seller to an ultimate consumer or user	5.00

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G-16 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-16 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-16 shall become effective on the 31st day of May 1945.

Issued this 31st day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-10108; Filed, June 9, 1945; 11:44 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 8, 1945.

REGION I

Boston Order 1-C, Amendment 7, covering poultry in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 7-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 8-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 9-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 10-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 11-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

REGION II

Albany Order 1-F, Amendment 62, covering fresh fruits and vegetables in certain cities in New York. Filed 10:45 a. m.

Baltimore Order 38, Amendment 1, covering dry groceries in certain areas in Maryland and the District of Columbia. Filed 10:45 a. m.

Philadelphia Order 6-F, Amendment 29, covering fresh fruits and vegetables in Philadelphia, Pennsylvania. Filed 10:44 a. m.

Philadelphia Order 11-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:44 a. m.

Philadelphia Order 12-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:44 a. m.

Pittsburgh Order 3-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 10:44 a. m.

Syracuse Order 3-F, Amendment 33, covering fresh fruits and vegetables in certain areas in New York. Filed 10:44 a. m.

Syracuse Order 4-F, Amendment 21, covering fresh fruits and vegetables in certain areas in New York. Filed 10:43 a. m.

REGION III

Lexington Order 1-C, Amendment 5, covering poultry in certain counties in Kentucky. Filed 10:43 a. m.

Lexington Order 2-C, Amendment 5, covering poultry in certain areas in Kentucky. Filed 10:43 a. m.

Lexington Order 3-C, Amendment 5, covering poultry in certain counties in Kentucky. Filed 10:43 a. m.

REGION IV

Columbia Order 7-F, Amendment 3, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 10:51 a. m.

Columbia Order 17-C, Amendment 5, covering poultry in the South Carolina Area. Filed 10:42 a. m.

Columbia Order 18-C, Amendment 5, covering poultry in the South Carolina Area. Filed 10:42 a. m.

Montgomery Order 2-C, Amendment 6, covering poultry in certain areas in Alabama. Filed 10:45 a. m.

Montgomery Order 20-F, Amendment 27, covering fresh fruits and vegetables in Mobile County. Filed 10:46 a. m.

Montgomery Order 21-F, Amendment 32, covering fresh fruits and vegetables in Montgomery County. Filed 10:46 a. m.

Montgomery Order 22-F, Amendment 33, covering fresh fruits and vegetables in Houston County. Filed 10:46 a. m.

Montgomery Order 24-F, Amendment 30, covering fresh fruits and vegetables in Dallas County. Filed 10:45 a. m.

Savannah Order 7-F, Amendment 33, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:52 a. m.

Savannah Order 9-F, Amendment 33, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:52 a. m.

Savannah Order 10-F, Amendment 33, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:51 a. m.

Savannah Order 12-F, Amendment 9, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:51 a. m.

Savannah Order 13-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:51 a. m.

REGION V

Little Rock Order 1-C, Amendment 8, covering poultry in the State of Arkansas. Filed 10:47 a. m.

Little Rock Order 1-E, Amendment 9, covering eggs in the State of Arkansas. Filed 10:47 a. m.

Lubbock Order 3-F, Amendment 57, covering fresh fruits and vegetables in certain counties in Texas. Filed 10:42 a. m.

New Orleans Order 2-F, Amendment 75, covering fresh fruits and vegetables in certain cities in Louisiana. Filed 10:41 a. m.

REGION VI

Chicago Order 4-W, Amendment 3, covering dry groceries in certain areas in Illinois and Indiana. Filed 10:46 a. m.

Chicago Order 11, Amendment 6, covering dry groceries in certain areas in Illinois and Indiana. Filed 10:46 a. m.

Omaha Order 10-F, Amendment 12, covering dry groceries in certain areas in Nebraska and Iowa. Filed 10:51 a. m.

Omaha Order 11-F, Amendment 13, covering dry groceries in Lincoln Nebraska. Filed 10:50 a. m.

Peoria Order 7-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:50 a. m.

Peoria Order 8-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:49 a. m.

Peoria Order 9-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:49 a. m.

Peoria Order 10-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:49 a. m.

Sioux City Order 2-F, Amendment 74, covering fresh fruits and vegetables in Sioux City, Iowa and S. Sioux City, Nebraska. Filed 10:49 a. m.

Twin Cities Order 1-F, Amendment 16, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:48 a. m.

Twin Cities Order 1-F, Amendment 17, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:48 a. m.

Twin Cities Order 1-F, Amendment 18, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:48 a. m.

Twin Cities Order 2-F, Amendment 13, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:48 a. m.

REGION VIII

Phoenix Order 3-F, Amendment 75, covering fresh fruits and vegetables in the Phoenix Area. Filed 10:48 a. m.

Phoenix Adopting Order 15 under Basic Order 1-B, Amendment 1, covering dry groceries in the Gila Valley Area. Filed 10:45 a. m.

Seattle Order 31, Amendment 5, covering dry groceries in certain counties in Washington. Filed 10:45 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10122; Filed, June 9, 1945; 4:14 p. m.]

[Region I Order G-1 Under MPR 154, Amdt 6]

ICE IN NEW ENGLAND

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154: *It is ordered:*

1. A new paragraph (h) to follow old paragraph (g) is added to read as follows:

(h) Any seller or group of sellers whose maximum prices for ice have been adjusted by this order may petition for further adjustment of maximum prices of ice pursuant to the provisions of section 8 (e) of Maximum Price Regulation No. 154 as amended.

This amendment No. 6 is effective as of July 24, 1943 at 12:01 a. m.

Issued this 30th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F R Doc 45-9984; Filed, June 8, 1945; 1:31 p. m.]

[Region I Order G-6 Under MPR 154, Amdt 1]

ICE IN BARNSTABLE COUNTY AND WAREHAM, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, *It is ordered:*

Region I Order No. G-6 is hereby amended in the following respects:

1. Paragraph numbered (a) is amended to read as follows:

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered anywhere in the County of Barnstable and in the Town of Wareham in the Commonwealth of Massachusetts are modified so that the maximum prices therefor shall be as follows:

Type of sale	Maximum price per cwt.	Maximum price per ton
Retail home-delivery	$ .80	$16.00
Retail platform sale	.60	12.00
Quantity delivered to a single place of business and not for home delivery	.70	14.00
Quantity delivered to a single place of business and not for home delivery	.40	8.00
Quantity platform sale	.20	4.00

In the case of a Quantity Platform Sale the seller's maximum price shall not exceed his maximum price to the purchaser established by §§ 1393.1 and 1393.12 (exclusive of § 1393.12 (f)) of Maximum Price Regulation No. 154 by more than 10c per 300 pounds (66⅔c per ton).

2. A new paragraph (h) is added following paragraph (g) to read as follows:

(h) Any seller or group of sellers whose maximum prices for ice have been adjusted by this order may petition for further adjustment of maximum prices of ice pursuant to the provisions of section 8 (e) of Maximum Price Regulation No. 154, as amended.

This Amendment No. 1 is effective as of May 15, 1945.

Issued this 30th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F R Doc. 45-9985, Filed, June 8, 1945; 1:30 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 49]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. Subparagraph (2) of paragraph (e) is amended by adding the following to the Table set forth therein:

Kind of coke	Amount of addition: Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Glen Burn: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.10	$0.10	None	None

NOTE: The amounts set forth above shall be effective only until July 31, 1945. Thereafter, the applicable prices shall be the prices prevailed for Pennsylvania anthracite coals without any addition thereto.

2. Subparagraph (9) of paragraph (1) is amended by adding the words "Glen Burn".

3. Subparagraph (50) is added to paragraph (1) to read as follows:

(50) "Glen Burn" means that Pennsylvania Anthracite produced by the Susquehanna Collieries Company and prepared at its Glen Burn Colliery at Shamokin, Pennsylvania, and which meets the quality and preparation standards established by Order No. L-22 under Maximum Price Regulation No. 112.

This Amendment No. 49 shall become effective May 31, 1945.

Issued this 23d day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F R Doc. 45-9989; Filed, June 8, 1945; 1:31 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 50]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (7) (Appendix 7—Bituminous Coal—Metropolitan Boston Area) of paragraph (e) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is hereby amended in the following respects:

1. In paragraph (b) (1), the table of prices is amended to read as follows:

Kind of coal	Classes of purchasers: Classes AA and A	Class B	Class C
Domestic run of mine	$8.16	$8.58	$9.0[illegible]
Straight run of mine	7.90	8.12	8.[illegible]
Mixed run of mine	8.05	8.27	8.[illegible]
Pardee run of mine	8.41	8.[illegible]	8.[illegible]
Pennsylvania bituminous	7.75	7.97	8.[illegible]
Nut and slack	7.69	7.88	8.[illegible]
Slack	7.61	7.83	8.[illegible]
1½" nut and slack	7.91	8.13	8.[illegible]
Mixed nut and slack	7.76	7.98	8.[illegible]
Low volatile pea	8.06	8.28	8.[illegible]
High volatile modified stoker	7.55	7.77	8.[illegible]
High volatile nut or pea	8.00	8.22	8.44
Cavalier nut and slack	7.65	7.87	8.09
Cavalier modified stoker	8.12	8.34	8.57
Kentucky double screened stoker	8.35	8.57	8.79
High volatile egg or lump	7.65	7.87	8.09
High volatile nut and slack	7.55	7.77	7.99
Premier nut or pea	8.25	8.47	8.69

2. In paragraph (c) (1), the table of prices is amended to read as follows:

Kind of coal	Classes of purchasers: Class I	Class II	Class III	Class IV	Class V
Domestic run of mine	$10.56	$10.31	$10.0[illegible]	[illegible]	[illegible]
Straight run of mine	10.30	10.05	9.8[illegible]	[illegible]	[illegible]
Mixed run of mine	10.45	10.20	9.9[illegible]	[illegible]	[illegible]
Pardee run of mine	10.81	10.56	10.31	[illegible]	[illegible]
Pennsylvania bituminous	10.15	9.90	9.6[illegible]	[illegible]	[illegible]
Nut and slack	10.06	9.81	9.56	[illegible]	[illegible]
Slack	10.01	9.76	9.51	[illegible]	[illegible]
1½" nut and slack	10.31	10.06	9.81	[illegible]	[illegible]
Mixed nut and slack	10.16	9.91	9.6[illegible]	[illegible]	[illegible]
Low volatile pea	10.46	10.21	9.9[illegible]	[illegible]	[illegible]
High volatile modified stoker	9.95	9.70	9.4[illegible]	[illegible]	[illegible]
High volatile nut or pea	10.40	10.15	9.9[illegible]	[illegible]	[illegible]
Cavalier nut and slack	10.05	9.80	9.5[illegible]	[illegible]	[illegible]
Cavalier modified stoker	10.52	10.27	10.0[illegible]	[illegible]	[illegible]
Kentucky double screened stoker	10.75	10.50	10.2[illegible]	[illegible]	[illegible]
High volatile egg or lump	10.05	9.80	9.5[illegible]	[illegible]	[illegible]
High volatile nut and slack	9.75	9.50	9.2[illegible]	[illegible]	[illegible]
Premier nut or pea	10.65	10.40	10.1[illegible]	[illegible]	[illegible]

3. Subparagraph (1) of paragraph (c) is amended to read as follows:

(1) "Domestic run of mine" is bituminous coal which was defined by the Bituminous Coal Division as "domestic, dealer, modified or screened run of mine", produced in Producing Districts 7 or 8, or a mixture of coals of different size groups from Producing Districts 7 and 8 which mixture is equivalent as to coarseness.

4. Subparagraph (2) of paragraph (c) is amended to read as follows:

(2) "Straight run of mine" is bituminous coal which was defined by the Bituminous Coal Division as "straight run of mine", produced in Producing D[illegible]

tricts 3, 7 or 8, or a mixture of coals of different size groups from Producing Districts 3, 7 or 8, which mixture is equivalent as to coarseness; except "Pasley Run of Mine" which Pasley Run of Mine is stored and delivered separately from any other coal.

5 In paragraph (g), a new subparagraph (19) is added to read as follows:

(19) "Pennsylvania bituminous" is bituminous coal of any size group produced in Producing Districts 1 and 2 from either deep or strip mines.

This Amendment No. 50 shall become effective May 28, 1945.

Issued this 25th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9990; Filed, June 8, 1945; 1:31 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 51]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, subparagraph (6) (Appendix 6—Specified Bituminous Coal—Hartford, Connecticut, Area) of paragraph (o) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1 In paragraph (b), the Table of prices is amended to read as follows:

Kind and size	Customer classification			
	Less than 10	10 to 99	100 to 299	300 or over
[illegible]	$11.90	$10.90	$10.40	$10.15
[illegible] run-of-	11.23	10.23	9.73	9.48
[illegible]	11.83	10.83	10.33	10.08
[illegible] run-of-	11.63	10.63	10.13	9.88
[illegible] of mine	11.48	10.48	9.98	9.73
[illegible] and	11.40	10.40	9.90	9.65
[illegible]	11.05	10.05	9.55	9.30
[illegible]	11.05	10.05	9.55	9.30
[illegible] run-of-	11.43	10.43	9.93	9.68
[illegible] run-of-	11.43	10.43	9.93	9.68
[illegible] run-of-	11.38	10.38	9.88	9.63
[illegible]	11.53	10.53	10.03	9.78

This Amendment No. 51 shall become effective June 2, 1945.

Issued this 28th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9991; Filed, June 8, 1945; 1:31 p. m.]

[Region I Rev. Supp. Order 2 Under RMPR 122, Amdt. 18]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. The following is added to the table in paragraph (a):

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Glen Burn: Broken, egg, stove, chestnut, pea, buckwheat, and rice	$0.15	$0.10	None	None

NOTE: The amounts set forth above shall be effective only until July 31, 1945. Thereafter, the applicable prices shall be the prices provided for Pennsylvania standard anthracite coals without any addition thereto.

2. The words "Glen Burn" are inserted in subparagraph (2) of paragraph (e).

3. Subparagraph (27) is added to paragraph (e) to read as follows:

(27) "Glen Burn" means that Pennsylvania Anthracite produced by the Susquehanna Collieries Company, and prepared at the Glen Burn Colliery at Shamokin, Pennsylvania and which meets the quality and preparation standards established by Order L-22 under Maximum Price Regulation No. 112.

This Amendment No. 18 to Revised Supplementary Order No. 2 shall become effective May 31, 1945.

Issued this 24th day of May, 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9986; Filed, June 8, 1945; 1:32 p. m.]

[Region I Supp. Order 8 Under RMPR 122, Amdt. 8]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 8 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Paragraph (c) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Glen Burn: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.15	$0.10	None	None

NOTE: The amounts set forth above shall be effective only until July 31, 1945. Thereafter, the applicable prices shall be the prices provided for Pennsylvania standard anthracite coals, without any addition thereto.

This amendment No. 8 shall become effective May 31, 1945.

Issued this 24th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9987; Filed, June 8, 1945; 1:22 p. m.]

[Region I Supp. Order 10A Under RMPR 122, Revocation]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended; *It is hereby ordered*, That Region I Supplementary Order No. 10A under Revised Maximum Price Regulation No. 122 (Temporary One-Ton Charges For Solid Fuels In Region I Area Price Orders) be and it hereby is revoked.

This order shall become effective May 25, 1945.

Issued this 25th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9988; Filed, June 8, 1945; 1:31 p. m.]

[Region III Order G-3 Under Supp. Order 94, Amdt. 1]

C. C. C. AND ARMY SERVICE CAPS IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sections 11 and 13 of Supplementary Order No. 94 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That section (c) of Order No. G-3 under Supplementary Order No. 94 be amended to read as follows:

(c) *Maximum prices.* The maximum prices for the sale of the Caps described herein shall be as follows:

Article and description	Wholesaler's maximum price to dealer, f. o. b. point of shipment	Retailer's maximum price to consumer
Cap (garrison), spruce green color, wool material, unlined; 13½" diameter circle with "CCC" insignia, N-2 condition (new, in good condition)	*Each* $0.80	*Each* $1.15
Cap (winter spruce), green gabardine cloth, peak 2" wide with seven rows of stitching, green wool lined, ear and collar pieces, 6½" wide, seams in the back; also wool lined pieces fasten on chin strap, 12" long, with bronze side buckle, 1¼" wide; N-2 condition (new, in good condition)	.70	.85

This Amendment No. 1 to Order No. G-3 under Supplementary Order No. 94 shall become effective May 21, 1945.

Issued: May 21, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-9982; Filed, June 8, 1945; 1:28 p. m.]

[Region III Order G-6 Under RMPR 122, Amdt. 6]

SOLID FUELS IN LIMA, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part I, Paragraph C of Section (c) of Schedule I of Order No. G-6 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

SCHEDULE I

Column I	Column II	Column III
C. Stoker—Size Group No. 10 (top size 1¼" and smaller and bottom size ¼" and larger):		
1. From mine under No. 115	$8.70	$8.20
2. Mine price classification A	8.85	8.35
3. Mine price classifications B through G	8.45	7.95
4. Mine price classifications H and lower	8.10	7.60

This Amendment No. 6 to Order No. G-6 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9993; Filed, June 8, 1945; 1:30 p. m.]

[Region III Order G-8 Under RMPR 122, Amdt. 8]

SOLID FUELS IN LOUISVILLE, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part V of paragraph (c) (1) of Order No. G-8 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Col. II	Col. III	Col. IV
V. Briquettes (made from low volatile bituminous coals) from District No. 7:			
A. Glen Rogers briquettes (made at Glen Rogers, W. Va.)	$10.21	$9.96	$9.71
B. All others	9.95	9.70	9.45

This Amendment No. 8 to Order No. G-8 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9994; Filed, June 8, 1945; 1:29 p. m.]

[Region III Order G-9 Under RMPR 122, Amdt. 10]

SOLID FUELS IN MARION COUNTY, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part VII of paragraph (c) of Order No. G-9 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
VII. Briquettes (made from low volatile bituminous coals from district No. 7):	
A Glen Rogers briquettes (produced at Glen Rogers, W. Va.)	$11.11
B. All others	10.85

This Amendment No. 10 to Order No. G-9 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9995; Filed, June 8, 1945; 1:29 p. m.]

[Region III Order G-13 Under RMPR 122, Amdt. 8]

SOLID FUELS IN TOLEDO, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.259 and 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That paragraph (e) of Order No. G-13 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Carry-in from curb—coal	$1.10
Carry-in from curb—coke	1.45
Wheel-in from curb—coke	1.10
Carry up or down one flight of stairs	.25
Extra charge for credit after 30 days	.25
Wheel-in from curb—coal	.85

This Amendment No. 8 to Order No. G-13 under Revised Maximum Price Regulation No. 122 shall become effective May 31, 1945.

Issued: May 31, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-9996; Filed, June 8, 1945; 1:29 p. m.]

[Region III Order G-27 Under RMPR 122, Amdt. 2]

SOLID FUELS IN MUNCIE, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part 1, Schedule I of paragraph (c) (1) of Order No. G-27 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

SCHEDULE I

1. High volatile Bituminous Coals from Producing District No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, and northeastern Tennessee) excluding coals from the Bull Creek, Splash Dam, Clintwood and Upper Banner seams and from Mine Index Nos. 22, 219, 319, 370, 459, 338 and 96. • • •

This Amendment No. 2 to Order No. G-27 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9997; Filed, June 8, 1945; 1:29 p. m.]

[Region III Order G-27 Under RMPR 122, Amdt. 3]

SOLID FUELS IN MUNCIE, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part V of paragraph (c) (1) of Order No. G-27 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Col. II	Col. III	Col. IV
V. Briquettes (made from low volatile bituminous coals from Producing District No. 7):			
A. Glen Rogers briquette (produced at Glen Rogers, W. Va.)	$11.16	$10.91	$10.66
B. All others	10.90	10.65	10.40

This Amendment No. 3 to Order No. G-27 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9998; Filed, June 8, 1945; 1:28 p. m.]

[Region III Order G-37 Under RMPR 122, Amdt. 2]

SOLID FUELS IN FLINT, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part V of Paragraph (c) (1) of Order No. G-37 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
V. Briquettes: made from low volatile bituminous coals from producing district No. 7:	
A Glen Rogers briquettes (produced at Glen Rogers, W. Va.)	$11.86
B All others	11.60

This Amendment No. 2 to Order No. G-37 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9999; Filed, June 8, 1945; 1:28 p. m.]

[Region III Order G-54 Under RMPR 122, Amdt. 2]

SOLID FUELS IN MIDLAND, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part VI of paragraph (c) (1) of Order No. G-54 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
VI Briquettes (made from low volatile bituminous coals from producing district No. 7):	
A Glen Rogers Briquettes (produced at Glen Rogers, W. Va.)	$12.11
B All others	11.85

This Amendment No. 2 to Order No. G-54 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-10000; Filed, June 8, 1945; 1:28 p. m.]

[Region IV Rev. Order G-2 Under RMPR 122]

SOLID FUELS IN CLARKE COUNTY, GA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollar-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of Clarke County, Georgia.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of said order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-2 (also called General Order No. 2) under Revised Maximum Price Regulation No. 122, the amendments thereto, and the supplementary order thereunder, previously issued by this Office, and, as a result, said Order No. G-2, the amendments thereto, and the supplementary order thereunder are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Bituminous coal.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.	Per 1/20 ton 100 lbs.
Montevallo 8" Block	$11.05	$5.78	$3.01	$0.60
5" to 6" Harlan or Jellico Lump or Block (Premium)	10.55	5.53	2.89	0.58
5" to 6" Harlan or Jellico Lump or Block (Regular) and 2½" x 5" and 3" x 6" Harlan or Jellico Egg (Premium)	10.05	5.28	2.76	0.55
2½" x 5" and 3" x 6" Harlan or Jellico Egg (Regular) and 0" to 1¼" Stoker	9.55	5.03	2.64	0.52
Nut and slack	6.65	3.58	1.91	0.38

(a) The maximum price for any quantity less than 100 pounds of the above coals shall be determined by adding $1.00 to the applicable per ton price named herein and dividing the sum by the proportionate divisor. For example, the maximum price for 50 pounds of Montevallo 8" Block would be determined as follows:

$11.05 plus $1.00=$12.05.
50 lbs.=1/40 of 2000 lbs.
$12.05÷40=$0.30, which is the maximum price.

(f) *Maximum authorized service charges and required deductions*—(1) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least 50¢ per ton.

(2) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(3) *Credit.* No additional charge may be made for the extension of credit.

Effective date. This order shall become effective April 25, 1945.

Issued: April 20, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10001; Filed, June 8, 1945; 1:35 p. m.]

[Region IV Rev. Order G-4 Under RMPR 122]

SOLID FUELS IN RALEIGH, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Raleigh, in the State of North Carolina.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-4 under Revised Maximum Price Regulation No. 122 and all supplementary orders thereunder, previously issued by this office, and, as a result, said Order No. G-4 and said supplementary orders are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg	$9.70	$5.10	$2.68
Stoker	9.60	5.05	2.65
Nut and slack	8.85	4.65	2.40

(2) *Low volatile bituminous coal from district No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump and egg	$11.65	$6.08	$3.17
Stove	11.00	5.76	3.00
Domestic nut	10.15	5.33	2.81
Domestic pea	9.55	5.03	2.67
Domestic run-of-mine	10.05	5.28	2.77
Domestic straight run-of-mine	9.20	4.86	2.56
Nut and slack	8.95	4.73	2.50

(3) *Sale of coal in sacks.* Dealer may charge not more than 70¢ for 90 lb. bag of any kind of coal listed in the above schedule.

(4) *Maximum authorized service charges and required deductions*—(i) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(3) *Sacking.* Dealer may charge $1.00 per ton for the service of putting coal in sacks furnished by the purchaser; the dealer may charge $3.00 per ton for the same service if he furnishes the sacks.

(4) *Yard sales.* When buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price $1.00 per ton.

(5) *Quantity sales.* When buyer purchases in carloads, the dealer must reduce the domestic price $1.00 per ton. On sales between dealers in any quantity the dealer must reduce the domestic price $1.50 per ton.

(6) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(7) *Sales tax.* The State Sales Tax of 3% may be added to the prices established by this order.

Effective date. This order shall become effective April 23, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10002; Filed, June 8, 1945; 1:35 p. m.]

[Region IV Rev. Order G-5 Under RMPR 122]

SOLID FUELS IN CHARLOTTE, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered to any point within the corporate limits of the City of Charlotte, in the State of North Carolina.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945, by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-5 under Revised Maximum Price Regulation No. 122 and all amendments thereto and supplementary orders thereunder, previously issued by this office and as a result, said Order No. G-5 and said amendments thereto and supplementary orders thereunder, are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Briquettes and Pennsylvania anthracite.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Pennsylvania anthracite nut	$10.05	$5.77	$3.07
Briquettes	11.70	6.00	3.18

(2) *Low volatile bituminous coal from district No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg	$11.65	$5.78	$3.07
Stove size (if egg)	10.80	5.66	3.01
Nut size	10.05	5.35	2.82
Pea size stoker	9.75	5.13	2.75
Domestic run-of-mine (screened)	9.85	5.18	2.77
Straight run-of-mine	9.65	5.08	2.72

(3) *High volatile from district No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump coal from mine index No. 481, Benedict Coal Corporation, mine index No. 483, Southern Collieries, Inc.	$10.45	$5.45	$2.93
Lump	10.50	5.50	2.95
Stoker size group from mine index No. 243 of Guthrie Coal Co.	9.90	5.20	2.75
Egg	9.95	5.23	2.76
Stoker	9.75	5.13	2.71
Domestic run-of-mine (screened)	9.00	4.75	2.55
Nut and slack	9.00	4.75	2.55

(4) *Sale of coal in sacks.* Dealer may charge not more than 70¢ for 100 lb. sack of any kind of coal listed herein, or more than 60¢ if said sack is picked up at dealer's yard by purchaser.

(f) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(3) *Sacking.* Dealer may charge not more than five cents per sack for service of sacking coal in sales of one ton or more.

(4) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least $1.00 per ton.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Quantity discounts.* When buyer purchases forty tons or more per year in less-than-carload deliveries, the dealer must reduce the domestic price at least $1.00 per ton. On carload sales the dealer must reduce the domestic price at least $1.50 per ton.

(7) *Sales tax.* The State Sales Tax of 3% may be added to the prices established by this order.

(8) *Credit.* No additional charge may be made for credit. If payment is made within 15 days from delivery, the dealer shall reduce the prices herein set out at least 50¢ per ton, 25¢ per half ton, and 13¢ per quarter ton.

Effective date. This order shall become effective April 23, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10003; Filed, June 8 1945; 1:35 p. m.]

[Region IV Rev. Order G-6 Under RMPR 122]

SOLID FUELS IN SAVANNAH, GA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and, under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of the County of Chatham, in the State of Georgia.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945, by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-6 under Revised Maximum Price Regulation No. 122 and the amendment thereto and all supplementary orders thereunder, previously issued by this office, and as a result, said Order No. G-6 and said amendment thereto and supplementary orders thereunder, are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg	$10.90	$5.70	$2.98
Lump	11.40	5.95	3.10
Stoker	8.90	4.70	2.48
Nut and slack	7.40	3.95	2.10
Run-of-mine	9.70	5.10	2.68

(f) *Maximum authorized service charges and required deductions.*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ therefor.

(2) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least $1.00 per ton.

(3) *Sacked coal.* Dealer may charge not more than 75¢ for 80 lb. sack of any kind of coal—including sack—listed in the above schedule. This price of 75¢ for 80 lb. sack of coal—including sack—is limited to quantities of not more than 5 sacks to a customer in a single delivery. Single deliveries of more than 5 sacks to a customer shall take the prices otherwise specified in the Order.

(4) *Credit.* No additional charge may be made for credit.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Southern Appalachian coal.* The prices specified herein may be increased by the dealer fifteen cents per ton, eight cents per half ton, and four cents per quarter ton on sales of coal from Subdistrict No. 6 in District No. 8, (Southern Appalachian).

(7) *Delivery charges, for deliveries of coal beyond the city limits of Savannah, Georgia in the County of Chatham.* On deliveries from Savannah, Georgia, beyond the corporate limits of the City of Savannah and within the County of Chatham, in the State of Georgia, dealer may make an additional charge of not more than ten cents per mile per ton for each mile beyond the corporate limits of the City of Savannah, with a minimum charge of fifty cents per ton for such deliveries.

Effective date. This order shall become effective April 23, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10004; Filed, June 8, 1945; 1:34 p. m.]

[Region IV 2d Rev. Order G-10 Under RMPR 122]

SOLID FUELS IN HENRICO, HANOVER AND CHESTERFIELD COUNTIES, AND RICHMOND, VA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraphs (e) and (f) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of the City of Richmond, of the County of Chesterfield except the Matoaka Magisterial District, and of the Counties of Henrico and Hanover, all in the State of Virginia.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of said order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Revised Order No. G-10 under Revised Maximum Price Regulation No. 122 issued by this office on October 14, 1944 and as a result, said Revised Order No. G-10 is hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Low volatile bituminous coal from district No. 7.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Egg (double screened)	$12.60	$6.81	$3.91
Egg (single screened)	11.60	6.31	3.66
Stove size (double screened)	12.25	6.63	3.82
Stove size (single screened)	11.25	6.13	3.57
Nut size (double screened)	10.80	5.91	3.46
Nut size (single screened)	10.40	5.70	3.36
Pea stoker	10.05	5.53	3.27
Run-of-mine (screened)	9.90	5.46	3.24
Run-of-mine (straight)	9.90	5.46	3.24
Nut and slack	9.55	5.28	3.15

(2) *Low volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg (double screened)	$10.54	$5.73	$3.37
Egg (single screened)	9.95	5.48	3.24
Stove size (double screened)	10.45	5.73	3.37
Stove size (single screened)	9.95	5.48	3.24
Run-of-mine (screened)	9.40	5.20	3.10

(3) *High volatile bituminous coal from District No. 8.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Lump	$11.05	$6.03	$3.52
Egg (double screened)	10.50	5.75	3.38
Egg (single screened)	10.05	5.53	3.27
Stove size	9.80	5.40	3.20
Nut size—1¼ size stoker	10.00	5.60	3.25
Run-of-mine	8.85	4.93	2.97

(4) *Pennsylvania anthracite coals.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Anthracite, egg, stove, nut	$13.50	$8.45	$4.73
Anthracite, pea	11.05	7.52	4.27
Anthracite, rice	12.10	6.55	3.78

(5) *Briquettes.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Briquettes	$12.00	$6.95	$3.98

(f) *Other maximum prices.* Maximum prices established by this order are as follows for sales of coal sold in bags or sacks:

(1) *Coal sold in 100 lb. bags.*

	Delivered price	Cash and carry at yard
Low volatile egg and stove	$0.75	$0.65
Semismokeless egg and stove	.60	.50
High volatile egg and stove	.60	.50
Pennsylvania anthracite (all sizes)	.94	.84

(*a*) The dealer may charge no more than ten cents per 100 pound bag when he furnishes bags to the consumer.

(2) *Coal sold in 12 pound bags.* (*a*) When High Volatile Stove or Nut coal is sold to consumers in 12 pound bags, the maximum prices are 10¢ each and 28¢ for three if sold in one sale.

(*b*) When High Volatile Stove or Nut coal is sold to retailers in 12 pound bags, the maximum price is 8½¢ per bag.

(3) *Ton lots of coal in bags.* (*a*) The Domestic Price for coal may be increased not more than $3.50 per ton if, at the purchaser's request, the dealer sacks the coal in paper bags furnished by him.

(g) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor if wheelbarrow is used, and not more than 75¢ per ton therefor if the delivery is of bagged coal.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(3) *Yard discounts.* When the buyer picks up coal at the dealer's yard the dealer must reduce the domestic price at least $1.00 per ton. On sales at the yard to other dealers properly licensed by the City of Richmond or other duly constituted authorities, the dealer must reduce the domestic price at least $1.50 per ton.

(4) *Quantity discounts.* When the buyer purchases more than 40 tons and up to 200 tons per year for consumption in one building, the dealer must reduce the domestic price at least $1.25 per ton; and when the buyer purchases more than 200 tons per year for consumption in one building, the dealer must reduce the domestic price at least $1.75 per ton, and on such sales no other discounts need be made.

(5) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt, shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Terms.* No additional charges over the prices listed may be made for the extension of credit. If payment is made within 10 days from date of delivery, at least $1.00 per ton shall be deducted from the prices in section (e) of this order. If payment is made within 30 days from the date of delivery, at least 50¢ per ton shall be deducted from the prices listed in section (e).

(7) *Delivery charges.* A dealer may make no charges for delivery within the corporate limits of the city or town in which the dealer's yard is located. For deliveries beyond the corporate limits of the city or town in which his yard is located, a dealer may make an additional charge of not more than 10¢ per mile per ton for the distance beyond the corporate limits of such city or town and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage being determined by the actual highway mileage from the city limits to the point of delivery by the most direct highway route.

Effective date. This order shall become effective as of March 31, 1945.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10005; Filed, June 8, 1945; 1:34 p. m.]

[Region IV Rev. Order G-13 Under RMPR 122]

SOLID FUELS IN WILMINGTON, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Wilmington, North Carolina, and the area within twenty miles thereof by the most direct highway route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this Order and are made as much a part of this Order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of said order, as amended, shall likewise without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-13, under Revised Maximum Price Regulation No. 122, and the Amendment thereto and all supplementary orders thereunder, previously issued by this office, and as a result, said Order No. G-13, and said amendment thereto and supplementary orders thereunder, are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Egg, stove, or lump	$12.50	$6.41	$3.48
Stoker	9.50	4.91	2.68
Run-of-mine	9.70	5.11	2.78

(2) *High volatile bituminous coals from District No. 8.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Egg or lump	$11.10	$5.80	$3.10
Splint, egg, lump or stove	10.35	5.45	2.85
Stoker	9.45	4.95	2.60
Nut and slack	8.25	4.35	2.30

(3) *Low volatile bituminous coals from District No. 8.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Raven red ash egg	$11.05	$6.08	$3.33

(4) *Pennsylvania anthracite, Virginia anthracite and briquettes.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pound	Per ¼ ton, 500 pounds
Pennsylvania anthracite (stove or nut)	$18.10	$9.30	$4.75
Virginia anthracite (egg or stove)	13.20	6.85	3.60
Briquettes	12.90	6.70	3.48

(f) *Maximum authorized service charges and required deductions*—(1) *Carry from curb or up or down stairs.* If the buyer requests such service, the

dealer may charge not more than 80¢ per ton therefor.

(2) *Trimming.* If the buyer requests such service, the dealer may charge not more than 25¢ per ton therefor. If the buyer does not request this service, no charge may be made.

(3) *Sack coal.* When the purchaser furnishes sacks, the dealer may charge not more than 55¢ per hundred pounds of coal sold at the yard. If the dealer furnishes the sacks, he may charge an additional 15¢ per sack. For deliveries of not less than 500 pounds of sack coal, the dealer may charge not more than a price based on the ¼ ton rate plus a sacking charge at the rate of $1.00 per ton.

(4) *Yard sales.* When the buyer picks up coal at the yard, the dealer must reduce the domestic price at least $1.00 per ton. On sales to other dealers, the dealer must reduce the domestic price at least $1.75 per ton.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Quantity.* When the buyer purchases in carload lots, the dealer must reduce the applicable domestic price of high volatile bituminous nut and slack coal from District 8 50¢ per ton, of low volatile bituminous stoker coal from District 7 $1.20 per ton, and of all other grades $1.00 per ton.

(7) *Delivery zone.* For deliveries beyond the corporate limits of Wilmington, North Carolina, and within twenty miles thereof, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the corporate limits of such city, with a minimum charge of 50¢ per ton for each such delivery, said mileage to be determined by the actual highway mileage from the city limits to the point of delivery by the most direct highway route.

(8) *Sales tax.* The State sales tax of 3% may be added to the prices established in this order.

(9) *Credit.* No additional charge may be made for the extension of credit.

Effective date. This order shall become effective April 23, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10009; Filed, June 8, 1945; 1:33 p. m.]

[Region V Order G-1 Under Supp. Order 94]

COMMERCE DEPARTMENT

MAXIMUM PRICES FOR THE SALE OF CUSPIDORS

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator by section 11 of Supplementary Order No. 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sales of cuspidors hereinafter described when sold by the Commerce Department and also establishes maximum prices for these commodities for all resellers thereof. This order is applicable only to sales made within the States of Texas, Missouri, Kansas, Oklahoma, Louisiana, and Arkansas, comprising Region V of the Office of Price Administration.

(b) *Maximum prices.*

Description of cuspidors priced by this order:	*Maximum price, each*
Cuspidors, 10" diameter, plain, steel type, color green, flat bottomed, new condition:	
All sales by Commerce Department to anyone "where is"	$0.53
All sales at wholesale f. o. b. shipping point	.71
All sales at retail	1.06
Cuspidors, 9" diameter, plain, steel type, color green, flat bottomed, new condition:	
All sales by Commerce Department to anyone "where is"	.40
All sales at wholesale f. o. b. shipping point	.53
All sales at retail	.80

Each seller shall continue to maintain his customary discount for cash.

(c) *Notification.* Any person who sells the cuspidors subject to this order shall furnish to the purchaser a statement advising such purchaser of the maximum prices established in this order.

(d) *Tagging.* Any person who sells cuspidors to ultimate consumers shall attach to each cuspidor before sale a label which plainly states the retail price.

(e) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(f) *Definitions.* A sale at wholesale is a sale by any person other than the Department of Commerce to any other person other than a user or ultimate consumer. A sale at retail is a sale by any person other than the Department of Commerce to a user or ultimate consumer.

(g) *Revocation or amendment.* This order may be revoked or amended at any time.

This order shall become effective May 31, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 31st day of May, 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-10006; Filed, June 8, 1945; 1:28 p. m.]

[Region VI Order G-20 Under RMPR 122]

DOCK COAL IN CHICAGO REGION

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in an opinion issued herewith, it is ordered:

(a) *What this order does.* This order adjusts the maximum prices for the sale of solid fuels, except anthracite or miscellaneous solid fuels as defined in Maximum Price Regulation No. 121, of all dealers, including dock dealers, whose coal is obtained or distributed at or from docks on the west bank of Lake Michigan or the United States side of Lake Superior and whose maximum prices for the sale of such solid fuels are now established under area pricing orders of Region VI of the Office of Price Administration.

(b) *Geographical applicability.* This order applies to all sales in which the buyer receives physical delivery within the areas covered by each area pricing order in Region VI, which includes the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Lake County, Indiana.

(c) *Exclusions.* This order shall not apply to sales by dealers of anthracite or miscellaneous solid fuels as defined in Maximum Price Regulation No. 121, as amended.

(d) *Price adjustments.* On solid fuels obtained or distributed at or from docks on the west bank of Lake Michigan or the United States side of Lake Superior the sale of which is governed by maximum prices established by Region VI orders G–1 to G–16 under Revised Maximum Price Regulation No. 122 inclusive, and appendices thereto, and any other Region VI area pricing orders issued under that regulation, dealers, including dock dealers, are hereby permitted to increase by 20¢ per ton the maximum prices as set forth in the area pricing order under which they are pricing.

(e) This Order No. G–20 shall remain in effect in each area covered by a Region VI area pricing order until such area order is amended to reflect the price increase permitted herein and to supersede this Order No. G–20.

(f) *Effect of order on Revised Maximum price Regulation No. 122.* Insofar as any provision of this order may be inconsistent with the provisions of Revised Maximum Price Regulation No. 122, as amended, the provision contained in this order shall be controlling. Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

This order may be revoked, amended, or modified at any time.

This Order No. G–20 shall become effective May 28, 1945.

Issued this 28th day of May 1945.

EARL W. CLARK,
Acting Regional Administrator.

[F. R. Doc. 45-10007; Filed, June 8, 1945; 1:27 p. m.]

[Boise Special Order 1, incl. Amdts. 1 to 6 Under Gen. Order 50 and Order 2 Under Restaurant MPR 2]

MALT BEVERAGES IN BOISE, IDAHO, DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Boise, Idaho District Office of Region VII of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, section 25 (c) of Restaurant Maximum Price Regulation 2, as Amended, and Order 2 of Restaurant Maximum Price Regulation 2, it is hereby ordered:

SECTION 1. *What this order does.* If you are a person covered by the above orders and regulation and operate an eating or drinking establishment as defined by section 19 of Restaurant Maximum Price Regulation 2, as amended, and as explained in the next section, you must, notwithstanding the provisions of any other order or regulation, observe the ceiling prices established by this special order for malt beverages and keep records and post prices as subsequently specified.

SEC. 2. *Who is covered by order.* (a) You are covered by this order when:

(1) You own or operate a restaurant, hotel, cafe, cafeteria, delicatessen, soda fountain, boarding house, catering establishment, athletic stadium, field kitchen, luncheon wagon, hot dog cart, or other eating or drinking establishment which serves malt beverages to consumers for immediate consumption on the premises. Sales of malt beverages by such eating or drinking establishments for off-premise consumption shall remain subject to Revised Maximum Price Regulation 259.

(2) The eating or drinking establishment which you operate is located in any of the following counties: Ada, Adams, Bannock, Bear Lake, Bingham, Blaine, Boise, Bonneville, Butte, Camas, Canyon, Caribou, Cassia, Clark, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, Valley, and Washington in Idaho; Malheur in Oregon.

(3) You are selling malt beverages as defined in section 8 of this special order.

SEC. 3. *Exempt sales.* (a) Sales by the following eating or drinking establishments, or persons, are specifically exempt from the provisions of this special order:

(1) Hospitals, except for malt beverages served to persons other than patients if a separate charge is made therefor.

(2) Eating and drinking places operated by a school, college, university, or other educational institution or a student's fraternity or other students' organization or association primarily for the convenience or accommodation of students and faculty and not for profit as a commercial or business enterprise or undertaking.

(3) Eating and drinking places owned or operated by charitable, religious, or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholder or individual, and the net profits, if any, are devoted to religious, charitable or cultural purposes.

(4) Eating cooperatives formed by officers in the Armed Forces (as, for example, Officers' Mess) operated without profit.

(5) Bona fide clubs which file with their OPA District Office a statement setting forth that: (a) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue. (b) It sells malt beverages only to members and bona fide guests of members. (c) Its members pay dues of more than merely nominal amounts (the amount of dues paid by each class of members and the period covered by such dues should be indicated), and are elected to membership by a governing board, membership committee or other body. (d) It is otherwise operated as a club and not primarily as an eating or drinking establishment.

If OPA finds that the establishment does not satisfy the above requirements of a bona fide club, it will notify it in writing that it is not exempt from this regulation. No club organized after the effective date of Restaurant Maximum Price Regulation 2, as amended, shall be exempt unless and until it has filed a request for exemption with its District Office, furnishing the above information as may be required, and has been exempted in writing by OPA.

(6) Malt beverages when sold as a separate item for consumption off the premises and not as part of a meal. Such off-premise sales shall remain subject to Revised Maximum Price Regulation 259.

SEC. 4. *Your ceiling prices.* Your ceiling prices for malt beverages are set forth below.

(a) *Bottled malt beverages.*

Brand or trade name	11- and 12-ounce	32-ounce
	Cents	*Cents*
Acme	16	37
Aero Club	16	37
Becker's American Pilsener	16	37
Becker's Best	16	37
Bohemian Club	16	37
Butte	16	37
Coors	16	37
Coors Country Club	16	37
Gold Medal Lager	16	37
Great Falls	16	37
Highlander	16	37
Hop Gold	16	37
Lucky Lager	16	37
Missoula	16	37
Olympia	16	37
Overland	16	37
Pioneer	16	37
Rocky Mountain	16	37
Sicks Select	16	37
Tivoli Club	16	37
Ballantine's XXX Ale	21	42
Blatz	21	42
Budweiser	21	42
Buckingham Ale	21	42
Buckingham Beer	21	42
Canadian Ace	21	42
Chesterfield	21	42
Hamm's	21	42
Pabst Blue Ribbon	21	42
Pioneer Victory	21	42
Polo	21	42
Schlitz	21	42
Schmidt City Club	21	42
Yeargs, Cave Aged	21	42
Nortena Imported Mexican beer	30	

(b) *Malt beverages on draught.* All brands of malt beverages eight (8) fluid ounces, exclusive of foam, for ten cents (10¢).

Other quantities of any or all brands of malt beverages sold on draught, may be sold by any eating or drinking establishment to which this order applies: *Provided*, On all sales of malt beverages on draught by such places, of less than eight (8) fluid ounces, exclusive of foam, the maximum price shall be five cents (5¢). *Provided further*, That such places may sell malt beverages on draught in excess of eight (8) fluid ounces, exclusive of foam, at a price of ten cents (10¢), plus one cent (1¢) for each additional ounce.

(c) *Unbranded beverages.* Your ceiling price for any bottled malt beverage which does not carry a brand or trade name at the time of sale shall be the lowest ceiling price established by paragraph (a) above, for the same size bottle of malt beverage.

(d) *New and unlisted brands.* Your ceiling prices for new brands of malt beverages or brands which are not listed above must be determined in advance of sale by making application to the Boise, Idaho District Office of the Office of Price Administration. This office will establish your ceiling price or prices and notify you accordingly. Your application need not be in any set form but must include your name and address; the location and type of eating and drinking place; the trade name or brand name of the malt beverage for which you apply for a ceiling price; the size of the bottle or glass sold to consumers; and a description of the unit of purchase and the delivered cost per unit to you.

(e) *Addition of taxes*—(i) *Federal excise taxes.* You may not add any other tax to the maximum ceiling prices provided for in the preceding paragraphs, except as provided in subsection (ii) below. All other existing taxes have already been taken into account in establishing these prices. If new or increased taxes render the prices inequitable, appropriate action will be taken by amendment to this special order.

(ii) *"Cabaret" tax.* The tax imposed by section 1700 (c) (1), Revenue Act of 1942, as amended by the act of June 9, 1944, Chapter 240, paragraph 3, 58th Statutes, 273 (Section 1650, 1700 (c)) Internal Revenue Act, commonly known as the "cabaret" tax, may be collected by the seller in addition to the maximum prices fixed by this special order, where such seller states and collects the tax separately from the price paid by the purchaser: *Provided, however*, That such tax shall be allowed only in the event such seller is not in violation of the maximum prices fixed by this special order.

(f) *Evasion.* You must not evade the ceiling prices established by this special order by any type of evasion, scheme or device. Among other things you may not:

(1) Increase any cover, minimum bread and butter service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect during the 7-day period from April 4 to April 10, 1943, or

(2) Require as a condition of sale of a malt beverage, the purchase of other items or meals, unless expressly required to do so by State or local laws.

SEC. 5. *Records and menus.* You must observe the requirements of General Order 50 and Restaurant Maximum Price Regulation 2, as amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. For the purposes of this special order the most important features of the record-keeping requirements of General Order 50 and Restaurant Maximum Price Regulation 2, as amended, are that you (a) preserve all your existing records relating to prices, costs and sales of food items, meals and beverages; (b) continue to prepare and maintain such records as you ordinarily kept; and (c) keep for examination by the Office of Price Administration, two of each menu used by you each day or a daily record in duplicate of the prices charged for food items, beverages and meals. If you have customarily used menus, you must continue to do so.

SEC. 6. *Posting of ceiling prices.* You are required by this special order to follow the posting requirements of Order 2, Restaurant Maximum Price Regulation 2, issued and effective March 10, 1945. Order 2, Restaurant Maximum Price Regulation 2, requires all eating and drinking establishments serving malt beverages for consumption on the premises to post their ceiling prices for those malt beverages. If you have not been furnished a copy of Order 2 to Restaurant Maximum Price Regulation 2, it will be available at your Local War Price and Rationing Board.

SEC. 7. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who makes sales under price control, applicable to all sellers subject to this order. A seller's license may be suspended for violations of this order. No step need be taken by the seller to procure this license. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 8. *Definitions.* "Malt beverage" for the purpose of this order means beer, ale and similar beverages.

"Offer" means offer for sale and includes the listing or posting of prices for malt beverages, even though such malt beverages so offered were not actually on hand to be sold.

SEC. 9. *Revocation and amendment.* (a) This special order may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this special order (including a petition under Supplementary Order No. 28, as amended) by proceeding in accordance with Revised Procedural Regulation No. 1, except that petitions will be filed with and acted upon by the District Director.

This amended special order shall become effective April 3d, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4892; Rest. MPR 2, 8 F.R. 8845)

NOTE: The reporting and record keeping requirements of this special order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued at Boise, Idaho, this 3d day of April 1945.

C. C. ANDERSON,
District Director.

[F. R. Doc. 45-10008; Filed, June 8, 1945; 1:33 p. m.]

[Region VII Order G-2 Under Order 1444 Under MPR 188]

HARRY E. LACASSE, ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-2 is issued.

(a) *What this order does.* This Order No. G-2 establishes maximum prices for a doll's high chair manufactured by Harry E. LaCasse of Missoula, Montana, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-2, the maximum prices for the doll's high chair manufactured by Harry E. LaCasse of Missoula, Montana, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$14.40
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer	18.00
	Each
(3) When sold by any seller to an ultimate consumer or user	$2.49

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-2 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-2 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum prices for this doll's high chair are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point to a retailer ---------- $18.00 per dozen.

(2) When sold by any seller to an ultimate consumer or user--- $2.49 each

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G-2 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The prices authorized by this Order No. G-2 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisons of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-2 shall become effective on the 30th day of May 1945.

Issued this 30th day of May 1945.

JOSEPH W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 45-10010; Filed, June 8, 1945; 1:27 p. m.]

[Region VII Order G-3 Under Order 1444 Under MPR 188]

MEMORIAL BRONZE CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-3 is issued.

(a) *What this order does.* This Order No. G-3 establishes maximum prices for a toy telephone manufactured by Memorial Bronze Company of Salt Lake City, Utah, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order G-3, the maximum prices for the toy telephone manufactured by Memorial Bronze Company of Salt Lake City, Utah, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$4.80
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	6.00

	Each
(3) When sold by any seller to an ultimate consumer or user	$0.79

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-3 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-3 under Maximum Price Regulation No. 188, Order No. 1484, the OPA authorized maximum prices for this toy telephone are:

	Per dozen
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	$6.00
	Each
(2) When sold by any seller to an ultimate consumer or user	$0.79

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G-3 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The prices authorized by this Order No. G-3 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-3 shall become effective on the 30th day of May 1945.

Issued this 30th day of May 1945.

JOSEPH W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 45-10011; Filed, June 8, 1945; 1:27 p. m.]

[Region VII Order G-13 Under MPR 188]

HI-JINX CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-13 is issued.

(a) *What this order does.* This Order No. G-13 establishes maximum prices for a serving tray manufactured by The Hi-Jinx Company of Wheatridge, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-13, the maximum prices for the serving tray manufactured by The Hi-Jinx Company, 5060 Ward Road, Wheatridge, Colorado, in accordance with the specifications set forth in the application of said The Hi-Jinx Company on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$12.80
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	16.00
	Each
(3) When sold by any seller to an ultimate consumer or user	$2.00

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-13 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-13 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this serving tray are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer, $16.00 per dozen;
(2) When sold by any seller to an ultimate consumer or user, $2.00 each.

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G-13 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-13 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-13 shall become effective on the 29th day of May 1945.

Issued this 29th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-10012; Filed, June 8, 1945; 1:27 p. m.]

[Region VII Order G-12 Under MPR 188]

MODERN FOOD PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-12 is issued.

(a) *What this order does.* This Order No. G-12 establishes maximum prices for a baby swing manufactured by Modern Food Products Company of Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this order No. G-12, the maximum prices for the baby swing manufactured by Modern Food Products Company, 103 Wazee Market, Denver, Colorado, in accordance with the specifications set forth in the application of said Modern Food Products Company on file in this Regional Office as a part of the record in this case, shall be as follows:

	Each
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$1.40
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	1.75
(3) When sold by any seller to an ultimate consumer or user	2.49

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-12 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-12 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this baby swing are:

	Each
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	$1.75
(2) When sold by any seller to an ultimate consumer or user	2.49

(d) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of any one or more of the terms and provisions of this Order No. G-12, all of the terms and provisions of Maximum Price Regulation No. 188 shall remain in full force and effect as to all sellers covered by this order.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-12 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administration or the Regional Administrator.

(h) *Effective date.* This Order No. G-12 shall become effective on the 28th day of May 1945.

Issued this 28th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-9939; Filed, June 7, 1945; 2:50 p. m.]

[Region VIII Order G-7 Under RMPR 122, Amdt. 3]

SOLID FUELS IN TACOMA, WASH., AREA

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-7 under Revised Maximum Price Regulation No. 122 is amended in the following respect:

1. Paragraph (b) (1) is amended by changing the first sentence thereof and tables I to VII, inclusive, therein to read as follows:

(b) (1) The maximum prices for all sales to domestic consumers in the Tacoma area of the specified kinds of solid fuels are as set forth in tables I to XI, below:

TABLE I. DISTRICT 19, WYOMING COALS

Size	Group and trade size	F. o. b. (100 lb. sack)	Yard, loose (per ton)	Delivered to buyer's premises					
				Sacked	Loose				
				100 lb.	1 ton	½ ton	1 ton	2 ton	3 ton
1	Lump 8" and up	$0.55	$13.85	$1.05	$18.85	$7.95	$14.85	$14.60	.....
2	Lump 7"								
3	Lump 5"								
4	Lump 3" or 12 x 3"								
5	Stove 8 x 3"								
6	Stove 7 x 3"								
7	Grateniut 5 x 1¾" x 3"								
8	Nut 3 x 1½"	.55	15.25	1.00	18.25	7.65	11.25	11.60	.....
9	Pea No. 1, 1¾ x 1"								
10	Pea No. 2, 1¼ x 1"	.50	11.35	.90	16.35	6.70	12.35	12.10	$11.85
11	Stoker 1 x ⅝"								
12	Slack 2½ x 0"								
13	Slack 1¼ x 0"	.50	10.85	.90	15.85	6.45	11.85	11.60	11.35
14	Slack 1 x 0"								

TABLE II. DISTRICT 20, UTAH COALS

1	Lump 11 x 8"								
2	Lump 10"								
3	Lump 3" or 3 x 3"	$0.55	$13.85	$1.05	$18.85	$7.95	$14.85	$14.60	.....
4	Lump 1½"								
5	Stove 8 x 3"								
6	Egg 8 x 1½"								
7	Nut 3 x 1½"	.90	13.25	1.00	18.25	7.65	14.25	14.00	.....
8	Pea 1¼ x 1"								
9	Stoker 1 x ⅝"	.80	11.35	.90	16.35	6.70	12.35	12.10	$11.85
10	Slack 1¼ x 0"								
11	Slack 1 x 0"	.80	10.85	.90	15.85	6.45	11.85	11.60	11.35

TABLE III. MONTANA COALS, DISTRICT 22

1	Lump 6"								
2	Lump 2"								
3	Furnace 9 x 6"	$0.55	$13.85	$1.05	$18.85	$7.95	$14.85	$11.60	.....
4	Egg 6 x 3"								
5	Stove 6 x 2"								
6	Nut #1, 3 x 2"								
7	Nut #2, 2 x 1¼"	.90	13.25	1.00	18.25	7.65	14.25	11.60	.....
8	Chestnut 1¼ x 1"								
9	Stoker 1¼ x ½"	.55	11.65	.55	16.65	6.85	12.65	12.40	.....
10	Slack 1¼ x 0"	.80	11.35	.90	16.35	6.70	12.35	12.10	$11.85
11	Slack 1 x 0"	.75	10.65	.85	15.65	6.05	11.65	10.80	10.55

TABLE IV, DISTRICT 23, WASHINGTON COALS
[Subdistrict A, "Roslyn", and F, "Renton"]

1 to 5	Lump 1" and up	$0.85	$11.85	$0.95	$16.85	$6.95	$12.85	$12.60	.....
6, 7, 8, 9, and 10	Egg coals, top size 4", bottom size 1" or larger	.85	11.60	.85	16.60	6.80	12.60	12.35	.....
11, 12, 13, 14, and 15	Nut coals, top size 2½", bottom size ⅜" or larger	.80	11.25	.90	16.25	6.65	12.25	12.00	.....
16, 17, and 18	Stoker coals, top size 1⅛", bottom size 3/32" or larger	.75	9.95	.85	14.95	6.60	10.90	10.70	$10.45
19 and 20	Mineruns and Slack larger than 2 x 0"	.80	10.85	.90	15.85	6.45	11.85	11.60	11.35
21	Slack 2 x 0"								
22	Slack 1¼ x 0"	.75	9.80	.85	14.80	5.90	10.80	10.55	10.30
23	Slack 1 x 0"								

TABLE V, DISTRICT 23, WASHINGTON COALS
[Subdistrict B, "Pierce County"]

1, 2, 3, 4, 6, 7, 8, 9, and 10	Lump 1" and up, and egg coals, top size 4", bottom size 1" and larger	$0.60	$12.50	$1.00	$17.50	$7.25	$13.50	$13.25	.....
11, 12, 13, 14, and 15	Nut coals, top size 2½", bottom size ⅜" or larger	.85	11.75	.95	16.75	6.60	12.75	12.50	.....
16	Stoker 1 x ⅝"								
17	Stoker 1⅛ x 3/32"								
18	Stoker 1 x 3/32"	.50	11.40	.50	16.40	6.70	12.40	12.15	$11.90
19	Mineruns								
20	Slack 3 x 0"								
21	Slack 2 x 0"								
22	Slack 1¼ x 0"	.50	10.65	.50	15.65	6.35	11.65	11.40	11.15
23	Slack 1 x 0"								

TABLE VI, DISTRICT 23, WASHINGTON COALS
[Subdistrict C, "Southwest Washington"]

1 to 5	Lump 1" and up	$0.85	$10.70	$0.60	$15.20	$6.25	$11.50	$11.25	.....
6, 7, 8, 9, and 10	Egg coals, top size 4", bottom size 1" and larger	.75	9.70	.85	14.70	5.85	10.70	10.45	.....
11, 12, 13, 14, and 15	Nut sizes, top size 2½", bottom size ⅜" or larger	.70	9.20	.80	14.20	5.60	10.20	9.95	.....
16	Stoker 1 x ⅜"								
17	Stoker 1⅛ x 3/32"	.70	8.60	.80	13.60	5.30	9.60	9.35	$9.10
18	Stoker 1 x 3/32"								
19	Mineruns								
20	Slack 3½ x 0"	.70	9.10	.80	14.10	5.55	10.10	9.85	9.60
21	Slack 2 x 0"								
22	Slack 1¼ x 0"	.70	8.45	.80	13.45	5.25	9.45	9.20	8.95
23	Slack 1 x 0"								

TABLE VII, DISTRICT 23, WASHINGTON COALS

[Subdistrict E, "McKay-Lawson"]

Size	Group and trade size	F. o. b. (100 lb. sack)	Yard, loose (per ton)	Delivered to buyer's premises					
				Sacked		Loose			
				100 lb.	1 ton	½ ton	1 ton	2 ton	3 ton
1 to 5	Lump 1" and up	$2.90	$13.25	$1.00	$18.25	$7.60	$14.25	$14.00	
6, 7, 8, 9, and 10	Egglnut top size 4" bottom size 1" and larger	.90	12.00	1.00	17.00	7.30	13.60	13.35	
11, 12, 13, 14	Nut coal, top size 2½" bottom ¾" or larger	.85	12.00	.95	17.00	7.00	13.00	12.75	
15, 16, 17, and 18	Stoker 1 x ¾"	.85	11.45	.95	16.45	6.70	12.15	12.20	$11.95
	Stoker 1¾ x ⅜"								
	Stoker 1 x ⅜"								
19	Mineral	.85	11.45	.95	16.45	6.70	12.15	12.20	11.95
20	Slack 3½ x 0"	.80	10.55	.90	15.55	6.25	11.55	11.30	11.05
21	Slack 2 x 0"								
22	Slack 1¼ x 0"								
23	Slack 1 x 0"								

This amendment to Order No. G–7 shall become effective May 28, 1945.

Issued this 28th day of May 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-9937; Filed, June 7, 1945; 2:49 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 6, 1945.

REGION I

Connecticut Order 1–C, Amendment 2, covering poultry in the state of Connecticut. Filed 2:06 p. m.

Vermont Order 2–F, Amendment 3, covering fresh fruits and vegetables in certain areas in Vermont. Filed 2:01 p. m.

REGION II

Altoona Order 2–F, Amendment 22, covering fresh fruits and vegetables in the entire Altoona Area. Filed 2:00 p. m.

Binghamton Order 0–1, Amendment 3, covering eggs in certain counties in the state of New York. Filed 2:00 p. m.

Binghamton Order 0–2, Amendment 3, covering eggs in certain counties in the state of New York. Filed 2:00 p. m.

Buffalo Order 3–F, Amendment 11, covering fresh fruits and vegetables in certain cities in New York. Filed 2:00 p. m.

Buffalo Order 4–F, Amendment 11, covering fresh fruits and vegetables in certain cities in New York. Filed 1:59 p. m.

District of Columbia Order 5–F, Amendment 11, covering fresh fruits and vegetables. Filed 1:59 p. m.

Newark Order 7–F, Amendment 6, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 2:04 p. m.

Trenton Order 12–F, Amendment 10, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 1:59 p. m.

REGION III

Detroit Order 5–F, Amendment 17, covering fresh fruits and vegetables in certain counties in Michigan. Filed 1:59 p. m.

REGION IV

Charlotte Order 3–F, Amendment 15 covering fresh fruits and vegetables in certain counties in North Carolina. Filed 2:06 p. m.

Roanoke Order 1–P, Amendment 4, covering poultry. Filed 2:24 p. m.

Roanoke Order 1–P, Amendment 5, covering poultry. Filed 2:23 p. m.

Roanoke Order 2–P, Amendment 4, covering poultry. Filed 2:23 p. m.

Roanoke Order 2–P, Amendment 5, covering poultry. Filed 2:23 p. m.

Roanoke Order 5–W, Amendment 1, covering poultry. Filed 2:24 p. m.

Roanoke Order 16, Amendment 1, covering poultry. Filed 2:24 p. m.

REGION V

Dallas Order 1–C, Amendment 6, covering poultry. Filed 2:20 p. m.

Dallas Order 1–F, Amendment 63, covering fresh fruits and vegetables in Dallas County, Texas. Filed 2:23 p. m.

Dallas Order 1–F, Amendment 64, covering fresh fruits and vegetables in Dallas County, Texas. Filed 2:23 p. m.

Dallas Order 1–F, Amendment 65, covering fresh fruits and vegetables in Dallas County, Texas. Filed 2:23 p. m.

Dallas Order 1–F, Amendment 66, covering fresh fruits and vegetables in Dallas County, Texas. Filed 2:21 p. m.

Dallas Order 3–F, Amendment 45, covering fresh fruits and vegetables. Filed 2:21 p. m.

Kansas City Order 2–F, Amendment 42, covering fresh fruits and vegetables in certain areas in Missouri. Filed 2:20 p. m.

Little Rock Order 4–P, Amendment 50, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 2:19 p. m.

Little Rock Order 5–F, Amendment 51, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 2:19 p. m.

Little Rock Order 6–F, Amendment 50, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 2:07 p. m.

New Orleans Order 1–W, Amendment 9, covering certain food items. Filed 2:03 p. m.

New Orleans Order 2–W, Amendment 10, covering certain food items. Filed 2:03 p. m.

New Orleans Order 25, Amendment 3, covering certain food items in certain areas in Louisiana. Filed 2:04 p. m.

New Orleans Order 26, Amendment 6, covering certain food items in certain areas in Louisiana. Filed 2:03 p. m.

REGION VI

Duluth-Superior Order 2–F, Amendment 17, covering fresh fruits and vegetables in certain areas in Minnesota and Wisconsin. Filed 2:06 p. m.

La Crosse Order 2–F, Amendment 19, covering fresh fruits and vegetables in certain areas in Wisconsin and Minnesota. Filed 2:05 p. m.

Quad-Cities Order 3–F, Amendment 22, covering fresh fruits and vegetables in certain counties in Illinois and Iowa. Filed 2:05 p. m.

Sioux Falls Order 3–W, Amendment 4, covering dry groceries in certain areas in Minnesota, Iowa and South Dakota. Filed 2:05 p. m.

Sioux Falls Order 4–W, Amendment 2 and Order 4–W, covering dry groceries in certain areas in Minnesota and Iowa, South Dakota. Filed 2:04 p. m.

Sioux Falls Order 15, Amendment 5 and Order 15, covering dry groceries in certain areas in Minnesota, Iowa and South Dakota. Filed 2:05 p. m.

Sioux Falls Order 16, Amendment 3 and Order 16, covering dry groceries in certain areas in Minnesota and South Dakota. Filed 2:05 p. m.

REGION VII

Helena Order 1–B, Amendment 1 covering certain food items in the state of Montana. Filed 2:06 p. m.

REGION VIII

Phoenix Order 1–C, Amendment 3, covering poultry in certain areas in Arizona. Filed 2:01 p. m.

Phoenix Order 1–F, Amendment 20 covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:02 p. m.

Phoenix Adopting Order 1–F, Amendment 21, covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:02 p. m.

Phoenix District Order 3–F, Amendment 73, covering fresh fruits and vegetables in the Phoenix Area. Filed 2:02 p. m.

Phoenix District Order 3–F, Amendment 74, covering fresh fruits and vegetables in the Phoenix Area. Filed 2:01 p. m.

Phoenix Adopting Order 8–F, Amendment 11, covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:01 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–10078; Filed, June 9, 1945; 11:35 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the DIVISION of the Federal Register June 7, 1945.

REGION I

Boston Order 8–F, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:47 a. m.

Boston Order 10–F, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:46 a. m.

Boston Order 11–F, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:46 a. m.

Connecticut Order 1–C, Amendment 4 covering poultry in the state of Connecticut. Filed 9:33 a. m.

Connecticut Order 5–F, Amendment 4 covering fresh fruits and vegetables in Waterbury and Watertown. Filed 9:39 a. m.

Connecticut Order 6–F, Amendment 4 covering fresh fruits and vegetables in certain areas in Connecticut. Filed 9:34 a. m.

Connecticut Order 7–F, Amendment 4 covering fresh fruits and vegetables in the New Haven Area. Filed 9:34 a. m.

Connecticut Order 8–F, Amendment 4 covering fresh fruits and vegetables in the Bridgeport Area. Filed 9:34 a. m.

New Hampshire Order 9–F, Amendment 4 covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:33 a. m.

Vermont Order 2–F, Amendment 4 covering fresh fruits and vegetables in certain areas in Vermont. Filed 9:46 a. m.

REGION III

Lexington Order 3–F, Amendment 10 covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 9:45 a. m.

Lexington Order 6–F, Amendment 10, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 9:45 a. m.

Lexington Order 7–F, Amendment 10, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 9:45 a. m.

REGION IV

Memphis Order 6–F, Amendment 33, covering fresh fruits and vegetables in Memphis and Shelby, Tennessee. Filed 9:45 a. m.

Raleigh Order 1–C, Amendment 2, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 1–C, Amendment 3, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 1–O, Amendment 3, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 2–C, Amendment 2, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 2–C, Amendment 3, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 2–O, Amendment 3, covering eggs in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 3–O, Amendment 3, covering eggs in certain counties in North Carolina. Filed 9:47 a. m.

Raleigh Order 4–O, Amendment 3, covering eggs in certain counties in North Carolina. Filed 9:47 a. m.

Raleigh Order 5–W, Amendment 1, covering dry groceries. Filed 9:49 a. m.

Raleigh Order 19, Amendment 1, covering dry groceries. Filed 9:49 a. m.

Raleigh Order 10–F, Amendment 21, covering fresh fruits and vegetables in certain areas in North Carolina. Filed 9:50 a. m.

Raleigh Order 11–F, Amendment 21, covering fresh fruits and vegetables in certain areas in North Carolina. Filed 9:49 a. m.

Roanoke Order 11–F, Amendment 14, covering fresh fruits and vegetables in certain areas in Virginia. Filed 9:47 a. m.

REGION V

Kansas City Order 1–C, Amendment 7, covering poultry. Filed 9:33 a. m.

REGION VI

Des Moines Order 1–F, Amendment 65, covering fresh fruits and vegetables in certain areas in Iowa. Filed 9:45 a. m.

Des Moines Order 3–F, Amendment 13, covering fresh fruits and vegetables in certain counties in Iowa. Filed 9:45 a. m.

La Crosse Order 1–F, Amendment 73, covering fresh fruits and vegetables in certain cities in Wisconsin and Minnesota. Filed 9:33 a. m.

La Crosse Order 2–F, Amendment 21, covering fresh fruits and vegetables in certain areas in Wisconsin and Minnesota. Filed 9:32 a. m.

La Crosse Order 3–F, Amendment 68, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 9:32 a. m.

La Crosse Order 5–F, Amendment 67, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 9:32 a. m.

Milwaukee Order 8–F, Amendment 11, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 9:32 a. m.

Milwaukee Order 9–F, Amendment 11, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac counties, Wisconsin. Filed 9:31 a. m.

Milwaukee Order 11–F, Amendment 3, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:31 a. m.

Quad-Cities Order 2–F, Amendment 38, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 9:45 a. m.

Springfield Order 1–C, Amendment 1, covering poultry in certain areas in Illinois. Filed 9:30 a. m.

Springfield Order 2–C, Amendment 1, covering poultry in Madison and St. Clair Counties. Filed 9:39 a. m.

Springfield Order 3–C, Amendment 1, covering poultry in certain counties in Springfield. Filed 9:39 a. m.

Springfield Order 4–C, Amendment 1, covering poultry in certain counties in Illinois. Filed 9:39 a. m.

Springfield Order 13–F, Amendment 12, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 9:44 a. m.

Springfield Order 14–F, Amendment 14, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:44 a. m.

Springfield Order 15–F, Amendment 13, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 9:44 a. m.

Springfield Order 25–W, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:42 a. m.

Springfield Order 26–W, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:41 a. m.

Springfield Order 27–W, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:41 a. m.

Springfield Order 28–W, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:41 a. m.

Springfield Order 50, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:43 a. m.

Springfield Order 51, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:43 a. m.

Springfield Order 52, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:43 a. m.

Springfield Order 53, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:43 a. m.

Springfield Order 54, Amendment 1, covering dry groceries in certain areas in Illinois. Filed 9:42 a. m.

Sioux Falls Order 5–W, Amendment 4, covering dry groceries in certain areas in South Dakota. Filed 9:31 a. m.

Sioux Falls Order 17, Amendment 5, covering dry groceries in certain areas in South Dakota. Filed 9:31 a. m.

REGION VIII

Nevada Order 6–F, Amendment 16–A, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 9:31 a. m.

Spokane Order 8–F, Amendment 18, covering fresh fruits and vegetables in the Spokane County, Washington. Filed 9:28 a. m.

Spokane Order 9–F, Amendment 18, covering fresh fruits and vegetables in the Kootenai County, Idaho Area. Filed 9:28 a. m.

Spokane Order 10–F, Amendment 17, covering fresh fruits and vegetables in the Shoshone and Kootenai Counties, Idaho. Filed 9:28 a. m.

Spokane Order 11–F, Amendment 17, covering fresh fruits and vegetables in Latah County, Idaho, and Whitman County, Washington. Filed 9:27 a. m.

Spokane Order 12–F, Amendment 18, covering fresh fruits and vegetables in Asotin County, Washington and Nez Perce County, Idaho. Filed 9:27 a. m.

Spokane Order 13–F, Amendment 19, covering fresh fruits and vegetables in Columbia and Walla Walla Counties, Washington. Filed 9:27 a. m.

Spokane Order 14–F, Amendment 19, covering fresh fruits and vegetables in Benton and Franklin Counties, Washington. Filed 9:27 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–10079; Filed, June 9, 1945; 11:35 a. m.]

[Region V Order G–3 Under 18 (c) and SR 15]

WHEAT IN TEXAS AND OKLAHOMA

For the reasons set forth and the opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator by § 1499.18 (c) of the General Maximum Price Regulation and § 1499.75 (a) (3) of Supplementary Regulation No. 15 thereto, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the service of handling of wheat supplied by country grain elevators located in the States of Oklahoma and Texas.

(b) *Maximum prices.* The maximum prices which sellers subject to this order may charge for handling of wheat is hereby established as 5.5¢ per bushel. Each seller subject to this order must continue to supply all of the elements of service required to be supplied in accordance with the provisions of the General Maximum Price Regulation prior to the issuance of this order.

(c) *Definitions.* The service of handling of wheat is defined as the receiving, sampling, grading, weighing, dumping, loading, shipping, and billing of wheat and to related services usually supplied by country grain elevators to producers. The term country grain elevator refers to establishments usually located in the wheat producing areas who supply wheat handling services as above described to producers of wheat and who ship such wheat immediately or after storage to terminal and sub-terminal storage elevators. The term does not include sub-terminal or terminal elevators, or ship-side elevators.

(d) *Relation of this order to other regulations.* The provisions of this order supersede, wherever applicable, provisions of the General Maximum Price Regulation. Except as hereinabove specifically provided, the provisions of the General Maximum Price Regulation shall remain in full force and effect with respect to the services covered by this order.

This order may be revised, amended, or revoked at any time.

This Order No. G–3 shall become effective on the 31st day of May 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 31st day of May 1945.

W. W. ORTH,
Regional Administrator.

[F. R. Doc. 45–10104; Filed, June 9, 1945; 11:43 a. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 11]

SOLID FUELS IN BURLINGTON AND WEST BURLINGTON, IOWA, AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 7, which covers the Burlington and West Burlington, Iowa,

area, paragraph (b), Price Schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for domestic delivered sales by dealers of specified kinds and sizes of solid fuels in lots of one-half ton or more. Service charges and charges for treatment of coal are set forth in sections (c) and (d). Discounts for domestic at yard sales and dealer at yard sales are set forth in sub-section (e). Sales in lots of fractions of a ton or tons shall be governed by the Price Schedule as follows:

(i) If less than 1 ton, Column (B) shall govern.

(ii) If more than 1 ton, Column (A) shall govern; e. g., if the price for 1 ton is listed in Column (A) as $12.80, and that for ½ ton is listed in Column (B) as $6.65, the price for 1½ tons shall be $19.20.

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District No's. 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On sales of coal from District No. 10 (Illinois), prices for coal described in paragraph IV, A, 1 to 4 inclusive apply to coal produced by deep machine mines only. District No. 10 (Illinois), prices for the sale of coal described in paragraph IV, B, 1 and 2 vary as specified for coal obtained from deep machine mines and strip mines.

The prices for District No. 10 coal described in paragraph IV, C, 1 to 3 inclusive and IV, E, 1 and 2 apply to coal produced by strip mines only and the prices for District No. 10 coal described in paragraph IV, D, 1 and 2 apply to coal produced by deep machine mines only. The sale of anthracite described in paragraph VI is not affected by the type of mine operation.

The prices established by this amended schedule supersede those established by means of the adjustment permitted by Regional Order No. G–19 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

	(A) Domestic delivered price: 1 ton	(B) Domestic delivered price: ½ ton
I Low volatile bituminous coal from District No. 7 (southern West Virginia and Virginia):		
1 Egg—price classification A	$13.09	$6.78
2 Pea or Dedusted Screenings, top size not exceeding ¾", bottom size smaller than ¾", price classification A	10.91	5.73
II High volatile bituminous coal from District No. 8 (western Kentucky, northern Tennessee, parts of Virginia and West Virginia):		
1 Lump and Egg—size groups 1, 2 and 3, all lump and egg coals—bottom size larger than 2", price classification A	11.30	5.93
2 Lump—size group 1, all lump coals—bottom size larger than 5"; southern Appalachian field; price classification E	11.45	5.98
3 Lump—Size group 2, all lump coals—bottom size larger than 3" but not exceeding 5"; price classification E through K	11.15	5.83

PRICE SCHEDULE—Continued

	(A) Domestic delivered price: 1 ton	(B) Domestic delivered price: ½ ton
III High volatile bituminous coal from District No. 9 (western Kentucky):		
A No. 6 seam:		
1. Lump and egg—size groups 1-6, all lump and egg coals, raw washed or air cleaned; top size larger than 2"	$8.26	$4.48
2. Stoker—size groups 8-12; all raw double screened nut, stoker, and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh	7.86	4.18
B No. 9 seam:		
1. Lump and egg—size groups 1-6, all lump and egg coals, raw washed or air cleaned; top size larger than 2"	7.61	4.08
C No. 11 seam:		
1. Lump and egg—size groups 1-6, all lump and egg coals, raw washed or air cleaned; top size larger than 2"	7.31	3.91
2. Washed screenings—size groups 24 and 28; all washed or air cleaned screenings, larger than ¾" x 0 but not exceeding 2" x 0	6.64	3.56
IV High volatile bituminous coal from District No. 10 (Illinois):		
A. Southern subdistrict, price groups 1, 2 and 3 (deep machine mines):		
1. Lump and egg—size groups 1, 2 and 3; all lump or egg coals—bottom size larger than 2" Washed or raw	7.99	4.25
2. Egg and nut—size groups 4, 5, 6, and 8, including 4" x 2", 3" x 2" and 2" x 1¼"	7.74	4.15
3. Prepared stoker—size groups 21, 22, and 28; all stoker coals—bottom size larger than 28 mesh; top size not exceeding 2"	7.40	4.00
4. Washed and dedusted screenings—size groups 23, 24, 26 and 27; all washed, air cleaned and dry dedusted screenings; top size not exceeding 2"	7.09	3.80
B Belleville subdistrict, price groups 6 to 22 inc.		
1 Lump and egg—size groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2", washed or raw;		
Strip mines	$7.20	$3.85
Deep mine mines	7.20	3.90
2 Washed nut and pea—size groups 17–21, inc. washed or air cleaned nut and pea coals bottom size larger than 1 millimeter, top size not exceeding 2";		
Strip Mines	6.55	3.55
Deep Machine Mines	6.64	3.60
C Duquoin subdistrict, price group No. 10 (strip mines):		
1. Lump and egg—size groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2"; washed or raw	7.00	3.75
2 Nut coal—size group No. 10, inc. 11" x ¾"	6.25	3.40
3 Nut coal—size group No. 12, inc. 6" x ¾"	6.80	3.65
D Central subdistrict, price groups 12 and 13 (deep machine mines):		
1. Lump—size group 1; bottom size larger than 6"	7.09	3.80
2. Egg—size group 3, including 6" x 3"	6.59	3.55
E. Fulton-Peoria subdistrict (strip mines):		
1. Lump and egg—size groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2", washed or raw; price groups 24, 25 and 26	6.20	3.35
2. Lump and egg—size groups 1, 2 and 3; all lump and egg coals—bottom size large than 2", washed or raw, price groups 27 and 28	6.40	3.45
V. High volatile bituminous coals from District No. 11 (Indiana):		
1. Lump and egg—size groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2", washed or raw, price groups 6, 14, 15 and 16	8.49	4.50
2. Nut—size group No. 5, including 3" x 2"; price group 6	7.94	4.25
3. Stoker—size groups 9-12; raw nut or pea coals—Bottom size larger than 10 mesh; top size not exceeding 2"; price group 6	7.79	4.15
VI. Anthracite:		
1. Egg, stove and nut	18.10	9.30

This Amendment No. 11 to Order No. G–16 shall become effective June 10, 1945.

Issued this 31st day of May, 1945.

RAY E. WALTER,
Regional Administrator.

[F. R. Doc. 45–10105; Filed, June 9, 1945; 11:43 a. m.]

[Region VI Order G–16 Under MPR 122, Amdt. 12]

SOLID FUELS IN CEDAR RAPIDS, IOWA, AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 6 which covers the Cedar Rapids, Iowa, area, paragraph (b), price schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for domestic delivered sales by dealers of specified kinds and sizes of solid fuels in lots of one ton or more. Service charges and charges for treatment of coal are set forth in sections (c) and (d). Discounts for payment on delivery or within fifteen days for domestic at yard sales and dealer at yard sales are set forth in sub-section (e).

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal derived from District Nos. 3, 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. District No. 10 (Illinois) prices for coal described in paragraphs V, A, 1 to 3, inclusive, and B, 1 and 2, apply to coal produced by deep machine mines only and District No. 10 coal described in paragraph V, D, 1 and 2, apply to coal produced by strip mines only. By-product coke and briquettes are unaffected by the type of mine operation. This price schedule supersedes the prices established as the result of the adjustment permitted to dealers by Regional Order No. G–19 under Revised Maximum Price Regulation No. 122.

SCHEDULE OF COAL DELIVERED BY DEALERS

Domestic Delivered Price Per Ton

I. Low volatile bituminous coal from District No. 3 (West Virginia)	
1. Lump and egg, size group Nos. 1 and 2, price classification A	$12.58
II Low volatile bituminous coals from District No. 7 (West Virginia and Virginia):	
1. Lump end egg, size group Nos. 1 and 2, price classification A	13.06
2. Stove, size group No. 3, price classification A	12.86
III High volatile coals from District No. 8 (east Kentucky and West Virginia):	
1. Lump and egg, size groups Nos. 1, 2, and 3, price Classification A	12.45
2. Lump, size group No. 2, price classifications C through H	12.15
3. Lump, size group No. 2, price classifications K through N	12.00

SCHEDULE OF COAL DELIVERED BY DEALERS—Continued

Domestic Delivered Price Per Ton

III. High volatile coals from District No. 8 (east Kentucky and West Virginia)—Continued.	
4. Egg, size group No. 4, price classifications K through O, and size group No. 6, price classifications E through K	$11.70
5 Stoker, size group No. 10, price classification A	11.30
IV High volatile coals from District No. 9 (Western Kentucky):	
1. No. 6 seam, stoker, size groups 8 to 12, inclusive	9.46
2 No. 14 seam, lump end egg, size groups 1 through 6	9.46
3. No. 14 seam, stoker, size groups 17 through 22	8.56
V. High volatile coal from District No. 10 (Illinois):	
A. Southern subdistrict (deep machine mines):	
1. Lump and egg, size groups 1, 2 and 3, price groups 1, 2 and 8	9.49
2 Egg and nut, size groups 4, 5, 6 and 8, price groups 1, 2 and 8	9.19
3. Prepared stoker, size groups 22 and 28, price groups 1, 2 and 8	8.74
B Central subdistrict (deep machine mines):	
1. Lump and egg, size groups 1, 2, and 3, price groups 12, 13 and 23	7.54
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 12, 13 and 23	7.49
C Fulton-Peoria subdistrict (strip mines):	
1. Lump and egg, size groups 1, 2 and 3, price groups 24, 25 and 26	7.80
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 24 to 28, inclusive	6.85
D. Northern subdistrict (strip mines):	
1. Lump and egg, size groups 1, 2, and 3, price group 34	7.80
2. Egg and nut, size groups 4, 5, 6 and 8, price group 34	7.20
VI High volatile coal from District No. 11 (Indiana):	
1. Lump and egg, size groups 1, 2 and 3, price groups 15 and 16	9.74
2 Lump and egg, size groups 1, 2 and 3, price groups 6 and 14	10.14
3. Egg and stove, size groups 4, 5, 6 and 8, price groups 6 and 14	9.14
4. Stoker, size groups 19 through 12, price groups 6 and 14	8.89
VII Byproduct coke: 1. Egg, stove and nut	16.05
VIII. Briquettes, Berwind	13.70

This Amendment No. 12 to Order No. G–16 shall become effective June 10, 1945.

Issued this 31st day of May 1945.

EARL W. CLARK,
Acting Regional Administrator.

[F. R. Doc. 45–10106; Filed, June 9, 1945; 11:44 a. m.]

[Region VII Order G–14 Under MPR 188]

BUCKLEY MFG. CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–14 is issued.

(a) *What this order does.* This Order No. G–14 establishes maximum prices for a bookcase manufactured by Buckley Manufacturing Company of Salt Lake City, Utah, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–14, the maximum prices for the bookcase manufactured by Buckley Manufacturing Company, 735 South First West Street, Salt Lake City, Utah, in accordance with the specifications set forth in the application of said Buckley Manufacturing Company on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	*Each* $4.25
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	5.25
(3) When sold by any seller to an ultimate consumer or user	8.00

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–14 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–14 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this bookcase are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	*Each* $5.25
(2) When sold by any seller to an ultimate consumer or user	8.00

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G–14 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–14 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–14 shall become effective on the 31st day of May 1945.

Issued this 31st day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–10103; Filed, June 9, 1945; 11:42 a. m.]

[Region VII Order G–15 Under MPR 188]

J. M. STEWART ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–15 is issued.

(a) *What this order does.* This Order No. G–15 establishes maximum prices for a corner cabinet manufactured by J. M. Stewart of Salt Lake City, Utah, when sold by the manufacturer to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–15, the maximum prices for the corner cabinet manufactured by J. M. Stewart of Salt Lake City, Utah, in accordance with the specifications set forth in the application of said J. M. Stewart on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a retailer	*Each* $13.75
(2) When sold by any seller to an ultimate consumer or user	22.50

NOTE: The maximum price authorized by the above paragraph (1) is subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given to retailers.* When the manufacturer makes a first sale to a person who purchases for resale to an ultimate consumer or user, he must show upon the invoice or on a separate slip or rider attached thereto the following:

By virtue of Order No. G–15 under Maximum Price Regulation No. 188, the OPA authorized maximum price for this corner cabinet when sold to ultimate consumers or users is $22.50 each.

(d) *Applicability of other regulations.* The maximum price established by this Order No. G–15 for sales made to ultimate consumers or users supersedes the maximum prices fixed by the General Maximum Price Regulation or any other regulation.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–15 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho

County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–15 shall become effective on the 31st day of May 1945.

Issued this 31st day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–10107; Filed, June 9, 1945; 11:44 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–1048, 70–1095]

IOWA UNION ELECTRIC CO. AND C. B. DUSHANE, JR.

NOTICE OF FILING AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of June 1945.

An application and declaration (File No. 70–1048) and amendments thereto having been filed with this Commission pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 by Iowa Union Electric Company, a wholly-owned subsidiary of Union Electric Company of Missouri, a registered holding company, regarding the proposed sale by applicant-declarant to Keokuk Gas Service Company of certain gas utility assets and the proposed acquisition, in connection therewith, of promissory notes in the aggregate amount of $65,000 as part of the purchase price for such assets; and

C. B. Dushane, Jr. having filed an application (File No. 70–1095) pursuant to the applicable provisions of the act with respect to the proposed acquisition of shares of capital stock of the Keokuk Gas Service Company formed by him for the purpose of acquiring the gas utility assets proposed to be sold by Iowa Union Electric Company; and

Iowa Union Electric Company and C. B. Dushane, Jr. having requested that the proceedings relating to the applications and declaration be consolidated; and

It appearing to the Commission that the applications and declaration involve common questions of law and fact;

It is ordered, That the proceedings upon the applications and the declaration filed by Iowa Union Electric Company and C. B. Dushane, Jr. be and the same are hereby consolidated; and

Notice is hereby given that any interested person may not later than June 22, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said applications and declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided for in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said applications and declaration which are on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Iowa Union Electric Company proposes to sell to Keokuk Gas Service Company certain gas utility assets, consisting of production, storage and distribution facilities, located at Keokuk, Iowa, for the base purchase price of $75,000, subject to certain adjustments, payable $10,000 in cash and the balance to be paid in the form of 13 promissory notes. In connection with such sale applicant-declarant proposes to acquire the 13 promissory notes which will be in the face amount of $5,000 each, aggregating $65,000, executed by Keokuk Gas Service Company. The notes will be dated May 1, 1945, with one of such notes maturing on May 1 of each of the years 1947 to 1959, inclusive. The notes are to bear interest, payable semi-annually, at the rate of 3½% per annum for the first two years and at the rate of 4½% per annum for each year thereafter until their maturities. The assets to be sold will be pledged as security for the payment of the notes under the provisions of a first mortgage executed by Keokuk Gas Service Company.

C. B. Dushane, Jr., proposes, in connection with the sale of such utility assets, to acquire 1,280 shares of the par value of $100 per share (constituting 80% of the voting power) of the capital stock of Keokuk Gas Service Company, which company has been organized by C. B. Dushane, Jr., under the laws of the State of Illinois, for the purpose of acquiring and operating such utility assets. C. B. Dushane, Jr. at the present time, is the owner of 100 shares (constituting 10 per cent) of the capital stock of the Wisconsin Fuel and Light Company, a gas public utility company, located at Manitowoc, Wisconsin.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45–10013; Filed, June 8, 1945; 2:29 p. m.]

[File No. 70–1055]

CENTRAL NEW YORK POWER CORP.

ORDER PERMITTING POST-EFFECTIVE AMENDMENT TO DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of June, 1945.

The Commission by order dated April 23, 1945 (Holding Company Act Release No. 5753), having permitted to become effective a declaration filed pursuant to the Public Utility Holding Company Act of 1935 by Central New York Power Corporation, a public utility subsidiary of Niagara Hudson Power Corporation and of The United Corporation, a registered holding company, regarding the purchase on the open market of an aggregate of $3,792,000 principal amount of the assumed non-callable bonds of the corporation, said purchases to consist of a maximum of $1,292,000 principal amount of Northern New York Utilities, Inc., First Mortgage Bonds, due 1947, and a maximum of $2,500,000 principal amount of Syracuse Lighting Company First Mortgage Bonds, due 1951, at the proposed maximum purchase prices of 111⅛% and 121¼ of the respective principal amounts thereof; and

Central New York Power Corporation having filed a post-effective amendment to the above declaration whereby it proposes to reduce the amount of Northern New York Utilities, Inc., and Syracuse Lighting Company bonds to be purchased and to include in said aggregate of $3,792,000 principal amount of non-callable bonds to be purchased $1,000,000 principal amount of Utica Gas and Electric Company Refunding and Extension Mortgage, 5% Fifty-year Bonds, due July 1, 1957, at a price not to exceed 125% of the principal amount thereof; said purchases to be made in the open market during a period not to exceed one year from the date of this Commission's order permitting the post-effective amendment to become effective and to be in addition to bonds acquired pursuant to Rule U-42 (b) (4) in accordance with the requirements of the indentures securing bonds of the corporation; and

Said post-effective amendment having been filed on May 15, 1945, and notice of said filing having been given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said post-effective amendment within the period provided in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission observing no basis for any adverse findings under section 12 (c) or other applicable provisions of the act;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said post-effective amendment be and it is hereby permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45–10068; Filed, June 9, 1945; 11:21 a. m.]

[File No. 70–1094]

MONTANA POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of June, A. D. 1945.

Notice is hereby given that a declaration and amendments thereto have been filed with this Commission under the Public Utility Holding Company Act of 1935, and particularly under sections 6 (a) (2), 7 (e) and 12 (e) of the act and Rule U-62 promulgated thereunder, by The Montana Power Company, a subsidiary of American Power & Light Company, a registered holding company and a subsidiary of Electric Bond and Share Company, also a registered holding company. All interested parties are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which is summarized as follows:

Montana has been ordered by the Montana Public Service Commission, under date of December 21, 1944, to classify items in its plant account aggregating $28,793,495.66 in Account 107 and to dispose of $28,641,606.68 of such items by charges to earned and capital surplus. Montana has also been ordered by the said Commission to classify items in its plant account aggregating $7,264,680.27 in Account 100.5, to dispose of $131,128.28 of such items by amortization over a ten-year period, and to retain the balance in said account as long as the properties to which such balance is deemed to pertain are in service.

Montana has been ordered by the Federal Power Commission to classify items in its plant account aggregating $46,891,597.41 (or $18,098,101.75 in excess of the amount ordered so classified by the Montana Commission) in Accounts 107 and 108.17 and to dispose of $46,186,872.70 of such items (or $17,545,262.02 in excess of the amount ordered to be so disposed of by the Montana Commission) by charges to earned and capital surplus. Montana has also been ordered by the said Commission to classify items in its plant account aggregating $5,086,428.48 in Account 100.5 (or $2,178,251.79 less than the amount ordered so classified by the Montana Commission) and to amortize such items over a period of not more than fifteen years. A petition for rehearing was denied by the Federal Power Commission on April 27, 1945 and Montana has indicated that it expects to file a petition for review in an appropriate Federal Court.

In order to facilitate compliance with the aforesaid orders, Montana proposes, as of December 31, 1944, to reduce the stated value for its common stock from $43,633,300 to $20,700,000 thereby creating capital surplus in the amount of $28,933,300. Montana also proposes to increase the stated capital for its $6 preferred stock from $15,869,773 to $15,958,900, the liquidating value thereof. No change in the number of outstanding shares of preferred or common stock is proposed.

Montana states that it will have, as of December 31, 1944, a balance in earned surplus of $21,012,733.70 and, in the event the present proposal is approved, a balance in capital surplus of $28,933,300.00 which latter balance will be increased to $28,970,677.93 by reversing a disposition of plant items made previous to 1937 and duplicated in the proposed present disposition. Montana will then make the following charges against such surplus:

(1) Charge to earned surplus $640,512.88 representing the balance of unamortized debt discount and expense pertaining to the company's bonds, 3¾'s, due 1966 (outstanding in the principal amount of $44,202,000) and 5's, due 1951 (outstanding in the principal amount of $1,838,000).

(2) Charge to earned surplus an amount of $89,127 so as to permit an increase in the stated capital for the preferred stock to liquidating value;

(3) Charge to earned surplus an amount of $697,813.10 to provide a reserve against estimated capitalized intercompany profits in construction and service fees pending judicial review of appropriate accounting treatment of such items;

(4) Charge to earned surplus $17,670,928.75 of Account 107 items which charge will leave a balance in earned surplus of $1,914,351.97, or approximately two years preferred dividend requirements.

(5) Charge to capital surplus $10,970,677.93 which amount, together with $17,670,928.75 charged to earned surplus, will represent disposition of $28,641,606.68 of Account 107 items ordered to be disposed of by the Montana Public Service Commission;

(6) Charge to capital surplus an amount of $18,000,000 to create a reserve for property adjustments, such reserve being provided to permit compliance, either before or after judicial review, with the order of the Federal Power Commission respecting the disposition of additional Account 107 and 108.17 items aggregating $17,393,377.04 not disposed of in compliance with the order of the Montana Public Service Commission and not to be disposed of against other accounts.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules thereunder be held on June 18, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated by the hearing room clerk. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner provided by Rule XVII of the Commission's rules of practice on or before June 16, 1945.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed transactions will be detrimental to the public interest or the interest of investors or consumers and specifically whether such transactions will be detrimental to the interest of the senior security holders of The Montana Power Company;

(2) Whether the proposed transactions will result in an unfair or inequitable distribution of voting power among holders of the securities of The Montana Power Company;

(3) Whether it is necessary to impose any terms or conditions to assure compliance with the requirements of the act or any rules and regulations promulgated thereunder.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to The Montana Power Company, The Public Service Commission of Montana, and the Federal Power Commission, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45–10069; Filed, June 9, 1945; 11:21 a. m.]

[File No. 70–1099]

MOUNTAIN STATES POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of June 1945.

Notice is hereby given that an application or declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly sections 6 and 7 of Rule U-50 promulgated thereunder, by Mountain States Power Company (Mountain States), a public utility subsidiary of Standard Gas and Electric Company, a registered holding company subsidiary of Standard Power and Light Corporation, also a registered holding company.

All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Mountain States proposes to issue and sell, pursuant to the competitive bidding provisions of Rule U-50, $7,500,000 prin-

cipal amount of First Mortgage Bonds, Service due July 1, 1975. Each proposal for the purchase of the bonds shall specify (a) the coupon rate which shall be a multiple of 1/8 of 1% and (b) the price to be paid to Mountain States for the bonds which shall be not less than the principal amount nor more than 102.75% of the principal amount. The proceeds of said sale together with the general funds of Mountain States, to the extent required, are proposed to be applied by Mountain States to redeem the $7,500,000 principal amount of its First Mortgage Bonds, 4¼% Series, due January 1, 1965, at the redemption price of $7,800,000 (104% of the principal amount thereof) plus accrued interest.

The bonds will be issued under and secured by a Supplemental Indenture of Mortgage from Mountain States to Harris Trust and Savings Bank and Harold Eckhart as Trustees, dated as of July 1, 1945, mortgaging as security for the payment of the bonds substantially all of the properties of Mountain States.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application or declaration and that said application or declaration shall not be granted or permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on June 22, 1945 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve by registered mail copies of this order on the Federal Power Commission, the Public Utilities Commissioner of Oregon, the Department of Public Service of Washington, the Public Utilities Commission of Idaho, the Public Service Commission of Wyoming, the Public Service Commission of Montana and on the applicant-declarant herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or otherwise to participate herein, shall file with the Secretary of the Commission, on or before June 18, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue of mortgage bonds is reasonably adapted to the earning power and the security structure of Mountain States and is necessary and appropriate to the economical and efficient operation of the business or businesses in which Mountain States is presently engaged.

(2) Whether the fees, commissions, or other remunerations to be paid in connection with the issue, sale or distribution of said securities are reasonable.

(3) Whether State laws regarding the proposed issue of mortgage bonds have been complied with.

(4) Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform to sound principles of accounting and meet the standards of the act.

(5) Whether the terms and conditions of the issue of said securities are detrimental to the public interest or the interests of investors or consumers.

(6) Generally whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

(7) Whether in the event the application or declaration shall be granted or permitted to become effective, it is necessary to impose any terms or conditions to assure compliance with the standards of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc 45-10070; Filed, June 9, 1945; 11:22 a. m.]

HAY, FALES & CO.

ORDER REVOKING REGISTRATION WITHOUT PREJUDICE TO REAPPLICATION AND DISMISSING PROCEEDINGS IN PART

At the regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of June A. D. 1945.

In the matter of William I. Hay, William Kiefer, Jr., et al., doing business as Hay, Fales & Company, 71 Broadway, New York, New York.

Proceedings having been instituted pursuant to sections 15 (b), 15A and 19 (a) (3) of the Securities Exchange Act of 1934 to determine whether to revoke the registration of Hay, Fales & Co. as an over-the-counter broker and dealer, whether or not to suspend or expel it from membership in National Association of Securities Dealers, Inc., and whether or not to suspend or expel Hay, Fales & Co. or any of its partners from national securities exchanges of which they are members;

A private hearing having been held after due notice, the Commission being duly advised and having this day issued its findings and opinion herein; on the basis of said findings and opinion,

It is ordered, That the registration of Hay, Fales & Co. as a broker and dealer be revoked, said revocation to become effective on the 15th day following the date of this order, without prejudice to the right of Hay, Fales & Co. to reapply for registration after 30 days from the effective date of revocation; and that the proceedings under sections 15A and 19 (a) (3) of the act be, and they hereby are, dismissed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc 45-10071; Filed, June 9, 1945; 11:22 a. m.]

[File No. 70-1030]

FEDERAL WATER AND GAS CORP. ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of June A. D. 1945.

In the matter of Federal Water and Gas Corporation, Mississippi Public Service Company, Peoples Water and Gas Company; File No. 70-1030.

Notice is hereby given that Federal Water and Gas Corporation ("Federal"), a registered holding company, and Mississippi Public Service Company ("Mississippi") and Peoples Water and Gas Company ("Peoples"), gas utility companies and direct subsidiary companies of Federal, have filed with this Commission a joint application-declaration under the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Peoples is proposing: (1) to sell to Mississippi the gas distribution systems owned by it serving the Cities of Meridian and Columbus, Mississippi and territory contiguous thereto for approximately $750,000 in cash, the price to be the depreciated original cost of said properties as estimated by Peoples plus adjustments for net current assets at the date of closing; (2) to use the proceeds of said sale to redeem and retire $750,000 principal amount of its 4½% First Mortgage Bonds, Series A, due 1956, at 101% of principal amount; (3) to increase the stated value of its outstanding preferred stock, consisting of 6,997 shares, from $50 per share to $100 per share (thus bringing the minimum liquidation value of such preferred stock), the increase to be provided for by a charge to earned surplus of $349,850; and (4) to amend its certificate of incorporation to provide that the preferred stock shall have the right to elect a majority of the board of directors upon default in preferred stock dividends aggregating four quarterly periods.

Mississippi is proposing to acquire the gas properties of Peoples as above described and in connection therewith to issue and sell to Federal for $750,000 in cash, and Federal is proposing to acquire 7,500 shares of the no par value common stock of Mississippi.

It is stated in the filing that these proposed transactions all constitute steps in Federal's integration plan by grouping into a single operating company located in the State of Mississippi all of the gas utility systems in that State now owned by subsidiaries of Federal.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said filing shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on these matters under the applicable sections of the act and rules of the Commission promulgated thereunder be held at 10:00 a. m., e. w. t., on the 19th day of June, 1945, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which said hearing is to be held. Any person desiring to be heard or otherwise wishing to participate should file with the Secretary of the Commission on or before June 16, 1945, his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in these matters. The officer so designated to preside at said hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That notice of said hearing is hereby given to Federal, Mississippi, and Peoples and all interested persons, said notice to be given to Federal, Mississippi, and Peoples by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the persons on our mailing list for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention be directed at said hearing to the following matters and questions:

1. Whether the consideration to be received by Peoples and paid by Mississippi, as proposed in the instant filing, is reasonable and bears a fair relation to the sums invested in and to the earning capacity of the assets proposed to be sold and acquired;

2. Whether the proposed increase in the stated value of Peoples' preferred stock and the proposed amendment to its certificate of incorporation will result in an unfair or inequitable distribution of voting power among holders of Peoples' securities or is otherwise detrimental to the public interest or the interest of investors or consumers, and if so, to what extent modifications should be made in connection therewith;

3. What terms and conditions, if any, in connection with the proposed redemption program, are necessary or appropriate in the public interest or the interest of investors or consumers with respect to the retirement of any of the bonds of Peoples held by Federal;

4. Whether the terms and conditions of the proposed issue and sale of new common stock by Mississippi are detrimental to the public interest or the interest of investors or consumers;

5. Whether the proposed acquisition by Federal will serve the public interest by tending towards the economical and efficient development of an integrated public utility system;

6. The propriety of the proposed accounting treatment to reflect the proposed transactions on the books of Peoples, Mississippi and Federal; and

7. Generally, whether the proposed transactions comply with all of the provisions and requirements of the act and rules and regulations promulgated thereunder and whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions in respect thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-10072; Filed, June 9, 1945; 11:22 a. m.]

[File No. 70-1083]

GENERAL GAS & ELECTRIC CORP.

MEMORANDUM OPINION AND ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of June, 1945.

Declaration of dividends out of capital surplus. Declaration by registered holding company pursuant to section 12 (c) and Rule U-46 permitted to become effective with respect to the payment of dividends to prior preferred shareholders out of capital surplus where no prejudice to security holders or public is found.

General Gas & Electric Corporation (hereinafter called Gengas), a registered holding company, which is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (hereinafter called Trustees,), a registered holding company, has filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 (the act), in which it proposes to declare out of capital or unearned surplus a dividend for the quarterly period ending June 15, 1945, of $1.25 per share, on its $5 Prior Preferred Stock, no par value.

The entire issue outstanding is 60,000 shares, of which 27,889.1 shares are held by the Trustees, who have, by a letter dated May 10, 1945, waived their right to collect such quarterly dividend, until further order of the Commission. The number of shares in the hands of the public is 32,110.9 (of which 8.9 shares are held in scrip, and such scrip will not receive a dividend), so that $40,127.50 will be required to make the dividend payment.

After appropriate notice a public hearing was held. No one appeared at the hearing to oppose the proposed dividend payment. Having considered the record therein, the Commission makes the following findings:

As at March 31, 1945, the assets of Gengas, per books, available for security holders totalled $29,200,302. The only securities of, or claims against, Gengas which, according to its books, are senior to the $5 Prior Preferred Stock, consist of certain obligations payable to the Trustees. These obligations, including interest thereon, aggregate $3,438,930.

The books of Gengas, as at March 31, 1945, reflect an earned surplus deficit of $2,954,175; the capital surplus is shown as $12,696,360.

Net income of Gengas for the twelve months ended March 31, 1945, amounted to $734,730. As at March 31, 1945, Gengas had cash on hand and in banks in the amount of $743,960 and United States Treasury Certificates costing $4,100,000.

A cash forecast for the eight months ending December 31, 1945, submitted by the company in connection with the filing, indicates that Gengas will be able to meet all its cash requirements, continue to maintain an adequate cash balance, and pursue its present dividend policy. The forecast contemplates that at the end of the period the cash balance, inclusive of the proceeds from the conversion of the United States Treasury Certificates, will aggregate $4,470,564.

This is the fourteenth time that Gengas has filed a declaration to declare a dividend on its publicly held Prior Preferred Stock out of capital surplus. We have on each occasion considered that the assets of Gengas were substantial in relation to the size of the proposed dividend, and that the Prior Preferred Stock is, by its terms, entitled to be paid dividend arrearages in full before dividends can be paid on the other preferred stocks. These same factors are equally cogent with regard to the present declaration.

We make no adverse findings under the applicable sections of the act and rules promulgated thereunder.

It is therefore ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-10073; Filed, June 9, 1945; 11:22 a. m.]

[File Nos. 54-101 and 59-75]

MINNESOTA POWER & LIGHT CO. AND AMERICAN POWER & LIGHT CO.

ORDER APPROVING PLAN AND DIRECTING APPLICATION TO COURT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of June, A. D., 1945.

In the matter of Minnesota Power & Light Company, American Power & Light Company, File No. 54-101; Minnesota Power & Light Company, American Power & Light Company, File No. 59-75.

Minnesota Power & Light Company ("Minnesota"), a Minnesota Corporation and a subsidiary of American Power & Light Company ("American"), a registered holding company which is itself a

subsidiary of Electric Bond and Share Company, also a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan to effectuate the provisions of section 11 (b) of the act, which plan is more fully described in the findings and opinion hereinafter referred to; and

American, having joined in the plan to the extent of proposing to transfer certain securities to Minnesota; and

The applicant having requested that the Commission enter an order finding that the transactions proposed in said plan are necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and that such order conform to the formal requirements specified in the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof; and

The applicant having requested the Commission upon its approval of the plan to apply to an appropriate District Court of the United States for an order approving and enforcing the plan; and

The Commission having issued a Notice of and Order for Hearing on said application, and having directed that the proceedings thereon should be consolidated with proceedings instituted therein under sections 11 (b) (2), 15 (f), and 20 (a) of the act with respect to Minnesota and American; and

A public hearing having been held on such matters, after appropriate public notice; the Commission having considered the record in the matter and having made and filed its findings and opinion herein; and

The Commission having found that the proposed transactions are necessary to effectuate the provisions of section 11 (b) of said act and fair and equitable to the persons affected thereby;

It is hereby ordered, That said application be and the same hereby is granted, and that said plan be and the same hereby is approved, subject, however, to the conditions specified in Rule U-24 and the following additional terms and conditions:

(1) That jurisdiction be and hereby is reserved as to all fees and expenses to be paid by Minnesota in connection with said plan;

(2) That this order shall not be operative to authorize the consummation of the transactions proposed in the plan until an appropriate United States District Court shall, upon application thereto, enter an order enforcing such plan; and

(3) That jurisdiction be and hereby is reserved to the Commission to entertain such further proceedings, to make such supplemental findings and to take such further action as it may deem appropriate in connection with the plan, the transactions incident thereto and the consummation thereof and, in the event the plan be not consummated to enter such further orders as it may deem appropriate under sections 11 (b) (2), 15 (f), and 20 (a) of the act;

It is further ordered, That the issues, transfers and exchanges of securities, the cash payments and the transactions specified and itemized below, all as provided by the plan, are necessary or appropriate to the integration and simplification of the holding company system of which Minnesota is a member and necessary and appropriate to effectuate the provisions of subsection (b) of section 11 of the Public Utility Holding Company Act of 1935:

(1) The transfer by American to Minnesota and the acquisition by Minnesota of the following securities: 1,450,000 shares of Common Stock of Minnesota, 865 shares of 7% Preferred Stock of Minnesota, 225 shares of 6% Preferred Stock of Minnesota including all claims to the redemption price of $120 per share plus accrued dividends, 878 shares of $6 Preferred Stock of Minnesota, 11,000 shares (including options to purchase 7 shares) of Common Stock of Superior Water, Light & Power Company, 385 shares (including options to purchase 5 shares) of Common Stock of Pike Rapids Power Company, $315,725 principal amount of notes and advances of Topeka Land Company, 1,000 shares (including options to purchase 4 shares) of Capital Stock of Topeka Land Company;

(2) The surrender by the public stockholders and the acquisition and cancellation by Minnesota of 78,929 shares of 7% Preferred Stock of Minnesota and 70,111 shares of $6 Preferred Stock of Minnesota;

(3) The issuance and payment by Minnesota to the public stockholders in consideration of the surrender of the shares set forth in paragraph 2 above of: (i) 149,040 shares of 5% Preferred Stock of Minnesota, on a share for share basis and (ii) $10 in cash for each share of 7% Preferred Stock and $5 in cash for each share of $6 Preferred Stock;

It is further ordered, That counsel for the Commission be, and they are hereby authorized and directed to make application on behalf of the Commission to an appropriate United States District Court to enforce and carry out the terms and provisions of the plan, pursuant to the provisions of section 11 (e) and in accordance with the provisions of section 18 (f) of the act and the request duly filed herein by the applicants.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-10074; Filed, June 9, 1945; 11:23 a. m.]

[File No. 70-1050]

CAROLINA POWER & LIGHT CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of June, A. D., 1945.

An application and declaration, and amendments thereto, having been filed with this Commission by Carolina Power & Light Company, a subsidiary of National Power & Light Company, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, pursuant to sections 6 (b) and 12 (c) of the Public Utility Holding Company Act of 1935 regarding the retirement of all its presently outstanding preferred stock by offering to the holders of such stock the right to exchange such shares for shares of a new issue of preferred stock and by calling for redemption any shares not so exchanged; and

The Commission having by order dated April 6, 1945 granted the application and permitted the declaration to become effective, subject to the terms and conditions prescribed in Rule U-24; and

Carolina Power & Light Company having requested that the condition contained in Rule U-24 requiring that the transaction be carried out within 60 days after the declaration is permitted to become effective and the application is granted, be modified so as to extend the time within which the transactions as set forth in the application and declaration may be carried out to 70 days from such effective date:

It is hereby ordered, That the condition contained in the order of April 6, 1945, be and hereby is modified to the extent necessary to extend the time within which such transactions may be carried out from 60 days to 70 days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-10134; Filed, June 11, 1945; 9:49 a. m.]

[File No. 811-277]

SHAREHOLDERS CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 9th day of June A. D. 1945.

An application having been filed by Shareholders Corporation pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

It is ordered, Pursuant to Section 40 (a) of said act, that a hearing on the aforesaid application be held on June 25, 1945, at 10:00 a. m., Eastern War Time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-10135; Filed, June 11, 1945; 9:49 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 117

Washington, Wednesday, June 13, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter IV—War Food Administration (Crop Insurance)

[Amdt. 1]

PART 417—1945 TOBACCO CROP INSURANCE REGULATIONS

MISCELLANEOUS AMENDMENTS

Part 417 (10 F.R. 2467) of the 1945 Tobacco Crop Insurance Regulations is amended in the following respects:

Section 417.1 (a) is amended to read:

§ 417.1 *Availability of tobacco crop insurance.* (a) Tobacco crop insurance will be offered in 1945 in accordance with these regulations on the following kinds of tobacco and in the following counties:

Flue-cured tobacco: Vance, Surry and Wilson Counties, North Carolina; Lunenburg and Pittsylvania Counties, Virginia; Marion County, South Carolina; Cook County, Georgia.

Burley tobacco: Bourbon and Larue Counties, Kentucky; Greene and Maury Counties, Tennessee.

Cigar tobacco: Lancaster County, Pennsylvania; Vernon County, Wisconsin.

Such insurance will be offered on the basis of (1) not to exceed 75 percent of the investment in the crop and (2) not to exceed 75 percent of the average yield of average quality tobacco for the farm. The Corporation may offer both plans of insurance in the county but the producer may insure his interest in the crop under only one such plan.

Section 417.4 is amended to read:

§ 417.4 *Insurance period.* Insurance with respect to any insurance unit shall attach at the time the crop is planted, except that insurance shall not attach with respect to any acreage put to another use before it is too late to replant tobacco, as determined by the Corporation. Insurance shall cease with respect to that portion of the crop upon weighing in at the tobacco warehouse, transfer of interest in the tobacco after harvest, removal of the tobacco from the insurance unit except for curing or packing, weighing of the tobacco for casing, or the end of the 1945 marketing season as determined by the Corporation, whichever occurs first.

Section 417.7 is amended by adding the words "pole burn" and a comma following the words "plant disease."

Section 417.13 is amended to read:

§ 417.13 *Time of loss.* Loss, if any, shall be deemed to have occurred at the completion of weighing in of the insured crop at the tobacco warehouse, removal of the insured crop from the insurance unit except for curing or packing, weighing of the tobacco for casing, or the end of the 1945 marketing season as determined by the Corporation, whichever occurs first, unless the Corporation determines that the tobacco crop was destroyed or substantially destroyed earlier, in which event the loss shall be deemed to have occurred on the date so determined by the Corporation. The tobacco crop shall be deemed to have been substantially destroyed if the Corporation determines that it has been so badly damaged that farmers generally in the area, where the farm is located and on whose farms similar damage occurred, would not further care for the crop or harvest any portion thereof.

Section 417.15 is amended by striking the word "auction" wherever it appears therein.

Section 417.37 is amended by adding the following:

(v) "Warehouse" means auction or other warehouse where tobacco is sold or pooled for selling cooperatively.

Section 417.43 is amended by adding the following:

Wisconsin. June 2, 1945.
Pennsylvania. June 2, 1945.

Section 417.44 is amended by adding the following:

Wisconsin. February 1, 1946.
Pennsylvania. February 1, 1946.

Adopted by the Board of Directors on May 11, 1945.

[SEAL] E. R. DUKE,
Chairman.

Approved: June 11, 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-10217; Filed, June 12, 1945; 11:12 a. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directed to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Chapter VII—War Food Administration (Agricultural Adjustment)

[ACP–1944–2]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

APPLICATION FOR PAYMENT AND AVAILABILITY OF FUNDS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in the War Food Administrator by E.O. No. 9322, 8 F.R. 3807; E.O. No. 9334, 8 F.R. 5423; and E.O. No. 9392, 8 F.R. 14733, the 1944 Agricultural Conservation Program is amended as follows:

1. Section 701.509 (b), the fourth sentence is amended to read as follows:

§ 701.509 *Application for payment.* * * *

(b) *Time and manner of filing application and information required.* * * * Any application for payment may be rejected if any form or information required of the applicant is not submitted to the county office within the time fixed by the regional director, which time shall not be later than December 31, 1945.

2. Section 701.513 (b), the last paragraph is amended to read as follows:

§ 701.513 *Authority, availability of funds and applicability.* * * *

(b) *Availability of funds.* * * * The funds provided for the 1944 program will not be available for the payment of applications filed in the county office after December 31, 1945.

Done at Washington, D. C., this 11th day of June 1945.

WILSON COWEN
Assistant War Food Administrator.

[F. R. Doc. 45–10216; Filed, June 12, 1945; 11:12 a. m.]

Chapter VIII—War Food Administration (Sugar Determinations)

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF FAIR AND REASONABLE WAGE RATES FOR PRODUCTION AND CULTIVATION OF SUGARCANE IN FLORIDA, 1945

Pusuant to the provisions of subsection (b) of section 301 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, and Executive Order No. 9392, issued October 26, 1943, the following determination is hereby issued:

§ 802.24t *Fair and reasonable wage rates for production and cultivation of sugarcane in Florida during the calendar year 1945.* The requirements of subsection (b) of section 301 of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production and cultivation of sugarcane in Florida during the calendar year 1945, if all persons employed on the farm engaging that period in the production and cultivation of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as follows:

(a) The wage rates agreed upon between the producer and the laborer but in no case less than the following:

(1) *On a time basis:*

	Rate per hour (cents)
(i) For all work except as specified under (ii) below:	
Adult males	35.0
Adult females	30.0
(ii) Tractor drivers	45.0
(iii) Children between 14 and 16 years of age (maximum employment of such children is 8 hours per day)	30.0

(2) *On a piece rate basis.* For all classes of work performed on a piece rate basis the earnings per hour shall not be less than the applicable rate per hour specified under (1) above: *Provided, however,* That minimum earnings per hour shall not apply to prisoners of war but they shall be paid at the same piece rate as other laborers.

(b) *General provisions.* (1) In addition to the foregoing, the producer shall furnish to the laborer, without charge, the customary prerequisites, such as a habitable house, a suitable garden plot with facilities for its cultivation, pasturage for livestock, medical attention, and similar incidentals.

(2) The producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423, E.O. 9392, 8 F.R. 14783)

Issued this 11th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45–10215; Filed, June 12, 1945; 11:12 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5456]

PART 472—REGULATIONS UNDER SECTION 3804 OF THE INTERNAL REVENUE CODE

TIME FOR PERFORMING CERTAIN ACTS POSTPONED BY REASON OF WAR

Treasury Decision 5279, relating to period of time to be disregarded under section 3804 of the Internal Revenue Code in determining whether certain acts are timely performed, amended to provide an increase in the period of time to be disregarded in the case of certain members of the armed forces of the United States.

Treasury Decision 5279 (26 CFR, 1943 Supp.) Part 472, approved July 10, 1943, as amended by Treasury Decision 5444, approved March 5, 1945, is further amended as follows:

PARAGRAPH 1. Section 472.202 (b) is amended as follows:

(A) By inserting immediately preceding the parenthetical expression in that part designated "(2)" the following: ", if such last day occurred prior to January 1, 1945."

(B) By redesignating that part now designated "(3)" as "(4)".

(C) By inserting immediately after that part designated "(2)" the following:

(3) The date on which the return or payment would otherwise become due falls prior to the 15th day of the sixth month following the month in which falls the last day of a period of 91 days or more of continuous service by the individual on sea duty or outside the continental United States, if such last day occurs after December 31, 1944; or

PAR. 2. Section 472.202 (c) is amended by adding at the end thereof the following sentence: "If the application of this paragraph, if the individual ceases (except by reason of death or incompetency) to be a member of the military or naval forces of the United States serving on sea duty or outside the continental United States after December 31, 1944, the 15th day of the sixth month shall be substituted for the 15th day of the fourth month in (1) hereof."

PAR. 3. Section 472.203 (c) is amended by inserting immediately after that part designated "(3)" the following sentence: "In the application of this paragraph, if the individual ceases (except by reason of death or incompetency) to be a member of the military or naval forces of the United States serving on sea duty or outside the continental United States after December 31, 1944, the 15th day of the sixth month shall be substituted for the 15th day of the fourth month in (1) hereof."

(Secs. 3791 and 3804, I.R.C. (53 Stat. 467, 56 Stat. 961; 26 U.S.C., 3791, 26 U.S.C., Sup. III, 3804))

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: June 9, 1945.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.

[F. R. Doc. 45–10277; Filed, June 12, 1945; 11:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–810]

NATIONAL NEWSPAPERS CORP.

National Newspapers Corporation is a corporation, not for profit, engaged in the business of publishing a newspaper called "The Labor Union", which paper is distributed from various centers scattered all over the United States. During the fourth quarter of 1944, it caused to be used in the printing of its paper 22.42 tons of print paper in excess of its allowable consumption quota permitted under the provisions of Limitation Order L–240. This resulted from misinformation in believing that 16½ tons of newsprint furnished for it by an outside printer would not be included within its quota. National Newspapers Corporation had not used in excess of 25 tons of newsprint in publishing its papers during any quarter prior to the fourth quarter of 1944, and had failed to become informed of the provisions of Limitation Order L–240 as amended September 5, 1944, which affected its operations. This over-consumption of newsprint was a violation of Limitation Order L–240 and has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.810 *Suspension Order No. S–810.* (a) National Newspapers Corporation during the third and fourth quarters of 1945 and the first and second quarters of 1946, shall reduce its consumption of print paper for the printing of "The Labor Union" by 2½ tons each quarter under the consumption quota of print paper it would otherwise be entitled to use for these periods under the provisions of Limitation Order L–240.

(b) Nothing contained in this order shall be deemed to relieve National Newspapers Corporation from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to National Newspapers Corporation, its successors or assigns, or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–10210; Filed, June 11, 1945; 5:04 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 16, as Amended June 12, 1945]

APPEALS PROCEDURE

§ 944.37 *Priorities Regulation 16—*(a) *What this regulation does.* This regulation explains the procedure for appealing from orders, regulations and administrative actions of the War Production Board, except suspension orders issued on the recommendation of Compliance Commissioners. It also explains how the appeals will be handled by WPB.

(b) *Definitions.* For purposes of the regulation: "An appeal" means a request for individual relief on the grounds that compliance by the appellant or another would work an exceptional and unreasonable hardship which is not suffered generally by others in the same industry or activity, or on the grounds of improper discrimination. It does not include an initial application or initial request for

an authorization, a preference rating, an allocation or any other administrative action expressly contemplated by the orders and regulations of WPB. In the absence of exceptional and unreasonable hardship not suffered generally by others or in the absence of improper discrimination an appellant may expect his appeal to be denied. There are two kinds of appeals, and they are defined below:

(1) "Appeal from an order or regulation" means an initial appeal for individual relief from any provision of a published order or regulation (including any published direction, schedule or other supplement to an order or regulation) which applies generally to all persons or to a class of persons described in the order or regulation.

(2) "Appeal from administrative action" means an appeal for reconsideration or modification of WPB action taken with respect to a particular person. Such administrative actions include the issuance of or refusal to issue individual authorizations, directives, preference ratings, quotas or allotments. The action of the WPB in granting or denying an initial "appeal from an order or regulation", or in granting or denying an application for an authorization under an order, is an administrative action; so a request for reconsideration of such action on the grounds of hardship or improper discrimination is an "appeal from administrative action". Such an appeal is initially called a first "appeal from administrative action", and a further appeal from the WPB action taken upon it is called a second "appeal from administrative action".

(c) *How appeals are prepared and filed.* An appeal not prepared and filed as required below may be returned to the appellant without action.

(1) *Number of copies.* Unless otherwise specified, all appeals must be filed in triplicate.

(2) *Form of appeal.* An "appeal from an order or regulation" should refer to the provision appealed from, and must be filed on Form WPB-1477 unless the order or regulation specifies filing upon some other particular form or by letter. An "appeal from administrative action" must (unless otherwise stated in specific instructions) be filed by letter referring to the action appealed from and identifying the initial request by WPB form number and case number, if any.

(3) *Statement of grounds for appeal.* The fact that a person is appealing must be stated, and the grounds for claiming exceptional and unreasonable hardship or improper discrimination should be clearly set out.

(4) *Statement of manpower requirements.* Where an appeal from an order or regulation relates to production in a Group I or Group II labor area and the production will take place in an establishment where total number of production workers will be more than 100 if the appeal is granted, the rules stated below in this subparagraph (4) as to the filing of a statement of manpower requirements must be followed. Where this is not the case, the rules do not apply, but the appeal must show on its face either the location of the plant or branch outside of Group I and Group II labor areas or that the total number of production workers will be 100 or less.

(i) Unless the order or regulation specifically provides otherwise, the "appeal from an order or regulation" must be accompanied either by a statement of manpower information on Form WPB-3820 or by a letter as explained below in subdivisions (ii) and (iii).

(ii) The appeal must be accompanied by Form WPB-3820 where a grant of the appeal, whether in whole or in part, would result in an increase in the current rate of production of any product by the person making the appeal, or would result in new production of a product not now being produced by him unless the appellant will also apply to make the product for which the appeal is filed under CMP Regulation 1, Priorities Regulation 11B or Priorities Regulation 25; or will apply on Form WPB-617 for an authorization to construct facilities to produce the product for which the appeal is filed. When Form WPB-3820 is filed with an appeal on Form WPB-1477, Questions D-2 and D-3 on Form WPB-1477 need not be answered.

If the appeal is from a manufacturing restriction of an order or regulation and the appellant himself will not make the product to which the appeal relates, the Form WPB-3820 must be prepared and signed by the person who will make the product; or if the appeal is from other than a manufacturing restriction and the appellant will not use the product to which the appeal relates, the Form WPB-3820 must be prepared and signed by the person who will use the product in his production operations.

(iii) If Form WPB-3820 is not required by subdivision (ii) above, then the appeal must be accompanied by a letter from the appellant, the person who will make the product, or the person who will use it, as the case may be, stating that (a) no increase by him in the current rate of production of any product, and no new production of a product not now produced by him will result from the granting of the appeal, or (b) an application covering the proposed production is being made by him under CMP Regulation 1, Priorities Regulation 11B or Priorities Regulation 25, or that an application for an authorization to begin construction is being made on Form WPB-617.

(5) *Request for consideration by the Appeals Board.* If the appellant, in the case of a second or further "appeal from administrative action", wants consideration of his appeal by the Appeals Board, he should expressly request in writing a referral to the Appeals Board as further explained in paragraph (e) below.

(d) *Where appeals are filed.* (1) "Appeals from orders or regulations" must be filed where indicated in the orders or regulations. If there is no indication, such appeals should be addressed to Appeals Routing Unit, War Production Board, Washington 25, D. C. An exception to this rule is that a person who, in connection with the subject matter of his appeal, is also making an application on any form which he is instructed to file in a field office may, at his election, attach his appeal to the application and file both with the appropriate field office.

(2) An "appeal from administrative action" should be filed at the same place the initial application or "appeal from an order or regulation" was filed, or if the administrative action was based upon neither an application nor an "appeal from an order or regulation" it should be addressed to the Appeals Routing Unit, War Production Board, Washington 25, D. C. However, any request to reopen a case granted or denied on the recommendation of the Appeals Board may be filed with that Board. Appeals should never be addressed to the Executive Secretary or Recording Secretary who attests the execution of War Production Board actions.

(e) *Appeals Board.* (1) The Appeals Board of the War Production Board is established as an impartial body primarily to consider second and further "appeals from administrative actions" in cases in which exceptional and unreasonable hardship or improper discrimination is claimed, except as stated in subparagraph (3) below. Any person complaining of administrative action on those grounds may have a second or further "appeal from administrative action" submitted to the Appeals Board for final action if he expressly requests it in writing. On the other hand, the Appeals Board will not normally consider any cases which do not involve these factors or which are not second or further "appeals from administrative actions". It is not its ordinary function to review actions involving judgment as to the proper distribution of materials, programming of military or civilian production and their relative essentiality. If the basis for the second or further appeal is the essentiality to the war effort and not a claim of exceptional and unreasonable hardship or improper discrimination, no request for referral to the Appeals Board should be made. For further information concerning proceedings before the Appeals Board see Direction 1 to this regulation.

(2) Any second or further "appeal from administrative action" in which exceptional and unreasonable hardship or improper discrimination is claimed if not granted promptly on the recommendation of the official who took the action appealed from (or an official superior to him) will be referred to the Appeals Board: *Provided*, That the referral has been expressly requested in writing by the appellant. However, the referral to the Appeals Board will preclude further consideration of the case by such officials on the above grounds, and the decision of the Appeals Board will be final.

(3) In a case where the action was taken by the Office of War Utilities an "appeal from administrative action" will not be referred to the Appeals Board except in the discretion of the Director of the Office of War Utilities.

(f) *Grants and denials of appeals.* An "appeal from an order or regulation" will generally be granted or denied on the recommendation of the official administering the order or regulation. When the original administrative action has been taken by a field office of WPB the appeals in certain cases will be sent to Washington. A first "appeal from administrative action" may be granted or denied on the recommendation of the official who took the original action. A second or further "appeal from administrative action" may likewise be granted or denied unless referral to the Appeals Board has been requested in writing by the appellant. A second or further "appeal from administrative action" may be granted or denied on the recommendation of the Appeals Board.

The grant or denial of any appeal in whole or in part will be valid only when issued in the name of the War Production Board, countersigned or attested by the Executive Secretary or Recording Secretary, or in accordance with WPB Regulation No. 1 (§ 903.0). The grant or denial of an appeal referred to the Appeals Board will be indicated by a phrase such as "on the recommendation of the Appeals Board".

The denial of any appeal, in whole or in part, on the recommendation of the Appeals Board, is final unless the Appeals Board elects to reopen the matter, but the denial of an appeal on the recommendation of the Office of War Utilities is final unless that office elects to reopen the matter.

(g) *Public files.* Whenever an order or another regulation of the War Production Board expressly so provides, public files containing records relating to the appeals from such orders or regulations or from administrative actions taken under them shall be set up and shall be available for public inspection during the business hours of the War Production Board.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10237; Filed, June 12, 1945; 11:18 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-784, Stay of Execution]

JOHN BYRNES CO.

John Bernstein, doing business as John Byrnes Company, of 35 Lyman Street, Springfield, Massachusetts has appealed from the provisions of Suspension Order No. S-784, issued May 11, 1945 and has requested a stay on the ground that irreparable harm would be done his business if the suspension order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputies.

In view of the foregoing: it is hereby ordered, that: § 1010.784 *Suspension Order No. S-784* be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputies.

Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10208; Filed, June 11, 1945; 5:04 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-803]

BEAN ELECTRIC CO.

Irving P. Bean, doing business as Bean Electric Company at 1014 First Avenue South, Seattle, Washington, is a distributor of electrical products. Between April 9, 1943 and July 7, 1944, he made an unauthorized extension of a AA-4 preference rating on a purchase order for thirty side arm electric water heaters, and extended a preference rating of AA-3 on three purchase orders for eighty-four sidearm electric water heaters although he was authorized to extend this rating for no more than fifty-seven of such heaters, all in violation of Priorities Regulation No. 3. Between April 1, 1944 and August 29, 1944, Irving P. Bean sold and delivered approximately 19,004 feet of rigid electrical conduit and flexible metal conduit of the value of $1,720, on unrated orders to persons other than distributors, in violation of Limitation Order L-225.

Irving P. Bean knew that his business was affected by the above regulation and order, and the violations were due to his gross negligence. These violations have diverted critical material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.803 *Suspension Order No. S-803.* (a) Irving P. Bean shall not for ninety days from the effective date of this order apply or extend any preference rating in the acquisition or purchase of side arm electric water heaters, rigid electrical conduit, or flexible metal conduit.

(b) Irving P. Bean shall not for ninety days from the effective date of this order purchase or accept delivery of any side arm electric water heaters.

(c) Nothing contained in this order shall be deemed to relieve Irving P. Bean from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Irving P. Bean, doing business as Bean Electric Company or any other name, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) This order shall take effect on June 12, 1945.

Issued this 2d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10236; Filed, June 12, 1945; 11:18 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-805]

THE GRASK COMPANY, INC.

The Grask Company, Inc., is an Iowa corporation, with its principal place of business at 314 East 6th Street, Des Moines, Iowa. It is engaged in the sale and servicing of new and used house trailers as a dealer, and is also engaged in the manufacture of house trailers. During the period from March 11, 1944 to July 15, 1944 the corporation delivered 31 new or used house trailers which had been manufactured after July 15, 1943; these deliveries were not specifically authorized by the War Production Board on Form WPB-3538, and were in violation of Limitation Order L-205. These violations were the result of gross negligence amounting to wilfulness and have interfered with the controls established by the War Production Board for the allocation of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.805 *Suspension Order No. S-805.* (a) The Grask Company, Inc., its successors or assigns, shall reduce its production of house trailers by two house trailers during the third quarter of 1945, and by three house trailers during the fourth quarter of 1945 and during each of the first and second quarters of 1946 below its authorized production schedule issued by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve the Grask Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10209; Filed, June 11, 1945; 5:04 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–18–b, Revocation]

DOMESTIC VACUUM CLEANERS

Section 3291.80 *Limitation Order L–18–b* and all authorizations issued under it are revoked. Manufacturers may now produce and deliver domestic vacuum cleaners, attachments and parts for domestic vacuum cleaners without regard to the provisions of Order L–18–b or any grant of appeal or authorization relaxing its restrictions. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of domestic vacuum cleaners, attachments and parts for them remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10205; Filed, June 11, 1945, 5:04 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 61 as Amended June 12, 1945]

PHOSPHATE PLASTICIZERS

§ 3293.1061 *Schedule 61 to General Allocation Order M–300*—(a) *Definition.* "Phosphate plasticizers" means the following phosphate plasticizers in any form and from whatever source derived:

Tricresyl phosphate
Triphenyl phosphate
Di-phenyl mono-(ortho xenyl) phosphate
Di-(ortho xenyl) mono-phenyl phosphate

(b) *General restrictions.* Phosphate plasticizers are subject to allocation under General Allocation Order M–300 as an Appendix C material. The initial allocation date for tricresyl and triphenyl phosphate is August 1, 1942, and for di-phenyl mono-(ortho xenyl) phosphate and di-(ortho xenyl) mono-phenyl phosphate is June 1, 1943, when these phosphate plasticizers were first put under allocation by Order M–133 (revoked). The allocation period is the calendar month. The small order exemption per person per month is as follows:

Tricresyl phosphate	535 lbs.
Triphenyl phosphate	225 lbs.
Di-phenyl mono-(ortho-xenyl) phosphate	5 gals.
Di-(ortho-xenyl) mono-phenyl phosphate	5 gals.

Customers must furnish use certificates when ordering in amounts described in paragraph (d) below, and must file on Form WPB–2945 when ordering in amounts described in paragraph (e) below.

(c) *Transition from Appendix A to Appendix C control.* For calendar months prior to July, 1945, allocation control of phosphate plasticizers is as Appendix A materials, and for calendar months beginning with July, 1945, allocation control is as Appendix C materials. Regular and interim authorizations on Form WPB–2946 to deliver and on Form WPB–2945 to use or accept delivery for allocation periods prior to July, 1945, are not affected by the change to Appendix C control, but are subject to the limitations on duration of authorization under Order M–300. A supplier who has been authorized to set aside for his own use, and a customer who has been authorized to accept delivery of, a quantity of a phosphate plasticizer which he has not been authorized to use may use the material without specific authorization if the total amount so set aside or received by him is not in excess of the small order exempt quantity, but if the total amount is greater he must obtain specific authorization to use it on a Form WPB–2945, or Form WPB–2947, as the case may be.

(d) *Suppliers' applications on WPB–2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB–2947. Filing date is the 22nd day of the month before the proposed delivery month. File separate sets of forms for each phosphate plasticizer. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–61. The unit of measure is pounds. Fill in Table I as follows: First, list in Column 1 the names of customers who have filed WPB–2945 forms with the applicant and in Column 1a specify "WPB–2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in the certificates; third, specify in Column 1 "Aggregate small order deliveries" and leave Column 1a blank; fill in other columns as indicated. Fill in Table II.

If the applicant supplier is seeking authorization to use any part of his own production or stock, he shall list the request on his Form WPB–2947 with the orders from customers filing use certificates as if the consuming part of his organization had filed a purchase order and use certificate with the production or distribution part of his organization (the actual filing of such order and certificate is not necessary).

(e) *Customers' applications on WPB–2945.* Each person seeking delivery of more than 10,000 pounds of any phosphate plasticizer per month in the aggregate from all suppliers shall file application for authorization on Form WPB–2945. Filing date is the 17th day of the month before the requested allocation month. File separate sets of forms for each supplier and for each phosphate plasticizer. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–61, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Wire and cable insulation
A. I. E. E.—45
Aircraft—ANJC 48 a
Assault wire—W–130 ( )
British shipboard
C. A. A. Border lights
Coaxial
Combat wire WD–1 TT
Field wire—WD—12 TT
F. X. S.—599
Navy shipboard cable—15 C 1
Ordnance tank wire—90–12
P. O. S. N.
P. S. N.
Railway signal wire
Radio—JAN–76
Shot fire
S. J. S. N.
S. N.
S. N. W.
Telephone and telegraph wire
Tubing
71—700 cord
Others (identify)
Textile coatings
Airplane dope
Wire and cable lacquer
Other lacquers
Paper coatings
Molding compounds
Photographic film
Chemical resistant coatings
Oil additive
Motor fuel additive
Inks
Adhesives
Artificial leather
Rubber (natural or synthetic)
Sheet plastic
Lubricants
Miscellaneous (specify)
Resale (in original form)
Export (in original form)
Inventory (in original form)

Opposite each primary product in Column 3 specify end use in Column 4 giving Army or Navy specifications or contract numbers, or Lend-Lease requisition and contract numbers, when practicable, regardless of whether the primary product is under allocation. Opposite "Resale," "Export" or "Inventory" in Column 3, fill in Column 4 in accordance with paragraph (11–a) of Appendix E of Order M–300. Fill in other columns of Table I, and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(f) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of between the exempt small order quantity and 10,000 pounds of any phosphate plasticizer per month in the aggregate from all suppliers, shall furnish a certified statement of proposed use with each order for that plasticizer. Describe proposed use as shown in paragraph (e) above and certify "Use certified—Ref: M–300" as prescribed in Appendix D of Order M–300).

NOTE: Paragraph (g) and (h), formerly (f) and (g), redesignated June 12, 1945.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–61.

Issued this 12th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10238; Filed, June 12, 1945; 11:18 a. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336, Amdt. 24]

RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 336 is amended in the following respects:

1. Subparagraph (6) to section 5 (b) is added to read as follows:

(6) Notwithstanding any of the foregoing provisions of subparagraphs (1), (2), (3) or (4) of this paragraph (b), upon a finding that there exist within any specified area or areas located in Zone 1 and having a total population not to exceed 25,000 persons, as shown by outstanding food ration books issued for such area or other data providing reasonably accurate estimates, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts which are insufficient to supply the requirements of purveyors of meals, and upon further finding that such condition has occurred because of an increase in population due to any cause other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government, the Administrator of the Office of Price Administration, Washington, D. C., may, by order, designate such area as a deficiency area for such period as he may prescribe: *Provided*, That in no event shall such period extend beyond October 15, 1945.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area under the provisions of this subparagraph (6) of section 5 (b), the District Director of the Office of Price Administration for the district in which such deficiency area is located may authorize any retail selling establishment customarily serving such area which is not a hotel supply house, and which does not own or control a packing or slaughtering plant and which is not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts at the prices specified in section 21 of Maximum Price Regulation No. 336, section 30 of Maximum Price Regulation No. 355 and section 24 of Maximum Price Regulation No. 394, to purveyors of meals located in such area in whatever volume and subject to such terms and conditions as he may deem necessary; *Provided*, That in no event may such retail selling establishment be authorized to sell retail cuts of meat, in excess of 70 percent of its total monthly dollar volume of meat sales, to buyers who are not ultimate consumers.

Every seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this section 5 (b) (6) shall file on or before the 10th day of each calendar month with the appropriate District Office of the Office of Price Administration signed duplicate reports indicating (i) the name of the seller; (ii) the address of the retail selling establishment for which the report is filed; (iii) the total dollar volume of all meat sales made from such retail selling establishment during the preceding calendar month; (iv) the total dollar volume of all sales of retail meat cuts made to purveyors of meals from such selling establishment during the preceding calendar month, and (v) the total dollar volume of all sales of retail meat cuts, if any, made to other retail dealers from such selling establishment during the preceding calendar month.

Each District Director, within whose jurisdiction any specific area has been declared deficient under the provisions of this section 5 (b) (6), shall make monthly reports on or before the 15th day of each calendar month to the San Francisco Regional Office of the Office of Price Administration for transmittal to the Administrator of the Office of Price Administration, Washington, D. C., indicating the number of deficiency areas within his jurisdiction, the number of retail selling establishments within each such area which have been authorized to make sales subject to the provisions of this section 5 (b) (6), one copy of each of the monthly reports required to be filed in duplicate by each of the said sellers, and any other data available which is pertinent to the determination of the efficacy of the provisions of this section 5 (b) (6) as an aid in securing more equitable distribution of meats to ultimate consumers and purveyors of meals in the affected area. Such reports and data shall be forwarded in their original form to the Administrator at Washington, D. C., by the Regional Administrator, who may supplement such reports with any data or comments he deems pertinent. For purposes of convenience the reports required by sections 5 (b) (6) and 5 (d) (3) of Maximum Price Regulations Nos. 336, 355 and 394 may be consolidated: *Provided*, That the data concerning sales to purveyors of meals is separated from the data concerning sales of retail meat cuts between retailers.

2. Subparagraph (3) of section 5 (d) is added to read as follows:

(3) Notwithstanding any of the foregoing provisions of this paragraph (d), upon a finding that there exist within any specified area or areas located in Zone 1 and having a total population not to exceed 25,000 persons, as shown by outstanding food ration books issued for such area, or other data providing reasonably accurate estimates, quotas permitting sales of retail meat cuts which are insufficient to supply the meat requirements of other retail dealers meeting the criteria established for retail dealers authorized to purchase retail meat cuts for resale purposes under the provisions of subparagraph (1) of this section 5 (d), and upon further finding that such condition has occurred because of an increase in population due to any cause, the Administrator of the Office of Price Administration, Washington, D. C., may, by order, designate such area as a deficiency area for such period as he may prescribe: *Provided*, That in no event shall such period extend beyond October 15, 1945.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area under the provisions of this subparagraph (3) of section 5 (d), the District Director of the Office of Price Administration for the district in which such deficiency area is located may authorize any retail selling establishment customarily serving such area which is not a hotel supply house, and which does not own or control a packing or slaughtering plant and which is not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts at the prices specified in section 21 of Maximum Price Regulation No. 336, section 30 of Maximum Price Regulation No. 355 and section 24 of Maximum Price Regulation No. 394, to other retail dealers meeting the criteria established for retail dealers authorized to purchase retail meat cuts for resale purposes under the provisions of subparagraph (1) of this section 5 (d) and located in such area in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may such retail selling establishment be authorized to sell retail cuts of meat, in excess of 70 percent of its total monthly dollar volume of meat sales, to buyers who are not ultimate consumers.

Every seller authorized to sell retail meat cuts to other retail dealers under the provisions of this section 5 (d) (3) shall file on or before the 10th day of each calendar month with the appropriate District Office of the Office of Price Administration signed duplicate reports indicating: (i) the name of the seller; (ii) the address of the retail selling establishment for which the report is filed; (iii) the total dollar volume of all meat sales made from such retail selling establishment during the preceding calendar month; (iv) the total dollar volume of all sales of retail meat cuts made to other retail dealers from such selling establishment during the preceding calendar month; and (v) the total dollar volume of all sales of retail meat

cuts, if any, made to purveyors of meals during the preceding calendar month.

Each District Director within whose jurisdiction any specific area has been declared deficient under the provisions of this section 5 (d) (3) shall make monthly reports on or before the 15th day of each calendar month to the San Francisco Regional Office of the Office of Price Administration, Washington, D. C., indicating the number of deficiency areas within his jurisdiction, the number of retail selling establishments within each such area which have been authorized to make sales subject to the provisions of this section 5 (d) (3), one copy of each of the monthly reports required to be filed in duplicate by each of the said sellers, and any other data available which is pertinent to the determination of the efficacy of the provisions of this section 5 (d) (3) as an aid in securing more equitable distribution of meats to ultimate consumers and purveyors of meals in the affected area. Such reports and data shall be forwarded in their original form to the Administrator at Washington, D. C., by the Regional Administrator, who may supplement such reports with any data or comments he deems pertinent. For purposes of convenience the reports required by sections 5 (b) (6) and 5 (d) (3) of Maximum Price Regulations Nos. 336, 355 and 394 may be consolidated: *Provided*, That the data concerning sales to purveyors of meals are separated from the data concerning sales of retail meat cuts between retailers.

This amendment shall become effective June 11, 1945.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc 45-10182; Filed, June 11, 1945; 4:50 p m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 355, Amdt. 27]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 355 is amended in the following respects:

1. Subparagraph (6) to section 5 (b) is added to read as follows:

(6) Notwithstanding any of the foregoing provisions of subparagraphs (1), (2), (3) or (4) of this paragraph (b), upon a finding that there exist within any specified area or areas located in Zone 1 and having a total population not to exceed 25,000 persons, as shown by outstanding food ration books issued for such area or other data providing reasonably accurate estimates, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts which are insufficient to supply the requirements of purveyors of meals, and upon further finding that such condition has occurred because of an increase in population due to any cause other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government, the Administrator of the Office of Price Administration, Washington, D. C., may, by order, designate such area as a deficiency area for such period as he may prescribe: *Provided*, That in no event shall such period extend beyond October 15, 1945.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area under the provisions of this subparagraph (6) of section 5 (b), the District Director of the Office of Price Administration for the district in which such deficiency area is located may authorize any retail selling establishment customarily serving such area which is not a hotel supply house, and which does not own or control a packing or slaughtering plant and which is not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts at the prices specified in section 21 of Maximum Price Regulation No. 336, section 30 of Maximum Price Regulation No. 355, and section 24 of Maximum Price Regulation No. 394, to purveyors of meals located in such area in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may such retail selling establishment be authorized to sell retail cuts of meat, in excess of 70 percent of its total monthly dollar volume of meat sales, to buyers who are not ultimate consumers.

Every seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this section 5 (b) (6) shall file on or before the 10th day of each calendar month with the appropriate District Office of the Office of Price Administration signed duplicate reports indicating (i) the name of the seller; (ii) the address of the retail selling establishment for which the report is filed; (iii) the total dollar volume of all meat sales made from such retail selling establishment during the preceding calendar month; (iv) the total dollar volume of all sales of retail meat cuts made to purveyors of meals from such selling establishment during the preceding calendar month, and (v) the total dollar volume of all sales of retail meat cuts, if any, made to other retail dealers from such selling establishment during the preceding calendar month.

Each District Director, within whose jurisdiction any specific area has been declared deficient under the provisions of this section 5 (b) (6) shall make monthly reports on or before the 15th day of each calendar month to the San Francisco Regional Office of the Office of Price Administration for transmittal to the Administrator of the Office of Price Administration, Washington, D. C., indicating the number of deficiency areas within his jurisdiction, the number of retail selling establishments within each such area which have been authorized to make sales subject to the provisions of this section 5 (b) (6), one copy of each of the monthly reports required to be filed in duplicate by each of the said sellers, and any other data available which is pertinent to the determination of the efficacy of the provisions of this section 5 (b) (6) as an aid in securing more equitable distribution of meats to ultimate consumers and purveyors of meals in the affected area. Such reports and data shall be forwarded in their original form to the Administrator at Washington, D. C., by the Regional Administrator, who may supplement such reports with any data or comments he deems pertinent. For purposes of convenience the reports required by sections 5 (b) (6) and 5 (d) (3) of Maximum Price Regulations Nos. 336, 355 and 394 may be consolidated: *Provided*, That the data concerning sales to purveyors of meals is separated from the data concerning sales of retail meat cuts between retailers.

2. Subparagraph (3) of section 5 (d) is added to read as follows:

(3) Notwithstanding any of the foregoing provisions of this paragraph (d), upon a finding that there exist within any specified area or areas located in Zone 1 and having a total population not to exceed 25,000 persons, as shown by outstanding food ration books issued for such area or other data providing reasonably accurate estimates, quotas permitting sales of retail meat cuts which are insufficient to supply the meat requirements of other retail dealers meeting the criteria established for retail dealers authorized to purchase retail meat cuts for resale purposes under the provisions of subparagraph (1) of this section 5 (d), and upon further finding that such condition has occurred because of an increase in population due to any cause, the Administrator of the Office of Price Administration, Washington, D. C., may, by order, designate such area as a deficiency area for such period as he may prescribe: *Provided*, That in no event shall such period extend beyond October 15, 1945.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area under the provisions of this subparagraph (3) of section 5 (d), the District Director of the Office of Price Administration for the district in which such deficiency area is located may authorize any retail selling establishment customarily serving such area which is not a hotel supply house, and which does not own or control a packing or slaughtering plant and which is not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts at the prices specified in section 21 of Maximum Price Regulation No. 336, section 30 of Maximum Price Regulation No. 355, and section 24 of Maximum Price Regulation No. 394, to purveyors of meals located in such area in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may such retail selling establishment be authorized to sell retail cuts of meat, in excess of 70 percent of its total monthly dollar volume of meat sales, to buyers who are not ultimate consumers.

Every seller authorized to sell retail meat cuts to purveyors of meals under the provisions of subparagraph (1) of this section 5 (d) and located in such area in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may such retail selling establishment be authorized to sell retail cuts of meat, in excess of 70 percent of its total monthly dollar volume of meat sales, to buyers who are not ultimate consumers.

Every seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this section 5 (d) (3) shall file on or before the 10th day of each calendar month with the appropriate District Office of the Office of Price Administration signed duplicate reports indicating: (i) the name of the seller; (ii) the address of the retail selling establishment for which the report is filed; (iii) the total dollar volume of all meat sales made from such retail selling establishment during the preceding calendar month; (iv) the total dollar volume of all sales of retail meat cuts made to other retail dealers from such selling establishment during the preceding calendar month; and (v) the total dollar volume of all sales of retail meat cuts, if any, made to purveyors of meals during the preceding calendar month.

Each District Director within whose jurisdiction any specific area has been declared deficient under the provisions of this section 5 (d) (3) shall make monthly reports on or before the 15th day of each calendar month to the San Francisco Regional Office of the Office of Price Administration, Washington, D. C., indicating the number of deficiency areas within his jurisdiction, the number of retail selling establishments within each such area which have been authorized to make sales subject to the provisions of this section 5 (d) (3), one copy of each of the monthly reports required to be filed in duplicate by each of the said sellers, and any other data available which is pertinent to the determination of the efficacy of the provisions of this section 5 (d) (3) as an aid in securing more equitable distribution of meats to ultimate consumers and purveyors of meals in the affected area. Such reports and data shall be forwarded in their original form to the Administrator at Washington, D. C., by the Regional Administrator, who may supplement such reports with any data or comments he deems pertinent. For purposes of convenience the reports required by sections 5 (b) (6) and 5 (d) (3) of Maximum Price Regulations Nos. 336, 355 and 394 may be consolidated: *Provided*, That the data concerning sales to purveyors of meals is separated from the data concerning sales of retail meat cuts between retailers.

This amendment shall become effective June 11, 1945.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc. 45-10183; Filed, June 11, 1945; 4:50 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 394, Amdt. 15]

RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BYPRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 394 is amended in the following respects:

1. Subparagraph (6) of section 5 (b) is added to read as follows:

(6) Notwithstanding any of the foregoing provisions of subparagraphs (1), (2), (3) or (4) of this paragraph (b), upon a finding that there exist within any specified area or areas located in Zone 1 and having a total population not to exceed 25,000 persons, as shown by outstanding food ration books issued for such area or other data providing reasonably accurate estimates, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts which are insufficient to supply the requirements of purveyors of meals, and upon further finding that such condition has occurred because of an increase in population due to any cause other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government, the Administrator of the Office of Price Administration, Washington, D. C., may, by order, designate such area as a deficiency area for such period as he may prescribe: *Provided*, That in no event shall such period extend beyond October 15, 1945.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area under the provisions of this subparagraph (6) of section 5 (b), the District Director of the Office of Price Administration for the district in which such deficiency area is located may authorize any retail selling establishment customarily serving such area which is not a hotel supply house, and which does not own or control a packing or slaughtering plant and which is not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts at the prices specified in section 21 of Maximum Price Regulation No. 336, section 30 of Maximum Price Regulation No. 355 and section 24 of Maximum Price Regulation No. 394, to purveyors of meals located in such area in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may such retail selling establishment be authorized to sell retail cuts of meat, in excess of 70 percent of its total monthly dollar volume of meat sales, to buyers who are not ultimate consumers.

Every seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this section 5 (b) (6) shall file on or before the 10th day of each calendar month with the appropriate District Office of the Office of Price Administration signed duplicate reports indicating (i) the name of the seller; (ii) the address of the retail selling establishment for which the report is filed; (iii) the total dollar volume of all meat sales made from such retail selling establishment during the preceding calendar month; (iv) the total dollar volume of all sales of retail meat cuts made to purveyors of meals from such selling establishment during the preceding calendar month, and (v) the total dollar volume of all sales of retail meat cuts, if any, made to other retail dealers from such selling establishment during the preceding calendar month.

Each District Director, within whose jurisdiction any specific area has been declared deficient under the provisions of this section 5 (b) (6) shall make monthly reports on or before the 15th day of each calendar month to the San Francisco Regional Office of the Office of Price Administration for transmittal to the Administrator of the Office of Price Administration, Washington, D. C., indicating the number of deficiency areas within his jurisdiction, the number of retail selling establishments within each such area which have been authorized to make sales subject to the provisions of this section 5 (b) (6), one copy of each of the monthly reports required to be filed in duplicate by each of the said sellers, and any other data available which is pertinent to the determination of the efficacy of the provisions of this section 5 (b) (6) as an aid in securing more equitable distribution of meats to ultimate consumers and purveyors of meals in the effected area. Such reports and data shall be forwarded in their original form to the Administrator at Washington, D. C., by the Regional Administrator, who may supplement such reports with any data or comments he deems pertinent. For purposes of convenience the reports required by sections 5 (b) (6) and 5 (d) (3) of Maximum Price Regulations Nos. 336, 355 and 394 may be consolidated: *Provided*, That the data concerning sales to purveyors of meals is separated from the data concerning sales of retail meat cuts between retailers.

2. Subparagraph (3) of section 5 (d) is added to read as follows:

(3) Notwithstanding any of the foregoing provisions of this paragraph (d), upon a finding that there exist within any specified area or areas located in Zone 1 and having a total population not to exceed 25,000 persons, as shown by outstanding food ration books issued for such area or other data providing reasonably accurate estimates, quotas permitting sales of retail meat cuts which are insufficient to supply the meat requirements of other retail dealers meeting the criteria established for retail dealers authorized to purchase retail meat cuts for resale purposes under the provisions of subparagraph (1) of this section 5 (d), and upon further finding that such condition has occurred because

of an increase in population due to any cause, the Administrator of the Office of Price Administration, Washington, D. C., may, by order, designate such area as a deficiency area for such period as he may prescribe: *Provided*, That in no event shall such period extend beyond October 15, 1945.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area under the provisions of this subparagraph (3) of section 5 (d), the District Director of the Office of Price Administration for the district in which such deficiency area is located may authorize any retail selling establishment customarily serving such area which is not a hotel supply house, and which does not own or control a packing or slaughtering plant and which is not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts at the prices specified in section 21 of Maximum Price Regulation No. 336, section 30 of Maximum Price Regulation No. 355 and Section 24 of Maximum Price Regulation No. 394, to other retail dealers meeting the criteria established for retail dealers authorized to purchase retail meat cuts for resale purposes under the provisions of subparagraph (1) of this section 5 (d) and located in such area in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may such retail selling establishment be authorized to sell retail cuts of meat, in excess of 70 percent of its total monthly dollar volume of meat sales, to buyers who are not ultimate consumers.

Every seller authorized to sell retail meat cuts to other retail dealers under the provisions of this section 5 (d) (3) shall file on or before the 10th day of each calendar month with the appropriate District Office of the Office of Price Administration signed duplicate reports indicating: (i) the name of the seller; (ii) the address of the retail selling establishment for which the report is filed; (iii) the total dollar volume of all meat sales made from such retail selling establishment during the preceding calendar month; (iv) the total dollar volume of all sales of retail meat cuts made to other retail dealers from such selling establishment during the preceding calendar month; and (v) the total dollar volume of all sales of retail meat cuts, if any, made to purveyors of meals during the preceding calendar month.

Each District Director within whose jurisdiction any specific area has been declared deficient under the provisions of this section 5 (d) (3) shall make monthly reports on or before the 15th day of each calendar month to the San Francisco Regional Office of the Office of Price Administration, Washington, D. C., indicating the number of deficiency areas within his jurisdiction, the number of retail selling establishments within each such area which have been authorized to make sales subject to the provisions of this section 5 (d) (3), one copy of each of the monthly reports required to be filed in duplicate by each of the said sellers, and any other data available which is pertinent to the determination of the efficacy of the provisions of this section 5 (d) (3) as an aid in securing more equitable distribution of meats to ultimate consumers and purveyors of meals in the affected area. Such reports and data shall be forwarded in their original form to the Administrator at Washington, D. C., by the Regional Administrator, who may supplement such reports with any data or comments he deems pertinent. For purposes of convenience the reports required by sections 5 (b) (6) and 5 (d) (3) of Maximum Price Regulations Nos. 336, 355 and 394 may be consolidated: *Provided*, That the data concerning sales to purveyors of meals are separated from the data concerning sales of retail meat cuts between retailers.

This amendment shall become effective June 11, 1945.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10184; Filed, June 11, 1945; 4:50 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 451,[1] Amdt. 7]

BOOK PAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 451 is amended in the following respects:

1. Appendix A (c) (4) (i) is amended by adding a new paragraph preceding the examples to read as follows:

Add 4% of the selling price for each pound or fraction thereof below 25 pounds plus the additional charge for 25 pounds.

2. Appendix A (c) (4) (i) is amended by adding the following item to the examples to read as follows:

Basis 20 lbs.:
$16.00 per cwt. ($10.00 per cwt. plus 60% — 1½% per lb. from 45 lb. to 35 lb., 2% per lb. from 35 lb. to 30 lb., 3% per lb. from 30 lb. to 25 lb., and 4% per lb. from 25 lb. to 20 lb., basis weight).

3. Appendix A (c) (4) (ii) is amended by adding a new paragraph preceding the examples to read as follows:

Add 4% of the selling price for each pound or fraction thereof below 30 pounds plus the additional charge for 30 pounds.

4. Appendix A (c) (4) (ii) is amended by adding the following item to the examples to read as follows:

Basis 25 lbs.:
$16.00 per cwt. ($10.00 per cwt. plus 60% — 1½% per lb. from 50 lb. to 40 lb., 2% per lb. from 40 lb. to 35 lb., 3% per lb. from 35 lb. to 30 lb. and 4% per lb. from 30 lb. to 25 lb. basis weight).

[1] 8 F.R. 11529; 9 F.R. 1532, 3030, 5083, 11397; 10 F.R. 313, 1099.

5. Appendix A (c) (4) (v) is amended by adding a new paragraph preceding the examples to read as follows:

Add 4% of the selling price for each pound or fraction thereof below 35 pounds plus the additional charge for 35 pounds.

6. Appendix A (c) (4) (v) is amended by adding the following item to the examples to read as follows:

Basis 30 lbs.:
$16.00 per cwt. ($10.00 per cwt. plus 60% — 1½% per lb. from 55 lb. to 45 lb., 2% per lb. from 45 lb. to 40 lb., 3% per lb. from 40 lb. to 35 lb. and 4% per lb. from 35 lb. to 30 lb. basis weight).

This amendment shall become effective June 18, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10248; Filed, June 12, 1945; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 46]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 53 is amended in the following respects:

1. Section 11.1 (a) (2) (i) is amended to read as follows:

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area outside the corporate limits of the basing points, shall be 12.80 cents, plus the tank car freight rate per pound on loose lard from the nearest basing point freightwise in the area to the community of sale. No other charges may be added to this delivered price.

2. Section 11.1 (a) (2) (ii) is amended to read as follows:

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.55 cents per pound, plus the packing house products freight rate tare added, between the nearest basing point freightwise and the community of sale.

3. Section 11.1 (c) (2) (i) is amended to read as follows:

(i) The maximum price that may be charged by any processor for loose lard, delivered at any community in this area, outside the corporate limits of the basing points, shall be 12.55 cents, plus the tank car freight rate per pound on loose lard from the nearest basing point freightwise in the area to the community of sale. No other charges may be added to this delivered price.

4. Section 11.1 (c) (2) (ii) is amended to read as follows:

[1] 10 F. R. 824, 2246, 3053, 3222, 3197, 4296.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.30 cents per pound, plus the packing house products freight rate, tare added, between the nearest basing point freightwise and the community of sale. No other charges may be added to this delivered price.

5. Section 11.3 (c) is added to read as follows:

(c) *Sales to government agencies.* The maximum price for sales of lard to war procurement agencies in 56 pound wood or fibre export boxes shall be the tierce price for lard plus ¼ of a cent per pound. No additional charges may be added for this type of package. This section removes the pricing of lard in 56 pound wood or fibre export boxes on sales to government agencies from Supplementary Order No. 106.

This amendment shall become effective June 18, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10241; Filed, June 12, 1945; 11:41 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,[1] Amdt. 19]

PASSENGER AUTOMOBILES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 2B is amended in the following respects:

1. The headnote of section 1.1 and paragraph (a) thereof are amended to read as follows:

SECTION 1.1 *This order applies to all 1942 passenger cars.* (a) This Ration Order No. 2B applies to all 1942 passenger cars regardless of mileage. It applies to taxicabs and to the chassis of all 1942 passenger cars but does not apply to any conveyance with a seating capacity of more than ten persons, nor to ambulances, hearses, station wagons or vehicles designed and built for the armed forces.

2. Section 1.2 is amended to read as follows:

SEC. 1.2 *Less restrictive rationing of certain 1942 passenger cars.* (a) This section applies to 1942 passenger cars with a list price of $550 or less and with a list price of $2500 or over. ("List Price" whenever used in this order means the list price provided for in OPA Revised Price Schedule No. 85 and amendments thereto.)

(b) Any 1942 passenger car with a list price of $550 or less or with a list price of $2500 or over may be transferred to a person for use in carrying on either a gainful occupation or work contributing to the war effort or to the public welfare. Before any such car may be transferred, the transferee and the transferor shall make and sign a statement substantially in the following form indicating the purposes for which the car will be used:

(Statement of buyer and seller)

I, _____, hereby certify to
(Print name of buyer)
the Office of Price Administration that I am acquiring the following described passenger car for the following purposes:_____
_____
_____
_____
_____
(Describe the gainful occupation or work contributing to the war effort or to the public welfare for which you will use this car)

Description of Car
Make_____ Serial No._____
Year model_____ Engine No._____
Body type_____

_____
(Buyer's signature)
_____
(Print buyer's address)
_____
(Date)

I, _____, hereby certify to
(Print name of seller)
the Office of Price Administration that I am transferring the above described car to _____ and that to
(Print name of buyer)
the best of my knowledge his statement is true and correct in every respect.

_____
(Seller's signature)
_____
(Print seller's address)
_____
(Date)

(c) The signed statement shall be mailed by the transferor to the Office of Price Administration, Washington 25, D. C., within five days from the date that he signed it.

(d) If the conditions of this section have been satisfied, the Office of Price Administration, Washington, D. C., will issue to the transferee a clearance statement permitting him to register the car in his name.

(e) A person who acquires a car under this section is not required to secure a certificate or other authorization from his Board or District Office.

3. In sections 1.3 (b) and (d) (2) the word "Revised" is added before the phrase "Ration Order 5C".

4. In section 1.4 (b) the phrase "or District Office" is added following the word "Board".

5. Section 1.6 (b) is amended to read as follows:

(b) Before a person may dispose of his car under this section to any person for use, he must first clear the transaction with a Board. He may apply only after he has arranged to transfer the car to a particular person. Application for clearance shall be made on Part A of Form R-212 (Revised). The applicant shall supply all the information required on the form and any other information which the Board may need to verify the statements made thereon. If he meets these requirements the Board shall issue a clearance statement on Part B of Form R-212 (Revised).

6. Section 1.9 (c) is revoked.

7. The title of section 2.5 is amended to read as follows: "*Transfers which do not require certificates or clearance statements.*"

8. Sections 2.5 (b) and (c) are revoked and new sections 2.5 (b) and (c) are added to read as follows:

(b) *Request for authorization.* A person may not transfer a new 1942 car under paragraph (a) until he has received authorization to do so from the OPA Inventory and Control Branch, Empire State Building, New York 1, N. Y. He shall request authorization for the transfer in a letter giving his name and address, the name and address of the person to whom he wishes to transfer new 1942 cars, and the make, body-type, serial number and engine number of each new 1942 car to be transferred. The Inventory and Control Branch shall authorize the applicant to transfer, within a period of time specified in the authorization, the new 1942 cars listed on the application to a person included in paragraph (a). However, when a dealer requests authorization to transfer new 1942 cars to another dealer, the Inventory and Control Branch may delay issuing its authorization for fifteen days from the date it received the application if transfer of the cars would reduce the new car inventory of the dealer applying for the transfer authorization below the number necessary to supply all the certificate holders who have been referred to that dealer within the previous thirty days by the Inventory and Control Branch.

(c) *Report of transfers of new 1942 cars.* Any person who has been authorized to transfer new 1942 cars under this section may transfer legal title to the cars to the transferee within the time limit specified in the authorization and shall, within five days after transfer of legal title, complete OPA Form R-223 in accordance with the instructions on the form. The transferor shall mail the original copy of the form to the OPA Inventory and Control Branch. The person reporting and each party to the transfer shall retain a copy of the form as a record. No authorizations or reports are required for the transfer of used 1942 cars under paragraph (a).

9. The first sentence of section 2.6 (a) is amended to read as follows: "A person may lease, loan or borrow a 1942 car (other than one acquired for lease to a certificate holder) for a period of thirty days or less, if the car is operated and registered for use."

10. Section 2.6 (c) and (i) are amended to read as follows:

(c) A person may acquire a 1942 car by will, inheritance or right of survivorship from one who was entitled to the use of the car, and may use it. He may register the car in his name only by obtaining a clearance statement (see section 1.9).

(i) One or more of several registered co-owners of a 1942 car may acquire the interest of another registered co-owner of the car. The new owner or co-owners

[1] 8 F.R. 2183, 5317, 5531, 5678.

may change the registration of the car to conform with the change in ownership only by obtaining a clearance statement (see section 1.9).

11. In section 2.10, paragraph (a) (1) is amended by deleting the last sentence; paragraph (a) (3) is amended by deleting the last two sentences; and paragraph (b) is amended to read as follows:

(b) *1942 cars held for use.* Any 1942 car which is held for use may be altered in any manner, or may be junked or dismantled for scrap or salvage if it is in such condition that its repair is not practicable.

12. The first sentence of section 2.15 is amended to read as follows: "A person engaged in the business of selling or renting cars shall keep an accurate and complete record for as long as this Order is effective of any transfer, acquisition, registration, alteration, use, junking or dismantling for purposes of scrap or salvage, of a 1942 car while it is owned or held by him."

13. In section 4.3 the words "1941 or" are deleted wherever they appear.

14. Section 1.3 (a) (1) is amended to read as follows:

(1) A person for the transportation of mail on behalf of the United States Government, and an officer or employee of a Federal, State or local government or government agency for carrying out official functions of the following types only:

(i) Fire fighting;

(ii) Prevention and detection of crime;

(iii) Enforcement of law relating specifically to the protection of public health and safety.

Daily or periodic travel between home or lodging and fixed places of work is not deemed performance of official business or carrying out an official function.

This amendment shall become effective June 16, 1945.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719, WPB Dir. No. 1, 7 F.R. 563, Supp. Dir. IX, 9 F.R. 8776)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10240; Filed, June 12, 1945; 11:41 a. m.]

PART 1389—APPAREL

[RMPR 208,[1] Amdt. 5]

MAXIMUM PRICES FOR STAPLE WORK CLOTHING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

[1] 9 F.R. 9978, 10493, 11960, 13297; 10 F.R. 2873.

Paragraph (b) (2) of section 5.9 is amended to read as follows:

(2) *Amount of adjustment.* Existing ceiling prices will be adjusted as follows when, and to the extent that, existing ceiling prices are found by the Office of Price Administration to be lower than:

(i) A price equal to the total unit cost of the garment, or

(ii) A price equal to the total unit cost of the garment plus 2% of such cost, if current net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations are either (a) less than 6.2% or (b) less than double the average percentage realized by the applicant during the years 1936 to 1939, inclusive. However, if current net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations are 12.4% or over, the adjustment shall be limited to a price equal to the total unit cost of the garment.

This amendment shall become effective June 18, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I hereby approve the issuance of this amendment and find that it is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10244; Filed, June 12, 1945; 11:42 a. m.]

PART 1393—ICE

[MPR 154, as Amended,[1] incl. Amdts. 1-10]

ICE

This compilation of Maximum Price Regulation No. 154, as amended, includes Amendment 10, effective June 18, 1945. Additions and deletions by Amendment 10 are indicated by underscoring or notes.

A statement of the considerations involved in the issuance of Maximum Price Regulation No. 154 as Amended, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

In the judgment of the Price Administrator, it is necessary to establish maximum prices for the sale of ice because the prices prevailing in March 1942 were abnormally low in relation to the prices in other industries. As the ice business is primarily seasonal in nature, it has been the custom in the ice business to make price increases only at the beginning of the summer season, which occurs in most regions of the United States in the month of April. Accordingly, in most cases, the prices for ice prevailing in March 1942 did not reflect increased costs incurred since the summer season of 1941, and consequently, as noted above, were abnormally low in relation to the prices prevailing in other industries in which price increases are not limited to a particular time of year. The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable, and in conformity with the general level of prices established by the General Maximum Price Regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 154 As Amended, is hereby issued.

Sec.

1393.1 Maximum prices for ice.
1393.2 Less than maximum prices.
1393.3 Adjustable pricing.
1393.4 Evasion.
1393.5 Enforcement.
1393.5a Licensing.
1393.6 Applicability of the General Maximum Price Regulation.
1393.7 Relationship between this regulation and the General Maximum Price Regulation.
1393.8 Applications for adjustment.
1393.9 Petitions for amendment.
1393.10 Definitions.
1393.11 Effective dates of amendments.
1393.12 Appendix A: Maximum prices for ice.
Appendix B: OPA Form No. 644-2452.

AUTHORITY: §§ 1393.1 to 1393.12 inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

§ 1393.1 *Maximum prices for ice.* On and after July 8, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver ice and no person in the course of trade or business shall buy or receive ice at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1393.12; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1393.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1393.12) may be charged, demanded, paid or offered.

§ 1393.3 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[§ 1393.3 amended by Am. 4, 8 F.R. 7593, effective 6-4-43; and Am. 7, 9 F.R. 2300, effective 3-4-44]

§ 1393.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 154 as amended, shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of ice, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

Specifically, but not exclusively, the following practices are prohibited:

(a) The reduction or elimination of discounts in effect during April 1942, with respect to any particular class of purchasers, or, where the seller's maximum price for ice is established under § 1393.12 (a) (2), the reduction or elimination during any of the months from April to October, inclusive, of the discounts in effect during the corresponding month of 1941 with respect to any particular class of purchasers.

(b) Changes in the classification of purchasers of ice which were in effect during April 1942, or, where the seller's maximum price for ice is established under § 1393.12 (a) (2), changes during any months from April to October, inclusive, in the classification of purchasers of ice in effect during the corresponding month of 1941.

§ 1393.5 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 154 as amended, are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for the suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 154 as amended, or of any acts or practices which constitute such a violation are urged to communicate with the nearest District or Regional Office of the Office of Price Administration, or its principal office in Washington, D. C.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1393.5a *Licensing.* The provisions of Licensing Order No. 1,[5] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1393.5a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1393.6 *Applicability of General Maximum Price Regulation.* Except as provided in § 1393.7 the provisions of this Maximum Price Regulation No. 154 as amended supersede the provisions of the General Maximum Price Regulation with respect to sales or deliveries of ice for which maximum prices are established by this regulation.

§ 1393.7 *Relationship between this regulation and the General Maximum Price Regulation.* The following sections of the General Maximum Price Regulation, as well as amendments to them, apply to sales covered by this regulation:

(1) Supplemental regulations (§ 1499.4).

(2) Transfers of business or stock in trade (§ 1499.5), except that the date, June 4, 1943, shall be substituted for the date, April 28, 1942, contained in that section.

[Subparagraph (2) amended by Am. 6, 8 F.R. 12660, effective 9-20-43]

(3) Federal and State taxes (§ 1499.7).

(4) Current Records (§ 1499.12).

(5) Maximum prices of cost-of-living commodities: statement, marking or posting (§ 1499.13).

(6) Sales slips and receipts (§ 1499.14).

[Subparagraphs (7) and (8) deleted by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

(9) Defintions (§ 1499.20 (g), (h), (i), (k), (m), (o), (p), (r) and (s)).

[§ 1393.7 amended by Am. 4, 8 F.R. 7593, effective 6-4-43 and as otherwise noted]

§ 1393.8 *Applications for adjustment.* (a) Any regional office of the Office of Price Administration or such other offices as may be authorized by order issued by the appropriate regional office may, either on application or its own motion, adjust, by order, the maximum prices of ice established under this Maximum Price Regulation No. 154, as amended, for any seller or group of sellers of the commodity whenever it appears:

(1) That a shortage in the supply of ice available to the seller's locality exists or threatens to occur;

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of ice for such seller and of like sellers; and

(3) That such adjustment will not create or tend to create a shortage, or a need for an increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[Paragraph (a), formerly (e), added by Am. 3, 8 F.R. 1270, effective 2-2-43; redesignated by Am. 10, effective 6-18-45. Former paragraph (a) deleted by Am. 10]

(b) Such adjustment shall be made in relation (1) to increased production and delivery costs which the seller of ice in the locality affected must incur in order to produce and deliver such ice as compared with production and delivery costs in April, 1942, or, for natural ice, as compared with the nearest earlier month in which such ice was harvested and packed in such locality; and (2) to such other circumstances as may be pertinent to the procurement of sufficient supplies of ice to meet the requirements of the locality affected.

Where a seller must import ice from other localities at costs in excess of the costs of local manufacture or procurement, as determined by the costs of local manufacture or procurement during the most recent calendar month, and the total cost of ice so imported is in excess of the average imported cost absorbed by that seller in a corresponding period in 1938, 1939 and 1940, an adjustment may be granted sufficient to allow such importer of ice to recover, over an appropriate period, the dollar amount of such excess cost.

[Above paragraph added by Am. 10, effective 6-18-45]

(c) In making application for adjustment, any manufacturer of ice who sells ice at retail and also sells ice to distributors and peddlers for resale at retail may make application for adjustment on behalf of those distributors and peddlers who customarily purchase ice from him. If an adjustment of the manufacturer's maximum price is granted upon such application, a like adjustment of the maximum prices of the distributors and peddlers included in the application may be granted. In any such case the manufacturer's prices to such distributors and peddlers may be, but are not required to be, increased by an amount not in excess of the adjustment granted with respect to retail prices.

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

[Paragraphs (b) and (c), formerly (f) and (g) added by Am. 3, 8 F.R. 1270, effective 2-2-43 and redesignated by Am. 10, effective 6-18-45. Former paragraphs (b) and (c) amended by Am. 1 and deleted by Am. 10]

(d) *Special provisions; car-icing sales.* This paragraph (d) contains a flat pricing provision and an adjustment procedure supplementing the general provisions of the regulation and applying exclusively to car-icing sales. Nothing contained in this paragraph (d) shall prevent any seller of ice from making application for price increase for any class of ice, under paragraphs (a), (b) and (c) of § 1393.8. Definitions of terms used in this paragraph (d) are set out, in conjunction with OPA Form No. 644-2452, in Appendix B to this regulation.

(1) *Flat maximum price.* The maximum price for ice sold for car-icing purposes by any seller of ice subject to this regulation, whose lawful maximum price otherwise established under this regulation is less than $3.00 per ton, shall be

[1] 7 F.R. 5139, 5276.

[2] Statements of considerations are also issued with amendments. Copies may be obtained from the Office of Price Administration.

[3] 9 F.R. 1385.

[4] Revised, 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11800; 9 F.R. 1594, 3075.

[5] 8 F.R. 13240.

$3.00 per ton, provided, however, that any seller who shall increase his maximum price to $3.00 under this subparagraph must first file a report thereof with the District Office of the Office of Price Administration nearest the seller's icing location at which such increase is made effective.

(2) *Adjustment by buyer-seller agreement.* Maximum prices for car-icing sales may be adjusted for any seller by the Office of Price Administration pursuant to an application by the buyer and the seller under the following conditions:

(i) The application must be filed on OPA Form No. 644-2452 (Appendix B) in accordance with the directions set forth therein.

(ii) The seller may request a price increase equal in cents per ton to the labor cost increase per ton in the most recent twelve-calendar-month period over the labor cost per ton for the seller's normal fiscal year ending nearest to April 30, 1942, subject to the limitations in subdivision (v) hereof.

(iii) The purchaser, joining in the application, must agree to absorb the proposed increase without passing it on in an increase in the prices or charges of such purchaser for commodities or services sold by such purchaser. This commitment, however, shall be without prejudice to the purchaser including such increased costs in any application for increased rates or charges in any proceeding before an authorized State or Federal regulatory agency, in which consideration of the proposed increases is based upon revenue needs.

(iv) The seller must agree to maintain the same ratio of car-icing sales to total sales, to the extent required by purchasers and available to the seller, as prevailed at that icing location during the twelve-month period immediately preceding the date of application.

(v) Price adjustments authorized under this subparagraph (2) may not exceed 20% of the highest price charged by the seller for car-icing sales at the subject icing location during April 1942; and in no event may the adjustment amount to more than $1.00 per ton above the April 1942 price.

Applications for adjustment under this subparagraph (2) shall be filed only with the Transportation and Public Utilities Division, Office of Price Administration, Washington 25, D. C. Upon consideration of the application, the Administrator will issue an order denying, in whole or in part, the requested adjustment in maximum price, or the Director of the Transportation and Public Utilities Division will issue a notice of approval or require that additional information be submitted. If none of these actions is taken within 20 days after the filing of the application, or after additional information has been supplied, the application shall be deemed to be approved. Note, however, that all approvals, whether made by affirmative action or by operation of the 20-day provision, are subject to revocation or modification by the Administrator at any time.

[Paragraph (d) added by Am. 10, effective 6-13-45. Former paragraph (d) added by Am. 1, 7 F.R. 5944, effective 8-5-42; amended by Am. 2, 7 F.R. 8940, effective 11-4-42; and deleted by Am. 10, effective 6-18-45]

[Section heading amended by Am. 1]

§ 1393.9 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation 154, as amended, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1393.9 amended by Supplementary Order No. 26, 7 F.R. 8948, effective 11-4-42]

[NOTE: Procedural Regulation No. 6 (9 F.R. 10628) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9819; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1393.10 *Definitions.* (a) When used in this Maximum Price Regulation No. 154 as amended the term:

(1) "Platform sale" (or bridge, or dock sale) is a sale of ice, delivery of which is made to the purchaser at the seller's place of business.

(2) "Delivered sale" is a sale of ice delivered to a purchaser at a point other than the seller's place of business.

(3) "Highest price charged" shall be (i) the highest price which the seller charged for ice delivered by him during any designated period or (ii) if the seller made no such delivery during any designated period, his highest offering price for delivery during that designated period.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1393.11 *Effective dates.* (a) This Maximum Price Regulation No. 154 as Amended (§§ 1393.1 to 1393.12, inclusive) shall become effective July 8, 1942. [MPR 154, as amended, originally issued July 3, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

§ 1393.12 *Appendix A: Maximum prices for ice*—(a) *Determination of maximum prices*—(1) *Generally.* The seller's maximum delivered price and the seller's maximum platform price for any form, quantity, and quality of ice shall be the highest price charged by the seller for such form, quantity, and quality of ice during April 1942 on a delivered sale or on a platform sale respectively to a purchaser of the same class: *Provided*, That in the event the seller's only deliveries to any class of purchasers during April 1942 were made pursuant to a contract or contracts entered into prior to October 1, 1941, the seller's maximum delivered price and seller's maximum platform price to a purchaser of that class for any form, quantity, and quality of ice shall be (i) the highest delivered price or the highest platform price respectively for such form, quantity, and quality of ice for which provision is made in any contract entered into with a purchaser of said class after October 1, 1941 and prior to April 28, 1942, even though no deliveries were made under such contracts in April 1942, or (ii) if the seller has not entered into any contract with a purchaser of that class after October 1, 1941, and prior to April 28, 1942, a price determined in accordance with paragraph (b) of this section.

[Subparagraph (1) corrected, 7 F.R. 5276, effective 7-10-42]

(2) *Alternative maximum prices.* During the months from April to October inclusive, a seller of ice may charge on a delivered sale or a platform sale for any form, quantity, and quality of ice, the highest price charged by the seller for such form, quantity, and quality of ice on a delivered sale or on a platform sale respectively during the corresponding month of 1941 to a purchaser of the same class: *Provided*, That to avail himself of this alternative method of determining maximum prices the seller must be able to demonstrate by appropriate written records what his prices actually were during the corresponding months of 1941 and must preserve such records and make them available for examination by the Office of Price Administration.

(b) *Maximum prices determined by reference to maximum prices of most closely competitive seller*—(1) *Generally.* If the seller's maximum price for ice cannot be determined under paragraph (a) (1) of this section, and is not or cannot be determined under paragraph (a) (2) of this section, the seller's maximum delivered price and the seller's maximum platform price for any form, quantity, and quality of ice shall be the maximum price established under paragraph (a) (1) of this section for the most closely competitive seller of the same class for such form, quantity, and quality of ice on a delivered sale or on a platform sale respectively to a purchaser of the same class.

(2) *Alternative maximum prices.* If a seller has customarily charged higher prices during the summer season than during the rest of the year, and if the seller's maximum price for ice cannot be determined under paragraph (a) (2) of this section, the seller may charge during the months from April to Oc-

tober inclusive, on a delivered sale or on a platform sale for any form, quantity, and quality of ice the maximum price established under paragraph (a) (2) of this section for the most closely competitive seller of the same class for such form, quantity, and quality of ice on a delivered sale or on a platform sale respectively to a purchaser of the same class.

(c) *Maximum prices for specially treated ice not sold prior to April 1942.* The maximum price for specially treated ice for which a maximum price is not established by paragraphs (a) or (b) above shall be determined upon application filed with the Director of the Transportation and Public Utilities Division, Office of Price Administration, Washington 25, D. C. Such maximum prices will be established by order of the Administrator in line with the level of maximum prices otherwise established by this regulation. Applications under this paragraph shall contain the following:

1. Name and address of the seller, indicating whether an individual, partnership, association, or corporation;
2. Brief description of the business;
3. Description of the customers or class of customers to be served;
4. A complete description of the specially treated ice for which a maximum price is sought;
5. A statement of the reasons why such specially-treated ice cannot be priced under paragraphs (a) or (b) above;
6. The maximum price proposed by the seller, and a specific breakdown of all relevant cost factors, including material, fuel or power, direct labor, other direct operating expenses, and applicable overhead costs; and
7. Any other facts which the seller wishes to submit in support of the application.

The application must be signed by the applicant personally, or if a partnership by a partner, or if an association or corporation by a duly authorized officer thereof.

Pending consideration of the application, sales and deliveries of the commodity may be made at prices not in excess of the maximum prices for untreated ice in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration in conformity with § 1393.3 of this regulation, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Orders issued under this paragraph may be made applicable to all sellers of a particular kind of specially-treated ice and will contain such restrictions and limitations as are deemed necessary by the Administrator.

[Paragraph (c) added by Am. 9, 10 F.R. 4246, effective 6-11-45. Former paragraphs (c), (d) and (e) redesignated as (d), (e) and (f) by Am. 9]

(d) No seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery or supply of ice than the seller required purchasers of the same class to pay during April 1942; except that during the months of April to October inclusive, where the seller's maximum price for ice is established by paragraph (a) (2) of this section, no seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery or supply of ice than the seller required purchasers of the same class to pay during the corresponding month of 1941.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312, 3702, 9521) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

(e) The charges made for any special service shall not exceed the charge made during April 1942 except that where, during the months from April to October, inclusive, the seller's maximum price for ice is established by paragraph (a) (2) of this section, the charges made for any special services shall not exceed the charges made during the corresponding month of 1941.

[NOTE: 2nd Revised Supplementary Order No. 34 (10 F.R. 2014) permits, under certain conditions, the addition of special packing expenses to maximum prices on sales to procurement agencies of the United States.]

(f) *Maximum prices for natural ice*—(1) *Generally.* Sales of natural ice by its harvesters to railroads, railway express companies and packers of perishables are excepted from the provisions of this regulation. However, this exception shall not apply to sales of natural ice by its harvesters to other classes of purchasers or by persons other than harvesters to any class of purchasers. Maximum prices for all sellers of natural ice other than for the type of sales specifically excepted above shall be determined by the seller under the applicable provisions of paragraph (a), (b) or (f) of this section.

[Subparagraph (1) amended by Am. 8, 9 F.R. 14852, effective 12-20-44]

(2) *Harvester's maximum prices determined by reference to highest price charged during the harvest period.* If the harvester's maximum price for natural ice cannot be determined under paragraphs (a) or (b) of this section, the harvester's maximum delivered price and the harvester's maximum platform price for any form, quantity and quality of such ice shall be the highest price charged by the harvester for such form, quantity and quality of natural ice during the month or months of harvest of such seller in the period from December 1, 1941 through March 31, 1942 on a delivered sale or platform sale respectively to a purchaser of the same class.

(3) *Transportation and special service charges.* (i) No harvester of natural ice who determines his maximum price under subparagraph (2) shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery or supply of natural ice than the harvester required purchasers of the same class to pay during the month or months of harvest of such seller in the period from December 1, 1941 through March 31, 1942; and

(ii) The charges made for any special service rendered by such harvester shall not exceed the charge made during the month or months of harvest of such seller in the period from December 1, 1941 through March 31, 1942 for such special service to purchasers of the same class.

[Paragraph (f), formerly (e) added by Am. 3, 8 F.R. 1270, effective 2-2-43]

[Original paragraph (f) added by Am. 4, 8 F.R. 7593, effective 6-4-43; corrected 8 F.R. 8844, effective 7-2-43; revoked by Am. 5, 8 F.R. 10514, effective 7-26-43]

APPENDIX B

OPA Form No. 641-2452 — Approval Waived by Bureau of Budget — Applicant not to write between heavy lines

This form may be reproduced without change

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

Application for Adjustment in Maximum Price for Ice Designated as "Car Icing" Sales as Defined Herein
File Original and 1 Copy

Read carefully instructions on reverse side before filling in this form

Transportation and Public Utilities Division (Ice Section) Checked by:	
OPA Reference No. (Ice)	
Date Received by OPA	Approved ☐ Date Disapproved ☐
Name of seller	
Address: Street and number	
City: Postal zone number, State	
Date of application: Day, month, year	

A—*Application*

The seller of ice shown above requests that his present price for ice sold for "car icing" purposes to the purchaser named herein, now established at $..... per ton, be increased to $..... per ton, effective ....., 194..., for sales to:

(Purchaser at point of delivery):.....

.....

.....

Form of delivery:.....

(Form of delivery means: F. o. b. seller's platform, f. o. b. purchaser's icing dock, placed in car bunkers, placed in body of cars, etc.)

APPENDIX B—Continued

B—*War Labor Board wage data*

1. Do you employ in your entire firm more than eight individuals?..... ☐ Yes ☐ No
2. Are you now paying wages or salaries higher than those paid on Sept. 15, 1942?..... ☐ Yes ☐ No
3. If the answer to "2" is "Yes," was the increase approved by the National War Labor Board?..... ☐ Yes ☐ No

4. If the National War Labor Board has issued an order approving wage or salary increases for your employees after Oct. 3, 1942, what is the title and date of such order?	Title Date (month, day, year)
5. If you base this application in whole or in part on wage or salary increases which still require the approval of the National War Labor Board and such increases are voluntary or agreed upon, when and where did you file an application for wage or salary adjustment with that Agency?	City and State Date (month, day, year)
6. If you base this application in whole or in part on wage or salary increases which still require the approval of the National War Labor Board and such increases are disputed rather than voluntary or agreed upon, when were you notified of the proposed National War Labor Board decision?	Date

C—*Present ceiling price and intent to supply*

(1) What was your ceiling price for car icing in April 1942?.....

(2) If there has been any change in such ceiling price since April 1942, explain below.

.....

.....

.....

(3) Do you agree to supply ice to the purchaser who certifies this application at not more than the proposed ceiling prices, if supply is available, in quantities requested or at least equal to the percentage of such sales to your total sales as was furnished during the 12-month period immediately preceding the date of application? If not, explain below.....

D—*Data for determination of labor cost increase*

For car icing operations only, and to cover all car icing operations of seller at this location	(1) Seller's normal fiscal year ending nearest to Apr. 30, 1942	(2) Most recent 12-month period preceding date of application	(3) Change
(1) Production labor			
(2) Vault, storage and hauling labor			
(3) Labor for actual icing operations			
(4) Total all car icing labor			
(5) Total tons sold for car icing			
(6) Labor cost per ton for car icing			

E—*Seller's certification* (to be executed by seller)

.....hereby certifies that:
(Name of seller)

(1) All statements and data herein supplied by seller are true and correct to the best of their knowledge and belief;
(2) There is a shortage or threatened shortage of ice in the general locality of delivery shown herein;
(3) Seller cannot continue to supply ice for car icing at present ceiling prices;
(4) Seller is not paying more for materials and labor than the authorized ceiling prices or wages; and
(5) The additional revenue per ton produced by the ceiling prices requested herein will not exceed the increase in labor costs per ton for car icing for the most recent 12-month period preceding date of application above the costs per ton for such service for the seller's normal fiscal year ending nearest to Apr. 30, 1942.

Sign Here .....
(Name of owner, partner, or officer) (Title) (Place and date)

F—*Purchaser's Certification* (To be executed by purchaser)

.....hereby certifies that:

(1) Purchaser has reviewed the statements made herein.
(2) Purchaser cannot procure sufficient ice for car icing purposes from any other supplier of ice at the desired icing location at prices lower than requested herein, and failure to secure ice will result in insufficient refrigeration for the safe and economical transportation of perishable food products.
(3) *Purchaser agrees to pay and absorb the increased price requested herein and will not increase its own charges on account of such increase in ice prices.

*This statement is made without prejudice of the purchaser's right to present for consideration by any regulatory authority, the increased cost resulting from the new ceiling price of ice together with any other cost increases in any future application of purchaser for a general rate or price increase based upon the revenue needs of purchaser.

Sign Here .....
(Name of owner, partner, or officer) (Title) (Place and date)

INSTRUCTIONS

(1) *Filing this form and OPA action.* (Copies of this form may be secured from any District or Regional Office of the Office of Price Administration or the Transportation and Public Utilities Division, Office of Price Administration, Washington 25, D. C.)

An original and one copy of this form are to be completed and filed with the Transportation and Public Utilities Division of the Office of Price Administration, Washington 25, D. C. at least 20 days prior to the date that applicant expects adjusted ceiling prices to become effective as shown in section "A".

In accordance with provisions of § 1393.8 (d) (2) of MPR 154, as amended, the adjusted ceiling price requested herein shall become effective upon affirmative approval by the Transportation and Public Utilities Division, Office of Price Administration, Washington, D. C., or upon the expiration of 20 days from the date of filing in the absence of a specific order of disapproval, a request for further information, or notice that this form may be inappropriate for this pricing action.

(2) *General applicability.* This method of request for adjustment in the ceiling price for ice is to be used only for "car icing sales" as defined below and relates only to labor cost increases for car icing operations during the most recent twelve month period preceding date of application over such labor cost for the seller's normal fiscal year ending nearest to April 30, 1942.

(3) *Amount of adjustment.* No adjustment in the ceiling prices of ice used for car icing sales as defined herein may be made as the result of an application on this form in excess of the increased car icing labor cost as determined under Section "D" herein during the most recent twelve month period preceding date of application over the seller's normal fiscal year ending nearest to April 30, 1942, and in no event more than in an amount equal to 20 percent of the April 1942 ceiling price, and limited in any case to not more than $1.00 per ton over the April 1942 ceiling price. Application for price increases in excess of these limits, or based upon cost increases other than for car icing labor, may be filed in accordance with § 1393.8 (a), (b) and (c) of MPR 154, as amended, but cannot be made on this form.

Address of seller is to be the location of plant where icing operations are performed.

Sections "A" "B" "C" "D" and "E" are to be filled in completely by the seller. Data under Section "D" relates to the total car icing operations of the seller at the plant or location herein.

Definitions.—"Car-icing sales." For purposes of these definitions, no distinction is made between "initial icing" and "re-icing" sales.

As used herein, ice for "car-icing" purposes is intended to be ice for use primarily to protect perishable food commodities in transit from shipping points near fields, orchards or initial processing points to markets in refrigerator cars of railroads or express companies, and usually placed in the bunker or bodies of such cars or directly in or on the shipping crates. However, truck lines, boat lines or fishing fleets, when they use ice for the same general purposes, purchasing in quantities or requiring icing services of the seller comparable to those of railroad refrigerator cars, and at prices about the same customarily charged by sellers for railroad car icing, will be classed as users of "car-icing" ice.

Car-icing, as used herein, is not intended to cover sales in small quantities to individual fishing boats, milk handlers and dealers, small truck gardeners and poultry processors, or for similar purchasers who use ice to transport perishable food products to local and adjacent markets. Ice for this purpose is usually purchased in small quantities at the sellers' platform with no manual icing operation required of the seller.

Since price increases permitted as a result of the use of this form are intended to relieve ice shortages in situations which may arise quickly and/or require immediate attention, and where sellers have had burdensome labor cost increases over the seller's normal fiscal year ending nearest to April 30, 1942, car-icing operations, obviously only in cases where sellers are required to do manual icing operations, will such labor costs be excessive except for nominal amounts to compensate for production labor cost increases. It will be found that in most instances, car-icing sales, as defined herein, are for large tonnage requirements and are usually made pursuant to contracts, often long-term, entered into prior to October 1, 1941, and usually specifying the amount of manual icing operations required of the seller by the purchaser, and with such icing services included in the price per ton paid by the purchaser.

"Seller." Seller, as used herein, means any seller of ice who is subject to price control of ice under Maximum Price Regulation No. 154, as amended.

"Purchaser." Purchaser, as used herein, means any purchaser of ice who buys ice in substantial quantities for uses described under the above definition of "car-icing sales".

Car-icing labor. (Section D) All executive salaries are to be excluded. (1) *Production labor.* Production labor, as used herein, shall be the total production labor, (including applicable payroll taxes and insurance), under the usual and accepted industry definition of production labor, but

covering only the amount of such labor applicable to ice manufactured and sold for car-icing purposes, as defined herein. It is to include proportionately all labor costs of employees who treat makeup water, fill ice cans, pull ice, operate compressors or other ice manufacturing machinery, fire boilers, maintain the production equipment, and all other labor operations in connection with the production of ice up to the point of placing it in the vault. It is to be arrived at by (1) taking the total of all tons produced in the seller's normal fiscal year ending nearest to April 30, 1942 and the total of all tons produced during the most recent twelve month period preceding date of the application, (2) dividing these total tons into the total production labor cost for the entire plant operation in each year, and (3) multiplying this resultant cost per ton figure by the number of tons of car-icing ice only, in each of the respective years. By this method, there will be reflected under this section only the production labor applicable to the tons of ice made and sold for car-icing purposes.

(2) *Vault, storage, hauling and miscellaneous labor.* Include all labor (including applicable payroll taxes and insurance) of employees who stack or tier ice in vaults or storage houses, either by hand or by elevators, who bring ice from storage to point of delivery to transporting vehicles or to the icing docks adjacent to the vaults or storage rooms; and who operate refrigeration machinery used exclusively for refrigeration of ice for car-icing purposes. It includes also wages or salaries of maintenance crews for car-icing vaults, platforms and icing equipment. All clerical and supervisory labor applicable to car-icing operations (item 1, 2 or 3) shall be included in this item #2.

Include under this classification, all labor of employees who haul or transport ice from the platforms of the seller to the point of actual icing operations, where such operations are not at the plant sidings, including all drivers and handlers or other persons engaged in the hauling or transportation of ice for car-icing purposes.

(3) *Direct icing operations.* Include all labor (including applicable pay-roll taxes and insurance) of employees who operate car-icing drag chains or icing elevators; distribute ice along icing platforms; operate ice crushers or blowers conditioning ice for car-icing use, drag ice onto cars; break and place in bunkers; set bunker grates; clean out the bunkers, place ice in body of cars or in or on shipping containers within the cars; spot cars or otherwise engage in car-icing operations not included in (1) and (2) above.

NOTE: Where accurate time card distribution of labor costs is not kept and employees are used jointly for car icing and other operations, show by separate attachment the method of allocation of such labor cost between car-icing and other operations.

No labor costs for production (except as specified above), operation of vaults, platforms, retail stations, retail delivery operations, processing or storage for retail sales, executive salaries, or construction work on additions to plant may be included in car-icing labor.

If customary labor classifications of seller differ substantially from the classifications in items 1, 2, and 3 in section D, explanation may be made by separate attachment.

[Appendix B added by Am. 10, effective 6-18-45]

NOTE: All reporting provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10242; Filed, June 12, 1945; 11.41 a. m.]

PART 1397—CONSTRUCTION OF BUILDINGS AND STRUCTURES

[RMPR 251, Amdt. 2]

CONSTRUCTION SERVICES AND SALES OF INSTALLED BUILDING MATERIALS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 251 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What this regulation covers*—(a) *Transactions covered.* This regulation applies to all construction services and sales of installed materials by any person in connection with a building, structure, or construction project.

This regulation applies in the forty-eight states of the United States, the District of Columbia, and, notwithstanding Maximum Price Regulation 194, in the Territory of Alaska.

Such services and sales as excavation and landscaping in connection with a building, structure or construction project and demolition and site-clearance are covered by this regulation.

(b) *Definitions.* As used in this regulation, the term:

(1) "Construction service" means a transaction in which the seller furnishes only services:

(i) To install any materials or equipment into a building, structure, or construction project at a fixed site, where such materials or equipment are incorporated into the building, structure, or construction project.

(ii) To remove any materials or equipment from a building, structure, or construction project at a fixed site, where such materials or equipment have been incorporated into the building, structure, or construction project.

(iii) To repair or remodel any building, structure, or construction project at a fixed site, or to repair or remodel any building equipment or building materials (as those terms are commonly understood in the building trades) in any building, structure or construction project at a fixed site.

(2) "Sale of installed materials" means a transaction in which the seller furnishes materials and equipment together with the services required to incorporate such equipment or materials into a building, structure, or construction project at a fixed site. For the purposes of this regulation, any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a seller of installed material covered by this regulation.

2. Section 4 (b) is amended to read as follows:

(b) As stated in section 3, services and sales for which maximum prices are established by any other price regulation are not covered by this regulation. This regulation does not cover any service which was specifically listed in Maximum Price Regulation 165, as amended, and is therefore now covered by Revised Maximum Price Regulation 165 (Services). If any seller is in doubt as to the governing regulation, he should seek advice from the nearest OPA field office.

3. The last sentence in section 5 (b) is deleted and the following two sentences are substituted therefor: "The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price. The authorization will be given by order."

4. The last two undesignated paragraphs in section 6 (b) are deleted and the following paragraph is substituted therefor:

Any Regional Administrator, or any District Director so authorized by his Regional Administrator, may act upon any application under this paragraph (b) filed by a seller within his region or district and may by order approve, disapprove, or revise any maximum price proposed or approved under this paragraph (b), so as to make it in line with the level of maximum prices under this regulation.

5. Section 7 (a) (1) is amended to read as follows:

(1) Actual cost of materials (including installed equipment), not exceeding their maximum prices: *Provided, however,* That as to any materials or equipment regularly manufactured by the seller he shall use as his cost of such material an amount not more than the maximum price which the seller would be permitted to charge under the applicable regulation for an uninstalled sale of such materials or equipment to a third party of the same class.

6. Section 7 (b) (1) is amended to read as follows:

(1) Estimated cost of materials (including installed equipment), not exceeding their maximum prices: *Provided, however,* That as to any materials or equipment regularly manufactured by the seller he shall use as his cost of such materials an amount not more than the maximum price which the seller would be permitted to charge under the applicable regulation for an uninstalled sale of such materials or equipment to a third party of the same class.

7. Section 7 (b) (4) is amended to read as follows:

(4) An estimated reserve for such contingencies as the seller in good faith can reasonably foresee.

8. A new section 7 (c) is added to read as follows:

(c) *Approval and revision of maximum prices, by Office of Price Administration.* Any seller who believes that he cannot compute a maximum price under paragraph (a) or (b), because he was not in business or did not have a comparable job during the base period or for any other reason, or who wishes to

use a formula different than the applicable formula under paragraph (a) or (b), may apply to the Office of Price Administration for approval of a maximum price or pricing method. An application under this paragraph (c) shall be filed with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., and shall include the following:

(1) A statement of the reasons why he believes he cannot compute a maximum price under paragraph (a) or (b), or why he does not wish to use the formulae in these paragraphs.

(2) A statement of the maximum price or pricing formula he proposes to use for a specific job or for all jobs.

(3) A statement of the reasons why he believes his proposed price or formula is consistent with the level of prices fixed by this regulation.

The National Office may refer any application filed under this paragraph (c) to the appropriate Regional Administrator. The Price Administrator, or any Regional Administrator to whom such an application has been referred by the National Office, may by order approve, disapprove, or revise a price or a pricing formula proposed or approved under this paragraph (c), so as to make it consistent with the level of maximum prices under this regulation.

9. Section 8 (b) (2) is amended to read as follows:

(2) In all other cases within this paragraph (b), each Regional Administrator, and any District Director to whom he has by order delegated authority, may make adjustments or act upon applications for adjustment filed by sellers in accordance with Revised Procedural Regulation No. 1, provided that the amount of the adjustment shall not exceed the lower of the following:

(i) The seller's increased labor costs by virtue of the wage increase, or

(ii) The difference between the seller's labor cost used in the computation of his maximum price under section 6 or 7 and his labor cost based upon rates prevailing in the area for the same type of work and the same classes of mechanics and laborers.

10. In section 9 (b), a new sentence is added to read as follows: "Regional pricing orders issued under this section shall supersede other sections of this regulation to the extent provided in such orders."

11. Section 18 is amended to read as follows:

SEC. 18. *Notification of compliance.* In the case of any sale subject to the regulation the seller shall, where demand is made by the purchaser, file a statement with the purchaser that the selling price is not in excess of the maximum price determined in accordance with this regulation.

12. A new section 20 is added to read as follows:

SEC. 20. *Delegation of authority to require filing of prices, invoices and records in certain cases.*—(a) *Delegation of authority.* Any Regional Administrator may issue an order under this section for any community or defined area in his region, applicable to some or all types of sales on a unit price basis covered by section 6, requiring the filing of statements of maximum unit prices, the preparation of invoices, retention of copies thereof in the seller's files, and the keeping of records, as set forth below.

(b) *Scope of orders issued under this section.*—(1) *Statements of maximum prices.* (i) An order issued under this section may require that each seller subject to such order must prepare and keep for examination by any person during ordinary business hours, a statement showing his maximum unit prices to each class of purchaser of the services or sales for which he has established maximum unit prices under section 6 of this section, as adjusted under section 8.

(ii) Any such order may also require that a duplicate of such statement shall be filed with the appropriate War Price and Rationing Board or District or Regional Office.

(2) *Invoices.* An order issued under this section may require that each seller subject to such order shall furnish each purchaser with an invoice containing all or some of the following information and shall keep a copy thereof in his files for inspection by OPA:

1. Seller's name and address.
2. Date.
3. Brief description of each service for which a separate charge is made.
4. If a customer's hourly rate is used in pricing the service, the customer's hourly rate and the number of hours for which a charge is made.
5. If a fixed charge is used in pricing the service, the fixed charge (i. e., a unit rate not based on a customer's hourly rate).
6. Total labor charge.
7. Parts and materials furnished, and charges therefor.
8. Any other charge and specific indication of its nature.
9. Total charge.

(3) *Records.* An order issued under this section may require that each seller subject to such order shall, if he has productive employees, keep the records indicated below and shall make such records available for OPA inspection. "Productive employees" are employees who actually do construction or installation work, as distinguished, for example, from supervisory, clerical, or administrative employees.

1. Name of each productive employee.
2. Number of hours worked each day by each productive employee.
3. Number of hours worked each pay period by each productive employee.
4. Total wages paid to each productive employee each pay period.

This amendment shall become effective June 18, 1945.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10245; Filed, June 12, 1945; 11:42 a. m.]

PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPR 215, Amdt. 9]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 215 is amended in the following respect:

1. Section 10 is amended to read as follows:

SEC. 10. *Items specially priced under mill regulations.* (a) Where a producer establishes a specific price for an item under a special pricing provision of a mill schedule, any distribution yard selling that item may use the price so established in figuring its selling price under this regulation only if it first obtains from the producer written assurances that an authorization has been issued to him. The distribution yard shall retain its purchase invoices for all such specially priced items in its records, to be available for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Where a yard obtains special permission from the Office of Price Administration to purchase an item at a price which the mill regulation establishes only for certain classes of purchasers not including yards, the yard receiving such special permission may use that price as the f. o. b. mill maximum price in computing its selling price for that item under this regulation only on sales to the classes of purchasers to whom the sale of the item at that price could have been made by the mill under the mill regulation or to the classes of purchasers specifically designated in the special permission issued by the Office of Price Administration.

This amendment shall become effective June 18, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10246; Filed, June 12, 1945; 11:42 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 555,[1] Amdt. 3]

WESTERN POLES AND PILING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 555 is amended in the following respects:

1. The first paragraph in section 2 is amended to read:

SEC. 2. *Products, species and transactions covered.* This regulation covers all sales and purchases of untreated and non-pressure treated poles and piling (except Western Red Cedar) produced in "Western" territory. Sales of pressure treated poles and piling and sales of custom pressure treatment only are covered by Maximum Price Regulation 491. Sales of preservative treatment only, by non-pressure methods, are covered by Maximum Price Regulation 165. Western red cedar poles and piling are covered by Maximum Price Regulation 554.

[1] 9 F.R. 10992, 12596, 14647.

2. Section 3 is amended to read as follows:

SEC. 3. *Basic maximum prices.* The basic maximum prices for certain untreated poles and piling covered by this regulation are set out in Tables 1, 2, 3 and 4. The basic additions for certain non-pressure type treatment which may be added to the maximum prices on a sale of non-pressure treated poles and piling are set out in Table 5. The basic additions for framing which may be added to the maximum prices on a sale of certain untreated or non-pressure treated poles and piling are set out in Table 6.

The maximum prices fixed by this regulation are all f. o. b. the railroad loading-out point or f. o. b. towable waters nearest the mill or point of production in the normal direction of delivery to the point of destination.

3. Paragraph (b) in section 5 is amended to read:

(b) The maximum price for Western poles and piling preservatively treated by non-pressure methods (except as otherwise specifically provided in any table) shall be the maximum price established and approved in accordance with the provisions of section 9 of this regulation.

4. The first sentence in section 9 is amended to read:

SEC. 9. *Special pricing.* If a seller wishes to sell a species or specification of untreated Western poles or piling not specifically priced, or wishes to sell Western poles and piling preservatively treated by non-pressure methods not set forth in the tables, or wishes to make charges for framing or other extra services not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price.

5. The footnotes to Table 2 in section 14 are amended by deleting footnote 11, and redesignating footnotes 12, 13 and 14 to read 11, 12, and 13, respectively.

6. Footnote 13 under Table 2 in section 13 is amended to read:

[13] *Ponderosa pine poles.* For all ponderosa pine poles meeting ASA specifications for ledgepole pine poles, use the maximum price for the same class and length Douglas fir poles. For all ponderosa pine poles meeting ASA specifications for any species other than ledgepole pine poles, use the maximum price for the class of Douglas fir pole most nearly comparable to the butt circumference of the species whose ASA specifications are being used. For the estimated weight of ponderosa pine poles add 20% to the weight for the same class and length of Douglas fir poles used in the above pricing provision.

7. The footnotes to Table 3 in section 14 are amended by deleting footnote 13, and redesignating footnote 14 to read 13.

8. The heading of Table 4 in section 14 is amended to read as follows:

TABLE 4—MAXIMUM PRICES FOR DOUGLAS FIR REINFORCING STUBS—ANCHOR LOGS—SHORT ROUND MATERIAL

9. A new section 15 is added to read as follows:

SEC. 15. *Additions for certain non-pressure type preservative treatment.* When a sale is made of poles or piling treated by the non-pressure preservative methods set forth below, the additions listed in the tables below may be made to the maximum prices for the untreated item to which the specified treatment is applied.

(a) *Lodgepole pine poles.*

TABLE 5—MAXIMUM PRICE ADDITIONS FOR CERTAIN NONPRESSURE TYPE BUTT-TREATMENT OF LODGEPOLE PINE POLES

For incised Ground line and Butt Treatment with Hot and Cold Creosote or Hot Creosote and Cold Pentachlorophenol 5% solution in Petroleum which produces an average of 75% or more sapwood penetration

Length (feet)	Class	Addition per pole
16	5	$1.35
	6	1.20
	7	1.10
	8	1.05
	9	1.00
	10	.85
18	3	1.95
	4	1.75
	5	1.70
	6	1.55
	7	1.40
	8	1.30
	9	1.25
	10	1.05
20	1	2.35
	2	2.15
	3	2.00
	4	1.95
	5	1.70
	6	1.70
	7	1.55
	8	1.55
	9	1.35
	10	1.15
25	1	3.90
	2	3.40
	3	2.95
	4	2.65
	5	2.35
	6	2.10
	7	1.85
	8	1.85
	9	1.65
	10	1.40
30	1	5.05
	2	4.30
	3	3.80
	4	3.35
	5	2.95
	6	2.55
	7	2.30
	8	2.30
	9	2.00
35	1	6.15
	2	5.30
	3	4.60
	4	4.10
	5	3.60
	6	3.10
	7	2.75
	8	2.75
40	1	7.20
	2	6.25
	3	5.45
	4	4.75
	5	4.20
	6	3.70
	7	3.25

TABLE 5—MAXIMUM PRICE ADDITIONS FOR CERTAIN NONPRESSURE TYPE BUTT-TREATMENT OF LODGEPOLE PINE POLES—Continued

For incised Ground line and Butt Treatment with Hot and Cold Creosote or Hot Creosote and Cold Pentachlorophenol 5% solution in Petroleum which produces an average of 75% or more sapwood penetration

Length (feet)	Class	Addition per pole
45	1	$8.55
	2	7.50
	3	6.55
	4	5.80
	5	4.85
	6	4.25
	7	3.75
50	1	9.60
	2	8.40
	3	7.35
	4	6.45
	5	5.60
	6	4.90
	7	4.30
55	1	11.10
	2	9.45
	3	8.25
	4	7.25
	5	6.30
	6	5.50
	1	12.70
60	2	10.65
	3	9.30
	4	8.15
	5	7.00

1. If 3 foot groundline incision is not applied, deduct 5% from the maximum additions in the table.

2. Where clean peeled poles priced under table 1, note 2, are butt-treated under the above specifications, deduct from the maximum additions in the table $0.02 per lineal foot times the butt-treated height in feet.

10. A new section 16 is added to read as follows:

SEC. 16. *Additions for certain services and workings.* When a sale is made either of untreated poles and piling or of poles and piling treated by non-pressure preservative methods, the additions listed in the tables below may be made to the maximum prices for the item upon which the specified services or workings are performed.

(a) *Lodgepole pine poles.*

TABLE 6—MAXIMUM PRICE ADDITIONS FOR CERTAIN FRAMING OF LODGEPOLE PINE POLES

Length (feet)	Class	Roof addition	Gain addition per gain
16	5	$0.11	$0.08
	6	.11	.08
	7	.11	.08
	8	.11	.08
	9	.07	.08
	10	.07	.08
18	3	.15	.08
	4	.11	.08
	5	.11	.08
	6	.11	.08
	7	.11	.08
	8	.11	.08
	9	.07	.08
	10	.07	.08
20	1	.15	.08
	2	.15	.08
	3	.15	.08
	4	.11	.08
	5	.11	.08
	6	.11	.08
	7	.11	.08
	8	.11	.08
	9	.07	.08
	10	.07	.08
22	1	.18	.08
	2	.18	.08
	3	.15	.08
	4	.15	.08
	5	.11	.08
	6	.11	.08
	7	.11	.08
	8	.11	.08
	9	.07	.08
	10	.07	.08

TABLE 6—MAXIMUM PRICE ADDITIONS FOR CERTAIN FRAMING OF LODGEPOLE PINE POLES—Continued

Length (feet)	Class	Roof addition	Gain addition per gain
25	1	$0.18	$0.08
	2	.18	.08
	3	.15	.08
	4	.13	.08
	5	.11	.08
	6	.11	.08
	7	.11	.08
	8	.11	.08
	9	.07	.08
	10	.07	.08
30	1	.22	.08
	2	.22	.08
	3	.18	.08
	4	.15	.08
	5	.11	.08
	6	.11	.08
	7	.11	.08
	8	.11	.08
	9	.07	.08
35	1	.26	.11
	2	.26	.11
	3	.22	.11
	4	.18	.11
	5	.15	.11
	6	.15	.11
	7	.15	.11
40	1	.26	.11
	2	.26	.11
	3	.23	.11
	4	.19	.11
	5	.19	.11
	6	.19	.11
	7	.19	.11
45	1	.30	.11
	2	.26	.11
	3	.23	.11
	4	.23	.11
	5	.23	.11
	6	.19	.11
	7	.19	.11
50	1	.30	.11
	2	.30	.11
	3	.26	.11
	4	.26	.11
	5	.26	.11
	6	.26	.11
55	1	.34	.11
	2	.30	.11
	3	.26	.11
	4	.26	.11
	5	.26	.11
	6	.26	.11
60	1	.34	.11
	2	.30	.11
	3	.26	.11
	4	.26	.11
	5	.26	.11

1. *Continuous slat gains.* An addition may be made for each 12 inches or part thereof of continuous slat gain, not to exceed the charge for "Each Gain."

2. *Butt holes and dap holes.* For the first boring in any plane of a pole, add 5 cents. For each additional boring in that same plane add 3 cents.

3. *Branding and marking.* The manufacturer's brand showing year mark, class and length of pole may be branded on the face of the pole at no extra charge. For any additional brand or marking on butt treated poles, an addition of not more than 7½ cents may be made for each additional branding or marking operation required by the buyer and performed with one iron.

11. A new section 17 is added to read as follows:

SEC. 17. *Less than carload sales.* (a) On sales to established concentration, distribution or treating plant yards, or by distribution or treating plant yards in less than carload quantities as established by railroad tariffs where the invoice value at the maximum prices for the untreated poles or other round material does not exceed $175.00 on items 50' and shorter, or $250.00 where 50% of the items are more than 50' in length, the seller may add to the maximum prices set by this regulation a service charge of not more than 25% of the total invoice value of the untreated or non-pressure preservative treated material. This percentage addition may be made only to the maximum price of the item sold, including any non-pressure treating and framing additions. No percentage addition may be made to the permissible transportation charges, which must not exceed those permitted in section 4 for transportation from the point of origin to the concentration, distribution or treating yard from which the sale is made. The percentage addition may be made only on sales f. o. b. seller's yard, with outbound transportation for the buyer's account.

(b) The percentage addition provided in the preceding paragraph for less than carload sales may not be applied where the material is to be sold to or moved through a treating plant for pressure treatment under the provisions of Maximum Price Regulation 491.

(c) Where an entire transaction, regardless of how the orders are placed, calls for sale of quantities of material larger than the maximum to which the less than carload percentage addition may be applied under paragraph (a), such addition may not be added even though the sale is split up into a series of smaller orders or shipments. It is a violation of this regulation to make the additions in paragraph (a) where a series of orders are part of a single transaction or sale, and the total quantity involved is greater than that set forth in paragraph (a). Splitting up a sale in order to get the benefit of the less than carload addition is expressly prohibited.

This amendment shall become effective June 18, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10249; Filed, June 12, 1945; 11:43 a. m.]

PART 1447—GLUE STOCK

[MPR 383, Amdt. 2]

CERTAIN SALES OF PRAIRIE BONES

A statement of the considerations involved in issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2 (b) is amended by substituting "33.00 per short ton" for "$31.00 per ton."

This amendment shall become effective June 18, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10247; Filed, June 12, 1945; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Amdt. 1 to Supp. Service Reg. 49]

AUTOMOTIVE REPAIR SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The effective date of SSR 49 is amended to read July 14, 1945.

This amendment shall become effective June 14, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10243; Filed, June 12, 1945; 11:41 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 34—ISLE ROYALE NATIONAL PARK: COMMERCIAL FISHING

Sec.
34.1 Definitions.
34.2 Permits; conditions.
34.3 Maximum number of permittees.
34.4 Revocation of permits; appeal.

AUTHORITY: §§ 34.1 to 34.4, inclusive, are issued under 39 Stat. 535, 56 Stat. 133, 16 U.S.C. 3, 408k.

§ 34.1 *Definitions.* As used in this part:

(a) "Secretary" means the Secretary of the Interior.

(b) "Director" means the Director of the National Park Service.

(c) "Regional Director" means the Regional Director, Region Two, of the National Park Service.

(d) "Park" means Isle Royale National Park.

(e) "Permittee" includes all persons engaged in commercial fishing from bases in the Park.

§ 34.2 *Permits; conditions.* Annual, revocable special use permits authorizing the use of Government-owned structures and facilities in the Park as bases for commercial fishing in the waters contiguous to the Park may be granted by the Director of the National Park Service, or the Regional Director if authorized by the Director, to bona fide commercial fishermen, where such structures and facilities were used for this purpose during the period from April 1, 1937, to December 31, 1939, inclusive, subject to the following conditions:

(a) Permittees will be required to pay an annual fee of $25.00, except that permittees holding life leases for residence purposes only within the Park will be required to pay an annual fee of $1.00.

(b) Permittees shall personally reside at their Park bases during the fishing season.

(c) Permittees shall secure and possess at all times such commercial fishing license as may be required by the State of Michigan.

(d) Permittees shall comply with all Michigan laws, and related regulations prescribed by the Michigan Department of Conservation, governing commercial fishing in the waters contiguous to the Park.

(e) Permittees shall use the bases covered by the permit for commercial fishing only. No permittee shall furnish boat or guide service to the public unless expressly authorized to do so by the Secretary or the Director.

(f) Permittees shall maintain at their own expense, in accordance with reasonable standards of repair, safety, and sanitation, all Government-owned structures and facilities embraced in the permits.

(g) Permittees who were engaged in commercial fishing from bases in the Park during the period from April 1, 1937 to December 31, 1939, inclusive, shall not expand their operations beyond the capacity of such operations, in number of men engaged or fishing gear in use, during that period. Permittees who were not engaged in commercial fishing from bases within the Park during the period from April 1, 1937, to December 31, 1939, inclusive, shall not expand their operations beyond the capacity of the operations conducted from such bases during this period by the predecessors of such permittees.

§ 34.3 *Maximum number of permittees.* Commercial fishermen to whom the annual revocable permits may be granted shall not exceed the maximum number of persons conducting commercial fishing operations from bases in the area comprising the Park at any one time during the period from April 1, 1937 to December 31, 1939, inclusive.

§ 34.4 *Revocation of permits; appeal.* The Director shall, by notification in writing, revoke the permit of any permittee found by him to have violated any Federal statute, or the provisions of these or any other regulations of the Secretary, relating to the Park. A permittee, however, shall have the right to appeal to the Secretary from a decision of the Director revoking his permit, but such appeal shall not be entitled to review unless it is received by the Secretary within the period of 20 days following the date the Director's notification, together with a copy of these regulations, is served upon the permittee by the Superintendent of the Park, or his duly authorized agent.

Issued this 8th day of June 1945.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 45-10179; Filed, June 11, 1945; 4:28 p. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Appendix A—Waivers of Navigation and Vessel Inspection Laws and Regulations

24-FOOT METALLIC LIFEBOATS (COAST GUARD BUILT-IN-TANK TYPE) MANUFACTURED BY GLOBE AMERICAN CORPORATION

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated October 1, 1942 (7 F.R. 7979), waived compliance with the Navigation and Vessel Inspection Laws administered by the U. S. Coast Guard in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, U. S. Coast Guard, shall find to be necessary in the conduct of the war; and

The United States Maritime Commission, Washington, D. C., having indicated that the efficient prosecution of the war would be impeded by the application of certain vessel inspection regulations in 46 CFR, Parts 37, 59, and 60, which require that metallic lifeboats be constructed of steel having a minimum tensile strength of not less than 50,000 pounds per square inch and that the keel shall be in one length when such lifeboats are to be used on vessels engaged in business connected with the conduct of the war;

Now, therefore, upon request of the United States Maritime Commission, I hereby find it to be necessary in the conduct of the war that the vessel inspection regulations in 46 CFR 37.1-1, 37.2-1 to 37.2-19, inclusive, 59.13, 59.15, 60.10, and 60.12 be waived to the extent necessary to permit the use on board vessels connected with the conduct of the war of certain 24-foot metallic lifeboats, Numbers 6212 to 6292, inclusive, manufactured by the Globe American Corporation, Kokomo, Indiana, when lifeboats 6212 to 6292, inclusive, are made in certain parts with 14 gage U. S. S. steel sheets having a minimum thickness of .072 inch and an average tensile strength of 42,000 pounds per square inch, and having the keel made of two steel bars welded together with a double "V" full butt weld, as follows:

Boat Serial Numbers—6212 to 6292, inclusive

Units Affected—81

MATERIALS PERMITTED

(a) Nos. 1, 2, 3, and 4 sheets, bow and stern, port and starboard; 16 steel sheets per unit

(b) Keels may be in 2 lengths when welded together in the center by qualified welders using a double "V" full butt weld and approved deep penetrating welding electrodes

The changes in construction requirements for these lifeboats shall not alter any tests that may be given such lifeboats by the Coast Guard during inspection at the plant or on shipboard.

Dated: June 11, 1945.

L. T. CHALKER,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 45-10211; Filed, June 12, 1945; 10:31 a. m.]

CAST-IRON FOUR-WAY VALVES IN PIPING TO HYDRAULIC STEERING GEAR

MARINE ENGINEERING AND MATERIAL SPECIFICATIONS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated October 1, 1942 (7 F.R. 7979), waived compliance with the Navigation and Vessel Inspection Laws administered by the U. S. Coast Guard in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, U. S. Coast Guard, shall find to be necessary in the conduct of the war; and

The United States Maritime Commission, Washington, D. C., having indicated that the efficient prosecution of the war would be impeded by the application of certain vessel inspection regulations in 46 CFR, Part 55, as amended, which prohibits the use of cast iron in the construction of valves and fittings for working pressures exceeding 125 pounds per square inch on vessels subject to the jurisdiction of the Coast Guard:

Now, therefore, upon request of the United States Maritime Commission, I hereby find it to be necessary in the conduct of the war that for vessels engaged in business connected with the conduct of the war there be waived compliance with the vessel inspection regulations in 46 CFR 55.19-3 (1) to the extent necessary to permit the installation of four-way cast iron valves in the piping to the hydraulic steering gear on U. S. Maritime Commission vessels of design C1-M-AV1.

Dated June 11, 1945.

L. T. CHALKER,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 45-10212; Filed, June 12, 1945; 10:31 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Solid Fuels Administration for War.

[SFAW Suspension Order 4]

THE PHILIPS-THOMPSON CO.

SUSPENSION OF OPERATIONS WITH RESPECT TO ANTHRACITE

Mr. Clayton M. Liddell, Fourth and French Streets, Wilmington, Delaware, is engaged in the business, under the name of The Philips-Thompson Co., of buying and reselling anthracite as a retail dealer. An investigation by compliance officers of SFAW, including an examination of the books and records of Liddell, disclosed that he had during the period April 1, 1944–March 31, 1945, delivered regulated sizes of anthracite to all of his customers without first obtaining from them consumer declarations as required by § 602.302 of SFAW Regulation No. 17, as amended.

In a letter, dated May 9, 1945, the Acting Deputy Administrator notified Liddell of the results of the SFAW investigation specifying the nature of the violations found to have been committed. Liddell was afforded an opportunity to file within 10 days a statement making such explanations as he might care to offer and to present any facts deemed by him to be pertinent in demonstrating that a suspension order should not be issued against him. No such statement has been filed and Liddell has not denied

[1] 10 F.R. 2097, 2250, 3925.

the violations nor presented any satisfactory explanations therefor.

In view of the foregoing, *It is hereby ordered:*

(1) Clayton M. Liddell, doing business as The Philips-Thompson Co., his successors or assigns, shall not acquire, sell, transfer, ship, deliver or otherwise distribute those sizes of anthracite, the distribution of which by retail dealers is regulated by the Solid Fuels Administration for War.

(2) No producer, wholesaler or retail dealer shall sell, transfer, ship, deliver, or otherwise distribute any of the sizes of anthracite referred to in (1) above to Clayton M. Liddell, doing business as The Philips-Thompson Co., his successors or assigns.

(3) Nothing in this order shall be deemed to prohibit Clayton M. Liddell, doing business as The Philips-Thompson Co., his successors or assigns, from selling the sizes of anthracite referred to in (1) above in transit to or for his account, or in his possession or control, on and after the effective date of this order, to other retail dealers doing business in Wilmington, Delaware, provided that he sells such anthracite pursuant to written consent and instruction of the Regional Representative of the Solid Fuels Administration for War at Baltimore, Maryland.

(4) This order shall become effective 5 days after the date of service hereof, unless otherwise hereafter ordered.

(5) This order shall be in effect until April 1, 1946, unless otherwise directed.

Issued this 9th day of June 1945.

DAN H. WHEELER,
Acting Deputy Administrator.

[F. R. Doc. 45-10213; Filed, June 12, 1945; 10:34 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1753]

CARIBBEAN ATLANTIC AIRLINES, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over route No. 59.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on June 18, 1945, at 10 a. m. (eastern war time), in Room 5132, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner H. Heinrich Spang.

Dated Washington, D. C., June 9, 1945.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-10233; Filed, June 12, 1945; 11:15 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5952]

FRASER PAPER, LTD.

NOTICE OF APPLICATION

JUNE 11, 1945.

Notice is hereby given that Fraser Paper, Limited, of Madawaska, Maine, has filed an application pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U. S. C. 824a (e)) for authority to transmit electric energy across the international boundary between the United States and Canada, from the Town of Madawaska, County of Aroostook, Maine, to Edmundston, New Brunswick, Canada.

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 27, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10239; Filed, June 12, 1945; 11:25 a. m.]

FEDERAL TRADE COMMISSION.

[File No. 21-389]

BUTTON JOBBING INDUSTRY

NOTICE OF HEARING WITH RESPECT TO PROPOSED TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 12th day of June, A. D. 1945.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, or other parties or groups (including consumers) affected by or having an interest in the proposed trade practice rules for the button jobbing industry to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon application to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than June 27, 1945. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., June 27, 1945, in Room 532, Federal Trade Commission Building, Constitution Avenue at Sixth Street, N. W., Washington, D. C., to any such persons, partnerships, corporations, associations, or other parties or groups (including consumers) desiring to appear and be heard. Upon due consideration of all matters presented, in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10278; Filed, June 12, 1945; 11:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-118]

UNITED CORP.

ORDER APPROVING AMENDED PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of June, 1945.

The Commission having issued its findings, opinion and order on May 22, 1945, with respect to a plan filed by The United Corporation under section 11 (e) and other applicable provisions of the Public Utility Holding Company Act of 1935, approving said plan and the transactions necessary to the consummation thereof subject to conditions (a) requiring amendment of the plan as specified in said Order and (b) reserving jurisdiction over certain accounting entries, the payment of fees and expenses in connection with the plan, and the form of the letter offering the exchange to be mailed by The United Corporation to Preference Stockholders of record;

The United Corporation having filed amendments to the plan and having submitted the form of the letter to be mailed offering the exchange, in conformity with the conditions specified by the Commission, and having requested the Commission to enter an order pursuant to the applicable provisions of the Internal Revenue Code, as amended, with respect to the amended plan and the transactions proposed therein; and

The Commission finding that said plan, as amended, is necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and is fair and equitable to the persons affected thereby, and the Commission having approved, pursuant to sections 12 (c) and 12 (d) of said act, the acquisition by The United Corporation, under the provisions of the plan as amended, of shares of its $3 Cumulative Preference Stock and the disposition thereunder of shares of the common stock of Delaware Power & Light Company; and

The Commission having examined the letter to be submitted by The United Corporation to its Preference Stockholders and being fully advised in the premises;

It is ordered, That said plan, as amended, be and hereby is approved; the application-declaration as amended filed by The United Corporation with respect to the transactions proposed therein be and hereby is granted and permitted to become effective; and that The United Corporation be and hereby is authorized, directed, and required to carry out the exchange transactions proposed in said plan, as amended, pursuant to its terms and provisions;

It is further ordered, That in accordance with the requirements of the Internal Revenue Code, as amended, including sections 371 (a), 371 (e), 371 (f) and 1808 (f) thereof, said exchange transactions, namely, the acquisition by The United Corporation of each share of its $3 Cumulative Preference Stock up to 151,655 shares, the transfer and delivery to and the acquisition of two shares of the common stock of Delaware Power & Light Company and $6 in cash by a Preference Stockholder of The United Corporation for each share of said $3 Cumulative Preference Stock tendered to The United Corporation for exchange, all pursuant to the plan, are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

It is further ordered, That the jurisdiction reserved in the Commission's order of May 22, 1945, with respect to the form of the letter offering the exchange to be mailed by The United Corporation to preference stockholders of record be and the same hereby is released.

The Commission continues to reserve jurisdiction with respect to all accounting entries involved in carrying out the plan and with respect to fees and expenses to be paid by The United Corporation in connection with the plan.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10234; Filed, June 12, 1945; 11:15 a. m.]

[File No. 812-382]

PENNROAD CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of June A. D. 1945.

The Pennroad Corporation, a registered investment company, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said act, a transaction in which the applicant proposes to bid for, and if successful, purchase from The Pittsburgh & West Virginia Railway, 59,400 shares of the common stock of The Wheeling and Lake Erie Railway Company. Information with respect to the proposed purchase price for said stock will be furnished in an amendment to the application to be filed by The Pennroad Corporation subsequent to the opening of sealed bids by the seller on June 13, 1945. The seller is an affiliated person of the Pennroad Corporation.

It is ordered, Pursuant to section 40 (a) of said act that a hearing on the aforesaid application be had on Wednesday, June 20, 1945, at 10 o'clock a. m. eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Robert P. Reeder and any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant, and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-10235; Filed, June 12, 1945; 11:16 a. m.]

WAR PRODUCTION BOARD.

[C-346]

GOULD & PREISNER

CONSENT ORDER

Gould and Preisner of 1298 South Kalamath Street, Denver, Colorado, is a partnership composed of Earl C. Gould and John C. Preisner, and is engaged in the electrical contracting business. On March 21, 1945, War Production Board charged the partnership with violating its orders and regulations in the following respects: Between August 22, 1944 and December 8, 1944, the partnership sold 119 new fluorescent lighting fixtures for $3,165.60, on purchase orders that did not bear preference ratings, in violation of Limitation Order L-78. During November, 1944, the partnership installed for $1,546.44 new electrical fixtures and equipment in a residence without authorization of War Production Board, and in violation of Conservation Order L-41. On October 19, and December 6 and 15, 1944, the partnership accepted and filled unrated orders for the purchase from it of 19 electric motors for the sum of $1,402, in violation of Limitation Order L-221. During the fourth quarter of 1944, the partnership purchased for repair purposes, 196,000 feet of copper wire, of a value of $13,720, in excess of the quantities which the partnership was permitted to purchase by CMP Regulation 9A, and in violation of that regulation. The partnership failed to maintain and preserve accurate and complete records of its purchase, use, sale, delivery and installation of electrical fixtures and equipment and copper wire during the year 1944, in violation of § 944.15 of Priorities Regulation 1.

The partnership, and Earl C. Gould and John C. Preisner, individually, admit that they violated orders and regulations of War Production Board as above stated, but deny that such violations were wilful.

Wherefore, upon the agreement and consent of Earl C. Gould and John C. Preisner, the Regional Compliance Manager, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) For three months from the date this suspension order takes effect, Earl C. Gould and John C. Preisner, whether doing business under the partnership name of Gould & Preisner or otherwise, their successors or assigns, shall not, directly or indirectly, unless hereafter specifically authorized in writing by War Production Board, apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) Earl C. Gould and John C. Preisner, doing business as Gould and Preisner, shall cancel immediately all preference ratings which they have applied or extended to orders which have not yet been filled, except ratings which they have already applied or extended to purchase materials for use by them in constructing war housing projects.

(c) The provisions of this order shall not apply to the use of preference ratings and allotment symbols to obtain deliveries of materials and equipment for use in war housing projects on which they as contractors are furnishing or will furnish both materials and labor, nor to the filling by them of purchase orders rated AA-1 or higher that they receive from their customers.

(d) Nothing contained in this order shall be deemed to relieve Earl C. Gould and John C. Preisner doing business as Gould and Preisner or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on date of issuance.

Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10207; Filed, June 11, 1945; 5:04 p. m.]

[C-364]

LEROY L. HEPLER

CONSENT ORDER

Leroy L. Hepler, Tarentum, Pennsylvania, doing business as Hepler Implement Store, began and carried on construction on two separate houses and one commercial structure located on Route 28, Freeport Road, Tarentum, Pennsylvania, at an estimated cost substantially in excess of the limitations on construction provided in Conservation Order L-41, and without War Production Board authorization. This constituted a violation of Order L-41 as amended April 19, 1944. Leroy L. Hepler admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and voluntary consent of Leroy L. Helper, doing business as Hepler Implement Store, the Regional Compliance Chief and the

Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Leroy L. Hepler or any other person shall do any construction on two single dwelling houses and a commercial structure located on Route 28, Freeport Road, Tarentum, Pennsylvania, including completing or altering the structure or installing or connecting any equipment or fixture unless hereinafter specifically authorized in writing by the War Production Board.

(b) Restrictions and prohibitions contained herein shall apply to Leroy L. Hepler whether doing business as Hepler Implement Store or otherwise, his successors or assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve Leroy L. Hepler, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10206; Filed, June 11, 1945, 5:04 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 15]

HAMBURG AMERICAN LINE—NORTH GERMAN LLOYD AND UNITED AMERICAN LINES, INC.

Whereas, by Vesting Order No. 126, dated August 28, 1942, (7 F.R. 7061, September 5, 1942) the Alien Property Custodian vested all property of any nature whatsoever, owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to Hamburg-Amerikanische Packetfahrt, A. G. (Hamburg-American Line), Hamburg, Germany, and Norddeutscher Lloyd (North German Lloyd), Bremen, Germany, or any or all of the American branches operated by such German corporations under the name of Hamburg American Line—North Germany Lloyd, and

Whereas, included among the assets of Hamburg-Amerikanische Packetfahrt, A. G., (Hamburg-American Line) were 500 shares, constituting all of the issued and outstanding shares of the capital stock of United American Lines, Inc., a Delaware corporation, and

Whereas, United American Lines, Inc. has been completely liquidated under the supervision of the Alien Property Custodian, with the exception of $325.77 in the bank account of the corporation,

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except such claim, if any, as the undersigned may have for monies advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved and that its assets be distributed, and a Certificate of Dissolution having accordingly been filed with the Secretary of State of Delaware, and a Certificate of Surrender of Authority having been filed with the Secretary of the State of New York,

hereby orders, that the officers and directors of the United American Lines, Inc., (to wit: D. W. Pratt, President and Director, E. W. Hardy, Treasurer and Director, Charles T. Cronan, Secretary and Director, Martin S. Watts, Director, and H. D. Weiser, Director, and their successors, or any of them) continue the proceedings for the dissolution of United American Lines, Inc., in accordance with the Statutes of the State of Delaware in such cases made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

a. They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

b. They shall then pay all known federal, State and local taxes and fees owned by or accruing against said corporation; and

c. They shall then pay over, transfer, assign and deliver to the undersigned all other funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation;

and further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of Delaware, of any person who may make claim against said corporation: *Provided, however*, that nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned and applied by him as a liquidating distribution of assets to the undersigned as stockholders as above set forth: *Provided, however*, that any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of the State of Delaware; and further orders, that all actions taken and acts done by the said officers and directors of United American Lines, Inc., pursuant to this order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10140; Filed, June 11, 1945; 11:00 a. m.]

[Vesting Order CE 9]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MASSACHUSETTS AND VERMONT COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		ITEM 1			
Frederick Fairbanks	France	Trust under the will of Charles Fairbanks, deceased, Probate Court, District of Caledonia, Vt.	$10,707.11	Joseph Fairbanks, Trustee under the will of Charles Fairbanks, 1001 15th St. NW., Washington, D. C.	$76.76
		ITEM 2			
Kholava Zigicne	Lithuania	Estate of Steve Kucka, deceased, Probate Court, Norfolk County, Mass.; No. 95164.	839.36	James F. Reynolds, judge of probate, Norfolk County, Dedham, Mass.	110.49
		ITEM 3			
Domenico Condo	Italy	Estate of Salvatore Carmelo Condo, deceased, probate Court, Hampden County, Mass.; No. 59425.	109.69	John A. Denison, first judge of probate, Hampden County, Springfield, Mass.	14.48
Vincenzo Condo	Italy	Same	109.69	Same	14.48
		ITEM 5			
Luigi Condo	Italy	Same	109.70	Same	14.48
		ITEM 6			
Carmela Condo	Italy	Same	109.70	Same	14.48
		ITEM 7			
Children of Francesco Condo	Italy	Same	109.70	Same	14.48
		ITEM 8			
Maroula Zervoti	Greece	Estate of Athan P. Grivas, also known as Athan P. Grevas, Athan Grevas, Athen Grevas and Arthur Grevas, deceased, Probate Court, Essex County, Mass.; No. 205, 728.	768.74	John V. Phelan, first judge of probate, Essex County, Lawrence, Mass.	88.46
		ITEM 9			
Antoine Givernaud	France	Estate of Anne Washington Givernaud, deceased, Probate Court, Norfolk County, Mass.; No. 101944.	2,000.00	James F. Reynolds, judge of probate, Norfolk County, Dedham, Mass.	30.97
		ITEM 10			
Joseph Givernaud	France	Same	2,000.00	Same	30.98
		ITEM 11			
Filomena Maeri	Italy	Estate of Giuseppe Maeri, deceased, Probate Court, Hampden County, Mass.; No. 77242.	293.53	John A. Denison, first judge of probate, Hampden County, Springfield, Mass.	12.01
		ITEM 12			
Carmela Maeri	Italy	Same	195.69	Same	15.07
		ITEM 13			
Concetta Maeri	Italy	Same	195.69	Same	15.07
		ITEM 14			
Vincenza Maeri	Italy	Same	195.70	Same	15.08

[F. R. Doc. 45-10141; Filed, June 11, 1945; 11:00 a. m.]

[Vesting Order CE 10]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CONNECTICUT COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		ITEM 1			
Marie Chagnot	France	Estate of Emil Chagnot, deceased. In the Court of Probate, District of Bridgeport, Conn.	$1,186.65	Rene Chagnot, 18 Westwood Street, Manchester, Conn., trustee for Marie Chagnot.	$ 7.19
		ITEM 2			
Lucien Chagnot	France	Same	1,186.65	Rene Chagnot, 18 Westwood Street, Manchester, Conn., Trustee for Lucien Chagnot.	47.19
		ITEM 3			
Emilie Chagnot	France	Same	1,186.65	Rene Chagnot, 18 Westwood Street, Manchester, Conn., Trustee for Emilie Chagnot	47.19
		ITEM 4			
Martha Laine Durant	France	Same	574.69	Rene Chagnot, 18 Westwood Street, Manchester, Conn., Trustee for Martha Laine Durant.	41.04
		ITEM 5			
Adomas Burkiavicius	Lithuania	Estate of Vincas Burkiavicius, also known as William Butchler, deceased. In the Court of Probate, District of Bridgeport, Conn.	1,186.70	George Bakantis, executor of the Estate of Vincas Burkiavicius, deceased, 292 Main Street, Bridgeport, Conn.	47.88
		ITEM 6			
Marijona Gaicinskaite	Lithuania	Same	1,186.70	Same	47.88
		ITEM 7			
Juozas Burkiavicius	Lithuania	Same	1,186.70	Same	47.87
		ITEM 8			
Marguerite Mazevet	France	Trust under the will of Jean Marcus for the benefit of Marguerite Mazevet, in the Court of Probate, in the District of Stonington, Conn.	1,032.50	W. H. Dunnar Pell, 522 Fifth Avenue, New York, N. Y., Trustee under the will of Jean Marcus.	41.30
		ITEM 9			
Louis Henry	France	Trust under the will of Brownlee Robertson Ward, for the benefit of Louis Henry, in the Court of Probate, in the District of New Haven, Conn.	1,229.52	The First National Bank and Trust Company of New Haven, 42 Church Street, New Haven, Conn., Trustee under the will of Brownlee Robertson Ward.	49.18
		ITEM 10			
Victoria Lambert	France	Estate of Emil Lambert, deceased. In the Court of Probate, in the District of Stratford, Conn.	17,743.79	The Bridgeport City Trust Company, Administrator of the estate of Emil Lambert, Bridgeport, Conn.	367.31
		ITEM 11			
Marie-de-Suzannet D'Amecourt	France	Trust under will of Mary Constance Knower for benefit of Marie-de Suzannet D'Amecourt, Court of Probate, District of Hartford, State of Conn.	26,633.89	Hartford National Bank and Trust Company, Trustee under will of Mary Constance Knower, 777 Main Street, Hartford, Conn.	167.71
		ITEM 12			
Anna Henriette Brigitte Ardenghi	France	Estate of Anna Herriette Brigitte Ardenghi, a minor, in the Court of Probate, in the District of New Haven, Conn.	34,265.30	The Second National Bank of New Haven, Guardian of the Estate of Anna Herriette Brigitte Ardenghi, 135 Church Street, New Haven, Conn.	12.31
		ITEM 13			
Mme. Paul Grenet	France	Estate of Elinor Josephine Shields, also known as Gloria Gilbert, deceased. In the Court of Probate, in the District of New London, Conn.	10,051.20	Manufacturers Trust Company, 55 Broad Street, New York, N. Y., Executor of the will of Elinor Joseph Shields.	210.20
		ITEM 14			
Aksel Hertz	Denmark	Estate of Helen, Hertz, deceased. In the Court of Probate, in the District of Hartford, Connecticut.	1,997.63	Frank L. Wilder, Administrator of the Estate of Helen Hertz, 945 Main Street, Bridgeport 4, Conn.	17.98
		ITEM 15			
Harry Stawenska	Poland	Estate of Julia Reich, alias Julia Stawensky Reich, deceased, Court of Probate, District of New Haven, Connecticut.	3,658.95	Tradesmens National Bank of New Haven, Executor under the will of Julia Reich, 18 Church Street, New Haven, Conn.	32.93
		ITEM 16			
Adam Stawenski	Poland	Same	3,658.95	Same	8.78
		ITEM 17			
Louis Chagnot	France	Estate of Emil Chagnot, deceased. In the Court of Probate, District of Bridgeport, Conn.	243.67	Rene Chagnot, 18 Westwood Street, Manchester, Conn., Trustee for Louis Chagnot.	2.19
		ITEM 18			
Annie Laine	France	Same	243.67	Rene Chagnot 18 Westwood Street, Manchester, Conn., Trustee for Annie Laine.	2.19

[F. R. Doc 45-10142; Filed, June 11, 1945; 11:00 a. m.]

[Vesting Order CE 11]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the persons described in Column 5 of said Exhibit A, and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, said sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		ITEM 1			
Giovanni DeMartini	Italy	Estate of Nina DeMartini, also known as Rosia DeMartini, deceased. In the Superior Court of the City and County of San Francisco, State of California; No. 92082.	$481.97	In the name of Giovanni DeMartini, in a blocked account at the Bank of America National Trust and Savings Association, Montgomery Street, New Montgomery Branch, San Francisco, Calif.	$58.54
		ITEM 2			
Marie Arrambide	France	Estate of Marie Etcheparborde, deceased. In the Superior Court, State of California, in and for the County of Los Angeles, No. 182000.	206.11	Security-First National Bank of Los Angeles, 1st and Spring Street Branch, Los Angeles, Calif., Term Account: No. 268290.	23.03
		ITEM 3			
Marianne Etcheparborde	France	Same	206.12	Security-First National Bank of Los Angeles, 1st and Spring Street Branch, Los Angeles, Calif., Term Account; No. 268291.	23.03
		ITEM 4			
Jean Baptiste Etcheparborde	France	Same	206.11	Security-First National Bank of Los Angeles, 1st and Spring Street Branch, Los Angeles, Calif., Term Account; No. 268289.	23.03
		ITEM 5			
Maria Panchetti	Italy	Estate of Alfredo Nuti, deceased. In the Superior Court of the State of California, in and for the County of Santa Clara; No. 26819.	144.71	Account No. 11064; Bank of America National Trust Savings Association, San Jose, Calif.	15.07
		ITEM 6			
Peter Nuti	Italy	Same	144.70	Account No. 11066; Bank of America National Trust Savings Association, San Jose, Calif.	15.07
		ITEM 7			
Ottorino Nuti	Italy	Same	144.70	Account No. 11065; Bank of America National Trust Savings Association, San Jose, Calif.	15.06
		ITEM 8			
Euthalia Melissaratos	Greece	Estate of George Mellis, also known as George Melissaratos. In the Superior Court of the State of California, in and for the County of Stanislaus; No. 25367.	249.20	Account No. 4177; Bank of America National Trust Savings Association, Modesto Branch, Modesto, Calif.	28.71
		ITEM 9			
Angele Melissaratos	Greece	Same	249.21	Account No. 4172; Bank of America National Trust Savings Association, Modesto Branch, Modesto, Calif.	28.70
		ITEM 10			
Brisanthe Gust Capsalis	Greece	Estate of Christ Capsalis, deceased. In the Superior Court of the State of California, in and for the County of Los Angeles; No. LBP-12551.	100.00	Account No. 103389; Bank of America National Trust and Savings Association, 7th and Spring Streets, Los Angeles, Calif.	8.64
		ITEM 11			
Artilipe Gust Capsalis	Greece	Same	100.00	Account No. 103200; Bank of America National Trust and Savings Association, 7th and Spring Streets, Los Angeles, Calif.	8.63

[F. R. Doc. 45-10143; Filed, June 11, 1945; 11:00 a. m.]

[Supp. Vesting Order 4980]

POLYSIUS CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found and determined in Vesting Order No. 3344, dated March 20, 1944, that G Polysius, A. G., and Polysius Corporation are nationals of a designated enemy country (Germany);

2. Finding that the last known address of Joseph Hoffmann, also known as Joseph H. Hoffmann, is Germany and that he is a resident of Germany and a national of a designated enemy country (Germany);

3. Finding that as of December 31, 1944, G. Polysius, A. G., has a claim against Polysius Corporation in the sum of $189,350.07 and that Joseph Hoffmann, also known as Joseph H. Hoffmann, has a claim against Polysius Corporation in the sum of $394.49 which claims are respectively represented upon the books and records of Polysius Corporation as an account payable and a personal account and that said claims represent interests in said business enterprise;

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the claims against Polysius Corporation represented on its books and records as an account payable to G. Polysius, A. G., and a personal account of Joseph Hoffmann, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 [illegible]
		ITEM 1			
Marie Chagnot	France	Estate of Emil Chagnot, deceased. In the Court of Probate, District of Bridgeport, Conn.	$1,186.65	Rene Chagnot, 18 Westwood Street, Manchester, Conn., trustee for Marie Chagnot.	[illegible]
		ITEM 2			
Lucien Chagnot	France	Same	1,186.65	Rene Chagnot, 18 Westwood Street, Manchester, Conn., Trustee for Lucien Chagnot.	[illegible]
		ITEM 3			
Emilie Chagnot	France	Same	1,186.65	Rene Chagnot, 18 Westwood Street, Manchester, Conn., Trustee for Emilie Chagnot	[illegible]
		ITEM 4			
Martha Laune Durant	France	Same	974.60	Rene Chagnot, 18 Westwood Street, Manchester, Conn., Trustee for Martha Laune Durant.	[illegible]
		ITEM 5			
Aleksa Butkiavicai	Lithuania	Estate of Vincas Butkiavicia, also known as William Butchler, deceased. In the Court of Probate, District of Bridgeport, Conn.	1,186.59	George Bakantis, executor of the Estate of Vincas Butkaviecia, deceased, 292 Main Street, Bridgeport, Conn.	[illegible]
		ITEM 6			
Marijona Garcineknene	Lithuania	Same	1,186.59	Same	[illegible]
		ITEM 7			
Juzem Butkiavicai	Lithuania	Same	1,186.59	Same	[illegible]
		ITEM 8			
Marguerite Mazevet	France	Trust under the will of Joan Marcus for the benefit of Marguerite Mazevet, in the Court of Probate, in the District of Stonington, Conn.	1,052.50	W. H. Dannat Pell, 522 Fifth Avenue, New York, N. Y., Trustee under the will of Joan Marcus.	[illegible]
		ITEM 9			
Louis Henry	France	Trust under the will of Brownlee Robertson Ward, for the benefit of Louis Henry, in the Court of Probate, in the District of New Haven, Conn.	1,229.52	The First National Bank and Trust Company of New Haven, 42 Church Street, New Haven, Conn., Trustee under the will of Brownlee Robertson Ward.	[illegible]
		ITEM 10			
Victoria Lambert	France	Estate of Emil Lambert, deceased. In the Court of Probate, in the District of Stratford, Conn.	17,713.79	The Bridgeport City Trust Company, Administrator of the estate of Emil Lambert, Bridgeport, Conn.	[illegible]
		ITEM 11			
Marie de Suzannet D'Amecourt	France	Trust under will of Mary Constance Knower for benefit of Marie de Suzannet D'Amecourt, Court of Probate, District of Hartford, State of Conn.	26,633.89	Hartford National Bank and Trust Company, Trustee under will of Mary Constance Knower, 777 Main Street, Hartford, Conn.	[illegible]
		ITEM 12			
Anna Henriette Brigitte Ardenghi	France	Estate of Anna Henriette Brigitte Ardenghi, a minor, in the Court of Probate, in the District of New Haven, Conn.	33,265.30	The Second National Bank of New Haven, Guardian of the Estate of Anna Henriette Brigitte Ardenghi, 135 Church Street, New Haven, Conn.	[illegible]
		ITEM 13			
Mme. Paul Grelet	France	Estate of Elmer Josephine Shields, also known as Gloria Gilbert, deceased. In the Court of Probate, in the District of New London, Conn.	10,051.90	Manufacturers Trust Company, 55 Broad Street, New York, N. Y., Executor of the will of Elmer Joseph Shields.	[illegible]
		ITEM 14			

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10144; Filed, June 11, 1945; 11:00 a. m.]

[Supp. Vesting Order 5005]

SIEMENS, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the total issued and outstanding common capital stock of Siemens, Incorporated, a corporation organized under the laws of the State of New York and a business enterprise within the United States, consisting of 50 shares, were, prior to June 30, 1942, owned by the persons named below, in the amounts appearing opposite each name, and are evidence of control of said business enterprise:

Names	*Number of shares*
Siemens & Halske, A. G.	25
Siemens-Schuckertwerke, A. G.	25
	50

2. That Siemens & Halske, A. G., and Siemens-Schuckertwerke, A. G., are business enterprises organized under the laws of Germany and maintaining their principal places of business in Berlin, Germany, and that they are nationals of a designated enemy country (Germany);

3. That Siemens, Incorporated, is acting or purporting to act directly or indirectly for the benefit or on behalf of Siemens & Halske, A. G. and Siemens-Schuckertwerke, A. G., nationals of a designated enemy country (Germany);

4. That Siemens, Incorporated, is the owner of certain transfer files, and the contents thereof, identified as numbers 7,000 through 7,017, 7,019 through 7,032, 7,034 through 7,053 and 7,055 through 7,065, presently located in the warehouse of the Alien Property Custodian at 27 Cliff Street, New York, New York; And determining:

5. That Siemens, Incorporated, is controlled by or acting for or on behalf of Siemens & Halske, A. G., and Siemens-Schuckertwerke, A. G., and is a national of a designated enemy country (Germany);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany):

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States", as used herein, shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10145; Filed, June 11, 1945; 11:00 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 169, Amdt. 1 to Order 73]

WASHINGTON

DESIGNATION AS MEAT DEFICIENCY AREA

The termination clause contained in the second paragraph of Order No. 73 under Revised Maximum Price Regulation No. 169 is hereby deleted.

This Amendment No. 1 shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10180; Filed, June 11, 1945; 4:46 p. m.]

[RMPR 169, Amdt. 1 to Order 74]

DOVER, N. J.

DESIGNATION AS MEAT DEFICIENCY AREA

The termination clause contained in the second paragraph of Order No. 74 under Revised Maximum Price Regulation No. 169 is hereby deleted.

This Amendment No. 1 shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10181; Filed, June 11, 1945; 4:46 p. m.]

[MPR 188, Order 3889]

METALS SERVICE AND SUPPLY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment, for sales by any person of No. 12745 Trash Burning Hot Water Heater aluminum finish manufactured by the Metals Service and Supply of Portland, Oregon, and described in its application of April 25, 1945, shall be:

1. On sales to consumer—$19.95.
2. On sales to dealers—$16.50.
3. On sales to jobbers—$13.50.

(b) The maximum prices specified in (a) above shall be subject to a discount of 10 percent on quantities of 500 or more, and all other discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended, or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(d) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order, of the maximum prices established by this order for his sales to such purchasers and the maximum prices established for such purchaser's resale.

(e) The Metals Service and Supply shall stencil in a conspicuous place on its trash burning hot water heater the maximum consumer's price established by this order and shall identify such price as the maximum price to consumer.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10187; Filed, June 11, 1945; 4:46 p. m.]

[MPR 188, Order 3930]

GOODLOE E. MOORE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum list prices, for sales by any person of the following commodities manufactured by the Goodloe E. Moore Company shall be:

Commodity	Quantity	List price
Gutter Insulation Hangers:		
[illegible]-spindle	Per M	$70
[illegible]-spindle	do	92
[illegible]-spindle	do	120
8-spindle	do	120

(b) The maximum list prices specified in (a) shall be subject to the following successive discounts:

	Percent
On sales to distributors	40–20–20
On sales to sub-distributors	40–20–10
On sales to wholesalers	40–20
On sales to dealers	40
On sales to consumers	List price

(c) The maximum prices f. o. b. shipping point established in (a), above, except on sales by dealers to consumers, shall be subject to the following freight allowances:

(1) To any point east of the Rocky Mountains, full freight on shipments in quantities of 5,000 or more.

(2) To any other point in the United States, $1.50 per 100 pounds.

(d) The maximum prices established by this order shall be subject to such other discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) Maximum prices for sales on an installed basis of the products covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) The Goodloe E. Moore Company and each reseller except on sales to consumers, shall notify each of its purchasers in writing at or before the first invoice, of the maximum prices established by this order on sales to such purchaser and the maximum prices established for such purchaser for resale.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10188; Filed, June 11, 1945; 4:46 p. m.]

[MPR 188, Order 3931]

LAUGHTON MACHINE SHOP

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices for sales by any person of an aluminum jump-up sprinkler head manufactured by the Laughton Machine Shop of Los Angeles, California, shall be:

	Each
(1) On sales to consumers	$1.25
(2) On sales to retailers	.80
(3) On sales to jobbers who drop ship	.65
(4) On sales to jobbers who stock	.55

(b) The maximum prices specified in (a) above for sales by the Laughton Machine Shop of Los Angeles, California, are f. o. b. point of manufacture.

(c) Maximum prices specified in (a) above on sales to all persons, except consumers, are subject to the following quantity discounts:

	Percent
12 to 499	1
500 to 999	1½
1000 or more	2

(d) In addition to the discounts and allowances specified in (b) and (c) above the maximum prices established by this order shall be subject to all other discounts, allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) Maximum prices for sales on an installed basis of the commodity covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(f) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for sales by each seller to such purchasers and the maximum resale price established for such purchasers.

(g) The Laughton Machine Shop shall attach a tag to the commodity covered by this order and shall print in a conspicuous place on the tag the maximum price to consumers established by this order and shall identify such price as the maximum price to consumers.

(h) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10189; Filed, June 11, 1945; 4:47 p. m.]

[MPR 188, Order 3932]

TWIN CITY EQUIPMENT CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices f. o. b. point of manufacture for sales by the Twin City Equipment Company of the Model No. Z–15 freezer storage cabinet shall be:

Model	Size	On sales to distributors	On sales to dealers	On sales to consumers
Z–15	6' x 29.5" x 35"—1½ h. p. condensing unit	$217.50	$261	$435

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices for sales by distributors of the Model Z–15, freezer and storage cabinet manufactured by the Twin City Equipment Company shall be:

Model	Size	On sales to dealers	On sales to consumers
Z–15	6' x 29.5" x 35"—1½ h. p. condensing unit	$261	$435

(d) The maximum net prices for sales by dealers to consumers of the Model Z–15 freezer storage cabinet manufactured by the Twin City Equipment Company shall be:

Model and size:	*On sales to consumers*
Z–15: 6' x 29.5" x 35"—1½ h. p. condensing unit	$435

(e) The maximum net prices established by this order shall be subject to discounts, and allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) A distributor or dealer may add the following charges to the maximum prices established in (c) and (d) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding $6.00.

(g) Each seller of a commodity covered by this order, except a dealer, shall notify each of its purchasers, in writing, at or before the issuance of the first invoice after the effective date of the order, of the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(h) The Twin City Equipment Company shall stencil on the inside of the lid or cover of each freezer storage cabinet covered by this order the maximum net price established by this order on sales to consumers. The stencil shall contain substantially the following:

OPA maximum retail price $_____
Plus freight and crating as provided in OPA Order No. 3032 under Maximum Price Regulation No. 188.

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10190; Filed, June 11, 1945; 4:47 p. m.]

[MPR 478, Order 144]

COHN-MILLER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation No. 478; *It is ordered:*

(a) The maximum prices for sales of the following coated fabrics converted by The Cohn-Miller Company, 237 Chuch Street, New York, New York, shall be as follows:

	Per linear yard
38½" 64 x 60 5.35 print cloth, bleached, with 2½ oz. to 3 oz. dry weight of clear pyroxylin coating	$0.30798
38½" 64 x 60 5.35 print cloth, bleached, with 2½ oz. to 3 oz. dry weight of white pigment coating	.30798
38½" 64 x 60 5.35 print cloth, bleached, with 2½ oz. to 3 oz. dry weight of light color pigment coating	.32048
38½" 64 x 60 5.35 print cloth bleached, with 2½ oz. to 3 oz. dry weight of dark color pigment coating	.32048
38½" 64 x 60 5.35 print cloth, blotch printed (2-4 colors) with 2½ oz. to 3 oz. dry weight of clear pyroxylin coating	.35580

(b) With or prior to the first delivery of fabrics covered by this order to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of these coated fabrics which is the maximum price set forth in (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10186; Filed, June 11, 1945; 4:52 p. m.]

[Max. Import Price Reg. Amdt. 1 to Order 83]

CLOCKS

RETAIL CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, *It is ordered:*

That Order No. 83 under the Maximum Import Price Regulation is amended in the following respect:

Paragraph (c) is amended by adding to the list of classes of imported goods at the end thereof the following:

Classes of imported goods:	*Permitted percentage markup on cost (Percent)*
Clocks	75

This amendment shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10250; Filed, June 12, 1945; 11:43 a. m.]

[Max. Import Price Reg., Order 94]

INDIAN NUMDAH RUGS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which importers (including an importer selling at retail) and wholesalers may sell, and maximum prices at which any person may buy from such sellers, Kashmir type Numdah rugs imported from India. This order does not apply to retailers who purchase from importers or wholesalers. Their selling prices are governed by Maximum Price Regulation No. 580.

(b) *Maximum prices.* Notwithstanding the provisions of the Maximum Import Price Regulation, on and after June 13, 1945 regardless of any contract, agreement or other obligation, no importer (including an importer selling at retail) or wholesaler may sell or deliver, and no person may buy or receive from such seller, Kashmir type Numdah rugs produced outside the Continental United States at prices higher than the following:

Size	To wholesalers*	To retailers**	To consumers
2' x 3'	$1.67	$1.85	$2.45
3' x 4'	3.06	3.40	4.45
4' x 6'	5.27	5.85	7.60
6' x 9'	10.11	17.60	24.00
9' x 12'	32.27	35.85	46.50

Terms:
* Net 30 days.
** 1% 10 days, net 30 days.

These prices are f. o. b. U. S. port of entry, duty paid. Where sales are made by the importer at a place other than the port of entry, he may add freight (other than local cartage) actually incurred in transporting the commodity from the port of entry to place of sale. The wholesaler may add to his maximum prices freight (other than local cartage) whether incurred by him or to the importer, in transporting the commodity to his place of sale.

Freight charges shall be calculated on the basis of the lowest available common carrier rate for the quantity transported, and, except on sales at retail, shall be separately stated on the seller's invoice.

(c) *Importer to notify wholesalers.* The importer shall include the following statement on each invoice covering sales of such Numdah rugs to wholesalers:

The invoiced Kashmir type Numdah rugs are sold to you at prices established by Order No. 94 under the Maximum Import Price Regulation. Your own maximum resale prices are established under the same order.

(d) *Brokers or agents commissions.* The maximum prices established by this order include, and may not be increased by, any commission paid to any broker or to any buying or selling agent.

(e) *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid or offered.

(f) *Application of Maximum Import Price Regulation:* Unless the context otherwise requires, the provisions of the Maximum Import Price Regulation, as amended, shall apply to sales for which maximum prices are established by this order.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10251; Filed, June 12, 1945; 11:44 a. m.]

[Max. Import Price Reg., Order 95]

EBOSA SWISS ALARM CLOCKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, as amended, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which any person may sell Ebosa one-day, no-jewel Swiss alarm clocks in specified quantities to specified classes of purchasers. These clocks have assorted dials and are in assorted colors; they are identified by the manufacturer's style number. The maximum prices established by this order supersede maximum prices which any seller may have established for these clocks including prices established by letter or letter order issued under the Maximum Import Price Regulation.

(b) *Maximum prices.* The maximum prices at which sales and deliveries of the Ebosa alarm clocks listed below may be made to the specified classes of purchasers are as follows:

Description	Maximum prices: To wholesalers in quantities of— 250 or more	To wholesalers in quantities of— 249 or less	To retailers in quantities of— 101 or more	To retailers in quantities of— 7 to 100	To retailers in quantities of— 6 or less	To consumers exclusive of Federal excise tax
	Each	*Each*	*Each*	*Each*	*Each*	*Each*
Ebosa #1, 8-mm. dial	$3.00	$3.10	$3.45	$3.80	$4.95	$5.45
Ebosa #2, and 2A, 8-mm. dial	3.20	3.20	3.60	3.95	4.10	5.75
Ebosa #3, 4, and 5 (larger than 8-mm. dial)	3.35	3.50	3.85	4.15	4.35	5.95

The maximum prices established for sales to wholesalers are f. o. b. the seller's city and are subject to terms of 2%, ten days, net thirty days. The prices established for sales to retailers are f. o. b. the seller's city and are subject to terms of 2%, thirty days. The maximum retail prices established by this order are exclusive of the 20% Federal excise tax.

(c) *Notification.* Any person who sells the Ebosa Swiss alarm clocks covered by this order to a purchaser for resale shall, at or prior to the time of the first invoice to that purchaser, notify the purchaser of the maximum prices established by this order for sales at wholesale and retail. This notice may be given in any convenient form.

(d) *Tagging.* Before being offered for sale to the ultimate consumer each clock shall have securely attached to it a tag or label setting forth the style number and its maximum retail price as established by this order. This tag or label may not be removed until the clock is sold to an ultimate consumer.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10252; Filed, June 12, 1945; 11:44 a. m.]

[SR 15, Order 21]

TENNESSEE PRODUCTS CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.75 (a) (18) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and Appendix A (a) of Maximum Price Regulation No. 431. *It is ordered:*

(a) The maximum prices for sales by Tennessee Products Corporation, Nashville, Tennessee, of the hardwood charcoal of its own production described below shall be the maximum prices otherwise established under the General Maximum Price Regulation or the maximum prices set forth below, whichever are higher:

	Per ton f. o. b. plant
Lump charcoal in bulk	$31.25
Lump charcoal in bags (bags included)	39.25
Granulated charcoal in bags, ground and sized (bags included)	38.75
Granulated charcoal in bags, ground and sized (bags included), produced by milling lump charcoal or reground granular charcoal	42.25
Standard briquettes in bulk	42.25
Midget briquettes (bags included)	51.25
Standard briquettes in bags (bags included)	44.25
Soft waterproof briquettes in bulk	44.25
Charcoal screenings	23.65

(b) *Resellers.* A reseller making sales to industrial consumers of the hardwood charcoal for which dollar and cent maximum prices are established under paragraph (a) above may add to his maximum price per unit immediately prior to this order for such sales his increased acquisition cost per unit under this order. His increased acquisition cost per unit is the increase (in dollars and cents) in the price to him per unit over Tennessee Products Corporation's maximum price per unit for sales to him immediately prior to this order as determined from the invoice required to be furnished him under (c) below.

(c) *Invoices.* Tennessee Products Corporation or any reseller making sales of the hardwood charcoal for which maximum prices are established under this order shall show as separate items on all invoices therefor:

(1) The maximum price for such a sale immediately prior to this order.

(2) The adjusted selling price (not in excess of the maximum price under this order).

An invoice containing the above required information shall be furnished the buyer prior to payment by him.

This order may be revoked or amended by the administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10256; Filed, June 12, 1945; 11:45 a. m.]

Regional and District Office Orders.

[Region IV Order G-48 Under RMPR 122]

SOLID FUELS IN KINSTON, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold in the area or by the dealers set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of Kinston, North Carolina or when sold and delivered beyond such corporate limits of Kinston, North Carolina or when sold and delivered beyond such corporate limits by a dealer whose place of business is located in Kinston.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV—issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this Adopting Order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Amendment No. 18 to Order No. G-17 under Revised Maximum Price Regulation No. 122 and all supplementary orders issued thereunder insofar as they are applicable to the area covered by this order, and as a result, said amendment and supplementary orders are hereby, to that extent, revoked. This order is issued as an Adopting Order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Order No. G-48.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Bituminous coal from District No. 7.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Egg—Size Group No. 2	$12.51	$6.26	$3.38
Stove—Size Group No. 3, and Stoker (Nut or Pea)—Size Groups No. 4 and 5	9.92	4.96	2.73
Briquettes	12.57	6.29	3.39

(2) *Bituminous coal from District No. 8.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Block or lump 3" and larger: Size groups Nos. 1 and 2, in price classifications A to H, inclusive	$12.01	$6.01	$3.25
Chunk: Size group No. 2, including 3⅛" x 8", from mine index No. 481, the Virgilo Mine of Benedict Coal Co	12.29	6.15	3.32
Egg: Size group No. 8, top size larger than 5" but not exceeding 6", bottom size 2" and smaller and top size 3" but not exceeding 5", bottom size larger than 2" but not exceeding 3", in price classifications E to K, inclusive	10.81	5.41	2.95
Stoker, Treated, double-screened, top size 1¼" and smaller, bottom size smaller than 1¼", size group No. 10, in price classifications A to E, inclusive	9.95	4.98	2.74
Yard, nut, and slack	8.40	4.20	2.35

(f) *Maximum authorized service charges and required deductions*—(1) *Carry from curb.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(3) *Sacked coal.* Dealer may charge not more than 61¢ for 80 lb. sack or bag, at his yard, plus 10¢ per bag if he furnishes the bag.

(4) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the Domestic price at least 50¢ per ton. On sales to peddlers and other dealers, at the yard, the dealer must reduce the Domestic price at least $1.00 per ton.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon. This additional charge *may not be added*, however, to the price specified for treated Stoker coal from District No. 8, inasmuch as the price established hereby includes such charge.

(6) *Carload sales.* On sales in carload lots, the dealer may not charge more than the mine price, plus actual freight cost, plus $1.25 per ton.

(7) *Sales taxes.* The North Carolina state sales tax may be added to the prices otherwise established by this order.

(8) *Delivery zone.* No charges may be made for deliveries within the corporate limits of Kinston, North Carolina. For deliveries beyond such corporate limits, the dealer may make an additional charge of not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage to be measured by the actual highway mileage from said corporate limits to the point of delivery by the most direct highway route.

(9) *Credit.* No charge in excess of the prices otherwise permitted herein may be made for extension of credit.

This order shall become effective June 5, 1945.

Issued: May 31, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10166; Filed, June 11, 1945; 1:11 p. m.]

[Region IV Order G-47 Under RMPR 122]

SOLID FUELS IN RIPLEY, TENNESSEE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, It is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of Ripley, Tennessee and within the State of Tennessee in a fifteen mile radius of said corporate limits. Such radius shall be measured by the actual mileage between said corporate limits and the point of delivery by the most direct highway route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV—issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of said order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Amendment 11 to Order No. G-17 under Revised Maximum Price Regulation No. 122 and all supplementary orders issued thereunder insofar as they are applicable to the area covered by this order, and as a result, said amendment and supplementary orders are hereby, to that extent, revoked. This order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Order No. G-47.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Bituminous coal from District No. 9.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Lump and egg from seams 9 and 11 and other seams in price group No. 3:			
From hand operated mines	$7.00	$3.75	$2.00
From all other mines	6.86	3.68	1.97

(f) *Maximum authorized service charges and required deductions.*—(1) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the Domestic price at least 50¢ per ton.

(2) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(3) No charge may be made for deliveries within the corporate limits of Ripley, Tennessee. For deliveries beyond such corporate limits and within the State of Tennessee within fifteen miles of said corporate limits, dealer may make an additional charge of not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage to be measured by the actual mileage from such corporate limits to the point of delivery by the most direct highway route.

(4) *Credit.* No charge in excess of the prices otherwise permitted herein may be made for the extension of credit

This order shall become effective June 5, 1945.

Issued May 31, 1945.

ALEXANDER HARRIS
Regional Administrator.

[F. R. Doc. 45-10167; Filed, June 11, 1945; 1:11 p. m.]

[Region IV Order G-46 Under MPR 122]

SOLID FUELS IN LAURENS AND NEWBERRY COUNTIES, S. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122 it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents

ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of Laurens and Newberry Counties, South Carolina.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV—issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of said order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this Adopting Order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Amendment 10 to Order No. G-17 under Revised Maximum Price Regulation No. 122 and all supplementary orders issued thereunder insofar as they are applicable to the area covered by this order, and as a result, said amendment and supplementary orders are hereby, to that extent, revoked. This order is issued as an Adopting Order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Order No. G-46.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Egg, [illegible], lump, and chunk	$9.70	$5.10	$2.68
[illegible]	9.30	4.90	2.58

(f) *Maximum authorized service charges and required deductions.*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Sacked coal.* Dealer may charge not more than 61¢ per 100 lbs, 51¢ per 80 lbs., 31¢ per 50 lbs., and 25¢ per 35 lbs. for coal sold in sacks containing the above noted poundages. These prices are for High Volatile Bituminous Egg Coal from District No. 8 and are applicable both to yard and delivered sales.

(3) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the Domestic price at least 50¢ per ton.

(4) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(5) *Delivery zone.* No charge may be made for deliveries within the corporate limits of the town or city in which the dealer's yard is located. For deliveries beyond such corporate limits and within the area covered by this Order, the dealer may make an additional charge of not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage to be measured by the actual mileage from such corporate limits to the point of delivery by the most direct highway route.

(6) *Quantity discounts.* On single sales of 20 tons or more to a single purchaser, the dealer must reduce the Domestic price at least 75¢ per ton.

(7) *Credit.* No charge in excess of the prices otherwise permitted herein may be made for extension of credit.

This order shall become effective June 5, 1945.

Issued May 31, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10168; Filed, June 11, 1945; 1:12 p. m.]

[Region IV 2d Rev. Order G-10 Under RMPR 122, Amdt. 1]

SOLID FUELS IN HENRICO, HANOVER AND CHESTERFIELD COUNTIES AND RICHMOND, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-10 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Egg (double screened)	$12.86	$6.93	$3.97
Egg (single screened)	11.86	6.43	3.72
Stove size (double screened)	12.51	6.76	3.88
Stove size (single screened)	11.51	6.26	3.63
Nut size (double screened)	11.06	6.03	3.52
Nut size (single screened)	10.66	5.83	3.42
Pea stoker	10.31	5.66	3.33
Run of mine (screened or straight)	10.16	5.58	3.29
Nut and slack	9.81	5.41	3.20

(2) *Low volatile bituminous coal from District No. 8.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Egg (double screened) and stove size (double screened)	$10.60	$5.80	$3.40
Egg (single screened) and stove size (single screened)	10.10	5.55	3.28
Run-of-mine (screened)	9.55	5.28	3.14

(3) *High volatile bituminous coal from District No. 8.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Lump	$11.20	$6.10	$3.55
Egg (double screened)	10.65	5.83	3.41
Egg (single screened)	10.20	5.60	3.30
Stove size	9.95	5.48	3.24
Nut size—pea size stoker	10.15	5.58	3.29
Run-of-mine	9.00	5.00	3.00

(4) *Pennsylvania anthracite coals.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Anthracite, egg stove, nut	$15.90	$8.45	$4.73
Anthracite—pea	14.05	7.52	4.27
Anthracite—rice	12.10	6.55	3.78

(5) *Briquettes.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Briquettes	$13.16	$7.08	$4.04

2. Paragraph (f) is amended to read as follows:

(f) *Other maximum prices.* Maximum prices established by this order are as follows for sales of coal sold in bags or sacks:

(1) *Coal sold in 100-pound bags.*

	Delivered price	Cash and carry at yard
Low volatile egg and stove	$0.76	$0.69
Semismokeless egg and stove and high volatile egg and stove	.61	.51
Pennsylvania anthracite (all sizes)	.95	.85

(a) The dealer may charge no more than ten cents per 100 pound bag when he furnishes bags to the consumer.

(2) *Coal sold in 12 pound bags.* (*a*) When High Volatile Stove or Nut coal is sold to consumers in 12 pound bags, the maximum prices are 10¢ each and 28¢ for three if sold in one sale.

(*b*) When High Volatile Stove or Nut coal is sold to retailers in 12 pound bags, the maximum price is 8½¢ per bag.

(3) *Ton lots of coal in bags.* (*a*) The domestic price for coal may be increased not more than $3.50 per ton if, at the purchaser's request, the dealer sacks the coal in paper bags furnished by him.

3. Supplementary Order No. 1 to Second Revised Order No. G-10 under Revised Maximum Price Regulation No. 122 is hereby revoked, and Supplementary Order No. 1 to Order No. G-37 under Re-

vised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to Second Revised Order No. G–10 under Revised Maximum Price Regulation No. 122.

This Amendment shall become effective June 4, 1945.

Issued May 30, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45–10169; Filed, June 11, 1945; 1:12 p. m.]

[Region IV Rev. Order G–4 Under RMPR 122, Amdt. 1]

SOLID FUELS IN RALEIGH, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G–4 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this Office are as follows for sales on a "Direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Egg	$9.85	$5.18	$2.71
Stoker	9.75	5.13	2.69
Nut and slack	9.00	4.75	2.50

(2) *Low volatile bituminous coal from District No. 7.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Lump and egg	$11.91	$6.21	$3.21
Stove	11.26	5.88	3.07
Domestic nut	10.41	5.46	2.85
Domestic pea	9.81	5.16	2.71
Domestic run-of-mine	10.31	5.41	2.83
Domestic straight run-of-mine	9.46	4.98	2.62
Nut and slack	9.21	4.86	2.55

(3) *Sale of coal in sacks.* Dealer may charge not more than 71¢ for 90 lb. bag of any kind of coal listed in the above schedule.

2. Supplementary Order No. 1 to Revised Order No. G–4 under Revised Maximum Price Regulation No. 122 is hereby revoked, and Supplementary Order No. 1 to Order No. G–37 under Revised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to Revised Order No. G–4 under Revised Maximum Price Regulation No. 122.

This amendment shall become effective June 4, 1945.

Issued May 30, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45–10170; Filed, June 11, 1945; 1:13 p. m.]

[Region I Order G–6 Under MPR 154, Corr. to Amdt. 1]

ICE IN BARNSTABLE COUNTY AND WAREHAM, MASS.

Paragraph (a) of Amendment 1 to Order No. G–6 is corrected as follows: delete the last sentence of said paragraph (a) and insert in its place a sentence to read as follows:

In the case of a Quantity Platform Sale or a Quantity Delivered Sale, where the sale is of 300 pounds or more at one delivery, the seller's maximum price shall not exceed his maximum price to the purchaser established by §§ 1393.1 and 1393.12 (exclusive of § 1393.12 (f)) of Maximum Price Regulation No. 154 by more than ten cents per 300 pounds (66⅔¢ per ton) in the case of a Quantity Platform Sale, or by more than 5¢ per hundred pounds ($1 per ton) in the case of such Quantity Delivered Sale.

This correction is effective as of May 15, 1945.

Issued this 2nd day of June 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45–10171; Filed, June 11, 1945; 1:13 p. m.]

[Region IV 2d Rev. Order G–1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN ALABAMA

Revised Order G–1 under General Order 50 is further revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Montgomery District Office of Region IV, of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order G–1 under General Order 50 issued by the District Director of the Montgomery District Office of the Office of Price Administration on the 21st day of July 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order G–1 was redesignated as Revised Order G–1 under General Order 50, effective September 1, 1944. Revised Order G–1 under General Order No. 50 is further redesignated 2nd Revised Order G–1 under General Order 50, and is revised and amended as herein set forth and issued for the same purpose as Order G–1 and Revised Order G–1, except that specific maximum prices are established only for on-premises sales, and for the further purpose of clarifying and strengthening the order. Maximum prices for off-premises sales of domestic malt beverages are controlled by Revised Maximum Price Regulation 259.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of Alabama: Baldwin, Barbour, Bullock, Covington, Dallas, Escambia, Greene, Henry, Houston, Lee, Lowndes, Mobile, Montgomery, Perry, Pike and Russell.

SEC. 3. *Ceiling prices.* (a) On and after July 29, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this Order which is not specifically listed here, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Montgomery District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Montgomery District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seems to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification, as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the groups to which you belong as follows:

(1) *Group 1–B.* Your establishment belongs to Group 1–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1–B establishments.

(2) *Group 2–B.* Your establishment belongs to Group 2–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this Order were the same as, or more than, the prices listed in Appendix A hereof for Group 2–B establishments, but were less than those provided in Appendix A for Group 1–B establishments.

(3) *Group 3–B.* Your establishment belongs to Group 3–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this Order were less than the prices listed in Appendix A hereof for Group 2–B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which began operating after the effective date of this Order also belong to Group 3–B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this Order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1–B or Group 2–B, you may, but not later than the first day of October, 1944, file an application with the Montgomery District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3–B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 seller and may not sell or offer for sale beverages subject to this Order at prices higher than those set forth for Group 3–B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1–B or Group 2–B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Montgomery District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3–B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under Section 4 above, you must, on or before August 10, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3–B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3–B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices.

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as Amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such) including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a nonprofit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 A. M. to 1:30 P. M. and the hours from 6:00 P. M. to 8:00 P. M., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your Local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3–B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B", "OPA 2 B", or "OPA 3 B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of $\frac{1}{8}$ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell and sale" include the service of beer for a consideration, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

(h) "On-premises Sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller, or in the immediate vicinity thereof, and includes curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in Section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of Section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Montgomery District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This 2d Revised Order G–1 shall become effective June 18, 1945.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 9871, E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Montgomery, Alabama, this 1st day of June 1945.

A. H. COLLINS,
District Director.

APPENDIX A

Brand or trade name	Maximum price per bottle: 12-ounce	Maximum price per bottle: 32-ounce
Group 1–B		
Beer:	*Cents*	*Cents*
Barbarossa Beer	25	45
Blatz Pilsner Beer	25	45
Budweiser	25	45
Burger Brau Beer	25	45
Canadian Ace Beer	25	45
Downs Arf and Arf	25	45
Ehret's Extra	25	45
Frederick's 4-Crown Special	25	45
Lambic Beer	25	54
Pabst Blue Ribbon Beer	25	45
Pioneer Victory Beer	25	45
Schlitz Beer	25	45
Imported beer:		
Corona Beer (11-ounce bottle)—$0.35 per bottle.		
Ale:		
Canadian Ace Ale	25	45
Carling's Red Cap Ale	25	45
Red Top Ale	25	45
Spearman English Ale	25	45
Other brands:		
All other brands of domestic or imported beer and ale sold in 12-ounce and 32-ounce bottles, not listed above and not listed in appendix B hereof (including unlabeled beer and ale)	20	40
All other brands of domestic or imported beer and ale sold in bottles smaller than 12-ounce not listed above and not listed in appendix B hereof (including unlabeled beer and ale)—$0.10 per bottle.		

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices, if such tax is separately stated and collected.

No other tax applicable to the area covered by this Order may be added to the above prices.

Brand or trade name	Maximum price per bottle: 12-ounce	Maximum price per bottle: 32-ounce
Group 2–B		
Beer:	*Cents*	*Cents*
Barbarossa Beer	20	40
Blatz Pilsner Beer	20	40
Budweiser	20	40
Burger Brau Beer	20	40
Canadian Ace Beer	20	40
Downs Arf and Arf	20	40
Ehret's Extra	20	40
Frederick's 4-Crown Special	20	40
Lambic Beer	20	40
Pabst Blue Ribbon Beer	20	40
Pioneer Victory Beer	20	40
Schlitz Beer	20	40
Imported beer:		
Corona Beer (11-ounce bottle)—$0.30 per bottle.		
Ale:		
Canadian Ace Ale	20	40
Carling's Red Cap Ale	20	40
Red Top Ale	20	40
Spearman English Ale	20	40
Other brands:		
All other brands of domestic or imported beer and ale sold in 12-ounce and 32-ounce bottles, not listed above and not listed in appendix B hereof (including unlabeled beer and ale)	15	35
All other brands of domestic or imported beer and ale sold in bottles smaller than 12-ounce not listed above and not listed in appendix B hereof (including unlabeled beer and ale)—$0.09 per bottle.		

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices, if such tax is separately stated and collected.

No other tax applicable to the area covered by this order may be added to the above prices.

APPENDIX A

Brand or trade name	Maximum price per bottle: 12-ounce	Maximum price per bottle: 32-ounce
Group 3–B		
Beer:	*Cents*	*Cents*
Barbarossa Beer	18	35
Blatz Pilsner Beer	18	35
Budweiser	18	35
Burger Brau Beer	18	35
Canadian Ace Beer	18	35
Downs Arf and Arf	18	35
Ehret's Extra	18	35
Frederick's 4-Crown Special	18	35
Lambic Beer	18	35
Pabst Blue Ribbon Beer	18	35
Pioneer Victory Beer	18	35
Schlitz Beer	18	35
Imported beer:		
Corona (11-oz. bottle)—$0.25 per bottle.		
Ale:		
Canadian Ace Ale	18	35
Carling's Red Cap Ale	18	35
Red Top Ale	18	35
Spearman English Ale	18	35
Other brands:		
All other brands of domestic or imported beer and ale sold in 12-ounce and 32-ounce bottles, not listed above and not listed in appendix B hereof (including unlabeled beer and ale)	13	30
All other brands of domestic or imported beer and ale sold in bottles smaller than 12-ounce not listed above and not listed in appendix B hereof (including unlabeled beer and ale)—$0.08 per bottle.		

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices, if such tax is separately stated and collected.

No other tax applicable to the area covered by this order may be added to the above prices.

APPENDIX B

This Appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller *may not establish his group* on the basis of the prices listed in Appendix B, but must determine his group classification on the basis of the prices listed for other brands covered by Appendix A.

Brand or trade name	Maximum prices for groups: Group 1–B		Group 2–B		Group 3–B	
	12-oz.	32-oz.	12-oz.	32-oz.	12-oz.	32-oz.
	Ct.	*Ct.*	*Ct.*	*Ct.*	*Ct.*	*Ct.*
Doerschuck Beer	20	40	18	36	16	32
Duquesne Beer	20	40	18	36	16	32
Goebel Gold Label (12-oz.)	20	40	18	36	16	32
Goebel Gold Label, bantum size (7-oz.)	12		10		09	
Golden Glow	20	40	18	36	16	32
Gold Medal Tivoli	20	40	18	36	16	32
Lang's Beer	20	40	18	36	16	32
Lion Beer	20	40	18	36	16	32

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this order may be added to the above prices.

[F. R. Doc. 45–10172; Filed, June 11, 1945; 1:14 p. m.]

WAR MANPOWER COMMISSION.

BRIDGEPORT, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Bridgeport Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F. R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statements of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Seniority.
11. Hiring contrary to the plan.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this plan is to assist the War Manpower Commission in bringing about, by meas-

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 A. M. to 1:30 P. M. and the hours from 6:00 P. M. to 8:00 P. M., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your Local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3–B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B", "OPA 2 B", or "OPA 3 B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of $\frac{1}{8}$ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell and sale" include the service of beer for a consideration, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

(h) "On-premises Sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller, or in the immediate vicinity thereof, and includes curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in Section 4 for a new seller.

ures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this plan:

(a) "The Bridgeport Area" is the area comprised of the towns of Bridgeport, Milford, Stratford, Easton, Fairfield, Monroe and Trumbull.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Bridgeport Area with the approval of the Regional Director to be either,

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix A and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (10 F.R. 4846)

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Bridgeport Area shall be conducted in accordance with this employment stabilization program. "All hiring and solicitation of workers in or for work in the Bridgeport Area" as used in this section shall include hiring and solicitation, whether within or outside the Bridgeport Area, if the work is to be performed within the Area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Bridgeport Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area War Manpower Director. It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuances of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in Section VI is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

SEC. 8. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need to the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix A) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided further that such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 10. *Seniority.* Workers referred or transferred with statements of availability under the terms of this Employment Stabilization Program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom.

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has re-employment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 11. *Hiring contrary to the plan.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, state, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship. The Federal Government shall be considered as a single essential employer for the purpose of this program, and all hiring for departments and agencies of the Federal Government subject to Civil Service Act, rules and regulations, shall be conducted by the United States Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective March 1, 1944, and is substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continued in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: November 8, 1944.

LE ROY D. DOWNS,
Area Director.

Approved: May 18, 1945.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Bridgeport Area, with the approval of the Regional Director, as additional controlled occupations.

Armature winders.
Assemblers—Machine.
Automatic screw machine operators.
Automobile mechanics.
Brass casters.
Brass mould men.
Bus drivers.
Coil winders.
Engineer—Industrial.
Forgers—Drop hammer operators.
Grinder-operators.
Lathe operators.
Milling machine operators.
Motor testers—Electric.
Turret lathe operators.
Welders.

[F. R. Doc. 45-10173; Filed, June 11, 1945, 1:28 p. m.]

[Amdt. 1]

BRIDGEPORT, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Bridgeport Area, effective March 1, 1944, is hereby amended as follows:

By adding the following new subparagraph to section 9:

(e) The new employee is a male worker.

Dated: June 5, 1944.

LE ROY D. DOWNS,
Area Director.

Approved: May 18, 1945.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 45-10174; Filed, June 11, 1945; 1:28 p. m.]

[Amdt. 2]

BRIDGEPORT, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Bridgeport Area, effective March 1, 1944, is hereby amended by an addition to section 16 as follows:

The Area Manpower Director may fix for all or any establishments in the Bridgeport Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establish-

ures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this plan:

(a) "The Bridgeport Area" is the area comprised of the towns of Bridgeport, Milford, Stratford, Easton, Fairfield, Monroe and Trumbull.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Bridgeport Area with the approval of the Regional Director to be either,

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix A and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

(g) "Essential activity" means any activity included in the War Manpower

tion of workers in, or for work in, the Bridgeport Area shall be conducted in accordance with this employment stabilization program. "All hiring and solicitation of workers in or for work in the Bridgeport Area" as used in this section shall include hiring and solicitation, whether within or outside the Bridgeport Area, if the work is to be performed within the Area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Bridgeport Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area War Manpower Director. It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage salary below a level established or

individual when any of the circumstances set forth in Section VI is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

SEC. 8. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need to the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix A) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(d) The new employee's last regular

ment's exceeding the employment ceiling or allowance currently applicable to it.

Dated: August 14, 1944.

LE ROY D. DOWNS,
Area Director.

Approved: May 18, 1945.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 45-10175; Filed, June 11, 1945; 1:28 p. m.]

[Amdt. 3]

BRIDGEPORT, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Bridgeport Area, effective March 1, 1944, is hereby amended as follows:

The following Standards of Referrals are herewith adopted as Appendix B:

APPENDIX B—STANDARDS OF REFERRALS

1. *Use of priorities.* The Manpower Priorities shall be distributed to all authorized referral agencies. These agencies shall be governed by these priorities in referring workers to employers.

2. *Standards governing referrals by the War Manpower Commission*—(a) *Order of referral.* (1) Based on occupational qualifications a worker possessing skills for which there is a demand for the war effort shall be referred to job openings for which he is qualified in order of their relative importance as set forth in paragraph 2, hereof, and, to the extent consistent with current and anticipated manpower needs, in the following order:

(i) To job openings in occupations using his highest skill.

(ii) To job openings in occupations which require closely related skills.

(iii) To other types of job openings for which he may be qualified.

(2) In integrating local and clearance orders for referral purposes at the local office level, they will be considered in the following six categories:

Category 1. Inter-regional recruitment orders designated "AA".

Category 2. Inter-regional recruitment orders designated "A".

Category 3. Local or intra-regional clearance orders designated priority I and inter-regional recruitment orders designated "B".

Category 4. Local or intra-regional clearance orders designated Friority II and inter-regional recruitment orders designated "C".

Category 5. All other orders from essential or locally needed establishments.

Category 6. Orders from less essential establishments.

All orders in each category will be considered equal except in the case of category 3 wherein local or intra-regional clearance orders designated IA will be offered to applicants ahead of inter-regional recruitment orders designated "B", and the latter ahead of all other priority I orders.

(3) Any individual subject to priority referral shall, except as provided below, be offered successive job opportunities on the basis of their relative urgency in the war effort, due consideration being given to the individual's occupational qualifications and his prior rate of pay or earnings, and shall not be denied such successive job offers except as authorized in Section 3 hereof.

(i) Worker may be referred to other than essential jobs only when:

(*a*) The worker is not needed by any essential jobs in the area;

(*b*) The worker is not able to accept essential jobs outside the area; or

(*c*) There is undue personal hardship or special emergency circumstances or other good cause which prevent the acceptance of an essential job.

(4) Upon determination by a Regional or Area Manpower Director, after consultation with the appropriate Management-Labor Committee, that the labor demands on an Area or Region cannot be met unless limitations are placed on the jobs offered to a worker, limitations as to the jobs which will be offered to a worker may be applied: *Provided*, That:

(i) No limitation shall be placed upon the number of jobs of substantially equal or greater manpower urgency which may be offered;

(ii) No such limitations shall be applicable to a job offer which the worker has good cause for refusing; and

(iii) The refusal of a worker, without good cause to accept referral shall not prejudice his right subsequently to be offered referral to which he would be entitled had the refusal not occurred.

(5) In any case in which there are two or more job openings of the same relative urgency for which the worker is equally qualified, he shall be entitled to a free choice of the job opening to which he wishes to be referred.

(b) *Refusal of referral without prejudice.* (1) A worker may refuse a referral to a job opening and continue to be eligible for further referral if:

(i) The referral is not to a job opening in an occupation which will use his highest skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(ii) The referral is not a job opening in an occupation which will use a closely related skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(iii) As a condition of accepting or continuing in the offered employment, he would be required to join, resign from or refrain from joining a labor organization.

(iv) The wages or working conditions of the job offered are below standards fixed by applicable law, or are not reasonably comparable to those prevailing for similar employment in similar establishments in the community.

(v) The wage rate for the job offered is less than the minimum of an applicable bracket fixed by the War Labor Board for the occupation and locality, or is less than such amount as has been determined by the War Labor Board for the area or region, as necessary to avoid substandards of living.

(vi) He can show that acceptance of the job offered would involve for him an undue personal hardship.

(2) If a worker refuses referral or refuses to accept a job, which he may decline on one or more grounds set forth in paragraph 2, he shall be advised of his rights under the Manpower Program.

(c) *Unjustified refusal.* If a worker refuses a referral on grounds other than those listed in paragraph 2, he shall not be referred to another opening until the job he refused has been filled or withdrawn or another opening develops with equal or higher priority for which the applicant is qualified.

(d) *Reporting.* Referral agencies shall render such reports as to the number of referrals and hires made to priority establishments and referrals to non-priority establishments as may be required by the State or Area Manpower Director.

(1) *Use of other organizations as referral agencies.* The Regional Manpower Director, after consultation with State and Area Directors, shall negotiate with the following Federal agencies with a view to establishing their respective authority to act as approved referral agencies consistent with applicable national arrangements:

(i) U. S. Civil Service Commission

(ii) Railroad Retirement Board

(iii) Recruitment and Manning Organization of the War Shipping Administration

The Area Manpower Director shall negotiate with Labor Unions with a view of delegating to them authority to act as approved referral agencies under the applicable employment stabilization program:

Authorization of any of these agencies to act as a referral agency shall be made only after written arrangements have been made with these organizations which are consistent with the standards set forth below. Any such arrangement may be withdrawn at the discretion of the Area Director.

Union Hiring Halls. Under the controlled referral plan and the basic referral policies outlined above, unions which have hiring arrangements with essential or locally needed employers who have a substantial number of workers at the time the controlled referral plan becomes effective may be granted the right to refer their own members to those employers in accordance with the following conditions:

(1) In their referral activities the unions shall observe all of the Area Employment Stabilization Plan and all determinations with respect to manpower priorities.

(2) The unions shall refer only those of their members who are entitled to referral under the program and in the order of priority set by the Area Manpower Director.

(3) The union shall maintain records of its referrals and hires and shall permit review of these records by the WMC or shall supply information relating to its referral activities to the War Manpower Commission as may be required.

Dated: August 14, 1944.

LEROY D. DOWNS,
Area Director.

Approved: May 18, 1945.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 45-10176; Filed, June 11, 1945; 1:29 p. m.]

[Amdt. 1]

WATERBURY, CONN. AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Waterbury, Conn. Area, dated May 1, 1944, is hereby amended as follows:

Effective June 1, 1945, paragraph (2) of section 5 is deleted and the following inserted:

(2) No employer in the Waterbury Area shall hire any new employee who is a male worker except upon referral by or in accordance with arrangements with the United States Employment Service. No employer in the Waterbury Area shall hire without a Statement of Availability any new employee who is a female worker who has been employed in an essential industry within the preceding 60 days.

Dated: June 1, 1945.

MARY M. DEWEY,
Area Director.

Approved, May 22, 1945.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 45-10177; Filed, June 11, 1945; 1:29 p. m.]

COLORADO

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Colorado is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program," effective August 16, 1943 (8 F.R. 11338).

Sec
1 Purpose.
2 Definitions.
3 Control of hiring and solicitation of workers.
4 Encouragement of local initiative and use of existing hiring channels.
5 General.
6 Issuance of statements of availability by employers.
7 Issuance of statement of availability by United States Empolyment Service.
8 Referral in case of under-utilization.
9 Workers who may be hired only upon referral by the United States Employment Service.
10 Hiring of workers last employed in certain occupations in lumbering and mining, milling, smelting, and refining activities.
11 Employment ceilings.
12 Release of workers hired contrary to program.
13 Short term employment.
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Appendix A: Occupations in lumbering and mining, milling, smelting, and refining activities.

SECTION 1. *Purpose.* The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* For the purpose of the program:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (10 F.R. 4846)

(e) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(g) The term "discharge" includes refusal of an employer to reemploy a worker in his former or a comparable position without prejudice.

(h) An "employment ceiling" is the maximum number of employees or specified types of employees which an establishment may have in its employ during a specified period.

(i) "Manpower Priority Committee" means a group of representatives of Federal procurement services and other Federal manpower claimant agencies who advise the State Manpower Director with respect to priorities, and employment ceilings.

(j) "Priority referral" is a program which provides that employers in an area may hire male workers only from among those referred by the United States Employment Service of the War Manpower Commission or in accordance with arrangements with the United States Employment Service, so that workers may be referred to jobs in the order of the relative importance of those jobs to the war effort.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the State of Colorado shall be conducted in accordance with this Employment Stabilization Program.

SEC. 4. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity, or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuance of statement of availability by United States Employment Service.* A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in Section VI is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

SEC. 8. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service when:

(a) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(b) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall

be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration. *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(c) The new employee is a male worker 16 years of age or older.

SEC. 10. *Hiring of workers last employed in certain occupations in lumbering and mining, milling, smelting, and refining activities.* (a) A statement of availability issued to a worker whose last employment is or was in an occupation specified in Appendix A. (Occupations in activities in which manpower shortages threaten critically needed production) shall indicate that the worker has been so employed.

(b) A new employee whose statement of availability indicates that his last employment is or was in an occupation specified in Appendix A may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the United States Employment Service.

SEC. 11. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the State of Colorado, fair and reasonable employment ceilings limiting the number of employees or specified types of employees which such establishments may employ during specified periods. Such ceilings will be determined on the relative urgency of the establishments products or services to the war effort, their actual labor needs and the available labor supply. Except as authorized by the State Manpower Director or his representative, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment exceeding the employment ceiling currently applicable to it.

SEC. 12. *Release of workers hired contrary to program.* Any employer shall, upon written request of the United States Employment Service, release from employment any worker whom it has hired contrary to the provisions of this program. Any worker so released shall be issued or denied a statement of availability or referred, so far as practicable on the basis of the facts existing when he was improperly hired.

SEC. 13. *Short term employment.* In order to facilitate the employment of individuals during vacation, off-season, or similar short periods, the United States Employment Service may, upon consent of the worker entitled thereto, issue statements of availability or referral cards containing limitations as to the length of time for which the worker is available for employment. Upon termination of the assigned time limit, such worker may be rehired by their former employers.

SEC. 14. *Exclusions.* No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 15. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the Employment Stabilization Program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 16. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 17. *Retention of statement of availability or referral card by employer.* Each employer upon hiring a worker upon presentation of a United States Employment Service referral card or a statement of availability where referral cards are not necessary, shall retain and file such statement or referral card and shall make these cards and statements available for inspection upon request of the United States Employment Service.

When a worker is employed who does not need a referral card or a statement of availability, the employer shall retain a signed statement in his file showing the worker's name, address, last employer, and final employment date of the worker's last employment. This statement shall be retained in the file in lieu of the statement of availability or referral card.

SEC. 18. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program, except in a manner consistent with such restrictions.

SEC. 19. *Hiring and discharge.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law citizenship.

(b) In order to obtain the maximum utilization of available manpower, employers engaged in essential or locally needed activities shall refrain from discharging workers except for gross misconduct: *Provided*, That insofar as it will not interfere with the effective prosecution of the war, no employer shall be expected to retain in his employment, a worker who is incompetent or who fails to conform to reasonable shop rules or standards of conduct.

SEC. 20. *Continuance on job.* Pending the issuance of a statement of availability or referral card to a worker, he should remain on his job.

SEC. 21. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 22. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 23. *Enforcement of program.* (a) Violations of this program which constitute violations of War Manpower Commission Regulation No. 4 as amended August 16, 1943, issued pursuant to Executive Order 9328, are subject to the penal provisions of the act of October 2, 1942, (Pub. No. 729, 77th Cong.); the provisions of § 4001.10 of the regulations of the Economic Stabilization Director issued October 27, 1942, apply to all wages or salaries paid in violation of Regulation No. 4.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer's or any other appropriate sanction may be invoked by the War Manpower Commission against an employer or worker who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Program, regulation, or policy, and for so long as such employer or worker continues his non-compliance after such finding.

SEC. 24. *Collective bargaining agreements.* No part of this stabilization program shall be construed to be in conflict with the requirements of any Federal or State law or any collective bargaining agreements, so long as such agreement is consistent with applicable War Manpower Commission policies, procedures, and standards.

SEC. 25. *Effective date.* This program as amended shall become effective 12:01 a. m. January 25, 1945.

Dated: January 24, 1945.

L. A. WEST,
State Manpower Director.

Approved: January 24, 1945.

JOHN E. GROSS,
Regional Director XI.

APPENDIX A—OCCUPATIONS IN LUMBERING AND MINING, MILLING, SMELTING, AND REFINING ACTIVITIES

I *All production and maintenance occupations* in the following activities: (a) Mining, dressing, and beneficiating (milling) of all minerals, with the exception of coal and the precious metals;

(b) Removal of overburden, sinking of shafts, development of new ore bodies, and similar services performed preparatory to the mining of the minerals specified above;

(c) Prospecting and exploration activities, in connection with the development of the minerals specified above, carried on in accordance with an authorization of or with the aid of a governmental agency, or as a substantial organized and responsible pursuit under a bona fide contract or authorization.

(d) Primary smelting and refining of the minerals specified above.

II *All production and maintenance occupations* in coal mining.

III *All production and maintenance occupations* in the following activities: (a) All logging operations, irrespective of whether such operations are conducted by logging contractors or are carried on in combination with the operation of sawmills or pulp mills;

(b) All operations of sawmills, including the operations of box factories operated in conjunction with sawmills at the same plant site but excluding sawmills carried on primarily in conjunction with pulp mills, shingle mills, match block and match plant operations, cooperage stock mills, cooperage establishments, and furniture establishments;

(c) All operations of planing mills engaged primarily in the production of dressed lumber, but excluding planing mills primarily engaged in the production of finished mill products such as shingles, doors, sash, window frames, match blocks, and match planks and similar products;

(d) Veneer mill operations, including all services incident to the production of veneer;

(e) Plywood mill operations, including all services incident to the production of plywood.

The term production and maintenance occupations includes all engineering, technical, supervisory, service, and clerical occupations required in connection with the production and maintenance operations in the activities specified above. The term does not include occupations carried on in administrative offices removed from the site of productive operations.

[Supp. 1]

Designed to provide further channeling of workers to essential war production.

SECTION S-1. *Introduction.* This Supplement No. 1 to the Colorado employment stabilization program is hereby made a part of the Colorado employment stabilization program as amended, and implements particularly the provision for priority referral of male workers and employment ceilings.

(a) *Purpose.* Supplement No. 1 developed for the State of Colorado is a program designed to provide for the systematic allocation of the State's available labor supply among the necessary establishments, based on their relative importance in the war effort. Its purpose is to insure that all necessary establishments may secure a sufficient number of workers to meet their production schedules or to render adequate service to the war effort. It aims to provide for an equitable distribution of workers on a priority basis. It is devised in such a way as to give priority treatment to establishments in accordance with carefully defined criteria as set forth in section S-2. It has as its objective the matching of total labor demands to the available supply and, as part of its operation, it will seek to bring about necessary adjustments between supply and demand estimates. A program to accomplish these objectives includes three general subdivisions, namely: (1) establishment of manpower priorities, (2) establishment of employment ceilings, and (3) referral of workers in accordance with priorities and ceilings so established.

(b) *Authority.* This supplement is established by the State Manpower Director of the War Manpower Commission with the concurrence of the several Area Labor-Management Committees pursuant to the authority granted under War Manpower Commission Regulation No. 7, as amended. This program has been approved by the Regional Director of the War Manpower Commission.

(c) *Effective date.* Supplement No. 1 to the Colorado employment stabilization program as amended shall become effective 12:01 a. m., January 25, 1945.

(d) *Definitions.* (See definitions in employment stabilization program as amended).

(e) *Employee exemptions.* Exclusions listed in section 14 of the employment stabilization program as amended in addition to the following types of workers shall be exempted from all of the provisions of Supplement No. 1 to the Colorado employment stabilization program.

(1) Workers under 16 years of age.

(2) Honorably discharged veterans of World War II (except that no non-exempt worker may be hired at any time if the total number of non-exempt workers plus exempted veterans equals or exceeds an established employment ceiling.)

(3) Part-time workers (workers who are not available for and do not perform work in excess of 30 hours during any seven consecutive day period.)

(4) Apprentices hired in accordance with approved apprenticeship standards and who are registered with state or federal apprenticeship agencies.

SEC. S-2 *Manpower Priorities Committee—(a) Authority, composition and purpose of the Committee.* A manpower Priorities Committee is established to determine the relative urgency of the labor needs of establishments in the State of Colorado and to recommend employment ceilings and priorities to the State Manpower Director. The Priorities Committee shall consist of a representative of each of the following agencies:

(1) Aircraft Resources Control Office.
(2) Navy Department.
(3) Office of Civilian Requirements.
(4) Office of Defense Transportation.
(5) Selective Service System.
(6) Smaller War Plants Corporation.
(7) Solid Fuels Administration.
(8) United States Civil Service Commission.
(9) War Department.
(10) War Food Administration.
(11) War Manpower Commission.
(12) War Production Board.

As necessary, representatives of other government agencies may also be appointed to the Committee or invited to participate in Committee proceedings when their interests are affected.

The State Manpower Director will act as Chairman of the Manpower Priorities Committee. The Committee will recommend priorities in each of the administrative areas within the State in order of their importance within the area.

(b) *Functions of the Manpower Priorities Committee.* Based on urgencies determined by the Production Urgency Committee for Colorado or the National Production Executive Committee the Manpower Priorities Committee shall:

(1) Recommend employment ceilings and adjustments thereto to the State Manpower Director.

(2) Recommend manpower priorities and adjustments thereto to the State Manpower Director in accordance with criteria listed in paragraph (d) of this section.

(3) Based upon realistic supply and demand estimates provided by the State Manpower Director, recommend to procurement agencies feasible contract reallocations or cut-backs which should be made to achieve a better balance of supply and demand in the State.

(4) Review priority designations and employment ceilings as often as necessary in the light of changing conditions recommending any needed revisions.

(5) Assist the State Manpower Director in securing compliance with War Manpower Commission policies by establishments who are granted priority designations.

(c) *Standards.* In establishing employment ceilings and manpower priorities, full consideration shall be given to the following:

(1) The establishment is on a 48-hour minimum workweek in all departments not specifically exempted by the War Manpower Commission.

(2) There is full utilization of women on all jobs suitable for women, and an active program to transfer full-time male workers from jobs which women or part-time workers can perform.

(3) There is centralization of all problems relating to manpower and an effective program of in-plant employer-employee relationships.

(4) Personnel records indicate hires from all sources, losses in personnel, absenteeism, turnover, etc. maintained in an orderly and adequate manner.

(5) There is full utilization of all qualified workers.

(6) There is full compliance with War Manpower Commission regulations.

(7) There are adequate in-plant training and upgrading programs.

(8) Restrictive hiring specifications of the establishment have been eliminated as far as possible.

(9) Job openings, indicating minimum needs, have been submitted to the United States Employment Service or authorized hiring agencies.

(10) Wages and working conditions meet the standards set by State and Federal laws.

(11) Wages and salaries equal or exceed wage standards established for this State by the War Labor Board, or other agency authorized to adjust wages, or there is evidence of application for adequate adjustments in accordance with such standards.

(d) *Priority classification.* Priorities are to be assigned to order for specific numbers and kinds of workers. There are five priority designations to be used as follows:

Category 1: Only orders of exceptional importance to the national war production effort will be placed in this category. Orders may be placed in category 1 only by the Chairman of the National Priorities Committee, except that orders for Manhattan District Project establishments (highly critical secret projects) may be placed in category 1 by the State Manpower Director, provided the orders meet the criteria for category 3.

Category 2: Selected orders which meet the criteria for category 3, 4 or 5 may be placed in this category in order to meet emergencies which may result in production breakdowns or services delays directly affecting essential production or community health and welfare. The total number of openings which may be placed in this category at any time shall be limited to 5 percent of the total local priority openings in categories 1, 3, 4 and 5. The purpose of this category is to provide speedy referral service to meet emergency situations which require it.

Category 3: The only orders which may be placed in this category are those from establishments which are producing an item or performing a service which has been designated as a "must" item or service. "Must" items or services are those which have been determined by the Production Executive Committee at Washington, D. C., to be "behind schedule" nationally. To warrant a category 3 priority, an establishment must be behind on its individual schedule on "must" production or services for manpower reasons or threatening to become so because of an expanded schedule. Local urgency ratings equivalent to "must" ratings may be assigned to establishments whose production or services are deemed of equal importance to the national war effort. Orders for workers who will not be engaged in "must" production or services, or on production or services assigned a local urgency rating of equivalent rank, will not be placed in this category.

Category 4: The only orders which may be placed in this category are those from establishments engaged in "must" production or services, or production or services assigned a local urgency rating of equal rank, which are not behind on their individual schedules, but which are in need of additional manpower in order to maintain such schedules. Orders which qualify for category 3 designations may be placed in this category if the State Manpower Director determines that the orders can be filled by being placed in category 4.

Category 5: Orders from essential and locally needed firms may be placed in this category if the orders require preferential treatment in referral and the establishments are engaged in production or service which is deemed highly essential to the war effort or related civilian economy, and if the establishments are behind schedule or threaten to become so because of expanded schedules.

SEC. S-3. *Employment ceilings*—(a) *Area of coverage.* Employment ceilings shall be established for all employers in the State of Colorado.

(b) *Method of establishment.* Employment ceilings shall be established as follows: (1) For employers in Administrative Areas 2, 3 and 4 who report anticipated demands on War Manpower Commission forms ES-270, the employment ceiling shall be the number of male workers anticipated to be needed on July 1, 1944 as indicated on the reports for May 1944.

(2) For other essential and locally needed employers in Administrative Areas 2, 3 and 4, the employment ceiling shall be the number of male workers who were actively employed by the employer in the establishment as of June 1, 1944.

(3) For all employers in Administrative Area 1 and all less essential employers in Administrative Areas 2, 3 and 4, the employment ceiling shall be the number of male workers who were actively employed by the employer in the establishment as of October 15, 1944.

(c) *Emergency hiring authorization.* The United States Employment Service may authorize emergency hiring in excess of established ceilings. Such authorizations are subject to post review by the Manpower Priorities Committee.

SEC. S-4. *Priority referrals*—(a) *Referral policy.* All offices of the United States Employment Service in Colorado will be governed by the following standards in the referral of workers to employers:

(1) To the greatest degree consistent with war needs, workers subject to priority referral shall be given the maximum possible freedom of choice as to the jobs they wish to accept and employers shall be given the maximum possible freedom of choice as to the workers they wish to employ, except that such workers shall accept jobs and employers shall hire such workers only through the United States Employment Service or in accordance with arrangements with the United States Employment Service. To achieve this objective, the United States Employment Service or other authorized referral agencies shall offer to each worker successive job opportunities for which he is qualified in essential and locally needed activities in accordance with established manpower priority designations.

(2) On the basis of the stringency of the labor market situation and the urgency of production in an area, the State Manpower Director or his representative may limit the number of jobs offered a worker, exclusive of those jobs which the worker has good cause for refusing.

SEC. S-5. *Hiring restrictions.* (a) No employer may hire any worker from the United States Employment Service or from any other source in such numbers as to exceed his employment ceiling unless specifically authorized to do so by the State Manpower Director or his representative.

SEC. S-6. *Reports.* (a) Employers may be requested to supply the United States Employment Service of the War Manpower Commission with periodic employment reports indicating such factors as male employment, female employment, part-time workers, and types of production.

[F. R. Doc. 45-10178; Filed, June 11, 1945, 1:29 p. m.]

JUN 19 '45

FEDERAL REGISTER

VOLUME 10 NUMBER 118

Washington, Thursday, June 14, 1945

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL AND PROFESSIONAL POSITIONS

Under authority of section 5 of The Veterans' Preference Act of 1944 (58 Stat. 387), The United States Civil Service Commission has determined that the duties of the following positions are such that they cannot be performed by a person who does not meet the minimum educational requirements prescribed by the Commission for such positions:

Medical Officer, All Grades.
Dentist, All Grades.
Veterinarian, All Grades.
Consultant in Education, All Grades.
Student Nurse, St. Elizabeths Hospital.
Student Dietitian.
Graduate Nurse, General Staff Duty or Psychiatric Duty.
Graduate Nurse, Trainee.
Physical Director, SP–6, Veterans' Administration.
Agronomist (Field Operations), Soil Conservation Service, P–1.
Soil Scientist (Field Operations), Soil Conservation Service, P–1.
Teachers, All Grades.
Examinations for the following types of teachers are included, among others:
Teacher (Academic Subjects), SP–6, Veterans' Administration Facilities.
Instructor (Academic Subjects), Reconditioning Centers, War Department.
Training Specialist, War Department.
Secondary School Teacher, P–1, War Relocation Authority.
Elementary School Teacher, SP–4, War Relocation Authority.

The justification for prescribing minimum educational requirements[1] for eligibility for appointment to the above listed positions is based upon the duties of the position, the knowledge requisite for the performance of such duties, and the method of obtaining the basic knowledge and training required.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 45–10333; Filed, June 13, 1945; 11:01 a. m.]

[1] Filed as part of the original document.

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit Corporation)

PART 262—BEEF CATTLE PRODUCTION PAYMENTS

OFFER TO MAKE BEEF CATTLE PRODUCTION PAYMENTS

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262.1 Introduction.
262.2 Definitions.
262.3 Payments.
262.4 Duplicate payments.
262.5 Rates of payments.
262.6 Prerequisites to payments.
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262.8 Right to declare claims invalid.
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262.10 Death, incompetency, or other disability of feeder or feeder-slaughterer.
262.11 Lost, stolen, or destroyed drafts.
262.12 Instructions and interpretations.
262.13 Revocation or modification.

AUTHORITY: §§ 262.1 to 262.13, inclusive, issued under 56 Stat. 767; Pub. Law 30, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, O.E.S. Dir. 55, 10 F.R. 6595.

§ 262.1 *Introduction.* In an effort to maintain and increase the production of beef, the War Food Administration, through Commodity Credit Corporation (herein called "Commodity"), a corporate agency of the United States, pursuant to this announcement, hereby offers to make beef cattle production payments to eligible feeders and feeder-slaughterers of beef cattle for the period beginning May 19, 1945, and ending June 30, 1946, all in the manner and subject to the terms and conditions specified in this offer.

§ 262.2 *Definitions.* As used in this offer:

(a) The term "legally authorized slaughterer" means:

(1) Any slaughterer who is operating under Federal Meat Inspection pursuant to the act of May 4, 1907 (34 Stat. 1260, as amended, 21 U. S. C. 71, as extended by the act of June 10, 1942 (56 Stat. 351), or

(2) Any slaughterer who is operating pursuant to the regulations and orders of the Office of Price Administration.

(b) The term "eligible beef animal" means any bovine animal in either of the following classes:

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1941 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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(i) An animal which:

(1) Was sold at not less than the maximum price for the zone in which the animal was sold, as shown in Schedule A attached hereto,

(ii) Was owned by the seller for not less than 30 days immediately preceding such sale,

(iii) At the time of sale weighed 800 pounds or more live weight or was one of a lot of animals of similar weight and grade included in one weighing and averaging 800 pounds or more live weight each, and

(iv) Was sold during the period beginning May 19, 1945 and ending June 30, 1946, to a legally authorized slaughterer or to a person who has delivered such animal to such a slaughterer within 29 days after such sale but not later than June 30, 1946.

(2) An animal raised by a legally authorized slaughterer or an animal other than an eligible beef animal purchased by a legally authorized slaughterer, which animal:

(i) Has been held and fed by such slaughterer for not less than 30 days immediately preceding slaughter,

(ii) Has been slaughtered by such slaughterer during the period beginning May 19, 1945 and ending June 30, 1946,

(iii) Weighed at the time of slaughter not less than 800 pounds live weight, and

(iv) Yielded a beef carcass grading A or AA.

(c) The term "eligible feeder" means any person who has purchased or has raised a beef animal, which animal:

(1) Was sold by such person during the period beginning May 19, 1945 and ending June 30, 1946 to a legally authorized slaughterer for slaughter or to another person who has delivered such animal to a legally authorized slaughterer for slaughter within 29 days after such sale but not later than June 30, 1946,

(2) Was owned by such person for not less than 30 days immediately preceding such sale,

(3) At the time of such sale was an eligible beef animal, and

(4) If such person is a legally authorized slaughterer, such animal, when purchased by such person, either weighed less than 800 pounds live weight, was purchased by him for less than the minimum price as shown in Schedule A attached hereto for the zone in which the purchase took place, or was purchased before May 19, 1945.

(d) The term "eligible feeder-slaughterer" means a legally authorized slaughterer who has slaughtered during the period beginning May 19, 1945 and ending June 30, 1946 a beef animal which:

(1) Was raised by him or was purchased by him but if purchased after May 18, 1945 was not an eligible beef animal at the time of purchase,

(2) Was held and fed by him for not less than 30 days immediately preceding slaughter, and

(3) Was an eligible beef animal at the time of slaughter.

(e) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons either incorporated or not and includes the states and any subdivision thereof.

§ 262.3 *Payments.* Payments under this offer will be made upon compliance with the terms and conditions specified herein to any eligible feeder with respect to eligible beef animals sold by him and to any eligible feeder-slaughterer with respect to eligible beef animals slaughtered by him. No more than a total of $40,000,000 will be paid to feeders and feeder-slaughterers under this offer.

§ 262.4 *Duplicate payments.* Commodity will not make more than one payment with respect to any one beef animal.

§ 262.5 *Rates of payments.* Rates of payment hereunder will be 50 cents per hundredweight. In determining the amounts due eligible feeders and feeder-slaughterers, the weight of the eligible beef animals shall be determined to the nearest whole hundredweight and any fractional portion of a hundredweight less than 51 pounds shall be disregarded.

§ 262.6 *Prerequisites to payments.* Payment hereunder will be made to any eligible feeder or feeder-slaughterer who:

(a) Files an application for payment in such form as shall be approved or prescribed by Commodity with the County AAA Committee in the county in which the feeder or feeder-slaughterer's farm, ranch, or feed lot is located (or such other place as Commodity may designate),

(b) Supplies with such application for payment evidence with respect to his eligibility to receive payment as provided in this offer which the County AAA Committee determines to be satisfactory pursuant to instructions approved by Commodity, and

(c) Files such application within 60 days after date of sale or slaughter, or on or before August 31, 1946, whichever is later (unless such time is, for cause, extended by Commodity).

§ 262.7 *Method of payment.* Payment hereunder, on the basis of each such application for payment which has been approved by the applicable County AAA Committee shall (unless Commodity otherwise directs) be made by a non-interest-bearing draft drawn by such County AAA Committee or other drawer designated by Commodity on Commodity and payable at a Federal Reserve Bank. Such draft shall be made payable to the person shown in the corresponding application for payment to be the eligible feeder or feeder-slaughterer, except as provided in § 262.10. Each draft shall be given a serial number and shall be delivered to the eligible feeder or feeder-slaughterer. The making of any payment on the basis of an approved application for payment filed hereunder shall not constitute a final determination of the validity or amount of the claim represented thereby. Any applicant who is determined by Commodity acting through the applicable County AAA Committee (or such other agent as may be designated) to have filed a wilfully falsified application pursuant to this offer, shall be deemed ineligible for the payment for which such claim is filed. Payments made on an application later determined to be wilfully falsified shall be repaid by the applicant. If it is determined that an improper application resulted from factors beyond the knowledge and control of the applicant, Commodity acting through the applicable County AAA Committee (or such other agent as may be designated) may accept a revised application and pay the amount which it deems proper. The provisions of this section shall not preclude legal action by Commodity under the Criminal Code of the United States against any feeder or feeder-slaughterer who submitted an application for payment under this offer for an amount in excess of the amount which would be proper in accordance with the terms of the offer.

§ 262.8 *Right to declare claims invalid.* Commodity shall have the right to declare invalid in whole or in part, any claim which is not in compliance with the terms and conditions of this offer and any claim filed by an applicant who, in the judgment of the Price Administrator, has wilfully violated any meat or livestock regulation or order issued by the Price Administrator. Commodity shall also have the right to declare invalid, in whole or in part, any claim filed by an applicant concerning whom the Office of Price Administration has certified that in any civil judicial proceeding against such applicant it has been determined that the applicant has violated any substantive provision of any meat or livestock regulation or order issued by the Price Administrator. If such judicial determination is finally reversed, payment withheld under this section will be made by Commodity.

§ 262.9 *Assignment and set-off.* Payments due or to become due hereunder shall not be subject to assignment, attachment, garnishment, or levy. Payments hereunder shall be subject to set-offs for indebtedness of the eligible feeder or feeder-slaughterer to the United States of America or any agency or corporation thereof recorded on any AAA debt register, and this offer is expressly made subject to this provision for set-offs.

§ 262.10 *Death, incompetency, or other disability of feeder or feeder-slaughterer.* In case of death, incompetency, or disappearance of an eligible feeder or feeder-slaughterer, application for any payment hereunder may be made by any person who, under the regulations contained in ACP–122, as amended, issued by the Agricultural Adjustment Agency, would be entitled to payment. In case of infancy, bankruptcy, dissolution, or other disability of the eligible feeder or feeder-slaughterer, payments will be made to a representative only in accordance with specific instructions issued by Commodity.

§ 262.11 *Lost, stolen, or destroyed drafts.* In the event any executed draft shall be lost, stolen, or destroyed, the fact of such loss, theft, or destruction shall be reported immediately to the office of the applicable County AAA Committee and, in such event, the issuance of a duplicate draft shall be subject to such conditions as Commodity shall, from time to time, prescribe.

§ 262.12 *Instructions and interpretations.* Commodity shall have the right to supplement or clarify any provision of this offer or alter any procedure contained herein at any time by the issuance of instructions or interpretations in connection therewith.

§ 262.13 *Revocation or modification.* This offer, or any extension hereof, may be partially or wholly revoked, modified, or amended by Commodity with respect to any feeder or feeder-slaughterer at any time upon notice to such feeder or feeder-slaughterer or with respect to all feeders or feeder-slaughterers, by Commodity giving public notice of such modification, revocation, or amendment.

Such public notice may be given by filing of the notice with the Division of the Federal Register. Notwithstanding any such revocation, modification, or amendment, payment will be made with respect to eligible beef animals sold or slaughtered pursuant to this offer prior to the effective time of any such revocation, modification, or amendment.

Issued this 11th day of June 1945.

[SEAL] COMMODITY CREDIT CORPORATION
By R. W. MAYCOCK,
Vice-President.

Attest:

MARGARET W. SAMUELS,
Assistant Secretary.

SCHEDULE A—MINIMUM ZONE PRICES FOR CATTLE TO BE ELIGIBLE FOR BEEF SUBSIDY PAYMENT

Zone and description	*Minimum price*
1: Washington, but excluding the City of Spokane; Oregon, California	$14 95
2: Idaho, Nevada	14 70
3: Montana, Wyoming, Utah, Arizona	14 25
4: Colorado, New Mexico	13 85
5: North Dakota, Nebraska, but excluding the City of Omaha, South Dakota, but excluding the City of Sioux Falls; Kansas, but excluding the City of Kansas City	13 65
6: Oklahoma	13 65
7: Texas, but excluding the cities of Houston, Dallas, Ft. Worth, El Paso and San Antonio	13 50
8: Minnesota, but excluding the City of St. Paul; Iowa, but excluding the City of Sioux City; Wisconsin—that portion of Wisconsin lying west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon and Crawford	13 85
9: Missouri, but excluding the cities of Kansas City, St. Joseph and St. Louis	13 85
10: Arkansas, Louisiana—all that portion of Louisiana west of the Mississippi River from the Northeast point of East Carroll Parish to the Northeastern point of the Pointe Coupee Parish and west of and including the parishes of Avoyelles, Saint Landry, Saint Martin and Iberia	14 25
11: Wisconsin—all that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Hood, Juneau, Sauk, Richland and Grant, but excluding the cities of Milwaukee and Cudahy	14 05
12: Illinois, but excluding the cities of Chicago and National Stock Yards	14 10
13: Indiana, but excluding the City of Indianapolis	14 20
14: Kentucky	14 40
15: Ohio, Michigan	14 55
16: New York—the following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus. Pennsylvania—all that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland, and Fayette. West Virginia—all that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan, and Mingo	$14 65
17: New York—all that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome, but excluding the counties of Niagara, Erie, Cattaraugus, and Chautauqua. Pennsylvania—the following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntington, Somerset, Bedford, and Fulton. Maryland—the following counties of Maryland: Garrett and Allegany. West Virginia—all that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell	14 70
18: Virginia—all that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd, and Carroll. Tennessee—all that portion of Tennesse east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie, and Hamilton. North Carolina—all that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke and Cleveland	14 70
19: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, the District of Columbia. New York—all that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond. Pennsylvania—all that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry and Franklin. Maryland—all that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and St. Marys	14 80
20: Virginia—all that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin, and Patrick	14 80
21: Tennessee—all that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putman, White, Warren, Grundy, and Marion	14 40
22: Mississippi—all that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo, and Issaquena. Alabama—all that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette, and Lamar	$14 55
23: Louisiana—all that portion of Louisiana east of and including the parishes of West Feliciana, Pointe Coupee, Iberville, Assumption, and Saint Mary. Mississippi—all that portion of Mississippi south and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds, and Warren. Alabama—all that portion of Alabama south of and including the counties of DeKalb, Marshall, Blount, Jefferson, Tuscaloosa, and Pickens. South Carolina—all that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda, and Edgefield. Georgia—all that portion of Georgia west and northwest of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas. Florida—all that portion of Florida west of and including the counties of Leon and Wakulla	14 65
24: North Carolina—all that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln, and Gaston. South Carolina—all that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper, and Beaufort. Georgia—all that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook, and Brooks. Florida—but excluding the counties west, southwest and northwest of Jefferson County	14 80

("City" means the area within the corporate limits of a municipal corporation, and the zone adjacent to and commercially a part of such municipal corporation)

Chicago Zone: City of Chicago, Ill.	$14 05
Texas Market Zone: The following cities in Texas: Houston, Fort Worth, Dallas, El Paso, San Antonio	13 60
Indianapolis Zone: City of Indianapolis, Ind.	14 30
Kansas City, Omaha, Sioux City, St. Joseph Zone: City of Kansas City, Kans.; Cities of Kansas City and St. Joseph, Mo.; City of Sioux City, Iowa; City of Omaha, Nebr.	13 85
St. Paul Zone: City of St. Paul, Minnesota	13 85
Wisconsin Market Zone: The following cities in Wisconsin: Milwaukee and Cudahy	14 15
National Stock Yards: National Stock Yards, Ill.	14 15
St. Louis Zone: St. Louis, Mo.	14 15
Sioux Falls Zone: City of Sioux Falls, S. Dak.	13 80
Spokane Zone: City of Spokane, Wash.	14 80

[F. R. Doc. 45-10326; Filed, June 13 1945; 11:26 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Supplies and Equipment

[Procurement Regs. 1, 2, 3, 4, 6, 7, 9, 10, 11, 12 and 13]

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Parts 801–804, 806, 809–813, 821, 823, 824, 827, and 829 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated September 5, 1942 (9 F.R. 8363 [1]) as amended by Change 48, May 24, 1945, the particular regulations being Nos. 1–4, 6, 7, 9–13.

In section numbers the figure to the right of the decimal point corresponds with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Supp. 601–622.

Subchapter A—Procurement

[Procurement Reg. 1]

PART 801—GENERAL INSTRUCTIONS

SUBPART A—INTRODUCTION

Subpart A is amended to read as follows:

§ 801.101 *Publication of procurement regulations.* Prior to July 1, 1942, it was the practice of the War Department to publish procurement regulations in the form of Army Regulations, War Department Procurement Circulars, and otherwise. As of July 1, 1942, the present numbered series of procurement regulations was issued to replace all other procurement regulations in effect as of that date. As changes in or additions to these regulations become necessary, they are currently effected by the publication of revisions.

§ 801.102 *Recission of Army Regulations.* The following Army Regulations have been rescinded:

AR 5-50	AR 5-160	AR 5-240	AR 5-320
AR 5-100	AR 5-200	AR 5-260	AR 5-340
AR 5-140	AR 5-220	AR 5-300	AR 5-360

§ 801.103 *Rescission of other regulations, instructions and directives.* (a) Effective July 1, 1942, all War Department Procurement Circulars not theretofore rescinded, and the temporary series of procurement regulations with numbers followed by "T", have been rescinded.

(b) All regulations, instructions and directives inconsistent with these procurement regulations as originally issued under date of July 1, 1942, or with any revision thereof, shall be deemed rescinded as of July 1, 1942, or as of the date of such revision, as the case may be.

SUBPART B—DISTRIBUTION OF PROCUREMENT REGULATIONS

In § 801.106 (b), subparagraph (3) is amended to read as follows:

§ 801.106 *Distribution of procurement regulations.* • • •

(b) *Distribution to military establishments of Procurement Regulation No. 7 and Joint Termination Regulation (PR 15) in separate form.* • • •

(3) The Joint Termination Regulation (PR 15) and changes thereto, in separate loose-leaf form, are distributed through the Readjustment Distribution Center, Federal Office Building, 6th Floor, 90 Church Street, New York 7, New York. Requests for the Joint Termination Regulation and changes thereto, in separate form, should be addressed and forwarded to that office and not to the address mentioned in § 801.106 (a) (1).

SUBPART C—APPLICABILITY OF REGULATIONS

Paragraph (a) of § 801.107 is amended and in paragraph (c) the introductory text is amended and a new sentence is added at the end, as follows:

§ 801.107 *Authority with respect to procurement.* • • •

(a) *Basic statute.* Section 5a of the National Defense Act, as amended by section 2 of the act of December 16, 1940, provides in part as follows:

Hereafter the Secretary of War, in addition to other duties imposed upon him by law, shall be charged with the supervision of the procurement of all military supplies and other business of the War Department pertaining thereto and the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs, and he may assign to the Under Secretary of War and The Assistant Secretary of War such duties in connection therewith as he may deem proper. (10 U.S.C. 1193; M.L. 1939, sec. 897)

By the terms of the act of December 15, 1944 (Public Law 488, 78th Congress) the above-quoted provision will remain in force until six months after the termination of the present war or until such earlier date as Congress or the President may designate.

• • • • •

(c) *Responsibilities of the Under Secretary of War fixed by AR 5-5.* Although Army Regulation 5-5 was rescinded as of July 1, 1942, and not reissued until April 2, 1945, the portion of that regulation relating to the responsibilities of The Assistant Secretary of War (now the Under Secretary of War), as in effect just prior to its rescission, is incorporated by reference in paragraph c. of the above quoted order of the Secretary of War, dated April 21, 1941. The portion of said regulation which is thus continued in force reads as follows:

• • • • •

The foregoing provisions of this paragraph were confirmed by paragraph 2d of Army Regulation 5-5, as reissued on April 2, 1945.

SUBPART D—MISCELLANEOUS PROHIBITIONS

In § 801.111 (c), the last paragraph is amended to read as follows:

§ 801.111 *Conflicts between outside interests of officers or civilian employees and their official duties.* • • •

(c) *Regulations supplementary to basic statute.* • • •

The Under Secretary of War is authorized to make exceptions to the regulation contained in subparagraph (2) above. In particularly meritorious cases where because of the unusual training, experience or other qualifications of the officer or employee, the chief of a technical service finds that the application of the regulations contained in such subparagraph would be a serious obstacle to the service in performing its mission, a request for an exemption may be forwarded to the Director, Purchases Division, Headquarters, Army Service Forces. Such requests shall be held to a minimum and when made shall be accompanied by a full statement of the circumstances which are believed to make such exemption necessary. No exemption may be made from the provisions of the statute referred to in paragraph (a) or from subparagraph (1) of this paragraph.

[1] See also 9 F.R. 9460, 9585, 10944, 12242, 13215, 14159; 10 F.R. 556, 1855, 4012, 5171.

[Procurement Reg. 2]

PART 802—GENERAL PURCHASE POLICIES

SUBPART C—CONTRACT PRICE POLICIES

1. In § 802.233 (c), subparagraphs (4) and (5) are deleted, subparagraph (6) is redesignated (4), and subparagraph (3) is amended to read as follows:

§ 802.233 *Fixed-price contracts.*
• • •

(c) *Adaptation to war conditions.*
• • •

(3) Price revision articles.

2. The headnote of § 802.234a is amended to read "*Protection against loss from early termination*".

3. Section 802.236 is amended, and §§ 802.236a and 802.236b are added, as follows:

§ 802.236 *Price revision articles.* One means of adapting fixed price contracts to wartime conditions so as to achieve the basic objectives stated in § 802.230 is through the use of price revision articles. They are designed as a vehicle to protect contractors against the risks and hazards resulting from performing contracts in a war economy and in return for that protection, to enable contractors to agree to close prices. War Department policies with respect to price revision, the articles themselves, and the rules for their use and administration are set out in Part 803 of this chapter, particularly in Subpart H thereof. That part should be consulted before any price revision article is used or considered for use in any contract.

§ 802.236a *Escalation.* Except as and to the extent specifically provided in § 803.351 (d), (e) and (f), of this chapter, the use in War Department contracts of articles or provisions for escalation of any kind is not authorized. The term "escalation" as used herein means any kind of automatic, self-operating or non-negotiated price revision, whether based on indexes of any character, contractors' costs, OPA maximum prices, or any other standard. The term does not include negotiated price revision under the standard articles therefor set out in Subpart H of Part 803 of this chapter.

§ 802.236b *Incentive contracts.* An article providing for price redetermination upon completion of the contract, with specified rates of sharing in cost

savings below and extra costs above a target price, appears in § 803.379 (e) of this chapter. An explanation and an illustration of the operation of the article and the conditions for its use are set out in paragraphs (a) to (d), inclusive, of § 803.378 of this chapter.

[Procurement Reg. 3]

PART 803—CONTRACTS

SUBPART A—GENERAL

In § 803.302 (e) (2), the second paragraph is amended to read as follows:

§ 803.302 *Definitions.* • • •

(e) • • •

(2) *Authenticated copy.* • • •

The signatures on such copies may be either facsimile, stamped, or typed. In lieu of copying the signatures of the parties signing the contract or supplemental agreement and of the witnesses thereto, and the corporate certification or certificate, if any, of the contracting officers as to the authority of the person who signed the original for the corporate contractor, the contracting officer or his authorized representative may execute the following certificate on the copies furnished the Fiscal Office and the Financing Disbursing Office for their use:

I certify that this is a true copy of the document properly signed and witnessed ---------- and that the corporate certification therein was properly executed.

(date)

SUBPART B—AUTHORITY TO MAKE AWARDS, CONTRACTS, AND MODIFICATIONS THEREOF; REQUIRED APPROVALS

In the list in § 803.304 (a) (3) the following changes are made: Under the heading "Office of the Chief Signal Officer" the first, second, third and fifth items are amended; three new items are added under the heading "Army Air Forces", and the last item under "Service Commands" is amended, as follows:

§ 803.304 *Definitions*—(a) *Standard forms of contract.* • • •

(3) • • •

OFFICE OF THE CHIEF SIGNAL OFFICER

O C S O Form No. 6 D. Purchase Order.

•W. D. A. G. O. Form No. 11-26 (superseding W. D. S. C. Form No. 57): General Contract for Trunkline and other Communication Facilities and Services.

•W. D. A. G. O. Form No. 11-51 (superseding W. D. S. C. Form No. 134): Contract for Communication and Electric Time Facilities and Services.

• • • • •

•W. D. A. G. O. Form No. 11-148 (superseding W. D. S. C. Form No. 1165): General Contract for Commercial Telephone Service Similar to that Furnished the Business Public.

• • • • •

ARMY AIR FORCES

• • • • •

Contract for Lease of Tractors and Trailers under Public No. 779, 77th Congress.

Contract for Lease of Tractors and Trailers and Indemnity Agreement under Public No. 779, 77th Congress.

Laundry and Dry Cleaning Contract, Hospital Laundry Contract.

• • • • •

SERVICE COMMANDS

• • • • •

Laundry and Dry Cleaning Contract; Hospital Laundry Contract (see ASF Circular No. 128, 1944, as amended by Section II, ASF Circular No. 159, 1945).

SUBPART C—FORMALITIES IN CONNECTION WITH EXECUTION OF CONTRACTS AND MODIFICATIONS THEREOF

1. A new paragraph (b-1) is added to § 803.309, as follows:

§ 803.309 *Numbering contracts.* • • •

(b-1) *Contracts executed by Army Air Forces contracting officers.* In numbering contracts executed by Army Air Forces contracting officers, the letter symbol representing the technical service shall be the letters representing the Army Air Forces, regardless of the source of the funds being used to finance the contracts. Burial contracts, however, shall continue to be numbered as service command contracts.

2. Paragraph (a) of § 803.313 is amended to read as follows:

§ 803.313 *Form of supplemental agreements and change orders*—(a) *Supplemental agreements.* (1) Supplemental agreements will be reduced to writing and signed by the contracting parties. Supplemental agreements will bear the same identification as the contract which is thereby modified or amended, and will be lettered or numbered, whichever method is authorized by the chief of the technical service concerned, in the order in which the modifications or amendments to the contract are issued. One continuous series of lettering or numbering as the case may be, will be used for each contract, even though it is modified or amended, both by supplemental agreements and by change orders: *Provided, however,* That a separate series of subnumbers, following the regular contract symbol, may be used to designate termination supplemental agreements, this to be preceded by the words "Termination Supplemental Agreement No. ------". For example, the first termination supplemental agreement of Contract No. W 36-030-qm-417 may be designated "Termination Supplemental Agreement No. W 36-030-qm-417 (1)".

(2) Whenever it is desired to effect a modification of more than one contract, it is permissible, in lieu of executing separate supplemental agreements for each contract, to execute a single supplemental agreement. This may be particularly desirable in effecting reductions in the total contract price of more than one contract or in the unit prices payable for items deliverable under more than one contract, whether in conjunction with renegotiation under the provisions of the Renegotiation Act, as amended, or otherwise). Such supplemental agreements should be numbered in accordance with subparagraph (1) above as a supplemental agreement to each contract modified thereby. This may be done either on the face thereof or on an exhibit thereto. The following illustrates the type of designation that should be given such a supplemental agreement:

Supplemental Agreement No.	*to Contract No.*
3	W 36-030-qm-417
4	W 36-030-qm-418
8	W 36-030-qm-419

The above designations indicate that the single supplemental agreement constitutes the third modification of contract number W 36-030-qm-417, the fourth modification of contract number W 36-030-qm-418 and the eighth modification of contract number W 36-030-qm-419.

(3) In lieu of the procedure outlined in subparagraph (2), a company pricing agreement (see ASF Manual M-609) which affects a substantial number of contracts with the Government may be given a number of its own distinct from the numbers of the contracts affected thereby. If this is done, a statement will be made on the face of the company pricing agreement, or in a schedule to the agreement and referred to on the face, to the effect that the agreement modifies the prices under specified contracts, identified by number; the company pricing agreement will not be given a separate supplemental agreement number with respect to each contract affected thereby. Any supplemental agreement to a company pricing agreement, numbered in accordance with the provisions of this subparagraph, will similarly indicate the contracts affected thereby.

SUBPART E—CONTRACT PROCEDURE WITHIN THE SERVICE COMMANDS

In § 803.318b, paragraph (b), the introductory text of paragraph (c) (1), and paragraph (c) (1) (x) are amended to read as follows, and paragraph (c) (1) (xi) is revoked:

§ 803.318b *Contract procedure.* • • •

(b) *Reasons for separate system of numbering and distribution of service command contracts.* As indicated in § 803.318a (b), as a result of the service command reorganization, much of the contracting done at Class I, II, IV and special installations located within service commands is done under the complete jurisdiction of the commanding generals of the service commands. Except as provided in § 803.318c (b) and except as staff officers of the Commanding General, Army Service Forces, the chiefs of technical services have no function to perform in connection with this contracting. Some of the contracting done at Class I, II, IV and special installations is still, however, under the jurisdiction of the chiefs of the technical services. In order clearly to differentiate contracts which are executed at such installations under the jurisdiction of the commanding generals of the service commands from those executed under the jurisdiction of the chiefs of the technical services, it is important that contracts of the former type be numbered and distributed in a manner different from technical service contracts. In the succeeding paragraphs a separate system of numbering and distribution is provided for contracts executed under the jurisdiction of the commanding generals of the service commands. These contracts will be referred to as service command contracts.

(c) *Guides to determine when a contract is a service command contract.* (1) It is difficult to lay down any general rule as a guide to determining when a contract is to be numbered and distributed as a service command contract. The following general guides may be used for making the determination with respect to contracts (other than contracts executed by Army Air Forces contracting officers, as to which, see § 803.309 (b-1):

• • • • •

(x) Contracts for furnishing local transportation to Government and other personnel, executed in accordance with Circular No. 397, War Department, 1944 and Memorandum No. W55-15-43, issued by the Office of the Adjutant General, will be numbered as Transportation Corps contracts.

(xi) [Revoked]

SUBPART H—MANDATORY AND OPTIONAL CONTRACT PROVISIONS

1. Section 803.329b is added as follows:

§ 803.329b *Adjustments under changes article in fixed price supply contracts*—(a) *General* (1) The "Changes" article authorized for use in fixed-price supply contracts (see § 813.1301 (b) of this chapter) permits the contracting officer by a written order to make changes in the drawings or specifications, or in the requirements as to packing and shipment. The article authorized in § 803.329a may be used in supply contracts in lieu of that authorized in § 813.1301 (b) of this chapter in which event the contracting officer is also empowered to increase or decrease within stated limits the quantities called for by the contract or to accelerate or reduce the rate of deliveries. An equitable adjustment is to be made and the contract modified accordingly:

(i) If such changes cause an increase or decrease in the amount due under the contract or in the time required for its performance (§ 813.1301 (b)), or

(ii) If such changes cause an increase or decrease in the amount of work under the contract or in the time required for its performance (§ 803.329a).

If the parties fail to agree the dispute is to be determined as provided in the Disputes article.

(2) The different types of changes which may be ordered will raise different kinds of problems in effecting the equitable adjustment required. These are discussed in paragraphs (b) to (d), inclusive, of this section.

(3) Reference is made to § 803.398b with respect to analogous problems of adjustments of fixed-price subcontracts under cost-plus-a-fixed-fee prime contracts.

(b) *Types of adjustments after a change order.* There are two types of adjustments either or both of which may be required to be made as the result of a change order:

(1) Adjustments attributable to increases or decreases in the unit costs for the balance of the contract as a result of the change order, including changes in the direct costs and in the amounts as well as the allocations of indirect expenses required for the performance of the balance of the contract;

(2) Adjustments attributable to the portion of the work done prior to the change order, including items such as work in process, materials or machinery no longer usable, and subcontract or purchase order cancellation charges.

It is important that the difference between these two types of charges be clearly understood and observed in order to avoid duplication of the expenses incurred by the Government. Ordinarily it is desirable that these two types of adjustments be kept distinct, although the results may be included in a single written instrument. From the standpoint of pricing such separation is particularly desirable, since including those adjustments which are attributable to work done prior to the change order in the adjustment of unit prices tends to distort the unit prices for the purpose of pricing continuation orders and other comparable contracts. Where the two types of adjustment mentioned in (1) and (2) above are not set out in a single instrument it is important that each instrument shall indicate that it accomplishes only a part of the "equitable adjustment" contemplated as a result of the change order.

(c) *Adjustments attributable to the balance of the contract.* Efficient administration of the contract requires that the charges attributable to the change in unit costs as a result of the change order be determined and adjusted as quickly as possible in order that the contractor shall assume the same risks as he assumed in negotiating the original contract price. In effecting this adjustment, consideration must be given to the factors and principles relating to the negotiation of a new contract discussed in ASF Manual M-601 "Pricing in War Contracts", with particular attention to changes in the cost factors. Any necessary adjustment will in every case be reflected in an increase or decrease of the unit price of the items to be delivered after the change became effective. The claim for this type of adjustment is similar in nature to a claim asserted by a contractor under subparagraph (f) of the Uniform Termination Article (see e. g. § 803.324). Including this adjustment in a written agreement need not be delayed pending completion of the adjustment discussed in the next paragraph. In the event that the contract in question contains the optional price adjustment article set forth in § 803.373 (e) or (f), consideration will be given to the desirability of a negotiation for price adjustment under that article in lieu of the adjustment described in this paragraph.

(d) *Adjustments attributable to the work before the change order.* (1) A claim for the adjustment of charges attributable to the work done prior to the effective date of the change order is similar in nature to a claim with respect to the uncompleted portion of the contract arising upon termination under the termination article (see e. g. § 803.-324). In adjusting such charges the provisions of Subchapter C of this chapter are not controlling but may be used as a guide. The adjustment of this type of charge may be reflected in a lump sum payment and should normally be so reflected where substantial amounts are involved rather than reflected in the price of the article itself.

(2) In the event that the contractor includes in his claim the cost of any property which is rendered unusable by reason of the change order, the contracting officer must safeguard the interests of the Government by assuring that the value of such property is reflected in the adjustment made by reason of the change. Any excess inventory resulting from the change order should, if practicable, be dealt with and accounted for in conformity with Part 844 of this chapter. If title is to be taken by the Government, the agreement will provide clearly what is to be done with the property. The contracting officer will take all necessary action for prompt execution of the provisions of the supplementary agreement relating to property which is to be transferred to the Government.

(3) In view of section 3 (d) of the Contract Settlement Act and § 841.111-4 of this chapter the claim of a subcontractor under a fixed-price prime contract for work cancelled in whole or in part under circumstances which require the Government to bear the cost is a termination claim. The settlement of such a termination claim will be effected in accordance with the principles and under the procedures set out in Subchapter C of this chapter (see especially Part 846). Accordingly, in effecting the adjustments of the prime contract attributable to the work done prior to change order, the prime contractor will not be permitted to include estimated sums on account of the claims of his subcontractors. Instead he will be required to effect settlements of those claims before he may be paid therefor and to agree that any sums received on account of the settlement of the claims of his immediate subcontractors, which are not paid or credited to the immediate subcontractor within 10 days after receipt thereof, will be returned to the Government (see Article 3 of § 849.981-1 of this chapter).

(e) *Adjustments of changes resulting in a reduction in quantity.* A reduction in the quantity to be delivered under the contract made pursuant to the "Changes" article set forth in § 803.329a constitutes a partial termination within the meaning of the Contract Settlement Act of 1944. The use of a "Changes" article to effect a reduction in quantity and the problems incident thereto are discussed in § 842.216 of this chapter. Attention, however, is directed to the importance of safeguarding the interest of the Government in property rendered unusable because of the reduction by securing title thereto or otherwise receiving credit for the value thereof.

2. Section 803.339 is revoked as follows:

§ 803.339 *Price adjustment for increase of freight rates.* [Revoked]

3. The headnote of § 803.340 is amended to read *"Rental of gas cylinders; contract clause."*

4. In § 803.341, the following changes are made: The introductory text immediately preceding paragraph (a) is amended, the introductory text of para-

graph (c) is amended, and paragraphs (a), (b) and (d) are revoked, as follows:

§ 803.341 *Price adjustment based on production experience.* The following article provides for conversion of fixed-fee contract to fixed price basis.

(a) *Article _____. Redetermination of price by formula.* [Revoked]

(b) *Article _____. Revision of entire price by negotiation.* [Revoked]

(c) *Article _____. Conversion to fixed price contract.* The following article will be used in cost-plus-a-fixed-fee contracts in accordance with § 802.232 (c) of this chapter:

* * * * *

(d) *Article _____. Adjustment of fixed fee.* [Revoked]

5. Section 803.342a is revoked as follows:

§ 803.342a *Price revision by mutual agreement.* [Revoked]

6. In § 803.349a, the introductory text of paragraph (a) is amended to read as follows:

§ 803.349a *Advance payments; optional amendment to clause in § 803.348a.* (a) The following sentence may be inserted immediately following the third sentence of paragraph (f) of the advance payments article set forth in § 803.348a, either before or after termination, when it is desired to make partial payments to subcontractors in accordance with §§ 843.331 and 845.564–2 of this chapter:

6. The headnote of § 803.350 is amended to read *"CPFF construction contracts; termination article."*

7. In § 803.351, the introductory text is amended and paragraphs (a), (b) and (c) are revoked, as follows:

§ 803.351 *OPA escalation articles.* The articles appearing in paragraphs (d), (e) and (f) of this section, providing for escalation upon a change in maximum prices fixed by the Office of Price Administration, are authorized for use in the contracts and upon the conditions specified in the italic heading of each of those paragraphs.

(a) *Article _____. Price adjustment for costs of natural and synthetic rubber.* [Revoked]

(b) *Article _____. Price adjustment for freight costs on allocations.* [Revoked]

(c) *Article _____. Price adjustments for changes in delivery schedules.* [Revoked]

8. Sections 803.360, 803.360a, 803.360b and 803.361 are revoked, as follows:

§ 803.360 *Periodic adjustment of price and exemption from renegotiation.* [Revoked]

§ 803.360a *Price adjustment article based on optional periodic adjustment of price; where contractor has had previous experience in production of item.* [Revoked]

§ 803.360b *Retroactive changes in wages, salaries or other terms or conditions of employment.* [Revoked]

§ 803.361 *Short term pricing.* [Revoked]

9. In § 803.362, the headnote is amended to read as follows: *"Lump sum construction contracts; accident prevention clause."*

10. In § 803.365, the first sentence of paragraph (f) of the article carried in paragraph (a–1) is amended and paragraph (a–2) is added, as follows:

§ 803.365 *Contract clauses in connection with bonds and insurance.* * * *

(a–1) * * *

(f) In the event the contractor is reimbursed or compensated for any loss or destruction of or damage to Government property, caused by an excepted peril, it shall equitably reimburse the Government * * *

* * * * *

(a–2) *Liability and insurance clauses for use in fixed price contracts for transportation services.* The contract articles set forth below shall be used under the conditions prescribed for the use of each article in fixed price contracts for services accessorial to or forming a part of a transportation movement, including contracts for freight handling, car loading and unloading, packing and crating, stevedoring, lighterage, trucking, heavy lift service, lumber handling and other contracts for terminal services not procured by means of a bill of lading.

(1) *Where eliminating cost of insurance results in savings.* Where savings to the Government may be obtained by eliminating the cost of insurance on Government property which otherwise would be added to the contract price, the contract will, unless an indemnity article for liability for extraordinary wartime risks and hazards is required, contain the article set forth in paragraph (a) of this section (omitting paragraph (f) and, in cases where the contract is performed on Government premises, paragraph (e)).

(2) *Where services performed by common carrier or warehouseman.* The following liability provision will be used where the services are performed by a common carrier or a common warehouseman at tariff or established rates, since such rates include a factor for the liability imposed or assumed:

Liability for Government-owned property. The Contractor's responsibility for Government property in its possession or control pursuant to the performance of this contract shall be that imposed by law.

(3) *Where savings trivial in amount, difficult of ascertainment or performed at tariff rates.* Except as otherwise provided in subparagraph (2) of this paragraph, where savings will be trivial in amount or difficult of ascertainment or where the services are performed at tariff or established rates, which rates include a factor for liability imposed or assumed, the following article will be used:

Liability for Government-owned property. The Contractor shall be liable to the Government for all loss of or damage to property of the Government in its possession or control in connection with this contract resulting from the fault or negligence of the Contractor's officers, agents, or employees.

(4) *Where contractor carries limited amount of insurance.* Where insurance covering Contractor's liability for property is carried in a limited amount and no substantial savings will accrue to the Government if this insurance is eliminated, yet if the Contractor be required to assume total liability the Contractor's insurance limits would have to be increased or additional insurance purchased, thereby increasing the cost of services, the following article will be used:

Liability for Government-owned property. (a) The Contractor shall be liable to the Government for all loss or destruction of or damage to the property of the Government in its possession or control in connection with this contract (hereinafter called "Government property") resulting from the fault or negligence of the Contractor's officers, agents, or employees: *Provided, however,* That the liability of the Contractor under this paragraph shall not exceed $(A) on account of any one accident or occurrence and that with respect to so much of any loss or destruction of or damage to Government property on account of any one accident or occurrence as exceeds $(A) the Contractor shall be liable only under the conditions set forth in subparagraph (b) hereof.

(b) Except as otherwise specifically provided, the Contractor shall not be liable for loss or destruction of or damage to Government property unless such loss, destruction or damage results from the willful misconduct or failure to exercise good faith on the part of the Contractor's corporate officers or other representatives having supervision or direction of the operation of the Contractor's business or of the whole of Contractor's operations at any place where the Contractor may perform services under this contract.

(c) The Contractor represents that it is not maintaining and agrees that it will not hereafter maintain insurance (including self-insurance funds or reserves) covering loss or destruction of or damage to Government property in excess of the maximum amount of liability provided in subparagraph (a) hereof, and represents that it is not including and agrees that it will not hereafter include in any price to the Government any charges or reserve for such insurance.

(d) Upon the happening of loss or destruction of or damage to Government property in excess of $(A) the Contractor shall communicate with the Contracting Officer and, if directed by the Contracting Officer, with the Loss and Salvage Organization now or hereafter designated by the Contracting Officer; and, with the assistance of that organization, if employed by the Contractor to perform services in accordance with instructions or regulations of the Government, shall take all reasonable steps to protect the Government property from further damage, separate the damaged and undamaged Government property, put all the Government property in the best possible order, and furnish to the Contracting Officer a statement of: (1) the lost, destroyed and damaged Government property, (2) the time and origin of the loss, destruction or damage, (3) all known interests in commingled property of which the Government property is a part, (4) the insurance, if any, covering any part of or interest in such commingled property. The Contractor shall be reimbursed the expenditures made by it and approved by the Contracting Officer in performing its obligations under this subparagraph (d) (including charges made to the Contractor by the Loss and Salvage Organization, except any of such charges, the payment of which the Government has, at its option, assumed direct).

(e) In the event the Contractor is indemnified, reimbursed or compensated for any loss or destruction of or damage to Government property, it shall equitably reimburse the Government. The Contractor shall do nothing to prejudice the Government's rights to recover against third parties for any such loss, destruction or damage and, upon the request of the Contracting Officer, shall, at the Government's expense, furnish to the Government all reasonable assistance and cooperation (including the prosecution of suit and the execution of instruments of assignment in favor of the Government) in obtaining recovery.

(f) The Government shall at all times have access to the premises wherein any Government property is located. (Omit this subparagraph if the contract is to be performed at an Army installation.)

(5) *Where Government may obtain benefit of insurance carried as part of contractor's regular operations.* If the Contractor carries as a part of its regular commercial operations insurance on property covering loss or damage caused by fire, lightning, flood, windstorm and the like, and the Government may obtain the benefit of such additional insurance protection without substantial increase in the contract price, the following provision will be added at the end of the articles prescribed in subparagraphs (2) and (3), at the end of subparagraph (a) of the article prescribed in subparagraph (4) of this paragraph or (with the first seven words of the second sentence deleted) in lieu of subparagraph (a) of the article prescribed in subparagraph (4) of this paragraph, depending upon the nature of the Contractor's insurance:

The Contractor carries and will maintain as a part of its regular commercial operations insurance covering loss or destruction of or damage to property in the amount of $_____. In addition to the liability hereinabove imposed, the Contractor shall be liable to the Government for any loss or damage to property of the Government in its possession or control in connection with this contract to the extent coverage is provided in such insurance.

(6) *Where extraordinary risks and hazards are involved.* In rare cases contracts which may involve extraordinary risks and hazards of loading and unloading, discharging, handling, storage, or proximity of ammunition,, explosives, gasoline, or other inherently dangerous freight may provide that the Government assumes such extraordinary risks and hazards incident to wartime operations to which the Contractor may be exposed. In such instances, where a lower contract rate may be obtained thereby and it is deemed that the assumption of such risks and hazards by the Government will facilitate the prosecution of the war, the article set forth below may be used with such minor variations as may be necessary to fit the particular situation. All contracts containing such article will be submitted for prior written approval in accordance with § 802.238 (c) of this chapter. No indemnity provision will be used in contracts at tariff rates with common carriers or common warehousemen.

Liability and indemnity. (a) The Contractor shall procure and maintain at all times during the continuance of this contract a policy or policies of insurance insuring the Contractor against liability for injury to or death of any person or persons in an amount not less than $(X) in any one accident and for liability for property damage, including but not limited to property of the Government, in an amount not less than $(Y) in any one accident. The Contractor shall have attached to and made a part of all said insurance policies a provision by the terms of which the insurer agrees to waive any and all rights of subrogation which it may have against the United States by reason of any payment under said policy or policies.

(b) The Contractor shall be liable to the Government for any loss or damage which may be sustained by the Government as a result of the fault or negligence of the Contractor's officers, agents or employees, subject, however, to the following limitations and conditions:

(i) The Contractor's liability to the Government in connection with any one accident shall be limited to the amount of $(Y) (or the amount of insurance carried by the Contractor, whichever is greater). The Contractor represents that the prices stated herein do not include the cost of insurance against the risks assumed by the Government nor any provision for a reserve to cover such risks.

(ii) The Contractor shall not be responsible to the Government for any loss or damage resulting from any act or omission of any employee of the Government or resulting from compliance by officers, agents, or employees of the Contractor with specific directions of the Contracting Officer; nor shall the Contractor be so responsible for any such loss or damage resulting from failure of the equipment supplied by the Government, unless the Contractor is negligent in the care and use of such Government furnished equipment.

(c) The services to be performed under this contract are incident to war activities of the Government and may include, in addition to services of a nature normally performed by the Contractor in peacetime commercial operations with the risks and hazards normally incident thereto, the loading, discharging, handling, presence or proximity of ammunition, explosives, gasoline or other inherently dangerous freight. It is understood that the compensation to the Contractor for the work has been established with regard only to the normal risks and hazards involved in similar services in peacetime commercial operations, and that such consideration does not include any allowance for the additional and extraordinary risks and hazards described above. To induce the contractor to undertake the performance of such services for the compensation herein provided, and thus obtained for the Government the resulting benefit of such reduced compensation, the Government will hold the Contractor harmless.

(i) Against liability to parties other than the Government because of death, bodily injury, or property damage or destruction or otherwise of any kind whatsoever, irrespective of negligence of the Contractor, its officers, agents, servants, or employees; and

(ii) For any expense, not excluded under subparagraph (4) hereof, which may be incurred by the Contractor, and which is attributable to such liability:

subject, however, to the following conditions and limitations:

(1) The undertaking of the Government shall be applicable and limited to situations where such liability arises out of, results from, or is in any way attributable to or connected with the presence or proximity of ammunition, explosives, gasoline or other inherently dangerous freight, or the loading, unloading, discharging, handling or storing of such freight by the Contractor.

(2) The undertaking of the Government shall be limited to the excess over and above $ (X), or the amount of insurance carried by the Contractor, whichever is greater, for injury to or death of persons, and $ (Y), or the amount of insurance carried by the Contractor, whichever is greater, for property damage, of the total and entire amount of such liability arising out of any single accident.

(3) The undertaking of the Government shall not be applicable and the Government shall have no obligation or liability in respect of such undertaking or otherwise, in situations in which such liability and expense is due in whole or in part to willful and deliberate disregard of instructions of the Government or to the personal failure to exercise good faith, or, insofar as the character of the work permits under wartime operations, that degree of care normally exercised under like conditions in the performance of the Contractor's peacetime commercial operations, by the elected corporate officers of the Contractor or the representative of the Contractor having supervision or direction of all operations at any place where the contractor may perform services hereunder, unless such failure to exercise such normal care is in compliance with express instructions of the Government.

(4) The Contractor shall cooperate with the Government and, upon the Government's request, shall assist in effecting settlements, securing and giving evidence, obtaining the attendance of witnesses and in the conduct of suits; and the Government shall reimburse the Contractor for actual out-of-pocket expenses incurred by it in compliance with such a request, other than the cost of maintaining the contractor's usual organization and loss of earnings, unless and to the extent such expenses are covered by a policy or policies of insurance carried by the Contractor. The Contractor shall not, except at its own cost, voluntarily make any payment, assume any obligation or incur any expense other than for such immediate medical and surgical relief to others as shall be imperative at the time of said occurrence of such event.

(5) This undertaking of the Government to hold the Contractor harmless against liability, as herein provided, shall not create or give rise to any right, privilege, or power in any person or organization, except the Contractor, nor shall any person or organization be or became entitled to join the Government as a co-defendant in any action against the Contractor brought to determine the Contractor's liability or for any other purpose: *Provided, however,* That as to any risk borne or assumed by the Government through its undertaking above set forth, the Government shall be subrogated to any claim, demand or cause of action against third persons or organizations which exists in favor of the Contractor, and the Contractor shall, if so required, forthwith execute one or more formal assignments or transfers of such claims, demands or causes of action.

(6) The undertaking of the Government shall not be applicable to the Contractor's liability arising under the applicable provisions of a federal, state, territorial or district Workmen's Compensation law.

(7) Upon the happening of any event from which the obligation of the Government to hold the Contractor harmless against liability and expenses might arise, the Contractor shall communicate with The Judge Advocate General, Washington, D. C., the Contracting Officer and with the Loss and Salvage Organization now or hereafter designated by the Contracting Officer. If claim is made or suit is brought thereafter against the Contractor as a result or because of such event, the Contractor shall immediately deliver to the Government every demand, notice, summons or other process received by it or its representatives, and the Government shall provide appropriate attachment or appeal bonds or undertakings where required in the course of such litigation.

11. Sections 803.370 to 803.378, inclusive, are added, as follows:

§ 803.370 *General considerations—*(a) *General policy.* As announced in

Part 802 of this chapter, the policy of the War Department is to enter into supply contracts on a fixed price basis whenever such a course is feasible. Fixed price contracts at close prices tend to stimulate contractors to keep down costs by making the most effective use of manpower, materials and productive equipment and thus to minimize the cost of the war interms of those economic resources as well as in terms of monetary outlay. Every effort must be made, therefore, to place supply contracts at close prices, regardless of whether any of the Price Revision Articles set out in §§ 803.370 to 803.377, inclusive, are used. Where the use of such an article is deemed necessary, the appropriate article may and should be incorporated in the contract if the conditions prescribed for its use are satisfied. The various articles to which the foregoing statements are applicable, together with the rules governing their use, are set forth hereinafter in §§ 803.370 to 803.377, inclusive.

(b) *Exceptions to general policy and regulations.* In specific instances where the contracting officer is of the opinion that (1) prices submitted by prospective contractors have not been arrived at independently, or (2) reasonable prices cannot be established from cost breakdowns and other available data, or (3) other circumstances require protection of the Government's interests by the use of an appropriate Price Revision Article, or a modification thereof providing for downward adjustment only, he may initiate a request through channels to the Director, Purchases Division, Headquarters, Army Service Forces, for authority to deviate from the policy and regulations set forth herein. Such requests will be accompanied by (i) a full statement of all the facts and circumstances deemed to require such deviation, (ii) a statement of the proposed manner and effect of the deviation, and (iii) the recommendation of the chief of the technical service with respect thereto.

(c) *Arrangement of articles and regulations.* (1) Forms I–A, I–B and I–C provide for periodic revision of price at fixed intervals. Forms II–A and II–B provide for optional periodic revision of price upon the demand of either party. These forms constitute the basic price revision articles and are identical in provision except to the extent that their specific purposes require variations therein. The regulations common and applicable to all these forms are contained in § 803.371. Additional regulations governing the use and administration of each separate form will be found in the paragraph setting out that form.

(2) Form III, providing for revision of price on account of retroactive changes in labor conditions, and the regulations for its use and administration, are set out in § 803.374.

(3) Form IV, providing for downward price revision after completion or termination of the contract, and the regulations for its use and administration, are set out in § 803.375.

(4) Form V, providing for downward or limited upward price revision after completion or termination of the contract, and the regulations for its use and administration, are set out in § 803.376.

(5) Form VI, providing for repricing upon the happening of a specified contingency, and the regulations for its use and administration, are set out in § 803.377.

(d) *Relation of revision of prices under contract articles to statutory renegotiation.* (1) It is the policy of the War Department that each War Department contract should stand on its own feet insofar as the price is concerned and that, in arriving at a sound price initially or in revising the price pursuant to a contract article, no consideration should be given to the fact that the contractor may have incurred low profits or losses under other war contracts. It is recognized that where a Price Revision Article calls for a revision of the prices of items delivered during a completed fiscal period the price change may affect the billings for a period which has been included in a renegotiation settlement. It is the policy of the War Department that, except insofar as a different result is required by reason of contractual provisions which are now no longer authorized, there shall be no difference in net result to the contractor and the Government whether the price revision relating to the completed fiscal period follows or precedes the statutory renegotiation of sales for that period. This policy is given effect by a provision inserted in those Price Revision Articles which call for retroactive price revision (e. g. §§ 803.372 (g) (10) and 803.373 (f) (10)).

(2) In the great majority of cases the revision of prices of items delivered in the completed fiscal period can be completed before conclusion of the statutory renegotiation for that period. Contracting officers will make every effort to see that this result is attained. In the few cases where the revision of prices of items delivered in a completed fiscal period has not been completed before the conclusion of the statutory renegotiation for that period, the negotiation to establish the revised price should be carried to conclusion as promptly as possible. In determining what changes are to be made in the amounts paid or payable by or to the contractor in respect of items delivered during the completed fiscal period, the following general guides should be considered by the contracting officer:

(i) If the renegotiation resulted in a clearance notice or clearance agreement:

(*a*) Any reduction in price should be recovered from the contractor;

(*b*) An increase in price should be allowed to the contractor if and to the extent that the office which conducted the renegotiation advises the contracting officer that excessive profits will not result therefrom.

(ii) If the renegotiation resulted in a recapture of excessive profits:

(*a*) No increase in price should be allowed, since that would merely have the effect of increasing the excessive profits;

(*b*) To the extent that the renegotiation has permitted the contractor to set up a reserve against possible downward price revisions, any reduction in price should be recovered from the contractor;

(*c*) After exhaustion of any reserves against downward price revisions the contracting officer may permit the amount recaptured in renegotiation to be treated as an offset against any downward price revision to the extent that he is reasonably satisfied that the renegotiation recapture has not been applied as an offset against downward price revisions under other contracts.

(e) *Tabular view of price revision articles.*

NOTE: This table is designed to assist contracting officers and other procurement personnel to familiarize themselves with the price revision articles and to enable them quickly to ascertain which article appears most appropriate for a particular proposed contract. It is not designed to supplant in any way the textual regulations themselves, since the effect of each article and the conditions for its use are not stated in detail. Before any article is proposed to be used or is used in a particular case, the full text of the applicable regulations will be carefully examined and followed.

Effect of article	Conditions for use	
	Applicable to particular article	Applicable to all form I and form II articles
Form I–A (§ 803.372 (a)) Upward or downward price revision negotiated at fixed periods, with prospective effect only.	(§ 803.372 (b)) 1. Contract is such that both parties should be bound by price for the first period. Pricing periods range from 3 to 4 months in length. 2. Price is based on projections not extending beyond end of first period. 3. Periods should conform with operation of contractor's cost accounting system and need not be of equal length. 4. Periods may be measured in time or production or delivery of items.	(§ 803.371 (a)) 1. Contract is fixed price contract for supplies or services. 2. There is an absence of competition as that term is defined in § 803.371 (a) (2). 3. Price is negotiated on understanding that particular article is to be included in contract and is a close price containing substantially no contingency charges. 4. Contractor employs proper estimating methods. 5. Contractor's cost accounting system is sufficiently reliable and accurate for proper operation of article. 6. One article is not to be substituted for another without express authority. 7. Alternative provisions for disagreements are provided. See §§ 803.372 (b) and (h), 803.373 (b) and (g).
Form I–B (§ 803.372 (f)) Upward or downward price revision negotiated at fixed periods, with prospective effect only and with first period price based on experience under prior contract for same or similar item.	(§ 803.372 (b)) 1. Production under prior contract will continue to beginning of production under new contract. 2. Where new contract is of short duration, it may constitute one period. 3. Price is based on projections which do not extend beyond end of first period. 4. Periods should conform with operation of contractor's cost accounting system and need not be of equal length. 5. Periods may be measured in time or production or delivery of items.	
Form I–C (§ 803.372 (g)) Upward or downward price revision negotiated at fixed intervals, with retroactive revision at end of first period and prospective revision thereafter.	(§ 803.372 (b)) 1. Contract is such that neither party should be bound by price for first period. First period not to extend beyond 40% of production under contract. 2. Price is based on projections not extending beyond end of first period. 3. Periods should conform with operation of contractor's cost accounting system and need not be of equal length. 4. Periods may be measured in time or production or delivery of items. 5. Article may provide for one repricing, both retroactive and prospective, in appropriate cases.	
Form II–A (§ 803.373 (e)) Upward or downward price revision negotiated upon demand of either party, with prospective effect only, and subject to specified limitations on frequency of demands.	(§ 803.373 (b)) 1. Contract is such that both parties should be bound by initial price. 2. Price is based on projections extending over life of entire contract, taking into account reasonably expected cost decreases. 3. Date before which first demand cannot be made is specified. Ninety-day limitation effective thereafter may be varied by chief of technical service.	
Form II–B (§ 803.373 (f)) Upward or downward negotiated price revision, with first period fixed and subject to retroactive revision, and with prospective revision thereafter upon demand of either party, subject to specified limitations on frequency of demands.	(§ 803.373 (b)) 1. Contract is such that neither party should be bound by initial price. 2. Price is based on projections extending over life of entire contract taking into account reasonably expected cost decreases. 3. Ninety-day limitation on frequency of demands may be varied by chiefs of technical service. 4. Percentage figure in paragraph (b) (1) of article to be kept as low as possible and never is to exceed 40%.	
Form III (§ 803.374 (e)) Negotiated price revision in event of retroactive changes in wages, salaries or employment conditions ordered or authorized by War Labor Board or any other authorized Government Agency.	(§ 803.374 (b)) 1. Contract must contain one of the Form I or Form II price revision articles. 2. Price must contain substantially no charge for changes in wages, salaries or employment conditions.	
Form IV (§ 803.375 (d)) Downward price revision negotiated upon contracting officer's demand after completion or termination of contract.	(§ 803.375 (b)) 1. Contract amount is $100,000 or less. 2. Initial price bears reasonable relationship to expected final price under contract. 3. Items are strictly developmental or experimental in character. 4. Contractor's cost accounting system is sufficient to show costs under contract.	
Form V (§ 803.376 (d)) Downward or limited upward price revision negotiated after completion or termination of contract.	(§ 803.376 (b)) 1. Maximum price does not exceed $1,000,000. 2. Contract calls for experimental or developmental items or service for tests in laboratories or field operations or similar experiments. 3. Form I–C or II–B cannot be used in contract. 4. Price is as close as circumstances permit. Maximum price bears reasonable relationship to initial price. 5. Contractor has or will establish adequate cost accounting system. 6. Prior written approval of Director, Purchases Division is required before article is used in any contract.	
Form VI (§ 803.377 (b)) Upward or downward price revision negotiated upon happening of specified contingent event and limited to that event and its direct effect.	(§ 803.377 (b)) 1. Contingency or basic assumption must be clearly stated in article. 2. Contingency must come within one of specified categories. 3. Certain events are excluded as possible contingencies. 4. Price contains no charge or allowance on account of specified contingency. 5. Article may be used even though one of Form I or Form II articles is used in same contract.	

§ 803.371 *Rules applicable to Forms I–A, I–B, I–C, II–A and II–B—*(a) *Conditions for use.* None of Forms I–A, I–B, I–C, II–A and II–B will be used unless all of the following conditions are satisfied:

(1) The contract is a fixed price contract for supplies or services.

(2) The contracting officer believes that there is an absence of competition for the business to which the contract is to relate and that the prices quoted do not clearly reflect competition. The term "competition" as used herein means an actual striving by two or more persons for the particular order. It generally presupposes that available productive facilities are more than sufficient to meet the entire demand for the item in question, with the consequence that there is a free interaction between the forces of supply and demand. The term does not include formal bids or quotations which do not reflect a genuine attempt on the part of the bidders to obtain the order in actual rivalry with one another or which do not indicate independent action in arriving at the prices quoted.

(3) The price (i) is negotiated upon the express understanding that the particular Price Revision Article is to be included in the contract and (ii) is a close price meeting the requirements of Army Service Forces Manual M601, "Pricing in War Contracts," and Subpart C of Part 802 of this chapter and containing substantially no charge or allowance for contingencies.

(4) The contracting officer is satisfied that the contractor employs methods of estimating its costs which accurately reflect current shop and engineering experience and proper quantity and price allowances for material, labor, machine utilization and other cost elements.

(5) The contracting officer is satisfied that the contractor has a cost accounting system of sufficient accuracy and reliability to show the cost information required by the article at the time or times provided therein.

(6) Except as otherwise specifically authorized in §§ 803.370 to 803.377, inclusive, no Price Revision Article will be substituted for another in or be deleted from an existing contract without the prior approval of the Director, Purchases Division, Headquarters, Army Service Forces.

(7) The special conditions for the use of the particular Form I or Form II article to be employed, hereinafter prescribed, are met and satisfied.

(b) *Rules for administration.* In negotiating a price adjustment under any of the Form I or Form II articles, the contracting officer will adhere to the following rules:

(1) The negotiations to revise prices should ordinarily take into account all changes in specifications which have been made up to the time of the negotiations.

(2) Negotiations to revise prices will be conducted upon substantially the same basis as the original negotiation of a price when like information on costs and estimates is available. The contracting officer ordinarily should not give consideration to an increase in price beyond the amount estimated to be the excess of (i) any increases in cost beyond the contractor's control over (ii) any offsetting reductions in the contractor's costs. However, this rule should not be applied to deprive a contractor of a reasonable reward in the form of an increased estimated profit margin for especially efficient and economical production.

(3) The contracting officer should take into consideration the fact that in-

Part 802 of this chapter, the policy of the War Department is to enter into supply contracts on a fixed price basis whenever such a course is feasible. Fixed price contracts at close prices tend to stimulate contractors to keep down costs by making the most effective use of manpower, materials and productive equipment and thus to minimize the cost of the war interms of those economic resources as well as in terms of monetary outlay. Every effort must be made, therefore, to place supply contracts at close prices, regardless of whether any of the Price Revision Articles set out in §§ 803.370 to 803.377, inclusive, are used. Where the use of such an article is deemed necessary, the appropriate article may and should be incorporated in the contract if the conditions prescribed for its use are satisfied. The various articles to which the foregoing statements are applicable, together with the rules governing their use, are set forth hereinafter in §§ 803.370 to 803.377, inclusive.

(b) *Exceptions to general policy and regulations.* In specific instances where the contracting officer is of the opinion that (1) prices submitted by prospective contractors have not been arrived at independently, or (2) reasonable prices cannot be established from cost breakdowns and other available data, or (3) other circumstances require protection of the Government's interests by the use of an appropriate Price Revision Article, or a modification thereof providing for downward adjustment only, he may initiate a request through channels to the Director, Purchases Division, Headquarters, Army Service Forces, for authority to deviate from the policy and regulations set forth herein. Such requests will be accompanied by (i) a full statement of all the facts and circumstances deemed to require such deviation, (ii) a statement of the proposed manner and effect of the deviation, and (iii) the recommendation of the chief of the technical service with respect thereto.

(c) *Arrangement of articles and regulations.* (1) Forms I-A, I-B and I-C provide for periodic revision of price at fixed intervals. Forms II-A and II-B provide for optional periodic revision of price upon the demand of either party. These forms constitute the basic price revision articles and are identical in provision except to the extent that their specific purposes require variations therein. The regulations common and applicable to all these forms are contained in § 803.371. Form III, providing for repricing upon termination of the contract, and the regulations for its use and administration, are set out in § 803.375. Form IV, providing for repricing upon completion of the contract, and the regulations for its use and administration, are set out in § 803.376.

(5) Form VI, providing for repricing upon the happening of a specified contingency, and the regulations for its use and administration, are set out in § 803.377.

(d) *Relation of revision of prices under contract articles to statutory renegotiation.* (1) It is the policy of the War Department that each War Department contract should stand on its own feet insofar as the price is concerned and that, in arriving at a sound price initially or in revising the price pursuant to a contract article, no consideration should be given to the fact that the contractor may have incurred low profits or losses under other war contracts. It is recognized that where a Price Revision Article calls for a revision of the prices of items delivered during a completed fiscal period the price change may affect the billings for a period which has been included in a renegotiation settlement. It is the policy of the War Department that, except insofar as a different result is required by reason of contractual provisions which are now no longer authorized, there shall be no difference in net result to the contractor and the Government whether the price revision relating to the completed fiscal period follows or precedes the statutory renegotiation of sales for that period. This policy is given effect by a provision inserted in those Price Revision Articles which call for retroactive price revision (e. g. §§ 803.372 (g) (10) and 803.373 (f) (10)).

(2) In the great majority of cases the revision of prices of items delivered in the completed fiscal period can be completed before conclusion of the statutory renegotiation for that period. Contracting officers will make every effort to see that this result is attained. In the few cases where the revision of prices of items delivered in a completed fiscal period has not been completed before the conclusion of the statutory renegotiation for that period, the negotiation to establish the revised price should be carried to conclusion as promptly as possible. In determining what changes are to be made in the amounts paid or payable by or to the contractor in respect of items delivered during the completed fiscal period, the following general guides should be considered by the contracting officer:

(i) If the renegotiation resulted in a clearance notice or clearance agreement:

(*a*) Any reduction in price should be recovered from the contractor;

(*b*) An increase in price should be allowed to the contractor if and to the extent that the office which conducted the renegotiation advises the contracting officer that excessive profits will not result therefrom.

(ii) If the renegotiation resulted in a recapture of excessive profits:

(*a*) No increase in price should be allowed, since that would merely have the effect of increasing the excessive profits;

(*b*) To the extent that the renegotiation has permitted the contractor to set up a reserve against possible downward price revisions, any reduction in price should be recovered from the contractor;

(*c*) After exhaustion of any reserves against downward price revisions the contracting officer may permit the amount recaptured in renegotiation to be treated as an offset against any downward price revision to the extent that he is reasonably satisfied that the renegotiation recapture has not been applied as an offset against downward price revisions under other contracts.

(e) *Tabular view of price revision articles.*

NOTE: This table is designed to assist contracting officers and other procurement personnel to familiarize themselves with the price revision articles and to enable them quickly to ascertain which article appears most appropriate for a particular proposed contract. It is not designed to supplant in any way the textual regulations themselves, since the effect of each article and the conditions for its use are not stated in detail. Before any article is proposed to be used or is used in a particular case, the full text of the applicable regulations will be carefully examined and followed.

Effect of article	Conditions for use	
	Applicable to particular article	Applicable to all form I and form II articles
Form I-A	(§ 803.372 (b))	(§ 803.371 (a))
(§ 803.372 (c))	1. Contract is such that both parties should be bound by price for the first period. Pricing periods range from 3 to 4 months in length.	1. Contract is fixed price contract for supplies or services.
Upward or downward price revision negotiated at fixed periods, with pro-		2. There is an absence of competition as that term [illegible] in § 803.371 (a) (2).

creases in certain costs may be offset by decreases in others. The contracting officer should also recognize that increases in wages and in the prices of materials will not necessarily increase, immediately or proportionately, the cost of items to be delivered by the contractor. For example, some of the labor on work in process at the time of a wage increase may have been performed while lower rates of wages were in effect. Again, materials included in work in process may have been bought by the contractor before the effective date of a price increase. Similarly, the contractor may have an inventory on hand or materials on order at prices which do not reflect the current increases therein. Also, there may be offsetting savings not attributable to the efficiency of the contractor.

(4) The contractor's estimate of future costs will be considered in the light of all available data, including shop, engineering, accounting and other relevant information, which will help to check the accuracy of the estimate. When any component or components of the estimate are in question, the contracting officer should inquire into the physical facts, c. g., the number of men actually engaged in a particular operation or process, the quantity of material actually used, etc. Expense and overhead allocations are based upon an estimated amount of expense spread over an anticipated volume to be obtained. Check of the actual rate of expenditures and the actual volume being obtained should be made so that the rates used may be founded on up-to-date forecasts. The aggregate of those charges included in the prices of contracts entered into within the current period should be considered in order to avoid excessive prices through over-absorption of such charges.

(5) In addition to consideration of the contractor's cost experience under the contract and its estimates of future production costs, the contracting officer should make use of comparative prices, comparative costs and the trends of such prices and costs. If, since the making of the contract, prices have become competitive (in the sense indicated in § 803.371 (a)), particular weight shall be given to comparative prices, to the end that the effect of competitive forces may be fully realized for the benefit of the Government.

(6) The contracting officer should make such use and verification of the estimate and the supporting cost data submitted by the contractor as he would make with respect to similar data upon the negotiation of a price under a new contract. The verification may include the examination of the contractor's records, accounts and books and, if necessary in a particular case, may include an audit thereof, but generally the emphasis should be upon a check of the physical facts underlying the estimate (e. g., the quantity of material actually used, scrap losses, man and machine hours consumed, etc.) and the prices and rates used therein.

(7) The negotiations will be promptly instituted and concluded in strict accordance with the provisions of the particular article. Every effort will be made to come to an agreement as to revised price or prices. The provisions operative in the event of failure of the parties to agree shall be relied upon only as a last resort. If the alternative provisions of § 803.372 (h) or § 803.373 (g) have been used and an order is to be entered pursuant to section 801 of the Revenue Act of 1943, the price thereunder will be fixed in accordance with Subpart I of Part 812 of this chapter.

(8) Upon the conclusion of each negotiation for price revision, the revised price or prices will be evidenced by a supplemental agreement. The supplemental agreement should clearly indicate what costs, if any, of a nonrecurrent nature have been recognized as having been paid for in prices for the preceding period or periods, so as to avoid the possibility of a second payment therefor in the event of termination at the option of the Government. This is particularly important where Form I–C or Form II–B has been used.

(9) Whenever a contract containing one of the Form I–A, I–B, I–C, II–A or II–B Price Revision Articles is modified by change order or supplemental agreement, so as to affect the rate of deliveries or quantities of items called for, the contracting officer will take care to deal with and cover explicitly any modifications in the operation of the Price Revision Article which he considers are made necessary by the modification of rates of deliveries or quantities.

(c) *Exemption from statutory renegotiation.* Provisions for exemption from renegotiation may be added to any Form I or Form II Article in accordance with and subject to the provisions of § 812.1205 of this chapter.

§ 803.372 *Forms I–A, I–B and I–C, for periodic pricing at fixed intervals*—(a) *Nature and effect of Articles.* (1) Form I–A, appearing in paragraph (e) of this section (formerly § 803.360 (a)), provides for negotiated upward or downward revision of the price at intervals fixed in paragraph (b) of the Article. Every revision is prospective only and may result in a price which is the same as, or higher or lower than, the price for the preceding period. In appropriate cases the contract may be divided into two periods, with the result that there will be only one revision of price.

(2) Form I–B, appearing in paragraph (f) of this section (new), is the same as Form I–A except that specific reference is made to a prior existing contract for the same or substantially similar items or services as those called for by the new contract and the price for the first period is subject to a revision at the beginning of the period on the basis of the contractor's experience under the prior contract and all other relevant factors.

(3) Form I–C, appearing in paragraph (g) of this section) replacing the articles formerly appearing in § 803.360 (b) and § 803.341 (b)), is the same as Form I–A except that the price for the first period is subject to retroactive revision at the end thereof. Every revision thereafter has a forward effect only, and any revision may result in a price which is the same as, or higher or lower than, the price previously in effect. In appropriate cases the contract may be divided into two periods, with the result that there will be only one revision of price.

(b) *Conditions for use of Forms I–A, I–B and I–C.* (1) Form I–A may be used where the nature of the product, the relative intricacies of manufacture, the proposed methods of production, the experience of the contractor and his labor force, the prior use of the particular plant, the ability of the contractor to make reasonably accurate estimates, and other surrounding conditions are such that the Government and the contractor should be bound by the price for the first period. Generally such circumstances exist where the contractor has had substantial prior experience in producing the item, but this is not necessarily so, as where the item is simple and an accurate cost estimate may be made at the outset. The length of the pricing periods will depend on the circumstances of each case and will normally range from 3 to 4 months each.

(2) Form I–B may be used where the conditions for the use of Form I–A are satisfied and where the production under the previous contract will continue substantially to the beginning of production under the contract containing Form I–B. The length of the pricing periods will depend upon the circumstances of each case and will normally range from 3 to 4 months each. Where the duration of the contract subject to the Form I–B Article is relatively short, it may be appropriate to provide for only one pricing period. In such case the Form I–B Article will be appropriately modified.

(3) Form I–C may be used where the conditions prescribed in subparagraph (1) above for the use of Form I–A cannot be satisfied and where, in consequence, the circumstances are such that neither the Government nor the contractor should be bound by the price initially negotiated for the first period. Generally such circumstances exist where the contractor has not had substantial prior experience in producing the items, but they may exist even in cases where the contractor has had substantial experience, as in cases where specification changes, the substitution of important materials, the use of an untried plant or labor force, the intricacies of manufacturing processes, or other conditions prevent the making of sufficiently reliable cost estimates at the outset of the contract. The first pricing period under this article should be no longer than is necessary to enable the contractor to gain the experience necessary to make an accurate estimate, but in any event shall not include more than 40 per cent of the items or services called for by the contract. The Article may also be used in those cases in which one price revision, both retroactive and prospective, is deemed appropriate.

(4) When any one of the Form I Articles is used, the price for the first period will be based on projections which do not extend beyond that period.

(5) The periods selected should be made to conform, as nearly as possible, with the operation of the contractor's accounting system, so that the contractor may submit the required experienced cost information with the least possible delay and interference with routine procedures. The periods need not be of equal length.

(6) The pricing periods under any of the Form I Articles may be measured by the production or delivery of a specified number or percentage of items in lieu of calendar periods. Where this course is followed the pricing periods will conform substantially to the foregoing limitations, and the Article will be appropriately modified to reflect the change in type of period.

(7) The conditions laid down in § 803.371 (a) must be satisfied before any of the foregoing Articles is used.

(8) The optional paragraph (c) (Disagreements) set out in paragraph (h) of this section may be substituted for paragraph (e) (Disagreements) in Form I–A, I–B, or I–C at the option of the chief of the technical service.

(c) *Substitution or insertion by amendment.* (1) Any of the Form I Articles may be substituted for the old form of the corresponding Article contained in an existing contract.

(2) Form I–A or I–B may be inserted in an existing contract by amendment if all the conditions for its use in a new contract are satisfied and if (i) the price is substantially reduced or (ii) the quantity is increased and the article is made applicable only to the increased quantity.

(3) Form I–C may be inserted in an existing contract only with the prior written approval of the Director, Purchases Division, Headquarters, Army Service Forces.

(4) It has been determined that the insertion of Form I–A, I–B or I–C in existing contracts by supplemental agreement in conformity with the requirements of this paragraph will facilitate the prosecution of the war.

(d) *Administration of Forms I–A, I–B and I–C.* (1) The price revised prospectively for any period shall be based on projections which do not extend beyond the end of that period.

(2) In administering Form I–C particular care will be taken to conclude the retroactive price revision thereunder before conclusion of an agreement or unilateral determination under the Renegotiation Act which is applicable to any part of the period subject to such retroactive price revision.

(3) The rules for administraton of all the Form I and II Price Revision Articles, set out in § 803.371 (b), will be followed and applied with respect to Forms I–A, I–B and I–C.

(e) *Text of Form I–A.*

(a) The prices fixed in Article — may be increased or decreased in accordance with this Article.

(b) *Price periods.* The Government and the Contractor agree to revise the contract prices under this contract periodically in accordance with this Article and agree that the performance of this contract will be divided into successive periods for that purpose. The first day of the second and each succeeding period is hereinafter referred to as "the effective date of the price revision." Fifteen days before the end of each period hereunder, except the last, or at such time or times as the Contracting Officer may fix, the Contractor shall furnish the statements and data referred to in paragraph (c) of this Article.

(c) *Submission of data.* At the time or each of the times specified or provided for in paragraph (b) of this Article the Contractor shall submit (i) a new estimate and breakdown of the unit cost and the proposed prices of the items to be delivered in the succeeding period under this contract, itemized so far as is practicable in the manner prescribed in War Department Procurement Form No. 3; (ii) an explanation of the differences between the original (or last preceding) estimate and the new estimate; (iii) such relevant shop and engineering data, cost records, overhead absorption reports and accounting statements as may be of assistance in determining the accuracy and reliability of the new estimates; (iv) a statement of experienced costs of production hereunder to the extent that they are available at the time or times of the negotiation of the revision of prices hereunder; and (v) any other relevant data usually furnished in the case of negotiation of prices under a new contract. The Government may make such examination of the Contractor's accounts, records and books as the Contracting Officer may require and may make such audit thereof as the Contracting Officer may deem necessary.

(d) *Negotiations.* (1) Upon the filing of the statements and data required by paragraph (c) of this Article, the Contractor and the Contracting Officer will negotiate promptly in good faith to agree upon prices for items to be delivered on and after the effective date of the price revision. Negotiations for price revision under this Article shall be conducted on the same basis, employing the same types of data (including, without limitation, comparative prices, comparative costs, and trends thereof) as in the negotiation of prices under a new War Department contract.

(2) After each negotiation the agreement reached will be evidenced by a supplemental agreement stating the revised prices to be effective with respect to deliveries on and after the effective date of the price revision.

(e) *Disagreements.* If within thirty days after the effective date of the price revision (or such further period as may be fixed by written agreement) the Contracting Officer and the Contractor fail to agree to revised prices for the period in question, the failure to agree shall be deemed to be a disagreement as to a question of fact which shall be disposed of in accordance with Article —. (Disputes).

(f) *Payments.* Until new prices shall become effective in accordance with this Article, the prices in force at the effective date of the price revision shall be paid upon all deliveries, subject to appropriate later revision made pursuant to paragraph (d) or (e) or (h) (2) (B) of this Article.

(g) *Reservation of Government's rights.* Any provision of this Article and any action thereunder shall be without prejudice to (1) the determination of the existence of any excessive profits of the Contractor under the Renegotiation Act; and (2) to any Order fixing the price of items to be furnished or services to be rendered hereunder made under Section 801 of the Revenue Act of 1943.

(h) *Termination provisions.* For any of the purposes of Article —. (Termination at the Option of the Government) of this contract (including without limitation, the computation of "the total contract price" and "the contract price of work not terminated") the contract price of delivered articles shall be deemed to be,

(1) for all items delivered prior to the effective date of the price revision, the contract price (giving effect to any prior revisions under this Article) applicable to each such item;

(2) for all items delivered on or after the effective date of the price revision,

(A) the contract price as revised in accordance with this Article, if such revision shall have been agreed upon; and

(B) if such revision shall not have been agreed upon, then such estimated prices as the Contractor and the Contracting Officer may agree upon as reasonable under all the circumstances and in the absence of such agreement such reasonable prices as may be determined in accordance with Article —. (Disputes).

(f) *Text of Form I–B.*

(a) The prices fixed in Article —, may be increased or decreased in accordance with this Article.

(b) *Price periods.* The Government and the Contractor agree to revise the contract prices under this contract periodically in accordance with this Article and agree that the performance of this contract will be divided into successive periods for that purpose. The first period will extend from _____ to _____; and the second and each succeeding period will extend for _____ months from the end of the preceding period. The first day of each period is hereinafter referred to as "the effective date of the price revision". Fifteen days before the beginning of the first period hereunder, or at such other time as the Contracting Officer may fix, the Contractor will furnish the statements and data referred to in paragraph (c) of this Article, which shall be based on the contractor's experience under Contract No. _____, which also calls for the manufacture and delivery to the Government of _____. Fifteen days before the end of the first and each succeeding period hereunder, except the last, or at such other time or times as the Contracting Officer may fix, the Contractor shall furnish the statements and data referred to in paragraph (c) of this Article, which shall be based on the contractor's experience under this contract.

(c) *Submission of data.* At the time or each of the times specified or provided for in paragraph (b) of this Article the Contractor shall submit (i) a new estimate and breakdown of the unit cost and the proposed prices of the items to be delivered in the succeeding period under this contract itemized so far as is practicable in the manner prescribed in War Department Standard Procurement Form No. 3; (ii) an explanation of the differences between the original (or last preceding) estimate and the new estimate; (iii) such relevant shop and engineering data, cost records, overhead absorption reports and accounting statements as may be of assistance in determining the accuracy and reliability of the new estimate; (iv) a statement of experienced costs of production hereunder to the extent that they are available at the time or times of the negotiation of the revision of prices hereunder; and (v) any other relevant data usually furnished in the case of negotiation of prices under a new contract. The Government may make such examination of the Contractor's accounts, records and books as the Contracting Officer may require and may make such audit thereof as the Contracting Officer may deem necessary.

(d) *Negotiations.* (1) Upon the filing of the statements and data required by paragraph (c), of this Article, the Contractor and the Contracting Officer will negotiate promptly in good faith to agree upon prices for items to be delivered on and after the effective date of the price revision. Negotiations for price revision under this Article shall be conducted on the same basis, em-

ploying the same types of data (including, without limitation, comparative prices, comparative costs, and trends thereof) as in the negotiation of prices under a new War Department contract.

(2) After each negotiation the agreement reached will be evidenced by a supplemental agreement stating the revised prices to be effective with respect to deliveries on and after the effective date of the price revision.

(e) *Disagreements.* If within thirty days after the effective date of the price revision (or such further period as may be fixed by written agreement) the Contracting Officer and the Contractor fail to agree to revised prices for the period in question, the failure to agree shall be deemed to be a disagreement as to a question of fact which shall be disposed of in accordance with Article — (Disputes).

(f) *Payments.* Until new prices shall become effective in accordance with this Article, the prices in force at the effective date of the price revision shall be paid upon all deliveries, subject to appropriate later revision made pursuant to paragraph (d) or (e) or (h) (2) (B) of this Article.

(g) *Reservation of Government's rights.* Any provision of this Article and any action thereunder shall be without prejudice (1) to the determination of the existence of any excessive profits of the Contractor under the Renegotiation Act; and (2) to any Order fixing the price of items to be furnished or services to be rendered hereunder made under Section 801 of the Revenue Act of 1943.

(h) *Termination provisions.* For any of the purposes of Article — Termination at the Option of the Government) of this contract (including, without limitation, the computation of "the total contract price" and "the contract price of work not terminated") the contract price of delivered articles shall be deemed to be,

(1) for all items delivered prior to the effective date of the price revision, the contract price (giving effect to any prior revisions under this Article) applicable to each such item;

(2) for all items delivered on or after the effective date of the price revision,

(A) the contract price as revised in accordance with this Article, if such revision shall have been agreed upon; and

(B) if such revision shall not have been agreed upon, then such estimated prices as the Contractor and the Contracting Officer may agree upon as reasonable under all the circumstances and in the absence of such agreement such reasonable prices as may be determined in accordance with Article — (Disputes).

(g) *Text of Form I–C.*

(a) The prices fixed in Article — may be increased or decreased in accordance with this Article.

(b) *Price periods.* The Government and the Contractor agree to revise the contract prices under this contract periodically in accordance with this Article and agree that the performance of this contract will be divided into successive periods for that purpose. The first period will extend from ---------- to ----------; and the second and each succeeding period will extend for ---- months from the end of the preceding period. The first day of the second and each succeeding period is hereinafter referred to as "the effective date of the price revision." Fifteen days before the end of each period hereunder, except the last, or at such other time or times as the Contracting Officer may fix, the Contractor shall furnish the statements and data referred to in paragraph (c) of this Article.

(c) *Submission of data.* At the time or each of the times specified or provided for in paragraph (b) of this Article the Contractor shall submit (1) a new estimate and breakdown of the unit cost and the proposed prices of the items to be delivered in the succeeding period under this contract, itemized so far as is practicable in the manner prescribed in War Department Standard Procurement Form No. 3; (ii) an explanation of the differences between the original (or last preceding) estimate and the new estimate; (iii) such relevant shop and engineering data, cost records, overhead absorption reports and accounting statements as may be of assistance in determining the accuracy and reliability of the new estimate; (iv) a statement of experienced costs of production hereunder to the extent that they are available at the time or times of the negotiation of the revision of prices hereunder; and (v) any other relevant data usually furnished in the case of negotiation of prices under a new contract. The Government may make such examination of the Contractor's accounts, records and books as the Contracting Officer may require and may make such audit thereof as the Contracting Officer may deem necessary.

(d) *Negotiations.* (1) Upon the filing of the statements and data required by paragraph (c) of this Article, the Contractor and the Contracting Officer will negotiate promptly in good faith to agree upon prices for items to be delivered on and after the effective date of the price revision, and in the case of the first negotiation under this Article the prices for items delivered prior to the effective date of the price revision. Negotiations for price revision under this Article shall be conducted on the same basis, employing the same types of data (including, without limitation, comparative prices, comparative costs, and trends thereof) as in the negotiation of prices under a new War Department contract.

(2) After each negotiation the agreement reached will be evidenced by a supplemental agreement stating the revised prices to be effective with respect to deliveries on and after the effective date of the price revision. The supplemental agreement made upon completion of the first negotiation shall also state revised prices for items delivered prior to the effective date of the price revision.

(e) *Disagreements.* If within thirty days after the effective date of the price revision (or such further period as may be fixed by written agreement) the Contracting Officer and the Contractor fail to agree to revised prices for the period in question, the failure to agree shall be deemed to be a disagreement as to a question of fact which shall be disposed of in accordance with Article — (Disputes).

(f) *Payments.* Until new prices shall become effective in accordance with this Article, the prices in force at the effective date of the price revision shall be paid upon all deliveries, subject to appropriate later revision made pursuant to paragraph (d) or (e) or (h) (2) (B) of this Article.

(g) *Reservation of Government's rights.* Any provision of this Article and any action thereunder shall be without prejudice (1) to the determination of the existence of any excessive profits of the Contractor under the Renegotiation Act; and (2) to any Order fixing the price of articles to be furnished or services to be rendered hereunder made under Section 801 of the Revenue Act of 1943.

(h) *Termination provisions.* For any of the purposes of Article — (Termination at the Option of the Government) of this contract (including, without limitation, the computation of "the total contract price" and "the contract price of work not terminated") the contract price of delivered articles shall be deemed to be,

(1) for all items delivered prior to the effective date of the price revision, the contract price (giving effect to any prior revisions under this Article) applicable to each such item;

(2) for all items delivered on or after the effective date of the price revision,

(A) the contract price as revised in accordance with this Article, if such revision shall have been agreed upon; and

(B) if such revision shall not have been agreed upon, then such estimated prices as the Contractor and the Contracting Officer may agree upon as reasonable under all the circumstances and in the absence of such agreement such reasonable prices as may be determined in accordance with Article — (Disputes).

(i) *Termination during the first period.* In the event that this contract is terminated under Article — (Termination at the Option of the Government) or the Contractor's right to deliver is terminated under Article — (Delays—Damages), so that the last delivery under the contract as terminated is made prior to the completion of the first period as defined in paragraph (b) of this Article, the Contractor within ---- days after such last delivery shall furnish the data required by paragraph (c) of this Article and thereupon the parties shall negotiate in good faith to agree upon revised prices under this contract. The agreement reached shall be evidenced by a supplemental agreement to this contract stating the revised prices under the contract. Any failure to agree as to the revised prices shall be deemed to be a disagreement as to a question of fact which shall be disposed of in accordance with Article — (Disputes).

(j) *Effect of prior renegotiation.* If prior to any revision of the price under this Article, any sums paid or payable under this contract in respect of items the price of which may be affected by such revision have been included as renegotiable income received or accrued by the Contractor in any fiscal period for which there has been a final determination (by agreement or unilateral determination) as to the Contractor's liability to repay to the Government excessive profits under the Renegotiation Act, appropriate weight shall be given to the results of the proceedings in renegotiation in determining the sums, if any, to be paid or credited by or to the Contractor in connection with the revision under this Article of that part of the price applicable to that fiscal period, it being the intent of the parties that the net result shall be substantially the same as it would have been if the revision had preceded such final determination.

(h) *Optional paragraph (e) (Disagreements) for use with Form I–A, I–B or I–C.*

(e) *Disagreements.* (1) If within 30 days after any effective date of the price revision (or such further period as may be fixed by written agreement) the Contracting Officer and the Contractor fail to agree as to revised prices, the Contractor, if it has substantially complied with the requirements of this Article as to the furnishing of statements and data, may give written notice to the Contracting Officer requiring the Government to pay the prices set forth in such notice from the time at which such price revision was to be effective under the provisions of this Article and until the beginning of the next succeeding period hereunder.

(2) The Government shall pay the prices set forth in such notice from the time such price revision was to be effective as aforesaid, unless within 30 days after the delivery of such notice there shall be served upon the Contractor an Order pursuant to Section 801 of the Revenue Act of 1943 (which may contain any terms or conditions permitted by that Section) fixing the prices to be paid for items and services to be delivered from and after the date of the Order for the balance of the contract or until a date specified in the Order. If no such Order is served on the Contractor, the prices set forth in the Contractor's notice shall be incorporated in an appropriate supplemental agreement.

(3) The Contractor's delivery of a notice pursuant to this paragraph (e) shall constitute (1) a refusal, within the meaning of Section 801, to agree to prices for the items and services to be furnished under this contract lower than those specified in the Contractor's notice, (2) a waiver and release of any right (under said Section 801 or otherwise) of the Contractor to further negotiation with any representative of the War Department as to fair and reasonable prices and (3) a consent by the Contractor that an Order may be made pursuant to Section 801 without other or further notice to the Contractor than the service of such Order. In the event of the service of such an Order, the contract shall continue in effect except as modified by said Order and the Contractor shall have the rights and remedies granted to it under paragraph (c) of said Section 801. It is agreed that the prices fixed in the Order shall also be the prices applicable from the time at which such price revision was to be effective under the provisions of this Article until the effective date of the Order.

(4) If the Contracting Officer and the Contractor fail to agree as aforesaid, and if Section 801 of the Revenue Act of 1943 shall not be in force, the Contracting Officer within 30 days after the delivery of the Contractor's notice may serve upon the Contractor a written election by which the Government agrees to pay to the Contractor fair and just compensation for all deliveries made under the contract from the time at which such price revision was to be effective under the provisions of this Article until the beginning of the next succeeding period hereunder. The written election shall specify the amount which the Contracting Officer deems to be fair and just compensation. If no written election is served upon the Contractor, the prices set forth in the Contractor's notice shall be incorporated in an appropriate supplemental agreement. If a written election is served upon the Contractor as above provided the contract shall continue in effect as modified by such written election and the Contractor (a) shall be paid currently the amount specified by the Contracting Officer in such written election for all deliveries affected thereby and (b) may recover from the United States, by suit brought within six months after the delivery of such written election or after the completion of deliveries under this contract whichever shall last occur, the amount, if any, by which such fair and just compensation exceeds the amount so specified.

(5) If the Contracting Officer and the Contractor fail to agree and no notice has been given by the Contractor as contemplated in subparagraph (e) (1) of this Article, the Contractor shall be entitled to receive, from the time at which such price revision was to be effective under the provisions of this Article until the beginning of the next succeeding period hereunder, fair and just compensation the amount of which shall be determined as a question of fact under Article — (Disputes).

§ 803.373 *Forms II–A and II–B, for optional periodic pricing upon demand—*(a) *Nature and effect of Articles.* (1) Form II–A, appearing in paragraph (e) of this section (formerly § 803.360a), provides for negotiated upward or downward revision of the price from time to time upon the written demand of either the Government or the Contractor, subject to specified limitations on the frequency of the demands. All revisions made under Form II–A have a prospective effect only, and upon any revision the new price may be the same as, or higher or lower than, the price theretofore in effect.

(2) Form II–B, appearing in paragraph (f) of this section replacing § 803.360a (a)) provides for a negotiated upward or downward revision of the prices upon completion of delivery of a specified percentage of the principal items called for by the contract, without a demand by either party. Thereafter there may be upward or downward revision of the price upon written demand of either party, subject to specified limitations on the frequency of the demands, exactly as in the case of Form II–A. Any revision made pursuant to a demand after the initial period has a prospective effect only.

(b) *Conditions for use of Forms II–A and II–B.* (1) Form II–A may be used where the nature of the product, the relative intricacies of manufacture, the proposed methods of production, the experience of the Contractor and his labor force, the prior use of the particular plant, the ability of the Contractor to make reasonably accurate estimates, and other surrounding conditions are such that the Government and the Contractor should be bound by the initial price. Generally such circumstances exist where the Contractor has had substantial prior experience in producing the item, but this is not necessarily so, as where the item is simple and an accurate cost estimate may be made at the outset. Since price revision is not required under Form II–A unless one of the parties makes a demand therefor, the price initially fixed in a contract containing this Article may remain unchanged for the life of that contract. The price should therefore be based on projections extending over the entire life of the contract. The projections should give effect to all decreases in costs which might reasonably be expected to occur during performance of the contract. Because of the protection afforded the Contractor by the Article, however, the projections should not give effect to possible increases in costs.

(2) Form II–B may be used where the conditions prescribed in subparagraph (1) above for the use of Form II–A cannot be satisfied and where, in consequence, the circumstances are such that neither the Government nor the Contractor should be bound by the price negotiated for the initial period. Generally such circumstances exist where the Contractor has not had substantial prior experience in producing the item, but they may exist even in cases where the Contractor has had substantial experience, as where specification changes, the substitution of important materials, the use of an untried plant or labor force, the intricacies of manufacturing processes, or other conditions prevent the making of sufficiently reliable cost estimates at the outset of the contract. The initial price should be based on projections which do not extend beyond the completion of the initial portion of the contract as specified in paragraph (b) of Form II–B.

(3) In the case of Form II–A the date before which the first demand may not be made will be fixed so as to preclude a first demand that may be premature, and will be inserted in the blank provided therefor in paragraph (b). In appropriate cases the 90-day limitations in paragraph (b) of Form II–A and II–B may be changed by the chief of the technical service to meet the exigencies of those cases.

(4) The percentage figures to be inserted in paragraph (b) (1) of Form II–B should be kept as low as circumstances will permit and should never exceed forty per cent.

(5) The conditions laid down in § 803.371 (a) must be satisfied before either Form II–A or II–B is used.

(6) The optional paragraph (e) (Disagreements) set out in paragraph (g) of this section may be substituted for paragraph (e) (Disagreements) in Form II–A or II–B at the option of the chief of the technical service.

(c) *Substitution or insertion by amendment.* (1) Either Form II–A or II–B may be substituted for the old form of the corresponding Article contained in a pre-existing contract.

(2) Form II–A may be inserted in an existing contract if all the conditions for its use are satisfied and (i) if the price is substantially reduced or (ii) the quantity is increased and the Article is made applicable only to the increased quantity.

(3) Form II–B may be inserted in an existing contract only with the prior written approval of the Director, Purchases Division, Headquarters, Army Service Forces.

(4) It has been determined that the insertion of Form II–A or II–B in existing contracts by supplemental agreement in conformity with the requirement of this paragraph will facilitate the prosecution of the war.

(d) *Administration of Forms II–A and II–B.* (1) Proper administration of Forms II–A and II–B requires that the contracting officer make regular periodic reviews of the contract price to ascertain whether or not a demand should be served. No demand should be made unless the contracting officer has good grounds for believing that a revision in price is necessary to protect the Government's interests. The need for such a demand may be indicated by factors such as the following: (i) Comparative prices, (ii) movements or trends in such prices, (iii) movements or trends in the costs of other contractors for the same or similar items or services, (iv) information supplied by the Contractor in the ordinary course of business, (v) changes in market prices of materials or components, (vi) changes in subcontract prices, (vii) information revealed in connection with statutory renegotiation or the application of the company pricing program to the Contractor, and (viii) changes in the Contractor's prices under other Government contracts.

(2) The first revised forward price under Form II–B and prices negotiated pursuant to a demand under either Article should be based on projections extending over the remaining life of the contract and should not take into account possible increases in costs.

(3) In administering Form II–B particular care will be taken to conclude

the retroactive price revision thereunder before the conclusion of an agreement or unilateral determination under the Renegotiation Act which is applicable to any part of the period subject to such retroactive price revision.

(4) The rules for administration of the Form I and Form II price revision articles, set out in § 803.371 (b) will be followed and applied with respect to Forms II-A and II-B.

(e) *Text of Form II-A.*

(a) The prices fixed in Article — may be increased or decreased in accordance with this Article.

(b) *Demand for negotiation.* (1) At any time and from time to time, subject to the limitations specified in this Article, either the Government or the Contractor may deliver to the other a written demand that the parties negotiate to revise the prices under this contract. No such demand shall be made before ---------- and thereafter neither party shall make a demand having an effective date within 90 days of the effective date of any prior demand, provided, however, that this limitation shall not be applicable in the event that during any 90-day period the War Labor Board or any other similar Government agency shall authorize or order a change in wages, salaries or conditions of employment in the plants of the Contractor used in the performance of this contract. Each demand shall specify a date (identical with or subsequent to the date of the delivery of the demand) as of which the revised prices shall be effective as to the deliveries made thereon and thereafter. This date is hereinafter referred to as "the effective date of the price revision". Any demand under this Article, if made by the Contractor, shall state briefly the ground or grounds therefor and shall be accompanied by the statements and data referred to in paragraph (c) of this Article. If the demand is made by the Government, such statements and data will be furnished by the Contractor within 30 days of the delivery of the demand.

(2) In the event all remaining work under this contract, as it may from time to time be amended, shall be terminated under Article —. (Termination at the Option of the Government), no demand shall then or thereafter be made and any demand the effective date of which is less than 30 days before the effective date of such termination shall be void and of no effect.

(c) *Submission of data.* At the time or each of the times specified or provided for in paragraph (b) of this Article the Contractor shall submit (i) a new estimate and break-down of the unit cost and the proposed prices of the items remaining under this contract after the effective date of the price revision, itemized so far as is practicable in the manner prescribed in War Department Standard Procurement Form No. 3; (ii) an explanation of the differences between the original (or last preceding) estimate and the new estimate; (iii) such relevant shop and engineering data, cost records, overhead absorption reports and accounting statements as may be of assistance to determining the accuracy and reliability of the new estimate; (iv) a statement of experienced costs of production hereunder to the extent that they are available at the time or times of the negotiation of the revision of prices hereunder; and (v) any other relevant data usually furnished in the case of negotiation of prices under a new contract. The Government may make such examination of the Contractor's accounts, records and books as the Contracting Officer may require and may make such audit thereof as the Contracting Officer may deem necessary.

(d) *Negotiations.* (1) Upon the filing of the statements and data required by paragraph (c) of this Article, the Contractor and the Contracting Officer will negotiate promptly in good faith to agree upon prices for items to be delivered on and after the effective date of the price revision. Negotiations for price revisions under this Article shall be conducted on the same basis, employing the same types of data, including, without limitation, comparative prices, comparative costs, and trends thereof, as in the negotiation of prices under a new War Department contract.

(2) After each negotiation the agreement reached will be evidenced by a supplemental agreement stating the revised prices to be effective with respect to deliveries on and after the effective date of the price revision (or such other later date as the parties may fix in such supplemental agreement).

(e) *Disagreements.* If, within 30 days after the date on which the statements and data are required pursuant to paragraph (b) of this Article to be filed (or such further period as may be fixed by written agreement), the Contracting Officer and the Contractor fail to agree to revised prices, the failure to agree shall be deemed to be a disagreement as to a question of fact which shall be disposed of in accordance with Article — (Disputes), and the prices so fixed shall remain in effect for the balance of the contract notwithstanding any other provision of this Article

(f) *Payments.* Until new prices shall become effective in accordance with this Article, the prices in force at the effective date of the price revision shall be paid upon all deliveries, subject to appropriate later revision made pursuant to paragraph (d) or (e) or (h) (2) (B) of this Article.

(g) *Reservation of Government's rights.* Any provision of this Article and any action thereunder shall be without prejudice (1) to the determination of the existence of any excessive profits of the Contractor under the Renegotiation Act, and (2) to any Order fixing the price of items to be furnished or services to be rendered hereunder made under Section 801 of the Revenue Act of 1943.

(h) *Termination provisions.* For any of the purposes of Article —. (Termination at the Option of the Government) of this contract (including, without limitation, the computation of "the total contract price" and "the contract price of work not terminated"), the contract price of delivered articles shall be deemed to be,

(1) for all items delivered prior to the effective date of the price revision, the contract price (giving effect to any prior revisions under this Article) applicable to each such item;

(2) for all items delivered on or after the effective date of the price revision,

(A) the contract price as revised in accordance with this Article, if such revision shall have been agreed upon; and

(B) if such revision shall not have been agreed upon, then such estimated prices as the Contractor and the Contracting Officer may agree upon as reasonable under all the circumstances and in the absence of such agreement such reasonable prices as may be determined in accordance with Article — (Disputes).

(f) *Text of Form II-B.*

(a) The prices fixed in Article — may be increased or decreased in accordance with this Article.

(b) *Times for negotiation.* (1) Upon completion of delivery of ---- per cent of the (*here specify the principal items to be furnished under the contract*) to be furnished under this contract, the parties shall negotiate to revise the prices of all items theretofore and thereafter to be delivered. Within 5 days after the completion of delivery of said ---- per cent, the Contractor shall furnish to the Contracting Officer the statements and data referred to in paragraph (c) of this Article. At any time and from time to time after the completion of delivery of said ---- per cent, subject to the limitations specified in this Article, either the Government or the Contractor may deliver to the other a written demand that the parties negotiate to adjust the prices under this contract. No demand shall be made prior to 90 days after the completion of delivery of said ---- per cent and thereafter neither party shall make a demand having an effective date within 90 days of the effective date of any prior demand, *Provided, however*, That this limitation shall not be applicable in the event that during any 90-day period the War Labor Board or any similar Government agency shall authorize or order a change in wages, salaries or conditions of employment in the plants of the Contractor used in the performance of this contract. Each demand shall specify a date (identical with or subsequent to the date of the delivery of the demand) as of which the revised prices shall be effective as to the deliveries made thereon and thereafter. This date is hereinafter referred to as "the effective date of the price revision". For the purposes of the first negotiation contemplated by this paragraph the date of execution of this contract shall be deemed to be the effective date of the price revision. Any demand under this Article, if made by the Contractor, shall state briefly the ground or grounds therefor and shall be accompanied by the statements and data referred to in paragraph (c) of this Article. If the demand is made by the Government, such statements and data will be furnished by the Contractor within 30 days of the delivery of the demand.

(2) In the event all remaining work under this contract, as it may from time to time be amended, shall be terminated under Article — (Termination at the Option of the Government), no demand shall then or thereafter be made and any demand the effective date of which is less than 30 days before the effective date of such termination shall be void and of no effect.

(c) *Submission of data.* At the time or each of the times specified or provided for in paragraph (b) of this Article the Contractor shall submit (i) a new estimate and breakdown of the unit cost and the proposed prices of the items remaining under this contract after the effective date of the price revision, itemized so far as is practicable in the manner prescribed by War Department Standard Procurement Form No. 3; (ii) an explanation of the differences between the original (or last preceding) estimate and the new estimate; (iii) such relevant shop and engineering data, cost records, overhead absorption reports and accounting statements as may be of assistance in determining the accuracy and reliability of the new estimate; (iv) a statement of experienced costs of production hereunder to the extent that they are available at the time or times of the negotiation of the revision of prices hereunder; and (v) any other relevant data usually furnished in the case of negotiation of prices under a new contract. The Government may make such examination of the Contractor's accounts, records and books as the Contracting Officer may require and may make such audit thereof as the Contracting Officer may deem necessary.

(d) *Negotiations.* (1) Upon the filing of the statements and data required by paragraph (c) of this Article, the Contractor and the Contracting Officer will negotiate promptly in good faith to agree upon prices for items to be delivered on and after the effective date of the price revision. Negotiations for price revisions under this Article shall be conducted on the same basis, employing the same types of data (including, without limitation, comparative prices, comparative costs, and trends thereof) as in the negotiation of prices under a new War Department contract.

(2) After each negotiation the agreement reached will be evidenced by a supplemental agreement stating the revised prices to be effective with respect to deliveries on and after the effective date of the price revision (or such other later date as the parties may fix in such supplemental agreement).

(e) *Disagreements.* If within 30 days after the date on which the statements and data are required pursuant to paragraph (b) of this Article to be filed (or such further period as may be fixed by written agreement) the Contracting Officer and the Contractor fail to agree to revised prices, the failure to agree shall be deemed to be a disagreement as to a question of fact which shall be disposed of in accordance with Article — (Disputes), and the prices so fixed shall remain in effect for the balance of the contract notwithstanding any other provision of this Article.

(f) *Payments.* Until new prices shall become effective in accordance with this Article, the prices in force at the effective date of the price revision shall be paid upon all deliveries, subject to appropriate later revision made pursuant to paragraph (d) or (e) or (h) (2) (B) of this Article.

(g) *Reservation of Government's rights.* Any provision of this Article and any action thereunder shall be without prejudice to (1) the determination of the existence of any excessive profits of the Contractor under the Renegotiation Act, and (2) to any Order fixing the price of items to be furnished or services to be rendered hereunder made under Section 801 of the Revenue Act of 1943.

(h) *Termination provisions.* For any of the purposes of Article — (Termination at the Option of the Government) of this contract (including, without limitation, the computation of "the total contract price" and "the contract price of work not terminated"), the contract price of delivered articles shall be deemed to be,

(1) for all items delivered prior to the effective date of the price revision, the contract price (giving effect to any prior revisions under this Article) applicable to each such item;

(2) for all items delivered on or after the effective date of the price revision,

(A) the contract price as revised in accordance with this Article if such revision shall have been agreed upon; and

(B) if such revision shall not have been agreed upon, then such estimated prices as the Contractor and the Contracting Officer may agree upon as reasonable under all the circumstances and in the absence of such agreement such reasonable prices as may be determined in accordance with Article — (Disputes).

(i) *Termination during the initial period.* In the event that this contract is terminated under Article — (Termination at the Option of the Government) or the Contractor's right to deliver is terminated under Article — (Delays—Damages), so that the last delivery under the contract as terminated is made prior to the completion of the initial period as specified in paragraph (b) of this Article, the contractor within —— days after such last delivery shall furnish the data required by paragraph (c) of this Article and thereupon the parties shall negotiate in good faith to agree upon revised prices under this contract. The agreement reached shall be evidenced by a supplemental agreement to this contract stating the revised prices under the contract. Any disagreement as to the revised prices will be disposed of as a question of fact in accordance with Article — (Disputes).

(j) *Effect of prior renegotiation.* If, prior to any revision of the price under this Article, any sums paid or payable under this contract in respect of items the price of which may be affected by such revision have been included as renegotiable income received or accrued by the Contractor in any fiscal period for which there has been a final determination (by agreement or unilateral determination) as to the Contractor's liability to repay to the Government excessive profits under the Renegotiation Act, appropriate weight shall be given to the results of the proceedings in renegotiation in determining the sums, if any, to be paid or credited by or to the Contractor in connection with the revision under this Article of that part of the price applicable to that fiscal period, it being the intent of the parties that the net result shall be substantially the same as it would have been if the revision had preceded such final determination.

(g) *Optional paragraph (e) (Disagreements) for use with Form II-A or II-B.*

(e) *Disagreements.* (1) If within 30 days after the date on which the statements and data are required pursuant to paragraph (b) of this Article to be filed (or such further period as may be fixed by written agreement) the Contracting Officer and the Contractor fail to agree to revised prices, the Contractor, if it has substantially complied with the requirements of this Article as to the furnishing of statements and data, may give written notice to the Contracting Officer requiring the Government to pay the prices set forth in such notice from the time at which such price revision was to be effective under the provisions of this Article.

(2) The Government shall pay the prices set forth in such notice from the time such price revision was to be effective as aforesaid, unless within 30 days after the delivery of such notice there shall be served upon the Contractor an Order pursuant to Section 801 of the Revenue Act of 1943 (which may contain any terms or conditions permitted by that Section) fixing the prices to be paid for items and services to be delivered from and after the date of the Order for the balance of the contract or until a date specified in the Order. If no such Order is served on the Contractor, the prices set forth in the Contractor's notice shall be incorporated in an appropriate supplemental agreement.

(3) The Contractor's delivery of a notice pursuant to this paragraph (e) shall constitute (1) a refusal, within the meaning of Section 801, to agree to prices for the items and services to be furnished under this contract lower than those specified in the Contractor's notice, (2) a waiver and release of any right (under said Section 801 or otherwise) of the Contractor to further negotiation with any representative of the War Department as to fair and reasonable prices and (3) a consent by the Contractor that an Order may be made pursuant to Section 801 without other or further notice to the Contractor than the service of such Order. In the event of the service of such an Order, the contract shall continue in effect except as modified by said Order and the Contractor shall have the rights and remedies granted to it under paragraph (c) of said Section 801. It is agreed that the prices fixed in the Order shall be the prices applicable from the time at which such price revision was to be effective under the provisions of this Article.

(4) If the Contracting Officer and the Contractor fail to agree as aforesaid, and if Section 801 of the Revenue Act of 1943 shall not be in force, the Contracting Officer within 30 days after the delivery of the Contractor's notice may serve upon the Contractor a written election by which the Government agrees to pay to the Contractor fair and just compensation from the time at which such price revision was to be effective under the provisions of this Article. The written election shall specify the amount which the Contracting Officer deems to be fair and just compensation. If no written election is served upon the Contractor, the prices set forth in the Contractor's notice shall be incorporated in an appropriate supplemental agreement. If a written election is served upon the Contractor as above provided, the contract shall continue in effect as modified by such written election and the Contractor (a) shall be paid currently the amount specified by the Contracting Officer in such written election for all deliveries affected thereby and (b) may recover from the United States, by suit brought within six months after the delivery of such written election or after the completion of deliveries under this contract, whichever shall last occur, the amount, if any, by which such fair and just compensation exceeds the amount so specified.

(5) If the Contracting Officer and the Contractor fail to agree and no notice has been given by the Contractor as contemplated in paragraph (e) (1) of this Article, the Contractor shall be entitled to receive, from the time at which such price revision was to be effective under the provisions of this Article, fair and just compensation the amount of which shall be determined as a question of fact under Article — (Disputes).

§ 803.374 *Form III Price Revision Article; for retroactive changes in employment conditions*—(a) *Nature and effect of Article.* This Article (formerly § 803.360b), authorized for use only in conjunction with any one of the Form I or Form II Articles, is designed to protect contractors against retroactive changes in wages, salaries, or condition of employment ordered or authorized by the War Labor Board or any other similar agency of the Government. It provides for a negotiated price revision applicable to items delivered and to be delivered under the contract between the effective date of the wage increase and the earliest possible time for price revision under the Form I or Form II Article used in the contract. Any price revision giving effect to the wage increase for deliveries made after such earliest possible time, e. g., the end of the current pricing period under the Form I-A Article, is to be negotiated under that Article.

(b) *Conditions for use.* (1) The contract must contain one of the Form I or Form II price revision Articles.

(2) The contract price must contain substantially no contingency allowance or charge on account of any possible change in wages, salaries or conditions of employment.

(c) *Insertion by amendment.* The Article may be inserted by amendment in an existing contract if and only if the following conditions are satisfied: (1) The conditions set out in paragraph (b) of this section are met; and either (2) the Article is inserted at the time when the quantities of items called for by the contract are increased and is limited in its application to the items added at that time, or (3) (i) the Article is inserted at the time of a price revision under one of the Form I or Form II Articles and is limited in its retroactive application to items the prices of which are then being revised and (ii) the amendment is approved by the Director, Purchases Division, Headquarters, Army Service Forces. Every request for such approval by the Director, Purchases Division, shall contain a full statement of facts which justify the insertion of the Article, including estimates of (i) the Government's maximum liability under the Article, (ii) its probable liability there-

under, (iii) reference to pending or threatened labor disputes, and (iv) the amount of the price reduction made in return for the insertion of the Article. It has been determined that the insertion of Form III in existing contracts by supplemental agreement in conformity with the requirements of this paragraph will facilitate the prosecution of the war.

(d) *Rules for administration.* (1) The procedure prescribed by the Article will be strictly followed before any negotiations are had or any price revision is made thereunder.

(2) In the negotiations particular care will be taken to see that the price revision is applied only to such deliveries as shall have been affected by the change in employment conditions and is not applied to (i) completed items or work in process at the effective date of the order authorizing or directing the change in employment conditions, or (ii) work performed but not completed by delivery during the period subject to revision under the Article.

(3) The price revision made under this Article shall be limited to items delivered and to be delivered under the contract between the effective date of the order and the earliest possible time for price revision under the Form I or Form II Article to which this Article is supplemental.

(4) Any price revision made pursuant to this Article will be evidenced by a supplemental agreement, which shall be subject to prior approval of the Director, Purchases Division, Headquarters, Army Service Forces.

(e) *Text of Form III.*

Article . . . . *Price revision upon change of wages or employment conditions.* (a) The prices fixed in Article—may be revised from time to time in accordance with this Article. As used in this Article, the term "adjustment in wages" shall include any adjustment in wages, salaries or conditions of employment.

(b) *Conditions precedent.* If all the following conditions are satisfied, the Contracting Officer shall enter into negotiations with the Contractor for the revision of the prices of items called for under this contract but only to the extent set forth in paragraph (c) of this Article:

(1) The Contractor shall advise the Contracting Officer in writing of any reference to the War Labor Board or to any other similar Government agency of any request on behalf of the employees of the Contractor for any adjustment in wages which may materially effect the costs of performing this contract. This advice shall be given within twenty days after the Contractor shall learn that such reference has been made. In the event that the reference has been made prior to the inclusion of this Article—in this contract and has not been finally acted upon, the written advice shall be given at the time of execution of the instrument effecting such inclusion.

(2) The Contractor, prior to the expiration of thirty days (or such greater period as may be agreed upon in writing) after the date of the order for or authorization of any adjustment in wages, but, in any event, prior to the expiration of one year after the date specified for the delivery of the last item of supplies called for by this contract as it may from time to time be amended, shall submit to the Contracting Officer the following:

A. A true copy of the order or authorization for such adjustment.

B. A written demand that the parties negotiate to revise the contract prices of items delivered and to be delivered under the contract during a period stated in the demand. That period shall not commence at a date earlier than the first day specified in the order or authorization for the adjustment in wages.[1] That period shall not extend after the earliest date after the demand as of which the contract prices of items to be delivered under this contract can be revised pursuant to Article — (Revision of Prices).

C. Estimates of the probable effects of such adjustment in wages upon the Contractor's costs of producing the items delivered or to be delivered during the period stated in the demand. These estimates shall give due effect to estimates of completed items and work in process on hand at the beginning of such period and to the fact that the full effect of such adjustment will not normally be reflected immediately in the cost of items delivered under the contract. The estimates shall be accompanied by estimates of the effect of such adjustment on the direct and indirect labor costs of the items delivered and to be delivered during the stated period.

D. Proposed revised prices for the items delivered or to be delivered under the contract during the stated period.

(c) *Negotiations.* Upon the filing of the estimates and data required by paragraph (b) (2) of this Article, the Contracting Officer and the Contractor will negotiate promptly in good faith to agree upon revised prices for the items delivered or to be delivered during the stated period, the cost of producing which has been affected by such adjustment in wages. In the negotiation the Contracting Officer and the Contractor in good faith will estimate the effect of such adjustment upon the cost of such items. It is recognized that it will not be practicable to make precise computations of the effect of any such adjustment on the Contractor's costs and therefore it is the intention of the parties that negotiation and determination of any revision in price under this Article shall be on the basis of the estimates of the effect of the adjustment. The prices payable for the items so delivered and to be delivered will be revised to reflect, to an extent which is deemed reasonable under all the circumstances, such estimated effect on costs.

(d) *Limitation on revision.* The Contractor agrees that it will not request and shall not be entitled to receive a price revision under this Article except to the extent that such adjustment in wages operates to make the price under this contract less than a fair and reasonable one under all the circumstances. In no event shall any such revision exceed the amount of the estimated effect of such adjustment in wages on the Contractor's costs hereunder during the stated period specified in the written demand mentioned in subparagraph (b) (2) B of this Article.

(e) *Supplemental agreement.* Any agreement reached under this Article will be incorporated in a supplemental agreement to this contract which shall be subject to the written approval of the Director, Purchases Division, Headquarters, Army Service Forces [in AAF contracts, substitute: "the Under Secretary of War or his duly authorized representative"] and which shall state (1) the revised prices to be effective with respect to deliveries during a specified period to be set forth in such agreement and (2) the method of adjusting the payments therefor.

(f) *Disagreements.* If within 30 days after the time for filing the estimates and data required by paragraph (b) (2) of this Article (or such further period as may be fixed by written agreement) the Contracting Officer and the Contractor fail to agree to revised prices, the failure to agree shall be deemed to be a disagreement as to a question of fact which shall be disposed of in accordance with Article — (Disputes).

(g) *Effect of Article.* Any provision of this Article and any action thereunder shall be without prejudice to (1) the determination of the existence of any excessive profits of the Contractor under the Renegotiation Act; and (2) any Order fixing the price of articles to be furnished or services to be rendered hereunder made under Section 801 of the Revenue Act of 1943.

(h) *Effect of prior renegotiation.* If prior to any revision of the price under this Article the final or contingent cost of retroactive wage adjustments increasing the cost of performing this contract has been included and allowed for the purpose of the final determination (by agreement or unilateral determination) for a fiscal period, as to the Contractor's liability to repay to the Government excessive profits under the Renegotiation Act, appropriate weight shall be given to the results of the proceedings in renegotiation in determining the sums if any, to be paid or credited to the Contractor in connection with the revision of the price under this Article, it being the intent of the parties that the net result shall be substantially the same as it would have been if the revision had preceded such final determination.

§ 803.375 *Form IV Price Revision Article; retroactive price revision by mutual agreement*—(a) *Nature and effect of Article.* This Article is designed for use in contracts of $100,000 or less for experimental or developmental items or services. By its terms the contracting officer is empowered, after completion or termination of the contract, to demand that the parties negotiate to reduce the entire contract price. The revision effected thereunder is wholly retroactive.

(b) *Conditions for use.* (1) The amount of the contract is $100,000 or less.

(2) The price initially fixed in the contract should bear a reasonable relationship to the expected final price thereunder.

(3) The items or services called for by the contract are strictly developmental or experimental in character.

(4) The contractor's cost accounting system is sufficient to show the costs under the contract.

(c) *Rules for administration.* (1) If the production cost figures indicate that the price was high, the contracting officer will make the demand contemplated by the Article and will proceed promptly with and conclude the revision of the price in accordance with the Article.

(2) The Contracting Officer should make such use and verification of the cost data as he would make with respect to similar data upon the negotiation of a price under a new contract. The verification may include an examination and audit of the contractor's books and records.

(3) The profit agreed to upon the revision will be dependent upon the contractor's efficiency in the performance of the contract.

(4) The revised price will be evidenced by a supplemental agreement making adequate provision to secure to the Government the benefit of the reduction.

[1] Where this Article is inserted in a contract by amendment, insert at this point an additional sentence stating the earliest date as of which this Article may apply (see paragraph (c) of this section).

(d) *Text of Form IV.*

(a) Within sixty days after the completion or termination of this contract, the Contractor will submit to the Contracting Officer a detailed statement of the costs of performing this contract. Upon the written demand of the Contracting Officer, made at any time within thirty days after the submission of such statement, the Contractor will negotiate to reduce the contract price to an amount representing fair and reasonable compensation for the performance of the contract. In such negotiations the efficiency of the contractor in production, buying and management will be given due weight.

(b) The Contractor will furnish to the Contracting Officer such other statements of actual costs of production and such other financial statements, at such times and in such form and detail, as the Contracting Officer may prescribe, and will permit such audits and examinations of its books, records and accounts as the Contracting Officer may request.

(c) If within thirty (30) days after the making of such demand (or such further period as may be fixed by written agreement) the Contracting Officer and the Contractor fail to agree to a revised price, the failure to agree shall be deemed to be a disagreement as to a question of fact which shall be disposed of in accordance with Article —. (Disputes).

(d) The Government shall retain from amounts otherwise due the Contractor, or the Contractor shall repay to the Government if paid to him, any amount by which the contract price is found as a result of the application of this Article to exceed a fair and reasonable price, as the Contracting Officer may direct.

(e) Any provision of this Article and any action thereunder shall be without prejudice to (1) the determination of the existence of any excessive profits of the Contractor under the Renegotiation Act, and (2) any Order fixing the price of items to be furnished or services to be rendered hereunder made under Section 801 of the Revenue Act of 1943.

§ 803.376 *Form V Price Revision Article—for retroactive pricing with limited upward revision*—(a) *Nature and effect of Article.* This Article, providing for upward and downward price revision, is authorized for use in certain limited kinds of experimental or developmental contracts which involve a maximum price of not more than $1,000,000. Under the Article a contract price is agreed upon which it is believed will tend to compel the contractor to do as efficient a job as possible in the circumstances, and at the same time a maximum price is fixed as a ceiling on any upward revision under the Article. The revision takes place after completion or termination of the contract and is of course wholly retroactive.

(b) *Conditions for use.* (1) The maximum price under the contract as set forth in paragraph (c) of the Article must never exceed $1,000,000.

(2) The contract must call only for experimental or developmental items or services, for tests in (i) laboratories, (ii) field operations, or (iii) similar experiments.

(3) The items or services called for by the contract are of such a non-repetitive character as to preclude the proper use of Form I–C or II–B. (See §§ 803.371 (b), 803.372 (b) and 803.373 (b).)

(4) The contract price shall be as close as the circumstances of the particular procurement will permit. The maximum price will bear a reasonable relationship to the initial contract price in the light of the predictability of costs.

(5) The Contractor must have or establish a cost accounting system which will show the costs of performing the contract. If the Contractor's normal cost accounting methods are not satisfactory, it will be necessary to use one of the optional alternative sentences set out in paragraph (b) of the Article, in which event it will be necessary to prescribe the cost records which the contractor is to maintain and the method of maintaining such records. Wherever possible this determination concerning the records should be made at the time the contract is initially executed, using the first optional alternative sentence and specifying in detail what is to be required of the contractor. When such determination cannot be made at once, the contracting officer may conclude that after further investigation he will be able to prescribe the appropriate cost records, in which event the second optional alternative sentence should be used; and in that case such determination should be reflected, when possible, by an agreement supplemental to the contract.

(6) Any use of the Article shall be subject to prior written approval of the Director, Purchases Division, Headquarters, Army Service Forces. The request for such approval shall show in detail full compliance with the foregoing conditions and shall include, to the extent practicable, the information called for by § 803.305 (d).

(c) *Rules for administration.* (1) The time limitations prescribed in the Article will be strictly followed.

(2) The contracting officer should make such use and verification of the cost data submitted by the contractor as he would make with respect to similar data upon the negotiation of a price under a new contract. The verification may include the examination and audit of the contractor's books and records.

(3) The negotiations under the Article may result in a revised price which is the same as, or higher or lower than, the contract price but never in a revised price in excess of the maximum price. The profit agreed to upon the revision of the price will be dependent upon the contractor's efficiency in performing the contract.

(4) The revised price will be evidenced by a supplemental agreement making adequate provision to secure to the Government the benefit of any price reduction negotiated, or for payment to the contractor of any price increase, as the case may be.

(d) *Text of Form V.*

(a) Because of the experimental and developmental nature of the work called for by this contract and the great uncertainty as to the cost of performance hereunder, the parties agree that the contract price fixed in Article — hereof may be increased or decreased in accordance with the provisions of this Article.

(b) Within ____ [not exceeding 60] days after the completion or termination of this contract, the Contractor will file with the Contracting Officer a statement showing, in such form and detail as the Contracting Officer may prescribe, the Contractor's cost of producing the supplies or furnishing the services called for hereunder, together with such other information as may be pertinent in the negotiations for a revised price pursuant to this Article. Such statement of cost shall fairly reflect the normal operation of the Contractor's cost system. [*First optional alternative to preceding sentence:* The Contractor will establish and maintain records of the costs of performing this contract, as follows: * * *] [*Second optional alternative:* The Contractor will establish and maintain such records of the costs of performing this contract as the Contracting Officer may require in writing.] The Contracting Officer shall have the right at all reasonable times to make or cause to be made such examinations and audits of the Contractor's books, records and accounts as he may request.

(c) Upon the filing of the statement and other pertinent information required by paragraph (b) of this Article, the Contractor and the Contracting Officer will promptly negotiate in good faith to agree upon a reasonable revised price for the entire contract which, upon the basis of such statement and other pertinent information, will constitute fair and just compensation to the Contractor for the performance of this contract. In determining the extent of any estimated allowance for profit to be taken into account in fixing such revised price, consideration will be given to the extent to which the Contractor has performed the contract with efficiency, economy and ingenuity. In no event shall the revised price exceed the sum of $_____. The revised price shall be evidenced by a supplemental agreement to this contract.

(d) If within _____ [not exceeding 90] days after the completion or termination of this contract, the parties shall fail to agree upon a revised price in accordance with the provisions of this Article, the failure to agree shall be deemed to be a disagreement as to a question of fact which shall be disposed of in accordance with Article — (Disputes).

(e) In the event of a price increase the Government will pay or credit to the Contractor the amount by which the revised price shall exceed the contract price aforesaid. In the event of a decrease in price the contractor will repay or credit the amount of such decrease to the Government in such manner as the Contracting Officer may direct.

(f) For any of the purposes of Article — (Termination at the Option of the Government) of this contract (including without limitation, computation of "the total contract price" and "the contract price of work not terminated") the contract price shall be the revised contract price agreed upon under paragraph (c) of this Article or determined under paragraph (d) of this Article, as the case may be.

(g) The provisions of this Article and any revision of price made hereunder shall be without prejudice to the determination of the existence of any excessive profits of the Contractor upon subsequent renegotiation under the Renegotiation Act or any contract article inserted pursuant to that Act.

(h) *Effect of prior renegotiation.* If, prior to any revision of the price under this Article, any sums paid or payable under this contract in respect of items the price of which may be affected by such revision have been included as renegotiable income received or accrued by the Contractor in any fiscal period for which there has been a final determination (by agreement or unilateral determination) as to the Contractor's liability to repay to the Government excessive profits under the Renegotiation Act, appropriate weight shall be given to the results of the proceedings in renegotiation in determining the sums, if any, to be paid or credited by or to the Contractor in connection with the revision under this

Article of that part of the price applicable to that fiscal period, it being the intent of the parties that the net result shall be substantially the same as it would have been if the revision had preceded such final determination.

§ 803.377 *Form VI Price Revision Article—for repricing upon happening of specified contingency*—(a) *Nature and effect of Article.* This Article provides for an equitable adjustment of prices upon the happening of a contingency specified in the Price Revision Article. The equitable adjustment may require either an increase or decrease in the price.

(b) *Conditions for use.* (1) The contingency upon which the equitable adjustment is to take place will be clearly and accurately stated in the place provided therefor in paragraph (a) of the Article. Particular care will be taken to exclude from the statement of the contingency any point or matter which is not intended to be considered in making the equitable adjustment. For example, if the contingency relates to possible changes in price of a specified material, the statement will be strictly confined to that possibility and will not allow any adjustment on account of changes in the quantity of material to be used or on account of any factor other than price. The dollar estimate of the unit cost predicated on the realization of the basic assumption should also be clearly specified in the blank space, so that the difference in costs resulting from a non-realization of the basic assumption may be readily ascertained.

(2) The contingency must come within one of the following categories: (i) Cases where the Government actually fixes the price or effectively controls the entire supply of material to be used by the contractor in performance of the contract (e. g., natural or synthetic rubber); (ii) cases where freight rates upon specified materials to be used by the contractor in performing the contract are changed under authority of the Interstate Commerce Commission; (iii) cases where the cost of freight on specified materials to be used by the contractor in performing the contract is changed as the result of allocation or priority orders of the Government or any of its instrumentalities; (iv) cases where the contractor contemplates the purchase of a single specified important material or component, which is to be used in performing the contract, from a stated source or at a stated price and such source or price is necessarily changed without fault or any voluntary action on the part of the contractor; (v) cases where the contractor's compliance with the delivery schedule of the contract is prevented as a direct or proximate result of any act of the Government or any of its instrumentalities. In each of such cases the probable effect of the happening of the contingency should be a substantial change in the contractor's costs.

(3) The Article is not authorized for use to cover any of the following contingencies: (i) Changes in taxes or duties (see § 803.357); (ii) changes in wage rates or employment conditions (see § 803.374); (iii) changes in OPA maximum prices of either components or end items (see § 803.351); (iv) risks arising in connection with patents (see § 803.335); (v) termination of the contract in whole or in part (see § 803.324).

(4) The price must contain no charge or allowance on account of the specified contingency.

(5) In appropriate cases the Article may be included in a new contract even though such contract may also contain one of the Form I or Form II Price Revision Articles.

(c) *Rules for administration.* (1) The contracting officer will determine from the information supplied by the contractor and all other relevant data whether the contingency specified in the Article has occurred and the amount by which the contractor's costs have been changed thereby. The contracting officer may make such examination and audit of the contractor's books and records as he deems necessary.

(2) The adjustment in price should be sufficient to compensate the contractor or the Government for the net changes in the contractor's costs resulting from the happening of the contingency. There must be no adjustment under the Article on account of cost changes resulting from other factors.

(3) The adjustment in price will be evidenced by a supplemental agreement.

(d) *Text of Form VI.*

(a) *Basic assumption.* The contractor represents that the prices under this contract have been fixed on the following assumption (hereinafter called the basic assumption):

In the event that the basic assumption is not realized, in whole or in part, and that as a result the Contractor's costs vary materially from its presently anticipated costs as specified above, the parties agree that an equitable adjustment shall be made in the contract price on account of any net increase or decrease in such costs resulting from that non-realization.

(b) Within 30 days after the entire or partial nonfulfillment of the basic assumption, the Contractor shall notify the Contracting Officer in writing of the fact and extent of such occurrence, and shall also, within such time (or within such further period as the Contracting Officer may in writing allow before the date of final settlement of the contract) present in writing to the Contracting Officer any claim which it may then have for adjustment under this Article. Within 30 days after the Contractor's notification to him (or within such further time as the parties may agree upon in writing), the Contracting Officer shall present in writing to the Contractor any claim for adjustment under this Article which the Government may then have. The parties agree to negotiate in good faith concerning these claims and the amount and terms of any equitable adjustment which should be made. If the parties fail to agree whether an equitable adjustment is required under this Article, or upon the terms or amount of such adjustment, the dispute shall be disposed of as a question of fact in accordance with Article — (Disputes). But nothing provided in this Article shall excuse the Contractor from proceeding with the contract in accordance with its terms. Any adjustment hereunder shall be evidenced by a supplemental agreement to this contract. Nothing provided in this Article is intended to alter, restrict or limit the terms of Article — (Changes) or the authority of the Contracting Officer thereunder.

(c) *Warranty.* The Contractor represents and warrants that there is not included in the price hereunder any charge, allowance, or reserve for the possible non-fulfillment, in whole or in part, of the basic assumption.

(d) *Relation to Delays—Damages Article.* To the extent that performance of this contract may be delayed because of the non-realization of the basic assumption, in whole or in part, and that the Contractor shall have been unable to prevent such delay, the delay shall be deemed to be excusable for the purposes of Article — (Delays—Damages).

(e) *Reservation of Government's rights.* Any provision of this Article and any action thereunder shall be without prejudice to (1) the determination of the existence of any excessive profits of the Contractor under the Renegotiation Act, and (2) any Order fixing the price of items to be furnished or services to be rendered hereunder made under Section 801 of the Revenue Act of 1943.

(f) *Effect of prior renegotiation.* If, prior to any adjustment of the price under this Article, any sums paid or payable under this contract in respect of items the price of which may be affected by such adjustment have been included as renegotiable income received or accrued by the Contractor in any fiscal period for which there has been a final determination (by agreement or unilateral determination) as to the Contractor's liability to repay to the Government excessive profits under the Renegotiation Act, appropriate weight shall be given to the results of the proceedings in renegotiation in determining the sums, if any, to be paid or credited by or to the Contractor in connection with the adjustment under this Article of that part of the price applicable to that fiscal period, it being the intent of the parties that the net result shall be substantially the same as it would have been if the adjustment had preceded such final determination.

§ 803.378 *Incentive type contract article*—(a) *General considerations.* (1) The contract Article set forth in § 803.379 (e) is designed to reduce contract prices by providing contractors with an incentive to minimize the cost of performing contracts. The contractor shares with the Government the savings brought about by such reduction in costs. The contractor's profit per unit increases as costs decrease and decreases as costs increase up to a point where additional costs result in losses.

(2) Under this Article a target price, which should not exceed the sum of a realistic estimate of the total cost of performing the contract and a reasonable profit, is determined. Because of the advantage to the contractor in the opportunity to increase his profit by cost reductions and to be reimbursed up to a point for cost increases, his risk is less than under a fixed price contract; and therefore the profit margin at the target price will ordinarily be lower than that allowed for an equal fixed price. A maximum (ceiling) price which the final price cannot exceed is also set. The contractor and the Government share in the reduction in cost below that price. The final price consists of (i) the contractor's costs determined by negotiation and agreement after completion of all work under the contract and (ii) a profit computed by the application of an agreed formula to the difference between the maximum (ceiling) price and such negotiated costs.

(3) The Article will be found more useful than the standard fixed-price contract in many situations. It provides a strong incentive to control and reduce costs. For contractors expecting to operate after the war it affords the opportunity to begin the restoration of efficiencies usually necessary in a competitive market. It furnishes protection to contractors who are not financially strong enough or are unwilling to accept the risk of loss which may possibly result from close fixed pricing. Contracting officers should carefully consider use of the Article in cases where satisfactory fixed prices cannot be agreed upon. The opportunity to adjust the price based on experienced costs will be found particularly adaptable in converting CPFF contracts, because it represents a less hazardous transition to a fixed-price basis. When a contractor's volume is reduced by the termination of some but not all of its contracts, it may be expedient to insert the incentive provisions in remaining contracts; and such insertion will not be considered an amendment without consideration under § 803.308a merely because the maximum price exceeds the original fixed price. The incentive type contract is adaptable for use in contracts for first production quantities of items not previously produced. In some cases it may be feasible to utilize it in research, experimental and development contracts, particularly where considerable repetitive work is involved. In such cases provision should be made for revision of the target and maximum prices at some early point in performance of the contract.

(4) The Article is not intended to take the place of the Price Revision Article set out in §§ 803.370 to 803.377, inclusive. Rather, it is intended to provide another technique, for use in certain cases, of obtaining close prices from War Department contractors. This Article will not be used in any contract containing one of the Price Revision Articles set out in §§ 803.370 to 803.377, inclusive.

(b) *Conditions for use.* The Article may be used in fixed price contracts, subject to the following conditions:

(1) Sufficient experience is available to make a reasonably accurate determination of the target price.

(2) The maximum (ceiling) price is as low as possible under the circumstances and affords no protection to the contractor against extravagance and inefficiency.

(3) The formula for fixing the profit is so scaled that an effective premium is afforded for reducing costs below the estimate and a deterrent provided to discourage the contractor from increasing costs.

(4) The contracting officer is satisfied that the contractor's accounting system is sound, since final costs will be determined by negotiation and not by audit. The contract provides for the contractor to furnish detailed cost statements which can and should be supplemented by investigation whenever and to the extent deemed desirable by the contracting officer.

(5) The contract will be made subject to the approval of the Director, Purchases Division, Headquarters, Army Service Forces. The submission of the contract to him for approval will explain in detail how the foregoing conditions have been fulfilled, will analyze the target and maximum (ceiling) prices and the price data, if any, submitted by the contractor, and will contain any other information considered relevant.

(c) *Assistance by Purchases Division.* Purchases Division, Headquarters, Army Service Forces, has made a special study of the incentive type contract and the experience of other Government departments in its use. Contracting officers are encouraged to seek the assistance of representatives of the Purchase Division in connection with negotiation of such contracts.

(d) *Explanatory illustration of incentive type contract.* A case is assumed where a substantial number of a particular item have been furnished. The contracting officer has estimated that a price of $1,266,000 per unit would be fair and reasonable. Because of the uncertainty of the future the contractor has insisted on many contingency allowances and was unwilling to agree to a firm price of less than $1,335,000 per unit. An incentive contract was, therefore, resorted to which is explained by the following figures:

Target price	$1,266,000
Estimated Cost without contingencies	1,200,000
Maximum (ceiling) price	1,350,000

Formula for determining final price to include negotiated cost plus sum for profit which shall be equal to the following percentages of the amount by which negotiated cost is less than maximum (ceiling) price:

Fifty-two per cent (52%) of such amount to the extent of the first Fifty Thousand Dollars ($50,000) thereof;

Forty-eight per cent (48%) of such amount to the extent of the next Fifty Thousand Dollars ($50,000) thereof;

Thirty-two per cent (32%) of such amount to the extent of the next Fifty Thousand Dollars ($50,000) thereof;

Twenty per cent (20%) of such amount to the extent of any balance thereof.

Using various figures for the negotiated cost, the following table is illustrative of the results which would be obtained:

Negotiated final cost	Profit	Equal to—	Total final price to Government
		Percent	
$1,250,000	0	0	[1] $1,350,000
$1,300,000	$26,000	2	1,326,000
$1,250,000	50,000	4	1,300,000
$1,200,000	66,000	5.5	[2] 1,266,000
$1,100,000	86,000	7.82	1,186,000
$1,000,000	100,000	10.0	1,100,000
$900,000	126,000	14.0	1,026,000
$800,000 etc.	136,000	18.25	936,000

[1] War Department estimated cost.
[2] Target price.
[3] Maximum (ceiling) price.

(e) *Text of incentive type contract article.* Article —. Price Redetermination

(a) *Scope of Article.* The parties hereto agree that the price stipulated in Article — hereof is a fair and reasonable negotiated price based upon estimates made in the light of the information available to the parties at the time of the negotiation. (The prices of spare parts to be determined in accordance with Appendix A hereto shall be negotiated on the same basis.) Such price(s) shall, however, be increased or decreased as provided in this Article.

(b) *Submission of data.* After the last delivery to be made hereunder, the Contracting Officer and the Contractor shall redetermine by negotiation in the manner provided in paragraph (c) of this Article the contract price(s) (and the prices of spare parts) (exclusive of changes agreed to from time to time pursuant to the Article hereof entitled "Changes"). For that purpose, within ninety (90) days (or such longer period as the Contracting Officer may approve) after the last delivery to be made hereunder, the Contractor shall submit to the Contracting Officer, in such form and detail and accompanied by such supporting data as the Contracting Officer may require, a statement of (1) all costs incurred by the Contractor in performing the contract to such time and chargeable thereto in accordance with generally accepted and sound accounting practices consistently followed by the Contractor and (2) the estimated cost of such further performance, if any, as may be necessary to complete the contract, excluding from such statement any costs separately reimbursable to the Contractor pursuant to any provision of this contract other than he provisions of the Article hereof entitled "Changes." Such statement and supporting data shall be certified by two officers or other responsible officials of the Contractor as having been prepared in compliance with the provisions of this paragraph. One of such persons shall be a person supervising accounting under the contract. Such certification shall be in the following form:

The undersigned, as individuals and as authorized representatives of _____ (Contractor) (hereinafter called the Contractor), hereby certify that we have examined the statement and supporting data to which this certificate is attached and that, to the best of our knowledge and belief, such statement and supporting data, except as otherwise indicated therein in the case of estimates, have been prepared from the books of account and records of the Contractor; that such books of account and records have been kept in accordance with generally accepted and sound accounting practices consistently followed by the Contractor; that they include only actual and estimated costs allocable to the performance of Contract No. _____; and that they have been prepared with the knowledge that they will be used in connection with the negotiation of the final contract price under such contract.

Variations in the foregoing form shall not be made except with the approval of the Contracting Officer.

(c) *Manner of redetermination.* The redetermination provided in paragraph (b) above shall be effected in the following manner:

(1) On the basis of such statement and supporting data and such investigation as the Contracting Officer shall deem appropriate in the circumstances, there shall be established by negotiation the average unit cost of the items to be delivered hereunder. This shall then be adjusted by deducting therefrom the aggregate amount of all increases in cost, reduced to a unit basis, and adding thereto the aggregate amount of all decreases in cost, reduced to a unit basis, as provided

for pursuant to the provisions of the Article hereof entitled "Changes." In the event of failure to agree, such adjusted average unit cost shall be determined under the provisions of the Article hereof entitled "Disputes."

(2) The redetermined unit price shall be established by adding to the adjusted average unit cost, as established under subparagraph (1) above, an allowance for profit equal to the following percentages of the amount, if any, by which such adjusted average unit cost is less than the sum of $_____ (the maximum price specified below):

____% of such amount to the extent of the first $_____ thereof,
____% of such amount to the extent of the next $_____ thereof.
____% of such amount to the extent of the next $_____ thereof.
____% of such amount to the extent of any balance thereof.

In no event, however, shall such redetermined unit price exceed $_____.

(3) The price of spare parts shall be redetermined by applying to the price of each spare part as it was first established hereunder (exclusive of packing and similar charges, if any) a percentage determined by dividing the total number of dollars in the redetermined unit price established pursuant to subparagraph (2) above by $_____ (the base unit prices specified in Article —).

(d) *Exclusion of changes.* The price adjustment for changes determined from time to time pursuant to the Article hereof entitled "Changes" shall not be redetermined under this Article and shall be paid in addition to or shall be deducted from, as the case may be, the redetermined prices established in accordance with paragraph (c) of this Article.

(e) *Supplemental Agreement.* When such redetermined prices shall have been arrived at as hereinabove provided, the amount thereof shall be evidenced by a supplemental agreement. In the event that the redetermined prices shall be greater than the prices previously in effect, the Contractor, upon submission of invoices therefor, shall be promptly paid the amount of the increase applicable to items theretofore delivered. In the event that the redetermined prices shall be less than the prices previously in effect, the Contractor shall promptly refund to the Government the amount of the decrease applicable to items theretofore delivered, or, with the approval of the Contracting Officer, the same may be deducted from any amount thereafter payable to the Contractor under this contract.

(f) *Effect of termination.* If this contract shall be terminated pursuant to the Article hereof entitled "Termination at the Option of the Government" prior to a price redetermination under this Article and if (A) such termination shall occur after deliveries have commenced or (B) such termination shall be partial, leaving one or more items to be delivered thereafter, then in that event (i) there shall at the request of the Contractor promptly be established by negotiation between the parties an amendment to this contract, subject, in the event of failure to agree, to final determination under the provisions of the Article hereof entitled "Disputes", which shall establish such revisions, if any, in the maximum price and profit allowances specified in subparagraph (c) (2) hereof as shall be equitable under the circumstances; and (ii) upon completion of deliveries under the contract as terminated, the contract prices for items delivered shall be redetermined under the provisions of this Article on the basis of the adjusted average unit cost for such completed items, exclusive of all costs allocable to the terminated portion of this contract.

(g) *Termination under Delays-Damages Article.* In the event that this contract shall be terminated pursuant to the Article hereof entitled "Delays-Damages," prior to a price redetermination under this Article, the prices, if any, payable to the Contractor pursuant to said Delays-Damages Article shall be either (i) the prices currently in effect as of the effective date of termination, as established under paragraph (h) of this Article, or if the contracting officer shall determine in his discretion that the payment of the said prices is not in the best interest of the Government, (ii) the prices redetermined in accordance with paragraph (c) of this Article on the basis of the adjusted average unit cost for completed items, exclusive of all costs allocable to the terminated portion of the contract.

(h) *Revision of tentative contract prices.* Pending the price redetermination pursuant to the provisions of paragraph (c) of this Article, the sum of $_____ specified in Article — hereof and based upon an assumed average unit cost of $_____ (and the prices of spare parts to be determined in accordance with Appendix A hereto) (hereinafter called the tentative contract prices), as the same may be revised pursuant to the provisions of this paragraph, shall be deemed to be the contract prices for all purposes of this contract. If at any time after the delivery of the _____ item under the contract, it appears that the average unit cost will be substantially greater or less than such assumed average unit cost, either the Contractor or the Contracting Officer may by notice to the other request negotiations for the fixing of revised tentative contract prices. If the parties are unable within thirty (30) days after the receipt of such notice to agree upon revised tentative contract prices, the dispute shall be deemed a question of fact to be determined under the Disputes Article. Within thirty (30) days after revised tentative contract prices shall have been so fixed, the amounts paid to the Contractor on the basis of the previous tentative contract prices shall be recomputed upon the basis of such prices as revised, and if such amounts so recomputed are in excess of the amounts theretofore paid, the Government will promptly pay the excess to the Contractor upon the submission of invoices therefor and, if such amounts so recomputed are less than the amounts theretofore paid, the Contractor shall promptly refund the difference to the Government or, with the approval of the Contracting Officer, the same may be deducted from any amount thereafter payable to the Contractor under this contract. The fixing of revised tentative contract prices pursuant to the provisions of this paragraph shall not limit nor affect in any way the price redetermination thereafter required to be effected pursuant to the provisions of paragraph (c) of this Article.

SUBPART J—MISCELLANEOUS

Section 803.398b is added as follows:

§ 803.398b *Adjustments of fixed-price subcontracts under cost-plus-a-fixed-fee prime contracts.* (1) The principles set out in § 803.329b (c) apply to adjustments of a fixed price subcontract under a cost-plus-a-fixed-price prime contract attributable to the balance of the work under such subcontract.

(2) In view of section 3 (d) of the Contract Settlement Act and § 841.111–4 of this chapter the claim of a fixed-price subcontractor under a cost-plus-a-fixed-fee contract for work terminated or cancelled in whole or in part under any circumstances which require the Government to bear the cost of settlement, is a termination claim. The settlement of such a termination claim will be effected in accordance with the principles and under the procedures set out in Subchapter C of this chapter (see especially Part 846 of this chapter).

(3) Approval by the contracting officer of adjustments and settlements of the character described in subparagraphs (1) and (2) above will be effected to the extent required by the prime contract. In some cases the settlement of the subcontract may have been pursuant to an authorization to settle subcontracts under § 846.642 or § 846.643 of this chapter. Where the settlement has been made under such an authorization, any such approval will be taken to indicate only that the subcontract was terminated under circumstances which require the Government to bear the cost of the subcontract settlement and that the contractor has made the settlement under the authorization.

[Procurement Reg. 4]

PART 804—BONDS AND INSURANCE

SUBPART A—GENERAL

Section 804.404 is amended to read as follows:

§ 804.404 *Definition of "Contract Insurance Branch".* Whenever used in this part, the terms "Insurance Branch" or "Contract Insurance Branch" shall be deemed to mean the Contract Insurance Branch, Special Financial Services Division, Office of the Fiscal Director, Headquarters, Army Service Forces.

SUBPART B—BONDS

1. In § 804.406, the introductory text of paragraph (b) is amended to read as follows:

§ 804.406 *Contract bond requirements on lump sum construction and supply contracts.* * * *

(b) *Performance bonds.* The extent to which performance bonds will be required in connection with lump sum construction and supply contracts will be determined by the chief of the technical service concerned. The requirement of performance bonds will of necessity change from time to time to meet both changing conditions and specific situations. On such bonds as are required the penal sum will be the lowest which, in the exercise of sound judgment, is deemed adequate for the protection of the United States. The maximum rates of premiums on such bonds are as follows:

2. In § 804.408 (a) the last sentence of subparagraph (1) and the last sentence of subparagraph (2) are revoked.

3. Section 804.409 (c) is revoked, as follows:

§ 804.409 *Filing and examination of bonds and consents of surety.* * * *

(c) [Revoked]

SUBPART D—INSURANCE

1. In § 804.435, the first sentence of paragraph (a), and paragraph (b) are amended to read as follows:

§ 804.435 *Waiver of Defense Plant Corporation insurance requirements.* (a) Where cost-plus-a-fixed-fee contracts are being performed in facilities owned by the Defense Plant Corporation and leased to a contractor, the contractor is required by the terms of the lease to procure and maintain at his own expense fire and supplementary coverage, and general liability and automobile liability insurance for bodily injury and property damage, on special forms. * * *

(b) In all cases where a definite saving in cost to the Government can be effected by eliminating insurance requirements of the Defense Plant Corporation, the Contract Insurance Branch will be advised promptly of the following: (1) Name of contractor; (2) number of contract; (3) type of contract; (4) location of facility involved; (5) the plancor or lease number; (6) the estimated saving, if the same can be estimated; and (7) the recommendation of the chief of the technical service. For those cost-plus-a-fixed-fee contractors insured under the War Department Insurance Rating Plan, special policy forms required by Defense Plant Corporation will be terminated and the name of Defense Plant Corporation will be endorsed onto the contractor's policies as an additional insured together with a recital of the indemnity provisions of the lease agreement. The Defense Plant Corporation will be requested by the Contract Insurance Branch, in appropriate cases, to waive its insurance requirements.

2. In § 804.436, the introductory text of paragraph (d) is amended to read as follows:

§ 804.436 *Casualty insurance.* * * *

(d) *Self-insurance.* Self-insurance by cost-plus-a-fixed-fee contractors, in lieu of the requirements outlined in paragraphs (a) and (c) of this section, will not be approved except in unusual circumstances and then only after approval is obtained from the Contract Insurance Branch. Where the contractor requests and the chief of the technical service deems it desirable, that workmen's compensation insurance be provided by self-insurance, there will be submitted to the Contract Insurance Branch the following:

3. In § 804.437, the first sentence is amended, the last sentence of paragraph (d) is amended, and paragraph (f) is amended to read as follows:

§ 804.437 *Miscellaneous insurance.* The chiefs of the technical services may consider that other forms of insurance are necessary in special instances. * * *

(d) *Contractual liability insurance.* * * *

The chief of the technical service concerned may approve the purchase of insurance for other assumed liability where the assumption of the liability by the contractor or subcontractor has been authorized and the chief of the technical service determines that the purchase of such insurance is necessary.

* * * * *

(f) *Ocean or inland marine insurance.* These forms of insurance will not be required and their purchase will be authorized only in those instances where the chief of the technical service concerned determines that the procurement of such insurance is desirable or necessary for the protection of the contractor or the Government.

4. Paragraph (4) is added to § 804.451, as follows:

§ 804.451 *Insurance on Government-owned property.* * * *

(4) The same general policy as exists with regard to lump-sum supply contracts applies to fixed-price contracts for services accessorial to or forming a part of a transportation movement, including contracts for freight handling, car loading and unloading, packing and crating, stevedoring, lighterage, trucking, heavy lift service, lumber handling and other contracts for terminal services not procured by means of a bill of lading. For forms of contract articles covering liability for Government-owned property, see § 803.365 (a–1).

5. The introductory text of § 804.461 is amended, and paragraph (d) is revoked as follows:

§ 804.461 *Master policy.* A master policy issued by the War Shipping Administration to the War Department permits the War Department to insure with the War Shipping Administration war risks or liabilities which it has assumed or for which it is obligated in connection with certain persons, vessels or other floating equipment. Declarations under this policy will be made to the War Shipping Administration by the Chief of the technical service concerned or any subordinate whom he may designate. All declarations will be numbered in sequence as reports are made. For required form of report see § 804.497 (c).

* * * * * *

(d) *Declarations.* [Revoked]

6. In § 804.470 (b), the introductory text preceding subparagraph (1) and the first sentence of subparagraph (7) are amended, and the last paragraph is revoked, as follows:

§ 804.470 *Acceptability of insurance carrier.* * * *

(b) The chief of the technical service concerned will pass upon the acceptability of the insurance carrier whether selected by the contractor or chosen on a competitive basis. The chief of the technical service will obtain from the contractor the following information which will be used by him in conjunction with the standards set forth in paragraph (a) of this section in determining the acceptability of the carrier:

* * * * * *

(7) A separate letter which may be forwarded directly by the insurance carrier to the chief of the technical service concerned, setting forth the actual amount of each risk retained by the primary carrier and its reinsurance arrangements, including the names of all reinsurers and the amount of risk accepted by each. * * *

7. Paragraph (a) is added to § 804.480, as follows:

§ 804.480 *Rule in recognition of differences in hazard.* * * *

(a) With respect to workmen's compensation, employers' liability and manufacturers' and contractors' liability insurance, the Joint Rating Committee has made provision whereby the basic manual rules with regard to assignment of payroll of miscellaneous employees will be modified by interpretation as follows:

(1) The payroll of miscellaneous employees shall be assigned by audit period.

(2) The payroll of miscellaneous employees whose duties during the entire audit period were incidental to and are directly assignable to a single manufacturing classification shall be assigned to the rate for that classification unless such payroll has not been so allocated on the records in which case these employees shall be assigned as cited in the following subparagraph (3).

(3) The payroll of miscellaneous unassignable employees whose duties during the audit period were incidental to two or more manufacturing classifications shall be assigned to the several manufacturing classifications in the same proportion which the payroll of the several manufacturing classifications bears to the total payroll of such manufacturing classifications.

(4) In cases where a project average rate is to be used to cover all operations, the payroll of miscellaneous employees shall be included in the rate determination and the procedure described in subparagraphs (2) and (3) above shall be followed on an estimated basis for the entire period covered by the policy rather than by audit period.

7. In § 804.491, paragraphs (f) and (g) are amended to read as follows:

§ 804.491 *Claims, losses and claims service under the War Department Insurance Rating Plan.* * * *

(f) *Loss reports*—(1) *Quarterly loss reports.* The insurance carrier is required to submit a quarterly loss report (for form see §§ 804.497 (w) and 804.497 (x)) every three months during the term of the policy, except for the three (3) months period immediately preceding the policy anniversary date from which date preliminary (interim) settlement is due within sixty (60) days. The insurance carrier is required to furnish the contractor with five copies of the quarterly loss report. The contractor should retain two copies and send three copies to the Contracting Officer or his representative. The Contracting Officer will retain one copy unless the chief of the technical service concerned requires him to send it to a higher echelon within the technical service, and will forward two copies to the chief of the technical service concerned. The chief of the technical service will retain one copy and forward the other to the Contract Insurance Branch. In order that maximum use may be made of these reports, they will be forwarded promptly through channels as set forth above.

(2) *Preliminary settlement.* The insurance carrier will use the approved form of preliminary settlement (See § 804.497 (o) to (u).) Distribution of these forms when completed will be made as set forth in § 804.490 (b). The chief of the technical service concerned will obtain the approval or disapproval of these statements by the Contract In-

surance Branch before any final action is taken thereon. Refunds of premium may be accepted without reference to the approval or disapproval by the Contract Insurance Branch. The chief of the technical service concerned will be notified of the action taken by the Contract Insurance Branch.

(3) *Final settlement.* The same form shall be used for final settlement as is used for preliminary settlement statements (see § 804.497 (o) to (u)). If the final settlement statement is approved by the Contract Insurance Branch, after its examination of the claims files, the chief of the technical service concerned will be so notified. If settlement is deferred, the chief of the technical service concerned will be notified. Upon consummation of final settlement with the carrier, the Contract Insurance Branch will secure the necessary corrected settlement statements from the insurance carrier.

(4) No other reports by insurance carriers concerning insured losses will be required unless requested by the Contract Insurance Branch.

(g) *Arbitration of losses.* If final settlement with a carrier is not feasible, by reason of dispute over losses claimed by such carrier, the Contract Insurance Branch will arrange for arbitration in accordance with the provisions of the War Department Insurance Rating Plan, and will notify the chief of the technical service concerned of the pendency of such arbitration. Upon final settlement of such losses, the chief of the technical service concerned will be notified.

8. Section 804.493 is amended to read as follows:

§ 804.493 *Reports.* There will be forwarded promptly to the Contract Insurance Branch the following information:

(a) In connection with insurance written under the War Department Insurance Rating plan copies of all policies, audit statements, other reports of insurance carriers, (except engineering inspection reports), reports of insurance advisors and any other pertinent data.

(b) In connection with any insurance where approval of losses by the Under Secretary of War is required for the determination of premium, copies of the policies and copies of all statements, except engineering inspection reports, required of the insurance carrier.

SUBPART E—BONDS AND INSURANCE FORMS

The first sentence of § 804.497 (c) is amended to read as follows:

§ 804.497 *Insurance forms.* • • •

(c) *War risk insurance report.* A report on the following form, numbered in sequence, should be executed in duplicate and forwarded to the War Shipping Administration, Commerce Building, Room 4089, Washington 25, D. C.

[Procurement Reg. 6]

PART 806—INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

SUBPART B—INTERBRANCH PROCUREMENT

Section 806.605b is added, as follows:

§ 806.605b *Indefinite quantity contract for safety glass.* As of April 1, 1945, the Ordnance Department has executed an indefinite quantity contract for safety glass in ordnance vehicles. Pertinent excerpts from this contract are set forth in Ordnance Procurement Circular No. 97–45, and in paragraph 6.068.2 of Ordnance Procurement Instructions, as amended.

SUBPART C—INTERDEPARTMENTAL PURCHASES

1. In § 806.606a, the following changes are made: The last sentence of paragraph (a), the last sentence of paragraph (b), and the first sentence of paragraph (c) are amended to read as follows:

§ 806.606a *Regional and District Warehouse and Supply Centers of Treasury Department, Procurement Division—*(a) *Establishment and functions of Regional and District Warehouse and Supply Centers.* • • • Items handled by these Centers in general are new items purchased by Treasury Department, Procurement Division.

(b) *Stock catalogues of Warehouse and Supply Centers.* • • • The addresses of such Regional Directors are as follows.

Region I: Park Square Building, Boston 16, Mass.
Region II: 50 Church Street, New York 7, N. Y.
Region III: 499 Pennsylvania Avenue NW., Washington 25, D. C.
Region IV: Commercial Arts Building, 704 Race Street, Cincinnati 2, Ohio.
Region V: 209 South LaSalle Street, Chicago 4, Ill.
Region VI: Belle Isle Building, 105 Pryor Street NE., Atlanta 3, Ga.
Region VII: P. O. Box 1407, Fort Worth 1, Tex.
Region VIII: 2605 Walnut Street, Kansas City 8, Mo.
Region IX: 1030 15th Street, 7th Floor, Denver 2, Colo.
Region X: 30 Van Ness Avenue, San Francisco 2, Calif.
Region XI: 2005 Fifth Avenue, Seattle 1, Wash.
Region XII: Iolani Palace, Honolulu 2, T. H.; Bulding "F," Muñoz Rivera Park, San Juan, P. R.

(c) *Authority to purchase from Warehouse and Supply Centers.* Field services of the War Department are required to purchase items through Treasury Department, Procurement Division, only to the extent provided in § 806.606 (b) and (g).

2. In § 806.613, all references in paragraphs (b), (c) and (d) to "Procurement Division, Treasury Department" are changed to read "the Department of Commerce," and paragraph (e) is amended to read as follows:

§ 806.613 *Procurement of surplus property from disposal agencies.* • • •

(e) *Procedure for acquiring surplus property.* In general, surplus property will be transferred with reimbursement by the War Department at a fair valuation determined by the disposal agency. Details of transfer procedure may be ascertained from the offices of the disposal agencies. See § 806.614 as to the appropriate form of delivery order to be used in acquiring surplus property from disposal agencies. However, where the property being transferred was declared surplus by another element of the War Department or by the Navy Department, non-reimbursable transfer can be arranged wherever permitted by Special Order No. 6 of the Surplus Property Board, dated May 1, 1945.

[Procurement Reg. 9]

PART 809—LABOR

SUBPART H—WAGE AND SALARY STABILIZATION

In § 809.951–2, the introductory text and subparagraph (1) (iv) of paragraph (a) are amended to read as follows:

§ 809.951–2 *Limitations on wage and salary increases—*(a) *Policy.* Existing policy as to wage and salary increases (insofar as those within the jurisdiction of the Board or the Commissioner as hereinafter set forth are concerned) is expressed in § 4001.11 of the regulations of the Director as supplemented by the Director's Policy Directive of May 12, 1943 and Policy Directive on "Fringe" Adjustments of March 8, 1945. This policy may be summarized as follows:

(1) • • •

(iv) Reasonable adjustments in wages or salaries in case of promotions, reclassifications, merit increases, incentive wages or the like: *Provided*, That such adjustments do not increase the level of production costs appreciably or furnish the basis either to increase prices or to resist otherwise justifiable reductions in prices. (The Board may approve or direct certain such adjustments irrespective of such proviso in accordance with the Director's Policy Directive on "Fringe" Adjustments of March 8, 1945).

SUBPART M—MISCELLANEOUS

In § 809.993–1, the introductory text is amended and the note at the end is deleted, as follows:

§ 809.993–1 *General Order No. 14 of the National War Labor Board.* General Order No. 14, adopted by the National War Labor Board on November 24, 1942, as subsequently amended, reads as follows:

[Procurement Reg. 10]

PART 810—PLANT FACILITIES EXPANSIONS

SUBPART D—AMORTIZATION DEDUCTION AND CERTIFICATES OF NECESSITY

A paragraph is added to § 810.1019 (a), as follows:

§ 810.1019 *War Department policy regarding certificates.* • • •

(a) • • •

By a similar memorandum dated May 8, 1945, the Under Secretary of War has directed that, in view of the unconditional surrender of the German forces in Europe, particular attention be given to the foregoing provision that only in extraordinary cases will an affirmative recommendation for the issuance of a certificate be made.

[Procurement Reg. 11]

PART 811—MISCELLANEOUS PURCHASE INSTRUCTIONS

SUBPART F—CONTRACTS INVOLVING RUBBER OR SYNTHETIC RUBBER

Section 811.1155 is amended to read as follows:

§ 811.1155 *Price adjustment provisions.* In order to assure rubber manufacturers that they may fix their prices on the basis of the cost for natural and synthetic rubber specified in the agreement between the War Department and Rubber Reserve Company the price revision article contained in § 803.377 (d) may be used in contracts involving natural or synthetic rubber.

SUBPART H—MISCELLANEOUS MATTERS

In § 811.1182, the last sentence is amended to read as follows:

§ 811.1182 *Track-scaling of loaded railroad cars.* • • • Reference is made to AR 55–150 for the terms of the War Department Traffic Weight Agreement entered into by the War Department with representatives of certain carriers.

[Procurement Reg. 12]

PART 812—RENEGOTIATION AND PRICE ADJUSTMENT

Section 812.1200 is amended to read as follows:

§ 812.1200 *Scope of part—*(a) *General.* This Part 812 deals with policies, procedures and contract provisions relating to the adjustment of prices under War Department contracts and subcontracts thereunder pursuant to the Renegotiation Act of 1943 (Supbart A), price adjustments without contract provisions and relief under the First War Powers Act (Subpart E), audits and inspections under Title XIII of the Second War Powers Act (Subpart H) and Title VIII of the Revenue Act of 1943 (Subpart I). The material relating to the use and administration of price revision contract articles, which formerly appeared in subparts B, C and D, has been revised and now appears in Subpart H of Part 803 of this chapter.

(b) *Regulations rescinded.* Temporary Procurement Regulations 10–T and 17–T, issued April 30, 1942, and May 11, 1942, by Headquarters, Army Service Forces, and all directives and instructions relating to contract provisions for revision and renegotiation of contract prices, issued prior to July 1, 1942 have been rescinded (see § 801.103 of this chapter).

SUBPART A—STATUTORY RENEGOTIATION

1. In § 812.1205, paragraph (c) (5) (v) is added, paragraph (f) is revoked, and in paragraph (g), subparagraph (2) (iv), (v) and (vi), and subparagraphs (4), (5) and (6) are amended, as follows:

§ 812.1205 *Discretionary power to exempt certain contracts and subcontracts.* • • •

(c) *Discretionary power to exempt certain individual contracts or subcontracts.* • • •

(5) • • •

(v) Sufficiently detailed information to indicate whether the requirements of the provisions of this part pursuant to which the exemption is granted, have been complied with;

(f) *Exemption from renegotiation in connection with periodic adjustment of prices.* [Revoked]

(g) *Exemption of individual contracts and subcontracts for less than $5,000,000.* • • •

(2) • • •

(iv) The contract contains no provision for price revision other than standard articles authorized in this chapter;

(v) If the contract contains any of the articles set forth in §§ 803.372 (g) and 803.373 (f) of this chapter or formerly set forth in §§ 803.341 (a) and (b), 803.360 (b) and 803.360a (a) of this chapter, the initial period of production has been completed; and

(vi) If the contract contains either of the articles set forth in § 803.375 (d) (formerly § 803.342a) and § 803.376 (d) of this chapter, the price is finally determined.

• • • • •

(4) If the contract involves a period of performance of over six months, the person exercising authority to exempt should consider whether some approved price revision provision (e. g. the article set out in § 803.372 (e) or § 803.373 (e) of this chapter) should not be included in the contract and the exemption limited in length appropriately.

(5) Each proposed exemption should ordinarily be discussed informally with the Price Adjustment Section of the procurement office which is placing the contract.

(6) Where a contract contains a periodic pricing article (see § 803.372 (e), (f) and (g) of this chapter) or an article like those set forth in § 803.373 (e) and (f) of this chapter, exemption from renegotiation should not be granted with respect to the entire contract but only until the next succeeding price revision. At the conclusion of the first pricing period under the articles set forth in §§ 803.372 (g) and 803.373 (f) of this chapter, exemption from renegotiation for the initial pricing period may be granted retroactively at the time of the amendment of the contract to fix the price for the next succeeding period, if such exemption from renegotiation is warranted in accordance with this chapter.

2. In § 812.1210, the last sentence is amended to read as follows:

§ 812.1210 *Use of other articles.* • • • Various other articles discussed in Subpart H of Part 803 of this chapter, designed to provide for revision of the price of the specific contract to meet various types of conditions, may be used in addition to the contract articles for statutory renegotiation.

3. In § 812.1214, paragraphs (a), (d) (1), and the introductory text of paragraph (e) are amended to read as follows:

§ 812.1214 *Effect of statutory renegotiation on price adjustments by contracting officers—*(a) *Restrictions during and after statutory renegotiation.* While renegotiation pursuant to the 1943 Act is in progress or after it has been concluded with respect to a fiscal period of a contractor, contracting officers will not, except as contemplated in paragraph (d), accept or seek price reductions or refunds in lieu thereof, which will affect the sales or earnings of the contractor for such fiscal period without the prior consent of the Price Adjustment Board or Section which is conducting or has conducted such statutory renegotiation.

• • • • • •

(d) *Price adjustments not restricted.* • • •

(1) Proposing and arranging adjustments in prices or fees in individual contracts containing express provision for revision, redetermination or renegotiation of prices or fees, other than a provision for statutory renegotiation, or

• • • • • •

(e) *Provision in supplemental agreements making price adjustment.* The contract price as revised, renegotiated or redetermined by the contracting officer or as voluntarily reduced will still be subject to statutory renegotiation under the 1943 Act and any contract article pursuant thereto. Unless the revised, renegotiated or redetermined price is expressly exempted from statutory renegotiation pursuant to § 812.1205, the supplemental agreement or other instrument affecting the adjustment in price or fixed-fee will therefore include a provision substantially as follows:

SUBPART B—CONTRACT ARTICLES FOR PRICE ADJUSTMENT ON THE BASIS OF PRODUCTION EXPERIENCE

The text of Subpart B is revoked.

SUBPART C—CONTRACT PROVISIONS FOR PRICE ADJUSTMENT UPON CONTINGENCIES AND SHORT-TERM PRICING

The text of Subpart C is revoked.

SUBPART D—CONTRACT ARTICLES FOR PERIODIC READJUSTMENT OF PRICE AND EXEMPTION FROM RENEGOTIATION

The text of Subpart D is revoked.

SUBPART E—PRICE ADJUSTMENTS WITHOUT CONTRACT PROVISIONS

Paragraph (a) of § 812.1250 is amended to read as follows:

§ 812.1250 *Scope of subpart.* (a) As is emphasized in Parts 802 and 803 of this chapter, war conditions frequently require adjustment of contract terms to prevent unfairness to the contractor or the Government. While the provisions discussed in Subpart H of Part 803 of this chapter are sufficiently flexible to meet many kinds of changes, they do not cover all contingencies, and many contracts do not contain these provisions. Accordingly, contracts must often be amended to adapt them to new or unexpected developments.

[Procurement Reg. 13]

PART 813—FORMS OF CONTRACTS

1. In § 813.1315a, the following changes are made: In paragraph (a) (2), paragraph 4 (d) is added; paragraph (a) (5) is added, and in paragraph (b), paragraph 4 of Article I and the footnote to paragraph 1 of Article II are amended, as follows:

§ 813.1315a *W. D. Contract Form No. 15*—(a) *Explanatory notes.* • • •

(2) • • •

4. *Reimbursement for cost of facilities.*

(d) The Government reserves the right to terminate this contract at any time prior to completion of the facilities herein provided for. In the event the Government exercises such right, fair compensation with respect to such facilities, exclusive of profit, within the meaning of the Contract Settlement Act of 1944 (Public No. 395, 78th Cong.), as the same may be amended from time to time, will be provided for the Contractor.

(5) In the case of electric, gas, water and sewage service provisions 5, 7, 6 and 4, respectively, of Special Provisions A, B, C and D (§ 813.1315b (c) to (f), inclusive) to be attached to and made a part of the contract in accordance with Provision 1 (a) of Article II of the form, will be modified to read:

Notice of intention to terminate service under this contract shall be at the option of the Government and shall be given in writing by the Contracting Officer to the Contractor not less than thirty (30) days in advance of the effective date of termination.

(b) *Contract form.* • • •

ARTICLE I—FACILITIES, CONNECTION CHARGE AND REFUND PROVISIONS

4. *Payment of cost of facilities.* (a) In consideration of the estimated costs to be incurred by the Contractor and the uncertain duration of the Project the Government agrees to pay the Contractor, as a connection charge, after receipt of satisfactory evidence of completion of the facilities, the sum of $_____ less the net salvage value of said facilities in the amount of $_____. The net connection charge to be paid by the Government is $_____. The Government is to receive a refund of the amount so paid as provided in paragraph 5 of this article.

(b) The Government reserves the right to terminate this contract at any time prior to completion of the facilities herein provided for. In the event the Government exercises such right, fair compensation with respect to such facilities, exclusive of profit, within the meaning of the Contract Settlement Act of 1944 (Public No. 395, 78th Cong.), as the same may be amended from time to time, will be provided for the Contractor.

• • • • •

ARTICLE II—SERVICE PROVISIONS

1 *Service.* (a) The Contractor agrees to furnish the service required hereunder at the Project, beginning on _____ 19__, and thereafter until further notice, and at the rates and other terms set forth in provision 2 of the Article or attached hereto and, in accordance with Special Provisions numbered 1 to _____ inclusive, attached hereto and made a part hereof.[1]

[1] Attach whichever of Special Provisions A, B, C, or D set forth in § 813.1315b (c) to (f), inclusive, is applicable to the service involved, modified when necessary as indicated in paragraph (a) (4) of this section and, in all cases, as indicated in paragraph (a) (5) of this section.

2. In § 813.1334, the introductory paragraph of Article 1 is amended to read as follows:

§ 813.1334 *W. D. Contract Form No. 34 (Royalty-Free Release and License Involving No Money Payment).* • • •

ARTICLE 1. *License.* (See § 811.1115 (u) (2) of this chapter.)

[Without limiting any rights which the Government may have obtained by virtue of prior contracts or by operation of law or otherwise,] Contractor agrees to and does hereby grant and convey to the Government an irrevocable, non-exclusive, non-transferable and royalty-free license under the following patent(s) [and application(s) for patent] to practice and cause to be practiced for the Government any and all of the inventions thereof in the manufacture, use and disposition of any article or material, and in the use of any method, in accordance with law:

U. S. Patent No.	Date	Application Serial No.	Filing Date

[together with corresponding foreign patents and applications for patent, insofar as Contractor has the right to grant licenses thereunder].

Subchapter B—Disposition of Property

[Procurement Reg. 7]

PART 821—GENERAL

1. Section 821.103–1 is amended to read as follows:

§ 821.103–1 *War Department policy on direct sales.* Under regulations prescribed by the Surplus Property Board, general responsibility for disposal of surplus Government property has been assigned to certain disposal agencies, as more fully explained in Part 827 of this chapter. It is the policy of the War Department to have these disposal agencies dispose of surplus War Department property to the fullest extent provided by the regulations of the Surplus Property Board, and to limit direct disposal by the War Department to those categories for which the War Department is clearly responsible. Accordingly, sales by the War Department will be limited to the following:

(a) Sales of termination inventories and other property in hands of war contractors as provided in Subchapter C of this chapter.

(b) Sales of nominal quantities of surplus property as provided in § 827.701 of this chapter.

(c) Sales to war contractors, other government agencies and other limited classes of transferees as provided in Part 823 of this chapter.

(d) Sales of salvage, scrap and waste.

2. Section 821.115–3 is added, as follows:

§ 821.115–3 *Advance information.* (a) War Department personnel, military and civilian, will refrain from furnishing prospective buyers advance information as to surplus property, and from any other action tending to prefer any buyer or class of buyers over other buyers. Information which should not be divulged includes information that property is excess at a certain locality, or will shortly be declared surplus or be reported to a given disposal agency, or that it has been so reported. Information which may properly be divulged includes such information as that a certain disposal agency has been designated to dispose of particular types of property, that certain property is being advertised for sale by a certain agency, or that a salvage officer is currently accepting bids for specified property. Negative information, such as that no property of a type in question has been declared surplus, may also be given.

(b) The foregoing is not to be construed as limiting the provisions of § 821.115–2 as to furnishing disposal agencies with information on declarations of surplus; or as to the official release of such information through the Bureau of Public Relations. Furnishing information to War Department personnel for use in connection with their official duties is not prohibited.

3. Section 821.117 is added, as follows:

§ 821.117 *Assistance in obtaining surplus property.* War Department personnel, military and civilian, whether or not engaged in surplus property activities, will not render assistance to individuals in obtaining surplus property, except (a) Such assistance as is incident to making authorized War Department sales or to the disposal of termination inventories and (b) Such assistance as is involved in making proper response to inquiries, as provided in § 821.115–3 (1).

PART 823—DISPOSITION OF PROPERTY FOR PURPOSES DIRECTLY RELATED TO THE PROSECUTION OF THE WAR

In § 823.301–2 (a) the parenthetical clause "(excluding built-in heat-treating furnaces which lose their utility and serviceability as a result of dismantling and are reduced thereby to scrap or salvage)" is added to the item "Heat-treating equipment."

PART 824—DISPOSITION OF NONREPAIRABLE PROPERTY

In § 824.407–1 the existing text is designated (a) and paragraph (b) is added as follows:

§ 824.407–1 *Property salable as scrap or salvage after removal.* • • •

(b) Where the estimated costs of removal which the Government is required to bear (including any costs of dismantling or preparation for shipment and any cost of repairing damage to the contractor's plant to the extent that the Government may be liable therefor in accordance with § 810.1003a of this chapter) exceeds the estimated recoverable scrap of salvage value after removal, the contract of sale may provide for leaving the property in place in consideration of the contractor's releasing the Government of all obligation to remove the property or make reimbursement therefor. When property is left in place pursuant to any such agreement, the transaction will be subject to prior review by a local disposal board, and will be accomplished by a supplement to the contract under which the obligation to remove arises. The supplement will recite that it is executed under the First War Powers Act and Executive Order 9001.

PART 826—DISPOSITION OF SERVICEABLE NON-MILITARY PROPERTY

SUBPART B—CONSTRUCTION EQUIPMENT

Section 826.624 is amended to read as follows:

§ 826.624 *Storage of surplus part 2 property.* After it has been reported to a disposal agency as surplus, part 2 property may be turned over to the Corps of Engineers for storage pending disposal. When a technical service desires to turn over part 2 property to the Corps of Engineers, the local establishment having jurisdiction of the equipment will notify the division engineer of the Corps of Engineers nearest to the location of the equipment, who will issue shipping instructions. The technical service requesting storage will prepare and ship the property in accordance with such shipping instructions. All costs of packing, handling and transportation will be borne by the technical service requesting storage. When unserviceable property is shipped to the Corps of Engineers, the property must be listed on a separate shipping document bearing the following statement on all copies thereof:

All property listed hereon is in an unserviceable condition.

Appropriate inspection by those concerned with determination of responsibility for its condition has been made.

Signed_____
Accountable shipping officer.

Accountability will be transferred to the Corps of Engineers without transfer of funds. Transfer will be coordinated with the interested accountable property officer for compliance with applicable regulations in regard to the transfer of accountability for property. The technical service requesting storage will notify the disposal agency of the change of location of the property, and will submit a copy of such notification, together with a copy of the report of surplus, to the storing establishment.

SUBPART C—PROPERTY OTHER THAN PRODUCTION AND UTILITY EQUIPMENT, CONSTRUCTION EQUIPMENT AND CONTROLLED MATERIALS

1. Section 826.632 is amended to read as follows:

§ 826.632 *Circularization.* When local efforts have not resulted in redistribution of part 3 property within 30 days after it is determined to be excess, circularization will be immediately initiated, except as hereinafter provided. The chief of the technical service concerned, if he so desires, may waive circularization, or may direct that circularization be initiated prior to the expiration of the 30 days after the property is determined to be excess.

2. The last sentence of § 826.632–3 (b) is amended to read as follows:

§ 826.632–3 *Items not to be circularized.* • • •

(b) • • • Such items, and items not circularized pursuant to § 826.632, will be deemed surplus, without further action, when determined to be excess to the technical service concerned, and will be disposed of in accordance with part 827 of this chapter.

PART 827—DISPOSAL OF SURPLUS PROPERTY

1. Section 827.700 is amended to read as follows:

§ 827.700 *General.* Under its Regulation No. 1, as amended, effective May 1, 1945, the Surplus Property Board has assigned responsibility for disposal of surplus property among disposal agencies as indicated in § 829.904 of this chapter, and has established procedures for reporting surplus property to these disposal agencies. When property has been determined to be surplus under the procedures established under Parts 805 and 806 of this chapter, action will be promptly taken to dispose of nominal quantities of property in accordance with § 827.701 and to report the remaining surplus property to the appropriate disposal agencies in accordance with § 827.702.

2. Section 827.701 is amended to read as follows:

§ 827.701 *Disposal of nominal quantities.* (a) Single items or groups of items of surplus property, where the cost, estimated if not known, of all substantially similar items in surplus at any one time and at any one place does not exceed $100, are termed "nominal quantities". Nominal quantities will ordinarily be turned over to the local salvage officer (or to the contracting officer where there is no salvage officer) for disposition, except that nominal quantities may be reported and turned over to a disposal agency with the prior approval of the Regional Office of the disposal agency concerned if the disposal agency is in position to effect expeditious disposition without delaying disposition of other property.

(b) Disposition of such property by the local salvage officer will be made in accordance with these regulations and with regulations applicable to the disposition of salvage; however, all documents relating to sales will be marked clearly to indicate sale of surplus property. Disposition of such property by the contracting officer will be made in accordance with these regulations and with regulations prescribed by the chief of the technical service concerned.

3. Sections 827.701–1 to 827.701–3, inclusive, are added as follows:

§ 827.701–1 *Standard for determination of substantially similar items.* (a) Determinations as to what are "substantially similar items" are not the responsibility of the salvage officer but of the agency directing the transfer to salvage. The standards to be applied in making such determinations are as follows:

(1) Property will not be subdivided or subjected to refined classifications for the purpose of avoiding reporting to disposal agencies.

(2) "Substantially similar items" are items which are used or are usable for the same immediate purpose. Items may be substantially similar although not interchangeable in use; and they may not be substantially similar although they have the same general use. Items may be substantially similar although they differ in size, weight, color, capacity, composition, quality, or design. Additional evidence of substantial similarity exists if the items are commonly considered in ordinary business practice as being in the same class, or if the items are normally salable through the same channels, or if the trade names of the items are the same, or if the items are interchangeable in use. Examples: All shoes are substantially similar items. Raincoats are not substantially similar to shoes, for, while both are items of clothing and serve the same general purpose, they are not employed for the same immediate purpose. All AC motors under 1 hp. are substantially similar items. All AC motors over 1 hp. are substantially similar items (the same grouping would apply to DC motors). All fixed resistors are substantially similar. All variable resistors are substantially similar.

(b) The phrase "at any one time" used in paragraph (a) should be construed to mean the time at which the responsible officer has determined the items to be turned over to a salvage officer or reported to the disposal agency. Developments subsequent to the time of the decision need not influence a determination of nominal quantities.

(c) The phrase "at any one place" used in paragraph (a) should be construed to mean one installation, plant, factory, or location.

§ 827.701–2 *Assistance to be rendered by Service Commands.* When requested, the Commanding Generals of Service Commands should, to the extent considered practicable by them and within the limits of their existing facilities, assist the technical services in the disposition of nominal quantities and salvage originating at nearby industrial plants and installations under the jurisdiction of the technical services. Where convenient this assistance will include physical receipt of the nominal quantities and salvage.

§ 827.701–3 *Accountability.* Accountability for nominal quantities will terminate when the accountable officer is in possession of a copy of a property turn-in slip listing the property and which copy has been signed by the salvage officer. The property turn-in slip will describe the property in sufficient detail to furnish a commercial description. Records of surplus property will be maintained by salvage officers by items (Technical Service or Army Air Forces classification) and quantity, either by keeping jacket-files or by posting to detailed records.

4. Section 827.702 is amended to read as follows:

§ 827.702 *Reporting to disposal agency.* Surplus property other than that required to be disposed of under § 827.701 will be promptly reported to disposal agencies. Reports of surplus property shall fully set forth any legal restrictions upon the authority of the Government affecting its disposition, including any restrictions upon the disposal or use thereof arising from any patents or any contract relating thereto. Reports of surplus property shall designate any such property known to have been processed, produced or donated by the American Red Cross. The removal, in accordance with applicable directives regulations, technical orders or other in-

structions, of needed parts, components and appliances from items deemed surplus, and any mutilation thereof pursuant to § 825.502 of this chapter will be accomplished prior to the reporting thereof to the disposal agency, and thereafter only with the concurrence of the disposal agency. Reports will be made as follows:

5. Section 827.702–2 is amended to read as follows:

§ 827.702–2 *Aircraft and related property.* (a) Surplus aircraft, gliders and Link trainers which have been reported to Headquarters, Army Air Forces, in accordance with Army Air Force Regulation No. 65–86, dated June 14, 1944, or any amendments thereto, will be reported by Headquarters, Army Air Forces to Reconstruction Finance Corporation, Attention: Surplus Property Director, Washington 25, D. C.

(b) Surplus Aircraft Equipment, Components and Parts in supply (as distinguished from items of Government Furnished Equipment in Government Furnished Equipment warehouses and items included in termination inventories) included in the following classes listed in Army Air Forces T.O. No. 00–35A–1, and supplements thereto, will be reported to Reconstruction Finance Corporation, Surplus Property Division, Chamber of Commerce Building, Springfield, Ohio.

01–B.
01–C.
01–D.
01–E.
01–F.
01–G.
01–H.
01–I.
01–J.
01–K.
01–L.
01–M.
01–N.
01–P.
01–Q.
01–R.
01–S.
01–T.
01–U.
02–A.
02–B.
02–C.
02–D.
02–E.
02–F.
02–G.
02–H.
02–I.
02–J.
02–K.
02–L.
02–M.
02–N.
02–P.
02–Q.
03–A.
03–B.
03–C.
03–D.
03–E.
03–G.
03–H.
03–I.
03–J all except batteries.
04–A.
04–B.
04–D.
05–C.
05–E.
08–B—Only items peculiar to aircraft.
11–A.
11–B.
11–D.
11–E.
15.
18.
19–A—Only aircraft towing gear, (excluding tractors), special maintenance dollies, stands, slings, clamps and supports. Engine transportation cradles, chocks, and wheel blocks. Hydraulic wings, nose and axle and tail jacks. Special airplane ladders. Ground type aircraft engine heaters. Mooring kits.
26—Only items originally in classes which are reportable to Reconstruction Finance Corporation in accordance with par. 7–904.
28–A, all except Link trainers.
28–B.
28–C.
30–A—Only instructional aids for equipment assigned to Surplus War Aircraft Division, RFC.
30–B.
30–C.
30–D.
30–E.

(c) Surplus items listed hereunder, whether they are government furnished equipment in government furnished equipment warehouses or items included in termination inventories, will be reported to Reconstruction Finance Corporation, Surplus Property Division, Chamber of Commerce Building, Springfield, Ohio.

1. Engines.
2. Propellers.
3. Brakes.
4. Wheels.
5. Skis.
6. Floats.
7. Carburetors.
8. Struts.
9. Magnetos.
10. Pumps—(other than fuel and oil).
11. Valves—(other than AN, AC and NAF standard part numbers).
12. Flight instruments.
13. Engine instruments.
14. Automatic flight control equipment.
15. Instrument and navigation training equipment.
16. Aircraft towing gear.

(5) Except as otherwise provided above, surplus property in supply or in Government furnished equipment warehouses will be reported to the Regional Office of the Reconstruction Finance Corporation or Department of Commerce, for the region in which the property is located in accordance with the assignments set forth in § 829.904 of this chapter and surplus property included in termination inventories will be reported to the Regional Office of the Reconstruction Finance Corporation for the region in which the property is located.

6. Sections 827.702–4 and 827.702–5 are amended to read as follows:

§ 827.702–4 *Military property other than aircraft, food and ships.* Military property other than aircraft and related property, food, ships and maritime property will be reported to Reconstruction Finance Corporation or Department of Commerce, in accordance with the assignments set forth in § 829.904 of this chapter, except that housing of a portable, demountable or prefabricated nature (except house trailers) will be reported to the National Housing Agency, Washington 25, D. C. (Structures of a portable, demountable, or prefabricated nature, including quonset and similar huts, when declared surplus separate from any sites thereof, will be reported to Reconstruction Finance Corporation.) By far the greater part of such property will consist of items of the type assigned to Department of Commerce for disposal. Where it is considered impracticable to segregate items of military property assigned to Reconstruction Finance Corporation, they may be included in reports to Department of Commerce.

Reports will be made to the Regional Office of the appropriate disposal agency for the region in which the property is located. The addresses of the Regional Offices of the Reconstruction Finance Corporation and Department of Commerce, respectively, and the territories within their jurisdiction, are set forth in §§ 829.907 and 829.908 of this chapter.

Surplus military property under the jurisdiction of technical services of Army Service Forces (see ASF Manual M–416, November 17, 1944) which is in stock at depots and at installations below depot level will be reported by the depot. The station at which the property is located will be notified promptly of this action. Installations below depot level will furnish the appropriate depot with information necessary for the reporting of surplus property in stock below depot level. Surplus military property under the jurisdiction of commanding generals of Army Service Forces service commands see Section II, ASF Circular No. 407, 1944) will be reported by the service commander.

§ 827.702–5 *Non-military property*—(a) *Part 1 property (Production and utility equipment) and Part 4 property (Controlled materials).* Part 1 property (other than industrial trucks, tractors, trailers and stackers) and Part 4 property will be reported to the Regional Office of Reconstruction Finance Corporation for the region in which the property is located. Industrial trucks, tractors, trailers and stackers will be reported to the Regional Office of Department of Commerce, for the region in which the property is located.

(b) *Part 2 property; construction equipment.* Surplus Part 2 property will be reported to the Regional Office of the Department of Commerce for the region in which the property is located.

(c) *Part 3 property.* Surplus Part 3 property other than aircraft and related property, food, ships and maritime property, and housing property will be reported to Reconstruction Finance Corporation or to the Department of Commerce in accordance with the assignments set forth in § 829.904 of this chapter. Reports will be transmitted to the Regional Office of the appropriate disposal agency for the region in which the property is located. The assignment of those items likely to be included in Part 3 are as follows:

Department of Commerce

Paper and paper products.
Cotton, wool and linen basic textiles, and fabricated textile products.
Basic metal products as follows:
Barbed and twisted wire.
Woven wire and chain link fencing and fence posts.
Insect screening.
Wire springs.
Wire hoops.
Chain and attachments.
Nails, tacks and staples.
Bolts, nuts, screws, rivets, washers, turnbuckles, eyelets and grommets.
Strapping.
Builders basic hardware and casket, furniture, and trunk and luggage hardware.
Glass, pottery and ceramic basic materials and products.
Rubber fabricated materials and products.
Containers, closures and packing materials.
Agricultural machinery and implements.
Motor vehicles, engines, parts, components, assemblies and accessories.
Plumbing and heating materials and equipment.
Commercial and household electric appliances, lamps and dry cell and storage batteries.
Commercial and domestic air-conditioning and refrigerating equipment.
Hand tools and mechanics measuring tools.
Office machines, typewriters, cash registers, calculating and computing scales.
Furniture and fixtures.
Professional and scientific instruments and apparatus.
Apparel and footwear.

Reconstruction Finance Corporation

Leather, and boot and shoe cut stock and findings.
Lumber, veneer, plywood and millwork.
Petroleum and petroleum products.
Chemicals.
Paints, varnishes, lacquers, japans, thinners, pigments, driers, fillers and related products.
Ferro and nonferrous additive alloys.
Nonferrous metals (except aluminum, copper and copper-base alloy).
Fabricated structural iron and steel and architectural metalwork.
Storage tanks.
Insulated wire and cable.
Basic non-metallic structural products.
Abrasives.
Asbestos basic products.
Graphite and carbon basic products.
Refractories.
Mechanical power-transmission equipment and bearings.
Electric motors, fractional horsepower.
Electrical building supplies.
Communication equipment.
Railroad transportation equipment.
Indicating, recording and controlling instruments.

7. Sections 827.703 and 827.704 are amended to read as follows:

§ 827.703 *Report forms.* All reports of surplus property to disposal agencies will be made on Form SPB–1, titled, "Declaration of Surplus Personal Property to Disposal Agency". Copies of this form, together with instructions for its preparation, are set forth in § 829.905 of this chapter. This form is available in Adjutant General Depots. Existing stocks of Forms SWPA–1 and SWPA–1 (A) may be used, in lieu of Form SPB–1, until May 31, 1945.

§ 827.704 *Transmittal of reports.* Reports of surplus property made to disposal agencies on Form SPB–1 will be filed in triplicate at the office of the appropriate disposal agency. An information copy of each report covering machine tools or production equipment (as defined in § 826.610 of this chapter,) regardless of cost, and of each report covering other types of property where the total cost of the property included in the report is $25,000 or more, will be transmitted at the time of declaration to the Director, Readjustment Division, Headquarters, Army Service Forces. The information copy to the Readjustment Division need not be accompanied by a letter of transmittal. Where the total cost of the property included in a report is $25,000 or more, an additional copy of the report will be sent to Readjustment Division, attached to the report required by § 829.910 of this chapter.

8. The last sentence of § 827.705 is amended to read as follows:

§ 827.705 *Action after reporting.* . . . The disposal agency will send one copy of the disposition instructions to the custodian, and one copy to the reporting agency shown on the declaration.

9. Section 827.706 is amended to read as follows:

§ 827.706 *Withdrawals, and adjustments in prior reports.* (a) Property which has been reported to a disposal agency may be withdrawn for further use by the technical service of origin or for transfer to another component of the War Department or to another Government agency to which transfer without reimbursement is permitted under § 823.312 of this chapter, with the consent of the disposal agency to which the property was reported. Transfer between Government agencies of property already reported to a disposal agency as surplus may be accomplished without reimbursement or transfer of funds under the circumstances outlined in Special Order 6 of the Surplus Property Board, dated May 1, 1945.

(b) Withdrawal of property under this paragraph will be effected by transmitting to the disposal agency Form SPB–1.1 titled, "Adjustment of Prior Declaration of Surplus Personal Property". This form will also be used in reporting any modifications or adjustments in prior declarations. Form SPB–1.1 will be prepared and transmitted in the same manner as Form SPB–1. If a withdrawal covers all the items included in a previous declaration, the phrase "All items to be withdrawn" may be inserted in Column (b) instead of listing the items.

(c) Any approved withdrawals, corrections, adjustments or modifications involving a change in total cost of $25,000 or more, will be reported to Readjustment Division, Headquarters, Army Service Forces, by attaching a copy of Form SPB–1.1 to the report required by § 829.910 of this chapter.

10. The first sentence of § 827.708 is amended to read as follows:

§ 827.708 *Shipment after disposal.* When property has been disposed of by a disposal agency, or when the disposal agency takes custody of the property prior to disposal, the disposal agency will issue appropriate shipping instructions, sending one copy to the custodian and one copy to the reporting agency indicated in § 827.705.

PART 829—APPENDIX

1. In § 829.902, "4th Floor, Cooper Building, 17th and Curtis Streets" is deleted from the office "Commanding General, Rocky Mountain Arsenal" under the heading *"Office of the Chief of Chemical Warfare Service"*; the offices under the heading *"Office of the Chief of Transportation"* are amended to read as follows: the number of copies for the office "Chief of Disposal Section, Supply Division" under the heading *"Army Air Forces"* is changed from 11 to 20, and a new office is added under the heading *"Navy Department"* as follows:

§ 829.902 *Offices to receive Part 1 and 3 circularization lists.*

. . . . . .

Office of the Chief of Transportation

	Number of copies
Redistribution and Salvage Officer, Office of the Chief of Transportation, Washington 25, D. C.	1
Property Disposal Officer, Procurement Division, OCT, Cincinnati 2, Ohio	2
Transportation Corps Supply Officer, Marietta Transportation Corps Depot, Marietta, Pa.	1
Transportation Corps Supply Officer, Montgoery Transportation Corps Depot, Montgomery, Ala.	1
Transportation Corps Supply Officer, Voorheesville Transportation Corps Depot, Voorheesville, N. Y.	1
Chief, Chicago Procurement Office, TC 201, N. Wells St., Chicago 6, Ill.	1
Chief, New Orleans Procurement Office, TC, P. O. Box 1510, New Orleans 5, La.	1
Chief, New York Procurement Office, TC, 25 Broad St., New York 4, N. Y.	1
Chief, San Francisco Procurement Office, TC, 461 Market St., San Francisco 6, Calif.	1
Commanding General, Boston Port of Embarkation, Boston 10, Mass.	1
Commanding General, Charleston Port of Embarkation, Charleston, S. C.	1
Commanding General, Hampton Roads port of Embarkation, Newport News, Va.	1
Commanding Officer, Los Angeles Port of Embarkation, Wilmington, Calif.	1
Commanding General, New Orleans Port of Embarkation, New Orleans 12, La.	1
Commanding General, New York Port of Embarkation, Brooklyn 9, N. Y.	1
Commanding General, San Francisco Port of Embarkation, Fort Mason, Calif.	1
Commanding General, Seattle Port of Embarkation, Seattle 4, Wash.	1

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Navy Department

Officer-in-Charge, P. O. Box "NN"—Chicago 90, Illinois, Attn: Surplus Materials Section	2

2. Sections 829.904 to 829.905–3, inclusive, are amended to read as follows:

§ 829.904 *Assignment of property to disposal agencies.* Assignment of property to Disposal Agencies is set forth in this section as published in Surplus Property Board Regulation No. 1, Order 1, under the following prefatory notes:

ASSIGNMENT OF SURPLUS PROPERTY

Under its Regulation No. 1, the Surplus Property Board hereby assigns to the Government disposal agencies named below such items or types of surplus property located in the continental United States as are listed under the name of each agency. The items or types of surplus property listed below under the name of each disposal agency are included within the class of surplus property assigned to each agency for disposal in Regulation No. 1. The code numbers used herein are those of the Standard Commodity Classification (U. S. Government Printing Office) to Volume I of which reference must be made for a complete list of the items or types of surplus property assigned by means of the code number.

PART 1—CRUDE MATERIALS

R. F. C.	Department of Commerce	War Food Administration
	01 Live animals, other than food animals.	01 Live animals, except purebred animals. 02 Crude animal products, edible.
03 Crude animal products inedible, except fibers.		04 Crude vegetable products, edible.
05-5 Crude rubber and allied gums. 05-628 Wax. 05-7 Crude medicinal herbs, roots, barks, and other plant parts, except U. S. P., N. F. and similar grades. 05-93 Crude oils. 05-94 Leeda sponges.		05 Crude vegetable products, inedible, except fibers (except as indicated).
(c) Fibers, vegetable and animal, unmanufactured (except domestically produced wool and mohair).		06-1 Cotton. 06-22 Flax (only domestic production). 06-23 Hemp (cannabis sativa). 06-5 Wool and related specialty hair (domestically produced wool and mohair only).
07 Coal, crude petroleum, and related crude hydrocarbons. 08 Metallic ores, tailings, concentrates and their unrefined metallic products. 09 Crude non-metallic minerals, except coal and petroleum.		

PART 2—BASIC MATERIAL AND PRODUCTS

11 Leather. 12 Boot and shoe cut stock and shoe findings. 13 Wood, basic materials, except pulpwood (except as indicated).	13-92 Rattan, willow and bamboo stock. 13-97 Handles.	
14-1 Pulpwood. 14-2 Paperbase stocks except pulp. 14-3 Woodpulp. 14-4 Other pulp. 14-6 Building paper. 14-8 Building board. 15-2 Jute basic textiles. 15-86 Curled hair (similar to 06-7). 15-71 Silk semimanufactures. 15-72 Silk yarn. 15-81 Rayon, nylon, etc., semimanufactures. 15-82 Rayon nylon, etc., yarn. 15-912 Jute cordage except sizes less than one-quarter inch cross-sectional diameter. 15-913 Soft fiber cordage except sizes less than one-quarter inch cross-sectional diameter. 15-914 Hard fiber cordage and twine (all). 16-52 Industrial molasses.	14 Pulp, paper and paper board (except as indicated). 14-21 Waste paper (located in Washington, D. C.). 15 Textile basic manufactures (except as indicated).	16 Food and beverage basic materials (except as indicated).
17-6 Floral absolutes, concretes and mixtures of essential and floral oils. 17-7 Waxes, animal and vegetable. 18 Petroleum and coal products except raw materials for chemical industries.	17-5 Essential oils (packaged for veterinary or medicinal use only).	17 Oils, fats, waxes and derivatives, animal and vegetable (except as indicated).

PART 3—END PRODUCTS

19 Chemicals.		19-271 Rosins. 19-272 Turpentine. 19-274 Pine oil. 19-276 Pine pitch. 19-276 Pine tar.
21 Iron and iron and steel scrap (except as indicated). 22 Steel (except as indicated).	21-432 Cast iron soil pipe. 21-6412 Steel pipe nittings. 22-52 Barbed and twisted wire.	

PART 3—END PRODUCTS—Continued

R. F. C.	Department of Commerce	Maritime Commission
23 Ferro and nonferrous additive alloys. 24 Nonferrous metals (except as indicated).	24-82 Gold and gold-base alloy basic shapes and forms.	
25 Fabricated metal basic products (except as indicated).	25-12 Trunk tanks. 25-51 Builders' basic hardware. 25-54 Motor vehicle hardware. 25-56 Casket hardware. 25-57 Furniture hardware. 25-58 Trunk and luggage hardware. 25-59 Miscellaneous basic hardware. 25-61 Automotive vehicle bodies. 25-61 Combat vehicle bodies. 25-75 Insect screening. 25-76 Woven wire fencing. 25-77 Wire nails, tacks and staples. 25-78 Wire springs. 25-7901 Wire chain. 25-7902 Chain link fencing. 25-7905 Wire hoops. 25-91 Chain and attachments. 25-94 Bolts, nuts, screws, rivets, etc. 25-98 Cut nails, tacks and spikes. 25-99 Miscellaneous fabricated products.	25-31 Power boilers marine. 25-53 Marine basic hardware (rigging hardware and chain attachments)
26 Nonmetallic mineral basic products—chiefly structural (except as indicated).	26-3 Glass basic products.	
27 Nonmetallic mineral basic products—chiefly nonstructural (except as indicated).	27-1 Glass basic products (except 3 items): 27-1431 Railroad signal lenses. 27-152 Radio tubes (glass only). 27-16 Insulators. 27-32 Asbestos and asbestos metallic packing and gaskets. 27-33 Asbestos woven or moulded friction material. 27-375 Asbestos paper pipe covering insulation. 27-381 Pipe covering insulation. 27-92 Pottery. 27-93 Pottery supplies. 27-94 Ceramic products.	
29 Miscellaneous basic materials (except as indicated).	29-1 Rubber fabricated materials (except item 29-12 reclaimed rubber). 29-2 Plastic fabricated materials to be used as components of end products (except items 29-22 plastic electrical fittings; 29-25 plastic construction and maintenance products, less 29-2505 door and window screening, and 29-24 plastic glass). 29-8 Imitation gem and ornamental stones. 29-91 Button blanks, moulds, and other parts. 29-92 Beads, bugles, and spangles. 29-95 Catgut and wormgut.	
31 General purpose industrial machinery and equipment (except as indicated).	31-211142 Compressors, air, portable, skid or wheel mounted, two stage, powered by gasoline or diesel motors, capacities 50 to 600 cubic feet. 31-222—31-225 Pumps, portable, centrifugal, plunger diaphragm or sump, powered by gasoline, diesel or electric motors ordinarily used for contractors' purposes or by contractors. 31-226 Hand pumps. 31-31 Crushers jaw, roll and crushing plants portable type (except 31-3150—stamp mills and 31-3160—hick-type breakers). 31-326 Screening plants, portable type; Screens rotary, vibrator and gravity type. 31-490—31-491 Conveyors, construction material, portable type; and portable plants. 31-570 Derricks. 31-582 Winches (except fixed shipboard exclusive marine winches). 31-6 Industrial trucks, tractors, trailers, stackers and accessories. 31-97 Lubrication equipment—to the extent the items are for use in connection with motor vehicles.	31-582 Fixed shipboard or exclusive marine winches. 31-583 Anchor—windlasses. 31-584 Capstans.

PART 3—END PRODUCTS—Continued

R. F. C.	Department of Commerce	Maritime Commission
32 Electrical machinery and apparatus (except as indicated).	32-412 Battery charging generators (except aircraft). 32-432 Starter motors except aircraft. 32-45 Motor ignition equipment (except aircraft). 32-51 Fuses. 32-53 Lamp sockets. 32-7 Lamps (except 32-73 aviation service lamps). 32-8 Electric appliances, household and commercial. 32-91 Dry cell batteries. 32-92 Storage batteries.	
33 Special industry machinery.	33-122 Peeling and paring machines. 33-124 Pitters, seeders and steamers. 33-127 Juice extractors. 33-1303 Milk extractors. 33-1322 Butter cutters. 33-133 Ice cream manufacturing machinery and equipment. 33-193 Food products machinery of general purpose. 33-54 Tire repairing machinery and equipment. 33-733 Bakery ovens. 33-905 Automobile service station equipment.	
34 Metal working machinery.	35 Agricultural machinery and implements.	
36-31 Oil well machinery.	36 Construction, mining, excavating and related machinery (except as indicated). 37 Tractors.	
39 Miscellaneous machinery.	38 Office machines. 39-11 Home type laundry equipment. 39-20 Home sewing machines. 39-3 Dishwashing machinery. 39-43 Calculating and computing scales. 39-44 Coin operated scales. 39-45 Spring scales, household. 39-50 Cash registers. 39-60 Coin operated machines. 39-91 Lawnmowers.	
41 Communications equipment and electronic devices (except as indicated).	41-1 Radio broadcast receivers.	
42 Aircraft (except as indicated).	42-8 Flight equipment for personnel.	43 Ships, small water craft and marine propulsion machinery (except items 43-21 battleships, 43-22 cruisers, 43-23 aircraft carriers, 43-24 destroyers and 43-25 submarines).
44 Railroad transportation equipment.		
	45 Motor vehicles. 49 Miscellaneous transportation equipment.	
52-92 Industrial refrigeration units. 52-12 Central station air conditioning systems.	51 Plumbing and heating equipment. 52 Air conditioning and refrigeration equipment (except as indicated).	
53-32 Railroad signal fixtures. 53-7 Airport, airway and seadrome lighting. 53-81 Train lighting fixtures. 53-86 Aircraft lighting fixtures.	53 Lighting fixtures (except as indicated).	53-2 Marine fixtures.
	54 Furniture and fixtures. 55 Photographic goods and processed motion pictures (except as indicated).	
55-12 Aerial cameras. 55-13 Gun cameras. 55-15 Camera parts (aerial only). 55-313 Aerial camera lenses. 55-8 Motion pictures (instructional aids for equipment assigned to RFC).	56 Optical instruments and apparatus.	

PART 3—END PRODUCTS—Continued

R. F. C.	Department of Commerce	Maritime Commission
57 Indicating, recording and controlling instruments, watches and clocks (except as indicated).	57-112 Glass stemmed laboratory thermometers. 57-113 Glass stemmed clinical thermometers. 57-114 Household and commercial thermometers. 57-119 Thermometers not elsewhere classified. 57-14 Heating and ventilating controls and accessories. 57-33 Barometers (domestic household types). 57-34 Refrigeration controls. 57-56 Taximeters and parking meters. 57-65 Compasses and accessories (except fixed shipboard types and aircraft types). 58 Professional and scientific instruments and apparatus.	57-65 Compasses and accessories (fixed shipboard types). 57-66 Azimuths, sextants and octants. 57-691 Taff Rail Logs. 59-16 Water safety equipment.
59-15 Hazard measuring devices. 59-18 Machine guards. 59-20 Water purification equipment except 59-241, hose water softeners. 59-3 Sewage disposal equipment. 59-55 Sprinkler system components. 59-77 Railroad signal controls. 59-78 Industrial process supervisory systems.	59 Miscellaneous equipment (except as indicated).	*War Food Administration*
	63 Drugs and medicines (except as indicated).	61 Food, manufactured. 62 Feed, manufactured. 63 Beverages and ice. 64 Tobacco manufactures. 65-481 Marine liver oil, derivatives, and preparations, except marine liver oil concentrates in solution, m.g. 65-48 Vitamins, vitaminactive compounds and preparations containing one and more than one vitamin, m.g.
	66 Toiletries, cosmetics, soap, and household chemical preparations. 67 Apparel, except footwear. 68 Footwear. 69 Fabricated textile products except apparel. 71 End products of leather except apparel, footwear and luggage. 72 Converted paper products and pulp goods.	
73-13 Books and pamphlets (instructional aids for equipment assigned to RFC).	74 Products of printing and publishing industries (except as indicated).	*Maritime Commission*
75-7481 High pressure cylinders.	74 Rubber end products. 75 End products of metal industries (except as indicated).	75-953 Cargo nets, wire rope. 75-954 Wire rope slings.
76-51 Lasts for boots and shoes. 76-52 Last sole patterns.	76 Finished wood products, except furniture and rail work (except as indicated). 77 End products of glass, clay and stone.	76-93 Rafts, floats, belts and buoys.
	79 Miscellaneous end products of manufacturing industries (except as indicated). 81 Small arms and components. 83 Small arms ammunition and specifically adapted components.	79-974 Life preservers. 79-975 Buoys.

82 Artillery, Naval Guns, Mortars and Components.
84 Artillery, Naval, and Mortar Ammunition and specifically Adapted Components.
85 Aerial Bombs and specifically Adapted Components.
86 Miscellaneous Ammunition and Related Products.
87 Common Components of Ammunition.
88 Fire Control Equipment.

Such components and accessories within these groups as have civilian utility are assigned to the appropriate disposal agencies handling the classes of property within which such components and accessories fall.

§ 829.905–2 *Form SPB–1.1 "Adjustment of Prior Declaration of Surplus Property."* Form SPB–1.1 is printed on yellow paper as follows:

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Form SPB–1.1
(3-25-45)

United States of America
Surplus Property Board

Budget Bureau No. 46-R042
Approval expires May 1, 1946

ADJUSTMENT OF PRIOR DECLARATION OF SURPLUS PERSONAL PROPERTY
(In the continental United States, its Territories and possessions)

PAGE — OF — PAGES

IMPORTANT—Instructions for completing this form appear on reverse side.

1. To: Name and address of disposal agency

2. From: Name and address of reporting agency

3. Custodian: Name and address

4. Location of property

5. Proceeds: If proceeds are "reimbursable," give symbol and title of appropriation to be credited, or name and address of Government corporation

6. Authorized by

(Name and title of authorized reporting official (please type))

By
(Signature of authorized official)

Item No.	Description	Standard commodity classification	Condition	Unit	Number of units	Unit cost	Total cost
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)

16—48860-1

§ 829.905–3 *Instructions for Preparation of Forms SPB–1 and SPB–1.1.* Instructions covering preparation of Forms SPB–1 and SPB–1.1, as published in Regulation 1, Order 3, of the Surplus Property Board, are printed on the reverse of each of said forms, as follows:

GENERAL INSTRUCTIONS

Forms SPB–1 and SPB–1.1 will be used by all owning agencies for reporting surplus personal property, located in the continental United States, its territories and possessions, to the appropriate disposal agency, as designated by the Surplus Property Board in Regulation No. 1. Detail lists of types of personal property included in the assignments to disposal agencies are contained in Order No. 1, under the above regulation. Form SPB–1 and SPB–1.1 will be filed in *triplicate* by the owning agency at the disposal agency office specified in the above regulation. The addresses of the disposal agency offices, and the areas served by each, are listed in Order No. 2, under the above regulation.

Form SPB–1 will be used by the owning agency as the original declaration of surplus personal property, whereas *Form SPB–1.1* will be used for reporting adjustments, including withdrawals, of prior declarations of surplus personal property. (Form SPB–1 will be used by the Washington office of the owning agencies in reporting declarations to the Surplus Property Board.)

Form SPB–1 may carry the listing of personal property declared surplus, or it may be used as a cover transmittal sheet for either mechanical accounting lists or contract termination inventory schedules. *If a machine tabulated form is used for listing the items of property*, the columnar arrangement shall conform with Form SPB–1, and the forms shall be 11" x 14⅞" in size. *If contract termination inventory schedules are submitted as the listing of items*, the sheets shall meet all the columnar requirements of Form SPB–1, except that column (*c*) for Standard Commodity Classification need not be provided, nor column (*d*) for condition when using OCS–2c (Work in Process).

These forms may be reproduced by the owning agency provided that the size and format are identical with the format prescribed by the Board, or meet the requirements specified above with respect to machine tabulated listings and inventory schedules. These forms may be reproduced by the owning agency in fan fold and carry the name of the owning agency imprinted on the form. The complete instructions will be printed on the back of the forms.

The items of property listed on any one declaration (SPB–1) shall be confined to property at a single location, to be reported to one disposal agency and classified in a single major group (2 digits) of the Standard Commodity Classification (Government Printing Office). Where an item of property consists of an assembly of component parts in a unit, the unit should be reported to the appropriate disposal agency handling that unit, rather than disassembling and reporting component parts to the disposal agencies handling those parts.

If any legal restrictions exist (including patent restrictions) as to the power of owning agencies to dispose of property reported to a disposal agency as surplus, the report shall include a statement clearly indicating such restrictions.

Continuation Sheets

If additional sheets are necessary for the listing of surplus items, continuation sheets in the form prescribed by the Board will be used.

Acknowledgment of Receipt.

The receipt of each Form SPB–1 and SPB–1.1 by the disposal agency will be acknowledged to the reporting office; e. g., by a post card notice stating the reporting agency number, date of report, and the disposal agency's number. The post card notice will constitute approval of requests for permission to withdraw property submitted on Form SPB–1.1, unless the notice specifically states otherwise.

INSTRUCTIONS FOR FORM SPB–1

Block:

1. State name and complete address of the office of the disposal agency (given in Order No. 2, SPB Reg. No. 1) to which the surplus property is being reported.

2. State the name and complete address of the office transmitting the declaration to the disposal agency. Show department, bureau, office, or other similar subdivision involved. The disposal agency will send one copy of the shipping instructions to the custodian and one copy to the reporting agency shown on the declaration.

3. State the name and complete address of custodian of the property being declared surplus.

4. State the warehouse number and complete address of the site at which the property is located.

5. If the net proceeds from the sale or transfer of such surplus property are reimbursable, pursuant to Section 30 (*b*) of the Surplus Property Act of 1944, give the symbol and title of the appropriation to be credited, or the name and address of the Government corporation to receive the proceeds; for example—"14 x 6000 Reclamation Fund, Special Fund," or "Defense Plant Corporation, Washington 25, D. C." *Note:* A single report on SPB–1 should cover surplus items for which the net proceeds are reimbursable or nonreimbursable—but never both classes of items.

6. On left side of block type in name and title of authorized reporting official, who will enter his signature at right (original only).

7. Enter the code number of the single major group (two digits) of the Standard Commodity Classification in which the items listed on the report are classified.

8. Enter date on which the form is signed by the authorized reporting official.

9. Enter the serial number assigned by the reporting agency to identify each declaration.

10. Enter the sum of all amounts in column (h), Total Cost, of all pages of the declaration and supporting lists.

Column:

(*a*) Enter consecutive numbers starting with "1" on each page for each property item listed, *leaving a blank line space across all columns between successive property items* for use of the disposal agency. The numbering need not be consecutive for termination inventory schedules which are transmitted by Form SPB–1; the first item on *each* inventory sheet will be numbered "1."

(*b*) The reporting agency shall describe the property in sufficient detail to furnish the disposal agency with an adequate basis for disposal. The minimum standards of description prescribed by the Handbook of Standards for Describing Surplus Property shall be used as a guide for all such descriptions. In accordance with the instructions in the Handbook, each item should be described in commercial terms in sufficient detail to permit transfer or sale by the disposal agency without calling on the owning agency for additional description. Stock numbers and prefixes, manufacturer's part number, and standard catalogue reference numbers should be supplied. The condition of the most important components of an item should be noted. Specify the type of container or package and the quantities in each. Lengthy descriptions should be written across columns (*b*)–(*h*) inclusive but entries in all columns must be clearly identifiable with the particular item number.

(*c*) If it is practicable for the reporting agency to do so, enter the *detailed* classification numbers for each item according to the Standard Commodity Classification (Government Printing Office). Otherwise, the detailed code numbers will be entered by the disposal agencies.

(*d*) Indicate condition of property by the following combination letter-number code:

Means	*Means*
N–New	1. Excellent
E–Used—reconditioned	2. Good.
O–Used—usable without repairs	3. Fair.
R–Used—repairs required.	4. Poor.

X–Items of no further value for use as originally intended but of possible value other than as scrap.

Do not use any code when declaring scrap.

In stating the condition of consumer goods (excluding food), use only the letter code. For capital and producer goods, a letter-number-combination must be used, except in the case of code X. For example: N4 means new but in poor condition.

Where the condition code does not provide an accurate description of the property's condition, leave this column blank and in appropriate language describe the condition of the property in column (*b*).

(*e*) Indicate unit of measure for the container, package, or other applicable customary sales unit, such as each, pounds, tons, dozen, gross, thousands, etc. (See Handbook of Standards for Describing Surplus Property.) Distinguish between long, short, and metric tons. Standard, clearly understandable abbreviations may be used.

(*f*) Specify the quantities of each item reported surplus in terms of the "Unit" used in "*e*."

(*g*) Insert the recorded procurement cost or, in its absence, the estimated original cost (in dollars or cents) excluding transportation or handling charges incurred after original purchase. Estimated unit costs will be indicated by the prefix (E). For machine tools, other metalworking machinery, and production equipment enter unit costs f. o. b. manufacturer or vendor to owning agencies; designate with the prefix "U" if the item was purchased as used instead of new equipment.

(*h*) Compute total cost, that is "Number of Units" multiplied by "Unit Cost" equals "Total Cost."

Contractor Inventory. If the property being declared surplus is termination inventory, state so by means of a stamp or otherwise in Block 7 provided for the standard commodity classification. All declarations of surplus termination inventory may be filed with the Reconstruction Finance Corporation at the regional office in which the property is located.

INSTRUCTIONS FOR FORM SPB–1.1

Form SPB–1.1 will be used by the owning agency in reporting any adjustments in prior declarations, including requests for permission to withdraw property, or otherwise modifying the information reported previously on Form SPB–1.

In submitting Form SPB–1.1, specify in Block 11 the date and reporting agency number appearing on the original SPB–1 declaration.

Fill in all numbered blocks correctly, *underlining* any correction that is being made. To identify the individual item being adjusted, insert in column (*a*) the page and item number appearing on the original declaration. Show the *amount of the change*, if reporting a withdrawal or addition of the number of units, column (*f*), or of the total cost, column (*h*). Specify as "withdrawal" or "addition" below entry.

If additions and withdrawals are reported on the same adjustment sheet, show the sum of the debits and credits separately in Block 10, Total Cost, preceded by (DR) or (CR).

If a withdrawal covers *all* the items included in a previous declaration the phrase "All items to be withdrawn" may be inserted in column (*b*) instead of listing the items. All the information in the blocks must be provided.

The disposal agency will use Form SPB–1.1 in notifying the owning agency of any adjustments that appear necessary after verification of the declaration and inspection of the property. Two copies of the form used for this purpose will be sent to the reporting office of the owning agency. A brief explanation of the adjustment will be included on the form.

3. In § 829.907 the reference to the Alaska office is revoked.

4. Section 829.908 is amended to read as follows:

§ 829.908 *Regional Offices of Department of Commerce.*

Region I: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont: Office of Surplus Property, Department of Commerce, Park Square Building, Boston 16, Mass.

Region II: New Jersey and New York: Office of Surplus Property, Department of Commerce, 350 Fifth Avenue—62d Floor, New York 1, N. Y.

Region III: District of Columbia, Delaware, Maryland, Pennsylvania and Virginia: Office of Surplus Property, Department of Commerce, 499 Pennsylvania Avenue NW, Washington 25, D. C.

Region IV: Indiana, Kentucky, Ohio, and West Virginia: Office of Surplus Property, Department of Commerce, 704 Race Street, Cincinnati 2, Ohio.

Region V: Illinois, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin: Office of Surplus Property, Department of Commerce, 209 South LaSalle Street, Chicago 4, Ill.

Region VI: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee: Office of Surplus Property, Department of Commerce, Belle Isle Building, 105 Pryor Street NE, Atlanta 3, Ga.

Region VII: Arkansas, Louisiana, Oklahoma and Texas: Office of Surplus Property, Department of Commerce, 609 Neil P. Anderson Building, Fort Worth 2, Tex.

Region VIII: Iowa, Kansas, Missouri, and Nebraska: Office of Surplus Property, Department of Commerce, 2605 Walnut Street, Kansas City 8, Mo.

Region IX: Colorado, New Mexico, Utah, and Wyoming: Office of Surplus Property, Department of Commerce, 1030 15th Street, 7th Floor, Denver 2, Colo.

Region X: Arizona, California, and Nevada: Office of Surplus Property, Department of Commerce, 30 Van Ness Ave., San Francisco 2, Calif.

Region XI: Idaho, Oregon, Montana, and Washington: Office of Surplus Property, Department of Commerce, 2005 Fifth Avenue, Seattle 1, Wash.

5. Section 829.910–1 is amended by changing paragraphs (a) through (f) under the heading "Disposal agencies summary" to read as follows:

§ 829.910–1 *Instructions as to monthly report of redistribution and disposal of excess and surplus serviceable property.* • • •

III–17 through 22. Disposal agencies summary.

(a) Enter in Column (a) the cost of surplus property reported to disposal agencies in previous months but not shipped to them or on their order at the first of the reporting month. This figure must agree with the corresponding entry in Column (e) of the preceding month's report.

(b) Enter in Column (b) the cost of surplus property reported to disposal agencies during the month on declaration Form SPB–1. A copy of each declaration where the total cost of the property included in the declaration exceeds $25,000 will be attached to the report.

(c) Enter in Column (c) the cost of approved withdrawals from disposal agencies during the month, when withdrawal takes place prior to shipment to or on order of the disposal agencies, and of adjustments of prior declarations. A copy of each Form SPB–1.1 (Adjustment of Prior Declaration of Surplus Personal Property) where the cost of the adjustment or withdrawal is $25,000 or more will be attached to the report.

(d) Enter in Column (d) the cost of surplus property transferred to or on the order of disposal agencies during the month.

(e) Enter in Column (e) the cost of surplus property declared to disposal agencies but not transferred to them or on their order at the end of the month. Column (e) represents the cost of all property reported to disposal agencies for which shipping instructions have not yet been received and must equal Columns (a) plus (b) minus (c) minus (d). Failure to effect this balance, due to errors on previous reports, will be adjusted in Column (c) and explained in the space provided for remarks or on an attached sheet.

(f) If accountability is transferred to another service after it has been included in Column (b), such transfers will be treated as a withdrawal in Column (c) in the month in which the transfer is made. The service picking up accountability will also record the addition in Column (b). The amounts of such transfers-out and transfers-in will be noted in the space provided for remarks by both the transferring and receiving service.

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 45-9182; Filed, May 29, 1945; 9:31 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5267]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE HALFHILL CO., ET AL.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of food products or other commodities, in commerce, paying or granting anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, to any purchaser upon purchases for his own account, or to any agent, representative, or other intermediary acting in fact for or in behalf of or subject to the direct or indirect control of the purchaser to whom sale is made; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, The Halfhill Company, et al., Docket 5267, May 12, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of May, A. D. 1945.

In the Matter of Charles P. Halfhill, Theodore A. Halfhill, Harry J. Halfhill, and Harry J. Halfhill, Jr., Partners Doing Business as The Halfhill Company and as Ocean Food Products Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondents, which answer admits all material allegations of the complaint to be true and waives all other intervening procedure and further hearings as to said facts; and the Commission having made its findings as to the facts and conclusion that respondents Charles P. Halfhill, Theodore A. Halfhill, Harry J. Halfhill, and Harry J. Halfhill, Jr., partners doing business as The Halfhill Company and as Ocean Food Products Company, have violated the provisions of subsection (c) of section 2 of an act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (the Clayton Act), as amended by an act of Congress approved June 19, 1936 (the Robinson-Patman Act) (U. S. C. Title 15, Sec. 13);

It is ordered, That the respondents Charles P. Halfhill, Theodore A. Halfhill, Harry J. Halfhill and Harry J. Halfhill, Jr., partners doing business as The Halfhill Company and as Ocean Food Products Company, their respective officers, representatives, agent and employees, directly or through any corporate or other device, in connection with the sale and distribution of food products or other commodities, in commerce as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Paying or granting anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, to any purchaser upon purchases for his own account, or to any agent, representative, or other intermediary acting in fact for or in behalf of or subject to the direct or indirect control of the purchaser to whom sale is made.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10316; Filed, June 13, 1945; 11:06 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

REQUIREMENTS FOR COVERING PURCHASES

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 10 (a) and 23 (a) thereof, hereby amends paragraph (b) of § 240.10a–2 (Rule X–10A–2) to read as follows:

§ 240.10a–2 *Requirements for covering purchases.* • • •

(b) The provisions of paragraph (a) hereof shall not apply (1) to the lending of a security by a member through the medium of a loan to another member, or (2) to any loan, or arrangement for the loan, of any security, or to any failure to deliver any security if, prior to such loan, arrangement, or failure to deliver, the exchange upon which the sale requiring the delivery of such security was effected finds (i) that such sale resulted from a mistake made in good faith, (ii) that due diligence was used to ascertain that the circumstances specified in clause (1) of rule X–10A–1 (c) existed or to obtain the information specified in clause (2) thereof, and (iii) either that the condition of the market at the time the mistake was discovered was such that undue hardship would result from covering the transaction by a "purchase for cash", or that the mistake was made by the seller's broker and the sale was at a price permissible for a short sale under rule X–10A–1 (a).

Effective: June 13, 1945.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-10323, Filed, June 13, 1945; 11:22 a. m.]

TITLE 29—LABOR

Chapter VII—National War Labor Board

PART 802—RULES OF PROCEDURE

SELECTION OF ARBITRATOR

Paragraph (b) of § 802.29 of the rules of organization and procedure of the National War Labor Board has been amended to read as follows:

§ 802.29 *Appointment of arbitrator.* • • •

(b) *Selection of arbitrator.* In the National Board, the Disputes Division shall select a name from a list of persons who have been approved by the Board for service as arbitrators. In the case of the appointment of an impartial chairman, however, the proposed name shall be submitted for approval to the labor and industry members of the Board. Board agents shall appoint arbitrators as provided in § 802.51 (d). Unless the parties otherwise agree, the appointment of an arbitrator shall not be delegated by the Board to an association, agency, or individual.

(E.O. 9017, 7 F.R. 7871)

Adopted: May 28, 1945.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-10298; Filed, June 13, 1945; 10:07 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 27, Amdt. 3]

PART 602—GENERAL ORDERS AND DIRECTIVES

REPORTS BY PRODUCERS AND COMMERCIAL DOCK OPERATORS

Because of modifications which are being made in Form S. F. A. No. 79, heretofore filed by producers and certain commercial tidewater dock operators, and because it appears inappropriate to require Form S. F. A. No. 79 to be filed by certain small producers, it appears advisable to amend portions of § 602.709 of SFAW Regulation No. 27.

1. The title and paragraph (a) of § 602.709 are hereby amended to read as follows:

§ 602.709 *Reports by producers and commercial dock operators—(a) Reports to be filed by producers.* If you are a producer of coal in any district except District 5, and coal from your mine is shipped by rail or river, you shall report on or before the last day of each calendar month preceding the month during which coal is to be shipped that information which is required to be reported on Form S. F. A. No. 79.

2. Paragraph (b) (2) of § 602.708 is hereby amended to read as follows:

(2) If you are a commercial tidewater dock operator located on the Atlantic Seaboard, north of but not including New York Harbor, you shall report on or before the last day of each calendar month preceding the month during which coal is to be shipped that information which is required to be reported on Form SFA No. 79–A.

This amendment shall become effective immediately. Modifications in reporting requirements made by this amendment shall have no effect upon civil or criminal liabilities incurred under the provisions of § 602.709 previously in effect.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 11th day of June 1945.

DAN H. WHEELER,
Acting Deputy Administrator.

[F. R. Doc. 45-10314; Filed, June 13, 1945; 10:33 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[S–74, Revocation]

DUART MANUFACTURING CO.

Suspension Order No. S–74 was issued August 18, 1942 against Duart Manufacturing Company, San Francisco, California, for violation of Supplementary Orders M–1–e and M–1–f. In view of the fact that Supplementary Orders M–1–e and M–1–f have been revoked, the Chief Compliance Commissioner has directed that Suspension Order No. S–74 be revoked forthwith.

In view of the foregoing: it is hereby ordered, that:

§ 1010.74 *Suspension Order No. S–74* be revoked, effective June 12, 1945.

Issued this 12th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10297; Filed, June 12, 1945; 4:48 p. m.]

PART 3284—BUILDING MATERIALS

[General Limitation Order L–277, Revocation]

ELECTRICAL WIRING DEVICES AND HEATER CORD SETS

Section 3284.31 *General Limitation Order L–277* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of Electrical Wiring Devices and Heater Cord Sets remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 12th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10296; Filed, June 12, 1945; 4:49 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L–300, Revocation]

SMALL AIR CIRCUIT BREAKERS

Section 1226.92 *General Conservation Order L–300* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of small air circuit breakers remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10330; Filed, June 13, 1945; 11:29 a. m.]

PART 3270—CONTAINERS

[Conservation Order M–115, Direction 2]

SECOND QUARTER 1945 LEAD QUOTAS

The following direction is issued pursuant to Conservation Order M–115:

(a) The lead quotas for the second calendar quarter of 1945 for collapsible tubes to pack permitted products Nos. 8, 13 and 14 shall be as follows instead of the quarterly quotas presently listed in Schedule A of Order M–115 for such products:

Permitted products (1)	*Lead quota* (2) *Percent*
8. Dental Cleansing Preparations	25
13. Cement, Rubber (synthetic and natural)	50
14. Cement, Pyroxylin	50

Issued this 12th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10295; Filed June 12, 1945; 4:49 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Supplementary Limitation Order L-71-a, revocation]

DRY CELL BATTERIES AND PORTABLE LIGHTS OPERATED BY DRY CELL BATTERIES (HEARING AID BATTERIES)

Section 3291.130 *Supplementary General Limitation Order L-71-a* is revoked. Manufacturers may now produce hearing aid batteries without regard to the provisions of Order L-71-a or any grant of appeal or authorization relaxing its restrictions. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of hearing aid batteries remain subject to all applicable regulations and orders of the War Production Board.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10329; Filed, June 13, 1945; 11:29 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 110]

COUMARONE-INDENE RESIN

§ 3293.1110 *Schedule 110 to General Allocation Order M-300*—(a) *Definitions.* "Coumarone-indene resin" means those polymers and copolymers of polymerizable, unsaturated hydrocarbons which are known by the following trade names: Cumar, Nevindene, Neville "R", Neville "G", Paradene, Piccoumarone, Picco, and Bunarex.

(b) *General provisions.* Coumarone-indene resin are subject to the provisions of General Allocation Order M-300 as Appendix A materials. The initial allocation date is July 1, 1945. The allocation period is the calendar month, and the small order exemption per person per month is 500 pounds in the aggregate of all types.

(c) *Variations from M-300.* Small order quantities may be received in addition to allocated quantities to complete current jobs for which coumarone-indene resin has been allocated as well as for experimental use. There shall be no limitation on duration of authority for use under this schedule, notwithstanding the provisions of Order M-300 (reference is to paragraphs (p) (3) and (v) of Order M-300 as amended October 2, 1944).

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver coumarone-indene resin shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: 11-300-110. The unit of measure is pounds. Specify grade as stated in the customer's application. An aggregate quantity may be requested, without specifying individual customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on WPB-2945* Each person seeking authorization to use or accept delivery of coumarone-indene resin shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Washington 25, D. C., Ref: M-300-110, and one copy (reverse side blank) to the supplier. The unit of measure is pounds.

In Column 1, specify the supplier's grade or type designation. In Column 3, specify each primary product, or specify "resale" or "export", if the coumarone-indene resin is to be resold or exported as such. In Column 4, specify the end use of each primary product, giving military contract numbers if practicable. End use for protective coating purposes shall be stated in terms of the end use groups of Direction 2 to M-300. In the case of export, specify the country of destination and the export license number. In the case of resale specify whether "upon further authorization" or "exclusively on 500 lb. exempt orders". Fill in the balance of Table I and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(f) *Special directions with respect to materials similar to coumarone-indene resin.* The War Production Board may from time to time issue special directives with respect to production, use, delivery and acceptance of delivery of any polymers and copolymers of polymerizable, unsaturated hydrocarbons similar to materials included in the definition of coumarone-indene resin.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-110.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10331; Filed, June 13, 1945; 11:29 a. m.]

Chapter XI—Office of Price Administration

PART 1337—RAYON

[MPR 167,[1] Corr. to Amdt. 8]

RAYON YARN AND STAPLE FIBRE

In Amendment No. 8 to Maximum Price Regulation No. 167 the reference "subparagraph (3)" of § 1337.42 (a) is corrected to read "subparagraph (4)".

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10382; Filed, June 13, 1945; 11:55 a. m.]

[1] 7 F.R. 4662, 6595, 7403, 8948, 10448; 8 F.R. 1642, 12314; 9 F.R. 11904.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 7]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

Sections 1394.7706 (q) (10) and (11) are added to read as follows:

(10) By a person skilled in inspecting, grading and classifying farm products (and whose purchases are principally wholesale purchases) for necessary travel from place to place to exercise such skills in making wholesale purchases of farm products from the farmer who produced them, or by a wholesale buyer, his employee or representative, for necessary travel to farms to provide necessary skilled services and supervision with respect to the planting, growing, harvesting, grading, packing or shipping of farm products after they have been so purchased by him.

For the purposes of this subparagraph wholesale purchase means a purchase of commodities for processing by an essential establishment listed in § 1394.7706 (o) or a purchase of commodities for sale other than for personal, family or household use. However, wholesale purchase includes a purchase made by or for the account of a person, who maintains four or more retail establishments, for sale through those establishments.

No mileage may be allowed under this subparagraph for use by a person while engaged in sales promotion activities with respect to goods not needed in the marketing of such farm products.

(11) By a farmer's marketing representative for necessary travel to a farm to provide necessary skilled services and supervision with respect to the harvesting, grading, packing or shipping of fresh fruits or vegetables grown on that farm, if such representative has been appointed by the farmer to market such products.

No mileage may be allowed under this subparagraph for use by a person while engaged in sales promotion activities with respect to goods not needed in the marketing of such farm products.

This amendment shall become effective June 13, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 12, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10384; Filed, June 13, 1945; 12:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14E, Amdt. 3]

SYNTHETIC FINISHED PIECE GOODS, SALES BY TAILOR TRIMMING STORES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Supplementary Regulation No. 14E is amended by adding section 2.10 to read as follows:

SEC. 2.10 *Sales of synthetic finished piece goods by tailor trimming stores*—(a) *Definitions.* (1) "Synthetic finished piece goods" means woven fabrics, more than 12 inches in width, bleached, dyed, printed or otherwise finished or processed, composed, in the amount of seventy-five percent or more by weight, of chemically produced yarn or fibre, regardless of what other material may be included in the fabric.

(2) "Tailor trimming store" means only those tailor trimming stores whose sales of finished piece goods are exempt from the provisions of Maximum Price Regulation No. 127 in accordance with the terms of that regulation.

(3) "Actual cost" means only (i) the invoice price of the synthetic finished piece goods less all discounts taken (which must not exceed the maximum price established under Maximum Price Regulation No. 127) and (ii) the actual transportation charges incurred by the tailor trimming store with respect to such synthetic finished piece goods. If the goods are transported otherwise than by a common carrier, the transportation charge shall not exceed the charge which would be applicable in an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

(b) *Details required in the invoice.* Every tailor trimming store making a sale of synthetic finished piece goods for which the maximum price is established by this section shall, with respect to each sale thereof deliver to the purchaser an invoice which shall contain:

(1) The name and address of the purchaser and the seller;

(2) The date thereof;

(3) The terms of sale;

(4) A description sufficient to identify each item sold;

(5) The quantity and net selling price of each item sold;

(6) A statement that the net selling price does not exceed the maximum price permitted under Supplementary Regulation No. 14E to the General Maximum Price Regulation.

(c) *Records.* In addition to such records as are required to be kept by the provisions of the General Maximum Price Regulation every tailor trimming store making a sale of synthetic finished piece goods for which the maximum price is established by this section, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a duplicate of each invoice delivered by him to a purchaser and a record of all items necessary to verify the computation of the maximum price pursuant to this section.

(d) *Discounts, allowances and transportation costs.* The maximum prices established by this section shall be subject to the allowances, discounts and other price differentials observed by the seller during March 1942. No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of the synthetic finished piece goods than the seller required purchasers of the same general class to pay during March 1942.

(e) *Maximum Prices for sales of synthetic finished piece goods by tailor trimming stores*—(1) *General provisions.* Subject to the other provisions of this paragraph, the maximum price for synthetic finished piece goods, sold by a tailor trimming store to tailors engaged in the production of individually ordered items of apparel or in the repairing and alteration thereof, shall be computed by dividing the actual cost [1] by .65 if the sale is of cut lengths of 40 yards or less and by dividing the actual cost by .70 if the sale is of pieces more than 40 yards in length.

(2) *Restrictions on a tailor trimming store markup.* The dollar volume of sales of pieces more than 40 yards in length shall not, in any calendar quarter, exceed 15% of the dollar volume of all sales of synthetic finished piece goods in that quarter, unless on sales in excess of the said 15%, a division factor of .83 is used.[2]

[1] If a tailor trimming store mingles in its inventory separate lots of the same dyed goods which it acquired at varying prices, it may take the weighted average cost of such mingled lot for the purpose of determining its actual cost thereof: *Provided*, That if any unsold portion of a lot on which an average cost has been determined is subsequently combined with another lot, the previously determined weighted average cost of such unsold portion shall be used for such unsold portion in computing the weighted average cost of the newly mingled lot.

[2] In the event that at the expiration of any calendar quarter, the 15% above mentioned has been exceeded, the excess sales shall be determined in the following manner: (i) Multiply the total dollar volume of sales of synthetic finished piece goods during the calendar quarter by 15%; (ii) Subtract the amount determined pursuant to (i) from the total dollar volume sold of pieces more than 40 yards in length; (iii) those sales of pieces more than 40 yards in length which were last made during the calendar quarter and which are equal to the difference obtained pursuant to (ii) shall be considered excess sales.

This amendment shall become effective June 18, 1945.

NOTE: The record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10383; Filed, June 13, 1945; 11:55 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 56]

PART 4003—SUPPORT PRICES; SUBSIDIES

LIVESTOCK SLAUGHTER PAYMENTS

Pursuant to the authority vested in me by the Act of October 2, 1942, entitled "an Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation and Other Purposes," and by Executive Order No. 9250 of October 3, 1942, and Executive Order No. 9328 of April 8, 1943: *It is ordered:*

SECTION 1. This directive is designed to implement the stabilization and production programs with respect to livestock, as instituted and carried forward by the following directives of the Economic Stabilization Director: The directive on Livestock Slaughter Payments, issued October 26, 1943; Directive No. 28, Control of Prices of Live Cattle and Calves, issued January 10, 1943; Directive No. 38, as amended, Livestock Slaughter Payments, issued March 21, 1945; Directive No. 41, Livestock Slaughter Payments, issued April 23, 1945, and Directive No. 48, Livestock Slaughter payments, issued May 21, 1945. Those directives are revoked insofar as they are inconsistent with this directive, and remain in effect in all other particulars.

SEC. 2. The following slaughterers shall be eligible to receive the extra subsidy payment on cattle originally authorized under paragraph 5 of the directive on Livestock Slaughter Payments, issued October 26, 1943, and currently authorized under section 4 of Directive No. 48, issued May 21, 1945: Slaughterers who during any six consecutive months during the period beginning January 1, 1941 and ending October 1, 1943, sold and who currently sell 98 percent or more of the total dressed carcass weight of cattle slaughtered by them in the form of carcasses, wholesale cuts, frozen boneless beef (Army specifications) (carcass equivalent) or ground beef.

SEC. 3. Defense Supplies Corporation is directed to amend Regulation No. 3 (Livestock Slaughter Payments) in accordance with this directive.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued this 9th day of June 1945.

Effective date: July 1, 1945.

WILLIAM H. DAVIS.
Economic Stabilization Director.

[F. R. Doc. 45-10289; Filed, June 12, 1945; 2:09 p. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 8]

Part 8308—Foreign Disposal

Sec.

8308.1 Definitions.
8308.2 Scope.
8308.3 Designation of disposal agencies.
8308.4 Delegation of authority.
8308.5 Active theaters of military operations.
8308.6 Declarations of surplus property.
8308.7 Exemptions from Surplus Property Act.
8308.8 Utilization of surplus property by Federal agencies.
8308.9 Priorities and preferences.
8308.10 Destruction or abandonment.
8308.11 Disposal of certain plants, facilities and equipment under section 19 (c) of the act.
8308.12 Aircraft and property peculiar thereto.
8308.13 Plants, pipe lines or other installations costing $1,000,000 or more.
8308.14 Food and agricultural commodities.
8308.15 Importations into the United States.
8308.16 Methods of disposal.
8308.17 Submission of regulations to the Board.
8308.18 Records.
8308.19 Reports
8308.20 Regulations by disposal agencies and others to be reported to the Board.
8308.21 Amendment or repeal.

Authority: §§ 8308.1 to 8308.21, inclusive, issued under Surplus Property Act of 1944, Pub. Law 457, 78th Cong., 2d Sess.; 58 Stat. 765.

§ 8308.1 *Definitions.* (a) "Act" means the Surplus Property Act of 1944 (Pub. Law 457, 78th Cong., 2d Sess.; 58 Stat. 765).

(b) "Board" means the Surplus Property Board.

(c) "Disposal agency" means any Government agency designated pursuant to the act to dispose of one or more classes of surplus property.

(d) "Foreign area" means any area outside of the continental United States, its territories and possessions.

(e) "Government agency" means any executive department, board, bureau, commission, or other agency in the executive branch of the Federal Government, or any corporation wholly owned (either directly or through one or more corporations) by the United States.

(f) "Owning agency" means the executive department, the independent agency in the executive branch of the Federal Government, or the corporation (if a Government agency), having control of property, otherwise than solely as a disposal agency.

(g) "Person" means any individual, corporation, partnership, firm, association, trust, estate, or other entity.

(h) "Property" means any interest, owned by the United States or any Government agency, in real or personal property, of any kind, wherever located, but does not include naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers, and submarines.

(i) "Surplus property" means any property which has been determined to be surplus to the needs and responsibilities of the owning agency in accordance with the act.

§ 8308.2 *Scope.* This part governs the disposal of surplus property, both real and personal, located outside of the continental United States, its territories and possessions. Temporary Regulation A of the Surplus Property Board (10 F.R. 2129) and Order No. 1 thereunder (10 F.R. 2131) are hereby rescinded as of the effective dates hereinafter set forth.

§ 8308.3 *Designation of disposal agencies.* (a) Disposal agencies are hereby designated under the act for surplus property (except vessels as defined in section 10 (b) of the act) located in foreign areas as follows:

(1) Navy Department for surplus property within its control as an owning agency.

(2) War Department for surplus property within its control as an owning agency.

(3) War Department for surplus property within the control of all other Government agencies as owning agencies.

(b) The United States Maritime Commission is hereby designated as the disposal agency for vessels located in foreign areas which it determines to be merchant vessels or capable of conversion to merchant use.

§ 8308.4 *Delegation of authority.* Any delegation by a disposal agency of its authority or responsibility as a disposal agency for the disposition of surplus property located in foreign areas may be made only upon approval by the Board granted by order hereunder.

§ 8308.5 *Active theaters of military operations.* Nothing herein limits or affects the authority of commanders in active theaters of military operations with respect to property in their control.

§ 8308.6 *Declarations of surplus property.* Declarations of surplus real and personal property located in foreign areas shall be filed, on such forms as shall be prescribed by the Board by order hereunder, with the Surplus Property Board, Washington 25, D. C. and with the appropriate disposal agency as follows:

(a) Declarations of surplus property made by the War and Navy Departments shall be filed as directed by the War and Navy Departments. Declarations of surplus property made to the War Department by any owning agency other than the War Department shall be filed as directed by the War Department.

(b) Declarations of surplus property to the Maritime Commission shall be made at the office of the United States Maritime Commission, Washington 25, D. C., or at such other office as the Maritime Commission shall designate.

§ 8308.7 *Exemptions from Surplus Property Act.* In accordance with section 32 (b) of the act, and pending further determinations and regulations or orders of the Board, the Board hereby exempts disposition of property located in foreign areas from the following provisions of the act:

(a) The last sentence in section 11 (g), insofar as it requires disposal agencies to make information in its records available to foreign nationals or foreign governments.

(b) Section 12, "Utilization of Surplus Property by Federal Agencies."

(c) Section 13, subsections (a), (c), (d), (e) and (f), "Disposal to Local Governments and Nonprofit Institutions."

(d) Section 16, "Dispositions to Veterans."

(e) Section 17, "Dispositions in Rural Areas."

(f) Section 18, "Small Business."

(g) Section 20, "Applicability of Anti-trust Laws," insofar as it requires disposal agencies to notify the Attorney General: *Provided, however,* That this exemption shall not apply with respect to plants, pipe lines, and other installations which cost the Government $1,000,000 or more, and patents, processes, techniques or inventions, irrespective of cost.

(h) Section 22, "Stock Piling."

(i) Section 23, "Disposal of Surplus Real Property."

(j) Section 36, "Termination Inventories."

§ 8308.8 *Utilization of surplus property by Federal agencies.* It shall be the responsibility of all Government agencies having any requirements in foreign areas to consult the records of surplus property established by the disposal agencies to determine whether their requirements can be satisfied out of surplus property.

§ 8308.9 *Priorities and preferences.* Disposal agencies shall accord such priorities and preferences as may be prescribed by the Board by order hereunder.

§ 8308.10 *Destruction or abandonment.* Any surplus property and any waste, salvage or scrap located in foreign areas may be destroyed or abandoned by an owning or disposal agency without any notice of the proposed destruction: (a) when the destruction or abandonment is required by military necessity, safety, or considerations of health or security; or (b) whenever it is determined by the disposal agency that the property has no commercial value, or that the cost of its care, handling and disposition would exceed the estimated proceeds. Any property authorized under paragraph (b) of this section to be destroyed or abandoned may be donated to such persons and under such conditions as may be prescribed by the Board by order hereunder.

§ 8308.11 *Disposal of certain plants, facilities and equipment under section 19 (c) of the act.* Surplus aircraft plants and facilities, aircraft and aircraft parts, shipyards and facilities, transportation facilities, and radio and electrical equipment, located in foreign areas, may, in accordance with section 19 (c) of the act, be disposed of without prior submission to the Congress.

§ 8308.12 *Aircraft and property peculiar thereto.* Pending further regulations or orders of the Board, surplus aircraft and property peculiar to aircraft located in foreign areas shall be disposed of only in accordance with existing procedures.

§ 8308.13 *Plants, pipe lines or other installations costing $1,000,000 or more.* Whenever any disposal agency shall begin negotiations for the disposition of any plants, pipe lines, or other installations, located in foreign areas, which cost the Government $1,000,000 or more, the disposal agency shall promptly notify the Board and the Attorney General.

§ 8308.14 *Food and agricultural commodities.* Disposals of surplus agricultural commodities, surplus foods processed from agricultural commodities, and surplus cotton or woolen goods remain subject to the provisions of section 21 (a) and (b) of the act, and subject to such policies as may be formulated and issued pursuant thereto.

§ 8308.15 *Importations into the United States.* Pending further regulations or orders by the Board under section 33 (a) of the act, surplus property which has been sold in foreign areas shall not be imported into the United States in the same or substantially the same form if such property was originally produced in the United States and is readily identifiable as such, and disposal agencies shall include a condition to that effect in the terms of disposition, unless the purchase is made for one of the purposes in the following proviso and the purchaser so certifies to the disposal agency: *Provided, however,* That such property may be so imported (a) on consignment to a person or firm in the United States for the purpose of reconditioning for re-export or (b) by a member of the armed forces abroad for his personal use, if the importer certifies to the Treasury Department that the importation is being made for one of such purposes.

§ 8308.16 *Methods of disposal.* In order that foreign disposal operations shall be consistent with foreign policies of the United States, the disposal agencies shall maintain close contact and cooperation with United States diplomatic missions and appropriate consular offices abroad and shall keep them fully and currently informed as to all disposal programs which are being initiated or carried out. The governing price policy shall be to obtain for the Government the fair value of surplus property on its disposition.

§ 8308.17 *Submission of regulations to the Board.* Disposal agencies and all persons acting under delegated authority shall submit to the Board not less than five days prior to issuance thereof copies of all regulations, orders, and directives involving any matters of policy of general application.

§ 8308.18 *Records.* Disposal agencies shall prepare and maintain such records as will show full compliance with this part and with the applicable provisions of the act as to each disposal transaction.

§ 8308.19 *Reports.* Reports shall be made to the Board of property declared surplus, held, and disposed of hereunder in foreign areas at such times and in such form as may be prescribed by the Board.

§ 8308.20 *Regulations by disposal agencies and others to be reported to the Board.* Each disposal agency and each person or Government agency acting under delegated authority for the disposition of surplus property shall file with the Board copies of all regulations, orders, and instructions of general applicability which they may issue in furtherance of the provisions, or any of them, of this part.

§ 8308.21 *Amendment or repeal.* This part and any order issued under it shall be subject to amendment or repeal by the Board by any regulation or order of the Board duly published in the Federal Register.

This part shall become effective on June 14, 1945, except as to aircraft and property peculiar to aircraft as to which this part shall become effective on August 1, 1945, or on such earlier date as may be mutually determined by Foreign Economic Administration and the War Department with notification to the Board and to the Navy Department.

Note 1: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Note 2: This part has been approved in writing by the War Food Administrator, as required by the Surplus Property Act of 1944.

Surplus Property Board,
By A. E. Howse,
Administrator.

June 7, 1945.

[F. R. Doc. 45-10324; Filed, June 13, 1945; 11:50 a. m.]

[SPB Reg. 8, Order 1]

Part 8308—Foreign Disposal

Approval of Delegation of Disposal Authority by War and Navy Departments to Office of Army-Navy Liquidation Commissioner

Pursuant to the authority of the Surplus Property Act of 1944 and in accordance with § 8308.4, *It is hereby ordered,* That:

1. The Surplus Property Board hereby approves any delegation by the War Department and Navy Department of their authority as disposal agencies for the disposal of surplus property hereunder to the Office of Army-Navy Liquidation Commissioner. The Board also hereby approves of any redelegation by the Commissioner of such authority to a Government agency or to a person under the complete control either of the Commissioner or of a Government agency; but no redelegation of authority by the Commissioner to any other person shall become effective without the prior approval of the Board.

2. Copies of all instruments delegating or redelegating the authority hereby approved shall be filed with the Board.

3. The foregoing approval does not extend to any delegation of power to the Liquidation Commissioner with respect to the settlement of claims in foreign countries in coordination with the disposal of surplus property. The Board has no authority to settle claims. It cannot therefore authorize the settlement of foreign claims against the transfer of surplus property, nor can it authorize the acquisition of property, privileges or concessions in foreign countries in exchange for surplus property. Any such transactions are beyond the jurisdiction of the Board, and the authority to carry them out must come from some other source. In foreign disposal the Board is chiefly concerned with the orderly disposition of surplus property in foreign countries so as to obtain the fair value in the manner provided in § 8308.16. Any Government agency which has authority and the necessary appropriations to settle claims in foreign countries or the authority to acquire property, privileges or concessions in foreign countries, and which is authorized to use surplus property therefor, shall pay from such appropriations into the miscellaneous receipts of the Treasury (by reduction of an existing appropriation or otherwise) an amount which, in the opinion of the disposal agency, represents the fair value of the surplus property.

This order shall become effective on June 14, 1945.

Surplus Property Board,
By A. E. Howse,
Administrator.

June 7, 1945.

[F. R. Doc. 45-10335; Filed, June 13, 1945; 11:50 a. m.]

[SPB Reg. 8, Order 2]

Part 8308—Foreign Disposal

Forms for Declaration of Surplus

Pursuant to the authority of the Surplus Property Act of 1944 and in accordance with § 8308.6, *It is hereby ordered,* That:

1. Owning agencies shall declare surplus personal and real property located outside of the continental United States, its territories and possessions to the appropriate disposal agencies designated in § 8308.3 on Form SPB-3, *Declaration of Surplus Property To Disposal Agency (Outside Continental United States, Its Territories and Possessions),* as attached hereto, in accordance with the instructions accompanying such form. Corrections or withdrawals of prior declarations shall be submitted to the appropriate disposal agency on Form SPB-3.1, *Correction of Declaration of Surplus Property (Outside Continental United States, Its Territories and Possessions),* as attached hereto, in accordance with the instructions accompanying such form.

2. Each owning agency shall declare surplus personal and real property located outside of the continental United States, its territories and possessions, to the Surplus Property Board on Form SPB-4, *Declaration of Surplus Property to Surplus Property Board (Outside Continental United States, Its Territories and Possessions),* as attached hereto, in accordance with the instructions accompanying such form.

3. Forms SPB-3, SPB-3.1 and SPB-4 may be reproduced by the owning agencies, on sheets 8" x 10½" provided that the formats are identical with those on file with the Division of the Federal

Register, sample copies of which may be obtained from the Board. Forms SPB–3 and SPB–3.1 should allow for a 1" margin on the left. Form SPB–3.1 should be reproduced on yellow paper so as to distinguish it readily from Form SPB–3.

This order shall become effective on June 14, 1945.

NOTE: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 7, 1945.

FORM SPB-3 (6-4-45)

United States of America
Surplus Property Board

DECLARATION OF SURPLUS PROPERTY TO DISPOSAL AGENCY
(OUTSIDE CONTINENTAL U. S., ITS TERRITORIES AND POSSESSIONS)

Important—See instructions for completing this form on reverse side

Page ..... of ..... Pages | Budget Bureau No. 16-R014 Approval expires May 1, 1946

1. To:
2. From:
3. Send shipping or disposal instructions to:
4. Reporting agency No.
5. Disposal Agency No.
6. Total cost—This report
7. Group code
8. Proceeds: If proceeds are "reimbursable", give symbol and title of appropriation or Government corporation
9. Location of surplus
a. Country
b. Depot No.
c. Town or designation

Item No. (a)	Stock number and description (b)	Standard commodity classification (c)	Condition (d)	Unit (e)	Number of units (f)	Unit cost (g)	Total cost (h)

10. Authorized by
Name and rank (type or use stamp)
Address (please type)
By ..... Signature
Date ..... Telephone No. and extension

INSTRUCTIONS FOR FORM SPB–3

GENERAL INSTRUCTIONS

1. Forms SPB–3 and SPB–3.1 will be used by all owning agencies for reporting surplus property, located outside the continental U. S., its territories and possessions, to the appropriate disposal agency as designated by the Surplus Property Board in Regulation No. 8. The owning agency will transmit at least *two* (2) *copies* of Declaration, Form SPB–3, to the disposal agency at such places as the disposal agency may specify.

2. Do not use this form for reporting withdrawals or corrections. Report withdrawals or corrections on Form SPB–3.1, Correction of Declaration of Surplus Property.

3. Report additional quantities, over and above those previously declared, on a new declaration of surplus.

4. Use Form SPB–3 for declaring both real and personal property as surplus.

5. Do not report items of surplus property having a total cost of $25,000 or more on the same declaration with items of property having a total cost of less than $25,000.

6. Only items falling under one major group of the Standard Commodity Classification (Government Printing Office) will be reported on the same declaration.

7. If additional sheets are necessary for the listing of surplus items, use continuation sheets in the form prescribed by the Board.

SPECIFIC INSTRUCTIONS FOR PERSONAL PROPERTY

Block 1—Fill in the name and local address of the disposal agency.

Block 2—Insert name and complete address of the office transmitting the report to the disposal agency. Show technical service, bureau, department, base command, office or other similar sub-division involved. The disposal agency will send one copy of the shipping or disposal instructions to the office specified in Block 2 and one copy to the name and address of the individual shown in Block 3.

Block 3—Insert the name and address of individual to whom disposal or shipping instructions are to be sent.

Block 4—Enter the serial number assigned by the reporting agency to identify each declaration. Use a separate serial number for each declaration.

Block 5—Do not fill in.

Block 6—Enter the sum of column (h).

Block 7—Enter the appropriate major group number (two digits) as listed in the Standard Commodity Classification.

Block 8—If the net proceeds from the sale or transfer of the surplus property are reimbursable pursuant to Section 30 (b) of the Surplus Property Act of 1944, give the symbol and title of appropriation to be credited, or the name and address of the government corporation to receive the proceeds.

Block 9—Specify country, depot number, town, APO number or other location where surplus property is located. (Subject to Security Regulations in the case of Army and Navy.) Do not list property located at more than one location on a single declaration.

Block 10—The signature, name, address and telephone number of individual responsible for declaration should be inserted on every declaration. Written signature need appear on original copy only.

Column (a)—Insert the numerical order of listing the items on the declaration.

Column (b)—Enter the stock number and identifying item description, model, and make. In the case of the War and Navy Departments this will be obtained from the latest available Army or Navy supply catalog, but for items not listed in such catalogs, the local depot stock number will be entered and the item described adequately for disposal purposes. Other owning agencies in describing property will be guided by the Handbook of Standards for Describing Surplus Property, prepared for the Surplus War Property Administration by the War Production Board.

Column (c)—Do not fill in.

Column (d)—Indicate condition of property by the following combination letter number codes:

Code	Means	Code	Means
N	New	1	Excellent.
E	Used—reconditioned	2	Good.
O	Used—usable without repairs	3	Fair.
R	Used—repairs required	4	Poor.
X	Items of no further value for use as originally intended but of possible value other than as scrap.		

Where the above condition code does not provide an accurate description of the condition of the property, leave column (d) blank, and in appropriate language describe the condition in column (b). Do not use any code when declaring scrap.

Column (e)—Specify the commercial unit of measure such as, each, pounds, tons, dozen, etc. Reporting offices of the War and Navy Departments will use the unit obtained from the latest Army or Navy catalog.

Column (f)—Insert number of units.

Column (g)—The cost of personal property abroad shall be reported on the basis of cost to the United States in terms of U. S. dollars. The recorded procurement cost shall be reported or, in its absence, the estimated original cost, excluding transportation or handling charges incurred after original purchase, except that U. S. Government corporations and other U. S. Government agencies buying and selling commodities in their normal operations shall report the complete cost of the commodities as carried in their books of account.

Column (h)—Calculate total cost in dollars; number of units multiplied by unit cost. (See General Instruction 5.)

SPECIFIC INSTRUCTIONS FOR REAL PROPERTY

Fill in all blocks and columns as instructed above for personal property except as follows:

Block 7—For real property enter the appropriate group classification as listed for real property in Budget-Treasury Regulation No. 5.

Block 9b—Do not fill in.

Column (b)—Give general description of facilities and installations and attach documents which give fuller details, for example, map, plot plan, cost of acquisition and betterments, legal commitments, and any personal property included with real property. List on Form SPB–3 the documents that are attached.

Column (c), (d), (e), (f), and (g)—Do not fill in.

Column (h)—In reporting declarations of facilities and installations, the figures to be inserted in column (h) will be based upon those previously reported by the owning agency in its inventory of facilities and installations abroad as required by Budget-Treasury Regulation No. 5, December 31, 1944.

Form SPB-3 (6-4-45) (continuation sheet)
UNITED STATES OF AMERICA
SURPLUS PROPERTY BOARD

Disposal agency No. | Reporting agency No. | Page ..... of ..... pages

Item No. (a)	Stock number and description (b)	Standard commodity classification (c)	Condition (d)	Unit (e)	Number of units (f)	Unit cost (g)	Total cost (h)

FORM SPB 3.1 (6-4-45)

United States of America
Surplus Property Board

CORRECTION OF DECLARATION OF SURPLUS PROPERTY
(OUTSIDE CONTINENTAL U. S., ITS TERRITORIES AND POSSESSIONS)

Important—See instructions for completing this form on reverse side

Page ..... of ..... Pages | Budget Bureau No. 16-R015 Approval expires May 1, 1946

1. To:
2. From:
3. Send shipping or disposal instructions to:
4. Reporting Agency No.
5. Disposal agency No.
6. Total cost—this report
7. Group code
8. Proceeds: If proceeds are "reimbursable", give symbol and title of appropriation or government corporation
9. Location of surplus
a. Country
b. Depot No.
c. Town or designation

Item No. (a)	Stock number and description (b)	Nature of change (c)	Condition (d)	Unit (e)	Number of units (f)	Unit cost (g)	Total cost (h)

10. Authorized by
Name and rank (type or use stamp)
Address (please type)
By ..... Signature
Date ..... Telephone No. and extension

INSTRUCTIONS FOR FORM SPB–3.1

GENERAL INSTRUCTIONS

1. The owning agency will transmit at least *two* (2) *copies* of Correction, Form SPB–3.1 to the disposal agency.

2. The owning agency will use this form for reporting withdrawals of surplus property, or for correcting any of the information previously reported on Form SPB–3, Declaration of Surplus Property to Disposal Agency (outside continental U. S., its territories and possessions). Do not use this form for declaring additional surplus. Form SPB–3 should be used for declaring additional surplus.

3. Use a separate Correction sheet for each original declaration which is to be modified. More than one item may be corrected or withdrawn on a single Correction sheet. If more than one Correction sheet is required each will bear the same reporting agency number (Block 4) as the original Declaration.

4. Corrections or withdrawals of items involving a total cost of $25,000 or more for one item will not be reported on the same sheet with corrections or withdrawals involving a total cost of less than $25,000.

5. The disposal agency will use Form SPB–3.1 in notifying the owning agency of any adjustments that appear necessary after verification of the declaration and inspection of the property. Two copies of the form used for this purpose will be sent to the reporting office of the owning agency. A brief explanation of the adjustment will be included on the form.

SPECIFIC INSTRUCTIONS FOR WITHDRAWALS

1. Fill in all blocks and columns, as prescribed by Form SPB–3, but insert in Block 4 (Reporting Agency No.) the number assigned to the original declaration. Identify the item being withdrawn by using the same item number as used in column (a) on the original declaration. Insert in column (c), Nature of Change, the word "Withdrawal". In column (f) enter the number of units being withdrawn by this report and in column (h) the total cost involved.

SPECIFIC INSTRUCTIONS FOR CORRECTION

1. Fill in all blocks correctly, underlining any change or correction that is being made.

2. Repeat the columnar information for the item to be corrected exactly as it appears on the original declaration, and insert in column (c) the word "Correction". Beneath the uncorrected entries fill in completely all the columnar data, making whatever corrections are required.

Form SPB-3.1 (6-4-45) (continuation sheet)
UNITED STATES OF AMERICA
SURPLUS PROPERTY BOARD

Disposal agency No. | Reporting agency No. | Page ..... of ..... pages

Item No. (a)	Stock number and description (b)	Nature of change (c)	Condition (d)	Unit (e)	Number of units (f)	Unit cost (g)	Total cost (h)

FORM SPB-4
(5-16-45)

UNITED STATES OF AMERICA
SURPLUS PROPERTY BOARD

DECLARATION OF SURPLUS PROPERTY TO SURPLUS PROPERTY BOARD (OUTSIDE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS)

(Monthly summary of Forms SPB-3)

Budget Bureau No. 16-R016
Approval Expires May 1, 1945

Owing agency

Date transmitted

Line number	Item (a)	Number of SPB-3 declarations filed in ... Month (b)	Total cost (thousands of dollars of SPB-3 declarations filed in ... Month (c)
	A. Items having total cost of $25,000 or more declared on Form SPB-3 classified by country of location		
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33	Total, all countries		
	B. Items having total cost under $25,000 declared on Form SPB-3	XXX	
34	Total, all countries		
	C. All declarations on Form SPB-3	XXX	
35	Total, all countries		

By.....
Signature of reporting officer

INSTRUCTIONS FOR USE OF FORM SPB-4

GENERAL INSTRUCTIONS

The Washington office of each owning agency, declaring property surplus on Form SPB-3, outside the continental United States, its territories and possessions, will submit completed Form SPB-4 to the Surplus Property Board, Washington 25, D. C., not later than the *15th* of the second succeeding month following the current reporting month.

The general instructions to Form SPB-3, *Declaration of Surplus Property to Disposal Agency* (outside continental United States, its territories and possessions), provide that items of surplus property having a total cost of $25,000 or more will not be reported on the same declaration with items having a total cost of less than $25,000. The following detailed instructions refer to the declarations of surplus property segregated in the above manner.

DETAILED INSTRUCTIONS

A. *Items Having Total Cost of $25,000 or More declared on Form SPB-3, Classified by Country of Location.* The owning agency will classify according to country of location all declarations filed during the current reporting month on Form SPB-3, which list items of property having a total cost, appearing in column (b), amounting to $25,000 or more. The countries where such surplus property are located will be listed alphabetically in column (a) on Form SPB-4. In column (b) insert the *number* of such declarations, Form SPB-3, filed during the current reporting month, classified according to the countries listed in column (a). In column (c) enter the total cost of the items declared on such declarations, obtained by aggregating the "total cost" appearing in Block 6 of each Form SPB-3.

B. *Items Having Total Cost Under $25,000 declared on Form SPB-3.* In column (c) enter the total cost of all declarations filed during the current reporting month on Form SPB-3, which list items of property having a total cost, appearing in column (b), amounting to less than $25,000.

C. *All Declarations on Form SPB-3.* In column (c) enter the total cost of all declarations filed on Form SPB-3 during the current reporting month.

Transmittal of Completed Forms SPB-3 Listing Items of Property Having a Total Cost of $25,000 or More.

Completed Form SPB-4 will be transmitted to the Surplus Property Board accompanied by one copy of each Form SPB-3 filed during the current reporting month which lists items of property having a total cost of $25,000 or more. Forms SPB-3 should be assembled according to the country in which the property is located and in the alphabetical order in which the countries are listed in column (a) of completed Form SPB-4.

Corrections or withdrawals on Form SPB-3. One copy of each correction or withdrawal of a declaration on Form SPB-3 filed during the current reporting month, which involves a change in reported cost of $25,000 or more for an item will also be submitted, separately assembled according to the country in which the property is located.

[F. R. Doc. 45-10336; Filed, June 13, 1945; 11:50 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS

By virtue of the authority vested in me by R. S. 4405, 4417a, 4418, 4426, 4429, 4433, 4488, as amended, 49 Stat. 1544 (46 U.S.C. 367, 375, 391a, 392, 404, 407, 411, 481), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following amendments to the regulations are prescribed:

Subchapter F—Marine Engineering

PART 51—MATERIALS

STEEL CASTINGS

Section 51.17-12 (c) is amended to read as follows:

§ 51.17-12 *Finish.* • • •

(c) *Repair by welding.* Defects which do not impair the strength of the castings may be repaired by welding. The defects shall be removed to solid metal prior to any welding, and when so required by the inspector, the castings in this condition shall be submitted to him for approval prior to proceeding with the repairs.

PART 52—CONSTRUCTION

HEADS

Section 52.5-2 (a) is amended to read as follows:

§ 52.5-2 *Materials and workmanship.* (a) Steel plate used in the fabrication of heads shall be either flange or firebox quality complying with the applicable sections of the regulations. Flanged or dished heads for Class I or Class II pressure vessels, except those exempted in note below, shall, after forming, be stress relieved in accordance with § 56.20-13 of this chapter, even though the entire vessel is not required to be stress relieved.

NOTE: It is not mandatory in fresh and salt water service systems that flanged or dished heads be stress relieved for use on compression tanks with an air cushion containing liquids operating at temperatures not exceeding 212° F.

EVAPORATORS, HEATERS, TRAPS, SEPARATORS, PRESSURE VESSELS, AND MISCELLANEOUS APPLIANCES

Section 52.16-6 (a) is amended to read as follows:

§ 52.16-6 *Detail requirements*—(a) (1) *Evaporators.* An approved safety valve set to relieve at a pressure not exceeding that for which the shell is designed shall be fitted to evaporators other than the following:

(i) Evaporators of the coil or tube type designed to operate with a steam inlet pressure not exceeding 10 pounds per square inch gauge.

(ii) Evaporators of the atmospheric type designed for vapor discharge direct to a distiller with no shut-off valve in the discharge line. The distiller connected to atmospheric evaporators shall be fitted with a vent to obviate a build-up in pressure. In no case shall the vent be less than 1½ inches in diameter.

(2) *Unfired pressure vessels.* Each unfired pressure vessel, except evaporators as provided in (a) (1), shall be protected by a relief valve, the capacity rating of which shall prevent loading in excess of design pressure.

NOTE: For certain pressure vessels containing liquids or vapors not in excess of 212° F, the Commandant may authorize the substitution of a bursting or rupture disc where the installation of a relief valve is impracticable. This shall not apply to vessels containing lethal or noxious substances.

PART 56—FUSION WELDING

RULES FOR CONSTRUCTION OF FUSION WELDED DRUMS OR SHELLS OF MARINE BOILERS AND PRESSURE VESSELS

Section 56.20-12 (o) is amended to read as follows:

§ 56.20-12 *Reinforced fusion-welded connections.* • • •

(o) Where Class II pressure vessels are required to be stress relieved, all nozzle connections and other attachments when joined by fusion welding shall be stress relieved. Where Class II pressure vessels as a whole are not required to be stress relieved, unreinforced nozzle connections and other attachments when joined by fusion welding are not required to be stress relieved. Where nozzles are reinforced with pads which have a thickness greater than that of the shell or head to which they are attached, the nozzle connection shall be stress relieved.

Section 56.20-12 (p) is deleted.

PART 57—SUPPLEMENTARY DATA AND REQUIREMENTS

Section 57.21-3 is amended by deleting the last sentence of paragraph (c).

Section 57.21-3 (e) is amended to read as follows:

§ 57.21-3 *Fusible plugs.* • • •

(e) *Marking of fusible plugs.* The name or initials of the manufacturer shall be stamped on the face of the casing for identification, and all plugs shall be numbered in accordance with the number of the heat from which the plugs were filled. For instance, the first pouring shall be number 1, and all plugs filled from this heat shall be numbered 1; the next pouring shall be number 2, and all the plugs filled from this heat shall be numbered 2, etc. The heat number shall be plainly stamped on the large end of the filling. When more than 500 plugs are poured from one heat, same shall be subdivided into lots of not more than 500 plugs. When the heat is subdivided, the number of the lot shall also be plainly stamped on the large end of the filling. The first lot of the heat shall be numbered 1; the next lot 2, etc. The heat and lot numbers shall be not less than 1/12 inch in height.

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.7a (l) is amended to read as follows:

§ 153.7a *Equipment for life rafts approved on and after March 15, 1943.* • • •

(l) *Electric water light.* On and after October 1, 1945, one approved electric water light complying with the current U. S. Coast Guard Specification for Lights (Water); Electric, Floating, Automatic (with Bracket for Mounting).[1] No battery cell shall remain in the water light after seventeen (17) months beyond the date of manufacture appearing on the cell or its jacket. Approved electric water lights not conforming to the above referred to specification which are on board vessels prior to October 1, 1945 may be continued in service provided they are in good and serviceable condition; water lights replaced on and after October 1, 1945 shall comply with the requirements contained in this regulation.

Section 153.22 is amended to read as follows:

§ 153.22 *Removal of calcium water lights.* All calcium type self-igniting water lights shall be removed from all ocean and coastwise vessels and tank vessels and shall be replaced with approved electric water lights. On and after October 1, 1945, such electric water lights shall comply with the current U. S. Coast Guard Specification for Lights (Water); Electric, Floating, Automatic (with Bracket for Mounting).[1] No battery cell shall remain in the water light after seventeen (17) months beyond the date of manufacture appearing on the cell or its jacket. Approved electric water lights not conforming to the above referred to specification which are on board vessels prior to October 1, 1945, may be continued in service provided they are in good and serviceable condition; water lights replaced on and after October 1, 1945, shall comply with the requirements contained in this regulation.

Dated: June 12, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-10318; Filed, June 13, 1945; 11:09 a. m.]

[1] A copy of the specifications is on file in the office of the Federal Register, and copies may be obtained upon request from the Commandant (EMM), United States Coast Guard Headquarters, Washington 25, D. C., or any District Coast Guard Officer.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. SO 263, Amdt. 6]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON TANK CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of June, A. D. 1945.

Upon further consideration of Revised Service Order No. 263 (10 F.R. 582), as amended (10 F.R. 1794, 3239, 4158, 5858), and good cause appearing therefor: *It is ordered*, That:

Revised Service Order No. 263 (10 F.R. 582) as amended, be, and it is hereby, further amended by substituting the following paragraph for paragraph (p)

thereof, and by adding paragraph (q) thereto:

(p) *Expiration date.* This order shall expire at 7:00 a. m., November 1, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission.

(q) *Suspension of order.* Revised Service Order No. 263 as amended be, and it is hereby suspended, effective at 7:00 a. m., June 15, 1945, until further order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this amendment shall become effective 7:00 a. m., June 14, 1945; that copies of this order and direction shall be served upon the State regulatory bodies of all States and the District of Columbia, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-10321; Filed, June 13, 1945; 11:08 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 51]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

TRANSPORTATION OF GRAIN, IN BULK, BY RAIL OR BARGE TO NEW ORLEANS, LOUISIANA; PERMIT REQUIRED

Pursuant to Title III of the Second War Powers Act, 1942, as amended, and Executive Order 8989, as amended, in order to make railway cars and other transportation facilities available for the preferential transportation of troops and material of war; to prevent shortages of equipment necessary for such transportation; to assure the orderly and expeditious movement of materials and supplies of war; to coordinate domestic traffic movements with ocean shipping in order to avoid terminal congestion; and to expedite the movement of traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

Sec.
502.230 Definitions.
502.231 Transportation of grain, in bulk, by rail or barge to New Orleans, Louisiana, permit required.
502.232 Application for permits.
502.233 Issuance of permits.
502.234 Communications.

AUTHORITY: §§ 502.230 to 502.234, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183.

§ 502.230 *Definitions.* As used in this order (§§ 502.230 to 502.234, inclusive), or in any permit issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "Carload shipment" means a shipment of a weight of 30,000 pounds or more.

(c) "Grain" means wheat, corn, rice, rye, oats, barley, flaxseed, sorghums, soybeans, and malt.

(d) "Rail carrier" means any person engaged in the transportation of property as a common carrier by railroad.

(e) "Barge line" means any person engaged in the transportation of property by barge, whether as a common carrier or otherwise.

§ 502.231 *Transportation of grain, in bulk, by rail or barge to New Orleans, Louisiana; permit required.* Except as otherwise provided in § 502.233 paragraph (c), of this General Order ODT 51, no person shall offer for transportation, and no rail carrier or barge line shall accept for transportation, or transport, any carload shipment of grain, in bulk, consigned or reconsigned to New Orleans, Louisiana, for domestic use or for export, unless the transportation of such shipment to said New Orleans has been authorized by the issuance of a permit in accordance with the provisions of §§ 502.232 and 502.233 hereof, and the number of such permit is endorsed on the shipping order and other shipping documents covering such shipment.

§ 502.232 *Application for permits.* Application for a permit authorizing the transportation of a carload shipment of grain, in bulk, to New Orleans, Louisiana, by rail, should be addressed to O. S. Schully, 907 Carondelet Building, New Orleans 12, Louisiana. Application for a permit authorizing the transportation of a carload shipment of grain, in bulk, to New Orleans, Louisiana, by barge, should be addressed to A. W. Kitto, Assistant Director, Inland Waterways Division, Waterways Transport Department, Office of Defense Transportation, Canal Bank Building, New Orleans 12, Louisiana. Any such application shall show the loading point and quantity of grain to be shipped, the approximate date the grain would arrive in New Orleans if a permit were issued, the name of the consignee of the shipment, and the purpose for which the grain is to be transported to New Orleans.

§ 502.233 *Issuance of permits.* (a) Subject to the general supervision of the Director of the Railway Transport Department, Office of Defense Transportation, O. S. Schully is hereby authorized to issue permits authorizing the transportation by rail of carload shipments of grain, in bulk, to New Orleans, Louisiana, when, in his opinion, the transportation of such grain to said New Orleans will not result in, or contribute to, traffic congestion, delay the release of railway equipment, or interfere with the export shipping requirements for grain.

(b) Subject to the general supervision of the Director, Waterways Transport Department, Office of Defense Transportation, A. W. Kitto as Assistant Director, Inland Waterways Division, Waterways Transport Department, Office of Defense Transportation, is hereby authorized to issue permits authorizing the transportation, by barge, of carload shipments of grain, in bulk, to New Orleans, Louisiana, when, in his opinion, the transportation of such grain to said New Orleans will not result in, or contribute to, traffic congestion, delay the release of barge equipment, or interfere with the export shipping requirements for grain.

(c) In the exercise of their discretion, and upon proper notice to the Association of American Railroads and American Waterways Operators, Inc., the permit agents named in paragraphs (a) and (b) of this § 502.233, are hereby authorized to waive the permit requirements of this order from time to time, with respect to certain kinds and types of grain shipped to particular consignees or industries at New Orleans, Louisiana.

§ 502.234 *Communications.* Communications concerning this order should refer to "General Order ODT 51" and except as otherwise provided herein, should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 51 shall become effective June 11, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 7th day of June 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-10062; Filed, June 8, 1945; 4:53 p. m.]

TITLE 7—AGRICULTURE

Chapter IV—War Food Administration (Crop Insurance)

PART 418—WHEAT CROP INSURANCE REGULATIONS FOR INSURANCE CONTRACTS COVERING THE 1946, 1947 AND 1948 CROP YEARS

The Federal Crop Insurance Program is part of the general program of the United States Department of Agriculture and the War Food Administration administered for the benefit of agriculture

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, as amended, these regulations are hereby published and prescribed to be in force and effect, with respect to wheat crop insurance contracts covering the 1946, 1947 and 1948 crop years, until amended or superseded by regulations hereafter made.

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AUTHORITY: §§ 418.1 to 418.46, inclusive, issued under secs. 506 (e), 507 (c), 508, 509, 516 (b); 52 Stat. 73, 74, 75, 77; 7 U.S.C. 1506 (e), 1507 (c), 1508, 1509, 1516 (b), as amended by 52 Stat. 835, 55 Stat. 255, and Pub. Law 551, 78th Cong., approved Dec. 23, 1944; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783.

MANNER OF OBTAINING INSURANCE

§ 418.1 *Availability of wheat crop insurance.* (a) Wheat crop insurance under contracts covering the 1946, 1947 and 1948 crop years will be provided in accordance with this part. The coverage per acre of wheat crop insurance will be 50 or 75 percent of the average yield of wheat for the farm.

(b) Insurance will not be provided in any county unless written applications for insurance on crops authorized to be insured are filed covering at least fifty farms, or one-third of the farms normally producing these crops, except that insurance may be provided for producers on farms situated in a local producing area bordering on a county with a crop insurance program.

§ 418.2 *Application for insurance.* Application for insurance, on a form prescribed by the Corporation, may be made by any person to cover his interest as landlord, owner, tenant, or sharecropper, in a wheat crop. An application shall cover the applicant's interest in the wheat crop on all insurance units located, or considered for crop insurance purposes to be located, in the county or, where applicable, on all insurance units in the local producing area, in which the applicant has an interest at the time of the seeding of the wheat crop to be harvested in any of the three years covered by this part. Applications shall be submitted to the office of the county association on or before the applicable closing date shown in § 418.45.

§ 418.3 *Acceptance of applications by the Corporation; cancelation of insurance contract.* (a) Upon acceptance of an application by a duly authorized representative of the Corporation, the insurance contract shall be in effect, *Provided:* Such application is submitted in accordance with the provisions of the application and of this part, including any amendments thereto. The applicant's copy of the accepted application shall be mailed to him.

(b) The Corporation reserves the right to reject any application for insurance with respect to any one or more of the insurance units covered by the application, or to limit the insurance on the applicant's interest in any insurance unit covered by the application to 50 percent of the average yield for such unit.

(c) Insurance contracts covering farms situated in a local producing area shall be handled in the office of the county association of an adjoining county with a crop insurance program.

(d) The insured may cancel the insurance contract as it relates to future crops by entering into a new three-year contract, if one is offered, but such cancelation shall be effective only for crop years covered by the new contract. The insured may cancel the insurance contract as it applies to the third year by giving written notice to the Corporation by mail within one year after the closing date as defined in § 418.45 hereof. The Corporation may cancel the insurance contract with respect to any insurance unit in any year by giving written notice to the insured on or before the closing date for such year. In counties where both winter and spring wheat closing dates have been established, the winter wheat closing date shall apply if the insured has seeded any winter wheat for harvest in any of the crop years covered by the contract. If the insured seeds only spring wheat, the spring wheat closing date shall apply.

INSURANCE COVERAGE

§ 418.4 *Insurable and non-insurable farms.* Any farm or part thereof which is designated on the crop insurance listing sheet as "non-insurable," because of the insurance risk involved, shall not be considered in any manner whatsoever under the insurance contract, except as provided in § 418.18 (b) hereof. The Corporation may determine that a farm or part thereof is non-insurable in any crop year, and so designate it on the listing sheet, at any time before the applicable closing date for the filing of applications for insurance for such year. Any farm or part thereof not so designated shall be insurable.

§ 418.5 *Kinds of wheat insured.* The wheat to be insured under the contract will be spring and winter wheat seeded for harvest as grain, as determined by the Corporation: *Provided, however,* That if the application is filed after the applicable closing date for winter wheat, the contract will not cover any acreage of the 1946 spring wheat crop which is seeded on winter wheat acreage, except whole fields of such acreage, or parts of such acreage with definite boundaries, which are reworked and reseeded to spring wheat and a full seeding of spring wheat is made.

In determining production, volunteer wheat, other volunteer small grains, volunteer vetch, and Austrian winter peas growing with the seeded wheat crop, and small grains seeded with the growing wheat crop on acreage not released by the Corporation shall be counted as wheat.

The contract will not provide insurance for volunteer wheat, wheat seeded with a mixture of flax or other small grains, vetch, or Austrian winter peas, or true type winter wheat seeded in the spring.

§ 418.6 *Determination of insured acreage.* Insurance shall not attach with respect to (a) any acreage seeded to wheat which is put to another use before it is too late to reseed to wheat,

as determined by the Corporation, or (b) any acreage seeded to wheat which is destroyed or substantially destroyed before it is too late to reseed to wheat, as determined by the Corporation, and the acreage is left idle or is fallowed until it is too late to reseed to wheat. The insured acreage with respect to each insurance unit shall be either the acreage of wheat seeded for harvest as grain as reported by the insured or the acreage determined by the Corporation as seeded thereon for harvest as grain, whichever the Corporation shall elect: *Provided, however,* That the Corporation reserves the right to limit the acreage to be insured in any year. Promptly after seeding a wheat crop, the insured shall submit to the Corporation, on a form to be prescribed by the Corporation, a separate report of the acreage seeded to wheat on each insurance unit in which he has an interest at the time of seeding and his interest at the time of seeding in the wheat seeded for harvest as grain.

§ 418.7 *Insurance period.* Insurance with respect to any insured acreage shall attach at the time the wheat is seeded. Insurance shall cease with respect to any portion of the wheat crop covered by the insurance contract upon threshing (unless combined and field-sacked and remaining in the field, in which event the insurance shall not cease until 120 hours thereafter) or removal from the insurance unit, but in no event shall the insurance remain in effect later than October 31 of each year, unless such time is extended in writing by the Corporation.

§ 418.8 *Insured production.* The insured production for each insurance unit for each year under the contract shall be the number of bushels of wheat determined by multiplying the insured acreage by the average yield per acre, by the insured percentage (50 or 75 percent), and by the insured interest in the crop at the time of seeding. If more than one average yield has been established for the insurance unit, the insured production shall be computed separately, using the applicable acreage for each yield, and the total of such computed amounts shall be the insured production for the insurance unit.

§ 418.9 *Wheat seeded for purposes other than grain.* If the insured seeds only a part of his wheat for harvest as grain in any year of the contract he shall submit to the county committee with his acreage report of wheat seeded, a designation of any acreage seeded for purposes other than harvest as grain. Upon receipt of this designation and with the approval of the Corporation, the acreage used in computing the premium and insured production will not include such acreage. However, the total production from any wheat threshed from such acreage shall be considered as wheat produced on the insured acreage in determining a loss under the contract.

§ 418.10 *Causes of loss insured against.* The insurance contract shall cover loss in yield of wheat due to unavoidable causes, including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease, and such other unavoidable causes as may be determined by the Board of Directors of the Corporation.

§ 418.11 *Causes of loss not insured against.* The contract shall not cover damage to quality in any case, or loss in yield caused by the neglect or malfeasance of the insured or of any person in his household or employment or connected with the farm as tenant, sharecropper, or wage hand, nor shall it cover losses caused by theft, domestic animals (including poultry), use of defective or unadapted seed, overpasturage, overseeding or seeding on land of poorer average quality for the production of wheat than the average quality of the land considered in establishing the average yield for the insurance unit, failure properly to prepare the land for seeding, or properly to seed, care for, or harvest and thresh the insured crop, including any loss due to breakdown of machinery or equipment, failure to follow established good farming practices, or by following different fertilizer or farming practices than those considered in establishing the average yield, or by failure to reseed the wheat in areas and under circumstances where the Corporation determines it is practicable to reseed. In addition, where insurance is written on an irrigated basis, the contract shall not cover losses caused by failure properly to apply irrigation water to wheat in proportion to the amount of water available for all irrigated crops, failure of irrigation equipment due to mechanical defects, failure to provide adequate casing or properly to adjust the pumping equipment in the event of a lowering of the water level in pump wells, or any other such loss not due entirely to unavoidable causes. Likewise, the contract shall not cover loss in yield caused by inability to obtain labor, fertilizer, machinery, repairs, or insect poisons, as a result of war or other conditions.

PREMIUM FOR INSURANCE CONTRACT

§ 418.12 *Amount of annual premium.* (a) Each annual premium for each insurance unit under the contract shall be the number of bushels of wheat determined by multiplying the insured acreage of wheat for the insurance unit by the premium rate per acre and by the insured interest in the crop at the time of seeding. If more than one premium rate has been established for the insurance unit, a premium shall be computed separately using the applicable acreage for each rate, and the total of the amounts so computed shall be the premium for the insurance unit. The annual premium for the insurance contract shall be the total of the premiums computed for the insured for all insurance units covered by the contract. The annual premium with respect to any insured acreage shall be regarded as earned when the wheat crop on such acreage is seeded. The minimum annual premium payable by the insured with respect to any insurance contract shall be two bushels of wheat.

(b) In any area designated by the Corporation, the insured's annual premium may be reduced in any year not to exceed 50 percent, if it is determined by the Corporation, from a comparison of the insured production with the accumulated balance of premiums paid over indemnities received on consecutively insured crops for the years during which insurance was available (beginning with the 1939 crop), that the risk on wheat crops produced by the insured justifies such reduction: *Provided, however,* That the Corporation may determine that the premium rates for all insurance units in any or all such areas shall be adjusted to compensate for such reductions. Failure to apply for insurance in any year shall render any person ineligible for the benefits of this paragraph on the basis of any accumulated balance of premiums previously paid, if insurance is offered in the county in which such person's farm is located and even though insurance may not be provided in the county during such year because of the limitation in § 418.1 (b) hereof. Nothing in this provision shall create in the insured any right to a reduced premium as a result of the total premiums he has paid exceeding the total indemnities he has received.

(c) The insured's annual premium payment may be reduced 10 percent in 1946 or in any subsequent year immediately following five wheat crops (beginning with the 1939 or any subsequent crop) covered by insurance (which must be consecutive crops if insurance was available), which have been produced by him in the county without a loss for which an indemnity was paid: *Provided, however,* That this provision shall not apply when the premium rate is reduced pursuant to paragraph (b) of this section: *Provided, further,* That failure to apply for insurance in any year when insurance is offered in the county shall render a person ineligible for the benefits of this paragraph even though insurance may not be provided in the county during such year because of the limitation in § 418.1 (b) hereof.

§ 418.13 *Manner of payment of premium.* (a) Each applicant for insurance shall sign a note in the form and manner prescribed by the Corporation. Such note shall represent a promise to pay the Corporation the total premium for all insurance units covered by the insurance contract and each annual installment of such premium shall be payable on or before the maturity date specified in § 418.46 hereof. Each annual installment or unpaid portion thereof shall bear interest after maturity at the rate of one-half of one percent for each full calendar month or fraction thereof, except that no interest shall be charged on any amount paid within two calendar months after maturity.

(b) Payment on any such installment may be made in whole or in part before maturity either in wheat or cash, or both. After maturity, payment may be made only in cash. In connection with any payment before maturity, there shall be credited on the installment the number of bushels of wheat computed by dividing the payment made (the proceeds of the sale of wheat if wheat is paid) by the cash equivalent price per bushel for the date of payment. The amount of any such installment due at maturity shall be the cash equivalent thereof based on the cash equivalent price per bushel applicable for such maturity date.

(c) Any unpaid amount of any installment (either before or after the date of maturity) may be deducted from any indemnity payable under the contract, from the proceeds of any commodity loan to the insured, and from any payment made to the insured under the Soil Conservation and Domestic Allotment Act, as amended, or any other act of Congress or program administered by the United States Department of Agriculture or the War Food Administration. Where any such deduction is made before the date of maturity, the cash equivalent of the deduction will be based on the cash equivalent price used in computing the indemnity payment or the cash equivalent price determined by the Corporation to be in effect on the day the county committee approves such loan or other payment, whichever is applicable. Such price shall also be used in determining the number of bushels of wheat to be credited on the note.

(d) Payments in cash shall be made by means of cash or by check, money order, or bank draft payable to the order of the Treasurer of the United States. All checks and drafts will be accepted subject to collection, and payments tendered shall not be regarded as paid unless collection is made. When a payment is made in wheat, it shall be by means of an instrument acceptable to the Corporation representing salable wheat.

LOSS

§ 418.14 *Notice of loss or damage of wheat crop.* Unless otherwise provided by the Corporation, if a loss is probable, notice in writing shall be given the Corporation at the office of the county association immediately after any material damage to the insured crop and before the crop is harvested, removed, or any other use is made of it. Any such notice shall be given in time to allow the Corporation to make appropriate inspection.

§ 418.15 *Released acreage.* Any insured acreage on which the wheat crop has been destroyed or substantially destroyed may be released by the Corporation for planting a substitute crop or to be put to another use. The wheat crop shall be deemed to have been substantially destroyed if the Corporation determines that it has been so badly damaged that farmers generally in the area where the farm is located and on whose farms similar damage occurred would not further care for the crop or harvest any portion thereof.

Before any acreage is released it shall be inspected and an appraisal made of the yield that would be realized if the crop on such acreage remained for harvest. Any such appraisal shall be subject to the minimum set forth in § 418.18 (a) hereof. For the purpose of determining the minimum appraisal, any acreage which, after harvest of wheat has started in the area in which the farm is located, is released for the planting of a crop shall be regarded as acreage not harvested and not as acreage released for the planting of a substitute crop. Other small grains seeded on insured acreage which has been released by the Corporation shall be considered as a substitute crop. No insured acreage (unless released and other small grain is seeded thereon) shall be considered as planted to a substitute crop or put to another use as long as any wheat on such acreage remains for harvest. Legumes and perennial grasses seeded with the wheat or in the growing wheat crop shall not be considered as a substitute crop. Any such legumes or perennial grasses which result in damage to the wheat crop shall be subject to an appraisal of the loss due to such damage.

On any acreage where the wheat has been partially destroyed but not released by the Corporation, proper measures shall be taken to protect the crop from further damage. There shall be no abandonment of any crop or portion thereof to the Corporation.

§ 418.16 *Time of loss.* Loss, if any, shall be deemed to have occurred at the completion of threshing of the crop (unless combined and field-sacked and remaining in the field, in which event the loss shall be deemed to have occurred 120 hours thereafter) or October 31 of each year (unless such time is extended by the Corporation), whichever occurs first, unless the Corporation determines that the wheat crop was destroyed or substantially destroyed earlier, in which event the loss shall be deemed to have occurred on the date so determined by the Corporation.

§ 418.17 *Proof of loss.* If a loss is claimed, the insured shall submit to the Corporation, on a form and in the manner prescribed by the Corporation, a statement in proof of loss containing such information regarding the manner and extent of the loss as may be required by the Corporation. The statement in proof of loss shall be submitted not later than sixty days after the time of loss, unless the time is extended in writing by the Corporation. It shall be a condition precedent to any liability under the insurance contract that the insured establish that any loss for which claim is made has been directly caused by one or more of the hazards insured against by the insurance contract during the term of the contract, and that the insured further establish that the loss has not arisen from or been caused by, either directly or indirectly, any of the hazards not insured against by the insurance contract.

§ 418.18 *Amount of loss.* (a) The amount of loss for which indemnity will be payable with respect to any insurance unit will be the amount of the insured production under the contract for such insurance unit, less the product of the insured interest and the total production for such unit: *Provided, however,* That if the seeded acreage on the insurance unit exceeds the insured acreage on such unit, as determined by the Corporation, the loss for which indemnity will be payable shall be computed by apportioning the production on the seeded acreage to determine the production applicable to the insured acreage: *Provided, further,* That, if separate yields and rates are established for parts of the insurance unit or if the insured has different shares in parts of the wheat on the insurance unit, such apportionment may, if the Corporation so elects, be made on the basis of the ratio of the premium for the insured acreage to the premium computed for the seeded acreage. Such total production shall include:

(1) Wheat produced from any acreage of the wheat crop which was threshed (not including wheat produced from acreage released as provided in subparagraph (3) below);

(2) Wheat production appraised for acreage of the wheat crop which was not threshed but which was harvested as grain;

(3) The appraised production for any acreage of the wheat crop which is released by the Corporation before harvest of wheat has started in the area, and seeded to a substitute crop, which appraised production shall not be less than 50 percent of the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage;

(4) The appraised production for any acreage of wheat that is not harvested (except the acreage covered in subparagraph (3) above), which appraised production shall not be less than 20 percent of the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage, or 5 bushels per acre, whichever is the smaller;

(5) The appraised production for any portion of the insured wheat acreage that is planted to a substitute crop or put to another use without the consent of the Corporation, which appraised production shall not be less than the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage;

(6) The appraised production for any acreage seeded for harvest as grain that is released and cut for hay, which appraised production shall not be less than 20 percent of the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage, or 5 bushels per acre, whichever is the smaller;

(7) A number of bushels of wheat which the Corporation determines will result in indemnifying the insured for the amount that the production threshed from any wheat acreage lacks of having a value of 50 percent of the current local value of a number of bushels of wheat (of the class and grade established for the payment of the premium) equal to the smaller of (1) the number of bushels of such production threshed, or (2) the insured production for the insurance unit minus the sum of the actual production of wheat and all production of wheat appraised for other reasons;

(8) The appraised number of bushels by which production on any acreage has been reduced solely because of any cause not insured against, which number of bushels shall not be less than the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage, minus any quantity of wheat harvested from such acreage; and

(9) The appraised number of bushels by which production on any acreage has been reduced because of any cause not insured against, where damage on such acreage has resulted from a cause in-

sured against and a cause not insured against.

(b) Where the insured fails to establish and maintain separate records of acreage or production for the component parts of a combination of two or more insurance units or portions thereof, the insurance with respect to such units under the contract may be voided by the Corporation for the year in question and the premium forfeited by the insured: *Provided, however*, That if all the component parts of the combination are insured, the total of the insured production for the component parts shall be considered as the insured production for the combination, and any loss for such combination shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records of acreage or production for non-insurable acreage and for one or more insurance units or portions thereof, any production from the non-insurable acreage which is commingled with the production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation for the year in question and the premium forfeited by the insured.

PAYMENT OF INDEMNITY

§ 418.19 *When indemnity payable.* The amount of loss for which the Corporation may be liable with respect to any insurance unit covered by the insurance contract shall be payable within thirty days after satisfactory proof of loss is approved by the Corporation. However, if payment of any indemnity is delayed for any reason beyond the time specified, the Corporation shall not be liable for interest or damages on account of such delay.

§ 418.20 *Indemnity payment.* (a) Any indemnity due under the insurance contract will be paid by the issuance of a certificate of indemnity which shall bear an expiration date. Settlement under such certificate will be made in cash or wheat in accordance with this part. Such certificate may also be used to obtain a loan from the Commodity Credit Corporation, if loans on certificates of indemnity are available, in accordance with instructions issued by the Commodity Credit Corporation.

(b) In case of a cash settlement under a certificate of indemnity, the cash equivalent of the indemnity shall be the number of bushels of wheat specified in the certificate of indemnity multiplied by the cash equivalent price per bushel for the day the certificate of indemnity is received in the branch office of the Corporation for cash settlement, or the expiration date of the certificate, whichever occurs first. A cash settlement under a certificate of indemnity made more than 14 days after the issuance of the certificate shall be subject to a deduction for a reasonable charge for storage and handling and the schedule of such charges shall be shown on the certificate of indemnity.

(c) Any indemnity payable under an insurance contract shall be paid to, and settlement under the certificate of indemnity made with, the insured or such other person as may be entitled to the benefits of the insurance contract under the provisions of this part, notwithstanding any attachment, garnishment, receivership, trustee process, judgment, levy, equity, or bankruptcy directed against the insured or such other person, or against any indemnity alleged to be due to such person; nor shall the Corporation or any officer, employee, or representative thereof be a proper party to any suit or action with reference to such indemnity or the proceeds thereof nor be bound by any judgment, order, or decree rendered or entered therein. No officer, agent, or employee of the Corporation shall, because of any such process, order, or decree, pay or cause to be paid, to any person other than the insured or other person entitled to the benefits of the insurance contract, any indemnity payable, or any amount due in settlement of any certificate of indemnity in accordance with the provisions of the insurance contract. Nothing herein contained shall excuse any person entitled to the benefits of the insurance contract from full compliance with, or performance of, any lawful judgment, order or decree with respect to the disposition of any sums paid thereunder as an indemnity.

(d) The Corporation shall provide for the posting annually in each county at the county courthouse of a list of indemnities paid for losses on farms in such county.

§ 418.21 *Adjustment in connection with indemnity payments.* Where an adjustment is made in the amount of an indemnity, settlement for such adjustment may be made on the basis of a cash equivalent price per bushel other than that used in making settlement under the certificate of indemnity originally issued.

§ 418.22 *Other insurance.* If the insured has or acquires any other insurance against substantially all the risks that are insured against by the Corporation under the insurance contract on the crop or portion thereof covered in whole or in part by such insurance contract, regardless of whether such other insurance is valid or collectible, the liability of the Corporation shall not be greater than its share would be if the amount of its obligations were divided equally between the Corporation and such other insurer. In any case where an indemnity is paid to the insured by another Government agency because of damage to the wheat crop, the Corporation reserves the right to determine its liability under the insurance contract taking into consideration the amount paid by such other agency.

§ 418.23 *Subrogation.* The Corporation may require from the insured an assignment of all rights of recovery against any person(s) for loss or damage to the extent that payment therefor is made by the Corporation, and the insured shall execute all papers required and shall do everything that may be necessary to secure such rights.

§ 418.24 *Creditors.* An interest existing by virtue of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or any other process shall not be considered an interest in an insured crop within the meaning of this part.

PAYMENT OF INDEMNITY TO PERSONS OTHER THAN ORIGINAL INSURED

§ 418.25 *Indemnities subject to all provisions of insurance contract.* Indemnities payable to any person shall be subject to all provisions of the insurance contract, including the right of the Corporation to deduct from any such indemnity the unpaid amount of the note of the original insured for the payment of the earned premium or any other obligation of the insured to the Corporation: *Provided, however*, That in case of a transfer of an interest in an insured crop, such deduction to be made from an indemnity payable to the transferee shall not exceed the premium due on the insurance unit or units involved in the transfer, plus the unpaid amount of any other obligation of the transferee to the Corporation. Any indemnity payable to any person other than the original insured as a result of a transfer, or otherwise, shall be subject to any collateral assignment of the insurance contract by the original insured.

§ 418.26 *Collateral assignment of right under insurance contract.* The right to an indemnity under an insurance contract may be assigned by the original insured as collateral security for a loan or other obligation of such insured. Such assignment shall be made by the execution of a form prescribed by the Corporation and, upon approval thereof by the Corporation, the interests of the assignee will be recognized if an indemnity is payable under the insurance contract, to the extent of the amount determined to be the unpaid balance of the amount (including interest and other charges) for which such assignment was made as collateral security: *Provided, however*, That (a) payment of any indemnity will be subject to all conditions and provisions of the insurance contract and to any deductions authorized under § 418.25 hereof, and (b) payment of the indemnity may be made by check payable jointly to all persons entitled thereto and such payment shall constitute a complete discharge of the Corporation's obligation with respect to any loss under the insurance contract. The Corporation's approval of an assignment shall not create in the assignee any right other than that derived from the assignor. The Corporation shall in no case be bound to accept notice of any assignment of the insurance contract, and nothing contained in any assignment shall give any right against the Corporation to any person other than the insured, except to an assignee approved by the Corporation. Only one such assignment will be recognized in connection with the insurance contract, but if an assignment is released, a new assignment of the right to an indemnity under the insurance contract may be made.

§ 418.27 *Payment to transferee.* In the event of a transfer of all or a part of the insured interest in a wheat crop before the beginning of harvest or the time of loss, whichever occurs first, the transferor shall immediately notify the Corporation thereof in writing at the office of the county association. The transferee under such a transfer shall be entitled to the benefits of the insurance contract with respect to the interest so transferred, subject to any assignment made by the original insured in accordance with § 418.26 hereof: *Provided, however*, That an involuntary transfer of an insured interest in a wheat crop solely because of the existence of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or other process shall not entitle any holder of any such interest to any benefits under the insurance contract: *Provided, further*, That the Corporation shall not be liable for a greater amount of indemnity in connection with the insured crop than would have been paid if the transfer had not taken place. If, as a result of any such transfer, diverse interests appear with respect to any insurance unit, the indemnity, if any, payable with respect to such unit may be paid jointly to all persons having the insured interest in the crop at the time harvest is commenced or the time of loss, whichever occurs first, or to one of such persons on behalf of all such persons, and payment in any such manner shall constitute a complete discharge of the Corporation's liability with respect to such unit under the insurance contract.

§ 418.28 *Death, incompetence, or disappearance of insured.* (a) If the insured dies, is judicially declared incompetent, or disappears, before the time of loss, and his insured interest in a wheat crop is a part of his estate at such time, or if the insured dies, is judicially declared incompetent, or disappears subsequent to such time, the indemnity, if any, shall be paid to the legal representative of his estate, if one is appointed or is duly qualified. If no such representative is or will be so qualified, the indemnity shall be paid to the persons beneficially entitled to share in the insured's interest in the crop or to any one or more of such persons on behalf of all such persons: *Provided, however*, That, if the indemnity represents a number of bushels of wheat, the cash equivalent of which exceeds $500, the Corporation may withhold the payment of the indemnity until a legal representative of the insured's estate is duly qualified to receive such payment.

(b) If the insured dies, is judicially declared incompetent, or disappears before the time of loss, and his interest in the crop is not a part of his estate at such time, the indemnity, if any, shall be paid to the person(s) who succeeded to his interest in the crop in the manner provided for in § 418.27.

(c) If an applicant for insurance or the insured, as the case may be, dies, is judicially declared incompetent, or disappears, before any wheat crop intended to be covered by insurance is seeded, whoever succeeds him on the farm with the right to seed the wheat crop as his heir or heirs, administrator, executor, guardian, committee, or conservator shall be substituted for the original applicant upon filing with the office of the county association, within fifteen days (unless such period is extended by the Corporation) after the date of such death, judicial declaration, or termination of the period which establishes disappearance within the meaning of this part, or before the date of the beginning of seeding, whichever is earlier, a statement in writing, in the form and manner prescribed by the Corporation, requesting such substitution and agreeing to assume the obligations of the original applicant arising out of such application. If no such statement is filed, as required by this paragraph, the original application or insurance contract, as the case may be, shall be void.

(d) The insured shall be deemed to have disappeared within the meaning of this part if he fails to file with the county committee written notice of his new mailing address within 180 calendar days after any communication by or on behalf of the Corporation is returned undeliverable at the address given in the statement in proof of loss or after such loss has been established otherwise, whichever is earlier.

§ 418.29 *Fiduciaries.* Any indemnity payable under an insurance contract entered into in the name of a fiduciary who is no longer acting in such capacity at the time for the payment of indemnity and settlement under the certificate of indemnity will be made to the succeeding fiduciary upon appropriate application and proof satisfactory to the Corporation of his incumbency. If there is no succeeding fiduciary, payment of the indemnity shall be made to, and settlement under the certificate of indemnity shall be made with, the persons beneficially entitled under the regulations in this part to the insured interest in the crop, to the extent of their respective interests, upon proper application and proof of the facts: *Provided, however*, That the settlement may be made with any one or more of the persons so entitled, and payment may be made to such person or persons in behalf of all the persons so entitled, whether or not the person to whom payment is made has been authorized by the other interested persons to receive such payment.

§ 418.30 *Determination of person to whom indemnity shall be paid.* In any case where the insured has transferred his interest in all or a portion of the wheat crop on any insurance unit, or has ceased to act as a fiduciary, or has died, has been judicially declared incompetent or has disappeared, payment in accordance with the provisions of the regulations in this part will be made only after the facts have been established to the satisfaction of the Corporation. The determination of the Corporation as to the existence or nonexistence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment will be made shall be final and conclusive. Payment of any indemnity under this section shall constitute a complete discharge of the Corporation's obligation with respect to the loss for which such indemnity is paid and settled and shall be a bar to recovery by any other person.

REFUNDS OF EXCESS NOTE PAYMENTS

§ 418.31 *Refunds of excess note payments.* Before expiration of the insurance contract, the Corporation shall not be required to make a refund of any excess payment made on any annual installment of the premium, and any such excess payment may be credited on remaining installments. However, the Corporation may elect to make such refund at any time before the expiration of the insurance contract. If a refund is to be made of any excess payment received before the maturity date of any installment, the cash equivalent of such refund shall be determined on the basis of the number of bushels of wheat to be refunded and the cash equivalent price for the appropriate class and grade of such wheat effective for the date such payment was submitted to the Corporation. If more than one payment is made on any installment of the crop insurance premium, the payments shall be applied in the order of submittal to the Corporation. In computing the amount of any refund, the payments shall be considered in their inverse order and each such payment or portion thereof shall be regarded as a separate payment in determining the cash equivalent of the refund. Refunds of excess payments received after the maturity of any annual installment of the crop insurance premium shall be refunded in the actual amount of money paid to the Corporation in excess of that determined to be necessary to pay such installment.

There shall be no refund of an amount less than $1.00, with respect to payments made either before or after the maturity of any installment, unless written request for such refund is received by the Corporation within one year after the expiration of the contract.

§ 418.32 *Assignment or transfer of claims for refunds not permitted.* No claim for a refund, or any part or share thereof, or any interest therein, shall be assignable or transferable, notwithstanding any assignment of the insurance contract or any transfer of interest in any wheat crop covered by the insurance contract. Refund of any excess note payment will be made only to the person who made such payment, except as provided in § 418.33.

§ 418.33 *Refund in case of death, incompetence, or disappearance.* In any case where a person who is entitled to a refund of a payment has died, has been judicially declared incompetent, or has disappeared, the provisions of § 418.28 with reference to the payment of indemnities in any such case shall be applicable with respect to the making of any such refund.

ESTABLISHMENT OF AVERAGE YIELDS AND PREMIUM RATES

§ 418.34 *Determination of farm average yields of wheat per acre.* The Corporation shall establish average yields of wheat for farms on the basis of the recorded or appraised yields for a representative period of years and shall, where necessary, adjust such yields so that the average yields for farms in the same area which are subject to the same conditions shall be fair and just.

§ 418.35 *Determination of premium rates.* The Corporation shall establish premium rates for all farms for which average yields are established and such rates shall be those deemed adequate to cover claims for wheat crop losses and to provide a reasonable reserve against unforeseen losses.

§ 418.36 *Average yields and premium rates where farm varies widely in productivity or farming hazards or where tracts of the farm are widely separated.* If the land comprising any farm consists of tracts varying widely in productivity, topography, or farming hazards, or if tracts of the farm are widely separated, separate average yields and premium rates may be established by the Corporation for such tracts on the basis of appraisal, taking into consideration the yield data available.

§ 418.37 *Average yields and premium rates for special farming practices.* In areas where farming practices are followed which are determined by the Corporation to be special practices, yields and premium rates may be established for each special practice for the county or administartive area and for individual insurance units. The yield and premium rate thus established for the insurance unit(s) shall apply to the acreage of wheat seeded on the insurance unit in accordance with the special farming practices on the insurance unit(s).

GENERAL

§ 418.38 *Meaning of terms.* For the purpose of the Wheat Crop Insurance Program, the term:

(a) "Average yield" means the average yield of wheat per acre established by the Corporation for each insurance unit.

(b) "Cash equivalent price per bushel" means the net price per bushel of wheat established by the Corporation for the area in which the insurance unit is located on the basis of the price of wheat at the basic market designated by the Corporation for the area, with differentials for the location of the area in which the insurance unit is situated.

(c) "Corporation" means the Federal Crop Insurance Corporation.

(d) "County" means the area commonly designated as such, and includes a parish in Louisiana.

(e) "County association" means the County Agricultural Conservation Association in the county.

(f) "County committee" means the County Agricultural Conservation Committee for the county.

(g) "Crop insurance listing sheet" means the form prescribed by the Corporation for the purpose of maintaining a record of insurance units, yields and rates, and any other related information with respect to such insurance units. The crop insurance listing sheet is on file in the office of the county association and is open to inspection by any producer whose farm is listed thereon.

(h) "Crop year" means the period within which the wheat crop is seeded and normally harvested, and shall be designated by reference to the calendar year in which the crop is normally harvested.

(i) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also: (1) Any other adjacent or nearby farm land which the county committee determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and (2) any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm constitutes a unit with respect to the rotation of crops: *Provided, however,* That for the purpose of determining the minimum participation for a crop insurance program in any county the term "farm" means that acreage of land which constitutes an insurance unit.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or, if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located. In addition, a farm shall be considered to be located in a county for crop insurance purposes if it is listed on the crop insurance listing sheets for such county.

(j) "Harvest" means any mechanical severance from the land of matured wheat for threshing.

(k) "Insurance contract" means the contract of insurance entered into between the applicant and the Corporation by virtue of the application for insurance and this part and any amendments thereto.

(l) "Insurance unit" means all or that portion, as the case may be, of the farm (considered for the purpose of establishing the average yield(s) and premium rate(s)) in which the insured has an interest as a wheat producer at the time of seeding, except that (1) when a part of such land is regularly irrigated and a part is never irrigated, the portion of the land on the farm which is to be irrigated in the current crop year (as shown on the acreage report of the insured) shall constitute one insurance unit and the remainder shall constitute another insurance unit, and (2) when separate yields and rates have been established for widely separated parts of such land, such portions of the land shall constitute separate insurance units: *Provided, however,* That all or any part of such land which is designated on the crop insurance listing sheet in the office of the county association as "non-insurable," because of the insurance risk involved, shall not constitute an insurance unit or any part thereof and shall not be considered in any manner whatsoever under the insurance contract, except as provided in § 418.18 (b).

(m) "Insured interest" means either the insured's reported interest in the crop at the time of seeding, or the interest which the Corporation determines as the insured's actual interest at the time of seeding, whichever the Corporation shall elect, except that for the purpose of determining loss, the insured interest shall not exceed the insured's actual interest at the time of loss.

(n) "Insured percentage" means the percentage of the average yield of wheat per acre for the insurance unit covered by an insurance contract, and shall be either 50 or 75 percent.

(o) "Local producing area" means any area approved by the Corporation for the purposes of § 418.1 (b) hereof.

(p) "Operator" means a person who as landlord or cash tenant, or standing-rent or fixed-rent tenant, is operating a farm, or who as a share tenant is operating a whole farm.

(q) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity and, wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(r) "Premium rate" means the premium rate per acre established by the Corporation for insurance on wheat.

(s) "Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the wheat crop thereon or of the proceeds therefrom.

(t) "State committee" means the State Agricultural Conservation Committee for the State.

(u) "State Director" means the representative of the Corporation in the operation of the crop insurance program in the State.

(v) "Tenant" means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of the crop or proceeds therefrom), and is entitled under a written or oral lease or agreement to receive all or a share of the crop or proceeds therefrom produced on such land.

§ 418.39 *Restriction on purchase and sale of wheat by the Corporation.* The restriction on the purchase and sale of wheat, as provided in section 508 (d) of the Federal Crop Insurance Act, as amended, reads in part as follows:

Insofar as practicable, the Corporation shall purchase the agricultural commodity only at the rate and to a total amount equal to the payment of premiums in cash by farmers or to replace promptly the agricultural commodity sold to prevent deterioration; and shall sell the agricultural commodity only to the extent necessary to cover payments of indemnities and to prevent deterioration: *Provided, however,* That nothing in this section shall prevent prompt offset purchases and sales of the agricultural commodity for convenience in handling. Nothing in this section shall prevent the Corporation from accepting, for the payment of premiums, notes payable in the commodity insured, or the cash equivalent, upon such security as may be determined pursuant to subsection (b) of this section, and from purchasing the quantity of the commodity represented by any of such notes not paid at maturity.

§ 418.40 *Records and access to farm.* For the purpose of enabling the Corporation to determine the loss, if any, that may have occurred under the insurance contract, the insured shall keep, or cause to be kept, for one year after the time of loss, records of the harvesting, storage, shipment, sale, or other disposition, of all wheat produced on each insurance unit covered by the insurance contract. Such records shall be made available for examination by the Corporation, and as often as may reasonably be required, any person or persons designated by the Corporation shall have access to the farm. (See § 418.18 (b) hereof.)

§ 418.41 *Review of determinations of State and county committees.* Any determination by a State or county committee shall be subject to review and approval or revision by duly authorized representatives of the Corporation.

§ 418.42 *Applicant's warranties; voidance for fraud.* In applying for insurance the applicant warrants that the information, data, and representations submitted by him in connection with the insurance contract are true and correct, and are made by him, or by his authority, and shall be taken as his act. The insurance contract may be voided and the premium forfeited to the Corporation without the Corporation's waiving any right or remedy, including its right to collect the amount of the note executed by the insured, whether before or after maturity, if at any time the insured has concealed any material fact or made any false or fraudulent statements relating to the insurance contract, the subject thereof, or his interest in the wheat crop covered thereby, or if the insured shall neglect to use all reasonable means to produce, care for or save the wheat crop covered thereby, whether before or after damage has occurred, or if the insured fails to give any notice, or otherwise fails to comply with the terms of the contract, including the note, at the time and in the manner prescribed.

§ 418.43 *Modification of insurance contract.* No notice to any county committee or representative of the Corporation or knowledge possessed by any such county committee or representative or by any other person shall be held to effect a waiver of or change in any part of the insurance contract or to estop the Corporation from asserting any right or power under such contract; nor shall the terms of such contract be waived or changed except as authorized in writing by a duly authorized officer or representative of the Corporation; nor shall any provision or condition of the insurance contract or any forfeiture be held to be waived by any delay or omission by the Corporation in exercising its rights and powers thereunder or by any requirement, act, or proceeding, on the part of the Corporation or of its representatives, relating to appraisal or to any examination herein provided for.

§ 418.44 *Fractional units in acres and yields.* Fractions of yields per acre and premium rates shall be rounded to the nearest tenth of a bushel. Fractions of acres representing total acres of wheat shall be rounded to the nearest tenth of an acre. Computations shall be carried to one digit beyond the digit that is to be rounded. If the extra digit computed is 1, 2, 3, or 4, the rounding shall be downward. If the extra digit computed is 6, 7, 8, or 9, the rounding shall be upward. If the extra digit computed is 5, the computation shall be carried to another digit. If the two extra digits are 50, the rounding shall be downward, and if the two extra digits are 51 or any higher figure, the rounding shall be upward.

§ 418.45 *Closing dates.* (a) For winter wheat: The closing dates for submission of applications to cover the winter wheat crop shall be the earlier of (1) the date of the beginning of seeding of the wheat crop, or (2) the applicable calendar date below:

August 31, 1945, for Arizona, Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah and Wyoming;

September 15, 1945, for Illinois, Indiana, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin; and

September 30, 1945, for California, Delaware, Idaho, Kentucky, Maryland, North Carolina, Oregon, Tennessee, Virginia, Washington, and West Virginia.

(b) For spring wheat: The closing dates for submission of applications to cover the spring wheat crop shall be the earlier of (1) the date of the beginning of seeding of the wheat crop, or (2) the applicable calendar date below:

April 10, 1946, for Montana, North Dakota, and all counties in Minnesota lying north of Traverse, Grant, Douglas, Todd, Mille Lacs, Kanabec, and Pine counties;

March 31, 1946, for all remaining counties in Minnesota, and for South Dakota and Wisconsin; and

March 15, 1946, for all other States, except California, for which the spring wheat closing date shall be *September 30, 1945.*

§ 418.46 *Maturity dates for payment of annual installments on premium notes.* The maturity dates by States for the payment of annual installments on notes shall be as follows:

June 30 for Arizona, Arkansas, Delaware, Illinois, Indiana, Kansas, Kentucky, Maryland, Missouri, North Carolina, Ohio, Oklahoma, Tennessee, Texas, Virginia, and West Virginia;

July 31 for California, Colorado, Iowa, Michigan, Nebraska, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Wisconsin, and Wyoming; and

August 31 for Idaho, Minnesota, Montana, Nevada, North Dakota, South Dakota, Utah, and Washington.

NOTE: The record keeping requirements of these regulations have been approved by, and subsequent reporting requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Board of Directors on June 1, 1945.

[SEAL] E. R. DUKE,
Chairman.

Approved: June 12, 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-10290; Filed, June 12, 1945; 3:31 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 131]

PART 1430—SUGAR

DISTRIBUTION OF DIRECT CONSUMPTION SUGAR

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of sugar for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1430.8 *Restrictions on the distribution of direct consumption sugar—*(a) *Definitions.* (1) "Sugar" means any grade or type of saccharine product derived from sugarcane or sugar beets, which contains sucrose, dextrose, or levulose, including any sugar principally not of crystalline structure which contains non-sugar solids (excluding any foreign substances that may have been added), equal to six percentum or less of the total soluble solids. The term "sugar" shall not include syrup of cane juice, produced from sugarcane grown in the 48 States or the District of Columbia.

(2) "Direct consumption sugar" means any sugar which is not to be further refined or otherwise improved in quality.

(3) "Primary distributor" means any person who manufactures direct consumption sugar, or who imports or brings direct consumption sugar into the 48 States or the District of Columbia for distribution therein.

(4) "Quota period" means any period of time for which the Director has established a quota for the delivery of direct consumption sugar by a primary distributor.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(6) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Deliveries.* (1) No primary distributor shall, during any quota period, deliver or offer to deliver direct consumption sugar in excess of his quota for such period.

(2) The delivery of direct consumption sugar by any primary distributor during any quota period, in excess of such distributor's quota for such period, shall be charged against such distributor's quota for any subsequent quota period and shall also subject such distributor to such other action or proceedings as may be prescribed by law.

(c) *Quotas.* (1) The Director is authorized to establish, adjust, revise, and, subject to applicable procedure, suspend or revoke quotas for the delivery of direct consumption sugar by any primary distributor. In establishing quotas, the Director shall take into consideration (i) the primary distributor's deliveries of direct consumption sugar during previous periods, (ii) the total amounts of sugar available for distribution, (iii) the requirements of particular areas of the United States for direct consumption

sugar, and (iv) any other facts which the Director may deem material.

(2) The Director may establish separate quotas as between deliveries for civilian consumption and deliveries to governmental agencies, direct or indirect.

(d) *Transfer between branches, departments or plants.* The transfer of direct consumption sugar between units, departments, branches, plants, or companies owned, controlled, or directed by the same person but engaged in separate activities as primary distributors, refiners, or manufacturers of products containing sugar, shall constitute delivery within the meaning of this order.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years or for such other period of time as the Director may designate, maintain an accurate record of his transactions in direct consumption sugar.

(f) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(g) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of sugar of any person, and to make investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using sugar. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 131, Sugar Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(l) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

Effective date. This order shall become effective at 12:01 a. m., e. w. t., June 12, 1945.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 12th day of June 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-10324; Filed, June 13, 1945; 11:25 a. m.]

[WFO 131-1]

PART 1430—SUGAR

QUOTAS FOR DIRECT CONSUMPTION SUGAR

Pursuant to the authority vested in me by War Food Order No. 131, and in order to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1430.9 *Establishment of quotas for delivery of direct consumption sugar*—(a) *Definitions.* (1) "Sugar" means any grade or type of saccharine product derived from sugarcane or sugar beets, which contains sucrose, dextrose, or levulose, including any sugar principally not of crystalline structure which contains non-sugar solids (excluding any foreign substances that may have been added), equal to six percentum or less of the total soluble solids. The term "sugar" shall not include syrup of cane juice, produced from sugarcane grown in the 48 States or the District of Columbia.

(2) "Direct consumption sugar" means any sugar which is not to be further refined or otherwise improved in quality.

(3) "Primary distributor" means any person who manufactures direct consumption sugar, or who imports or brings direct consumption sugar into the 48 States or the District of Columbia for distribution therein.

(4) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States, War Food Administration (including any corporate agency thereof), the War Shipping Administration, the Veterans Administration, or any other agency of the United States designated by the Director.

(5) "Authorized purchaser" means any person who delivers sugar or products containing sugar to a governmental agency, or who obtains sugar for export under a license issued by the Foreign Economic Administration.

(6) "Ration evidence" means any written instrument issued by a governmental agency evidencing the right of the holder to a specified amount of sugar to be delivered to such governmental agency or to an authorized purchaser for export, or to be used in manufacturing sugar-containing products for delivery to such governmental agency.

(7) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(8) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Delivery restrictions.* There are hereby established separate quotas governing the distribution of direct consumption sugar by primary distributors to four types of consumers, as follows:

(1) War Food Administration;
(2) Governmental agencies other than War Food Administration and War Shipping Administration;
(3) Authorized purchasers;
(4) Civilians.

No primary distributor shall, during any quota period, deliver or offer to deliver direct consumption sugar in excess of his quota for each type of consumer for such period.

(c) *April–September 1945 quotas.* The quota of each primary distributor for delivery to (1) War Food Administration, (2) governmental agencies other than War Food Administration and War Shipping Administration, (3) authorized purchasers, and (4) civilians, respectively, during the quota period April-September 1945, shall be the amount set forth opposite the name of such primary distributor in Appendix A attached hereto and made a part hereof (all amounts are stated in short tons, as delivered).

(d) *Deliveries to authorized purchasers.* Effective July 1, 1945, no primary distributor shall deliver direct consumption sugar to any authorized purchaser unless such authorized purchaser endorses and transfers to the primary distributor the ration evidence issued to such authorized purchaser. Every primary distributor shall retain such ration evidence for submission to the Director upon request. No person shall be entitled to rely upon any such ration evidence if he knows or has reasonable cause to believe it to be false.

(e) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(g) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using sugar. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 131–1, Sugar Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(i) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(j) *Effective date.* The provisions of paragraph (d) of this order shall become effective at 12:01 a. m., e. w. t., July 1, 1945. All other provisions of this order shall become effective at 12:01 a. m., e. w. t., June 12, 1945.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 12th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

APPENDIX A

	War Food Administration	Governmental Agencies other than WFA and WSA	Authorized Purchasers	Civilians
Atlantic and Gulf refiners				
American Sugar Refining Co	15,000	123,032	51,554	531,801
J. Aron & Co	1,000	5,617	2,434	25,388
Colonial Sugars, Inc	4,120	11,124	5,093	55,079
Godchaux Sugars, Inc	2,500	21,661	9,024	90,289
Revere Sugar Refinery		7,508	2,804	25,354
Spreckels Sugar Co	2,240	16,014	6,818	69,567
National Sugar Refining Co				
Western Sugar Refinery	12,000	75,317	32,624	324,108
Woodbridge Sugars, Inc			5,527	15,189
Inland refiners				
Hawaiian Sugar & Supply Co., Ltd	2,300	12,553	5,531	55,328
Imperial Sugar Company	2,000	16,979	7,088	75,044
Savannah Sugar Refinery	1,300	21,147	8,384	85,949
Southern Sugar Corporation	1,453	5,655	2,647	24,456
Sterling Sugars, Inc	1,000	2,650	1,366	14,981
Western Sugar Corporation & Affil		24,112		40,646

[WFO 79-102, Amdt. 11]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO MARKET AGENTS IN THE ADMINISTRATION OF WAR FOOD ORDERS FOR THE CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

Pursuant to War Food Order No. 79, as amended (8 F.R. 12426, 13283, 9 F.R. 4321, 4319, 6982, 9459, 10035, 11990, 10 F.R. 103, 5347), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79.102, as amended (8 F.R. 16313, 9 F.R. 337, 4321, 4319, 4500, 10241, 11308, 12948, 14007, 14875, 10 F.R. 103, 126, 1854, 3173, 4229), is hereby further amended by deleting in the proviso included in § 1401.135 (b) (3) the numeral "61." and substituting therefor the numeral "92."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 15, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 79–102, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 79–102, as amended, in effect prior to the effective time hereof, shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4321, 4319, 6962, 9459, 10035, 11990, 10 F.R. 103, 5347)

Issued this 11th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-10234; Filed, June 12, 1945; 11:12 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. 221 et al.]

TRANSCONTINENTAL & WESTERN AIR, INC., ET AL.: CINCINNATI-NEW YORK, ADDITIONAL SERVICE

NOTICE OF HEARING

In the matter of the application of Transcontinental & Western Air, Inc., et al. for certificates and amendments of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1601, that a hearing in the above-entitled proceeding is assigned to be held on August 10, 1945, at 10 a. m. (eastern war time) in Conference Room A of the Departmental Auditorium, Washington, D. C., before Examiners F. A. Law, Jr., and H. Heinrich Spang.

Dated at Washington, D. C., June 12, 1945.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-10317; Filed, June 13, 1945; 11:07 a. m.]

FEDERAL TRADE COMMISSION.

[File No. 21-385]

LOW PRESSURE REFRIGERANTS INDUSTRY

NOTICE OF HEARING WITH RESPECT TO PROPOSED TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 13th day of June, A. D. 1945.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, or other parties or groups affected by or having an interest in the

sugar, and (iv) any other facts which the Director may deem material.

(2) The Director may establish separate quotas as between deliveries for civilian consumption and deliveries to governmental agencies, direct or indirect.

(d) *Transfer between branches, departments or plants.* The transfer of direct consumption sugar between units, departments, branches, plants, or companies owned, controlled, or directed by the same person but engaged in separate activities as primary distributors, refiners, or manufacturers of products containing sugar, shall constitute delivery within the meaning of this order.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years or for such other period of time as the Director may designate, maintain an accurate record of his transactions in direct consumption sugar.

(f) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(g) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of sugar of any person, and to make investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using sugar,

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 131, Sugar Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(l) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

Effective date. This order shall become effective at 12:01 a. m., e. w. t., June 12, 1945.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 12th day of June 1945.

MARVIN JONES.
War Food Administrator.

[F. R. Doc. 45-10324; Filed, June 13, 1945; 11:25 a. m.]

[WFO 131-1]

PART 1430—SUGAR

QUOTAS FOR DIRECT CONSUMPTION SUGAR

Pursuant to the authority vested in me by War Food Order No. 131, and in order to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1430.9 *Establishment of quotas for delivery of direct consumption sugar*—(a) *Definitions.* (1) "Sugar" means any grade or type of saccharine product derived from sugarcane or sugar beets, which contains sucrose, dextrose, or levulose, including any sugar principally not of crystalline structure which contains non-sugar solids (excluding any foreign substances that may have been added), equal to six percentum or less of the total soluble solids. The term "sugar" shall not include syrup of cane juice, produced from sugarcane grown in the 48 States or the District of Columbia.

(2) "Direct consumption sugar" means any sugar which is not to be further refined or otherwise improved in quality.

(3) "Primary distributor" means any person who manufactures direct consumption sugar, or who imports or brings direct consumption sugar into the 48 States or the District of Columbia for

tration, or any other agency of the United States designated by the Director.

(5) "Authorized purchaser" means any person who delivers sugar or products containing sugar to a governmental agency, or who obtains sugar for export under a license issued by the Foreign Economic Administration.

(6) "Ration evidence" means any written instrument issued by a governmental agency evidencing the right of the holder to a specified amount of sugar to be delivered to such governmental agency or to an authorized purchaser for export, or to be used in manufacturing sugar-containing products for delivery to such governmental agency.

(7) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(8) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Delivery restrictions.* There are hereby established separate quotas governing the distribution of direct consumption sugar by primary distributors to four types of consumers, as follows:

(1) War Food Administration;

(2) Governmental agencies other than War Food Administration and War Shipping Administration;

(3) Authorized purchasers;

(4) Civilians.

No primary distributor shall, during any quota period, deliver or offer to deliver direct consumption sugar in excess of his quota for each type of consumer for such period.

(c) *April–September 1945 quotas.* The quota of each primary distributor for delivery to (1) War Food Administration, (2) governmental agencies other than War Food Administration and War Shipping Administration, (3) authorized purchasers, and (4) civilians, respectively, during the quota period April-September 1945, shall be the amount set forth opposite the name of such primary distributor in Appendix A attached hereto and made a part hereof (all amounts are stated in short tons, as delivered).

(d) *Deliveries to authorized purchasers.* Effective July 1, 1945, no primary distributor shall deliver direct consumption sugar to any authorized purchaser unless such authorized purchaser endorses and transfers to the primary distributor the ration evidence issued to such authorized purchaser. Every primary distributor shall retain such ration evidence for submission to the Director upon request. No person shall be entitled to rely upon any such ration evidence if he knows or has reasonable cause to believe it to be false.

(e) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

proposed trade practice rules for the low pressure refrigerants industry to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon application to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than June 29, 1945. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., June 29, 1945, in Room 532, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street N. W., Washington, D. C., to any such persons, partnerships, corporations, associations, or other parties or groups desiring to appear and be heard. Upon due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10315; Filed, June 13, 1945; 11:06 a. m.]

[Docket No. 5286]

ANTI-CO-RODE LABORATORIES

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of June, A. D. 1945.

In the matter of Benjamin L. Fry, an individual trading as Anti-Co-Rode Laboratories.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 2, 1945, at ten o'clock in the forenoon of that day (central standard time), in Room 516, United States Court House and Custom House, St. Louis, Missouri.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10338; Filed, June 13, 1945; 11:56 a. m.]

[Docket No. 5289]

UNITED ADVERTISING COMPANIES, INC. AND TALLY SOAP CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of June, A. D., 1945.

In the matter of United Advertising Companies, Inc., a corporation; and Nelson J. McMahon, individually and as an officer of United Advertising Companies, Inc., doing business as Tally Soap Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 25, 1945, at ten o'clock in the forenoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10337; Filed, June 13, 1945; 11:56 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 288, 2d Amended Special Permit 9]

REFRIGERATION OF SHELL EGGS SHIPPED TO BREAKING OR DRYING PLANTS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 of February 27, 1945 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 only insofar as it applies to the furnishing of privately-owned refrigerator cars to any shipper owning the refrigerator cars so furnished, for loading by said shipper with shell eggs in used fibreboard egg cases provided said cars are shipped to breaking and drying plants only, and provided further that the fibreboard cases in which the eggs are packed comply with the provisions of Consolidated Freight Classification No. 16.

This special permit shall become effective at 11:59 p. m., June 10, 1945, and it shall expire at 11:59 p. m., July 10, 1945.

The car order, bill of lading, other shipping papers and the waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June 1945.

V. C. CLINGER,
Director.

[F. R. Doc. 45-10322; Filed, June 13, 1945; 11:08 a. m.]

[S. O. 314]

UNLOADING OF COIN MACHINES AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of June, A. D. 1945.

It appearing that cars PFE 41432 and PFE 15559 containing coin machines, now at Los Angeles, California, on a team track of the Union Pacific Railroad Company, shipped by Keystone Moving and Storage Company, Erie, Pa., have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered*, that:

Coin machines at Los Angeles, California, be unloaded. (a) The Union Pacific Railroad Company, its agents or employees, shall unload forthwith cars PFE 41432 and PFE 15559 containing coin machines now on hand at Los Angeles, California, consigned order—notify Harry H. Johnson.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such car has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Union Pacific Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10320; Filed, June 13, 1945; 11:08 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4983]

GUSTAV EDUARD AHLFF

In re: Trust under the will of Gustav Eduard Ahlff, also known as Gus E. Ahlff, deceased; File D-28-9374; E. T. sec. 12433.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of August Ahlff, Elsie Ahlff Munster, Augusta Ahlff Hly and William Ahlff, and each of them, in and to the Trust created under the Will of Gustav Eduard Ahlff, also known as Gus E. Ahlff, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

August Ahlff, Germany.
Elsie Ahlff Munster, Germany.
Augusta Ahlff Hly, Germany.
William Ahlff, Germany.

That such property is in the process of administration by Ralph B. Brown, as Administrator d. b. n., acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Colusa;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10218; Filed, June 12, 1945; 11:22 a. m.]

[Vesting Order 4984]

ERNEST DEMMLER

In re: Estate of Ernest Demmler, deceased; File D-28-9080; E. T. sec. 11625.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended; and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Kurt Demmler, Fritz Demmler, Ella Hochsmuth, Tony Voigtlander and Ida Georgi, and each of them, in and to the Estate of Ernest Demmler, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Kurt Demmler, Germany.
Fritz Demmler, Germany.
Ella Hochsmuth, Germany.
Tony Voigtlander, Germany.
Ida Georgi, Germany.

That such property is in the process of administration by Trude Pedersen, also known as Gertrude Pedersen, as Executrix of the Estate of Ernest Demmler, acting under the judicial supervision of the County Court of the State of Oregon, for the County of Washington;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10219; Filed, June 12, 1945; 11:13 a. m.]

[Vesting Order 4985]

FERDINAND DIETRICH

In re: Estate of Ferdinand Dietrich, deceased; File No. D-28-8898; E. T. Sec. 11108.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Diebold, heirs, names unknown, of Anna Diebold, heirs, names unknown of Rosa Bindenagel, also known as Rosia Bindennagel, deceased, Marie Braunagel and heirs, names unknown of Marie Braunagel, and each of them, in and to the Estate of Ferdinand Dietrich, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Diebold, Germany.
Heirs, names unknown, of Anna Diebold, Germany.
Heirs, names unknown, of Rosa Bindenagel, also known as Rosia Bindennagel, deceased, Germany.
Marie Braunagel, Germany.
Heirs, names unknown of Marie Braunagel, Germany.

That such property is in the process of administration by Ralph Callaghan and August Schultz, as Co-executors, acting under the judicial supervision of the County Court of Custer County, State of Colorado;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien

Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10220; Filed, June 12, 1945; 11:13 a. m.]

[Vesting Order 4986]

FREDERICK OTTO GERBER

In re: Estate of Frederick Otto Gerber, deceased; File D–28–9082; E. T. sec. 11616.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $1,383.44 being the sum payable to Minna Borner under the terms of an agreement executed by Theodore Vogler on December 24, 1942,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely;

National and Last Known Address

Minna, Borner, Germany.

That such property is in the process of administration by O. A. Eastman, as Administrator of the Estate of Frederick Otto Gerber, acting under the judicial supervision of the Circuit Court of the State of Oregon, for the County of Multnomah;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10221; Filed, June 12, 1945; 11:13 a. m.]

[Vesting Order 4987]

PAULINE A. GIESE

In re: Estate of Pauline A. Giese, deceased; File D–28–9381; E. T. sec. 12447.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Else Ott and Herbert Siebert, and each of them, in and to the Estate of Pauline A. Giese, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals, and Last Known Address

Else Ott, Germany.
Herbert Siebert, Germany.

That such property is in the process of administration by William P. Siebert, 1420 Ninth Street South, St. Petersburg, Florida, as Executor of the Estate of Pauline A. Giese, deceased, acting under the judicial supervision of the Judge's Court of Volusia County, Florida;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10222; Filed, June 12, 1945; 11:13 a. m.]

[Vesting Order 4988]

H. A. GOTZIAN

In re: Estate of H. A. Gotzian, deceased, File D–28–9320; E. T. sec. 12258.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Bertha Menzel, Anna Elizabethe Breitenstein, Anna Margarethe Bramm, Ida Barbara Penpelmann, and Gustav Gotzian, and each of them, in and to the Estate of H. A. Gotzian, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Bertha Menzel, Elsenach, Germany.
Anna Elizabeth Breitenstein, Eisenach, Germany.
Anna Margarethe Bramm, Eisenach, Germany.
Ida Barbara Penpelmann, Eisenach, Germany.
Gustav Gotzian, Eisenach, Germany.

That such property is in the process of administration by W. F. Hofsteater, as Executor of the Estate of H. A. Gotzian, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of Kittitas;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10223; Filed, June 12, 1945; 11:13 a. m.]

[Vesting Order 4989]

BERTA GROTH

In re: Estate of Berta Groth, deceased; File D–28–9432; E. T. sec. 12627.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Richard Heidenreich, or his heirs, and each of them, in and to the Estate of Berta Groth, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Richard Heidenreich, or his heirs, Germany.

That such property is in the process of administration by Emma Groth Miller, as Executrix of the Estate of Berta Groth, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Sacramento;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10224; Filed, June 12, 1945; 11:14 a. m.]

[Supp. Vesting Order 4990]

CHARLES W. KUHNE

In re: Estate of Charles W. Kuhne, deceased; File D–28–7923; E. T. sec. 8742.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Lena Scheidt, Lisa Loock, Hans Loock, Jr., Ernst Loock, Wilhelm Scheidt, Karl Scheidt, Agnes Timmler, Aenne Frederking, Claire Frederking Boshoven, Mieze Kuhne, Elsa Schwarze, Truda Siemon, Kathe Siemon, Eugenie (Janna) Loock, Dora Loock, Fridel Loock, Lotta Scheidt, Margarete (Gretschen) Scheidt and Tilli Frederking, and each of them, in and to the estate of Charles W. Kuhne, deceased, arising out of the bequests contained in Item Seven (b) 3 of the Will and Item Four of the Codicil of said deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Lena Scheidt, Germany.
Lisa Loock, Germany.
Hans Loock, Jr., Germany.
Ernst Loock, Germany.
Wilhelm Scheidt, Germany.
Karl Scheidt, Germany.
Agnes Timmler, Germany.
Aenne Frederking, Germany.
Claire Frederking Boshoven, Germany.
Mieze Kuhne, Germany.
Elsa Schwarze, Germany.
Truda Siemon, Germany.
Kathe Siemon, Germany.
Eugenie (Janna) Loock, Germany.
Dora Loock, Germany.
Fridel Loock, Germany.
Lotta Scheidt, Germany.
Margarete (Gretschen) Scheidt, Germany.
Tilli Frederking, Germany.

That such property is in the process of administration by Lincoln National Bank and Trust Company, 116 East Berry Street, Fort Wayne, Indiana, as Executor and Trustee of the Estate of Charles W. Kuhne, Deceased, acting under the judicial supervision of the Superior Court No. 2, Allen County, Indiana;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10225; Filed, June 12, 1945; 11:14 a. m.]

[Vesting Order 4991]

LUISE LARSON

In re: Estate of Luise Larson, deceased; File D-28-8484; E. T. sec. 9949.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Helene Rathgeber, Martha Wurster, Emma Herzog, Frieda Herzog, heirs, legatees or personal representatives, names unknown of Marie Zerweckh, deceased, and Frieda Flurer, and each of them, in and to the Estate of Luise Larson, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helene Rathgeber, Germany.
Martha Wurster, Germany.
Emma Herzog, Germany.
Frieda Herzog, Germany.
Heirs, legatees or personal representatives, names unknown of Marie Zerweckh, deceased, Germany.
Frieda Flurer, Germany.

That such property is in the process of administration by A. W. Marshall and Henry Meyer, as Co-Executors of the Estate of Luise Larson, acting under the judicial supervision of the Probate Court, Luna County, New Mexico;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10226; Filed, June 12, 1945; 11:14 a. m.]

[Vesting Order 4992]

JOHN P. LOBENHOFFER

In re: Estate of John P. Lobenhoffer, also known as J. P. Lobenhoffer, deceased; File D-66-2037; E. T. sec. 11932.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Sophie Lobenhoffer and Wilhelm Lobenhoffer, and each of them, in and to the Estate of John P. Lobenhoffer, also known as J. P. Lobenhoffer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sophie Lobenhoffer, Germany.
Wilhelm Lobenhoffer, Germany.

That such property is in the process of administration by J. Ray Keaton, as Administrator of the Estate of John P. Lobenhoffer, also known as J. P. Lobenhoffer, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Marin.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10227; Filed, June 12, 1945; 11:14 a. m.]

[Vesting Order 4993]

JOHANN JACOB LUTSCH

In re: Estate of Johann Jacob Lutsch, also known as J. J. Lutsch, deceased; File D-28-9308; E. T. sec. 12275.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Johann Ulrick, and children, names unknown of Anton and Maria Wolf, and each of them, in and to the Estate of Johann Jacob Lutsch, also known as J. J. Lutsch, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country (Germany) namely;

Nationals and Last Known Address

Johann Ulrick, Germany.
Children, names unknown, of Anton and Maria Wolf, Germany.

That such property is in the process of administration by Henry J. Kruger, as Executor of the Estate of Johann Jacob Lutsch, also known as J. J. Lutsch, acting under the judicial supervision of the Probate Court of Fremont County, State of Idaho;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10228; Filed, June 12, 1945; 11:14 a. m.]

[Vesting Order 4994]

JOSEPH STEVE MAROD

In re: Estate of Joseph Steve Marod, deceased; File No. D-34-960; E. T. Sec. 8465.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Klimasz Janos (John Klimasz), surviving spouse, name unknown, of Klimasz Janos (John Klimasz), child or children, name or names unknown, of Klimasz Janos (John Klimasz), Helembai Janosne (Mrs. John Helembai), surviving spouse, name unknown, of Helembai Janosne (Mrs. John Helembai), child or children, name or names unknown, of Helembai Janosne (Mrs. John Helembai), Marod Janos (John Marod), surviving spouse, name unknown, of Marod Janos (John Marod), and child or children, name or names unknown, of Marod Janos (John Marod), and each of them, in and to the Estate of Joseph Steve Marod, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Klimasz Janos (John Klimasz), Hungary.
Surviving spouse, name unknown, of Klimasz Janos (John Klimasz), Hungary.
Child or children, name or names unknown, of Klimasz Janos (John Klimasz), Hungary.
Helembai Janosne (Mrs. John Helembai), Hungary.
Surviving spouse, name unknown, of Helembai Janosne (Mrs. John Helembai), Hungary.
Child or children, name or names unknown, of Helembai Janosne (Mrs. John Helembai), Hungary.
Marod Janos (John Marod), Hungary.
Surviving spouse, name unknown, of Marod Janos (John Marod), Hungary.
Child or children, name or names unknown, of Marod Janos (John Marod), Hungary.

That such property is in the process of administration by Theodore W. Kohn and Michael Polyak, as Co-executors, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10229; Filed, June 12, 1945; 11:14 a. m.]

[Vesting Order 4995]

JIRO MATSUO

In re: Estate of Jiro Matsuo, deceased; File D-39-18348; E. T. sec. 12583.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Some Toyama, Taka Kadooka and Hideao Uchida, and each of them, in and to the Estate of Jiro Matsuo, deceased,

is property payable or deliverable to, or claimed by, nationals of a deslgnated enemy country, Japan, namely,

Nationals and Last Known Address

Some Toyama, Japan.
Taka Kadooka, Japan.
Hideao Uchida, Japan.

That such property is in the process of administration by W. G. Kerper, as Administrator of the Estate of Jiro Matsuo, acting under the judicial supervision of the District Court of the Fifth Judicial District, Park County, Wyoming;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10230; Filed, June 12, 1945; 11:14 a. m.]

[Vesting Order 4996]

JOHN P. NEUMANN

In re: Estate of John P. Neumann, deceased; File No. D-28-8405; E. T. sec. 9814.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Antonia Neumann, Anna Maus, Mrs. Toni Dauer and Elizabeth Wellbacher, and each of them, in and to the Estate of John P. Neumann, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Antonia Neumann, Germany.
Anna Maus, Germany.
Mrs. Toni Dauer, Germany.
Elizabeth Wellbacher, Germany.

That such property is in the process of administration by Fred H. Voss and Louis N. Stock, as Executors, acting under the judi-

cial supervision of the Surrogate's Court of Ulster County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10231; Filed, June 12, 1945; 11:15 a. m.]

[Vesting Order 4997]

JOHN PASZTELLAK

In re: Estate of John Pasztellak, deceased; File D–34–743; E. T. sec. 10476.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Yanosne Pasztellak and Joseph Pasztellak, and each of them, in and to the Estate of John Pasztellak, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Yanosne Pasztellak, Hungary.
Joseph Pasztellak, Hungary.

That such property is in the process of administration by Elizabeth Barat, as Administratrix, acting under the judicial supervision of the Passaic County Orphans' Court, Paterson, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10232; Filed, June 12, 1945; 11:15 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 1156]

ANTHONY KRIEG

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Anthony Krieg, 3522 Lincoln Avenue, Chicago 13, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Rose of Delhi...	Smoker.....	50	*Per M* $75	*Cents* 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10191; Filed, June 11, 1945; 4:47 p. m.]

[MPR 260, Order 1157]

BEN JAY CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ben Jay Cigar Factory, 1932 N. Central Ave., Chicago, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ben Jay.....	Smokers.....	50	*Per M* $75.00	*Cents* 10
	Breva.....	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10192; Filed, June 11, 1945; 4:47 p. m.]

[MPR 260, Order 1158]

WILLIAM F. BROCKMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) William F. Brockman, 109 W. Pearl St., Jerseyville, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Brockman's: Bouquet de Habana.	Bouquet de Habana.	50	*Per M* $75	*Cents* 10
Inedit.....	Coll.....	50	95	7
	Luxuries.....	50	64	5
Luxuries.....	Luxuries.....	50	95	7
Paddy.....	Paddy.....	50	95	7
Cosmos.....	Cosmos.....	50	95	7
Hoo Hoo.....	Hoo Hoo.....	50	95	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10193; Filed, June 11, 1945; 4:48 p. m.]

[MPR 260, Order 1159]

ARTHUR G. SOTO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Arthur G. Soto, 114a Tompkins Avenue, Brooklyn, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
De Soto Cigar....	[illegible]	50	*Per M* $115	*Cents* 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the

manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10194; Filed, June 11, 1945; 4:48 p. m.]

[MPR 260, Order 1160]

CACHITA GARCIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cachita Garcia, 5 West 114th St., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Panatela.....	5"[1]	50	$134	2 for 25
	5¼"	50	90	12

[1] These prices apply only to this brand and size containing all long Havana filler as specified in the application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10195; Filed, June 11, 1945; 4:48 p. m.]

[MPR 260, Order 1161]

BERT A. LAWRENCE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Bert A. Lawrence, 110 S. Maiden Lane, Tecumseh, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
L. C.....	L. C. 4½"...	20	*Per M*	*Cents*

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10196; Filed, June 11, 1945; 4:48 p. m.]

[MPR 260, Order 1162]

F. DIEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) F. Diez Cigar Factory, 2706 Green St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Yelanga.....	Corona.....	50	$154.00	20
	Panetala.....	50	134.00	2 for 35
	Zent.....	50	72.00	9
	Cadetas.....	50	78.75	2 for 21
La Rosa.....	Panaleta 5A....	50	125.00	16
	Brevas.....	50	134.00	2 for 35

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10197; Filed, June 11, 1945; 4:49 p. m.]

[MPR 260, Order 1163]

BENJAMIN H. SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Benjamin H. Smith, 6749 Evans Ave., Chicago 37, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Havana Mint....	4⅝"	50	$56.00	7
El Plato.....	4¾"	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10198; Filed, June 11, 1945; 4:49 p. m.]

[MPR 260, Order 1164]

L. RESNICK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) L. Resnick, 1724 Turk St., San Francisco, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate max-

imum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lord Bentley	Columbia	50	$115	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc 45-10199; Filed, June 11, 1945; 4:49 p. m.]

[MPR 260, Order 1165]

SENECA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Seneca Cigar Co., 1380 W. 3 St., Cleveland, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Clarice	Diplomats	50	$90	12 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc. 45-10200; Filed, June 11, 1945; 4:52 p. m.]

[MPR 260, Order 1166]

MARTINEZ & CUETO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Martinez & Cueto Cigar Factory, 1405 21st Street, Tampa 5, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Sultana	Corona Deluxe	50	$90	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc. 45-10201; Filed, June 11, 1945; 4:52 p. m.]

[MPR 260, Order 1167]

WEBSTER EISENLOHR, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Webster Eisenlohr, Inc., 187 Madison Avenue, New York 16, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
C. I. A.	No. 2 B. N.	25	$140.50	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10202; Filed, June 11, 1945; 4:52 p. m.]

[MPR 260, Order 1168]

CARLO GARCIA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Carlo Garcia Cigar Factory, 2401 Wentworth Avenue, Chicago 16, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Carlo Garcia Monet	Corona Grande	50	$177	23
	Favoritas	50	131	17
	Reinas	50	105	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10203; Filed, June 11, 1945; 4:52 p. m.]

[MPR 260, Order 1169]

Tampa Highness Cigar Factory

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tampa Highness Cigar Factory, 706 E. Watrous Avenue, Sulphur Springs, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tampa Highness	Blunts	50	$48	6
	McKays	50	48	6
	Londres	50	56	7
	Reyes	50	56	7
	Fines	50	56	7
	Perfectos	50	60	2 for 15
	Fellows	50	60	2 for 15
	Kings	50	60	2 for 15
	Selectos	50	96	12
	Regalia	50	154	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10204; Filed, June 11, 1945; 4:53 p. m.]

[Supp. Order 94, Amdt. 1 to Rev. Order 16]

United States Department of Commerce

SPECIAL MAXIMUM PRICES FOR CERTAIN DOUBLE DECK BUNK BEDS, COTS, MATTRESSES AND HOSPITAL BEDS

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. 16 under Supplementary Order 94 is amended in the following respects:

1. Paragraph (b) (1) is amended by adding thereto the following description and prices:

Article and description	Price for all sales to retailers, f. o. b. shipping point	Price for all sales at retail
Used iron single bedstead, knock down type, #26-B-506, old style, complete; outside dimensions 2'0" x 7'5½", bent tubular ends 31½" high, made of 1" O/D stock with 3 rigid ¾" rod upright bars; angle frame 13⅝" x 13⅝" x 1⅛", fabric wire spring with 19-2⅛" helical springs at each end, 14½" from floor; and any subsequent specifications of this model including #42-A dated April 14, 1942, Q.M. drawing 2-5-16	$2 75	$5 50

2. Paragraph (b) (2) is amended by adding thereto the following description and prices:

Article and description	Price for all sales to retailers, f. o. b. shipping point	Price for all sales at retail
Reconditioned iron single bedstead, knock down type, #26-B-506, old style, complete; outside dimensions 32" x 7'5½", bent tubular ends 31½" high, made of 1" O/D stock with 3 rigid ¾" rod upright bars; angle frame 13⅝" x 13⅝" x 1⅛", fabric wire spring with 19—2⅛" helical springs at each end, 14½" from floor; and any subsequent specifications of this model including #42-A dated April 14, 1942, Q.M. drawing 2-5-16	$5 50	$11

This amendment to Revised Order No. 16 shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10385; Filed, June 13, 1945; 11:55 a. m.]

[Max. Import Price Reg. Order 96]

Casting and Fishing Reels

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which any person may sell, and maximum prices at which any person other than the importer may buy, certain casting and fishing reels manufactured in Canada by Lawson Machine Works, Montreal, Quebec. These reels, marked "Lawson Machine Works, Montreal, Canada," and imported into the United States by various persons, are described as follows:

(1) Lawson level winding bait casting reel, die cast aluminum, diameter 2⅝", inside width 1¾", weight 8 ounces, line capacity, 100 yards.

(2) Laurentian fly fishing reel, die cast aluminum alloy casing and drum, perforated or plain drum, black or natural aluminum finish, outside diameter 3 1/16", width of drum ¾", weight 5 ounces, line capacity, 30 yards.

(b) *Maximum prices on sales by any person except a retailer.* No person other than a retailer may sell or deliver, and no person may buy or receive from such seller, the casting and fishing reels described in paragraph (a) at prices (including Federal excise tax), f. o. b. sellers shipping point, exceeding the following:

Lawson level winding bait casting reel	$8 75
Laurentian fly fishing reel	6 65

(d) *Maximum retail prices.* No retailer may sell or deliver, and no person may buy or receive such casting and fishing reels from a retailer, at prices (including Federal excise tax) higher than the following:

Lawson level winding bait casting reel	$14 10
Laurentian fly fishing reel	10 95

(d) *Importer or other seller to notify retailers.* The importer or other seller shall notify each retailer to whom such casting and/or fishing reels are sold what are his maximum retail selling prices therefor as established by this Order.

(e) *Brokers or agents commissions.* The maximum prices established by this order include, and may not be increased by, any commission paid to any broker or to any buying or selling agent.

(f) *Less than maximum prices.* Lower prices than those established by this order may be charged, offered, demanded or paid.

(g) *Application of maximum import price regulation.* Unless the context otherwise requires, the provisions of the Maximum Import Price Regulation, as amended, shall apply to sales for which maximum prices are established by this order.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10388; Filed, June 13, 1945; 12:05 p. m.]

[MPR 188, Rev. Order 3360]

Micromatic Products

AUTHORIZATION OF MAXIMUM PRICES

Order No. 3360 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model P-101 Automobile Tire Pump, manufactured by Micromatic Products of 1246 East Olympic Boulevard, Los Angeles 21, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

For sales by the manufacturer:	
To jobbers who stock	$1.14
To drop shipment jobbers	1.37
To retailers	1.60
For sales by persons other than the manufacturer:	
To retailers	$1.60
To consumers	2.28

These maximum prices are for the articles described in the manufacturer's application dated December 18, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. Los Angeles, California, and they are subject to a cash discount of two percent for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.28
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10341; Filed, June 13, 1945; 11:57 a. m.]

[MPR 188, Amdt. 1 to Rev. Order 3374]

J. M. Bishop Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered*, That Revised Order No. 3374 under MPR 188 be amended in the following respect:

The last sentence of paragraph (a) (1) is amended to read as follows: "These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated November 27, 1944."

This amendment shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10342; Filed, June 13, 1945; 12:04 p. m.]

Regional and District Office Orders.

List of Community Ceiling Price Orders

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 9, 1945.

Region I

Concord Order 20-C, Amendment 5, covering poultry. Filed 10:52 a. m.

Region II

Scranton Order 4-F, Amendment 26, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 11:00 a. m.

Region III

Grand Rapids Order 14-W, covering dry groceries in certain areas in Michigan. Filed 10:57 a. m.

Grand Rapids Order 14-W, Amendment 1, covering dry groceries in the Grand Rapids Area. Filed 10:57 a. m.

Grand Rapids Order 22, covering dry groceries in certain areas in Michigan. Filed 10:58 a. m.

Grand Rapids Order 22, Amendment 1, covering dry groceries in the Grand Rapids, Michigan Area. Filed 10:57 a. m.

Louisville Order 12-f, Amendment 21, covering fresh fruits and vegetables in Jefferson, Kentucky and Clark and Floyd Counties, Indiana. Filed 10:59 a. m.

Louisville Order 13-F, Amendment 21, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 10:59 a. m.

Louisville Order 14-F, Amendment 21, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 10:59 a. m.

Region V

Houston Order 1-F, Amendment 56, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:55 a. m.

Houston Order 3-F, Amendment 44, covering fresh fruits and vegetables in Orange and Jefferson Counties, Texas. Filed 10:58 a. m.

Kansas City Order 4-F, Amendment 38, covering fresh fruits and vegetables in certain cities in Kansas. Filed 10:58 a. m.

Region VI

Omaha Order 12-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Nebraska. Filed 10:57 a. m.

Peoria Order 1-W, Amendment 2, covering dry groceries in certain areas in Illinois. Filed 10:56 a. m.

Peoria Order 2-W, Amendment 2, covering dry groceries in certain counties in Illinois. Filed 10:55 a. m.

Peoria Order 10-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:56 a. m.

Peoria Order 17, Amendment 2, covering dry groceries in certain areas in Illinois. Filed 10:56 a. m.

Peoria Order 18, Amendment 2, covering dry groceries in certain areas in Illinois. Filed 10:56 a. m.

Region VII

Albuquerque Order 8-F, Amendment 18, covering fresh fruits and vegetables in the Albuquerque Area. Filed 10:58 a. m.

Region VIII

Portland Order 20-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:55 a. m.

Portland Order 21-F, Amendment 12, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 10:55 a. m.

Portland Order 22-F, Amendment 12, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:55 a. m.

Portland Order 27-F, Amendment 9, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 10:54 a. m.

Portland Order 27-F, Amendment 10, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 10:54 a. m.

Portland Order 28-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:54 a. m.

Portland Order 29-F, Amendment 8, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:54 a. m.

Portland Order 30-F, Amendment 1, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:54 a. m.

San Francisco Order 1-O, Amendment 6, covering eggs in certain counties in California. Filed 10:53 a. m.

Seattle Order 3-P, covering fish and seafood in the Seattle and Bremerton, Washington Area. Filed 10:52 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10292; Filed, June 12, 1945; 4:46 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 9, 1945.

REGION I

Boston Order 7-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:25 a. m.

REGION II

Syracuse Order 34, Amendment 6, covering poultry in certain areas in New York. Filed 9:23 a. m.

Syracuse Order 35, Amendment 6, covering poultry in certain areas in New York. Filed 9:23 a. m.

REGION III

Cincinnati Order 4-F, Amendment 22, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 9:24 a. m.

Cincinnati Order 5-F, Amendment 22, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:24 a. m.

Cincinnati Order 7-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:24 a. m.

Cleveland Order F-1, Amendment 42, covering fresh fruits and vegetables in Cuyahoga County, Ohio. Filed 9:23 a. m.

Cleveland Order F-3, Amendment 42, covering fresh fruits and vegetables in Mahoning and Trumbull Counties. Filed 9:23 a. m.

Cleveland Order F-4, Amendment 42, covering fresh fruits and vegetables in Stark and Summit Counties, Ohio. Filed 9:23 a. m.

Columbus Order 8-F, Amendment 23, covering fresh fruits and vegetables in Franklin County, Ohio. Filed 9:23 a. m.

Columbus Order 9-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Columbus. Filed 9:22 a. m.

Columbus Order 15, Amendment 13, covering poultry. Filed 9:21 a. m.

Columbus Order 16, Amendment 13, covering poultry. Filed 9:21 a. m.

Indianapolis Order 14-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Indiana. Filed 9:20 a. m.

Indianapolis Order 15-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Indiana. Filed 9:24 a. m.

Indianapolis Order 16-F, Amendment 19, covering fresh fruits and vegetables in St. Joseph. Filed 9:24 a. m.

REGION IV

Jacksonville Order 11-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Florida. Filed 9:22 a. m.

REGION V

Dallas Order 1-F, Amendment 67, covering fresh fruits and vegetables in Dallas County, Texas. Filed 9:22 a. m.

Fort Worth Order 7-F, Amendment 10, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 9:22 a. m.

Fort Worth Order 8-F, Amendment 10, covering fresh fruits and vegetables in Taylor County, Texas. Filed 9:22 a. m.

Fort Worth Order 9-F, Amendment 10, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 9:21 a. m.

Fort Worth Order 10-F, Amendment 10, covering fresh fruits and vegetables in McLennan County, Texas. Filed 9:20 a. m.

Fort Worth Order 11-F, Amendment 10, covering fresh fruits and vegetables in Wichita County, Texas. Filed 9:20 a. m.

REGION VIII

Los Angeles Order 1-C, Amendment 7, covering poultry in the Los Angeles Area. Filed 9:34 a. m.

Los Angeles Order 1-F, Amendment 69, covering fresh fruits and vegetables in the San Bernardino-Riverside Area. Filed 9:34 a. m.

Los Angeles Order 2-C, Amendment 7, covering poultry in the Los Angeles Area. Filed 9:34 a. m.

Phoenix Order 20-W, under Basic Order 2-B, Amendment 1, covering dry groceries in the Gila Valley Area. Filed 9:33 a. m.

Portland Order 5-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:29 a. m.

Portland Order 6-F, Amendment 25, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:29 a. m.

Portland Order 7-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:29 a. m.

Portland Order 9-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:29 a. m.

Portland Order 8-F, Amendment 24, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:29 a. m.

Portland Order 10-F, Amendment 23, covering fresh fruits and vegetables in Deslo, W. Kelso, and Longview, Washington. Filed 9:29 a. m.

Portland Order 12-F, Amendment 21, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:29 a. m.

Portland Order 13-F, Amendment 21, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:28 a. m.

Portland Order 14-F, Amendment 21, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:28 a. m.

Portland Order 15-F, Amendment 21, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:28 a. m.

Portland Order 16-F, Amendment 14, covering fresh fruits and vegetables in Bend, Oregon. Filed 9:28 a. m.

Portland Order 17-F, Amendment 14, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:28 a. m.

Portland Order 18-F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:27 a. m.

Portland Order 19-F, Amendment 12, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:27 a. m.

Seattle Order 6-F, Amendment 36, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:27 a. m.

Seattle Order 7-F, Amendment 33, covering fresh fruits and vegetables in Tacoma, Washington. Filed 9:27 a. m.

Seattle Order 8-F, Amendment 31, covering fresh fruits and vegetables in Everett, Washington. Filed 9:27 a. m.

Seattle Order 9-F, Amendment 36, covering fresh fruits and vegetables in Seattle and Bremerton, Washington Area. Filed 9:26 a. m.

Seattle Order 10-F, Amendment 30, covering fresh fruits and vegetables in Bellingham, Washington. Filed 9:26 a. m.

Seattle Order 11-F, Amendment 30, covering fresh fruits and vegetables in Olympia, Washington. Filed 9:26 a. m.

Seattle Order 12-F, Amendment 30, covering fresh fruits and vegetables in Aberdeen and Hoquiam, Washington. Filed 9:25 a. m.

Seattle Order 13-F, Amendment 31, covering fresh fruits and vegetables in Centralia and Chehalis, Washington. Filed 9:25 a. m.

Seattle Order 14-F, Amendment 32, covering fresh fruits and vegetables in the Wenatchee, Washington Area. Filed 9:25 a. m.

Seattle Order 15-F, Amendment 29, covering fresh fruits and vegetables in Yakima, Washington Area. Filed 9:25 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10293; Filed, June 12, 1945; 4:46 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 9, 1945.

REGION I

Connecticut Order 1-C, Amendment 3, covering poultry in the State of Connecticut. Filed 10:40 a. m.

Rhode Island Order 2-W, Amendment 7, covering poultry in certain areas in Rhode Island. Filed 10:41 a. m.

Maine Order 1-F, Amendment 50, covering fresh fruits and vegetables in South Portland, Portland, and Westbrook, Maine. Filed 10:42 a. m.

Rhode Island Order 3-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 10:41 a. m.

Rhode Island Order 4-F, Amendment 3, covering fresh fruits and vegetables in the State of Rhode Island. Filed 10:41 a. m.

REGION II

Harrisburg Order P-1, Amendment 6, covering fish and seafood in certain areas in Pennsylvania. Filed 10:41 a. m.

REGION III

Indianapolis Order 17-F, Amendment 19, covering fresh fruits and vegetables in Vandeburgh. Filed 10:47 a. m.

REGION IV

Jackson Order 4-F, Amendment 33, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 10:46 a. m.

REGION V

St. Louis Order 2-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Missouri. Filed 10:47 a. m.

REGION VI

Green Bay Order 4-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 10:47 a. m.

Green Bay Order 5-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 10:46 a. m.

Green Bay Order 6-F, Amendment 16, covering fresh fruits and vegetables in Florence, Forest and Marinette. Filed 10:46 a. m.

REGION VII

Albuquerque Order 8-F, Amendment 17, covering fresh fruits and vegetables in the Albuquerque Area. Filed 10:46 a. m.

Albuquerque Order 9-F, Amendment 7, covering fresh fruits and vegetables in the Albuquerque Area. Filed 10:45 a. m.

Albuquerque Order 10-F, Amendment 8, covering fresh fruits and vegetables in the Albuquerque Area. Filed 10:44 a. m.

Albuquerque Order 11-F, Amendment 9, covering fresh fruits and vegetables in the Albuquerque Area. Filed 10:44 a. m.

Albuquerque Order 12-F, Amendment 8, covering fresh fruits and vegetables in the Albuquerque Area. Filed 10:44 a. m.

REGION VIII

Fresno Order 1-F, Amendment 67, covering fresh fruits and vegetables in Fresno, California. Filed 10:44 a. m.

Fresno Order 1-F, Amendment 68, covering fresh fruits and vegetables in Fresno, California. Filed 10:43 a. m.

Fresno Order 1-F, Amendment 69, covering fresh fruits and vegetables in Fresno, California. Filed 10:43 a. m.

Fresno Order 2-F, Amendment 55, covering fresh fruits and vegetables in Modesto, California. Filed 10:43 a. m.

Fresno Order 2-F, Amendment 56, covering fresh fruits and vegetables in Modesto, California. Filed 10:42 a. m.

Fresno Order 2-F, Amendment 57, covering fresh fruits and vegetables in Modesto, California. Filed 10:34 a. m.

Fresno Order 3-F, Amendment 52, covering fresh fruits and vegetables in certain areas in California. Filed 10:34 a. m.

Fresno Order 3-F, Amendment 53, covering fresh fruits and vegetables in certain areas in California. Filed 10:34 a. m.

Fresno Order 3-F, Amendment 54, covering fresh fruits and vegetables in certain areas in California. Filed 10:35 a. m.

Fresno Order 4-F, Amendment 27, covering fresh fruits and vegetables in certain areas in California. Filed 10:35 a. m.

Fresno Order 4-F, Amendment 28, covering fresh fruits and vegetables in certain areas in California. Filed 10:40 a. m.

Fresno Order 4-F, Amendment 29, covering fresh fruits and vegetables in certain areas in California. Filed 10:39 a. m.

Fresno Order 6-F, Amendment 38, covering fresh fruits and vegetables in Bakersfield, County of Kern. Filed 10:39 a. m.

Fresno Order 6-F, Amendment 39, covering fresh fruits and vegetables in Bakersfield, County of Kern. Filed 10:38 a. m.

Fresno Order 6-F, Amendment 40, covering fresh fruits and vegetables in Bakersfield, County of Kern. Filed 10:38 a. m.

Fresno Order 7-F, Amendment 17, covering fresh fruits and vegetables in Merced, California. Filed 10:38 a. m.

Fresno Order 7-F, Amendment 18, covering fresh fruits and vegetables in Merced, California. Filed 10:37 a. m.

Fresno Order 7-F, Amendment 19, covering fresh fruits and vegetables in Merced, California. Filed 10:37 a. m.

Portland Order 29-F, covering fresh fruits and vegetables in the Astoria-Seaside Area. Filed 10:37 a. m.

Portland Order 29-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:37 a. m.

San Francisco Order 1-O, Amendment 4, covering eggs in certain areas in California. Filed 10:36 a. m.

San Francisco Order 1-O, Amendment 5, covering eggs in certain areas in California. Filed 10:35 a. m.

San Francisco Order 13-F, Amendment 1, covering fresh fruits and vegetables in certain areas in California. Filed 10:36 a. m.

San Francisco Order 14-F, Amendment 1, covering fresh fruits and vegetables in certain areas in California. Filed 10:36 a. m.

San Francisco Order 15-F, Amendment 1, covering fresh fruits and vegetables in certain areas in California. Filed 10:36 a. m.

San Francisco Order 16-F, Amendment 1, covering fresh fruits and vegetables in certain counties in California. Filed 10:36 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10294; Filed, June 12, 1945; 4:47 p. m.]

[Region IX Order 4 Under MPR 418]

FRESH FISH IN ALASKA

Order No. 4 under Maximum Price Regulation 418, as amended. Fresh fish and seafood—services in connection therewith.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region IX of the Office of Price Administration by section 2 (d) of Maximum Price Regulation 418, by the General Maximum Price Regulation and Revised Maximum Price Regulation 165 pursuant to General Order 32; it is ordered:

SECTION 1. *What this order does.* This order establishes maximum prices at which producers may sell fresh fish at Alaskan fishing grounds or receiving stations; establishes specific maximum prices for "scow" and "packing" services; designates by name the ports of entry in Alaska and fixes maximum prices for sales of fresh fish when landed at such ports.

SEC. 2. *Definitions.* As used in this order, the term:

(a) "Scow service" means a transaction in which the seller receives fresh fish at his scow or other vessel on the fishing grounds or at a receiving station from a producer, and includes, but is not limited to, the furnishing of such services as icing, boxing, splitting, drawing and dressing fresh fish, keeping records and making payments for and on behalf of the buyer of the fish. It also includes any other services customarily rendered by a "scow operator" prior to April 1, 1942.

(b) "Scow operator" means any person (other than a producer or fish buyer) who supplies scow services.

(c) "Packing service" means a transaction in which the seller transports fish by tender or other vessel from the fishing grounds or receiving station to a port of entry, and includes, but is not limited to, the furnishing of such services as handling and loading the fish aboard the vessel, and handling, unloading and landing the fish at a port of entry. It also includes the transportation of ice and containers between the grounds or receiving station and port of entry, and such other services customarily performed by a "packer" prior to April 1, 1942.

(d) "Packer" means any person (other than a producer or fish buyer) who supplies packing services.

SEC. 3. *Maximum prices for sales by producers at fishing grounds or receiving stations.* (a) The maximum prices for producers of fresh fish sold or delivered at fishing grounds or receiving stations in the First Judicial Division shall be as follows:

(i) In the "Central Zone"—the Table A prices as fixed for Wrangell;

(ii) In the "Northern Zone"—the Table A prices as fixed for Juneau;

(iii) In the "Southern Zone"—the Table A prices as fixed for Ketchikan;

Less the deduction for the applicable species of fish as set forth below:

(1) For red meated King salmon, 14# or over, any style of dressing—deduct three cents per pound.

(2) For true cod, flounder, ling cod, red cod, sablefish and sole (all species)—deduct one and one-half cents per pound.

(3) For all other fish named in Table A, regardless of size and style of dressing—deduct two cents per pound.

(b) As used in paragraph (a) above:

(i) "Central Zone" means that part of the First Judicial Division bounded by a line beginning at a point on the international boundary approximately three miles south of latitude 57½° north, thence on a course bearing westerly in a straight line through the southern-most tip of Entrance Island (in Hobart Bay) and the southern-most tip of Traders Island (also known as Catherine Island) to longitude 135° west; thence southerly following longitude 135° to a point approximately twelve miles south of latitude 56° north; thence on a course bearing easterly in a straight line through the southern-most tip of Coronation Island and the southern-most tip of Onslow Island to the east shore of Ernest Sound; thence on a course bearing northeasterly in a straight line through the southerly shore of Tyee Lake and beyond to Mount Lewis Cass.

(ii) "Northern Zone" means that part of the First Judicial Division lying north and due west of the Central Zone.

(iii) "Southern Zone" means that part of the First Judicial Division lying outside of the Central and Northern Zones.

SEC. 4. *Designated Alaskan ports and maximum prices for fish landed at such ports.* (a) The term "port" or "port of entry" as used in this order and in Maximum Price Regulation 418 includes, and is limited to, the following named places: Anchorage, Cordova, Homer, Juneau, Kenai, Ketchikan, Kodiak, La Touche, Pelican City, Petersburg, Port Alexander, Port Williams, Seward, Seldovia, Sitka, Tyee, Wrangell, and Valdez.

(b) The Table A prices as fixed by the applicable footnotes in Maximum Price Regulation 418 for fish landed at:

(i) Wrangell shall apply to fish landed at Tyee.

(ii) Juneau, less one-quarter of a cent per pound, shall apply to fish landed at Cordova, Valdez, La Touche or Seward.

(iii) Juneau, less two cents per pound for large, red kings and one cent for all other sizes and species of fish shall apply to fish landed at Port Alexander.

(iv) Port Williams shall apply to fish landed at Kodiak, Seldovia or Homer.

(v) Port Williams, plus six cents per pound, shall apply to fish landed at Anchorage.

(c) The maximum prices for fresh fish landed at any place in Alaska outside the First Judicial Division, other than at a port named in paragraph (a) above, shall be the maximum prices established for the nearest port by Maximum Price Regulation 418 and paragraph (b) above.

SEC. 5. *Maximum prices for scow services.* (a) (1) The maximum prices for scow services shall be determined on a poundage basis and shall be as follows:

(i) For red meated King salmon, 14# or over, drawn and dressed; 16# or over, round—two cents per pound.

(ii) For true cod, flounder, ling cod, red cod (rock cod), sablefish (black cod), and sole (all species), regardless of size and style of dressing—one-half cent per pound.

(iii) For all other fish named in Table A, regardless of size and style of dressing—one cent per pound.

(2) Poundage shall be calculated on the basis of the weight of the fish as they are received by the scow operator at the fishing grounds or receiving station.

(3) Notwithstanding the foregoing provisions, a scow operator may receive and a buyer may pay a minimum of $300.00 for scow services for each scow (including the labor of one or more employees of the scow operator) which is in actual use for not less than thirty days.

(b) *Maximum prices for packing services.* The maximum prices for packing services for any fish named in Table A shall be one cent per pound when the packer lands the fish at a port in the same zone in which he received the fish, and one and one-quarter cents per pound when he lands the fish at a port in a zone other than that in which he received the fish. Poundage shall be calculated on the basis of the weight of the fish as they are received by the packer.

(c) Any person may, of course, render both packing and scow services as part of the same transaction and make a single charge therefor, but such charge may not exceed the sum of the maximum prices established for each service.

(d) *Records.* Every scow operator and every packer subject to this order shall make and keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act, as amended, remains in effect, accurate records of each sale of his service, showing the date thereof, the location of the grounds or receiving station where the fish were received, the name and address of the producer and the name of his boat, the name and address of the buyer of the fish, the name and address of the buyer of his service, the total weight of the fish, the price contracted for or received for the service and, where relevant in the determination of the price, the species, size and style of dressing of the fish.

(e) *Posting maximum producers' prices.* Every person operating a packing vessel, scow, or receiving station who, in connection with the fish received by him pays the consideration therefor to the producer on behalf of the fish buyer, shall post in a conspicuous place on every scow and vessel and at every receiving station operated by him, in a manner plainly visible to, and understandable by, producers and buyers, a notice which shall list the name, size and style of dressing of the fish, and the producers' ceiling prices therefor as fixed by Section 2 of this order.

(f) *Evasion.* (1) Any method or device whereby a scow operator or packer obtains a greater consideration for his services than the maximum prices established by this order, or whereby he gives less than the consideration due the buyer for the maximum price, is an evasion of this order and therefore prohibited, and any offer or agreement which accomplishes or attempts to accomplish such result, is equally prohibited. Without limiting the general prohibitions of this section, the following practices are specifically prohibited.

(2) Requiring or receiving payment of wages, bonuses, premiums, equipment, supplies, maintenance, goods, services or any other consideration not specifically provided for in this order, except that a scow operator or a packer may receive ice from the buyer of the fish without charge.

(3) Discontinuing or changing a service normally and customarily part of scow or packing services.

(4) Requiring the purchase or sale of any commodity or service as a condition of the sale of scow or packing services.

(5) A producer who hires or engages a packer or scow operator to land his fish at a port of entry or to perform any other packing or scow service for him in connection with his fish is prohibited from selling or delivering such fish, and the buyer is prohibited from buying or receiving such fish, at prices higher than the maximum prices fixed by section 3 of this order.

(g) *Applicability.* This section 5 applies only to the First Judicial Division.

SEC. 6. *Enforcement.* Persons violating any provisions of this order are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension or revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

Persons who have evidence of any violation of this order, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest War Price and Rationing Board or Field Office of the Office of Price Administration or its principal office in Juneau.

SEC. 7. *Relation to other regulations.* This order supersedes Region IX Order No. 3. Insofar as this order establishes maximum prices for scow and packing services, it supersedes the pricing and current record-keeping provisions of the General Maximum Price Regulation and Revised Maximum Price Regulation 165. Except as provided in this order, all provisions of Maximum Price Regulation 418, Revised Maximum Price Regulation 165 and the General Maximum Price Regulation shall remain in effect.

SEC. 8. *Amendments; revocation.* This order may be amended or revoked by the Regional Administrator at any time.

This order shall become effective June 12, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4651)

Issued this 11th day of June 1945.

JAMES P. DAVIS,
Regional Administrator.

[F. R. Doc. 45-10185; Filed, June 11, 1945; 4:51 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 11, 1945.

REGION III

Grand Rapids Order F-14-A, Amendment 75, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 2:02 p. m.

Grand Rapids Order F-14-B, Amendment 75, covering fresh fruits and vegetables in certain cities in Michigan. Filed 2:02 p. m.

Grand Rapids Order F-14-C, Amendment 50, covering fresh fruits and vegetables in certain cities in Michigan. Filed 2:03 p. m.

Indianapolis Order 19-W, Amendment 3, covering dry groceries in certain areas in Indiana and Ohio. Filed 2:03 p. m.

Indianapolis Order 20-W, Amendment 3, covering dry groceries in certain areas in Indiana and Ohio. Filed 2:03 p. m.

Indianapolis Order 38, Amendment 3 covering dry groceries in certain areas in Indiana and Ohio. Filed 2:02 p. m.

Indianapolis Order 39, Amendment 3 covering dry groceries in certain areas in Indiana and Ohio. Filed 2:02 p. m.

REGION IV

Birmingham Order 3-F, Amendment 20, covering fresh fruits and vegetables in Jefferson County. Filed 2:02 p. m.

Nashville Order 12-F, Amendment 18, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 2:02 p. m.

Nashville Order 12-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Tennessee and Bristol, Virginia. Filed 2:02 p. m.

Nashville Order 12-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Virginia. Filed 2:01 p. m.

Nashville Order 12-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Tennessee. Filed 2:01 p. m.

Nashville Order 12-F, Amendment 22, covering fresh fruits and vegetables in certain areas in Virginia. Filed 1:51 p. m.

Nashville Order 12-F, Amendment 23, covering fresh fruits and vegetables in certain counties in Tennessee and Bristol, Virginia. Filed 2:01 p. m.

Nashville Order 12-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Tennessee and Bristol, Virginia. Filed 2:01 p. m.

Nashville Order 12-F, Amendment 25 covering fresh fruits and vegetables in certain areas in Tennessee and Bristol, Virginia. Filed 2:01 p. m.

REGION V

Houston Order 1-F, Amendment 37 covering fresh fruits and vegetables in certain areas in Texas. Filed 1:50 p. m.

Houston Order 3-F, Amendment 45 covering fresh fruits and vegetables in Jefferson and Orange Counties, Texas. Filed 1:50 p. m.

Shreveport Order G-17, Amendment 3, covering poultry in certain areas in Louisiana. Filed 1:50 p. m.

Shreveport Order G-17, Amendment 4, covering poultry in certain areas in Louisiana. Filed 1:50 p. m.

REGION VI

Omaha Order 20, Amendment 8 covering dry groceries in Omaha, Nebraska and Council Bluffs, Iowa. Filed 1:55 p. m.

Omaha Order 21, Amendment 8 covering dry groceries in Lancaster County, Nebraska. Filed 1:52 p. m.

Omaha Order 22, Amendment 7 covering dry groceries in certain counties in Nebraska. Filed 1:52 p. m.

Omaha Order 23, Amendment 7, covering dry groceries in certain counties in Nebraska and Iowa. Filed 1:52 p. m.

Omaha Order 24, Amendment 8, covering dry groceries in certain counties in Nebraska and Iowa. Filed 1:51 p. m.

Sioux Falls Order 18, Amendment 3, covering dry groceries in certain counties in Iowa, Minnesota, and South Dakota. Filed 1:51 p. m.

REGION VIII

Sacramento Order 29-F, Amendment 10, covering fresh fruits and vegetables in certain areas in California. Filed 2:01 p. m.

Sacramento Order 29-F, Amendment 11, covering fresh fruits and vegetbles in certain areas in California. Filed 2:01 p. m.

Sacramento Order 29-F, Amendment 12, covering fresh fruits and vegetables in certain areas in California. Filed 2:00 p. m.

Sacramento Order 29-F, Amendment 13, covering fresh fruits and vegetables in California. Filed 2:00 p. m.

Sacramento Order 29-F, Amendment 14, covering fresh fruits and vegetables in certain areas in California. Filed 2:00 p. m.

Sacramento Order 29-F, Amendment 15, covering fresh fruits and vegetables in certain areas in California. Filed 2:00 p. m.

Sacramento Order 29-F, Amendment 16, covering fresh fruits and vegetables in certain areas in California. Filed 2:00 p. m.

Sacramento Order 29-F, Amendment 18, covering fresh fruits and vegetables in certain areas in California. Filed 1:55 p. m.

San Diego Order 1-F, Amendment 33, covering fresh fruits and vegetables in the San Diego Area. Filed 1:55 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10339; Filed, June 13, 1945; 11:55 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

LIFEBOAT

20' x 6.5' x 2.6' metallic oar-propelled lifeboat (20-person peacetime capacity, 13-person wartime capacity) (General Arrangement Dwg. No. G-363, dated 14 May, 1945), submitted by C. C. Galbraith & Son Inc., 99 Park Place, New York, N. Y.

LUMINOUS MARKING FOR INTERIOR ACCOMMODATIONS

Luminous marking, designated Type C, submitted by Century Lighting Inc., 419 West 55th Street, New York 19, N. Y., attached with Mikah adhesive 45172, manufactured by National Starch Products Company, 270 Madison Avenue, New York 16, N. Y.

Luminous marking, designated Type C, without adhesive, submitted by Century Lighting Inc., 419 West 55th Street, New York 19, N. Y., attached with adhesive 16-211-J, manufactured by Casein Company, 350 Madison Avenue, New York 17, N. Y.

Luminous marking, designated Type C, without adhesive, submitted by Century Lighting Inc., 419 West 55th Street, New York 19, N. Y., attached with Mikah adhesive Q-2241, manufactured by National Starch Products Co., 270 Madison Avenue, New York 16, N. Y.

Luminous marking, designated Type C, without adhesive, submitted by Century Lighting Inc., 419 West 55th Street, New York 19, N. Y., attached with Mytee Bond adhesive 3750, manufactured by Slomon's Laboratories, 31-27 Thomson Avenue, Long Island City, N. Y.

Luminous marking, designated Lytape PL-15-20R, without adhesive, submitted by E. P. Lynch Co., 92 Weybossett Street, Providence 3, R. I., attached with Mikah adhesive 45172, manufactured by National Starch Products Company, 270 Madison Avenue, New York 16, N. Y.

Luminous marking, designated Everglow Type B, submitted by Hall Vesole Company, 2350 University Avenue, St. Paul, Minn., attached with B-60 adhesive, manufactured by Luminous Safety Products Company, 168 West 23rd Street, New York 11, N. Y.

Dated: June 12, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-10319; Filed, June 13, 1945; 11:08 a. m.]

UNITED STATES MARITIME COMMISSION.

GULF SHIPBUILDING CORP.

NOTICE OF DETERMINATION WITH RESPECT TO BIDS

Pursuant to the provisions of the invitation for sealed bids, dated April 23, 1945, as amended, for the construction of three 450 foot twin screw turbine driven refrigerated cargo vessels (proposal PDW-2),

Notice is hereby given that, pursuant to the provisions of paragraph 15 of Invitation (Proposal PDW-2), dated April 23, 1945, for the construction of three 450 foot twin screw turbine driven refrigerated cargo vessels "Design R2-ST-AU1" and addenda Nos. 1 and 2 thereto, dated respectively June 1 and June 12, 1945, and on request by Gulf Shipbuilding Corporation for a determination of the proportionate part of the 3½%, differential to be used in evaluating any bid made by it under said Invitation, the United States Maritime Commission has determined that, with respect to any bid submitted by the Gulf Shipbuilding Corportation, no portion of the 3½% differential will be applied in such evaluation, such determination having been made after omitting any government ways which on the basis of contracts and commitments of the prospective bidder in effect on June 1, 1945, and possible awards under the Invitation, will not, in the opinion of the Commission, be in excess of the reasonable and apparent needs of the prospective bidder from and after December 31, 1945. The Commission has not on or before June 7, 1945, received from any other prospective bidder, request for such determination.

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS,
Secretary.

JUNE 12, 1945.

[F. R. Doc. 45-10328; Filed, June 13, 1945; 11:29 a. m.]

WAR PRODUCTION BOARD.

[C-365]

T. J. McGOVERN

CONSENT ORDER

T. J. McGovern, Cambridge, Vermont, engaged in the sale of flour, feed, grain, poultry supplies, and other items, is charged by the War Production Board with having received a total of 19,768.6 gallons of molasses for Class 2 uses in excess of the amount permitted by War Production Board Conservation Order M-54 during the years 1942, 1943, and 1944, and with having consumed a total of 18,240.6 gallons of molasses for Class 2 uses in excess of the amount permitted by War Production Board Conservation Order M-54 during the years 1942, 1943, and 1944 and with having failed to maintain accurate or complete records of his receipts and consumption of molasses as required by War Production Board Priorities Regulation No. 1. T. J. McGovern admits the violations as charged, does not desire to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore upon the agreement and consent of T. J. McGovern, the Regional Compliance Manager, the Regional Attorney, and upon approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) During the second, third and fourth calendar quarters of 1945 and the first quarter of 1946, T. J. McGovern shall reduce his permitted receipts and consumption of molasses for Class 2 uses by 3,000 gallons per quarter.

(b) For the months from April 1945 to December 1945, inclusive, and during each of the first three months of 1946, he shall submit not later than the 10th day of the succeeding month to the War Production Board, 17 Court Street, Boston, Massachusetts, accurate figures of his receipts of molasses for Class 2 uses and for other uses listed separately and his inventory as of the end of the month. In addition, he shall submit figures of his inventory of molasses on April 1, 1945.

(c) Nothing contained in this order shall be deemed to relieve T. J. McGovern from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to T. J. McGovern, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking directly as well as indirectly of any such action.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10332; Filed, June 13, 1945; 11:29 a. m.]

WAR SHIPPING ADMINISTRATION.

"CAIMAN II"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section

Omaha Order 24, Amendment 8, covering dry groceries in certain counties in Nebraska and Iowa. Filed 1:51 p. m.

Sioux Falls Order 18, Amendment 3, covering dry groceries in certain counties in Iowa, Minnesota, and South Dakota. Filed 1:51 p. m.

REGION VIII

Sacramento Order 29–F, Amendment 10, covering fresh fruits and vegetables in certain areas in California. Filed 2:01 p. m.

Sacramento Order 29–F, Amendment 11, covering fresh fruits and vegetbles in certain areas in California. Filed 2:01 p. m.

Sacramento Order 29–F, Amendment 12, covering fresh fruits and vegetables in certain areas in California. Filed 2:00 p. m.

Sacramento Order 29–F, Amendment 13, covering fresh fruits and vegetables in California. Filed 2:00 p. m.

Sacramento Order 29–F, Amendment 14, covering fresh fruits and vegetables in certain areas in California. Filed 2:00 p. m.

Sacramento Order 29–F, Amendment 15, covering fresh fruits and vegetables in certain areas in California. Filed 2:00 p. m.

Sacramento Order 29–F, Amendment 16, covering fresh fruits and vegetables in certain areas in California. Filed 2:00 p. m.

Sacramento Order 29–F, Amendment 18, covering fresh fruits and vegetables in certain areas in California. Filed 1:55 p. m.

San Diego Order 1–F, Amendment 33, covering fresh fruits and vegetables in the San Diego Area. Filed 1:55 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10339; Filed, June 13, 1945; 11:55 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

LIFEBOAT

20' x 6.5' x 2.6' metallic oar-propelled lifeboat (20-person peacetime capacity, 13-

Luminous marking, designated Type C, without adhesive, submitted by Century Lighting Inc., 419 West 55th Street, New York 19, N. Y., attached with Mytee Bond adhesive 3750, manufactured by Slomon's Laboratories, 31–27 Thomson Avenue, Long Island City, N. Y.

Luminous marking, designated Lytape PL–15–20R, without adhesive, submitted by E. P. Lynch Co., 92 Weybossett Street, Providence 3, R. I., attached with Mikah adhesive 45172, manufactured by National Starch Products Company, 270 Madison Avenue, New York 16, N. Y.

Luminous marking, designated Everglow Type B, submitted by Hall Vesole Company, 2350 University Avenue, St. Paul, Minn., attached with B–60 adhesive, manufactured by Luminous Safety Products Company, 168 West 23rd Street, New York 11, N. Y.

Dated: June 12, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-10319; Filed, June 13, 1945; 11:08 a. m.]

UNITED STATES MARITIME COMMISSION.

GULF SHIPBUILDING CORP.

NOTICE OF DETERMINATION WITH RESPECT TO BIDS

Pursuant to the provisions of the invitation for sealed bids, dated April 23, 1945, as amended, for the construction of three 450 foot twin screw turbine driven refrigerated cargo vessels (proposal PDW–2).

Notice is hereby given that, pursuant to the provisions of paragraph 15 of Invitation (Proposal PDW–2), dated April 23, 1945, for the construction of three 450 foot twin screw turbine driven refrigerated cargo vessels "Design R2–ST–AU1" and addenda Nos. 1 and 2 thereto, dated respectively June 1 and June 12, 1945, and on request by Gulf Shipbuilding Corporation for a determination of the proportionate part of the 3½%, differential to be used in evaluating any bid made by it under said Invitation, the United States Maritime Commission has determined that, with respect to any bid submitted by the Gulf Shipbuilding Corportation, no portion of the 3½% differ-

WAR PRODUCTION BOARD.

[C–365]

T. J. McGOVERN

CONSENT ORDER

T. J. McGovern, Cambridge, Vermont, engaged in the sale of flour, feed, grain, poultry supplies, and other items, is charged by the War Production Board with having received a total of 19,768.6 gallons of molasses for Class 2 uses in excess of the amount permitted by War Production Board Conservation Order M–54 during the years 1942, 1943, and 1944, and with having consumed a total of 18,240.6 gallons of molasses for Class 2 uses in excess of the amount permitted by War Production Board Conservation Order M–54 during the years 1942, 1943, and 1944 and with having failed to maintain accurate or complete records of his receipts and consumption of molasses as required by War Production Board Priorities Regulation No. 1. T. J. McGovern admits the violations as charged, does not desire to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore upon the agreement and consent of T. J. McGovern, the Regional Compliance Manager, the Regional Attorney, and upon approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the second, third and fourth calendar quarters of 1945 and the first quarter of 1946, T. J. McGovern shall reduce his permitted receipts and consumption of molasses for Class 2 uses by 3,000 gallons per quarter.

(b) For the months from April 1945 to December 1945, inclusive, and during each of the first three months of 1946, he shall submit not later than the 10th day of the succeeding month to the War Production Board, 17 Court Street, Boston, Massachusetts, accurate figures of his receipts of molasses for Class 2 uses and for other uses listed separately and his inventory as of the end of the month. In addition, he shall submit figures of his inventory of molasses on April 1, 1945.

(c) Nothing contained in this order shall be deemed to relieve T. J. McGovern from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be

3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on July 28, 1942, title to the vessel Caiman II (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. • • •

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Emery S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: June 11, 1945.

E. S. LAND,
Administrator.

[F. R. Doc. 45-10327; Filed, June 13, 1945; 11:29 a. m.]

JUN 19 45

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 10 NUMBER 119

Washington, Friday, June 15, 1945

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

APPOINTMENT AND RESTORATION AFTER RETURN FROM MILITARY SERVICE

1. In § 18.5 (9 F.R. 7235, 7351; 10 F.R. 2155, 2491) paragraph (f) is amended as follows:

§ 18.5 *Appointment.* • • •

(f) *Positions which become subject to the war service regulations.* The following classes of employees may be given war service appointments without prior approval of the Commission:

(1) Any person holding a position in a public or private enterprise which is taken over by the Federal Government and who thereby becomes an employee of the Government and any person who left such a position to perform active military or naval service and who meets the conditions set forth in § 18.13 for reemployment in such position.

(2) Any Federal employee holding a position which is excepted from the Civil Service Act and rules and the war service regulations when his position is made subject to the Civil Service Act and rules or the war service regulations.

All war service appointments made under this paragraph shall be reported immediately to the Civil Service Commission.

No person given a war service appointment under this paragraph shall acquire eligibility for a classified civil service status until six months after the end of the present war. At the expiration of six months after the war, such person may be recommended for a classified civil service status in accordance with § 2.6 of this chapter: *Provided,* (i) His position becomes a permanent position in the classified civil service; (ii) he has remained continuously employed in the same establishment in which appointed under subparagraph (1) of this paragraph, or in the same agency in which appointed under subparagraph (2) of this paragraph; and (iii) he entered on duty in such establishment or agency prior to March 16, 1942, the effective date of the war service regulations.

2. Section 18.13 (9 F.R. 7235; 10 F.R. 695) formerly headed *Restoration of persons having reemployment rights,* is amended as follows:

§ 18.13 *Restoration after return from military service*—(a) *Persons entitled to restoration by law.* Any civilian employee of the Executive branch of the Government covered by the Selective Training and Service Act or other statutes providing for reemployment after military service who has left or leaves his position (other than a temporary position) in order to perform active military or naval service for the United States and (1) is honorably separated from such service, (2) is still qualified to perform the duties of such position, and (3) makes application for reemployment within ninety days after he is relieved from such active duty or service or from hospitalization continuing after discharge for a period of not more than one year, shall be restored within thirty days to the position he left or, if that position does not exist, to a position of like seniority, status, and pay.

(b) *Persons not entitled to restoration by law.* (1) Any person having appointment under the civil service rules or the war service regulations not limited to one year or less who left or leaves a temporary position (within the meaning of the statutes providing for restoration) in any department or agency of the Executive branch of the Federal Government in order to perform active military or naval service for the United States and (i) is honorably separated from such service, (ii) is still qualified to perform the duties of such position, and (iii) makes application for reemployment within ninety days after he is relieved from such active duty or service or from hospitalization continuing after discharge for a period of not more than one year, shall be reemployed within thirty days either in the position he left or in a position of like seniority, status, and pay in the same competitive area as determined under the retention preference regulations: *Provided,* That such reemployment will not require the removal through reduction in force of any

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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employee in a higher retention group: *Provided further*, That reemployment under this section shall not extend the limitation placed upon his original appointment.

(2) Any person who, in order to perform active military or naval service for the United States, left or leaves a position in a public or private enterprise (other than a temporary position limited to one year or less) which was or is subsequently taken over by the Federal Government shall be entitled to the reemployment rights set forth in subparagraph (1) of this paragraph upon meeting the conditions therein.

(c) *Establishing proof of separation from military or naval service.* When a person is reemployed after active military or naval service, the agency concerned shall submit proof of separation from such service and Preference Form 14 to the Civil Service Commission.

(d) * * *

The above amendments to be effective in ten days.

(Pub. Law 473, 78th Cong.; E.O. 9063 as amended by E.O. 9378, 8 F.R. 13037)

NOTE: Amendment of paragraph (f) of § 18.5 approved May 30, 1945. Amendment of paragraphs (a), (b) and (c) of § 18.13 approved May 28, 1945.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 45-10438; Filed, June 14, 1945; 9:48 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration

(Distribution Orders)

[WFO 92, Partial Suspension and Amdt. 8]

PART 1401—DAIRY PRODUCTS

CHEESE AND CHEESE FOODS

War Food Order No. 92 (9 F.R. 1082) is hereby amended as follows:

1. By deleting from § 1401.9 (a) (9) the period at the end thereof, substituting a colon in lieu thereof, and adding the following proviso: "*Provided, however*, That for the year 1945 the period fixed by (ii) hereof shall be July 15, 1945, to September 30, 1945, inclusive, instead of July 1, 1945, to September 30, 1945, inclusive."

2. By deleting from § 1401.9 (b) (1) the period at the end thereof, substituting a colon in lieu thereof and adding the following proviso: "*Provided, however*, That during the quota period beginning July 15, 1945, and ending September 30, 1945, inclusive, any person may produce a total quantity of cheese and cheese food which is not in excess of the total quantity of cheese and cheese food produced by such person during the period beginning July 1, 1942, and ending September 30, 1942, inclusive."

§ 1401.9 (b) (1) of War Food Order No. 92, as hereby amended, is hereby suspended in its operation and effect from 12:01 a. m., June 8, 1945, until 12:01 a. m., July 15, 1945, when it shall again become fully operative and effective without further order.

The provisions hereof shall become effective as of 12:01 a. m., e. w. t., June 8, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 92 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 92 in effect prior to the effective time hereof shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of June 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-10407; Filed, June 13, 1945; 3:49 p. m.]

[WFO 22-9, Amdt. 2]

PART 1425—CANNED AND PROCESSED FOODS

CANNED VEGETABLES, AND CANNED VEGETABLE JUICES, REQUIRED TO BE SET ASIDE DURING 1945

War Food Order No. 22-9, as amended (10 F.R. 1260, 5761), is hereby further amended by deleting from Columns B and D of Table 1, opposite the word "Peas" in Column A of said table, the figures "35" and "40" and inserting, in lieu thereof, the figures "38" and "43," respectively.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 14, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 22-9 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 22-9 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO No. 22, as amended, 8 F.R. 2243, 6397; 9 F.R. 4321, 4319, 9581; 10 F.R. 103)

Issued this 12th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-10390; Filed, June 13, 1945; 12:36 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 362—REGISTRY OF ALIENS UNDER NATIONALITY ACT OF 1940

MISCELLANEOUS AMENDMENTS

JUNE 2, 1945.

The following amendments to Part 362, Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

Section 362.2 is amended to read as follows:

§ 362.2 *Application for registry; form; fee.* Application for registry shall be made on Form N-105 (Application for Registry of an Alien) and shall be submitted either in person or by mail to the immigration and naturalization field office located nearest to the applicant's place of residence. The application shall be signed by the applicant on page 3 of the form, but shall not be subscribed and sworn to or affirmed on page 4 until the applicant appears before an officer of the Immigration and Naturalization Service for examination as provided in § 362.9 (a). The application shall be accompanied by a United States postal money order in the sum of $18, payable to the "Commissioner of Immigration and Naturalization, Washington, D. C.", or, if the applicant resides in the Virgin Islands of the United States, payable to the "Commissioner of Finance of the Virgin Islands". The application shall also be accompanied by the originals of such documentary evidence, or pertinent excerpts therefrom if the documents are lengthy or bulky, as the applicant may have showing his continuous residence in the United States since June 30, 1924, and his good moral character. If the applicant desires any such documents returned to him, his application should also be accompanied by photostatic, photographic, or typewritten copies of such documents. The applicant shall also submit three photographs of himself as prescribed in § 364.1 of this chapter.

Section 362.4 is amended to read as follows:

§ 362.4 *Procedure upon receipt of application.* (a) Upon receipt of an application in an immigration and naturalization office, the application and any Service records relating to the applicant shall be examined to determine whether (1) the application contains sufficient data to show that the applicant has the qualifications prescribed in § 362.1; (2) the documentary evidence appears reasonably adequate to support the application; and (3) it has been ascertained conclusively that no valid record exists of the applicant's lawful admission for permanent residence. If these requirements have not been met, the field office may defer acceptance of the application. In that event the application, money order, photographs, and documentary evidence shall be returned to the applicant with a request that additional information or evidence be submitted or, if efforts are to be made to locate a record of admission for permanent residence, with advice that such action is being taken.

(b) Efforts to verify the claimed entry shall be made even though the applicant alleges that he was not inspected at a port of entry. If such efforts are unsuccessful, the applicant may be notified that he may resubmit his application.

(c) Upon receipt of the application properly prepared and accompanied by evidence deemed satisfactory, or by a statement of the applicant that such evidence cannot be obtained, and after it has been ascertained conclusively that no valid record of the applicant's admission for permanent residence exists, the field office shall accept the application and money order. At that time, or later if necessary, the applicant shall be notified when and where he should appear for examination.

Section 362.6 is revoked.

The first paragraph of § 362.9 is amended to read as follows:

§ 362.9 *Examination and investigation*—(a) *Examination of applicant.* At the examination, the examining officer shall orally review the application with the applicant. Any necessary changes shall be consecutively numbered by such officer and acknowledged in the oath or affirmation which is a part of the application. The examining officer shall then administer the oath or affirmation contained on page 4 of Form N-105 and obtain the applicant's signature at the appropriate place. Only in cases in which the examining officer deems the action necessary shall a further examination of the applicant be made by interrogation, under oath or affirmation, but in such cases a transcript of the additional testimony taken shall be incorporated as a part of the record. When no longer required, the original documents submitted by the applicant shall be returned to the applicant if photostatic or other copies thereof have been supplied by him for the record. If the examining officer is satisfied as to the authenticity of the documents and is satisfied that such photostatic or other copies are true and correct, he shall return the original documents to the applicant at the conclusion of the examination and incorporate the copies into the record which is submitted to the Central Office.

Section 362.12 is amended by deletion of the last two sentences.

Section 362.13 is amended by deleting the period at the end of the first sentence and inserting the following: "of this chapter. The application shall also be accompanied by a United States postal money order in the sum of 50 cents as required by § 383.4 of this chapter."

Section 362.14 is revoked.

This order shall become effective at the time of filing with the Division of the Federal Register.

(Sec. 37 (a), 54 Stat. 675; secs. 327, 328 (b), 54 Stat. 1150, 1152; 8 U.S.C. 458, 727, 728; 8 CFR, 1943 Supp., 90.1)

UGO CARUSI,
Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 45-10439; Filed, June 14, 1945; 10:43 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 711—WOMEN'S ARMY CORPS

ELIGIBILITY FOR ENLISTMENT AND REENLISTMENT

The following amendments to the regulations contained in Part 711 are hereby prescribed.

Section 711.5 (b) and (e) (3) are amended as follows:

§ 711.5 *Eligibility for enlistment and reenlistment.* * * *

(b) *Age.* An applicant must have attained her 20th but not her 38th birthday.

(1) Completion of enlistment prior to 38th birthday. No applicant will be given the oath of enlistment who has attained her 38th birthday.

* * * * * * *

(e) *Physical standards.* * * *

(3) [Rescinded]

(Act July 1, 1943, Pub. Law 110, 78th Cong.) [W. D. Cir. 462 as amended by Cir. 156, 29 May 1945]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 45-10392; Filed, June 13, 1945; 2:10 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

[Amdt. 76]

PART 600—DESIGNATION OF CIVIL AIRWAYS

BLUE CIVIL AIRWAY 44

MAY 25, 1945.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By adding a new § 600.10343 as follows:

§ 600.10343 *Blue civil airway No. 44 (Memphis, Tenn., to Fort Wayne, Ind.)* From the Advance, Mo., radio range station via the Paducah (McCracken County), Kentucky, Airport to the Evansville, Ind., radio range station. From the Indianapolis, Ind., radio range station to the Fort Wayne, Ind., radio range station.

This amendment shall become effective 0001 e. w. t., June 15, 1945.

C. I. STANTON,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 45-10432; Filed, June 14, 1945; 9:28 a. m.]

[Amdt. 106]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

MISCELLANEOUS AIRWAYS

MAY 25, 1945.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

Designation of Airway Traffic Control Areas: Blue Civil Airway No. 44. Redesignation of Airway Traffic Control Areas: Red Civil Airway No. 27. Designation of Radio Fixes: Blue Civil Airway No. 44. Redesignation of Radio Fixes: Red Civil Airways Nos. 20 and 21

1. By amending § 601.10227 to read as follows:

§ 601.10227 *Red civil airway No. 27 airway traffic control areas (Knoxville, Tenn., to U. S.-Canadian Border).* All of Red civil airway No. 27 from a line extended at right angles across such airway through a point 25 miles south of the Cincinnati, Ohio, radio range station to the U. S.-Canadian Border.

2. By adding a new § 601.10344, as follows:

§ 601.10344 *Blue civil airway No. 44 airway traffic control areas (Memphis, Tenn., to Fort Wayne, Ind.)* All of Blue civil airway No. 44 from the Advance, Mo., radio range station to a line extended at right angles across such airway through a point 25 miles east of the Advance, Mo., radio range station; from a line extended at right angles across such airway through a point 25 miles southwest of the Evansville, Ind., radio range station to the Evansville, Ind., radio range station; from the Indianapolis, Ind., radio range station to the Fort Wayne, Ind., radio range station.

3. By striking in section § 601.40220 *Red civil airway No. 20 (Lansing, Mich., to Washington, D. C.)* the words: "the intersection of the center lines of the on course signals of the south leg of the Buckstown, Pa., radio range and the southeast leg of the Pittsburgh, Pa., radio range;" and substituting in lieu thereof the following: "the intersection of the center lines of the on course signals of the northwest leg of the Washington, D. C., radio range and the south leg of the Altoona, Pa., radio range;"

4. By amending § 601.40221 to read as follows:

§ 601.40221 *Red civil airway No. 21 (Cleveland, Ohio to Newark N. J.)* The intersection of the center lines of the on course signals of the southeast leg of the Detroit, Mich. (Wayne County Airport), radio range and the east leg of the Toledo, Ohio radio range; the intersection of the center lines of the on course signals of the west leg of the Cleveland, Ohio radio range and the northwest leg of the Akron, Ohio radio range; the intersection of the center lines of the on course signals of the northeast leg of the Pittsburgh, Pa., radio range and the north leg of the Altoona, Pa., radio range.

5. By adding a new § 601.40344, as follows:

§ 601.40344 *Blue civil airway No. 44 (Memphis, Tenn., to Fort Wayne, Ind.)* No radio fix designation.

This amendment shall become effective 0001 e. w. t., June 15, 1945.

C. I. STANTON,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 45-10433; Filed, June 14, 1945; 9:29 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5216]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GILJAN MEDICINE CO., INC., ET AL.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results accomplished:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with the offering for sale, sale or distribution of the preparation "Giljan", sometimes called "Giljan Laxative Compound", or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, and on the part of respondent Giljan Medicine Co., Inc., and its officers, etc., on the part of respondents Dunlap, Remus and Watson, individually and as officers of said corporation, and their representatives, etc., and on the part of The Key Advertising Co., advertising agent of said first named corporation, and its officers, etc., disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or through inference, (a) that said preparation is a natural medicine, either in the sense that its ingredients are of natural origin or that it acts in a natural manner upon the system; (b) that the formula of said preparation is either new or scientific; (c) that the ingredients as contained in said preparation other than cascara bark, senna leaves, aloes and mandrake root have any therapeutic value; (d) that said preparation is a cure or remedy for or has any therapeutic value in the treatment of stomach trouble in its various forms, weak kidneys, rheumatism or neuritis or the pains associated therewith, backaches, night risings, sallowness from any cause, gas pains, sour stomach, bloating, belching, liver and kidney ailments or a general run down condition, or that it has any beneficial effect upon the functioning of the kidneys, liver or stomach; (e) that said preparation will relieve a lazy or drowsy feeling or restore energy; (f) that said preparation has any therapeutic value in the treatment of headaches, dizziness or a tired feeling in excess of affording temporary relief when such conditions are due to constipation and that it has any therapeutic value in the treatment of constipation in excess of affording temporary relief by reason of its laxative qualities; (g) that said preparation is an effective diuretic; will flush poisons from the system, will clear old bile out of the system; will relieve bladder irritation, strengthen the nerves, improve the appetite or digestion, relieve digestive disorders or regulate the bowels; (h) that said preparation will make one healthy or feel younger; (i) that 87 per cent or any specified number of persons have been benefited through the use of said preparation; or (j) that said preparation has any therapeutic value in excess of that of a laxative; or which advertisements fail to reveal that said preparation should not be used in the presence of nausea, vomiting, abdominal pains, or other symptoms of appendicitis; prohibited, subject to the provision, however, that such advertisements need contain only the statement, "Caution: Use only as directed", if and when the directions for use, wherever they appear, on the label, in the labeling, or both on the label or in the labeling, contain a warning to the above effect. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Giljan Medicine Company, Inc., et al., Docket 5216, May 10, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1945.

In the Matter of Giljan Medicine Company, Inc., a Corporation, Henry S. Dunlap, George E. Remus (Whose Correct Name Is George Remus), and Mrs. Blanche Watson (Whose Correct Name Is Blanche Watson), Officers of Giljan Medicine Company, Inc., and The Key Advertising Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the

complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to the said facts, and the Commission having made its findings as to the facts and conclusion that the respondents herein have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Giljan Medicine Company, Inc., a corporation, its officers, representatives, agents and employees, Henry S. Dunlap, George Remus and Blanche Watson, individually and as officers of Giljan Medicine Company, Inc., their representatives, agents and employees, and The Key Advertising Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the preparation "Giljan", sometimes called "Giljan Laxative Compound", or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from, directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference:

(a) That said preparation is a natural medicine, either in the sense that its ingredients are of natural origin or that it acts in a natural manner upon the system.

(b) That the formula of said preparation is either new or scientific.

(c) That the ingredients as contained in said preparation other than cascara bark, senna leaves, aloes and mandrake root have any thereapeutic value.

(d) That said preparation is a cure or remedy for or has any therapeutic value in the treatment of stomach trouble in its various forms, weak kidneys, rheumatism or neuritis or the pains associated therewith, backaches, night risings, sallowness from any cause, gas pains, sour stomach, bloating, belching, liver and kidney ailments or a general run down condition or that it has any beneficial effect upon the functioning of the kidneys, liver or stomach.

(e) That said preparation will relieve a lazy or drowsy feeling or restore energy.

(f) That said preparation has any therapeutic value in the treatment of headaches, dizziness or a tired feeling in excess of affording temporary relief when such conditions are due to constipation and that it has any therapeutic value in the treatment of constipation in excess of affording temporary relief by reason of its laxative qualities.

(g) That said preparation is an effective diuretic; will flush poisons from the system, will clear old bile out of the system; will relieve bladder irritation, strengthen the nerves, improve the appetite or digestion, relieve digestive disorders or regulate the bowels.

(h) That said preparation will make one healthy or feel younger.

(i) That 87 percent or any specified number of persons have been benefited through the use of said preparation.

(j) That said preparation has any therapeutic value in excess of that of a laxative.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement fails to reveal that said preparation should not be used in the presence of nausea, vomiting, abdominal pains, or other symptoms of appendicitis: *Provided, however*, That such advertisement need contain only the statement, "Caution: Use only as directed", if and when the directions for use, wherever they appear, on the label, in the labeling, or both on the label or in the labeling, contain a warning to the above effect.

3. Disseminating or causing to be disseminated any advertisement, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said preparation in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation prohibited in paragraph 1 hereof, or which fails to comply with the affirmative requirements set forth in paragraph 2 hereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10446; Filed June 14, 1945; 11:05 a. m.]

[Docket No. 5199]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ALASKA FUR TRAPPERS, INC., ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Trappers:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Retailer as wholesaler or jobber:* § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller.* In connection with the offering for sale, sale, and distribution of fur products in commerce, (1) using the word "Trappers", or any word of similar import, as a part of respondents' corporate or trade name; or otherwise representing, directly or by implication, that respondents are engaged in the trapping of fur bearing animals; (2) using the word "Manufacturing", or any word of similar import, either alone or in conjunction with other words, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that respondents manufacture the products sold by them; or (3) using the word "Wholesale", or any word of similar import, either alone or in conjunction with other words, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that respondents are wholesalers; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Alaska Fur Trappers, Inc., et al., Docket 5199, May 31, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1945.

In the Matter of Alaska Fur Trappers, Inc., a Corporation, and Max Friedman, Individually and as President of Said Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, a stipulation of facts entered into between the attorney for the Commission and the attorney for the respondents, and briefs in support of and in opposition to the complaint (oral argument having been waived); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Alaska Fur Trappers, Inc., a corporation, its officers, and Max Friedman, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of fur products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Trappers," or any word of similar import, as a part of respondents' corporate or trade name; or otherwise representing, directly or by implication, that respondents are engaged in the trapping of fur bearing animals;

2. Using the word "Manufacturing," or any word of similar import, either alone or in conjunction with other words, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that respondents manufacture the products sold by them.

3. Using the word "Wholesale," or any word of similar import, either alone or in conjunction with other words, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that respondents are wholesalers.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10447; Filed, June 14, 1945; 11:05 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 210—EXECUTION AND FILING OF AN APPLICATION

PART 266—INCOMPETENCE

MISCELLANEOUS AMENDMENTS

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (Sec. 10, 50 Stat. 314; 45 U.S.C. 228j), the regulations of the Railroad Retirement Board under such act (4 F.R. 1477) are amended by Board Order 45-204 dated June 5, 1945, as follows:

Section 210.7 is amended to read as follows:

§ 210.7 *Application where individual is incompetent.* In the event that an individual is mentally incompetent, a person recognized by the Board pursuant to § 266.5, a duly appointed guardian, conservator, committee or other legal representative shall execute and file the application on his behalf. In the event that the mentally incompetent individual has himself filed an application form the person recognized by the Board pursuant to § 266.5, the duly appointed guardian, conservator, committee or other legal representative shall execute and file another application form and when this has been done, the filing date of the application may be the date on which the first application form was received by the Board.

Sections 210.6, 210.8, and 210.9 are rescinded.

Part 266—Incompetence, is added as a new part, as follows:

Sec.
266.1 Statutory provisions.
266.2 Presumption of competency.
266.3 Evidence of authority of legal guardian, etc.
266.4 Effect of matters or actions submitted or taken by guardian, etc.
266.5 Recognition by the Board of a person to act in behalf of another.
266.6 Cases in which the Board shall recognize a person to act in behalf of another under section 19 (a) of the act.

AUTHORITY: §§ 266.1 to 266.6, incl., issued under sec. 10, act of June 24, 1937 (Sec. 10, 50 Stat. 314; 45 U. S. C. 228j), regulations of Railroad Retirement Board (4 F.R. 1477).

§ 266.1 *Statutory provisions.* (a) Subsection (a) of section 19 of the Railroad Retirement Act of 1937 provides as follows:

Every individual receiving or claiming benefits, or to whom any right or privilege is extended, under this or any other act of Congress now or hereafter administered by the Board shall be conclusively presumed to have been competent until the date on which the Board receives written notice, in a form and manner acceptable to the Board, that he is an incompetent, or a minor, for whom a guardian or other person legally vested with the care of his person or estate has been appointed: *Provided, however*, That the Board may, in its discretion, validly, recognize actions by, and conduct transactions with, others acting, prior to receipt of, or in the absence of, such written notice, in behalf of an individual found by the Board to be an incompetent or a minor, if the Board finds such actions or transactions to be in the best interests of such individual.

(b) Subsection (b) of section 19 of the Railroad Retirement Act of 1937 provides as follows:

Every guardian or other person legally vested with the care of the person or estate of an incompetent or minor who is receiving or claiming benefits, or to whom any right or privilege is extended, under this or any other Act of Congress now or hereafter administered by the Board shall have power everywhere, in the manner and to the extent prescribed by the Board, to take any action necessary or appropriate to perfect any right or exercise any privilege of the incompetent or minor and to conduct all transactions on his behalf under this or any other Act of Congress now or hereafter administered by the Board. Any payment made pursuant to the provisions of this or the preceding subsection shall be a complete settlement and satisfaction of any claim, right, or interest in and to such payment.

(c) Subsection (c) of section 19 of the Railroad Retirement Act of 1937 provides as follows:

This section shall be effective as of August 29, 1935.

§ 266.2 *Presumption of competency.* Every individual shall be conclusively presumed to have been competent until the date on which the Board receives a notice in writing that a legal guardian or other person legally vested with the care of the person or estate of an incompetent or a minor has been appointed.

§ 266.3 *Evidence of authority of legal guardian, etc.* Evidence of the appointment of a legal guardian or other person legally vested with the care of the person or estate of an incompetent or a minor shall be in the form of a certificate executed by the proper official of the court of appointment.

§ 266.4 *Effect of matters or actions submitted or taken by guardian, etc.* All matters and actions in connection with an annuity submitted or taken by the guardian or other person legally vested with the care of the person or estate of an incompetent or a minor shall be considered by the Board in the same manner and with the same effect as though such matters or actions had been submitted or taken by the ward, if the ward had capacity to act in his own behalf; *Provided, however*, That the Board may, if it deems it necessary require the guardian or other person legally vested with the care of the person or estate of an incompetent or a minor to submit a certified copy of an order from the court of appointment authorizing some particular action which the guardian or other person legally vested with the care of the person or estate desires to take in connection with the application.

§ 266.5 *Recognition by the Board of a person to act in behalf of another.* In the absence or prior to receipt of written notice of the appointment of a guardian or other person legally vested with the care of the person or estate of an incompetent or minor who is receiving or claiming benefits or to whom any right or privilege is extended under the law, the Board may, in its discretion, validly recognize actions by and conduct transactions with others acting in behalf of the individual found by the Board to be incompetent or minor, if the Board finds such actions or transactions to be in the best interest of such individual. In the absence of special circumstances, consideration of the proper party with whom to conduct transactions on behalf of an incompetent should be limited to the following persons, who are listed in order of preference: (a) the spouse; (b) a child who had gained majority; (c) the head of the institution where the incompetent is receiving treatment. In the absence of special circumstances, the proper party with whom to conduct transactions, including the certifying of payments, on behalf of a minor beneficiary should be one of the following, who are listed in order of preference: (a) a parent (including an adoptive parent), or stepparent with whom the minor beneficiary is living; (b) any relative, individual, or agency caring for the minor beneficiary.

§ 266.6 *Cases in which the Board shall recognize a person to act in behalf of another under section 19 (a) of the act.* In the absence of a written notice of the appointment of a guardian or other person legally vested with the care of the person or estate of an incompetent or minor, the Board shall, except where special circumstances appear, recognize a person to act in behalf of the incompetent or minor under the following circumstances: (a) when an individual has been adjudged mentally incompetent by a court having jurisdiction; (b) when an individual who has been committed to a mental institution by a court having jurisdiction; (c) where the individual is an inmate of a mental institution; (d) when a minor is less than sixteen years of age; (e) when a minor is between sixteen and eighteen years of age and is in the care of any person and does not have capacity to act on his own behalf.

Dated: June 9, 1945.

By the Authority of the Board.

MARY B. LINKINS,
Secretary of the Board.

[F. R. Doc. 45-10437; Filed, June 14, 1945; 9:31 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 51]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING CHERRIES IN YAKIMA AND BENTON COUNTIES, WASH.

§ 1111.11 *Wages of workers engaged in picking cherries in Yakima and Benton Counties, Washington.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Washington WFA Wage Board that a majority of the producers of cherries in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined:

(a) *Areas, crops and classes of workers.* Persons engaged in picking cherries in Yakima and Benton Counties in the State of Washington are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued August 28, 1943, as amended (8 F.R. 11960, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage rates for picking cherries.*

Piece rate—3½ cents per lb., or the equivalent where pail or other container rates are used.

(c) *Administration.* The Washington WFA Wage Board, located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of § 1111.11 in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator March 23, 1945 (10 F.R. 3177).

(d) *Applicability of the specific wage ceiling regulations.* Section 1111.11 shall be deemed a part of the specific wage ceiling regulations issued by the War Food Administrator March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to § 1111.11 and any violations of § 1111.11 shall constitute a violation of such specific wage ceiling regulations.

Effective date. Section 1111.11 shall become effective at 12:01 a. m., Pacific war time June 14, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III), 58 Stat. 632 (1944), E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611; 10 F.R. 3177)

Issued this 14th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10443; Filed, June 14, 1945; 11:06 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Treasury Department

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII, APPENDIX

BLOCKED ACCOUNTS

MAY 29, 1945.

Public Circular No. H-10, under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Notwithstanding the provisions of General Ruling No. 11A, General License No. H-1 continues applicable to blocked accounts in the Territory of Hawaii.

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 45-10449; Filed, June 14, 1945; 11:02 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Operations Order 41]

MASSACHUSETTS

ESTABLISHMENT OF BOARD OF APPEAL AREA

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with the recommendation of Colonel Ralph M. Smith, State Director of Selective Service for the State of Massachusetts, I hereby order:

That the State Director of Selective Service for the State of Massachusetts is hereby authorized to disestablish the board of appeal areas for Boards of Appeal numbered 1, 2, 3, 4, 5, 6 and 7 of the State of Massachusetts, and to establish one board of appeal area having more than 70,000 registrants as the result of the first registration, which board of appeal area shall be coextensive with the State of Massachusetts.

LEWIS B. HERSHEY,
Director.

JUNE 13, 1945.

[F. R. Doc. 45-10408, Filed, June 13, 1945; 4:05 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527, E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-217, as Amended June 14, 1945]

FOOTWEAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.191 *Conservation Order M-217*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board and Conservation Order M-328, as amended from time to time, except as follows:

(1) Priorities Regulation 17 shall be inapplicable to footwear.

(2) Military footwear which has been rejected by Government inspectors and stamped to indicate its rejection may be sold without regard to Paragraph 944.11 of Priorities Regulation 1 or paragraph (e) (3) of Conservation Order M-328.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers, but does not include (i) rubber footwear or (ii) foot covering designed to be worn over shoes and utilizing no leather.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) [Deleted June 14, 1945.]

(5) [Deleted June 14, 1945.]

(6) "Cattle hide leather" means any leather (including splits) made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(7) [Deleted Nov. 9, 1944.]

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) [Deleted Mar. 9, 1944.]

(10) "Line" means footwear of any one of the following types:

Men's dress
Men's work
Youths' and boys'
Women's and growing girls
Misses' and children's
Infants'
House slippers
Athletic
Men's safety shoes, and
Women's safety shoes

to the extent that such type of footwear is manufactured for sale by the manufacturer in a price range where the highest list price does not exceed the lowest by more than 10% or 25¢ a pair (whichever is greater): *Provided*, That:

(i) Footwear of identical kind and quality sold at different prices to different types of purchasers may be included in one line if the highest price in the range

is an actual price at which this footwear was sold during the base period, and the concession price for the same footwear is not more than 15% below the highest price in the range.

(ii) In case the sale by the manufacturer is at retail or to a purchaser which controls, is controlled by, or is subject to common control with, the manufacturer, then the applicable price range shall be the retail price range.

(iii) Up to the net wholesale price shown on the following schedule, each type of footwear listed may be deemed one line:

Type:	*Maximum net wholesale price per pair*
Misses' and children's	$1.75
Youths' and boys' (without leather)	1.90
Youths' and boys' (utilizing leather)	2.00
Women's and growing girls' (including safety) (without leather)	1.90
Women's and growing girls' (including safety) (utilizing leather)	2.00
Men's work, dress and safety (without leather)	1.90
Men's work, dress and safety (utilizing leather)	2.50
House slippers (with or without leather)	1.60
Infants', sizes 0–4 (utilizing leather)	.90
Infants', sizes 0–4 (made without leather)	.75
Infants', sizes 4½ to 8 (with or without leather)	1.35

NOTE: For the purposes of this schedule, footwear utilizing no leather except for heel top lifts shall be considered as having been made without leather.

(iv) Nothing in this order shall be deemed to permit overlapping price lines.

(11) [Deleted May 1, 1945.]

(12) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(13) "Civilian footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(14) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 to April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(15) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period, as set forth on his base period report.

(16) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(17) "Long shield tip" means a shield tip having a horizontal measurement from the bottom of the curve to the upper end of the tip of more than 1 inch (using size 4B as a standard).

(18) [Deleted Nov. 9, 1944.]

(19) [Deleted Nov. 9, 1944.]

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) [Deleted June 14, 1945.]

(ii) [Deleted June 14, 1945.]

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of sizes 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes and footwear with fabric uppers.

(v) [Deleted June 14, 1945.]

(vi) [Deleted June 14, 1945.]

(vii) Bows or other ornaments, if made in whole or in part of leather (excluding scrap).

(viii) Outside leather taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in Goodyear welt footwear other than work shoes and safety shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) [Deleted Aug. 26, 1944.]

(xiii) [Deleted Aug. 26, 1944.]

(xiv) Men's one-piece leather uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) [Deleted Aug. 26, 1944.]

(xvi) [Deleted Aug. 26, 1944.]

(xvii) [Deleted Aug. 26, 1944.]

(xviii) [Deleted June 14, 1945.]

(xix) [Deleted June 14, 1945.]

(xx) [Deleted June 14, 1945.]

(xxi) [Deleted Aug. 26, 1944.]

(xxii) [Deleted June 14, 1945.]

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) [Deleted Aug. 26, 1944.]

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) [Deleted Aug. 26, 1944.]

(xxvii) [Deleted Aug. 26, 1944.]

(xxviii) [Deleted Aug. 26, 1944.]

(xxix) Rawhide or other leather laces, except on work shoes.

(xxx) [Deleted June 14, 1945.]

(2) [Deleted Aug. 26, 1944.]

(3) No person shall put into process any leather for the manufacture of any boots (including jodhpurs and jodhpur types) except men's blucher high cut laced boots ten inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots: except that any person who has an established quota under paragraph (i) for men's work shoes may produce genuine logger boots with calks or linemen's boots above 10 inches in height: *Provided*, That within ten days after the end of each calendar month he sends to the War Production Board, Leather and Shoe Division, Washington 25, D. C., Ref: M-217, a letter showing the number and kinds of boots made, and, in the case of linemen's boots, the names of the individuals for whom they were made.

(4) [Deleted June 14, 1945.]

(5) [Deleted Aug. 26, 1944.]

(6) [Deleted June 14, 1945.]

(7) No person shall, in the manufacture of house slippers or romeos, put into process for uppers any cattle hide leather (including splits) or goatskin or kidskin leather (including India-tanned goatskin or kidskin) or put into process for outsoles any cattle hide grain leather other than heads, bellies, shins, and shanks of 5 iron or less. No person shall utilize any leather in the manufacture of infants' house slippers in sizes 0 to 4, inclusive.

(8) No person shall attach any leather outsoles or outside leather taps to any footwear having raised or flat seam moccasin type vamps (including genuine moccasins utilizing soles) or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles: *Provided, however*, That nothing in this subparagraph (c) (8) shall apply to footwear utilizing no leather except for split soles 2½ ounces or under or to women's and girls' shoes with heels 1⅛ inches and over in height, using size 4B as the standard.

(9) [Deleted Aug. 26, 1944.]

(10) [Deleted Aug. 26, 1944.]

(11) No person shall manufacture any leather or part leather bows for use on footwear, except out of scrap.

(12) No person shall attach any soles heavier than 4 iron cut from chrome, chrome retan, or any combination chrome tanned cattlehide or horse butt leather, excluding splits, to any footwear except infants', misses' and children's

shoes (excluding all sizes over size 3), youths' and boys' shoes (excluding all sizes over size 6), men's work shoes, and men's and women's safety shoes manufactured in accordance with paragraph (e-1) below. This provision does not apply to repair.

(13) With respect to:

(i) Foot wear especially designed for the physically maimed and deformed;

(ii) Misses' and children's shoes (up to and including size 3);

(iii) Infants' shoes; and

(iv) Youths' and boys' shoes (up to and including size 6); no person shall utilize any upper leather or lining leather set aside by tanners for such footwear pursuant to Conservation Order M-310 or directions issued thereunder except in the manufacture of one of those types of footwear.

(d) *Restrictions on styling and types manufactured.* (1) [Deleted June 14, 1945.]

(2) [Deleted Aug. 26, 1944.]

(3) [Deleted Aug. 26, 1944.]

(4) No person shall attach to any footwear (except Infants' footwear, house slippers or women's gold or silver evening slippers) outsoles, other than wooden soles, not conforming to the specifications contained in Schedule I annexed to this order.

(e) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear made wholly without leather except for leather top lifts if used. This exemption shall extend only to paragraph (c).

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' footwear up to and including size 4, except that this exemption shall not extend to paragraph (c) (7).

(6) Footwear made wholly or primarily of shearlings provided no other leather is used in their manufacture.

(e-1) *Restrictions on the manufacture of safety shoes.* No person shall manufacture any safety shoes which have leather uppers with leather or rubber (including synthetic rubber) compound bottoms, except those which comply with the safety features as to safety toe box, electric conductivity, electrical properties, non-sparking and moulders protection in the American War Standards Specifications for protective occupational footwear, men's safety shoes and women's safety shoes, Z41.1 to Z41.9 inclusive, 1944. Only those parts of the specifications relating specifically and solely to the safety features listed above and to the test requirements shall be applicable.

Upon letter application the War Production Board may authorize deviations from the above-mentioned standards when necessary to meet minimum civilian requirements for safety shoes.

(f) [Deleted Aug. 26, 1944.]

(g) *General exceptions.* None of the restrictions of this order shall apply to military footwear, or to footwear made as trials or pullovers but not sold.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker, or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for nonmilitary use shall not constitute a discriminatory cut.

(5) With respect to:

(i) Footwear especially designed for the physically maimed and deformed;

(ii) Misses' and children's shoes (up to and including size 3);

(iii) Infants' shoes; and

(iv) Youths' and boys' shoes (up to and including size 6); no manufacturer shall accept delivery of any upper leather or lining leather reserved by tanners for such footwear pursuant to Conservation Order M-310 or directions issued thereunder if his supply of leather suitable for such footwear and obtained on certificate pursuant to such direction shall thereby become larger than a 30-days' inventory. A 30-days' inventory shall be deemed to be the quantity of leather actually used for the production of shoes of these types during the preceding calendar month, unless no such footwear was produced in that month, in which case a 30-days' inventory shall be deemed to be the leather required to manufacture his scheduled production of such shoes for the following thirty days.

(i) *Restrictions on production of lines of footwear.* (1) No person shall in any six months' period beginning with March 1 or September 1 in any year complete the manufacture of more civilian footwear within any line than the percentage of his civilian line quota for such line shown on the following schedule:

Each line of youths' and boys' shoes	125
Each line of men's safety shoes	125
Each line of men's work shoes	115
Each line of men's dress shoes	100
Each line of women's and growing-girls' shoes	100
Each line of house slippers	100
Each line of athletic shoes	100
Each line of women's safety shoes	100

With respect to (i) infants' footwear and (ii) misses' and children's footwear, no manufacturer may exceed 125% of his aggregate civilian line quotas for all lines of infants' footwear, and no manufacturer may exceed 125% of his aggregate civilian line quotas for all lines of misses' and children's footwear, but his production within each of these two types of footwear may be distributed among his established lines in any manner desired, except that the production in any line consisting of less than 50 pairs or 2% of the total production of that type of footwear (whichever is greater) during the base period may not be increased by more than 25%:

Provided, however, That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows an increase over that during the six months' base period, each civilian line quota of such manufacturer shall be diminished by its proportionate part of such increase; *and provided further,* That to the extent that a manufacturer's production of military footwear during the six months' period ending September 1, 1945 increases over his military production during the six months' period ending March 1, 1945, he may deduct the increased pairage of military footwear from any civilian line or lines of men's dress or work shoes, or, in the event that he does not have sufficient quota in men's dress or work shoes, he may deduct the remaining pairage from his quota on any civilian line or lines of youths' and boys' shoes.

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) *Exceptions to paragraphs (i) (1) and (i) (2).* (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to the quota of a lower priced line of the same type of civilian footwear.

Provided he does not add a greater percentage of his unused quota than that set forth in the table below, any person may add the unused portion of his civilian line quota, or quotas, of men's dress or women's and growing girls' shoes to his quotas of the types shown in the following schedule up to a maximum of six times the amount actually transferred pursuant to this paragraph (i) (3) (ii) during the month of March, 1945:

Type:	*Percentage of unused quota*
Men's work shoes	115
Youths' and boys' shoes	125
Misses' and children's shoes	125
Infants' shoes	125

In no event shall any unused quota be added to a higher priced line.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) During any six months' period, beginning March 1 or September 1 in any year, a manufacturer whose total production for the period will be less than $250,000 (based on wholesale value) is not subject to paragraph (i) (1), provided that no new higher priced lines are added and provided the manufacturer does not exceed his aggregate production in pairs during his six months' base period by more than 50%. The exemption in this paragraph shall not apply to a manufacturers affiliated, as a subsidiary or otherwise with another or others. This paragraph shall not authorize any manufacturer to increase his production by more than 50% in any line consisting of less than 50 pairs or 2% of his total production of that type of footwear (whichever is greater) during the base period.

(v) Paragraphs (i) (1) and (i) (2) shall not apply to footwear for the physically maimed or deformed on a custom-made basis and not for stock, to wood sole clogs utilizing no leather, or to shearling house slippers utilizing no other leather.

A person making infants' non-leather shoes in sizes 0 to 4 inclusive, infants' shoes in sizes 4½ to 8, inclusive, misses' and children's shoes and youths' and boys' shoes, who has filed a letter of intention to take advantage of the exception applying to those types of shoes before May 1, 1945 is permitted to take advantage of this exception only if his letter of intention was acknowledged by the War Production Board prior to May 16, 1945.

(vi) The War Production Board may authorize transfers of quotas of footwear from one line or type to any other line or type and new or additional production in each line or type. It will in general be the policy of the War Production Board to authorize new or additional production in lines of which there is a critical civilian shortage or lines of reasonably durable footwear where such production will not require materials, components, facilities or labor needed for war purposes, and will not otherwise adversely affect or interfere with production for war or essential civilian purposes. Authorization will not be dependent upon the applicant's having been engaged in the production of shoes during the base period.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the pairs desired to be made in each price range, the source of the manpower that will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. All applications shall be accompanied by an original and three copies of Form WPB-3820. Authorization of production of new lines under this paragraph will be made only with the condition that production may not begin until evidence is furnished of conformity with applicable Office of Price Administration regulations.

The War Production Board will issue footwear manufacturers' quota numbers for quotas authorized by the War Production Board or established because of base period production.

Production in new price lines, or increased production in established lines, may be granted by the War Production Board to cover production of civilian footwear purchased by or on behalf of United Nations Relief and Rehabilitation Administration or any other agency for foreign relief purposes.

(vii) Manufacturers qualifying for an increase in price on footwear with non-marking synthetic rubber soles, or soles and heels, under Order No. 13 under § 1499.3 (e) (3) of General Maximum Price Regulations, issued by the Office of Price Administration, may disregard such increase for the purposes of this paragraph (i). However, where the increase results in production of shoes in a higher price line, the number of pairs so produced shall be reported separately on the manufacturer's production report at the actual price, as indicated in the revised directions to said form.

(viii) Where a manufacturer produced in his base period a line of misses' and children's footwear of less than 50 pair or 2% of his total production of that type, he may increase his production of this line in any six months' period to not more than six times his lawful production of the line in January, 1945, *Provided*, That, he deducts the production in excess of 125% of his base period production in this line from his other lines of misses' and children's shoes.

(ix) Any person with an established quota or quotas for the production of women's and growing girls' shoes may produce up to 10% of his aggregate quota or quotas in women's all-over genuine reptile (including frog) shoes in any line or lines at a net wholesale price of $4.50 per pair or less, provided that the number of pairs of shoes produced under this paragraph (i) (3) (ix) is counted as production against the quota for that line or those lines, if any. In the event that there is no quota in a line in which such shoes are being produced, or that the number of pairs in the quota for that line does not equal the number of all-over genuine reptile (including frog) shoes produced, the number of such shoes produced must be counted as production against the quota for that line, if any, and for the next lower lines in descending order as to price as far as is necessary, and exhausting the quota of each line before proceeding to the next lower line. Records must be kept of the number of all-over genuine reptile shoes produced in each line.

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed. After July 11, 1944, lines manufactured by any person in his six months' base period as previously filed with the War Production Board may not be revised, except to bring them into conformity with this order.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) All persons affected by this order shall keep and preserve records concerning their operations in accordance with § 944.15 of Priorities Regulation 1.

(l) All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M-217.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A: Superseded Nov. 9, 1944.

SCHEDULE I—SPECIFICATIONS FOR SOLES

Abrasion. The material shall have a resistance to abrasion of not less than 4000 revolutions to abrade 50% of the thickness of the material, when tested on the type of machine used by and following the procedure of the National Bureau of Standards. The material may be tested on any other abrasive testing machine, using an appropriate number of abrasive strokes of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 32° F. and testing at that temperature, when bent 180° over a 3-inch mandrel. The material shall not crack, after aging for 48 hours at 120° F. ± 2° F. and reconditioning at 65 per cent ± 2 per cent relative humidity and 120° F. ± 2° F. when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120° F. ± 2° F. for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 25 pounds when tested immediately after soaking in water for 4

hours. When the outsole is cemented securely to a backer or midsole, the test shall be made of the combined assembly.

Effect of water. After submerging in water at 75° F. ± 2° F. for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 20 per cent.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3290.191 (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date (Issued October 6, 1942.)

INTERPRETATION 2

FOOTWEAR

The reference to "leather outsoles or outside leather taps," in paragraph (c) (8) of § 3290.191 Conservation Order M-217 designates outsoles and outside taps the wearing qualities of which are derived primarily from leather. For example: An outsole composed primarily of leather but having a paper coating would constitute a "leather outsole," since, presumably the paper would soon disappear and the wearing quality of the sole would rest primarily upon the leather.

On the other hand, if a sole of durable substitute material were cemented on a thin leather sole so that the substitute material received the wear the leather sole would constitute a midsole rather than an outsole.

Similarly a wooden sole having a leather heel insert to provide nonskid and soundproofing features is not a "leather outsole," because the wear of the shoe is derived mainly from the wooden portion of the sole. (Issued Oct. 18, 1943.)

INTERPRETATION 3: Revoked August 26, 1944.

INTERPRETATION 4: Revoked May 1, 1945.

INTERPRETATION 6: Superseded Nov. 9, 1944.

INTERPRETATION 7: Superseded Nov. 9, 1944.

[F. R. Doc. 45-10460; Filed, June 14, 1945; 11:12 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-217, Revocation of Interpretation 5]

SHOES MANUFACTURED FOR DYEING BY RETAILERS OR CONSUMERS

Interpretation 5 to Conservation Order M-217 is revoked.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10461; Filed, June 14, 1945; 11:12 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. XII to Schedule A as Amended June 14, 1945]

The following Supplement XII to Schedule A is issued pursuant to Conservation Order M-328B (§ 3290.120a):

WOMEN'S WORK CLOTHING

NOTE: Schedule amended in its entirety June 14, 1945.

Item No.	Type of garment	Material	Approximate yards per dozen (On 36" width basis)
1	Coveralls	Hickory stripes Sport Denim 36". Solid Blue Denim (2.45 yd. or heavier on a 28" width basis).	45
2	Slack suits	Hickory stripes Sport Denim 36". Solid Blue Denim (2.45 yd. or heavier on a 28" width basis). Broadcloth, carded 100 x 60.	45
3	Overalls, bib overalls, high and low neck.	Hickory stripes Sport Denim 36". Solid Blue Denim (2.45 yd. or heavier on a 28" width basis). Broadcloth, carded 100 x 60.	35
4	Slacks, including dungarees and Western pants.	Hickory stripes Sport Denim 36". Solid Blue Denim (2.45 yd. or heavier on a 28" width basis).	28
5	Jackets	Hickory stripes Sport Denim 36".	22
6	Blouses and shirts, long and short sleeves.	Sport Denim 36" Solid Blue Denim (2.45 yd. or heavier on a 28" width basis). Shirting flannelettes 3.00 yd.—36". Broadcloth, carded 100 x 60". Seersucker.	18
7	Bib aprons	Sport Denim 36" Solid Blue Denim (2.45 yd. or heavier on a 28" width basis).	18
8	Utility uniforms including regular, princess and princess-back model coat style dresses; wrap-around style dresses, smock type dresses and bungalow aprons.	Solid Blue Denim (2.45 yd. or heavier on a 28" width basis). Broadcoth carded. 100 x 60. Seersucker. Sport Denim 36".	42
9	Hats and caps	Solid Blue Denim (2.45 yd. or heavier on a 28" width basis). Print cloth. 60 x 48—6.25 yd. Broadcloth. 100 x 60. Marquisette (cards).	5

(a) Application on Form WPB-3732 (set forth separately and identify in column (f) of the form: (1), second quarter 1943 production on your facilities for your own account: (2), second quarter 1943 production on your facilities for the account of others; (3), second quarter 1943 production of others for your account).

All applicants under this program who supply production figures in column (f) of Form WPB-3732 as prescribed in subsection (2) above, "second quarter 1943 production on your facilities for the account of others," shall be subject to the provisions of paragraph (g) of this supplement to the extent of such production, and must therefore submit the information required in paragraph (g), with respect to such production.

(b) Filing date: Applications must be filed not later than June 15, 1945.

(c) These items will be required to be produced during July, August and September, 1945.

(d) Priorities assistance will be given only for the woven fabrics specified above. Applications for other fabrics will be denied.

(e) Each applicant who, during the second quarter of 1943 (base period), produced the items listed in this program and whose application is granted must produce a portion of his total production of each item for sale at each of the prices (or any increased prices subsequently granted by the OPA for the items of the same specifications) at which he sold items in the base period; and the proportion of his production of each item for sale at each such price to his entire production of the item (under the program) shall be the same as the proportion of his production of the item for sale at each such price was to his total production of the item in the base period. The whole or part of a quota of any item to be sold at a base period price may be shifted from a higher to a lower price, but not from a lower to a higher price. "Price" means the manufacturer's invoice price before applying any discount.

(f) Each applicant who, during the base period produced items listed in this program must, in producing such items from materials obtained with a rating under this program, meet the same specifications, including standards of quality, workmanship (including but not limited to the number of stitches per inch), inspection, pricing, folding, and all other operations pertinent to the preparation of the completed garments for marketing, as were used by the applicant in producing such items sold at the same or nearest higher price during the second quarter of 1943.

(g) Each applicant who did not, during the base period, produce the item for his own account or have it produced for his own account, for which he makes application, shall file with his application the specifications (including the proposed sale price) of the item he proposes to manufacture or have produced for his own account and, if required by the War Production Board, a sample. If his application is granted, the applicant must produce the item in accordance with the specifications filed. These specifications shall include, but shall not be limited to, specifications as to dimensions, types of fabrics and stitches per inch as well as such other essential points as may insure a quality garment at the price at which the applicant proposes to sell each such item. It is suggested that wherever feasible the applicant shall use the standards prescribed by the American Standards Association for the manufacture of Women's Industrial Garments. If such standards are used, this fact should be disclosed in the application.

(h) Each applicant must include a statement under the section entitled "remarks" on Form WPB-3732 that he has complied with the OPA regulations regarding the prices he has included in columns (d) and (e) of the form.

(i) Each application must be accompanied by a copy of existing contracts with war or war-supporting plants calling for the production of women's industrial uniforms, or a letter from the contracting company indicating that such a contract is in existence.

(j) Applicants receiving priorities assistance under this program may not deliver any uniforms made with material obtained with such priorities assistance except to war or war-supporting plants with whom the applicant had contracts at the time of filing the application. Furthermore, an applicant may not deliver these uniforms even to a plant with whom he had such a contract if he knows or has reason to believe that the plant already has a three months' supply of such uniforms or that the delivery would result in its having more than a three months' supply.

(k) If the applications exceed the quantity of production of a particular item required under this program, grants of priority assistance will be approved equitably on the basis of production during the base period. However, any person who did not produce the item during the base period and who wants to make the item, or whose facilities for the production of the item have increased since the base period, or who wants to increase the production of the item, may apply for priorities assistance under the program, but his application will not be entertained unless it is accompanied by a signed statement setting forth the facilities or increased facilities he owns or has under contract for his exclusive use to produce the item(s) applied for within the program period. Where facilities or increased facilities are available because of a change from the production of other items, he must state whether production will be reduced on any other item and specify the item. Such applications will be granted on an equitable basis.

(l) Paragraphs (d) (1) and (d) (2) of Order M-328B do not apply to this program.

(m) Applications which do not provide completely and accurately the information required may be denied.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R Doc. 45 10459; Filed, June 14, 1945; 11:11 a. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M-1-L]

ALUMINUM

§ 921.14 *Supplementary Order M-1-L*—(a) *Definitions.* For the purposes of this order:

(1) "Aluminum" means any item included in Schedule I of CMP Regulation 1, the principal ingredient of which by either weight or volume is metallic aluminum. (Schedule I of CMP Regulation 1 includes rod, bar, wire, and cable; rivets; forgings, pressings, and impact extrusions; castings; rolled structural and extruded shapes; sheet, strip, plate, slugs, and foil; tubing; tube blooms; powder; ingot, pig, billets, slabs, etc.)

(2) "Aluminum scrap" means all materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, or, failure, or for other reason, the principal ingredient of which by either weight or volume is metallic aluminum; and shall include all types and grades of aluminum residues, such as drosses, skimmings, fines, grindings, sawings, and buffings: *Provided*, That the recoverable metallic aluminum content, as determined by the fire assay or other method of comparable efficiency, constitutes fifty per cent or more by weight of such residues.

(3) "AM number" means the letters "AM" followed by a four-digit serial number assigned by the War Production Board to a person with respect to his production of a specific class of aluminum or his operations as a distributor.

(4) "Producer" means any person who manufactures aluminum.

(5) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form or after performing such operations as cutting to length, shearing to size, sorting and grading.

(6) "Order" includes a purchase order, an order placed pursuant to a toll agreement, a shop order or requisition placed by one department or other unit of a single enterprise with another department or unit of the same enterprise, and an order for delivery on consignment.

(b) *Orders for aluminum placed by aluminum producers and distributors.* (1) Any producer or distributor who wishes to obtain aluminum from another producer or distributor must endorse his order with an AM number assigned to him. (This would apply, for example, to a producer of aluminum castings who wishes to obtain aluminum ingot, a producer of tubing who wishes to obtain tube blooms, or a producer of forgings who wishes to obtain forging rod. It would not apply to a manufacturer of cooking utensils who wishes to obtain aluminum sheet, since cooking utensils are not listed in Schedule I of CMP Regulation 1.)

(2) No producer or distributor shall fill an order for aluminum placed by another producer or distributor unless the order is endorsed with an AM number in accordance with the provisions of this Order.

(c) *Assignment and use of AM numbers.* All AM numbers assigned by the War Production Board prior to the issuance of this order, which have not been revoked, are valid under, and shall be used where necessary to comply with, the provisions of this order.[1]

A person who requires an AM number in order to comply with the provisions of this order, may obtain one by writing to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., stating the class of aluminum he wishes to manufacture, or to resell as a distributor.

An AM number is primarily an identification of a warehouse which sells or a production unit which manufactures aluminum. A person who manufactures more than one class of aluminum will use several AM numbers—one for each class of aluminum.

(d) *Reports on aluminum.* (1) Any producer or distributor who ships 2,000 pounds or more of aluminum (other than aluminum pig, ingot, slabs, billets and shot) in any month shall file Form WPB-2685 with the War Production Board in accordance with the instructions accompanying the form.

(2) Any producer or distributor who ships 2,000 pounds or more of aluminum pig, ingot, slabs, billets, and shot in any month shall file Form WPB-2593 with the War Production Board in accordance with the instructions accompanying the form.

(3) All producers of aluminum (other than castings and pig, ingot, slabs, billets, and shot) shall file Form WPB-2476, covering their order acceptances, with the War Production Board in accordance with the instructions accompanying the form.

(e) *Reports on aluminum scrap.* (1) Any person who melts aluminum scrap into aluminum ingot and who delivers some or all of the ingot to other persons shall file Bureau of Mines Form 6-1114-M (Formerly Form WPB-554) for each month with the Bureau of Mines, College Park, Maryland, by the fifteenth day of the following month. (This is the form filed by aluminum smelters and producers of ingot).

(2) Any person who is not required to file Bureau of Mines Form 6-1114-M under paragraph (e) (1), but who receives 2,000 pounds or more of aluminum scrap in any month for use (melting) in his production of aluminum, shall file Form WPB-2685 with the War Production Board in accordance with the instructions accompanying the form. (This is the form filed by aluminum foundries, powder mills, and wrought product mills). In calculating scrap receipts for the purpose of this paragraph a producer shall include receipts from other companies (both by purchase and on toll) and from the machining and finishing departments of his own company, but shall not include plant scrap generated in the course of his production of any form of aluminum.

(3) All persons regularly engaged in the business of buying and selling aluminum scrap (dealers) shall file Form WPB-202 for each month with the Bureau of Mines, College Park, Maryland, by the tenth day of the following month.

(f) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports and other communications filed pursuant to this Order or concerning the subject matter hereof, with the exception of the reports on Form WPB-202 and Bureau of Mines Form 6-1114-M, should be addressed to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C.

NOTE: The reporting provisions of this order have been approved by the Bureau of the

[1] Direction 57 to CMP Regulation 1 assigns AM-8000 under certain conditions to an aluminum foundry which does not have another AM number assigned by the War Production Board and which does not order more than 10,000 pounds of aluminum ingot from all sources for delivery in any month.

Budget pursuant to the Federal Reports Act of 1942.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45 10419: Filed, June 13, 1945; 4:28 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, as Amended June 13 1945]

Par.

(a) Purpose and scope.
(b) Definitions.
(c) General allotment procedure.
(d) Bills of materials and applications for allotments.
(e) Responsibility for statements of requirements.
(f) Forms in which allotments made.
(g) Allotments by consumers.
(h) Methods of allotment.
(i) Method of cancelling or reducing allotments.
(j) Assignment of allotments.
(k) Grouping of allotments and schedules by major programs.
(k-1) Class A products sold to distributors or for MRO.
(l) Small order procedure.
(m) Relationship between allotments and production schedules.
(n) Manner of authorizing production schedules.
(o) Authorized production schedules must be filled.
(p) Protection of Class A product schedules.
(q) Reconciliation of conflicting schedules.
(r) Alternative procedure for simultaneous allotments.
(s) How to place orders with controlled materials producers.
(s-1) Restrictions on placing authorized controlled material orders.
(t) Controlled materials producers.
(u) Restrictions on use of allotments and materials.
(v) [Deleted May 10, 1945.]
(w) What to do if requirements change.
(x) Other War Production Board regulations and orders.
(y) Records and reports.
(z) Appeals and applications for relief.
(aa) Penalties.

PURPOSE AND SCOPE

§ 3175.1 *CMP Regulation 1.* (a) This regulation explains how allotments for manufacturing operations are made under the Controlled Materials Plan, how production schedules are authorized and how controlled materials are obtained. Other CMP regulations cover inventory restrictions, preference ratings, warehouses and distributors, maintenance, repair and operating supplies, construction and other matters.

DEFINITIONS

(b) The following definitions shall apply for the purposes of this regulation and for the purposes of any other CMP regulation unless otherwise indicated:

(1) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I attached.

(2) "Controlled Materials Division" means the Steel Division, the Copper Division or the Aluminum Division of the War Production Board.

(3) "Industry Division" means the Division, Bureau, or other unit of the War Production Board which is charged with supervision over the operations of a particular industry. The term also includes any other government agency which, by arrangement with the War Production Board, may perform similar functions with respect to a particular industry.

(4) "Claimant Agency" means the following government offices and such others as may be designated from time to time. (Identifying symbols are indicated in parentheses.)

War Department (W)—except Ordnance which is identified by the symbol (O).
Navy Department (N).
Maritime Commission (M)
Aircraft Resources Control Office (agent for Army Air Forces and Bureau of Aeronautics of United States Navy (C)
Foreign Economic Administration—Office of Lend-Lease Administration (L).
Foreign Economic Administration—Office of Economic Warfare (E).
Office of Civilian Requirements (V).
Department of Agriculture (A)
Office of Defense Transportation (T).
Office of Rubber Director (R).
Petroleum Administration for War (P).
National Housing Agency (H)
Office of War Utilities (U).

The symbol (F) will be used by several Claimant Agencies to identify certain construction programs; the symbols (B), (G), (J) and (K) will be used to identify certain B product programs; the symbol (D) will be used to identify certain programs covering items destined for the Dominion of Canada; the symbol (S) will be used to identify certain miscellaneous programs including certain B product programs and construction programs; the symbol (SO) will be used to identify small orders as defined in paragraph (l) and the symbol (Z) will be used to identify production authorized under Priorities Regulation 25 and certain other programs. The symbols (B), (D), (F), (G), (J), (K), (Z), (SO) and (RO) constitute Claimant Agency symbols for the purpose of all CMP regulations.

(5) "Allotment" means (i) a determination by the Requirements Committee of the War Production Board of the amount of controlled materials which a Claimant Agency may receive during a specified period, or (ii) a further determination pursuant thereto by a Claimant Agency, Industry Division, prime consumer or secondary consumer, as to the portion of its allotment of controlled materials which may be received by one of its prime consumers or secondary consumers, as the case may be.

(6) "Prime consumer" means any person who receives an allotment of controlled material from a Claimant Agency or an Industry Division.

(7) "Secondary consumer" means any person who receives an allotment of controlled material from a prime consumer or another secondary consumer.

(8) "Class A product" means any product which is not a Class B product (as defined in subparagraph (9) below), and which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such steel, copper or aluminum as may be contained in Class B products incorporated in it as parts or sub-assemblies.

(9) "Class B product" means any product designated as such in the "Official CMP Product List" printed in "Products and Priorities" issued by the War Production Board, as the same may be modified from time to time, which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such as may be contained in other Class B products incorporated in it as parts or sub-assemblies.

(10) "Program" means a plan specifying the total amount of an item or class of items to be provided in a specified period of time.

(11) "Authorized program" means a program specifically authorized by the Requirements Committee or by a Claimant Agency or Industry Division within the limits of its allotment.

(12) "Production schedule" means a plan specifying the total amount of an item or class of items to be produced by an individual consumer in a specified period of time.

(13) "Authorized production schedule" means a production schedule specifically authorized within the limits of an authorized program by a Claimant Agency or by an Industry Division with respect to a prime consumer, or specifically authorized by a prime or secondary consumer with respect to a secondary consumer producing products for it as required to meet an authorized production schedule.

(14) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given.

(15) "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in paragraph (s) of this regulation or which is specifically designated to be such an order by any regulation or order of the War Production Board.

GENERAL ALLOTMENT PROCEDURE

(c) This paragraph explains the general allotment procedure.

Allotments by Requirements Committee to Claimant Agencies

(1) The Requirements Committee of the War Production Board will distribute the available supply of controlled materials by making allotments to the Claimant Agencies or Industry Divisions for each quarter, designating the amount of each form of controlled material available, during the quarter, to each Claimant Agency or Industry Division for allotment to its prime and secondary consumers.

Allotments by Claimant Agencies to Prime Consumers Producing Class A Products

(2) Each Claimant Agency will distribute the allotments received by it by making further allotments to the prime consumers who produce Class A products for it. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during the quarter, for use by it or allotment to the secondary consumers producing Class A products as parts or sub-assemblies for it. A prime consumer producing Class A products for several Claimant Agencies shall obtain separate allotments from each. A Claimant Agency, may, in particular cases, make allotments through an Industry Division.

Allotments by Industry Divisions to producers of Class B products

(3) Unless otherwise specifically directed, allotments to producers of Class B products will be made only by Industry Divisions, both in the case of Class B products which are end-products and in the case of Class B products which are incorporated in other products whether Class A or Class B. Allotments made by the Requirements Committee may be made available to the Industry Divisions for this purpose by the Claimant Agencies. Each Industry Division will make allotments to the prime consumers producing Class B products under its jurisdiction. In addition, allotments for products for which application may be made under Priorities Regulation 25, will be made by the Field Offices of the War Production Board. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during the quarter, for use by it or allotment to secondary consumers producing Class A products for it. A manufacturer of several Class B products coming under the jurisdiction of different Industry Divisions shall obtain separate allotments from each. A consumer producing Class B products is always a prime consumer with respect to such production.

Allotments by Prime and Secondary Consumers

(4) Each prime consumer receiving an allotment may use that portion of the allotment which he requires to obtain controlled materials as such for his authorized production schedule, and shall allot the remainder to his secondary consumers producing Class A products for him, to cover their requirements for controlled materials. Allotments by secondary consumers to secondary consumers supplying them may be made in the same fashion. A secondary consumer producing Class A products for several other consumers shall obtain separate allotments from each.

Advance Allotments

(5) Advance allotments by Claimant Agencies or Industry Divisions to prime consumers may be made within specified limits before receipt of allotments from the Requirements Committee in order to assure fulfillment of long term programs and schedules. Prime consumers receiving such advance allotments may, in turn, make allotments to their secondary consumers, and secondary consumers may make further allotments, in the same manner as in the case of ordinary allotments, but no consumer shall make any allotment in advance of receiving his own allotment.

Allotment Numbers

(6) (i) Allotments to prime consumers shall usually be identified by allotment numbers consisting of a Claimant Agency letter symbol and seven digits. This seven-digit allotment number is known as a: "Full CMP allotment number." The Claimant Agency symbol is indicated after the name of each Agency in paragraph (b) (4) of this regulation. The first four digits identify the authorized program of the Claimant Agency. The next three digits identify the authorized production schedule of the prime consumer. The numerical identification of months and quarters as previously required is abolished. Allotments must show the quarter for which the allotment is valid—for example, "3rd quarter 1943" instead of "19". This may be abbreviated as "3Q43" and should appear immediately following the allotment number. Orders for controlled materials must indicate the month delivery is required instead of a month number—for example, "July, 1943." The change from the numerical system shall take effect on July 1, 1943, but shall not apply to orders placed, or allotments made, before then.

(ii) Allotments to secondary consumers shall be identified by a CMP allotment symbol consisting only of a major program identification. The major program identification shall consist of the Claimant Agency letter symbol followed by the first digit only of the program number (omitting the last three digits of the program number and the entire schedule number). For example, in the case of an allotment to a prime consumer for the third quarter of 1943, designated W-2345-687, the allotment to a secondary consumer will be simply W-2-3Q43 denoting an allotment for major program number 2 of the War Department for delivery of controlled materials in the third quarter of 1943. The term "abbreviated allotment number" will no longer be used. Instead, the term "CMP allotment symbol" will include an abbreviated allotment number, as well as any other symbol (such as, "MRO") which is so designated by any War Production Board order or regulation.

BILLS OF MATERIALS AND APPLICATIONS FOR ALLOTMENTS

(d) This paragraph explains the use of bills of materials, applications for allotments and other information, in making allotments.

General

(1) The basis for an allotment to a consumer shall be his actual requirements for controlled materials in connection with the fulfillment of an authorized production schedule. The production schedule shall be authorized as provided in paragraph (n) of this regulation. Information as to requirements shall be in the form of a bill of materials, an application for allotment and/or other information as provided below in this paragraph (d).

Bills of Materials

(2) A bill of materials shows the amounts of controlled materials required by a consumer and his secondary consumers, irrespective of time of delivery and inventory, for production of one unit or a specified number of units of his product. Bills of materials shall be prepared in the manner specified in "General Instructions on Bills of Materials," on forms CMP-1, CMP-2 and CMP-3 or on such other forms as may be prescribed. No consumer shall be required to furnish a bill of materials on any form which is not officially prescribed (as indicated by a Bureau of Budget number), but in cases where another form is in use which gives the same information as the official form, the Claimant Agency, Industry Division or consumer to whom a bill of materials is to be furnished may accept it on such other form.

Application for Allotment

(3) An application for allotment shows the aggregate amount of each form of controlled material required (after taking inventories into account to the extent required by CMP Regulation No. 2) by a consumer and his secondary consumers during each quarter for his entire production of a specified product or class of products for the same customer, in the case of Class A products, or for all customers (unless otherwise directed) in the case of Class B products. Applications are to be made by manufacturers of Class A products on Form CMP-4A as issued by the appropriate Claimant Agency, and by manufacturers of Class B products on Form CMP-4B as issued by the War Production Board, Form WPB-4000 (for production under Priorities Regulation 25) or on such other forms as may be prescribed. Allotments are to be made on a quarterly basis and applications for allotments are also to be made on a quarterly basis, in lieu of a monthly basis as originally prescribed, except as may otherwise be required in any allotment or by the applicable application form.

Class B Components Not Included

(4) A bill of materials or application for allotment shall *not* include controlled materials required for manufacture of Class B products which will be incorporated in the product with respect to which the bill of material or application is submitted, although information as to the number or value of such Class B products is to be given in bills of materials to the extent required by the instructions.

MRO Excluded

(5) Requirements for maintenance, repair or operating supplies shall *not* be included in bills of materials or applications for allotment. Requirements for such purposes are to be obtained separately as provided in CMP Regulation No. 5. CMP Regulation No. 5 A and orders in the P and U series.

Where and When to File

(6) Bills of materials and applications for allotments shall be filed with the Claimant Agency, Industry Division or other consumer by whom the allotment is to be made, as indicated in paragraph (c) of this regulation. Bills of materials shall be filed only when and as called for by such Claimant Agency, Industry Division or other consumer. Manufacturers of Class A products shall file applications for allotments only when and as called for by the Claimant Agency or other consumer for whom they make their products. Manufacturers of Class B products who will require controlled materials from controlled materials producers (or whose secondary consumers will require the same) must file applications for allotments on Form CMP-4B by such date as may be designated or approved by the appropriate Industry Division (or in special cases by a Claimant Agency). Those manufacturers of Class B products who will obtain their requirements of controlled materials entirely from warehouses or retailers, and whose secondary consumers will do the same, need not file any applications for allotments. Procedures for obtaining controlled materials from warehouses or retailers, and limitations on the amount which may be obtained are provided in CMP Regulation No. 4. Manufacturers of Class A products who sell them for use as maintenance, repair or operating supplies, or deliver them to distributors, shall obtain allotments on Form CMP-4B as provided in paragraph (k-1) of this regulation.

Additional Information

(7) Each person making an allotment may require such other information in lieu of, or in addition to, a bill of materials or application for allotment as is required to enable him to make the allotment requested or to furnish any bill of materials, application for allotment or other information that may be required of him. If the consumer from whom such other information is requested is of the opinion that compliance with such request would be unreasonably burdensome he may appeal for relief as provided in paragraph (z) of this regulation.

Waiver

(8) Any consumer making an allotment may waive the furnishing of a bill of materials or application for allotment, or both, if he has other information as to actual requirements of his secondary consumers (taking into account the inventory restrictions of CMP Regulation No. 2) which is sufficiently accurate and detailed to enable him to make the allotment and to furnish any bill of materials, application for allotment or other information that may be required of him.

RESPONSIBILITY FOR STATEMENTS OF REQUIREMENTS

(e) (1) The furnishing of any bill of materials, application for allotment or other information as to requirements by a consumer, shall constitute a representation by him to the person to whom it is furnished, to the appropriate Claimant Agency and to the War Production Board, that the statements contained therein are complete and accurate, to the best of his knowledge and belief, not only with respect to such consumer's own requirements but also with respect to those of his secondary consumers.

(2) Any person who ascertains that he has substantially overstated (whether by inadvertence or otherwise) his requirements, or those of his secondary consumers, for any form of controlled material, shall immediately report such error to the person to whom the statement of requirements was furnished. If he has already received an allotment based on such overstatement, he shall immediately cancel or reduce the same (or an equivalent amount of other allotments received for the same authorized production schedule) to the extent of such excess, and report such cancellation or reduction to the person from whom the allotment was received; or if he is unable for any reason to make such cancellation, he shall immediately make a full report to the person from whom he received the allotment, and shall send a copy of such report to the appropriate Claimant Agency or Industry Division, if the allotment was received from another consumer.

(3) If any consumer receives any statement of requirements which he knows or has reason to believe to be substantially excessive (whether by inadvertence or otherwise), he shall withhold any allotment based thereon (either entirely or in an amount sufficient to correct the maximum excess) until satisfied that the statement is not excessive or that it has been appropriately modified. If unable to obtain sufficient information or an appropriate modification, he shall promptly report the matter to the appropriate Claimant Agency or Industry Division. Failure to withhold allotments or to make such report shall be deemed participation in the offense.

(4) If, after making any allotment, a consumer ascertains or has reason to believe that the allotment was substantially in excess of actual requirements, he shall either (i) correct the excess by cancelling or reducing the allotment or other allotments made by him to the same consumer, or (ii) report the matter promptly to the appropriate Claimant Agency or Industry Division. Failure to make such correction or report shall be deemed participation in the offense.

(5) An inadvertent overstatement of requirements shall be deemed substantially excessive for purposes of subparagraphs (2), (3), and (4) of this paragraph (e) if, but only if, it exceeds actual requirements by either (i) one-third or more of actual requirements or (ii) the minimum mill quantity specified in Schedule IV attached, whichever is less.

FORMS IN WHICH ALLOTMENTS MADE

(f) Each allotment, whether made by a Claimant Agency, an Industry Division or a prime or a secondary consumer, shall specify the form of the controlled material allotted. Allotments of steel shall be in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown. Allotments of aluminum will be in terms of "aluminum", without any breakdown, instead of the breakdown formerly provided into nine forms and shapes. Allotments of copper shall be broken down as indicated in Schedule I. A consumer may make allotments only in the same forms of controlled materials in which he has received his allotment, except that a consumer may, if he desires, break allotments of aluminum down into the forms and shapes formerly provided. In such a case, however, the person receiving the allotment may ignore the breakdown and may treat it as though made in terms of "aluminum".

ALLOTMENTS BY CONSUMERS

(g) (1) No consumer shall make any allotment in an amount which exceeds the related allotment received by him, after deducting all other allotments made by him and all orders for controlled materials placed by him pursuant to his related allotment.

(2) No consumer shall make any allotment in excess of the amount required, to the best of his knowledge and belief, to fulfill the related authorized production schedule of the secondary consumer to whom the allotment is made (including the schedules of any secondary consumers supplying the latter).

(3) No consumer shall make any allotment for the production of Class B products and no person shall accept any allotment from a consumer for the production of Class B products, except as permitted by Direction 36 to CMP Regulation No. 1.

(4) No consumer who has received his allotment for an authorized production schedule shall place any delivery order (other than small orders placed pursuant to paragraph (l) of this regulation) for any Class A product required to fulfill said schedule, unless concurrently therewith, he makes an allotment to the person with whom the order is placed, in the amount required by such person to fill said order (taking such person's inventory into account to the extent required by CMP Regulation No. 2); however, if he purchases a Class A product which has been manufactured under the provisions of paragraph (k-1) of this regulation, he need make no allotment for such product.

(5) Paragraph (g) (4) does not apply in the case of any order for a Class A product required to fill an authorized production schedule identified by a CMP allotment symbol Z-1. However, in such a case, the manufacturer of the Class A product may reject the order, whether the order is rated or not, if an allotment is not made, or controlled materials furnished, in an amount required to fill the order (taking his inventory into account to the extent required by CMP Regulation 2).

METHODS OF ALLOTMENT

(h) (1) A consumer may make an allotment to his secondary consumer on such form (including Form CMP-5 set forth in Schedule II) as may be prescribed for the purpose. Allotments may be made by telegraphing the information required by the appropriate form and confirming the same with such form.

2. Every consumer shall place on each allotment made by him the CMP allotment symbol which is on the related allotment received by him, and shall indicate the quarter for which the allotment is valid, except that if the full allotment number described in subdivision (i) of paragraph (c) (6) of this regulation is on the allotment received by him, he need only place on related allotments made by him the CMP allotment symbol described in subdivision (ii) of paragraph (c) (6). If a consumer places a delivery order for which he has made an allotment by separate instrument, he shall place the appropriate number on said order, and shall indicate the quarter for which the allotment is valid.

METHOD OF CANCELLING OR REDUCING ALLOTMENTS

(i) A person who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. A person who has received an allotment may cancel or reduce the same by making an appropriate notation thereon and notifying the person from whom he received it. In either case, if an allotment received by a person is cancelled he must cancel all allotments which he has made, and all authorized controlled material orders which he has placed, on the basis of the allotment; and, if an allotment received by a person is reduced, he must cancel or reduce allotments which he has made, or authorized controlled material orders which he has placed, to the extent that the same exceed his allotment as reduced. If such cancellation or reduction is not practicable, he may make equivalent cancellations or reductions with respect to other allotments received by him for the same production schedule. Where such course of action is not practicable he may use or dispose of controlled materials or Class A products which he gets with an allotment in the way explained in paragraph (u) of this regulation. If at the time an authorized controlled material order is cancelled pursuant to this paragraph, the consumer would be entitled to receive the controlled material because of the provisions of paragraphs (c) (2) and (c) (4) of CMP Regulation No. 2, the allotment has been used and may not be returned, or used for another purpose, irrespective of whether the order is in fact cancelled or not.

ASSIGNMENT OF ALLOTMENTS

(j) (1) No consumer shall transfer or assign any allotment in any way unless:

(i) Delivery orders placed with him, in connection with which the allotment was made to him, have been transferred or assigned to another consumer;

(ii) The authorized production schedules of the respective consumers have been duly adjusted; and

(iii) The transfer or assignment is approved in writing by the person who made the allotment.

(2) Transfers or assignments of allotments may be made without complying with paragraph (j) (1) of this regulation in connection with the transfer or assignment of a business as a going concern where the transferee continues to operate substantially the same business in the same plant and where he uses substantially the same trade-mark or trade name. The transferee may use the allotment and ratings of the transferor but the transferee must notify the War Production Board Ref: CMP Division of the details of the transaction, giving the names of the persons involved and furnishing one extra copy of such notification for each authorized production schedule that he has received from the War Production Board.

GROUPING OF ALLOTMENTS AND SCHEDULES BY MAJOR PROGRAMS

(k) A consumer operating under several authorized production schedules may combine in a single allotment to a secondary consumer requirements for any number of different production schedules which are identified by the same CMP allotment symbol as provided in paragraph (c) (6) (ii), and he may authorize a single production schedule for the secondary consumer in connection with such allotment. If the secondary consumer has filed separate applications, and the consumer making the allotment acts on such applications separately, the secondary consumer may nevertheless treat such allotments and authorized production schedules bearing the same major program number as a single allotment and a single authorized production schedule.

CLASS A PRODUCTS TREATED AS CLASS B PRODUCTS

(k-1) (1) A distributor of Class A products who receives physical delivery thereof may, unless otherwise specifically ordered, buy and sell the same without making or receiving allotments. A manufacturer of Class A products selling them directly or indirectly to such distributors may obtain an allotment for such manufacture from the appropriate Industry Division pursuant to application on Form CMP-4B in the same manner as if they were Class B products. If physical delivery is made directly by the manufacturer to a distributor's customer, the latter (unless he is also a distributor) shall make an allotment directly to the manufacturer in the same manner and subject to the same conditions as if the distributor had no part in the transaction.

(2) A manufacturer of Class A products who sells them for use as maintenance, repair or operating supplies (except items directly purchased and programmed by a Claimant Agency) shall, unless otherwise specifically ordered, obtain allotments for such manufacture in the same manner as provided in subparagraph (1) of this paragraph (k-1) for delivery to distributors. Applications pursuant to said subparagraph (1) and this subparagraph (2) may be combined in a single application on Form CMP-4B.

(3) A manufacturer who also sells purchased Class A products to round out his line, which do not represent more than 10% of his total sales, shall be deemed the manufacturer of such products and not a distributor for purposes of this paragraph (k-1).

(4) A manufacturer of a Class A product for which application may be made under Priorities Regulation 25, may obtain his allotment pursuant to application under that Regulation to the Field Offices of the War Production Board.

(5) A Class A product for which allotments are made directly by the War Production Board under this paragraph (k-1) shall be treated in all respects as a Class B product for the purpose of this regulation.

(6) The War Production Board will generally allot controlled materials for civilian type Class A End Products made for civilian and indirect military use. Procurement Claimant Agencies will usually allot directly for their needs for such products, although allotments in some cases may be made through Industry Divisions of the WPB.

SMALL ORDER PROCEDURE

(l) This paragraph explains how orders for Class A products requiring small quantities of controlled materials may be placed without making an allotment.

Definition of Small Order

(1) A "small order" for purposes of this regulation is a delivery order for a Class A product placed with a manufacturer where the amount of any controlled material required to fill the order does not exceed the following:

Carbon steel (including wrought iron) and alloy steel	10 tons.
Copper wire mill and brass mill products	1,000 lbs.
Copper and copper base alloy foundry products	300 lbs.
Aluminum	2,000 lbs.

The small order procedure may not be used to get from all suppliers more of the same Class A product for use in the same authorized production schedule during the same calendar quarter than can be made out of the quantities of controlled materials shown above. A person may place small orders for delivery in any one calendar quarter for any number of different Class A products, provided the quantities of controlled materials for each Class A product are within these limits.

(2) A Class A product is considered different from another Class A product if it differs from the other product by reason of one or more of its specifications such as width, thickness, temper, alloy, finish, and the like. A person must not, however, vary a minor specification just for the purpose of using the small order procedure. For example, if a person is purchasing several different kinds of springs, he may treat each different type or size of spring as a separate Class A product, and orders placed for each type or size which require controlled materials for their production within the quantity limits specified in paragraph

(1) above constitute small orders, but he must not vary the specifications of the springs just to be able to place small orders.

Persons Entitled to Use the Small Order Procedure

(3) Only a prime consumer who has received an authorized production schedule from a Claimant Agency or the War Production Board, or a secondary consumer who has received an authorized production schedule from a prime consumer or from another secondary consumer, can use the small order procedure to get Class A products needed as production material to fill the authorized production schedule. A Claimant Agency may use the small order procedure to purchase Class A products for its own use.

How to Place Small Orders for Class A Products

(4) A person placing a small order does not have to make an allotment and therefore does not have to show any allotment number or quarterly designation on his order. He must endorse his order with the symbol SO, the preference rating assigned his production schedule, and either the certification set out in CMP Regulation No. 7 or the one set out in CMP Regulation No. 3. Since he does not make an allotment he does not have to account for controlled materials purchased to fill the order and does not need to make any deduction from his own allotment. A person, in filing an application for allotments, need make no adjustment for controlled materials needed to make Class A products which he may buy under the small order procedure.

(5) Where a person places orders for a particular Class A product under the small order procedure believing his total requirements for the product during the quarter will be within the small order limits and later discovers that, due to circumstances he could not reasonably have foreseen, his total requirements for the product during the quarter will not be within the small order limits, he may still use the small order procedure, but must charge his allotment account with the total quantity of controlled materials needed to fill all orders for the product to be delivered in the quarter. However, if he does not have enough controlled materials in his allotment account to cover all of his orders for the product, he must not use the small order procedure to buy the additional quantity, but may apply for an allotment to make up the difference.

How to Obtain Production Materials to Fill Small Orders

(6) A manufacturer of Class A products who receives small orders may get controlled materials needed to fill them by endorsing his purchase orders for controlled materials with the allotment symbol SO and the certification set out in paragraph (s) (3) of this regulation or the certification set out in CMP Regulation No. 7. An order so endorsed is an authorized controlled material order. The manufacturer does not have to show any quarterly designation, or preference rating on the order. He must show the date or month when he needs to have the controlled material delivered to him either for the production of the product ordered under the small order procedure or to replace in inventory controlled material so used. If a manufacturer uses controlled materials from inventory in filling small orders, he may place authorized controlled material orders, endorsed with the SO symbol, calling for delivery of controlled materials after the small orders were delivered to his customer. He may use the SO symbol and extend his customers' ratings to get Class A products needed to fill small orders. A manufacturer of Class A products may, in buying controlled materials or Class A products to be used in filling small orders for his product, combine the requirements to fill all small orders received by him. Where, in combining requirements for Class A products to fill small orders, the total amount of controlled materials required for their production is greater than the amounts shown in subparagraph (1) above, he should let his supplier know that this results from combining requirements, by endorsing on his order a statement substantially as follows:

The Class A products covered by this purchase order represent the combined requirements to fill SO orders received by me.

(7) Materials other than controlled materials, and Class B products required to fill small orders may be purchased subject to the same limits as apply to an authorized production schedule, that is they may only be ordered for delivery at the time and in the quantities necessary to meet the delivery dates specified on the small orders, subject to the inventory limits set forth in Priorities Regulation No. 1. The rating applied to deliveries of Class A products covered by a small order may be used to buy Class A products, Class B products and materials other than controlled materials, needed to fill the order. The symbol SO must be endorsed together with the rating on all orders for such production materials.

(8) If a customer placing a small order makes an allotment to cover it instead of using the symbol SO, the manufacturer who receives the order may treat the order as a small order just as though it had been endorsed with the symbol SO and no allotment had been made. He must not, however, use the allotment in such a case. In other words, a manufacturer of a Class A product receiving an allotment of controlled materials which is within the small order controlled material quantity limits has the option of either using the allotment and allotment number, or the small order procedure, but not both. A manufacturer who receives a small allotment which he chooses to treat as a small order, does not have to return the allotment or keep any record of its receipt.

Production Records

(9) A manufacturer of Class A products must keep records which will show the amount of controlled materials ordered by the use of the SO symbol, and his production records must be accurate enough to show that the quantity of Class A products produced to fill small orders is reasonably related to the amount of controlled materials bought by the use of the SO symbol.

Bill of Materials Not Required

(10) A manufacturer of a Class A product does not have to furnish his customer with a bill of materials, application for allotment, or equivalent information as to the amount of controlled materials needed to fill any particular small order. He must, however, if requested, tell his customer the number of units of the Class A product ordered which he can manufacture within the limits of the quantities of controlled materials set forth in subparagraph (1) above, or he must, at the option of his customer, inform the customer that the amount of each controlled material needed to fill the order is within the permitted small order limits.

RELATIONSHIP BETWEEN ALLOTMENTS AND PRODUCTION SCHEDULES

(m) Every allotment made by a consumer must include or be accompanied by authorization of a production schedule with respect to the products to be supplied to him, and no consumer shall authorize a production schedule for a secondary consumer unless he concurrently allots the controlled materials required to fulfill the schedule; provided, however, that this paragraph shall not apply to any delivery order bearing a symbol (such as a small order bearing the symbol SO) which may be placed without making an allotment as expressly permitted by any regulation or order of the War Production Board. Also it is not necessary to make an allotment when authorizing a production schedule identified by the CMP allotment symbol Z-1.

MANNER OF AUTHORIZING PRODUCTION SCHEDULES

(n) (1) A production schedule for each prime consumer producing a Class A product shall be authorized by the appropriate Claimant Agency on such form as may be prescribed. A Claimant Agency may, in particular cases, authorize a production schedule through an Industry Division.

(2) A production schedule for each secondary consumer producing a Class A product shall be authorized by the consumer for whom such Class A product is to be produced, on such form as may be prescribed; provided, however, that the delivery date specified on a delivery order shall constitute an authorization of the minimum production schedule required to permit delivery on such date.

(3) A production schedule for each consumer producing a Class B product shall be authorized by the appropriate Industry Division (or in special cases by a Claimant Agency) on such form as may be prescribed.

(4) A consumer receiving allotments from several persons shall obtain separate authorized production schedules from each.

(5) Prior to authorizing a production schedule, a Claimant Agency, Industry Division or consumer may furnish a tentative production schedule to be used as a basis in submitting requirements, but such action shall not constitute authorization of a schedule.

(6) A consumer ordering Class A products to fill an authorized production schedule identified by the CMP allotment symbol Z-1 must authorize a production schedule in the manner described in this paragraph (n) even though no allotment is made with the schedule. In such a case, the quarterly identification described in paragraph (e) (6) (i) need not be used. Such quarterly identification must, however, be used in any case where an allotment is made for such schedule.

AUTHORIZED PRODUCTION SCHEDULES MUST BE FILLED

(o) (1) Each consumer receiving an authorized production schedule shall fulfill the same unless prevented by circumstances beyond his control, except that a manufacturer of Class B products need not produce more than required to fill orders bearing preference ratings.

(2) No manufacturer of Class A products who has received an authorized production schedule shall exceed such schedule in any month except (i) A deficiency in meeting an authorized production schedule for Class A products during any month may be made up in any subsequent month or months, (ii) production authorized for any month may be completed at any time after the 15th of the preceding month and, (iii) where a delivery order calls for deliveries, on several dates, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders, the consumer may produce (and his customer may order and receive) at one time the minimum practicable quantity which may be made without such interference. A person shall be deemed to exceed an authorized production schedule if his completion of finished products exceeds the limits authorized, or if his rate of fabricating, assembling, or otherwise processing, or acquiring raw materials or parts, exceeds the practicable working minimum required to meet the authorized production schedule.

(3) [Deleted October 4, 1943]

(4) No manufacturer of Class B products who has received an authorized production schedule may exceed such schedule in any month or quarter, except where the Class B product manufacturer obtains all of the material that he requires for the products which are produced in excess of the schedule without the use of ratings or allotments assigned to the schedule or where the material was obtained for another purpose and can no longer be used for that purpose. Where a Class B product manufacturer, who has been notified that his case was transferred to a Field Office has not received a production schedule in terms of specific units or dollar value, his production schedule for the purpose of this paragraph shall be deemed to be his proposed production schedule contained in the last CMP-4B Form filed with the War Production Board against which the War Production Board made an allotment. However, a deficiency not exceeding 10% of an authorized production schedule for a Class B product during the first calendar quarter of 1945 may be made up in the second calendar quarter of 1945 (if a production schedule is authorized by months, the amount authorized during each of the three months of the calendar quarter may be totalled for the purposes of this paragraph).

PROTECTION OF CLASS A PRODUCT SCHEDULES

(p) (1) No person shall accept an allotment for the manufacture of a Class A product, regardless of the accompanying preference rating, if he does not expect to be able to fulfill the related authorized production schedule, subject to unexpected contingencies and to any period of grace which may be specified by the person who offers the allotment and the authorized schedule.

(2) No person who has accepted an allotment and an authorized production schedule for a Class A product shall thereafter accept any delivery order (except an order rated AAA) for any Class A, Class B or other product manufactured by him, regardless of the accompanying preference rating or allotment number or symbol, unless he expects that, subject to unexpected contingencies, he can fill the order without interfering with the fulfillment of such previously accepted authorized production schedule.

(3) A person making Class B products to fill unrated or low rated orders must accept higher rated orders to the extent and subject to the exceptions provided in Priorities Regulation No. 1, unless he is also making a Class A product on an authorized production schedule, with which such higher rated orders would interfere contrary to the provisions of subparagraph (2) above.

(4) If a person whose allotment or delivery order is rejected pursuant to this paragraph (p) is unable to find another supplier who is in a position to accept it, he should report the facts to the appropriate Claimant Agency or Industry Division. The War Production Board (or the appropriate Claimant Agency, if only orders bearing its symbol are involved, or if all Claimant Agencies concerned have stipulated a single Claimant Agency for the purpose) may make exceptions to the provisions of this paragraph (p) where necessary to assure the filling of orders bearing high preference ratings.

(5) The provisions of Priorities Regulation No. 1 with respect to the acceptance and filling of rated orders and the sequence of deliveries shall remain applicable except as otherwise specifically provided in this regulation, CMP Regulation No. 3, or any other applicable regulation or order of the War Production Board.

RECONCILIATION OF CONFLICTING SCHEDULES

(q) In any case where, for any reason, a manufacturer of Class A or Class B products is unable to fulfill conflicting authorized production schedules which he has accepted from different persons, he shall immediately report to the appropriate Industry Division for directions, except that such report shall be made to a Claimant Agency if all conflicting schedules bear its symbol or if all Claimant Agencies whose schedules conflict have stipulated a single Claimant Agency for such purposes. (See Interpretation No. 15 to CMP Regulation No. 1.)

ALTERNATIVE PROCEDURE FOR SIMULTANEOUS ALLOTMENTS

(r) A prime or secondary consumer who has several secondary consumers in different degrees of remoteness and finds it impracticable to determine the exact allotments to be made to each of his immediate secondary consumers, for their needs and those of their secondary consumers, may, at his option, make simultaneous direct allotments to each secondary consumer, of all degrees of remoteness, by adopting the following procedure:

(1) The consumer who is to make the allotment (hereafter in this paragraph (r) called the originating consumer) shall maintain a complete list of all secondary consumers making Class A products for incorporation in his product. He shall keep this list current at all times by requiring each of his immediate secondary consumers to report promptly to him any change with respect to the source of each secondary consumer's Class A purchased products.

(2) Immediately upon receiving an allotment, the originating consumer shall notify each secondary consumer on the list (either directly or through intervening secondary consumers) of the authorized schedule for which the allotment has been made to him. Such notice shall *not* include an allotment number. It shall identify the product to be delivered by the secondary consumer to whom the notice is sent and state the quantity to be delivered and the time when delivery is required.

(3) Promptly upon receipt of such preliminary notice, each secondary consumer shall report to the originating consumer directly (not through intervening secondary consumers), the amount of each form of controlled material required by him each month in order to make the deliveries indicated. Each such secondary consumer shall include only his own requirements of controlled materials, *not* those of his secondary consumers. No form is prescribed for such statement.

(4) The originating consumer shall then determine the total requirements of all his secondary consumers under the schedule, checking the list to make certain that a preliminary statement of requirements has been received from each secondary consumer.

(5) If such summary shows that the aggregate requirements of the originating consumer and all his secondary consumers for each form of controlled material do not exceed the allotment made to him for the schedule he may then allot directly to each secondary consumer on the list the amount indicated in the preliminary statement of requirements. No form is prescribed for such allotment, and it may be made by telegram, but it must include the allotment number required by paragraph (c) (6)

(ii) of this regulation and must show the quarter for which the allotment is valid, and a statement substantially as follows: "This allotment is made in accordance with the alternative procedure for simultaneous allotments provided in paragraph (r) of CMP Regulation No. 1." Such allotment shall constitute authorization of a production schedule for the secondary consumer in the amount specified in the notice sent to him pursuant to subparagraph (2) of this paragraph (r). If aggregate requirements do not exceed his allotment, the originating consumer shall be under no obligation to check the accuracy of the preliminary statements received from his secondary consumers before making allotments to them, but otherwise he and his secondary consumers shall remain subject to the provisions of paragraph (e) of this regulation regarding responsibility for statements of requirements.

(6) If the summary shows that the aggregate requirements of the originating consumer and all his secondary consumers exceed the allotment made to him with respect to any form of controlled material, the originating consumer shall not make any allotment or place any authorized controlled material order for the production schedule covered by his allotment until and unless:

(i) Requirements have been revised by himself or by one or more of his secondary consumers to the extent necessary to eliminate such excess, or

(ii) With the express permission of the appropriate Claimant Agency or Industry Division after he has reported the facts to it, he withholds an amount sufficient to cover all adjustments which must be made in the requirements of his secondary consumers in order to bring them within his allotment.

HOW TO PLACE ORDERS WITH CONTROLLED MATERIALS PRODUCERS

(s) (1) A delivery order placed with a controlled materials producer for controlled material shall be deemed an authorized controlled material order if, but only if, it complies with the provisions of this paragraph (s) or is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board.

(2) A consumer who has received an allotment may place an authorized controlled material order with any controlled materials producer, unless otherwise specifically directed. An allotment to a prime consumer may include a direction to place delivery orders for controlled materials with one or more designated controlled materials producers. In such event the consumer shall use the allotment only to obtain controlled materials from the designated controlled materials producer or producers or to make allotments to secondary consumers, designating therein only producers named in the allotment received by him. Except as required by the allotment which he has received, no consumer shall impose any such restriction in any allotment made by him.

(3) Every authorized controlled material order must be identified by an endorsement including an allotment number or symbol. Unless another form of endorsement is specifically prescribed by an applicable order or regulation of the War Production Board, such endorsement shall be in substantially the following form (or in the form prescribed in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7:

The undersigned certifies, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that he has received an allotment or allotments of controlled materials (or delivery orders not requiring allotments) authorizing him, pursuant to CMP Regulation No. 1, to place an authorized controlled material order in the amount herein indicated for delivery in the month specified, and that he is authorized to use the allotment number -------

The allotment number included in such endorsement shall be the CMP allotment symbol prescribed by paragraph (c) (6) (ii) of this regulation. Each such order must indicate a specific delivery month in the quarter for which the allotment is valid and need not show the month number as originally prescribed. For example, if a consumer receives an allotment bearing the number W-2-3Q43 and places an authorized controlled material order calling for delivery in August, 1943, the order shall bear the number W-2-3Q43. An authorized controlled material order placed under paragraph (l) of this regulation, relating to small orders, should be endorsed in the way described in paragraph (l) (6) of this regulation.

(4) A delivery order for controlled material must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance as is specified in Schedule III attached, or at such later time as the controlled materials producer may find it practicable to accept the same, provided that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(5) [Deleted October 4, 1943. Obsolete.]

(6) [Deleted Sept. 17, 1943.]

(7) No person shall place an authorized controlled material order unless the amount of controlled material ordered is within the related allotment received by him, after deducting all allotments made by him and all orders for the controlled material placed by him pursuant to the same allotment, or unless he is expressly authorized to place such an order by any applicable regulation or order of the War Production Board.

RESTRICTIONS ON PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS

(s-1) In no event shall a consumer request delivery of any controlled material in a greater amount or on an earlier date than required to fill his authorized production schedule, or in an amount so large or on a date so early that receipt of such amount on the requested date would result in his having an inventory of controlled materials in excess of the limitations prescribed by CMP Regulation No. 2 or by any other applicable regulation or order of the War Production Board. No consumer shall, however, be required by the provisions of this paragraph (s-1) to reduce a delivery order below the minimum mill quantity specified in Schedule IV. This paragraph (s-1) does not change the restrictions of CMP Regulation No. 2 relating to the acceptance of delivery of controlled material.

CONTROLLED MATERIALS PRODUCERS

(t) This paragraph deals with the obligations of controlled materials producers under the Controlled Materials Plan.

Production Directives

(1) Each controlled materials producer shall comply with such production directives as may be issued from time to time by the War Production Board.

Acceptance and Rejection of Orders

(2) A controlled materials producer shall accept authorized controlled material orders in the order in which received by him except:

(i) He may reject orders for less than the minimum mill quantities specified in Schedule IV attached, but shall not discriminate between customers in rejecting or accepting such orders.

(ii) In any case where he is of the opinion that the filling of the order would substantially reduce his over-all production owing to the large or small size of the order, unusual specifications, or otherwise, he shall apply to the appropriate Controlled Materials Division. The War Production Board may direct that the order be placed with another supplier or take other appropriate action.

(iii) He shall refuse any order for shipment of any product in any month if such order, together with all his authorized controlled material orders already on hand for delivery during that month and any orders carried over from the preceding month, plus such amounts as he may be directed by the War Production Board to deliver or set aside for delivery to warehouses or nonintegrated mills or otherwise, total 110% of the production of such product specified in his production directive, or, if no production directive is currently in effect with respect to such product, total 105% of his expected production. As soon as such limits of 110% and 105% respectively have been reached, each controlled materials producer shall promptly notify the appropriate Controlled Materials Division in writing, unless he has received contrary instructions from the War Production Board. A controlled material producer may accept any amount of "V-9" orders for one ton of steel or less or any amount of aluminum (placed under Order P-43) and unrated orders without regard to the 105% and 110% limit above. However, he must remove unrated orders from his schedule to the extent required by paragraph (t) (9) in favor of later authorized controlled material orders or orders specifically authorized.

(iv) He shall reject orders to the extent required by specific direction of the War Production Board.

(v) An order for aluminum bearing an AM number from AM-0001 through AM-9599 must be treated as an authorized controlled material order.

(3) A controlled materials producer must reject any new order for any controlled material unless he is permitted to fill it under this paragraph. A controlled materials producer shall not deliver any controlled material except to fill:

(i) An authorized controlled material order;

NOTE: Paragraph (t) (3) (ii) relating to sample orders revoked April 11, 1944. Persons desiring controlled materials for testing and experimental purposes may obtain them under the provisions of Order P-43.

(iii) An order which he is authorized or required to fill by any written direction of the War Production Board.

(iv) An order for steel which a distributor would be authorized to fill under paragraph (d) (4) of CMP Regulation No. 4, when the order is filled only from mill stock and the producer customarily sells steel from his own stock.

(v) Effective immediately, any other order for brass mill products or aluminum products (except aluminum extrusions, CMP Code Numbers 4301 and 4311).

(vi) Effective July 1, 1945, any other order.

If a controlled materials producer takes controlled materials which he has produced and processes them into a form other than a controlled materials form, such processing shall be considered a delivery for the purposes of this paragraph (t). In addition, if a controlled materials producer takes aluminum produced by him and processes it into certain other forms of controlled material as provided in Direction 8 under this regulation, delivery for such processing (or such processing if there is actually no delivery) shall also be considered a delivery for the purposes of this paragraph (t).

Time for Delivery—Postponed Deliveries

(4) A controlled materials producer shall make delivery on each authorized controlled material order as close to the requested delivery date as is practicable in view of the need for maximum production and compliance with production schedules. He may make delivery during the 15 days prior to the requested delivery month, but not before then, provided such delivery does not interfere with delivery on authorized controlled material orders calling for shipment in such preceding month, or earlier months and provided production to meet such delivery would not violate any production directive. Special rules regarding the postponement of delivery on authorized controlled material orders identified by a CMP allotment symbol whose initial letter is "Z" are explained in Direction 54. If a producer, after accepting an order within the limits of paragraph (t) (2) (ii) finds that, due to contingencies which he could not reasonably have foreseen, he is obliged to postpone the delivery date, he must promptly advise his customer of the approximate date when delivery can be scheduled, and keep his customer advised of any changes in that date. Delivery of any such carry-over order for steel or copper must be scheduled and made in preference to any order for similar material originally scheduled for a later month. The time of production and delivery of any such carry-over order for aluminum is covered in Direction No. 23 to this regulation. When the new date for delivery on a carry-over order falls within a later quarter than that indicated on the original order, the producer must make delivery on the basis of the original order even if that order shows that the allotment was valid for a quarter earlier than the one in which delivery is actually to be made. When directed by the War Production Board, a controlled materials producer must promptly notify the appropriate Controlled Materials Division of all carry-over orders on his books, giving allotment numbers, names of customers and material covered by the carry-over orders.

Tentative Acceptance of Authorized Controlled Material Orders

(5) If a producer is unable to accept an order for the month requested because of the restrictions of paragraph (t) (2) (iii), but has open space available in either of the two following months, the producer must accept and schedule the order for delivery as early as possible in either of the two following months and must promptly notify the customer of the proposed delivery date and tell him that the order has been accepted subject to written confirmation within seven days. If the customer does not have written confirmation of the new delivery date in the producer's hands within seven days after the date on which the notice of tentative acceptance was sent, the producer must cancel the order. If the new delivery date falls within a later quarter than that shown on the original authorized controlled material order the confirmation has no effect unless it is accompanied by the customer's certification that he has an allotment valid for the new quarter in which case the customer must charge the order against that allotment. The confirmation and certification may be by letter or telegram. If made by letter, the letter must be signed by a person authorized to sign the form of certification required on authorized controlled material orders and if made by telegram a copy must be signed by such a person and held in the customer's file.

Directions by the War Production Board

(6) All directions to controlled materials producers affecting production and distribution of controlled materials shall be issued by the War Production Board.

Commercial Tolerances

(7) If the controlled material delivered pursuant to an authorized controlled material order varies from the exact amount specified in the authorized controlled material order, the making and acceptance of such delivery shall not be deemed a violation of this regulation or any other CMP Regulation by the controlled materials producer or his customer, provided such variation does not exceed the commercially recognized shipping tolerance, or allowance for excess or shortage.

Authorized Controlled Material Order Is Not an Allotment

(8) An authorized controlled material order shall not constitute an allotment of controlled material to the controlled materials producer with whom it is placed. If a controlled materials producer requires delivery of controlled materials from other controlled materials producers, to be processed by him and sold to his customers in another form or shape constituting a controlled material, such delivery may be made or accepted only pursuant to a specific direction as provided in subparagraph (3) (iii) of this paragraph (t) or pursuant to allotment as provided in CMP Regulation No. 8. Specific instructions will inform a controlled materials producer whether to apply for a direction by letter or for an allotment pursuant to CMP Regulation No. 8.

(9) A controlled materials producer must defer unrated orders ("unrated order" means any order other than an authorized controlled material order or an order a producer is required to accept under paragraph (t) (3) (iii)) in favor of authorized controlled material orders or other orders they are required to accept under paragraph (t) (3) (iii) to the extent necessary to make deliveries on time on the authorized controlled material orders or other orders which he is required to accept. However, if at the time an unrated order is required to be deferred, it is scheduled for delivery within less time than the "lead times" of Schedule III to this regulation, the producer need not defer such order if deferring the order would stop or interrupt his production or operations in the way which would cause a substantial loss of total production or a substantial delay in operations.

RESTRICTIONS ON USE OF ALLOTMENTS AND MATERIALS

(u) This paragraph explains the restrictions on the use of allotments and controlled materials or Class A products obtained with an allotment.

Use of Allotments

(1) A consumer must not use an allotment to buy any controlled materials or Class A products except (i) What he needs to fill an authorized production schedule for which the allotment was made or (ii) What he needs to fill any of his other authorized production schedules for Class A products, within the same plant or operating unit which bear the same claimant agency letter symbol, or (iii) What he needs to fill any of his other authorized production schedules, within the same plant or operating unit, for Class B products that are in the same CMP product code (see the WPB publication "Products and Priorities" for a list of product codes), or (iv) to replace in inventory, controlled materials or Class A products used to fill any of such authorized production schedules. The symbols W and O are considered the same Claimant Agency letter symbol for

purposes of this paragraph. However, each of the other letter symbols are considered separate Claimant Agency letter symbols. In no case may a consumer use an allotment for any purpose which would interfere with filling the schedule for which the allotment was made. Where an allotment made for one schedule is used in filling another schedule in the same plant or operating unit and identified by the same Claimant Agency letter symbol, no charge need be made against the allotment account of the second schedule, but an appropriate record must be made, on the allotment accounts or otherwise, describing the circumstances.

Return of Allotments

(2) If a consumer's needs for a controlled material or Class A product are reduced before he has ordered or received delivery of them and he does not need to use his allotment for another one of his authorized production schedules bearing the same Claimant Agency letter symbol, or for inventory replacement, as permitted in subparagraph (1) above, he must immediately return the allotment as explained in paragraph (w). If he has already placed authorized controlled material orders or made allotments on the basis of his allotment at the time he learns of the reduction in his needs, he must cancel them. If it is too late to cancel the orders, he may receive delivery of the controlled materials and Class A products, in which case his use of them is covered by subparagraph (3) below.

Use of Materials and Products Obtained With Allotments

(3) If a consumer has received physical delivery of controlled materials or Class A products pursuant to an allotment, he must use them for the same purposes for which he is permitted to use the allotment as provided in subparagraph (1) above. However, if it develops after he has actually received delivery, or when it is too late to prevent delivery, that he does not need them for a purpose permitted under subparagraph (1) above, he may use them subject to restrictions of other orders or regulations of the War Production Board or sell them or otherwise dispose of them in any manner he desires. However, if the Class A product is on List A of Priorities Regulation 13, he may sell it only in accordance with that regulation, and he may use it only where he would be authorized to buy it from another person under Priorities Regulation 13.

Specific Instructions

(4) If, before using or selling controlled materials or Class A products in a way permitted by this paragraph (u), the consumer receives directions from the War Production Board as to disposition or use of the same, he must comply with such directions. Also, he must comply with any directions he receives from a Claimant Agency with respect to his use of controlled materials or Class A products which he got by use of an allotment from that Claimant Agency, in any program of the same Claimant Agency, or with respect to their sale to any other person for use in a program of the same Claimant Agency, subject always to whatever rights he may have to reimbursement.

Common Inventories

(5) A consumer need not segregate inventories of controlled materials or Class A products which he gets by use of his allotments, even though different allotment numbers are used in ordering them, nor does he have to earmark them for a particular schedule. Although a consumer must charge the appropriate allotment account when placing an authorized controlled material order or making an allotment, he may keep all controlled materials and Class A products received in a common inventory and in withdrawing from inventory he does not have to charge the withdrawal against the allotment account. A consumer who is operating under several authorized production schedules need not maintain separate records of the production obtained from the allotment received for each schedule if the records which he normally keeps show that his use of material for his respective schedules is substantially proportionate to the amounts of material allotted for each and that his aggregate production of any product does not exceed the aggregate of the production schedules authorized for that product.

ADJUSTMENTS FOR PURCHASES ON OTHER THAN AUTHORIZED CONTROLLED MATERIAL ORDERS

(v) [Deleted May 10, 1945.]

WHAT TO DO IF REQUIREMENTS CHANGE

(w) This paragraph explains what to do if requirements increase or decrease.

Supplementary Applications

(1) If a consumer's requirements for controlled materials or Class A products needed to fill a schedule are increased after he receives his allotment, he may apply for an additional allotment to the person who made the allotment for that schedule.

Periodic Check-up on Allotments and Return of Excess

(2) As explained in paragraph (e), if a consumer finds that he has been allotted substantially more than he needs, he must return the excess. As of the first of each month, each consumer must check up on his anticipated requirements for the quarter and determine whether he has been allotted substantially more than he anticipates he needs. If he has, he must return the excess by the tenth of the month. He need not take a physical inventory for this purpose, but must merely check up on the effect of known changes in his requirements or errors which he has discovered in his statement of requirements. As of the end of each quarter, he must determine whether he has used his entire allotment by placing authorized controlled material orders or making allotments to his secondary consumers and, if he has any excess, however small, he must return it by the tenth day after the close of the quarter.

To Whom Returns Made—Form CMP-32

(3) The return of an unneeded allotment must be made to the person from whom the allotment was received. The return of unused allotment balances to be made within ten days after the end of the quarter must be made to the Claimant Agency or Industry Division originating the allotment. Form CMP-32, available at all War Production Board offices, should be used for this purpose, but if it is impractical to get this form, the return may be made by letter. Attention is called to Direction No. 26 to CMP Regulation No. 1, which explains when allotments may be returned by a secondary consumer directly to a Claimant Agency or Industry Division rather than to the person making the allotment. The Direction also gives the addresses to which returns to Claimant Agencies or the War Production Board should be sent.

OTHER WAR PRODUCTION BOARD REGULATIONS AND ORDERS

(x) Nothing in this regulation (or any other CMP regulation) shall be construed to relieve any person from complying with any applicable priorities regulation or any order of the War Production Board (including orders in the "E", "L," "M" and "P" series). In case compliance by any person with the provisions of any such regulation or order would prevent fulfillment of an authorized production schedule, he should immediately report the matter to the appropriate Industry Division, and to the Claimant Agency whose schedule is affected. The War Production Board will thereupon take such action as is deemed appropriate, but unless and until otherwise expressly authorized or directed by the War Production Board, such person shall comply with the provisions of such regulation or order.

RECORDS AND REPORTS

(y) (1) Each consumer making or receiving any allotment of controlled materials shall maintain at his regular place of business accurate records of all allotments received, of procurement pursuant to all allotments, and of the subdivision of all allotments among his direct secondary consumers. Such records shall be kept separately by CMP allotment symbols, as provided in paragraph (c) (6) (ii) of this regulation, and shall include separate entries under each number for each customer, Claimant Agency or Industry Division from whom allotments are received under such number.

(2) Each controlled materials producer shall report to the appropriate Controlled Materials Division, on the forms and for the periods prescribed, such information on production, consumption and distribution of controlled materials as may be prescribed by the War Production Board.

(3) Each prime or secondary consumer and each controlled materials producer shall retain for two years at his regular place of business all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products, segregated and available for inspection by representatives of the War Production Board, or Claimant Agencies, or filed in such manner that they can be readily segregated and made available for such inspection.

APPEALS AND APPLICATIONS FOR RELIEF

(z) (1) Any person who is subject to any requirement of any regulation, direction, order or other action under the Controlled Materials Plan, may appeal for relief by filing a letter in triplicate with the appropriate authority specified below in this paragraph (z), setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph (z) or as otherwise specifically directed, an appeal by a producer of Class A products should be filed with the appropriate Claimant Agency, and an appeal by a producer of Class B products should be filed with the appropriate Industry Division, unless the matter affects only production schedules of a single Claimant Agency or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected, in which case the appeal should be filed with such Claimant Agency.

(3) An appeal concerning the operations of a controlled materials producer (whether filed by such producer, by a consumer, or by a Claimant Agency) should be filed with the appropriate Controlled Materials Division.

(4) A producer of Class B products may apply for permission to be treated as a producer of Class A products. A producer of Class A products making a large variety of items which are sold to many customers and whose allotments originate from several Claimant Agencies, may make application to be treated as a producer of Class B products, but such permission will not be granted with reference to component parts or subassemblies, unless the necessary adjustments in bills of materials which include such component parts or sub-assemblies can be made without difficulty. Application for reclassification should be filed with the CMP Division, War Production Board, Washington, D. C., and may be filed either directly by the producer or by a Claimant Agency on his behalf.

(5) In case of any disagreement between any persons as to the interpretation of any provisions of this regulation or any other regulation, direction, or order under the Controlled Materials Plan, the matter should be referred to the CMP Division, War Production Board, Washington 25, D. C.

PENALTIES

(aa) Any person who willfully purports to make any allotment of controlled materials or to place authorized controlled material orders in excess of the amount allotted to him, or violates any other provision of this regulation, or any other regulation, direction or order under the Controlled Materials Plan, or who knowingly or willfully makes any false or fraudulent statement or representation with respect to requirements for controlled materials or in any other matter under the jurisdiction of any agency of the United States under the Controlled Materials Plan, is guilty of a crime and, upon conviction, may be punished by a fine up to $10,000 or by imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries or allotments of controlled material or from making or obtaining any further deliveries of or from processing or using, any material under priorities control, and may be deprived of priorities assistance.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

STEEL

Carbon steel (including wrought iron)

CMP Code No.	Materials	Code also includes	Code does not include
2001	Bars, cold finished		
2005	Bars, hot rolled or forged	Concrete reinforcing bars and rolled fence posts. Angles, channels, T's and Z's under 3" maximum.	Bars forged by a nonproducer, except when sold by a distributor. After March 31, 1944, tool steel, irrespective of grinding, when cut to length and heat-treated for use as tool bits.
2011	Ingots, billets, blooms, slabs, die blocks, tube rounds, sheet and tin bar, and skelp.		
2016	Pipe, including threaded couplings of the type normally supplied on threaded pipe by pipe mills.	Galvanized. Line, oil country goods and water well tubular products. Bedstead tubing.	
2021	Plates		
2026	Rail and track accessories	Rail, rail joints, track spikes, tie plates, and track bolts.	Gage rods, mine ties, clip bolts, rail clips and nut locks. Frogs, crossings, switches, switch stands, rail anchors, rail braces, guard rails and guard rail clamps.
2031	Sheet and strip	Hot and cold rolled (includes coated products and copper clad including hoops.	Steel roofing sheets coated with bitumen, asphalt or asbestos.
2036	Steel castings	Cast steel magnets (whether magnetized or unmagnetized).	
2041	Structural shapes and piling	Steel sheet piling and bearing piles.	
2046	Tin plate, terne plate and tin mill black plate.	When coated or lithographed by a steel producer.	When coated or lithographed by other than a steel producer.
2051	Tubing	Mechanical, pressure, and brazed.	
2056	Wheels, tires and axles		Resilient wheels. (After December 31, 1943, resilient wheels will be handled as a Class B product.)
2061	Wire rods, wire and wire products.	Drawn wire, barbed and twisted wire, woven wire fence fabric, wire nails, cut nails, lead-headed nails, horse shoe nails, foundry nails, wire rope, welded steel wire reinforcing mesh; fence post fasteners; wire bale ties; wire netting; coated wire (when coated by producers).	Wire tacks, wire shoe nails, cut nails made from tack plate; wire rope when fabricated into slings (including splicing loops and endless splicing) or when attachments are made (including slings with fittings such as sockets, rings, shackles, thimbles, etc.). Welded wire reforcing mesh with waterproof paper back. Coated and uncoated welding rods and welding wire. Gates. Chain link fence fabric and chain link fence completely fabricated. Boat spikes, dock spikes and wharf spikes.

Alloy Steel (including stainless)

(See note at foot of Alloy Steel List)

2501	Bars, cold finished		
2505	Bars, hot rolled		
2511	Ingots, billets, blooms, slabs, die blocks, tube rounds, sheet bar.		
2516	Pipe and couplings for threaded pipe.		
2521	Plates, all plates (including rolled armored plate in the form and shape to which it is rolled by the steel mill and prior to any subsequent fabrication) and including nickel clad and stainless clad.		
2526	Track accessories		
2531	Sheet and strip	Stainless clad.	
2536	Steel castings		
2541	Structural shapes		
2551	Tubing		
2556	Wheels, tires and axles		
2561	Wire rods, wire, and wire products.		

NOTE: Alloy Steel Codes also include and exclude the items shown under the headings "Code Also Includes" and "Code Does Not Include" shown opposite comparable Carbon Steel Codes.

SCHEDULE 1—Continued

COPPER AND COPPER-BASE ALLOY PRODUCTS

Brass Mill Products (Copper-Base Alloy)

Alloy Sheet, Strip and Plate

CMP Code No.	Materials	Code also includes	Code does not include
3011	Alloy sheet, strip and plate	Strip equivalent of ammunition cups and discs.	

Alloy Rods, Bars and Wire, Including Extruded Shape

3021	Alloy rods, bars and wire	Extruded shapes and rod equivalent of ammunition slugs.	

Alloy Seamless Tube and Pipe

3041	Alloy seamless tube and pipe	Tube equivalent of rotating bands	Wrought seam tube.

Brass Mill Products (Unalloyed Copper)

3051	Plate, sheet and strip		Wire bars and ingot bars, rod and wire for electrical conduction.
3061	Rods, bars and wire	Extruded shapes	
3071	Tube and pipe	Tube equivalent of rotating bands	

Wire Mill Products (Copper and Copper-base Alloy)

3101	Wire and cable	Bare, insulated, armored and copper-clad steel.	

Foundry Products (Copper and Copper-base Alloy)

3201	Castings (before machining)		Machined castings, pressed metal shapes (an unclassified product)

ALUMINUM PRODUCTS

Rod, Bar, Wire and Cable

4021	Rod and bar ¾"–¾"		
4031	Rod and bar over ¾"–1⅝"		
4041	Rod and bar over 1⅝"–3"		
4051	Rod and bar over 3"		
4121	Wire (under ¾")		
4151	Cable (electrical transmission only)		

Rivets

4122	Rivets		

Forgings, pressings, and impact extrusions

4171	Forgings and pressings (before machining)		
4701	Impact extrusions		

SCHEDULE 1—Continued

ALUMINUM PRODUCTS—continued

Castings before machining

CMP Code No.	Materials	Code also includes	Code does not include
4202	Cylinder head for air-cooled engines.		Cylinder head castings for air-cooled engines.
4203	Other heat-treated sand		
4204	Non-heat-treated sand		
4205	Heat-treated permanent mold		
4206	Non-heat-treated permanent mold.		
4207	Cold-Chamber Die		
4208	Gooseneck Die		
4209	Other than listed above, such as centrifugal plaster, etc.		

Shapes, Rolled or Extruded

4251	Rolled structural shapes (angles, channels, zees, tees, etc.)		
4301	Extruded Shapes, 2S, 3S, 53S and 61S Alloys.		
4311	Extruded Shapes, all alloys other than 2S, 3S, 53S and 61S.		

Sheet, Strip, Plate and Foil

4351	Sheet, strip and plate, 2S and 3S alloys.		
4361	Sheet, strip and plate, all alloys other than 2S and 3S.		
4371	Slugs		
4601	Foil		

Tubing

4401	Tubing, 2S and 3S alloys		
4411	Tubing, all alloys other than 2S and 3S.		

Tube Blooms

4421	Tube Blooms, 2S and 3S alloys		
4431	Tube Blooms, all alloys other than 2S and 3S.		

Ingot and Powder

4501	Powder (including atomized, granular, flake, paste, and pigment)		
4801	Ingot, pig, billets, slabs, etc.		

NOTE. Steel, copper and copper base alloys, and aluminum, in any of the above forms and shapes constitute controlled materials, but allotments of steel, copper and copper base alloy products are made in the terms shown in tables without further breakdown. Allotments of aluminum are made in terms of "groupings" without further breakdown.

SCHEDULE II—SHORT FORM OF ALLOTMENT

Allotment number	Controlled Material Products allotted		

(Asterisks are made for use in filling this delivery order in compliance with CMP Regulation No. 1.)

INSTRUCTIONS FOR USE OF SHORT FORM OF ALLOTMENT—FORM CMP-5

The above short form of allotment may be used by any consumer for the purpose of making an allotment to a secondary consumer producing Class A products for him. The short form of allotment must be either placed on or physically attached to the delivery order calling for delivery of the Class A products. If it is attached the delivery order number or other identification must be indicated on the form.

The form must be followed by the signature of an authorized official of the consumer making the allotment, but need not be separately signed if it is placed on the delivery order in such a position that the signature of the delivery order by such an authorized official clearly applies to the allotment as well as to the order itself.

The size of the form may be varied, but all information called for by the form must be supplied and the general arrangement and wording of the form must be followed.

Under the heading "Controlled Material Products Allotted" the person making the allotment must designate the forms which are allotted. These must be shown in the breakdown prescribed in Schedule I of CMP Regulation No. 1, and must be within the allotments received by such consumer for the same forms. Additional columns may be added depending on the number of forms of controlled material allotted. A sample form follows:

Allotment number	Controlled Material Products allotted			
	Carbon steel	Copper base alloy seamless tube and pipe	Copper sheets and strip	Aluminum castings
X-123*	Tons 100	Lbs. 10,000	Lbs. 8,000	Lbs. 100

(Asterisks are made for use in filling this delivery order in compliance with CMP Regulation No. 1.)

SCHEDULE III—TIME FOR PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS

STEEL—CARBON AND ALLOY (INCLUDING STAINLESS)

Product	*Number of days in advance of first day of month in which shipment is required*
Tool steel:	
Hot rolled product	60
Cold finished products	90
Cold finished bars:	
Standard sizes, grades and sections	70
Furnace treated at hot mills or special sections, odd sizes or special grades	100
Plates and shapes:	
Plates	30
Shapes	30

SCHEDULE III—TIME FOR PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS—Continued

STEEL—CARBON AND ALLOY (INCLUDING STAINLESS)—continued

Product	*Number of days in advance of first day of month in which shipment is required*
Pipe (carbon)	30
Sheet and strip:	
Sheet—hot rolled—16-gauge and heavier	30
Sheet—hot rolled—17-gauge and lighter	45
Sheet—cold rolled—galvanized—long terne	45
Sheet (alloy)—hot and cold rolled of special long-processed specification	60
Strip (low carbon) hot rolled	30
Strip (low carbon) cold rolled	45
Strip (alloy) hot and cold rolled (including electrical grade)	60
High carbon cold rolled strip (over .25 carbon) and other long processed special carbon hot rolled and cold rolled sheets and hot and cold rolled strip (including electrical grade)	60
Hot rolled bars and semi-finished:	
Except for bars heat treated and annealed	30
Bars heat treated and annealed	60
Tin mill products (carbon)	30
Tubing:	
Seamless tubing (carbon):	
Hot rolled	60
Cold drawn:	
1½" O. D. and larger	75
Under 1½" O. D.	105
Seamless tubing (alloy, exclusive of airframe and engine tubing):	
Hot rolled	90
Cold drawn:	
1½" O. D. and larger	110
Under 1½" O. D.	120
Airframe and engine tubing	120
Welded tubing (carbon):	
Mechanical:	
Hot rolled	60
Cold rolled	70
Annealed:	
Hot rolled	70
Cold rolled	80
Drawn or swaged	85
Boiler tubes	60
Condenser and heat exchanger:	
1" O. D. and under	75
Over 1" O. D.	60
Welded tubing (alloy, including aircraft)	90
Steel castings (provided patterns are available):[1]	
Weight per casting:	
500 pounds and under	45
Over 500 pounds to 5,000 pounds	60
Over 5,000 pounds to 30,000 pounds	60
Over 30,000 pounds	60
Wire and wire products (carbon):	
Hot rolled wire rods	30
Merchant trade products	30
Manufacturing wires:	
Low carbon .0475" and heavier	30
Low carbon under .0475"	45
High carbon (0.40 carbon and higher):	
.0475" and heavier	30
Under .0475" to .021"	45
Under .021"	60
Wire rope and strand:	
5/8" diameter and over	75
9/16" diameter and under	105
Welded wire-reinforcing fabric	30
Axles, forged	60
Wrought Steel Wheels	60

[1] Patterns are to be considered "available" only after they have been received at the foundry, checked, rigged for production, and sample castings have been approved.

SCHEDULE III—TIME FOR PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS—Continued

COPPER

Product	*Number of days in advance of first day of month in which shipment is required*
Brass mill copper and copper base alloy products:	
Copper and non-refractory alloys	45
Refractory alloys	60
Wire and cable products:	
Bare wire and cable	35
Weatherproof wire and cable	35
Magnet wire	35
Rubber insulated building wire	35
Paper and lead cable	40
Varnished cambric cable	35
Asbestos cable (type H-F)	60
Rubber insulated wire and cable (mold or lead cured)	45
Foundry copper and copper base alloy products:	
Castings (rough castings, not machined—assuming patterns are available):	
Small simple castings to fit 12" by 16" flask	7
Large intricate and centrifugal castings	14

ALUMINUM

All forms and shapes	45

Where no time is specified in Schedule III for placing orders for a particular form or shape of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the controlled materials producer: *Provided*, That no producer shall discriminate between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division.

SCHEDULE IV—MINIMUM MILL QUANTITIES

STEEL

Product	*Minimum mill quantity for each size and grade of any item for shipment at any one time to any one destination*
Alloy steel (other than stainless):	
Standard grades and sections:	
Rounds, squares 3" and under	5 net tons.
Hexagon and flats—all sizes	5 net tons.
Stainless steel:	
Standard grades and sections	Product of one ingot.
Tool steel	500 pounds
Castings as established by each foundry, but in no case in excess of	5 net tons.
Cold finished bars	3 net tons
Hot rolled carbon bars and semi-finished:	
Round bars up to 3" incl., and squares, hexagons, half rounds, ovals, half ovals, etc., of approximate equivalent sectional area	5 net tons
Round bars over 3" to 8" (including squares within this range)	15 net tons
Flat bars, all sizes	5 net tons.
Bar size shapes (angles, tees, channels and zees under 3")	5 net tons.
Forging billets, blooms and slabs	Product of one ingot
Rerolling billets, slabs, sheet	25 gross tons.
Plates:	

SCHEDULE IV—MINIMUM MILL QUANTITIES—Continued

STEEL—continued

Product	*Minimum mill quantity for each size and grade of any item for shipment at any one time to any one destination*
Plates and shapes:	
Continuous strip mill production	10 net tons.
Sheared mill, universal mill or bar mill production	3 net tons.
Structural shapes	5 net tons.
Pipes	(1)
Sheet and strip:	
Sheets—hot and cold rolled	5 net tons
Strip—hot and cold rolled	3 net tons
Tin mill products (one gauge)	5,000 pounds
Track accessories:	
Track spikes, track bolts	5 net tons.
Tubing:	
Seamless tubing	
Carbon steel	
Cold drawn	
O. D. (inches)	
Up to ¾" inclusive	1000 feet
Over ¾" to 1½" inclusive	800 feet
Over 1½" to 3" inclusive	600 feet
Over 3" to 6" inclusive	400 feet
Over 6"	250 feet
Alloy steel	
Aircraft tubing	
O. D. (inches)	
Up to ¾" inclusive	1000 feet
Over ¾" to 1½" inclusive	800 feet
Over 1½" to 3" inclusive	600 feet
Over 3"	250 feet
Welded tubing:	
Carbon steel, all sizes	3 net tons
Alloy steel, all sizes	5 net tons
Stainless steel, all sizes	3 net tons
Wire and wire products:	
Hot rolled wire rods	5 net tons.
Merchant trade products (Assorted Merchant Products)	5 net tons
Manufacturing wires (wires for further fabrication):	
Low carbon	1 net ton
High carbon (0.40 carbon and higher) .0475" and heavier	1 net ton.
Under .0475" to .021"	1,000 pounds.
Under .021"	500 pounds
Wire rope and strand	1,000 ft. lengths
Welded wire reinforcing fabric	(2)

COPPER

Brass mill products	200 pounds.
Wire mill products	300 pounds.

ALUMINUM

Sheet and strip	2,000 pounds.
Tubing	250 pounds.
Extrusions other than extruded shapes (Extruded shapes are covered by Direction 33 to this regulation)	200 pounds.
Wire, rod and bar	200 pounds.
Rivets	50 pounds.

(1) Published carload minimum (mixed sizes and grades).

(2) Full rolls of manufacturer's standard stock sizes.

LIST OF INTERPRETATIONS 1 THROUGH 31 TO CMP REGULATION NO. 1

1. Discrimination.
2. Prohibition Against Duplicating Orders.
3. Controlled Materials for Use in Metal Guns, Wire Stitchers, etc.
4. "Same Class A Product" as Used in Paragraph (1) (2)—Deleted October 4, 1943.
5. Conversion of Orders not Retroactive—Deleted October 4, 1943.
6. Allotments not Required in Ordering Class A Products in Certain Cases—Deleted February 2, 1944.
7. Class A Repair Parts.
8. Period During Which Allotment Valid—Revised February 2, 1944.
9. Allotments for Minimum Production Quantities.
10. Substitution of Allotment Numbers—Revised January 10, 1944.
11. Use of Allotments to Replenish Inventory.
12. Reduction of Quantity Ordered Does Not Constitute Placing of New Order—Revoked January 10, 1944—See Interpretation 10.
13. Allotment Procedure Determines Classification of Product in Certain Cases.
14. Use of Quarterly Identification.
15. Conflict in Production Schedules of Class A Civilian Type End Products.
16. Furnishing Materials to Subcontractors.
17. Copper Flake Powder—Deleted February 2, 1944.
18. Analysis of Orders by Claimant Agency Symbols—Section A of Form CMP-4B.
19. Proper Allotment Number Must be Used in Identifying Orders.
20. Procuring Claimant Agencies.
21. Temporary Loans.
22. Rejection of orders. Deleted June 13, 1945, obsolete.
23. Definition of Steel.
24. Records of Exporters.
25. Allotment Symbols that do not Require Quarterly Identification.
26. Orders for Controlled Material to Fill Higher Rated Orders.
27. Making up Deficiencies in Production Schedules for Class B Products (obsolete as of July 1, 1945)
28. Cancellation of Authorized Controlled Material Orders where Material is Already in Production.
29. Special Directive for Immediate Delivery of Steel
30. Transfer of Purchase Orders when Allotments are Transferred.
31. Production and Order Adjustments.

INTERPRETATION 1—DISCRIMINATION

Questions have arisen as to what constitutes discrimination between customers within the meaning of paragraphs (s) (4) and (t) (2) (i) of CMP Regulation No. 1. These provisions prohibit producers of controlled materials from discriminating between customers in rejecting or accepting orders which are filed later than the prescribed time or which call for deliveries of less than the minimum mill quantities. These provisions mean that, in similar situations, different customers must receive similar treatment. A controlled materials producer who has rejected a late order or small order from one customer, is not prohibited from accepting such an order from another customer if the difference in treatment of the two orders is based in good faith on differences in the practicability of filling the orders in view of the nature of the material ordered, the condition of the production schedule at the time the orders are received, or similar factors. (Issued March 8, 1943.)

INTERPRETATION 2—PROHIBITION AGAINST DUPLICATING ORDERS

The question has been raised as to whether a consumer may place authorized controlled material orders or make allotments exceeding in the aggregate the total amount of his allotment if he intends to cancel the excess before delivery.

Under CMP Regulation No. 1 a consumer is prohibited from duplicating authorized controlled material orders or allotments even though he intends to cancel or reduce his delivery orders to the allotted amount prior to delivery. (Issued March 22, 1943.)

INTERPRETATION 3—CONTROLLED MATERIALS FOR USE IN METAL GUNS, WIRE STITCHERS, ETC.

A manufacturer of equipment who also sells controlled materials merely for use in the operation of such equipment may include such controlled materials in his application for allotment as manufacturer of the equipment, but such requirements must be separately indicated. For example, a manufacturer of a metal gun or a wire stitcher who sells rod or wire for use with his product (whether he makes such sales with the product or separately) may include his requirements for such rod or wire in his application for controlled materials needed to manufacture the gun or stitcher, but he should indicate separately on his application or in an attached note the amount of controlled material required for such purposes as distinct from the manufacture of the gun or stitcher. (Issued April 5, 1943.)

INTERPRETATION 4—"SAME CLASS A PRODUCT" AS USED IN PARAGRAPH (1) (2)

NOTE: Deleted October 4, 1943. Now covered by (1) (2).

INTERPRETATION 5 AS AMENDED—CONVERSION OF ORDERS NOT RETROACTIVE

NOTE: Deleted Oct. 4, 1943. See Interpretation 22—Rejection of Orders

INTERPRETATION 6 AS AMENDED—ALLOTMENTS NOT REQUIRED IN ORDERING CLASS A PRODUCTS IN CERTAIN CASES

NOTE: Deleted Feb. 2, 1944. Obsolete.

INTERPRETATION 7—CLASS A REPAIR PARTS

(a) A manufacturer of Class A products who sells them for use as maintenance, repair or operating supplies is required to obtain an allotment for their manufacture from the appropriate Industry Division pursuant to application on Form CMP-4B, except where they are directly purchased and purchased by a Claimant Agency—(paragraphs (d) (6) and (k-1) (2) of CMP Regulation No. 1). Such items, with the exception noted, are handled exactly as though they were Class B products. A manufacturer is therefore prohibited by paragraph (g) (3) of CMP Regulation No. 1 from accepting an allotment from his customer, and his customer is prohibited by the same paragraph from making an allotment, for their manufacture. A variation from this rule is indicated in paragraph (b) of this interpretation.

(b) In some cases manufacturers may class A parts such as springs, screw machine parts and stampings, for incorporation in their products and also resell some of the parts as repair parts. In such cases, if it is impracticable for the manufacturer of the part to segregate those sold for resale as repair parts from those sold for production, he should secure an allotment from his customer covering his requirements for the manufacture of both. For example, a manufacturer of electric motors (a Class B product) purchases screw machine parts (a Class A product) from another manufacturer. He uses some of the screw machine parts for building motors and resells others as repair parts. He normally orders the screw machine parts without distinction between those which he needs for production or for resale. The motor manufacturer should make an allotment to the manufacturer of the screw machine parts to cover all the parts purchased from him. (Issued March 22, 1943.)

INTERPRETATION 8

PERIOD DURING WHICH ALLOTMENT VALID (REVISED)

(a) An allotment of controlled materials under the Controlled Materials Plan is only valid for the quarter (or other specifically designated period) for which it is made as indicated in the allotment certificate. An allotment which is valid for one quarter cannot be used for placing authorized controlled material orders calling for delivery in any other quarter.

(b) A consumer in placing an order for a controlled material must specify the month in which delivery is requested and the requested delivery month must be within the quarter for which the allotment is valid. Controlled materials producers are required to make delivery as close to the requested delivery date as is practicable and are prohibited from accepting authorized controlled material orders in excess of a specified percentage of their production directive or expected production as provided in paragraph (t) (2) (iii) of CMP Regulation No. 1.

(c) If a controlled materials producer is unable to accept an authorized controlled material order for delivery during the delivery month specified, and delivery is required in that month, the consumer may appeal, either directly or through his Claimant Agency or Industry Division, to the appropriate Controlled Materials Division for relief.

(d) The rules governing postponed deliveries of steel or copper are set out in paragraph (t) (3) of the regulation and those governing postponed deliveries of aluminum are covered in Direction No. 23 to the regulation. Rules governing the tentative acceptance of authorized controlled material orders are set out in paragraph (t) (3) of the regulation. The rules on these subjects as stated in paragraphs (c), (c) and (f) of the interpretation before this revision are obsolete. [Issued Feb. 2, 1944.]

INTERPRETATION 9—ALLOTMENTS FOR MINIMUM PRODUCTION QUANTITIES

(a) Paragraph (o) (2) (iii) of CMP Regulation No. 1 permits a manufacturer to exceed his authorized production schedule "where a delivery order call's for delivery, in successive months, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders." In such a case the manufacturer may "produce (and his customer may order) in the first month the minimum practicable quantity which may be made without such interference."

(b) A manufacturer is entitled to apply for (and his customer is entitled to make) an allotment during a single quarter of the quantity of controlled materials required to produce a minimum practicable production quantity even though the customer's requirements for the finished product may run over several quarters.

In illustration of the above a customer's requirements of screw machine parts for the third and fourth quarters of 1943 constitutes a minimum practicable production quantity. The manufacturer of the screw machine parts may apply for an allotment for the third quarter of 1943 of all of the controlled materials required to produce the parts. The customer should include the quantity in his application for an allotment and if an allotment is made to him, he should make a third quarter allotment to the screw machine manufacturer for the entire quantity, and should charge the total quantity so allotted to his third quarter allotment account. (Issued June 11, 1943.)

INTERPRETATION 10—CHANGES MADE BY CUSTOMERS IN ORDERS PLACED WITH PRODUCERS

(a) This interpretation deals with the procedure to be followed when a customer, having placed an authorized controlled material order with a producer, wishes to make changes in that order.

(b) The general rule is that any change in a customer's order constitutes a cancellation of the earlier order and must be considered as a new order received on the date of the change, if (but only if) the change necessitates alteration of the producers' production schedule to a point which would interfere with production. For example:

(1) The mere substitution of one allotment number for another which does not require alteration of the producer's schedule is not considered to constitute the placing of a new order. The customer must, of course, have an allotment identified by the substituted allotment number to support the change.

(2) A reduction in the total amount ordered will presumably not require a change in the producer's schedule and will not constitute a new order. Of course, if the quantity is reduced below a minimum mill quantity, the producer may reject the order and remove it from his schedule, as provided in paragraph (t) (2) (i) of CMP Regulation No. 1, though he must not discriminate between customers in so doing.

(3) Where minor variations in size, shape, gauge, etc., are requested by the customer and can be arranged by the producer without interfering with his production, such changes do not constitute a new order.

(c) In no case does a change in shipping destination constitute the placing of a new order.

(d) The following changes in an order will always constitute the placing of a new order, which must be treated as though it were a new order received on the date of the change:

(1) An increase in the total amount ordered constitutes the placing of a new order to the extent of the increase.

(2) An advancement or deferment of delivery, when made by the customer, will constitute entry of a new order.

(3) When the customer directs the producer to hold or suspend production on an order, without specifying a new delivery date, the order will not be considered as on a producer's books for the purpose of determining his obligation to accept other orders. When the customer instructs the producer to reinstate a suspended order, it shall be considered a new order as of the date of such instruction.

(e) In the case of changes which constitute a new order under this interpretation, the acceptance or rejection of the new order and its place on the producer's schedule shall be governed by conditions existing at the time the changes are received.

(f) This interpretation, as amended, supersedes Interpretation 12 of CMP Regulation No. 1 and CMPL letter 414, which are hereby revoked. (Amended June 7, 1945.)

INTERPRETATION 11—USE OF ALLOTMENTS TO REPLENISH INVENTORY

(a) An allotment may be used to replace in inventory controlled materials used to manufacture the product for which the allotment was made. This is specifically covered in paragraph (u) (1) (iii) of CMP Regulation No. 1 [§ 3175.1]. It is not necessary for a manufacturer to delay production until he receives delivery of controlled materials ordered on the basis of the allotment.

(b) A manufacturer of Class A products need not accept an order unless he receives an allotment of enough controlled materials for its manufacture even though he has enough in inventory to fill the order. However, if his inventory is excessive (more than a practicable working minimum or the limit specified in CMP Regulation No. 2) he must fill the order out of the excess. This follows from the fact that he must take inventories into account in applying for an allotment. (However, see Direction 27—Right To Specify Allotment Quarter).

(c) It is not necessary that the quarter for which an allotment is made and the quarter in which delivery of the Class A product is to be made be the same. The allotment may be for an earlier or a later quarter depending on when the manufacturer needs the allotment.

In illustration of the above, the X Company receives an order on July 1, 1943, calling for delivery of 100 transmission assemblies on September 1, 1943. Ten tons of carbon steel and two tons of alloy steel are required to fill the order. The X Company has a sufficient quantity of steel on hand to fill the order but it is, nevertheless, entitled to an allotment of ten tons of carbon steel and two tons of alloy steel from its customer, assuming its inventory is not more than a practicable working minimum or the limit specified in CMP Regulation No. 2. The X Company may fill the order from stock on hand and obtain a fourth quarter allotment which it may use to replenish its inventory. If, in the above case, the X Company did not have controlled materials on hand to fill the order it would not be able to accept the order for delivery on September 1, 1943. If the date for delivery of the Class A products were changed to February 1, 1944, the allotment quarter would precede the quarter in which delivery of the product would be made. (Issued July 14, 1943.)

INTERPRETATION 12—REDUCTION OF QUANTITY ORDERED DOES NOT CONSTITUTE PLACING OF NEW ORDER

NOTE: Deleted Jan. 10, 1944. See Interp. 10.

INTERPRETATION 15—CONFLICT IN PRODUCTION SCHEDULES OF CLASS A CIVILIAN TYPE END PRODUCTS

(a) Paragraph (q) of CMP Regulation No. 1 provides that where a manufacturer discovers a conflict between accepted production schedules received from different persons, he should report the matter to the appropriate Industry Division (or Claimant Agency under certain circumstances) for instructions.

(b) Under the provisions of this paragraph, a manufacturer of a Class A Civilian Type End Product who has received allotments and an authorized production schedule from various Claimant Agencies and from an Industry Division of the War Production Board, and who discovers, because of labor shortage, lack of capacity, delays in delivery of material, or other causes, that he is unable to meet all authorized production schedules, should report the details of this conflict to the appropriate Industry Division so it can furnish directions. (Issued Aug. 28, 1943.)

INTERPRETATION 16—FURNISHING MATERIALS TO SUBCONTRACTORS

(a) Instead of making an allotment of controlled material to a manufacturer of Class A products, a manufacturer operating under the Controlled Materials Plan may use any of the following alternatives with the consent of his supplier:

(1) He may sell the material to his supplier from his own inventory.

(2) He may furnish the material to his supplier on toll or processing agreement, retaining title in himself.

(3) He may place an authorized controlled material order for delivery to himself and trans-ship the material to his supplier, either by sale or under toll or processing agreement.

(4) He may place an authorized controlled material order for delivery direct to the supplier.

(b) In each of the above cases, the customer does not make any allotment, and the supplier does not have to keep any allotment records. The supplier must, however, keep sufficiently accurate records to show that he is using the material for the purpose for which it was received. The customer furnishing the material includes it in his own requirements in the same way as if he were going to allot it, and he may not furnish it to his supplier except under conditions where he could make an allotment under CMP Regulation No. 1.

(c) The making of allotments by customers to suppliers of Class B products is forbidden by paragraph (g) of CMP Regulation 1, since these allotments are made directly to the Class B producers by the War Production Board and duplicating allotments would make inaccurate the Board's figures as to requirements and supply. For the same reason, a customer may not furnish any controlled material to the producer of a Class B products in any of the ways mentioned in paragraph (a) above without getting special permission from the War Production Board. (Issued Sept. 11, 1943.)

INTERPRETATION 17—COPPER FLAKE POWDER

NOTE: Deleted Feb. 2, 1944. Obsolete.

INTERPRETATION 22—PROCURING CLAIMANT AGENCIES

(a) The "procuring" Claimant Agencies under the Controlled Materials Plan are:

(1) War Department (including Ordnance)
(2) Navy Department
(3) Maritime Commission
(4) Aircraft Resources Control Office
(5) Foreign Economic Administration.

(b) The other Claimant Agencies are sometimes referred to as "non-procuring" Claimant Agencies. (Issued Oct. 26, 1943.)

INTERPRETATION 23

Definition of steel. The word "steel" as used in CMP regulations has the same meaning as "steel" as defined in Order M-21, as amended from time to time, except that it includes only those forms and shapes listed in Schedule I of CMP Regulation No. 1. [Issued Aug. 4, 1944.]

INTERPRETATION 24

RECORDS OF EXPORTERS

Paragraph (y) (3) of CMP Regulation No. 1 requires each prime consumer to retain for two years all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have since the institution of the Controlled Materials Plan made allotments of controlled materials to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other Government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments and preference ratings on export licenses are not in a position to retain the original of the export license, and thus are not required to do so by paragraph (y) (3) except only in those cases where other Government regulations do not require the surrender to the Government of the documents referred to. [Issued April 18, 1944.]

INTERPRETATION 26—ORDERS FOR CONTROLLED MATERIAL TO FILL HIGHER RATED ORDERS

(a) Where a Class B product manufacturer has not received a sufficient allotment to fill all rated orders, or where his allotment is subsequently reduced so that he is unable to fill all rated orders, he must use his allotment to get the amount and kind of controlled material required to fill his higher rated orders.

(b) For example: The manufacturer of ball bearings is given an allotment of 1,000 tons of alloy steel. He proposes to use 500 tons of this allotment to get one kind of alloy steel required for AA-1 rated orders, and the other 500 tons to get other alloy steel required for low rated orders. Subsequently, 500 tons of his allotment is cancelled. In cancelling outstanding authorized controlled material orders (or placing further authorized controlled material orders), he must order only the kind of alloy steel required for his high rated orders, and may not order any of the other alloy until he obtains sufficient quantities of the alloy needed to fill his high rated orders. (Issued Mar. 24, 1945.)

INTERPRETATION 29—SPECIAL DIRECTIVES FOR IMMEDIATE DELIVERY OF STEEL

(a) The War Production Board issues special directives to producers to obtain earlier deliveries of steel for particular orders than are otherwise permitted by paragraph (t) of CMP Regulation 1. These directives are issued only to insure required delivery for the most important production. An impression is current that it is necessary for a person to have first placed an order and had it accepted by a steel producer before requesting such a directive. This is not necessary and results in considerable confusion on the part of the mills and mix-up as to allotments.

For instance, from time to time persons who require delivery of steel in the second quarter of 1945 have placed controlled material orders against 4th quarter allotments asking for delivery during the 4th quarter of 1945, and then requested the War Production Board for a directive to get delivery in the second quarter. The War Production Board will issue a directive requiring the acceptance and delivery of the order in a proper case, whether or not the individual has been able to get the order accepted for a later quarter.

Consumers, therefore, must not use later quarter allotments to support authorized controlled material orders when they intend to request a directive to have the order advanced to an earlier quarter. Directive assistance should be requested immediately, through the proper channels, when every other effort has been exhausted to secure shipment in the required month. (Issued April 26, 1945.)

INTERPRETATION 30—TRANSFER OF PURCHASE ORDERS WHEN ALLOTMENTS ARE TRANSFERRED

(a) Whenever an allotment of controlled materials is transferred from one person to another (either under paragraph (j) of CMP Regulation 1, or where a sub-contractor returns to his customer an allotment made for the production of Class A products), any outstanding purchase orders placed pursuant to the allotment, including rated purchase orders, orders for Class A products, and authorized controlled material orders, may be transferred also without losing position on the supplier's order boards.

(b) The supplier must, of course, be notified either by a change in the shipping destination or by a substitution of purchase orders (identifying the new order as a substitute for the old), or other appropriate means.

(c) The supplier is entitled to treat the changed order as a new order, with the exception stated in paragraph (a). Consequently, he may reject it if it does not meet regularly established prices and terms of sale or payment, or for other reasons permitted by CMP Regulation 1 and Priorities Regulation 1. (Issued June 4, 1945.)

INTERPRETATION 31—PRODUCTION AND ORDER ADJUSTMENTS

(a) It is important that requirements of WPB regulations requiring cancellation of orders, ratings, and return of allotments be carefully followed.

(b) It is necessary that ratings and authorized controlled material orders no longer needed for their original purpose be promptly cancelled in order to open up suppliers' order boards. WPB will be unable to relax many of its remaining controls until it can be sure of the existence of substantial supplies that will flow without ratings.

(c) It is important that allotments be promptly returned. The return of unused allotments is the only definite way WPB can determine the effect of military cutbacks on the supply of controlled materials. Rapid relaxation of WPB controls depends upon early and accurate information of supply and demand for materials during the third and fourth quarters of 1945. Your attention is called to the following requirements:

(d) Actions which must be taken by a Class A product manufacturer. When the manufacturer of a Class A product has an order cancelled or adjusted by his customer so that an allotment can no longer be used under paragraph (u) of CMP Regulation 1, he must: (1) promptly cancel any authorized controlled material order, allotments and rated orders for other materials, components and containers based on his customer's allotments; and (2) promptly return to his customer any unused allotments together with all allotments returned from his suppliers. He should demand that his suppliers of Class A products also cancel their authorized controlled material orders and return the unused allotments they will have as consequence of the cancellations. (See paragraphs (t), (u) (2), and (w) of CMP Regulation 1.)

(e) Actions which must be taken by Class B product manufacturers. Although Class B product allotments are not related to particular orders, the cancellation of a customer's order for a B product may require the cancellation of orders upon suppliers. If, after receiving cancellation, a manufacturer does not intend to continue making his B product at the same high rate he must, to the extent he reduces the level of B product production, promptly cancel or reduce any rated order he has made of the allotment, insist on returns of unused allotments from his suppliers of Class A products and return the total promptly to the War Production Board. (See paragraph (u) (2) of CMP Regulation 1.) Similar rules apply to manufacturers who have received preference ratings and a production schedule on Form WPB 2613 ("unclassified products" under Priorities Regulation 11B).

(f) Actions which must be taken by other manufacturers. Manufacturers of products which contain no controlled materials, who obtain production materials, through extension of their customers' ratings must adjust their rated purchase orders for materials, components, and containers upon receipt of an adjustment of a rated order from their customer. General requirements covering adjustment of rated orders are contained in Priorities Regulation 1.

(g) It is suggested that copies of this interpretation be furnished your suppliers. Copies may be obtained from your local field office or by addressing the War Production Board, Business Services Branch, Washington 25, D. C. (Issued June 7, 1945.)

LIST OF DIRECTIONS 1 THROUGH 71 TO CMP REG. 1

1 Pursuant to paragraph (t) (1)—Steel Producers—Obsolete.
2 Pursuant to paragraph (t) (2)—Aluminum Producers—Obsolete.
3 Pursuant to paragraph (t)—Copper Wire and Cable Producers—Obsolete

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4. O-1, O-4 and N-4 Orders on Brass Mills.
5. Heat Treated and Normalized Carbon and Alloy Steel Bars for Commercial Warehouse Orders—Obsolete. Revoked May 16, 1945.—Obsolete.
6. Rules Governing Certain Deliveries of Steel Between Producers and Others.
7. Pursuant to paragraph (t) (6)—Aluminum Producers—Obsolete.
8. Intra-Company Deliveries of Aluminum.
9. Brass Mill and Wire Mill Direction.
10. Rolled and Forged Armor Plate.
11. Delayed Delivery on April Orders—Obsolete
12. Water Well Drillers—Revoked January 4, 1944.
13. Complete Bills of Material—Revoked October 9, 1943.
14. Rerating Not Compulsory—Obsolete.
15. Mill Stocks of Steel.
16. Replacement of Defective Controlled Material.
17. Brass Mill Direction—Obsolete.
18. Acceptance of Orders for Steel—Revoked.
19. Tin Plate, Short Ternes and Tin Mill Black Plate for Can Manufacturers.
20. BEW and Lend-Lease Orders.
21. Farmers Copper Wire Allotment Certificates.
22. Special Allotments.
23. Acceptance of Orders for Aluminum by Aluminum Producers and the Effect of Delays in Production.
24. Steel Furnished by Fabricators on Construction Projects.
25. Forgings in Controlled Material Form.
26. When Allotments may be Returned by a Secondary Consumer Directly to a Claimant Agency or Industry Division.
27. Right to Specify Allotment Quarter.
28. Controlled Material Lost or Stolen in Transit.
29. OEW and Lend-Lease Orders.
30. Copper Water Tubing—Revoked November 25, 1943.
31. Ammunition Brass Strip, Rod and Tube.
32. Production and Delivery of Less Than Minimum Mill Quantities of Brass Mill Products Ahead of Schedule.
33. Placement and Acceptance of Orders for Small Amounts of Aluminum and Aluminum Alloy Extruded Shapes.
34. Class A Facilities not Related to Construction.
35. Jigs, Dies, Molds, Fixtures and Special Tooling.
36. Cases in Which a Person who has Received an Allotment for the Manufacture of a Class B product may make Allotments or Furnish Controlled Materials to a Manufacturer of the Class B Product.
37. Consolidation of Army Ordnance Programs O-5 and O-6.
38. Galvanized Steel Products in Controlled Material Form.
39. Official Class B Product List.
40. Railroad Frogs and Switches.
41. Allotment Procedure for Manufacturers of Class A Products When Used for Ship Repairs and Bureau of Ships' Special Navy Products, When Used for Ship Repairs.
42. Copper Powder.
43. Elimination of 1943 Orders for Aluminum.
44. Applications by Producers and Distributors for Permission to Sell Rejected or Excess Steel.
45. Scheduling Provisions Applicable to M-293 Products.
46. Change in Program Numbers of the Maritime Commission.
47. Acceptance of Orders for Steel for Delivery from Mill Stock.
48. Purchases or Sales of Controlled Materials through an Intermediary.
49. Acceptance of Orders and Shipment of Aluminum Ingot.
50. Consolidation of Army Programs W-2 and W-4.
51. War Department Small Orders.
52. Application for Permission to Use Excess Materials.
53. Controlled Materials Purchased for MRO in Foreign Countries. Revoked April 13, 1945. Superseded by Order P-151.
54. Deferred Allotments.
55. Carded Cotton Yarns.
56. Aluminum Allotment Forms.
57. Aluminum Ingot for Aluminum Foundries.
58. Notice by Brass Mills regarding Scheduling of "Z-1" Orders. Revoked May 29, 1945.
59. Aluminum for Certain Destructive and Similar Direct Uses.
60. Notice by Copper Mills regarding Scheduling of "Z" Orders. Revoked May 29, 1945.
61. Placement of Orders for and Delivery of Controlled Materials under Toll Agreements.
62. Suspension of Certain "Z" orders for Steel.
63. Restrictions on Use of Lead in Manufacture of Copper Wire and Cable.
64. Direct Allotment to Forgers of Shell Steel Forgings.
65. Notice by aluminum producers regarding scheduling of "Z" orders. Revoked May 29, 1945.
66. Sequence in Scheduling Orders for Steel.
67. Limitations on Deliveries of Hot Rolled Pickled Steel Sheets or Strip to Distributors.
68. Aluminum Allotments for Certain Products.
69. Metal Strapping.
70. Military Cancellations of Class A Civilian Type End Products.
71. Operations of Steel Producers after July 1, 1945.

[F. R. Doc. 45-10422; Filed, June 13, 1945; 4:29 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 13 as Amended June 13, 1945]

ALLOTMENT PROCEDURE DETERMINES CLASSIFICATION OF PRODUCT IN CERTAIN CASES

The following amended interpretation is issued with respect to CMP Reg. 1:

(a) When the B product allotment procedure is followed in making allotments for the manufacture of a Class A product, all of the provisions of CMP regulations governing B products apply. A good example of this is Class A repair parts which are handled on the B product basis. Under paragraph (p) of CMP-1 (§ 3175.1), an order for a Class A product, once accepted, cannot be displaced by an order received at a later time even though the later order bears a higher preference rating. However, if the product is a Class A repair part which is handled on a Class B basis, this provision does not apply. Paragraph (g) (3) provides that no consumer may make an allotment for the production of Class B products. In the case of a Class A repair part which is handled on a Class B basis, this provision does apply. See paragraph (k-1) (5).

(b) On the other hand, when the A product allotment procedure is followed for making allotments for the manufacture of a Class B product, all of the provisions of CMP regulations governing A products apply. In such a case, the provision of paragraph (p) mentioned above does apply, and the provision of paragraph (g) (3) does not apply.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10423; Filed, June 13, 1945; 4:30 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 14 as Amended June 13, 1945]

USE OF QUARTERLY IDENTIFICATION

The following amended interpretation is issued with respect to CMP Reg. 1:

(a) It is not necessary to show the quarterly identification in rating orders for B components or other production materials, other than controlled materials. For example, "Preference rating AA-1, CMP allotment symbol W-1" is sufficient. Where an A product is ordered requiring an allotment, the quarterly identification must, of course, be shown.

(b) The quarterly identification, showing the quarter for which an allotment is valid, must be shown on all authorized controlled material orders, except as described in paragraph (c) below, and on all allotments, immediately following the CMP allotment symbol—for example, W-1-3Q43. The CMP allotment symbol is the same thing as the major program number, that is, the Claimant Agency symbol followed by the first digit of the program number. In the case of an allotment to a prime consumer designated W-1234-567, the CMP allotment symbol is W-1. The quarterly identification is not a part of the CMP allotment symbol.

(c) It is not necessary to show any quarterly identification on orders for controlled materials where they are being bought under a blanket symbol (such as the MRO symbol assigned by CMP Regulation No. 5) where the use of the symbol is not limited to any particular quarter. This is also true in the case of orders bearing the SO symbol.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10424; Filed, June 13, 1945; 4:30 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 18 as Amended June 13, 1945]

ANALYSIS OF ORDERS BY CLAIMANT AGENCY SYMBOLS—SECTION I OF FORM CMP-4B

The following amended interpretation is issued with respect to CMP Reg. 1:

(a) A person applying for an allotment on Form CMP-4B is required to show in Section I of the form an analysis of his orders or shipments by Claimant Agency symbols. The applicant must analyze his orders on the basis of the Claimant Agency symbols appearing on his customers' orders. Where no Claimant Agency symbol appears on a customer's order, the order must be reported under "unidentified".

(b) An applicant must not, in any case, attempt to trace the ultimate end-use of his product for the purpose of filling out Section I of Form CMP-4B. For example, if he re-

ceives an order with a preference rating bearing the symbol "B-1", he should report this under the symbol "B" even if he knows that that particular order is for a component of a product that eventually will be sold to the Navy. Or, if he receives an order with a preference rating but no Claimant Agency symbol, he should report this under "unidentified", even if he knows that that particular order is for a component of a product that eventually will be sold to the Navy.

(c) A person who receives a rated order must accept and fill it in accordance with Priorities Regulation No. 1 whether it is identified by a Claimant Agency symbol or not. He does not have the right to assume that his customer is required to show a symbol on his order since in many cases it is not necessary to show a Claimant Agency symbol in applying or extending a rating. There is no reason, however, why a person should not inform his customers of the provisions of paragraph (f) of CMP Regulation No. 3 (see Interpretation No. 3 to CMP Regulation No. 3) and paragraph (z) of CMP Regulation No. 6 which require the compulsory use of Claimant Agency symbols for purposes of identification on certain rated orders.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10425; Filed, June 13, 1945; 4:30 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 19 as Amended June 13, 1945]

PROPER CMP ALLOTMENT SYMBOLS MUST BE USED IN IDENTIFYING ORDERS

The following amended interpretation is issued with respect to CMP Reg. 1:

(a) A manufacturer of a Class B product, in ordering production materials (whether controlled materials, Class A or B products, or other materials and products) needed to make the Class B product, must not use the CMP allotment symbol appearing on orders placed with him by his customers. This is true because a person may use only the CMP allotment symbol which appears on the allotment made to him with his authorized production schedule. Thus a manufacturer of a Class B product, such as electric motor controls, receives an allotment of controlled material and a preference rating from the War Production Board which, in the case of electric motor controls, will be identified by the CMP allotment symbol J-3. When he orders the production material he needs to make electric motor controls he will use the CMP allotment symbol J-3 on his orders. Orders for electric motor controls from his customers will bear such CMP allotment symbols as B-4, W-3, G-6, U-1, etc. The electric motor control manufacturer may not use these CMP allotment symbols on his own orders for production materials for the manufacture of electric motor controls.

(b) On the other hand, a manufacturer of a Class A product receives his allotments from his customers and therefore uses the CMP allotment symbols appearing on his customers' orders when he orders materials needed to make the Class A product. Thus, a manufacturer of a Class A product who receives an order from a customer and an allotment identified by the CMP allotment symbol O-5 will use the CMP allotment symbol O-5 in placing his orders for production materials needed to fill the order.

(c) A CMP allotment symbol alone never constitutes an allotment of controlled materials. In making an allotment a consumer must specify the controlled material and the exact quantity allotted. Attention is called to the fact that under paragraph (f) of CMP Regulation No. 1, allotments of controlled material must be made only in the form and shape in which they are allotted to the consumer.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10426; Filed, June 13, 1945; 4:30 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 21 as Amended June 13, 1945]

TEMPORARY LOANS

The following amended interpretation is issued with respect to CMP Reg. 1:

(a) Paragraph (u) of CMP Regulation No. 1 (§ 3175.1), which places restrictions on the use of controlled materials and Class A products obtained pursuant to an allotment, does not forbid a short term "loan" of controlled materials or Class A products to another manufacturer for his use in filling an authorized production schedule. Whenever a loan is made, the consumer must make certain that the material loaned will be returned to him when he needs it. A loan for more than three months would generally be considered equivalent to a transfer of the materials and therefore unauthorized except as provided in paragraph (u). A consumer must never make such a loan when lending the material would prevent fulfillment of the consumer's authorized production schedule.

(b) [Deleted June 13, 1945. Obsolete because of the deletion of paragraph (v) of CMP Reg. 1, May 10, 1945.]

(c) Full records of the loan transaction must be kept by both persons lending and persons borrowing.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10427; Filed, June 13, 1945; 4:31 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE OPERATION OF THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Revocation of Interpretation 22]

REJECTION OF ORDERS

Interpretation 22 to CMP Regulation 1 is hereby revoked.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10428; Filed, June 13, 1945; 4:31 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 25 as Amended June 13, 1945]

ALLOTMENT SYMBOLS THAT DO NOT REQUIRE QUARTERLY IDENTIFICATION

The following amended interpretation is issued with respect to CMP Reg. 1:

Paragraph (s) of CMP Regulation No. 1 explains that in placing an authorized controlled material order the quarterly identification (which is explained in paragraph (c) (6) (i)), must be added. In certain cases, where allotments are not made, a consumer is entitled to place an authorized controlled material order without using the quarterly identification. However, in such a case, the order must still bear the requested delivery date. A list of the symbols which can be used to place an authorized controlled material order without the quarterly identification, the purpose for which such symbols are used, and the related order follows:

NOTE: Table amended June 13, 1945.

Symbol	Use	Order
SO	Small order procedure	CMP Regulation 1
P-1	Petroleum industry—production	P-98-b.
P-5	Petroleum industry—special production	P-98-b.
MRO	Maintenance, repair and operating supplies	CMP Regulations 1 and 3A
MRO-P-3	do	P-98-b.
MRO-P-47	Maintenance, repair and operating supplies—civilian aircraft.	P-47.
MRO-P-89	Maintenance, repair and operating supplies—chemical producers.	P-89.
MRO-P-98-e	Maintenance, repair and operating supplies—petroleum industry consumer accounts.	P-98-e.
MRO	Material for emergency servicing of industrial and commercial refrigerating and air conditioning systems.	P-126.
MRO-P-136	Maintenance, repair and operating supplies—scrap yards (serialized).	P-136.
MRO-P-141	Maintenance, repair and operating supplies—public sanitary sewer facilities.	P-141.
S-1	Industrial repairmen	CMP Regulation 3A
S-2	Extension of public sanitary sewer facilities	P-141.
S-4	Iron and steel producers	P-98.
T-7	(Serial number) Transportation systems	P-142.
V-0	Laboratories	P-46.
S-4	For steel only for rural water well drillers	P-148.
U-9	Maintenance, repair and operating supplies—utilities	U-1, U-3, U-4.
V-3	Retailers and repair shops	CMP Regulations 9 and 10A
F-6	Construction and facilities	CMP Regulation 6, Direction 1
W-6	Construction and facilities—Army	CMP Regulation 6, Direction 1 (CMPL-265).
N-0	Construction and facilities—Navy	CMP Regulation 6, Direction 1 (CMPL-262).
H - (Program No.)	Construction and facilities—housing	P-55-c (WPB-2860)
U-2	Construction and facilities—utilities	CMP Regulation 6, Direction 1 (WPB-2774).
WH	Orders placed by warehouses	M-293-b-1 and M-293-b-2.
PX	Steel products exchange	CMP Regulation 1, Direction 4
AM	Purchase of aluminum ingot and powder	Direction 4a to CMP Regulation 1 and M-1-g.
E-2	MRO purchased for foreign countries	Direction 53 to CMP Regulation 1
E-4	Discarded, offgrade, idle, and excess steel purchases	Priorities Regulation 27.
Z-3	Production materials for small producers	

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10429; Filed, June 13, 1945; 4:32 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 27 as Amended June 13, 1945]

MAKING UP DEFICIENCIES IN PRODUCTION SCHEDULES FOR CLASS B PRODUCTS

The following amended interpretation is issued with respect to CMP Reg. 1:

(a) Paragraph (o) (2) of CMP Regulation 1, as amended May 10, 1945, provides that a deficiency in an authorized production schedule for Class B products during the first calendar quarter of 1945 can be made up only in the second calendar quarter, to the extent that the deficiency does not exceed 10% of the authorized production schedule. After the second calendar quarter, deficiencies cannot be made up at all. This interpretation applies to operations during the balance of the second calendar quarter of 1945. On July 1, 1945 this interpretation becomes obsolete.

(b) This means that if you received a production schedule of 100 units of a Class B product for the first quarter of 1945, and 100 units for the second quarter, but you produced only 80 units in the first quarter, you can make up 10 of those units in the second quarter (10% of 100 that were authorized for the first quarter) for a total of 110 units. If you want to make up more of the deficiency during the second quarter than is permitted, you must apply on the appropriate form for an amendment of your authorized production schedule to include the total amount that you wish to make.

(c) Although, in the above example, you are permitted to make 110 units in the second quarter, if you make only 100 you may not carry over the 10 units into the third quarter, since there is no deficiency in your authorized production schedule of 100 units for the second quarter.

(d) Paragraph (o) (2) (i) restricts your production only if you receive your production schedule in terms of specific units or dollars (frequently referred to as a "closed end production schedule"). If you do not receive a production schedule in terms of specific units or dollars (frequently referred to as an "open end production schedule") and you receive your allotment from Washington and not from one of the Field Offices, you are always authorized to make in any one quarter as much as you can make with the allotment plus what you can make out of inventory, subject, of course, to the quota limitation of any applicable L or M order. If you receive your allotments from the Field Office, then you always have a "closed end production schedule" as explained in more detail in paragraph (o) of CMP Regulation 1.

(e) Where an "L" or "M" order establishes a quota for the production of a product, you are limited in the amount you can produce both by the quota and the rule explained in this interpretation. Thus, even though your authorized production schedule may permit you to produce 100 units in a quarter, if a particular "L" order gives you a quota of only 90 units, you may not make more than 90 units in that quarter. Similarly, you may not carry over a deficiency in an authorized production schedule except as explained in this interpretation, even though a particular "L" order may permit you to carry over the deficiency in a quota applicable to that product.

(f) Paragraph (o) (2) provides that where another WPB order or regulation specifically provides otherwise, the carry over rule explained in this interpretation does not apply. As pointed out in paragraph (e) of this interpretation, an "L" or "M" order which merely permits the carry over of a quota established on the basis of a percentage of some base period production, does not over-ride the carry over provisions of paragraph (o) (2). For instance, if you make box springs, Order L-49 limits you in each quarter to a percentage of those you made in a base period, but permits you to make up the unused portion of your quota in the next quarter. If you have a quota of 1000 box springs per quarter, and received a "closed end production schedule" for 1000 in the first quarter of 1945, but made only 800, you may make up a deficiency of only 100 units in the second quarter. If, however, you did not receive a production schedule in terms of specific units or dollars for the first quarter of 1945, and you received your allotment from Washington, you may make up the whole deficiency of 200 units in the second quarter.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10430; Filed, June 13, 1945; 4:29 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 28 as Amended June 13, 1945]

CANCELLATION OF AUTHORIZED CONTROLLED MATERIAL ORDERS WHERE MATERIAL IS ALREADY IN PRODUCTION

The following amended interpretation is issued with respect to CMP Reg. 1:

(a) CMP Regulation 2 permits a purchaser to accept controlled materials in excess of the permitted amount, if, at the time he cancels an order, the materials have already been shipped or loaded for shipment or, if a special item, are in production.

(b) However, paragraph (s) forbids a consumer from placing authorized controlled material orders in excess of his related allotment.

(c) Consequently, if an allotment is reduced or cancelled and the consumer consequently cancels his authorized controlled material order, the producer is entitled to ship the controlled materials only if he could ship on an unrated order under paragraphs (t) (3) and (t) (9) of CMP Regulation 1.

(d) For instance, if a consumer's allotment has been reduced from 100 tons to 50 tons and he consequently cancels an order for 20 tons of steel on the mill, and the mill advises him that it is a special item and already in production, the mill may not deliver unless it can deliver on an unrated order or unless the consumer still has 20 tons of steel unallotted in his allotment account, or in another allotment account by which he can support an authorized controlled material order.

(e) However, if the producer has already shipped the material at the time he receives the cancellation, "delivery" has already been made under paragraph (t), and the consumer can receive the material even if he has an insufficient allotment. The consumer must use the controlled material only for purposes permitted by paragraph (u).

(f) [Deleted June 13, 1945.]

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10431; Filed, June 13, 1945; 4:32 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 49, as Amended June 13, 1945]

ACCEPTANCE OF ORDERS AND SHIPMENT OF ALUMINUM INGOT (INCLUDING PIG, BILLETS, SLABS AND SIMILAR RAW FORMS)

The following amended direction is issued pursuant to CMP Reg. 1:

(a) This direction explains the conditions under which aluminum ingot suppliers may accept orders for and make shipment of aluminum ingot, and the method of reporting such shipments on Form WPB-2593 (formerly CMP-23). The term "ingot", as used in this direction includes pig, slabs, billets, shot and similar other raw forms. It does not include powder, flake, paste or pigment.

(b) Aluminum ingot may be delivered only to fill authorized controlled material orders and "AM" orders as follows:

(i) *Authorized Controlled Material Orders.* (1) Placed by the War Department or Navy Department only and bearing the symbol "W", "O" or "N". The War and Navy Departments will order ingot only for use in their own establishments.

(ii) For export under a program of the Foreign Economic Administration. These orders for aluminum ingot will bear allotment numbers in the "E" or "L" series and may be placed by the United States Treasury Department, or by another person on the basis of an export license.

(iii) Bearing the CMP allotment symbol S2. Authorizations to use the allotment symbol S2 are granted only for destructive or similar direct uses of aluminum. Aluminum for most such uses is authorized without application by Direction 59 to CMP Regulation 1. Applications for allotments of aluminum pigment (that is, powder or paste) to be obtained from a pigment producer for the manufacture of aluminum composition should be made on Form WPB-2360 with the War Production Board, Washington 25, D. C. "Aluminum composition" as used in the preceding sentence means any paint, ink, or other coating, or liquid welding compound, in the making of which aluminum pigment is used. Applications for aluminum ingot for destructive or other direct uses of aluminum not covered by Direction 59 should be made by writing a letter to the War Production Board, Aluminum and Magnesium Division, Requirements and Distribution Branch, Washington 25, D. C.

(iv) Bearing the CMP allotment symbols "MRO-P-43" or "V-9". These symbols are used by persons purchasing aluminum ingot for experimental and research work under Order P-43.

(v) For use in casting patterns by foundries which do not have AM authorization numbers. Such orders should be designated "MRO patterns".

No other CMP allotment symbols are acceptable as authority for shipment of aluminum ingot. In any instance in which the consumer wishes to purchase aluminum ingot under the MRO symbol, except for those uses permitted under paragraphs (b)(1)(iv) and (b) (1) (v), above, he should be referred to the Ingot Section of the Aluminum and Magnesium Division.

(2) "AM" orders bearing a number in the series listed below: [1]

AM-0100 through AM-0499 usable by producers and smelters of aluminum ingot.

AM-0500 through AM-0599 usable by aluminum powder manufacturers.

AM-1000 through AM-1099 usable by producers of aluminum rolled rod and bar.

AM-1100 through AM-1199 usable by producers of aluminum rolled structural shapes.

AM-3000 through AM-3999 usable by aluminum forge shops.

AM-4000 through AM-4099 usable by producers of aluminum extruded products.

AM-6000 through AM-6099 usable by producers of aluminum sheet, strip and plate.

AM-7000 through AM-9499 usable by aluminum foundries and die casting plants.

AM-9500 through AM-9599 usable by aluminum warehouses.

AM-9600 through AM-9699, usable by aluminum warehouses, which are treated as deferred orders and, after June 30, 1945, must be treated as unrated orders.

No other "AM" authorization numbers are acceptable for the shipment of aluminum ingot. An "AM" order placed with an ingot producer as provided above must be accepted and filled as though it were an authorized controlled material order.

(b-1) After June 30, 1945 other orders for aluminum ingot may, but need not be accepted and filled by producers, subject to the conditions of paragraph (t) (9) of CMP Regulation 1.

(c) Shipments and past due orders shall be reported by suppliers of aluminum ingot on Form WPB-2593 in accordance with the instructions on that form.

(d) Any questions concerning authorization for the movement of aluminum ingot should be addressed to the attention of the Ingot Section, Aluminum and Magnesium Division, War Production Board, Washington 25, D. C.

(e) This direction supersedes aluminum directive P-8, dated October 1, 1943, and any previous instructions or directives relative to the acceptance of orders for shipment of aluminum ingot, and paragraph (t) (3) (i) of CMP Regulation No. 1. Aluminum Directive No. P-3, dated July 15, 1943, to "approved" aluminum smelters is hereby revoked.

[1] Orders for aluminum ingot are identified by authorization numbers preceded by the symbol "AM". These numbers are assigned to aluminum producers, smelters, fabricators, and foundries as authority to purchase aluminum for further fabrication into other forms of aluminum controlled materials, and warehouses for stocking aluminum for resale. If a person or firm wishes to purchase aluminum ingot for such fabrication and does not have such an authorization number, he should be referred to the Ingot Section, Aluminum and Magnesium Division, War Production Board.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10420; Filed, June 13, 1945; 4:29 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 57 as Amended June 13, 1945]

ALUMINUM INGOT FOR ALUMINUM FOUNDRIES

The following amended direction is issued pursuant to CMP Reg. 1:

(a) Foundries which do not have an authorization from the War Production Board to buy aluminum ingot for the production of aluminum castings by using an "AM" number (See Direction 49 to CMP Regulation 1) may get the minimum amount of aluminum ingot they need to fill orders for aluminum castings by placing on their order the symbol "AM-8000" and the standard certification of Priorities Regulation 7.

(b) A foundry must not use the symbol AM-8000 (1) to order from all sources more than 10,000 pounds of aluminum ingot for delivery in any month or (2) if it has already been assigned another AM authorization number by WPB to buy aluminum.

(c) Foundries which need more than 10,000 pounds of aluminum ingot a month should apply to the Aluminum Casting Section, Aluminum and Magnesium Division, WPB for authorization.

(d) The granting, by this direction, of permission to use the symbol AM-8000 does not exempt any foundry from reporting its operations to WPB on Form WPB-2685.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10421; Filed, June 13, 1945; 4:29 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 59, as Amended June 13, 1945]

ALUMINUM FOR CERTAIN DESTRUCTIVE AND SIMILAR DIRECT USES

The following amended direction is issued pursuant to CMP Reg. 1:

(a) Any person who needs aluminum ingot, powder (other than atomized powder), rod, or wire for any of the purposes listed below may place an order using the CMP allotment symbol S-2 and the standard certification of Priorities Regulation #7. No more of such ingot, powder, rod or wire may be purchased than is needed for the purposes listed.

Steel-deoxidizing and/or alloying.
Testing steel heats (carbometer wire).
Reduction of ferro alloys, thermit reaction).
Chemical reactions.
Thermit for welding.
Aluminum-bronze alloys.
Manganese-bronze alloys.
Alnico.
Nickel Alloys.
Magnesium-base alloys.
Zinc-base alloys.
Anhydrous aluminum chloride.
Welding and metallizing wire.
Calorizing.
Electric Motor rotors.
Addition to galvanizing bath.
Explosive & pyrotechnical purposes (industrial and commercial).

(b) Any Navy owned and operated establishment may place an order for aluminum ingot which they need by use of the CMP allotment symbol N-2 and the certification of Priorities Regulation 7 or CMP Regulation 7.

(c) Any person who wishes to get an allotment of aluminum pigment (that is powder or paste) to be obtained from a pigment producer for the manufacture of aluminum composition should file Form WPB 2360 according to the instructions on the form. "Aluminum composition" as used in the preceding sentence means any paint, ink, or other coating, or liquid welding compound, in the making of which aluminum pigment is used. Any person who wishes to use the symbol S-2 on his orders for aluminum ingot, powder, rod, or wire for destructive uses (where aluminum cannot be recovered as metal) which are not listed in this direction may apply for an authorization by writing a letter to the Aluminum and Magnesium Division, Requirements and Distribution Branch, War Production Board, Washington 25, D. C.

(d) It is no longer necessary to file form WPB-2360 for the uses listed above, or to use a "four digit" allotment number, as formerly required when allotments were granted for these uses on form WPB-2360. However, any allotments which have been made pursuant to application on form WPB-2360 are still valid and may be used.

(e) Any person who buys aluminum for the manufacture of welding and metallizing wire under this direction may also use the preference rating of AA-1 on orders for other production materials which they require for the manufacture of such welding and metallizing wire.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10415; Filed, June 13, 1945; 4:28 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended June 13 1945]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4*—(a) *Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by Order M-21-b-3.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer, retailer, or scrap dealer) who is engaged in the business of receiving steel into one or more warehouse stocks regularly maintained by him for sale or resale in the form received, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) A distributor must reject all orders except those which he is required or permitted to fill under paragraph (d).

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not accept an authorized controlled material order bearing a specific allotment number which requires a quarterly identification except during the quarter for which the allotment was issued, or during the 15 days preceding such quarter. He must not deliver any steel on such an order earlier than 15 days preceding the beginning or later than 60 days after the end of the quarter for which the allotment was issued. For example, a distributor may accept an order bearing the allotment number N–1–3Q45 at any time during the period June 16–September 30, 1945, but he may deliver steel on such an order only during the period June 16–November 29, 1945. Orders bearing symbols which do not require a quarterly identification, such as MRO (see Interpretation 25 to CMP Regulation No. 1) are not subject to this provision. Such orders may be accepted and delivered at any time.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which must be filled.* A distributor must fill the following kinds of orders unless he is required or permitted to reject them under paragraph (c):

(1) A distributor must fill all authorized controlled material orders except as provided in paragraph (m) (1).

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill other orders as follows, but is not required to do so regardless of whether rated or not:

(i) Orders in amounts of $25 or less. No endorsement is required on such orders.

(ii) Orders identified by the symbol Z–1E as explained in paragraph (m).

(iii) Orders calling for delivery to one customer during any calendar quarter of not more than 10 tons of carbon steel, 300 pounds of stainless steel and 2 tons of other alloy steel, providing such deliveries of any one product group and type to one customer do not exceed the amounts shown below:

	Quantities in pounds per quarter unless otherwise stated		
	Carbon (Including wrought iron)	Stainless	Alloy (Other than stainless)
Tool steel, including drill rod	300	------	300
Mechanical tubing	1,000*	100*	300*
Wire rope and strand	300*	------	------
Music wire	300	------	------
All other steel products	20,000	300	4,000

*Feet per quarter.

Each order placed under this paragraph (d) (4) (iii) must be accompanied by or endorsed with both the standard form of certification in CMP Regulation No. 7 and the following sentence: "This order is placed under paragraph (d) (4) (iii) of CMP Regulation No. 4."

The purpose of this paragraph (d) (4) (iii) is to permit persons using small quantities of steel to obtain their requirements without the use of allotments; it is not to allow users of large quantities to obtain steel in addition to their purchases on authorized controlled material orders. Therefore, a person who buys any steel under this paragraph (d) (4) (iii) cannot receive any kind or type of steel from producers or distributors in any quarter in excess of the amounts shown in the above table whether it is received on authorized controlled material orders or otherwise. Consequently, in general, a person should plan to buy all his steel either under this paragraph or on authorized controlled material orders, but not both. Purchases of steel from persons other than producers or distributors do not affect the amount which can be bought under this paragraph. Such purchases are subject to the provisions of Priorities Regulation 13 and paragraph (u) of CMP Regulation No. 1.

(iv) Effective July 1, 1945, any other order, except orders for stainless steel which may be filled only under the other provisions of this paragraph (d).

(v) A distributor may reject any authorized controlled material order identified by a CMP allotment symbol whose initial letter is "Z" if filling the order would reduce the distributor's inventory of the item called for by the order below his anticipated requirements for the next thirty days.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable for electrical conduction made from copper or copper base alloy or copper-clad steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where differences in temper will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products*—(1) *Delivery from warehouse stock.* (i) A warehouse must fill authorized controlled material orders for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In addition, a warehouse may fill orders identified by the symbol Z–1E as explained in paragraph (m). In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished

by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) No person shall place orders calling for delivery from warehouse stock during any one calendar month to any one destination of more than 3,000 pounds gross weight of any item of brass mill product (except condenser tubes) or 3,000 pounds copper content of any item of copper wire mill product. This paragraph does not apply to the resale of brass mill and wire mill products obtained by warehouses under Priorities Regulation 13 or WPB Directive 16.

(iii) [Deleted May 10, 1945.]

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Delivery from warehouse stock on other than authorized controlled material orders.* Effective immediately, a brass mill warehouse, and effective July 1, 1945, a copper wire mill warehouse may but need not fill any order other than those which it is required or permitted to fill under paragraph (f) (1) or (f) (3) as follows:

(i) A warehouse may sell a quantity of each product group of controlled materials (except condenser tubes) as described below equal to the amount of such product group purchased by him on "ZW" orders and unrated orders from producers or warehouses.

(ii) In addition, a warehouse may sell a quantity of such product group of controlled materials (except condenser tubes) equal to 10% of the amount of each brass mill product that is in his inventory at the close of business on May 26, 1945, and each copper wire mill product group that is in his inventory at the close of business on June 30, 1945.

(iii) A warehouse may sell any quantity of condenser tubes. "Quantity" as used in the last three paragraphs means the gross weight of brass mill products or the copper content of wire mill products.

(iv) If a warehouse has in its stock a particular lot of controlled materials which it cannot deliver on unrated orders because of the restrictions contained in this paragraph (f) (2), the warehouse may apply by letter to the Copper Division, War Production Board, Washington 25, D. C., attention Wire Mill Branch or Brass Mill Branch for specific authorization to do so. Such application should describe the materials and state how long they have been in stock. Generally, the War Production Board will authorize the delivery of these materials on unrated orders only if the materials have been in stock 60 days or more and the warehouse has been unable to deliver them on authorized controlled material orders.

(v) Effective immediately, a warehouse may resell on unrated orders any brass mill products or wire mill products obtained by warehouses under the provisions of Priorities Regulation 13 or WPB Directive 16.

(vi) Purchasers of brass mill and wire mill products on orders other than authorized controlled material orders are subject to the quantity limitations of paragraph (f) (1) (ii).

(vii) Effective July 1, 1945, a warehouse may deliver brass mill and copper wire mill products on authorized controlled material orders identified with a CMP allotment symbol whose initial letter is "Z" only under the conditions provided for delivery of orders other than authorized controlled material orders by this paragraph (f) (2). "Z" orders must, however, continue to be accepted if they can be filled within these limits, subject to the conditions of paragraph (m).

(viii) The following product groups are to be used as a basis for permitted deliveries on unrated orders under this paragraph (f) (2).

(a) Brass mill alloy Plate, Sheet and Strip.
(b) Brass mill alloy Rods, Bars and Wire.
(c) Brass mill alloy tube and pipe.
(d) Brass mill unalloyed copper products.
(e) Copper wire mill products.

(3) *Shipments direct to customer or to fill specific orders.* If a warehouse wants to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(4) *Rejection of orders.*

(i) [Deleted May 10, 1945]

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

(v) If delivery of an order would deplete a warehouse stock to a point where its function in the distribution of brass mill products or copper wire mill products would be seriously impaired, the warehouse may apply to the War Production Board for authority to reject the order and may delay filling the order until its application is acted upon.

(vi) A warehouse may reject any order other than those it is required to fill by paragraph (f) (1).

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(h) (1) *Deliveries of aluminum by distributors.* Each distributor must, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM (except orders bearing symbols from AM 9500 through AM 9699) and orders which he has been specifically directed in writing by the War Production Board to fill, and he may fill orders identified by the symbol Z–1E as explained in paragraph (m). Orders bearing symbols from AM 9500 through AM 9599 need not be accepted, but if accepted, must be treated as authorized controlled material orders. Orders bearing symbols from AM 9600 through AM 9699 must be treated as deferred ("Z") orders before July 1, 1945, and as unrated orders on and after that date.

(2) Effective immediately, an aluminum warehouse may, but need not deliver aluminum (except extrusions, CMP Code Numbers 4301 and 4311), and effective July 1, 1945, a warehouse may but need not deliver extrusions on orders other than those he is required to fill under paragraph (h) (1).

(3) The restrictions of this regulation do not apply to aluminum powder, flake, pigment, or paste delivered for the purpose of making paint, ink, or other coating or liquid welding compound. Such aluminum powder, flake, pigment or paste may be delivered by a distributor on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

(4) No person shall place "deferred" ("Z") orders or unrated orders for delivery from warehouses which aggregate more than 10,000 pounds of sheet, strip or plate; 4,500 pounds of wire, rod and bar or more than 3,000 pounds of tubing, extrusions, or structural shapes for delivery in one month.

A warehouse may reject any order which it is otherwise required or permitted to accept if the order is for delivery at one time to one destination of more than 2,000 pounds of any gauge, alloy and sizes of aluminum sheet, strip or plate, or more than 900 pounds of any alloy shape and size of aluminum wire, rod and bar, or more than 600 pounds of any alloy, size and shape of aluminum tubing, extrusions or structural shapes.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (s) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided*, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) *Special treatment of "Z" orders—*(1) *Authorized controlled material orders.* A distributor or warehouse must not fill any order identified by a CMP allotment symbol whose initial letter is "Z" unless he will be able to fill all other orders which he has received which he is required to fill under this regulation and which call for delivery of the same items within the next 30 days. In addition, a copper wire mill warehouse may not deliver in any month on "Z" orders more pounds of copper wire than 10% of the amount he delivered during the previous month on all orders.

(2) *Treatment of Z–1 orders identified by the letter "E".* Orders bearing the allotment symbol Z–1E (which are not authorized controlled material orders) may be placed with distributors and warehouses for certain controlled materials in their stocks. A distributor or warehouse who receives such orders may fill them, but he is not required to do so. If he elects to fill such orders he may do so only in accordance with the following:

(i) A distributor or warehouse, acting as agent for the Metals Reserve Company, may deliver on Z–1E orders without limit any controlled materials owned by the Metals Reserve Company which he receives into his stock, and

(ii) A distributor may deliver any steel products, except stainless steel, on Z–1E orders if he has had the items to be delivered in his inventory for a period of not less than 120 days, but he may not use such a delivery to support a stock replacement order placed with a producer or another distributor, and

(iii) [Deleted Apr. 7, 1945.]

(iv) [Deleted Apr. 17, 1945]

(v) A copper mill warehouse or a brass mill warehouse may sell items from idle and excess stock only when specifically authorized by the War Production Board. In order to get this authorization, a warehouse should apply by letter to the Copper Division, War Production Board, Washington 25, D. C., Attention: Wire Mill or Brass Mill Branch, describing the materials and stating how long they have been in stock. Generally, the War Production Board will authorize the sale of these materials on Z–1E orders only when the materials have been in stock 60 days or more and the warehouse has been unable to deliver them on other orders permitted under this regulation.

(vi) An aluminum warehouse may sell items from idle and excess stock on Z–1E orders only when specifically authorized by the War Production Board. In order to get this authorization, a warehouse should apply by letter to the Aluminum Division, War Production Board, Washington 25, D. C., describing the materials and stating how long they have been in stock. Generally, the War Production Board will authorize the sale of these materials on Z–1E orders only when the materials have been in stock 30 days or more and the warehouse has been unable to deliver them on other orders permitted under this regulation.

(3) *How a consumer places a Z–1E order.* A consumer with an authorized production schedule identified by a CMP allotment symbol Z–1 who does not have an allotment or who does not wish to use it, may place orders on a distributor or warehouse for the type of controlled material described above, but must not use the symbol Z–1 without adding the letter "E" (together with the standard certification of Priorities Regulation 7). The letter "E" is added to identify the purchase as being made out of "excess" stock in a warehouse, and thus to indicate that the purchaser's allotment account does not need to be charged. If he places only the symbol "Z–1" on his order without adding the "E", it is an authorized controlled material order, and must be charged against his allotment account in accordance with CMP Regulation No. 1. A consumer may also obtain steel without using his allotment in accordance with paragraph (d) (4) (i) and (d) (4) (iii), but if he does so, he must not use either the symbol Z–1 or Z–1E on his order.

(n) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

(o) *Processing customer's material.* A warehouse or distributor that has facilities for slitting, trimming, bending, etc., may accept controlled material from his customer and re-deliver to him without requiring an authorized controlled material order or other authority as required by this regulation, as long as such work does not interfere with filling authorized controlled material orders.

(p) *Authorized controlled material orders must be given precedence.* No distributor or warehouse may fill any order other than one he is required to fill under this regulation, if filling the order will prevent his filling any authorized controlled material order or orders specifically authorized by the War Production Board which he has on hand, which call for delivery of the same items within the next 30 days.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (e) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L–158 and other applicable regulations or orders (Issued Feb. 27, 1943).

[F. R. Doc. 45-10413; Filed, June 13, 1945; 4:28 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Direction 8]

WAREHOUSE STOCK ORDERS OF BRASS MILL WAREHOUSES

The following direction is issued pursuant to CMP Reg. 4:

(a) *Purpose.* This direction explains how brass mill warehouses, as defined in para-

graph (e) (3) of CMP Regulation 4 may replace, establish, and increase their stocks.

(b) *Replacement of brass mill products delivered on authorized controlled material orders.* A warehouse may place "Warehouse Stock Replacement Orders" to replace brass mill products (equivalent metal weight) previously delivered from warehouse stock on authorized controlled material orders (except "Z" orders) in accordance with CMP Regulation 4 and not previously ordered on "Warehouse Stock Replacement Orders" from producers or other warehouses. If the brass mill products were delivered on "Z" orders, the warehouse may replace these products under the same conditions by placing "Warehouse Deferred (ZW) Orders".

Such orders are valid only if marked "Warehouse Stock Replacement Order pursuant to Direction 8 to CMP Regulation 4" or "Warehouse Deferred (ZW) Order pursuant to Direction 8 to CMP Regulation 4." Attention is directed to paragraph (f) (3) of CMP Regulation 4 which provides for direct shipments by producers or other warehouses to fill specific authorized controlled material orders and which prohibits the replacement of such deliveries under the provisions of this paragraph (b).

(c) *Unrated orders.* A warehouse may place unrated orders with controlled material producers or other warehouses. A warehouse desiring to increase its stock or to establish an initial stock may do so only by placing unrated orders. A warehouse need not replace all of its deliveries on authorized controlled material orders from stock by entering "Warehouse Stock Replacement Orders" as permitted under paragraph (b) above, but may do so in part or in whole, by entering unrated orders. It should be noted that under the provisions of (f) (2) (i) of CMP Regulation 4, this will have the effect of increasing the amount which the warehouse will in the future be permitted to deliver on unrated orders received from its customers.

(d) *Treatment of warehouse orders by controlled material producers and other warehouses.* A controlled material producer must treat a "Warehouse Stock Replacement Order" as an authorized controlled material order and must treat a "Warehouse Deferred (ZW) Order" in accordance with Direction 54 to CMP Regulation 1. A warehouse may, but is not required to, accept a "Warehouse Stock Replacement Order" or a "Warehouse Deferred (ZW) Order" received from another warehouse. If it accepts the order, it must treat it as a regular or "deferred" authorized controlled material order, as the case may be, under CMP Regulation 4. Unrated orders placed by a warehouse may be filled by a producer or other warehouse only in accordance with the provisions of CMP Regulations 1 and 4.

(e) *Reports.* Brass mill warehouses and brass mills are no longer required to file Form 3067 except when specifically instructed to do so by the War Production Board.

(f) *Revocations.* All previous instructions and directions dealing with replacement, establishment, or increase of warehouse stocks are revoked.

(g) *Budget Bureau Approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10414; Filed, June 13, 1945; 4:28 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 31, as Amended June 13, 1945]

PREFERENCE RATING AUTHORITY OF THE ARMY AND NAVY MUNITIONS BOARD

§ 903.44 *Directive 31*—(a) *Purpose.* The purpose of this directive is to delegate to and define the authority of the Army and Navy Munitions Board with respect to the assignment of preference ratings.

(b) *Priorities Directives of the Army and Navy Munitions Board.* The Army and Navy Munitions Board, with the concurrence of the War Production Board, may establish schedules of preference ratings within limits prescribed by WPB Program Determinations in the form of ANMB Priorities Directives covering contracts, purchase orders and other similar procurement documents for the delivery of materials to or for the account of:

(1) The Army (including the Panama Canal) and the Navy (including the Marine Corps and the Coast Guard). This does not include material procured by any of the above under the Act of March 11, 1941 (Lend-Lease Act) which is not for the direct use of the armed services of a foreign country.

(2) U. S. Army and Marine Corps Post Exchanges; U. S. Navy and Coast Guard Ship's Service Departments; War Shipping Administration Training Organization Ship's Service activities.

(3) The following agencies of the Federal Government: Coast and Geodetic Survey; National Advisory Committee on Aeronautics; Civil Aeronautics Administration; Selective Service System; Office of Scientific Research and Development; Office of Strategic Services; Maritime Commission; War Shipping Administration; Weather Bureau; U. S. Soldiers Home (Washington, D. C.).

(4) American Red Cross and United Service Organizations, Inc., activities directly connected with military personnel.

(5) Foreign governments, for the procurement of material on a cash basis for the use of their armed services.

(6) Appropriate State officials, for the purchase of State Guard uniforms.

(7) Institutions and schools training military personnel under supervision of the military.

(8) Units of the Reserve Officers Training Corps, for the purchase of uniforms for trainees.

(c) *Deliveries which may be rated.* The Army and Navy Munitions Board may assign preference ratings to:

(1) Deliveries in fulfillment of contracts and purchase orders of the kinds described in paragraph (b), including deliveries of material to be incorporated in command construction, Engineers Corps construction, Panama Canal construction or CAA construction (see subparagraphs (3), (4), (5) and (6) below).

(2) Deliveries of machine tools or other capital equipment to prime contractors or subcontractors to produce items being procured under a prime Army or Navy contract. Directive 23 (§ 903.35) requires War Production Board approval of ratings assigned for machine tools and other capital equipment.

(3) Command construction: that is, the following types of projects ordered built by either the Chief of Staff, U. S. Army, or the Chief of Naval Operations, U. S. Navy: air fields; military housing; alien housing; facilities for the repair of finished items of munitions; overseas or theatre of operations construction; seacoast fortifications; ports and depots; camouflage and other passive defense projects (whether or not owned and operated by the Army or Navy); emergency flood control projects having a value of less than $100,000; military hospitals; maneuver, training and staging areas and proving grounds.

(4) Engineers Corps construction; that is, projects which (i) have been determined by the War Production Board to be essential, (ii) are built by or under the supervision of the Corps of Engineers (and where appropriate, completed by the Army Air Forces) in accordance with a design directive approved by an authorized representative of the War Production Board and (iii) will be owned, leased, maintained or operated by or under the direction of the War Department, and financed by War Department funds.

(5) Panama Canal construction; that is, projects (other than command construction) which are owned by the Panama Canal.

(6) CAA construction; that is, (i) projects for the construction of airports financed under the appropriation for "Development of Landing Areas for National Defense" (Public Law 528, 77th Congress, 2nd Session) and which (a) have been determined by the War Production Board to be essential, (b) are built under the supervision of the Army, Navy or Civil Aeronautics Administration, and (c) are built in accordance with specifications of the Bureau of Yards and Docks, U. S. Navy, or the Corps of Engineers, U. S. Army; and (ii) projects for the construction of the following airway facilities requested by the Army or Navy and financed from Civil Aeronautics Administration, Army or Navy appropriations: (a) Intermediate landing fields to be operated by and situated on property owned or leased by the U. S. Government; (b) airway lighted aids, that is, automatically operated lighted aids to contact flight operations on a designated flying route between airfields; (c) radio facilities, that is, radio transmitting stations producing identifying signals received by aircraft in flight; and (d) communication facilities, that is, facilities to collect and disseminate weather reports and maintain two-way communications with aircraft in flight or with other stations.

(7) Maritime MRO; that is (i) deliveries of materials and equipment immediately required for the maintenance, repair and operation of ships and other property directly related to ships and shipping, including all watercraft, other than pleasure craft, stevedoring equipment, equipment used in the operation of marine terminals, plant equipment of shipyards and ship repair yards and facilities; and (ii) deliveries of materials immediately required for maintenance, repair and operating supplies for neutral ships in ports of the United States, after clearance of the vessels' status has been made with the Foreign Economic Administration.

(8) Deliveries of materials to prime contractors or subcontractors for packaging and preserving, within the period of time specified in Public Law 395, 78th Congress (Contract Settlement Act of 1944), materials and equipment owned by the government at the termination of production contracts; but only on condition that the rating shall be assigned on a form specifying the kinds and amounts of government owned materials and equipment to be prepared for storage or shipment and the kinds and amounts (units or dollar value) of packaging and preservative materials for which the rating is assigned.

(d) *Redelegation of authority to assign ratings.* The authority delegated to the Army and Navy Munitions Board in paragraph (c) may be redelegated by that Board, either directly or through channels, to procurement, contracting and inspecting officials or other authorized officials of the Army and Navy and to the agencies enumerated in paragraph (b) and officials thereof. However, the authority delegated in subparagraph (c) (7) may be redelegated by the Army and Navy Munitions Board only to the United States Maritime Commission or War Shipping Administration and officials thereof. Any general instructions regarding the assignment of ratings which are issued by the Army and Navy Munitions Board shall be approved before issuance by the War Production Board. Approval of specific adjustments made by ANMB within the limits prescribed by WPB Program Determinations is not required.

(e) *Method of assigning ratings.*—(1) Where a preference rating is to be assigned to a production schedule at the time allotments are made, or to construction, and the schedule or construction is authorized under the Controlled Materials Plan the preference rating shall be assigned on an allotment form, on a construction authorization form, on Form WPB-542 (formerly PD-3A), or as prescribed in subparagraph (3) below.

(2) All other preference ratings assigned under this directive shall be assigned on Form WPB-542 (formerly PD-3A) or as prescribed in subparagraph (3) below.

(3) When any government agency mentioned in paragraph (b) assigns a preference rating to deliveries to be made to it or for its account, it may do so by placing the rating on the purchase order or contract and endorsing the order or contract with a certification substantially as follows: "By authority of the War Production Board the preference ratings indicated are assigned to the deliveries on this purchase order or contract." This certification may be placed on a purchase order or contract by means of a rubber stamp or printed on the order or contract form. The certification need not be signed separately if the purchase order or contract is signed by an official who is authorized to assign ratings on behalf of the agency which is placing the order or contract. This method of assigning a rating may not be used when machine tools or capital equipment are ordered by prime or subcontractors, even if the delivery is for the account of the government agency assigning the rating nor when materials are ordered by prime or subcontractors for packaging and preserving materials and equipment owned by the government at the termination of production contracts. All provisions of War Production Board orders or regulations applicable to Form WPB-542 (formerly PD-3A) including approval of ratings required by Directive 23, shall be applicable to purchase orders and contracts rated under this subparagraph.

(4) Reratings may be issued or effected within WPB program determinations in the manner prescribed by Priorities Regulation 12.

(5) Every rating assigned under this directive on a form or certificate shall be assigned in the manner prescribed therein without attaching any further conditions or quallfications.

(f) *Application and extension of ratings.* Ratings assigned under this directive may be applied and extended only in accordance with applicable regulations of the War Production Board.

(g) *Directives and administrative orders superseded.* This directive supersedes Division Administrative Order No. 1 of the Division of Industry Operations, War Production Board, issued February 23, 1942, all amendments thereof, and memoranda supplemental thereto, and all delegations of authority to assign preference ratings which have been heretofore issued to the Army and Navy Munitions Board or to any Service of the Army, to the Army Air Forces, or to any Bureau of the Navy.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-10412; Filed, June 13, 1945; 4:28 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-804]

GULF STATES PLYWOOD CO.

Gulf States Plywood Company is a partnership composed of Ralph C. Clark, Thos. B. Skiff and Carey A. Watkins, with its principal place of business located at 2400 Walnut Street, Jacksonville, Florida. This partnership is engaged in the business of distributing softwood plywood, fibrous wallboard, celotex, composition roofing and similar supplies. During the period between October 1, 1943 and July 31, 1944, it sold and delivered 132,500 square feet of softwood plywood, approximately 65,000 square feet of which was sold on verbal or telephone orders, without requiring and obtaining proper ratings or other authorization and hence in violation of Limitation Order L-150-a. The partners were familiar with the requirement and provisions of Limitation Order L-150-a and their actions constituted willful violations thereof.

These violations have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.804 *Suspension Order No. S-804.* (a) Ralph C. Clark, Thos. B. Skiff and Carey A. Watkins, shall not for a period of three months from the effective date of this order receive or accept delivery of any softwood plywood. This prohibition shall not apply to softwood plywood in transit for delivery to them on the effective date of this order.

(b) Nothing contained in this order shall be deemed to relieve Ralph C. Clark, Thos. B. Skiff and Carey A. Watkins from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and provisions contained herein shall apply to Ralph C. Clark, Thos. B. Skiff and Carey A. Watkins, doing business as Gulf States Plywood Company, or under whatever name they may together or severally operate, their successors and assigns, or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of such action.

(d) This order shall take effect on June 14, 1945.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10462; Filed, June 14, 1945; 11:11 a. m.]

PART 933—COPPER

[Copper Order M-9, as Amended June 14, 1945]

§ 933.1 *Copper Order M-9*—(a) *Purpose.* The primary purpose of this order is to govern the acceptance of delivery (whether on purchase, toll agreement or otherwise) of specified types of copper and copper-base alloy materials (other than controlled materials), all of which for convenience are called copper raw materials throughout this order. The production, delivery and acceptance of controlled materials are governed by applicable CMP and priorities regulations.

(b) *Acceptance of delivery of copper raw materials.* Except as specifically authorized in writing by the War Production Board, no person shall accept a delivery of any copper raw material other than those shown opposite his class in column B of the following table:

NOTE: Table amended June 14, 1945.

Class of person (A)	Copper raw materials: Acceptance of delivery authorized by this order without application to the War Production Board. (See also Direction 2 to Copper Order M-9.) (B)	Report form used to apply for specific WPB authorization to accept delivery of copper raw materials other than those shown in Column B. (C)	Other WPB report forms regarding copper raw materials and copper controlled materials. (D)
Refiner—Any person who produces refined copper. This includes any person who converts copper-clad or copper-base alloy-clad steel scrap into refined copper or other usable forms of copper.	(Other unalloyed copper scrap. Other copper-base alloy scrap. Copper precipitates. Refined copper.	WPB-2939	WPB-2132
Scrap Dealer—Any person regularly engaged in the business of buying and selling scrap but who does not melt such scrap.	Other unalloyed copper scrap. Other copper-base alloy scrap.	None	WPB-262 or WPB-2942
Jobber Dealer—Any person who receives physical delivery of refined copper, copper-base alloy ingot or copper or copper-base alloy shot and sells or holds the same for sale without change in form	Brass mill scrap	WPB-2960	None.
Brass Mill—Any person who produces brass mill products, brass mill castings or intermediate shapes.	(Brass mill scrap Fired cartridge and artillery cases (from Government plants only).	WPB-3112	WPB-2708.
Copper Wire Mill—Any person who produces copper wire mill products or intermediate shapes.	None	WPB-2953	WPB-2707.
Brass and Bronze Foundry—Any person who produces foundry copper or copper base alloy products	(2)	WPB-2968	WPB-2326.
Ingot Maker—Any person who produces copper-base alloy ingot for delivery all such....	(3)	WPB-2969	WPB-3159
Miscellaneous Producer—Any person not falling in one of the classes described above, who requires copper raw materials in his regular production operation. Examples: Chemical plants, iron foundries, aluminum foundries, electrotypers, etc.	None	WPB-2969	None.

[1] Footnote 1 deleted June 14, 1945.
[2] Footnote 2 deleted Sept. 4, 1944.
[3] Foundries and ingot makers may exchange copper base alloy ingot on an equivalent copper content basis without charging such deliveries against their authorizations.
[4] Footnote 4 deleted June 14, 1945.

(c) *Restriction on use.* No person shall use any item of copper raw material to fill unrated orders if in doing so it would deplete his inventory of that item to a point which would interfere with or delay the production or delivery on time of authorized controlled material orders, rated orders, or other defense orders.

(d) *Specific authorization and directions.* This order is designed to prescribe the general regulations under which deliveries of copper raw materials may be accepted. At times the provisions of this order will not fit the needs of a particular person. In any such case, the person affected may apply by letter to the Copper Division, War Production Board, for a specific authorization to cover his needs. Situations may arise which will require the War Production Board, from time to time, to issue specific authorizations or directions to a person or a class of persons as to the source, destination, amount or grade of copper raw materials to be delivered, acquired or used by him.

(e) *Definitions.* (1) "Copper" means unalloyed copper.

(2) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. Copper-base alloy does not include alloyed gold produced in accordance with United States Commercial standards CS 51-35 and CS 67-38.

(3) "Scrap" means all copper or copper-base alloy materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason. This does not include fired cartridge and artillery cases.

(4) "Copper wire mill product" means bare, insulated or armored wire and cable for electrical conduction made from copper, copper-base alloy, or copper-clad steel containing over 20% copper by weight.

(5) "Brass mill product" means sheet, rod, wire or tube made from copper or copper-base alloy. This does not include copper wire mill products.

(6) "Foundry copper or copper-base alloy product" means cast copper or copper-base alloy shapes or forms suitable for ultimate use without remelting, rolling, drawing, extruding or forging. (The process of casting includes the removal of gates, risers and sprues and sand-blasting, tumbling or dipping, but does not include any further machining or processing.)

(7) "Copper raw materials" as used in this order, includes the following materials as defined:

(i) "Refined copper"—Copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication, such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars, or other refined shapes. This does not include copper-base alloy ingot, brass mill castings, intermediate shapes or controlled materials.

(ii) "Brass mill scrap"—Scrap which is the waste or by-product of industrial fabrication or production of brass mill products or copper wire mill products. This does not include material which has been reclaimed from use or which is unsuitable for brass mill use because of contamination.

(iii) "Other copper-base alloy scrap"—Copper-base alloy scrap other than brass mill scrap. This includes spent bullets but does not include fired cartridge and artillery cases.

(iv) "Other unalloyed copper scrap"—Unalloyed copper scrap other than brass mill scrap.

(v) [Deleted June 14, 1945.]

(vi) "Fired cartridge and artillery cases—Unreloadable fired cartridge cases or artillery cases which have been manufactured from brass mill products.

(vii) "Brass mill casting"—A copper-base alloy casting from which brass mill or copper wire mill products or intermediate shapes may be rolled, drawn or extruded without remelting.

(viii) "Copper-base alloy ingot"—a copper-base alloy casting used in remelting, alloying or deoxidizing operations.

(ix) "Copper or copper-base alloy shot"—Shot produced from copper or copper-base alloy and to be used in remelting, alloying, deoxidizing or chemical operations.

(x) "Copper or copper-base alloy powder"—Copper or copper-base alloy in the form of powder or flake.

(xi) "Intermediate shape"—Any product which has been rolled, drawn or extruded from refined copper or brass mill castings and which will be re-rolled, redrawn, insulated or further processed into finished brass mill or copper wire mill products by other producers of such products.

(xii) "Copper precipitates (or cement copper)"—Copper metal precipitated from mine water by contact with iron scrap, tin cans, or iron in other forms.

(f) *Reports and communications.* Any person of a class listed in Column (A) of the table in paragraph (b) must file all report forms shown opposite his class in Columns (C) and (D) of the table unless otherwise directed.

Except as provided by instructions accompanying application forms, all communications filed pursuant to this order or concerning the subject matter hereof should be addressed: "Copper Division, War Production Board, Washington 25, D. C."

(g) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Revocations.* General Preference Order M-9-a and Supplementary Order M-9-b are hereby revoked as these orders are superseded by this order, M-9. These revocations do not affect any liabilities incurred under orders M-9-a and M-9-b.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

F. R. Doc. 45-10452; Filed, June 14, 1945; 11:10 a. m.]

PART 933—COPPER

[Copper Order M-9, Revocation of Direction 1]

SCRAP DEALERS

Direction 1 to Copper Order M-9 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10453; Filed, June 14, 1945; 11:10 a. m.]

PART 933—COPPER

[Copper Order M-9, Direction 2 as Amended June 14, 1945]

ACCEPTANCE OF DELIVERY AND USE OF COPPER RAW MATERIALS

This direction constitutes a specific authorization under paragraph (b) of Copper Order M-9:

(a) Any person may, except as otherwise specifically directed, accept delivery of any item of copper raw material, provided his inventory of that item is not, or will not by virtue of such acceptance become, in excess of a practicable minimum working inventory which shall in no event be greater than the quantity he will require under his current practices to put into use during the succeeding 30-day period or, in the case of a jobber dealer, than the quantity he expects to deliver during the succeeding 30-day period. Any person desiring permission to accept delivery of copper raw materials beyond the 30-day inventory limitation may apply by letter in duplicate to the Copper Division, War Production Board, Washington 25, D. C., for specific authorization, setting forth his needs for such relief. The inventory limitation does not apply to copper raw materials shown opposite a person's class in Column (B) of the table in paragraph (b) of Copper Order M-9.

(b) Attention is directed to Paragraph (c) of Copper Order M-9 which states: "No person shall use any item of copper raw material to fill unrated orders if in doing so it would deplete his inventory of that item to a point which would interfere with or delay the production or delivery on time of authorized controlled material orders, rated orders, or other defense orders".

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10454; Filed, June 14, 1945; 11:10 a. m.]

PART 933—COPPER

[Copper Order M-9, Revocation of Direction 3]

AUTHORIZATION FOR STEEL PRODUCERS TO ACCEPT DELIVERY OF, MELT AND PROCESS COPPER-CLAD AND COPPER BASE ALLOY-CLAD STEEL SCRAP FOR THE PRODUCTION OF COPPER BEARING CARBON AND ALLOY STEEL PRODUCTS

Direction 3 to Copper Order M-9 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10455; Filed, June 14, 1945; 11:10 a. m.]

PART 933—COPPER

[Copper Order M-9, Revocation of Direction 4]

USE OF CARTRIDGE CASES

Direction 4 to Copper Order M-9 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10456; Filed, June 14, 1945; 11:10 a. m.]

PART 933—COPPER

[Copper Order M-9, Direction 5]

ORDERS BY BRASS MILLS AND COPPER WIRE MILLS FOR INTERMEDIATE SHAPES

This direction, which explains how brass mills and copper wire mills may obtain intermediate shapes, is issued pursuant to paragraph (d) of Copper Order M-9:

(a) *"Replacement orders" for intermediate shapes.* A brass mill or a copper wire mill is authorized to enter "replacement orders" with other mills to replace brass mill intermediate shapes (equivalent metal weight) or copper wire mill intermediate shapes (equivalent copper content) previously used in filling authorized controlled material orders and not previously ordered from other mills except on an unrated basis as explained in paragraph (b) below. Such orders are valid only if marked "Replacement Order pursuant to Direction 5 to Copper Order M-9."

(b) *"Unrated orders" for intermediate shapes.* In addition, a brass mill or a copper wire mill may place unrated orders for intermediate shapes with other mills.

(c) *Treatment of orders for intermediate shapes.* A brass mill or a copper wire mill shall treat a "replacement order" placed by another mill in the same manner as he treats an authorized controlled material order under the provisions of CMP Regulation 1. A brass mill or copper wire mill shall treat an "unrated order" placed by another mill in the same manner that he treats an unrated order under the provisions of paragraph (t) (9) of CMP Regulation 1.

(d) *Effect of other orders.* Acceptance of delivery and use of intermediate shapes are subject to the provisions of other War Production Board orders and regulations including paragraphs (b) and (c) of Copper Order M-9 as amended and Direction 2 to that order.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10457; Filed, June 14, 1945; 11:11 a. m.]

PART 937—ZINC

[Conservation Order M-11-b, Revocation]

Section 937.3 *Conservation Order M-11-b and Direction 1* thereto are revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The delivery of zinc and the delivery and use of zinc oxide remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10458; Filed, June 14, 1945; 11:11 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-806]

ROYAL HEATING CO.

Michael Palmer, doing business as Royal Heating Company, 5328 Chene Street, Detroit, Michigan, is engaged in the sale and installation of new and used heating systems. Between February and September, 1944, he delivered new equipment included in List A of General Limitation Order L-79 upon unrated orders and without certifications, in violation of General Limitation Order L-79. He

also did construction, without permission of the War Production Board, in certain residences where this heating equipment was installed, the estimated cost of which was in each instance in excess of $200, in violation of Conservation Order L–41. Michael Palmer had knowledge of the aforesaid orders, and his acts must be deemed wilful.

His violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.806 *Suspension Order No. S–806.* (a) Michael Palmer shall not, for four months from the effective date of this order, apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) Michael Palmer shall not, for a period of four months from the effective date of this order, sell or deliver to a consumer any equipment included on List A of General Limitation Order L–79.

(c) Nothing contained in this order shall be deemed to relieve Michael Palmer from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Michael Palmer, individually and doing business as Royal Heating Company, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) This order shall take effect on June 14, 1945.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10463; Filed, June 14, 1945; 11:11 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-811]

PASKO MACHINE PRODUCTS

John Pasko, doing business as Pasko Machine Products, located at 701 West Superior Street, Wayland, Michigan, owns and operates a general machine shop and small foundry. During the period December 15, 1944, to February 16, 1945, he produced and sold, transferred or delivered at least 32,000 automotive bumper jacks, a Schedule A item under Limitation Order L–270, on orders bearing no preference ratings, in violation of Limitation Order L–270. John Pasko had knowledge of Limitation Order L–270, and his acts constituted wilful violations of that order.

These violations have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.811 *Suspension Order No. S–811.* (a) John Pasko shall not, for a period of four months from the effective date of this order, apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) The provisions of paragraph (a) shall not apply to orders for material necessary to perform war contracts for Expert Tool and Die Company and for Donnelly and Kelly Glass Company.

(c) Nothing contained in this order shall be deemed to relieve John Pasko from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to John Pasko doing business as Pasko Machine Products, or otherwise, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) This order shall take effect on June 14, 1945.

Issued this 7th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10464; Filed, June 14, 1945; 11:11 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b, Revocation of Direction 3]

ZINC QUOTA FOR MANUFACTURE OF HOME CANNING CLOSURES FOR SECOND AND THIRD QUARTERS OF 1945

Direction 3 to Supplementary Order L–103–b is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of any actions taken by the War Production Board under the direction. The manufacture, use and delivery of home canning closures remain subject to the other applicable orders and regulations of the War Production Board.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10451; Filed, June 14, 1945; 11:10 a. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Order M-1-d, Revocation]

ALUMINUM SCRAP

Section 921.6 *Supplementary Order M–1–d* is revoked. This revocation does not affect any liabilities incurred for a violation of the order or of actions taken by the War Production Board under the order. The use and delivery of aluminum scrap remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10416; Filed, June 13, 1945; 4:28 p. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Order M-1-g, Revocation]

ALUMINUM PIGMENT AND ALUMINUM COMPOSITION

Section 921.9 *Order M–1–g* is revoked. This revocation does not affect any liabilities incurred for a violation of the order or of actions taken by the War Production Board under the order. The manufacture, use and delivery of aluminum pigment and aluminum composition remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 13th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10417; Filed, June 13, 1945; 4:28 p. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Order M-1-j, Revocation]

ALUMINUM DISTRIBUTORS

Section 921.12 *Order M–1–j* is revoked. This revocation does not affect any liabilities incurred for a violation of the order or of actions taken by the War Production Board under the order. The order is superseded by CMP Regulation 4, and any applicable directions thereto.

Issued this 13th day of June 1945

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10418; Filed, June 13, 1945; 4:28 p. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 6, Incl. Amdts. 1–13, Corr.]

IRON AND STEEL PRODUCTS

The last line of the table in § 1306.10 (i) reading "18 mesh galvanized—2.64 2.95 3.90" is corrected to read "18 mesh galvanized—2.64 2.95 3.30".

This correction shall become effective June 19, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10468; Filed, June 14, 1945; 11:41 a. m.]

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[1] 10 F.R. 5773.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336,[1] Amdt. 23]

RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 336 is amended in the following respects:

1. Paragraph (d) of section 5 is amended by changing the words preceding subparagraph (1) thereof to read as follows:

(d) You may make sales from your retail selling establishment to other retail dealers who purchase your retail cuts of meat, variety meats and edible by-products, and sausage for resale, or you may buy retail cuts of meat, variety meats and edible by-products, and sausage for resale purposes from the retail selling establishments of other retail dealers: *Provided*, That you first meet one of the alternative requirements of subparagraph (1) of this section 5 (d): *And provided further*, That you comply with the appropriate rules listed in subparagraph (2) of this section 5 (d).

2. Section 5 (d) (1) (ii) (*a*) is amended to read as follows:

(*a*) The name and address of both parties, and the names and addresses of the retail selling establishments involved in the inter-retailer sales arrangement.

3. Section 5 (d) (1) (ii) (*e*) is amended to read as follows:

(*e*) The selling retail dealer is regularly engaged in the business of making sales at retail from his retail selling establishment where the major portion of the meat business conducted at such establishment consists of sales made to individuals for consumption by themselves or their families off the premises of such retail selling establishment.

4. Section 5 (d) (1) (ii) (*f*) is amended to read as follows:

(*f*) The contemplated sale of retail cuts to the purchasing retail dealer will constitute only an incidental part of the total dollar volume of retail meat sales made by the selling retail dealer from his retail selling establishment.

5. Section 5 (d) (1) (ii) (*h*) is amended to read as follows:

(*h*) The total dollar volume of retail meat cuts, variety meats and edible by-products, and sausage the selling retail dealer has committed himself to sell from his retail selling establishment to all other retailers under arrangements authorized by this section 5 (d).

6. Section 5 (d) (2) (i) is amended by changing Rules 1, 2, 3 and 4 respectively, to read as follows:

Rule 1. You must sell more than 50 percent of the total dollar volume of the combined sales of meat, variety meats and edible by-products, and sausage made from your retail selling establishment during each current month to ultimate consumers.

Rule 2. During any month you must not sell other retailers more than 40 percent of the total dollar volume of the combined total sales of meat, variety meats and edible by-products, and sausage made from your retail selling establishment.

Rule 3. You must keep records, either weekly or monthly, showing the total dollar volume of all sales of retail meat cuts, variety meats and edible by-products, and sausage made from your retail selling establishment.

Rule 4. You must keep records in the same form as those you keep under Rule 3 above, showing the total dollar volume of all sales of retail meat cuts, variety meats and edible by-products, and sausage made to other retailers from your retail selling establishment.

7. The product name of Item 2A, and the product names of subitems 3 and 6 thereof in the price schedule for Group 1 and 2 stores in section 19 are amended, respectively, to read as follows:

2A. Ready-to-eat hams and cooked hams, whole:
3. Regular, boneless and fatted (ready-to-eat only).
6. Skinless, boneless and fatted (ready-to-eat only).

8. The product name of Item 2B, and the product names of subitems 3 and 6 thereof in the price schedule for Group 1 and 2 stores in section 19 are amended, respectively, to read as follows:

2B. Ready-to-eat hams and cooked hams, shank half or end:
3. Regular, boneless and fatted (ready-to-eat only).
6. Skinless, boneless and fatted (ready-to-eat only).

9. The product name of Item 2C, and the product names of subitems 3 and 6 thereof in the price schedule for Group 1 and 2 stores in section 19 are amended, respectively, to read as follows:

2C. Ready-to-eat hams and cooked hams, round half or end:
3. Regular, boneless and fatted (ready-to-eat only).
6. Skinless, boneless and fatted (ready-to-eat only).

10. The product name of Item 2D, and the product names of subitems 3 and 6 thereof in the price schedule for Group 1 and 2 stores in section 19 are amended, respectively, to read as follows:

2D. Ready-to-eat hams and cooked hams, slices:
3. Regular, boneless and fatted (ready-to-eat only).
6. Skinless, boneless and fatted (ready-to-eat only).

11. Subitem 1 of Item 3 in the price schedule for Group 3 and 4 stores in section 20 is amended by changing the Zone 4 price and the Zone 4a price to read ".28" and ".37" respectively.

12. Subitem 7 under Item 19 in the price schedule for Group 1 and 2 stores in section 19 is amended by changing the product name to read as follows:

7. Sliced Canadian bacon (packaged).

13. Item 19 in the price schedule for Group 1 and 2 stores in section 19 is amended by the addition of subitem 8 to read as follows:

	Zone 1, Group 1-2	Zone 2, Group 1-2	Zone 3, and 4 Group 1-2	Zone 4a, Group 1-2	Zone 5, Group 1-2	Zones 6 and 7, Group 1-2	Zones 8 and 9 North, Group 1-2	Zones 8 and 9 South, Group 1-2	Zone 10, Group 1-2
8. Sliced ready-to-eat Canadian bacon (packaged)	*Cents* 75	*Cents* 74	*Cents* 73	*Cents* 72	*Cents* 72	*Cents* 72	*Cents* 73	*Cents* 73	*Cents* 74

14. Items 27A and 27B in the schedule of prices for Group 1 and 2 stores in section 19 are amended respectively to read as follows:

	Zone 1, Group 1-2	Zone 2, Group 1-2	Zones 3 and 4 Group 1-2	Zone 4a, Group 1-2	Zone 5, Group 1-2	Zones 6 and 7, Group 1-2	Zones 8 and 9 North, Group 1-2	Zones 8 and 9 South, Group 1-2	Zone 10, Group 1-2
27A. Dried specialties (whole or piece):									
1. Aged, dry cured bacon	*Cents* 41	*Cents* 41	*Cents* 40	*Cents* 38	*Cents* 39	*Cents* 40	*Cents* 40	*Cents* 41	
2. Aged, dry cured sides (packer cured)	38	37	36	35	35	35	36	36	
3. Aged, dry cured sides (country cured)	36	36	35	33	34	34	35	35	
4. Aged, dry cured jowls	27	27	26	24	25	25	26	26	
5. Aged, dry cured shoulders	44	43	41	40	40	41	41	42	
6. Aged, dry cured bacon sides (boneless)	37	37	35	34	34	35	35	36	
7. Aged, dry cured bacon sides (spareribs in)	36	35	34	33	33	34	34	34	
27B. Dried specialties (store sliced):									
1. Aged, dry cured bacon	47	46	45	43	44	44	45	47	
2. Aged, dry cured sides (packer cured)	42	42	41	39	39	40	41	41	
3. Aged, dry cured sides (country cured)	41	41	39	38	38	38	39	39	
4. Aged, dry cured jowls	31	31	29	28	28	29	29	30	
5. Aged, dry cured shoulders	48	48	47	45	45	46	47	47	
6. Aged, dry cured bacon sides (boneless)	42	41	40	38	39	39	40	40	
7. Aged, dry cured bacon sides (spareribs in)	40	40	38	37	37	38	38	39	

15. The product name of Item 2A, and the product names of subitems 3 and 6 thereof in the price schedule for Group 3 and 4 stores in section 19 are amended, respectively, to read as follows:

2A. Ready-to-eat hams and cooked hams, whole:
3. Regular, boneless and fatted (ready-to-eat only)
6. Skinless, boneless and fatted (ready-to-eat only)

22. The product name of Item 2A, and the product names of subitems 3 and 6 thereof in the price schedule in section 21 (a) are amended, respectively, to read as follows:

2A Ready-to-eat hams and cooked hams, whole

3. Regular, boneless and fatted (ready-to-eat only)

6 Skinless, boneless and fatted (ready-to-eat only)

23. The product name of Item 2B, and the product names of subitems 3 and 6 thereof in the price schedule in section 21 (a) are amended, respectively, to read as follows:

2B. Ready-to-eat hams and cooked hams, shank half or end:

3. Regular, boneless and fatted (ready-to-eat only)

6 Skinless, boneless and fatted (ready-to-eat only)

24. The product name of Item 2C, and the product name of subitems 3 and 6 thereof in the price schedule in section 21 (a) are amended, respectively, to read as follows:

2C. Ready-to-eat hams and cooked hams, round half or end:

3 Regular, boneless and fatted (ready-to-eat only)

6. Skinless, boneless and fatted (ready-to-eat only)

25. The product name of Item 2D, and the product names of subitems 3 and 6 thereof in the price schedule in section 21 (a) are amended, respectively, to read as follows:

2D. Ready-to-eat hams and cooked hams, slices:

3. Regular, boneless and fatted (ready-to-eat only)

6. Skinless, boneless and fatted (ready-to-eat only)

26. Subitem 7 under Item 19 in the price schedule in section 21 (a) is amended by changing the product name to read as follows:

7. Sliced Canadian bacon (packaged)

27. Item 19 in the price schedule in section 21 (a) is amended by the addition of subitem 8 to read as follows:

	Zone 1	Zone 2	Zones 3 and 4	Zone 4a	Zone 5	Zones 6 and 7	Zones 8 and 9, North	Zones 8 and 9, South	Zone 10
	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
8. Sliced ready-to-eat Canadian bacon (packaged)	78	78	78	78	78	78	78	78	78

28. Items 27A and 27B in the schedule of prices in section 21 (a) are amended respectively, to read as follows:

	Zone 1	Zone 2	Zones 3 and 4	Zone 4a	Zone 5	Zones 6 and 7	Zones 8 and 9, North	Zones 8 and 9, South	Zone 10
	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
27A. Dried specialties (whole or piece):									
1. Aged, dry cured bacon	36	34	32	31	30	32	33	32	33
2. Aged, dry cured sides (packer cured)	34	32	31	30	29	31	32	31	32
3. Aged, dry cured sides (country cured)	30	28	27	26	25	27	28	27	28
4. Aged, dry cured hocks	28	26	25	24	23	25	26	25	26
5. Aged, dry cured shoulders	28	26	25	24	23	25	26	25	26
6. Aged, dry cured Canadian sides (boneless)	32	30	29	28	27	29	30	29	30
7. Aged, dry cured bacon sides (spareribs in)	32	30	29	28	27	29	30	29	30
27B. Dried specialties (before sliced):									
1. Aged, dry cured bacon	40	38	36	35	34	36	37	36	37
2. Aged, dry cured sides (packer cured)	37	35	34	33	32	34	35	34	35
3. Aged, dry cured sides (country cured)	33	31	30	29	28	30	31	30	31
4. Aged, dry cured hocks	31	29	28	27	26	28	29	28	29
5. Aged, dry cured shoulders	31	29	28	27	26	28	29	28	29
6. Aged, dry cured Canadian sides (boneless)	35	33	32	31	30	32	33	32	33
7. Aged, dry cured bacon sides (spareribs in)	35	33	32	31	30	32	33	32	33

	Zone 1, Zone 2, Group 3-4	Zones 3 and 4, Group 3-4	Zone 4a, Group 3-4	Zone 5, Group 3-4	Zones 6 and 7, Group 3-4	Zones 8 and 9, North, Group 3-4	Zones 8 and 9, South, Group 3-4	Zone 10, Group 3-4
	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
16. The product name of Item 2B, and the product names of subitems 3 and 6 thereof in the price schedule for Group 3 and 4 stores in section 19 are amended, respectively, to read as follows:								
2B Ready-to-eat hams and cooked hams, shank half or end:								
3 Regular, boneless and fatted (ready-to-eat only)	74	72	70	68	71	73	73	72
6 Skinless, boneless and fatted (ready-to-eat only)	78	76	74	72	75	77	77	76
17. The product name of Item 2C, and the product names of subitems 3 and 6 thereof in the price schedule for Group 3 and 4 stores in section 19 are amended, respectively, to read as follows:								
2C Ready-to-eat hams and cooked hams, round half or end:								
3. Regular, boneless and fatted (ready-to-eat only)	74	72	70	68	71	73	73	72
6. Skinless, boneless and fatted (ready-to-eat only)	78	76	74	72	75	77	77	76
18. The product name of Item 2D, and the product names of subitems 3 and 6 thereof in the price schedule for Group 3 and 4 stores in section 19 are amended, respectively, to read as follows:								
2D Ready-to-eat hams and cooked hams, slices:								
3 Regular, boneless and fatted (ready-to-eat only)	74	72	70	68	71	73	73	72
6 Skinless, boneless and fatted (ready-to-eat only)	78	76	74	72	75	77	77	76
19. Subitem 7 under Item 19 in the price schedule for Group 3 and 4 stores in section 19 is amended by changing the product name to read as follows:								
7 Sliced Canadian bacon (packaged)	78	76	74	72	75	77	77	76
20. Item 19 in the price schedule for Group 3 and 4 stores in section 19 is amended by the addition of subitem 8 to read as follows:								
8. Sliced ready-to-eat Canadian bacon (packaged)	78	76	74	72	75	77	77	76

21. Items 27A and 27B in the schedule of prices for Group 3 and 4 stores in section 19 are amended respectively to read as follows:

	Zone 1, Zone 2, Group 3-4	Zones 3 and 4, Group 3-4	Zone 4a, Group 3-4	Zone 5, Group 3-4	Zones 6 and 7, Group 3-4	Zones 8 and 9, North, Group 3-4	Zones 8 and 9, South, Group 3-4	Zone 10, Group 3-4
	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
27A. Dried specialties (whole or piece):								
1. Aged, dry cured bacon	36	34	32	31	30	32	33	32
2. Aged, dry cured sides (packer cured)	34	32	31	30	29	31	32	31
3. Aged, dry cured sides (country cured)	30	28	27	26	25	27	28	27
4. Aged, dry cured hocks	28	26	25	24	23	25	26	25
5. Aged, dry cured shoulders	28	26	25	24	23	25	26	25
6. Aged, dry cured Canadian sides (boneless)	32	30	29	28	27	29	30	29
7. Aged, dry cured bacon sides (spareribs in)	32	30	29	28	27	29	30	29
27B. Dried specialties (before sliced):								
1. Aged, dry cured bacon	40	38	36	35	34	36	37	36
2. Aged, dry cured sides (packer cured)	37	35	34	33	32	34	35	34
3. Aged, dry cured sides (country cured)	33	31	30	29	28	30	31	30
4. Aged, dry cured hocks	31	29	28	27	26	28	29	28
5. Aged, dry cured shoulders	31	29	28	27	26	28	29	28
6. Aged, dry cured Canadian sides (boneless)	35	33	32	31	30	32	33	32
7. Aged, dry cured bacon sides (spareribs in)	35	33	32	31	30	32	33	32

This amendment shall become effective June 19, 1945.

NOTE: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10469; Filed, June 14, 1945; 11:41 a. m.]

PART 1340—FUEL

[MPR 88, Amdt. 28]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 88 is amended in the following respect:

Section 7.4 (a), is amended to read as follows:

(a) *When use of reference seller's maximum tank wagon price is required.* Except as provided in paragraph (b) below, a seller's maximum tank wagon price for a particular grade of automotive gasoline, stove and lamp naphtha, kerosene, range, stove or heater oil, distillate fuel oil, diesel fuel or tractor fuel,[1] at a particular point in any of the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, or Wisconsin shall be either (1) the reference tank wagon seller's normal price, as posted on October 1, 1941, for the same point, plus, in the case of tank wagon deliveries in rationed areas of rationed products, if such products are covered by Section 6.2 (a), the sum of .3 of a cent per gallon or (2) said reference seller's maximum tank wagon price for such product at the same point, as determined under Articles V and VI, plus .7 of a cent per gallon, whichever results in the lower price.[2]

If the reference seller has no maximum price at a particular point for a particular grade of any of the products named above, then a tank wagon seller's maximum price shall be his maximum price as determined or established under other provisions of this regulation.

This amendment shall become effective June 13, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10410; Filed, June 13, 1945; 4:19 p. m.]

[1] For the purposes of section 7.4 distillate type (non-volatile) tractor fuels of 40 Octane ASTM and above and of 30-39 Octane ASTM are to be considered the same grade of tractor fuel.

[2] For deliveries of 100 gallons and over of Sanolind High Speed diesel fuel or any diesel fuel of the same grade, deduct 1 cent per gallon.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 344,[1] Amdt. 3]

NEW COTTON, LINEN AND UNDERWEAR CUTTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 344 is amended by adding a new grade under Appendix A as follows:

(64a) Green herringbone twill khaki cuttings, table cuttings of green herringbone twill khaki materials.

The maximum delivered price on this grade shall be 3.50 cents per pound.

This amendment shall become effective June 14, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10470; Filed, June 14, 1945; 11:41 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 355,[1] Amdt. 26]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 355 is amended in the following respects:

1. Paragraph (d) of section 5 is amended by changing the words preceding subparagraph (1) thereof to read as follows:

(d) You may make sales from your retail selling establishment to other retail dealers who purchase your retail cuts of meat, variety meats and edible by-products, and sausage for resale, or you may buy retail cuts of meat, variety meats and edible by-products, and sausage for resale purposes from the retail selling establishments of other retail dealers: *Provided,* That you first meet one of the alternative requirements of subparagraph (1) of this section 5 (d): *And provided further,* That you comply with the appropriate rules listed in subparagraph (2) of this section 5 (d).

2. Section 5 (d) (1) (ii) (*a*) is amended to read as follows:

(*a*) The name and address of both parties, and the names and addresses of the retail selling establishments involved in the inter-retailer sales arrangement.

3. Section 5 (d) (1) (ii) (*c*) is amended to read as follows:

(*c*) The selling retail dealer is regularly engaged in the business of making sales at retail from his retail selling establishment where the major portion of the meat business conducted at such establishment consists of sales made to individuals for consumption by themselves or their families off the premises of such retail selling establishment.

4. Section 5 (d) (1) (ii) (*f*) is amended to read as follows:

(*f*) The contemplated sale of retail cuts to the purchasing retail dealer will constitute only an incidental part of the total dollar volume of retail meat sales made by the selling retail dealer from his retail selling establishment.

5. Section 5 (d) (1) (ii) (*h*) is amended to read as follows:

(*h*) The total dollar volume of retail meat cuts, variety meats and edible by-products, and sausage the selling retail dealer has committed himself to sell from his retail selling establishment to all other retailers under arrangements authorized by this section 5 (d).

6. Section 5 (d) (2) (i) is amended by changing Rules 1, 2, 3 and 4 respectively, to read as follows:

Rule 1. You must sell more than 50 percent of the total dollar volume of your combined sales of meat, variety meats and edible by-products, and sausage made from your retail selling establishment during each current month to ultimate consumers.

Rule 2. During any month you must not sell other retailers more than 40 percent of the total dollar volume of your combined total sales of meat, variety meats and edible by-products, and sausage made from your retail selling establishment.

Rule 3. You must keep records, either weekly or monthly, showing the total dollar volume of all sales of retail meat cuts, variety meats and edible by-products, and sausage made from your retail selling establishment.

Rule 4. You must keep records in the same form as those you keep under Rule 3 above, showing the total dollar volume of all sales of retail meat cuts, variety meats and edible by-products, and sausage made to other retailers from your retail selling establishment.

7. Item 2 under the subhead "VII. Roasts:" under the heading "Veal" in section 22 (1) is amended by changing the figures appearing in the column headed "A or good" to read "44".

8. Item 2 under the subhead "VII. Roasts:" under the heading "Veal" in section 22 (1) (i) is amended by changing the figures appearing in the column headed "A or good" to read "42".

9. Paragraph (a) of section 28 is amended by the addition of a new item to read as follows:

[1] 7 F.R. 9732, 8 F.R. 3845, 6109, 7350, 7821, 7199, 13049, 17483; 9 F.R. 6107, 8056, 11108; 10 F.R. 1787.

[Price per pound]

	Zone 1	Zone 2	Zones 3, 4, 4a	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Oxtail split joints	13	11	10	11	11	11	12	12	13

10. Paragraph (b) of section 28 is amended by the addition of a new item to read as follows:

[Price per pound]

	Zone 1	Zone 2	Zones 3, 4, 4a	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Oxtail split joints	11	10	9	9	10	10	11	11	11

11. Paragraph (m) of section 30 is amended by the addition of a new item to read as follows:

[Price per pound]

	Zone 1	Zone 2	Zones 3, 4, 4a	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Oxtail split joints	11	10	9	9	9	10	10	10	11

This amendment shall become effective June 19, 1945.

NOTE: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10471; Filed, June 14, 1945; 11:41 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 394,[1] Amdt. 14]

RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 394 is amended in the following respects:

1. Paragraph (d) of section 5 is amended by changing the words preceding subparagraph (1) thereof to read as follows:

(d) You may make sales from your retail selling establishment to other retail dealers who purchase your retail cuts of meat, variety meats and edible by-products, and sausage for resale, or you may buy retail cuts of meat, variety meats and edible by-products, and sausage for resale purposes from the retail selling establishments of other retail dealers: *Provided*, That you first meet one of the alternative requirements of subparagraph (1) of this section 5 (d): *And provided further*, That you comply with the appropriate rules listed in subparagraph (2) of this section 5 (d).

2. Section 5 (d) (1) (ii) (*a*) is amended to read as follows:

(*a*) The name and address of both parties, and the names and addresses of the retail selling establishments involved in the inter-retailer sales arrangement.

3. Section 5 (d) (1) (ii) (*c*) is amended to read as follows:

(*c*) The selling retail dealer is regularly engaged in the business of making sales at retail from his retail selling establishment where the major portion of the meat business conducted at such establishment consists of sales made to individuals for consumption by themselves or their families off the premises of such retail selling establishment.

4. Section 5 (d) (1) (ii) (*f*) is amended to read as follows:

(*f*) The contemplated sale of retail cuts to the purchasing retail dealer will constitute only an incidental part of the total dollar volume of retail meat sales made by the selling retail dealer from his retail selling establishment.

5. Section 5 (d) (1) (ii) (*h*) is amended to read as follows:

(*h*) The total dollar volume of retail meat cuts, variety meats and edible by-products, and sausage the selling retail dealer has committed himself to sell from his retail selling establishment to all other retailers under arrangements authorized by this section 5 (d).

6. Section 5 (d) (2) (i) is amended by changing Rules 1, 2, 3 and 4 respectively, to read as follows:

Rule 1. You must sell more than 50 percent of the total dollar volume of your combined sales of meat, variety meats and edible by-products, and sausage made from your retail selling establishment during each current month to ultimate consumers.

Rule 2. During any month you must not sell other retailers more than 40 percent of the total dollar volume of your combined total sales of meat, variety meats and edible by-products, and sausage made from your retail selling establishment.

Rule 3. You must keep records, either weekly or monthly, showing the total dollar volume of all sales of retail meat cuts, variety meats and edible by-products, and sausage made from your retail selling establishment.

Rule 4. You must keep records in the same form as those you keep under Rule 3 above, showing the total dollar volume of all sales of retail meat cuts, variety meats and edible by-products, and sausage made to other retailers from your retail selling establishment.

This amendment shall become effective June 19, 1945.

NOTE: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10472; Filed, June 14, 1945; 11:42 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 542, Amdt. 1]

CEILING PRICES FOR CERTAIN CANNED FISH AND SEAFOOD ITEMS SOLD BY PRIMARY DISTRIBUTORS AND OTHER DISTRIBUTORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 542 is amended in the following respects:

1. Section 2 (a) (4) is amended to read as follows:

(4) You did business in this manner before April 28, 1942; *Provided, however*, That the requirement that you customarily make at least 50 percent of your purchases in carload quantities shall not apply with respect to domestic canned crabmeat.

2. Section 4 (a) (5) is amended to read as follows:

(5) For sales of your purchases from canners or processors of the annual pack of a kind of canned fish or seafood which exceed the percentage of your purchases of that kind from canners or processors during the one-year period ending April 28, 1942, or, if you did not sell that kind during the one-year period ending April 28, 1942, then during the last full year ending April 28 in which you sold that kind.

This amendment shall become effective June 19, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10473; Filed, June 14, 1945; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1, Amdt. 101]

DOMESTICALLY PRODUCED WIRE HOODS FOR WINE BOTTLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new paragraph (u) is added to section 2.12 to read as follows:

(u) Domestically produced wire hoods used in securing corks in wine bottles.

This amendment shall become effective June 19, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10474; Filed, June 14, 1945; 11:42 a. m.]

[1] 8 F.R. 6304, 6548, 6618, 7200, 7692, 11297, 12621, 15609; 9 F.R. 8323, 10588, 12130, 13639; 10 F.R. 851, 2021, 2659, 4982.

[2] 9 F.R. 882.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11, Corr. to Amdt. 50]

FUMIGATING SERVICES

"Section 1499.46 (c) (40)" should read "section 1499.46 (b) (40)".

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10475; Filed, June 14, 1945; 11:44 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

PART 305—INSURANCE

[Rev. G. O. 6, Supp. 10]

CARGO INSURANCE

Effective as to all shipments.

(a) Under Ocean Bills of Lading dated on or after the 1st day of July, 1945 or

(b) If Ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

(c) If no Ocean Bills of Lading or equivalent shipping documents are issued, or the same are undated, laden on overseas vessel on and after said date.

Subpart A—Cargo Insurance, of General Order 6, Revised, is amended as follows:

1. The second paragraph of § 305.1 *Introductory* is amended to read:

Such cargo war risk insurance is underwritten on a facultative basis in accordance with the policy conditions and regulations herein set forth.

2. The subheading "Open Cargo War Risk Insurance" and §§ 305.100 to 305.201, inclusive, are hereby revoked.

(E.O. 9054, 3 CFR, Cum. Supp.; 54 Stat. 669, as amended)

[SEAL] E. S. LAND,
Administrator.

JUNE 13, 1945.

[F. R. Doc. 45-10512; Filed, June 14, 1945; 11:54 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 6B, Amdt. 6]

PART 503—ADMINISTRATION

ESTABLISHMENT OF REGIONS, DISTRICTS, AND FIELD OFFICES OF HIGHWAY TRANSPORT DEPARTMENT

Pursuant to Executive Orders 8989, as amended, and 9156, *It is hereby ordered*, That Appendix 2 of Administrative Order ODT 6B, as amended (9 F.R. 12289, 13069, 10 F.R. 525, 1940, 3139, 5119), be, and it hereby is, further amended in the following particulars:

(1) Under the subtitle "Region 4" thereof the matter opposite "Florida" is amended to read as follows:

Florida:
District office: Jacksonville.
Field office: Tampa.

(2) Under the subtitle "Region 1" thereof the matter opposite "Connecticut" is amended to read as follows:

Connecticut—District office—Hartford

and the matter opposite "New York" is amended to read as follows:

New York:
District offices: Albany, Binghamton, Buffalo, New York, and Syracuse.
Field office: Rochester.

(3) Under the subtitle "Region 5" thereof the matter opposite "Kansas" is amended to read as follows:

Kansas—District office—Wichita.

Paragraph (1) of this Amendment 6 to Administrative Order ODT 6B shall become effective June 15, 1945. Paragraphs (2) and (3) of this Amendment 6 to Administrative Order ODT 6B shall become effective June 30, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 13th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-10466; Filed, June 13, 1945; 3:18 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Credit Administration.

3% CONSOLIDATED FEDERAL FARM LOAN BONDS, JULY 1, 1945-55

NOTICE OF CALL FOR REDEMPTION

To holders of 3 percent consolidated Federal farm loan bonds of July 1, 1945-55, and others concerned.

Public notice is hereby given that the twelve Federal land banks have called all outstanding 3 percent consolidated Federal farm loan bonds of July 1, 1945-55, for redemption on July 1, 1945, in accordance with their terms. Interest on the bonds will cease on July 1, 1945, and the bonds will be payable at par on and after that date.

The twelve Federal land banks have designated the Federal reserve banks and branches and the Treasury Department, Washington, D. C., as agencies for the payment of the afore-mentioned bonds. It is requested that the bonds be presented for payment at one of those agencies.

[SEAL] J. F. DIEIE,
Acting Land Bank Commissioner.

JUNE 1, 1945.

Attest:

JOHN A. SMITH,
Deputy Land Bank Commissioner.

[F. R. Doc. 45-10450; Filed, June 14, 1945; 11:02 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6762]

COMMERCIAL CABLE CO.

ORDER INSTITUTING INVESTIGATION

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 5th day of June, 1945:

It appearing, that The Commercial Cable Company has reduced the amount of its capital from $25,000,000 to $5,000,000; and that The Commercial Cable Company, pursuant to § 35.10-9 (c) of the Commission's rules and regulations, has requested approval of the Commission of its plan of accounting which would charge account 2410, "Capital stock issued," and credit account 2599, "Other capital surplus," with the amount of $20,000,000 resulting from the reduction of its capital, and that after such entries are made The Commercial Cable Company proposes to eliminate the deficit in account 2699, "Unappropriated earned surplus," as computed to December 31, 1944, through a charge to account 2599, and a credit to account 2699 which will result in a credit balance in account 2599 in an amount in excess of $2,084,800 as at December 31, 1944; and

It further appearing, that The Commercial Cable Company is in the process of completing studies necessary for the reclassification of its plant accounts and the depreciation allowance applicable thereto, in accordance with the provisions of § 35.1-1 (f), as amended, of the Commission's rules and regulations; and that pending completion of such studies and the accounting adjustments resulting therefrom and of certain accounting investigations undertaken by the Commission, the true amount of the company's deficit cannot be determined and that any disposition other than application against the company's deficit, of the credit arising from the said reduc-

tion of its capital may result in the impairment of its capital; and

It further appearing, that a preliminary accounting investigation by the Commission indicates that certain accounting adjustments may be required which will materially affect the credit balance which, under the proposed plan of accounting submitted by the company, would appear in account 2599, "Other capital surplus;" and

It further appearing, that The Commercial Cable Company has recorded entries, as indicated in its verified annual report to the Commission for the year ended December 31, 1944, reflecting the accounting proposed under the plan submitted for approval, prior to the Commission's consideration and approval of such plan as required under the provisions of said § 35.10–9 (c):

It is ordered, That The Commercial Cable Company be, and it is hereby, directed to suspend all charges and credits with respect to its plan of accounting for the reduction of its capital, except as hereinafter ordered, pending submission of proof as to the amount properly includible in The Commercial Cable Company's capital surplus accounts; and

It is further ordered, That pending submission of proof as to the amount properly includible in its capital surplus accounts, The Commercial Cable Company be, and it is hereby, directed to make the following entries:

(1) As at December 29, 1944, charge account 2410, "Capital stock issued," and credit an appropriately designated subaccount of account 2399, "Other deferred credits," with the amount of $20,000,000, representing the reduction of capital as at that date;

(2) As at December 31, 1944, charge the abovementioned subaccount of account 2399, "Other deferred credits," and credit account 2699, "Unappropriated earned surplus," with the amount of $17,915,148.84, representing the amount of the deficit as thus far determined;

(3) Reverse any accounting entries made heretofore with respect to the aforementioned reduction of capital that are inconsistent with the foregoing; and

It is further ordered, That the foregoing suspension and entries shall be made effective immediately upon receipt by the company of a copy of this order and shall continue in effect until further order of the Commission; and that three certified copies of the suspending entries and the interim entries, required by the two immediately preceding ordering paragraphs, shall be filed with the Commission on or before the 5th day of July 1945; and

It is further ordered, That a public hearing for the presentation of such proof shall be held at such time and place as the Commission may hereafter designate upon appropriate request in writing by The Commercial Cable Company; and

It is further ordered, That an investigation be, and is hereby, instituted into the accounting performed and the accounts, records, and memoranda kept by The Commercial Cable Company with respect to all transactions affecting its surplus accounts; and

It is further ordered, That copies of this order shall be served upon The Commercial Cable Company and upon its directors and officers serving in the period beginning October 1, 1944, and ending with the date of this order.

By the Commission.

[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 45-10391; Filed, June 13, 1945; 2:51 p. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-440 and G-591]

UNITED FUEL GAS CO. ET AL.

ORDER GRANTING ORAL ARGUMENT

JUNE 12, 1945.

In the matters of United Fuel Gas Company, Warfield Natural Gas Company, Cincinnati Gas Transportation Company, and Huntington Development and Gas Company, Docket No. G-440; and United Fuel Gas Company, Warfield Natural Gas Company, and Cincinnati Gas Transportation Company, Docket No. G-591.

Upon consideration of the applications filed by the above-named respondents; interveners, the State of West Virginia, the Board of Public Works of West Virginia, and the Public Service Commission of West Virginia; and limited participants, Wesley H. O'Dell, et al., producers or owners of gas in place, requesting oral argument before the Commission en banc; and

It appearing to the Commission that:

It is desirable that such applications be granted for the purpose of hearing oral argument upon the issues involved in these proceedings in the light of the recent decisions of the Supreme Court of the United States in Colorado Interstate Gas Company v. Federal Power Commission, and Canadian River Gas Company v. Federal Power Commission, 65 S. Ct. 829; Colorado-Wyoming Gas Company v. Federal Power Commission, et al., 65 S. Ct. 850; and Panhandle Eastern Pipe Line Company, et al., v. Federal Power Commission, et al., 65 S. Ct. 821, and the several views expressed therein by members of the court.

The Commission orders that:

Oral argument on the issues raised in the above-entitled proceedings be had before the Commission en banc on September 12, 1945, at 10 a. m., in the Hearing Room of the Commission, 1800 Pennsylvania Avenue N.W., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10436; Filed, June 14, 1945; 9:31 a. m.]

[Docket No. G-641]

SOUTHERN NATURAL GAS CO.

ORDER FIXING DATE FOR HEARING

JUNE 12, 1945.

Upon consideration of the application filed May 23, 1945, by the Southern Natural Gas Company (Applicant) for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following-described facilities:

14.5 miles of 22-inch main transmission pipe line between Perryville and Onward compressor stations, Louisiana.

1 mile of 22-inch main transmission pipe line between Perryville and Onward compressor stations, Louisiana.

11.5 miles of 22-inch main transmission pipe line between Onward and Pickens compressor stations, Mississippi.

13.5 miles of 22-inch main transmission pipe line between Pickens and Louisville compressor stations, Mississippi.

14.3 miles of 22-inch main transmission pipe line between Louisville and Reform compressor stations, in the States of Mississippi and Alabama.

20.7 miles of 22-inch main transmission pipe line between Reform and Tarrant compressor stations, Alabama.

5.5 miles of 20-inch main transmission pipe line between Tarrant and DeArmanville compressor stations, Alabama.

12.1 miles of 20-inch main transmission pipe line near the City of Atlanta, Georgia.

10 miles of 6⅝-inch transmission pipe line on the Meridian (Mississippi) Branch Line.

13.2 miles of 12-inch transmission pipe line on the Montgomery-Columbus Branch Line.

A compressor station with an installed capacity of 1200 horsepower to be located on the Montgomery-Columbus Branch Line near Wetumpka, Alabama.

7 domestic water supply systems to serve operators' dwellings at 7 compressor stations.

18 heat exchangers for engine water cooling at 4 compressor stations.

58 air-cooled exhaust line mufflers at 5 compressor stations.

3 operators' houses at 2 compressor stations and 3 at control measurement stations.

Miscellaneous items consisting principally of measuring equipment, station piping, cooling tower additions and minor additions to compressor station electric system.

The Commission orders that:

A public hearing be held commencing on July 19, 1945, at 10:00 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N.W., Washington, D. C. respecting the matters involved and the issues presented in this proceeding.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10435; Filed, June 14, 1945; 9:31 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4998]

JOHANNA PRIEBE

In re: Estate of Johanna Priebe, deceased; File D-28-7533; E. T. sec. 7023.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Albertina (Albertine) Manske, Richard Zemke, Minnie Radiske (Rediske), Hertha Radiske (Rediske), and each of them, in and to the estate of Johanna Priebe, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Albertina (Albertine) Manske, Germany.
Richard Zemke, Germany.
Minnie Radiske (Rediske), Germany.
Hertha Radiske (Rediske), Germany.

That such property is in the process of administration by Edward Benjamin Schlueter, 934 Nebraska Street, Oshkosh, Wisconsin, as Executor of the estate of Johanna Priebe, deceased, acting under the judicial supervision of the County Court of Winnebago County, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10299; Filed, June 13, 1945; 10:21 a. m.]

[Vesting Order 4999]

ARTHUR REISS

In re: Trust created under the will of Arthur Reiss, deceased; File D-7-479; E. T. sec. 3207.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Liese Koehler in and to the trust created under the will of Arthur Reiss, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Liese Koehler, Germany.

That such property is in the process of administration by the Bank of America National Trust and Savings Association, as trustee of the trust created under the will of Arthur Reiss, acting under the judicial supervision of the Superior Court of the State of California, in and for the county of Alameda;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10300; Filed, June 13, 1945; 10:21 a. m.]

[Vesting Order 5000]

AMELIA (EMILIA) KORUPKAT RIXMAN

In re: Estate of Amelia (Emilia) Korupkat Rixman, deceased; File D-28-9459; E. T. sec. 12713.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karl Korupkat in and to the Estate of Amelia (Emilia) Korupkat Rixman, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Karl Korupkat, Germany.

That such property is in the process of administration by Fritz Sander, as Administrator c. t. a., acting under the judicial supervision of the Orphans' Court, Anne Arundel County, Maryland;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10301; Filed, June 13, 1945; 10:21 a. m.]

[Vesting Order 5001]

FRED W. ROEDING

In re: Estate of Fred W. Roeding, also known as F. W. Roeding, deceased; File D-28-9361; E. T. sec. 12377.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All the property and estate of Rudolph Weber and Marianne Weber Ehrensberger of any kind or character in the possession, control or custody of Elsie M. Roeding, as Executrix of the estate of Fred W. Roeding, also known as F. W. Roeding, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Rudolph Weber, Germany.
Marianne Weber Ehrensberger, Germany.

That such property is in the process of administration by Elsie M. Roeding, as Executrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10302; Filed, June 13, 1945; 10:21 a. m.]

[Vesting Order 5002]

AMBROSE VALLERIE

In re: Estate of Ambrose Vallerio, also known as Ambrose Vallerie, and as Ambrosa Vallerio, deceased D-38-3209; ET sec. 10199.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Stephen Vallerio, or his issue, and each of them, in and to the Estate of Ambrose Vallerio, also known as Ambrose Vallerie, and as Ambrosa Vallerio, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Stephen Vallerio, or his issue, Italy.

That such property is in the process of administration by the Bank of America, National Trust and Savings Association, as Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Napa;

And determining that to the extent that such naticnals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10303; Filed, June 13, 1945; 10:21 a. m.]

[Vesting Order 5003]

JOHN WIESEMANN

In re: Estate of John Wiesemann, deceased; File D-28-1591; E. T. sec. 418.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: (a) All right, title, interest and claim of any kind or character whatsoever of Marie Loewe, Heinrich Wiesemann, Karl Wiesemann, Jacob Wiesemann, Marie Zimmermann, Karl Wiesemann and Louise Knueppel, and each of them, in and to the estate of John Wiesemann, deceased,

(b) All right, title, interest and claim of any kind or character whatsoever of Marie Loewe in and to the trust created under the Will of John Wiesemann, deceased,

is property payable or deliverable to or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Loewe, Germany.
Heinrich Wiesemann, Germany.
Karl Wiesemann, Germany.
Jacob Wiesemann, Germany.
Marie Zimmermann, Germany.
Karl Wiesemann, Germany.
Louise Knueppel, Germany.

That such property is in the process of administration by the National Newark & Essex Banking Company and Joseph E. Conlon, as Co-executors and Trustees, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10304; Filed, June 13, 1945; 10:22 a. m.]

[Vesting Order 5007]

BARBARA M. DOKENWADEL

In re: Estate of Barbara M. Dokenwadel, a/k/a Barbara Dokenwadel, deceased; File D-28-9640; E. T. sec. 13382.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Caroline (Caroline) Arnold in and to the Estate of Barbara M. Dokenwadel, a/k/a Barbara Dokenwadel, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Caroline (Caroline) Arnold, Germany.

That such property is in the process of administration by Charles F. Eberle, as executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10305; Filed, June 13, 1945; 10:22 a. m.]

[Vesting Order 5008]

ANNA M. HESSE

In re: trust created by order of court dated November 10, 1944 in the matter of the estate of Anna M. Hesse, deceased; File D-28-8149; E. T. sec. 9092.

Under the authority o' the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mathias Klemes, Elizabeth Liesch, Veronica Vatheuer and nephews and nieces, names unknown, of Anna M. Hesse, deceased, and each of them, in and to the trust created by order of the County Court of Cass County, Nebraska, entered on the 10th day of November 1944, in the matter of the Estate of Anna M. Hesse, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mathias Klemes, Germany.
Elizabeth Liesch, Germany.
Veronica Vatheuer, Germany.
Nephews and nieces, names unknown, of, Anna M. Hesse, deceased, Germany.

That such property is in the process of administration by Estella L. Rutherford, Plattsmouth, Nebraska, as Trustee of the estate of Anna M. Hesse, deceased, acting under the judicial supervision of the County Court of Cass County, Nebraska;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10306; Filed, June 13, 1945; 10:22 a. m.]

[Vesting Order 5009]

ISABEL B. LADSON

In re: Estate of Isabel B. Ladson, deceased; File D-28-9362; E. T. sec. 12400.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mary Robertson Albrecht, a/k/a May L. Albrecht, and Margaret Gobin, and each of them, in and to the Estate of Isabel B. Ladson, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mary Robertson Albrecht, a/k/a May L. Albrecht, Germany.
Margaret Gobin, Germany.

That such property is in the process of administration by Grover C. Edwards, as executor, acting under the judicial supervision of the Probate Court of Charleston County, South Carolina;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10306; Filed, June 13, 1945; 10:22 a. m.]

thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10307; Filed, June 13, 1945; 10:22 a. m.]

[Vesting Order 5010]

HENRIETTA LEIB

In re: Estate of Henrietta Leib, also known as H. Leib, deceased; File D–28–9252; E. T. sec. 12151.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Elise Leib (formerly Elise Vialon) or her children or their heirs, and each of them, in and to the Estate of Henrietta Leib, also known as H Leib, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elise Leib (formerly Elise Vialon) or her children or their heirs, Germany.

That such property is in the process of administration by the Bank of America National Trust and Savings Association, as Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10308; Filed, June 13, 1945; 10:22 a. m.]

[Vesting Order 5011]

GERTRUDE WOOD LYSLE

In re: Trust under the will of Gertrude Wood Lysle, deceased; File D–28–9638; E. T. sec. 13384.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Martha Gadski in and to the trust created under the will of Gertrude Wood Lysle, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Martha Gadski, Germany.

That such property is in the process of administration by David A. Reed and George C. Burgwin, Jr., as Trustees, acting under the judicial supervision of the Orphan's Court of Allegheny County, Pittsburgh, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10309; Filed, June 13, 1945; 10:22 a. m.]

[Vesting Order 5012]

MINNA R. E. MIESNER

In re Estate of Minna R. E. Miesner, also known as Minna Meisner and Rebecka Minna Elisabeth Miesner, deceased; File No. D–28–9645; E. T. sec. 13373.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Erna Miesner in and to the estate of Minna R. E. Miesner, also known as Minna Meisner and Rebecka Minna Elisabeth Miesner, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Erna Miesner, Germany.

That such property is in the process of administration by Frank M. Nolan, as administrator of the Estate of Minna R. E. Miesner, also known as Minna Meisner and Rebecka Minna Elisabeth Miesner, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10310; Filed, June 13, 1945; 10:23 a. m.]

[Vesting Order 5013]

GESINE WILHELMINE LOUISA OLM

In re: Estate of Gesine Wilhelmine Louisa Olm, also known as Louisa G. W. Olm, deceased; File No. D–28–8599; E. T. sec. 10214.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Eric Plumer, Clementine Wilhelm and Anita Wilhelm, and each of them, in and to the estate of Gesine Wilhelmine Louisa Olm, also known as Louisa G. W. Olm, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Eric Plumer, Germany.
Clementine Wilhelm, Germany.
Anita Wilhelm, Germany.

That such property is in the process of administration by Clementine Hoffman Lauder, as executrix of the Estate of Gesine Wilhelmine Louisa Olm, also known as Louisa G. W. Olm, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10311; Filed, June 13, 1945; 10:23 a. m.]

[Vesting Order 5014]

LUDER REINKEN

In re: Estate of Luder Reinken, deceased; File D–28–6535; E. T. sec. 4604.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Bothe, Johanne (Hannie) Schleppegrell and Ludwig Reinken, and each of them, in and to the estate of Luder Reinken, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Bothe, Germany.
Johanne (Hannie) Schleppegrell, Germany.
Ludwig Reinken, Germany.

That such property is in the process of administration by William Lins, as Executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM
Alien Property Custodian

[F. R. Doc. 45–10312; Filed, June 13, 1945; 10:23 a. m.]

[Vesting Order 5015]

ARTHUR J. ZIMLICK

In re: Estate of Arthur J. Zimlick, a k a Arthur John Zimlick, deceased; File D–28–9450; E. T. sec. 12685.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emma Zimlick Ebeler in and to the estate of Arthur J Zimlick a k a Arthur John Zimlick deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Emma Zimlick Ebeler Germany.

That such property is in the process of administration by the Germantown Trust Company and Anastasia Davisson Zimlick, as Executors acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 8, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10313; Filed, June 13, 1945; 10:23 a. m.]

[Supp. to Vesting Order 2305]

MITSUO HOSAKA AND YOSHIYE OGAWA

In re: Personal property owned by Mitsuo Hosaka and Yoshiye Ogawa.

Under the authority of the Trading with the Enemy Act, as amended, and Executive orders issued thereunder, and pursuant to law, the undersigned, after investigation:

1. Having found and determined that the last known addresses of Mitsuo Hosaka and Yoshiye Ogawa were, on September 30, 1943, Yamanichi-Ken and Okunota-mura, Japan, and Tokyo, Adachiku Nakamachi 74, Japan, respectively, and that they were, on such date and at all times subsequent thereto have been, nationals of a designated enemy country (Japan);

2. Finding that Mitsuo Hosaka and Yoshiye Ogawa were, on November 11, 1943, the owners of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows: Certain personal property particularly described in Exhibit A, attached hereto and by reference made a part hereof,

was, on November 11, 1943, property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And further finding that on November 11, 1943, employees of the Office of Alien Property Custodian took control and possession of the above-described property on behalf of the Alien Property Custodian, believing that it was encompassed within Vesting Order Number 2305;

hereby ratifies and confirms said acts of said employees in taking control and possession of said property and hereby determines that, by virtue of said acts as ratified, said property was vested in the Alien Property Custodian on November 11, 1943, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 12, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

500± Approximate weight: type pied and scrap metal in boxes and in shelves and drawers.

1 Intertype Machine, Model C, No. 3941, with three full-length 90-channel magazines, Monomelt metal pot, Dayton third H. P. motor, 110 volts A. C. serial No. 40819. Present mat equipment about ten fonts, assorted sizes and faces, and auxiliaries.

1 Tracy Stand, double tier, extension front, with 40 fullsized lip-front type cases with pulls, and Cut Cost Work Top.

1 Case-Stand, double-tier, old No. 11, for 12 full-size and 12 ⅔ size lip-front type cases with Cases.

4 Double racks 5 x 16 feet, homemade, wood construction, for holding Japanese type cases. (Scrap lumber value.)

3 Single racks 5 x 16 feet, homemade, wood construction, for holding Japanese type cases. (Scrap lumber value.)

12 Tables and Shelves, wood construction, varied sizes and styles, for use as imposing and stock tables, wrapping tables, and counters. (Most of these have only scrap lumber value.)

1 Counter Cabinet with 12 drawers and 2 bins for filing records,

1 Marble slab Imposing Surface 30 x 50 inches, no coffin,

3 Slate Slabs, 32 x 50 inches, used for imposing surfaces. (Billiard table tops),

1 Full-size Space and quad case,

2 Full-size lead and slug cases,

3 Quarter Rule Cases, with 10 pounds brass rule, cut,

1 Storage cabinet with 16 drawers for surplus spaces and quads,

1 Ink Cabinet 2 x 5 feet with shelves, wood construction homemade,

1 Small Ink Cabinet with shelves, and doors, wood, home-made,

1 Storage Case 18 x 72 inches, double depth,

1 Rule Case 6 x 20 inches,

1 Wood Furniture Cabinet, with contents, Old No. 17 Mammoth, for 1830 pieces wood furniture cut 2 to 10 picas wide by 10 to 160 picas long (bad condition),

1 Reglet Cabinet with contents, Old No. 1, for 1800 pieces 6 and 12 point wood reglet cut 10 to 60 picas by 10 picas (old),

1 Hickory Mallet, 10-oz., (good),

2 Planers, 6 and 8 inch, (old),

2 Benzine Brushes, 4 and 7 in.,

1 Set Engravers' tools,

1 Wall Clock, "Regulator," (old),

1 All-brass galley 16 ems by 23½ inches,

3 All brass galleys 3½ by 23½ in.,

2 Brass bottom galleys 6¼ x 23½ in.,

48 Pressed steel galleys 13 ems by 23½ inches,

1 Pressed steel galley 16 ems by 23½ inches,

2 Pressed steel galleys 26½ ems by 23½ inches,

1 Pressed steel galley, job size, 60 x 10 inches,

2 Pressed steel galleys, job size 10 x 15 inches,

1 Goss "Clipper" Rotary Printing Press using curved stereotype plates, 8-columns, with Otis Elevator Company electric motor, 10 horse power, 3-phase, 220 volts, A. C., 60 cycles, 900 R. P. M., serial No. 23089-Y (This press is said to be 50 to 75 years old.)

1 Style B Kelly Automatic Press—Short delivery, with regular motor equipment

1 Chandler & Price press, Old series, 10 x 15, serial No. 7212, rebuilt, with long ink fountain, Redington counter, and General Electric motor, ¼ horse power, 1-phase, A. C., 1700 R. P. M.,

1 Challenge Proof press, bed size 15 x 33 inches,

1 Advance lever paper cutter, 26" inch, serial No. B-12896,

1 Tubular Duplex Dry Mat Roller, bed size 30 x 36 inches, with Western Electric motor, 5-H. P. 3-phase, 60 cycles, 220 volts, A. C., serial No. 121794,

1 R. Hoe Dry Mat Roller, bed size 32 x 40 inches (no motor, not in use)

1 Goss Flat Bed wet mat dryer, bed size 26 x 28 inches, with gas drying element,

1 Curved plate stereotype Beveling machine, with motor,

1 Curved stereotype plate Tail shaver, with motor,

1 Curved plate holder, 21 inch,

1 Curved-plate Casting Box, single page Goss, with motor,

1 Flat-bed Casting Box, bed size 16 x 28 inches, (Old),

1 Metal melting furnace, capacity about 2½ tons. Gas heating,

1 Matrix moistener,

1 Make-up and Transfer Table, Iron top 22 x 27 inches, pipe construction, double casters,

1 Book Press, wood construction,

1 Curle Stereotype metal saw, with Century ½-H. P. motor, 110 volts single phase, A. C.,

10 Stereotype Chases, with side sticks and end blocks,

1 Metal transfer Ladel, 2-handle,

1 Skimmer, long handle,

1 Rouse Lead and Rule Cutter, No. 20 (Good)

1 Acme Stapler, hand machine,

[F. R. Doc. 45-10441; Filed, June 14, 1945; 10:52 p. m.]

[Vesting Order 5015]

JOHN C. SIEMS

In re: Estate of John C. Siems, deceased; File No. D-28-3692; E. T. sec. 6080.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Friedrich Bode, the distributees, names unknown, of Friedrich Bode, Lilli Bode, and the distributees, names unknown, of Lilli Bode, and each of them, in and to the estate of John C. Siems, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Friedrich Bode, Germany.
The distributees, names unknown of Friedrich Bode, Germany.
Lilli Bode, Germany.
The distributees, names unknown of Lilli Bode, Germany.

That such property is in the process of administration by Fred C. Gatje and William C. Loehrs, as Executors, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10442; Filed, June 14, 1945; 10:52 a. m.]

[Vesting Order 5016]

ERNEST SPITZ

In re: Estate of Ernest Spitz, deceased; File D-28-9448; E. T. sec. 12663.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Fanny Loewenstein, Emma Grunebaum, Adele Meyer, Fritz Nussbaum, Hugo Nussbaum, Ria Nussbaum, Bela Nussbaum and children, names unknown, of Sara Weisbecker and Aron Nussbaum, deceased, and each of them, in and to the Estate of Ernest Spitz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Fanny Loewenstein, Germany.
Emma Grunebaum, Germany.
Adele Meyer, Germany.
Fritz Nussbaum, Germany.
Hugo Nussbaum, Germany.
Ria Nussbaum, Germany.
Bela Nussbaum, Germany.
Children, names unknown, of Sara Weisbecker and Aron Nussbaum, deceased, Germany.

That such property is in the process of administration by Noble G. McCroden, as Executor, acting under the judicial supervision of the Probate Court, Bernalillo County, State of New Mexico;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10443; Filed, June 14, 1945; 10:52 a. m.]

[Vesting Order 5017]

JOSEPHA J. TANGERDING

In re: Estate of Josepha J. Tangerding, deceased; File D-28-9053; E. T. sec. 11590.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Lory Jacobs, Hedwig Josepha Tangerding and Hubert Tangerding, and each of them, in and to the Estate of Josepha J. Tangerding, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address:

Lory Jacobs, Germany.
Hubert Tangerding, Germany.
Hedwig Josepha Tangerding, Germany.

That such property is in the process of administration by Charles C. Sullivan, as Executor of the Estate of Josepha J. Tangerding, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending

further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc 45–10444; Filed, June 14, 1945; 10:52 a. m.]

[Vesting Order 5018]

PETER WIKETE

In re: Estate of Peter Wikete, deceased: File D–57–400: E. T. sec. 13472.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: $1,216.27 cash on deposit in the First National Bank of Media, Media, Pennsylvania,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Ioan Wikete, Rumania
Varvara Wikete, Rumania.

That such property is in the process of administration by Arthur P. Bretherick, as Clerk, acting under the judicial supervision of the Orphans' Court of Delaware County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–10445; Filed, June 14, 1945; 10:52 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 45 Under 3 (c)]

A. J. CUMMINS ET AL.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.3 (c) of the General Maximum Price Regulation: *It is ordered:*

(a) (1) The maximum price for sales of bulk domestic whiskey, evidenced by warehouse receipt or otherwise, by the persons named in paragraph (b) hereof, for sales made during the month of January, 1943 (in the event that any such persons made such sales), shall be the maximum price established by that person in accordance with § 1420.13 (a) or (b) of Maximum Price Regulation 193.

(2) In the event that any person named in paragraph (b) hereof is unable to establish a maximum price for his sales of bulk domestic whiskey in accordance with subparagraph (1) above, the maximum price for such sales during the month of January 1943 shall be the appropriate amount set forth in § 1420.13 (g) of Maximum Price Regulation 193 in accordance with the age of the whiskey being priced.

(3) Section 1420.10 (a) (5), (6) and (7) and § 1420.13 (e), (f), (g), (h) and (i) of Maximum Price Regulation 193, as in effect on February 3, 1943, are incorporated herein by reference.

(b) This order shall apply to all sales of bulk domestic whiskey made during the month of January 1943 by the following persons, in the event that any such persons made such sales:

A. J. Cummins, W. M. Morrison, Louis J. Newman, Earl J. Mock, individually and as officers of the Cummins Distilleries Corporation.

A. J. Cummins, W. M. Morrison, Louis J. Newman, Roy St. Lewis, Hiram Neuwoehner, John W. Smart, individually and as directors of Cummins Distilleries Corporation.

W. M. Morrison, Max Waldman, William Wagner, individually and as the Cummins Stockholders' Distribution Committee.

Morrel D. Klein, and Robert R. Appel, individually and d/b/a Klein and Appel.

John W. Smart and William Wagner individually and d/b/a Smart and Wagner.

Allan L. Carter, Jr., C. Prevost Boyce, Henry C. Evans, William T. Childs, C. Newton Kidd, Milton S. Trost, Robert S. Lansburgh, William K. Barclay, Jr., Leroy A. Wilbur, Edward J. Armstrong, individually and d/b/a Stein Bros. and Boyce.

Farmers National Bank of Lebanon, Kentucky, Executor of the estate of George W. Dant.

G. C. Collins, Jr., Christine Hunt Collins, Louis J. Newman, Lillian Newman, W. M. Morrison, Marcella W. Morrison, David J. Williams, T. E. Spragens, J. D. Clark, D. P. Newell, Mrs. Jessie S. Miner, James Burt Miner, Mrs. Anna Bell Bickett, Adolph F. Rupp, Phil F. Lehman, Mrs. Gladys G. Minton, Clara McCoy, John McCoy, Stanley McCoy, Mary Lee Hunt, Hiram Neuwoehner, Edwin C. Willis, R. J. Haury, A. J. Cummins, Yancey Lee Cummins, Roy St. Lewis, Edward J. Miller, Adolph Illrsch, Russell Ebinger, Adolph H. Gossmann, Mrs. Marcellus G. Mature.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shal become effective immediately.

(e) Issued this 13th day of June, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10409; Filed, June 13, 1945; 4:19 p. m.]

[MPR 61, Amdt. 1 to Order 3]

GARMENT AND GLOVE GOAT LEATHER MEETING SPECIFICATIONS OF WAR PROCUREMENT AGENCIES

MAXIMUM PRICES FOR SALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Federal Register, and pursuant to section 4 of Maximum Price Regulation 61, *It is ordered:*

1. Paragraph (d) is amended to read as follows:

(d) This order shall be effective until September 30, 1945, unless amended or revoked by the Office of Price Administration prior thereto.

This amendment shall become effective June 12, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10291; Filed, June 12, 1945; 4:46 p. m.]

[MPR 188, Rev. Order 1195]

MONARCH HEATING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1195 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Monarch Heating Company, of 4661 Alger Street, Los Angeles, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by—			
	Manufacturer to—		Sellers other than manufacturer to—	
	Wholesalers (jobbers)	Retailers	Retailers	Consumers
[illegible] garden rake	Dozen $4.20	Dozen $5.60	Dozen $5.60	Each $0.70
[illegible]	4.50	6.00	6.00	.75

These maximum prices are for the articles described in the manufacturer's application dated October 19, 1943.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$------
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 13th day of June, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10253; Filed, June 12, 1945; 11:45 a. m.]

[MPR 188, Order 3934]

PREMCO MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Premco Manufacturing Co., 655 South Wells Street, Chicago, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons		
		Wholesalers	Retailers	Consumers
Onyx laminated metal table lamp with rayon shade	788	Each $4.10	Each $4.90	Each $5.92
Pottery commode lamp with decal and coat gold decoration and rayon shade	1500	3.61	4.25	7.65

These maximum prices are for the articles described in the manufacturer's application dated April 11, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers, they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of June 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES
Administrator.

[F. R. Doc 45–10254; Filed, June 12, 1945; 11:44 a. m.]

[MPR 188, Order 3935]

CROWNFORD CHINA CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Crownford China Company, 45 West 25th Street, New York 10, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons [illegible]		
		Wholesalers	Retailers	Consumers
China hand decorated glazed two-piece lamp Vase with 16" hand-trimmed shade	3115 77	Each $5.40	Each $6.30	Each $14.40
China hand decorated and hand assembled lamp with 17" hand decorated shade	3000 12	7.20	8.50	19.20

These maximum prices are for the articles described in the manufacturer's application dated February 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other

class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of June 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10255; Filed, June 12, 1945; 11:45 a. m.]

[MPR 260, Order 1170]

JOHN J. DOYLE & SON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) John J. Doyle & Son, 3170 Main Street, Hartford, Conn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
J. D.	Specials	50	$115	15
Hartford Hand Made	Perfectos	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10257; Filed, June 12, 1945; 11:45 a. m.]

[MPR 260, Order 1171]

M. RODRIGUEZ & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. Rodriguez & Co., 2302 Cordelia St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Nenita	Kings	50	$65	8
	Invas	50	105	10
	Queens	50	124	12
	Panatelas	50	150	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10258; Filed, June 12, 1945; 11:46 a. m.]

[MPR 260, Order 1172]

GEORGE J. DAHM

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) George J. Dahm, Front St., Barnesville, Minn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Pals	Class C	50	$18	4
Rummy	Perfectos	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10259; Filed, June 12, 1945; 11:46 a. m.]

[MPR 260, Order 1173]

VILMA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Vilma Cigar Factory, 1807 Columbia Drive, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Vilma	Conchas	50	$75	10
	Brevas	50	109	22
	Bostons	50	151	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10260; Filed, June 12, 1945; 11:46 a. m.]

[MPR 260, Order 1174]

GREGORIO ORTIZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gregorio Ortiz, 116 E. 108th St., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
None	Certain [illegible]	50	$52	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not

be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10261; Filed June 12, 1945; 11:47 a. m.]

[MPR 260, Order 1175]

MARY CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mary Cigar Factory, 3727 15th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Mary Cigar [illegible]	[illegible]	50	$80	[illegible]
	[illegible]	50	72	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10262; Filed, June 12, 1945; 11:47 a. m.]

[MPR 260, Order 1176]

JOSE M. VALDES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose M. Valdes, 749 N. W. 62nd Street, Miami 37, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Flor de Jose Valdes	Fancy Tales	20	$85.00	2 for 15
La Flor de Alfonso	Corona Chica	20	64.00	8
La Flor de Jose Valdes	Corona Fina	20	82.50	11
	Palma	20	174.00	20
	Corona Grande	20	104.00	2 for 25
Lovaval	Nacos	20	75.00	9
La Flor de Alfonso	Diplomaticos	20	96.00	12
Dulce	Imperiales	20	82.50	11
	Elegante	20	64.00	8
La Flor de Alfonso	Fancy Tales	20	85.00	11
Dulce	do	20	78.00	2 for 25
La Flor de Jose Valdes	Corona Chica	20	64.00	8
Dulce	do	20	64.00	8
Lovaval	do	20	64.00	8
Dulce	Corona Fina	20	82.50	11
La Flor de Alfonso	Palma	20	174.00	20
	Corona Grande	20	104.00	2 for 25
La Flor de Jose Valdes	Diplomaticos	20	96.00	12
Lovaval	do	20	96.00	12
Lovaval	Imperiales	20	82.50	11
La Flor de Jose Valdes	do	20	82.50	11
La Flor de Alfonso	do	20	82.50	11
Lovaval	Elegante	20	64.00	8
La Flor de Jose Valdes	do	20	64.00	8
La Flor de Alfonso	do	20	64.00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10263; Filed, June 12, 1945; 11:48 a. m.]

[MPR 260, Order 1177]

E. POPPER & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) E. Popper & Co., Inc., 315 East 91st Street, New York 28, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Bouquet Paris	Ambassador	50	$38.00	15
	President	50	154.00	20
	Fancy Tale	50	169.00	22
	Rosita	20	108.75	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10264; Filed, June 12, 1945; 11:48 a. m.]

[MPR 260, Order 1178]

CARL HAERTEL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Carl Haertel, 1329 No. 27th St., Milwaukee 8, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lovana	Perfecto	50	$80	12
San Ardo	Puritano Series.	50	72	9
White Crow	Corliet	50	28	2 for 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10265; Filed, June 12, 1945; 11:48 a. m.]

[MPR 260, Order 1179]

CORNELIS BOGERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established

(a) Jose M. Valdes, 749 N. W. 62nd Street, Miami 37, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Flor de Jose Valdes	Fancy Tales	20	[illegible]	[illegible]
La Flor de Alfonso	Corona Chica	20	[illegible]	[illegible]
La Flor de Jose Valdes	Corona Fina	20	[illegible]	[illegible]
	Palma	20	[illegible]	[illegible]
	Corona Grande	20	[illegible]	[illegible]
Locaval	Negrito	20	[illegible]	[illegible]
La Flor de Alfonso	Diplomaticos	20	[illegible]	[illegible]
Dulces	Imperiales	20	[illegible]	[illegible]
	Elegantes	20	[illegible]	[illegible]
La Flor de Alfonso.	Fancy Tales	20	[illegible]	[illegible]
Dulces	do	20	[illegible]	[illegible]
La Flor de Jose Valdes.	Corona Chica	20	[illegible]	[illegible]
Dulces	do	20	[illegible]	[illegible]
Locaval	do	20	[illegible]	[illegible]
Dulces	Corona Fina	20	[illegible]	[illegible]
La Flor de Alfonso	Palma	20	[illegible]	[illegible]
	Corona Grande	20	[illegible]	[illegible]
La Flor de Jose Valdes.	Diplomaticos	20	[illegible]	[illegible]
Locaval	do	20	[illegible]	[illegible]
Locaval	Imperiales	20	[illegible]	[illegible]
La Flor de Jose Valdes	do	20	[illegible]	[illegible]
La Flor de Alfonso.	do	20	[illegible]	[illegible]
Locaval	Elegantes	20	[illegible]	[illegible]
La Flor de Jose Valdes	do	20	[illegible]	[illegible]
La Flor de Alfonso.	do	20	[illegible]	[illegible]

(b) The manufacturer and wholesalers

(a) Cornelis Bogers, 1805 Pine Avenue, Niagara Falls, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Marcomo	[illegible]	50	$72	9
Verdi	[illegible]	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10266, Filed, June 12, 1945; 11:48 a. m.]

[MPR 260, Order 1180]

VEROMA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Veroma Cigar Co., 215 No. Water St., Menomonie, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible] Veroma	[illegible] Robin	50	$32	4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10267; Filed, June 12, 1945; 11:49 a. m.]

[MPR 260, Order 1181]

SAN DIEGO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) George Cohen, D B A San Diego Cigar Co., 5929 Boundary St., Rear, San Diego, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible] Cortez	[illegible]	50	$77	10
	[illegible]	50	77	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10268; Filed, June 12, 1945; 11:49 a. m.]

[MPR 260, Order 1182]

CENTRAL CIGAR CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Central Cigar Corp., 67 Wall St., New York 5, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Central	Coronita	50	$56	7
	Breva	50	56	7
	Chico	50	44	2 for 11
	Longfellow	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10269; Filed, June 12, 1945; 11:49 a. m.]

[MPR 260, Order 1183]

WM. D. MEYER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Wm. D. Meyer, R. F. D. No. 6, No. 215, Sappington 23, Mo. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Idle Hour	Idle Hour	50	$56	7
De Luxe Hand Made	DeLuxe Hand Made	50	40	5
Redpath	Redpath	50	44	2 for 11
Gravois Special	Gravois Special	50	40	5
Garcia Club	Garcia Club	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10270; Filed, June 12, 1945; 11:50 a. m.]

[MPR 260, Order 1184]

SABAS GARCIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Sabas Garcia, 2011 18th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Blanch Cigar	Epicures	50	$123.00	16
	Coronas	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10271; Filed, June 12, 1945; 11:50 a. m.]

[MPR 260, Order 1185]

EMANUEL-GRACIA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Emanuel-Gracia Cigar Factory, 915 17th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Faura	Corona	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10272; Filed, June 12, 1945; 11:50 a. m.]

[MPR 260, Order 1186]

AMB-A-TIP CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Amb-A-Tip Cigar Company, 1200 West North Avenue, Baltimore, Md. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ameera	Sublimes	50	$44	2 for 11
	Commodores	50	154	20
	Majors	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10273; Filed, June 12, 1945; 11:50 a. m.]

[MPR 260, Order 1187]

A. D. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) The A. D. Cigar Co., 1211 Holms Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
The A. D. Cigar	Reinas	50	$72.00	9
	Cadets	50	82.50	11
	Brevas	50	169.00	22
	Panetelas	50	138.00	18
Sylvia Ann	Cadets	50	60.00	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10274; Filed, June 12, 1945; 11:51 a. m.]

[MPR 260, Order 1188]

J. D. MCKEE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. D. McKee Co., 2625 Redondo Blvd., Los Angeles 12, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Jerome	Ambassador	50	$66.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other

seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10275; Filed, June 12, 1945; 11:51 a. m.]

[MPR 260, Order 1189]

PARDO & DEL RIO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pardo & Del Rio Cigar Factory, 2813 Hillsboro Avenue, Tampa, Produce, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front mark	Packing	Maximum list price	Maximum retail price
Pardo & Del Rio	Brevas	50	*Per M* $64	*Cents* 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1945.

Issued this 12th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10276; Filed, June 12, 1945; 11:51 a. m.]

[Order 55 Under 3 (e)]

ASSOCIATED CHEMICAL AND ENGINEERING CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Maximum delivered prices for sales of "Rust Foil", a rust preventive compound manufactured by Associated Chemical and Engineering Corporation, Bremerton, Washington are established as follows:

Size and for sales to—	*Maximum price*
4 ounces:	
Jobber	$0.185
Retailer	.233
Consumer	.35
Pint:	
Jobber	.315
Retailer	.393
Consumer	.59
Quart:	
Jobber	.52
Retailer	.653
Consumer	.98
Gallon:	
Jobber	1.84
Retailer	2.30
Consumer	3.45
5 gallons:	
Jobber	8.00
Retailer	10.00
Consumer	15.00
55 gallons:	
Jobber	73.34
Retailer	91.67
Consumer	137.50

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a jobber, the manufacturer shall furnish such jobber with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of Rust Foil, after the effective date of this order, the manufacturer shall mark or cause to be marked thereon whichever of the following legends is applicable:

4-ounce size—"Maximum retail price 35 cents".
Pint size—"Maximum retail price 59 cents".
Quart size—"Maximum retail price 98 cents".
Gallon size—"Maximum retail price $3.45".
5-gallon size—"Maximum retail price $15.00".
55-gallon size—"Maximum retail price $137.50".

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10387; Filed, June 13, 1945; 12:06 p. m.]

[MPR 120, Order 1388]

B & S COAL, INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

B & S COAL INC., BOX NO. 8, MOUNT CLARE, W. VA., BONAY NO. 3 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2139, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT, BYRON, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	G	G
Rail shipment and railroad fuel	298	298	293	293	288
Truck shipment	333	333	308	298	288

HAUGHT COAL CO., C/O A. D. BRILL, BOX 322, FAIRMONT, W. VA., HAUGHT MINE, PITTSBURGH SEAM, MINE INDEX NO. 2137, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT, SHINNSTON, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	F	F
Rail and river shipments and railroad fuel	308	303	293	273	263
Truck shipment	333	333	308	298	288

HUNTER FORK COAL CO., INC., C/O P. O. BOX 553, GRAFTON, W. VA., OAK MINE NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2139, TAYLOR COUNTY, W. VA., RAIL SHIPPING POINT, FETTERMAN, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment and railroad fuel	298	298	283	273	263
Truck shipment	333	333	308	298	288

S & L COAL CO., C/O D. LEADBETTER, PHILIPPI HOTEL, PHILIPPI, W. VA., S & L NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2138, BARBOUR COUNTY, W. VA., RAIL SHIPPING POINT, PHILIPPI, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment and railroad fuel	298	298	283	273	263
Truck shipment	333	333	308	298	288

D. L. SCHEUERMAN, R. F. D. NO. 1, WATSON, W. VA., MORGAN STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 2199, MARION COUNTY, W. VA., RAIL SHIPPING POINT, RIVESVILLE, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment and railroad fuel	298	298	283	273	263
Truck shipment	333	333	308	298	288

The maximum prices listed in this order include the increases in maximum prices where authorized by Amendment No. 137 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 14, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10378; Filed, June 13, 1945; 11:59 a. m.]

[MPR 120, Order 1389]

GEORGE ENGLERT ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

GEORGE ENGLERT, BOX 11, PROVOST RD., PITTSBURGH 10, PA., ENGLERT NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4325, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, SUPERIOR, PA., STRIP MINE RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	A	A	C	C	F	D	E	E	E	----	-----
Rail shipment	339	339	319	319	284	289	259	259	244	----	-----
Railroad fuel	339	339	319	319	284	289	259	259	234	234	----
Truck shipment	434	434	434	399	369	399	369	334	294	294	279

PAUL GARBART, MCCLELLANDTOWN RD., UNIONTOWN, PA., THOMPSON MINE, PITTSBURGH SEAM, MINE INDEX NO. 4304, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, UNIONTOWN, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 7

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	C	C	C	B	B	B	B	----	-----
Rail shipment	319	319	319	319	319	309	284	284	269	----	-----
Railroad fuel	319	319	319	319	319	309	284	284	269	254	----
Truck shipment	424	424	424	394	384	384	384	319	299	299	274

D. R. HAYDEN, SMITHFIELD, PA., BARRY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4319, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, NEWCOMER, PA., DEEP AND STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 7

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	C	C	B	B	C	C	C	----	-----
Rail shipment	349	349	349	349	349	339	314	314	294	----	-----
Railroad fuel	349	349	349	349	349	339	314	314	294	284	----
Truck shipment	429	429	429	399	389	389	389	324	304	304	279

HENCKEL COAL CO., 142 E. FAYETTE ST., UNIONTOWN, PA., MORGAN MINE, PITTSBURGH SEAM, MINE INDEX NO. 4320, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, SACKETT, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP NO. 7

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	F	F	E	E	E	E	E	E	E	----	-----
Rail shipment	294	294	289	289	289	279	259	259	244	----	-----
Railroad fuel	294	294	289	289	289	279	259	259	249	249	----
Truck shipment	424	424	424	394	384	384	384	319	299	299	274

THE LANGENFELDER MINING CO., 629 MAIN ST., MT. PLEASANT, PA., YOUNGWOOD NO. 4 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4327, WESTMORELAND COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, HARRISTOWN, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 20, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	E	E	E	C	B	B	B	----	-----
Rail shipment	319	319	289	289	289	309	284	284	269	----	-----
Railroad fuel	319	319	366	299	299	309	284	284	269	254	----
Truck shipment	424	424	424	404	374	374	374	324	294	294	264

THE LANGENFELDER MINING CO., 629 MAIN ST., MT. PLEASANT, PA., DRENNEN MINE, PITTSBURGH SEAM, MINE INDEX NO. 4328, WESTMORELAND COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT, NEW KENSINGTON, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 9, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	C	D	D	D	D	----	-----
Rail shipment	319	319	319	319	319	299	279	279	264	----	-----
Railroad fuel	319	319	319	319	319	299	279	279	264	264	----
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

LECKRONE COAL & COKE CO., C/O EMILIO ERMINIO R. D. NO. 1, BOX 16, MCCLELLANDTOWN, PA., SHARPLACK MINE, PITTSBURGH SEAM, MINE INDEX NO. 4329, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, LECKRONE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP NO. 7.

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	C	C	B	B	C	C	C	----	-----
Rail shipment	319	319	319	319	319	309	284	284	264	----	-----
Railroad fuel	319	319	319	319	319	309	284	284	264	249	----
Truck shipment	424	424	424	394	384	384	384	319	299	299	274

[1] The above prices are for deep mined coal. Strip prices for rail shipment and railroad fuel are above prices minus 30¢—truck prices are above prices minus 5¢.

ADAMS COAL CO., PINE TOWER, PA., YOUNG MINE (STANDARD) SEAM, MINE INDEX NO. 3690, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, CHAMP, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP 5

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	D	D	D	D	D	D	D	.....	.....
Rail shipment	319	319	319	319	319	319	319	319	319	319	319
Railroad fuel	319	319	319	319	319	319	319	319	319	319	319
Truck shipment	424	424	424	424	424	424	424	424	424	424	424

1 Presently established.

ASHLEY COAL CO., 1619 BELLEVUE AVE., PITTSBURGH, PA., ASHLEY NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 1507, WESTMORELAND COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, TARR, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 8

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	D	D	D	D	D	D	D	.....	.....
Rail shipment	319	319	319	319	319	319	319	319	319	319	319
Railroad fuel	319	319	319	319	319	319	319	319	319	319	319
Truck shipment	424	424	424	424	424	424	424	424	424	424	424

ROBERT E. BARROWS, BOX 212, STEPHENTOWN, PA., EMPIRE NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 1280, ALLEGHENY CO., PA., SUBDISTRICT 3, RAIL SHIPPING POINT, CORAOPOLIS, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 8

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Rail shipment	319	319	319	319	319	319	319	319	319	319	319
Railroad fuel	319	319	319	319	319	319	319	319	319	319	319
Truck shipment	424	424	424	424	424	424	424	424	424	424	424

BEACON FUEL CO., C/O ROSPINI, GREEN, N. WATERST., CONNELLSVILLE, PA., BEACON NO. 3 MINE, PITTSBURGH SEAM, MINE INDEX NO. 1507, WESTMORELAND COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, TARR, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 8

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Rail shipment	319	319	319	319	319	319	319	319	319	319	319
Railroad fuel	319	319	319	319	319	319	319	319	319	319	319
Truck shipment	424	424	424	424	424	424	424	424	424	424	424

P. W. BRITTAIN, VAN SCIOYOC, PA., BRIDGE NO. 2 MINE, UPPER FREEPORT SEAM, MINE INDEX NO. 6325, WESTMORELAND COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, LAYCOCK, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 8, MAXIMUM TRUCK PRICE GROUP NO. 8

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	E	E	E	E	E	E	E	.....	.....
Rail shipment	319	319	319	319	319	319	319	319	319	319	319
Railroad fuel	324	324	324	324	324	324	324	324	324	324	324
Truck shipment	424	424	424	424	424	424	424	424	424	424	424

COBURN COAL CO., 571 COLLINS AVE., JOHNSTOWN, PA., ELIZABETH MINE, PITTSBURGH SEAM, MINE INDEX NO. 1507, WESTMORELAND COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, SHOAF, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 7

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Rail shipment	319	319	319	319	319	319	319	319	319	319	319
Railroad fuel	319	319	319	319	319	319	319	319	319	319	319
Truck shipment	424	424	424	424	424	424	424	424	424	424	424

PETTIBONE CONSTRUCTION CO., RFD. AND RAILROAD STS., MONONGAHELA, PA., PATTERSON NO. 2 MINE, SEWICKLEY SEAM, MINE INDEX NO. 811, GREENE COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, FOLAND, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 8, MAXIMUM TRUCK PRICE GROUP NO. 11

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	J	J	H	H	H	H	H	H	H	.....	.....
Rail shipment	374	374	374	374	374	374	374	374	374	374	374
Railroad fuel	374	374	374	374	374	374	374	374	374	374	374
Truck shipment	389	389	389	389	389	389	389	389	389	389	389

The maximum prices listed in this order include the increase in maximum prices where authorized by Amendment 137 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 14, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10379; Filed, June 13, 1945; 12:06 p. m.]

[MPR 120, Order 1390]

AJAX COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	D	C	C	C	C	.....	.....
Rail shipment	319	319	319	319	369	369	284	284	284	.....	.....
Railroad fuel	319	319	319	319	369	369	284	284	284	254	.....
Truck shipment	424	424	424	464	374	374	374	314	284	284	284

DELMONT FUEL CO., 409 BANK & TRUST BLDG., GREENSBURG, PA., DELMONT NO. 9 MINE, PITTSBURGH SEAM, MINE INDEX NO. 1507, WESTMORELAND COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, HARRISON CITY, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	D	C	C	C	C	.....	.....
Rail shipment	319	319	319	319	369	369	284	284	284	.....	.....
Railroad fuel	319	319	319	319	369	369	284	284	284	254	.....
Truck shipment	424	424	424	464	374	374	374	314	284	284	284

GOLDEN COAL CO., C/O EMET DIAMOND, W. CHURCH ST., MASONTOWN, PA., EVELYN MINE, PITTSBURGH SEAM, MINE INDEX NO. 4305, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, POINT MARION, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP NO. 7

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	F	F	E	E	E	E	E	E	E	.....	.....
Rail shipment	324	324	319	319	319	369	284	289	274	.....	.....
Railroad fuel	324	324	319	319	319	369	284	289	274	270	.....
Truck shipment	429	429	429	369	389	389	389	324	304	304	279

P. W. JENNINGS, CALUMET, PA., DILLON MINE, PITTSBURGH SEAM, MINE INDEX NO. 4250, WESTMORELAND COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, CALUMET, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	E	E	C	C	B	B	B	.....	.....
Rail shipment	319	319	280	286	316	369	284	284	269	.....	.....
Railroad fuel	319	319	280	286	316	369	284	284	269	254	.....
Truck shipment	424	424	424	464	374	374	374	314	284	284	284

NOTE: The maximum prices listed in this order include the increases in maximum prices where authorized by Amendment 137 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 14, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10320; Filed, June 13, 1945; 11:58 a. m.]

[MPR 120, Order 1391]

EWING AND POTTER COAL CO., AND J. F. KNOWLES

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 15. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plan and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.226 and all other provisions of Maximum Price Regulation No. 120.

EWING & POTTER COAL CO., JERICO SPRINGS, MO., EWING & POTTER MINE, UNNAMED SEAM, MINE INDEX NO. 2689, CEDAR COUNTY, MO., PROD. GROUP NO. 1, STRIP MINE

Size Group Nos.	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15
Truck shipment	339	339	314	299	284	289	299	274	249	234	234	214	114

J. F. KNOWLES, APPLETON CITY, MO., HASSERVILLE MINE, TEPO SEAM, MINE INDEX NO. 2038, BATES COUNTY, MO., PROD. GROUP NO. 2, STRIP MINE

Truck shipment	329	329	304	286	274	299	286	264	264	249	249	229	114

NOTE: The maximum prices listed in this order include the increases in maximum prices where authorized by Amendment 137 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 14, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10381; Filed, June 13, 1945; 12:11 p. m.]

[RMPR 122, Amdt. 24 to Rev. Order 47]

SOLID FUELS IN WASHINGTON, D. C., ARFA AND ALEXANDRIA, VA.

ADJUSTMENT OF AUTHORIZED PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respect:

Paragraph (f3) is amended to read as follows:

(f3) The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for the sales of "Orange Disc Anthracite", by no more than 70 cents per net ton for the egg, stove, nut, pea and buckwheat sizes, and by no more than 60 cents per net ton for the rice size; if:

(1) The dealer keeps "Orange Disc Anthracite" separate in storage and delivery from any other kind of solid fuel;

(2) The dealer keeps complete and accurate records of "Orange Disc Anthracite" for such time as this paragraph (f2) is in effect. The records shall show: the date he received the coal; the name and address of the producer; the quantity in net tons of each delivery to him of such anthracite and all invoices sent him by the producer; and

(3) The "Orange Disc Anthracite" is produced by Payne Coal Company, Miners National Bank Building, Wilkes-Barre, Pennsylvania, and is sold as "Orange Disc Anthracite" by the dealer.

This Amendment No. 24 shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10377; Filed, June 13, 1945; 11:53 a. m.]

[MPR 188, Rev. Order 2244]

PARKER MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries

of certain articles manufactured by Parker Manufacturing Company of Worcester, Massachusetts.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Catalog No.	Maximum price for sales by the manufacturer to retailers	Maximum price for sales by retailers to users
		Per doz.	*Each*
Pruning Shears	8645	$5.20	$0.65
	8647	7.85	.98
	8647	12.00	1.50
	8648	15.60	1.95
	8649	26.40	3.30

These maximum prices are for the articles described in the manufacturer's application dated August 24, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days.

(3) For sales by retailers, the maximum prices apply to all sales and deliveries after the effective date of this revised order. These prices are subject to the seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until such maximum prices have been established by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to any retailer the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for resales by the purchaser.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

(d) This revised order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10340; Filed, June 13, 1945; 12:01 p. m.]

[MPR 188, Rev. Order 3625]

WHALE TOOL CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 3625 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Pli-Wrench (adjustable movable jaw wrench) manufactured by The Whale Tool Corporation of 250 West 57th Street, New York, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES OF PLI-WRENCH (ADJUSTABLE MOVABLE JAW WRENCH)

	Each
By manufacturer to—	
Wholesalers (jobbers)	$1.16
Automotive stores and mill supply jobbers	1.47
Retailers	1.63
By sellers other than the manufacturer to—	
Automotive stores and mill supply jobbers	1.47
Retailers	1.63
Consumers	2.45

These maximum prices are for the articles described in the manufacturer's application dated March 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.45
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10343; Filed, June 13, 1945; 12:04 p. m.]

[MPR 188, Order 3936]

CAMBRIDGE INSTRUMENT CO

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Cambridge Instrument Co., Inc., 3732 Grand Central Terminal Building, New York 17, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by the manufacturer and all other sellers to—		
		Jobbers	Retailers	Consumers
		Each	*Each*	*Each*
Hearing aid	A	$40	$60.67	$80

To the above maximum prices for sales to consumers may be added an amount not to exceed $10 for sales of a fitted earmold including impression fee.

These maximum prices are for the articles described in the manufacturer's application dated March 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$100.00
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10344; Filed, June 13, 1945; 12:09 p. m.]

[MPR 188, Order 3937]

GUTH STERN & CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Guth Stern & Co., Inc., 159 West 25th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Each	*Each*	*Each*
Clamp	8-B	$0.72	$0.95	$1.50

These maximum prices are for the articles described in the manufacturer's application dated May 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.59 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10345; Filed, June 13, 1945; 12:09 p. m.]

[MPR 188, Order 3938]

AERCO CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Aerco Corporation of 12024 Center Street, Hollydale, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES OF TIRE PUMP—MODEL NO. P-15

	Each
By manufacturer to—	
Wholesalers (jobbers)	$1.14
Drop shipping jobbers	1.44
Retailers	1.60
By sellers other than manufacturer to—	
Drop shipping jobbers	1.44
Retailers	1.60
Consumers	2.28

These maximum prices are for the articles described in the manufacturer's application dated December 26, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.28
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10346; Filed, June 13, 1945; 12:05 p. m.]

[MPR 188, Order 3939]

TRACHMAN BROTHERS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Trachman Brothers, 423 East 98th Street, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Each	*Each*	*Each*
Portable table lamp base	1000	$5.27	$6.62	$8.44
Do	1001	5.98	7.50	9.50

These maximum prices are for the articles described in the manufacturer's application dated March 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$ _____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10347; Filed, June 13, 1945; 12:08 p. m.]

[MPR 188, Order 3940]

L. AND E. MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by L. and E. Manufacturing Company, 3213 Church Avenue, Brooklyn 26, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
8" hand wrapped rayon crepe lamp shade with top and bottom braid trim	600	*Each* $0.45	*Each* $0.52½	*Each* $0.91

These maximum prices are for the articles described in the manufacturer's application dated March 20, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.94 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10348; Filed, June 13, 1945; 12:08 p. m.]

[MPR 188, Order 3941]

MISTIC MANUFACTURING CO

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Mistic Manufacturing Company, of 266 McCormick Place, Cincinnati, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by—		
		Manufacturer to—	Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Retailers	Consumers
Mistic glass	No. 1	*Each* $8.28	*Each* $9.20	*Each* $11.50

These maximum prices are for the articles described in the manufacturer's application dated January 31, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days, except that sales to users are net.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$ _____
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10349; Filed, June 13, 1945; 12:08 p. m.]

[MPR 188, Order 3942]

BEACON LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Beacon Lamp Company, 48 A Lombardy Street, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
China Vase Table Lamp with colorful floral decoration	1	*Each* $5.10	*Each* $6.00	*Each* $10.80

These maximum prices are for the articles described in the manufacturer's application dated March 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$10.80 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10350; Filed, June 13, 1945; 12:07 p. m.]

[MPR 188, Order 3943]

THE HOTMILL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Hotmill, of 122 Broad Street, Nevada City, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Retailers	Retailers	Consumers
Lawn sprinkler	"Jupiter Pluvius"	*Each* $1.17	*Each* $1.26	*Each* $1.80	*Each* $2.34

These maximum prices are for the articles described in the manufacturer's application dated April 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with full freight allowed on shipments of 100 pounds or over to jobbers' stock, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.34
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10351; Filed, June 13, 1945; 12:07 p. m.]

[MPR 188, Order 3944]

SPEIDEL CORPORATION

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Speidel Corporation, 70 Ship Street, Providence 2, R. I.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Men's watch bracelet		*Each* $10.50	*Each* $15.50	*Each* $21.00
Ladies' watch bracelet	719	7.00	10.35	20.70

These maximum prices are for the articles described in the manufacturer's application dated May 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maxi-

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$ -----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10347; Filed, June 13, 1945; 12:08 p. m.]

[MPR 188, Order 3940]

L. AND E. MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the L. and E. Manufacturing Co., of 1200 Jefferson Street, Hoboken, New Jersey.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum price for sales by manufacturer to			
		Wholesaler (not jobber)	Jobber	Retailer (including mail order house)	Consumer
Mistic Spray	No. 1	$0.24	$0.24	$0.24	$0.24

(2) For sales and deliveries of the articles listed above by persons other than the manufacturer, the maximum prices are those set forth in § 1499.158 (b) (2) of Maximum Price Regulation No. 188.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.94 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10348; Filed, June 13, 1945; 12:08 p. m.]

[MPR 188, Order 3941]

MISTIC MANUFACTURING CO

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Mistic Manufacturing Company, of 266 McCormick Place, Cincinnati, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

mum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—{$37.20 Each / 25.00 Each}

(Federal Excise Tax Included)
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10352; Filed, June 13, 1945; 12:07 p. m.]

[MPR 188, Order 3945]

TWENTIETH CENTURY PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Twentieth Century Products Co., 117 West Harrison Street, Chicago 5, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	[illegible]	*Each* $6.75	*Each* $8.50	*Each* $11.25

These maximum prices are for the articles described in the manufacturer's application dated April 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.55 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10353; Filed, June 13, 1945; 12:07 p. m.]

[MPR 188, Order 3946]

REYNOLDS INTERNATIONAL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Reynolds International Company, 732 South Federal Street, Chicago 5, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	[illegible]	*Each* $6.75	*Each* $8.50	*Each* $11.25

These maximum prices are for the articles described in the manufacturer's application dated May 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10354; Filed, June 13, 1945; 12:01 p. m.]

[MPR 188, Order 3947]

T & D NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by T & D Novelty Company, 425 Herzl Street, Brooklyn 12, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Bridge [illegible] bridge [illegible]	1101	*Each* $5.74	*Each* $6.75	*Each* $12.15
[illegible] Student [illegible] [illegible]	1201	5.10	6.00	10.80
[illegible]	1301	4.89	5.75	10.35
[illegible] Teacher [illegible]	1401	5.61	6.60	11.88

These maximum prices are for the articles described in the manufacturer's application dated March 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$__
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10355; Filed, June 13, 1945; 12:05 p. m.]

[MPR 188, Order 3948]

NICKAU DESIGN AND MANUFACTURING SERVICE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Nickau Design and Manufacturing Service, of R. F. D. #1, Scotch Plains, New Jersey.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES OF GARDEN HOSE—MODEL NO. N-100

	Per dozen
By manufacturer to—	
Wholesalers (jobbers)	$1.60
Department stores	2.16
Other retailers	2.40
By sellers other than manufacturer to—	
Department stores	2.16
Other retailers	2.40
	Each
Consumers	.30

These maximum prices are for the articles described in the manufacturer's application dated February 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 1% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $0.30
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10356; Filed, June 13, 1945; 12:00 m.]

[MPR 188, Order 3949]

KARL FIFER

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Karl Fifer, 49 Clymer Street, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Metal base, with glass tilted tubine and electrical equipment, table lamp	501	*Each* $3.19	*Each* $3.75	*Each* $6.75
Metal base and column oxydized, with glass fount, table lamp	702	4.98	5.50	9.90

These maximum prices are for the articles described in the manufacturer's application dated March 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales,

and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10357; Filed, June 13, 1945; 12:00 m.]

[MPR 188, Order 3950]

JACKSON INDUSTRIES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Jackson Industries, 2414-2424 N. Sacramento Avenue, Chicago 47, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Maximum price to jobbers, U. S. O. Red Cross and U. S. Govt. agencies—excluding Federal excise tax	$20.90
Maximum price to retailers—excluding Federal excise tax	25.00
Maximum price to consumers—including Federal excise tax	48.50

The above maximum prices are for your Model 4000 portable phonograph reproducer as described in your application dated February 15, 1945.

These maximum prices are for the articles described in the manufacturer's application dated

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$48.50 incl. tax

Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10358; Filed, June 13, 1945; 11:58 a. m.]

[MPR 188, Order 3951]

WRIGHT PRODUCTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net price for sales by any person of the No. 12 screen and storm door catch manufactured by the Wright Products, Inc., shall be:

No. 12 2¾" x 1⅝" x ⅞"—wrought steel electroplated screen and storm door catch:

	Per doz.
(1) On sales to wholesalers and jobbers with screws	$1.80
(2) On sales to retailers with screws	2.40
	Each
(3) On sales to consumers with screws	.30

(b) The maximum net prices specified in (a) above for sales by the Wright Products, Inc., are f. o. b. point of manufacture with full freight allowed on all shipments except those to the states of Washington, Oregon and California. On shipments to Washington, Oregon, California, the Wright Products, Inc., shall allow 50 percent of the actual freight charges; terms 2 percent, 10 days, net 30 days.

(c) In addition to the allowances set forth in (b) above, each seller shall extend discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice of the maximum prices established by this order for his sales to such purchasers as well as the maximum prices established for each purchaser on resale.

(e) Wright Products, Inc. shall print in a conspicuous place on the boxes containing the items subject to this order:

Maximum retail price (including screws) $0.30 each

(f) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10359; Filed, June 13, 1945; 12:10 p. m.]

[MPR 478, Order 145]

ATLANTIC MERCANTILE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478. *It is ordered:*

(a) The maximum prices for sales of the following coated fabric wholesaled by The Atlantic Mercantile Company, 109-123 West 64th Street, New York 23, New York, shall be as follows:

≠6000 quality artificial leather, Weymouth Art Leather Co.'s quality ≠11505 colonial grain: $0.6235 per linear yard for plain colors, $0.6568 per linear yard for reds and maroons. ≠5115-27-54 56", Weymouth Art Leather Co.'s quality ≠11904, tan 5-7 skiver grain, brown 4-8-6 skiver grain: $0.5706 per linear yard.

(b) With or prior to the first delivery of a fabric covered by this order to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resales of this fabric, which is the maximum price set forth in (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10386; Filed, June 13, 1945; 12:09 p. m.]

[MPR 580, Amdt. 1 to Order 24]

SIL-O-ETTE UNDERWEAR CO.

ESTABLISHMENT OF MAXIMUM PRICES

MPR 580, Order 24, Amendment 1. Establishing ceiling prices at retail for branded articles; Docket No. 6063-580-13-158.

For the reasons set forth in an opinion issued simultaneously herewith, Order No. 24 under section 13 of MPR 580 is amended as follows:

Paragraph (a) is amended by substituting the phrase "Brassiere top combination" in place of the word "Brassiere," describing the articles having style Nos. 1199 and 699, and by substituting the phrase "Brassiere top slip" in place of the word "Brassiere," describing the article having style No. 899.

This amendment shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10389; Filed, June 13, 1945; 12:09 p. m.]

[RMPR 136, Order 453]

MACK MANUFACTURING CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 453 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Mack Manufacturing Corporation. Docket Nos. 6083-136.21-285 and 6083-136.21-286.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The Mack Manufacturing Corporation, Empire State Building, New York, New York, is authorized to sell to national accounts, resellers and purchasers at retail, each Mack motor truck containing the chassis described in subparagraph (1) produced under the War Production Board's allocation to the Mack Manufacturing Corporation for 1945 production of 135 units of Model EHU, 65 units of Model EHUT and 300 units of Model EHX at a price not to exceed the applicable list price in that subparagraph, adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2).

(1) *List price.* List price subject to sellers discounts in effect on March 31, 1942:

Model	Description	List price, f. o. b. factory
EHU	Chassis, truck; cab-over-engine; 20,000# gross vehicle weight.	$2,730
EHUT	Chassis, truck-tractor; cab-over-engine; 20,000# gross vehicle weight.	2,775
EHX	Chassis, dump truck; 22,000# gross vehicle weight.	3,165

(2) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the charge in effect on March 31, 1942 for such equipment when used as original equipment (except that for the Mack Model 270 Cab, the charge shall not exceed the list or established price of $325.00 less the discount in effect on March 31, 1942);

(ii) A charge to cover handling and delivery expense computed in accordance with the method the seller had in effect on March 31, 1942;

(iii) A charge to cover freight expense, based on current freight rates and computed in accordance with the method the seller had in effect on March 31, 1942;

(iv) A charge to include the Federal excise tax on tires and tubes and other Federal excise taxes, and State and local taxes, on the truck being sold, computed in accordance with the method the seller had in effect on March 31, 1942.

(b) A reseller of Mack motor trucks may sell, delivered at place of business, each Mack motor truck containing the chassis described in subparagraph (1) below produced under the War Production Board's allocation to the Mack Manufacturing Corporation for 1945 production of 135 units of Model EHU, 65 units of Model EHUT and 300 units of Model EHX at a price not to exceed the total of the applicable list price in that subparagraph and the applicable charges in subparagraph (2) below, subject to the discounts in effect on March 31, 1942.

(1) *List price.*

Model	Description	List price, f. o. b. factory
EHU	Chassis, truck; cab-over-engine; 20,000# gross vehicle weight.	$2,730
EHUT	Chassis, truck-tractor; cab-over-engine; 20,000# gross vehicle weight.	2,775
EHX	Chassis, dump truck; 22,000# gross vehicle weight.	3,165

(2) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the charge the reseller had in effect on March 31, 1942 for such equipment when sold as original equipment (except that for the Mack Model 270 Cab, the charge shall not exceed the list or established price of $325.00 less the discount in effect on March 31, 1942);

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge to cover Federal, State and local taxes on the purchase, sale or delivery of the truck, computed in accordance with the method the reseller had in effect on March 31, 1942;

(iv) A charge for handling and delivery equal to the charge the reseller had in effect on March 31, 1942;

(v) The dollar amount of all other charges the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(c) A reseller of Mack Motor trucks that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942 shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (b) the following applicable charges:

(1) *Charges.* (i) The original equipment retail charge that Mack Manufacturing Corporation suggested on March 31, 1942 be made by resellers for the extra, special or optional equipment attached to the truck as original equipment (except that for the Mack Model 270 Cab, the charge shall not exceed the list price of $325.00 less the discount in effect on March 31, 1942);

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by the Mack Manufacturing Corporation, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover the Federal excise tax on tires and tubes and other Federal excise taxes on the vehicle being sold;

(iv) A charge equal to the reseller's expense for payment of State and local taxes on the purchase, sale or delivery of the truck;

(v) A charge equal to the reseller's actual expense for handling and delivery of the truck.

(d) A reseller of Mack motor trucks in any of the territories or possessions of the United States is authorized to sell the trucks described in paragraph (b) at a price not to exceed the maximum price established in paragraph (b) or (c), whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premium; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(e) The Mack Manufacturing Corporation is required to submit a statement of its detailed unit costs for production runs over the first six months of 1945 of the EHU, EHUT and EHX truck chassis models not later than August 1, 1945.

(f) All requests not granted herein are denied.

This order may be amended or revoked by the Administrator at any time.

NOTE: The manufacturer's maximum price under paragraph (a) is for a truck equipped with natural rubber tires or synthetic rubber tires delivered to it before April 18, 1944. Where the manufacturer has an established price in accordance with Section 8 of Revised Maximum Price Regulation 136 which is different than a price permitted under paragraph (a) because the truck is equipped with synthetic rubber tires delivered to it on or before April 18, 1944, or because of any other substantial changes in design, specifications or equipment of the truck, the reseller may add to its price under paragraph (b), (c) or (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) the reseller must reduce its price under paragraph (b), (c) or

(d) by the amount of the decrease and its customary markup on such an amount.

This order shall be effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10476; Filed, June 14, 1945; 11:44 a. m.]

Regional and District Office Orders.

[Concord Order G-1 Under RMPR 259, Revocation]

MALT BEVERAGES IN CONCORD, N. H., DISTRICT

For the reasons set forth in the accompanying opinion and under the authority vested in the District Director of the Concord, New Hampshire, District Office of the Office of Price Administration by section 4.2 (b) (1) (iii) of Revised Maximum Price Regulation No. 259, and by Region I Revised Order of Delegation under Revised General Order No. 32 and other authority; *It is hereby ordered:*

(a) Order No. G-1 under Revised Maximum Price Regulation No. 259 is hereby revoked.

(b) This order or revocation shall become effective June 14, 1945.

Issued this 7th day of June 1945.

JOHN D. JAMESON,
District Director.

[F. R. Doc. 45-10288; Filed, June 12, 1945; 1:19 p. m.]

[Region II Order G-1 Under Supp. Order 94]

STEEL DRUMS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 93, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the steel drums hereinafter described may be sold by the United States Government or any agency thereof and by any subsequent reseller situated in New York, New Jersey, Maryland, Pennsylvania, Delaware and the District of Columbia.

(b) *Maximum prices.* Maximum prices per unit for the drums described herein shall be:

Description of drums. 10 gallon, 13-16 gauge cylindrical drum, liquid tight, galvanized lining, equipped with laydown handle on top, 2½" threaded fill hole and screw plug, and 1" threaded outlet hole on top with screw plug attached to the drum by a short chain, approximate dimensions 17½" long and 14" diameter.

(1) Maximum prices for sales by the United States Government or any agency thereof for all drums, regardless of condition, to wholesaler or reconditioner, "as is," "where is": $0.50 each.

(2) Maximum prices for sales by wholesalers or reconditioners to retailers or industrial users:

(i) For used or reconditioned drums, free from rust, leaks, dents and in all respects having serviceability equal to that of new drums: $1.35 each delivered by truck within a radius of 50 miles of the plant or warehouse where drums are located.

If delivery by truck of the above drums is made beyond a radius of 50 miles, actual transportation costs for the additional mileage may be added; or if delivery is made by rail, prices apply f. o. b. railroad cars.

(ii) For drums having serviceability less than that of new drums: $0.64 each f. o. b. location of plant or warehouse where drums are located.

(3) Maximum prices, at seller's location, for sales by retailers:

(i) For used drums or reconditioned free from rust, leaks, dents and in all respects having serviceability equal to that of new drums: $2.23 each.

(ii) For drums having serviceability less than that of new drums: $1.06 each.

(c) For the purposes of this order, a drum has serviceability less than that of a new drum when it leaks, is rusted or dented, cannot be closed, requires painting or other reconditioning, or possesses other similar defects.

(d) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(e) *Notification.* Any person who sells the drums described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price, and stating that the retailer is required by this order to attach to each drum before sale a tag or label which plainly states the retail ceiling price.

(f) *Tagging.* Any person who sells the drums described in paragraph (b) at retail shall attach to each drum before sale a tag or label which plainly states the retail ceiling price.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective immediately.

Issued this 7th day of June 1945.

(56 Stat. 23 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-10287; Filed, June 12, 1945; 1:19 p. m.]

[Region IV Rev. Order G-2 Under RMPR 122, Amdt. 1]

SOLID FUELS IN CLARKE COUNTY, GA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-2 under Revised Maximum Price Regulation No. 122 issued by this office on April 20, 1945, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

BITUMINOUS COAL

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.	Per ¼ ton, 100 lbs.
Montevallo 9" block	$11.45	$5.98	$3.13	$0.72
5" to 6" Harlan or Jellico lump or Block (premium)	10.70	5.60	2.93	.70
5" to 6" Harlan or Jellico lump or block (regular) and 2½" x 5" and 3" x 6" Harlan or Jellico egg (premium)	10.20	5.35	2.80	.70
2½" x 5" and 3" x 6" Harlan or Jellico egg (regular) and 6" to 12½" Sticker	9.70	5.10	2.68	.64
Nut and slack	6.80	3.65	1.96	.56

(1) The maximum price for any quantity less than 100 pounds of the above coals shall be determined by adding $1.00 to the applicable per ton price named herein and dividing the sum by the proportionate divisor. For example, the maximum price for 50 pounds of Montevallo 8" Block would be determined as follows:

$11.05 plus $1.00=$12.05
50 pounds=1/40 of 2,000 pounds.
$12.05÷40=$0.30, which is the maximum price.

2. Supplementary Order No. 1 to Revised Order No. G-2 under Revised Maximum Price Regulation No. 122 is hereby revoked, and Supplementary Order No. 1 to Order No. G-37 under Revised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to Revised Order No. G-2 under Revised Maximum Price Regulation No. 122.

Effective date. This amendment shall become effective June 4, 1945.

Issued: May 30, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10283; Filed, June 12, 1945; 1:17 p. m.]

[Region IV Rev. Order G-26 Under RMPR 122]

SOLID FUELS IN ALABAMA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate or township limits of Birmingham, Tarrant City, Fairfield, Homewood, Mountain Brook, Bessemer, Leeds, Irondale, Lipscomb, and Brighton, all in the State of Alabama, and within the area lying within twenty miles of said limits by the most direct highway route. A free delivery zone is established for each dealer and extra charges are set forth for delivery beyond such zone.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-26 supersedes Order No. G-26 under Revised Maximum Price Regulation No. 122 and all amendments thereto and Supplementary Order No. 1 thereunder, and as a result, said order, amendments, and supplementary order are hereby revoked as of the effective date of this order. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Revised Order No. G-26.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

BITUMINOUS COAL FROM DISTRICT NO. 13

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Mine run and screenings (except 3 inches (size groups 1 through 5)			
From (exceptions) mine index No. 6, subdistrict No. 1	$11.10	$5.75	$3.00
From mines in price groups 8, subdistrict No. 1	10.05	5.38	2.91
From (exceptions) mine index Nos. 22, 1360, and 2011	9.70	5.10	2.68
From mines in price groups 6 and 7, and from (exceptions) mine index Nos. 11, 13, 21, 212, and 1733, all in subdistrict No. 1, and			
Trucked from mines in price groups 1, 2, and 3, and from (exceptions) mine index numbers (except all mine index numbers excepted), all in subdistrict No. 2	9.35	4.93	2.70
From (exceptions) mine index Nos. 56, 2012, 2026, and 2027	8.70	4.60	2.43
From mines in price group 9, and from (exceptions) mine index No. 69, in subdistrict No. 1, and			
Trucked from mines in price groups 3 and 4, all in subdistrict No. 2	8.60	4.55	2.40
From (exceptions) mine index Nos. 56, 2012, 2026, and 2027	8.10	4.28	2.24
From mines in price group 9, and from (exceptions) mine index No. 69, in subdistrict No. 1, and			
Trucked from mines in price groups 5 and 6, all in subdistrict No. 2	7.75	4.10	2.24
From mines in price group 8, and from (exceptions) mine index Nos. 56, 2012, 2026, and 2027, all in subdistrict No. 2	7.60	4.03	2.11

(1) BITUMINOUS COAL FROM DISTRICT NO. 13—Continued

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Nut and chestnut coals (size groups 6, 8, and 10, washed)			
From (exceptions) mine index No. 6, in subdistrict No. 1	$10.10	$5.30	$2.78
From mines in price group 8, in subdistrict No. 1	9.25	4.88	2.56
From (exceptions) mine index Nos. 22, 1360, and 2011	9.20	4.85	2.55
From mines in price groups 6 and 7, and from (exceptions) mine index Nos. 11, 13, 21, 212, and 1733, all in subdistrict No. 1, and			
Trucked from mines in price groups 1, 2, and 3, and from (exceptions) all mine index numbers excepted, all in subdistrict No. 2	8.85	4.68	2.46
From (exceptions) mine index Nos. 56, 2012, 2026, and 2027	8.60	4.55	2.40
From mines in price group 9, and from (exceptions) mine index No. 69, all in subdistrict No. 1, and			
Trucked from mines in price groups 3 and 4, all in subdistrict No. 2	8.35	4.45	2.35
From mines in price groups 8 and 9, and from (exceptions) mine index Nos. 22, 56, and 69, all in subdistrict No. 1, and			
Trucked from mines in price groups 6 and 7, in subdistrict No. 2	7.85	4.18	2.21
From mines in price group 1, in subdistrict No. 1	7.45	3.98	2.11
Nut and chestnut coals (size groups 7, 9, and 11, RAW)			
From mines in price group 8, in subdistrict No. 1	9.15	4.85	2.54
From (exceptions) mine index Nos. 22, 1360, and 2011	9.10	4.80	2.53
From mines in price group 6 and 7, and from (exceptions) mine index Nos. 11, 13, 21, 212, and 1733, all in subdistrict No. 1, and			
Trucked from mines in price groups 1, 2, and 3, and from (exceptions) all mine index numbers (except all), all in subdistrict No. 2	8.75	4.63	2.44
From (exceptions) mine index Nos. 56, 2012, 2026, and 2027	8.50	4.50	2.38
From mines in price group 9, and from (exceptions) mine index No. 69, all in subdistrict No. 1, and			
Trucked from mines in price groups 4 and 5, all in subdistrict No. 2	8.50	4.50	2.33
From mines in price groups 8 and 9, and from (exceptions) mine index Nos. 22, 53, and 69, all in subdistrict No. 1, and			
Trucked from mines in price groups 6 and 7, in subdistrict No. 2	7.80	4.12	2.20
From mines in price group 1, in subdistrict No. 1	7.55	3.93	2.09
Mine run and resultants over 3 inches (size groups 12, 14, 15, and 16, washed			
From mines in price groups 3, 4, 6, 7, 8, and 9, and from (exceptions) mine index Nos. 11, 56, 212, 13, 21, 69, 1402, 1733, 2012, 2026, and 2027, all in subdistrict No. 1, and			
Trucked from mines in price groups 1 through 7, and from (exceptions all mine index numbers (except), and mine index Nos. 2012, 2026, and 2027, all in subdistrict No. 2	8.25	4.38	2.31
From (exceptions) mine index Nos. 56, 68, and 78, in subdistrict No. 1	7.75	4.13	2.19
From mines in price group 1, in subdistrict No. 1	7.40	3.90	2.10
Mine run and resultants over 3 inches (size groups 13, 14, 15, and 16, washed			
From (exceptions) mine index Nos. 22, 1360, and 2011, all in subdistrict No. 1	8.20	4.43	2.34
From mines in price group 8, and from (exceptions) mine index No. 1733, all in subdistrict No. 1 and			
Trucked from mines in price groups 1 through 7, and from (exceptions all mine index numbers (except), and mine index Nos. 2012, 2026, and 2027, all in subdistrict No. 2	8.05	4.38	2.31

(1) BITUMINOUS COAL FROM DISTRICT NO. 13—Continued

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Mine run and resultants over 3 inches (size groups 13, 14, 15, and 16, washed)—Con.			
Trucked from (exceptions) mine index Nos. 22, 1360, and 2011, all in subdistrict No. 2	$8.10	$4.30	$2.28
From mines in price groups 3, 4, 6, 7, and 9, and from (exceptions) mine index Nos. 11, 56, 212, 13, 21, 69, 1402, 1733, 2012, 2026, and 2027, all in subdistrict No. 1, and			
Trucked from mines in price groups 1 through 7, and from (exceptions) mine index Nos. 6, 7, 8, 9, 11, 13, 17, 18, 21, 24, 500, 1420, 1733, 2012, 2026, and 2027, all in subdistrict No. 2	8.00	4.25	2.27
From (exceptions) mine index Nos. 35 and 53, in subdistrict No. 1	7.60	4.05	2.15
From mines in price group 1, in subdistrict No. 1	7.70	3.98	2.08
Resultants and screenings 3 inches and over (size groups 17 and 18, washed			
From (exceptions) mine index Nos. 22, 1360, and 2011, all in subdistrict No. 1	8.00	4.25	2.26
Trucked from (exceptions) mine index Nos. 22, 1360, and 2011, all in subdistrict No. 2	8.05	4.28	2.28
From mines in price groups 3, 4, 6, 8, and 9, and from (exceptions) mine index Nos. 11, 56, 68, 212, 13, and 69, all in subdistrict No. 1, and			
Trucked from mines in price groups 1 through 7, and from (exceptions all mine index numbers (except), and mine index Nos. 2012, 2026, and 2027, all in subdistrict No. 2	7.85	4.18	2.21
From mines in price group 1, in subdistrict No. 1	7.90	3.99	2.08

(2) COKE

Stove and stove-nut	$8.90	$4.70	$2.48
Nut	8.55	4.53	2.39
Nut-chestnut	8.05	4.28	2.26
Chestnut	7.95	4.03	2.14

(f) *Maximum authorized service charges and required deductions*—(1) *Yard sales.* When a consumer picks up coal at the dealer's yard, the domestic price must be reduced at least $1.00 per ton. When another dealer picks up coal at the dealer's yard, the domestic price must be reduced at least $1.50 per ton.

except that when another dealer picks up coal at Empire Coal Yards, the domestic price on Egg and Nut Coals must be reduced at least $2.10 per ton and on Resultants must be reduced at least $2.40 per ton.

(2) *Treated coals.* If a dealer's supplier has subjected the coal to oil, calcium chloride, or waxing treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 15¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(3) *Sacked coal.* For coal sold in 100 pound sacks, the dealer may charge not more than 52¢ per sack, at the yard, plus 15¢ per sack if the dealer furnishes the sack, and not more than 62¢ per sack, delivered to the consumer at any point other than the dealer's yard, plus 15¢ per sack if the dealer furnishes the sack.

(4) *Quantity discounts.* When a buyer purchases coal in quantities of twenty tons or more, but in less than carload quantities in a single delivery, and delivery is made in quantities of two tons or more, the dealer must reduce the domestic price at least 50¢ per ton. On carload sales to a single buyer, the dealer may not charge more than the maximum mine price plus actual transportation cost from the mine to the point at which the coal is unloaded plus $1.25 per ton.

(5) *Carry or wheel service.* If the buyer requests such service, the dealer may charge not more than 75¢ per ton therefor.

(6) *Taxes.* The Alabama State Sales Tax may be added to the prices established by this order. The Transportation Tax of 4¢ per ton may also be added.

(7) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of the city or township in which his yard is located or for delivery within five miles (measured by the most direct highway route) of the corporate limits of such city or town. For deliveries beyond the free delivery zone thus described, but within the area covered by this order, the dealer may charge not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for such delivery.

(8) *Credit.* No additional charges may be made for the extension of credit.

Effective date. This order shall become effective June 5, 1945.

Issued May 31, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10282; Filed, June 12, 1945; 1:17 p. m.]

[Region IV Order G-38 Under RMPR 122, Amdt. 1]

SOLID FUELS IN VIRGINIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G-38 under Revised Maximum Price Regulation No. 122 issued by this office on April 14, 1945, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this Order are as follows for sales on a "direct delivery or domestic" basis:

(1) LOW VOLATILE BITUMINOUS COAL FROM DISTRICT No. 7

Size	Per ton, 2,000 lbs.	Per lb. ton, 1,000 lbs.
Egg (top size larger than 3", bottom size no limit, in price classifications A through E, inclusive), and stove (top size larger than 1¼" but not exceeding 3", bottom size smaller than 3") in price classifications A, B, and C	$12.41	$6.16
Nut (top size larger than ¾" but not exceeding 1¼" bottom size smaller than 1¼") in price classification A	11.41	5.66
Stoker pea (top size not exceeding ¾", bottom size smaller than ¾") in price classification A	10.81	5.66
Screened domestic run-of-mine in price classifications A through D, inclusive	10.91	5.71
Straight (industrial) run-of-mine in price classifications A and B	8.21	

(2) HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Split egg (top size larger than 3" but not exceeding 6", bottom size larger than 2" but not exceeding 3") in price classifications G through K, inclusive, and Splint stove (top size larger than 3" but not exceeding 6", bottom size 2" and smaller) in price classifications H through H, inclusive	$10.75	$5.63
Lump coal, size group No. 2 from mine index No. 5051 of the coal processing corporation	11.60	6.05

(3) YARD STOCK (COALS FROM DISTRICTS No. 7 AND 8)

Yard Stock	$7.10	$3.95

(4) PENNSYLVANIA ANTHRACITE

Nut, stove and egg	$16.10	$8.40
Pea	14.85	7.68

(5) BRIQUETTES

Pennsylvania briquettes	$11.05	$7.28
Briquettes from district No. 7	13.65	7.08

2. Supplementary Order No. 1 to Order No. G-38 under Revised Maximum Price Regulation No. 122 is hereby revoked, and Supplementary Order No. 1 to Order No. G-37 under Revised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to Order No. G-38 under Revised Maximum Price Regulation No. 122.

Effective date. This amendment shall become effective June 4, 1945.

Issued: May 30, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10281; Filed, June 12, 1945; 1:16 p. m.]

[Region IV Order G-39 Under RMPR 122, Amdt. 1]

SOLID FUELS IN GEORGIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-6 under Revised Maximum Price Regulation No. 122 issued by this office on April 21, 1945, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) HIGH VOLATILE BITUMINOUS COAL [illegible] No. 8

Size	Per ton, 2,000 lbs.	Per [illegible] ton, [illegible] lbs.	Per [illegible] ton, [illegible] lbs.
Block	$9.65	$4.85	$2.55
Egg	9.30	4.70	2.45
Stoker	8.40	4.25	2.25

2. Subparagraph (f) (2) is amended to read as follows:

(f) * * *

(2) *Sacked coal.* For coal sold in sacks or bags, the dealer may charge not more than 51¢ per 100 pounds at his yard, or 61¢ per 100 pounds delivered to the purchaser's premises.

3. Supplementary Order No. 1 to Order No. G-39 under Revised Maximum Price Regulation No. 122 is hereby revoked, and Supplementary Order No. 1 to Order No. G-37 under Revised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to Order No. G-39 under Revised Maximum Price Regulation No. 122.

Effective date. This amendment shall become effective June 4, 1945.

Issued May 30, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10280; Filed, June 12, 1945; 1:15 p. m.]

[Region VII Order G-1 Under Gen. Order 61]

USED LUMBER IN UTAH AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and General Order No. 61, and for the reasons set forth in the accompanying opinion, this Order No. G-1 is issued.

ARTICLE I. COVERAGE OF THIS ORDER

SECTION 1. *Products, transactions and areas covered.* This order applies to sales or purchases by any person of the categories of used lumber for which maximum prices are established in any supplement to this order, when made for delivery in the area described in such supplement; or to sales and purchases made from stock in any such area for

delivery outside of the area, if no dollar-and-cents ceiling prices have been issued under General Order No. 61 for the geographical location in which delivery is made.

ARTICLE II. DEFINITIONS

SEC. 2. *Used lumber.* Used lumber means lumber and lumber products which have been recovered from, and were at one time a part of, a building, structure or fabricated item made wholly or partially of lumber.

SEC. 3. *Categories of used lumber.* Maximum prices are established in the supplements to this order for the categories of used lumber described below, including such lumber when run to standard or special patterns; but such descriptions are not intended to, and do not, include items customarily produced and sold as mouldings or millwork.

(a) *Boards.* Used lumber of less than 2" nominal thickness ("nominal thickness" means the thickness of the piece before planing. Actual thickness, after planing to produce an even and uniform surface, is generally ¼" to ⅜" less than nominal thickness).

(b) *Dimension.* Used lumber of 2" nominal thickness.

(c) *Planks or small timbers.* Used lumber of over 2" and up to and including 4" nominal thickness and of 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8".

(d) *Large timbers.* Used lumber of nominal sizes larger than 6" x 8"; also nominal thicknesses of more than 2" when wider than 12".

(e) *Flooring.* Used lumber planed to approximately $^{25}/_{32}$" thickness, and which has tongue and groove or other construction commonly used for flooring.

(f) *Plywood.* Three or more thin layers of lumber, glued together with the grain of each layer at an angle to that of the adjoining layer, to form a material having the general characteristics of a thin board.

(g) *Scrap lumber* is used lumber of any of the other categories described in this section which, because of defects in quality or deficiencies in size, does not meet the grade specifications in section 4.

SEC. 4. *Grades.* The following are the grades of used lumber for which maximum prices are established by the several supplements to this order:

(a) *Grades of boards, dimension, planks and timbers.* (1) Shelving grade is used clear lumber other than pitchy selects, surfaced four sides, having a thickness of ½", ⅝", or ¾" and a width of 10" or more, free from loose or rotten knots, knotholes, and rot, and free from all knots except pin knots not to exceed three to a piece of whatever length.

(2) Prime grade is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5 feet in length, and which are sound, strong, of uniform width and thickness, suitable for substantial construction purposes, free from loose or rotten knots, knotholes, and rot, and without other defects which might materially impair the strength of the piece.

(3) Secondary grade is used lumber in the form of boards, dimension, planks, or timbers, which individually are at least 5 feet in length, and which though failing to qualify as prime grade are reasonably good construction lumber. They must be free from rot, but may contain loose knots, knotholes or other defects which do not interfere with their use for construction purposes. Each piece must show more than 50 percent prime grade lumber in lengths of at least 5 feet.

(b) *Grades of flooring and siding.* (1) Reclaimed flooring or siding is used flooring or siding of standard $^{25}/_{32}$" thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of ⅛" in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue may be missing on any piece nor more than 25 percent of the lower surface representing the under part of the groove.

(2) Unreclaimed flooring or siding is used flooring or siding which meets the specifications for reclaimed flooring or siding except that nails or other foreign matter have not been removed.

(c) *Grades of plywood.* (1) Prime grade is used plywood which is firmly bonded, free from rot, splits, foreign matter and holes other than nail holes, in pieces of square or rectangular shape at least four square feet in size, and having two smooth faces suitable for painting.

(2) Wallboard grade is plywood which is firmly bonded, free from rot, splits, foreign matter and holes other than nail holes, in pieces square or rectangular in shape at least four square feet in size, and having at least one smooth face suitable for painting.

(3) Secondary grade is used plywood in pieces at least two square feet in size, reasonably free from splits, holes other than nail holes, and foreign matter, so that at least 75 percent of the piece meets the specifications for prime grade (except for size and shape).

SEC. 5. *Persons.* The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or their legal successors or representatives; the United States, or any government, or any of its political subdivisions, or any agency of the foregoing.

SEC. 6. *Sales.* "Sale" includes a barter, exchange, lease or transfer, and an agreement or offer to sell, barter, exchange, lease or transfer.

SEC. 7. *Established yard.* Seller's established yard means premises occupied by the seller for the purpose of regularly and continually maintaining a stock of new and/or used lumber from various unrelated sources of supply.

ARTICLE III—SPECIFIC REQUIREMENTS

SEC. 8. *Posting ceiling prices.* Every person selling used lumber for delivery in, or from stocks located in, the area covered by this order shall obtain from the Office of Price Administration at least two copies of this order and the applicable supplement thereto. One copy of such order and applicable supplement must be posted and maintained in a prominent place at or near each location in the area where used lumber is offered for sale, in such manner that it can be easily read, and that purchasers can approach it within a distance of two feet. One other copy must be kept available so that it may be shown to and read by any customer at his request.

SEC. 9. *Sales slips and receipts.* Where a sale of used lumber is covered by this order and the total price of the sale is $5 or more, the seller shall, regardless of his previous practice and whether or not requested by buyers, give to the buyer a sales slip, bill, receipt, or other written evidence of the sale, setting forth the following:

Name and address of seller _____
Buyer's name _____
Place of delivery _____
Location from which stock is sold (seller's yard or site other than seller's yard) _____
_____
Description of items sold and itemized prices (in terms of categories, grades, lengths, quantities and any other specification affecting the price) _____
Total price _____
Additions (for delivery or other extra) _____
_____

SEC. 10. *Records and reports.* Every person who makes a sale of used lumber shall keep a record of such sale showing the name of the buyer and place of delivery, date of the sale, the grades sold, the quantities sold and the price charged in the same detail as required in section 9. Such records shall be kept for a period of 2 years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever be the shorter.

ARTICLE IV—PROHIBITED PRACTICES AND PENALTIES

SEC. 11. *Sales of used lumber at higher than maximum prices prohibited.* (a) On and after the effective date of this order, regardless of any contract or obligation, no person shall make a sale or delivery of used lumber of the varieties covered by this order and no person shall buy or receive such used lumber under a sale, at prices higher than the maximum prices fixed by the applicable supplement to this order; and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 12. *Prohibited practices.* Any practice which is designed to get the effect of a higher than ceiling price is as much a violation of this order as a direct over-the-ceiling charge. Such practices include, but are not limited to, the following:

(a) Getting the effect of a higher price by changing the credit practices from what they were in March 1942. This includes decreasing credit periods, or making greater charges for extension of credit.

(b) Refusing to sell except in small quantities, or with or without delivery under circumstances which bring the seller an extra return.

(c) Wrongly grading used lumber for which maximum prices are fixed by the applicable supplement to this order; or incorrectly or incompletely recording the information required by section 9 to be set forth on the sales slip, receipt or other evidence of sale.

(d) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(e) Charging, paying or receiving a commission for the service of procuring, buying, selling, or locating used lumber covered by any supplement to this order, or for any related service which does not involve actual physical handling of used lumber, if the commission plus the purchase price results in a total payment by the buyer of such used lumber which is higher than the maximum price permitted by the applicable supplement to this order. For the purpose of this order, a commission is any compensation, however designated, which is paid, wholly or in part, for the procurement of lumber, and which is based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

SEC. 13. *Penalties.* (a) Any person violating any provision of this order or any provision of a supplement to this order is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided for in the Emergency Price Control Act of 1942, as amended.

(b) Any person making a sale of used lumber covered by this order for which the total price fixed by the applicable supplement is higher than $5 and who either fails to give the buyer a sales slip, paid bill, receipt or other evidence of sale, or although such document is given, fails to set forth in it the information required to be set forth by section 9, so that a determination can be made as to whether or not the price charged was proper, shall be limited to making a charge of $5 per M'BM for all lumber delivered under such sale. The application or enforcement of this provision to a sale or against a seller shall not exclude the application or enforcement of the penalties provided in paragraph (a) of this section.

ARTICLE V—MAXIMUM PRICES

SEC. 14. Ceiling prices for any category of used lumber for which maximum prices are not fixed in a supplement to this order are subject to the General Maximum Price Regulation.

SEC. 15. *Maximum prices.*—(a) *Local sales out of the seller's established yard.* The maximum prices set forth in the applicable supplement to this order shall apply to all sales of used lumber of the categories covered by this order, when the used lumber, at the time the order is taken, is part of a stock at the seller's established yard, and delivery is made either at the yard, or by truck, within a radius of 30 miles of such yard. If rail shipment either by the seller or buyer is to be made, see paragraph (c) (2) of this section.

(b) *Local sales from site other than the seller's established yard.* When a sale is made for delivery from stock located at a site other than the seller's established yard, and delivery is made either at the site, or by truck within a radius of 30 miles of such site, the maximum prices applicable to such sale shall be $2 per M'BM less than the prices set forth in the applicable supplement to this order. If rail shipment either by the seller or buyer is to be made, see paragraph (c) (2) of this section.

(c) *Other than local sales*—(1) *When delivery is by truck.* When a sale is made for delivery by truck to the buyer at a point located farther than 30 miles from the place where the shipment originates, the maximum price applicable to such sale shall be $5 per M'BM less than the price fixed for a local sale from such place under paragraph (a) or (b) above.

(2) *When rail transportation is involved.* When a sale is made which involves shipment by rail of used lumber, either by the buyer or seller, from the seller's established yard or from a site other than such yard, the maximum price applicable to such sale shall be $5 per M'BM less than the price fixed for a local sale from such place under paragraph (a) or (b) above.

SEC. 16. *Additions for delivery.* (a) If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller may not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, the seller may add a charge for delivery as follows:

(1) Where delivery is by common or contract carrier, the actual amount paid to the carrier by the seller may be charged.

(2) Where delivery up to 100 miles is by truck owned or controlled by the seller, the amount added for delivery may not be higher than 10 cents per M'BM for each mile to place of delivery, but not for any part of the return trip. When truck delivery over 100 miles is to be made, the addition may not be more than 10 cents per M'BM for each mile from the point of origin to the nearest possible point of rail loading-out plus the amount of rail transportation from there to destination.

(3) A minimum charge of 75 cents may be made on any delivery, where the permissible charges do not amount to 75 cents.

(c) If the buyer elects to take delivery at the site of the lumber or at the seller's established yard, no reduction in price shall be required for that reason.

This order or any supplement hereto may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

ARTICLE VI—AREA PRICING SUPPLEMENTS

SUPPLEMENT I

SEC. 17. *Utah Area Supplement.* (a) "Utah Area" means all of the State of Utah and all that part of Mohave and Coconino Counties in the State of Arizona lying north of the Colorado River.

(b) On and after the effective date of this Order No. G-1, the maximum prices for used lumber of the categories and grades specified in sections 3 and 4 shall be the dollars-and-cents prices set forth in the following

TABLE OF MAXIMUM PRICES

A. BOARDS, DIMENSION, PLANKS, AND SMALL TIMBERS

When cleaned of nails, bolts and other [illegible]

[Maximum prices per thousand board feet]

Length	Shelving grade	Prime grade			Secondary grade	
	5 feet and longer	5 to 20 feet	Over 20 feet	5 to 20 feet	Over 20 feet
Boards	$50	$37	$39	$30	$32
Dimension	--	37	39	30	32
Planks and small timbers	-----	39	41	32	34
Large timbers	-----	41	44	34	37

When not so cleaned, Deduct $5.00 per thousand board feet from the above prices.

B. FLOORING AND SIDING, ANY LENGTH

[Prices per lineal foot]

Reclaimed flooring or siding, softwood	$.03
Unreclaimed flooring or siding, softwood	.03
Reclaimed flooring, hardwood	.04
Unreclaimed flooring, hardwood	.05

C. PLYWOOD

[Maximum prices per square foot, surface measure]

Thickness	Prime grade	Wallboard grade	Secondary grade
	Cents	Cents	Cents
¼ inch	4.5	3.5	3.5
⅜ inch	4.7	4.5	4.5
½ inch	6.2	5.7	5.7
⅝ inch	7.5	7.5	7.5
¾ inch	8.5	8.5	8.5

Intermediate thicknesses take the price of the next larger thickness listed.

D For sales amounting in total for all items to less than $10.00, the prices in A, B, and C above may be increased by 10 percent.

E. *Scrap Lumber.* $7 per thousand board feet when stock is at the distribution yard; $5 per thousand board feet when sold from site other than the seller's established yard.[1]

This Order No. G-1 shall become effective June 1, 1945.

Issued this 2d day of June 1945

RICHARD Y. BATTERTON
Regional Administrator.

[F. R. Doc. 45-10279; Filed, June 12, 1945; 1:15 p. m.]

[Region VII Order G-1 Under MPR 122 Amdt. 3]

BITUMINOUS COAL IN UINTAH COUNTY, UTAH

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) (2) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion this Amendment No. 3 is issued.

1. Paragraph (b), *Specific maximum prices*, as heretofore amended by Amendments No. 1 and No. 2, is hereby further amended by adding thereto the following: "The maximum prices hereinabove set forth are subject to the applicable increases authorized by Order No. G-28 under Revised Maximum Price Regulation No. 122."

2. *Effective date.* This Amendment No. 3 shall become effective on the 4th day of June 1945.

Issued this 4th day of June 1945.

RICHARD Y. BATTERTON.
Regional Administrator.

[F. R. Doc. 45-10285; Filed, June 12, 1945; 1:18 p. m.]

[Region VII Order G-3 Under MPR 120, Amdt. 1]

SOLID FUELS IN LEWISTOWN TRADE AREA, MONT.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.209 of Maximum Price Regulation No. 120, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (c) of Order No. G-3 is hereby amended by adding thereto the following: "*Provided, however*, That the maximum prices hereby established, as set forth in paragraph (d) hereof, shall be subject to the increases authorized by Order No. G-4 under Revised Maximum Price Regulation No. 122."

2. *Effective date.* This Amendment No. 1 shall become effective retroactively as of May 11, 1945.

Issued this 4th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-10286; Filed, June 12, 1945; 1:18 p. m.]

[Region VII Order G-4 Under Order 1444 Under MPR 188]

STEVITOYS ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-4 is issued.

(a) *What this order does.* This Order No. G-4 establishes maximum prices for a toy set manufactured by T. R. Hefley, doing business as Stevitoys, of Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-4, the maximum prices for the toy set manufactured by T. R. Hefley, doing business as Stevitoys, of Denver, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as part of the record in this case, and by him designated "Steviboat Set", shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler, $13.20 per dozen.

(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer, $16.50 per dozen.

(3) When sold by any seller to an ultimate consumer or user, $2.25 each.

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-4 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-4 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this "Steviboat Set" are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer, $16.50 per dozen.

(2) When sold by any seller to an ultimate consumer or user, $2.25 each.

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G-4 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The prices authorized by this Order No. G-4 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-4 shall become effective on the 4th day of June 1945.

Issued this 4th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-10284; Filed, June 12, 1945; 1:18 p. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4418, 4426, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 367, 375, 391a, 392, 404, 489) and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

TELEPHONE SYSTEMS

Sound powered telephone equipment, 8 stations maximum, splashproof, Types II, III, IV, V, VI, VII, and VIII (Dwg. No. 70-516-2, dated 12 June, 1942, Alt. 7, dated 23 February, 1945); Sound powered telephone, 17 stations maximum, splashproof, Types II, III, IV, V, and VI (Dwg. No. 70-516-3, dated 23 November, 1944, Alt. 0); Sound powered telephone, 8 stations maximum, watertight, Types B and P (Dwg. No. 70-517-3, Sheets 1 & 2, dated 20 April, 1942, Alt. 7, dated 30 June, 1943), submitted by Henschel Corporation, Amesbury, Mass.

Dated: June 13, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-10465; Filed, June 14, 1945; 11:17 a. m.]

WAR SHIPPING ADMINISTRATION.

"SEVEN SEAS"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on April 10, 1942, title to the vessel "Seven seas" (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been published in the FEDERAL

[1] For the purpose of scrap lumber the conversion factor when sold by the ton shall be 2,000 pounds per thousand board feet.

REFERENCE

REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. • • •

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: June 13, 1945.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 45-10514; Filed, June 14, 1945; 11:54 a. m.]

WARSHIPOPENCARGO POLICIES

NOTICE OF CANCELLATION

Notice is hereby given that effective as to all shipments,

(a) Under Ocean Bills of Lading dated on or after the 1st day of July, 1945 or

(b) If Ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

(c) If no Ocean Bills of Lading or equivalent shipping documents are issued, or the same are undated, laden on overseas vessel on and after said date,

all outstanding Warshipopencargo policies are hereby canceled.

[SEAL] E. S. LAND,
Administrator.

JUNE 13, 1945.

[F. R. Doc. 45-10513; Filed, June 14, 1945; 11:54 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 120

Washington, Saturday, June 16, 1945

The President

EXECUTIVE ORDER 9569

INSPECTION BY THE OFFICE OF PRICE ADMINISTRATION OF CORPORATION STATISTICAL TRANSCRIPT CARDS PREPARED FROM INCOME AND DECLARED VALUE EXCESS PROFITS TAX RETURNS

By virtue of the authority vested in me by sections 55 (a) and 603 of the Internal Revenue Code (53 Stat. 29, 111), it is hereby ordered that corporation statistical transcript cards prepared by the Bureau of Internal Revenue from corporation income and declared value excess profits tax returns made under the Internal Revenue Code, as amended, for any taxable year ending after June 30, 1943, and before July 1, 1944, shall be open to inspection by the Office of Price Administration; such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decision 5173, approved October 26, 1942, relating to the inspection of similar cards by the Office of Price Administration, and the amendments approved March 7, 1944, and this date.[1]

This order shall be published in the FEDERAL REGISTER.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 14, 1945.

[F. R. Doc. 45-10356; Filed, June 15, 1945; 11:50 a. m.]

EXECUTIVE ORDER 9570

POSSESSION AND OPERATION OF THE TRANSPORTATION SYSTEM, PLANTS, AND FACILITIES OF THE SCRANTON TRANSIT COMPANY LOCATED IN AND ABOUT THE CITY OF SCRANTON, PENNSYLVANIA

WHEREAS after investigation I find and proclaim that as a result of labor disturbances there are existing interruptions of the operations of the transportation system and of certain plants and facilities owned and operated by the Scranton Transit Company located in and about the City of Scranton, Pennsylvania; that the war effort will be unduly impeded and delayed by such interruptions; that it has become necessary to take possession and assume control of the said transportation system, plants, and facilities for purposes that are needful or desirable in connection with the prosecution of the war; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure in the interest of the war effort the operation of the said transportation system, plants, and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 as amended by section 3 of the War Labor Disputes Act, the Act of August 29, 1916, 39 Stat. 645, and the First War Powers Act, 1941, as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. The Director of the Office of Defense Transportation is authorized and directed, through or with the aid of any public officers, Federal agencies, or other government instrumentalities that he may designate, to take possession and assume control of the said transportation system, plants, and facilities owned and operated by the Scranton Transit Company located in and about the City of Scranton, Pennsylvania, including all real and personal property and other assets used or useful in connection with the operation of such transportation system, plants, and facilities, and to operate or to arrange for the operation of the said transportation system, plants and facilities in such a manner as he may deem necessary for the successful prosecution of the war; and do anything that he may deem necessary to carry out the provisions and purposes of this order.

2. Subject to applicable provisions of existing law, including the orders of the Office of Defense Transportation issued pursuant to Executive Orders 8989, as amended, 9156, and 9294, the said transportation system, plants, and facilities

(Continued on p. 7237)

[1] See Title 26, *infra.*

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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shall be managed and operated under the terms and conditions of employment in effect at the time possession is taken under this order.

3. Except with the prior written consent of the Director, no attachment by mesne process, garnishment, execution, or otherwise shall be levied on or against any of the real or personal property or other assets, tangible or intangible, in the possession of the Director hereunder.

4. Possession, control, and operation of any plant or facility, or of the transportation system, or any part thereof, or any real or personal property, taken under this order shall be terminated by the Director when he determines that such possession, control, and operation are no longer necessary for the successful prosecution of the war.

5. For the purposes of paragraphs 1 to 4, inclusive, of this order, there are hereby transferred to the Director the functions, powers and duties vested in the Secretary of War by that part of section 1 of the said Act of August 29, 1916, reading as follows:

"The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war material and equipment, or for such other purposes in connection with the emergency as may be needful or desirable."

6. The Director of the Office of Defense Transportation may request the Secretary of War to furnish protection for persons employed or seeking employment in the plants, facilities, or transportation system of which possession is taken and to furnish protection for such plants, facilities, and transportation system, and may request the Secretary of War to furnish equipment, manpower, and other facilities or services deemed necessary by the Director to carry out the provisions and purposes of this order; and the Secretary of War is authorized and directed upon such request to take such action as he deems necessary to furnish such protection, equipment, manpower, or other facilities or services.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 14, 1945.

[F. R. Doc. 45-10558; Filed, June 15, 1945; 11:50 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VII—War Food Administration
(Agricultural Adjustment)

[Bulletin NSCP-901, Supp. 1]

PART 706—NAVAL STORES CONSERVATION PROGRAM

CONDITIONS OF PAYMENT

1. Section 706.605 is amended by adding thereto a new paragraph (g):

(g) *Good production practice.* Faces must average, by tracts or drifts, at least 28 streaks by November 15, 1945.

2. Section 706.606 (a) is amended by adding a new paragraph (8):

(g) ½¢ additional per face for each face worked under the good production practice as prescribed in § 706.605 (g).

(49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205, 746; 53 Stat. 550, 573; 16 U.S.C. 1940 ed. 590g-590q; 54 Stat. 216; 55 Stat. 257, 860; 56 Stat. 761; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued at Washington, D. C., this 14th day of June 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-10539; Filed, June 15, 1945; 11:08 a. m.]

Chapter XI—War Food Administration
(Distribution Orders)

[WFO 132]

PART 1468—GRAIN

RESTRICTIONS ON DISTRIBUTION AND USE OF CORN

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of corn for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.11 *Restrictions on the distribution and use of corn*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(2) "Corn" means yellow, white, or mixed shelled corn, or snap corn, of the dent or flint varieties, in any form, including, but not limited to, such corn, whether whole or crushed, or mixed with other grains.

(3) "Distiller" means any person engaged in the business of manufacturing alcohol or alcoholic beverages or spirits by any process which includes distillation.

(4) "Export" means the shipment of corn to a foreign country or the sale of corn to the government of a foreign country or to any other buyer whose principal place of business is in a foreign country. The term includes such a shipment or sale made at any time after the effective date of this order.

(5) "Futures contract" means a contract of sale for future delivery of corn traded in on any contract market designated under the Commodity Exchange Act.

(6) "Acceptance of delivery" means to receive custody, control, or physical possession, or legal title.

(7) "Order Administrator" means the Chief of the Agriculaural Adjustment Agency, War Food Administration.

(b) *Restrictions on distribution to distillers.* Subject to the provisions of (d) hereof, on and after the effective date of this order, no person shall sell or contract to sell corn to any distiller, and no distiller, or any person acting on behalf of a distiller, shall purchase, contract to purchase, or accept delivery of corn, *Provided, however,* That delivery of corn may be accepted by a distiller pursuant to a contract, other than a futures contract, entered into prior to the effective date of this order.

(c) *Restrictions on distribution for export.* Subject to the provisions of (d) hereof, on and after the effective date of this order, no person shall purchase or contract to purchase corn for export.

(d) *Futures contracts.* The restrictions of (b) and (c) hereof shall not apply to a futures contract, *Provided, however,* That no person who, on or after the effective date of this order, accepts delivery of corn pursuant to a futures contract shall export such corn or use it for the manufacture of alcohol or alcoholic beverages or spirits.

(e) *Restrictions on export and use.* On and after the effective date of this order, no person shall export corn or use corn for the manufacture of alcohol or alcoholic beverages or spirits by any process which includes distillation, unless such person acquired such corn pursuant to a contract, other than a futures contract, entered into prior to June 11, 1945.

(f) *Contracts.* Except as otherwise provided herein, the restrictions of this order shall be observed without regard to existing contracts, or any rights accrued, or payments made thereunder.

(g) *Records and reports.* (1) The Order Administrator shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of

the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least one year (or for such period of time as the Order Administrator may designate), maintain an accurate record of his transactions in corn.

(h) *Audits and inspections.* The Order Administrator shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of corn of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) *Request for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the Order Administrator. All requests shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such requests shall be acted upon by the Order Administrator or any employee of the Agricultural Adjustment Agency designated by him.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using corn. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Order Administrator. The Order Administrator is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 132, Agricultural Adjustment Agency, War Food Administration, Washington 25, D. C.

(m) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(n) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 16, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 15th day of June 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-10538; Filed, June 15, 1945; 11:08 a. m.]

[WFO 63-4]

PART 1596—FOOD IMPORTS

REVISION OF APPENDIX

Pursuant to the authority vested in me by the provisions of War Food Order 63, as amended (9 F.R. 13280, 14877; 10 F.R. 103, § 1596.1 (d)), Appendix A to that order is revised to amend the following items to read as follows:

Food:	*Commerce import class No.*
Chickens and guineas:	
Dead, fresh, chilled or frozen, dressed or undressed [12]	0025.400
Live	N. S. C.
Prepared or preserved [1]	N. S. C.
Turkeys:	
Dead, fresh, chilled or frozen, dressed or undressed [12]	0024.000
Live	0014.000
Prepared or preserved [1]	N. S. C.

The governing date of these items under § 1596.1 (b) (4) (ix) shall be June 15, 1945 and for all other purposes, November 13, 1944.

This revision shall be effective June 15, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 63, 9 F.R. 13280, 14877, 10 F.R. 103)

Issued this 7th day of June 1945.

R. W. MAYCOCK,
Director of Supply.

[F. R. Doc. 45-9975; Filed, June 8, 1945; 12:08 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5457]

PART 458—INSPECTION OF RETURNS

INSPECTION OF CORPORATION STATISTICAL TRANSCRIPT CARDS BY OFFICE OF PRICE ADMINISTRATION

Treasury Decision 5173, approved October 26, 1942 (26 CFR, Cum. Supp., 458.208), as amended by Treasury Decision 5336, approved March 7, 1944, is hereby further amended by striking out "for any taxable year ending after June 30, 1941, and before July 1, 1943" in the first sentence, and inserting in lieu thereof "for any taxable year ending after June 30, 1941, and before July 1, 1944".

(E.O. 9569, June 14, 1945, and secs. 55 (a) and 603, 53 Stat. 29, 111; 26 U.S.C., 55 (a), 603)

H. MORGENTHAU, JR.,
Secretary of the Treasury.

Approved: June 14, 1945.

HARRY S. TRUMAN,
The White House.

[F. R. Doc. 45-10557; Filed, June 15, 1945; 11:50 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Rev. Supp. 13]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN TREE PICKING AND CUTTING APRICOTS IN CERTAIN CALIFORNIA COUNTIES

Supplement No. 13 (formerly known as Specific Wage Ceiling Regulation 13), issued June 23, 1944 (9 F.R. 7047), together with amendments thereto, issued June 30, 1944 (9 F.R. 7376) and May 17, 1945 (10 F.R. 5715), is hereby amended and revised to read as follows:

§ 1102.10 *Wages of workers engaged in tree picking of apricots and cutting of apricots in Areas A, B, and C (hereinafter defined), State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking apricots from trees, and persons so engaged a portion of the time who are also engaged on a farm in the cutting of apricots in Areas A, B, and C, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Definitions.* When used in this section:

(1) The term "Area A" means the counties of Kern, Kings, Tulare, Fresno, Madera and Merced, State of California.

(2) The term "Area B" means the counties of Tehama, Glenn, Butte, Yuba, Sutter, Colusa, Napa, Yolo, Solano, Sacramento, Contra Costa, San Joaquin, Santa Cruz, San Benito, Stanislaus, and that portion of Santa Clara County lying south of the town of Coyote, State of California.

(3) The term "Area C" means the county of Alameda and that portion of Santa Clara County lying north of the town of Coyote, State of California.

(c) *Wage rates; maximum wage rates for tree picking of apricots and cutting apricots.*

(1) In Area A:
(i) Picking:
Piece work rate—$12 per ton.
Hourly rate—85 cents per hour.
(ii) Cutting:
Piece work rate—$15 per ton.
Hourly rate—85 cents per hour.
(2) In Area B:
(i) Picking:
Piece work rate—$13 per ton.
Hourly rate—85 cents per hour.
(ii) Cutting:
Piece work rate—$16 per ton.
Hourly rate—85 cents per hour.
(3) In Area C:
(i) Picking:
Piece work rate—$13 per ton.
Hourly rate—85 cents per hour.
(ii) Cutting:
Piece work rate—$16 per ton.
Hourly rate—85 cents per hour.

If workers in any of the areas above described are paid on other than tonnage basis, the compensation must be equivalent to the above.

All the above rates are exclusive of any payments to labor contractors.

(d) *Administration.* The California WFA Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations, issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177).

(e) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the revised specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944, and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This revised Supplement No. 13 shall become effective at 12:01 a. m., Pacific war time, June 15, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14347; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 15th day of June 1945.

K. A. BUTLER,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10555; Filed, June 15, 1945; 11:46 a. m.]

[Supp. 47]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PERFORMING GENERAL FARM LABOR THROUGHOUT THE YEAR ON WHEAT, PEA AND HAY FARMS, AND IN SUMMER FALLOW TRACTOR DRIVING DURING WHEAT AND DRY PEA HARVESTING SEASON, AND IN HARVESTING WHEAT AND DRY PEAS IN NON-IRRIGATED AREAS OF WASCO, SHERMAN, MORROW, GILLIAM AND UMATILLA COUNTIES, OREG.

§ 1110.5 *Wages of workers engaged in performing general farm labor throughout the year on wheat, pea and hay farms, and in summer fallow tractor driving during wheat and dry pea harvesting season, and in harvesting wheat and dry peas in non-irrigated areas of Wasco, Sherman, Morrow, Gilliam and Umatilla Counties in the State of Oregon.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations," and based upon a certification of the Oregon WFA Wage Board that a majority of the producers of wheat, a majority of the producers of peas, and a majority of the producers of hay in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Oregon WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in performing general farm labor throughout the year on wheat, pea and hay farms, and in summer fallow tractor driving during wheat and dry pea harvesting season, and in harvesting wheat and dry peas in non-irrigated areas of Wasco, Sherman, Morrow, Gilliam and Umatilla Counties in the State of Oregon, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 16702; 9 F.R. 6035, 14547).

(b) *Definitions.* When used in this section:

(1) The term "general farm labor" shall include all services performed in connection with the plowing, harrowing, summer fallowing, planting, cultivating, growing, production and harvesting of wheat, peas, and hay, and all other farm operations on wheat, pea, and hay farms, except those services performed in connection with green pea harvesting, and except those services specifically enumerated in paragraph (c) (2), (c) (3), and (c) (4) hereof.

(2) The term "board" means customary meals and housing, but does not include other perquisites.

(c) *Maximum wage or salary rates.*

(1) General farm labor, $8.00 per day and board, or $200 per month and board.

(2) Mechanics working on the farm, furnishing their own tools and repairing farm machinery, exclusively, $2.00 per hour.

(3) Wheat and dry pea harvest labor.

(i) Combine operators, unskilled, unable to repair the harvesting machinery, $15.00 per day and board.

(ii) Combine operators, skilled, who repair the harvesting machinery, $20.00 per day and board.

(iii) Tractor drivers, crawler type tractors, $12.00 per day and board.

(iv) Sack sewers, $12.00 per day and board.

(v) Header tenders, sack jiggers and all other wheat and dry pea harvest labor, $10.00 per day and board.

(4) Tractor drivers doing summer fallow work during wheat and dry pea harvest season, $12.00 per day and board.

If workers are paid on any other basis, the rate of compensation shall not exceed the equivalent of the rates herein provided. No perquisites may be paid in addition to the maximum wage rates specified above, unless otherwise specifically provided herein. This supplement shall not be construed as establishing maximum wage or salary rates for services performed by farm managers or farm superintendents.

(d) *Administration.* The Oregon WFA Wage Board, located at 701 Pittock Block, Portland 5, Oregon, will have charge of the administration of this section, in accordance with the provisions of the specific wage ceiling reguluations issued by the War Food Administrator January 20, 1944 (9 F. R. 831) as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206, 10 F.R. 3177).

(e) *Applicability of specific wage ceiling regulations.* This section shall be deemed a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 25, 1945 (9 F.R. 12807, 14206, 10 F.R. 3177) and the provisions of such regulations shall be applicable to this section, and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Supplement No. 47 shall become effective at 12:01 a. m. Pacific War Time, June 15, 1945.

(56 Stat. 765 (1942), 50 U.S.C. APP. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III), 58 Stat. 632 (1944); E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 15th day of June 1945.

K. A. BUTLER,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10554; Filed, June 15, 1945; 11:45 a. m.]

[Supp. 50]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PERFORMING GENERAL ORCHARD LABOR THROUGHOUT THE YEAR ON CHERRY, APRICOT, PEACH AND OTHER TREE FRUIT FARMS, AND IN HARVESTING CHERRIES, APRICOTS, PEACHES AND OTHER TREE FRUITS IN WASCO AND SHERMAN COUNTIES, OREG.

§ 1110.6 *Wages of workers engaged in performing general orchard labor throughout the year on cherry, apricot, peach and other tree fruit farms, and in harvesting cherries, apricots, peaches and other tree fruits in Wasco and Sherman Counties in the State of Oregon.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139,

16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Oregon WFA Wage Board that a majority of the producers of cherries, a majority of the producers of apricots, a majority of the producers of peaches, and a majority of the producers of each of the other tree fruits in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Oregon WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in performing general orchard labor throughout the year on cherry, apricot, peach, and other tree fruit farms and in harvesting cherries, apricots, peaches and other tree fruits in Wasco and Sherman Counties in the State of Oregon are agricultural labor as defined in § 1001.1 (1) of the regulations of the Economic Stabilization Director issued August 28, 1943, as amended (8 F.R. 11960, 16702; 9 F.R. 6035, 14547).

(b) *Definitions.* When used in this section the term "general orchard labor" shall include all services performed in connection with growing, producing, and harvesting of tree fruits except those services specifically enumerated in paragraph (c) (2).

(c) *Maximum wage rates.* (1) General orchard labor, $1.00 per hour.

(2) Tree fruit harvest labor

(i) Cherry picking, 3½¢ per pound

(ii) Apricot color picking, 30¢ per orchard lug of 38 pounds, or $1.00 per hour

(iii) Peach picking and all other tree fruit picking, except cherry picking and apricot picking, $1.00 per hour.

If workers are paid on any other basis the rate of compensation shall not exceed the equivalent of the rates herein provided. No perquisites may be paid in addition to the maximum wage rates specified above. This Supplement shall not be construed as establishing maximum wage or salary rates for services performed by farm managers or farm superintendents.

(d) *Administration.* The Oregon WFA Wage Board, located at 701 Pittock Block, Portland 5, Oregon, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator March 23, 1945 (10 F.R. 3177).

(e) *Applicability of the specific wage ceiling regulations.* This section shall be deemed a part of the specific wage ceiling regulations issued by the War Food Administrator March 25, 1945 (10 F.R. 3177), and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Supplement No. 50 shall become effective at 12:01 a. m., Pacific War Time, June 15th 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et. seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III), 58 Stat. 632 (1944), E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611; 10 F.R. 3177)

Issued this 15th day of June 1945.

K. A. BUTLER,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10553; Filed, June 15, 1945; 11:45 a. m.]

TITLE 31—MONEY AND FINANCE

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

[1945 2d Supp. Dept. Circ. 194]

PART 206—PAYMENT OF GOVERNMENT CHECKS DRAWN BY UNITED STATES DISBURSING OFFICERS LOCATED IN THE PHILIPPINE ISLANDS

To the Treasurer of the United States, Federal Reserve banks and branches, depositaries, disbursing officers of the United States, and others concerned.

Department Circular No. 194, dated May 4, 1922, as supplemented April 27, 1942, is hereby revoked, effective June 14, 1945. Hereafter, Disbursing Officers of the United States stationed in the Philippine Islands may maintain their official checking accounts with any depositary of public moneys of the United States located in the Philippine Islands.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 45-10522; Filed, June 14, 1945; 4:22 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 6 as Amended June 15, 1945]

INVENTORY EXEMPTION FOR CERTAIN CAPITAL EQUIPMENT, MRO, JIGS, DIES AND FIXTURES

Direction 6 to Priorities Regulation 1 is amended to read as follows:

(a) The inventory restrictions stated in § 944.14 of Priorities Regulation 1 do not apply to items of capital equipment for which a person gets a rating under Priorities Regulation 24, to MRO and jigs, dies and fixtures obtained pursuant to Direction 25 to CMP Regulation 5, or to capital equipment, MRO and jigs, dies and fixtures obtained without priorities assistance.

(b) Therefore, the inventory restrictions of § 944.14 of Priorities Regulation 1 do not prevent a person from delivering or accepting delivery of any such item of capital equipment or MRO or any such jigs, dies and fixtures.

(c) Nothing in this direction permits receipts of MRO in excess of applicable MRO quotas.

Issued this 15th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10547; Filed, June 15, 1945; 11:24 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-785, Stay of Execution]

LUTZ & SHEINKMAN

Lutz & Sheinkman, a New York corporation, engaged in the general lithographing business at 421 Hudson Street, New York, New York has appealed from the provisions of Suspension Order No. S-785, issued May 15, 1945 and has requested a stay pending final determination of the appeal. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. In view of the foregoing, it is hereby ordered, that:

The provisions of § 1010.785 *Suspension Order No. S-785* issued May 15, 1945, are hereby stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

Issued this 14th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10533; Filed, June 14, 1945; 4:54 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-809]

T. W. WEBSTER

T. W. Webster of 10410 East Jefferson Avenue, Detroit, Michigan, is engaged in business as a general building contractor. In February 1945, without permission of the War Production Board, he began and thereafter continued the construction of a greenhouse at Middlebelt Road and Michigan Avenue, Dearborn, Michigan, the cost of which was in excess of the limit permitted by Conservation Order L-41. T. W. Webster was aware of the provisions of Conservation Order L-41 and his beginning and carrying on of this construction constituted a grossly negligent violation of that order. This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.808 *Suspension Order No. S-808.* (a) T. W. Webster shall not, for four months from the effective date of this order, apply or extend any preference ratings, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) Nothing contained in this order shall be deemed to relieve T. W. Webster from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to T. W. Webster, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on June 15, 1945.

Issued this 8th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10550; Filed, June 15, 1945; 11:24 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-73, Direction 3, as Amended June 15, 1945]

PRODUCTION AND USE OF WOOL TOP AND YARN

The following direction is issued pursuant to M-73:

1. Between May 3, 1945 and July 14, 1945, no person shall produce wool top in grades finer than 44's or kid mohair top except to fill orders bearing a rating of AA-3 or higher. Between May 3, 1945 and July 14, 1945, no person shall produce wool top in grades 44's and lower except to fill rated orders, or orders bearing a certification as provided by paragraph (g) of General Preference Order M-388.

2. Between May 3, 1945 and August 18, 1945, no person shall put into process any wool top in grades finer than 44's or top made from kid mohair except to produce yarn to fill orders bearing a rating of AA-3 or higher. Between May 3, 1945 and August 18, 1945, no person shall put into process any wool top in grades 44's and lower except to produce yarn to fill rated orders, or orders bearing a certification as provided by paragraph (g) of General Preference Order M-388.

3. However, to the extent that wool top and yarn covered by this direction are produced or processed exclusively for the production of hand knitting yarn, the effective initial date of this direction shall be May 14, 1945, instead of May 3, 1945.

4. In this direction "wool top" means combed sliver containing wool from the fleece of the sheep or lamb, or wool waste, commonly known as wool top or worsted top, and includes combed wool backing and open, broken or cut wool top. Wool top does not include top containing more than 40% carpet wool or more than 40% adult mohair. "Yarn" means yarn containing any wool top or kid mohair top; calculations shall be in pounds.

5. If in a particular case an applicant establishes that his facilities cannot be used to fill available rated orders, or orders bearing a certification as provided by paragraph (g) of General Preference Order M-388, the War Production Board will authorize the applicant to fill unrated orders for a period extending up to thirty days from the initial dates of the restrictions, unless extended on a future showing that rated orders, or orders bearing a certification as provided by paragraph (g) of General Preference Order M-388 are still unavailable.

The full restrictions of Direction 3 shall be applicable except to the extent they are modified by a written authorization.

Applications should be filed in duplicate by letter with the War Production Board, Wool, Cordage and Textile Machinery Division, Washington 25, D. C., Ref: M-73, Direction 3.

Issued this 15th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10545; Filed, June 15, 1945; 11:24 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, revocation of Schedule 4]

ANHYDROUS HYDROFLUORIC ACID

Section 3293.1004 *Schedule 4 to General Allocation Order M-300*, and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective July 1, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

Issued this 15th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10546; Filed, June 15, 1945; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 100, Amdt. 3]

CAST IRON SOIL PIPE AND FITTINGS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Price Schedule No. 100 is amended in the following respects:

1. Section 1306.307 (a) (5) is deleted.

2. Section 1306.307 (a) (6) is amended to read as follows:

(6) "Carload shipment", "carload sales" or "carload quantity" means a truck shipment of 10 tons or over of cast iron soil pipe and fittings or a shipment or quantity of such commodities the aggregate weight of which totals at least the lowest applicable minimum carload weight as specified in the established tariff of the rail carrier involved, or for which a carload rate would be paid.

3. Section 1306.307 (a) (7) is amended to read as follows:

(7) "Jobbing point" means a site used by a manufacturer, jobber, or wholesaler for storing cast iron soil pipe and fittings and for distributing such commodities (such as a warehouse).

4. Section 1306.309 is amended to read as follows:

§ 1306.309 *Appendix A: Maximum prices for cast iron soil pipe and fittings*—(a) *Base discounts.* The minimum base discount from the list prices for cast iron soil pipe and fittings described in §§ 1306.310 and 1306.311, shall be as follows:

2" to 6" extra heavy pipe	47½
2" to 6" medium pipe	42½
2" to 6" standard pipe	37½
2" to 6" fittings	32½
2" to 15" victory pipe (as described in § 1306.311)	38½
8" to 15" pipe and fittings	38½

(b) *Carload sales by manufacturers.* (1) The maximum price for carload sales by manufacturers shall be f. o. b. the jobbing point nearest to the point of installation, computed by reducing the minimum base discount for each type and size of cast iron soil pipe and fitting as set forth in (a) above by ¼ point for each 25 cents per ton of freight based upon the lowest railroad tariff for a carload quantity from Birmingham, Alabama, to the jobbing point nearest to the proposed site of installation, and subject to the terminal discounts set forth in (2) below.

(2) *Terminal discounts.* Carload sales by manufacturers shall be subject to the following terminal discounts:

(i) On sales to jobbers or wholesalers: Successive discounts of 10 and 10 and 5%.

(ii) On sales to persons other than jobbers or wholesalers: Successive discounts of 10 and 10%.

(c) *Less-than-carload sales by manufacturers.* (1) The maximum price for less-than-carload sales by manufacturers shall be f. o. b. point of manufacture, computed by reducing the minimum base discount for each type and size of cast iron soil pipe and fitting set forth in (a) above by ¼ point for each 25 cents per ton of freight based upon the lowest railroad tariff for a carload quantity from Birmingham, Alabama, to the place of manufacture, and subject to the terminal discounts set forth in (2) below.

(2) *Terminal discounts.* Less-than-carload sales by manufacturers shall be subject to the following terminal discounts:

(i) On sales to jobbers or wholesalers: Successive discounts of 10 and 5%.

(ii) On sales to persons other than jobbers or wholesalers: No terminal discounts required.

(d) *Sales by jobbers or wholesalers.* (1) The maximum price for sales by jobbers or wholesalers shall be f. o. b. jobbing point nearest to the point of installation, computed by reducing the minimum base discount for each type of cast iron soil pipe and fitting as set forth in (a) above by ¼ point for each 25 cents per ton of freight based upon the lowest railroad tariff for a carload quantity from Birmingham, Alabama, to the jobbing point nearest to the proposed site of

installation, and further reduced by the terminal discounts set forth in (2) below:

(2) *Terminal discounts.* Sales by jobbers or wholesalers shall be subject to the following terminal discounts:

(i) Carload sales direct from the place of manufacture: Successive discounts of 10 and 10%.

(ii) Less-than-carload sales or out of stock sales: No terminal discounts.

(e) *Delivery charges.* (1) On less-than-carload sales the manufacturer may add additional charges for delivering the shipment from the point of manufacture to the proposed site of installation not in excess of the actual cost of delivery from the point of manufacture to the proposed site of installation.

On all other sales by any person there may be added additional charges for delivering the shipment from the jobbing point to the proposed site of installation not in excess of the actual transportation charges paid for a shipment from the jobbing point to the proposed site of installation.

On sales by a jobber or on carload sales by a manufacturer where shipment is made direct from the place of manufacture to the proposed site of installation such additional delivery charge shall not exceed an amount equal to a charge for transporting a shipment of identical weight from the jobbing point to the proposed site of installation calculated at the lowest applicable freight rate for a carrier of the type actually employed in making the delivery.

If such delivery is made in a vehicle owned or controlled by the seller, the delivery charges provided for in this paragraph may not exceed the transportation charge for a shipment of identical weight calculated at the lowest applicable common railroad or motor carrier rate from the appropriate point to the proposed site of installation.

(2) The additional delivery charges provided for in (1) above may not be demanded or collected:

(i) Unless the seller has filed the document or statement which he is required to file by § 1306.304 (b);

(ii) Unless such further delivery charge is shown as a separate item on the billing or invoice;

(iii) Unless the proposed site of installation of the cast iron soil pipe and/or fittings is outside the free delivery zone or zones recognized by the seller on October 1, 1941;

(iv) If in the case of a carload sale by a manufacturer or any sale by a jobber, the delivery is made to a purchaser other than a jobber or wholesaler at the jobbing point.

(f) For the purposes of this Section, the seller shall be considered as having delivered to the proposed site of installation when, in the case of a purchase from a jobber or wholesaler, or in the case of a purchase from a manufacturer by a person other than a jobber or wholesaler, a shipment by railroad arrives at the railroad siding nearest to the site designated by the purchaser, or when a shipment by motor carrier arrives at the site designated by the purchaser.

(g) The maximum price at which a person may export cast iron soil pipe and fittings shall be determined in accordance with the provisions of the Maximum Export Price Regulation issued by the Office of Price Administration.

(i) Where the seller performs the service of wiring or otherwise bundling pipe and fittings for export shipment, an added charge of $1.00 per ton of pipe and fittings may be made.

(h) No additions to the maximum prices established in this Appendix A may be made for treating cast iron soil pipe and fittings with tar.

(i) Credit terms more onerous than those available or in effect on October 1, 1941, shall not be imposed by the seller.

(j) All carload orders accepted as such must be priced as a carload shipment regardless of how the order is eventually shipped.

This amendment shall become effective June 14, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10526; Filed, June 14, 1945; 4:39 a. m.]

PART 1312—PRIMARY FOREST PRODUCTS

[MPR 535-3,[1] Amdt. 1]

EXCELSIOR WOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 535-3 is hereby amended in the following respects:

1. In section 14 (c) Table 1—Zone 257 is amended to read as follows:

TABLE 1—ZONE 257

[Per unit of 147 cubic feet]

	Peeled	Unpeeled
Poplar	$14.40	$10.25
Basswood	14.25	10.25

2. In section 15 (c) Table 2—Zone 387-433 is amended to read as follows:

TABLE 2—ZONE 387-433

[Per cord of 128 cubic feet]

	Peeled	Unpeeled
Pine	$10.30	$7.00
Poplar	10.80	8.10

This amendment shall become effective June 14, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10527; Filed, June 14, 1945; 4:39 a. m.]

[1] 9 F.R. 5309, 6256.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 114,[1] Amdt. 4]

WOODPULP

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 114 is amended in the following respects:

1. Definitions (8) through (11) in section 14 (a) are amended to read as follows:

(8) "Bleached softwood sulphite" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced by the sulphite process from the wood of coniferous trees and bleached to a G. E. Brightness of 70 per cent or above.

(9) "Unbleached softwood sulphite" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced by the sulphite process from the wood of coniferous trees and either unbleached or bleached to a G. E. Brightness of less than 70.

(10) "Bleached hardwood sulphite" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced from the wood of broadleaf trees by the sulphite process and bleached to a G. E. Brightness of 70 or above.

(11) "Unbleached hardwood sulphite" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced from the wood of broadleaf trees by the sulphite process and either unbleached or bleached to a G. E. Brightness of less than 70.

2. Definitions (12) and (13) in section 14 (a) are deleted.

3. Definitions (14) through (36) in section 14 (a) are redesignated (12) through (34), respectively.

4. The new definitions (12) through (17) in section 14 (a) are amended to read as follows:

(12) "Northern bleached sulphate" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point north of the 39th degree of north latitude and bleached to a G. E. Brightness of above 65.

(13) "Southern bleached sulphate" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point south of the 39th degree of north latitude and bleached to a G. E. Brightness of above 65.

(14) "Northern semi-bleached sulphate" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point north of the 39th degree of north latitude and bleached to a G. E. Brightness of not less than 45 nor more than 65.

(15) "Southern semi-bleached sulphate" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point south of the 39th degree of north latitude and bleached to a G. E. Brightness of not less than 45 nor more than 65.

(16) "Northern unbleached sulphate" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point north of the 39th degree of north latitude and either unbleached or bleached to a G. E. Brightness of less than 45.

(17) "Southern unbleached sulphate" consists of any and all grades of woodpulp, except grades specified in paragraph (c) of Appendix A, produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point south of the 39th degree of north latitude and either unbleached or bleached to a G. E. Brightness of less than 45.

5. The new definition (32) in section 14 (a) is amended to read as follows:

(32) "Other foreign areas" include all foreign countries except Canada.

6. Appendix A (a) (3) is amended to read as follows:

(3) *Basic transportation allowances per short air dry ton.* (i) The maximum delivered price established hereinabove may be exceeded, as provided in paragraphs (ii) and (iii) below, where the actual freight charges involved in the shipment of the woodpulp from North American areas of production or ocean ports of entry exceed the appropriate basic transportation allowance as follows:

Area of production of domestic woodpulp	Applying to domestic producers of woodpulp		
	Below 50% air dry weight	50%–80% air dry weight	Above 80% air dry weight
Northeast	$13.50	$11.50	$8.50
Lake States	13.50	11.50	8.50
Southern	16.00	14.00	11.00
West Coast (applying only to woodpulp sold outside this area)	16.50	15.50	13.50
West Coast (applying only to woodpulp sold in this area)	10.50	9.50	7.50

[1] 9 F.R. 6630, 6951, 12742, 13934.

Area of production of foreign woodpulp	Applying to foreign producers of woodpulp		
	Below 50% air dry weight	50%–80% air dry weight	Above 80% air dry weight
Canada, east of the Continental Divide	$14.50	$12.50	$9.50
Canada, west of the Continental Divide (applying only to woodpulp sold east of the Continental Divide)	16.50	15.50	13.50
Canada, west of the Continental Divide (applying only to woodpulp sold west of the Continental Divide)	10.50	9.50	7.50
Other foreign areas (applying only to North American inland freight)	.....	9.00	7.00

(ii) With respect to woodpulp produced in the United States or Canada, if the freight cost involved per short air dry ton exceeds the basic transportation allowance for the domestic or Canadian area producing the woodpulp as indicated in the table above, the delivered prices stated in paragraph (a) above may be increased by a sum per short air dry ton not in excess of the difference between the basic transportation allowance for the domestic or Canadian producing area in which the woodpulp was actually produced and the actual freight cost per short air dry ton involved in transporting such woodpulp from the point where it was produced to the consumer's mill by direct shipment by rail, truck or vessel.

(iii) With respect to woodpulp produced in foreign countries other than Canada, if the North American inland freight cost involved per short air dry ton in transporting the woodpulp to the U. S. consumer exceeds the basic transportation allowance for "other foreign areas" as indicated in the table above, the delivered prices stated in paragraph (a) above may be increased by a sum per short air dry ton not in excess of the difference between the basic transportation allowance for "other foreign areas" and the actual North American inland freight cost per short air dry ton involved in transporting such woodpulp, after loading on inland carrier, from the U. S. or Canadian ocean port of entry to the consumer's mill by direct shipment by rail, truck or vessel. All ocean transportation costs shall be absorbed by the seller.

7. Appendix A (a) (4) is deleted, and Appendix A (a) (5) is redesignated Appendix A (a) (4).

8. Appendix A (c) (1) is amended to read as follows:

(c) *Maximum prices for certain grades of domestic woodpulp not specifically priced herein.* (1) Domestic producers of sulphite woodpulp of special chemical, high alpha or specification glassine grades; domestic producers of special sulphite woodpulp produced in horizontal digesters entirely by indirect cooking; domestic producers of sulphate woodpulp of special chemical or specification condenser grades; domestic producers of semi-chemical woodpulp; domestic producers shipping pursuant to allocation by the War Production Board woodpulp produced upon equipment not designed for the production of such woodpulp for sale in the open market; and domestic producers of woodpulps produced in whole or in part from rags, paper stock or any fiber material other than wood shall, before making any sale of woodpulp of any such grade, submit to the Administrator a sworn statement setting forth the relevant facts, including:

(i) Grade and grade name of woodpulps proposed to be sold;

(ii) Special characteristics which bring the grade or grades involved within the provisions of this paragraph (c);

(iii) Proposed sales prices per short air dry ton, and terms of sale (i. e. delivered, delivered with freight allowed, f. o. b. mill, ex dock Atlantic seaboard, or other);

(iv) Names and addresses of customers to whom such woodpulps have been sold in the fourth quarter of the year 1941;

(v) Prices per short air dry ton at which these woodpulps have been sold to all such customers in the fourth quarter of 1941, and the terms of all such sales;

(vi) An itemized statement of the costs of production of such woodpulps per short air dry ton.

This amendment shall become effective June 14, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10520; Filed, June 13, 1945; 4:40 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 257,[1] Amdt. 4]

PULPWOOD PRODUCED IN THE STATES OF MINNESOTA, MICHIGAN AND WISCONSIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 257 is amended in the following respects:

The maximum prices for peeled or rossed Poplar wood of $11.50 and $13.25 in the table of prices in Appendix A (a) (1) are amended to read $12.50 and $14.40, respectively.

This amendment shall become effective June 14, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10525; Filed, June 14, 1945; 4:38 p. m.]

[1] 8 F.R. 11037, 12479; 9 F.R. 5809.

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supp. 6,[1] Incl. Amdts. 1–8]

CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES AND RELATED PRODUCTS (1944 AND LATER PACKS)[2]

This compilation of Supplement 6 to Food Products Regulation 1 includes Amendment 8, effective June 20, 1945. The text amended by Amendment 8 is underscored:

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.[3]

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.

1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Processors' maximum prices for frozen red sour pitted cherries and certain berries, and in other containers having a capacity of 30 pounds or more, and for certain related products.
5. Processors' maximum prices for frozen fruits, berries and vegetables covered by this supplement (other than frozen red sour pitted cherries and certain berries, in barrels, and in other containers having a capacity of 30 pounds or more).
5a. Maximum prices for imported frozen wild blueberries.
6. Maximum prices for custom packing in certain cases.
7. Maximum prices for sales by certain wholesalers.
7a. Storage.
7b. Maximum prices for sales to government procurement agencies.
8. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

9. [Revoked].
10. Reports that processors must file.
11. Individual adjustment of processors' maximum prices.
12. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: § 1351.501 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) In general this supplement establishes maximum prices for the 1944 and later packs of frozen fruits, berries and vegetables. It also covers red sour cherries, pitted and packed with or without sugar (but not frozen) in containers that are not hermetically sealed (see section 4 (c), below).

Processors' maximum prices for sales of certain frozen berries and frozen red sour pitted cherries, in barrels, and in other containers having a capacity of 30 pounds or more, to purchasers other than government procurement agencies, are covered by section 4. These products, when packed in containers having a capacity of less than 30 pounds, together with all of the other frozen fruits, berries and vegetables covered by this supplement, are covered by section 5, for sales by processors to purchasers other than government procurement agencies.

[Paragraph (a) amended by Am. 1, 9 F.R. 10045, effective 8-17-44 and Am. 3, 9 F.R. 14982, effective 1-2-45]

(b) This supplement applies to sales by all persons except wholesalers and retailers. Sales by wagon wholesalers, however, are included, as well as sales of frozen wild blueberries, processed in Canada or Newfoundland, to commercial, industrial and institutional users, by wholesalers who are importers, and sales of frozen fruits and berries in containers of over 50 pounds by wholesalers.

[Paragraph (b) amended by Am. 4, 10 F.R. 3466, effective 4-4-45; and Am. 8, effective 6-20-45]

(c) This supplement applies in the 48 states of the United States and the District of Columbia.

(d) This supplement supersedes the provisions of all other maximum price regulations and orders only as to the products listed and sellers covered.

(e) This supplement becomes effective July 17, 1944.

The "effective date" of this supplement as to any product covered by it shall be the date when the pricing provisions of the supplement first become applicable to it.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of the listed frozen and related products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "explanation of the regulation" is also a part of this supplement.

[Above paragraph amended by Am. 1]

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parentheses is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement, the term:

"No-storage basis" means that prior to the transfer of ownership the goods have been stored by the seller for a period no longer than 30 days after the goods were put in cold storage.

"Storage basis" means that prior to the transfer of ownership the goods have been stored by the seller for a period longer than 30 days after the goods were put in cold storage.

"Style of pack" means the form and sugar basis of the pack.

Examples: Frozen sliced strawberries are a different style of pack from frozen whole strawberries. Frozen whole strawberries on a sugar basis of 3 plus 1 are likewise a different style of pack from frozen whole strawberries on a sugar basis of 4 plus 1.

"Frozen fruits", "frozen berries" and "frozen vegetables" include the purees of these products and mixtures of different fruits, different berries and different vegetables, respectively, when frozen and enclosed in containers, whether or not hermetically sealed.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement:

"Person" (sec. 1.1 of FPR 1).
"Processor" (sec. 1.2 of FPR 1).
"Distributor" (sec. 1.3 of FPR 1).
"Primary distributor" (sec. 1.5 of FPR 1).
"Wholesaler" and "retailer" (sec. 1.6 of FPR 1).
"Ultimate consumer" (sec. 1.7 of FPR 1).
"Item" (sec. 1.8 of FPR 1).
"Container type" (sec. 1.9 of FPR 1).
"Sale" (sec. 1.10 of FPR 1).
"Price" (sec. 1.11 of FPR 1).
"Net delivered cost" (sec. 1.12 of FPR 1).
"Delivered to the customary receiving point" (sec. 1.13 of FPR 1).
"Records" (sec. 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Processors' maximum prices for frozen red sour pitted cherries and certain berries, in barrels, and in other containers having a capacity of 30 pounds or more, and for certain related products*—(a) *Frozen red sour pitted cherries*—(1) *In barrels, and in tin containers having a capacity of 30 pounds or more.* For sales to purchasers other than government procurement agencies, the maximum prices per pound, f. o. b. factory, on a no-storage basis, which a processor may charge for frozen red sour pitted cherries of the 1944 and later packs, in barrels, and in tin containers having a capacity of 30 pounds or more, shall be as follows:

Style of pack	Maximum price per pound			
	In barrels		In tin containers having a capacity of 30 pounds or more	
	Area 1	Area 2	Area 1	Area 2
3+1	$0.1250	$0.1275	$0.1325	$0.1350
4+1	.1275	.1300	.1350	.1375
5+1	.1300	.1325	.1375	.1400
6+1	.1300	.1325	.1375	.1400

Style of pack	Maximum price per pound			
	In barrels		In tin containers having a capacity of 30 pounds or more	
	Area 1	Area 2	Area 1	Area 2
7+1	$0.1300	$0.1275	$0.1325	$0.1300
8+1	.1325	.1300	.1350	.1325
9+1	.1325	.1300	.1350	.1325
10+1	.1325	.1300	.1350	.1325
11+1	.1325	.1300	.1350	.1325
12+1	.1350	.1325	.1375	.1350
13+1	.1350	.1325	.1375	.1350
14+1	.1350	.1325	.1375	.1350
Straight pack, and all styles of pack containing 16 or more parts fruit to one part sugar.	.1375	.1350	.1400	.1375

States included in areas:

Area 1: Washington, Oregon, Montana, Utah, Idaho and Colorado.

Area 2: All states other than Washington, Oregon, Montana, Utah, Idaho and Colorado.

NOTE: The area named refers, in each case, to the area in which the processor's factory is located. The area in which the fruit was grown is not controlling.

(2) *In containers having a capacity of 30 pounds or more, other than barrels and tin containers.* For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. factory, on a no-storage basis, under section 8 (b), below, for each item of frozen red sour pitted cherries of the 1944 and later packs, in containers having a capacity of 30 pounds or more, other than barrels and tin containers. For this purpose, however, the "base container" used shall be a tin container having a capacity of 30 pounds or more.

(b) *Certain frozen berries*—(1) *In barrels, and in tin containers having a capacity of 30 pounds or more.* For sales to purchasers other than government procurement agencies, the maximum prices per pound, f. o. b. factory, on a no-storage basis, which a processor may charge for the following frozen berries of the 1944 and later packs, in barrels, and in tin containers having a capacity of 30 pounds or more, shall be as follows:

Variety and style of pack	Maximum price per pound	
	In barrels	In tin containers having a capacity of 30 pounds or more
Blackberries: Straight	$0.1700	$0.1800
Boysenberries: Straight	.1700	.1800
Gooseberries: Straight	.1500	.1400
Loganberries: Straight	.1700	.1800
Raspberries, black:		
4+1	.1700	.1800
5+1	.1750	.1850
Straight	.1800	.1900
Raspberries, red:		
4+1	.1900	.2000
5+1	.1950	.2050
Straight	.2000	.2100
Straw berries (Littersburg variety):		
3+1	.1925	.2025
3+1 sortonts	.1725	.1825
4+1	.2000	.2100
4+1 sortonts	.1800	.1900
5+1	.2050	.2150
Straight	.2200	.2300

Variety and style of pack	Maximum price per pound	
	In barrels	In tin containers having a capacity of 30 pounds or more
Strawberries (other varieties):		
3+1	$0.1775	$0.1875
3+1 sortonts	.1575	.1675
4+1	.1850	.1950
4+1 sortonts	.1650	.1750
5+1	.1900	.2000
Straight	.2000	.2100
Youngberries: Straight	.1700	.1800

(2) *In containers having a capacity of 30 pounds or more, other than barrels and tin containers.* For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. factory, on a no-storage basis, under section 8 (b), below, for each item of any of the frozen berries of the 1944 and later packs listed in subparagraph (1), above, in containers having a capacity of 30 pounds or more, other than barrels and tin containers. For this purpose, however, the "base container" used shall be a tin container having a capacity of 30 pounds or more.

(c) *Red sour cherries, pitted and packed with or without sugar (but not frozen) in containers that are not hermetically sealed*—(1) *In barrels and in other containers having a capacity of 30 pounds or more.* For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. factory, for each item of red sour cherries of the 1944 and later packs, pitted and packed with or without sugar (but not frozen) in barrels, or in other containers having a capacity of 30 pounds or more, that are not hermetically sealed, in the following manner:

(i) For the product packed in barrels, he shall subtract ¼ cent per pound from the maximum price named for the appropriate area in the table in paragraph (a) (1), above, for the corresponding style of pack of frozen red sour pitted cherries packed in barrels.

(ii) For the product packed in containers (other than barrels) having a capacity of 30 pounds or more, he shall subtract ¼ cent per pound from the maximum price named for the appropriate area in the table in paragraph (a) (1), above, for the corresponding style of pack of frozen red sour pitted cherries packed in tin containers having a capacity of 30 pounds or more.

(2) *In containers (other than barrels) having a capacity of less than 30 pounds.* For sales to purchasers other than government procurement agencies of an item of red sour cherries of the 1944 and later packs, pitted and packed with or without sugar (but not frozen) in containers (other than barrels) having a capacity of less than 30 pounds, that are not hermetically sealed, the processor shall apply for a maximum price under section 8 (c), below.

[Sec. 4 amended by Am. 1, 9 F.R. 10045, effective 8-17-44 and Am. 3, 9 F.R. 14982, effective 1-2-45]

SEC. 5. *Processors' maximum prices for frozen fruits, berries and vegetables covered by this supplement (other than frozen red sour pitted cherries and certain berries, in barrels, and in other containers having a capacity of 30 pounds or more)*—(a) *Frozen products covered by this section and general explanation of pricing methods.* The frozen products covered by this section are listed below. However, this section does not cover frozen red sour pitted cherries and the frozen berries listed in section 4 (b) (1) when packed in barrels, or in other containers having a capacity of 30 pounds or more.

(1) Frozen fruits:

Apples (including applesauce).	Melons.
Apricots.	Nectarines (see note below).
Cherries, red sour.	Peaches.
Cherries, sweet.	Pears.
Currants.	Plums.
Figs.	Prunes.
Grapes (Concord)	Mixed fruits.

(2) Frozen berries:

Blackberries.	Huckleberries.
Blueberries.	Johnsonberries.
Boysenberries.	Loganberries.
Cranberries.	Olympic berries.
Dewberries.	Raspberries.
Elderberries.	Strawberries.
Gooseberries.	Youngberries.

(3) Frozen vegetables:

Asparagus.	Mushrooms.
Beans, lima.	Peas, green.
Beans, snap.	Pumpkin.
Beets.	Rhubarb.
Broccoli.	Spinach
Brussels sprouts.	Squash.
Carrots.	Vegetables greens (other than spinach).
Cauliflower.	
Corn, sweet.	Mixed vegetables.
Kale.	

NOTE: Nectarines are not covered by this supplement until the limitation of the raw material price to be used in figuring the 1944 raw material cost is determined and provided by amendment.

[Subparagraph (3) and note amended by Am. 5, 10 F.R. 3466, effective 4-4-45]

For an item covered by this section, the processor figures his maximum price on a no-storage basis, for sales to purchasers other than government procurement agencies, under the particular paragraph listed below which is applicable to the item being priced:

To price items sold during the first 60 days after the beginning of the 1941 pack and for which the processor established maximum prices for the 1943 pack under the general formula provisions of Maximum Price Regulation 409,[4] see paragraph (b), below.

To price items sold during the first 60 days after the beginning of the 1941 pack and for which the processor established maximum prices for the 1942 pack under the general formula provisions of Maximum Price Regulation 207[5] but for which maximum prices were not established by the processor in 1943, see paragraph (c), below.

To price items for which the maximum prices for the 1942 pack were established by using competitors' maximum prices, or for which the maximum prices for the 1942 or 1943 pack were established by specific authorization or the elective pricing method, and to price all items that cannot otherwise be priced, see paragraph (e), below.

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[1] 9 F.R. 8057.

[2] Title amended by Am. 1, 9 F.R. 10045, effective 8-17-44.

[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[4] 8 F.R. 17299; 9 F.R. 97, 1596, 9832, 11637.

[5] 8 F.R. 2977, 17224.

The processor shall figure a maximum price for each factory at which he processes the item being priced. (However, he may then elect to combine prices as provided in section 8 (g).)

For sales on a storage basis, provision is made in section 7a for increases in maximum prices.

(b) *General rule for pricing items sold during the first 60 days after the beginning of the 1941 pack and for which maximum prices were established for the 1943 pack under the general formula provisions of Maximum Price Regulation 409.* In general, this paragraph applies to the pricing of items which the processor sold during the first 60 days after the beginning of the 1941 pack and for which he established maximum prices for the 1943 pack under the general formula provisions of Maximum Price Regulation 409. It does not apply to items which were priced by using competitors' maximum prices in 1942 (and then taking competitors' adjustments for raw materials in 1943), nor to items which were priced in 1942 or 1943 by specific authorization or by the elective pricing method of section 3 (m) of Maximum Price Regulation 409.

For sale of an item on a no-storage basis to purchasers other than government procurement agencies, the processor shall figure his maximum price per dozen containers or other unit, f. o. b. shipping point, as follows. He shall:

(1) *Start with the 1943 base price.* The processor shall use as his starting point his base price for the 1943 pack of the item, as required to be figured under section 3 (b) of Maximum Price Regulation 409. (Note: The base price does not include the permitted increase for miscellaneous costs provided in section 3 (c) of that regulation.)

(2) *Adjust for approved increases in wage rates.* Next, the processor shall adjust for the increase in wage rates if he has incurred a wage rate increase approved by the War Labor Board or under the Fair Labor Standards Act and made effective after January 1, 1943. The adjustment is made by multiplying by the appropriate figure named in the table below.

	Areas				
	1	2	3	4	5
VEGETABLES					
Asparagus	103.5	103.0	103.5	103.0	103.0
Corn	104.5	104.5	104.0	104.0	104.5
Peas	103.0	104.5	103.0	103.0	104.5
Lima beans	103.0	104.5	104.5	103.5	104.5
Snap beans	104.0	104.5	104.0	104.0	104.5
Spinach	104.5	105.5	104.5	105.0	105.5
Other vegetables	106.0	106.0	106.0	106.0	106.0
FRUITS					
Apples	102.5	102.5	102.5	102.5	102.0
Peaches	105.0	105.0	105.0	105.0	105.0
Cherries	103.0	102.0	102.0	103.0	102.0
Apricots	[1]	[1]	[1]	103.5	102.0
Grapes	103.0	103.0	103.0	103.0	102.0
Other fruits	102.0	102.0	102.0	102.0	102.0
BERRIES					
Strawberries	104.5	104.5	104.0	102.0	101.0
Raspberries, red	101.5	102.0	101.5	101.5	101.0
Raspberries, black	102.0	103.0	102.0	102.0	101.0
Blackberries	102.5	102.5	102.5	101.5	101.0
Other berries	102.0	102.0	102.0	102.0	101.0

States included in areas:

Area 1: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont.

Area 2: Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia and West Virginia.

Area 3: Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin.

Area 4: Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington and Wyoming.

Area 5: Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, South Carolina and Texas.

NOTE: The area named refers, in each case, to the area in which the processor's factory is located. The area in which the raw product was grown is not controlling.

(3) *Add ¼ cent per pound in certain cases.* Next, as to a cold-packed item, the processor shall add ¼ cent per pound if he made this addition under section 3 (c) (2) of Maximum Price Regulation 409.

(4) *Subtract 3%.* Next, the processor shall subtract from the resulting figure 3% of that figure.

(5) *Subtract storage charges.* Next, as to a quick-frozen item, the processor shall subtract storage charges for 6 months, figured at the same rate per month as he used under § 1341.202 (a) (1) of Maximum Price Regulation 207 in revising his weighted average price during the first 60 days after the beginning of the 1941 pack. As to a cold-packed item, the processor shall subtract ¼ cent per pound if he added that amount under subparagraph (3), above.

(6) *Subtract the 1943 raw material cost.* Next, the processor shall subtract the lawful cost per dozen or other unit for raw materials used in establishing his base price for the item under section 3 (b) of Maximum Price Regulation 409. The deduction shall include any transportation and hauling charges used in establishing that base price.

Explanation of what is meant by the term "lawful cost per dozen or other unit for raw materials used in establishing his base price for the item under section 3 (b) of Maximum Price Regulation 409". (i) In the case of green peas, snap beans and sweet corn, the term means the 1943 resale price of the 1943 purchase and resale program of the Commodity Credit Corporation for the area in which the processor's customary receiving point is located, converted to cents per dozen or other unit of the finished product as required under section 3 (b) (1) of Maximum Price Regulation 409.

(ii) In the case of asparagus, the term means the sum of (*a*) the weighted average cost per dozen or other unit for raw materials used in the 1942 pack of the product, as required to be figured under § 1341.202 (b) (2) of Maximum Price Regulation 207, and (*b*) 1½ cents per pound (raw weight) if his factory is located in California, Oregon or Washington, or 1 cent per pound (raw weight) if his factory is located in any other state, after conversion to cents per unit of the finished product as required under section 3 (b) (2) (i) of Maximum Price Regulation 409.

(iii) In the case of a product listed in section 3 (b) (2) (ii) of Maximum Price Regulation 409 (for example, blackberries), the term means the appropriate figure named in the table in that section, converted to cents per unit of the finished product as required under that section.

(iv) In the case of a product listed in section 3 (b) (2) (iii) of Maximum Price Regulation 409 (for example, apricots), the term means the sum of (*a*) the weighted average cost per dozen or other unit for raw materials used in the 1942 pack of the product, as required to be figured under § 1341.202 (b) (2) of Maximum Price Regulation 207, and (*b*) the amount of the adjustment for raw material costs required to be made under the former section (but not in excess of the figure listed in the table in that section, after conversion to a finished product basis).

(v) In the case of a product listed in section 3 (b) (2) (iv) of Maximum Price Regulation 409 (for example, rhubarb), the term means the sum of (*a*) the weighted average cost per dozen or other unit for raw materials used in the 1942 pack of the product as required to be figured under § 1341.202 (b) (2) of Maximum Price Regulation 207 and (*b*) 20 per cent of that figure.

(vi) In the case of apples, the term means the sum of (*a*) the weighted average cost per dozen or other unit for raw materials used in the 1942 pack of the product as required to be figured under § 1341.202 (b) (2) of Maximum Price Regulation 207 and (*b*) the amount of the adjustment for raw material costs required to be made under section 3 (b) (2) (v) of Maximum Price Regulation 409.

(vii) In the case of an item of mixed fruits or mixed vegetables, the term means the sum of (*a*) the weighted average cost per dozen or other unit for raw materials used in the 1942 pack of the product as required to be figured under § 1341.202 (b) (2) of Maximum Price Regulation 207 and (*b*) the amount of the adjustment for raw material costs required to be made under section 3 (b) (2) (vi) of Maximum Price Regulation 409.

(7) *Add the 1944 raw material cost.* Finally, the processor shall add to the resulting figure his 1944 weighted average raw material cost, converted to units of the finished product by applying the simple average of his 1941 and 1943 case (unit) yields and by adjusting for grade according to his customary practice. The 1944 raw material cost shall be figured on the basis of not less than the first 75% of his purchases of the raw material used by him in processing the product. However, the processor's weighted average raw material cost shall be based on a weighted average raw material price no higher than the appropriate price named in the table below.

Raw material	Area	Price
Blackberries	All States	$0.12 per pound.
Blueberries, wild	Maine	$0.18 per pound.
	Other States	$0.12 per pound.
Boysenberries	All States	1942 cost as required to be computed under MPR 207 plus $0.01 per pound.
Cranberries	do	$0.10 per pound.
Dewberries	do	$22.50 per 100 pounds.
Elderberries	do	1942 cost as required to be computed under MPR 207 plus $0.03 per pound.
Gooseberries	do	1942 cost as required to be computed under MPR 207 plus $0.03 per pound.
Huckleberries	do	1942 cost as required to be computed under MPR 207 plus $0.03 per pound.
Johnsonberries	do	1942 cost as required to be computed under MPR 207 plus $0.03 per pound.
Loganberries	do	$0.12 per pound.
Olympic berries	do	1942 cost as required to be computed under MPR 207 plus $0.03 per pound.
Raspberries, black	do	$0.13 per pound.
Raspberries, red	do	$0.15 per pound.
Strawberries:		
Fleet-run, stemmed basis	do	$0.17 per pound.
Other varieties, stemmed basis	do	$0.15 per pound.
Youngberries	do	$0.12 per pound.

[1] These weighted average raw material prices apply whether the processor buys the strawberries stemmed or unstemmed. If he buys the strawberries unstemmed, he may not add any cost for stemming.

VEGETABLES

Raw material	Area	Price
Asparagus	Oregon and Washington	1942 cost as required to be computed under MPR 207 plus $0.02 per pound.
	Other States	1942 cost as required to be computed under MPR 207 plus $0.05 per pound.
Beans, lima (except Fordhook lima beans).	All States	War Food Administration's average support price for lima beans for freezing for the area in which the processor's customary receiving point is located.
Beans, Fordhook lima	do	1942 cost as required to be computed under MPR 207 plus 20 percent of that cost.
Beans, snap	do	Commodity Credit Corporation's 1943 resale price for the area in which the processor's customary receiving point is located.
Beets	do	War Food Administration's average support price for the area in which the processor's customary receiving point is located.
Broccoli	do	1942 cost as required to be computed under MPR 207 plus 20 percent of that cost.
Brussels sprouts	do	War Food Administration's average support price for the area in which the processor customary receiving point is located.
Carrots	do	1942 cost as required to be computed under MPR 207 plus 20 percent of that cost.
Cauliflower	do	Commodity Credit Corporation's 1943 resale price for the area in which the processor's customary receiving point is located.
Corn, sweet	do	1942 cost as required to be computed under MPR 207 plus 20 percent of that cost.
Kale	do	$1.50 per 3-pound basket.
Mushrooms	do	Commodity Credit Corporation's 1943 resale price for the area in which the processor's customary receiving point is located.
Peas, green	do	

Raw material	Area	Price: Class A Varieties [1]	Price: Class B Varieties [2]
Apples	All States; U. S. No. 1 cannery grade, 2¼ inch and up (and U. S. No. 2 cannery grade as established under War Food Order 81)	Cwt. $3.10	Cwt. $2.50
	U. S. No. 2 cannery grade, 2¼ inch and up	1.65	1.50
	Apples which grade less than U. S. No. 2 cannery grade, 2¼ inch size.	1.00	1.00
Apricots	California	Per ton $84.00	
	Other States	170.00	
	All states	153.00	
Cherries, red sour	California	235.00	
Cherries, sweet:	Other States	215.00	
All varieties	All states	225.00	
Light		(2)	
Dark			
Currants	All states	125.00	
Figs	All states	97.00	
Kadota	All states	80.00	
All others	Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut, New York, Pennsylvania, Ohio, Michigan, New Jersey, North Dakota, South Dakota, Nebraska, Illinois, Iowa, Indiana, Wisconsin and Minnesota	82.00	
Grapes, Concord	Washington, Oregon, Idaho, Montana and Wyoming	(3)	
	Other States	(4)	
	All states	(5)	
Melons	All states	60.00	
Nectarines			
Peaches, Clingstone			
Peaches, Freestone:	All states	54.00	
Elbertas and Hales	California	47.00	
All other varieties	Other states	60.00	
Pears:			
All varieties	California	80.00	
All varieties	Oregon and Washington	75.00	
Bartlett	Other States	70.00	
Kieffer		40.00	
Plums	California, Oregon, Washington, Idaho and Utah	50.00	
	Other States	(7)	
Prunes, fresh	Oregon and Washington	55.00	
	Other States	48.50	
Mixed fruits	All states	(8)	

[1] "Class A Varieties" means the following varieties:
Apples—Baldwin, Delicious, R. I. Greening, Northern Spy, Twenty Ounce, Northwestern Greening, Grimes Golden, Stayman, King and Stark.
Pears—Bartlett, Kieffer, Winter Nelis, Anjou and Winter Bosc.
Peaches—Elbertas and Hales.
Plums—Italian Prune, Stanley, Green Gage, Imperial Epineuse, Reine Claude, Yellow Egg, Damson, Shropshire Damson, Burbank, Climax, Santa Rosa, Wickson, Duarte, Kelsey, Formosa, Beauty, Abundance, Wickson Hybrid, Late Santa Rosa, Methley, Hollywood, Gaviota, Laroda, Ozark Premier, Queen Ann, Tragedy, Elephant Heart, Giant Prune, Golden Japan, Hungarian Prune, Italian Prune, Kelsey, Late Santa Rosa, Methley, Monarch, Ozark Premier, Queen Ann, Tragedy, Wickson and Wickson Hybrid.
Prunes, fresh—Italian Prune, Imperial Epineuse, Reine Claude, Yellow Egg, Damson, Shropshire Damson, Burbank, Climax, Santa Rosa, Wickson, Duarte, Kelsey, Formosa, Beauty, Abundance, Wickson Hybrid, Late Santa Rosa, Methley, Hollywood, Gaviota, Laroda, Ozark Premier, Queen Ann, Tragedy, Elephant Heart, Giant Prune, Golden Japan, Hungarian Prune, Italian Prune, Kelsey, Late Santa Rosa, Methley, Monarch, Ozark Premier, Queen Ann, Tragedy, Wickson and Wickson Hybrid.
Grapes, Concord—Concord.
Cherries, red sour—Montmorency, Early Richmond, English Morello and Late Duke.
Cherries, sweet—Bing, Lambert, Black Republican, Napoleon, Royal Ann, Windsor, Black Tartarian, Governor Wood, Rockport, Schmidt, Gil, Hedelfingen, Giant, Yellow Spanish, Centennial, Deacon, Early Purple, Elton, Emperor Francis, Knight Early Black, Knight Tartarian, Lewelling, Rockport Bigarreau, Seneca, Waterhouse, Windsor, Yellow Spanish and Ulster.
Apricots—Blenheim, Tilton, Moorpark, Royal, Hemskirke, Perfection, Riland, Wenatchee Moorpark, Early Golden, Goldbar, Golden Amber, Golden Glow, Golden Jubilee, Harcot, Harlayne, Harogem, Hungarian, Jerseycot, Katy, Manchu, Newcastle, Phillips, Rival, Royal Blenheim, Royalty, Tait, Tilton, Wenatchee Moorpark, Wilson Delicious and Wilson Early.
Peaches, Freestone—Elbertas and Hales.
Peaches, Clingstone—Phillips Cling, Lovell, J. H. Hale, Fay Elberta, Halehaven, Sims, Vedette, Admiral Dewey, Carman, Early Crawford, Elberta, Fisher, Foster, Golden Cling, Hale, Halehaven, Hiley, Indian Blood Cling, Lemon Cling, Levy, Lovell, Muir, Orange Cling, Phillips Cling, Rio Oso Gem, Sims, Sneed, Stanislaus, Vedette, Wager, Wheatland and Yellow Cling.
Nectarines—Boston, Early Fairchild, Early Gem, Early Newcastle, Early Sun Rich, Fairchild, Gem, Goldmine, Independence, Late Le Grand, Le Grand, Mayflower, Newcastle, Quetta, Rose Gold, Sun Crest, Sun Glo, Sun Rich, Sunset, Victory and Zee Lady.
Pears—Bartlett, Kieffer, Winter Nelis, Anjou and Winter Bosc.
Plums—Italian Prune, Stanley, Green Gage, Imperial Epineuse, Reine Claude, Yellow Egg, Damson, Shropshire Damson, Burbank, Climax, Santa Rosa, Wickson, Duarte, Kelsey, Formosa, Beauty, Abundance, Wickson Hybrid, Late Santa Rosa, Methley, Hollywood, Gaviota, Laroda, Ozark Premier, Queen Ann, Tragedy, Elephant Heart, Giant Prune, Golden Japan, Hungarian Prune, Italian Prune, Kelsey, Late Santa Rosa, Methley, Monarch, Ozark Premier, Queen Ann, Tragedy, Wickson and Wickson Hybrid.
Blackberries—Evergreen, Himalaya, Logan, Mammoth, Young and Thornless.
Boysenberries—Boysenberry, Brazos, Lucretia, Phenomenal and Thornless.
Youngberries—Youngberry.
Dewberries—Lucretia.
Cranberries—Bell, Bergman, Centennial, Cherry, Early Black, Howes, Jumbo, Late Black, McFarlin, Searles, Stevens and Wilcox.
Blueberries, cultivated—Cabot, Concord, Dixi, Grover, Harding, Jersey, Katherine, Pioneer, Rancocas, Rubel, Stanley, Weymouth and Wolcott.
Gooseberries—Chautauqua, Downing, Houghton, Josselyn, Pixwell and Poorman.
Huckleberries—Black, Blue and Dwarf.
Elderberries—American, Black, Blue, Common, European, Red and Scotch.
Johnsonberries—Johnsonberry.
Loganberries—Loganberry.
Olympic berries—Olympic.
Raspberries, black—Black Cap, Cumberland, Dundee, Gregg, Hilton, Kansas, Logan, Munger, Plum Farmer and Shaffer.
Raspberries, red—Cuthbert, Latham, Marlboro, Newburgh, Ranere, Red Antwerp, Taylor and Viking.
Strawberries—Aberdeen, Aroma, Auchmore, Banner, Beaver, Blakemore, Blanchard, Bliss, Catskill, Chesapeake, Clermont, Corsican, Dixie, Dorsett, Dunlap, Fairfax, Fairland, Fairmore, Fay, Gandy, Gem, Gibson, Glen Mary, Gold Dollar, Gold Nugget, Gopher, Gove, Hood River, Howard, Howard 17, Howard 18, Howard 19, Howard 20, Howard 21, Howard 22, Howard 23, Howard 24, Howard 25, Howard 26, Howard 27, Howard 28, Howard 29, Howard 30, Howard 31, Howard 32, Howard 33, Howard 34, Howard 35, Howard 36, Howard 37, Howard 38, Howard 39, Howard 40, Howard 41, Howard 42, Howard 43, Howard 44, Howard 45, Howard 46, Howard 47, Howard 48, Howard 49, Howard 50, Howard 51, Howard 52, Howard 53, Howard 54, Howard 55, Howard 56, Howard 57, Howard 58, Howard 59, Howard 60, Howard 61, Howard 62, Howard 63, Howard 64, Howard 65, Howard 66, Howard 67, Howard 68, Howard 69, Howard 70, Howard 71, Howard 72, Howard 73, Howard 74, Howard 75, Howard 76, Howard 77, Howard 78, Howard 79, Howard 80, Howard 81, Howard 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Howard 167, Howard 168, Howard 169, Howard 170, Howard 171, Howard 172, Howard 173, Howard 174, Howard 175, Howard 176, Howard 177, Howard 178, Howard 179, Howard 180, Howard 181, Howard 182, Howard 183, Howard 184, Howard 185, Howard 186, Howard 187, Howard 188, Howard 189, Howard 190, Howard 191, Howard 192, Howard 193, Howard 194, Howard 195, Howard 196, Howard 197, Howard 198, Howard 199, Howard 200, Howard 201, Howard 202, Howard 203, Howard 204, Howard 205, Howard 206, Howard 207, Howard 208, Howard 209, Howard 210, Howard 211, Howard 212, Howard 213, Howard 214, Howard 215, Howard 216, Howard 217, Howard 218, Howard 219, Howard 220, Howard 221, Howard 222, Howard 223, Howard 224, Howard 225, Howard 226, Howard 227, Howard 228, Howard 229, Howard 230, Howard 231, Howard 232, Howard 233, Howard 234, Howard 235, Howard 236, Howard 237, Howard 238, Howard 239, Howard 240, Howard 241, Howard 242, Howard 243, Howard 244, Howard 245, Howard 246, Howard 247, Howard 248, Howard 249, 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Howard 748, Howard 749, Howard 750, Howard 751, Howard 752, Howard 753, Howard 754, Howard 755, Howard 756, Howard 757, Howard 758, Howard 759, Howard 760, Howard 761, Howard 762, Howard 763, Howard 764, Howard 765, Howard 766, Howard 767, Howard 768, Howard 769, Howard 770, Howard 771, Howard 772, Howard 773, Howard 774, Howard 775, Howard 776, Howard 777, Howard 778, Howard 779, Howard 780, Howard 781, Howard 782, Howard 783, Howard 784, Howard 785, Howard 786, Howard 787, Howard 788, Howard 789, Howard 790, Howard 791, Howard 792, Howard 793, Howard 794, Howard 795, Howard 796, Howard 797, Howard 798, Howard 799, Howard 800, Howard 801, Howard 802, Howard 803, Howard 804, Howard 805, Howard 806, Howard 807, Howard 808, Howard 809, Howard 810, Howard 811, Howard 812, Howard 813, Howard 814, Howard 815, Howard 816, Howard 817, Howard 818, Howard 819, Howard 820, Howard 821, Howard 822, Howard 823, Howard 824, Howard 825, Howard 826, Howard 827, Howard 828, Howard 829, Howard 830, 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Howard 914, Howard 915, Howard 916, Howard 917, Howard 918, Howard 919, Howard 920, Howard 921, Howard 922, Howard 923, Howard 924, Howard 925, Howard 926, Howard 927, Howard 928, Howard 929, Howard 930, Howard 931, Howard 932, Howard 933, Howard 934, Howard 935, Howard 936, Howard 937, Howard 938, Howard 939, Howard 940, Howard 941, Howard 942, Howard 943, Howard 944, Howard 945, Howard 946, Howard 947, Howard 948, Howard 949, Howard 950, Howard 951, Howard 952, Howard 953, Howard 954, Howard 955, Howard 956, Howard 957, Howard 958, Howard 959, Howard 960, Howard 961, Howard 962, Howard 963, Howard 964, Howard 965, Howard 966, Howard 967, Howard 968, Howard 969, Howard 970, Howard 971, Howard 972, Howard 973, Howard 974, Howard 975, Howard 976, Howard 977, Howard 978, Howard 979, Howard 980, Howard 981, Howard 982, Howard 983, Howard 984, Howard 985, Howard 986, Howard 987, Howard 988, Howard 989, Howard 990, Howard 991, Howard 992, Howard 993, Howard 994, Howard 995, Howard 996, Howard 997, Howard 998, Howard 999, Howard 1000.

[2] Not to be announced.
[3] 1942 cost as required to be computed under MPR 207 plus 20 percent of that cost.
[4] To be announced.
[5] 1942 cost as required to be computed under MPR 207 plus 20 percent of that cost.
[6] The appropriate price provided above for each fruit in the mixture, figured separately for the amount of each variety used in the item.

VEGETABLES—Continued

Raw material	Area	Price
Pumpkin	All States	1942 cost as required to be computed under MPR 207 plus 20 [percent of that cost.
Rhubarb	do	Do.
Spinach	do	$34.00 per ton, cut above crown.
	New York and the following counties in Pennsylvania: Erie, Crawford, Mercer, Venango, Warren, Forest, McKean, Potter, Tioga, Bradford, Susquehanna and Wayne.	
	Virginia, Maryland, Delaware, New Jersey, and all counties in Pennsylvania not listed above.	$70.00 per ton, cut below crown.
	Wisconsin, Illinois and Indiana.	$32.00 per ton, cut above crown.
	Texas, Oklahoma, Arkansas, Louisiana, Mississippi and Tennessee.	$70.00 per ton, cut above crown.
	California	$22.50, uncut in the field.
	Oregon and Washington	$50.00 per ton, cut above crown.
Squash	All States	1942 cost as required to be computed under MPR 207 plus 20 [percent of that cost.
Vegetables greens (other than spinach)	do	Do.
Mixed vegetables	do	The appropriate price provided above for each vegetable in the mixture, figured separately for the amount of each variety used in the item.

[Above table amended by Am. 5, 10 F.R. 3466, effective 4-4-45]

The raw material prices named in the table above refer to support or designated prices delivered to the processor's customary receiving point, except in the case of spinach (in all states except California), for which the price includes delivery to the factory. The actual transportation charges incurred from the processor's customary receiving point to his factory (figured at rates prevailing on June 1, 1943) shall be added to the amount named at the customary receiving point. The location of the processor's customary receiving point is controlling in determining the applicable price in the table, and not the place where the raw material is grown or has factory located. However, if the processor purchases the raw material in an area other than that in which his customary receiving point is located, the applicable price in the table is the price named for the area in which the raw material is grown, and he shall add to this amount the actual transportation charges that would have been incurred in moving the goods from his customary receiving point to his factory (figured at rates prevailing on June 1, 1943).

In the case of spinach, the raw material price named for California in the table above is a price for the spinach "uncut in the field". The 1944 weighted average raw material cost to be added under this paragraph shall be based on a weighted average raw material price no higher than the price so named and the processor's weighted average cost for cutting, both converted to units of the finished product in the manner explained above. In figuring his 1944 weighted average cost for cutting, the processor shall exclude from the computation any amounts paid for machine cutting in excess of $8.50 per ton and any amounts paid for hand cutting in excess of $18.00 per ton. Actual transportation charges incurred from the field to his factory shall be added, but figured at rates prevailing on June 1, 1943.

[Above paragraph added by Am. 5, 10 F.R. 3466, effective 4-4-45]

The resulting figure is the processor's maximum price per dozen containers or other unit, f. o. b. shipping point, for sales on a no-storage basis to purchasers other than government procurement agencies.

(c) *Rule for pricing items in certain cases where the processor did not establish maximum prices for the 1943 pack under the general formula provisions of Maximum Price Regulation 409.* In general, this paragraph applies to the pricing of items which the processor cannot price under paragraph (b) for the reason that he did not establish a maximum price for the 1943 pack under the general formula provisions of Maximum Price Regulation 409 but for which he established maximum prices for the 1942 pack under the general formula provisions of Maximum Price Regulation 207. It does not apply to items which were priced by using competitors' maximum prices in 1942 or by individual authorization in 1942 or 1943.

For sales of an item on a no-storage basis to purchasers other than government procurement agencies, the processor shall figure his maximum price per dozen containers or other unit, f. o. b. shipping point, as follows:

(1) *Start with the 1942 maximum price.* The processor shall use as his starting point the maximum price for the 1942 pack of the item, f. o. b. factory, as required to be figured under Maximum Price Regulation 207.

(2) *Subtract the 1942 raw material cost.* Next, the processor shall subtract the 1942 raw material cost per dozen or other unit, delivered to his factory, as required to be figured under § 1341.202 (b) (2) of Maximum Price Regulation 207.

(3) *Add the 1944 raw material cost.* Next, the processor shall add to the resulting figure his 1944 weighted average raw material cost, converted to units of the finished product by applying the simple average of his 1941 and 1942 case (unit) yields and by adjusting for grade according to his customary practice. This cost shall be figured in the same manner and subject to the same limitations as provided in paragraph (b) (7), above, except that the actual transportation charges incurred from his customary receiving point to his factory shall be figured at the rates prevailing on June 1, 1944.

(4) *Adjust for approved increases in wage rates.* Next, the processor shall adjust for the increase in wage rates if he has incurred a wage rate increase approved by the War Labor Board or under the Fair Labor Standards Act and made effective after January 1, 1943. The adjustment is made by multiplying by the appropriate figure named in the table in paragraph (b) (2), above.

(5) *Subtract 3%.* Next, the processor shall subtract from the resulting figure 3% of that figure.

(6) *Subtract storage charges.* Finally, as to a quick-frozen item, the processor shall subtract storage charges for 6 months, figured at the same rate per month as he used under § 1341.202 (a) (1) of Maximum Price Regulation 207 in revising his weighted average price during the first 60 days after the beginning of the 1941 pack.

The resulting figure is the processor's maximum price per dozen containers or other unit, f. o. b. shipping point, for sales on a no-storage basis to purchasers other than government procurement agencies.

(d) *Raw material costs for grower-processors (including grower-owned cooperatives).* A grower-processor (including a grower-owned cooperative) figuring a maximum price under paragraph (b) or (c) shall subtract and add the raw material costs that his most closely competitive processor who is not a grower-processor is required to subtract and add, but based on his own yields. Normally, the "most closely competitive processor who is not a grower-processor" will be the same competitive processor from whom the grower-processor obtained his permitted increase for raw material under § 1341.202 (b) (2) (iii) of Maximum Price Regulation 207. In each case, however, the competitive processor shall be one who figured his maximum price under the same method (paragraph (b) or (c), above) that is being used by the grower-processor. Furthermore, where the 1944 weighted average raw material prices specified for the product in paragraph (b) (7) differ by area, the competitive processor shall be one whose customary receiving point (factory, in the case of spinach in States other than California) is located in the same area as that of the grower-processor.

"Grower-processor" means a processor who grows all of the raw material he uses in making the product being priced.

(e) *Items for which maximum prices cannot be figured under this section.* If the processor cannot figure a maximum price, f. o. b. shipping point, under the foregoing rules of this section or under section 8 (b) for sales of any item to purchasers other than government procurement agencies, he may, if he wishes, figure his maximum price under the elective pricing method of section 8 (d). If he cannot or elects not to figure his maximum price in this manner, he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price under section 8 (e).

[Sec. 5 amended by Am. 3, 9 F.R. 14982, effective 1-2-45 and as otherwise noted]

SEC. 5a. *Maximum prices for imported frozen wild blueberries*—(a) *Straight-pack*—(1) *Purchases by importers.* The maximum price that an importer may pay for straight-pack frozen wild blueberries processed in Canada or Newfoundland, imported by him into the Continental United States, shall be $.24 per pound, duty paid, f. o. b. any U. S. port or point of entry. This maximum price includes all commissions and charges to the point specified.

(2) *Sales by importers who are not wholesalers.* The maximum price that an importer who is not a wholesaler may charge for straight-pack frozen wild blueberries processed in Canada or Newfoundland, imported by him into the Continental United States, shall be $.24 per pound, duty paid, f. o. b. any U. S. port or point of entry.

(3) *Sales to commercial, industrial and institutional users by importers who are wholesalers.* The maximum price that an importer who is a wholesaler may charge a commercial, industrial or institutional user for straight-pack frozen wild blueberries processed in Canada or Newfoundland, imported by him into the Continental United States, shall be his net cost plus a mark-up of 29 per cent. He shall figure his maximum price on the basis of his first delivery of any purchase made of the item on or after April 4, 1945, and shall, on the 5th day of each month after he has figured his maximum price, increase that maximum price in accordance with section 7a (b). Until he makes such a purchase, his maximum price shall be his maximum price in effect immediately prior to April 4, 1945. He shall make no other changes in his maximum price for an item, except that if the maximum purchase price under subparagraph (1) is changed, he shall refigure his maximum price on the basis of his first purchase of the item imported by him after the effective date of the change in the maximum purchase price.

[Above paragraph amended by Am. 8, effective 6-20-45]

"Net cost" means the amount the wholesaler pays for the item delivered to his customary receiving point (but not in excess of the maximum purchase price for it under subparagraph (1) plus actual charges for transportation to the wholesaler's customary receiving point) less all discounts allowed him except the discount for prompt payment. No expense of local trucking or unloading shall be included.

(b) *Style of pack other than straight-pack.* An importer of a style of pack, other than straight-pack, of frozen wild blueberries processed in Canada or Newfoundland, shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum purchase price and a maximum selling price. The application in each case shall contain sufficient information to identify the item and shall also state why the applicant cannot determine his maximum price under the other provisions of this section.

(c) *Meaning of "importer".* "Importer" means the first consignee in the Continental United States of the item being imported.

[Sec. 5a added by Am. 4, 10 F.R. 3466, effective 4-4-45]

SEC. 6. *Maximum prices for custom packing in certain cases.*—(a) *Maximum prices.* The custom packer's maximum price for the services of custom packing an item of fruits or berries (including the furnishing of any packaging materials and additional ingredients) shall be the amount by which his maximum price for sales of the item on a no-storage basis exceeds the price paid for the particular fresh fruits or berries by the person for whom the custom packing is done, after conversion to cents per unit of the finished product. However, if the particular fresh fruit or berries being custom-packed are subject either to a maximum price established by Maximum Price Regulation 425 or a price recommended by the Department of Agriculture for payment to growers, the custom packer's maximum price for his services shall not exceed the difference between his maximum price for the frozen product and the price so established or recommended for the fresh fruit or berries, after conversion to cents per unit of the finished product.

[Undesignated paragraph revoked and paragraph (a) amended by Am. 6, 10 F.R. 4539, effective 4-25-45]

(b) *Information required to be furnished and kept.* The person for whom the custom packing is done shall furnish the custom packer with a signed statement in writing, naming the amount paid for the fresh fruits or berries custom packed, the date on which and the name of the seller from whom they were purchased. This statement shall be furnished before the custom packing is begun, and the custom packer shall preserve the statement, for examination by the Office of Price Administration or its authorized representatives at any reasonable time. However, if the fresh fruits or berries are acquired through the custom packer as agent of the purchaser, no statement is required, but the custom packer shall instead make and preserve a record of the same information for like examination.

(c) *Meaning of "custom packing."* In this regulation "custom packing" means any processing operation performed on fruits or berries owned by another, on a toll or contract basis (whether or not any packaging materials or additional ingredients are furnished), resulting in an item of frozen fruits or berries. "Custom packer" and "custom packed" shall be construed accordingly.

SEC. 7. *Maximum prices for sales by certain wholesalers*—(a) *Wagon wholesalers.* The maximum price per dozen or other unit which a wagon wholesaler may charge for an item of frozen fruits, berries or vegetables covered by this supplement shall be his net delivered cost plus a mark-up of 29 percent. After he has figured his maximum price, he shall, on the 5th day of each month, increase that maximum price in accordance with section 7a (b).

[Above paragraph amended by Am. 8, effective 6-20-45]

A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale. Such a wholesaler is a wagon wholesaler only for sales made in this manner.

In this section, "net delivered cost" means the amount the wagon wholesaler pays for the item delivered to his customary receiving point (but not in excess of the processor's maximum price for it, f. o. b. shipping point, plus actual charges for the transportation to the wagon wholesaler's customary receiving point), less all discounts allowed him except the discount for prompt payment. No expense of local trucking or unloading shall be included. Net delivered cost shall be figured on the basis of the wagon wholesaler's first delivery of any purchase made of the item on or after the effective date of this supplement or of an amendment changing the processor's maximum price.

(b) *Wholesalers of frozen fruits and berries in containers of a capacity of more than 50 pounds.* The maximum price per pound or other unit that a wholesaler may charge for an item of frozen fruits or berries covered by this supplement when sold in containers of a capacity of more than 50 pounds shall be determined in accordance with the provisions applicable to primary distributors set forth in section 8 (i) of this supplement (section 2.9 of Food Products Regulation No. 1), and the seller, when making such sales, shall be subject to all of the provisions applicable to primary distributors.

[Sec. 7 amended by Am. 3, 9 F.R. 14982, effective 1-2-45 and Am. 7, 10 F.R. 5102, effective 5-12-45]

SEC. 7a. *Storage*—(a) *Increase in maximum prices of processors.* For sales of a frozen item on a storage basis, the processor shall increase his maximum price on a no-storage basis by 1/10 cent per pound per month if the item is packed in barrels, and 1/6 cent per pound per month if the item is packed in any other container type, after the first 30 days in which the item is in cold storage.

(b) *Increase in maximum prices of other sellers.* On the 5th day of each month, a seller other than a processor shall increase his maximum price for a frozen item by 1/10 cent per pound if the item is packed in barrels and 1/6 cent per pound if the item is packed in any other container type. (This increase covers all storage on goods owned by a seller other than a processor, whether included in his supplier's maximum price or incurred on his own account.)

[Paragraphs (a) and (b) amended by Am. 8, effective 6-20-45]

(c) *Storage on goods owned by the buyer.* The foregoing rules apply only to storage of goods owned by the seller. In the case of storage by the seller of goods owned by the buyer, the seller may

charge for the storage services in accordance with the maximum price regulation applicable to such services.

SEC. 7b. *Maximum prices for sales to government procurement agencies.* (a) For sales to government procurement agencies, the seller's maximum price, f. o. b. shipping point, shall be 96% of his maximum price, f. o. b. shipping point, to purchasers other than government procurement agencies. If the seller is a processor, however, in the case of snap beans, sweet corn and green peas he shall first increase the maximum price per dozen or other unit, f. o. b. shipping point, by the difference, per dozen or other unit, between the Commodity Credit Corporation's 1943 resale price for the vegetable for the area in which his customary receiving point is located and the War Food Administration's 1944 average support price for the vegetable for freezing for that area. Where the maximum price was figured under section 5, that difference shall be converted to units of the finished product by applying the same yield factor as the processor is required to use when adding the 1944 raw material cost in figuring his maximum price for sales to purchasers other than government procurement agencies.

(b) If the processor has no maximum price for sales f. o. b. shipping point to purchasers other than government procurement agencies, he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price for sales to government procurement agencies, in accordance with section 8 (e).

[Secs. 7a and 7b added by Am. 3]

SEC. 8. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Processors who have two seasonal packs (sec. 2.1 of FPR 1).

(b) Maximum prices for products in new container types and sizes (sec. 2.2 of FPR 1).

(c) Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function (sec. 2.3 of FPR 1).

(d) Elective pricing method for processors (section 2.4 of FPR 1). The maximum "markup percentage" is 175%. The maximum price shall be figured and reported on a no-storage basis, by using the maximum price for the "most closely comparable commodity" on the same basis. (See section 7a for treatment of storage).

For the purpose of this supplement, the reported price shall be deemed to have been approved 30 days after mailing the report (or any requested additional information, amended report or change in the report) unless, within that time, the Office of Price Administration has disapproved the price.

NOTE: The processor should remember to allow sufficient time after the expiration of the 30-day period to permit notification by mail to reach him before he assumes that no action has been taken by the Office of Price Administration during that period.

[Paragraph (d) amended by Am. 3, 9 F.R. 14982, effective 1-2-45 and Am. 5, 10 F.R. 3466, effective 4-4-45]

(e) Individual authorization of maximum prices (sec. 2.5 of FPR 1). For the purpose of this supplement the proposed maximum price shall be deemed to have been authorized 30 days after mailing the application (or all additional information that may have been requested) unless, within that time, the Office of Price Administration has mailed the applicant a notice to the contrary.

NOTE: The processor should remember to allow sufficient time after the expiration of the 30-day period to permit notification by mail to reach him before he assumes that no action has been taken by the Office of Price Administration during that period.

[Paragraph (e) amended by Am. 3]

(f) When the seller must figure a delivered price (section 2.6 of FPR 1). The "base period" is the first 60 days after the beginning of the 1941 pack.

[Paragraph (f) amended by Am. 1, 9 F.R. 10045, effective 8-17-44]

(g) Uniform prices where the processor or repacker has more than one factory (sec. 2.7 of FPR 1).

(h) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (section 2.8 of FPR 1). The "base period" is the first 60 days after the beginning of the 1941 pack.

[Paragraph (h) amended by Am. 1].

(i) Maximum prices for sales by primary distributors (sec. 2.9 of FPR 1).

(j) Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers (sec. 2.10 of FPR 1).

(k) Payment of brokers (sec 2.11 of FPR 1).

(l) [Revoked]

[Paragraph (l) revoked by Am. 3, 9 F.R. 14982, effective 1-2-45]

(m) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (sec. 2.13 of FPR 1).

(n) Treatment of federal and state taxes (section 2.14 of FPR 1). The "base period" is the first 60 days after the beginning of the 1941 pack.

[Paragraph (n) amended by Am. 1]

(o) Units of sale and fractions of a cent (sec. 2.15 of FPR 1).

(p) Maintenance of customary discounts and allowances (sec. 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 9 [Revoked]

[Sec. 9 amended by Am. 1, 9 F.R. 10045, effective 8-17-44 and revoked by Am. 3]

SEC. 10. *Reports that processors must file.* Every processor shall file with the Office of Price Administration, Washington, D. C., a report in duplicate and signed by him, on Office of Price Administration Form No. 633-2179 for each item for which he figures his maximum price under section 5 of this supplement. As to each item which the processor packed prior to April 4, 1945, the report shall be filed on or before April 20, 1945. (The report for all items of a particular product shall be made on one form.) As to each item for which his first pack is started on or after April 4, 1945, the report shall be filed within 30 days after the beginning of the pack.

In addition to the report for each factory, a processor who figures a uniform maximum price for an item for a group of factories shall file on Office of Price Administration Form No. 633-2179, in duplicate and signed by him, a separate report for the price so figured, together with a statement showing the name and location of each factory in the group and his calculations under section 8 (g). The report and statement shall be filed on or before the applicable date specified above for the factory in the group at which the pack of the item is last started. Within 10 days after each time he refigures the uniform maximum price in accordance with section 8 (g), he shall file a new report for the price, together with a statement showing his calculations including volume of sales made of the production of each factory during the one-year period immediately preceding the date of refiguring.

Copies of the reporting form may be secured from any district office of the Office of Price Administration.

[Sec. 10 amended by Am. 5, 10 F.R. 3466, effective 4-4-45]

SEC. 11. *Individual adjustment of processors' maximum prices*—(a) *When adjustment may be made.* Either upon application in accordance with Revised Procedural Regulation No. 1[6] or on his own motion, the Price Administrator may adjust a processor's maximum price for any item figured under section 5 of this supplement, where it appears that:

(1) The processor's maximum price is below the median price at which sales of the item (regardless of brand) are made by processors located in the general processing area;

(2) The processor would be entitled to a price increase under the standards set forth in paragraph (b), below; and

(3) In the judgment of the Price Administrator, an increase in the processor's maximum price would be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

(b) *Amount of adjustment.* The maximum price, as adjusted under this section, shall in no event be higher than the median price at which sales of the item (regardless of brand) are made by processors located in the general processing area. Subject to this limitation and the limitation of paragraph (a) (3), the adjusted maximum price shall not exceed the following amount:

(1) Processing costs for the item, if the processor's percentage of net profits (before income and excess profits taxes) to net sales of frozen fruits, berries and vegetables, during the most recent fiscal year, was 3 percent or higher.

(2) Total costs for the item, if the processor's percentage of net profits (before income and excess profits taxes) to net sales of frozen fruits, berries, and vegetables, during the most recent fiscal year, was lower than 3 percent.

In determining adjustments under this section changes in prices resulting from the granting of adjustments under this section shall, so far as practicable, be disregarded.

(c) *Definitions.* When used in this section the term:

(1) "Net sales" means gross sales less discounts allowed, returns and allowances, and outgoing freight.

(2) "Processing costs" means:

(i) Actual cost per unit of all ingredients (other than raw agricultural commodities) and of packaging materials, for which maximum prices have been established, figured at no more than the current maximum prices applying to the class of purchasers to which the processor belongs, or, if no maximum prices have been established, figured at no more than their current market prices;

(ii) Actual cost per unit of all raw agricultural commodities used as ingredients, figured at no more than the applicable prices which the processor is permitted to use in figuring his maximum price under section 5;

(iii) Direct labor cost per unit, figured at no more than lawful current rates;

(iv) Transportation costs per unit by the usual mode of transportation from the processor's customary supplier to his factory with respect to any cost used in (i), above, and from his customary receiving point to his factory with respect to any cost used in (ii), above, if that cost is not a delivered cost and if these charges are customarily incurred; and

(v) Other costs of processing, per unit, such as indirect labor (figured at no more than lawful current rates), depreciation, factory rental, insurance, machinery repairs, and other cost factors generally pertaining to processing operations, but not including general administrative and selling expenses.

(3) "Total costs" means processing costs plus general administrative and selling expenses per unit.

(4) "Median price" means the middle price of a series of prices arranged in order of size or, if the series consists of an even number of prices, the simple arithmetic average of the two middle prices.

[Subparagraph (4) amended by Am. 5, 10 F.R. 3466, effective 4-4-45]

(d) *Form of application.* Applications for adjustment shall be filed in duplicate on Office of Price Administration Form No. 633-2079 and shall contain the information specified in that form. Copies may be obtained from the Wholesale-Retail and Fruit and Vegetable Branch, Food Price Division, Office of Price Administration, Washington, D. C.

[Paragraph (d) added by Am. 5]

[Sec. 11 amended by Am. 3, 9 F.R. 14982, effective 1-2-45 and as otherwise noted]

SEC. 12. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (sec. 3.1 of FPR 1).

(b) Weights (sec. 3.2 of FPR 1).

(c) [Revoked]

[Paragraph (c) revoked by Am. 3]

(d) Export sales (sec. 3.4 of FPR 1).

(e) Notification of new maximum price (sec. 3.5 of FPR 1). The establishment for the first time of maximum prices or a pricing method for an item in this supplement does not require notification.

[Paragraph (e) amended by Am. 2, 9 F.R. 11901, effective 9-27-44]

(f) Records which must be kept (sec. 3.6 of FPR 1).

(g) Sales slips and receipts (sec. 3.8 of FPR 1).

(h) Transfers of business or stock in trade (sec. 3.9 of FPR 1).

(i) How a figured maximum price is established and how an established maximum price may be changed (sec. 3.10 of FPR 1).

(j) Adjustable pricing (sec. 3.11 of FPR 1).

(k) Compliance with the applicable supplement (sec. 3.12 of FPR 1).

(l) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (sec. 3.13 of FPR 1).

(m) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (sec. 3.14 of FPR 1).

(n) Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (sec. 3.15 of FPR 1).

(o) Petitions for amendment (sec. 3.16 of FPR 1).

This supplement shall become effective July 17, 1944. [Food Products Regulation 1, Supplement 6 originally issued July 15, 1944]

[Effective dates of amendments are shown in notes following parts affected]

NOTE: All record-keeping and reporting requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment 8 establishing maximum prices on a storage basis in the manner provided therein is necessary to correct gross inequities.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10561; Filed, June 15, 1945; 12:01 p. m.]

[6] 9 F.R. 10476, 13715.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 23]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 22a (b) is amended to read as follows:

(b) *Frozen fruits, berries and vegetables.* After you have figured a ceiling price under this regulation for an item of frozen fruits, berries, fruit or berry juices, vegetables or vegetable juices which is covered by Supplement 6 to Food Products Regulation No. 1,[2] you must, on the fifth day of each month, add 1/6 cent per pound to your existing ceiling price.

This amendment shall become effective June 20, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment is necessary to correct gross inequities.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10562; Filed, June 15, 1945; 12:00 m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[3] Amdt. 47]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 20 (m) is amended to read as follows:

(m) *Frozen fruits, berries and vegetables.* After you have figured a ceiling price under this regulation for an item of frozen fruits, berries, fruit or berry juices, vegetables or vegetable juices which is covered by Supplement No. 6 to Food Products Regulation No. 1,[2] you must refigure your ceiling price on the fifteenth day of each month. In refiguring your ceiling price, add to the "net cost" on which your existing ceiling price is based, the amount of 1/6 cent per pound.

[1] 10 F.R. 1496.

[2] 9 F.R. 6711, 8057, 10045, 11901, 14982, 10 F.R. 2968, 3466, 4539.

[3] 10 F.R. 1505, 2024, 2297, 3814.

This amendment shall become effective June 20, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying Statement of Considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment is necessary to correct gross inequities.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10563; Filed, June 15, 1945; 12:00 m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,[1] Amdt. 20]

PASSENGER AUTOMOBILES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 2B is amended in the following respects:

1. In section 2.8 (a) the phrase "except to a dealer" appearing in the first sentence and the commas preceding and following it are deleted.

2. Section 2.8 (a) (2) is amended to read as follows:

(2) A dealer must sell any 1942 car which he holds for sale to the holder of a certificate who tenders the maximum price for the car as established by the Office of Price Administration in cash or by a cashier's or a certified check, or who offers to sign the security instruments and has the financial and legal qualifications customarily required of a purchaser, or who presents a purchase order of a government or government agency.

3. Section 2.8 (b) and (c) are amended to read as follows:

(b) A dealer's failure to comply with the provisions of paragraph (a) shall be determined at a hearing conducted by a Hearing Commissioner pursuant to Revised Procedural Regulation No. 4.

(c) It is a violation of this order for a dealer to refuse to transfer a 1942 car as required by this section; to fail to post the notice described in paragraph (a); or to transfer a 1942 car to a certificate holder if he has failed to post such notice.

4. A new section 4.5 is added to read as follows:

SEC. 4.5 *Office of Price Administration may revoke certificates.* (a) The office (Board, District or National) issuing a certificate for a 1942 car; the office (District or Regional) immediately supervising the issuing office; or any District or Regional Office acting at the request of one of the foregoing offices, may revoke a certificate any time prior to the actual delivery of the car to the certificate holder, under the following circumstances:

(1) Where the person to whom the certificate was issued was not entitled to it on the basis of statements made in his application;

(2) Where the issuing office or its supervising office has reason to believe that there was a misrepresentation of the facts upon which the applicant's eligibility for a car was established;

(3) Where the certificate was issued as the result of a clerical error;

(4) Where the occupation or status of the person to whom the certificate was issued has changed so that he is no longer eligible for the car which his certificate authorized him to acquire.

(b) A certificate which has been revoked becomes null and void as soon as the person having possession of it receives notice of the revocation. The person who has possession of the certificate shall surrender it to the office which revoked the certificate within two days after receiving notice of the revocation. Notice of the revocation shall also be delivered or mailed to the person to whom the certificate was issued if he transferred the certificate to a dealer prior to its revocation.

(c) The person to whom the revoked certificate had been issued may request a hearing by writing to the office which issued the certificate within five days after he receives notice of the revocation. The issuing office shall promptly set a date for the hearing and shall give the appellant at least three days notice of the date set for the hearing. The issuing office shall, within ten days of the conclusion of the hearing, inform the appellant in writing of its decision. If the decision reverses the revocation, a new certificate shall be issued to the appellant. The appellant may appeal from any adverse decision in accordance with the procedure set forth in Procedural Regulation No. 9 of the Office of Price Administration.

This amendment shall become effective June 19, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719, WPB Dir. No. 1, 7 F.R. 563, Supp. Dir. IX, 9 F.R. 8776)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10566; Filed, June 15, 1945; 11:59 a. m.]

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 584, Amdt. 2]

FEATHER FILLED PILLOWS AND UPHOLSTERY CUSHION INNERCASINGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and it has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 584 is amended in the following respects:

1. Section 6 (b) is amended to read as follows:

(b) (1) Except as provided in (2) below, the tag shall be of durable white cloth, stating the following items in the sequence listed, or in any other sequence approved by letter from the Office of Price Administration, Washington, D. C. The type sizes listed below must be used.

	Gothic type size
Space to attach	12 point (capitals).
Mfrs. name or Reg. No.: Designation of pillow:	8 point (small).
Finished size: Gross weight:	12 point (capitals).
This pillow contains ---% second-hand filling materials.[1] OPA retail ceiling price: $------	14 point (capitals).

[1] If the filling components are all new filling materials, substitute "This pillow contains all new filling materials" in 14 point Gothic type (capitals).

(2) If the tag is affixed by a retailer to pillows in his inventory on April 28, 1945, which he has reported to the Office of Price Administration pursuant to section (13 (a) (2) (ii), the tag shall state such information as shall be specified by the Office of Price Administration in the order establishing the retailer's maximum prices for sales of those pillows.

2. Section 13 (a) (2) (ii) is amended to read as follows:

(ii) However, if the retailer does not secure such a tag from the manufacturer, or if the 60-day period has expired, and the retailer continues to have untagged pillows in inventory, he shall submit a signed report in duplicate to the District Office of the Office of Price Administration having jurisdiction over the retailer's place of business, setting forth the following with respect to each type, kind and size-class of untagged pillows remaining in his inventory on the date of the report:

The date of the report.
The retailer's name and address.
The number of untagged pillows in inventory on the date of the report.
The name and address of the manufacturer (if known).
The name and address of the retailer's supplier.
The manufacturer's name, number or other designation of the pillows.
The size-class of the pillows.
The components of the filling mixture and a statement of whether such components are new or second-hand, (if known)
The date the pillows were acquired by the retailer.
The net invoice price of the pillows, per unit, to the retailer.

After receipt of such report, the Office of Price Administration will issue an order establishing retail ceiling prices for sales of the pillows described in the report, which prices will be in line with the level of retail ceiling prices otherwise established by this regulation.

The order will direct the retailer to affix a retail ceiling price tag to the pillows which it covers and, after June 27, 1945, no person shall sell any such pillows for which a retail ceiling price has been so established unless a tag in the form described in the order is attached thereto.

Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator may issue orders under this section establishing retail ceiling prices in accordance with the terms of this section.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective on June 14, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10523; Filed, June 14, 1945; 4:39 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 196,[1] Amdt. 7]

TURNED OR SHAPED WOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1384.51 of Maximum Price Regulation 196 is amended to read as follows:

§ 1384.51 *Definition of "turned or shaped wood products."* For the purpose of this Maximum Price Regulation 196,

(a) The term "turned wood product" means any softwood or hardwood lumber product which has been turned on a cutting machine or passed through a dowel machine. The term does not include:

(1) Rotary cut lumber or veneer.

(2) Finished products ready for ultimate use (rather than incorporation in other products), consisting of a turned wood product or an assembly of a turned wood product or products and other parts. Specifically, but not exclusively, the following products are not subject to this Maximum Price Regulation 196: furniture, brooms, mops, carpet sweepers, toys, games, baseball bats, checkers, chess men, billiard cues, drumsticks, golf tees, tools, wooden spoons, wooden bowls, toothpicks, potato mashers, rolling pins, clothespins, medical applicators and an assembly of wood product units even though any one or more of such units by itself is a turned wood product.

However, in spite of anything stated above to the contrary, the term "turned wood product" does include handles and wood parts of utensils and wood parts of appliances (other than rotary cut lumber) which have been turned on a cutting machine or passed through a dowel machine.

The term "turned wood product" also includes products which must have further work performed on them or a part or parts assembled to them before they are ready for ultimate use. The necessity for painting, lacquering or varnishing such products before they are ready for ultimate use shall not be considered criteria to determine whether further work must be performed on the products for them to be ready for ultimate use. In addition, the term "turned wood product" includes wood soles and lasts, however made, and regardless of whether the soles or lasts consist exclusively of wooden parts or of wooden parts assembled with other parts.

(b) The term "shaped wood product" means any softwood or hardwood lumber product which has been shaped to pattern on a cutting machine. The term does not include:

(1) Moulding.

(2) Millwork.

(3) Small dimension stock either rough, semi-machined or completely machined and either glued or not glued.

(4) Doors, sash, windows and frames or parts thereof.

(5) Finished products ready for ultimate use (rather than for incorporation in other products) consisting of a shaped wood product or an assembly of a shaped wood product or products and other parts. Specifically, but not exclusively, the following products are not subject to this Maximum Price Regulation 196: furniture, toys, tools, picker sticks, toothpicks, clothespins, wooden spoons, medical applicators, tongue depressors, and an assembly of wood product units even though any one or more of such units by itself is a shaped wood product.

However, in spite of anything stated above to the contrary, the term "shaped wood product" does include handles and wood parts of utensils and wood parts of appliances which have been shaped to pattern on a cutting machine. The term "shaped wood product" also includes products which must have further work performed on them or a part or parts assembled to them before they are ready for ultimate use. The necessity for painting, lacquering or varnishing the products before they are ready for ultimate use shall not be considered criteria to determine whether further work must be performed on the products for them to be ready for ultimate use.

This amendment becomes effective June 20, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10569; Filed, June 15, 1945; 12:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 21]

SUGAR

A rationale accompanying this amendment will be issued and filed with the Division of the Federal Register.

Second Revised Ration Order 3 is amended in the following respects:

1. Section 3.3 (c) is amended by deleting the number "19.2" in the last sentence thereof and inserting in place thereof the number "20.2".

2. Section 3.4 (a) is amended by deleting the number "19.4" in the first sentence and inserting in place thereof the number "20.4".

3. Sections 3.6 to 3.11, inclusive, are revoked and section 3.14 is amended by adding the following parenthetical statement at the end thereof: "(The granting of provisional allowances of sugar is covered in Article XIX of this Order)".

4. Section 7.2 (a) is amended by deleting the words "section 19.3, Schedule C" and inserting in place thereof the words "section 20.3".

5. Section 7.2 (b) is amended by deleting the number "19.3" in the first sentence and inserting in place thereof the number "20.3".

6. Sections 19.2, 19.3 and 19.4 are designated 20.2, 20.3 and 20.4, respectively, and Article XIX is amended to read as follows:

ARTICLE XIX—PROVISIONAL ALLOWANCE

SEC. 19.1 *Provisional allowance for pickled and cured fish, shellfish and poultry products*—(a) *General.* An industrial user may get a provisional allowance of sugar for curing, processing or packing, (1) pickled and cured fish, (2) shellfish and (3) poultry products.

(b) *How to apply.* (1) A provisional allowance for curing, processing or packing the products listed in (a) is granted for three-month periods corresponding to the quarterly allotment periods for industrial users. An application for such a provisional allowance for any period may be made at any time from fifteen days before to the end of that period. On or before application for a provisional allowance for these purposes, however, the industrial user must file a written report with the Board or District Office with which he is registered showing with respect to each of the products listed in (a)

(i) The total number of pounds of each product cured, processed or packaged by him during 1941;

(ii) The total amount of sugar used by him for such purposes during 1941;

(iii) The average amount of sugar which he used per 100 pounds (unprocessed) of that product for such purposes during 1941;

(2) The application must be made on OPA Form R-315 to the Board or District Office with which the industrial user is registered. It must contain the following information separately stated for each product for which he applies:

(i) The number of 100 pound units (unprocessed) of each such product which he expects to cure, process or package from the date of application to the end of the quarterly period for which application is made;

(ii) The amount, if any, of unused sugar remaining from his last provisional allowance of sugar for each such product.

[1] 8 F.R. 2483, 5317, 5531, 5678.

[1] 7 F.R. 6078, 7254, 8016, 8945; 8 F.R. 11812, 15104, 15431.

[1] 9 F.R. 13641, 13992, 14642, 15048; 10 F.R. 201.

(c) *Action on application.* (1) The Board, or District Office, shall grant the application if it finds that the applicant is entitled to receive a provisional allowance under this section and that he has made the report required in (b) (1) and that the application gives the information required by paragraph (b) (2) of this section.

(2) The amount of the provisional allowance of sugar for use in curing, processing or packaging the products listed in (a) shall be computed, separately for each product listed, in the following way:

(i) For each listed product the number of 100 pound units (unprocessed) which the applicant expects to cure, process or package from the date of the application to the end of the quarterly period for which application is made is multiplied by 70% of the average number of pounds of sugar which he used per 100 pounds (unprocessed) cured, processed or packaged by him during 1941;

(ii) The resulting figures for each listed product are added together and the result is his provisional allowance for curing, processing or packaging pickled and cured fish, shellfish and poultry products. The Board shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued for these purposes.

(d) *Restriction on use.* If an industrial user receives a provisional allowance under this order for curing, processing or packaging any product listed in (a) he may use that provisional allowance only for the purpose of producing that product. He may not for any such product use more sugar per 100 pounds (unprocessed) than 70% of the average number of pounds of sugar he used per 100 pounds (unprocessed) for that product in 1941.

(e) *Records and reports.* An industrial user who during a calendar month has sugar for curing, processing or packaging any product listed in (a) must before the sixteenth day of the following month file with his Board or District Office with which he is registered a written report showing (1) the number of pounds of sugar used by him during the preceding month for each such product (separately stated); (2) the number of 100 pound units (unprocessed) of that product he used in manufacturing the finished product; and (3) the amount of sugar he has on hand unused at the end of the month. He must keep a copy of this report at his principal business office for a period of two years.

SEC. 19.2 *Provisional allowance for curing, processing or packing meat*—(a) *General.* An industrial user may get a provisional allowance of sugar to cure, process or pack any of the meat products listed in Table I of section 20.1.

(b) *How to apply.* A provisional allowance to cure, process or package the meat products listed in Table I of section 20.1 is granted for three month periods corresponding to the quarterly allotment periods for industrial users. An application for such a provisional allowance for any period may be made at any time from fifteen days before to the end of that period. The application must be made on OPA Form R-315 to the Board, or District Office, with which the industrial user is registered. It must contain the following information separately stated for each kind of meat product he will cure, process or package:

(1) The number of 100 pound units (unprocessed) of each product he expects to cure, process, or pack from the date of application to the end of the quarterly period for which application is made.

(2) The amount, if any, of unused sugar remaining from his last provisional allowance of such purposes.

(c) *Action on application.* (1) The Board, or District Office shall grant the application if it finds that the applicant is entitled to receive a provisional allowance for curing, processing or packing meat and that the application gives the information required by (b) of this section.

(2) The amount of the provisional allowance of sugar for use in curing, processing and packing meat shall be computed in the following way separately for each product:

(i) The number of 100 pound units (unprocessed) of each kind of meat product the applicant expects to cure, process or pack from the date of application to the end of the quarterly period for which application is made is multiplied by the allowance for that unit of product set out in Table I in section 20.1.

(ii) The resulting figure, for each kind of product are added together and the result is his provisional allowance for curing, processing, or packing meat. The Board or District Office shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued for these purposes.

(d) *Restriction on use.* (1) If an industrial user receives a provisional allowance under this order for curing, processing or packing any meat product, he may use that provisional allowance only for the purpose of curing, processing or packing that meat product.

(2) A provisional allowance of sugar may not be used for curing, processing or packing meat to be consumed point free under section 3.1 of Revised Ration Order 16 or to be transferred point free under section 3.3 of Revised Ration Order 16. No industrial user may use more sugar in any quarterly period for packing or otherwise processing any unit of any product listed in Table I, section 20.1, than the amount specified therein as the allowance per unit of such product. However, he may average his use with respect to products in a single class if:

(i) He used sugar in such products in 1941, 1942, 1943, or 1944; or

(ii) He is authorized by the Office of Price Administration to average his sugar use with respect to such product. (The Office of Price Administration will, upon petition, authorize averaging of use with respect to any product if the applicant establishes that the item has been prior to 1945 customarily packed or processed with sugar by the meat industry). He may in each quarter use sugar for packing or otherwise processing all such products produced by him in that quarterly period by the allowance per unit for such class of products specified in Table I. For example, an applicant may have packed bacon and hams with sugar in 1942 but has never packed picnics (shoulders) with sugar. With respect to sugar obtained during the quarter as a provisional allowance for packing the bacon and hams, he may average out his total use of sugar in packing these two products during the quarter. He may not use more than 1.30 pounds of sugar for each 100 pounds of picnics he packs. However, if he has been authorized by the Office of Price Administration to average his use of sugar in packing or processing picnics, he may include this item with ham and bacon in determining his permissible use of sugar.

(e) *Records and reports.* An industrial user who during a calendar month has sugar for the purposes covered by this section must before the sixteenth day of the following month file with his Board or District Office with which he is registered a written report of the number of pounds of sugar used by him during the preceding month to pack each 100 pound units (unprocessed) used; (1) the amount of sugar used; and (2) the amount of sugar he had on hand at the end of the month for that purpose. He must keep a copy of this report at his principal business office for a period of two years.

SEC. 19.3 *Provisional allowance for producing frozen fruit*—(a) *General.* An industrial user may get a provisional allowance of sugar to produce the kinds and container sizes of frozen fruit listed in Table II of section 20.1.

(b) *How to apply.* A provisional allowance for the preparation of frozen fruit is granted for three-month periods corresponding to the quarterly allotment periods for industrial users. An application for such a provisional allowance for any period may be made at any time from fifteen days before to the end of that period. The application must be made on OPA Form R-315 to the Board, or District Office, with which the industrial user is registered. It must contain the following information separately stated for each kind of fruit he will freeze:

(1) The number of pounds of fresh fruit he expects to freeze from the date of application to the end of the quarterly period for which application is made.

(i) How many pounds will be packed in containers of over 10 pounds.

(ii) How many pounds will be packed in containers of 10 pounds or less.

(2) The amount, if any, of unused sugar remaining from his last provisional allowance of sugar for freezing fruit.

(c) *Action on application.* (1) The Board, or District Office, shall grant the application if it finds that the applicant is entitled to receive a provisional allowance to produce frozen fruit and that the applicant gives the information required by (b) of this section.

(2) The amount of the provisional allowance of sugar for use in producing frozen fruit shall be computed in the following way separately for each kind of fruit:

(i) The number of units as set out in Table II of each kind of fruit the applicant expects to freeze during the quarter is multiplied by the allowance for the container size and kind of fruit set out in Table II in section 20.1.

(ii) The resulting figures for each kind of fruit are added together and the result is his provisional allowance for freezing fruit. The Board or District Office shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued to freeze fruit.

(d) *Restriction on use.* If an industrial user receives a provisional allowance under this order for freezing any kind of fruit, he may use that provisional allowance only for the purpose of freezing that kind of fruit and only in the type of containers for which he obtained it. No industrial user may use more sugar in any unit of fresh fruit frozen by him than the amount specified in Table II of section 20.1 for that kind of fruit.

(e) *Records and reports.* Any industrial user who during a calendar month has sugar to freeze fruit must before the sixteenth day of the following month file with his Board or District Office with which he is registered a written report of the number of pounds of sugar used by him during the preceding month to freeze each kind of fruit. The report must state the number of pounds of each kind of fresh fruit frozen by him, stating: (1) the number of pounds of fresh fruit packed in containers of more than ten pounds, and the amount of sugar used; (2) the number of pounds of fresh fruit packed in containers of 10 pounds or less and the amount of sugar used, and (3) the amount of sugar on hand unused at the end of the month. He must keep a copy of this report at his principal business for a period of two years.

SEC. 19.4 *Provisional allowance for canned, frozen, bottled or dehydrated cooked beans*—(a) *General.* An industrial user may get a provisional allowance of sugar for canned, frozen, bottled or dehydrated cooked beans.

(b) *How to apply.* (1) A provisional allowance for cooked beans is granted for three month periods corresponding to the quarterly allotment periods for industrial users. An application for such a provisional allowance for any period may be made at any time from fifteen days before to the end of that period. On or before application for a provisional allowance for these purposes, however, the industrial user must file a written report with the Board or District Office with whom he is registered showing:

(i) The total amount of cooked beans produced by him during 1941;

(ii) The total amount of sugar used by him in such cooked beans in 1941;

(iii) The average amount of sugar which he used per 100 pounds of dried beans processed in 1941.

(2) The application must be made on OPA Form R-315 to the Board or District Office with which the industrial user is registered. It must contain the following information:

(i) The number of 100 pound units of dried beans which he expects to process from the date of application to the end of the quarterly period for which application is made;

(ii) The amount, if any, of unused sugar remaining from his last provisional allowance of sugar for cooked beans.

(c) *Action on application.* (1) The Board, or District Office, shall grant the application if it finds that the applicant is entitled to receive a provisional allowance for cooked beans, that he has made the report required in (b) (1) and that the application gives the information required by paragraph (b) (2) of this section.

(2) The amount of the provisional allowance of sugar for use in cooked beans shall be computed in the following way:

(i) The number of 100 pound units of dried beans the applicant expects to use in producing cooked beans from the date of application to the end of the quarterly period for which application is made is multiplied by 80% of the average number of pounds of sugar which he used per 100 pounds of dried beans so used during 1941.

(ii) The result is his provisional allowance for cooked beans. The Board shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued for cooked beans.

(d) *Restriction on use.* If an industrial user receives a provisional allowance under this Order for cooked beans, he may use that provisional allowance only for the purpose of producing canned, frozen, bottled or dehydrated cooked beans. No industrial user may use more sugar per 100 pounds of dried beans he processes than 80% of the average amount of sugar he used in 1941 per 100 pounds of dried beans processed.

(e) *Records and reports.* An industrial user who during a calendar month has sugar for cooked beans must before the sixteenth day of the following month file with his Board or District Office with which he is registered a written report of the number of pounds of sugar used by him during the preceding month for cooked beans. The report must state: (1) the number of 100 pound units of dried beans processed by him; (2) the amount of sugar used and (3) the amount of sugar he has unused on hand at the end of the month. He must keep a copy of this report at his principal business office for a period of two years.

SEC. 19.5 *Provisional allowance for canned and bottled fruit juices*—(a) *General.* (1) An industrial user may get a provisional allowance of sugar for canning and bottling fruit juices.

(2) A provisional allowance of sugar may not be granted to produce "home processed foods" as defined in section 26.1 of Revised Ration Order 13.

(b) *How to apply.* (1) A provisional allowance for canning and bottling fruit juices is granted for three month periods corresponding to the quarterly allotment periods for industrial users. An application for such a provisional allowance for any period may be made at any time from fifteen days before to the end of that period. On or before application for a provisional allowance for these purposes, however, the industrial user must file a written report with the Board or District Office with which he is registered showing separately for each kind of fruit juice he will can or bottle:

(i) The total number of gallons of that kind of fruit juice produced by him during 1941;

(ii) The total amount of sugar used by him for that kind of fruit juice during 1941;

(iii) The average amount of sugar which he used per gallon of that kind of fruit juice during 1941;

(2) The application must be made on OPA Form R-315 to the Board or District Office with which the industrial user is registered. It must contain the following information separately stated for each kind of fruit juice.

(i) The number of gallons of that kind of fruit juice which he expects to can or bottle from the date of application to the end of the quarterly period for which application is made;

(ii) The amount, if any, of unused sugar remaining from his last provisional allowance of sugar for that kind of canned or bottled fruit juice.

(c) *Action on application.* (1) The Board, or District Office, shall grant the application if it finds that the applicant is entitled to receive a provisional allowance for canned or bottled fruit juices, that he has made the report required in (b) (1) and that the application gives the information required by paragraph (b) (2) of this section.

(2) The amount of the provisional allowance of sugar for use in canning or bottling fruit juices shall be computed in the following way separately for each kind of fruit juice:

(i) For each kind of fruit juice the number of gallons of that kind of fruit juice which the applicant expects to make from the date of application to the end of the quarterly period for which application is made is multiplied by 80% of the average number of pounds of sugar which he used per gallon for that kind of fruit juice during 1941.

(ii) The resulting figures for each kind of fruit juice are added together and the result in his provisional allowance for canning and bottling fruit juices. The Board shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued for canning and bottling fruit juices.

(d) *Restriction on use.* If an industrial user receives a provisional allowance under this order for canning and bottling any kind of fruit juice, he may use that provisional allowance only for the purpose of canning and bottling that kind of fruit juice. For any packing season beginning after June 15, 1945, or for any part of a packing season not ended by that date he may not use more sugar in canning or bottling any fruit juice than 80% of the average amount of sugar

he used per gallon for that kind of fruit juice in 1941; moreover, for any packing season for that fruit juice which began before but was not ended by June 15, 1945, his use of sugar per case in the production of that fruit juice may not, in any event, exceed 90% of the average amount sugar he used per gallon in 1941 for that kind of fruit juice.

He may not use a provisional allowance of sugar for producing "home processed foods" as defined in section 26.1 of Revised Ration Order 13.

(e) *Records and reports.* An industrial user who during a calendar month has sugar to can or bottle any kind of fruit juice must before the sixteenth day of the following month file with his Board or District Office with which he is registered a written report of the number of pounds of sugar used by him during the preceding month to can and bottle that kind of fruit juice. The report must state: (1) the number of gallons of each kind of fruit juice canned or bottled; (2) the amount of sugar used by him in canning or bottling that kind of fruit juice; and (3) the amount of sugar unused on hand at the end of that month. He must keep a copy of this report at his principal business office for a period of two years.

SEC. 19.6 *Provisional allowance for making soup*—(a) *General.* An industrial user may get a provisional allowance of sugar to manufacture canned or bottled soup.

(b) *How to apply.*[1] (1) A provisional allowance for soup is granted for three-month periods corresponding to the quarterly allotment periods for industrial users. An application for such a provisional allowance for any period may be made at any time from fifteen days before to the end of that period. On or before application for a provisional allowance for these purposes, however, the industrial user must file a written report with the Board or District Office with which he is registered showing:

(i) The total number of cases of 24 No. 2 cans (or equivalent) of each kind of soup produced by him during the period from August 1, 1943, to June 30, 1944, inclusive;

(ii) The total amount of sugar used by him for each kind of soup during that period;

(iii) The average number of pounds of sugar which he used per case of 24 No. 2 cans (or equivalent) of each kind of soup during that period.

(2) The application must be made on OPA Form R-315 to the Board or District Office with which the industrial user is registered. It must contain the following information separately stated for each kind of soup:

(i) The number of cases of 24 No. 2 cans of each kind of soup which he expects to can or bottle from the date of application to the end of the quarterly period for which application is made;

(ii) The amount, if any, of unused sugar remaining from his last provisional allowance of sugar for soup.

(c) *Action on application.* (1) The Board, or District Office, shall grant the application if it finds that the applicant is entitled to receive a provisional allowance for soup, that he has made the report required in (b) (1) and that the application gives the information required by paragraph (b) (2) of this section.

(2) The amount of the provisional allowance of sugar for soup shall be computed in the following way separately for each kind of soup:

(i) For each kind of soup, the number of cases of 24 No. 2 cans of soup which the applicant expects to make during the quarter is multiplied by the average number of pounds of sugar which he used for each case of twenty-four No. 2 cans (or equivalent) during the period from August 1, 1943, to June 30, 1944, inclusive.

(ii) The resulting figures for each kind of soup are added together and the result is his provisional allowance for soup. The Board shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued for making soup.

(d) *Restriction on use.* If an industrial user receives a provisional allowance under this order for making any kind of soup, he may use that provisional allowance only for the purpose of making canned or bottled soup. He may not use more sugar for any case of 24 No. 2 cans (or equivalent) of that kind of canned or bottled soup than the average number of pounds of sugar he used for each case of that kind of soup in the period from August 1, 1943, to June 30, 1944, inclusive.

(e) *Records and reports.* An industrial user who during a calendar month obtains sugar to make soup must before the sixteenth day of the following month file with his Board or District Office with which he is registered a written report of the number of pounds of sugar used by him during the preceding month to can or bottle each kind of soup. The report must state: (1) the number of cases of 24 No. 2 cans (or equivalent) of each kind of soup canned or bottled by him, (2) the amount of sugar used in it and (3) the amount of sugar on hand unused at the end of the month. He must keep a copy of this report at his principal business office for a period of two years.

SEC. 19.7 *Provisional allowance for making tomato catsup and chili sauce*—(a) *General.* An industrial user may get a provisional allowance of sugar to make tomato catsup and chili sauce rationed under Revised Ration Order 13.

(b) *How to apply.*[1] (1) A provisional allowance for tomato catsup and chili sauce is granted for three-month periods corresponding to the quarterly allotment periods for industrial users. An application for such a provisional allowance for any period may be made at any time from fifteen days before to the end of that period. On or before application for a provisional allowance for these purposes, however, the industrial user must file a written report with the Board or District Office with which he is registered showing:

(i) The total number of cases of 6 No. 10 cans (or equivalent) of tomato catsup and chili sauce produced by him in 1941.

(ii) The total amount of sugar used by him for tomato catsup and chili sauce during that period.

(iii) The average number of pounds of sugar which he used per case of 6 No. 10 cans (or equivalent) during 1941.

(2) The application must be made on OPA Form R-315 to the Board or District Office with which the industrial user is registered. It must contain the following information:

(i) The number of cases of 6 No. 10 cans (or equivalent) of tomato catsup and chili sauce which he expects to produce from the date of application to the end of the quarterly period for which application is made;

(ii) The amount, if any, of unused sugar remaining from his last provisional allowance of sugar for tomato catsup and chili sauce.

(c) *Action on application.* (1) The Board, or District Office, shall grant the application if it finds that the applicant is entitled to receive a provisional allowance for tomato catsup and chili sauce that he has made the report required in (b) (1) and that the application gives the information required by paragraph (b) (2) of this section.

(2) The amount of the provisional allowance of sugar for tomato catsup and chili sauce shall be computed by taking the number of cases of 6 No. 10 (or equivalent) cans of tomato catsup and chili sauce which the applicant expects to make from the date of application to the end of the quarterly period for which application is made and multiplying that figure by the average number of pounds of sugar which he used for each case of 6 No. 10 cans (or equivalent) during 1941. The result is his provisional allowance for tomato catsup and chili sauce. The Board shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued for making tomato catsup and chili sauce.

(d) *Restriction on use.* If an industrial user receives a provisional allowance under this order for making tomato catsup and chili sauce, he may use that provisional allowance only for the purpose of making tomato catsup and chili sauce which is rationed under Revised Ration Order 13. The average amount of sugar he may use per case of 6 No. 10 cans or equivalent of tomato catsup or chili sauce may not exceed the average amount he used per case for such pack in 1941.

[1] An industrial user who packs soup otherwise than in cases of 24 No. 2 cans must use the table of conversion factors in section 20.1, Table V to convert his figures into terms of such cases.

[1] An industrial user who packs tomato catsup or chili sauce otherwise than in cases of 6 No. 10 cans must use the table of conversion factors in section 20.1 Table V to convert his figures into terms of such cases.

(e) *Records and reports.* An industrial user who during a calendar month has sugar for making tomato catsup and chili sauce must before the sixteenth day of the following month file with his Board or District Office with which he is registered a written report of the number of pounds of sugar used by him during the preceding month to make tomato catsup and chili sauce. The report must state: (1) the number of cases of 6 No. 10 cans (or equivalent) of tomato catsup and chili sauce packed by him; (2) the amount of sugar used; and (3) the amount of sugar on hand unused at the end of the month. He must keep a copy of this report at his principal business office for a period of two years.

SEC. 19.8 *Provisional allowance for manufacturing condensed milk in containers of over one gallon*—(a) *General.* An industrial user may apply, in any month, for a provisional allowance to manufacture during the following month condensed milk to be packaged in containers holding more than one gallon.

(b) *How he applies.* Application must be made in duplicate on OPA Form R-315 and must show:

(1) The plant capacity of his industrial user establishment.

(2) The amount of milk the industrial user will receive during the month for which the provisional allowance is requested, and

(3) The amount of such milk which cannot be processed into non-sugar-containing products other than evaporated milk, or into condensed milk to be packaged by him in containers holding one gallon or less. The industrial user shall send the original of the application to the Office of Price Administration, Washington, D. C., and shall file a duplicate with the Board with which he is registered.

(c) *Allowances are granted by Washington Office.* The Washington Office of the Office of Price Administration may grant such provisional allowance in an amount which it considers necessary to prevent the spoilage of milk, on such conditions as it may require.

SEC. 19.9 *Provisional allowance for producing canned and bottled vegetables*—(a) *General.* An industrial user may get a provisional allowance of sugar to can or bottle the vegetables listed in Table II of section 20.1 of this order.

(b) A provisional allowance may not be granted for producing "home processed foods" as defined in section 26.1 of Revised Ration Order 13.

(c) *How to apply.*[1] A provisional allowance for canning or bottling vegetables is granted for three-month periods corresponding to the quarterly allotment periods for industrial users. An application for such a provisional allowance for any period may be made at any time from fifteen days before to the end of that period. The application must be made on OPA Form R-315 to the Board, or District Office, with which the industrial user is registered. It must contain the following information separately stated for each kind of vegetable he will can or bottle:

(1) The number of cases of 24 No. 2 cans, or equivalent, of each kind of vegetable he expects to can or bottle from the date of application to the end of the quarterly period for which application is made.

(2) The amount, if any, of unused sugar remaining from his last provisional allowance of sugar for canning each kind of vegetable.

(d) *Action on application.* (1) The Board, or District Office, shall grant the application if it finds that the applicant is entitled to receive a provisional allowance to can or bottle vegetables and that the application gives the information required by (c) of this section.

(2) The amount of the provisional allowance of sugar for use in canning and bottling vegetables shall be computed in the following way separately for each kind of vegetable:

(i) The number of cases of 24 No. 2 cans of each kind of vegetable the applicant expects to can or bottle from the date of application to the end of the quarterly period for which application is made is multiplied by the allowance for that kind of vegetable set out in Table III in section 20.1.

(ii) The resulting figures, for each kind of vegetable are added together and the result is his provisional allowance for canning or bottling vegetables. The Board of District Office shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued to can or bottle vegetables.

(e) *Restriction on use.* If an industrial user receives a provisional allowance under this order for canning or bottling any kind of vegetable, he may use that provisional allowance only for packing that kind of vegetable and only in an amount not to exceed the quantities allowed by Table III, section 20.1 for the purpose of canning or bottling that kind of vegetables. It may not be used to produce "home processed foods" as defined in section 26.1 of Revised Ration Order 13.

(f) *Records and reports.* An industrial user who during a calendar month has sugar for canning or bottling vegetables must, before the sixteenth day of the following month, file with his Board or District Office with which he is registered a written report of the number of pounds of sugar used by him during the preceding month to can or bottle each kind of vegetable. The report must state: (1) the number of cases of 24 No. 2 cans, or equivalent, of that kind of vegetable canned or bottled by him; (2) the amount of sugar used; and (3) the amount of sugar unused on hand at the end of the month. He must keep a copy of this report at his principal business office for a period of two years.

SEC. 19.10 *Provisional allowance for canned and bottled fruit*—(a) *General.* (1) An industrial user may get a provisional allowance of sugar for canning and bottling fruits.

(2) A provisional allowance of sugar may not be granted for producing "home processed foods" as defined in section 26.1 of Revised Ration Order 13.

(b) *How to apply.*[1] (1) A provisional allowance for canning and bottling fruit is granted for three-month periods corresponding to the quarterly allotment periods for industrial users. An application for such a provisional allowance for any period may be made at any time from fifteen days before to the end of that period. On or before application for a provisional allowance for these purposes, however, the industrial user must file a written report with respect to each kind of fruit he will can or bottle:

(i) The total number of cases of 24 No. 2½ cans (or equivalent) of each kind of fruit produced by him during 1941;

(ii) The total amount of sugar used for such fruit in 1941;

(iii) The average amount of sugar which he used per case of 24 No. 2½ cans (or equivalent) of each kind of fruit during 1941.

(2) The application must be made on OPA Form R-315 to the Board or District Office with which the industrial user is registered. It must contain the following information separately stated for each kind of fruit:

(i) The number of 24 No. 2½ cans (or equivalent) of each kind of fruit which he expects to can or bottle from the date of application to the end of the quarterly period for which application is made;

(ii) The amount, if any, of unused sugar remaining from his last provisional allowance of sugar for each kind of canned or bottled fruit.

(c) *Action on application.* (1) The Board, or District Office, shall grant the application if it finds that the applicant is entitled to receive a provisional allowance for canned or bottled fruit, that he has made the report required in (b) (1) and that the application gives the information required by paragraph (b) (2) of this section.

(2) The amount of the provisional allowance of sugar for use in canning or bottling fruit, for each kind of fruit, shall be computed in one of the following ways, whichever is applicable:

(i) The number of cases of 24 No. 2½ cans (or equivalent) of that kind of fruit which the applicant expects to pack from the date of application to the end of the quarter is multiplied by 80% of the average number of pounds of sugar which he used per 24 No. 2½ cans (or equivalent) for that kind of fruit during 1941; or

(ii) However, if his average use per case of 24 No. 2½ cans (or equivalent) during 1941 is more than the amount specified in Table IV set out in section 20.1 and 80% of his average 1941 use per case is less than the amount set out in that Table, his provisional allowance is computed by taking for each kind of fruit the number of cases of 24 No. 2½ cans (or equivalent) which the applicant

[1] An industrial user who packs vegetables otherwise than in cases of 24 No. 2 cans must use the table of conversion factors in section 20.1, Table III to convert his figures into terms of such cases.

[1] An industrial user who packs canned or bottled fruits otherwise than in cases of 24 No. 2½ cans must use the table of conversion factors in section 20.1, Table V to convert his figures into terms of such cases.

expects to pack from the date of application to the end of the quarter and multiplying it by the amount of sugar per case for that kind of fruit as set out in Table IV; or

(iii) If 100% of his 1941 use per case is less than the amount set out in Table IV of section 20.1, his provisional allowance for each kind of fruit is computed by multiplying the number of cases of 24 No. 2½ cans, or equivalent, which the applicant expects to pack during the quarter by the average number of pounds of sugar which he used per case of 24 No. 2½ cans (or equivalent) of that kind of fruit during 1941.

The resulting figures for each kind of fruit are added together and the result is his provisional allowance for canning and bottling fruit. The Board shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued for canning and bottling fruit.

(d) *Restriction on use.* An industrial user who obtains a provisional allowance under this order may use the sugar during a packing season only to pack the fruit for which it was granted and only in the quantities allowed. Moreover, he may not use sugar for any packing season beginning after June 15 or for any part of a packing season beginning after that date at an average rate higher than is provided in computing the allowance in paragraph (c) of this section. In addition, for any packing season for that fruit which began before but was not ended by June 15, 1945, his average use of sugar per case in the canning or bottling of that fruit must not, in any event, exceed 90% of the average amount he used per case in 1941. Moreover, after June 15, the maximum Brix cut out in which the following fruits may be packed is as follows:

	Degrees
Prunes	29.9
Figs	29.9
Blackberries	23.9
Raspberries and all other berries (excluding cranberries)	27.9
Plums	25.9
Cherries (sweet)	25.9
Apricots	20.9
Fruit cocktails	18.9
Peaches	18.9
Pears	17.9

Sugar granted under this section may not be used to produce "home processed foods" as defined in section 26.1 of Revised Ration Order 13.

(e) *Records and reports.* An industrial user who during a calendar month has sugar for canning or bottling fruit must before the sixteenth day of the following month file with his Board or District Office with which he is registered a written report of the number of pounds of sugar used by him during the preceding month to can and bottle each kind of fruit. The report must state: (1) the number of cases of 24 No. 2½ cans (or equivalent) of each kind of fruit canned or bottled; (2) the amount of sugar used by him in canning or bottling that kind of fruit, and (3) the amount of sugar on hand unused at the end of the month. He must keep a copy of this report at his principal business office for a period of two years. In addition, he must keep records of the Brix cut test as customarily made but these tests shall not be less than 1 can per 1,000 cans on can sizes No. 2½ or smaller or 1 can per 600 cans for sizes larger than No. 2½'s.

SEC. 19.11 *"Sugar" includes dextrose and corn syrup.* For the purpose of the reports, and the restrictions on use of sugar covered by this article, the amount of sugar used must include all dextrose and corn syrup used on the basis of 1.1 pounds of dextrose and 1.2 pounds of corn syrup as the equivalent of 1 pound of sugar.

7. Article XX is redesignated Article XXI, section 20.1 is redesignated section 21.1, and a new Article XX is added to read as follows:

ARTICLE XX—SCHEDULES

SEC. 20.1 *Tables of sugar allowance for determination of provisional allowance.*

TABLE I—CANNED OR CURED MEATS, REGARDLESS OF HOW PACKAGED

Class of products:	*Quantity of sugar allowed in pounds per 100 pounds unprocessed of product*
1. Pork products, dry cured	1.30
2. Pork products, sweet pickled	1.00
3. Beef, dried and corned and beef tongues	1.00
4. Canned luncheon meats and canned spiced ham	1.00
5. Dry sausage	.75
6. Fresh sausage and baked loaves	.50
7. Lamb tongue and lunch tongue	.75
8. Mutton	1.00
9. All others—No provisional allowance.	

TABLE II—FROZEN FRUIT (QUICK FROZEN OR COLD PACK)

Unit (quantity of fresh fruit in pounds)	Quantity of sugar allowed in pounds per unit of fresh fruit packed in containers	
	Over 10 pounds	10 pounds and under
Apples and crabapples—7	1	None
Applesauce—9	None	1
Apricots—6	1	1½
Blackberries—5	None	1
Boysenberries—5	None	1
Cherries—5	1	1½
Loganberries—5	None	1
Nectarines—5	1	1½
Mixed fruit (fruit cocktail and fruit for salad)—5	None	1
Peaches—5	1	1½
Pineapples—5	1	1
Plums, red meat only—5	1	None
Raspberries, black—5	None	1
Raspberries—red—5	1	1
Strawberries—4	1	1
All other fruits	None	Non

No sugar may be allowed to pack any of the above fruits in puree form in containers of 10 pounds or less.

TABLE III—CANNED VEGETABLES

Product:	*Maximum sugar allowance in pounds per case of 24 No. 2 cans*
Carrots and peas	0.32
Corn—cream style	1.00
Corn—whole kernel	.64
Corn—vacuum pack	.56
Peas	.48
Succotash	.88
Sweet Potatoes (Syrup type only)	1.20
All other vegetables	None

TABLE IV—CANNED AND BOTTLED FRUITS

Product:	*Amount of sugar in pounds per case of 24 No. 2½ cans*
Apples	0.22
Applesauce	2.06
Apricots	4.31
Berries:	
Blackberries	3.14
Raspberries—black	3.57
Raspberries—red	5.07
Strawberries	5.66
Other Berries	3.86
Cherries (sweet)	4.33
Cranberries	16.80
Figs	7.17
Fruit Cocktail	4.71
Grapefruit segments	4.35
Peaches (cling)	3.86
Peaches (freestone)	3.80
Pears	3.15
Plums	6.40
Prunes	4.41

TABLE V—CONVERSION FACTORS

For Translating Dozens of Cans to Cases of 24 No. 2 Cans

Size:	*Factor*
202 x 214	0.12
211 x 214	.18
8 Z Talls	.21
No. 1 Picnics	.26
12 oz. vacuum	.36
No. 300's	.37
No. 1 Talls	.41
No. 303's	.41
No. 300 Cylinders	.47
No. 303 Cylinders	.53
No. 2 Cylinders	.64
No. 2½'s	.73
No. 3 Cylinders	1.26
No. 5's	1.44
No. 10's	2.66

NOTE: Multiply the number of dozens of each size by the conversion factor for that size to get the number of cases of twenty-four No. 2's.

For Translating Dozens of Cans to Cases of 24 No. 2½ Cans

Size:	*Factor*
202 x 214	0.031
211 x 214	.114
No. 1 Talls	.23
No. 300's	.26
No. 303's	.28
No. 2's	.35
No. 10's	1.84

NOTE: Multiply the number of dozens of each size by the conversion factor for that size to get the number of cases of twenty-four No. 2½'s.

To Convert to Cases of 6 No. 10 Cans

Size of case:	*Factor*
Case of 12/12 oz. (glass)	0.22
Case of 4/1 gal. (glass)	.90
Case of 24/14 oz. (glass)	.51

NOTE: Multiply the number of cases by the conversion factor to get the number of cases of 6 No. 10 cans.

This amendment shall become effective June 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10567; Filed, June 15, 1945, 11:59 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 22]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Second Revised Ration Order 3 is amended in the following respect: The table in section 20.4 is amended to read as follows:

	For the period commencing Apr. 1, 1945	For periods commencing on or after July 1, 1945
Alabama		
Baldwin	15	20
Calhoun	50	50
Colbert	10	10
Dale	20	10
Etowah	15	15
Houston	15	
Jefferson		10
Madison	10	10
Mobile	70	70
Montgomery	10	10
Russell	15	15
Talladega	20	20
Arizona		
Apache	20	20
Cochise	20	20
Gila	10	10
Greenlee	60	50
Maricopa	90	80
Mohave	70	60
Navajo	15	15
Pima	30	50
Pinal	40	40
Yuma	70	50
Arkansas		
Desha		15
Jefferson	15	20
Pulaski	15	20
Saline	15	20
Sebastian	10	
California		
Alameda	30	30
Contra Costa	130	130
El Dorado		10
Fresno	20	15
Inyo	40	50
Kern	15	15
Lassen	20	20
Los Angeles	20	20
Madera	10	15
Marin	20	20
Modoc	40	40
Monterey	30	30
Napa	20	20
Orange	20	20
Riverside	40	30
Sacramento	15	15
San Benito		10
San Bernardino	20	20
San Diego	50	60
San Francisco	15	20
San Joaquin	15	20
San Luis Obispo	70	70
San Mateo	20	30
Santa Barbara	20	20
Santa Clara	10	15
Santa Cruz		10
Sahino	100	110
Sonoma		10
Stanislaus	15	15
Ventura	10	15
Yuba	40	40
Colorado		
Arapahoe	15	15
Denver	10	10
Dolore	10	10
Eagle	70	
El Paso	40	30
Jefferson	10	10
Lake	20	15
Otero	10	15
Prowers	15	20
Pueblo	10	10
Connecticut		
Fairfield		10
Hartford	10	10
New London		10
Delaware		
New Castle	10	10
Sussex		10
District of Columbia	20	30
Florida		
Bay	150	160
Bradford	150	150
Brevard	15	30
Broward	15	20
Charlotte	15	20
Clay	20	30
Dade	20	20
De Soto	10	10
Duval	30	20
Escambia	40	40
Franklin	50	70
Gulf	60	30
Highlands	110	120
Hillsborough	20	20
Indian River		10
Lee	50	60
Leon	20	30
Martin	20	
Monroe	60	70
Okaloosa	40	50
Okeechobee	10	10
Orange	20	20
Palm Beach	15	20
Pinellas	15	15
Polk	10	10
St. Lucie	20	30
Sarasota	30	40
Georgia:		
Bibb	40	40
Camden	15	20
Chatham	40	40
Cobb	20	20
Decatur	10	
Dougherty	20	20
Fulton	10	10
Glynn	110	120
Houston	50	50
Liberty	60	50
Lowndes	10	10
McIntosh	10	15
Muscogee	70	60
Peach	10	10
Richmond	20	20
Stephens	15	15
Thomas	15	20
Whitfield		10
Idaho:		
Ada		15
Bannock	10	10
Elmore	80	60
Jerome	20	
Kootenai	15	20
Valley	10	15
Illinois:		
Du Page	10	10
Fulton	10	
Lake	15	30
Madison	10	10
St. Clair	10	10
Winnebago	10	10
Indiana:		
Bartholomew	20	30
Clark	20	30
Fayette		10
Floyd	10	10
Lake		10
Marion	10	10
Porter		10
St. Joseph	10	10
Scott	10	10
Starke	15	15
Vanderburgh	15	20
Iowa:		
Des Moines	10	10
Kansas:		
Barton	15	15
Douglas	10	10
Ellis		10
Finney	20	20
Ford	10	15
Geary	20	30
Johnson	20	30
Pratt	10	15
Riley	10	15
Saline	20	20
Sedewick	40	40
Seward	50	80
Kentucky:		
Christian	15	
Hardin	50	70
Henderson	10	10
Jefferson	15	20
Union	20	
Louisiana:		
Beauregard	40	20
Calcasieu	40	40
East Baton Rouge	20	30
Grant	10	
Jefferson	30	50
La Salle	10	15
Natchitoches	20	
Orleans	15	15
Rapides	70	50
Sabine	10	
St. Bernard	10	10
St. Mary		10
Vermillion	10	10
Vernon	120	50
Maine:		
Cumberland	10	10
Sagadahoc	15	15
York	10	10
Maryland:		
Anne Arundel	15	20
Baltimore	20	50
Calvert	15	10
Cecil	20	30
Charles	15	20
City of Baltimore	15	15
Harford	30	40
Howard	10	10
Montgomery	30	30
Prince Georges	30	40
St. Mary's	30	40
Massachusetts:		
Barnstable	20	15
Michigan:		
Bay		10
Berrien	10	10
Calhoun	15	15
Ingham		10
Macomb	30	50
Midland	10	10
Monroe		10
Muskegon	15	15
Oakland	20	20
Washtenaw	20	20
Wayne	10	15
Mississippi:		
Forrest	60	60
Grenada	30	15
Harrison	60	70
Hinds	10	15
Jackson	50	100
Lowndes		10
Wilkinson	30	15
Missouri:		
Clay	15	15
Newton	20	15
Phelps	20	20
Pulaski	20	20
St. Louis	15	15
Montana:		
Cascade	10	10
Nebraska:		
Adams	10	10
Box Butte	30	20
Cheyenne		10
Clay		15
Hall	10	20
Red Willow		15
Sarpy	10	10
Nevada:		
Churchill		15
Clark	160	170
Mineral	160	160
Nye	90	120
Washoe	20	20
New Jersey:		
Gloucester		10
Monmouth	10	10
Sussex	10	15
New Mexico:		
Bernalillo	15	10
Chaves	20	40
Curry	30	40
De Baca	60	70
Eddy	30	40
Luna	70	60
McKinley	10	
Otero	30	40
New York:		
Nassau	10	10
Niagara	10	10
Seneca		50
North Carolina:		
Brunswick		10
Cabarrus		10
Craven	20	20
Cumberland	30	30
Durham	15	15
Gaston	10	10
Graham	80	100
Guilford	10	10
New Hanover	80	80
Onslow	80	90
Pasquotank	20	20
Richmond	15	
Ohio:		
Allen	10	15
Clinton	10	10
Franklin	10	10
Greene	30	20
Hamilton		10
Lake	10	15
Montgomery	20	20
Portage	10	10
Stark		10
Summit	10	10
Warren	10	10

	For the period commencing Apr. 1, 1945	For periods commencing on or after July 1, 1945
Oklahoma:		
Cleveland	15	20
Comanche	20	20
Oklahoma	10	15
Tulsa	15	15
Oregon:		
Benton	30	20
Clackamas	10	15
Clatsop	10	15
Crook	10	10
Deschutes	20	20
Jackson	30	20
Jefferson	30	20
Lane	10	10
Linn	20	15
Multnomah	30	30
Tillamook		10
Umatilla	15	15
Washington	15	15
Pennsylvania:		
Delaware	10	10
Mercer	10	
Rhode Island:		
Kent	10	15
Newport	20	20
Washington	15	20
South Carolina:		
Beaufort	10	15
Charleston	80	50
Dorchester	10	15
Greenville	10	15
Kershaw	10	15
Richland	30	20
South Dakota		
Fall River	20	20
Minnehaha	10	10
Pennington	10	15
Tennessee:		
Anderson		70
Blount	15	15
Coffee	30	40
Knox	10	10
Loudon	15	15
Montgomery	20	
Roane	15	15
Rutherford	10	15
Shelby	15	15
Sullivan	15	20
Texas:		
Bailey	20	20
Bastrop	40	15
Bell	10	60
Bexar	20	20
Bowie	20	20
Brazoria	70	70
Brazos	10	10
Brewster	20	20
Brown	70	50
Cameron	10	10
Childress	30	30
Cochran	50	50
Cooke	10	60
Corvell	20	
Cottle	10	10
Crosby	20	20
Dallam	70	70
Dallas	15	20
Dawson	40	50
Dickens	10	10
Ector	15	20
El Paso	20	20
Galveston	20	30
Garza	20	20
Hale	10	15
Hansford	10	10
Harris	20	20
Hays	15	15
Hockley	70	80
Howard	30	30
Hudspeth		20
Hutchinson	10	15
Jefferson	30	30
King	10	
Kinney	10	
Kleberg	20	20
Lamar	10	10
Lamb	20	20
Loving		50
Lubbock	40	30
Lynn	80	80
McLennan		10
Martin	20	20
Matagorda	30	20
Maverick	20	30
Medina	20	20
Midland	30	40
Moore	120	150
Nueces	40	40
Oldham	15	15
Orange	170	180
Palo Pinto	50	50
Texas—Continued.		
Pecos		10
Potter	20	30
Reeves	40	50
Tarrant	20	20
Taylor	50	50
Terry	20	20
Tom Green	10	20
Val Verde	20	30
Victoria	20	20
Ward	20	20
Webb	15	20
Wichita	10	10
Utah:		
Carbon	15	15
Davis	50	50
Millard	20	30
Salt Lake	15	20
Tooele	70	70
Utah	20	20
Weber	30	40
Virginia:		
Arlington	60	60
Dinwiddie	40	15
Elizabeth City	60	60
Fairfax	30	30
Giles		10
Henry		10
King George	10	20
Montgomery	15	20
Norfolk	150	170
Nottoway	70	50
Princess Anne	40	40
Pulaski	10	10
Richmond		20
Warwick	200	210
York	30	40
Independent cities:		
Alexandria	70	80
Bristol	50	50
Buena Vista	40	40
Charlottesville	10	10
Fredericksburg	30	20
Hampton	40	50
Hopewell	20	20
Martinsville		10
Newport News	70	70
Norfolk	40	50
Petersburg	10	15
Portsmouth	30	30
Radford	30	30
Richmond	20	20
South Norfolk	20	30
Suffolk	20	20
Williamsburg	130	210
Washington:		
Benton		130
Chelan		10
Clallam		10
Clark	130	100
Franklin	60	70
Island	10	15
Jefferson	10	10
King	20	30
Kitsap	120	120
Mason		10
Okanogan		10
Pierce	20	20
Spokane	10	15
Thurston		10
Walla Walla		10
West Virginia:		
Kanawha	20	20
Mingo		10
Wisconsin:		
Dane	10	10
Door	20	20
Monroe	20	
Wyoming:		
Laramie	30	30
Park	20	30
Sweetwater	10	10
Territory of Alaska	55	55
Territory of Hawaii	30	30
Panama Canal Zone	60	60

This amendment shall become effective June 15, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10568; Filed, June 15, 1945; 11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Amdt. 1 to Supp. Service Reg. 38[1]]

CONTRACT SERVICES RENDERED IN CONNECTION WITH PICKING COTTON IN CERTAIN ARIZONA COUNTIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.2273 (a) (1) (ii) is amended to read:

(ii) The independent contractor shall pay the cotton pickers at a rate not to exceed the ceiling rate prescribed by the War Food Administration and is forbidden from charging cotton pickers for transportation or other services which are a part of his work for the grower.

This amendment shall become effective June 20, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10569; Filed, June 15, 1945; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 61]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMER GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 1499.163 Appendix A (b) (5) is amended by changing the heading thereof to read as follows:

(5) Hardware, tools and appliances (except those covered by Maximum Price Regulation No. 136 as amended):

2. Section 1499.166 Appendix A (b) (5) (ii) is amended by deleting the commodity, "handles", listed therein, and substituting therefor the following:

Handles (except wood handles)

3. Section 1499.166 Appendix A (b) (7) is amended by changing the heading thereof to read as follows:

(7) Miscellaneous housewares, including.

4. Section 1499.166 Appendix A (b) (17) (xii) is amended to read as follows:

(xii) Parts and sub-assemblies designed especially for the foregoing items in this subparagraph 17 except those covered by Maximum Price Regulation Nos. 136 and 147.

This amendment shall become effective on the 20th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10559; Filed, June 15, 1945; 12:01 p. m.]

[1] 9 F.R. 12476.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—REGULATIONS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

PREPARATION OF AWARDS OF SUBSISTENCE ALLOWANCE

NOTE: In Federal Register document 45-9881, appearing at page 6344 of the issue of Friday, June 8, 1945, the sections should be designated 36.251–36.253 instead of 36.245–36.247.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 6—RULES GOVERNING FIXED PUBLIC RADIO SERVICES

USE OF TYPE A–3 EMISSION; REPORT REQUIREMENTS

The Commission on June 12, 1945, effective immediately, amended § 6.11 *Use of A–3 emission by radiotelegraph stations* and § 6.53 *Addressed press service* to read:

§ 6.11 *Use of A–3 emission by radiotelegraph stations.* The licensee of a point-to-point radiotelegraph station may be authorized to use type A–3 emission for the following purposes:

(a) Transmission of addressed program material as set forth in § 6:51;

(b) Controlling the transmission and reception of addressed program material;

(c) Controlling the transmission and reception of facsimile material.

§ 6.53 *Addressed press service.* (a) The licensee of a station in the fixed public or fixed public press service may be authorized to transmit, without coordinated reception, addressed press messages to one or more persons at one or more fixed points not specifically named in its license: *Provided, however,* That the licensee, upon institution of addressed press service to any person at any point, shall promptly notify the Commission of the following:

(1) The name and location of the person subscribing to such service;

(2) The date of institution of such service; and

(3) The location of the licensee's station from which such service is transmitted.

Any authority, granted under this paragraph, to transmit addressed press messages to any person or to any point may be terminated by the Commission upon notice to the licensee within 30 days after notification of institution of service to such person or point is filed by the licensee.

(b) In the event of the deletion of service to any point or to any person or any change with respect to the facts reported under paragraph (a) (1) or (a) (3) of this section, the licensee shall promptly notify the Commission of such deletion or change and the date thereof.

(c) On or before the first day of February and the first day of August of each year, the licensee shall submit, for each of its stations authorized to render addressed press service in accordance with provisions of this section, a recapitulative list, as of the first day of January and the first day of July respectively of that year, containing the following:

(1) The name and location of each person subscribing to such service, and

(2) The date of institution of such service to each person at each point.

(Sec. (i), 48 Stat. 1066; sec. 303 (b), 48 Stat. 1082; sec 303 (r), 50 Stat. 191; 47 U.S.C. 154 (i), 303 (b), 303 (r); in addition to the foregoing which applies to both §§ 6.11 and 6.53, statutory authority for § 6.53 is also derived from the following: Sec. 218, 48 Stat. 1077; sec. 303 (j), 48 Stat. 1082; sec. 308 (b), 48 Stat. 1084; 47 U.S.C. 218, 303 (j), 308 (b))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-10516; Filed, June 14, 1945; 4:03 p. m.]

PART 15—RULES AND REGULATIONS GOVERNING ALL RADIO STATIONS IN THE WAR EMERGENCY RADIO SERVICE

MISCELLANEOUS AMENDMENTS

The Commission on June 12, 1945, effective immediately; amended § 15.26 *Frequency measurement procedure* to read:

§ 15.26 *Frequency measurement procedure.* The licensees of stations in the war emergency radio service shall provide for measurement of the transmitter frequencies, shall establish a procedure for checking them regularly and shall maintain adequate records of such measurements. The measurements of the transmitter frequencies shall be made by means independent of the frequency control of the transmitter, and shall be of sufficient accuracy to assure operation within the maximum deviation permitted under §§ 15.25 and 15.89.

Amended paragraph (b) of § 15.63 *Service which may be rendered* to read:

(b) Upon application and showing of need therefor, individual control units may be authorized to communicate during the first 15 minutes of each hour with control units of the same licensee or other licensees, and with other units of the same licensee, for the exclusive purpose of handling essential communications preparatory to any anticipated emergency involving the safety of life or important property in connection with civilian defense, national security or public safety. Units other than control units may transmit, for this purpose, only when directed to do so by an authorized control unit of the same licensee. When operating under this provision, each unit shall comply with operating instructions given by the authorized control unit. The use and operation of control units as provided in this paragraph shall be discontinued during such periods as may be deemed necessary by the licensee in order to avoid interference to any tests or drills being conducted in accordance with §§ 15.75 and 15.76.

Amended § 15.76 *Drills* to read:

§ 15.76 *Drills.* Licensees of civilian defense stations may conduct drills during practice alerts, practice blackouts, practice mobilizations or other comparable situations as may be initiated or ordered by (a) the proper military authority, (b) a governmental agency having responsibility relative to preventing or alleviating an emergency affecting public safety, or (c) local civilian defense authority: *Provided,* That a notice, by mail, of such operations is sent within 24 hours after the drill to the inspector in charge of the radio district in which the stations are located, and a copy to the Federal Communications Commission in Washington, D. C.

(Sec. 4 (i), 48 Stat. 1068; Sec. 606, 48 Stat. 1104; 47 U.S.C. 154 (i), 606; E.O. 8964 (12–10–41))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-10517; Filed, June 14, 1945; 4:03 p. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 25—SOUTHERN REGION NATIONAL WILDLIFE REFUGES

NOXUBEE NATIONAL WILDLIFE REFUGE, MISS.; FISHING REGULATIONS

Under authority of § 12.3 of the General Regulations for the Administration of National Wildlife Refuges (5 F.R. 5284), as amended, the following is ordered:

Supersedes § 25.691 approved March 14, 1944 (9 F.R. 3546).

§ 25.691 *Noxubee National Wildlife Refuge, Mississippi; fishing.* Fishing in accordance with the State laws of Mississippi is permitted during the daylight hours from April 1 to October 31, inclusive, of each year in Bluff and Patterson Lakes on the Noxubee National Wildlife Refuge: *Provided,* That commercial fishing will be permitted in Bluff Lake only, and such commercial fishing shall be limited to non-game fish as defined by State law.

Entry on and use of the refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F.R. 5284), and strict compliance therewith is required. All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license and/or permit is required by such law and regulations. Such State license and/or permit will serve as a Federal permit for entry on the refuge for the purpose of fishing. Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by posting.

Persons fishing in Bluff Lake may not use on or in any boat a motor of greater than 5 horsepower capacity. Boats with

motors are prohibited in any other refuge waters except for official purposes. Fishing under this section shall be by hook and line (including rod and reel) only. The use of snag lines is not permited.

During periods of waterfowl concentration, wild turkey nesting, or other wildlife concentrations, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations and restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

The provisions of the regulations in this section shall be incorporated in and deemed to be a part of any agreement between the Director of the Fish and Wildlife Service and the Director of the State Game and Fish Commission of Mississippi for the regulation and management of fishing on the refuge.

Dated: June 11, 1945.

ALBERT M. DAY,
Acting Director.

[F. R. Doc. 45-10535; Filed, June 15, 1945; 9:40 a. m.]

Chapter IV—Office of the Coordinator of Fisheries

[Order 1956, Amdt. 3]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT

Order No. 1956 of the Secretary of the Interior (9 F.R. 6780, 9 F.R. 9917), as amended May 9, 1945 (10 F.R. 5528), being § 401.4 of this Part 401, in paragraph (d) thereof is amended to read as follows:

(d) *Limitations on sales and deliveries of halibut.* (1) No fisherman acting for himself or through an agent shall sell or deliver or arrange to sell or deliver halibut except to a dealer who is the holder of a valid, unexpired, and unrevoked permit issued pursuant to this order by the Fishery Coordinator or his representative.

(2) No fisherman subject to the terms of this order acting for himself or through an agent shall sell or deliver or arrange to sell or deliver halibut to any person in British Columbia except as authorized by the Fishery Coordinator or his representative. Such representative may authorize such fisherman by public notice from time to time to sell or deliver halibut to such persons in British Columbia as are participants in and conform to a voluntary program for the allocation of halibut which is in accord with the purposes and policy of this order as determined by the Fishery Coordinator or his representative.

Issued this 11th day of June 1945.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 45-10520; Filed, June 14, 1945; 4:20 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

JAMES A. ROAM

ORDER REVOKING LICENSE, AND DIRECTING SURRENDER OF LICENSE

In the matter of Licensee James A. Roam, 606 North 7th Street, Fort Smith, Arkansas. Proceedings for revocation of license.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On May 14, 1945, a Specification of Charges against you setting forth violations of which you were accused under the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, was mailed to you giving you notice to mail an answer within 15 days from May 14, 1945.

2. Your answer dated May 18, 1945, was received on May 23, 1945, and has been considered. You stated that you did not desire an oral hearing.

3. On or about January 5, 1945, you transported explosives while under the influence of intoxicants and you thereby violated section 14 (g) (2) of the regulations.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That Vendor's License No. B339398 heretofore issued to you under the Federal Explosives Act be and it is hereby revoked as of midnight, June 15, 1945.

2. That prior to midnight, June 15, 1945, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. M. Kintz, Supervising Engineer, Bureau of Mines, Department of the Interior, 1416 Gulf States Building, Dallas 1, Texas. Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than $5,000 or by imprisonment for not more than one year or by both such fine and imprisonment.

3. That no license be hereafter issued to you under the Federal Explosives Act. Any request for a modification of this order shall be addressed to me.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 8th day of June 1945.

R. R. SAYERS,
Director.

[F. R. Doc. 45-10518; Filed, June 14, 1945; 4:19 p. m.]

MEDRICK COAL CO.

ORDER DETERMINING VIOLATIONS AND IMPOSING CONDITIONS FOR SUSPENSION OF REVOCATION

In the matter of Licensee Andy Medrick, Medrick Coal Company, 509 Monongahela Building, Morgantown, West Virginia. Proceedings for revocation of licenses.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On May 12, 1945, a specification of charges against you setting forth violations of which you were accused under the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, was mailed to you.

2. Your answer dated May 31, 1945, has been received and considered. You did not request an oral hearing.

3. You have admitted the charges against you. The charges against you are true.

4. Assurances given to me indicate the likelihood that hereafter you will comply with the act and the regulations if your licenses are not revoked.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby determine:

That you have violated the Federal Explosives Act and the regulations pursuant thereto, and I hereby order:

That the present license revocation proceedings under the Federal Explosives Act are hereby suspended as long as you continue to comply scrupulously with the requirements of the act and the regulations thereunder.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 12th day of June 1945.

R. R. SAYERS,
Director.

[F. R. Doc. 45-10534; Filed, June 15, 1945; 9:40 a. m.]

General Land Office.

[Misc. 2048358]

MONTANA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JUNE 8, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

PRINCIPAL MERIDIAN

T. 2 S., R. 52 E.,
Sec. 10, $SE\frac{1}{4}SW\frac{1}{4}$.

The area described contains 40 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Billings, Montana, shall be acted upon in accordance with the regulations contained in section 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-10519; Filed, June 14, 1945; 4:20 p. m.]

Office of the Secretary.

[Order SFA T-5]

ACTION COAL CO. ET AL.

BITUMINOUS COAL MINES, POSSESSION TERMINATED

JUNE 13, 1945.

On the basis of available information, and after consideration of all the circumstances, and in accordance with the provisions of Executive Order No. 9536 (10 F.R. 3939) and the War Labor Disputes Act (57 Stat. 163), I find that the possession by the Government of certain of the coal mines now in the possession of the Government pursuant to Order No. 2044 (10 F.R. 3983) and Order No. 2051 (10 F.R. 5380) should be terminated.

Accordingly, I order and direct that possession by the Government of the coal mines listed in Appendix A of this order, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and it is hereby terminated, and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Solid Fuels Administration for War and reading as follows:

NOTICE

Government possession of this coal mine, and of all property and assets used in connection with the operation thereof, has been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9536, pursuant to which Government possession was taken, may be concluded in an orderly manner.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name and Address of Company, Name of Mine and Location or P. O. Address of Mine

Action Coal Co., Helena, Ala.: Basin No. 1 & 2, Action, Ala.

Adams, Rowe and Norman, Inc., 729 Brown Marx Bldg., Birmingham 3, Ala.: Porter, Porter, Ala.

Ainey Coal Co., 623 F. T. & T. Bldg., Uniontown, Pa.: Old Smiley, Fairchance, Pa.

Alabama By-Products Corp., First National Bldg., Birmingham 3, Ala.:
Bradford, Dixiana, Ala.
Colota, Flat Creek, Ala.
Samoset, Dora, Ala.

Alta Coal Co., Division of Southern Cotton Oil Co., 2109 Third Ave. North, Birmingham, Ala.; Summit, Sumiton, Ala.

Atlas Coal Company, Birmingham, Ala.: Atlas, Capito, Ky.

Aubrey Coal & Coke Co., Inc., 515 Brown Marx Bldg., Birmingham 3, Ala.: Weller, RFD #1, Brookwood, Ala.

Barnes and Tucker Co., 123 B. Broad St., Philadelphia, Pa.: Lancashire 15, Bakerton, Pa.

W. A. Barnes, Poland Mines, Pa.: Poland, Poland Mines, Pa.

Beaver Coal Mining Co., The 326 Richardson Bldg., Toledo, Ohio: Beaver No. 1, Drift, Ky.

Bessemer Coal, Iron, & Land Co., Windrock, Tenn.:
Windrock, Windrock, Tenn.

Birchton Coal Co., First National Bank Bldg., Huntington, W. Va.: Birchton, Birchton, W. Va.

Black Creek Coal Co., 739 Brown Marx Bldg., Birmingham 3, Ala.: Black Creek, Sumiton, Ala.

Black Diamond Coal Mining Co., Comer Building, Birmingham, Ala.: Marion, Marion, Tenn.

Black Diamond Coal Mining Co., Comer Building, Birmingham 3, Ala.: Johns, Johns, Ala.

Blackhawk Coal Corp., 111 N. 7th St., Terre Haute, Ind.: Black Hawk, Terre Haute, Ind.

Black Mountain Corp., Carew Tower, Cincinnati, Ohio:
No. 30, Kenvir, Ky.
No. 31, Kenvir, Ky.

Walter Bledsoe and Co., Terre Haute, Ind.: Saxton, Terre Haute, Ind.

Block Coal & Coke Co., Empire Bldg., Knoxville, Tenn.: Block #3, Block, Tenn.

Blue Diamond Coal Co., Hamilton National Bank Bldg., Knoxville, Tenn.:
Leatherwood, Leatherwood, Ky.
Eagan, Eagan, Tenn.
Westbourne, Westbourne, Tenn.
Fork Ridge, Fork Ridge, Tenn.
Crown, Chevrolet, Ky.

Bortz Coal Co., Union Trust Bldg., Uniontown, Pa.: Stambaugh, Stambaugh, Pa.

Brilliant Coal Co., First National Bldg., Birmingham 3, Ala.: Brilliant, Brilliant, Ala.

Brookside-Pratt Mining Co., Comer Bldg., Birmingham 3, Ala.:
New River, Brilliant, Ala.
Blossburg, Blossburg, Ala.
Lindbergh, Adamsville, Ala.
Warrior River, Carbon Hill, Ala.
Deepwater, Sauvoo, Ala.

Buckingham Coal Co., Congo, Ohio: Mine No. 219, Congo, Ohio.

Cambria Coal Co., Knoxville, Tenn.:
Royal, Briceville, Tenn.
Cross Mt., Briceville, Tenn.

Cameron Coal Co., 63 Radford Pl., Knoxville, Tenn.: Peabody, Roosevelt, Tenn.

Carbon Fuel Co., 1310 Kanawha Valley Bldg., Charleston, W. Va.:
Mine No. 5, Jockin, W. Va.
Mine No. 9, Wevaco, W. Va.

Carpentertown Coal Co., Uniontown, Pa.:
Carpentertown, Mt. Pleasant, Pa.
Lemont No. 4, Lemont Furnace, Pa.

Carrolltown Coal Co., St. Benedict, Pa.: Victor 9, St. Benedict, Pa.

Castle-Shannon Coal Corp., Wabash Bldg., Pittsburgh, Pa.: Castle-Shannon #8, Coverdale, Pa.

Chicago & Harrisburg Coal Co., c/o Peabody Coal Co., 231 S. LaSalle St., Chicago, Ill.: Peabody No. 24, Westville, Ill.

The Clear Branch Mining Co., 326 Richardson Bldg., Toledo, Ohio: Clear Branch, Ligon, Ky.

Clear Fork Coal Co., Middlesboro, Ky.:
Clear Splint, Fonda, Ky.
Clear Fork, Fonda, Ky.

Clinchmore Coal Mining Co., Hamilton Bank Bldg., Knoxville, Tenn.: Clinchmore, Clinchmore, Tenn.

Cochran Coal Co., 34 West Fourth St., Williamsport, Pa.: Cochran No. 1, Salina, Pa.

Colonial Coal & Coke Co., Pratt City, Ala.: Pratt Slope, Pratt City, Ala.

Consolidated Coal Co., 2109 Third Ave. N., Birmingham 3, Ala.: Bankhead No. 1 and 2, Bankhead, Ala.

Cornett-Lewis Coal Co., Louellen, Ky.:
Corlew, Louellen, Ky.
Cornett, Louellen, Ky.

Crawford Mining Co., Crawford, Tenn.: Crawford, Crawford, Tenn.

Crawford & Whyel Co., Uniontown, Pa.: Baker No. 10, Grays Landing, Pa.

Creech Coal Co., Twila, Ky.: Creech, Twila, Ky.

W. H. Crick (Glen Allen Coal), Glen Allen, Ala.: Purity, Glen Allen, Ala.

Crystal Coal Co., 520 East Murphy Ave., Connellsville, Pa.: Crystal, Crystal, Pa.

Darb Fork Coal Co., Darfork, Ky.: Darb Fork, Darfork, Ky.

Darby Coal Corp., Verda, Ky.: Petain, Blueheart, Ky.

Davidson Coal Co., Adamsville, Ala.:
Palos, Palos, Ala., Rt. 1.
Davidson, Adamsville, Ala., Rt. 1.
Davidson-Pratt Mining Co., Inc., Adamsville, Route No. 1, Ala.: A. B. C., Adamsville, Ala.
DeBardeleben Coal Corp., 2201 First Ave. N., Birmingham 3, Ala.:
Empire, Empire, Ala.
Coal Valley, Coal Valley, Ala.
Hull, Hull, Ala.
Hull Strip.
Delmont Fuel Co., Hunkers, Pa.: Hunkers, Hunkers, Pa.
Diamond Coal Mining Co., The, Hamilton National Bank Bldg., Knoxville, Tenn.:
No. 2, Caryville, Tenn.
No. 3, Caryville, Tenn.
Dixie Firebrick Co., Inc., 824 Woodward Bldg., Birmingham 3, Ala.: Dixie No. 2, Warrior, Ala.
Dougherty Coal Co., Finleyville, Pa.:
Hazelkirk, Hazelkirk, Pa.
Piney Fork, Wilson Station, Pa.
Dry Dock Coal Co., Nelsonville, Ohio: Mine 255, Glouster, Ohio.
Dugger Domestic Coal Co., Sullivan, Ind.: Dugger Domestic No. 2, Sullivan City, Ind.
Edgemont Fuel Co., Inc., Drift, Ky.: Turner No. 7, Drift, Ky.
Elk Horn Coal Corp., 308 Union Bldg., Charleston, W. Va.: Mine No. 28, Wayland, Ky.
Emerald Coal & Coke Co., Grant Bldg., Pittsburgh, Pa.: Emerald, Clarksville, Pa.
Emillo Erminio, R. D. 1, McClellandtown, Pa., Shoaf No. 2, Shoaf, Pa.
Etna Coal & Coke Co., P. O Box 247, Chattanooga, Tenn.: Nurex, P. O. Box 445, La Follette, Tenn.
Fisher Coal Co., c/o W. G. Baker, Box 1511, Knoxville, Tenn.: Fisher (Morgan County, Tenn.).
Floyd Elkhorn Coal Co., Drift, Ky.: Floyd, Drift, Ky.
H. E. Folk Mining Co., Jellico, Tenn.: Folk, (Whitley County, Tenn.).
Fork Mountain Coal Co., Williamsburg, Ky.:
Fork Mountain, Fork Mountain, Tenn.
Regal, Fork Mountain, Tenn.
Francis Rex Coal Co., LaFollette, Tenn.: Rex No. 2, LaFollette, Tenn.
H. C. Frick Coke Co., Frick Bldg., Pittsburgh, Pa.:
Bridgeport, Brownsville, Pa.
Maxwell, Maxwell, Pa.
Leisenring No. 2, Leisenring, Pa.
Shoaf, Shoaf, Pa.
Gallardi Coal Co., Second National Bank Bldg., Connellsville, Pa.:
Crawford No. 8, York Run, Pa.
Crawford No. 10, Shoaf, Pa.
Galloway Coal Co., 130 W. Georgia St., Memphis, Tenn.:
Hope, No. 22, No. 21, Carbon Hill, Ala.
Garmeada Coal Co., Middlesboro, Ky.:
Poplar Lick, Murtea, Ky.
Garco, Murtea, Ky.
Gilmore Coke Co., 9 West Main St., Uniontown, Pa.: Gilmore, Gilmore, Pa.
Glendora Coal Co., Terre Haute, Ind.: Glendora, Latta, Ind.
Green County Coal Co., Dillinger, Pa.: Gapin, Greensboro, Pa.
Guaranty Elkhorn Coal Co., Drift, Ky.: Turner No. 5, Drift, Ky.
Harlan-Wallins Coal Corp., Verda, Ky.: Darby 2, Evarts, Ky.
Harold Fuel Co., Inc., Harold, Ky.: Harold, Harold, Ky.
Hellier Coal & Coke Co., Hellier, Ky.: Hellier No. 28, Hellier, Ky.
Hickory Grove Coal Mining Corp., Terre Haute, Ind., Minnehaha, Sullivan, Ind.
High Point Coal Co., Box 1351, Knoxville, Tenn., High Point No. 2, Caryville, Tenn.
Hi-Hat Elkhorn Mining Co., Eed, Ky.: Hi-Hat, Hi-Hat, Ky.
Hillman Coal & Coke Co., Grant Bldg., Pittsburgh, Pa.:
Poland, Poland, Pa.
Clyde No. 2, Clarksville, Pa.
Black Diamond, Charlerol, Pa.
Ontario, Bentleyville, Pa.
Gibson, Bentleyville, Pa.
Ingle Coal Corp., Elberfeld, Ind.: Ditney Hill, Elberfeld, Ind.
Irwin Gas Coal Co., Greensburg, Pa.: Irwin No. 11, Newcomer, Pa.
Island Coal Co., 56 Bierer Lane, Uniontown, Pa.: Dunkard Creek, Greensboro, Pa.
Jones & Laughlin Steel Corp., Jones & Laughlin Bldg., Pittsburgh, Pa.:
Vesta No. 4, California, Pa.
Vesta No. 6, Denbo, Pa.
Shannopin, Bobtown, Pa.
Vesta No. 5, Vestaburg, Pa.
Jefferson Coal Co., 440 Clokey Ave., Mt. Lebanon, Pittsburgh, Pa.: Jefferson (deep strip) Assela, Pa.
Kathyrn Elkhorn Coal Co., Drift, Ky.: Turner "A", Drift, Ky.
Kentucky Cardinal Coal Corp., Cardinal, Ky.: Cardinal No. 1, Cardinal, Ky.
Kentucky Sun Coal Co., Combs, Ky.: Sunfire, Sunfire, Ky.
Kustos & Bambling, Hopewell, Pa.: Cambria No. 1, Hopewell, Pa.
Lambert Coal Co., Hi-Hat, Ky.: Lambert, Hi-Hat, Ky.
Lemont Coal Co., 515 Second National Bank Bldg., Uniontown, Pa.:
Cornish-Tunnel, Lemont Furnace, Pa.
Lamont No. 3, Lemont Furnace, Pa.
Ligon Coal Co., Hi-Hat, Ky.: Ligon, Hi-Hat, Ky.
Lindsey Coal Mining Co., Punxsutawney, Pa.: Lindsey No. 8, Punxsutawney, Pa.
Linton-Summit Coal Co., Inc., Terre Haute, Ind.:
No. 6, Latta, Ind.
New Hope, Latta, Ind.
Van B. Lowe, 9 East Church St., Masontown, Pa.: Stanton, Ifeld, Pa.
Loyal Hanna Fuel Co., Slickville, Pa.:
Louise No. 1, Slickville, Pa.
Louise No. 2, Slickville, Pa.
Maust, Slickville, Pa.
Mt. Grey, Slickville, Pa.
McManus Coal Co., Box 787, Masontown, Pa.:
Robinson, Point Marion, Pa.
Manning Coal Co., P. O. Box 1608, Uniontown, Pa.:
New Geneva, Point Marion, Pa.
Stewart, Crystal, Pa.
Johnson, Rich Hill Siding, Pa.
Mary Helen Coal Corp., Coalgood, Ky.:
Mary Helen, Merna, Ky.
Queen Mary, Merna, Ky.
Mather Collieries (Pickands, Mather & Co.), Mather, Pa.:
Mather, Mather, Pa.
Maumee Collieries Co., Terre Haute, Ind.:
Sycamore 26, Greene City, Ind.
Sullivan 27, Sullivan City, Ind.
Mine Five Murray Co., Athens, Ohio:
Mine No. 5, Trimble Twp., Ohio.
Mine No. 6, Inc., Athens, Ohio:
Mine No. 6, Dover Township, Ohio.
Monroe Coal Mining Co., 1617 Pennsylvania Blvd., Philadelphia, Pa.:
Revloc, Revloc, Pa.
Motch Coal Co., 1919 Cumberland Ave., Middlesboro, Ky.:
Motch, Motch, Tenn.
Nancy Elkhorn Coal Co., c/o Wayne Stumpo, Minnie, Ky.:
All Mines, Drift, Ky.
Newcastle Coal Co., First National Bldg., Birmingham 3, Ala.:
Newcastle, Newcastle, Ala.
New Jellico Coal Co., Terre Haute Trust Bldg., Terre Haute, Ind.:
Blue Rose, Morley, Tenn.
North-East Coal Co., 3200 Lewis Tower, 15th and Locust Sts., Philadelphia, Pa.:
Thealka No. 3, Thealka, Ky.
Auxier No. 7, Auxier, Ky.
Ohio Mining Co., 16 East Broad St., Columbus, Ohio:
Kimberly, Kimberly, Ohio.
Old Ben Coal Corp., 230 S. Clark St., Chicago, Ill.:
Mine No. 14, Christopher, Ill.
Coll Organt, Masontown, Pa.:
Griffin No. 2, Griffin, Pa.
Old LaBelle Coal Co., 1922 Farmers Bank Bldg., Pittsburgh, Pa.:
Old LaBelle, LaBelle, Pa.
Pacific Coal Co., Central City, Ky., Lakeside No. 2, Central City, Ky.
Paramount Coal Co., 2300 Fifth Ave., S., Birmingham 5, Ala.: Paramount 4, 5, 6 and 7, Helena, Ala.
Peerless Coal Corp., Glamorgan, Va.: Glamorgan No. 4, Glamorgan, Va.
Penn Valley Coal Co., Trafford, Pa.: Penn Valley, Hunkers, Pa.
Pewee Coal Co., 1000 Burwell Bldg., Knoxville, Tenn.: Pewee, Garland, Tenn.
Pittsburgh Coal Co., P. O. Box 146, Pittsburgh, Pa.:
Montour No. 10, Library, Pa.
Mongah, Monongahela, Pa.
Henderson, Hendersonville, Pa.
Montour No. 4, Lawrence, Pa.
Westland, Westland, Pa.
Lindley, Canonburg, Pa.
Crescent, California, Pa.
Pittsburgh Steel Co., 1600 Grant Bldg., Pittsburgh, Pa.: Tower Hill, Republic, Pa.
Pleasant Hills Coal Co., R. D. 51, Pleasant Hills, Pittsburgh, Pa.; Old Montour No. 8, Route 51, Pleasant Hills, Pittsburgh, Pa.
Premier Jellico Coal Corp., Middlesboro, Ky.: Premier, Paramount, Ky.
Princess Elkhorn Coal Co., Inc., Guaranty Bank Bldg., Huntington, W. Va.:
No. 1, David, Ky.
No. 2, David, Ky.
Princess Dorothy Coal Co., Eunice, W. Va.: Princess Dorothy, Eunice, W. Va.
Princeton Mining Co., 111 North 7th St., Terre Haute, Ind.: Kings Station, Princeton, Ind.
Pruden Coal & Coke Co., Pruden, Tenn.: Back Creek No. 2, Pruden, Tenn.
Pt. Vue Coal Co., Martin, Pa.: Little Run, Point Marion, Pa.
Public Service Co. of Ind., 110 N. Illinois St., Indianapolis, Ind.: Dresser, Terre Haute, Ind.
Pyramid Coal Corp., 230 N. Michigan Ave., Chicago, Ill.: Victory, Vigo County, Ind.
Railway Fuel Co., Southern Railway Co., Southern Railway Bldg., Washington, D. C.: Parrish, Parrish, Ala.
Red Lands Coal Co., 1617 Pennsylvania Blvd., Philadelphia, Pa.:
Redlands No. 9, Hellwood, Pa.
Redlands No. 11, Hellwood, Pa.
Rennebaum Coal Co., P. O. Box 124, Middlesboro, Ky.:
No. 1, Hartranft, Tenn.
No. 2, Bryson Mt., Tenn.
Republic Steel Corp., 1630 Republic Bldg., Cleveland, Ohio.:
Crescent #2, Charlerot, Pa.
Brownsville Jct., Brownsville, Pa.
Clyde No. 1, Fredericktown, Pa.
Clyde No. 3, Fredericktown, Pa.
Republic Steel Corp., 1407 Empire Bldg., Birmingham 3, Ala.:
Syreton No. 1 & 2, Adamsville, Ala.
Sayre, Virginia, Bessemer, Ala.
Ridgeview Coal Co., Ridgeview, W. Va.: Ridgeview, Ridgeview, W. Va.
Rochester & Pittsburgh Coal Co., Indiana, Pa.: Yatesboro, Nu Mine, Pa.
Sampson Elkhorn Coal Co., Drift, Ky.: Calora, Drift, Ky.
Frank Sholtis, Fairchance, Pa.: Hope No. 2, Fairchance, Pa.
Sizemore Mining Corp., Drift, Ky., Turner, McDowell, Ky.
Sloss Sheffield Steel & Iron Co., 3121 First Ave. N., Birmingham 2, Ala.
Lewisburg, Lewisburg, Ala.
Flat Top, Flat Top, Ala.
Bessie, Maben, Ala.
Kimberly, Kimberly, Ala.
Snow Hill Coal Corp., P. O. Box 698, Terre Haute, Ind.:

Fayette, Vigo County, Ind.
Talleydale, Fayette, Ind.
Solar Fuel Co., 600 Locust St., McKeesport, Pa.: Alice, Clairton, Pa.
Southern Collieries Co., c/o Southern Coal & Coke Co., Knoxville, Tenn.: Regal, Lake City, Tenn.
Southern Mining Co., Williamsburg, Ky.: Amru, Colmar, Ky.
Springer Coal Co., 1422 Oliver Bldg., Pittsburgh, Pa.: Enterprise, Washington, Pa.
Stephens Elkhorn Fuel Corp., Manton, Ky., Stephens, Dinwood, Ky.
Stonega Coke & Coal Co., 2500 Fidelity Philadelphia Trust Bldg., Philadelphia, Pa.:
Roda No. 5, Roda, Va.
Imboden, Imboden, Va.
Straight Fork Coal Co., 301 Mercantile Bldg., Knoxville, Tenn.: Straight Fork, Dean, Tenn.
Sun Coal Co., Mercantile, Bldg., Knoxville, Tenn.: Sun, Caryville, Tenn.
Sunshine Fuel Co., Box 746, Masontown, Pa.: Sunshine, Sunshine, Pa.
Tennessee Coal, Iron & Railroad Co., Brown Marx Bldg., Birmingham 3, Ala.:
Hamilton, Pratt City, Ala.
Docena, Adamsville, Ala.
Edgewater, Pratt City, Ala.
Wylam, Fairfield, Ala.
Short Creek, Powhatan, Ala.
Tennessee Jellico Coal Co., Empire Bldg., Knoxville, Tenn.: Anthras, Anthras, Tenn.
Tennessee Products Corp., 405 American National Bldg., Nashville, Tenn.: No. 1 & 9, Whitwell, Tenn.
Edward Tomajko, Owner, Adamsburg, Pa.: Adamsburg, Adamsburg, Pa.
Top Hat Mining Co., Orkney, Ky.: Turner #6, Orkney, Ky.
Trembello Coal Co., Cardiff, Ala.: Nickel Plate, Cardiff, Ala.
Utilities Elkhorn Coal Co., Pikeville, Ky.: Martin 8-H, Martin, Ky.
Victory Hill Coal Co., R. D. No. 1, Monongahela, Pa.: Victory, Baird, Pa.
Vinton Coal & Coke Co., 570 Lexington Ave., New York 22, N. Y.:
Vinton No. 6, Vintondale, Pa.
Vinton No. 1, Vintondale, Pa.
Virginia Jellico Coal Co., Inc., Clairfield, Tenn.: King Mt. #1-2, Clairfield, Tenn.
Wayne Coal Mining Co., 1914 Grant Bldg., Pittsburgh, Pa.: Moffitt, Dilliner, Pa.
Weirton Coal Co., Weirton, W. Va.: Isabella, Isabella, Pa.
Paul H. Weise, 627 Oliver Bldg., Pittsburgh, Pa.: Morris, Venice, Pa.
Westmoreland Coal Co., 123 South Broad St., Philadelphia, Pa.:
Adams, Irwin, Pa.
McCullough, Claridge, Pa.
Wise Coal & Coke Co., Dorchester, Va.:
Mine No. 2, Norton, Va.
Mine No. 3, Norton, Va.
Mine No. 5, Norton, Va.
Wyatt Coal Co., Box 367, Charleston, W. Va.: Laing No. 2, Cane Fork, W. Va.
Wynn Coal & Coke Co., Fairchance, Pa.: Wynn (deep and strip), Fairchance, Pa.
Y & O Coal Company, Cleveland, Ohio: Mine 42 Yorkville, Ohio.
Yocum Creek Coal Co., Evarts, Ky.:
Harcrew 2, Evarts, Ky.
Yocum Creek 1, Evarts, Ky.

[F. R. Doc. 45-10466; Filed, June 14, 1945; 11:43 a. m.]

[Order SFA T-6]

JEWELL RIDGE COAL CORPORATION

TERMINATION OF POSSESSION

JUNE 13, 1945.

On the basis of available information, and after consideration of all the circumstances, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14873) and the War Labor Disputes Act (57 Stat. 163), I find that the possession by the Government of all of the coal mines of the Jewell Ridge Coal Corporation now in the possession of the Government pursuant to Order No. 1888 (8 F.R. 15199) should be terminated.

Accordingly, I order and direct that possession by the Government of all of the coal mines of the Jewell Ridge Coal Corporation now in the possession of the Government pursuant to Order No. 1888, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and it is hereby terminated, and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Solid Fuels Administration for War and reading as follows:

NOTICE

Government possession of this coal mine, and of all property and assets used in connection with the operation thereof, has been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393, pursuant to which Government possession was taken, may be concluded in an orderly manner.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 45-10467; Filed, June 14, 1945; 11:44 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 76]

CINCINNATI NEWS CO.

FINDING AS TO CONTRACT IN PROSECUTION OF WAR

In the matter of Cincinnati News Company, Cincinnati, Ohio. Case No. S-2161.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Cincinnati News Company, Cincinnati, Ohio.

I find that transportation incidental to wholesale distribution of newspapers, magazines, books, maps, and other commodities, by the Cincinnati News Company, Cincinnati, Ohio, pursuant to any contract, oral or written, is contracted for in the prosecution of war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 13th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-10541; Filed, June 15, 1945; 11:10 a. m.]

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Centralia Manufacturing Company, Centralia, Illinois; dresses; 50 learners (AT); effective June 5, 1945, expiring December 4, 1945.

Cornbleet Brothers, McLeansboro, Illinois; cotton and rayon dresses; 10 learners (T); effective June 6, 1945, expiring June 5, 1946.

Freeland Manufacturing Company, Freeland, Pennsylvania; men's and boys' work clothing; 10 percent (T); effective June 4, 1945, expiring June 3, 1946.

Roy Manufacturing Company, 125 South Spruce Street, Mount Carmel, Pennsylvania; women's and children's work dresses; 10 percent (T); effective June 1, 1945, expiring May 31, 1946.

U. P. Dress Manufacturing Company, 119-121 Barage Avenue, Marquette, Michigan; dresses; 10 learners (T); effective June 5, 1945, expiring June 4, 1946.

TELEPHONE INDUSTRY

Villisca Farmers Mutual Telephone Company, Villisca, Iowa, to employ learners as commercial switchboard operators at its Villisca, Iowa exchange, located at Villisca, Iowa; effective June 2, 1945, expiring June 1, 1946.

TEXTILE INDUSTRY

Brewton Weaving Company, Brewton, Alabama; narrow rayon fabric; 3 percent (T); effective June 4, 1945, expiring December 3, 1945.

Tifton Cotton Mills, Tifton, Georgia; carded cotton sale yarn; 25 learners (AT); effective June 8, 1945, expiring December 7, 1945.

Signed at New York, N. Y., this 7th day of June 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-10521; Filed, June 14, 1945; 4:20 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1715]

TRANSCONTINENTAL & WESTERN AIR, INC.; DETROIT-ST. LOUIS NONSTOP SERVICE

NOTICE OF ORAL ARGUMENT

In the matter of the application of Transcontinental & Western Air, Inc., for authority to inaugurate nonstop service between Detroit and St. Louis under § 238.3 of the Board's economic regulations.

Notice is hereby given that oral argument in the above-entitled proceeding is assigned to be held on June 28, 1945, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Aevenue NW., Washington, D. C., before the Board.

Dated: Washington, D. C., June 14, 1945.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-10552; Filed, June 15, 1945; 11:41 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-642]

ARKANSAS LOUISIANA GAS CO.

NOTICE OF APPLICATION

JUNE 14, 1945.

Notice is hereby given that on June 4, 1945, Arkansas Louisiana Gas Company (Applicant), a Delaware corporation having its principal place of business in Shreveport, Louisiana, filed with the Federal Power Commission an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following described facilities:

(a) Approximately 6 miles of 8⅝-inch O. D. transmission pipe line extending from a point on Applicant's 12-inch line in Ouachita County, Arkansas, in a northeasterly direction to the Shumaker Naval Ordnance Plant, located on the Government's reservation in Ouachita County, Arkansas.

(b) Installation of one 500 H. P. compressor unit at Applicant's Barton compressor station, located near El Dorado, Arkansas.

Applicant asserts that the facilities above described are for the purpose of rendering natural-gas service to the United States of America, at its Shumaker Naval Ordnance Plant near Camden, Arkansas.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 30th day of June, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Provisional Rules of Practice and Regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10536; Filed, June 15, 1945; 9:40 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-43]

SHELLFISH; DEFINITIONS AND STANDARDS OF IDENTITY, QUALITY, AND FILL OF CONTAINER; RAW OYSTERS, IDENTITY

NOTICE OF HEARING

Notice is hereby given that the Administrator of the Federal Security Agency on his own initiative, in accordance with the provisions of sections 401 and 701 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C., 341 and 371 (Supp. V. 1939); the Reorganization Act of 1939, 53 Stat. 561, 5 U.S.C., 133 (Supp. V, 1939); and Reorganization Plans No. I (53 Stat. 1423, 4 F.R. 2727) and No. IV (54 Stat. 1234, 5 F.R. 2421), will hold a public hearing commencing at 10 o'clock in the morning of July 17, 1945, in Room 1625 Social Security Building, Corner Fourth Street and Independence Avenue, SW., Washington, D. C., for the purpose of receiving evidence upon the basis of which regulations may be promulgated fixing and establishing reasonable definitions and standards of identity for raw shucked oysters.

Edward E. Turkel is hereby designated as presiding officer to conduct the hearing in the place of the Administrator, with full authority to administer oaths and affirmations and do all other things appropriate to the conduct of the hearing.

The hearing will be conducted in accordance with the rules of practice provided therefor (21 C.F.R. Cum. Supp. 2.701 to 2.715).

In lieu of oral testimony, interested persons may submit affidavits to the presiding officer at Room 4148, South Building, United States Department of Agriculture, Independence Avenue, between 12th and 14th Streets, SW., Washington, D. C., on or before the date of the opening of the hearing. Such affidavits should be submitted in quintuplicate, and, if relevant and material, will be received and made a part of the record of the hearing; but the Administrator will consider the lack of opportunity for cross-examination in determining the weight to be given to statements contained therein. Every interested person will be permitted, in accordance with the above-mentioned rules of practice, to examine all affidavits submitted and to file counter-affidavits with the presiding officer.

At the hearing the evidence will be restricted to testimony and exhibits that are relevant and material to the matters contained in the suggested regulations.

Suggested regulations to be considered at the hearing are set forth below, which suggested regulations are subject to adoption, rejection, amendment, or modification, in whole or in part, as the evidence of record adduced at the hearing may require.

§ 36.0 *Raw oysters, shucked oysters; identity.* (a) Raw oysters, shucked oysters, are the class of foods each of which is obtained by shucking shell oysters after the shell has been freed from adhering mud, and preparing them in accordance with the procedure prescribed in paragraph (b). The name of each such food is the name specified in the applicable definition and standard of identity prescribed in §§ 36.1 to 36.5, inclusive.

(b) If water, or salt water containing less than ------ percent (to be fixed within the range of 0.5 to 0.75 percent) of salt, is used in any vessel into which the oysters are shucked, the combined volume of oysters and liquid when such oysters are emptied from such vessel, is not less than four times the volume of such water or such salt water. After emptying from such vessel, the oysters are drained, and washed by blowing or otherwise with water or salt water, or both. If the oysters are blown in water, or in salt water containing less than ------ percent (to be fixed within the range of 0.50 to 0.75 percent) of salt, the total time of blowing is not more than 3 minutes. The total time after delivery by the shucker that the oysters are in contact with water, or salt water containing less than ------ percent salt, including the time of any blowing, the time of any rinsing, and the time of any other contact with water or salt water containing less than ------ percent salt, is not more than 30 minutes. Before packing in the container for shipment or other delivery for consumption, the oysters are thoroughly drained and are packed without added water or salt water.

(c) For the purposes of this section:

(1) "Shell oysters" means live oysters in the shell, which, after removal from their beds, have not been fleated or otherwise held under conditions which result in the addition of water.

(2) "Shucking" means the removal of the oysters from their shells in such a manner that the oysters are not mutilated and are reasonably free from pieces of shell.

(3) "Thoroughly drained" means that the wash water or other liquid has been drained from the oysters so that when the oysters are tested promptly after packing by draining a representative sample gallon of oysters on a skimmer for 2 minutes, not more than ------ percent (to be fixed within the range of 2 to 4 percent) by weight or volume of liquid is removed by such draining.

(4) "Freed from adhering mud" means that adhering mud is removed to such an extent that the shucked oysters when washed by blowing or otherwise, as specified in paragraph (b) are sufficiently clean for packing.

§ 36.1 *Extra large raw oysters, extra large shucked oysters; identity.* (a) Extra large raw oysters, extra large shucked oysters, conform to the definition and standard of identity prescribed for raw oysters by § 36.0, and are of such size that one gallon contains not more than 160 oysters, and a quart of the smallest oysters selected therefrom contains not more than 44 oysters.

(b) An alternate name for extra large raw oysters which belong to the genus *Ostrea gigas* or *Ostrea cucullata* is "Pacific oysters."

§ 36.2 *Large raw oysters, large shucked oysters; identity.* Large raw oysters, larged shucked oysters, conform to the definition and standard of identity prescribed for raw oysters by § 36.0 and are of such size that one gallon contains more than 160 oysters but not more than 210 oysters; a quart of the smallest oysters selected therefrom contains not more than 58 oysters, and a quart of the largest oysters selected therefrom contains more than 36 oysters.

§ 36.3 *Medium raw oysters, medium shucked oysters; identity.* Medium raw oysters, medium shucked oysters, conform to the definition and standard of identity prescribed for raw oysters by § 36.0 and are of such size that one gallon contains more than 210 oysters but not more than 270 oysters; a quart of the smallest oysters selected therefrom contains not more than 75 oysters, and a quart of the largest oysters selected therefrom contains more than 46 oysters.

§ 36.4 *Small raw oysters, small shucked oysters; identity.* Small raw oysters, small shucked oysters, conform to the definition and standard of identity prescribed for raw oysters by § 36.0 and are of such size that one gallon contains more than 270 oysters but not more than 450 oysters; a quart of the smallest oysters selected therefrom contains not more than 124 oysters and a quart of the largest oysters selected therefrom contains more than 61 oysters.

§ 36.5 *Very small raw oysters, very small shucked oysters; identity.* (a) Very small raw oysters, very small shucked oysters, conform to the definition and standard of identity prescribed for raw oysters by § 36.0 and are of such size that one gallon contains more than 450 oysters, and a quart of the largest oysters selected therefrom contains more than 100 oysters.

(b) An alternate name for very small raw oysters which belong to the genus *Ostrea lurida* is "Olympia oysters."

Dated: June 13, 1945.

[SEAL] WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 45-10542; Filed, June 15, 1945; 11:12 a. m.]

Social Security Board.

UNEMPLOYMENT INSURANCE CONTRIBUTIONS

CERTIFICATION TO EXECUTIVE DIRECTOR OF NEW YORK STATE DEPARTMENT OF UNEMPLOYMENT INSURANCE WITH RESPECT TO REDUCED RATES

The Executive Director of the Department of Unemployment Insurance of the State of New York, having duly submitted to the Social Security Board, pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, as amended, the New York unemployment insurance law, as amended by Chapter 646 of the Laws of 1945, effectlve June 4, 1945; and

The Social Security Board, having considered the provisions of said law to determine whether or not reduced rates of contributions are allowable thereunder under conditions fulfilling the requirements of section 1602 of the Internal Revenue Code:

The Board hereby finds that:

(1) Said law provides for a pooled fund as defined in section 1602 (c) (2) of the Internal Revenue Code; and

(2) Reduced rates of contributions under said law to such pooled fund are allowable only in accordance with the provisions of section 1602 (a) (1) of the Internal Revenue Code.

Pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, the Board hereby directs that the foregoing findings be certified to the Executive Director of the Department of Unemployment Insurance of the State of New York.

[SEAL] SOCIAL SECURITY BOARD,
A. J. ALTMEYER,
Chairman.

JUNE 5, 1945.

Approved: June 13, 1945.

PAUL V. MCNUTT,
Administrator.

[F. R. Doc. 45-10543; Filed, June 15, 1945; 11:12 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 315]

REROUTING OF FREIGHT TRAFFIC DUE TO FLOOD CONDITIONS BETWEEN ALDRIDGE AND GALE, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of June, A. D. 1945.

It appearing, that flood conditions between Aldridge, Illinois, and Gale, Illinois, on the Murphysboro district, St. Louis division of the Illinois Central Railroad Company are interfering with operation of that carrier, and that it is unable to transport the traffic offered to it for movement over that route; the Commission is of opinion an emergency exists requiring immediate action in that section of the country to avoid congestion of traffic, and to best promote the service in the interest of the public and the commerce of the people: It is ordered, that:

Flood conditions between Aldridge, Illinois, and Gale, Illinois—(a) *Rerouting of freight traffic.* The Illinois Central Railroad Company is hereby directed to forward freight traffic routed over its line tween Aldridge, Illinois, and Gale, Illinois, via routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars; *Provided*, That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting. All rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded insofar only as conflicting with the directions hereby made.

(b) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carrier's disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, pursuant to this order, shall be the rates which were applicable at date of shipment over the routes so designated.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(d) *Effective date.* This order shall become effective at 5:00 p. m., June 14, 1945.

(e) *Expiration date.* This order shall expire at 11:59 p. m., June 29, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, that copies of this order and direction be served upon the Illinois Central Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Com-

mission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10551; Filed, June 15, 1945; 11:33 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE12]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 12, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Adolph Iverson	Denmark	Estate of I. P. Iverson, also known as Iver Peter Iverson, also known as I. P. Iverson, deceased, in the Superior Court, of the State of California, in and for the County of Tulare, No. 8054, Department 2.	$1,347.48	George Iverson, Administrator of the estate of I. P. Iverson, Dinuba, Calif.	$14.37
		Item 2			
Ellen Christine Iverson	Denmark	Same	673.74	Same	7.18
		Item 3			
Inger Marie Krall	Denmark	Same	673.74	Same	7.18
		Item 4			
Bende J. Bennedsen	Denmark	Same	449.76	Same	4.80
		Item 5			
Inger Marie Bennedsen	Denmark	Same	449.71	Same	4.80
		Item 6			
Paul Borcich	Jugoslavia	Estate of Visko Borcich, also known as Vince Borcich, deceased, in the Superior Court, of the State of California, in and for the County of Los Angeles, No. L-B.P.-12122.	544.36	Lena Blagnich, Administratrix of the estate of Visko Borcich, 360 15th Street, San Pedro, Los Angeles County, Calif.	5.48
		Item 7			
Nick Borcich	Jugoslavia	Same	544.36	Same	5.48
		Item 8			
Luke Borcich	Jugoslavia	Same	544.36	Same	5.48
		Item 9			
John Borcich	Jugoslavia	Same	544.36	Same	5.48
		Item 10			
Antonia Bozanich	Jugoslavia	Same	544.37	Same	5.47
		Item 11			
Franc Rugel	Yugoslavia	Estate of Joseph Rugel, deceased, in the Superior Court, of the State of California, in and for the County of Los Angeles, No. 232443.	722.18	Bank of America National Trust and Savings Association, 650 South Spring Street, Los Angeles, Calif., Account No. 116083.	6.50
		Item 12			
Viktor Rugel	Yugoslavia	Same	722.18	Bank of America National Trust and Savings Association, 650 South Spring Street, Los Angeles, Calif., Account No. 116084.	6.50
		Item 13			
Marija Rugel	Yugoslavia	Same	722.18	Bank of America National Trust and Savings Association, 650 South Spring Street, Los Angeles, Calif., Account No. 116085.	6.50
		Item 14			
Terezin Rugel	Yugoslavia	Same	722.18	Bank of America National Trust and Savings Association, 650 South Spring Street, Los Angeles, Calif., Account No. 116086.	6.50
		Item 15			
Salvina Bianco Michelini	Italy	Estate of Celestino Salvino Bianco, deceased, in the Superior Court, of the State of California, in and for the County of Monterey, No. 7672.	85.60	Bank of America National Trust and Savings Association, San Jose, Calif. Savings Account No. 20170.	7.70
		Item 16			
Luigi Bianco	Italy	Same	85.60	Same	7.70
		Item 17			
Antonio Bianco	Italy	Estate of Celestino Salvino Bianco, deceased, in the Superior Court, of the State of California, in and for the County of Monterey, No. 7672.	85.59	Bank of America National Trust and Savings Association, San Jose, Calif. Savings Account No. 20170.	7.70

[F. R. Doc. 45-10440; Filed, June 14, 1945; 10:52 a. m.]

[Vesting Order 4849]

AMERICAN M. A. N. CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the outstanding capital stock of American M. A. N. Corporation, a corporation organized under the laws of the State of New York, and a business enterprise within the United States, consisting of 200 shares of no par value common stock, is registered in the name of Hans A. Stechel, and is beneficially owned by Maschinenfabrik Augsburg-Nurnberg, and represents control of American M. A. N. Corporation;

2. That Maschinenfabrik Augsburg-Nurnberg, whose principal place of business is Nurnberg, Germany, is a national of a designated enemy country (Germany);

3. That Hans A. Stechel is acting directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) or persons within such country;

and determining:

4. That Hans A. Stechel is acting for or on behalf of Maschinenfabrik Augsburg-Nurnberg, Nurnberg, Germany, and is a national of a designated enemy country (Germany);

5. That American M. A. N. Corporation is controlled by Maschinenfabrik Augsburg-Nurnberg and Hans A. Stechel, and is acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 200 shares of no par value common stock of American M. A. N. Corporation, more fully described in subparagraph 1 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may be allowed, file with the Alien Property hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 18, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10537; Filed, June 15, 1945; 10:58 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination 18]

GILLETTE MOTOR TRANSPORT, INC.

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Gillette Motor Transport, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Gillette Motor Transport, Inc., 2508 South Harwood Street, Dallas, Texas, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m. June 16, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 18."

Issued at Washington, D. C., this 15th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-10515; Filed, June 14, 1945; 3:17 p. m.]

POSSESSION AND OPERATION OF THE PLANTS, FACILITIES, AND TRANSPORTATION SYSTEM OF SCRANTON TRANSIT COMPANY, SCRANTON, PENNSYLVANIA

NOTICE AND ORDER

To Scranton Transit Company, Scranton, Pennsylvania:

1. You are hereby notified that, by order of the President of the United States (Executive Order 9570 [1]), possession and control of your transportation system, including all real and personal property, plants, facilities, and other assets, wherever situated, used or useful in connection with the operation of such system, are hereby taken and assumed by the Director of the Office of Defense Transportation as of 12:01 o'clock A. M. on the 16th day of June 1945. Possession and control is not taken of any of your property, plants, facilities, or other assets, which are not used or useful in the operation of your transportation system.

2. The purpose of possession, control, and operation of your transportation system and properties by the United States pursuant to said Executive Order is to assure the maintenance of an effective system of transportation for the armed forces and the civilian population.

3. Effective this date, T. H. Nicholl is hereby appointed Federal Manager of the transportation system and properties taken hereunder, with full authority, subject to my direction:

(a) To possess, control, and operate, or arrange for the operation of the system and properties taken thereunder in such manner as may be necessary for the successful prosecution of the war and maintenance of essential civilian economy and to accomplish the purposes of the Executive Order, through or with the aid of such public or private agencies, persons, or corporations as he may designate;

(b) Subject to the provisions of the Executive Order, to manage or operate, or arrange for the management or operation of said system and properties under such terms and conditions of employment as he deems advisable and proper;

(c) From time to time, to return to you such real or personal property, or other assets, as he determines to be unnecessary to the operation of your transportation system; and

(d) To request the Secretary of War or such persons as he may designate, to furnish protection for persons employed or seeking employment with the transportation system of which possession is taken hereunder and the properties of such system, and to furnish equipment, manpower, and other facilities or services necessary to carry out the provisions and purposes of the Executive Order of the President.

4. A copy of this Notice and Order shall be posted by you in your principal place of business or headquarters of your transportation system and in each terminal, car barn, and garage maintained in connection with its operation.

Issued at Washington, D. C., this 15th day of June, 1945.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 45-10544; Filed, June 15, 1945; 11:23 a. m.]

[1] *Supra*, this issue.

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 1190]

STRAIGHT HAVANA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Straight Havana Cigar Co., 106 S. Main Street, Prairie Du Chien, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Whizzer	Blunt	50	$56	7
Dan Patch	Claro Tips	20	28	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10360; Filed, June 13, 1945; 11:59 a. m.]

[MPR 260, Order 1191]

ANGEL PRADO, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Angel Prado, Inc., Mayor No. 61, Ponce, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Prado	Corona 2a	50	$50	2 for 15
	Corona 4a	50	41	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10361; Filed, June 13, 1945; 11:59 a. m.]

[MPR 260, Order 1192]

DEL MONTE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Del Monte Cigar Factory, 1812 Twenty-first Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Del Monte	Brevas	50	$65	12
	Reinas	50	110	19
	Habaneras	50	[illegible]	3 for 50
	Especiales	50	[illegible]	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10362; Filed, June 13, 1945; 12:12 p. m.]

[MPR 260, Order 1193]

JOHN S. PAGAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) John S. Pagan, 78 East 115 Street, New York 29, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Cayeyana	Coronas	50	$75	10
	Coronitas	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10363; Filed, June 13, 1945; 12:11 p. m.]

[MPR 260, Order 1194]

MENENDEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Menendez Cigar Factory, 1409½ Grant Street, Brunswick, Ga. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Spanish Blunts	E	50	$60.00	2 for 15
Brunswick Queens	E	50	75.00	10
Klass A	E	50	75.00	10
Florida Sunshine	E	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the

manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10364; Filed, June 13, 1945; 12:11 p. m.]

[MPR 260, Order 1195]

LUIS LA-FE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Luis La-Fe, 2595 Webster Avenue, New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Spanish Best[1]	Corona (L)".....	50	$72.00	9
	Corona 5".....	50	108.00	2 for 29
	Palma.....	50	150.00	20

[1] Prices apply only to this brand, frontmark and size of tobacco composition specified in application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10365; Filed, June 13, 1945; 12:01 p. m.]

[MPR 260, Order 1196]

FLORENCIO RODRIGUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Florencio Rodriguez, San Antonio St., Gurabo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Palatino.....	4½".....	50	$42	4
Coronitas.....	4½".....	50	44	2 for 11
Corona Grande..	5½".....	50	60	2 for 15
Queen.....	5".....	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10366; Filed, June 13, 1945; 12:02 p. m.]

[MPR 260, Order 1197]

AARON E. LAUGHMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Aaron E. Laughman, R. F. D. No. 1, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Londres.....	4½".....	50	$18	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10367; Filed, June 13, 1945; 11:58 a. m.]

[MPR 260, Order 1198]

G. SUAREZ & SON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) G. Suarez & Son, 1814½ Ninth Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
G. Suarez & Son	Londres 5".....	50	$115	15
	Special 4½"...	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10368; Filed, June 13, 1945; 12:12 p. m.]

[MPR 260, Order 1199]

S. LEVITT

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) S. Levitt, 797 E. 160th Street, Bronx, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
	Coronitas.....	50	$56	7
	Coronas.....	50	115	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the

discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R Doc 45-10369; Filed, June 13, 1945; 12:03 p. m.]

[MPR 260, Order 1200]

JULIO GALLO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Julio Gallo Cigar Factory, 2402 13th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Don Manuel	Blunts	50	$48	6
	Palmas Grande	50	177	23
	Palmas	50	146	19
	Kings	50	138	18
	Panetela Special	50	138	18
	Diplomatico	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R Doc 45-10370; Filed, June 13, 1945; 12:02 p. m.]

[MPR 260, Order 1201]

CORRAL, WODISKA Y CA.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Corral, Wodiska y Ca., 1302-1312 19th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Diligencia	Princess	50	$64	8
Bertie	Juniors	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10371; Filed, June 13 1945; 12:03 p. m.]

[MPR 260, Order 1202]

ISRAEL NARELA AND J. M. CABRERO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Israel Narela, J. M. Cabrero, San Sebastian, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Brevas	Brevas 4½"...	50	$20	2 for 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10372; Filed, June 13, 1945; 12:03 p. m.]

[MPR 260, Order 1203]

AMERICAN CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) American Cigar Factory, 2108 Main Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ilico	Queen Superior	50	$131	17
	Corona	50	90	12
Ilico "Superior"	Brevas Superior	50	131	17
Juliet	Demmi	50	32	4
Cinta Azul	Dolls	50	56	7
America	Panetela	50	32	4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10373; Filed, June 13, 1945; 12:04 p. m.]

[MPR 260, Order 1204]

SALERNO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Salerno Cigar Factory, 2907 11th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Salerno	Londres	50	$82.50	11
	Panetela	50	161.50	21
	Colonel	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the

manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10374; Filed, June 13, 1945; 11:57 a. m.]

[MPR 260, Order 1205]

H. VEGA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H. Vega Cigar Factory, 501 E. Amelia St., Tampa 3, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Mi Vega	Henry	50	$90	12
Londres Grande	Mi Vega	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10375; Filed, June 13, 1945; 11:57 a. m.]

[MPR 260, Order 1206]

LAZARO CIGAR MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lazaro Cigar Mfg. Co., 242 N. Flower St., Los Angeles 12, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lazaro	Washington Club	50	$87	10
Washington Club	Specials	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in

the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 14, 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10376; Filed, June 13, 1945; 11:57 a. m.]

[MPR 188, Order 3952]

L. W. HOLMES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the L. W. Holmes Company, North Main Street, Oronoque (Stratford) Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	To jobber	Maximum price to retailer	To consumer
		Each	*Each*	*Each*
Fishing reel	H-1	$5.25	$6.80	$11.00
Fishing reel	H-2	3.70	4.85	7.85
Fishing reel	H-4	2.70	3.85	6.00
Salmon reel	S-1	6.25	8.05	13.05

The above maximum prices include Federal excise tax. They are subject to a cash discount of 2 percent 10 days and are f. o. b. factory.

These maximum prices are for the articles described in the manufacturer's application dated April 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th day of June, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10508; Filed, June 14, 1945; 11:47 a. m.]

[MPR 188, Order 3953]

BREMER TOOL CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bremer Tool Corp., 222 East 92d Street, New York 28, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Each	*Each*	*Each*
Cigarette lighter	1	$2.02	$2.70	$4.50

These maximum prices are for the articles described in the manufacturer's application dated May 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th day of June 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10509; Filed, June 14, 1945; 11:47 a. m.]

[MPR 188, Order 3954]

E. BENNETT HOWES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188. *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by E. Bennett Howes of Mendon, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by manufacturer and sellers other than manufacturer to—	
		Retailers	Consumers
		Each	*Each*
Fishing float, 14', with oars	"I"	$42.18	$61.25

These maximum prices are for the articles described in the manufacturer's application dated April 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$61.25
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th day of June 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10510; Filed, June 14, 1945; 11:48 a. m.]

[MPR 188, Order 3955]

EXCLUSIVE PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Exclusive Products Co., 1554-56 Third Avenue, New York 28, N. Y.

(b) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette holder	1	*Each* $0.60	*Each* $1.20	*Each* $2

These maximum prices are for the articles described in the manufacturer's application dated May 17, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th day of June 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10511; Filed, June 14, 1945; 11:48 a. m.]

[MPR 260, Order 1207]

NATIONAL CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) National Cigar Factory, 2403 Fifteenth Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Nicolina	Londres	50	$60	12
	Conchas	50	105	14
	Panetelas	50	195	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10477; Filed, June 14, 1945; 11:52 a. m.]

[MPR 260, Order 1208]

LESTER E. BILLET

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lester E. Billet, Water Street, Jacobus, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona		50	$56	7
King Bee	Perfecto	50	56	7
Lester Cigar	Invincible	50	56	7
Bee Cigar		50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10478; Filed, June 14, 1945; 11:53 a. m.]

[MPR 260, Order 1209]

M. D. C. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. D. C. Cigar Factory, 1016 Thirteenth Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
M. D. C. Cigars	Boston Grande	50	$108.75	2 for 25
M. D. C. Cigars	Panetelas C	50	138.60	18
M. D. C. Cigars	Brevas	50	169.00	23
M. D. C.	Fancy Tales	50	169.00	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10479; Filed, June 14, 1945; 11:53 a. m.]

[MPR 260, Order 1210]

ROYAL QUAKER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Royal Quaker Cigar Co., R. D. No. 1, Windsor, Pa. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Royal Quaker	Londres	50	$18	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each

brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10480; Filed, June 14, 1945; 11:53 a. m.]

[MPR 260, Order 1211]

CASTILLO & PAGES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Castillo & Pages, 163 St. Ann's Avenue, Bronx, N. Y. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
The Castillo & Pages.	Coronitas	50	$48	6
	Coronas	50	131	17
	Victorias	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10481; Filed, June 14, 1945; 11:55 a. m.]

[MPR 260, Order 1212]

FRED W. KANOLZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Fred W. Kanolz, 1005 S. Center Avenue, Sioux Falls, S. Dak. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Salle		50	$48	6
Big Sioux		50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10482; Filed, June 14, 1945; 11:55 a. m.]

[MPR 260, Order 1213]

S K CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ruth Stitely & Wilbur H. Kinard dba S K Cigar Co., Felton, Pa. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
SK F	SK F	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10483; Filed, June 14, 1945; 11:55 a. m.]

[MPR 260, Order 1214]

EVA A. EARNHART

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Miss Eva A. Earnhart, 333 Elmire Street, White Haven, Pa. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Carolaker		50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10484; Filed, June 14, 1945; 11:55 a. m.]

[MPR 260, Order 1215]

GOTTFRIED SCHMOKER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gottfried Schmoker, New Glarus, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Liberty	13, 4½"	50	$41	2 for 11
Shorpeg	17, 4½"	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10485; Filed, June 14, 1945; 11:56 a. m.]

[MPR 260, Order 1216]

ELIAS DANKOWITZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Elias Dankowitz, 1553 2d Avenue, New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor de Villar	Panetela	50	$82.50	11
La Cardenas	Bankers	50	75.75	2 for 21
Smokers	Smokers	50	75.00	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10486; Filed, June 14, 1945; 11:50 a. m.]

[MPR 260, Order 1217]

TAMPURE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tampure Cigar Factory, 1822 12 Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tampure	Colonels	50	$	14
	Coronels	50		11
	Brevas	50		22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10487; Filed, June 14, 1945; 11:51 a. m.]

[MPR 260, Order 1218]

ALVAREZ BROS. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Alvarez Bros. Cigar Factory, 1902 Pine Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Al's Best	Zenith	50	$40	5
	Coronas	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10488; Filed, June 14, 1945; 11:51 a. m.]

[MPR 260, Order 1219]

LARIZ & GUERRA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lariz & Guerra Cigar Company, 3610 18th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Irene	Panetela Especial	50	$131.00	17
	Blunts	50	48.00	6
	Kings	50	138.00	18
	Palmas	50	169.00	22
	Palmas Grande	50	185.00	24
	Diplomaticos	50	93.75	2 for 25
	Coronas	50	75.00	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10489; Filed, June 14, 1945; 11:51 a. m.]

[MPR 260, Order 1220]

LATIN-AMERICAN CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Latin-American Cigar Factory, 4032 Nebraska Avenue, Tampa 3, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Toledo Special	Coronas Extra	50	$90	12
	Brevas	50	169	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10490; Filed, June 14, 1945; 11:52 a. m.]

[MPR 260, Order 1221]

JOSE A. MARTIN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose A. Martin, 237 E. 103d Street, New York, 29 N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
General Taste	Corona	50	$90	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10491; Filed, June 14, 1945; 11:52 a. m.]

[MPR 260, Order 1222]

TOMAS CASTRO CONTERAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tomas Castro Conteras, Calle Duclet No. 16 Hato Rey, Stop 37, Rio Piedra, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona	4½"	50		

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10492; Filed, June 14, 1945; 11:52 a. m.]

[MPR 260, Order 1223]

JOE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Joe Cigar Company, 2 East Thirty-third Street, New York, N. Y. (hereinafter called "manufacturer" and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
G M	Londres Grande	50	$68.75	2 for 25
	Queen	50	114.00	20
	Queen Chico	50	123.00	16
	Corona	50	148.00	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10493; Filed, June 14, 1945; 11:49 a. m.]

[MPR 260 Order 1224]

ANTHONY BELL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Anthony Bell, 2609A North Sixty-third Street, Wauwatosa 13, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Van Gogh	Deluxe	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10494; Filed, June 14, 1945; 11:49 a. m.]

[MPR 260, Order 1225]

DE LA MOTTE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) De La Motte Cigar Co., 17 North Allen, Pasadena 4, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Pacific Prince	Jr. Corona	50	*Per M* $72	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10495; Filed, June 14, 1945; 11:49 a. m.]

[MPR 260, Order 1226]

EUSEBIO VILLEGAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Eusebio Villegas, 848 E. 163 St., New York 59, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona	4¾"	50	*Per M* $72	*Cents* 9
	5"	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10496; Filed, June 14 1945; 11:49 a. m.]

[MPR 260, Order 1227]

S. L. SVENNINGSEN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) S. L. Svenningsen, 1114 E. Washington Ave., Council Bluffs, Iowa (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
The Challenger	The Challenger 4½"	50	*Per M* $75	*Cents* 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10497; Filed, June 14, 1945; 11:50 a. m.]

[MPR 260, Order 1228]

ABE KNOLL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Abe Knoll, 2597 Jerome Ave., Bronx 58, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
George Yale	Commandos	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10498; Filed, June 14, 1945; 11:50 a. m.]

[MPR 260, Order 1229]

H. N. HEUSNER & SON, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) H. N. Heusner & Son, Inc. 228-230 High Street, Hanover, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Little Dan O'Brien	5¼"	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10499; Filed, June 14, 1945; 11:50 a. m.]

[MPR 260, Order 1230]

M. LA NUEZ & SON CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That

(a) M. La Nuez & Son Cigar Factory, 2066 Eighth Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Los Buenos	Dukes	50	$87.50	13
	Little Kings	50	78.75	2 for 21
	Brevas	50	169.00	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10500; Filed, June 14, 1945; 11:45 a. m.]

[MPR 260, Order 1231]

PORTO DIAZ & CONE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Porto Diaz & Cone Cigar Co., 2916 Green St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Porto Diaz & Cone	Cuties	50	$45.00	2 for 15
	Dories	50	66.00	12
	Porto's	50	131.00	17
	Brevas	50	161.50	21
	Onedia	50	138.00	18
	Ceni	50	169.00	22
	Glorioso	50	154.00	20
	Finos	50	123.00	16
	Queen de Luxe	50	161.50	21
	P. D. C. Special	50	97.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order; but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10501; Filed, June 14, 1945; 11:45 a. m.]

[MPR 260, Order 1232]

BERNARD LOWDEN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That

(a) Bernard Lowden, 325 Market St., Camden, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible]	De Luxe Coronas	50	$158	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10502; Filed, June 14, 1945; 11:45 a. m.]

[MPR 260, Order 1233]

H. C. DIAZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H. C. Diaz Cigar Factory, 1515 28th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Garcia-Monte	Coronas	50	$84	8
	Coronas Especial	50	123	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10503; Filed, June 14, 1945; 11:46 a. m.]

[MPR 260, Order 1234]

JOSEPH LACINA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Joseph Lacina, 1716 Bergenline Avenue, Union City, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Specials	5½	50	$75	10

[1] Prices apply to this cigar name only Puerto Rican long filler as specified in application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing

differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10504, Filed, June 14, 1945; 11:46 a. m.]

[MPR 260, Order 1238]

A. SENSENBRENNER SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) A. Sensenbrenner Sons, 1220 Maple Avenue, Los Angeles 15, California, (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Bohemian Club	Golden Gate	50	$105.75	2 for 29
	Classics	50	108.75	2 for 29
	Epicures Supreme	50	115.00	15
	Savoys	50	115.00	15
	Fancy Tales	50	138.00	18
	Plazas	50	134.00	2 for 35
	Miramars	50	154.00	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10505; Filed, June 14, 1945; 11:46 a. m.]

[MPR 260, Order 1239]

GREENPOINT SMOKE SHOP

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Greenpoint Smoke Shop, 629 Manhattan Avenue, Brooklyn, N. Y. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Wello	Palma	50	$75.00	2 for 25
	Longello	50	90.00	2 for 30
Romeo	Rouen	50	115.00	15
George Read	Longello Jr.	50	75.00	10
	Corona	50	90.00	12
Romeo	Clear Havana	50	115.00	15
El Wello	Puritano	50	75.00	10
George Read	Palma Jr.	50	90.00	2 for 25
	Special	50	115.00	15
El Wello	Manhattan	50	90.00	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10506; Filed, June 14, 1945; 11:46 a. m.]

[MPR 260, Order 1240]

ROBERT SCHWALB

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That

(a) Robert Schwalb, 157 East Broadway, New York 2, N. Y. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Private Imports	5"	80	$14	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10507; Filed, June 14, 1945; 11:47 a. m.]

[MPR 260, Order 1235]

MCCALLUM CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) McCallum Cigar Co., 417 Second Avenue, Alpena, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Alpena	Conchas	50	$75.00	10
San Tuis	Adjutant	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10530; Filed, June 14, 1945; 4:40 p. m.]

[MPR 260, Order 1236]

CHARLES DUESING CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Charles Duesing Cigar Factory, 1120 10th Street, Menomonie, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Charles Brand	5⅛"	50	$60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10531; Filed, June 14, 1945; 4:40 p. m.]

[MPR 260, Order 1237]

ROSARIO GAMBINO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rosario Gambino, 2401 Wentworth Avenue, Chicago, Illinois (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Sentilla	Coronas	50	$115.00	15
White Belly	Smokers	50	64.00	8
	Banquets	50	64.00	8
Defender	Perfectos	50	108.75	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15 1945.

Issued this 14th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10532; Filed, June 14, 1945; 4:41 p. m.]

[Max. Import Price Reg., Order 97]

COCOA (COCO) MATS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, It is ordered:

(a) *What this order does.* This order establishes maximum prices at which importers (including an importer selling at retail) and wholesalers may sell, and maximum prices at which any person may buy from such sellers, cocoa (coco) mats made from coir yarn and imported from India. The cocoa (coco) mats to which this order applies are identified by grades or qualities as indicated in paragraph (b) which are generally recognized and used in the trade. Sales of other grades or qualities of cocoa (coco) mats by importers or wholesalers remain subject to the provisions of section 8 of the Maximum Import Price Regulation. This order does not apply to retailers who purchase from importers or wholesalers. Their selling prices are governed by Maximum Price Regulation No. 580.

(b) *Maximum prices.* Notwithstanding the provisions of the Maximum Import Price Regulation, on and after June 16, 1945, regardless of any contract, agreement or other obligation, no importer (including an importer selling at retail) or wholesaler may sell or deliver such cocoa (coco) mats, and no person may buy them from such sellers at prices per square foot higher than the following:

Quality	To wholesalers [1]	To retailers [2]	To consumers
CCL	$0.1027	$0.1177	$0.1327
CLX	.1031	.1181	.1331
KY	.1121	.1271	.1421
CLB	.1165	.1315	.1465
CL	.1281	.1431	.1581
LBM	.1312	.1462	.1612
LB	.1513	.1663	.1813
Mottled	.1825	.1975	.2125
Plain thin	.5060	.5210	.5360
MB	.6363	.6513	.6663
LB Inlaid	.6375	.7083	1.2255
Fancy Imperial	.8271	.9031	1.3545
MB Inlaid	.8906	.9656	1.4295

(On sales of stenciled mats these prices may be increased by 2¢ per square foot)

Terms: [1] Net 30 days.
[2] 1% 10 days, net 30 days.

These prices are f. o. b. U. S. port of entry, duty paid. Where sales are made by the importer at a place other than the port of entry, he may add freight (other than local cartage) actually incurred in transporting the commodity from the port of entry to place of sale. The wholesaler may add to his maximum prices freight (other than local cartage) whether incurred by him or by the importer, in transporting the commodity to his place of sale.

Freight charges shall be calculated on the basis of the lowest available common carrier rate for the quantity transported, and, except on sales at retail, shall be separately stated on the seller's invoice.

(c) *Importer to notify wholesalers.* The importer shall include the following statement on each invoice covering sales of such cocoa (coco) mats to wholesalers:

The invoiced cocoa (coco) mats are sold to you at prices established by Order No. 97 under the Maximum Import Price Regulation. Your own maximum resale prices are established under the same order.

(d) *Brokers or agents commissions.* The maximum prices established by this order include, and may not be increased by, any commission paid to any broker or to any buying or selling agent.

(e) *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid or offered.

(f) *Application of Maximum Import Price Regulation.* Unless the context otherwise requires, the provisions of the Maximum Import Price Regulation, as amended, shall apply to sales for which maximum prices are established by this order.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10564; Filed, June 15, 1945; 12:02 p. m.]

[MPR 188, Order 3933]

FINISHED TURNED OR SHAPED WOOD PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturers of turned or shaped finished wood products to report their maximum prices.* By Amendment No. 7 to Maximum Price Regulation No. 196, issued June 15, 1945, § 1384.51 of Maximum Price Regulation No. 196 was amended to exclude from its coverage finished products, substantially ready for ultimate use (rather than incorporation in other products). On the same day, Maximum Price Regulation No. 188 was amended to make it clear that those products were transferred to list of articles covered by it. Among the articles involved are turned or shaped wood products falling in the following categories: furniture, brooms, mops, carpet sweepers, toys, games, tools, baseball bats, checker and chessmen, wooden spoons, wooden bowls, golf tees, clothespins, drum sticks, billiard cues, etc. Every manufacturer of any turned or shaped wood product which has been thus transferred to the coverage of Maximum Price Regulation No. 188 must, before July 30, 1945, file with the Durable Goods Price Branch, Office of Price Administration, Washington 25, D. C., three copies of a report showing model number, if any, description and his maximum prices to each class of purchaser, for each such article for which a maximum price was fixed by Maximum Price Regulation No. 196.

(b) *Maximum prices under the regulation previously in effect to continue.* The maximum price for the sale of any such article shall be the seller's maximum price under Maximum Price Regulation No. 196 on June 20, 1945.

(c) This order may be revoked or amended by the Price Administrator at any time.

NOTE: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective on the 20th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10565; Filed, June 15, 1945; 12:01 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 12, 1945.

REGION I

Connecticut Order 5-F, Amendment 5, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 10:00 a. m.

Connecticut Order 6-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 10:00 a. m.

Connecticut Order 7-F, Amendment 4, covering fresh fruits and vegetables in the New Haven Area. Filed 10:00 a. m.

Connecticut Order 8-F, Amendment 5, covering fresh fruits and vegetables in the Bridgeport Area. Filed 10:00 a. m.

Connecticut Order 9-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 10:00 a. m.

REGION II

Binghamton Order 2-F, Amendment 35, covering fresh fruits and vegetables in certain areas in New York. Filed 10:00 a. m.

Buffalo Order 3-F, Amendment 12, covering fresh fruits and vegetables in certain areas in New York. Filed 9:57 a. m.

Buffalo Order 4-F, Amendment 12, covering fresh fruits and vegetables in certain areas in New York. Filed 9:57 a. m.

District of Columbia Order 5-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Region II. Filed 9:57 a. m.

New York Order 9-F, Amendment 15, covering fresh fruits and vegetables in the five boroughs of New York. Filed 9:57 a. m.

New York Order 10-F, Amendment 15, covering fresh fruits and vegetables in Nassau and Westchester Counties, New York. Filed 9:56 a. m.

New York Order 12-F, Amendment 8, covering fresh fruits and vegetables in certain counties in New York. Filed 9:56 a. m.

New York Order 1-C, Amendment 7, covering poultry in Region II. Filed 9:56 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10524; Filed, June 14, 1945; 4:38 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 11, 1945.

REGION I

Boston Order 8-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:12 p. m.

Boston Order 9-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:12 p. m.

Boston Order 9-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:11 p. m.

Boston Order 10-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:11 p. m.

Boston Order 11-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:11 p. m.

REGION II

New York Order 2-C, Amendment 6, covering poultry. Filed 3:22 p. m.

New York Order 3-C, Amendment 8, covering poultry in certain areas in New York and New Jersey. Filed 3:21 p. m.

New York Order 4-C, Amendment 8, covering poultry in certain areas in New York and New Jersey. Filed 3:21 p. m.

Philadelphia Order 6-F, Amendment 30, covering fresh fruits and vegetables in Philadelphia, Pennsylvania. Filed 3:21 p. m.

Philadelphia Order 11-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:21 p. m.

Philadelphia Order 12-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:21 p. m.

Scranton Order 4-F, Amendment 27, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:20 p. m.

Scranton Order 16-C, Amendment 7, covering poultry in certain counties in Pennsylvania. Filed 3:20 p. m.

Scranton Order 17-C, Amendment 7, covering poultry in certain counties in Pennsylvania. Filed 3:20 p. m.

Syracuse Order 3-F, Amendment 34, covering fresh fruits and vegetables in certain cities in New York. Filed 3:20 p. m.

Syracuse Order 4-F, Amendment 22, covering fresh fruits and vegetables in certain areas in New York. Filed 3:19 p. m.

REGION III

Cleveland Order 4-W, covering dry groceries in certain areas in Ohio. Filed 3:19 p. m.

Cleveland Order 4-W, Amendment 1, covering dry groceries in the Cleveland Area. Filed 3:18 p. m.

Cleveland Order 1-C, Amendment 5, covering poultry in certain areas in Ohio. Filed 3:17 p. m.

Cleveland Order 2-C, Amendment 5, covering poultry in certain areas in Ohio. Filed 3:17 p. m.

Cleveland Order 34, covering dry groceries in certain counties in Ohio. Filed 3:16 p. m.

Cleveland Order 34, Amendment 1, covering dry groceries in the Cleveland Area. Filed 3:16 p. m.

Columbus Order 8–F, Amendment 24, covering fresh fruits and vegetables in Franklin County, Ohio. Filed 3:16 p. m.

Columbus Order 9–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Columbus. Filed 3:16 p. m.

Detroit Order 5–F, Amendment 18, covering fresh fruits and vegetables in certain counties in Michigan. Filed 3:16 p. m.

REGION IV

Roanoke Order 11–F, Amendment 15, covering fresh fruits and vegetables in certain areas in Virginia. Filed 3:16 p. m.

Roanoke Order 17, Amendment 1, covering dry groceries in the Roanoke Area. Filed 3:15 p. m.

REGION V

Dallas Order 3–F, Amendment 46, covering fresh fruits and vegetables. Filed 3:15 p. m.

New Orleans Order 1–F, Amendment 21, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 3:15 p. m.

New Orleans Order 2–F, Amendment 76, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 3:15 p. m.

REGION VI

Chicago Order 2–F, Amendment 64, covering fresh fruits and vegetables in certain areas in Illinois and Indiana. Filed 3:14 p. m.

Des Moines Order 1–F, Amendment 66, covering fresh fruits and vegetables in Des Moines, Polk County, Iowa. Filed 3:12 p. m.

Des Moines Order 1–F, Amendment 67, covering fresh fruits and vegetables in Des Moines, Polk County, Iowa. Filed 3:14 p. m.

Des Moines Order 2–F, Amendment 23, covering fresh fruits and vegetables in certain areas in Iowa. Filed 3:10 p. m.

Des Moines Order 3–F, Amendment 14, covering fresh fruits and vegetables in certain counties in Iowa. Filed 3:10 p. m.

Des Moines Order 3–F, Amendment 15, covering fresh fruits and vegetables in certain counties in Iowa. Filed 3:13 p. m.

Duluth-Superior Order 1–F, Amendment 73, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 3:08 p. m.

Duluth-Superior Order 15, Amendment 1, covering dry groceries. Filed 3:09 p. m.

Milwaukee Order 1–C, Amendment 5, covering poultry in certain counties in Wisconsin. Filed 3:09 p. m.

Milwaukee Order 2–C, Amendment 5, covering poultry in certain counties in Wisconsin. Filed 3:10 p. m.

Omaha Order 10–F, Amendment 13, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 3:13 p. m.

Omaha Order 11–F, Amendment 14, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 3:13 p. m.

Twin Cities Order 1–F, Amendment 19, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 3:13 p. m.

Twin Cities Order G–8, covering cheese items in the Twin Cities Area. Filed 3:13 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10523, Filed, June 11, 1945, 4:38 p. m.]

WAR FOOD ADMINISTRATION.

[CE-A Docket No. 34]

GENERAL FOODS CORP. ET AL.

NOTICE OF DESIGNATION OF REFEREE

In re General Foods Corporation, Charles W. Metcalf, Daniel F. Rice and Company, Daniel F. Rice, Lawrence J. Ryan, and Philip R. O'Brien.

Jack W. Bain, the Assistant to the officer designated to perform regulatory functions under authority of the act of April 4, 1940 (5 U.S.C. 516 a–e), is designated to act as referee in the above-entitled proceeding, and as such is authorized to exercise all the authority vested in referees by the rules of practice promulgated under the Commodity Exchange Act (7 U.S.C. § 1–17a).

ASHLEY SELLERS,
Assistant War Food Administrator.

JUNE 15, 1945.

[F. R. Doc. 45-10540; Filed, June 15, 1945; 11:08 a. m.]

WAR MANPOWER COMMISSION.

ABILENE, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Abilene Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," Effective Oct. 15, 1943 (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

Sec

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management Labor Committees.
5. Encouragement of local initiative and use of existing hiring channels and special authorization to designated Government agencies.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendment of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for, the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan:

(a) "The Abilene Area" is the area comprised of the counties of Borden, Brown, Callahan, Coke, Coleman, Comanche, Concho, Crockett, Dawson, Eastland, Fisher, Glasscock, Haskell, Howard, Irion, Jones, Kent, Kimble, McCulloch, Martin, Menard, Mitchell, Nolan, Reagan, Runnels, Schleicher, Scurry, Shackleford, Sterling, Stonewall, Sutton, Taylor, and Tom Green.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry; and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration, and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) "Locality of the new employment" as used in section 10 sub-section (c) of this Plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Abilene Area shall be conducted in accordance with this employment stabilization Plan.

SEC. 4. *Authority and responsibilities of Management Labor Committee.* The Area Management-Labor War Manpower Committee for the Abilene Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels and special authorization to designated Government agencies.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and Government Agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the Departmental or Field Service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the Railroad Industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in the offshore, coastal or inter-coastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continued his non-compliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service:

(a) If the new employee is a male;

(b) If the new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(c) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(d) If the new employee's last regular employment was in the non-ferrous metal industry;

(e) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work; *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and *Provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

The Area Manpower Director may fix for all or any establishments in the Abilene Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishments' actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceilings or allowances currently applicable to it.

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political sub-division, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the plan shall contain only the individual name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise

solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time, after consultation with the Area Management-Labor Committee of the Abilene Area, upon approval by the Regional Director of the War Manpower Commission;

SEC. 19. *Effective date.* This plan shall become effective October 15, 1943.

Dated: January 22, 1945.

E. J. BERRY,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10393; Filed, June 13, 1945; 2:56 p. m.]

AMARILLO, TEX., AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Amarillo Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," effective Oct. 15, 1943 (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative, use of existing hiring channels and special authorization to designated Government agencies.
6. Minimum standards in general.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Solicitation of workers.
14. Hiring.
15. Content of statements of availability.
16. Representation.
17. General referral policies.
18. Amendment of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The direction of the flow of scarce labor where most needed in the war program;

(c) The reduction of unnecessary labor migration;

(d) The maximum utilization of manpower resources;

by measures equitable to labor and management, and necessary for the effective prosecution of the war.

SEC. 2. *Definitions.* As used in this employment stabilization plan:

(a) "The Amarillo Area" is the area comprised of the counties of Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Gaines, Garza, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Hutchinson, King, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Terry, Wheeler, and Yoakum.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activity. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by Regional Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(i) "Locality of the new employment" as used in section 10, subsection (c) of this plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Amarillo Area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Amarillo Area Management-Labor War Manpower Committee is authorized to consider questions of policies, standards, and safeguards, in connection with the establishment and administration of this plan and to make recommendations to the Area Director.

SEC. 5. *Encouragement of local initiative, use of existing hiring channels and special authorization to designated Government agencies.* To the maximum degree consistent with this employment stabilization plan and with its objectives local initiative and cooperative efforts shall be encouraged and utilized, and maximum use made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to the worker who is or most recently was employed in the Departmental or Field Service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the off-shore, coastal or inter-coastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *Minimum standards in general.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in his case. If the employer fails or refuses to issue a Statement of Availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements made with, the United States Employment Service:

(a) If the new employee is a male.

(b) If the new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(c) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(d) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work except after consultation with a designated representative of the War Food Administration; *And provided further,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(e) If the new employee's last regular employment was in the non-ferrous metal and lumber industry.

The Area Manpower Director may fix for all or any establishments in the Amarillo Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishments' actual labor needs, the available labor supply, and/or the relative urgency of the establishments' products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishments exceeding the employment ceilings or allowances currently applicable to it.

SEC. 11. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of this plan, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivision, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality had indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan in accordance with regulation and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provisions in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time after consultation with the Area Management-Labor Committee of the Amarillo Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective October 15, 1943.

Amendment. Section 10 of the Area Stabilization Plan was amended and section 10-a was added by unanimous agreement of the Area Management-Labor Committee on May 29, 1944, to make it conform to the Priority Referral Program which is to become effective July 1, 1944.

Dated: January 26, 1945.

F. A. WELLS,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10394; Filed, June 13, 1945; 2:56 p. m.]

AUSTIN, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Austin Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regula-

tion No. 7, as amended, "Governing Employment Stabilization Programs," effective October 15, 1943 (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

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9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Contents of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendment of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan:

(a) The "Austin Area" is the area comprised of the counties of Bastrop, Blanco, Burleson, Burnet, Caldwell, Fayette, Gillespie, Hays, Lampasas, Lee, Llano, Mason, Mills, San Saba, Travis, Washington and Williamson.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation, or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employees" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) The terms "employment and work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) Locality of the new employment as used in section 10, sub-section (b) of this Plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Austin Area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Austin Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative, use of existing hiring channels, and special authorization to designated Government agencies.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and Government Agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the Department or Field Service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the Railroad Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by U. S. Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the U. S. Employment Service of the War Manpower Commission upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation, or policy, and for so long as such employer continues his noncompliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full-time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the U. S. Employment Service may, upon his request refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by U. S. Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the U. S. Employment Service.

(a) If the new employee is a male.

(b) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(c) If the new employee's last regular employment was in the non-ferrous metal industry, or the lumber industry.

(d) If the new employee is to be hired in an occupation in the magnesium Refining industry.

(e) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

The Area Manpower Director may fix for all or any establishments in the Austin Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishments actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, state, county, or municipal government, or their political subdivision, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision of this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time, after consultation with the Area Management-Labor Committee of the Austin Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective October 15, 1943.

Dated: January 20, 1945.

R. L. ROTH,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10395; Filed, June 13, 1945; 2:56 p.m.]

BEAUMONT, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Beaumont Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," Effective Oct. 14, 1943 (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative, use of existing hiring channels and special authority to designated Government agencies.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by the United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendment of the plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for, the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan;

(a) "The Beaumont Area" is comprised of the counties of Angelina, Chambers, Hardin, Houston, Jefferson, Jasper, Liberty, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, Shelby, Trinity and Tyler,

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry; and shall not include any packing, canning, processing, transportation, or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time

during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration, and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) Locality of the new employment as used in section 10, subsection (d) of the Plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Beaumont Area shall be conducted in accordance with this stabilization plan.

SEC. 4. *Authority and responsibility of Management-Labor Committee.* The Area-Management-Labor War Manpower Committee for the Beaumont Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative, use of existing hiring channels and special authority to designated Government agencies.* To the maximum degree consistent with this employment stabilization plan and with its objective, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and Government agencies, statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the Departmental or Field Service of the United States Government; by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the Railroad Industry; by the War Shipping Administration to a worker who is or most recently was employed with an employer in the offshore, coastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such an individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7 *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wages in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by the United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in this case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service, may upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service:

(a) If the new employee is a male; or

(b) If the new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(c) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability, or

(d) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period; or

(e) If the new employee's last regular employment was in the non-ferrous metal industry or the lumber industry.

(f) If the new employee is to be hired for work in an occupation in the shipbuilding, construction, or synthetic rubber industries, or his statement of availability indicates that his last employment was in such an occupation:

The Area Manpower Director may fix for all or any establishments in the Beaumont Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and or the relative urgency of the establishment products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishments if the hiring of such employee would result in such establishment's exceeding the employment ceilings or allowances currently applicable to it.

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment.

(b) The hiring of a new employee for work of less than seven days duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days duration.

(c) The hiring of an employee in any Territory of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign State, county, or municipal government, or their political subdivision, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, County or municipal government, or their political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(e) The hiring of a new employee for domestic service, or the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for the performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of the plan.* This plan may be amended at any time, after consultation with the Area Management-Labor Committee of the Beaumont Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective October 14, 1943.

Dated: January 1, 1945.

JOHN HOWARD,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10396; Filed, June 13, 1945; 2:57 p. m.]

BROWNSVILLE, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Brownsville Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," Effective July 1, 1944 (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendment of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for, the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan:

(a) "The Brownsville Area" is the area comprised of the counties of Cameron, Hidalgo, Willacy, Kenedy, Brooks, Starr, Zapata, Jim Hogg, Duval, Webb, La Salle, Frio, Dimmit, Zavala, and Maverick.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as incident to ordinary farming operations as distinguished from manufacturing of commercial operations.

(c) "State" includes Alaska, Hawaii and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration, and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) Locality of the new employment as used in section 10, sub-section (c) of this plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Brownsville Area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Brownsville Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of the employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized, and maximum use made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the De-

partmental or Field Service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the Railroad Industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in the off-shore, coastal or inter-coastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service:

(a) If the new employee is male;

(b) If the new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(c) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(d) If the new employee's last regular employment was in the non-ferrous metal industry; or the lumber industry.

(e) If the new employee is to be hired in an occupation in an industry engaged in the processing, handling and packaging of fresh fruits and vegetables and or the by-products thereof;

(f) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work. *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration; *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral presentation of a Statement of Availability.

The Area Manpower Director may fix for all or any establishments in the Brownsville Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days duration;

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign State county or municipal government or their political sub-division, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time, after consultation with the Area Management-Labor Committee of the Brownsville Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective July 1, 1944.

Dated: January 22, 1945.

THAD A. GREATHOUSE,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10397; Filed, June 13, 1945; 2:57 p. m.]

DALLAS, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Dallas Area is hereby prescribed, pursuant to § 907.3 (g) of the War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," Effective August 16, 1943 (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

Sec
1 Purpose.
2 Definitions.
3. Control of hiring and solicitation of workers.
4 Authority and responsibilities of Management-Labor Committees.
5 Encouragement of local initiative and use of existing hiring channels.
6 General.
7 Issuance of statements of availability by employers.
8 Issuance of statements of availability by United States Employment Service.
9 Referral in case of under-utilization.
10 Workers who may be hired only upon referral by the United States Employment Service.
10a Employment ceilings and allowances.
11 Exclusions.
12 Appeals.
13 Content of statements of availability.
14 Solicitation of workers.
15 Hiring.
16 Representation.
17 General referral policies.
18 Amendment of plan.
19 Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan:

(a) "The Dallas Area is the area comprised of the Counties of Ellis, Dallas, Kaufman, Rockwall, Hunt, Hopkins, Delta, Lamar, Fannin, Collin, Cooke, Denton, and Grayson.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry; and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration, and employment which is supplemental to the employee's principal work, shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(i) The term "locality" of the new employment, as used in section 10 (c) of this plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Dallas area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Dallas Area is authorized to consider questions of policy, standards, and safeguards in connection with the establishment and administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized, and maximum use made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the Departmental or Field Service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the Railroad Industry by the War Shipping Administration to a worker who is or most recently was employed with an employer in the off-shore coastal or intercoastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days (excluding vacations and leaves of absence),

(c) Whenever an employer in an essential, or locally needed activity, finds it necessary to lay off for seven days or more, as many as or more than ten (10) workers, he shall, two days in advance of such layoff, notify the United States Employment Service and inform the workers so to be laid off that they may report to the United States Employment Service for referral to other essential activities.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from the United States Employment Service of the War Manpower Commission if:

(1) Continuance in his employment would involve undue personal hardship, or

(2) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(3) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to

apply to the appropriate agency for such adjustment or approval thereof, or

(4) The circumstances set forth in section 7 are found to exist in his case and the employer fails or refuses to issue a statement of availability, upon finding that the individual is entitled thereto.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below a new employee may not be hired solely upon presentation of a statement of availability, but may hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) If the new employee is a male:

(b) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(d) If the new employee is to be hired in certain occupations in the aircraft manufacturing industry:

(e) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 10a. *Employment ceilings and allowances.* "The Area Manpower Director may fix for all or any establishments in the Dallas Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishments' actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishments if the hiring of such employee would result in such establishments exceeding the employment ceilings or allowance currently applicable to it."

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county or municipal government, or their political sub-division, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county or municipal government or political sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the constitution and laws applicable to it, with the plan;

(e) The hiring of new employees for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain the individual's name, address, Social Security Account number, if any; the name and address of the issuing employer or of the War Manpower Commission, USES office and officer; the date of issuance, and a statement of the occupation and industry in which the individual was last employed on or prior to the date of issuance; the statement of availability will also state briefly the conditions under which the individual to whom it is issued may be hired only upon referral by the United States Employment Service or under arrangements made with the United States Employment Service, and that if those conditions do not exist the individual may be hired solely on presentation of the statement of availability; the statement of availability shall also state briefly that these conditions are contained in the employment stabilization plan. It shall not contain any information pertaining to the last employment of the individual to whom it is issued except as it identifies the occupation and industry in which the individual was last employed, and if issued by the last employer the name and address of such employer.

SEC. 14. *Solicitation of Workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time after consultation with the Area Management Labor-Committee of the Dallas Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective October 15, 1943.

Dated: January 20, 1945.

ORVILLE W. EFRINGER
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10398; Filed, June 14, 1945; 2:57 p. m.]

EL PASO, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the El Paso Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," Effective October 15, 1943 (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels and special authorization to designated Government agencies.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendment of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan:

(a) "The El Paso Area" is comprised of the counties of Andrews, Brewster, Crane, Culberson, Ector, El Paso, Hudspeth, Jeff Davis, Loving, Midland, Pecos, Presidio, Reeves, Terrell, Upton, Ward and Winkler.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops or the raising, feeding, or management of livestock, bees and poultry; and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration, and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) "Locality of the new employment" as used in section 10 (c) of this plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the El Paso Area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committees.* The Area Management-Labor War Manpower Committee for the El Paso Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels and special authorization to designated Government agencies.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized, and maximum use made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the Departmental or Field Service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the Railroad Industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in the off-shore, coastal or inter-coastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan regulation or policy, and for so long as such employer continues his non-compliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service:

(a) If the new employee is a male.

(b) If the new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(c) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(d) If the new employee's last regular employment was in the non-ferrous metal industry, or the lumber industry;

(e) If the new employee is to be hired in an occupation in the non-ferrous metal industry;

(f) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

The Area Manpower Director may fix for all or any establishments in the El Paso Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowance will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishments if the hiring of such employee would result in such establishments exceeding the employment ceilings or allowance currently applicable to it.

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days duration.

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, state, county or municipal government, or their political sub-division, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time after consultation with the Area Management-Labor Committee of the El Paso Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. This plan shall become effective October 15, 1943.

Dated: January 23, 1945.

FRED C. WENDT,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10399; Filed, June 13, 1945; 2:58 p. m.]

FORT WORTH, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Fort Worth Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Stabilization Programs," Effective October 15, 1943, (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative use of existing hiring channels and special authorization to designated Government agencies.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendment of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for, the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this stabilization plan:

(a) "The Fort Worth Area" is the area comprised of the counties of Tarrant, Parker, Johnson, Wise, Wichita, Archer, Clay, Montague, Wilbarger, Baylor, Foard, Hardeman, Knox, Young, Jack, Stephens, Throckmorton, Palo Pinto, Erath, Hood and Somervell.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry; and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration, and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director at a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) "Locality of the new employment" as used in section 10, paragraph (c) of this plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Fort Worth Area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Fort Worth Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative, use of existing hiring channels and special authorization to designated Government agencies.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized, and maximum use made of existing hiring organizations, schools, colleges, technical institutions and government agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the Departmental or Field Service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the Railroad Industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in the off-shore coastal or inter-coastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6 *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service, may upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a Statement of Availability, but may be hired only upon referral by, or with the consent of the United States Employment Service:

(a) If the new employee is a male;

(b) If the new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(c) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period:

(d) If the new employee's last regular employment was in the non-ferrous metal industry, or the lumber industry;

(e) If the new employee is to be hired in certain occupations in the aircraft manufacturing industry; or

(f) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work; *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration; *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

The Area Manpower Director may fix for all or any establishments in the Fort Worth Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishments' actual labor needs, the available labor supply, and or the relative urgency of the establishments' products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment exceeding the employment ceiling or allowance currently applicable to it.

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days duration:

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political sub-division, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political sub-division or agency or instrumentality has indicated its willingness to coform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan:

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period:

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provisions in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time, after consultation with the Area Management-Labor Committee of the Fort Worth Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective October 15, 1943.

Dated: January 23, 1945.

JAMES R. ELLIS,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10400; Filed, June 13, 1945; 2:58 p. m.]

HOUSTON, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Houston Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," Effective July 1, 1944 (8 F.R. 11238, 9 F.R. 5400, 9 F.R. 12917).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendment of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and necessary for, the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan:

(a) "The Houston Area" is the area comprised of the counties of Harris, Galveston, Brazoria, Wharton, Fort Bend, Matagorda, Austin, Colorado, Brazos, Walker, Waller, Grimes, Montgomery and San Jacinto.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employees" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) "Locality of the new employment" as used in section 10, paragraph (c) of this plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Houston Area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Houston Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized, and maximum use made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(a) Encouragement of local initiative, use of existing hiring channels and special authorization to designated Government agencies: To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and Government agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the Departmental or Field Service of the United States Government, by the Railroad Industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in the off-shore, coastal or inter-coastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8 *Issuance of statements of availability by United States Employment Service.* (a) Statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in his case. If the employer fails or refuses to issue a statement of availability to any individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service, may upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service:

(a) If the new employee is a male.

(b) If the new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(c) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(d) If the new employee's last regular employment was in the non-ferrous metal industry, or the lumber industry;

(e) If the new employee is to be hired in an occupation in the ship-building, construction, synthetic rubber, foundry and forge, machine shop, ordnance, or lumber industries;

(f) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work; *Provided*, That no such individual shall be referred to non-agricultural except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

The Area Manpower Director may fix for all or any establishment in the Houston Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishments' actual labor needs, the available labor supply, and or the relative urgency of the establishments' products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishments exceeding the employment ceiling or allowance currently applicable to it.

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign, State, county or municipal government, or their political sub-division, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual woud be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision in this plan shall limit the au-

thority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time, after consultation with the Area Management-Labor Committee of the Houston Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective July 1, 1944.

Dated: January 20, 1945.

PAT S. TILLMAN,
Area Director.

Approved: May 8, 1945.

J. H. BOND.
Regional Director.

[F. R. Doc. 45-10401; Filed, June 13, 1945; 2:59 p. m.]

LONGVIEW, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Longview Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Program," effective July 1, 1944 (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management- Labor Committee.
5. Encouragement of local initiative use of existing hiring channels and special authorization to designated Government agencies.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendment of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for, the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan:

(a) "The Longview Area" is the area comprised of the counties of Red River, Bowie, Franklin, Titus, Morris, Camp, Cass, Rains, Wood, Van Zandt, Smith, Upshur, Gregg, Marion, Harrison, Henderson, Anderson, Cherokee, Rusk, and Panola.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry; and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee' means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration, and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means those occupations designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional War Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) "Locality of the new employment" as used in section 10, paragraph (c) of this plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Longview Area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Longview Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative use of existing hiring channels and special authorization to designated Government agencies.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and Government agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the departmental or field service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the railroad industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in off-shore, coastal or inter-coastal merchant marine industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a Statement of Availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a Statement of Availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service:

(a) If the new employee is male;

(b) If the new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(c) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(d) If the new employee's last regular employment was in the non-ferrous metal industry, or the lumber industry;

(e) If the new employee is to be hired in an occupation in the manufacture of iron or steel, the manufacture of or assembly of munitions, the manufacture of or processing of explosives, or the manufacture of or processing of chemicals for war purposes except petroleum products.

(f) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration; *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

The Area Manpower Director may fix for all or any establishments in the Longview Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political and sub-division, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time, after consultation with the Area Management-Labor Committee of the Longview Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective 12:01 a. m., July 1, 1944.

Dated: January 22, 1945.

HORACE W. KERSHNER,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10402; Filed, June 13, 1945; 2:59 p. m.]

SAN ANTONIO, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the San Antonio Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," Effective October 15, 1943 (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by U. S. Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by U. S. Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statement of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation
17. General referral policies.
18. Amendments of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential and locally needed activities.

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of labor where most needed in the war program;

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan: (a) "The San Antonio Area" is comprised of the counties of Aransas, Atascosa, Bandera, Bee, Bexar, Calhoun, Comal, DeWitt, Edwards, Goliad, Gonzales, Guadalupe, Jackson, Jim Wells, Karnes, Kendall, Kerr, Kinney, Kleberg, Lavaca, Live Oak, McMullen, Medina, Nueces, Real, Refugio, San Patricio, Uvalde, Val Verde, Victoria, and Wilson.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(i) "Locality of the new employment" as used in section 10, paragraph (b) of this plan means within a reasonable daily commuting distance.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the San Antonio Area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the San Antonio Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the Departmental or Field Service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the Railroad industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in the offshore, coastal or inter-coastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by U. S. Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a Statement of Availability to an individual entitled to such statement, the U. S. Employment Service of the War Manpower Commission upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation, or policy, and for so long as such employer continues his noncompliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full-time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the U. S. Employment Service may, upon his request refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by U. S. Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the U. S. Employment Service.

(a) If the new employee is a male;

(b) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(c) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further,* That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

The Area Manpower Director may fix for all or any establishments in the San Antonio Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

SEC. 11. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political sub-division, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or politicall sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statement of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendments of plan.* This plan may be amended at any time after consultation with the Area Management-Labor War Manpower Committee of the San Antonio Area upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective 12 midnight October 15, 1943.

Dated: January 20, 1945.

E. A. ELLIOTT,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10403; Filed, June 13, 1945; 2:59 p. m.]

LA SALLE-OTTAWA, ILL., AREA

REMOVAL OF DESIGNATION WITH RESPECT TO MINIMUM WARTIME WORKWEEK

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," and having found that labor shortages are no longer impeding the war effort in certain areas, I hereby remove the designation of the La Salle-Ottawa, Illinois, labor market area as subject to the provisions of Executive Order No. 9301.

1. The La Salle-Ottawa, Illinois, labor market area includes the following counties: Bureau, La Salle and Putnam.

2. The effective date of this removal is June 7, 1945.

Date of issuance: June 6, 1945.

W. H. SPENCER,
Regional Director.

[F. R. Doc. 45-10405; Filed, June 13, 1945; 3:00 p. m.]

WAR PRODUCTION BOARD.

[C-368]

TWILITE LAMP MFG. CORP.

CONSENT ORDER

Twilite Lamp Mfg. Corp. is a New York corporation with its principal place of business in New York City. During the period between January 15 and May 16, 1945, it made or assembled portable lamps and parts for portable lamps which were not to fill preferred orders and not as authorized by the War Production Board. This was in violation of General Limitation Order L-33. It further failed to keep and preserve complete records of the details of its transactions and of inventories of material involved and also failed to submit records to audit and inspection by duly authorized representatives of the War Production Board. These failures were in violation of Priorities Regulation No. 1.

Twilite Lamp Mfg. Corp. admits these acts and omissions and that they were wilful violations. It does not care to contest the same and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Twilite Lamp Mfg. Corp., the Regional Compliance Manager, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Twilite Lamp Mfg. Corp., its successors or assigns, shall not for three months from the effective date of this order, apply or extend any preference rating or use any CMP allotment symbols to which it would otherwise be entitled under Priorities Regulation No. 27 or any other regulation or order of the War Production Board; and it shall cancel immediately all preference ratings which it has applied or extended to purchase orders, which have not yet been filled by its supplier, and further it shall cancel immediately all unfilled purchase orders which it has placed for controlled materials bearing a CMP allotment symbol including the MRO symbol and the symbol "SO" under the small order procedure of CMP Regulation No. 1.

(b) All preference ratings, allotments and allocations presently outstanding in connection with purchase orders for delivery of materials to Twilite Lamp Mfg. Corp., or placed prior to the termination date of this order are void and shall not be given any effect by suppliers of Twilite Lamp Mfg. Corp.

(c) Nothing contained in this order shall be deemed to relieve Twilite Lamp Mfg. Corp., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on date of issuance.

Issued this 15th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10549; Filed June 15, 1945; 11:23 a. m.]

[C-367]

CRITERION LAMP & SHADE CO.

CONSENT ORDER

Irving Cantor, under the trade name of Criterion Lamp & Shade Co., 829 Brook Avenue, in the City of New York, is in the business of manufacturing and selling portable lamps and shades. During the period between August 11, 1944, and January 14, 1945, he made and assembled portable lamps and parts for portable lamps which were not to fill preferred orders and not as authorized by the War Production Board. This was in violation of General Limitation Order L-33.

He further failed to keep and preserve complete records of the details of his transactions and of inventories of material involved and also failed to submit records to audit and inspection by duly authorized representatives of the War Production Board. These failures were in violation of Priorities Regulation No. 1.

Irving Cantor admits these acts and omissions and that they were wilful violations. He does not care to contest the same and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Irving Cantor, the Regional Compliance Manager, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Irving Cantor, doing business as Criterion Lamp & Shade Co. or otherwise, his successors or assigns, shall not for three months from the effective date of this order, apply or extend any preference rating or use any CMP allotment symbols to which he would otherwise be entitled under Priorities Regulation No. 27 or any other regulation or order of the War Production Board; and he shall cancel immediately all preference ratings which he has applied or extended to purchase orders, which have not yet been filled by his supplier, and further he shall cancel immediately all unfilled purchase orders which he has placed for controlled materials bearing a CMP allotment symbol including the MRO symbol and the symbol "SO" under the small order procedure of CMP Regulation No. 1.

(b) All preference ratings, allotments and allocations presently outstanding in connection with purchase orders for delivery of materials to Irving Cantor, doing business as Criterion Lamp & Shade Co. or otherwise, or placed prior to the termination date of this order are void and shall not be given any effect by suppliers of Irving Cantor or by any other person.

(c) Nothing contained in this order shall be deemed to relieve Irving Cantor, doing business as Criterion Lamp & Shade Co. or otherwise, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on date of issuance.

Issued this 15th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10548; Filed, June 15, 1945; 11:23 a. m.]

PRINTED BY THE
STATES OF AMERICA

JUN 21 '45

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 10 NUMBER 121

Washington, Tuesday, June 19, 1945

The President

EXECUTIVE ORDER 9571

AUTHORIZING THE SECRETARY OF THE INTERIOR TO ACQUIRE AND DISPOSE OF CERTAIN PROPERTY

By virtue of the authority vested in me by the Constitution and statutes of the United States, and particularly by Title II of the Second War Powers Act, 1942, approved March 27, 1942 (56 Stat. 177), it is hereby ordered as follows:

1. The Secretary of the Interior is hereby authorized to exercise the authority contained in the said Title II of the Second War Powers Act, 1942, to acquire, by purchase, donation, condemnation, or other means of transfer, to the extent that title thereto is not now vested in the United States, the following-described land underlying Cerritos Channel, California, the temporary use thereof, or other interest therein, together with any personal property located thereon or used therewith, and to dispose of such property pursuant to the said Title II of the Second War Powers Act, 1942:

A tract of land 600 feet wide known as the Cerritos Channel, lying partly within the corporate limits of the City of Los Angeles, and partly within the corporate limits of the City of Long Beach, County of Los Angeles, State of California, and more particularly described as follows:

Beginning at Station 13 of the "Inner Bay Exception" of the United States Patent to the Rancho San Pedro, said Station 13 also being U. S. Engineers Station 408; thence:

N. 33°51' W., 631.32 feet along the line of said "Inner Bay Exception" to a point; thence:

N. 74°16'41" E., 6,905.55 feet to a point, said point being S. 18°48' W., 18.24 feet from Station 36 of the San Pedro Rancho and Los Cerritos Compromise line; thence:

Leaving said Compromise line S. 14°52'20" E., 500 feet to a point; thence:

N. 88°20'10" W., 300 feet to Station 35 of the San Pedro Rancho and Los Cerritos Compromise line; thence:

S. 48°42' E., 228.21 feet to a point on said Compromise line; thence:

S. 74°16' W., 6,552.31 feet to the point of beginning.

The tract as described contains approximately 92.64 acres.

2. With respect to the above-described land and any interest therein heretofore or hereafter acquired, the Secretary of the Interior shall take such action as may be necessary to protect the United States from loss on account of drainage or threatened drainage of oil and gas from such land; and all moneys received as royalties under leases, or otherwise, on account of oil and gas extracted from such land shall be paid into the Treasury of the United States and credited to miscellaneous receipts.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 15, 1945.

[F. R. Doc. 45-10660; Filed, June 16, 1945; 10:33 a. m.]

EXECUTIVE ORDER 9572

POSSESSION, CONTROL, AND OPERATION OF THE TOLEDO, PEORIA & WESTERN RAILROAD

WHEREAS the President of the United States, in the exercise of the powers conferred upon him by the Constitution and the laws of the United States, including the act of August 29, 1916, 39 Stat. 645, and the First War Powers Act, 1941 (55 Stat. 838), by Executive Order 9108 dated March 21, 1942, directed the Director of the Office of Defense Transportation to take immediate possession of the property of the Toledo, Peoria & Western Railroad (therein referred to as the Toledo, Peoria & Western Railroad Company) for and on behalf of the United States and to operate or to arrange for the operation of the said railroad in such manner as he deemed necessary for the successful prosecution of the war; and

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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WHEREAS pursuant to the said Executive Order 9108, the Director of the Office of Defense Transportation, on March 20, 1942, through duly designated and authorized officers and agents, took possession of the property of the said Toledo, Peoria & Western Railroad and since that date has continued in the possession of and has operated the said railroad for and on behalf of the United States in accordance with the said Executive Order, as amended by Executive Order 9320, dated March 24, 1943; and

WHEREAS from December 27, 1943, to January 18, 1944, the Director of the Office of Defense Transportation operated the said railroad subject to Executive Order 9412, dated December 27, 1943; and

WHEREAS on May 19, 1945, in overruling a motion to dismiss a suit instituted by the Toledo, Peoria & Western Railroad against agents of the Director of the Office of Defense Transportation, the District Court of the United States for the Southern District of Illinois, Northern Division, handed down an opinion stating that in view of Executive Order 9412 the President of the United States has not authorized the Director of the Office of Defense Transportation to continue in possession of and to operate the railroad in accordance with Executive Order 9108.

WHEREAS for the reasons set forth in Executive Order 9108, it has at all times since March 21, 1942, been, and continues to be, essential that the railroad remain in the possession of, and be operated by and for, the United States in order to assure successful prosecution of the war; and

WHEREAS it is desirable to remove all doubt as to the authority of the Director of the Office of Defense Transportation with respect to his possession, control, and operation of the railroad prior to this date, and his authority to continue in possession, control, and operation of the railroad:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including the act of August 29, 1916, 39 Stat. 645, and the First War Powers Act, 1941 (55 Stat. 838), as President of the United States and as Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. All acts performed by the Director of the Office of Defense Transportation and his duly designated and authorized officers and agents since March 21, 1942, with respect to the possession, control, and operation of the railroad in reliance upon and in accordance with the provisions of Executive Order 9108, as amended by Executive Order 9320, are hereby approved, ratified, confirmed, and adopted as taken by and for the United States.

2. The Director of the Office of Defense Transportation is authorized and directed to continue in possession of the railroad and to operate or to arrange for its operation in accordance with the provisions of Executive Order 9108, as amended by Executive Order 9320.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 15, 1945.

[F. R. Doc. 45–10673; Filed, June 16, 1945; 11:33 a. m.]

EXECUTIVE ORDER 9573

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE GEORGIA AND FLORIDA RAILROAD AND ITS EMPLOYEES

WHEREAS a dispute exists between the Georgia and Florida Railroad, a carrier, and certain of its employees represented by the Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors of America and Brotherhood of Railroad Trainmen, labor organizations; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the states of South Carolina, Georgia and Florida to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board of three members, to be appointed by me, to investigate said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Georgia and Florida Railroad or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 16, 1945.

[F. R. Doc. 45–10680; Filed, June 16, 1945; 3:16 p. m.]

EXECUTIVE ORDER 9569

INSPECTION BY THE OFFICE OF PRICE ADMINISTRATION OF CORPORATION STATISTICAL TRANSCRIPT CARDS PREPARED FROM INCOME AND DECLARED VALUE EXCESS PROFITS TAX RETURNS

Correction

In the document appearing on page 7235 of the issue for Saturday, June 16, 1945, the Federal Register serial number should read "45–10556".

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1945 C. C. C. Rye Bulletin 1]

PART 266—1945 RYE LOANS

Commodity Credit Corporation has authorized the making of loans, in accordance with this bulletin, on rye stored on farms or in approved warehouses.

Sec.
266.1 Eligible producer.
266.2 Eligible rye.
266.3 Eligible storage.
266.4 Areas in which loans will be made.
266.5 Loan rates.
266.6 Determination of quantity of rye.
266.7 Farm storage.
266.8 Warehouse storage.
266.9 Warehouse receipts.
266.10 Liens.
266.11 Maturity and interest rate.
266.12 Lending agency.
266.13 Eligible paper.
266.14 Purchase of loans.
266.15 Insurance.
266.16 Offices of Commodity Credit Corporation.
266.17 County agricultural conservation committees.
266.18 Release of collateral.

AUTHORITY: §§ 266.1 to 266.18, inclusive are issued under the authority contained in section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302).

§ 266.1 *Eligible producer.* Any person partnership, association, or corporation, producing rye in 1945 as landowner, landlord, or tenant, shall be eligible for such loans.

§ 266.2 *Eligible rye.* Rye grading No. 2 or better, or grading No. 3 solely on the factor of test weight but otherwise grading No. 2 or better, which was produced in 1945, the beneficial interest in which is now in the producer, and has always been in him, or has been in him and a former producer whom he succeeded before the rye was harvested, shall be eligible as collateral for such loans. Rye grading tough, light smutty, smutty, light garlicky, garlicky, weevily, or rye containing in excess of 1 percent of ergot, is not eligible for loan.

§ 266.3 *Eligible storage.* Loans will be made on eligible rye stored in approved public grain warehouses, or in acceptable storage structures located on farms.

§ 266.4 *Areas in which loans will be made.* Loans will be made on eligible rye stored in approved public grain warehouses wherever located.

Loans will be made available on eligible rye stored on farms in the following areas:

All counties in the States of Arizona, California, Colorado, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, New Jersey, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin and Wyoming, and in the following counties of Oklahoma and Texas:

Oklahoma: Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Grady, Greer, Garmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Mayes, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

Texas: Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Callahan, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Coleman, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Fisher, Floyd, Foard, Gaines, Garza, Gray, Hale, Hall, Hansford, Hartley, Hardeman, Haskell, Hemphill, Hockley, Howard, Hutchinson, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Runnels, Scurry, Sherman, Shackelford, Stonewall, Swisher, Taylor, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, and Young.

§ 266.5 *Loan rates.* The loan value for eligible rye grading No. 2 or better, or rye grading No. 3 solely on the factor of test weight but otherwise grading No. 2 or better, shall be 75 cents per 56-pound bushel, except that the loan value for eligible rye containing in excess of 0.3 of 1 percent but not in excess of 1 percent ergot shall be discounted 1 cent for each 0.1 of 1 percent of ergot in excess of 0.3 of 1 percent.

The above loan rate applies to rye stored on the farm, or in approved grain warehouses, when evidence is submitted that storage charges have been prepaid through the maturity date of the note. Evidence of prepaid storage must be a stamped or typed certification, signed by the warehouseman, on or attached to the warehouse receipt, which certification shall read as follows:

Storage charges for the period ending April 30, 1946, on the rye represented by this warehouse receipt have been paid or otherwise provided for, and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.

---------- Signed----------
Address Warehouseman

7 cents per bushel will be deducted from the applicable loan rate for rye stored in warehouses for which evidence of prepaid storage is not submitted.

§ 266.6 *Determination of quantity of rye.* A bushel shall be 56 pounds of clean rye, free of dockage, when determined by weight, or 1.25 cubic feet of rye testing 56 pounds per bushel when determined by measurement. In determining the quantity of rye in farm storage by measurement, fractional pounds of the bushel test weight will be disregarded, and the quantity, determined as above, will be the following percentages of the quantity determined for 56-pound rye:

	Percent
For rye testing 56 pounds or over	100
For rye testing 55 pounds or over, but less than 56	98
For rye testing 54 pounds or over, but less than 55	96
For rye testing 53 pounds or over, but less than 54	95
For rye testing 52 pounds or over, but less than 53	93
For rye testing 51 pounds or over, but less than 52	91
For rye testing 50 pounds or over, but less than 51	89
For rye testing 49 pounds or over, but less than 50	87

§ 266.7 *Farm storage.* Rye stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, except as approved by State agricultural conservation committees. Chattel mortgages covering the rye must be executed and filed in accordance with the State law.

§ 266.8 *Warehouse storage.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts covering eligible rye pledged as collateral to notes on C. C. C. Commodity Form B, issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement, as amended, and has been approved by Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the regional director of Commodity Credit Corporation serving the area in which the warehouse is located. A list of approved warehouses and their locations is available at the office of the regional director of Commodity Credit Corporation. A list of approved warehouses for the area may also be obtained at any State or county agricultural conservation office. All rye pledged as security for a particular loan must be stored in the same warehouse.

§ 266.9 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer, must be dated on or prior to the date of the related note, must be properly assigned by an endorsement in blank so as to vest title in the holder, and must be issued by an approved warehouseman. Unless the warehouse receipts are stamped or printed "insured" there must be attached and included in the certificate of the warehouseman a statement that the rye is insured for not less than the market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for unpaid handling and storage charges will be recognized only from May 15, 1945, or the date of the warehouse receipt, whichever is later. Such receipts must set out in their written or printed terms the gross weight or bushels, the grade, test weight, and all other factors and statements required to be stated in the written or printed terms of negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Act, or be accompanied by a certificate of the warehouseman, identified with such warehouse receipt, setting out such information, and shall be based on the inbound movement or delivery of the rye to an approved warehouse.

§ 266.10 *Liens.* The rye collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the chattel mortgage or note and loan agreement.

§ 266.11 *Maturity and interest rate.* Notes secured by farm-stored rye or by warehouse receipts representing rye will mature on demand, or on April 30, 1946, whichever is earlier. All loans will bear interest at the rate of 3 percent per annum.

§ 266.12 *Lending agency.* Any bank, cooperative marketing association, corporation, partnership, or person making loans in accordance with these instructions, which has executed the Contract to Purchase, on 1940 C. C. C. Form E, may act as a lending agency in connection with the 1945 Rye Loan Program.

§ 266.13 *Eligible paper.* Eligible paper shall consist of notes of the producers on C. C. C. Grain Form A (Revised) secured by chattel mortgages on C. C. C. Grain Form AA (Revised), or notes on C. C. C., Commodity Form A secured by chattel mortgages on C. C. C. Commodity Form AA, or notes and loan agreements on C. C. C. Grain Form B or C. C. C. Commodity Form B, secured by warehouse receipts representing rye in existence, dated prior to December 31, 1945. Notes executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

§ 266.14 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, eligible paper, as defined above, from lending agencies which have executed and delivered to the office of Commodity Credit Corporation to which notes are submitted Contract to Purchase, 1940 C. C. C. Form E, forms of which contract are obtainable from such offices.

Notes held by lending agencies must be tendered to Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request made by Commodity Credit Corporation and, in the absence of such request, at least 10 days prior to maturity. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes plus accrued interest, at the rate of 1½ percent per annum, from the respective dates of the disbursements of the loans to the date of payment of the purchase price. Under the terms of the Contract to Purchase, lending agencies are required to report weekly, on 1940 C. C. C. Form F, all payments or collections on producers' notes held by them, and to remit, with such report, to Commodity Credit Corporation an amount equivalent to 1½ percent interest per annum, from the date of the disbursement of the loan to the date of payment, on the principal amount collected.

§ 266.15 *Insurance*—(a) *Rye stored on farms.* Commodity Credit Corporation will not require producers to insure their 1945 farm-stored rye placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion by the producer, or his negligence, or caused by vermin, the producer will not be held personally liable on the note. In case of partial loss of collateral resulting from an external cause, with the exceptions aforesaid, the producer will not be held liable for that part of the indebtedness secured by the rye lost. No loss will be assumed by the Corporation, however, if it is determined that there is a fraudulent representation on the part of the borrower in connection with the loan.

(b) *Rye stored in approved warehouses.* Warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, windstorm, cyclone, and tornado, for the full market value of rye stored in their warehouses, as long as receipts are outstanding.

§ 266.16 *Offices of Commodity Credit Corporation.* The locations and addresses of the regional directors of Commodity Credit Corporation previously referred to herein and the areas served by them are:

Address	Area
208 South LaSalle Street, Chicago, Illinois.	Delaware, Illinois (except East St. Louis), Indiana, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Southern Wisconsin, and States not otherwise listed.
Dwight Building, 1004 Baltimore Avenue, Kansas City 13, Missouri.	Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.
326 McKnight Building, Minneapolis 1, Minnesota.	Minnesota, Montana, North Dakota, South Dakota, and Northern Wisconsin.
Artisans Building, 225 Southwest Broadway, Portland 5, Oregon.	Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

§ 266.17 *County agricultural conservation committees.* Forms may be obtained from county agricultural conservation committees or from the office of Commodity Credit Corporation. Pursuant to instructions, the State committee and county committee will determine, or cause to be determined, the quantity and grade of the rye collateral and the amount of the loan. All loan documents will be completed and approved by the county committee. County agricultural conservation associations will collect a service fee for all loans.

§ 266.18 *Release of collateral.* The producer may obtain the release of the rye upon the payment of the principal amount due on the loan, plus accrued interest. The loan paper may be sent to an approved bank for collection, or the producer may ascertain the amount due and remit directly to the office of Commodity Credit Corporation holding the paper. Partial releases of collateral may be arranged with the county agricultural conservation committee by paying to the holder of the note the loan value plus accrued interest for the rye released.

Dated: May 18, 1945.

C. C. FARRINGTON,
Vice President,
Commodity Credit Corporation.

[F. R. Doc. 45-10684; Filed, June 16, 1945; 3:32 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial 337]

PENNSYLVANIA-CENTRAL AIRLINES CORP.

NONCOMPLIANCE WITH ROUTE REQUIREMENTS FOR FIRST PILOTS

Noncompliance with the requirements of § 40.2611 (b) of the Civil Air Regulations with respect to certain routes operated by Pennsylvania-Central Airlines Corporation in the Chicago area.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 12th day of June 1945.

The following Special Civil Air Regulation is made and promulgated to become effective June 12, 1945.

Any first pilot listed in the Pennsylvania-Central Airlines Corporation air carrier operating certificate on December 1, 1944, will be deemed to have met the route requirements of § 40.2611 (b) of the Civil Air Regulations for the piloting of aircraft in scheduled air transportation over the following routes:

Detroit-Chicago, via Red civil airway No. 12;

Detroit-Milwaukee, via Flint and/or Lansing, Grand Rapids, and Muskegon;

Grand Rapids-Chicago, via Red civil airway No. 28;

Muskegon-Chicago, via Benton Harbor and Red civil airway No. 28;

Chicago-Milwaukee (alternate), via Amber civil airway No. 5: *Provided*, That each pilot makes the following qualifying trips:

(a) 6 one-way trips between Detroit and Chicago of which a minimum of 2 one-way trips shall be made (1) via Red civil airway No. 12 and (2) via Green civil airway No. 2 and Red civil airway No. 28, one of such trips having been made via Flint, Michigan;

(b) 2 one-way trips between Grand Rapids and Milwaukee.

During the above trips the pilot shall make at least one round trip over each principal route with a landing and take-off at each scheduled stop.

This regulation shall terminate September 1, 1945.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-10669; Filed, June 16, 1945; 11:11 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4721]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MILITARY ORDER OF THE PURPLE HEART, ET AL.

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Identity:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Non-profit character:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Organization*

and operation: § 3.71 (f) *Neglecting, unfairly or deceptively, to make material disclosure—Terms and conditions:* § 3.72 (m5) *Offering deceptive inducements to purchase or deal—Sales for non-commercial recipients or objectives:* § 3.72 (n10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.96 (b) *Using misleading name—Vendor—Identity:* § 3.96 (b) *Using misleading name—Vendor—Non-profit character.* In connection with the offering for sale, sale, and distribution of certain sets of books designated "Progress of Nations" and "Forward March" and other books and publications in commerce, (1) entering into, continuing, or carrying out any contract or plan of procedure involving the use of the name and prestige of the Military Order of the Purple Heart or any other similar patriotic organization, which is designed to or which enables the respondents to induce the purchasing public to purchase respondents' books or other publications in the belief that they are dealing directly with the Military Order of the Purple Heart or any other similar patriotic organization when, in fact, they are dealing with a private concern engaged in the sale of books and other publications as a commercial enterprise for profit; (2) representing directly or by implication that any customer purchasing any of respondents' books or publications is in effect making a direct contribution to the Military Order of the Purple Heart or any other patriotic organization; (3) representing directly or by implication that the funds derived from the sale of respondents' books or publications will be used by the Military Order of the Purple Heart or any other similar patriotic organization to defray the expense of such organization's activities and efforts in combating anti-American and subversive organizations and influences in the United States; (4) representing directly or by implication that the respondents are engaged in raising funds to continue the work of any Congressional investigating committee; (5) representing directly or by implication that any patriotic organization will participate in the profits derived from books or publications sold and distributed by the respondents without disclosing the extent to which such organization actually participates in the funds collected; or (6) representing directly or by implication that respondents are engaged in any enterprise other than a commercial enterprise for profit; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Military Order of the Purple Heart, et al., Docket No. 4721, May 26, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of May, A. D. 1945.

In the Matter of Military Order of the Purple Heart, a Corporation, National Progress League, a Corporation, and Frank J. Mackey and Harold C. Sherman, Individually and as Officers of National Progress League, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it in support of the allegations of said complaint and in opposition thereto, report of the trial examiners upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that respondents National Progress League, a corporation, and Frank J. Mackey and Harold C. Sherman have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent National Progress League, a corporation, and its officers, agents, representatives, and employees, and the respondents Frank J. Mackey, an individual, and Harold C. Sherman, an individual, and their respective agents, representatives, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of certain sets of books designated "Progress of Nations" and "Forward March" and other books and publications in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Entering into, continuing, or carrying out any contract or plan of procedure involving the use of the name and prestige of the Military Order of the Purple Heart or any other similar patriotic organization, which is designed to or which enables the respondents to induce the purchasing public to purchase respondents' books or other publications in the belief that they are dealing directly with the Military Order of the Purple Heart or any other similar patriotic organization when, in fact, they are dealing with a private concern engaged in the sale of books and other publications as a commercial enterprise for profit.

2. Representing directly or by implication that any customer purchasing any of respondents' books or publications is in effect making a direct contribution to the Military Order of the Purple Heart or any other patriotic organization.

3. Representing directly or by implication that the funds derived from the sale of respondents' books or publications will be used by the Military Order of the Purple Heart or any other similar patriotic organization to defray the expense of such organization's activities and efforts in combating anti-American and subversive organizations and influences in the United States.

4. Representing directly or by implication that the respondents are engaged in raising funds to continue the work of any Congressional investigating committee.

5. Representing directly or by implication that any patriotic organization will participate in the profits derived from books or publications sold and distributed by the respondents without disclosing the extent to which such organization actually participates in the funds collected.

6. Representing directly or by implication that respondents are engaged in any enterprise other than a commercial enterprise for profit.

It is further ordered, That the complaint herein be, and the same hereby is, dismissed as to the respondent Military Order of the Purple Heart, a corporation.

It is further ordered, That the respondents shall, within sixty (60) after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-10661; Filed, June 16 1945; 10:59 a. m.]

TITLE 17—SECURITIES AND COMMODITY EXCHANGES

Chapter II—Securities and Exchange Commission

PART 239—FORMS, SECURITIES ACT OF 1933

ADOPTION OF FORM S-12 AND SUPPLEMENT TO FORM S-12 UNDER THE ACT

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly sections 7, 10 and 19 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by the Act, hereby adopts (a) Form S-12, For Registration Under the Securities Act of 1933 of Shares of Corporation Without Subsidiaries and Not More Advanced Than the Development Stage, and (b) Supplement to Form S-12[1] under the Securities Act of 1933, as set forth in copies thereof marked "Adopted June 11, 1945."

Effective: June 11, 1945.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant to the Secretary.*

[F. R. Doc. 45-10609; Filed, June 15, 1945; 2:47 p. m.]

[1] Filed as part of the original document.

TITLE 24—HOUSING CREDIT

Chapter VI—Federal Public Housing Authority

PART 601—REQUIREMENTS FOR URBAN LOW-RENT HOUSING AND SLUM CLEARANCE

MAY 1, 1945.

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AUTHORITY: §§ 601.101 to 601.512, inclusive, issued under Public Law 412, 75th Congress.

LOCAL AUTHORITIES

§ 601.101 *Local public housing agencies.* Financial assistance under the United States Housing Act of 1937, as amended, shall be extended only to local public housing agencies which have been established pursuant to state law.

(a) *Local authority.* A public housing agency or local housing authority (hereinafter called "local authority") is any local public body which has the authority to engage in the development of low-rent housing and slum clearance, and, under state legislation, has:

(1) Power to acquire property for slum clearance and low-rent housing by eminent domain;

(2) Power to develop and manage slum clearance and low-rent housing;

(3) Power to issue bonds and other obligations to finance projects and to make such covenants in connection therewith as are necessary to assure the low-rent character of projects and to secure the bonds and other obligations of the authorities;

(4) Duty to operate projects not for profit;

(5) Duty to rent dwellings in low-rent housing projects to families of low income only;

(6) Right to exemption of the property of the local authority from taxation. Payments in lieu of taxes in amounts consistent with achieving the low-rent character of projects may be provided for. Tax exemption may be dispensed with only if contributions by the local political subdivisions in the form of adequate tax remissions or cash payments are assured.

(b) *Cooperation with local public bodies.* State legislation must also exist which authorizes other local public bodies to enter into binding commitments to cooperate with local authorities in the development and operation of slum-clearance and low-rent housing.

(c) *Definition of "State."* The term "State" includes the States of the Union, the District of Columbia, and the Territories, dependencies, and possessions of the United States.

§ 601.102 *Low-rent housing projects.* Financial assistance shall be extended to local authorities with respect to low-rent housing projects, which may or may not be built on slum sites, but which in any event, will provide for equivalent elimination (see § 601.209).

(a) *Low-rent housing.* Low rent housing is decent, safe, and sanitary dwellings (including all necessary appurtenances thereto) within the financial reach of families of low income (see paragraph (b) hereof) and developed and administered for serviceability, efficiency, economy, and stability.

(b) *Families of low income.* Families of low income are families who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use.

(c) *Development.* A development generally consists of low rent housing constructed on a single site and as one construction operation.

(d) *Project.* A project consists of all low rent housing developments covered in a single Contract for Financial Aid entered into between the FPHA and the local authority and may consist of one or more separate developments.

(e) *Principal conditions to FPHA assistance.* The three principal conditions to FPHA assistance for low-rent housing projects are as follows:

(1) Where annual contributions are made with respect to a project at least 10% of the total development cost of the project must be obtained by the local authority in the form of capital donations or through loans from others than the FPHA (see §§ 601.208, 601.301 (c), and 601.302).

(2) Annual contributions cannot be paid by the FPHA unless the local political subdivisions in which the project is located provide local contributions equal to at least 20% of the FPHA contributions (see § 601.305 (a)).

(3) Annual contributions cannot be paid with respect to a project involving the construction of new dwellings unless provision has been made for the elimination of unsafe or insanitary dwellings in the locality or metropolitan area of the project substantially equal in number to the number of new dwellings provided by the project (see § 601.209).

DEVELOPMENT

§ 601.201 *Allotment of funds*—(a) *Nature of allotment of funds.* The FPHA, when it has funds available for low-rent housing, will, upon application by local authorities, make allotments of funds to them based on their respective needs. Allotments of funds will not be legal commitments binding upon the FPHA but will be in the nature of assurances to the local authority, for a stipulated period, that funds will be available to it for low-rent housing upon the submission of Development Programs acceptable to the FPHA. Allotments may be used for one or more than one development; the number of developments and the amount to be used for each will in general be determined by the local authority only after an allotment has been made. The allotment of funds will not constitute approval of any unit-cost figures used in the Application for Allotment.

(b) *Application for Allotment of Funds.* To obtain an allotment of funds for low-rent housing, the local authority shall submit to the FPHA an application for Allotment of Funds on a form prescribed by the FPHA. The application should be only for low-rent housing for which Contracts for Financial Aid can be entered into before dates stipulated in the application for allotment.

(c) *Contents of application.* The application shall contain:

(1) Complete and accurate information on the local authority, its legal and organizational status, its present program, the extent and character of local support, and the possibility of obtaining an agreement for cooperation from the local political subdivisions (see § 601.203).

(2) A statement of the need for low-rent housing presenting accurate data on local housing conditions, the race, size, incomes, and rent-paying capacities of families living in sub-standard housing, and an analysis thereof substantiating the proposed program. This material shall delimit the market which public housing should serve so as to avoid competition with private enterprise, and shall further define the portion of the low-rent public housing market to be served by the proposed program, with appropriate regard for the equitable treatment of the respective low-income, social, and racial groups.

(3) A general description of the low-rent housing to be built including preliminary information as to the types of sites anticipated, types of structures, density, size of dwellings, and community facilities to be provided. No detailed description as to specific developments will be required.

(4) An approximate estimate of the total development cost of the proposed low-rent housing for which an Allotment of Funds is requested.

(5) A formal request for an allotment of funds for the proposed program and a commitment by the local authority to enter into a contract or contracts for financial aid, not later than the date or dates specified in the application for allotment, and to build and operate the proposed developments in accordance with the United States Housing Act of 1937, as amended, and the FPHA requirements.

(d) *Cancellation of allotment of funds.* An allotment of funds may be cancelled or reduced, if a Contract or Contracts for Financial Aid are not executed on or before the date or dates stipulated when the allotment was made.

§ 601.202 *Preliminary loan*—(a) *Nature of preliminary loan.* After making an allotment of funds, the FPHA will be prepared, upon request of the local authority and a showing of need therefor, to enter into a Preliminary Loan Contract providing for the advance of funds to be used for securing data on housing conditions and family incomes, analysis of the tenant market, and for the formulation and preparation of Development Programs.

(b) *Request for preliminary loan.* A Request for Preliminary Loan shall be submitted on a form prescribed by the FPHA. The funds advanced shall not exceed the amount needed, and shall be limited to 5% of the first $500,000 or fraction thereof of the total development cost plus 3% of the total development cost in excess of $500,000.

(c) *Cooperation Agreement required.* The request shall be accompanied by an executed copy of a Cooperation Agreement, between the local authority and the local political subdivisons (see § 601.203).

(d) *Preliminary Loan Contract and advance of funds.* Upon FPHA approval of the request, a Preliminary Loan Contract will be submitted to the President for approval as required by the United States Housing Act of 1937, as amended. Upon receipt of such approval the contract will be executed by the FPHA and local authority. (For details as to contract and advance of funds, see § 601.301 (a).)

§ 601.203 *Cooperation Agreement with political subdivisions*—(a) *Nature of Cooperation Agreement.* In respect to every low-rent housing project, the local authority shall secure a Cooperation Agreement with the local political subdivision in which each development is situated. Such Cooperation Agreement shall provide for equivalent elimination (see § 601.209), payments in lieu of taxes (see § 601.305), and other forms of cooperation by the local political subdivisions. (See paragraph (c) below.)

(b) *Execution of Cooperation Agreement.* A Cooperation Agreement must be executed before the FPHA will execute a Preliminary Loan Contract or if no preliminary loan is made, before the FPHA will execute a Contract for Financial Aid.

(c) *General cooperation by the political subdivision.* The political subdivision in which each development is located shall agree to furnish the usual public services and facilities which are or may be furnished without cost or charge to other dwellings or inhabitants of the political subdivision. The political subdivision shall further agree to vacate such streets and alleys within the area of each development or adjacent thereto as may be necessary, to accept dedication of land for new streets and alleys, and to cooperate with the local authority in additional matters, such as by waiver of building and inspection fees, by making necessary and reasonable changes in zoning or building code requirements and by such other lawful action or ways as the political subdivision and the local authority may find necessary.

§ 601.204 *Development Program*—(a) *Nature of Development Program.* The local authority shall submit a Development Program in connection with each development. The Development Program will formally establish all development and management considerations and will constitute the basis upon which a formal Application for Financial Aid is made.

(b) *Preliminary determinations.* The local authority, with the aid of its architects, engineers, management advisers, and attorneys shall arrive at preliminary determinations relative to the general features of the development. It shall then consult with the FPHA and arrive at an understanding as to the basis for planning the development. The following points in particular will be covered by such preliminary understanding:

(1) The race, incomes, and other characteristics of the families to be accommodated;

(2) Tentative agreement on the site, subject to FPHA field investigation (see § 601.211);

(3) The method of carrying out site appraisals and acquisition (see §601.212);

(4) Cost limitations (see § 601.207), standards of planning, design (see § 601.213), and management, and any other special considerations which influence architectural work (see § 601.215);

(5) Acceptability of utility combination and anticipated utility rates and any modifications to be negotiated before utility contracts are drawn (see § 601.214);

(6) Adequacy of housing market information, deductions therefrom, and need of additional investigation.

(7) Management policies (see §§ 601.401 to 601.417, inclusive).

The FPHA shall immediately inspect the site, and upon approval thereof, the local authority shall proceed with the preparation of a complete and final Development Program.

(c) *Contents of Development Program.* The Development Program shall be prepared in a form prescribed by the FPHA and shall contain the following data:

(1) Definition of the portion of the low-rent market which will be served by the development;

(2) Description, accompanied by maps, of the proposed site with its definitive boundaries and its relation to the city and surrounding neighborhood;

(3) Information relative to existing community facilities, municipal services, and public utilities which will serve the development;

(4) Formal appraisals, information as to ownership, surveys, sub-soil and other site data;

(5) Description of existing zoning regulations, proposed modifications therein, and proposed street vacations and dedications;

(6) Preliminary architectural and engineering plans and specifications (see § 601.216);

(7) Utility analyses and proposed utility contracts (see § 601.214);

(8) Detailed estimate of development cost, including a 5% allowance for contingencies on all items (see §§ 601.206, 601.207 (d) and (e));

(9) Program for relocation of site occupants (see § 601.212 (d));

(10) Progress schedule stating anticipated dates for initiation and completion of construction of the development;

(11) Statement of Management Policy (see § 601.401 (a)) applicable to all present and proposed low-rent housing of the local authority;

(12) Management Program (see § 601.401 (b)) applicable to the specific development.

(d) *Approval and adoption of Development Program.* Upon approval of the Development Program by the FPHA the local authority shall adopt it as the basis for the planning, construction, development, and management of the development. It will then serve, together with any other Development Programs then approved, as the basis of an Application for Financial Aid.

§ 601.205 *Contract for Financial Aid*—(a) *Nature of contract.* A Contract for Financial Aid may cover one or more

development and will be based on the respective Development Programs therefor. The funds provided under a contract will be available only for the developments as specified in the Development Programs; they will not be available for increasing the scope of a development or bettering its standards. The Contract for Financial Aid will be an agreement by the FPHA to provide loan and annual contribution funds (not in excess of the stipulated amounts set forth in the approved Development Program) for an agreed upon development or developments rather than an agreement to provide the full amount of funds stipulated. The amount of the loan and annual contribution funds which the FPHA is committed to provide under the contract shall be revised on the dates and in the manner specified in § 601.219.

(b) *Application for Financial Aid.* The local authority shall submit an Application for Financial Aid in a form prescribed by the FPHA. An application may cover one or more developments for which Development Programs have been adopted by the local authority and for which the FPHA has allotted funds. The Application for Financial Aid shall include (1) a summary of the data presented in the Development Programs for the respective developments, (2) formal requests for loan and annual contributions from the FPHA, (3) certification by the local authority that the developments constituting the project will be built and operated in conformance with the United States Housing Act of 1937, as amended, and the FPHA requirements.

(c) *Contract for Financial Aid and advance of funds.* Upon FPHA approval of an Application for Financial Aid, a Contract for Financial Aid will be prepared embodying the FPHA agreement to supply loan and annual contribution funds, the conditions under which such aid will be extended, and the obligations of the local authority in connection therewith. The contract will be submitted to the President for approval as required by the United States Housing Act of 1937, as amended, and, upon such approval, the contract will be executed by the local authority and the FPHA. (For details as to the advance of funds, see § 601.301.)

(d) *Changes in Development Programs subsequent to Contracts for Financial Aid.* After execution of a Contract for Financial Aid, changes in the Development Program for any development which modify the scope or character of the development or increase its total development cost above the amount stipulated in the Development Program or the Contract for Financial Aid may be made only upon (1) submission to and approval by the FPHA of a revised Development Program, (2) submission and approval of a revised Application for Financial Aid and, (3) execution of a revised Contract for Financial Aid, together with Presidential approval thereof when required.

§ 601.206 *Development cost*—(a) *Total development cost.* The total development cost of a low-rent housing development is the cost of all undertakings necessary for planning, financing (including payment of carrying charges), land acquisition, demolition, construction, and equipment in connection with the provision of dwelling and non-dwelling facilities for the development, but not beyond the point of physical completion. The total development cost shall include the cost of the following items:

(1) Site acquisition, including real property purchased or donated, land for future development (see § 601.211 (b)), expenses of land acquisition and surveys, and expenses (if any) in connection with relocation of site occupants (see § 601.212 (d)).

(2) Site improvements, including demolition and clearance of site, utility systems up to building walls, excess costs of excavations, piling, or foundations due to unusual character of the site, and landscaping.

(3) Non-dwelling buildings, spaces, equipment, and the allocable share of the cost of central or group heating systems, if any.

(4) Dwelling buildings and fixed equipment, including all utilities within dwelling walls, and the allocable share of the cost of central or group heating systems, if any.

(5) Movable dwelling equipment, such as ranges, refrigerators, movable space heaters, screens, etc.

(6) Architectural and engineering costs, including costs of supervision and inspection, and the fixed fee for FPHA services as provided in § 601.210.

(7) Preoccupancy charges, including direct costs of selecting tenants, and operating deficits up to the end of the initial operating period of the development (see § 601.409 (a)).

(8) Administrative costs of the local authority directly traceable to the development and that portion of its general overhead properly allocable to the development. This shall include applicable expenses in connection with a development prior to the execution of a Contract for Financial Aid.

(9) Carrying charges during construction, including interest on borrowed funds until six months after the date borne by the permanent bonds (see § 601.302), insurance, etc.

(10) Working capital in an amount equal to ½ of 1% of total development cost.

(11) Allowance for contingencies (see paragraph (c) following).

(b) *Ineligible items.* The following items, among others, may not be included in the total cost of development:

(1) Land for schools, parks or similar public improvements available to the public at large. This does not prohibit inclusion of play areas and open spaces suitable in size to serve the needs of the tenants.

(2) Payments to a political subdivision for land obtained as a result of the vacation of streets or alleys.

(3) Payments for land acquired for the purpose of equivalent elimination but not forming a part of the development site, or for demolition off the development site.

(c) *Determination of total development cost.* The total development cost shall be estimated or determined at the following dates on the following bases; and such estimates or determinations shall be used in connection with all limitations on total development cost and in the estimating or determination of items such as loans, annual contributions, FPHA commitments therefor, etc., which are based on total development cost.

(1) On the date when a Contract for Financial Aid is executed the estimated total development cost shall be the amount stipulated in such Contract. This amount shall equal the amount set forth in the approved Development Program and shall be the total of all items specified in (a) above, including an allowance for contingencies equal to 5% on all other development cost items. The estimated total development cost so determined shall remain fixed until the determination called for in (2) below is made.

(2) Immediately after the award of the main construction contract the estimated total development cost shall be determined on the basis of the actual site acquisition cost (or the then estimated cost if the total cost is not determined), the amount of the main construction contract and other contracts awarded, the estimated cost of items not yet obligated (which estimates shall not be less than the amounts specified in the Development Program unless these amounts have been previously reduced with the approval of the FPHA), and an allowance for contingencies equal to 5% on all items, except that if the cost of acquisition of the entire site is definitely determined no contingency shall be included thereon. The estimated total development cost so determined shall remain fixed until the determination called for in (3) below is made.

(3) On the last day of the 18th month after the end of the calendar quarter in which a development becomes ready for occupancy (see § 601.221 (a) and (b)) the estimated total development cost shall be determined on the basis of the actual costs incurred to date, plus the estimated amount of future necessary administrative costs and carrying charges, but no allowance for contingencies shall be included in such estimate. The estimated total development cost so determined shall remain fixed until the determination called for in (4) below is made.

(4) The final development cost shall be determined at the time of the giving of the Physical Completion Notice (see § 601.221 (c)), and shall include only actual expenditures and unliquidated obligations, if any.

§ 601.207 *Development cost limitations*—(a) *General.* The development cost shall be limited to the lowest amounts consistent with the provision of housing suitable for families of low income, developed so as to promote serviceability, efficiency, economy, and stability. Developments shall not be of elaborate or expensive design or materials and economy shall be promoted both in construction and administration.

(b) *Local cost considerations.* The total development cost shall be limited to the amount necessary to meet the FPHA Minimum Physical Standards plus such additional features of design, planning, and equipment as are found by the local authority to be necessary and customarily provided in the locality in new construction of adequate homes of low cost. The total development cost shall not exceed a figure which the FPHA considers reasonably consistent with prevailing costs in the locality based on current prices of technical services, labor, and material.

(c) *Land cost.* The cost of sites may not exceed a fair price at which comparable land is available in the same or competing areas.

(d) *Average construction cost of dwelling units.* The average construction cost of the dwelling units in any development shall not be greater than the average construction cost of dwelling units currently produced by private enterprise, in the locality or metropolitan area concerned, under the legal building requirements applicable to the proposed site, and under labor standards not lower than those prescribed in the United States Housing Act of 1937, as amended.

The average construction cost of dwelling units is defined as the cost of dwelling buildings and fixed equipment (see § 601.206 (a) (4)) without the addition of any allowance for contingencies.

(e) *Dwelling facility cost.* The average cost of dwelling facilities in any development shall not exceed $4,000 per family-dwelling unit or $1,000 per room; except that in any city the population of which exceeds 500,000 such cost shall not exceed $5,000 per family-dwelling unit or $1,250 per room, if in the opinion of the FPHA such higher family-dwelling-unit cost or cost per room is justified by reason of higher costs of labor and materials and other construction costs.

Dwelling facilities cost is defined as the cost of dwelling buildings and fixed equipment plus the cost of movable dwelling equipment, plus the applicable pro rata share of architectual and engineering costs, administrative costs, and carrying charges, plus the applicable pro rata share of any allowance for contingencies based upon said items (see § 601.206 (a)).

§ 601.208 *Capital donations.* Capital donations include property, services, and cash donated to the local authority for use in connection with a development to the extent that such property and services are approved by the FPHA as part of the development, and at the valuation at which they are approved by the FPHA as a part of the total development cost. Cash donations constitute capital donations to the extent that the cash has been deposited in the development fund or has been expanded for the development with FPHA approval.

No annual contributions paid by the FPHA, and no property, services, or cash contributed by an agency or instrumentality of the United States Government may be considered as a capital donation.

§ 601.209 *Equivalent elimination.* A project involving the construction of new dwellings must include the elimination by demolition, condemnation, effective closing, or compulsory repair or improvement of unsafe or insanitary dwellings situated in the locality or metropolitan area, substantially equal in number to the number of newly constructed dwellings provided by the project. Only such elimination shall be recognized as has been effected by or through the efforts of the local authority, or by or through the efforts of some other public agency in pursuance of the equivalent elimination provisions of a Cooperation Agreement with the Local Authority or otherwise, in connection with or in contemplation of the project. Credit for equivalent elimination shall be given only if the condition which caused the dwelling to be unsafe or insanitary is a condition of the structure itself rather than a condition due to the manner in which the dwelling is being used, such as overcrowding. The required elimination must be accomplished within a period of one year after the project is ready for occupancy (see § 601.221 (a)) or such longer period as the FPHA shall have approved in writing for the deferment of the elimination. The completion of elimination can be deferred by the FPHA only upon a showing by the local authority that the shortage of decent, safe, or sanitary housing available to families of low-income in the locality or metropolitan area is so acute as to force dangerous overcrowding of such families. A deferment will not be granted by the FPHA for a period of more than one year, but additional deferments may be granted so long as the extreme shortage continues to exist.

§ 601.210 *Fixed fee for FPHA services.* The local authority shall pay a fixed fee for certain FPHA services, including the services of FPHA representatives at the site, performed for the local authority in connection with the construction of developments. This fee shall be determined as a percentage of an amount equal to the total development cost excluding such fee, according to the schedule set forth below:

On an amount not in excess of $500,000, 0.8% of the amount;

On an amount in excess of $500,000, but not in excess of $1,000,000, the sum of $4,000 plus 0.6% of the amount in excess of $500,000;

On an amount in excess of $1,000,000, but not in excess of $2,500,000, the sum of $7,000 plus 0.4% of the amount in excess of $1,000,000;

On an amount in excess of $2,500,000, but not in excess of $5,000,000, the sum of $13,000 plus 0.2% of the amount in excess of $2,500,000;

On an amount in excess of $5,000,000, the sum of $18,000 plus 0.1% of the amount in excess of $5,000,000.

§ 601.211 *Standards for sites*—(a) *Site selection and density.* FPHA Minimum Physical Standards establishes criteria for the selection of sites and site density.

(b) *Land for future development.* In general, the land acquired in connection with a development shall be limited to land actually to be used in connection with such development. The acquisition of land for future development will be permitted only with FPHA approval and only in exceptional circumstances when such land adjoins and is intimately related to the land for present use, and when sound business judgment indicates that such acquisition is in the best interest of the development or of the local low-rent housing and slum clearance program. When land acquired for future development is used in connection with a subsequent development, the cost of such land shall be charged against such development.

§ 601.212 *Site acquisition*—(a) *Services and contracts.* The local authority shall provide, by contract or otherwise, for the services of experts in their respective fields to obtain independent appraisals, negotiate and accept options, obtain title information and guarantees, and surveys.

(b) *Appraisals.* Formal appraisals shall be made on all parcels. Appraisals shall be held strictly confidential, and in no case shall persons who have made appraisals be employed to negotiate options.

(c) *Optioning and purchase of site.* The local authority may initiate negotiation (but not acceptance) of options before execution of a Contract for Financial Aid if it has reasonable assurance that the selected site will receive FPHA approval. After execution of the Contract for Financial Aid, the local authority shall complete negotiation of options. The local authority shall not acquire a portion of the site either by purchase or condemnation until it is reasonably assured, by the taking of options or otherwise, that the entire site can be acquired within the site acquisition cost set forth in the approved Development Program exclusive of any allowance for contingencies. The local authority shall not expend more than the amount set forth for site acquisition plus the allowance for contingencies without prior approval of the FPHA.

The local authority shall take all necessary steps to acquire expeditiously the site of the development, including, if necessary, the institution of condemnation proceedings.

Upon the vesting of title, the local authority shall submit documents and other evidence (including attorney's opinion of title) satisfactory to the FPHA as to the validity of the title acquired by the local authority.

(d) *Relocation of site occupants.* In order to avoid hardship to the occupants of dwellings on the site of a proposed development, the local authority shall furnish the occupants with guidance in finding and occupying new quarters. The local authority shall, in general, provide no financial assistance for families displaced from the site. In exceptional cases, however, financial assistance can be given and be eligible for inclusion in development cost if approved in advance by the FPHA and if:

(1) The families are unable to move themselves and every possibility of obtaining assistance for them from local welfare, relief, or social agencies has been exhausted, and

(2) Legal eviction will otherwise be necessary with attendant costs in fees or delays which will in the aggregate amount to more than the proposed financial assistance.

§ 601.213 *Standards for construction of developments.* FPHA Minimum Physical Standards sets up minimum standards for space, arrangement, planning, construction, equipment, and facilities to be included in the physical construction of a development. The FPHA recognizes that climatic or other conditions or local customs and traditions may justify the local authority in exceeding the minimum standards, but in no event shall statutory limitations on costs be exceeded.

Developments shall be in conformance with all applicable Federal and local laws, local codes, ordinances, and regulations, as modified by any valid waivers which may be obtained from the appropriate jurisdiction.

§ 601.214 *Utility rates and selections.* The local authority shall select utilities for heat, light, water, cooking, and refrigeration to be supplied to the tenants in the project on the basis, generally, of the lowest total over-all cost including project and tenant cost. To determine which type of fuel and energy for utilities will be at the lowest cost, comparative cost analyses shall be made. In such analyses the various types of fuel and energy, types of service, and types of purchase which may be combined shall be studied to determine the estimated (a) debt service on the initial cost of installation and equipment (wiring, piping, etc., both interior and exterior, ranges, refrigerators, etc.), (b) cost of repairs, maintenance and replacements, and (c) cost of operations including fuel or energy consumed and labor. Such analyses shall show the total monthly costs per unit for the various feasible types of services. The cost analyses should include only practicable combinations of services.

The local authority shall generally use types of fuel, energy, and services which are consistent with the minimum acceptable amenities for low-rent housing and shall generally select that combination of such utilities shown by comparative cost analyses to represent the lowest total over-all cost of utilities including project and tenants costs: *Provided, however,* That the local authority may, with FPHA approval, select a combination which involves a total monthly cost per unit above the lowest if such amenities are determined to be necessary to achieve local objectives as to low-rent housing and if the costs are consistent with the maintenance of the low-rent character of the project.

§601.215 *Architects' and engineers' services*—(a) *Provision of services.* The local authority shall provide, by contract or otherwise, qualified architectural and engineering services necessary for the design and supervision of construction of developments.

(b) *Cost of services.* If covered by contract, compensation to architects and engineers shall consist either (1) of lump-sum fees, or (2) of base fees, covering the principal's services, overhead expense and profit, plus reimbursement of certain costs incurred in performance of the work. Lump-sum or base fees shall be based on the cost of construction (excluding movable equipment) as estimated in the Development Program. The FPHA shall furnish schedules of maximum fees which shall not be exceeded without FPHA concurrence, regardless of whether architectural and engineering services are performed by contract or otherwise.

(c) *Employees of architects and engineers.* For hours and conditions of work and compensation of draftsmen and technicians employed by architects and engineers, see § 601.223 (g).

(d) *Compliance with local laws and regulations.* Architects shall be required by the local authority to be responsible for seeing that plans and specifications comply with applicable local laws and regulations.

§ 601.216 *Preliminary plans.* The preliminary plans and specifications incorporated in the Development Program shall be sufficiently complete and comprehensive to establish definitely the design of the development and to permit preparation of a firm estimate of its cost. The drawings will be more advanced than the type of plans usually designated as "sketch plans" and will approximate the character of preliminary dimensioned working drawings.

§ 601.217 *Construction contract documents.* The local authority shall provide complete contract documents including advertisement for bids, bid forms, the contract form, general conditions, special conditions, schedules of wage rates, and plans and specifications. In preparing the documents the following requirements shall be observed:

(a) *General.* Construction of developments shall be under lump-sum contracts.

(b) *Scope of contract.* Normally a single contract shall cover site improvements, building construction, mechanical trades, and fixed equipment. Demolition of site structures, purchase of movable equipment, and landscaping may each be under a separate contract. The FPHA may approve the execution of separate contracts for the several trades or for the division of construction (by groups of buildings or development site areas), upon the local authority's submission of satisfactory evidence that economy or other good and sufficient reasons make desirable the execution of such separate contracts; however, when separate contracts are made, firm bids for all contracts must have been received before any contract is executed.

(c) *Alternates.* If alternate types of construction or alternate items of any nature are to be considered, the specifications and bidding documents shall be so prepared as to take base bids covering each selected combination of alternates. The lowest base bid for any selected combination of alternates shall be the bid accepted, it being conclusively presumed that any selected combination of alternates comprising the base bid is acceptable for use in the development. The documents shall not specify a series of alternates within base bids under which evaluation of such alternates would be necessary in order to determine the low bidder.

(d) *Restrictive specifications.* Specifications shall not limit the materials or products to be supplied in a manner which unnecessarily limits competition on the items involved.

(e) *Liquidated damages.* Construction contracts shall include a liquidated damages clause, unless local public practices are to the contrary.

§ 601.218 *Advertisement and award of construction or equipment contracts*—(a) *Release of documents.* Contract documents shall not be released for bidding until:

(1) The local authority has acquired the site or has definite assurance that it will be acquired in time to make a prompt contract award;

(2) The plans, specifications, and contract documents have been reviewed and approved by the FPHA for conformance with the Development Program and the Contract for Financial Aid. If no exceptions are found, approval to advertise will be given by the FPHA; otherwise approval will be given subject to the local authority's correction of exceptions.

(b) *Bids.* In order to assure adequate competition, the local authority shall solicit bids from responsible contractors, and shall give publicity to the invitation for bids. Bids shall be opened publicly at the time and place stated in the advertisement.

(c) *Award of contract.* (1) The local authority may award construction or equipment contracts without consulting the FPHA, *Provided:*

(i) The total development cost, determined as provided in § 601.206 (c) (2), will not exceed the total development cost stipulated in the Development Program and the Contract for Financial Aid.

(ii) The average construction cost of dwelling units, determined as provided in § 601.207 (d) and the dwelling facility cost, determined as provided in § 601.207 (e), will not exceed the applicable statutory limitations.

(iii) The number of dwelling units has not been reduced and no other material change has been made in scope or character of the development as described in the Development Program.

(iv) The award is to the lowest bidder.

(v) Title to, or right to possession of the site has been acquired.

(2) Prior approval of the FPHA must be obtained for the award of any construction or equipment contract if conditions (i), (iii), (iv), or (v) are not met. In the event that the FPHA approves an exception to condition (i) or (iii), it will require the actions specified in § 601.205 (d). Requests by the local authority for approval of an exception to condition (iv) shall be accompanied by full justification of such proposed action. No exceptions can be granted to condition (ii).

(3) When the main construction contract has been awarded, the local authority shall immediately submit to the FPHA a determination of the total development cost in accordance with the provisions of § 601.206 (c) (2).

§ 601.219 *Revisions of FPHA financial commitments.* The obligation of the FPHA under a Contract for Financial Aid for the provision of loan funds and annual contributions (both of which commitments are based on total development cost) shall be automatically revised on the dates specified in § 601.206 (c) (2), (3), and (4) to conform to the total development cost as determined on such dates. The total development cost shall not, on any such date, be increased above the amount last previously determined without the approval of the FPHA and (if necessary) the actions called for in § 601.205 (d).

In the event that the total development cost as determined on any of such dates is less than the amount last previously determined, the amount of the FPHA commitment thereby released will be made available to the local authority as an additional allotment for use in connection with any low-rent housing for which an allotment of funds is outstanding but for which a Development Program has not yet been approved. In the event that there is no outstanding allotment sufficient to cover an approvable low-rent housing development, the amount released will cease to be available to the local authority.

§ 601.220 *Supervision and completion of construction contracts*—(a) *Supervision and inspection of construction*—(1) *Local authority responsibility.* The local authority is responsible for supervision and inspection of construction of developments, and for all relationships with contractors relative thereto.

Supervision will normally be furnished by the architect-engineer under his contract and contemplates activity of a general character not usually requiring continual presence of personnel on the development, and is concerned primarily with the adequacy of final results.

Inspection will normally be done by a staff employed by the local authority comprising a clerk of the works and qualified inspectors and contemplates specialized, detailed and continuing inspection of the contractors' performance and operations. Inspection may be done by the architect-engineer under his contract if the local authority so desires.

(2) *FPHA participation.* The FPHA will inspect the construction to check compliance with the construction contract (including approved plans and specifications) and the Contract for Financial Aid. It will inform the local authority concerning observed non-compliances, but will have no contract or relationship with construction contractors.

(b) *Change orders.* The local authority may issue change orders applying to any construction or equipment contract whether or not its amount is thereby increased, provided:

(1) They do not materially modify the scope or character of the development described in the Development Program;

(2) They do not increase the total of all obligations already incurred plus the estimated cost of items not yet obligated, beyond the estimated total development cost determined at the time of award of the main construction contract (see § 601.206 (c) (2));

(3) They do not increase the dwelling facility cost, computed on the basis of all applicable obligations already incurred plus the estimated cost of applicable items not yet obligated, beyond the applicable statutory limitations (see § 601.207 (e)).

Changes are to be made only by written change orders with a stipulated lump-sum amount, or with a stipulated method for arriving at the ultimate amount, accompanied by a maximum which shall not be exceeded. A copy of each change order shall be furnished to the FPHA.

(c) *Completion and acceptance of construction contracts*—(1) *Substantial completion.* Each construction contract shall be substantially completed within the time specified in the contract and such extensions as may be granted. Each contract shall be deemed to be substantially completed when such a stage of physical completion is reached that the facilities contemplated by the contract documents may be used or operated for their intended purposes without undue inconvenience to tenants, subject to the completion or correction of specified items of a minor nature.

(2) *Final completion.* Each construction contract shall be deemed to be finally completed when the Local Authority has accepted the work as satisfactory in its entirety or has made an adjustment in price for minor noncompliances.

(3) *FPHA approval of acceptance.* The local authority shall not accept any contract work as being substantially completed or finally completed, nor release the contractor from any obligation under his contract, without obtaining prior approval of the FPHA. The local authority shall give sufficient advance notice to the FPHA to permit the FPHA to make an adequate check of the contract work involved to assure that it is in compliance with the construction contract (including the approved plans and specifications) and the Contract for Financial Aid. At the time of FPHA approval of the local authority's acceptance of contract work as having been substantially completed it may also approve the local authority's subsequent acceptance as finally complete subject to correction of minor items; the FPHA may, however, reserve the right subsequently to aprove final completion of a construction contract when conditions warrant.

§ 601.221 *Completion of developments and project as a whole*—(a) *Ready for occupancy.* The local authority shall diligently proceed with the construction of each development and shall see that it is ready for occupancy by the date set in the Development Program and Contract for Financial Aid or such extensions thereof as have been agreed upon. A development shall be deemed ready for occupancy when all of the dwelling units are in a condition such that they can be occupied by tenants without undue hardship or inconvenience, irrespective of whether or not the various construction contracts have been substantially and finally completed.

(b) *Closing of development account.* After the last day of the 18th month after the end of the calendar quarter in which a development becomes ready for occupancy, the local authority shall incur no further obligations, chargeable to development cost, except for necessary administrative costs and carrying charges.

(c) *Physical completion.* Whenever the local authority shall be satisfied that the development or developments constituting a project have been properly completed and that the costs thereof have been paid in full the local authority shall furnish such certificates as the FPHA may require as to the completion of the project in compliance with the Contract for Financial Aid. When the FPHA is satisfied that the project is completed it shall issue a Physical Completion Notice which shall include a finding as to the final development cost of the development or developments and of the project.

§ 601.222 *Insurance and bonds during development.* Bidders on contracts for construction in connection with a development shall be required to furnish a bid bond or equivalent guarantee and contractors whose contracts call for construction work in connection with a development shall be required to furnish performance and payment bond or bonds before beginning work, and shall secure (and shall require their subcontractors to secure) workmen's compensation, public liability, and fire and extended coverage (builder's risk) insurance.

The coverages required of the local authority during development are workmen's compensation; manufacturers and contractors public liability (excluding property damage); owner's, landlord's and tenants' public liability (excluding property damage); automobile public liability and property damage (owned and non-owned); fire on furniture and fixtures; and fidelity bonds. As portions of the development are accepted by the local authority, insurance will be required in accordance with the provisions of § 601.413.

Insurance purchased by the local authority shall be obtained after inviting competitive bids. In inviting such bids, the local authority shall not discriminate against either stock or mutual companies. Insurance shall be awarded to the lowest bidder, except that the local authority, with the prior approval of the FPHA, may award the insurance to other than the lowest bidder if the bid is reasonably within the lowest range of rates available to the local authority and if the local authority determines that such an award is in the best interests of the low-rent housing program in the community.

The above coverages shall be in amounts and at limits prescribed by the FPHA.

§ 601.223 *Labor*—(a) *Workmen's compensation.* The local authority shall require its contractors to carry workmen's compensation insurance.

(b) *"Kick-Back" statute.* The local authority shall include or incorporate by reference in all construction contracts, and shall require all subcontractors to include or incorporate by reference, the "Kick-Back" statute (Copeland Act), and the regulations, as amended, issued pursuant thereto by the Secretary of Labor. Such regulations require the submittal of weekly notarized payrolls.

(c) *Department of Labor reports.* The local authority shall require contractors to supply reports as required and on forms prescribed by the United States Department of Labor.

(d) *Conditions of employment.* The local authority shall require that contractors employ no convict labor or persons under 16 years of age nor persons whose age or physical condition is such as to make employment dangerous to his health and safety and the health and safety of others.

(e) *Safety provisions.* The local authority shall require all contractors and subcontractors to take precautions for the protection of persons and property in accordance with standards acepted by the FPHA.

(f) *Collective bargaining.* The local authority shall require that:

(1) Contractors shall grant employees the right of self-organization;

(2) Contractors shall grant employees the right to bargain collectively through representatives of their own choosing;

(3) Contractors shall not interfere with, restrain, nor coerce such employees in the exercise of rights;

(4) Contractors shall not dominate nor interfere with the formation or administration of any labor organization nor contribute financial or other support to it;

(5) Contractors shall not by discrimination in regard to hire or tenure of employment or any term or condition of employment encourage or discourage membership in any labor organization; *Provided* That nothing herein contained shall preclude any contractor from making an agreement with a labor organization to require, as a condition of employment, membership therein if such labor organization is the representative of his employees and if the contractor has not participated in its formation or administration or assisted it by financial or other support.

(g) *Prevailing wages.* The local authority shall pay, and shall require those with whom it contracts to pay, wages or fees prevailing in the locality, as determined or adopted (subsequent to determination of applicable State or local law) by the FPHA, to all architects, technical engineers, draftsmen, technicians, laborers, and mechanics employed in the development of a project. In determining the prevailing wages, job titles shall be included in the determination together with the weekly hours of work for all the above enumerated employees.

Prevailing wages shall be minimum wages only, and the local authority shall provide that if the contractor finds it necessary to pay wages in excess of the minimum wages, the excess costs shall be for the contractor's account and shall not give rise to a claim against the local authority.

(h) *Posting wage rates.* The local authority shall require that contractors post in conspicuous places on the site of the development the various classifications and wage rates applying thereto.

(i) *Payment of wages.* The local authority shall require payment in full in cash, or by check conveniently payable at par, at least once a week to all laborers and mechanics employed by the contractor. The local authority shall, before making final payment to any contractor, require satisfactory evidence from the contractor that the contractor has paid and his subcontractors have paid all sums due to laborers and mechanics.

The local authority shall include in its contracts a provision requiring that in cases of underpayment of wages by any contractor the local authority may withhold from such contractor out of payments due, an amount sufficient to pay persons employed on the work covered by the contract, the difference between the wages required to be paid under the contract and the wages actually paid such employees for the total number of hours worked; that the moneys withheld may be disbursed by the local authority for and on account of the contractor to the respective employees to whom such moneys are due.

(j) *Wages and hours.* The local authority shall require its contractors to pay all employees a basic wage for eight hours work per day and 40 hours per week. At least time and one-half shall be paid for hours of work in excess of the limits prescribed above. The limitations herein set forth shall not apply to executive, supervisory, and administrative employees.

(k) *Nondiscrimination.* The local authority will require that there shall be no discrimination by reason of race, creed, color, national origin or political affiliations against any employee or applicant for employment qualified by training and experience for work in the construction of projects. In order to give effect to this requirement, insofar as it may affect Negro employees on construction, the local authority shall insert in all construction contracts a provision that payment to Negro skilled and unskilled labor of stipulated percentages of the amount paid under the contract for such labor shall be considered prima facie evidence that the contractor has not discriminated against Negro labor. The amounts of the stipulated percentages are to be based upon the number of Negro skilled and unskilled laborers employed in construction work in the locality of the project as reflected by the latest Federal Census.

(l) *Persons entitled to benefits of labor provisions.* The local authority shall require that each contractor or subcontractor extend to every person who performs the work of a laborer or mechanic on the project the benefits of the labor and wage provisions regardless of any contractual relationship between the contractor, subcontractor and the employee.

FINANCE

§ 601.301 *Financing prior to issuance of bonds.* Since the FPHA may not lend to a local authority more than 90% of the development or acquisition cost of a project where annual contributions are to be made, the local authority shall secure at least 10% of the capital cost from sources other than the FPHA. This may take the form of capital donations (see § 601.208), the proceeds of the sale of the local authority's obligations to others than the FPHA, or a combination of both.

(a) *Preliminary loans from the FPHA.* A preliminary loan made pursuant to § 601.202 shall be evidenced by a Preliminary Loan Note. Such note shall be in such form as shall be prescribed by the FPHA, shall be in the principal amount of the loan, shall bear interest from the date the loan is made at the rate specified in the Preliminary Loan Contract which shall be the going Federal rate at the date such contract is made (i. e., the annual rate of interest specified in the then most recently issued bonds of the Federal Government having a maturity of ten years or more) plus ½ of 1%, and shall be payable as to both principal and interest upon demand.

(b) *Advance loans from the FPHA.* After execution of a Contract for Financial Aid and prior to the issuance by the local authority of its bonds, the FPHA will make advances to the local authority from time to time on account of the loan, but not in excess of 90% of the project development cost. Each advance shall be in such amount as will provide the local authority with necessary funds for a reasonable period (not less than one month) and will be made upon the filing of a requisition therefor if all conditions to the making of the advance, as set forth in the Contract for Financial Aid, have been complied with. The requisition for the first advance under the Contract for Financial Aid shall include sufficient funds to enable the local authority to retire any Preliminary Loan Notes held by the FPHA under a Preliminary Loan Contract relating to the project.

The local authority shall execute an advance loan note, which shall be in such form as shall be prescribed by the FPHA, shall bear interest from the date the advance is made at the rate specified in the Contract for Financial Aid which shall be the going Federal rate at the date such contract is made plus ½ of 1% and shall be payable as to both principal and interest upon demand. Where permitted by State law, the notes shall contain provisions which will make the notes mortgages which shall be recordable.

(c) *Temporary loans from others.* To enable the local authority to enlist private capital through the sale of its short-term notes to others than the FPHA pending the issuance of bonds, it may, after FPHA approval, and shall, upon request of the FPHA obtain funds to finance the development of the project by selling its short-term notes, entitled Temporary Loan Notes. Such notes shall generally be issued only after the award

of the main construction contract for each development, and in such amounts as the local authority may need for development of the project during the term of the notes, including payment of the principal and interest of any Advance Loan Notes held by the FPHA and of any maturing Temporary Loan Notes theretofore issued. Temporary Loan Notes, of such maturity as may be approved by the FPHA, shall be sold only as part of a regularly scheduled group of notes of other local authorities at a public sale after advertisement, unless the FPHA shall otherwise approve. Temporary Loan Notes will be secured by a Requisition Agreement between the local authority and the FPHA, under the terms of which the FPHA will agree to purchase an Advance Loan Note of the local authority in an amount sufficient to enable the local authority to pay the principal and interest to maturity on the Temporary Loan Notes, which purchase will be on a specified date sufficiently in advance of the date of maturity of the Temporary Loan Notes to enable the local authority to pay such notes at maturity. Inasmuch as the principal and interest of Temporary Loan Notes are secured by a Requisition Agreement, which constitutes a contingent commitment by the FPHA to make a loan in such amount, the total of such interest and principal plus the principal of outstanding Advance Loan Notes, if any, shall not exceed 90% of estimated development cost.

§ 601.302 *Financing by issuance of bonds*—(a) *Contents and adoption of bond resolution.* The local authority shall proceed with the permanent financing of a project by the issuance of bonds at a date early enough to assure that the funds which must be secured from others than the FPHA will be available when needed. The local authority shall adopt resolutions authorizing a total issue of bonds in an aggregate principal amount equal to the latest maximum development cost less any capital donations made in respect to the project, which issue shall consist of Series A bonds to be sold to others than the FPHA and Series B bonds to be purchased by the FPHA. Such resolutions shall also authorize an initial issue of Series A and B bonds in an amount equal to the latest minimum development cost of the project less capital donations. The Series A bonds plus capital donations shall be at least 10% of the latest maximum development cost. To facilitate the marketing of local authority bonds to which annual contributions are pledged, the resolutions adopted by all local authorities authorizing the issue of such bonds shall be uniform within the limitations of state laws. All bond resolutions (including the amounts of bonds to be issued) shall be approved by the FPHA.

(b) *Definitions of maximum and minimum development cost.* The term "maximum development cost" as used in this section shall mean an amount determined by the local authority, with the approval of the FPHA, which will in no event be exceeded by the final development cost of the project (see § 601.206 (c) (4)). The term "minimum development cost" shall mean an amount determined by the local authority, with the approval of the FPHA, below which the final development cost of the project will in no event fall.

(c) *Sale of Series A bonds.* So much of the initial issue of bonds as are offered for sale to others than the FPHA shall be sold only at public sale after advertisement. Local authorities shall sell as large a proportion of their bonds as possible to others than the FPHA, provided interest rates thereon are reasonable and lower than the rates which the FPHA is required to charge on its part of the loan.

(d) *Sale of Series B bonds.* All bonds of the initial issue which are not sold as Series A bonds will be bought by the FPHA as Series B bonds. The Series B bonds authorized but not sold as part of the initial issue will be purchased by the FPHA from time to time as the local authority needs additional funds to complete the project. All Series B bonds shall have such maturities, not in excess of 60 years from the date of the Contract for Financial Aid, as may be approved by the FPHA, and shall bear interest at the rates specified in the Contract for Financial Aid which shall be the going Federal rate at the time the contract is made plus ½ of 1%.

(e) *Submission of information in connection with issuance of obligations.* In connection with the issuance of notes or bonds, the local authority shall submit to the FPHA such documents and proof as the FPHA shall request as to the validity of the authorization, execution, and delivery of the notes or bonds (including evidence of the validity of the creation and organization of the local authority), the financial condition of the local authority and substantial compliance with the terms of the Contract for Financial Aid, and the existence and status of any litigation or legislation which may affect the validity of the notes or bonds.

§ 601.303 *Capital grants.* The United States Housing Act of 1937, as amended, provides that capital grants may be made, in lieu of annual contributions, to any local authority which so requests and demonstrates to the satisfaction of the FPHA that a capital grant is better suited than annual contributions to the purpose of achieving and maintaining low rentals and to the other purposes of the act. Since no local authorities have found capital grants better suited than annual contributions to achieve low rents, no capital grants have as yet been made, and no procedures have been devised to effectuate this provision.

§ 601.304 *Federal annual contributions*—(a) *Amount of contributions.* The FPHA, pursuant to the Contract for Financial Aid, will pay annual contributions in respect to a project in an amount sufficient to achieve and maintain its low-rent character. The maximum Federal annual contribution which may be paid in any year shall not exceed a sum equal to the yield, at the going Federal rate of interest at the time the contract was made plus 1%, upon the total development cost of the project (i. e., the total development cost of the project multiplied by a percentage which is 1% higher than the Federal going rate). The Federal annual contribution actually paid in any year (other than the first contribution which will be in the amount of the maximum Federal annual contribution) will be equal in amount to the deficit actually incurred in the preceding year as a result of maintaining the low-rent character of the project. FPHA policy requires that the second to eleventh contributions (paid in respect to the deficits in the first ten years of operation) should not exceed the maximum Federal annual contribution less the estimated additional average annual expense for repairs, maintenance, and replacements anticipated after the first ten years. (See § 601.408.)

(b) *Period of contributions.* The FPHA, pursuant to the Contract for Financial Aid, will pay annual contributions during a specified period of years not exceeding sixty years from the date of the contract, or during the period that bonds issued with respect to the project are outstanding, whichever period is the shorter.

(c) *Conditions to payment of annual contributions.* The following conditions must be met in order that the local authority may be eligible to receive annual contributions from the FPHA in respect to a project:

(1) *Low rent character of the project must be maintained.* There shall be no substantial breach of the low-rent character of the project which breach has continued without being remedied for more than 90 days after service of written notice. A substantial breach of low-rent character shall be deemed to have occurred:

(i) If there is an accumulated net income as of the close of the most recent fiscal year in an amount greater than 10% of the total annual charges to tenants during such fiscal year; except if such net income has resulted from a schedule of rents approved by the FPHA, or

(ii) If more than 5% of the dwellings are, to the knowledge and information of the local authority, occupied at any one time by ineligible families.

(2) *Sufficient local contributions must be secured.* Local contributions in an amount not less than the amount required in § 601.305 (a) must have been secured.

(3) *Equivalent elimination must be accomplished.* The equivalent elimination of substandard dwellings as provided in § 601.209 must have been completed within the period specified in the Contract for Financial Aid, or any extension thereof approved by the FPHA.

(4) *Project must be completed.* The project must have become ready for occupancy within the period specified in the Contract for Financial Aid, or any extension thereof approved by FPHA.

(5) *Project must continue in existence.* If more than 25% of the original number of dwellings in the project have been damaged or destroyed by fire or other catastrophe the project must have been repaired or restored within a reasonable time so that at least 75% of the dwellings are safe and sanitary. Proceeds of insurance against fire or other catastrophe shall be made available to the local authority for the repair or restoration of the project.

(6) *Local authority must retain title.* The local authority shall not have conveyed the project to a third party, except to another public housing agency with the approval of the FPHA.

(7) *Tenants must be citizens.* The local authority must have adopted regulations prohibiting, as a tenant, any person not a citizen of the United States.

(d) *Pledge of Federal annual contributions.* The Federal annual contributions in respect to any project shall be pledged as security for the payment of interest and principal of any bonds issued in connection with the project.

§ 601.305 *Local contributions and payments in lieu of taxes*—(a) *Local contributions.* The local authority shall receive local contributions from local political subdivisions amounting to at least 20% of the actual Federal annual contributions. Local contributions may be in the form of cash, tax remissions (general or special), or tax exemptions. Local contributions are almost invariably made in the form of exemption from taxes; in such case, the value of the local contributions in any year shall be the amount of taxes which would otherwise be levied or charged in relation to the project or its administration, less the payments in lieu of taxes made in connection with the project. Before the payment of any Federal annual contribution, local contributions must have been received which aggregate at least 20% of the aggregate Federal annual contributions, including the contribution about to be made. In the event that this condition is not met, the FPHA will withhold from the Federal annual contribution such amount as is necessary in order that this condition be met.

(b) *Payments in lieu of taxes.* The local authority may determine and make payments in lieu of taxes in amounts consistent with maintaining the low-rent character of the project, and may determine the division of such payments in lieu of taxes among the various taxing jurisdictions. Payments in lieu of taxes shall be subject to the following conditions, and any contracts relating thereto between the local authority and any local political subdivision shall embody such conditions:

(1) Payments in lieu of taxes to any taxing jurisdiction shall not exceed the amount of the real property taxes which would have been paid to such taxing jurisdiction if the project had not been tax exempt.

(2) The payments in lieu of taxes in respect to any project fiscal year shall not exceed 10% of the actual shelter rents charged tenants in such year.

(3) Payments in lieu of taxes may be made only out of funds available for the reduction of Federal and local contributions, and only in amounts which will not reduce the value of the local contributions in any year to less than the sum of 20% of the actual Federal contribution made after the end of such year, plus a margin of safety equal to 10% of the maximum Federal annual contribution.

(4) Payments in lieu of taxes shall not exceed the amounts permitted to be paid under applicable state or local laws.

(5) Payments in lieu of taxes based on the operations of any fiscal year shall be definitely determined at the close thereof and be included in the statement of income and expense accompanying the request for annual contributions, but shall not be paid until after the end of the fiscal year and until approved by the FPHA.

§ 601.306 *Funds*—(a) *Establishment of funds.* The local authority shall enter into a Development Fund Agreement and a separate Administration Fund Agreement, satisfactory to the FPHA, with one or more banks selected as the depositary for each fund. Each such bank or any bank in which any moneys of the local authority are deposited shall be a member of the Federal Deposit Insurance Corporation and shall be acceptable to the FPHA. Separate development fund bank accounts and separate administration fund bank accounts shall be maintained for each project.

(b) *Development fund.* The local authority shall place in the development fund all moneys received from the proceeds of preliminary loans, advance loans, temporary loans, sale of bonds, refunds on development cost, and all other moneys received pertaining to the development of the project, including all rents and revenues derived from the operation of the project up to the date of the Series A and B bonds. Disbursements from the development fund shall be limited to eligible development costs.

(c) *Administration fund.* The local authority shall place in the administration fund any working capital (see § 601.206 (a) (10)) transferred from the development fund and all moneys received from the operation of the project after the date of the Series A and B bonds. Disbursements shall be limited to eligible administration costs.

(d) *Reserve funds.* The local authority shall not maintain separate bank accounts for reserves (such as reserves for repairs, maintenance, and replacements, or for vacancy and collection losses) nor shall it be required to earmark separately any securities purchased for such reserves, except as it be required to do so by the terms of its Contract for Financial Aid or by other agreements entered into by it.

§ 601.307 *Fiscal agent accounts.* The local authority shall select a bank to act as its fiscal agent. Such bank must be a member of the Federal Deposit Insurance Corporation and acceptable to the FPHA. The accounts to be maintained by the fiscal agent are as follows:

(a) *Rental debt service account.* Into the rental debt service account shall be deposited monthly 1/12 of the amount by which the annual bond service requirements exceeds the maximum Federal annual contribution.

(b) *Annual contributions reduction account.* Into the annual contributions reduction account shall be deposited annually, the amount available from revenues for the reduction of the next succeeding Federal annual contribution payment.

(c) *Excess lands account.* Into the excess lands account shall be deposited the net proceeds from the sale of any excess land consummated subsequent to permanent financing.

(d) *Bond service accounts.* The bond service accounts include a group of four accounts as follows: Series A bond fund, Series B bond fund, Series A reserve fund, and general bond reserve fund.

On the annual contribution date, in accordance with the terms of the Contract for Financial Aid, there shall be transferred to the appropriate bond service accounts the amounts on deposit in the rental debt service account, the annual contributions reduction account, and the excess lands account. Federal annual contributions will be paid directly to the fiscal agent who will make the appropriate distribution thereof to the bond service accounts.

Disbursements from the bond service accounts shall be made only for interest and the retirement of Series A and B bonds.

§ 601.308 *Books of account.* The local authority shall maintain such books and records as are prescribed by the FPHA in accordance with a prescribed classification of accounts, and shall submit such reports and statements prepared therefrom as are required by the FPHA.

§ 601.309 *Audits.* The FPHA will periodically audit the accounts and financial records of the local authority to determine that FPHA fiscal requirements have been met, and further, to provide an audit service to local authorities in lieu of services which would otherwise have to be secured from public accountants.

MANAGEMENT

§ 601.401 *Statement of Management Policy and Management Programs.* The local authority shall formalize its determinations on management policy and procedure and submit them to the FPHA for review and approval. The documents in which the local authority will present its determinations are the Statement of Management Policy applicable to all its low-rent housing and Management Programs applicable to the respective developments.

(a) *Statement of Management Policy.* The Statement of Management Policy comprises the underlying major policies adopted by the local authority for the administration of all developments undertaken by it with the financial aid of the FPHA. The Statement of Management Policy forms a part of each Development Program; it shall be submitted and approved with the first Development Program of a local authority as provided in § 601.204; and, in its most recently revised form, shall be incorporated by reference in all subsequent Development Programs.

(b) *Management Program.* A Management Program is the statement of

management determinations for a specific development. It includes the specific rents and dwelling utility allowances included therein, income limits, occupancy standards, and estimates of average annual income and expense and of required Federal annual contributions and other determinations which shall govern the administration of the development. The Management Program forms a part of the Development Program and shall be submitted and approved as provided in § 601.204.

(c) *Required revisions and additions.* Within 30 days after the award of the main construction contract, the local authority shall submit such revision of the Management Program (and particularly of the estimate of average annual income and expense) as is necessitated by any changes made in the Development Program up to that date.

At the same time, the local authority shall submit, as additional parts of the Statement of Managament Policy or of the Management Program, statements of the specific recording and reporting procedures, tenant selection and re-examination procedures, tenant maintenance and utility control procedures, and a proposed mantual of operation for the development. These additional parts, upon approval by the FPHA, shall be adopted by the local authority and be incorporated with the original documents.

(d) *Subsequent revisions and additions.* If further changes become necessary in any of the policies or determinations incorporated in the Statement of Management Policy or in Management Programs, such changes shall be made through a formal revision of the appropriate documents, and shall be approved by the FPHA, and adopted by the local authority. These documents, as revised, shall at all times reflect the current policy in respect to all the low-rent housing of the local authority, and the specific determinations in respect to particular developments.

§ 601.402 *Establishment of rents and income limits.* The local authority shall, as a part of the Management Program of each development, establish schedules of rents and income limits suitable for the housing of families in the lowest income group (see § 601.102 (b)). This group includes families of diverse incomes and as a consequence, local authorities will find it desirable to establish a series of graded rents.

(a) *Graded rents.* Under a system of graded rents, the lowest income group is subdivided into a number of income grades. The rent to be charged each tenant family (either at the time of admission or after any re-examination) is determined by the income grade within which its income falls and by the size of the family. The system of graded rents permits the low-rent housing program of a locality to serve a cross-section of the families in the lowest income group, relates rents to the rent-paying ability of the various families, permits appropriate adjustments in rents as family income changes, and restricts Federal and local contributions to the minimum amounts needed to provide the tenants with decent, safe, and sanitary housing.

(b) *Maximum income limits for admission.* Maximum income limits for admission shall be established for each size of family to be accommodated, and such amounts shall constitute the upper income limit of the top income grade used for the admission of tenants. In order to restrict admission to families in the lowest income group, the maximum income limits shall be set at least 20% below the income level at which families of the various sizes can afford decent, safe, and sanitary housing accommodations available from private enterprise and appropriate for their use. Families shall not be admitted whose income exceeds the maximum income limit for admission.

(c) *Maximum income limits for continued occupancy.* Maximum income limits for continued occupancy shall be established for each size of family to be accommodated, and such amounts shall constitute the upper income limit of the top income grade used for the continued occupancy of tenants. Maximum income limits for continued occupancy shall be set at the level at which families of the various sizes can afford decent, safe, and sanitary housing accommodations available from private enterprise and appropriate for their use. Families whose incomes, as determined at re-examination, have increased beyond the maximum income limit for continued occupancy shall be required to vacate when decent, safe and sanitary accommodations appropriate for their use and at rents within their means are available to them from private enterprise (see § 601.407).

(d) *Setting of rents in relations to income.* The rents established in the various income grades for families of different sizes shall be set so as to be within the financial range of such families and shall be as high as they reasonably can be expected to pay. In no event, however, may the gross rent be less than one-fifth of the net family income (see § 601.403) at the time of admission or at the time of re-examination, except that in the case of families with three or more minor dependents it may not be less than one-sixth of the net family income. Gross rent includes the dwelling rent charged the tenants plus the additional cost to the tenant (if not included in rent) of heat, light, water, and cooking fuel.

(e) *Rent schedules and rental income.* The local authority shall prepare a rent schedule showing the rents in the various income grades, the number of families which it estimates will be accommodated at each rent, and the total rental income to be received. The rent schedule shall be fixed and administered so as to produce an income which will keep Federal and local contributions at the lowest amount consistent with meeting the needs of a cross section of the families in the lowest income group. In no event, however, may the aggregate scheduled annual income of the developments comprising one project be less than an amount which, together with the maximum Federal annual contribution, will suffice to meet the aggregate annual expenses of administration of such developments (including debt service, reserves, and payments in lieu of taxes) estimated for the first ten years, plus the estimated additional annual cost of repairs, maintenance, and replacements thereafter. (See § 601.408.)

(f) *Dwelling utilities included in rent.* The local authority shall determine, for each sized dwelling unit, the amount of the dwelling utilities to be included in the rent charged to tenants. If the utilities consumed exceed the amount allowed in rent, surcharges shall be made for the excess consumption.

(g) *Families of employees of local authority.* The provisions of this section shall not apply to families of such employees of the local authority as it, with the approval of the FPHA, may require to reside in the project for the purpose of the proper administration thereof.

§ 601.403 *Definition of terms relating to tenant income—*(a) *Definition of net income at the time of admission and net income at the time of reexamination.* Net income at the time of admission (or at the time of reexamination) shall be the amount of the net family income anticipated for the twelve months succeeding the expected date of admission or date of reexamination.) In determining the net family income anticipated for the next twelve months, due regard shall be given to determinations which the Local Authority shall make both of the current rate of income and of the actual net income received from various sources in the past twelve months.

(b) *Net family income.* Net family income shall mean aggregate family income as defined in (c) below less deductions therefrom as specified in (d) below.

(c) *Aggregate family income.* (1) Aggregate family income shall include the following income, before any deductions, received by all members of the family who actually occupy or are actually to occupy the dwelling:

(i) Wages and salaries (including compensation for overtime), and all other earnings and compensation for personal services, such as commissions, fees, tips, etc., including the cash value of any compensation in kind, such as meals or food. Aggregate income includes the full amount of earnings before payroll deductions are made for any purpose.

(ii) Net profits from the operation of a business or profession.

(iii) The full amount received from pensions, annuities, retirement income, and other similar types of periodic receipts.

(iv) Payments in lieu of earnings, such as unemployment compensation, other social security benefits, dismissal wages, benefits in lieu of earnings other than lump sum payments under health and accident insurance, and workmen's compensation other than lump-sum payments.

(v) Cash relief receipts and the value of determinable relief allowances in kind.

(vi) Periodic and determinable allowances, allmony, contributions and gifts.

(vii) Interest, dividends, and net earnings of any kind from real or personal property.

(2) The following types of receipts are excluded from aggregate income.

(i) Amounts which are specifically received for, or are a reimbursement of, the costs of illness or medical care.

(ii) Casual and irregular gifts.

(iii) Casual and sporadic earnings of minor children.

(iv) Income from boarders and lodgers (since such income will not be realizable after admission to a public housing project (see § 601.404 (a)).

(v) Lump sum additions to family assets, such as inheritances, insurance payments, capital gains, and settlements for personal or property damages. (If such sums are substantial, the exclusion of the families in question will be considered in connection with ineligibility because of the amount of capital assets. (See § 601.404 (e)).)

(d) *Deductions from aggregate family income.* (1) The following items shall be deducted from aggregate family income to determine net family income:

(i) Special occupational expenses necessary to employment and for which no reimbursement is made by the employer, but only to the extent by which such expenses exceed normal and usual expenses (e. g. noon-day meals and transportation to work) incident to employment.

(ii) Deductions from wages for social security, for pension or retirement funds, or for health, accident, or medical benefit plans, if required by law or required by the employer as a condition of employment.

(iii) Amounts actually paid, if reasonable and necessary, for the support of a person or persons not residing with the family but for whose support one or more members of the family are legally or morally responsible; but not including expense incurred for the support of children away from home for purposes of normal and voluntary education.

(iv) Amounts actually paid, if reasonable and necessary, for the care of children or aged or incapacitated family members in order to permit the employment of a sole worker.

(2) The following items shall not be considered as allowable deductions: Payroll deductions for income tax, payroll deductions not required by the employer as a condition of employment for pensions or other benefits, payments for war bonds, group health, group or other insurance, bills and garnishments, installment purchases, repayment of loans, or interest and finance charges on such item.

§ 601.404 *Conditions for tenant admission.* The local authority shall accept as tenants only families who meet the requirements set forth below:

(a) *Family.* The term "family" shall mean a natural family consisting of a family head and one or more other persons related to the head by blood, marriage, or adoption, and in addition to a natural family, may include other persons known to have lived regularly as an inherent part of the family group and whose earnings and resources are available for use in meeting the living expenses of the group. The term "family" shall not include a group of unrelated persons living together, lodges, or persons living alone.

(b) *Net family income at the time of admission.* Net family income at the time of admission shall not exceed the maximum income limit for admission established in the approved management program.

(c) *Previous substandard housing condition.* The tenant shall:

(1) Prior to admission have been living under unsafe, insanitary, or congested housing conditions, as defined by the local authority in its statement of management policy, or

(2) Have been displaced from the site of a low-rent housing project because of its acquisition by the local authority, or displaced by off-site demolition undertaken as the result of compliance with an agreement for equivalent elimination.

Residence in substandard housing shall not be required of families of veterans who have been discharged (other than dishonorably) from the armed forces of the United States within one year prior to the date of application for admission to the development, if such families would otherwise have to move into substandard housing.

(d) *Citizenship.* The tenant (i. e., the person signing the lease) shall be a citizen of the United States.

(e) *Net assets.* The net assets (not including personal and household effects) of the family shall not exceed an amount determined by the local authority and approved by the FPHA.

(f) *Requirements of State law.* In the event the State law governing eligibility at the time of admission (or at the time of reexamination) differs from the eligibility requirements herein contained, family eligibility shall be determined in relation to both the State law and the FPHA requirements.

(g) *Families of employees of local authority.* The provisions of this section except paragraph (d) hereof, shall not apply to families of such employees of the local authority as it, with the approval of the FPHA, may require to reside in the project for the purpose of the proper administration thereof.

§ 601.405 *Tenant selection.* The local authority shall select tenants in acordance with an established procedure which shall conform to the requirements of this section and constitute a portion of the management program. Within 30 days after the award of the main construction contract, the local authority shall submit for approval specimen forms and instructions (such as the application for admission, the score sheet for determining degree of substandard housing conditions, and forms for computing and verifying family income) for use in determining eligibility for admission and the order of preference to be followed in selecting tenants.

(a) *Preference.* In the selection of tenants preference on a uniform and objective basis shall, within each income grade, be given to those families who are living in housing conditions most dangerous to their health and safety, and to families displaced from the sites of low-rent housing projects or displaced by offsite demolition undertaken as the result of compliance with an agreement for equivalent elimination.

(b) *Evidence of eligibility.* The local authority shall obtain a written statement from each family applying for admission setting forth the facts which relate to its eligibility. The local authority shall verify and certify to the accuracy of these statements for each family admitted.

(c) *Non-discrimination.* There shall be no discrimination in the selection of tenants because of religious, political, or other affiliations.

(d) *Lease required.* A responsible member of the tenant family shall execute a written lease or other enforceable agreement containing, among other things, an agreement to furnish the local authority with information regarding its eligibility for continued occupancy and an agreement to vacate the dwelling if the tenant becomes ineligible for continued occupancy.

§ 601.406 *Occupancy standards.* The local authority shall lease dwelling accommodations to tenants in accordance with objective standards of health and decency, adopted by the local authority and approved by the FPHA, taking into consideration the size of the dwelling and the family size and composition (i. e., number, age, sex, and family relationship) of the occupants. These standards shall govern the size of dwellings permissible for continued occupancy as well as for admission.

§ 601.407 *Conditions for continued occupancy.* The local authority shall annually re-examine the status of each family in the development to determine its eligibility for continued occupancy and appropriate rent adjustments, if any.

(a) *Eligibility for continued occupancy.* Families shall be eligible for continued occupancy only if they meet the following requirements:

(1) *Family.* The occupants shall constitute a family as defined in § 601.404 (a), except that a person or persons remaining as the residuum of a family may be permitted to continue in occupancy in a unit of appropriate size.

(2) *Net family income at the time of re-examination.* Net family income at the time of re-examination does not exceed the maximum income limit for continued occupancy established in the approved management program.

(3) *Other requirements.* The requirements set forth in § 601.404 (d), (e), and (f) shall apply in connection with eligibility for continued occupancy.

Families who are not eligible for continued occupancy shall be required to vacate, except as provided in (d) below.

(b) *Adjustment of rents.* If at the time of re-examination of any family, it is found that the net family income anticipated for the next 12 months does not fall within the limits of their present grade, or if the family size has changed, the rent for the succeeding 12 months shall be changed to the rent (as established in the approved Management Program) which corresponds to their changed status. In individual cases, if

warranted by changed circumstances, rents may be adjusted at any other date.

(c) *Changes in size of dwelling unit.* If the size of the family has changed so that a larger or smaller dwelling is required in accordance with the approved occupancy standards, the family shall be required to move as soon as a dwelling of the required size becomes available in the development.

(d) *Permission to remain if no other dwelling available.* Families whose net income at the time of re-examination exceeds the maximum income limit for continued occupancy may be permitted to remain in the development only if the local authority shows to the satisfaction of the FPHA that decent, safe, and sanitary accommodations appropriate to the use of such family and at rents within their means are not available from private enterprise. Such families shall, however, be notified of the ineligibility for continued occupancy and shall be required to vacate when such other accommodations are available. Such families shall be charged increased rentals (based on income grades) appropriate to their income: *Provided, however,* That in no event shall a rent be charged for any dwelling which exceeds the rent prevailing in the locality for comparable accommodations rented by private enterprise.

(e) *Families of employees of local authority.* The provisions of this section shall not apply to families of such employees of the local authority as it, with the approval of the FPHA, may require to reside in the project for the purpose of the proper administration thereof.

§ 601.408 *Estimate of Average Annual Income and Expense.* The Estimate of Average Annual Income and Expense is a forecast of the average yearly income and expense of the development over the life of the Contract for Financial Aid. It is designed to provide a long-term financial prospectus of the development, and to form the basis upon which reserves are established.

An Estimate of Average Annual Income and Expense for each development shall be included in the Management Program, and a revised estimate, if necessary, shall be prepared within 30 days after the award of the main construction contract (see § 601.401 (b) and (c)). The average annual estimate shall be based on the average income and expense anticipated during the first 10 years after the end of the initial operating period. It shall be supplemented by an estimate of the additional average annual expense for repairs, maintenance, and replacements anticipated after the first 10 years. No Contract for Financial Aid shall be approved if the Federal annual contributions estimated to be required for the project during the first 10 years exceed the maximum Federal annual contribution less the estimated additional average annual expense for repairs, maintenance, and replacements required for the developments comprising the project after the first 10 years.

The Estimate of Average Annual Income and Expense will be based upon the estimating factors developed by the FPHA with such adjustments as are required to adapt the factors to local conditions and operating plans. The local authority may submit to the FPHA for review and approval a revised Estimate of Average Annual Income and Expense should circumstances indicate that a permanent change in the probable cost of project operation has occurred. Temporary changes in cost levels, however, do not justify revised average annual estimates since these estimates are essentially long-term financial forecasts.

§ 601.409 *Budgets*—(a) *Operating budgets for a development.* The local authority shall prepare detailed operating budgets for each development which shall be presented on forms prescribed by the FPHA, and shall show, by calendar quarters, the income and expense anticipated for the budget period. Each budget shall be accompanied by a full justification, in the form prescribed by the FPHA, setting forth the work program and operating plan for the budget period, salary schedules, organization charts, and such other substantiating data as may be required by the FPHA. Upon approval by the FPHA each budget shall be formally adopted by the local authority.

No detailed budgets will be required for operations during the initial operating period, but a summary estimate of pre-occupancy expense during such period will be included in estimates of total development cost (see § 601.206).

The first operating budget of a development shall be submitted within 30 days after the award of the main construction contract. It shall (except as provided at the end of this paragraph) govern the period from the end of the initial operating period to the end of the first project fiscal year. Since these dates will not in general be known by the time the first operating budget is submitted, such budget shall be prepared for four separate calendar quarters beginning with January 1. When the end of the initial operating period is determined the portion of the budget for the calendar quarter immediately following shall be used, and successive quarterly portions shall be used in turn until the end of the first project fiscal year is reached. If the period from the end of the initial operating period to the end of the first project fiscal year exceeds four calendar quarters, a new budget by quarters will be required for use until the end of the first fiscal year is reached.

For operations subsequent to the end of the first fiscal year, the budgets for a development shall be for periods coincident with project fiscal years, and shall be submitted not less than 60 days before the beginning of the fiscal year to which they apply.

(b) *Definitions of initial operating period and of project fiscal year.* The initial operating period of a development shall begin on the first day of the month in which income from rentals is first received and shall terminate on the last day of the quarter in which 95 percent of the total dwelling units in the development first become occupied, but in no event later than one year after the end of the quarter during which the first dwelling unit in the development became occupied.

The first project fiscal year shall begin on the first day of a calendar quarter which is not more than 4 months and 10 days nor less than 1 month and 10 days prior to the date for the payment of Federal annual contributions as established at the time of permanent financing; and shall end twelve months thereafter. Subsequent fiscal years shall begin and end on the same calendar dates.

(c) *Budgets for a project.* The local authority shall prepare annual budgets for each project, which will reflect the aggregate net operating revenues of the developments comprising the project, the debt service, the payments in lieu of taxes, and the Federal annual contribution to be required. Upon approval by the FPHA each budget shall be formally adopted by the local authority.

The first project budget shall cover the period beginning with the date of issue of the Series A and B bonds and ending with the last day of the first project fiscal year. This budget shall be submitted not later than the end of the initial operating period which last occurs for any development within the project, but in no event less than 60 days before the end of the first fiscal year.

Thereafter project budgets shall be for periods coincident with the project fiscal years and shall be submitted at least 60 days before the beginning of the fiscal year to which they apply.

(d) *Control of expenditures.* The local authority shall conduct the administration of all developments and projects in accordance with the budgets which it has adopted.

The local authority should incur no expenses in connection with the administration of a development after the end of the initial operating period until a budget covering such expenses has been approved and adopted.

The local authority shall not in any quarter incur total expenses for any development or incur expenses under any major account classification (as established by the FPHA) which exceeds the amounts budgeted therefor, unless it has previously submitted and received FPHA approval of a revised budget showing such increased amounts; except that overruns of not more than 10% may be incurred in any major account classification without revision of the budget or FPHA approval if there are compensating underruns in other major account classifications (not exceeding 10% in any one classification) which will keep the total expense for the quarter within the amount budgeted therefor.

§ 601.410 *Reserves*—(a) *Reserves for repairs, maintenance, and replacements.* As of the last day of each calendar quarter following the end of the initial operating period for each development, there shall be set aside as a reserve for repairs, maintenance, and replacements an amount equal to one-fourth of the average annual estimate for repairs, maintenance, and replacements, less the actual expense for repairs, maintenance, and replacements incurred during such quarter. The reserve thus accumulated shall remain in the custody of the local authority and be available to meet the expense of repairs, maintenance, and replacements in any calendar quarter in which the actual expense exceeds one-fourth of the average annual estimate therefor. In any such quarter, the reserve will be drawn upon to meet such excess.

(b) *Reserve for vacancy and collection losses.* As of the last day of each calendar quarter following the end of the initial operating period for each development, there shall be set aside as a reserve for vacancy and collection losses, an amount equal to one-fourth of the average annual estimate of vacancy and collection losses less actual rental losses due to vacancies and actual collection losses written off during such quarter: *Provided,* That the amount so set aside shall not increase the accumulated total reserve for vacancy and collection losses at the end of such quarter to an amount greater than the total dwelling rent scheduled for such quarter. The reserve thus accumulated shall remain in the custody of the local authority and be available to meet vacancy and collection losses in any calendar quarter in which the actual losses exceed one-fourth of the average annual estimate therefor. In any such quarter, the reserve will be drawn upon to meet such excess.

(c) *Increases or decreases in reserve rates.* Revisions in the rate of reserve accumulations may be effected, if approved by the FPHA, through a revision of the appropriate items in the Estimate of Average Annual Income and Expense.

§ 601.411 *Personal policy.* To effect efficient administration, the Local Authority shall establish, adopt, and file with the FPHA, a statement of personnel policy consistent with pertinent local public practices. This shall include the job titles and classifications, wage rates, weekly hours of work, working conditions, training program, method of hiring, qualification standards, leave regulations, separation policy, and policy concerning payment of employees in travel status. For wage rates, hours of work, and job classification of manual maintenance employees see § 601.416.

§ 601.412 *Procurement.* The local authority shall establish, adopt, and file with FPHA, a statement of procurement policy, consistent with applicable local ordinances and state laws, for the purchase of materials, supplies, equipment, and contractual services.

§ 601.413 *Insurance and bonds during management.* The local authority shall obtain insurance for each development in the coverages, types, and amounts or limits prescribed by the FPHA. Insurance purchased by the local authority shall be obtained after inviting competitive bids. In inviting such bids, the local authority shall not discriminate against either stock or mutual companies. Insurance shall be awarded to the lowest bidder, except that the local authority, with the prior approval of the FPHA, may award the insurance to other than the lowest bidder if the bid is reasonably within the lowest range of rates available to the local authority and if the local authority determines that such an award is in the best interests of the low-rent housing program in the community.

The required coverages are: fire and extended coverage, workmen's compensation, owner's, landlord's and tenant's public liability (excluding property damage); automobile, owned and non-owned; boiler (if boilers have been installed); burglary and inside robbery, outside robbery; and fidelity bonds.

§ 601.414 *Maintenance and operation of the physical plant.* The local authority shall establish and maintain standards of maintenance and operation which will assure attractive, decent, safe, and sanitary dwellings and grounds. The physical plant, including structures and their equipment, the site and its appurtenances, shall be kept in satisfactory working condition to assure their successful operation throughout their expected life.

The standards shall be such that the expense of maintenance and operation shall be held within the lowest limits consistent with good management with full consideration of the purpose and aims of public housing for low-income families.

The local authority shall provide in the maintenance and operation program for participation by tenants to the fullest extent consistent with the project design and acceptable community relations.

§ 601.415 *Community services and tenant activities.* The local authority shall be responsible for planning and making use of the resources and services furnished by established public and private community agencies to meet the health, welfare, educational, and recreational needs of the tenants. It shall encourage, advise, and assist tenants in conducting tenant-sponsored and tenant-directed activities in these fields. The local authority's main objective shall be to integrate tenant activities conducted in the development with those conducted in the neighborhood and community, and to secure for the tenants the opportunity of participating in and benefiting from the community services generally provided in the locality.

§ 601.416 *Labor*—(a) *Prevailing wages.* The local authority shall pay, and shall require those with whom it contracts to pay, wages or fees prevailing in the locality, as determined or adopted (subsequent to determination of applicable State or local law) by the FPHA, to all architects, technical engineers, draftsmen, technicians, laborers, and mechanics employed in the management of a project.

(b) *Manual maintenance employees.* In respect to manual maintenance employees, job titles, annual wage rates, and weekly hours of work shall be included in the determination of prevailing rate of pay. In instances where the rate of pay is established by state or local laws, such rate of pay will be adopted by the FPHA. In other communities, appropriate consideration will be given by the FPHA to the wages paid by municipalities in the determination of prevailing wage rates. The local authority may pay wages in excess of the prevailing wage rates as determined for such employees by the FPHA. *Provided:* (1) The amounts included in approved budgets for the wages of manual maintenance employees are sufficient to meet such wages, (2) such wages conform to the personnel policy established by the local authority, (3) the total annual amount paid in excess of the prevailing wages does not exceed 5% of the total annual wages of manual maintenance employees computed on the basis of the prevailing wage rates.

Annual wage rate means the amount of the payment for a year's employment (including sick and annual leave) at a definite number of hours per week determined by the FPHA to be prevailing in the community of the local authority. If overtime is considered at a regular and fixed number of hours per week, it shall be computed in the determination of the annual wage rate.

(c) *Non-discrimination.* There shall be no discrimination because of race, creed, color, national origin or political affiliations in the employment of persons in the administration of the low-rent housing program of any local authority.

§ 601.417 *Periodic management review.* The FPHA will periodically review the management operation and practices of the local authority through examination and analysis of reports, records, documents, and procedures and through inspection of the several developments. The FPHA will offer advice and assistance on needed repairs, adjustments in the operation of budgets, renting, tenant eligibility, maintenance of property, community and tenant activities, equivalent elimination, administration of funds, establishment of reserves, payments in lieu of taxes, annual contribution, and administrative and office procedures. The operation of the local authority will also be studied for the purpose of collecting information to be disseminated to others.

GENERAL

§ 601.501 *Documents, records, and reports.* The local authority shall maintain basic records and up-to-date operating records and reports documenting the development and the administration of each development and project. The local authority shall submit such financial, operating, and statistical reports, records, statements, and documents on a uniform and consistent basis as may be required, periodically or on a one-time basis, by the FPHA.

§ 601.502 *Access to project and records.* The FPHA shall have full access to any development and to all the books and records of the local authority pertaining to any development or project, including the right to make transcripts from such books and records at any time during normal business hours.

§ 601.503 *Remedies of the FPHA.* The Contract for Financial Aid will provide that the FPHA shall have, among others, the following remedies:

(a) *Termination of contract.* If, in violation of the provisions of the Contract for Financial Aid, the local authority (1) fails to acquire title to the site of any development or (2) delays unreasonably in letting the main construction contract for any development or (3) fails to effect a sale of the Series A bonds, the FPHA shall have the right to terminate the Contract for Financial Aid.

If a substantial breach of the low rent character of a project continues for two years after notice has been served on the local authority or if there are flagrant or unreasonable recurrences of substantial breaches of such low-rent character over a period of more than five years, the FPHA shall have the right to terminate the Contract for Financial Aid and the payment of annual contributions.

Before terminating the contract for any of the above reasons the FPHA shall serve written demand upon the local authority to remedy the defect in such period of time (not less than sixty days after service of the demand) as the FPHA shall specify in such demand.

(b) *Termination, withholding, or reduction of annual contributions.* The FPHA shall terminate Federal annual contributions for breach of the covenant that the local authority shall retain title to the project, as stated in § 601.304 (c) (6).

The FPHA shall have the right to withhold annual contributions for a breach of the covenant: (1) That dwellings be occupied only by eligible families, as stated in § 601.304 (c) (1) (ii); (2) that equivalent elimination be accomplished, as stated in § 601.304 (c) (3); (3) that the project be completed on schedule, as stated in § 601.304 (c) (4); or (4) that only persons who are citizens of the United States be admitted as tenants, as stated in § 601.304 (c) (7).

The FPHA shall have the right to withhold or reduce annual contributions for a breach of the covenant: (1) To rebuild the project after its destruction, as stated in § 601.304 (c) (5); or (2) to maintain the low-rent character of the project, as stated in § 601.304 (c) (1) (i).

The FPHA shall have the right to reduce annual contributions for a breach of the covenant to obtain sufficient local contributions, as stated in § 601.304 (c) (2).

In each of the above events, before exercising its rights, the FPHA shall serve a written demand upon the local authority to remedy the default complained of within a prescribed period of time, and if the local authority fails to remedy such default within such time; the FPHA may then terminate, withhold, or reduce such annual contributions.

(c) *Right to take possession of project.* In the event that the local authority defaults or threatens to default in certain covenants of the contract for financial aid, the FPHA shall have the right, after giving written notice to the local authority and without instituting any legal action, to take possession of the project and to complete, maintain, and operate the same in the name of the local authority until the defaults have been cured.

(d) *Right to take possession of bank accounts.* In the event, that the local authority defaults in certain covenants of the Contract for Financial Aid, the FPHA shall have the right to direct any bank or banks with which the local authority maintains an account in which any rents or revenues from the project or any other funds relating to the development or administration of the project are deposited or held (other than any account expressly required by the Contract for Financial Aid to be maintained with the fiscal agent), to refuse to permit any withdrawals from any such account until further notice from the FPHA. In any such event, the FPHA shall also have the right itself to withdraw funds from any such account at such times as it may deem necessary in order to make good any refusal or neglect of the local authority to perform any of the covenants set forth in the Contract for Financial Aid.

(e) *Right of legal action.* In the event that the local authority defaults or threatens to default in certain covenants of the Contract for Financial Aid, the FPHA shall also have the right to institute a legal action to enforce the observance by the local authority of all the covenants or to cure the default thereof, including the right to the writ of mandamus or an injunction, and the right to have a receiver appointed to take possession and control of the project, and to complete, maintain, and operate the same as long as may be necessary to cure such breach of covenant.

If the local authority fails to pay when due into certain fiscal agent accounts named in the contract, any amounts required by the provisions thereof to be paid into such accounts, the FPHA may, by appropriate legal proceedings, recover such amounts of money from the local authority and deposit such moneys into the respective accounts.

(f) *Right to provide insurance.* If the local authority fails to obtain adequate and proper insurance or to pay premiums when the same are due in respect to such insurance, the FPHA shall have the right to obtain such insurance or pay premiums on behalf of the local authority.

§ 601.504 *Prohibitions of personal interests of members and employees.* No member of the local authority shall participate in any decision relating to the project, affecting his personal interests or the interests of any corporation, partnership, or association in which he is directly or indirectly interested. No member, officer, agent, servant, or employee of the local authority shall have any interest, direct or indirect, in any contract for property, materials, or services to be acquired by the local authority. The local authority shall not enter into any contract for property, materials, or services with any former member of the local authority within one (1) year after he shall have ceased to be a member except as may be required by law.

§ 601.505 *Congressmen not to benefit.* No member of or delegate to the Congress of the United States of America shall be allowed to participate in the funds made available by the FPHA.

§ 601.506 *Naming of project.* The local authority shall not name any development or project for any living person.

§ 601.507 *Bonuses and commissions.* The local authority shall not pay any bonus or commission for obtaining approval of any Application for Allotment of Funds or any Application for Financial Aid.

§ 601.508 *Domestic materials.* The local authority shall require that only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States of America, and that only such manufactured articles, materials, and supplies as have been manufactured in the United States of America substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States of America, shall be employed in carrying out any development. However, the local authority may request the FPHA to waive the foregoing restrictions so as to permit the purchase of foreign articles, materials, or supplies, if the use of domestic articles, materials, or supplies is impracticable, or if the cost thereof is determined by the FPHA to be unreasonable.

§ 601.509 *Prison-made goods.* The local authority shall require that no materials manufactured or produced in a penal or correctional institution be incorporated into any development.

§ 601.510 *Waiver of requirements.* Under exceptional circumstances and on presentation of satisfactory evidence, provisions of these requirements which are not mandatory provisions under the United States Housing Act of 1937, as amended, may be waived. Any such waiver shall be in writing and duly signed by the Commissioner or his duly authorized representative.

§ 601.511 *Applicability to existing and future contracts.* All future contracts between the FPHA and local authorities will be prepared so as to effectuate these requirements. The issuance of these requirements, however, does not in any way modify or impair any contract outstanding on May 1, 1945, between the local authority and the FPHA or between the local authority and any other party, nor does it modify or impair any approvals or determinations made prior to such date. To the extent that these requirements do not conflict with contracts outstanding on May 1, 1945, these requirements shall be applicable to FPHA's administration of such contracts and to all approvals and determinations made thereunder.

§ 601.512 *Conflicting orders.* Any provision of existing orders, bulletins, or other official documents issued by the United States Housing Authority, or its successors, which are in conflict with these Requirements are superseded as of May 1, 1945, to the extent of such conflict.

[SEAL] PHILIP M. KLUTZNICK,
Commissioner.

[F. R. Doc. 45-10434; Filed, June 14, 1945; 9:29 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5458]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

MISCELLANEOUS AMENDMENTS

In order to correct certain minor miscellaneous errors appearing in Regulations 111 (26 CFR, Cum. Supp., Part 29), as last amended by Treasury Decision 5454, approved May 10, 1945, such regulations are amended as follows:

PARAGRAPH 1. The fifth sentence of § 29.11-1, as amended by Treasury Decision 5425, approved December 29, 1944, is amended by inserting "35," immediately following "32.".

PAR. 2. The second sentence of § 29.22 (a)-8 is amended by striking out "paragraphs (1), (2), (3), (4), and (5) of".

PAR. 3. Paragraph (a) of § 29.22 (b) (4)-4 is amended as follows:

(A) The first sentence of the second paragraph is amended by inserting immediately following the words "income tax return" the words "for any taxable year beginning before January 1, 1944,".

(B) The fourth paragraph is amended by striking therefrom "partnerships.".

PAR. 4. The first sentence of § 29.23 (a)-2 is amended by striking out "lodgings" and inserting in lieu thereof "lodging".

PAR. 5. The fourth sentence of the last paragraph of § 29.23 (b)-1 is amended to read as follows: "(See, however, section 121.)"

PAR. 6. The sixth sentence of § 29.23 (c)-1 is amended by striking out "29.131-8" and inserting in lieu thereof "29.131-9".

PAR. 7. Section 29.23 (e)-3 is amended as follows:

(A) By striking "capital" from the first sentence.

(B) By striking "or to other than capital assets" from the fourth sentence.

PAR. 8. The second sentence of § 29.23 (g)-1 is amended by striking out "29.117 (a)-1" and inserting in lieu thereof "117 (a) (1)".

PAR. 9. Section 29.23 (k)-6 is amended by striking out "amendment" in the last sentence of the second paragraph and inserting in lieu thereof "section".

PAR. 10. Section 29.23 (m)-1, as amended by Treasury Decision 5413, approved October 31, 1944, is further amended as follows:

(A) By striking out "29.23 (m)-28" from the first sentence of the portion designated (f) and inserting in lieu thereof "29.23 (m)-19".

(B) By striking out "29.23 (m)-28" from the first sentence of the portion designated (g) and inserting in lieu thereof "29.23 (m)-19".

PAR. 11. Section 29.27 (i)-1 is amended as follows:

(A) The first sentence of the second paragraph is amended by striking out "sections 27 (h) and (i)" and inserting in lieu thereof "section 27 (h) and (i)".

(B) The last sentence of Example (1) is amended by striking out "dividends paid on July 15" and inserting in lieu thereof "dividend paid on July 15".

(C) Example (2) is amended by striking out "dividends paid on July 15" and inserting in lieu thereof "dividend paid on July 15".

PAR. 12. In order to correct a typographical error in section 28 (d) (1), as set forth preceding § 29.28 (d)-1, the word "the" is stricken from the phrase "in accordance with the regulations prescribed".

PAR. 13. The third sentence of the second paragraph of § 29.44-4 is amended by striking out "if ascertained to be worthless and charged off within the taxable year" and inserting in lieu thereof "if uncollectible".

PAR. 14. The fourth sentence of § 29.47-1, as amended by Treasury Decision 5425, is amended by striking out "29.56-1 (a)" and inserting in lieu thereof "29.56-1".

PAR. 15. The third sentence of § 29.52-1 is amended to read as follows: "For returns of insurance companies see §§ 29.201-1, 29.204-1 and 29.207-1; of foreign corporations, see section 235; and of affiliated corporations, see section 141 and § 29.141-1."

PAR. 16. The last sentence of § 29.101 (8)-1 is amended by striking out "in the Code" and inserting in lieu thereof "in section 101".

PAR. 17. Section 29.101 (11)-1 is amended by striking out the last sentence.

PAR. 18. The first sentence of § 29.101 (12)-1 is amended by striking out "and shall not be required to file returns".

PAR. 19. The first sentence of the second paragraph of § 29.101 (18)-1 is amended by inserting after the word "return", first appearing in such sentence, the words "on Form 1120".

PAR. 20. Section 29.102-4 is amended as follows:

(A) By striking out the period at the end of the second sentence and inserting in lieu thereof "; (d) the credit for income subject to the tax imposed by subchapter E of chapter 2 provided in section 26 (e).".

(B) By striking out "in (a), (b), and (c) above" in the third and fourth sentences and inserting in lieu thereof "in (a), (b), (c), and (d) above".

PAR. 21. The first sentence of § 29.107-2 is amended by striking out "Section 107 (b) provides that the gross income" and inserting in lieu thereof "Section 107 (b) provides that if, in the taxable year, the gross income".

PAR. 22. In order to correct a typographical error in the first sentence of section 112 (f), as set forth preceding § 29.112 (f)-1, the phrase "compulsorily and involuntarily" is changed to read "compulsorily or involuntarily".

PAR. 23. The last sentence of § 29.113 (a) (22)-1, as amended by Treasury Decision 5433, approved January 26, 1945, is further amended by striking out "$6,500" and inserting in lieu thereof "$7,500".

PAR. 24. In order to correct a typographical error in section 124 (f) (1), as set forth preceding § 29.124-0, the phrase "Sectary of the Navy" is changed to "Secretary of the Navy".

PAR. 25. Paragraph (b) of § 29.125-8 is amended by striking out "is allowable as a deduction" and inserting in lieu thereof "are allowable as deductions".

PAR. 26. Section 29.126-1, as amended by Treasury Decision 5389, approved July 10, 1944, is further amended as follows:

(A) The next to the last sentence is amended by striking out "the tax attributable" and inserting in lieu thereof "the surtax attributable".

(B) The last sentence is amended by striking out "The tax attributable" and inserting in lieu thereof "The surtax attributable".

PAR. 27. The third example in § 29.131-8 is amended by striking out "85 percent on dividends received" and inserting in lieu thereof "85 percent of dividends received".

PAR. 28. In order to correct a typographical error in section 141 (h), as set forth preceding § 29.141-1, the phrase "for any taxable" is changed to read "for any taxable year".

PAR. 29. The first sentence of § 29.162-1, as amended by Treasury Decision 5380, approved June 22, 1944, is amended by striking out "there is deductible" and inserting in lieu thereof "there are deductible".

PAR. 30. The last sentence of the fourth paragraph of paragraph (d) of § 29.162-2, as amended by Treasury Decision 5380, is amended by striking out "calendar year 1943" and inserting in lieu thereof "calendar year 1942".

PAR. 31. The third sentence of Example (2) of paragraph (g) of § 29.207-4, as amended by Treasury Decision 5369, approved May 11, 1944, is amended by striking out "is apportioned" and inserting in lieu thereof "are apportioned".

PAR. 32. The second sentence of paragraph (b) of § 29.236-1, as amended by Treasury Decision 5339, approved March 9, 1944, is amended by striking out "§ 29.56-1 (a)" and inserting in lieu thereof "§ 29.56-1".

PAR. 33. The first sentence of § 29.311-1 is amended by striking out "Revised Statutes, as amended, in respect of any income tax imposed by chapter 1 (paragraph 81 of the appendix of these regulations)," and inserting in lieu thereof "Revised Statutes, as amended (paragraph 81 of the appendix to these regulations), in respect of any income tax imposed by chapter 1,".

PAR. 34. The example at the end of § 29.393-1 is amended to read as follows:

Example. The X Corporation, a personal service corporation, has for the calendar year 1942 a net income, as computed under chapter 1, of $190,000. The Federal income tax payable under chapter 1 for that year amounts to $76,000. Contributions or gifts payment of which is made during the taxable year to or for the use of donees described in section 23 (q) for the purposes therein specified amount to $35,000. The Supplement S net income of the corporation is $94,000, computed as follows:

Net income under chapter 1	$190,000
Add: Contributions deductible in computing net income under section 21	10,000
Net income computed without the benefit of any deduction for contributions	200,000

Less:		
Federal income tax	$76,000	
Contributions deductible under section 393 (b) (15 percent of $200,000)	30,000	
		$106,000
Supplement S net income		94,000

PAR. 35. The first sentence of § 29.394–2 is amended to read as follows: "Each shareholder of a personal service corporation who as of the last day of the taxable year of the corporation is required to include in his gross income his proportionate share of the undistributed Supplement S net income of the corporation shall, for the purpose of the tax imposed by section 11 (normal income tax), section 13 (tax on corporations in general), section 14 (tax on special classes of corporations), section 201 (tax on life insurance companies), section 204 (tax on insurance companies other than life or mutual, and mutual marine insurance companies), section 207 (tax on mutual insurance companies other than life or marine), or section 362 (tax on regulated investment companies), be allowed a credit against net income of his proportionate share of the interest specified in section 25 (a) (1), interest on United States obligations, or section 25 (a) (2), interest on obligations of instrumentalities of the United States, which is included in the gross income of the corporation."

PAR. 26. Section 29.502–1 (8) is amended by striking out "section 502 (a)" and inserting in lieu thereof "section 502 (e)".

(Sec. 62, Internal Revenue Code (53 Stat. 32; 26 U. S. C. 62))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: June 15, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-10686; Filed, June 16, 1945; 3:39 p. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 52]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN HARVESTING WHEAT AND DRY PEAS AND IN PERFORMING GENERAL FARM LABOR ON WHEAT AND PEA FARMS DURING HARVEST SEASON IN CERTAIN WASHINGTON COUNTIES

§ 1111.12 *Wages of workers engaged in harvesting wheat and dry peas and in performing general farm labor on wheat and pea farms during the harvest season in Walla Walla, Columbia, Garfield and Whitman Counties and in a portion of Spokane County, State of Washington.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177), entitled "Specific Wage Ceiling Regulations," and based upon a certification of the Washington WFA Wage Board that a majority of the producers of wheat and a majority of the producers of peas in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting wheat and dry peas and in performing general farm work on wheat and pea farms during the harvest season in Walla Walla, Columbia, Garfield and Whitman Counties and that portion of Spokane County lying South of the Northern boundary of Township Twenty-four, North and West of the Eastern boundary of Range Forty-one East, State of Washington, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 16702; 9 F.R. 6035, 14547),

(b) *Definitions.* When used in this section:

(1) The term "general farm labor" shall include all services performed in connection with the production of wheat and dry peas during the wheat and dry pea harvest season.

(2) The term "board" means customary meals and housing but does not include other perquisites.

(c) *Maximum wage rates.*

(1) General farm labor—$10 per day plus board.

(2) Wheat and dry pea harvest labor:
- (A) Combine operator—$20 per day plus board.
- (B) Tractor driver—$12 per day plus board.
- (C) Header tender—$10 per day plus board.
- (D) Sack sewer—$12 per day plus board.
- (E) Sack jigger—$10 per day plus board.

If workers are paid on any other basis, the rate of compensation shall not exceed the equivalent of the rates herein provided. No perquisites may be paid in addition to the maximum wage rates specified above unless otherwise specifically provided herein. This section shall not be construed as establishing maximum salary or wage rates for services performed by farm managers or farm superintendents.

(d) *Administration.* The Washington WFA Wage Board, located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator March 23, 1945 (10 F.R. 3177).

(e) *Applicability of the specific wage ceiling regulations.* This section shall be deemed a part of the specific wage ceiling regulations issued by the War Food Administrator March 23, 1945 (10 F. R. 3177) and the provisions of such regulations shall be applicable to this section and any violations of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Supplement No. 52 shall become effective at 12:01 a. m., Pacific war time, June 18, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U. S. C. 964 (Supp. III), 58 Stat. 632 (1944), E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611; 10 F.R. 3177)

Issued this 16th day of June 1945.

K. A. BUTLER,
Acting Director of Labor, War Food Administration.

[F. R. Doc. 45-10681; Filed, June 16, 1945; 3:31 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 30]

PART 602—GENERAL ORDERS AND DIRECTIVES

RECLAIMED COKE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of solid fuel for defense, for private account and for export and this regulation is deemed necessary and appropriate in the public interest and to promote the national defense.

Sec.
- 602.830 Purpose of regulation.
- 602.831 Definitions.
- 602.832 Distribution of reclaimed coke by wholesalers.
- 602.833 Damages for breach of contract.
- 602.834 Violations.
- 602.835 Official interpretations.
- 602.836 Applications for modification or exception; inquiries and communications.

AUTHORITY: §§ 602.830 to 602.836, inclusive, issued under E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Dir. 33, as amended 9 F.R. 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827.

§ 602.830 *Purpose of regulation.* This regulation is designed to assure a fair apportionment of the available supply of "reclaimed coke" in the United States and in Canada.

§ 602.831 *Definitions.* (a) "Reclaimed coke" means beehive coke which has been reclaimed from waste banks adjacent to beehive ovens. It also means by-product coke having a top size of not more than 1⅛" which has been recovered from a breeze pile or waste bank.

(b) "Producer" means any person who reclaims beehive or by-product coke.

(c) "Wholesaler" means any producer to the extent that he ships, distributes or sells reclaimed coke to retail dealers or wholesalers and any person to the extent that he receives or purchases reclaimed coke for shipment, distribution or resale to retail dealers or other wholesalers.

(d) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or commercial dock operator) to the extent that he distributes reclaimed coke in any transaction, except a wholesale transaction, involving the disposal of reclaimed coke physically handled in a truck, wagon or other less than carload facility without regard to quantity or frequency of delivery.

(e) "Person" means any individual, partnership, association, business trust, governmental corporation or agency, or any organized group of persons.

(f) "SFAW" means Solid Fuels Administration for War.

§ 602.832 *Distribution of reclaimed coke by wholesalers.* (a) Each wholesaler in the United States shall determine the percentage of the total tonnage of reclaimed coke shipped by him during the period April 1, 1944 to March 31, 1945, inclusive, to or for the account of retail dealers or other wholesalers in the United States and Canada that was shipped by him to or for the account of retail dealers and wholesalers in Canada in the aggregate.

(b) No wholesaler in the United States shall, during the period April 1, 1945 to March 31, 1946, ship a greater percentage of his total shipments of reclaimed coke to or for the account of retail dealers and wholesalers in Canada in the aggregate than the percentage determined in paragraph (a) of this section.

(c) A wholesaler who did not ship reclaimed coke to Canada during the period April 1 1944 to March 31, 1945, inclusive, is prohibited from shipping reclaimed coke prior to April 1, 1946 to any retail dealer or wholesaler in Canada without first obtaining the written permission of SFAW.

§ 602.833 *Damages for breach of contract.* No person shall be held liable under any contract for damages or penalties for any default which shall result directly or indirectly from compliance with this regulation.

§ 602.834 *Violations.* Any person who violates any provision of this regulation may be precluded in whole or in part from shipping, delivering or receiving solid fuels and may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under Section 35 (A) of the Criminal Code (18 U.S.C. sec. 80) or under the Second War Powers Act (50 U.S.C. 633).

§ 602.835 *Official interpretations.* No interpretation of this regulation is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator, or the General Counsel of SFAW.

§ 602.836 *Applications for modification or exception; inquiries and communications.* (a) Any application for modification of or exception from any provisions of this regulation shall be filed in triplicate with the Solid Fuels Administration for War, Washington 25, D. C. The application shall set forth, in detail, the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

(b) All inquiries and communications with references to the administration of this regulation shall be addressed to the Solid Fuels Administration for War, Washington 25, D. C.

This regulation may be cited as SFAW Regulation No. 30.

This regulation shall take effect on the 1st day of July 1945.

Issued this 13th day of June 1945.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 45-10612; Filed, June 15, 1945; 3:01 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-813]

JORDON REFRIGERATOR CO.

Harry Fogel, Albert Fogel and Frank Fogel, partners, doing business as Jordon Refrigerator Company at 237 North Broad Street, Philadelphia, Pennsylvania, are engaged in the manufacture and sale of refrigerating systems and equipment. Between June 1, 1944 and December 13, 1944, the partnership manufactured and assembled 55 new refrigerating systems, consisting of 23 display cases and 32 dry beverage coolers, without authorization of the War Production Board and in violation of Limitation Order L-38. Between September 14, 1944 and November 21, 1944, the partnership delivered 17 new refrigerating systems, consisting of 2 display cases and 13—8' dry beverage coolers and 2 beer cabinet dispensers on orders not bearing preference ratings, in violation of Limitation Order L-38. Between June 30, 1944 to January 1, 1945, the partners maintained inadequate records covering their operations in that the records were incomplete and inaccurate and they failed to keep production records, in violation of § 944.15 of Priorities Regulation No. 1. The partners should have been familiar with the provisions of Priorities Regulation No. 1 and Limitation Order L-38, and their actions constituted grossly negligent violations thereof.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.813 *Suspension Order No. S-813.* (a) Harry Fogel, Albert Fogel and Frank Fogel shall not for three months from the effective date of this order apply or extend any preference ratings to obtain delivery of any refrigerating systems, equipment or parts, unless otherwise authorized in writing by the War Production Board.

(b) Harry Fogel, Albert Fogel and Frank Fogel shall cancel immediately all preference ratings which they have applied or extended to orders for refrigerating systems, equipment and parts which have not yet been filled, except that if they have extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory) they need not cancel the rating; *Provided*, The item when received is promptly delivered to the customer whose rating was extended.

(c) Nothing contained in this order shall be deemed to relieve Harry Fogel, Albert Fogel and Frank Fogel, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Harry Fogel, Albert Fogel and Frank Fogel, partners, doing business as Jordon Refrigerator Company, their successors or assigns, or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) This order shall take effect on June 16, 1945.

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10668; Filed, June 16, 1945; 11:10 a. m.]

[Suspension Order S-815]

PART 1010—SUSPENSION ORDERS

SCHMUCK CO.

Schmuck Company is a corporation engaged in the selling of lumber and building materials in Hanover, Pennsylvania. Between December 10, 1943 and November 14, 1944, the company furnished $8,281.56 worth of lumber and other building materials to be used in the construction of an addition to the L. E. Beaudin Shoe Company factory at Fairfield, Pennsylvania, when the company knew or had reason to know that the construction of this addition had not been authorized by the War Production Board and was in violation of Conservation Order L-41. This negligent delivery of material by the company was in violation of Conservation Order L-41.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.815 *Suspension Order No. S-815.* (a) For a period of two months from the effective date of this order, unless otherwise specifically authorized in writing by the War Production Board,

Schmuck Company shall not deliver any lumber to its customers, except on certified orders as defined and governed by Limitation Order L–335, bearing a preference rating of AA–3 or higher.

(b) For a period of two months from the effective date of this order, unless otherwise specifically authorized in writing by the War Production Board, Schmuck Company shall not extend to any of its suppliers certified orders to purchase any lumber as defined and governed by Limitation Order L–335, except certified orders bearing preference ratings of AA–3 or higher.

(c) Schmuck Company shall not for a period of two months from the effective date of this order, order or accept delivery for any lumber under the provisions of Direction 8 of Limitation Order L–335, as amended from time to time.

(d) Nothing contained in this order shall be deemed to relieve Schmuck Company of any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) The restrictions and prohibitions contained herein shall apply to Schmuck Company, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(f) This order shall take effect on June 16, 1945.

Issued this 9th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10667, Filed, June 16, 1945, 11:10 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-65, Revocation]

ELECTRICAL APPLIANCES

Section 3291.311 *General Limitation Order L–65* and all authorizations issued under it are revoked. Manufacturers may now produce and deliver the electrical appliances formerly controlled by L–65 and and parts for them, without regard to the provisions of Order L–65 or any grant of appeal or authorization relaxing its restrictions. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of electrical appliances formerly controlled by L–65 and parts for them remain subject to all applicable regulations and orders of the War Production Board.

Issued this 16th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10666, Filed, June 16, 1945, 11:10 a. m.]

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 30,[1] Amdt. 13]

WASTEPAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 30 is amended in the following respects:

1. Section 1347.14 (f) is amended to read as follows:

(f) *Invoice requirements.* Each sale of commercially packed wastepaper shall be invoiced except that an accumulator (as defined in § 1347.11), whose practice has been to send shipping notices instead of invoices and to settle accounts on the basis of periodic credits from his buyer, may continue that practice.

(1) *What the invoice shall contain.* Each invoice shall separately state:

(i) The date of loading.

(ii) The name and address of the buyer and seller, and if consigned other than to the buyer, the name and address of the consignee.

(iii) The name of each grade and the total weight of each grade. The grade name shall be the applicable grade name listed in § 1347.14 (a) or it shall be the grade name of a specialty sold in accordance with the provisions of § 1347.14 (c).

(iv) The price charged per ton for each grade, the loading charge, if any, and the amount of broker's allowance, if any.

(v) Identification of origin of shipment, i. e.

(*a*) The packer's invoice shall show the name of the city or town and the street address from which shipment starts.

(*b*) The broker's invoice shall show the name of the city or town from which shipment starts and while he need not show the street address of origin on the copy of the invoice sent to the consumer, he shall show it on the copy he retains in his files.

(vi) Identification of vehicle in which shipped, i. e.

(*a*) The railroad car number and initials or the barge number or name shall be shown on the packer's invoice if he loads directly into a car or barge or if he makes shipment by truck owned or controlled by him for the purpose of reloading into a car or barge, except as noted under (*d*).

(*b*) The railroad car number and initials or the barge number or name shall be shown on the broker's invoice on every shipment to the consumer involving rail or barge movement, except as noted under (*d*).

(*c*) In all other cases the invoice shall state the license number or truck number of the truck into which the wastepaper is loaded.

(*d*) If, under the circumstances specified in (*a*) or (*b*), the seller is prohibited by railroad or governmental authority from entering upon the property for determination of vehicle identification, a statement to that effect, on the invoice, shall constitute full compliance with the requirements of this subdivision (vi).

(2) *When the invoice must be mailed.* The invoice shall be prepared by the seller and mailed to his buyer before the end of the business day following the day when the wastepaper was shipped, except that when the seller does not receive the description of the wastepaper from his supplier or suppliers within that time, he shall prepare and mail an invoice to his buyer as soon as he receives that description.

(3) *Records.* In all cases, the buyer shall keep every invoice received by him and the seller shall keep a copy of each invoice prepared by him and both buyer and seller shall make their copies available for inspection by the Office of Price Administration at any time. The broker shall also identify in his records his sources of supply of all paper in each shipment made by him.

2. Paragraphs (g), (h) and (i) of § 1347.14 are redesignated (h), (i) and (j) respectively and a new paragraph (g) is added as follows:

(g) *Shipping notice requirements.* On each sale of commercially packed wastepaper by a dealer or broker the seller shall prepare and forward a shipping notice in accordance with the following subparagraphs. This requirement shall not apply to any sale by an accumulator (except as noted under paragraph (f) above) or by his broker or sales agent nor to any sale by a broker on which shipping notices covering the entire shipment must be prepared and forwarded with the shipment by previous sellers in accordance with the following subparagraphs. (Important! See definitions in § 1347.11).

(1) *What the shipping notice shall contain.* Each shipping notice shall separately state:

(i) The date of loading.

(ii) The name of each grade. The grade name shall be the applicable grade name listed in § 1347.14 (a) or it shall be the grade name of a specialty sold in accordance with the provisions of § 1347.14 (c).

(iii) The total weight of each grade and the number of bales of each grade.

(iv) If baled, the weight of each bale, except that individual bale weights need not be shown if:

(*a*) The shipping notice covers an entire carload or truckload of wastepaper from a single commercial packer and is consigned directly to the consumer, or

(*b*) The shipment is made by the commercial packer of the bales and he has no adequate weighing facilities available. In this case, the commercial packer shall note the following on his shipping notice, "No adequate weighing facilities available" or

(*c*) The wastepaper was purchased commercially packed from a previous seller who was not required to show individual bale weights.

(v) The name of the city or town at which shipment originates.

(vi) Identification of vehicle in which shipped, i. e.

(*a*) The railroad car number and initials or the barge number or name shall be shown on the packer's shipping notice if he loads directly into a car or barge or if he makes shipment by truck owned or controlled by him for the purpose of reloading into a car or barge, except as noted under (*d*).

(*b*) The railroad car number and initials or the barge number or name shall be shown on the broker's shipping notice on every shipment to the consumer involving rail or barge movement, except as noted under (*d*).

(*c*) In all other cases the shipping notice shall state the license number or truck number of the truck into which the wastepaper is loaded.

(*d*) If, under the circumstances specified in (*a*) or (*b*), the seller is prohibited by railroad or governmental authority from entering upon the property for determination of vehicle identification, a statement to that effect, on the shipping notice, shall constitute full compliance with the requirements of this subdivision (vi).

(2) *Responsibility of the packer.* On each sale of wastepaper commercially packed by him, the packer shall prepare a shipping notice, in accordance with subparagraph (1) above, and shall forward it as follows:

(i) If initial loading is directly into a railroad car or barge, the packer shall mail the shipping notice to his buyer (broker or consumer, as the case may be) not later than twelve hours after loading.

(ii) If shipment starts by truck owned or controlled by the packer which makes delivery to a railroad car or barge for the purpose of reloading therein, the packer shall mail the shipping notice to his buyer not later than twelve hours after delivery to the car or barge.

(iii) On all other shipments by truck owned or controlled by the packer, the packer shall have the truck driver keep the shipping notice with the shipment and deliver it to the consignee.

(iv) On all shipments by truck not owned or controlled by the packer, the packer shall give the shipping notice to the driver of the truck before the truck leaves the point of shipment.

(3) *Responsibility of the broker.* On each sale of commercially packed wastepaper by a broker, as defined in § 1347.11, the broker's responsibility shall be as follows:

(i) If the shipment moves direct from packer to consumer by rail or barge, the broker shall prepare and mail a new shipping notice to the consumer not later than twelve hours after he receives the packer's shipping notice.

(ii) If shipment starts by truck owned or controlled by the packer and is reloaded into a railroad car or barge for shipment to the consumer, the broker shall prepare and mail a shipping notice to the consumer not later than twelve hours after he receives shipping notices from all suppliers involved in the broker's shipment.

(iii) If shipment starts from the packer by truck owned or controlled by the broker and is reloaded into a railroad car or barge for shipment to the consumer, the broker shall have the driver of the truck secure a shipping notice from the packer and the broker shall prepare a new shipping notice and shall mail it to the consumer not later than twelve hours after loading or, if the broker's shipment involves wastepaper from other suppliers, not later than twelve hours after he receives shipping notices from all such suppliers.

(iv) If shipment starts from the packer by truck owned or controlled by the broker and is delivered to the consumer other than by railroad car or barge, the broker shall have the driver of the truck secure a shipping notice from the packer and shall have the packer's shipping notice accompany the shipment through to the consumer and shall deliver it to the consumer.

(v) If shipment is made direct from packer to consumer by truck owned or controlled by the packer, the broker shall have no responsibility as to any shipping notice.

(vi) If shipment starts from the packer by truck owned or controlled by the consumer the broker shall have no responsibility as to any shipping notice.

(vii) On all other shipments involving rail or barge movement, the broker shall prepare a shipping notice and shall mail it to the consumer not later than twelve hours after completion of loading, into the car or barge, of all wastepaper involved in the broker's shipment.

(viii) On all other truck shipments the broker shall prepare a shipping notice and shall have it accompany the shipment through to the consumer and shall deliver it to the consumer.

(4) *Responsibility of the consumer.* On any shipment by truck owned or controlled by the consumer, the consumer shall have the driver of the truck secure a shipping notice from the shipper and shall have it accompany the shipment through to destination.

(5) *Records.* In all cases the buyer shall keep every shipping notice received by him and the seller shall keep a copy of every shipping notice prepared by him and both buyer and seller shall make their copies available for inspection by the Office of Price Administration at any time.

This amendment shall become effective June 21, 1945.

NOTE: All of reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10675; Filed, June 16, 1945; 11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2, Amdt. 1 to Supp. 5]

PROCESSED GRAINS FOR FEEDING AND MIXING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement No. 5 to Food Products Regulation No. 2 is amended in the following respects:

1. Section 5 (a) (13) is amended to read as follows:

(13) The terms "corn", "oats", "barley", "rye", "wheat", "grain sorghums" and "mixed grain" means such grains as defined in the Official Grain Standards of the United States. "Corn" shall include "ear corn", "snapped corn" and "corn feed meal" and "grain sorghums" shall include "grain sorghum heads", as defined herein.

2. Sections 5 (a) (16), 5 (a) (17), 5 (a) (18) and 5 (a) (19) are added to read as follows:

(16) "Ear corn" means corn on the cob from which the shuck has been removed.

(17) "Snapped corn" means corn on the cob with all or part of the shuck attached.

(18) "Corn feed meal" means the fine siftings obtained in the manufacture of screened corn chop, screened ground corn or screened cracked corn with or without its aspiration products added.

(19) "Grain sorghum heads" means the entire head of grain sorghums before threshing.

3. The first paragraph of section 9 (b) (1) is amended to read as follows:

(1) If you made sales of the processed grain being priced during January 1943, and you have records of such sales, your markup per ton shall be $2.50, plus the amount determined by ascertaining the average differential (simple or weighted) between your selling prices or bona fide offerings per ton for the product being priced and your selling prices or bona fide offerings per ton for the lowest priced processed grain produced from the kind of grain or grains used in the commodity being priced on the same day or days, to the same class of purchaser, and in similar quantities. If you made no sales during January 1943, you shall substitute for January 1943 the most recent prior month in which you made any sales.

4. The last paragraph of section 9 (b) (1) is amended to read as follows:

If you have determined your markup in good faith pursuant to the provisions of this subparagraph, you may after reporting it continue to use such markup subject to disapproval by such district office of the Office of Price Administration at any time. The district office of the Office of Price Administration may disapprove your markup upon finding that it is in excess of the markups of other sellers of the same or similar products and may in such case specify the markup that you shall use thereafter.

5. The first sentence of section 9 (b) (2) is amended to read as follows: "If you did not sell the product prior to or during January 1943 or if you do not have the appropriate records with respect to sales required by subparagraph (1) above, you must before making any

[1] 7 F.R. 9732, 8 F.R. 3845, 6109, 7350, 7821, 7199, 13049, 17483; 9 F.R. 6107, 6956, 11108; 10 F.R. 1787.

sales file an application with the district office of the Office of Price Administration for the district in which your processing plant is located for the establishment of a markup on your sales of such products."

This amendment shall become effective June 21, 1945.

NOTE: The record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10679; Filed, June 16, 1945; 11:55 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 269,[1] Amdt. 30]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 269 is amended in the following respects:

1. Section 18a (d) is amended to read as follows:

(d) *Sales of listed dairy products delivered shipside by licensed ship suppliers to ship operators.* Notwithstanding other provisions of this regulation, the maximum price at which any licensed ship supplier shall sell and deliver shipside to a ship operator any listed dairy product, purchased under the provisions of this section or purchased from any agency of the United States Government, shall be the sum of (1) the purchase price paid by the licensed ship supplier for such listed dairy product, (2) the difference between the maximum price he could charge for such sale of the listed dairy product under other sections of this regulation and the highest maximum price he could pay any one of his usual suppliers for the listed dairy product under other sections of this regulation, and (3) actual out-of-pocket storage charge approved in writing by the War Shipping Administration.

2. Section 20 (a) (7) is amended to read as follows:

(7) *Sales of butter delivered shipside by licensed ship suppliers and Group I and Group II ship chandlers.* Notwithstanding other provisions of this section 20, the maximum price for the sale of any particular score and grade of butter delivered shipside any vessel operating under the direction or control of the United States Government, the War Shipping Administration or any of the United Nations by a licensed ship supplier, a Group I ship chandler or a Group II ship chandler either to the United States Government or to a ship operator shall be the maximum price for "sales by a creamery" of that particular score or grade in that place as established by paragraph (a) (2) of this section plus the proper applicable addition indicated below:

1½¢ per pound for delivery shipside of more than 1,500 pounds.
2¢ per pound for delivery shipside by a licensed ship supplier, other than a ship chandler, of 1,500 pounds or less.
2½¢ per pound for delivery shipside by a Group I ship chandler of 1,500 pounds or less.
3¢ per pound for delivery shipside by a Group II ship chandler of 1,500 pounds or less.

3. A new section 20 (1) (6) is added to read as follows:

(6) Ship chandler means any licensed ship supplier who files with the Regional Office of the Office of Price Administration a statement approved by the District Food Control Representative of the War Shipping Administration in New York, New Orleans, or San Francisco stating that he (i) has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products: Meats, butter, cheese, canned fruits and fruit juices and canned vegetables and vegetable juices; (ii) who is currently regularly engaged in the sale to ship operators of a complete line of food products, including but not limited to, meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish. A Group II ship chandler means a ship chandler whose total dollar volume of sales during the fiscal year 1944 amounted to less than $500,000.00, and who has filed with the appropriate Regional Office of the Office of Price Administration a certified statement showing the amount of his total dollar volume of sales during that year. A Group I ship chandler is a ship chandler whose total annual dollar volume of sales was $500,000.00 or more for the fiscal year 1944, or who did not file with the appropriate Regional Office of the Office of Price Administration a certified statement showing the amount of his total dollar volume of sales during that year.

This amendment shall become effective June 15, 1945.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10625; Filed, June 15, 1945; 4:38 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 507,[1] Amdt. 3]

CEILING PRICES OF CERTAIN FRESH AND FROZEN FISH AND SEAFOOD SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 507 is amended in the following respects:

1. In section 26, the item "Salmon, Atlantic, Eastern" is added to Table A-I to read as follows:

CENTS PER POUND MARK-UPS OVER "NET" COST ALLOWED TO RETAILERS FOR FISH AND SEAFOOD COVERED BY THIS REGULATION, BY SPECIES FOR THE MONTHS OF APRIL, MAY, JUNE, JULY, AUGUST AND SEPTEMBER

	Whole fish sold on gross weight basis and prepared to customer's order [1]	Fillets, steaks and cuts [1]		
	Groups 1 and 2	Groups 3 and 4	Groups 1 and 2	Groups 3 and 4
I. Fresh fish				
Kind of fish:	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
51. Salmon, Atlantic, Eastern	11	9		

[1] Retailers processing these items [illegible] sale at retail, who price in accordance with [illegible] shall use these tables.

2. In section 26, the item "Salmon, Atlantic, Eastern" is amended in Table A-III to read as follows:

CENTS PER POUND MARK-UPS OVER "NET" COST ALLOWED TO RETAILERS FOR FISH AND SEAFOOD COVERED BY THIS REGULATION, BY SPECIES FOR THE MONTHS OF JANUARY THROUGH DECEMBER

	Whole fish, sold on gross weight basis and prepared to customer's order [1]	Fillets, steaks and cuts [1]		
	Groups 1 and 2	Groups 3 and 4	Groups 1 and 2	Groups 3 and 4
III. Frozen fish				
Kind of fish:	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
60. Salmon, Atlantic, Eastern	10	8		

[1] Retailers processing these items [illegible] sale at retail, who price in accordance with [illegible] shall use these tables.

This amendment shall become effective June 21, 1945.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10676; Filed, June 16, 1945; 11:55 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[RMPR 136,[1] Amdt. 4]

MACHINES, PARTS AND INDUSTRIAL EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 19 (e) is amended to read as follows:

(e) *Textile bobbins and spools.* The maximum manufacturers' price for textile bobbins and spools made principally of wood shall be determined as follows: The manufacturer shall multiply the net

[1] 9 F.R. 4748, 6420, 6239, 6884, 7[illegible], 7615, 7854, 10589, 12034.

[1] 10 F.R. 2052, 2651, 2928, 3554, 3948, 3950.

[1] 9 F.R. 14601, 10 F.R. 2209, 3394, 3979.

price he had in effect to a purchaser of the same class on October 1, 1941, by whichever of the following percentages is applicable:

(i) 124% in the case of American Bobbin Company, Lewiston, Maine; Bowen-Hunter Bobbin Company, East Corinth, Vermont; The Jackman Company, East Corinth, Vermont; Monticello Bobbin Company, Monticello, Georgia; and Walter L. Parker Bobbin & Spool Company, Lowell, Massachusetts;

(ii) 120% in the case of Jas. H. Billington Company, Philadelphia, Pennsylvania; Dana S. Courtney Company, Chicopee, Massachusetts; and New England Bobbin & Shuttle Company, Nashua, New Hampshire.

(iii) 118% in the case of all other manufacturers.

This amendment shall become effective June 15, 1945.

Issued this 15th day of June 1945.

IVAN CARSON,
Acting Administrator.

[F. R. Doc. 45-10623; Filed, June 15, 1945; 4:37 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 6]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

Section 1394.7851 (b) (9) is added to read as follows:

(9) for use with a motor vehicle to transport convalescent veterans or members of the armed forces from hospitals or convalescent centers to points of recreation and return when such transportation is requested by the medical or administrative head of such establishment. A ration issued under the subparagraph may include the mileage necessary for the applicant or driver to reach the hospital from his home and return to his home but the total mileage allowed for this purpose shall not exceed 100 miles. No ration may be allowed under this subparagraph unless the application is accompanied by a certification signed by the administrative or medical head of such establishment and stating the following information:

(i) The name and address of the hospital or convalescent center;

(ii) That he is the administrative or medical head of that establishment;

(iii) That the hospital or convalescent center is operated by the Army, Navy, Marine Corps, Coast Guard, or Veterans' Administration;

(iv) That the transportation of resident patients to and from a sports event, entertainment, picnic or other recreational activity has been prescribed as part of the establishment's recreational program, giving the number of patients and attendants and the nature and location of the activity;

(v) That transportation by the allowable use of Red Cross, U. S. O., or other rations or by other means of transportation is not available or adequate for the purpose;

(vi) That the use of all the vehicles covered by the applications which the certification accompanies is necessary for the purpose, giving the license number of each vehicle and the number of patients and the number of attendants to be carried by these vehicles; that he requests the issuance of the rations;

(vii) If the recreational activity is a visit at a home, that the distance the patients are to be transported is within a radius of 50 miles of the hospital or convalescent center;

(viii) If the point of recreation is not at a home, that the distance the patients are to be transported is within a radius of 50 miles of the hospital or convalescent center or that no adequate recreation is available within that radius.

This amendment shall become effective at 12:01 a. m. June 17, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 29 (421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10677; Filed, June 16, 1945; 11:54 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 20]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 7.4 (b) is amended by changing the parenthetical expression in the first sentence to read as follows:

(OPA Forms R-120-A, R-140 or a similar sheet.)

This amendment shall become effective June 20, 1945.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10678; Filed, June 16, 1945; 11:54 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 23]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. Section 3.3 (d) is added to read as follows:

(d) An industrial user who has a base period use of sugar for cough drops must at the time of, or before, application for an allotment for the third quarterly allotment period of 1945, report, in writing, to the Board or District Office with which he is registered, the amount of sugar he used in each quarterly period of 1941, separately stated for each quarter, for making cough drops. These amounts shall be deducted from his base for Class 14 as shown on OPA Form R-1200, Schedule I, and added to his base period use for Class 9.

2. Section 3.18 (a) is amended by adding the words "cough drops" to Class 9 and by deleting the words "cough drops" from Class 14.

3. Section 3.18 (d) is added to read as follows:

(d) Notwithstanding the provisions of section 3.18 (a), any allotment obtained for periods beginning before July 1, 1945, for products in Class 14 may be used for such products and for cough drops. Moreover, allotments based on a base period use of sugar for cough drops and obtained for periods which began before July 1, 1945 may not be used in the production of any product in Class 9, other than cough drops.

4. Section 19.8 (b) (2) and 19.8 (b) (3) are redesignated 19.8 (b) (3) and 19.8 (b) (4) respectively and section 19.8 (b) (2) is added to read as follows:

(2) The amount, if any, on the date of application, of unused sugar remaining from his last provisional allowance of sugar for manufacturing condensed milk in containers of more than one gallon.

5. Section 19.8 (d) is added to read as follows:

(d) *Restriction on use.* Sugar obtained under this section may be used only for the purposes for which it was granted, and at the rate permitted by the Washington Office.

6. Section 20.2 is amended to read as follows:

SEC. 20.2 *Allotment percentages for industrial users.*

	Percentage of sugar base (for a quarterly allotment period commencing on or after July 1, 1945)
1. Bread and other bakery products	60
2. Baking mixes, including batters	60
3. Breakfast cereals; and cereal paste products such as spaghetti and macaroni	60
4. Ice cream; ices; sherbets; frozen custards; and mixes used for these purposes	50
5. Condensed milk in containers of one gallon or less; cheese; other dairy products not included in other items; frozen eggs; and sugared egg yolks	50
6. Bottled beverages (alcoholic and nonalcoholic); flavoring and coloring extracts; fountain syrups; drink mixes; brandied fruits; maraschino cherries, fountain fruits; pickled fruits and vegetables; relishes	50

[1] 9 F.R. 13641, 13992, 14642, 15048, 10 F.R. 201.

	Percentage of sugar base (for a quarterly allotment period commencing on or after July 1, 1945)
7. Mayonnaise and salad dressing	50
8. Products fried in fat (except bakery products) such as nuts, potato chips	50
9. Candy; chocolate; cocoa; chewing gum, cough drops	50
10. Sandwiches	50
11. Dehydrated and dried soup and soup mixes	50
12. Canned and bottled foods (not included in other items); table syrup	50
13. Experimental, educational demonstration, and testing purposes	50
14. Pharmaceuticals (internal); allergy foods; vitamin oils	110
15. Pharmaceuticals (external)	110
16. All other classes; food	50
17. All other classes; non-food	50
18. Jams, jellies, preserves, marmalades and fruit butters	50

This amendment shall become effective June 15, 1945.

NOTE: All reporting and record-keeping requirements of this Order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10628; Filed, June 15, 1945; 4:39 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 82]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 6.6 (k) is amended to read as follows:

(k) *Allotments for the third quarterly period for industrial users of canned or bottled vegetables or vegetable juices having a point value.* An industrial user who during the third quarter of his base period used canned or bottled vegetables or vegetable juices which on June 3, 1945, had a point value (other than zero) may apply for an allotment covering such vegetables or vegetable juices. The application shall be made on OPA Form R-315 to the Board or District Office with which he is registered and must give his best estimate of the number of pounds of such vegetables or juices, separately for each item (as listed on the Official Table of Point Values, effective June 3, 1945) which he used during the third quarter of his base period. The Board or District Office may grant the application if it finds that the industrial user during the third quarter of his base period used canned or bottled vegetables or vegetable juices which had a point value (other than zero) on June 3, 1945. The amount of his allotment shall be computed in the following way:

(1) The number of pounds of each such item of canned or bottled vegetables or vegetable juices which he used during the third quarter of his base period is multiplied by the point value in effect for that item on June 3, 1945 (As shown on the Official Table of Point Values, effective June 3, 1945[1]);

(2) The resulting figures are added together and multiplied by 0.38.

The result represents his allotment for the third allotment period of 1945 for canned or bottled vegetables or vegetable juices which had a point value (other than zero) on June 3, 1945. (Paragraph (d) of this section applies in determining whether an industrial user who receives an allotment under this paragraph is entitled to a check and in determining the amount of the check.)

This amendment shall become effective June 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10630; Filed, June 15, 1945; 4:39 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 61 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (b) (7) is added to read as follows:

(7) For the allotment period from July 1, 1945 to September 30, 1945, inclusive:

Processed foods	Class of product or item (Schedule I of OPA Form R-1200)	Factor
(i) Fruits:		
(a) Canned and bottled	All	10
(b) Frozen	All	0
(c) Dried and dehydrated	All	0
(ii) Vegetables:		
(a) Canned and bottled	All	0
(b) Frozen	All	0
(iii) Miscellaneous:		
(a) Dry beans	All	0
(b) Jellies, jams, marmalades, preserves, fruit butters	All	0

This amendment shall become effective June 15, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10629; Filed, June 15, 1945; 4:39 p. m.]

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15054; 10 F.R. 48, 776, 924.

PART 1429—POULTRY AND EGGS

[2d Rev. MPR 269,[1] Amdt. 7]

POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 269 is amended in the following respects:

1. Section 7.6 (d) is amended to read as follows:

(d) *Sales of processed poultry items delivered shipside by licensed ship suppliers, other than Group 2 ship chandlers, to ship operators.* Notwithstanding other provisions of this regulation, the maximum price at which any licensed ship supplier, except a Group 2 ship chandler, shall sell and deliver shipside to any ship operator, processed poultry items purchased under the provisions of this section or purchased from any agency of the United States Government shall be the sum of (1) the purchase price paid by the licensed ship supplier for such processed poultry items, (2) actual cut-of-pocket storage charges approved in writing by the War Shipping Administration, and (3) an amount not in excess of 2¢ per pound.

2. Section 7.6 (e) is redesignated section 7.6 (f).

3. A new section 7.6 (e) is added to read as follows:

(e) *Sales of processed poultry items delivered shipside by Group 2 ship chandlers to ship operators.* Notwithstanding other provisions of this regulation, the maximum price for sales of processed poultry items, delivered shipside by Group 2 ship chandlers to ship operators, shall be the sum of (1) the purchase price paid by the ship chandler for such processed poultry items, (2) actual out-of-pocket storage charges approved in writing by the War Shipping Administration, and (3) an amount not in excess of 3¢ per pound.

4. A new section 7.6 (f) (6) is added to read as follows:

(6) Group 2 ship chandler means any licensed ship supplier whose total dollar volume of sales during the fiscal year 1944 amounted to less than $500,000.00, and who files with the Regional Office of the Office of Price Administration a statement approved by the District Food Control Representative of the War Shipping Administration in New York, New Orleans or San Francisco, stating that he (1) has been allotted a ship store's quota under War Food Order No. 74, covering the sale of each of the following products: meats, butter, cheese, canned fruits and fruit juices and canned vegetables and vegetable juices and (2) who is currently regularly engaged in the business of selling to ship operators a complete line of food products including, but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish. Furthermore, however, no person shall be deemed to be a Group 2 ship chandler for the purposes of this regulation unless he has also filed with the appropriate Regional Office of the Office of Price Administration a certified statement showing the amount of his total dollar volume of sales during the fiscal year 1944.

This amendment shall become effective June 15, 1945.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10624; Filed, June 15, 1945; 4:37 p. m.]

[1] 9 F.R. 15095; 10 F.R. 521, 1827, 2207, 3070.

PART 1429—POULTRY AND EGGS

[RMPR 333,[1] Amdt. 6]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 333 is amended in the following respects:

1. Section 1.13 is amended by deleting paragraph (b) under Table A-1.

2. Section 3.2 is amended by deleting paragraph (z).

3. Section 1.14 is redesignated section 1.15.

4. A new section 1.14 is added to read as follows:

SEC. 1.14 *Maximum prices on delivered sales by licensed ship suppliers and ship chandlers.* This section establishes maximum prices for delivered sales by licensed ship suppliers (including ship chandlers) of procurement or consumer grades of eggs for use on ships operated under the jurisdiction of War Shipping Administration and delivered shipside the vessel. After the price for the size and grade has been determined by reference to Tables A and A-1, this Table A-3 must be used to determine the maximum delivered price for the sale by the particular kind of licensed ship supplier.

(a) *"Licensed ship supplier"* means any ship supplier licensed by War Food Administration under War Food Order 74 or any ship supplier who holds a certificate from War Shipping Administration to the effect that he has been regularly engaged in supplying eggs or egg products directly to ship operators for use on vessels under the control or direction of WSA and that his services are essential in the supplying of such vessels.

(b) *"Ship chandler"* means any person who files with the Regional Office of the Office of Price Administration a statement approved by the District Food Control Representative of the War Shipping Administration in New York, New Orleans, or San Francisco stating that he (1) has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products: meats, butter, cheese, canned fruits and fruit juices and canned vegetables and vegetable juices and who is currently regularly engaged in the business of selling to ship operators a complete line of food products, including but not limited to, meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish. A Group II ship chandler means a ship chandler whose total dollar volume of sales during the fiscal year 1944 amounted to less than $500,000.00, and who has filed with the appropriate Regional Office of the Office of Price Administration a certified statement showing the amount of his total dollar volume of sales during that year. A Group I ship chandler is a ship chandler whose total annual dollar volume of sales was $500,000.00 or more for the fiscal year 1944, or who did not file with the appropriate Regional Office of the Office of Price Administration a certified statement showing the amount of his total dollar volume of sales during that year.

TABLE A-3—OTHER TYPES OF SALES—LICENSED SHIP SUPPLIERS

Grade	If purchased from—	Maximum price for delivery shipside the vessel on sales by:		
		Any licensed ship supplier	Group I—ship chandler	Group II—ship chandler
Consumer or Procurement.	Producer, shipper, prior purchaser, first receiver, jobber.	Price for the grade and size in tables A, A-1 plus 1.5¢ per dozen.	Price for the grade and size in tables A, A-1 plus 2¢ per dozen.	Price for the grade and size in tables A, A-1 plus 2.0¢ per dozen.
Procurement	U. S. Government agency	1.5¢ per dozen over purchase price paid.	2.0¢ per dozen over purchase price paid.	3.0¢ per dozen over purchase price paid.

This amendment shall become effective June 15, 1945.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 13, 1945.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 45-10626; Filed, June 15, 1945; 4:38 p. m.]

[1] 9 F.R. 11514, 12216; 10 F.R. 1609, 2025, 3221.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 111]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Maximum Price Regulation No. 426 is amended in the following respects:

1. Section 8 (a) (16) is amended by changing the last word "fruit" to "commodity."

2. Section 15, Appendix H, Table 2, Maximum Prices for Spinach is amended by deleting footnotes 4 and 5.

3. Section 15, Appendix K is amended by deleting examples 1 through 6 in paragraph (g) and by deleting paragraphs (o) and (t).

This amendment shall become effective June 15, 1945.

Issued this 15th day of June 1945.

IVAN CARSON,
Acting Administrator.

[F. R. Doc. 45-10627; Filed, June 15, 1945; 4:39 p. m.]

PART 1445—LIVESTOCK

[MPR 469, Amdt. 13]

LIVE HOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 469 is amended by changing the ceiling price listed in Schedule I of section 13, Appendix A, for South St. Paul, Minnesota, to read "14.55".

This amendment shall become effective June 16, 1945.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved June 14, 1945.

GROVER B. HILL,
First Assistant War Food
Administrator.

[F. R. Doc. 45-10688; Filed, June 16, 1945; 4:11 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 10—AIR RAID AND BLACK-OUT REGULATIONS FOR VESSELS, HARBORS, PORTS, AND WATERFRONT FACILITIES

Pursuant to Executive Order No. 9074 (7 F. R. 1587) and in accordance with the provisions of the Act of July 9, 1943, 57 Stat. 391, the Air Raid and Black-Out Regulations for Vessels, Harbors, Ports, and Waterfront Facilities are amended as follows, effective upon publication in the FEDERAL REGISTER:

Section 10.1 to 10.13 inclusive are hereby repealed.

Dated: June 15, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

Approved:

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 45-10672; Filed, June 16, 1945; 11:14 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—ADJUDICATION: VETERANS' CLAIMS

DISALLOWANCE AND AWARDS

§ 3.1255 *Reduction when disabled person is in an institution (§ 35.06 (f), as amended).* (a) Where any disabled veteran having neither wife, child, nor dependent parent is being furnished hospital treatment, institutional or domiciliary care by the United States or any political subdivision thereof, the pension, compensation, or retirement pay shall not exceed $20 per month: *Provided*, That the amount payable for any such disabled veteran entitled to pension for non-service-connected disability under the provisions of § 35.013, as amended, shall not exceed $8 per month.

(b) *Provided further*, That in any case of such disabled veteran, who shall be deemed by the Administrator of Veterans Affairs to be insane, where the estate derived from any source equals or exceeds $1500, any payment of disability pension, compensation or retirement pay being made will be discontinued.

(c) Any veteran subject to the provisions of paragraphs (a) and (b) will be deemed to be single and without dependents in the absence of satisfactory proof to the contrary; and in no event will increased compensation, pension or retirement pay be granted for any period more than six months prior to the receipt of satisfactory evidence showing that the veteran has a wife, child or dependent parent. In those instances where the required proof of dependents is not of record, sworn statements, on Form 404 or otherwise, as to dependency status, will constitute a prima facie showing thereof. The veteran will be informed of the necessary additional evidence and that in the event it is not submitted within sixty days award will be adjusted on the basis of a veteran without dependents, effective from the date of admission to the institution. The above permitted prima facie showing of dependents should be applied in original claims only when the initial award is approved and required evidence of relationship is requested within sixty days of the admission to the hospital or institution. (57 Stat. 554; 38 U.S.C. 727)

§ 3.1267 *Resumption of awards discontinued under § 35.06 (f), as amended.* Where payments to or in behalf of an incompetent beneficiary have been discontinued pursuant to the provisions of § 35.06 (f), as amended, and § 3.1255, the award will not be reopened unless and until an accounting is received, disclosing that the estate is reduced to $500.00 or less, whereupon payments at a rate not in excess of $20.00 monthly or $8.00 monthly, as the case may be, will be resumed effective as of the first of the month in which the notice is received: *Provided*, That if the disabled person is discharged from the institution before the estate is reduced to $500.00, or it is determined that he has a dependent or dependents or for any other reason does not meet the requirements of § 35.06 (f), as amended, the award will be reopened in accordance with the facts found to exist. In the computation of the $1500.00 or $500.00 limitation there will be included money belonging to the disabled person in "Funds Due Incompetent Beneficiaries", in the possession of his fiduciary, if there is one, and/or in the possession of the chief officer of the institution. (57 Stat. 554; 38 U.S.C. 727)

§ 3.1275 *Payments where there is a guardian.* (a) The disability pension or compensation payable to a minor or a person mentally incompetent under the pension laws, Public No. 2, 73d Congress, Public No. 78, 73d Congress, or Public No. 141, 73d Congress, or the retirement pay to which an incompetent veteran is entitled, may be paid to the guardian, curator or conservator, if one is serving, or to the person otherwise legally vested with the care of the beneficiary or his estate, or, when payments have been suspended or withheld from a guardian, to a person having actual custody of the minor incompetent, in accordance with the provisions of section 21 of the World War Veterans' Act, 1924, as amended by Public No. 262, 74th Congress, subject to §§ 3.1276, 3.1310, and 3.1315.

(b) Benefits due a minor or incompetent adult Indian who is a recognized ward of the Government, for whom no legal guardian or other fiduciary has been appointed, may be paid to the proper superintendent or other bonded officer of the Indian Service designated by the Secretary of the Interior to receive funds, for the use of such beneficiary, in accordance with the provisions of Public No. 373, 72d Congress. (57 Stat. 554; 38 U.S.C. 727)

§ 3.1276 *Institutional awards.* When an incompetent or insane disabled person entitled to disability compensation, pension, or retirement pay is a patient in a hospital or institution, payments on his account may be made by means of an institutional award in accordance with the following:

(a) When no guardian has been appointed or when payments to an unsatisfactory guardian have been stopped or suspended. If the appointment of a legal guardian is not otherwise indicated and the cost of the veteran's maintenance is being borne by his estate, the amount charged by the State for such maintenance may be paid through means of an institutional award in addition to the $8 or $20 payable, if otherwise in order and if authorized by the proper State official, otherwise cost of maintenance will be awarded to "Funds Due Incompetent Beneficiaries". (57 Stat. 554; 38 U.S.C. 727)

* * * * *

(d) In either event, in accordance with the provisions of § 35.06 (f), as amended, there may be paid to the chief officer in behalf of the disabled person the $20 or $8 per month payable, or in the event the veteran has dependents and more is payable under his disability rating or there are funds to his credit in "Funds Due Incompetent Beneficiaries", such additional amount as may be needed will be allowed, on the basis of a certification by the chief officer of the hospital or institution with respect to the need and the amount required and a certification by the chief attorney concerned as to the neglect or refusal of the guardian to supply necessary funds. Accordingly, in such cases there may be awarded to the chief officer of the hospital or institution (for definition of chief officer see § 3.1277 of this chapter) as provided above, any amount necessary for the disabled person's comforts and desires not included in the regular support, care, treatment, and maintenance of the disabled person provided by the hospital or institution. Any benefits payable on account of the disabled person not paid to the chief officer of the institution or to the guardian or not apportioned to a dependent or dependents will be paid into "Funds Due Incompetent Beneficiaries". Any excess funds in the hands of the chief officer of an institution other than a Veterans Administration facility at the end of each accounting period, which he may deem unnecessary for expenditure for the benefit of a disabled person, will be returned to the Veterans Administration or to the guardian, if one is serving. (57 Stat. 554; 38 U.S.C. 727)

* * * * *

APPORTIONMENTS

§ 3.1310 *Apportionments authorized.* Disability pension (including increases authorized while following courses of rehabilitation under Public No. 16, 78th Congress), disability compensation, emergency officers retirement pay, and on and after October 17, 1940, service pension and pension for service prior to April 21, 1898, amounting to more than $20.00 monthly, will be apportioned according to the table provided in § 3.1311 of this chapter, except where otherwise authorized or provided herein:

(a) When the disabled person and his wife are not living together by reason of estrangement.

(b) Where the child or children are not in the custody of the disabled person.

(c) Where action is being effected toward the appointment of a fiduciary for an incompetent or insane beneficiary.

(d) In those cases where an incompetent veteran with a wife, child, or dependent parent, and for whom no guardian or other legal fiduciary has been appointed, is maintained in an institution by the United States or a political subdivision thereof, the disability pension payable under § 35.013 will be apportioned, if otherwise in order, in accordance with the schedule set out below. Prior to authorizing an apportionment of disability pension as provided herein adequate development will be accomplished for the purpose of determining the need therefor and the evidence to establish the marital status, relationship, and dependency in the case of a parent, will be secured. In any case where there is doubt as to the propriety of the contemplated action or where, after all feasibly available evidence is secured, there is doubt as to the marital status or relationship, the case will be submitted, together with a full statement of the pertinent facts, to the director, veterans claims service, for an advisory opinion or such other action as may be deemed appropriate.

Where there is (are):

A wife but no child or where all children are in her custody—portion to wife—$42 monthly.

A child but no wife—portion for child—$33 monthly.

Two or more children but no wife—portion for children—$42 monthly (to be divided equally between them).

A dependent parent but no wife or child—portion for parent—$33 monthly.

Two dependent parents but no wife or child—portion for parents—$42 monthly (to be divided equally between them).

Any increase in pension by reason of the veteran having attained the age of sixty-five or having been rated permanently and totally disabled and in receipt of pension for a continuous period of ten years or more will be added to the amount allowed the dependents as hereinabove described. From the balance there will be paid to the manager, if a Veterans Administration facility, or such other proper official in charge of the institution, $8.00 monthly or such sum as may be required by the approved estimate sheet, and any sum remaining awarded to "Funds Due Incompetent Beneficiaries". When the apportionments provided herein are believed to work a hardship upon one or more parties in interest, recourse then may be had to the provisions of § 3.1315 of this chapter for a special apportionment under the approved procedure relating thereto.

(e) Where it is determined that an institutional award in behalf of an incompetent or insane beneficiary is in order, pending action on a special apportionment under § 3.1315 of this chapter, (§ 35.06, as amended) (57 Stat. 43; 38 U.S.C. 701; 58 Stat. 230; 38 U.S.C.A. Ch. 12 Note)

§ 3.1311 *Table of apportionments.*

* * *

(c) Where the evidence of record shows that the veteran and his wife are separated, the whereabouts of the wife is unknown, and all reasonable means to locate the wife have been unsuccessful or where she states in writing that she desires no share of the award, or fails for ninety days or more to respond to correspondence from the Veterans Administration informing her of her rights, which is not returned unclaimed, there will be no apportionment on her account unless the rating is on a temporary basis, or increased pension is being paid for the wife under § 35.017 (c), as amended, in which event there will be reserved for the wife only that amount authorized by the World War Veterans' Act, 1924, as amended, as reenacted by Public No. 141, 73d Congress, to be paid on her account at such time as her whereabouts may be ascertained. If there are children not in the veterans' custody the award will be apportioned according to the table provided in paragraph (a) of this section on the basis of the disabled person and child or children until such time as the whereabouts of the wife may be ascertained or she expresses a desire to claim her share of the award. In such event the award will be reapportioned on the basis of the disabled person, wife and child or children.

(d) If and while a claimant is rated temporarily disabled, or is in receipt of increased pension by virtue of pursuit of a course of vocational rehabilitation under § 35.017, as amended, that part of the benefit which is payable to him by virtue of his having a dependent father or mother, or both, will be apportioned and paid directly to the dependent when it appears that the claimant has neglected or refused to contribute to his, her, or their support in substantially the amount which he, she, or they would receive if apportionment were made; *Provided*, That no apportionment will be made where the duly appointed guardian under orders of the court of appointment makes or has made like contribution for the support of the parent or parents. (§ 35.06, as amended) (57 Stat. 43; 38 U.S.C. 701)

(e) Where in order under the conditions specified in §§ 3.1310–3.1317 of this chapter, subsistence allowance payable on account of education or training will be apportioned $50 to the veteran and $25 to the dependent. In the event that there is more than one dependent the $25 will be equally divided among them. Where the veteran is receiving a reduced subsistence allowance, such reduced subsistence allowance will be apportioned two-thirds to the veteran and one-third to the dependent or dependents. Where there is more than one dependent such one-third share shall be equally divided among them. If the application of the above provisions should in any case work a hardship upon the the veteran or any of his dependents, appropriate consideration may be had under § 3.1315 of this chapter: *Provided*, That where the wife states in writing that she desires no share of the subsistence allowance or fails for ninety days or more to respond to correspondence informing her of her rights, which is not returned unclaimed, no additional subsistence allowance shall be payable on her account. (58 Stat. 284; 38 U.S.C. 693)

§ 3.1312 *Apportionment not authorized.* * * *

(d) Where the disabled person or his guardian is rendering support which, in view of the circumstances present in the individual case, is considered fair and reasonable. (57 Stat. 554; 38 U.S.C. 727)

* * * * *

(h) Where the wife, child, father or mother of the disabled veteran is shown by evidence satisfactory to the Administrator of Veterans Affairs to be guilty of mutiny, treason, sabotage, or rendering assistance to an enemy of the United States or of its allies. (57 Stat. 554; 38 U.S.C. 727)

§ 3.1315 *Special apportionments.* Where it is clearly shown by competent evidence that the application of the provisions of §§ 3.1276, 3.1310 and 3.1311 of this chapter, or the fact that no apportionment is authorized under § 3.1312 of this chapter, will result in undue hardship upon the disabled person or any one of his dependents and relief can be afforded without undue hardship to the other persons in interest, the complete case file will be forwarded by the authorization officer or the attorney reviewer with appropriate recommendation as to the exact manner of the proposed relief, to the adjudication officer or the chief, claims division, who will determine without regard to the provisions of §§ 3.1276, 3.1310, 3.1311 and 3.1312 of this chapter, the disability pension, service pension, disability compensation, emergency officers retirement pay, or subsistence allowance which will be apportioned and the exact amount to be apportioned to each individual in interest. Should an appeal from such an apportionment be received the case file will be referred to the adjudication officer or the chief, claims division, in order that the special apportionment from which the appeal is taken may be reconsidered in the light of any additional evidence developed in connection with the appeal. When it is found that no change is warranted, Form P–8d, properly prepared, will be approved. Thereafter regular appellate procedure will be for application. (§§ 30.9803–309804) (57 Stat. 554; 38 U.S.C. 727)

§ 3.1317 *Discontinuance of apportionments; effective dates.* Where disability pension, disabilty compensation, service pension, emergency officers retirement pay, or subsistence allowance is apportioned between the veteran and his dependents and payments have been or are being made to the dependents subsequent to the date of cessation of the condition on which it is predicated, the effective date of discontinuance of the apportioned benefit to the dependent shall be the date of last payment and the award to the veteran will be adjusted accordingly; except that in the event of death, the date of death; divorce, the date preceding the date of divorce; in the case of a child, the date preceding the eighteenth, or twenty-first birthday, or cessation of school attendance, or the date preceding the date of marriage, will be the effective date. Where a minor child of a disabled person being paid apportioned disability compensation, pension, emergency officers retirement pay, or subsistence allowance enters the active military or naval service, such apportioned award will be discontinued

as of the date of last payment and, effective as of the next day, such child's apportioned share will be added to the disability compensation, pension, emergency officers retirement pay, or subsistence allowance otherwise payable to the veteran. Where the estranged wife of a disabled veteran is receiving apportioned disability compensation, pension, emergency officers retirement pay, or subsistence allowance in behalf of herself and a minor child and such minor child enters the active military or naval service, the apportioned share for the estranged wife will be continued in the same amount as was payable prior to the child's entry into active service, such increased amount to continue during the child's minority or until the cessation of the condition upon which the apportionment was made. The provisions of the two sentences immediately above are also for application when retirement pay under section 5, Public No. 18, 76th Congress, is apportioned while the veteran is being furnished hospital treatment, institutional or domiciliary care by the United States or any political subdivision thereof. (A. D. 599) (57 Stat. 554; 38 U.S.C. 727)

[SEAL] FRANK T. HINES,
Administrator of Veterans Affairs.

JUNE 16, 1945.

[F. R. Doc. 45-10592; Filed, June 15, 1945; 1:00 p. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 60]

ST. PAUL AUTOMOBILE DEALERS, INC.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of St. Paul Automobile Dealers, Inc., St. Paul, Minnesota; Case No. S-2180.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the members of the St. Paul Automobile Dealers, Inc.;

I find that the repair of motor trucks, other than those used for local retail deliveries, by members of the St. Paul Automobile Dealers, Inc., pursuant to contract, whether oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 15th day of June 1945.

FRANCES PERKINS,
Secretary.

[F. R. Doc. 45 10659; Filed, June 16, 1945; 10:26 a. m.]

Wage and Hour Division.

[Administrative Order 345]

NEWSPAPER PUBLISHING AND GRAPHIC ARTS INDUSTRY, PUERTO RICO

RECOMMENDATION OF SPECIAL INDUSTRY COMMITTEE 3 FOR PUERTO RICO FOR MINIMUM WAGE RATE

Whereas, on February 11, 1944, pursuant to section 5 (c) of the Fair Labor Standards Act of 1938, hereinafter referred to as the act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 227, appointed Special Industry Committee No. 3 for Puerto Rico, hereinafter referred to as the Committee, and directed the Committee to proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the various industries in Puerto Rico in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas, the Committee included three disinterested persons representing the public, a like number representing employers in the newspaper publishing and graphic arts industry in Puerto Rico, and a like number representing employees in the industry, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

Whereas, on May 29, 1944, the Committee, after investigating economic and competitive conditions in the newspaper publishing and graphic arts industry, filed with the Administrator a report containing its definition of the newspaper publishing and graphic arts industry and its recommendation for a 40-cent minimum hourly wage rate in the newspaper publishing and graphic arts industry; and

Whereas, pursuant to notice published in the FEDERAL REGISTER on July 12, 1944, a public hearing on the Committee's recommendations was held in New York, New York, on September 19, 1944 before Donald M. Murtha, the Presiding Officer designated by the Administrator, at which time all interested persons were given an opportunity to be heard; and

Whereas, pursuant to section 4 of the rules governing the proceeding before the presiding officer, the hearing was reopened for the purpose of taking further evidence on April 26, 1945, before Russell Sturgis, Territorial Representative of the Wage and Hour Division, United States Department of Labor, in San Juan, Puerto Rico, due notice of said reopened hearing having been published in the FEDERAL REGISTER on April 3, 1945; and

Whereas, the Administrator, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act with special reference to sections 5 and 8, has concluded that the recommendation of the Committee for a minimum wage rate in the newspaper publishing and graphic arts industry, as defined, is not supported by the evidence adduced at the hearing and, taking into consideration the same factors as are required to be considered by the Committee, would not, if approved, carry out the purposes of sections 5 and 8 of the act; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 3 for Puerto Rico for a Minimum Wage Rate in the Newspaper Publishing and Graphic Arts Industry in Puerto Rico," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York;

Now, therefore, it is ordered, That the recommendations of Special Industry Committee No. 3 for Puerto Rico for the newspaper publishing and graphic arts industry in Puerto Rico are hereby disapproved.

Signed at New York, New York, this 13th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-10608; Filed, June 15, 1945; 1:21 p. m.]

[Administrative Order 347]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Raymond W. Gaffer from Special Industry Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. Rolando Anglada of Santurce, Puerto Rico.

Signed at New York, New York, this 13th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-10607; Filed, June 15, 1945; 1:31 p. m.]

[Administrative Order 346]

SPECIAL INDUSTRY COMMITTEE NO. 4 FOR PUERTO RICO

APPOINTMENT TO INVESTIGATE AND RECOMMEND MINIMUM WAGE RATES; AMENDMENT

Amending title and definition of the "Paper and related products industries" as contained in Administrative Order No. 344 appointing Special Industry Committee No. 4 for Puerto Rico.

Whereas, on June 13, 1945 by Administrative Order No. 345 the Administrator of the Wage and Hour Division of the United States Department of Labor disapproved the recommendation of Special Industry Committee No. 3 for Puerto Rico for the Newspaper Publishing and Graphic Arts Industry in Puerto Rico; and

Whereas, the Administrator now desires to amend Administrative Order No. 344, dated May 10, 1945 (10 F.R. 5532), appointing Special Industry Committee No. 4 for Puerto Rico so as to amend the title and definition of the "Paper and Related Products Industries" to include the operations, activities and products previously included in the newspaper publishing and graphic arts industry, as defined by Special Industry Committee No. 3 for Puerto Rico;

Now, therefore, by virtue of and pursuant to the authority vested in the Administrator by the Fair Labor Standards Act of 1938, as amended, *It is ordered*, That Administrative Order No. 344, dated May 10, 1945 is hereby amended so that the title of the "Paper and Related Products Industries" in paragraph 2 of said order shall read "Paper, Paper Products, Printing, Publishing, and Related Industries", and the title and definition of the "Paper and Related Products Industries" in paragraph 3 of said order shall read as follows:

Paper, paper products, printing, publishing, and related industries. The manufacture of pulp from wood, rags and other fibers; the conversion of such pulp into paper or paper board; the manufacture of building board from bagasse and similar materials; the manufacture of paper, paper board and pulp into bags, containers, tags, cards, envelopes, pressed and molded pulp goods and all other converted paper products, and the manufacture of all like products in which a synthetic material in sheet form, such as cellophane and plioflim, is the basic component; the printing performed on any of the foregoing products; and the printing or publishing of newspapers, books, periodicals, maps, music and all other products or services of typesetters and advertising typographers, electrotypers and stereotypers, photo-engravers, steel and copper plate engravers, commercial printers, lithographers, gravure printers, private printing plants of concerns engaged in other business, binderies, and news syndicates.

Provided, however, That the definition shall not include any product or activity included in the paper box manufacturing industry (as defined in the wage order for that industry in Puerto Rico), or in the leather, textile, rubber, straw, and related products industries (as defined in Administrative Order 344 appointing Special Industry Committee No. 4 for Puerto Rico).

Signed at New York, New York, this 14th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-10702; Filed, June 16, 1945; 4:42 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5333]

J. V. BLEVINS CO. AND J. V. BLEVINS BROKERAGE CO.

NOTICE OF HEARING

In the matter of James V. Blevins, an individual, trading as J. V. Blevins Company and J. V. Blevins Brokerage Company.

Complaint. The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13), as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: James V. Blevins is an individual, doing business as J. V. Blevins Company and J. V. Blevins Brokerage Company, with his principal office and place of business located at 155 Second Avenue S, Nashville, Tennessee. The respondent since June 19, 1936, has been and is now engaged in business as a broker of food products, turpentine, mineral oil, cottonseed oil, linseed oil, paint thinners, and various other types of miscellaneous merchandise (all of which are hereinafter designated as merchandise). The respondent since June 19, 1936, has also been and is now engaged in business as a direct buyer of merchandise. The respondent as a direct buyer of merchandise has engaged in the business of buying and selling such merchandise for his own account for resale. The respondent operates a warehouse which is also located in Nashville, Tennessee, in which he stores, and from which he thereafter sells, substantial quantities of merchandise; and is engaged in business with Horace Norrell, in Trussville, Alabama, under the firm name of Blevins & Norrell Company.

PAR. TWO: In the course and conduct of his said business since June 19, 1936, respondent has bought in his own name and for his own account for resale merchandise from various packers, processors, distributors and other sellers who are located in states other than the state in which respondent is located, and as a result of respondent's purchases and his instructions such merchandise has been shipped and transported by the respective sellers thereof across state lines to the respondent.

PAR. THREE: The respondent operates his business by the use of two separate and distinct methods, namely, (1) as a "broker" of merchandise and (2) as a "direct buyer" of merchandise.

First: Respondent's business as a broker of merchandise may be described as follows: Respondent in such capacity acts as sales agent and negotiates the sale of merchandise for and on account of seller-principals, and respondent's only compensation for such services is a commission or brokerage fee paid by such seller-principals.

The respondent solicits and obtains orders for merchandise at the respective seller-principals' prices and on such seller-principals' terms of sale. The respondent in this capacity acts as a broker and transmits purchase orders to his several seller-principals, who thereafter invoice and ship such merchandise to the customers.

The respondent as such broker has no financial interest in the merchandise he sells. His only financial interest is the commission or brokerage fee he receives and accepts for making the sales. Such commissions or brokerage fees are customarily based on a percentage of the invoice sales price of the merchandise sold.

The respondent in this capacity is a broker and not a trader for profit. The respondent does not take title to, or have any financial interest in, the merchandise sold and he neither makes a profit nor suffers any loss on the transaction. This phase of respondent's business is not challenged by the complaint.

The phase of the respondent's business that is challenged herein as being unlawful are those acts and practices of the respondent's when operating as a "direct buyer", which are hereinafter more fully set forth.

Second: Respondent's business as a "direct buyer" of merchandise may be described as follows: The respondent transmits his own purchase orders for merchandise directly to the various interstate sellers from whom he buys. Such sellers invoice and ship such merchandise directly to respondent. The respondent receives and accepts, directly or indirectly, from the respective sellers from whom he buys such merchandise commissions or brokerage fees. Such commissions or brokerage fees are customarily, but not always, paid to the respondent by the various sellers permitting the respondent to deduct from the invoice price of the merchandise purchases an amount which is equal to, or approximately equal to, the commissions or brokerage fees such sellers pay their brokers.

The respondent in connection with such purchases is a direct buyer, and as such is a trader for profit, purchasing and reselling such merchandise in his own name and for his own account, and at his own prices and on his own terms, taking title to such merchandise and assuming all the risk incident to ownership.

If such merchandise shipped to the respondent by the various sellers is lost or damaged in transit, the respondent files claim with the carrier and collects damages from the carrier in his own name and for his own account.

The respondent upon receipt of such merchandise from his various sellers' warehouses such merchandise and insures the merchandise at his own expense and in his own name and for his own account against contingent loss or damage.

The respondent for a period since June 19, 1936, in his annual tax returns sets out the value of the merchandise he has purchased for a stated year and sets out the amount of profit he has re-

ceived on the sale of such merchandise, or the losses he has sustained on such sales; on the basis of respondent's declaration, respondent's taxes are assessed and paid.

When respondent sells such merchandise, he invoices the merchandise to his customers in his own name and for his own account and at prices and on terms that he determines. The respondent assumes full and complete credit risks on such transactions, reaping a profit or sustaining a loss thereon as the case may be.

PAR. FOUR: The receipt and acceptance since June 19, 1936, by respondent James V. Blevins, doing business as J. V. Blevins Company and J. V. Blevins Brokerage Company, of commissions, brokerage or other compensation or discounts in lieu thereof, as set forth under method two in Paragraph Three hereof, and such acts and practices as hereinabove set out, are in violation of the section 2 (c) of the Clayton Act, as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 12th day of June, A. D. 1945, issues its complaint against said respondent.

Notice. Notice is hereby given you, James V. Blevins, an individual trading as J. V. Blevins Company and J. V. Blevins Brokerage Company respondent herein, that the 20th day of July, A. D., 1945, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

> In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.
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> * * * * * *
>
> Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent to proceed in regular course on the charges set forth in the complaint.
>
> If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.
>
> Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 12th day of June, A. D. 1945.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10662; Filed, June 16, 1945; 10:59 a. m.]

[Docket No. 5114]

PROFESSOR VALENTINE GREENEWALD

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of June, A. D. 1945.

In the matter of Valentine Greenewald, an individual trading as Professor Valentine Greenewald.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, June 19, 1945, at ten o'clock in the forenoon of that day (central standard time), in Hearing Room No. 322, Federal Building, Covington, Kentucky.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10663; Filed, June 16, 1945; 10:59 a. m.]

[Docket No. 5252]

D. J. JANE CO., AND FRANK E. WHALEN

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of June, A. D. 1945.

In the matter of Lewman A. Lane, an individual, trading as D. J. Lane Company, and Frank E. Whalen, an individual.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 25, 1945, at ten o'clock in the forenoon of that day (central standard time), in Room T-2, Federal Building, Topeka, Kansas.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10664; Filed, June 16, 1945; 10:59 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN

[Supplemental Vesting Order 5041]

AMERICAN HYALSOL CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found and determined in Vesting Order Number 2173, dated September 10, 1943, that Deutsche Hydrierwerke, A. G. and Bohme Fettchemie, G. m. b. H., are partners of a designated enemy country (Germany);

2. Finding that Deutsche Hydrierwerke, A. G., and Bohme Fettchemie, G. m. b. H. are the owners of property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. $177,000.00 face amount of twenty-year 4 per cent Gold Debenture Bonds due June 17, 1952, issued by American Hyalsol Corporation and registered in the name of Dr. Gottfried Weiss on the books and records of American Hyalsol Corporation, and all rights

and obligations represented thereby, together with all accrued interest thereon,

b. That certain bank account maintained with the Chase National Bank, New York, New York, entitled "Chase National Bank, depositary of American Hyalsol Corporation and Dr. Gottfried Weiss under terms of letter dated June 17, 1944", and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same, and

c. Those certain sums deposited by American Hyalsol Corporation in an account maintained with the Chase National Bank, New York, New York, Foreign Department, in the name of Gottfried Weiss, which sums represent interest payments on the bonds described in subparagraph 3-a hereof, and any and all security rights in and to any and all collateral for such portion of said account, and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 15, 1945.

[SEAL] FRANCIS J. MCNAMARA.
Deputy Alien Property Custodian.

[F. R. Doc. 45-10674; Filed, June 16, 1945; 11:35 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev.-282, Revocation]

ATLANTA AND FORT BENNING, GA.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a petition for the revocation of Supplementary Order ODT 3, Revised-282 (9 F.R. 10508), filed with the Office of Defense Transportation by the carriers subject thereto, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-282, be, and it hereby is, revoked, effective June 21, 1945.

Issued at Washington, D. C., this 16th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-10617; Filed, June 15, 1945; 3:26 p. m.]

[Supp. Order ODT 3, Rev.-334 Amdt. 1]

ST. LOUIS, MO., AND OKLAHOMA CITY, OKLA.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a notice filed with the Office of Defense Transportation pursuant to § 501.9 (d) of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), by carriers subject to Supplementary Order ODT 3, Revised-334 (9 F.R. 11442), and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-334, be, and it hereby is, amended by eliminating Tri-State Motor Transport, Inc., of Joplin, Missouri, as a carrier subject thereto, and substituting in lieu thereof Glen E. Breeding and Irene Breeding, doing business as Breeding Motor Freight Lines, of Muskogee, Oklahoma.

Issued at Washington, D. C., this 16th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-10618; Filed, June 15, 1945; 3:25 p. m.]

[Supp. Order ODT 3, Rev. 729]

NEW JERSEY, NEW YORK, AND PENNSYLVANIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

[1] Filed as part of the original document.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

LoBiondo Brothers Motor Express, Inc., Bridgeton, N. J.
W. H. Harris, III, doing business as Salem Express, Salem, N. J.

[F. R. Doc. 45-10613; Filed, June 15, 1945; 3:27 p. m.]

[Supp. Order ODT 3, Rev. 730]

NORTH CAROLINA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

J. E. Baxley, doing business as J. E. Baxley Transfer Co., Rockingham, N. C.
J. J. Heeney, doing business as Heeney Transfer Co., Rockingham, N. C.

[F. R. Doc. 45-10614; Filed, June 15, 1945; 3:27 p. m.]

[Supp. Order ODT 3, Rev. 731]

NORTH CAROLINA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of

[1] Filed as part of the original document.

which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

C. L. Heeler, Thomasville, North Carolina.
R. C. Parker, Thomasville, North Carolina.

[F. R. Doc. 45-10615; Filed, June 15, 1945; 3:27 p. m.]

[Supp. Order ODT 3, Rev. 732]

SOUTH CAROLINA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

[1] Filed as part of the original document.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Carey Transfer & Storage Co., Inc., Spartanburg, S. C.
Brock Transfer & Storage Co., Inc., Spartanburg, S. C.
Paul Finley, doing business as Finley Transfer Company, Spartanburg, S. C.

[F. R. Doc. 45-10616; Filed, June 15, 1945; 3:26 p. m.]

[Supp. Order ODT 6A-93, Amdt. 1]

KANSAS CITY, MO.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a petition for the amendment of Supplementary Order ODT 6A-93 (10 F.R. 2051), filed with the Office of Defense Transportation by the carriers subject thereto, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 6A-93 be, and it is hereby, amended by eliminating Central States Freight Co. of Chicago, Illinois, as a carrier subject thereto, and by adding Bruce Motor Freight, Inc., of Des Moines, Iowa, as a carrier subject thereto.

This amendment shall become effective June 21, 1945.

Issued at Washington, D. C., this 16th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-10619; Filed, June 15, 1945; 3:25 p. m.]

[Supp. Order ODT 6A-137]

NEW YORK STATE

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection, at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Joseph A. Pinter, doing business as Pinter Bros., Lindenhurst, N. Y.
Perkins Trucking Co., Inc., Long Island City, N. Y.
M & M Transportation Co., Somerville, Mass.

[F. R. Doc. 45-10620; Filed, June 15, 1945; 3:26 p. m.]

CHICAGO, ILL., AREA

POSSESSION AND OPERATION OF PROPERTY OF MOTOR CARRIERS

To each motor carrier engaged in the transportation of property in or about the city of Chicago who has a labor agreement or contract with The Chicago Truck Drivers, Chauffeurs and Helpers Union of Chicago and Vicinity No. 705, Independent, or The International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, A. F. L., or any local labor organization affiliated with either of such unions:

1. You are hereby notified that, by order of the President of the United States (Executive Order 9554), possession and control of your motor carrier transportation system, including all real and personal property, plants, facilities, and other assets, wherever situated, used or useful in connection with the operation of such system, are hereby taken and assumed by the Director of the Office of Defense Transportation as of 12:01 o'clock a. m. on the 16th day of June, 1945. Possession and control is not taken of any of your property, plants, facilities, or other assets, which are not used or useful in the operation of your transportation system.

2. The purpose of possession, control, and operation of motor carrier transportation systems and properties by the United States pursuant to said Executive order is to assure the maintenance of an effective system of transportation for the movement of troops, materials of war, and supplies and food for the armed forces and the civilian population.

3. Effective this date, Ellis T. Longenecker is hereby appointed Federal Manager of the motor carrier transportation systems and properties taken hereunder, with full authority, subject to my direction:

(a) To possess, control, and operate, or arrange for the operation of, each of the systems and properties taken hereunder in such manner as may be necessary for the successful prosecution of the war and maintenance of essential civilian economy and to accomplish the purposes of the Executive order, through or with the aid of such public or private agencies, persons, or corporations as he may designate;

(b) Subject to the provisions of the Executive order, to manage or operate, or arrange for the management or operation of, said systems and properties under such terms and conditions of employment as he deems advisable and proper;

(c) From time to time, to return to any of the motor carriers such real or personal property, or other assets, of such carrier, as he determines to be unnecessary to the operation of its motor carrier transportation system; and

(d) To request the Secretary of War or such persons as he may designate, to furnish protection for persons employed or seeking employment with the transportation systems of which possession is taken hereunder and the properties of such systems, and to furnish equipment, manpower, and other facilities or services necessary to carry out the provisions and purposes of the Executive order of the President.

4. Possession and control is not taken by this notice and order of any motor carrier transportation system which is in the possession of the United States on the date hereof.

5. A copy of this notice and order shall be posted by each carrier in the principal place of business or headquarters of its transportation system and in each terminal maintained in connection with its operation.

Issued at Washington, D. C., this 15th day of June 1945.

C. D. YOUNG,
Deputy Director, Office of Defense Transportation.

[F. R. Doc. 45-10653; Filed, June 15, 1945; 4:47 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Amdt. 1 to Order 905]

A. SANTAELLA & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "Santaellas-Santaellas", "Centropolis-Specials", "Mariano-Specials", "As You Like It-Specials", "Peterson-Specials", "El Pasha-Specials", "Ravisole Club-Specials", "Flor de A. Santaella & Co.-Specials", "Algara-Specials", "El Promoto-Specials", "Curb Exchange-Specials", "La Optima-Specials", "Ben Morris-Specials" cigars set forth in Paragraph (a) of Order No. 905 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Santaellas	Santaellas	50	$56	7
Centropolis	Specials	50	56	7
Mariano	do	50	56	7
As You Like It	do	50	56	7
Peterson	do	50	56	7
El Pasha	do	50	56	7
Ravisole Club	do	50	56	7
Flor de a Santaella & Co.	do	50	56	7
Algara	do	50	56	7
El Promoto	do	50	56	7
Curb Exchange	do	50	56	7
La Optima	do	50	56	7
Ben Morris	do	50	56	7

This amendment shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10590; Filed, June 15, 1945; 12:37 p. m.]

[MPR 580, Order 76]

JANTZEN KNITTING MILLS

ESTABLISHMENT OF MAXIMUM PRICES

Order 76 to Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-112.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The price for sales at retail submitted in the application filed by Jantzen Knitting Mills, Portland 14, Oregon, dated April 17, 1945, for each article described in the application, and covered by Maximum Price Regulation No. 580, is hereby established as the ceiling price of the article for sales at retail.

(b) The retail ceiling prices as established by paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 1, 1945, Jantzen Knitting Mills must mark each article for which a price is established by paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10591; Filed, June 15, 1945; 12:37 p. m.]

[MPR 120, Order 1392]

CARLO BIANCHI & CO., INC., AND H & C COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 7. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.218 and all other provisions of Maximum Price Regulation No. 120.

CARLO BIANCHI & CO., INC., FRAMINGHAM, MASS., BIANCHI NO. 1 MINE, FIRE CREEK SEAM, MINE INDEX NO. 1058, RALEIGH COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT, JONBEN, W. VA., STRIP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	D	D	C	A	A	B	B	B	B	B
Rail shipment	406	416	426	381	371	361	376	336	341	336
Truck shipment	491	411	441	376	361	356	----	----	----	----

H & C COAL CO., c/o O. C. HAMILTON, CHARMCO, W. VA., H & C MINE, FIRE CREEK SEAM, MINE INDEX NO. 1093, GREENBRIER COUNTY, W. VA., SUBDISTRICT 1, RAIL SHIPPING POINT, ANJEAN, W. VA., DEEP MINE

Price classification	D	D	C	A	A	B	B	C	C	C
Rail shipment	406	416	426	381	371	361	376	341	336	341
Truck shipment	491	411	441	376	361	356	----	----	----	----

Railroad locomotive fuel (for the following mine index Nos.:

Any single-screened lump or double-screened coals	391
Run of mine	376
Screenings, larger than 1¼" x 0 but not exceeding 2½" x 0	361
Screenings 1¼" x 0 and smaller	336

This order shall become effective June 16, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7371; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10570; Filed, June 15, 1945; 12:31 p. m.]

[MPR 120, Order 1393]

VICTORY COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120. *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

VICTORY COAL CO., GREENSBORO, PA., MAREL MINE, SEWICKLEY SEAM, MINE INDEX NO. 1335, GREENE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, DILLNER, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 8, MAXIMUM TRUCK PRICE GROUP NO. 11

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	J	J	H	H	H	H	J	J	J	...	.....
Rail shipment	324	324	399	399	399	399	274	274	284	...	.....
Railroad fuel	324	324	399	399	399	399	274	274	269	269	.....
Truck shipment	394	394	399	374	354	354	354	274	274	274	244

WESTMORELAND BRICK CO., CLARK BLDG., PITTSBURGH, PA., WERCO MINE, UPPER FREEPORT SEAM, MINE INDEX NO. 4115, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, HUNKER, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	F	F	F	F	F	F	F	F	F	...	.....
Rail shipment	324	324	319	319	319	309	289	289	274	...	.....
Railroad fuel	329	329	329	329	329	314	289	289	284	284	.....
Truck shipment	429	429	429	409	379	379	379	319	299	299	269

WILLIAMS COAL CO., BRAEBURN, PA., WILDCAT MINE, UPPER FREEPORT SEAM, MINE INDEX NO. 4115, WESTMORELAND COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT, BRAEBURN, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 9, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	E	E	D	D	C	C	C	C	C	...	.....
Rail shipment	349	349	339	339	349	329	314	314	294	...	.....
Railroad fuel	349	349	339	339	349	329	314	314	294	284	.....
Truck shipment	429	429	429	409	379	379	379	319	299	299	269

WINDY HILL COAL CO., OLIVER, PA., WINDY HILL MINE, SEWICKLEY SEAM, MINE INDEX NO. 4300, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, OLIVER NO. 1, PA., DEEP MINE, R. R. FUEL PRICE GROUP 8, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	J	J	H	H	H	H	H	H	H	...	.....
Rail shipment	324	324	399	399	399	399	274	274	284	...	.....
Railroad fuel	324	324	399	399	399	399	274	274	269	269	.....
Truck shipment	429	429	429	399	389	389	389	324	304	304	279

GUY A. HOTT, 109 LINCOLN ST., UNIONTOWN, PA., GATES SLATE DUMP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4452, FAYETTE COUNTY, PA., SUBDISTRICT 3, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 7

Truck shipment	429	429	429	399	389	389	389	324	304	304	279

HOVANEC COAL CO., R. D. NO. 3, BOX 65-A, UNIONTOWN, PA., HOVANEC MINE, PITTSBURGH SEAM, MINE INDEX NO. 4340, FAYETTE COUNTY, PA., SUBDISTRICT 3, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 7

Truck shipment	429	429	429	399	389	389	389	324	304	304	279

CRISTINO PELUSO, BOX 117, MASONTOWN, PA., PELUSO NO. 3 MINE, SEWICKLEY SEAM, MINE INDEX NO. 4451, FAYETTE COUNTY, PA., SUBDISTRICT 3, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 7

Truck shipment	429	429	429	399	389	389	389	324	304	304	279

JOSEPH SEDDON, BOX 245, SCHERSVILLE, PA., OLD SCRAP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4101, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Truck shipment	439	439	439	404	374	374	374	339	299	299	284

SURRENA & CROY, R. D. NO. 2, KENNERDELL, PA., SURRENA & CROY MINE, UPPER KITTANNING SEAM, MINE INDEX NO. 1526, BUTLER COUNTY, PA., SUBDISTRICT 1, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

Truck shipment	449	449	449	429	419	419	419	334	304	304	284

JAMES N. WHITE, 311 5TH ST., WEST NEWTON, PA., WHITE COAL CO. MINE, PITTSBURGH SEAM, MINE INDEX NO. 4289, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 8

Truck shipment	429	429	429	404	379	379	379	319	299	299	269

The maximum prices listed in this order include the increases in maximum prices where authorized by Amendment 137 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 16, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10571; Filed, June 15, 1945; 12:31 p. m.]

[MPR 120, Order 1394]

DARK RIDGE FUEL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120. *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

DARK RIDGE FUEL CO., c/o F. A. WARD, PINEVILLE, KY., LOW BRANCH MINE, STRAIGHT CREEK SEAM, MINE INDEX NO. 5681, BELL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: PINEVILLE, KY., F. O. G. 111, DEEP MINE

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	
Price classification	F	F	F	F	E	E	D	C	C	A	C	H	H	H	....	
Rail shipments and railroad fuel	415	410	400	400	400	370	355	350	345	455	330	325	315	310	....	
Truck shipment [1]	420	400	365	365	335	315	275	270	....	....	....	....	....	....	....	

[1] Previously established.

HENRY COAL CO., CLIFTON, W. VA., HENRY COAL CO. MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7386, MASON COUNTY, W. VA., SUBDISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22
Truck shipment	395	375	350	350	335	310	275	270	....	....	....	....	....	....	....

MCINTYRE BROTHERS, c/o BASCOM MCINTYRE, LETCHER, KY., MCINTYRE BROTHERS MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7387, LETCHER COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: BLACKEY, KY., F. O. G. 109 DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K	....
Rail shipments and railroad fuel	395	395	360	360	360	350	330	325	325	360	315	300	295	295	....
Truck shipment	395	375	350	350	335	310	275	270	....	....	....	....	....	....	....

MARY ALICE COAL CO., c/o H. K. BUTTERMORE, HARLAN, KY., MARY ALICE MINE, HARLAN SEAM, MINE INDEX NO. 7392, HARLAN COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT: MARY ALICE, KY., F. O. G. 80, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	J	J	J	J	H	H	G	F	D	D	C	F	F	F	K
Rail shipments and railroad fuel	380	385	375	375	360	350	330	340	330	385	315	310	305	305	290
Truck shipment	395	375	350	350	335	310	275	270	....	....	....	....	....	....	....

MAYKING COAL SALES CO., c/o SKAGGS & ADAMS, MAYKING, KY., SKAGGS & ADAMS MINE, ELKHORN SEAM, MINE INDEX NO. 7092, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: MAYKING, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J	....
Rail shipments and railroad fuel	380	375	365	365	360	350	330	325	325	360	315	310	300	295	....
Truck shipment	395	375	350	350	335	310	275	270	....	....	....	....	....	....	....

PLEASANT VIEW COAL CO., c/o JOHN P. GORMAN, ROCKHOLDS, PY., WALDEN MINE, JELLICO SEAM, MINE INDEX NO. 12564, WHITLEY COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: ROCKHOLDS, KY., F. O. G. 111, DEEP MINE

Price classification	O	O	O	O	J	J	H	G	E	G	F	K	K	K	....
Rail shipments and railroad fuel	375	370	355	355	375	365	345	340	340	375	325	315	310	310	....
Truck shipment [1]	420	400	365	365	335	335	315	275	270	....	....	....	....	....	....

[1] Previously established.

TURKEY PEN COAL CO., c/o PETE GUTHRIE, PINEVILLE, KY., TURKEY PEN MINE, COLLIER SEAM, MINE INDEX NO. 7320, BELL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, RAMONA, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price Classification	J	J	J	J	G	G	F	G	E	C	C	G	G	G	....
Rail shipments and railroad fuel	405	400	390	390	375	365	350	340	340	375	330	325	315	310	....
Truck shipment	420	400	365	365	335	315	275	270	....	....	....	....	....	....	....

This order shall become effective June 16, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10572; Filed, June 15, 1945; 12:31 p. m.]

[MPR 120, Order 1395]

LUXNER COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120. *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and

P & M Coal Co., 500 29th St., Beaver Falls, Pa., P. & M Mine, No. 6 Seam, Mine Index No. 424, Beaver County, Pa., Subdistrict 1, Rail Shipping Point, Koppel, Pa., Ship Mine, Railroad Fuel Price Group 10, Maximum Truck Price Group No. 4

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	B	B	B	B	B	------	------
Rail shipment	310	310	310	310	310	309	284	284	269	------	------
Railroad fuel	310	310	310	310	310	309	284	284	269	254	254
Truck shipment	424	424	424	424	409	384	384	384	374	374	374

Fred Shirk, Jr., 305 Station St., Ridgeville, Pa., Shirk No. 3 Mine, Pittsburgh Seam, Mine Index No. 426, Allegheny County, Pa., Subdistrict 7, Rail Shipping Point Oakdale, Pa., & Ridgeville, Pa., Ship Mine, Railroad Fuel Price Group 12, Maximum Truck Price Group No. 5

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	C	C	C	C	C	F	F	F	F	F	------
Rail shipment	310	310	310	310	310	274	259	259	244	244	------
Railroad fuel	334	334	334	334	310	284	284	284	269	254	254
Truck shipment	434	434	434	434	360	360	360	334	294	294	279

Smith Brothers & Kestner, Box 6, Hillside, Pa., Smith No. 2 Mine, Pittsburgh Seam, Mine Index No. 424, Westmoreland County, Pa., Subdistrict 7, Rail Shipping Point, Irwin, Pa., Ship Mine, Railroad Fuel Price Group 13, Maximum Truck Price Group No. 4

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	E	E	E	C	H	H	H	------	------
Rail shipment	319	319	289	289	289	309	284	284	269	------	------
Railroad fuel	319	319	289	289	289	309	284	284	269	254	254
Truck shipment	424	424	424	424	424	374	374	374	374	294	294

Truman Coal Co., Derry, Pa., Truman No. 2 Mine, Freeport Seam, Mine Index No. 198, Westmoreland County, Pa., Subdistrict 5, Rail Shipping Point Trafford, Pa., Deep Mine, Railroad Fuel Price Group 14, Maximum Truck Price Group No. 5

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	F	F	F	F	F	E	F	F	F	------	------
Rail shipment	324	324	319	319	319	319	299	299	284	------	------
Railroad fuel	324	324	319	319	319	319	299	299	284	271	271
Truck shipment	429	429	429	429	429	379	379	379	379	299	299

Tripple City Construction Co., c/o Joseph D'Angelo, 28 Bes Lomond St., Uniontown, Pa., O'Brien Mine, Pittsburgh Seam, Mine Index No. 1330, Fayette County, Pa., Subdistrict 3, Rail Shipping Point, Masontown, Pa., Ship Mine, Railroad Fuel Price Group 6, Maximum Truck Price Group No. 7

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	D	D	D	D	D	D	D	------	------
Rail shipment	319	309	309	309	309	284	284	279	254	------	------
Railroad fuel	319	319	319	319	319	309	284	284	269	254	254
Truck shipment	424	424	424	424	394	394	394	394	394	279	279

The maximum prices listed in this order include the increases in maximum prices authorized by amendment No. 137 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 16, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-10573; Filed, June 15, 1945; 12:32 p. m.]

[MPR 120, Order 1396]

Leamaster Coal Co. et al.

Establishment of Maximum Prices and Price Classifications

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 20. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

Leamaster Coal Co., Huntington, Utah, Leamaster Mine, Hiawatha No. 2 Seam, Mine Index No. 1005, Emery County, Utah, Subdistrict 1, Rail Shifting Point, Moreland, Utah, Deep Mine, Maximum Truck Price Group No. 1

Size group Nos.	1, 2	3, 4, 5, 6	7	8, 9	10, 11	12	13	14	15
Rail shipments and railroad fuel	470	420	355	335	295	275	355	340	310
Truck shipment	510	470	380	345	325	305	395	395	335

Earl L. Robertson, Orangeville, Utah, Trail Mountain Coal Co. Mine, Unnamed Seam, Mine Index No. 1007, Emery County, Utah, Subdistrict 1, Deep Mine, Maximum Truck Price Group No. 1

Truck shipment	510	470	380	345	325	305	395	365	335

William J. Smirl, Kanab, Utah, Smirl Alton Mine, Unnamed Seam, Mine Index No. 1006, Kane County, Utah, Subdistrict 2, Deep Mine, Maximum Truck Price Group No. 2

Truck shipment	450	410	335	300	275	255	350	325	310

This order shall become effective June 16, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-10574; Filed, June 15, 1945; 12:32 p. m.]

[RMR 136, Order 454]

Clayton Mfg. Co.

Approval of Maximum Prices

Order No. 454 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Clayton Manufacturing Co. Docket No. 9083-136.25a-282.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by Clayton Manufacturing Company, Alhambra, California, of spare parts for its manufactured products shall be determined as follows: The manufacturer shall apply the following formulae to determine his maximum list prices, and shall deduct from the resultant list prices all discounts, allowances and other deductions that he had in effect to a purchaser of the same class on October 1, 1941:

(1) For any part of Clayton design and manufacture, except where a change of design has occurred since October 1, 1941, the company shall multiply by four the manufacturing costs of the part determined on the basis of October 1, 1941, cost factors.

(2) For any part of Clayton design and manufacture where a change of design has occurred since October 1, 1941, the company shall multiply by four the manufacturing costs of the part determined on the basis of October 1, 1941, cost factors. However, direct material and labor costs shall be determined as of the date when the part as modified was first produced by the company, or as of the date of the issuance of this order, whichever is the earlier.

(3) For any part (except anti-friction bearings) which is not of Clayton design and manufacture, the company shall multiply its net invoiced cost, plus inbound freight, by 2½.

(4) For any anti-friction bearings the company shall multiply its net invoiced cost, plus inbound freight, by 3.

(b) The maximum prices for sales by resellers of spare parts listed in paragraph (a) shall be determined as follows: The reseller shall increase or decrease the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order by the percentage by which his net invoiced cost has been increased or decreased by reason of this order.

(c) Clayton Manufacturing Company shall notify each person who buys the spare parts listed in paragraph (a) for resale of the percentage by which this order permits the reseller to increase, or requires him to decrease, his maximum price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) On or before January 15, 1946, Clayton Manufacturing Company shall file with the Machinery Branch, Office of Price Administration, Washington, D. C., a report for the six months' period following the issuance of this order showing its unit and dollar volume of sales of spare parts submitted as representative items at the maximum prices established by this order, and at the maximum prices in effect just prior to the issuance of this order. This report shall also show governmental and civilian sales separately.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-10575; Filed, June 15, 1945; 12:32 p. m.]

[MPR 188, Order 36 Under 2d Rev. Order A-3, Revocation]

O. C. S. Olsen Co.

Adjustment of Maximum Prices

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 36 under Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188 be and the same hereby is revoked.

This order shall become effective on June 16, 1945.

Issued this 15th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-10584; Filed, June 15, 1945; 12:34 p. m.]

[MPR 188, Order 65 Under 2d Rev. Order A-3, Revocation]

John Boos & Co.

Adjustment of Maximum Prices

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188: *It is ordered*, That Order No. 65 under Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188 be and the same hereby is revoked.

This order shall become effective on June 16, 1945.

Issued this 15th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-10585; Filed, June 15, 1945; 12:34 p. m.]

[MPR 188, Rev. Order 81 Under Order A-2]

G. W. FROST & SONS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the provisions of paragraph (a) (16) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 81 under paragraph (a) (16) of Order No. A-2 under Maximum Price Regulation No. 188 is amended and revised to read as follows:

(a) *Manufacturer's maximum prices.* G. W. Frost and Sons, Stevens Point, Wisconsin, may increase its maximum prices in effect immediately prior to February 5, 1945, for all sales and deliveries to jobbers of the fifty-one articles of fishing tackle listed below, and described in its application of September 6, 1944, by the amounts indicated opposite each article, resulting in the adjusted maximum prices set forth below:

Article	Previous maximum price (per dozen)	Permitted adjustment (per dozen)	Adjusted maximum price to jobbers (per dozen)
Angler 3 ft. single leaders	$8.40	$1.32	$9.72
Expert 6 ft. single gut leaders	16.80	2.64	19.44
Supreme 6 ft. single leaders, Mar 2	26.20	6.20	32.40
Expert pennell deluxe snelled hooks	2.60	.61	3.21
Deluxe perch hooks	3.15	.98	4.13
Eyed dbl wg-hair wg assts	6.60	1.50	8.10
Angler 6 ft. single leaders	14.40	4.55	18.95
Expert 3 ft. single leaders	9.60	.12	9.72
Supreme 3 ft. single leaders pad 2	10.20	2.76	12.96
Supreme 6 ft. single leaders pad 2	16.80	5.88	22.68
Supreme 3 ft. single leaders pad 1	10.90	2.06	12.96
Supreme 6 ft. single leaders pad 1	19.60	4.95	24.55
Supreme 3 ft. single leaders mar 2	14.20	3.35	17.55
Supreme 6 ft. tapered leaders	22.80	3.12	25.92
Supreme 7½ ft. tapered leaders	25.80	3.28	29.08
Supreme 9 ft. tapered leaders	28.80	5.33	34.13
Supreme divided wings hair flies	7.80	2.10	9.90
Frostsons frosted wing flies	8.00	1.40	10.40
Frost grip silver bait hook set	2.80	.92	3.72
Frost grip sliced bait hooker	3.20	.74	3.94
Supreme single gut snelled hooks	3.10	.40	3.50
Supreme dry flies	11.00	2.67	13.67
Single wing dry flies	9.60	2.37	11.97
Angler pennell trout flies	5.60	2.50	8.10
Expert pennell trout flies	6.56	2.50	8.91
Angler pennell eyed wet fly asst	6.00	1.86	7.86
450 eyed dry wgs, hair wing assts	6.00	1.75	7.75
Pointer ringed bass flies	8.00	2.58	10.58
Magic streamer flies	8.40	1.30	9.70
Ringed spinner flies	7.20	1.71	8.91
Angler ringed bass flies	10.00	2.73	12.73
Supreme hair wing bass flies	12.00	1.80	13.80
Guinea hackle bass assts	12.60	1.91	14.51
Expert ringed jungle wing flies	12.00	5.58	17.58
Frostersaft streamer and extra fancy flies	19.20	2.36	21.56
Spent wing dry bass flies	13.80	2.54	16.34
Nymph creeper flies, spider flies	8.00	1.50	9.50
ss ringed hair wing flies	6.00	2.17	8.17
Water bug flies	8.00	1.40	9.40
Expert pennell deluxe double gut	3.45	1.12	4.57
Grip double gut bait hooks	3.60	1.27	4.87
Supreme double gut snelled hooks	3.80	1.06	4.86
Onachita streamer hackle bass flies	12.60	2.13	14.73
Wonderlake streamer hackle bass flies	13.20	1.99	15.19
Frost grip bronze bait hooks	2.80	.71	3.51
Streamer hair fly assts	8.40	1.26	9.66
Supreme dry bass bug asst	15.60	.46	16.06
Gypsy fly fish getter asst	19.20	1.11	20.31
215 bluewill crappie fly asst	5.40	.85	6.25
Holly grove bass flies	11.00	.65	11.65
Streamer hackle bass flies	12.00	.06	12.06

These adjustments may be made and collected only when separately stated on each invoice. The adjusted prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to jobbers.

(b) *Maximum prices of purchases for resale.* A person who hereafter purchases for resale articles for which the manufacturer's maximum prices have been adjusted by this order may collect from his customers in addition to his properly established maximum price in effect immediately before February 5, 1945, an adjustment charge in the same amount as the adjustment charge herein authorized for and which he pays his supplier. If such a purchaser for resale did not have an established maximum price for sales of the article at that time, he may add the same adjustment charge to the maximum price which he has thereafter established for his sales under the applicable price regulation. If the applicable price regulation requires his maximum prices to be computed on the basis of cost, the reseller must compute his maximum resale price (without the permitted adjustment charge) by using as cost his invoice cost not including any adjustment charge stated on the invoice. On all such resales, except sales to ultimate consumers, the adjustment charge may be made and collected only if it is separately stated on each invoice. Such adjusted prices are subject to each seller's customary terms, discounts, and allowances for sales of the same or similar articles.

(c) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale on and after the effective date of this Revised Order showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests for adjustments of maximum prices not specifically granted by this revised order are hereby denied.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 13th day of June 1945.

Issued this 13th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10411; Filed, June 13, 1945; 4:19 p. m.]

[MPR 188, Order 99 Under 2d Rev. Order A-3]

NEW JERSEY INSTRUMENT CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* New Jersey Instrument Corporation, 168 Coit Street, Irvington, New Jersey, may sell and deliver to jobbers its No. 1 cuticle nipper of its manufacture at prices no higher than its maximum price of $4.50 per dozen for such sales in effect immediately prior to the effective date of this order, plus an adjustment charge of $1.25 per dozen. This adjustment charge may be made and collected only if separately stated. The adjusted price is subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to the same class of purchaser.

(b) *Maximum price of purchasers for resale.* Any purchaser for resale of the No. 1 cuticle nipper for which the manufacturer's maximum price has been adjusted as provided in paragraph (a) may add to his properly established maximum prices, in effect immediately prior to the effective date of this order, the dollars-and-cents amount of the adjustment charge which he is required to pay his supplier, provided such amount is separated stated. Such adjusted price is subject to the seller's customary terms, discounts, allowances, and other price differentials in effect on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 99 under Second Revised Order A-3 under MPR 188 permits all sellers of the articles covered by this invoice to increase their ceiling prices, in effect immediately prior to June 16, 1945, by the exact dollar-and-cents amount of the adjustment charge appearing on this invoice.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10586; Filed, June 15, 1945; 12:32 p. m.]

[MPR 188, Order 100 Under 2d Rev. Order A-3]

O. C. S. OLSEN CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* O. C. S. Olsen Company, of 2527 Moffat Street, Chicago 47, Illinois may sell and deliver the commercial office furniture which it manufactures at prices no higher than its maximum prices for sales of each article currently in effect immediately prior to October 10, 1944 plus an adjustment charge of 5.7 percent of each such maximum price.

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the articles for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user may add to his properly established maximum price for those articles in effect immediately prior to October 10, 1944, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, provided the amount of such adjustment charge has been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 100 under 2d Rev. Order No. A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices, in effect prior to October 10, 1944, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is stated separately on an invoice which contains this notice.

(d) *Statements to be submitted to the Office of Price Administration.* After the effective date of this order, O. C. S. Olsen Company shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10587; Filed, June 15, 1945; 12:33 p. m.]

[MPR 188, Order 101 Under 2d Rev. Order A-3]

JOHN BOOS & CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* John Boos & Company, of Effingham, Illinois may sell and deliver the industrial wood cutting blocks which it manufactures at prices no higher than its maximum price for sales of each article currently in effect immediately prior to December 18, 1944, plus an adjustment charge of 21.7 percent of each such maximum price.

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the articles for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user may add to his properly established maximum price for those articles in effect immediately prior to December 18, 1944, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, provided the amount of such adjustment charge has been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 101 under 2d Rev. Order No. A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices, in effect prior to December 18, 1944, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is stated separately on an invoice which contains this notice.

(d) *Statements to be submitted to the Office of Price Administration.* After the effective date of this order, John Boos & Company shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10588; Filed, June 15, 1945; 12:33 p. m.]

[MPR 188, Order 3956]

LIGHTMORE APPLIANCE CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Lightmore Appliance Corporation, 738 Broadway, New York 3, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—No. E. H. 1000 ELECTRIC REFLECTOR HEATER

Maximum prices for sales by manufacturer to—	*Each*
Wholesaler	$2.95
Retailer (in units of 6 or more)	3.60
Retailer (in units of less than 6)	3.90
Maximum prices for sales by sellers other than manufacturer to—	
Retailer (in units of 6 or more)	3.60
Retailer (in units of less than 6)	3.90
Consumer	6.25

These maximum prices are for the articles described in the manufacturer's application dated April 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statements:

Lightmore Appliance Corp.
738 Broadway
New York 3, N. Y.
Model No. E.-H. 1000
OPA Retail Ceiling Price—$6.25
This price includes Federal Excise Tax
Do Not Detach

Order No. 3956
Model No. E. H. 1000
OPA Retail Ceiling Price—$6.25
This price includes Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10576; Filed, June 15, 1945; 12:34 p. m.]

[MPR 188, Order 3957]

WEST GEORGIA COLLEGE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by West Georgia College, Genola, Georgia.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—12 QT. WELL BUCKET

Maximum prices for sales by manufacturer to—	*Doz.*
Jobber	$5.94
Dropship Jobber	6.69
Retailer	7.43
Maximum prices for sales by sellers other than the manufacturer to—	
Retailer	7.43
	Each
Consumer	1.05

These maximum prices are for the articles described in the manufacturer's application dated March 31, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.05
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10577; Filed, June 15, 1945; 12:34 p. m.]

[MPR 188, Order 3958]

MANNICK WATCH REPAIR SHOP

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Mannick Watch Repair Shop, 1163¼ North Kingsley Drive, Los Angeles 27, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette maker	1	*Dozen* $0.54	*Dozen* $0.72	*Each* $0.10

These maximum prices are for the articles described in the manufacturer's application dated April 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.10 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10578; Filed, June 15, 1945; 12:35 p. m.]

[MPR 188, Order 3959]

HAPPY HOUSE TRAILERS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Happy House Trailers, 2240 Clybourn Avenue, Chicago 14, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette maker "Rayspeedy"		*Dozen* $1.89	*Dozen* $2.52	*Each* $0.35

These maximum prices are for the articles described in the manufacturer's application dated April 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10579; Filed, June 15, 1945; 12:35 p. m.]

[MPR 188, Order 3960]

ROCKWOOD PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Rockwood Products, P. O. Box No. 566, Trenton, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette maker	1	*Dozen* $1.89	*Dozen* $2.52	*Each* $0.35

These maximum prices are for the articles described in the manufacturer's application dated May 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10580; Filed, June 15, 1945; 12:35 p. m.]

[MPR 188, Order 3961]

ALBEE SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Albee Sales Company, 3289 Fulton Street, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Metal Lounge Lamp with finished wood breaks and inserts, tubing finished with chrome or brass plated in Flemish, with sub. shade	L-301	*Each* $6.88	*Each* $7.50	*Each* $13.50
Student Bridge Lamp including shade	SE-101	7.23	8.50	15.30
Torchier Lamp includes gold lustre glass reflector	T-201	7.61	8.95	15.11

These maximum prices are for the articles described in the manufacturer's application dated March 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10581; Filed, June 15, 1945; 12:35 p. m.]

[MPR 188, Order 3962]

A. & S. SPECIALTY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by A. & S. Specialty Company, 179 Wooster Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
8" Hand wrapped rayon ribbon boudoir lamp shade with braid trim	100	*Each* $0.43	*Each* $0.50	*Each* $0.90
19" Hand wrapped rayon ribbon lamp shade	500	1.49	1.75	3.15
Hand wrapped rayon ribbon bed light shade	600	.55	.65	1.17
19" Hand made rayon ribbon lamp shade	900	2.13	2.50	4.50

These maximum prices are for the articles described in the manufacturer's application dated March 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$ _____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10582; Filed, June 15, 1945; 12:36 p. m.]

[MPR 188, Order 3970]

RANDOLPH TOOL EQUIPMENT CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Randolph Tool Equipment Corporation, of 3701 North Broad Street, Philadelphia 40, Pennsylvania.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES OF TOOL KITS

By manufacturer to—	*Each*
U. S. Government and prime distributors	$3.29
Wholesalers (jobbers)	4.11
Retailers	4.93
Industrial users	5.47
By sellers other than manufacturer to—	
Wholesalers (jobbers)	4.11
Retailers	4.93
Industrial users	5.47
Consumers, other than industrial users	8.22

These maximum prices are for the articles described in the manufacturer's application dated November 5, 1943.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries, f. o. b. factory, with full freight allowed on orders of $100 or more, and subject to a cash discount of 1% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$8.22
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10583; Filed, June 15, 1945; 12:36 p. m.]

[MPR 260, Amdt. 1 to Order 528]

MOLLIE BLOCK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

The maximum prices for the "Lord Rector-Corona" set forth in paragraph (a) of Order No. 528, under Maximum Price Regulation 260, are amended to read as follows:

Brand	Size or trademark	Packing	Maximum [illegible]	Maximum [illegible]
Lord Rector	Corona	40	[illegible]	[illegible]

This amendment shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10589; Filed, June 15, 1945; 12:36 p. m.]

[Order 47 Under 19 (a), Revocation]

NAME-WOVEN INSTITUTIONAL TOWELS

ADJUSTABLE PRICING OF SALES AT WHOLESALE

The opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 47 under § 1499.19 (a) of the General Maximum Price Regulation is hereby revoked subject to the provisions of Supplementary Order No. 40.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10632; Filed, June 15, 1945; 4:40 p. m.]

[Order 375 Under 3 (b), Order 82]

V. E. IVERSON

AUTHORIZATION OF MAXIMUM PRICES

Order No. 82 under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation. V. E. Iverson Docket No. 6035.2-GMPR-ORD 375-162.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That:

(a) The maximum prices, f. o. b. Portland, Oregon, for the sellers indicated below, per one and one-half ounce bars packed 40 bars to the carton, on sales of "Frainut Candy Bar", manufactured by V. E. Iverson, Portland, Oregon, in accordance with the statements submitted in its price application of February 20, 1945, supplemented by letters of March 27 and April 20, 1945, shall be as follows:

Sales by—	To	Maximum prices
V. E. Iverson	Retailers	*Cents* 6½
V. E. Iverson	Consumers	10
Retailers	do	20

(b) The prices established in this order are the highest prices for which "Frainut Candy Bar" may be sold by the respective sellers. All sellers on sales of this item shall reduce the above appropriate maximum prices by applying discounts, allowances and price differentials which have customarily been applied on sales of other comparable commodities. In the application of any customary differential, the specific maximum prices established by this order must not be exceeded.

(c) V. E. Iverson shall mail or otherwise supply to retailers who purchase this item, at the time of or prior to the first delivery, the following notice:

The Office of Price Administration has authorized us to sell our "Frainut Candy Bar" to retailers at a maximum price, f. o. b. Portland, Oregon, of 6½¢ per one and one-half ounce bar, packed 40 bars to the carton.

Our maximum price, f. o. b. Portland, Oregon and the maximum price f. o. b. Portland, Oregon, by retailers as authorized, on sales of the same item to consumers, is 10¢ per one and one-half ounce bar, packed 40 bars to the carton.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10631; Filed, June 15, 1945; 4:40 p. m.]

[RMPR 136, Order 455]

DUTCHESS TOOL CO.

APPROVAL OF MAXIMUM PRICES

Order No. 455 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Dutchess Tool Company. Docket No. 6083-136.25a-241.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales by all sellers of the following bakery machinery manufactured by Dutchess Tool Company, Beacon, New York, shall be determined as follows: The seller shall add the following amounts to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order:

Bakery machinery	*Increase*
Roll dough divider—standard type	$109.00
Automatic divider & rounder #8—2 pocket	1,017.75
Automatic divider & rounder #8—2 pocket	1,387.00

(b) The Dutchess Tool Company shall notify each person who buys the bakery machinery listed in (a) for resale of the dollars-and-cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(c) All requests not granted herein are denied.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10633; Filed, June 15, 1945; 4:40 p. m.]

[MPR 188, Order 97 Under 2d Rev. Order A-3]

MICHIGAN MAPLE BLOCK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188; it is ordered:

(a) *Manufacturer's maximum prices.* Michigan Maple Block Company, of Petoskey, Michigan, may sell and deliver the articles listed below, which it manufacturers and which are fully described in the manufacturer's application dated January 31, 1945, at prices no higher than its maximum prices currently in effect immediately prior to the effective date of this order, plus the appropriate one of the following adjustment charges.

Article	Size	Adjustment charge
Monarch butcher block	20 x 24 16"	$0.17
	20 x 30 16"	.83
	20 x 40 x 16"	2.71
	24 x 24 x 16"	.99
	24 x 30 x 16"	1.24
	24 x 36 x 16"	2.47
	24 x 40 x 16"	3.30
	24 x 48 x 16"	4.36
	24 x 60 x 16"	4.91
	28 x 28 x 16"	2.53
	30 x 30 x 16"	3.01
	30 x 35 x 16"	3.85
	30 x 40 x 16"	4.20
	30 x 50 x 16"	2.76
	30 x 60 x 16"	4.85
	30 x 70 x 16"	1.88
	35 x 35 x 16"	4.47
Mission butcher block	25 x 35 x 17"	.70
	28 x 40 x 17"	2.50
	28 x 28 x 17"	.83
	30 x 30 x 17"	.93
	30 x 35 x 17"	1.51
	30 x 40 x 17"	1.76
	30 x 60 x 17"	2.37
	35 x 35 x 17"	2.00

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the articles for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the users may add to his properly established maximum price for these articles in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier. *Provided*, The amount of such adjustment charge his been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish to each person purchasing from him for resale an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 97 under 2d Rev. Order No. A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices in effect prior to June 16, 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice. *Provided*, That amount is stated separately on an invoice which contains this notice.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10634; Filed, June 15, 1945; 4:41 p. m.]

[MPR 188, Order 98 Under 2d Rev. Order A-3]

OX FIBRE BRUSH CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1439.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Ox Fibre Brush Company, Inc., of Frederick, Maryland, may sell and deliver the Model No. 2658 Comber Brush, which it manufactures and which is fully described in its application dated February 23, 1945, at prices no higher than its maximum prices currently in effect immediately prior to the effective date of this order plus an adjustment charge in the sum of $4.72, per gross.

The adjustment charge, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the article for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user may add to his properly established maximum price for sales of these articles in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, provided the amount of such adjustment charge has been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March, 1942, on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice.

NOTICE OF OPA ADJUSTMENT

Order No. 98 under Second Revised Order No. A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices, in effect prior to ——, 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice: *Provided*, That amount is stated separately on an invoice which contains this notice.

(d) *Statements to be submitted to the Office of Price Administration.* After the effective date of this order, Ox Fibre Brush Company, Inc., shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10635; Filed, June 15, 1945; 4:41 p. m.]

[MPR 188, Order 3963]

NORMAN M. SCHILLER

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Norman M. Schiller, 138 Division Street, New York 2, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Each	*Each*	*Each*
Vanity lamp base	10	$1.40	$1.65	$2.97
Boudoir lamp base	50	3.40	4.00	7.20
Table lamp base	55	4.01	4.75	8.55
	50	2.13	2.50	4.50
	100	5.71	6.75	12.15

These maximum prices are for the articles described in the manufacturer's application dated March 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$——
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June, 1945.

Issued this 15th day of June, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10636; Filed, June 15, 1945; 4:41 p. m.]

[MPR 188, Order 3964]

HAYDENVILLE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by The Haydenville Company of Haydenville, Massachusetts, which were not delivered or offered for delivery by such person during March 1942, shall be 85 percent of the highest list prices for which he delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by The Haydenville Company of Haydenville, Massachusetts.

(b) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by The Haydenville Company of Haydenville, Massachusetts, which were delivered or offered for delivery by such person during March 1942, shall be the highest list prices for which he delivered or offered for delivery the identical unplated, unpolished brass fittings and trimmings during March 1942.

(c) The maximum list prices determined by The Haydenville Company, Haydenville, Massachusetts, under the provisions of (a) above, shall, on sales to jobbers, be subject to a discount of 40 percent.

(d) In addition to the discount enumerated in (c) above, all sellers shall extend or render discounts, allowances and services at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller, except a retailer, shall notify in writing each of its purchasers at or before the time of the first invoice of the seller's maximum prices established by this order, as well as the maximum prices established for such purchasers upon resales.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10637; Filed, June 15, 1945; 4:42 p. m.]

[MPR 188, Order 3965]

PRICE-PFISTER MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by the Price-Pfister Manufacturing Company of Los Angeles, California, which were not delivered or offered for delivery by such person during March 1942, shall be 85 percent of the highest list prices for which he delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by the Price-Pfister Manufacturing Company of Los Angeles, California.

(b) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by the Price-Pfister Manufacturing Company of Los Angeles, California, which were delivered or offered for delivery by such person during March 1942, shall be the highest list prices for which he delivered or offered for delivery the identical unplated, unpolished brass fittings and trimmings during March 1942.

(c) The maximum list prices determined by the Price-Pfister Manufacturing Company of Los Angeles, California, under the provisions of (a) above, shall, on sales to jobbers, be subject to a discount of 45 percent.

(d) In addition to the discount enumerated in (c) above, all sellers shall extend or render discounts, allowances, and services at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller, except on sales to consumers, shall notify in writing each of its purchasers at or before the time of the first invoice, of the seller's maximum prices established by this order, as well as the maximum prices established for such purchasers upon resales, including allowable transportation and crating charges.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10638; Filed, June 15, 1945; 4:42 p.m.]

[MPR 188, Order 3966]

MID-STATES ENGINEERING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezer manufactured by the Mid-States Engineering Company and as described in the application dated May 25, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington, D. C. shall be:

Item	Size	On sales to distributors	On sales to jobbers	On sales to consumers
Bishop	16 cu. ft. with ½ HP condensing unit.	$242.50	$290	$385

(b) On sales by the Mid-States Engineering Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this Order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Mid-States Engineering Company shall stencil on the inside of the lid or cover of the farm and home freezers covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $——

Plus freight and crating as provided in Order No. 3966 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10639; Filed, June 15, 1945; 4:43 p. m.]

[MPR 188, Order 3967]

AVIATION SCREW MACHINE PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Aviation Screw Machine Products, 323 North Beverly Drive, Beverly Hills, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette maker and punch	1001	*Dozen* $4.32	*Dozen* $5.76	*Each* $0.80

These maximum prices are for the articles described in the manufacturer's application dated May 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price—$0.80 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of June 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10640; Filed, June 15, 1945; 4:43 p.m.]

[MPR 188, Order 3968]

SCHMIT CONSTRUCTION CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the Schmit Construction Company as described in its application dated May 10, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington, D. C., shall be:

Item	Size	On sales to distributors	On sales to dealers	On sales to consumers
L-D-10...	10 cu. ft. with ½ HP condensing unit.	$190	$288	$380
L-D-15 .	15 cu. ft. with ¾ HP condensing unit.	225	330	450

(b) On sales by the Schmit Construction Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this Order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Schmit Construction Company shall stencil on the inside of the lid or cover of the farm and home freezer covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price—$------

Plus freight and crating as provided in Order No. 3968 under Maximum Price Regulation No. 188

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10641; Filed, June 15, 1945; 4:43 p. m.]

[MPR 188, Order 3969]

TAVART CO., LTD.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the garage door hardware set manufactured by the Tavart Company, Ltd. of Los Angeles, California, and as described in its application postmarked January 25, 1945, shall be:

	Per set
On sales to jobbers	$11.80
On sales to hardware retailers and lumber yards	15.75
On sales to consumers	21.00

(b) The maximum net prices established by this order shall be subject to discounts and allowances, including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) Each seller of the commodity covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(d) The Tavart Company, Ltd. shall print in a conspicuous place on the box containing the garage door hardware set priced by this order, or affix a tag to such set, which shall contain substantially the following:

Maximum Retail Price Per Set $21.00

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective this 16th day of June, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10642, Filed, June 15, 1945; 4:44 p. m.]

[MPR 188, Order 3976]

CASCO PRODUCTS CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.156 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Casco Products Corporation, 512 Hancock Avenue, Bridgeport 2, Connecticut.

(1) For all sales and deliveries to the following classes of purchasers by all sellers, the maximum prices are those set forth below:

Article	Model No.	Wholesalers (jobbers)	Department and chain stores	Other retailers	Consumers
		Each	*Each*	*Each*	*Each*
Electric Heating Pad	1230 K..	$2.05	$2.30	$2.[illegible]	$3.[illegible]
Electric Heating Pad.	1211 K..	3.19	3.75	4.[illegible]	5.[illegible]
Electric Heating Pad.	1204 K..	3.66	4.37	4.[illegible]	6.[illegible]

These maximum prices are for a total of 500,000 heating pads the production of which was specifically authorized by the War Production Board and described in the manufacturer's application for approval of maximum prices. The prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. The manufacturer's prices are f. o. b. factory and are subject to a cash discount of 2% for payment in ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. They are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the blanks properly filled:

Electric Heating Pad
Model
OPA Retail Ceiling Price—$
Federal Excise Tax Included
Do not detach or obliterate
Casco Products Corp.
Bridgeport, Conn.

(c) At the time of, or prior to, the first invoice to each purchaser for resale, every seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th day of June 1945.

Issued this 15th day of June 1945.

IVAN C. SARSON,
Acting Administrator.

[F. R. Doc. 45-10643; Filed, June 15, 1945; 4:44 p. m.]

[MPR 220, Order 108]

EDELCO RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Revised Supplemental Regulation No. 14; It is ordered:

(a) *Applicability.* This order applies to the manufacturer's and retailer's sales of the waterproof shower and bathing cap made of 6 gauge V-NYL resin sheeting and manufactured by the Edelco Rubber Company, New York, New York.

(b) *Sales by the manufacturer.* The maximum price for sales by the Edelco Rubber Company, 352 Fifth Avenue, New York, New York, of the commodity described in paragraph (a) of this order shall be:

$4.75 per dozen for sales to wholesalers.
$5.50 per dozen for sales to retailers.

(c) *Sales by wholesalers.* The maximum prices for sales at wholesale of the commodity described in paragraph (a) of this order shall be the maximum price for such sales furnished the wholesaler by the manufacturer and computed by the manufacturer according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220.

(d) *Sales at retail.* The maximum prices for sales at retail of the commodity described in paragraph (a) shall be the maximum prices for such sales furnished the retailer by his seller and computed according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220.

(e) *Notification of maximum prices by the manufacturer and wholesalers.* The manufacturer shall compute the maximum prices applicable to sales by wholesalers and retailers of the commodity priced by this order according to the method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220. The notification of maximum price provisions and other provisions of § 1315.1559a are applicable to the commodity priced by this order.

(f) Prior to August 1, 1945, the manufacturer shall recompute its costs and report them to the Office of Price Administration. The costs shall be recomputed in the manner provided in § 1315.1557(a) except that the actual number of labor hours, November 1943 labor rates, actual quantities of materials, and November 1943 materials prices shall be used in its recomputations.

(g) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 16 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10652; Filed, June 15, 1945; 4:47 p. m.]

[MPR 260, Amdt. 1 to Order 721]

MIREX CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "El Veretta-Corona Royal" cigars set forth in paragraph (a) of Order No. 721, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Veretta	Corona Royal	50	$93.75	2 for 25

This amendment shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 10644; Filed, June 15, 1945; 4:45 p. m.]

[MPR 260, Amdt. 2 to Order 342]

H. N. HEUSNER & SON, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

The maximum prices for the Duquesne Club—5¼" set forth in paragraph (a) of Order No. 342 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Duquesne Club...	5¼".....	50	$75	10

This amendment shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10645; Filed, June 15, 1945; 4:45 p. m.]

[MPR 260, Order 1241]

CERRO GORDO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Cerro Gordo, 1095 Powell Street, San Francisco, California (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lopez Y Lopez	De Luxe [1]	50 Spec. 25	$85	2 for 27

[1] Prices applicable only to cigars containing Puerto Rican and Havana filler in proportion specified in application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10646; Filed, June 15, 1945; 4:45 p. m.]

[MPR 260, Order 1242]

ROBERT P. GONZALEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Robert P. Gonzalez Cigar Factory, 2004 Mitchell St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Don Manuel	Palmas Grande	50	$185	24
	Palmas	50	138	18
Notice	Kings	50	138	18
Don Manuel	Coronas	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10647; Filed, June 15, 1945; 4:45 p. m.]

[MPR 260, Order 1243]

R. M. GUITO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) R. M. Guito Cigar Factory, 804 E. Henderson Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Don Manuel	Perfecta Especial	50	$130.00	17
	Blunts	50	48.00	6
	Kings	50	101.25	2 for 25
	Palmas	50	169.00	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10648; Filed, June 15, 1945; 4:46 p. m.]

[MPR 260, Order 1244]

ELENA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) The Elena Cigar Factory, 1611 8th Avenue, Tampa 5, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
H. Elena	Corona			

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10649; Filed, June 15, 1945; 4:46 p. m.]

[MPR 260, Order 1245]

CASTRO & LOPEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Castro & Lopez Cigar Factory, 2201 N. Howard Ave., Tampa 7, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor de Lopez & Castro	Kings	50	$101.25	2 for 27
	Corona Chica	50	93.75	2 for 25
López Y Castro	Cremas	50	105.00	14
Flor de Lopez & Castro	Panetela Extra Special Londres	50	82.50	11
		50	138.00	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10650; Filed, June 15, 1945; 4:46 p. m.]

[MPR 260, Order 1246]

MANUEL F. VILLARENO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Manuel F. Villareno, 1807 Columbus Drive, Tampa, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Vilma	Coronas	50	$80	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 16, 1945.

Issued this 15th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10651; Filed, June 15, 1945; 4:46 p. m.]

[MPR 64, Order 189]

COLEMAN LAMP AND STOVE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 7, 8, and 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) This order establishes maximum prices for sales of the Models 333, 444C, and 555 Oil Burning Circulating Heaters manufactured by The Coleman Lamp and Stove Co., Wichita 1, Kansas as follows:

(1) For sales by the manufacturer to wholesalers the maximum prices are those set forth below:

Article	Model	Maximum price to wholesalers
		Each
Oil burning circulating heater	333	$31.32
	444C	29.63
	555	19.98

These prices are f. o. b. factory subject to the allowance of actual freight up to $3.00 per hundredweight for shipments of 100 lbs. or more, and are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(2) For sales by wholesalers to retail dealers the maximum prices are those set forth below:

Article	Model	Maximum price to retail dealers
		Each
Oil burning circulating heater	333	$34.52
	444C	25.63
	555	19.98

These prices are subject to each seller's customary terms, discounts, allowances and other price differentials on sales of similar articles.

(3) For sales by retail dealers to ultimate consumers the maximum prices are those set forth below:

Article	Model	Maximum price to ultimate consumers
		Each
Oil burning circulating heater	333	$39.95
	444C	35.42
	555	29.95

These prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) At the time of or prior to the first invoice to each purchaser for resale after the effective date of this order The Coleman Lamp and Stove Company and each wholesaler shall notify the purchaser of the maximum prices and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) The Coleman Lamp and Stove Company before delivering any heater covered by this order shall attach securely to each heater a tag or label which clearly shows its manufacturer, its model number, and its OPA retail ceiling price. This tag or label may not be removed until after the heater has been sold to an ultimate consumer.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 18th day of June 1945.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10694; Filed, June 16, 1945; 4:12 p. m.]

[MFR 132, Order 4]

WATERPROOF AND CANVAS RUBBER FOOTWEAR

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to §§ 1315.70 (b) and 1315.73 (b) of Maximum Price Regulation No. 132 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to sales by manufacturers, wholesalers and retailers of the waterproof and canvas rubber footwear listed in paragraph (b) of this order which is manufactured for the use of the United States government and rejected as not meeting the purchaser's standards, provided that the footwear at least equals the manufacturers' normal standards for commercial firsts or for commercial seconds and is serviceable as footwear.

(b) *Manufacturers' and wholesalers' maximum prices—(1) Manufacturers' and wholesalers' maximum prices for firsts.* The maximum prices for sales by manufacturers and wholesalers of footwear described in paragraph (a) of this order that at least equal manufacturers' normal standards for commercial firsts shall be as follows:

WATERPROOF FOOTWEAR

Item	Maximum list prices (per pair)
Men's Firemen's Stormking boot, Navy	$10.60
Men's toplace short boot, B Q D	3.80
Men's short legging boot, Army	3.60
Men's lumbermen's over, Yukon shell	2.95
Men's 4-buckle cashmerette arctic, B Q D	3.55
Men's 4-buckle cashmerette arctic S. S.—extra heavy	4.00
Men's 4-buckle all-rubber arctic, A-N spec.	3.55
Men's 5-buckle arctic, S. S. B Q D and sea arctic, Navy	4.40
Men's 5-buckle rubber arctic, B Q D and shore arctic, Navy	3.95
Women's 4-buckle cashmerette arctic, B Q D	3.15
Women's heavy storm rubber, B Q D	1.10
Men's clog, S. S., Navy	2.00
Men's flying boot A-6	17.60
Men's Navy flying boot	18.00

CANVAS FOOTWEAR

Men's jungle boot, B Q D	$4.15
War aid shoe	2.00
Men's tennis shoe, S. S., B Q D	1.50
Women's gym shoes, Navy	1.75

From the above list prices the manufacturer shall deduct all discounts, allowances, and other deductions that he had in effect to a purchaser of the same class on December 3, 1941.

From the above list prices the wholesaler who sold rubber footwear between April 1, and October 25, 1941 shall deduct all discounts and allowances that he had in effect to each class of purchaser between April 1, and October 25, 1941.

The discounts, allowances and other deductions off the above list prices that shall apply to wholesalers who did not sell rubber footwear between April 1, and October 25, 1941 shall be established under section 6 (b) of Revised Maximum Price Regulation No. 220.

(2) *Manufacturers' and wholesalers' maximum prices for seconds.* The maximum prices for sales by manufacturers and wholesalers of seconds of the footwear described in paragraph (a) of this order that at least equal manufacturers' normal standards for seconds shall be 90 percent of the seller's net

maximum selling price of the first (excluding cash discounts) to the same class of purchaser.

(c) *Retailers' maximum prices.* The maximum prices for sales at retail of the footwear described in paragraph (a) of this order shall be the retailer's net invoice purchase price (excluding cash discount), not exceeding his maximum purchase price, divided by .65 and adjusted to the nearest cent.

(d) *Notification of maximum prices.* With or prior to the first delivery to a wholesaler or a retailer of any of the footwear covered by this order, the seller shall notify the purchaser in writing of the maximum retail price or the method of computing the retail price as established by paragraph (c) of this order. If the purchaser is a wholesaler the notification shall also give the maximum prices applicable to the purchasers' sales at wholesale as established by paragraph (b) of this order and shall state that the wholesaler is required to notify each retailer to whom he sells of the maximum price for sales at retail or the method of computing maximum retail prices as established by paragraph (c) of this order.

(e) All provisions of Maximum Price Regulation 132 that are not inconsistent with this order shall apply to manufacturers' sales of the footwear covered by this order.

All provisions of Revised Maximum Price Regulation 229 that are applicable to the wholesalers' and retailers' sales of the footwear covered by that regulation and that are not inconsistent with this order shall apply to wholesalers' and retailers' sales of the footwear covered by this order.

(f) This order may be revoked or amended by the Administrator at any time.

This order shall become effective June 18, 1945.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10695; Filed, June 16, 1945; 4:12 p. m.]

[RMPR 136, Order 457]

HYTRON RADIO AND ELECTRIC CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 457 Under Revised Maximum Price Regulation 136. Machines, parts, and industrial equipment. Hytron Radio and Electronics Corporation. Docket No. 6083-136.21-347.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by all persons of type HY75 V. H. F. Triode radio tube manufactured by Hytron Radio and Electronics Corporation, Salem, Massachusetts, shall be determined as follows: The seller (manufacturer or reseller) shall add $1.00 each to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order.

(b) Hytron Radio and Electronics Corporation shall notify each person who buys the radio tube listed in paragraph (a) for resale of the dollars and cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 18, 1945.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10697; Filed, June 16, 1945; 4:13 p. m.]

[RMPR 136, Order 458]

INDIAN MOTOCYCLE CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 458 under Revised Maximum Price Regulation No. 136. Machines, parts and industrial equipment. Indian Motocycle Company. Docket No. 6083-136.25a-258.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The Indian Motocycle Company, 837 State Street, Springfield, Massachusetts, is authorized to sell the Indian Motorcycle described in subparagraph (1) produced under the War Production Board's allocation to the Indian Motocycle Company for the 1945 production of 1120 units of the Model No. 3 motorcycle, at a price not to exceed the list price in subparagraph (1), adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2):

(1) *List price.* The following list price, f. o. b. factory, to which shall be applied the seller's discount in effect on March 31, 1942, to the applicable class of purchasers:

Model	List price f. o. b. factory
No. 3 Motorcycle	$510

(2) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the charge in effect on March 31, 1942 for such equipment when sold as original equipment, plus 10% of that charge;

(ii) A charge to cover handling and delivery expense computed in accordance with the seller's method in effect on March 31, 1942;

(iii) A charge to cover freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942;

(iv) A charge to cover federal excise taxes on tires and tubes, and other federal excise taxes, and state and local taxes on the vehicle being sold, computed in accordance with the seller's method in effect on March 31, 1942.

(b) A reseller of Indian motorcycles may sell, delivered at place of business, the Indian motorcycle described in subparagraph (1) below produced under the War Production Board's allocation to the Indian Motorcycle Company for 1945 production of 1,120 units of the Model No. 3 motorcycle, at a price not to exceed the total of the list price in that subparagraph and applicable allowances in subparagraph (2) below less the discounts the reseller had in effect on March 31, 1942:

(1) *List price.*

Model	List price, f. o. b. factory
No. 3 motorcycle	$310

(2) *Charges.* (i) A charge for extra, special, and optional equipment which shall not exceed the charge the reseller had in effect on March 31, 1942 for such equipment plus 10% of that charge;

(ii) A charge for transportation which shall not exceed the charge the Indian Motorcycle Company would make for the transportation of the motorcycle to the place of business of the reseller;

(iii) A charge to include federal, state and local taxes on the purchase and sale, or delivery, of the motorcycle, computed in accordance with the reseller's method in effect on March 31, 1942;

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery;

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942.

(c) A reseller of Indian motorcycles that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942, shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (b) the following applicable charges:

(i) The original equipment retail charge that the Indian Motorcycle Company suggested on March 31, 1942 be made by resellers for the extra, special or optional equipment attached to the motorcycle as original equipment plus 10% of that charge:

(ii) A charge for transportation which shall not exceed the charge the Indian Motorcycle Company would make for the transportation of the motorcycle from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by the Indian Motorcycle Company, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover the federal excise tax on tires and tubes, and other federal excise taxes on the vehicle being sold;

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the motorcycle;

(v) A charge equal to the reseller's actual expense for handling and delivery of the motorcycle.

(d) A reseller of Indian Motorcycles in any of the territories or possessions of

the United States, is authorized to sell the motorcycle described in paragraph (b) at a price not to exceed the maximum price established in paragraph (b) or (c), whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the motorcycle; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) because of a substantial change in design, specifications or equipment of the motorcycle, the reseller may add to its price under paragraph (b), (c) and (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a), the reseller must reduce its price under paragraph (b), (c) or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall be effective June 16, 1945.

Issued this 16th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

[F. R. Doc. 45-10698; Filed, June 16, 1945; 4:13 p. m.]

[MPR 188, Order 3974]

LINCOLN PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lincoln Products, 1034 Spring Street, Philadelphia 7, Pennsylvania.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons— To wholesalers	To retailers	To consumers
		Each	*Each*	*Each*
Glass assembled table lamp without shade	(1002 (1003	$1.21	$1.42	$2.50
Student Bridge Lamp, bronze plated, furnished with glass diffusing bowl for arm of lamp	14	5.53	6.50	11.70

These maximum prices are for the articles described in the manufacturer's application dated April 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 18th day of June, 1945.

Issued this 16th day of June, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10699; Filed, June 16, 1945; 4:14 p. m.]

[MPR 188, Order 3975]

PERIOD MFG. CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Period Manufacturing Co., Inc., 29 West 21st Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons— To wholesalers	To retailers	To consumers
		Each	*Each*	*Each*
15" Crystal Boudoir Lamp, bobinail base, break & small fluted glass tubing (no shade)	1000	$0.0[illegible]	[illegible]	$1.[illegible]
15" Polished Crystal Boudoir Lamp, hexagon base (no shade)	1003	1.60	1.[illegible]	2.[illegible]
23½" Glazed and decorated earthenware table lamp (no shade)	1006	.48	1.[illegible]	2.[illegible]

These maximum prices are for the articles described in the manufacturer's application dated February 10, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 18th day of June 1945.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10700; Filed, June 16, 1945; 4:14 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1125]

PHILADELPHIA AND READING COAL AND IRON CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of June, A. D. 1945.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 5% Refunding Mortgage Sinking Fund Gold Bonds, due January 1, 1973, of The Philadelphia and Reading Coal and Iron Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard:

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Friday, June 22, 1945, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William J. Cogan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10611; Filed, June 15, 1945; 2:47 p. m.]

[File No. 70-1093]

MIDLAND UTILITIES CO. AND HOBART LIGHT & WATER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of June, A. D. 1945.

In the matter of Clarence A. Southerland and Jay Samuel Hartt, trustees of the estate of Midland Utilities Company, and Hobart Light & Water Company; File No. 70-1093.

Notice is hereby given that a joint application-declaration has been filed with the Commission pursuant to the Public Utility Holding Company Act of 1935 by Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company ("Trustees"), a registered holding company and Hobart Light & Water Company ("Hobart"), a wholly-owned subsidiary thereof; and

Notice is further given that any interested person may, not later than June 25, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint application-declaration, as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint application-declaration which is on file in the offices of the Commission for a statement of the transactions therein proposed which may be summarized as follows:

The Trustees are the beneficial owners of all of the outstanding capital stock of Hobart which has been an inactive corporation since November 30, 1942 when it conveyed all its utility and other assets (excluding cash on hand) to Northern Indiana Public Service Company ("Northern"), a subsidiary of said Trustees, in consideration for 69,500 shares of the no par common stock of Northern (Holding Company Act Release No. 3888). By order dated October 24, 1944 (Holding Company Act Release No. 5317A) the Commission entered a divestment order, requiring Midland Utilities Company, its Trustees, and Midland Utilities Company as reorganized, to divest themselves of direct and indirect interest in and control over certain properties and businesses, including those of Hobart.

The Trustees now propose to acquire from Hobart all of its assets consisting of said 69,500 shares of the common stock of Northern and cash on hand in the amount of $6,793.57 (less such amount of said cash thereof as may be necessary to pay the tax liabilities, other debts, and the expenses of the liquidation of Hobart, estimated as not exceeding $600 in the aggregate) in full payment and satisfaction of demand notes of Hobart held by the Trustees in the principal amount of $479,153.09, and accrued interest thereon to the date of consummation of the transaction. Accrued interest on said notes to March 31, 1945 amounts to $135,760.96.

The application-declaration states that if the plan of reorganization of Midland Utilities Company is confirmed and finally effective prior to the transfer of the 69,500 shares of common stock of Northern by Hobart to said Trustees, the transfer of such shares will be made direct to Midland Utilities Company.

Applicant-Declarants have requested that the Commission enter an order finding the transfer of the 69,500 shares of common stock of Northern to the Trustees is necessary to effectuate the provisions of section 11 (b) of the act, and that such order conform to the definition of the term "order of the Securities and Exchange Commission" contained in section 273 (a) of the Internal Revenue Code, as amended, and that such order contain the recitals, specifications and itemizations required by section 1808 (f) of the Internal Revenue Code, as amended.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10610; Filed, June 15, 1945; 2:47 p. m.]

[Docket Nos. 16-1A3, 16-1A6, 16-1A5, 16-1A7, 16-1A4, 16-1A2]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

ORDER SETTING ASIDE DISCIPLINARY ACTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of June, A. D. 1945.

In the Matter of National Association of Securities Dealers, Inc. Review of disciplinary action under section 15A, Securities Exchange Act of 1934, as amended, in the consolidated cases of: John Doe I, Case No. 17, Dist. 13, Docket 16-1A3; John Doe II, Case No. 17, Dist. 8, Docket 16-1A6; John Doe III, Case No. 26, Dist. 8, Docket 16-1A5; John Doe IV, Case No. 21, Dist. 13, Docket 16-1A7; John Doe V, Case No. 2, Dist. 10, Docket 16-1A4; John Doe VI, Case No. 28, Dist. 8, Docket 16-1A2.

National Association of Securities Dealers, Inc., a national securities association registered under section 15A of the Securities Exchange Act of 1934, having instituted disciplinary proceedings with respect to certain of its members for violation of section 1 of Article III of said Association's rules of fair practice and having determined that fines should be imposed upon certain of said members;

The Commission having, on its own motion, instituted proceedings under section 15A (g) of said act to review the disciplinary action taken by said Association in six of the aforesaid cases;

Hearings having been held after appropriate notice, the Commission being duly advised and having this day issued its findings and opinion herein, on the basis of said findings and opinion and pursuant to section 15A (h) of said act,

It is hereby ordered, That the disciplinary action taken by said Association in all of the cases under review be, and it hereby is, set aside.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10658; Filed, June 16, 1945; 9:36 a. m.]

[File No. 70-1033]

NEW ENGLAND GAS AND ELECTRIC ASSN., AND NEW HAMPSHIRE GAS AND ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of June 1945.

New England Gas and Electric Association, a registered holding company, and its subsidiary, New Hampshire Gas and Electric Company, having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 (a), 10 and 12 thereof and Rules U-43 and U-44 promulgated thereunder; said application-declaration being concerned with the proposed donation by New England Gas and Electric Association to New Hampshire Gas and Electric Company, and the acquisition by the latter, of all the outstanding capital stock and income notes of The Derry Electric Company and The Lamprey River Improvement Company, both wholly-owned subsidiaries of New England Gas and Electric Association; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

It is hereby ordered, Pursuant to the applicable provisions of said act, that the aforesaid application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act and to the reservation of jurisdiction over the entries to be made on the books of New Hampshire Gas and Electric Company to reflect the acquisition of such securities.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant to the Secretary.*

[F. R. Doc. 45-10657; Filed, June 16, 1945; 9:35 a. m.]

[File No. 70-1036]

OHIO EDISON CO.

ORDER RELEASING JURISDICTION WITH RESPECT TO LEGAL FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of June, A. D., 1945.

Ohio Edison Company, a registered holding company and a public-utility subsidiary of The Commonwealth & Southern Corporation, also a registered holding company, having filed a declaration and amendments thereto, pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935, regarding the issue and sale of $26,089,000 First Mortgage Bonds 2¾% Series of 1945, due 1975, in accordance with the competitive bidding requirements of Rule U-50 promulgated under the act; and

An order having been entered by the Commission on March 31, 1945 (Holding Company Act Release No. 5697), permitting said declaration, as amended, to become effective, jurisdiction being reserved with respect to the consummation of the issue and sale of the bonds until the results of the competitive bidding were made a matter of record, and with respect to the payment of legal fees and expenses of counsel in connection with the proposed transactions; and

An order having been entered by the Commission on April 10, 1945 (Holding Company Act Release No. 5717), releasing the jurisdiction reserved with respect to the results of the competitive bidding and continuing the reservation of jurisdiction with respect to the legal fees and expenses; and

Further hearings having been held with respect to the fees and expenses of Winthrop, Stimson, Putnam & Roberts, counsel for Ohio Edison Company, and of Simpson, Thacher & Bartlett, counsel for the successful bidders; and

It appearing to the Commission that the legal fees and expenses of Winthrop, Stimson, Putnam & Roberts in the sum of $15,000 and of Simpson, Thacher & Bartlett in the sum of $7,500 are not unreasonable and that jurisdiction over such fees and expenses should be released:

It is ordered, That the jurisdiction reserved in the Commission's orders of March 31, 1945 and April 10, 1945 with respect to the legal fees and expenses of counsel be and the same is hereby released.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant to the Secretary.*

[F. R. Doc. 45-10656; Filed, June 16, 1945; 9:35 a. m.]

[File No. 70-1079]

LONG ISLAND LIGHTING CO.

MEMORANDUM OPINION AND ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of June, 1945.

Long Island Lighting Company ("Long Island"), a registered holding company, has filed a declaration, pursuant to the provisions of sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("the Act"), regarding the proposed issue of Certificates of Deposit to its preferred and common stockholders in exchange for, and as evidence of, the voluntary deposit by such stockholders of certificates for the Series A 7% cumulative preferred stock, Series B 6% cumulative preferred stock, and the common stock of the company. The stated purpose of such proposed issue is to afford stockholders a convenient and orderly means for transferring their present holdings on the books of the company, which, the company states, is not available to them at the present time by virtue of the circumstances described below.

After appropriate notice, a public hearing was held. Upon a consideration of the record, the Commission makes the following findings:

The declarant. Long Island Lighting Company, a public-utility holding and operating company, is incorporated under the laws of the State of New York and is engaged in the production, purchase and sale of electricity and manufactured gas. At the present time it has four direct and indirect public-utility subsidiaries and two non-utility subsidiaries, all of which are New York corporations.[1] Long Island registered as a holding company on April 23, 1945, pursuant to our order entered April 21, 1945, wherein we modified an exemption granted it on March 27, 1936, from all the provisions of the act, on behalf of itself as a holding company and every subsidiary company thereof as such, so as to terminate such exemption in respect of the registration, issuance of securities, reorganization, and other provisions of the act.[2]

Background of proposal. In February, 1944, Long Island filed a petition with the Public Service Commission of the State of New York "for approval of a reduction and certain changes in its capital and for authority to issue certain common stock." At that time, the company had outstanding the following capital stocks having a par or stated value as indicated:

TABLE 1

Security	Number of shares outstanding	Aggregate par or stated value
Series A 7% cumulative preferred stock ($100 par value)	74,700	$7,470,000
Series B 6% cumulative preferred stock ($100 par value)	170,100	17,010,000
Common stock ($1 stated value)	3,000,000	3,000,000

In brief summary, the petition of the company proposed to reduce the par value of the cumulative preferred stocks from $100 per share to $60 per share with resulting reductions in the current annual dividend requirements to $4.20 per share in the case of the 7% preferred stock and to $3.60 per share in the case of the 6% preferred stock. The accumulated dividend arrearages as of June 30, 1944, in the total amount of $9,984,688 on both series of cumulative preferred stocks, representing $43.75 per share on the 7% stock and $37.50 per share on the 6% stock would remain unaffected. In addition, the outstanding shares of common stock were to be reclassified so that there would be outstanding 503,800 shares of common stock having a stated value of $5 per share. Such new common stock was to be distributed to preferred and common stockholders, respectively, on the basis of one share for each share of outstanding preferred stock, and one share for each 12 shares of outstanding common stock. The preferred stockholders would thereby receive an aggregate of 253,800 shares (or 50.38%), and the common stockholders an aggregate of 250,000 shares (or 49.62%), of the new common stock.

On December 14, 1944, the Public Service Commission of the State of New York approved the company's petition. On December 16, 1944, Long Island filed with the Secretary of State of the State of New York, as an amendment to its articles of incorporation, a Certificate of Reduction of Capital which embodied the proposed changes in its capital structure and provided that the company would not issue any new stock certificates representing the rights and privileges existing prior to its filing.

However, on November 10, 1944, this Commission had ordered that a hearing be held, which was scheduled to commence on December 19, 1944, to determine whether the exemption formerly granted Long Island was detrimental to the public interest or the interests of investors or consumers, and, generally, with respect to whether the order of March 27, 1936, should be revoked or in any wise amended or modified. Upon learning that the Certificate of Reduction of Capital had been filed by the company, we applied to a Federal District Court for an injunction preserving the status quo pending our determination of the issues in the proceedings pending before us, by preventing further steps by way of consummation of the recapitalization of the company.[3] The District Court denied the relief sought for lack of power, and its order was affirmed by the United States Circuit Court of Appeals for the Second Circuit, one judge dissenting. The United States Supreme Court granted our petition for certiorari.[4] However, before argument was had, counsel in the administrative proceeding before us stipulated that we might dispose of the issues in such proceeding notwithstanding the pendency of the judicial proceeding in the United States Supreme Court. Thereupon, as already noted, we issued our order of April 21, 1945, modifying the exemption formerly granted the company, and, on April 23, 1945, Long Island registered as a holding company.[5]

During the pendency of the foregoing judicial proceedings, temporary stays had been granted so that the securities provided for in the Certificate of Reduction of Capital were not distributed to Long Island's stockholders, and the changes in capitalization and other accounting adjustments were not reflected on the books of the company. In a letter dated May 1, 1945, the company advised its stockholders that this Commission had indicated disapproval of the terms of the proposed recapitalization, that it was evident that the Commission would not permit the company to issue the securities contemplated thereby, and that it therefore had become necessary to file with the Commission a comprehensive plan of reorganization under section 11 (e) of the act.

Under the foregoing circumstances, Long Island's stockholders have been unable, since December 16, 1944, to effect transfers of their stock on the transfer books of the company; and this situation is said by the company to have resulted in great inconvenience and hardship to many of its stockholders. Moreover, when we instituted the judicial proceedings referred to above, the New York Curb Exchange suspended trading, as at the close of business on December 19, 1944, in the preferred and common stocks of Long Island.[6] In this connection, it may be noted that the New York Curb Exchange has filed with us, pursuant to the Securities Exchange Act of 1934, an application for permission to extend unlisted trading privileges to the proposed Certificates of Deposit.

The certificates of deposit. The Certificates of Deposit to be issued by the company will state that there have been deposited with the company's depository certificates representing shares of the preferred or common stock, as the case may be, as it existed prior to the date of the filing in the Office of the Secretary of State of the State of New York of the Certificate of Reduction of Capital; and that the person in whose name the Certificate of Deposit is issued is entitled to receive the return of the deposited stock certificate, or, in lieu thereof, whichever it is ultimately determined such person is entitled to receive, either (a) the stock to which he would be entitled under the Certificate of Reduction of Capital, or (b) such securities, cash, other property, rights and interests as may be exchangeable therefor under any plan of recapitalization, merger or consolidation which may be finally approved pursuant to the provisions of the Public Utility Holding Company Act and other applicable law.[7]

The Certificates of Deposit will be transferable on the books of the depositary in the same manner as certificates of stock, and holders thereof will be treated as stockholders of the company. Any Certificate of Deposit may be exchanged for two or more such Certificates representing the same aggregate number of shares of deposited stock, or it may be surrendered with other such Certificates in exchange for a lesser number of Certificates representing the same aggregate number of shares of deposited stock. The fees of the depositary in connection with the issuance of Certificates of Deposit in exchange for certificates of stocks will be paid by the company.

The deposit of certificates will be purely voluntary on the part of the stockholders of the company. If the Commission should permit the declaration to become effective, the company would notify its stockholders of such action and advise them that they may deposit their stock certificates and receive in exchange the Certificate of Deposit. Depositing stockholders may obtain upon request to the depositary a form of transmittal letter to be used in depositing certificates.

Conclusions. The proposed issue of the Certificates of Deposit is subject to the provisions of section 6 (a) of the act and must, therefore, satisfy the applicable requirements of section 7. Since the Certificates of Deposit are to be issued solely for the purpose of exchanging an outstanding security of the declarant, the provisions of section 7 (c) (2) (A) are satisfied. No State commission having informed us that applicable State laws have not been complied with, the provisions of section 7 (g) appear to be satisfied, and we observe no basis for adverse findings under section 7 (d) of the act. Insofar as the standards and requirements of section 12 (c) of the act and Rule U-42 thereunder are applicable to the acquisition by Long Island of such stock certificates as may be deposited for exchange, we find them to be satisfied.

It may be noted that we have this day approved the application of the New York Curb Exchange for permission to

[1] There follows a corporate chart of the Long Island holding company system, with appropriate indentations to reflect the intercompany relationships:

	Percent
Long Island Lighting Company (electric and gas):	
Queens Borough Gas and Electric Company (electric and gas)	100
Nassau & Suffolk Lighting Company (electric and gas)	100
Long Beach Gas Company, Inc. (gas)	100
Kings County Lighting Company (gas)	97.74
Kings Appliance Corporation (non-utility)	100
Liland Corporation (non-utility)	100

[2] Long Island Lighting Company et al., Holding Company Act Release No. 5746.

[3] The substance of the action sought to be enjoined was the overprinting of existing certificates for preferred stock and the issuance of certificates for new common stock called for by the terms of the Certificate of Reduction of Capital. We alleged in our complaint that serious doubt existed whether the provisions of the recapitalization plan were fair and equitable to the persons affected thereby, and whether, if presented to us, they would be found to meet the standards of the act prescribed by Congress for the protection of investors. We sought to preserve the status quo in order to have an adequate opportunity to determine whether Long Island was to be required to register as a holding company and, as a consequence thereof, whether the plan would be subjected to the standards of Section 11. In the meantime preservation of the status quo would prevent the scrambling of the rights of Long Island's security holders and the trading in its securities on a misleading basis.

[4] As a result of Long Island's registration as a holding company, the proceeding in the United States Supreme Court became moot and the Court vacated the judgment of the Circuit Court of Appeals and remanded the case to the District Court with directions to dismiss the complaint.

[5] These securities had been admitted to unlisted trading privileges on the Curb Exchange. Of course, an over-the-counter market in the company's stocks has always existed.

[6] In its stockholder letter of May 1, 1945, Long Island stated that it was studying the problems of consolidation and reorganization of itself and of its subsidiaries, Queens Borough Gas and Electric Company, Nassau & Suffolk Lighting Company, and Long Beach Gas Company, Inc., and that it would formulate a plan, pursuant to the provisions of section 11 (e) of the act, to provide for a single integrated company which would issue such securities as may be authorized by the Public Service Commission of the State of New York and this Commission, and that such securities would be allocated to the stockholders of the respective companies in the manner and form as may be prescribed and approved by the two commissions.

extend unlisted trading privileges to the Certificates of Deposit.

It is therefore ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, said declaration be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10654; Filed, June 16, 1945; 9:35 a. m.]

[File No. 812-378]

INVESTORS SYNDICATE OF AMERICA, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 13th day of June, A. D. 1945.

An application has been filed by Investors Syndicate of America, Inc., a registered investment company, pursuant to sections 6 (c) and 28 (c) of the Investment Company Act of 1940 for an order under which such company shall deposit and maintain with The Marquette National Bank of Minneapolis part of the investments maintained by such company as certificate reserve requirement under the provisions of sections 28 (a) and (b) of said act; and in connection therewith the applicant has submitted a form of agreement and supplemental agreement with The Marquette National Bank of Minneapolis wherein Investors Syndicate of America, Inc. undertakes to deposit and maintain part of its investments upon the terms and conditions therein set forth.

It is ordered, Pursuant to section 40 (a) of said act that a hearing on the aforesaid application be had on Friday, June 22, 1945 at 10 o'clock a. m. eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Henry C. Lank and any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant, Paul E. Von Kuster, Harry H. Gallagher, John Harrison, voting trustees, and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10655; Filed, June 16, 1945; 9:35 a. m.]

[File No. 70-1089]

JOHN H. WARE, 3D

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of June, 1945.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by John H. Ware, 3d (Ware); and

Notice is further given that any interested person may, not later than June 16, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application, as filed or as amended, may become effective, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Ware proposes to organize two Pennsylvania companies, namely, Hamburg Gas & Fuel Company (Hamburg) and Pen Argyl Gas Company (Pen Argyl), which companies propose to issue and sell to Ware 300 and 600 shares, respectively, of $50 par value common stock for cash at par value (or for an aggregate of $45,000).

Thereupon, Hamburg and Pen Argyl propose to acquire certain gas utility assets from Allentown-Bethlehem Gas Company (Allentown), a subsidiary of The United Gas Improvement Company, a registered holding company, as follows:

Hamburg will acquire the gas utility assets of Allentown located in the Borough of Hamburg, Berks County, Pennsylvania, for a basic sales price of	$9,000
Pen Argyl will acquire from Allentown the gas utility assets located in the Borough of Pen Argyl, Northampton County, Pennsylvania, for a basic sales price of	$22,500

In each case an additional amount will be paid Allentown on account of certain tools, equipment, materials, supplies and accounts receivable.

Applicant considers section 10 of the act as applicable to the proposed transactions.

Applicant has requested that the effective date of such application be advanced.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-10671; Filed, June 16, 1945; 11:25 a. m.]

[File No. 70-960]

PHILADELPHIA ELECTRIC CO.

ORDER RELEASING JURISDICTION OVER FEES AND EXPENSES

At a regular meeting of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of June 1945.

The Commission, having, by order dated October 12, 1944, granted the application of Philadelphia Electric Company pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) thereof, of the issue and sale, in accordance with the competitive bidding provisions of Rule U-50 promulgated under the act, of $65,000,000 principal amount of First and Refunding Mortgage Bonds, 2¾% Series, due 1967, and $65,000,000 principal amount of First and Refunding Mortgage Bonds, 2¾% Series, due 1974; and the Commission by said order having, among other things, reserved jurisdiction as to the reasonableness of all fees and expenses incurred in connection with the proposed financing; and

Applicant having filed an amendment setting forth information with respect to the nature of the services performed and requesting that jurisdiction be released as to the payment of the following fees and expenses: (a) $6,059.65 to Morgan, Lewis & Bockius, $3,601.07 to Frank M. Hunter, $3,000 to Miles & O'Brien, and $823.02 to T. G. Hilliard, all of the foregoing being counsel for the applicant, (b) $35,000 to Drexel & Co., financial adviser to the applicant, and (c) $30,000 to Drinker, Biddle and Reath, independent counsel for the underwriters, and

It appearing to the Commission that said fees and expenses are for necessary services and are not unreasonable;

It is ordered, That jurisdiction heretofore reserved in the Order of October 12 1944, with respect to the payment of said fees and expenses be, and hereby is, released.

By the Commission.

Secretary.

[SEAL] ORVAL L. DUBOIS.

[F. R. Doc. 45-10670; Filed, June 16, 1945; 11:25 a. m.]

WAR FOOD ADMINISTRATION.

Office of Marketing Service

SUGARCANE PRODUCTION IN LOUISIANA

NOTICE OF HEARING WITH RESPECT TO FAIR AND REASONABLE WAGES

Pursuant to the authority contained in subsection (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, and Executive Order No. 9362, issued October 28, 1943, notice is hereby given that a public hearing will be held at Thibodeaux, Louisiana, in the Agricultural Building, on June 26, 1945 at 9:30 a. m.

The purpose of such hearing is to receive evidence likely to be of assistance to the War Food Administrator in determining (1), pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wages for persons employed in Louisiana in the harvesting of sugarcane during the period from September 1, 1945, to June 30, 1946, and the planting and cultivating of sugarcane during the calendar year 1946 on farms with respect to which applications for payments under the said act are made, and (2), pursuant to the provisions of section 301 (d) of the said act, fair and reasonable prices for the 1945 crop of sugarcane to be paid, under either purchase or toll agreements, by processors who as producers apply for payments under the said act; and to receive evidence likely to be of assistance to the War Food Administrator in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugarcane and with respect to the terms and conditions of contracts between laborers and producers of sugarcane.

Charles M. Nicholson, Harry H. Simpson, and Earle T. MacHardy are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearing.

Issued this 16th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10682; Filed, June 16, 1945; 3:31 p. m.]

WAR MANPOWER COMMISSION.

WACO, TEX., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Waco Area is hereby prescribed, pursuant to § 907.3 (g) of the War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," effective Oct. 16, 1943 (8 F.R. 11338, 9 F.R. 5490, 9 F.R. 12917).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative use of existing hiring channels and special authorization to designated Government agencies.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by the United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendment of plan.
19. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for, the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization plan:

(a) "The Waco Area" is the area comprised of the counties of McLennan, Bosque, Falls, Hamilton, Coryell, Limestone, Freestone, Leon, Madison, Bell, Milam, Robertson, Navarro, Hill.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry; and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration, and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (Locally needed activity determinations are made by the Area Director in consultation with the Area Management-Labor Committee, subject to the approval of the State and Regional Directors.)

(h) "Locality of the new employment." Locality of the new employment as used in section 10, paragraph (c) of this plan means within a reasonable daily commuting distance.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Waco Area shall be conducted in accordance with this employment stabilization plan.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Waco Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 5. *Encouragement of local initiative use of existing hiring channels and special authorization to designated Government agencies.* To the maximum degree consistent with this employment stabilization plan and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and Government Agencies. Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the Departmental or Field Service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the Railroad Industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in the off-shore, coastal or inter-coastal Merchant Marine Industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustments, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by the United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 are found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice and opportunity to be heard, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service, may upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a Statement of Availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service:

(a) If the new employee is a male.

(b) If the new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation:

(c) If the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(d) If the new employee's last regular employment was in the non-ferrous metal industry, or the lumber industry;

(e) If the new employee is to be engaged in an occupation in the manufacturing of ordnance and accessories, apparel and equipment for the armed forces, and at private aviation schools possessing government contracts, and production of finished lumber products.

(f) If the new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

The Area Manpower Director may fix for all or any establishments in the Waco Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishments' actual labor needs, the available labor supply and/or the relative urgency of the establishments' products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishments exceeding the employment ceiling or allowance currently applicable to it.

SEC. 11. *Exclusions.* No provisions of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment:

(b) The hiring of a new employee for work of less than seven days duration, or for work which is supplementary to the employee's principal work, but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii:

(d) The hiring by a foreign, State, county or municipal government, or their political sub-division, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a schoolteacher for vacation, employment or the rehiring of a schoolteacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, (a Statement as to whether or not the individual's last employment was in a critical occupation), and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualification essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 16. Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

SEC. 17. *General referral policies.* No provision in this plan shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Amendment of plan.* This plan may be amended at any time, after consultation with the Area Management-Labor Committee of the Waco Area, upon approval by the Regional Director of the War Manpower Commission.

SEC. 19. *Effective date.* This plan shall become effective 12:01 a. m. October 16, 1943, and as amended 12:01 a. m., July 1, 1944.

Dated: January 20, 1945.

D. HARDING,
Area Director.

Approved: May 8, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-10404; Filed, June 13, 1945; 3:00 p. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 10 NUMBER 122

Washington, Wednesday, June 20, 1945

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1945 CCC Cottonseed Form A]

PART 269—OFFER TO COTTONSEED PROCESSORS

JUNE 16, 1945.

Sec.
269.0 Introduction.
269.1 Terms of acceptance.
269.2 Purchases of cottonseed by the processor.
269.3 Purchase of chemical cotton linters by Commodity.
269.4 Purchases of crude cottonseed oil by Commodity.
269.5 Purchase of cottonseed meal and cake by Commodity.
269.6 Segregation of stored products.
269.7 Carrier and routing.
269.8 Bond.
269.9 Movement of linters, oil, cake and meal.
269.10 Liability limitations.
269.11 Books and records.
269.12 Termination of contract.
269.13 Definitions.
269.14 Benefits.

§ 269.0 *Introduction.* In order to support prices of cottonseed in accordance with the announcement of the War Food Administration on June 11, 1945, and to promote the orderly marketing of cottonseed and the production of cottonseed oil, cottonseed meal and cake, and cotton linters for war purposes, Commodity Credit Corporation (hereinafter called "Commodity") hereby offers to purchase such cottonseed products manufactured by any processor engaged in crushing cottonseed (hereinafter called the "processor") on the following terms and conditions:

§ 269.1 *Terms of acceptance.* The processor shall notify Commodity of his acceptance of this offer in substantially the following form:

The undersigned Processor hereby accepts your Offer to Cottonseed Processors (1945 CCC Cottonseed Form A) dated June 16, 1945, for the plants listed below. The Processor understands that, by the acceptance of such offer, he becomes obligated to pay not less than the prices specified in the offer for cottonseed of the 1945 crops purchased during the period ending July 31, 1946, and processed at the plants named below.

(Name plants, or specify "all plants")

Provided, That the terms of this offer shall not be binding upon Commodity unless such acceptance is forwarded by telegram or by registered mail to Commodity Credit Corporation, Oilseeds Division, United States Department of Agriculture, Washington 25, D. C., on or before August 1, 1945.

If a person operates more than one cottonseed crushing plant, he may file one acceptance for those plants for which he desires to accept this offer and shall specify in the acceptance the names and locations of the plants covered by the acceptance. If he desires to accept this offer for all plants he shall so state in his acceptance. The acceptance of this offer with respect to more than one processing plant shall result in a separate contract between Commodity and the processor with respect to cottonseed purchased for processing at, and cottonseed products manufactured at, each such plant. Commodity will acknowledge the receipt of each acceptance.

§ 269.2 *Purchases of cottonseed by the processor*—(a) *Purchases on a grade basis.* All cottonseed which is purchased by the processor on a chemical grade basis shall be graded on the basis of "United States Standard Grades," as amended effective August 1, 1945, in accordance with the rules, regulations, and standard methods governing the handling sampling, and analysis of cottonseed for grading purposes established by the United States Department of Agriculture. The minimum prices to be paid by the processor for such cottonseed f. o. b. shipping point shall be:

(1) For "basic grade" (100) cottonseed in lots of 5 tons or more:

(i) In Oklahoma, Texas (except Bowie County) and New Mexico—$55 per ton.

(ii) In other States and Bowie County, Texas—$56 per ton.

(2) For cottonseed grading above or below 100 in lots of 5 tons or more: the

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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price stated in subparagraph (1) of this paragraph plus or minus a percentage of such price equal to the percentage by which the grade of such cottonseed exceeds or is less than 100: *Provided*, That cottonseed grading "off-quality" or "below grade" may be purchased by the processor at such price as may be agreed upon by the processor and the seller at the time of purchase.

(2) For cottonseed in lots of less than 5 tons the prevailing price for bale lots in the locality where the cottonseed is purchased.

(b) *Purchases on a "flat" or "as is" basis.* The average price paid by the processor for all cottonseed which is purchased by him on a "flat" or "as is" basis shall be not less than the average price which he would have paid if each lot had been purchased on a grade basis in accordance with paragraph (a) of this section. The processor shall keep complete books and records of analyses and of prices paid for such cottonseed, and shall upon request in writing by Commodity submit such information and certifications with respect thereto as Commodity may request.

§ 269.3 *Purchase of chemical cotton linters by Commodity.* Commodity agrees to purchase, on the following terms and conditions, such chemical cotton linters as the processor may offer prior to August 1, 1946, to sell to Commodity in minimum carlots: *Provided*, That Commodity shall be obligated hereunder to purchase only the quantity of such chemical linters that is allocated to Commodity pursuant to War Production Board General Preference Order M-12, including any amendments thereto: *Provided further*, That in any event, Commodity shall be obligated to purchase 65 percent of the processor's production of linters during any portion of the period from August 1, 1945 to August 31, 1946, inclusive, if such linters are offered to Commodity prior to August 1, 1946, in minimum carlots. Commodity may reduce the quantity of linters which it is otherwise obligated to purchase hereunder by such quantity of linters as Commodity determines to have been purchased and paid for by it in excess of the quantity Commodity was obligated to purchase from the processor under this offer, under 1943 CCC Cottonseed Form A, Revised, or under 1944 CCC Cottonseed Form A.

(a) *Price, f. o. b. carrier at shipping point*—(1) *Base price for chemical cotton linters.* $3.80 per 100 pounds gross weight for linters with a 73 percent cellulose yield, calculated on actual moisture basis: *Provided*, That if, during any period while chemical cotton linters are being allocated to Commodity pursuant to War Production Board General Preference Order M-12, the base maximum price established by the Office of Price Administration exceeds $3.80, the base purchase price shall be such base maximum price in effect at the time of delivery pursuant to such allocation.

(2) *Premiums.* $0.009 per 100 pounds gross weight for each 1/10 of one percent of cellulose yield above 73 percent.

(3) *Discounts.* $0.009 per 100 pounds gross weight for each 1/10 of one percent of cellulose yield below 73 percent down to and including 70 percent, and $0.016 per 100 pounds gross weight for each 1/10 of one percent of cellulose yield below 70 percent.

(b) *Bagging.* Bales shall be well covered with close woven bagging. Sisal or paper covering will not be acceptable. Total tare shall not exceed 5 percent.

(c) *Quality.* Linters shall be clean, undamaged, free of excessive hull pepper, shale, and trash and shall not contain motes, sweepings, or any other foreign material and shall be suitable for chemical use as determined by Commodity or the consignee. Linters shall be subject to consignee's inspection and acceptance at the processor's mill. ("Consignee", as used in this section, means the bleachery or other person designated by Commodity to inspect and accept delivery of the linters). The processor shall give consignee written notice when linters are ready for inspection, and consignee shall have a reasonable length of time in which to make such inspection and tag the bales. Immediately upon consignee's request, the processor shall, at his expense, make the bales accessible so that each bale can be sampled, inspected, and tagged by consignee's inspector. The processor shall make linters available for inspection in lots of at least 200 bales, unless a smaller number of bales are necessary to complete delivery under any particular shipping order or at the end of the season. Commodity shall not be obligated to purchase any linters until such linters have been inspected and accepted by the consignee. All linters shall be inspected by the consignee on or before August 31, 1946.

(d) *Cellulose yield.* Cellulose yield, calculated on actual moisture content, shall be determined upon the basis of samples drawn from bales as unloaded at consignee's plant or storage warehouse and tests run in the consignee's laboratory by a method approved by the American Oil Chemists Society. However, an approved referee chemist's analysis of cellulose yield calculated on actual moisture content will be acceptable to Commodity for purposes of settlement under this contract, provided the processor arranges and pays for such analysis, without expense or delay in unloading to consignee, from samples drawn at the same time consignee draws its sample at unloading point.

(e) *Weight.* Where the consignee is a bleachery or public warehouse, the destination weight before compression shall govern. Where the consignee is other than a bleachery or public warehouse, the consignee shall be instructed by Commodity to notify the processor by telegram if the destination weight is more than 1 percent below the weight as billed by the processor, and the processor shall have the option, if he notifies the consignee by telegram within 24 hours of the receipt of such notice, to have the shipment reweighed by an official weighmaster at the processor's expense or to have the shipment reweighed by the consignee in the presence of a representative of the processor, provided such representative arrives at the destination point within 72 hours after the receipt of such notice by the processor.

(f) *Loading.* All cars shall be loaded to protect minimum freight rate. All cars shall be carefully swept and cleaned before loading. All linters shall be in such condition that common carrier will accept them for transportation to consignee's plant without any charges or expense other than freight. Such linters, when loaded, shall be in good condition, dry, and free from weather or other damage.

(g) *Shipment.* Shipments shall be made promptly after inspection and acceptance by consignee, subject to availability of storage space at consignee's plant or storage warehouse.

(h) *Shipping documents.* At the time of shipment, invoice (in quadruplicate), with original bill of lading and weight sheet attached, shall be mailed to the consignee. All shipments of any one day shall be included in a single invoice.

(i) *Payment and storage.* (1) Payment of the base price specified in paragraph (a) of this section shall be made by Commodity with respect to linters, other than linters stored as provided in subparagraph (2) of this paragraph, upon the receipt by Commodity from the consignee of approved shipping documents and such certifications as Commodity may prescribe and upon the basis of the weight shown in the invoice. Title and risk of loss or damage to such linters shall pass to Commodity upon issuance of a bill of lading or shipping receipt by a contract carrier. Final settlement for such linters shall be made after the receipt by Commodity from the consignee of the cellulose yield analysis and the certified destination out-turn weight of the linters.

(2) In the event the consignee is unable to accept linters for shipment promptly after inspection and acceptance at the processor's plant, the processor shall store such linters at his own expense in such manner that the linters are adequately protected against damage. Commodity shall advance to the processor against the purchase price of such linters an amount equal to the base price specified in paragraph (a) of this section, upon the receipt from the processor of storage receipts, in form satisfactory to Commodity; an invoice

showing the base price for such linters and approved by the consignee; and such certifications as Commodity may prescribe. Title to such linters shall pass to Commodity upon receipt of such documents. The processor, however, shall be responsible, and shall reimburse Commodity, for any loss of or damage to such linters while so stored resulting from any cause whatsoever, except loss or damage caused solely by an act of God not normally covered by such insurance as the processor is required herein to maintain. The processor shall maintain insurance thereon, sufficient to protect Commodity's interest therein, against risk of loss or damage by fire, lightning, windstorm, tornado, and other risks normally insured against by the processor. The processor shall furnish Commodity certificates of indorsement from insurance companies, acceptable to Commodity, showing Commodity to be fully covered for the maximum duration of storage of such linters. The consignee or Commodity shall send shipping instructions on or before September 1, 1946, for all linters so stored. Final settlement for such linters shall be made after the receipt by Commodity from the consignee of approved shipping documents, together with the cellulose yield analysis and the certified destination out-turn weight of the linters.

§ 269.4 *Purchases of crude cottonseed oil by Commodity.* Commodity agrees to purchase, on the following terms and conditions, crude cottonseed oil which the processor offers, prior to August 1, 1946, to sell to Commodity: *Provided, however,* That Commodity shall only be obliged to purchase the excess of the processor's production over his undelivered sales contracts:

(a) *Base price.* $\frac{1}{8}$ cent per pound below the applicable base maximum price established by the Office of Price Administration, loaded in tank cars, f. o. b. processor's plant, and in effect June 15, 1945.

(b) *Base grade.* "Basis prime crude cottonseed oil" as defined in the rules of the National Cottonseed Products Association in effect at the time of delivery.

(c) *Quality settlement basis.* The base price shall be adjusted for variance in quality in accordance with the provisions of the rules of the National Cottonseed Products Association in effect at the time of delivery.

(d) *Passage of title.* Title and risk of loss or damage to the oil shall pass to Commodity upon payment by Commodity to the processor of the purchase price.

(e) *Storage and care.* Oil purchased by Commodity shall, without cost to Commodity, be stored by the processor to the extent of available facilities at the plant until arrangements are made by Commodity for moving the oil. The processor shall notify Commodity of any condition which may result in quality deterioration: *Provided,* That prime or basis prime, and off-grade crude cottonseed oil as defined in the rules of the National Cottonseed Products Association shall not be stored in the same storage tank.

(f) *Delivery.* Oil purchased by Commodity shall be shipped by the processor in accordance with Commodity's instructions: *Provided,* That instructions for the prompt shipment of all such oil shall be given on or before September 1, 1946.

(g) *Payment of purchase price.* Payment of the purchase price shall, subject to the adjustment specified in paragraph (h) of this section, be made upon the presentation to and approval by Commodity of:

(1) An invoice, in duplicate, showing the quantity and quality of the oil and the price thereof.

(2) Either (i) storage receipts, in form satisfactory to Commodity, representing the oil and identifying it by tank number or otherwise, each receipt representing not less than one or more than five tank car units of 60,000 pounds each or, (ii) if Commodity has furnished shipping instructions, straight bills of lading showing the oil has been shipped in accordance with Commodity's instructions, accompanied by official weight certificates: *Provided,* That one clean-up tank car of less than 60,000 pounds will be accepted by Commodity from the processor if such processor protects the carload freight rate.

(3) If the oil is stored by the processor, a certificate of sampling and analysis issued by a chemist who has been certified by the National Cottonseed Products Association and approved by Commodity, such certificate to be obtained at the processor's expense and to be identified with oil represented by a particular storage certificate.

(4) Such other certifications as Commodity may prescribe.

(h) *Final settlement.* Final settlement shall be made for each tank car of oil upon arrival at the destination specified by Commodity upon the basis of:

(1) *Weight.* The out-turn weight of the oil at destination as certified on consignee's sworn weight certifications;

(2) *Analysis.* If the oil is not stored by the processor, the final settlement analysis as agreed upon between the consignee and the processor.

§ 269.5 *Purchase of cottonseed meal and cake by Commodity.* Commodity agrees to purchase, on the following terms and conditions, prime quality bulk cottonseed meal of 41 percent minimum protein content which the processor offers, prior to August 1, 1946, to sell to Commodity in minimum car lots:

(a) *Price.*

Location of processor's plant and purchase price per ton bulk basis, f. o. b. cars at Processor's Plant location

Louisiana, Mississippi, Arkansas, Tennessee, Missouri, Illinois, and Bowie County, Texas	$43
North Carolina, South Carolina, Georgia, Alabama, and Florida	44
Texas (except Bowie County), Oklahoma, New Mexico, Arizona, and California	45

Upon request by Commodity, the processor shall apply sacked meal or, if available, sized cake in bags or loose slab cake of 41 percent minimum protein content, at the price differentials allowed in applicable regulations issued by the Office of Price Administration.

(b) *Quality.* Prime quality, as defined in the rules of the National Cottonseed Products Association in effect at the time of delivery, of not less than 41 percent protein content.

(c) *Passage of title.* Title and risk of loss or damage to the cake and meal shall pass to Commodity upon the payment by Commodity to the processor of the purchase price.

(d) *Storage and care.* Cake and meal purchased by Commodity shall, without cost to Commodity, be stored by the processor to the extent that the processor's usual plant storage capacity for cake and meal will permit. In the event the processor's usual plant storage capacity will not permit the storage of cake or meal offered to Commodity hereunder, the processor shall, before selling such cake or meal to Commodity, arrange for other storage on terms and conditions satisfactory to Commodity. All warehouse charges in storage other than plant storage shall be paid by Commodity. The Processor shall not be liable for loss in quality not due to his fault or negligence after passage of title. The processor shall notify Commodity of any conditions which may result in loss of quality.

(e) *Payment.* Payment of the purchase price shall be made upon the presentation to and approval by Commodity of:

(1) An invoice, in duplicate, showing the quantity and quality of cake or meal and the price thereof;

(2) Storage receipts, in form satisfactory to Commodity, representing the cake or meal and identifying it in place of storage, or, if Commodity has furnished shipping instructions, bills of lading, showing the meal or cake has been shipped in accordance with Commodity's instructions, accompanied by certified weights;

(3) A certificate of sampling and analysis issued by a chemist who has been certified by the National Cottonseed Products Association, and approved by Commodity, such certificate to be obtained at the processor's expense and to be identified with cake or meal represented by a particular storage receipt or bill of lading;

(4) Such other certifications as Commodity may prescribe.

(f) *Weight adjustment.* If the cake or meal is stored, payment will be made on the basis of the weight shown on the storage receipts representing the cake or meal. However, if the certified weight of the cake or meal at the point of destination differs from the weight shown on such storage receipts, an adjustment of the amount paid by Commodity shall be made, based upon such difference in weight.

(g) *Loading out.* Upon receipt of shipping instructions from Commodity, the processor shall, without cost to Commodity, load out from his plant or plant storage and place on carrier, in accordance with such instructions, any such cake and meal ordered loaded out by Commodity. Instructions for the prompt shipment of all such cake and meal shall be given on or before September 1, 1946.

§ 269.6 *Segregation of stored products.* All cottonseed products which the processor holds for the account of Commodity shall be segregated from any other cottonseed products, and the buildings, tanks, piles, bins, or other units in which such products are stored shall be marked in conspicuous places with appropriate signs and in such manner as will give public notice of Commodity's ownership of such products.

§ 269.7 *Carrier and routing.* The processor may select the originating carrier on shipments of cottonseed products but the lowest available transportation rate between the point of shipment and the point of destination named in Commodity's instructions shall not be exceeded and the routing and loading shall be in compliance with applicable regulations: *Provided,* That all shipments of cotton linters shall be made to Commodity at the point designated by the consignee on open bills of lading or contract carrier receipts, freight collect, and on consignee's routing, which shall not be altered without consignee's consent.

§ 269.8 *Bond.* Upon Commodity's request the processor shall furnish to Commodity a bond conditioned upon the faithful performance by the processor of his obligations hereunder with respect to the storage and delivery of cottonseed products held by him for the account of Commodity. Such bond shall be in such form, and in such amount, and with such sureties, as Commodity may prescribe.

§ 269.9 *Movement of linters, oil, cake and meal.* Notwithstanding any provisions of §§ 269.3, 269.4, and 269.5 hereof, Commodity shall not be responsible for any loss or injury caused the processor by failure of Commodity or its consignees to move cottonseed products due to the unavailability of transportation or storage facilities, or due to any other cause beyond the control of Commodity or its consignees. Commodity shall not be responsible, except as is otherwise expressly provided herein, or except as such transportation or handling is requested by Commodity, for any cost in connection with the transportation or other handling of any cottonseed product held by the processor for the account of Commodity.

§ 269.10 *Liability limitations.* The processor shall not be liable for any loss of or damage to any cottonseed oil, meal, or cake owned by Commodity unless such loss or damage is due to the fault or negligence of the processor. Neither Commodity nor the processor shall be liable for any failure to comply with this contract which results directly or indirectly from compliance with any regulations or orders issued pursuant to the authority contained in Title III of the Second War Powers Act, 1942, the Emergency Price Control Act of 1942, as amended, or any other statute, or Executive order.

§ 269.11 *Books and records.* The processor shall keep accurate books, records, and accounts with respect to all purchases of cottonseed and all other transactions hereunder, and shall furnish Commodity such information and reports as Commodity may from time to time request. Commodity may at any time examine and audit the books, records, and accounts of the processor insofar as they relate to any contract resulting from the processor's acceptance of this offer.

§ 269.12 *Termination of contract.* Any contract resulting from the processor's acceptance of this offer may be terminated at any time by Commodity or the processor, upon written notice to the other party, as to cottonseed purchased by the processor after such termination and cottonseed products manufactured therefrom. Notwithstanding such termination, such contract shall continue in full force and effect with respect to cottonseed products which are manufactured by the processor from cottonseed purchased by the processor prior to such termination and offered to Commodity pursuant to §§ 269.3, 269.4, and 269.5 hereof. Nothing contained in this section shall be construed to prevent the termination by Commodity of any such contract at any time for violation of any of the provisions thereof.

§ 269.13 *Definitions.* As used in this contract:

(a) "Cottonseed" means cottonseed of the 1945 crop produced in the continental United States and purchased by the processor during the period ending July 31, 1946.

(b) "Cotton linters" or "linters", "cottonseed oil" and "cottonseed meal and cake" means the linters, oil, and meal and cake, respectively, manufactured from cottonseed by the processor during the period ending August 31, 1946.

(c) "Cottonseed products" means cotton linters, cottonseed oil, and cottonseed meal and cake.

§ 269.14 *Benefits.* No member of or delegate to the Congress of the United States shall be admitted to any share or part of a contract formed by the acceptance of this offer or to any benefit to arise therefrom, but this provision shall not be construed to extend to benefits arising from such contract if accruing to a corporation, nor shall this provision be construed to prohibit the purchase of cottonseed from a member of or delegate to the Congress.

NOTE: All reporting and record-keeping requirements of this offer have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[SEAL] COMMODITY CREDIT CORPORATION,
By C. C. FARRINGTON,
Vice President.

Attest:

NORINE J. FAUBLE,
Assistant Secretary.

[F. R. Doc. 45-10683; Filed, June 16, 1945; 3:31 p. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 56, Amdt. 2]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY TO OFFICE OF PRICE ADMINISTRATION WITH RESPECT TO FOOD RATIONING

War Food Order No. 56, as amended (8 F.R. 2005; 9 F.R. 4321, 4319; 10 F.R. 103), is hereby further amended by deleting from § 1400.3 (b) the words "for export to, or consumption or use in, any foreign country," and inserting, in lieu thereof, the words "for export, in quantities valued at $25.00 or more, to any foreign country,".

This amendment to War Food Order No. 56, as amended, shall become effective at 12:01 a. m., e. w. t., June 16, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of June 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-10719; Filed, June 18, 1945; 2:48 p. m.]

[WFO 75, Amdt. 22]

PART 1410—LIVESTOCK AND MEATS

HOG SUPPORT PRICES

War Food Order No. 75, as amended (10 F.R. 4649), is further amended by deleting paragraphs (b) (1) (i) and (b) (1) (ii), and substituting in lieu thereof the following:

(b) *Support prices.* (1) All slaughterers except farmers shall pay for good to choice butcher hogs (barrows and gilts), not less than the following support prices:

(i) Chicago market, $13.00 per hundredweight.

(ii) At terminal markets other than Chicago and at interior markets and buying stations, $1.75 per hundredweight below the maximum price in effect at such market or buying station on November 15, 1944 under regulations of the Office of Price Administration.

This order shall become effective at 12:01 a. m., e. w. t., June 17, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10665; Filed, June 16, 1945; 11:10 a. m.]

[WFO 18-3, as Amended, Amdt. 2 to Partial Suspension]

PART 1415—IMPORTED FOODS

TEA QUOTAS, PACKING RESTRICTIONS, REPORTS, AND RECORDS FOR PACKERS AND WHOLESALERS

The order (9 F.R. 14876), issued December 22, 1944, as amended (10 F.R. 103, 3175), partially suspending War Food Order No. 18-3, as amended (9 F.R. 13943, 10 F.R. 103), is hereby further amended to read as follows:

The provisions of § 1415.6, paragraphs (b), (c), (d), and (e) of War Food Order No. 18-3, as amended (9 F.R. 13943, 10 F.R. 103), issued on November 22, 1944, are temporarily suspended.

The provisions hereof shall become effective at 12:01 a. m., e. w. t., January 1, 1945, and shall continue in effect until 12:01 a. m., e. w. t., October 1, 1945, unless otherwise ordered by the Director. With respect to violations of said War Food Order No. 18-3, as amended, rights accrued, liabilities incurred, or appeals taken prior to the effective time hereof, the provisions of said War Food Order No. 18-3, as amended, and in effect prior to the time hereof, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 18, 8 F.R. 1778, 3244, 8288, 9103, 9 F.R. 4321, 4219, 9584, 10 F.R. 103)

Issued this 16th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 15-10635; Filed, June 16, 1945; 3:34 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 1—POLICIES

The Commission, on May 30, 1945, amended § 1.3 (Settlement of cases by stipulation), § 1.4 (Reports of trial examiners), and § 1.5 (Wool Products Labeling Act) of its statement of policy, so that said statement of policy (Part 1—Policies) shall read as follows, effective July 1, 1945:

Sec.
1.1 Status of applicant or complainant.
1.2 Policy as to private controversies.
1.3 Settlement of cases by stipulation.
1.4 Reports of trial examiners.
1.5 Wool Products Labeling Act.

AUTHORITY: §§ 1.1 to 1.5 inclusive, issued under the authority contained in sec. 6, 38 Stat. 721; 15 U.S.C. sec. 46.

§ 1.1 *Status of applicant or complainant.* The so-called "applicant" or complaining party has never been regarded as a party in the strict sense. The Commission acts only in the public interest. It has always been and now is the rule not to publish or divulge the name of an applicant or complaining party, and such party has no legal status before the Commission except where allowed to intervene as provided by the statute.

§ 1.2 *Policy as to private controversies.* It is the policy of the Commission not to institute proceedings against alleged unfair methods of competition or unfair or deceptive acts or practices where the alleged violation of law is a private controversy redressable in the courts, except where said practices tend to affect the public. In cases where the alleged injury is one to a competitor only and is redressable in the courts by an action by the aggrieved competitor and the interest of the public is not involved, the proceeding will not be entertained.

§ 1.3 *Settlement of cases by stipulation.* Whenever the Commission shall have reason to believe that any person has been or is using unfair methods of competition or unfair or deceptive acts or practices in commerce, and that the interest of the public will be served by so doing, it may withhold service of complaint and extend to the person opportunity to execute a stipulation satisfactory to the Commission, in which the person, after admitting the material facts, promises and agrees to cease and desist from and not to resume such unfair methods of competition or unfair or deceptive acts or practices. All such stipulations shall be matters of public record, and shall be admissible as evidence of prior use of the unfair methods of competition or unfair or deceptive acts or practices involved in any subsequent proceeding against such person before the Commission. It is not the policy of the Commission to thus dispose of matters involving intent to defraud or mislead; false advertisement of food, drugs, devices, or cosmetics which are inherently dangerous or where injury is probable; suppression or restraint of competition through conspiracy or monopolistic practices; violations of the Clayton Act; violations of the Wool Products Labeling Act of 1939 or the rules promulgated thereunder; or where the Commission is of the opinion that such procedure will not be effective in preventing continued use of the unlawful method, act, or practice. The Commission reserves the right in all cases, for any reasons which it regards as sufficient, to withhold this privilege.

§ 1.4 *Reports of trial examiners.* The policy of the Commission is that reports of trial examiners shall not be open to public inspection or to publication until after the publication of the Commission's decisions in the cases in which such reports are made. During this time they are open only to the Commission, to counsel and to parties respondent in such cases.

§ 1.5 *Wool Products Labeling Act.* In the handling of cases before the Commission arising under this Act, the practice and procedure of the Commission, in so far as applicable, will be as provided in cases arising under the Federal Trade Commission Act.

Promulgated as of this date in pursuance of the action of the Federal Trade Commission under date of May 30, 1945, effective July 1, 1945.

By direction of the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10775; Filed, June 19, 1945; 10:50 a. m.]

PART 2—RULES OF PRACTICE

The Commission, on May 30, 1945, amended § 2.6 (Documents), § 2.9 (Answers), § 2.10 (Motions), § 2.17 (Evidence), § 2.20 (Trial examiner's report), § 2.21 (Exceptions), § 2.23 (Briefs), and § 2.27 (Trade practice conference procedure), of its rules of practice, so that said rules of practice (Part 2—Rules of practice) shall read as follows, effective July 1, 1945.

Sec.
2.1 The Commission.
2.2 The Secretary.
2.3 Service.
2.4 Appearance.
2.5 Intervention.
2.6 Documents.
2.7 Applications for complaint.
2.8 Complaints.
2.9 Answers.
2.10 Motions.
2.11 Continuances and extensions of time.
2.12 Hearings on complaints.
2.13 Hearings on investigations.
2.14 Trial examiners.
2.15 Subpoenas.
2.16 Witnesses.
2.17 Evidence.
2.18 Depositions.
2.19 Admission of facts and of genuineness of documents.
2.20 Trial examiner's report.
2.21 Exceptions.
2.22 Statements of facts.
2.23 Briefs.
2.24 Oral argument.
2.25 Reports showing compliance with orders and with stipulations.
2.26 Reopening proceedings.
2.27 Trade practice conference procedure.
2.28 Confidential records and information.

AUTHORITY: §§ 2.1 to 2.28 inclusive, issued under the authority contained in sec. 6, 38 Stat. 721; 15 U.S.C. sec. 46.

NOTE: In §§ 2.1 to 2.28, inclusive, the numbers to the right of the decimal point correspond with the respective rules (I to XXVIII) in the Rules of Practice of the Federal Trade Commission, July 1, 1938.

§ 2.1 *The Commission—(a) Office.* The principal office of the Commission is at Washington, D. C.

All communications to the Commission must be addressed to: Federal Trade Commission, Washington, D. C., unless otherwise specifically directed.

Branch offices are maintained at New York, Chicago, San Francisco, Seattle, and New Orleans.

Their addresses are: Federal Trade Commission, Room 501, 45 Broadway, New York, N. Y.; Federal Trade Commission, 1118 New Post Office Building, 433 West Van Buren Street, Chicago, Ill.; Federal Trade Commission, Third Floor, Sharon Building, 55 Montgomery Street, San Francisco, Calif.; Federal Trade Commission, 801 Federal Building, Seattle, Wash.; Federal Trade Commission, 1107 Pere Marquette Building, 150 Baronne Street, New Orleans, La.

(b) *Hours.* Offices are open on each business day from 8:30 a. m. to 5 p. m.

(c) *Sessions.* The Commission may meet and exercise all its powers at any place, and may, by one or more of its members, or by such examiners as it may designate, prosecute any inquiry necessary to its duties in any part of the United States.

Sessions of the Commission for hearings will be held as ordered by the Commission.

Sessions of the Commission for the purpose of making orders and for transaction of other business, unless otherwise ordered, will be held at the principal office of the Commission at Pennsylvania Avenue at Sixth Street, Washington, D. C., on each business day at 10 a. m.

(d) *Quorum.* A majority of the members of the Commission shall constitute a quorum for the transaction of business.

§ 2.2 *The Secretary.* The Secretary is the executive officer of the Commission and shall have the legal custody of its seal, papers, records and property; and all orders of the Commission shall be signed by the Secretary or such other person as may be authorized by the Commission.

§ 2.3 *Service.* Complaints, orders, and other processes of the Commission, and briefs for the Commission, will be served by the Secretary of the Commission by registered mail, except when service by other method shall be specifically ordered by the Commission, by registering and mailing a copy thereof addressed to the person, partnership, or corporation to be served at his or its principal office or place of business. When proceeding under the Federal Trade Commission Act service may also be made at the residence of the person, partnership, or corporation to be served.

When service is not accomplished by registered mail, complaints, orders, or other processes of the Commission, and briefs for the Commission, may be served by anyone duly authorized by the Commission, or by any examiner of the Commission,

(a) By delivering a copy of the document to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation to be served; or

(b) By leaving a copy thereof at the principal office or place of business of such person, partnership, or corporation. When proceeding under the Federal Trade Commission Act service may also be made at the residence of the person, partnership, or corporation to be served.

The return post-office receipt for said complaint, order, or other process or brief registered and mailed as aforesaid, or the verified return by the person serving such complaint, order, or other process or brief, setting forth the manner of said service, shall be proof of the service of the document.

§ 2.4 *Appearance.* Any individual or member of a partnership which is a party to any proceeding before the Commission may appear for himself or such partnership upon adequate identification, and a corporation or association may be represented by a bona fide officer of such corporation or association upon a showing of adequate authorization therefor.

A party may also appear by an attorney at law possessing the requisite qualifications, as hereinafter set forth, to practice before the Commission.

Attorneys at law who are admitted to practice before the Supreme Court of the United States, or the highest court of any State or Territory of the United States, or the United States Court of Appeals for the District of Columbia, or the District Court of the United States for the District of Columbia, may practice before the Commission.

No register of attorneys who may practice before the Commission is maintained. No application for admission to practice before the Commission is required. A written notice of appearance on behalf of a specific party or parties in the particular proceeding should be submitted by attorneys desiring to appear for such specific party or parties, which notice shall contain a statement that the attorney is eligible under the provisions of this rule. Any attorney practicing before the Commission or desiring so to practice may, for good cause shown, be disbarred or suspended from practicing before the Commission, but only after he has been afforded an opportunity to be heard in the matter.

No former officer, examiner, attorney, clerk, or other former employee of this Commission shall appear as attorney or counsel for or represent any party in any proceeding resulting from any investigation, the files of which came to the personal attention of such former officer, examiner, attorney, clerk, or other former employee during the term of his service or employment with the Commission.

§ 2.5 *Intervention.* Any person, partnership, corporation, or association desiring to intervene in a contested proceeding shall make application in writing, setting out the grounds on which he or it claims to be interested.

The Commission may, by order, permit intervention by counsel or in person to such extent and upon such terms as it shall deem proper.

§ 2.6 *Documents—(a) Filing.* All documents required to be filed with the Commission in any proceeding shall be filed with the Secretary of the Commission.

(b) *Title.* Documents shall clearly show the docket number and title of the proceeding.

(c) *Copies.* Documents, other than correspondence, shall be filed in triplicate, except as otherwise specifically required by these rules.

(d) *Form.* Documents not printed shall be typewritten, on one side of paper only; letter size, eight (8) inches by ten and one-half (10½) inches; left margin, one and one-half (1½) inches; right margin, one (1) inch.

Documents may be printed, in ten (10) or twelve (12) point type, on good, unglazed paper, of the dimensions and with the margins above specified.

Documents shall be bound at left side only.

The originals of all answers, briefs, motions, and other documents shall be signed in ink, by the respondent or his duly authorized attorney. Where the respondent is an individual or a partnership, the originals of said documents shall be signed by said individual or by one of the partners, or by his or its attorney. Where the respondent is a corporation, the originals of said documents shall be signed under the corporate name by a duly authorized official of such corporation, or by its attorney. Where the respondent is an association, the originals of said documents shall be signed under the association name for said association by a duly authorized official of such association, or by its attorney.

One copy of a brief or other document required to be printed may be signed as the original.

§ 2.7 *Applications for complaint.* Any person, partnership, corporation, or association may apply to the Commission to institute a proceeding in respect to any violation of law over which the Commission has jurisdiction.

Such application for complaint shall be in writing, signed by or in behalf of the applicant, and shall contain a short and simple statement of the facts constituting the alleged violation of law and the name and address of the applicant and of the party complained of.

§ 2.8 *Complaints.* Whenever the Commission shall have reason to believe that there is a violation of law over which the Commission has jurisdiction, and, in case of violation of the Federal Trade Commission Act, if it shall appear to the Commission that a proceeding by it in respect thereof would be to the interest of the public, the Commission shall issue and serve upon the party complained of a complaint stating its charges and containing a notice of a hearing upon a day and at a place therein fixed, at least 30 days after the service of said complaint.

§ 2.9 *Answers.* In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Seven (7) copies of answers shall be furnished. The original of all answers shall be signed, in ink, by the respondent or by his attorney at law. Corporations or associations shall file answers through a bona fide officer or by an attorney at law. Answers shall show the office and post-office address of the signer.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in

the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with § 2.23.

§ 2.10 *Motions.* Motions before the Commission or the trial examiner shall state briefly the purpose thereof and all supporting affidavits, records, and other papers, except such as have been previously filed, shall be filed with such motions and clearly referred to therein.

Motions in any proceeding before a trial examiner which relate to the introduction or striking of evidence, or with respect to procedure during the course of hearings, shall be made to the trial examiner and shall be ruled on by the trial examiner. Exception to any such ruling must be noted before the trial examiner in order to be urged before the Commission. All other motions in any proceeding before a trial examiner, except as otherwise provided in these rules, shall be addressed to and shall be ruled upon by the Commission.

Seven (7) copies of the motion, the original signed in ink, shall be filed.

§ 2.11 *Continuances and extensions of time.* Except as otherwise expressly provided by law, the Commission, for cause shown, may extend any time limits prescribed for filing any papers, and may continue or adjourn any hearing. A hearing before a trial examiner shall begin at the time and place ordered by the Commission, but thereafter may be adjourned from time to time by the trial examiner or the Commission.

Applications for continuances and extensions of time should be made prior to the expiration of time prescribed by this part.

§ 2.12 *Hearings on complaints.* All hearings before the Commission or trial examiners on complaints issued by the Commission shall be public, unless otherwise ordered by the Commission.

Upon the joining of issue in a proceeding upon complaint issued by the Commission, the taking of evidence therein shall proceed with all reasonable diligence and with the least practicable delay.

Not less than five (5) days' notice of the time and place of the initial hearing before the Commission, a Commissioner, or a trial examiner, shall be given by the Commission to counsel of record or to parties.

Hearings shall be stenographically reported by the official reporter of the Commission and a transcript thereof shall be made which shall be a part of the record of the proceeding. The transcript so made shall be the sole official transcript. Transcripts will be supplied to a respondent or respondents and to the public by the official reporter at rates not to exceed the maximum rates fixed by contract between the Commission and the reporter.

Changes in the official record may be made only when they involve errors affecting substance and then only in the manner herein provided. No physical changes shall be made in or upon the official record or copies thereof in the custody of the Commission. Lists of changes agreed to in writing by opposing counsel may be incorporated into the record, if and when approved by the Trial Examiner, at the close of evidence in support of the complaint for good cause shown, or at the final hearing before the trial examiner, or at any time thereafter before he files his report, and at no other times. If any changes are ordered by the trial examiner without such written agreement between opposing counsel they shall be subject to objection in the same manner as provided under §§ 2.17 and 2.23.

§ 2.13 *Hearings on investigations.* When a matter for investigation is referred to a single Commissioner, or examiner, for examination or report, such Commissioner, or examiner, if authorized by the Commission, may conduct or hold conferences or hearings thereon, and reasonable notice of the time and place of such hearings shall be given to parties in interest and posted.

The chief counsel or such attorney as shall be designated by him, or by the Commissioner, or by the Commission, shall attend such hearings and prosecute the investigation, which hearings shall be public, unless otherwise ordered by the Commission.

§ 2.14 *Trial examiners.* When evidence is to be taken in a proceeding upon complaint issued by the Commission, a trial examiner may be designated for that purpose by the Commission.

It shall be the duty of the trial examiner to complete the taking of evidence with all due dispatch.

The trial examiner shall state the place, day, and hour to which the taking of evidence may from time to time be adjourned.

The trial examiner is charged with the duty of conducting a fair and impartial hearing and of maintaining order in form and manner consistent with the dignity of the Commission. He will note on the record any disregard by counsel of his rulings on matters of order and procedure and where he deems it necessary shall make special written report thereof to the Commission. In the event that counsel for the Commission or for any respondent shall be guilty of disrespectful, disorderly, or contumacious language or conduct in connection with any hearing, the trial examiner may suspend the proceeding and submit to the Commission his report thereon, together with his recommendations as to whether any rule should be issued to show cause why such counsel should not be suspended or disbarred pursuant to § 2.4 or subjected to other appropriate action in respect thereto. A copy of such trial examiner's report shall be furnished to any counsel upon whose language or conduct such report is made, and the Commission will take disciplinary action only after an opportunity for hearing has been accorded such counsel.

§ 2.15 *Subpoenas.* Subpoenas requiring the attendance of witnesses from any place in the United States, at any designated place of hearing, may be issued by any member of the Commission. Application therefore may be made either to the Secretary or to the presiding trial examiner.

Subpoenas for the production of documentary evidence will be issued only upon application in writing to the Commission. The application must specify, as exactly as possible, the documents desired, and show their competency, relevancy, and materiality. An application by a respondent shall be verified by oath or affirmation.

§ 2.16 *Witnesses.* Witnesses shall be examined orally, except that for good and exceptional cause for departing from the general rule the Commission may permit their testimony to be taken by deposition.

Witnesses summoned by the Commission shall be paid the same fees and mileage as are paid witnesses in the courts of the United States.

Witnesses whose depositions are taken, and the persons taking such depositions, shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

Witness fees and mileage, and fees for depositions, shall be paid by the party at whose instance witnesses appear.

§ 2.17 *Evidence*—(a) *Documentary.* Where relevant and material matter offered in evidence is embraced in a document containing other matter not material or relevant and not intended to be put in evidence, such immaterial or irrelevant parts shall be excluded, and shall be segregated insofar as practicable.

(b) *Objections.* Objections to the evidence before a trial examiner, a Commissioner or the Commission shall be in short form, stating the grounds of objections relied upon, and the transcript shall not include argument or debate thereon except as ordered by the trial examiner, a Commissioner or the Commission. Rulings on such objections shall be a part of the transcript. An objection not urged or argued in the brief will be deemed to have been abandoned.

§ 2.18 *Depositions.* The Commission may order evidence to be taken by deposition in any proceeding or investigation pending at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the Commission and having power to administer oaths.

Unless notice be waived, no deposition shall be taken except after at least five (5) days' notice to the parties within the United States, and fifteen (15) days' notice when deposition is to be taken elsewhere.

Any party desiring to take the deposition of a witness shall make application in writing, setting out the reasons why such deposition should be taken, and stating the time when, the place where, and the name and post-office address of the person before whom it is desired the deposition be taken, the name and post-office address of the witness, and the subject matter or matters concerning which the witness is expected to testify. If good cause be shown, the Commission will make and serve upon the parties, or their attorneys, an order wherein the Commission shall name the witness whose deposition is to be taken and specify the time when, the place where, and the person before whom the witness is to testify, but such time and place, and the person before whom the deposition is to be taken, so specified in the Commission's order, may or may not be the same as those named in said application to the Commission.

The testimony of the witness shall be reduced to writing by the officer before whom the deposition is taken, or under his direction, after which the deposition shall be subscribed by the witness and certified in usual form by the officer. After the deposition has been so certified, it shall, together with three additional copies thereof made by such officer or under his direction, be forwarded by such officer under seal in an envelope addressed to the Commission at its office in Washington, D. C. Such deposition, unless otherwise ordered by the Commission for good cause shown, shall be filed in the record in said proceeding and a copy thereof supplied to the party upon whose application said deposition was taken, or his attorney.

Depositions shall be typewritten, on one side of paper only; letter size, eight (8) inches by ten and one-half ($10\frac{1}{2}$) inches; left margin, one and one-half ($1\frac{1}{2}$) inches; right margin, one (1) inch. Depositions shall be bound at left side only.

§ 2.19 *Admission of facts and of genuineness of documents.* At any time after answer has been filed, the trial attorney for the Commission may serve upon any respondent, or counsel for a respondent may serve upon the Commission's trial attorney, a written request for admission of the genuineness of any relevant documents described in and exhibited with the request, or of the truth of any relevant matters of fact set forth in such documents.

Copies of the documents shall be delivered with the request unless copies have already been furnished. Each of the matters on which an admission is so requested shall be deemed admitted unless, within a period designated within the request, not less than ten days after service thereof or within such further time as the Commission or the trial examiner may allow on motion and notice, the party so served serves upon the party making the request a sworn statement either denying specifically the matters of which an admission is requested, or setting forth in detail the reasons why he can neither truthfully admit nor deny those matters. Service required hereunder may be made upon a respondent either by registering and mailing or by delivering a copy of the documents to be served to the respondent or his attorney, or by leaving a copy at the principal office or place of business of either. Service upon the Commission's trial attorney may be either by registering and mailing or by delivering a copy of the documents to be served to such attorney.

§ 2.20 *Trial examiner's report.* The trial examiner shall, as soon as practicable and not later than thirty (30) days after receipt by him of the complete stenographic transcript of all testimony in a proceeding, make his report setting forth his findings of fact, conclusions of fact and of law, and recommendations as to the action to be taken by the Commission.

A copy of such report shall forthwith be served upon each attorney for the Commission, upon each attorney for respondents, and upon each respondent not represented by counsel.

The trial examiner's report is not a report or finding of the Commission. Such report is advisory only and is not binding upon the Commission.

§ 2.21 *Exceptions.* Any respondent and the Commission's attorney may, within ten (10) days after receipt of a copy of the trial examiner's report, file exceptions to the findings of fact and conclusions of law of the trial examiner. Exceptions to findings of fact shall specify the particular findings to which exception is taken, and shall designate by exact and specific reference the portions of the record which will be relied upon in support of such exceptions. Exceptions to conclusions of law shall briefly cite the statutory provisions or the principal authorities that will be relied upon in support of the exceptions to the conclusions of law. The exceptions shall include any additional facts, with supporting citations to the record, which the person filing the exception may deem material.

Seven (7) copies of the exceptions, the original signed in ink, shall be filed.

A copy of such exceptions shall forthwith be served upon each of the other attorneys and respondents who were served with a copy of the trial examiner's report.

If exceptions are to be argued orally, they shall be argued at the time of final argument upon the merits.

§ 2.22 *Statements of facts.* When, in the opinion of the trial examiner engaged in taking evidence in any proceeding upon complaint issued by the Commission, the size of the transcript, or complication or importance of the issues involved warrants, he may, of his own motion, or at the request of counsel, at the close of taking of evidence, announce to attorneys for the Commission and for respondents that the trial examiner will receive, within such time as he shall fix, a statement in writing from attorneys for the Commission and attorneys for respondents setting forth, in concise outline, the contentions of each as to the facts proved in the proceeding. The time so fixed shall not change the times limited in § 2.20 for filing report by the trial examiner or § 2.23 for the filing of briefs.

Copy of any such statements shall be furnished to opposing counsel by the party filing the statement, but such statements are not to be argued before the trial examiner, and are not a part of the record of the proceeding.

§ 2.23 *Briefs*—(a) *Filing.* Any party to a proceeding may file a brief with the Secretary of the Commission, in support of his contentions, within the time limits fixed by this part.

Briefs not filed on or before the time fixed in the rules will be received only by special permission of the Commission.

Appearance of additional counsel in a case will not constitute grounds for extending time for filing briefs.

(b) *Time.* Opening brief in support of the complaint shall be filed by the trial attorney of the Commission within twenty (20) days after service upon him of copy of the report of the trial examiner.

Brief on behalf of respondent shall be filed within twenty (20) days after service upon respondent or respondent's attorney of copy of brief in support of the complaint.

Where respondent shall have filed an answer admitting all material allegations of fact, the time so limited shall begin to run at the time of filing such answer.

Reply briefs in support of the complaint, if any, shall be filed within ten (10) days after filing of brief on behalf of respondent.

(c) *Number.* Twenty (20) copies of each brief shall be filed.

(d) *Contents.* Briefs, except the reply brief in support of the complaint, shall contain, in the following order:

(1) A concise abstract or statement of the case;

(2) A brief of the argument, exhibiting a clear statement of the points of fact or law to be discussed, with references to the pages of the record and the authorities relied upon in support of each point;

(3) A statement of the objections to the rulings of the trial examiner upon evidence which are considered material, specifying the particular rulings to which objection was made and citing the principal authorities relied upon in support of such objections;

(4) The exceptions if any, to the report of the trial examiner.

(e) *Index.* Briefs comprising more than ten (10) pages shall contain on their top fly leaves a subject index with page references. The subject index shall be supplemented by an alphabetical list of all cases referred to, with references to pages where references are cited.

(f) *Reply briefs.* Reply brief in support of the complaint shall be filed only with permission of the Commission, and shall be strictly in answer to brief on behalf of respondent.

No further reply brief on behalf of respondent shall be filed.

(g) *Form.* Briefs on behalf of respondent shall be printed or lithographed on good unglazed white paper in type not smaller than ten (10) point double leaded, citations and quotations single leaded; footnotes not less than eight (8) point single leaded. Type page shall not be more than twenty-nine (29) picas wide by approximately forty-eight (48) picas deep and trimmed page shall be seven (7) inches by ten (10) inches, with an inside margin of not less than one (1) inch.

(h) *Signing.* At least one copy of each brief shall be signed in ink, by the respondent or his duly authorized attorney, as prescribed in § 2.6.

§ 2.24 *Oral argument.* Oral arguments shall be had only as ordered by the Commission, on written application of the chief counsel of the Commission, or of the respondent, or of attorney for respondent, filed within fifteen (15) days after filing of brief on behalf of respondent.

Appearance of additional counsel in a case will not constitute grounds for extending time for oral argument.

§ 2.25 *Reports showing compliance with orders and with stipulations.* In every case where an order to cease and desist is issued by the Commission for the purpose of preventing violations of law and in every instance where the Commission approves and accepts a stipulation in which a party agrees to cease and desist from the unlawful methods, acts, or practices involved, the respondents named in such orders and the parties so stipulating shall file with the Commission, within sixty days of the service of such order and within sixty days of the approval of such stipulation, a report, in writing, setting forth in detail the manner and form in which they have complied with said order or with said stipulation: *Provided, however,* That where the order prevents the use of a false advertisement of a food, drug, device, or cosmetic, which may be injurious to health because of results from such use under the conditions prescribed in the advertisement, or under such conditions as are customary or usual, or if the use of such advertisement is with intent to defraud or mislead, an interim report stating whether and how respondents intend to comply shall be filed within ten days.

Within its sound discretion, the Commission may require any respondent upon whom such order has been served and any party entering into such stipulation, to file with the Commission, from time to time thereafter, further reports in writing, setting forth in detail the manner and form in which they are complying with said order or with said stipulation.

Reports of compliance shall be signed in ink by respondents or by the parties stipulating.

§ 2.26 *Reopening proceedings.* In any case where an order to cease and desist or an order dismissing a proceeding has been issued by the Commission, the Commission may (a) in the case of an order to cease and desist, at any time until the transcript of the record in the proceeding has been filed in a circuit court of appeals of the United States upon a petition for review or enforcement, or after the expiration of the statutory time for filing of a petition for review where no such petition has been filed, or (b) in the case of an order dismissing a proceeding at any time thereafter, give reasonable notice to all respondents and to all intervenors, if any, of a hearing as to whether the said proceeding should be reopened. If after said hearing the Commission shall have reason to believe that conditions of fact or of law have so changed since the said order was made as to require, or that the public interest requires, the reopening of such proceeding, the Commission will issue an order for the reopening of the same.

§ 2.27 *Trade practice conference procedure*—(a) *Purpose.* The trade practice conference procedure has for its purpose the establishment, by the Commission, of trade practice rules in the interest of industry and the purchasing public. This procedure affords opportunity for voluntary participation by industry groups or other interested parties in the formulation of rules to provide for elimination or prevention of unfair methods of competition, unfair or deceptive acts or practices and other illegal trade practices. They may also include provisions to foster and promote fair competitive conditions and to establish standards of ethical business practices in harmony with public policy. No provision or rule, however, may be approved by the Commission which sanctions a practice contrary to law or which may aid or abet a practice contrary to law.

(b) *When authorized.* Trade practice conference proceedings may be authorized by the Commission upon its own motion or upon application therefor whenever such proceedings appear to the Commission to be in the interest of the public. In authorizing proceedings, the Commission may consider whether such proceedings appear to have possibilities (1) of constructively advancing the best interests of industry on sound competitive principles in consonance with public policy, or (2) of bringing about more adequate or equitable observance of laws under which the Commission has jurisdiction, or (3) of otherwise protecting or advancing the public interest.

(c) *Application.* Applications for a trade practice conference may be filed with the Commission by any interested party or group. Such application shall be in writing and be signed by the applicant or the duly authorized representative of the applicant or group desiring such conference. The following information, to the extent known to the applicant, shall be furnished with such application or in a supplement thereto:

(1) A brief description of the industry, trade, or subject to be treated.

(2) The kind and character of the products involved.

(3) The size or extent and the divisions of the industry or trade groups concerned.

(4) The estimated total annual volume of production or sales of the commodities involved.

(5) List of membership of the industry or trade groups concerned in the matter.

(6) A brief statement of the acts, practices, methods of competition or other trade practices desired to be considered, or drafts of suggested trade practice rules.

(d) *Informal discussions with members of the Commission's staff.* Any interested party or group, may, upon request, be granted opportunity to confer in respect to any proposed trade practice conference with the Commission's trade practice conference division, either prior or subsequent to the filing of any such application. They may also submit any pertinent data or information which they desire to have considered. Such submission shall be made during such period of time as the Commission or its duly authorized official may designate.

(e) *Industry conferences.* Reasonable public notice of the time and place of any such authorized conference shall be issued by the Commission. A member of the Commission or of its staff shall have charge of the conference and shall conduct the conference pursuant to direction of the Commission and in such manner as will facilitate the proceeding and afford appropriate consideration of matters properly coming before the conference. A transcript of the conference proceedings shall be made, which, together with all rules, regulations, modifications, amendments or other matters offered, shall be filed in the office of the Commission and submitted for its consideration.

(f) *Public hearing on proposed rules.* Before final approval by the Commission of rules for an industry, and upon such reasonable public notice as to the Commission seems appropriate, further opportunity shall be afforded by the Commission to all interested persons, corporations or other organizations, including consumers, to submit in writing relevant suggestions or objections and to appear and be heard at a designated time and place.

(g) *Promulgation of rules.* When trade practice rules shall have been finally approved and received by the Commission, they shall be promulgated by official order of the Commission and published, pursuant to law, in the FEDERAL REGISTER. Said rules shall become effective upon such promulgation and publication or thereafter at such time as may be specified. Copies of the final rules shall be made available at the office of the Commission to the public and to the members of the industry. Under the procedure of the Commission a copy of the trade practice rules as promulgated by the Commission is sent to each member of the industry whose name and address is available, together with an acceptance form providing opportunity to such member to signify his intention to observe the rules in the conduct of his business.

(h) *Violations.* Complaints as to the use, by any person, corporation or other organization, of any act, practice or method inhibited by the rules may be made to the Commission by anyone having information thereof. Such complaints, if warranted by the facts and the law, will receive the attention of the Commission in accordance with the law. In addition, the Commission may act upon its own motion in proceeding against the use of any act, practice or method contrary to law.

§ 2.28 *Confidential records and information.* The records and files of the Commission, and all documents, memoranda, correspondence, exhibits, and information of whatever nature coming into the possession or within the knowledge of the Commission or any of its officers or employees in the discharge of their official duties, are confidential, and none of such material or information may be disclosed, divulged, or produced for inspection or copying except under the following circumstances:

1 Information concerning the activities of the Commission will be released from time to time under the direction or pursuant to the authority of the Commission.

2 In proceedings instituted by the issuance of formal complaint, the pleadings, transcript of testimony, exhibits, and all documents received in evidence or made a part of the record therein shall be available for inspection and copying by the public at the convenience of the Commission.

3 Documents, records, and reports made public by the Commission, including stipulations to cease and desist, certain trade practice conference records, and certain papers filed under the Wool Products Labeling Act, shall be available for inspection and copying at the convenience of the Commission.

4 Upon good cause shown, the Commission may by order direct that certain records, files, papers, or information be disclosed to a particular applicant.

(a) Application by a member of the public for such disclosure shall be in writing, under oath, setting forth (1) the interest of the applicant in the subject matter; (2) a description of the specific information, files, documents, or other material inspection of which is requested; (3) whether copies are desired; and (4) the purpose for which the information or material, or copies, will be used if the application is granted. Upon receipt of such an application the Commission will take such action thereupon as it shall deem expedient in the public interest.

(b) In the event that confidential material is desired for inspection, copying, or use by some agency of the Federal or a State Government, a request therefor may be made by the administrative head of such agency. Such request shall be in writing, and shall describe the information or material desired, its relevancy to the work and function of such agency and, if the production of documents or records or the taking of copies thereof is asked, the use which is intended to be made of them. The Commission will consider and act upon such requests, having due regard to the public interest and questions of expediency.

In cases in which an officer or employee of the Commission has been lawfully served with a subpoena duces tecum, material designated herein as confidential shall be produced only when and as authorized by the Commission. Service of such a subpoena shall immediately be reported to the Commission with a statement of all relevant facts. The Commission will thereupon enter such order or give such instructions as it shall deem advisable in the premises. If the officer or employee so served has not received instructions from the Commission prior to the return date of the subpoena, he shall appear in response thereto and respectfully decline to produce the documents or records subpoenaed (pointing out that he is not permitted to do so under this rule), and request a continuance pending action by or instructions from the Commission. If, notwithstanding, the court or other body orders the production of any of the material subpoenaed, the officer or employee shall immediately report the facts to the Commission.

Promulgated as of this date in pursuance of the action of the Federal Trade Commission under date of May 30, 1945, effective July 1, 1945.

By direction of the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10776; Filed, June 19, 1945; 10:50 a.m.]

[Docket No. 5027]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ASSOCIATED MERCHANDISING CORP. ET AL.

§ 3.24 (d 10) *Coercing and intimidating—Suppliers and sellers—To grant unlawful price discriminations:* § 3.27 (p. 5) *Combining or conspiring—To secure unlawful price discriminations:* § 3.30 (f 5) *Cutting off Competitors' or others' access to customers or market—withholding patronage from recalcitrant suppliers:* § 3.45 (c) *Discriminating in price—Direct discrimination—Charges and prices.* In or in connection with the purchase of goods, wares, and merchandise in commerce, and on the part of respondent, Associated Merchandising Corporation, and on the part of twenty-one other respondent corporations (owners and members of said first corporation, and engaged in the operation of twenty-two department stores in various cities), and on the part of their respective officers, etc., jointly or severally, directly or through any corporate or other device, (1) knowingly inducing or receiving any discrimination in price through or by means of discounts, rebates, or other allowances on purchases from any manufacturer or seller greater than the discounts or other allowances currently allowed by such manufacturer or seller to competitors of respondents, or any of them, for merchandise of like grade and quality; (2) knowingly inducing or receiving any discrimination in price from any manufacturer or seller by means of discounts, rebates, or other allowances based upon the total purchases of the respondents as a group, by or through respondent Associated Merchandising Corporation or by any other means, which are not currently allowed by such manufacturer or seller to the individual competitors of respondents, or any of them; (3) knowingly purchasing from any manufacturer or seller at prices lower than the prices currently charged by such manufacturer or seller to competitors of respondents, or any of them, for merchandise of like grade and quality; (4) using collective action, in connection with the purchase of merchandise, for the purpose and with the result of inducing any manufacturer or seller to allow any discount, rebate or other allowance higher than, or price lower than, that allowed by such manufacturer or seller to competitors of the respondents, or any of them, when such allowance results in the receiving of a discrimination in price by the respondents, or any of them; (5) inducing any manufacturer or seller, by or through any of the following means or methods, to allow any discount, rebate, or other allowance higher than, or price lower than, that allowed by such manufacturer or seller to competitors of respondents, or any of them, when such allowance results in the securing of a discrimination in price by the respondents, or any of them: (a) by employing or utilizing respondent Associated Merchandising Corporation or any other medium or central agency as an instrument or vehicle or aid in inducing manufacturers or sellers to allow such higher discounts, rebates, or other allowances or lower prices; (b) by giving preference, either directly or through the respondent Associated Merchandising Corporation or any other agency, to those manufacturers or sellers who grant such discriminatory prices; (c) by refusing directly or through the respondent Associated Merchandising Corporation or any other agency to purchase merchandise from those manufacturers or sellers who refuse to grant or who refrain from granting such discriminatory prices; (d) by offering or agreeing to give or giving preference in the resale in the respective department stores of the respondents to the merchandise of those manufacturers or sellers who grant such discriminatory prices; (e) by utilizing or employing a preferred group of manufacturers or sellers or preferred resources, classification in which is dependent upon such manufacturers' or sellers' agreeing to allow discriminations in price to the respondents and refusing to buy from manufacturers and sellers who do not allow such discriminatory prices; or (6) knowingly receiving any discriminations in price or the benefits thereof, either directly or indirectly, by or through any of the means or methods prohibited by this order prohibited. (Sec. 2 (f), 49 Stat. 1527; 15 U. S. C., sec. 13 (f)) [Cease and desist order, Associated Merchandising Corporation, et al., Docket 5027. May 8, 1945].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of May, A. D. 1945.

In the Matter of Associated Merchandising Corporation, Abraham & Straus, Inc., L. S. Ayres & Company, Bloomingdale Bros., Inc., The Herzfeid-Phillipson Company, Bullock's Inc., Burdine's, Inc., The Dayton Company, The Emporium-Capwell Company, Wm. Filene's Sons Company, B. Forman Company, Joseph Horne Company,

The J. L. Hudson Company, Hutzler Brothers Co., The F. & R. Lazarus & Co., The Rike-Kumler Company, The John Shillito Company, Stix, Baer & Fuller Company, Strawbridge & Clothier, The Wm. Taylor Son & Co., Thalhimer Brothers, Inc., R. H. White Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of the respondents, in which answers respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of subsection (f) of section 2 of an act of Congress entitled, "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (Clayton Act), as amended by Act approved June 19, 1936 (Robinson-Patman Act):

It is ordered, That the respondents, Associated Merchandising Corporation, a corporation; Abraham & Strauss, Inc., a corporation; L. S. Ayres & Company, a corporation; Bloomingdale Bros., Inc., a corporation; The Herzfeld-Phillipson Company, a corporation; Bullock's, Inc., a corporation; Burdine's, Inc., a corporation, The Dayton Company, a corporation; The Emporium-Capwell Company, a corporation; Wm. Filene's Sons Company, a corporation; B. Forman Company, a corporation; Joseph Horne Company, a corporation; The J. L. Hudson Company, a corporation; Hutzler Brothers Co., a corporation; The F. & R. Lazarus & Co., a corporation; The Rike-Kumler Company, a corporation; The John Shillito Company, a corporation; Stix, Baer & Fuller Company, a corporation; Strawbridge & Clothier, a corporation; The Wm. Taylor Son & Co., a corporation; Thalhimer Brothers, Inc., a corporation; and R. H. White Company, a corporation, and their respective officers, representatives, agents, and employees, jointly or severally, directly or through any corporate or other device in or in connection with the purchase of goods, wares, and merchandise in commerce as "commerce" is defined in the aforesaid Clayton Act as amended, do forthwith cease and desist from:

1. Knowingly inducing or receiving any discrimination in price through or by means of discounts, rebates, or other allowances on purchases from any manufacturer or seller greater than the discounts or other allowances currently allowed by such manufacturer or seller to competitors of respondents, or any of them, for merchandise of like grade and quality.

2. Knowingly inducing or receiving any discrimination in price from any manufacturer or seller by means of discounts, rebates, or other allowances based upon the total purchases of the respondents as a group, by or through respondent Associated Merchandising Corporation or by any other means, which are not currently allowed by such manufacturer or seller to the individual competitors of respondents, or any of them.

3. Knowingly purchasing from any manufacturer or seller at prices lower than the prices currently charged by such manufacturer or seller to competitors of respondents, or any of them, for merchandise of like grade and quality.

4. Using collective action, in connection with the purchase of merchandise, for the purpose and with the result of inducing any manufacturer or seller to allow any discount, rebate, or other allowance higher than, or price lower than, that allowed by such manufacturer or seller to competitors of the respondents, or any of them, when such allowance results in the receiving of a discrimination in price by the respondents, or any of them.

5. Inducing any manufacturer or seller, by or through any of the following means or methods, to allow any discount, rebate, or other allowance higher than, or price lower than, that allowed by such manufacturer or seller to competitors of respondents, or any of them, when such allowance results in the securing of a discrimination in price by the respondents, or any of them:

a. By employing or utilizing respondent Associated Merchandising Corporation or any other medium or central agency as an instrument or vehicle or aid in inducing manufacturers or sellers to allow such higher discounts, rebates, or other allowances or lower prices.

b. By giving preference, either directly or through the respondent Associated Merchandising Corporation or any other agency, to those manufacturers or sellers who grant such discriminatory prices.

c. By refusing directly or through the respondent Associated Merchandising Corporation or any other agency to purchase merchandise from those manufacturers or sellers who refuse to grant or who refrain from granting such discriminatory prices.

d. By offering or agreeing to give or giving preference in the resale in the respective department stores of the respondents to the merchandise of those manufacturers or sellers who grant such discriminatory prices.

e. By utilizing or employing a preferred group of manufacturers or sellers or preferred resources, classification in which is dependent upon such manufacturers' or sellers' agreeing to allow discriminations in price to the respondents and refusing to buy from manufacturers and sellers who do not allow such discriminatory prices.

6. Knowingly receiving any discriminations in price or the benefits thereof, either directly or indirectly, by or through any of the means or methods prohibited by this order.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-10760; Filed, June 19, 1945, 10:50 a. m.]

[File No. 21-364]

PART 161—RAZOR AND RAZOR BLADE INDUSTRY

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 16th day of June A. D. 1945.

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of June 19, 1945.

Trade practice rules for the razor and razor blade industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under its trade practice conference procedure.

The industry to which the rules apply is that engaged in the business of manufacturing or marketing razor blades and razors, including parts therefor. Such products of the industry embrace all types of razor blades and razors (exclusive, however, of electric shavers). Yearly volume of sale of the industry's products is reported as exceeding $60 000,000 at retail prices.

The rules are directed to the maintenance of free and fair competition for the protection of the industry and the buying public. Various trade evils, discriminatory methods, and unfair or deceptive practices are listed and proscribed. Other provisions are also included which supply additional protection. Of special importance to this industry is Rule 14 which contains provisions against passing off as and for regular or first quality products, such blades or razors as are defective, substandard, or "seconds." A substantial guide is also provided therein for differentiating between regular or first quality products and those which are substandard, defective, or "seconds." Likewise, the question peculiar to razor blades of what constitutes a "thin" blade is covered in Rule 4, under which blades having a thickness greater than .004 of an inch are not to be deceptively sold as "thin" blades.

The proceeding for establishment of rules for the industry was instituted upon application from industry members. In the course thereof a general trade practice conference under the auspices of the Federal Trade Commission was held in New York City. Following such conference, draft of proposed rules in appropriate form was published by the Commission and made available to all members of the industry and other interested or affected parties upon public notice whereby they were afforded opportunity to present their views, including such pertinent information, suggestions, or objections as they desired to offer, and to be heard in the premises. Pursuant to such notice, hearing was held in Washington, D. C., and all matters presented in the proceeding were duly received and given appropriate attention.

Thereafter, and upon full consideration of the entire matter, final action was taken by the Federal Trade Commission whereby it approved and received, respectively, the trade practice rules appearing in Group I and Group II below.

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive practices in harmony with law and the public interest. They are not to be used, directly or indirectly, as part of, or in connection with, any unlawful combination or agreement to fix prices, or to suppress competition, or otherwise to restrain trade.[1]

Group I

The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

See
161.1 Misrepresentation as to character of business.
161.2 Defamation of competitors or disparagement of their products.
161.3 Commercial bribery.
161.4 Misrepresentation in general.
161.5 Substitution of products.
161.6 Misuse of the word "free," etc.
161.7 Use of lottery schemes, etc.
161.8 Deceptive pricing.
161.9 Selling below cost.
161.10 Discrimination.
161.11 Imitation or simulation of trademarks, trade names, etc.
161.12 Misrepresentation as to earnings of sales representatives.
161.13 Enticing away employees of competitors.
161.14 Passing off substandard or defective products as and for regular or first quality merchandise.
161.15 Razor blades for industrial use or for purposes other than human shaving.

AUTHORITY: §§ 161.1 to 161.15, inclusive, issued under the authority contained in 38 Stat. 717, as amended, and pursuant to other provisions of law administered by the Commission.

§ 161.1 *Misrepresentation as to character of business.* (a) It is an unfair trade practice for any person, partnership, corporation, or other concern, by trade or corporate name or otherwise, to hold himself or itself out as being a manufacturer or producer of razors, razor blades, or allied products when such is not true in fact.

(b) It is an unfair trade practice for any person, partnership, corporation, or other concern, in the conduct of business, to misrepresent, directly or indirectly, in advertising, directory listings, labeling, or otherwise, the character, nature, or status of the business of such person, partnership, corporation, or other concern. (Rule 1)

§ 161.2 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of competitors' products in any respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. (Rule 2)

§ 161.3 *Commercial bribery.* It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. (Rule 3)

§ 161.4 *Misrepresentation in general.* It is an unfair trade practice for any member of the industry to use, or cause or promote the use of, any trade promotional literature, advertising matter, testimonial, guarantee, warranty, mark, brand, label, designation, or representation, however disseminated or published, which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public:

(a) With respect to the type, kind, grade, quality, composition, weight, thickness,[2] rust resistant or other properties, quantity, use, size, design, construction material, finish, strength, tests, durability, serviceability, flexibility, sharpness, extent or character of performance, price, value, content, or origin; or

(b) With respect to the type, kind, brand, composition, or quality of steel or substance of which a razor blade, razor, or other industry product is manufactured, or the character, extent, or type of sharpening or other treatment applied to any such products; or

(c) With respect to any guarantee, warranty, endorsement, acceptance, approval, or use of any industry product by any person, organization, or group; or

(d) With respect to the manufacture, distribution, or marketing of any industry product; or in any other respect. (Rule 4)

§ 161.5 *Substitution of products.* The practice of shipping or delivering products which do not conform to samples submitted, to specifications upon which the sale is consummated, or to representations made prior to securing the order, without the consent of the purchasers to such substitutions, or with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. (Rule 5)

§ 161.6 *Misuse of the word "free," etc.* It is an unfair trade practice for any member of the industry to use the term "free," or any other term or representation of similar import or meaning, to describe, designate, or refer to any industry product which is not given to the recipient thereof without cost and unconditionally. (Rule 6)

§ 161.7 *Use of lottery schemes, etc.* It is an unfair trade practice to sell, distribute, or promote the sale or distribution of any industry product or other merchandise by means of a game of chance, gift enterprise, or lottery scheme. (Rule 7)

§ 161.8 *Deceptive pricing.* (a) It is an unfair trade practice for any member of the industry to represent, in advertising or otherwise, that the price of any industry product has been reduced from what is in fact a fictitious price, or that such price is a reduced or a special price when it is in fact the regular selling price of such product, or that the regular price thereof is higher when such is not the fact, or otherwise to falsely or deceptively represent the past or current price of any industry product.

(b) It is an unfair trade practice for any member of the industry, directly or indirectly, to use or to supply to dealers, or to aid or assist in the use of, price tags, labels, or similar devices which are false or fictitious, or which such member has reason to believe are intended to be used or will be used by dealers or salesmen for the purpose of misleading or deceiving the purchasing or consuming public in regard to price, value, or in any other material respect. (Rule 8)

§ 161.9 *Selling below cost.* The practice of selling industry products below the seller's cost with the intent and with the effect of injuring a competitor and where the effect may be substantially to lessen competition or tend to create a monopoly or unreasonably restrain trade is an unfair trade practice. All elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this rule. The costs, however, which are referred to in the rule, are actual costs of the respective seller and not some other figure or average costs in the industry determined by an industry cost survey or otherwise. (Rule 9)

§ 161.10 *Discrimination—(a) Prohibited discriminatory prices, or rebates, refunds, so-called free goods, discounts, credits, etc., which effect unlawful price*

[1] Such adjustment as may be necessary on the part of members of the industry to bring their practices into full harmony with this part shall be made as promptly as possible and within 60 days hereof. This shall not, however, be construed as meanwhile permitting use of practices which are false, misleading, or deceptive, or which are otherwise contrary to law.

[2] *"Thin" blades.* Among the misrepresentations proscribed by this rule are designations or representations to the effect that blades are "thin" or are "thin blades" when in fact such blades have a thickness greater than that recognized in the industry as properly applicable to "thin blades." Under such recognized practice "thin" blades should not have a thickness greater than .004 of an inch.

discrimination. It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, so-called free goods, discount, credit, or other form of price differential, where such rebate, refund, so-called free goods, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,[1] and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,[1] or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce[1] from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Purchases by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.* The foregoing provisions of this section relate to practices within the purview of the Robinson-Patman Antidiscrimination Act, which Act and the application thereunder of this section are subject to the limitations expressed in the amendment to such Robinson-Patman Antidiscrimination Act, which amendment was approved May 26, 1938, and reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Act approved June 19, 1936 (Public, Numbered 692, Seventy-fourth Congress, second session), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit." (52 Stat. 446; United States Code, 1940 edition, Title 15, sec. 13c.)

(Rule 10)

§ 161.11 *Imitation or simulation of trade-marks, trade names, etc.:* The imitation or simulation of the trade-marks, trade names, brands, or labels of competitors, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. (Rule 11)

§ 161.12 *Misrepresentation as to earnings of sales representatives.* It is an unfair trade practice for any member of the industry to make or publish, or cause to be made or published, directly or indirectly, any false, misleading, or deceptive statement or representation, by way of advertisement or otherwise, concerning:

(a) The salary, commission, income, earnings, or other remuneration which agents, canvassers, solicitors, or other sales representatives receive or may receive; or

(b) The chances or opportunities for such remuneration. (Rule 12)

§ 161.13 *Enticing away employees of competitors.* Wilfully enticing away the employees of competitors with the purpose and effect of unduly injuring or hampering competitors in their business and destroying or substantially lessening competition is an unfair trade practice. (Rule 13)

§ 161.14 *Passing off substandard or defective products as and for regular or first quality merchandise.* (a) It is an unfair trade practice to advertise, offer for sale, sell, or cause to be sold razors or razor blades which are "seconds", or which are substandard, defective, or of low quality as and for razors or blades of higher grade or quality or as and for razors or blades which are not substandard, defective, or "seconds."

(b) If and when razors or razor blades which are "seconds," substandard, or defective are placed on the market, they should be marked as such clearly and conspicuously on the outside of the sealed or closed wrapper in which they are sold to the purchasing or consuming public; and it is an unfair trade practice to conceal the fact that such razors or razor blades are "seconds", substandard, or defective, such concealment having the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public.

NOTE I. *As used in this section the term "substandard" as applied to razor blades shall embrace razor blades which are "seconds" or which are defective for any reason, including steel razor blades which are defective and inferior by reason of:*

(a) The steel of which the blade is manufactured not being of uniform well spheroidized cementite structure with carbide particles of uniform size and distribution or not having proper carbon content (carbon content of not less than 1.15% or more than 1.35% is deemed generally desirable and proper); or

(b) The cutting edge or edges not having been properly hardened and tempered equal to a hardness of 90 to 92 on a Rockwell 15N Scale, Superficial Hardness Tester; or

(c) The flexible type blade not having been properly tempered so as to permit the blade to flex sufficiently without breaking in the razor for which it is intended or sold; or

(d) The blade not having been evenly or keenly sharpened; or

(e) The cutting edge or edges showing nicks with a dimension greater than .005 of an inch, or wire edges, when viewed microscopically at a magnification of 50 diameters; or

(f) Not having proper dimensions or measurements necessary to fit effectively and in a precise manner, without excessive or insufficient blade exposure, the razor for which it is intended or sold; or

(g) Not being free from rust, or not having been effectively protected against rust when placed on the market.

NOTE II. *As used in this rule the word "substandard" as applied to safety razors shall be construed to include the following:*

Safety razors which are not of such construction and material as to assure an adequate and effective blade seating and blade exposure; or which are subject to warping to such an extent as to prevent an adequate and effective blade seating or blade exposure; or which have such rough edges, burrs, pin holes, or other imperfections or such flaws, defects, or susceptibility to rusting as to materially affect their usability adversely; or which are of such construction, material, or workmanship as not to permit of tight assembly without breaking or cracking; or which are "seconds" or not first quality products by reason of such defective or inferior material, construction, or workmanship.

(Rule 14)

§ 161.15 *Razor blades for industrial use or for purposes other than human shaving.* To the end that confusion and deception may be avoided and prevented, razor blades placed on the market to be sold for industrial uses only or for uses other than human shaving shall be suitably marked to show such fact, as for example: "For Industrial Use Only." The selling of any such razor blades as or for razor blades manufactured or suitable for human shaving when such is not the fact, is an unfair trade practice. (Rule 15)

Group II

Compliance with trade practice provisions embraced in Group II rules is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not, per se, constitute violation of law. Where, however, the practice of not complying with any Group II rules is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of Group I rules.

RULE A. *Repudiation of contracts.* Lawful contracts are business obligations which should be performed in letter and in spirit. The repudiation of contracts by sellers on a rising market or by buyers on a declining market is condemned by the industry.

RULE B *Arbitration.* The industry approves the practice of handling business disputes between members of the industry and their customers in a fair and reasonable manner, coupled with a spirit of moderation and good will, and every effort should be made by the disputants themselves to compose their differences. If unable to do so they should, if possible, submit these disputes to arbitration.

RULE C. *Cost records.* It is the judgment of the industry that each member should independently keep proper and accurate records for determining his costs.

RULE D *Proper identification of origin of blades and suitable packaging.* In the interest of identification and the prevention of confusion and deception, all steel razor blades when placed on the market should be impressed or etched with the name or identifying trade-mark of the manufacturer or of the responsible distributor introducing such blade into the channels of trade. Each packet of razor blades should be marked to show the number of blades contained in the package. Each blade should also be suitably wrapped or packaged to afford security in handling and protection against damage or dulling contact with the cutting edge of the blade.

Promulgated and issued by the Federal Trade Commission June 19, 1945.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-10703; Filed, June 18, 1945; 9:12 a. m.]

[1] As here used, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States," (exclusive, however, of the Philippine Islands.)

[2] Formerly designated as Part 2 in 7 F.R. 687, 925, 2591, 3358.

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 3[1]—REGULATIONS APPLICABLE TO CONTRACTORS AND SUBCONTRACTORS ON PUBLIC BUILDINGS AND PUBLIC WORKS AND ON BUILDING AND WORK FINANCED IN WHOLE OR IN PART BY LOANS OR GRANTS FROM THE UNITED STATES

PAY-ROLL DEDUCTIONS

Pursuant to and by virtue of the authority conferred by section 2 of the act of June 13, 1934, 48 Stat. 948 (40 U.S.C. 276c) and section 9 of Reorganization Plan No. IV, effective June 30, 1940, in accordance with section 4 of H. J. Res. 551 (Pub. Res. No. 75) approved June 4, 1940, 54 Stat. 1236, 231 (5 U.S.C. 133t), § 3.5 (c) of the regulations (7 F.R. 687) as amended, is hereby amended by adding thereto the following subparagraph:

(4) The payment of dues or premiums to unaffiliated insurance companies or associations for medical or hospitalization insurance where the employer is not required by federal, state or local laws to supply such insurance or benefits.

This amendment shall become effective immediately upon publication in the FEDERAL REGISTER.

Dated: June 15, 1945.

FRANCES PERKINS, *Secretary of Labor.*

[F. R. Doc. 45-10711; Filed, June 18, 1945; 10:16 a. m.]

Chapter IX—War Food Administration (Agricultural Labor)

[Rev. Supp. 13, Amdt. 1]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN TREE PICKING AND CUTTING APRICOTS IN CERTAIN CALIFORNIA COUNTIES

Revised Supplement 13 (10 F.R. 7238) is amended as follows:

The word "Acting" is inserted before the title "Director of Labor, War Food Administration" under the signature of K. A. Butler at the end of the Revised Supplement 13. This Amendment 1 to Revised Supplement 13 shall be effective at 12:01 a. m., pacific war time, June 15, 1945.

Issued this 18th day of June 1945.

K. A. BUTLER, *Acting Director of Labor, War Food Administration.*

[F. R. Doc. 45-10720; Filed, June 18, 1945; 2:49 p. m.]

[Supp. 47, Amdt. 1]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PERFORMING GENERAL FARM LABOR THROUGHOUT THE YEAR ON WHEAT, PEA AND HAY FARMS AND IN SUMMER FALLOW TRACTOR DRIVING DURING WHEAT AND DRY PEA HARVESTING SEASON, AND IN HARVESTING WHEAT, AND DRY PEAS IN NONIRRIGATED AREAS OF WASCO, SHERMAN, MORROW, GILLIAM AND UMATILLA COUNTIES, OREG.

Supplement 47 (10 F.R. 7239) is amended as follows:

The word "Acting" is inserted before the title "Director of Labor, War Food Administration" under the signature of K. A. Butler at the end of Supplement 47, Amendment 1. This Amendment 1 to Supplement 47 shall be effective at 12:01 a. m., Pacific war time, June 15, 1945.

Issued this 18th day of June 1945.

K. A. BUTLER, *Acting Director of Labor, War Food Administration.*

[F. R. Doc. 45-10721; Filed, June 18, 1945; 2:49 p. m.]

[Supp. 50, Amdt. 1]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PERFORMING GENERAL ORCHARD LABOR THROUGHOUT THE YEAR ON CHERRY, APRICOT, PEACH, AND OTHER TREE FARMS, AND IN HARVESTING CHERRIES, APRICOTS, PEACHES, AND OTHER TREE FRUITS IN WASCO AND SHERMAN COUNTIES, OREG.

Supplement 50 (10 F.R. 7239) is amended as follows:

The word "Acting" is inserted before the title "Director of Labor, War Food Administration" under the signature of K. A. Butler at the end of Supplement 50, Amendment 1. This Amendment 1 to Supplement 50 shall be effective at 12:01 a. m., Pacific war time, June 15, 1945.

Issued this 18th day of June, 1945.

K. A. BUTLER, *Acting Director of Labor, War Food Administration.*

[F. R. Doc. 45-10722; Filed, June 18, 1945; 2:49 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3270—CONTAINERS

[Limitation Order L-317, Direction 5]

AUTHORIZATIONS ADJUSTING QUOTAS

The following direction is issued pursuant to Limitation Order L-317:

(a) *Quota adjustments in certain cases.* Instead of filing an appeal under paragraph (q) (1) or (q) (2) of Order L-317, a person may, in either of the following cases, file an application as described in paragraph (c) below for an authorization establishing new quarterly quotas for a class of products listed in Schedule III of that order.

(1) Where he failed in 1944 to use up a quota because War Production Board regulations or orders restricted his production of that Class of Products;

(2) Where he failed in 1944 to use up a quota because a part or all of his labor and production facilities that had formerly made such Class of Products for civilian purposes was devoted in 1944 to making that Class of Products for military purposes or other products for military or essential civilian purposes.

(b) *Criteria in quota adjustments.* All authorizations that may be granted by the War Production Board from time to time under this Direction will take into consideration the amount of new fibre shipping containers that the applicant was permitted to use pursuant to the September 9, 1944 edition of Order L-317 and the extent to which such applicant should be able to conserve containers, such as reusing used containers. However, in no event will an adjusted quota exceed the minimum amount which the applicant demonstrates that he will need for the balance of 1945 for deliveries other than "quota exempt deliveries" described in paragraph (1) and "wholesale and retail deliveries" described in paragraph (b) (4) of the order.

(c) *Applications for authorizations.* Any person may file an application for an authorization as described above, by addressing a letter in duplicate to the Containers Division, War Production Board, Washington 25, D. C., Ref. L-317, [illegible] stating the following information.

(1) The total gross tonnage and weight of containers produced under this order, as reported pursuant to par. (j) to the applicable Schedule 3 and, in case he has been producing other products for military or essential civilian purposes, the total gross tonnage and weight of containers produced for such purposes in each of the years 1941, 1942, 1943 and 1944;

(2) The total number of units of the applicable Class of Products that the applicant produced in each of the years 1941, 1942, 1943 and 1944 for deliveries other than "quota exempt deliveries" and "wholesale and retail deliveries", and the percentage of such units in each of these years that were packed in new fibre shipping containers, in used fibre shipping containers, and in other types of containers.

(3) What percentage of the applicant's labor and production facilities that had made the applicable Class of Products in 1941, 1942 and 1943 for deliveries other than "quota exempt deliveries" was devoted in 1944 to making that Class of Products for "quota exempt deliveries", and what percentage was making other products (identify such products) for military or essential civilian purposes.

(4) What percentage of the applicant's labor and production facilities that had made the applicable Class of Products in 1941, 1942 and 1943 was restricted in 1944 from producing such products by War Production Board regulations or orders (identify such regulations or orders).

(d) *Authorizations not to be granted in other cases.* Authorizations will not be granted where a person did not use all of his 1944 quota solely because of his container conservation measures, but such person may appeal under paragraph (q) (1) of the order if he believes he can demonstrate an undue and excessive hardship. Neither will authorizations under this Direction be granted where a person never had a 1944 quota for a product and now seeks to produce such product for deliveries other than "quota exempt deliveries" for the first time, but such person may appeal under paragraph (q) (2) of the order.

Issued this 18th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10715; Filed, June 18, 1945; 10:21 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-1-b as Amended June 18, 1945]

PRODUCTION AND DELIVERY OF MACHINE TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of machine tools for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3274.1 *General Preference Order E-1-b (Machine Tools).* For the purposes of this order:

(1) "Machine tool" means any fixed or non-portable power driven metal cutting, metal forming, or metal working machine (including any equipment designed to adapt, attach to, or add to machine tools already in place and any auxiliary machine which when attached to any machine tool will perform one or more operations similar to those performed by the machine tool to which it is attached) which employs one or more cutting or abrasive edges, abrasive particles, electric discharges, or streams of water, abrasive particles, or air to remove metal or other material, or which uses materials to form, bend, shape, or assemble metal parts, and any combination of two or more machine tools mounted on a common base or designed to be used together to perform a sequence of operations on a workpiece. Machine tools may be actuated by any power or manual force, and may be operated by any control system. Machine tools include, but are not limited to, the following: Arbor presses, boring machines, broaching machines, drilling machines, electrical discharge machines, electrolytic machines, engraving machines, extrusion presses, filing machines, flame cutting machines, forging machines, gear cutting machines, grinding machines, hammers, honing machines, lapping machines, machining centers, metal cutting saws, milling machines, nibbling machines, numerically controlled machines, perforating presses, planers, polishing machines, presses, punching machines, riveting machines, screw machines, shaping machines, spinning machines, stamping machines, tapping machines, threading machines, tube bending machines, tube forming machines, turning machines, ultrasonic machines, upsetting machines, water jet cutting machines, and welding machines. Machine tools do not include hand tools, whether powered by electricity, air, or manual force, or any machine tool which is a part of a production line or system of machines or machine tools, or any machine tool which is built into a complete machine or piece of equipment, or any machine tool which is used in the manufacture of a complete machine or piece of equipment, or any machine tool which is used in the manufacture of machine tools, or any machine tool which is used in the manufacture of a machine tool motor drive or attachments are initially built into the basic tool itself, as an integral part thereof, in which case the producer's list price for the basic machine tool shall be the sale price at which the producer lists the machine tool as an assembled unit.

Where the producer's list price for the basic machine tool is $1,000 or more, the term "machine tool" includes all fixtures, equipment and tooling covered by the original purchase order which are required to be delivered with the basic tool to make it usable in production for the purposes intended. It does not include replacements, spare parts or equipment, or extra tooling.

(2) "Producer" means any person engaged in producing machine tools.

(3) "Service purchasers" means those whose purchase orders for machine tools call for delivery to a supply arm or bureau of the Army or Navy, to the United States Maritime Commission, to one of their prime contractors, or to a subcontractor of such a prime contractor. However, no such purchaser shall be considered a service purchaser unless his preference rating certificate or endorsement accompanying his purchase order shows that the preference rating being applied to the purchase was assigned on Form WPB-542, CMPL-224, or GA-1456, or that the rating was assigned and certified in accordance with paragraph (e) (3) of War Production Board Directive 31.

(4) "Other purchasers" means all purchasers other than service purchasers whether or not a preference rating has been assigned to their purchase orders. Other purchasers include all foreign purchasers, and all Canadian purchasers except those who are service purchasers by reason of their purchasing machines for use on direct United States prime contracts or subcontracts.

(5) "Size" includes all of the dimensions or variations of a particular type of machine which can be used interchangeably for production purposes. Size classification shall be that used by a producer on June 22, 1944 [illegible] hereafter authorized to use a [illegible] classification. Producers may apply for such permission by writing to the [illegible] Division, War Production Board, [illegible]

(c) *Delivery of machine tools after August 1, 1945.* Until August 1, 1945 [illegible] such producer shall maintain [illegible] collection as established on May [illegible] An exception to this is [illegible] schedule required by a [illegible] any other specific direction [illegible] Production Board issued after [illegible]

shall arrange his schedule so as to deliver 75 percent of his production of each size in that month to service purchasers and 25 percent of his production of each size to other purchasers on whose purchase orders a rating has been applied or extended.

(2) To the extent that a producer has not received rated orders requiring delivery of 25 percent of his production of a given size to other purchasers in the month being scheduled, he must schedule any orders for that size from service purchasers requiring delivery in that month which he was not able to include in the 75 percent set aside for service purchasers. To the extent that he has not received orders requiring delivery of 75 percent of his production of a size to service purchasers in the month being scheduled a producer may schedule more than 25 percent for delivery to other purchasers.

(3) If a producer does not have enough rated orders requiring delivery in the month being scheduled to take up his full production of a given size for service, or other purchasers in that month, he may schedule deliveries of unrated purchase orders for that size in that month.

(d) *Distribution of 75 percent of production among service purchasers.* Each producer shall schedule deliveries to service purchasers as follows:

(1) Service purchasers are subdivided into seven groups, consisting of the following and their respective prime contractors and subcontractors: Bureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Forces, Miscellaneous Branches and Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Forces," includes the Army Air Forces and the Navy Bureau of Aeronautics and other respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermaster Corps, the Corps of Engineers, the Office of the Surgeon General (Army Medical Department), the Chemical Warfare Service, the Transportation Corps, Transportation Service, the Bureau of Yards and Docks, and the Medical Department (or any other agency, bureau or service of the Army or Navy, or any of the Army or Navy supply arms and bureaus mentioned above) and their prime contractors and subcontractors.

(ii) He shall then distribute the number of machine tools of this size allocated to all service purchasers for the month being scheduled among each of the seven service purchaser groups according to each group's quota. The quota of this size for each service group shall be the ratio of:

(a) Net backlog in this size of the service group to

(b) The total of all net backlogs in such size of all the service groups, multiplied by the total number of machine tools of this size allocated for the month being scheduled to all service purchasers. An example of the calculation required by this paragraph is attached, marked "Illustration of paragraph (d) (2)."

(iii) The quota shall be determined monthly for the third ensuing month. For example: On the 1st of June quotas shall be determined for August, on the first of July quotas shall be determined for September, and on the first of August quotas shall be determined for October, etc.

(3) Each month a producer shall deliver to each service group the number of machine tools of that size equal to its quota for that month. However, no producer shall schedule delivery of any machine tool earlier than the date on which the purchaser requires delivery unless all required delivery dates on other orders are being met.

(e) *Treatment of fractions.* Where the number of machine tools which results from any computation required by this order contains a fraction of more than one-half, the fraction shall be counted as a whole machine tool. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole machine tool) for any one month, and such fraction is less than one-half, it shall be counted in computing the next month's quota. Where each of the computations of two or more different quotas for the same month shows a fraction of one-half and there is only one remaining machine tool to which such fractions can apply, such machine tool shall be allotted to the group having the largest quota, and the other fractions of one-half shall be disregarded for that month but shall be counted in computing the next month's quota or quotas for [illegible]

(f) *Additional requirements to be supplied with rated purchase orders.* In addition to including a purchaser's rating [illegible] no order for a machine tool [illegible] the manufacture of machine tools [illegible] foreign country to which the machine tool is to be delivered.

(5) In the case of service purchasers the supply arm or bureau of the Army or Navy, or the Maritime Commission which placed the prime or subcontract on which the machine tool being purchased is to be used, the number of the prime contract and the name of the prime contractor.

(g) *Operation of Numerical Master Preference List.* Numerical Master Preference List, Revision No. 6, designated "Restricted", has been supplied to machine tool builders (Exhibit B to this order). This list determines the sequence of deliveries as between service purchasers as follows:

(1) The sequence of deliveries among each group of service purchasers within its respective quota shall be determined each month without regard to preference ratings.

(2) Deliveries to service purchasers who are either on the list or are subcontractors of persons on the list shall take precedence over service purchasers who are not on the list.

(3) As between deliveries having conflicting required delivery dates and to be made to service purchasers on the list, priority shall be given to the service purchaser with the higher urgency standing in that service group. The highest urgency standing is No. 1.

(4) The sequence of conflicting deliveries to service purchasers not on the list shall be determined by the respective dates on which the producer receives the preference rating together with the information called for by paragraph (f).

(5) Delivery to a subcontractor not specifically named on the list shall take the urgency standing of his prime contractor. However, no subcontractor may use the urgency standing of his prime contractor unless it has been endorsed on the instrument assigning the preference rating by the supply arm or bureau concerned.

(6) If the urgency standing certified to by the purchaser differs from the urgency standing shown on the Numerical Master Preference List, Revision No. 6, the latter shall govern.

(h) *Additions to list.* Changes [illegible] made in the Numerical Master Preference List from time to time by the War Production Board. When an [illegible] preference rating together with [illegible] called for by paragraph (f) [illegible] the purchaser differs from the [illegible] shown on the Numerical Master Preference List, Revision No. 6, the latter shall govern.

(h) *Additions to list.* Changes [illegible] made in the Numerical Master Preference List from time to time by the War Production Board. When an [illegible]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

[illegible] Part 3274, Conservation Order L-317, as amended, and Part 944, Conservation Order M-293, as amended, under sec. 2 (a) 54 Stat. 676, as amended by 56 Stat. 177; 50 U.S.C. App. Sup. 633; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; WPB Reg. 1, as amended 7 F.R. 562, 4811, 5164]

PART 3274—CONTAINERS

CONSERVATION OF CONTAINERBOARD

The following direction is issued pursuant to Limitation Order L-317.

(a) *Quota exempt deliveries.* Except as provided in paragraph (g) (1) or (g) (2) of Order L-317 a person may in either of the following cases, file an application as described in paragraph (e) below with the Containers Division establishing new quarterly quotas for Class of products listed in Schedule III of that order:

(1) Where he had in 1944 to make up a quota because War Production Board regulations or orders restricted his production of that Class of Products.

(2) Where he had in 1944 to make up a quota because a part or all of his [illegible] production facilities that had formerly made such Class of Products for civilian purposes was devoted in 1944 to making that Class of Products for military purposes or other products for military or essential civilian purposes.

Criteria for granting authorizations. All authorizations that may be granted by the War Production Board from time to time under this Direction will take into consideration the amount of new fibre shipping containers that the applicant was permitted to use pursuant to the September 9, 1944 edition of Order L-317 and the extent to which such applicant should be able to conserve containers (such as reusing used containers). However, in no event will an adjusted quota exceed the minimum amount which the applicant demonstrates that he will need for the balance of 1945 for deliveries other than "quota exempt deliveries" described in paragraph (f) and "wholesale and retail deliveries" described in paragraph (h) (3) of the order.

(c) *Application for authorization.* Any person may file an application for an authorization as described above, by addressing a letter in duplicate to the Containers Division, War Production Board, Washington 25, D. C., Ref.: L-317. Such letter must contain the following information:

(1) The total square footage and weight of containerboard content that the applicant was legally permitted under this order, as amended September 9, 1944 to use for packing the applicable Class of Products for deliveries other than "quota exempt deliveries" and "wholesale and retail deliveries" (including any quota adjustments through appeals grants).

(2) The total square footage and weight of containerboard content that the applicant actually and lawfully used in each calendar quarter of 1944 for packing the applicable Class of Products for deliveries other than "quota exempt deliveries" and "wholesale and retail deliveries".

(3) The total square footage and weight of containerboard content that the applicant requires for the balance of 1945 for the applicable Class of Products for deliveries other than "quota exempt deliveries" and "wholesale and retail deliveries", showing the total number of units of the applicable Class of Products that he expects to produce for such deliveries and the percentage of such units that he expects to pack in new fibre shipping containers.

(4) The total number of units of the applicable Class of Products that the applicant produced in each of the years 1941, 1942, 1943 and 1944 for deliveries other than "quota exempt deliveries" and "wholesale and retail deliveries" and the percentage of such units packed in those years that were packed in new fibre shipping containers, in used fibre shipping containers, and in other types of containers.

(5) What percentage of the applicant's [illegible] production facilities that had made the applicable Class of Products in 1941, 1942 and 1943 for deliveries other than "quota exempt deliveries" was devoted in 1944 to making that Class of Products for "quota exempt deliveries" and what percentage was making other products (identify such products) for military or essential civilian purposes.

(6) What percentage of the applicant's [illegible] production facilities that had made the applicable Class of Products in 1941, 1942 and 1943 was restricted in 1944 from producing such products by War Production Board regulations or orders (identify such regulations or orders).

(d) *Authorizations not to be granted in certain cases.* Authorizations will not be granted where a person did not use all of his 1944 quota solely because of his container conservation measures but such person may appeal under paragraph (q) (1) of the order if he believes he can demonstrate an undue and excessive hardship. Neither will authorizations under this Direction be granted where a person never had a 1944 quota for a product and now seeks to produce such product for deliveries other than "quota exempt deliveries" for the first time but such person may appeal under paragraph (q) (2) of the order.

Issued this 18th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. D. 45-10715; Filed, June 18, 1945; 10:21 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-1-b as Amended June 18, 1945]

PRODUCTION AND DELIVERY OF MACHINE TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of machine tools for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3274.1 *General Preference Order E-1-b*—(a) *Definitions.* For the purposes of this order:

(1) "Machine tool" means any new, non-portable, power driven, metal working machine tool which is listed on the attached Exhibit A and has a producer's list price for the basic machine tool itself of $1,000 or more. The producer's list price for the basic machine tool itself means the sale price at which the producer's catalogue or other price publication lists the basic machine tool, exclusive of the motor, motor drive, or any attachments therefor, unless the motor, motor drive or attachment is built into the basic tool itself as a integral part thereof, in which case the producer's list price for the basic tool shall be the sale price at which the producer lists the machine tool assembled unit.

Where the producer's list price for basic machine tool is $1,000 or more, "machine tool" includes auxiliary equipment and tooling consisting of original purchase orders required to be delivered with the machine to make it usable in production for the purposes intended. It does not include replacements, spare parts or maintenance or extra tooling.

(2) "Producer" means any person engaged in producing machine tools.

(3) "Service purchasers" means persons whose purchase orders for machine tools call for delivery to a supply arm or bureau of the Army or Navy, to the United States Maritime Commission, to one of their prime contractors, or to a subcontractor of such a prime contractor. However, no such purchaser shall be considered a service purchaser unless his preference rating certificate or endorsement accompanying his purchase order shows that the preference rating being applied to the purchase was assigned on Form WPB-542, CMPL-224, or GA-14 or that the rating was assigned and certified in accordance with paragraph (e) (3) of War Production Board Directive 1.

(4) "Other purchasers" means purchasers other than service purchasers whether or not a preference rating has been assigned to their purchase orders. Other purchasers include all foreign purchasers, and all Canadian purchasers except those who are service purchasers by reason of their purchasing machine tools for use on direct United States prime contracts or subcontracts.

(5) "Size" includes all of the dimensions or variations of a particular type of machine which can be used interchangeably for production purposes. Size classification shall be that used by each producer on June 22, 1944 unless he is hereafter authorized to use a different classification. Producers may apply for such permission by writing to the Tools Division, War Production Board, Ref.: E-1-b.

(b) *Delivery of machine tools until August 1, 1945.* Until August 1, 1945, each producer shall maintain his delivery schedules as established on May 23, 1945. An exception to this is any change in schedule required by a diversion or by any other specific direction of the War Production Board issued after May 23, 1945.

(c) *Allocation of deliveries to service and other purchasers.* Starting June 1, 1945, and on the first of each succeeding month, each producer shall schedule his deliveries of each size of machine tools for the third ensuing month (for example, on June 1 for the month of August) as follows:

(1) To the extent that he has rated orders on hand requiring delivery in the month being scheduled, each producer

[illegible] his schedule so as to de- [illegible] cent of his production of each [illegible] month to service purchasers [illegible] cent of his production of each [illegible] purchasers on whose pur- [illegible] nature has been applied or

[illegible] extent that a producer has [illegible] rated orders requiring de- [illegible] percent of his production of [illegible] to other purchasers in the [illegible] scheduled, he must schedule [illegible] for that size from service [illegible] requiring delivery in that [illegible] he was not able to include [illegible] set aside for service [illegible] To the extent that he has [illegible] orders requiring delivery of [illegible] production of a size to [illegible] sets in the month being [illegible] producer may schedule more [illegible] for delivery to other

[illegible] producer does not have enough [illegible] requiring delivery in the [illegible] decided to take up his full [illegible] a given size for service, or [illegible] less in that month, he may [illegible] some of unrated purchas- [illegible] of size in that month.

Allocation of 75 percent of production to service purchasers. Each producer shall schedule deliveries to service purchasers as follows:

(i) Service purchasers are subdivided into groups, consisting of the following their respective prime contractors: Bureau of Ordnance, Bureau of Ordnance Department (Army), Miscellaneous Branches and Bureaus, Maritime Commission, and Army Air Corps. The fourth group, designated "Army Air Forces," includes the Army Air Forces and the Navy Bureau [illegible] and other respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Army Air Corps, the Corps of Engineers, the Office of the Surgeon General (Army Medical Department), the Chemical Warfare Service, the Transportation Corps, the Transportation Service, the Bureau of Yards and Docks, and the Marine Corps, together with any other corps, department, bureau or service of the Army or Navy not heretofore designated as a separate group, and their respective prime contractors and subcontractors.

(2) Each producer shall figure the number of orders on his books for each size of each of the seven service purchaser groups as of sixty days prior to the first day of the month being scheduled, or, at the producer's option, the nearest [illegible] within ten days thereof on which he may have compiled his record of orders. Only orders which require delivery in the month being scheduled or in a later month shall be counted. This figure shall be termed the net backlog of each service purchaser group. No order shall be counted unless it is a firm order accompanied by specifications or other description of the machine tool in sufficient detail to enable the producer to place the machine tool in his production schedule and by the information required by paragraph (f) of this order.

(3) He shall then distribute the number of machine tools of this size allocated to all service purchasers for the month being scheduled among each of the seven service purchaser groups according to each group's quota. The quota of this size for each service group shall be the ratio of:

(i) Net backlog in this size of the service group to

(ii) The total of all net backlogs in such size of all the service groups, multiplied by the total number of machine tools of this size allocated for the month being scheduled to all service purchasers. An example of the calculation required by this paragraph is attached, marked "Illustration of paragraph (c) (3)."

The quota shall be determined separately for the hard-to-machine month. For example: On the 1st of June quotas shall be determined for August, on the first of July quotas shall be determined for September, and on the first of August quotas shall be determined for October, etc.

(4) Each month a producer shall deliver each service group the number of machine tools of that size equal to its quota for that month. However, no producer shall schedule delivery of any machine tool earlier than the date on which the purchaser requires delivery unless all required delivery dates on other orders are being met.

(5) *Treatment of fractions.* Where the number of machine tools which result from any computation required by this order contains a fraction of more than one-half, the fraction shall be counted as a whole machine tool. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only [illegible] than one whole machine tool for any one month, and such fraction is less than one-half, it shall be counted in computing the next month's quota. Where each of the computations of two or more different quotas for the same month shows a fraction of one-half, and there is only one remaining machine tool to which such fractions can apply, such machine tool shall be allocated to the group having the largest quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other quota or quotas for the next month.

(d) *Additional information to be furnished with rated purchase orders.* In applying or extending a preference rating to an order for a machine tool, the purchaser must supply the following information in addition to the standard endorsement or certification applying the rating:

(1) The form of preference rating certificate or the number of the order or regulation by which the rating was assigned.

(2) The urgency standing assigned to the delivery of the machine tool, if any.

(3) The required delivery date of the machine tool.

(4) A statement as to whether the purchaser is a service purchaser or other purchaser, and if the machine tool is to be delivered to a foreign country, the foreign country to which the machine tool is to be delivered.

(5) In the case of service purchasers the supply arm or bureau of the Army or Navy, or the Maritime Commission which placed the prime or subcontract on which the machine tool is to be scheduled, the name of the prime contractor and the number of the prime contract.

(e) *Operation of Numerical Master Preference List.* Numerical Master Preference List, Revision No. 6, dated [illegible] "Restricted," has been issued to machine tool builders (Forms B [illegible] org.). This list determines the sequence of deliveries as between service purchasers, as follows:

(1) The sequence of delivery [illegible] each group of service purchasers [illegible] its respective quota shall be determined each month without regard to [illegible] ratings.

(2) Deliveries to service purchasers who are on the list of prime contractors of persons on the list shall take precedence over service purchasers who are not on the list.

(3) As between deliveries having ineffective required delivery dates and to be made to service purchasers on the list, priority shall be given to the service purchaser with the higher urgency standing in that service group. The highest urgency standing is No. 1.

(4) The sequence of deliveries to service purchasers not on the list shall be determined by the respective date on which the producer receives the preference rating together with the information called for by paragraph (d).

(5) Delivery to a subcontractor not specifically named on the list shall take the urgency standing of his prime contractor. However, no subcontractor may use the urgency standing of his prime contractor unless it has been endorsed on the instrument assigning the preference rating by the supply arm or bureau concerned.

(6) If the urgency standing certified to by the purchaser differs from the urgency standing shown for the particular contractor in question on the Numerical Master Preference List, Revision No. 6, the latter shall govern.

(f) *Additions to list.* Changes may be made in the Numerical Master Preference List from time to time by the War Production Board. Where an urgency standing between existing urgency standings is assigned, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take a position in the sequence of deliveries as indicated by the following example: Urgency Standard 792.1 will be scheduled after 792 and before 793.

(g) *Sequence of deliveries among other purchasers.* The sequence of deliveries among other purchasers within the proportion of production allocated to them shall be determined in accordance with the provisions of § 944.7 of Priorities Regulation No. 1.

(h) *"Frozen" period.* Unless the War Production Board specifically orders otherwise, no preference rating or urgency standing which may be received

by a producer shall operate to postpone or in any way affect any delivery under a purchase order, whether rated or unrated, which is scheduled for delivery within sixty days of receipt of such preference rating or urgency standing or has been scheduled for delivery in accordance with paragraph (c) of this order.

(k) *Replacement parts.* Nothing in this order shall be construed to prohibit the delivery by any producer of repair and replacement parts for machine tools in accordance with applicable regulations and orders of the War Production Board concerning maintenance, repair and replacement items.

(l) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of machine tools, allocate any order for machine tools to any other producer, divert or otherwise direct the delivery of any machine tools to any other person.

(m) *Specific directions concerning the disposition of second hand machine tools.* Whenever the War Production Board deems it necessary for the prosecution of the war, it may, in its discretion, issue a direction prohibiting the sale or other disposition of any specific second hand machine tool until further notice. In general, such action will only be taken when a sale or transfer of the machine tool is believed to be imminent, and it appears that the tool is urgently needed for war or war related production. No person to whom such direction is issued may thereafter sell or otherwise dispose of such machine tool until he receives directions as to its disposal from the War Production Board. For the purposes of this paragraph "second hand machine tool" means any machine tool which has previously been used or purchased for use, whether or not it has been rebuilt.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This appeal should be filed with the War Production Board, Tools Division, Washington 25, D. C., Ref.: E–1–b.

(p) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(q) *Communications.* All reports required to be filed hereunder, and all appeals and other communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: E–1–b.

Issued this 18th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

All types of the following:
Ammunition machinery
Bending machines
Bending rolls
Boring machines
Brakes
Broaching machines
Buffing machines
Centering machines
Chamfering machines
Crankshaft regrinders, stationary
Cut-off machines
Die casting machines
Die sinkers
Draw benches
Drilling machines
Duplicators
Extruding machines
Filing machines
Forging machines
Forging rolls
Gear cutting machines
Gear finishing machines
Grinding machines
Hammers
Headers
Honing machines
Keyseaters
Lapping machines
Lathes
Levelers
Marking machines
Milling machines
Nibbling machines
Oil grooving machines
Pipe flanging-expanding machines
Planers
Polishers
Presses
Profilers
Punching machines
Reaming machines
Rifle and gun working machines
Riveting machines
Sawing machines
Screw and bar machines
Shapers
Shearing machines
Slotters
Swagers
Tapping machines
Thread rollers
Threading machines
Tube reducers
Upsetters
Wire drawing machines

EXHIBIT A—Continued

ILLUSTRATION OF PARAGRAPH (b) OF E–1–b FOR AUGUST 1945

Producer's scheduled production for August 40
Service quota (75% if that many orders) 30

Item	Total service	Bureau of Ships	Bureau of Ordnance	Ordnance Department	Air Forces	Miscellaneous branches and bureaus	Maritime Labor Committee	Equal (75%)
1. Net backlog by Service Groups (orders on hand June 1 requiring delivery in August or prior to August)	50	10	5	20	15	.....	0	
2. Proportion of total service deliveries (net backlog of each service group divided by total net backlog for all service groups)	50/50	10/50	5/50	20/50	15/50	0	0	
3. Service group quota—total service quota (30) times line 2	30	6	3	12	9	0	0	

[F. R. Doc. 45-10713; Filed, June 18, 1945; 10:21 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335, Direction 1–a, as Amended June 18, 1945]

SAWMILLS REQUIRED TO PRODUCE BOARDS AND DIMENSIONS

The following amended direction is issued pursuant to Order L–335:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the States of Oregon and Washington west of the crest of the Cascade mountain range which produce the following species of lumber: Douglas fir (pseudotsuga taxifolia), White fir, and West Coast hemlock.

(b) *General rule.* Except as authorized by the War Production Board pursuant to paragraph (c) below, every sawmill of the type described in paragraph (a) above must manufacture at least 40 percent of its expected monthly production of Douglas fir, White fir, and West Coast hemlock in the form of one-inch, one and one-quarter inch and one and one-half inch boards and at least 25 percent of its expected monthly production of Douglas fir, White fir, and West Coast hemlock in the form of two-inch dimension.

(c) *Exceptions may be authorized.* (1) Any sawmill may be authorized to substitute boards for dimension or dimension for boards, if in a letter to the War Production Board it states that it can manufacture 65 percent of its expected monthly production of Douglas fir, White fir, and West Coast hemlock in the form of one-inch, one and one-quarter inch and one and one-half inch boards and two-inch dimension (indicating percentages of each) but because of either (i) the type of logs it is able to get; (ii) its manufacturing facilities or equipment; or (iii) manpower, it is not capable of producing boards and dimension in the percentages required by paragraph (b) above. No authorization will be granted under this subparagraph except where the combined amount of one-inch, one and one-quarter inch and one and one-half inch boards and two-inch dimension to be manufactured by the sawmill will equal 65 percent of the sawmill's total production of Douglas fir, White fir, and West Coast hemlock.

(2) Any sawmill will be authorized for a period of 30 days to manufacture less than 65 percent of its production in the form of one-inch, one and one-quarter inch and one and one-half inch boards and two-inch dimension, if in a letter to the War Production Board it states that compliance with the requirements of paragraph (b) of this direction will result in the sawmill operating at a financial loss and also states the amount (in percentages) it is capable of producing in one-inch one and one-quarter inch and one and one-half inch boards and two-inch dimension without incurring a loss in its operation. If, at any time within 30 days after a sawmill has been authorized under this paragraph to manufacture less than the required 65 percent, it files with the Portland, Oregon, District Office of the Office of Price Administration an application under section 5 (d) of RMPR–26 and mails a copy of that application to the War Production Board, the authorization will be extended until the Office of Price Administration has acted on the sawmill's application at which time, after consideration of the findings of the Office of Price Administration, the authorization may be extended, modified, or revoked.

(d) *Communications.* All communications, including requests for authorizations under paragraph (c) above or appeals from the requirements of this direction, shall be addressed as follows: Western Administrator, Order L–335, War Production Board, 1405 S. W. Alder, Portland 5, Oregon.

(e) *Effective date.* This direction shall become effective April 25, 1945.

Issued this 18th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10716; Filed, June 18, 1945; 10:21 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328, Direction 2 as Amended June 18, 1945]

PRODUCTION QUOTAS FOR ARMY, NAVY, MARITIME COMMISSION OR WAR SHIPPING ADMINISTRATION SOCKS

The following amended direction is issued pursuant to Conservation Order M–328:

(a) Each person who owns or operates any circular hosiery knitting machines within the range of 48 needles to 72 needles having cylinders with diameters of 4 inches or greater or any flat bed hosiery knitting machines of comparable gauges and who has at any time within the calendar year 1944 produced men's wool or part wool hosiery on such machines must during the period from January 15, 1945 to December 31, 1945, produce on such machines only wool or part wool socks contracted for by or for the account of the United States Army Navy, Maritime Commission or War Shipping Administration. In addition, each person who owns or operates any circular hosiery knitting machines within the range of 48 needles to 72 needles inclusive, with diameters of 4½ inches or greater or any flat bed hosiery knitting machines of comparable gauges which can make wool ski socks or wool boot socks conforming to specifications of the United States Army, Navy, Maritime Commission or War Shipping Administration or acceptable substitutes, must produce on such machines only wool ski socks or wool boot socks contracted for by or for the account of the United States Army, Navy, Maritime Commission or War Shipping Administration. Any person affected by this direction shall operate each such machine at least as many hours per week as he operates any other knitting machine in the same plant; he must deliver the socks required to be produced by this direction to or for the account of the United States Army, Navy, Maritime Commission or War Shipping Administration, and he must accept and fill contracts and orders of or for the account of the United States Army, Navy, Maritime Commission or War Shipping Administration for such socks. No machine of a type described in this paragraph which did not at any time within the calendar year 1944 produce men's wool or part wool hosiery may be used during the period from January 15, 1945 to December 31, 1945, to produce men's wool or part wool hosiery except such hosiery contracted for by or for the account of the United States Army or Navy, Maritime Commission or War Shipping Administration.

(b) Any appeal from the provisions of this direction shall be made pursuant to the provisions of paragraph (g) (4) of Order M–328.

Issued this 18th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10717; Filed, June 18, 1945; 10:21 a. m.]

PART 3290[1]—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L–153 as Amended June 18, 1945]

PATTERNS FOR GARMENTS MADE OF WOOL, SILK, RAYON, COTTON, LINEN AND OTHER MATERIALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk, rayon, cotton, linen and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.145[1] *General Limitation Order L–153*—(a) *Definitions.* (1) "Pattern" means the design for making a garment from any fabric, cut or outlined in the actual measurements to which such garment is to conform.

(2) "Master pattern" means the original pattern from which patterns for sale are made.

(b) *Restrictions on making master patterns.* No person shall make any master pattern, the measurements of which, exclusive of seams, exceed the maximum measurements prescribed by General Limitation Orders L–85, L–116 or L–118, as such applicable order may be amended as of the date of making such master pattern, for the manufacture from fabric of finished garments of the same type as the garments to be made from such pattern.

(c) [Revoked May 25, 1943.]

(d) *Communications to the War Production Board.* All communications concerning this order, or any reports which may be required to be filed hereunder, shall, unless otherwise directed, be in writing and be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Reference L–153.

(e) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 18th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10714; Filed, June 18, 1945; 10:21 a. m.]

[1] Formerly Part 1283, § 1283.1.

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 111]

QUINACRINE

§ 3293.1111 *Schedule 111 to General Allocation Order M–300*—(a) *Definitions.* (1) "Quinacrine" means the chemical compound of that name or the name "Quinacrine Hydrochloride U. S. P.", whether sold under either of such names or under a trade name (including the name "atabrine"). The term includes the chemical compound quinacrine in any medicinal tablet but does not include other dosage forms (such as capsules or ampules.

(2) "Producer" means any person who produces or imports quinacrine in an uncompounded form, or who makes quinacrine tablets.

(b) *General provisions.* (1) Quinacrine is subject to the provisions of General Allocation Order M–300 as an Appendix B material. The initial allocation date is July 1, 1945. The allocation period is the calendar month.

(2) For the purpose of this schedule the restrictions on "suppliers" in Order M–300 apply only to "producers" as defined in paragraph (a) (2).

(3) The usual end use certificates required for Appendix B materials are not required for quinacrine.

(c) *Producers' applications on WPB–2947.* (1) Each producer seeking authorization to use or deliver quinacrine shall file application on Form WPB–2947. Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for quinacrine in uncompounded form and tablet form, respectively. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–111. Fill in the heading specifying grade as "uncompounded" or "tablet" and unit of measure for uncompounded quinacrine as pounds and for quinacrine tablets as 1,000 tablets of 0.1 gram each.

(2) In the case of uncompounded quinacrine, fill in Table I as follows:

In Column 1 list the name and delivery destination of each person who has ordered uncompounded quinacrine and in Column 1a specify "tablets" (or other dosage form for which the quinacrine is requested). If the producer wishes to use all or part of his own production of quinacrine in his own manufacture of tablets, he shall list his own name as in the case of any customer. Fill in Columns 4, 5 and 5a as indicated. Fill in Table II as indicated, but leave Column 9 blank.

(3) In the case of quinacrine tablets, fill in Table I as follows: In Column 1, list the name of each Government agency (including Lend-Lease procuring agencies) who have ordered quinacrine tablets for delivery during the next month, and in Column 1a specify applicable contract or requisition numbers. An aggregate quantity may be requested for "U. S. civilian orders", without specifying customers' names in Column 1 or end-use in Column 1a. Separate aggregate quantities may be requested for commercial export to each country requiring one million or more tablets to be delivered during the next month, without specifying customers' names in Column 1 or end-use in Column 1a. In the case of other commercial exports, separate aggregate quantities may be requested for "Canada" and "other exports", without listing the customers' names or the countries (except Canada) in Column 1 or the end-use in Column 1a. Fill in Columns 4, 5 and 5a as indicated. Fill in Table II as indicated, but leave Column 9 blank.

(d) *Producers' reports on WPB-2947.* On or before July 10, 1945, and on the 10th day of each month thereafter, each producer shall file a report on Form WPB-2947. File separate sets of forms for quinacrine in uncompounded form and tablet form, respectively. One certified copy shall be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-111. File separate sets of forms for uncompounded and tablet quinacrine, respectively, and fill in the heading as specified in paragraph (d) (1) above. Report deliveries made during the month preceding the required filing date against interim and regular allocations made for that month as follows: For each allocation fill in Columns 1 and 1a in the same terms in which the allocation was made. Specify in Column 4 the quantity actually delivered against the allocation.

Fill in Columns 8 and 10 of Table II and leave the other columns of that table blank. In the report for uncompounded quinacrine specify "uncompounded" in Column 8 and in Column 10 specify the stocks on the first day of the current month (in pounds), excluding quantities withdrawn for processing into tablets. In the report on tablet quinacrine, specify "tablets" and "in process (including rejects)" respectively, in Column 8 and opposite each of these entries specify in Column 10 the stocks on the first day of the current month (specifying tablets in terms of 1,000 tablets of 0.1 gram each as the unit of measure and specifying quantities in process and rejects in terms of pounds of quinacrine as the unit of measure).

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-111.

Issued this 19th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10771; Filed, June 19, 1945; 11:18 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-232, as Amended June 19, 1945]

WOODEN SHIPPING CONTAINERS

§ 3270.56 *Limitation Order L-232*—(a) *Definitions.* For the purposes of this order:

(1) "Wooden shipping container" means any new shipping container made wholly or partially of wood which is used for the shipment and delivery of commodities. The term does not include trunks, luggage, military locker boxes, field picking boxes, wooden inner containers, or boxes consisting of more than 50% of corrugated or solid fibre (by area).

(2) A "new shipping container" is one which has never been used for packing any product. The replacement of parts in a used container shall not cause it to become a new one unless new parts are added to replace three or more faces of the container. If three or more faces are replaced with new parts, it becomes a new shipping container subject to the provisions of this order.

General Restrictions

(b) *Restrictions—(1) Manufacture, sale or delivery of containers.* No person shall manufacture, sell or deliver any wooden shipping containers or parts which he knows or has reason to believe will be used or accepted in violation of any provision of this order.

(2) *Manufacture and assembly of containers.* No person shall commercially manufacture or assemble any wooden shipping container or any container (even though it is an inner container) defined in paragraph (d) of Table I of Schedule A of this order, for the purposes described in the several tables of Schedule A, which does not meet the specifications contained in those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(3) *Manufacture of container parts.* No person shall commercially manufacture any wooden parts designed for any wooden shipping container described in the several tables of Schedule A (including those inner containers defined in paragraph (d) of Table I of Schedule A which, when assembled, will not conform with the specifications of those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(4) *Coloring.* No manufacturer, dealer in, or commercial user of wooden shipping containers or parts shall dye, stain, or otherwise color containers or parts which are described in Schedule A. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(5) *Printing.* All stamping, printing and labeling, unless otherwise required by law, shall be placed on only one outside surface of any container covered by the several tables of Schedule A of this order, whether it be an end, a side, bottom, top or cover. The restrictions of this paragraph (b) (5) shall not apply to barrels, drums, kegs, kits or pails or to paper, labels or markings which only:

(i) State the capacity of the container in terms of whole or fractional pints, quarts, pecks, or bushels; or

(ii) in the case of baskets and hampers are identifying markings provided for in regulations of the Secretary of Agriculture issued under the United States Standard Container Act of 1928; or

(iii) are designed for the purpose of encouraging salvage and reuse of the container, provided the label or printing does not include the name, brand, trade-mark or other reference to any person, firm, partnership or corporation.

Restrictions on Packing and Shipping

(c) *Restrictions—(1) Commodities for which wooden shipping containers are forbidden.* No person shall commercially pack or ship in wooden shipping containers any of the commodities listed in Table I of Schedule B. This shall not, however, restrict the shipment of any commodity listed which has already been packed on the date it was included in this table or the shipment of any listed commodity in wooden shipping containers which were in the shipper's inventory or in transit to him on the date it was included in this table, but only for a period of sixty days thereafter.

(2) *Quota restriction on packing.* Packers of a commodity listed in Table II of Schedule B, are restricted in the quantity of that commodity which they may pack in wooden shipping containers in each calendar quarter to a percentage of the quantity that they packed in wooden shipping containers in the same quarter of the base period. The percentage and base period for each commodity are shown in the table.

(3) *Commodities for which only certain sizes of wooden shipping containers are permitted.* Packers of a commodity listed in Table III of Schedule B are restricted in their use of wooden shipping containers as specified in that table with respect to each such commodity.

Exceptions

(d) *Containers made from waste materials or second hand lumber.* None of the restrictions of this order shall apply to a container made by a container user for his own use from waste material referred to as edgings, trim, or off-fall and excluded from the definition of lumber in Order L-335, or from second-hand lumber, provided the container is not made in a box factory or woodworking establishment which sells its product to other users. Second-hand lumber is lumber which has been previously used, as in building construction, or as dunnage in bracing, blocking or shoring, or in the construction of shipping containers.

Miscellaneous

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington 25, D. C., Ref.: L-232.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 19th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—SPECIFICATIONS FOR WOODEN SHIPPING CONTAINERS

TABLE I—HAMPERS, BASKETS, BERRY CUPS FOR FRESH FRUITS AND VEGETABLES

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

Type—(1)	*Dry capacity* (2)
1. Hamper	$\frac{1}{2}$, $\frac{5}{8}$, 1 bu.
2. Round stave baskets	$\frac{1}{2}$, 1 bu.
3. Split-willow baskets	8, 12, 16, 24, 32 qts
4. Climax baskets	4, 12 qts.
5. Tall-round baskets	1, 2, 3, 4 qts.
6. Berry cup	$\frac{1}{2}$, 1 pt., 1 qt.

(b) *Exceptions.* The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of paragraph (a) of this table shall not apply to:

(1) The manufacture or assembly of wooden shipping containers referred to in this Table by any person from wooden parts cut to size by him before March 4, 1943, provided such manufacture or assembly is completed by August 31, 1943;

(2) The assembly of wooden shipping containers referred to in this table by any person from cut-to-size wooden parts bought and received by him before April 1, 1943, provided such assembly is completed by August 31, 1943.

(3) The assembly of containers purchased in flat or knock-down form from the surplus stocks of government agencies, or the coloring, printing or labeling of such containers.

(c) *Exceptions for banana hampers.* The restrictions of this Table I shall not apply to hampers used for the shipment of bananas.

(d) "Hamper", "round stave basket", and "split basket" have the same meanings as in rules and regulations[1] of The Secretary of Agriculture issued under the United States Standard Container Act of 1928.[2] "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations[3] of The Secretary of Agriculture issued under the United States Standard Container Act of 1916,[4] as amended.[5]

TABLE II—WOODEN SHIPPING CONTAINERS FOR FRESH FRUIT AND VEGETABLES

Usual name (1)	Inside depth (inches) (2)	Inside width (inches) (3)	Inside length (inches) (4)
1. Apple box	10[1]	11[3]	18
2. Apple box	11	12[3]	18
3. Apple box	11	13	17
4. Apricot lug	4	12[3]	16
5. Artichoke box	4	11	17
6. Asparagus crate	10[1]	11	17
7. Asparagus crate	9 (to fit top), 11 (to fit bottom)	17	17 or 18
8. Asparagus crate	9[1] (top), 11 (bottom)	17[3]	17
9. Avocado box	10[1]	11[3]	16
10. Berry crate	5[1]	11	16
11. Berry crate	5[1]	11	17[3]
12. Berry crate	3[1] or 5[1]	11[3]	18
13. Berry crate	3[1] or 5[1]	11[3]	18
14. Berry crate	4 or 5[1]	11	18
15. Berry crate	7	11	20
16. Berry crate	4	11	22
17. Bushel crate	11	11	22[3] to 22
18. Cantaloupe pony crate	11	11	16
19. Cantaloupe standard crate	11	11	22
20. Cantaloupe jumbo crate	11	13	22
21. Cauliflower crate	8[3]	18	14
22. Cauliflower crate	8[3]	18	22 to 22
23. Celery crate	5[3]	14[3]	24
24. Celery crate	10	11	24[3]
24a. Celery crate	6	15	24[3] to 30
25. Celery crate	10	16	24
26. Celery crate	5[3]	18	12[3]
26a. Celery crate	5	18	12[3]
26b. Celery crates	5	18	14
26c. Celery crates	5	10	24
26d. Celery crates	5	12[3]	24
26e. Celery crates	5	16	18
27. Cherry, apricot, prune bag	4	10	24
28. Cherry, apricot, prune crate	4	11	14
29. Cherry, apricot, prune lug	4	11	14
30. Cranberry box	6[1]	11	17
31. Cranberry box	6[1]	11	17
31a. Date box	6[1]	11[3]	17 to 22
32. Fig box	6[1]	13[3]	16
33. Fruit box	4	11	16
34. Fruit box	4	11	16
35. Fruit box	4	11	16
36. Fruit box	5	11	16
37. Four-basket crate	4[1]	11[3]	16
38. Four-basket crate	4	10	16
39. Four-basket crate	4	10	16
40. Four-basket crate	4	11	16
41. Honey dew standard crate	6[1]	11	16
42. Honey dew jumbo crate	7[1]	11	22
43. Lemon box	6[1]	11	22
44. Lemon box	6[1]	13	22
45. Lettuce crate	6[1]	11	22
46. Lime box	13[1]	17[3]	20 to 22
46a. Lug box	7	13[3]	12
47. Lug box	7[1]	13[3]	16
48. Lug box	7[1]	13[3]	16
49. Melon crate	33[1]	15[3]	16
50. Melon crate	13[1]	12	22
51. Orange and grapefruit box	7[1]	11	22
52. Orange and grapefruit box	11[1]	11[3]	24
53. Orange and grapefruit box	12	12	24
54. Pear box	5[1]	9[3]	19
55. Half pear box	5[1]	11[3]	18
56. Pear bin	5[1]	13[3]	24
57. Pepper crate	5[1]	11	22
58. Produce box (1 bushel)	11[1]	11	22
59. Produce box (½ bushel)	7[1]	11[3]	17½
60. Pineapple crate	10[1]	15	15[3]
61. Rhubarb box	6	11[3]	24
62. Rhubarb box	6	11[3]	24[3]
63. Sweetpotato crate	8 to 16	11	24
63a. Sweetpotato crate	12[3]	12[3] top	17 to 20
		13[3] bottom	16 to 20
64. Sweetpotato crate	8	12	24
65. Vegetable crate	12	12	16
66. Vegetable crate	13	17[3]	24
67. Vegetable crate	8	13	20[3] to 22
68. Vegetable crate	7	12	22
69. Vegetable crate	7[1]	15 or 15½	18[3]

[1] The inside depth of this box may be increased up to 11½", either by the addition of cleats of any thickness or by the use of a solid end.

[2] The inside depth of this box may be increased up to 7½" by the addition of cleats of any thickness or by the use of a solid end.

[3] The inside depth of this box may be increased up to 5½" by the addition of cleats of any thickness or by the use of a solid end.

[4] Wherever an asterisk appears, cleats may be used for such items, as provided for in paragraph (c) of the text of Table II.

(a) The designation in column (1) of Table II is merely for identification and shall not be construed as restricting usage. 'Inside width' and 'inside depth' of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any cleats. 'Inside length' of the container shall be its outside length minus the combined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to $\frac{1}{8}$" under or up to $\frac{1}{4}$" over the specified inside lengths is allowed. A tolerance of up to $\frac{1}{8}$", plus or minus, in the specified inside depths

[1] U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.

[2] 45 Stat. 685; 15 U.S.C. 257.

[3] U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.

[4] 39 Stat. 673; 15 U.S.C. 251.

[5] 45 Stat. 930; 15 U.S.C. 251.

and inside width is allowed for shrinkage and manufacture.

(c) No cleats may be so used as to increase inside dimensions except where an asterisk appears in Column (1) of Table II or where, and as, specified in any footnote after that table. Where an asterisk appears in Column (1) of Table II, one or more cleats of 1/4", 3/8", 1/2", 5/8", 11/16", or 3/4" thickness may be attached to the top of each end piece, or end frame, provided such cleat or cleats do not increase the inside dimensions of the container by more than the specified thickness of the cleat or cleats.

(d) *Exceptions.* (1) The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of this Table II shall not apply to:

(i) The manufacture or assembly of wooden shipping containers by any person from wooden parts cut to size by him before March 4, 1943; provided, such manufacture or assembly is completed by August 31, 1943;

(ii) The assembly of wooden shipping containers by any person from cut-to-size wooden parts bought and received by him before April 1, 1943, provided, such assembly is completed by August 31, 1943;

(iii) The assembly of containers purchased in flat or knock-down form from the surplus stocks of government agencies, or the coloring, printing or labeling of such containers.

(2) The restrictions of this Table II shall not apply to the manufacture or assembly of wooden shipping containers, or the manufacture of wooden parts for wooden shipping containers, to be delivered:

(i) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, the Veterans Administration, or the Department of Agriculture (for Lend-Lease purposes), provided, the government agency's specifications require wooden shipping containers which do not comply with Table II.

(ii) To any person for use in packing fresh fruits or vegetables for delivery to or for the account of such government agencies; provided, the government agency's specifications require wooden shipping containers which do not comply with Table II; and provided further, such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7:

"This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order I–232. The material ordered herewith is for that purpose only.

Company_____
By_____
Title_____ Date_____"

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

TABLE III—WOODEN SHIPPING CONTAINERS FOR DRESSED CHICKENS & TURKEYS

Chicken boxes (approximate weight) (1)	Inside length (inches) (2)	Inside width (inches) (3)	Inside depth (inches) (4)
101. 26 lbs.	18	11	7¼
102. 42 lbs.	19	11½	7½
103. 48 lbs.	20	12½	7½
104. 51 lbs.	21	13½	7¾
105. 60 lbs.	22	17	8
106. 72 lbs.	24	18	8½
TURKEY BOXES			
111. Small	28	20	6¾
112. Large	27	28	7¼
113. Very large	31	19	8
114. West Coast	40	22	8½

(a) *Exceptions.* The restrictions of paragraph (b) (2), (3), (4) and (5) of this order and of this Table III shall not apply to:

(1) The manufacture or assembly of wooden chicken and turkey boxes by any person from wooden parts cut to size by him before July 20, 1943, provided such manufacture or assembly is completed by September 30, 1943;

(2) The assembly of wooden chicken and turkey boxes by any person from cut-to-size wooden parts bought and received by him before August 15, 1943, provided such assembly is completed by September 30, 1943.

(3) The assembly of containers purchased in flat or knock-down form from the surplus stocks of government agencies, or the coloring, printing, or labeling of such containers.

SCHEDULE B—RESTRICTIONS IN USE OF WOODEN SHIPPING CONTAINERS

TABLE I—COMMODITIES WHICH MAY NOT BE SHIPPED IN WOODEN SHIPPING CONTAINERS

(a) The restrictions of this Table I shall not apply to (1) shipments to or for the account of the Army or Navy of the United States, or shipments to military exchanges (as defined in Priorities Regulation No. 17) located outside the 48 states, the District of Columbia and Canada, (2) shipments to be delivered ultimately outside the 48 states of the United States, the District of Columbia and Canada, (3) shipments of stores for shipboard use on ocean-going vessels, (4) shipments to or for the account of the Veterans Administration, (5) shipments in wooden barrels, kegs, drums, kits or pails, except in the case of soda ash, bicarbonate of soda, and salt.

(b) Whenever the letter "b" appears after a commodity in this list, the restriction applies to this commodity only when packaged in glass, textile, metal or paper.

(c) Soda ash and bicarbonate of soda were included in Table I on July 23, 1943 and all the other commodities were added on October 25, 1943.

(d) The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

Building Materials

1. Asphalt roofing (rolls or shingles), siding and tiles
2. Brick, except fire and glass
3. Cement [b]
4. Cork (except pipe covering and slabs)
5. Mineral wool, except slabs, blocks, batts and insulation (formed, metal encased)
6. Plaster, cement lime, gypsum (this does not include dental, orthopedic and industrial mold grades)
7. Roof coatings and cements [b]
8. Steel sash and windows

Foods (Fresh Vegetables Are Listed as Items 38–43 and Animal Foods, Item 101)

9. Bakery goods, except in multiple trip returnable containers
10. Baking powder
11. Candy or confectionery
12. Canned and glassed foods or food products
13. Cereals, prepared
14. Chocolate
15. Cocoa
16. Coffee
17. Condiments [b]
18. Corn starch [b]
19. Dessert powders
20. Flours, prepared products
21. Food seasoning, coloring and related products [b]
22. Fruit and vegetable juices [b]
23. Gelatins [b]
24. Horseradish products [b]
25. Ice cream cones
26. Macaroni [b]
27. Mayonnaise and salad dressing [b]
28. Noodles [b]
29. Nuts, edible
30. Peanut butter and peanuts [b]
31. Popcorn
32. Potato chips
33. Rice
34. Salt
35. Spaghetti [b]
36. Spices (except mustard flour, ground cloves, ground mace and ground nutmeg)
37. Tea

Fresh Vegetables

38. Cabbage
39. Corn, green
40. Onions, dry
41. Potatoes, white
42. Rutabagas
43. Turnips, root

Glass Products

44. Jars, home canning
45. Ornaments and decorations

Hardware

46. Buckets and pails (wood or metal)
47. Handles, wooden, for hand tools
48. Wash tubs, wood or metal

Horticultural Items

49. Flowers, flower seeds, and flower plants
50. Shrubs, ornamental or cuttings
51. Trees, ornamental or cuttings

Leather Products

52. Belting butts
53. Bridles
54. Harnesses
55. Horse collars
56. Novelties
57. Pocketbooks
58. Saddles
59. Suitcases
60. Traveling bags—all kinds
61. Trunks
62. Whips and crops

Paper Products

63. Advertising displays—counter, window or floor
64. Albums
65. Announcements
66. Calendars
67. Catalogues
68. Greeting cards
69. Illustrated post cards
70. Magazines, including house organs
71. Novelties
72. Posters
73. Punch boards

Textiles (Except Clothing)

74. Awnings
75. Blankets
76. Comforters
77. Mattresses
78. Rope, string and twine
79. Tents

Miscellaneous

80. Adhesives or cements, household
81. Appliances, electric, domestic (except stoves, refrigerators, washing machines and mangles)
82. Art supplies
83. Ash trays
84. Baskets
85. Bed springs
86. Beverages, carbonated, malt or alcoholic and concentrates, except in multiple trip returnable containers.
87. Bicarbonate of soda
88. Brushes and brooms
89. [Deleted Jan. 3, 1944]
90. Candles, except for religious purposes
91. Ceramics, ornamental
92. Charcoal, except activated carbon
93. Cigars and cigarettes
94. Combs
95. Cosmetics
96. Dentifrices
97. Depilatories
98. Dry cleaning preparations, household

99. Electric light bulbs
100. Fertilizers
101. Food, animal and pet
102. [Deleted Jan. 3, 1944]
103. Hair, dressing and dyes, shampoos and tonics
104. Hats, millinery
105. Heels and soles, footwear
106. Hose, rubber and fabric except wire imbedded
107. Jewelry
108. Mops
109. Ornaments, made of glass, plastic, pottery, china, metal, wood, paper or leather
110. Paint and paint products [b]
111. Peat moss
112. Pens and pencils
113. Perfumes and toiletries
114. Polishes [b]
115. Scouring and cleaning compounds and detergents (does not include liquid acidic materials shipped in carboys with a capacity of 5 gallons or more)
116. Shoes
117. Soap [b]
118. Soda ash
119. Sporting goods
120. Starch [b]
121. Tobacco [b]
122. Toys and games
123. Varnishes [b]
124. Waxes [b]

TABLE II—COMMODITIES WHOSE PACKING AND SHIPPING IN WOODEN SHIPPING CONTAINERS IS RESTRICTED

Miscellaneous Products

Commodity:	Quota based on 1942 Calendar year (percent)
10. Animal proprietary drug remedies	65
11. Books	80
12. Carpets	80
13. China and glassware (except vitrified for commercial use)	80
14. Clothing, except shoes	80
15. Glass tableware and glass kitchen articles	80
16. Hooks and eyes, slide and snap fasteners, buckles, buttons, and miscellaneous metal apparel findings	80
16a. Leather, restricted to goat, kid, calfetta and kangaroo and limited to processed hides, skins and splits which have not been incorporated into any product	70
16b. Leather, all other, limited to processed hides, skins and splits which have not been incorporated into any product	50
17. Linoleum	80
18. Musical instruments	80
19. Pottery products, household (except ornamental)	80
20. Printing and publishing products, except those listed elsewhere	80
21. Rugs	80
22. Tile (floor, wall, facing, glazed or unglazed)	80

NOTE: Notes 1 and 2 deleted June 30, 1944.

NOTE 3: The base period and quota period quantities of a commodity shall be determined by weight, volume or count of that commodity packed for shipment or shipped in wooden shipping containers, or by the board footage content of the wooden shipping containers required. The same measure shall be used in both the base period and quota period quantities for any commodity.

NOTE 4: *Exceptions.* No person shall be bound by quota restrictions contained in paragraph (c) (2) applicable to any commodity during any calendar year or seasonal year, whichever is specified, during which he neither packs nor ships more than one carload or 60,000 pounds of that commodity, whichever is the lesser.

TABLE III—COMMODITIES FOR WHICH ONLY CERTAIN SIZES OF WOODEN SHIPPING CONTAINERS ARE PERMITTED

Flat drawn sheet or window glass. No person may commercially pack or ship flat drawn sheet or window glass, double strength or thinner (excluding sizes of glass of 40 united inches or less) in new wooden shipping containers, except where he uses containers having a capacity of 100 square feet or more and where the number of lights (sheets) contained therein are sold as 100 square feet of glass. However, this restriction shall not apply to:

(1) Containers already packed with lights (sheets) of glass on or before June 19, 1945.

(2) Containers made from materials cut to size on or before June 19, 1945;

(3) Containers made up and in the inventory of the packer on or before June 19, 1945.

[F. R. Doc. 45 10770; Filed, June 19, 1945; 11:18 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 99]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 1A is amended in the following respects:

1. Subdivision (iii) of § 1315.506 (a) (1) is revoked effective July 1, 1945, and the remainder of § 1315.506 (a) (1) is amended to read as follows:

(1) A farm tractor, farm implement or farm wagon. An applicant may be granted a certificate only for a tractor-implement tire, except that if the vehicle can not be operated with tractor-implement tires and there are no suitable unrationed tires available in the community, the applicant may be granted a certificate for a Grade I passenger or Grade II truck tire.

(i) In any area where recapping facilities are unavailable or inadequate an applicant may be granted a certificate for a small tractor-implement tire, even though the tire to be replaced is recappable; and if the vehicle can not be operated with a tractor-implement tire and there are no suitable unrationed tires available in the community, the applicant may be granted a certificate for a Grade I passenger or a Grade II truck tire.

2. Section 1315.804 (e) (4) is added to read as follows:

(4) An authorization of a District Director which was issued prior to June 1, 1945, permitting a dealer to transfer Grade I tires to another dealer shall remain valid only through June 23, 1945.

[1] 7 F.R. 9160, 9392, 9724.

3. Section 1315.804 (i) is added to read as follows:

(i) A dealer or manufacturer may, without certificate, transfer tires to any premises for temporary display if no change in ownership and physical control is thereby affected.

4. Section 1315.809 is added to read as follows:

§ 1315.809 *Dealer's inventory responsibility.* Every dealer shall be accountable for all replenishment portions of certificates and receipts received by each of his establishments. On and after July 1, 1945, the number and type of Grade I tires (truck tires by cross-section size groups 7.50 and smaller, and 8.26 and larger) called for on replenishment portions of certificates and receipts dated on or after December 1, 1944 in his possession at the establishment and on those forwarded to a supplier by the establishment plus the inventory of Grade I tires, by type and by cross-section size groups, at the establishment shall at all times be equal to, but not in excess of, the inventory responsibility of the establishment, as adjusted by increases or decreases made pursuant to this order, except to the extent he can account for the excesses or deficits by reason of conditions which are not due to his violation of this order. The inventory responsibility of a dealer's establishment in existence on June 30, 1945, shall be the totals shown on line 6 of OPA Form R–71 filed for that establishment. The inventory responsibility of a dealer's establishment which began business after June 30, 1945, shall be the total of Grade I tires and the number of Grade I tires called for on replenishment portions of certificates and receipts which he was authorized to acquire for the establishment by a District Director. Where the entire stock of tires and replenishment portions of certificates and receipts of an establishment has been moved to a new establishment pursuant to § 1315.804 (b), the inventory responsibility of the new establishment shall be the same as that of the old establishment.

This amendment shall become effective June 18, 1945, with the exception of the revocation of § 1315.506 (a) (1) (iii) which shall become effective July 1, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 10735; Filed, June 18, 1945; 5:14 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262, Amdt. 18]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 262 is amended in the following respect:

Section 1351.969 is amended by deleting the phrase "tortillas".

This amendment shall become effective June 23, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10739; Filed, June 19, 1945; 9:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 495, Amdt. 2]

MISCELLANEOUS BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 495 is amended to read as follows:

1. Section 10 (e) is added to read as follows:

(e) If you are a producer, wholesaler or retailer of tortillas, and you sold these commodities prior to the effective date of this regulation, your maximum prices for such sales have been determined under Maximum Price Regulation No. 262. This regulation continues those maximum prices without change.

2. Sections 11 and 12 are added to read as follows:

SEC. 11. *Adjustment of maximum prices.*—(a) *Producer's maximum prices.* The Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1, or on its own motion, adjust the maximum prices of a producer of any commodity described in paragraphs (d) and (e) of section 10 of this regulation where

(1) The producer's maximum price is below the general price level prevailing for similar products sold by his competitive sellers of the same class, and

(2) The producer is or will be unable to maintain his production at his maximum price or prices, and

(3) The loss of his production would result in consumers having to pay higher prices for the most nearly similar substitute product available, and

(4) An increase in his maximum price or prices will enable him to continue production, and

(5) The Administrator is of the opinion that an increase in his maximum price or prices would, under all the circumstances be in furtherance of the purposes of the Emergency Price Control Act, as amended, and the Stabilization Act of 1942, as amended.

The maximum price increase that may be granted under the provisions of this section shall not cause his price to exceed the general price level prevailing for similar products. Subject to this limitation, (i) an increase may be granted not to exceed the total cost of the product, or, (ii) if the applicant's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace-time period," adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to permit production, an increase may be allowed estimated to yield such a profit margin.

A "representative peace-time period" means the period of the years 1936 to 1939, inclusive. When 1936 to 1939 does not represent a reasonably normal prewar (December 7, 1941) period, some other period may be used but its use must be positively justified in the application.

(b) *Maximum prices of wholesalers and retailers.* If a product for which the producer's maximum price is increased pursuant to the provisions of paragraph (a) of this section is also sold by wholesalers or retailers or both but is not subject to the provisions of Maximum Price Regulations 421, 422, or 423 as to such sales the Office of Price Administration may increase the maximum prices for sales by wholesalers or retailers or both in an amount not to exceed the increase provided for the producer.

(c) *Filing of applications for adjustment.* All applications for adjustment submitted pursuant to this section shall be filed with the Office of Price Administration in Washington, D. C.

SEC. 12. *Notification of change in maximum prices.* With the first delivery of any commodity subject to this regulation, after the maximum price for such commodity has been changed by any provision of this regulation, the producer shall:

(a) Supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICES TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, brand and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after (insert date of change in maximum price). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 or 423 whichever is applicable to you.

For a period of 60 days after such change in the maximum price of an item is made, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, the producer shall include in each case or carton containing the item the written notice set forth above.

(b) Notify each purchaser of the item from him who is a distributor, other than a wholesaler and retailer, of such change in maximum price by written notice attached to or written on the invoice issued in connection with his first transaction with such purchaser as follows:

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, brand and container type and size) has been changed from $_____ to $_____ under the provisions of Revised Maximum Price Regulation No. 495. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier, purchasing the item from you of any allowable change in your maximum price. This notice must be made in the manner prescribed in section 13 of Revised Maximum Price Regulation No. 495.

This amendment shall become effective on June 23, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10740; Filed, June 19, 1945; 9:36 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 550, Amdt. 4]

CURED AND SMOKED FISH

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 550 is amended in the following respects:

1. Section 3.1 (b) is amended to read as follows:

(b) (1) The processor's maximum price for sales of sliced smoked mild-cured salmon (lox) (except as otherwise provided in subparagraph (2)), is 63 cents per pound ex-processor's plant or warehouse or f. o. b. shipping point nearest processor's plant or warehouse plus the "freight rate" as explained in section 3.2.

(2) For sales of sliced smoked mild-cured salmon in any covered container which (i) has a capacity of less than five pounds; (ii) is marked by a brand name and, (iii) is especially adapted for resale to the ultimate consumer or institutional user (and such resale is customarily made without removing the product from the container) the maximum price which any person covered by this regulation may charge shall be the price determined by the Office of Price Administration to be in line with the price fixed in subparagraph (1). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., accompanied by a statement containing full particulars as to the size and type of container, the brand or other identification marks placed on it, an explanation of the ways in which the container is especially adapted for resale to the ultimate consumer or institutional user and the class of trade (wholesale or retail, etc.) to whom the sales are made. The statement must also itemize the seller's costs. Until such price determination is made the seller must determine his maximum price under subparagraph (1).

2. In section 6.1 paragraph (b) is redesignated (c) and a new paragraph (b) is inserted to read as follows:

(b) The processor's maximum price for sales of sliced smoked whitefish is 45 cents per pound ex-processor's plant or warehouse, plus the "freight rate" as explained in section 6.2, plus the container allowance in section 6.5 where applicable.

3. In section 6.6 the following new paragraph (b) is inserted to read as follows:

(b) "Sliced smoked whitefish" means a cross-section of smoked whitefish, not exceeding 4 inches in thickness, cut from a whitefish which has been eviscerated and from which the head has been completely removed.

4. Section 15.3 is amended by adding the following paragraph (b):

(b) *Smoked whitefish sliced by the wholesaler.* If a wholesaler buys drawn (gutted) smoked whitefish and sells it sliced (sliced smoked whitefish is defined in section 6.6 (b)), his net cost for the sliced product is the sum of his "net cost" for the drawn fish, plus 5 cents per pound.

This amendment shall become effective June 23, 1945.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10741; Filed, June 19, 1945; 9:36 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 53]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 7.6 (k) is amended to read as follows:

(k) *Adjustments for industrial users of meat or fats having a point value.* An industrial user who, during the third quarter of his base period, used meat or canned fish which on June 3, 1945, has a point value (other than zero) may apply for an allotment covering such meat or canned fish. The application shall be made on OPA Form R-315, to the Board or District Office with which he is registered, and must estimate the number of pounds of such meat (separately for each item as listed in section A of the Official Table of Trade Point Values which is in effect on June 3, 1945) or the number of pounds of such fish (separately for each items as listed on the Official Table of Point Values which is in effect on June 3, 1945) which he used during the third quarter of his base period. The Board or District Office may grant the application if it finds that the industrial user, during the third quarter of his base period, used meat or canned fish which has a point value (other than zero) on June 3, 1945. The amount of his allotment shall be computed in the following way:

(1) The number of pounds of each such item of meat or canned fish which he used during the third quarter of his base period is multiplied by the point value in effect for that item on June 3, 1945 (as shown on the Official Table of Point Values which is in effect on June 3, 1945);

(2) The resulting figures are added together and multiplied by 0.7.

The result represents his allotment for the third allotment period of 1945 for meat or canned fish having a point value on June 3, 1945. (Paragraph (d) of this section applies in determining whether an industrial user who receives an allotment under this paragraph is entitled to a check, and in determining the amount of the check.)

This amendment shall become effective 12:11 a. m. June 17, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

[F. R. Doc. 45-10682; Filed, June 16, 1945; 4:09 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 45 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (c) (7) is added to read as follows:

(7) For the allotment period from July 1, 1945 to September 30, 1945, inclusive:

Classes of foods	Factors for classes 1, 2 and 3	Factors for classes 11 and 12	Factors for all other classes
(i) Meats:			
(a) Boneless and separated suet	0	0	0
(b) Boned and berded and canned meat and canned fish	0	0	0
(c) Hearts, tongues, livers and sweetbreads (pancreas and thymus)	0	0	0
(ii) Cheeses and canned milk:			
(a) Group I, Cheese	8.4	8.4	8.4
(b) Group II, Cheese	6.0	6.0	6.0
(c) Group III, Cheese	6.0	6.0	6.0
(d) Group IV, Cheese	4.0	4.0	4.0
(e) Canned milk	0	0	0
(iii) Fats and oils:			
(a) Butter	12.0	12.0	12.0
(b) Margarine	8.4	10.8	7.2
(c) Shortening	8.4	10.8	7.2
(d) Cooking and salad oils	8.4	10.8	7.2
(e) Lard	8.4	10.8	7.2

[1] 9 F.R. 6772, 8825, 8262, 7438, 8147, 8931, 9266, 9278, 9785, 9896, 10425, 10875, 10876, 10777, 11426, 11513, 11906, 11955, 11961, 12814, 12867, 14287, 14645, 15056; 10 F.R. 48, 521, 857, 293, 294.

This amendment shall become effective at 12:01 a. m. June 17, 1945.

Issued this 16th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

[F. R. Doc. 45-10690; Filed, June 16, 1945; 4:09 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 47 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

The Official Table of Consumer Point Values (No. 26) and the Official Table of Trade Point Values (No. 26) referred to in § 1407.3027 (a) are amended by increasing the point values of the following Revised Ration Order 16 foods:

Item:	Point value (per pound)
Lard	12
Shortening	12
Salad and cooking oils	12

This amendment shall become effective 12:01 a. m. June 17, 1945.

Issued this 16th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

[F. R. Doc. 45-10691; Filed, June 16, 1945; 4:09 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 112]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Maximum Price Regulation 426 is amended in the following respects:

1. Section 13a is deleted.

2. In section 15, Appendix H, Table 4 (Maximum Prices for Snap Beans), footnote reference 5 is deleted from items 3, 4, 9 and 10 and added to "$2.70" in item 5. Column 6 and footnote 5 is amended to read as follows:

[5] During the period beginning June 17, 1945 and ending June 30, 1945, the Column 6 price for snap beans grown in Arkansas and Tennessee shall be based on $3.00 rather than $2.70; and the Column 6 price for snap beans grown in Delaware, Maryland, New Jersey and Virginia shall be based on $2.85 rather than $2.70.

This amendment shall become effective at 12:01 A. M. June 17, 1945.

Issued this 16th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

Approved: June 15, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10687; Filed, June 16, 1945; 4:11 p. m.]

[1] 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278, 9785, 9896, 10425, 10875, 10876, 10777, 11426, 11513, 11960, 11955, 11961, 12814, 12867, 14645, 15058; 10 F.R. 48, 521, 857, 293, 294.

PART 1460—COMMODITIES AND SERVICES

[SR 14C, Amdt. 5]

DEHYDRATED CRANBERRIES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 4.5 is added to read as follows:

SEC. 4.5 *Dehydrated cranberries (1944 and later crops)*—(a) *Maximum prices which processors may charge for dehydrated cranberries.* The processor's maximum prices per dozen containers for dehydrated cranberries of the 1944 and later crops, f. o. b. factory, shall be as follows:

Style, container type and size	Maximum price	
	Sales to Government procurement agencies	Other sales
Whole (cut fruit)		
1-pound carton	$2.24 per dozen	$2.35 per dozen.
1-ounce glass jar	$2.28 per dozen	$2.37 per dozen.
1½-pound glass-ware jar	$8.1[illegible] per dozen	$8.40 per dozen.
5½-ounce glass-ware jar	$1.61 per dozen	$1.68 per dozen.
Powdered		
1-pound can	$3.03 per can	$3.16 per can.
1½-pound can	$1.34 per can	$1.39 per can.

The processor shall figure his maximum prices, f. o. b. factory, under section 6.1 of Second Revised Supplementary Regulation 14 for any container type or size of the foregoing styles of dehydrated cranberries of the 1944 and later crops for which maximum prices are not named above. If he cannot figure his maximum prices for the item in that manner, he shall apply to the Office of Price Administration, Washington, D. C., for authorization of maximum prices. The application in each case shall contain sufficient information to identify the item and shall also state why the applicant cannot determine his maximum prices under the other provisions of this section.

(b) *Meaning of "processor".* "Processor" means a person who processes any part of what he sells of the kind and brand of product being priced. The term includes a person who has the goods "custom-packed" or "toll-packed" by another.

(c) *Maximum prices which distributors other than wholesalers and retailers may charge for dehydrated cranberries.* The maximum price for an item of dehydrated cranberries of the 1944 and later crops, f. o. b. shipping point, of a distributor who is not a wholesaler or retailer shall be the maximum price of the processor, f. o. b. factory, plus incoming freight paid by him. ("Wholesaler" and "retailer" means the persons respectively referred to as "wholesalers" and "retailers" in Maximum Price Regulations Nos. 421,[1] 422[2] and 423.[3])

(d) *Meaning of "distributor".* "Distributor" means a person who purchases all he sells (for his own account) of the kind and brand of product being priced and resells it without processing any part of it.

(e) *Notification of new maximum price.* With the first delivery after June 22, 1945, of an item of dehydrated cranberries, in any case where a seller determines his maximum price pursuant to this section, he shall supply each wholesaler and retailer who purchases from him with written notice, reading as follows:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, style of pack, and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you containing this notification on or after June 23, 1945. You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after determining such maximum price for the item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each seller shall include in each case, carton or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

(f) *Relationship with the General Maximum Price Regulation.* Except to the extent that maximum prices under the General Maximum Price Regulation are modified by this section, the provisions of that regulation apply to sales of dehydrated cranberries by persons other than wholesalers and retailers.

This amendment shall become effective June 23, 1945.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment, establishing maximum prices for dehydrated cranberries based on a raw material cost of $22.38 per hundred pounds for cranberries, delivered to processors' factories, is necessary to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10737; Filed, June 19, 1945; 9:35 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 60]

PILLOWS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 1499.166, Appendix A, is amended by deleting from paragraph (b) (1) the following words:

Pillows, made with new or used filling materials.

2. Section 1499.166, Appendix A, is amended by adding to paragraph (b) (1) the following words:

Pillows, made with new or used filling material except pillows filled in whole or in part with new or second-hand feathers or down.

This amendment shall become effective on the 23d day of June 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10738; Filed, June 19, 1945; 9:35 a. m.]

PART 1340—FUEL

[MPR 112, Amdt. 19]

PENNSYLVANIA ANTHRACITE

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1340.200 (a) is amended to read as follows:

(a) The following maximum prices are established for anthracite f. o. b. transportation facilities at the mine, or preparation plant operated as an adjunct of a mine or mines or ground storage facility from which delivery is made.

(1)

Size:	Price per net ton
Broken, egg, stove and chestnut	$8.10
Pea	7.15
Buckwheat No. 1	5.15
Rice (buckwheat No. 2)	$4.40
Barley (buckwheat No. 3)	3.60
All sizes smaller than barley (buckwheat No. 3) if sold for fuel or sintering use, or for use in the manufacture of calcium carbide, graphite or activated carbon, including (specifically but not exclusively), buckwheat No. 4 (rice) or dredge barley, and smaller sizes	2.25

[1] 8 F.R. 9388, 10569, 10987, 13293, 15250, 15607, 17368, 17367; 9 F.R. 548, 9719, 10257, 10982, 11537, 11711, 11991, 13974.

[2] 9 F.R. 1505, 2024, 2297.

[3] 10 F.R. 1523, 2025, 2298.

(2) Exceptions.[1]

Producer	Colliery or breaker and/or trade name	PRICES PER NET TON								
		Broken	Egg	Stove	Chestnut	Pea	Buckwheat No. 1	Rice (buckwheat No. 2)	Barley (buckwheat No. 3)	All sizes smaller than Barley
[illegible] Coal Co.	Prepared at Jeddo No. 7 and Highland No. 5 breakers. Sold under trade name "Jeddo Coal", "Highland Coal" or "Hazel Brook Coal."	$9.10	$9.10	$9.10	$9.10	$7.40	$5.40	$4.40	$3.60	$2.25
[illegible] Coal Co.	Prepared at Williamstown breaker. Sold under trade name "The Only Genuine Franklin Coal of Lykens Valley."	9.60	9.85	10.10	9.15	7.15	5.15	4.35	3.60	2.25
[illegible] Coal Co.	Sold under trade name "Old Company's Lehigh-Greenwood Premium Anthracite."	8.85	9.10	9.10	9.10	7.40	5.15	4.25	3.60	2.25

[1] Producer's anthracite price established by amendment to regulation.

Unless different set forth in said paragraph (2) of this paragraph shall be the maximum prices for this anthracite [illegible] the prevailing quality and preparation standards are [illegible] otherwise, the maximum prices shall be those established by subparagraph (1) of this paragraph.

(3) There may be added to the maximum prices established by orders of adjustment issued prior to June 18, 1945 a sum not to exceed the following: Broken, egg, stove, chestnut, $1.00 per net ton; Pea, $0.85 per net ton; Buckwheat #1, $0.50 per net ton; Rice (Buckwheat #2), $0.50 per net ton; Barley (Buckwheat #3) and smaller, $0.25 per net ton.

This amendment shall become effective June 18, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment to Maximum Price Regulation No. 112 is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10727; Filed, June 18, 1945; 5:10 p. m.]

PART 1340—FUEL

[MPR 121, Amdt. 33]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 121 is amended in the following respects:

Section 1340.249 (i) is amended to read as follows:

(i) Maximum prices for semi-anthracite produced in the Bernice Basin, Sullivan County, Pennsylvania.

(a) Notwithstanding anything to the contrary contained in this regulation, the following maximum prices and size descriptions are established for semi-anthracite produced in the Bernice Basin, Sullivan County, Pennsylvania (also known as Bernice anthracite) f. o. b. railroad cars or trucks at mine for shipment to all destinations and for all uses.

Size	Top size description	Bottom size description	Per net ton
Stove	2⅜" but not exceeding 2⅝"	1⅝" but not exceeding 1⅞"	$7.50
Nut	1⅝" but not exceeding 1⅞"	1⅛" but not exceeding 1⅜"	7.50
Pea	1⅛" but not exceeding 1⅜"	⅝" but not exceeding ⅞"	6.50
Buckwheat #1	⅝" but not exceeding ⅞"	⅜" but not exceeding ⅝"	4.25
Rice (Buckwheat #2)	⅜" but not exceeding ⅝"	⅛" but not exceeding ⅜"	3.60
Screenings	⅛"	0	2.25
Run of Mine	----	----	3.95

(b) There may be added to the maximum prices established by orders of adjustment issued prior to June 18, 1945, a sum not to exceed the following: Stove, nut and Pea, $1.00 per net ton; Buckwheat #1, 50 cents per net ton; Rice (Buckwheat #2), 25 cents per net ton; Screenings, 25 cents per net ton.

This amendment shall become effective June 18, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment to Maximum Price Regulation No. 121 is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10728; Filed, June 18, 1945; 5:10 p. m.]

PART 1340—FUEL

[RMPR 122, Amdt. 33]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In §1340.254 (b) rule 1 the last undesignated paragraph is amended to read as follows:

The maximum price for Pennsylvania anthracite yard screenings shall be the highest price charged by the dealer in December 1941 for the same fuel plus $1.75 per net ton.

2. Section 1340.256 (c) (3) is amended to read as follows:

(3) In the case of Pennsylvania anthracite the amount per net ton for the respective sizes, as follows:

Size:	*Amount per net ton*
Egg, stove and nut	$2.10
Pea	1.90
Buckwheat	1.40
Rice	1.35
Barley	.85
Smaller than barley	.75

This amendment shall become effective June 18, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment to Maximum Price Regulation No. 122 is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10730; Filed, June 18, 1945; 5:11 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 359,[1] Amdt. 5]

CERTAIN CONVERTED PAPER PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 359 is amended in the following respects:

1. Section 1347.566 is added to read as follows:

§ 1347.566 *Method of pricing new items.* (a) If a manufacturer is unable

[1] 8 F.R. 4635, 4727, 6736, 7257, 10431; 9 F.R. 2946.

to establish a maximum price under Appendix A, B, or C, his maximum price shall be computed according to the following method:

(i) The manufacturer shall (a) find the most comparable commodity for which he then has a maximum price under this regulation; (b) divide this price by the current unit direct cost of such commodity; and (iii) multiply the percentage so obtained by his current unit direct cost for the commodity being priced. The resulting figure shall be his maximum price for the commodity. All customary allowances, discounts, or other price differentials and all practices relating to the payment of transportation charges in effect with respect to the most comparable commodity shall apply to the commodity being priced.

The "most comparable commodity" under this paragraph (a) (1) must meet all of the following tests:

(i) It must belong to the narrowest trade category which also includes the commodity being priced.

(ii) It must have a current unit direct cost varying from that of the commodity being priced by not more than 25% of the latter cost.

(iii) It must be currently produced by the manufacturer or, if he is not currently producing a comparable commodity, it must have been produced by him within the twelve months preceding his use of this pricing method.

If more than one commodity meets all of the above tests, the one whose current unit direct cost is nearest to the current unit direct cost of the commodity being priced shall be the "most comparable commodity."

"Current unit direct cost" as used above, means the sum of the amounts (not higher than permitted by law) which it costs the manufacturer, or if he is not currently producing it, the sum of the amounts which it would cost him for direct labor and materials to produce the commodity at the time he uses this pricing method.

Example: A manufacturer has been making product "A" which has a maximum price of $5.00 under Appendix A, B, or C, and has a current direct cost of $4.00. The new product to which "A" is comparable is "B", the commodity to be priced, and has a current direct cost of $4.80.

Dividing the maximum price of "A"—$5.00—by its current direct cost $4.00 gives a markup factor of 1¼. This is multiplied by the direct cost of "B"—$4.80, establishing the maximum price of $6.00 for the new product. He must also divide his maximum price for product "A" by its base period direct cost.

(2) Within 10 days after determining a maximum price under this paragraph (a), the seller shall report to the Office of Price Administration, Washington, D. C., the following:

(i) A description of the comparable commodity.

(ii) A description and 3 samples of the commodity being priced.

(iii) The maximum price of the comparable commodity.

(iv) The current direct cost of the comparable commodity.

(v) The current direct cost of the commodity being priced.

(vi) The maximum price of the commodity priced under paragraph (a) (1) above.

The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(b) If a manufacturer is unable to determine a maximum price for a new commodity under Appendix A, B, or C, or under paragraph (a) above, he shall file an application for a maximum price with the Office of Price Administration, Washington, D. C. The application shall set forth (1) a description of the commodity for which a maximum price is requested; (2) the reason why such commodity cannot be priced under Appendix A, B, or C, or under paragraph (a) above; (3) the maximum price proposed by the manufacturer, together with a detailed explanation of the method by which the applicant calculated such price; (4) the maximum price of his most closely competitive seller; and (5) the reason why the applicant believes the proposed price to be in line with the level of maximum prices established by this regulation. Unless the Price Administrator or a duly authorized representative thereof shall, by order (or letter) mailed to the applicant within 21 days from the filing of such application approve, disapprove, adjust, amend, or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved subject to non-retroactive written disapproval or adjustment at any later time by the Price Administrator.

2. In Appendix C, paragraph (d) is hereby revoked.

3. Appendix D (j) is amended to read as follows:

(j) Manufacturers' and distributors' maximum delivered price for deliveries to points outside of the Eastern Zone.

Point of delivery:	*Percentage addition*
Western Zone	5 percent.

This amendment shall become effective June 25, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10778; Filed, June 19, 1945; 11:42 a. m.]

PART 1251—FOOD AND FOOD PRODUCTS

[MPR 53, Amdt. 47]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1.5 of Maximum Price Regulation No. 53 is amended to read as follows:

SEC. 1.5 *Imports and exports.* (a) The maximum prices for fats and oils shipped into the United States by ocean transportation or otherwise are those prices fixed by Article I and subsequent articles of this Maximum Price Regulation No. 53.

(b) The maximum prices at which a person may export fats and oils for which maximum prices are established by this Maximum Price Regulation No. 53, outside the continental limits of the United States shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

This amendment shall become effective June 25, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10777; Filed, June 19, 1945; 11:41 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 8]

MILEAGE RATIONING; GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.7706 (q) (12) is added to read as follows:

(12) By a lumber wholesaler, or his representative for necessary travel to saw mills subject to War Production Board Order L-335, to procure lumber on a commitment to supply lumber which the wholesaler requires to fulfill orders which in the judgment of the War Production Board are essential to the war effort, or by a person for necessary travel to such lumber mills to perform necessary skilled services with respect to production problems or the inspection or grading or classifying of lumber, if the performance of such services is in the judgment of the War Production Board essential to the war effort.

However, no mileage may be allowed under this subparagraph for use by a person while engaged in sales or sales promotional activities, and no mileage may be allowed unless the application is accompanied by the certification of the War Production Board Lumber Advisor of the appropriate Regional or District Office of the War Production Board stating:

(a) If the application is for travel to and from saw mills to procure lumber:

(a) That the person for whom the application is made is a lumber wholesaler or a representative of a lumber wholesaler;

(b) That the travel certified is to and from saw mills covered by War Production Board Order L-335 and is necessary to procure lumber to fulfill orders in the hands of the wholesaler and that the fulfillment of such orders is essential to the war effort; and

(c) The amount of mileage required for such travel which cannot be accomplished by the use of available alternative means of transportation.

(b) If the application is for travel to and from such saw mills to perform skilled services with respect to production problems or the inspection, grading or classifying of lumber:

(a) That the person for whom the ration is sought possesses skill requisite to perform such services and that their performance by him is necessary to the war effort; and

(b) The amount of mileage required for such travel which cannot be accomplished by the use of available alternative means of transportation.

2. Section 1394.7653 (c) (2) (ii) is amended to read as follows:

(ii) If the leave is terminal leave granted an officer of the armed forces immediately before he is relieved from active duty, the maximum quantity of gasoline allowed shall not exceed thirty gallons.

3. Section 1394.7655 (b) is amended by substituting for the word "fifteen" the word "twenty" and by substituting for the word "six" the word "eight."

4. Section 1394.7655 (c) is amended by substituting for the word "fifteen" the word "twenty" and by substituting for the word "six" the word "eight".

This amendment shall become effective June 19, 1945.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1 Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13089; E.O. 9125, 7 F.R. 2719)

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10760; Filed, June 19, 1945; 11:41 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5F, Amdt. 2]

MILEAGE RATIONING; GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5F is hereby amended in the following respects:

1. Section 16.4 (a) is amended to read as follows:

(a) Three (3) gallons of gasoline with respect to Class "A" book coupons issued on Form OPA R-525B. Six (6) gallons of gasoline with respect to Class "A" book coupons issued on Form OPA R-525C.

This amendment shall become effective as of June 1, 1945.

Issued this 19th day of June 1945.

GERALD A. BARRETT,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-10782; Filed, June 19, 1945; 11:41 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 1]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 373 is amended in the following respects:

1. Section 18 (g) (1) is added to read as follows:

(1) *Sales invoices and sales slips.* Every retailer, who determines his maximum prices under paragraph (c) making a sale or transfer of any mainland meats, meat products, poultry, eggs and dairy products covered by this section, shall at the time of delivery give the purchaser an invoice or sales slip showing the date of sale, name and address of the seller, name and address of the purchaser, description of the product sold or transferred, number of pounds, price per pound, or in the case of dairy commodities the unit for ascertaining quantity and the price per unit and the total price charged or received, a copy of which must be retained by the seller.

2. Section 19 (a) is amended to read as follows:

(a) *What this section does.* This section establishes maximum prices for all sales of fish and seafood caught or otherwise produced in the waters of, or adjacent to the Territory of Hawaii, including sales by producers, wholesalers, and retailers. A producer is the fisherman or those persons allied with him (including members of a fishing crew) as well as any other person who engages in fishing with nets, lines, or any other method of catching or producing fresh fish or seafood. A wholesaler is a person who buys fresh fish and seafood and resells the same and who during the previous calendar month resold more than 20 percent of his total dollar volume sales of such fresh fish and seafood to persons other than ultimate consumers. A retailer is a person other than the purveyor of meals who buys fresh fish or seafood and resells the same and who during the previous calendar month resold not less than 50 percent of his total dollar volume of sales to ultimate consumers, other than industrial, commercial, or institutional users (including eating places).

3. Section 19 (b) (2), *Sales invoices and slips,* is amended in the following particulars:

Subdivisions (i) and (ii) are deleted and a single subdivision designated (i) is substituted to read as follows:

(2) *Sales invoices and sales slips.* (i) Every producer, wholesaler and retailer, subject to this section shall at the time of delivery give the purchaser an invoice or sales slip showing the date of sale, name and address of the seller, name and address of the purchaser, species of fish or seafood, number of pounds, price per pound, and the total price charged or received, a copy of which must be retained by the seller, except that those retailers who have not customarily given sales slips or sales invoices on sales to ultimate consumers may continue making sales to ultimate consumers without giving sales slips or sales invoices unless the same be requested by the customer.

4. Section 20 (b) (2), *Sales invoices and slips,* is amended in the following particulars:

Subdivisions (i) and (ii) are deleted and a single subdivision designated (i) is added to read as follows:

(2) *Sales invoices and sales slips.* (i) Every wholesaler and retailer who makes a sale or transfer of any imported fish or seafood covered by this section shall at the time of delivery give the purchaser an invoice or sales slip showing the date of sale, name and address of the seller, name and address of the purchaser, species of fish or seafood, style of dressing, number of pounds, price per pound, and the total price charged or received, a copy of which must be retained by the seller, except that those retailers who have not customarily given sales slips or sales invoices on sales to ultimate consumers may continue making sales to ultimate consumers without giving sales slips or sales invoices unless the same be requested by the customer.

5. The table following section 21 (c) (1) is amended by changing the wholesale and retail maximum price for "onions, dry Australian brown," to $4.25 per 50 lb. bag with the maximum retail price remaining $0.11 per lb.; "onions, dry yellow" to $2.70 per 50 lb. bag and the maximum retail price to $0.075 per lb. and deleting the item "carrots", the item "potatoes, Maine, Rhode Island and Green Mountain" and the item "potatoes, all others."

6. The table following section 21 (d) (1) is amended by deleting the items "apples" and "grapefruit, size 70" and by changing the prices of three items and adding three new sizes to these items to read as follows:

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[1] 10 F.R. 824, 2246, 3053, 3222, 3197, 4236.

[1] 10 F.R. 6091, 6401.

[1] 10 F.R. 6646.

	Wholesale maximum prices	Retail maximum prices
Grapefruit:	*Per box*	*Each*
64's	$5.15	$0.12½
48's	5.15	.11
36's	5.15	.08½
30's	5.15	.07
Lemons:	*Per box*	*Per dozen*
252's	$7.60	$0.48
300's	7.60	.40
360's	7.60	.34
420's	7.60	.28
Oranges:		
100's	5.95	.65
126's	5.95	.55
150's	5.95	.44
176's	5.95	.34
200's	5.95	.27
216's	5.95	.23
252's	5.95	.21
288's	5.95	.18
344's	5.95	.15

7. Section 21 (e) (3) (i) is amended by adding a new item, reading as follows:

	Grade	Maximum price at wholesale, per pound	Maximum price at retail, per pound
Radishes, red (bulk)	CQ	$0.10	$0.14

8. Section 21 (e) (3) (ii) is amended by adding a new item, 47.B, reading as follows:

	Grade	Maximum price to retail dealers, per pound	Maximum price to the ultimate consumer, per pound	Maximum price at retail, per pound
47.B Radishes, red (bulk)	CQ	$0.10	$0.105	$0.14

9. Section 21 (e) (3) (iii) is amended by adding a new item, reading as follows:

	Grade	Maximum price at wholesale, per pound	Maximum price at retail, per pound
Radishes, red (bulk)	CQ	$0.08	$0.11

10. Section 21 (e) (3) (iv) is amended by adding a new item, 47.B, reading as follows:

	Grade	Maximum price at wholesale, per pound	Maximum price at retail, per pound
Radishes, red (bulk)	CQ	$0.10	$0.14

11. Section 21 (e) (3) (v) is amended by adding a new item, reading as follows:

	Grade	Maximum price at wholesale, per pound	Maximum price at retail, per pound
Radishes, red (bulk)	CQ	$0.10	$0.14

12. Section 21 (e) (3) (vi) is amended by adding a new item, reading as follows:

	Grade	Maximum price at wholesale, per pound	Maximum price at retail, per pound
Radishes, red (bulk)	CQ	$0.10	$0.14

13. Section 54 is amended to read as follows:

SEC. 54. *Revised maximum prices for domestics at wholesale and retail*—(a) *What this section does.* This section sets maximum prices for all sales at wholesale and retail of the dry goods items commonly known as domestics which are classified and defined in subparagraphs (1) through (12) below. Sales by manufacturing wholesalers and manufacturing retailers are also covered by this section.

(1) *Sheets and pillow cases.* This classification includes all bed sheets and pillow cases.

(2) *Towels.* This classification includes all hand, bath, kitchen, dish, beach and other towels; wash cloths, bath mats, toilet seat covers, and similar articles, and combination sets of any of the above listed or similar items when sold at a unit price.

(3) *Pads and covers.* This classification includes mattress pads and covers; pads, such as crib, playpen, fabric laundry bags, high chair, stroller and similar pads; ironing board pads and covers, table pads and covers, hot pads, pot holders, table covers of oil cloth or of materials other than woven fabrics, and excludes table mats made of lauhala or other native fibers.

(4) *Table linens and decorative items.* This classification includes table cloths, napkins, luncheon sets and bridge sets, fabric coasters, bureau scarfs, decorative pillow tops, pennants, table runners, doilies, art linens, and similar fabric articles.

(5) *Bedspreads and blankets.* This classification includes all blankets, comforters, quilts, automobile robes, bedspreads, matched sets of spreads and other articles such as draperies when sold at a unit price, and all similar articles.

(6) *Pillows and cushions.* This classification includes all pillows and cushions, except bed pillows, whether used for punees or for decoration, and includes automobile seat cushions, but does not include office chair cushions.

(7) *Ready-made curtains.* This classification includes all ready-made curtains and panels, whether used in kitchen, bathroom, shower, bedroom, living room, or elsewhere.

(8) *Ready-made draperies and slip covers for furniture.* This classification includes all ready-made draperies and slip covers for furniture and similar fabric articles.

(9) *Batting materials.* This classification includes all wool, cotton or other bats.

(10) *Window shades and awnings.* This classification includes window shades, awnings, porch curtains, and similar articles, whether made of woven fabric, paper, or synthetic, but does not include Venetian blinds.

(11) *Diapers.* This classification includes all diapers, whether cloth or paper.

(12) *Baby layette sets.* This classification includes combination sets of complete outfits for infants including but not limited to blankets, dresses, diapers, pads, etc., which are manufactured, packaged and sold as a set and for which the cost of each individual item is not obtainable.

(b) *Maximum prices for sales at wholesale.* If you are a wholesaler, you calculate your maximum prices in the following manner:

(1) *For articles manufactured in the Territory of Hawaii*—(i) *Sales of articles purchased from a local manufacturer.* Multiply the manufacturer's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, by 1.12. The resulting price is your maximum wholesale price.

(ii) *Sales by a manufacturing wholesaler.* (a) Multiply your cost of manufacturing by 1.15. The resulting price is your maximum wholesale price.

(b) Your cost of manufacturing shall include only:

(*1*) The maximum wholesale price of the material used.

(*2*) Sewing charges. You may include either your maximum sewing charges established under Revised Maximum Price Regulation 165 or the following charges established in subdivision (i) through (iv) below:

(*i*) Fringing to a depth of at least ½ inch, $0.03 per yard.

(*ii*) Hand sewing or hand hemming, $0.07 per yard.

(*iii*) Hemstitching, $0.07½ per yard.

(*iv*) Machine sewing, $0.02 per yard

(2) *For articles imported into the Territory of Hawaii*—(i) *Sales of articles purchased from a mainland manufacturer or an original mainland importer*—(a) *For sales from stock.* Add the manufacturer's or the original importer's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, to your "landing costs" as defined in paragraph (d). Then multiply this amount by 1.20. The resulting price is your maximum wholesale price.

(b) *For sales of articles shipped by the manufacturer or original importer directly to the retailer.* Multiply the manufacturer's or the original importer's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, by 1.12. The resulting price is your maximum wholesale price.

(ii) *Sale of articles purchased from a mainland wholesaler or jobber.* Add the primary mainland wholesaler's or jobber's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, to your "landing costs" as defined in paragraph (d). The resulting price is your maximum wholesale price.

(iii) *Sales of articles manufactured in and imported directly from a foreign country.* Add the foreign exporter's selling price, less all discounts and allowances except discounts for prompt payment up to 2%, to your "landing costs" as defined in paragraph (d). Then multiply this amount by 1.20. The resulting price is your maximum wholesale price.

(3) *Sales by local sub-jobbers.* (i) You may not establish maximum prices as a sub-jobber under this paragraph (b) (3) until you have filed with the Office of Price Administration, Iolani Palace, Honolulu 2, T. H., an application for permission to do so. Such application must show that you had been regularly engaged in performing the function of a sub-jobber during the calendar year of 1943 and must also show the estimated percentage of sub-jobbing business done in relation to the total sales during the years 1942 and 1943. You may not use the maximum prices established by this paragraph (b) (3) until you have received written permission from the Office of Price Administration.

(ii) If you have received permission to sub-job under subdivision (i) above, you shall compute your maximum wholesale prices in the following manner:

(a) *Articles purchased from a mainland or local wholesaler or jobber.* Multiply the primary mainland or local wholesaler's or jobber's selling price, less all discounts and allowances except discounts for prompt payment up to 2% by 1.15. The resulting price is your maximum wholesale price regardless of whether the articles were shipped from the establishment of the wholesaler or jobber or direct from the factory.

(4) *Allowance for textile printing.* When you textile print, or have textile printed for you, any article covered by this section, you may add to your maximum wholesale price for the finished unblocked article the maximum price permitted under section 58 of this regulation for such textile printing.

(5) *Odd cent maximum wholesale prices.* Whenever the calculation of a maximum wholesale price results in a fraction of a cent, the maximum price shall be adjusted to the nearest cent.

(6) *Restrictions on markup at wholesale.* (i) Except as provided in paragraph (b) (3) of this section, with reference to sub-jobbers, your maximum price for sales at wholesale of any article covered by this section which you purchased from a local wholesaler, jobber, or manufacturing wholesaler shall not exceed the maximum wholesale price which the primary wholesaler, jobber or manufacturing wholesaler in the Territory of Hawaii would be entitled to charge under this section.

(ii) If you are a wholesaler-retailer, you may not take any part of the wholesale markup allowed by this paragraph (b) for any article sold by any retail outlet owned, controlled by, under the control of, controlling, or in any other way affiliated with respect to ownership or control with the wholesale establishment.

(c) *Maximum prices for sales at retail.* If you are a retailer, you calculate your maximum prices in the following manner:

(1) *Sales of articles manufactured in the Territory of Hawaii*—(i) *Sales of articles purchased from a manufacturing-wholesaler.* Multiply the manufacturing-wholesaler's selling price by the figure set forth in column 2 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(ii) *Sales of articles purchased from a local manufacturer.* Multiply the manufacturer's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, by the figure set forth in column 2 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(iii) *Sales of articles purchased from a local wholesaler.* Multiply the manufacturer's selling price by the figure set forth in column 2 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(iv) *Sales by a manufacturing-retailer.* First compute the maximum manufacturing-wholesale price in accordance with the provisions of paragraph (b) (1) (ii) of this section. Then multiply that amount by the figure set forth in column 2 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(2) *For articles imported into the Territory of Hawaii*—(i) *Sales of articles purchased from a mainland manufacturer or an original mainland importer.* Add the manufacturer's or the original importer's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, to your "landing costs" as defined in paragraph (d). Then multiply that amount by the figure set forth in column 1 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(ii) *Sales of articles purchased from a mainland wholesaler or jobber.* Add the primary mainland wholesaler's or jobber's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, to your "landing costs" as defined in paragraph (d). Then multiply that amount by the figure set forth in column 2 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(iii) *Sales of articles purchased from a local wholesaler, jobber, or importer.*—(a) *Articles purchased from stock.* Multiply the primary local wholesaler's, jobber's, or original importer's selling price, less all discounts and allowances (except discounts for prompt payment up to 8%, by the figure set forth in column 2 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(b) *Articles shipped by the manufacturer or original importer directly to the retailer.* Add the local primary wholesaler's, jobber's, or importer's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, to your "landing costs" as defined in paragraph (d). Then multiply that amount by the figure set forth in column 2 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(iv) *Sales of articles purchased from a local sub-jobber.* Multiply the sub-jobber's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, by the figure set forth in column 3 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(v) *Sales of articles manufactured in and imported directly from a foreign country.* Add the foreign exporter's selling price, less all discounts and allowances except discounts for prompt payment up to 8%, to your "landing costs" as defined in paragraph (d). Then multiply that amount by the figure set forth in column 1 of the Table of Retail Multiplication Figures for the classification of articles to be priced. The resulting price is your maximum retail price.

(3) *Table of Retail Multiplication Figures.*

	Col. item 1	Col. item 2	Col. item 3
Sheets and pillow cases, pads and covers, pillows and cushions, batting materials, window shades and awnings, diapers, baby layette sets	1.60	1.50	1.30
Towels, ready-made curtains, ready-made draperies	1.65	1.50	1.30
Table linens, Blankets and bedspreads —			
Budget (Up to and including $8.75 each)	1.65	1.50	1.30
Better, Over $8.75	1.75	1.50	1.30

All designations of price in the above table with respect to "Budget" or "Better" items refer to the appropriate cost price upon which the retailer will use the multiple in the above table to determine the maximum price. For example, if the maximum price of a bedspread is to be determined by multiplying $8.75 by one of the multiples, the bedspread is a "Budget" item.

(4) *Maximum prices for articles which you textile print.* When you textile print, or have textile printed for you, any article covered by this section, you shall compute your maximum retail prices in accordance with the applicable provisions of paragraphs (c) (1) and (2) above, except that you may add the maximum price permitted under section 52 of this regulation for such textile printing to the manufacturer's, importer's or wholesaler's selling price, whichever is applicable, and then multiply the total amount by the applicable retail multiplication figure. The resulting amount will be your maximum retail price.

(5) *Odd cent maximum retail prices.* Whenever the calculation of a maximum retail price results in a fraction of a cent, the maximum price may be adjusted to the nearest cent.

(d) *"Landing cost."* (1) "Landing cost" for articles imported from the Mainland shall be computed by adding

the amounts permitted in subdivisions (i) through (v) set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions has already been included in another subdivision, it may not again be added.

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading.

(v) An amount equal to cartage charges in the Port of Entry in the Territory of Hawaii from the dock to the establishment of the purchaser, computed at a rate not in excess of $1.20 per ton weight or measurement; Provided, that the commodity is moved from a dock at the purchaser's expense.

(2) "Landing cost" for articles imported directly from a foreign country, shall be computed by adding the amounts permitted in subdivisions (i) through (iv) set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions has already been included in another subdivision it may not again be added.

(i) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown in the bill of lading.

(ii) An amount equal to cartage charges in the Port of Entry in the Territory of Hawaii from the dock to the establishment of the purchaser, computed at a rate not in excess of $1.20 per ton, weight or measurement; *Provided*, That the commodity is moved from the dock at the purchaser's expense.

(iii) An amount equal to charges for consular invoice fees actually incurred by the purchaser.

(iv) An amount equal to charges for export and import duties actually incurred by the purchaser.

(3) "Landing cost" in cases of inter-island shipments. In cases where the article has been shipped from one island to another island in the Territory of Hawaii, the charges set forth below may be added to the maximum wholesale price as computed under paragraph (b) of this section.

(i) An amount equal to the actual transportation costs incurred to be computed in accordance with the applicable provisions of subdivisions (iii), (iv) and (v) of subparagraph (1) above.

The transportation costs incurred for one inter-island shipment only may be added to the maximum wholesale price. The costs incurred for any subsequent inter-island shipment may not be added.

(e) *Maximum prices for nationally advertised articles.* Application may be made for approval of a price for any article covered by this section which is nationally advertised by the manufacturer thereof, and who also requires that such article be sold at the prices established by such manufacturer. Such application, of course, need not be made when the nationally advertised price is not in excess of the maximum price allowed by this section. Your application must set forth:

(1) Description of the article or line to be priced.

(2) Proof that the manufacturer has established a nationally advertised resale price and that such price is so marked on the article.

(3) A statement that you will not sell such article at a price higher than such nationally advertised price.

(f) *Maximum prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration, Honolulu 2, T. H., for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application must show the allocation made by the wholesaler or retailer and shall show the resulting maximum wholesale or retail prices determined on the basis of such allocated costs.

(g) *Maximum prices for certain merchandise purchased at lower than the manufacturer's or wholesaler's maximum price.* In cases where a retailer or wholesaler purchases from a manufacturer or from a wholesaler any article covered by this section, at a price lower than such manufacturer's or wholesaler's maximum price and lower than a price which the purchaser previously paid to such manufacturer or wholesaler for the same merchandise, and where such lesser price was paid by reason of the seasonal nature of goods, application may be made to the Office of Price Administration, Honolulu 2, T. H., for a maximum price for resale of this merchandise, which maximum price is based upon the higher price previously paid to such manufacturer or wholesaler, and the appropriate multiple provided by this section. Any such application must be accompanied by the invoice with the lot or stock number for the goods in question and the invoice establishing the former higher price, or other evidence of a similar nature, and any other information the Office of Price Administration may require.

(h) *Records and reports.* For the purposes of this section, this paragraph supersedes the provisions of section 11 of this regulation.

(1) *Purchase records.* If you make sales of any article covered by this section, you must keep and make available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each such article showing:

(i) The date of purchase and the date of receipt.

(ii) The name and address of the seller.

(iii) A description of the article purchased, including the manufacturer's lot or stock number.

(iv) The quantity purchased.

(v) The manufacturer's, original importer's or primary wholesaler's or jobber's selling price, whenever such price must be used in computing your maximum price. If you did not purchase the article from the manufacturer, original importer, or primary wholesaler or jobber, you must secure a written statement from your supplier setting forth the name of the manufacturer, original importer, or primary wholesaler or jobber and the manufacturer's, original importer's or primary wholesaler's or jobber's selling price for the article so purchased.

(vi) Your invoice cost in all other cases.

(vii) Your stock number, if any.

(viii) The price paid or charged.

(ix) The multiple used in determining your maximum price.

(x) Your maximum price.

(xi) All records and data including purchase, freight, consular fees and all other invoices or memoranda reflecting the charges incurred by you in arriving at your "landing cost" and your selling price.

You may list the information required above on each purchase invoice covering the article.

(2) *Sales records*—(i) *Required of persons making sales at other than retail.* If you make sales at other than retail of any article covered by this section you must invoice each sale of each such article. You must make and keep a copy of this invoice for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The original invoice must be delivered to the buyer and must set forth the following information:

(*a*) The date of sale.

(*b*) Itemized list of articles sold and the quantity of articles sold.

(*c*) A description of the articles sold, including the manufacturer's lot number.

(*d*) The manufacturer's or the original importer's selling price for each such article if your maximum price is determined under paragraphs (b) (1) (i) and (b) (2) (i) (*b*).

(*e*) Either your maximum price for each article or a statement that "Prices herein stated for domestic items are at or below our Office of Price Administration ceiling prices."

(*f*) Either the retailer's maximum price for each article as calculated under paragraph (c) or the appropriate retail multiple set forth in the Table of Retail Multiplication Figures in paragraph (c) (3) which the retailer must use in computing his maximum price.

(*g*) The price charged or received.

(ii) *Required of persons making sales at retail.* (*a*) If you have customarily given a purchaser a sales slip, receipt or similar evidence of purchase you must continue to do so. Upon request from a purchaser, you must, regardless of previous custom, give the purchaser a receipt showing the date, your name and address, a description of the article sold and the price received for it.

(*b*) You must keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as you customarily kept to show the price charged for any article covered by this section and, in addition, records showing as precisely as possible the basis upon which you determined the maximum price for such article.

(3) *Additional records required of manufacturing-wholesalers and manufacturing-retailers in addition to the records and reports required by subparagraphs (1) and (2) above.* If you are a manufacturing-wholesaler or a manufacturing-retailer, making a sale of any article covered by this section, you must keep and make available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each article made showing:

(i) The date of purchase and date of receipt of the material used.

(ii) The name and address of the seller.

(iii) A description of the material purchased, including the manufacturer's and or supplier's lot or stock number.

(iv) A complete and accurate description of the article made.

(v) The yardage used in making the article.

(vi) The price paid or charged.

(vii) The maximum wholesale price of the material used.

(i) *Posting and marking of prices.* For the purposes of this section, this paragraph supersedes the provisions of section 11 (b) of this regulation.

(1) *Posting.* If you sell at retail any article covered by this section, you must post in a conspicuous place, in a manner plainly visible to and understandable by the purchasing public, in the department or portion of the premises where such article is sold or offered for sale, a sign stating, "Each article of domestic items in this store (or on this counter, shelf, or in this case, bin or rack) is marked and sold at our ceiling price or less".

(2) *Marking.* (i) You may not sell, deliver, or offer for sale at retail, any article covered by this section, unless there is firmly attached to such article a stamp, tag or other marking showing the selling price. Such selling price must be plainly visible to and understandable by the purchasing public.

(ii) All merchandise that is priced pursuant to paragraph (f) must have the lot number which appears on the invoices also clearly marked on the price ticket of each article.

(j) *Inability to determine maximum prices.* If you are unable to determine your maximum wholesale or retail prices for any article covered by this section, you must apply the provisions of section 10 of Revised Maximum Price Regulation 373 to determine such maximum prices.

(k) *Record-keeping violations; failure to establish maximum prices.* In addition to the requirements set forth in section 12 of Revised Maximum Price Regulation 373, relating to enforcement and licensing, if you fail to keep the records required by paragraph (h) of this section, or if you fail to apply the provisions of section 10 of Revised Maximum Price Regulation 373 for the establishment of a maximum price if you are required to do so under paragraph (i) of this section, the Office of Price Administration may issue an order establishing a maximum price for you for such article in line with the level of maximum prices established by this section. This will not relieve you of your obligation to comply with any of the requirements of this section, or of the various penalties for any failure to do so.

(l) *Treatment of Federal and territorial taxes.* If, at the time you determine your maximum price for any article covered by this section, the Statute of the United States, or the Territory of Hawaii imposing any tax upon, or incident to, the sale or delivery of any such article, does not prohibit you from stating and collecting the tax separately from the purchase price, and you do so state it separately, you may collect, in addition to the maximum price, the amount of the tax actually paid by you or an amount equal to the amount of the tax paid by any prior seller and which has been separately stated and collected from you by the seller from whom you purchased the article. In such case you may not include such amount in the computation of your maximum price. In addition, in the case of a sale of any article at wholesale to a buyer who does not have a gross income tax license, you may add one percent to your maximum wholesale price.

(m) *Definitions.* When used in this section, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o. b. factory, before the deduction of any discounts or allowances, and before the addition of any premium or other charges permitted under the Second Revised Maximum Export Price Regulation.

(2) "Original importer's selling price" means the price at which the original importer of the article from outside the Continental limits of the United States sold and invoiced it, before the deduction of any discounts or allowances, and before the addition of any premium or other charges permitted under the Second Revised Maximum Export Price Regulation.

(3) "Foreign exporter's selling price" means the price at which the foreign exporter of the article sold and invoiced it to the purchaser f. o. b. foreign country, before the deduction of any discounts and allowances.

(4) "Wholesale or jobber's selling price" means the price appearing on the wholesaler's or jobber's invoice to the retailer before the deduction of any discounts or allowances, and before the addition of any premium or other charges permitted under the Second Revised Maximum Export Price Regulation.

(5) "Sales of articles shipped from the manufacturer or original mainland importer directly to the retailer" means sales by a local wholesaler, jobber or importer of articles which are not delivered out of stock, and which are shipped directly to the retailer rather than to the seller's establishment, but which are consigned to the seller who is responsible financially to the manufacturer or importer for the account.

(6) "Sales from stock" means sales of articles which the seller carries in stock, sells out of stock, and which were invoiced to and received at the establishment of the seller.

(7) "Primary wholesaler or jobber" means the person who purchased the article from a manufacturer for the purpose of resale at wholesale.

(8) "Sub-jobber" means a person who purchases an article from a wholesaler or jobber for the purpose of resale to retail sellers.

(9) "Manufacturing-wholesaler" means a wholesaler who makes, or has made for him from materials owned by him, articles for sale to retail sellers.

(10) "Manufacturing-retailer" means a retailer who makes, or has made for him from materials owned by him, articles for sale to ultimate consumers.

(11) "Wholesaler-retailer" means a person or firm operating a wholesale establishment and who has also sold at least 50% of the articles covered by this section at retail in his own or an affiliated concern during the preceding calendar year.

(12) "Sewing charges" means the maximum charges for sewing quantity lots of merchandise for resale as established in accordance with the provisions of Revised Maximum Price Regulation 165.

(13) "Local" means the Territory of Hawaii.

(14) "Mainland" means the forty-eight states and the District of Columbia.

This amendment shall become effective June 25, 1945.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10779: Filed, June 19, 1945; 11:42 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[1] Amdt. 21]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order 9A is amended in the following respects:

1. Section 5.1 (d) (1) is added to read as follows:

(d) (1) *Issuance of certificates on OPA Form R–901 (Rev. 5–45).* Wherever in this order provision is made for the issuance of a certificate on OPA Form R–901 by a local board, District Office, the Washington Office or any person authorized by the Office of Price Administration, a certificate on OPA Form R–901 (Rev. 5–45) shall be issued instead, on and after the date when such certificates are available for issuance.

2. Section 5.2 (d) is added to read as follows:

(d) A person whose certificate may not be used for the transfer of a stove must surrender such certificate, upon demand, to any authorized representative of the Office of Price Administration.

3. The headnote to section 5.4 is amended to read as follows: "Combining, splitting up or exchanging certificates."

4. Section 5.4 (a) is amended by adding the following sentence at the end of the paragraph: "No certificates on OPA Form R–901 (Rev. 5–45) shall be issued pursuant to this paragraph in exchange for certificates on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) except as permitted by paragraph (b)."

5. Section 5.4 (b) is added to read as follows:

(b) (1) At any time before August 16, 1945 a dealer may surrender to a Board any certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) in exchange for a certificate on OPA Form R–901 (Rev. 5–45). Beginning August 16, 1945 no such exchange may be made.

(2) At any time before August 23, 1945 a distributor may surrender to a Board any certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) in exchange for a certificate on OPA Form R–901 (Rev. 5–45). Beginning August 23, 1945 no such exchange may be made.

6. Section 6.12 is added to read as follows:

SEC. 6.12 *When certificates on OPA Form R–901 and OPA Form R–901 (Rev. 12–43) may not be used*—(a) *Consumers.* Beginning August 1, 1945 no person may accept a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) from a consumer, and no consumer may give up such a certificate, for the transfer of a stove. However, a consumer's order for a stove sent by mail accompanied by a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be accepted if the envelope is postmarked by 11:59 p. m., July 31, 1945.

(b) *Dealers.* Beginning August 16, 1945, no person may accept a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) and no dealer may give up such a certificate for the transfer of a stove except as follows:

(1) A certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be returned to and accepted by a consumer in accordance with section 6.9 or section 6.10.

(2) An order from a dealer sent by mail accompanied by a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be accepted if the envelope is postmarked by 11:59 p. m., August 15, 1945.

(c) *Distributors.* Beginning August 23, 1945 no person may accept a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) from a distributor and no distributor may give up such a certificate for the transfer of a stove except as follows:

(1) A certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be returned to and accepted by a consumer in accordance with section 6.9 or section 6.10.

(2) An order from a distributor sent by mail accompanied by a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be accepted if the envelope is postmarked by 11:59 p. m., August 22, 1945.

(d) *Local Boards and District Offices.* No Board or District Office may accept a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) from a dealer beginning August 16, 1945 or from a distributor beginning August 23, 1945, in payment of any certificates owed it by him because of excess inventory or owed it for any other reason.

7. Section 13.1 (a) (4) is amended to read as follows:

(4) "Certificate" means a certificate on OPA Form R–901, OPA Form R–901 (Rev. 12–43), OPA Form R–901 (Rev. 3–45), or OPA Form R–901 (Rev. 5–45).

This amendment shall become effective on June 23, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10781; Filed, June 19, 1945; 11:41 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 397, Amdt. 7]

FLAXSEED

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 5 (a) (3) of Maximum Price Regulation 397 is amended to read as follows:

(3) At the following terminal basing points whether the lot is or is not delivered by truck:

San Francisco, Oakland, Berkeley, Los Angeles, Long Beach, Wilmington, Buena Park and Fresno, California—$3.35.

This amendment shall become effective June 18, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 16, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45-10733; Filed, June 18, 1945; 5:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Amdt. 2 to Supp. Service Reg. 6]

REPAIR OF AUTOMOTIVE VEHICLES AND FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Service Regulation 6 is amended in the following respects:

1. Paragraph (e) is deleted.

2. Paragraphs (f) and (g) are respectively re-designated paragraphs (e) and (f).

This amendment shall become effective June 25, 1945.

Issued this 19th day of June 1945

CHESTER BOWLES
Administrator.

[F. R. Doc. 45-10783; Filed, June 19, 1945; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14F, Amdt. 7]

WOOD ROSIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 22 is amended to read as follows:

SEC. 22. *Wood rosin*—(a) *Sales by producers in drums or barrels.* The maximum prices per 100 pounds, f. o. b. cars at producing plant, for sales by producers of wood rosin in drums or barrels shall be:

X, WW	$5 40
WG	5 25
N	5 15
M	5 05
K	5 00
G, H, I	4 95
FF	4 50
B	3 60

(b) *Sales other than from local stocks by resellers in drums or barrels.* The

[1] 10 F. R. 2097, 2250, 3925.

[1] 8 F.R. 11504.

maximum prices per 100 pounds, f. o. b. cars at shipping point, for sales other than from local stocks by resellers in drums or barrels shall be the maximum prices specified in paragraph (a) above, plus 15 cents per 100 pounds.

(c) *Sales by resellers from local stocks in drums or barrels*—(1) *Lcl sales.* The maximum prices per 100 pounds, ex warehouse (or other point where local stocks are maintained for the purpose of supplying a local lcl demand), for lcl sales by resellers of wood rosin in drums or barrels for local delivery shall be the maximum prices specified in paragraph (a) above, plus 80 cents per 100 pounds, plus cl freight to local stocks from that one of the following points to which freight costs are lowest: Hattiesburg, Miss., Brunswick, Ga., Pensacola, Fla.

(2) *Other than lcl sales.* The maximum prices per 100 pounds, ex warehouse (or other point where local stocks are maintained for the purpose of supplying a local lcl demand), for other than lcl sales by resellers of wood rosin in drums or barrels for local delivery shall be the maximum prices specified in paragraph (a) above, plus cl freight to local stocks from that one of the following points to which freight costs are lowest: Hattiesburg, Miss., Brunswick, Ga., Pensacola, Fla.

(d) *Sales in bags or tank cars.* The maximum prices for sales in bags shall be the maximum prices specified in paragraphs (a), (b) and (c) above less 5 cents per 100 pounds, and for sales in tank cars shall be the maximum prices specified in paragraphs (a), (b) and (c) above less 10 cents per 100 pounds. As used herein "bags" refers to bags of a type generally used for ordinary sales of wood rosin.

(e) *Containers.* No extra charge may be made for containers.

(f) *Commissions and broker's fees.* The maximum prices established under this section 22 shall not be increased by any charges for commissions or broker's fees. If the buyer purchases through a broker or other agent acting for the buyer, the sum of the price paid by the buyer to the seller plus the commission fee or other charge paid by the buyer to a broker or other agent may not exceed the maximum prices established by this section 22.

This amendment shall become effective June 18, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10732; Filed, June 18, 1945; 5:11 p. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 58]

PART 4003—SUPPORT PRICES: SUBSIDIES

FLUID MILK PAYMENT PROGRAM

The War Food Administrator having, by his letter of May 12, 1945, submitted to me certain information and recommended my approval of the use by Commodity Credit Corporation of $14,000,000 for continuance during the period from July 1945 through June 1946 of the fluid milk payment program approved by the Economic Stabilization Director on April 15, 1943, October 13, 1943, and June 28, 1944; and the Price Administrator having concurred in this recommendation;

I hereby find that the continuance of this program is necessary in order to effectuate the policy established by Executive Orders 9250 and 9328.

Accordingly, the War Food Administrator is hereby authorized to use $14,000,000 of funds of the Commodity Credit Corporation in order to continue the fluid milk payment program for the period July 1945 through June 1946, in the markets wherein the program is now operating and in additional markets under conditions specified in the War Food Administrator's letter of May 12, 1945.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 16th day of June 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10768; Filed, June 19, 1945; 11:06 a. m.]

[Directive 57]

PART 4004—PRICE STABILIZATION: MAXIMUM PRICES

CANNED VEGETABLES, 1944

On June 7, 1945, the War Food Administrator submitted to me certain information and the recommendation that the subsidy on canned products processed from the four major vegetables authorized and directed by Directive 13, issued October 7, 1944, as amended on January 20, 1945, and on April 12, 1945 (9 F.R. 12540; 10 F.R. 900, 4108), be extended so as to apply to eligible sales made during the period March 1, 1944, to November 30, 1945, both dates inclusive. The Price Administrator has concurred in the recommendation of the War Food Administrator.

I hereby find that the payment of the subsidy with respect to eligible sales made during the period March 1, 1944, to November 30, 1945, both dates inclusive, will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

Accordingly, the War Food Administrator is hereby authorized and directed to extend the subsidy program authorized and directed by Directive 13, as amended, to apply to eligible sales made during the period March 1, 1944, to November 30, 1945, both dates inclusive.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 15th day of June 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10767; Filed, June 19, 1945; 11:06 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 9]

PART 8309—CONTRACTOR INVENTORY AND DISPOSALS BY OWNING AGENCIES

GENERAL PROVISIONS

Sec.
8309.1 Regulations of Surplus War Property Administration rescinded.
8309.2 Definitions.
8309.3 Limitation of application.
8309.4 War Production Board and Office of Price Administration regulations.

CONTRACTOR INVENTORY

8309.5 Owning agencies empowered to authorize retentions or disposals.
8309.6 Predetermination arrangements.
8309.7 Retentions and sales at cost.
8309.8 Retentions by contractors for own use.
8309.9 Sales by contractors; small lots.
8309.10 Sales by contractors; small inventories.
8309.11 Sales by contractors; unserviceable property.
8309.12 Sales by contractors; serviceable property.
8309.13 Used plant equipment in contractor inventory; pricing policy.
8309.14 Destruction or abandonment of worthless property.
8309.15 Contractor inventory in possession of owning agency.

DISPOSALS BY OWNING AGENCIES

8309.16 Sale of small lots.
8309.17 Sale of waste, salvage, scrap, and products of research and other operations.
8309.18 Emergency disposals.
8309.19 Destruction or abandonment.
8309.20 Reports by owning agencies.
8309.21 Regulations by owning agencies to be reported to the Board.
8309.22 Amendment or repeal.

AUTHORITY: §§ 8309.1 to 8309.22, inclusive, issued under Surplus Property Act of 1944, Pub. Law 457, 78th Cong., 2d Sess.; 58 Stat. 765.

GENERAL PROVISIONS

§ 8309.1 *Regulations of Surplus War Property Administration rescinded.* Surplus War Property Administration Statement of Policies to be Followed by Government Agencies in the Sale of Contract Termination Inventories (9 F.R. 4559, 7842, 11614, 11925) and Surplus War Property Administration Regulation No. 1, as amended (9 F.R. 5096, 9182 and 12069) are hereby superseded and rescinded in their entirety as of the effective date of this part.

§ 8309.2 *Definitions.* (a) "Act" means the Surplus Property Act of 1944 (Pub. Law 457, 78th Cong., 2d Sess.; 58 Stat. 765).

(b) "Best price obtainable" means the highest price offered which is adequate in the light of a reasonable knowledge or test of the market, having due regard for current prices for any raw materials or products for which quotations are published and to the circumstances, nature, condition, quantity, and location of the particular property.

(c) "Board" means the Surplus Property Board.

(d) "Care and handling" includes completing, repairing, converting, rehabilitating, operating, maintaining, preserving, protecting, insuring, storing,

PART 944—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A Amdt. 21]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order 9A is amended in the following respects:

1. Section 5.1 (d) (1) is added to read as follows:

(d) (1) *Issuance of certificates on OPA Form R–901 (Rev. 5–45).* Wherever in this order provision is made for the issuance of a certificate on OPA Form R–901 by a local board, District Office, the Washington Office or any person authorized by the Office of Price Administration a certificate on OPA Form R–901 (Rev. 5–45) shall be issued instead, on and after the date when such certificates are available for issuance.

2. Section 5.2 (d) is added to read as follows:

(d) A person whose certificate may not be used for the transfer of a stove must surrender such certificate, upon demand, to any authorized representative of the Office of Price Administration.

3. The headnote to section 5.4 is amended to read as follows: "Combining, splitting up or exchanging certificates."

4. Section 5.4 (a) is amended by adding the following sentence at the end of the paragraph: "No certificates on OPA Form R–901 (Rev. 5–45) shall be issued pursuant to this paragraph in exchange for certificates on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) except as permitted by paragraph (b)."

5. Section 5.4 (b) is added to read as follows:

(b) (1) At any time before August 16, 1945 a dealer may surrender to a Board any certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) in exchange for a certificate on OPA Form R–901 (Rev. 5–45). Beginning August 16, 1945 no such exchange may be made.

(2) At any time before August 23, 1945 a distributor may surrender to a Board any certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) in exchange for a certificate on OPA Form R–901 (Rev. 5–45). Beginning August 23, 1945 no such exchange may be made.

6. Section 6.12 is added to read as follows:

SEC. 6.12 *When certificates on OPA Form R–901 and OPA Form R–901 (Rev. 12–43) may not be used.*—(a) *Consumers.* Beginning August 1, 1945 no person may accept a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) from a consumer, and no consumer may give up such a certificate, for the transfer of a stove. However, a consumer's order for a stove sent by mail accompanied by a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be accepted if the envelope is postmarked by 11:59 p. m., July 31, 1945.

(b) *Dealers.* Beginning August 16, 1945, no person may accept a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) and no dealer may give up such a certificate for the transfer of a stove except as follows:

(1) A certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be returned to and accepted by a consumer in accordance with section 6.9 or section 6.10.

(2) An order from a dealer sent by mail accompanied by a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be accepted if the envelope is postmarked by 11:59 p. m., August 15, 1945.

(c) *Distributors.* Beginning August 23, 1945 no person may accept a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) from a distributor and no distributor may give up such a certificate for the transfer of a stove except as follows:

(1) A certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be returned to and accepted by a consumer in accordance with section 6.9 or section 6.10.

(2) An order from a distributor sent by mail accompanied by a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) may be accepted if the envelope is postmarked by 11:59 p. m., August 22, 1945.

(d) *Local Boards and District Offices.* No Board or District Office may accept a certificate on OPA Form R–901 or OPA Form R–901 (Rev. 12–43) from a dealer beginning August 16, 1945 or from a distributor beginning August 23, 1945, in payment of any certificates owed it by him because of excess inventory or owed it for any other reason.

7. Section 13.1 (a) (4) is amended to read as follows:

(4) "Certificate" means a certificate on OPA Form R–901, OPA Form R–901 (Rev. 12–43), OPA Form R–901 (Rev. 3–45), or OPA Form R–901 (Rev. 5–45).

This amendment shall become effective on June 23, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 10781; Filed, June 19, 1945; 11:41 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 397, Amdt. 7]

FLAXSEED

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 5 (a) (3) of Maximum Price Regulation 397 is amended to read as follows:

(3) At the following points where the flaxseed is delivered by truck:

San Francisco, Oakland, Berkeley, Los Angeles, Long Beach, Wilmington, Pasadena, and Fresno, California—$3.35

This amendment shall become effective June 18, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 16, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45 10733; Filed, June 19, 1945; 5:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14F, Amdt. 7]

WOOD ROSIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 22 is amended to read as follows:

SEC. 22. *Wood rosin.*—(a) *Sales by producers in drums or barrels.* The maximum prices per 100 pounds, f. o. b. cars at producing plant, for sales by producers of wood rosin in drums or barrels shall be:

X, WW	$5.40
WG	5.25
N	5.15
M	5.05
K	5.00
G, H, I	4.95
FF	4.50
B	3.60

(b) *Sales other than from local stocks by resellers in drums or barrels.* The

[1] 10 F. R. 2097, 2250, 3925.

PART 1490—COMMODITIES AND SERVICES

[MPR 165, Amdt. 2 to Supp. Service Regs.]

REPAIR OF AUTOMOTIVE VEHICLES AND EQUIPMENT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Supplementary Service Regulation 6 is amended in the following respects:

1. Paragraph (e) is deleted.

2. Paragraphs (f) and (g) are respectively re-designated paragraphs (e) and (f).

This amendment shall become effective June 25, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 10783; Filed, June 19, 1945; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14F, Amdt. 7]

WOOD ROSIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 22 is amended to read as follows:

SEC. 22. *Wood rosin.*—(a) *Sales by producers in drums or barrels.* The maximum prices per 100 pounds, f. o. b. cars at producing plant, for sales by producers of wood rosin in drums or barrels shall be:

X, WW	$5.40
WG	5.25
N	5.15
M	5.05
K	5.00
G, H, I	4.95
FF	4.50
B	3.60

(b) *Sales other than from local stocks by resellers in drums or barrels.* The

[1] 10 F. R. 2097, 2250, 3925.

[illegible] maximum prices established under [illegible] 22 shall not be increased by [illegible] for commissions or broker's fees. If the buyer purchases through a broker or other agent acting for the buyer, the sum of the price paid by the buyer to the seller plus the commission or other charge paid by the buyer to a broker or other agent may not exceed the maximum prices established by this section 22.

This amendment shall become effective June 18, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 10732; Filed, June 18, 1945; 5:11 p. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 58]

PART 4003—SUPPORT PRICES: SUBSIDIES

FLUID MILK PAYMENT PROGRAM

The War Food Administrator having, by his letter of May 12, 1945, submitted to me certain information and recommendation that the payment of subsidy on fluid milk pursuant to Directive 13, issued October 7, 1944, as amended on January 20, 1945, and on April 12, 1945 (9 F.R. 12540; 10 F.R. 900, 4108), be extended so as to apply to eligible sales made during the period March 1, 1944, to November 30, 1945, both dates inclusive. The Price Administrator has concurred in the recommendation of the War Food Administrator.

I hereby find that the payment of the subsidy with respect to eligible sales made during the period March 1, 1944, to November 30, 1945, both dates inclusive, will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

Accordingly, the War Food Administrator is hereby authorized and directed to extend the subsidy program authorized and directed by Directive 13, as amended, to apply to eligible sales made during the period March 1, 1944, to November 30, 1945, both dates inclusive.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 15th day of June 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10767; Filed, June 19, 1945; 11:06 a. m.]

PART 4 OF—PRICE STABILIZATION

MAXIMUM PRICES

CANNED VEGETABLES, 1944

On June 7, 1945, the War Food Administrator submitted to me certain information and the recommendation that the subsidy on canned products processed from the four major vegetables authorized and directed by Directive 13, issued October 7, 1944, as amended on January 20, 1945, and on April 12, 1945 (9 F.R. 12540; 10 F.R. 900, 4108), be extended so as to apply to eligible sales made during the period March 1, 1944, to November 30, 1945, both dates inclusive. The Price Administrator has concurred in the recommendation of the War Food Administrator.

I hereby find that the payment of the subsidy with respect to eligible sales made during the period March 1, 1944, to November 30, 1945, both dates inclusive, will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

Accordingly, the War Food Administrator is hereby authorized and directed to extend the subsidy program authorized and directed by Directive 13, as amended, to apply to eligible sales made during the period March 1, 1944, to November 30, 1945, both dates inclusive.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 15th day of June 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10767; Filed, June 19, 1945; 11:06 a. m.]

PART [illegible]—DISPOSAL OF SURPLUS PROPERTY

DISPOSAL OF CANNED FOODS

8309.1 Regulations of Surplus War Property Administration rescinded.
8309.2 Definitions.
8309.3 Eligibility for purchase.
8309.4 Eligibility for lease.
8309.5 Eligibility for donation.
8309.6 Eligibility for loan.
8309.7 Eligibility for exchange.
8309.8 Eligibility for sale for export.
8309.9 Eligibility for sale for manufacture.
8309.10 Eligibility for sale for processing.
8309.11 Eligibility for sale for resale.
8309.12 Eligibility for sale for use.
8309.13 Eligibility for sale for scrap.
8309.14 Eligibility for disposal.
8309.15 Destruction of uneconomic property.
8309.16 Reports by owning agencies.
8309.17 Regulations by owning agencies to be reported to the Board.
8309.18 Amendment or repeal.

AUTHORITY: §§ 8309.1 to 8309.22, inclusive, issued under Surplus Property Act of 1944, Pub. Law 457, 78th Cong., 2d Sess., 58 Stat. 765.

GENERAL PROVISIONS

§ 8309.1 *Regulations of Surplus War Property Administration rescinded.* Surplus War Property Administration Statement of Policies to be Followed by Government Agencies in the Sale of Contract Termination Inventories (9 F.R. 4559, 7842, 11614, 11925) and Surplus War Property Administration Regulation No. 1, as amended (9 F.R. 5096, 9182 and 12069) are hereby superseded and rescinded in their entirety as of the effective date of this part.

§ 8309.2 *Definitions.* (a) "Act" means the Surplus Property Act of 1944 (Pub. Law 457, 78th Cong., 2d Sess.; 58 Stat. 765).

(b) "Best price obtainable" means the highest price offered which is adequate in the light of a reasonable knowledge or test of the market, having due regard for current prices for any raw materials or products for which quotations are published and to the circumstances, nature, condition, quantity, and location of the particular property.

(c) "Board" means the Surplus Property Board.

(d) "Care and handling" includes completing, repairing, converting, rehabilitating, operating, maintaining, preserving, protecting, insuring, storing,

packing, handling, and transporting, and in the case of property which is dangerous to public health or safety, destroying, or rendering innocuous, such property.

(e) "Contract" includes subcontracts, and "contractor" includes subcontractors.

(f) "Contractor inventory" means (1) any property related to a terminated contract of any type with a Government agency or to a subcontract thereunder; (2) any property acquired under a contract pursuant to the terms of which title is vested in the Government, and in excess of the amounts needed to complete performance thereunder; and (3) any property which the Government is obligated to take over under any type of contract as a result of any change in the specifications or plans thereunder.

(g) "Disposal agency" means any Government agency designated pursuant to the act to dispose of one or more classes of surplus property.

(h) "Government agency" means any executive department, board, bureau, commission, or other agency in the executive branch of the Federal Government, or any corporation wholly owned (either directly or through one or more corporations) by the United States.

(i) "Owning agency" means the executive department, the independent agency in the executive branch of the Federal Government, or the corporation (if a Government agency), having control of property, otherwise than solely as a disposal agency.

(j) "Property" means any interest, owned by the United States or any Government agency, in personal property, of any kind, wherever located, but does not include naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers and submarines.

(k) "Retain" or "retention" includes any purchase by the war contractor in possession of contractor inventory to which the Government has title, as well as retention of contractor inventory to which the contractor has title.

(l) "Reviewing authority" means a local, regional or departmental board of review of a Government agency; it may consist of one or more persons.

(m) "Salvage" means property that is in such a worn, damaged, deteriorated or incomplete condition, or is of such a specialized nature, that it has no reasonable prospect of sale as a unit, but has some value in excess of its basic material content because it may contain serviceable components. Salvage includes used containers and cable reels. It should be noted that property is not "salvage" merely because it is worn, damaged, deteriorated, incomplete, or of a specialized nature.

(n) "Scrap" means property that has no reasonable prospect of sale except for its basic material content.

(o) "Scrap warranty" means a written warranty by a buyer that property purchased or retained as scrap will in fact be sold or used by the buyer only as scrap. When a scrap warranty is required by this part it shall provide as follows:

> The undersigned represents and warrants to the United States that the property covered by this agreement was offered as scrap, that he is purchasing or retaining it only as scrap and that he will sell and ship or use it only as scrap, either in its existing condition or after further preparation, and only in conformity with all applicable regulations and orders of the Office of Price Administration and the War Production Board.

(p) "Serviceable property" means property that has reasonable prospect of sale for use as a unit either in its existing form or after minor repairs; it includes raw materials, primary forms and shapes and mill products.

(q) "Surplus property" means any property which has been determined to be surplus to the needs and responsibilities of the owning agency in accordance with the act.

(r) "Unserviceable property" means scrap, salvage, and other property that has no reasonable prospect of sale for use as a unit either in its existing form or after minor repairs.

§ 8309.3 *Limitation of application.* Nothing in this part applies to disposals or retentions of the following kinds:

(a) Disposals or retentions of property located outside of the continental United States, its territories and possessions;

(b) Disposals or retentions of plant equipment, as that term is defined in § 8306.1,[1] except when sold as scrap or in small lots as provided herein;

(c) Disposals or retentions of real property;

(d) Disposals or retentions of Government-owned buildings on land owned by or leased to the United States, including any facilities and equipment which are an integral part thereof;

(e) Disposals or retentions of property for war production purposes;

(f) Disposals or retentions of property in no-cost settlements of terminated contracts.

§ 8309.4 *War Production Board and Office of Price Administration Regulations.* All retentions and sales under this part shall be subject to applicable regulations of the War Production Board and of the Office of Price Administration.

CONTRACTOR INVENTORY

§ 8309.5 *Owning agencies empowered to authorize retentions or disposals.* In order to further the objectives of the act by assuring the most effective use of Government-owned property for war purposes, aiding in facilitating the transition from wartime to peacetime production and employment, encouraging and fostering postwar employment opportunities, promoting production and disposing of surplus property as promptly as feasible without fostering monopoly or restraint of trade or unduly disturbing the economy or encouraging hoarding, the Board hereby empowers each owning agency to authorize any contractor with such agency or subcontractor thereunder that is in possession of any contractor inventory to retain or dispose of such contractor inventory as provided in this part.

§ 8309.6 *Predetermination arrangements.* (a) To the maximum extent practicable, decisions for the retention or disposal by contractors of all types of contractor inventories shall be made in advance of termination by means of predetermination agreements or otherwise. Provisions may be included in predetermination agreements for the determination of what property shall be considered to be scrap and for the retention or disposal of all types of property by the contractor. Predetermination agreements may also provide for the care and handling and removal of contractor inventories and for the classes of property that the owning agency will take over. In order to protect the interests of the Government, owning agencies shall institute appropriate reviewing procedures relating to scrap determination and disposal provisions of predetermination agreements.

(b) Price provisions in predetermination agreements shall comply with the following rules:

(1) Any property, except scrap, which is to be retained by the contractor for his own use may be retained at prices that are fair and reasonable and not less than the proceeds that could reasonably be expected to be obtained if the property were offered for sale. The agreement shall contain in connection with each such retention a written representation from the contractor that he intends to use or consume the property for manufacturing, construction, maintenance or repair purposes and that he is not retaining it for the purpose of reselling it at a profit.

(2) Any property, except scrap, which is to be retained by the contractor not for his own use may be retained at either (i) prices that are fair and reasonable and not less than the proceeds that could reasonably be expected to be obtained if the property were offered for sale, but in no event less than 50% of cost (estimated if not known) or (ii) market prices.

(3) Any property to be retained by the contractor as scrap may be retained at market prices, with or without a scrap warranty.

(4) All prices referred to in this paragraph (b) may be determined either as of the time of the agreement or the time of termination.

(c) The provisions of this section shall apply to predetermination agreements entered into on or after July 1, 1945.

§ 8309.7 *Retentions and sales at cost.* Retentions or sales by a contractor of any item of contractor inventory at cost shall be deemed to comply with the provisions of §§ 8309.8 to 8309.12, inclusive.

[1] SPB Reg. 6 (10 F. R. 6309); § 8306.1 (l) reads as follows: "'Plant equipment' means any property which is located in a war contractor's plant and is covered by a facilities contract, except land and buildings erected on land owned by or leased to the United States." § 8306.1 (f) reads as follows: "'Facilities contract' means a lease, rental agreement or other contract or contract provision, specifically governing the acquisition, use, or disposition of Government-owned machinery, tools, building installations, or other property furnished to or acquired by a war contractor for any war production purpose except incorporation in end products."

§ 8309.8 *Retentions by contractors for own use.* Contractors should be encouraged to retain as large amounts as possible of all types of contractor inventories for use for their manufacturing, construction, maintenance or repair purposes. It is the policy of the Board that subcontractors shall be permitted to retain, as against their upper tier contractors, such contractor inventories as they desire, for the purposes and at the prices specified in this section, and exceptions from this policy shall be permitted only in cases where contract rights of upper tier contractors make it necessary; owning agencies shall take appropriate steps to bring this policy to the attention of subcontractors. There shall be obtained in connection with each retention under this section a written representation from the contractor that he intends to use or consume the property for manufacturing, construction, maintenance or repair purposes, and that he is not retaining it for the purpose of reselling it at a profit, except that no such representation is required with respect to retentions of property which consists of a small lot as described in § 8309.9 or is a part of a small inventory, as described in § 8309.10. Such retentions shall be at prices that are fair and reasonable and not less than the proceeds that could reasonably be expected to be obtained if the property were offered for sale at such time. In order to protect the interests of the Government, appropriate reviewing procedures shall be instituted by owning agencies. Retentions of property by a contractor not for his own use but for later resale shall be treated as sales and shall be governed by the requirements of the appropriate provisions of §§ 8309.9 to 8309.12, inclusive.

§ 8309.9 *Sales by contractors; small lots.* The sale (including retention for resale) of any item or group of items in contractor inventory at any location which an owning agency determines to be substantially similar may be authorized at the best price obtainable when the cost (estimated, if not known) of all such items available for sale at any one time at such location and resulting from any one termination does not exceed $300. Such small lots shall not be assembled for the purposes of a consolidated sale.

§ 8309.10 *Sales by contractors: small inventories.* (a) The sale (including retention for resale) of any quantity of any item of contractor inventory may be authorized at the best price obtainable whenever the total of the termination claim of a contractor (deducting amounts payable for completed articles at the contract price and for claims of subcontractors but not deducting disposal credits) is less than $10,000; but completed articles not delivered under the contract and items furnished by the Government for incorporation in end items may not be sold under the authority of this paragraph, unless the cost of such articles and Government-furnished items to be sold and the amount of the termination claim (computed as set forth above in this paragraph) total less than $10,000.

(b) The sale (including retention for resale) of any quantity of any item of contractor inventory may be authorized at a price that is fair and reasonable whenever the net termination claim of a contractor (after disposal credits but including amounts payable for completed articles not delivered under the contract and for claims of subcontractors) is less than $1,000, but items furnished by the Government for incorporation in end items may not be sold under the authority of this paragraph, unless the cost of such items to be sold and the amount of the net termination claim (computed as set forth above in this paragraph) total less than $1,000.

§ 8309.11 *Sales by contractors; unserviceable property.* (a) Unless property affirmatively appears to be serviceable, it shall be considered to be unserviceable property and shall be sold on the open competitive market in accordance with the provisions of this section.

(b) Primary responsibility for determining whether contractor inventory is serviceable or unserviceable rests with the owning agencies. Each agency shall provide procedures for reference to a reviewing authority before classifying as unserviceable, property included in any one inventory and located at any one place, when the cost (estimated if not known) of such property is $25,000 or more. The Reconstruction Finance Corporation has set up a system of field consultants who may be called upon for assistance in determining whether contractor inventory is serviceable or unserviceable and in connection with questions concerning the disposition of unserviceable property. The services of such consultants may be obtained by application to the regional offices of the Reconstruction Finance Corporation. Disposal officers, review boards, and other representatives of owning agencies shall so far as practicable confer with and be guided by such consultants.

(c) Disposals of unserviceable property in all cases, except those falling within §§ 8309.6 to 8309.10, inclusive, and except sales of scrap under specific allocation orders issued by the War Production Board, shall be in accordance with the following policies:

(1) Sales (including retentions for resale) shall be made on the basis of adequate competitive bidding under rules and regulations prescribed by the owning agencies. Such rules and regulations shall contain provisions, among others, requiring lots to be offered in such reasonable quantities as to permit all bidders, small as well as large, to compete on equal terms, requiring wide public notice concerning such sales and time intervals between notice and sale adequate to give all interested purchasers a fair opportunity to buy, and reserving the right to reject all bids. A scrap warranty may be required by the owning agency whenever it deems such course desirable if the purchase price does not exceed the applicable OPA ceiling price for scrap of the classification into which the property falls.

(2) In exceptional cases or classes of cases, upon a determination by the responsible officer in each instance, approved by a reviewing authority, that any given property is scrap and that it would be in the best interests of the Government to dispose of it by negotiated sale, such property may be so disposed of at the best price obtainable. In all such sales a scrap warranty shall be required of the buyer.

§ 8309.12 *Sales by contractors; serviceable property.* Disposals of serviceable property in contractor inventory in all cases, except those falling within §§ 8309.6 to 8309.10, inclusive, and § 8309.13, shall be in accordance with the following policies:

(a) Sales (including retentions for resale) shall be made under rules and regulations prescribed by the owning agencies which shall contain a provision, among others, that in all cases where the amount of serviceable property that will be available for sale at any one time at any one location is estimated to be $10,000 or more (based on cost), notice shall be given by publication in a newspaper of general circulation in the locality, indicating in general terms the types of serviceable property that are expected to be available for sale and naming a date (not less than seven days from the date of first publication) on or after which such property will be available for sale. Sales shall so far as feasible be made in reasonably sized lots.

(b) Sales (including retentions for resale) shall be at the best price obtainable but not less than 50 percent of cost (estimated if not known).

(c) Property which cannot be disposed of within a reasonable period of time on the terms stated in paragraph (b) may be sold at the best price obtainable to any buyer who will consume or use the property in the United States for manufacturing, construction, maintenance or repair purposes. In connection with such sale there shall be obtained from the buyer a written representation that he intends so to use or consume the property and that he is not purchasing it for the purpose of reselling it at a profit.

§ 8309.13 *Used plant equipment in contractor inventory; pricing policy.* The retention or sales price for machine tools, machines, and other classifications of plant equipment for which fixed price schedules are prescribed in or pursuant to Part 8306[2] of this chapter shall be determined by such fixed price schedules, except in cases falling within §§ 8309.9 and 8309.10.

§ 8309.14 *Destruction or abandonment of worthless property.* An owning agency may authorize any contractor to destroy or abandon any contractor inventory in his possession when, in the opinion of the owning agency, such property is worthless. Whenever the cost of property to be destroyed or abandoned as worthless is more than $1,000, before giving such approval a representative of the owning agency must certify that reasonable efforts have been made to dispose of the property without success by offering such property to at least three persons who deal in that type

[2] SPB Reg. 6 (10 F.R. 6309).

of scrap or property, or that such offers would be useless, and that in his opinion the property is worthless or that the cost of sale would exceed the proceeds thereof and that the item should be destroyed or abandoned.

§ 8309.15 *Contractor inventory in possession of owning agency.* When any owning agency takes possession of any contractor inventory, all property in such inventory shall be declared surplus as promptly as possible in accordance with the provisions of Part 8301 [1] of this chapter unless it is utilized for supply or otherwise disposed of by the owning agency under authority of or as permitted by the act or this part.

DISPOSALS BY OWNING AGENCIES

§ 8309.16 *Sale of small lots.* (a) The Board believes that the cost of care, handling and disposition of small lots of property will generally exceed the proceeds of sale, and that small lots should therefore, in accordance with sections 13 (b) and 14 (b) of the act, be disposed of by owning agencies rather than declared to disposal agencies as surplus. It is recognized that the definition of what constitutes a small lot and the cost of care, handling, and disposition will vary according to the nature of the property. Therefore, the Board may from time to time issue orders hereunder setting forth standards to be applied and procedures to be followed in connection with small lots of various classes of property.

(b) Except as specified in any order issued under paragraph (a) of this section, any owning agency is authorized to sell at the best price obtainable any item or group of items of property in its possession which the owning agency determines to be substantially similar when the cost (estimated if not known) of all such items available at any one location at any one time does not exceed $300. Small lots should be disposed of by owning agencies under this section to the fullest extent possible. Notwithstanding the foregoing, if, in the opinion of a disposal agency, such disposition of small lots of any given type of property interferes with the orderly marketing of such type of property by it, such agency may direct the owning agencies to cease sales of such property and to report such property as surplus pursuant to the act.

§ 8309.17 *Sale of waste, salvage, scrap, and products of research and other operations.* (a) To the extent provided in section 14 (b) of the act, any owning agency may sell:

(1) Any waste, salvage, or scrap. The terms "salvage" and "scrap" are defined in § 8309.2.

(2) Any product of research, agricultural, or livestock operations carried on by such agency.

(b) The Board hereby restricts the authority of owning agencies to dispose of any other class of surplus property specified in section 14 (b) of the act.

[1] SPB Reg. 1 (10 F.R. 3764, 4386).

(c) Except as otherwise required by paragraph (d) of this section, all sales made pursuant to this section shall be made at the best price obtainable.

(d) All sales of scrap and salvage made pursuant to this section, except sales of scrap under specific allocation orders issued by the War Production Board, shall be in accordance with the following policies:

(1) Procedures shall be provided for reference to a reviewing authority before classifying as scrap or salvage property (except production scrap) located at any one place at any one time when the cost (estimated if not known) of such property is $25,000 or more. In any event, when the appropriate disposal agency certifies in writing to the owning agency that any given property or any class of property is in its judgment scrap, the owning agency should forthwith and without further review dispose of such property in accordance with the provisions of this part. Such certification may be given at any time before the property has been physically transferred to the disposal agency, and should whenever possible be given before the property is declared surplus.

(2) Sales shall be made on the basis of adequate competitive bidding under rules and regulations prescribed by the owning agencies. Such rules and regulations shall contain provisions, among others, requiring lots to be offered in such reasonable quantities as to permit all bidders, small as well as large, to compete on equal terms, requiring wide public notice concerning such sales and time intervals between notice and sale adequate to give all interested purchasers a fair opportunity to buy, and reserving the right to reject all bids. In sales of scrap, a scrap warranty may be required by the owning agency whenever it deems such course desirable.

(3) In exceptional cases or classes of cases, upon a determination by the responsible officer in each instance, approved by a reviewing authority, that any given property is scrap or salvage and that it would be in the best interests of the Government to dispose of it by negotiated sale, such property may be disposed of at the best price obtainable. In all such cases where the property is determined to be scrap a scrap warranty shall be required of the buyer.

§ 8309.18 *Emergency disposals.* Where emergency circumstances, such as danger of deterioration or considerations of health, safety, or security, make immediate sales by owning agencies desirable without declaration as surplus, the owning agency may proceed to sell the property at prices that are fair and reasonable under the circumstances, after obtaining advance clearance of the appropriate disposal agency if practicable. Reports of such disposals shall be submitted to the Board in accordance with orders issued hereunder.

§ 8309.19 *Destruction or abandonment.* Any owning agency may destroy or abandon property upon a finding by a responsible officer, approved by a reviewing authority, that such destruction or abandonment is required by considerations of health, safety, or security. Reports of any such destruction or abandonment shall be submitted to the Board in accordance with orders issued hereunder.

§ 8309.20 *Reports by owning agencies.* Owning agencies shall file reports with the Board concerning the handling of contractor inventories and disposals by such agencies in accordance with orders to be issued hereunder.

§ 8309.21 *Regulations by owning agencies to be reported to the Board.* Each owning agency shall file with the Board copies of all regulations, orders, and instructions of general applicability which it may issue in furtherance of the provisions, or any of them, of this part.

§ 8309.22 *Amendment or repeal.* This part, and any order issued under it, shall be subject to amendment or repeal by the Board by any regulation or order of the Board duly published in the FEDERAL REGISTER.

This part shall become effective August 1, 1945, except that § 8309.6 relating to predetermination agreements shall become effective July 1, 1945.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SURPLUS PROPERTY BOARD.
By A. E. HOWSE,
Administrator.

JUNE 7, 1945.

[F. R. Doc. 45-10725; Filed, June 19, 1945; 3:59 p. m.]

[SPB Reg. 3,[1] Order 1]

PART 8303—DISPOSITIONS OF SURPLUS PROPERTY IN RURAL AREAS AND TO FARMERS

ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN SPARTANBURG, CHEROKEE, UNION AND GREENVILLE COUNTIES, SOUTH CAROLINA

Acting pursuant to § 8303.4 and in reliance upon the certificate of the War Food Administrator to the Board that farm production is impaired or threatened to be impaired in Spartanburg, Cherokee, Union and Greenville counties, South Carolina, by a shortage of one and one and one-half ton stake, cargo or platform trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Spartanburg, Cherokee, Union and Greenville counties, South Carolina, and holding certificates of the Agricultural Adjustment Agency, 74 one or one and one-half ton stake, cargo or platform trucks, and shall without regard to the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the method provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 13, 1945.

[F. R. Doc. 45-10803; Filed, June 19, 1945; 11:49 a. m.]

[1] 10 F.R. 5325.

[2] SPB Reg. 2, 10 F.R. 5104.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard: Department of the Navy

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

REQUIREMENTS ON ORDERS FOR ACTIVE OR TRAINING DUTY

The regulations, United States Coast Guard Reserve (33 CFR Cum. Sup., Part 8), as amended, are hereby further amended as follows:

Section 8.1507 (a) is amended by deleting subparagraphs (5), (6), (7), (8) and (9) thereof.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

Approved: June 16, 1945.

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 45-10759; Filed, June 19, 1945; 10:40 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 261—TRESPASS

DEERLODGE NATIONAL FOREST; ORDER FOR THE REMOVAL OF TRESPASSING HORSES

Whereas a number of horses are trespassing and grazing on land in the Hells Canyon Cattle and Horse Allotment in the Deerlodge National Forest in the State of Montana; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 34, 16 U. S. C. 551), and the Act of February 1, 1905 (33 Stat. 628, 16 U. S. C. 472), the following order for the occupancy, use, protection, and administration of land in the Hells Canyon Cattle and Horse Allotment in the Deerlodge National Forest is issued:

Temporary closure from livestock grazing. (a) The Hells Canyon Cattle and Horse Allotment in the Deerlodge National Forest is hereby closed for the period July 1, 1945, to June 30, 1946, to the grazing of horses, excepting those that are lawfully grazing on or crossing land in such allotment, pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Deerlodge National Forest is located.

Done at Washington, D. C., this 18th day of June 1945. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 45-10769; Filed, June 19, 1945; 11:09 a. m.]

This effects tabulation contained in 36 CFR 261.5.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 370]

PART 95—CAR SERVICE

REFRIGERATION OF POTATOES IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 18th day of June, A. D. 1945.

It appearing, that shipments of potatoes in refrigerator cars originating in the States of Arizona and California, are being preiced thus causing additional switching and diminishing the supply and control of refrigerator cars; that those refrigerator cars while being transported from California are reiced a limited number of times resulting in congestion at certain icing stations and requiring excessive hauling of ice into those stations; that the icing of refrigerator cars loaded in California with potatoes for intrastate transportation is contributing to the shortage of such cars; in the opinion of the Commission an emergency requiring immediate action exists in all sections of the country; it is ordered that:

(a) *Preicing potatoes in Arizona and California prohibited.* No common carrier by railroad subject to the Interstate Commerce Act shall ice a refrigerator car, intended to be loaded with potatoes in Arizona or California, prior to the actual complete loading of the refrigerator car with such potatoes. In the event such cars are preiced and loaded, in violation of this provision those cars shall not be transported in interstate or intrastate commerce.

(b) *Standard refrigeration on California potatoes.* No common carrier by railroad subject to the Interstate Commerce Act shall perform icing service, other than standard refrigeration from origin to final destination (see exception), on any refrigerator car, loaded with potatoes, originating in California, moving in interstate commerce. This provision shall not prohibit fumigation of potatoes in California and standard refrigeration thereafter when both are ordered at the interstate origin.

Exception: California potatoes consigned to Idaho dehydration plants for dehydration may be accorded initial icing only in lieu of standard refrigeration.

(c) *Standard ventilation between California points.* No common carrier by railroad subject to the Interstate Commerce Act shall furnish ice for refrigerator cars, loaded with potatoes, shipped from and destined to stations in the State of California; nor accord ventilation services, other than standard ventilation, for such cars of potatoes (See exception).

Exception: Potatoes shipped in crates from California origins, consigned to the U. S. Army or the U. S. Navy, at California ports for export, may be accorded initial icing only.

(d) *Tariff provisions suspended.* The operation of all tariff rules, regulations or charges insofar as they conflict with the provisions of this order is hereby suspended.

(e) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(f) *Effective date.* This order shall become effective at 12:01 p. m., June 18, 1945.

(g) *Expiration date.* This order shall expire at 11:59 p. m., July 31, 1945, unless otherwise modified, changed, suspended or annulled by order of the Commission (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17)).

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10773; Filed, June 19, 1945; 11:35 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

PHILLIPS HARDWARE CO.

ORDER REVOKING LICENSE, AND DIRECTING SURRENDER OF LICENSE

To: Mr. E. D. Phillips, Phillips Hardware Company, Falls Creek, Pennsylvania.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On April 19, 1945, a specification of charges against you setting forth violations of which you were accused under the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, was mailed to you.

2. The only communication received from you is your answer dated April 27, 1945, which has been considered. You did not request an oral hearing.

3. You have admitted that on or about June 13, 1944, and on or about February 20, 1945, you stored high explosives and low explosives in the basement of a store at Falls Creek, Jefferson County Pennsylvania, otherwise than in a magazine meeting the standards required by Regulations 24, 25, and 26 issued pursuant to the Federal Explosives Act.

4. You have admitted that on or about June 13, 1944, and on or about February 20, 1945, you stored high explosives and low explosives in a magazine which was not locked in the manner required by sections 24, 25, and 26 of the regulations issued pursuant to the Federal Explosives Act.

5. You have admitted that you failed to keep a full, detailed and tabulated record of your transactions in and operations involving explosives as prescribed by section 5 of the Federal Explosives Act and section 14 (d) of the regulations issued pursuant thereto.

6. You have violated the act and the regulations in the particulars set out in the findings numbered 3 through 5.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order

1. That all licenses issued to you under the Federal Explosives Act be and hereby are revoked as of midnight, June 30, 1945.

2. That prior to midnight, June 30, 1945, you shall use, or sell or otherwise dispose of, to properly licensed persons, or destroy, all explosives and ingredients of explosives owned or possessed by you or consigned to you or which are in your custody.

3. That, after having used, or having sold or otherwise disposed of, or having destroyed all of the explosives and ingredients of explosives as required by paragraph 2 of this order, you shall, within three weeks from the date of this order, deliver or mail to G. W. Grove, Engineer in Charge, United States Bureau of Mines, 4800 Forbes Street, Pittsburgh, Pennsylvania, a sworn statement of your uses of, transactions in, and destructions of explosives and ingredients of explosives, beginning with the date of this order and ending with the final use, or with the final sale or other disposition, or with the final destruction of the explosives and ingredients as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind used by you, the dates on which used, the places where used, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind destroyed by you, the dates on which destroyed and the places where destroyed.

4. That prior to midnight, June 30, 1945, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. W. Grove, Engineer in Charge, United States Bureau of Mines, 4800 Forbes Street, Pittsburgh, Pennsylvania.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 13th day of June 1945.

R. R. SAYERS,
Director.

[F. R. Doc. 45-10724; Filed, June 18, 1945; 4:20 p. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 79]

ADKINS TRANSFER CO. ET AL.

FINDING AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Adkins Transfer Company, et al., Indianapolis, Indiana. Case No. S-2174.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Local No. 135 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America and certain concerns engaged in transportation activities in and around Indianapolis, Indiana;

I find, as to the concerns in the above labor dispute with Local 135 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, that motor vehicle transportation of goods, articles and commodities by any such concern, pursuant to any contract whether or not with the United States to or from any plant, mine or facility equipped for manufacturing, producing or mining any articles or materials which may be required or useful in connection with the prosecution of the war, or to or from any establishment engaged in wholesaling or storing any such articles or materials, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 18th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-10762; Filed, June 19, 1945; 10:56 a. m.]

[WLD 81]

EQUITABLE OFFICE BUILDING CORP.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Equitable Office Building Corp., New York, N. Y. Case No. S-2175.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943 and

Having been advised of the existence of a labor dispute involving the Equitable Office Building Corp., New York, New York;

I find that the maintenance of the Equitable Office Building Corp. pursuant to contract, whether oral or written, for the rental of space in such building to the United States, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 16th day of June, 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-10763; Filed, June 19, 1945; 10:56 a. m.]

[WLD 82]

BAUMANN OIL CO.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF THE WAR

In the matter of Baumann Oil Co., Racine Wisconsin. Case No. S-2191.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Baumann Oil Company, Racine, Wisconsin,

I find that the transportation of petroleum products to industrial establishments in Racine, Wisconsin, by the Baumann Oil Company, pursuant to contracts for deliveries thereof whether oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 16th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-10764; Filed, June 19, 1945; 10:56 a. m.]

[WLD 83]

DAVEY SHEET METAL WORKS ET AL.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Davey Sheet Metal Works, Jas. J. Draper Co., Grove Roofing Co., Gruber Roofing Co., Industrial Roofing Asbestos Corp., Jameson Roofing Co., C. Olear Roofing Co., Jos. A. Sanders & Sons, Inc., Universal Roofing Co., Buffalo, New York; and Power City Roofing Co., Inc., Niagara Falls, New York. Case No. S-2153.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Davey Sheet Metal Works, Jas. J. Draper Co., Grove Roofing Co., Gruber Roofing Co., Industrial Roofing and Asbestos Corp., Jameson Roofing Co., C. Olear Roofing Co., Jos A. Sanders & Sons, Inc., and Universal Roofing Co., Buffalo, New York, and The Power City Roofing Co., Inc., Niagara Falls, New York.

I find that the construction, installation, and repair of roofing and sheet metal by the above concerns, pursuant to contracts, oral or written, with industrial establishments in and about Buffalo, New York, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 16th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-10765; Filed, June 19, 1945; 10:56 a. m.]

[WLD 84]

TECHE GREYHOUND LINES

FINDINGS AS TO CONTRACTS IN PROSECUTION OF THE WAR

In the matter of Teche Greyhound Lines, New Orleans, Louisiana. Case No. S-2240.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Teche Greyhound Lines, New Orleans, Louisiana,

I find that the transportation of mail by the Teche Greyhound Lines, New Orleans, Louisiana, pursuant to contract with the United States Post Office Department, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 18th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-10766; Filed, June 19, 1945; 10:56 a. m.]

Wage and Hour Division.

[Administrative Order 348]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATIONS AND APPOINTMENTS OF CERTAIN MEMBERS

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignations of Mr. Prudencio Rivera Martinez and Mr. Alberto E. Sanchez from Special Industry Committee No. 4 for Puerto Rico and do appoint in their stead as representatives for the employees on such Committee, Mrs. Marjorie Clark Egloff of San Juan, Puerto Rico and Mr. Felix Mejias of San Juan, Puerto Rico.

Signed at New York, New York, this 15th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-10723; Filed, June 18, 1945; 3:47 p. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-612, G-619]

PANHANDLE EASTERN PIPE LINE CO.

ORDER POSTPONING HEARING

JUNE 15, 1945.

It appears to the Commission that:

(a) On May 29, 1945, the War Production Board revoked its authorization granted December 9, 1944, to Panhandle Eastern Pipe Line Company to export natural gas to Canada, and authorized Panhandle Eastern to export 33 million cubic feet of gas daily subject to the conditions that: (1) no deliveries be made during January, February, March and December of any year; (2) no deliveries be made during 1945 until Panhandle Eastern has delivered a total of 9 billion cubic feet of natural gas to The Ohio Fuel Gas Company during the period from April 1 to October 31, 1945; and (3) Panhandle Eastern comply with the applicable provisions of the Natural Gas Act.

(b) The evidence presented in Docket No. G-620, involving Panhandle Eastern's application for a certificate of public convenience and necessity to authorize the construction and operation of facilities to deliver additional volumes of natural gas to The Ohio Fuel Gas Company, shows that without the facilities therein proposed to be constructed Panhandle Eastern could only deliver gas to Canada to the extent that deliveries to The Ohio Fuel Gas Company are curtailed. The facilities involved in Docket No. G-620 will not be completed before November 1945.

(c) Only a short time ago Panhandle Eastern tendered to the Commission rate schedules covering the rates and charges for service over its entire pipeline system as required by the Commission's order reducing rates entered September 23, 1942, in Docket Nos. G-200 and G-207 (recently affirmed by the Supreme Court), which schedules are now being examined and reviewed by the Commission's staff.

The Commission finds that:

In the circumstances, a further postponement of the hearing in these proceedings as hereinafter provided is appropriate.

The Commission orders that:

The public hearing in these matters is hereby postponed from June 20, 1945, to September 18, 1945, at 10:00 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10705; Filed, June 18, 1945; 9:36 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5310]

RACHEL JOHNSON

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of June, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 9, 1945, at ten o'clock in the forenoon of that day (central standard time), in County Court Room, Second Floor, Jackson County Court House, Kansas City, Missouri.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

(SEAL) OTIS B. JOHNSON
Secretary.

[F. R. Doc. 45-10761; Filed, June 19, 1945; 10:50 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 1012]

RECONSIGNMENT OF TOMATOES AT ROANOKE, VA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Roanoke, Virginia, June 14, 1945 by F. H. Vahlsing, Inc., of car PFE 59863, tomatoes, now on the Norfolk & Western Railroad, to F. H. Vahlsing Inc., New York, N. Y. (NAW-Sou-PRR), account notification.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of June, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-10718; Filed, June 18, 1945; 10:44 a. m.]

[S. O. 288, Special Permit 27]

REFRIGERATION OF SHELL EGGS FOR U. S. ARMY

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 of February 27, 1945 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 insofar as it applies to the furnishing or supplying of any refrigerator car, having a mechanical designation in the current official Railway Equipment Register prefixed by "RAM" or "RSM", owned or controlled by any packing house company, for loading with not less than four (4) full tiers of shell eggs for shipment to the U. S. Army.

This special permit shall become effective at 12:01 a. m., June 16, 1945, and shall expire at 7:00 a. m., December 31, 1945.

The car order, other shipping papers and the waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-10772; Filed, June 19, 1945; 11:35 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination 19]

FILM PICKUP SERVICE

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Film Pickup Service by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Jack Bradley, doing business as Film Pickup Service, 65-67 Holden Street, Minneapolis, Minnesota, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., June 19, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 19."

Issued at Washington, D. C., this 18th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-10710; Filed, June 18, 1945; 10:07 a. m.]

[Supp. Order ODT 20A-211]

GREAT NECK, N. Y., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Great Neck, N. Y., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. The provisions of the plan, paragraphs 5 (c) and 5 (f) (Appendix 2), in respect of rates, fares, and charges are hereby disapproved.

3. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

4. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators' possessing or obtaining the requisite operating authority.

5. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for

[1] Filed as part of the original document.

examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, New York, N. Y., for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

8. Communications concerning this order should refer to "Supplementary Order ODT 20A-211" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, New York 1, N. Y.

9. This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Christopher Flood, Great Neck, N. Y.
[illegible] Dannenfelser, Great Neck, N. Y.
[illegible] Warmuth, Great Neck, N. Y.
[illegible] J. Hamilton, Great Neck, N. Y.
[illegible] C. Doyle, Great Neck, N. Y.
[illegible] Stimpson, Great Neck, N. Y.
[illegible] Leggins, Great Neck, N. Y.
[illegible] O. Jackson, Great Neck, N. Y.
[illegible] Keevan, Great Neck, N. Y.
[illegible] L. Clark, Great Neck, N. Y.
[illegible] A. Engelhardt, Great Neck, N. Y.
[illegible] Lee, Great Neck, N. Y.
[illegible]rd Jackson, Jr., Great Neck, N. Y.
[illegible] Ellwood, Great Neck, N. Y.
[illegible] W. Young, Great Neck, N. Y.
[illegible]son, Great Neck, N. Y.
[illegible] H. Ellison, Great Neck, N. Y.
[illegible] Swingearn, Great Neck, N. Y.
[illegible] J. Shea, Great Neck, N. Y.
[illegible]kwood J. Smith, Great Neck, N. Y.
[illegible]s A. Hunt, Great Neck, N. Y.
[illegible] Gibson, Great Neck, N. Y.
Luther Pleasant, Great Neck, N. Y.
[illegible] Skinner, Great Neck, N. Y.
[illegible]seph E. Jones, Great Neck, N. Y.

[F. R. Doc. 45-10754; Filed, June 19, 1945; 10:30 a. m.]

[Supp. Order ODT 20A-212]

DOTHAN, ALA., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Dothan, Alabama, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. The provisions of the plan, paragraph 5 (h) (Appendix 2), whereby the parties thereto agree not to hire a driver whose services have been dispensed with by one of the other parties thereto due to some offense committed, is hereby disapproved.

3. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

4. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

5. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

[1] Filed as part of the original document.

7. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Montgomery, Alabama, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

8. Communications concerning this order should refer to "Supplementary Order ODT 20A-212" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Montgomery, Alabama.

9. This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

A. Z. Stokes, 201 South Oates St., doing business as Union Cab Company.

Roy Cherry and William Granger, 120 West Adams St., doing business as Red Top Taxi Company.

W. M. Nolen, 104 South St. Andrews Street, doing business as Houston Taxi Company.

W. H. Marlowe, 210 North Oates Street, doing business as Standard Cab Service.

Howard Rogers, North Foster Street, doing business as Yellow Cab Company.

[F. R. Doc. 45-10755; Filed, June 19, 1945; 10:30 a. m.]

[Supp. Order ODT 20A-213]

MOUNT VERNON, N. Y., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Mount Vernon, N. Y., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment,

materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, New York, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-213" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, New York, New York.

8. This order shall become effective June 26, 1945, and sha'l remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Louis Satriole, doing business as Acme Taxi, Mount Vernon, N. Y.
Ralph LaBarbera, doing business as Acme Taxi, Mount Vernon, N. Y.
Walter Thomson, doing business as Arrow Taxi, Mount Vernon, N. Y.
Michael Di Lieto, doing business as Ace Taxi, Mount Vernon, N. Y.
Frank Cennamo, Jr., doing business as Ace Taxi, Mount Vernon, N. Y.
Louis Erle Becker, doing business as Ace Taxi, Mount Vernon, N. Y.
Frank Caruso, doing business as A-1 Taxi, Mount Vernon, N. Y.
Fred Schaefer, doing business as A-1 Taxi, Mount Vernon, N. Y.
James LaBarbera, doing business as A-1 Taxi, Mount Vernon, N. Y.
Philip Fortini, doing business as Sherwood Taxi, Mount Vernon, N. Y.
Robert Graap, doing business as Sherwood Taxi, Mount Vernon, N. Y.
James Damato, doing business as Sherwood Taxi, Mount Vernon, N. Y.
Joseph Nardone, doing business as Plaza Taxi, Mount Vernon, N. Y.
Henry Franko, doing business as Plaza Taxi, Mount Vernon, N. Y.
Anthony Impara, doing business as Plaza Taxi, Mount Vernon, N. Y.
Chester Hill Taxi Service, Mount Vernon, N. Y.
Vincenzo Leone, doing business as Chester Hill Taxi Service, Mount Vernon, N. Y.
Peter Havey, doing business as Chester Hill Taxi Service, Mount Vernon, N. Y.
John McMahon, doing business as Chester Hill Taxi Service, Mount Vernon, N. Y.
David Soloff, doing business as Parkway Taxi, Mount Vernon, N. Y.
R. J. Jones, doing business as Jones Taxi Co., Mount Vernon, N. Y.

[F. R. Doc. 45-10756; Filed, June 19, 1945; 10:30 a. m.]

[Supp. Order ODT 20A-214]

POUGHKEEPSIE, N. Y., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Poughkeepsie, N. Y., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, New York, N. Y., for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-214" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, New York 1, N. Y.

8. This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Fred S. Beatty, doing business as Central Taxi, Poughkeepsie, N. Y.
Frank Ross, doing business as Van's Taxi Co., Poughkeepsie, N. Y.
Morris Billen, doing business as Billen's Cabs, Poughkeepsie, N. Y.
Valdemar Du Bois, doing business as Du Bois Cabs, Poughkeepsie, N. Y.
Walter Cronk, doing business as Star Taxi, Poughkeepsie, N. Y.
Raymond W. Cacchio, doing business as Campus Cabs, Poughkeepsie, N. Y.
Emil Wenzowitz, doing business as Emil Taxi Cab, Poughkeepsie, N. Y.
Frank Anthony, doing business as Liberty Taxi, Poughkeepsie, N. Y.

[F. R. Doc. 45-10757; Filed, June 19, 1945; 10:31 a. m.]

[Supp. Order ODT 20A-215]

BIRMINGHAM, ALA., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Birmingham, Ala., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

[1] Filed as part of the original document.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Birmingham, Ala., for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-215" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Birmingham, Ala.

8. This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

W. M. Jackson, doing business as Union Cab Company, Birmingham, Ala.
A. A. Guise, doing business as Union Cab Company, Birmingham, Ala.
E. D. Stallworth, doing business as Union Cab Company, Birmingham, Ala.
J. L. McKinney, doing business as Union Cab Company, Birmingham, Ala.
Frank McKinney, doing business as Union Cab Company, Birmingham, Ala.
Lelia Farrier, doing business as Union Cab Company, Birmingham, Ala.
John Dark, doing business as Union Cab Company, Birmingham, Ala.
Harold Huston, doing business as DeLuxe Cab Company, Birmingham, Ala.
Forrest Hawkins, doing business as DeLuxe Cab Company, Birmingham, Ala.
Frank McKinney, doing business as DeLuxe Cab Company, Birmingham, Ala.
J. T. McKinney, doing business as DeLuxe Cab Company, Birmingham, Ala.
James L. McKinney, Birmingham, Ala.

[F. R. Doc. 45-10758; Filed, June 19, 1945; 10:31 a.m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 61, Order 5]

CERTAIN PRODUCERS' SALES OF FOOTWEAR LEATHER MADE FROM INDIA TANNED GOATSKINS

ADJUSTMENT OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 4 of Maximum Price Regulation 61, *It is ordered:*

(a) On and after June 16, 1945, the maximum prices, f. o. b. seller's shipping point, at which any producer may sell or deliver to shoe manufacturers the footwear leather made from India Tanned Goatskins described below shall be:

INDIA TANNED GOATSKIN LEATHER
CHROME RETANNED FOR SHOES, ALL WEIGHTS AND COLORS

	Grades			
	1	2	3	4
Strictly handcrained (4-way boarding)	39	35	31	27
Embossed and handcrained (2-way boarding)	34	31	28	25

All above prices in cents per square foot.

(b) The maximum prices specified in paragraph (a) above for the sale of leather therein described shall supersede and replace any and all maximum prices previously established for such sales.

(c) Terms of sale shall be net cash less 2% discount for payment within 30 days from the date of invoice.

(d) This order may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 5 shall become effective June 16, 1945.

Issued this 16th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

[F. R. Doc. 45-10693; Filed, June 16, 1945; 4:11 p. m.]

[MPR 188, Amdt. 27 to Order A-2]

PILLOWS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (16) of Order A-2 issued under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respect:

Subdivision (ii) is amended by changing the item "Pillows" in the list of commodities set forth therein to read as follows:

Pillows other than those filled in whole or in part with new or secondhand feathers or down.

This amendment shall become effective on the 23d day of June 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10749; Filed, June 19, 1945; 9:35 a. m.]

[RMPR 499, Amdt. 1 to Order 19]

HOLZER CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 14 of Revised Maximum Price Regulation 499, *It is ordered:*

Order 19 under Revised Maximum Price Regulation 499 is amended in the following respect:

The maximum prices for sales by any person to retailers and at retail of the men's gold Tissot watches bearing style numbers 291, 292, 293, and 294 are amended to read as follows:

Style No.	Maximum prices to retailers	Maximum retail prices including Federal excise tax
291-292-293-294	$44.00	$95

This amendment shall become effective on the 19th day of June 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10742; Filed, June 19, 1945; 9:36 a. m.]

[Rev. RO 13, Admin. Exception Order 12; Rev. RO 16, Admin. Exception Order 10; 2d Rev. RO 3, Admin. Exception Order 5; Gen. RO 14, Admin. Exception Order 4]

RATION BOOKS AND STAMPS ISSUED TO INTERNEES

INTERNEES RETURNING FROM PHILIPPINE ISLANDS

The provisions of these Administrative Exception Orders shall be applicable only to local boards located within Region IV.

Persons who have been interned in the Philippine Islands or who were prisoners of war in that area are currently being released from this internment or imprisonment and being returned to this country. On their arrival in this country some of these persons will be entitled to a War Ration Book 4 containing the last stamps to become valid under the various food rationing orders plus all stamps to become valid in the future. All other stamps, previously validated, some of which have not expired for consumer use, would be removed from the War Ration Book 4. However, these persons are suffering from serious dietary deficiencies and malnutrition and would be entitled under the several food rationing orders to apply for supplementary allowances of rationed foods due to their illness. In order to temporarily eliminate the immediate need for applications for supplementary allowances, and in order to facilitate the immediate granting of supplementary points to such persons, the following procedure is adopted:

It is hereby ordered, That all persons arriving in this country from the Philippine Islands from June 16, 1945 to June 30, 1945 who are entitled to a War Ration Book 4 may obtain a War Ration Book 4 containing the following stamps in addition to any other stamps to which they may be entitled.

1. Red Stamps K-2 through Z-2, plus all red stamps not yet valid.
2. Blue Stamps T-2 through Z-2, A-1 through H-1, plus all blue stamps not yet valid.
3. Sugar Stamp 36.

This order shall become effective June 16, 1945, and shall expire June 30, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423, WPB Dir. No. 1, 7 F.R. 562; WPB Supp. Dir. 1-M, 7 F.R. 7234; WPB Supp. Dir. 1-T, 8 F.R. 1727, 8 F.R. 7440; Sec. of Agri. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 16th day of June 1945.

MAX MCCULLOUGH,
Deputy Administrator for Rationing.

[F. R. Doc. 45-10689; Filed, June 16, 1945; 4:11 p. m.]

[RMPR 136, Order 456]

WESTCRAFT, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 456 under Revised Maximum Price Regulation No. 136. Machines, parts and industrial equipment. Westcraft, Inc. Docket No. 6083-136.25a-237.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) Westcraft, Inc., Los Angeles, California, is authorized to sell each of its Monterey house trailers which it builds in 1945 or which is included in the first 200 units of house trailers it manufactures from the date of this order, whichever shall first occur, at a price not to exceed a list price of $2,260.50 (subject to the discounts, extra charges, allowances and terms of delivery in effect on March 31, 1942).

(b) A reseller of Monterey house trailers mentioned in paragraph (a) is authorized to sell each of these house trailers at a price not to exceed the total of the following (subject to the discounts, extra charges, allowances and terms of delivery in effect on March 31, 1942):

(1) The reseller's maximum price duly in effect just prior to the issuance of this order; and

(2) The applicable dollars-and-cents amount of the increase in maximum price granted to the Westcraft, Inc.; and

(3) The reseller's customary markup on such increase.

(c) In no event shall the prices in this order remain in effect after December 31, 1945 or after 200 house trailer units of all models have been manufactured by the Westcraft, Inc., from the date of this order, whichever first occurs.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

This order shall become effective June 18, 1945.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10696; Filed, June 16, 1945; 4:18 p. m.]

[RMPR 528, Order 43]

TIRES AND TUBES, RECAPPING AND REPAIRING, AND CERTAIN REPAIR MATERIALS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for the following sizes of new mud and snow truck tires shall be:

Size	Ply	Maximum retail price each
8.25-24	10	$80.00
11.00-24	14	152.75
12.00-24	16	206.00

(b) The maximum retail price for a new motorcycle tire shall be:

Size	Ply	Maximum retail price each
3.50-18	4	$9.15

(c) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Office of Price Administration.

This order shall become effective June 20, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10784; Filed, June 19, 1945; 11:43 a. m.]

[RMPR 528, Order 44]

TIRES AND TUBES, RECAPPING AND REPAIRING, AND CERTAIN REPAIR MATERIALS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for the new Excavator Rock Grip truck tire manufactured by The Firestone Tire & Rubber Company, Akron, Ohio, in the following size shall be:

Size	Ply	Maximum retail price per tire
[illegible]	24	$695.65 (cotton), $730.15 (rayon).

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 20, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10785; Filed, June 19, 1945; 11:43 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 11, 1945.

REGION II

Altoona Order 2-F, Amendment 23, covering fresh fruits and vegetables in the Altoona Area. Filed 10:48 a. m.

Baltimore Order 4-F, Amendment 40, covering fresh fruits and vegetables in certain areas in Baltimore. Filed 10:49 a. m.

Baltimore Order 6-F, Amendment 40, covering fresh fruits and vegetables in Hagerstown, Maryland. Filed 10:49 a. m.

Baltimore Order 8-F, Amendment 21, covering fresh fruits and vegetables in Allegany County including Cumberland. Filed 10:49 a. m.

Buffalo Order D-2, Amendment 2, covering poultry in certain counties in New York. Filed 10:46 a. m.

Buffalo Order D-3, Amendment 2, covering poultry in certain counties in New York. Filed 10:47 a. m.

Buffalo Order E-1, Amendment 5, covering poultry in certain counties in New York. Filed 10:46 a. m.

Camden Order P-1, Amendment 9, covering fish and seafood in certain areas in New Jersey. Filed 10:41 a. m.

Camden Order P-2, Amendment 4, covering fish and seafood in the Atlantic and Cape May Counties, New Jersey. Filed 10:45 a. m.

Camden Order 3-F, Amendment 34, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 10:46 a. m.

Camden Order 4-F, Amendment 34, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 10:46 a. m.

Erie Order 20, Amendment 2, covering dry groceries in certain areas in Pennsylvania. Filed 10:44 a. m.

Pittsburgh Order 13, Amendment 3, covering dry groceries in certain areas in Pennsylvania. Filed 10:44 a. m.

Erie Order 21, Amendment 2, covering dry groceries in certain areas in Pennsylvania. Filed 10:45 a. m.

Newark Order 7-F, Amendment 7, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 10:49 a. m.

Pittsburgh Order 2-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 10:45 a. m.

Pittsburgh Order 2-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 10:45 a. m.

Pittsburgh Order 14, Amendment 3, covering dry groceries in certain areas in Pennsylvania. Filed 10:44 a. m.

Philadelphia Order 33, Amendment 1, covering poultry in the city and county of Philadelphia. Filed 10:49 a. m.

Trenton Order 12-F, Amendment 11, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 10:44 a. m.

Wilmington Order 4-F, Amendment 37, covering fresh fruits and vegetables in certain areas in Delaware. Filed 10:49 a. m.

Williamsport Order 2-F, Amendment 40, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:44 a. m.

Williamsport Order 23, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 10:44 a. m.

Williamsport Order 25, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 10:43 a. m.

REGION III

Detroit Order 2-C, Amendment 5, covering poultry in the Detroit Area. Filed 10:48 a.m.

Detroit Order 3-C, Amendment 5, covering poultry in the Detroit Area. Filed 10:48 a. m.

REGION IV

Birmingham Order 1-C, Amendment 5, covering poultry in certain counties in Alabama. Filed 10:43 a. m.

Birmingham Order 1-0, Amendment 2, covering eggs in certain counties in Alabama. Filed 10:43 a. m.

Birmingham Order 2-C, Amendment 5, covering poultry in certain counties in Alabama. Filed 10:43 a. m.

Birmingham Order 2-0, Amendment 2, covering eggs in certain counties in Alabama. Filed 10:43 a. m.

Birmingham Order 3-0, Amendment 2, covering eggs in certain counties in Birmingham. Filed 10:43 a. m.

Miami Order 1-F, Amendment 15, covering fresh fruits and vegetables in certain cities in Florida. Filed 10:42 a. m.

Miami Order 1-F, Amendment 16, covering fresh fruits and vegetables in certain cities in Florida. Filed 10:42 a. m.

Miami Order 2-F, Amendment 15, covering fresh fruits and vegetables in certain cities in Florida. Filed 10:42 a. m.

REGION V

Kansas Order 2-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Kansas. Filed 10:51 a. m.

REGION VI

Sioux City Order 2-F, Amendment 75, covering fresh fruits and vegetables in Sioux City, Iowa and S. Sioux City, Nebraska. Filed 10:50 a. m.

Sioux Falls Order 2-F, Amendment 5, covering fresh fruits and vegetables in Sioux Falls, South Dakota. Filed 10:50 a. m.

Sioux Falls Order 3-F, Amendment 5, covering fresh fruits and vegetables in certain areas in South Dakota and Iowa. Filed 10:50 a. m.

Sioux Falls Order 4-F, Amendment 5, covering fresh fruits and vegetables in certain areas in South Dakota. Filed 10:50 a. m.

REGION VIII

Sacramento Order 1-F, Amendment 2, covering fish and seafood in certain areas in California. Filed 10:41 a. m.

Sacramento Order 1-P, Amendment 3, covering fish and seafood in certain areas in California. Filed 10:41 a. m.

Sacramento Order 2-P, Amendment 2, covering fish and seafood in certain areas in California. Filed 10:41 a. m.

Sacramento Order 2-P, Amendment 3, covering fish and seafood in certain areas in California. Filed 10:40 a. m.

Sacramento Order 3-P, Amendment 2, covering fish and seafood in certain areas in California. Filed 10:40 a. m.

Sacramento Order 3-P, Amendment 3, covering fish and seafood in certain areas in California. Filed 10:40 a. m.

Sacramento Order 4-P, Amendment 2, covering fish and seafood in certain areas in California. Filed 10:40 a. m.

Sacramento Order 4-P, Amendment 3, covering fish and seafood in certain areas in California. Filed 10:39 a. m.

Sacramento Order 21 of Basic Order 1-B, Amendment 2, covering dairy products in certain areas in California. Filed 10:41 a. m.

Sacramento Order 29-F, Amendment 17, covering fresh fruits and vegetables in certain areas in California. Filed 10:39 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10621; Filed, June 15, 1945; 4:37 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 14, 1945.

REGION V

St. Louis Order C-1, Amendment 3, covering poultry. Filed 9:28 a. m.

St. Louis Order C-2, Amendment 3, covering poultry. Filed 9:29 a. m.

St. Louis Order 3-F, Amendment 34, covering fresh fruits and vegetables in the city and county of St. Louis. Filed 9:29 a. m.

REGION VI

La Crosse Order 1–F, Amendment 74, covering fresh fruits and vegetables in certain cities in Wisconsin and Minnesota. Filed 9:33 a. m.

La Crosse Order 3–F, Amendment 69, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 9:33 a. m.

La Crosse Order 5–F, Amendment 68, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 9:33 a. m.

La Crosse Order 15, Amendment 6, covering dry groceries in certain areas in Iowa, Wisconsin and Minnesota. Filed 9:33 a. m.

REGION VIII

Los Angeles Order 1–O, Amendment 2, covering certain food items in certain counties in California. Filed 9:28 a. m.

Los Angeles Order 2–O, Amendment 2, covering certain food items in the San Luis Obispo Area. Filed 9:27 a. m.

Los Angeles Order 1–O, Amendment 3, covering eggs in certain areas in California. Filed 9:26 a. m.

Nevada Order 6–F, Amendment 17, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 9:26 a. m.

Nevada Order 7–F, Amendment 17, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:26 a. m.

Nevada Order 8–F, Amendment 17, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:26 a. m.

Nevada Order 9–F, Amendment 17, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:25 a. m.

Nevada Order 10–F, Amendment 17, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:24 a. m.

Portland Order 5–F, Amendment 26, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:24 a. m.

Portland Order 6–F, Amendment 26, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:24 a. m.

Portland Order 7–F, Amendment 25, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:24 a. m.

Portland Order 8–F, Amendment 25, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:24 a. m.

Portland Order 9–F, Amendment 25, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:24 a. m.

Portland Order 10–F, Amendment 24, covering fresh fruits and vegetables in Kelso, W. Kelso and Longview, Washington. Filed 9:23 a. m.

Portland Order 11–C, Amendment 6, covering poultry in certain areas in Portland. Filed 9:20 a. m.

Portland Order 11–C, Amendment 7, covering poultry in certain areas in Portland. Filed 9:20 a. m.

Portland Order 12–F, Amendment 22, covering fresh fruits and vegetables in Salem and West Salem, Oregon. Filed 9:23 a. m.

Portland Order 13–F, Amendment 22, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:23 a. m.

Portland Order 14–F, Amendment 22, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:23 a. m.

Portland Order 15–F, Amendment 22, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:23 a. m.

Portland Order 16–F, Amendment 15, covering fresh fruits and vegetables in Bend, Oregon. Filed 9:22 a. m.

Portland Order 17–F, Amendment 15, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:22 a. m.

Portland Order 19–F, Amendment 13, covering fresh fruits and vegetables in Dallas, Oregon. Filed 9:22 a. m.

Portland Order 20–F, Amendment 13, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:22 a. m.

Portland Order 21–F, Amendment 13, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 9:22 a. m.

Portland Order 22–F, Amendment 13, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:22 a. m.

Portland Order 27–F, Amendment 11, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 9:22 a. m.

Portland Order 28–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:22 a. m.

Portland Order 29–F, Amendment 9, covering fresh fruits and vegetables in Areas in Oregon. Filed 9:21 a. m.

Portland Order 30–F, Amendment 2, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:20 a. m.

San Diego Order 2–F, Amendment 19, covering fresh fruits and vegetables in certain areas in San Diego. Filed 9:24 a. m.

San Diego Order 11, Amendment 4, covering dry groceries in the San Diego Area. Filed 9:20 a. m.

San Diego Order 13, Amendment 2, covering dry groceries in the San Diego and Imperial Area. Filed 9:20 a. m.

San Fencisco Order 13–F, Amendment 2, covering fresh fruits and vegetables in certain cities in California. Filed 9:19 a. m.

San Francisco Order 14–F, Amendment 2, covering fresh fruits and vegetables in certain counties in California. Filed 9:19 a. m.

San Francisco Order 15–F, Amendment 2, covering fresh fruits and vegetables in certain counties in California. Filed 9:19 a. m.

San Francisco Order 16–F, Amendment 2, covering fresh fruits and vegetables in certain counties in California. Filed 9:18 a. m.

Seattle Order 1–W, Amendment 12, covering dry groceries in the Seattle Area. Filed 9:18 a. m.

Seattle Order 30, Amendment 5, covering dry groceries in the Seattle Area. Filed 9:18 a. m.

Seattle Order 31, Amendment 7, covering dry groceries in certain counties in Washington. Filed 9:18 a. m.

Seattle Order 31, Amendment 8, covering dry groceries in certain counties in Washington. Filed 9:17 a. m.

Seattle Order 32, Amendment 5, covering dry groceries in certain counties in Washington. Filed 9:17 a. m.

Seattle Order 33, Amendment 5, covering dry groceries in certain counties in Washington. Filed 9:17 a. m.

Spokane Order I–C, Amendment 6, covering poultry in certain counties in Spokane County, Washington. Filed 9:17 a. m.

Spokane Order 36, Amendment 2, covering dry groceries in certain areas in Washington and Idaho. Filed 9:17 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–10622; Filed, June 15, 1945; 4:37 p. m.]

[Region III Order G–61 Under RMPR 122, Amdt. 1]

SPECIFIED SOLID FUELS IN LORAIN, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part I A 2, Schedule I, of paragraph (c) (1) of the subject order be amended to read as follows:

LORAIN, OHIO AREA

SCHEDULE I

Column I	Column II	Column III
I. . . . . A. . . . . 2. Mine Price Classification D through G	$8.10	$7.10

This amendment No. 1 to Order No. G–61 under Revised Maximum Price Regulation No. 122 shall become effective April 17, 1945.

Issued: April 17, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–10604; Filed, June 15, 1945; 1:30 p. m.]

[Region III Order G–61 Under RMPR 122, Amdt. 2]

SPECIFIED SOLID FUELS IN THE LORAIN, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Schedule I, Part I, of paragraph (c) (1) of Order No. G–61 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

SCHEDULE I

I. High Volatile Bituminous Coals from Producing District No. 3 (Northwestern West Virginia excluding Panhandle)* excluding Mine Index Nos. 40 and 65.

This amendment to Order No. G–61 under Revised Maximum Price Regulation No. 122 shall become effective May 14, 1945.

Issued: May 14, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–10605; Filed, June 15, 1945; 1:30 p. m.]

[Jackson Order G–4 Under MPR 154]

ICE IN JACKSON, MISS., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jackson (Mississippi) District Office of the Office of Price Administration by § 1393.8 of Maximum Price Regulation 154 and by Regional Delegation Order No. 4, issued by Region IV of the Office of Price Administration, dated April 15, 1943, *It is hereby ordered:*

(a) Regardless of any contract, agreement, or other obligation, the Ripley Ice Plant, Ripley, Mississippi, its dealers and peddlers shall not sell any ice at a price higher than the maximum price permitted by this order. Neither shall the Ripley Ice Plant, its dealers and peddlers, agree, offer, solicit, or attempt to sell any ice at prices higher than those permitted under this order. The price limitations of this order shall not be evaded by direct or indirect methods, by means of, or in connection with, any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to ice, alone or in connection with, any commission, service, transportation, or other charge or discount, premium, or privilege, or change in any business or trade practice. Lower prices may be charged, demanded, or offered.

(1) The maximum prices established for sales by the Ripley Ice Plant, its dealers and peddlers, under this order are as follows:

Area	Platform Prices	Delivered Prices	Wholesale prices
	Cents	Cents	Cents
[illegible]	7	10	X
[illegible]	15	20	X
[illegible]	25	30	X
[illegible]	40	50	X
[illegible]	20	10	30

(b) Except as otherwise provided herein, all transactions subject to this order remain subject to all provisions of Maximum Price Regulation 154, together with all amendments and orders which heretofore have been or hereafter may be issued, and all definitions set forth in such regulation, amendments or orders shall be applicable herein, unless otherwise provided.

(c) This order may be revoked, amended or corrected at any time.

(d) Individual Letter-Order issued June 16, 1944, to the Ripley Ice Plant, Ripley, Mississippi, is hereby revoked.

(e) This order shall become effective the 30th day of May, 1945.

Issued this the 29th day of May, 1945.

J. CORBETT BATTAILE,
Acting District Director.

[F. R. Doc. 45–10603; Filed, June 15, 1945; 1:29 p. m.]

[Region IV Rev. Order G–13 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WILMINGTON, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G–13 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

[illegible] 122——7

(1) LOW VOLATILE BITUMINOUS COAL FROM DISTRICT No. 7

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Egg, stove or lump	$12.56	$6.53	$3.39
Stoker	9.56	5.03	2.64
Run-of-mine	9.96	5.23	2.74

(2) HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Egg or lump	$11.25	$5.88	$3.06
Splint, egg, lump, or stove	10.50	5.50	2.88
Stoker	9.60	5.05	2.65
Nut and slack	8.40	4.45	2.35

(3) LOW VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Raven red ash egg	$11.80	$6.15	$3.20

(4) PENNSYLVANIA AND VIRGINIA ANTHRACITE AND BRIQUETTES

Pennsylvania anthracite (stove or nut)	$18.10	$9.20	$4.78
Virginia anthracite (egg or stove)	13.20	6.85	3.55
Briquettes	12.50	6.70	3.48

2. Subparagraph (f) (3) is amended to read as follows:

(3) *Sacked coal.* When the purchaser furnishes sacks, the dealer may charge not more than 50¢ per 100 lbs. of sacked coal sold at the yard. If the dealer furnishes the sacks, he may charge an additional amount of not more than 15¢ per sack. For deliveries of 500 lbs. or more of sacked coal, the dealer may not charge more than a price calculated on the basis of the ¼ ton "Direct Delivery, or Domestic" price, plus a sacking charge at a rate of not more than $1.00 per ton.

3. Supplementary Order No. 1 to Revised Order No. G–13 under Revised Maximum Price Regulation No. 122 is hereby revoked, and Supplementary Order No. 1 to Order No. G–37 under Revised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to Revised Order No. G–13 under Revised Maximum Price Regulation No. 122.

Effective date. This amendment shall become effective May 28, 1945.

Issued: May 23, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45–10606; Filed, June 15, 1945; 1:30 p. m.]

[Region VIII Order G–3 Under 18 (c), Amdt. 48]

FLUID MILK IN WASHINGTON

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G–3 under § 1499.18 (c) of the General Maximum Price Regulation is amended in the following respects:

1. Section (1) is amended by changing the heading "Chelan County" to read "Chelan County except the City of Wenatchee".

2. To section (1), immediately following the schedule of prices for "Chelan County except the City of Wenatchee", there is added the following:

CITY OF WENATCHEE

[Not less than 3.6% milk fat]

Quantity	Wholesale delivered price	Retail price
Gallon	$0.43	$0.48
Quart	.1150	.13
Pint	.0700	.08
Half-pint	.0350	.05

This amendment to Order No. G–3 shall become effective May 31, 1945.

Issued this 30th day of May 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45–10600; Filed, June 15, 1945; 1:28 p. m.]

[Region VIII Order G–3 Under RMPR 271]

POTATOES AND ONIONS IN SAN FRANCISCO, CALIF., AREA

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by section 11 (c) (3) of Revised Maximum Price Regulation No. 271, it is hereby ordered:

(a) *Maximum prices at which intermediate sellers may sell potatoes and onions.* The maximum price at which any intermediate seller may sell potatoes or onions in less than carlot or less than trucklot quantities shall be the "base price", as determined under section 11 (a) of Revised Maximum Price Regulation No. 271, plus the appropriate markup provided by paragraph (c) of this order.

(b) *Definitions.* (1) "Primary receiver" means an intermediate seller at any wholesale receiving point who has purchased the particular potatoes or onions being priced in any quantity from a country shipper, directly or through a broker or a grower's sales agent, or in carlots or trucklots from any person, and who resells those potatoes or onions in less than carlot or less than trucklot quantities to any person.

(2) "Commission merchant" means a seller's agent who receives the particular potatoes or onions being priced and who, for a commission or fee, unloads, sells, and distributes them at a wholesale receiving point in less than carlot or less than trucklot quantities on behalf of his principal.

(3) "Commission" or "fee" means the charge made by an agent for services performed in connection with the sale of the particular goods being priced. No amount which the agent pays over to his principal shall be considered part of his fee or commission.

(4) "Secondary jobber" means an intermediate seller who has purchased the particular potatoes or onions being priced in less than carlot or less than trucklot quantities from another intermediate seller or from any person selling through a commission merchant, and who resells

those potatoes or onions in less than carlot or less than trucklot quantities. An intermediate seller is a secondary jobber only of the particular potatoes or onions handled as provided in this paragraph.

(5) "Delivered" means delivered to the buyer's premises and, in the case of retailers, delivered to the retail store or the retailer's warehouse. Delivery to any point except the buyer's physical premises shall not constitute delivery within the meaning of this order.

(6) Other words and phrases shall bear the definitions provided by Revised Maximum Price Regulation 271 and the Emergency Price Control Act of 1942, as amended, unless the context requires otherwise.

(c) *Maximum markups for sales of potatoes and onions.* The maximum markups which may be added to the appropriate "base price", as defined in section 11 (a) of Revised Maximum Price Regulation 271, shall be as provided in Table A

TABLE A. MAXIMUM MARKUPS FOR LESS THAN CARLOT OR LESS THAN TRUCKLOT SALES

Seller and type of sale	Maximum markups: Potatoes per 100 pounds	Maximum markups: Onions per 50 pounds
(a) Primary receiver or any person selling through a commission merchant[1] in less than carlots or less than trucklots.	*Cents*	*Cents*
(1) Undelivered	35	22
(2) Delivered	40	26
(b) Secondary jobber.		
(1) Undelivered	55	36
(2) Delivered	60	40
(c) Hotel and Restaurant supply house.		
(1) Delivered to commercial, industrial or institutional user	70	55
(2) For all other sales. Use mark-ups applicable to primary receivers or secondary jobbers, whichever is appropriate.		

[1] In the case of sales through a commission merchant, the markup may not exceed the agent's actual charge or his legal maximum charge as provided by Revised Maximum Price Regulation No. 165.

(d) This order shall apply to the San Francisco District, which comprises the following California Counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma.

(e) This order may be revoked, amended, or corrected at any time.

This order shall become effective June 7, 1945.

Issued this 31st day of May 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-10601; Filed, June 15, 1945; 1:28 p. m.]

[Region VIII Order G-6 Under RMPR 251, Amdt. 1]

INSTALLED ROOFING AND SIDING IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-6 under Revised Maximum Price Regulation No. 251 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) *Geographical applicability.* This order shall apply in the State of Oregon (except Malheur County), and in the counties of Clark, Klickitat, Cowlitz, Skamania, and Wahkiakum, in the State of Washington.

2. Subparagraph (b) (c) (iv), relating to "Additions for extras for siding items", is amended to read as follows:

(iv) Each exterior corner bead in excess of 4 in one building (for siding items 3 and 4 only) (per ft.), $0.40.

This amendment to Order No. G-6 shall become effective May 22, 1945.

Issued this 1st day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-10602; Filed, June 15, 1945; 1:29 p. m.]

[Spokane Order 84B Under MPR 426]

SWEET PEPPERS IN SPOKANE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration: *It is hereby ordered:*

With respect to the commodity described in line (a) of Table X, there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said Table X, there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

	Per unit of sale: Per crate	Per unit of sale: Per 25 lb.	Per lb.
(a) Commodity: Sweet peppers.			
(b) Basing point: Nogales, Ariz.			
(c) Wholesale receiving point: Spokane, Wash.			
(d) Method of transportation: Carlot Portland, I. c. l. Portland to Spokane.			
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.19 plus $1.01—$2.20.			
(f) Freight charge by method (d)	$0.70		
(g) Basing point cost	2.50		
(h) Protective services	.10		
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	3.30	$0.132	

This order shall become effective June 1, 1945, and may be revoked or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1945

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10593; Filed, June 15 1945; 1:26 p. m.]

[Region VIII Order G-12 Under MPR 165, Amdt. 1]

SPRINKLER TRUCKS IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.102 (d) of Maximum Price Regulation No. 165, as amended; the authority reserved to the Regional Administrator in Order No. G-12 under Maximum Price Regulation No. 165, as amended; paragraph (b) of Supplementary Order No. 97; section 5 of Revised Maximum Price Regulation No. 165, as amended, and § 1499.3 (d) of the General Maximum Price Regulation. *It is hereby ordered:*

(a) The preamble of Order No. G-12 is amended to read as follows: "For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.102 (d) of Maximum Price Regulation No. 165, as amended; the authority vested to the Regional Administrator in Order No. G-12 under Maximum Price Regulation No. 165, as amended; paragraph (b) of Supplementary Order No. 97; section 5 of Revised Maximum Price Regulation No. 165, as amended, and § 1499.3 (d) of the General Maximum Price Regulation. *It is hereby ordered:*"

(b) Paragraph (b) is amended to read as follows:

(b) This order shall become effective immediately and shall not apply to sales and deliveries or offers to sell made prior to May 5, 1944.

This amendment shall become effective immediately and may be amended, revised or reveked at any time.

Issued this 2d day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. 45-10701; Filed, June 16, 1945; 4:14 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1496]

GOLD ORE MINING CO.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of June, A. D. 1945.

The Gold Ore Mining Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock, $1.00 Par Value, from listing and registration on the Los Angeles Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Friday, July 6, 1945, at the office of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Hollis O. Black, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to Secretary.

[F. R. Doc. 45-10706; Filed, June 18, 1945; 9:26 a. m.]

[File No. 70-1035]

CENTRAL VERMONT PUBLIC SERVICE CORP. AND VERMONT UTILITIES, INC.

ORDER RELEASING JURISDICTION OVER CERTAIN LEGAL FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of June 1945.

The Commission having by order dated April 2, 1945 granted the application of Central Vermont Public Service Corporation, a subsidiary of New England Public Service Company, a registered holding company, for exemption from the provisions of section 6 (a) of the Public Utility Holding Company Act of 1935, pursuant to section 6 (b), of the issue and sale of $6,967,000 principal amount of its First Mortgage, Series D Bonds and 40,000 shares of its common stock;

The Commission having by said order reserved jurisdiction over the payment of all legal fees and expenses in connection with said issue and sale of bonds and common stock and in connection with proposed transactions incidental to the merger of Vermont Utilities, Inc. into Central Vermont Public Service Corporation; and

Central Vermont Public Service Corporation having filed an amendment to said application including therein statements of counsel describing services performed by said counsel and proposed legal fees and expenses in connection with said issue and sale of bonds and common stock as follows:

	Fees	Expenses
Ropes, Gray, Best, Coolidge & Rugg	$13,000	$993.38
Choate, Hall & Stewart	650	392.77
Sullaway, Piper, Jones, Hollis & Godfrey	500	43.12
Lawrence & O'Brien	1,000	98.07
Nopsco Services, Inc	183	96.70
Total	15,333	1,624.04

It appearing to the Commission that these proposed fees and expenses are for necessary services and are not unreasonable:

It is ordered, That jurisdiction over said legal fees and expenses proposed to be paid to the above-named counsel in connection with said issue and sale of bonds and common stock be, and hereby is, released, *Provided, however*, That jurisdiction with respect to the transactions incidental to the merger of Vermont Utilities, Inc. into Central Vermont Public Service Corporation and legal fees and expenses in connection therewith be, and hereby is, reserved.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10707; Filed, June 18, 1945; 9:26 a. m.]

[File No. 70-1096]

NORTHERN STATES POWER CO. (MINNESOTA) AND NORTHERN STATES POWER CO. (DELAWARE)

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of June, A. D. 1945.

Notice is hereby given that a joint declaration or application (or both), as amended, has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company; and

Notice is further given that any interested person may, not later than the 27th day of June 1945 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time, thereafter, such joint declaration or application, as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint declaration or application, as amended, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The aforesaid companies propose:

(1) To postpone further the payment of $1,267,384, the balance of installments on open account indebtedness due on or before June 30, 1945 from Northern States Power Company (Delaware) to Northern States Power Company (Minnesota) until December 31, 1945 by which date it is contemplated that said indebtedness will be fully extinguished in connection with the consummation of the plan of liquidation and dissolution, as amended, filed pursuant to section 11 (e) of said act for dissolution of Northern States Power Company (Delaware) which plan provides for disposition of said indebtedness.

(2) That pending consummation of said plan, as amended, or until December 31, 1945 (whichever date shall be earlier) Northern States Power Company (Minnesota) will continue to segregate on its books $1,267,384 of its earned surplus as not being available for the declaration of dividends on its common stock.

(3) That Northern States Power Company (Minnesota) will waive all interest due on said indebtedness for the period from June 30, 1945 to December 31, 1945.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10708; Filed, June 18, 1945; 9:37 a. m.]

[File No. 70-1099]

BIRMINGHAM ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of June, A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission in connection with the above-entitled matter pursuant to the Public Utility Holding Company Act of 1935 by Birmingham Electric Company ("Birmingham"), a subsidiary of National Power & Light Company, which is a subsidiary of Electric Bond and Share Company, both registered holding companies.

All interested persons are referred to said declaration, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

Birmingham proposes to call for redemption 12,515 shares of its $7 Cumulative Preferred Stock at the redemption price of $110 for each share redeemed. Excess treasury cash in the amount of $1,381,041 ($1,376,650 aggregate redemption price and $4,391 of estimated expenses) will be utilized for this purpose. The shares of stock proposed to be redeemed are to be selected by lot and, upon acquisition, are to be retired and cancelled.

Birmingham considers section 12 (c) and Rule U-42 as applicable to the proposed transaction.

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on June 25, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk. At such hearing cause shall be shown why such declaration shall become effective.

Notice is hereby given of said hearing to the above-named declarant and to all interested persons, said notice to be given to said declarant by registered mail and to all other persons by publication in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings or proposing to intervene therein shall file with the Secretary of the Commission on or before June 25 his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Charles S Lobingier or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration otherwise to be considered in this proceeding, particular attention will be paid at the hearing to the following matters and considerations:

1. Whether the manner of selection of the preferred stock to be redeemed is appropriate.

2. Whether the proposed transaction is detrimental to the proper functioning of Birmingham or to its financial integrity or is otherwise detrimental to the public interest or the interest of investors or consumers, or will tend to circumvent the provisions of the act, or the rules, regulations or orders thereunder;

3. Whether imposition of terms and conditions is necessary in the public interest or for the protection of investors and consumers or are necessary to insure compliance with the act and the rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10709; Filed, June 18, 1945; 9:37 a. m.]

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER CO. ET AL.

MEMORANDUM OPINION AND ORDER GRANTING APPLICATION

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, Respondents, File No. 59-17; The United Light and Power Company and Its Subsidiary Companies, Respondents, File No. 59-11; The United Light and Power Company, Applicant, File No. 54-25, Application No. 22.

The United Light and Railways Company ("Railways") and its subsidiary, American Light & Traction Company ("American Light"), both registered holding companies, have filed an application or declaration, designated as "Application No. 22", pursuant to sections 9, 10 and any other applicable sections of the Public Utility Holding Company Act of 1935 and the rules thereunder with respect to the formation of a new corporation which will be in a position to apply for the authorizations necessary to construct, own and operate a natural gas pipe line.

As stated in Application No. 22, American Light proposes to cause a new company, named Michigan-Wisconsin Natural Gas Pipe Company or some other suitable name, to be organized under the laws of the State of Delaware with an initial capitalization consisting of 50 shares of capital stock, par value $100 per share, which are to be acquired by American Light for cash in the amount of $5,000. Application No. 22 also states that it is proposed that the new pipe line company will construct, own and operate a natural gas pipe line extending from the Hugoton gas fields in Kansas, Oklahoma and Texas to Detroit, Michigan with a branch extending into Wisconsin and will furnish natural gas to the communities served by American Light's subsidiaries, Michigan Consolidated Gas Company ("Michigan Consolidated"), Milwaukee Gas Light Company ("Milwaukee Gas") and Madison Gas and Electric Company ("Madison Gas"), and to various other communities in Illinois, Iowa and Missouri. The application indicates that the organization of the new company and the acquisition of its initial issue of capital stock by American Light is a step in the liquidation and dissolution of American Light proposed by the plan included in Application No. 21 heretofore filed in these consolidated proceedings by the same applicants.[1] Application No. 22 recites that it was filed "only to obtain authority to create a corporate entity which will be in a position to proceed with appropriate applications to the Securities and Exchange Commission and the Federal Power Commission for the authorizations which are necessary before construction of the proposed pipe line can be started." It was also proposed in Application No. 22 as originally filed that ultimately all the capital stock of the new pipe line company would be owned by Michigan Consolidated, Milwaukee Gas and Madison Gas.

A notice of filing and order for hearing on Application No. 22 was issued by the Commission on January 3, 1945 (Holding Company Act Release No. 5537) scheduling a hearing thereon for January 12, 1945. However, prior to the date of such hearing it became apparent in the proceedings with respect to Application No. 21 that the various views of participants in the proceedings with respect to the scope of the issues involved, and particularly with respect to the propriety of examining extensively into the proposed pipe line matter at that stage of the proceedings, could not be reconciled. In an effort to facilitate the proceedings, all counsel entered into a stipulation requesting the Commission to consider and hear oral argument with respect to the procedure to be followed in the proceedings and the scope of the issues therein involved. Complying with this request, we heard oral argument following which it was agreed by all counsel in the proceedings that the Commission would prepare a statement of tentative views with respect to the scope of the issues and such additional matters as the Commission should deem to be pertinent to the current applications and to the proceedings as a whole.

On March 12, 1945 we issued our statement of tentative views (Holding Company Act Release No. 5661) in which the Commission stated tentatively that if the proposed new pipe line company as proposed in Application No. 22 is necessary or convenient for the purpose of seeking necessary approvals of the pipe line project, Application No. 22 should be approved immediately for such limited purpose. Thereafter various counsel in the proceedings filed counter statements of views and on May 1, 1945 oral argument was heard with respect to the Commission's Statement of Tentative Views and the counterstatements filed by the participants. At such argument opportunity was afforded to each interested participant to express his views with respect to the matters contained in the Commission's statement and in the counterstatements, and to present such argument as he desired in support of his counterstatement or with reference generally to the matters presently before the Commission in these proceedings.

[1] See Holding Company Act Release No. 5536 for a description of the plan of liquidation and dissolution of American Light as proposed in Amended Application No. 21.

On June 4, 1945 the Commission issued a memorandum opinion (Holding Company Act Release No. 5840) in which it stated, among other things, that:

It is clear from the record that any certificate of public convenience and necessity which may be granted for the construction of the proposed pipe line could not be assigned and that American Light, which is to be liquidated and dissolved, is not in a position to press for determination of the application pending before the Federal Power Commission. In view of this need for a proper applicant and of our conviction that American Light's subsidiary, Michigan Consolidated, should be permitted an opportunity to prosecute the pipe line application before the Federal Power Commission and other interested authorities, we shall approve Application No. 22 forthwith without further hearing. If such application is amended to provide that the $5,000 par value of common stock of the new company to be issued initially will be transferred by American Light to Michigan Consolidated (subject to necessary approval by the Michigan Public Service Commission or other regulatory body having jurisdiction) as a capital contribution either immediately or at the time of the distribution of the common stock of Michigan Consolidated, Milwaukee Gas and Madison Gas to the common stockholders of American Light in liquidation, or will be distributed in liquidation to the common stockholders of American Light. This approval, we wish to emphasize, does not constitute approval either of the ultimate ownership or of the financing of any future pipe line undertaking but is granted only to provide a medium for securing a determination of the issues involved in, seeking the authorizations necessary for the construction and operation of the proposed pipe line.

On June 11, 1945 Railways and American Light filed an amendment to Application No. 22 which provides that the 50 shares of capital stock of the pipe line company to be acquired by American Light will be transferred by American Light to Michigan Consolidated as a contribution to the paid-in surplus of that company prior to the date the common stocks of Michigan Consolidated, Milwaukee Gas and Madison Gas are distributed to the common stockholders of American Light in connection with its liquidation, or will be distributed in liquidation to the common stockholders of American Light. Thus, Application No. 22 as amended requests the Commission to approve the acquisition by American Light of the stock to be issued initially by the new pipe line company and, in addition, the contribution of such stock and the acquisition thereof by Michigan Consolidated.

It is our opinion, and we find, that the formation of the new pipe line company and the acquisition by American Light of the securities thereof initially to be issued, as proposed in Application No. 22 as amended, comply with the applicable provisions of the Act and the rules thereunder and that no adverse findings with respect thereto are necessary under Section 10 or otherwise.

[1] Having carefully considered the various statements and the oral argument of counsel, we see no purpose to be served by taking further evidence with respect to Application No. 22, particularly since we are willing to say for the limited purpose of providing a proper applicant to seek the authorizations necessary for the construction and operation of the proposed pipe line.

Since it is proposed that shares of stock of the new company initially to be issued are to be either transferred to Michigan Consolidated as a contribution to paid-in surplus or distributed in liquidation to the common stockholders of American Light and since the choice of these alternatives is left to the future and may be dependent upon securing necessary approval of the Michigan Public Service Commission or other regulatory body having jurisdiction, we shall not now enter any order with respect to the transfer or distribution of such stock. We shall, however, expressly reserve jurisdiction to enter an appropriate order at such time as it appears that the transfer, distribution or other disposition of such stock is to be made.

In conformity with our findings hereinabove, we believe it is appropriate in the public interest and in the interest of investors and consumers to enter an order approving Application No. 22 as amended for the limited purpose, as stated in the application, of providing an applicant to seek from the regulatory authorities having jurisdiction in the premises the authorizations necessary for the construction and operation of the proposed pipe line. This approval, we wish to emphasize, does not constitute approval either of the proposed pipe line, jurisdiction as to which rests elsewhere, or of the ultimate ownership or of the financing of any future pipe line undertaking by the new company or otherwise.

Wherefore it is ordered, That Application No. 22 as amended be and hereby is granted with respect to the acquisition by American Light of the 50 shares of $100 par value of the new pipe line company initially to be issued.

It is further ordered, That jurisdiction be, and hereby is, reserved over the disposition by American Light of the 50 shares of capital stock initially to be issued by the new pipe line company whether by transfer to Michigan Consolidated as a contribution to paid-in surplus, by the distribution of such stock in liquidation to the common stockholders of American Light or otherwise.

By the Commission (Commissioners Healy, Pike and McConnaughey), Chairman Purcell and Commissioner Caffrey being absent and not participating.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

JUNE 16, 1945.

[F. R. Doc. 45-10772; Filed, June 19, 1945; 11:31 a. m.]

SURPLUS PROPERTY BOARD.

[Special Order 11]

SCRAPPING AND SALVAGING OF AIRCRAFT AND PARTS PECULIAR TO AIRCRAFT

Pursuant to the authority of the Surplus Property Act of 1944 (Pub. Law 457, 78th Cong., 2d sess.; 58 Stat. 765), *It is hereby ordered*, That:

1. *Definitions.* (a) "Best price obtainable" means the highest price offered which is adequate in the light of a reasonable knowledge or test of the market, having due regard for current prices for any raw materials or products for which quotations are published and to the circumstances, nature, condition, quantity, and location of the particular property.

(b) "Commercially unsaleable property" means property (1) which by reason of its condition resulting from damage, wear, obsolescence or otherwise, has no reasonable prospect of sale except as scrap, or (2) with respect to which by reason of its large supply or prior use the estimated cost of care and handling and disposal will exceed the estimated proceeds unless it is promptly sold as scrap, or (3) with respect to which the estimated cost of care and handling and disposal will exceed the estimated proceeds as scrap or otherwise.

(c) "Owning agency" means the executive department, the independent agency in the executive branch of the Federal Government, or the corporation (if a Government agency), having control of property otherwise than solely as a disposal agency.

(d) "Salvage" means property that is in such a worn, damaged, deteriorated or incomplete condition, or is of such a specialized nature, that it has no reasonable prospect of sale as a unit, but has some value in excess of its basic material content because it may contain serviceable components. Salvage includes used containers and cable reels. It should be noted that property is not "salvage" merely because it is worn, damaged, deteriorated, incomplete, or of a specialized nature.

(e) "Scrap" means property that has no reasonable prospect of sale except for its basic material content.

2. *Scope.* The procedures set forth in this order shall be followed by the Reconstruction Finance Corporation and the War and Navy Departments with respect to the disposal of all aircraft and parts peculiar thereto located in the continental United States, its territories and possessions. This order also shall be considered as an interpretation of Special Order 4 (10 F.R. 4776) with respect to the disposal of tactical aircraft and parts peculiar thereto, but shall in no way affect the authority therein granted to the War Department to mutilate, disarm, or otherwise demilitarize tactical aircraft or other combat material.

3. *General policy.* The Surplus Property Board recognizes that many aircraft and items of property peculiar to aircraft will be found, because of obsolete design or purely military characteristics, to have no further use for aviation purposes. In order to facilitate the conduct of the war and to achieve the greatest return to the Government and at the same time to obviate all unnecessary expense of care, handling, shipping, reconditioning, and maintenance, prompt determination should be made as to those items which are commercially salable for nonaviation purposes and those items which should be promptly disposed of as salvage or scrap with the least expense of handling or maintenance.

4. *Aircraft.* (a) In order that the foregoing general policy may be accomplished with respect to surplus aircraft, the Board directs that flyable surplus aircraft of models, types and series which are determined by the Reconstruction Finance Corporation to be commercially

unsalable may be disposed of by the owning agency as salvage or scrap unless other disposition is directed by Reconstruction Finance Corporation, or such aircraft may be reported by the owning agency to the Reconstruction Finance Corporation, and the Reconstruction Finance Corporation shall dispose of it as salvage or scrap.

(b) Pursuant to arrangements reached between Reconstruction Finance Corporation, the War Department, and the Navy Department, Reconstruction Finance Corporation may, when a commercially unsaleable aircraft reported by the owning agency is non-flyable, direct the owning agency to dispose of such aircraft as salvage or scrap. In such event, if the aircraft has been declared surplus, the declaration of surplus shall be withdrawn.

(c) When an owning agency disposes of aircraft as salvage or scrap, Reconstruction Finance Corporation shall direct the owning agency to remove such components therefrom as Reconstruction Finance Corporation may find have sufficient value to warrant the cost of removal, storage, and handling.

(d) A determination by Reconstruction Finance Corporation that any aircraft is commercially unsaleable may be made either by the offering of reasonable quantities for sale, or on a finding by the Civil Aeronautics Administration based upon the basic flight characteristics of the aircraft, or on a finding by the War Department or the Navy Department based upon the requirements of national defense, that the particular model or series of aircraft should not be approved for general civilian flight use.

(e) When the best price obtainable for any aircraft, as such, is substantially less than the net realizable value of its components, the aircraft may be disposed of under the foregoing procedures for the disposal of commercially unsaleable aircraft.

5. *Property peculiar to aircraft.* Pursuant to arrangements reached between Reconstruction Finance Corporation, the War Department, and the Navy Department, surplus property peculiar to aircraft which is determined by Reconstruction Finance Corporation to be commercially unsaleable shall be promptly disposed of by the owning agency as salvage or scrap, unless other disposition is directed by Reconstruction Finance Corporation: *Provided, however*, That when such items are in the possession of Reconstruction Finance Corporation, they shall be salvaged or promptly disposed of as scrap by Reconstruction Finance Corporation. When the owning agency disposes of property peculiar to aircraft as scrap, Reconstruction Finance Corporation may direct the owning agency to remove any subassemblies and parts which Reconstruction Finance Corporation may find have sufficient value to warrant the cost of removal, storage, and handling. It is the policy of the Board that Reconstruction Finance Corporation shall make wide use of the following methods of determining whether or not property peculiar to aircraft is commercially unsaleable:

(1) By direct findings of Reconstruction Finance Corporation in obvious cases.

(2) By the findings of expert consultants after a study of typical items.

(3) By offering reasonable quantities for sale.

6. *General.* (a) The authorizations of this order are subject to the limitation that adequate provision shall be made by Reconstruction Finance Corporation, (through directives to the owning agencies when necessary) to supply the demand which may exist for aircraft and items of property peculiar to aircraft which, though commercially unsaleable, are suitable for specialized operations, for educational uses, or for research.

(b) Disposals of salvage and scrap under this order shall be in accordance with the regulations and orders of the Board (and its predecessor, Surplus War Property Administration) relating thereto which are in effect at the time of disposal.

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 8, 1945.

[F. R. Doc. 45-10726; Filed, June 18, 1945; 3:59 p. m.]

WAR PRODUCTION BOARD.

[C-366]

IMPERIAL BEDSPRING CO.

CONSENT ORDER

William Horowitz, under the trade name of Imperial Bedspring Co., 289 East 139th Street, in the City of New York, is in the business of manufacturing and selling bedding products including metal cots and bedsprings. During the period October 1, 1944 and March 31, 1945, he produced 6,196 metal cots and bedsprings, not for preferred orders and in excess of his base period consumption quota therefor. This was in violation of Limitation Order L-49, as amended August 21, 1944, of which he had knowledge. During the period September 30 to March 31, 1945, he used in the manufacture of the metal cots and bedsprings 8,738 lbs. of metal springs and 161,747 lbs. of steel purchased upon a CMP allotment symbol V-3 and preference rating AA-3 under CMP Regulation 9A, as amended April 15, 1944, and February 15, 1945. This was a violation of CMP Regulation 9A which permitted the use of the allotment symbol and the preference rating to obtain the materials only to do maintenance and repair work and he knew he did not expect to use the materials in making repairs. Both violations were wilful.

William Horowitz admits these violations and does not care to contest the same. He has consented to the issuance of this order.

Wherefore, upon the agreement and consent of William Horowitz, the Regional Compliance Manager, the Regional Attorney, and upon the approval of the Compliance Commissioner: *It is hereby ordered*, That:

(a) William Horowitz, doing business as Imperial Bedspring Co. or otherwise, shall not for the period of two months from the effective date of this order produce bedding products as defined in Limitation Order L-49, based upon his base period quota of 5,155 units, heretofore authorized by the War Production Board other than for preferred orders as authorized by War Production Board pursuant to Priorities Regulation No. 13.

(b) Nothing contained in this order shall be deemed to relieve William Horowitz, doing business as Imperial Bedspring Co. or otherwise, his successor or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect June 22, 1945, and shall expire on August 22, 1945.

Issued this 15th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10712; Filed, June 19, 1945; 10:21 a. m.]

[Certificate 48, Revoked]

LOCAL MOTOR VEHICLE CARRIERS IN PUERTO RICO

THE ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certification dated March 30, 1943, with respect to General Order ODT 38 relating to common carriers of passengers by motor vehicle in local service in Puerto Rico.

J. A. KRUG,
Chairman.

JUNE 14, 1945.

[F. R. Doc. 45-10753; Filed, June 20, 1945; 9:51 a. m.]

WAR SHIPPING ADMINISTRATION.

"EAST HAMPTON."

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on February 8, 1944 title to the vessel "East Hampton" (211424, including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking. *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. • • •

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States; and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: June 15, 1945.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 45-10704; Filed, June 19, 1945; 9:20 a. m.]

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FEDERAL REGISTER

VOLUME 10 NUMBER 123

Washington, Thursday, June 21, 1945

The President

EXECUTIVE ORDER 9574

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE DIAMOND ALKALI COMPANY, LOCATED IN OR AROUND PAINESVILLE, OHIO

WHEREAS after an investigation I find and proclaim that the plants and facilities of the Diamond Alkali Company, located in or around Painesville, Ohio, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Diamond Alkali Company, located in or around Painesville, Ohio, and, to the extent that he may deem necessary, of any real or personal property, and other assets wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Diamond Alkali Company, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of War shall operate the said plants and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of Section 5 of the War Labor Disputes Act.

3. The Secretary of War shall permit the management of the plants and facilities taken under the provisions of this order to continue with its managerial functions to the maximum degree possible, consistent with the aims of this order.

4. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein, and their families and homes. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Secretary of War to the fullest extent possible in carrying out the purposes of this order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruptions of production, referred to in the recitals of this order, has been restored.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 18, 1945.

[F. R. Doc. 45-10820; Filed, June 19, 1945; 4:59 p. m.]

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Cedification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1945 C. C. C. Flaxseed Bulletin 1]

PART 261—1945 FLAXSEED LOANS

1945 FLAXSEED LOAN PROGRAM BULLETIN

Commodity Credit Corporation has authorized the making of loans on flaxseed stored on farms, or in approved public warehouses, in accordance with this bulletin.

Sec.
261.1 Eligible producer.
261.2 Eligible flaxseed.
261.3 Eligible storage.
261.4 Loan rates.
261.5 Storage allowance.
261.6 Determination of quantity of flaxseed.
261.7 Farm storage.
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261.11 Maturity and interest rate.
261.12 Lending agency.
261.13 Eligible paper.
261.14 Purchase of loans.
261.15 Insurance.
261.16 Offices of Commodity Credit Corporation.
261.17 County agricultural conservation committees.
261.18 Release of collateral.

AUTHORITY: §§ 261.1 to 261.18, inclusive, are issued under the authority contained in section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U. S. C., 1302).

§ 261.1 *Eligible producer.* Any person, partnership, association, or corporation, producing flaxseed in 1945 as landowner, landlord, or tenant, shall be eligible for such loans.

§ 261.2 *Eligible flaxseed.* Flaxseed grading No. 1 or No. 2, which was produced in 1945, the beneficial interest in which is now in the producer, and has always been in him, or has been in him and a former producer whom he succeeded before the flaxseed was harvested, shall be eligible as collateral for such loans. Flaxseed which contains more than 30 percent damage, or which contains more than 11 percent moisture, or which is musty, sour, heating, hot, or which has any commercially objectionable odor, or which is otherwise of low quality, is not eligible for loan.

§ 261.3 *Eligible storage.* Loans will be made on eligible flaxseed stored in approved public grain warehouses, or in acceptable storage structures located on farms.

§ 261.4 *Loan rates.* Loan values on flaxseed will be based on numerical grades, as provided in the Official Grain Standards of the United States. Loan rates for U. S. No. 1 flaxseed will be based upon $3.00 per bushel at Minneapolis, Minnesota, Chicago, Illinois, and Portland, Oregon; $3.20 per bushel at Los Angeles and San Francisco, California; $2.85 per bushel at Emporia and Fredonia, Kansas; and $2.80 per bushel at Corpus Christi, Harlingen, and Houston, Texas. Loan rates for flaxseed grading U. S. No. 2 wil be 5 cents per bushel less than the rates for U. S. No. 1 flaxseed.

The foregoing schedule applies only to flaxseed delivered in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by receipted freight bills duly registered for transit privileges and other documents as required: *Provided*, That in the event the amount of paid-in freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan value the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional rate on the outbound movement; *And provided further*, That Commodity Credit Corporation will accept in lieu of such bills, the approved warehouseman's supplemental certificate, or warehouse receipts on which a legend, signed by the warehouseman, has been stamped or typewritten, giving full information as to the value of such freight bill for transit billing, name of carrier, car number, freight rate, amount collected, unused transit stops, other pertinent information, and a statement that the freight bill has been officially registered for transit in accordance with the Uniform Grain Storage Agreement. A deduction of 6 cents per bushel shall be made if evidence is not submitted that receipted rail freight bills have been registered for transit privileges.

The loan value for No. 1 and No. 2 flaxseed stored on farms and in approved country warehouses, determined by deducting from the applicable basic terminal loan value an amount equal to 8 cents per bushel more than the county average of the all-rail interstate freight rates, plus tax, from all points in the county from which flaxseed will be shipped to the appropriate terminal market, will be contained in 1945 C. C. C. Flaxseed Bulletin 1—Supplement 1, for each State.

Loan values for flaxseed stored in approved warehouses, other than those situated in the terminal markets designated in § 261.4, which was shipped by rail, shall be determined by the regional director of Commodity Credit Corporation. Values at such storage points shall be determined on the basis of terminal values listed in § 261.4 with appropriate adjustment for freight.

§ 261.5 *Storage allowance.* A storage allowance of $.07 per bushel will be advanced, at the time the loan is made, only on the number of bushels placed under loan in farm storage, and shall be earned by the producer, (a) if the flaxseed is delivered to the Commodity Credit Corporation on or after January 31, 1946 for Arizona and California, and on or after April 30, 1946, for other States, or (b) if, pursuant to demand by the Corporation for repayment, the flaxseed is delivered to the Commodity Credit Corporation prior to January 31, 1946, for Arizona and California, and April 30, 1946, for other States, provided such demand for repayment was not due to any fraudulent representations on the part of the producer, or to the fact that the flaxseed was damaged, threatened with damage, abandoned, or otherwise impaired. If delivery is made prior to January 31, 1946, for Arizona and California, or prior to April 30, 1946, for other States, with the consent or approval of the Commodity Credit Corporation, a storage payment will be earned in accordance with the terms of the mortgage supplement. Earned storage shall be computed after delivery has been completed and any storage advance not earned shall be repaid to the Corporation. Storage payment cannot be earned on a greater number of bushels than is specified in the chattel mortgage.

§ 261.6 *Determination of quantity of flaxseed.* A bushel shall be 56 pounds of clean flaxseed free of dockage, when determined by weight, or 1.25 cubic feet of flaxseed testing 56 pounds per bushel when determined by measurement. A deduction of three-quarters of a pound for each sack will be made in determining the quantity of the collateral when stored in sacks. In determining the quantity of flaxseed in farm storage by measurement, fractional pounds of the bushel test weight for flaxseed testing less than 56 pounds per bushel will be disregarded, and the quantity, determined as above, will be the following percentages of the quantity determined for 56-pound flaxseed:

	Percent
For flaxseed testing 56 pounds or over	100
For flaxseed testing 55 pounds or over, but less than 56 pounds	98
For flaxseed testing 54 pounds or over, but less than 55 pounds	96
For flaxseed testing 53 pounds or over, but less than 54 pounds	94
For flaxseed testing 52 pounds or over, but less than 53 pounds	92
For flaxseed testing 51 pounds or over, but less than 52 pounds	90
For flaxseed testing 50 pounds or over, but less than 51 pounds	88
For flaxseed testing 49 pounds or over, but less than 50 pounds	85
For flaxseed testing 48 pounds or over, but less than 49 pounds	83
For flaxseed testing 47 pounds or over, but less than 48 pounds	81

§ 261.7 *Farm storage.* Flaxseed stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, except as approved by State agricultural conservation committee. Chattel mortgages covering the flaxseed must be executed and filed in accordance with the applicable State law.

§ 261.8 *Warehouse storage.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts covering eligible flaxseed pledged as collateral to notes on C. C. C. Commodity Form B, issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement as amended, and has been approved by Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the regional director of Commodity Credit Corporation serving the area in which the warehouse is located. A list of approved warehouses and their locations is available at the office of the regional director of Commodity Credit Corporation. A list of approved warehouses for the area may also be obtained at any State or county agricultural conservation office. All flaxseed pledged as security for a particular loan must be stored in the same warehouse.

§ 261.9 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer, must be dated on or prior to the date of the related note, must be properly assigned by an endorsement in blank so as to vest title in the holder, and must be issued by an approved warehouseman. Unless the warehouse receipts are stamped or printed "insured" there must be attached and included in the certificate of the warehouseman a statement that the flaxseed is insured for not less than the market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for unpaid handling and storage charges will be recognized only from May 15, 1945, or the date of the warehouse receipt, whichever is later. Such receipts must set out in their written or printed terms the gross weight or bushels, the grade, test weight, and all other factors and statements required to be stated in the written or printed terms of negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Act, or be accompanied by a certificate of the warehouseman, identified with such warehouse receipt, setting out such information, and shall be based on the in-bound movement or delivery of the flaxseed to an approved warehouse.

§ 261.10 *Liens.* The flaxseed collateral must be free and clear of all liens except in favor of the lien holders listed in the space provided therefor in the chattel mortgage or note and loan agreement.

§ 261.11 *Maturity and interest rate.* Notes secured by farm-stored flaxseed or by warehouse receipts representing flaxseed, will mature on demand, or on January 31, 1946, for flaxseed stored in California and Arizona, or on April 30, 1946, for flaxseed stored in other States. All loans will bear interest at the rate of 3 percent per annum.

§ 261.12 *Lending agency.* Any bank, cooperative marketing association, corporation, partnership, or person making loans in accordance with these instructions, which has executed the Contract to Purchase on 1940 C. C. C. Form E, may act as a lending agency in connection with the 1945 Flaxseed Loan Program.

§ 261.13 *Eligible paper.* Eligible paper shall consist of notes of the producers on C. C. C. Commodity Form A, secured by chattel mortgages on C. C. C. Commodity Form AA, or note and loan agreements on C. C. C. Commodity Form B, secured

by warehouse receipts representing flaxseed in existence, dated prior to October 31, 1945, for California and Arizona flaxseed, or dated prior to January 31, 1946, for all other flaxseed. Notes shall be executed in accordance with the instructions, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

§ 261.14 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, eligible paper, as defined above, from lending agencies which have executed and delivered, to the office of Commodity Credit Corporation to which notes are submitted, Contract to Purchase, 1940 C. C. C. Form E, which is obtainable from such offices.

Notes held by lending agencies must be tendered to Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request made by Commodity Credit Corporation and, in the absence of such request, at least 10 days prior to maturity. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes, plus accrued interest, at the rate of 1½ percent per annum, from the respective dates of the disbursements of the loans to the date of payment of the purchase price. Under the terms of the Contract to Purchase, lending agencies are required to report weekly, on 1940 C. C. C. Form F, all payments or collections on producers' notes held by them, and to remit, with such report, to Commodity Credit Corporation, an amount equivalent to 1½ percent interest per annum from the date of the disbursement of the loan to the date of payment on the principal amount collected.

§ 261.15 *Insurance*—(a) *Flaxseed stored on farms.* Commodity Credit Corporation will not require producers to insure their 1945 farm-stored flaxseed placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion by the producer, or his negligence, or by vermin, the producer will not be held personally liable on the note. In case of partial loss of collateral resulting from an external cause, with the exceptions aforesaid, the producer will not be held liable for that part of the indebtedness secured by the flaxseed lost. No loss will be assumed by the Corporation, however, if it is determined that there is a fraudulent representation on the part of the borrower in connection with the loan.

(b) *Flaxseed stored in approved warehouses.* Warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, and windstorm, cyclone, and tornado, for the full market value of flaxseed stored in their warehouses as long as receipts are outstanding.

§ 261.16 *Offices of Commodity Credit Corporation.* The locations and addresses of the regional directors of Commodity Credit Corporation previously referred to herein, and the areas served by them, are:

Address and Area
208 South LaSalle Street, Chicago 4, Ill.: Delaware, Illinois (except East St. Louis), Indiana, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Southern Wisconsin, and States not otherwise listed.
Dwight Building, 1004 Baltimore Avenue, Kansas City 13, Mo.: Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming
326 McKnight Building, Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, Northern Wisconsin.
Artisans Buildings, 225 Southwest Broadway, Portland 5, Oreg.: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

§ 261.17 *County agricultural conservation committees.* Forms may be obtained from county agricultural conservation committees or from the office of Commodity Credit Corporation. Pursuant to instructions, the State committee and county committee will determine, or cause to be determined, the quantity and grade of the flaxseed collateral, and the amount of the loan. All loan documents will be completed and approved by the county committee. In order to meet the cost of the local expenses, county agricultural conservation associations will collect a service fee for all loans.

§ 261.18 *Release of collateral.* The producer may obtain the release of the flaxseed upon the payment of the principal amount due thereon, plus accrued interest. The loan paper may be sent to an approved bank for collection, or the producer may ascertain the amount due and remit directly to the office of Commodity Credit Corporation holding the paper. Partial releases of collateral may be arranged, with the county agricultural conservation committee, by paying to the holder of the note the loan value, plus accrued interest, for the flaxseed released.

Dated: April 30, 1945.

C. C. FARRINGTON,
Vice President,
Commodity Credit Corporation,
Director, Office of Basic Commodities.

[F. R. Doc. 45-10809; Filed, June 19, 1945; 3:27 p. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 69, Amdt. 6]

PART 1405—FRUITS AND VEGETABLES

FRUIT FOR ALCOHOLIC PURPOSES

War Food Order No. 69, as amended (9 F.R. 4528, 8000, 9584; 10 F.R. 103), is hereby further amended so as to read as follows:

§ 1405.13 *Restrictions relative to the use of fruit*— (a) *Definitions.* (1) "Fruit" means any one or more of the following whether fresh or processed (including, but not being limited to, dried, canned, frozen, or partially processed), and whether produced in or imported into the United States: apples, apricots, cherries, currants, Concord grapes, peaches, pears, plums, blackberries, blueberries, Boysenberries, dewberries, huckleberries, Johnsonberries, Loganberries, Olympic berries, raspberries, strawberries, Youngberries, and such other fruits as the Director may hereafter designate. This term also means the juice of fruit.

(2) "Imported" means brought into the United States from a foreign country or any Territory or Possession of the United States.

(3) "Concord grapes" means any one or more of the following Concord type grapes: Concord, Early Concord, Cottage, Eaton, Fredonia, Hicks, King, Moore Early, Rockwood, and Worden.

(4) "County AAA Committee" means a county agricultural conservation committee established in accordance with the provisions in 16 U. S. C., 1940 ed., Sup. III, 590h (b).

(5) "Pharmaceutical preparation" means any drug or combination of drugs compounded for medicinal use.

(6) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(7) "Lot of fruit" means a quantity of a particular kind of fruit.

(8) "Special authorization" means an authorization issued to a designated person permitting such person to use a designated lot of fruit for a specified purpose.

(9) "General authorization" means an authorization issued by the Director applicable to any area, specified by the Director, permitting the use of fruit of a specified kind, variety, type, grade, or quantity for a specified purpose.

(10) "Director" means the Director of Marketing Services, War Food Administration.

(11) "United States" means the 48 States of the United States and the District of Columbia.

(b) *Restrictions.* (1) Except as provided in (b) (2) hereof, no person shall use fruit in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, unless authorized to use such fruit for such purpose (i) pursuant to a special or general authorization issued by the Director, or (ii) pursuant to a special authorization issued by a member of the County AAA Committee in the county where such fruit is available. An authorization, as aforesaid, by a member of the respective County AAA Committee shall be issued only with respect to a particular lot of fruit which is in fresh form and is still owned by the grower thereof, if such member determines that no market is available for such fruit for human consumption except when used in the production for sale of a product containing 7 percent, or more, of alcohol, by volume: *Provided,* That if the member of the respective County AAA Committee determines that no market is available because the fruit is unsuitable for human consumption except when used in the production for sale of such alcoholic product, such fruit shall not be released if the grower thereof failed to exercise reasonable care to prevent such fruit from becoming unsuitable for human consumption, as aforesaid, or reasonable efforts to dispose of or utilize such fruit prior to its becoming unsuitable for human consumption, as aforesaid. The issuance of any special authorization in accordance with (b) (1) (i) hereof, to use a particular lot of fruit, shall be under the supervision of the Director and subject to such additional or other conditions as the Director may, from time to time, specify.

(2) The provisions of this order shall not prohibit any person from (i) using fruit in the manufacture of flavoring for food or flavoring for pharmaceutical preparations; (ii) using fruit in the production, by the addition of alcohol or a product containing alcohol, of flavoring, flavoring extract, or flavoring concentrate, for food, or flavoring, flavoring extract, or flavoring concentrate for pharmaceutical preparations; or (iii) using any flavoring, flavoring extract, or flavoring concentrate, manufactured or produced as aforesaid.

(3) No person shall sell or deliver fruit with knowledge or reason to believe that such fruit or any portion thereof thus sold or delivered is to be used in violation of this order.

(4) The provisions of this order and of any regulations or orders issued in pursuance hereof shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued or payments made thereunder.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, stocks of fruit, or products containing alcohol, of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, for the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, for the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in fruit and products containing alcohol.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 69, Fruit and Vegetable Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C. Petitions for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using, fruit or any other material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Territorial extent.* The provisions of this order shall apply only within the United States.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Order Administrator, Fruit and Vegetable Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C., Ref. WF-69.

(j) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 21, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 69, as amended, prior to the effective time of the provisions hereof, the provisions of War Food Order No. 69, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 19th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10810; Filed, June 19, 1945; 3:33 p. m.]

[WFO 69-1, as Amended, Termination]

PART 1405—FRUITS AND VEGETABLES

DELEGATION OF AUTHORITY

War Food Order No. 69-1, as amended (8 F.R. 13552; 9 F.R. 4527), is hereby terminated as of 12:01 a. m., e. w. t., June 21, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 69-1, as amended, prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 69-1, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 69, 9 F.R. 4528, 8000, 9584; 10 F.R. 103)

Issued this 19th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-10811; Filed, June 19, 1945; 3:33 p. m.]

[War Food Order No. 69-2, as Amended, Termination]

PART 1405—FRUITS AND VEGETABLES

GENERAL AUTHORIZATION WITH RESPECT TO FRUIT FOR ALCOHOLIC PURPOSES

War Food Order No. 69-2, as amended (9 F.R. 7919, 11602), is hereby terminated as of 12:01 a.m., e. w. t., June 21, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 69-2, as amended, prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 69-2, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E. O. 9280, 7 F.R. 10179; E.O 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 69, 9 F.R. 4528, 8000, 9584; 10 F.R. 103)

Issued this 19th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-10812; Filed, June 19, 1945; 3:33 p. m.]

[WFO 69-3]

PART 1405—FRUITS AND VEGETABLES

GENERAL AUTHORIZATION WITH RESPECT TO FRUIT FOR ALCOHOLIC PURPOSES; DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by War Food Order No. 69, as amended (9 F.R. 4528, 8000, 9584; 10 F.R. 103) and to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1405.56 *General authorization and delegation of authority*—(a) *Definitions.* (1) "WFO 69" means War Food Order No. 69, as amended (9 F.R. 4528, 8000, 9584; 10 F.R. 103).

(2) Each term defined in WFO 69 shall, when used herein, have the same meaning as set forth in WFO 69.

(3) "Order Administrator" means the person designated by the Director to serve as Order Administrator or alternate for the Order Administrator.

(b) *General authorization.* The following fruit, in any area, may, subject to the additional limitations set forth in (c) hereof, be used in the production for sale of any product containing 7 percent, or more, of alcohol, by volume:

(1) Any apples which fail to meet the specifications for the U. S. Utility grade, or a better grade, as set forth in the U. S. Standards for Apples issued by the United States Department of Agriculture on August 26, 1937, and reissued in October 1939;

(2) Any apricots which fail to meet the specifications for the U. S. No. 2 grade, or a better grade, as set forth in the U. S. Standards for Apricots issued by the United States Department of Agriculture on May 25, 1928, and reissued on March 30, 1942;

(3) Any freestone peaches which fail to meet the specifications for the U. S. No. 2 grade, or a better grade, as set forth in the U. S. Standards for Peaches issued by the United States Department of Agriculture on April 22, 1933, and reissued on January 1, 1945;

(4) Any clingstone peaches which fail to meet the specifications for the U. S. No. 2 grade, or a better grade, as set forth in the U. S. Standards for Peaches issued by the United States Department of Agriculture on April 22, 1933, and reissued on January 1, 1945;

(5) Any clingstone peaches, without regard to grade, grown in California;

(6) Any pears which fail to meet the specifications for the U. S. No. 2 grade, or a better grade, as set forth either in the U. S. Standards for Summer and Fall Pears such as Bartlett, Hardy, and other similar varieties, issued by the United States Department of Agriculture on June 26, 1940, and reissued on July 3, 1944, or in the U. S. Standards for Winter Pears such as Anjou, Bosc, Winter Nelis, Comice, and other similar varieties, issued by the United States Department of Agriculture on June 28, 1940, and reissued on April 5, 1945; and

(7) Any plums which fail to meet the specifications for U. S. No. 2 grade, or a better grade, as set forth in the U. S. Standards for Plums and Prunes (Fresh) issued by the United States Department of Agriculture on May 28, 1937, and reissued on February 23, 1945.

(c) *Additional limitations.* The apricots, peaches, pears, or plums which fail to meet the specifications for the applicable U. S. No. 2 grade, or a better grade, as set forth in (b) hereof, and the apples which fail to meet the specifications for the U. S. Utility grade, or better grade, as set forth in (b) hereof, may be used in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, only in the event such fruit, which fails to meet said grade specifications, has been culled from a larger lot or lots of fruit which were sorted for market in fresh form or for processing.

(d) *Delegation of authority.* In accordance with the provisions of WFO 69, there is hereby delegated the following authority:

(1) The Order Administrator shall exercise the authority conferred upon the Director by the provisions of § 1405.13 (b) (1) (i) of the order only with respect to the issuance of any special authorization.

(2) The issuance of any special authorization, in accordance with the provisions of § 1405.13 (b) (1) (ii) of WFO 69, by a member of a County AAA Committee, shall be under the supervision of the Order Administrator.

(3) Under the supervision of, and in accordance with instructions from, the Order Administrator, each regional authorization officer, designated by the Director, of the respective regional office of the Office of Marketing Services, War Food Administration, serving the area (9 F.R. 15764) in which a particular lot of fruit is located, is authorized to release, by special authorization, such fruit for use in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, if such authorization officer determines that no market is available for such fruit for human consumption except when the fruit is used in the production for sale of such alcoholic product: *Provided*, That if such authorization officer determines that no market is available because the fruit is unsuitable for human consumption except when used in the production of such alcoholic product, such fruit shall not be released if the owner, or any previous owner, of the fruit failed to exercise either reasonable care to prevent such fruit from becoming unsuitable for human consumption, as aforesaid, or reasonable efforts to dispose of or utilize such fruit prior to its becoming unsuitable for human consumption, as aforesaid.

(e) *Retention of authority by the Director.* Nothing herein contained shall be construed to abrogate any powers or authority vested in the Director by WFO 69; and any release, as aforesaid, of a particular lot of fruit, shall be subject to such additional or other conditions as the Director may, from time to time, specify.

(f) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 21, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 69, 9 F.R. 4528, 8000, 9584; 10 F.R. 103.)

Issued this 19th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-10813; Filed, June 19, 1945, 3:33 p. m.]

[WFO 133]

PART 1405—FRUITS AND VEGETABLES

RED SOUR CHERRIES OF THE 1945 CROP

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of red sour cherries for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.55 *Restrictions relative to the processing and set-aside of red sour cherries of the 1945 crop*—(a) *Definitions.* For the purpose of this order the following terms shall have the following meanings:

(1) "Red sour cherries" means any cherries of the Early Richmond and Montmorency varieties, or cherries of any other varieties which are commonly known as "red sour cherries," produced in 1945 in any of the 48 States of the continental United States or in the District of Columbia.

(2) "Commercial processing" means the pitting, hot packing, freezing or otherwise preserving or changing the character of red sour cherries for commercial purposes.

(3) "Processor" means any person who engages in the commercial processing of red sour cherries, or who has red sour cherries commercially processed for his account.

(4) "Hot packed" means sterilized by heat in hermetically sealed containers.

(5) "Frozen" means preserved by freezing.

(6) "Net weight," when used with reference to frozen pitted red sour cherries, means the weight of the red sour cherries plus the weight of any added ingredients, but exclusive of the weight of the container.

(7) "Government agency" means the Army of the United States or any other instrumentality or agency of the United States specifically designated by the Director to purchase processed red sour cherries.

(8) "Director" means the Director of Marketing Services, War Food Administration.

(9) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(10) "Order Administrator" means any person designated by the Director to serve as Order Administrator pursuant to the provisions hereof.

(b) *Restrictions.* (1) No person may use red sour cherries for commercial processing, except in the production of hot packed or frozen, pitted red sour cherries: *Provided*, That the total net weight of pitted frozen red sour cherries frozen by any processor or for his account (i) in the State of New York shall not exceed 50 percent of the total net weight of pitted red sour cherries frozen for his account in the State of New York in the calendar year 1944, and (ii) in all other States shall not exceed 25 percent of the total net weight of pitted red sour cherries frozen for his account in such other States in the calendar year 1944: *Provided further*, That no processor shall freeze pitted red sour cherries unless they are packaged in containers containing not less than 30 pounds, by net weight, of red sour cherries: *Provided further*, That the Director may, in his discretion, specifically authorize the use of red sour cherries in a manner other than as prescribed above in this paragraph.

(2) Except as otherwise provided in (3) of this paragraph (b), each processor (including any successor to such processor's interest) shall set aside and thereafter hold for sale and delivery to Government agency all hot packed and frozen, pitted red sour cherries processed in 1945 for his account.

(3) If the Director determines that hot packed or frozen, pitted red sour cherries are needed by any person for the manufacture of a food product in the fulfillment of a contract with, or order from, a Government agency, the Director may authorize any processor having hot packed or frozen, pitted red sour cherries set aside pursuant to (2) of this paragraph (b) to sell and deliver a specified quantity of them to such person for such manufacturing purposes.

(c) *Releases.* If the Director determines that any hot packed or frozen, pitted red sour cherries set aside pursuant to the provisions of this order are not required or desired by Government agency, the Director shall release such processed red sour cherries from the restrictions of this order by written notice to that effect to the processor. So far as is consistent with the public interest and the promotion of the national defense, the Director shall endeavor to grant such releases in a manner which, in his opinion, is best designed to allow processors generally the same proportions of their respective packs of hot packed or frozen, pitted red sour cherries, as the case may be, for sale to purchasers other than Government agency.

(d) *Records and reports.* (1) Each processor shall, within 15 days after the completion of his pack, mail to or file with the Order Administrator, WFO 133, Fruit and Vegetable Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C., a report, on Form O. M. S. 140, of the quantities and container sizes of hot packed pitted red sour cherries which were packed for his account in 1945.

(2) Each processor shall, within 15 days after the completion of his pack, mail to or file with the Order Administrator, WFO 133, Fruit and Vegetable Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C., separate reports by plants of the net weight of pitted red sour cherries which were frozen at such plants for his account in 1945.

(3) Each processor who in 1944, froze or had frozen for his account, pitted red sour cherries, shall, within 15 days after the effective date of this order, mail to or file with the Order Administrator, WFO 133, Fruit and Vegetable Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C., separate reports by plants of the net weight of pitted red sour cherries which were frozen at such plants for his account in 1944.

(4) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(5) Any person subject to this order, shall for at least two years (or such period of time as the Director may designate), maintain an accurate record of his transactions in red sour cherries.

(e) *Purchase, inspection, and specification.* The Army of the United States may purchase hot packed or frozen, pitted red sour cherries, set aside under the provisions of this order, for its account or for the account of any other Government agency whenever it has agreed with such agency to do so. The Army and the Office of Marketing Services, respectively, are authorized to inspect and grade processed pitted red sour cherries. The Army is further authorized to issue specifications at any time in regard to processing, packing, container treatment, can marking, labeling, boxing, and strapping of hot packed or frozen, pitted red sour cherries.

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of red sour cherries, of any person, and make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(g) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder.

(h) *Petitions for relief from hardship.* Any person affected by this order who considers that compliance therewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to the Order Administrator, War Food Order No. 133, Fruit and Vegetable Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (h) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(i) *Violations.* Any person who violates any provisions of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provisions of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of any provisions of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such power relates to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator, and such other employees as the Director may deem to be necessary shall be designated by the Director to serve as Deputy Order Administrators.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein, or unless otherwise provided in instructions issued by the Director, be addressed to the Order Administrator, WFO 133, Fruit and Vegetable Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(l) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 20, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R 5423; E.O. 9392, 8 F.R. 14783)

Issued this 18th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10806; Filed June 19, 1945, 12:13 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

[Amdt. 77]

PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AIRWAYS

JUNE 9, 1945.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

Designation of Civil Airways: Red Civil Airways Nos. 51 and 52. Redesignation of Civil Airways: Amber Civil Airway No. 7. Red Civil Airway No. 25

1. By amending § 600.10106 *Amber civil airway No. 7 (Miami, Fla., to Caribou, Maine)* to read as follows:

§ 600.10106 *Amber civil airway No. 7 (Key West, Fla., to Caribou, Maine).* From the Key West, Fla., radio range station via the intersection of the center lines of the on course signals of the northeast leg of the Key West, Fla., radio range and the southwest leg of the Homestead, Fla., radio range; Homestead, Fla., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Homestead, Fla., radio range and the west leg of the Miami, Fla., radio range; Miami, Fla., radio range station; the intersection of the center lines of the on course signals of the north leg of the Miami, Fla., radio range and the southeast leg of the Melbourne, Fla., radio range; Melbourne, Fla., radio range station; Daytona Beach, Fla., radio range station; Jacksonville, Fla., radio range station; Savannah, Ga., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Savannah, Ga., radio range and the southwest leg of the Charleston, S. C., radio range; Charleston, S. C., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Charleston, S. C., radio range and the southeast leg of the Florence, S. C., radio range; Florence, S. C., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Florence, S. C., radio range and the south leg of the Raleigh, N. C., radio range; Raleigh, N. C., radio range station and the Richmond, Va., radio range station to the intersection of the center lines of the on course signals of the north leg of the Richmond, Va., radio range and the south leg of the Washington, D. C., radio range to the intersection of the center lines of the on course signals of the northeast leg of the Gordonsville, Va., radio range and the south leg of the Washington, D. C., radio range; the Washington, D. C., radio range station via the intersection of the center lines of the on course signals of the northeast leg of the Washington, D. C., radio range and the southwest leg of the Philadelphia, Pa., radio range; Philadelphia, Pa., radio range station; Newark, N. J., radio range station; Hartford, Conn., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Hartford, Conn., radio range and the west leg of the Boston, Mass., radio range; Boston, Mass., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Boston, Mass., radio range and the southwest leg of the Portland, Maine, radio range; Portland, Maine radio range station; Augusta, Maine radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Augusta, Maine radio range and the southwest leg of the Bangor, Maine radio range; Bangor, Maine radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Bangor, Maine radio range and the southwest leg of the Millinocket, Maine radio range; Millinocket, Maine radio range station; Presque Isle, Maine radio range; Presque Isle, Maine radio range station; to the Municipal Airport, Caribou, Maine.

2. By striking in § 600.10224 *Red civil airway No. 25 (Tallahassee, Fla., to Miami, Fla.)* the words: "the Miami, Fla., radio range station." and substituting in lieu thereof the following: "the intersection of the center lines of the on course signals of the west leg of the Miami, Fla., radio range and the northeast leg of the Homestead, Fla., radio range."

3. By adding a new § 600.10250 to read as follows:

§ 600.10250 *Red civil airway No. 51 (El Paso, Tex., to Johnson's Ranch, Tex.).* From the El Paso, Tex., radio range station via a point located at 31°39′ north latitude and 106°13′15″ west longitude to the Johnson's Ranch, Texas, Airport.

4. By adding a new § 600.10251 to read as follows:

§ 600.10251 *Red civil airway No. 52 (Memphis, Tenn., to Birmingham, Ala.).* From the Memphis, Tenn., radio range station to the Birmingham, Ala., radio range station.

This amendment shall become effective 0001 e. w. t., July 1, 1945.

C. I. STANTON,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 45-10821; Filed, June 20, 1945; 9:49 a. m.]

[Amdt. 108]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

MISCELLANEOUS AIRWAYS

JUNE 9, 1945.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

Designation of Airway Traffic Control Areas: Red Civil Airways Nos. 51 and 52. Redesignation of Airway Traffic Control Areas: Amber Civil Airway No. 7. Designation of Radio Fixes: Red Civil Airways Nos. 47, 51 and 52. Redesignation of Radio Fixes: Amber Civil Airway No. 7. Red Civil Airway No. 25

1. By amending § 601.1017 *Amber civil airway No. 7 airway traffic control areas (Miami, Fla., to Caribou, Maine)* to read as follows:

§ 601.1017 *Amber civil airway No. 7 airway traffic control areas (Key West, Fla., to Caribou, Maine).* All of amber civil airway No. 7.

2. By adding a new § 601.10251 to read as follows:

§ 601.10251 *Red civil airway No. 51 airway traffic control areas (El Paso, Tex., to Johnson's Ranch, Tex.).* All of Red civil airway No. 51 from the El Paso, Tex., radio range station to a line extended at right angles across such airway through a point 25 miles southeast of the El Paso, Tex., radio range station.

3. By adding a new § 601.10252 to read as follows:

§ 601.10252 *Red civil airway No. 52 airway traffic control areas (Memphis, Tenn., to Birmingham, Ala.).* All of Red civil airway No. 52 from the Memphis, Tenn., radio range station to a line extended at right angles across such airway through a point 25 miles southeast of the Memphis, Tenn., radio range station and from a line extended at right angles across such airway through a point 25 miles northwest of the Birmingham, Ala., radio range station to the Birmingham, Ala., radio range station.

4. By amending § 601.4017 *Amber civil airway No. 7 (Miami, Fla., to Caribou, Maine)* to read as follows:

§ 601.4017 *Amber civil airway No. 7 (Key West, Fla., to Caribou, Maine).* Key West, Fla., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Key West, Fla., radio range and the southwest leg of the Homestead, Fla., radio range; Homestead, Fla., radio range station; Miami, Fla., radio range station; Morrison Field, West Palm Beach, Fla., radio range station; Melbourne, Fla., radio range station; Daytona Beach, Fla., radio range station; Savannah, Ga., radio range station; Charleston, S. C., radio range station; Florence, S. C., radio range station; Raleigh, N. C., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Washington, D. C., radio range and the west leg of the Baltimore, Md., radio range; Newark, N. J., radio range station; Port Chester, N. Y., fan type radio marker station or the intersection of the center lines of the on course signals of the southeast leg of the Stewart Field, N. Y., radio range and the northeast leg of the Newark, N. J., radio range; Hartford, Conn., radio range station; Portland, Maine, radio range station; Augusta, Maine, radio range station; Bangor, Maine, radio range station; Presque Isle, Maine, radio range station, Caribou, Maine, radio range station.

5. By deleting in § 601.40225 *Red civil airway No. 25 (Tallahassee, Fla., to Miami, Fla.)* the words: "Orlando, Fla., radio range station;"

6. By adding a new § 601.40247 to read as follows:

§ 601.40247 *Red civil airway No. 47 (Tampa, Fla., to Daytona Beach, Fla.).* Orlando, Fla., radio range station.

7. By adding a new § 601.40251 to read as follows:

§ 601.40251 *Red civil airway No. 51 (El Paso, Tex., to Johnson's Ranch, Tex.).* No radio fix designation.

8. By adding a new § 601 40252 to read as follows:

§ 601.40252 *Red civil airway No. 52 (Memphis, Tenn., to Birmingham, Ala.).* No radio fix designation.

This amendment shall become effective 0001 e. w. t., July 1, 1945.

C. I. STANTON,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 45-10822; Filed, June 20, 1945; 9:49 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51253]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

PRATIQUE FOR FORMAL ENTRY

Section 4.9 (d) of the Customs Regulations of 1943 (19 CFR, Cum. Supp., 4.9 (d)) is amended to read as follows:

§ 4.9 *Formal entry.* • • •

(d) The master of every vessel required to make entry shall present on entry the pratique required by the pertinent regulations of the United States Public Health Service and shall pay all required fees and penalties incurred.

(Secs. 434, 435, 624, 56 Stat. 711, 759, sec. 301, 49 Stat. 527, sec. 366, 58 Stat. 705; 19 U.S.C. 1434, 1435, 1624, 42 U.S.C. Sup. 269. E.O. 9083; 7 F.R. 1609)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: June 16, 1945.

E. F. BARTELT,
Acting Secretary of the Treasury.

[F. R. Doc. 45-10824; Filed, June 20, 1945; 10:50 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 669—MINIMUM WAGE RATES IN THE INDUSTRIES IN THE VIRGIN ISLANDS

RECOMMENDATIONS OF SPECIAL INDUSTRY COMMITTEES FOR SAINT THOMAS AND SAINT JOHN, AND SAINT CROIX, VIRGIN ISLANDS

Whereas on March 4, 1944, pursuant to section 5 (c) of the Fair Labor Standards Act of 1938, hereinafter referred to as the act, the Administrator of the Wage and Hour Division of the United States Department of Labor by Administrative Order No. 228 appointed a special industry committee for the municipality of Saint Thomas and Saint John, Virgin Islands, and by Administrative Order No. 229 appointed a special industry committee for the municipality of Saint Croix, Virgin Islands, hereinafter called the committees, and directed the committees to proceed to investigate conditions and to recommend to the Administrator the minimum wage rates for employees in the industries in the Virgin Islands in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas the special industry committee for the municipality of Saint Thomas and Saint John, Virgin Islands, included two disinterested persons representing the public, a like member of persons representing employers and a like number representing employees in the industries in the Virgin Islands carried on in the municipality of Saint Thomas and Saint John, Virgin Islands, and the special industry committee for the municipality of Saint Croix, Virgin Islands, included two disinterested persons representing the public, a like number of persons representing employers and a like number representing employees in the industries in the Virgin Islands carried on in the municipality of Saint Croix, Virgin Islands, and each of the committees was composed of residents of the Virgin Islands and a resident of the United States outside of the Virgin Islands; and

Whereas on May 13, 1944, reports by the Committees, made and adopted after investigating conditions in the industries in the Virgin Islands and containing the committees' definitions of the industries in the Virgin Islands and their separable minimum wage recommendations therefor, were filed with the Administrator; and

Whereas pursuant to notice published in the FEDERAL REGISTER and mailed to all interested persons, public hearings upon the Committees' recommendations were held before Donald M. Murtha as Presiding Officer on September 20, 1944, at which all interested persons were given an opportunity to be heard; and

Whereas the complete records of the proceeding before the Presiding Officer were transmitted to the Administrator; and

Whereas the Administrator upon reviewing all the evidence adduced in this proceeding relating to the industries in the Virgin Islands and after giving consideration to the provisions of the Act, particularly sections 5 and 6 thereof, has concluded that the separable minimum wage recommendations of the Committees for the industries in the Virgin Islands, as defined by such Committees, are made in accordance with law, are supported by the evidence adduced at the hearings, and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of sections 5 and 8 of the act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of the Special Industry Committees for the Municipalities of Saint Thomas and Saint John, and Saint Croix, Virgin Islands, for Minimum Wage Rates in the Industries in the Virgin Islands," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46 Street, New York, 19, New York; now therefore, it is ordered that:

Sec.
669.1 Approval of committees' recommendations.
669.2 Wage rates.
669.3 Notices of order.
669.4 Definition of industries in the Virgin Islands.

AUTHORITY: §§ 669.1 to 669.4, inclusive, issued under Sec. 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 208.

§ 669.1 *Approval of committees' recommendations.* The committees' recommendations for the industries in the Virgin Islands are hereby approved.

§ 669.2 *Wage rates*—(a) *Liquor industry.* Wages at a rate of not less than 35 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the liquor industry in the municipality of Saint Thomas and Saint John, Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

Wages at a rate of not less than 30 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the liquor industry in the municipality of Saint Croix, Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

(b) *Shipping industry.* Wages at a rate of not less than 32 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the shipping industry in the municipality of Saint Thomas and Saint John, Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

Wages at a rate of not less than 30 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the shipping industry in the municipality of Saint Croix, Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

(c) *Property motor carrier industry.* Wages at a rate of not less than 30 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the property motor carrier industry in the Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

(d) *Wholesaling industry.* Wages at a rate of not less than 30 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the wholesaling industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(e) *Communications industry.* Wages at a rate of not less than 30 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the communications industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(f) *Electric power industry.* Wages at a rate of not less than 32 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the electric power industry in the municipality of Saint Thomas and Saint John, Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

Wages at a rate of not less than 25 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the electric power industry in the municipality of Saint Croix, Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

(g) *Meat packing industry.* Wages at a rate of not less than 25 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the meat packing industry in the municipality of Saint Croix, Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

(h) *Bay oil, bay rum and miscellaneous manufacturing industries.* Wages at a rate of not less than 25 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the bay oil, bay rum and miscellaneous manufacturing industries in the municipality of Saint Thomas and Saint John, Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

(i) *Other industries.* Wages at a rate of not less than 25 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in industries in the municipality of Saint Croix, Virgin Islands, not covered by any of the foregoing paragraphs of this section who is engaged in commerce or in the production of goods for commerce.

§ 669.3 *Notices of order.* Every employer employing any employee so engaged in commerce or in the production of goods for commerce in the industries in the Virgin Islands shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this part as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor, and shall give such other notice as the Division may prescribe.

§ 669.4 *Definitions of industries in the Virgin Islands.* The industries in the Virgin Islands to which this part shall apply are hereby defined as follows:

Liquor industry. The manufacture and blending of spirituous liquors and all operations incidental thereto.

Shipping industry. The transportation of passengers and cargo by water and all activities in connection therewith, including, but without limitation, the operations of common or contract carriers; the operation of piers, wharves and docks, including bunkering, stevedoring and storage; and lighterage operations.

Property motor carrier industry. The industry carried on by any common or contract carrier engaged in transportation by motor vehicle of property in commerce or of property necessary to the production of goods for commerce.

Wholesaling industry. The wholesaling, warehousing, and other distribution of commodities, including, but without limitation, the activities of importers, exporters and wholesalers, public warehouses, brokers and agents, insurance agents, manufacturers' selling agencies, and other distributors.

Communications industry. The transmission of messages by wire or wireless.

Electric power industry. The industry carried on by any firm or company engaged in the generation and sale of electric light and power.

Meat packing industry. The slaughtering of meat animals and the dressing and packing of meat, and all operations incidental thereto in the Municipality of Saint Croix, Virgin Islands.

Bay oil, bay rum and miscellaneous manufacturing industries. The manufacture of bay oil and bay rum, and the manufacture of any other products in the Municipality of Saint Thomas and Saint John, Virgin Islands, except liquor.

Other industries. Any industry, except banking, in the Municipality of Saint Croix, Virgin Islands, not covered by any of the foregoing definitions.

Effective date. This wage order shall become effective August 1, 1945.

Signed at New York, New York, this 15th day of June, 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-10807; Filed, June 19, 1945; 12:14 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 26, Amdt. 7]

PART 602—GENERAL ORDERS AND DIRECTIVES

LIGNITE

In order to exempt deliveries of lignite from the provisions of the regulation, paragraph (c) of § 602.652 is hereby amended by the deletion of the words "and lignite" at the end of that paragraph.

Paragraph (d) of § 602.652 is hereby amended to read as follows:

(d) "Uncontrolled solid fuel" means lignite, and No. 3 buckwheat (barley) anthracite and smaller sizes of anthracite. "Uncontrolled solid fuel" is not subject to any of the provisions of this regulation.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O., 9125, 7 F.R. 2719; WPB Directive No. 33, as amended, 9 F.R. 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 18th day of June 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-10804; Filed, June 19, 1945, 12:12 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 19, Revocation of Direction 1]

STATUS OF ORDERS AND CERTIFICATES FOR FARM SUPPLIES ORIGINATING BEFORE MAY 6, 1944

Direction 1 to Priorities Regulation 19 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The direction is superseded by the last sentence of paragraph (j) of Priorities Regulation 19, as amended June 2, 1945.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10831; Filed, June 20, 1945; 11:05 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-49, Revocation]

BEDS, BED SPRINGS, MATTRESSES AND DUAL SLEEPING EQUIPMENT

Section 3291.70 *Limitation Order L-49* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of beds, bed springs, mattresses and dual sleeping equipment remain subject to all applicable regulations and orders of the War Production Board.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10830; Filed, June 20, 1945; 11:05 a. m.]

Chapter XI—Office of Price Administration

PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[MPR 445,[1] Incl. Amdts. 1-25]

DISTILLED SPIRITS AND WINES

This compilation of Maximum Price Regulation No. 445 includes Amendment 25, effective June 25, 1945. Portions added, amended, deleted and redesignated by Amendment 25 are indicated by underscoring or notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.[2]

§ 1420.201 *Distilled spirits and wines.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 445 (Distilled Spirits and Wines), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1420.201 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—MAXIMUM PRICES FOR SALES OF IMPORTED DISTILLED SPIRITS AND IMPORTED WINES BY IMPORTERS

Sec.
1.1 Purposes of Article I.
1.2 General rules for figuring importers' maximum prices.
1.3 Meaning of "net cost" used in figuring importer's maximum prices under sections 1.4, and 1.6.
1.4 Importers' initial maximum prices for items sold or offered for sale during March 1942.
1.5 [Revoked].
1.6 Changes in maximum prices for items to which section 1.4 applies.
1.7 Special pricing methods for items not sold or offered for sale during March 1942 and for certain other commodities.
1.7a Maximum prices for certain items imported in packages.
1.8 Application for authority to establish maximum prices.
1.8a Maximum prices for items rebottled from items which were imported in packages.
1.9 Posting of consumer prices.
1.10 Other provisions of this regulation applicable to sales of imported distilled spirits or wine by an importer.
1.11 Dates on which this article shall apply.

ARTICLE II—MAXIMUM PRICES FOR SALES OF CERTAIN BULK DOMESTIC DISTILLED SPIRITS BY ANY PERSON, FOR SALES OF CERTAIN RELATED COMMODITIES IN BULK BY ANY PERSON, AND FOR SALES OF BULK IMPORTED DISTILLED SPIRITS OR WINE BY PERSONS OTHER THAN THE IMPORTER THEREOF

Sec.
2.1 Purposes of Article II.
2.2 General rules for figuring maximum prices under this article.
2.3 Maximum prices for bulk domestic whiskey, bulk domestic brandy, bulk domestic gin and bulk domestic vodka.
2.4 Maximum prices for bulk domestic grape spirits and bulk domestic spirits-fruit, neutral brandy, high proof and high wines made from any fruits or berries except grapes.
2.4a Maximum prices for bulk domestic neutral spirits produced from any material and bulk domestic high wines manufactured from cane or grain.
2.4b Maximum prices for bulk imported distilled spirits and bulk imported wines by persons other than the importer.
2.5 Maximum prices for denatured rum.
2.5a Provision relating to certain distributions of bulk domestic distilled spirits.
2.6 Other provisions of this regulation applicable to sales for which maximum prices are established under this article.
2.6a Grain neutral spirits acquired by custom processing.
2.7 Dates on which this article shall apply.

ARTICLE III—MAXIMUM PRICES FOR SALES OF PACKAGED DOMESTIC DISTILLED SPIRITS BY PROCESSORS

Sec.
3.1 Purposes of Article III.
3.2 Processors' maximum prices.
3.3 General rules.
3.4 Inability to fix maximum prices.
3.5 Applicable taxes.
3.6 Other provisions of this regulation applicable to sales for which maximum prices are established under this article.
3.7 Dates on which this article shall apply.
Appendices: Pricing procedures and price schedules.

ARTICLE IV—MAXIMUM PRICES FOR SALES OF PACKAGED DOMESTIC WINES BY PROCESSORS, AND FOR SALES OF BULK DOMESTIC WINES AND RELATED COMMODITIES BY ANY PERSON

Sec.
4.1 Purposes of Article IV.
4.2 General rules for determining maximum prices.
4.3 Transactions between processors and primary distributing agents.
4.4 Other provisions of this regulation applicable to sales for which maximum prices are established under this article.
4.5 Dates on which this article shall apply.

ARTICLE V—MAXIMUM PRICES FOR SALES OF PACKAGED DISTILLED SPIRITS AND PACKAGED WINE BY WHOLESALERS, RETAILERS, MONOPOLY STATES AND PRIMARY DISTRIBUTING AGENTS

Sec.
5.1 Purposes of Article V.
5.2 General rules for figuring maximum prices.
5.3 Determination of "net cost" used in figuring maximum prices for wholesalers, retailers and monopoly states.
5.3a Delegation of authority to establish uniform transportation allowances.
5.4 Maximum prices for wholesalers.
5.5 Maximum prices for retailers.
5.6 Maximum prices for monopoly states.
5.7 Maximum prices for primary distributing agents.
5.8 Posting of consumer prices.
5.9 Other provisions of this regulation applicable to sales of distilled spirits or wine by a wholesaler, retailer, monopoly state or primary distributing agent.
5.10 Application for authority to establish maximum prices.
5.11 Dates on which this article shall apply.

ARTICLE VI—MAXIMUM PRICES FOR CERTAIN SERVICES RELATING TO THE PRODUCTION OF DOMESTIC DISTILLED SPIRITS AND WINE

Sec.
6.1 Purposes of Article VI.
6.2 General rules for figuring maximum prices under this article.
6.3 Maximum prices for specified services.
6.4 Other provisions of this regulation applicable to transactions for which maximum prices are established by this article.
6.5 Dates on which this article shall apply.

ARTICLE VII—GENERAL PROVISIONS APPLICABLE TO PERSONS SUBJECT TO THIS REGULATION AND TO MAXIMUM PRICES ESTABLISHED

Sec.
7.1 Treatment of fractional parts of a cent in figuring maximum prices.
7.1a Changes in case sizes.
7.2 When a sales or gross receipts tax may be charged in addition to a maximum price.
7.2a Treatment of brokers compensation.
7.3 When new taxes or increases in existing taxes may be added to a maximum price.
7.3a Distribution of packaged distilled spirits or wine.
7.4 Use of minimum resale prices under State Fair Trade Laws.
7.4a Maximum prices for sellers for whom no specific provision is made.
7.5 Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.
7.5a Deposit charges on containers.
7.6 Certain provisions of the General Maximum Price Regulation continued in effect.
7.6a Licensing.
7.7 Export sales.
7.7a Compliance with other laws or regulations.
7.8 Compliance with this regulation.
7.8a Interest on advance payments.
7.9 Current records required.
7.9a Posting of consumer prices.
7.9b Sales slips and receipts.
7.10 Petitions for amendment.
7.11 Adjustable pricing in certain instances.
7.12 Definitions.
7.13 Geographical applicability.

ARTICLE I—MAXIMUM PRICES FOR SALES OF IMPORTED DISTILLED SPIRITS AND IMPORTED WINES BY IMPORTERS

SECTION 1.1 *Purposes of Article I*—(a) *Generally.* Article I establishes maximum prices for sales of imported distilled spirits and wines by importers to any purchaser. Maximum prices for sales of bulk imported distilled spirits and bulk imported wines by persons other than the importer must be established under other applicable regulations of the Office of Price Administration or under Article II (when effective) of this regulation. Except for sales which are specifically exempted by Article V of this regulation, maximum prices for sales of packaged imported distilled spirits and packaged imported wines by persons other than the importer must be established under that article.

(b) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation, Article I supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration before August 14, 1943, with respect to sales of imported distilled spirits and wines by importers, in bulk or in pack-

[1] 9 F.R. 4687.

[2] Statements of Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

ages, including the applicable provisions of the following:

(1) The General Maximum Price Regulation.

(2) [Deleted].

[Subparagraph (2) deleted by Am. 25, effective 6-25-45]

(3) Section 2.3 (b) of § 1499.26 of Revised Supplementary Regulation No. 1.[1]

Provided, That such maximum price regulations, orders and interpretations shall remain in force with respect to a particular sale of imported distilled spirits or wine by an importer until provisions of this article become applicable thereto pursuant to section 1.11.

SEC. 1.2 *General rules for figuring importers' maximum prices.* An importer must observe the following rules in establishing his maximum prices under this article:

(a) *Division of items.* He must separately price all items he has imported, in his stock at the close of his business on August 9, 1943, according to the group to which the item belongs as follows:

(1) Items which he sold or offered for sale during March 1942. He must figure his initial maximum prices for such items under section 1.4. His maximum prices for the item are to be refigured under section 1.6 if certain elements of his cost change thereafter.

(2) Items for which special pricing methods are provided in section 1.7. He must figure his maximum prices for any such item under that section, irrespective of the dates on which he previously sold or offered the item for sale. Maximum prices for such items may not be refigured under section 1.6.

(3) Items for which maximum prices are not provided by sections 1.4, or 1.7. He must apply to the Office of Price Administration, Washington, D. C., in accordance with section 1.8, for authority to establish maximum prices for such items. Maximum prices thus established may not be refigured under section 1.6.

[Subparagraphs (2) and (3), formerly (3) and (4) redesignated by Am. 25, effective 6-25-45. Former subparagraph (2) revoked by Am. 25]

(b) *Figuring maximum prices for each item separately.* Each item of imported distilled spirits or wine to be sold or offered for sale by an importer after August 29, 1943, must have a separate maximum price. An "item" is a particular brand name, container size and formula of imported distilled spirits or wine. One item must not be considered the same as another if there is any difference in

[Above paragraph amended by Am. 1, 8 F.R. 11851, effective 8-25-43]

(1) Their brand names, or

(2) Their countries of origin, or

(3) The names of their processors, or

(4) Their container sizes (bulk as compared with bottles, quarts as compared with fifths, etc.), or

(5) Their formulae (as defined in section 7.12), or

(6) Material information contained on their labels in accordance with the United States labeling laws or regulations applicable to each. Age, proof, alcohol content, type designation, vintage, ingredients and formulae, as stated on the labels, shall be deemed material information. However, items of imported blended Scotch whisky which contained age statements on their labels, for which maximum prices were established under this regulation prior to July 15, 1944 shall not be considered different items from those which do not contain age statements if their brand names, countries of origin, names of their processors, container sizes, formulae and the material information (except the age) stated on the labels is the same.

[Subparagraph (6) amended by Am. 10, 8 F.R. 16928, effective 12-16-43; and Am. 16, 9 F.R. 7708, effective 7-15-44]

(c) *Customer classifications.* (1) A separate maximum price must be established for an importer's sales of each item to each class of his customers in accordance with the section under which the maximum price for the item is established.

(2) Where an importer establishes maximum prices under sections 1.4, or 1.6, his customers for sales of the item are to be classified in accordance with his March 1942 customer classification. Where an importer establishes maximum prices under section 1.7, his customers for sales of the item are to be classified only as wholesalers, primary distributing agents, monopoly states, retailers and consumers. Where an importer establishes maximum prices after application to the Office of Price Administration under section 1.8, the maximum prices thus established shall apply only to his sales to the classes of customers stated in the application, or in the order or amendment issued pursuant thereto.

(d) *Discounts, allowances, price differentials and terms of sale.* (1) Customary discounts, allowances and other price differentials in effect during March 1942 in accordance with an importer's March 1942 customer classifications must be applied to his maximum prices established under sections 1.4, 1.6 and 1.7: *Provided*, That discounts and allowances based solely on quantity purchases (in dollars or units) need not be maintained: *And, provided further*, That allowances and price differentials in accordance with an importer's March 1942 customer classifications need not be maintained with respect to sales of items for which maximum prices are established under section 1.7.

(2) If an importer makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction in his maximum price established under this article.

(3) [Revoked]

[Subparagraph (3) revoked by Am. 16, 9 F.R. 7708, effective 7-15-44]

(e) *Exchange rates.* The costs used by an importer in figuring his maximum prices must be actual costs which he pays. Amounts paid in foreign currency must be expressed in terms of United States dollars at the actual rate of exchange paid by the importer.

(f) *F. o. b. and delivered prices.* (1) Where an importer's highest price charged during March 1942 to a customer of a particular class (used under sections 1.4, or 1.6 to determine his maximum price) is a delivered price or an f. o. b. particular freight base point price, the maximum price established under those sections shall correspondingly be a delivered price or an f. o. b. particular freight base point price, as the case may be.

(2) Maximum prices provided by section 1.7 for sales of bulk imported distilled spirits and wines are prices f. o. b. port of entry. Maximum prices provided by that section for sales of domestically packaged imported distilled spirits and wines are prices f. o. b. domestic bottling plant unless otherwise expressly stated therein.

[Subparagraph (2) amended by Am. 10, 8 F.R. 13928, effective 12-16-43]

(g) *Sales and offers to sell.* (1) Where the price for a sale or for an offer to sell during a particular period of time is to be used in determining a maximum price under this article, the price for a sale completed by delivery must be used if such sale was made during that time. An offering price may be used only if no such sale was made and if it was an offering price for supply or delivery during that time, and if the offer or an acceptance thereof is supported by written evidence.

(2) Where the price for a sale or for an offer to sell during a particular period of time is to be used by an importer in determining a maximum price under this article, the price so used must be the price for an item with respect to which he was the importer during that period.

[Paragraph (g) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

SEC. 1.3 *Meaning of "net cost" used in figuring importer's maximum prices under sections 1.4 and 1.6.* The "net cost" to be used by an importer to figure his maximum prices under sections 1.4, and 1.6 is the total of the following elements of cost actually paid by him with respect to a particular purchase of the item to be priced:

(a) *Purchase price.* The foreign vendors' selling price (less all discounts excepting any discount for prompt payment [cash discount]), not in excess of his maximum prices under applicable regulations or orders of the Office of Price Administration in instances where his selling price is subject thereto, nor in excess of his selling price in effect on April 30, 1943, in all other instances.

(1) Including charges for transporting the item to foreign port of embarkation (where shipment to the United States port of arrival is made by water, and

(2) Including foreign customs charges and export taxes at rates not in excess of those in effect on April 30, 1943.

NOTE: Where the item is one which has not been produced in the United States or a Territory or Possession thereof, the importer, in calculating his net cost will in all cases use the price which he paid the foreign vendor or the foreign vendor's selling price in effect on April 30, 1943, whichever of the two figures is the lower. Where the item is one which has been produced in a Territory or Possession of the United States, the importer in calculating his net cost will use the price which he paid the territorial supplier or the territorial supplier's established ceiling price for sale of the item to importers, whichever of the two figures is the lower. However, if in any instance, the sale to an importer of an item produced in a Territory or Possession of the United States is not subject to the provisions of an order or regulation of the Office of Price Administration, the importer will use the price which he paid the territorial supplier or the territorial supplier's selling price in effect on April 30, 1943, whichever of the two figures is the lower

(b) *Insurance.* Insurance charges for the period during which the item is in transit to the importer's receiving point, including war risk insurance at rates not in excess of applicable rates published by the War Shipping Board.

(c) *Freight*—(1) *Items imported in packages or imported and sold in bulk.* Ocean freight from foreign port of embarkation to port of arrival in continental United States (where shipment to port of arrival is made by water) or land freight from foreign shipping point to point of arrival in continental United States (where shipment to point of arrival is made by land); inland freight from port or point of arrival to port of entry, and inland freight from port of entry to the importer's customary receiving point for the item, exclusive of charges for hauling, drayage or handling within the metropolitan area of such port or point. The importer shall include only the freight he paid, figured at the rate paid.

(2) *Items imported in bulk and sold in packages after domestic bottling.* Ocean freight for transporting the item in bulk from foreign port of embarkation to port of arrival in the continental United States (where shipment to port of arrival is made by water) or land freight for transporting the item in bulk from foreign shipping point to point of arrival in continental United States (where shipment to point of arrival is made by land); inland freight for transporting the item in bulk from port or point of arrival to port of entry nearest the plant where bottling or rectifying is done; inland freight for transporting the item in bulk from that port of entry to such plant, and inland freight for transporting the item in packages from that bottling plant to the importer's customary shipping point for the packaged item, exclusive of charges for hauling, drayage or handling within the metropolitan area of any such port or point. The importer shall include only the freight he paid, figured at the rate paid.

(d) *Taxes and United States customs duties.* United States excise taxes, United States customs duties, one cent for each strip stamp affixed to individual containers, and state or local excise taxes. All taxes and customs duties shall be figured at rates in effect on November 2, 1942 and shall be included only if imposed upon and applicable to the sale of the item for which a maximum price is being figured. License, income, franchise, receipts, gross receipts, sales, use or other similar federal, state or local taxes cannot be included in "net cost."

[Last sentence added by Am. 15, 9 F.R. 4687, effective 5-8-44. Note deleted by Am. 15] [Sec. 1.3 amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

SEC. 1.4 *Importers' initial maximum prices for items sold or offered for sale during March 1942.*

NOTE: This section does not apply to any item for which special pricing methods are provided under section 1.7.

(a) *Method to be used.* An importer's initial maximum price for sale of an item which he sold or offered for sale during March 1942 shall be the total of the following:

(1) *Net cost.* His net cost (figured according to section 1.3) per unit of sale

(i) For his latest purchase of the item from his foreign supplier before May 1, 1943, or

(ii) If he made no purchase of the item between January 1, 1943 and April 30, 1943 but received from his foreign supplier a bona fide written or cable quotation offering the item for shipment between those dates, the net cost that would have been applicable to the same unit of sale if he made a purchase of the item on terms evidenced by the latest such quotation.

[Subparagraph (ii) amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

NOTE: If a quotation is used, net cost shall be figured according to section 1.3 on the assumption that shipment was made from the foreign supplier's customary shipping point on the date the quotation was received; that the shipment arrived April 30, 1943, and that port or point of arrival and port of entry were those used for the importer's latest actual purchase of the item.

(2) *Mark-up.* The difference between

(i) His net cost (figured according to section 1.3) for his last purchase of the item prior to March 31, 1942 from his foreign supplier out of which he made or offered to make sales during March 1942, and

(ii) The highest price he charged during March 1942 for the unit of sale, or at which he offered to sell that unit to a customer of the particular class, exclusive of any discount for prompt payment (cash discount).

NOTE: For sales of an item he imports, an importer who also sells at wholesale or retail must not use percentage markups provided in Article V unless he is permitted to do so in accordance with section 5.1 (b) (1).

[Note amended by Am. 2, 8 F.R. 13496, effective 10-7-43; and Am. 25, effective 6-25-45]

(b) *Sales to customers of a class not sold during March 1942.* If an importer sold or offered an item for sale during March 1942 but did not sell or offer to sell it to a customer of a particular class and wishes to make sales of the item to customers of that class, he shall apply to the Office of Price Administration in accordance with section 1.8 for authority to establish an initial maximum price for such sales.

(c) *Maximum prices for importers' sales where method of importation changes from bulk to packaged or from packaged to bulk.* An importer's maximum price for a particular sale of an item which he imports in bulk and bottles domestically shall be the maximum price which he established under this section for a corresponding sale of an item of the same type designation, formula (including proof), container size, and brand name which he imported in packages. Similarly, his maximum price for a particular sale of an item which he imports in packages, shall be the maximum price which he established under this section for a corresponding sale of an item of the same type designation, formula (including proof), container size, and brand name, which he imported in bulk and bottled domestically. Maximum prices established pursuant to this paragraph shall be adjusted by the importer to reflect the amount of increase or decrease in U. S. customs duties and excise taxes resulting from the changed method of importation.

(d) *Reports required to be filed.* On or before August 4, 1945, every importer shall execute and file with the Beverage Section, Office of Price Administration, Washington, D. C., OPA Form No. 635-2435 for each item for which he has established a maximum price under this section. This form may be obtained at any District or Regional Office of the Office of Price Administration or at the National Office.

[Paragraphs (c) and (d) added by Am. 25, effective 6-25-45]

SEC. 1.5 [Revoked].

[Sec. 1.5 amended by Am. 2, 8 F.R. 13496; effective 10-7-43; Am. 10, 8 F.R. 16928, effective 12-16-43; Am. 16, 9 F.R. 7708, effective 7-15-44; revoked by Am. 25, effective 6-25-45. All references to Sec. 1.5 formerly contained in Article I are deleted by Am. 25]

SEC. 1.6 *Changes in maximum prices for items to which section 1.4 applies.* (a) *How long particular maximum prices for such items continue in effect.* An importer's initial maximum prices for items to which section 1.4 applies, and his refigured maximum prices for such items shall apply to all his sales and offers to sell of the item so priced made prior to the date on which subsequently refigured maximum prices for sales thereof become applicable in accordance with paragraph (d) of this section.

(b) *When an importer must refigure his maximum price for such items.* An importer who after August 13, 1943 receives from a foreign supplier a purchase of an item for which his initial maximum prices are established under section 1.4 shall, before making any sales from that purchase, determine his net cost therefor according to section 1.3.

If such net cost per unit of sale differs from the net cost per unit of sale for the latest purchase used in establishing the importer's maximum prices then in effect for the item, the importer may, if the

[1] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274. [1] 10 F.R. 2435, 2479, 2757, 3236, 3947, 4107, 4194.

most recent purchase shows the greater total and he must, if the most recent purchase shows the lesser total, establish refigured maximum prices for the item: *Provided*, That if the item is packaged imported distilled spirits or wine and the difference is 25 cents per case or less, the importer shall not establish refigured maximum prices.

(c) *How an importer must refigure his maximum prices for such items.* An importer required or permitted by this section to establish refigured maximum prices for an item shall determine such prices under section 1.4 (according to the section he used to establish his initial maximum prices for the item), substituting however, the net cost (figured according to section 1.3) of his most recent purchase of the item for the net cost of his latest purchase thereof before May 1, 1943.

(d) *When refigured maximum prices become applicable.* His refigured maximum prices determined under this section shall apply to stock on hand (in bond or otherwise) and shall be the importer's maximum prices for sales of the item on and after, but not before, the 4th day (exclusive of Sundays and holidays) following receipt (in bond or otherwise) of the purchase to be used to establish such refigured maximum prices, until in turn superseded by other refigured maximum prices subsequently determined: *Provided*, That until, on and after the earliest effective date for prices posted or listed at the first opportunity after the 4th day (exclusive of Sundays and holidays) after receipt of such purchase, refigured maximum prices shall not apply to any sale which an importer is required by statute, ordinance, or regulation to make at a price posted or listed with a State or other public authority before receipt of such purchase.

SEC. 1.7 *Special pricing methods for items not sold or offered for sale during March 1942 and for certain other commodities*—(a) *Sales of bulk or packaged imported distilled spirits or wine not sold or offered for sale during March 1942.*

NOTE: Persons other than importers selling bulk imported distilled spirits or wine must establish their maximum prices under other applicable regulations of the Office of Price Administration or under Article II (when effective) of this regulation.

Except as otherwise provided in this section, an importer's maximum price for sales of any bulk or packaged imported distilled spirits or wine not sold or offered for sale during March 1942 and which cannot be priced under section 1.5, shall be a price established after application to the Office of Price Administration pursuant to section 1.8.

(b) *Importer's maximum prices for certain commodities imported in bulk.* An importer's maximum price for any commodity listed below, imported in bulk and sold either in bulk or in packages, shall be determined according to its base figure and type of sale indicated below, except that if the commodity he imports in bulk and bottles domestically is of the same type designation and is sold in the same container size at the same proof under the same brand name as an item which the importer imported in packages and sold or offered for sale during March 1942, his maximum price to a class of purchaser for the commodity imported in bulk and bottled domestically shall be the maximum price to the same class of purchaser which he could compute under section 1.4 for the item which he imported in packages and sold or offered for sale during March 1942.

(1) *Base figures for certain imported commodities.*

Commodity	Base figure
Cuban distilled gin (as defined in section 7.12)	$1 75
Cuban rum (as defined in section 7.12)	[1] 2 75
Cuban whiskey bearing an age statement or accompanied by a certificate showing age of six months or less (as defined in section 7.12)	.83
Mexican distilled gin (as defined in section 7.12)	1 90
Mexican tequilla (as defined in section 7.12)	2 10
Mexican whiskey bearing an age statement or accompanied by a certificate showing age of six months or less (as defined in section 7.12)	.83
Distilled spirits (produced in or imported from Cuba) made from cane products and flavored with aromatics	1 23
Distilled spirits (produced in or imported from Mexico) made from cane products and flavored with aromatics	1 38

[1] Or the importer's "direct cost", f. o. b. port of arrival, plus 15c per proof gallon, whichever figure is the lower. "Direct cost" means the price paid the foreign vendor, not in excess of the foreign vendor's selling price in effect on April 30, 1943 (less all discounts and allowances except the discount given for prompt payment) plus charges for cooperage, Cuban export tax, freight to port of arrival, loading, war risk insurance and marine insurance, wharfage, consular fees, customs broker fees, customs entry fees, and loss of merchandise and customs duty due to leakage and evaporation in shipment to the United States.

(2) *When imported and sold in bulk by the importer.*

NOTE: Maximum prices for sales of any such commodity in bulk by persons other than the importer must be established under other applicable regulations of the Office of Price Administration or under Article II (when applicable) of this regulation.

An importer's maximum price for sales of any such commodity imported and sold by him in bulk shall be as follows:

(i) *Sales in bond.* Its base figure per original proof gallon f. o. b. port of entry, plus inland freight (if paid by the importer) to transport the particular quantity from port or point of arrival in continental United States to the bonded warehouse where it is at date of sale. "Original proof gallon" shall be determined according to first customs gauge in the United States. Freight shall be figured at the carload rate in effect at the date of shipment from port or point of arrival and shall not include hauling, drayage or handling in the metropolitan area of port or point of arrival or port of entry.

(ii) *Tax paid sales f. o. b. port of entry.* The maximum price provided under (i) above for a sale of the same quantity, in bond, plus United States customs duties and United States excise taxes paid thereon by the importer at rates in effect on November 2, 1942. The amount of excise taxes shall be determined on the number of proof gallons according to the regauge on which they are paid. The amount of customs duties shall be determined on original proof gallons according to the first customs gauge in the United States: *Provided*, That where the commodity has been imported at less than 100° proof, the amount of customs duties and excise taxes shall not be in excess of that which would have been applicable if the commodity had been imported at 100° proof.

(3) *When imported in bulk, bottled domestically and sold in packages.*

NOTE: Persons other than the importer, bottling such commodity domestically or having it bottled for their account must establish their maximum prices for the packaged item by using the method herein provided for determination of the importer's maximum prices.

An importer's maximum price per case for sales of any such commodity imported in bulk, bottled domestically and sold in packages shall be as follows:

(i) *Sales to wholesalers.* The total of the following amounts paid by or for the account of the importer and applicable to the quantity in the case:

(a) The commodity's base figure per proof gallon bottled.

(b) United States customs duties and United States excise taxes at rates in effect on November 2, 1942: *Provided*, That where the commodity has been imported at less than 100° proof, the amount of United States customs duties and excise taxes shall not be in excess of that which would have been applicable if the commodity had been imported at 100° proof.

(c) Inland freight from port or point of arrival in continental United States to port of entry nearest the plant where bottling or rectifying is done, and inland freight from port of entry to that plant at the carload rates in effect on the respective dates of shipment. Charges for hauling, drayage, or handling within the metropolitan area of such ports or point, or within the metropolitan area about such plant shall not be included.

(d) Two percent of the total of (a), (b), and (c) above.

(e) A charge for bottling and casing as follows:

$1.50 per case of quarts or fifths.
2.10 per case of pints.
2.85 per case of half pints.

(f) Rectification tax, if any, at the rate paid: *Provided*, That rectification tax paid for re-processing, reconditioning or otherwise treating the imported commodity because of any defect or substandard quality of such imported commodity may not be added.

(g) $1.70 per proof gallon bottled.

(h) State and local excise taxes and one cent for each strip stamp affixed to individual containers. All taxes shall be figured at rates in effect on November 2, 1942 and shall be included only if imposed upon and applicable to the sale of the item for which a maximum price is being figured. No amount shall be added for license, income, franchise, receipts, sales, use or other similar federal, state, or local taxes.

(ii) *Sales to monopoly states.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers, plus the amount paid by the importer to purchase and affix monopoly state seals or stamps to individual containers in the case being priced. If the seals or stamps are affixed by the monopoly state, the amount added shall not exceed the highest amount charged for the corresponding seals or stamps and service during March 1942, and if the importer affixed the seals or stamps before delivery of the item, shall not exceed fifty cents per case.

(iii) *Sales to primary distributing agents.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers subject to any discount, allowance or price differential agreed upon by the particular importer and primary distributing agent.

(iv) *Sales to retailers.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers plus the percentage markup provided in Article V for sale of the same item by wholesalers to retailers.

Where the importer makes the sale to a retailer f. o. b. a customary shipping point other than the domestic bottling plant, he may add to his maximum price to wholesalers, before applying the markup, inland freight he pays for direct shipment from such plant to the shipping point, exclusive of charges for local hauling, drayage, or handling within the metropolitan areas of such points.

(v) *Sales to consumers.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers plus the percentage markup provided in Article V for sales of the same item by retailers to consumers.

Where the importer makes the sale to a consumer f. o. b. a customary shipping point other than the domestic bottling plant, he may add to his maximum price to wholesalers, before applying the markup, inland freight he pays for direct shipment from such plant to the shipping point, exclusive of charges for local hauling, drayage, or handling within the metropolitan areas of such points.

(vi) *For individual container.* An importer's maximum price for individual containers of such item shall be his maximum price per case for the item to a customer of the same class divided by the number of containers customarily packed in the case.

[Paragraph (b) amended by Am. 2, 8 F.R. 13496, effective 10-7-43; Am. 4, 8 F.R. 13845, effective 10-13-43; Am. 5, 8 F.R. 14016, effective 10-19-43; Am. 8, 8 F.R. 16997, effective 12-20-43; Am. 10, 8 F.R. 16928, 9 F.R. 303, effective 12-16-43; and Am. 13, 9 F.R. 2747, effective 3-16-44]

SEC. 1.7a. *Maximum prices for certain items imported in packages*—(a) *Purposes of this section.* This section provides maximum prices for an importer's sales of those items imported in packages which are listed in paragraph (b) below. It does not apply to those items when they are imported and sold in bulk or when they are imported in bulk and bottled domestically.

Importers who are unable to determine a maximum price under section 1.4 for an item listed in paragraph (b) are required to use for such item the maximum price established by this section; or, if a maximum price is not provided for a particular sale of such item, the maximum price for such sale must be established pursuant to section 1.8.

Importers who can establish a maximum price for an item listed in paragraph (b) under section 1.4 may at their option use the prices established under that section or the price provided by this section. However, if an importer elects to price an item under this section, section 1.4 becomes inapplicable to his sales of any item having the same type designation and brand name as the item which he elected to price under this section. Having once elected to price an item under this section, he must use this section to price all of his sales of any item having the same type designation and brand name as the item which he elected to price under this section; or if a maximum price is not provided for a particular sale of such item, the maximum price for such sale must be established pursuant to section 1.8.

(b) *Sales to wholesalers, f. o. b. point or port of arrival.* (1) An importer's maximum price for sales to wholesalers of an item listed in this paragraph (b) f. o. b. point or port of arrival shall be as follows:

PUERTO RICAN RUM

IMPORTERS MAXIMUM PRICE TO WHOLESALERS F. O. B. CONTINENTAL U. S. PORT OR POINT OF ARRIVAL

Proof (degrees)	12 1-4.5 quarts	15 1-4.5 quarts	12 quarts	24 pints	24 1-4.5 pints	48 1-4.2 pints	Miniature 144 1-10 pints
85	$24 58	$28 50	$28 01	$28 63	$24 45	$29 37	$22 48
86	25 77	28 74	28 25	28 87	24 64	29 61	22 [illegible]
89	24 36	29 47	28 97	29 59	25 23	30 33	23 [illegible]
90	24 55	29 71	29 21	29 83	25 42	30 57	24 10
120	30 90	36 90	36 41	37 03	31 17	37 77	27 42
125	31 29	38 10	37 61	38 23	32 13	38 97	28 14
150	36 25	44 81	44 85	44 47	37 12	45 21	31 80

NOTE: The prices in this table include Federal excise taxes at rates in effect on November 2, 1942, cost of Federal strip stamps and all charges and expenses up to and at the port or point of arrival. These prices do not include either the Federal rectification tax, or any State or local taxes.

(2) Importer's maximum prices for the items specified above at a proof not shown in the table shall be determined by using the following adjustment factor: 2¢ per degree of proof per gallon.

(3) Importers' maximum prices for Puerto Rican Rum which has been rectified shall be the price determined therefor pursuant to (1) or (2) above plus the amount of rectification tax actually paid.

(4) Prices determined under this paragraph (b) include all charges and expenses up to and at the port or point of arrival, Federal strip stamps, and importer's margin, and in the case of tax paid sales, further include U. S. excise taxes and U. S. customs duties (except for Puerto Rican Rum upon which no customs duties are assessed) at rates in effect November 2, 1942. Except as provided by section 7.3 no additions may be made to these prices.

(c) *Sales to primary distributing agents, f. o. b. point or port of arrival.* An importer's maximum price per case to primary distributing agents, f. o. b. point or port of arrival, for an item listed in paragraph (b) shall be the price established by paragraph (b) for a corresponding sale of the item to wholesalers subject to any discount, allowance or price differential agreed upon between the importer and primary distributing agent.

(d) *Sales to monopoly states, f. o. b. point or port of arrival.* An importer's maximum price per case to monopoly states, f. o. b. point or port of arrival, for an item listed in paragraph (b) shall be the price established by paragraph (b) for a corresponding sale of the item to wholesalers, plus

(1) The amount per case which the importer allows to the monopoly state as a discount for payment; and

(2) The amount per case, not to exceed 50 cents per case, which the importer pays to purchase and affix seals and stamps of a monopoly state to individual containers in the case being priced.

(e) *Sales to wholesalers, primary distributing agents, and monopoly states, f. o. b. any place within Continental United States other than the point or port of arrival.* An importer's maximum price per case to wholesalers, monopoly states and primary distributing agents, f. o. b. any place within Continental United States, other than the point or port of arrival, for an item listed in paragraph (b) shall be the maximum price established by this section for a corresponding sale of the item, f. o. b.

point or port of arrival, plus inland freight per case from the point or port of arrival to that place. Freight shall be figured at the rate paid and shall not include charges for hauling, drayage, or handling within the metropolitan area of such port, point or place.

(f) *Sales to retailers.* An importer's maximum price per case to retailers, f. o. b. any place within Continental United States for an item listed in paragraph (b) shall be the amount determined by applying the percentage markup provided in Article V for sales of the same item by wholesalers to retailers, to the sum of the following:

(1) The price established by this section for a corresponding sale of the item to wholesalers, f. o. b. the same place; and

(2) The State and local excise taxes imposed and applicable to the item which the importer pays, at rates not to exceed those in effect on November 2, 1942.

(g) *Sales to consumers.* An importer's maximum price per case to consumers, f. o. b. any place within Continental United States for an item listed in paragraph (b), United States customs duty, United States, State and local excise taxes paid, shall be an amount determined by applying the percentage markup provided in Article V for sales of the same item by retailers to consumers, to the sum of the following:

(1) The price established by paragraph (b) for tax paid sales of the item to wholesalers, f. o. b. point or port of arrival;

(2) The freight per case which the importer pays for transporting the item from the point or port of arrival to the place at which he sells to the consumer; and

(3) The State and local excise taxes imposed and applicable to the item which the importer pays, at rates not to exceed those in effect on November 2, 1942.

(h) *For individual containers.* An importer's maximum price for individual containers of an item referred to in paragraph (b) shall be his maximum price per case for the item to a customer of the same class divided by the number of containers packed in the case.

(i) *New taxes and increases in taxes.* The prices established by the preceding paragraphs of this section do not include the increase effective April 1, 1944 in Federal excise taxes or new or increased State or local excise taxes effective after November 2, 1942. Such taxes, however, may be added to the prices established by this section in accordance with section 7.3.

(j) *Reports required to be filed.* On or before the date of making the first sale of an item at the maximum price established under this section, the importer shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the importer filing the report.

(2) A statement that the report is filed under section 1.7a.

(3) The brand name, container size, and formula of the item which is the subject of the report (attach front and back labels to the letter-report).

(4) The maximum prices established for the item which is the subject of the report, and a statement showing the steps made by the importer to figure such price, in accordance with the procedures provided in this section.

(5) A list of all items of the same brand name and type designation sold or offered for sale by the importer during March 1942, if any.

Neither acceptance nor failure to act upon a letter-report filed under this section shall constitute approval by the Office of Price Administration of the maximum prices so reported.

NOTE: If an importer initially established a maximum price under section 1.4 for an item included in this section, and thereafter was required to obtain a price for the item under section 1.8 by reason of a change in container size or proof, or by reason of selling it to a new class of customers, the maximum price so authorized under section 1.8, is not superseded by the price established by this section. In all other instances, maximum prices authorized under section 1.8 for an item included in this section, are superseded by the prices provided in this section. In this connection, see section 1.8 (e) (1).

[Sec. 1.7a added by Am. 25, effective 6-25-45]

SEC. 1.8 *Application for authority to establish maximum prices*—(a) *Who shall file.* An importer who is unable to determine a maximum price under sections 1.4, 1.7, 1.7a, or 1.8a for a particular sale of an item subject to this Article, shall make application under this section for authority to establish a maximum price for such sale.

(b) *Prohibition.* An importer required to make application for the establishment of a maximum price for his sales of a particular item or for a particular sale shall not sell, offer to sell, or deliver such item or make such sale until a maximum price for the item or sale is established as hereinafter provided.

(c) *Contents of application.* The application shall be in writing, signed by the importer or his authorized agent, and sent to the Office of Price Administration, Beverage Section, Washington, D. C., by registered mail. It shall contain the following:

(1) The importer's name and address and the name and title of the person signing the application.

(2) A description of the item for which authority to establish a maximum price is sought, including (if the item is packaged distilled spirits or wine) copies of the approved front label and the back label (if any) of any one individual container size of the item. The description shall also supply the following information if not disclosed by such labels:

(i) The type of item (e. g., whiskey, gin, wine, cordials, etc.).

(ii) The brand name.

(iii) The country of origin.

(iv) The name and address of the processor.

(v) If the item is imported distilled spirits, the formula thereof (as defined in section 7.12), or if the item is imported wine, the type designation thereof (as defined in section 7.12).

(vi) The container sizes to be sold.

(3) The reason why the importer is unable to establish a maximum price for the particular item or particular sale under sections 1.4, 1.7, 1.7a, or 1.8a.

(4) The price paid the foreign supplier for the item and the amount paid for freight and insurance from the foreign port of embarkation to the point or port of arrival, if not already included in the price paid to the foreign supplier.

(5) A statement as to whether:

(i) The importer sold or offered for sale during March 1942, an item of the same type designation and brand name as the item for which a price is sought. If the answer is in the affirmative, the importer shall submit a description of the item (i. e., container size, proof, etc.) sold or offered for sale during March 1942, a copy of its label, and the price established to all classes of customers under section 1.4 for such item, together with a detailed statement of the figures used in the calculation of such price.

(ii) The item for which a price is sought or an item of the same type designation and brand name as the item for which a price is sought was sold or offered for sale to an United States importer on or before April 30, 1943. If the answer is in the affirmative, the importer shall submit the name and address of the importer to whom the sale or offer was made, the price at which such sale or offer was made, and evidence of such price either in the form of an invoice dated on or before April 30, 1943, or a written offer received by an importer on or before April 30, 1943, and dated on or before that date. In the absence of such evidence, the item will be presumed not to have been sold or offered for sale to United States importers on on before April 30, 1943.

(6) Any other pertinent information which the importer desires to submit.

(d) *How prices will be established.* (1) Upon receipt of an application containing the above information, the Administrator will authorize maximum prices either by the issuance of an individual order to the importer or by an amendment of general applicability. In authorizing maximum prices by individual order, the following standards will be applied:

(i) If the item for which a price is sought is of the same type designation and brand name as an item for which the importer had established a maximum price under section 1.4, but is of a different container size or proof, the maximum price authorized for it will be the maximum price established under section 1.4, adjusted for the difference in container size or proof. If the item for which a price is sought is of the same type designation and brand name as an item for which the importer had established a maximum price under section 1.4, but differs in a manner other than container size or proof, the maximum price authorized for it will be the maximum price established under section 1.4, with appropriate adjustments for those differences.

(ii) If the item for which a price is sought is not of the same type designation and brand name as an item for which the importer established a maximum price under section 1.4, but is of the same type designation and brand name as an item which was sold or offered for sale to an United States importer on or before April 30, 1943, the maximum price authorized for sale of it to wholesalers will reflect the price the importer pays the foreign supplier (not in excess of the price at which the item of the same type designation and brand name was sold or offered for sale to an United States importer on or before April 30, 1943), plus freight and insurance from port of embarkation to point or port of arrival plus a fair and equitable importer's margin. Maximum prices for sales to retailers and consumers will reflect the maximum price authorized for sales to wholesalers plus the appropriate margins provided in Article V.

(iii) If the item for which a price is sought is not of the same type designation and brand name as the item for which the importer established a maximum price under section 1.4 nor of the same brand name and type designation as an item which was sold or offered for sale to an United States importer on or before April 30, 1943, the maximum price authorized for sale of it to wholesalers will reflect the price paid the foreign supplier (not in excess of a price determined by the Administrator as "in line" with representative foreign suppliers' April 30, 1943 prices for sales to United States importers of similar items) plus freight and insurance from port of embarkation to point or port of arrival, plus a fair and equitable importer's margin. Maximum prices for sales to retailers and consumers will reflect the maximum price authorized for sales to wholesalers, plus the appropriate margins provided in Article V.

(e) Continuance of maximum prices authorized on or prior to June 25, 1945. Maximum prices authorized pursuant to this section prior to June 25, 1945, either by order or by lapse of the period beyond which proposed prices were deemed approved, shall continue in effect until such a time as they are revoked or superseded.

(f) The Price Administrator may, at any time, by amendment to this article establish maximum prices or pricing methods for importers' sales of particular items to one or more classes of their customers. When the Price Administrator acts by amendment, maximum prices thereby provided shall, except as provided in subparagraph (1) below, supersede an importer's maximum prices for any such item previously established under this section 1.8 and shall, except as provided in subparagraph (2) below, apply to all his sales, offers to sell, or deliveries of the item made on and after the effective date of the amendment.

(1) Where a maximum price for an item was initially established under section 1.4, and thereafter a maximum price for such item was authorized under this section 1.8 by reason of a change in container size or change in proof or by reason of a sale of the item to a new class of customer, the maximum price so authorized shall not be superseded by the price or pricing method established by amendment, and the maximum price so authorized shall continue in effect until revoked or amended by the Price Administrator.

(2) Where an importer has posted prices, which are not in excess of his maximum prices at the time of such posting with a state or other public authority in compliance with a statute, ordinance, or regulation, and subsequent to such posting an order or amendment becomes effective establishing maximum prices for sales for which prices have been so posted, and the seller cannot observe the new maximum price without being subject to a penalty for nonobservance of the posted price, then the new maximum price shall not apply until the first effective date for prices similarly posted or listed at the seller's first regular opportunity following the date on which the new price, but for this provision, would have been his maximum price. In the interval, the appropriate provisions of the Office of Price Administration regulations in effect at the date of posting shall continue to apply to such sales.

(g) *Compliance with price posting or listing requirements.* Authority to establish maximum prices granted by the Price Administrator pursuant to application under this section or by order or by amendment to this article shall not authorize an importer to sell or offer an item for sale until after compliance with the provisions of any applicable statute, ordinance or regulation requiring the posting or listing of his prices.

[Sec. 1.8 amended by Am. 10, 8 F.R. 16928, effective 12-16-43; Am. 23, 10 F.R. 2877, effective 3-20-45; and Am. 25, effective 6-25-45]

SEC. 1.8a. *Maximum prices for items rebottled from items which were imported in packages*—(a) *Purpose of this section.* The purpose of this section is to provide a pricing method for importers who import an item in packages and rebottle such item into a different container size. The pricing method provided by this section may be used only if

(1) a maximum price has been authorized pursuant to section 1.8 for the item imported in packages, referred to in this section as the "base item", and

(2) the "base item" and the rebottled item are the same formula (including proof), type designation, and brand name.

(b) *Maximum prices for sales of a rebottled item to wholesalers.* An importer's maximum price per case, f. o. b. bottling plant, for sales of a rebottled item to wholesalers shall be determined as follows:

(1) Add to the point or port of arrival "c. i. f. cost" of the "base item" upon which the maximum price authorized for sales of it to wholesalers was based, the freight per case applicable to the shipment of such item from the point or port of arrival to the bottling plant. Freight shall be figured according to lowest available freight rate from point or port of arrival to the bottling plant via the most direct route.

NOTE: "C. i. f. cost" as used above, means the total of the price paid the foreign supplier (not in excess of that reflected by the maximum price authorized for the "base item," freight and insurance from port of embarkation to point or port of arrival (if not included in the price paid foreign supplier), and consular fees and charges (not in excess of 15¢ per case).

(2) Subtract from the resulting figure in (1), the following:

(i) $1.50 per case, if the "base item" is 12 quarts or 12 4/5 quarts; or

(iii) $2.10 per case if the "base item" is 24 pints or 24 ½ pints.

(3) Multiply the resulting figure in (2), by the following:

(i) .80 if the "base item" was 12 quarts and the rebottled item is 12 ½ quarts or 24 ½ pints;

(ii) 1.00 if the "base item" was 12 quarts and the rebottled item is 24 pints or 48 ½ pints;

(iii) 1.25 if the "base item" was 12 ½ quarts and the rebottled item is 24 pints or 48 ½ pints;

(iv) 1.00 if the "base item" was 12 ½ quarts and the rebottled item is 24 ½ pints;

(v) 1.00 if the "base item" was 24 pints and the rebottled item is 48 ½ pints; or

(vi) .80 if the "base item" was 24 pints and the rebottled item is 24 ½ pints.

(4) To the resulting figure in (3), add the following according to the container size of the rebottled item:

(i) $1.50 per case for 12 quarts or 12 ½ quarts, or

(ii) $2.10 per case for 24 pints or 24 ½ pints; or

(iii) $2.85 per case for 48 ½ pints.

(5) To the resulting figure in (4), add the following:

(i) For in-bond sales: $2.50 per case and one cent for each affixed strip stamp, if not already included in the c. i. f. cost of the "base item."

(ii) For tax-paid sales: $3.00 per case, U. S. customs duties and U. S. excise taxes at rates in effect on November 2, 1942 which are applicable to the rebottled item, and one cent for each affixed strip stamp if not already included in the c. i. f. cost of the "base item."

(c) *Sales to other classes of customers.* To determine a maximum price for sales of a rebottled item to monopoly states, primary distributing agents, retailers, and consumers, the importer shall use the procedure set forth in section 1.7 (b) (3) (ii), (iii), (iv), and (v), respectively. However, in following that procedure he shall consider the phrase "maximum price per case provided in (1)" which appears in that section as meaning "maximum price per case provided in section 1.8a (b)."

(d) *Inability to determine a maximum price under this section.* If an importer is unable to determine a maximum price under this section for an item which he imported in packages and rebottled into a different size container, he shall make application pursuant to section 1.8 for authority to establish a maximum price for such item.

(e) *Reports required to be filed.* On or before the date of making the first sale of a rebottled item at a maximum price established under this section, the importer shall by letter to the Office of Price Administration, Beverage Section, Washington, D. C. report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the importer filing the report.

(2) A statement that the report is filed under section 1.8a of Maximum Price Regulation 445.

(3) The brand name, container size, and formula of the "base item" and the "rebottled item," together with front and back labels of each.

(4) If maximum price for "base item" was established by order, state order number; if maximum price for such item was otherwise established, state date of application.

(5) The maximum prices established under this section for the rebottled item, and a statement showing the steps used by the importer to figure such price in accordance with the procedures provided in this section. Such statement shall show the c. i. f. cost of the "base item" and the elements of expense included in it.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

NOTE: If an importer initially established a maximum price, under section 1.4, for an item which he imported in packages and thereafter was required to obtain a price for the item under section 1.8 by reason of having bottled it into a different size container, the maximum price so authorized under section 1.8 is not superseded by the maximum price which can be obtained under this section. In all other instances, maximum prices authorized under section 1.8 for an item imported in packages and rebottled in a different size container are superseded by the maximum prices obtained under this section.

[Sec. 1.8a added by Am. 25, effective 6-25-45]

SEC. 1.9 *Posting of consumer prices.* The importer shall post his maximum price for each item of imported distilled spirits or wine to be sold or offered for sale to consumers in accordance with section 7.9a of Article VII.

[Sec. 1.9 amended by Am. 20, 9 F.R. 14817, effective 12-21-44]

SEC. 1.10 *Other provisions of this regulation applicable to sales of imported distilled spirits or wine by an importer.* The following sections of Article VII of this regulation shall apply to sales of imported distilled spirits or wine by an importer:

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section 7.1a *Changes in case sizes.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added to a maximum price.*
Section 7.3a *Distribution of packaged distilled spirits or wine.*
Section 7.4 *Use of minimum resale prices under State Fair Trade laws.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7 *Export sales.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this regulation.*
Section 7.8a *Interest on advance payments.*
Section 7.9 *Current records required.*
Section 7.9a *Posting of consumer prices.*
Section 7.9b *Sales slips and receipts.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing in certain instances.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[Sec. 1.10 amended by Am. 15, 9 F.R. 4687, effective 5-8-44; Am. 16, 9 F.R. 7708 effective 7-15-44; and Am. 20, 9 F.R. 14817, effective 12-21-44]

SEC. 1.11 *Dates on which this article shall apply.* This article shall apply to all sales or offers to sell of bulk or packaged imported distilled spirits and wine made by an importer on and after August 30, 1943: *Provided*, That this article shall not apply to any sale which an importer is required by statute, ordinance or regulation to make at a price posted or listed prior to August 14, 1943, with a state or other public authority (if the price so posted or listed is greater or less than that established by this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity after August 19, 1943: *And provided further*, That an amendment to this article shall not apply to any deliveries made prior to the effective date of such amendment.

[Sec. 1.11 amended by Am. 17, 9 F.R. 9505, effective 8-1-44]

ARTICLE II—MAXIMUM PRICES FOR SALES OF CERTAIN BULK DOMESTIC DISTILLED SPIRITS BY ANY PERSON; FOR SALES OF CERTAIN RELATED COMMODITIES IN BULK BY ANY PERSON, AND FOR SALES OF BULK IMPORTED DISTILLED SPIRITS OR WINE BY PERSONS OTHER THAN THE IMPORTER THEREOF

[Article heading as amended; former sec. 2.1 revoked and new sec. 2.1 added by Am. 3, 8 F.R. 13500, effective 10-7-43]

SEC. 2.1 *Purposes of Article II*—(a) *Generally.* Article II is designed to establish maximum prices for the following:

(1) Sales of certain bulk domestic distilled spirits by any person;

(2) Sales in bulk of certain products related to domestic distilled spirits when made by any person;

(3) Sales of bulk imported distilled spirits or wine by persons other than the importer thereof.

[Undesignated paragraph deleted by Am. 15, 9 F.R. 4687, effective 5-8-44]

(b) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation, Article II supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration before October 7, 1943, with respect to all sales to which it applies, including the applicable provisions of the following:

(1) The General Maximum Price Regulation;

(2) [Deleted]

[Subparagraph (2) deleted by Am. 25, effective 6-25-45]

(3) Maximum Price Regulation No. 193,[1] as amended;

(4) Orders Nos. 1 through 5 inclusive under Maximum Price Regulation No. 193;

Provided, That such maximum price regulations, orders and interpretations shall remain in force with respect to a particular sale until provisions of this article become applicable thereto pursuant to section 2.6.

SEC. 2.2 *General rules for figuring maximum prices under this article.* A seller required to establish maximum prices under this article must observe the following rules with respect thereto:

(a) *Customer classifications.* Where a maximum price is provided by sections 2.3 or 2.4, that maximum price applies to the classes of customers specified therein, or, if no class of customers be specified, then to all classes of customers.

(b) *Discounts, allowances, price differentials and terms of sale.* (1) Customary discounts in effect during March 1942 in accordance with a seller's March 1942 customer classifications must be applied to his maximum prices established under this article.

(2) If a seller makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction in his maximum price established under this article.

(3) [Revoked]

[Subparagraph (3) revoked by Am. 16, 9 F.R. 7708, effective 7-15-44]

(c) *Procedure where no maximum price is provided in this article for a particular sale.* If a person desires to sell a commodity for which his maximum price must be determined under this article, and no maximum price or pricing method is otherwise provided in this article for the particular sale, that person shall make application to the Office of Price Administration, Beverage Section, Washington, D. C. for authority to establish such maximum price. The application shall be in writing signed by the applicant or by a duly authorized officer or agent thereof and shall state that it is filed under this section. It shall also contain the name and address of the applicant, the nature of his business, descriptions both of the commodity to be sold and of the particular sale applicant desires to make, and the maximum price which applicant desires to establish. After such application is filed, the Price Administrator may establish a maximum price for such sale by amendment to this regulation or authorize a maximum price therefor by order. Such order may be revoked or amended by the Price Administrator at any time. No person required to apply hereunder for authority to establish a maximum price for a particular sale shall make that sale until after such amendment or order is issued and becomes effective: *Provided*, That while the request for authority to establish a maximum price is pending on such application, the Office of Price Administration may permit applicant to sell, deliver, or agree to sell or deliver under an agreement with the customer to adjust the price charged to an amount not in excess of the maximum price later established under this article. Such permission may be given only if necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942 as amended, and may be given by letter or order signed by the Price Administrator, or by any official of the Office of Price Administration to whom authority to grant such permission has been delegated.

[Paragraph (c) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

SEC. 2.3 *Maximum prices for bulk domestic whiskey, bulk domestic brandy, bulk domestic gin and bulk domestic vodka.*

[Section heading amended by Am. 12, 9 F.R. 2240, effective 3-2-44; and Am. 17, 9 F.R. 9505, effective 8-1-44]

[Note deleted by Am. 23, 10 F.R. 2877, effective 3-20-45]

(a) *Maximum prices for sales in bond.* Any seller's maximum price for a sale of bulk domestic whiskey in bond on an original proof gallon basis or on a regauged proof gallon basis, whether or not made by transfer of warehouse receipt or other evidence of title, shall be determined according to the age of the whiskey priced, its date of distillation, whether stored in new or used cooperage and the basis of sale, as set forth in the appropriate table and column of paragraph (c) (1) or (c) (2) of this section. Any seller's maximum price for a sale in bond of bulk domestic brandy in distiller's original barrels, on an original proof gallon basis or on a regauged proof gallon basis, whether or not made by transfer of warehouse receipt or other evidence of title, shall be determined according to the age and type of brandy being priced, as set forth in the appropriate table of paragraph (c) (3), (c) (4), (c) (5) or (c) (6) of this section.

(b) *Maximum prices for tax paid sales.* Any seller's maximum price for a tax paid sale of bulk domestic whiskey on an original proof gallon basis or on a regauged proof gallon basis, whether or not made by transfer of warehouse receipt or other evidence of title, shall be as follows: (1) For sales on an original proof gallon basis, the maximum price per original proof gallon shall be the price set forth in the appropriate column of the table contained in paragraph (c) (1) of this section, determined according to the age of the whiskey being priced, its date of distillation and whether stored in new or used cooperage, plus the amount of United States excise taxes at rates in effect on April 2, 1944 paid by the seller and applicable to that whiskey; (2) For sales on regauged proof gallon basis, the maximum price per regauged proof gallon shall be the price set forth in the appropriate column of the table contained in paragraph (c) (2) of this section, determined according to the age of the whiskey being priced, its date of distillation and whether stored in new or used cooperage, plus the amount of United States excise taxes at rates in effect April 2, 1944 paid by the seller and applicable to that whiskey.

Any seller's maximum price for a tax paid sale of bulk domestic brandy in distiller's original barrels, whether or not made by transfer of warehouse receipt or other evidence of title, on an original proof gallon basis or on a regauged proof gallon basis, shall be the maximum price set forth in the appropriate table of paragraph (c) (3), (c) (4), (c) (5) or (c) (6) of this section, according to the age and type of brandy being priced, plus the amount of United States excise taxes at rates in effect on April 2, 1944, paid by the seller and applicable to that brandy.

[Subparagraphs (1) and (2) amended by Am. 25, effective 6-25-45]

[Paragraphs (a) and (b) amended by Am. 12, 9 F.R. 2240, effective 3-2-44; and Am. 23, 10 F.R. 2877, effective 3-20-45]

(c) *Maximum price tables*—(1) *For bulk domestic whiskey sold on an original proof gallon basis.*

Age (months)		Column 1	Column 2
More than—	Not more than—	Maximum prices per original proof gallon; distilled at any time except during August 1944 and January 1945 and stored in either new or used cooperage; distilled during August 1944 and January 1945 and stored in used cooperage	Maximum prices per original proof gallon; distilled during August 1944 and January 1945 and stored in new cooperage
0	2	$0.69	$0.85
2	4	.73	.88
4	6	.77	.91
6	8	.81	.93
8	10	.85	.95
10	12	.89	.97
12	14	.93	.99
14	16	.97	1.01
16	18	1.01	1.03
18	21	1.07	1.07
21	24	1.13	1.13
24	27	1.19	1.19
27	30	1.25	1.25
30	33	1.31	1.31
33	36	1.36	1.36
36	39	1.41	1.41
39	42	1.46	1.46
42	45	1.51	1.51
45	48	1.56	1.56
48	51	1.61	1.61
51	54	1.65	1.65
54	57	1.69	1.69
57	60	1.72	1.72
60	63	1.75	1.75
63	66	1.78	1.78

[1] 7 F.R. 6006, 8940, 8947, 8948, 10068; 8 F.R. 1692, 2716, 7402, 8540, 14581.

Age (months)		Column 1	Column 2
More than—	Not more than—	Maximum prices per original proof gallon, distilled at any time except during August 1944 and January 1945 and stored in either new or used cooperage; distilled during August 1944 and January 1945 and stored in used cooperage	Maximum prices per original proof gallon; distilled during August 1944 and January 1945 and stored in new cooperage
66	69	$1.81	$1.81
69	72	1.84	1.84
72	75	1.87	1.87
75	78	1.90	1.90
78	81	1.93	1.93
81	84	1.96	1.96
84	90	2.00	2.00

NOTE: Maximum prices set forth above include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942 and storage and all other charges applicable to the quantity being priced and accrued to date of sale together with brokerage commissions, if any, paid by the seller incident to the particular sale.

[Paragraph (c) heading amended by Am. 12, 9 F.R. 2240, effective 3-2-44. Subparagraph (1) amended by Am. 17, 9 F.R. 9505, effective 8-1-44 and box heading amended by Am. 21, 10 F.R. 48, effective 1-1-45]

(2) *For bulk domestic whiskey sold on a regauged proof gallon basis.*

Age (months)		Column 1	Column 2	Column 3	Column 4
More than—	Not more than—	Maximum prices for regauged proof gallon in bond; distilled at any time except during August 1944 and January 1945 and stored in either new or used cooperage; distilled during August 1944 and January 1945 and stored in used cooperage	Maximum prices for regauged proof gallon tax paid; distilled at any time except during August 1944 and January 1945 and stored in either new or used cooperage; distilled during August 1944 and January 1945 and stored in used cooperage	Maximum prices for regauged proof gallon in bond; distilled during August 1944 and January 1945 and stored in new cooperage only	Maximum prices for regauged proof gallon tax paid; distilled during August 1944 and January 1945 and stored in new cooperage only
0	2	$0.712	$0.712	$0.757	$0.757
2	4	.770	.770	.928	.928
4	6	.821	.821	.970	.970
6	8	.871	.874	1.045	1.045
8	10	.927	.927	1.036	1.036
10	12	.982	.982	1.070	1.070
12	14	1.038	1.038	1.107	1.107
14	16	1.096	1.096	1.111	1.111
16	18	1.154	1.154	1.177	1.177
18	21	1.238	1.238	1.208	1.208
21	24	1.323	1.323	1.325	1.325
24	27	1.410	1.410	1.410	1.410
27	30	1.500	1.500	1.500	1.500
30	33	1.592	1.592	1.592	1.592
33	36	1.674	1.674	1.674	1.674
36	39	1.758	1.758	1.758	1.758
39	42	1.843	1.843	1.843	1.843
42	45	1.933	1.933	1.933	1.933
45	48	2.024	2.024	2.024	2.024
48	51	2.117	2.117	2.117	2.117
51	54	2.209	2.209	2.209	2.209
54	57	2.285	2.285	2.285	2.285
57	60	2.359	2.359	2.359	2.359
60	63	2.435	2.435	2.435	2.435
63	66	2.513	2.513	2.513	2.513
66	69	2.593	2.593	2.593	2.593
69	72	2.676	2.676	2.676	2.676
72	75	2.762	2.762	2.762	2.762
75	78	2.850	2.850	2.850	2.850
78	81	2.941	2.941	2.941	2.941
81	84	3.035	3.035	3.035	3.035
84	90	3.116	3.116	3.116	3.116
90	.....	3.200	3.200	3.200	3.200

NOTE: Maximum prices in columns 1, 2, 3 and 4 include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942; and storage and all other charges applicable to the quantity being priced and accrued to date of sale, together with brokerage commissions, if any, paid by the seller incident to the particular sale. Maximum prices set forth in columns 2 and 4 also include the amount of United States excise taxes at rates in effect on November 2, 1942.

[Subparagraph (2) added by Am. 12; amended by Am. 17 and box heading amended by Am. 21. Former subparagraph (2) designated (3) by Am. 12]

(3) *For bulk domestic grape brandy sold on an original proof gallon basis in distiller's original barrels.*

Age (months)		Maximum prices per original proof gallon
More than—	Not more than—	
	24	$1.43
24	30	1.49
30	36	1.55
36	42	1.61
42	48	1.67
48	54	1.73
54	60	1.79
60	66	1.85
66	72	1.91
72	78	1.97
78	84	2.03
84		2.09

NOTE: Maximum prices set forth above include all excise and processing taxes of any State or subdivision thereof at rates in effect on November 2, 1942 and storage and all other charges applicable to the quantity being priced and accrued to date of sale, together with brokerage commissions, if any, paid by the seller incident to the particular sale.

[Subparagraph (3), formerly (2), redesignated by Am. 12, 9 F.R. 2240, effective 3-2-44; amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(4) *For bulk domestic grape brandy sold on a regauged proof gallon basis in distiller's original barrels.*

Age (months)		Column 1	Column 2
More than—	Not more than—	Maximum prices per regauged proof gallon in bond	Maximum prices per regauged proof gallon tax paid
	24	$1.674	$7.67
24	30	1.778	7.78
30	36	1.866	7.90
36	42	2.019	8.02
42	48	2.151	8.15
48	54	2.291	8.29
54	60	2.431	8.44
60	66	2.562	8.59
66	72	2.755	8.76
72	78	2.929	8.93
78	84	3.116	9.12
84		3.314	9.31

NOTE: Maximum prices in Columns 1 and 2 include all excise and processing taxes of any State or subdivision thereof at rates in effect on November 2, 1942, and storage and all other charges applicable to the quantity being priced and accrued to date of sale, together with brokerage commissions, if any, paid by the seller incident to the particular sale. Maximum prices set forth in Column 2 also include the amount of United States excise taxes at rates in effect on November 2, 1942.

(5) *For bulk domestic fruit brandy (of the types specified herein) sold on an original proof gallon basis in distiller's original barrels.*

Age (months)		Maximum prices per original proof gallon	
More than—	Not more than—	Apple brandy	Apricot, peach, plum and pear brandy
	24	$1.99	$2.18
24	27	1.94	2.20
27	33	1.97	2.24
33	39	2.03	2.30
39	45	2.09	2.36
45	51	2.17	2.44
51	57	2.21	2.48
57	63	2.27	2.54
63	69	2.33	2.60
69	75	2.39	2.66
75	81	2.45	2.72
81	87	2.51	2.78
87	93	2.57	2.84
93	.....	2.63	2.90

NOTE: Maximum prices set forth above include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942; and storage and all other charges applicable to the quantity being priced and accrued to date of sale, together with brokerage commissions, if any, paid by the seller incident to the particular sale.

(6) *For bulk domestic fruit brandy (of the types specified herein) sold on a regauged proof gallon basis in distiller's original barrels.*

Age (months)		Apple brandy		Apricot, peach, plum, and pear brandy		Dried fruit brandy (except raisin)	
		Column 1	Column 2	Column 1	Column 2	Column 1	Column 2
More than—	Not more than—	Maximum prices per regauged proof gallon, in bond	Maximum prices per regauged proof gallon, tax paid	Maximum prices per regauged proof gallon, in bond	Maximum prices per regauged proof gallon, tax paid	Maximum prices per regauged proof gallon, in bond	Maximum prices per regauged proof gallon, tax paid
0	24	$2.236	$8.24	$2.552	$8.55	$2.659	$8.67
24	27	2.299	8.30	2.619	8.62	2.737	8.74
27	33	2.379	8.38	2.705	8.71	2.825	8.83
33	39	2.514	8.51	2.849	8.85	2.972	8.97
39	45	2.657	8.66	3.000	9.00	3.127	9.13
45	51	2.807	8.81	3.160	9.16	3.290	9.29
51	57	2.906	8.97	3.329	9.33	3.463	9.46
57	63	3.134	9.13	3.507	9.51	3.645	9.65
63	69	3.312	9.31	3.696	9.70	3.838	9.84
69	75	3.501	9.50	3.897	9.90	4.043	10.04
75	81	3.702	9.70	4.110	10.11	4.264	10.26
81	87	3.916	9.91	4.329	10.33	4.481	10.48
87	93	4.076	10.08	4.504	10.50	4.663	10.66
93	.....	4.248	10.21	4.640	10.64	4.800	10.80

NOTE: Maximum prices in Columns 1 and 2 include all excise and processing taxes of any State or subdivision thereof at rates in effect on November 2, 1942; and storage and all other charges applicable to the quantity being priced and accrued to date of sale, together with brokerage commissions, if any, paid by the seller incident to the particular sale. Maximum prices set forth in Column 2 also include the amount of United States excise taxes at rates in effect on November 2, 1942.

[Subparagraphs (4), (5) and (6) added by Am. 23, 10 F.R. 2877, effective 3-20-45]

(d) *Determination of age.* The age of bulk domestic whiskey to be priced hereunder shall be calculated by determining the number of full months intervening between the date of entry into bond (as indicated on the warehouse receipt) to and including the date of sale. The age of bulk domestic brandy to be priced hereunder shall be calculated by determining the number of full months intervening between the date of original gauge (as indicated on the barrel) to and including the date of sale. A full month shall be the period from the date of the month of the original entry into bond or original gauge, as the case may be, to but not including, the corresponding date of the following month, and in like manner from the corresponding date of each following month.

(e) *License contracts.* (1) Paragraphs (a), (b), (c) and (d) of this section shall not apply to sales or deliveries of bulk domestic whiskey made pursuant to a license contract entered into prior to February 3, 1943 at prices not in excess of those provided in such contract, or made pursuant to renewals after February 2, 1943 of such contracts entered into prior to February 3, 1943 if the renewal is made within 90 days after the expiration of the preceding contract or renewal at prices not in excess of those provided therein. Similarly, those paragraphs shall not apply to sales or deliveries of bulk domestic brandy made pursuant to a license contract entered into prior to October 1, 1943 at prices not in excess of those provided in such contract, or made pursuant to renewals after September 30, 1943 of such contracts entered into prior to October 1, 1943 if the renewal is made within 90 days after the expiration of the preceding contract or renewal at prices not in excess of those provided therein. Paragraphs (a), (b), (c) and (d) of this section shall, except as so provided, apply to sales, offers to sell or deliveries of bulk domestic whiskey and bulk domestic brandy in distiller's original barrels made pursuant to license contracts.

(2) Except as provided in subparagraph (1) above the sale of bulk domestic whiskey pursuant to license contract entered into subsequent to February 2, 1943 or renewals thereof, or the sale of bulk domestic brandy pursuant to license contract entered into subsequent to October 1, 1943 or renewals thereof, shall not exceed the maximum prices established under paragraph (c) hereof. Nothing herein contained shall be construed to prohibit the making of such license contracts, provided the prices contained therein shall not exceed the maximum prices established under paragraph (c) hereof.

[Subparagraph (2) added and former (2) redesignated (3) by Am. 15, 9 F.R. 4687, effective 5-8-44]

(3) Each seller of bulk domestic whiskey pursuant to a license contract entered into after March 31, 1942 and prior to February 3, 1943 and each seller of bulk domestic brandy pursuant to license contract entered into after March 31, 1942 and prior to October 1, 1943, shall file a true and correct copy of such contract with the Office of Price Administration, Beverage Section, Washington, D. C. on or before November 1, 1943.

NOTE: License contracts for the sale or delivery of bulk domestic whiskey, previously filed with the Office of Price Administration in accordance with § 1420.13 (h) (3) of Maximum Price Regulation No. 193, need not be refiled.

(f) *Alterations of original proof.* No sales of bulk domestic whiskey or bulk domestic brandy shall be made at the maximum price per original proof gallon provided under (c) after the original proof of such whiskey or brandy has been altered, otherwise than as the result of aging. In the event the original proof of such whiskey or brandy has been altered otherwise than as the result of aging, and prices for the sale are not otherwise provided in this article, the person desiring to make the sale shall apply to the Office of Price Administration, Beverage Section, Washington, D. C. for authority to establish such maximum price pursuant to section 2.2 (c).

(g) *Bulk domestic malt whiskey.* The provisions of section 2.3 shall not apply to sales, offers to sell or deliveries of bulk domestic malt whiskey. Maximum prices for the sales of bulk domestic malt whiskey shall be established by application pursuant to section 2.2 (c).

[Paragraphs (f) and (g) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

(h) *Sales of bulk domestic brandy.* The maximum price for any sale of bulk domestic brandy, for which no maximum price is set forth in section 2.3 (c) (3), (c) (4), (c) (5), or (c) (6), shall be determined by application to the Office of Price Administration, Beverage Section, Washington, D. C., pursuant to section 2.2 (c).

[Paragraph (h) added by Am. 15, 9 F.R. 4687, effective 5-8-44; and amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(i) *Maximum prices for bulk domestic gin and bulk domestic vodka.* Any seller's maximum price per proof gallon of bulk domestic gin and bulk domestic vodka for sales in any quantity to a customer of any class shall be the total of the following amounts applicable to the quantity being priced.

(1) *Seller's price.* 69½¢ per proof gallon, naked, f. o. b. seller's premises. This amount for bulk domestic gin includes Federal rectification taxes.

(2) *Container cost.* If the seller furnishes the containers in which the bulk domestic gin or bulk domestic vodka is packed and such containers become the property of the customer upon delivery of such gin or vodka, the seller may make a separate charge for the containers not in excess of his maximum price therefor.

(3) *Freight.* For sales on a delivered basis, the seller may add transportation charges per proof gallon from his point of shipment to the place of delivery at the rate actually paid (exclusive of expense of hauling, drayage or handling within the metropolitan area of such point of place).

(4) *Tax paid sales.* (i) With respect to bulk domestic vodka, the amount of United States excise taxes and Federal rectification taxes paid by the seller to the taxing authority or to a prior vendor.

(ii) With respect to bulk domestic gin, the amount of United States excise taxes paid by the seller to the taxing authority or the prior vendor.

NOTE: The maximum price set forth above includes all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942 and storage and all other charges applicable to the quantity being priced and accrued to date of sale together with brokerage commissions, if any, paid by the seller incident to the particular sale.

[Paragraph (i) added by Am. 17, 9 F.R. 9505, effective 8-1-44]

SEC. 2.4 *Maximum prices for bulk domestic grape spirits, and bulk domestic spirits-fruit, neutral brandy, high proof and high wines made from any fruits or berries except grapes*—(a) *For sales by*

the processor. The processor's maximum price to a customer of any class for a commodity to which this section applies shall be $2.48 per proof gallon naked f. o. b. processor's premises in carload quantity. For sales in less than carload quantity, the processor may add 2½ cents per proof gallon to his maximum price naked f. o. b. processor's premises in carload quantity. If the processor furnishes the containers in which the commodity is packed and such containers become the property of the customer upon delivery of the commodity, the processor may make a separate charge for the containers not in excess of his maximum price therefor.

[Paragraph (a) amended by Am. 20, 9 F.R. 14817, effective 12-21-44]

NOTE: For sales on a delivered basis, the processor may add transportation charges per proof gallon from his point of shipment to the place of delivery at the rate actually paid (exclusive of expense of hauling, drayage or handling within the metropolitan area of such point or place.)

(b) *For sales by dealers who on and prior to October 1, 1943, maintained a warehouse.* (1) A dealer who, on and prior to October 1, 1943, maintained a warehouse for distribution and sale of any commodity to which this section applies shall determine his maximum price for the commodity pursuant to this paragraph.

(2) Such dealer's maximum price per proof gallon for any quantity of the commodity, naked f. o. b. dealer's shipping point shall be the total of the following:

(i) *Processor's price.* $2.48 per proof gallon naked f. o. b. processor's premises

[Subparagraph (i) amended by Am. 20]

(ii) *Container cost.* The amount per proof gallon which the processor is authorized to and does charge the dealer as the purchase price of containers of the quantity to be priced.

(iii) *Freight.* Transportation charges per proof gallon from the processor's premises to the dealer's customary receiving point for the commodity at the carload rate. No amount shall be included for

(a) Transportation charges on sales f. o. b. processor's premises where shipment is made directly to the customer at the customer's expense; or

(b) Expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point.

(iv) 10¼ cents per proof gallon of the quantity to be priced.

NOTE: For sales on a delivered basis, the dealer may add transportation charges per proof gallon from his point of shipment to the place of delivery at the rate actually paid (exclusive of expense of hauling, drayage or handling within the metropolitan area of such point or place).

(c) *Tax paid sales.* Maximum prices for sales of bulk domestic grape spirits, and bulk domestic spirits-fruit, neutral brandy, high proof and high wines established by paragraphs (a) and (b) of this section are prices in bond. If a sale is made tax paid, the seller may add to his maximum price for the quantity in bond, the amount of United States excise taxes at rates in effect on November 2, 1942 paid by him to the taxing authority or to a prior vendor with respect to that quantity.

(d) [Revoked]

[Paragraph (d) revoked by Am. 15, 9 F.R. 4687, effective 5-8-44]

[Sec. 2.2 through 2.4 added by Am. 3, 8 F.R. 13500, effective 10-7-43 and amended as otherwise noted]

SEC. 2.4a *Maximum prices for bulk domestic neutral spirits produced from any material and bulk domestic high wines manufactured from cane or grain.* (a) Any seller's maximum price to any class of customers for sales of bulk domestic neutral spirits produced from any material except grain or for sales of bulk domestic high wines manufactured from cane or grain as defined in section 7.12 (a) (44) and (48) shall be his maximum price therefor established under § 1499.2 (a) (1) of the General Maximum Price Regulation. Sellers who are unable to establish maximum prices for these items pursuant to § 1499.2 (a) (1) of the General Maximum Price Regulation shall determine their maximum prices by application pursuant to section 2.2 (c).

(b) Any seller's maximum price per proof gallon for sales of bulk domestic neutral spirits produced from grain in any quantity to any class of customers shall be the total of the following amounts applicable to the quantity being priced:

(1) *Seller's price.* 59½¢ per proof gallon, naked, f. o. b. seller's premises.

(2) *Container cost.* If the seller furnishes the containers in which the bulk domestic neutral spirits are packed and such containers become the property of the customer upon delivery of such spirits, the seller may make a separate charge for the containers not in excess of the following amounts:

(i) 2½¢ per proof gallon, where barrels are used; or

(ii) 3½¢ per proof gallon where steel drums are used.

(3) *Freight.* For sales on a delivered basis the seller may add transportation charges per proof gallon from his point of shipment to the place of delivery at the rate actually paid exclusive of expense of hauling, draying or handling within the metropolitan area of such point or place.

NOTE: Maximum prices set forth above include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942 and storage and all other charges applicable to the quantity being priced and accrued to date of sale together with brokerage commissions, if any, paid by the seller incident to the particular sale.

[Sec. 2.4a added by Am. 15, 9 F.R. 4687, effective 5-8-44, and amended by Am. 17, 9 F.R. 9505, effective 8-1-44]

SEC. 2.4b *Maximum prices for bulk imported distilled spirits and bulk imported wines by persons other than the importer.* Maximum prices for sales of bulk imported distilled spirits and bulk imported wines by persons other than the importer thereof shall be established by application pursuant to section 2.2 (c).

[Sec. 2.4b added by Am. 15, 9 F.R. 4687 effective 5-8-44]

SEC. 2.5 *Maximum prices for denatured rum.* Any seller's maximum price to a customer of any class for a sale of denatured rum shall be $.80 cents per wine gallon in any quantity, including the cost of barrel, drum or other container, f. o. b. seller's place of production. "Denatured rum" means that product produced in accordance with Formula No. 4 as set forth in the Appendix of Regulations No. 3 as amended, issued by the Treasury Department, Bureau of Internal Revenue.

[Sec. 2.5 added by Am. 15, effective 5-8-44. Former Sections 2.5 and 2.6 added by Am. 3, 8 F.R. 13500, effective 10-7-43 and redesignated Sections 2.6 and 2.7, respectively, by Am. 15]

SEC. 2.5a *Provisions relating to certain distributions of bulk domestic distilled spirits.*—(a) *Notice requirements.* Any corporation, unincorporated association, cooperative association, company or partnership transferring or distributing bulk domestic distilled spirits in the form of warehouse receipts or otherwise) to its shareholders or members or to representatives of its shareholders or members, shall give notice of the maximum prices applicable to sales of such bulk domestic distilled spirits to each shareholder or member or distributee entitled to receive or to participate therein. Such notice shall be given on or before the date of the transfer or distribution and shall be in writing stating substantially as follows:

Under OPA regulations, ceiling prices for sales of (specify type or types of domestic distilled spirits being transferred or distributed, such as bulk domestic whiskey, bulk domestic brandy, bulk domestic neutral spirits, etc.) are as follows:

(Here set forth applicable maximum prices determined pursuant to sections 2.3 (c) (1) or 2.3 (c) (2) of MPR 445 or such other sections or regulations as may apply.)

These ceiling prices are for sales in bond and apply to your resales of (specify type or types of domestic distilled spirits as above) being distributed by this company. Where sales are made tax paid, applicable U. S. excise taxes which you pay may be added. If you sell or transfer in bulk the domestic distilled spirits distributed by this company, a report of the sale must be filed within ten days thereafter, with the district office of OPA having jurisdiction over the territory in which you reside or in which your place of business is located.

OPA requires you to keep this notice for examination.

Name of company

(b) *Application requirements.* If the maximum price for which the bulk domestic distilled spirits may be sold by the shareholders, members or distributees must be determined by application to the OPA, the corporation, unincorporated association, cooperative association, company or partnership shall, prior to making the transfer or distribution, apply to the Office of Price Administration, Beverage Section, Washington, D. C., for the establishment of such price, and shall state the price established pursuant to the application in the notice required to be given by paragraph (a).

(c) *Prohibition.* No corporation, unincorporated association, cooperative association, company or partnership shall pay to or for the account of a shareholder, member or distributee receiving or entitled to receive bulk domestic distilled spirits as the result of a corporate distribution or otherwise, as consideration for a transfer or surrender of the shareholder's, member's or distributee's rights therein, money or property exceeding in value the maximum price for a sale of the particular bulk domestic distilled spirits by the shareholder, member or distributee.

(d) *Report to be filed by shareholder, member or distributee.* Every person who receives bulk domestic distilled spirits (in the form of warehouse receipts or otherwise) as the result of a transfer or distribution thereof by a corporation, unincorporated association, cooperative association, company or partnership and thereafter sells or transfers the same, shall file a report of the sale or transfer with the district office of the Office of Price Administration having jurisdiction of the territory in which he resides or in which his place of business is located. Such report shall be in writing, signed by the seller, and shall be filed within ten days after the sale or transfer is made, and shall contain:

1. The name and address of the seller.
2. The name and address of the buyer.
3. The date of the sale.
4. A description sufficient to identify the character and quantity of each type of bulk domestic distilled spirits sold or transferred including, in the case of bulk domestic whiskey, the date of entry into bond as shown by the warehouse receipt, and in the case of bulk domestic brandy, the date of original gauge as shown on the barrel.
5. The total price which the buyer has paid or contracted to pay for the purchase of the bulk domestic distilled spirits described in the report.
6. The amount of any commission, brokerage or fee which the seller has contracted to pay in connection with the sale or transfer and the name and address of each person to whom payment thereof is to be or has been made.
7. Whether, to the seller's knowledge, the buyer has paid or contracted to pay any commission, brokerage or fee in connection with the sale or transfer, and, if known by the seller, the amount thereof and the name and address of each person to whom payment thereof is to be or has been made. If the seller has no knowledge of such commission, brokerage or fee which the buyer has paid or contracted to pay, the report shall so state.

[Sec. 2.5a added by Am. 8, 8 F.R. 16997, effective 12-20-43]

SEC. 2.6 *Other provisions of this regulation applicable to sales for which maximum prices are established under this article.* The following sections of Article VII of this regulation shall apply to sales for which maximum prices are established under this article:

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added to a maximum price.*
Section 7.3a *Distribution of packaged distilled spirits or wine.*
Section 7.4 *Use of minimum resale prices under State Fair Trade Laws.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7 *Export sales.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this regulation.*
Section 7.8a *Interest on advance payments.*
Section 7.9 *Current records required.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing in certain instances.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[Sec. 2.6, formerly 2.5, added by Am. 3, 8 F.R. 13500, effective 10-7-43; redesignated and amended by Am. 15, 9 F.R. 4687, effective 5-8-44 and Am. 16, 9 F.R. 7708, effective 7-15-44]

SEC. 2.6a *Grain neutral spirits acquired by custom processing.* If a person acquires grain neutral spirits for which maximum prices are established by this regulation by separately purchasing the raw material and the service by which the raw material is converted into grain neutral spirits, the total amount paid by him for the raw material and the service may not exceed the maximum price that would apply if the grain neutral spirits were sold to him by the person furnishing the service.

[Sec. 2.6a added by Am. 17, 9 F.R. 9505, effective 8-1-44]

SEC. 2.7 *Dates on which this article shall apply.* This article shall apply to all sales, and offers to sell and deliveries of the commodities specified therein made on and after October 7, 1943: *Provided*, That this article shall not apply to deliveries made on and before October 21, 1943 pursuant to sales or contracts to sell made prior to October 1, 1943: *And provided further*, That an amendment to this article shall not apply to any deliveries made prior to the effective date of such amendment.

[Sec. 2.7, formerly 2.6, added by Am. 3, 8 F.R. 13500, effective 10-7-43; redesignated by Am. 15, 9 F.R. 4687, effective 5-8-44; and amended by Am. 17, 9 F.R. 9505, effective 8-1-44]

ARTICLE III—MAXIMUM PRICES FOR SALES OF PACKAGED DOMESTIC DISTILLED SPIRITS BY PROCESSORS

SEC. 3.1 *Purposes of Article III*—(a) *Generally.* (1) Article III establishes maximum prices for sales of packaged domestic distilled spirits by processors to any purchaser.

(2) Maximum prices for sales of bulk domestic distilled spirits must be established under Article II of this regulation or under Maximum Price Regulation No. 193, whichever is applicable to the particular sale. Maximum prices for sales of bulk or packaged imported distilled spirits must be established under Articles I, II or V of this regulation or under the General Maximum Price Regulation, whichever is applicable to the particular sale.

(3) Maximum prices for sales of packaged domestic distilled spirits by persons other than the processor must be established under Article V of this regulation, or under Maximum Price Regulation No. 193, whichever is applicable to the particular sale.

NOTE: Article III is applicable to processors' sales of all classifications and subclassifications of packaged domestic distilled spirits, including (but not limited to) those classifications and subclassifications containing as an ingredient imported neutral spirits, imported distilled spirits, or neutral spirits derived from domestic processing of imported distilled spirits.

[Sec. 3.1 amended by Am. 9, 8 F.R. 17415, effective 1-6-44]

SEC. 3.2 *Processors' maximum prices.* The maximum prices provided in this article for processors' sales of packaged domestic distilled spirits are as follows:

(a) *Items sold or offered for sale by the processor during March 1942.* The processor's maximum price for sales of an item of packaged domestic distilled spirits which he sold or offered for sale during March 1942 shall be one of the following maximum prices:

(1) For all classifications of domestic distilled spirits, the March 1942 maximum price determined as provided in Appendix A; or

(2) For domestic whiskey only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix E; or

(3) For domestic gin and domestic vodka only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix H; or

[Subparagraph (3) amended by Am. 17, 9 F.R. 9505, effective 8-1-44]

(4) For domestic cordials and liqueurs only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix I; or

[Subparagraph (4) added by Am. 17; and amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(5) For domestic brandy only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix J; or

(6) For all classifications of domestic distilled spirits (except where a maximum price can be established under Appendix A or where the processor elects or is required to establish a prescribed uniform maximum price under Appendices E, H, I or J), the special maximum price by authorization determined as provided in Appendix F.

[Subparagraphs (5) and (6) added by Am. 23]

(b) *Items of a brand name sold or offered for sale by the processor during March 1942, but of a different formula or container size.* The processor's maximum price for sales of an item of pack-

aged domestic distilled spirits where the brand name is the same as that for the item which he sold or offered for sale during March 1942, but the formula or container size is different, shall be one of the following maximum prices:

(1) For all classifications of domestic distilled spirits, where there is a change in container size, the converted March 1942 maximum price determined as provided in Appendix B. Where the particular change in container size is not covered in that appendix, the special maximum price by authorization determined as provided in Appendix F.

(2) For domestic whiskey, domestic gin, domestic vodka, domestic brandy, domestic cordials and liquers and domestic rum, where there is a change in proof, the converted March 1942 maximum price determined as provided in Appendix C. For all other classifications of domestic distilled spirits, where there is a change in proof, the special maximum price by authorization determined as provided in Appendix F.

[Subparagraph (2) amended by Am. 17, 9 F.R. 9505, effective 8-1-44; and Am. 23, 10 F.R. 2877, effective 3-20-45]

(3) For items of domestic brandy and domestic whiskey only (except items containing malt whiskey), where there is a change in formula (other than proof), the converted March 1942 maximum price determined as provided in Appendix D. For all other items of domestic distilled spirits, where there is a change in formula (other than proof), the special maximum price by authorization determined as provided in Appendix F.

[Subparagraph (3) amended by Am. 23]

(4) For domestic whiskey only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix E.

(5) For domestic gin and domestic vodka only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix H.

[Subparagraph (5) amended by Am. 17, 9 F.R. 9505, effective 8-1-44]

(6) For domestic cordials and liqueurs only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix I.

[Subparagraph (6) added by Am. 17, and amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(7) For domestic brandy only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix J.

(8) For all classifications of domestic distilled spirits (except where a maximum price can be established under Appendices B through D, inclusive, or where the processor elects or is required to establish a prescribed uniform maximum price under Appendices E, H, I or J), the special maximum price by authorization determined as provided in Appendix F.

[Subparagraphs (7) and (8) added by Am. 23]

NOTE: Where the change in formula (other than proof) involves only a substitution of the ingredient distilled spirits for which provision is made in paragraph (d) below, such items must be priced in accordance with Appendix G where applicable. A special maximum price by authorization may not be established where a maximum price provided in the other appendices can be adjusted in accordance with the provisions of Appendix G.

(c) *Items of a brand name not sold or offered for sale by the processor during March 1942.* The processor's maximum price for sales of an item of packaged domestic distilled spirits of a brand name not sold or offered for sale by the processor during March 1942 shall be one of the following maximum prices:

(1) For domestic whiskey only, the prescribed uniform maximum price determined as provided in Appendix E.

(2) For domestic gin and domestic vodka only, the prescribed uniform maximum prices determined as provided in Appendix H.

[Subparagraph (2) amended by Am. 17, 9 F.R. 9505, effective 8-1-44]

(3) For domestic cordials and liqueurs only, the prescribed uniform maximum prices determined as provided in Appendix I.

[Subparagraph (3) added by Am. 17, and amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(4) For domestic brandy only, the prescribed uniform maximum prices determined as provided in Appendix J.

(5) For all classifications of domestic distilled spirits (except for sales of domestic whiskey, for which maximum prices can be established under Appendix E; domestic gin and domestic vodka, for which maximum prices can be established under Appendix H; domestic cordials and liqueurs, for which maximum prices can be established under Appendix I; and domestic brandy, for which maximum prices can be established under Appendix J), the special maximum price by authorization determined as provided in Appendix F.

[Subparagraphs (4) and (5) added by Am. 23]

(d) *Items in which substitution is made of certain ingredients.* For sales of any item of packaged domestic distilled spirits in which imported neutral spirits, neutral spirits derived from domestic processing of imported distilled spirits, imported distilled spirits, high wines or spirits-fruit are substituted in the item, the processor's maximum price shall be a maximum price established under paragraphs (a), (b), or (c), as though no substitution had been made, adjusted for the applicable substitution as provided in Appendix G.

SEC. 3.3 *General rules.* Processors must observe the following rules in establishing their maximum prices under this article.

(a) *Pricing methods provided in this article.* (1) Article III provides several pricing methods for processors' sales of items of packaged domestic distilled spirits. Those pricing methods are set forth in detail in Appendices A through J and specific rules are provided therein for each pricing method. One of those methods requires processors of items of domestic whiskey of a brand name not sold or offered for sale by the processor during March 1942 to establish a prescribed uniform maximum price for the item. That method, set forth in Appendix E, applies only to items of domestic whiskey. Another method, which applies only to items of domestic gin and domestic vodka, requires processors of these commodities of a brand name not sold or offered for sale by the processor during March 1942 to establish a prescribed uniform maximum price for the item under Appendix H.

Additional methods, following the same basic pricing technique found in Appendices E and H, may also be found in Appendices I and J, which apply only to items of domestic cordials and liqueurs and items of domestic brandy, respectively. Processors of items, for which no prescribed uniform maximum prices have been provided, of a brand name not sold or offered for sale during March 1942, must establish special maximum prices by authorization in accordance with the provisions of Appendix F.

(2) Processors of items of a brand name, container size, proof and formula, which they sold or offered for sale during March 1942, are required to establish March 1942 maximum prices under Appendix A for sales to customers of a particular class to which the item was sold or offered for sale by the processor during March 1942. Where the sale is to a customer of a different class, the processor must establish a special maximum price by authorization under Appendix F. However, for items of domestic whiskey, the processor may elect to establish prescribed uniform maximum prices under Appendix E; for items of domestic gin and domestic vodka, the processor may elect to establish prescribed uniform maximum prices under Appendix H; for items of domestic cordials and liqueurs, the processor may elect to establish prescribed uniform maximum prices under Appendix I; and for items of domestic brandy, the processor may elect to establish prescribed uniform maximum prices under Appendix J. Where the processor elects to establish a prescribed uniform maximum price for any item of domestic whiskey, domestic gin, domestic vodka, or domestic grape brandy, he must, after making a sale at such price, establish prescribed uniform maximum prices for all sales thereafter to any purchaser of any item of the same classification bearing the same brand name.

[Subparagraphs (1) and (2) amended by Am. 17, 9 F.R. 9505, effective 8-1-44 and Am. 23, 10 F.R. 2877, effective 3-20-45]

(3) Where only the container size of an item is different from that for the item sold or offered for sale by the processor during March 1942, the processor, except where he elects to establish a prescribed uniform maximum price for the item, must establish a converted March 1942 maximum price under the method in Appendix B. That method is applicable to all classifications of domestic distilled spirits subject only to the qualification that the change must be from and to the sizes covered in the appendix. For other sizes, the processor must establish a special maximum price by authorization under Appendix F.

(4) Where the proof of an item of domestic whiskey, domestic brandy, domestic gin, domestic vodka, domestic cordials and liqueurs or domestic rum is different from that of the item sold or offered for sale by the processor during March 1942, the processor, except where he elects to establish a prescribed uniform maximum price for the item, must establish a converted March 1942 maximum price under the method provided in Appendix C. For all other classifications of domestic distilled spirits where the proof is different from that for the item sold or offered for sale by the processor during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

(5) Where the formula (other than proof) of an item of domestic whiskey or domestic brandy is different from that for the item sold or offered for sale by the processor during March 1942, the processor, except where he elects to establish a prescribed uniform maximum price for the item, must establish a converted March 1942 maximum price under the method provided in Appendix D. For all other classifications of domestic distilled spirts, where the formula (other than proof) is different from that for the item sold or offered for sale by the processor during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

[Subparagraphs (4) and (5) amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(6) In any instance where two or more changes are involved the conversion must be made first, for the change in container size; second, for the change in proof; and third, for the change in formula other than proof.

(7) Where there is a substitution of certain ingredient distilled spirits an adjustment of the maximum prices established under other provisions of this article is provided in Appendix G.

(8) Notwithstanding the foregoing provisions of this article, converted March 1942 maximum prices as provided in Appendix D, and prescribed uniform maximum prices as provided in Appendix E cannot be established for items of domestic whiskey containing malt whiskey. For items of domestic whiskey containing malt whiskey, where the formula (other than proof) or brand name is different from that for the item sold or offered for sale by the processor during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

(b) *Figuring maximum prices for each item separately.* Each item of packaged domestic distilled spirits must have a separate maximum price determined in accordance with the applicable pricing appendix. One item must not be considered the same as another if there is any difference in

(1) Their brand names,

(2) Their container sizes,

(3) Their formulae (as defined in section 7.12), or

(4) Requirements of United States labeling laws or regulations applicable to each, with respect to material information contained on their labels. Age, proof, type designation, and ingredients, as stated on the labels, shall be deemed material information. "Bottled in bond" domestic whiskey shall be deemed to be four years of age where no age statement appears on the labels.

"Item" means a particular brand name, formula and container size of packaged domestic distilled spirits of a particular classification or subclassification of identity.

"Classification" or "subclassification" of domestic distilled spirits, as used in this article, means the applicable classification or subclassification of identity contained in Articles II and III of Regulations No. 5 relating to Labeling and Advertising of Distilled Spirits, as amended, issued under the provisions of the Federal Alcohol Administration Act, as amended.

Any difference whatsoever between brand names shall be deemed to require separate pricing. For example, a change of name from "Royal King" to "Royal King Reserve" or to "Royal King Three Star" or to "Royal" is a change of brand name. However, a change of brand name when made to comply with any judicial decree, or to terminate legal proceedings to compel such change, shall not require the item to be repriced if the processor before changing the brand name, or having under such circumstances changed the brand name on or before January 6, 1944, notifies the Office of Price Administration, Beverage Section, Washington, D. C., in writing of the facts which require or did require the change; and if the processor receives written permission from a duly authorized officer of the Office of Price Administration to establish maximum prices for items bearing such brand name under the methods provided in this article for items of a brand name sold or offered for sale by the processor during March 1942.

(c) *Customer classifications.* (1) A separate maximum price must be established for the processor's sales of each item to each class of customers he sells in accordance with the method under which the maximum price for the item is established.

(i) Where a processor establishes a March 1942 maximum price under Appendix A, his customers for sales of the item must be classified in accordance with his March 1942 customer classifications. If the processor desires to sell the item so priced to a customer of a class to which he did not sell or offer to sell it during March 1942, he must establish a special maximum price by authorization under Appendix F.

(ii) Where a processor establishes a converted March 1942 maximum price under the Appendices B, C or D, his customers for sales of the item must be classified in accordance with his March 1942 customer classifications for sales of the item used as the base for the conversion. If the processor desires to sell the item so priced to customers of a class to which he did not sell or offer to sell the base item during March 1942, he must establish a special maximum price by authorization under Appendix F.

(iii) Where a processor establishes a prescribed uniform maximum price under Appendices E, H, I or J, his customers for sales of the item are to be classified only as wholesalers, monopoly states, primary distributing agents, retailers, and consumers.

[Subparagraph (iii) amended by Am. 17, 9 F.R. 9505, effective 8-1-44; and Am. 23, 10 F.R. 2877, effective 3-20-45]

(iv) Where a processor establishes a special maximum price by authorization under Appendix F, the maximum price thus established shall apply only to the class of customers stated in the application or in the order, or amendment to this regulation issued pursuant thereto.

(v) Under subdivisions (i) and (ii) no purchaser shall be deemed to be in the same class as another if during March 1942, with respect to the processor's sales of items of packaged domestic distilled spirits to such persons, any difference existed in the rates of applicable taxes paid by the processor, or any difference existed in applicable transportation charges paid by the processor if the selling price was a delivered price. In no event shall a purchaser be deemed to be in the same class as another if there is any difference between such purchasers in accordance with the processor's March 1942 customer classifications or in the identity of such persons as described in the definitions in section 7.12.

(d) *Discounts, allowances, price differentials and terms of sale.* (1) Customary discounts, allowances and other price differentials (except "special deals" to which § 1499.4 (b) of the General Maximum Price Regulation applied) in effect during March 1942 in accordance with the processor's March 1942 customer classifications must be applied to his maximum prices established under this article: *Provided*, That discounts and allowances based solely on quantity purchases (in dollars or units) need not be maintained: *And, provided further*, That allowances and price differentials in accordance with the processor's March 1942 customer classifications need not be maintained with respect to sales of items for which prescribed uniform maximum prices are established.

NOTE: Nothing in the above paragraph shall be construed to prevent any sale at an amount lower than any maximum price established by this regulation. A processor need not maintain any customary discount, allowance or price differential if he reduces his maximum price by an amount which compensates all his customers of the particular class for the elimination of the discount, allowance or price differential.

(2) If a processor makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction in his maximum price established under this article.

(3) [Revoked]

[Subparagraph (3) revoked by Am. 16, 9 F.R. 7708, effective 7-15-44]

(e) *F. o. b. and delivered prices.* (1) Where a seller establishes a March 1942 maximum price or a converted March 1942 maximum price for an item, and the highest price at which he sold or offered to sell during March 1942 (used to determine such maximum price) was a de-

livered price, or an f. o. b. particular freight base point price, the maximum price thus established shall correspondingly be a delivered price or an f. o. b. particular freight base point price, as the case may be. A separate maximum price must be established for the item for each freight basing point from which shipment was made during March 1942 if the processor continues to make shipment from such freight basing point. In any instance where shipment is to be made from a freight basing point from which no shipment was made during March 1942, a special maximum price by authorization must be established under Appendix F.

(2) Prescribed uniform maximum prices are prices f. o. b. bottling plant, except as otherwise expressly provided.

(3) If a processor's maximum price is a price f. o. b. bottling plant, or f. o. b. a particular freight base point, and he desires to convert it to a delivered price for delivery to a point outside the metropolitan area of that place, he may add to his maximum price transportation charges from that place to the point of delivery at the same rate payable for the same transportation service in March 1942.

NOTE: For a definition of "transportation charges" and the method of computing them when the seller uses his own vehicle, see section 7.12 (d) (4) of Article VII.

(4) Any processor who during March 1942 maintained a practice of selling in specific territories on an average freight charge included in his selling price may continue such practice with respect to any maximum price established under this regulation, if he uses the same rates (no addition may be made for federal freight taxes) as he used in March 1942, and if he follows a uniform practice with respect to this method.

(f) *Sales and offers to sell.* Where the price for a sale or for an offer to sell during March 1942 is to be used in determining a maximum price under this article, the price for a sale completed by delivery during that month must be used if such sale was made. An offering price may be used only if no such sale was made during March 1942, if it was an offering price for supply or delivery during that month, and if the offer or an acceptance thereof is supported by written evidence.

Where the price for a sale or for an offer to sell during March 1942 is to be used by the processor in determining a maximum price under this article, the price so used must be the price for an item with respect to which he was the processor during March 1942.

(g) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation and in Supplementary Order No. 40,* Article III supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration,

(1) Prior to January 6, 1944, with respect to processors' sales of packaged distilled spirits;

(2) Prior to August 1, 1944, with respect to processors' sales of packaged domestic gin and vodka; and

(3) Prior to March 20, 1945, with respect to processors' sales of packaged domestic cordials, liqueurs and brandy,

including (but not limited to) the applicable provisions of the following:

(1) Maximum Price Regulation 193;

(2) Order Nos. 1 through 5 inclusive, under Maximum Price Regulation 193; and

(3) Orders issued under Appendix F to Article III of Maximum Price Regulation 445, establishing special maximum prices by authorization for processors' sales of cordials, liqueurs and brandy:

Provided, That such maximum price regulations, orders and interpretations shall remain in force with respect to a particular sale of packaged domestic distilled spirits, gin, vodka, cordials, liqueurs and brandy, until provisions of this article become applicable thereto pursuant to section 3.7.

[Paragraph (g) amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(h) *Posting of consumer prices.* The processor shall post his maximum price for each item of packaged domestic distilled spirits to be sold or offered for sale to consumers in accordance with section 7.9a of Article VII.

[Paragraph (h) amended by Am. 20, 9 F.R. 14817, effective 12-21-44]

(i) *Affixing tax stamps.* No addition to a processor's maximum price established under this article shall be made for affixing federal strip stamps, State tax stamps, decalcomania insignia used in lieu of such State tax stamps, or any other stamps or insignia.

(j) *Maximum prices for individual containers.* The processor's maximum price for individual containers of an item to any class of customers shall be an amount determined by dividing his maximum price per case to a customer of the same class by the number of individual containers customarily packed in the case (see Appendix B for definition of case of quarts, fifths, tenths, pints and half-pints).

[Former paragraphs (f) through (h) redesignated (c) through (j) by Am. 15, 9 F.R. 4057, effective 5-8-44]

SEC. 3.4 *Inability to fix maximum prices.* In any case where the processor is unable to establish a maximum price for a particular sale of an item of packaged domestic distilled spirits under other pricing provisions of this article, he shall establish a special maximum price by authorization in accordance with the provisions of Appendix F.

SEC. 3.5 *Applicable taxes.* In each instance taxes must be added to or included in a maximum price only in accordance with the specific conditions provided in each appendix to this article, and in accordance with the provisions of sections 7.2 and 7.3 of Article VII.

(a) Where pursuant to any of the provisions of this article an amount is required to be added for certain applicable taxes, the rates of such taxes must be applied only to the actual quantity packaged and sold. Taxes paid with respect to any quantity of distilled spirits lost in processing or otherwise cannot be added.

(b) For processors' sales of any item to a monopoly state, the amount of any tax which became effective after March 31, 1942, and which may be included in or added to the maximum price under the provisions of this article, shall be separately stated on the invoice issued in connection with each sale, or on a statement made in connection with any offer to sell.

(c) License, income, franchise, receipts, gross receipts, sales, use or other similar federal, state or local taxes cannot be included in or added to a maximum price established under this article, except that in certain cases a sales tax or gross receipts tax may be charged in addition to a maximum price under the conditions provided in section 7.2 of Article VII.

[Former subparagraphs (1), (2) and (3) redesignated as paragraphs (a), (b) and (c) (c) amended by Am. 15, 9 F.R. 4057, effective 5-8-44]

SEC. 3.6 *Other provisions of this regulation applicable to sales for which maximum prices are established under this article.* The following sections of Article VII of this regulation shall apply to sales for which maximum prices are established under this article:

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section 7.1a *Changes in case sizes.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added to a maximum price.*
Section 7.3a *Distribution of packaged distilled spirits or wine.*
Section 7.4 *Use of minimum resale prices under State Fair Trade Laws.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7 *Export sales.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this regulation.*
Section 7.8a *Interest on advance payments.*
Section 7.9 *Current records required.*
Section 7.9a *Posting of consumer prices.*
Section 7.9b *Sales slips and receipts.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing in certain instances.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[Sec. 3.6 amended by Am. 15, 9 F.R. 4057, effective 5-8-44; Am. 16, 9 F.R. 7708, effective 7-15-44; and Am. 20, 9 F.R. 14817, effective 12-21-44]

SEC. 3.7 *Dates on which this article shall apply.* This article shall apply to all sales, offers to sell and deliveries:

(a) On and after January 6, 1944, with respect to processors' sales of packaged distilled spirits;

(b) On and after August 1, 1944, with respect to processors' sales of packaged domestic gin and vodka; and

(c) On and after March 20, 1945, with respect to processors' sales of packaged domestic cordials, liqueurs and brandy, *Provided*, That with respect to sales, offers to sell and deliveries of any item for which the processor is required or permitted to establish a special maximum price by authorization under Appendix F, and such application is properly filed under that appendix on or before April 20, 1945, and the applicant had a lawful maximum price for the item or sale in effect prior to March 20, 1945, he may continue to sell, offer to sell or deliver the item at the latter price until the date on which the application is acted upon, or until June 20, 1945, whichever is earlier:

And provided further, That with respect to sales for which prior to March 20, 1945 a seller has posted prices, with a state or other public authority in compliance with a statute, ordinance or regulation, if

(a) The posted price is not in excess of the seller's maximum price under Office of Price Administration regulations in effect on the date of posting, and

(b) The seller cannot observe the new maximum price without being subject to a penalty for non-observance of the posted price,

then the new maximum price shall not apply until the first effective date for prices similarly posted or listed at the seller's first regular opportunity following the date on which the new price, but for this provision, would be his maximum price. In the interval, the appropriate provisions of the Office of Price Administration regulations in effect at the date of posting, shall continue to apply to such sales.

For purposes of this section, the term "posted" includes "listed" and in determining whether a seller is "subject to a penalty", defenses conferred by section 205 (d) of the Emergency Price Control Act of 1942, as amended, shall not be considered.

NOTE: In the following appendices, the examples are offered for purposes of illustration only. The examples are not to be regarded as a substantive part of this regulation. They neither enlarge nor restrict the definitive provisions. The examples do not reflect the applicable amount of the increase effective April 1, 1944 in United States excise taxes.

[Sec. 3.7 amended by Am. 14, 9 F.R. 3152, effective 3-21-44; Am. 17, 9 F.R. 9505, effective 8-1-44; and Am. 23, 10 F.R. 2877, effective 3-20-45]

APPENDICES: PRICING PROCEDURES AND PRICE SCHEDULES

APPENDIX A—MARCH 1942 MAXIMUM PRICES

(a) *Rules for establishing maximum prices under Appendix A.* (1) A March 1942 maximum price is applicable only when the brand name, formula (including proof) and container size of the item are exactly the same as those for the item sold or offered for sale by the processor during March 1942.

(2) A March 1942 maximum price is applicable only to sales to customers of the same class as that to which the item was sold or offered for sale by the processor during March 1942. For sales of the item to customers of another class, a special maximum price by authorization must be established under Appendix F.

(3) A March 1942 maximum price established under this appendix is inapplicable to sales of any item of domestic whiskey, gin, vodka, and grape brandy bearing the same brand name as a corresponding item for which the processor has established a prescribed uniform maximum price under the applicable appendix to Article III.

(4) A March 1942 maximum price established under this appendix is inapplicable to sales of a particular item of domestic cordials and liqueurs and domestic fruit brandy, bearing the same brand name as that item for which the processor has established a prescribed uniform maximum price under the applicable appendix to Article III.

[Subparagraph (3) amended; and (4) added by Am. 23, 10 F.R. 2877, effective 3-20-45]

(b) *Procedure for establishing March 1942 maximum prices.* The processor's March 1942 maximum price per case for sales of an item to customers of a particular class is the highest price per case at which the processor sold or offered to sell the same item during March 1942 to a customer of the same class, in accordance with the processor's March 1942 customer classifications, plus the applicable amount of any new or increased federal, state or local excise tax which became effective after March 31, 1942, and before November 3, 1942; *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

NOTE: For addition of applicable excise taxes which became effective after November 2, 1942, see section 7.3 of Article VII.

See section 3.3 (c) for rules respecting customer classifications.

The March 1942 maximum price does not include any additions permitted under MPR No. 193 for the use of high wines. Adjustments permitted in such cases must be made under Appendix G.

APPENDIX B—CONVERTED MARCH 1942 MAXIMUM PRICES FOR CHANGES IN CONTAINER SIZES

(a) *Rules for establishing maximum prices under Appendix B.* (1) A converted March 1942 maximum price provided in this Appendix cannot be established for an item in the same container size as that in which it was sold or offered for sale by the processor during March 1942.

(2) The conversion provided in this Appendix must be made from the processor's March 1942 maximum price for the largest container size of the item sold or offered for sale by the processor during March 1942 for which a conversion method is provided in this appendix.

(3) The converted March 1942 maximum price is applicable only to sales to customers of the same class as that to which the base item was sold or offered for sale by the processor during March 1942. For sales of the item converted for change of container size to customers of another class, a special maximum price by authorization must be established under Appendix F.

[Subparagraph (3) amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(4) The converted March 1942 maximum price is applicable only where the container size sold or offered for sale by the processor during March 1942 and the container size to be priced are sizes covered in this appendix. For conversions involving other sizes, a special maximum price by authorization must be established under Appendix F.

(5) The converted March 1942 maximum price established under this appendix is inapplicable to sales of any item of domestic whiskey, gin, vodka, and grape brandy bearing the same brand name as a corresponding item for which the processor has established a prescribed uniform maximum price under the applicable appendix to Article III.

[Subparagraph (5) amended and (6) added by Am. 23]

(6) The converted March 1942 maximum price established under this appendix is inapplicable to sales of a particular item of domestic cordials and liqueurs and domestic fruit brandy, bearing the same brand name as that item for which the processor has established a prescribed uniform maximum price under the applicable appendix to Article III.

(b) *Procedure for establishing converted March 1942 maximum prices.* The processor's converted March 1942 maximum price (for a change in container size) for sales of an item to customers of a particular class is the processor's March 1942 maximum price, provided in Appendix A for the base item, adjusted for the change in container size as set forth below. The "base item" is an item of the same brand name and formula (including proof) in the largest container size (covered herein) sold or offered for sale during March 1942 to a customer of the same class, in accordance with the processor's March 1942 customer classifications.

(1) Subtract from the March 1942 maximum price per case for the base item the following charges included therein:

(i) The amount of any state or local tax (except a processing tax).

(ii) The amount of any freight or transportation charges, if the March 1942 maximum price for the base item is a delivered price.

(2) For a change from a case of quarts, pints or half-pints to a case of fifths or tenths:

(i) Subtract from the resulting figure in (1), in accordance with the container size of the base item, $1.50 for quarts, $2.10 for pints, or $2.85 for half-pints.

(ii) Multiply the resulting figure in (i) by .80; and

(iii) Add to the resulting figure in (ii) the amount of $1.50 if the size to be priced is fifths, $2.10 if tenths.

(3) For a change from a case of fifths or tenths to a case of quarts, pints or half-pints;

(i) Subtract from the resulting figure in (1), in accordance with the container size of the base item, $1.50 for fifths, or $2.10 for tenths;

(ii) Multiply the resulting figure in (i) by 1.25; and

(iii) Add to the resulting figure in (ii) the amount of $1.50 if the size to be priced is quarts, $2.10 if pints, or $2.85 if half-pints.

(4) Add to the resulting figure in subparagraphs (2) or (3), as the case may be, the following amounts:

(i) The applicable amount of freight or transportation charges, at rates in effect during March 1942, if the March 1942 maximum price for the base item is a delivered price, using the same method of calculating such charges that he used in figuring his delivered price during March 1942.

(ii) The applicable amount of any state or local excise tax at rates in effect on November 2, 1942; *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for the changed container size covered in subparagraphs (2) or (3), as the case may be.

(5) For a change from a case of quarts, pints or half-pints to a case of any of the other such container sizes:

(i) Subtract from the March 1942 maximum price for the base item the amount of freight or transportation charges included therein if such price is a delivered price.

*3 F.R. 4325.

(ii) Add to or subtract from the resulting figure in (i) the amount indicated in the table below for the container size to be priced.

From—	To quarts	To pints	To half-pints
Quarts	.....	+$0.60	+$1.35
Pints	−$0.60	.....	+.75
Half-pints	−1.35	−.75	.....

(iii) Add the applicable amount of freight or transportation charges at rates in effect during March 1942, if the March 1942 maximum price for the base item is a delivered price, using the same method of calculating such charges that he used in figuring his delivered price during March 1942.

The resulting figure is the converted March 1942 maximum price for the changed container size covered in subparagraph (5).

(6) For a change from a case of fifths to a case of tenths, or for a change from a case of tenths to a case of fifths:

(i) Subtract from the March 1942 maximum price for the base item the amount of freight or transportation charges included therein if such price is a delivered price.

(ii) Subtract 60 cents from the resulting figure in (i) if the size to be priced is fifths, and add 60 cents to the resulting figure in (i) if the size to be priced in tenths.

(iii) Add the applicable amount of freight or transportation charges at rates in effect during March 1942, if the March 1942 maximum price for the base item is a delivered price, using the same method of calculating such charges that he used in figuring his delivered price during March 1942.

The resulting figure is the converted March 1942 maximum price for the changed container size covered in subparagraph (6).

(7) As used in this Appendix the term:

"Case of quarts" means a total quantity of 3 wine gallons of domestic distilled spirits packaged in 12 individual containers of one-fourth wine gallon each, all enclosed in a single carton or box.

"Case of fifths" means a total quantity of 2.4 wine gallons of domestic distilled spirits packaged in 12 individual containers of one-fifth wine gallon each, all enclosed in a single carton or box.

"Case of pints" means a total quantity of 3 wine gallons of domestic distilled spirits packaged in 24 individual containers of one-eighth wine gallon each, all enclosed in a single carton or box.

"Case of half-pints" means a total quantity of 3 wine gallons of domestic distilled spirits packaged in 48 individual containers of one-sixteenth wine gallon each, all enclosed in a single carton or box.

"Case of tenths" means a total quantity of 2.4 wine gallons of domestic distilled spirits packaged in 24 individual containers of one-tenth wine gallon each, all enclosed in a single carton or box.

(c) *Reports required to be filed.* On or before the date of making the first sale of an item at a converted March 1942 maximum price established under this appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix B to Article III of MPR 445.

(3) The brand name and container size of the item which is the subject of the report.

(4) The date upon which the processor filed OPA Form 635-232-A (brand name report required under Amendment No. 6 to MPR 193) for the base item used for the conversion made under this appendix.

(5) The converted March 1942 maximum price for the item which is the subject of the report, and a statement showing the steps (similar to those illustrated by the examples) made by the processor to figure such price, in accordance with procedure provided in this appendix.

(6) A list of all items of the same brand name and formula sold or offered for sale by the processor during March 1942.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

APPENDIX C—CONVERTED MARCH 1942 MAXIMUM PRICES FOR CHANGES IN PROOF ONLY

(a) *Rules for establishing maximum prices under Appendix C.* (1) The conversion provided in this appendix is applicable only to items of domestic whiskey, domestic gin, domestic vodka, domestic cordials and liqueurs, domestic brandy and domestic rum. For items of any other classification in which the proof differs from that for the item sold or offered for sale during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

(2) With respect to items of domestic brandy only, a change in proof which involves a change in the classification of the item from rectified brandy to unrectified brandy or from unrectified brandy to rectified brandy shall be deemed a change in formula and the conversion methods provided in Appendix D shall apply.

[Subparagraph (1) amended, (2) added, and former (2) redesignated (7) by Am. 23, 10 F.R. 2877, effective 3-20-45]

(3) The conversion provided in this appendix must be made from the processor's March 1942 maximum price for an item of the same brand name and formula (except for the difference in proof) at the highest degree of proof sold or offered for sale by the processor during March 1942.

(4) The converted March 1942 maximum price is applicable only to sales to customers of the same class as that to which the base item was sold or offered for sale by the processor during March 1942. For sales of the item converted for change of proof to customers of another class, a special maximum price by authorization must be established under Appendix F.

(5) The converted March 1942 maximum price established under this appendix is inapplicable to sales of any item of domestic whiskey, grape brandy, gin and vodka, bearing the same brand name as a corresponding item for which the processor has established a prescribed uniform maximum price under one of the applicable appendices to Article III.

[Subparagraphs (4) and (5) amended; (6) added by Am. 23]

(6) The converted March 1942 maximum price established under this appendix is inapplicable to sales of a particular item of domestic cordials and liqueurs and domestic fruit brandy, bearing the same brand name as that item for which the processor has established a prescribed uniform maximum price under one of the applicable appendices to Article III.

(7) If the processor during March 1942 sold or offered for sale two or more items differing only with respect to proof or container size, a converted March 1942 maximum price in this appendix cannot be established for those items.

[Subparagraph (7), formerly (2), redesignated by Am. 23]

(b) *Procedures for establishing converted March 1942 maximum prices.* The processor's converted March 1942 maximum price per case (for a change in proof) for sales of an item to customers of a particular class is the processor's March 1942 maximum price provided in Appendix A for the base item adjusted for the change in proof as set forth below. The "base item" is an item of the same brand name, container size and formula (except for a difference in proof) at the highest degree of proof sold or offered for sale by the processor during March 1942 to a customer of the same class, in accordance with the processor's March 1942 customer classifications.

(c) In any instance where the container size of the item to be priced differs from that of the base item in paragraph (b), the processor's March 1942 maximum price for the base item shall first be adjusted under Appendix B for the difference in container size and the converted March 1942 maximum price for the item in such changed container size shall then be adjusted for the change in proof as follows:

(1) Subtract from the March 1942 maximum price in paragraph (b) or from the converted March 1942 maximum price in paragraph (c), as the case may be, the following charges included therein:

(i) The amount of federal rectification tax.

(ii) The amount of any state or local tax (except a processing tax), and

(iii) The amount of any freight or transportation charges if the price in (a) or (b) is a delivered price.

(2) Subtract from the resulting figure in subparagraph (1) the amount of $1.50 if quarts or fifths are to be priced; $2.10 if pints or tenths, or $2.85 in half-pints.

(3) Figure the cost per degree of proof by dividing the resulting figure in subparagraph (2) by the number of degrees of proof of the formula of the base item. (This computation must be carried to four decimal places.)

(4) Multiply the resulting figure in subparagraph (3) by the number of degrees of proof of the formula of the item to be priced.

(5) Add to the resulting figure in subparagraph (4) the following amounts:

(i) The amount of casing cost subtracted in subparagraph (2).

(ii) The applicable amount of freight or transportation charges, at rates in effect during March 1942, if the price in paragraphs (b) or (c) is a delivered price using the same method of calculating such charges that he used in figuring his delivered price during March 1942.

(iii) The applicable amount of any state or local excise tax at rates in effect on November 2, 1942, and the applicable amount of federal rectification tax at rates in effect on November 2, 1942: *Provided*, That the amount of such taxes imposed are actually paid or have accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for the change in proof or for the change in container size and proof, as the case may be.

(d) *Reports required to be filed.* On or before the date of making the first sale of an item at a *converted March 1942 maximum price* established under this appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix C to Article III of MPR 445.

(3) The brand name, container size and proof of the item which is the subject of the report.

(4) The date upon which the processor filed OPA Form 635-232-A (brand name report required under Amendment No. 6 to MPR 193) for the base item used for the conversion made under this appendix.

(5) *The converted March 1942 maximum price* for the item which is the subject of the report, and a statement showing the steps (similar to those illustrated by the examples) made by the processor to figure such price, in accordance with procedure provided in this appendix.

(6) A list of all items of the same brand name sold or offered for sale by the processor during March 1942.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

APPENDIX D—CONVERTED MARCH 1942 MAXIMUM PRICES FOR CHANGES IN FORMULAE OTHER THAN PROOF

(a) *Rules for establishing maximum prices under Appendix D.* (1) The conversions provided in this appendix are applicable only to items of domestic whiskey (except items containing malt whiskey) and domestic brandy which were distilled on or subsequent to December 5, 1933 and are eight years of age or less. No conversion for change of formula (other than proof) may be made for items of domestic whiskey or domestic brandy which were distilled prior to December 5, 1933. Processors of items of domestic whiskey or domestic brandy distilled on or subsequent to December 5, 1933 and over eight years of age who desire to make a change of formula (other than proof) shall establish a special maximum price therefor by authorization under Appendix F. For items of all other classifications including items of domestic whiskey which contain malt whiskey, in which the formula (other than proof) differs from that for the item sold or offered for sale by the processor during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

(2) The converted March 1942 maximum price is inapplicable to sales of any item of domestic whiskey bearing the same brand name as an item for which the processor has elected to establish a prescribed uniform maximum price provided in Appendix E. The converted March 1942 maximum price established under this appendix is inapplicable to sales of any item of domestic grape brandy bearing the same brand name as an item of grape brandy for which the processor has established a prescribed uniform maximum price provided in Appendix J. Similarly, the converted March 1942 maximum price established under this appendix is inapplicable to a particular item of fruit brandy, bearing the same brand name as that item for which the processor has established a prescribed uniform maximum price.

[Subparagraphs (1) and (2) amended by Am. 24]

(3) The conversion provided in this appendix must be made from the processor's March 1942 maximum price for an item of the same brand name as that to be priced.

(4) The converted March 1942 maximum price established under this appendix is applicable only to sales to customers of the same class as that to which the base item was sold or offered for sale by the processor during March 1942.

(5) The converted March 1942 maximum price established under this appendix is applicable only where the new formula replaces the formula used as the base for the conversion. The processor cannot continue to sell both the item of the base formula at the March 1942 maximum price or the converted March 1942 maximum price for other changes and the item of the new formula at the converted March 1942 maximum price established under this Appendix. Where he desires to sell items of both formulae each such item must be priced under either Appendix J or Appendix E (as the case may be) by establishing prescribed uniform maximum prices, and all other items of domestic brandy or domestic whiskey bearing the same brand name must also be priced under Appendix J or Appendix E, respectively.

(6) In computing whiskey and brandy costs under the methods provided in this appendix, the age used for the computation shall be the age shown on the labels. For whiskey blends, where the respective ages are not separately stated on the labels, the age used for computation shall be the age of the youngest whiskey in the blend as stated on the labels. Domestic whiskey or domestic brandy "Bottled in Bond" shall be deemed to be four years of age, where no age statement appears on the labels.

Converted March 1942 maximum prices under Appendix D are not permitted or required with respect to items of straight and blended brandy where the age of the brandy is not stated on the labels. However, this prohibition is not applicable to items of straight brandy, whose labels have no age statement, but do bear the legend "Bottled in Bond."

(7) For items of domestic brandy only, a change in proof which involves a change of the item from rectified to unrectified brandy or from unrectified to rectified brandy shall be deemed a change in formula and the conversion methods provided in this appendix shall apply.

[Subparagraphs (5) and (6) amended; (7) added by Am. 23, 10 F.R. 2877, effective 3-20-45]

(b) *Procedures for establishing converted March 1942 maximum prices.* The converted March 1942 maximum price (for a change in formula other than proof) for sales of an item to customers of a particular class is the processor's March 1942 maximum price provided in Appendix A for the base item, adjusted for the change in formula (other than proof) as set forth below. The "base item" is an item of domestic whiskey or domestic brandy of the same brand name sold or offered for sale by the processor during March 1942 to a customer of the same class, in accordance with the processor's March 1942 customer classifications.

[Paragraph (b) amended by Am. 23]

(c) In any instance where either or both the container size and proof of the item to be priced differ from that of the base item in paragraph (b), the March 1942 maximum price for such base item shall first be adjusted under Appendix B for the difference in container size, if any, and second, under Appendix C for the difference in proof, if any. The converted March 1942 maximum price for the altered base item, in accordance with either or both of such changes, shall then be adjusted for the other changes in formula as follows:

(d) For domestic whiskey only: Subtract from the March 1942 maximum price in paragraph (b) or from the converted March 1942 maximum price in paragraph (c), as the case may be, the amount of federal rectification tax, if any, included in such price.

[Paragraph (d) headnote added by Am. 23]

(e) Ascertain from Table I the cost of the whiskey or the cost of the whiskey and neutral spirits, as the case may be, both per case of the base item in paragraph (b) or of the altered base item in paragraph (c), and per case of the item to be priced, as follows:

(1) *Formulae composed entirely of whiskey of one age.* (i) Multiply the cost of the whiskey, as determined from Table I, in accordance with the age and container size of the item, by the percentage of proof of the item. The resulting figure is the cost of the whiskey for the particular formula and container size.

(ii) Determine the amount of the difference between the cost for the formula of the item to be priced and the cost for the formula of the base item in paragraph (b) or the altered base item in paragraph (c), as the case may be.

(iii) Adjust the resulting figure in paragraph (d) above as follows:

(a) Where the amount of the cost for the formula of the item to be priced is greater than the amount of the cost for the formula of the base item or the altered base item, as the case may be, add the amount of the difference between the respective costs to the resulting figure in paragraph (d).

(b) Where the amount of the cost for the formula of the item to be priced is less than the amount of the cost for the formula of the base item or the altered base item as the case may be, subtract the amount of the difference between the respective costs from the resulting figure in paragraph (d).

(c) Add to the resulting figure in (a) or (b), as the case may be, the applicable amount of federal rectification tax, if any, for the item to be priced: *Provided*, That the amount of such tax is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for a change in formula (other than proof), or for a change in either or both the container size and formula (including proof) as the case may be.

(2) *Formulae composed entirely of whiskey of more than one age.*

(i) Multiply the cost for each age of whiskey in the formula of the item, as determined from Table I, by the percentage of whiskey of such cost present in the formula, and determine the total of such computations.

(ii) Multiply the resulting figure in (i) by the percentage of proof of the item.

(iii) Determine the amount of the difference between the cost for the formula of the item to be priced and the cost for the formula of the base item in paragraph (b) or the altered base item in paragraph (c), as the case may be.

(iv) Adjust the resulting figure in paragraph (d) as follows:

(a) Where the amount of the cost for the formula of the item to be priced is greater than the amount of the cost for the formula of the base item or the altered base item, as the case may be, add the amount of the difference between the respective costs to the resulting figure in paragraph (d).

(b) Where the amount of the cost for the formula of the item to be priced is less than the amount of the cost for the formula of the base item or the altered base item, as the case may be, subtract the amount of the difference between the respective costs from the resulting figure in paragraph (d).

(c) Add to the resulting figure in (a) or (b), as the case may be, the applicable amount of federal rectification tax, if any, for the item to be priced: *Provided*, That the amount of such tax is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for a change in formula (other than proof), or for a change in either or both the container size and formula (including proof), as the case may be.

(3) *Formulae composed of both whiskey and neutral spirits.*

(i) Multiply the cost for each age of whiskey in the formula of the item, as determined from Table I, by the percentage of whiskey of such cost present in the formula.

(ii) Multiply the cost for neutral spirits in the formula of the item, as determined from Table I, by the percentage of neutral spirits present in the formula.

(iii) Determine the total of the resulting figures in (i) and (ii), and multiply the figure so obtained by the percentage of proof of the item.

The resulting figure is the cost of the whiskey and neutral spirits for the particular formula and container size.

(iv) Determine the amount of the difference between the cost for the formula of the item to be priced and the cost for the formula of the base item in paragraph (b) or the altered base item in paragraph (c), as the case may be.

(v) Adjust the resulting figure in paragraph (d) as follows:

(*a*) Where the amount of the cost for the formula of the item to be priced is greater than the amount of the cost for the formula of the base item or altered base item, as the case may be, add the amount of the difference between the respective costs to the resulting figure in paragraph (d).

(*b*) Where the amount of the cost for the formula of the item to be priced is less than the amount of the cost for the formula of the base item or the altered base item, as the case may be, subtract the amount of the difference between the respective costs from the resulting figure in paragraph (d).

(*c*) Add to the resulting figure in (*a*) or (*b*), as the case may be, the applicable amount of federal rectification tax, if any, for the item to be priced: *Provided*, That the amount of such tax is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for a change in formula (other than proof), or for a change in either or both the container size and formula (including proof), as the case may be.

(f) For domestic grape brandy only:

(1) Only the following changes shall constitute a change in formula under this paragraph:

(i) A change in the age statement of either unrectified or rectified brandy.

(ii) A change from rectified to unrectified brandy or from unrectified to rectified brandy.

(2) Converted March 1942 maximum prices for change in the age statement.

(i) Change in age statement of unrectified brandy. Where a processor has established a March 1942 maximum price for an item of unrectified brandy of a particular brand name, proof and container size and subsequent to March 1942 has altered the age statement on the label, he must establish a converted March 1942 maximum price if the age has been reduced, and he may establish a converted March 1942 maximum price if the age has been increased. The converted March 1942 maximum price for such a change of age statement shall be computed as follows:

(*a*) Determine from Table II (of this appendix) for the appropriate proof and container size of the item to be priced:

(*1*) The cost of the brandy at the age stated on the label of the March 1942 item; and

(*2*) The cost of the brandy at the age stated on the label of the item to be priced.

(*b*) Determine the difference between (*1*) and (*2*);

(*c*) Add the difference to the March 1942 maximum price if the age has been increased or subtract the difference if the age has been decreased.

(ii) Change in age statement of rectified brandy.

(*a*) Where the processor has established a March 1942 maximum price for an item of rectified brandy of a particular brand name, proof and container size and subsequent to March 1942 has altered the age statement on the label from two years or more to less than two years, the March 1942 maximum prices must be reduced by the following differentials adjusted to the appropriate proof:

Case containing:	*100° proof*
3 Wine Gallons	$1.46
2.4 Wine Gallons	1.16

(*b*) Where the conversion is from a minimum age statement of less than two years to two years or more, the March 1942 maximum prices may be increased by the above differentials adjusted to the appropriate proof.

(*c*) No conversions for a change in age statement may be made except in the instances and in the manner set forth in paragraphs (*a*) and (*b*) above.

(3) Converted March 1942 maximum prices for change from unrectified to rectified brandy or from rectified to unrectified brandy.

(i) Where the processor has established a March 1942 maximum price for unrectified brandy and desires to establish a converted March 1942 maximum price for rectified brandy, or where the processor has established a March 1942 maximum price for rectified brandy and desires to establish a converted March 1942 maximum price for unrectified brandy, he shall add or subtract (as the case may be) the applicable rectification tax

[Paragraph (f) amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(g) *For domestic fruit brandy (other than grape brandy) only.* (1) A change in formula under this paragraph shall be limited to a change in the age statement of an item of unrectified fruit brandy, other than grape brandy.

(2) Converted March 1942 maximum prices for change in age statement of unrectified brandy. Where a processor has established a March 1942 maximum price for an item of unrectified brandy of a particular brand name, proof and container size and subsequent to March 1942 has altered the age statement on the label, he must establish a converted March 1942 maximum price if the age has been reduced, and he may establish a converted March 1942 maximum price if the age has been increased. The converted March 1942 maximum price for such a change of age statement shall be computed as follows:

(i) Determine from Table III (of this appendix) for the appropriate proof and container size of the item to be priced:

(*a*) The cost of the brandy at the age stated on the label of the March 1942 item; and

(*b*) The cost of the brandy at the age stated on the label of the item to be priced.

(ii) Determine the difference between (*a*) and (*b*).

(iii) Add the difference to the March 1942 maximum price if the age has been increased or subtract the difference if the age has been decreased.

(h) *Reports required to be filed.* On or before the date of making the first sale of an item at a converted March 1942 maximum price established under this appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix D to Article III of Maximum Price Regulation 345.

(3) The brand name, container size and formula of the item which is the subject of the report. (Attach front labels and back labels if any, to letter-report).

(4) The date upon which the processor filed OPA Form 625-232-A (brand name report required under Amendment No. 6 to Maximum Price Regulation 193) for the base item used for the conversion made under this appendix.

(5) The converted March 1942 maximum price for the item which is the subject of the report, and a statement showing the steps made by the processor to figure such price in accordance with the applicable procedure provided in this appendix.

(6) A list of all items of domestic whiskey and brandy of the same brand name sold or offered for sale by the processor during March 1942.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

[Paragraphs (g) and (h) added by Am. 23, 10 F.R. 2877, effective 3-20-45]

TABLE I—COSTS OF DOMESTIC STRAIGHT WHISKEY AND NEUTRAL SPIRITS

Age in months		Domestic whiskey cost at 100° proof		Neutral spirits cost at 100° proof
From incl.—	To incl.—	3 wine gallon case (6 qts., 12 pts. or half pts.)	2.4 gallon case (5 fifths)	2 gal. tin
.....	8	$2.363	$1.970	$1.97
9	11	2.540	2.356	1.97
12	20	3.162	2.760	1.97
21	26	3.962	3.175	1.97
27	32	4.760	3.660	1.97
33	38	5.023	4.017	1.97
39	44	5.742	4.435	1.97
45	50	6.072	4.807	1.97
51	56	6.630	5.280	1.97
57	62	7.077	5.661	1.97
63	68	7.760	6.041	1.97
69	74	8.168	6.422	1.97
75	80	8.750	6.860	1.97
81	86	9.165	7.284	1.97
87	92	9.748	7.478	1.97
93	.....	9.940	7.680	1.97

[Table I amended by Am. 15, 9 F.R. 4687, effective 5-8-44; and Am. 23, 10 F.R. 2877, effective 3-20-45]

TABLE II—GRAPE BRANDY COSTS TO BE USED IN CONVERTING MARCH 1942 MAXIMUM PRICES OF BOTTLED DOMESTIC GRAPE BRANDY FOR A CHANGE IN AGE STATEMENT

Age in months		Brandy cost at 100° proof	
From incl.—	To incl.—	3 gal. case	2.4 gal. case
.....	23	$6.71	$5.37
24	26	6.90	5.52
27	29	7.14	5.71
30	32	7.51	6.00
33	35	7.57	6.28
36	38	8.12	6.74
39	41	8.90	7.12
42	44	9.40	7.52
45	47	9.94	7.95
48	50	10.59	8.40
51	53	11.11	8.89
54	56	11.72	9.37
57	62	12.33	9.78
63	.....	12.62	10.10

[Tables II and III added by Am. 23]

APPENDIX E—PRESCRIBED UNIFORM MAXIMUM PRICES

(a) *Rules for establishing maximum prices under Appendix E.* (1) The prescribed uniform maximum price provided in this appendix is applicable only to items of domestic whiskey (not including items containing malt whiskey). All other classifications of domestic distilled spirits (including malt whiskey) must be priced under other applicable provisions of Article III.

(2) All items of domestic whiskey of a brand name not sold or offered for sale by the processor during March 1942 must be priced under this appendix. Any item of domestic whiskey, whether or not sold or offered for sale by the processor during March 1942 may be priced under this appendix. However, after once making a sale of an item of domestic whiskey at a prescribed uniform maximum price provided in this appendix, maximum prices for all sales thereafter of any item of domestic whiskey bearing the same brand name, under any formula or in any container size, must be established under this appendix.

(3) Any change whatsoever in the brand name of an item of domestic whiskey sold or offered for sale by the processor during March 1942 shall be deemed to be a new brand name, and the item so changed must be priced under this appendix.

(4) Prescribed uniform maximum prices are applicable only to the particular classes of customers specified in this appendix. For all other classes of customers a special maximum price by authorization must be established under Appendix F.

(5) In computing prices under the methods provided in this appendix, the age of the whiskey in the formula shall be the age shown on the labels, and for blends, where the respective ages are not separately stated on the labels, the age of the youngest whiskey in the blend as stated on the labels. "Bottled in bond" domestic whiskey shall be deemed to be four years of age where no age statement appears on the labels.

(6) Any processor of domestic whiskey who has established a March 1942 maximum price or a converted March 1942 maximum price for his sales of items under a particular brand name and who permits any other processor to use that brand name for items of domestic whiskey shall, as of the date the first such item is sold or offered for sale by such other processor, be required to establish a prescribed uniform maximum price under this appendix for his own sales of domestic whiskey under that brand name: *Provided, however*, That this subparagraph shall not apply to brand names which the processor permitted purchasers to use during March 1942 for domestic whiskey produced by the processor and sold by him in bulk.

[Subparagraph (6) added by Am. 16, 9 F.R. 7708, effective 7-15-44; and amended by Am. 20, 9 F.R. 14817, effective 12-21-44]

(b) *Procedures for establishing prescribed uniform maximum prices.* The processor's maximum price per case, for sales of an item of packaged domestic whiskey to customers of the classes specified below, shall be the prescribed uniform maximum price determined as follows:

(1) *Processors' sales to wholesalers and monopoly states*—(i) *Formulae composed entirely of whiskey of one age.*

(*a*) Ascertain from Table II the applicable maximum price per case of quarts or fifths, respectively, in accordance with the age of the whiskey in the formula, at 80° proof. Whiskey over 96 months old shall be deemed 96 months old for the purpose of this computation.

[Subparagraph (*a*) amended by Am. 23]

NOTE: Table II prices are shown only at 80° proof in quarts and fifths. They are completed prices for items at 80° proof in quarts and fifths, except for applicable state and local taxes for which see (*d*) below.

(*b*) Where the proof of the item to be priced is greater than 80°, ascertain from Table II the applicable proof adjustment figure in accordance with the age of the whiskey in the formula and the container size, and multiply such proof adjustment figure by a figure equal to the difference between 80 and the number of degrees of proof of the item to be priced. Add the resulting figure to the amount determined in (*a*).

(*c*) Where the container sizes to be priced are either pints or half-pints, add to the resulting figure in (*b*) per case of quarts $0.60 if pints are to be priced, and $1.35 if half-pints.

(*d*) Where state or local excise taxes apply, add to the figure obtained in (*a*), (*b*) or (*c*), as the case may be, the applicable amount of any state or local excise tax in effect on November 2, 1942; *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor; *And provided further*, That the amount of such tax once so added shall not again be added to the maximum prices established under subparagraphs (2), (3) and (4) of this paragraph (b).

The resulting figure in (*a*), (*b*), (*c*) or (*d*), as the case may be, is the processor's prescribed uniform maximum price f. o. b. bottling plant, for sales to wholesalers and monopoly states of an item of packaged domestic whiskey where the formula of the item is composed entirely of whiskey of one age.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(ii) *Formulae composed entirely of whiskey of more than one age.*

(*a*) Ascertain the weighted average age of the whiskey in the formula by multiplying the percentage of each age of whiskey in the formula by the age (in months) of such whiskey, and determine the total of such computations.

Whiskey over 96 months old shall be deemed 96 months old for the purpose of this computation.

[Above sentence added by Am. 15, 9 F.R. 4687, effective 5-8-44]

The resulting figure is the weighted average age of the whiskey in the formula.

NOTE: Where the label of the item contains no age specification other than a statement of the youngest age in the blend compute whiskey cost in (*b*) on the basis of the youngest age as stated on the label. In such case, weighted average age must not be computed.

(*b*) Ascertain from Table II the applicable maximum price per case of quarts or fifths, respectively, in accordance with the weighted average age of the whiskey in the formula, at 80° proof.

(*c*) Where the proof of the item to be priced is greater than 80°, ascertain from Table II the applicable proof adjustment figure in accordance with the weighted average or youngest age of the whiskey in the formula and the container size, and multiply such proof adjustment figure by a figure equal to the difference between 80 and the number of degrees of proof of the formula to be priced. Add the resulting figure to the amount determined in (*b*).

(*d*) Where the container sizes to be priced are either pints or half-pints, add to the resulting figure in (*c*) per case of quarts $0.60 if pints are to be priced, and $1.35 if half-pints.

(*e*) Where federal rectification or state or local taxes apply, add to the figure obtained in (*b*), (*c*), or (*d*), as the case may be, the applicable amount of federal rectification tax in effect on November 2, 1942, and the applicable amount of any state or local excise tax in effect on November 2, 1942: *Provided*, That the amount of such taxes imposed are actually paid or have accrued and become payable by the processor to the proper taxing authority or to any prior vendor; and *provided further*, that the amount of such taxes once so added shall not again be added to the maximum prices established under subparagraphs (2), (3) and (4) of this paragraph (*b*).

The resulting figure (*b*), (*c*), (*d*) or (*e*), as the case may be, is the processor's prescribed uniform maximum price f. o. b. bottling plant for sales to wholesalers and monopoly states of an item of packaged domestic whiskey where the formula of the item is composed entirely of whiskey of more than one age.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(iii) *Formulae composed of both whiskey and neutral spirits.*

(*a*) Ascertain the weighted average age of the whiskey in the formula by multiplying the percentage of each age of whiskey in the formula by the age (in months) of such whiskey; determine the total of the figures so obtained; and divide that total by the total percentage of whiskey in the formula.

TABLE III—FRUIT BRANDY COSTS TO BE USED IN CONVERTING MARCH 1942 MAXIMUM PRICES OF FRUIT BRANDY FOR A CHANGE IN AGE STATEMENT

Age (months)		Brandy cost at 100° proof					
		Apple brandy		Apricot, pear, peach, plum brandy		Dried fruit brandy (except raisin)	
From incl.—	To incl.—	3 gal. case	2.4 gal. case	3 gal. case	2.4 gal. case	3 gal. case	2.4 gal. case
.....	23	$6.71	$5.37	$7.66	$6.12	$8.01	$6.41
24	26	6.90	5.52	7.86	6.29	8.21	6.57
27	29	7.14	5.71	8.12	6.49	8.48	6.78
30	32	7.51	6.00	8.55	6.84	8.92	7.13
33	35	7.57	6.28	9.00	7.20	9.58	7.66
36	38	8.12	6.74	9.48	7.58	9.87	7.90
39	41	8.90	7.12	9.99	7.99	10.59	8.31
42	44	9.40	7.52	10.52	8.42	10.94	8.75
45	47	9.94	7.95	11.06	8.85	11.51	9.21
48	50	10.59	8.40	11.69	9.35	12.13	9.70
51	53	11.11	8.89	12.26	9.80	12.78	10.23
54	56	11.72	9.37	12.98	10.38	13.41	10.73
57	62	12.33	9.78	13.51	10.81	13.99	11.19
63	.....	12.62	10.10	13.92	11.14	14.40	11.52

Whiskey over 96 months old shall be deemed 96 months old for the purpose of this computation.

[Above sentence added by Am. 15, 9 F.R. 4687, effective 5-8-44]

The resulting figure is the weighted average age of the whiskey in the formula.

NOTE: Where the label of the item contains no age specification other than a statement of the youngest age in the blend, compute cost in (*b*) on the basis of the youngest age as stated on the label. In such case, weighted average age must not be computed.

(*b*) Ascertain from Table III the applicable maximum price per case of quarts at 80° proof, or from Table IV the applicable maximum price per case of fifths at 80° proof, in accordance with the weighted average or youngest age of the whiskey and the percentage of neutral spirits in the formula.

(*c*) Where the proof of the items to be priced is greater than 80°, ascertain from Table III (for quarts) or from Table IV (for fifths) the applicable proof adjustment figure in accordance with the weighted average or youngest age of the whiskey and the percentage of neutral spirits in the formula, and multiply such proof adjustment figure by a figure equal to the difference between 80 and the number of degrees of proof of the item to be priced. Add the resulting figure to the amount determined in (*b*).

(*d*) Where the container sizes to be priced are either pints or half-pints, add to the resulting figure in (*c*) per case of quarts $.60 if pints are to be priced, and $1.35 if half-pints.

(*e*) Where state or local excise taxes apply, add to the resulting figure in (*b*), (*c*) or (*d*), as the case may be, the applicable amount of any state or local excise tax in effect on November 2, 1942; *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority; or to any prior vendor; and *provided further*, that the amount of such tax once so added shall not again be added to the maximum prices established under subparagraphs (2), (3) and (4) of this paragraph (*b*).

The resulting figure is the processor's prescribed uniform maximum price f. o. b. bottling plant for sales to wholesalers and monopoly states of an item of packaged domestic whiskey where the formula of the item is composed of both whiskey and neutral spirits.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(2) *Processor's sales to primary distributing agents.* The processor's prescribed uniform maximum price per case, f. o. b. bottling plant, for sales to primary distributing agents shall be the processor's prescribed uniform maximum price per case f. o. b. bottling plant, for sales of the item to wholesalers and monopoly states (determined as provided in subparagraph (1) above), subject to any discount, allowance or price differential agreed upon by the particular processor and primary distributing agent.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price may be added to that price in accordance with section 7.3.

(3) *Processor's sales to retailers*—(i) *Sales of items shipped directly to the retailer's premises from the bottling plant.* The processor's prescribed uniform maximum price per case f. o. b. bottling plant, for sales of an item shipped directly to the retailer's premises from the bottling plant shall be figured by the processor as follows:

(*a*) Determine the prescribed uniform maximum price per case f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(*b*) Add to the figure so obtained the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(*c*) Multiply the resulting figure in (*b*) by the percentage markup provided in section 5.4 (b) (1) (i) of Articles V for sales of packaged distilled spirits by wholesalers to retailers.

(*d*) Add to the resulting figure in (*c*) the actual amount of transportation charges paid by the processor if such charges are prepaid by him.

The resulting figure in (*c*) or (*d*), as the case may be, is the processor's prescribed uniform maximum price per case for sales of an item shipped directly to the retailer's premises from the bottling plant.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(ii) *Sales of items shipped to the retailer's premises from the processor's zone warehouse.* The processor's prescribed uniform maximum price for sales of an item shipped to the retailer's premises from the processor's zone warehouse shall be figured by the processor as follows:

(*a*) Determine the prescribed uniform maximum price per case f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(*b*) Add to the figure so obtained the actual amount of transportation charges paid by the processor for shipment from the bottling plant to his zone warehouse. No amount shall be included for local hauling, loading, unloading, drayage or other handling.

(*c*) Add the resulting figure in (*b*), the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(*d*) Multiply the resulting figure in (*c*) by the percentage markup provided in section 5.4 (b) (1) (i) of Article V for sales of packaged distilled spirits by wholesalers to retailers.

The resulting figure in (*d*) is the processor's prescribed uniform maximum price per case, delivered to the retailer's premises, for his sales of an item to a retailer located within the metropolitan area of the processor's zone warehouse, and it is also the processor's prescribed uniform maximum price per case, f. o. b. zone warehouse, for sales of an item to a retailer located outside of the metropolitan area of such warehouse.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(4) *Processor's sales to consumers.* The processor's prescribed uniform maximum price provided in subparagraph (1) for sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942) plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V and the total thereof multiplied by the percentage markup provided in section 5.5 (b) (1) (i) of Article V for sales of packaged domestic distilled spirits by retailers to consumers, shall be the processor's prescribed uniform maximum price for sales of the item to consumers.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(5) *Processor's sales to retailers.* The processor's prescribed uniform maximum price per case for sales of an item shipped directly to the retailer's premises from the bottling plant shall be figured by the processor as follows:

(*a*) Determine the prescribed uniform maximum price per case f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(*b*) Add to the figure so obtained the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(*c*) Multiply the resulting figure in (*b*) by the percentage markup provided in section 5.4 (b) (1) (i) of Articles V for sales of packaged distilled spirits by wholesalers to retailers.

(*d*) Add to the resulting figure in (*c*) the actual amount of transportation charges paid by the processor if such charges are prepaid by him.

The resulting figure in (*c*) or (*d*), as the case may be, is the processor's prescribed uniform maximum price per case for sales of an item shipped directly to the retailer's premises from the bottling plant.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(ii) *Sales of items shipped to the retailer's premises from the processor's zone warehouse.* The processor's prescribed uniform maximum price for sales of an item shipped to the retailer's premises from the processor's zone warehouse shall be figured by the processor as follows:

(*a*) Determine the prescribed uniform maximum price per case f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942) plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V and the total thereof multiplied by the percentage markup provided in section 5.5 (b) (1) (i) of Article V for sales of packaged domestic distilled spirits by retailers to consumers, shall be the processor's prescribed uniform maximum price for sales of the item to consumers.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(*b*) Add to the figure so obtained the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(*c*) Multiply the resulting figure in (*b*) by the percentage markup provided in section 5.4 (b) (1) (i) of Articles V for sales of packaged distilled spirits by wholesalers to retailers.

(*d*) Add to the resulting figure in (*c*) the actual amount of transportation charges paid by the processor if such charges are prepaid by him.

The resulting figure in (*c*) or (*d*), as the case may be, is the processor's prescribed uniform maximum price per case for sales of an item shipped directly to the retailer's premises from the bottling plant.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price may be added to that price in accordance with section 7.3.

(3) *Processor's sales to retailers*—(i) *Sales of items shipped directly to the retailer's premises from the bottling plant.* The processor's prescribed uniform maximum price per case f. o. b. bottling plant, for sales of an item shipped directly to the retailer's premises from the bottling plant shall be figured by the processor as follows:

(*a*) Determine the prescribed uniform maximum price per case f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(*b*) Add to the figure so obtained the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(*c*) Multiply the resulting figure in (*b*) by the percentage markup provided in section 5.4 (b) (1) (i) of Articles V for sales of packaged distilled spirits by wholesalers to retailers.

(*d*) Add to the resulting figure in (*c*) the actual amount of transportation charges paid by the processor if such charges are prepaid by him.

The resulting figure in (*c*) or (*d*), as the case may be, is the processor's prescribed uniform maximum price per case for sales of an item shipped directly to the retailer's premises from the bottling plant.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(4) *Processor's sales to consumers.* The processor's prescribed uniform maximum price provided in subparagraph (1) for sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942) plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V and the total thereof multiplied by the percentage markup provided in section 5.5 (b) (1) (i) of Article V for sales of packaged domestic distilled spirits by retailers to consumers, shall be the processor's prescribed uniform maximum price for sales of the item to consumers.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(5) A list of all items of the same brand name sold or offered for sale by the processor during March 1942, if any.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

TABLE II—PROCESSORS' MAXIMUM PRICES FOR FORMULAE COMPOSED ENTIRELY OF WHISKEY

Age in months		3 gallon case of quarts		2.4 gallon case of fifths	
From incl.—	To incl.—	Maximum price at 80° proof	Adjustment per degree of proof	Maximum price at 80° proof	Adjustment per degree of proof
.....	8	$19.70	$0.228	$16.40	$0.190
9	14	20.14	.230	16.74	.192
15	20	20.64	.230	17.20	.192
21	26	21.07	.245	17.56	.204
27	32	21.56	.251	17.96	.209
33	38	22.01	.257	18.34	.214
39	44	22.50	.264	18.75	.220
45	50	22.99	.270	19.16	.225
51	56	23.47	.277	19.56	.231
57	62	23.91	.280	19.93	.233
63	68	24.33	.285	20.28	.238
69	74	24.78	.291	20.65	.243
75	80	25.27	.297	21.06	.248
81	86	25.76	.303	21.46	.253
87	92	25.98	.306	21.65	.255
93	.....	26.21	.309	21.84	.258

NOTE: The prices in this table include Federal excise taxes at rates in effect on November 2, 1942. These prices do not include either the Federal excise tax or any State or local taxes. See paragraph (d) for computation of increase effective April 1, 1944, in United States excise taxes.

[Table II amended by Am. 15, 9 F.R. 4687, effective 5-8-44; and Am. 23, 10 F.R. 3977, effective 3-20-45]

(d) *Determining amount of increase effective April 1, 1944 in Federal excise taxes.* The amount of the increase effective April 1, 1944, in Federal excise taxes which a processor may add to prescribed uniform maximum prices determined under this appendix shall, in each instance, be figured by multiplying $2.00 by the number of proof gallons in the case being priced.

TABLE III—PROCESSORS' MAXIMUM PRICES FOR FORMULAE COMPOSED OF BOTH WHISKEY AND NEUTRAL SPIRITS, QUARTS ONLY

Weighted average age o whiskey		Percentage of neutral spirits												
From incl.—	To incl.—	More than 32.5 not more than 37.5	37.5 42.5	42.5 47.5	47.5 52.5	52.5 57.5	57.5 62.5	62.5 67.5	67.5 72.5	72.5 77.5	77.5 80.0	80.0 82.5	82.5 87.5	87.5 92.5	92.5 97.5
.....	8 mo	80°	22.02	22.00	21.97	21.95	21.93	21.90	21.88	21.87	21.83	21.81	20.34	20.31	20.26	20.21
		P. A.*	0.2565	0.2563	0.2559	0.2556	0.2554	0.2550	0.2548	0.2544	0.2541	0.2539	0.2355	0.2351	0.2345	0.2339
9	14	80°	22.34	22.32	22.29	22.27	22.25	22.23	22.20	22.19	22.14	22.11	21.04	21.00	20.42	20.37	20.30	20.24
		P. A.	0.2601	0.2599	0.2595	0.2593	0.2589	0.2587	0.2585	0.2581	0.2577	0.2555	0.2550	0.2365	0.2359	0.2350	0.2341
15	20	80°	22.62	22.55	22.48	22.41	22.34	22.27	22.20	22.14	22.06	21.99	20.51	20.44	20.35	20.25
		P. A.	0.2640	0.2631	0.2623	0.2614	0.2605	0.2596	0.2588	0.2579	0.2570	0.2561	0.2376	0.2368	0.2356	0.2344
21	26	80°	22.93	22.81	22.74	22.65	22.56	22.46	22.37	22.27	22.18	22.09	20.59	20.51	20.39	20.27
		P. A.	0.2679	0.2668	0.2655	0.2644	0.2633	0.2620	0.2609	0.2596	0.2585	0.2574	0.2386	0.2376	0.2361	0.2346
27	32	80°	23.25	23.13	23.02	22.90	22.78	22.66	22.54	22.42	22.30	22.18	20.68	20.58	20.44	20.30
		P. A.	0.2719	0.2704	0.2690	0.2675	0.2660	0.2645	0.2630	0.2615	0.2600	0.2585	0.2398	0.2385	0.2368	0.2350
33	38	80°	23.57	23.42	23.28	23.14	23.00	22.85	22.71	22.57	22.42	22.28	20.76	20.65	20.49	20.32
		P. A.	0.2759	0.2740	0.2723	0.2705	0.2688	0.2666	0.2651	0.2634	0.2615	0.2598	0.2408	0.2394	0.2374	0.2353
39	44	80°	23.88	23.71	23.54	23.38	23.21	23.04	22.88	22.71	22.54	22.38	20.85	20.72	20.53	20.35
		P. A.	0.2798	0.2776	0.2755	0.2735	0.2714	0.2693	0.2673	0.2651	0.2630	0.2610	0.2419	0.2403	0.2379	0.2356
45	50	80°	24.20	24.01	23.82	23.63	23.44	23.24	24.05	22.86	22.67	22.48	20.94	20.80	20.58	20.37
		P. A.	0.2838	0.2814	0.2790	0.2769	0.2743	0.2718	0.2694	0.2670	0.2646	0.2623	0.2430	0.2413	0.2385	0.2359
51	56	80°	24.52	24.31	24.09	23.87	23.66	23.44	27.22	24.01	22.79	22.58	21.02	20.87	20.63	20.39
		P. A.	0.2878	0.2851	0.2824	0.2796	0.2770	0.2743	0.2715	0.2689	0.2661	0.2635	0.2440	0.2421	0.2391	0.2364
57	62	80°	24.81	24.57	24.34	24.09	23.86	23.62	23.38	24.13	22.89	22.65	21.10	20.93	20.67	20.41
		P. A.	0.2914	0.2884	0.2851	0.2824	0.2795	0.2765	0.2735	0.2707	0.2675	0.2645	0.2450	0.2429	0.2396	0.2369
63	68	80°	25.09	24.83	24.57	24.31	24.05	25.79	23.53	24.27	23.01	22.75	21.18	21.00	20.71	20.44
		P. A.	0.2949	0.2916	0.2884	0.2851	0.2819	0.2786	0.2754	0.2721	0.2689	0.2656	0.2460	0.2438	0.2401	0.2373
69	74	80°	25.38	25.10	24.82	24.54	24.25	25.97	24.69	23.41	23.12	22.84	21.24	21.06	20.76	20.49
		P. A.	0.2985	0.2950	0.2915	0.2880	0.2844	0.2809	0.2774	0.2739	0.2703	0.2668	0.2470	0.2445	0.2408	0.2379
75	80	80°	25.70	25.39	25.09	24.78	24.47	24.17	24.86	23.55	23.24	22.94	21.31	21.13	20.81	20.54
		P. A.	0.3025	0.2988	0.2949	0.2910	0.2871	0.2834	0.2796	0.2756	0.2719	0.2680	0.2480	0.2454	0.2414	0.2384
81	86	80°	26.01	25.70	25.37	25.04	24.71	24.37	24.04	25.71	23.37	23.04	21.41	21.21	20.86	20.59
		P. A.	0.3068	0.3025	0.2984	0.2943	0.2901	0.2859	0.2818	0.2775	0.2734	0.2693	0.2493	0.2464	0.2420	0.2389
87	92	80°	26.18	25.84	25.50	25.15	24.81	24.46	24.12	25.77	23.43	23.09	21.48	21.24	20.88	20.59
		P. A.	0.3085	0.3043	0.3000	0.2956	0.2914	0.2870	0.2828	0.2784	0.2741	0.2699	0.2498	0.2468	0.2423	0.2392
93	.....	80°	26.34	25.98	25.62	25.27	24.91	24.56	24.20	25.85	23.49	23.13	21.52	21.26	20.89	20.59
		P. A.	0.3105	0.3060	0.3017	0.2971	0.2926	0.2883	0.2838	0.2791	0.2749	0.2704	0.2503	0.2471	0.2425	0.2392

*P. A. = Proof adjustment (adjustment per degree of proof).

NOTE: The prices in this table include Federal excise and rectification taxes at rates in effect Nov. 2, 1942. These prices do not include any State or local taxes. See par. (d) for computation of increase effective Apr. 1, 1944, in United States excise taxes.

TABLE IV—PROCESSORS' MAXIMUM PRICES FOR FORMULAE COMPOSED OF BOTH WHISKEY AND NEUTRAL SPIRITS, FIFTHS ONLY

Weighted average age o whiskey		Percentage of neutral spirits												
From incl.—	To incl.—	More than 32.5 not more than 37.5	37.5 42.5	42.5 47.5	47.5 52.5	52.5 57.5	57.5 62.5	62.5 67.5	67.5 72.5	72.5 77.5	77.5 80.0	80.0 82.5	82.5 87.5	87.5 92.5	92.5 97.5
.....	8 mo	80°	17.92	17.90	17.88	17.86	17.84	17.82	17.80	17.78	17.76	17.74	16.37	16.35	16.31	16.27
		P. A.	0.2053	0.2050	0.2048	0.2045	0.2043	0.2040	0.2038	0.2035	0.2033	0.2030	0.1884	0.1881	0.1876	0.1871
9	14	80°	18.15	18.12	18.08	18.05	18.01	17.96	17.92	17.89	17.85	17.82	16.90	16.86	16.81	16.75
		P. A.	0.2081	0.2078	0.2073	0.2069	0.2063	0.2058	0.2054	0.2049	0.2044	0.2040	0.1893	0.1888	0.1880	0.1873
15	20	80°	18.30	18.24	18.20	18.23	18.17	18.12	18.06	18.01	17.95	17.89	16.71	16.67	16.58	16.50
		P. A.	0.2113	0.2105	0.2099	0.2091	0.2084	0.2078	0.2070	0.2064	0.2056	0.2049	0.1904	0.1894	0.1887	0.1877
21	26	80°	18.64	18.57	18.49	18.42	18.34	18.27	18.19	18.12	18.04	17.97	16.77	16.71	16.61	16.52
		P. A.	0.2143	0.2134	0.2121	0.2115	0.2105	0.2096	0.2086	0.2078	0.2068	0.2059	0.1909	0.1901	0.1889	0.1878
27	32	80°	18.90	18.81	18.71	18.62	18.52	18.43	18.33	18.24	18.14	18.05	16.84	16.76	16.65	16.54
		P. A.	0.2175	0.2164	0.2151	0.2140	0.2128	0.2116	0.2104	0.2093	0.2080	0.2069	0.1918	0.1908	0.1894	0.1880
33	38	80°	19.16	19.04	18.93	18.81	18.70	18.58	18.47	18.35	18.24	18.13	16.91	16.82	16.69	16.56
		P. A.	0.2208	0.2195	0.2179	0.2164	0.2150	0.2137	0.2121	0.2106	0.2093	0.2079	0.1926	0.1915	0.1899	0.1883
39	44	80°	19.40	19.27	19.13	19.00	18.87	18.73	18.60	18.47	18.33	18.20	16.98	16.88	16.72	16.58
		P. A.	0.2238	0.2221	0.2204	0.2188	0.2171	0.2154	0.2138	0.2121	0.2104	0.2088	0.1935	0.1923	0.1903	0.1885
45	50	80°	19.66	19.51	19.36	19.20	19.05	18.90	18.74	18.59	18.44	18.28	17.05	16.94	16.76	16.61
		P. A.	0.2270	0.2251	0.2233	0.2213	0.2194	0.2175	0.2155	0.2136	0.2117	0.2098	0.1944	0.1930	0.1908	0.1888
51	56	80°	19.92	19.74	19.57	19.40	19.23	19.05	18.88	18.71	18.53	18.36	17.12	17.00	16.81	16.64
		P. A.	0.2303	0.2280	0.2259	0.2238	0.2216	0.2194	0.2173	0.2151	0.2129	0.2108	0.1953	0.1938	0.1913	0.1890
57	62	80°	20.15	19.94	19.77	19.58	19.39	19.19	19.00	18.81	18.62	18.43	17.18	17.04	16.84	16.65
		P. A.	0.2331	0.2305	0.2284	0.2260	0.2236	0.2211	0.2188	0.2164	0.2140	0.2116	0.1960	0.1943	0.1918	0.1891
63	68	80°	20.37	20.16	19.96	19.75	19.54	19.33	19.12	18.92	18.71	18.50	17.24	17.10	16.87	16.67
		P. A.	0.2359	0.2333	0.2308	0.2281	0.2255	0.2229	0.2205	0.2178	0.2151	0.2125	0.1966	0.1950	0.1921	0.1894
69	74	80°	20.61	20.38	20.16	19.93	19.70	19.48	19.25	19.03	18.80	18.57	17.31	17.15	16.91	16.67
		P. A.	0.2389	0.2360	0.2333	0.2304	0.2275	0.2248	0.2219	0.2191	0.2162	0.2134	0.1976	0.1956	0.1926	0.1895
75	80	80°	20.86	20.62	20.37	20.12	19.88	19.63	19.39	19.14	18.90	18.65	17.37	17.20	16.95	16.68
		P. A.	0.2420	0.2390	0.2359	0.2328	0.2298	0.2266	0.2236	0.2205	0.2175	0.2144	0.1983	0.1963	0.1931	0.1898
81	86	80°	21.13	20.86	20.60	20.31	20.06	19.80	19.53	19.27	19.00	18.74	17.45	17.27	16.99	16.71
		P. A.	0.2454	0.2420	0.2388	0.2354	0.2320	0.2285	0.2254	0.2221	0.2188	0.2154	0.1994	0.1971	0.1936	0.1901
87	92	80°	21.25	20.97	20.70	20.42	20.15	19.87	19.60	19.32	19.03	18.77	17.48	17.29	17.00	16.73
		P. A.	0.2469	0.2434	0.2400	0.2365	0.2331	0.2296	0.2263	0.2228	0.2191	0.2159	0.1998	0.1974	0.1938	0.1902
93	.....	80°	21.37	21.08	20.80	20.51	20.24	19.95	19.66	19.38	19.09	18.81	17.52	17.32	17.02	16.74
		P. A.	0.2483	0.2448	0.2413	0.2376	0.2341	0.2306	0.2270	0.2235	0.2199	0.2164	0.2003	0.1978	0.1940	0.1903

*P. A. = Proof adjustment (adjustment per degree of proof).

NOTE: The prices in this table include Federal excise and rectification taxes at rates in effect Nov. 2, 1942. These prices do not include any State or local taxes. See par. (d) for computation of increase effective Apr. 1, 1944, in United States excise taxes.

[Tables III and IV amended by Am. 23; and Am. 25, effective 6-25-45]

[Appendix E amended by Am. 14, 9 F.R. 3152, effective 3-21-44 and as otherwise noted]

APPENDIX F—SPECIAL MAXIMUM PRICES BY AUTHORIZATION

(a) *Who is permitted or required to file an application for authority to establish special maximum prices by authorization.* (1) Processors of items of packaged domestic distilled spirits for which no other pricing method is provided in this article, or processors who for any reason are unable to establish a maximum price under the other appendices to this article.

(2) Processors who have established maximum prices under Appendices A through F inclusive, for sales of an item to particular classes of customers but who now desire to sell the item to another class of customers for which they cannot establish a maximum price under the applicable appendix.

(b) *Prohibited sales.* Except as provided in paragraph (c) of this section:

(1) A processor making application for authority to establish a special maximum price by authorization for sales of an item of packaged domestic distilled spirits shall not, prior to the date on which that authority is granted, sell, offer to sell, or deliver the item that is the subject of the application; and

(2) A seller required to make application for authority to establish a maximum price for a particular sale shall not make, or agree to make that sale until after the application is filed and authority granted.

(c) *Adjustable pricing while an application under this section is pending before the Office of Price Administration.* (1) If permitted by the Office of Price Administration, but not otherwise, a person making application under this appendix may, after the application is filed and while it is pending, sell, offer to sell and deliver the item that is the subject of the application if the sale, offer to sell, or delivery is made under an agreement with the customer to adjust the price charged to an amount not in excess of the maximum price therefor later established under this section. Such permission may be granted only if necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The permission may be granted by letter addressed to the applicant, signed by the Price Administrator or by any official of the Office of Price Administration to whom authority to grant such permission has been delegated.

(2) Permission to use adjustable pricing granted under this paragraph may be revoked at any time in the manner in which it was granted. It shall be deemed revoked on the day on which authority to establish a maximum price is granted, or such maximum price is otherwise established pursuant to this section: *Provided*, That with respect to any sale which the applicant is required to make at a price posted or listed with a state or other public authority, he may continue so to sell, offer to sell or deliver the item until the effective date for prices thus posted or listed at the first opportunity after the 4th day (including Sundays and holidays) after the authority applied for is granted, or an applicable maximum price is otherwise established pursuant to this section.

(3) Where permission to use adjustable pricing under this appendix has been granted, and a special maximum price by authorization is thereafter established in an amount less than that charged, the processor shall immediately refund to his purchasers all amounts received in excess of the special maximum price by authorization so established.

(d) *Contents of application.* The application shall be by letter, signed by the processor or his authorized agent, and sent in duplicate to the Office of Price Administration, Beverage Section, Washington, D. C., by registered mail, return receipt requested. It shall contain the following:

(1) The processor's name and address, and the name and address of the person signing the application.

(2) A statement that the application is filed under Appendix F of Article III of Maximum Price Regulation No. 445.

(3) A statement in detail of the reasons for his inability to establish a maximum price under other provisions of this Article.

(4) A description in detail of the item which is the subject of the application. Copies of the approved front label and the back label, if any, must be attached to the application. The description shall supply the following information if not disclosed by the labels attached to the application:

(i) Brand name.

(ii) Formula.

(iii) Container size or sizes.

(iv) Classification or subclassification of identity.

(v) The name and address of the bottler.

(5) An itemized statement of the processor's actual costs (not in excess of applicable OPA maximum prices) for the item prepared from regularly kept accounts, all taxes to be separately itemized.

(6) Applicant's proposed maximum prices for each container size, f. o. b. bottling plant, stating the address of the bottling plant, the particular classes of customers to which the proposed maximum prices are applicable, and the discounts and allowances applicable.

(7) In any case where the application is made for sales of an item to a new class of customers, the application shall also contain a statement of the maximum prices established for sales to other classes of customers, describing the particular classes and the appendix under which such maximum prices were established.

(8) For cordials, liqueurs and packaged alcoholic beverage specialties, the application shall also include a copy of the approved formula on Treasury Department Form 27-B Supplemental or a photostatic copy or other facsimile thereof. Ingredient costs as required under (5) above may be grouped to correspond with the approved formula. The detailed costs of items need not be stated separately where they do not represent a significant part of the total cost.

(9) Any other pertinent information which the processor desires to submit.

(e) *When and how authority is given or denied*—(1) *Approval of or objection to application.* If within 60 days (including Sundays and holidays) after receipt of the application under this Appendix by the Office of Price Administration, the applicant shall not receive notice by letter from the Office of Price Administration, of objection to the maximum prices proposed in his application, he shall be deemed authorized to establish such maximum prices for sales of the item in the container sizes and to the particular classes of customers described therein: *Provided*, That if within the 60 day period the Office of Price Administration shall by letter request supplemental information with respect to any matter stated in or omitted from the application, that period shall be figured from the date on which the requested supplemental information is received in writing by the Office of Price Administration. The authority so granted may be revoked by the Price Administrator at any time. Upon written request of the applicant received by the Office of Price Administration within 30 days (including Sundays and holidays) after the date of a notice of objection given under this paragraph, the Office of Price Administration will issue a formal order denying authority to establish the maximum prices requested in his application.

(2) *By order or amendment.* The Price Administrator may, at any time, by order or by amendment to this regulation establish maximum prices for sales of any items of any classification of domestic distilled spirits to one or more classes of customers. The maximum prices established by any such order or amendment shall supersede all maximum prices previously authorized under (1) above.

(f) *Compliance with price posting or listing requirements.* Permission to use adjustable pricing and authority to establish maximum prices granted by the Price Administrator pursuant to application under this section, or by order or by amendment to this Article, shall not authorize an applicant to sell or offer for sale an item until after compliance with provisions of any applicable statute, ordinance or regulation requiring the posting or listing of his prices.

(g) *Standards to be applied in establishing prices.* Maximum prices established pursuant to this appendix shall be in line with representative March 1942 processor prices for similar items adjusted to reflect the increase in the United States excise taxes occurring since March 1942.

[Paragraph (g) added by Am. 25, effective 6-25-45]

APPENDIX G—ADJUSTMENT OF MAXIMUM PRICES FOR SUBSTITUTION OF CERTAIN INGREDIENTS

(a) *Procedure for adjustment of maximum prices*—(1) *Substitution of imported neutral spirits, neutral spirits derived from domestic processing of imported distilled spirits, or imported distilled spirits.* The processor shall add to the maximum prices established under Appendices A through J inclusive, the actual amount of the direct cost of importation (as defined in (iv) below), in no event to exceed 50 cents per proof gallon, and the amount of import duty applicable to the quantity of

[Above paragraph amended by Am. 17, 9 F.R. 9595, effective 8-1-44; and Am. 23, 10 F.R. 2877, effective 3-20-45]

(i) Imported neutral spirits used as a substitute for the same quantity of domestic neutral spirits thereby displaced in the item.

(ii) Neutral spirits, derived from domestic processing of imported distilled spirits, used as a substitute for the same quantity of domestic neutral spirits thereby displaced in the item.

(iii) Imported distilled spirits of a particular classification and subclassification of identity under applicable United States labeling laws and regulations used as a substitute for the same quantity of domestic neutral spirits or the same quantity of domestic distilled spirits of the same classification and subclassification of identity thereby displaced in the item.

(iv) The "direct cost of importation" means the actual amount of the charges paid for cooperage, export tax, freight to port of arrival, loading, war risk and marine insurance, wharfage, consular fees, customs broker fees, customs entry fees, loss of merchandise and customs duty due to leakage and evaporation in shipment to the United States and freight from port of arrival to the processor's bottling plant.

(2) *Substitution of domestic grape spirits, spirits-fruit, spirits-fruit processed, and neutral brandy.* The processor shall add to the maximum prices established under Appendices A through J, inclusive, the amount of $1.92 per proof gallon of the products stated above used as a substitute for the same quantity of domestic neutral grain or cane spirits thereby displaced in the item.

[Subparagraph (2) amended by Am. 17, 9 F.R. 9595, effective 8-1-44; Am. 20, 9 F.R. 14817, effective 12-21-44; and Am. 23, 10 F.R. 2877, effective 3-20-45]

NOTE: The amount of any permitted increase pursuant to Maximum Price Regulation No. 193 must not be included in a maximum price established under Article III

except as is provided in subparagraph (3) below.

(3) *Substitution of domestic high wines (manufactured from cane or grain) for domestic neutral spirits.* The processor shall add to the maximum prices established under Appendices A through J, inclusive, the amount of the permitted increase for high wines manufactured from cane or grain used as a substitute for the same quantity of domestic neutral spirits thereby displaced in the item as required to be computed by the processor under section 1420.13 (a) (1) (i) of Maximum Price Regulation No. 193.

[Subparagraph (3) amended by Am. 17 and Am. 23]

(4) *Substitution of vegetable neutral spirits.* The processor shall add to the maximum prices established under Appendices A through J, inclusive, the amount of $0.44 per proof gallon of vegetable neutral spirits, used as a substitute for the same quantity of domestic neutral grain or domestic cane spirits thereby displaced in the item.

[Subparagraph (4) added by Am. 25, effective 6-25-45]

(b) *Rules for establishing maximum prices under Appendix G.* (1) The additions provided in this Appendix can be computed only with respect to the quantity of distilled spirits actually displaced in the item. No allowances are provided for loss in processing or otherwise.

(2) The additions provided for substitution of imported distilled spirits are applicable where an ingredient of an item of domestic distilled spirits is displaced by the same ingredient except that such displacing ingredient is imported, or where domestic neutral spirits are displaced by imported distilled spirits.

(3) The additions provided for substitution of imported distilled spirits are inapplicable where the item as sold or offered for sale during March 1942 contained as an ingredient the same classification of imported distilled spirits.

(c) *Reports required to be filed.* On or before the date of making the first sale of an item at a maximum price adjusted under this Appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix G to Article III of MPR 445.

(3) The brand name, container size and proof of the item which is the subject of the report.

(4) The date upon which the processor filed OPA Form 635-232-A (brand name report required under Amendment No. 6 to MPR 193) for the base item used for the adjustment made under this Appendix if such item was sold or offered for sale by the processor during March 1942.

(5) The maximum price for the item which is the subject of the report, and a statement showing the steps (similar to those illustrated by the examples) made by the processor to figure such price, in accordance with procedures provided in this appendix. Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

APPENDIX H—PRESCRIBED UNIFORM MAXIMUM PRICES

(a) *Rules for establishing maximum prices under Appendix H.* (1) The prescribed uniform maximum prices provided in this appendix are applicable only to items of domestic gin and domestic vodka. All other classifications of domestic distilled spirits must be priced under other applicable provisions of Article III.

(2) All items of domestic gin and domestic vodka of a brand name not sold or offered for sale by the processor during March 1942 must be priced under this appendix. Any item of domestic gin or domestic vodka whether or not sold or offered for sale by the processor during March 1942 may be priced under this appendix. However, after once making a sale of an item of domestic gin or domestic vodka at a prescribed uniform maximum price provided in this appendix, maximum prices for all sales thereafter of any item of the same classification bearing the same brand name, of any proof or in any container size must be established under this appendix.

(3) Any change whatsoever in the brand name of an item of domestic gin or domestic vodka sold or offered for sale by the processor during March 1942 shall be deemed to be a new brand name, and the item so changed must be priced under this appendix.

(4) Prescribed uniform maximum prices are applicable only to the particular classes of customers specified in this appendix. For all other classes of customers a special maximum price by authorization must be established under Appendix F.

(b) *Procedures for establishing prescribed uniform maximum prices.* The processor's maximum price per case, for sales of an item of packaged domestic gin or packaged domestic vodka to customers of the classes specified below, shall be the prescribed uniform maximum prices determined as follows:

(1) *Processors' sales to wholesalers and monopoly states.* (i) Ascertain from Table I (for gin) or Table II (for vodka), the applicable maximum price per case of quarts or fifths, respectively, at 80° proof.

NOTE: The prices shown in Tables I and II are at 80° proof in quarts and fifths. They are completed prices for items at 80° proof in quarts and fifths, except for applicable state and local taxes for which see (iv) below.

(ii) Where the proof of the item to be priced is greater than 80°, ascertain from Table I (for gin) or Table II (for vodka) the applicable proof adjustment in accordance with the container size, and multiply such proof adjustment figure by a figure equal to the difference between 80 and the number of degrees of proof of the item to be priced. Add the resulting figure to the amount determined in (i).

(iii) Where the container sizes to be priced are either pints or half-pints, add to the resulting figure in (ii) per case of quarts $.60 if pints are to be priced and $1.35 if half-pints.

(iv) Where state or local excise taxes apply, add to the figure obtained in (i), (ii) or (iii), the applicable amount of any state or local excise tax in effect on November 2, 1942: *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor: *And provided further*, That the amount of such tax once so added shall not again be added to the maximum prices established under subparagraphs (2), (3) and (4) of this paragraph (b).

The resulting figure in (i), (ii), (iii) or (iv), as the case may be, is the processor's prescribed uniform maximum price, f. o. b. bottling plant, for sales to wholesalers and monopoly states of an item of packed domestic gin or packaged domestic vodka.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(2) *Processors' sales to primary distributing agents.* The processor's prescribed uniform maximum price per case, f. o. b. bottling plant, of packaged domestic gin or packaged domestic vodka for sales to primary distributing agents shall be the processor's prescribed uniform maximum price per case, f. o. b. bottling plant, for sales of the item to wholesalers and monopoly states (determined as provided in subparagraph (1) above), subject to any discount, allowance or price differential agreed upon by the particular processor and primary distributing agent.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price may be added to that price in accordance with section 7.3.

(3) *Processors' sales to retailers*—(i) *Sales of items shipped directly to the retailer's premises from the bottling plant.* The processor's prescribed uniform maximum price per case of packaged domestic gin or packaged domestic vodka for sales of an item shipped directly to the retailer's premises from the bottling plant shall be figured by the processor as follows:

(a) Determine the prescribed uniform maximum price per case, f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(b) Add to the figure so obtained the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(c) Multiply the resulting figure in (b) by the percentage markup provided in section 5.4 (b) (1) (i) of article V for sales of packaged gin and vodka by wholesalers to retailers.

(d) Add to the resulting figure in (c) the actual amount of transportation charges paid by the processor if such charges are prepaid by him.

The resulting figure in (c) or (d), as the case may be, is the processor's prescribed uniform maximum price per case for sales of an item shipped directly to the retailer's premises from the bottling plant.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(ii) *Sales of items shipped to the retailer's premises from the processor's zone warehouse.* The processor's prescribed uniform maximum price for sales of an item of packaged domestic gin or vodka shipped to the retailer's premises from the processor's zone warehouse shall be figured by the processor as follows:

(a) Determine the prescribed uniform maximum price per case, f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(*b*) Add to the figure so obtained the actual amount of transportation charges paid by the processor for shipment from the bottling plant to his zone warehouse. No amount shall be included for local hauling, loading, unloading, drayage or other handling.

(*c*) Add to the resulting figure in (*b*), the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(*d*) Multiply the resulting figure in (*c*) by the percentage markup provided in section 5 4 (b) (1) (i) of Article V for sales of packaged gin and vodka by wholesalers to retailers.

The resulting figure in (*d*) is the processor's prescribed uniform maximum price per case, delivered to the retailer's premises, for his sales of an item to a retailer located within the area of the processor's zone warehouse, and it is also the processor's prescribed uniform maximum price per case, f. o. b. zone warehouse, for sales of an item to a retailer located outside of the metropolitan area of such warehouse.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3:

(4) *Processors' sales to consumers.* The processor's prescribed uniform maximum price provided in subparagraph (1) for sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, effective after November 2, 1942) plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V and the total thereof multiplied by the percentage markup provided in section 5.5 (b) (1) (i) of Article V for sales of packaged gin and vodka by retailers to consumers, shall be the processor's prescribed uniform maximum price for sales of the item to consumers.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(*e*) *Reports required to be filed.* On or before the date of making the first sale of an item at a prescribed uniform maximum price established under this appendix the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix H to Article III of MPR 445.

(3) The brand name, container size and proof of the item which is the subject of the report. (Attach front and back labels to letter-report.)

(4) The prescribed uniform maximum price for the item which is the subject of the report, and a statement showing the steps taken by the processor to figure such price, in accordance with the procedures provided in this appendix.

(5) A list of all items of the same brand name sold or offered for sale by the processor during March 1942, if any.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

TABLE I—PROCESSORS' PRESCRIBED UNIFORM MAXIMUM PRICES FOR PACKAGED DOMESTIC GIN

	3 gallon case of quarts	2 gallon case of fifths
Proof	80	80
Adjustment per degree of proof	.2222	$.1778

NOTE: The prices in Table I include applicable Federal excise taxes in effect on November 2, 1942 and Federal transportation tax. They do not include any state or other taxes or the taxes in Federal excise Series, April 1, 1944.

TABLE II—PROCESSORS' PRESCRIBED UNIFORM MAXIMUM PRICES FOR PACKAGED DOMESTIC VODKA

	3 gallon case of quarts	2 gallon case of fifths
Proof	80	80
Adjustment per degree of proof	.2424	.1939

NOTE: The prices in Table II include applicable Federal excise taxes in effect on November 2, 1942 and Federal transportation tax. They do not include any State or local taxes or the taxes in Federal excise Series effective April 1, 1944.

(*d*) *Determining amount of increase effective April 1, 1944 in Federal excise taxes.* The amount of the increase effective April 1, 1944, in Federal excise taxes which a processor may add to prescribed uniform maximum prices determined under this appendix shall, in each instance, be figured by multiplying $3.00 by the number of proof gallons in the case being priced.

[Appendix H added by Am. 17, 9 F.R. 9505, effective 8-1-44]

APPENDIX I

(1) *Rules for establishing maximum prices under Appendix I.* (i) The prescribed uniform maximum prices provided in this appendix are applicable only to items of domestic cordials and liqueurs included in the "OPA Classifications" set forth in this appendix. All other items of domestic liqueurs, cordials and specialties must be priced under other applicable provisions of Article III.

(2) All items of domestic cordials and liqueurs of a brand name not sold or offered for sale by the processor during March 1942 must be priced under this appendix. Any item of domestic cordial or liqueur whether or not sold or offered for sale by the processor during March 1942 may be priced under this appendix. However, after once making a sale of an item of domestic cordial or liqueur at a prescribed uniform maximum price provided in this appendix, maximum prices for all sales thereafter of that item bearing the same brand name, of any proof or in any container size must be established under this appendix.

(3) For all items of domestic cordials and liqueurs not sold or offered for sale by a processor during March 1942 and not included in the "OPA Classifications" of this appendix, the processor shall establish a special maximum price by authorization in accordance with the provisions of Appendix F.

(4) Any change whatsoever in the brand name of an item of domestic cordial or liqueur included in the "OPA Classifications" of this appendix, sold or offered for sale by the processor during March 1942, shall be deemed to be a new brand name and the item so changed must be priced under this appendix. Where such item is not included in the "OPA Classifications," then the processor shall establish a special maximum price by authorization for the item so changed, in accordance with the provisions of Appendix F.

(5) Where a processor establishes a prescribed uniform maximum price under this appendix, his customers for sales of the item are to be classified only as wholesalers, monopoly states, primary distributing agents, retailers and consumers. For all other classes of customers, a special maximum price by authorization shall be established by application under Appendix F.

(*b*) *Procedure for establishing prescribed uniform maximum prices.* The processor's maximum price per case, for sales of an item of packaged domestic cordial or liqueur included in the "OPA Classifications" of this appendix, to customers of the classes specified below, shall be the prescribed uniform maximum prices determined as follows:

(1) *Processors' sales to wholesalers and monopoly States.* (i) The processor's maximum price per case for an item of domestic cordial or liqueur included in the "OPA Classifications" set forth in this appendix for his sales to wholesalers and monopoly States, shall be the applicable prescribed uniform maximum price set forth in Table II of this appendix.

NOTE: The prices shown in Table II are at the proofs stated therein. They are completed prices for the items, in the container sizes and at the proofs stated, except for applicable State and local excise taxes and the increase effective April 1, 1944 in Federal excise taxes.

(ii) Where the proof of the item to be priced differs from that shown in Table II of this appendix, the prescribed uniform maximum base price is the price shown in Table II plus or minus, as the case may be, the figure obtained by multiplying the appropriate proof adjustment factor shown in Table II by the difference between the degrees of proof of the item being priced and of the item shown in the table.

(iii) Where the item to be priced is a domestic crystallized cordial or liqueur the prescribed uniform maximum price for such item shall be the prescribed uniform maximum price for the particular "OPA Classification," proof and container size as contained in Table II of this appendix plus $1.50 per case containing 3 wine gallons or $1.00 per case containing 2.1 wine gallons.

(iv) Where State or local excise taxes apply, add to the figure obtained in (i), (ii) or (iii), the applicable amount of any State or local excise tax in effect on November 2, 1942, *Provided*, That the amount of such tax included is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor, *And provided further*, That the amount of such tax once so added shall not again be added to the maximum prices established under subdivisions (ii), (iii) and (iv) of this paragraph (b).

The resulting figure in (i), (ii), (iii) or (iv), as the case may be, is the processor's prescribed uniform maximum price f. o. b. bottling plant, for sales to wholesalers and monopoly states of an item of packaged domestic cordial or liqueur.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(2) *Processors' sales to primary distributing agents.* The processor's maximum price per case for an item of domestic cordial or liqueur included in the "OPA Classifications" set forth in this appendix, for sales to primary distributing agents, f. o. b. bottling plant, shall be the processor's prescribed uniform maximum price for sales of the item to wholesalers and monopoly states (determined as provided in subparagraph (1) above), subject to any discount, allowance or price differential agreed upon by the particular processor and primary distributing agent.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum price may be added to that price in accordance with section 7.3.

(3) *Processor's sales to retailers*—(i) *Sales of items shipped directly to the retailer's premises from the bottling plant.* The processor's prescribed uniform maximum price, per case, for sales to retailers, for an item of domestic cordial or liqueur included in the "OPA Classifications" set forth in this appendix, shipped directly to the retailer's premises from the bottling plant shall be figured by the processor as follows:

(*a*) Determine the prescribed uniform maximum price per case, f. o. b. bottling plant, in accordance with subparagraph (1) above for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944 in Federal excise taxes or new or increased State or local excise taxes effective after November 2, 1942).

(*b*) Multiply the figure so obtained, by the percentage markup provided in section 5.4 (b) (1) (iii) of Article V for sales of packaged cordials and liqueurs by wholesalers to retailers.

(*c*) Add to the resulting figure in (*b*) the actual amount of transportation charges paid by the processor if such charges are prepaid by him.

The resulting figure in (*b*) or (*c*), as the case may be, is the processor's prescribed uniform maximum price per case for sales of an item shipped directly to the retailer's premises from the bottling plant.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes through November 2, 1942. The increase effective April 1, 1944, in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(ii) *Sales of items shipped to the retailer's premises from the processor's zone warehouse.* The processor's prescribed uniform maximum price per case for sales to retailers of an item of domestic cordial or liqueur included in the "OPA Classifications" set forth in this appendix, shipped to the retailer's premises from the processor's zone warehouse shall be figured by the processor as follows:

(*a*) Determine the prescribed uniform maximum price per case, f. o. b. bottling plant, in accordance with subparagraph (1) above for his sales of the item to wholesalers and monopoly States (excluding, however, the increase effective April 1, 1944 in Federal excise taxes or new or increased State or local excise taxes effective after November 2, 1942).

(*b*) Add to the figure so obtained the actual amount of transportation charges paid by the processor for shipment from the bottling plant to his zone warehouse. No amount shall be included for local hauling, loading unloading, drayage or other handling.

(*c*) Multiply the resulting figure in (*b*) by the percentage markup provided in section 5.4 (b) (1) (iii) of Article V for sales of packaged cordials and liqueurs by wholesalers to retailers.

The resulting figure in (*c*) is the processor's prescribed uniform maximum price per case, delivered to the retailer's premises, for his sales of an item to a retailer located within the metropolitan area of the processor's zone warehouse, and it is also the processor's prescribed uniform maximum price per case, f. o. b. zone warehouse, for sales of an item to a retailer located outside the metropolitan area of such warehouse.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes through November 2, 1942. The increase effective April 1, 1944, in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(4) *Processor's sales to consumers.* The processor's prescribed uniform maximum price per case for sales to consumers for an item of domestic cordial or liqueur included in the "OPA Classifications" set forth in this Appendix, shall be the prescribed uniform maximum price provided in subparagraph (1) above, for sales of the item to wholesalers and monopoly States (excluding, however, the increase effective April 1, 1944 in Federal excise taxes or new or increased State or local excise taxes effective after November 2, 1942), plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V, and the total thereof multiplied by the percentage markup provided in section 5.5 (b) (1) (iii) of Article V for sales of packaged cordials and liqueurs by retailers to consumers.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes through November 2, 1942. The increase effective April 1, 1944, in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

TABLE I—OPA CLASSIFICATIONS OF ITEMS OF DOMESTIC CORDIALS, LIQUEURS AND SPECIALTIES

	Proof
Class 1: Peppermint Schnapps	60
Class 2: Sloe Gin	60
Class 3:	
Apricot Liqueur—Nectar—Cordial	60
Blackberry Liqueur—Nectar—Cordial.	
Cherry Liqueur—Nectar—Cordial.	
Peach Liqueur—Nectar—Cordial.	
Anisette.	
Mint Flavored Cordial.	
Class 4: Creme de Menthe (Green or White)	60
Class 5:	
Creme de Cocoa	60
Creme de Cacao.	
Coffee Liqueur.	
Class 6:	
Rock and Rye	70
Rock and Brandy.	
Rock and Rum.	
Rock and Gin.	
Class 7: Kuemmel	70
Class 8:	
Mint (flavored) gin	70
All fruit flavored gin.	
Class 9:	
Apricot Flavored Brandy	70
Blackberry Flavored Brandy.	
Peach Flavored Brandy.	
Cherry Flavored Brandy.	
Ginger Flavored Brandy.	
Class 10:	
Triple Sec	80
Curacao.	
Orange Liqueur.	

TABLE II—PROCESSORS' MAXIMUM PRICES[1] FOR DOMESTIC CORDIALS AND LIQUEURS

Class	Proof	12 quarts	24 pints	48 half pints	12 fifths	24 tenths
1	60°	$19.00	$19.60	$20.35	$15.80	$16.10
	P. A.[2]	0.2917	0.2917	0.2933	0.2933	0.2933
2	60°	20.25	20.85	21.60	16.70	17.10
	P. A.	0.3125	0.3125	0.3125	0.2900	0.2900
3	60°	21.50	22.10	22.85	17.50	18.10
	P. A.	0.3333	0.3333	0.3333	0.3067	0.3067
4	60°	22.43	22.74	23.48	18.00	18.60
	P. A.	0.3458	0.3458	0.3458	0.3750	0.3750
5	60°	22.44	23.04	23.70	18.25	18.85
	P. A.	0.3490	0.3490	0.3490	0.3792	0.3792
6	70°	20.50	21.10	21.85	16.75	17.30
	P. A.	0.2714	0.2714	0.2714	0.2171	0.2171
7	70°	21.60	22.20	22.95	17.10	17.70
	P. A.	0.2786	0.2786	0.2786	0.2929	0.2929
8	70°	22.44	23.04	23.70	18.25	18.85
	P. A.	0.2891	0.2891	0.2891	0.2293	0.2293
9	70°	29.28	29.88	30.63	23.73	24.33
	P. A.	0.3646	0.3646	0.3646	0.3576	0.3576
10	80°	20.50	21.10	27.85	21.50	22.10
	P. A.	0.3125	0.3125	0.3125	0.2500	0.2500

[1] Prices include Federal excise and rectification taxes at rates in effect on November 2, 1942, but do not include any State or local taxes.

[2] P. A.—Proof adjustment (adjustment per degree of proof).

[3] The prices for Class 9 (Fruit Flavored Brandies) include the amount of the adjustment for fruit solids provided in Appendix G, and so that adjustment is not applicable to the prescribed uniform maximum prices for cordials in this class although prices for such items established under Appendix A are subject to the adjustment.

(*c*) *Adjustment of maximum prices for substitution of certain ingredients.* The processor's maximum price for an item of domestic cordial or liqueur adjusted for the substitution of certain ingredients shall be determined in accordance with the provisions of Appendix G. However, adjustments pursuant to Appendix G are not applicable to items specified in OPA Classification 9, for which the processor has established a prescribed uniform maximum price.

(*d*) *Reports required to be filed.* On or before the date of making the first sale of an item at a prescribed uniform maximum price established under this appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix I to Article III of Maximum Price Regulation 445.

(3) The brand name, container size, type, "OPA Classification" number, kind and proof of the item which is the subject of the report. (Attach front labels, and back labels if any, to letter-report).

(4) The prescribed uniform maximum price, f. o. b. bottling plant, to wholesalers and monopoly states for the item which is the subject of the report, and a statement showing the steps taken by the processor to figure such price, in accordance with the procedures provided in this appendix.

(5) A copy of the approved formula on Treasury Department Form 27 B-Supplemental or a photostatic copy or other facsimile thereof.

(6) A list of all items of cordials and liqueurs of the same brand name sold or

offered for sale by the processor during March 1942, if any.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

APPENDIX J

(a) *Rules for establishing maximum prices under Appendix J.* (1) The prescribed uniform maximum prices provided in this appendix are applicable to all items of domestic grape, apple, peach, pear, plum (including but not limited to Shiwaiz, Quetsch and Mirrebelle), apricot, and dried fruit (other than raisin) brandy. All other items of domestic brandy must be priced under other applicable provisions of Article III.

(2) All items of domestic brandy of a brand name not sold or offered for sale by the processor during March 1942 must be priced under this appendix. Any item of domestic brandy, for which a prescribed uniform maximum price is provided in this appendix, whether or not sold or offered for sale by the processor during March 1942 may be priced under this appendix. However, after once making a sale of a particular item of domestic brandy at the prescribed uniform maximum price provided in this appendix, maximum prices for all sales thereafter of that item bearing the same brand name under any formula, proof, or container size must be established under this appendix.

(3) For all items of domestic brandy not sold or offered for sale by the processor during March 1942 and for which no prescribed uniform maximum price is provided in this appendix, the processor shall establish a special maximum price by authorization in accordance with the provisions of Appendix F.

(4) Any change whatsoever in the brand name of an item of domestic brandy, sold or offered for sale by the processor during March 1942, shall be deemed to be a new brand name and the item so changed must be priced under this appendix. (See section 3.3 for explanation of what constitutes a change of brand name).

(5) Prescribed uniform maximum prices are applicable only to processor's sales to wholesalers, monopoly States, primary distributing agents, retailers and consumers. For all other classes of customers a special maximum price by authorization must be established by application under Appendix F.

(6) Items of domestic brandy bearing no age statement shall be deemed to be an age of 24 months to 26 months, inclusive.

(7) Where the label of an item of brandy contains no age specification other than a statement of the youngest age in the blend, the age of the item shall be deemed to be that of the youngest age in the blend, as stated on the label. Where the label of an item of brandy contains a statement of the various ages by percentages the age of such item shall be deemed to be the "weighted average age" of the brandies in the blend, computed in the same manner as the "weighted average age" of whiskey is determined under Appendix E.

[Subparagraph (6) amended and (7) added by Am. 25, effective 6-25-45]

(b) *Procedures for determining prescribed uniform maximum prices—(1) Processors' sales to wholesalers and monopoly States.* (i) Ascertain from Tables I, II, or III of this appendix, as the case may be, the applicable maximum price per case for the age and container size of the item to be priced.

(ii) Where the proof of the item to be priced differs from the proof shown in the applicable table, multiply the applicable proof adjustment figure by the difference between the proof shown in the table and the proof of the item to be priced. Add to or subtract from, as the case may be, the resulting figure, the amount determined in (i).

(iii) Where the container sizes to be priced are either pints or half pints, or ⅘ pints, add to the resulting figure in (ii) per case of quarts $0.60 if pints are to be priced, and $1.35 if half pints are to be priced; and to the resulting figure in (ii) per case of ⅘ quarts, add $0.60 if ⅘ pints are to be priced.

[Subparagraph (iii) added; former (iii) redesignated (iv) by Am. 25, effective 6-25-45]

(iv) Where State or local excise taxes apply, add to the figure obtained in (i) or (ii), as the case may be, the applicable amount of any State or local excise tax in effect on November 2, 1942; *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor; *And provided further*, That the amount of such tax once so added shall not again be added to the maximum prices established hereunder.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes through November 2, 1942. The increase effective April 1, 1944, in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(2) *Processor's sales to primary distributing agents.* The processor's maximum price per case for an item of domestic brandy for which a prescribed uniform maximum price is provided in this appendix for sales to primary distributing agents, f. o. b. bottling plant, shall be the processor's prescribed uniform maximum price for sales of the item to wholesalers and monopoly States (determined as provided in subparagraph (1) above) subject to any discounts, allowances or price differential agreed upon by the particular processor and primary distributing agent.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum prices, may be added to that price in accordance with section 7.3.

(3) *Processor's sales to retailers—(i) Sales of items shipped directly to the retailer's premises from the bottling plant.* The processor's prescribed uniform maximum price per case for sales to retailers for an item of domestic brandy for which a prescribed uniform maximum price is provided in this appendix, shall be the processor's prescribed uniform maximum price provided in subparagraph (1) above, for sales of the item to wholesalers and monopoly States (excluding, however, the increase effective April 1, 1944, in Federal excise taxes, or new or increased State or local excise taxes effective after November 2, 1942), plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V and the total thereof multiplied by the percentage markup provided in section 5.4 (b) (1) (i) of Article V for sales of packaged brandy by wholesalers to retailers.

(ii) Add to the resulting figure in (b) the actual amount of transportation charges paid by the processor if such charges are prepaid by him.

The resulting figure in (b) or (c), as the case may be, is the processor's prescribed uniform maximum price per case for sales of an item shipped directly to the retailer's premises from the bottling plant.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(ii) *Sales of items shipped to the retailer's premises from the processor's zone warehouse.* The processor's prescribed uniform maximum price per case for sales to retailers of an item of domestic brandy for which a prescribed uniform maximum price is provided in this appendix, shipped to the retailer's premises from the processor's zone warehouse, shall be figured by the processor as follows:

(a) Determine the prescribed uniform maximum price per case, f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly States (excluding, however, the increase effective April 1, 1944 in Federal excise taxes or new or increased State or local excise taxes effective after November 2, 1942).

(b) Add to the figure so obtained the actual amount of transportation charges paid by the processor for shipment from the bottling plant to his zone warehouse. No amount shall be included for local hauling, loading, unloading, drayage or other handling.

(c) Multiply the resulting figure in (b) by the percentage markup provided in section 5.4 (b) (1) (i) of Article V for sales of packaged brandy by wholesalers to retailers.

The resulting figure in (c) is the processor's prescribed uniform maximum price per case, delivered to the retailer's premises for his sales of an item to a retailer located within the metropolitan area of the processor's zone warehouse, and it is also the processor's prescribed uniform maximum price per case, f. o. b. zone warehouse, for sales of an item to a retailer located outside the metropolitan area of such warehouse.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes through November 2, 1942. The increase effective April 1, 1944, in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(4) *Processor's sales to consumers.* The processor's prescribed uniform maximum price per case for sales to consumers for an item of domestic brandy for which a prescribed uniform maximum price is provided in this appendix, shall be the prescribed uniform maximum price provided in subparagraph (1) above, for sales of the item to wholesalers and monopoly States (excluding, however, the increase effective April 1, 1944, in Federal excise taxes, or new or increased State or local excise taxes effective after November 2, 1942), plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V and the total thereof multiplied by the percentage markup provided in section 5.5 (b) (1) (i) of Article V for sales of packaged brandy by retailers to consumers.

NOTE: The maximum prices so figured include applicable Federal, State or local excise taxes, through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased State or local excise taxes not otherwise included in the prescribed uniform maximum price may be added to that price in accordance with section 7.3.

TABLE I—PROCESSOR'S MAXIMUM PRICES FOR UNRECTIFIED DOMESTIC GRAPE BRANDY

Age (months)		Quarts		Fifths	
From incl.—	To incl.—	Price at 80° proof	Adjustment per degree of proof	Price at 80° proof	Adjustment per degree of proof
.....	23	$24.36	$0.2853	$19.79	$0.2326
24	26	24.57	.2884	19.96	.2308
27	32	24.63	.2891	20.01	.2344
33	38	24.98	.2935	20.29	.2349
39	44	25.24	.2980	20.58	.2385
45	50	25.73	.3029	20.89	.2424
51	56	26.15	.3081	21.22	.2465
57	62	26.58	.3135	21.57	.2509
63	68	27.03	.3191	21.96	.2558
69	74	27.51	.3251	22.32	.2603
75	80	28.02	.3315	22.72	.2653
81	86	28.58	.3385	23.17	.2709
87	.....	29.15	.3456	23.62	.2765

NOTE: The prices in this table include Federal excise taxes at rates in effect November 2, 1942, but do not include any State or local taxes.

TABLE II—PROCESSOR'S MAXIMUM PRICES FOR RECTIFIED DOMESTIC GRAPE BRANDY

	Quarts		Fifths	
	Price at 84° proof	Adjustment per degree of proof	Price at 84° proof	Adjustment per degree of proof
Less than 24 months, 24 months or more	$27.94 29.44	$0.3148 .3326	$22.06 23.25	$0.2519 .2661

NOTE: The prices in this table include Federal excise and rectification taxes at rates in effect on November 2, 1942, but do not include any State or local taxes.

TABLE III—PROCESSOR'S MAXIMUM PRICES FOR DOMESTIC APPLE, APRICOT, PEACH, PLUM, PEAR, AND DRIED FRUIT BRANDY

(QUARTS ONLY)

Age (months)		Apple brandy		Apricot, peach, plum, and pear brandy		Dried fruit brandy (except raisin)	
From, including—	To including—	Price at 80° proof	Adjustment per degree of proof	Price at 80° proof	Adjustment per degree of proof	Price at 80° proof	Adjustment per degree of proof
.....	23	$25.75	$0.2931	$26.59	$0.3136	$26.91	$0.3176
24	26	25.94	.3065	26.78	.3160	27.13	.3204
27	32	26.11	.3076	26.99	.3186	27.33	.3229
33	38	26.51	.3129	27.39	.3236	27.73	.3281
39	44	26.91	.3170	27.79	.3286	28.19	.3336
45	50	27.35	.3231	28.26	.3345	28.43	.3391
51	56	27.79	.3287	28.74	.3405	29.10	.3459
57	62	28.26	.3345	29.21	.3464	29.65	.3519
63	68	28.79	.3411	29.76	.3533	30.25	.3594
69	74	29.31	.3476	30.35	.3606	30.75	.3656
75	80	29.90	.3550	30.98	.3686	31.38	.3745
81	86	30.50	.3635	31.56	.3758	32.13	.3846
87	92	30.95	.3681	32.08	.3823	32.50	.3875
93	.....	31.43	.3741	32.55	.3881	33.03	.3941

FIFTHS ONLY

.....	23	$20.90	$0.2425	$21.57	$0.2709	$21.83	$0.2741
24	26	21.05	.2444	21.72	.2728	22.00	.2763
27	32	21.19	.2464	21.89	.2749	22.10	.2783
33	38	21.51	.2501	22.20	.2789	22.50	.2826
39	44	21.83	.2541	22.53	.2829	22.85	.2869
45	50	22.18	.2585	22.91	.2879	23.20	.2713
51	56	22.53	.2629	23.29	.2724	23.58	.2759
57	62	22.91	.2676	23.67	.2771	24.02	.2815
63	68	23.33	.2729	24.11	.2826	24.50	.2875
69	74	23.75	.2781	24.58	.2885	24.90	.2925
75	80	24.22	.2840	25.09	.2948	25.40	.2988
81	86	24.68	.2899	25.55	.3008	25.92	.3051
87	92	25.06	.2945	25.96	.3058	26.30	.3100
93	.....	25.44	.2993	26.34	.3105	26.72	.3153

NOTE: The prices in this table include Federal excise taxes at rates in effect November 2, 1942, but do not include any State or local taxes. Prices in the above Table III are for unrectified brandy. Prices for an item of rectified brandy shall be determined by adding the amount of rectification tax paid with respect to the item, to the price determined from Table III for an item of unrectified brandy of the same age, proof, and container size.

[Last sentence added by Am. 25, effective 6-25-45]

(f) *Reports required to be filed.* On or before the date of making the first sale of an item at a prescribed uniform maximum price established under this appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix J to Article III of Maximum Price Regulation 445.

(3) The brand name, container size, type, kind and proof of the item which is the subject of the report. (Attach front label, and back label if any, to letter-report).

(4) The prescribed uniform maximum price, f. o. b. bottling plant, to wholesalers and monopoly states for the item which is the subject of the report, and a statement showing the steps taken by the processor to figure such price, in accordance with the procedures provided in this appendix.

(5) A list of all items of brandy of the same brand name, sold or offered for sale by the processor during March 1942, if any.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

[Appendices I and J added by Am. 23, 10 F.R. 2877, effective 3-20-45]

[Sections 3.2 through 3.7, inclusive, and Appendices A through G added by Am. 9, 8 F.R. 17415, effective 1-6-44 and amended as otherwise noted]

ARTICLE IV—MAXIMUM PRICES FOR SALES OF PACKAGED DOMESTIC WINES BY PROCESSORS, AND FOR SALES OF BULK DOMESTIC WINES AND RELATED COMMODITIES BY ANY PERSON

SEC. 4.1 *Purposes of Article IV*—(a) *Generally.* This article establishes maximum prices or provides the pricing method for:

(1) Processors' sales to any purchaser of packaged domestic wines;

(2) Sales of bulk domestic wines by any seller to any purchaser;

(3) Sales of certain related commodities by any seller to any purchaser.

(b) Maximum prices for sales of packaged domestic wines by persons other than the processor must, unless otherwise provided, be established under Article V of this regulation.

(c) Where a maximum price or a pricing method is not otherwise provided in this article for a sale of a particular domestic wine or related commodity to be priced thereunder, and the seller is not permitted by this Article to establish a special maximum price under Appendix DD, the seller's maximum price shall be determined under the General Maximum Price Regulation, Restaurant Maximum Price Regulation 2[1] or other applicable regulations of the Office of Price Administration.

(d) *Prior regulations, orders, and interpretations superseded.* (1) Except as otherwise provided, this article on and after December 21, 1944, supersedes all other regulations, orders and maximum prices authorized by order or otherwise under former section 4.9 of this regulation (except maximum prices authorized thereunder for sales to a class of customers to whom the processor did not sell or offer to sell the item during March 1942 or for sales f. o. b. a freight base point from which the processor did not sell or offer to sell the item during March 1942), and interpretations of the Office of Price Administration.

SEC. 4.2 *General rules for determining maximum prices*—(a) *Maximum prices applicable to domestic wines*—(1) *March 1942 maximum prices.* A processor who during March 1942 sold or offered to sell a particular item of packaged domestic wine may establish a March 1942 maximum price for his sales thereof under the provisions of Appendix AA.

(2) *Prescribed uniform maximum prices*—(i) *Packaged domestic wine.* A processor of an item of packaged domestic wine not sold or offered for sale by the processor during March 1942 must establish the appropriate prescribed uniform maximum price for that item where a price is provided in the table shown under Appendix BB, except where a special maximum price may be established for the item under Appendix DD. However, any item of packaged domestic wine, whether or not sold or offered for sale by the processor during March 1942 may be

[1] 9 F.R. 7263, 9357, 9972.

priced under Appendix BB if a price is provided for it in the tables thereunder.

(ii) *Bulk domestic wine.* A processor of bulk domestic wine must establish the appropriate maximum price for his sales or offers to sell for which prices are provided in the tables shown in Appendix CC, except where a special maximum price for such sales may be established under Appendix DD.

(3) *Special maximum prices.* A special maximum price is a maximum price established pursuant to application to the Office of Price Administration under the provisions of Appendix DD. A special maximum price may be established for the following commodities and sales.

(i) Bulk or packaged varietal, vintage or sacramental altar domestic wines, and other bulk or packaged domestic wine for which no prescribed uniform maximum price is provided in this article.

[Subparagraph (i) amended by Am. 22, 10 F.R. 1789, effective 2-10-45]

(ii) Where the processor has established a March 1942 maximum price for his sales of an item of packaged domestic wine to a particular class of customers and desires to sell the item to a class of customers to whom he did not sell or offer to sell the item during March 1942.

(iii) Where the processor has established a March 1942 maximum price for his sales of an item of packaged domestic wine f. o. b. a particular freight base point and desires to sell or offer to sell the item f. o. b. a freight base point from which he did not sell or offer to sell the item during March 1942.

(iv) For other sales of an item of bulk or packaged domestic wine where an application to establish a special maximum price is permitted or required by this article.

(v) For sales of bulk or packaged domestic wine for which no prescribed uniform maximum price or other pricing method is provided in this article.

(b) *Maximum prices applicable to related commodities.* Maximum prices for certain related commodities specified in Appendix FF must be established in accordance with that appendix.

(c) *Figuring maximum prices separately.* (1) Each type of bulk domestic wine and each related commodity sold, offered for sale, or delivered by any person on and after the date on which a maximum price therefor must be established under this article must have a separate maximum price.

(2) Each item of packaged domestic wine sold, offered for sale, or delivered by the processor on and after the date on which a maximum price therefor must be established under this article must likewise have a separate maximum price. An item of packaged domestic wine is a particular brand name, container size, class, kind, type and sub-type designation of packaged domestic wine. One packaged item shall not be considered the same as another if there is any difference in

(i) Their processors;

(ii) Their container sizes (quarts as compared with fifths, etc.);

(iii) Requirements of United States labeling laws or regulations applicable to each, or in material information contained on their labels. Type designation, vintage, alcohol content, appellation of origin and grape variety and kind of fruit, berry, or other agricultural product from which produced shall be deemed material information.

(iv) Their brand names. Any difference whatsoever between brand names shall be deemed to result in a separate item and require a separate maximum price. However, a change of brand name when made to comply with any judicial decree, or to terminate legal proceedings to compel such change, shall not require the item to be repriced if the processor, before changing the brand name or having, under such circumstance, changed the brand name on or before December 21, 1944 notifies the Office of Price Administration, Beverage Section, Washington, D. C., in writing of the facts which require or did require the change; and if the processor receives written permission from the Office of Price Administration to establish maximum prices for items bearing such brand name by the methods that would apply under this article to the item if no change in brand name had been made.

(d) *Customer classifications.* (1) A separate maximum price determined in accordance with the applicable provisions of this article must be established for sales to each class of customer to whom the processor desires to sell.

(2) Where a processor establishes a March 1942 maximum price for his sales of an item of packaged domestic wine, his customers in those sales must be classified in accordance with his March 1942 customer classifications. If he desires to sell the item so priced to a customer of a class to which he did not sell or offer to sell it during March 1942, he shall apply to the Office of Price Administration for authority to establish a special maximum price for such sale pursuant to Appendix DD.

NOTE: For example an application should be filed under Appendix DD where, during March 1942, the processor sold the item exclusively to a primary distributing agent and the processor now desires to establish a maximum price for his sales of that item to monopoly states, wholesalers, retailers or consumers.

(3) Where a processor establishes a prescribed uniform maximum price for his sales of an item of packaged domestic wine, his customers for sales of the item are to be classified as provided in Appendix BB. Where a seller establishes a prescribed uniform maximum price for his sales of bulk domestic wine, his customers in sales of such wine are to be classified as provided in Appendix CC.

(4) Where a processor is authorized to establish a special maximum price under Appendix DD, that maximum price shall apply only to his sales to the classes of customers stated in the application, or authorized in the order or amendment issued pursuant thereto.

(e) *Discounts, allowances, price differentials, and terms of sale.* (1) Customary discounts, allowances and other price differentials (except "special deals" to which § 1499.4 (b) of the General Maximum Price Regulation applied) in effect during March 1942 in accordance with the seller's March 1942 customer classifications must be applied to his maximum prices established under this article: *Provided*, That discounts (other than discounts for prompt payment) and allowances based solely on quantity purchases (in dollars or units) need not be maintained; and *Provided further*, That allowances and price differentials in accordance with the seller's March 1942 customer classifications need not be maintained with respect to sales of items for which a prescribed uniform maximum price or a special maximum price is established.

NOTE: Nothing in the above paragraph shall be construed to prevent a sale at any amount lower than the maximum price established by this regulation. A seller need not maintain any customary discount, allowance or price differential if he reduces his maximum price by an amount which compensates all his customers of the particular class for the elimination of it.

(2) If a seller makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction in his maximum price established under this article.

(f) *Adjustment of a maximum price for change of container or case size.* (1) Any maximum price established under this article for an item of packaged domestic wine in a particular container size may be converted for a change of container size in accordance with the provisions of Appendix EE.

(2) Any maximum price established under this article for an item of packaged domestic wine in a particular case size may be converted for a change of case size in accordance with the provisions of section 7.1a of Article VII.

(g) *Maximum prices for individual containers.* The processor's maximum price for individual containers of an item to any class of customers shall be an amount determined by dividing his maximum price per case to a customer of the same class by the number of individual containers packed in the case.

(h) *Affixing tax stamps.* No addition shall be made to any maximum price established under this article for affixing Federal strip stamps, State tax stamps, decalcomania insignia used in lieu of such State tax stamps, or any other stamps or insignia.

(i) *Applicable taxes.* (1) In each instance, taxes may be added to or included in a maximum price only in accordance with the applicable provisions of this article, or in accordance with the provisions of sections 7.2 and 7.3 of Article VII.

(2) Where pursuant to any of the provisions of this article an amount is permitted to be added for certain applicable taxes, the rates of such taxes must be applied only to the actual quantity packaged and sold. Taxes paid with respect to any quantity of wine or related commodity lost in processing or otherwise cannot be added.

(3) For a processor's sales of any item to a monopoly State, the amount of any tax which became effective after March 31, 1942, which may be included in or added to the maximum price under the provisions of this article, shall be separately stated on the invoice issued in connection with each sale, or on a statement made in connection with any offer to sell.

(4) License, income, franchise, receipts, gross receipts, sales, use or other similar Federal, State, or local taxes cannot be included in or added to a maximum price established under this article, except that in certain cases a sales tax or gross receipts tax may be charged in addition to a maximum price as provided in section 7.2 of Article VII.

(j) *Wine fermented in whole or in part from grape or other fruit concentrates.* Wine fermented in whole or in part from grape or other fruit concentrates shall be classified as the same type and kind of wine that would result from use of the same materials without concentration.

(k) *Mixed wines, sparkling and carbonated wines.* Where no maximum price or pricing method is otherwise provided in this article for his sales of mixed wines (as defined in section 7.12 (a) (31)), sparkling wines (as defined in section 7.12 (a) (25)), or carbonated wines (as defined in section 7.12 (a) (26)), the processor shall establish a special maximum price in accordance with Appendix DD.

(l) *Flavored wines made from table wines.* Flavored wines made from table wines shall be classified as table wines in pricing under this article, but may be priced as flavored wines made from table wines where a maximum price or pricing method for such wines is specifically provided herein.

(m) *Price posting.* The processor shall post his maximum price for each item of packaged domestic wine to be sold or offered for sale to consumers in accordance with section 7.9a of Article VII.

SEC. 4.3 *Transactions between processors and primary distributing agents.* Transactions between processors and primary distributing agents may or may not involve a sale. Where the transaction does not involve a sale, the processor and primary distributing agent may make any proper arrangement for the handling and billing of the item, subject to the limitation that sales by the processor through the primary distributing agent may not exceed the processor's maximum price to a customer of the particular class. Where a processor sells an item of packaged domestic wine to a primary distributing agent, the parties may use for the transaction between themselves, either an f. o. b. processor's premises price (which will be a uniform price for all transactions) or a delivered price or prices not exceeding the maximum price which the processor may charge for a direct sale to any wholesaler or monopoly state within the territory the primary distributing agent serves.

SEC. 4.4 *Other provisions of this regulation applicable to sales for which maximum prices are established under this article.* The following sections of Article VII of this regulation shall apply to sales for which maximum prices are established under this article:

SEC. 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*

SEC. 7.1a *Changes in case sizes.*

SEC. 7.2 *When a sales tax may be charged in addition to a maximum price.*

SEC. 7.2a *Treatment of brokers' compensation.*

SEC. 7.3 *When new taxes, or increases in existing taxes, may be added to a maximum price.*

SEC. 7.3a *Distribution of packaged distilled spirits or wine.*

SEC. 7.4 *Use of minimum resale prices under state Fair Trade laws.*

SEC. 7.4a *Maximum prices for sellers for whom no specific provision is made.*

SEC. 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*

SEC. 7.5a *Deposit charges on containers.*

SEC. 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*

SEC. 7.6a. *Licensing.*

SEC. 7.7 *Export sales.*

SEC. 7.7a *Compliance with other laws and regulations.*

SEC. 7.8 *Compliance with this regulation.*

SEC. 7.8a *Interest on advance payments.*

SEC. 7.9 *Current records required.*

SEC. 7.9a *Posting of consumer prices.*

SEC. 7.9b *Sales slips and receipts.*

SEC. 7.10 *Petitions for amendment.*

SEC. 7.11 *Adjustable pricing in certain instances.*

SEC. 7.12 *Definitions.*

SEC. 7.13 *Geographical applicability.*

SEC. 4.5 *Dates on which this article shall apply.* This article shall apply to all sales, offers to sell and deliveries on and after December 21, 1944, except that with respect to sales for which prior to that date a seller has posted prices with a state or other public authority in compliance with a statute, ordinance or regulation, if (a) the posted price is not in excess of the seller's maximum price under Office of Price Administration regulations in effect on the date of posting, and (b) the seller cannot observe the new maximum price without being subject to a penalty for non-observance of the posted price, then the new maximum price shall not apply until the first effective date for prices similarly posted or listed at the seller's first regular opportunity following the date on which the new price, but for this provision, would be his maximum price. In the interval, the appropriate provisions of the Office of Price Administration regulations in effect at the date of posting shall continue to apply to such sales.

For purposes of this section, the term "posted" includes "listed" and in determining whether a seller is "subject to a penalty" defenses conferred by section 205 (d) of the Emergency Price Control Act of 1942, as amended, shall not be considered.

APPENDIX AA—MARCH 1942 MAXIMUM PRICES

(a) *Rules for establishing March 1942 maximum prices.*—(1) A *March 1942 maximum price* may be established under this Appendix only for a sale of an item of packaged domestic wine by the processor thereof.

(2) A *March 1942 maximum price* is applicable only where the item to be priced is the same item as that sold or offered for sale by the processor during March 1942.

NOTE: See section 4.2 (c) (2) for what constitutes "same item."

(3) A *March 1942 maximum price* is applicable only to sales to a class of customers to which the item was sold or offered for sale by the processor during March 1942. For sales of the item to customers of another class, a special maximum price must be established by application under Appendix DD.

(4) *Sales and offers to sell.* (i) When the price for a sale or for an offer to sell during March 1942 is to be used in determining a maximum price under this appendix, the price for a sale completed by delivery during that month must be used if such sale was made. An offering price may be used only if no such sale was made during March 1942, if it was an offering price for supply or delivery during that month, and if the offer or an acceptance thereof is supported by written evidence.

(ii) Where the price for a sale or for an offer to sell during March 1942 is to be used by the processor in determining a maximum price under this article, the price so used must be the price for an item with respect to which he was the processor during March 1942.

NOTE: See § 1499.5 of the General Maximum Price Regulation for succession to March 1942 maximum prices through transfer of business or stock in trade.

(b) *Procedure for establishing March 1942 maximum prices.* The processor's March 1942 maximum price per case for sales of an item of packaged domestic wine to a customer of a particular class is the highest price per case at which the processor sold or offered to sell the same item during March 1942 to a customer of the same class, in accordance with the processor's March 1942 customer classifications, plus the applicable amount of any new or increased Federal, State or local excise taxes which became effective after March 31, 1942 and prior to November 2, 1942: *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authorities or to any prior vendor.

NOTE: For addition of applicable Federal, State, or local excise taxes which became effective after November 2, 1942, see section 7.3 of Article VII.

(c) *Change of container and case sizes.* (1) A processor who has established a March 1942 maximum price for his sales of an item of a particular container size and desires to establish a maximum price for his sales of the item in a new container size, shall determine that price in accordance with Appendix EE. The price so determined shall be his March 1942 maximum price for sales of the item in the new container size.

(2) A processor who has established a March 1942 maximum price for his sales of a particular case size of an item and desires to establish a maximum price for his sales of a new case size of the item shall determine that price in accordance with the provisions of section 7.1a of Article VII. The price so determined shall be his March 1942 maximum price for sales of the item in the new case size.

(d) *California State Marketing Order assessment.* A processor may charge, in addition to his maximum price established under this article for a sale of any California grape wine, the amount of any applicable California State Marketing Order assessment not otherwise included in his March 1942 maximum price at rates in effect on October 1, 1943, paid or payable by the processor with respect to the quantity being priced. For purposes of this appendix such amount shall be deemed a part of the maximum price to which it is added and for purposes of Article V shall be deemed a part of his supplier's price.

(e) *F. o. b. and delivered prices.* (1) Where a processor establishes a March 1942 maximum price and the highest price at which he sold or offered to sell during March 1942 used to determine such March 1942 maximum price was a delivered price, or an f. o. b. particular freight base point price, the maximum price established shall correspondingly be a delivered price or an f. o. b. particular freight base point price respectively.

(2) If a processor's March 1942 maximum price is a price f. o. b. a particular place, and

he desires to convert it to a delivered price for delivery to a point outside the metropolitan area of that place, he may add to that maximum price transportation charges from that place to the point of delivery, at the rate he actually pays. No amount shall be included for the expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point.

(3) If a processor during March 1942 had an established practice of invoicing packaged domestic wines from his shipping point or warehousing point by using an average transportation cost instead of actual transportation cost to each destination, he may continue to use the same average transportation cost if he follows a uniform practice in that respect.

(4) A separate maximum price must be established for each item for each freight basing point from which shipment was made in March 1942 if the processor continues to make shipment from such freight basing point. In any instance where shipment is to be made from a freight basing point from which no shipment was made in March, 1942, a special maximum price must be established under Appendix DD.

(f) *Carload and less-than-carload prices.* (1) Where a processor establishes a March 1942 maximum price, and the highest price at which he sold or offered to sell during March 1942 used to determine such March 1942 maximum price was a carload price, or a less-than-carload price, the maximum price thus established shall correspondingly be a carload, or less-than-carload, price, respectively.

(2) A processor whose March 1942 maximum price is a carload price may, for sales in less than carload quantity, add to such maximum price his March 1942 customary differential over the carload price for the item. Similarly, a seller whose March 1942 maximum price is a less-than-carload price shall, for sales in carload quantity, reduce his maximum price by the amount of his March 1942 customary differential over a carload price for the item.

(3) A processor who did not have a March 1942 customary differential between carload and less-than-carload prices for the item and who desires to sell in the quantity to which his March 1942 maximum price does not apply shall make application for establishment of a special maximum price for such sale under the provisions of Appendix DD.

(g) *Taxpaid and untaxpaid sales.* (1) Where a processor establishes a March 1942 maximum price and the highest price at which he sold or offered to sell during March 1942 used to determine such March 1942 maximum price was for a taxpaid or an untaxpaid sale the maximum price thus established shall correspondingly be for a taxpaid sale or an untaxpaid sale, respectively.

(2) Where a processor establishes a March 1942 maximum price for a taxpaid sale and desires to determine a maximum price for an untaxpaid sale, he shall deduct from his March 1942 maximum price the applicable Federal, State and local excise taxes included in it.

(3) Where a processor establishes a March 1942 maximum price for an untaxpaid sale and desires to determine a maximum price for a taxpaid sale, he may add to his March 1942 maximum price the applicable Federal, State and local excise taxes at rates in effect on the date of sale.

(h) Any processor of domestic wine who has established a March 1942 maximum price or a March 1942 maximum price adjusted for change of container size for his sales of items under a particular brand name and who permits any other processor to use that brand name for items of domestic wine, shall as of the date the first such item is sold or offered for sale by such other processor, be required to establish a prescribed uniform maximum price under Appendix BB for his own sales of domestic wine under that brand name: *Provided, however,* That this paragraph shall not apply to brand names which the processor permitted purchasers to use during March 1942 for domestic wine produced by the processor and sold by him in bulk.

APPENDIX BB—PROCESSORS' PRESCRIBED UNIFORM MAXIMUM PRICES FOR PACKAGED DOMESTIC WINE

(a) *Rules for establishing prescribed uniform maximum prices under this appendix.* (1) All items of packaged domestic wine not sold or offered for sale by the processor during March 1942 and for which prices are provided in the tables shown herein must be priced under this appendix, except where a special maximum price may be established under Appendix DD. However, any such item of packaged domestic wine whether or not sold or offered for sale by the processor during March 1942 may be priced under this appendix, if a price for it is provided in the tables.

(2) *Prescribed uniform maximum prices* provided in this appendix are applicable only to processors' sales of packaged domestic wine to wholesalers, monopoly states, primary distributing agents, retailers, and consumers.

(3) For sales of items of packaged domestic wine for which no price is provided in the tables, or for sales to a class of customers not specified in this appendix, the processor shall establish a special maximum price in accordance with Appendix DD.

(b) *Change of container size and case size.* (1) The prices listed in the tables are for cases having therein the specified number and size of containers.

(2) Where a processor desires to establish a prescribed uniform maximum price for sales of an item in a container size not shown in the tables, he shall establish a prescribed uniform maximum price for his sales of the item in the desired container size in accordance with Appendix EE.

(3) Where a processor desires to establish a prescribed uniform maximum price for sales of an item in a case size not shown in the tables, he shall establish a prescribed uniform maximum price for his sales of the item in the desired case size in accordance with section 7.1a of Article VII.

(c) *California State Marketing Order assessment.* A processor may charge, in addition to his maximum price established under this Appendix for a sale of any California grape wine, the amount of any applicable California State Marketing Order assessment (not otherwise included therein) at rates in effect on October 1, 1943, paid or payable by the processor with respect to the quantity being priced. For purposes of this appendix, such amount shall be deemed a part of the maximum price to which it is added and for purposes of Article V shall be deemed a part of a supplier's price.

(d) *F. o. b. and delivered prices.* (1) The prices listed in the tables are f. o. b. processor's premises or point of shipment unless otherwise expressly stated. However, the prescribed uniform maximum price computed therefrom may be either an f. o. b. or delivered price.

(2) If a processor's maximum price is a price f. o. b. processor's premises, or f. o. b. a particular freight base point, and he desires to establish a delivered price for delivery to a point outside the metropolitan area of that place, he may add to his maximum price transportation charges from that place to the point of delivery at rates determined under Method A, B or C described in this appendix, whichever is applicable.

NOTE: For a definition of "transportation charges" and the method of computing them when the seller uses his own vehicle, see section 7.12 (d) (4) of Article VII.

(3) *Carload and less-than-carload prices.* The prescribed uniform maximum prices provided in this appendix are prices in any quantity unless otherwise expressly stated.

(e) *Taxes included in the prescribed uniform maximum prices.* (1) The prices listed in the tables include United States excise taxes at rates in effect on November 2, 1942, but do not include any State or local excise taxes.

(2) Applicable State or local excise taxes at rates in effect on November 2, 1942 may be added if paid or payable by the processor to the taxing authorities or to a prior vendor for the wine being priced. New or increased Federal, State or local excise taxes effective after November 2, 1942 may be added in accordance with the provisions of section 7.3 of Article VII. Except as otherwise expressly provided in this regulation, no amount shall be added for license, income, franchise, receipts, gross receipts, sales, use or other similar Federal, State or local taxes.

(3) Where a processor's maximum price for an item of packaged domestic wine is a prescribed uniform maximum price, but he sells the item in bond, he shall deduct from his prescribed uniform maximum price the amount of United States excise taxes included therein.

(f) *Computation of prescribed uniform maximum prices.* The prescribed uniform maximum prices set forth in this appendix for processors' sales of packaged domestic wine shall be computed as follows:

(1) *Processors' sales to wholesalers and monopoly states.* The processor's prescribed uniform maximum price per case for sales of an item of packaged domestic wine to wholesalers and monopoly states, delivered to the wholesaler's customary receiving point or to the monopoly State's March 1942 freight base zone, shall be the total of the following:

(i) The appropriate amount per case set forth in the applicable table for the item to be priced (if the item to be priced is sacramental domestic grape wine prepared in accordance with the laws of Kashruth and appropriately labeled to indicate that the wine is kosher or kosher for Passover, an amount per case equal to 20¢ per gallon may be added to the appropriate amount shown in the applicable table); plus

[Subparagraph (i) amended by Am. 22, 10 F.R. 1789, effective 2-10-45]

(ii) The applicable amount of State and local excise taxes at rates in effect on November 2, 1942 paid or payable by the processor to the taxing authorities or to a prior vendor for the quantity being priced;

(iii) Transportation charges as specified under the applicable table, determined as required by Method A or Method B or Method C described in subparagraph (5) below.

NOTE: For addition of applicable Federal, State or local excise taxes which became effective after November 2, 1942 see section 7.3 of Article VII.

(2) *Processors' sales to primary distributing agents.* The processor's prescribed uniform maximum price per case for sales of an item of packaged domestic wine to a primary distributing agent shall be his prescribed uniform maximum price for sales of this item to wholesalers and monopoly states (determined under subparagraph (1) above), less any discount, allowance or price differential agreed upon by them.

(3) *Processors' sales to retailers.* The processor's prescribed uniform maximum price per case for sales of an item of packaged domestic wine to retailers, delivered to the retailer's customary receiving point, shall be an amount figured as follows:

(i) The appropriate amount per case set forth in the applicable table for the item to be priced (if the item to be priced is sacramental domestic grape wine prepared in accordance with the laws of Kashruth and appropriately labeled to indicate that the wine is kosher or kosher for Passover, an amount per case equal to 20¢ per gallon may be added to the appropriate amount shown in the applicable table); plus

[Subparagraph (i) amended by Am. 22]

(ii) The applicable amount of State and local excise taxes at rates in effect on November 2, 1942 paid or payable by the processor to the taxing authorities or to a prior vendor for the quantity being priced.

(iii) Multiply the total of (i) and (ii) by the percentage markup provided in section 5.4 (b) (1) (ii) of Article V for sales of packaged wine by wholesalers to retailers;

(iv) Add to the figure obtained at (iii) transportation charges as specified under the applicable table, determined as required by Method A or Method B or Method C described in subparagraph (5) below.

NOTE: For addition of applicable Federal, State or local excise taxes which became effective after November 2, 1942, see section 7.3 of Article VII.

(4) *Processors' sales to consumers.* The processor's prescribed uniform maximum price per case for sales of an item of packaged domestic wine to consumers, delivered to the consumer, shall be an amount figured as follows:

(i) The appropriate amount per case set forth in the applicable table for the item to be priced (if the item to be priced is sacramental domestic grape wine prepared in accordance with the laws of Kashruth and appropriately labeled to indicate that the wine is kosher or kosher for Passover, an amount per case equal to 20¢ per gallon may be added to the appropriate amount shown in the applicable table); plus

[Subparagraph (i) amended by Am. 22]

(ii) The applicable amount of State and local excise taxes at rates in effect on November 2, 1942, paid or payable by the processor to the taxing authorities or to a prior vendor for the quantity being priced.

(iii) Multiply the total of (i) and (ii) by the percentage markup provided in section 5.5 (b) (1) (ii) of Article V for sales of packaged wine by retailers to consumers;

(iv) Add to the figure obtained at (iii) transportation charges as specified under the applicable table, determined as required by Method A or Method B or Method C described in subparagraph (5) below.

NOTE: For addition of applicable Federal, State or local excise taxes which became effective after November 2, 1942, see section 7.3 of Article VII.

(5) *Computation of transportation charges*—(i) *Method A (for packaged California grape wine only).* (a) For sales of packaged California grape wine, packaged in California and delivered at a purchaser's customary receiving point within that state, allowable transportation charges per case shall be equal to transportation charges at the rate actually paid by the processor. No amount shall be included for

(*1*) Any transportation charges from point of shipment otherwise included in the processor's selling price, or

(*2*) Expense of hauling, drayage or handling within the Metropolitan area of the shipping or receiving point.

NOTE: For a definition of "transportation charges" and the method of computing them when the seller uses his own vehicle, see section 7.12 (d) (4) of Article VII. Nonaddition of the foregoing transportation charges will result in a price f. o. b. processor's California premises to purchasers in that state.

(b) For sales of packaged California grape wine, whether or not packaged in California, delivered to a purchaser's customary receiving point outside of California, allowable transportation charges per case shall be equal to transportation charges applicable to shipments at the lowest regularly published carload rate from Bakersfield, California, to the purchaser's customary receiving point, regardless of the minimum weight load to which such rate applies. Transportation charges per case shall be determined by using an average weight of 38 pounds per case.

NOTE: In the case of California grape wine packaged for delivery to a purchaser outside California, a price f. o. b. processor's premises may be calculated by including the foregoing transportation charges and then subtracting an amount sufficient to compensate the purchaser for actual transportation charges he is required to pay to obtain delivery to his customary receiving point located outside the metropolitan area of the processor's premises. If the purchaser's customary receiving point is within the metropolitan area of the processor's premises, no amount need be subtracted.

EXPLANATION: Transportation charges under (*b*) above are calculated on the "base point system" and will result in any purchaser of a given class in a locality being able to buy any item of packaged California grape wine covered by this appendix at a generally uniform delivered price regardless of the location of his supplier. For example, the lowest regular published carload rate from Bakersfield, California to Baltimore, Maryland, is 99¢ per cwt. This is for a minimum weight load of 50,000 lbs.; other carload rates are published for lower minimum weight loads, but since these rates are higher than 99¢ per cwt., they may not be used in the calculation. $0.0099 per pound x 38 lbs. per case equals $0.3762 or $0.38 per case. Thus, a purchaser in Baltimore is entitled to a delivered price in which transportation charges do not exceed 38¢ per case, regardless of whether his supplier is a New York bottler, a Baltimore bottler, or a California winery. If his supplier sells on an f. o. b. basis, the supplier must make such deductions from his prescribed uniform maximum price as will compensate the purchaser for actual transportation charges paid or payable by the purchaser (other than any amount paid for hauling, drayage, or handling within the metropolitan area of the purchaser's receiving point).

(ii) *Method B (only for packaged Washington and Oregon wine sold in intra-state commerce).* (a) For sales of packaged Washington and Oregon wine sold in intrastate commerce within their respective States of production, delivered to a purchaser's customary receiving point, allowable transportation charges per case shall be equal to transportation charges at the rate actually paid by the processor for delivery from the processor's premises to the purchaser's customary receiving point. No amount shall be included for

(*1*) Any transportation charges from point of shipment otherwise included in the processor's selling price, or

(*2*) Expense of hauling, drayage, or handling within the metropolitan area of the shipping or receiving point.

NOTE: For definition of "transportation charges" and the method of computing them when the seller uses his own vehicle, see section 7.12 (d) (4) of Article VII. Nonaddition of the foregoing transportation charges will result in a price f. o. b. processor's premises to purchasers at any location.

(g) *Reports required to be filed.* On or before the date of making the first sale of an item at a prescribed uniform maximum price established under this appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix BB to Article IV of Maximum Price Regulation 445.

(3) The brand name, container size, type and kind of wine and alcohol content of the item which is the subject of the report. (Attach front label to letter-report.)

(4) The prescribed uniform maximum price f. o. b. bottling plant to wholesalers and monopoly states for the item which is the subject of the report in each container size.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

TABLE I—CALIFORNIA, WASHINGTON, OREGON AND AMERICAN GRAPE WINE

Case	2.4 gallons		3 gallons			4 gallons	Other	
Container	12 48-quarts	24 48-pints	6 12-gallons	12 quarts	24 pints	4 1-gallons	12 20-ounce	12 24-ounce
Kind of wine								
Red table wine	$4.26	$5.10	$4.98	$5.33	$5.63	$6.11	$5.09	$4.37
White table wine	4.88	5.48	5.28	5.73	6.03	6.64	5.47	4.67
Light sweet wine	5.67	6.27	6.56	6.71	7.31	7.96	6.38	5.41
Dessert wine	6.53	6.99	7.26	7.61	8.21	9.17	7.23	6.08
Vermouth and other flavored dessert wines	8.21	8.81	9.34	9.89	10.49	12.21	9.37	7.79

Domestic packaged grape wines to which this Table is applicable are wines of the kind named which bear on their labels, in conjunction with the class or type designation, either no appellation of origin or else the appellations of origin "California," "Washington," "Oregon," or subdivisions thereof, or the appellation of origin "American." Prices are f. o. b. processor's premises including Federal taxes at rates in effect on November 2, 1942. To determine delivered prices, apply Freight Method A for "California" wine, Freight Method B for "Washington" and "Oregon" wines, and Freight Method C for other wines. (See paragraph (f) (5) of this appendix.)

TABLE II—EASTERN REGIONAL GRAPE WINE

Case	2.4 gallons		3 gallons			4 gallons	Other	
Container	12 4.5-quart	24 4.5-pint	6 ½-gallon	12 quarts	24 pints	4 1-gallon	12 20-ounce	12 24-ounce
Kind of wine								
Table wine	$6.09	$6.69	$6.89	$7.24	$7.84	$8.67	$6.88	$5.80
Dessert wine	7.92	8.52	9.48	9.53	10.13	11.70	9.02	7.62

Domestic grape wines to which this Table applies are wines of the kind named which bear on their labels, in conjunction with the class or type designation, an appellation of origin which is the name of a State other than California, Washington, or Oregon, or which is the name of a subdivision of such a State. Prices are f. o. b. processor's premises including Federal taxes at rates in effect on November 2, 1942. To determine delivered [prices, apply Freight Method C. (See paragraph (f) (5) of this appendix).

[Table II amended by Am. 25, effective 6-25-45]

TABLE III—STANDARD AND NON-STANDARD FRUIT AND BERRY WINE—10%–14% ALCOHOL BY VOLUME

Case	2 gallons		3 gallons			4 gallons
Container	12 ½-quarts	24 ½-pints	6 ½-gallons	12 quarts	24 pints	4 ½-gallons
Kind of wine						
Apple	$4.23	$4.83	$4.56	$4.81	$5.31	$5.56
Apricot	4.50	5.10	4.80	5.25	5.85	6.01
Peach	4.80	5.41	5.29	5.64	6.24	6.84
Pear	5.17	5.77	5.74	6.09	6.69	7.14
Plum	4.68	5.23	5.06	5.41	6.01	6.23
Prune	4.39	4.99	4.76	5.11	5.71	5.81
Currant (made with over 35% sugar-water solution)	5.94	6.54	6.70	7.05	7.65	8.41
Blackberry	6.85	7.45	7.84	8.19	8.79	9.91
Loganberry (made with over 35% sugar-water solution)	5.89	6.49	6.64	6.99	7.59	8.34
Gooseberry (made with over 35% sugar-water solution)	5.22	5.82	5.80	6.15	6.75	7.21
Orange	4.58	4.98	4.75	5.10	5.70	5.81
Grapefruit (made with over 35% sugar-water solution)	4.19	4.79	4.51	4.86	5.46	5.49

Domestic fruit and berry wines to which this table applies are wines of the types named which have an alcoholic content range of at least 10% and not exceeding 14% alcohol by volume and which are produced in accordance with the provisions of Bureau of Internal Revenue Circular "A"-486, other than wines required to be labeled "substandard" under part 240 of Bureau of Internal Revenue Circular "A"-486. Prices are f. o. b. processor's premises and include Federal taxes at rates in effect on November 2, 1942. To determine delivered prices, apply Freight Method C. However, in the case of wines produced in the states of Washington and Oregon and sold in intra-state commerce within their respective states of production, Freight Method B should be applied. (See paragraph (f) (2) of this Appendix.)

TABLE IV—STANDARD FRUIT AND BERRY WINE—18%–21% ALCOHOL BY VOLUME

Case	2 gallons		3 gallons			4 gallons
Container	12 ½-quarts	24 ½-pints	6 ½-gallons	12 quarts	24 pints	4 ½-gallons
Kind of wine						
Apple	$6.14	$6.74	$6.05	$7.30	$7.90	$8.75
Apricot	6.29	6.89	7.26	7.61	8.21	9.17
Peach	6.70	7.30	7.65	8.00	8.60	9.68
Pear	7.01	7.61	8.04	8.39	8.99	10.20
Plum	6.32	7.12	7.45	7.78	8.38	9.28
Prune	6.30	6.90	7.15	7.50	8.10	9.02
Blackberry	8.27	9.17	9.99	10.34	10.94	12.81
Orange	6.29	6.89	7.14	7.49	8.09	9.09

Domestic packaged fruit and berry wines included in this table are standard fruit and berry wine of an alcoholic range of not less than 18% and not more than 21% by volume and containing added neutral fruit brandy or neutral fruit spirits from the respective fruits. Prices are f. o. b. processor's premises and include Federal taxes at rates in effect on November 2, 1942. To determine delivered prices, apply Freight Method C. However, in the case of wines produced in the States of Washington and Oregon and sold in intra-state commerce within their respective States of production, Freight Method B should be applied. (See paragraph (f) (2) of this appendix.)

TABLE V—STANDARD FRUIT AND BERRY WINE—10%–14% ALCOHOL BY VOLUME

Case	2 gallons		3 gallons			4 gallons
Container	12 ½-quarts	24 ½-pints	6 ½-gallons	12 quarts	24 pints	4 ½-gallons
Kind of wine						
Apple	$3.34	$3.94	$3.45	$3.80	$4.40	$4.67
Apricot	3.51	4.11	3.50	4.05	4.65	4.41
Peach	3.48	4.08	3.63	3.98	4.58	4.61
Pear	3.53	4.13	3.69	4.04	4.64	4.39
Plum	3.58	4.18	3.75	4.10	4.70	4.47
Prune	3.48	4.08	3.63	3.98	4.58	4.31
Currant	4.74	5.11	4.91	5.26	5.86	6.05
Blackberry	4.28	4.88	4.63	4.98	5.58	5.04
Loganberry	4.47	5.07	4.86	5.21	5.81	5.87
Gooseberry	4.11	4.71	4.41	4.76	5.36	5.30
Orange	3.47	4.07	3.63	3.98	4.58	4.29
Grapefruit	3.55	4.15	3.71	4.06	4.66	4.42

Packaged fruit and berry wines included in this table are wines of the kind named with an alcoholic range of at least 10% and not more than 14% by volume and which are required to be labeled "substandard" under Bureau of Internal Revenue circular "A"-486. Prices are f. o. b. processor's premises and include Federal taxes at rates in effect on November 2, 1942. To determine delivered prices, apply Freight Method C. However, in the case of wines produced in the States of Washington and Oregon and sold in intra-state commerce within their respective States of production, Freight Method B should be applied. (See paragraph (f) (2) of this appendix.)

APPENDIX CC—MAXIMUM PRICES FOR BULK DOMESTIC WINE

(a) *Establishment of maximum prices under this appendix.* Any seller of bulk domestic wine must establish a prescribed uniform maximum price under this appendix for his sales of any type of such wine for which a pricing table is contained in the appendix. A special maximum price may be established under Appendix DD for sales of bulk varietal or vintage wines and must be so established for sales of bulk domestic wines for which no pricing tables or pricing method is otherwise provided.

(b) *F. o. b. and delivered prices.* The prices listed in the tables in this appendix are prices f. o. b. processor's premises or point of shipment unless otherwise expressly stated. Delivered prices may be computed in the manner provided in this appendix.

(c) *Applicable taxes.* The prices listed in the tables in this Appendix do not include any Federal, State or local excise taxes. Such taxes may be added in the manner provided in this appendix.

(d) *California State Marketing Order assessment.* The prices listed in the tables in this appendix do not include the amount of any California State Marketing Order assessment applicable to bulk California grape wine. Such amount, when applicable, may be added to the prices set forth in the tables at rates in effect October 1, 1943. If paid or payable by the seller or any prior vendor with respect to the quantity being priced. Such amount shall be deemed a part of the maximum price to which it is added, and shall be deemed part of the supplier's price.

(e) *Carload and less-than-carload prices.* The prices listed in the tables in this appendix are prices for sales in any quantity unless otherwise expressly stated.

(f) *Barrel allowance.* (1) The prices listed in the tables in this appendix are prices for sales in any size container unless otherwise expressly stated.

(2) In the case of sales of bulk domestic wine in barrels or other containers not exceeding 200 gallons capacity, the amount of 2¢ per gallon may be added to the prices set forth in the tables. Such amount shall be deemed a part of the maximum price to which it is added, and shall be deemed part of the supplier's price.

(3) If the barrel or other container supplied by the seller becomes the purchaser's property upon delivery, the seller may make a separate charge therefor not in excess of his maximum price for the barrel or other container determined under applicable regulations of the Office of Price Administration. That charge, however, is not a part of the maximum price for the wine.

(g) *Computation of prescribed uniform maximum price.* Except as otherwise provided in this Appendix, the prescribed uniform maximum price for a sale of bulk domestic wine by the processor to any class of customers, except retailers and consumers, delivered to the purchaser's customary receiving point, shall be the total of the following:

(1) The appropriate amount per gallon set forth in the applicable table (including where applicable, the barrel allowance provided for in paragraph (f) (2) and the California State Marketing Order assessment provided for in paragraph (d)); if the wine to be priced is sacramental domestic grape wine prepared in accordance with the laws of Kashruth and appropriately labeled to indicate that the wine is kosher or kosher for Passover, an amount equal to 10¢ per gallon may be added to the appropriate amount shown in the applicable table; plus

[Subparagraph (1) amended by Am. 22, 10 F.R. 1789, effective 2-10-45]

(2) The amount of Federal, State or local excise taxes at rates in effect on November 2, 1942, paid or payable by the seller to the taxing authorities or to a prior vendor for the quantity being priced; plus

NOTE: For addition of applicable Federal, State or local excise taxes which become effective after November 2, 1942, see section 7.3 of Article VII.

(3) Transportation charges at the rate actually paid or payable by the seller. No amount shall be included for:

(i) Any transportation charges from point of shipment otherwise included in the selling price; or

(ii) Expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point.

NOTE: For a definition of "transportation charges" and the method of computing them when the seller uses his own vehicle, see section 7.12 (d) (4) of Article VII. Non-addition of the foregoing transportation charges will result in a price f. o. b. seller's premises of shipping point.

(h) *Sales by processors to retailers and consumers.* A processor's maximum price for a sale of bulk domestic wine to a retailer, delivered at the retailer's customary receiving point, and to consumers, delivered to the consumer, shall be an amount figured as follows:

(1) The appropriate amount per gallon set forth in the applicable table (including where applicable, the barrel allowance provided for in paragraph (f) (2) and the California State Marketing Order assessment provided for in paragraph (d)); if the wine to be priced is sacramental domestic grape wine prepared in accordance with the laws of Kashruth and appropriately labeled to indicate that the wine is kosher or kosher for Passover, an amount equal to 10¢ per gallon may be added to the appropriate amount shown in the applicable table; plus

[Subparagraph (1) amended by Am. 22]

(2) The amount of Federal, State or local taxes in effect on November 2, 1942, paid or payable by the processor to the taxing authorities or to a prior vendor for the quantity being priced.

NOTE: For addition of applicable Federal, State or local excise taxes in effect after November 2, 1942, see section 7.3 of Article VII. Such taxes may be added as therein provided but are not part of the computation under this paragraph for mark-up purposes.

(3) Multiply the total of (1) and (2) by 1.20 for sales to retailers and 1.45 for sales to consumers.

(4) Add to the figure obtained at (3) transportation charges at the rate actually paid or payable by the processor. No amount shall be included for:

(i) Any transportation charges from point of shipment otherwise included in the selling price; or

(ii) Expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point.

NOTE: For a definition of "transportation charges" and the method of computing them, when the seller uses his own vehicle, see section 7.12 (d) (4) of Article VII. Non-addition of the foregoing transportation charges will result in a price f. o. b. processor's premises or point of shipment.

(i) *Sales by wholesalers to retailers and consumers.* A wholesaler's maximum price per gallon for sales of bulk domestic wine to retailers and consumers shall be his net cost per gallon (instead of per case) for the wine determined under section 5.3 of Article V, multiplied by 1.20 for sales to retailers or by 1.45 for sales to consumers.

(j) *Sales by retailers to consumers.* A retailer's maximum price for sales of bulk domestic wine to consumers shall be his net cost per gallon (instead of per case) for the wine determined under section 5.3 of Article V, multiplied by 1.45.

(k) *Sales of unfinished wine in bulk by any seller.* A seller's maximum price per gallon to a customer of any class for unfinished wine in bulk shall not exceed his maximum price per gallon established under this appendix for the same wine in a finished condition sold on the same terms to a customer of the same class.

TABLE I—DOMESTIC GRAPE WINE

Origin	Kind	Price per gallon
California, Washington, Oregon, and Arizona	Red table wine	$0.88
Do	White table wine	1.01
Do	Light sweet wine	1.42
Do	Dessert wine	1.42
Do	Vermouth and other flavored dessert wines	2.02
Eastern Regional	Table wine	1.21
Do	Dessert wine	1.65

Prices are naked, f. o. b. processor's premises in bond in carload quantity, and do not include Federal, state or local excise taxes, or California marketing order assessment.

[Table I amended by Am. 25, effective 6-25-45]

TABLE II—STANDARD AND NON-STANDARD DOMESTIC FRUIT AND BERRY WINE

Kind of wine	Column 1—10 percent to 14 percent alcohol	Column 2—18 percent to 21 percent alcohol
	Price per gallon	*Price per gallon*
Apple	$0.74	$1.22
Apricot	.84	1.31
Peach	.96	1.41
Pear	1.11	1.56
Plum	.90	1.36
Prune	.80	1.28
Currant (made with over 35 per cent sugar-water solution)	1.40	----
Blackberry	1.80	2.20
Loganberry (made with over 35 percent sugar-water solution)	1.39	----
Gooseberry (made with over 35 percent sugar-water solution)	1.12	----
Orange	.79	1.27
Grapefruit (made with over 35 percent sugar-water solution)	.71	----

Domestic fruit and berry wines included in this table are wines of the types named which have, for prices in Column 1, an alcoholic range of not less than 10 per cent and not more than 14 percent by volume, or which have, for prices in Column 2, an alcoholic content range of not less than 18 percent and not over 21 percent by volume derived in part from the addition of neutral fruit brandy or neutral fruit spirits from the respective fruits. Prices are naked f. o. b. processor's premises in bond in carload quantity, and do not include Federal, State or local excise taxes.

TABLE III—SUBSTANDARD DOMESTIC FRUIT AND BERRY WINE

Kind of wine	Price per gallon
Apple	$0.70
Apricot	.81
Peach	.96
Pear	.88
Plum	.79
Prune	.76
Currant	.98
Blackberry	.89
Loganberry	.95
Gooseberry	.80
Orange	.75
Grapefruit	.68

Domestic fruit and berry wines included in this table are wines of the types named which have, for prices in Column 1, an alcoholic range of not less than 10% and not more than 14% by volume. Prices are naked f. o. b. processor's premises in bond in carload quantity and do not include Federal, State or local excise taxes.

APPENDIX DD—SPECIAL MAXIMUM PRICES

(a) *Sellers permitted or required to file application to establish special maximum prices.* (1) A special maximum price may be established in the manner provided in this appendix by any seller permitted or required to do so by this article.

(2) Prices proposed in an application for a special maximum price shall not be effective until they are established pursuant to this appendix and may not be used until that time. However, where the seller has the option of applying for a special maximum price or using either a prescribed uniform maximum price or a March 1942 maximum price, he may, before or during the pendency of the application, sell, offer to sell or deliver at the appropriate latter price. Also, where an application for a special maximum price is required or permitted by this article and is properly filed under this appendix before January 20, 1945 and the applicant has a lawful maximum price for the item or sale in effect prior to December 21, 1944 he may continue to sell, offer to sell or deliver the item at the later price until the date on which his application is acted upon or until March 21, 1945, whichever is earlier.

(b) *Contents of application.* An application required or permitted to be filed under this appendix shall be made by letter signed by the processor or his duly authorized agent and sent in duplicate to the Office of Price Administration, Beverage Section, Washington, D. C., by registered mail, return receipt requested. It shall contain the following:

(1) Applicant's name and principal business address, and if the application is not signed by the applicant individually, the name and address of the duly authorized agent signing on applicant's behalf;

(2) A statement that the application is filed under Appendix DD to Article IV of Maximum Price Regulation 445 and the section of this article which requires or permits the filing of the application.

(3) A description of the product which is the subject of the application sufficient for pricing purposes. If the product is bulk or packaged domestic wine, a copy of the label authorized or approved by the Alcohol Tax Unit, of the Treasury Department, must be attached to the application. If not disclosed by such label or approval, the application shall state:

(i) Brand name, if any;

(ii) Type and kind of product; alcohol content; container size or sizes; name and address of bottler or packer.

(4) The maximum price or prices proposed; the sales by classes of customers to which those prices are to be applicable; the taxes included in the prices; whether the prices are for sales on an f. o. b. or delivered basis, and the discounts, if any, applicable to such sales.

(5) Method by which the proposed maximum prices have been calculated by the applicant.

(6) Any further pertinent information which applicant desires to submit.

(7) The application shall state, in addition, the information required in the particular instance by the appropriate paragraphs (c) through (f) below.

(c) *Special maximum prices for sales of varietal and vintage wines.*

NOTE: For definition of varietal and vintage wines see paragraphs (g) and (h), below.

(1) For varietal wines the kinds and proportions of varietal and non-varietal grapes used.

(2) For vintage wines the year of vintage, or, if a blend of vintage wines, the years of vintage and the proportions of each wine used.

(d) *Special maximum prices for sales to a new class of customers.* (1) Applicant's established maximum prices for sales of the item or product to his other classes of customers, and the appendix of this article under which those prices were established.

(e) *Special maximum prices for sales f. o. b. a new freight base point.* (1) The freight base points from which the applicant shipped the item during March 1942.

(2) The applicant's March 1942 maximum prices established for sales of the item f. o. b. his March 1942 freight base points, and the classes of customers to which he sold the item from those freight base points.

(f) *Other sales.* (1) A description of the sale applicant proposes to make.

(g) *Definition of varietal wine.* (1) "Varietal wine," as used in this article, means standard grape wine which derives at least 51% of its volume from one or more kinds of varietal grapes and which either is labeled "varietal wine" or "made from varietal grapes," or is designated as to type by the name of a single varietal grape in accordance with Regulation No. 4.

(2) "Varietal grapes" as used in this article means the following kinds of grapes:

Aleatico, Barbera, Cabernet, Charbono, Gamay, Grenache, Grignolino, Mondeuse, Pinot Noir, Cabernet Sauvignon and Tannat; Folle Blanche, Gutedel, Malvasia Blanca, Muscat de Frontignan, Muscadelle du Bordelais, Moscato Canelli, Palomino, Pinot Blanc,

Pinot Chardonnay, Riesling, Sauvignon Blanc, Semillon, Sylvaner, Traminer and Ugni Blanc:

Elvira, Duchess, Diana, Moore's Diamond, Vergennes, Iona, Delaware and Catawba.

(b) *Definition of vintage wine.* "Vintage wine" as used in this article means standard grape wine of the 1941 or earlier vintages (or in the case of white table wine, standard grape wine of the 1942 or earlier vintages), if made from grapes grown in a single vintage season and within a single viticultural area, or a blend of such wines of the stated or earlier years.

However, wine shall be deemed vintage wine only if its label bears the year of the vintage and the name of the viticultural area, except that if Regulation No. 4 does not permit those statements with respect to a particular wine, the labels shall bear language which, in the judgment of the Price Administrator, adequately distinguishes the wine from other wines of the same or different brand names.

(c) *When and how authority is given or denied.* (1) After receipt of the application and any further information or evidence considered necessary and requested for the purpose of determining proper maximum prices, the Price Administrator will, by order or amendment to this article, establish maximum prices or provide a method of determining maximum prices for the applicant.

(2) An order establishing a maximum price or a method for determining a maximum price issued under this section may be revoked or amended in whole or in part at any time by the Price Administrator. It shall be deemed revoked as to a sale without further action by the Price Administrator on the effective date of any regulation or amendment establishing a different maximum price or a method for determining a maximum price for the sale.

(d) *Tacit approval of prices proposed in an individual application for special maximum prices.* (1) If an application for a special maximum price is made by a seller required or permitted to do so by the applicable provisions of this article, complies in all material respects with the provisions prescribing the contents and manner of filing of the application, and particularly contains the information required by subparagraphs (3) and (4), the stated prices shall be deemed established as applicant's special maximum prices for the respective sales as follows:

(i) Two calendar months after the day on which the application is received by the National office of the Office of Price Administration if in the interval the applicant does not receive a request for additional information respecting the contents of the application or an objection to the prices proposed in it.

(ii) If the applicant receives a request for additional information, one calendar month after the day on which the requested information or notice that applicant is unable to furnish it, is received in writing by the National office of the Office of Price Administration, unless in that one-month interval the applicant receives an objection to the prices proposed in the application;

(iii) If the applicant receives a request for additional information, or an objection to the prices proposed in the application, on the date the request or objection is withdrawn in writing by the Office of Price Administration.

(2) Requests for additional information and objections to prices proposed in an application may be made or withdrawn by the Price Administrator or by any official of the Office of Price Administration authorized by him to do so. The Head or Acting Head of the Beverage Section of the National office of the Office of Price Administration may make and withdraw such requests and objections.

(3) A request for additional information, an objection to prices proposed in an application, and a withdrawal of either of them may be made by letter or telegram and shall be deemed "received" by applicant if addressed to him and delivered or tendered for delivery at his address stated in the application.

(4) Information furnished by an applicant in connection with a pending application, either voluntarily or in response to request for additional information shall be deemed part of the application.

APPENDIX EE—PRICE ADJUSTMENTS FOR DIFFERENCES IN CONTAINER SIZE

(a) *Adjustment of March 1942 maximum prices for change of container size.*—(1) *General rules.* (i) This paragraph cannot be used to determine a maximum price for an item in the same container size as that in which it was sold or offered for sale by the processor during March 1942.

(ii) The adjustment provided in this paragraph must be made from the processor's March 1942 maximum price for the largest container size of the item sold or offered for sale by the processor during March 1942, except that if the largest size was a gallon or half-gallon, the processor may, for any change other than to a gallon or half-gallon size, use the next largest size less than the gallon or half-gallon. If his largest size less than the gallon or half-gallon is not one of the sizes shown in subparagraph (2) below, the processor shall first determine a maximum price, pursuant to subparagraph (3), for the item in the container size shown in subparagraph (2) nearest his actual container size. The size thus priced shall be deemed his largest size less than the gallon or half-gallon.

(2) *Change from one standard container size to another.* A processor's March 1942 maximum price per case to customers of a particular class for sales of an item in a container size to be priced under this appendix, is his March 1942 maximum price (established under Appendix AA) for the base item, adjusted for the change in container size as provided below. The "base item" is the item in the largest container size (note exception in subparagraph (1) (ii) above) in which the processor sold or offered it for sale during March 1942 to a customer of the same class in accordance with the processor's March 1942 customer classifications.

(i) *First step.* Subtract from the March 1942 maximum price per case for the base item the following charges included therein:

(a) The amount of any State or local excise tax;

(b) The amount of any freight or transportation charges if the March 1942 maximum price for the base item is a delivered price.

(ii) *Second step—For a change from a case of 12 quarts, 24 pints, or 6 half-gallons to any other such container size in a case having a total quantity of three gallons.* (a) Add to or subtract from the resulting figure in (i) the applicable amount as follows:

From	To: Quarts	To: Pints	To: Half-gallons
Quarts	----	+$0.60	−$0.15
Pints	−$0.60	----	−.35
Half-gallons	+.25	+.85	----

(iii) *Second step—For a change from a case of 4 one-gallons to a case of 8 half-gallons or from a case of 8 half-gallons to a case of 4 one-gallons.* (a) Add to or subtract from the resulting figure in (i), the applicable amount as follows:

From	To: Gallons	To: Half-gallons
Gallons	----	+$0.80
Half-gallons	−$0.80	----

(iv) *Second step—For a change from a case of 12 fifths to a case of 24 tenths or from a case of 24 tenths to a case of 12 fifths.* (a) Add to or subtract from the resulting figure in (i), the applicable amount as follows:

From	To: Fifths	To: Tenths
Fifths	----	+$0.80
Tenths	−$0.80	----

(v) *Second step—For a change from a case of 12 quarts, 24 pints, or 6 half-gallons to a case of 12 fifths or 24 tenths.* (a) Subtract from the resulting figure in accordance with the container size of the base item, $1.50 for quarts, $2.10 for pints, or $1.15 for half-gallons.

(b) Multiply the resulting figure in (a) by .80; and

(c) Add to the resulting figure in (b) the amount of $1.50 if the size to be priced is fifths, $2.10 if tenths.

(vi) *Second step—For a change from a case of 12 fifths or 24 tenths to a case of 12 quarts, 24 pints or 6 half-gallons.* (a) Subtract from the resulting figure in accordance with the container size of the base item, $1.50 for fifths, or $2.10 for tenths.

(b) Multiply the resulting figure in (a) by 1.25, and

(c) Add to the resulting figure in (b) the amount of $1.50 if size to be priced is quarts, $2.10 if pints, or $1.15 if half-gallons.

(vii) *Second step—For a change from a case of 12 quarts, 24 pints, or 6 half-gallons to a case of 4 one-gallons, or 8 half-gallons.* (a) Subtract from the resulting figure in accordance with the container size of the base item, $1.50 for quarts, $2.10 for pints, or $1.15 for half-gallons.

(b) Multiply the resulting figure in (a) by 1.33; and

(c) Add to the resulting figure in (b) the amount of $1.00 if the size to be priced is one-gallons or $1.20 if half-gallons.

(viii) *Second step—For a change from a case of 4 one-gallons or 8 half-gallons to a case of 12 quarts, 24 pints or 6 half-gallons.* (a) Subtract from the resulting figure in accordance with the container size of the base item, $1.00 for one-gallons or $1.20 for half-gallons.

(b) Multiply the resulting figure in (a) by .75, and

(c) Add to the resulting figure in (b) the amount of $1.50 if the size to be priced is quarts, $2.10 if pints, or $1.15 if half-gallons.

(ix) *Second step—For a change from a case of 12 fifths or 24 tenths to a case of one-gallons or 8 half-gallons.* (a) Subtract from the resulting figure in (i), in accordance with the container size of the base item, $1.50 for fifths and $2.10 for tenths.

(b) Multiply the resulting figure in (a) by 1.67; and

(c) Add to the resulting figure in (b) the amount of $1.00 if the size to be priced is gallons of $1.20 if half-gallons.

(x) *Second step—For a change from a case of 4 one-gallons or 8 half-gallons to a case of 12 fifths or 24 tenths.* (a) Subtract from the resulting figure in (i), in accordance with the container size of the base item, $1.00 for one-gallons and $1.20 for half-gallons.

(b) Multiply the resulting figure in (a) by 60 and

(c) Add to the resulting figure in (b) the amount of $1.50 if the container size to be priced is fifths or $2.10 if tenths.

(xi) *Final step.* Add to the resulting figure in the appropriate subparagraph (ii) through (x) the following amounts:

(a) The applicable amount of transportation charges, at rates in effect during March 1942 if the March 1942 maximum price for the base item is a delivered price, using the same method of calculating such charges that he used in figuring his delivered price during March 1942.

(b) The applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authorities or to any prior vendor.

NOTE: For addition of applicable Federal, State or local excise taxes which became effective after November 2, 1942, see section 7.3 of Article VII.

(3) *Change from any container size to another container size differing in capacity by not more than 2.6 ounces.* A processor who has established a March 1942 maximum price for an item in any container size and desires to determine his maximum price for the item in a new container size differing in capacity by not more than 2.6 ounces (the number of containers per case remaining the same) shall do so as follows:

(i) Deduct the amount of any state or local excise taxes included in his March 1942 maximum price;

(ii) Deduct the amount shown below applicable to the largest container size nearest to the container size to be priced.

Container size:	Deduct per case
32 ounces (quarts)	$1.50
30 ounces	1.50
26 ounces	1.50
25.6 ounces (fifths)	1.50
24 ounces	1.50
23 ounces	1.50
76 ounces (pints)	2.10
15 ounces	2.10
13 ounces	2.10
12.8 ounces (tenths)	2.10
12 ounces	2.10
8 ounces (half-pints)	2.85
6 ounces	2.85
6 ounces	2.85

(iii) Reduce or increase the resulting amount by the proportion (stated as a fraction) which the container size to be priced bears to the March 1942 container size.

(iv) Add to the resulting figure obtained the amount deducted under (ii) and the applicable amount of any state or local excise taxes at rates in effect on November 2, 1942: *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authorities or to any prior vendor.

NOTE: For addition of applicable Federal, State or local excise taxes which became effective after November 2, 1942, see section 7.3 of Article VII.

(4) *Change of container size for items for which special maximum prices are established.* If a processor has established a special maximum price for an item in a particular container size, he may establish a special maximum price for the item in a different container size by the methods set forth in (a) using as the "base item" the item in the largest container size for which his special maximum price has been established.

(c) *Change from any container size shown in the tables in Appendix BB to a size not shown therein differing in content by not more than 2.6 ounces.* (1) The processor shall select the container size from the appropriate table in Appendix BB which is not more than 2.6 ounces larger or smaller in size than the container size which he desires to price.

(2) He shall deduct from the amount shown in the applicable table in Appendix BB for the container size selected, the appropriate amount as follows:

Container size:	Deduct per case
32 ounces	$1.50
25.6 ounces	1.50
16 ounces	2.10
12.8 ounces	2.10

(3) He shall then reduce or increase the resulting amount by the proportion (stated as a fraction) which the container size to be priced bears to the container size selected.

(4) He shall then add to the resulting figure obtained the amount deducted under (2) above.

(5) The resulting figure at (4) shall be used in computing the prescribed uniform maximum price for the container size to be priced.

(d) *Changes for which a price adjustment cannot otherwise be determined under this appendix.* Where the processor has established a maximum price under the provisions of this article for an item in a particular container size and desires to establish a maximum price for the item in a container size for which no maximum price or adjustment method is otherwise provided, he shall establish a special maximum price under Appendix DD.

(e) *Reports required to be filed.* On or before the date of making the first sale of an item in a changed container size, the maximum price for which was determined under this appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter report shall contain the following:

(1) The name and address of the processor filing the report;

(2) A statement that the report is filed under Appendix EE to Article IV of Maximum Price Regulation 445;

(3) The brand name and container size of the item which is the subject of the report;

(4) Where the base item is one for which the processor has established a March 1942 maximum price, the date on which he filed OPA Form 635-309a (Brand name report under section 2.18[1] of Revised Supplementary Regulation No. 14) for the base item.

(5) The maximum price for the item in the container size which is the subject of the report and a statement showing the steps made by the processor to figure such price in accordance with the procedure provided in this Appendix.

Neither acceptance nor failure to act upon a letter report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

APPENDIX FF—MAXIMUM PRICES FOR CERTAIN RELATED COMMODITIES

(a) *Maximum prices for Spanish type blending sherry.* Any seller's maximum price per gallon to a customer of any class for his sales of Spanish type blending sherry (as defined in section 7.12 (a) (36) f. o. b. seller's premises in any quantity shall be the amount prescribed in the Table I immediately following according to type and alcoholic content.

[1] Superseded by Sec. 6.2 of Supplementary Regulation 14C.

TABLE I—MAXIMUM PRICES FOR SPANISH TYPE BLENDING SHERRY

[Federal, State and local excise taxes not included]

Type	Alcoholic content	Maximum price per gallon
16° to and including 21° Baumé	Over 16% but not to exceed 21% by volume	$2.82

[*Price amended by Am. 25, effective 6-25-45]

NOTE: The above maximum price includes the cost of any containers supplied by the seller. If the seller does not supply the containers, he shall make a corresponding reduction in his maximum price for the sale.

The above maximum price does not include the amount of any California State Marketing Order Assessment applicable to bulk Spanish type blending sherry. Such amount, when applicable, may be added to the price at rates in effect October 1, 1943, if paid or payable by the seller or any prior vendor with respect to the quantity being priced. Such amount shall be deemed a part of the maximum price to which it is added, and shall be deemed part of the supplier's price.

[Above paragraph added by Am. 25, effective 6-25-45]

(b) *Maximum prices for lees wine.* Any seller's maximum price per gallon to a customer of any class for his sales of lees wine (as defined in section 7.12 (a) (35)) in bulk f. o. b. seller's premises in any quantity, computed according to the alcohol content by volume and the pure potassium bi-tartrate (cream of tartar) content of the quantity to be priced, shall be an amount equal to the total of the following:

(1) 1½ cents for each 1% of alcohol by volume; plus

(2) 11 cents for each pound of pure potassium bi-tartrate (cream of tartar).

NOTE: The above maximum price includes the cost of any containers supplied by the seller. If the seller does not supply the containers, he shall make a corresponding reduction in his maximum price for the sale.

(c) *Maximum prices for California grape concentrates.*—(1) *For sales by processors.* A processor's maximum price per gallon to a customer of any class for his sales of any type and kind of California grape concentrates (as defined in section 7.12 (a) (38)) f. o. b. processor's premises in any quantity shall be the appropriate amount prescribed in Table II immediately following for the particular type and kind of concentrates to be priced.

TABLE II—PROCESSORS' MAXIMUM PRICES FOR CALIFORNIA GRAPE CONCENTRATES

Type of concentrate	Kind of concentrate: From pure grape: Red	From pure grape: White	From pure grape: Mixed
55° to 60° Balling:			
Open pan	$2.74	$2.74	$2.99
Vacuum	2.09	2.09	2.34
60° to 65° Balling:			
Open pan	2.73	2.73	2.98
Vacuum	2.48	2.48	2.73

NOTE: The maximum prices include the cost of any containers supplied by the seller. If the seller does not supply the containers,

he must make a corresponding reduction in his maximum price for the sale.

(2) *For sales by dealers.* The maximum price per gallon for a sale of any type and kind of California grape concentrate by a dealer f. o. b. his warehouse in any quantity shall be an amount equal to the total of the following:

(i) The maximum price established under (1) above for a processor's sale of the same type and kind of concentrate, plus

(ii) Transportation charges per gallon from the processor's premises to the dealer's customary receiving point for the concentrate being priced, at the rate he actually pays. No amount shall be included for

(a) Transportation charges on sales f. o. b. processor's premises when the concentrate is shipped directly to the customer at the customer's expense; or

(b) Expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point; plus

(iii) 15 cents per gallon

[Article IV amended by Am. 3, 8 F.R. 13500, effective 10-7-43, Am. 6, 8 F.R. 14401, effective 10-21-43, Am. 7, 8 F.R. 15913, effective 11-22-43, Am. 11, 9 F.R. 105, effective 12-31-43, Am. 15, 9 F.R. 4687, effective 5-8-44, Am. 16, 9 F.R. 7708, effective 7-15-44; Am. 17, 9 F.R. 9505, effective 8-1-44; and Am. 20, 9 F.R. 14817 effective 12-21-44, and as otherwise noted]

ARTICLE V—MAXIMUM PRICES FOR SALES OF PACKAGED DISTILLED SPIRITS AND PACKAGED WINE BY WHOLESALERS, RETAILERS, MONOPOLY STATES, AND PRIMARY DISTRIBUTING AGENTS

SEC. 5.1 *Purposes of Article V—(a) Generally.* Article V establishes maximum prices for sales of packaged (but not bulk) distilled spirits and wine by the following persons:

(1) Wholesalers, as defined in section 7.12;

(2) Retailers, as defined in section 7.12;

(3) Monopoly states, as defined in section 7.12 and

(4) Primary distributing agents, as defined in section 7.12;

(5) *Sales at auction or otherwise.* (i) Held pursuant to the provisions of any order of sale made or entered by any Federal, State or local court;

(ii) Held by a sheriff, constable, bailiff, marshal or other officer pursuant to applicable Federal, state or local law or ordinance;

(iii) Held by a dul, qualified executor or administrator, guardian or other legal representative in liquidating the assets of a decedent, minor or incompetent pursuant to applicable state law.

[Subparagraph (5) added; former (5), (6), (7) and (8) redesignated (6), (7), (8) and (9) by Am. 18, 9 F.R. 15096, effective 11-28-44]

(6) Sales in the course of trade by a trustee in bankruptcy, receiver, administrator, executor, fiduciary or other officer of a court, engaged in continuing a business under a court order;

(7) Privately conducted sales and auctions not held pursuant to an order of sale of any Federal, State or local court.

[Subparagraph (7) amended by Am. 18]

(8) Sheriffs' sales, constables' or bailiffs' sales, marshals' sales and other sales or auctions held under writ or execution;

(9) Sales by governmental bodies or agencies, held pursuant to statute, ordinance or both, notwithstanding the provisions of Supplementary Order No. 81.*

[Subparagraphs (6), (7), (8), and (9), formerly (5), (6), (7) and (8) added by Am. 15, 9 F.R. 4687, effective 5-8-44]

NOTE: Maximum prices for sales stated in subparagraphs (5) to (9), inclusive, are to be determined in accordance with the provisions of section 5.10.

[Note added by Am. 25, effective 6-25-45]

(b) *Sales to which this Article does not apply.* Article V does not apply to the following sales by those persons:

(1) Sales of items which the seller imports or has imported for his account. Either sections 1.4, 1.7, 1.7a, 1.8, or 1.8a of Article I (as may be applicable) must be used to establish maximum prices for such sales.

(i) *Maximum prices for importers' sales where the importer operates a wholesale division.* An importer who operates both an import and wholesale division and also sells to independent wholesalers may consider his wholesale division a separate entity and determine his maximum price for sales by his wholesale division in accordance with the provisions of section 5.4; *Provided,* That:

(a) The wholesale and import divisions are in separate establishments; or if not in separate establishments, each maintains its own selling organization separate and distinct from that of the other, and

(b) Prior to August 9, 1943, the importer sold to independent wholesalers; and

(c) Prior to that date the import and wholesale divisions were in separate establishments; or if not in separate establishments, each, prior to that date, maintained its own separate selling organization separate and distinct from that of the other.

(ii) *Maximum prices for importers' sales where the importer operates both a wholesale and retail division.* An importer who operates both a wholesale and retail division and also sells to independent retailers may consider his retail division a separate entity and determine his maximum prices for sales by his retail division in accordance with the provisions of section 5.5; *Provided, That:*

(a) The wholesale and retail divisions are in separate establishments; or if not in separate establishments, each maintains its own selling organization separate and distinct from the other, and

(b) Prior to August 9, 1943 the wholesale division sold to independent retailers; and

(c) Prior to that date, the wholesale and retail divisions were in separate establishments; or if not in separate establishments, each maintained its own selling organization separate and distinct from that of the other.

(iii) An importer who satisfies the requirements of subdivisions (i) and/or (ii) above and elects to price his sales by his wholesale and or retail divisions under section 5.4 and or 5.5 shall invoice his sales to his wholesale and or retail division in the same manner as he invoices his sales to independent wholesalers and or independent retailers.

(2) Sales of items which the seller processes or has processed for his account. Maximum prices for such sales must be established under Article III of this regulation.

(i) *Maximum prices for processors' sales where the processor operates a wholesale division.* A processor who operates both a processing and wholesale division and also sells to independent wholesalers may consider his wholesale division a separate entity and determine his maximum prices for sales by his wholesale division in accordance with the provisions of section 5.4: *Provided,* That:

(a) The wholesale and processing divisions are in separate establishments; or if not in separate establishments, each maintains its own selling organization separate and distinct from the other; and

(b) Prior to August 9, 1943, the processor sold to independent wholesalers; and

(c) Prior to that date, the processing and wholesale divisions were in separate establishments; or if not in separate establishments, each maintained its own selling organization separate and distinct from that of the other.

(ii) *Maximum prices for processors' sales where the processor operates a wholesale and retail division.* A processor who operates both a wholesale and retail division and also sells to independent retailers may consider his retail division a separate entity and determine his maximum prices for sales by his retail division in accordance with the provisions of section 5.5; *Provided,* That:

(a) The wholesale and retail divisions are in separate establishments; or if not in separate establishments, each maintains its own selling organization separate and distinct from that of the other; and

(b) Prior to August 9, 1943 the wholesale division sold to independent retailers; and

(c) Prior to that date, the wholesale and retail divisions were in separate establishments; or if not in separate establishments, each maintained its own selling organization separate and distinct from that of the other.

(iii) A processor who satisfies the requirements of subdivisions (i) and/or (ii) above and elects to price his sales by his wholesale and or retail divisions under section 5.4 and or 5.5 shall invoice his sales to his wholesale and or retail divisions in the same manner as he invoices his sales to independent wholesalers and or independent retailers.

[Subparagraphs (1) and (2) amended by Am. 2, 8 F.R. 13456, effective 10-7-43; and Am. 25, effective 6-25-45]

(3) Sales by an "on premise licensee" or other person of distilled spirits or wines, by the drink for consumption on the licensed premises. However this article applies to—

(i) Sales of packaged distilled spirits or wines made to an "on premise licensee" by a wholesaler, retailer, monopoly state or primary distributing agent; and

(ii) Sales of packaged distilled spirits or wines made by an "on premise licensee" regardless of whether the seal or "strip stamp" is broken, if the purchaser is permitted to or does remove any part of the distilled spirits or wine in the container from the licensed premises.

(4) Sales of bulk distilled spirits or wine, brandy, neutral spirits, alcohol, grape spirits, spirits fruit, high wines or concentrates (whether or not by warehouse receipt or other evidence of title.)

[Subparagraphs (3) and (4) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

(c) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation, Article V supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration before August 14, 1943, with respect to sales of packaged imported and domestic distilled spirits or wine by any wholesaler, retailer, monopoly state or primary distributing agent, including the applicable provisions of the following:

(1) The General Maximum Price Regulation;

(2) Maximum Price Regulation No. 193 as amended;

(3) Orders Nos. 1 through 5 inclusive under Maximum Price Regulation No. 193;

(4) [Deleted]

[Subparagraph (4) deleted by Am. 25, effective 6-25-45]

(5) Section 2.3 (b) of § 1499.26 of Revised Supplementary Regulation No. 1;

Provided, That such maximum price regulations, orders and interpretations shall remain in effect with respect to a particular sale of packaged distilled spirits or wine by any such person until provisions of this article become applicable thereto.

SEC. 5.2 *General rules for figuring maximum prices—(a) When maximum prices are to be figured.* Each wholesaler, retailer, monopoly state and primary distributing agent must figure a maximum price for any item to be sold on and after August 14, 1943 as follows:

(1) *Items in stock at the close of business on August 9, 1943.* Initial maximum prices for each item in stock at the close of business on August 9, 1943 must be figured between August 14, 1943 and August 30, 1943 and will apply to all sales, offers to sell and deliveries of the item made on and after August 30, 1943, unless applicability of such prices to certain sales is delayed by provisions of section 5.10 permitting compliance with state price posting or listing requirements and practices. Until the initial maximum prices for such items become applicable, a wholesaler, retailer, monopoly state and primary distributing agent may continue to sell, offer for sale or deliver those items at maximum prices established under regulations and orders of the Office of Price Administration in effect prior to the issuance of this article.

(2) *Items not in stock at the close of business on August 9, 1943.* Initial maximum prices for each item not in stock at the close of business on August 9, 1943 are to be figured and made applicable before any sale, offer to sell or delivery of the item is made. No wholesaler, retailer, monopoly state or primary distributing agent shall sell, offer for sale or deliver any item not in stock at the close of business on August 9, 1943 until after establishing initial maximum prices for the item in accordance with this article.

(3) *Refiguring maximum prices.* A wholesaler, retailer, monopoly state or primary distributing agent must refigure a maximum price for an item in accordance with this article if cost for the item changes after the maximum price has been established.

(b) *Figuring maximum prices for each item separately.* Each item of packaged distilled spirits or wine to be sold or offered for sale by a wholesaler, retailer, monopoly state or primary distributing agent after August 29, 1943 must have a separate maximum price. An "item" is a particular brand name, container size, type designation or formula of distilled spirits or wine. One item must not be considered the same as another if there is any difference in:

(1) Their brand names, or

(2) Their countries of origin, or

(3) The names of their processors, except with respect to items of domestic distilled spirits, or

[Subparagraph (3) amended by Am. 16, 9 F.R. 7708, effective 7-15-44]

(4) Their container sizes (quarts as compared with fifths, pints as compared with half-pints etc.), or

(5) Requirements of United States labeling laws or regulations applicable to each with respect to material information contained in their labels. Age, proof, alcohol content, type designation, vintage, ingredients and formulae, as stated on the labels, shall be deemed material information. However, items of imported blended Scotch whisky which contained age statements on their labels, for which maximum prices were established under this regulation prior to July 15, 1944 shall not be considered different items from those which do not contain age statements if their brand names, countries of origin, names of their processors, container sizes, formulae and the material information (except the age) stated on the labels is the same. "Bottled in bond" domestic whiskey shall be deemed to be four years of age where no age statement appears on the labels.

[Subparagraph (5) amended by Am. 15, 9 F.R. 4687, effective 5-8-44; and Am. 16, 9 F.R. 7708, effective 7-15-44]

(c) *Customer classifications.* (1) Each wholesaler, retailer and primary distributing agent must establish a separate maximum price for each item to each class of his customers he sells as follows:

(i) *For wholesalers.* Customers are to be classified as retailers, consumers, wholesalers or monopoly states.

(ii) *For retailers.* Customers are to be classified as consumers or retailers.

(iii) *For primary distributing agents.* Customers are to be classified as wholesalers, monopoly states, retailers or consumers.

(2) Industrial users, institutional users and the United States or any agency thereof shall, for sales by wholesalers and primary distributing agents, be classified as retailers. For sales by retailers, they shall be classified as consumers.

(3) Each monopoly state must establish a separate maximum price for its sales of each item according to the types of sale it makes. It must classify a sale to a particular customer in accordance with its March 1942 customary sales classification.

(d) *Discounts, allowances, price differentials and terms of sale.* (1) Customary discounts in effect during March 1942, in accordance with a wholesaler's, retailer's, or primary distributing agent's March 1942 customer classifications, must be applied to his maximum prices established under this article: *Provided,* That discounts and allowances based solely on quantity purchases (in dollars or units) need not be maintained.

(2) If a wholesaler, retailer or primary distributing agent makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction from his maximum price established under this article.

(3) [Revoked]

[Subparagraph (3) revoked by Am. 16, 9 F.R. 7708, effective 7-15-44]

(e) *Wholesaler or retailer acting as a primary distributing agent with respect to certain items only.* A wholesaler or retailer who is a primary distributing agent for certain items shall determine his maximum prices for sales of those items in accordance with provisions of this article applicable to primary distributing agents. He shall determine his maximum prices for sales of other items under the provisions of this article applicable to wholesalers or retailers, as may be the case.

(f) *F. o. b. and delivered prices.* (1) Maximum prices established under this article for a wholesaler, retailer or primary distributing agent are prices f. o. b. the metropolitan area of warehouse or place of business.

* 9 F.R. 310, 7689; 10 F.R. 2521.

(2) Maximum prices established under this article for monopoly states are prices f. o. b. March 1942 freight base zone.

(3) If a wholesaler, retailer, or primary distributing agent sells an item f. o. b. a point of delivery outside the metropolitan area of his warehouse or place of business, he may add to his maximum price for the item established under this article, the charges for transporting the item from that metropolitan area to the point of delivery at the rate he actually pays.

SEC. 5.3 *Determination of "net cost" used in figuring maximum prices for wholesalers, retailers and monopoly states*—(a) *What purchases may be used to determine net cost.* Except as otherwise provided in this article, a "base purchase" to be used by a wholesaler, retailer, or monopoly state to determine net cost of an item must be a purchase by him from a customary type of supplier delivered by a customary means of transportation. No accommodation purchase (whether or not from a customary type of supplier) shall be used as a base purchase in determining net cost of an item. Purchases made on memorandum invoice or purchases of small quantities of an item at exceptional prices to fill a shortage are accommodation purchases. No purchase (whether or not from a customary type of supplier) to fill an order of the United States or any agency thereof shall be used as a base purchase.

NOTE: For a definition of "customary type of supplier" see section 7.12.

(b) *Elements of net cost.* The net cost to be used by a wholesaler, retailer, or monopoly state to determine a maximum price is the total of the following elements of cost actually paid by him with respect to a particular base purchase of the item to be priced. However, a monopoly state, which, during March 1942, customarily applied its markup to the supplier's gross price (i. e., the supplier's net price, plus the cash discount required by the monopoly state) may in determining its purchase price add the amount of the cash discount required by it to the supplier's price where the supplier bills the monopoly state on a net basis.

[Above paragraph amended by Am. 25, effective 6-25-45]

(1) *Purchase price.* The supplier's selling price per case (not in excess of his maximum price under applicable regulations or orders of the Office of Price Administration), less all discounts,

[Subparagraph (1) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

(i) Excepting any discount for prompt payment (cash discount) or interest on an advance payment; but

[Subparagraph (i) amended by Am. 16, 9 F.R. 7708, effective 7-15-44]

(ii) Including any amount subtracted from the supplier's maximum price to compensate for discontinuance of a discount for prompt payment.

(2) *Freight.* Transportation charges from the supplier's point of shipment to the wholesaler's, retailer's, or monopoly state's customary receiving point for the item, at the rate paid. No amount shall be included for any transportation charges from the point of shipment included in the supplier's selling price; or for the expense of hauling, drayage, or handling within the metropolitan area of the shipping point; *Provided*, That a monopoly state may include such portion of that expense as it customarily included during March 1942, in determining cost for purposes of markup.

(i) Wholesalers or retailers shall, in lieu of the above, use the uniform transportation allowance applicable to the item where such has been established in accordance with section 5.3a. However, the uniform transportation allowance so established shall not be used with respect to any item for which transportation charges from the supplier's shipping point are included in the supplier's price.

[Subparagraph (2) amended by Am. 25, effective 6-25-45]

(3) *Taxes and United States customs duties*—

(i) *For wholesalers and retailers.* United States customs duties and United States excise taxes at rates in effect November 2, 1942, if not already included in the supplier's selling price; and those state or local taxes, fees, or charges (at rates in effect November 2, 1942) which were imposed by a state, District of Columbia, or local authority during March 1942. Notwithstanding the foregoing, license fees, income taxes, franchise taxes, sales taxes, import taxes, export taxes, state processing taxes, and fees for affixing state stamps, may not be included in the net cost.

[Subparagraph (i) amended by Am. 25, effective 6-25-45]

(ii) *For monopoly states.* United States customs duties and United States excise taxes at rates in effect on March 31, 1942, if not included in the supplier's selling price, and any state taxes at rates in effect on March 31, 1942, customarily included during March 1942 in determining cost for applying mark-up.

(4) [Revoked]

[Subparagraph (4) added by Am. 15, 9 F.R. 4687, effective 5-8-44; and revoked by Am. 25, effective 6-25-45. Note deleted by Am. 15]

SEC. 5.3a. *Delegation of authority to establish uniform transportation allowances.* Any Regional Administrator of the Office of Price Administration, or any District Director of the Office of Price Administration to whom authority is delegated by the appropriate Regional Administrator may, by order, establish for any item subject to this regulation, uniform transportation allowances to be used in determining the net cost of the item by wholesalers and or retailers located within the specified area to which the uniform transportation allowances are applicable. The uniform transportation allowances thus established shall not, however, be used by wholesalers and or retailers to determine the "net cost" of an item for which transportation charges from the supplier's shipping point are included in the supplier's price. The uniform transportation allowances shall be ascertained by reference to the principal source or sources from which the particular item is shipped to the wholesalers or retailers within the area or locality; the usual shipping weight of the case, carton, or other container in which the item is customarily shipped, and the method of transportation generally used; but no recognition shall be given to the expense of hauling, drayage, or handling within the metropolitan area of the shipping point or receiving point. Any uniform transportation allowance established pursuant to the provisions of this section shall have the same force and effect as if specifically established in this regulation.

[Sec. 5.3a added by Am. 25, effective 6-25-45]

SEC. 5.4 *Maximum prices for wholesalers.*

[Note deleted by Am. 15, effective 5-8-44]

(a) *Generally.* A wholesaler must establish his maximum prices to each class of customers as follows:

(1) For initial maximum prices—use paragraph (b). A base purchase made between August 9, 1943 and August 30, 1943 may be used to figure initial maximum prices. A wholesaler is not required to establish a refigured maximum price for an item until he makes a base purchase thereof after August 29, 1943.

[Subparagraph (1) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

(2) For a refigured maximum price if net cost for the item changed after August 29, 1943—use paragraph (c).

(3) A wholesaler who is the successor or primary distributing agent of an item must not use this section to determine maximum prices for that item unless permitted to do so by other provisions of this regulation.

[Subparagraph (3) added by Am. 15, 9 F.R. 4687, effective 5-8-44]

(b) *Initial maximum prices*—(1) *For sales to retailers.* A wholesaler's initial maximum price per case to retailers shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, except from another wholesaler multiplied by the percentage mark-up for the item being priced as follows:

[Above paragraph amended by Am. 17, 9 F.R. 9505, effective 8-1-44]

(i) 1.15 for distilled spirits other than cordials, liqueurs and specialties.

(ii) 1.25 for wine, wine based cordials and other rectified wines.

(iii) 1.20 for cordials, liqueurs and specialties to which (ii) does not apply; *Provided*, That any Regional Office of the Office of Price Administration may, by order, adjust downward the percentage mark-up so established for sales of one or more of such classes of commodities in any state within its jurisdiction, if it appears that such percentage mark-up will permit wholesalers in such state to obtain an excessive margin. In determining whether or not margins are excessive, the appropriate office shall consider margins prevailing in the particular state for wholesalers during March 1942 and the amounts of the costs to which they were applied. A percentage mark-up provided by any such order of a Regional Office shall have the same force and effect as if expressly provided herein for the particular sales to which it is applicable.

[Subparagraph (1) amended by Am. 1, 8 F.R. 11851, effective 8-25-43]

(2) *For sales to consumers.* A wholesaler's initial maximum price per case to a consumer shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he has made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, multiplied by the percentage mark-up provided in section 5.5 for sales of the same item by retailers to consumers.

(3) *For sales to a monopoly state.* A wholesaler's initial maximum price per case to a monopoly state shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he has made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, multiplied by the percentage mark-up so established for sales of one or more of such classes of commodities in any state within its jurisdiction, if it appears that such percentage mark-up will permit wholesalers in such state to obtain an excessive margin. In determining whether or not margins are excessive, the appropriate office shall consider margins prevailing in the particular state for wholesalers during March 1942 and the amounts of the costs to which they were applied. A percentage mark-up provided by any such order of a Regional Office shall have the same force and effect as if expressly provided herein for the particular sales to which it is applicable.

[Subparagraph (1) amended by Am. 1, 8 F.R. 11851, effective 8-25-43]

(2) *For sales to consumers.* A wholesaler's initial maximum price per case to a consumer shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he has made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, multiplied by the percentage mark-up provided in section 5.5 for sales of the same item by retailers to consumers.

(3) *For sales to a monopoly state.* A wholesaler's initial maximum price per case to a monopoly state shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he has made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier. No mark-up shall be added for such sales.

(4) *For sales to another wholesaler.* A wholesaler's maximum price per case to another wholesaler shall be his maximum price per case provided in (1) above for sales of the particular container size to retailers, subject to any discount, allowance or price differential agreed upon: *Provided*, That the selling wholesaler may not charge or receive any amount in excess of his own net cost unless he shall, at or before delivery of the item, give the buyer a notice in writing stating the seller's maximum price per case for the item to retailers and to consumers. A statement on the invoice substantially as follows shall be deemed compliance with this requirement:

Our ceiling prices per case to retailers for the above items are:

Item:	Maximum price

Our ceiling prices per case to consumers for the above items are:

Item:	Maximum price

A wholesaler's maximum price per case to any class of customers for an item purchased by him from another wholesaler shall not exceed the higher of

[Above portion of subparagraph (4) amended by Am. 16, 9 F.R. 7708, effective 7-15-44]

(i) His own maximum price for the item to a customer of the particular class figured according to the applicable provisions of this section, or

(ii) With respect to sales to retailers or consumers, the supplier's maximum price for a sale of the item to a customer of the particular class as stated in such notice plus freight for shipment from the selling wholesaler paid by the purchasing wholesaler. No markup on the amount of such freight may be added.

[Subparagraph (ii) amended by Am. 15, 9 F.R. 4687, effective 5-8-44. Note deleted by Am. 15]

(5) *For individual containers.* A wholesaler's initial maximum price for individual containers of an item to any class of customers shall be an amount determined by dividing his initial maximum price per case to a customer of the same class by the number of individual containers customarily packed in the case by his supplier: *Provided*, That, if a retailer has elected to purchase individual containers after a wholesaler has expressly given him the alternative of purchasing a case of the item at the wholesaler's maximum price per case for the particular container size, the wholesaler may add to his maximum price for individual containers to be sold to that retailer one of the following amounts according to the particular container size:

4 cents per container, if the container size is a gallon, half gallon, quart or fifth;

2 cents per container, if the container size is a pint or tenth;

1 cent per container, if the container size is a half-pint.

(c) *Changes in maximum prices*—(1) *How long particular maximum prices continue in effect.* A wholesaler's initial maximum prices and refigured maximum prices for an item shall apply to all his sales and offers to sell of the item so priced made prior to the date on which subsequently refigured maximum prices for sales thereof became applicable in accordance with (4) of this paragraph.

(2) *When a wholesaler must refigure his maximum prices.* A wholesaler who after August 29, 1943 receives a base purchase of an item shall figure his net cost therefor according to section 5.3. If such net cost per case differs from the net cost per case for the base purchase used in establishing the wholesaler's maximum prices then in effect for the item, the wholesaler may, if the most recent purchase shows the greater total and he must, if the most recent purchase shows the lesser total, establish refigured maximum prices for the item: *Provided*, That if the difference in net cost is 15 cents per case or less, the wholesaler shall not establish refigured maximum prices.

(3) *How a wholesaler must refigure his maximum prices.* A wholesaler required or permitted by this paragraph to establish refigured maximum prices for an item shall determine such prices under paragraph (b) of this section, substituting however, the net cost for his most recent base purchase for the net cost of his earlier base purchase.

(4) *When refigured maximum prices become applicable.* His refigured maximum prices determined under this paragraph shall apply to stock on hand and shall be the wholesaler's maximum prices for sales of the item on and after, but not before, the 4th day (exclusive of Sundays and holidays) following receipt of the base purchase to be used to establish such refigured maximum prices, until in turn superseded by other refigured maximum prices subsequently determined: *Provided*, That until on and after the earliest effective date for prices posted or listed at the first opportunity after the 4th day (exclusive of Sundays and holidays) after receipt of such base purchase, refigured maximum prices shall not apply to any sale which a wholesaler is required by statute, ordinance or regulation to make at a price posted or listed with a state or other public authority before receipt of the base purchase.

(d) *Maximum prices for sales by wholesalers who operate both wholesale and retail divisions.* (1) A wholesaler who operates both a wholesale and retail division and also sells to independent retailers may consider his retail division a separate entity and determine his maximum price for sales by his retail division in accordance with section 5.5; *Provided*, That:

(i) The wholesale and retail divisions are in separate establishments; or if not in separate establishments, each maintains its own selling organization separate and distinct from that of the other; and

(ii) Prior to August 9, 1943, the wholesale division sold to independent retailers; and

(iii) Prior to that date, the wholesale and retail divisions were in separate establishments; or if not in separate establishments, each maintained its own selling organization separate and distinct from that of the other.

(2) A wholesaler who satisfies the above requirements and elects to price his sales by his retail divisions under section 5.5 shall invoice his sales to his retail division in the same manner as he invoices his sales to independent retailers.

[Paragraph (d) added by Am. 25 effective 6-25-45]

SEC. 5.5 *Maximum prices for retailers.*

[Note deleted by Am. 15, effective 5-8-44]

(a) *Generally.* A retailer must establish his maximum prices to each class of customers as follows:

(1) For initial maximum prices—use paragraph (b). A base purchase made

between August 9, 1943, and August 30, 1943, may be used to figure initial maximum prices. A retailer is not required to establish a refigured maximum price for an item until he makes a base purchase thereof after August 29, 1943.

[Subparagraph (1) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

(2) For a refigured maximum price if net cost for the item changes after August 29, 1943—use paragraph (c).

(3) A retailer who is the processor or primary distributing agent of an item must not use this section to determine maximum prices for that item unless permitted to do so by other provisions of this regulation.

[Subparagraph (3) added by Am. 15, 9 F.R. 4687, effective 5-8-44]

(b) *Initial maximum prices*—(1) *For sales to consumers.* A retailer's initial maximum price per case to consumers shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item or if he made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, multiplied by the percentage mark-up for the item being priced as follows:

(i) 1.333 for distilled spirits other than cordials, liqueurs and specialties.

(ii) 1.50 for wines, wine based cordials and other rectified wines.

(iii) 1.45 for cordials, liqueurs and specialties to which (ii) does not apply:

Provided, That any Regional Office of the Office of Price Administration may by order adjust downward the percentage mark-up so established for sales of one or more of such classes of commodities in any state within its jurisdiction, if it appears that such percentage mark-up will permit retailers in such state to obtain an excessive margin. In determining whether or not margins are excessive the appropriate office shall consider margins prevailing in the particular state for retailers during March 1942 and the amounts of the costs to which they were applied. A percentage mark-up provided by any such order of a Regional Office shall have the same force and effect as if expressly provided herein for the particular sales to which it is applicable.

[Subparagraph (1) amended by Am. 1, 8 F.R. 11851, effective 8-25-43]

(2) *For sales to another retailer.* A retailer's initial maximum price per case to another retailer shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier. No mark-up shall be added for such sales.

(3) *For individual containers.* A retailer's maximum price to consumers or to another retailer for individual containers of an item shall be an amount determined by dividing his initial maximum price per case to consumers or to another retailer respectively by the number of individual containers customarily packed in the case by his supplier.

[Note deleted by Am. 15, effective 5-8-44]

(c) *Changes in maximum prices*—(1) *How long particular maximum prices continue in effect.* A retailer's initial maximum prices and refigured maximum prices for an item shall apply to all his sales and offers to sell of the item so priced made prior to the date on which subsequently refigured maximum prices for sales thereof become applicable in accordance with (4) of this paragraph.

(2) *When a retailer must refigure his maximum prices.* A retailer who after August 29, 1943, receives a base purchase of an item shall figure his net cost therefor according to section 5.3. If such net cost per case differs from the net cost per case for the base purchase used in establishing the retailer's maximum prices then in effect for the item, the retailer may, if the most recent purchase shows the greater total and he must, if the most recent purchase shows the lesser total, establish refigured maximum prices for the item: *Provided*, That if the difference in net cost is 15 cents per case or less, the retailer shall not establish refigured maximum prices.

(3) *How a retailer must refigure his maximum prices.* A retailer required or permitted by this paragraph to establish refigured maximum prices for an item shall determine such prices under paragraph (b) of this section, substituting however, the net cost for his most recent base purchase for the net cost of his earlier base purchase.

(4) *When refigured maximum prices become applicable.* His refigured maximum prices determined under this paragraph shall apply to stock on hand and shall be the retailer's maximum prices for sales of the item on and after, but not before, the 4th day (exclusive of Sundays and holidays) following receipt of the base purchase to be used to establish such refigured maximum prices, until in turn superseded by other refigured maximum prices subsequently determined: *Provided*, That until on and after the earliest effective date for prices posted or listed at the first opportunity after the 4th day (exclusive of Sundays and holidays) after receipt of such base purchase, refigured maximum prices shall not apply to any sale which a retailer is required by statute, ordinance or regulation to make at a price posted or listed with a state or other public authority before receipt of the base purchase.

SEC. 5.6 *Maximum prices for monopoly states*—(a) *Generally.* A monopoly state must establish its maximum prices as follows:

(1) For initial maximum prices—use paragraph (b).

(2) For a refigured maximum price if net cost for the item changes after August 29, 1943—use paragraph (c).

(b) *Initial maximum prices.* To figure its initial maximum price per case for an item a monopoly state shall:

(1) Multiply its net cost per case (figured according to section 5.3) for its most recent base purchase of the item (or if it made no base purchase of the item since March 1942, the net cost for its most recent purchase of the item from any supplier) by the highest percentage in use for the item during March, 1942, according to the statute, ordinance or regulation then prescribing its mark-up;

(2) Add to the figure at (1): (i) The applicable increase effective November 1, 1942 in United States excise taxes.

(ii) Any applicable state taxes in effect on November 2, 1942, customarily included in its price during March, 1942, to the extent that the amount thereof is not included in net cost;

(3) The resulting amount shall be the monopoly state's maximum price for sales of the item per case to the class of customers to which, during March 1942, the percentage used under (1) above applied.

(4) Where the monopoly state during March 1942, used its price to the class of customers figured on the percentage applied under (1) above as a base price, and determined its price to other classes of customers by applying a discount to, reducing or increasing that base price by an established method, its maximum prices for sales to those other classes of customers shall be determined by reducing or increasing the resulting amount under (3) in accordance with the same method.

(5) A monopoly state's initial maximum price for individual containers to any class of customers shall be its maximum price per case to a customer of the same class transformed into a price for individual containers in accordance with the method customarily used by the monopoly state during March 1942, to determine its price for individual containers.

(6) A monopoly state's initial maximum prices shall be its maximum prices for all its sales of an item made on and after, but not before, the effective date of its complete or supplementary price list first promulgated after August 29, 1943.

(7) A monopoly state who is the owner of bulk domestic whiskey or bulk California grape wine and who bottles or causes the same to be bottled under any brand name shall in computing its maximum price use as the supplier's price the appropriate processor's prescribed uniform maximum price to wholesalers and monopoly states determined under Appendix E if the item to be priced is domestic whiskey or the alternate maximum price under section 4.5 (c) (1) (i) (a) and (b) (as may be appropriate) if the item to be priced is California grape wine.

[Subparagraph (7) added by Am. 16, 9 F.R. 7708, effective 7-15-44]

(c) *Changes in maximum prices*—(1) *How long particular maximum prices remain in effect.* A monopoly state's initial maximum prices and refigured maximum prices for an item shall apply to all its sales and offers to sell of the item so priced made prior to the date on which subsequently refigured maximum prices for sales thereof become applicable in accordance with (4) of this paragraph.

(2) *When a monopoly state must refigure its maximum prices.* A monopoly state which after August 29, 1943, receives a base purchase of an item shall, or upon acceptance of an official offer of an item, it may determine its net cost therefor according to section 5.3. If such net cost per case differs from the net cost per case of the base purchase used in establishing its maximum prices then in effect for the item, the monopoly state may, if the most recent purchase shows the greater total, and it must, if the most recent offer or purchase shows the lesser total, establish refigured maximum prices for the item; *Provided*, That if the difference in net cost is 15 cents per case or less, the monopoly state shall not establish refigured maximum prices.

(3) *How a monopoly state must refigure its maximum prices.* A monopoly state required or permitted by this paragraph to establish refigured maximum prices for an item shall determine such prices under paragraph (b) of this section, substituting, however, its net cost for the most recent offer or base purchase for the net cost of its earlier base purchase.

(4) *When refigured maximum prices become applicable.* Its refigured maximum prices determined under this paragraph shall be the monopoly state's maximum prices for sales of the item made on and after, but not before, the effective date of its complete or supplementary price list first promulgated after the 7th day (excluding Sunday and holidays) following receipt of the official offer or the invoice for the particular base purchase to be used.

(d) *Disposition of fractional parts of a cent and rounding prices to an even 5 cents.* (1) In determining its initial or refigured maximum prices under this section a monopoly state shall follow its customary March 1942 practice with reference to disposition of fractional parts of a cent and shall reduce or may increase its maximum price in accordance therewith.

(2) If during March 1942, a monopoly state customarily followed the practice of rounding its prices to a sum divisible by 5, it may continue to follow that practice by reducing or increasing its maximum prices for any item in accordance with its customary March 1942 practice.

SEC. 5.7 *Maximum prices for primary distributing agents.*

[Note deleted by Am. 15, effective 5-8-44]

(a) *Generally.* A primary distributing agent must establish maximum prices to each class of customers as follows:

(1) For initial maximum prices—use paragraph (b).

(2) For a refigured maximum price if elements of cost for the item change after August 29, 1943—use paragraph (c).

(3) This section applies only to sales of an item for which the seller acts as a primary distributing agent.

[Subparagraph (3) added by Am. 15, 9 F.R. 4687, effective 5-8-44]

(b) *Initial maximum prices.* A primary distributing agent's initial maximum price per case for an item shall be as follows:

(1) *Sales to wholesalers and monopoly states.* The total of the following:

(i) *Supplier's charge.* A supplier's charge according to the item being priced as follows:

(*a*) *Packaged imported distilled spirits and packaged imported wine.* The importer's maximum price per case for a sale of the item to a wholesaler or monopoly state respectively as established under Article I of this regulation.

(*b*) *Packaged domestic distilled spirits and packaged domestic wine.* The processor's maximum price per case for a sale of the item to a wholesaler or monopoly state (as may be the case) as established under other applicable regulations or orders of the Office of Price Administration or under Article III or IV (as applicable and when effective) of this regulation.

(ii) *Freight.* Transportation charges per case from the supplier's point of shipment to the primary distributing agent's customary receiving point for the item at the rate the primary distributing agent paid. No amount shall be included for

(*a*) Transportation charges on items sold f. o. b. supplier's shipping point and shipped directly to the customer at the customer's expense; or

(*b*) Any transportation charges from point of shipment included in the supplier's charge; or

(*c*) Expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point.

(iii) *Taxes and United States customs duties.* The applicable amount per case of United States customs duties and United States, state or local excise taxes, all at rates in effect on November 2, 1942, if not included in the supplier's charge. License, income, franchise, receipt, gross receipts, sales, use or other similar federal, state or local taxes may not be included.

[Subparagraph (iii) amended by Am. 15, 9 F.R. 4687, effective 5-8-44. Note deleted by Am. 15]

(2) *For sales to retailers.* A primary distributing agent's initial maximum price per case to retailers shall be his initial maximum price per case for sales to wholesalers and monopoly states, established under (1) above, multiplied by the percentage mark-up provided under section 5.4 for a sale of the item by wholesalers to retailers. His initial maximum price to retailers for individual containers shall be an amount figured on the basis of his initial maximum price per case in the manner and subject to the limitations provided under section 5.4 for determining a wholesaler's initial maximum price to retailers for individual containers.

(3) *For sales to consumers.* A primary distributing agent's initial maximum price per case to consumers shall be his initial maximum price per case for sales to wholesalers and monopoly states, established under (1) above, multiplied by the percentage mark-up provided under section 5.5 for a sale of the item by retailers to consumers. His initial maximum price to consumers for individual containers shall be an amount figured on the basis of his initial maximum price per case in the manner provided under section 5.5 for determining a retailer's initial maximum price to consumers for individual containers.

(c) *Changes in maximum prices*—(1) *How long particular maximum prices continue in effect.* A primary distributing agent's initial maximum price and refigured maximum price for an item shall apply to all his sales, offers to sell of the item so priced made prior to the date on which subsequently refigured maximum prices for sales thereof become applicable in accordance with (4) of this paragraph.

(2) *When a primary distributing agent must refigure his maximum prices.* A primary distributing agent who after August 29, 1943 receives a purchase of an item for which his initial maximum prices are established under this section shall figure the elements of his cost therefor included in his initial maximum price established under (b) above. If such elements of cost per case differ from the elements of cost per case used in establishing the primary distributing agent's maximum prices then in effect for the item, the primary distributing agent may, if the most recent purchase shows the greater total and he must, if the most recent purchase shows the lesser total, establish refigured maximum prices for the item; *Provided*, That if the difference in the total of those elements of cost is 15 cents per case or less the primary distributing agent shall not establish refigured maximum prices.

(3) *How a primary distributing agent must refigure his maximum prices.* A primary distributing agent required or permitted by this paragraph to establish refigured maximum prices for an item shall determine such prices under paragraph (b) of this section, substituting however, the elements of cost for his most recent purchase for the elements of cost of his earlier purchase.

(4) *When refigured maximum prices become applicable.* His refigured maximum prices determined under this paragraph shall apply to his stock on hand and shall be the primary distributing agent's maximum prices for sales of the item on and after, but not before, the 4th day (exclusive of Sundays and holidays) following receipt of the purchase to be used to establish such refigured maximum prices, until in turn superseded by other refigured maximum prices subsequently determined: *Provided*, That until on and after the earliest effective date for prices posted or listed at the first opportunity after the 4th day (exclusive of Sundays and holidays) after receipt of such purchase, refigured maximum prices shall not apply to any sale which a primary distributing agent is required by statute, ordinance or regulation to make at a price posted or listed with a state or other public authority before receipt of the purchase.

SEC. 5.8 *Posting of consumer prices.* Every seller (except monopoly states) who is required to establish his maximum price under Article V shall post his maximum price for each item of packaged distilled spirits or wine to be sold or

offered for sale to consumers in accordance with section 7.9a of Article VII.

[Section 5.8 amended by Am. 20, 9 F.R. 14817, effective 12-21-44]

SEC. 5.9 *Other provisions of this regulation applicable to sales of distilled spirits or wine by a wholesaler, retailer, monopoly state, or primary distributing agent:*

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section 7.1a *Changes in case sizes.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added to a maximum price.*
Section 7.3a *Distribution of packaged distilled spirits or wine.*
Section 7.4 *Use of minimum resale prices under State Fair Trade Laws.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7 *Export sales.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this Regulation.*
Section 7.8a *Interest on advance payments.*
Section 7.9 *Current records required.*
Section 7.9a *Posting of consumer prices.*
Section 7.9b *Sales slips and receipts.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing in certain instances.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[Sec. 5.9 amended by Am. 15, 9 F.R. 4687, effective 5-8-44; and Am. 16, 9 F.R. 7708, effective 7-15-44; and Am. 20, 9 F.R. 14817, effective 12-21-44]

SEC. 5.10 *Application for authority to establish maximum prices*—(a) *Who is permitted or required to file an application for authority to establish maximum prices by authorization.* Any seller whose maximum price for an item of packaged distilled spirits or wine are established by this article and for whom no other maximum price or pricing method is provided in this article, shall make application to the Office of Price Administration, Beverage Section, Washington, D. C. for authority to establish such maximum price. After such application is filed the Price Administrator may establish a maximum price for such sale by order or by amendment to this regulation. Such order may be revoked or amended by the Price Administrator at any time.

(b) *Prohibited sales.* Any seller making application under this section for sales of an item of packaged distilled spirits or wines shall not, prior to the date on which that authority is granted sell, offer to sell, or deliver the item that is the subject of the application.

(c) *Contents of application.* The application shall be by letter, signed by the seller or his authorized agent, and sent in duplicate to the Office of Price Administration, Beverage Section, Washington, D. C., by registered mail, return receipt requested. It shall contain the following:

(1) The seller's name and address, and the name and address of the person signing the application.

(2) A statement that the application is filed under section 5.10 of Maximum Price Regulation No. 445.

(3) A statement of the reasons for his inability to establish a maximum price under other provisions of this article.

(4) A description of the items which are the subject of the application, stating with respect to each item the following information:

(i) Brand name.
(ii) Formula.
(iii) Container size.
(iv) Classification or subclassification of identity.
(v) A statement showing the source of applicant's supply of the items to be priced and where applicable his net cost for such items.
(vi) A statement of the class of customers applicant proposes to sell.

[Sec. 5.10 added, former 5.10 redesignated 5.11 by Am. 15, 9 F.R. 4687, effective 5-8-44]

SEC. 5.11 *Dates on which this article shall apply.* This article, except as otherwise provided, shall apply to all sales or offers to sell of packaged imported or domestic distilled spirits or wine made by a wholesaler, retailer, monopoly state, or primary distributing agent on and after August 30, 1943: *Provided*, That this article shall not apply to any sale which a wholesaler, retailer or primary distributing agent is required by statute, ordinance, or regulation to make at a price posted or listed prior to August 14, 1943, with a state or other public authority (if the price so posted or listed is greater or less than that established by this Article for such sale) until on and after the first effective date for prices so posted and listed at the first opportunity after August 19, 1943. *And provided further*, That an amendment to this article shall not apply to any deliveries made prior to the effective date of such amendment.

[Section 5.11, formerly 5.10, amended by Am. 1, 8 F.R. 11851, effective 8-25-42, and Am. 17, 9 F.R. 9505, effective 8-1-44]

ARTICLE VI—MAXIMUM PRICES FOR CERTAIN SERVICES RELATING TO THE PRODUCTION OF DOMESTIC DISTILLED SPIRITS AND WINE

SEC. 6.1 *Purposes of Article VI*—(a) *Generally.* Article VI establishes maximum prices for certain services supplied in connection with the production, sale and distribution of domestic distilled spirits and wine. Maximum prices for services other than those specifically provided for herein shall be determined in accordance with the provisions of the General Maximum Price Regulation or Revised Maximum Price Regulation No. 165,[1] as may be applicable.

(b) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation Article VI supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration prior to October 7, 1943, with respect to the services for which it establishes maximum prices, including the applicable provisions of the following:

(1) The General Maximum Price Regulation;

(2) Revised Maximum Price Regulation No. 165;

(3) Section 1499.26 (b) (16) of Revised Supplementary Regulation No. 11: *Provided*, That such maximum price regulations, orders and interpretations shall remain in force with respect to a particular transaction until the provisions of this article become applicable thereto pursuant to section 6.5.

[Sec. 6.1 added by Am. 3, 8 F.R. 13500, effective 10-7-43. Former Sec. 6.1 revoked by Am. 3]

SEC. 6.2 *General rules for figuring maximum prices under this article.* (a) Unless otherwise specifically provided, the maximum price established by this article for a particular service is the highest price that may be charged for that service by the person who supplies or causes it to be supplied. Such maximum price shall not be evaded or avoided by splitting the performance of the service into component elements and charging separate prices for each element which in the aggregate, exceed the maximum price for the entire service.

(b) Prices charged for a service for which a maximum price is provided by this article shall, in each instance, be separately stated in the seller's invoice. Where such service is supplied as part of, or in conjunction with the supply of another service to which this article does not apply, the price charged for such other service shall not exceed the seller's maximum price therefor established under other applicable regulations or orders of the Office of Price Administration.

(c) [Revoked]

(d) [Revoked]

[Paragraphs (c) and (d) revoked by Am. 15, effective 5-8-44]

SEC. 6.3 *Maximum prices for specified services.* A seller's maximum price for any service listed below shall be as follows:

(a) *Buying services and maximum price*—(1) Commission, brokerage or fee for procuring a seller of, or for buying for the account of another, grapes, fruits or berries for winery or distillery use, 50 cents per ton of grapes, fruit, or berries purchased for delivery to the winery or distillery.

(2) Commission, brokerage or fee for procuring a seller or buyer of bulk domestic grape spirits, bulk domestic neutral brandy, bulk domestic spirits-fruit, or bulk California grape wine, or for procuring a processor to convert grapes into California grape wine, 5% of the seller's billing price (not in excess of his maximum price) for the commodity or service sold.

(3) Commission, brokerage or fee for procuring a seller or buyer of packaged California grape wine, 5% of the seller's billing price (not in excess of his maximum price) for the quantity sold but not in excess of 50 cents per case.

(4) [Revoked]

[Subparagraph (4) added by Am. 9, 8 F.R. 17415, effective 1-6-44, amended by Am 11, 9 F.R. 105, effective 12-31-43, and revoked by Am. 15, 9 F.R. 4687, effective 5-8-44]

(b) *Services related to the production of California grape wine and maximum price*—(1) Converting grapes into unfinished California grape wine (including weighing of grapes, crushing, pressing, fermenting, distilling or furnishing fortifying spirits, fortifying, cooking, racking, cellar treatment necessary to effect stabilization, storage to the March 31st (but not exceeding 180 days) following the date of crushing, and loading the bulk unfinished wine into tank cars or tank trucks: A price according to the type of wine as follows: *Red table wine:* $9.00 per ton of grapes weighed and crushed, or 6 cents per gallon of wine delivered, whichever is the lower. *White table wine:* $10.00 per ton of grapes weighed and crushed, or 8 cents per gallon of wine delivered, whichever is the lower. *Dessert wine:* $8.00 per ton of grapes weighed and crushed, or 10 cents per gallon of wine delivered, whichever is the lower.

(2) Finishing of California grape wine by the person who converts the grapes into the unfinished wine, including storage to the March 31st (not exceeding 180 days) following date of crushing: A price according to the type of wine as follows: *Table wine:* 2½ cents per gallon of wine delivered to the person for whom the service is performed. *Dessert wine:* 1½ cents per gallon of wine delivered to the person for whom the service is performed.

(3) Finishing of California grape wine by the person who did not convert the grapes into the unfinished wine (not including storage charges): A price according to the type of wine as follows: *Table wine:* 2½ cents per gallon of wine delivered to the person for whom the service is performed. *Dessert wine:* 1½ cents per gallon of wine delivered to the person for whom the service is performed.

NOTE: Finishing includes giving the wine the cellar treatment generally recognized as necessary to make stabilized unfinished wine into finished wine suitable for packaging.

(4) Storage of California grape wine in cooperage or tanks of the person converting the grapes into the wine stored, ½ cent for each 30 days of storage after the March 31st or 180 days (whichever is earlier) following date of crushing.

(5) Storage of California grape wine in cooperage or tanks of persons who did not convert the grapes into the wine stored (other than storage in public warehouses), ½ cent for each 30 days of storage (cost of unloading and loading out is included in this rate).

NOTE: The maximum price for storage of California grape wine does not include field warehouse charges (other than for storage) if any, which may be added at legally established rates, or taxes on the commodity stored or premiums on policies of insurance protecting the owner thereof.

(6) Barreling of California grape wine for shipment in barrels, 2 cents per gallon of wine barreled and shipped in barrels.

NOTE: The maximum price for barreling does not include the cost of cooperage. If the seller performing the service furnishes cooperage which upon delivery to the person for whom the service is performed, becomes that person's property, the seller may add a charge for the barrels not in excess of his maximum price therefor.

(7) Packaging and casing California grape wine: A maximum price per case determined under other applicable regulations and orders of the Office of Price Administration.

(c) *Services related to the production of distilled spirits*—(1) Distilling grape spirits, spirits-fruit or neutral brandy from:

(i) Grapes or raisins, (ii) Fruits or berries, (except grapes and raisins), including fresh, dried, canned, frozen or other processed or partially processed forms and including culls, clippings, skins, waste and other commodities (except juices) permitted to be distilled under Food Distribution Order No. 69 issued by the War Food Administration.	*Maximum price* 20 cents per proof gallon distilled and delivered.
(iii) Juices of grapes, fruits and berries as described in (i) and (ii).	
(iv) Other distilling materials including wine, wine wash, pomace wash, lees wine, brandy, and other distilling materials in liquid form.	20 cents per proof gallon distilled and delivered.

NOTE: Maximum prices under (1) include unloading and handling the distilling material and loading the product into tank cars or tank trucks, drums or other containers. If the distiller furnishes the drums or other containers which upon delivery to the person for whom the distilling service is performed, become that person's property the seller may add a charge for such containers not in excess of his maximum price therefor.

(2) Packaging and casing distilled spirits: A maximum price per case determined under other applicable regulations and orders of the Office of Price Administration.

SEC. 6.4 *Other provisions of this regulation applicable to transactions for which maximum prices are established by this article.* The following sections of Article VII of this regulation shall apply to transactions for which maximum prices are established by this article:

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section 7.1a *Changes in case sizes.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers' compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this regulation.*
Section 7.9 *Current records required.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[References to Sections 7.1a, 7.2a, 7.4a, 7.5a, 7.6a and 7.7a added by Am. 15, effective 5-8-44]

SEC. 6.5 *Dates on which this article shall apply.* This article shall apply to every sale, supply, delivery or offer to sell, supply or to deliver any of the services specified therein on and after October 7, 1943.

[Sections 6.2 through 6.5 added by Am 3, 8 F.R. 13500, effective 10-7-43]

ARTICLE VII—GENERAL PROVISIONS APPLICABLE TO PERSONS SUBJECT TO THIS REGULATION AND TO MAXIMUM PRICES ESTABLISHED HEREUNDER

SEC. 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.* Fractional parts of a cent, except as otherwise provided in this regulation, shall be treated as follows in figuring maximum prices:

(a) Amounts computed in the process of, or as a step in figuring a maximum price (other than the maximum price itself) need not be carried to more than four decimal places (hundredths of a cent). Any further fraction shall be disregarded.

(b) When the charging of the exact maximum price established under this regulation requires the use of a fractional part of a cent, that maximum price may be increased to the next higher full cent, if the fraction is ½ cent or more, and shall be reduced to the next lower full cent, if the fraction is less than ½ cent.

SEC. 7.1a *Changes in case sizes.* In any instance where the case size of an item covered in this regulation is changed to contain a greater (not in excess of a total of 15 wine gallons) or lesser number of individual containers of the same item, the seller shall determine his maximum price per case of the item in the new case size as follows:

(a) Divide the maximum price per case for the item in the customary case size by the number of individual containers customarily packed in such case, and

(b) Multiply the figure so obtained by the number of individual containers packed in the new case size.

[Sec. 7.1a added by Am. 9, 8 F.R. 17415, effective 1-6-44]

SEC. 7.2 *When a sales or gross receipts tax may be charged in addition to a maximum price.* (a) Any seller (other than a monopoly state) may charge and collect, in addition to his maximum price for an item or a service established under this regulation, the amount of any tax upon the sale of the item, or the supplying of the service, or upon the gross receipts from either, now or hereafter imposed by any statute of the United States, or any statute or ordinance of any state or subdivision thereof, if:

[Section heading and paragraph (a) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

[1] 10 F.R. 2097, 2250, 3925.

[2] 9 F.R. 4775, 5314, 5441, 5722, 7020, 8145, 10778, 13211, 15157; 10 F.R. 3236, 3870.

(1) The statute or ordinance imposing such tax does not prohibit the seller from separately stating and collecting the amount thereof, and he does separately state and collect it; or

(2) The amount of the tax has been separately stated and collected from the seller by a prior vendor, and

(i) The statute or ordinance imposing such tax does not prohibit the seller from separately stating and collecting the amount thereof, and

(ii) He does separately state and collect it.

(b) Any monopoly state may charge and collect, in addition to its maximum price for an item or service established under this regulation, the amount of any tax upon the sale of the item now or hereafter imposed by any statute of the United States or of that state.

SEC. 7.2a *Treatment of brokers compensation.* (a) Every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price plus allowable transportation charges actually paid by the seller or by the broker. The term "broker" includes a "finder", "buyer's agent" and "seller's agent".

(b) The provisions of paragraph (a) shall not apply to:

(1) Brokers participating in the sale of California grape wine by the processor thereof to a purchaser from that processor, provided the services performed by the broker were customarily performed by brokers and separately paid for by buyers during March 1942.

(2) Brokers participating in the purchase of imported distilled spirits or wine by an importer thereof from a foreign supplier other than a supplier located in a territory or possession of the United States.

(c) No person may charge or receive and no person may pay to a broker a fee for his services in excess of the maximum price established for such services by this regulation or by any other applicable order or regulation of the Office of Price Administration.

(d) No person may increase a maximum price established for him under this regulation by reason of having paid a fee to a broker, nor may such fee or any part thereof be included as an element of "net cost" by sellers required to determine "net cost" in computing their maximum price.

[Sec. 7.2a added by Am. 15, 9 F.R. 4687, effective 5-8-44]

SEC. 7.3 *When new taxes or increases in existing taxes may be added to a maximum price.* Any seller (including a monopoly state) may charge and collect, in addition to his maximum price for an item or a service established under this regulation:

(a) *New taxes.* The applicable amount of United States customs duties and United States state or local excise taxes first imposed thereon by statute effective after November 2, 1942.

(b) *Increase in tax in effect on November 2, 1943.* The applicable amount of any increase effective after November 2, 1942 in United States, state or local excise taxes then imposed thereon.

[Paragraphs (a) and (b) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

Provided, That the amount of any such new tax, or increase in tax is paid by the seller to the taxing authorities or to a prior vendor, and *Provided further*, That no seller shall include a mark-up on the amount of any tax he is authorized to charge and collect under this section.

(c) *Treatment of increase effective April 1, 1944, in United States excise taxes.* (1) On and after April 1, 1944, every seller must state upon each invoice to any class of customers (except monopoly states and consumers) that the prices stated in the invoice include the increase effective April 1, 1944, in United States excise taxes or the 1944 floor stocks tax and that no markup may be applied to the amount thereof. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this section:

"Our invoice prices include the increase effective April 1, 1944, in United States excise taxes or the 1944 floor stocks tax. OPA regulations prohibit a markup on the amount thereof.

Reference to floor stocks tax may be eliminated from the invoice after the seller has disposed of all merchandise upon which floor stocks tax was paid by him or by a prior vendor.

(2) For sales to monopoly states sellers of distilled spirits or wines who were heretofore required to separately state the amount of any tax which became effective after March 31, 1942, on the invoice issued in connection with each sale, or on a statement made in connection with any offer to sell, shall continue to do so notwithstanding the provisions of paragraph (1) hereof.

Illustration. As a guide to sellers in computing their maximum prices, the following tables are added. These tables show the amount of the increase effective April 1, 1944, in United States excise taxes for representative types, proofs and container sizes of distilled spirits and wines, but is not intended to be all-inclusive. For types, proofs, and container sizes not shown on the tables, every seller must compute the actual amount of the tax increase. No seller is permitted to apply a markup on the amount of the tax increase. In figuring maximum prices, sellers such as wholesalers or retailers who are required to price by use of a percentage markup applied to "net cost", shall figure maximum prices by (1) deduct the exact amount of the tax increase with respect to each item, (2) apply markup to "net cost" exclusive of tax increase, and (3) add the exact amount of the tax increase to that figure.

TAX INCREASE EFFECTIVE APRIL 1, 1944, IN UNITED STATES EXCISE TAXES

TABLE I—DISTILLED SPIRITS[1]

Proof	Contents per case				
	4 gal.	3 gal.	2.4 gal.	1.5 gal.	1.2 gal.
100	$12.00	$9.00	$7.20	$4.50	$3.60
99.4	11.28	8.46	6.77	4.23	3.38
93	11.16	8.37	6.70	4.19	3.35
92	11.04	8.28	6.62	4.14	3.31
90.4	10.80	8.10	6.48	4.05	3.24
90	10.80	8.10	6.48	4.05	3.24
86.8	10.44	7.83	6.26	3.92	3.13
86	10.32	7.74	6.19	3.87	3.10
85	10.20	7.65	6.12	3.83	3.06
84	10.08	7.56	6.05	3.78	3.02
80.6	9.72	7.29	5.83	3.65	2.92
80	9.60	7.20	5.76	3.60	2.88
74	8.88	6.66	5.33	3.33	2.66
70	8.40	6.30	5.04	3.15	2.52
64	7.68	5.76	4.61	2.88	2.30
60	7.20	5.40	4.32	2.70	2.16
56	6.72	5.04	4.03	2.52	2.02
50	6.00	4.50	3.60	2.25	1.80
45	5.40	4.05	3.24	2.03	1.62

[1] Imported distilled spirits under 100 proof are taxed at the 100 proof rate, except that the 1944 floor stocks tax is figured on actual proof gallonage.

TABLE II—DISTILLED SPIRITS[1]

Proof	Contents per bottle							
	1 gal.	½ gal.	quart	fifth	pint	tenth	½ pint	¼ pt.
100	$3.00	$1.50	$0.75	$0.60	$0.38	$0.30	$0.19	$0.09
99.4	2.82	1.41	.71	.56	.36	.28	.18	.08
93	2.79	1.40	.70	.56	.35	.28	.18	.08
92	2.76	1.38	.69	.55	.35	.27	.18	.08
90.4	2.70	1.35	.68	.54	.34	.27	.17	.08
90	2.70	1.35	.68	.54	.34	.27	.17	.08
86.8	2.61	1.31	.65	.52	.33	.26	.17	.08
86	2.58	1.29	.65	.52	.33	.26	.16	.08
85	2.55	1.28	.64	.51	.32	.26	.16	.08
84	2.52	1.26	.63	.50	.32	.25	.16	.08
80.6	2.43	1.22	.61	.49	.31	.24	.15	.08
80	2.40	1.20	.60	.48	.30	.24	.15	.08
74	2.22	1.11	.56	.44	.28	.22	.14	.08
70	2.10	1.05	.53	.42	.27	.21	.13	.08
64	1.92	.96	.48	.38	.24	.19	.12	.08
60	1.80	.90	.45	.36	.23	.18	.11	.08
56	1.68	.84	.42	.34	.21	.17	.11	.08
50	1.50	.75	.38	.30	.19	.15	.10	.08
45	1.35	.68	.34	.27	.17	.14	.09	.08

[1] Imported distilled spirits under 100 proof are taxed at the 100 proof rate, except that the 1944 floor stocks tax is figured on actual proof gallonage.

TABLE III—WINES

Type	Contents per case						
	4 gal.	3 gal.	2.4 gal.	2.4375 gal.	2.25 gal.	1.5 gal.	1.2 gal.
Still wine not over 14%	$0.20	$0.15	$0.12	$0.12	$0.11	$0.08	$0.07
Still wine over 14% but not over 21%	.80	.60	.48	.49	.45	.30	.25
Still wine over 21% but not over 24%	4.00	3.00	2.40	2.44	2.25	1.50	1.20
Champagne and sparkling wines	3.20	2.40	2.40	2.40	1.80	1.20	1.20
Carbonated wines	3.20	2.40	2.40	2.40	1.80	1.20	1.20
Wine base cordials and liqueurs	3.20	2.40	2.40	2.40	1.80	1.20	1.20

TABLE IV—WINES

Type	Contents per bottle									
	1 gal.	½ gal.	1 qt.	1 fifth	24 oz.	20 oz.	26 oz.	13 oz.	1 pt.	½ pt.	¼ gal.
Still wine not over 14%	$0.05	$0.02	$0.01	$0.01	$0.01	$0.01	$0.01	$0.01	$0.01		
Still wine over 14% but not over 21%	.20	.10	.05	.04	.04	.05	.04	.02	.02	$0.01	$0.02
Still wine over 21% but not over 24%	1.00	.50	.25	.20	.19	.25	.20	.10	.12	.06	.10
Champagne and sparkling wines	.80	.40	.20	.20	.15	.20	.20	.10	.10	.05	.10
Carbonated wines	.80	.40	.20	.20	.15	.20	.20	.10	.10	.05	.10
Wine base cordials and liqueurs	.80	.40	.20	.20	.15	.20	.20	.10	.10	.05	.10

[Paragraph (c) and illustration added by Am. 14, 9 F.R. 3152, effective 3-21-44. Tables I, II, III, and IV amended by Am. 15, effective 5-8-44]

SEC. 7.3a *Distribution of packaged distilled spirits or wine.* (a) Any corporation, unincorporated association, company or partnership desiring to transfer or distribute packaged distilled spirits or wine (in the form of warehouse receipts or otherwise) to its shareholders, or to representatives of or a trustee for its shareholders or members, or desiring to offer its shareholders or members as a class, the right to purchase packaged distilled spirits or wine from it either directly or through a trustee or other intermediary, shall file written notice of its intention to do so with the Office of Price Administration, Washington, D. C., at least thirty days prior to the date on which such transfer, distribution or offer is to be made. The notice shall contain a description sufficient to identify for pricing purposes all packaged distilled spirits and wine to be so transferred, distributed or offered for sale, a statement showing the terms of the transfer, distribution, or offer and the classes of shareholders or members to whom it is to be made, and shall be supplemented with such additional information as the Office of Price Administration may deem necessary and request for pricing purposes in the particular case. The Administrator may, on his own motion, at any time before or after receipt of such notice, issue an order establishing maximum prices for any or all persons who may sell packaged distilled spirits or wine to be so transferred, distributed or offered.

(b) No corporation, unincorporated association, company or partnership shall deliver or permit any packaged distilled spirits or wine (in the form of warehouse receipts or otherwise) to be delivered to its shareholders or members pursuant to the proposed transfer, or distribution or purchase right until thirty days after the notice provided for under paragraph (a) of this section has been filed.

[Sec. 7.3a added by Am. 12, 9 F.R. 2240, effective 3-2-44]

[NOTE: Supplementary Order No. 106 (10 F.R. 2015) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States]

SEC. 7.4 *Use of minimum resale prices under State Fair Trade laws.* A minimum price for resale of an item by another person may be established by contract or otherwise and such minimum price may be posted or listed with a state or other public authority. However, no such minimum price shall exceed the lowest maximum price for resale of the item established under this regulation by or for any person to whom the minimum price applies.

SEC. 7.4a *Maximum prices for sellers for whom no specific provision is made.* The maximum price for any seller of distilled spirits or wine for whom no maximum price is provided in this regulation and who is otherwise unable to determine a maximum price hereunder, shall be his maximum price established by whichever of the following regulations of the Office of Price Administration is applicable: Maximum Price Regulation 193; General Maximum Price Regulation; National, Regional, or District Restaurant Maximum Price Regulations.

[Sec. 7.4a added by Am. 15, 9 F.R. 4687, effective 5-8-44. Phrase "Revised Supplementary Regulation No. 14" deleted by Am. 25, effective 6-25-45]

SEC. 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.* Any maximum price for an item established under this regulation shall, if the item is being sold to the United States or any agency thereof, be adjusted to the extent of the reduction, elimination or possible refund of any United States, state or local taxes included in figuring that maximum price.

SEC. 7.5a *Deposit charges on containers*—(a) *Deposit charge required during March 1942.* Any seller who during March 1942 customarily required a deposit charge to assure the return of containers used in shipment may continue to require such deposit charge and may from time to time adjust such deposit charge to an amount that does not unduly exceed his replacement cost of the containers at ceiling prices.

(b) *Deposit charge imposed after March 1942.* Any seller who did not require a deposit charge for containers during March 1942 and who desires to do so may institute such deposit charge and adjust the same from time to time to an amount that does not unduly exceed his replacement cost of the containers at ceiling prices.

(c) *Other requirements.* (1) No markup may be applied by any seller to the amount of the deposit charge and no seller may include the amount of such charge as an element of "net cost".

(2) Any seller who receives a deposit charge from a buyer shall refund to or credit to the account of the buyer the full amount thereof upon the return of the containers in as good condition as received (reasonable wear and tear excepted). Transportation charges, risk of loss or damage and any other expense incident to the return of such containers shall be borne by the seller.

(3) Paragraphs (a) and (b) of this section shall not apply to sales of Spanish type blending sherry, California grape concentrates and denatured rum at maximum prices established under this regulation including the cost of containers.

(4) "Containers" as used in this section means barrels, drums and other shipping receptacles having a capacity of five gallons or more and wood or fibre board packing or shipping cases irrespective of quantity content.

[Sec. 7.5a added by Am. 15, 9 F.R. 4687, effective 5-8-44]

SEC. 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.* (a) The following sections of the General Maximum Price Regulation and amendments to those sections shall apply to all sellers subject to this regulation:

§ 1499.5 *Transfers of business or stock in trade.*
§ 1499.11 *Base period records.*
§ 1499.14 *Sales slips and receipts.*

(b) [Revoked]

[Paragraph (b) amended by Am. 9, 8 F.R. 17415, effective 1-6-44, and revoked by Am. 14, 9 F.R. 105, effective 12-31-43]

SEC. 7.6a *Licensing.* The provisions of Licensing Order No. 1,[10] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation, except monopoly states. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 7.6a added by Am. 11, 9 F.R. 105, effective 12-31-43]

SEC. 7.7 *Export sales.* (a) The maximum price at which a seller may export any commodity to which this regulation applies, shall be determined in accordance with the Second Revised Maximum Export Regulation[11] and amendments thereto, or under other applicable regulations issued by the Office of Price Administration.

(b) In determining the maximum price at which a wholesaler or retailer may export a commodity to which this regulation applies, the "price at which the commodity was acquired" shall be deemed to be his net cost therefor figured according to section 5.3.

SEC. 7.7a *Compliance with other laws or regulations.* Except as expressly required by this regulation, the provisions hereof shall not operate to make lawful any act declared to be unlawful by any statute, ordinance or regulation of the Federal Government or of any state or political subdivision thereof.

[Sec. 7.7a added by Am. 15, 9 F.R. 4687, effective 5-8-44]

SEC. 7.8 *Compliance with this regulation*—(a) *No buying or selling above maximum prices.* On and after the ef-

[10] 8 F.R. 13240.
[11] 8 F.R. 4132, 5987, 7662, 9698, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9835, 11273, 12919, 14436; 10 F.R. 863, 923.

fective date of this regulation, regardless of any contract, agreement or other obligation, no person to whom this regulation applies shall sell or supply, and no person in the course of trade or business shall buy or receive, any distilled spirits, wine or service at prices higher than the maximum price applicable to such sale under this regulation, and no person shall agree, offer, solicit or attempt to do any of the foregoing. However, prices lower than the maximum price may be charged or paid.

(b) *Evasion.* The provisions of this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt, of or relating to any commodity, or service covered by this regulation, alone or in conjunction with any other commodity or service, or by way of finder's fees, brokerage, commission, service, transportation or other charge or discount, premium or other privilege; by tying agreement, combination sales, or trade understanding; by any change in style or manner of packing; by requiring the buyer to purchase packaged distilled spirits or wine on a per drink basis; or in any other way. The specific enumeration of acts constituting evasion is illustrative but not exclusive. Specifically, it shall be deemed an evasion of this regulation for a person to sell packaged wine to the bottler thereof at prices in excess of the maximum prices applicable to the sale of an equal quantity of bulk wine. However, until and including August 1, 1945, sales and deliveries of packaged wine to the bottler thereof pursuant to agreement entered into prior to March 21, 1945 may be made at prices not in excess of the maximum prices applicable to sales of the packaged wine.

[Paragraph (b) amended by Am. 15, 9 F.R. 4687, effective 5-8-44, and Am. 24, 10 F.R. 3054, effective 3-23-45]

(c) *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, and to proceedings for the suspension of licenses.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 7.8a. *Interest on advance payments.* If a seller directly or indirectly requires a buyer to make any payment in advance of delivery (whether to the seller or to another person) the seller must compensate the buyer by payment of an amount equal to interest at the rate of 5% per annum on the amount of the advance payment from the date the advance payment is made to the date on which the item is delivered or the advance payment is refunded to the buyer. The interest shall be payable on the date of delivery of the item or the date on which the advance payment is refunded. The seller may not increase his maximum price by reason of the interest payment and the buyer shall not be required to reduce his supplier's price (as an element in the computation of his net cost) by the amount of the interest received on the advance payment.

[Sec. 7.8a added by Am. 16, 9 F.R. 7708, effective 7-15-44]

SEC. 7.9 *Current records required.* Every person selling or supplying any distilled spirits, wine or service for which, upon sale by that person, maximum prices are established under this regulation shall keep, and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect:

(a) Records of the same kind that he has customarily kept relating to the prices which he charged for such of those commodities or services as he sold or offered for sale after the date on which maximum prices under this regulation for such sale became applicable.

(b) All bills, invoices, receipts and records used to determine any net cost used for the purpose of applying a mark-up under this regulation.

(c) His computations showing as precisely as possible the method and figures used to determine his maximum prices for distilled spirits or wine.

SEC. 7.9a. *Posting of consumer prices.* This section applies to persons (except monopoly states) selling to ultimate consumers. It does not apply to other sellers. Also, it does not apply to sales of a full unopened case of an item, or to the seller's prices for such sales.

(a) For each of his places of business at which he makes sales to ultimate consumers, a seller shall comply with one of the methods stated in this section for notifying them that the prices he charges do not exceed his maximum prices. In each place of business, the same method shall be used for all sales to that class of purchasers. Within ten days after December 21, 1944, the seller shall report in writing the method he uses for each of his places of business to the District Office of the Office of Price Administration having jurisdiction over the territory in which the place of business is located. After the seller has reported a method he uses, he may not use a different method until after reporting the proposed change in a like manner.

(b) Any Regional Administrator of the Office of Price Administration may, by order, require the use of a particular method stated in this section by the sellers in one or more states in the region. Any District Director of the Office of Price Administration, if authorized by order of his Regional Administrator, shall have and may exercise like authority with respect to the sellers within his district.

METHOD NO. 1—MARKING EACH ITEM

When or before delivering an item to an ultimate consumer, the seller shall mark on it in plainly visible letters and figures:

(1) His selling price for the item to ultimate consumers (exclusive of retail sales taxes), and

(2) A statement that the price is his maximum price or less for the item (exclusive of retail sales tax), and

(3) Either his name and address, or if the number of his license or permit to sell ultimate consumers distinguishes it from all others issued by the same authority, the number of that license or permit, and

(4) The words:

"OPA price $____ (insert selling price exclusive of retail sales taxes)" followed by the information required by (3) above, shall be compliance with this method.

METHOD NO. 2—FURNISHING SALES SLIPS OR RECEIPTS

When or before delivering an item to an ultimate consumer, the seller shall hand the purchaser a sales slip or receipt stating in plainly visible letters and figures:

(1) The seller's name and address, and

(2) The date of sale

(3) The brand name, package size and number of packages of the item sold the purchaser

(4) The price per package (exclusive of retail sales tax) charged by the seller for the item.

In at least one place readily visible to ultimate consumers making purchases in his place of business, a seller complying with this method shall post and maintain a legible sign reading as follows:

Prices charged in this store to consumers are our OPA ceiling prices or less (exclusive of retail sales tax).

METHOD NO. 3—PRICE POSTING

The seller shall either:

(a) Exhibit, in at least one place readily visible to ultimate consumers making purchases in his place of business, a list stating in legible letters and figures:

(1) Each item he has for sale to ultimate consumers

(2) His selling price per package to them for each item listed (exclusive of retail sales tax)

(3) That those selling prices are his ceiling prices or less for sales to consumers (exclusive of retail sales tax).

(b) Exhibit his selling price or his maximum price (exclusive of retail sales tax) for each item he has for sale to ultimate consumers, in plainly visible figures on the shelf, bin, rack or other holder of the item, and in at least one place readily visible to ultimate consumers making purchases in his place of business, post and maintain a legible sign reading as follows:

Prices posted in this store are our OPA ceiling prices or less to consumers (exclusive of retail sales tax).

SEC. 7.9b. *Sales slips and receipts.* Upon request any seller regardless of whether he has adopted consumer price posting methods 1 or 3 set forth in section 7.9a shall give a purchaser a sales slip or receipt stating the date of purchase, name and address of the seller, a description sufficient to identify each item sold, and the price received for it.

[Secs. 7.9a and 7.9b added by Am. 20, 9 F.R. 14817, effective 12-21-44]

SEC. 7.10 *Petitions for amendment.* Any person seeking an amendment to this regulation of general applicability may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[#] issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (9 F.R. 10628) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619, 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 7.11 *Adjustable pricing in certain instances.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending on petition for amendment, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The permission may be given by letter addressed to the applicant, signed by the Price Administrator or by any official of the Office of Price Administration to whom authority to grant such permission has been delegated.

[Sec. 7.11 amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

SEC. 7.12 *Definitions.*

NOTE: References in definitions to Regulation No. 4 or to Regulation No. 5 are respectively references to Regulation No. 4 (as now or hereafter amended) relating to the labeling and Advertising of Wine, and to Regulation No. 5 (as now or hereafter amended) relating to the Labeling and Advertising of Distilled Spirits, issued under the provisions of the Federal Alcohol Administration Act, as amended.

(a) *Definitions of commodities and terms descriptive thereof.* (1) "Distilled spirits" means (i) the commodities included in classes 1 to 7 inclusive of Article II to Regulation No. 5 (neutral spirits, whiskey, brandy, gin, rum, cordials and liqueurs and imitations); and (ii) prepared cocktails, prepared highballs vodka, bottled egg nog containing distilled spirits, tequilla, distilled spirits produced in or imported from Cuba or Mexico made from cane products and flavored with aromatics, and all prepared alcoholic beverage commodities covered by Article III of Regulation No. 5; and (iii) commodities containing more than 24 percent alcohol by volume but otherwise within the definition of wine.

"Distilled spirits" when used without specific reference to that commodity in packages or in bulk, means both packaged and bulk distilled spirits, and when used without specific reference to that commodity as imported or domestic, means both imported and domestic distilled spirits.

[Subparagraph (1) amended by Am. 9, 8 F.R. 174[illegible] effective 1-6-44 and Am. 15, 9 F.R. 4687 effective 5-8-44]

(2) "Imported distilled spirits" means distilled spirits or high wines produced outside of and introduced into continental United States.

[Subparagraph (2) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

(3) "Domestic distilled spirits" means distilled spirits produced within continental United States.

(4) "Wine" means: (i) The commodity defined as such in sections 610 and 617 of the Revenue Act of 1918 as amended; and

(ii) Other commodities not so defined, but made in the manner of wine. "Wine" includes (but is not limited to) sparkling and carbonated wine, wine made from condensed grape must, wine made from the juice of sound, ripe grapes, from berries, fruits or other agricultural products, imitation wine, compounds sold as wine, vermouth, cider, perry and sake, in each instance only if containing not less than 7 percent and not more than 24 percent alcohol by volume. "Wine" when used without specific reference to that commodity in packages or in bulk, means both packaged and bulk wine, and when used without specific reference to that commodity as imported or domestic, means both imported and domestic wine.

(5) "Imported wine" means wine produced outside of and introduced into continental United States.

(6) "Domestic wine" means wine produced within continental United States.

(7) "Cuban gin" means a commodity included in Class 3 of Article II of Regulation No. 5 and produced in the Republic of Cuba.

(8) "Mexican gin" means a commodity included in Class 3 of Article II of Regulation No. 5 and produced in the Republic of Mexico.

(9) "Cordials and liqueurs" means the commodities included in Class 6 of Article II of Regulation No. 5. "Crystallized cordials and liqueurs" means cordials and liqueurs containing crystallized sugar.

[Subparagraph (9) amended by Am. 23, 10 F.R. 2877, effective 3-20-45]

(10) "Specialties" means all beverage distilled spirits except those defined in classes 1 to 5 inclusive and 7 of Article II of Regulation No. 5, and except vodka, tequilla and distilled spirits imported from Cuba or Mexico made from cane products and flavored with aromatics.

[Subparagraph (10) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

(11) "Bulk" or "in bulk" when used with reference to distilled spirits means that commodity in containers having a capacity in excess of one wine gallon. "Bulk" or "in bulk" when used with reference to wine means that commodity in containers having a capacity of five wine gallons or more.

(12) "Packaged" or "in packages" when used with reference to distilled spirits means that commodity in containers having a capacity of one wine gallon or less. "Packaged" or "in packages" when used with reference to wine means that commodity in containers having a capacity of less than 5 wine gallons.

[Subparagraphs (11) and (12) amended by Am. 3, 8 F.R. 13500, effective 10-7-43]

(13) "Bottled domestically" means bottled within continental United States.

(14) "Wine based cordials and other rectified wines" means those commodities made wholly from wine with added aromatics or other flavoring materials.

[Subparagraph (14) added by Am. 1, 8 F.R. 11851, effective 8-25-43]

(15) "Whiskey" means the commodities included in Class 2 of Article II of Regulation No. 5.

(16) (i) "Brandy" or "commercial brandy" means brandy produced from grapes in accordance with section 3036 of the Internal Revenue Code, and barreled for aging. "Brandy" or "commercial brandy" does not include neutral spirits produced from grapes, or neutral brandy produced from grapes, as defined in Regulation No. 5.

[Above text designated (i); and (ii) through (vii) added by Am. 23, 10 F.R. 2877, effective 3-20-45]

(ii) "Rectified brandy" means brandy produced from grapes upon which payment of Federal Rectification tax is required pursuant to applicable regulations of the Bureau of Internal Revenue.

(iii) "Unrectified brandy" means brandy produced from grapes upon which payment of Federal Rectification tax is not required.

(iv) "Fruit brandy" means a commodity included in Class 4 (a) of Article II of Regulation No. 5.

(v) "Unrectified fruit brandy" means fruit brandy upon which payment of Federal Rectification tax is not required.

(vi) "Dried fruit brandy" means a commodity included in Class 4 (c) of Article II of Regulation No. 5.

(vii) "Unrectified dried fruit brandy" means dried fruit brandy upon which payment of Federal Rectification tax is not required.

(17) "Grape spirits" means wine spirits (except commercial brandy) produced from grapes in accordance with section 3036 of the Internal Revenue Code and includes the following when made from grapes: spirits-fruit, spirits-fruit processed, neutral brandy, high proof and high wines.

(18) "Neutral brandy" means spirits otherwise conforming to the definition of brandy, distilled on or after July 1, 1941 at more than 170° proof.

(19) "Spirits-fruit" means spirits distilled from any fruit or fruit waste, refuse, pomace or other fruit substance at or above 190° proof, whether or not such proof is subsequently reduced, and includes "spirits-fruit processed". "Spirits-fruit processed" means spirits distilled from any fruit, fruit waste, refuse, pomace or other fruit substance at less than 190° proof and so distilled or treated in the process of distillation, or refined by other processes after distillation, as to lack the taste, aroma, and other characteristics of brandy or fruit brandy.

[Subparagraphs (15) through (19) added by Am. 3, 8 F.R. 13500, effective 10-7-43]

(20) "High proof" and "high wines" made from grapes, fruits or berries shall for the purposes of this regulation be

[#] 9 F.R. 10476, 13715.

deemed "spirits—fruit processed" as defined in (19) above.

[Subparagraph (20) added by Am. 3, 8 F.R. 13500, effective 10-7-43, and amended by Am. 9, 8 F.R. 17415, effective 1-6-44]

(21) "California grape wine" means grape wine produced in the State of California from grapes grown in California.

(22) "Grape wine" means grape wine produced in accordance with sections 3032, 3036, and 3044 of the Internal Revenue Code.

(23) "Dessert wine" means grape wine having an alcohol content in excess of 14 percent by volume but not in excess of 21 percent by volume to which wine spirits have been added in accordance with section 3032 of the Internal Revenue Code. Dessert wine shall also include finished grape wine (except Spanish type blending sherry) having an alcohol content in excess of 21 percent by volume but not in excess of 24 percent by volume and otherwise conforming to the definition thereof. Dessert wine also includes Vermouth and flavored wines which, except for flavoring material, conform to the definition thereof.

(24) "Table wine" means grape wine other than dessert wine. Except where otherwise stated, the term "table wine" includes sparkling, carbonated and flavored wines which, except for effervescence or flavoring material, otherwise conform to the definition thereof.

(25) "Sparkling wine" means grape wine rendered effervescent by secondary fermentation of the wine in a closed container, tank or bottle.

(26) "Carbonated wine" means grape wine rendered effervescent otherwise than by secondary fermentation in a closed container, tank or bottle.

(27) "Vermouth" means the flavored dessert wine defined in section 21, Class 7 of Regulation No. 4.

(28) "Flavored wine" means table wine or dessert wine to which aromatics and other flavoring materials have been added.

(29) "Berry wine" means any wine produced exclusively from berries (other than grapes) in accordance with sections 3032 and 3044 of the Internal Revenue Code, and includes high acid berry wines "made with over 35% sugar solution" within the limitations provided in section 22 (b) (5) of Regulation No. 4.

(30) "Fruit wine" means any wine produced from fruits other than grapes in accordance with sections 3032 and 3044 of the Internal Revenue Code.

(31) "Mixed wine" means wine made from grapes and berries, whether or not the wine is produced from a mixture of the separate material ingredients or from a mixture of the resulting wines.

(32) "Red table wine" means table wine which contains the red coloring matter of the skins, juice, or pulp of grapes.

(33) "White table wine" means table wine which does not contain the red coloring matter of the skins, juice or pulp or grapes, and also includes vin-rosé and other pink table wine.

(34) "Lees" means solids deposited from wine during storage.

(35) "Lees wine" means dessert wine or table wine containing a substantial proportion of lees.

(36) "Spanish type blending sherry" means dessert wine having concentrated sherry characteristics and a minimum total solids content of 16° Balling and a minimum alcohol content of over 19 percent by volume.

(37) "Light sweet wine" means table wine with a total solids content of not less than 7° Balling, and shall also include table wines, baked in such manner as to have substantial sherry characteristics.

(38) "Concentrates" means boiled or condensed grape must concentrated to a minimum of 55° Balling and a maximum of 80° Balling.

[Subparagraphs (21) through (38) added by Am. 3, 8 F.R. 13500, effective 10-7-43]

(39) "Standard wine" means wine of that description produced in accordance with Bureau of Internal Revenue circular AT 686.

[Subparagraph (39) added by Am. 3, 8 F.R. 13500, effective 10-7-43; amended by Am. 9, 8 F.R. 17415, effective 1-6-44; Am. 19, 9 F.R. 14494, effective 12-8-44; and Am. 20, 9 F.R. 14817, effective 12-21-44]

(40) "Non-standard wine" means wine of that description produced in accordance with Bureau of Internal Revenue circular AT 686, and, for the purposes of this regulation, includes wine produced under paragraph 20 (c) of that circular which is required to be labeled "made with over 35% sugar-water solution".

(41) "Substandard wine" means wine of that description produced in accordance with Bureau of Internal Revenue circular AT 686, other than wine defined in this regulation as "non-standard wine".

[Subparagraphs (40) and (41) added by Am. 3, 8 F.R. 13500, effective 10-7-43; and amended by Am. 20, 9 F.R. 14817, effective 12-21-44]

(42) "Cuban rum" means a commodity included in Class 5 of Article II of Regulation No. 5 and produced in the Republic of Cuba.

[Subparagraph (42) added by Am. 4, 8 F.R. 13845, effective 10-13-43]

(43) "Mexican tequilla" means distilled spirits distilled from the Mezcal plant (a variety of the maguey) and produced in the Republic of Mexico.

[Subparagraph (43) added by Am. 5, 8 F.R. 14016, effective 10-19-43]

(44) "Neutral spirits" means distilled spirits distilled from any material at or above 190° proof, whether or not such proof is subsequently reduced. During the period of the unlimited national emergency proclaimed by the President on May 27, 1941, the term neutral spirits shall also include any spirits distilled at less than 190° proof, which are so distilled, or so treated in the process of distillation, or so refined by other processes after distillation, as to lack the taste, aroma and other characteristics of whiskey, brandy, rum or other potable beverage spirits. However, the term "neutral spirits" as used in this regulation does not include "domestic grape spirits", "neutral brandy", "spirits—fruit", "spirits—fruit processed" or "high proof and domestic high wines made from grapes, fruits, or berries". The term "neutral spirits" does not include "domestic high wines (manufactured from cane or grain)" as defined in (48) below.

[Subparagraph (44) amended by Am. 15, 9 F.R. 4687, effective 5-8-44]

(45) "Domestic whiskey containing malt whiskey" means whiskey produced in the continental United States which contains any proportion of imported or domestic malt whiskey or rye malt whiskey: *Provided*, That the label or labels show that malt whiskey or rye malt whiskey is a component part.

(46) "Malt whiskey" means whiskey produced in the continental United States by distillation from a fermented mash of grain of which not less than 51% of the grain is malted barley; also imported malt whiskey produced in conformity with the laws of the country from which it is imported.

(47) "Rye malt whiskey" means whiskey produced in the continental United States by distillation from a fermented mash of grain of which not less than 51% of the grain is malted rye; also imported rye malt whiskey produced in conformity with the laws of the country from which it is imported.

(48) "Domestic high wines (manufactured from cane or grain)" means distilled spirits distilled from any material at or above 100° proof and less than 190° proof, manufactured prior to October 8, 1942, and used as a substitute for neutral spirits in accordance with the provisions of paragraph (a) (3) of Appendix G to Article III of this regulation.

[Subparagraph (48) amended by Am. 15, effective 5-8-44]

[Subparagraphs (44) through (48) added by Am. 9, 8 F.R. 17415, effective 1-6-44]

(49) "Cuban whiskey" means a commodity included in class 2 of Article II of Regulation No. 5, and produced in the Republic of Cuba.

(50) "Mexican whiskey" means a commodity included in class 2 of Article II of Regulation 5, and produced in the Republic of Mexico.

[Subparagraphs (49) and (50) added by Am. 10, 8 F.R. 16928, effective 12-16-43]

(51) "Domestic gin" means gin (either distilled or compound) as defined in Article II, Class 3 of Regulation No. 5 produced within the continental United States.

(52) "Domestic vodka" means vodka as defined under the terms of Article III, section 34, of Regulation No. 5, so labeled, and produced within the continental United States.

[Subparagraphs (51) and (52) added by Am. 17, 9 F.R. 9505, effective 8-1-44]

(53) "Puerto Rican Rum" means a commodity included in Class 5 of Article III of Regulation No. 5 and produced in Puerto Rico.

(54) "Vegetable neutral spirits" means "neutral spirits" as defined in subparagraph (44) of this section, produced from vegetables.

[Subparagraphs (53) and (54) added by Am. 25, effective 6-25-45]

(b) *Definitions of persons to whom this regulation refers.* (1) "Importer" means any person who is the first consignee within the continental United States of a commodity being imported for resale, holding an importer's permit issued under the provisions of the Federal Alcohol Administration Act. However, a monopoly State shall be deemed an importer with respect to those items of which it is the first consignee within the continental United States irrespective of whether it holds an importer's permit.

[Subparagraph (1) amended by Am. 16, 9 F.R. 7708, effective 7-15-44]

(2) "Processor" means any person who

(i) Produces or blends distilled spirits or wine, or who is a packer of bulk wine, including but not limited to) a distiller, rectifier, vintner or packer or who

(ii) Bottles or causes to be bottled under any brand name distilled spirits or wines belonging to him, or who

[Subparagraph (ii) amended by Am. 16, 9 F.R. 7708, effective 7-15-44]

(iii) Causes distilled spirits or wine belonging to him to be bottled or blended for his account under his own brand name, or who

(iv) Bottles or causes to be bottled for his account distilled spirits or wine he has purchased under a license contract.

[Subparagraph (2) amended by Am. 2, 8 F.R. 13496, effective 10-7-43, and Am. 3, 8 F.R. 13500, effective 10-7-43]

(3) "Wholesaler" means any person (except a monopoly state or primary distributing agent) engaged in the business of buying and selling distilled spirits and or wine without changing the form thereof, primarily to persons other than consumers, but who, when licensed and permitted by applicable state or local statute or ordinance to so do, may also sell such distilled spirits or wine to consumers.

[Subparagraph (3) amended by Am. 9, 8 F.R. 17415, effective 1-6-44]

(4) "Open-state wholesaler" means a wholesaler doing business in a state other than a monopoly state.

(5) "Primary distributing agent" means any person (except a monopoly state) engaged in the business of acting as agent for an importer or processor in the sale of an item to wholesalers or monopoly states within a specified territory.

(6) "Retailer" means any person (except a wholesaler, monopoly state or a primary distributing agent) engaged in the business of buying and selling distilled spirits and/or wine without changing the form thereof, to consumers. A sale to an "on-premise licensee" shall be deemed a sale to a retailer.

(7) "On-premise license" means a person licensed by statute, ordinance or regulation, or otherwise legally authorized to sell distilled spirits or wine for consumption on the licensed premises either as a straight or mixed drink. For his sales subject to this regulation made by an "on premise licensee" he shall be deemed a retailer.

(8) "Monopoly state" means any one of the following states of the United States, or the appropriate Alcoholic Beverage Board, Department or Commission thereof:

Alabama	Ohio
Idaho	Oregon
Iowa	Pennsylvania
Maine	Utah
Michigan	Vermont
Montana	Virginia
New Hampshire	Washington
North Carolina (except as to wine)	West Virginia
	Wyoming

[Subparagraphs (6), (7) and (8) amended by Am. 15, 9 F.R. 4667, effective 5-8-44]

(9) "Consumer" means any person (except an industrial or institutional user or the United States or any agency thereof) purchasing distilled spirits and or wine for consumption and not for resale.

(10) "Industrial user" means any person who

(i) Subjects distilled spirits or wine to a process resulting in the production of a different commodity having a distinctive name, character and use; or

(ii) Who uses distilled spirits or wine as an ingredient or component part of such different commodity; or

(iii) Who uses distilled spirits or wine to place another commodity in a condition for sale or delivery.

(11) "Institutional user" means any hospital, home or other similar institution which uses distilled spirits or wine in connection with its care of the sick, aged or infirm.

(12) "Customary type of supplier" means a person determined as follows:

(i) *For wholesalers.* A wholesaler's customary type of supplier for an item shall be:

(*a*) The importer, processor, or a primary distributing agent thereof;

(*b*) A monopoly state, if the wholesaler is required by statute to make any of his purchases of the item from such monopoly state.

(ii) *For retailers.* A retailer's customary type of supplier for an item shall be:

(*a*) A wholesaler, or the importer, processor or a primary distributing agent thereof;

(*b*) A monopoly state, if the retailer is required by statute to make any purchases of the item from such monopoly state.

(iii) *For monopoly states.* A monopoly state's customary type of supplier for an item shall be:

(*a*) The importer, processor or a primary distributing agent thereof;

(*b*) A wholesaler if, but only if, the item is not customarily sold or offered for sale to the monopoly state by the importer, processor or a primary distributing agent thereof, and all purchases of the item made by the monopoly state during the 12 months immediately preceding the date on which its maximum price is being determined have been made from a wholesaler.

(iv) *For primary distributing agents.* A primary distributing agent's customary type of supplier for an item shall be the importer or processor thereof.

(13) "Bottler" means any person located anywhere in the continental United States who packages distilled spirits in containers of one gallon or less each, or wine in containers of less than 5 gallons each.

(14) "Packer" means any person other than a vintner who sells or repacks bulk wine in containers of 5 gallons or more capacity. A packer may also be a bottler.

(15) "Vintner" means any person who produces wine in a Federal bonded winery in accordance with the provisions of the Internal Revenue Code.

(16) "Winery" means a bonded winery established in accordance with the provisions of the Internal Revenue Code.

(17) "Processor's premises" means a processing plant, including bottling, warehousing, storage and other facilities adjacent thereto, from which shipment of distilled spirits, wine, related products, or other commodities covered by this regulation, is made. No amount may be added to any maximum price established under this regulation to cover the cost of handling those commodities between parts of a processor's premises, or for expense of hauling, drayage or handling within the metropolitan area of a processor's premises.

If a processor has an established practice of invoicing distilled spirits, wines, related products or the other commodities covered by this regulation, from a shipping point or basing point in part of the State in which one or more of his processing premises are located, such shipping point or basing point may be deemed the processor's premises if he follows a uniform practice in that respect.

(18) "Dealer" means any person other than the processor, who buys and sells a commodity to which sections 2.4 or 4.6 (h) apply without substantially changing its form, and who maintains a warehouse for storage and handling of the commodity.

[Subparagraphs (13) through (18) added by Am. 3, 8 F.R. 13500, effective 10-7-43]

(c) *Definitions of terms used in identification of items.* (1) "United States labeling laws and regulations" means Regulations Nos. 4 or 5 as applicable.

(2) "Label" means label or labels required by United States labelling laws and regulations.

(3) "Container size" means the particular weight or unit in which distilled spirits or wine is sold to a consumer in accordance with regulations of the Federal Alcohol Administration.

(4) "Formula" means:

(i) *For whiskey.* The following matters applicable thereto: proof, age by percentages, whiskey and neutral spirits content by percentages respectively, and type designation in accordance with standards of identity for classes thereof listed in Regulation No. 5.

(ii) *For gin, brandy, rum, cordials and liqueurs, imitations and specialties.* The following matters applicable thereto: proof and type designation in accordance with standards of identity for classes thereof listed in Regulation No. 5. Further, with respect to brandy and rum, a statement of the age thereof when stated

either as a straight or mixed drink. For

the importer or processor thereof.

statement of the age thereof when stated

on the label, and with respect to cordials, liqueurs and specialties, a statement of the ingredients thereof as submitted to the Bureau of Internal Revenue.

(5) "Type designation" means the type and subtype of wine and distilled spirits as described in classifications thereof in Article II of Regulations Nos. 4 or 5 respectively.

(6) "Age" means the age stated on the label of distilled spirits or wine.

(7) "Vintage" means the year or season in which grapes used in the production of wine were grown.

(8) "Proof" means the proof stated on the label of distilled spirits. Distilled spirits of 100° proof are distilled spirits containing 50% alcohol by volume at a temperature of 60° Fahrenheit.

(9) "Alcohol content" means the percent of alcohol by volume stated on the label of wine, or on the label of distilled spirits not containing a statement of proof.

(10) "'Ingredients" means the flavoring and aromatic materials used in the production of gin, vermouth, cordials, liqueurs, flavored brandies, specialties and other alcoholic beverages made by the addition of commodities not inherent in distillation or fermentation thereof, according to the statement thereof submitted to the Bureau of Internal Revenue.

(d) *Definitions of terms used in connection with transportation.* (1) "Port of embarkation" means the place outside continental United States from which distilled spirits or wine to be imported are shipped by water to the United States.

(2) "Port of arrival" or "point of arrival" means the place in continental United States where imported distilled spirits or imported wine first come into custody of United States customs.

(3) "Port of entry" means the place where imported distilled spirits or imported wine are located when released by United States customs officials after payment of customs duties and excise taxes.

(4) "Inland freight", "transportation charges" or "charges for transporting" mean lawful freight charges for movement by common or contract carrier. Such charges shall include any applicable Federal tax on transportation of commodities now or hereafter imposed, and unless otherwise provided, shall be figured at the lowest available rate. Where the seller uses his own vehicle, such charges shall be figured at the lowest rate for transportation over the same distance by common or contract carrier, exclusive of Federal tax.

(5) "Metropolitan area" of a particular place means the territory within the same municipality and the territory adjacent thereto within the same marketing area.

(6) "Naked f. o. b. processor's premises" with reference to a price means that price at such place exclusive of the cost of containers, and any applicable United States, state and local excise taxes and California state marketing order assessment.

(7) "Carload quantity" or "carload" includes truck loads and tank truck loads in the appropriate instances, and means a quantity of the particular commodity (in bulk or in packages as the case may be) having a weight equal to or in excess of the minimum weight required by common or contract carrier for shipment in that form at carload, truck load or tank truck rates respectively.

(8) "March 1942 freight base zone" means the receiving points, warehouses and stores from which the monopoly state during March 1942 delivered distilled spirits and wines, and any other points within the same state from which it elects to and does make such deliveries.

[Subparagraphs (6) through (8) added by Am. 3, 8 F.R. 13500, effective 10-7-43]

(e) *Definitions of miscellaneous terms.* (1) "Sales in bond" means a sale of distilled spirits or wine located in a United States bonded warehouse, made prior to payment of United States customs duties and excise taxes applicable thereto.

(2) "Sales tax paid" means a sale of distilled spirits or wine for which applicable United States customs duties and excise taxes have been paid.

(3) "Official offer" means an offer by an importer, processor, primary distributing agent or wholesaler to supply an item to a monopoly state, by the terms of which deliveries are to commence within 60 days from date of acceptance.

(4) "Stock on hand" with reference to an item, means the amount thereof to which the person holds title, irrespective of location.

(5) "Strip stamps" means stamps affixed to individual containers of distilled spirits in accordance with section 2803 of the Internal Revenue Code of the United States.

(6) "Gauge" means the weight, proof, number of wine gallons, number of proof gallons, or any one or more thereof, as determined by an official United States customs gauger.

(7) "Regauge" means a gauge made after the first gauge within continental United States.

(8) "OPA price" means the seller's maximum price determined under this regulation for a sale to a purchaser of the particular class, or an amount less than that price.

(9) "License contract" means a written contract for the sale of domestic bulk distilled spirits or wine which authorizes the purchaser to bottle or to have bottled for him, and to sell such distilled spirits or wine under a trade mark or brand name owned by the seller of the bulk commodity.

[Subparagraph (9) added by Am. 2, 8 F.R. 13496, effective 10-7-43]

(10) "Gallon" or "wine gallon" when used in this regulation without qualifying adjective or phrase means a standard U. S. wine gallon of 231 cubic inches, at 68° Fahrenheit (20° Centigrade).

(11) "Warehouse receipt" means the warehouse receipt for bulk domestic distilled spirits provided for in section 3 of Regulation No. 3 issued by the Federal Alcohol Administration relating to Bulk Sales and Bottling of Distilled Spirits.

[Subparagraphs (10) and (11) added by Am. 3, 8 F.R. 13500, effective 10-7-43]

(f) Unless the context otherwise requires, definitions contained in § 1499.20 (c), (h), (i), (j), (k), (m), (o), (p), (r), and (s) of the General Maximum Price Regulation shall apply to the same or corresponding terms used herein, and the definitions contained in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 7.13 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and to the District of Columbia.

Effective date. This regulation shall become effective August 14, 1943. [MPR 445 originally issued August 9, 1943.]

[NOTE: Effective dates of amendments are shown in notes following the parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, I find that the issuance of this amendment [Am. 25] insofar as it relates to monopoly states is necessary to correct a gross inequity and hereby authorize its issuance.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10845; Filed, June 20, 1945; 11:42 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 452,[1] Amdt. 9]

MANUFACTURERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 452 is amended in the following respects:

The effective date provision of Amendment 7 to Maximum Price Regulation 452 is amended to read as follows:

This amendment shall become effective June 2, 1945, except as to section 7 (a) it shall become effective August 1, 1945.

This amendment shall become effective June 18, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10729; Filed, June 18, 1945; 5:11 p. m.]

[1] 9 F.R. 3301, 8814, 12038; 10 F.R. 6238, 6796.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1, Amdt. 102]

WOOL SKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2.11 (b) is amended to read as follows:

(b) Wool skins whether domestic or foreign except those commonly known as "coarse wools" originating in the Union of South Africa, which are subject to section 3.11 of Supplementary Regulation 14E. The term wool skins means the untanned skins of sheep or lambs with the wool still on and does not include shearlings or wool skins sold for use as furs.

This amendment shall become effective June 25, 1945.

Issued this 20th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10844; Filed, June 20, 1945; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14E, Amdt. 4]

CERTAIN IMPORTED HAIR SHEEPSKINS AND COARSE WOOLSKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. In section 3.2 (b) the last sentence is amended by changing the period at the end thereof to a comma and by adding thereafter the words "or certain imported raw hair sheepskins or coarse woolskins subject to section 3.11 of this regulation."

2. Section 3.11 is added to read as follows:

SEC. 3.11 *Certain imported hair sheepskins and coarse woolskins.* This section establishes maximum prices for all purchases for importation into the continental United States and for all sales after arrival in the continental United States of woolskins commonly known as coarse wools, originating in the Union of South Africa and hair sheepskins originating in the Union of South Africa, Brazil, Nigeria and the Red Sea Area except hair sheepskins originating in Addis Ababa, Djibouti and Djeddah.

The term "hair sheepskins" means untanned skins of sheep which possess a type of coarse wool, generally referred to as hair, and which skins can be converted into extremely fine-grained leather especially suitable for the manufacture of gloves.

(a) *Maximum prices for the importation of hair sheepskins and coarse wool skins—(1) Skins originating in the Union of South Africa.* The maximum prices which may be paid by any purchaser for hair sheepskins or coarse wool skins originating in the Union of South Africa to be imported into the continental United States through a shipper's agent located in the continental United States are the prices set forth in tables 1 to 7, below, plus the amounts actually paid for marine and war risk insurance and duty, if any: *Provided*, That such shipper's agent has previously filed with the Leather, Fur and Fibers Branch, Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C., a signed statement that he has an agreement with his shipper pursuant to which he is to receive a minimum commission of 2½% on all sales of such skins: *Provided further*, That the shipper's invoice or similar document furnished by the shipper contains a statement thereon to the effect that the named shipper's agent is to receive a commission of at least 2½% on the c. and f. invoice price. In all other cases, the maximum prices which may be paid by any purchaser for such skins to be imported into the continental United States are the prices set forth in tables 1 to 7 below, reduced by 2½%, plus the amounts actually paid for marine and war risk insurance and duty, if any.

TABLE 1—MAITLAND AND DISTRICT ABATTOIR HAIR SHEEP SKINS

Grade	Selection	Minimum average weight (in pounds) per dozen skins	Type	Price per dozen skins, c. & f. U. S. port of entry
Large	Prime	48	Western Province Glovers	$16.30
			Persians	14.30
			Long Haired Glovers or Woollies	14.30
Large	Seconds and cuts	44	Western Province Glovers	13.50
			Persians	11.30
			Long Haired Glovers or Woollies	11.30
Medium	Prime	34	Western Province Glovers	13.20
			Persians	12.20
			Long Haired Glovers or Woollies	12.20
Medium	Seconds and cuts	32	Western Province Glovers	10.70
			Persians	9.70
			Long Haired Glovers or Woollies	9.70
Light medium	Prime	29	Western Province Glovers	10.20
			Persians	10.20
Light medium	Seconds and cuts	27	Western Province Glovers	8.15
			Persians	8.15
Lambs	Prime	24	Western Province Glovers	7.65
			Persians	7.65
Lambs	Seconds and cuts	22	Western Province Glovers	5.15
			Persians	5.15

Each grade, selection and type is to be separately packed and invoiced.

Minimum average weights shall apply overall to the entire shipment of a grade and selection: *Provided*, That it conforms to the specifications set forth below. Otherwise they shall apply to each type separately.

Specifications

Large to contain a minimum of 65% Western Province Glovers and 5% Persians and a maximum of 20% Woollies.

Medium to contain a minimum of 40% Western Province Glovers and 35% Persians and a maximum of 15% Woollies.

Light medium and *lambs* to conform solely to selection and weight specifications.

TABLE 2—CAPETOWN AND MOSSEL BAY COUNTRY BUTCHER HAIR SHEEP SKINS

Grade	Selection	Minimum average weight (in pounds) per dozen skins	Type	Price per dozen skins, c. & f. U. S. port of entry
Large	Prime	44	Western Province Glovers	$15.50
			Persians	13.30
			Woollies	13.30
Large	Seconds and cuts	40	Western Province Glovers	12.25
			Persians	10.25
			Woollies	10.25
Medium	Prime	32	Western Province Glovers	12.20
			Persians	11.20
			Woollies	11.20
Medium	Seconds and cuts	30	Western Province Glovers	9.70
			Persians	8.70
			Woollies	8.70
Light medium	Prime	26	Western Province Glovers	9.15
			Persians	8.15
Light medium	Seconds and cuts	24	Western Province Glovers	7.15
			Persians	7.15
Lambs	Primes	22	Western Province Glovers	7.15
			Persians	7.15
Lambs	Seconds and cuts	20	Western Province Glovers	4.75
			Persians	4.65
All	Prime damage	28	Western Province Glovers	4.80
			Persians	4.80
			Woollies	4.80

Each grade, selection and type is to be separately packed and invoiced.

Minimum average weights shall apply overall to the entire shipment of a grade and selection: *Provided*, That it conforms to the specifications set forth below. Otherwise they shall apply to each type separately.

Specifications

Large to contain a minimum of 55% Western Province Glovers and 15% Persians and a maximum of 20% Woollies.

Medium to contain a minimum of 35% Western Province Glovers and 45% Persians and a maximum of 15% Woollies.

Light medium and *lambs* to conform solely to selection and weight specifications.

Specifications

Large to contain a minimum of 30% Western Province Glovers and 45% Persians and a maximum of 15% Woollies.
Medium to contain a minimum of 20% Western Province Glovers and 60% Persians and a maximum of 10% Woollies.
Light medium, lambs and *prime damage* to conform solely to selection and weight specifications.

TABLE 5—JOHANNESBURG, ABATTOIR HAIR SHEEP SKINS

Grade	Selection	Minimum average weight (in pounds) per dozen skins	Type	Price per dozen skins, c. & f., U. S. port of entry
Large	Prime	4	Western Province Glovers	$15.30
			Persians	13.50
			Woollies	11.25
Large	Seconds and cuts	40	Western Province Glovers	12.75
			Persians	11.25
			Woollies	10.50
Medium	Prime	32	Western Province Glovers	11.25
			Persians	10.50
			Woollies	9.75
Medium	Seconds and cuts	30	Western Province Glovers	9.75
			Persians	9.00
			Woollies	8.25
Light medium	Prime	26	Western Province Glovers	9.15
			Persians	8.40
Light medium	Seconds and cuts	24	Persians	7.65
Lambs	Prime	24	Persians	6.45
Lambs	Seconds and cuts	22	Western Province Glovers	4.15
			Persians	3.90

Specifications

Large to contain a minimum of 35% Western Province Glovers and 35% Persians and a maximum of 20% Woollies.
Medium to contain a minimum of 10% Western Province Glovers and 60% Persians and a maximum of 15% Woollies.
Light medium to conform solely to selection and weight specifications.

TABLE 6—JOHANNESBURG HAND FLESHED ABATTOIR HAIR SHEEP SKINS

Grade	Selection	Minimum average weight (in pounds) per dozen skins	Type	Price per dozen skins, c. & f., U. S. port of entry
Large	Prime	39	Western Province Glovers	$15.75
			Persians	13.95
			Woollies	12.15
Large	Seconds and cuts	37	Western Province Glovers	13.05
			Persians	12.15
			Woollies	11.70
Medium	Prime	28	Western Province Glovers	11.70
			Persians	10.95
			Woollies	9.90
Medium	Seconds and cuts	26	Western Province Glovers	10.05
			Persians	9.45
			Woollies	8.55
Light medium	Prime	24	Western Province Glovers	9.45
			Persians	8.55
Light medium	Seconds and cuts	24	Persians	7.65
			Woollies	6.75

Each grade, selection and type is to be separately packed and invoiced.

Minimum average weights shall apply overall to the entire shipment of a grade and selection: *Provided*, That it conforms to the specifications set forth below. Otherwise they shall apply to each type separately.

TABLE 7—CAPETOWN, MOSSEL BAY, PORT ELIZABETH, EAST LONDON, DURBAN AND JOHANNESBURG COARSE WOOLS (EXCLUDING CROSSBREDS)

Grade	Selection	Minimum average weight (in pounds) per dozen skins	Type	Price in cents per pound, c. & f., U. S. port of entry
Long	Prime	65	Maitland Abattoirs	18½
Long	Seconds and cuts	60		15½
Short	Prime	45		16½
Short	Seconds and cuts	40		14
Lambs	Sound	35		16
Long	Prime	60	Capetown and Mossel Bay Country Butchers	16½
Long	Seconds and cuts	55		14
Short	Prime	40		14½
Short	Seconds and cuts	36		12½
Lambs	Sound	32		14½
Long	Prime	70	Johannesburg Abattoir	16½
Long	Seconds and cuts	55		14
Short	Prime	40		14½
Short	Seconds and cuts	36		12½
Lambs	Sound	32		14½
Long	Prime	60	Port Elizabeth, East London, and Durban Abattoir.	16½
Long	Seconds and cuts	55		14
Short	Prime	40		14½
Short	Seconds and cuts	36		12½
Lambs	Sound	32		14½
Long	Prime	55	Algoa Bay, East London, and Durban Country Butchers.	14½
Long	Seconds and cuts	50		12½
Short	Prime	36		13½
Short	Seconds and cuts	35		10½
Lambs	Sound	32		12½

Each grade, selection and type is to be separately packed and invoiced.

(2) *Skins originating in Brazil, Nigeria, and the Red Sea Area.* The maximum prices which may be paid by any purchaser for hair sheepskins originating in Brazil, Nigeria and the Red Sea Area to be imported into the continental United States are the prices set forth in tables 8 to 12, below, plus the amounts actually paid for marine and war risk insurance and duty, if any. These prices shall include shippers' agent's commissions, if any.

TABLE 8—BRAZIL CABRETTAS

[Prices per dozen skins, c. & f., U. S. port of entry]

Type	Grade		
	Specials	Regular firsts	Seconds or covers
Cearas	$11.50	$10.00	$5.00
Pernambucos, Natal Parahybas	11.25	9.75	4.875
Petra-Bello, Fernambuco			
Bayas	11.00	9.50	4.75
Seridos, Indias	10.00	8.50	4.25

Specifications

Specials to have minimum average weight of 90 Kilograms per 100 skins.
Regular firsts to have minimum average weight of 65 Kilograms per 100 skins for Ceara Mossoro skins and 68 Kilograms per 100 skins of all other types.

TABLE 9—NIGERIAN SHEEPSKINS

[Prices in cents per pound, c. & f., U. S. port of entry]

Type	Grade		
	Firsts	Seconds	Thirds
Kanos	38	33	28
Sokotos	43	38	33
Maidugaris ("Northerns")	35	30	25

Specifications

Minimum average weight of 21 lbs. per dozen skins for Kanos and 20 lbs. per dozen skins for Sokotos and Maidugaris.

TABLE 10—SUDAN HAIR SHEEPSKINS

[Price per dozen skins, c. & f., U. S. port of entry]

GRADE			
Heavies	Mediums	Lights	Friezing
$14	$12	$10	$16.75

Specifications

Selections:	*Average weight in pounds per dozen trimmed skins*
Heavy	48 to 52.
Medium	38 to 42.
Lights	30 to 34.
Friezing	68 to 72.

On untrimmed skins average weights to be at least 15% more than above weights.

TABLE 11—BLACKHEAD SHEEPSKINS (BERBERAS)

[Price in cents per pound, c. & f., U. S. port of entry]

Type	Grades		
	Primes	Seconds	Thirds
Blackhead Berberas	70	60½	50½
Blackhead Zelias	60	40	30
Blackhead Obias	52	35	18

TABLE 12—WHITEHEAD SHEEPSKINS (HODEIDAHS)

[Prices in cents per pound, c. & f., U. S. port of entry]

GRADES

Primes	Seconds	Thirds
40	20	10

Each grade, selection and type is to be separately packed and invoiced.

Minimum average weights shall apply overall to the entire shipment of a grade and selection: *Provided*, That it conforms to the specifications set forth below. Otherwise they shall apply to each type separately.

Specifications

Large to contain a minimum of 35% Western Province Glovers and 35% Persians and a maximum of 20% Woollies.
Medium to contain a minimum of 10% Western Province Glovers and 60% Persians and a maximum of 15% Woollies.
Light medium to conform solely to selection and weight specifications.

Specifications

Regulars to have minimum weight of 140 lbs. per 100 skins and minimum average weight of 165 lbs. per 100 skins.
Heavies to be prime skins and have minimum weight of 210 lbs. per 100 skins.

(b) *Maximum prices for the re-sale of hair sheepskins and coarse wool skins*—(1) *Skins originating in the Union of South Africa.* The maximum price, f. o. b. seller's shipping point, for the resale after arrival in the United States of hair sheepskins and coarse wool skins originating in the Union of South Africa shall be the applicable price enumerated in tables 1 to 7 above, plus the amounts actually paid for marine and war risk insurance and duty, if any: *Provided*, That where the importer has purchased the skins for his own account, financed their importation, guaranteed quality and selection and assumed the credit risk, such maximum price may be increased by an amount equal to 3% of such price exclusive of marine and war risk insurance and duty paid, if any. In no event, however, may more than one such markup be added.

(2) *Skins originating in Brazil, Nigeria and the Red Sea Area.* The maximum price, f. o. b. seller's shipping point, for the resale after arrival in the United States of hair sheepskins originating in Brazil, Nigeria and the Red Sea Area shall be the applicable price enumerated in tables 8 to 12 above, plus the amounts actually paid for marine and war risk insurance and duty, if any: *Provided*, That where the importer has purchased the skins for his own account, financed the importation, guaranteed selection and quality, and assumed the credit risk, such maximum price may be increased by an amount equal to 4% of such price exclusive of marine and war risk insurance and duty paid, if any. In no event, however, may more than one such markup be added.

(c) *Maximum prices for imported raw hair sheepskins and coarse wool skins which cannot be priced under paragraphs (a) or (b).* The maximum price for imported hair sheepskins and coarse wool skins subject to this section 3.11 for which a maximum price cannot be determined in accordance with either paragraph (a) or (b), above, shall be a price in line with the level of maximum prices established by this section 3.11 and shall be established by an order issued by the Office of Price Administration.

Any person who seeks to establish a maximum price in accordance with this paragraph (c) shall file with the Leather, Fur and Fibers Branch, Consumer Goods Price Division, Office of Price Administration, Washington, 25, D. C., an application setting forth: (1) a description in detail of the skins including type, weight, grades and selections; (2) a statement of the reasons why such skins cannot be priced under paragraphs (a) or (b); (3) the most nearly comparable skins enumerated in paragraphs (a) or (b) and a statement of the characteristics which differentiate such skins from the skins for which a maximum price is sought; (4) the maximum price requested. No person shall buy, sell or deliver any imported hair sheepskins or coarse wool skins subject to this section 3.11 (c) un-

til maximum prices therefor have been established by the Office of Price Administration.

(d) *Invoices.* Every seller shall, in connection with each sale subject to this section, furnish to the purchaser within 5 days from the date of shipment an invoice or similar document setting forth in addition to the terms of sale and the information required by paragraph (a) above, the following information: (1) the names and addresses of the seller and the purchaser; (2) the date of the invoice; (3) the date on which the sale or contract of sale was made; (4) the types, weights, grades and selections (including percentages) of skins included in the shipment, and the price charged for each weight, grade and selection; (5) the amounts actually paid for marine and war risk insurance and duty, if any; (6) the markup, if any.

(e) *Records.* Every seller shall keep a duplicate copy of the invoice or similar document delivered, and every purchaser in the course of trade or business shall keep the invoice or similar document received, in connection with every sale or purchase of imported hair sheep-skins or coarse wool skins subject to this section 3.11. Such records shall be made available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

This amendment shall become effective June 25, 1945.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10843; Filed, June 20, 1945; 11:41 a. m.]

PART 1469—COMMODITIES AND SERVICES

[SR 14J, Amdt. 7]

INSECTICIDE SPRAYERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Supplementary Regulation 14J is amended in the following respect:

Section 2.1 (b) is amended to read as follows:

(b) *Maximum prices for resale of insecticide sprayers manufactured by H. D. Hudson Manufacturing Company, Chicago, Illinois.* For sales by the Gulf Oil Corporation or Gulf Refining Company, herein called "Gulf", of the following insecticide sprayers manufactured by H. D. Hudson Manufacturing Company, Chicago, Illinois, either separately or as part of the sale of assorted specialties, and for sales by jobbers to retailers and by all persons selling at retail, the maximum prices are as follows:

	Master fog #101 ND	Capital #107	Cardinal #135	Handy #100	Misty #102
		Each			
For sales by Gulf to retailers	$3.90 doz.	$2.10	$11.60 doz.	$2.85 doz.	$1.90 doz.
In less than 1/2 gross lots	$4.71 doz.	2.60	$11.02 doz.	$2.71 doz.	$1.71 doz.
In lots of 1/2 gross to 1 gross	$4.51 doz.	1.89	$10.44 doz.	$2.57 doz.	$1.61 doz.
In lots of 1 gross and less than 2 gross	$4.42 doz.	1.79	$9.86 doz.	$2.42 doz.	$1.42 doz.
In lots of 2 gross and less than 5 gross	$4.12 doz.	1.68	$9.28 doz.	$2.28 doz.	$1.12 doz.
In lots of 5 gross and over					
For sales by Gulf to jobbers. Minimum sale of 1 gross	$3.12 doz.	1.68	$9.28 doz.	$2.28 doz.	$1.12 doz.
For sales by jobbers to retailers	$3.90 doz.	2.10	$11.60 doz.	$2.85 doz.	$1.90 doz.
For sales at retail	$0.45 each	2.55	$1.30 each	$0.35 each	$0.15 each.

This amendment shall become effective June 25, 1945.

Issued this 20th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10842; Filed, June 20, 1945; 11:41 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 425,[1] Amdt. 14]

FRESH FRUITS, BERRIES AND VEGETABLES FOR PROCESSING

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 4 the first item in the table is amended to read as follows:

Strawberries (Ettersburg, Redheart, Corvallis) stemmed	17

This amendment shall become effective 12:01 a. m. June 20, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 16, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I approve the above prices for Ettersburg, Corvallis and Redheart strawberries and find that they are necessary in order to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10817; Filed, June 19, 1945; 4:33 p. m.]

[1] 8 F.R. 9309, 9879, 12632, 12952, 14154, 15674, 16293, 9 F.R. 7505, 7830, 7330, 7858, 8188, 10264, 12173, 13857, 14137; 10 F.R. 5045.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 113]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 15, Appendix H, paragraph (b) is amended in the following respects:

1. In Table 5 (Maximum Prices for Eggplant), footnote 5, the date "June 20, 1945" is changed to "July 15, 1945."

2. In Table 8 (Maximum Prices for Certain Berries), footnote 5, the date "June 20, 1945", is changed to "July 20, 1945."

This amendment shall become effective at 12:01 a. m. June 21, 1945.

Issued this 19th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

Approved: June 16, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10816; Filed, June 19, 1945; 4:33 p. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 5, Amdt. 1]

PART 8305—SURPLUS NON-INDUSTRIAL REAL PROPERTY

Surplus Property Board Regulation No. 5, May 21, 1945, entitled "Surplus Non-industrial Real Property" (10 F.R. 6252), is hereby amended by adding at the end of § 8305.10 (d) the following: "The disposal agency may transfer to the purchaser of surplus real property, as a part of the disposal transaction, any abstract of title which relates to the property being transferred and which is no longer needed either by the owning or the disposal agency. The terms upon which such transfer shall be made may be fixed by the disposal agency."

This amendment shall become effective June 30, 1945.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 16, 1945.

[F. R. Doc. 45-10823; Filed, June 20, 1945; 10:36 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

BRIDGES AT LAKE CHAMPLAIN, N. Y. AND VT.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the following regulations are prescribed to govern the operation of the drawspans of the Vermont State Highway Department bridges across Alburg Passage and Missisquoi Bay, Lake Champlain, at South Alburg and East Alburg, Vermont, respectively.

§ 203.197 *Lake Champlain, N. Y. and Vt.; bridges where constant attendance of draw tenders is not required.* (a) The owners of or agencies controlling the bridges listed below will not be required to keep draw tenders in constant attendance.

(b) Whenever a vessel unable to pass under a closed bridge desires to pass through the draw, advance notice, as specified, of the time the opening is required shall be given to the authorized representative of the owner of or agency controlling the bridge.

(c) Upon receipt of such advance notice the said authorized representative shall arrange for the prompt opening of the draw at the time specified in the notice for the passage vessel.

(d) The owners of or agencies controlling the bridges shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can easily be read at any time, a copy of these regulations, together with a notice stating exactly how the representative specified in paragraph (b) may be reached.

(e) The operating machinery of the draws shall be maintained in a serviceable condition, and the draws shall be opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation.

(f) The bridges to which these regulations apply, and the advance notice required in each case, are as follows:

Alburg Passage, Vt.; Vermont State Highway Department bridge at South Alburg, Vt. (At least one hour's advance notice required.)

Missisquoi Bay, Vt.; Vermont State Highway Department bridge at East Alburg, Vt. (At least twenty-four hours' advance notice required.) (Sec. 5, River and Harbor Act, Aug. 18, 1894, 28 Stat. 362, 33 U.S.C. 499) [Regs. 11 June 1945 (CE 823 (Champlain Lake-North Hero Island to Alburg Tongue-Mile 99.2)—SPEWR)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 45-10808; Filed, June 19, 1945; 2:57 p. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

ANNUAL REPORTS; AMENDMENTS TO REGULATIONS

By virtue of the authority vested in me by R. S. 4405, 4411, 4417a, as amended, 49 Stat. 1544 (46 U.S.C. 375, 380, 391a, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following regulations are rescinded:

Subchapter D—Tank Vessels

PART 31—INSPECTION AND CERTIFICATION

GENERAL INSPECTION REPORTS AND PROCEDURE

Section 31.6-1 *Annual reports of inspectors—TB ALL* is deleted.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 64—DUTIES OF INSPECTORS

Section 64.12 *Annual reports* is deleted.

Subchapter H—Great Lakes: General Rules and Regulations

PART 83—DUTIES OF INSPECTORS

Section 83.11 *Annual reports* is deleted.

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 101—DUTIES OF INSPECTORS

Section 101.11 *Annual reports* is deleted.

Subchapter J—Rivers: General Rules and Regulations

PART 120—DUTIES OF INSPECTORS

Section 120.11 *Annual reports* is deleted.

Dated: June 19, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-10841; Filed, June 20, 1945; 11:23 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 205—REPORTS

MONTHLY AND QUARTERLY REPORTS OF CLASS I MOTOR CARRIERS OF PASSENGERS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 15th day of June, A. D. 1945.

The matter of filing statistical reports of Class I motor carriers of passengers being under consideration:

It is ordered, That the order of January 13, 1944, (§§ 205.11 and 205.21 of Title 49, Code of Federal Regulations) be and it hereby is amended by striking the last sentences under §§ 205.11 and 205.21 and substituting in lieu thereof the following:

§ 205.11 *Quarterly reports of passenger revenues, expenses and statistics.* Quarterly reports shall be filed, in duplicate, in the office of the Bureau of Motor Carriers of the Interstate Commerce Commission for the district in which the carrier is domiciled within thirty days after the close of the period to which they relate. (Sec. 220, 49 Stat. 563, sec. 24, 54 Stat. 926; 49 U.S.C. 320)

§ 205.21 *Monthly reports of revenues, passengers and mileage.* Monthly reports shall be filed, in duplicate, in the office of the Bureau of Motor Carriers of the Interstate Commerce Commission for the district in which the carrier is domiciled within thirty days after the close of the period to which they relate. (Sec. 220, 49 Stat. 563, sec. 24, 54 Stat. 926; 49 U.S.C. 320)

It is further ordered, That this order shall become effective commencing with the quarterly report for the period ending June 30, 1945 and the monthly report for the month of June 1945.

And it is further ordered, That a copy of this order be served upon all Class I motor carriers of passengers subject to the act and that notice be given to the public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10839; Filed, June 20, 1945; 11:09 a. m.]

PART 205—REPORTS

QUARTERLY REPORTS OF CLASS I MOTOR CARRIERS OF PROPERTY

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 15th day of June, A. D. 1945.

The matter of filing quarterly reports by Class I motor carriers of property being under consideration:

It is ordered, That the order of December 30, 1943, (§ 205.12 of Title 49, Code of Federal Regulations, 8 F.R. 4660, 9 F.R. 2040) be and it hereby is amended by striking the last sentence and substituting in lieu thereof the following: "Quarterly reports shall be filed, in duplicate, in the office of the Bureau of Motor Carriers of the Interstate Commerce Commission for the district in which the carrier is domiciled within thirty days after the close of the period to which they relate." (Sec. 220, 49 Stat. 563, sec. 24, 54 Stat. 926; 49 U.S.C. 320)

It is further ordered, That this order shall become effective commencing with the quarterly report for the period ending June 30, 1945.

And it is further ordered, That a copy of this order be served upon all Class I motor carriers of property subject to the act and that notice be given to the public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10840; Filed, June 20, 1945; 11:09 a. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6651]

ALLOCATION OF FREQUENCIES TO VARIOUS CLASSES OF NONGOVERNMENTAL SERVICES

NOTICE OF FURTHER HEARING AND ARGUMENT ON PROPOSED ALLOCATIONS BETWEEN 44 AND 108 MEGACYCLES

In the matter of allocation of frequencies to the various classes of nongovernmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

Whereas, the Commission in its report of May 25, 1945, set forth three possible alternative allocations for the portion of the spectrum between 44 and 108 megacycles, and stated that a final decision with respect to these alternatives would be made after the conclusion of a program of experimentations and measurements to be conducted during the summer months; and

Whereas, the Commission has received several petitions requesting an immediate decision amongst the three alternatives; and

Whereas, the Commission is presently advised by the War Production Board that the manufacture of AM, FM and television transmitters and receivers may commence at an earlier date than was originally indicated to the Commission by the War Production Board and that it probably will not be possible, as was originally anticipated, for the War Production Board to give 90 days' advance notice to the Commission before production is resumed; and

Whereas, in view of the foregoing facts it is desirable that a final decision be made as soon as possible amongst the three alternative allocations proposed for the region between 44 and 108 megacycles:

Now, therefore, it is ordered, This 13th day of June, 1945, that a brief further hearing and argument be held before the Commission en banc on June 22, 1945, at 10:30 a. m., for the purpose of determining which of the three alternative allocations proposed for the portion of the spectrum between 44 and 108 megacycles should be adopted. At that time the Commission will receive any additional relevant evidence or material that may be offered concerning the best allocations for the portion of the spectrum between 44 and 108 megacycles. Interested persons are particularly requested to address themselves in their presentation to the factual data and material contained in Section 8 of Part II of the Commission's report of May 25, 1945, and to indicate with particularity in what respects, if any, they believe such data or material may be inaccurate. Persons indicating a preference for any one of the three alternatives must at the same time state the specific reasons for their preference.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-10827; Filed, June 20, 1945; 11:01 a. m.]

MARITIME WAR EMERGENCY BOARD.

[Decision 2 C]

BONUSES

The Maritime War Emergency Board today announces this decision with respect to Bonus.

ARTICLE I. *Voyage bonus, area bonus and vessel attack bonus required.* Voyage bonus, area bonus, and vessel attack bonus shall be paid under this decision to licensed and unlicensed personnel employed as regular crew members on United States flag vessels of the American Merchant Marine.

ART. II. *Voyage bonus classifications—Classification I. 100% bonus; $100 monthly minimum.* Voyage or portions of voyages while within waters in the area bounded on the north by 60° north latitude; on the east by the 180th meridian; on the south by 13° south latitude; and on the west by 80° east longitude to its intersection with the coast of continental Asia and thence following the coast of continental Asia to its intersection with 60° north latitude.

Classification II. 66⅔% bonus; $80 monthly minimum. Voyages or portions of voyages while within all waters not included in Classifications I, III or IV.

Classification III. 33⅓% bonus; $40 monthly minimum. Voyages or portions of voyages, not included in Classification IV, while within the following waters:

A. The Pacific Ocean east of 136° west longitude.

B. The Atlantic and Arctic Oceans west of a line following 12° west longitude to its intersection with the northwest coast of Africa, thence following the northwest and west coast of Africa to its intersection with 18° east longitude, and thence following 18° east longitude.

Classification IV. No bonus. Voyages or portions of voyages while within inland waters of the Western Hemisphere. For this purpose the Western Hemisphere is defined to include North America (except Alaska west of 126° west longitude and the Aleutian Islands), Central America, South America, the Hawaiian Islands, and all islands within the areas described in Classification III.

The following waters are classified as inland waters of the Western Hemisphere:

A. The inland passage to Alaska defined as follows:

i. Waters to the eastward of a line drawn from Cape Flattery, Washington, to Pachena Point Lighthouse, Vancouver Island, and all waters to the northward and eastward of Vancouver Island.

ii. Waters to the eastward of a line drawn from Cape Scott, Vancouver Island, to Cape St. James, Queen Charlotte Islands, including the waters of Queen Charlotte Islands (Hecate Strait).

iii. Waters to the eastward of a line drawn from Cape Know, Queen Charlotte Islands, to Cape Muzon, Dall Island (Dixon Entrance).

iv. Waters to the eastward of a coastal line drawn from Cape Muzon to Cape Bartolome and thence to Cape Ommaney, and Cape Edgecumb at the entrance to Sitka Sound.

v. Waters to the eastward of a coastal line drawn from Cape Edgecumb to Cape Spencer, the entrance to Cross Sound.

B. Hudson Bay, Hudson Strait, Ungava Bay and Frobisher Bay, west of a line from North Foreland on Loks Island to Black Bluff on Resolution Island and west of a line drawn from Acadia Cove on Resolution Island to Cape Chidley.

C. Puget Sound east of a line drawn in the Strait of Juan de Fuca from Cape Flattery, Washington, to Pachena Point, Vancouver Island.

D. The St. Lawrence River west of Father Point.

E. The Panama Canal.

F. The Strait of Magellan, defined as follows:

(a) *Atlantic boundary line.* A line running in a southerly and easterly direction from Direction Hill (Cerro Direccion) on the northern shore of the First Narrows to Anegada Point located on the southern shore of the First Narrows.

(b) *Pacific boundary line.* A line running in a northerly and easterly direction from Felix Bay Light Tower located on an island in Felix Bay off the southwesterly shore of Sea Reach (Paso Del Mar), to the Fairway Island Light Pyramid located on the west side of the largest Fairway Island.

G. The Great Lakes; and inland waters, harbors, rivers, sounds, bays and gulfs of the United States as defined in "Rules & Regulations, series No. 16, Bureau of Marine Inspection & Navigation, Department of Commerce, Pilot Rules for certain inland waters of the Atlantic and Pacific Coasts and the Coast of the Gulf of Mexico" dated May 28, 1940.

H. Ports or other inland waters of the Western Hemisphere, either as specifically defined in this Classification or as may be defined from time to time by the Maritime War Emergency Board.

ART. III. *Amount of voyage bonus.* Voyage bonus shall be based on transit of areas of risk and computed as follows:

A. Voyage bonus shall be computed on basic and special emergency wages, excluding overtime, penalty time and other extra compensation.

B. Voyage bonus equal to 100% of wages shall be paid for voyages in Classification I, but not in any case less than $100 per month or a proportionate sum for a part thereof.

C. Voyage bonus equal to 66⅔% of wages shall be paid for voyages or portions of voyages in Classification II, but not in any case less than $80 per month or a proportionate sum for a part thereof.

D. Voyage bonus equal to 33⅓% of wages shall be paid for voyages or portions of voyages in Classification III, but not in any case less than $40 per month or a proportionate sum for a part thereof.

E. No voyage bonus shall be paid for voyages or portions of voyages in Classification IV.

ART. IV. *Time when voyage bonus payments start and stop.* A. Voyage bonus payments shall become effective at midnight prior to the day during which the vessel departs from waters included in Classification IV and enters the high seas.

B. Voyage bonus payments shall cease at midnight of the day during which the vessel departs from the high seas and enters waters included in Classification IV.

C. Changes in voyage bonus rates between Classifications I, II and III during a voyage or part of a voyage while on the high seas are effective as of midnight prior to the day during which the vessel crosses the line demarking the new classification.

ART. V. *Area and vessel attack bonus—A. Area bonus.* In addition to voyage bonus payable under Article II, III and IV, area bonus at the rate of $5.00 per day shall be payable to each crew member of a vessel within the area specified in Classification I of Article II, including periods during which the vessel is in port or at an anchorage. Area bonus shall commence as of midnight prior to the day during which the vessel enters the area and shall cease at midnight of the day during which the vessel departs from the area.

B. *Vessel attack bonus.* In addition to voyage and area bonus, vessel attack bonus of $125 shall be payable to each crew member of a vessel (1) which is destroyed or substantially damaged as a result of enemy attack or (2) on which any person is killed or seriously injured as a result of enemy attack or (3) which is otherwise subjected to extreme and immediate danger of destruction as a result of enemy attack or other direct war hazard. Vessel attack bonus shall be payable whether the vessel is within or without the area specified in paragraph A above, and whether the vessel is in a port or at an anchorage or on the high seas. Only one vessel attack bonus shall be payable in the course of any passage of the vessel between ports or anchorages. A passage between ports or anchorages shall be deemed to commence at the time the vessel departs from a port or anchorage and to end at the time the vessel departs from its next port or anchorage. Shifts in berth shall not be deemed passages between anchorages.

ART. VI. *Periods during which voyage, area and vessel attack bonus payable.* A. *During ordinary course of voyage.* Voyage, area and vessel attack bonus shall be payable to a regular crew member of the vessel on which he is employed during the course of his employment aboard such vessel.

B. *When bonus payable after separation from vessel and during repatriation.* (1) If a crew member is separated from his vessel as the result of a peril described in Article 3, as amended, of the form of insurance policy attached to Decision 1A, bonus continues payable to such crew member until midnight of the day on which he reaches a port.

(2) If a crew member is repatriated to the United States after separation from his vessel as a result of either:

(a) A peril referred to in paragraph (1) above, or

(b) Illness or injury incurred in the service of his vessel and not occasioned by his wilful misconduct,

bonus shall be payable to such crew member during his repatriation from midnight of the day prior to which the vessel or other conveyance on which he is being repatriated departs until midnight of the day of arrival of such vessel or other conveyance at a continental United States port.

C. *When bonus not payable after separation from vessel.* (1) Bonus shall not be payable while a crew member is on land after separation from his vessel.

(2) Bonus shall not be payable during the period that a crew member is detained either by capture by an enemy of the United States or by internment.

(3) Bonus shall not be payable to a crew member:

(a) After voluntary termination of his employment aboard his vessel for a reason other than one set forth in paragraph B (2),

(b) After desertion or discharge from his employment aboard his vessel,

(c) After a crew member accepts employment on another vessel for a purpose other than to be repatriated,

(d) After a crew member refuses without good cause to be repatriated to the United States.

(4) A crew member repatriated after occurrence of an event specified in subparagraph (3) of this paragraph C is not entitled to bonus from his original vessel during repatriation. If such crew member signs on as a replacement in the crew of the repatriating vessel, he shall be entitled to bonus from the repatriating vessel. If such crew member signs on as a workaway on the repatriating vessel, he shall not be entitled to bonus from the repatriating vessel.

D. *No double bonus.* If a crew member signs on the vessel on which he is being repatriated, either as a crew member or workaway on such repatriating vessel, he shall not be entitld to bonus from such vessel in addition to bonus payable under paragraph B of this Article VI.

E. *Death of a crew member.* Bonus shall not be payable for any period after death of a crew member.

ART. VII. *Effective date.* This decision shall be effective at 12:01 a. m. July 15, 1945, as to all vessels whether at sea or in port. The provisions of this decision shall not be retroactive.

ART. VIII. *Repeal.* Decision 2B, and all Amendments thereto, previously issued by the Maritime War Emergency Board, are repealed as of the effective date of this Decision, except as to any voyage, area and vessel attack bonus payable for any period prior to 12:01 a. m. of July 15, 1945.

Dated: June 15, 1945.

MARITIME WAR EMERGENCY BOARD,
EDWARD MACAULEY,
Chairman.
JOHN R. STEELMAN.
FRANK P. GRAHAM.

[F. R. Doc. 45-10826; Filed, June 20, 1945; 9:49 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Supp. Vesting Order 4942]

ATAKA & CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 58, dated July 23, 1942, that Ataka & Co., Ltd., a New York corporation, is a business enterprise within the United States which is a national of a designated enemy country (Japan) and that Ataka & Co., Ltd., Osaka, Japan, is a national of a designated enemy country (Japan);

2. Finding that Ataka & Co., Ltd., a New York corporation, and or Ataka & Co., Ltd., Osaka, Japan, are the owners of the sum of $100,000 in a blocked account with the National City Bank of New York entitled, "Ataka & Co., Ltd., New York, for the account of Ataka & Co., Ltd., New York, and or Ataka & Co., Ltd., Osaka, Japan, as their interests may appear," and the sum of $74,000 in a blocked account with the National City Bank of New York entitled, "Ataka & Co., Ltd." which is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

and determining:

3. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Prop-

for such garments during March 18, 1945, the ceiling price for sales at retail and sales at wholesale of the garments listed in paragraph (a) shall be as follows:

(b) *Ceiling prices for sales at retail and sales at wholesale.* (1) On and after June

Lot No.	Type of garment	Ceiling prices			
		Sale at wholesale (per dozen) [1]	Sale at retail (per garment) [2]		
			By group I retail seller	By group II retail seller	
			Bought from Blue Bell, Inc.	Bought at wholesale	
		Col. 1	Col. 2	Col. 3	Col. 4
				Body Material	Yardage
					For the
201	Worksuit	$25.51	2.55	2.70	70
202	do	34.74	3.47	3.68	95
203	do	35.15	3.51	3.72	95
204	do	24.33	2.43	2.58	70
205	do	28.47	2.84	3.01	80
206	do	27.05	2.70	2.86	75
207	do	27.38	2.73	2.90	75
208	do	27.71	2.77	2.93	75
209	do	27.07	2.70	2.86	75
210	do	26.71	2.67	2.83	75
211	do	26.36	2.63	2.79	75
212	do	25.42	2.54	2.69	70
213	do	28.12	2.81	2.98	75
214	do	30.03	3.00	3.18	80
215	do	30.03	3.00	3.18	80
216	do	30.03	3.00	3.18	80
217	do	30.03	3.00	3.18	80
218	do	29.63	2.96	3.14	80
219	do	30.03	3.00	3.18	80
220	Dungaree	10.73	1.07	1.13	30
221	do	11.48	1.15	1.22	30
222	do	12.42	1.24	1.31	30
223	do	13.34	1.33	1.41	35
224HV	Bib overall	18.13	1.81	1.92	45
225HV	do	19.25	1.92	2.04	45
226	Work pant	19.10	1.91	2.02	45
227	do	17.46	1.75	1.85	45
228	Work shirt	17.93	1.79	1.90	45
229	do	13.04	1.30	1.38	35

[1] The wholesale ceiling prices in the Mountain and Pacific region (as defined in Instruction 4 to the tables in Appendix C of Revised Maximum Price Regulation 208) are the following amounts less than the ceiling prices listed in this column: Worksuits, 25¢ per dozen; Bib overalls, 25¢ per dozen; Dungarees, 4¢ per garment; Shirts, 3¢ per garment; Pants, 5¢ per garment. (2) If the retailer in the Mountain and Pacific region is not entitled to the appropriate ceiling price, Worksuits, 5¢ per garment; Bib overalls, 6¢ per garment; Dungarees, 1¢ per garment; Shirts, 1¢ per garment; Pants, 1¢ per garment; Bib overalls, 6¢ per garment; Work pants, 5¢ per garment; Work shirts, 4¢ per garment; Pants, 5¢ per garment.

NOTICE OF ADJUSTED CEILING PRICES

The Office of Price Administration has adjusted our ceiling prices on certain garments of staple work clothing pursuant to the provisions of Order No. 40, issued under section 5.9 (b) of Revised Maximum Price Regulation 208. In Column A below you will find our adjusted ceiling prices for these garments.

Under this order the Office of Price Administration has established specific ceilings for sales at retail of these garments. Your ceiling prices will be found in Column B or Column C, depending on whether you are a Group I retail seller or a Group II retail seller.[1]

[1] Blue Bell, Inc. may transmit separate lists to Group I and II Retail Sellers. In the one only the ceiling price applicable to that particular group is set forth. In such case the other should be omitted.

(2) The maximum prices for sales at wholesale set forth in subparagraph (1) are for first quality garments only. The maximum price for "second" or "imperfect" shall be the maximum price listed in subparagraph (1), less the percentage discount customarily allowed by Blue Bell, Inc., for such garments during March 1942.

(c) *Notice which Blue Bell, Inc. must send to retailers.* (1) On or after June 18, 1945, Blue Bell, Inc., shall transmit to each retailer to whom it makes delivery of any of the garments listed in paragraph (a) of this order, the following notice:

OFFICE OF PRICE ADMINISTRATION.
[EMPR 208, Order 40]
BLUE BELL, INC.
ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 5.9 (b) of Revised Maximum Price Regulation 208, It is ordered:

(a) *Ceiling prices for sales by Blue Bell, Inc.* (1) On and after June 18, 1945, Blue Bell, Inc., 93 Worth Street, New York, New York, may sell and deliver, and any person may buy and receive from it, the following designated items of staple work clothing at prices not in excess of the following adjusted ceiling prices:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5
Lot No.	Type of Garment	Body Material	Yardage	Adjusted Ceiling Price
			For the	
201	Worksuit	2.20 oz. hickory stripe denim	70	$25.51
202	do	3 lb. 2.75 oz. sanf. blue twill	95	34.74
203	do	3 oz. sanf. coladuck covert	95	35.15
204	do	2.05 oz. sanf. Herringbone twill	70	24.33
205	do	2.07 sanf. hickory stripe denim	80	28.47
206	do	2.05 oz. sanf. Beetle jaspe cloth	75	27.05
207	do	2.05 oz. sanf. Beetle jaspe cloth	75	27.38
208	do	2.30 oz. sanf. dyed suntan drill	75	27.71
209	do	2.05 oz. sanf. blue and gold denim	75	27.07
210	do	2.05 oz. sanf. white drill	75	26.71
211	do	2.10 oz. 1 drill	75	26.36
212	do	2.07 oz. sanf. herringbone drill	70	25.42
213	do	2.07 oz. sanf. hickory stripe denim	75	28.12
214	do	2.50 green H. B. drill	80	30.03
215	do	2.40 indigo denim	80	30.03
216	do	2.40 sanf. denim	80	30.03
217	do	2.20 sanf. denim	80	30.03
218	do	2.07 oz. sanf. denim	80	29.63
219	do	2.07 oz. sanf. denim	80	30.03
220	Dungaree	2.07 oz. sanf. denim	30	10.73
221	do	2.07 oz. sanf. denim	30	11.48
222	do	2.07 oz. sanf. denim	30	12.42
223	do	2.07 oz. sanf. denim	35	13.34
224HV	Bib Overall	Type IV, 8.2 oz. Army twill	45	18.13
225HV	do	28.5 oz. sanf. Pontan drill	45	19.25
226	Work Pant	Type IV, 8.2 oz. Army twill	45	19.10
227	do	2.07 oz. sanf. denim twill	45	17.46
228	Work Shirt	2.07 oz. sanf. denim	45	17.93
229	do	2.07 oz. sanf. Pontan drill	35	13.04

(2) The adjusted ceiling prices set forth in Column 5 of subparagraph (1) above shall apply only to garments bearing the lot numbers listed in Column 1, and which contain not less than the number of yards of specified body material indicated in Column 4.

(3) The adjusted ceiling prices set forth in subparagraph (1) above are subject to terms of not 20 days, and to all allowances and trade practices, including practices with regard to shipping charges, customarily used by Blue Bell, Inc., during March 1942.

(4) The adjusted ceiling prices set forth in subparagraph (1) are for first quality garments only. The maximum price for any of the listed garments which, according to Blue Bell, Inc.'s standards of grading during March 1942 would be considered an "imperfect" or "second" shall be the price listed in subparagraph (1) less the percentage discount customarily allowed by Blue Bell, Inc.

(b) *Notice to retailers.* (1) On and after June 18, 1945, Blue Bell, Inc. shall transmit to each retailer to whom it makes delivery of any of the garments listed in paragraph (a) of this order, the following notice:

NOTICE TO RETAILERS

The Office of Price Administration has adjusted our ceiling prices on certain garments of staple work clothing pursuant to the provisions of Order No. 40, issued under section 5.9 (b) of Revised Maximum Price Regulation 208. In Column A below you will find our adjusted ceiling prices for these garments. In Column B below you will find your retail ceilings for the garments.

Lot No.	Type of garment	Column A	Column B	Column C
		Blue Bell's adjusted ceiling price (per dozen)	Ceilings for group I retail sellers (per garment)	Ceilings for group II retail sellers (per garment)
201	Worksuit	$25.51	$2.85	$2.86
202	do	34.74	3.86	3.90
203	do	35.15	3.92	3.94
204	do	24.33	2.72	2.73
205	do	28.47	3.18	3.19
206	do	27.05	3.02	3.04
207	do	27.38	3.06	3.07
208	do	27.71	3.09	3.11
209	do	27.07	3.03	3.04
210	do	26.71	2.98	3.00
211	do	26.36	2.94	2.96
212	do	25.42	2.84	2.85
213	do	28.12	3.14	3.16
214	do	30.03	3.35	3.37
215	do	30.03	3.35	3.37
216	do	30.03	3.35	3.37
217	do	30.03	3.35	3.37
218	do	29.63	3.30	3.31
219	do	30.03	3.35	3.37
220	Dungaree	10.73	1.12	1.24
221	do	11.48	1.26	1.30
222	do	12.42	1.39	1.40
223	do	13.34	1.50	1.51
224HV	Bib overall	18.13	1.80	2.01
225HV	do	19.25	1.90	2.14
226	Work pant	19.10	2.24	2.24
227	do	17.46	1.95	1.95
228	Work shirt	17.93	2.00	2.02
229	do	13.04	1.46	1.47

The Office of Price Administration requires that each garment must be marked with the retail ceiling price. A garment must not be sold above the ceiling price listed above, but may be sold for less. This list must be promptly displayed to any person on request during regular business hours.

Retailers in the Mountain and Pacific region (Denver, west) may add the following amount to the appropriate ceiling price listed above.[2]

Worksuits, 8¢ per garment.
Bib Overalls, 6¢ per garment.
Dungarees, 4¢ per garment.
Shirts, 3¢ per garment.
Pants, 5¢ per garment.

(2) The maximum prices listed in the notice in subparagraph (1) are for first quality garments. On all notices which Blue Bell, Inc. sends to its customers in connection with sales or deliveries of "seconds" or "imperfects," the ceiling prices listed in the notices shall be the prices calculated in accordance with subparagraph (b) (3).

(3) The notice required to be sent by Blue Bell, Inc. to its retail customers, as provided in this paragraph (c) and containing the information applicable to the enumerated garments included in the particular shipment, shall be transmitted with or annexed to, the invoice, billing or other statement of price accompanying every shipment made directly to retailers by Blue Bell, Inc. after June 18, 1945, of any of the garments listed in paragraph (a) of this order. This notice, with respect to any garment for which Blue Bell, Inc., is permitted to adjust its ceiling price under this order, shall be sent by Blue Bell, Inc., in lieu of the notice required under section 5.1 (c) (1) of Revised Maximum Price Regulation 208.

(d) *Notice which Blue Bell, Inc. must send to wholesalers.* (1) On and after June 18, 1945, Blue Bell, Inc. shall transmit to each wholesaler, to whom it makes delivery of any of the garments listed in paragraph (a) of this order, the following notice:

NOTICE OF ADJUSTED CEILING PRICES

The Office of Price Administration has adjusted our ceiling prices on certain garments of staple work clothing pursuant to the provisions of Order No. 40, issued under section 5.9 (b) of Revised Maximum Price Regulation 208. In Column A below you will find our adjusted ceiling prices for these garments.

Under this order, the OPA has established specific ceilings for sales of these garments at wholesale. Your ceiling prices will be found in Column B. A garment must not be sold above the ceiling price listed in Column B, but may be sold for less.

Lot No.	Column A	Column B
	Blue Bell's adjusted ceiling price (per dozen)	Ceilings for sales at wholesale [1] (per dozen)
201	$25.51	$29.91
202	34.74	40.73
203	35.15	41.21
204	24.33	28.52
205	28.47	33.38
206	27.05	30.71
207	27.38	32.10
208	27.71	32.49
209	27.07	30.76
210	26.71	31.73
211	26.36	31.31
212	25.42	30.06
213	28.12	32.96
214	30.03	35.21
215	30.03	35.21
216	30.03	35.21
217	30.03	35.21
218	29.63	33.56
219	30.03	33.56
220	10.73	12.67
221	11.48	13.55
222	12.42	14.66
223	13.34	15.75
224HV	18.13	20.74
225HV	19.25	22.03
226	19.10	24.37
227	17.46	20.30
228	17.93	21.09
229	13.04	15.34

Please note that as a wholesaler, you are required by the Office of Price Administration to transmit to each retailer to whom you deliver any of the garments listed above on or after June 18, 1945, a notice in the following form, listing the garments being delivered by you to the retailer. This notice is to be transmitted with, or annexed to, the invoice, billing, or other statement of price accompanying every shipment made by you to your retail customers of the garments shipped to you by us.

NOTICE TO RETAILERS

The Office of Price Administration, pursuant to Order No. 40, issued under section 5.9 (b) of Revised Maximum Price Regulation 208, has permitted us to adjust our ceiling prices on the following garments, sold and delivered by us to you on or after June 18, 1945. In Column A below you will find our adjusted ceiling prices for these garments; in Column B below you will find your retail ceilings for the garments.

Lot No.	Column A	Column B
	Our adjusted wholesale ceiling price (per dozen) [1]	Your retail ceiling price as set by the OPA (per garment) [2]
201	$29.91	$3.53
202	40.73	4.81
203	41.21	4.86
204	28.52	3.37
205	33.38	3.94
206	31.71	3.74
207	32.10	3.79
208	32.49	3.84
209	30.76	4.20
210	31.73	3.75
211	31.31	3.70
212	30.06	3.65
213	32.96	3.24
214	35.21	3.93
215	35.21	4.25
216	35.21	4.16
217	35.21	4.16
218	33.56	3.96
219	33.56	3.96
220	12.67	1.49
221	13.55	1.58
222	14.66	1.71
223	15.75	1.84
224HV	20.74	2.30
225HV	22.03	2.45
226	24.37	2.73
227	20.30	2.37
228	21.09	2.50
229	15.34	1.82

[1] The prices in this list are applicable to sales by a wholesaler in the East and Central region. Blue Bell, Inc., shall, on notices transmitted to wholesalers in the Mountain and Pacific region, list the ceilings for sales at wholesale in that region. These prices will be found in paragraph (b) of this order.

[2] The prices in this list are for deliveries by a wholesaler located in the East and Central region. Blue Bell Inc., shall, on notices transmitted to wholesalers in the Mountain and Pacific region, list the ceilings for wholesalers in that region, and the corresponding ceilings for retailers buying from such wholesalers. These prices will be found in paragraph (b).

The Office of Price Administration requires that each garment must be marked with the retail ceiling price. A garment must not be sold above the ceiling price listed above, but may be sold for less. This list must be promptly displayed to any person on request during regular business hours.

(2) The maximum prices listed in the notice in subparagraph (1) are for first quality garments. On all notices which Blue Bell, Inc. sends to its customers in connection with sales or deliveries of "seconds" or "imperfects," the ceiling prices listed in the notices shall be the prices calculated in accordance with subparagraph (b) (3).

(3) The notice required to be sent by Blue Bell, Inc. to its wholesalers, as provided in subparagraph (1) above, and containing the information applicable to the styles of garments included in the particular shipment, shall be transmitted with, or be annexed to, the invoice, billing or other statement of price accompanying every shipment made by

[2] Blue Bell, Inc., may list, in separate columns, the ceiling prices for the two geographical regions (East and Central, Mountain and Pacific) or transmit separate notices to each of the two geographical regions. In either case, this paragraph should be omitted.

Blue Bell, Inc. of any of the garments listed in paragraph (a) of this order. This notice, with respect to any garment for which Blue Bell, Inc. is permitted an adjustment of its ceiling price under this order, shall be sent by Blue Bell, Inc. in lieu of the notice required under Section 5.1 (c) (2) of Revised Maximum Price Regulation 208.

(e) *Notice which wholesalers must send to retailers.* Any seller at wholesale, purchasing any of the listed garments from Blue Bell, Inc., shall transmit to each of its own customers, at the time of delivery of any of these garments on and after June 18, 1945, the form of "Notice to Retailers" contained in the notice required to be sent to wholesalers by Blue Bell, Inc. under paragraph (d) above. This "Notice to Retailers" shall contain the information applicable to the styles of garments included in the particular shipment and shall be transmitted with, or by annexed to, the invoice, billing, or other statement of price accompanying every shipment made by the wholesaler of any of the garments covered by this order.

(f) *Informational requirements.* In selling and delivering the garments listed in paragraph (a), all sellers must comply with all provisions of Revised Maximum Price Regulation 208, including those relating to marking, disclosure and records.

(g) All prayers of the application by Blue Bell, Inc. not granted herein are hereby denied.

(h) The definitions in Revised Maximum Price Regulation 208 shall apply to the terms used in this order.

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 18, 1945.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10736; Filed, June 18, 1945; 5:14 p. m.]

[Order 28 Under 3 (e), Amdt. 2]

McKENDRY-BRANNEN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That Order No. 38, as amended under § 1499.3 (e) of the General Maximum Price Regulation, be and hereby is amended in the following respects:

1.

	To jobbers	To retailers	To consumers
One gallon	$0.558	$0.620	$0.65
½ gallon	.572	.715	1.10
One quart	.98	1.16	1.79

All such contract sales shall be at such prices.

2. By amending paragraph (d) to read as follows:

(d) Prior to making any delivery of Sah-Bonay after the effective date of this amendment, the manufacturer shall mark or cause to be marked on each package whichever of the following legends is applicable:

Gallon size—"Maximum retail price—$1.79"

½ gallon size—"Maximum retail price—$1.10"

Quart size—"Maximum retail price—65 cents"

This amendment shall become effective June 20, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10786; Filed, June 19, 1945; 11:43 a. m.]

[MPR 120, Order 1397]

JESSE NICE ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

JESSE NICE, BOX 271, EVANSTON, WYOMING, LEZLART COAL MINE, LEZLART SEAM, MINE INDEX NO. [illegible], UINTA COUNTY, WYOMING, SUBDISTRICT 6, DEEP AND STRIP MINE

	Size group Nos.									
	1, 2, 3, 4	5, 6, 7	8	9, 10, 11	12	13	14, 15, 16	17
Truck shipment	420	420	441	294	368	294	[illegible]	315

NINE MILE COAL CO., C/O A. I. WILCOX, P. O. BOX 150, RAWLINS, WYOMING, NINE MILE MINE, UNNAMED SEAM MINE INDEX NO. 1009, CARBON COUNTY, WYOMING, SUBDISTRICT 3, DEEP MINE

Truck shipment	400	375	375	297	360	288	[illegible]	315

SWEETER SWANSON MINING CO., 709 PENNSYLVANIA AVENUE, ROCK SPRINGS, WYOMING, SWANSON MINE, UNNAMED SEAM, MINE INDEX NO. 1007, SWEETWATER COUNTY, WYOMING, S. DISTRICT 2, DEEP MINE

Truck shipment	415	420	399	294	340	310	315	315

JAMES WERTZ, BOX 68, BUFFALO, WYOMING, RED HILL MINE, NO. 1 SEAM, MINE INDEX NO. [illegible], JOHNSON COUNTY, WYOMING, S. DISTRICT 9, DEEP MINE

Truck shipment	230	230	230	227	230	225	[illegible]	315

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 19. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

This order shall become effective June 20, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9230, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10787; Filed, June 19, 1945; 11:43 a. m.]

[MPR 120, Order 1398]

GOLDSBERRY BROS. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 9. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.220 and all other provisions of Maximum Price Regulation No. 120.

GOLDSBERRY BROTHERS, C/O CARL GOLDSBERRY, RURAL ROUTE NO. 2, HENDERSON COUNTY, KY., RED SHAFT MINE, UNDESIGNATED SEAM, MINE INDEX NO. 2003, HENDERSON COUNTY, KY., SUBDISTRICT 2, DEEP MINE, MAXIMUM PRICE GROUP NO. 5, FOR RAIL SHIPMENTS AND RAILROAD FUEL, HAND-LOADED MINE

	Size group Nos.							
	1 to 6 incl.	7	8 to 12 incl.	13, 14	17 to 22 incl.	23, 24	26 to 29 incl.	15, 16	25
Rail shipments and railroad fuel	240	240	220	250	195	250	240	115	185

DE KOVES COAL CO., PRAIRIEDOG, KY., RICHLAND MINE, 12TH SEAM, MINE INDEX NO. 2003, HOPKINS COUNTY, KY., RAIL SHIPPING POINT, RICHLAND, KY., STRIP MINE, MAXIMUM PRICE GROUP NO. 3, FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel	225	216	206	236	181	236	180	131	171

INDUSTRIAL COAL CO., C/O JOHN P. MILLER, 610 DWIGHT BLDG., KANSAS CITY 6, MO., ISLAND MINE, 6TH SEAM, MINE INDEX NO. 2005, HOPKINS COUNTY, KY., RAIL SHIPPING POINT, MADISONVILLE, KY., STRIP MINE

Rail shipments and railroad fuel	225	216	206	236	181	236	180	131	171

KING COAL MINING CO., BEECH CREEK, KY., KING NO. 3 MINE, 9TH SEAM, MINE INDEX NO. 2006, MUHLENBERG COUNTY, KY., RAIL SHIPPING POINT, DRAKESBORO, KY., DEEP MINE, MAXIMUM PRICE GROUP NO. 3, FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel	225	216	206	236	181	236	180	131	171

STRUCK CONSTRUCTION CO., LOUISVILLE, KY., STRUCK MINE, NO. 9 SEAM, MINE INDEX NO. 2027, MUHLENBERG COUNTY, KY., RAIL SHIPPING POINT, SKIDO, KY., STRIP MINE, MAXIMUM PRICE GROUP NO. 3, FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel	225	216	206	236	181	236	180	131	171

Maximum Prices for Shipments by truck or wagon to all destinations for all uses from all of the foregone mines:

All Single-screened lump coals, bottom size larger than 1½" and smaller, and all double-screened raw, washed or air cleaned coals, bottom size larger than 1½" 286

All Single-screened lump coals, bottom size larger than 1¼" and smaller, and all double-screened coals, bottom size 1¼" and smaller 251

Mine Run, Unrefined mine run and mine run resultants larger than 2" 251

Slack, Unrefined mine run and mine run resultants larger than 1¼" 206

Hand Loaded Mine Maximum Prices for shipment by truck to all destinations for all uses for mine index 2003

All single-screened lump coals, bottom size larger than 1½" and all double-screened raw, washed or air cleaned coals, bottom size larger than 1½" 300

All Single-screened lump coals, bottom size 1½" and smaller, and all double-screened coals, bottom size 1¼" and smaller 265

Mine run, Unrefined mine run and mine run resultants larger than 2" 265

Screenings, Top size not exceeding 2" 225

This order shall become effective June 20, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10788; Filed, June 19, 1945; 11:44 a. m.]

[MPR 120, Order 1399]

LUXNER COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index

numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

LUXNER COAL CO., C/O ALBERT LUXNER, CHROMLEY, PA., ELDER NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 833, FAYETTE COUNTY, PA., SUBDISTRICT 2, RAIL SHIPPING POINT, DICKERSON RUN, PA., JONES MILL, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 7

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification		E	E	C	B	B	C	C	C	-----	-----
Rail shipment		319	319	319	319	309	284	284	284	274	274
Railroad fuel		319	319	319	319	309	284	284	284	269	274
Truck shipment		424	424	394	384	384	384	339	339	269	274

MAHONING VALLEY SAND CO., P. O. BOX 18, WEST PITTSBURGH, PA., NO. 5 MINE, UPPER FREEPORT SEAM, MINE INDEX NO. 4256, LAWRENCE COUNTY, PA., SUBDISTRICT 1, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Truck shipment	441	441	441	409	404	404	404	329	329	274	240

NORTH STAR COAL CO., BESSEMER BLDG., PITTSBURGH, PA., JEAN NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4255, ALLEGHENY COUNTY, PA., SUBDISTRICT 2, RAIL SHIPPING POINT, IMPERIAL, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 6

Price classification		A	A	C	C	F	D	E	E	E	-----
Rail shipment		339	339	319	319	299	299	259	259	254	-----
Railroad fuel		350	339	319	319	299	299	259	259	254	279
Truck shipment		434	434	434	434	399	399	359	359	294	279

NORTH STAR COAL CO., BESSEMER BLDG., PITTSBURGH, PA., JEAN NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4255, ALLEGHENY COUNTY, PA., SUBDISTRICT 2, RAIL SHIPPING POINT, IMPERIAL, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification		A	A	C	C	F	D	E	E	E	-----
Rail shipment		369	369	349	349	329	329	289	289	284	-----
Railroad fuel		380	369	349	349	329	329	289	289	284	284
Truck shipment		429	429	404	404	371	371	331	331	299	284

OLIVER COKE CO., C/O STEVE KOLARIK, BOX 39, OLIVER, PA., HEISLER MINE, PITTSBURGH SEAM, MINE INDEX NO. 832, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, OLIVER NO. 1, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification		E	E	C	C	H	H	C	C	C	-----
Rail shipment		349	349	349	349	339	339	314	314	314	-----
Railroad fuel		349	339	349	349	339	339	314	314	304	279
Truck shipment		429	429	399	399	389	389	359	359	304	279

P & M Coal Co., 540 29th St., Beaver Falls, Pa., P & M Mine, No. 6 Seam, Mine Index No. 4321, Beaver County, Pa., Subdistrict 1, Rail Shipping Point Koppel, Pa., Strip Mine, Railroad Fuel Price Group 10, Maximum Truck Price Group No. 4

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	B	B	B	B	B	----	------
Rail shipment	319	319	319	319	319	309	284	289	289	----	------
Railroad fuel	319	319	319	319	319	309	284	284	269	264	------
Truck shipment	424	424	424	409	384	384	384	314	274	274	264

Fred Silbol Jr., 316 Station St., Bridgeville, Pa., Silbol No. 3 Mine, Pittsburgh Seam, Mine Index No. 4295, Allegheny County, Pa., Subdistrict 7, Rail Shipping Point Oakdale, Pa., and Bridgeville, Pa., Strip Mine, Railroad Fuel Price Group 2, Maximum Truck Price Group No. 5

Price classification	C	C	C	C	F	F	F	F	F	----	------
Rail shipment	334	334	319	319	284	274	259	259	244	----	------
Railroad fuel	334	334	349	319	299	284	269	259	244	244	------
Truck shipment	434	434	434	369	369	369	369	334	294	294	279

Smith Brothers & Kestner, Box 6, Hillside, Pa., Smith No. 2 Mine, Pittsburgh Seam, Mine Index No. 4321, Westmoreland County, Pa., Sub-district 5, Rail Shipping Point Siding 3315, Pa., Strip Mine, Railroad Fuel Price Group 12, Maximum Truck Price Group No. 8

Price classification	E	E	E	E	E	C	B	B	B	----	------
Rail shipment	319	319	289	289	286	309	284	284	269	----	------
Railroad fuel	319	319	299	289	269	309	284	284	269	264	------
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

Toman Coal Co., Derry, Pa., Toman No. 2 Mine, Freeport Seam, Mine Index No. 4E6, Westmoreland County, Pa., Sub-district 5, Rail Shipping Point, Peanut, Pa., Deep Mine, Railroad Fuel Price Group 14, Maximum Truck Price Group No. 8

Price classification	F	F	E	E	E	E	E	F	F	F	----	------
Rail shipment	324	324	319	319	319	309	289	289	274	----	------
Railroad fuel	324	324	329	329	314	289	289	289	274	274	------
Truck shipment	429	429	429	409	379	379	379	319	299	299	289

Triple City Construction Co., c/o Joseph D'Angelo, 28 Ben Lomond St., Uniontown, Pa., O'Brien Mine, Pittsburgh Seam, Mine Index No. 4330, Fayette County, Pa., Subdistrict 3, Rail Shipping Point, Martin, Pa., Strip Mine, Railroad Fuel Price Group 6, Maximum Truck Price Group No. 7

Price classification	E	E	D	D	D	D	D	D	D	----	------
Rail shipment	319	319	309	309	309	299	279	279	254	----	------
Railroad fuel	319	319	309	309	309	299	279	279	254	254	------
Truck shipment	424	424	424	394	384	384	384	319	299	299	274

The maximum prices listed in this order include the increases in maximum prices where authorized by Amendment No. 147 to MPR 120 which became effective May 1, 1945.

This order shall become effective June 20, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-10789; Filed, June 19, 1945; 11:44 a. m.]

[MPR 188, Order 97 Under Order A-2]

The Central Hardware Co.

Adjustment of Maximum Prices

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188; it is ordered:

(a) *Manufacturer's maximum prices.* The Central Hardware Company of 1716 Vine Street, Philadelphia 3, Pennsylvania, may sell and deliver the articles listed below, which it manufactures and which are fully described in its application dated December 11, 1944, at prices no higher than its maximum prices in effect immediately prior to the effective date of this order plus the appropriate one of the following adjustment charges:

Article	Model No.	Adjustment charge: On sales to class 1 purchasers [1]	Adjustment charge: On sales to class 3 purchasers [1]
Compass saw	8	$0.18 per gross	
	100	$0.30 per gross	
	108	$0.07 per gross	
Plane	150	$3.71 per 100	
16" hand saw	450	$1.59 per gross	
16" hand saw	4008	$2.46 per gross	
20" hand saw	4008	$2.90 per gross	
18" hand saw	5008	$4.08 per gross	
20" hand saw	5008	$4.57 per gross	
22" hand saw	5008	$2.53 per gross	
16" hand saw	500	----------	$0.60 per gross.
18" hand saw	500	----------	$0.48 per gross.
20" hand saw	500	----------	$0.07 per gross.

[1] As defined in the manufacturer's application.

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942, on sales to the classes of purchasers specified above. Maximum prices to classes of purchasers, not specified above, are not adjusted by this order and no increase in such maximum price is authorized or permitted.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the articles for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user, except persons making sales to ultimate users, may add to his properly established maximum price for these articles in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, *Provided*, The amount of such adjustment charge has been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March, 1942, on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery to a purchaser for resale at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

Notice of OPA Adjustment

Order No. 97 under Order No. A-2 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices, in effect prior to June 19 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is stated separately on an invoice which contains this notice.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of June 1945.

Issued this 18th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-10750; Filed, June 19, 1945; 9:37 a. m.]

[MPR 188, Order 98 Under Order A-2]

Acme Stool & Novelty Co.

Adjustment of Maximum Prices

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order A-2 and pursuant to § 1499.158, both under Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Acme Stool & Novelty Co., High Point, North Carolina, may add the following additional adjustment charges to its maximum prices for sales and deliveries to the following classes of purchasers of the articles listed below which it manufactures, resulting in the following adjusted maximum prices:

For Sales to Jobbers

Article	Model No.	Maximum price	Adjustment permitted by paragraph (d) of order No. 1052	Additional adjustment permitted by this order	Total adjusted maximum price
Vanity bench	45 & 50	$1.70	$0.08	$0.32	$1.90

For Sales to Retailers

Vanity bench	45 & 50	$1.76	$0.09	$0.40	$2.25

The adjustment charges listed above may be made and collected only when each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price, (not including the permitted adjustment charge), by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all sales other than sales to ultimate consumers this additional adjustment charge may be made and collected only if separately stated on each invoice.

The adjusted price is subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles. The adjustment charge authorized in this paragraph (b) is in addition to any adjustment charge permitted for wholesalers by Order No. 1052 under Maximum Price Regulation No. 188.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining maximum adjusted prices for resales of the articles. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 19th day of June 1945.

Issued this 18th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-10751; Filed, June 19, 1945; 9:37 a. m.]

[MPR 188, Order 102 Under 2d Rev. Order A-3]

Telescope Folding Furniture Co., Inc.

Adjustment of Maximum Prices

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Telescope Folding Furniture Co., Inc., Granville, New York, may add the following adjustment charges to its maximum prices for sales and deliveries to the following classes of purchasers of the articles listed below, which it manufactures, resulting in the following adjusted maximum prices:

For Sales to Jobbers

Article	Model No.	Maximum price	Adjustment charge permitted by this order	Total adjusted maximum price
Chair	11	$0.77	$0.34	$1.11
	12	.82	.37	1.19
	16	.62	.29	.91

For Sales to Retailers

Chair	11	$0.85	$0.34	$1.19
	12	.80	.37	1.17
	16	.69	.29	.98

For Sales to Chain Retailers

Chair	17	$0.76	$0.30	$1.05
	18	.92	.34	1.26

The adjustment charges listed above may be made and collected only if each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each of the above classes of purchasers.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all sales other than sales to ultimate consumers this additional charge may be made and collected only if separately stated on each invoice.

The adjusted price is subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 19th day of June, 1945.

Issued this 18th day of June 1945.

Chester Bowles,
Administrator.

[F. R. Doc. 45-10752; Filed, June 19, 1945; 9:37 a. m.]

[MPR 188, Order 41 Under Order 1052]

Telescope Folding Furniture Co., Inc.

Adjustment of Maximum Prices

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to paragraph (b) of Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Telescope Folding Furniture Co., Inc., Granville, New York, may add the following additional adjustment charges to its maximum prices for sales and deliveries to the following classes of purchasers of the articles listed below which it manufactures, resulting in the following adjusted maximum prices:

For Sales to Jobbers

Article	Model No.	Maximum price	Adjustment permitted by paragraph (d) of order No. 1052	Additional adjustment permitted by this order	Total adjusted maximum price
Chair	779	$0.86	$0.04	$0.52	$1.42
	789	1.44	.07	.92	1.83

For Sales to Retailers

Chair	779	$0.95	$0.05	$0.52	$1.52
	789	1.60	.08	.92	2.60

The adjustment charges listed above may be made and collected only when each is separately stated on each invoice. The adjusted maximum price is subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all sales other than sales to ultimate consumers this additional adjustment charge may be made and collected only if separately stated on each invoice.

The adjusted price is subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles. The adjustment charge authorized in this paragraph (b) is in addition to any adjustment charge permitted for wholesalers by Order No. 1052 under Maximum Price Regulation No. 188.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of the order showing a price adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 19th day of June 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10743; Filed, June 19, 1945; 9:38 a. m.]

[MPR 188, Rev. Order 2209]

HOWARD WOOD SPECIALTY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2209 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of a juvenile rocker manufactured by Howard Wood Specialty Co., 1223 East Franklin, Minneapolis, Minnesota.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to factory, other than chain, who sell from their own stock	Manufacturer's maximum price to factory, other than chain, who sell from the manufacturer's stock	Maximum price for sales to retail-ers, other than chains, who sell from the manufacturer's stock
		Each	*Each*	*Each*
Juvenile rocker...	Child's rocker.	$1.40	$1.40	$1.85

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 20th day of June, 1945.

Issued this 19th day of June, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10790; Filed, June 19, 1945; 11:45 a. m.]

[MPR 188, Rev. Order 2240]

ELYRIA METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2240 under Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of two metal skillets manufactured by the Elyria Metal Products Company, P. O. Box 492, Elyria, Ohio.

(1) For all sales and deliveries to the following classes of purchaser by the sellers indicated below the maximum prices are those set forth below:

Article	Maximum price [illegible]			
	The manufacturer to other sellers for [illegible]			
	Jobbers who carry stocks	Jobbers who do not carry stock	[illegible]	[illegible]
	Each	*Each*	[illegible]	[illegible]
Metal skillet, 9-inch size, polished inside and outside	$0.580	$0.[illegible]	[illegible]	[illegible]
Metal skillet, 9-inch size, unpolished	.21	.23	[illegible]	.[illegible]

These maximum prices are for the skillet described in the manufacturer's application dated June 28, 1944 and for the unpolished skillet it is now manufacturing.

(2) For sales by the manufacturer these maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to these sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer these prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the blank properly filled in:

OPA Retail Ceiling Price.....
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of June 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10791; Filed, June 19, 1945; 11:45 a. m.]

[MPR 188, Rev. Order 3585]

IVEL CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 3585 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model No. LH 420 Bathroom Hamper manufactured by Ivel Corporation, of 211 West 61st Street, New York City 23, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

	Each
For sales by the manufacturer:	
To stocking jobbers	$3.44
To drop shipment jobbers	3.82
To retailers	4.13
For sales by persons other than the manufacturer:	
To retailers	4.13
To consumers	7.15

These maximum prices are for the articles described in the manufacturer's application dated February 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These maximum prices are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$7.15
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 19th day of June, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10744; Filed, June 19, 1945; 9:38 a. m.]

[MPR 188, Rev. Order 3643]

CALIFORNIA WOODCRAFTERS

APPROVAL OF MAXIMUM PRICES

Order No. 3643 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the 14" x 10" x 2½" cutlery tray manufactured by California Woodcrafters, of 1606 Hamilton Avenue, San Jose, Calif..

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

	Each
For sales by the manufacturer:	
To jobbers	$0.50
To retailers (1 gross or more)	.60
To retailers (less than 1 gross)	.67
For sales by persons other than the manufacturer:	
To retailers (1 gross or more)	.60
To retailers (less than 1 gross)	.67
To consumers	1.00

These maximum prices are for the articles described in the manufacturer's application dated March 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to these sales and deliveries. These maximum prices are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.00
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 19th day of June 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10745; Filed, June 19, 1945; 9:38 a. m.]

[MPR 188, Order 3971]

FLASHLIGHT CO. OF AMERICA

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Flashlight Company of America, 11-65 State Street, Jersey City 4, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum Prices for Sales By All Persons to—		
		Wholesalers	Retailers	Consumers
		Each	*Each*	*Each*
Cigarette lighter...	"Berkeley"...	$0.90	$1.20	$2.00

These maximum prices are for the articles described in the manufacturer's application dated March 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of June 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10746; Filed, June 19, 1945; 9:39 a. m.]

[MPR 188, Order 3972]

IRVING BLUMENTHAL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufacturer by Irving Blumenthal, 1348 Sutter Avenue, Brooklyn 8, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Size (in.)	Article	No.	Maximum prices for sales by all persons to— Wholesalers	Retailers	Consumers
22½	Floral decorated glazed table lamp with double ruching top trim rayon shade	B-1	*Each* $6.37	*Each* $7.50	*Each* $11.50
20½	do	B-2	7.22	8.50	15.30
22½	do	B-3	7.22	8.50	15.30
20½	do	B-4	7.22	8.50	15.30
20	High class finish table lamp with raised hand painted decorations & braid top trim rayon shade	B-5	3.10	4.00	7.20
24	High glaze finish china table lamp with floral decoration, gold handles and double ruching top trim shade	B-6	6.37	7.50	13.50
23½	Hand painted floral decorated china table lamp with double ruching top and bottom trim rayon shade	B-7	7.22	8.50	15.30
19	Polished crystal hand cut ruby hurricane table lamp	B-8	3.61	4.25	7.65
27	Polished glass table lamp with double ruching top and bottom trim rayon shade	B-9	6.13	7.25	13.01
27	Polished glass table lamp with double ruching top and bottom trim rayon shade	B-10	4.55	5.15	9.27
25	Polished glass table lamp with braid top trim rayon shade	B-11	4.67	5.50	9.90
24	Polished glass table lamp with double ruffling top trim rayon shade	B-12	4.25	5.00	9.00
27	Ruby cut hurricane glass and decorated china table lamp with 3" double ruffling top and bottom trim rayon shade	B-13	7.22	8.50	15.30

These maximum prices are for the articles described in the manufacturer's application dated February 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of June 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10747; Filed, June 19, 1945; 9:39 a. m.]

[MPR 188, Order 3973]

KINNEY ALUMINUM CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Kinney Aluminum Company, 5900 South Boyle Avenue, Los Angeles 11, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

	Large salad fork	Large salad spoon	Small salad fork	Small salad spoon
Maximum prices for sales by manufacturer to—	*Each*	*Each*	*Each*	*Each*
Agent	$0.93	$0.93	$0.70	$0.70
Jobber	1.03	1.03	.78	.78
Department store	1.29	1.29	.98	.98
Other retailer	1.43	1.43	1.08	1.08
Maximum prices for sales by sellers other than manufacturer to—				
Retailer	1.43	1.43	1.08	1.08
Consumer	2.15	2.15	1.60	1.60

These maximum prices are for the articles described in the manufacturer's application dated February 17, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices

are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in.

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of June 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10748; Filed, June 19, 1945; 9:39 a. m.]

[MPR 188, Order 3977]

OHIO VALLEY TOOL & DIE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Ohio Valley Tool & Die Company, 316 North Fourth Street, Steubenville, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—NO. 1015 DUTCH OVEN

Maximum prices for sales by manufacturer to—	*Each*
Jobber	$0.95
Department and chain store	1.19
Other retailer	1.33
Maximum prices for sales by sellers other than manufacturer to—	
Retailer	1.33
Consumer	2.00

These maximum prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.00
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of June 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10792; Filed, June 19, 1945; 11:45 a. m.]

[MPR 188, Order 3978]

R N S MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the RNS Manufacturing Company, 35 Water Street, Fitchburg, Massachusetts.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—20½ x 14 x 25 LEATHERETTE HAMPER

Maximum prices for sales by manufacturer to—	*Each*
Jobber	$4.30
Dropship jobber	4.77
Retailer	5.37
Maximum prices for sales by sellers other than the manufacturer to—	
Retailer	5.37
Consumer	8.95

These maximum prices are for the articles described in the manufacturer's application dated March 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 1% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$8.95
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of June 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 10793; Filed, June 19, 1945; 11:45 a. m.]

[MPR 188, Order 3979]

MARIETTA HOLLOW-WARE & ENAMELING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Marietta Hollow-Ware & Enameling Company, Marietta, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—		Maximum prices for sales by sellers other than manufacturer to—	
		Jobber	Retailer	Retailer	Consumer
Muslin kettle	Plain inside 2-quart	*Each* $0.63	*Each* $0.79	*Each* $0.79	*Each* $1.30
	Enameled inside 2-quart	.82	1.02	1.02	1.70

These maximum prices are for the articles described in the manufacturer's application dated April 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 1% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

OPA Retail Ceiling Price—$____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of June 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10794; Filed, June 19, 1945; 11:46 a. m.]

[MPR 188, Order 3980]

NAP SPECIALTIES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Nap Specialties Company, 595 St. Paul Street, Rochester, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller	1	*Dozen* $1.80	*Dozen* $2.52	*Each* $0.35

These maximum prices are for the articles described in the manufacturer's application dated April 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of June 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10795; Filed, June 19, 1945; 11:46 a. m.]

[MPR 188, Order 3981]

CHARM LIGHTER CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Charm Lighter Company, 465 Fifth Avenue, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	1	*Each* $2.02	*Each* $2.50	*Each* $3.95

These maximum prices are for the articles described in the manufacturer's application dated May 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of June 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10796; Filed, June 19, 1945; 11:46 a. m.]

[MPR 188, Order 3982]

VIRGINIA QUINN

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Virginia Quinn, 3016 Jewel Street, Los Angeles 26, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Rayon checked taffeta skirt lamp shade over paper with self trim	10	*Each* $2.30	*Each* $2.75	*Each* $4.95
Rayon checked taffeta skirt lamp shade over paper with self trim	10	3.61	4.25	7.65
Chintz or dotted swiss crandy lamp shade over paper with ruffle trim	15	1.87	2.20	3.96
Celanese taffeta lamp shade over paper with velvet ribbon trim	20	2.34	2.75	4.95
Cyclet embroidery skirt lamp shade over crinoline with velvet ribbon trim	35	2.34	2.75	4.95
Cyclet embroidery skirt lamp shade over crinoline with velvet ribbon trim	35	3.61	4.25	7.65
Rayon [illegible] taffeta skirt lamp shade with satin frozen flower and ribbon trim	30	2.34	2.75	4.95
Cotton chintz lamp shade over paper with rick-rack	20	1.87	2.20	3.96

These maximum prices are for the articles described in the manufacturer's application dated February 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons

other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement in either form:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of June 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10797; Filed, June 19, 1945; 11:46 a. m.]

[MPR 188, Order 3983]

HEIDEL ELECTRIC & MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Heidel Electric & Manufacturing Company, 503 West Lake Street, Minneapolis 8, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article and model	Maximum Prices per Unit for Sales by Any Person to—				
	Distributor	Wholesalers, mill, electric meter, restaurant and hotel or store equipment suppliers	Industrial, commercial or institutional users, 3 units or more	Industrial, commercial or institutional users, less than 3 units	Users other than industrial, commercial or institutional
Pedestal type elec. fan 24" with 110v, 60 cycle 1/10 hp shading coil type motor P-24	*Each* $34.20	*Each* $48.00	*Each* $57.00	*Each* $64.60	*Each* $76.00

These maximum prices are for the articles described in the manufacturer's application dated March 31, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to no cash discount. They do not include the Federal Excise Tax. To each of the above prices only the exact amount of the Federal Excise Tax which the seller is required to pay may be added.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement in either form:

Heidel Electric & Manufacturing Co.
503 West Lake St.
Minneapolis 1, Minnesota
Model No. P24
OPA Retail Ceiling Price—$76.00
No Federal Excise Tax Included
Do Not Detach

Order No. ———
Model No. P24
OPA Retail Ceiling Price—$76.00
No Federal Excise Tax Included
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of June 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10798; Filed, June 19, 1945; 11:47 a. m.]

[MPR 188, Order 3984]

MICROMATH CORPORATION

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Micromath Corporation, 157 Chambers Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	1	*Each* $2.02	*Each* $2.70	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of June 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10799; Filed, June 19, 1945; 11:47 a. m.]

[MPR 220, Order 159]

S. BUCHSBAUM AND CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1315.1557 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to the manufacturer's and retailers' sales of the vinylite film bathing cap manufactured by S. Buchsbaum and Company of Chicago, Illinois.

(b) *Sales by the manufacturer.* The maximum price for sales by S. Buchsbaum and Company, 1737 South Michigan Avenue, Chicago 16, Illinois, of the commodity described in paragraph (a) of this order shall be $5.40 per dozen for sales to retailers.

(c) *Sales at retail.* The maximum price for sales at retail of the commodity described in paragraph (a) shall be $0.75 each.

(d) *Notification of maximum price by the manufacturer.* With or prior to his first sale to any retailer the manufacturer shall notify the retailer of the maximum retail price of the commodity as established by paragraph (c) of this order.

(e) Between sixty and seventy-five days after the effective date of this order, the manufacturer shall recompute his costs and submit them to the Office of Price Administration. He shall recompute his costs in the manner provided in § 1315.1557 (c).

(f) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 20th 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10800; Filed, June 19, 1945; 11:47 a. m.]

[MPR 260, Order 1247]

YAHN & MCDONNELL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Yahn & McDonnell, 617 Chestnut St., Phila., Pa. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagas	Twenty-Five	50	$200.00	25
	Cadets	50	125.00	15
	Bankers	25	100.00	15
	Pandelas Extra	10	100.00	15

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 20th, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10801; Filed, June 19, 1945; 11:47 a. m.]

[MPR 260, Order 1243]

HOLMES & WALSH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Holmes & Walsh, 63 E. Adams St., Chicago 3, Ill. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Intrepida	No. 25	50	$200.00	25
	No. 50	25	225.00	30
Partagas	Carona Chico	25	260.75	35
	Coronas de Gusto	25	250.00	34

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 20th, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10802; Filed, June 19, 1945; 11:48 a. m.]

[MPR 122, Amdt. 25 to Rev. Order 47]

PENNSYLVANIA ANTHRACITE

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. In paragraph (c) (1), the prices for Pennsylvania anthracite are amended to read as follows:

Kind and size	Per ton (2,000 lb.)	Per 1/2 ton (1,000 lb.)
Pennsylvania anthracite:		
Egg, stove, nut	$11.32	$5.66
Pea	12.47	6.74
Buckwheat No. 1	10.28	5.64
Rice (buckwheat No. 2)	9.17	5.21
Barley (buckwheat No. 3)	8.09	4.55

2. In paragraph (d), the prices for Pennsylvania anthracite are amended to read as follows:

Kind and size	Consumer prices		Dealer prices
	Net ton 2,000 lb.	Per 100 lb.	Net ton 2,000 lb.
Pennsylvania anthracite:			
Egg, stove, nut	$13.43	$0.90	$12.04
Pea	11.58	.82	10.24
Buckwheat No. 1	9.39	.....	8.14
Rice (buckwheat No. 2)	8.58	.....	7.28
Barley (buckwheat No. 3)	.....	.....	6.88

3. In paragraph (f), the prices for Pennsylvania anthracite are amended to read as follows:

Kind and size	Quantity	
	Per ton	Per 1/2 ton
Pennsylvania anthracite:		
Egg, stove, nut	$14.80	$7.90
Pea	13.10	7.05
Buckwheat No. 1	10.80	5.90
Rice (buckwheat No. 2)	10.15	5.58

This Amendment No. 25 to Revised Order No. 47 shall become effective as of June 18, 1945.

Issued this 19th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10815; Filed, June 19, 1945; 4:33 p. m.]

[MPR 188, Amdt. 82 to Order A-1]

BUILDING, CHEMICAL AND INDUSTRIAL LIME

MANUFACTURERS' MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (59) is added to Order A-1 to read as follows:

(59) *Modification of maximum prices for building, chemical and industrial lime (excluding agricultural lime).* (i) The manufacturer's maximum prices established pursuant to Maximum Price Regulation 188, as amended, for building, chemical and industrial lime (excluding agricultural lime) produced in the States of Arkansas, Kansas, Nebraska, Oklahoma and that portion of the State of Missouri west of the 93rd meridian, may be increased by adding an amount not in excess of $0.75 per net ton to the f. o. b. plant or delivered prices.

(ii) The maximum prices established herein shall be subject to cash, quantity and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This amendment shall become effective June 21, 1945.

Issued this 20th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10846; Filed, June 20, 1945; 11:41 a. m.]

WAR FOOD ADMINISTRATION.

SWANSON LIVESTOCK COMMISSION CO
CHAPPELL, NEBR.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Bachman Livestock Commission Company, Chappell, Nebraska, posted under the name of Chappell Sales Pavilion on September 11, 1939, as coming within the

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jurisdiction of the Packers and Stockyards Act, 1921, as amended, the name of which was changed to Bachman & Peterson Livestock Commission Company on February 1, 1943, and changed to Bachman Livestock Commission Company on August 9, 1944, is now operated by M. J. Swanson and Richard Swanson, partners doing business as Swanson Livestock Commission Company, and that the name of the yard is now the Swanson Livestock Commission Company. Therefore, the posted name of the stockyard is changed to Swanson Livestock Commission Company and notice of such fact is given to its owners, and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 20th day of June 1945.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 45-10836, Filed, June 20, 1945; 11:06 a. m.]

SWANSON LIVESTOCK COMMISSION CO.
OSHKOSH, NEBR.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Bachman Livestock Commission Company, Oshkosh, Nebraska, posted under the name of Oshkosh Live Stock Commission Company on June 14, 1941, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, the name of which was changed to Bachman & Peterson Livestock Commission Company on February 1, 1943, and changed to Bachman Livestock Commission Company on August 9, 1944, is now operated by M. J. Swanson and Richard Swanson, partners doing business as Swanson Livestock Commission Company, and that the name of the yard is now the Swanson Livestock Commission Company. Therefore, the posted name of the stockyard is changed to Swanson Livestock Commission Company and notice of such fact is given to its owners, and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 20th day of June 1945.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 45-10838; Filed, June 20, 1945; 11:06 a. m.]

KISSIMMEE LIVESTOCK MARKET, INC.,
KISSIMMEE, FLA.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Kissimmee Livestock Market, Kissimmee, Florida, posted on November 16, 1938, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 20th day of June 1945.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 45-10837; Filed, June 20, 1945; 11:06 a. m.]

WAR PRODUCTION BOARD.

[C-313, Revocation]

JAMES HOPCROFT

CONSENT ORDER

Consent Order C-313 was issued April 30, 1945 against James Hopcroft for violation of Conservation Order L-41 upon the consent of James Hopcroft, the Regional Compliance Manager and the Regional Attorney, and with the approval of a Compliance Commissioner. James Hopcroft has sold the premises located at 360 Manatee Street, Hazel Park, Michigan, and application has been made to the War Production Board by the purchaser for authorization to complete the construction of the building on the premises. The Construction Bureau is prepared to authorize the construction requested in the application and the Regional Compliance Manager and Regional Attorney have consented to the revocation of this consent order.

In view of the foregoing, the Director of the Compliance Division and the Office of General Counsel have directed that Consent Order C-313 be revoked.

Wherefore, *It is hereby ordered* That Consent Order C-313 be revoked upon issuance of this order.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10828; Filed, June 20, 1945; 11:05 a. m.]

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FEDERAL REGISTER

VOLUME 10 NUMBER 124

Washington, Friday, June 22, 1945

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

TRANSFER OF EMPLOYEES

In § 18.9, subparagraph (2) of paragraph (g) (9 F.R. 7235, 15135; 10 F.R. 2155) is amended by adding the following:

§ 18.9 *Transfer.* • • •

(g) *Status of employees.* • • •

Any transfer or reappointment of an employee who had been recommended for classification in his former position, and whose suitability for classification was under investigation, shall be subject to the results of such investigation.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

JUNE 15, 1945.

[F. R. Doc. 45-10847; Filed, June 20, 1945; 10:48 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS GENERALLY

CONDITIONAL PAYMENTS

Section 10.243 of Chapter I, Title 6, Code of Federal Regulations is hereby amended to read as follows:

§ 10.243 *Evidence of acceptance of conditional payments.* Upon acceptance of a conditional payment, the bank shall furnish the borrower with a receipt, which shall identify the indebtedness in connection with which the conditional payment is accepted, and set forth generally the conditions under which such payments are held; *Provided*, That if the bank, under a procedure approved by the Administration, furnishes the borrower a general statement of such conditions to apply to one or more payments, the receipts for such payments need not set forth the conditions. The form of receipt used by a bank shall have the approval of the Administration.

(Sec. 4, 39 Stat. 363, sec. 17, 50 Stat. 708; 12 U.S.C. 676, 781 "Eighteenth")

[SEAL] W. E. RHEA,
Land Bank Commissioner.

[F. R. Doc. 45-10855; Filed, June 20, 1945; 3:40 p. m.]

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 135]

PART 1202—FARM MACHINERY AND EQUIPMENT

VETERAN'S PREFERENCE FOR NEW FARM MACHINERY AND EQUIPMENT

Pursuant to the authority vested in me by Executive Order No. 9280 (7 F.R. 10179), as amended by Executive Order No. 9322 (8 F.R. 3807), Executive Order No. 9334 (8 F.R. 5423) and Executive Order No. 9392 (8 F.R. 14783), it is hereby ordered, that:

§ 1202.500 *Veteran's preference for new farm machinery and equipment*—(a) *Definitions.* For the purposes of this order:

(1) "County agricultural conservation committee" means, in the continental United States, the county agricultural conservation committee for each county for which such committee has been established, or the farm rationing committee for Alaska, Hawaii, Puerto Rico and the Virgin Islands, established pursuant to the provisions of War Food Order No. 14 (8 F.R. 17456, 9 F.R. 7739).

(2) "Dealer" means any person engaged in the business of selling new farm machinery and equipment to farmers.

(3) "Director" means the Director, Office of Materials and Facilities, War Food Administration.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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(4) "Person" means any individual, partnership, corporation, association, business trust or any organized group of persons, whether incorporated or not.

(5) "State AAA Committee" means the State Agricultural Conservation Committee for the State.

(6) "Veteran" means any person who shall have served in the active military or naval service of the United States at any time on or after September 16, 1940, and prior to the termination of the present war and who shall have been discharged or released therefrom under conditions other than dishonorable after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty.

(b) *Application.* Any veteran who owns a farm or operates a farm as a tenant, or who is a sharecropper, may apply for a veteran's preference certificate for any item of new farm machinery and equipment (except repair parts) which is listed in War Production Board Order L–257–c (10 F.R. 5684), for the purpose of establishing or reestablishing himself as a farmer. Such application shall be made on a form to be prescribed by the Director, and shall be filed with the county agricultural conservation committee for the county in which such equipment is to be principally used. The applicant must establish to the satisfaction of the committee that he has urgent need for the desired equipment, that he has made a diligent effort to obtain new and used equipment to meet such need without success, and that the supplying of the desired equipment to him would tend to increase the production of food to meet war and essential civilian needs.

(c) *Veterans' preference certificate.* Upon approval of an application made pursuant to this order, the county agricultural conservation committee shall issue to the veteran a veteran's preference certificate for the equipment covered by the application. The certificate shall be in the form prescribed by the Director. The certificate shall contain a description of the equipment, including the item number as shown in War Production Board Order L–257–c. A separate preference certificate shall be issued for each item of equipment. No certificates shall be issued to any one veteran for equipment in excess of his minimum needs as determined by the county agricultural conservation committee. In determining such minimum needs the county agricultural conservation committee shall take into consideration the type and size of the veteran's farm operation and any equipment already owned by him or available for his use.

(d) *Action by dealer.* (1) A veteran's preference certificate issued pursuant to this order may be presented to any dealer in new farm machinery and equipment within whose trade territory such veteran's farm is located. Except as provided in paragraph (d) (2) hereof, such dealer shall supply such veteran with the equipment described on the preference certificate before supplying any person not holding a veteran's preference certificate with like equipment, notwithstanding any prior commitment or contract with any such person. If a dealer receives more than one veteran's preference certificate for like equipment, he shall honor such certificates in the order of their receipt by the dealer. When an order on a veteran's preference certificate is accepted by a dealer, the dealer shall, at any time before delivery of the equipment, notify the county agricultural conservation committee accordingly by filling in and returning the stub attached to the certificate; and the dealer may retain the certificate for his file.

(2) No dealer shall be required to honor a veteran's preference certificate if the veteran is unwilling or unable to meet the regularly established price and terms of sale or payment for the equipment described in the certificate. No dealer shall honor a veteran's preference certificate issued under this order for any item of farm machinery and equipment before filling an order for such item, properly supported by a War Production Board preference rating issued either to a farmer or a military agency as defined in L–257–c. If for any reason a dealer refuses to accept an order accompanied by a veteran's preference certificate, he shall, upon request furnish the veteran with a written statement of the reason or reasons for such refusal.

(e) *Cancellation of veteran's preference certificate.* (1) If a veteran to whom a veteran's preference certificate has been issued obtains the equipment described in the certificate without the use of the certificate, or if he obtains other equipment, either new or used, which will meet substantially the same need as the equipment described in the certificate, or if for any reason he finds that he will not need to use the certificate, he shall promptly return the certificate to his county agricultural conservation committee for cancellation, and he shall make no effort to obtain any preference under it.

(2) If, after the issuance of a veteran's preference certificate, the county agricultural conservation committee finds (i) that the person to whom the certificate was issued has misrepresented his circumstances in obtaining the certificate, or (ii) that the circumstances of such person have so changed that the equipment described in the certificate is no longer needed by such person, or (iii) that such certificate was issued by mistake, the county agricultural conservation committee may demand the return of such certificate, by the person to whom it was issued, for cancellation. Upon such demand such person shall so return the certificate and shall make no further effort to obtain any preference under it.

(f) *Appeals.* (1) Any veteran whose application for a veteran's preference certificate is denied by a county agricultural conservation committee may, within 30 days after such denial, appeal to the State AAA Committee. (In Alaska, Hawaii, Puerto Rico and the Virgin Islands, this appeal shall be a request for reconsideration by the farm rationing committee.) Such appeal shall be in writing and shall set forth all pertinent facts relating to the application. If the appeal is granted, the State AAA Committee may issue a veteran's preference certificate which shall be as effective as though issued by the county agricultural conservation committee. If the appeal is denied (or, in Alaska, Hawaii, Puerto Rico and the Virgin Islands, if the application is denied on reconsideration), the veteran may further appeal in writing to the Director within 30 days after such denial by the State AAA Committee, setting forth all pertinent facts with respect to the application. If this appeal is granted, the Director may issue a veteran's preference certificate which shall be as effective as though issued by the county agricultural conservation committee.

(2) Any dealer or other person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(g) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of new farm machinery and equipment, which is listed in War Production Board Order L–257–c, of any dealer, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(h) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any dealer, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Violations.* In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using any new farm machinery and equipment, which is listed in War Production Board Order L–257–c. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any person within the War Food Administration any or all of the authority vested in him by this order.

(k) *Territorial application of order.* This order shall apply to the forty-eight States and the District of Columbia of the United States, and to Alaska, Hawaii, Puerto Rico and the Virgin Islands.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued, be addressed to the Director, Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref. WFO 135.

(m) This order shall become effective at 12:01 a. m., e. w. t., June 25, 1945.

NOTE: The reporting requirements of this order have been approved by, and subsequent record keeping and reporting requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676; 55 Stat. 236; 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R.

3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 21st day of June 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-10915; Filed, June 21, 1945; 11:06 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 15-17]

PART 1401—DAIRY PRODUCTS

CHEDDAR CHEESE

Pursuant to the authority vested in me by War Food Order No. 15, as amended (8 F.R. 1704, 5698; 9 F.R. 2072, 4321, 4319, 9584; 10 F.R. 103), and in order to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1401.199 *Percentage of Cheddar cheese to be set aside in July 1945*—(a) *Definitions.* Each term defined in War Food Order No. 15, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 15, as amended.

(b) *Percentage.* Each person who is required by War Food Order No. 15, as amended, to set aside Cheddar cheese during July 1945 shall set aside, in said month, a quantity of Cheddar cheese equal at least to 65 percent of all Cheddar cheese produced by him in that month.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 15, as amended, 8 F.R. 1704, 5698; 9 F.R. 2072, 4321, 4319, 9584; 10 F.R. 103)

Issued this 20th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-10856; Filed, June 20, 1945; 3:51 p. m.]

[WFO 22-8, Amdt. 1]

PART 1425—CANNED AND PROCESSED FOODS

CANNED FRUITS, AND CANNED FRUIT JUICES, REQUIRED TO BE SET ASIDE DURING 1945

War Food Order No. 22-8 (10 F.R. 1257) is hereby amended by deleting from Table I attached thereto the entire line beginning with "Cherries R. S. P."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 20, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 22-8 prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 22-8 in effect prior to the effective time of the provisions hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 22, as amended, 8 F.R. 2243, 6397; 9 F.R. 4321, 4319, 9584; 10 F.R. 103)

Issued this 18th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-10805; Filed, June 19, 1945; 12:13 p. m.]

[WFO 134]

PART 1460—FATS AND OILS

GLYCERINE INVENTORIES

The fulfillment of the requirements for the defense of the United States has resulted in a shortage in the supply of glycerine for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1460.46 *Restrictions on inventories of glycerine*—(a) *Definitions.* (1) "Glycerine" means any and all concentrations of glycerol, from whatever source derived and whether crude or refined.

(2) "Refiner" means any person who refines glycerine.

(3) "Distributor" means any person, other than a refiner, who acquires glycerine for resale.

(4) "User" means any person who uses glycerine in the manufacture of any other product regardless of whether glycerine is incorporated into such other product.

(5) "Inventory" means the total quantity of glycerine, wherever located, owned by any person, excluding glycerine produced by such person.

(6) "Current rate of consumption", as determined on any particular date, means the amount of glycerine used during the 30-day period immediately prior to such date, or the amount of glycerine scheduled for use during the 30-day period immediately following such date.

(7) "Maximum unit" means the largest, single, segregate, commercial quantity of glycerine shipped to and accepted by any person during the calendar year 1944.

(8) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(9) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Inventory restrictions.* (1) No distributor shall accept delivery of glycerine in any quantity which will cause his inventory to exceed 20 days' supply based upon his deliveries during the preceding 20 days.

(2) No user shall accept delivery of glycerine in any quantity which will cause his inventory to exceed 30 days' supply based upon his current rate of consumption.

(c) *Inventory exemption; maximum units.* Subject to the requirements of paragraph (d) of this order, any user or distributor whose inventory does not exceed two-thirds of the quantity which he is permitted to have under the applicable provision of paragraph (b) hereof may accept delivery of not more than one maximum unit, provided that such acceptance shall not cause his inventory to exceed twice the quantity which he is permitted to have under the applicable provision of paragraph (b).

(d) *Inventory certificates.* No person shall deliver and no user or distributor shall accept delivery of more than 50 pounds of glycerine in any calendar month unless such user or distributor executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to ---------- -
Name and
---------- that he is familiar with address of supplier
the terms of War Food Order No. 134, that this certificate is furnished in order to enable the undersigned to acquire -------- pounds of glycerine, to be delivered on or about ----------, and that the receipt by him of such glycerine will not increase his inventory beyond the amount permitted under War Food Order No. 134.

Purchaser

By ----------
Authorized official

Date

(e) *Records and reports.* (1) All certificates executed under this order shall be retained for at least two years and shall, upon request, be submitted to the Director for examination. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(2) Every person who uses more than 1,150 pounds of glycerine in any calendar month shall execute and mail to the Bureau of the Census, Washington 25, D. C., on or before the 15th day of the following month, Bureau of the Census Form BM-1. This provision shall not be construed as requiring any person to file more than one Form BM-1 for any calendar month.

(3) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) Every person subject to this order shall, for at least two years, or for such other period of time as the Director may designate, maintain an accurate record of his production of and transactions in glycerine.

(f) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(g) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of glycerine of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using glycerine. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 134, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(l) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 21, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 20th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10857; Filed, June 20, 1945; 3:51 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amdt. 60-1]

PART 60—AIR TRAFFIC RULES

POSTPONEMENT OF EFFECTIVE DATE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of June 1945.

Effective June 19, 1945, Part 60 of the Civil Air Regulations is amended by postponing the effective date from July 1, 1945, to August 1, 1945.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-10906; Filed, June 21, 1945; 10:52 a. m.]

[Regs., Serial No. 338]

UNITED AIR LINES, INC.

NONCOMPLIANCE WITH ROUTE REQUIREMENTS FOR FIRST PILOTS

Noncompliance with the requirements of § 61.5130 of the Civil Air Regulations with respect to United Air Lines, Inc., operations at Philadelphia, Pennsylvania.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of June 1945.

The following Special Civil Air Regulation is made and promulgated to become effective June 19, 1945:

Any first pilot listed in the United Air Lines, Inc., air carrier operating certificate on June 1, 1945, as qualified over the approved route between Cleveland and New York will be deemed competent to pilot aircraft in scheduled air carrier operation over the route between Philipsburg, Pennsylvania, and Philadelphia, Pennsylvania, and between Philadelphia, Pennsylvania, and New York, N. Y., if he has made such landings and simulated instrument approaches at Philadelphia, Pennsylvania, as the Administrator may require to demonstrate his familiarity with procedures prescribed for operations at the Philadelphia airport.

This regulation shall terminate October 1, 1945.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-10905; Filed, June 21, 1945; 10:52 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5459]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

INCOME IN RESPECT TO A DECEDENT

Section 29.126-1 of Regulations 111 (26 CFR, Cum. Supp., Part 29), as amended by Treasury Decision 5389, approved July 10, 1944, is further amended as follows:

(A) By striking the last sentence of the first paragraph.

(B) By striking the fifth sentence of the fourth paragraph, which reads as follows: "Upon his death, the payments by the surviving partners must be included in the widow's income to the extent they exceed the adjusted basis of such assets in the hands of the decedent immediately prior to his death." and by inserting in lieu thereof the following: "Upon his death, the payments by the surviving partners must be included in the widow's income to the extent they are attributable to the earnings of the partnership accrued only by reason of his death."

(C) By striking at the beginning of the sixth sentence of the fourth paragraph the words "This gain" and by inserting in lieu thereof the following: "The income reflected by the payments to the extent they are so attributable".

(D) By striking at the end of the fourth paragraph the words "represent the gain on the sale." and by inserting in lieu thereof the following: "are attributable to the earnings of the partnership accrued only by reason of the death."

(E) By inserting immediately after the fourth paragraph the following:

Example. Suppose that A and the decedent B were equal partners in a business possessed of tangible assets having a present value considerably in excess of cost; suppose that certain current partnership business was well advanced toward completion prior to the death of B; and suppose that the partnership agreement provided that, upon the death of one of the partners, all partnership assets, including unfinished business, should pass to the surviving partner, and that the surviving partner should make certain payments to the estate of the decedent. To the extent that the payments by A to the estate of B are attributable to B's interest in the previously earned proportion of the unfinished partnership business transactions, their receipt by the estate of B will reflect the realization of income. With respect to such portion of the payments by A as is attributable to B's interest in the tangible assets of the partnership which had appreciated in value, no gain to the estate of B will be recognized.

If some portion of the payments by A is attributable to a sale of B's interest in partnership assets consummated by B prior to his death, however, the gain to the estate of B reflected in such payments will be recognized regardless of the character of the asset sold, and regardless of whether or not payment was due on a day which must occur after B's death.

(Secs. 62 and 126 of the Internal Revenue Code (53 Stat. 32, 56 Stat. 831; 26 U.S.C. and Sup., 62, 126))

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: June 18, 1945.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-10848; Filed, June 20, 1945; 2:06 p. m.]

[T. D. 5460]

PART 9—INCOME TAX UNDER THE REVENUE ACT OF 1938

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX: TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CREDIT FOR RETIREMENT OF INDEBTEDNESS

Deficit credit and credit or deduction for amounts used or irrevocably set aside to pay or retire indebtedness. Sections 29.27 (a)–1, 29.27 (a)–2, 29.27 (a)–3 and 29.504–2 of Regulations 111; § 19.27 (a)–3 of Regulations 103; and article 27 (a)–3 of Regulations 101 amended.

Regulations 111 (26 CFR, Cum. Supp., Part 29), Regulations 103 (26 CFR, 1940 Supp., Part 19), and Regulations 101 (26 CFR, 1938 Supp., Part 9) are amended as follows:

Regulations 111

PARAGRAPH 1. Paragraphs (3) and (4) of section 27 (a) of the Internal Revenue Code, inserted immediately preceding § 29.27 (a)–1, are stricken and there is inserted in lieu thereof the following:

[Paragraphs (3) and (4) of section 27 (a) have no application to taxable years beginning after December 31, 1941.]

PAR. 2. Section 29.27 (a)–1 is amended to read as follows:

§ 29.27 (a)–1 *Dividends paid credit.* The amount of the dividends paid credit provided by section 27 (a) is an amount equivalent to the sum of the following:

(a) The basic surtax credit for the taxable year. For computation of the basic surtax credit see section 27 (b).

(b) The dividend carry-over to the taxable year. For computation of the dividend carry-over see section 27 (c).

The deficit credit provided by section 27 (a) (3) and the credit for amounts used or irrevocably set aside to pay or to retire indebtedness as provided in section 27 (a) (4) have no application to taxable years beginning after December 31, 1941, covered by this part.

PAR. 3. Section 29.27 (a)–2 and § 29.27 (a)–3 are stricken in their entirety from this part.

PAR. 4. Section 29.504–2 is amended as follows:

(A) By striking out the third sentence of the second paragraph of paragraph (a) and inserting in lieu thereof the following: "In the case of refunding, renewal or other change in the form of an indebtedness, the giving of a new promise to pay by the taxpayer will not have the effect of changing the date the indebtedness was incurred."

(B) By striking out the third sentence of paragraph (b) and inserting in lieu thereof the following: "In the case of refunding, renewal or other change in the form of an indebtedness, the mere giving of a new promise to pay by the taxpayer will not result in an allowable deduction."

PAR. 5. The amendment to paragraphs (a) and (b) of § 29.504–2 of Regulations 111 set forth in this Treasury decision, which regulations cover taxable years beginning after December 31, 1941, are hereby made applicable to taxable years beginning after December 31, 1933 and prior to January 1, 1942, such years being covered by Regulations 103, 101, 94, and 86.

Regulations 103 and 101

PAR. 6. Section 19.27 (a)–3 of Regulations 103 and article 27 (a)–3 of Regulations 101, each as amended by Treasury Decision 5259, approved April 14, 1943, are further amended as follows:

(A) By striking out the second, third, fourth, and fifth sentences of the first paragraph of paragraph (a) and inserting in lieu thereof the following: "If the indebtedness was so evidenced at the close of business on December 31, 1937, it is still an indebtedness within the meaning of section 27 (a) (4) though, prior to the time payment is made or amounts are irrevocably set aside, it has been renewed or refunded. Such renewal or refunding need not be evidenced by one of the types of instruments enumerated in section 27 (a) (4): *Provided*, That the indebtedness as existing at the close of business on December 31, 1937 was so evidenced. An indebtedness once renewed or refunded may be again renewed or refunded without depriving the corporation of the benefits of section 27 (a) (4)."

(B) By striking out the third sentence of paragraph (b) and inserting in lieu thereof the following: "The issuance of a renewal or refunding obligation will, therefore, not result in an allowable credit."

(Secs. 27, 62, and 504 of the Internal Revenue Code and corresponding sections of prior internal revenue laws (53 Stat. 19, 32, 107; 26 U.S.C., 1940 ed., 27, 62, 504))

[SEAL] JOSEPH D. NUNAN,
Commissioner of Internal Revenue.

Approved: June 19, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-10858; Filed, June 20, 1945; 4:01 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 56 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-817]

STEEL MANUFACTURING AND WAREHOUSE CO.

Steel Manufacturing and Warehouse Company is a Missouri corporation with its place of business at 1449 Genessee Street, Kansas City, Missouri. It is engaged in the business of a steel warehouse. During the fourth quarter of 1943 and the first and second quarters of 1944 it placed orders for a total of 418 tons of carbon steel sheets and strip, hot rolled, being in Product Group 11 under the provisions of M-21-b-1 in excess of its quotas for such quarters. Between January 10, 1944, and June 30, 1944, it sold to one customer on orders rated AA-1 MRO and AA-5 MRO 334.897 tons of hot rolled carbon steel sheets. Such orders were not authorized controlled materials orders and the sale of such material was in violation of Controlled Materials Plan Regulation 4. Steel manufacturing and Warehouse Company was familiar with the applicable orders. The foregoing violations were wilful and have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.817 *Suspension Order No. S-817.* (a) Upon the issuance of this order Steel Manufacturing and Warehouse Company shall deduct 118 net tons from its unused replaceable tonnage in its tonnage account as computed under the provisions of M-21-b-3 or any applicable order or direction then in effect. In the event the unused replaceable tonnage in its tonnage account is less than 118 tons then the subsequent deliveries from stock shall not be used for stock replacement or any other orders until the total of 118 tons has been deducted from its unused replaceable tonnage.

(b) On the first day of the third quarter of 1945 Steel Manufacturing and Warehouse Company shall deduct 150 net tons from its unused replaceable tonnage in its tonnage account as computed under the provisions of M-21-b-3 or any applicable order or direction then in effect. In the event the unused replaceable tonnage in its tonnage account on that date is less than 150 tons then the subsequent deliveries of carbon steel sheets, hot rolled in the third quarter of 1945 shall not be used for stock replacement or any other orders until the total of 150 tons has been deducted from its unused replaceable tonnage.

(c) On the first day of the fourth quarter of 1945 Steel Manufacturing and Warehouse Company shall deduct 150 net tons from its unused replaceable tonnage of carbon steel sheets, hot rolled, in its tonnage account for carbon steel sheets, hot rolled, as computed under Direction 1 to M-21-b-1 or any other applicable order or direction then in effect. In the event that the unused replaceable tonnage of carbon steel sheets, hot rolled, in its tonnage account for carbon steel sheets, hot rolled, on that date is less than 150 tons then the subsequent deliveries of carbon steel sheets, hot rolled, shall not be used for stock replacement or any other orders until a total of 150 tons has been deducted from its unused replaceable tonnage of carbon steel sheets, hot rolled, in the fourth quarter of 1945.

(d) The restrictions and prohibitions contained herein shall apply to Steel Manufacturing and Warehouse Company, a corporation, its successors and assigns or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Nothing contained in this order shall be deemed to relieve Steel Manufacturing and Warehouse Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10867; Filed, June 20, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-819]

SEABOARD ENVELOPE CO.

"Seaboard Envelope Company" is a trade name under which business is conducted by a partnership consisting of C. F. Niedringhaus, E. G. Niedringhaus, W. W. Niedringhaus, and C. W. Niedringhaus. The Seaboard Envelope Company is in the business of manufacturing envelopes at Los Angeles, California. During the period from January 1, 1944 to and including September 30, 1944, the Seaboard Envelope Company consumed 40.90 tons of paper in excess of quota in violation of War Production Board Conservation Order M-241-a.

This excessive use of paper has diverted scarce material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.819 *Suspension Order No. S-819.* (a) C. F. Niedringhaus, E. G. Niedringhaus, W. W. Niedringhaus, and C. W. Niedringhaus, unless otherwise specifically authorized in writing by the War Production Board, shall reduce their consumption of paper during each of the third and fourth quarters of 1945, and during each of the first and second quarters of 1946 by ten tons per quarter under the quota they would otherwise be entitled to consume during each of these quarters as specified by the provisions of Conservation Order M-241-a.

(b) Nothing contained in this order shall be deemed to relieve C. F. Niedringhaus, E. G. Niedringhaus, W. W. Niedringhaus, and C. W. Niedringhaus from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to C. F. Niedringhaus, E. G. Niedringhaus, W. W. Niedringhaus and C. W. Niedringhaus, doing business as Standard Envelope Company or under any other name, their or its successors and assigns, or persons acting on their behalf.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10868; Filed, June 20, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-820]

TILLMAN HEDGES

Tillman Hedges, of Duncan, Oklahoma, on or about November 4, 1944 began construction of a two story brick veneer residence structure in Duncan, Oklahoma at a cost in excess of the limitation on construction contained in and in violation of Conservation Order L-41. The violation was occasioned by gross negligence on the part of Hedges.

This violation of said Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.820 *Suspension Order No. S-820.* (a) Neither Tillman Hedges, of Duncan, Oklahoma, his successors or assigns, nor any other person, shall do any construction on the two story brick veneer residence structure located at 704 North Eleventh Street, Duncan, Oklahoma, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Tillman Hedges, his successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10869; Filed, June 20, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-826]

JACK BAYTARIAN

Jack Baytarian, of 197 South Saginaw Street, Pontiac, Michigan, during August and September of 1944, and thereafter, without permission of the War Production Board, did construction of a garage at 197 South Saginaw Street, Pontiac, Michigan, at an estimated cost in excess of the limitation on construction contained in Conservation Order L-41. Jack Baytarian was aware of Conservation Order L-41, and his beginning and carrying on of this construction constituted a willful violation of that order.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.826 *Suspension Order No. S-826.* (a) Neither Jack Baytarian, his successors or assigns, nor any other person, shall do any construction on the premises at 197 South Saginaw Street, Pontiac, Michigan, including putting up, altering or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Jack Baytarian, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10871; Filed, June 20, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-827]

COLON VADEN WHITLEY

Colon Vaden Whitley is a merchant-farmer residing at Gannon Avenue in Zebulon, North Carolina. In October 1944, without the permission of the War Production Board he began and thereafter carried on the construction of a barn located at the rear of his residence on Gannon Avenue to the extent of $3,000, which amount exceeded the limit permitted by Conservation Order L-41 for such construction. Colon Vaden Whitley was aware of the provisions of Conservation Order L-41 and carrying on of this construction without authorization constituted a wilful violation of that order. This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.827 *Suspension Order No. S-827.* (a) Neither Colon Vaden Whitley, his successors or assigns, nor any other person shall do any construction on the farm building located approximately 150 yards in the rear of his residence on Gannon Avenue in Zebulon, North Carolina, including putting up or altering of the structure unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Colon Vaden Whitley, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10870; Filed, June 20, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-828]

KIMEL SHOE CO.

Kimel Shoe Company is a partnership composed of Morris E. Kimel, Harry Moss, and Stanley Kimel engaged in the business of manufacturing shoes in Los Angeles, California. During the period beginning March 1, 1944 and ending August 31, 1944, the Kimel Shoe Company

manufactured 6,641 pairs of women's and growing girls' shoes at the price range of $4.25 to $4.60 in violation of War Production Board Conservation Order M-217.

This excessive production of shoes has consumed scarce materials to an extent not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.828 *Suspension Order No. S-828.* (a) Morris E. Kimel, Harry Moss, and Stanley Kimel, whether doing business as Kimel Shoe Company or otherwise, their successors or assigns, unless otherwise specifically authorized in writing by the War Production Board, shall reduce their production of women's and growing girls' shoes in the $4.25 to $4.60 price line, 3,320 pairs below their allowable quota in each of the six months' periods beginning March 1, 1945 and September 1, 1945.

(b) Nothing contained in this order shall be deemed to relieve Morris E. Kimel, Harry Moss, and Stanley Kimel, whether doing business as Kimel Shoe Company or otherwise, their successors or assigns from any restrictions, prohibitions, or provisions contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10872; Filed, June 20, 1945; 4:25 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 27 as Amended June 21, 1945]

PRIORITIES ASSISTANCE FOR MANUFACTURERS WHO NEED SMALL AMOUNTS OF MATERIALS

§ 944.48 *Priorities Regulation 27*—(a) *What this regulation does.* The purpose of this regulation is to eliminate paper work on applications for priorities assistance in getting relatively small amounts of production materials during the first few months after victory in Europe. For this purpose, this regulation gives to manufacturers who need small amounts of production materials a rating of AA-4 and the right to place controlled material orders under CMP for steel, copper and aluminum.

(b) *Who may operate under this regulation.* You may use the procedure described in this regulation on orders calling for delivery of controlled materials between June 21, 1945, and December 31, 1945, and on orders calling for delivery of other production materials between May 10, 1945, and December 31, 1945, but in each case only if you satisfy both of these conditions: (1) you are or will be engaged primarily in manufacture within the United States, its territories or possessions, and (2) your total production is not expected to be more than $50,000 worth of all products manufactured by you in any calendar quarter in which you use materials purchased under this regulation. In determining whether you come within the $50,000 limit you must use your sales price of all your products and also the value of any manufacturing services performed by you for others. For example, if you will produce $40,000 worth of your own products in the third quarter of 1945, and will do $15,000 worth of machining work for another manufacturer in the same quarter, your total production will be $55,000 and you are not eligible to receive any materials under this regulation for use in that quarter. This regulation applies to persons starting new manufacturing businesses as well as those already in business. It does not apply to repairmen or persons engaged in service trades or persons engaged primarily in the distribution of materials and products, such as jobbers, wholesalers and retailers. This regulation may not be used by branches, divisions or subsidiaries of companies unless the production of the entire enterprise is within the above limits. It may not be used by any person to get material from a retail store.

(c) *How a manufacturer may order production materials under this regulation.* If you qualify under this regulation as explained in paragraph (b) above, you may rate your purchase orders calling for delivery of production materials during the periods specified in paragraph (b) by placing on your orders a certificate in substantially the following form, signed manually or as provided in Priorities Regulation 7:

CMP allotment symbol Z-3; Preference rating AA-4. The undersigned certifies subject to criminal penalties for misrepresentation (1) that his total production is not expected to be more than $50,000 worth of all products manufactured by him in any calendar quarter in which he uses materials covered by this purchase order, and (2) that he is entitled to use this certification under Priorities Regulation 27.

An order for controlled materials bearing this signed certification is an authorized controlled material order under all CMP regulations. As in other cases where the allotment symbol begins with the letter "Z," authorized controlled material orders placed under this regulation must be accepted by suppliers but only if they do not interfere with regular authorized controlled material orders. This is explained in Direction 54 to CMP Regulation 1. The standard certification of Priorities Regulation 7 may not be used in place of the above certification.

(d) *What materials may be bought under this regulation.* The procedure described in this regulation may be used only to get "production materials", which means material or products (including fabricated parts and sub-assemblies) which will be physically incorporated into your product. The term includes the portion of such material normally consumed or converted into scrap in the course of processing. It also includes items purchased by a manufacturer for resale to round out his line if such items do not represent more than 10% of his total sales. It does not include any of the following:

Items purchased as manufacturing equipment.

Items purchased for maintenance, repair or operating supplies, as defined in CMP Regulation 5.

Paper and paperboard governed by Orders M-241 and M-378.

Containers and closures to pack your product, except as permitted in orders P-140, P-146 and P-152.

(e) *Use of other priorities assistance.* You may use the procedure described in this regulation even if you have been given other ratings or allotments by the WPB. However, all of your production, including rated and unrated, war and civilian, must be included in determining whether you come within the $50,000 limit explained above.

(f) *Special procedures for use of allotment symbol Z-3 by manufacturers of Class A products.* A manufacturer of Class A products who receives an order bearing the certification described in paragraph (c) above may use the allotment symbol Z-3 to place an authorized controlled materials order, and may also get Class A products needed for incorporation into the products covered by his customer's order by placing on his purchase order the following statement in addition to the certification required by Priorities Regulation 7:

You are hereby authorized to use the allotment symbol Z-3 to order controlled materials and Class A products needed to fill this contract or order.

The standard form of certifications described in Priorities Regulation 7 may not be used instead of the above statement. Any manufacturer of Class A products who receives this statement on an order from a customer may place authorized controlled material orders by use of the symbol Z-3 and may use this statement in addition to the standard certification of Priorities Regulation 7 on his purchase orders for Class A products needed for incorporation into the products covered by his customer's order. Any purchase order for controlled materials placed in accordance with this paragraph is an authorized controlled material order under all CMP Regulations, and is governed by Direction 54 to CMP Regulation 1, applicable to all orders bearing the "Z" symbol.

(g) *Effect of other orders and regulations.* (1) This regulation is not an exception from any other orders or regulations of the WPB as to the validity or effect of ratings or authorized controlled material orders. For example, the procedure described in this regulation may not be used to buy items appearing on List A of Priorities Regulation 3, which states that ratings are invalid for these items, or to buy any textiles, clothing, leather or other items listed in Schedule A of Order M-328, which gives special rules for rating such items. Several WPB orders require special applications for certain materials and products; these must still be complied with.

(2) Persons who operate under this regulation must comply with all applicable WPB orders and regulations which prohibit or restrict (by quotas or otherwise) the manufacture of products, the use of materials, and the purchase and sale of commodities.

(3) This regulation does not permit you to purchase material for inventory contrary to the inventory restrictions of Priorities Regulation 1, CMP Regulation 2 or other applicable orders and regulations.

(h) *Violations.* Any person who furnishes a false certification under this regulation is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 21st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10914; Filed, June 21, 1945; 11:04 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-553, Revocation]

REMINGTON RAND, INC.

Suspension Order No. S-553 was issued May 16, 1944, effective May 18, 1944, against Remington Rand, Inc., Bridgeport, Connecticut, for violation of Limitation Order L-65. In view of the fact that Limitation Order L-65 was revoked on June 16, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-553 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.553 *Suspension Order No. S-553* be revoked, effective June 20, 1945.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10832; Filed, June 20, 1945; 11:05 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-695, Revocation]

SCHICK, INC. AND SCHICK SERVICE INC.

Suspension Order No. S-695 was issued January 20, 1945, effective January 27, 1945, against Schick, Inc., Stamford, Connecticut, for violation of Limitation Order L-65. In view of the fact that Limitation Order L-65 was revoked on June 16, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-695 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.695 *Suspension Order No. S-695* be revoked, effective June 20, 1945.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10833; Filed, June 20, 1945; 11:05 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-786, Stay of Execution]

HEARST PUBLICATIONS, INC.

Hearst Publications, Inc., a corporation, one department of which publishes the Los Angeles Examiner, a morning newspaper published daily and Sunday at Los Angeles, California, having its principal place of business located at 1111 South Broadway, Los Angeles, California has appealed from the provisions of Suspension Order No. S-786 and has requested a stay. The Chief Compliance Commissioner has directed that the suspension order be stayed, except insofar as paragraph (a) is concerned, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. In view of the foregoing, it is hereby ordered, That: § 1010.786 *Suspension Order No. S-786* be stayed, pending final determination of the appeal, or until further order by the Chief Compliance Commissioner or his Deputy, except insofar as paragraph (a) is concerned.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10834; Filed, June 20, 1945; 11:06 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-788, Stay of Execution]

TRIBUNE PUBLISHING CO.

The Tribune Publishing Company, a corporation located in Tacoma, Washington, has appealed from the provisions of Suspension Order No. S-788, issued May 19, 1945 (§ 1010.788) and has requested a stay. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed, subject to reinstatement, pending final determination of the appeal, or until further order by the Chief Compliance Commissioner. In view of the foregoing, it is hereby ordered, that, the provisions of *Suspension Order No. S-788*, issued May 19, 1945, are hereby stayed, subject to reinstatement, pending final determination of the appeal, or until further order by the Chief Compliance Commissioner or his Deputy.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10835; Filed, June 20, 1945; 11:05 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Amdt. 1 to Direction 14]

PRODUCTION OF HEAVY WEIGHT KNIT UNDERWEAR IN THE THIRD QUARTER OF 1945

Direction 14 to M-328 is hereby amended in the following respects:

Insert a new paragraph (e) to read as follows:

(e) Each person covered by this direction may immediately apply an AA-3 rating to get up to 33⅓% of the yarn he needs to make the heavy weight knit underwear required under this direction. This rating must be applied in the manner provided in Priorities Regulations 1 and 3. The following certification must be placed on all orders on which the rating is used:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

This rating is assigned by Direction 14 to Order M-328.

(Name of Purchaser)

(Address)

By (Signature of Duly Authorized Officer)

(Date)

The standard certification provided by Priorities Regulation No. 7 may not be used instead.

Insert new paragraph (f) to read as follows:

(f) It is expected that Order M-328B will be amended with new Schedules before July 1, 1945 to explain how persons covered by this direction may obtain preference ratings for all the yarn they need.

Re-letter present paragraph (e) to paragraph (g).

Issued this 21st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10913; Filed, June 21, 1945; 11:04 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[1] Amdt. 39]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 26 (f) the item reading "June 16 through June 20, $2.50," is amended to read "June 16 through July 15, $2.50."

This amendment shall become effective at 12:01 a. m. June 19, 1945.

Issued this 18th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

Approved June 16, 1945.

GROVER B. HILL,
First Assistant,
War Food Administration.

[F. R. Doc. 45-10734; Filed, June 18, 1945; 5:14 p. m.]

[1] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10089, 10199, 10981, 10778, 12270, 12475, 13262; 10 F.R. 1334, 2248, 2969, 3764, 4035, 4154, 4347, 4600, 5457, 6589.

PART 1381—SOFTWOOD LUMBER

[RMPR 26,[1] Amdt. 15]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (d) of section 5 is amended as follows:

a. In subparagraph (1) the words "effective April 25, 1945" are deleted.

b. In subparagraphs (1) and (4) the words "as amended June 18 1945" are added after the words "Order L-335."

This amendment shall become effective June 18, 1945.

Issued this 18th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10731; Filed, June 18, 1945; 5:11 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 114]

ADJUSTABLE PRICING OF CERTAIN COTTON TEXTILES

A statement of the reasons involved in the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.

§ 1305.142 *Adjustable pricing of certain cotton textiles*—(a) *General explanation.* This supplementary order permits producers, if they meet specified conditions, to sell certain cotton textiles on an adjustable pricing basis. Some of these textile items may also be sold on that basis by wholesalers who meet specified conditions. Other sellers, whether of these items or of commodities made from them, are not granted adjustable pricing permission even though their ceilings are determined by a formula of the cost-plus type. This order provides, moreover, that ceilings of all sellers shall remain unchanged unless and until an increase is authorized by the Office of Price Administration. Thus, this supplementary order supplements the regulations establishing wholesalers' ceilings for some of the items, as well as all regulations establishing ceilings for other sellers of these commodities and of commodities made from them.

(b) *When a producer may use the adjustable pricing permission.* (1) A producer may use the adjustable pricing permission granted by this order if he (i) certifies or has certified to the Office of Price Administration, Washington 25, D. C., that he is "subject to" the "1945 textile wage increase", and (ii) complies with paragraph (c) (3) below.

(2) A producer is "subject to" the March 1945 textile wage increase if he is paying that increase, or has applied to the National War Labor Board for permission to pay that increase, or is a party to a dispute case before the War Labor Board involving the issue of whether he will pay that increase. The "1945 textile wage increase" means: (i) a minimum wage of 55¢ per hour for all workers except learners and handicapped; (ii) a flat increase of 5¢ per hour to all workers in occupations whose wage rates prior to March 1, 1945, exceeded 50¢ per hour; (iii) a premium of 5¢ per hour for all hours worked on the third shift; and (iv) a minimum of one week's paid vacation per year.

(c) *Adjustable pricing for producers.* (1) Any producer who meets the requirements of paragraph (b) (1) may, in connection with any contracts (and deliveries pursuant to such contracts) for the sale of one or more of the commodities listed below, reserve the right to charge the difference, if any, but not to exceed a 4% increase, between the maximum price for that commodity in effect on June 1, 1945, and any higher maximum price which may thereafter be established.

(2) The commodities referred to in subparagraph (1) above are:

(i) The following commodities covered by Maximum Price Regulation No. 118:

Ducks and paper makers dryer felts
Flannels
Gauze diapers
Flannelette diapers
Bleached cheesecloth, bleached sanitary napkin gauze and bunting
Wide print cloths
Terry products
Huck and crash towels, towelling, and corded napkins

(ii) The following commodities covered by Revised Price Schedule No. 35:

Print cloth yarn fabrics
Denims
3.60 yd. sanforized chambray

(iii) Carded yarns covered by Maximum Price Regulation No. 33.

(iv) The following commodities covered by the General Maximum Price Regulation:

Industrial cotton stitching thread
Cotton tire cord and cotton tire cord fabric

(3) Any producer who seeks to exercise the adjustable pricing permission provided for in this paragraph (c) must, in connection with each contract of sale, deliver to the purchaser the following statement in writing:

For as long as permitted by OPA ——— (name of the seller) reserves the right to charge the buyer for any goods delivered pursuant to this contract the difference, if any, between the ceiling price in effect on June 1, 1945 and any higher ceiling price which may thereafter be established: *Provided*, That the additional charge will in no event exceed 4 per cent of the ceiling price in effect on June 1, 1945. The seller is required by OPA to inform the buyer that the buyer must disregard the foregoing adjustable pricing clause and any additional charge made pursuant to it in determining his ceiling price for the resale of the goods purchased under the present contract or for the sale of any commodities processed or manufactured from these goods, unless and until specifically authorized otherwise by OPA.

(4) The permission granted in this paragraph (c) shall not apply to deliveries against contracts made prior to June 21, 1945 or to the date of the certification required in paragraph (b), whichever is later. It shall remain in effect with respect to each designated commodity only until the date a revised maximum price of general applicability is first hereafter established for the commodity or the reference to the commodity is revoked, whichever is earlier.

(d) *Adjustable pricing for wholesalers.* (1) A wholesaler whose sale of the commodity is governed by section 2.7 of Supplementary Regulation 14E may price that commodity on an adjustable basis as provided in subparagraph (2) of this paragraph if an increase of 4 percent in his supplier's maximum price for that commodity would reduce his markup below the minimum specified in section 2.7 (e) of Supplementary Regulation 14E.

(2) In reselling a commodity purchased by him on an adjustable pricing basis authorized to his supplier by this supplementary order, a wholesaler whose maximum price for that commodity is established by section 2.7 of Supplementary Regulation 14E may reserve the right to charge the difference, if any, between his ceiling price in effect on June 1, 1945 and any adjusted ceiling price which he may be authorized to charge in the future: *Provided*, That the amount which the seller may collect shall not exceed the amount by which his supplier's adjusted price reduces his markup on that price below the minimum markup specified in section 2.7 (e) of Supplementary Regulation 14E.

(3) Any seller at wholesale who seeks to exercise the permission granted by this paragraph (d) must, in connection with each sale deliver to the purchaser the following statement in writing:

——— the seller, reserves the right to charge the buyer, for any goods delivered pursuant to this sale the difference, if any, between his ceiling price and any adjusted ceiling price which he may be authorized to charge in the future: *Provided*, That the amount which the seller may collect shall not exceed 4% of the contract price. The seller is required by OPA to inform the buyer that the buyer must disregard the foregoing adjustable pricing clause, and any additional charge made pursuant to it, in determining his ceiling price for the resale of the goods purchased under the present contract or for the sale of any commodities processed or manufactured from these goods, unless and until specifically authorized otherwise by OPA.

(e) Except as provided in paragraph (d) above, a purchaser who buys goods under a contract containing an adjustable pricing clause authorized by this order shall disregard that clause, and any additional charge made pursuant to it, in determining his ceiling price for resale of the goods so purchased or for the sale of any commodities processed or manufactured from those goods, unless and until specifically authorized otherwise by the Office of Price Administration.

(f) No person is authorized to collect an amount in excess of the ceiling in effect on June 1, 1945 for any of the goods covered by this supplementary order unless prior to the revocation of the adjustable pricing permission with respect to such goods a higher ceiling price for them has been established.

[1] 9 F.R. 1016, 3513, 4227, 7505, 9720, 11112, 12537, 10 F.R. 4651, 5999, 6323.

This Supplementary Order No. 114 shall become effective June 21, 1945.

NOTE: The reporting requirements of this supplementary order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10928; Filed, June 21, 1945; 11:47 a. m.]

PART 1306—IRON AND STEEL

[RMPR 310]

REUSABLE IRON AND STEEL PRODUCTS

Maximum Price Regulation 310 is redesignated Revised Maximum Price Regulation 310 and is revised and amended to read as set forth herein.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

ARTICLE I—SCOPE OF THE REGULATION

Sec.
1. Prohibition against dealing in reusable iron and steel products at prices above the maximum.
2. Geographical application.

ARTICLE II—MAXIMUM PRICES

3. Maximum shipping point prices.
4. Extra charges.
5. Maximum delivered prices.

ARTICLE III—GENERAL PROVISIONS

6. Products covered.
7. Definitions.
8. Maximum prices for export.
9. Adjustable pricing.
10. Petitions for amendment.
11. Taxes.
12. Records and reports.
13. Licensing order applicable.
14. Less than maximum prices.
15. Evasion.
16. Enforcement.
17. Applicability of other maximum price regulations or revised price schedules.

AUTHORITY: § 1306.551 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Prohibition against dealing in reusable iron and steel products at prices above the maximum.* On and after the 26th day of June 1945, regardless of any other contract or other obligation:

No person shall sell or deliver reusable iron or steel products to a consumer of such products at prices higher than the maximum prices established by this regulation;

No consumer of reusable iron or steel products shall buy or receive reusable iron or steel products at prices higher than the maximum prices established by this regulation;

No person shall charge or pay a fee for any service in connection with the sale of reusable iron and steel products in excess of the maximum fees established by this regulation;

No person shall agree, offer, solicit or attempt to do any of the foregoing.

SEC. 2. *Geographical application.* This regulation shall apply to all sales, deliveries and preparation of reusable iron and steel products in or into the 48 states of the United States and the District of Columbia.

ARTICLE II—MAXIMUM PRICES

SEC. 3. *Maximum shipping point prices*—(a) *Maximum shipping point prices per hundred pounds.* The maximum shipping point prices for reusable iron and steel products suitable for use without further reconditioning shall be as follows:

	1–1,999 pounds	2,000 pounds and over
1. Structural shapes	$3.00	$2.50
2. Plates	3.00	2.50
3. Bars, rods and flats	3.00	2.50
4. Shafting	3.00	2.50
5. Black sheets	3.00	2.50
6. Coated sheets	3.35	2.85
7. Miscellaneous products	3.00	2.50

(b) *Wire rope.* The maximum shipping point price for any reusable wire rope reconditioned and warranted free from kinks, broken wires and other defects shall be 85% of the mill carload delivered price for the same type of new wire rope at the shipping point involved.

(c) *Wire products.* The maximum shipping point price for any other reusable wire products, except nails, suitable for reuse without further reconditioning shall be 85% of the mill carload price of the new wire product at the shipping point involved.

(d) *Unreconditioned iron and steel products.* (1) The maximum shipping point price for any iron and steel product set forth in paragraph (a) of this section which requires reconditioning such as cutting, straightening, flattening or cleaning, etc. before it is suitable for reuse shall be $2.10 per hundred pounds.

(2) The maximum shipping point price for wire rope or other wire products, except nails, which require reconditioning before they are suitable for reuse shall be 55% of the mill carload delivered price of the new product at the shipping point involved.

(e) *Billing.* (1) Prices set forth in this section will be governed by the quantity specified in the consumer's order. Where the consumer orders a particular quantity of material, a price higher than that applicable to the quantity specified on the consumer's order may not be charged, regardless of the quantity shipped in any one vehicle against such order.

SEC. 4. *Extra charges.* A fee of 10¢ per hole may be charged for any hole punched or drilled at the specific request of the consumer. No extra charge may be added for cutting material to lengths. Any welding, bending or cutting to diamerter or pattern shall be considered fabrication. Maximum prices for fabricated structural steel shapes, plates, and bars are established by the General Maximum Price Regulation in Order 61 under § 1499.3 (b) of that regulation. Maximum prices for the service of processing reusable iron or steel products owned by others are established by Maximum Price Regulation 581.

SEC. 5. *Maximum delivered prices.* The maximum delivered price for any reusable iron or steel product shall be the shipping point price as established in section 3 of this regulation, plus the established charge for transporting such product from the shipping point to the point of delivery by the means of transportation employed.

Where out-of-town delivery is made in a vehicle owned or controlled by the shipper, the maximum transportation charges shall not exceed the established railroad freight from the railroad siding at or nearest the shipping point to the railroad siding at or nearest the point of delivery, for the quantity shipped.

Where local delivery is made in a vehicle owned or controlled by the shipper, a maximum delivery charge of $0.10 (ten cents) per hundred pounds may be added to the shipping point price. The maximum charge for the delivery of any one shipment need not fall below $0.50 (fifty cents) regardless of the quantity shipped.

Where shipment is made in a truck owned or controlled by the buyer, the seller may not add any transportation charges to the maximum shipping point price.

ARTICLE III—GENERAL PROVISIONS

SEC. 6. *Products covered.* Revised Maximum Price Regulation 310 establishes prices for all reusable iron or steel products except those included in Maximum Price Regulation 46, Relaying Rail, Relaying Girder Rail and Used Track Accessories; Revised Maximum Price Regulation 230, Reusable Iron and Steel Pipe and Used Structural Pipe; Maximum Price Regulation 411, Reusable Steel Storage Tanks (Field Assembled); and used cotton bale ties. It includes iron or steel products which have been used; iron or steel products which have been installed or erected but not placed in service; and iron or steel products which have been prepared or fabricated for installation or erection if such products have not been restored to their original condition. It does not include any new iron or steel product of less than prime quality for which maximum prices are established in Revised Price Schedule 6, Steel Mill Products; or Revised Price Schedule 49, Resale of Iron and Steel Products. It does not include any building dismantled and re-erected in its original form but does include iron or steel products originating from the dismantling of structures when such products are sold for use as iron or steel products.

SEC. 7. *Definitions.* (a) "Iron and Steel Products" includes all products listed in the Table of Capacity and Production for Sales contained in the An-

nual Statistical Report of the American Iron and Steel Institute for 1939, pages 42 and 43; all finished hot rolled or cold rolled iron or steel products; and all iron or steel products further finished by galvanizing, enameling, plating, coating, drawing, extruding, or otherwise.

(b) "Structural steel shapes" means any "I" beam, "H" beam, wide flange section, channel, angle, "Z" bar, "T" or other structural shape, which is commercially straight and is free from excessive rust or pits and detrimental attachments. It shall also include salvaged assemblies, such as trusses, built-up beams, columns, lintels, etc., or such shapes and sections.

(c) "Plates" means any carbon or alloy steel plate ⅛ inch or thicker which is reasonably flat and free from excessive rust or pits and detrimental attachments.

(d) "Bars, rods and flats" will include reinforcing bars, wire rods or any other flat-rolled products except plates and sheets, which are commercially straight, free from excessive rust or pits and detrimental attachments.

(e) "Shafting" means steel shafting of any size and length, commercially straight and free of excessive rust, pits or abrasions. It may include railroad axles when sold for machining, or forging, but not when such axles are sold for reuse as axles.

(f) "Black sheets" means all hot rolled or cold rolled sheets or strips, less than ⅛ inch in thickness, free from excessive rust or pits and reasonably flat.

(g) "Coated sheets" means all tin, terne, or galvanized sheets and will include galvanized roofing, or siding, plain or corrugated. It shall not include any painted or enameled sheets. The coating must be unbroken.

(h) "Wire rope" shall include any rope made of stranded iron or steel wire.

(i) "Wire products" shall include all other wire products except wire rods, wire rope or nails. It includes fence wire, wire netting, woven wire, barbed wire, etc.

(j) "Miscellaneous iron and steel products" shall include nails and all other iron or steel products not set forth or defined heretofore.

(k) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or any legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(l) "Consumer" means any person, including contractors, fabricators, commercial and industrial buyers, and any governmental agencies, who purchases reusable iron or steel products for his own use and not for resale.

(m) "Shipping point". A reusable iron or steel product is at its shipping point when it has been loaded on the vehicle, or in the case of water movement, the vessel, for shipment to the consumer.

(n) "Point of delivery". A reusable iron or steel product which is shipped by common carrier, or by truck owned or controlled by the seller, shall be at its point of delivery when it has arrived for unloading at the point designated by the buyer. When shipped in a truck owned or controlled by the buyer, the reusable iron and steel product shall be at its point of delivery when loaded on board such truck.

SEC. 8. *Maximum prices for export.* The maximum price at which any person may sell reusable iron or steel products for export or to an exporter shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

SEC. 9. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 10. *Petitions for amendment.* Any person seeking an amendment to any of the provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 11. *Taxes.* Any tax upon, or in connection with, the sale of reusable iron and steel products may be collected from the consumer in addition to the maximum prices established in section 3 if the amount is stated separately on the invoice and if the statute or ordinance imposing the tax does not prohibit the seller from separately stating and collecting it.

SEC. 12. *Records and reports.* (a) Every person making a sale of reusable iron and steel products amounting to more than $1.00 shall render an invoice to the consumer for each such sale showing the date, name and address of the consumer, a description of the commodity sold, the total weight, the shipping point price, the delivery charge if any, the extra charge if any, and the shipping point. A copy of such invoice shall be retained by the seller for inspection by the Office of Price Administration for a period of not less than one year or as long as the Emergency Price Control Act of 1942, as amended, shall be in effect, whichever is shorter. No invoice need be rendered by the seller for an amount smaller than $1.00.

(b) Persons affected by this regulation shall submit such other or further reports to the Office of Price Administration as it may from time to time require.

SEC. 13. *Licensing order applicable.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Less than maximum prices.* Lower prices than those set forth in this regulation may be charged, demanded, paid or offered.

SEC. 15. *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect means.

SEC. 16. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942 as amended.

SEC. 17. *Applicability of other maximum price regulations or revised price schedules.* (a) Revised Maximum Price Regulation 310 establishing maximum prices for Reusable Iron and Steel Products supersedes all of those provisions of Revised Price Schedule 49 which relate to the sale of used iron or steel products except used or reconditioned cotton bale ties.

(b) The maximum price for any reusable iron and steel product which is sold to a consumer of scrap as defined in Maximum Price Regulation 4, Iron and Steel Scrap, for use as scrap is determined by Maximum Price Regulation 4 and not Revised Maximum Price Regulation 310.

Effective date. This regulation shall become effective June 26, 1945.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10923; Filed, June 21, 1945; 11:49 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 300, Amdt. 1]

RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 300 is amended in the following respects:

1. Appendix B is amended by changing the body of Table I to read as follows:

TABLE I—MAXIMUM MANUFACTURERS' AND DISTRIBUTORS' PRICES FOR CERTAIN RUBBER DRUG SUNDRIES[1]

Items	Maximum prices for sales by manufacturers and distributors		
	To wholesalers[2]	To mass retailers[2]	To other retailers[2]
Hot water bottles:			
Hospital Grade (molded)[3]	$0.55	$0.61	$0.74
Consumer Grade I[4]	.47	.52	.61
Consumer Grade II[5]	.39	.43	.49
Fountain syringes (molded) equipped with 4'8" regular flow tubing, stopper, shut-off and screw socket:			
Hospital Grade:			
Group I attachments[6]	.57	.61	.76
Group II attachments[6]	.72	.80	.84
Group III attachments[6]	.82	.91	1.09
Consumer Grade I:			
Group I attachments	.49	.54	.63
Group II attachments	.54	.60	.69
Group III attachments	.73	.81	.95
Consumer Grade II:			
Group I attachments	.41	.45	.51
Group II attachments	.46	.50	.58
Group III attachments	.65	.72	.83
Combination syringes (molded) equipped with 4'8" regular flow tubing, stopper, shut-off, and screw socket:			
Hospital Grade:			
Group I attachments	.70	.77	.91
Group II attachments	.75	.84	1.00
Group III attachments	.99	1.03	1.25
Consumer Grade I:			
Group I attachments	.61	.68	.79
Group II attachments	.66	.74	.86
Group III attachments	.85	.95	1.11
Consumer Grade II:			
Group I attachments	.53	.58	.68
Group II attachments	.58	.63	.74
Group III attachments	.77	.84	1.00
Ice Caps (molded)[7]	.48	.53	.63

2. Footnote 11 to Table I, Appendix B is amended to read as follows:

"The maximum prices established in this table apply only in the case of a molded ice cap that bears a brand name which the manufacturer or distributor placed on ice caps that he sold to wholesalers on December 1, 1941, at a net price of from $0.44 to $0.48. "Net price," as used in this footnote, means the lowest net price arrived at after deducting all discounts except cash discounts.

This amendment shall become effective June 26, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10921; Filed, June 21, 1945; 11:49 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 301, Amdt. 1]

RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 301 is amended in the following respects:

1. Appendix B is amended by changing the body of Table I to read as follows:

TABLE I—MAXIMUM WHOLESALERS' AND RETAILERS' PRICES FOR CERTAIN RUBBER DRUG SUNDRIES[1]

Items	Maximum prices for sales at wholesale	Maximum prices for sales at retail
Hot water bottles:		
Hospital Grade (molded)[2]	$0.74	$1.00
Consumer Grade I[2]	.62	1.01
Consumer Grade II[2]	.49	.78
Fountain syringes (molded) equipped with 4'8" regular flow tubing, stopper, shut-off and screw socket:		
Hospital Grade:		
Group I attachments[3]	.76	1.33
Group II attachments[3]	.84	1.45
Group III attachments[3]	1.09	1.92
Consumer Grade I:		
Group I attachments	.63	1.08
Group II attachments	.69	1.18
Group III attachments	.95	1.63
Consumer Grade II:		
Group I attachments	.51	.83
Group II attachments	.58	.98
Group III attachments	.83	1.38
Combination syringes (molded) equipped with 4'8" regular flow tubing, stopper, shut-off and screw socket:		
Hospital Grade:		
Group I attachments	.93	1.65
Group II attachments	1.00	1.75
Group III attachments	1.25	2.20
Consumer Grade I:		
Group I attachments	.79	1.38
Group II attachments	.86	1.48
Group III attachments	1.11	1.93
Consumer Grade II:		
Group I attachments	.68	1.13
Group II attachments	.74	1.23
Group III attachments	1.00	1.68
Ice Caps (molded)[4]	.63	1.08

2. Footnote 2 to Table I of Appendix B is amended to read as follows:

[2] When used in this Table I, the designations "Hospital Grade," "Consumer Grade I," "Consumer Grade II," and "Ice Caps (molded)" have the meanings given to them by Table I in Revised Maximum Price Regulation 300—Maximum Manufacturers' Prices for Rubber Drug Sundries.

This amendment shall become effective June 26, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10922; Filed, June 21, 1945; 11:49 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 477, Amdt. 12]

SALES OF RUBBER HEELS AND SOLES IN THE SHOE FACTORY AND HOME REPLACEMENT TRADES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 477 is amended in the following respects:

1. Subparagraph (2) of section 9a (b) is amended to read as follows:

(2) *Maximum prices for sales of government rejected composition, carbon black half-soles in the home replacement trade.* The maximum prices for sales at all levels in the home replacement trade of the government rejected composition, carbon black rubber half-soles that are listed in Appendix D and which are serviceable as soles shall be the maximum prices therefor set forth in Appendix D. Government rejected soles are those which have been manufactured for the use of the United States government or any agency thereof and which have been rejected as not meeting the purchaser's standards.

2. A new subparagraph designated (3) is added to section 9a (b) to read as follows:

(3) *Maximum prices for sales in the home replacement trade of soles not covered by subparagraphs (1) and (2).* Maximum prices for all sales in the home replacement trade of rubber soles not covered by subparagraphs (1) and (2) shall be determined in accordance with the provisions of the General Maximum Price Regulation.

3. A new appendix designated Appendix D is added to read as follows:

APPENDIX D—MAXIMUM PRICES FOR GOVERNMENT REJECTED COMPOSITION, CARBON BLACK HALF-SOLES SOLD IN THE HOME REPLACEMENT TRADE[1]

Thickness and size	Manufacturers' prices (per doz. pairs)[2]	Wholesalers' prices (per doz. pairs)[2]	Retailers' prices (per pair)
12 iron, sizes 7-11, assorted	$2.16	$2.88	$0.40
12 iron, sizes 11-13 assorted or solid	2.25	3.00	.40

[1] These maximum prices apply to composition, carbon black half-soles which have been manufactured for the use of the United States or any agency thereof and which have been rejected as not meeting the purchaser's standards and which are serviceable as soles.

[2] These maximum prices are subject to any cash discounts and transportation allowance that the seller had in effect to a purchaser of the same class during March, 1942.

This amendment shall become effective June 26, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10925; Filed, June 21, 1945; 11:50 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 270,[1] Amdt. 9]

DRY EDIBLE BEANS AND CERTAIN OTHER DRY FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 3 (a), Table I is amended in the following respects:

1. The prices for Marrow beans (not including red marrow) are amended to read as follows:

Marrow beans (not including red marrow):	
U. S. Choice hand picked	$8.50
U. S. No. 1	8.40
U. S. No. 2	8.25
U. S. No. 3 and lower	8.00

[1] 9 F.R. 9261, 10876, 12129, 14106; 10 F.R. 620.

2. The prices for white kidney beans are amended to read as follows:

White kidney beans:	
U. S. Choice hand picked	$9.60
U. S. No. 1	9.50
U. S. No. 2	9.35
U. S. No. 3 and lower	9.10

This amendment shall become effective June 26, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 8, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I approve the above prices for White Marrow and White Kidney beans, and find that they are necessary in order to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10019; Filed, June 21, 1945; 11:48 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 285,[1] Incl. Amdts. 1–3]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

This compilation of Revised Maximum Price Regulation 285 includes Amendment 3, effective June 26, 1945. Portions added and amended by Amendment 3 are underscored. Deletions and redesignations are indicated by notes.

A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation 285 has been issued and filed with the Division of the Federal Register.[2]

§ 1351.1251 *Maximum prices for certain sales of imported fresh bananas.* Under the authority vested by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 285 (Imported Fresh Bananas, Sales Except at Retail), which is annexed hereto and made a part hereof, is hereby issued.

SEC.
1. What this regulation applies to.
2. Definitions.
3. Importers' maximum prices for green bananas.
4. Maximum prices for all other sales of bananas.
5. Delegation of authority to Regional Administrators and District Directors.
6. Evasion of ceilings.
7. Maintenance of customary discounts and allowances.
8. Record keeping.
9. Information sellers must supply.
10. Compliance with this regulation.
11. Petitions for amendment.

AUTHORITY: § 1351.1251 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

[1] 10 F.R. 1493.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

SECTION 1. *What this regulation applies to*—(a) *In general.* This regulation establishes the maximum prices that importers may pay for green bananas imported from any country for sale within the Continental United States and the maximum prices for all domestic sales of imported green and processed bananas except sales by retailers (See MPR's 422[3] and 423[4]). Export sales are covered by Second Revised Maximum Export Price Regulation.[5] It supersedes Maximum Price Regulation 285, but all Regional or District Orders issued under that regulation shall continue in effect as orders under this regulation until superseded or revoked by the appropriate office.

[Paragraph (a) amended by Am. 3, effective 6-26-45]

(b) *Geographical applicability.* This regulation applies to the 48 states of the United States and the District of Columbia.

SEC. 2. *Definitions.* As used in this regulation, the term:

"Importer" means a person, other than a retailer, who imported the bananas being priced into the United States for resale, or who regularly imports bananas into the United States for resale whether or not he imported the particular bananas being priced.

"Retailer" means a person the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers.

"Green bananas" means fresh bananas other than processed bananas, and includes bananas that have "turned" or ripened naturally.

"Processed bananas" means fresh bananas that have been unloaded into and actually stored in rooms or buildings specially equipped for artificially ripening bananas, and there treated by controlled heating, refrigeration, humidification or other means customarily used to ripen bananas artificially.

[Above definition amended by Am. 2, 10 F.R. 5035, effective 5-9-45]

"Cost of transportation", with respect to the bananas being priced, means the sum of the following:

(1) The cost of transporting the bananas from the port of entry to the wholesale receiving point or auction by the most direct route at the lowest available common carrier rate;

(2) In the case of truck shipments, wharfage, handling, tollage and usage charges incurred at the dock;

(3) In the case of railroad shipments to points west of the Mississippi River, the cost of messenger service actually supplied, but not to exceed $20.00 per car;

(4) The actual cost of other protective services, but not to exceed the lowest common carrier's charges for the same services;

(5) Any transportation tax imposed by section 602 of the Revenue Act of 1942;

(6) [Deleted].

[Item 6 deleted by Am. 3, effective 6-26-45]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702, 9521) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

"Wholesale receiving point" means the local railroad produce delivery yard at which bananas from the particular port of entry are customarily and generally received. If there is no such local delivery yard, the wholesale receiving point is the buyer's premises.

[Above definition amended by Am. 3, effective 6-26-45]

"Base price" means the maximum price delivered at the port of entry for the bananas being priced plus the cost of transportation. In cases where a maritime port of entry is also the wholesale receiving point, there is no "cost of transportation," as defined in this section. In such cases the base price includes, instead of the cost of transportation, all charges occurring between shipside and delivery to the buyer's premises except the cost of local unloading. The charges mentioned include, for example, wharfage, handling, tollage, usage and railroads' switching charges, together with the actual cost of any protective services rendered with respect to the bananas being priced while they were on the dock.

[Above definition amended by Am. 2]

"Delivered to a retailer or institutional user" means delivered to the buyer's premises, and in the case of a retailer, delivered to the retail store where sales to ultimate consumers are to be made. "Institutional user" includes government procurement agencies, hotels and restaurants.

"Processor" means the person (including an importer) who converted the bananas being priced from green bananas into processed bananas.

"Sub-jobber" means a person other than an importer who buys processed bananas and resells them to persons other than ultimate consumers.

[Above three definitions added by Am. 2, 10 F.R. 5035, effective 5-9-45]

"Person" means an individual, corporation, partnership, association, any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

"Sale" includes sales, dispositions, agencies, leases, and other transfers and contracts and offers to do any of those things. The term "sell," "seller," "buy," "buyer," "purchase" and "purchaser" shall be construed accordingly.

[3] 10 F.R. 1505, 2024, 2207, 3814, 5370.

[4] 10 F.R. 1523, 2025, 2298, 3814, 5370.

[5] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14316, 10 F.R. 893, 923, 2432.

SEC. 3. *Importers' maximum prices for green bananas*—(a) *Maximum prices that importers may pay, including payment for purchasing services.* The maximum price that an importer may pay for green bananas, is, in each case, his maximum selling price for the bananas being priced less all costs incurred by him incident to transporting the bananas from the country of production to the point at which he receives them and less all sums he pays for purchasing services.

The maximum amount that an importer may pay or any person may receive for purchasing services, in any case, shall not exceed the importer's maximum selling price for the bananas being priced less the sum of the amount paid for the bananas and the actual cost of delivering them to the importer.

"Purchasing services" include, for example, finding or procuring the bananas, arranging or securing transportation, buying the bananas before they are imported and selling them to the importer, and chartering transportation facilities to or for the importer if the person performing the purchasing services owns or controls the means of transportation leased or chartered.

(b) *Importers' maximum selling prices.* The prices established by this paragraph are importers' maximum prices for sales of green bananas, regardless of whether the importer performs functions other than importing.

(1) *Delivery at port of entry.* Importers' maximum prices for sales of green bananas delivered at port of entry are the amounts listed opposite the respective countries of production in the following table:

Country of production:	*Maximum price per cwt.*
Guatemala, Costa Rica, Honduras, Panama	$4.50
Mexico[1] states of Chiapas and Tabasco	4.50
Mexico, all other states	3.25
All other countries	4.00

[1] See section 9 (b) and (c) for special provisions regarding importations of Mexican bananas. If those provisions are not met, the maximum price delivered at port of entry for the particular bananas is $3.25 per cwt.

"Delivered at port of entry" means, in the case of maritime ports of entry, delivered at ship-side, and in the case of terrestrial ports of entry, delivered at the point at which the bananas being priced first entered the United States loaded in the car or other vehicle in which they were imported. The maximum price delivered at port of entry, in the case of maritime ports, includes all costs included in ocean transportation. In sales made by importers at maritime ports of entry, if the bananas are not unloaded from the vessel, the maximum price in each case is the applicable maximum price from the foregoing table minus the cost of unloading.

(2) *Delivered at points other than port of entry.* For sales delivered at any point other than the port of entry, the importer's maximum price in each case is the maximum price delivered at port of entry for the bananas being priced, plus the cost of transportation (i.e., the "base price" only).

(3) *Through terminal auction in certain cities.* For sales through terminal auction in New York, New York; Philadelphia, Pennsylvania; or Baltimore, Maryland; the importer's maximum price in each case is the base price plus 94 cents per cwt. minus 5% of the total of the foregoing items. For sales through any other terminal auction the maximum price is the base price only.

[Sec. 3 amended by Am. 2, 10 F.R. 5035, effective 5-9-45; and Am. 3, effective 6-26-45]

SEC. 4. *Maximum prices for all other sales of bananas*—(a) *Explanation.* Table 1 in paragraph (b) below, which does not apply to sales by importers, shows how to figure maximum prices for all sales of bananas made after the bananas being priced have been sold by an importer through a terminal auction at New York, New York, Philadelphia, Pennsylvania or Baltimore, Maryland. The maximum price for such sales is, in each case, the net auction price multiplied by the figure named in the table for the particular type of sale. The term "net auction price" means the maximum price delivered at port of entry for the bananas being priced, plus the cost of transportation, plus 94¢ per cwt., minus 5% of the total of the foregoing items.

Table 2 in paragraph (b) below, shows how to figure maximum prices for all sales of bananas not covered by section 3 or by Table 1 of this section. The maximum price for such sales is, in each case, the base price multiplied by the figure named in the table for the particular type of sale.

The maximum prices for sales delivered to retailers or institutional users include all delivery costs within the seller's free delivery zone. These maximum prices may be increased only as authorized by a Regional Administrator or District Director pursuant to section 5 (a) (1). All other maximum prices named are f. o. b. the seller's premises, and if the seller makes delivery his maximum price is the maximum price otherwise applicable to the particular sale plus the cost of delivery at the lowest rate for available transportation.

For sales of bananas in hands to procurement agencies of the United States where the seller furnishes non-returnable containers at the request or specification of the buyer, the seller may add the actual cost to him of such containers, not to exceed their maximum price under any applicable maximum price regulation.

[Above paragraph added by Am. 3, effective 6-26-45]

(b) *Markup tables.*

TABLE 1—BANANAS THAT HAVE BEEN SOLD BY AN IMPORTER THROUGH AUCTION

Type of sale:	*Figure by which net auction price is to be multiplied*
(a) Sales of green bananas by anyone except an importer	1.08
(b) Sales of processed bananas:	
(1) By processors (who are not importers) and subjobbers, delivered to retailers or institutional users[1]	
In stems	1.26
In hands	1.36
(2) All other sales by processors (who are not importers) and subjobbers	
In stems	1.18
In hands	1.28

[1] For sales in stems to retailers or institutional users, if the seller does not deliver, but the bananas are packed in boxes, baskets or similar containers and are protected by excelsior, shredded paper or other materials and the buyer has supplied neither the container nor the protective material, the multiplier is 1.22.

TABLE 2—ALL OTHER BANANAS

Type of sale:	*Figure by which base price is to be multiplied*
(a) Sales of green bananas by anyone except an importer:	
(1) In unbroken carlots or truck-lots, or at port of entry and not loaded on carrier	1.02
(2) All other sales	1.09
(b) Sales of processed bananas:	
(1) By processors or sub-jobbers delivered to retailers or institutional users:[1]	
In stems	1.375
In hands	1.485
(2) All other sales by processors or sub-jobbers:	
In stems	1.285
In hands	1.395

[1] For sales in stems to retailers or institutional users if the seller does not deliver, but the bananas are packed in boxes, baskets or similar containers and are protected by excelsior, shredded paper or other materials and the buyer has supplied neither the container nor the protective material, the multiplier is 1.33.

(c) *Minimum markups.* For sales by the processor, delivered to a retailer or institutional user, the markup shall not be less than $1.50 per cwt. for bananas in stems or $1.85 for bananas in hands.

(d) *Special provisions for processors in New York City.* For processors located in the metropolitan area or city limits of New York City, the maximum price, in each case, is 30 cents per cwt. higher than the maximum price otherwise applicable to the sale, and the maximum price otherwise applicable to any subsequent sale of the bananas is increased by that amount. The provisions of this paragraph shall expire on July 1, 1945 unless sooner suspended by the Regional Administrator of Region II. (See section 5 (a) (3) for his authority to make certain adjustments.)

[Sec. 4 amended by Am. 1, 10 F.R. 1935, effective 2-14-45 and Am. 2, 10 F.R. 5035, effective 5-9-45]

SEC. 5. *Delegation of authority to Regional Administrators and District Directors.* (a) Each Regional Administrator is granted the following authority, which he in turn may delegate to District Directors within his jurisdiction:

[Former subparagraph (1) deleted; former subparagraphs (2), (3) and (4) redesignated (1), (2) and (3) by Am. 3, effective 6-26-45]

(1) To adjust upward the maximum prices of sellers other than importers to provide for inbound delivery costs (not including local hauling) charged to or paid for or absorbed by the seller and to provide for the cost of making deliveries to the premises of retailers or institutional users beyond the free delivery zone. In the case of sales delivered to retailers or institutional users beyond the free delivery zone the adjustment shall not exceed 35¢ per cwt.

(2) In Region I only, to adjust upward the maximum prices of sellers other than importers to provide for the cost of hauling bananas from wholesale receiving points to sellers' places of business in cases where it is determined that the markups applicable to such sellers are not adequate to provide for the cost of such hauling, and regardless of whether such hauling is local hauling. However, no such adjustment shall be made in any amount more than 35¢ per cwt., nor in an amount or manner that will tend to cause a shortage of bananas in any other locality or cause an increase in the price of bananas at retail.

(3) In Region II only, to adjust upward the maximum prices for sales by processors not to exceed 30¢ per cwt., in cases where it is found that the applicable markup is not adequate to cover costs of hauling from a rail terminal to the seller's warehouse or ripening room. In all cases where such an adjustment is made it shall be provided that the maximum price otherwise applicable to all subsequent sales of the same bananas is increased in each case by the same amount. Adjustments made under this authority shall automatically suspend the effect of section 4 (d) if that section would otherwise be applicable.

[Subparagraphs (1) and (2), formerly (2) and (3), amended and (3), formerly (4), added by Am. 2, 10 F.R. 5035, effective 5-9-45]

(b) No adjustment under this section shall be made to provide for the cost of local unloading at the seller's place of business.

[Paragraph (b) amended by Am. 2]

SEC. 6. *Fractions of cents.* If any maximum price figured under this regulation includes a fraction of a cent, the seller shall adjust the price to the nearest fractional unit of a cent (like 1 cent, ½ cent, ¼ cent, etc.) in which he has customarily quoted prices for bananas.

SEC. 7. *Maintenance of customary discounts and allowances.* No seller shall change any customary discount, allowance or other price differential to a purchaser or class of purchasers if the change results in a higher price to that purchaser or class.

SEC. 8. *Record keeping.* Every seller covered by this regulation shall:

(a) Preserve for examination by the Office of Price Administration all his records, including invoices or other written evidence of sales and deliveries relating to the prices that he charges pursuant to the provisions of this regulation;

(b) Prepare on or before the effective date of this regulation, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing all of his customary allowances, discounts and other price differentials;

(c) Keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, records of the same kind as he has customarily kept relating to the prices that he charges for bananas after the effective date of this regulation, and in addition records showing as precisely as possible the basis upon which he determined the maximum prices for bananas.

SEC. 9. *Information sellers must supply.* (a) Every seller covered by this regulation shall supply his purchaser with an invoice or other written evidence of the sale, which shall state the number of pounds of bananas sold, the country of production, the maximum price delivered at port of entry, the cost of transportation involved, the selling price, and if the bananas are sold or were purchased through auction, the maximum price for that auction sale.

[Paragraph (a) amended by Am. 2, 10 F.R. 5035, effective 5-9-45]

(b) In the case of bananas imported from Mexico, the invoice shall set forth the state in Mexico in which the bananas were produced.

(c) All importers of bananas from Mexico are required to secure an original or copy of "Certificate of Origin" ("Certificado de Exportacion"—issued under the authority contained in the Order of the Department of Finance and Public Credit of the Republic of Mexico, published in the "Diario Official" on February 2, 1943). For each sale of bananas imported from Mexico, the importer must retain one copy of this certificate and supply his purchaser with a copy. These copies shall be retained pursuant to section 8.

SEC. 10. *Compliance with this regulation—(a) No selling or buying above maximum prices.* On and after the effective date of this regulation, regardless of any contract or obligation, no person shall sell or deliver, or import, or buy or receive in the course of trade or business, bananas at prices higher than the maximum prices established by this regulation. However, prices lower than maximum prices may be charged and paid.

[Paragraph (a) amended by Am. 3, effective 6-26-45]

(b) *Evasion.* No person shall evade a maximum price, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium or other privilege; by tying agreement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling or packaging; or in any other way.

(c) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) issued by the Office of Price Administration provides that the war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

(d) *Licensing.* The provisions of Licensing Order No. 1 (8 F.R. 13240) licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 11. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 as amended.[9]

This regulation shall become effective February 12, 1945.

[Revised Maximum Price Regulation 285 originally issued February 2, 1945]

[Effective dates of amendments are shown in notes following parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16920; Filed, June 21, 1945; 11:48 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 585, Amdt. 2]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 585 is amended in the following respects:

1. The designation "(a)" immediately preceding the definition of "United States" in section 2.1 (a) is amended to read "(2)".

2. The second sentence in section 2.1 (a) (3) is amended to read as follows:

A "manufacturer" is a Class A manufacturer with respect to his operation of a Class A plant, for which margins are determined on the basis of sales to retailers or deliveries to retail outlets or sales to other manufacturers of mixed feeds for use in further processing or mixing under section 4.1 (c) and a Class B manufacturer with respect to his operation of a Class B plant, for which margins are determined on the basis of sales to feeders under section 4.1 (d).

[9] 9 F.R. 10476, 13715.

3. Section 3.12 (a) is amended to read as follows:

(a) Every person subject to this regulation shall keep, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a record of all sales of mixed feeds sold by him, showing the date thereof, the quantity and kinds of mixed feeds sold by him, the agreed price and, with respect to all sales in excess of one ton, the name of the buyer, whose address shall be supplied upon request made by a duly authorized representative of the Office of Price Administration except that if a person posts his maximum prices for sales to feeders conspicuously in his place of business, he need not keep a record of sales to feeders in quantities of less than one ton made at such place of business.

4. The second sentence in section 4.1 (a) (2) is amended to read as follows: "For Class A plants, he shall determine the margins on sales he made to retailers, or in the absence thereof on deliveries he made to his retail outlets, or, in the case of mixed feeds sold only to other manufacturers of mixed feeds on sales made to such manufacturers, in the manner provided in paragraph (c) of this section."

5. The heading and first sentence of section 4.1 (c) (1) (iii) are amended to read as follows:

Use of retail outlets and sales to other manufacturers. If during the 1942 base months you made no sales to retailers but made deliveries to your retail outlets or sales to other manufacturers of mixed feeds, you may consider such deliveries to your retail outlets or such sales to other manufacturers as sales to retailers for the purpose of determining margins.

6. The first paragraph of section 4.1 (d) (3) is amended to read as follows:

(3) *Methods for Class B plants for sales to retailers.* For each Class B plant whose feeds are sold to other than feeders, you shall determine your margins per ton for each mixed feed on the basis of carload sales to retailers by the use of one of the following methods, except that in the case of private brand mixed feeds you must use the fourth method.

7. The Third Method in section 4.1 (d) (3) is amended to read as follows:

Third method. (i) In order to use this method you must have records showing that you made sales to retailers during the 1942 base months and showing the discounts, if any, from your selling price to feeders that you gave to such retailers.

(ii) (a) If you use this method your margin for sales to retailers in carload quantities, shall be the amount, in dollars and cents, determined by deducting from your margin for sales to feeders the largest regular discount, if any, from your margin for sales to feeders that you gave on sales to retailers in carload quantities during the 1942 base months.

(b) If you made sales to retailers during the 1942 base months only in less than carload quantities, your margin for sales to retailers in carload quantities shall be the amount, in dollars and cents, determined by deducting from your margin for sales to feeders the largest regular discount, if any, from your margin for sales to feeders that you gave on sales to retailers in less than carload quantities during the 1942 base months, less an additional sum of $1.00.

(c) For the purposes of this method a "regular discount" shall be a discount given continuously during the 1942 base months and an occasional sale at a greater or lesser discount shall be disregarded.

8. A Fourth Method is added to section 4.1 (d) (3) to read as follows:

Fourth Method. If (1) you are determining a margin for a private brand feed or (2) you cannot determine a margin by any of the foregoing methods or (3) you want to determine a margin for a mixed feed which you did not sell to retailers during the 1942 base months, such margin shall be determined in accordance with the following methods:

(i) You may select the margin for sales to retailers determined under any of the first three methods for a mixed feed manufactured at any of your Class B plants having the same or most similar feeding purpose. Such margin shall be the margin for sales to retailers which you shall file for the mixed feed under this regulation; or

(ii) You may apply to the office of the Office of Price Administration with which you file your margins under paragraph (f) of this section for a margin for such mixed feed. Your application should contain the following information:

(*a*) Name and address of applicant.
(*b*) Location of plant where mixed feed will be manufactured.
(*c*) Name of feed and feeding purpose.
(*d*) Minimum guarantee of protein and fat and maximum guarantee of fibre.
(*e*) Proposed ingredients for the feed.
(*f*) Proposed margin.
(*g*) Your margins on similar feeds.
(*h*) Name and addresses of closely competitive sellers for similar mixed feeds (if known).
(*i*) Information and scope of activity, if you operate a laboratory, do advertising or supply farm services.

At any time after the filing of your application and before the Office of Price Administration has provided you with a margin, you may use the margin you propose in your application.

9. The second sentence in section 4.1 (g) (3) is amended to read as follows: The allowed margin or differential shall be used by the manufacturer, unless his records would establish that his filed margin or differential was correctly determined under the provisions of this regulation and he elects to rely on the correctness of such determination pending the final disposition of his petition filed pursuant to subparagraph (5) below.

10. Section 4.1 (e) is amended to read as follows:

(e) *Differentials for Class C plants.* (1) A Class C plant is (i) one for which during the 1942 base months you customarily determined selling prices on mixed feeds by adding to, or deducting from, the selling price at another related plant operated by you, differentials which may or may not have been zero and may or may not have been constant during such 1942 base months or (ii) a plant classified as a Class C plant pursuant to the provisions of subparagraph (3) below.

(2) For each plant qualifying as a Class C plant under subparagraph (1) (i) above, you shall determine, on a per ton basis, the average of such differentials during the 1942 base months for each mixed feed. The results will be the differentials for such plant which you shall file under this regulation for such mixed feeds.

(3) Any manufacturer may apply to the district or regional office of the Office of Price Administration with which he files his margins and differentials for permission to treat any plant or plants operated by him as a Class C plant or plants and to establish differentials therefor. Any such application shall contain, in addition to the information required by paragraph (f) of this section, (i) a statement as to whether or not such differential had been customarily used though not in the 1942 base months and (ii) a statement of the reasons and bases for the establishment of the differential requested, such as varying costs of ingredients, transportation costs or desirability of establishing uniform prices.

11. The first sentence of section 4.1 (h) is amended to read as follows: Any filed margin or differential determined in good faith pursuant to the provisions of this regulation, which has not been disapproved within sixty days after the manufacturer has received an acknowledgment of such filing, shall thereafter be deemed to be approved.

12. A new sentence is added to section 4.2 (b) immediately before the first paragraph to read as follows: The purpose of the methods set forth below is to provide each manufacturer with a method for the determination of an average maximum price for each ingredient that he uses which, when determined, becomes his base ingredient price for that ingredient, and may thereafter be used instead of the maximum price for each specific receipt of that ingredient, subject however, to the conditions set forth in this regulation.

13. A new sentence is added at the end of the first paragraph of section 4.2 (b) to read as follows: For the purposes of subparagraphs 4.2 (b) (1) and (2), the term "customary maximum prices" refers to a maximum price which either (i) uniformly applies to a major portion of the receipts of the ingredient in question at the manufacturer's plant during the twelve-month period ending April 30, 1945 or (ii) is a price not higher than the average of the maximum prices of the receipts of the ingredient in question at your plant during the twelve-month period ending April 30, 1945.

14. The Third Method under section 4.2 (b) (1) is amended to read as follows:

Third Method. You may use the simple average of the maximum prices you could have lawfully paid to your supplier delivered at your plant for either

(i) Those of your receipts during the last thirty days prior to the effective date of this regulation which reflect your customary maximum prices, or

(ii) Your last twenty receipts prior to the effective date of this regulation which reflect your customary maximum prices, or

(iii) Your receipts during the last year preceding the effective date of this regulation.

15. The First Method under section 4.2 (b) (2) is amended to read as follows:

First Method. You may use the simple average of the maximum prices you could have lawfully paid to your supplier delivered at your plant for either

(i) Those of your receipts during the last thirty days prior to the effective date of this regulation which reflects your customary maximum prices, or

(ii) Your last twenty receipts prior to the effective date of this regulation which reflect your customary maximum prices, or

(iii) Your receipts during the last year preceding the effective date of this regulation.

16. The second sentence in section 4.2 (f) (3) is amended to read as follows: The allowed price shall be used by the manufacturer, unless his records would establish that his filed price was correctly determined under the provisions of this regulation and he elects to rely on the correctness of such determination pending the final disposition of his petition filed pursuant to subparagraph (5) below.

17. The first sentence of section 4.2 (h) is amended to read as follows: Any filed ingredient or container price determined in good faith pursuant to the provisions of this regulation, which has not been disapproved within sixty days after the manufacturer has received an acknowledgment of such filing, shall thereafter be deemed to be approved.

18. Section 4.5 is amended to read as follows:

SEC. 4.5 *Pricing day.* Within 60 days of the effective date of this regulation, each manufacturer shall select one day of the week as his pricing day for each of his plants. The pricing day is the day the manufacturer selects upon which to have his control prices and his price lists become effective. It may, but it need not be, the same day as the day upon which he computes his list prices or issues his price lists. Once the pricing day is selected it shall be the same day in each subsequent week except that if a pricing day falls on a holiday the manufacturer may select the day immediately preceding or following such holiday as his pricing day for that week. The control prices and price lists for the plant on such pricing day remain in effect for one week until the following pricing day.

19. Section 4.9 (a) is amended to read as follows:

(a) *Sales to feeders.* For sales to feeders of mixed feed manufactured by you at a Class B plant, or Class C plant related thereto, your maximum price shall be as follows:

(1) Your control price for sales to feeders in lots of one to five 100-pound containers; plus

(2) Your transportation cost from your plant or other f. o. b. point as of which you compute your margins; plus

(3) The appropriate differentials at the rate set forth in section 4.10 for mixed feeds in pelleted form and for mixed feeds in containers of less than 100 pounds; plus

(4) A handling charge of $1.50 per ton for mixed feeds in containers of less than 100 pounds; and

(5) On lots you have unloaded into a warehouse after shipment from your plant and from which you sell to feeders, a handling charge in addition to $2.50 per ton.

(6) On sales in larger lots than one to five 100-pound containers, you shall allow such discounts as are consistent with your regular discount policy on such sales during the 1942 base months.

20. Paragraph (c) of section 5.2 is amended to read as follows:

(c) If you are an importer your maximum purchase price, or

21. A new paragraph (d) is added to section 5.2 to read as follows:

(d) If you bought the mixed feed from another wholesaler, the maximum price he could lawfully have charged you for such mixed feed; plus

22. Paragraph (d) of section 5.2 is redesignated (e) and the words "or (d)" are inserted between "c" and "above" in the first sentence.

23. The first sentence of section 5.5 (a) is amended to read as follows: If you are an importer of mixed feeds you determine your maximum price for the sale of any such mixed feed under the provisions of section 5.3 for sales to feeders and under the provisions of section 5.2 for sales to any person other than a feeder.

24. Section 5.6 is amended by adding the following paragraph at the end thereof:

Revised Maximum Price Regulation No. 165, as amended, is superseded insofar as it establishes maximum prices for custom mixers as defined in this regulation.

This amendment shall become effective June 21, 1945.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10926; Filed, June 21, 1945; 11:50 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[RMPR 136, Amdt. 3]

MACHINES, PARTS AND INDUSTRIAL EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

In section 19 (b), the date "March 12, 1945" is amended to read "December 4, 1944".

This amendment shall become effective June 26, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10918; Filed, June 21, 1945; 11:48 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 10]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.7903 (b) is revoked.

2. Section 1394.7904 (b) is amended to read as follows:

(b) *Limitation on the allowance of non-highway ration for use with a boat used for specified purposes.* If application is made for a non-highway ration for use with an inboard motorboat or an outboard motor operated wholly or in part for any of the purposes specified in the three limitation groups set forth below, the Board shall allow for any three month period the amount of gasoline required for such purpose, but not in excess of the maximum amount specified for the appropriate limitation group as determined by the formulae applicable to that limitation group.

(1) *Limitation Group I.* If the boat is operated for the purpose of conducting fishing parties (other than commercial fishing) by a person regularly engaged in that business and the fishing party is personally conducted by such person or his employee, the ration for this purpose shall not exceed the appropriate maximum as follows:

(i) For an inboard motorboat the number of gallons equal to one and two-thirds gallons per manufacturer's rated horsepower of the motor or motors multiplied by the average number of days per week that the boat is used for this purpose during the ration period but not in excess of 1,200 gallons. For the purpose of this computation no more than six days in each calendar week shall be counted.

(ii) For an outboard motor the number of gallons equal to two and one-half times the manufacturer's rated horsepower but not in excess of 20 gallons.

(2) *Limitation Group II.* If the boat is operated for any of the purposes set forth in subdivisions (i) and (ii) of this subparagraph, the ration for all such purposes shall not exceed the appropriate maximum set forth in subdivision (iii).

(i) The operation of a boat by a person as his business or part of his business for advertising purposes; conducting, guiding, or chartering the boat for sightseeing, hunting or pleasure parties or transporting persons traveling for these or other non-occupational purposes; or renting or chartering a boat for fishing (other than commercial fishing or as specified in subparagraph (1)).

(ii) The use of a boat (other than as a common carrier) for transporting persons traveling for occupational purposes if there is adequate alternative means of transportation available.

(iii) The maximum rations allowable for all the purposes set forth in this subparagraph (2) are as follows:

(*a*) For an inboard motorboat the number of gallons equal to two times the manufacturer's rated horsepower of the motor or motors but not in excess of 125 gallons.

(*b*) For an outboard motor the number of gallons equal to two and one-half times the manufacturer's rated horsepower but not in excess of 20 gallons.

(3) *Limitation Group III.* If the boat is used for travel between a temporary or seasonal home or lodging and a fixed place of work and the applicant is not required to live at such home or lodging by reason of his work, or if the boat is used for transporting persons traveling for non-occupational purposes (except as provided in § 1394.7904 (b) (1) and (2)), or if the boat is used for no occupational purpose, the maximum rations allowable for all such purposes are as follows:

(i) For an inboard motorboat the number of gallons equal to two times the manufacturer's rated horsepower of the motor or motors, but not in excess of 36 gallons.

(ii) For an outboard motor the number of gallons equal to two and one-half times the manufacturer's rated horsepower but not in excess of 15 gallons.

(iii) However, if the boat is enrolled as a member of the Coast Guard Auxiliary and is not eligible for a non-highway ration for its operation except for a purpose specified under this subparagraph (3), the maximum ration allowable shall be the same as set forth in § 1394.7904 (b) (2) (iii) if the application is accompanied by the certification of an authorized Coast Guard officer stating that the boat is so enrolled and has been accepted by the Coast Guard for emergency duty.

(4) In the case of an inboard motorboat or outboard motor used in connection with farming, the gallonage determined by the Board for a three-month period (in accordance with the other provisions of this paragraph) shall be multiplied by two and the non-highway ration so determined shall be issued for a six-month period.

(5) *Auxiliary motors.* Notwithstanding the provisions of subparagraph (1), (2) and (3) of this paragraph, a non-highway ration may be issued for use with an auxiliary motor of an inboard motorboat for operating an electric generator for lighting, refrigeration and like purposes.

3. Section 1394.7904 (d) is amended to read as follows:

(d) Except as provided in § 1394.8102 (f) (1) and § 1394.8052 (a) (4), no non-highway ration issued for use with a boat for any of the limited purposes set forth in § 1394.7904 (b) may be issued for such boat during any three or six month period for which such a ration has already been issued.

4. Section 1394.8052 (a) (4) is added to read as follows:

(4) A change in this order increasing the amount of non-highway ration allowable for use with boats for any of the purposes specified in § 1394.7904 (b).

5. In § 1394.8052 (d) the last sentence is amended to read as follows: "No further non-highway ration shall be granted which would permit the applicant to exceed the limitations on the amount of gasoline allowable under § 1394.7904 (b) in effect during the period of his current ration which has already passed or in effect during the period of the further ration."

This amendment shall become effective June 20, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 20th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10377; Filed, June 20, 1945; 4:42 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17, Amdt. 101]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 17 is amended in the following respect:

1. Section 2.22 (c) is added to read as follows:

(e) *Fourth odd lot release.*—(1) *Transfers to establishments.* (i) During the period from June 25, 1945 to July 14, 1945, inclusive, any establishment whose transfers of shoes are made principally to other establishments or any establishment whose transfers of shoes are made principally on mail order may transfer without ration currency to any other establishment, not to exceed in any class listed below, the applicable percentage of the number of pairs of shoes which it had in its inventory on July 31, 1944, in such class (as reported on Form R-1701B).

	Percent
Class I—Men's dress and work shoes	3
Class II—Women's shoes	5

Any establishment transferred to a new owner under section 3.7 (b) after July 31, 1944 may transfer shoes under the conditions stated in subdivision (i) using as the base to which the percentage applies the number of pairs of shoes its transferor had in inventory on July 31, 1944 (as reported on Form R-1701B). An establishment opened as a new business after July 31, 1944 may transfer in any class the applicable stated percentage of the number of pairs of shoes in that class in its inventory on June 30, 1945, if it files with the District Office an inventory taken as of June 30, 1945 of its men's dress and work shoes and of its women's shoes. The inventory need not be filed on any prescribed form. No transfers of shoes may be made in such a case under this paragraph (e) until the inventory is filed. The price of each pair so transferred between establishments not owned by the same person may not exceed a price 25% below the lowest price at which shoes were sold by the transferor on June 1, 1945 (or if there was no sale of such shoes on June 1, 1945, the closest date thereto) to persons other than consumers. If there is no established price for such shoes to persons other than consumers, they may be transferred at a price not to exceed 10% above the price paid by the owner of the establishment for such shoes. An establishment may transfer shoes under this subparagraph (1) to another establishment owned by the same person only if the price to consumers for such shoes will not exceed a price 33⅓% above the lowest price paid by the owner of the establishment for such shoes.

(ii) Shoes acquired without ration currency under this subparagraph (1) by any establishment whose transfers of shoes are made principally to other establishments may be transferred without ration currency to another establishment without relation to the percentage specified in subdivision (i) above. The price of each pair so transferred between establishments not owned by the same person may not exceed a price 10% above the price paid by the owner of the transferor establishment for such shoes.

(iii) Each establishment shall, when transferring shoes without ration currency under this subparagraph (1) state on each invoice furnished pursuant to Sec. 2.13 the price per pair and in total of all shoes included in the invoice. Where shoes are transferred between establishments owned by the same person, the invoice shall state the price at which such shoes are to be sold to consumers.

(2) *Transfers to consumers.* (i) During the period from July 9, 1945 to July 28, 1945, inclusive, an establishment whose sales of shoes are made principally to consumers may transfer to consumers without ration currency in each class listed in subparagraph (1) above the applicable stated percentage of the number of pairs of shoes it had in its inventory on July 31, 1944, in such class (as reported on Form R-1701B). Any establishment transferred to a new owner under section 3.7 (b) after July 31, 1944 may transfer shoes under the conditions stated in this subparagraph (2), using as the base to which the percentage applies the number of pairs of shoes in that class in the inventory of the old owner on July 31, 1944 (as reported on OPA Form R-1701B). An establishment opened as a new business after July 31, 1944 may transfer in any class the applicable stated percentage of the

number of pairs of shoes in that class in its inventory on June 30, 1945, if it files with the District Office an inventory taken as of June 30, 1945 of its men's dress and work shoes and of its women's shoes. The inventory need not be filed on any prescribed form. No transfers of shoes may be made in such a case under this paragraph until the inventory is filed.

(ii) Any establishment whose transfers of shoes are made principally to consumers may transfer to consumers without ration currency during the period from July 9, 1945 to July 28, 1945, inclusive, shoes which it acquired from another establishment pursuant to subparagraph (1). The number of pairs of shoes so transferred need not be deducted by the establishment from the number of pairs of shoes permitted to be transferred without ration currency under subdivision (i) of this subparagraph (2).

(iii) The sale price of each pair of shoes transferred under subdivision (i) of this subparagraph (2) may not exceed a price of 25% below the establishment's regular price to consumers for such shoes on June 1, 1945. If the price of shoes had been permanently reduced before June 1, 1945, the reduced price is the regular price to consumers for the purpose of this subparagraph (2). If the shoes were on special sale on June 1, 1945 the regular price to the consumer for those shoes is the last price at which they were sold immediately preceding the special sale. The sale price of shoes transferred under subdivision (ii) of this subparagraph (2) may not exceed a price 33⅓% above the price paid by the owner of the establishment for such shoes.

(iv) Shoes transferred to consumers in accordance with this subparagraph (2) shall be marked with the words "Release No. 19J" after the sale to the consumer but before they are removed from the establishment. The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil.

(v) When such shoes are offered for sale to consumers in any advertisement or notice, they shall be referred to as "OPA Odd Lot Release. Ration-free from July 9, 1945 to July 28, 1945, inclusive."

(3) *Definition of price.* For the purpose of this paragraph (e) the term "price" shall mean the invoice price less any trade or cash discount but plus any separable transportation expense (a charge for freight or postage which is not included in the invoice price). However, the term "price" when used in relation to the amount which may be charged to a consumer means the amount actually charged less any local sales tax.

(4) *Records and reports.* Each establishment shall keep a record in the manner required by section 2.13 (b) (6) showing the number of pairs of shoes transferred without ration currency under this paragraph (e) and the number of pairs of shoes acquired by the establishment without ration currency under this paragraph (e).

(5) *Surrender of ration currency.* If shoes acquired without ration currency under subparagraph (1) are sold by an establishment to a consumer at a price in excess of 33⅓% above the price paid by the owner of the establishment for such shoes, it shall collect ration currency and surrender it to the District Office within five days after the transfer.

(6) *Restriction on sale of certain women's shoes.* Notwithstanding any other provision of paragraph (e), no women's shoes having heel heights of one inch or less may be transferred ration-free under paragraph (e).

This amendment shall become effective June 25, 1945.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10930; Filed, June 21, 1945; 11:47 a. m.]

PART 1422—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A, Amdt. 22]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order 9A is amended in the following respects:

1. Section 2.8 (b) is amended by changing the last sentence to read: "However, a person applying for an oil heating or an oil cooking stove may get a certificate for that type of stove only if he meets one of the conditions set forth in section 2.3 (b) (2) or 2.4 (b) (1), whichever is applicable."

2. Section 3.10 (b) is added as follows:

(b) *Exceptions as to coal or wood stoves.* After the day on which he has filled all orders for coal or wood stoves accompanied by certificates placed with him pursuant to section 14.3, a dealer or distributor may:

(1) Discontinue making a record of orders for coal or wood stoves placed by or with him after that day.

(2) Discontinue keeping invoices received for coal or wood stoves acquired by him after that day.

3. Section 4.4 (b) is added as follows:

(b) After the day on which a manufacturer has filled all orders for coal or wood stoves accompanied by certificates placed with him pursuant to section 14.3, he may discontinue keeping a record of coal or wood stoves produced, acquired or sold after that day.

4. Section 6.9 (b) (2) is amended to read as follows:

(2) If the transferee is a dealer or distributor and he does not have the consumer's certificate on hand, he must give the consumer a receipt, on CPA Form R-911, giving the information required by that form. The dealer or distributor must retain a copy of the receipt at his establishment until further notice by amendment of this order. He must surrender to the Board with which his establishment is registered a certificate for the type of stove transferred to him by the consumer; until he has done so he may not use any certificate for the purpose of acquiring that type of stove for inventory. He must note on his copy of the receipt the date when he gave up the certificate to the Board.

5. Section 6.9 (b) (3) is amended to read as follows:

(3) If the transferee is a manufacturer and he does not have the consumer's certificate on hand he must give the consumer a receipt on OPA Form R-911 giving the information required by that form and must include such transfer, as a purchase or return, in his report on Form WPB-3249 for the month in which the transfer is made, and must submit with that report a certificate for that type of stove. He must retain a copy of the receipt at his establishment until further notice by amendment of this order.

6. Section 6.9 (c) is amended to read as follows:

(c) *Application by consumer whose certificate is not returned.* A consumer who transfers a stove to a dealer, distributor or manufacturer and whose certificate is not returned to him by the transferee may, if he is still eligible, get a certificate from his Board for a stove to replace the one transferred. If the consumer makes the certification appearing at the bottom of the receipt on OPA Form R-911 obtained from the dealer, distributor or manufacturer to whom he transferred the stove, and the Board finds that the certification is correct, it shall issue a certificate for a stove to replace the one transferred. No receipt on OPA Form R-911 may be used to acquire a stove.

7. Section 6.10 (a) is amended to read as follows:

(a) *Return of consumer's certificate or surrender of receipt.* If a consumer has given up a certificate to a dealer, distributor or manufacturer with his order or contract for a stove, and the order or contract for the sale of the stove to the consumer is cancelled, before the consumer has acquired the stove, the person receiving the consumer's order or contract must promptly return the certificate to the consumer. Such a dealer or distributor must return the certificate even though he is indebted to his Board for a certificate for that type of stove. If the dealer, distributor, or manufacturer does not have on hand the consumer's certificate he must give the consumer a receipt, on OPA Form R-911, giving the information required by that form and he must retain a copy of the receipt at his establishment until further notice by amendment of this order. The dealer or distributor must surrender to the Board with which his establishment is registered a certificate for the type of stove specified in the certificate received from the consumer; until he has done so he may not use any certificate for the purpose of acquiring that type of stove for inventory. He must note on his copy of the receipt given to the consumer, the date when he gave up the certificate to the Board.

8. Section 6.10 (b) is amended to read as follows:

(b) *Application by consumer whose certificate is not returned.* A consumer whose order or contract for a stove has been cancelled before he acquired the stove, and whose certificate is not returned to him may, if he is still eligible, get a certificate from his Board to replace the one which was not returned to him. If the applicant makes the certification appearing at the bottom of the receipt on OPA Form R-911 obtained from the dealer, distributor or manufacturer, when the order or contract was cancelled, and the Board finds that the certification is correct, it shall issue a certificate to replace the one it returned to him. No receipt on OPA Form R-911 may be used to acquire a stove.

This amendment shall become effective on June 25, 1945.

NOTE: All reporting and record-keeping requirements of this ration order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10929; Filed, June 21, 1945; 11:47 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 114]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 15, Appendix H, paragraph (b), Table 6, Maximum Prices for Sweet Peppers, footnote 6, the following paragraph is added:

During the period beginning June 21, 1945, and ending July 15, 1945, the Column 5 price for sweet peppers grown in California shall be for Item 2—$4.60 (per 1½ bushel crate); for Item 4—$3.05 (per bushel), and for Item 6—10.9 cents per pound.

This amendment shall become effective at 12:01 a. m. June 21, 1945.

Issued this 20th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

Approved: June 19, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45-10875; Filed, June 20, 1945; 4:43 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 115]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 15, Appendix H, paragraph (b), Table 8, Maximum Prices for Certain Berries, footnote reference 6 is added to items 10, 11, 12, 16, 17 and 18 in Column 5 and footnote 6 is amended to read as follows:

[6] During the period beginning June 21 and ending July 20, 1945, for red raspberries, blackberries and dewberries grown in Delaware, Maryland, New Jersey and Pennsylvania, the Column 5 prices shall be as follows:

Red Raspberries 26 cents per pint, 50 cents per quart and 32 cents per pound; black raspberries 24 cents per pint, 46 cents per quart and 29 cents per pound; and blackberries and dewberries 17 cents per pint and 33 cents per quart and 21 cents per pound.

This amendment shall become effective at 12:01 a. m. June 21, 1945.

Issued this 20th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 20, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45-10876; Filed, June 20, 1945; 4:43 p. m.]

PART 1449—CHEMICAL TANNING MATERIALS

[MPR 352,[1] Amdt. 4]

CHESTNUT EXTRACT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 352 is amended in the following respects:

1. Section 2 (a) (1) (i) is amended by changing the schedule of maximum prices for two named sellers to read:

[Per 100 pounds]

	Tank cars or tank trucks	In barrels in carloads	In barrels in less than carloads
Champion Paper & Fibre Co.	$2.62	$3.22	$3.47
The Mead Corporation	2.62	3.22	3.47

2. Section 2 (b) (1) (i) is amended by changing the schedule of maximum prices for two named sellers to read:

[Per 100 pounds]

	In bags in carloads	In bags in less than carloads
Champion Paper & Fibre Co.	$7.46	$8.21
The Mead Corporation	7.46	8.21

[1] 7 F.R. 8875, 10476; 8 F.R. 3706.

This amendment shall become effective June 26, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10924; Filed, June 21, 1945; 11:49 a. m.]

Chapter XIX—Defense Supplies Corporation

[Rev. Reg. 3, Amdt. 4]

PART 7003—LIVESTOCK SLAUGHTER PAYMENTS

MISCELLANEOUS AMENDMENTS

1. Two new paragraphs are added to § 7003.1, reading as follows:

(aa) "CO 1" means Control Order No. 1, as amended, or as it may be amended from time to time by the Office of Price Administration.

(bb) "Quota base" means the quota base established for a slaughterer pursuant to CO 1.

2. Section 7003.2 (a) is amended to read as follows:

(a) Any person who has a license or is permitted to slaughter by WFO 75 or CO 1 and who slaughters 2,500 pounds or more of livestock, live weight, in any one calendar month after December 1944, may file a claim for payment on account of such livestock slaughtered on and after January 29, 1945. No person who kills livestock for the account of others is eligible to file a claim for payment on account of such livestock.

3. Section 7003.5 is amended to read as follows:

§ 7003.5 *Rates of payment.* — (a) *Calves, sheep and hogs.*—(1) *Prior to April 1, 1945.* Defense Supplies Corporation will make payment on approved basic claims covering slaughter of calves, sheep, lambs, hogs and pigs prior to April 1, 1945, at the following rates:

	Cents a pound
Calves	1.10
Sheep and lambs	.95
Hogs and pigs	1.30

(2) *On and after April 1, 1945.* Defense Supplies Corporation will make payment on approved basic claims covering slaughter of calves, sheep and lambs, hogs and pigs on and after April 1, 1945, at the following rates:

	Cents a pound
Calves	1.10
Sheep and lambs	.95
Hogs and pigs	1.70

(b) *Ungraded cattle of small slaughterers.* Defense Supplies Corporation will make payment on approved basic claims for cattle which do not report cattle by grades, from applicants who are not required to report cost of cattle, at the rate of one and one-tenth cents ($0.011) a pound.

(c) *Ungraded cattle of large slaughterers.* Defense Supplies Corporation will make payment on approved basic claims for cattle which do not report cattle by grades, of applicants who are required to report cost of cattle, at the rate of one-half of one cent ($.005) a pound.

This applies only to applicants who come under § 7003.7 (a) (3).

(d) *Government graded cattle.* Defense Supplies Corporation will make payment on approved basic claims for cattle which report cattle by grades as graded by an official grader of the United States Department of Agriculture, at the following separate grade rates:

(1) *Claims reporting cost.* On claims reporting cost of cattle in accordance with § 7003.7 (b):

	Cents a pound
AA or choice	3 00
A or good	2 65
B, commercial or medium	1 90
C, utility or common	1 25
D, cutter and canner	1 25
Bulls of cutter and canner grade	1 25

(2) *Feeders and club cattle.* On claims of all applicants filed under § 7003.7 (d) (1) which do not report cost of cattle:

	Cents a pound
AA or choice	2 00
A or good	1 95
B, commercial or medium	.90
C, utility or common	.50
D, or cutter and canner	.50
Bulls of cutter and canner grade	.50

(e) *Self-graded cattle.* Defense Supplies Corporation will make payment on approved basic claims for cattle which report cattle by grades as graded by the applicant's own graders, if the applicant has an exemption to grade his own beef, at the applicable separate grade rates set out above in paragraph (d) of this section, but the total amount of the claim before deductions on account of cost of cattle under § 7003.6 (b) shall not exceed the total number of pounds, live weight, (less condemnations) of cattle slaughtered, multiplied by the following maxima:

(1) *Claims reporting cost.* One and nine-tenths cents ($0.019) on claims reporting cost of cattle.

(2) *Feeders and Club Cattle.* One and three-tenths cents ($0.013) on claims filed under § 7003.7 (d) (1) which do not report cost of cattle.

(f) *Extra compensation.* Defense Supplies Corporation will make payment on approved claims for extra compensation at the rate of four-tenths of one cent ($0.004) a pound.

4. Section 7003.6 (b) is amended to read as follows:

(b) *Deductions.*—(1) *Price compliance.* Deductions will be made from all claims of an applicant on account of under- or overpayment for cattle in accordance with § 7003.8.

(2) *Within-range.* Deductions will be made from all basic claims reporting cost of cattle in accordance with § 7003.7 (c), of four-fifths of the dollar amount by which the total cost of cattle on the claim is below the maximum permissible cost; this deduction shall not exceed four-fifths of the difference between the maximum and minimum permissible costs, and shall not reduce the claims below an amount computed at the following rates:

	Cents a pound
AA or choice	1.80
A or good	1.75
B, commercial or medium	.70
C, utility or common	.25
D, cutter and canner	.25
Bulls of cutter and canner grade	.25

5. Section 7003.6 (c) is amended to read as follows:

(c) *Maximum base of payment.*—(1) *Slaughter control bases.* Payments will not be made on claims covering accounting periods beginning on and after February 20, 1945, and ending on or before July 15, 1945, on a greater live weight of any class or species of livestock slaughtered by an applicant in any one nonfederally inspected establishment than a specified percentage of the total live weight of such class or species of livestock for which the applicant filed subsidy claims with Defense Supplies Corporation covering slaughter in that establishment in the corresponding accounting period of 1944, *Provided*, That on certification to Defense Supplies Corporation by the War Food Administrator or the Office of Price Administration that the applicant is entitled to payment on a different live weight of any class or species of livestock, he will become entitled to payment on the live weight of his slaughter up to the specified percentage of the live weight certified to Defense Supplies Corporation by the War Food Administrator or the Office of Price Administration. Such percentages will be determined and announced from time to time.

(2) *Quota bases.* Payments will not be made on claims covering accounting periods ending after July 15, 1945, on a greater live weight of any class or species of livestock slaughtered by the applicant than a specified percentage of his quota base. Such percentages will be determined and announced from time to time.

This amendment shall be effective Monday June 4, 1945.

Issued this 22d day of May, 1945.

(Section 5d of the Reconstruction Finance Corporation Act, as amended, 52 Stat. 212, 54 Stat. 573; 15 U.S.C. 606b; Defense Supplies Corporation Charter which appears at 6 F. R. 2972)

DEFENSE SUPPLIES CORPORATION,
By SEWARD K. BARNES,
Vice President.

[F. R. Doc. 45-10917; Filed, June 21, 1945; 11:15 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 231]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF NAVY DEPARTMENT AS ANTIAIRCRAFT FIRING RANGE

Correction

In Federal Register document 45-9594, appearing on page 6786 of the issue of Wednesday, June 6, 1945, the following changes should be made: The fifth line in the middle column should read "Sec. 29, NE¼NE¼, S½NE¼, and S½;". The seventeenth line should read "Sec. 21, N½, NE¼SW¼, and N½SE¼;".

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S O. 369, Amdt. 1]

PART 95—CAR SERVICE

DIVERSION OR REROUTING OF POTATOES IN CARLOADS FROM CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of June, A. D. 1945.

Upon further consideration of Revised Service Order No. 368 (10 F.R. 7417) and good cause appearing therefor: *It is ordered*, That:

Revised Service Order No. 368 (10 F.R. 7417) be, and it is hereby, amended by changing the Exception to paragraph (a) thereof to read as follows:

Exception: Potatoes shipped in bags, sacks or crates from California origins consigned to the U. S. Army or the U. S. Navy, at California points, may be accorded initial icing only. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912, 49 U.S.C. 1 (10)–(17), 15 (4).)

It is further ordered, That this order shall become effective at 12:01 a. m., June 21, 1945; that copies of this order and direction shall be served upon the Railroad Commission of the State of California, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

(SEAL) W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10918; Filed, June 21, 1945; 10:55 a. m.]

[Rev. S O. 311]

PART 95—CAR SERVICE

RESTRICTION OF INSPECTION OF GRAIN DESTINED FOR GULF PORTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of June, A. D. 1945.

It appearing, that there is a shortage of freight cars for transportation of wheat and sorghum grains; that carloads of wheat and sorghum grains originating in the States of Colorado, Kansas, New Mexico, Oklahoma, and Texas, destined Gulf ports New Orleans, La., and west thereof, consigned to Commodity Credit Corporation, are being delayed in transit for inspection at interior points and are again inspected at destination; that the Office of Defense Transportation has requested the inspection at intermediate points be prohibited to conserve the supply of freight cars;

in the opinion of the Commission an emergency requiring immediate action exists in the sections of the country described in this order. It is ordered, that:

(a) *Acceptance prohibited of cars of certain grain ordered inspected at interior points.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation a freight car loaded with wheat or sorghum grains originating in the States of Colorado, Kansas, New Mexico, Oklahoma, and Texas, consigned to Commodity Credit Corporation at Gulf ports New Orleans, La., and west thereof, when the bill of lading or shipping order covering such car requires a stop at any interior point for inspection.

(b) *Inspection at interior points prohibited on certain grain destined Gulf ports.* No common carrier by railroad subject to the Interstate Commerce Act, shall accept orders for the inspection of, or shall stop for inspection, a freight car, loaded with wheat or sorghum grains, at any interior point, which has been shipped from any origin point in the States of Colorado, Kansas, New Mexico, Oklahoma, or Texas, consigned or reconsigned to Commodity Credit Corporation at Gulf ports New Orleans, La., and west thereof.

(c) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each railroad, or its agent shall publish, file, and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions set forth herein.

(e) *Effective date.* This order shall become effective at 12:01 a. m., June 21, 1945.

(f) *Expiration date.* This order shall expire at 11:59 p. m., September 1, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17).)

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

(SEAL) W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10909; Filed, June 21, 1945; 10:55 a. m.]

[S. O. 189, Amdt. 3 to Supp 2]

PART 97—ROUTING OF TRAFFIC

EMBARGO OF ROUTES AND TRANSIT ARRANGEMENTS ON GRAIN AND RELATED ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of June, A. D. 1945.

Upon further consideration of Service Order No. 189, Sup. 2 (10 F.R. 50) as amended (10 F.R. 2043, 2760) and good cause appearing therefor: *It is ordered*, That:

Service Order No. 189, Sup. 2 (10 F.R. 50) as amended (10 F.R. 2043, 2760), *Embargo of routes and transit arrangements on grain and related articles*, and Appendix A thereof, be, and it is hereby further amended in the following respects:

Sheet 5, paragraph 15, Illinois Central Railroad Company tariff I. C. C. No. 8362, Items 1325, 1330 and 1335 are eliminated.

The Illinois Central Railroad Company, 5 days before the effective date of this order shall publish, file, and post a supplement to its tariff affected hereby announcing the change in the embargo of routes and transit arrangements herein provided. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 28, 1945; that a copy of this amendment shall be served upon the Illinois Central Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

(SEAL) W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10997; Filed, June 21, 1945; 10:55 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Gen. Direction H-11]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT

Pursuant to Order No. 1956 (10 F.R. 7262) of the Secretary of the Interior, as amended June 11, 1945, commonly referred to as the "Halibut Order" (50 CFR, 401.4) entitled "Allocation of Halibut", and in order to accomplish the purposes thereof, including, particularly, paragraph (d) (2) of that order, this General Direction No. H-11 is issued.

1. The Area Coordinator has determined that the following persons in British Columbia are participants in and conform to a voluntary program for the allocation of halibut which is in accord with the purposes and policy of the Halibut Order:

Booth Fisheries Corp.
B. C. Packers Ltd.
New England Fish Co.
Royal Fish Co.
Rupert Fish Co.
San Juan Fishing & Packing Co.
Whiz Fish Products Co.

2. In accordance with the Halibut Order, particularly paragraph (d) (2) thereof, fishermen subject to the terms of that order may sell or deliver or arrange to sell or deliver halibut in British Columbia to the persons named above.

3. Notice is hereby given that any fisherman from a vessel of American registry who, acting for himself or through an agent, sells of delivers or arranges to sell or deliver halibut to any person in British Columbia other than a person named above, will be guilty of a violation of that order and subject to the penalties provided for violations of that order.

Issued this 13th day of June 1945.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 45-10883; Filed, June 20, 1945; 4:37 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

MILK RIVER PROJECT, MONT.

ORDER OF REVOCATION

MAY 3, 1945.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Milk River Project, the withdrawal of the hereinafter described land, withdrawn in the second form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388) by Departmental Order of February 9, 1903, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the land hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the land hereinafter listed.

MILK RIVER PROJECT

PRINCIPAL MERIDIAN, MONTANA

T. 31 N., R. 24 E.,
Sec. 5, Lot 1.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: May 25, 1945.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land

Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

JUNE 3, 1945.

[F. R. Doc. 45-10884; Filed, June 20, 1945; 4:37 p. m.]

Office of the Secretary.

WIND RIVER RESERVATION, WYO.

ORDER OF RESTORATION

MAY 29, 1945.

Whereas, pursuant to the provisions of the act of March 3, 1905 (33 Stat. 1016), the Shoshone-Arapahoe Tribes of Indians in Wyoming ceded to the United States a large area of their reservation in the State of Wyoming, established under the Treaty of July 3, 1868 (15 Stat. 673), and

Whereas, within land use district No. 32 there remains certain undisposed-of ceded or "opened" land described as follows:

WIND RIVER MERIDIAN

LAND USE DISTRICT NO. 32

Description	Acreage
T. 8 N., R. 3 E.:	
Sec. 12, SW¼NW¼, S½SW¼	360 00
Sec. 13, N½, N½SW¼, SE¼	560 00
Sec. 24, NE¼NE¼	40 00
T. 8 N., R. 4 E.:	
Sec. 7, Lots 3 & 4, SE¼SW¼, SW¼SE¼	149 93
Sec. 17, S½NW¼, SW¼	240 00
Sec. 18, Lots 1, 2, 3, 4, E½W½, E½SW¼, SE¼, S½NE¼, NW¼NE¼	580 04
Sec. 19, Lot 1, NE¼, NW¼, N½NE¼, SE¼NE¼	195 82
Sec. 20, NE¼SW¼, N½SE¼	120 00
Sec. 21, N½SW¼, SE¼SW¼, N½SE¼, SW¼SE¼	240 00
Sec. 22, NW¼SW¼	40 00
Sec. 28, NW¼NE¼	40 00
Sec. 29, NW¼NE¼	40 00
Total	2605.89

Whereas, no part of the land use district involved is under lease or permit to non-Indians, and

Whereas, the Shoshone-Arapahoe Tribes of Indians of the Wind River Reservation require additional grazing lands to support their expanded livestock industry, and

Whereas, the Superintendent of the Wind River Reservation and the Commissioner of Indian Affairs have recommended the restoration of the undisposed-of, ceded lands located within the aforesaid land use district.

Now, therefore, by virtue of authority vested in the Secretary of the Interior by section 5 of the act of July 27, 1939 (53 Stat. 1128-1130), I hereby find that restoration to tribal ownership of the lands described above, which are classified as undisposed-of, ceded lands of the Wind River Reservation, Wyoming, and which total 2,605.89 acres more or less, will be in the tribal interest, and they are hereby restored to tribal ownership for the use and benefit of the Shoshone-Arapahoe Tribes of Indians of the Wind River Reservation, Wyoming, and are added to and made a part of the existing Wind River Reservation, subject to any valid existing rights, and reserves. None of these lands are within any reclamation project.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 45-10885; Filed, June 20, 1945; 4:37 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-577]

KANSAS-COLORADO UTILITIES, INC.

ORDER FIXING DATE FOR FURTHER HEARING

JUNE 19, 1945.

Upon consideration of the application filed September 2, 1944, as supplemented May 10, 1945, by Kansas-Colorado Utilities, Inc. (Applicant), for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize Applicant's acquisition and operation of all the natural gas facilities of The Central Gas Utilities Company, which facilities are located in Baca and Prowers Counties, Colorado, and Stevens, Stanton, Hamilton and Grant Counties, Kansas; and

It appearing to the Commission that:

(a) Pursuant to the Commission's order of September 12, 1944, a public hearing was held commencing October 24, 1944, and, in accordance with the request of Applicant's counsel, was continued on October 25, 1944, subject to further order of the Commission, to afford the Applicant an opportunity to present additional evidence;

(b) On May 10, 1945, Applicant filed a supplement to the application, showing that its proposed financing and capital structure as set forth in the original application has been substantially changed, and submitting additional information.

The Commission orders that:

(A) The public hearing in this proceeding be resumed commencing on July 11, 1945, at 10:00 a. m., in the Commission's Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented in these proceedings;

(B) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10869; Filed, June 21, 1945; 10:06 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4935]

OESTERREICHISCHE MAGNESIT A. G.

In re: Patent No. 2,148,054 owned by Oesterreichische Magnesit A. G.

Under authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Oesterreichische Magnesit A. G. is a corporation maintaining its principal place of business in Austria and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Oesterreichische Magnesit A. G.;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

2,148,054; 2-21-39; Josef Berlck, Mortarless Brickwerk;

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10880; Filed, June 21, 1945; 10:26 a. m.]

[Vesting Order 4936]

ANTON FLETTNER

In re: United States Letters Patent No. 2,030,578 owned by Anton Flettner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Anton Flettner is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in Paragraph 3 hereof is property of Anton Flettner;

3. That the property described as follows: All right, title and interest (including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof) in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

2,030,578; 2-11-36; Anton Flettner; Aircraft,

is property of a national of a foreign county (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 18, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10891; Filed, June 21, 1945; 10:26 a. m.]

[Vesting Order 4937]

ADOLF SCHNURLE

In re: Patent No. 2,096,203 owned by Adolf Schnurle.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Adolf Schnurle is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Adolf Schnurle;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventors and Title

2,096,203; 10-19-37; Adolf Schnurle and Otto Elwert; Regulating device for internal combustion engines,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 18, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10892; Filed, June 21, 1945; 10:26 a. m.]

[Vesting Order 4941]

DEUTSCHE HOLLERITH MASCHINEN GESELLSCHAFT MIT BESCHRANKTER HAFTUNG ET AL.

In re: Patent and interest of Deutsche Hollerith Maschinen Gesellschaft mit beschrankter Haftung in agreements with The Tabulating Machine Company and International Business Machines Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Michael Maul is a resident of Germany and is a national of a foreign country (Germany);

2. That Deutsche Hollerith Maschinen Gesellschaft mit beschrankter Haftung is a corporation organized under, and existing by virtue of, the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5 (a) hereof is property of Michael Maul and/or Deutsche Hollerith Maschinen Gesellschaft mit beschrankter Haftung;

4. That the property described in subparagraph 5 (b) hereof is property of Deutsche Hollerith Maschinen Gesellschaft mit beschrankter Haftung;

5. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHEIT A

(a) All right, title and interest (including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof) in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor, and Title

2,146,307; 2-7-39; Michael Maul; Addressing machine with counter.

(b) All interests and rights (including all royalties and other monies payable or held

with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Deutsche Hollerith Maschinen Gesellschaft mit beschrankter Haftung by virtue of an agreement dated November 22, 1910 by and between The Tabulating Machine Company and Deutsche Hollerith Maschinen Gesellschaft mit beschrankter Haftung (including all modifications thereof and supplements thereto, including but not by way of limitation, agreements dated March 18, 1914 and November 24, 1919 by the parties to the original agreement and an agreement dated September 25, 1934 between the International Business Machines Corporation and Deutsche Hollerith Maschinen Gesellschaft mit beschrankter Haftung), which agreement relates, among other things, to United States Letters Patent No. 2,204,680.

[F. R. Doc. 45-10893; Filed, June 21, 1945; 10:26 a. m.]

[Vesting Order 4942]

WALTHER DUISBERG

In re: Patents standing of record in the name of Walther Duisberg.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbenindustrie A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie A. G.;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No.	*Date of Issue*	*Inventor and Title*
2,065,175	12-22-36	Otto Eisenhut, Hanns Reim & F. Kaupp, Manufacture of artificial silk.
2,171,427	8-29-39	John Eggert & B. Wendt; Wrapping material.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10894; Filed, June 21, 1945; 10:26 a. m.]

[Vesting Order 4944]

COMET TOOLS, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Robert Breuning, whose last known address is Berlin, Germany, is a national of a designated enemy country (Germany);

2. That Komet-Stahlhalter und Werkzeugfabrik, Robert Breuning of Berlin, Germany, whose principal place of business is Berlin, Germany, is a national of a designated enemy country (Germany);

3. That all of the outstanding capital stock of Comet Tools, Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 42 shares of $100 par value common stock, is registered in the names of the following persons in the number appearing opposite each name and is beneficially owned by Robert Breuning and is evidence of control of said business enterprise:

Name:	*Number of shares*
Max Breuning	26
Hans Schroeder	16
Total	42

4. That Komet-Stahlhalter und Werkzeugfabrik, Robert Breuning of Berlin, Germany, has a claim against Comet Tools, Inc., in the amount of $5,827.16 as of November 3, 1943, which is represented on the books of Comet Tools, Inc., as an account payable, subject, however, to any accruals or deductions subsequent thereto, and represents an interest in Comet Tools, Inc.;

5. That Komet-Stahlhalter und Werkzeugfabrik, Robert Breuning of Berlin, Germany, is the owner of the property described in subparagraph 6 hereof;

6. That the property described as follows: High speed bearing tools in the possession of Comet Tools, Inc., including but not limited to the following:

2—#0-4 int. threading tools, 55°.
9—#0-5 int. threading tools.
2—#0-6 int. threading tools.
2—#1-A int. threading tools.
4—#3 int. threading tools.
2—#4 int. threading tools.
4—#0-1 facing tools-1 longer.
33—#0-2 facing tools, standard length
33—#0-2 int. threading tools, 60°.
14—#0-3 boring tools.
23—#0-3 int. threading tools, 60°.
49—#0-1 facing tools.

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

and determining:

7. That Comet Tools, Inc., is controlled by Robert Breuning and Komet-Stahlhalter und Werkzeugfabrik, Robert Breuning of Berlin, Germany, or is acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

8. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 42 shares of common capital stock of Comet Tools, Inc., described in subparagraph 3 hereof, the interest of Komet-Stahlhalter und Werkzeugfabrik, Robert Breuning of Berlin, Germany, in Comet Tools, Inc., described in subparagraph 4 hereof and the property described in subparagraph 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held in behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein

shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10895; Filed, June 21, 1945; 10:26 a. m.]

[Vesting Order 4945]

COMET TOOL CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 4944, dated May 24, 1945 that Comet Tools, Inc., Robert Breuning, and Komet-Stahlhalter und Werkzeugfabrik, Robert Breuning of Berlin, Germany, are nationals of a designated enemy country (Germany);

2. Finding that Max Breuning and Hans Schroeder, co-partners doing business as Comet Tool Company, are acting directly or indirectly for the benefit or on behalf of Comet Tools, Inc., Robert Breuning and Komet-Stahlhalter und Werkzeugfabrik, Robert Breuning of Berlin, Germany, or a designated enemy country (Germany) or persons within such country;

3. Finding that the property and assets of Comet Tool Company, a partnership consisting of Max Breuning and Hans Schroeder doing business in the State of New York and a business enterprise within the United States, are beneficially owned by Comet Tools, Inc.;

and determining:

4. That Max Breuning and Hans Schroeder, co-partners doing business as Comet Tool Company are controlled by Comet Tools, Inc., Robert Breuning and Komet-Stahlhalter und Werkzeugfabrik, Robert Bruening of Berlin, Germany, or are acting for or on behalf of a designated enemy country (Germany) or persons within such country and are nationals of a designated enemy country (Germany);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Comet Tools, Inc., Robert Breuning, Komet-Stahlhalter und Werkzeugfabrik, Robert Breuning of Berlin, Germany, Max Breuning and Hans Schroeder, in and to Comet Tool Company, a partnership, and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said Comet Tool Company, including but not limited to a certain bank account maintained with the Manufacturers Trust Company, 32 University Place, New York, New York, which account is due and owing to, and held for and in the name of, Comet Tool Company, and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10896; Filed, June 21, 1945; 10:26 a. m.]

[Vesting Order 5020]

EMIL APPENZELLER

In re: Estate of Emil Appenzeller, deceased; File No. D-66-1631; E. T. sec. 10094.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karl Voehringer and Kurt Ehrenreich Voehringer, and each of them, in and to the estate of Emil Appenzeller, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Voehringer, Germany.
Kurt Ehrenreich Voehringer, Germany.

That such property is in the process of administration by the Public Administrator of New York County, as administrator of the Estate of Emil Appenzeller, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10897; Filed, June 21, 1945; 10:27 a. m.]

[Vesting Order 5021]

DOROTHEA EGRESICH

In re: Estate of Dorothea Egresich, deceased; File D-34-807; E. T. sec. 12506.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Engresits, Theresa Engresich, Anna Engresits, John Engresich, Vincent Engresich and Alexander Engresich, and each of them, in and to the estate of Dorothea Egresich, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Anna Engresich, Hungary.
Theresa Engresich, Hungary.
Anna Engresich, Hungary.
John Engresich, Hungary.
Vincent Engresich, Hungary.
Alexander Engresich, Hungary.

That such property is in the process of administration by Mary Firth, as administratrix of the Estate of Dorothea Egresich, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14 1945

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10893; Filed, June 21, 1945; 10:27 a. m.]

[Vesting Order 5022]

CILI EISNER

In re: Estate of Cili Eisner, also known as Cilie Eisner, Celia K. Eisner, Celia Eisner and Cili Klein, deceased; D-34-750, E. T. sec. 11652.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margaret Klein in and to the Estate of Cili Eisner, also known as Cilie Eisner, Celia K. Eisner, Celia Eisner and Cili Klein, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Margaret Klein, Hungary.

That such property is in the process of administration by Fanny Levy and Ruto Klein, as Co-executors, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10899; Filed, June 21, 1945; 10:27 a. m.]

[Vesting Order 5023]

ROSA EMMERICH

In re: Estate of Rosa Emmerich, deceased; File No. D-28-8271; E. T. sec. 9432.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Edward Emmerich and Elsie Emmerich, and each of them, in and to the estate of Rosa Emmerich, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Edward Emmerich, Germany.
Elsie Emmerich, Germany.

That such property is in the process of administration by John E. Eckel, as executor of the estate of Rosa Emmerich, acting under the judicial supervision of the Probate Court, County of York, State of Maine;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10900; Filed, June 21, 1945; 10:27 a. m.]

[Supplemental Vesting Order 5024]

HENRY J. KRUISKAMP

In re: Estate of Henry J. Kruiskamp, deceased; File D-28-3363; E. T. sec. 6610.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hendrika Hamburg, Gerrit W. Sondermann and Mannus Sondermann, and each of them, in and to the Estate of Henry J. Kruiskamp, deceased, including but not limited to the sum of $22.50 in the possession and custody of the County Treasurer in and for the County of Allegan, Michigan, deposited for the benefit of Hendrika Hamburg, Gerrit W. Sondermann and Mannus Sondermann, pursuant to an order of the Probate Court for the County of Allegan, dated May 16, 1945, in the Estate of Henry J. Kruiskamp, deceased, subject, however, to any lawful commission of the Treasurer in and for the County of Allegan, Michigan,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hendrika Hamburg, Germany.
Gerrit W. Sondermann, Germany.
Mannus Sondermann, Germany.

That such property is in the process of administration by the Treasurer of Allegan County, Michigan, as Custodian and Depositary, acting under the judicial supervision of the Probate Court of Allegan County, Allegan, Michigan;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10901; Filed, June 21, 1945; 10:27 a. m.]

[Vesting Order 5026]

FRANZISKA LANGER

In re: Estate of Franziska Langer, deceased; File D-28-8644; E. T. sec. 10896.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Helen Roethig, Zidonia Grundman, Toni Zimmerman, Walter Roethig, Ernest Roethig, Anna Bosin and Frieda Pichang, and each of them, in and to the Estate of Franziske Langer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helen Roethig, Germany.
Zidonia Grundman, Germany.
Toni Zimmerman, Germany.
Walter Roethig, Germany.
Ernest Roethig, Germany.
Anna Bosin, Germany.
Frieda Pichang, Germany.

That such property is in the process of administration by William Loev, as Executor, acting under the judicial supervision of the Bergen County Orphans' Court, Hackensack, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10902; Filed, June 21, 1945; 10:27 a. m.]

[Vesting Order 5027]

HEDWIG LEDERMAN, ET AL.

In re: In the matter of the trust for Hedwig Lederman, et al.; File D-28-8868; E. T. sec. 10996.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hedwig Lederman, Rosalie (Rachel) Schlamm (Schramm), Sarah (Selma) Brahn, Frieda Weiss and Gertrude Hartman, and each of them, in and to the trust created by Order of the Probate Court of Marion County, Ohio, pursuant to Section 10506-78 of the General Code of the State of Ohio, in the matter of the Estate of Morris Lederman, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hedwig Lederman, Germany.
Rosalie (Rachel) Schlamm (Schramm), Germany
Sarah (Selma) Brahn, Germany.
Frieda Weiss, Germany.
Gertrude Hartman, Germany.

That such property is in the process of administration by Samuel Rosenberg, 216 Hare Avenue, Marion, Ohio, as Trustee of the estate of Morris Lederman, deceased, acting under the judicial supervision of the Probate Court of Marion County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu

thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10903; Filed, June 21, 1945; 10:27 a. m.]

thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10903; Filed, June 21, 1945; 10:27 a. m.]

[Vesting Order 5028]

BELLA ORTON

In re: Trust under the will of Bella Orton, deceased; File No. D–28–8891; E. T. sec. 11081.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Frieda Karpe in and to the trust under the Will of Bella Orton, deceased.

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Frieda Karpe, Germany.

That such property is in the process of administration by Lillie M. Stern, as Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10904; Filed, June 21, 1945; 10:27 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev.–352, Revocation]

TULSA AND OKLAHOMA CITY, OKLA.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised–352 (9 F.R. 12140), filed with the Office of Defense Transportation by carriers subject thereto, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised–352, be, and it hereby is, revoked, effective June 26, 1945.

Issued at Washington, D. C., this 21st day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-10859; Filed, June 20, 1945; 3:59 p. m.]

[Supp. Order ODT 3, Rev. 733]

NORTH CAROLINA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

J. H. Burgess, doing business as J. H. Burgess Transfer Co., Leaksville, N. C.
W. H. McBride and R. N. McBride, copartners doing business as McBride & McBride, Leaksville, N. C.

[F. R. Doc. 45-10860; Filed, June 20, 1945; 4:00 p. m.]

[Supp. Order ODT 3, Rev. 734]

ALBUQUERQUE, N. MEX., AND DENVER, COLO.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

George C. Lebeck, doing business as Los Angeles-Albuquerque Express, Los Angeles, Calif.
Navajo Express, Inc., Albuquerque, N. Mex.
The Santa Fe Trail Transportation Co., Wichita, Kans.

[F. R. Doc. 45-10861; Filed, June 20, 1945; 4:00 p. m.]

[Supp. Order ODT 3, Rev. 735]

CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, ILLINOIS, INDIANA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, MICHIGAN, NORTH CAROLINA, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, OHIO, PENNSYLVANIA, RHODE ISLAND, SOUTH CAROLINA, VIRGINIA, VERMONT, WEST VIRGINIA AND THE DISTRICT OF COLUMBIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the suc-

[1] Filed as part of the original document.

cessful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Clarence C. Curth, doing business as L. Curth & Sons, Brooklyn, N. Y.
Kay Moving Service, Inc., New York, N. Y.
Beisner Storage Co., Inc., Bronx, N. Y.
Vincent H. Schnurr, doing business as Rosebank Storage Warehouse, Rosebank, Staten Island, N. Y.

[F. R. Doc. 45-10862; Filed, June 20, 1945; 4:00 p. m.]

[Supp. Order ODT 3, Rev. 736]

CONNECTICUT

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

[1] Filed as part of the original document.

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Hartford Transportation Co., Inc., Hartford, Conn.
Connecticut Transfer, Inc., New Haven, Conn.

[F. R. Doc. 45-10863; Filed, June 20, 1945; 4:00 p. m.]

[Supp. Order ODT 3, Rev. 737]

LOUISVILLE, KY., AND CINCINNATI, OHIO

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

[1] Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

The Silver Fleet Motor Express, Inc., Louisville, Ky.
Meeks Motor Freight, Louisville, Ky.

[F. R. Doc. 45-10864; Filed, June 20, 1945; 3:59 p. m.]

[Supp. Order ODT 3, Rev. 738]

ST. LOUIS, MO., AND SPRINGFIELD, ILL.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs,

setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washigton, D. C., this 21st day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Viking Freight Company, St. Louis, Mo.
Peoria Cartage Company, Peoria, Ill.

[F. R. Doc. 45-10865; Filed, June 20, 1945; 3:59 p. m.]

[Supp. Order ODT 20A-114, Amdt. 2]

INTERNATIONAL FALLS, MINN., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a petition to substitute Lonney Mathews, doing business as Diamond Taxi Company, International Falls, Minnesota, in lieu of Wilbur Simmons, doing business as Diamond Taxi Company, International Falls, Minnesota, as a party to Supplementary Order ODT 20A-114, as amended, (9 F.R. 5278 and 10 F.R. 2772) and good cause appearing therefor, *It is hereby ordered*, That:

1. Supplementary Order ODT 20A-114, as amended, be, and it is hereby, further amended by substituting Lonney Mathews, doing business as Diamond Taxi Company, in lieu of Wilbur Simmons, doing business as Diamond Taxi Company, and

2. Lonney Mathews, doing business as Diamond Taxi Company, on and after the effective date of this amendment, shall perform, subject to the provisions of such order, the functions of Wilbur Simmons, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective June 28, 1945.

Issued at Washington, D. C., this 21st day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-10866; Filed, June 20, 1945; 3:59 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Amdt. 1 to Order 175]

GENERAL MOTORS CORPORATION

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 7 and 11 of Maximum Price Regulation No. 64; *It is ordered:* That Order No. 175 under Maximum Price Regulation No. 64 is amended in the following respect:

Paragraph (b) is amended to read as follows:

(b) At the time of or prior to the first invoice to each purchaser for resale after the effective date of this order the Frigidaire Division, General Motors Corporation and each wholesale distributor shall notify the purchaser of the maximum prices and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form. In addition, the Frigidaire Division, General Motors Corporation prior to shipment of any range covered by this order to a retail dealer shall cause to be attached securely to the outside panel of the oven door of each range a label showing the manufacturer, the brand name and model number of the range, its OPA retail ceiling price, and a statement that the zone limits are on file with the Office of Price Administration. The label shall also contain a statement that the ceiling price as shown on the label include Federal excise tax, a one year warranty, delivery and installation with connection to the electric facilities provided by the purchaser. The label shall also state whether the sale to the retail dealer was made by a factory owned branch. This label may not be removed until after the range has been sold to an ultimate consumer.

This amendment shall become effective on the 20th day of June 1945.

Issued this 20th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10878, Filed, June 20, 1945; 4:48 p. m.]

[RMPR 136 Order 460]

GENERAL MOTORS CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 460 Under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment GMC Truck and Coach Division, General Motors Corporation. Docket No. 6083-136-21-321.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) GMC Truck and Coach Division, General Motors Corporation, 660 South Boulevard, East, Pontiac, Michigan, is authorized to sell the truck model listed in subparagraph (1), produced under the War Production Board's allocation to GMC Truck and Coach Division for 1945 production of 2106 units of ½-ton commercial truck models, at a price not to exceed the list price in subparagraph (1), adjusted as provided in that subparagraph, plus the applicable charges in subparagraph (2):

(1) *List price.* The following list price, f. o. b. factory, to which shall be applied the seller's discount in effect on March 31, 1942, to the applicable class of purchaser:

Model No.	Description	List price f. o. b. factory
C-100	Chassis, truck, ½-ton commercial, 125½" wb, 6 cyl, equipped with Type 1571 Driver's Cab, and Type 150 Pickup Body; 1942 standard specifications and equipment except that it is equipped with four synthetic tires of base tire size.....	$848

(2) *Charges.* (i) A charge for extra, special and optional equipment which shall not exceed the list price, or established price, in effect on March 31, 1942, less the discount in effect on that date applicable to the class of purchasers, for such equipment when sold as original equipment;

(ii) A charge to cover handling and delivery expense computed in accordance with seller's method in effect on March 31, 1942;

(iii) A charge to cover freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942;

(iv) A charge to cover the federal excise tax on tires and tubes and other federal excise taxes, and state and local taxes, on the vehicle being sold, computed in accordance with seller's method in effect on March 31, 1942.

(b) A reseller of GMC motor trucks, may sell, delivered at reseller's place of business, the truck model listed in subparagraph (1) of paragraph (a), produced under the War Production Board's allocation to GMC Truck and Coach Division for 1945 production of 2106 units of ½-ton commercial truck models, at a price not to exceed the total of the list price in subparagraph (1) of paragraph (a) and the applicable charges in subparagraph (2) below, less the discounts the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(1) *Charges.* (i) A charge for extra, special and optional equipment which shall not exceed the charge the reseller had in effect for this equipment on March 31, 1942, to the applicable class of purchaser, when sold as original equipment;

(ii) A charge for transportation which shall not exceed the charge GMC Truck and Coach Division would make for the transportation of the truck to the place of business of the reseller;

(iii) A charge to cover federal, state and local taxes on his purchase, sale, or delivery of the truck, computed in accordance with the reseller's method in effect on March 31, 1942;

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery;

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(c) In the case of a reseller who cannot establish a price under paragraph (b) because he was not in business on March 31, 1942, his maximum price shall be a total of the following:

(1) The list price, f. o. b. factory, in subparagraph (1) of paragraph (a);

(2) The original equipment retail charge that GMC Truck and Coach Division, General Motors Corporation, suggested on March 31, 1942, to resellers as a charge to be made by resellers, to the applicable class of purchasers, for extra, special and optional equipment attached to the truck as original equipment;

(3) A charge for transportation which shall not exceed the charge that GMC Truck and Coach Division would make for transportation of the truck to the place of business of the reseller;

(4) The amount GMC Truck and Coach Division, in accordance with its March 31, 1942, method, charges the reseller as an allowance to cover the Federal excise tax on tires and tubes and other Federal excise taxes, and the amount of the reseller's expense for State and local taxes assessed on the vehicle;

(5) A charge to cover the reseller's handling and delivery expense not to exceed the amount of this expense to the reseller.

(d) A reseller of GMC motor trucks in any of the territories or possessions of the United States is authorized to sell the truck described in paragraph (a), at a price not to exceed the applicable maximum price established in paragraph (b) or (c), to which it may add a sum equal to the expenses incurred by or charged to it for payment of territorial and insular taxes on the purchase, sale, or introduction of the truck; export premium; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(e) All requests in the application not granted in this order are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

NOTE: Where the manufacturer has an established price in accordance with Section 8 of Revised Maximum Price Regulation 136 which is different than a price permitted under paragraph (a) because of substantial changes in design, specifications or equipment of the truck, the reseller may add to its price under paragraph (b), (c), or (d) any increase in price to it over the price it would otherwise pay under paragraph (a), plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) the reseller must reduce its price under paragraph (b), (c), or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective June 20, 1945.

Issued this 20th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10879; Filed, June 20, 1945; 4:49 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 18, 1945.

REGION I

Boston Order G-2, Amendment 10, covering certain food items. Filed 3:51 p. m.

Boston Order 7-F, Amendment 3, covering fresh fruits and vegetables in the Boston Area. Filed 3:46 p. m.

Boston Order 8-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:49 p. m.

Boston Order 9-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:51 p. m.

Boston Order 10-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:50 p. m.

Boston Order 11-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:50 p. m.

Boston Order 12-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 3:49 p. m.

REGION II

Binghamton Order 2-F, Amendment 26, covering fresh fruits and vegetables in certain areas in New York. Filed 3:41 p. m.

Buffalo Order 3-F, Amendment 13, covering fresh fruits and vegetables in certain areas in New York. Filed 3:41 p. m.

Buffalo Order 4-F, Amendment 13, covering fresh fruits and vegetables in certain areas in New York. Filed 3:41 p. m.

Harrisburg Order 2-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:41 p. m.

Harrisburg Order 2-F, Amendment 26, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:41 p. m.

Wilmington Order 4-F, Amendment 36, covering fresh fruits and vegetables in certain areas in Delaware. Filed 3:40 p. m.

Williamsport Order 2-F, Amendment 41, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:40 p. m.

REGION III

Charleston Order 7-F, Amendment 15, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 3:46 p. m.

Charleston Order 9-F, Amendment 15, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 3:46 p. m.

Charleston Order 10-F, Amendment 15, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 3:45 p. m.

Charleston Order 11-F, Amendment 15, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 3:45 p. m.

Charleston Order 15-F, Amendment 11, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 3:45 p. m.

Charleston Order 16-F, Amendment 11, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 3:45 p. m.

Charleston Order 17-F, Amendment 11, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 3:45 p. m.

REGION IV

Memphis Order 1-C, Amendment 2, covering poultry in certain areas in Tennessee. Filed 3:42 p. m.

Memphis Order 2-C, Amendment 2, covering poultry in certain areas in Tennessee. Filed 3:43 p. m.

Memphis Order 3-F, Amendment 2, covering poultry in certain areas in Tennessee. Filed 3:42 p. m.

Memphis Order 4-F, Amendment 2, covering poultry in certain areas in Tennessee. Filed 3:42 p. m.

Memphis Order 7-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Tennessee Filed 3:44 p. m.

Savannah Order 7-F, Amendment 34, covering fresh fruits and vegetables in certain counties in Georgia. Filed 3:44 p. m.

Savannah Order 9-F, Amendment 34, covering fresh fruits and vegetables in certain counties in Georgia. Filed 3:44 p. m.

Savannah Order 10-F, Amendment 34, covering fresh fruits and vegetables in certain counties in Georgia. Filed 3:43 p. m.

REGION V

Little Rock Order 1-F, Amendment 18 covering fresh fruits and vegetables in certain counties in Arkansas. Filed 3:38 p. m.

New Orleans Order 2-F, Amendment 77, covering fresh fruits and vegetables in certain counties in Louisiana. Filed 3:38 p m.

New Orleans Order 27-C, Amendment 6, covering poultry in certain areas in Louisiana. Filed 3:38 p. m.

New Orleans Order 28-C, Amendment 6, covering poultry in certain areas in Louisiana. Filed 3:37 p. m.

REGION VI

Omaha Order 10-F, Amendment 14, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 3:43 p. m.

Omaha Order 11-F, Amendment 15, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 3:43 p. m.

Omaha Order 12-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 3:43 p. m.

Sioux Falls Order 4-W, Amendment 3, covering dry groceries in certain areas in Minnesota, South Dakota. Filed 3:36 p. m.

Sioux Falls Order 16, Amendment 4, covering dry groceries in certain areas in Minnesota and South Dakota. Filed 3:37 p. m.

REGION VII

Utah Order 5-W, covering dry groceries in the Salt Lake-Ogden-Provo Area Filed 3:39 p. m.

Utah Order 20, covering dry groceries in the Salt Lake-Ogden-Provo Area. Filed 3:38 p. m.

Salt Lake City Order 2-C, Amendment 3 covering poultry in the state of Utah. Filed 3:36 p. m.

Salt Lake City Order 25, covering dry groceries in the state of Utah Filed 3:29 p. m.

REGION VIII

Portland Order 20, Amendment 7, covering dry groceries in certain cities in Oregon. Filed 3:25 p. m.

Portland Order 27, Amendment 4, covering dry groceries in certain areas in Oregon. Filed 3:35 p. m.

Portland Order 28, Amendment 5, covering dry groceries in certain areas in Oregon. Filed 3:35 p. m

Portland Order 29, Amendment 3, covering dry groceries in certain areas in Oregon. Filed 3:34 p. m.

Portland Order 30, Amendment 5, covering dry groceries in certain areas in Oregon. Filed 3:34 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10873; Filed, June 20, 1945; 4:42 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 19, 1945.

REGION I

Rhode Island Order 2-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 10:15 a. m.

REGION II

Newark Order 16, Amendment 1, covering dry groceries in certain areas in New Jersey. Filed 10:20 a. m.

Newark Order 17, Amendment 1, covering dry groceries in certain areas in New Jersey. Filed 10:20 a. m.

Williamsport Order 24, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 10:23 a. m.

REGION III

Escanaba Order 42, Amendment 2, covering dry groceries in certain areas in Michigan and Wisconsin. Filed 10:20 a. m.

REGION V

Oklahoma City Order 3-F, Amendment 56, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 10:23 a. m.

Oklahoma City Order 3-F, Amendment 57, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 10:23 a. m.

Oklahoma City Order 3-F, Amendment 59, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 10:23 a. m

REGION VI

Chicago Order 2-F, Amendment 65, covering fresh fruits and vegetables in certain counties in Illinois and Lake County, Indiana. Filed 10:20 a. m.

Milwaukee Order 3-W, covering dry groceries in certain areas in Wisconsin. Filed 10:22 a. m.

Milwaukee Order 3-W, Amendment 1, covering dry groceries in Racine and Kenosha. Filed 10:22 a. m.

Milwaukee Order 3-W, Amendment 2, covering dry groceries in Racine and Kenosha. Filed 10:22 a. m.

Milwaukee Order 12, covering dry groceries in certain areas in Wisconsin. Filed 10:22 a. m.

Milwaukee Order 12 Amendment 1, covering dry groceries in Racine and Kenosha. Filed 10:21 a. m.

Milwaukee Order 12 Amendment 2, covering dry groceries in Racine and Kenosha. Filed 10 21 a. m.

REGION VIII

Portland Order 7-F, Amendment 26, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:27 a. m.

Portland Order 8-F, Amendment 26 covering fresh fruits and vegetables in Medford Oregon. Filed 10:27 a. m.

Portland Order 9-F, Amendment 26, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:27 a. m.

Portland Order 10-F, Amendment 25, covering fresh fruits and vegetables in Kelso, W. Kelso and Longview, Washington. Filed 10:27 a. m.

Portland Order 12-F, Amendment 23, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:27 a. m.

Portland Order 13-F, Amendment 23, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:27 a. m.

Portland Order 14-F, Amendment 23, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:26 a. m.

Portland Order 15-F, Amendment 23, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:26 a. m.

Portland Order 16-F, Amendment 16, covering fresh fruits and vegetables in Bend, Oregon Filed 10:26 a. m.

Portland Order 17-F Amendment 16 covering fresh fruits and vegetables in certain cities in Oregon Filed 10:26 a m

Portland Order 19-F, Amendment 14 covering fresh fruits and vegetables in Dalles, Oregon. Filed 10:26 a. m

Portland Order 20-F, Amendment 14 covering fresh fruits and vegetables in certain cities in Oregon Filed 10:26 a m

Portland Order 21-F, Amendment 14 covering fresh fruits and vegetables in Pendleton, Oregon. Filed 10:26 a. m

Portland Order 22-F, Amendment 14 covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:25 a. m

Portland Order 27-F Amendment 12 covering fresh fruits and vegetables in La Grande and Baker, Oregon Filed 10:25 a. m

Portland Order 28-F, Amendment 12 covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:25 a m

Portland Order 29-F, Amendment 10 covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:25 a m

Portland Order 30-F Amendment 3 covering fresh fruits and vegetables in certain cities in Washington and Oregon Filed 10:25 a. m

Portland Order 31-F, Amendment 1 covering fresh fruits and vegetables in Hood River-Clatskanie-McMinnville Oregon Area Filed 10:24 a. m

San Diego Order 3-F, Amendment 17 covering fresh fruits and vegetables in certain areas in Imperial County Filed 10 24 a m

San Diego Order 12, Amendment 1 covering dry groceries in Imperial County California. Filed 10:24 a m

Seattle Order 6-F, Amendment 37 covering fresh fruits and vegetables in Seattle and Bremerton, Washington Filed 10 15 a m

Seattle Order 7-F, Amendment 34 covering fresh fruits and vegetables in Tacoma Washington. Filed 10:16 a. m

Seattle Order 8-F, Amendment 32 covering fresh fruits and vegetables in Everett, Washington. Filed 10 16 a m

Seattle Order 9-F, Amendment 37 covering fresh fruits and vegetables in Seattle and Bremerton, Washington. Filed 10 16 a m

Seattle Order 10-F Amendment 31 covering fresh fruits and vegetables in Bellingham, Washington. Filed 10 16 a m

Seattle Order 11-F, Amendment 31 covering fresh fruits and vegetables in Olympia Washington Filed 10 16 a. m

Seattle Order 12-F, Amendment 31 covering fresh fruits and vegetables in Aberdeen and Hoquiam, Washington. Filed 10 17 a m

Seattle Order 13-F, Amendment 32, covering fresh fruits and vegetables in Centralia and Chehalis, Washington. Filed 10 17 a m

Seattle Order 14-F, Amendment 33 covering fresh fruits and vegetables in Wenatchee Washington. Filed 10 17 a m

Seattle Order 15-F, Amendment 30 covering fresh fruits and vegetables in Yakima Washington Filed 10:17 a. m

Spokane Order 1-O, Amendment 2 covering eggs in Spokane Washington Filed 10:17 a. m.

Spokane Order 8-F Amendment 19 covering fresh fruits and vegetables in Spokane County, Washington Filed 10 20 a m

Spokane Order 9-F Amendment 19 covering fresh fruits and vegetables in Kootenai County, Idaho. Filed 10 19 a m

Spokane Order 10-F Amendment 18 covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho Filed 10 19 a. m.

Spokane Order 10-F Amendment 18 covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho. Filed 10 19 a. m.

Spokane Order 11-F, Amendment 18 covering fresh fruits and vegetables in Latah County, Idaho, and Whitman County Washington. Filed 10:18 a. m

Spokane Order 12-F, Amendment 19, covering fresh fruits and vegetables in Asotin County, Washington, and Nez Perce County, Idaho. Filed 10:19 a. m.

Spokane Order 13-F, Amendment 20, covering fresh fruits and vegetables in Walla Walla and Columbia Counties, Washington. Filed 10:18 a. m.

Spokane Order 14-F, Amendment 20, covering fresh fruits and vegetables in Benton and Franklin Counties, Washington. Filed 10:17 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10374; Filed, June 20, 1945; 4:42 p. m.]

[Atlanta Rev. Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN ATLANTA, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Atlanta District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order No. G-1 under General Order No. 50, issued by the District Director of the Atlanta District Office of the Office of Price Administration on the 14th day of July 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order No. 50 is redesignated Revised Order No. G-1 under General Order No. 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on-premises sales, and for the further purpose of clarifying and strengthening the order. Maximum prices for sales of domestic malt beverages for off-premises consumption are controlled by Revised Maximum Price Regulation No. 252.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of Georgia. Banks, Barrow, Bartow, Bibb, Butts, Carroll, Catoosa, Chattahoochee, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Crawford, Dade, Dawson, De Kalb, Douglas, Elbert, Fannin, Fayette, Floyd, Forsyth, Franklin, Fulton, Gilmer, Gordon, Greene, Gwinnett, Habersham, Hall, Haralson, Harris, Hart, Heard, Henry, Houston, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Marion, Meriwether, Monroe, Morgan, Murray, Muscogee, Newton, Oconee, Oglethorpe, Paulding, Peach, Pickens, Pike, Polk, Putnam, Rabun, Rockdale, Spalding, Stephens, Talbot, Taylor, Towns, Troup, Union, Upson, Walker, Walton, White, and Whitfield.

SEC. 3. *Ceiling prices.* (a) On and after July 25, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Atlanta District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application, the Atlanta District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types, or sizes together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages other than those listed in Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1 B.* Your establishment belongs to Group 1 B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1 B establishments.

(2) *Group 2 B.* Your establishment belong to Group 2 B, if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2 B establishments, but were less than those provided in Appendix A for Group 1 B establishments.

(3) *Group 3 B.* Your establishment belongs to Group 3 B, if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2 B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3 B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1 B or Group 2 B, you may, but not later than the first day of October 1944 file an application with the Atlanta District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3 B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners;

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating;

(3) The selling prices by brand name of all beverages sold since the beginning of its operation;

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order;

(5) Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3 B sellers in Appendix A hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1 B or Group 2 B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Atlanta District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3 B and must observe the ceiling prices as pro-

[F. R. Doc. 45-10873; Filed, June 20, 1945; 4:42 p. m.]

ering fresh fruits and vegetables in Oregon. Filed 10:26 a. m.

ering fresh fruits and vegetables

vided for that group in Appendix A hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in Section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above, you must, on or before August 10, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3 B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3 B sellers in Appendix A hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation No. 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as non-profit cooperatives (where no part of the net earnings inures to the benefit of any individual) which sell food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperatives.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation No. 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales as eating or drinking establishments and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment, you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking, or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increases any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order No. 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with references to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50 are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order, you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2, issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3 B sellers as set forth in Appendix A hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B," "OPA 2 B" or "OPA 3 B," whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 B sellers in Appendix A hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of the same must be issued. Such receipts must show the date of issuance and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to Other Maximum Price Regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259, as heretofore or hereafter amended or revised, and the General Maximum Price Regulation, as heretofore or hereafter amended or revised, insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation No. 2.

SEC. 17. *Definitions.* (a) "Malt beverage" means any malt beverage produced within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell, sale, etc." include the service of beer for a consideration, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

(h) "On-premise sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller, or in the immediate vicinity thereof, and includes club service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

SEC. 19. *Changes in location.* If any establishment is hereafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance to the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon by the District Director of the Atlanta District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This order shall become effective July 25, 1944, and the revision of this order herein made shall become effective June 25, 1945.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

This order issued at Atlanta, Georgia, on July 14, 1944, and this revision issued at Atlanta, Georgia, on May 24, 1945.

D. ELLIS MCCORD,
District Director.

APPENDIX A

All maximum prices set out in this appendix may be increased by the amount of any municipal sales tax on retail sales actually paid by the seller.

PART I

GROUP 3 B

	Maximum prices	
	12-ounce	32-ounce
Draught beer and ale	Cents	Cents
Ballantine's	25	60
Berghoffbräu	25	60
Blatz Beer	25	60
Pfeiffer Brau	25	60
Continental Ale	25	60
Commander	25	60
Dortmunder	25	60
Edelbräu Ale & Ale	25	60
Frederick's Export (Cream Top)	25	60
Gem Lubinger	25	60
Gold Medal Tivoli	25	60
Krell's Ballpark Half	25	60
Miller High Life	25	60
Narragansett	25	60
National Premium	25	60
Pabst Blue Ribbon	25	60
Peter Hand's Premium	25	60
Schlitz Club	25	60
Prestige	25	60
Luby Premium	25	60
Schlitz	25	60
Yankee Premium	25	60
Zeigler's	25	60
Draught or trade name beer		
Ballantine	25	60
Canadian Ale	25	60
Carling's Red Cap	25	60
Kruger Cream	25	60
Red Top	25	60
Sparkill's Old English	25	60
Bottled or trade name beer		
Bruck	20	50
Cooper's	20	50
Hi-Brau	20	50
Lutz & Petersohn	20	50
Morlein Premium	20	50
Red Fox	20	50
Red Top	20	50
Silver Fox De Luxe	20	50
Yankee Trophy (cereal beverage)	20	50
Bottled or trade name ale		
Bruck's	20	50
Grossett's	20	50
Lutz's Pale	20	50
Imported beer		
Capital Export	5	----
All other imported beer (not including cereal beverage) at time of sale	20	50

Seller is required to add to above prices the amount of Federal Excise Tax per bottle to reflect the increase in Federal Tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Transportation Tax which are required to pay to Federal Excise Tax collectors and may add same to above prices if such tax is separately stated and collected.

GROUP 2-B

Brand or trade name of beer	Maximum price per bottle: 12-ounce	Maximum price per bottle: 32-ounce
	Cents	Cents
Ballantine's	20	50
Barbarossa	20	50
Budweiser	20	50
Burger Brau	20	50
Canadian Ace	20	50
Commander	20	50
Dequest	20	50
Downs Ale & Ale	20	50
Fredrick's Four Crown Special	20	50
Gem Pilsener	20	50
Gold Medal Tivoli	20	50
Keely's Half and Half	20	50
Miller's High Life	20	50
Natmar Premium	20	50
National Premium	20	50
Pabst Blue Ribbon	20	50
Peter Hand's Premium	20	50
Pilsner Club	20	50
Premo	20	50
Ruby Premium	20	50
Schlitz		
Yankee Premium (nonreturnable bottles)	20	50
Zeigler's		
Brand or trade name of ale		
Ballantine's	20	50
Canadian Ace	20	50
Carling's Red Cap	20	50
Krueger Cream	20	50
Red Top	20	50
Spearman's Old English		
Brand or trade name of beer		
Buick's	18	45
Cooper's	18	45
Hi-Brau	18	45
Lang's Peroxided	18	45
Meelein Premium	18	45
Red Fox	18	45
Red Top	18	45
Silver Fox DeLuxe	18	45
Yankee Premium (returnable bottles	18	45
Brand or trade name of ale		
Buick's	18	45
Grabam's	18	45
Lang's Domestic	18	45
Imported beer		
Carta Blanca	20	
All other brands not listed above and beer or ale not bearing a brand label at time of sale	15	40

Sellers may add to the above prices for 32-ounce bottles 1 cent per bottle to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 3-B

Brand or trade name of beer	Cents	Cents
Ballantine's	18	45
Barbarossa	18	45
Budweiser	18	45
Burger Brau	18	45
Canadian Ace	18	45
Commander	18	45
Dequest	18	45
Downs Ale & Ale	18	45
Fredrick's Four Crown Special	18	45
Gem Pilsener	18	45
Gold Medal Tivoli	18	45
Keely's Half and Half	18	45
Miller's High Life	18	45
Natmar Premium	18	45
National Premium	18	45
Pabst Blue Ribbon	18	45
Peter Hand's Premium	18	45
Pilsner Club	18	45
Premo	18	45
Ruby Premium	18	45
Schlitz		
Yankee Premium (nonreturnable bottles)	18	45
Zeigler's	18	45

Sellers may add to the above prices for 32-ounce bottles 1 cent per bottle to reflect the increase in Federal Tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 3-B—continued

Brand or trade name of ale	Maximum price per bottle: 12-ounce	Maximum price per bottle: 32-ounce
	Cents	Cents
Ballantine's	18	45
Canadian Ace	18	45
Carling's Red Cap	18	45
Krueger Cream	18	45
Red Top	18	45
Spearman's Old English		
Brand or trade name of beer		
Buick's	17	40
Cooper's	17	40
Hi-Brau	17	40
Lang's Peroxided	17	40
Meelein Premium	17	40
Red Fox	17	40
Red Top	17	40
Silver Fox DeLuxe	17	40
Yankee Premium (returnable bottles)	17	40
Brand or trade name of ale		
Buick's	17	40
Grabam's	17	40
Lang's Domestic	17	40
Imported beer		
Carta Blanca	20	
All other brands not listed above and beer or ale not bearing a brand label at time of sale	14	35

Sellers may add to the above prices for 32-ounce bottles 1 cent per bottle to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State Taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

PART II

DRAUGHT BEERS AND ALES

Brand or trade name	Size of container	Maximum prices for groups: 1-B	2-B	3-B
		Cents	Cents	Cents
All brands	Quarter	7	6	5
	Sixtieth	9	8	8
	Thirtieth	11	10	10
	12-ounce	13	12	12
		Per ounce	Per ounce	Per ounce
	All other size containers	1.1	1	1

Sellers may add to the above prices for containers of 8 ounces or more 1 cent per container to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 45-10880; Filed, June 20, 1945; 4:44 p. m.]

List of Community Ceiling Price Orders

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 15, 1945.

Region I

New Hampshire Order 9-F, Amendment 5, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:26 a. m.

New Hampshire Order 10-F, Amendment 1, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:26 a. m.

New Hampshire Order 11-F, Amendment 1, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:26 a. m.

New Hampshire Order 12-F, Amendment 1, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:25 a. m.

Region III

Cincinnati Order 4-F, Amendment 23 covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 9:25 a. m.

Cincinnati Order 5-F, Amendment 23 covering fresh fruits and vegetables in certain areas in Ohio. Filed 9:25 a. m.

Cincinnati Order 7-F, Amendment 12 covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:25 a. m.

Cincinnati Order 23, Amendment 1 covering dry groceries. Filed 9:49 a. m.

Region IV

Atlanta Order 29-C Amendment 3 covering poultry in the Atlanta Area. Filed 9:25 a. m.

Columbia Order 13, Amendment 5 covering certain food items in the South Carolina Area. Filed 9:47 a. m.

Columbia Order 19-O, Amendment 4 covering eggs in the South Carolina Area. Filed 9:46 a. m.

Columbia Order 20-O Amendment 4 covering eggs in the South Carolina Area. Filed 9:46 a. m.

Columbia Order 21-O Amendment 4 covering eggs in the South Carolina Area. Filed 9:45 a. m.

Columbia Order 22-O Amendment 4 covering eggs in the South Carolina Area. Filed 9:45 a. m.

Jacksonville Order 9-F, Amendment 26, covering fresh fruits and vegetables in Jacksonville, Fla. Filed 9:24 a. m.

Jacksonville Order 11-F, Amendment 12 covering fresh fruits and vegetables in certain counties in Florida. Filed 9:24 a. m.

Montgomery Order 20-F, Amendment 28 covering fresh fruits and vegetables in Mobile County, Alabama. Filed 9:24 a. m.

Montgomery Order 21-F, Amendment 33, covering fresh fruits and vegetables in Montgomery County, Alabama. Filed 9:24 a. m.

Montgomery Order 5-W Amendment 2 covering dry groceries in the Montgomery Area. Filed 9:47 a. m.

Montgomery Order 20, Amendment 2 covering dry groceries in the Montgomery Area. Filed 9:47 a. m.

Montgomery Order 21 Amendment 2 covering dry groceries in the Montgomery Area. Filed 9:47 a. m.

Region V

Dallas Order 1-F, Amendment 68 covering fresh fruits and vegetables in Dallas County, Texas. Filed 9:45 a. m.

Dallas Order 2-F, Amendment 19 covering fresh fruits and vegetables. Filed 9:45 a. m.

Dallas Order 2-F, Amendment 20 covering fresh fruits and vegetables in all counties except Bowie and Dallas. Filed 9:45 a. m.

Dallas Order 2-F, Amendment 21 covering fresh fruits and vegetables in all counties except Bowie and Dallas. Filed 9:45 a. m.

Dallas Order 3-F, Amendment 47, covering fresh fruits and vegetables. Filed 9:44 a. m.

Fort Worth Order 2-C, Amendment 2 covering poultry in certain counties in Texas. Filed 9:48 a. m.

Fort Worth Order 7-F, Amendment 11, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 9:44 a. m.

Fort Worth Order 8-F, Amendment 11 covering fresh fruits and vegetables in Taylor County, Texas. Filed 9:44 a. m.

Fort Worth Order 9-F, Amendment 11, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 9:42 a. m.

Fort Worth Order 10-F, Amendment 11, covering fresh fruits and vegetables in McLennan County, Texas. Filed 9:43 a. m.

Fort Worth Order 11-F, Amendment 11, covering fresh fruits and vegetables in Wichita County, Texas. Filed 9:43 a. m.

Fort Worth Order 12-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Texas. Filed 9:43 a. m.

Houston Order 1-F, Amendment 58, covering fresh fruits and vegetables in certain counties in Texas. Filed 9:54 a. m.

Houston Order 3-F, Amendment 46, covering fresh fruits and vegetables in certain areas in Texas. Filed 9:54 a. m.

Wichita Order 4-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Kansas. Filed 9:36 a. m.

Little Rock Order 2-F, Amendment 60, covering fresh fruits and vegetables. Filed 9:54 a. m.

Little Rock Order 4-F, Amendment 51, covering fresh fruits and vegetables. Filed 9:53 a. m.

Lubbock Order 3-F, Amendment 58, covering fresh fruits and vegetables in certain areas in Texas. Filed 9:42 a. m.

San Antonio Order 1-F, Amendment 22, covering fresh fruits and vegetables. Filed 9:38 a. m.

San Antonio Order 2-F, Amendment 22, covering fresh fruits and vegetables. Filed 9:38 a. m.

San Antonio Order 3-F, Amendment 18, covering fresh fruits and vegetables. Filed 9:38 a. m.

San Antonio Order 4-F, Amendment 18, covering fresh fruits and vegetables. Filed 9:38 a. m.

Shreveport Order 2-F, Amendment 64, covering fresh fruits and vegetables. Filed 9:37 a. m.

Shreveport Order 3-F Amendment 53, covering fresh fruits and vegetables. Filed 9:37 a. m.

Tulsa Order 1-C, Amendment 6, covering poultry in certain areas in the state of Oklahoma. Filed 9:53 a. m.

Tulsa Order 7-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:53 a. m.

Tulsa Order 8-F, Amendment 16, covering fresh fruits and vegetables in Muskogee and Tulsa, Oklahoma. Filed 9:53 a. m.

Wichita Order 1-C, Amendment 5, covering poultry in certain areas in Kansas. Filed 9:52 a. m.

Region VI

Milwaukee Order 8-F, Amendment 12, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 9:36 a. m.

Milwaukee Order 9-F, Amendment 12, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties, Wisconsin. Filed 9:36 a. m.

Milwaukee Order 10-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 9:36 a. m.

Milwaukee Order 11-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:35 a. m.

Peoria Order 6-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:52 a. m.

Peoria Order 7-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:52 a. m.

Peoria Order 8-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:52 a. m.

Peoria Order 9-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:51 a. m.

Peoria Order 10-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:51 a. m.

Quad-Cities Order 3-F, Amendment 23, covering fresh fruits and vegetables in certain counties in Illinois and Iowa. Filed 9:35 a. m.

Region VII

Albuquerque Order 18, Amendment 6, covering dry groceries in certain areas in New Mexico. Filed 9:35 a. m.

Albuquerque Order 20, Amendment 5, covering dry groceries in Southern and Eastern New Mexico. Filed 9:32 a. m.

Albuquerque Order 8-W, Amendment 6, covering dry groceries in certain areas in New Mexico. Filed 9:31 a. m.

Albuquerque Order 9-W, Amendment 6, covering dry groceries in certain areas in New Mexico. Filed 9:31 a. m.

Denver Order 1-C, covering poultry in certain cities and towns in Colorado. Filed 9:51 a. m.

Denver Order 1-C, Amendment 1, covering poultry in certain areas in Colorado. Filed 9:50 a. m.

Denver Order 2-C, covering poultry in certain areas in Colorado. Filed 9:50 a. m.

Denver Order 2-C, Amendment 1, covering poultry in certain areas in Colorado. Filed 9:50 a. m.

Region VIII

Fresno Order 1-C, Amendment 6, covering eggs in certain counties in California. Filed 9:30 a. m.

Fresno Order 1-F, Amendment 70, covering fresh fruits and vegetables in Fresno, California. Filed 9:30 a. m.

Fresno Order 1-F, Amendment 72, covering fresh fruits and vegetables in Fresno, California. Filed 9:30 a. m.

Fresno Order 2-F, Amendment 58, covering fresh fruits and vegetables in Modesto, California. Filed 9:29 a. m.

Fresno Order 2-F, Amendment 60, covering fresh fruits and vegetables in Modesto, California. Filed 9:29 a. m.

Fresno Order 3-F, Amendment 55, covering fresh fruits and vegetables in certain areas in California. Filed 9:29 a. m.

Fresno Order 3-F, Amendment 57, covering fresh fruits and vegetables in certain areas in California. Filed 9:28 a. m.

Fresno Order 4-F, Amendment 30, covering fresh fruits and vegetables in certain areas in California. Filed 9:28 a. m.

Fresno Order 4-F, Amendment 32, covering fresh fruits and vegetables in certain areas in California. Filed 9:28 a. m.

Fresno Order 5-F, Amendment 15, covering fresh fruits and vegetables in certain areas in California. Filed 9:27 a. m.

Fresno Order 6-F, Amendment 41, covering fresh fruits and vegetables in certain areas in California. Filed 9:27 a. m.

Fresno Order 6-F, Amendment 43, covering fresh fruits and vegetables in certain areas in California. Filed 9:27 a. m.

Fresno Order 7-F, Amendment 20, covering fresh fruits and vegetables in certain areas in California. Filed 9:26 a. m.

Fresno Order 7-F, Amendment 22, covering fresh fruits and vegetables in Merced, California. Filed 9:26 a. m.

Fresno Order 32, Amendment 1, covering dry groceries. Filed 9:49 a. m.

Fresno Order 33, Amendment 1, covering dry groceries. Filed 9:48 a. m.

Fresno Order 35, Amendment 1, covering dry groceries. Filed 9:48 a. m.

Phoenix Order 1-F, Amendment 22, covering fresh fruits and vegetables in certain areas in Arizona. Filed 9:48 a. m.

Phoenix Order 8-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Arizona. Filed 9:47 a. m.

Seattle Order 31, Amendment 6, covering dry groceries in certain areas in Washington. Filed 9:49 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-10814; Filed, June 19, 1945; 4:33 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-74, 59-69]

North Continent Utilities Corp. et al.

Notice of Filing of Application and Order for Hearing

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of June, A. D. 1945.

In the matters of North Continent Utilities Corporation and subsidiary companies, File No. 54-74; North Continent Utilities Corporation and subsidiary companies, Filed No. 59-69.

The Commission having by order entered on November 16, 1943, approved a plan providing for the liquidation and dissolution of North Continent Utilities Corporation ("North Continent"), a registered holding company, filed by that company and its subsidiary companies pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, and having by said order, pursuant to section 11 (b) of the act, directed North Continent to take such action as may be necessary to cause its liquidation and dissolution;

Notice is hereby given that an application or declaration (or both), designated as "Application No. 7", has been filed with this Commission pursuant to the said act by North Continent together with its wholly owned subsidiary company, New Mexico Public Service Company ("New Mexico"), with respect to certain transactions in connection with North Continent's said plan.

All interested persons are referred to said application or declaration (or both), which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

New Mexico proposes to sell to The Socorro Electric Cooperative, Inc., a New Mexico corporation, its electric generating plant and distribution system located in the County of Socorro, State of New Mexico, together with the real estate and other assets pertinent thereto, for a base price of $160,000 in cash, subject to certain adjustments. The said properties are known as New Mexico's "Socorro Division" and serve the Town of Socorro; two transmission lines, included in said properties, serve small distribution systems in the Towns of San Antonio, Lemitar and Polvadera.

The proceeds of the proposed sale, after deducting necessary expenses, will be deposited in the general funds of New Mexico, and thereafter will be paid to North Continent and applied against certain of New Mexico's indebtedness owed to North Continent. North Continent proposes to deposit said funds with the Trustee under the Indenture securing its First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948, to be used by the Trustee in making ratable payments upon the unpaid principal of said Bonds, as provided in North Continent's said plan.

It appearing to the Commission that it is appropriate in the public interest

and in the interests of investors and consumers that a hearing be held with respect to said matters, and that said application or declaration (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of the act and the rules of the Commission thereunder be held on July 2, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day the hearing room clerk in Room 318 will advise as to the room where the hearing will be held.

It is further ordered, That Henry C. Lank, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearing above ordered. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be received, and the fees, commissions, and other remuneration to be paid, in connection with the proposed transactions, are reasonable in amount.

2. The propriety of the proposed accounting treatment on the books of the applicants or declarants.

3. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers.

4. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder.

It is further ordered, That notice of said hearing is hereby given to North Continent Utilities Corporation, New Mexico Public Service Company, the New Mexico Public Service Commission, and to all interested persons, said notice to be given to North Continent Utilities Corporation, New Mexico Public Service Company, and the New Mexico Public Service Commission by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the mailing list for releases under the act.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before June 29, 1945, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10849; Filed, June 20, 1945; 2:48 p. m.]

[File No. 31-439]

GREAT NORTHERN GAS CO., LTD.

ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of June, A. D. 1945.

The Commission having heretofore on December 2, 1938, after a public hearing, ordered that the Great Northern Gas Company, Limited, be exempted to the extent specified from certain provisions of the Public Utility Holding Company Act of 1935 applicable to it as a subsidiary company of North Continent Utilities Corporation, a registered holding company; and

The Commission, after subsequent applications by Great Northern Gas Company, Limited, having in its order dated February 15, 1943 extended the time during which such order should be effective to January 31, 1945; and

Great Northern Gas Company, Limited, having on January 20 1945, filed an application pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935 seeking an extension of the time during which such previous order of this Commission should be effective; and

The Commission having considered such application and it appearing that the circumstances upon which such original order of exemption was issued still exist and that a further extension of the time during which such order of exemption shall be effective will not be detrimental to the public interest or the interest of investors or consumers;

It is therefore ordered, That the time during which such order of exemption shall be effective be, and hereby is, extended until January 31, 1946, without prejudice to the right of Great Northern Gas Company, Limited, to apply for a further extension of the time during which such order shall be effective and also without prejudice to the right of Great Northern Gas Company, Limited, to apply at any time for such enlargement of any of the provisions of such order as it may deem appropriate.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10850, Filed, June 20 1945; 2:43 p. m.]

[File No. 31-437]

SOUTHERN UTILITIES CO., LTD.

ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of June, A. D. 1945.

The Commission having heretofore on December 2, 1938, after a public hearing, ordered that the Southern Utilities Company, Limited, be exempted to the extent specified from certain provisions of the Public Utility Holding Company Act of 1935 applicable to it as a subsidiary company of North Continent Utilities Corporation, a registered holding company; and

The Commission, after subsequent applications by Southern Utilities Company, Limited, having in its order dated February 15, 1943 extended the time during which such order should be effective to January 31, 1945; and

Southern Utilities Company, Limited, having on January 20, 1945, filed an application pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935 seeking an extension of the time during which such previous order of this Commission should be effective; and

The Commission having considered such application and it appearing that the circumstances upon which such original order of exemption was issued still exist and that a further extension of the time during which such order of exemption shall be effective will not be detrimental to the public interest or the interest of investors or consumers;

It is therefore ordered, That the time during which such order of exemption shall be effective be, and hereby is, extended until January 31, 1946, without prejudice to the right of Southern Utilities Company, Limited, to apply for a further extension of the time during which such order shall be effective and also without prejudice to the right of Southern Utilities Company, Limited, to apply at any time for such enlargement of any of the provisions of such order as it may deem appropriate.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10851; Filed, June 20, 1945; 2:43 p. m.]

[File No. 70-761]

CENTRAL POWER AND LIGHT CO. AND AMERICAN POWER & LIGHT CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of June, A. D. 1945.

The Commission having heretofore by its order dated October 16, 1943, pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935 granted, among other things, the application of Central Power and Light Company, a direct subsidiary of Central and South West Utilities Company and an indirect subsidiary of The Middle West Corporation, both registered holding companies, to acquire the electric, water and ice properties of Texas Electric Service Company and Texas Public Utilities Corporation located in Eagle Pass, Texas, subject to the condition that Central dispose of the water properties so acquired, and the Commission having in said order, pursuant to section 11 (b) and the consent of Central, ordered Central to dispose of said water properties within the period specified in section 11 (e); and

The Commission, pursuant to an application filed under section 11 (e) of the act by Central Power and Light Company, having previously granted an extension of six months from October 16, 1944 within which to comply with the provision of said order of October 16, 1943; and

Central Power and Light Company having filed an application pursuant to section 11 (e) of the act requesting an additional extension of time of six months within which to comply with said order of October 16, 1943; and

The Commission having found that said applicant has been unable in the exercise of due diligence to comply with said order within the initial statutory period of one year from the date of its entry and the six month extension previously granted; and that an additional extension of six months is necessary and appropriate in the public interest and for the protection of investors and consumers;

It is hereby ordered, That said applicant be and is hereby granted an additional period of six months, dating from April 16, 1945, within which to comply with said order of October 16, 1943.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10852; Filed, June 20, 1945; 2:43 p. m.]

[Docket Nos. 16-1A2 through 16-1A7]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

ORDER EXTENDING TIME FOR FILING OF PETITION FOR REHEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of June, A. D. 1945.

In the matter of National Association of Securities Dealers, Inc. Review of disciplinary action under section 15A, Securities Exchange Act of 1934, as amended, in the consolidated cases of: John Doe I, Case No. 17, District 13, Docket 16-1A3; John Doe II, Case No. 17, District 8, Docket 16-1A6; John Doe III, Case No. 26, District 8, Docket 16-1A5; John Doe IV, Case No. 21, District 13, Docket 16-1A7; John Doe V, Case No. 2, District 10, Docket 16-1A4; John Doe VI, Case No. 28, District 8, Docket 16-1A2.

National Association of Securities Dealers Inc. having applied under Rule VII of the rules of practice of the Commission for an extension of time, until July 18, 1945, for filing a petition for rehearing before the Commission in the matter of disciplinary proceedings respecting John Doe I, John Doe II, John Doe III, John Doe IV, John Doe V, and John Doe VI, and having, in support of the said application, set forth facts indicating that the period for filing of a petition for rehearing pursuant to Rule XII of the rules of practice is inadequate in order properly to prepare the aforementioned petition;

It is ordered, That the time within which the National Association of Securities Dealers, Inc., may file its petition for rehearing herein be, and it hereby is, extended until July 18, 1945.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10853; Filed, June 20, 1945; 2:44 p. m.]

B. J. JOHNSON & CO.

ORDER SUSPENDING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of June, A. D. 1945.

In the matter of Bernard J. Johnson doing business as B. J. Johnson & Company, Rapid City, South Dakota.

The Commission having instituted a proceeding under section 15 (b) of the Securities Exchange Act of 1934 to determine whether the broker-dealer registration of B. J. Johnson, doing business as B. J. Johnson & Company, should be revoked, and whether pending final determination it is necessary or appropriate in the public interest or for the protection of investors to suspend registration; a hearing having been held after appropriate notice and it now appearing to the Commission that suspension is necessary and appropriate in the public interest and for the protection of investors;

It is ordered, That the registration of B. J. Johnson & Company be suspended from the opening of business on June 21, 1945, until final determination of this proceeding.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10854; Filed, June 20, 1945; 2:44 p. m.]

[File No. 70-735]

CONSUMERS GAS CO.

ORDER GRANTING REQUEST FOR EXTENSION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of June 1945.

Consumers Gas Company, a subsidiary of The United Gas Improvement Company, a registered holding company, having requested a one-year extension (to July 2, 1946) of the time fixed by our order of July 2, 1943, as extended by our order of June 16, 1944 (Holding Company Act Release Nos. 4409 and 5110) within which Consumers Gas Company may purchase a maximum of 800 shares of capital stock of Reading Gas Company from non-affiliated interests as shares became available for purchase at prices which would yield a favorable return on the funds so invested as compared with other available investments; and

Consumers Gas Company having stated that to date 71 shares of capital stock of Reading Gas Company have been purchased, and that an additional one-year extension is desired in order to consummate said purchase program; and

It appearing to the Commission that the requested extension of time is reasonable and not detrimental to the public interest or the interests of investors and consumers;

It is ordered, That Consumers Gas Company be, and hereby is, granted an additional period of one year from July 2, 1945 within which to consummate the proposed purchase program covered by our order of July 2, 1943, subject, however, to the same conditions and reservation of jurisdiction as are imposed by said order.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10855; Filed, June 21, 1945; 9:27 a. m.]

[File No. 70-1075]

WORCESTER SUBURBAN ELECTRIC CO. ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of June 1945.

In the matter of Worcester Suburban Electric Company, Milford Electric Light and Power Company, Union Light & Power Company, Massachusetts Utilities Associates, File No. 70-1075.

Massachusetts Utilities Associates, a non-registered subsidiary holding company of New England Power Association, a registered holding company, and three of Massachusetts Utilities Associates' subsidiaries, Worcester Suburban Electric Company, Milford Electric Light and Power Company and Union Light & Power Company, having filed joint applications and declarations, and amendments thereto, pursuant to sections 6 (b), 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder, and Instruction 6C of the Uniform System of Accounts for Public Utility Holding Companies, with respect to the following transactions:

1. Worcester Suburban Electric Company proposes to issue 50,312 shares of its capital stock ($25 par value per share) to Massachusetts Utilities Associates in exchange for the outstanding capital stock of Milford Electric Light and Power Company and Union Light & Power Company.

2. Massachusetts Utilities Associates proposes to surrender the capital stock of Milford Electric Light and Power Company and Union Light & Power Company in exchange for 50,312 shares of capital stock of Worcester Suburban Electric Company.

3. Massachusetts Utilities Associates also proposes to transfer or make available to the public stockholders of Worcester Suburban Electric Company, without any payment therefor, 143 shares of the capital stock of Worcester Suburban Electric Company at the rate of one share for each eight shares held.

4. Milford Electric Light and Power Company and Union Light & Power Company are proposed to be merged into

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Worcester Suburban Electric Company pursuant to an agreement of merger and the general laws of the Commonwealth of Massachusetts. Worcester Suburban Electric Company will acquire all the assets and assume all the liabilities of Milford Electric Light and Power Company and Union Light & Power Company. All of the outstanding capital stocks of Milford Electric Light and Power Company and Union Light & Power Company are to be cancelled.

5. Massachusetts Utilities Associates requests approval under Instruction 8C of the Uniform System of Accounts for Public Utility Holding Companies to record upon its books the shares of capital stock of Worcester Suburban Electric Company (following the merger) at the same amount at which it presently carries the capital stocks of Worcester Suburban Electric Company, Milford Electric Light and Power Company and Union Light & Power Company; and

The respective applicants-declarants having requested that the Commission, in approving the proposed transactions, make the findings and recitals specified in section 1808 (f) of the Internal Revenue Code, as amended; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having entered its findings and opinion herein:

It is ordered, That the joint applications and declarations, as amended, be granted and permitted to become effective forthwith subject, however, to the terms and conditions prescribed in Rule U-24 and subject to the additional term and condition that jurisdiction with respect to the accounting entries proposed by Massachusetts Utilities Associates be and hereby is reserved.

It is further ordered and recited, That the issuance by Worcester Suburban Electric Company of 50,312 shares of additional capital stock and the exchange thereof with Massachusetts Utilities Associates for the capital stock of Milford Electric Light and Power Company and Union Light & Power Company and the transfer by Massachusetts Utilities Associates of 143 shares of Worcester Suburban Electric Company capital stock to the public stockholders of Worcester Suburban Electric Company for the sole purpose of effecting the merger of Milford Electric Light and Power Company and Union Light & Power Company into Worcester Suburban Electric Company are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10887; Filed, June 21, 1945; 9:37 a. m.]

[File No. 812-383]

PENNSYLVANIA INDUSTRIES, INC. AND THE BEAVER CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 20th day of June A. D., 1945.

Pennsylvania Industries, Inc., a registered investment company and The Beaver Corporation, an affiliated person of Pennsylvania Industries, Inc. have filed a joint application for an order under and pursuant to the provisions of section 17 (b) of the Investment Company Act of 1940 exempting from the provisions of section 17 (a) of said act a proposed transaction wherein Pennsylvania Industries, Inc. proposes to acquire from The Beaver Corporation 15,000 shares of the latter's capital stock, having a par value of $10.00 per share and constituting all shares of stock of said corporation to be issued and outstanding as a result of a proposed amendment to said corporation's charter, for cash and marketable securities having an aggregate value of $150,000.

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on June 29, 1945 at ten o'clock, a. m., eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10888; Filed, June 21, 1945; 9:37 a. m.]

WAR PRODUCTION BOARD.

[C-210, Revocation]

ELZEAR QUESNEL

CONSENT ORDER

Consent Order C-210 was issued September 18, 1944 against Elzear Quesnel for violation of Conservation Order L-41 upon the consent of Elzear Quesnel, the Regional Compliance Manager and the Regional Attorney, and with the approval of a Compliance Commissioner. Elzear Quesnel has sold the premises located at the southeast corner of Clark and Grant Streets, Burlington, Vermont, and application has been made to the Federal Housing Administration by the purchaser for authorization to complete the construction of the building on the premises. The Federal Housing Administration is prepared to authorize the construction requested in the application and the Regional Compliance Manager and Regional Attorney have consented to the revocation of this consent order.

In view of the foregoing, the Director of the Compliance Division and the Office of General Counsel have directed that *Consent Order C-210* be revoked.

Wherefore, it is hereby ordered that *Consent Order C-210* be revoked upon issuance of this order.

Issued this 21st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary

[F. R. Doc. 45-10940; Filed, June 21, 1945; 11:04 a. m.]

[C-336, Revocation]

GAY NINETIES NITE CLUB

CONSENT ORDER

Ed Esse, of 501 Galena Street, Toledo, Ohio, individually and doing business as Gay Nineties Nite Club, owns and operates a restaurant and night club, and was charged by the War Production Board with having done construction in April, 1945, without permission of the War Production Board, of a restaurant and night club located at 725 Jefferson Avenue, Toledo, Ohio, at an estimated cost in excess of $200, in violation of War Production Board Conservation Order L-41. A Consent Order, No. C-336 was entered into by Ed Esse, the Regional Compliance Chief, and the Regional Attorney with the approval of the Compliance Commissioner. In view of the fact that Conservation Order L-41 as amended May 29, 1945, raises the limitation on this type of construction to $5,000 the Chief Compliance Commissioner has directed that the consent Order be revoked.

In view of the foregoing, it is hereby ordered, that: *Consent Order C-336* be revoked.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10629; Filed, June 20, 1945; 11:05 a. m.]

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FEDERAL REGISTER

VOLUME 10 NUMBER 125

Washington, Saturday, June 23, 1945

Regulations

TITLE 4—ACCOUNTS

Chapter I—General Accounting Office

[General Regulations 104]

PART 5—CLAIMS FOR PAYMENT OF AMOUNTS DUE IN THE CASE OF DECEASED OR INCOMPETENT CIVILIAN EMPLOYEES AND PUBLIC CREDITORS OF THE UNITED STATES

JUNE 20, 1945.

Part 5, General Regulation No. 42, dated April 6, 1925, and Supplements Nos. 1, 2, and 3 thereto, dated February 23, 1928, April 21, 1928, and December 2, 1932, respectively, are rescinded and the regulations herein prescribed will be followed in lieu thereof.

Sec.
51 Standard claim form.
52 Use of Standard Form 1055.
53 Claims for amounts in excess of $1,000; payments to legal representatives; and payments for accumulated and current accrued annual leave.
54 Claims by guardians or committees of estates of incompetents.
55 Certification of claims.

AUTHORITY: §§ 5.1 to 5.5 issued under sections 309 and 311 (f), 42 Stat. 25; 31 U.S.C. 49 and 52 (f).

§ 5.1 *Standard claim form.* Claims for amounts due on account of deceased civilian employees or individual deceased public creditors of the United States Government will be made on Standard Form No. 1055—Revised,[1] Claim Against the United States for Amounts Due in the Case of a Decedent, which is hereby prescribed. The claim and the certificate of the corroborating witnesses must be signed, but need not be subscribed or sworn to before a notary public; however, no corroborating witnesses are required where claim is made by the legal representative of the decedent's estate.

§ 5.2 *Use of Standard Form 1055.* The claims to be submitted on the standard form embrace the salary, compensation, etc., of deceased civilian employees of the Federal Government; payments due deceased individual contractors and public creditors of the United States for supplies furnished or services rendered; and claims of whatever character against the United States for amounts due individual deceased creditors which are for direct settlement by the General Accounting Office. The standard form will also be used for making claim for payment of Government checks drawn on the Treasurer of the United States or other authorized Government depository to the order of individuals, but which can not be paid because of the death of the payee. All such unnegotiated Federal checks in possession of the claimant should accompany the claim.

§ 5.3 *Claims for amounts in excess of $1,000; payments to legal representatives; and payments for accumulated and current accrued annual leave.* Amounts in excess of $1,000 may be paid only to the legal representative of the estate of the deceased, duly appointed by the court having probate jurisdiction or as may be ordered by such court: *Provided, however*, That payment for accumulated and current accrued annual leave may be made in any amount, without administration, to a claimant designated by the decedent as beneficiary under the Retirement Act applicable to the decedent's service. If there is a legal representative no payment, except for accumulated and current accrued annual leave, may be made to any other person.

§ 5.4 *Claims by guardians or committees of estates of incompetents.* No form is prescribed for the use of guardians or committees of estates of incompetents in making claim for sums due from the United States; however, an application, setting forth the incompetent's connection with the United States Government, giving the name of the department and bureau, must be submitted by the guardian or committee over his or her signature and address accompanied by a short certificate of the court showing the appointment and qualification of the claimant as guardian or committee. Applications for subsequently recurring payments need not be accompanied by an additional certificate of the court, but must be supported by a statement that

(Continued on next page)

[1] Filed as part of the original document.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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the appointment is still in full force and effect.

§ 5.5 *Certification of claims.* Since the execution of jurat will no longer be required, the old Standard Form No. 1055, when used, should be adjusted by deleting the words "being duly sworn, say" at item 1, and inserting in lieu thereof the word "certify," and the statements of the corroborating witnesses changed to "We certify that we are well acquainted with ---------- the applicant herein; that we have read the statements made by the applicant and that such statements are true to the best of our knowledge and belief."

[SEAL] LINDSAY C. WARREN,
Comptroller General of the United States.

[F. R. Doc. 45-10957; Filed, June 21, 1945; 2:11 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit Corporation)

PART 249—GRAPEFRUIT JUICE PAYMENT PROGRAM

OFFER TO MAKE PAYMENTS WITH RESPECT TO GRAPEFRUIT JUICE DERIVED FROM THE 1944–45 CROP OF GRAPEFRUIT

Sec.
249.30 Introduction.
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249.49 Antidiscrimination.
249.50 Compliance with applicable Executive orders.

AUTHORITY: §§ 249.30 to 249.50, inclusive, issued under E.O.'s 9250, 9328; 3 CFR Cum. Supp. Directive 49, Director of Economic Stabilization; 10 F.R. 6248.

§ 249.30 *Introduction.* In order to insure the maximum necessary production of canned grapefruit juice and to avoid an increase in prices to consumers of such juice as directed (10 F.R. 6248) by the Direction of Economic Stabilization, pursuant to Executive Orders 9250 and 9328 (3 CFR Cum. Supp., issued by the President of the United States on October 3, 1942, and April 8, 1943, respectively, Commodity Credit Corporation, a corporate agency of the United States of America, with offices at Washington, D. C. (herein called "Commodity"), hereby offers to make payments to eligible canners on eligible sales of canned grapefruit juice to the extent, in the manner, and subject to the terms and conditions specified in this offer.

§ 249.31 *Definitions.* (a) "Grapefruit juice" means canned grapefruit juice (as defined in the United States Standards for Grades of Canned Grapefruit Juice, issued by the Department of Agriculture, effective December 15, 1941, as amended November 1, 1944) derived from grapefruit of the 1944–45 crop: *Provided*, That the soluble solid content of any such canned grapefruit juice that is sweetened shall not exceed 16° Brix cut-out reading.

(b) "1944–45 crop" means the grapefruit harvested during the period October 1, 1944, to September 30, 1945, both dates inclusive, in any of the following States: Arizona, California, Florida, and Texas.

(c) "Eligible sale" means any sale and delivery by a canner, during the period November 10, 1944, to November 30, 1945, both dates inclusive, of grapefruit juice, produced by such canner, to any purchaser other than a government procurement agency, and other than for export: *Provided*, That such grapefruit juice (1) was not produced from grapefruit delivered, after November 19, 1944, to any of such canner's plants on a provisional or conditional price basis, except as may be approved, in writing, by Commodity, and (2) was not packed, sold, or delivered (i) in violation of any order or regulation of the Office of Price Administration or the War Food Administration, or (ii) in violation of any applicable Federal or State law or regulation.

(d) "Sale and delivery" or "sold and delivered" means any absolute sale of grapefruit juice at a fixed price accompanied by the transfer of the title to such juice.

(e) "For export" means for consumption outside of the continental United States, it Territories, and possessions.

(f) "Canner" means any person who cans grapefruit juice or who causes another person to can grapefruit juice in his behalf.

(g) "Can" means to pack into hermetically sealed containers any grapefruit juice which is sufficiently processed by the use of heat to assure its preservation.

(h) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(i) "Government procurement agency" means any agency, bureau, corporation, or department of the United States Government.

(j) "Month" means each period and each calendar month specified in § 249.40 (a).

(k) "Monthly fruit cost" means, with respect to a canner, month, and area in which such canner's plants are located, whichever of the following costs is applicable:

(1) The weighted average delivered cost per net ton of the 1944–45 crop, reported for such month and area by such canner pursuant to § 249.40 (a) (3), if such canner received, during such month, each delivery of grapefruit on a fixed price basis;

(2) The monthly area fruit cost, established pursuant to § 249.36 for such month and area, if such canner received during such month, each delivery of the 1944–45 crop other than on a fixed price basis;

(3) The weighted average fruit cost computed by Commodity for such canner and such month and such area (i) by using, for deliveries of grapefruit received by such canner on a fixed price basis, such canner's weighted average delivered cost per net ton of the 1944–45 crop (as reported for such month and such area by such canner pursuant to § 249.40 (a) (3)), or 103 percent of the monthly area fruit cost for such month and such area, or the applicable maximum cost specified in § 249.36 (a), whichever is the lowest, and (ii) by using, for deliveries of grapefruit received by such canner other than on a fixed price basis, the monthly area fruit cost (as established pursuant to § 249.36) for such month and area in which such canner's plants are located, if such canner received, during such month, deliveries on both bases.

(l) "Area" means any of the following sections of the United States in which grapefruit of the 1944–45 crop is grown and from which grapefruit juice is produced (irrespective of the place of canning): "Florida"; "Texas"; "California-Arizona."

(m) "Provisional or conditional price basis" means a purchase price which is not definitely determined at or prior to the time grapefruit is delivered to a canner's plant: *Provided*, That this term shall not apply to deliveries of grapefruit to a bona fide cooperative by its grower-members.

(n) "Fixed price basis" means a purchase price which is definitely determined at or prior to the time grapefruit is delivered to a canner's plant.

§ 249.32 *Prerequisites to payments and interim settlement.* (a) Unless otherwise provided in paragraph (b) of this section, payments (or interim settlements, as the case may be) hereunder with respect to eligible sales shall be made by Commodity only to a canner who (1) complies with the terms and conditions specified in this offer, (2) submits applications for payment (or interim settlement) to Commodity in such form as Commodity may prescribe, and (3) supplies, with respect to each such application, such supporting evidence, documents, information, and proofs as Commodity may require. Each such application shall be submitted to Commodity only with respect to eligible sales of grapefruit juice produced in a particular area; and no more than two such applications shall be submitted during any calendar month unless otherwise approved, in writing, by Commodity: *Provided*, That no application, as aforesaid, shall be submitted to Commodity subsequent to December 31, 1945.

(b) With respect to each eligible sale to a purchaser who is also a canner, Commodity shall make payment thereon only to the extent, in the manner, and subject to the terms and conditions as may be approved, in writing, by Commodity.

§ 249.33 *Payment.* The aggregate amount due a canner with respect to each eligible sale shall be computed by Commodity on the basis of the respective canner's seasonal fruit cost. Commodity shall, as soon as practicable after receipt of an application, as aforesaid, for any payment hereunder, make payment thereon to the extent found by Commodity to be in conformity with this offer: *Provided*, That, unless otherwise required pursuant to § 249.39, not more than one payment shall be made by Commodity with respect to a particular quantity of grapefruit juice.

§ 249.34 *Interim settlement.* With respect to eligible sales made by a canner prior to the establishment of such canner's seasonal fruit cost pursuant to § 249.37, such canner may submit to Commodity applications for interim settlements in accordance with § 249.32. Each such interim settlement shall be subject to the final adjustment provided in § 249.39 and shall be computed by Commodity on the basis of such canner's lowest applicable monthly fruit cost for any month between November 12, 1944, and the date on which such canner submits the application for such interim settlement: *Provided*, That in the event such canner's lowest applicable monthly fruit cost is in excess of 103 percent of the applicable monthly area fruit cost (established pursuant to § 249.36 (a)), then 103 percent of such monthly area fruit cost or the applicable maximum cost specified in § 249.36 (a), whichever is the lower, shall be used in lieu of such lowest monthly fruit cost.

§ 249.35 *Rate of payment.* The rate of payment with respect to each eligible sale shall be the appropriate rate of payment specified in the applicable table contained (a) in Schedule A (attached hereto and, by this reference, made a part hereof) or (b) in any amendment of such Schedule A as Commodity may establish pursuant to § 249.42.

§ 249.36 *Establishment of monthly area fruit cost.* (a) As soon as practicable after receipt by Commodity of the reports required to be submitted by canners pursuant to § 249.40 (a), Commodity shall, with respect to each area and each month and on the basis of such reports or other information as may be available to it, establish, pursuant to paragraph (a) or (b) of this section, the weighted average delivered cost (herein called the "monthly area fruit cost")

per net ton of grapefruit of the 1944–45 crop delivered at all canners' plants exclusively for processing: *Provided*, That no such monthly area fruit cost shall be established for any area in an amount in excess of the applicable maximum cost specified herein for such area:

Area	Maximum cost	
	Delivered to Jan. 1, 1945	Delivered after Jan. 1, 1945
	Dollars per ton	*Dollars per ton*
Florida	4.97	4.97
Texas	29.75	29.75
California Arizona	28.10	28.10

(b) In the event Commodity determines, with respect to any month and any area, that the reports submitted by canners pursuant to § 249.40 (a) are inadequate for Commodity to establish a monthly area fruit cost, Commodity shall establish such monthly area fruit cost on the basis of the prevailing prices, during such month, in the fresh grapefruit market for grapefruit grown in such area, adjusted to reflect appropriate differentials, as determined by Commodity, with respect to grapefruit sold for processing. Unless subsequently adjusted by Commodity, each monthly area fruit cost established pursuant to this section shall be final and conclusive.

§ 249.37 *Establishment of seasonal fruit cost.* As soon as practicable after receipt by Commodity of the report required to be submitted by canners pursuant to § 249.40 (c), Commodity shall, with respect to each canner and all of such canner's plants in each area, establish, for each such canner and area, a weighted average seasonal delivered cost (herein called "seasonal fruit cost") per ton of grapefruit of the 1944–45 crop delivered, during the period October 1, 1944, to May 31, 1945, both dates inclusive, to such canner's plants in each such area exclusively for processing. Each such seasonal fruit cost shall be established by Comodity on the basis of all such canner's applicable monthly fruit costs for the aforesaid period, weighted according to the total quantity of grapefruit juice canned in each area by such canner during such month of such period, and the respective total quantities of such monthly area which such canner sold and delivered and is holding for sale and delivery to government procurement agencies, and (b) for purposes of export: *Provided*, That with respect to each such monthly fruit cost, which is in excess of the applicable maximum area fruit cost specified in the preceding section, the provisions of such preceding section shall be applicable in the manner specified therein.

§ 249.38 *Application for payment.* (a) Any canner may make application for payment (or interim settlement) hereunder with respect to any eligible sale, and such application may be filed at any time after the delivery of the grapefruit juice covered by such sale. Such application shall be made on Form OMS–168, and shall be executed by such canner or by a duly authorized representative of such canner. Such application shall be filed with Commodity at Washington 25, D. C.

(b) Each such application shall contain:

(1) The name and address of the canner;

(2) The date of such application;

(3) The number of cases of grapefruit juice covered by such application, the size of the container, and the number of cases of each size;

(4) The total quantity of grapefruit juice covered by such application;

(5) The date or dates of delivery of such grapefruit juice;

(6) The name and address of the person to whom such grapefruit juice was delivered;

(7) The amount claimed to be payable with respect to such grapefruit juice;

(8) Such other information as Commodity may require.

§ 249.39 *Adjustment and restitution.* (a) In the event Commodity makes payment to any canner on any application for payment (or interim settlement), with respect to any eligible sale, and such application is subsequently found to be invalid, defective, or incorrectly computed, such canner shall refund such payment to Commodity at such time and in such manner as Commodity may direct. In the event of a preliminary determination by Commodity that a canner has failed to comply with the terms of this offer, Commodity may suspend any or all payments which are, or may become, due such canner hereunder, subject to a final determination by Commodity with respect to such failure of compliance. As soon as practicable after notice to such canner of any such suspension of payment and after such canner has had an opportunity to submit evidence with respect to his alleged compliance herewith, Commodity shall make a final determination as to whether such canner has complied with the terms of this offer. If such final determination is to the effect that such canner has failed to comply with the terms of this offer, such canner shall, to the extent Commodity may elect, (1) be denied any further payments hereunder, and (2) be required to reimburse Commodity to the extent of any payments theretofore made to, and received by, such canner with respect to those transaction determined by Commodity not to have been in compliance with this offer. Such rights of Commodity shall be in addition to any and all other rights of Commodity hereunder.

(b) To the extent, if any that the amount of any payment received by a canner exceeds the amount to which such canner is entitled hereunder such canner shall forthwith reimburse Commodity: *Provided*, That Commodity may, at its option, but in lieu of such reimbursement, set off such amount of such overpayment against any amounts due or becoming due such canner from Commodity on such canner.

(c) In this event, if any, that a canner makes a claim for payment in a larger amount than the total amount of payments which such canner has received, Commodity shall make payment with respect to such claim only to the extent that Commodity determines that such canner is entitled to such payment.

(a) Within ten (10) calendar days following the publication of this offer in the FEDERAL REGISTER and with respect to his operations during each of the periods of October 1 to November 4, 1944, both dates inclusive, November 5 to November 11, 1944, both dates inclusive, and November 12 to November 30, 1944, both dates inclusive, and during each of the calendar months of December 1944, January, February, March, April, and May, 1945, respectively, and within ten (10) calendar days following the last day of each calendar month subsequent to May 1945 during which eligible sales may be made and with respect to his operations during each such subsequent calendar month, each canner shall mail to Commodity, on Form OMS–168, an accurate report stating, separately as to each area in which such canner operates, the information hereinafter specified. Each such report shall contain:

(1) The total quantity of all grapefruit of the 1944–45 crop delivered exclusively for processing;

(2) The total quantity of all such grapefruit delivered on a fixed price basis only;

(3) The weighted average delivered cost per net ton of the total quantity of grapefruit reported pursuant to subparagraph (2) of this paragraph;

(4) The total quantity of grapefruit juice canned from the grapefruit reported pursuant to subparagraph (1) of this paragraph;

(5) The total quantity of grapefruit juice (i) included in eligible sales, (ii) sold and delivered to government procurement agencies, (iii) sold and delivered for export, and (iv) otherwise sold and delivered.

(6) The total quantity, other than the quantities reported pursuant to subparagraph (5) of this paragraph, of grapefruit juice otherwise disposed of (including, but not being limited to, samples and spoilage);

(7) The total quantity of grapefruit juice which such canner had on hand in its grapefruit juice with respect to which such canner holds title, regardless of the location of such juices at the beginning and at the close of the period with respect to which a report is made; and

(8) The portion of the total quantity of grapefruit juice reported pursuant to subparagraph (7) of this paragraph which is set aside for sale and delivery to government procurement agencies.

(c) Each canner shall, within ten (10) calendar days following the publication of this offer in the FEDERAL REGISTER and in Commodity's discretion with respect to such canner's receipt of grapefruit of the 1944–45 crop, file with Commodity a report stating the following information:

which, on June 1, 1945, were set aside for sale and delivery to government procurement agencies, and for export.

§ 249.41 *Amendment and termination.* (a) Commodity may, at any time, amend or terminate this offer by giving public notice of such amendment or termination. The issuance by Commodity, or the War Food Administration, of a press release setting forth such amendment or notice of termination, or the filing of such amendment or notice of termination, with the Division of the Federal Register shall constitute sufficient public notice of such amendment or termination. Any such amendment or termination shall not preclude the subsequent filing, in accordance with the provisions in § 249.32, of applications for payment (or interim settlement) hereunder by, and the making of payments to, any canner with respect to eligible sales of grapefruit juice canned from grapefruit of the 1944–45 crop delivered to such canner's plants (pursuant to bona fide purchases made prior to such notice of amendment or termination) not later than ten (10) calendar days after the date of such notice.

(b) In the event the issuance, amendment, modification, or termination of any maximum price regulation of the Office of Price Administration reflects or includes a raw fruit cost of grapefruit used in producing canned grapefruit juice different from that reflected or included in the civilian ceiling prices for grapefruit juice which were used in establishing the rates of payments provided in § 249.35, Commodity may, in its discretion, amend this offer and Schedule A to provide for such adjustment of the rates of payment as Commodity may deem appropriate or necessary; and Commodity may make such adjusted rates of payment effective as of the effective date of the issuance, amendment, modification, or termination of such maximum price regulation.

§ 249.42 *Waivers.* Commodity may, in its absolute discretion and upon such terms and conditions as it may deem necessary, waive the performance or doing of any one or more of the acts to be performed or things to be done hereunder by any canner. No canner shall, however, claim any waiver by Commodity of the performance or doing of any act or acts or more of the acts to be performed or things to be done by such canner except pursuant to a waiver [illegible] subscribed by Commodity.

[illegible] such canner's operations in connection with (a) all grapefruit acquired by purchase or otherwise; (b) all grapefruit delivered to such canner; (c) all grapefruit processed; and (d) all grapefruit juice (1) held for sale and delivery, (2) sold and delivered, and (3) otherwise disposed of by such canner. All such books and records and accounts shall be carefully preserved for a period of not less than two (2) years and shall be available for inspection by Commodity or its designated agents or representatives at any reasonable time during such period.

§ 249.45 *Assignability.* Any claims hereunder shall not be assignable by any canner without the prior written approval of Commodity.

§ 249.46 *Delegation.* Any act, approval, direction, or determination provided in this offer to be made by Commodity may be delegated by Commodity to any agent, representative, or agency to act in its place and stead or for its account.

§ 249.47 *Communications.* All correspondence, applications for payments (or interim settlements), supporting documents, and other information concerning this offer shall, unless Commodity shall otherwise prescribe, be addressed to Commodity Credit Corporation, Washington 25, D. C.

§ 249.48 *Benefits.* No member of or delegate to the Congress of the United States shall be admitted to any share or part of this offer or to any benefits to arise herefrom, but this provision shall not be construed to extend to benefits arising from this offer if accruing to a corporation or to persons in the capacity of growers of grapefruit.

§ 249.49 *Antidiscrimination.* In his performance under this offer, no canner shall discriminate against any worker because of race, creed, color, or national origin.

§ 249.50 *Compliance with applicable Executive orders.* In his performance under this offer, each canner shall comply with Executive Order 9301 (8 FR 1823), issued by the President of the United States on February 9, 1943 to the extent determined to be applicable to such operations.

NOTE: All reporting and recordkeeping requirements of this agreement have been approved by, and subsequent reporting and recordkeeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 20th day of June 1945.

[SEAL] COMMODITY CREDIT CORPORATION,
By [illegible]
Secretary.

(metal or glass) of a size other than a size specified in the appropriate Table contained in this Schedule A, compute such rate of payment by multiplying the appropriate rate of payment per dozen No. 2 cans of such grapefruit juice by the conversion factor obtained by dividing 20.55 ounces into the avoirdupois weight of the volume of water which, at 68° Fahrenheit, would fill such container (with respect to which the rate of payment is to be ascertained) to brimful capacity, without headspace. Calculate each such rate of payment to the nearest one-hundredth of a cent.

TABLE I—RATES OF PAYMENT APPLICABLE TO ELIGIBLE SALES OF UNSWEETENED GRAPEFRUIT JUICE DERIVED FROM FLORIDA GRAPEFRUIT OF THE 1944–45 CROP

Average delivered cost of grapefruit (dollars per ton)	Rates of payment		
	No. 2	No. 3 cyl.	No. 10
	Dollars per dozen cans	*Dollars per dozen cans*	*Dollars per dozen cans*
43.15 and over	0.8508	1.6812	2.1031
42.91–43.14	.8576	.8049	2.0765
42.67–42.90	.8705	.8799	2.0499
42.43–42.66	.8834	.9044	2.0233
42.19–42.42	.8948	.9339	1.9967
41.95–42.18	.8956	.9413	1.9701
41.71–41.94	.8964	.9287	1.9435
41.47–41.70	.8956	.9161	1.9168
41.23–41.46	.8948	.9035	1.8902
40.99–41.22	.8956	.8910	1.8636
40.75–40.98	.8964	.8784	1.8370
40.51–40.74	.8956	.8658	1.8104
40.27–40.50	.8948	.8532	1.7838
40.03–40.26	.8176	.8407	1.7572
39.79–40.02	.8404	.8281	1.7306
39.55–39.78	.8632	.8155	1.7040
39.31–39.54	.8860	.8029	1.6774
39.07–39.30	.8956	.7904	1.6508
38.83–39.06	.8948	.7778	1.6242
38.59–38.82	.8956	.7652	1.5976
38.35–38.58	.8948	.7526	1.5710
38.11–38.34	.8956	.7400	1.5444
37.87–38.10	.8964	.7274	1.5177
37.63–37.86	.8956	.7149	1.4911
37.39–37.62	.8948	.7023	1.4645
37.15–37.38	.8956	.6897	1.4379
36.91–37.14	.8948	.6771	1.4113
36.67–36.90	.8956	.6646	1.3847
36.43–36.66	.8964	.6520	1.3581
36.19–36.42	.8956	.6394	1.3315
35.95–36.18	.8948	.6268	1.3049
35.71–35.94	.8956	.6142	1.2783
35.47–35.70	.8964	.6017	1.2517
35.23–35.46	.8956	.5891	1.2250
34.99–35.22	.8948	.5765	1.1984
34.75–34.98	.8956	.5640	1.1718
34.51–34.74	.8964	.5514	1.1452
34.27–34.50	.8956	.5388	1.1186
34.03–34.26	.8948	.5262	1.0920
33.79–34.02	.8956	.5136	1.0654
33.55–33.78	.8964	.5011	1.0388
33.31–33.54	.8956	.4885	1.0122
33.07–33.30	.8948	.4759	.9856
32.83–33.06	.8956	.4633	.9590
32.59–32.82	.8964	.4508	.9324
32.35–32.58	.8956	.4382	.9058
32.11–32.34	.8948	.4256	.8792
31.87–32.10	.8956	.4130	.8526
31.63–31.86	.8964	.4005	.8260
31.39–31.62	.8956	.3879	.7994
31.15–31.38	.8948	.3753	.7728
30.91–31.14	.8956	.3627	.7462
30.67–30.90	.8964	.3502	.7196
30.43–30.66	.8956	.3376	.6930
30.19–30.42	.8948	.3250	.6664
29.95–30.18	.8956	.3124	.6398
29.71–29.94	.8964	.2999	.6132
29.47–29.70	.8956	.2873	.5866
29.23–29.46	.8948	.2747	.5600
28.99–29.22	.8956	.2621	.5334
28.75–28.98	.8964	.2496	.5068
28.51–28.74	.8956	.2370	.4802
28.27–28.50	.8948	.2244	.4536
28.03–28.26	.8956	.2118	.4270
27.79–28.02	.8964	.1993	.4004
27.55–27.78	.8956	.1867	.3738
27.31–27.54	.8948	.1741	.3472
27.07–27.30	.8956	.1615	.3206
26.83–27.06	.8964	.1490	.2940
26.59–26.82	.8956	.1364	.2674
26.35–26.58	.8948	.1238	.2408
26.11–26.34	.8956	.1112	.2142
25.87–26.10	.8964	.0987	.1876
25.63–25.86	.8956	.0861	.1610
25.39–25.62	.8948	.0735	.1344
25.15–25.38	.8956	.0609	.1078
24.91–25.14	.8964	.0484	.0812
24.67–24.90	.8956	.0358	.0546
24.43–24.66	.8948	.0232	.0280
24.19–24.42	.8956	.0106	.0014
23.95–24.18	.8948		
23.71–23.94	.8956		
23.47–23.70	.8964		
23.23–23.46	.8956		
22.99–23.22	.8948		
22.75–22.98	.8956		
22.51–22.74	.8964		
22.27–22.50	.8956		
22.03–22.26	.8948		
21.79–22.02	.8956		
21.55–21.78	.8964		
21.31–21.54	.8956		
21.07–21.30	.8948		
20.83–21.06	.8956		
20.59–20.82	.8964		
20.35–20.58	.8956		
20.11–20.34	.8948		
19.87–20.10	.8956		
19.63–19.86	.8964		
19.39–19.62	.8956		
19.15–19.38	.8948		
18.91–19.14	.8956		
18.67–18.90	.8964		
18.43–18.66	.8956		
18.19–18.42	.8948		
17.95–18.18	.8956		
17.71–17.94	.8964		
17.47–17.70	.8956		
17.23–17.46	.8948		
16.99–17.22	.8956		
16.75–16.98	.8964		
16.51–16.74	.8956		
16.27–16.50	.8948		
16.03–16.26	.8956		
15.79–16.02	.8964		
15.55–15.78	.8956		
15.31–15.54	.8948		
15.07–15.30	.8956		
14.83–15.06	.8964		
14.59–14.82	.8956		
14.35–14.58	.8948		
14.11–14.34	.8956		
13.87–14.10	.8964		
13.63–13.86	.8956		
13.39–13.62	.8948		
13.15–13.38	.8956		
12.91–13.14	.8964		
12.67–12.90	.8956		
12.43–12.66	.8948		
12.19–12.42	.8956		
11.95–12.18	.8964		
11.71–11.94	.8956		
11.47–11.70	.8948		
11.23–11.46	.8956		
10.99–11.22	.8964		
10.75–10.98	.8956		
10.51–10.74	.8948		
10.27–10.50	.8956		
10.03–10.26	.8964		
9.79–10.02	.8956		
9.55–9.78	.8948		
9.31–9.54	.8956		
9.07–9.30	.8964		
8.83–9.06	.8956		
8.59–8.82	.8948		
8.35–8.58	.8956		
8.11–8.34	.8964		
7.87–8.10	.8956		
7.63–7.86	.8948		
7.39–7.62	.8956		
7.15–7.38	.8964		
6.91–7.14	.8956		
6.67–6.90	.8948		
6.43–6.66	.8956		
6.19–6.42	.8964		
5.95–6.18	.8956		
5.71–5.94	.8948		
5.47–5.70	.8956		
5.23–5.46	.8964		
4.99–5.22	.8956		
4.75–4.98	.8948		
4.51–4.74	.8956		
4.27–4.50	.8964		
4.03–4.26	.8956		
3.79–4.02	.8948		
3.55–3.78	.8956		
3.31–3.54	.8964		
3.07–3.30	.8956		
2.83–3.06	.8948		
2.59–2.82	.8956		
2.35–2.58	.8964		
2.11–2.34	.8956		
1.87–2.10	.8948		
1.63–1.86	.8956		
1.39–1.62	.8964		
1.15–1.38	.8956		
0.91–1.14	.8948		
.67–.90	.8956		
.43–.66	.8964		
.19–.42	.8956		
Below .19	.8948		

[illegible] of the 1944–45 crop delivered, during the period October 1, 1944 to May 31, 1945, both dates inclusive, to such canner's plants in each such area exclusively for processing. Each such seasonal fruit cost shall be established by Comodity on the basis of all such canner's applicable monthly fruit costs for the aforesaid period, weighted according to the total quantity of grapefruit juice canned in such area by such canner during each month of such period, less the respective total quantities of such grapefruit juice which such canner sold and delivered and is holding for sale and delivery (a) to government procurement agencies, and (b) to purchasers for export: *Provided*, That with respect to each such monthly fruit cost, which is in excess of 103 percent of the applicable monthly area fruit cost, 103 percent of such monthly area fruit cost, or the applicable maximum cost specified in § 249.36 (a), whichever is the lower, shall be used in lieu of such monthly fruit cost.

[illegible] (b) In the event Commodity determines, with respect to any month and any area, that the reports submitted by canners pursuant to § 249.40 (c) are inadequate for Commodity to establish a monthly area fruit cost, Commodity shall establish such monthly area fruit cost on the basis of the prevailing prices, during such month, in the fresh grapefruit market for grapefruit grown in such area, adjusted to reflect appropriate differentials, as determined by Commodity, with respect to grapefruit sold for processing. Unless subsequently adjusted by Commodity, each monthly area fruit cost established pursuant to this section shall be final and conclusive.

§ 249.37 *Establishment of seasonal fruit cost.* As soon as practicable after receipt by Commodity of the report required to be submitted by canners pursuant to § 249.40 (c), Commodity shall, with respect to each canner and all of such canner's plants in each area, establish, for each such canner and area, a weighted average seasonal delivered cost (herein called "seasonal fruit cost") per ton of grapefruit of the 1944–45 crop delivered, during the period October 1, 1944 to May 31, 1945, both dates inclusive, to such canner's plants in each such area exclusively for processing. Each such seasonal fruit cost shall be established by Comodity on the basis of all such canner's applicable monthly fruit costs for the aforesaid period, weighted according to the total quantity of grapefruit juice canned in such area by such canner during each month of such period, less the respective total quantities of such grapefruit juice which such canner sold and delivered and is holding for sale and delivery (a) to government procurement agencies, and (b) to purchasers for export: *Provided*, That with respect to each such monthly fruit cost, which is in excess of 103 percent of the applicable monthly area fruit cost, 103 percent of such monthly area fruit cost, or the applicable maximum cost specified in § 249.36 (a), whichever is the lower, shall be used in lieu of such monthly fruit cost.

§ 249.38 *Rejections by Commodity.* Commodity shall have the right to reject, in whole or in part, any application for payment (or interim settlement) hereunder in the event such application or the transactions included therein are determined by Commodity to be not in accordance with this offer. The rejection of any such application shall not preclude a canner from resubmitting to Commodity, within the time limits specified herein, such application with respect to the transactions involved in such rejected application or rejected portion thereof, provided canner desire to submit further evidence of such canner's alleged compliance with this offer, and if such evidence is satisfactory to Commodity, such application shall be accepted by Commodity.

§ 249.39 *Adjustment and refunds.* In the event Commodity makes payments to any canner on any application for payment or interim settlement, with respect to any eligible sale, and such application is subsequently found to be invalid, defective, or incorrectly computed, such canner shall refund such payment to Commodity at such time and in such manner as Commodity may direct. In the event of a preliminary determination by Commodity that a canner has failed to comply with the terms of this offer, Commodity may suspend any or all payments which are, or may become, due such canner hereunder, subject to a final determination by Commodity with respect to such failure of compliance. As soon as practicable after notice to such canner of any such suspension of payment and after such canner has had an opportunity to submit evidence with respect to his alleged compliance herewith, Commodity shall make a final determination as to whether such canner has complied with the terms of this offer. If such final determination is to the effect that such canner has failed to comply with the terms of this offer, such canner shall, to the extent Commodity may elect, (1) be denied any further payments hereunder, and (2) be required to reimburse Commodity to the extent of any payments theretofore made to, and received by, such canner with respect to those transaction determined by Commodity not to have been in compliance with this offer. Such rights of Commodity shall be in addition to any and all other rights of Commodity hereunder.

(b) To the extent, if any, that the amount of any payment received by a canner exceeds the amount to which such canner is entitled hereunder, such canner shall forthwith reimburse Commodity: *Provided*, That Commodity may, at its option and in lieu of such reimbursement, set off such amount of such overpayment against any amount due or to become due hereunder from Commodity to such canner.

(c) To the extent, if any, that a canner is entitled hereunder to a larger aggregate amount than the total amount of all payments which such canner has received Commodity shall make payment of such additional amount as soon as practicable.

§ 249.40 *Reports.* The reports to be submitted to Commodity by each canner pursuant to this section shall be made only on the basis of the respective total quantities of grapefruit juice canned by, or in behalf of, such canner for his own account.

(a) Within ten (10) calendar days following the publication of this offer in the FEDERAL REGISTER and with respect to operations during each of the [illegible] October 1 to November 4, 1944, inclusive, November 5 to [illegible] 1944, both dates inclusive, and November 12 to November 30, 1944, both dates inclusive, and during each of the months of December 1944, January, March, April, and May 1945, and within ten (10) calendar days following the last day of each calendar month subsequent to [illegible] during which eligible sales may be made with respect to his operations during each such subsequent month, each canner shall mail to Commodity, on Form OMS–168, an original report stating, separately for each plant in which such canner operates, the information hereinafter specified. Such report shall contain:

(1) The total quantity of all grapefruit of the 1944–45 crop delivered ex trees for processing;

(2) The total quantity of such grapefruit delivered on a fixed price basis only;

(3) The weighted average delivered cost per net ton of the total quantity of grapefruit reported pursuant to subparagraph (2) of this paragraph;

(4) The total quantity of grapefruit juice canned from the grapefruit reported pursuant to subparagraph (1) of this paragraph;

(5) The total quantity of grapefruit juice (1) included in eligible sales of, sold and delivered to government procurement agencies, (ii) sold and delivered for export, and (iii) otherwise sold and delivered.

(6) The total quantity, other than the quantities reported pursuant to subparagraph (5) of this paragraph, of grapefruit juice otherwise disposed of (including, but not being limited to, sales and spoilage);

(7) The total quantity of grapefruit juice which such canner had on hand (i. e. grapefruit juice with respect to which such canner holds title, regardless of the location of such juice) at the beginning and at the close of the month with respect to which a report is made; and

(8) The portion of the total quantity of grapefruit juice reported pursuant to subparagraph (7) of this paragraph which is set aside for sale and delivery to government procurement agencies.

(b) Each canner shall, within ten (10) calendar days following the publication of this offer in the FEDERAL REGISTER mail to Commodity information with respect to such canner's sources of grapefruit of the 1944–45 crop and such canner's buying methods.

(c) Each canner shall, within ten (10) calendar days following the publication of this offer in the FEDERAL REGISTER, and with respect to grapefruit juice produced during each month of the period October 1, 1944, to May 31, 1945, both dates inclusive, mail to Commodity the respective quantities of such juice (1) which, prior to June 1, 1945, such canner sold and delivered to government procurement agencies, and for export, and (2) which, on June 1, 1945, were set aside for sale and delivery to government procurement agencies, and for export.

§ 249.41 *Amendment and termination.* Commodity may, at any time, amend or terminate this offer by giving public notice of such amendment or termination. The issuance by Commodity, or the War Food Administration, of a press release setting forth such amendment or termination, or the filing of such amendment or notice of termination with the Division of the Federal Register, shall constitute sufficient publication of such amendment or termination. Any such amendment or termination shall not preclude the submission, in accordance with the provisions of § 249.32, of applications for payment (or interim settlement) hereunder and the making of payments to, any canner with respect to eligible sales of grapefruit juice canned from grapefruit of the 1944–45 crop delivered to such canner's plants (pursuant to bona fide purchases made prior to such notice of amendment or termination) not later than ten (10) calendar days after the date of such notice.

In the event the issuance, amendment, modification or termination of any maximum price regulation of the Office of Price Administration reflects or causes a raw fruit cost of grapefruit used in producing canned grapefruit juice different from that reflected or included in the civilian ceiling prices for grapefruit juice which were used in establishing the rates of payments provided in § 249.35, Commodity may, in its discretion, amend this offer and Schedule A thereof or such adjustment of the rates of payment as Commodity may deem appropriate or necessary; and Commodity may make such adjusted rates of payment effective as of the effective date of the issuance, amendment, modification, or termination of such maximum price regulation.

§ 249.42 *Waivers.* Commodity may, in its absolute discretion and upon such terms and conditions as it may deem proper, waive the performance or cure of any one or more of the acts to be performed or things to be done hereunder by any canner. No canner shall, however, claim any waiver by Commodity of the performance or doing of any act or more of the acts to be performed or things to be done by such canner hereunder except pursuant to a written instrument subscribed by Commodity.

§ 249.43 *Instructions and interpretations.* Commodity shall, without changing the substance of this offer or any amendment hereof, have the right at any time to amplify and clarify any provision or provisions of this offer or any amendment thereof and to alter any procedure prescribed herein or in any amendment hereof by the issuance of instructions or interpretations in connection therewith.

§ 249.44 *Audits and inspections.* Each canner who applies for any payment hereunder shall maintain complete and accurate books and records and accounts and furnish Commodity such information as it may request) with respect to such canner's operations in connection with (a) all grapefruit acquired by purchase or otherwise; (b) all grapefruit delivered to such canner; (c) all grapefruit processed; and (d) all grapefruit juice (1) held for sale and delivery, (2) sold and delivered, and (3) otherwise disposed of by such canner. All such books and records and accounts shall be carefully preserved for a period of not less than two (2) years and shall be available for inspection by Commodity or its designated agents or representatives at any reasonable time during such period.

§ 249.45 *Assignability.* Any claims hereunder shall not be assignable by any canner without the prior written approval of Commodity.

§ 249.46 *Delegation.* Any act, approval, direction, or determination provided in this offer to be made by Commodity may be delegated by Commodity to any agent, representative, or agency to act in its place and stead or for its account.

§ 249.47 *Communications.* All correspondence, applications for payments (or interim settlements), supporting documents, and other information concerning this offer shall, unless Commodity shall otherwise prescribe, be addressed to Commodity Credit Corporation, Washington 25, D. C.

§ 249.48 *Benefits.* No member of or delegate to the Congress of the United States shall be admitted to any share or part of this offer or to any benefits to arise therefrom, but this provision shall not be construed to extend to benefits arising from this offer if accruing to a corporation or to persons in the capacity of growers of grapefruit.

§ 249.49 *Antidiscrimination.* In his performance under this offer, no canner shall discriminate against any worker because of race, creed, color, or national origin.

§ 249.50 *Compliance with applicable Executive orders.* In his performance under this offer, each canner shall comply with Executive Order 9201 (8 F.R. 1823), issued by the President of the United States on February 9, 1943, to the extent determined to be applicable to such operations.

NOTE: All reporting and record-keeping requirements of this agreement have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 20th day of June 1945.

[SEAL] COMMODITY CREDIT CORPORATION,
By R. W. MAYCOCK,
Vice President.

Attest:

MARGARET W. SAMUELS,
Assistant Secretary.

SCHEDULE A

NOTE: To ascertain the applicable rate of payment for any quantity of sweetened or unsweetened grapefruit juice (included in an eligible sale) packed in a dozen containers (metal or glass) of a size other than a size specified in the appropriate Table contained in this Schedule A, compute such rate of payment by multiplying the appropriate rate of payment per dozen No. 2 cans of such grapefruit juice by the conversion factor obtained by dividing 29.55 (ounces in the avoirdupois weight of the volume of water which, at 68° Fahrenheit weight in such container (with respect to which the rate of payment is to be ascertained) holds, to capacity without headspace. Compute each such rate of payment to the [illegible] hundredth of a cent.

[illegible]				
24.67–24.90	.1000	.0338	.0662	.1173
24.43–24.66	.1000	.0331	.0669	.1187
24.19–24.42	.1000	.0195	.0805	.1411
Under 24.19	.1000	.0000	.1000	.1709

TABLE II—RATES OF PAYMENT APPLICABLE TO ELIGIBLE SALES OF SWEETENED GRAPEFRUIT JUICE DERIVED FROM FLORIDA GRAPEFRUIT OF THE 1944-45 CROP

Average delivered cost of grapefruit (dollars per ton)	Rates of payment		
	No. 2	No. 3 (cyl	No. 10
	Dollars per dozen cans	*Dollars per dozen cans*	*Dollars per dozen cans*
47.15 and over	0.1000	1.0417	2.1481
42.01-47.14	.0850	1.0291	2.1115
42.67-42.00	.0695	1.0165	2.0849
42.44-42.66	.0595	1.0039	2.0583
42.19-42.42	.0500	.9914	2.0317
41.93-42.18	.0405	.9788	2.0051
41.70-41.91	.0300	.9662	1.9785
41.45-41.69	.0205	.9536	1.9518
41.23-41.44	.0095	.9411	1.9252
40.99-41.22	.0000	.9285	1.8986
40.75-40.98		.9159	1.8720
40.51-40.74		.9033	1.8454
40.27-40.50		.8907	1.8188
40.03-40.26		.8782	1.7922
39.79-40.02		.8656	1.7656
39.55-39.78		.8530	1.7390
39.31-39.54		.8404	1.7124
39.07-39.30		.8278	1.6858
38.83-39.06		.8153	1.6592
38.59-38.82		.8027	1.6326
38.35-38.58		.7901	1.6060
38.11-38.34		.7775	1.5793
37.87-38.10		.7650	1.5527
37.63-37.86		.7524	1.5261
37.39-37.62		.7398	1.4995
37.15-37.38		.7272	1.4729
36.91-37.14		.7146	1.4463
36.67-36.90		.7021	1.4197
36.43-36.66		.6895	1.3931
36.19-36.42		.6769	1.3665
35.95-36.18		.6643	1.3399
35.71-35.94		.6517	1.3133
35.47-35.70		.6392	1.2867
35.24-35.46		.6266	1.2601
34.99-35.22		.6140	1.2334
34.75-34.98		.6014	1.2068
34.51-34.74		.5888	1.1802
34.27-34.50		.5763	1.1536
34.03-34.26		.5637	1.1270
33.79-34.02		.5511	1.1004
33.55-33.78		.5385	1.0738
33.31-33.54		.5259	1.0472
33.07-33.30		.5134	1.0206
32.83-33.06		.5008	.9940
32.59-32.82		.4882	.9674
32.35-32.58		.4756	.9408
32.11-32.34		.4630	.9142
31.87-32.10		.4505	.8875
31.63-31.86		.4379	.8609
31.39-31.62		.4253	.8343
31.15-31.38		.4128	.8077
30.91-31.14		.4002	.7811
30.67-30.90		.3876	.7545
30.43-30.66		.3750	.7279
30.19-30.42		.3624	.7013
29.95-30.18		.3499	.6747
29.71-29.94		.3373	.6481
29.47-29.70		.3247	.6215
29.23-29.46		.3121	.5949
28.99-29.22		.2995	.5682
28.75-28.98		.2870	.5416
28.51-28.74		.2744	.5150
28.27-28.50		.2618	.4884
28.03-28.26		.2492	.4618
27.79-28.02		.2367	.4352
27.55-27.78		.2241	.4086
27.31-27.54		.2115	.3820
27.07-27.30		.1989	.3554
26.83-27.06		.1863	.3288
26.59-26.82		.1738	.3022
26.35-26.58		.1612	.2756
26.11-26.34		.1486	.2490
25.87-26.10		.1360	.2224
25.63-25.86		.1234	.1958
25.39-25.62		.1109	.1691
25.15-25.38		.0983	.1425
24.91-25.14		.0857	.1159
24.67-24.90		.0731	.0893
24.43-24.66		.0605	.0627
24.19-24.42		.0480	.0361
23.95-24.18		.0354	.0095
23.71-23.94		.0228	.0000
23.47-23.70		.0102	.0000
Under 23.47		.0000	.0000

TABLE III—RATES OF PAYMENT APPLICABLE TO ELIGIBLE SALES OF UNSWEETENED GRAPEFRUIT JUICE DERIVED FROM TEXAS GRAPEFRUIT OF THE 1944-45 CROP

Average delivered cost of grapefruit (dollars per ton)	Rates of payment		
	No. 2	No. 3 (cyl	No. 10
	Dollars per dozen cans	*Dollars per dozen cans*	*Dollars per dozen cans*
29.10 and over	0.0802	0.8646	0.5520
28.86-29.08	.0702	.8489	.5291
28.73-28.85	.0701	.8362	.5062
28.59-28.72	.0651	.8211	.4714
28.27-28.49	.0600	.8107	.4485
28.05-28.25	.0550	.7986	.4167
27.94-28.04	.0501	.7858	.3918
27.80-27.93	.0451	.7731	.3649
27.68-27.79	.0402	.7610	.3402
27.47-27.66	.0352	.7483	.3124
27.31-27.46	.0302	.7357	.2854
27.09-27.29	.0252	.7231	.2585
26.88-27.07	.0201	.7104	.2316
26.73-26.86	.0151	.6978	.2046
26.61-26.72	.0101	.6852	.1780
26.55-26.59	.0051	.6725	.1729
26.45-26.53	.0000	.6599	.1458
24.61-26.43	.0000	.6475	.0994
24.01-24.85	.0000	.6348	.0725
Under 24.03	.0000	.0000	.0000

TABLE IV—RATES OF PAYMENT APPLICABLE TO ELIGIBLE SALES OF SWEETENED GRAPEFRUIT JUICE DERIVED FROM TEXAS GRAPEFRUIT OF THE 1944-45 CROP

Average delivered cost of grapefruit (dollars per ton)	Rates of payment		
	No. 2	No. 3 (cyl	No. 10
	Dollars per dozen cans	*Dollars per dozen cans*	*Dollars per dozen cans*
29.61 and over	0.1001	0.9240	0.6007
29.43-29.62	.0851	.9113	.5738
29.14-29.40	.0802	.8991	.5469
28.96-29.18	.0702	.8864	.5201
28.81-28.72	.0651	.8737	.4932
28.61-28.79	.0601	.8610	.4663
28.47-28.59	.0551	.8484	.4395
28.27-28.44	.0501	.8357	.4126
28.05-28.25	.0452	.8231	.3857
27.94-28.04	.0401	.8103	.3588
27.80-27.93	.0351	.7976	.3320
27.68-27.79	.0302	.7850	.3051
27.47-27.66	.0252	.7723	.2782
27.31-27.46	.0202	.7597	.2513
27.09-27.29	.0151	.7470	.2245
26.88-27.07	.0101	.7344	.1976
26.73-26.86	.0051	.7217	.1707
26.61-26.72	.0000	.7091	.1439
26.55-26.59		.6964	.1170
26.45-26.53		.6838	.0901
24.61-26.43		.6711	.0633
24.01-24.85		.6585	.0364
Under 24.03		.0000	.0000

TABLE V—RATES OF PAYMENT APPLICABLE TO ELIGIBLE SALES OF UNSWEETENED GRAPEFRUIT JUICE DERIVED FROM CALIFORNIA-ARIZONA GRAPEFRUIT OF THE 1944-45 CROP

Average delivered cost of grapefruit (dollars per ton)	Rates of payment		
	No. 2	No. 3 (cyl	No. 10
	Dollars per dozen cans	*Dollars per dozen cans*	*Dollars per dozen cans*
29.51-24.11	0.0002	0.0002	0.0000
25.79-23.90	.0002	.0002	.0000
23.48-24.09	.0000	.0001	.0000
23.28-23.48	.0000	.0001	.0000
Under 23.28	.0000	.0000	.0000

TABLE VI—RATES OF PAYMENT APPLICABLE TO ELIGIBLE SALES OF SWEETENED GRAPEFRUIT JUICE DERIVED FROM CALIFORNIA-ARIZONA GRAPEFRUIT OF THE 1944-45 CROP

Average delivered cost of grapefruit (dollars per ton)	Rates of payment		
	No. 2	No. 3 (cyl	No. 10
	Dollars per dozen cans	*Dollars per dozen cans*	*Dollars per dozen cans*
28.80 and over	0.1112	0.1141	0.1748
27.69-27.89	.1002	.1007	.1482
27.48-27.68	.1012	.0870	.1215
27.27-27.47	.0902	.0774	.0949
27.06-27.26	.0912	.0678	.0683
26.85-27.05	.0802	.0582	.0417
26.64-26.84	.0812	.0486	.0150
26.44-26.63	.0702	.0390	.0000
26.22-26.42	.0712	.0294	.0000
26.01-26.21	.0602	.0198	.0000
25.80-26.00	.0612	.0102	.0000
25.59-25.79	.0502	.0006	.0000
25.38-25.58	.0512	.0000	.0000
25.17-25.37	.0402	.0000	.0000
24.96-25.16	.0412	.0000	.0000
24.75-24.95	.0302	.0000	.0000
24.54-24.74	.0312	.0000	.0000
24.33-24.53	.0202	.0000	.0000
24.12-24.32	.0212	.0000	.0000
23.91-24.11	.0102	.0000	.0000
23.70-23.90	.0112	.0000	.0000
23.49-23.69	.0002	.0000	.0000
23.28-23.48	.0002	.0000	.0000
23.05-23.27	.0000	.0000	.0000
22.86-23.06	.0000	.0000	.0000
Under 22.86	.0000	.0000	.0000

[F. R. Doc. 45-10916; Filed, June 21, 1945; 11:06 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-341]

PART 146—TUNA INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES AS AMENDED AND EXTENDED

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1945.

Due proceedings having been had for amending and extending the rules for this industry under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules, in the amended and extended form hereinafter set forth, and as appearing under Group I and Group II, be and the same hereby are approved and received, respectively; and said rules, including all amendments made, are ordered promulgated as of June 21, 1945.

Statement by the Commission. These practice rules for the Tuna Industry are promulgated by the Federal Trade Commission in the revised and extended form hereinafter set forth. Such rules supersede those promulgated and issued on August 7, 1940.

Changes embodied in the present rules relate for the most part to "grated or shredded tuna," and to the strengthening of provisions against misrepresentation and deception. The several amendments made affect Rules 1, 2, 5, 6, 7, 9, 12, and 21. The other rules are incorporated without change from those issued August 27, 1940.

Protection of the industry, trade, and the purchasing public from the harmful effects of unfair trade practices is a primary object of the rules. The provisions as promulgated relate to the sale and distribution of tuna and tuna products by the processors and canners and by jobbers, distributors, dealers, importers, or other marketers. Such tuna is cooked and packed with edible oil and salt and according to available information the most recent yearly pack amounted to 3,600,000 cases having a sales value to canners of approximately $42,000,000.

Proceedings in the matter were had in cooperation with the industry, including the holding of a trade practice conference and other hearings. As a result thereof, fair trade practice rules for this industry were placed in operation in 1940. The recent extension of such rules was applied for by members of the industry, and hearing in respect thereto was held by the Commission on March 26, 1945, in Washington, D. C. Prior public notice was also issued by the Commission and all interested or affected persons or concerns were afforded opportunity to present their views and suggestions by brief, memorandum, or other communication, and to be heard.

All matters have been given attention, and upon full consideration the rules were revised and extended as hereinafter set forth. The rules appearing in Group I and Group II, including those amended, were respectively approved and received by the Federal Trade Commission and are promulgated as trade practice rules for the Tuna Industry.

THE RULES

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of the industry and the public. Their operation is to be directed toward this end and is not to permit of the use of any practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition.

The rules do not in any respect supplant or relieve anyone of the necessity of complying with, the requirements of the pure food laws or other provision of law.

Group I

The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Sec.
146.1 Definitions.
146.2 Deceptive designations.
146.3 Deceptive concealment of species and quality.
146.4 Misuse of terms "extra fancy," "extra select," etc.
146.5 Misrepresentation of industry products in general.
146.6 Deceptive depictions in general.
146.7 Misuse of term "Tonno," foreign insignia, etc.
146.8 Imitation of trade-marks, trade names, etc.
146.9 Use of slack-filled or short-weight containers.
146.10 Defamation of competitors or disparagement of their products.
146.11 Substituting inferior products for those ordered.
146.12 Misuse of word "free."
146.13 Fictitious prices.
146.14 False invoicing.
146.15 Inducing breach of contract.
146.16 Commercial bribery.
146.17 Enticing away employees of competitors.
146.18 Unfair threats of infringement suits.
146.19 Consignment distribution.
146.20 Selling below cost.
146.21 Discrimination.
146.22 Unlawful interference with raw material purchases.
146.23 Aiding or abetting use of unfair trade practices.

AUTHORITY: §§ 146.1 to 146.23, inclusive, issued under 38 Stat. 717, as amended, and pursuant to other provisions of law administered by the Commission.

§ 146.1 *Definitions.* For the purpose of this part and in its application the following definitions respecting canned tuna and canned tuna products shall apply:

(a) *Fancy tuna.* (1) The term "fancy tuna" as herein used shall be deemed to be the descriptive term for choice cuts of cooked tuna, from fish weighing not more than sixty (60) pounds round weight, packed in cans with large pieces of solid meat and with one or two small pieces of solid meat added, if necessary, to bring the contents up to required net weight, but not including any flakes (nor any grated or shredded tuna) added at the time of packing.

(2) The term "fancy white meat tuna" as herein used shall be deemed to be the descriptive term for like choice cuts of albacore (Germo alalunga) packed in the same manner.

(3) The expression "choice cuts" means large choice pieces of cooked tuna composed of tender solid meat of selected light color and fine texture, and free from dark meat, bones, skin, extraneous tissue, debris, and any substance or condition impairing quality.

(b) *Standard tuna.* (1) The term "standard tuna" as herein used shall be deemed to be the descriptive term for wholesome cooked tuna meat, not restricted as to size of fish, which when packed contains at least 75% large pieces of solid meat, and is free from dark meat, bones, skin, extraneous tissue, and debris.

(2) The term "standard white meat tuna" as herein used shall be deemed to be the descriptive term for like large pieces of wholesome solid albacore (Germo alalunga), packed in the same manner and free from dark meat, bones, skin, extraneous tissue, and debris.

(c) *Grated or shredded tuna.* (1) The term "grated tuna" or "shredded tuna" as herein used shall be deemed to be the descriptive term for small uniform pieces of wholesome cooked tuna meat produced in this form by a mechanical process. The pieces shall be free from dark meat, bones, skin, extraneous tissue, and debris, and tuna meat used for this type of pack shall be of a kind and quality at least equal to that employed in packing "standard tuna" as described in paragraph (b) (1) above.

(2) The term "grated white meat tuna" or "shredded white meat tuna" as herein used shall be deemed to be the descriptive term for like small uniform pieces of wholesome cooked albacore (Germo alalunga), prepared and packed in the same manner, and free from dark meat, bones, skin, extraneous tissue, and debris. The tuna meat used shall be of a kind and quality at least equal to that employed in packing "standard white meat tuna" as described in paragraph (b) (2) above.

(d) *Tuna flakes.* (1) The term "tuna flakes" or "flakes" as herein used shall be deemed to be the descriptive term for small pieces of wholesome cooked tuna meat from the whole tuna, or from parts of tuna, not utilized in the packing of fancy or standard grades of tuna but free from dark meat, bones, skin, extraneous tissue, and debris.

(2) The term "white meat flakes" as herein used shall be deemed to be the descriptive term for like small pieces of wholesome cooked albacore (Germo alalunga), packed in the same manner and free from dark meat, bones, skin, extraneous tissue, and debris.

(e) *Fishes classed as tuna.* The following species shall be deemed to be "tuna":

(1) Germo alalunga (Albacore)
(2) Neothunnus macropterus (Yellowfin)
(3) Thunnus thynnus (Bluefin)
(4) Katsuwonus pelamis (Striped Tuna, Skipjack, or Aku)
(5) Thunnus orientalis (Oriental Tuna). [Rule 1]

§ 146.2 *Deceptive designations.* It is an unfair trade practice to sell, offer for sale, advertise, describe, or otherwise represent, directly or indirectly, any industry product as "fancy tuna," "fancy white meat tuna," "standard tuna," "standard white meat tuna," "grated tuna," "shredded tuna," "grated white meat tuna," "shredded white meat tuna," "tuna flakes," "flakes," "white meat flakes," or by similar designation, when such product does not conform to the definitions set out in § 146.1. [Rule 2]

§ 146.3 *Deceptive concealment of species and quality.* In advertising, describing, representing, offering for sale or selling canned tuna or canned tuna products, it is an unfair trade practice to deceptively conceal or fail or refuse to disclose the species of tuna used in the product and the grade or quality thereof, or to

conceal or fail or refuse to disclose any other material fact respecting the product, where such concealment or nondisclosure is practiced with the capacity and tendency or effect of thereby misleading or deceiving the purchasing or consuming public. [Rule 3]

§ 146.4 *Misuse of terms "extra fancy," "extra select," etc.* It is an unfair trade practice to sell, offer for sale, advertise, describe, or otherwise represent any canned tuna or canned tuna product as "extra fancy," "extra select," "extra select fancy," "extra fancy fillet," "extra quality," "de luxe fancy," "de luxe," "select," "choice," or by similar designation or other representation, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public into the belief that such canned tuna or canned tuna product is of a quality superior to either the fancy grade or the standard grade of tuna, or to some other grade, kind, or character of tuna, when such is not true in fact; or into any other erroneous belief. [Rule 4]

§ 146.5 *Misrepresentation of industry products in general.* The practice of selling, advertising, describing, or otherwise representing canned tuna or canned tuna products in a manner which is calculated to mislead or deceive or has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public with respect to the species of tuna contained therein, or with respect to the character, nature, content, brand, grade, quality, quantity, origin, substance, material, size, preparation, packing, distribution, or manufacture of such products, or ingredients thereof, or in any other material respect, is an unfair trade practice. [Rule 5]

§ 146.6 *Deceptive depictions in general.* It is an unfair trade practice to use in relation to industry products any photograph, cut, engraving, insignia, design, illustration, or pictorial or other depiction or device (in catalogs, sales literature, advertisements, or other representations) which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public respecting the species of tuna packed, or respecting the character, nature, content, brand, grade, quality, quantity, origin, substance, material, size, preparation, packing, distribution, or manufacture of any products of the industry, or ingredients thereof; or which is false, misleading, or deceptive in any other respect. [Rule 6]

§ 146.7 *Misuse of term "Tonno," foreign insignia, etc.* (a) It is an unfair trade practice to use the term "Tonno," or designation of similar import, as descriptive of canned tuna or canned tuna products when such products are not composed of tuna meat in large solid pieces packed with olive oil and salt. This shall not be construed as excluding the addition of one or two small pieces of solid meat where necessary to bring the contents up to the required net weight. No flakes (nor any grated or shredded tuna), however, shall be added at the time of packing, and the product as packed shall be free from dark meat, bones, skin, extraneous tissue, and debris.

(b) It is also an unfair trade practice to use such term "Tonno," or designation of similar import, or any pictorial or other representations, foreign insignia or insignia indicating foreign origin, or foreign words, phrases, or other devices, in such manner as to have the capacity and tendency or effect (1) of confusing, misleading, or deceiving the purchasing or consuming public into the belief that the tuna in the product so described or referred to is from waters off the coast of Italy or other foreign country, or that such product is packed in or imported from Italy or other foreign country, when such is not the fact; or (2) of confusing, misleading, or deceiving the purchasing or consuming public into any other erroneous belief. [Rule 7]

§ 146.8 *Imitation of trade-marks, trade names, etc.* The imitation or simulation of the trade-marks, trade names, brands, or labels of competitors, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 8]

§ 146.9 *Use of slack-filled or short-weight containers.* It is an unfair trade practice to sell, advertise, describe, or otherwise represent, canned tuna or canned tuna products packed in slack-filled or short-weight containers, or packed in odd-size containers simulating in size or shape standard sized or shaped containers which are known to the public as standard containers of definite capacity, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public as to the contents of such containers or the amount of tuna products contained therein; or which are packed in containers so made, formed, or filled as to be otherwise misleading. [Rule 9]

§ 146.10 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the grade, quality, or manufacture of the products of competitors, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 10]

§ 146.11 *Substituting inferior products for those ordered.* The practice of using or substituting any product of the industry inferior in grade or quality to that specified by the purchaser, without the consent of said purchaser to such use or substitution, or with the capacity and tendency or effect of otherwise misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 11]

§ 146.12 *Misuse of word "free".* The use of the word "free," or the equivalent thereof, when the article is in fact not free, with the capacity or tendency to mislead or deceive the purchasing or consuming public, is an unfair trade practice. [Rule 12]

§ 146.13 *Fictitious prices.* Offering canned tuna or canned tuna products for sale at prices purported to be reduced from what are in fact fictitious prices, or offering such products for sale at a purported reduction in price when such purported reduction is in fact fictitious, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 13]

§ 146.14 *False invoicing.* Withholding from or inserting in an invoice, billing, or statement any material information by reason of which omission or insertion a false record is made, wholly or in part, of the transaction which such invoice or billing or statement purports to represent, with the effect of thereby misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 14]

§ 146.15 *Inducing breach of contract.* Inducing or attempting to induce the breach of existing lawful contracts between competitors and their customers or their suppliers by any false or deceptive means whatsoever, or interfering with or obstructing the performance of any such contractual duties or services by any such means, with the purpose and effect of unduly hampering, injuring, or prejudicing competitors in their businesses is an unfair trade practice. [Rule 15]

§ 146.16 *Commercial bribery.* It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. [Rule 16]

§ 146.17 *Enticing away employees of competitors.* Wilfully enticing away the employees of competitors with the purpose and effect of unduly hampering, injuring, or prejudicing competitors in their businesses is an unfair trade practice. [Rule 17]

§ 146.18 *Unfair threats of infringement suits.* The circulation of threats of suit for infringeemnt of patents or trade-marks among customers or prospective customers of competitors, not made in good faith but for the purpose or with the effect of harassing or intimidating such customers or prospective customers, or of unduly hampering, injuring, or prejudicing competitors in their businesses, is an unfair trade practice. [Rule 18]

§ 146.19 *Consignment distribution.* It is an unfair trade practice for any member of the industry to employ the practice of shipping industry products on consignment or pretended consignment for the purpose and with the effect of artificially clogging or closing trade outlets and unduly restricting competitors' use of said trade outlets in getting their products to consumers through regular channels of distribution, thereby injuring, destroying, or preventing competition or tending to create a monopoly or to unreasonably restrain trade. Nothing in this rule shall be construed as restricting or preventing consignment shipping or marketing of industry products in good faith where suppression of competition, restraint of trade, or undue interference with competitors' use of the usual channels of distribution is not effected. [Rule 19]

§ 146.20 *Selling below cost.* The practice of selling industry products below the seller's cost, when pursued with wrongful intent or thereby injuring a competitor and where the effect of such practice is to unreasonably restrain trade, tend to create a monopoly, or substantially lessen competition, is an unfair trade practice.

This section is not to be construed as prohibiting all sales below cost, but only such selling below the seller's cost as is resorted to and pursued as a monopolistic practice with the wrongful intent referred to and coupled with the effect of unreasonably restraining trade, tending to create a monopoly, or substantially lessening competition. Sales below cost by a competitor not in a sufficiently strong competitive position to produce, and not actually producing, the monopolistic or restraining effect mentioned, do not fall within the inhibitions of this section.

The costs referred to in this section are actual costs of the respective seller and not some other figure or average costs in the industry determined by an industry cost survey or otherwise. [Rule 20]

§ 146.21 *Discrimination*—(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, or credit, or the granting of free goods, or other form of price differential where such rebate, refund, discount, or credit, or the granting of free goods or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,[1] and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,[1] or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce[1] from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Purchases by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.* The foregoing provisions of this section relate to practices within the purview of the Robinson-Patman Antidiscrimination Act, which act and the application thereunder of this section are subject to the limitations expressed in the amendment to such Robinson-Patman Antidiscrimination Act, which amendment was approved May 26, 1938, and reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Act approved June 19, 1936 (Public, Numbered 692, Seventy-fourth Congress, second session), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.

(52 Stat. 466; U.S.C., Title 15, sec. 13c) [Rule 21]

§ 146.22 *Unlawful interference with raw material purchases.* It is an unfair trade practice for any member of the industry, by means of any monopolistic practices or through combination, conspiracy, coercion, boycott, threats, or any other unlawful means, directly or indirectly, to interfere with a competitor's right to purchase his raw materials and supplies from whomsoever he chooses, or to sell his product to whomsoever he chooses. [Rule 22]

§ 146.23 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person, firm, or corporation to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in this part. [Rule 23]

Group II

Compliance with the trade practice provisions embraced in the Group II rules is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not, per se, constitute violation of law. Where, however, the practice of not complying with any such Group II rules is followed

[1] As here used, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States:" *Provided*, That this shall not apply to the Philippine Islands.

in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of a violation of Group I rules.

RULE A: *Cost records.* It is the judgment of the industry that each member should independently keep proper and accurate records for determining his costs.

RULE B: *Repudiation or cancellation of contracts.* Lawful contracts are business obligations which should be performed in letter and in spirit. The repudiation or cancellation of contracts by sellers on a rising market or by buyers on a declining market is condemned by the industry.

A Committee on trade practices is hereby created by the industry to cooperate with the Federal Trade Commission and to perform such acts as may be legal and proper to put these rules into effect.

Promulgated and issued by the Federal Trade Commission June 23, 1945.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10967; Filed, June 22, 1945; 9:13 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51254]

CLAIM FOR SURPLUS PROCEEDS OF SALE; DRAWBACK

PART 22—DRAWBACK

Section 22.7, Customs Regulations of 1943 (19 CFR, Cum. Supp., 22.7), is hereby amended as follows:

The first sentence of paragraph (a) is amended by deleting the parenthetical matter at the end of the sentence and substituting therefor the words "in duplicate."

Paragraph (d) is amended to read as follows:

(d) A failure to file a notice of intent with the collector, or a failure to deliver a copy to the customs officer at the place of lading shall not bar the allowance of drawback if either of such requirements of paragraph (a) was complied with and no other act or omission of the exporter, carrier, or agent of either resulted in a failure to obtain customs inspection. If neither a notice of intent was so filed nor a copy was so delivered, drawback shall be allowed on the involved merchandise only if specifically authorized by the Bureau.

(Sec. 313, 46 Stat. 693, secs. 402, 403, 49 Stat. 1960, sec. 624, 46 Stat. 759; 19 U.S.C. 1313, 1624.)

Section 22.12, Customs Regulations of 1943 (19 CFR, Cum. Supp., 22.12), is hereby amended by deleting the words "until a copy of the notice of intent has been filed in the collector's office," and substituting therefore the words "until a notice of intent in duplicate has been filed with the collector."

(Sec. 313, 46 Stat. 693, secs. 402, 403, 49 Stat. 1960, sec. 624, 46 Stat. 759; 19 U.S.C. 1313, 1624.)

PART 20—DISPOSITION OF UNCLAIMED AND ABANDONED MERCHANDISE

Paragraphs (g) and (h) of § 20.6 Customs Regulations of 1943 (19 CFR, Cum. Supp., 20.6 (g) and (h)), are hereby amended to read as follows:

(g) If a claim of the owner of unclaimed merchandise for the surplus proceeds of sale is properly established by due proof of his right to make entry for the merchandise, such proceeds of sale shall be paid to him pursuant to section 453, Tariff Act of 1930, by a refund from the collector's special deposit account provided the claim was filed within 10 days after the sale and allowed before the proceeds of sale have been deposited in the Treasury, and in other cases by a refund from the appropriation "Refunds and Drawbacks, Customs." Any doubtful claim shall be forwarded to the Bureau with all pertinent documents and information available to the collector for the instructions of the Bureau or for reference by it to the General Accounting Office for direct settlement.

(h) Claims of the owner or consignee for the surplus proceeds of a sale made pursuant to section 559, Tariff Act of 1930, shall be paid in the manner and subject to the conditions stated in paragraph (g).

(Sec. 493, 46 Stat. 727, sec. 491, 46 Stat. 726, sec. 14, 52 Stat. 1083, sec. 559, 46 Stat. 744, sec. 23 (a), 52 Stat. 1088, sec. 624, 46 Stat. 759; 19 U.S.C. 1491, 1493, 1559, 1624)

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

Section 24.25, Customs Regulations of 1943 (19 CFR, Cum. Supp., 24.25), is hereby amended by deleting "or in warehouse beyond time fixed by law" from the caption and "or involuntarily abandoned" from the first sentence.

(Sec. 491, 46 Stat. 726, sec. 14, 52 Stat. 1083, secs. 493, 624, 46 Stat. 727, 759; 19 U.S.C. 1493, 1624.)

W. R. JOHNSON,
Commissioner of Customs.

Approved: June 20, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-11022; Filed, June 22, 1945; 12:00 m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 36]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS: MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Digit of General Schedule B No.	Commodity	Gen. lic. country group	GLV dollar value limits, country group		G-Post dollar value limits
			K	G-1	
	Vegetables and preparations, edible				
12*500	Vegetables, canned: Beans, baby food	K	200	25	25
12*600	Peas, baby food	K	100	25	25
	Fruits and preparations				
13*500	Canned fruits: Prunes and plums, baby food	K	100	25	25
	Nuts, spices, grains and seeds				
21*30	Gum spices of turpentine				
21*400	Pine oil (wood turpentine), gum derived	K	100	25	25
21*410	Wood turpentine	K	100	25	25
21*420	Pine oil (wood turpentine), wood derived				
	Vegetable materials, crude, n.e.s.				
21*500	Cotton	K	100	25	25
	Animal and vegetable fats and oils				
41*500	Rapeseed, sperm, whale, and other, except fish	K	100	25	25
	Medicinal, toilet, perfumery, and cosmetic preparations				
61*500	Calomel (mild)	K	100	25	25

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16320)

Dated: June 16, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-10958; Filed, June 21, 1945; 2:32 p. m.]

[Amdt. 37]

PART 812—LIMITED PRODUCTION LICENSE FOR TRUCKS "LPL"

Sec.
812.1 Destinations.
812.2 General provisions.
812.3 Clearance for export.
812.4 Period of validity.

AUTHORITY: §§ 812.1 to 812.4, inclusive, issued under Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16255; Delegation of Authority No. 21, 8 F.R. 16320.

§ 812.1 *Destinations.* The provisions of this part apply only to exportations to destinations included in Country Group K, as set forth in paragraph (a) of § 802.3 of this subchapter.

§ 812.2 *General provisions.* (a) There is hereby established a limited production license, designated "LPL", authorizing, subject to the other provisions of this part, the exportation to Group K destinations of any of the following types of new 1945 highway type trucks, bus chassis and truck-tractors manufactured for export under the provisions of War Production Board Order L-1-e and classification under one of the following Schedule B numbers:

790101 thru 790103, 790201, 790202, 790301, 790401 thru 790465, 790500.

(b) Any person, who is a manufacturer, or the agent of a manufacturer, authorized under the provisions of War Production Board Order L-1-e, to produce for export any of the types of trucks, bus chassis or truck-tractors described in paragraph (a) of this section, may, as an alternative procedure to the filing of applications for individual licenses, file, an "Application for Limited Production License" accompanied by an application for "Distribution Schedule for New 1945 Highway Type Trucks, Bus Chassis and Truck-Tractors" on the forms prescribed by the Foreign Economic Administration. All of the terms, conditions, provisions and instructions contained in such forms are hereby incorporated as a part of this subchapter. All such applications shall contain such information as may be required by the Foreign Economic Administration, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) Applications for limited production licenses and related distribution schedules for new 1945 highway type trucks, bus chassis and truck-tractors shall be filed with the Requirements and Supply Branch, Foreign Economic Administration, Washington 25, D. C.

(d) Any exporter, whose application for a limited production license and related application for a distribution schedule for new 1945 highway type trucks, bus chassis and truck-tractors, has been approved by the Foreign Economic Administration, may, during the period of validity of the license and subject to the provisions of paragraph (e) of this section, export under such license to each country or group of countries listed in the related distribution schedule not more than the quantity and type of vehicles approved by the Foreign Economic Administration for export to each such country or group of countries in said distribution schedule.

(e) No exportation may be made under an approved limited production license for new 1945 highway type trucks, bus chassis or truck-tractors unless, prior to shipment, the holder of the license obtains through the Foreign Economic Administration a Government Exemption Permit issued by the Office of Defense Transportation (Form ODT-718) authorizing the transfer of each vehicle or group of vehicles to be exported under such license.

(f) Limited production licenses and related distribution schedules for vehicles described in paragraph (a) of this section may be amended by the Foreign Economic Administration upon application of the holder of such license in the form of a letter addressed to the Requirements and Supply Branch, Foreign Economic Administration, Washington 25, D. C. Amendments will be issued by the Foreign Economic Administration by letter which shall be considered a part of the limited production license and distribution schedule to which the amendment is applicable.

§ 812.3 *Clearance for export.* (a) The provisions of § 801.7 of this subchapter shall not apply to exportations under any limited production license for new 1945 highway type trucks, bus chassis or truck-tractors. In lieu of the presentation of an original export license or other document issued by the Foreign Economic Administration, an exporter making an exportation of vehicles under the limited production license shall present to the United States Collector of Customs at the port of exit a Shipper's Export Declaration bearing the symbol "LPL", the number of the limited production license pursuant to which such exportation is being made, and the Government Exemption Permit number or numbers covering the particular shipment.

(b) The use by any exporter of the symbol "LPL" on a Shipper's Export Declaration for the purpose of clearing an exportation of new 1945 highway type trucks, bus chassis or truck-tractors, constitutes a certification by the exporter (1) that the exportation of the commodities described in such Shipper's Export Declaration is authorized under the limited production license therein identified to the destination specified; (2) that the type and quantity of such commodities are within the limitations set by the distribution schedule relating to such license; and (3) that all of the other provisions and conditions of said license have been met.

§ 812.4 *Period of validity.* Limited production licenses for new 1945 highway type trucks, bus chassis, and truck-tractors shall be valid for the period beginning on July 1, 1945 or on any subsequent date of issuance and expiring on January 31, 1946 unless the period of validity is reduced or extended by the Foreign Economic Administration. All limited production licenses for such vehicles are subject to revocation or revision at any time by the Foreign Economic Administration.

This amendment shall become effective immediately upon publication.

Dated: June 8, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-10959; Filed, June 21, 1945; 2:32 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 61.

PART 1019—SUSPENSION ORDERS

[Suspension Order S-753, Revocation]

CIAMPI SAW PLANT

Suspension Order No. S-753 was issued April 4, 1945, against Ciampi Saw Plant, Barre, Vermont, for violation of L-41. In view of the fact that Conservation Order L-41 has been amended, the Chief Compliance Commissioner has directed that Suspension Order No. S-753 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.753, *Suspension Order No. S-753* be revoked, effective June 22, 1945.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10984; Filed, June 22, 1945; 11:19 a. m.]

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[General Inventory Order M-161, as Amended June 22, 1945]

§ 1255.1 *General Inventory Order M-161*—(a) *What this order does.* This order excepts certain materials from inventory restrictions and from limits on the purchase of maintenance, repair, and operating supplies. The exception is made in some cases because there is no serious shortage of the material and in other cases because the material is available in quantity only in certain seasons, so that it is desirable to permit persons to buy and store it without limit.

(b) *Exception to inventory restrictions.* Section 944.14 of Priorities Regulation 1, which restricts inventory to a practicable working minimum, does not

apply to the materials listed on Schedule A. Each of these materials is also exempted from all inventory restrictions in any other regulation or order of the War Production Board unless they expressly mention the material.

(c) *Exemption from restrictions on maintenance, repair, and operating supplies.* The materials listed on Schedule A are not subject to any restrictions in any regulation or order of the War Production Board which limit the quantity of material received or ordered for maintenance, repair, or operating supplies during any period on the basis of the amount of such supplies purchased during a base period. A person may receive or order for delivery any quantity of listed materials without regard to these restrictions. He does not have to charge his orders for any such material against his base-period quota except to the extent that purchases of the same material were taken into account in arriving at his quota. For example, a manufacturer operating under CMP Regulation 5 is limited in his purchases of maintenance, repair, and operating supplies to the amount which he spent in the base period. A manufacturer who spent $50,000 during the base period, including $500 for a listed material, may buy any amount of that material during the current period and may use his MRO rating for that purpose, and he need include only $500 of the amount thus spent for that material in figuring the amount to be charged to his quota of MRO.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: "Kaolin" and "Soapstone" deleted from Schedule A, June 22, 1945.

This lists the materials which are exempt from all inventory limitations and from restrictions on the quantity which may be purchased for maintenance, repair or operating supplies.

Asbestos unmanufactured, all grades and types.
Borax.
Boric acid.
Domestic andalusite.
Domestic dumortierite.
Ilmenite.
Phosphate rock.
Potter's flint.
Salt (sodium chloride) in bulk.
Sodium sulfate (salt cake).
Sodium sulfite.
Stoneware clay.
Sulphur.
Vermiculite.
Waste paper.

[F. R. Doc. 45-10931; Filed, June 22, 1945; 11:19 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Revocation of] Direction 6]

LIMITATION OF DELIVERIES ON "Z" ORDERS

Direction 6 to CMP Regulation 4 is hereby revoked. This revocation does not affect any liability incurred under this order.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10979; Filed, June 22, 1945; 11:20 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Direction 5]

USE OF RATINGS FOR REPAIR OF MOTORS

The following direction is issued pursuant to CMP Regulation 9A:

Despite the provisions of paragraph (f) of Priorities Regulation 3, repairmen using the ratings assigned by CMP Regulation 9A or Order P-126, may use the rating to get motors repaired, rewound, or rebuilt which are used in such products as household refrigerators, washers, oil burners, coal stokers, etc., or in commercial refrigeration systems.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10980; Filed, June 22, 1945; 11:20 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Revocation of Table 16]

PRINTING AND PUBLISHING DIVISION

Table 16 (§ 3208.17 *Table for Printing and Publishing Division*) of Limitation Order M-293 is hereby revoked.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Executive Secretary.

[F. R. Doc. 45-10982; Filed, June 22, 1945; 11:19 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Direction 16]

PRIORITIES ASSISTANCE FOR RAYON YARN FOR SHOE LACE MANUFACTURERS

The following direction is issued pursuant to Conservation Order M-328:

(a) All manufacturers of shoe laces who need rayon yarn before August 1, 1945, for the production of shoe laces and who are unable to obtain it without a preference rating may apply for priorities assistance with which to obtain 100 or 150 denier bright continuous filament acetate or spun rayon yarn for such purpose.

(b) If a manufacturer wants priorities assistance to get rayon yarn for the purpose of making shoe laces, he must write a letter to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref: Direction 16 to M-328, nor later than June 27, 1945, stating:

(1) The quantity of 100 or 150 denier bright continuous filament acetate rayon yarn and the quantity of spun rayon yarn for which a preference rating is desired.

(2) How much cotton yarn, how much continuous filament rayon yarn, and how much spun rayon yarn he consumed in the manufacture of shoe laces in the first quarter of 1945.

(3) That all the rayon yarn purchased by using a preference rating obtained under this Direction will be used by him to make shoe laces. The War Production Board, in proper cases, will assign a preference rating and specify the amount and type of rayon yarn authorized, in a letter to the applicant, in accordance with the criteria stated in paragraph (c) of this direction.

The provisions of this paragraph (b) have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(c) The total amount of rayon yarn for which priorities assistance will be granted under this direction is limited. Within the available supply applications will generally be granted pro rata, based on the amount of yarn used by the applicant in the manufacture of shoe laces in the first calendar quarter of 1945. Persons who did not use yarn in the manufacture of shoe laces in the first calendar quarter of 1945 and persons whose use of yarn for such purpose during that period was below their usual quarterly consumption may, nevertheless, apply for their needs, and their applications will be processed on an equitable basis.

(d) Orders for rayon yarn may be placed and preference ratings assigned under this direction must be applied and extended in the manner provided in Priorities Regulations 1 and 3. However, no person may apply a preference rating assigned under this direction to an order calling for delivery of rayon yarn after July 31, 1945.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10983; Filed, June 22, 1945; 11:19 a. m.]

PART 904—PROCUREMENT

[Directive 40, Amdt. 1]

CLEARANCE AND CONSULTATION ON CUTBACKS

Directive 40 (§ 904.6) is hereby amended by striking out everything after paragraph (o) (3) and substituting the following:

Planning for Post VJ-Day

(p) War contracts will be cancelled as rapidly as is mechanically possible after the declaration of VJ-day.

(q) The procurement agencies will report, by programs, to the Production Readjustment Committee, those procurement programs which are expected to continue after VJ-day.

(r) The reports called for in paragraph (q) shall be submitted under the terms and limitations of the Directive of the Office of War Mobilization and Reconversion dated January 20, 1945, entitled "Report of Changes in Production and Material Requirements to the War Production Board."

(s) The procedures for clearance and consultation on cutbacks (paragraphs (e) through (o)) will cease to be effective at VJ-day.

Issued this 21st day of June 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-10960, Filed, June 21, 1945; 4:10 p. m.]

PART 1010—SUSPENSION ORDER

[Suspension Order S-776, Amdt. 1]

BENNIE FRENCH

Bennie French of Pass Christian, Harrison County, Mississippi, during the month of December 1944 did construction without authorization from the War Production Board on his property known as "Bennie French's Tavern" located on Henderson Point, Mississippi, two and one quarter miles west of the town of Pass Christian and approximately 600 feet northerly of a Merchant Marine Cadet School. Suspension Order No. S-776 was issued against Bennie French on April 30, 1945. An appeal was filed on June 6, 1945 and in view of the amendment of May 29, 1945 to Order L-41 the Chief Compliance Commissioner has directed that the suspension ordered be amended to allow additional construction up to but not exceeding $5,000.

In view of the foregoing, it is hereby ordered, that: § 1010.776, *Suspension Order No. S-776* issued April 30, 1945 be amended by the substitution of the following paragraph (a):

(a) Neither Bennie French, his successors or assigns, nor any other person shall do any construction on his premises known as "Bennie French's Tavern" located on Henderson Point, Mississippi, two and one quarter miles west of Pass Christian, Mississippi, including putting up or altering the structure located on said premises, except that Bennie French may do additional construction on the property known as "Bennie French's Tavern" so that the construction begun in December 1944 may equal a cost of $5,000 but may not exceed that amount, unless hereafter specifically authorized in writing by the War Production Board.

Issued this 19th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10818; Filed, June 19, 1945; 4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-777, Amdt. 1]

BENTON HARBOR MALLEABLE INDUSTRIES

Suspension Order No. S-777 was issued April 30, 1945, effective May 7, 1945, against Benton Harbor Malleable Industries, a Michigan corporation with offices at Benton Harbor, Michigan. The Chief Compliance Commissioner, upon request for a modification of the suspension order, finds that it appears that the die-casting plant, forging plant and machine shop of the respondent are operating on schedule, and it is therefore desirable to remove these divisions from its operation. He has therefor directed that the suspension order be amended.

In view of the foregoing, it is hereby ordered, that: § 1010.777, *Suspension Order No. S-777* issued April 30, 1945 and effective May 7, 1945 be amended by adding the following paragraph (g):

(g) The restrictions of paragraphs (a) and (b) of this order shall not apply to respondent's die-casting plant, forging plant and machine shop, but orders accepted for the output of these plants shall be scheduled and filled in accordance with War Production Board priorities regulations.

Issued this 19th day of June.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10819; Filed, June 19, 1945; 4:34 p. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[Territorial Consumer Goods Reg. 1, Amdt. 1 to Supp. 2]

CERTAIN IMPORTED SWISS WATCHES SOLD IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplement 2 to Territorial Consumer Goods Regulation 1 is amended in the following respects:

1. Section 5 is amended by changing the caption and first sentence of paragraph (a) thereof to read as follows:

SEC. 5. *Maximum prices for sales to retailers and at retail of certain models of imported Swiss watches.* (a) The maximum prices for sales of certain models of the imported Swiss watches listed and identified below shall be as follows:

2. Section 5 (a) is amended by adding ten new subdivisions numbered (5) to (14), inclusive, to read as follows:

(5) *Audemars Piguet watches.* (Imported by Watches of Switzerland, 599 Fifth Ave., New York, N. Y.)

Case No.	Description	Maximum prices to retailers	Maximum retail prices including 20 percent federal excise tax
255	Gent, 18K, 10J, 13L	$165	$330
10198	Gent, 18K, 10J, 13L	195	390
255	Gent, 18K, 20J, CS13L	180	360
10198	Gent, 18K, 20J, CS13L	185	375
10242	Gent, 18K, 20J, CS13L	185	375
766	Gent, 18K, 18J, 9/10	187	375
255	Gent, 18K, 18J, 9/10	200	397
10198	Gent, 18K, 18J, 9/10	210	420
10242	Gent, 18K, 18J, 9/10	215	430
10242	Gent, 18K, 18J, TS	215	440
31	Gent, 18K, 18J, 9/10	225	450
31B	Gent, 18K, 18J, 9/10	232	465
766	Gent, 18K, 18J, 9/10	235	470
102	Gent, 18K, 18J, 9/10	215	430
A	Gent, 18K, 18J, 9/10	237	475
10202	Gent, 18K, 18J, 9/10	210	420
	Gent, 18K, 18J, 9/10	220	440
12/12	Pocket, 18K, 19J, 17	255	510
15702	Pocket, 18K, 19J, 17	190	380
12/12	Pocket, 18K, 19J, 17	247	490
	Ladies, 18K, 18J, 6/7	175	350
	Ladies	185	375
	Ladies	190	385
	Movements, 6/7	100	
	Movements, 5/2	115	

No charge may be added to these prices for the extension of credit.

The above maximum prices for sales to retailers are subject to terms of 2%, ten days, net 30 days.

(6) *Watches imported or distributed by the E. M. Rosenthal Jewelry Co., 702 H Street N.W., Washington, D. C.*

PAUL BRIGUETTE 17 JEWEL

Series and Description	Maximum retail prices exclusive of Federal Excise Tax
A-1-PB; 5 ligne gold filled domestic case	$45.00
A-2-PB; 5 ligne gold filled domestic case	50.00
B-1-PB; 5 ligne 14K S. G. domestic case	59.09
B-2-PB; 5 ligne 14K S. G. domestic case	65.00
B-3-PB; 5 ligne 14K S. G. domestic case	75.00
C-1-PB; 5 ligne 14K S. G. imported case	100.00
C-2-PB; 5 ligne 14K S. G. imported case	125.00
C-3-PB; 5 ligne 14K S. G. imported case	140.00
D-1-PB; 7 x 11 ligne gold filled domestic case	55.00
F-1-PB; 8 x 9 ligne gold filled domestic case	50.00
F-2-PB; 8 x 9 ligne gold filled domestic case	60.00
G-1-PB; 8 x 9 ligne 14K S. G. domestic case	75.00
G-2-PB; 8 x 9 ligne 14K S. G. domestic case	85.00
G-3-PB; 8 x 9 ligne 14K S. G. domestic case	95.00
H-1-PB; 8 x 9 ligne 14K S. G. imported case	125.00
H-2-PB; 8 x 9 ligne 14K S. G. imported case	150.00
H-3-PB; 8 x 9 ligne 14K S. G. imported case	175.00
I-1-PB; 10½ ligne gold filled	45.00
I-2-PB; 10½ ligne gold filled	55.00
J-1-PB; 10½ ligne 14K steel back waterproof	65.00
J-2-PB; 10½ ligne all 14K waterproof	85.00
J-3-PB; 10½ ligne all 14K waterproof	110.00
K-1-PB; 10½ ligne all steel non-waterproof	54.55
K-2-PB; 10½ ligne all steel waterproof	54.55
L-1-PB; 11½ ligne all steel non-waterproof	50.00
M-1-PB; 11½ ligne all steel waterproof	50.00
M-1-2-PB; 11½ ligne all steel waterproof Sweep	55.00
N-1-3-PB; 11½ ligne 14K waterproof	145.84

FAIRFAX

M-1; 7J 6 x 8 ligne, RGP, fob	29.75
M-1; 17J 6 x 8 ligne, RGP, fob	38.64
M-2; 17J 6 x 8 ligne, RGP, fob	42.50
P-1; 7J 8¾ ligne, RGP fob	27.50
P-2; 7J 8¾ ligne, RGP fob	29.75
P-3; 17J 8¾ ligne, fob, 10K solid gold	85.00
A-1-F; 7J 6 x 8 ligne, RGP, steel back, cord	22.50
A-2-F; 7J 6 x 8 ligne, RGP, cord	24.75
A-3-F; 7J 6 x 8 ligne, RGP, steel back, bracelet	24.50
A-4-F; 7J 6 x 8 ligne, RGP, bracelet	27.50
B-1-F; 17J 6 x 8 ligne, RGP, steel back, cord	27.50
B-2-F; 17J 6 x 8 ligne, RGP, cord	29.95
B-3-F; 17J 6 x 8 ligne, 14K gold, cord	40.00
B-4-F; 17J 6 x 8 ligne RGP, steel back, bracelet	29.75
B-5-F; 17J 6 x 8 ligne RGP, bracelet	33.75
C-1-F; 7J 8¾ ligne RGP, steel back, ladies	22.50
C-2-F; 7J 8¾ ligne RGP, ladies	24.75
C-3-F; 7J 8¾ ligne RGP, ladies, steel back, bracelet	24.75
C-4-F; 7J 8¾ ligne RGP, ladies, bracelet	27.50
D-1-F; 17J 8¾ ligne RGP, ladies, steel back	27.50
D-2-F; 17J 8¾ ligne RGP, ladies, cord	29.75

FAIRFAX—*continued*

Series and Description	*Maximum retail prices exclusive of Federal Excise Tax*
E-1-F; 7J 8¾ ligne RGP, steel back, gents	$24.75
E-2-F; 7J 8¾ ligne RGP, gents, strap	29.75
F-1-F; 17J 8¾ ligne RGP, gents, steel back	29.75
F-2-F; 17J 8¾ ligne RGP, gents, strap	33.75
G-1-F; 7J 10½ ligne RGP, gents, strap, steel back	22.50
G-2-F; 7J 10½ ligne RGP, gents, strap	24.75
G-3-F; 7J 10½ ligne chrome, waterproof, gents, strap	24.75
G-4-F; 7J 10½ ligne silver, waterproof, steel back	27.50
H-1-F; 17J 10½ ligne RGP, steel back, gents, strap	27.50
H-2-F; 17J 10½ ligne RGP, gents, strap	29.75
H-3-F; 17J 10½ ligne chrome, gents, waterproof	33.75
H-4-F; 17J 10½ ligne silver steel back, waterproof	37.50
I-1-F; 7J 11½ ligne RGP, steel back, gents	19.75
I-2-F; 7J 11½ ligne RGP, gents, strap	22.50
I-3-F; 7J 11½ ligne chrome, gents, strap, waterproof	22.50
I-4-F; 7J 11½ ligne silver, steel back, waterproof	$24.75
J-1-F; 17J 11½ ligne RGP steel back, gents, strap	24.75
J-2-F; 17J 11½ ligne RGP gents, strap	27.50
J-3-F; 17J 11½ ligne chrome gents, waterproof	27.50
J-4-F; 17J 11½ ligne silver, steel back, waterproof	29.75
K-1-F; 17J 10½ and 11½ L, chrome, steel back, waterproof, sweep sec., strap	47.50
K-2-F; 17J 10½ and 11½ L, chrome, steel back, strap waterproof	45.00

OTHER BRANDS

L-1; 17J 11½ ligne, waterproof, sweep sec., chrome, steel back, strap	47.50
L-2; 17J 10 ligne, waterproof, sweep sec., chrome, steel back, strap	45.00

No charge for the extension of credit may be added to the above maximum retail prices which are exclusive of the Federal Excise Tax of 10% (20% in the case of watches retailing for more than $65.00).

(7) *Croton watches.* (Imported by Horowitz & Son, Inc., 48 West 48th Street, New York 19, N. Y.)

Style	Description	Importer to retailers	Wholesalers to retailers	At retail exclusive of the Federal excise tax
Charles-Chester-Craig	11½ L. thin 9J RGP St. Bk. WB strap	$8.25	$10.73	$16.75
Willard-SR	10½ L. 17J gold fld. WA strap	14.00	18.20	30.75
Executive	10½ L. 17J 14K WA strap 22K solid gold hand indicators	41.00	53.00	85.00
Glenn	8¾ x 9L 17J 14K WA strap	35.00	45.50	75.00
Gary	8¾ x 9L 17J gold fld. WA strap	13.00	18.07	29.95
Rodney	8¾ x 9L 17J gold fld. WA strap	13.00	18.07	29.95
Rodney	8¾ x 9L 17J 14K WA strap	25.80	33.54	57.50
Juno-Pansy-Daisy-Orchid	8¾ L. 9J St. Bk. of cord	7.70	10.01	16.75
Ce-Cea-Ceb	8¾ L. 9J clos fob	10.00	13.92	22.75
D Sel	8¾ L. 9J gold fld. fob	14.25	18.52	30.75
Mignon B	8¾ L. 9J GF spray fob	15.25	19.83	33.50
D Sel-A	8¾ L. 9J gold fld. fob	14.25	18.52	30.75
La	8¾ L. 9J spray fob GF	13.10	17.03	28.95
Juno-Pansy-Daisy	8¾ L. 17J St. Bk. of cord RGP	9.20	11.96	19.95
Mignon-Mignon-A	8¾ L. 17J spray fob GF	10.75	21.76	45.00
D857	8¾ L. 17J gold fld. fob	14.60	18.98	30.75
D857A	8¾ L. 17J spray fob	18.25	23.72	39.95
Dotty-Isabel-Alma-Colette	8¾ L. 17J 14K 02 cord	13.75	17.88	30.75
Nydia	7¾ L. 9J two-tone fob	14.75	19.18	33.50
Renee	7¾ L. 17J 14K HH cord	19.00	24.70	39.95
Laura-Barbara-Helen	6¾ x L. Reg. 17J 14K 02-03 cord	15.65	20.35	35.00
Joan	6¾ x 8 L. Reg. 17J 14K WA strap	18.35	23.86	39.95
Maxine	6¾ x 8 L. reg. 17J 14K 02-03 cord	13.65	17.75	30.75
Marie-Sharon-Cameo	6¾ x 8 L. 9J SH 01 cord RGP	9.60	12.48	20.95
Cso	6¾ x 8 L. 9J link novelty watch	17.75	23.15	45.00
Marilee	6¾ x 8 L. thin 17J 14K 02-03 cord	1.62	2.11	3.95
[illegible]	6¾ x 8 L. thin 17J 14K 02-03 cord	[illegible]	17.76	31.75
[illegible]	6¾ x 8 L. thin 17J 02-03 cord	[illegible]	9.50	16.75
Laura-Barbara-Helen	6¾ x 8 L. thin 17J 14K 02-03 cord	1.62	1.73	3.95
Cedra	8¾ L. 9J 10K gold fld. yellow nurses WA strap	15.00	19.50	29.95
Medic	8¾ L. 17J 14K HH cord	20.00	26.00	45.00
Aquamedico C	11½ L. 9J silver SB WP strap	14.50	18.72	29.95
Navigator	11½ L. 9J RGP sweep second WA strap	12.75	16.58	26.50
Aquamedico A	11½ L. 17J 10K WA strap	34.00	44.20	65.00
Aquamedico A	11½ L. 17J 14K WA strap	43.50	56.25	100.00
Clime	10½ L. 17J chrome SB strap	10.00	13.00	22.75
Aquamedico B	11½ L. 17J chrome SB RC strap WP Swiss	15.10	19.63	29.95
Aquamedico A	10½ L. 17J chrome SB RC strap WP Swiss	15.80	20.67	33.50
Aquamatic	8¾ L. 17J steel RC strap automatic Swiss	19.65	25.55	39.95
Aquamatic	Sweep second 8¾ L. 17J steel RC strap automatic	21.30	27.56	45.00
L-10A	5L 14K 17J fob watch	25.00	37.70	62.50
Anitra-Louise	5L 14K 17J HH cord and 1L box	25.40	33.02	57.50
Roslyn	5L 14K 17J HH cord and 1L box	22.70	29.51	49.50
Carla-Cheryl	5L 14K 17J HH cord and 1L box	25.00	33.67	57.50
Verna	5L 14K 17J HH cord and 1L box	26.50	34.45	62.50
Fern	5L 14K 17J HH cord and 1L box	27.25	35.43	62.50
A. M. A	10¼ L. 17J WP RC strap and No. 4 box	16.40	21.45	33.50
Resistal E	8¾ A 9L 17J WP RC strap and No. 4 box	19.85	25.81	37.50
A. M. L	7¾ L. 17J WP RC strap and 1 AM box	28.47	40.36	52.50
Dean-Newton-Martin	11½ L. reg. 7J yel st. Bk. WB strap and 2N box	6.65	8.65	14.95
Exter-Skiper-Martin	11½ L. reg. 7J chrome top St. Bk. WB strap-No. box	6.00	7.80	13.75
Karen	5L 17J 14K HH cord and 1L box	22.75	29.58	49.50

The importer's maximum prices set forth above are subject to its customary March 1942 terms and allowances.

The maximum prices established for sales by wholesalers to retailers are f. o. b. the wholesaler's city and are subject to terms of 2%, 30 days.

No charge for the extension of credit may be added to the above maximum retail prices which are exclusive of the Federal excise tax of 10% (20% in the case of watches retailing for more than $65.00).

(8) *Yorktown watches.* (Imported by the Yorktown Watch Co., 649 South Olive St., Los Angeles, Calif.)

Watch group No.	Size	Jewels	Case	Attachment	Maximum prices to retailers	Maximum retail prices including Federal excise tax[1]
1AA1	8¾	17	RGP St.	Cord	$11.25	$20.75
1AA2	8¾	17	RGP St.	Strap	12.50	27.50
1AA5	8¾	17	RGP St.	Strap	12.50	27.50
1AA6	8¾	17	RGP	Strap	13.75	30.25
1AA7	8¾	17	RGP St.	Strap	12.50	27.50
1AA10	8¾	17	RGP St.	Strap	12.50	27.50
1AB1	8¾	17	RGP	Fob	15.00	33.00
1BA1	8¾	17	RGP St.	Cord	14.75	30.25
1BA2	8¾	17	RGP St.	Strap	15.00	33.00
1BA5	8¾	17	RGP/St.	Strap	15.00	33.00
1BA6	8¾	17	RGP	Strap	16.25	35.75
1BA7	8¾	17	RGP St.	Strap	15.00	33.00
1BA10	8¾	17	RGP St.	Strap	15.00	33.00
1BB1	8¾	17	RGP	Fob	17.50	38.50
1CA17	8¾ SR	17	RGP St.	Strap	16.98	37.35
1CD1	8¾ SR	17	14K	Strap	25.80	56.75
2BA5	10	17	RGP St.	Strap	14.84	32.65
3CA2	8¾	17	14K	Cord	32.75	71.95
3CA4	8¾	17	14K	Cord	41.38	89.45
3CB1	8¾	17	14K	Cord	34.11	75.05
3CA6	8¾	17	14K	Cord	35.28	77.50

[1] See footnotes at end of table.

Watch group No.	Size	Jewels	Case	Attachment	Maximum prices to retailers	Maximum retail prices including Federal excise tax [1]
4AAL	6¾ x 8	7	RGP St	Strap	$13.75	$30.25
4AA	6¾ x 8	7	RGP St	Cord	12.50	27.50
4AAH	6¾ x 8	7	RGP St	Cord	13.27	29.15
4AB	6¾ x 8	7	RGP	Fob	17.25	37.95
4BAL	6¾ x 8	17	RGP St	Strap	16.25	35.75
4BA3	6¾ x 8	17	RGP St	Cord	15.00	33.00
4BAL	6¾ x 8	17	RGP St	Cord	15.75	34.65
4BB	6¾ x 8	17	RGP	Fob	19.75	43.45
4CL	6¾ x 8	17	14K	Cord	21.25	46.75
4BD	6¾ x 8	17	14K	Cord	22.00	48.40
4CH	6¾ x 8 SR	17	RGP	Fob	24.29	53.40
4CL	6¾ x 8 SR	17	14K	Cord	25.11	55.20
4CL	6¾ x 8 SR	17	14K	Cord	27.95	61.50
AAL	11	7	RGP St	Strap	10.45	22.95
BAL	11	17	RGP St	Strap	12.99	28.55
ABD	6¾ x 8	7	RGP	Cord	13.13	28.85
BBD	6¾ x 8	17	RGP	Cord	16.38	36.00
BB2	8¾ SR	17	RGP	Fob	22.40	48.40
BFL	8¾ SR	17	GF	Strap	21.75	47.85

[1] "R" after size of movement indicates that movement is shock resistant and antimagnetic.
No charge may be added to these prices for the extension of credit.

(9) *Watches imported by J. Lipschutz & Co., 22 West 48th St., New York 19, N. Y.*

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
17J, 10½L, LELCA, chrome steel back, waterproof, radium dial, sweep second, strapped	$19.25	$37.70
17J, 10½, and 11½L, chrome steel back, waterproof, radium dial, trapped	16.27	29.[illegible]
17J, 10½L, chrome steel back, waterproof, metaldor, sweep second, strapped	18.[illegible]	45.00

No charge may be added to the maximum retail prices listed above for the extension of credit.

The maximum prices to retailers set forth above are f. o. b., New York, New York, and are net 30 days.

(10) *Mead Boulevard watches.* (Imported by M. A. Mead & Co., 58 E. Washington St., Chicago, Ill.)

LADIES' WATCHES

Description					Maximum prices		
Style number	Size	Jewels	Case	Attach	Importer to retailer	Wholesaler to retailer	At retail including Federal excise tax
[illegible]	6 x 8	7	10K, GF/SB	Cord	$11.20	$12.38	$24.75
[illegible]	6 x 8	7	10K, GF/SB	Link	11.95	13.21	27.50
[illegible]	6 x 8	17	10K, GF/SB	Cord	13.00	14.37	29.75
[illegible]	6 x 8	17	10K, GF/SB	Link	13.75	15.21	33.75
[illegible]	6 x 8	17	10K, GF/S	Cord	15.00	16.58	33.75
[illegible]	6 x 8	17	10K, GF/S	Link	15.75	17.41	37.50
[illegible]	6 x 8	17	14K gold	Cord	17.85	19.72	42.50
[illegible]	6 x 8	17	14K gold	Cord	19.35	21.39	45.00
[illegible]	6	17	14K gold	Cord	20.65	22.82	47.50
[illegible]	6	17	14K gold	Cord	23.25	25.70	57.00

LABEL WATCHES

[illegible]	6 x 8	7	GF	Pine and flowers.	$14.85	$16.42	$33.75
[illegible]	8¾	7	GF	Pine and flowers.	14.00	15.47	33.75

MEN'S WATCHES

[illegible]	8¾	7	10K, GF/SB	Strap	$10.35	$11.44	$22.50
[illegible]	8¾	17	10K, GF/SB	Strap	12.15	13.44	27.50
[illegible]	8¾	17	10K, GF	Strap	15.70	17.36	37.50
[illegible]	8¾	17	10K, GF	Strap	15.70	17.36	37.50

SERVICE WATCHES

17SS	11½	17	SS C/SB, Imp. WPF. S. P.	Strap	$14.85	$16.42	$37.50
17SSS	11½	17	SS WPF. S. P. 14K Gold.	Strap	45.60	49.73	110.00

The importer's maximum prices set forth above are subject to its customary terms and allowances as set forth in its application of February 3 filed with the Office of Price Administration.

The maximum prices established for sales by wholesalers to retailers are f. o. b. the wholesaler's city and are subject to terms of 2%, 30 days.

No charge for the extension of credit may be added to the above maximum retail prices which are inclusive of the Federal excise tax of 10% (20% in the case of watch No. 1751SS).

(11) *Langendorf watches.* (Imported by Boris Erwitt, 5913 Fountain Ave., Los Angeles, Calif.)

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
1. 15J 10½L chrome, steel back, round strapped	$13.36	$27.50
2. Same as above but with sweep second hand	14.36	29.50
3. Same as Item 1 but 12 lignes	12.78	25.00
4. 15J 6¾ x 11L rectangular chrome, steel back	15.83	27.50
5. 15J 8¾ x 12L, rectangular, optical glass, chrome, steel back	15.25	33.50
6. 15J 8¾L chrome, steel back, strapped	17.33	27.50
7. 15J 10½L chrome, steel back waterproof strapped, radium dial	17.00	27.50
8. Same as above but not radium dial	16.75	37.50
9. Same as Item 7 but with sweep second and metal band	18.50	42.50
10. 15J 8¾L ladies chrome steel back waterproof, strapped	18.50	42.50

These maximum prices to retailers are f. o. b. Los Angeles, California, and are subject to terms of 2%, 30 days.

No charge for the extension of credit may be added to the maximum retail prices. These retail prices include the Federal Excise Tax of 10%.

(12) *Enicar watches.* (Imported by Wakmann Watch Co., 452 Fifth Ave., New York, N. Y., and Robot Watch Co., 580 Fifth Ave., New York, N. Y.)

Description	Maximum prices		
	Importer to retailer	Wholesaler to retailer	At retail including federal excise tax
Enicar 17J 10½ and 11½L shockproof, sweep second hand, nickel-chrome steel back waterproof case, radium dial, push pins			
Without straps or boxes	$18.50	$20.80	$42.50
Strapped but without individual boxes	19.00	21.47	45.00
With strap and good quality box	19.65	22.10	47.50

The maximum prices listed above for sales by the importer are f. o. b. New York, New York and are subject to terms of 2%, 10 days. The maximum prices established for sales by wholesalers are f. o. b. wholesaler's city, and are subject to terms of 2%, 30 days.

No charge may be added to the above maximum retail prices for the extension of credit. These retail prices include the Federal Excise Tax of 10%.

(13) *Watches imported by Louis Manheimer & Brothers, Inc., 608 Fifth Ave., New York, N. Y.*

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
No. 115 14K, 17J, 11½-L, men's o-s, sweep second, radium dial, 14K, water resistant case, strapped, boxed	$46.50	$120.00
No. 115 21, 17J, 11½-L, men's o-s, sweep second, radium dial, 14K top, steel back, water-resistant case, strapped, boxed	30.50	71.50

No charge may be added to the maximum retail prices listed above for the extension of credit.

The maximum prices to retailers set forth above are f. o. b., New York, New York, and are subject to the importer's customary terms of 2%, 10 EOM, net 60 days.

(14) *Watches imported by Gordon Arthur Smith, Inc., 1620 Farnam Street, Omaha, Nebr.*

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
No. 102 17J 10½-L, cord waterproof, all steel round case, radium dial, sweep second, shock-proof, anti-magnetic, Protovo strap	$21.50	$47.50
Signo Cord waterproof watch but 17J		
With regular strap	21.50	47.50
With Protovo strap	22.50	49.50
No. 116 15J 11½-L, Art-arth, radium dial, chrome steel back, non-tarnish, calendar device, strap	15.47	37.50
No. 117 15J 11½-L, Art-arth, radium dial, gold filled bezel with steel back, calendar device, strap	18.11	44.00
No. 118 0d 10½-L, mvar Extra sweep second metal dials, air-tested water-proof case Inest-lee, anti-magnetic strapped	24.50	57.50
No. 119 0d 10½-L, Mvar Extra sweep second, all steel water-proof, Inest-Lee, anti-magnetic strapped	28.25	66.00

The maximum prices for sales to retailers are f. o. b. Omaha, Nebraska, and are net.

No charge for the extension of credit may be added to the maximum retail prices listed above which include the 10% Federal Excise Tax.

This amendment shall become effective as of May 15, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10927; Filed, June 21, 1945; 11:51 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 18,[1] Amdt. 3 to Supp. 1]

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

Schedule I—"Industrial Users" is amended by changing item 7 to read as follows:

7. *Candy*	
Sugar	16,000
Processed foods (if required)	450
Butter, margarine, lard, shortening, cooking or salad oils (if required)	675

[1] 10 F.R. 3086.

This amendment shall become effective June 26, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10992; Filed, June 22, 1945; 11:39 a. m.]

PART 1386—SOAP AND GLYCERINE

[MPR 390,[1] Amdt. 8]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY RETAIL FOOD STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 390 is amended in the following respects:

1. By adding the following new paragraph (f) to section 16:

(f) *Adjustment provision for Group 1 or 2 stores in Regions 7 or 8.* (1) Any retail food store in Regions 7 or 8 which is classified as a Group 1 or Group 2 store (or which has been authorized in accordance with this section 16 to use the maximum prices set forth in this regulation for Group 1 or Group 2 stores), may apply for adjustment of its maximum prices for any of the listed brands of household soaps and cleansers as set forth in this regulation whenever its net delivered cost of acquisition per case for any given brand substantially exceeds the wholesaler's maximum price per case for service sales of such brand as set forth in Maximum Price Regulation 391. [As used herein "net delivered cost of acquisition" means the purchase price paid before cash discount, not to exceed the applicable maximum price, plus any delivery costs (not to exceed the lowest available contract or common carrier rates) paid or incurred by the purchaser.]

(2) Such application for adjustment shall be filed with the appropriate District or Regional Office of the Office of Price Administration and shall contain the following information:

(i) Name and address of the applicant.

(ii) Name and address of each retail food store for which applicant is requesting adjusted prices.

(iii) The following information with respect to each listed brand for which price adjustment is requested, separately for each retail food store for which adjustment is requested:

(*a*) Name, size and pack.

(*b*) Purchase price per case paid before cash discount (not to exceed wholesaler's maximum price for service sale of such brand as set forth in Maximum Price Regulation 391).

(*c*) Name and address of supplier.

(*d*) Delivery charges per case (over and above purchase price shown in (*b*) above) either paid by buyer or borne by buyer, not to exceed lowest available contract or common carrier rate. (Show actual charges and lowest available contract or common carrier rate.)

(3) Upon such showing, the Regional Office of the Office of Price Administration in Region 7 or 8 (or such offices as may be authorized by order issued by either of them) shall by order either deny or authorize adjusted maximum prices for such sales. Upon receipt of an order establishing adjusted maximum prices, sales and deliveries may be made at such adjusted maximum prices and the seller may make appropriate corrections on the printed lists of maximum prices he is directed to keep by the posting and marking requirements of Sec. 5 of this regulation. A copy of the order shall be posted immediately adjacent to such printed lists. The Office of Price Administration may by order at any time revoke or modify any maximum price established under this paragraph (f).

2. The following sentence shall be inserted at the end of each of the following subparagraphs: 17 (a) (1), 17 (b) (1), 17 (c) (1), 17 (e) (1), 18 (a) (1), 18 (b) (1), 18 (c) (1), 18 (e) (1), 19 (a) (1), 19 (a) (2), 19 (b) (1), 19 (b) (2), 19 (c) (1), 19 (c) (2), 19 (e) (1) and 19 (e) (2): "Option (i) above shall be inapplicable to household soaps or cleansers not sold at any time between March 1, 1942 and December 28, 1944."

3. The following sentence shall be inserted at the end of each of the following subdivisions: 17 (d) (1) (i), 17 (d) (1) (ii), 17 (d) (1) (iii), 18 (d) (1) (i), 18 (d) (1) (ii), 18 (d) (1) (iii), 19 (d) (1) (i), 19 (d) (1) (ii), 19 (d) (1) (iii), 19 (d) (2) (i), 19 (d) (2) (ii) and 19 (d) (2) (iii): "Option (*a*) above shall be inapplicable to household soaps and cleansers not sold at any time between March 1, 1942 and December 28, 1944."

This amendment shall become effective June 27, 1945.

NOTE: Approval of the reporting requirements of this amendment has been waived by the Bureau of the Budget.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10990; Filed, June 22, 1945; 11:39 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 116]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

[1] 8 F.R. 6428.

[1] 8 F.R. 16409, 16293, 16519, 16623, 17372, 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2433, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9540, 9785, 9896, 9897, 10192, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14962, 13965, 14437, 14731, 15107, 15107; 10 F.R. 49, 256, 460, 923, 1540, 1403, 1456, 1910, 2024, 2026, 2145, 2160, 2188, 2245, 2515, 2521, 2965, 3054, 4156, 4266, 4665, 4718, 4817, 5045, 5101, 5458, 5721, 5797, 5955, 6037, 6107, 6303.

Section 15, Appendix H, paragraph (e) (1) is amended to read as follows:

(1) If any person other than a grower or country shipper purchases and resells a listed commodity in unbroken carlots or trucklots, f. o. b. country shipping point, the maximum price is the maximum price f. o. b. country shipping point named in Column 5 of the applicable table in paragraph (b) plus any amount his supplier properly charged him, in addition, under paragraph (b) (1), plus the markup named in Column 6 in the table in paragraph (c). If any person other than a grower or country shipper purchases the listed commodity in carlots or trucklots and resells those carlots or trucklots unbroken, the maximum price is the maximum delivered price in Column 6 of the applicable table in paragraph (b) plus the markup named in Column 6 of the table in paragraph (c).

This amendment shall become effective at 12:01 a. m. June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved June 20, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-10963; Filed, June 21, 1945; 4:33 p. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 6,[1] Order 1]

PART 8306—SALE OF GOVERNMENT-OWNED PLANT EQUIPMENT IN CONTRACTORS' PLANTS

EMERGENCY PLANT FACILITIES CONTRACTS

A considerable number of war plants have been constructed or equipped by contractors under a type of contract known as the Emergency Plant Facilities Contract. Under this type of contract, the expense of construction or equipment is initially borne by the contractor, and the Government reimburses him for the expense by monthly payments over a specified period (usually five years). Title does not pass to the Government until full reimbursement has been made. It is usually provided in these contracts that reimbursement may be accelerated at the option of the Government.

The question has been raised whether and to what extent Emergency Plant Facilities Contracts are covered by this part. Since the plant equipment under Emergency Plant Facilities Contracts becomes Government-owned on completion of the payments, such equipment should be subject to disposal in the manner specified in this part, except in cases where the contract includes the land on which buildings or other facilities are erected. In this latter type of case, the entire project from the land up will be owned by the Government on completion of the payments. Plants of this kind are excluded from this part (§ 8306.1 (b)).

Pursuant to the authority of the Surplus Property Act of 1944 (Pub. Law 457, 78th Cong., 2d Sess.; 58 Stat. 765), *It is hereby ordered*, That:

1. This order shall apply to Emergency Plant Facilities Contracts under which (a) the expense of construction or equipment is initially borne by the contractor; (b) the Government reimburses him for the expense by monthly payments over a specified period; (c) title does not pass to the Government until full reimbursement has been made; and (d) reimbursement may be accelerated at the option of the Government.

2. Plant equipment which is subject to an Emergency Plant Facilities Contract having the characteristics described above is included within the provisions of this part in all cases except those where on completion of the payments by the Government the Government will own, or have a leasehold interest in, land on which buildings or other facilities have been constructed or installed pursuant to the contract.

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 16, 1945.

[F. R. Doc. 45-10987 Filed, June 22, 1945; 11:43 a. m.]

[1] 10 F.R. 6309, 6981.

Notices

DEPARTMENT OF COMMERCE.

Office of the Secretary.

[Order 372]

OFFICE OF CIVILIAN DEFENSE PROPERTY

ESTABLISHMENT IN DEPARTMENT OF COMMERCE

JUNE 21, 1945.

Pursuant to the provisions of R. S. 161 (5 U.S.C. 22), the functions and protective property of the Office of Civilian Defense, transferred to the Department of Commerce under Executive Order 9562, dated June 4, 1945 (10 F.R. 6639), shall be administered by the Office of Civilian Defense Property hereby established in the Department of Commerce, at the head of which shall be a Director appointed by the Secretary.

Subject to the direction of the Secretary, and under the general supervision of the Under Secretary, the Director of the Office of Civilian Defense Property shall perform the functions and exercise the powers transferred to the Secretary of Commerce by Executive Order 9562, dated June 4, 1945, and all other functions that may be delegated to him.

This order shall be effective July 1, 1945.

[SEAL] ALFRED SCHINDLER,
Acting Secretary of Commerce.

[F. R. Doc. 45-11021; Filed, June 22, 1945; 11:53 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act. Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7690):

Colonial Manufacturing Company, 10th and Walnut Streets, Berwick, Pennsylvania; children's sunsuits and overalls, ladies' and children's cotton aprons, rayon and cotton slips; 10 learners (T); effective June 9, 1945, expiring June 8, 1946.

Freeburg Manufacturing Company, Freeburg, Illinois; dresses; 10 learners (T); effective June 15, 1945, expiring June 14, 1946.

The Hercules Trouser Company, Wellston, Ohio; men's and boys' single pants; 10 percent (T); effective June 8, 1945, expiring June 7, 1946.

Minersville Dress Manufacturing Company, 117 Front Street, Minersville, Pennsylvania; blouses; 10 percent (T); effective June 14, 1945, expiring June 13, 1946.

Woolrich Woolen Mills, Woolrich, Pennsylvania; wool coats, shirts, pants; 10 learners (T); effective June 15, 1945, expiring June 14, 1946.

Woolrich Woolen Mills, Avis, Pennsylvania; wool shirts; 10 learners (T); effective June 8, 1945, expiring June 7, 1946.

Glove findings and determination of February 20, 1940, as amended by Administrative Order September 20, 1940, (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943, (8 F.R. 3079):

Newton Glove Manufacturing Co., Newton, North Carolina; work gloves; 10 percent (AT); effective June 15, 1945, expiring December 14, 1945.

Hosiery learner regulations, September 4, 1940, (5 F.R. 3530), as amended by Administrative Order March 13, 1943, (8 F.R. 3079):

McDonough Hosiery Mills, Inc., McDonough, Georgia; seamless hosiery; 5 learners (T); effective June 11, 1945, expiring June 10, 1946.

Textile learner regulations, May 16, 1941, (6 F.R. 2446) as amended by Administrative Order March 13, 1943, (8 F.R. 3079):

Summerville Manufacturing Company, Summerville, Georgia; duck, cotton goods; 8 percent (T); effective June 10, 1945, expiring June 9, 1946.

Union Manufacturing Company, Union Point, Georgia; cotton yarn; 8 learners (AT); effective June 15, 1945, expiring December 14, 1945.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 18th day of June, 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F.R. Doc. 45-10985; Filed, June 22, 1945; 11:27 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5934]

NEBRASKA POWER CO.

NOTICE OF APPLICATION

JUNE 21, 1945.

Notice is hereby given that on June 21, 1945, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Nebraska Power Company, a corporation organized under the laws of the State of Maine and doing business in the States of Iowa and Nebraska with its principal business office at Omaha, Nebraska, seeking an order authorizing it to issue $7,000,000 principal amount of First Mortgage Bonds, 3% Series, due 1955, to be dated as of May 15, 1945, to mature on May 15, 1955, and issue and sell its Serial Notes in the aggregate principal amount of $7,000,000 bearing interest at the rate of 2½% per annum, to be dated as of the date of issue thereof which will be not later than September 1, 1945, to mature $125,000 on December 1, 1945, and a like principal amount at the expiration of each three months thereafter for eight additional successive installments, and the balance to mature on January 1, 1948. The application states that the securities are to be issued in order to secure funds which, with other moneys available in the possession of the Applicant, will enable it to redeem all its outstanding 7% Cumulative Preferred Stock and all of its 6% Cumulative Preferred Stock; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 7th day of July, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10969; Filed, June 22, 1945; 11:46 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5329]

NATIONAL EDUCATORS SOCIETY, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of June, A. D. 1945.

In the matter of A. C. Thomas, trading as National Educators Society, Inc.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, July 6, 1945, at ten o'clock in the forenoon of that day (central standard time), in County Court Room, 2d Floor, Jackson County Court House, Kansas City, Missouri.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-10986; Filed, June 22, 1945; 9:13 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 316]

UNLOADING OF CARLIC AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of June, A. D. 1945.

It appearing, that car PFE 33643 containing garlic, now at Los Angeles, California, on a team track of the Southern Pacific Company has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, that:

Garlic at Los Angeles, California be unloaded. (a) The Southern Pacific Company, its agents or employees, shall unload forwith car PFE 33643, containing garlic, now on hand at Los Angeles, California, consigned order of Blanco del Pacifico S. A. notify Gonzales and Blanco, Los Angeles.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such car has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Southern Pacific Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10974; Filed, June 22, 1945; 11:09 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5029]

ROGER W. PECK ET AL.

In re: Partition suit entitled Roger W. Peck, Plaintiff, vs. Bruno Mundt et al., Defendants; File D-28-4296; E. T. sec. 7327.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Bruno Mundt, Martha Mundt Gotz and Lena Mundt Kutter, and each of them in and to the sum of $2778.91 deposited with the National Bank of Washington, Tacoma, Washington, pursuant to the decree of the Superior Court of the State of Washington in and for Pierce County entered in the partition suit entitled Roger W. Peck, Plaintiff, vs. Bruno Mundt, et al, Defendants;

Is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals and Last Known Address

Bruno Mundt, Germany.
Martha Mundt Gotz, Germany.
Lena Mundt Kutter, Germany.

That such property is in the process of administration by the National Bank of Washington, as Depositary, acting under the judicial supervision of the Superior Court of the State of Washington, in and for Pierce County;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10968; Filed, June 22, 1945; 10:50 a. m.]

[Vesting Order 5030]

FRANK PETZ

In re: Estate of Frank Petz, deceased; File D-6-1210; E. T. sec. 13545.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: $6,730.19 cash deposited in the First National Bank of Media, Media, Pennsylvania,

Is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anton Petz, Jr., Germany.

That such property is in the process of administration by Arthur P. Bretherick, as Clerk, acting under the judicial supervision of the Orphans' Court of Delaware County, Media, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10969; Filed, June 22, 1945; 10:50 a.m.]

[Vesting Order 5031]

GUSTAV PIETZSCH

In re: Estate of Gustav Pietzsch, deceased; File 017-45.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Town Gemrinde, Marbach, Flopatal, Sachsen, Germany and First Government Orphanage in Lahr, Baden, Germany, and each of them, in and to the Estate of Gustav Pietzsch, deceased,

Is property payable or deliverable to, or claimed by, an agency or instrumentality of a designated enemy country and a political subdivision of a designated enemy country, Germany, namely,

Town Gemrinde, Marbach, Flopatal, Sachsen, Germany.

First Government Orphanage in Lahr, Baden, Germany.

That such property is in the process of administration by Rachel Keltner, as Executrix, acting under the judicial supervision of the Orphans' Court of Dauphin County, Pennsylvania;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10970; Filed, June 22, 1945; 10:50 a. m.]

[Vesting Order 5032]

GERHARD SCHELLER

In re: Estate of Gerhard Scheller, also known as Gerhardt Scheller, deceased; F-28-8626; E. T. sec. 4895.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Thekla Scheller in and to the Estate of Gerhard Scheller, also known as Gerhardt Scheller, deceased,

Is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Thekla Scheller, Germany.

That such property is in the process of administration by William J. Topken, as Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10971; Filed, June 22, 1945; 10:50 a. m.]

[Vesting Order 5038]

EMILIE TOUSSAINT

In re: Estate of Emilie Toussaint, deceased; File D-28-9509; E. T. sec. 12882.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emilie Sieb or her issue, Gustav Toussaint, Jr. or his issue, Kurt Toussaint and Lisette Toussaint or her issue, and each of them, in and to the Estate of Emilie Toussaint, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emilie Sieb or her issue, Germany.
Gustav Toussaint, Jr. or his issue, Germany.
Kurt Toussaint, Germany.
Lisette Toussaint or her issue, Germany.

That such property is in the process of administration by the Girard Trust Company and Mrs. Emilie Toussaint Aiken, as executors, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-10972; Filed, June 22, 1945; 10:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 3993]

LOS ANGELES BRICK AND CLAY PRODUCTS CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

A petition for modification of maximum prices has been filed by producers of refractory products with plants located in the State of California. This petition is being processed pursuant to the provisions of Maximum Price Regulation 188.

It appears that authorization for such producers to use adjustable pricing, pending final action on the petition for modification of maximum prices is necessary to promote the production and continued supply of refractory products, and that such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

After due consideration of the foregoing and in accordance with § 1499.19a of the General Maximum Price Regulation, which is made a part of Maximum Price Regulation 188, as amended, by incorporation pursuant to § 1499.151 thereof, *It is ordered:*

(a) Pending final determination by the Office of Price Administration of the petition for modification now on file, the Los Angeles Brick and Clay Products Company, Los Angeles, California; Vitrefrax Corporation, Los Angeles, California; St. Louis Fire Brick & Insulation Company, Huntington Park, California; General Refractories Company, Philadelphia, Pennsylvania (Los Angeles Works); Gladding, McBean and Company, Los Angeles, California (Los Angeles and South Gate Plants); Pacific Clay Products Company, Los Angeles, California; are hereby authorized to sell and any person may buy from them refractory products, at prices not in excess of the maximum prices established in accordance with Maximum Price Regulation 188, as amended: *Provided, however*, That the aforementioned companies may agree with any purchaser in any contract for the sale of refractory products, that the contract price may be adjusted to conform to the final determination of the Price Administrator upon the petition for modification, and: *Provided further*, That the aforementioned companies may not receive and its purchasers may not pay an amount in excess of the maximum prices established under Maximum Price Regulation 188, as amended, until final action is taken on the petition for modification now pending and unless such final action permits an increase of such maximum prices.

(b) This order shall be automatically revoked upon the effective date of action by the Office of Price Administration on the petition for modification. It may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11002; Filed, June 22, 1945; 11:42 a. m.]

[MPR 120, Order 1400]

EDWARDS COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.224 and all other provisions of Maximum Price Regulation No. 120.

EDWARDS COAL CO., C/O EARL G. EDWARDS, P. O. BOX 6, HOLLOW, TENN.; EDWARDS #1 MINE, SEWANEE SEAM, MINE INDEX NO. 2085, SEQUATCHIE COUNTY, TENN., RAIL SHIPPING POINT, DUNLAP, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9.

	Size group Nos.				
	1, 2, 3	4, 5, 6	7, 8, 9	10, 11, 12	13, 14
Rail and river shipments and railroad fuel	415	395	385	365	325
Truck shipment	500	445	420	390	385

E. I. GAMEWELL, FIREVILLE, TENN.; RED FLAME MINE, BART SEAM, MINE INDEX NO. 2094, BLEDSOE COUNTY, TENN.; RAIL SHIPPING POINT, FIREVILLE, TENN.—TRUCK MINE, MAXIMUM PRICE GROUP NO. 10 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9.

Rail and river shipments and railroad fuel	415	395	385	365	325
Truck shipment	500	445	420	390	385

JONES & MORRISON, C/O J. R. MORRISON, WHITWELL, TENN.; JONES & MORRISON MINE, SEWANEE SEAM, MINE INDEX NO. 2082, MARION COUNTY, TENN., RAIL SHIPPING POINT, NORTH CHATTANOOGA, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9.

Rail and river shipments and railroad fuel	415	395	385	365	325
Truck shipment	550	445	420	390	385

E. L. HARDEN, C/O ROSCOE KEESEE, PIKEVILLE, TENN.; NO. 1 MINE, SEWANEE SEAM, MINE INDEX NO. 2081, BLEDSOE COUNTY, TENN., RAIL SHIPPING POINT, CHATTANOOGA, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9.

Rail and river shipments and railroad fuel	415	395	385	365	325
Truck shipment	500	445	420	390	385

Subject to special price instructions in section 1340.221 (a) (6) of MPR 120.

This order shall become effective June 22, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10931; Filed, June 21, 1945; 11:51 a. m.]

[MPR 120, Order 1401]

J. B. BLACK ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

J. B. BLACK, ROUTE 2, BOX 28-A, ROCKHOLDS, KY.; J. B. BLACK MINE, JELLICO SEAM, MINE INDEX NO. 7982, WHITLEY COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, ROCKHOLDS, KY., F. O. B. III, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	O	O	O	O	J	J	H	G	F	G	F	K	K	K
Rail shipments and railroad fuel	375	370	355	355	375	365	345	340	340	375	325	315	310	310
Truck shipment	420	400	365	365	355	315	295	270	----	----	----	----	----	----

CHELYAN COAL CO. INC. (W. VA.), C/O A. J. ALEXANDER, CABIN CREEK W. VA., CHELYAN NO. 1 MINE, WINIFREDEH SEAM, MINE INDEX NO. 7490, KANAWHA COUNTY, W. VA., SUBDISTRICT 1, RAIL SHIPPING POINT, CABIN CREEK JUNCTION, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	G	G	G	G	G	G	F	G	F	G	D	H	H	H
Rail shipments and railroad fuel	400	380	375	375	360	350	335	325	325	360	345	310	300	295
Truck shipment	420	400	365	365	355	315	275	270	----	----	----	----	----	----

COX BROTHERS COAL CO., C/O T. G. COX, OZONE, TENN.; COX NO. 1 MINE, SEWANEE SEAM, MINE INDEX NO. 7962, CUMBERLAND COUNTY, TENN., SUBDISTRICT 6, RAIL SHIPPING POINT, OZONE, TENN., F. O. G. 72, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	P	P	P	P	M	M	L	K	J	M	G	O	O	O
Rail shipment	360	355	350	350	360	345	340	325	320	370	325	295	290	285
Railroad fuel	360	355	350	350	320	345	340	325	325	370	325	295	290	285
Truck shipment	395	375	370	350	335	310	275	270	----	----	----	----	----	----

PIKE-FLEMORN COAL CO., TRAM, KY., TRAM MINE, ELKHORN NO. 4 SEAM, MINE INDEX NO. 7068, FLOYD COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, TRAM, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	H	H	H	H	H	H	G	E	C	E	C	H	H	H
Rail shipments and railroad fuel	365	360	375	375	360	350	330	350	330	385	315	310	300	295
Truck shipment	420	400	365	365	335	315	275	270	----	----	----	----	----	----

RED TOP COAL CO., C/O JESSE HOLBROOK, KONA, KY., RED TOP MINE, ELKHORN SEAM, MINE INDEX NO. 7992, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, KONA, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	K	K	J	G	F	G	D	J	J	J
Rail shipments and railroad fuel	380	375	365	365	360	350	320	325	325	360	315	310	300	295
Truck shipment	395	375	370	350	335	310	275	270	----	----	----	----	----	----

RUSSELL FORK COAL CO., C/O HOTEL HATCHER, PIKEVILLE, KY., RUSSELL FORK MINE, UPPER ELKHORN SEAM, MINE INDEX NO. 7731, PIKE COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, MEROMARSH, KY., F. O. G. 61, DEEP AND STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	F	F	F	F	F	F	E	E	C	C	A	D	D	D
Rail shipments and railroad fuel	400	395	385	385	370	355	345	330	330	385	320	315	315	315
Truck shipment	395	375	370	350	335	310	275	270	----	----	----	----	----	----

E. D. SUTHERLAND, STRATTON, VA., SUTHERLAND MINE, WIDOW KENNEY SEAM, MINE INDEX NO. 7791, DICKENSON COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT, FREEBURT, VA., F. O. G. 10, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	M	M	M	M	K	K	J	G	E	E	D	G	G	G
Rail shipments and railroad fuel	365	365	360	360	350	350	330	325	325	385	315	310	360	295
Truck shipment	395	375	350	350	335	310	275	270	----	----	----	----	----	----

This order shall become effective June 22, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10932; Filed, June 21, 1945; 11:51 a. m.]

[MPR 200, Order 2]

HOLTITE MFG. CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.1405b of Maximum Price Regulation 200, it is ordered:

(a) *What this order does.* This order establishes the manufacturer's (Holtite Manufacturing Company, Inc.), wholesalers', and shoe repairmen's maximum prices for sales in the shoe repair trade of the following commodities manufactured by The Holtite Manufacturing Company, Inc., Warner & Ostend Streets, Baltimore 30, Maryland:

(1) Women's standard and competitive grade black composition rubber whole heels bearing the brand names "Commander," "Holtite and Jax"; and

(2) Men's black, neoprene, oil-proof half heels bearing the brand name "Commander"; and

(3) Men's black 12 iron neoprene oil-proof half soles bearing the brand name "Commander".

The order also establishes maximum prices for the shoe repairman's sales of the service of attaching the heels covered by this order, and of his sales of the heels attached (and of the heels unattached) but does not establish maximum prices for his sales of the service of attaching the soles covered by this order or of his sales of the soles attached.

(b) *Maximum prices*—(1) *The manufacturer's, wholesalers' and shoe repairmen's maximum prices for heels.* The manufacturer's, wholesalers', and shoe repairmen's maximum prices for sales in the shoe repair trade of the heels described in paragraph (a) are as follows:

Item	Maximum price for sales to wholesalers (per dozen pair)	Maximum price for sales to shoe repairmen (per dozen pair)	Maximum price to consumer for heels attached by shoe repairmen (per pair)
Women's whole heels, sizes 3, 4, 5, Black, Holtite and Jax brand	$1.25	$1.80	$0.50
Women's whole heels for sportwear, sizes 00, 0, 1, 2, 3, Black, Commander brand	1.61	2.15	.55
Men's half heels, sizes 7-8, 9-10, 10-11, 11-11, 11-12, 12-13, Black, neoprene oil-proof	3.38	4.50	.90

The maximum prices to consumers listed above shall include the price of the rubber heels and the price of attaching the rubber heels to the shoes. The maximum prices for sales by the shoe repairman of the heels unattached and of his sales of the service of attaching the rubber heels shall be determined in accordance with the provisions of § 1315.1424 (b) of Maximum Price Regulation 200.

The cash discount, transportation allowance, and other provisions of paragraphs (d), (e), (f), and (h) of § 1315.1424 shall apply to the sales of the heels covered by this order.

(2) *The manufacturer's, wholesalers' and shoe repairmen's maximum prices for soles.* The manufacturer's and wholesalers' maximum prices for sales in the shoe repair trade of the soles described in paragraph (a) are as follows:

Men's 12 iron, black neoprene oil-proof half soles	Sales (per dozen pair) to shoe repairmen	Sales (per dozen pair) to wholesalers
Size 9-11	$6.50	$4.88
Size 13-15	7.00	5.25

The maximum prices for sales by the shoe repairmen of these rubber soles shall be determined in accordance with the provisions of § 1315.1425 (b) of Maximum Price Regulation 200.

The cash discount, transportation allowance and other provisions of § 1315.1425 (c) shall apply to sales of the soles covered by this order.

(c) *Notification of maximum prices of heels.* With or prior to the first delivery to a wholesaler or a shoe repairman of any of the heels covered by this order, the seller shall notify the purchaser in writing of the maximum prices for sales by the shoe repairman of the rubber heel attached, of the rubber heel unattached, and of the services of attaching the rubber heel (or the method of determining such maximum prices) as established by paragraph (b) (1) of this order. If the purchaser is a wholesaler the notification shall include the maximum price (or the method of determining the maximum price) applicable to the wholesaler's resales to wholesalers and to shoe repairmen as established by paragraph (b) (1) of this order and a statement that such purchaser is required by this order to notify any shoe repairman to whom he sells of the maximum prices (or the method of determining maximum prices) as established by this order for sales by the shoe repairman of the heel attached, of the heel unattached and of the service of attaching the heel.

(d) *Notification of maximum prices of soles.* With or prior to the first delivery to a wholesaler or a shoe repairman of any of the soles covered by this order, the seller shall notify the purchaser in writing that the maximum price for sales of the unattached soles at retail shall be 40 percent of the maximum price established under the appropriate regulation of the Office of Price Administration for sales of the attached rubber soles. If the purchaser is a wholesaler, the notification shall include the maximum price applicable to the wholesaler's resales to wholesalers and to shoe repairmen as established by paragraph (b) (2) of this order and a statement that such purchaser is required by this order to notify any shoe repairman to whom he sells that the maximum prices for the shoe repairman's sales of unattached soles as established by this order shall be 40 percent of the maximum price established under the appropriate regulation of the Office of Price Administration for sales of the attached rubber soles.

(e) All provisions of Maximum Price Regulation 200 that are not inconsistent with this order shall apply to sales covered by this order.

(f) This order may be revoked or amended by the Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10933; Filed, June 21, 1945; 11:52 a. m.]

[MPR 188, Order 3985]

WAVERLY LAMP MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Waverly Lamp Mfg. Co., 117 East 24th Street, New York 10, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		To wholesalers	To retailers	To consumers
Antique finish paper parchment lamp shade with picture decoration & leatherette binding:	900			
		Each	*Each*	*Each*
8"		$0.34	$0.43	$0.75
12"		.72	.90	1.50
14"		.81	1.00	1.75
16"		.86	1.08	1.85
19"		.89	1.12	1.95
Monks cloth lamp shade laminated on parchment paper with cotton passementerie trim:	901			
8"		.42	.53	.90
12"		.81	1.01	1.75
14"		.98	1.23	2.15
16"		1.02	1.28	2.25
19"		1.15	1.44	2.50
Shellac finish paper parchment floral panel lamp shade over wire with gold binding:	902			
12"		1.27	1.59	2.75
16"		1.70	2.13	3.75
20"		2.34	2.93	5.00

These maximum prices are for the articles described in the manufacturer's application dated February 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10934; Filed, June 21, 1945; 11:53 a. m.]

[MPR 188, Order 3986]

STOFFELL SALES CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Stoffell Sales Company, Inc., 535 Fifth Avenue, New York 17, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	1	*Each* $0.65	*Each* $0.85	*Each* $1.50

These maximum prices are for the articles described in the manufacturer's application dated June 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price—$1.50 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10935; Filed, June 21, 1945; 11:53 a. m.]

[MPR 188, Order 3987]

VAYNE PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Vayne Products Company, 186 Joralemon Street, Brooklyn 2, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Crackle finish bed lamp with white enamel reflector	1	*Each* $1.13	*Each* $1.68	*Each* $3.02
Sprayed, walnut finish pin-up lamp with paper shade	2	1.27	1.50	2.70

These maximum prices are for the articles described in the manufacturer's application dated February 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10936; Filed, June 21, 1945; 11:53 a. m.]

[MPR 188, Order 3995]

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10932; Filed, June 21, 1945; 11:53 a. m.]

[MPR 188, Order 3996]

HOLLITE MFG. CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.1405b of Maximum Price Regulation 200, it is ordered:

(a) *What this order does.* This order establishes the manufacturer's Hollite Manufacturing Company, Inc., wholesalers' and shoe repairmen's maximum prices for sales in the shoe repair trade of the following commodities manufactured by The Hollite Manufacturing Company, Inc., Warner & Ostend Streets, Baltimore 30, Maryland:

(1) Women's standard and competitive grade black composition rubber wholeheels bearing the brand names "Commander", "Hollite and Jax", and

(2) Men's black neoprene, oil-proof half heels bearing the brand name "Commander"; and

(3) Men's black 12 iron neoprene oil-proof half soles bearing the brand name "Commander".

The order also establishes maximum prices for the shoe repairman's sales of the service of attaching the heels covered by this order, and of his sales of the heels attached (and of the heels unattached) but does not establish maximum prices for his sales of the service of attaching the soles covered by this order or of his sales of the soles attached.

(b) *Maximum prices—(1) The manufacturer's, wholesalers' and shoe repairmen's maximum prices for heels.* The manufacturer's, wholesalers', and shoe repairmen's maximum prices for sales in the shoe repair trade of the heels described in paragraph (a) are as follows:

Item	Maximum price for sales to wholesalers (per dozen pair)	Maximum price for sales to shoe repairmen (per dozen pair)	Maximum price to consumer for heels attached by shoe repairmen (per pair)
Women's whole lifts, sizes 3, 4, 5, Black, Hollite and Jax brand	$1.80	$1.80	$0.50
Women's whole heels for sportwear, sizes 00, 0, 1, 2, 3, black, Commander brand	1.61	2.15	.55
Men's half heels, sizes 7-8, 9-10, 10-11, 11-11, 11-12, 12-13, black, neoprene oil-proof	3.38	4.50	.90

The maximum prices to consumers listed above shall include the price of the cash discount, transportation allowance and other provisions of paragraphs (b), (c), (d) and (h) of § 1315.1424 shall apply to the sales of the heels covered by this order.

(2) *The manufacturer's, wholesalers' and shoe repairmen's maximum prices for soles.* The manufacturer's and wholesalers' maximum prices for sales in the shoe repair trade of the soles described in paragraph (a) are as follows:

Item	Maximum price for sales to wholesalers (per dozen pair)	Maximum price for sales to shoe repairmen (per dozen pair)	Maximum price to consumer for soles attached by shoe repairmen (per pair)
Men's black 12 iron neoprene oil-proof soles	$3.38	$4.50	$0.90

The maximum prices for sales by the shoe repairmen of these rubber soles shall be determined in accordance with the provisions of § 1315.1425 (b) of Maximum Price Regulation 200.

The cash discount, transportation allowance and other provisions of § 1315.1425 (c) shall apply to sales of the soles covered by this order.

(c) *Notification of maximum prices of heels.* With or prior to the first delivery to a wholesaler or a shoe repairman of any of the heels covered by this order, the seller shall notify the purchaser in writing of the maximum prices for sales by the shoe repairman of the rubber heel attached, of the rubber heel unattached, and of the services of attaching the rubber heel (or the method of determining such maximum prices) as established by paragraph (b) (1) of this order. If the purchaser is a wholesaler the notification shall include the maximum price (or the method of determining the maximum price) applicable to the wholesaler's resales to wholesalers and to shoe repairmen as established by paragraph (b) (1) of this order and a statement that such purchaser is required by this order to notify any shoe repairman to whom he sells of the maximum prices (or the method of determining maximum prices) as established by this order for sales by the shoe repairman of the heel attached, of the heel unattached and of the service of attaching the heel.

(d) *Notification of maximum prices of soles.* With or prior to the first delivery to a wholesaler or a shoe repairman of any of the soles covered by this order, the seller shall notify the purchaser in writing that the maximum price for sales of the unattached soles at retail shall be 40 percent of the maximum price established under the appropriate regulation of the Office of Price Administration for sales of the attached rubber soles. If the purchaser is a wholesaler, the notification shall include the maximum price applicable to the wholesaler's resales to wholesalers and to shoe repairmen as established by the appropriate regulation of the Office of Price Administration for sales of the attached rubber soles.

(e) All provisions of Maximum Price Regulation 200 that are not inconsistent with this order shall apply to sales covered by this order.

(f) This order may be revoked or amended by the Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10933; Filed, June 21, 1945; 11:53 a. m.]

[MPR 188, Order 3997]

WAVERLY LAMP MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Waverly Lamp Mfg. Co., 117 East 24th Street, New York 10, N. Y.

(b) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum price—To wholesalers	To consumers
Antique finish paper parchment lamp shade with picture decoration & leather-ette binding:	900	Each	Each
8"		$0.34	$0.52
12"		.52	.80
14"		.78	1.20
16"		.91	1.40
18"		1.04	1.60
Monk cloth lamp shade laminated on parchment paper with cotton passementerie trim:	901		
8"		.42	.65
12"		.65	1.00
14"		.78	1.20
16"		1.02	1.57
18"		1.15	1.77
Shellac finish paper parchment floral panel lamp shade over wire with gold binding:	902		
12"		1.27	1.95
16"		1.70	2.61
20"		2.31	3.55

These maximum prices are for the articles described in the manufacturer's application dated February 15, 1945.

These maximum prices for the articles described in the manufacturer's application dated June 1, 1945.

2. For sales by the manufacturer, the maximum prices apply to all sales and deliveries and Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2-10 days, net 30. The maximum price to consumers is net delivered.

3. For sales by persons other than the manufacturer the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.50 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10934; Filed, June 21, 1945; 11:53 a. m.]

[MPR 188, Order 3998]

STOFFELL SALES CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Stoffell Sales Company, Inc., 535 Fifth Avenue, New York 17, N. Y.

(b) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Stoffell Sales Company, Inc., 535 Fifth Avenue, New York 17, N. Y.

(b) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

These maximum prices are for the articles described in the manufacturer's application dated February 24, 1945.

2. For sales by the manufacturer the maximum prices apply to all sales and deliveries and Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2-10 days, net 30. The maximum price to consumers is net delivered.

3. For sales by persons other than the manufacturer the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10935; Filed, June 21, 1945; 11:53 a. m.]

[MPR 188, Order 3987]

VAYNE PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain

[MPR 188, Order 3988]

DYN CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Dyn Corporation, 1219 St. Nicholas Avenue, New York 32, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	"Dyn-Mi"...	*Each* $1.80	*Each* $2.10	*Each* $4

These maximum prices are for the articles described in the manufacturer's application dated May 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.00 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10937; Filed, June 21, 1945; 11:53 a. m.]

[MPR 188, Order 3989]

GADGETS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Gadgets, Inc., 113 Bleriot Place, Grand Prairie, Tex.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	1	*Each* $2.02	*Each* $2.70	*Each* $4.50

These prices are for the articles described in the manufacturer's application dated May 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10938; Filed, June 21 1945; 11:54 a. m.]

[MPR 188, Order 3990]

KASKO SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Kasko Sales Company, 225 Broadway, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette teller and case	1	*Dozen* $4.50	*Each* $.45	*Each* $.75

These maximum prices are for the article described in the manufacturer's application dated May 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been au-

thorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.89 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10939; Filed, June 21, 1945; 11:54 a. m.]

[MPR 188, Order 3991]

J. SCHAFFER

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by J. Schaffer, 149 Grand Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Framed pin-up lamp with paper and rayon shade	104	*Each* $1.27	*Each* $1.50	*Each* $2.70
Bronze enameled bed lamp complete with fixture	110	1.43	1.68	3.00

These maximum prices are for the articles described in the manufacturer's application dated March 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.27
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10940; Filed, June 21, 1945; 11:54 a. m.]

[MPR 188, Order 3992]

MELROSE LAMP & SHADE CO. INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Melrose Lamp & Shade Co. Inc., 864 Melrose Avenue, Bronx, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
11" rayon taffeta lamp shade with braid trim top and bottom	B-1409	*Each* $1.78	*Each* $2.10	*Each* $3.78
14" rayon stretchel taffeta lamp shade with braid trim top and bottom	B-1410	2.02	2.38	4.28

These maximum prices are for the articles described in the manufacturer's application dated March 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers, they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10941; Filed, June 21, 1945; 11:55 a. m.]

[MPR 260, Order 1249]

HARRY RATTGERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Harry Rattgers, 826 Madison Avenue, Covington, Ky. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or front-mark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lau'ery Club	Corona	50	$60.00	12
White Beauty	Pioneer	50	56.00	7
Black Beauty	Blunt	50	93.75	2 for 25
	Brevas	50	75.00	10
Lau'ery Club	King Size	50	75.00	10
Black Beauty	Corona	50	90.00	12
	Londres Grande	50	40.00	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10942; Filed, June 21, 1945; 11:55 a. m.]

[MPR 260, Order 1250]

BALBO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Balbo Cigar Co., 461 Broad St., Newark 4, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
	Inches		*Per M*	*Cents*
Charlie Green	4⅝	50	$72.00	9
Uncle Abner	5	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10943; Filed, June 21, 1945; 11:55 a. m.]

[MPR 260, Order 1251]

CURVIN E. MILLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Curvin E. Miller, Rear 30 South Pine Street, Red Lion, Pa., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Miller's Supreme	Miller's Supreme	50	*Per M* $72	*Cents*

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10944; Filed, June 21, 1945; 11:55 a. m.]

[MPR 260, Order 1252]

HAVANA CIGAR MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Havana Cigar Mfg. Co., 6350 14th Street, Detroit, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
[illegible]	Prominence	50	*Per M* $90	*Cents* 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10945; Filed, June 21, 1945; 11:56 a. m.]

[MPR 260, Order 1253]

O. C. DOMINGUEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) O. C. Dominguez Cigar Factory, 1946 Spruce Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10944; Filed, June 21, 1945; 11:55 a. m.]

[MPR 260, Order 1252]

HAVANA CIGAR MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Havana Cigar Mfg. Co., 6350 14th Street, Detroit, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
[illegible]	Prominence	50	*Per M* $90	*Cents* 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10945; Filed, June 21, 1945; 11:56 a. m.]

[MPR 260, Order 1253]

O. C. DOMINGUEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) O. C. Dominguez Cigar Factory, 1946 Spruce Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona	5"	50	$56.00	7
Epicure	5⅝"	50	130.00	3 for 50
M. Corona	6"	50	161.50	21
Baby	4½"	50	72.00	9
Presidente	5½"	50	61.00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10946; Filed, June 21, 1945; 11:56 a. m.]

[MPR 260, Order 1254]

FAMOUS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Famous Cigar Factory, 1604 29th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Famous	Rubios	50	$88.00	6
	Kings	50	101.25	2 for 27
	Coronitas	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10947; Filed, June 21, 1945; 11:56 a. m.]

[MPR 260, Order 1255]

C. FERRERA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) C. Ferrera Cigar Factory, 2112 10th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
C. Ferrera	Rhinos	50	$76.00	6
	Kings	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10948; Filed, June 21, 1945; 11:57 a. m.]

[MPR 260, Order 1256]

CUESTA, SANCHEZ & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cuesta, Sanchez & Co., 2103 E. Columbus Drive, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Bolivar	Bantons	50	$101.25	2 for 27
	Lords	50	101.25	2 for 27
	Hevins	50	108.00	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10949; Filed, June 21, 1945; 11:57 a. m.]

[MPR 260, Order 1257]

GEORGE KELLY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) George Kelley, 355 N. Washington Avenue, Columbus 3, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
His Masters Choice	1¾"	50	$93.75	2 for 25
Uncle Joe	1¾"	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10950; Filed, June 21, 1945; 11:57 a. m.]

[MPR 260, Order 1258]

PEERLESS CANDY & TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260. *It is ordered*, That:

(a) Peerless Candy & Tobacco Co., 1677 Oak Street, Columbus 5, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Perfecto	Peerless	50	$96	2 for 9
Maren Royal	Peerless	50	96	7
Cleola	Cleola-Dee Line	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic

cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10951; Filed, June 21, 1945; 11:57 a. m.]

[MPR 260, Order 1259]

HARRY R. BECKER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Harry R. Becker, 335 S. Charles Street, Dallastown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Beckers Hand Made Perfecto	Perfectos	50	*Per M* $50	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10952; Filed, June 21, 1945; 11:58 a. m.]

[MPR 260, Order 1260]

PRIM CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Prim Cigar Factory, 603 Ellis Street, Brunswick, Ga. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Brunswick Gold	Perfectos	50	*Per M* $90	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10953; Filed, June 21, 1945; 11:58 a. m.]

[MPR 260, Order 1261]

PENICHET CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Penichet Cigar Factory, 2701 9th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Admiral Penichet	Palma Chica	50	*Per M* $146.00	*Cents* 19
	Brevas	50	146.00	19
	Benny Special	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10954; Filed, June 21, 1945; 11:58 a. m.]

[MPR 260, Order 1262]

VALENTIN FLORES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Valentin Flores, 1448 Madison Avenue, New York 29, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Flore Sweet	Purezas	50	*Per M* $72	*Cents* 9
	Coronas	50	115	15
	Queen	50	131	17
	Coronitas	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order; but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10955; Filed, June 21, 1945; 11:59 a. m.]

[MPR 260, Order 1263]

EMORY W. DOWNS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Emory W. Downs, 35 Boundary Avenue (rear), Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
DeLuxe Master	Perfecto	50	*Per M* $64	*Cents* 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in

March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 22, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10956; Filed, June 21, 1945; 11:59 a. m.]

[MPR 188, Order 3996]

HARRY ROSENBLOOM

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Harry Rosenbloom, 2 West 4th Street, Emporium, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Nursery table lamp base assembled with toy wood alphabet blocks (no shade)	1	*Each* $0.85	*Each* $1.00	*Each* $1.80

These maximum prices are for the articles described in the manufacturer's application dated May 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.80 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of June 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10965; Filed, June 21, 1945; 4:31 p. m.]

[Order 56 Under 3 (e)]

REJECTED "BLITZ" CANS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and § 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sale of "blitz" cans (hereinafter described) which have been manufactured pursuant to War Procurement contracts and rejected by the United States Government or its agencies for failure to meet the contract specifications.

Description of "blitz" can:

Steel	20 gauge
Size	13½" x 6⅜" x 18⅜"
Opening	2½" threaded, with plug
Condition	leakproof, serviceable without repair

(b) *Maximum prices.* The maximum prices for the cans described in paragraph (a) shall be:

(1) Manufacturer's prices, 90¢ per can f. o. b. location, in minimum carload quantities; $1.00 per can f. o. b. location, in less-than-carload quantities.

(2) Wholesaler's prices to retailers or industrial or commercial users, freight allowed to destination: In minimum carload quantities, $1.25 per can; in less-than-carload quantities, $1.35 per can.

(3) Price for all sales at retail, $2.10 per can at point of delivery.

(c) *Notification of maximum prices.* Any person who sells the articles described in paragraph (a) to a retailer shall furnish the retailer with an invoice setting forth the retailer's maximum reselling price, and stating that the retailer is required by this order to attach to each can before sale a tag or label stating the appropriate retail ceiling price.

(d) *Tagging.* Any person who sells the cans described in paragraph (a) at retail shall attach to each can before sale a tag or label which plainly states the retail ceiling price.

(e) *Records.* All resellers making sales of the commodity subject to this order shall keep their customary records of all sales for inspection by the Office of Price Administration for the duration of the Emergency Price Control Act of 1942, as amended, or for a period not less than one year, whichever is shorter.

(f) *Revocation and amendment.* This order may be revoked or amended by the Administrator at any time.

This order shall become effective June 23, 1945.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10998; Filed, June 22 1945, 11:41 a. m.]

[RMPR 136, Order 459]

STUDEBAKER CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 459 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. The Studebaker Corporation. Docket No. C083-136.21-361.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136. *It is ordered:*

(a) The Studebaker Corporation, South Bend, Indiana, is authorized to sell each Studebaker motor truck listed in subparagraph (1) below (produced under the War Production Board's 1945 allocation to date to The Studebaker Corporation for production of 4000 medium-weight trucks) when equipped with synthetic rubber tires delivered to The Studebaker Corporation on or after April 18, 1944, at a price not to exceed the total of the applicable "List Price", f. o. b. South Bend, Indiana, listed in subparagraph (1) below and the applicable charges in subparagraph (2) below (subject to the discounts and allowances in effect on March 31, 1942, to the applicable class of purchasers):

(1) *Model, description, and list price, f. o. b. factory South Bend, Indiana.*

Model No.	Description	List price
M15-28	Truck, chassis and cab, 1-ton nominal rating, 128" wheelbase; with 1942 standard specifications and equipment, and the following changes and additions: military type cab; oil filter, air cleaner, auxiliary rear springs; extra sun visor; extra windshield wiper; six 7.00 x 20, 8 ply tires with front and dual rear disc wheels	$1,180
M17-28	Truck, chassis and cab, with 9' stake body, 1-ton nominal rating, 128" wheelbase; with 1942 standard specifications and equipment, and the following changes and additions: military type cab; oil filter; air cleaner; auxiliary rear springs; extra sun visor; extra windshield wiper; six 7.00 x 20, 8 ply tires with front and dual rear disc wheels	1,305

(2) *Charges.* (i) A charge for extra, special, and optional equipment not to exceed the "List Prices" in effect on March 31, 1942, (subject to the discounts in effect on March 31, 1942, to the applicable class of purchasers), for such equipment when sold as original equipment;

(ii) A charge to cover handling and delivery expense, computed in accordance with the method that the seller had in effect on March 31, 1942;

(iii) A charge to cover freight expense, based on current freight rates and computed in accordance with the method that the seller had in effect on March 31, 1942;

(iv) A charge to include the Federal excise tax on tires and tubes and other Federal excise taxes, State and local taxes on the truck being sold, computed in accordance with the method the seller had in effect on March 31, 1942;

(v) The dollar amount of all other charges which the seller had in effect on March 31, 1942, to the applicable class of purchasers.

(b) A reseller of Studebaker motor trucks is authorized to sell, delivered at its place of business, each Studebaker motor truck listed in subparagraph (1) below produced under the War Production Board's 1945 allocation to date to The Studebaker Corporation for production of 4,000 medium-weight trucks when equipped with synthetic rubber tires delivered to The Studebaker Corporation on or after April 18, 1944, at a price not to exceed the total of the applicable "List Price" in subparagraph (1) below and the applicable charges in subparagraph (2) below (subject to the discounts in effect on March 31, 1942, to the applicable class of purchasers):

(1) *Model, description, and list price, f. o. b. factory, South Bend, Indiana.*

Model No.	Description	List price
M15-28	Truck, chassis and cab, 1-ton nominal rating, 128" wheelbase; with 1942 standard specifications and equipment, and the following changes and additions: military type cab, oil filter, air cleaner; auxiliary rear springs; extra sun visor; extra windshield wiper; six 7.00 x 20, 8 ply tires with front and dual rear disc wheels.	$1,180
M17-28	Truck, chassis and cab, with 9' stake body, 1-ton nominal rating, 128" wheelbase; with 1942 standard specifications and equipment, and the following changes and additions: military type cab; oil filter; air cleaner, auxiliary rear springs; extra sun visor; extra windshield wiper; six 7.00 x 20, 8 ply tires with front and dual rear disc wheels.	1,305

(2) *Charges.* (i) A charge for extra, special, and optional equipment, not to exceed the charge the reseller had in effect on March 31, 1942 to the applicable class of purchasers for such equipment, when sold as original equipment;

(ii) A charge for transportation which shall not exceed the charge The Studebaker Corporation would make for the transportation, by the means and route used, of the trucks from the factory to the place of business of the reseller;

(iii) A charge to cover federal, state, and local taxes on the purchase, sale or delivery of the truck, computed in accordance with the method that the reseller had in effect on March 31, 1942;

(iv) A charge for handling and delivery equal to the charge that the reseller had in effect on March 31, 1942;

(v) The dollar amount of all other charges which the reseller had in effect on March 31, 1942 to the applicable class of purchasers.

(c) A reseller that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942, shall determine its maximum price by adding to the applicable "List Price," f. o. b., South Bend, Indiana, set forth in subparagraph (1) of paragraph (b), the following applicable charges:

(1) *Charges.* (i) A charge equal to the original equipment retail charge that The Studebaker Corporation suggested on March 31, 1942 be made by resellers for the extra, special, and optional equipment attached to the truck as original equipment;

(ii) A charge for transportation which shall not exceed the charge The Studebaker Corporation would make for the transportation, by the means and route used, of the trucks from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made to the reseller by The Studebaker Corporation, in accordance with the method The Studebaker Corporation had in effect on March 31, 1942, to cover the Federal excise tax on tires and tubes and other Federal excise taxes;

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the truck;

(v) A charge equal to the reseller's actual expense for handling and delivery of the truck.

(d) A reseller of Studebaker motor trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (b), at a price not to exceed the applicable price established in paragraph (b) or (c), to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums, boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage, and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer has an established price under Section 8 of Revised Maximum Price Regulation 136 which is different than a price permitted under paragraph (a) because of a substantial modification in design, specifications, or equipment in the truck, the reseller may add to its price under paragraph (b), (c), or (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a), the reseller must reduce its price under paragraph (b), (c), or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10997; Filed, June 22, 1945; 11:41 a. m.]

[2d RMPR 195, Order 9]

INDUSTRIAL WOODEN BOXES

CEILING PRICES FOR TOBACCO HOGSHEAD MATERIAL

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 7a of 2d Revised Maximum Price Regulation 195, it is ordered:

(a) *What this order covers.* This order covers all sales of "Southern Pine Tobacco Hogshead Material" for which specific maximum prices are set forth herein. It covers also the oak and elm liners used in the Tobacco Hogshead and also the Export Tobacco Box Shook 45" x 28⅜" x 28⅜" used to ship tobacco. The maximum prices fixed by this order supersede any maximum price or pricing method previously established under 2d Revised Maximum Price Regulation 195.

(b) *Definitions of "Southern Pine tobacco hogshead material".* For the purpose of this order "Southern Pine tobacco hogshead material" refers to the component parts of a tobacco hogshead produced from Southern Pine lumber, with the exception of the liners which are manufactured from oak or elm. The hogshead material includes jointed, bev-

elled and unjointed staves, circled and uncircled heading, crosspieces (battens) and liners.

The export tobacco box is Style ±2 shook with cleats attached having inside dimensions 45" x $28\frac{3}{8}$" x $28\frac{3}{8}$" with $25\frac{9}{32}$" (or $\frac{3}{4}$") sides, tops, bottoms and ends and $25\frac{9}{32}$" (or $\frac{3}{4}$") x $2\frac{3}{4}$" cleats.

(c) *Maximum prices.* The maximum prices for "Southern Pine Tobacco Hogshead Material" f. o. b. plant shall be as follows:

	No. 1	No. 2
Jointed or bevelled staves $1\frac{1}{2}$" full	$44.00 per MSF.	$37.00 per MSF.
Unjointed and unbevelled $1\frac{1}{2}$" full	$40.50 per MSF.	$33.50 per MSF.
Jointed or bevelled staves $\frac{7}{16}$" full	$39.00 per MSF.	$32.00 per MSF.
Unjointed and unbevelled $\frac{7}{16}$" full	$35.50 per MSF.	$28.50 per MSF.
Circled heads full $\frac{3}{4}$" or $2\frac{3}{32}$"	$1.00 each	.85 each.
Bevelled crosspieces or battens	$\frac{1}{2}$ cents each	$7\frac{1}{2}$ cents each.
Liners	9 cents each	
Export Tobacco box	$3.60 each	
Uncircled heading material	$37.50 per M' net measure.	

(d) *Definitions of terms:*

(1) "Per MSF" means per thousand feet net surface measure; a stave $3\frac{3}{4}$" in width is to be counted as $3\frac{3}{4}$" and not as 4".

(2) "Per M' net measure" means per thousand board feet measured to exact widths; a width $7\frac{3}{4}$" is to be measured as $7\frac{3}{4}$" and not as 8".

(3) "$\frac{1}{2}$" full" means staves cut to a full $1\frac{1}{2}$" thickness with an allowable variation per stave of not more than $\frac{1}{32}$".

(4) "$\frac{7}{16}$" full" means staves cut to a full $\frac{7}{16}$" thickness with an allowable variation per stave of not more than $\frac{1}{32}$".

(e) *Grading rules.* (1) *No. 1 grade; general.* The lumber used in making the "Southern Pine tobacco hogshead material" shall be dry (not in excess of 15% moisture content) sap pine. Spruce pine or lumber of a coarse-grained or soft or spongy texture is not included in this grade. The lumber shall be free from all pitch pockets, resinous or pitchy streaks, twin, spike, or loose knots in edges of boards. The lumber shall also be free from resin or resinous odors which might cause injury to tobacco.

The lumber must be manufactured and finished without bark edges and shall contain no defects which would impair the strength.

(i) *Heading.* 48" in length, random widths 6" to 12", surfaced on both sides to $\frac{3}{4}$" thick, allowable variation of not more than $\frac{1}{32}$".

15% of the lumber should not contain any knots larger in diameter than one-third of the width of the boards; in circled heads not more than three such knots in center pieces and one in cant pieces.

No pieces, irrespective of widths, will be acceptable when containing more than three such knots in addition to other small round knots.

35% should not contain any knots larger than one-fourth the width of the board; in Circled Heads not more than four such knots in center pieces and two in cant pieces. No pieces, irrespective of widths, will be acceptable when containing more than four such knots in addition to other small round knots.

50% of the lumber may contain very small knots and clear pieces.

The percentages of lumber used must be thoroughly mixed throughout each carload.

(ii) *Circled heads.* To be manufactured from random widths not more than 6 pieces to each head and no pieces less than 6" in width, except the cant or outer circle pieces, cut in true circles of 46" or 47" in diameter. Heads to be so shipped that each one shall be complete in itself.

(iii) *Staves.* 48" in length, 3" to 7" width, $\frac{1}{2}$" thick, allowable variation not more than $\frac{1}{32}$".

15% of the lumber should not contain any knots larger in diameter than one-fourth the width of the stave and not more than two such knots in each stave in addition to other small sound knots.

40% of the lumber must not contain any knots larger in diameter than one-fifth the width of the stave and not more than three such knots in each stave in addition to other small sound knots.

45% must be clear of all knots, except very small knots, known as pin knots.

The percentage of lumber used must be thoroughly mixed throughout each carload.

A maximum of 5% of 3" and 5% of $6\frac{1}{4}$" to 7" staves in each carload will be accepted but no car is to contain a higher percentage than 12" of staves 3" to $3\frac{1}{2}$" in width. The narrow staves are to be equally distributed throughout each carload.

(iv) *Crosspieces.* 46" or 47" in length, $3\frac{1}{2}$" in width, surfaced on one or both sides to $1\frac{3}{16}$" thick. Corners bevelled on one side to $\frac{1}{4}$" round, containing no knots larger than one-fourth the width of the crosspieces.

(2) *No. 2 grade.* Any sound merchantable material not meeting the requirements for the No. 1 grade shall be classed as No. 2.

(3) *Ungraded material.* If the material is sold in an ungraded condition, the price shall be based on the lowest grade in the shipment.

(4) *Export tobacco box.* The export tobacco box shall be made of sound material in accordance with standard commercial specifications.

(f) *Delivery.* The above prices are f. o. b. plant. Additions for delivery may be made in accordance with the provisions of section 9 (b) of 2d RMPR 195.

(g) *Discounts and allowances.* The maximum prices set forth in this order apply to all shipments of tobacco hogsheads material, no matter who the seller is, and they include all commissions, discounts, and allowances for resellers (except exporters). The maximum prices shall be reduced by all discounts or allowances customarily made by the seller for the same class of purchaser.

(h) *Other provisions.* The provisions of sections 9 (b), 10, 11, 12, and 13 of the regulation shall apply to sales made under this order.

(i) *Other items or additions not covered by this order.* All tobacco hogshead material not specifically priced by this order shall remain subject to the provisions of 2d Revised Maximum Price Regulation 195.

This Order No. 9 shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10696; Filed, June 22, 1945; 11:40 a. m.]

[MPR 220, Order 110]

WHITE PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to the manufacturer's, wholesalers' and retailers' sales of the item ±V60 plastic bathing cap made of olive drab vinyl resin film and manufactured by The White Products Company, 7 West 22nd Street, New York 10, New York.

(b) *Sales by the manufacturer.* The maximum price for sales by The White Products Company of the commodity described in paragraph (a) of this order shall be:

$2.70 per dozen for sales to wholesalers.
$3.12 per dozen for sales to retailers.

(c) *Sales by wholesalers.* The maximum prices for sales at wholesale of the commodity described in paragraph (a) of this order shall be the maximum price for such sales furnished the wholesaler by the manufacturer and computed by the manufacturer according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220.

(d) *Sales at retail.* The maximum prices for sales at retail of the commodity described in paragraph (a) shall be the maximum prices for such sales furnished the retailer by his seller and computed according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220.

(e) *Notification of maximum prices by the manufacturer and wholesalers.* The manufacturer shall compute the maximum prices applicable to sales by wholesalers and retailers of the commodity priced by this order according to the method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220. The notification of maximum price provisions and other provisions of § 1315.1559a are applicable to the commodity priced by this order.

(f) Between sixty and seventy-five days after the effective date of this order, the manufacturer shall recompute its costs in the manner provided in § 1315.1557 (c) and report them to the Office of Price Administration.

(g) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11020, Filed, June 22, 1945; 11:44 a. m.]

[RMPR 436, Amdt. 4 to Order 37]

CRUDE PETROLEUM AND NATURAL AND PETROLEUM GAS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) of Order No. 37 to Revised Maximum Price Regulation No. 436 is amended in the following respects:

1. The following pools with the designated increases are hereby added thereto:

Pool, County, and State	*Amount of increase per 42-gallon barrel*
Half Moon, Posey, Indiana	$0.25
Depita, Rooks, Kansas	.06
Gideon, Russell, Kansas	.25
McLouth Lime, Jefferson, Kansas	.35
Ploog, Rice, Kansas	.35
Roxbury S. E., McPherson, Kansas	.04
Shallow Water, Scott, Kansas	.02
Starr, Elk (West Half), Kansas	.35
Empire, Eddy, New Mexico	.35
Getty, Eddy, New Mexico	.18
Shugart North, Eddy, New Mexico	.20
Doyle (1200') Stephens, Oklahoma	.35
Hamilke-West Earlsboro, Pottawatomie, Oklahoma	.20
Pearsonia, Osage, Oklahoma	.11
Skiatook West, Osage, Oklahoma	.35
Wefford, Seminole, Oklahoma	.35
Akard, Jones, Texas	.20
Edwards, Crane, Texas	.25
Fuhrman-Mascho, Andrews, Texas	.04
Dallas and Derby, Fremont Wyoming	.35
Garland (Madison), Big Horn, Wyoming	.35

2. The following pools are hereby deleted therefrom:

Pool, County, and State

Freeman, Clare, Michigan.
West Earlsboro, Pottawatomie, Oklahoma
Angleton, Brazoria, Texas.

3. The Capitan (Sespe) pool, Santa Barbara County, California, is hereby redesignated to read Capitan (Sespe Formation above 3000'), Santa Barbara County, California.

4. The Bayou Choctaw pool, West Baton Rouge and Iberville Parishes, Louisiana, is hereby redesignated to read Bayou Choctaw (Miocene), West Baton Rouge and Iberville Parishes, Louisiana.

5. The Timbalier Bay pool, La Fourche Parish, Louisiana, is hereby redesignated to read Timbalier Bay (Miocene), La Fourche Parish, Louisiana.

6. The Tibbens pool, Creek County, Oklahoma, is hereby redesignated to read Tibbens-Tibbens North, Creek County, Oklahoma.

7. The Bebee East pool, Pontotoc County, Oklahoma, is hereby redesignated to read Bebee East, Pontotoc and Seminole Counties, Oklahoma.

This amendment shall become effective as of June 1, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11060; Filed, June 22, 1945; 11:42 a. m.]

[MPR 580, Order 77]

BOY SCOUTS OF AMERICA

ESTABLISHMENT OF MAXIMUM PRICES

Order 77 under MPR 580. Establishing ceiling prices at retail for branded articles; Docket No. 6063-580-13-11.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to Section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The price for sales at retail submitted in the application filed by Boy Scouts of America, 2 Park Avenue, New York, N. Y., dated March 30, 1945, for each article described in the application, and covered by Maximum Price Regulation No. 580, is hereby established as the ceiling price of the article for sales at retail.

(b) The retail ceiling prices as established by paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 1, 1945, Boy Scouts of America must mark each article for which a price is established by paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $_____

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11019; Filed, June 22, 1945; 11:49 a. m.]

[Supp. Order 94, Amdt. 2 to Rev. Order 16]

CERTAIN DOUBLE DECK BUNK BEDS, COTS, MATTRESSES AND HOSPITAL BEDS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order 16 under Supplementary Order 94 is amended in the following respects:

1. The descriptions of the Army steel folding cots set forth in paragraph (b) (1) are amended to read as follows:

New Army steel folding cot, 6'4" x 30", spring 17" from floor, 1" tubular head and foot 23" from floor, spring angle irons 2" x $1\frac{1}{2}$" x $\frac{1}{8}$", and all other Army steel folding cots of approximately the same dimensions and of the same or similar construction.

Used Army steel folding cot, 6' x 30", spring 17" from floor, 1" tubular head and foot 23" from floor, spring angle irons 2" x $1\frac{1}{2}$" x $\frac{1}{8}$", and all other Army steel folding cots of approximately the same dimensions and of the same or similar construction.

2. The description of the Army steel folding cot set forth in paragraph (b) (2) is amended to read as follows:

Reconditioned Army steel folding cot, 6'4" x 30", spring 17" from floor, 1" tubular head and foot 23" from floor, spring angle irons 2" x $1\frac{1}{2}$" x $\frac{1}{8}$", and all other Army steel folding cots of approximately the same dimensions and of the same or similar construction.

This amendment shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10993; Filed, June 22, 1945; 11:40 a. m.]

[Supp. Order 94, Amdt. 1 to Order 50]

TWO-WHEELED HAND PUSH CARTS

SPECIAL MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. 50 under Supplementary Order 94 is amended in the following respects:

1. Paragraph (f) is deleted.

This amendment shall become effective July 1, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10994; Filed, June 22, 1945; 11:39 a. m.]

[Supp. Order 94, Order 65]

UNITED STATES DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR CERTAIN METAL CANTEENS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for resellers of certain metal canteens hereinafter described which have been or may be purchased from the United States Department of Commerce.

(b) *Maximum prices*—(1) *New canteens.* The maximum price per new canteen described herein shall be:

Description of canteen: 2½ gallon metal canteen, finished in olive green, rust proof 15" in diameter, width 5", weight approximately 2½ lbs., concave shape, screw cap top secured with chain, adjustable web shoulder strap, no compartments, for water only.

Price for all sales at wholesale, f. o. b. shipping point	$1.15
Price for all sales at retail	1.75

(2) *Used canteens.* The maximum price for a used canteen described above shall be 75% of the appropriate maximum price set forth in paragraph (b) (1) herein, *Provided*, That

(i) No part is missing which is necessary to make the canteen fully useful.

(ii) The canteen is clean, free from rust, leaks and dents, does not need repainting and in all respects has the serviceability equal to that of a new canteen.

(3) *Used canteens not covered by paragraph* (b) (2). The maximum price per used canteen not covered by paragraph (b) (2) herein shall be 33⅓% of the appropriate maximum price set forth in paragraph (b) (1) herein.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the metal canteens described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the maximum price for sales at retail, and stating that the retailer is required by this order to attach to each canteen before sale a tag or label which plainly states the appropriate retail ceiling price.

(e) *Tagging.* Any person who sells the metal canteens described in paragraph (b) at retail shall attach to each canteen before sale a tag or label which plainly states the appropriate ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions*—(1) *Sale at wholesale.* A sale at wholesale is a sale by any person to any other person who is not a user or ultimate consumer.

(2) *Sale at retail.* A sale at retail is a sale by any person to a user or ultimate consumer.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10995; Filed, June 22, 1945; 11:39 a. m.]

Regional and District Office Orders.

[Region III Order G-10 Under Supp. Order 94]

BENCH VISES IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sections 11 and 13 of Supplementary Order No. 94 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-10 establishes maximum prices for the sale of bench vises, hereinafter described, by the Department of Commerce, Office of Surplus Property, to jobbers and wholesalers; by said office of the Department of Commerce, jobbers and wholesalers to retailers; and by retailers to consumers.

(b) *Geographical applicability.* This Order No. G-10 shall apply to all sales described herein when made in this Region III, which includes the States of Ohio, Indiana (except the County of Lake), Michigan, Kentucky, and West Virginia.

(c) *Maximum prices.* Maximum prices for the sale of the bench vises described herein shall be as follows:

Article and description	Commerce's maximum price to jobbers and wholesalers	Commerce's jobbers' and wholesalers' maximum price to retailers	Retailers' maximum price to consumers
Bench vise, 4½" plain iron jaw, model No. 711 Victor, manufactured by Stanley Rule & Level Mfg. Co., New Britton, Conn.; condition, new	*Each* $1.25	*Each* $1.67	*Each* $2.50

(d) *Notification of maximum prices.* Any person who sells the bench vises described in paragraph (c) above to a retailer shall furnish the retailer with an invoce of sale setting forth the retailer's maximum reselling price and stating that the retailer is required by this order either to attach to each bench vise, before sale, a tag or label, or to display a suitable sign at the place where the article is offered for sale, which plainly states the retail ceiling price.

(e) *Tagging.* Any person who sells the bench vises described in paragraph (c) at retail either shall attach to each bench vise, before sale, a tag or label, or shall display a suitable sign at the place where the article is offered for sale, which plainly states the retail ceiling price.

(f) *Records.* All resellers of the commodity subject to this order shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942 as amended, shall remain in effect, their customary records of all transactions.

(g) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) "Jobber" or "wholesaler" means any person other than a manufacturer, the major portion of whose sales are to retailers, industrial or institutional users.

(h) *Revocation and amendment.* This order may be revoked or amended at any time by the Office of Price Administration.

This order shall become effective June 6, 1945.

Issued: June 6, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-10681; Filed, June 20, 1945; 4:45 p. m.]

[Region III Order G-59 Under RMPR 122]

SPECIFIED SOLID FUELS IN BATTLE CREEK, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the area including the city of Battle Creek, Michigan, and certain adjacent territory, which area is described as all the territory within a circle the radius of which is six miles and the center of which is the intersection of Michigan Avenue and Capital Street in the said municipality of Battle Creek. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in the said area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-59; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order;

(ii) Using any other device by which a higher than maximum price is obtained directly or indirectly;

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kind and quantities of solid fuels. Column I describes the coal for which prices are established. Column II lists maximum prices for delivered credit sales to consumers at any point in the above described area, and Column III lists maximum prices for delivered cash sales.

BATTLE CREEK, MICHIGAN, PRICE SCHEDULE

Column I	Column II	Column III
I. High volatile Bituminous coals from producing district No. 8 (except Kentucky, southern West Virginia, western Virginia, and southeastern Tennessee) excluding Mine Index Nos. 287, 305 and 456:		
A. Lump and egg, size group Nos. 1 and 2 (lump, bottom size larger than 3"; egg, top size 5" and larger x bottom size larger than 4" and top size larger than 6" x bottom size larger than 3" but not exceeding 4"):		
1. Mine price classifications E and I	$10.50	$10.00
2. Mine price classifications G through O	10.35	9.85
B. Egg:		
1. Size group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3", top size larger than 6" x bottom size 2" and smaller, mine price classifications E through K	9.50	9.40
2. Size group No. 6 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller; top size 4" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"), mine price classifications E through L	9.85	9.35
3. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller), mine price classifications G through M	9.80	9.30
C. Stoker, size group No. 10 (top size 1½" and smaller x bottom size ¾" and larger):		
1. Mine price classifications A through E	9.95	9.45
2. Mine price classifications F and lower	9.80	9.30
D. To the prices stated in sections A, B and C of Part I above, may be added $0.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 8 and provided it is separately weighted and billed. Subdistrict 6 includes that portion of district 8 which is northern Tennessee, and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Magoffin, McCreary, Owsley, Pulaski, Rockcastle, Wayne, and Whitley		
II. High volatile Bituminous coals from producing district No. 4 (Ohio) and from subdistrict No. 5 (Hocking) lump and egg:		
A. Size group Nos. 1 and 2 (bottom size larger than 2"):		
1. From deep mines	$9.65	$9.15
2. From strip mines	9.30	8.80
B. Size group Nos. 3 and 3A (bottom size larger than 1¼" but not exceeding 2"):		
1. From deep mines	9.25	8.75
2. From strip mines	9.00	8.50
III. Low volatile Bituminous coals from producing district No. 7 (southern West Virginia and western Virginia, excluding mine index No. 541):		
A. Egg, size group No. 2 (top size larger than 3" x bottom size no finer):		
1. Mine price classification A	11.95	11.45
2. Mine price classifications B through D	11.75	11.25
B. Stove, size group No. 3 (top size larger than 1¼" but not exceeding 3" x bottom size smaller than 3"), mine price classification A	11.45	10.95
C. Stoker, size group No. 5 (open or dedusted screenings, top size not exceeding ¾" x bottom size smaller than ¼") mine price classification A	9.80	9.30

See footnotes at end of table.

BATTLE CREEK, MICHIGAN, PRICE SCHEDULE—Continued

Column I	Column II	Column III

[1] $0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

These prices include all increases authorized by regional supplementary order No. 7 which reflects the adjustment granted in Amendment 137 to MPR 120 issued May 1, 1945.

(2) *Discounts.* The above listed maximum prices are subject to the following discounts:

	Per ton
(i) Payment within 30 days on credit sales	$0.50
(ii) Purchase by one buyer of 20 tons or more	.25
(iii) Consumers purchasing at a dealer's yard	.75
(iv) Other dealers purchasing at a dealer's yard for resale	1.50

(3) *Descriptive terms.* The definitions of price groups, classifications, size groups, mine index numbers, producing sub-districts, etc., contained in Maximum Price Regulation No. 120 as the same now reads or may be amended, are hereby incorporated by reference into this order and shall, wherever applicable, be the controlling definitions of all such terms used herein.

(d) *Sales not covered by order G-59.* The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-59 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of Solid Fuels. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel in from curb	$0.75
Carry in from curb	1.00
Carry up or down stairs	[1] .25
Forking or screening low volatile coal	.50
Service charge for deliveries in quantities of ½ ton	.25

[1] Per flight.

(f) *The transportation tax.* The transportation tax imposed by section No. 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state Government or any political subdivision thereof.

(g) *Addition of increase in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discount, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated: *And further provided*, That the provisions of this paragraph (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Grand Rapids District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political sub-divisions, and any agency of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser", shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.-255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-59 under Revised Maximum Price Regulation No. 122 shall become effective June 18, 1945.

Issued: June 7, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-10882; Filed, June 20, 1945; 4:45 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1090]

NORTHERN INDIANA PUBLIC SERVICE CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of June, A. D. 1945.

Northern Indiana Public Service Company (Northern), a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company, having filed a declaration pursuant to sections 6 (a) (2) and 7 of the Public Utility Holding Company Act of 1935 regarding the proposed alteration of the rights of holders of Northern's outstanding securities to the extent that such rights may be altered by the following proposed action:

Northern was incorporated August 2, 1912, under an Incorporation Act of the General Assembly of the State of Indiana approved May 20, 1852, and the acts amendatory thereof and supplemental thereto. Northern now desires to accept the provisions of The Indiana General Corporation Act, approved March 16, 1929, and the acts amendatory thereof and supplemental thereto, and, for such purpose, the directors propose to adopt a resolution approving Articles of Acceptance which is to be submitted to a vote of shareholders and adopted upon receiving the affirmative vote of the holders of two-thirds of the outstanding shares entitled to vote. Said Articles of Acceptance will restate the existing Articles of Incorporation and will provide, in addition to other changes which do not alter the rights of Northern's security holders, for the granting of the preemptive right to the holders of Northern's common stock to subscribe for their pro rata part of any additional issues of shares of common stock to be sold for cash.

Said declaration having been filed on May 24, 1945, and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 7 (g) of the act are satisfied, and not finding that the exercise of such privilege or right will result in an unfair or inequitable distribution of voting power among holders of the securities of the declarant or is otherwise detrimental to the public interest or the interest of investors or consumers;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration pursuant to section 7 of the act be and hereby is permitted to become effective.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-10973; Filed, June 22, 1945; 11:07 a. m.]

SURPLUS PROPERTY BOARD.

[Special Order 12]

SPECIAL ATTACHMENTS TO MACHINE TOOLS OWNED BY DEFENSE PLANT CORPORATION

Pursuant to the authority of the Surplus Property Act of 1944 (Pub. Law 457, 78th Cong., 2d Sess.; 58 Stat. 765), *It is hereby ordered*, That:

In accordance with section 13 (b) of the Surplus Property Act, any owning agency may transfer to Defense Plant Corporation without reimbursement special attachments which are attached to machines or machine tools owned by Defense Plant Corporation, in any case where a responsible officer of the owning agency determines that such special attachments have no commercial value separate from the machines to which they are attached or that the cost of the care and handling and disposition of such special attachments separate from the machines to which they are attached would exceed the estimated proceeds of disposition.

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 16, 1945.

[F. R. Doc. 45-10986; Filed, June 22, 1945; 11:43 a. m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 9-A]

TRANSFER OF PERSONS ASSIGNED TO WORK OF NATIONAL IMPORTANCE

DELEGATION OF AUTHORITY

Under and by virtue of the authority vested in me by § 603.1, Selective Service regulations, I hereby authorize the Assistant Director, Camp Operations, National Headquarters, Selective Service System, or the Executive Officer, Camp Operations, or the Acting Executive Officer, Camp Operations, as designated by Camp Operations order, to order the transfer of persons assigned to work of National importance.

Order of the Director, Operations Order No. 9, dated May 5, 1943, is hereby rescinded.

LEWIS B. HERSHEY,
Director.

JUNE 21, 1945.

[F. R. Doc. 45-10986; Filed, June 22, 1945; 11:16 a. m.]

WAR PRODUCTION BOARD.

[C-369]

MICHIGAN WINERIES, INC.

CONSENT ORDER

Michigan Wineries, Inc., a Michigan corporation, with offices at 440 South Kalamazoo Street, Paw Paw, Michigan, is engaged in the manufacture and sale of wine, and is charged by the War Production Board with having used, during the first, third and fourth quarters of 1944, 249,993 square feet of containerboard content in excess, and 15,457 tons of containerboard content in excess, of its quota for containerboard content of fibre shipping containers, in violation of War Production Board Limitation Order L-317. Michigan Wineries, Inc., admits the violation as charged, does not desire to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Michigan Wineries, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Michigan Wineries, Inc. shall, during the second, third and fourth calendar quarters of 1945 reduce its use of containerboard content of fibre shipping containers by using, during each of these quarters, at least 83,331 square feet less, and at least 5,152 tons less, than the quota it would otherwise be entitled to use during said applicable quarters as specified by the provisions of Limitation Order L-317, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Michigan Wineries, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Michigan Wineries, Inc., its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect as of April 1, 1945, and shall expire on December 31, 1945.

Issued this 21st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10911; Filed, June 21, 1945; 11:04 a. m.]

[C-370]

LINCOLN LEATHER CO. AND LINCOLN TANNING CO.

CONSENT ORDER

Lincoln Leather Company, a corporation with its principal place of business at 104 South Street, Boston, Massachusetts, engaged in the business of selling finished leather as a wholesaler, and its affiliate Lincoln Tanning Company, a corporation with a place of business at 104 South Street, Boston, Massachusetts, engaged in the business of tanning leather are charged by the War Production Board in letters dated April 9, 1945 and May 9, 1945 with having between June 1, 1944 and November 30, 1944, purchased and accepted delivery of 768,000 square feet of untanned cattlehide and calfskins other than splits and glue stock in excess of the amounts permitted by War Production Board Order M-310.

Lincoln Leather Company and Lincoln Tanning Company admit the violations as charged, do not desire to contest the issue of wilfulness and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of Lincoln Leather Company, Lincoln Tanning Company, the Regional Compliance Manager, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During each month of the third and fourth quarters of 1945 and the first and second quarters of 1946, Lincoln Leather Company and Lincoln Tanning Company shall reduce by 3,800 skins the monthly quotas assigned to them by the War Production Board for purchasing skins and for soaking skins and will reduce by 600 hides the monthly quota assigned to them by the War Production Board for purchasing hides and soaking hides.

(b) The restrictions and prohibitions contained herein shall apply to Lincoln Leather Company, Lincoln Tanning Company, their successors and assigns, or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve Lincoln Leather Company or Lincoln Tanning Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 21st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10912; Filed, June 21, 1945; 11:04 a. m.]

[C-90, Revocation]

CHARLES HAMAD

CONSENT ORDER

Charles Hamad, Danbury, Connecticut, engaged in the business of processing hatters furs, fur and textile by-products and in the cutting of rabbits' skins and other fur by-products, was charged by the War Production Board with having done construction in April, 1944, without permission of the War Production Board of a factory on East Franklin Street, Danbury, Connecticut, in violation of War Production Board Conservation Order L-41. A Consent Order No. C-90 was entered into by Charles Hamad, the Regional Compliance Chief, and the Regional Attorney with the approval of the Compliance Commissioner. In view of the fact that Conservation Order L-41 as amended May 29, 1945, raises the limitation on this type of construction to $5,000, the Chief Compliance Commissioner has directed that the consent order be revoked. In view of the foregoing, it is hereby ordered, that: *Consent Order No. C-90* be revoked.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10975; Filed, June 22, 1945; 11:19 a. m.]

[C-339, as Amended June 22, 1945]

MOORE-GRIGGERS CO., LTD.

CONSENT ORDER

Moore-Griggers Company, Ltd., is a limited partnership composed of James C. Moore and Rayford E. Griggers, with offices at 240 Peachtree Street, N. E., Atlanta, Georgia. It is engaged in the business of distributing, selling and installing air conditioning units. Under a purchase order dated November 14, 1944 and bearing a preference rating of AA-4, it obtained delivery from its supplier of twenty-five (25) three h. p. and fifty (50) five h. p. air conditioning units whereas it was only authorized by the War Production Board to apply an AA-4 preference rating to purchase five (5) three h. p. and five (5) five h. p. air conditioning units. This constituted a violation of War Production Board Priorities Regulation No. 3. Since the issuance of this Consent Order Moore-Griggers Company, Ltd. has, on account of the effect which the revocation of Limitation Order L-38 has had upon the sale of air conditioning units, requested that this order be amended by substituting for paragraphs (a) and (b) thereof new paragraphs providing as hereinafter set out. Moore-Griggers Company, Ltd. admits the violation as charged and, although denying wilfulness, does not care to contest this issue, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Moore-Griggers Company, Ltd., the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Moore-Griggers Company, Ltd., a partnership composed of James C. Moore and Rayford E. Griggers shall set aside in its stock and shall not sell, deliver or install any one of the twenty (20) three h. p. nor any one of the forty-five (45)

five h. p. excess air conditioning units obtained under said purchase order and in the manner above set forth except as set out in paragraph (b) hereof or on orders bearing a preference rating of AA-3 or higher, nor shall it extend any one of such preference rating orders of AA-3 or higher, upon which any of said specified sixty-five (65) air conditioning units are sold, for the purpose of replacing in its stock any of the units so sold, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing herein contained shall prohibit Moore-Griggers Company, Ltd. from selling, delivering, or otherwise transferring, with title thereto, the sixty-five (65) air conditioning units referred to in paragraph (a) above, back into the inventory of its supplier, Chrysler Air Temp Products Corporation, nor in any way affect the sale, delivery, installation or stock replacement of the remaining ten (10) air conditioning units which Moore-Griggers Company, Ltd. were authorized to and did receive under said purchase order.

(c) Nothing contained in this order shall be deemed to relieve Moore-Griggers Company, Ltd., a partnership composed of James C. Moore and Rayford E. Griggers, whether doing business under said name or otherwise, or said partners individually, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10976; Filed, June 22, 1945; 11:19 a. m.]

[C-350, Revocation]

WATERBURY BUCKLE CO.

CONSENT ORDER

A Consent Order, No. C-350, was entered into by Waterbury Buckle Company, the Regional Compliance Chief, and the Regional Attorney with the approval of the Compliance Commissioner, and issued June 8, 1945, for violation of Conservation Order M-9-c. In view of the fact that Conservation Order M-9-c was revoked May 12, 1945, the Chief Compliance Commissioner has directed that Consent Order No. C-350 be revoked. In view of the foregoing, *it is hereby ordered*, that: *Consent Order No. C-350* be revoked.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10977; Filed, June 22, 1945; 11:19 a. m.]

[C-371]

GORDON CLOTHING CO.

CONSENT ORDER

Gordon Clothing Company is a corporation with its principal place of business at 6433 South Halsted Street, Chicago, Illinois. It is engaged, amongst other things, in retailing ready-to-wear clothing. During the third calendar quarter of 1944 it received $46,001 worth of consumer's goods in excess of its allowable receipts, as established by Limitation Order No. L-219. Gordon Clothing Company admits such excess receipts of consumer's goods and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Gordon Clothing Company, the Regional Compliance Chief, the Regional Attorney, and upon the approval of the Compliance Commissioner: *It is hereby ordered*, That:

(a) Gordon Clothing Company, its successors and assigns, shall reduce its receipts of merchandise during the third and fourth calendar quarters of 1945 by at least 15% of its normal receipts for each of such quarters as computed on line 23 of Form WPB-1621.

(b) Nothing contained in this order shall be deemed to relieve Gordon Clothing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-10978; Filed, June 22, 1945; 11:19 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 126

Washington, Tuesday, June 26, 1945

Regulations

TITLE 6 AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1945 C. C. C. Grain Sorghums Bulletin 1]

PART 263—1945 GRAIN SORGHUMS LOANS

1945 GRAIN SOUGHUMS LOAN PROGRAM BULLETIN

Commodity Credit Corporation has authorized the making of loans, in accordance with this bulletin, on grain sorghums stored on farms or in approved public grain warehouses.

Sec.
263.1 Eligible producer.
263.2 Eligible grain sorghums.
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263.4 Areas in which loans will be made.
263.5 Basic loan rate at terminal markets.
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263.16 Eligible paper.
263.17 Purchase of loans.
263.18 Insurance.
263.19 Offices of Commodity Credit Corporation.
263.20 County agricultural conservation committees.
263.21 Release of collateral.

AUTHORITY: §§ 263.1 to 263.21, inclusive, issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1302)

§ 263.1 *Eligible producer.* Any person, partnership, association, or corporation, producing grain sorghums in 1945 as landowner, landlord, or tenant, shall be eligible for such loans.

§ 263.2 *Eligible grain sorghums.* Grain sorghums grading No. 4 or better (except grain sorghums grading discolored, weevily, or smutty, or containing in excess of 13 percent moisture in the case of grain sorghums stored on the farm, or in excess of 14 percent in the case of grain sorghums stored in public warehouses), which were produced in 1945, the beneficial interest in which is now in the producer, and always has been in him, or has been in him and a former producer whom he succeeded before the grain sorghums were harvested, shall be eligible as collateral for such loans.

§ 263.3 *Eligible storage.* Eligible storage shall include farm storage structures meeting the requirements for safe storage as prescribed by the Agricultural Adjustment Agency, and public grain warehouses which meet the requirements of Commodity Credit Corporation and which have executed the Uniform Grain Storage Agreement. Such warehouses may be situated either at terminal, subterminal, or country points.

§ 263.4 *Areas in which loans will be made.* Loans will be made on eligible grain sorghums stored in approved public grain warehouses wherever located.

Loans are available on eligible grain sorghums stored on farms in the following areas:

All counties in the States of Arizona, California, Colorado, Kansas, Nebraska, New Mexico, and South Dakota, and the following counties of Oklahoma and Texas:

Oklahoma. Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Mayes, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

Texas. Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Callahan, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Coleman, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Fisher, Floyd, Foard, Gaines, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Runnels, Scurry, Shackel-

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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ford, Sherman, Stonewall, Swisher, Taylor, Terry Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, and Young.

§ 263.5 *Basic loan rate at terminal markets.* 1945 grain sorghums loan rates per 100 pounds for No. 2 or better grain sorghums at terminal basic markets are as follows:

Market:	Loan rate per cwt.
Kansas City, Mo	$1.93
Omaha, Nebr	1.93
Memphis, Tenn	2.05
St. Louis, Mo	2.05
Los Angeles and San Francisco, Calif	2.24

All grain sorghums eligible for loan at the foregoing loan rates must have been shipped on a domestic freight rate basis. The loan rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic rate on any wheat shipped at other than the domestic rate.

The foregoing schedule of loan rates applies to grain sorghums delivered to any of the above designated terminal markets in carload lots which have been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required herein; *Provided*, That, in the event the amount of paid-in freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional basis on the outbound movement: *And provided further*, That Commodity Credit Corporation will accept, in lieu of such bills, warehouse receipts on which a statement, signed by the warehouseman, has been typed in the form hereinafter set forth, or a certificate of the warehouseman containing such a certification, or such other form of certification as may be approved by Commodity Credit Corporation. A deduction of 10 cents per 100 pounds shall be made if evidence is not submitted that paid freight bills have been registered for transit privileges.

FREIGHT CERTIFICATE FOR TERMINALS

The grain sorghums represented by attached warehouse receipt No. ____ were received by rail freight from _____ (town) _____ point of origin, (county) (State) as evidenced by freight bill described as follows:

Way bill, date _____ No. _____
Car No. _____ Init. _____
Freight bill, date _____ No. _____
Carrier _____ Transit weight _____
Freight rate in _____ Amount collected _____
Number unused transit stops _____

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

_____
Date of signature Warehouseman's signature

_____
Address

Grain sorghums trucked to a designated terminal market and stored in a warehouse shall have a loan rate equal to the higher of (a) the terminal loan rate minus 10 cents per 100 pounds, or, (b) the county loan rate for the county in which the grain sorghums are stored.

§ 263.6 *Basic loan rates at country points.* Commodity Credit Corporation will determine county loan rates on grain sorghums in storage on the farm or in country warehouses by deducting from the designated terminal market loan value an amount equal to 6 cents more than the applicable county average freight rate, plus freight tax, to such terminal market.

Each approved warehouse will be advised as to the loan rate applicable to grain sorghums stored in such warehouse. Producers may obtain from their respective county committees the loan rates applicable to grain sorghums stored on farms and in the public warehouses. Loan rates are published in C. C. C. Grain Sorghums Bulletin 1—Supplement 1.

The loan rate for eligible grain sorghums stored in approved warehouses (other than those situated in the designated terminal markets) which were shipped by rail may be determined by deducing from the appropriate designated terminal market loan value an amount equal to the transit balance of the through freight rate from point of origin for such grain sorghums to such terminal market, plus freight tax on such

transit balance: *Provided*, That in the case of grain sorghums stored at any railroad transit point, taking a penalty by reason of out-of-line movement, or for any other reason, to the appropriate designated market, there shall be added to such transit balance an amount equal to any out-of-line or other costs, as determined by Commodity Credit Corporation, incurred in storing loan grain sorghums in such position. Arrangements have been made for the railroads to indicate transit balance of the through rate on the inbound paid freight bills on a basis of 100 pounds. To obtain the loan rate as determined above, the warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges: *Provided*, That Commodity Credit Corporation will accept, in lieu of such bills, a statement, signed by the warehouseman, typed on the warehouse receipt or on a supplemental certificate containing the certification set forth in § 263.5 of this part, with the following additional information added:

Transit balance, if any, of through freight rate to _____ of _____ per 100 pounds.

§ 263.7 *Variations for grades.* The loan rate for grain sorghums which grade No. 3 shall be 3 cents per 100 pounds less than the basic loan rate. The loan rate for grain sorghums which grade No. 4 shall be 16 cents per 100 pounds less than the basic loan rate. In addition, there shall be a discount of 3 cents per 100 pounds for mixed grain sorghums.

§ 263.8 *Storage payment.* There shall be no storage allowance for grain sorghums in farm storage. On grain sorghums stored in public warehouses, 12 cents per 100 pounds shall be deducted from the applicable loan rate unless evidence of prepaid storage is submitted in substantially the following form:

Storage charges through April 30, 1946, on the grain sorghums represented by this warehouse receipt have been paid or otherwise provided for, and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.

Address _____ Warehouseman _____

§ 263.9 *Determination of quantity of grain sorghums.* Loans shall be made on the basis of 100-pound units. A unit of 100 pounds shall be determined to be 100 pounds of grain sorghums, free of dockage, when determined by weight, or 2.25 cubic feet of grain sorghums having test weight of 56 pounds per bushel when determined by measurement. In determining the quantity of grain sorghums in farm storage by measurement, fractional units of less than 100 pounds will be disregarded. The quantity of 100-pound units determined by measurement of grain sorghums of test weights less than 56 pounds per bushel shall be the following percentages of the quantity for grain sorghums of test weight of 56 pounds per bushel:

	Percent
For grain sorghums testing 56 pounds or over	100
For grain sorghums testing 55 pounds or over, but less than 56 pounds	98
For grain sorghums testing 54 pounds or over, but less than 55 pounds	96
For grain sorghums testing 53 pounds or over, but less than 54 pounds	95
For grain sorghums testing 52 pounds or over, but less than 53 pounds	93
For grain sorghums testing 51 pounds or over, but less than 52 pounds	91
For grain sorghums testing 50 pounds or over, but less than 51 pounds	89
For grain sorghums testing 49 pounds or over, but less than 50 pounds	87

§ 263.10 *Farm storage.* Grain sorghums stored on the farm must have been stored in the granary at least 30 days prior to their inspection for measurement, sampling, and sealing, except as approved by State agricultural conservation committees. Chattel mortgages covering the grain sorghums must be executed and filed in accordance with the applicable State law.

§ 263.11 *Warehouse storage.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts covering eligible grain sorghums pledged as collateral to notes on C. C. C. Grain Form B, or C. C. C. Commodity Form B, issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement as amended, and has been approved by Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the regional director of Commodity Credit Corporation serving the area in which the warehouse is located. A list of approved warehouses for the area and their location is available at the office of the regional director. A list of approved warehouses for the area may also be obtained at any State or county agricultural conservation office. All grain sorghums pledged as security for a particular loan must be stored in the same warehouse.

§ 263.12 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer, must be dated on or prior to the date of the related note, must be properly assigned by an endorsement in blank so as to vest title in the holder, and must be issued by an approved warehouseman. Unless the warehouse receipts are stamped or printed "insured" there must be attached and included in the certificate of the warehouseman a statement that the grain sorghums are insured for not less than the market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for handling and storage charges will be recognized only from May 15, 1945, or the date of the warehouse receipt, whichever is later. Such receipts must set out in their written or printed terms the gross weight, the grade, class, subclass, test weight, and all other factors and statements required to be stated in the written or printed terms of negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Act, or be accompanied by a certificate of the warehouseman, identified with such warehouse receipts, setting forth such information, and shall be based on the inbound movement or delivery of the grain sorghums to the warehouse.

§ 263.13 *Liens.* The grain sorghums securing the loan must be free and clear of all liens or proper waivers must be secured from each lienholder.

§ 263.14 *Maturity and interest rate.* Grain sorghums loans will mature on demand but not later than April 30, 1946. All loans will bear interest at the rate of 3 percent per annum.

§ 263.15 *Lending agency.* Any bank, cooperative marketing association, or other corporation, partnership, or person, making loans in accordance with these instructions, which has executed the contract to purchase, on 1940 C. C. C. Form E, may act as a lending agency in connection with the 1945 Grain Sorghums Loan Program.

§ 263.16 *Eligible paper.* Eligible paper shall consist of notes of the producer on C. C. C. Grain Form A (Revised) secured by chattel mortgages on C. C. C. Grain Form AA (Revised), or notes on C. C. C. Commodity Form A secured by chattel mortgages on C. C. C. Commodity Form AA, or notes and loan agreements on C. C. C. Grain Form B, or C. C. C. Commodity Form B, secured by warehouse receipts representing grain sorghums in existence and undamaged, executed in accordance with these instructions and approved by a member of the county agricultural conservation committee, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

§ 263.17 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, eligible paper, as defined above, from lending agencies which have executed and delivered, to the regional office of Commodity Credit Corporation to which notes are submitted, Contract to Purchase, 1940 C. C. C. Form E, forms of which contract are obtainable from such offices. Notes held by lending agencies must be tendered to Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request and, in the absence of such request, at least 10 days prior to maturity. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes, plus accrued interest at the rate of 1½ percent per annum, from the respective dates of the disbursements of the loans to the date of payment of the purchase price. Under the terms of the contract to purchase, lending agencies are required to report weekly, on C. C. C. Commodity Form F, all payments or collections on producers' notes held by them, and to remit, with such report, to Commodity Credit Corporation, an amount equivalent to 1½ percent interest per annum on the principal amount collected from the date of the note to the date of payment.

§ 263.18 *Insurance*—(a) *Grain sorghums stored on farms.* Commodity Credit Corporation will not require producers to insure their 1945 farm-stored grain sorghums placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion by the producer, or his negligence, or caused by vermin, the producer will not be held personally liable on the note. In case of partial physical loss of collateral resulting from an external cause, with the exceptions aforesaid, the producer will not be held liable for that part of the indebtedness secured by the grain sorghums lost. No loss will be assumed by the Corporation if it is determined that there is a fraudulent representation on the part of the borrower in connection with the loan.

(b) *Grain sorghums stored in approved warehouses.* Warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, windstorm, cyclone, and tornado, for the full market value of grain sorghums stored in their warehouses as long as receipts are outstanding.

§ 263.19 *Offices of Commodity Credit Corporation.* The offices of the regional directors previously referred to herein and the areas served by them are:

Address of regional director and area

208 South LaSalle St., Chicago 4, Ill.: Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia.

Dwight Bldg., 1004 Baltimore Ave., Kansas City 13, Mo.: Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.

McKnight Bldg., Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

304 Artisans Building Portland 5, Oreg.: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

§ 263.20 *County agricultural conservation committees.* Forms may be obtained from county agricultural conservation committees in the areas designated in § 263.4 of this part and copies, for the purpose of information, may be obtained from such committees or from the office of the regional director serving the area, listed in § 263.19 of this part. All loan documents will be completed and approved by the county committee. In order to meet the cost of the local expenses, county agricultural conservation associations will collect a service fee for all loans.

§ 263.21 *Release of collateral.* A producer may obtain release of the grain sorghums by paying to the lending agency or Commodity Credit Corporation, whichever holds the note, the principal amount due thereon, plus interest. If the note is held by an out-of-town lending agency or by Commodity Credit Corporation, the producer may request that the note be forwarded to a local bank for collection. In such case, the local bank will be instructed to return the note to the sender if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of the farm storage loan, the county agricultural conservation committee should be requested to release the mortgage by filing an instrument of release with the county recorder or by a marginal release on the county recorder's records. Producers may obtain partial releases of the grain sorghums by paying to the holder of the note the loan value and accrued interest for the grain sorghums released. In the case of warehouse-stored grain sorghums, each partial release must cover all the grain sorghums under one warehouse receipt.

Dated: May 18, 1945.

C. C. Farrington,
Vice President,
Commodity Credit Corporation.
Director,
Office of Basic Commodities.

[F. R. Doc. 45-11114; Filed, June 23, 1945; 11:08 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

[Amdt. 2]

Part 965—Milk in the Cincinnati, Ohio, Marketing Area

Findings and Determinations on Handling of Milk

§ 965.1 *Findings and determinations*—(a) *Findings upon the basis of hearing record.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR, 1941 Supp., 900.1–900.17; 7 F.R. 3350, 8 F.R. 2815), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. It is hereby found upon the evidence introduced at such hearing, said findings being in addition to the findings previously made upon the evidence introduced at the original hearing on said order and at hearings on the amendments thereto, and to the other findings made prior to or at the time of the original issuance of said order and prior to or at the time of the issuance of the amendments thereto (all of which findings are hereby ratified and affirmed, save only as such findings are in conflict with the findings hereinafter set forth), that:

(1) The order regulating the handling of milk in the said marketing area, as amended and as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the Cincinnati, Ohio, marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the said order, as amended and as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended and as hereby amended, regulates the handling of milk in the same manner, and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order, as amended) of at least 50 percent of the volume of milk covered by this order, which is marketed within the Cincinnati, Ohio, marketing area, refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the said order, as amended and as hereby amended, is the only practical means pursuant to the declared policy of the act of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of the order, as amended and as hereby amended, is approved or favored by at least two-thirds of the producers who, during April 1945 (determined to be a representative period), were engaged in the production of milk for sale in the said marketing area.

Order Relative to Handling

It is hereby ordered, That such handling of milk in the Cincinnati, Ohio, marketing area as is in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce, shall from the effective date hereof be in compliance with the terms and conditions of the said order, as amended and as hereby amended; and the said order, as amended, is hereby amended as follows:

Substitute a colon (:) for the period (.) at the end of § 965.6 (a) (3) and add the following proviso: "*Provided further*, That the price for milk made into butter during the delivery periods of June and July, 1945, shall be that resulting from the following computation by the market administrator: subtract 4 cents from the average price per pound of 92-

score butter at wholesale in the Chicago market (reported in the manner indicated above in this subparagraph) for the delivery period during which such milk was received, multiply the result by 4.8 and add an amount computed by: subtracting 8.6 cents from the average price of spray and roller process dry skim milk (computed in the manner provided above in this subparagraph) and multiplying the result by 8.5. The price computed pursuant to this proviso shall not be construed to be the Class III price as applied in any other section of this order."

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.; E.O. 9280; 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423, E.O. 9392, 8 F.R. 14783)

Issued at Washington, D. C., this 15th day of June 1945, to be effective on and after the 27th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

Approved: June 20, 1945.

WM. H. DAVIS,
Director of Economic Stabilization.

[F. R. Doc. 45-11115, Filed, June 23, 1945; 11:08 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 22-8, Amdt. 2]

PART 1425—CANNED AND PROCESSED FOODS

CANNED FRUITS, AND CANNED FRUIT JUICES, REQUIRED TO BE SET ASIDE DURING 1945

War Food Order No. 22-8, as amended (10 F.R. 1257, 7522), is hereby further amended as follows:

1. By deleting from Columns B and D of Table I, opposite the word "Apricots" in Column A of said table, the figures "46" and "49" and inserting, in lieu thereof, the figures "58" and "61," respectively.

2. By deleting from Columns B and D of Table I, opposite the word "Pineapple" in Column A of said table, the figures "62" and "72" and inserting, in lieu thereof, the figures "60" and "70," respectively.

3. By deleting from Columns B and D of Table I, opposite the words "Pineapple juice" in Column A of said table, the figures "52" and "62" and inserting, in lieu thereof, the figures "38" and "48," respectively.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 23, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 22-8 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 22-8 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO No. 22, as amended, 8 F.R. 2243, 6397; 9 F.R. 4321, 4319, 9584; 10 F.R. 103)

Issued this 20th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-11023; Filed, June 22, 1945; 12:21 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Revision IX, Feb. 28, 1945, Cum. Supp. 4, June 22, 1945]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of the Foreign Economic Administration, and the Director, Office of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 4 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision IX of February 28, 1945 (10 F.R. 2648), is hereby promulgated.[1]

By direction of the President:

[SEAL]

JOSEPH C. GREW,
Acting Secretary of State.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

FRANCIS BIDDLE,
Attorney General.

H. A. WALLACE,
Secretary of Commerce.

LEO T. CROWLEY,
Administrator, Foreign Economic Administration.

WALLACE K. HARRISON,
Director, Office of Inter-American Affairs.

JUNE 22, 1945.

[F. R. Doc. 45-11162; Filed, June 23, 1945; 2:38 p. m.]

[1] Filed with the Division of the Federal Register in the National Archives. Requests for printed copies should be addressed to the Federal Reserve banks or the Department of State.

TITLE 29—LABOR

Chapter V—National War Labor Board

Appendix—Industry Commissions and Panels

DIRECTIVE ORDER ESTABLISHING NATIONAL TELEPHONE COMMISSION

By virtue of and pursuant to the powers vested in it by Executive Order 9017 of January 12, 1942, Executive orders and regulations issued under the act of Congress of October 2, 1942, as amended, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby amends its resolution of December 29, 1944, establishing the National Telephone Panel to read as follows:

I. *Organization.* A National Telephone Commission, (hereafter called the "Commission") is hereby established with headquarters at Washington, D. C., where, unless otherwise authorized by the National Board or the Executive Director, it shall conduct any necessary proceedings.

The National War Labor Board shall appoint the members of the Commission, two of whom shall be representatives of industry, two representatives of labor, and two representatives of the public. One public member shall serve as Chairman and the other as Vice-Chairman. There may also be appointed by the Board substitute labor and industry members.

Each member shall be entitled to one vote on any matter put to a vote before the Commission. Equality of voting shall be preserved among representatives of labor, industry and the public. Six members, including two representatives each of labor, industry and the public, shall constitute a quorum. At the discretion of the Commission three members, including one representative each of labor, industry and the public, may be constituted a quorum of the Commission to act upon matters not involving major policy questions.

In any case coming before the Commission in which the employees are represented by a union which is not represented either directly or through an organization with which it is affiliated in the Commission membership, the public members of the Commission may, on request of the union involved in the case, designate a labor representative on the Commission for all of the purposes of the case.

II. *Jurisdiction.* The jurisdiction of the Commission shall include all dispute and voluntary cases arising in the telephone industry. The Commission, unless the Board otherwise directs, shall have jurisdiction of all issues in such cases.

III. *Referral of cases to the Commission.* Any dispute case arising in the telephone industry shall be referred to the Commission by the New Case Committee of the Board. Voluntary wage agreements shall be submitted on Form 10 applications and may be submitted directly to the Commission by the party or parties filing the application. Any award by an arbitrator on a wage or salary issue shall be submitted to the Commission by the arbitrator in accordance with the provisions of section 2.31 (a) of the Board's rules of organization and procedure.

The Commission shall have authority to refer to a Regional War Labor Board any voluntary case which it deems can be more effectively handled by a Regional Board. The Commission shall also have authority to recommend to the New Case Committee that any dispute case be referred to a Regional Board if the Commission decides the case can be more effectively handled by a Regional Board.

IV. *Functions and procedure.* The Commission shall have authority to decide all dispute or voluntary cases within its jurisdiction and to issue appropriate directive orders or rulings. The rulings of the Commission on wage or salary adjustments and its directive orders in dispute cases shall have the same effect, and be subject to stay and review by the National War Labor Board to the same extent, as rulings and orders of the Regional War Labor Boards, as set forth in Part VI of the Board's rules of procedure, as amended.

V. *Services available to Commission.* In any case within its jurisdiction the Commission shall utilize the services of the Board's staff and, with the consent of any Regional Board, may avail itself of the services of the staff of such Regional Board.

Effective date. This directive order shall take effect on and after June 15, 1945.

Adopted: June 15, 1945.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-11107; Filed, June 23, 1945; 9:38 a. m.]

Chapter VII—War Manpower Commission

HARTFORD, CONN., LABOR MARKET AREA

MINIMUM WARTIME WORKWEEK

Designation of the Hartford Labor Market Area[1] in the State of Connecticut as subject to the provisions of Executive Order No. 9301 (8 F.R. 1825) is hereby amended as follows:

All less essential activities in the Hartford Labor Market Area in the State of Connecticut are hereby excluded from the provisions of Executive Order No. 9301.

The effective date of this amendment is June 22, 1945.

Date of issuance: June 19, 1945.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 45-11160; Filed, June 23, 1945; 1:59 p. m.]

NEWPORT, PROVIDENCE, AND WESTERLY, R. I., AREAS

MINIMUM WARTIME WORKWEEK

The designation of the Newport, Providence, and Westerly labor market areas[1] in the State of Rhode Island as subject to the provisions of Executive Order No. 9301 (8 F.R. 1825) is hereby revoked, effective June 26, 1945.

Date of issuance: June 19, 1945.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 45-11159; Filed, June 23, 1945; 1:59 p. m.]

[1] Affects § 903.21.

Chapter IX—War Food Administration (Agricultural Labor)

PART 1100—REGULATIONS RELATIVE TO SALARIES AND WAGES OF AGRICULTURAL LABOR

On August 28, 1943, the Economic Stabilization Director promulgated revised regulations relating to wages and salaries (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547), by virtue of authority vested in the President by the act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (56 Stat. 765) as amended by the Public Debt Act of 1943, entitled "An Act to increase the debt limit of the United States and for other purposes," (57 Stat. 63), and as amended by the Stabilization Extension Act of 1944, entitled "An Act to Amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes" (58 Stat. 632), and vested in turn by the President in the Economic Stabilization Director, under Executive Order 9328 dated April 8, 1943 (3 CFR, Cum. Supp. p. 1267). These regulations conferred on the War Food Administrator authority to administer the provisions thereof relating to the stabilization and limitation of salaries and wages paid to agricultural labor. In the exercise of authority so conferred on the War Food Administrator, the following regulations relating to salaries and wages of agricultural labor issued on January 17, 1944, as amended (9 F.R. 655, 6011, 7378, 9641), and as revised on October 3, 1944 (9 F.R. 12117, 12611), are hereby amended and revised to read as follows:

Sec.
1100.1 Definitions.
1100.2 Delegations.
1100.3 Jurisdiction.
1100.4 Wage boards.
1100.5 Interpretation of the term "agricultural labor."
1100.6 Applicable to employers of a single employee.
1100.7 Specific wage ceiling regulations.
1100.8 Procedure for recommending establishment of wage ceilings.
1100.9 Salary or wage control.
1100.10 Salary or wage increases.
1100.11 How approval obtained.
1100.12 Limitation on effect of increases.
1100.13 Salary or wage decreases.
1100.14 Determination of violations.
1100.15 Effect of unlawful payments.
1100.16 Inspection of records.
1100.17 Evasions.
1100.18 Scope of regulations.

AUTHORITY: §§ 1100.1 to 1100.18 inclusive, issued under 56 Stat. 765 (1942), 50 U.S.C. App. §§ 961 et seq. (Supp. III), as amended by 57 Stat. 63 (1943), 50 U.S.C. App. § 964 (Supp. III), and by 58 Stat. 632 (1944); E.O. 9328, 3 CFR, Cum. Supp., p. 1267; Regs. of Economic Stabilization Director, dated August 28, 1943, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547.

§ 1100.1 *Definitions.* When used in this part, unless otherwise distinctly expressed, or manifestly incompatible with the intent thereof:

(a) The term "act" means the act of October 2, 1942 (56 Stat. 765), entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes", as amended by the Public Debt Act of 1943, entitled "An Act to increase the debt limit of the United States and for other purposes" (57 Stat. 63), and as amended by the Stabilization Extension Act of 1944, entitled "An Act to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes" (58 Stat. 632). (Issued Jan. 17, 1944, and as amended Oct. 3, 1944.)

(b) The term "general regulations" means amended regulations relating to wages and salaries, promulgated by the Economic Stabilization Director on August 28, 1943, as amended or supplemented (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547). (As issued Jan. 17, 1944.)

(c) The term "specific wage ceiling regulations" means the regulations promulgated by the War Food Administrator on January 20, 1944 (9 F.R. 831) as revised on October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14266, 10 F.R. 3177, 3518), and includes any supplements issued pursuant thereto. (Currently added.)

(d) The term "supplements" means determinations made and public notices issued with respect to maximum wage rates for areas, crops, classes of employers, or otherwise of agricultural labor, pursuant to § 4001.7 of the general regulations. (Currently added.)

(e) The term "Administrator" means the War Food Administrator, and any person, or agency, authorized by him to carry out the purposes and provisions of these regulations and other regulations issued by him pursuant to his authority under the "general regulations." (As issued Jan. 17, 1944.)

(f) The term "Director" means the Director of Labor, War Food Administration. (Issued Jan. 17, 1944 and as currently amended.)

(g) The term "person" means any individual, partnership, corporation, association, business trust, or any other organization or group of persons, whether incorporated or not, or any legal successor or representative of any of the foregoing. (Issued Jan. 17, 1944, and as currently amended.)

(h) The term "in contravention of the act" means in contravention of the act of October 2, 1942, as amended (referred to in paragraph (a) above), Executive Order No. 9250 of October 3, 1942 (3 CFR, Cum. Supp. p. 1213), Executive Order No. 9328 of April 8, 1943 (3 CFR, Cum. Supp. p. 1267), the general regulations, these regulations, and any other orders, rulings, and regulations promulgated under said act. (Issued Jan. 17, 1944, and as currently amended.)

(i) The term "agricultural labor" means persons who are employed in farming in any of its branches, including among other things the cultivation and tillage of the soil, dairying, the production, cultivation and harvesting of agricultural or horticultural commodities, and the raising of livestock, bees, or poultry: *Provided, however*, That the term "agricultural labor" shall not include any person whose salary payments exclusive

of bonuses and additional compensation, and without regard to the contemplated adjustment, are at a rate computed on an annual basis which exceeds $5,000.00 per annum. (As issued Jan. 17, 1944.)

(j) The term "wages" or wage payments" means all forms of direct or indirect compensation which is computed on an hourly or daily basis, a piece work basis, or other comparable basis, for personal services of an employee irrespective of when rendered, including bonuses, additional compensation, gifts, commissions, loans, fees, and any other remuneration in any form or medium whatsoever (but excluding insurance and pension benefits in a reasonable amount). (As issued Jan. 17, 1944.)

(k) The term "salary" or "salary payments" means all forms of direct or indirect compensation which is paid on a weekly, monthly, annual, or other comparable basis, except a wage basis, for personal services of an employee irrespective of when rendered, including bonuses, additional compensation, gifts, loans, commissions, fees, and any other remuneration in any form or medium whatsoever (excluding insurance and pension benefits in a reasonable amount). (As issued Jan. 17, 1944.)

(l) The term "salary rate" means the rate or other basis at which the salary for any particular work or service is paid, either under the terms of a contract or agreement, or in conformity with an established custom or usage. (As issued Jan. 17, 1944.)

(m) The term "wage rate" means the rate or other basis at which the wage for any particular work or service is paid, either under the terms of a contract or agreement, or in conformity with an established custom or usage. (Currently added.)

(n) The terms "approval of the Administrator" and "determination by the Administrator" shall include approval or determination by an agent or agents of the Administrator, duly authorized to perform such acts. (As issued Jan. 17, 1944.)

(o) The term "producer" means the person who is in charge of the farming operations on a farm. (As issued Oct. 3, 1944.)

(p) The term "employer" means any person for whom an individual performs any service for compensation, of whatever nature, as the employee of such person. The factors characteristic of an employer, but not necessarily present in every case, are the right to hire, control, and discharge, and the furnishing of tools, or of a place to work, to the individual performing the services. An examination of the particular facts of each case will be made to determine who is the employer in the light of the general purposes of the act, the general regulations, this part and any other orders, rulings, and regulations promulgated under the act. (Currently added.)

§ 1100.2 *Delegation.* The administration of the program for stabilization of salaries and wages of agricultural labor established by the general regulations, this part, and other regulations promulgated by the Administrator, and the powers conferred upon the Administrator, with respect to such program, including but not limited to the authority to determine whether or not salary or wage payments have been made in contravention of the act, the authority to impose sanctions and the authority to certify the amount determined to any executive department or other agency of the Federal Government, are hereby delegated to the Director of Labor, War Food Administration, who is hereby authorized to redelegate any such powers to employees of the War Food Administration. The Director shall be assisted in the administration of the program for the stabilization of salaries and wages of agricultural labor by such employees of the War Food Administration as he may designate, and such designated employees are hereby authorized to assist in the administration of such program. (Issued Jan. 17, 1944, amended Oct. 3, 1944, and as currently amended.)

§ 1100.3 *Jurisdiction.* Under the general regulations, the Administrator has the authority to determine whether salary or wage payments to agricultural labor are made in contravention of the act. Such authority does not include determinations with respect to salaries over $5,000.00 per annum. Thus, where salary payments are at a rate computed on an annual basis of more than $5,000.00 per annum, jurisdiction over such salaries is with the Commissioner of Internal Revenue. However, increases in bonuses or other forms of additional compensation, where the salary payments are at a rate computed on an annual basis of $5,000 or less, and increases in such salary payments which have the effect of raising them from below $5,000 per annum to more than $5,000 per annum, are within the jurisdiction of the Administrator.

Nothing contained in this part shall be construed to affect any jurisdiction which the National War Labor Board may have by virtue of the War Labor Disputes Act of 1943 (57 Stat. 163) and Executive Order No. 9017 (3 CFR, Cum. Supp. 1075) as extended by section 1, Title III of Executive Order No. 9250 (3 CFR Cum. Supp. 1214). However, no person, including any Federal, State, or other Governmental agency, or any officer thereof, shall have authority to overrule, amend, change, or modify, directly or indirectly, any supplement to the specific wage ceiling regulations issued by the Administrator pursuant to § 4001.7 of the general regulations and as described in § 1100.7 hereof. (Issued Jan. 17, 1944, amended Oct. 3, 1944, and as currently amended.)

§ 1100.4 *Wage boards.* From time to time the Director may establish wage boards for the various States. Such boards shall be known as State WFA Wage Boards. Such boards as have heretofore been established shall continue to function under this part and the specific wage ceiling regulations described in § 1100.7 hereof. The personnel of such boards shall be appointed by the Director, and shall be persons whom the Director determines to be qualified to perform the functions of the board. The Director, in his discretion, is authorized to appoint alternates, to fill vacancies, and to remove and replace members of such boards. Such boards are hereby authorized to hold public hearings in order to recommend to the Administrator areas, crops, classes of employers, or otherwise, for which wage rates should be established as authorized in § 4001.7 of the general regulations. Such boards shall have the authority to hold hearings in order that the Administrator may determine whether there have been violations of this part or of specific wage ceiling regulations and supplements thereto issued by the Administrator. Such boards may, in the discretion of the Director, be given authority to pass upon applications for increases or decreases in wages or salaries of agricultural labor in their States in accordance with the provisions of this part. Such boards may exercise such further functions as the Administrator or the Director may prescribe. Alternate members of a wage board may, when acting, perform all the functions of the regular members of the board. (Issued Jan. 17, 1944, amended Oct. 3, 1944, and as currently amended.)

§ 1100.5 *Interpretation of the term "agricultural labor."* The meaning of the term "agricultural labor" as used in the general regulations and this part is not free from difficulty in its application to specific cases. While the definition in the general regulations and this part will enable those affected to determine their status in the vast majority of cases, there are always borderline cases which may leave affected persons in doubt. The War Food Administrator is authorized by § 4001.1 (i) of the general regulations to issue such interpretations of the definition of "agricultural labor" as he finds necessary. It is the purpose of this interpretation to clarify such borderline cases insofar as experience to date will permit. The situations covered below will constitute or will not constitute agricultural labor as the case may be, for the purpose of this part. However, the Administrator may supplement this interpretation from time to time, as more specific cases are brought to his attention, and reserves the right to determine in specific cases whether employees are employed in agricultural labor.

Employees engaged in the following described operations are agricultural labor for the purpose of the general regulations and this part, unless otherwise herein specifically stated to the contrary:

(a) *Cultivation and tillage of the soil.* Preparation of a suitable seedbed; elimination of competing weed growth, and improvement of physical condition of the soil. Includes services performed in connection with the operation of maintenance of ditches, canals, reservoirs, or waterways used exclusively for supplying and storing water for farm purposes.

(b) *Dairying.* Milking of cows or goats, putting the milk into tins, cooling it, and storing it on the farm. If the milk is obtained from the employer's cows or goats, his employees engaged in operations such as separating the cream from the milk, bottling such cream or milk or making butter and cheese out of such milk and cream, are agricultural labor. (Issued Jan. 17, 1944, and as amended Oct. 3, 1944.)

(c) *Production, cultivation, growing, harvesting of agricultural or horticultural commodities.* Includes all customary operations in connection with the raising of any agricultural or horticultural commodity, and all operations customarily performed in connection with the removal of such commodities from the place where they are grown. See also paragraph (g) (1) hereof.

Agricultural or horticultural commodities include grains, forage crops, fruits, vegetables, nuts, sugar crops, fiber crops, tobacco, nursery products, and eggs.

Employees engaged in growing or harvesting agricultural commodities are agricultural labor, even though the commodities are raised in a greenhouse, nursery, enclosed shed, or hotbed. (As issued Jan. 17, 1944.)

(d) *Raising of livestock.* Includes the breeding, feeding, and general care of the following animals among others: cattle, sheep, swine, horses, mules, jackasses, or goats. It does not include any labor employed at stockyards. (As issued Jan. 17, 1944.)

(e) *Raising of bees.* Includes all activities customarily performed in connection with the handling and keeping of bees, including treatment of disease, and the raising of queens. (As issued Jan. 17, 1944.)

(f) *Raising poultry.* Includes the breeding, hatching, feeding and general care of poultry, whether such activities are performed on a farm, in hatcheries or elsewhere. The word "poultry" includes domestic fowl and game birds. (Issued Jan. 17, 1944, and as amended Oct. 3, 1944.)

(g) *Miscellaneous situations.* (1) Employees engaged in packing, or other preparation of agricultural commodities for market, delivery of such commodities to storage or market, or to a carrier for transportation to market, generally are not agricultural labor. However, if an employee is engaged primarily in an occupation that is classified in this part as agricultural labor, and incidentally aids in packing, or otherwise preparing agricultural commodities for market, delivery of such commodities to storage or market or to a carrier for transportation to market, and such commodities are produced by the employer who has employed him for his primary occupation, such an employee shall be considered agricultural labor: *Provided, however,* That such an employee shall not be considered to be employed in agricultural labor to the extent that he works in a packing shed or other establishment preparing agricultural commodities for market which employs more than eight employees in packing or other preparation of agricultural commodities for market, even though such employees are working on a commodity produced exclusively on the farm and even though the shed is located at the situs of the farming operations. (Issued Jan. 17, 1944, and as amended Oct. 3, 1944.)

(2) Employees who are agricultural labor as defined herein will continue to remain in that status, even though they are employed in forestry and lumber operations, so long as the operations constitute a subordinate and established part of the employer's farm activities. Employees engaged totally or a majority of their time in such operations are not agricultural labor, even though their employer also conducts farm operations which are classified herein as agricultural. If the employer is engaged in lumbering operations on logs or timber grown on other farms as well as his own, his employees engaged in such operations are not agricultural labor. Logging or sawmill operations performed by employees of persons other than the operator of the farm are not agricultural labor. (As issued Jan. 17, 1944.)

(3) Clerical help, mechanics, maintenance workers, and night watchmen are agricultural labor when they are directly employed to aid in farming operations. (This does not include independent contractors, or their employees, who are engaged in performing any of the above types of work.) Such persons are not to be considered agricultural labor when they work at an establishment which is not located at the site of the farming operations. (Issued Jan. 17, 1944, and as amended Oct. 3, 1944.)

(4) Farm managers or farm superintendents who spend a majority of their time engaged in or directly supervising agricultural activities as described in paragraphs (a), (b), (c), (d), (e), and (f) herein are agricultural labor. However, such persons are not agricultural labor if they are employed by independent contractors. (As issued Oct. 3, 1944.)

(5) The raising of fur-bearing animals is not included in the definition of agricultural labor, and employees engaged in raising such animals are not agricultural labor, as that term is used in the general regulations and this part. (As issued Jan. 17, 1944.)

§ 1100.6 *Applicable to employers of a single employee.* Section 4001.16 of the general regulations is not applicable to agricultural labor and employers of agricultural labor are subect to the provisions of the act, the general regulations, this part, or other orders, rulings, and regulations promulgated under the act, irrespective of the number of employees which they employ. (As issued Jan. 17, 1944.)

§ 1100.7 *Specific wage ceiling regulations.* In accordance with the provisions of § 4001.7 of the general regulations, increases may be made in salary and wage payments to agricultural labor, so long as such payments are not more than $2,400.00 per annum, without the prior approval of the Administrator. However, the Administrator has authority under the provisions of that section to determine that, with respect to areas, crops, classes of employers, or otherwise, such increases or payments may no longer be made without the approval of the Administrator. Specific wage ceiling regulations have been issued by the Administrator (9 F.R. 831, 12807, 14206, 10 F.R. 3177, 3518) and with respect to the wages and salaries of certain employees engaged in working upon particular crops in designated areas, supplements to this part have been issued adapted to the particular crop and area. From time to time the Administrator may issue other supplements, relating to particular areas, crops, classes of employers, or otherwise. Nothing in this part is to be taken as superseding or amending such specific wage ceiling regulations or any supplement thereto which has already been issued, and nothing in any supplement issued hereafter shall be taken to supersede or amend this part unless so specifically stated in the supplement to the specific wage ceiling regulations. (Issued January 17, 1944, amended October 3, 1944, and as currently amended.)

§ 1100.8 *Procedure for recommending establishment of wage ceilings.* Whenever it is directed by the Administrator or the Director a wage board shall, and upon its initiative may, hold a public hearing for the purpose of determining whether a majority of the producers of a commodity in a particular area participating in such hearing desire the intervention of the Administrator and for the purpose of aiding the Administrator in establishing a supplement to the specific wage ceiling regulations as described in § 1100.7 hereof: *Provided,* That a wage board will not recommend a particular supplement to the specific wage ceiling regulations to the Administrator unless a majority of the producers of the commodity covered thereby within the area affected attending such hearing request the intervention of the Administrator: *And provided, further,* That if the wage board is of the opinion that such majority is not representative of the entire group of producers of such commodity in the area affected the wage board may withhold its recommendation for the establishing of a wage ceiling until it can be ascertained that a majority of producers participating in a referendum conducted by the wage board for that purpose request the intervention of the Administrator.

For the purpose of such a hearing a member of the staff of the Office of Labor may be appointed to sit as a non-voting member of the board. The board shall give public notice of such hearing at least three days prior to the hearing. Such notice shall contain the time and place of the hearing, the crop or crops to be affected, the area and type of work involved. Such public notice shall be given by posting in prominent places in the area to be affected, and in news stories or by paid advertisements in local newspapers of general circulation. The hearing shall be conducted by two or more members of the board as the board shall direct. The hearing shall be informal. Testimony shall be taken concerning the type of work to be controlled, the exact areas to be subject to control, the crop or crops to be affected, the wage rates paid, and all related matters relative to the establishment of a wage ceiling. All interested persons may appear and testify. A transcript of the record shall be made. The presiding officer shall open the hearing with a statement

of its purpose and the rules which will govern. As soon as possible after the hearing is concluded, the board shall prepare its recommendations (which must be approved by at least a majority of the board) as to the types of employment, wage rates to be paid, crop or crops to be affected, the extent of the area to be subject to control, and other related matters, and forward to the Administrator the report together with the transcript of the hearing and a record showing that a majority of the producers participating in the referendum or meeting request the intervention of the Administrator. Neither the testimony received nor the recommendations of the board are binding upon the Administrator in establishing a supplement to the specific wage ceiling regulations. Any interested person may file a petition for reconsideration of a supplement to the specific wage ceiling regulations with the wage board administering the regulations or with the Administrator. If such petition is filed with a wage board, such board shall forward the petition together with its recommendations to the Administrator. (Issued January 17, 1944, amended June 1, 1944, July 1, 1944, August 8, 1944, October 3, 1944, and as currently amended.)

§ 1100.9 *Salary or wage control*—(a) *Scope of Administrator's authority.* The Administrator has jurisdiction over all wages of agricultural labor and over the salaries of agricultural labor of $5,000.00 per annum or less. As provided in § 1100.3 hereof, increases in salary payments which have the effect of raising salaries from below $5,000.00 per annum to more than $5,000.00 per annum are also within the jurisdiction of the Administrator.

Salaries and wages may be increased up to $2,400.00 per annum without the approval of the Administrator unless the Administrator has issued a supplement to the specific wage ceiling regulations, in which event salaries or wages may not exceed the maximum rates set forth in any such supplement. No increases shall be made in salary or wage payments to agricultural labor which are $2,400.00 per annum or more, or which will raise salary or wage payments to more than $2,400.00 per annum without the prior approval of the Administrator. (Issued Jan. 17, 1944, amended June 1, 1944, and Oct. 3, 1944, and as currently amended.)

(b) *Equivalent rates.* Section 4001.7 of the general regulations provides that "the phrase '$2,400.00 per annum' shall mean $200.00 a month or the equivalent weekly, hourly, piece-work rate or comparable basis."

Difficulties may arise in computing the salary or wage rates equivalent to $2,400.00 per annum or $200.00 per month for employees who are hired for short-term seasonal work of less than a month duration and when employees are paid on a weekly, hourly, daily, piece-work rate or comparable basis. For the benefit of employers and to facilitate a uniform administration of the salary and wage stabilization program the Administrator will from time to time publish weekly, hourly, daily, or piece-work rates or rates for a comparable basis, for a given area or for a specific crop, which the Administrator determines to be equivalent to a salary of $200.00 per month and such rates shall appear in the appendix to this part and shall be deemed a part hereof. Employers shall not pay a salary or wage rate in excess of such fixed equivalent rates without the prior approval of the Administrator, except as provided in § 1100.10.

In every instance employers should examine the rates published in the appendix hereto and be governed thereby. If such fixed rates are not applicable to the particular crop or area in which the individual employer is interested, that employer has the responsibility of predetermining the equivalent salary and wage rates. Such a determination may be influenced by the work experience of the individual employer and other factors which control the normal work day.

In most instances whether or not a wage rate is equivalent to the rate of $200.00 per month can be calculated by an employer in the following manner:

(1) *For daily rates.* Multiply the rate of compensation the employer proposes to pay per day by the customary number of days normally worked per month by employees in the area.

(2) *For hourly rates.* Multiply the rate of compensation the employer proposes to pay per hour by the customary number of hours per day the employee will normally work; then multiply the total daily earnings so determined, by the customary number of days normally worked per month by employees in the area to arrive at the total monthly wage.

(3) *Piece-work rate.* Compute first the equivalent hourly rate as prescribed in subparagraph (2) hereof, then determine the number of units an employee of average skill and speed (engaged in the particular work) would ordinarily turn out if he were working at the customary rate of speed for hourly work; once the number of units per hour has been determined divide the hourly wage rate by that number of units and the result will be the equivalent piece-work rate.

(4) *Short-term employment.* In determining equivalent rates for short-term seasonal operations which require employment of less than one month, or for employees who do not work the normal number of days per month, whether payment is made on a weekly, daily, hourly or piece-work basis, consideration shall be given to the normal length workday as well as the normal number of work-days per month generally worked by employees in the area. The wage rate for short-term employment and for employees who do not work the normal number of days per month shall not exceed the rate which could be paid under this part if the employee had worked the normal length workday for the customary number of days normally worked per month by employees in the area irrespective of the fact that the particular operation does not continue for a month or irrespective of the fact that the employee does not work the normal number of days per month. (Currently added)

§ 1100.10 *Salary or wage increases*—(a) *Rates requiring approval.* No increase in salary or wage payments may be made to employees engaged in agricultural labor who on December 9, 1943, received such payments at the rate of $2,400.00 per annum or more, or when the effect of the increase will be to increase salary or wage payments to a rate in excess of $2,400.00 per annum, without the prior approval of the Administrator. It makes no difference whether the salary or wage increase is accomplished by salary or wage increases per se, or by means of bonuses or other forms of additional compensation. All such payments which will have the effect of raising the earnings of an employee who earns $2,400.00 per annum or more, or of raising the earnings of the employee to more than $2,400.00 per annum must be approved to be lawful.

When a supplement to the specific wage ceiling regulations relating to an area, crop, class of employer, or otherwise, is issued, as described in § 1100.7 hereof, no payments above the rates described in such supplement may be made without the prior approval of the Administrator: *Provided*, That, if an employer was paying a particular employee doing the same type of work at a higher wage or salary rate between January 1, 1942 and September 15, 1942, such employer may pay such employee at the wage or salary rate paid during that period. If approval of a wage or salary increase has been granted prior to the issuance of a supplement to the specific wage ceiling regulations relating to such an employee or group of employees, the supplement shall control. Payments may be made by those affected, up to and including the rates prescribed by such supplement without the approval of the Administrator. Except in those instances where a lower rate has been established by a supplement to the specific wage ceiling regulations, no approval is required to increase salary or wage payments to agricultural labor up to $2,400.00 per annum ($200.00 per month).

The existence of prior contracts for salary or wage payments or increases will not justify payments or increases without the prior approval of the Administrator where such approval is required by these regulations or by any supplement to the specific wage ceiling regulations.

Any increases in wage or salary payments where approval is required will be in contravention of the act, if made without approval. Any increase will be lawful only from the date specified in the approval, if prior approval is required.

Nothing in this part is to be construed to prevent an increase, without prior approval, in the hours of employment or amount or volume of work performed on a piece rate basis. (Issued Jan. 17, 1944, amended June 1, 1944 and Oct. 3, 1944, and as currently amended.)

(b) *Conditional exceptions.* Payments by the same employer of the same salary rates or wage rates for the same type of work for the similar period or season made lawfully between December 9, 1942 and December 9, 1943, may be made without approval of the Administrator, unless a supplement to the specific wage regulations has established a salary or wage rate which is lower: *Provided, however*, That, the Administrator may cause an investigation to be made at any time and if it is found that the prevailing salary or wage rate paid between December 9, 1942 and December 9, 1943, in an area was less than the salary or wage rate being paid by any employer in the same area, the Administrator may require the employer to furnish proof to establish that he lawfully paid the same salary or wage rates for the same type of work for a similar perior or season between December 9, 1942 and December 9, 1943. In the event the employer is unable to prove to the satisfaction of the Administrator that salary or wage payments made by him during that period, in excess of $2,400.00 per annum were lawfully paid he shall be subject to the enforcement proceedings set forth herein and he may continue to pay salaries or wages at such higher rates only with the approval of the Administrator. Increases in salary or wage rates to more than the rate of $2,400.00 or increases in such rates which are at a rate of $2,400.00 or more per annum must be approved to be lawful. Nothing in this paragraph is to be construed as preventing the Administrator from investigating the salaries or wages paid by any individual employer or from causing appropriate enforcement action or actions to be instituted against any individual employer even though no determination of the salaries or wages prevailing between December 9, 1942 and December 9, 1943 has been made.

Payment of total compensation including bonuses, perquisites, and other additional forms of compensation in the same amount or at the same rates as those made lawfully between December 9, 1942 and December 9, 1943, may be made without approval even though that compensation is more than $2,400.00 per annum. Bonus payments lawfully in existence before December 9, 1943, based on a percentage of business or profits or other factor, may be paid without approval regardless of the dollar amount of the bonus, as long as the basic salary or wage rate and the method of computing the bonus are not changed, even though the total compensation is more than $2,400.00 per annum. A change from a salary to a commission basis of pay, however, or from a salary and bonus to a straight salary basis, requires prior approval. No change may be made in the method of payment which will have the effect of circumventing these regulations. (Issued June 1, 1944, amended Oct. 1, 1944 and as currently amended.)

(c) *Overtime.* Any increase in the rate of overtime or any payment of overtime where it was not the practice of the employer to pay overtime prior to December 9, 1943, may not be made without prior approval of the Administrator. Lawful overtime payments need not be included in determining whether an employee receives "$2,400.00 per annum" but all other additional forms of compensation, such as bonuses, perquisites and the like must be included. (Issued Jan. 17, 1944, as amended Oct. 3, 1944.)

(d) *New job classifications.* An employer who has established a new job classification or who has begun business after December 9, 1943, must obtain approval of the Administrator for the payment of wages or salaries in excess of $2,400.00 per annum for such job classification, or in such new business: *Provided, however*, In the case of new employees, if the wage or salary rates in question are not in excess of the maxima of those prevailing for similar job classifications within the employer's organization, or if no such rates are available, then within the local area in the year preceding December 9, 1943, the approval of the Administrator is not required. An increase in the wage or salary rate for job classifications established after December 9, 1943, where the rate of payment is $2,400.00 or more per annum or where the proposed increase will make the rate of payment more than $2,400.00 per annum, must have prior approval. No approval is necessary to employ additional persons at the same rate as that paid other employees doing the same type of work. Approval is not required to fill a vacancy in a position as long as no greater payments are made to the new employee hired to fill the vacancy than were paid to the employee who last previously occupied the position except that this does not permit any payment to any employee greater than that established by a supplement to the specific wage ceiling regulations. (Issued June 1, 1944, amended Oct. 3, 1944, and as currently amended.)

(e) *Adjustments.* Adjustments in instances of promotions, reclassifications, merit increases and the like, may be made only with the approval of the Administrator, when such adjustments are with reference to wages or salaries which are at the rate of $2,400.00 or more per annum: *Provided, however*, That reasonable adjustments for the following purposes may be made without approval of the Administrator if made pursuant to a salary or wage or schedule submitted to and approved by the Administrator:

(1) Individual promotions or reclassifications.

(2) Individual merit increases within established wage or salary rate ranges.

(3) Operation of an established plan of wage or salary increases based on length of service.

(4) Increased productivity under incentive plans.

(5) Operation of a trainee system.

(6) Such other reasons or circumstances as may be prescribed in rules or regulations of the Administrator from time to time.

Promotions and reclassifications for the purposes of the preceding paragraph comprehend only cases involving materially increased responsibilities or a substantial change in the nature of the work performed. Merit increases within a given salary range and increases based upon length of service shall not exceed in frequency or in maximum amount the frequency or maximum amount given in such positions in that salary or wage range during a normal period, and there shall be no substantial increase in the average salary rate in any given job classification range. (Issued June 1, 1944, as amended Oct. 3, 1944, and as currently amended.)

§ 1100.11 *How approval obtained.* Approval for an increase in salary or wage payments when the employee, prior to the proposed increase, is receiving such payments in the amount of $2,400.00 per annum or more, or when the effect of the proposed increase will be to increase such payments to more than $2,400.00 per annum, may be sought by sending an application for the approval of such increase to the Director, Office of Labor, War Food Administration, Washington 25, D. C., or to the State WFA Wage Board in those States in which the authority to approve adjustments pursuant to these regulations has been delegated. The burden of justifying an increase in salary or wage payments shall in every instance be upon the employer seeking to make such increase. Increases in such salary or wage payments will not be approved except in the following cases:

(a) Such adjustments as may be deemed proper and have not heretofore been made to compensate in accordance with the "Little Steel" formula as heretofore defined by the National War Labor Board, for the rise in the cost of living between January 1, 1941 and May 1, 1942.

(b) Salary and wage adjustment clearly necessary to adjust salaries or wages up to the minimum of the tested and going rates paid for the same work in the same or most nearly comparable areas in the same labor market, except in rare and unusual cases in which the critical needs of agricultural war production require the setting of a salary or wage at some point above the minimum of the going salary or wage bracket.

(c) Reasonable adjustments may be made in case of promotions, reclassifications, merit increases, and incentive payments: *Provided*, That such adjustments do not increase the level of production costs appreciably or furnish a basis either to increase prices or to resist otherwise justifiable reductions in prices.

(d) Wage or salary adjustments may be made to correct inequalities between immediately inter-related job classifications where such inequalities have arisen because of elimination of substandards of living or because of the applicability of the "Little Steel" formula, but only to the extent required to keep the minimum differentials necessary to maintain productive efficiency. Such adjustments are to be tapered off rigorously when applied to higher job classifications. (Issued Jan. 17, 1944, amended June 1, 1944 and Oct. 3, 1944.)

§ 1100.12 *Limitation on effect of increases.* No increase in salary or wage payments which requires the approval of the Administrator shall furnish the basis either to increase prices or to resist otherwise justifiable reductions in prices, or furnish the basis for further wage or salary increases. (As issued Jan. 17, 1944.)

§ 1100.13 *Salary or wage decreases.* In the case of salary or wage payments

existing on December 9, 1943, by means of which an employee is paid $5,000.00 or less per annum for any particular work, the general rule is that no decrease can be made by an employer in such salary or wage rate below that paid for such work between January 1, 1942 and September 15, 1942. A decrease may be permitted, however, with the approval of the Administrator, in order to correct a gross inequity in any case or to aid in the effective prosecution of the war. Where such decrease is permitted, the salary or wage rate may be reduced below the highest salary or wage rate paid for the work in question between January 1, 1942 and September 15, 1942. Except as otherwise provided in this section, any decrease in such salary or wage rate shall be considered in contravention of the act if it is made prior to the approval thereof by the Administrator. Except as may be otherwise provided from time to time by the Administrator, an application for approval of any salary or wage decrease shall be filed in the same manner as in the case of an application for approval of a salary or wage increase. See § 1100.11.

The Administrator's approval is not required, for example, in the following cases where salary or wage decreases are made:

(a) The new salary or wage rate does not fall below the highest salary or wage rate existing between January 1, 1942 and September 15, 1942 for the particular work in question.

(b) An employee has been demoted to a lower position than that filled by him between January 1, 1942 and September 15, 1942 and the salary or wage rate for such lower position is not less than the highest salary or wage rate existing for that position during the same period.

(c) An employee has been relieved of such specific duties and responsibilities as will justify the decrease.

The words "for any particular work" in this § 1100.13 refer to the particular work of the particular employee and not to a particular type of work.

If a supplement to the specific wage ceiling regulations as described in § 1100.7 hereof has been issued which establishes a lower salary or wage rate than that which an affected employee is receiving, by contract or otherwise, the salary or wage payments of the employee must be decreased to the salary or wage rate established by the supplement, and if an employer was paying a particular employee doing the same type of work higher wages or salary payments between January 1, 1942 and September 15, 1942, he shall pay no more than he paid during that period. No approval is required for such decreases. (Issued Jan. 17, 1944, amended June 1, 1944, Oct. 3, 1944 and as currently amended.)

§ 1100.14 *Procedure for determination of violations*—(a) *Preliminary investigation.* Preliminary investigations of alleged unlawful salary or wage payments shall be made by representatives of the Administrator. If the case is one to be handled by the Director the report of investigation shall be submitted to the Associate Solicitor in Charges of Agricultural Adjustment, Crop Insurance, and Labor, for consideration. If the case is one to be handled by the State WFA Wage Board, the report of investigation shall be submitted to the Regional Attorney, U. S. Department of Agriculture, within whose region the State involved lies, for consideration. The Associate Solicitor shall forward such reports as he receives, with his recommendations, to the Director. The Regional Attorneys shall forward such reports as they receive, with their recommendations, to the wage board which has jurisdiction over the alleged violations. If after consideration of the report and the recommendations, the Director or the wage board, as the case may be, is of the opinion that there is reasonable cause to believe that a violation has occurred, hearing proceedings shall be instituted. (Issued Jan. 17, 1944, and as currently amended.)

(b) *Authority to hold hearings.* All alleged violations will be handled by the Director for those States for which no State WFA Wage Board has been established, and by the State WFA Wage Board for those States for which wage boards have been established. The Director or the wage boards may conduct hearings and shall prepare proposed findings of fact, conclusions of law, and recommended orders with respect to alleged violations. Where the hearing is conducted by a wage board, three members of the wage board shall constitute a quorum authorized to conduct such hearing, and the chairman of the wage board or temporary chairman in the absence of the regular chairman, shall act as presiding officer at the hearing, administer oaths and affirmations and rule on motions, requests, and on the admission and exclusion of evidence. The Director or the wage board, as the case may be, shall have authority to take all steps required by this section for the holding of hearings. (Issued Jan. 17, 1944, amended June 1, 1944, and as currently amended.)

(c) *Examiner.* In the event the Director or the wage board, as the case may be, does not desire to conduct a hearing, the Director or wage board may order that such hearing shall be held before a person authorized to act as examiner, presiding officer, or referee by the designation issued on October 25, 1943, entitled "Designation of Persons to Hold Hearings, to Sign and Issue Subpoenas and Administer Oaths and Affirmations," (8 F.R. 14592) as amended. In those cases in which the Director or the wage board requires that a hearing shall be conducted by an authorized person, the Director or the wage board shall notify the Association Solicitor in Charge of Agricultural Adjustment, Crop Insurance, and Labor who shall assign an authorized person to preside at such hearings. The assigned person shall give notice of the hearing and shall take all other steps required by this section for the holding of hearings. (Issued Jan. 17, 1944, amended Oct. 3, 1944, and as currently amended.)

(d) *Notice.* Notice of the hearing shall be served on the alleged violator by personal service or by registered mail not less than ten (10) days prior to the date of the hearing. Such notice shall set forth (1) the time and place of the hearing, (2) a citation of the regulations alleged to have been violated, (3) a concise statement of the allegations of fact which constitute a basis for the proceeding, (4) a statement informing the alleged violator that he may be represented by counsel at the hearing and will be given full opportunity to present written or oral testimony and to examine and cross-examine witnesses on all matters relating to the charges, and (5) a statement informing the alleged violator that failure to appear will neither preclude the Director, the wage board, or the examiner from taking testimony, receiving proof and making findings and recommendations with respect to the charges, nor the Administrator or his authorized representative from making a determination with respect thereto. (Issued Jan. 17, 1944 and as currently amended.)

(e) *Consent order.* At any time after the service of the notice, the Administrator, in his discretion, may allow the alleged violator to consent to an order. In so consenting the alleged violator shall file for the record with the Director, the wage board, or the examiner a stipulation or statement in which he admits all of the facts, or at least the material facts, on which the charges against him are based and agrees that an order may be entered against him. Upon a record composed of the notice and the stipulation and agreement consenting to the order the Administrator may enter an appropriate order, which shall have the same force and effect as an order made after a hearing. The declination of the alleged violator to consent to an order will not affect or prejudice his rights or interests in any proceeding. (Currently added.)

(f) *Conduct of the hearing.* The rules of evidence prevailing in courts of law and equity shall not be controlling. The test of admissibility shall be the reliability, relevancy, and probative force of the evidence offered. The hearing shall be held at the time scheduled and a determination may be made by the Administrator although the alleged violator fails to appear.

All testimony shall be given under oath or affirmation and a written transcript of the hearing shall be made.

The presiding officer shall afford reasonable opportunity for cross-examination of the witnesses. At the close of the hearing, the presiding officer may, at his discretion, allow a short period for the presentation of oral argument, or for a summary of the facts disclosed at the hearing and, if he deems it advisable, may allow briefs to be filed within a period prescribed by him, not to exceed five (5) days. (Issued Jan. 17, 1944, and as currently amended.)

(g) *Findings and recommendations.* Immediately following the hearing the Director, a majority of the members of the wage board who conducted the hearing, or the examiner, as the case may be, shall prepare proposed findings of fact, conclusions of law, and a recommended order and submit them, together with the transcript of the proceedings, to the Administrator. A copy of the proposed findings of fact, conclusions of law and a recommended order shall be served on the alleged violator by registered mail, and he may within 10 days after the receipt thereof file with the hearing clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., exceptions or objections, in writing, together with supporting briefs. After consideration of the record, including any exceptions or objections and briefs filed by the alleged violator, the Administrator shall determine whether the alleged violator has made wage or salary payments in contravention of the act and shall make appropriate findings and conclusions. A copy of such determination and of such findings and conclusions shall be served on the alleged violator by registered mail. (Issued Jan. 17, 1944, amended June 1, 1944, Oct. 3, 1944, and as currently amended.)

(h) *Petition for reconsideration.* Within five (5) days after receipt of a copy of the Administrator's determination and findings and conclusions, the alleged violator may file with the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., a petition for reconsideration of such determination. Such petition may be accompanied by any affidavits or briefs which the alleged violator desires to submit. Within a reasonable time after receiving such a request for reconsideration, the Administrator shall affirm, modify, or reverse his original determination, or direct a further hearing to be held. Such further hearing shall follow the procedure prescribed for the original hearing. (Issued Jan. 17, 1944, amended June 1, 1944, Oct. 3, 1944 and as currently amended.)

§ 1100.15 *Effect of unlawful payments*—(a) *Sanctions.* In any case where the Administrator determines, under the procedure set forth herein, that a wage or salary has been paid or has accrued in contravention of the act, the entire amount of the wage or salary paid or accrued or a lesser amount as certified by the Administrator, shall be disregarded by any executive department or other agency of the Federal Government, to which such certification is made, for the following purposes:

(1) Determining costs or expenses of the employer for the purpose of any law or regulation, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942, as amended, or any maximum price regulation thereof.

(2) Calculating deductions under the revenue laws of the United States; or

(3) Determining costs or expenses under any contract made by or on behalf of the United States.

A payment in contravention of the act may be disregarded for more than one of the foregoing purposes and the determination made by the Administrator shall be conclusive in every respect on the executive departments and agencies of the Federal Government which receive such a certification. The Administrator is authorized, under § 4001.15 of the general regulations, as amended November 30, 1944 (9 F.R. 14547) to make such certification in the light of any extenuating circumstances found to be present in each case, and all other pertinent considerations. (Issued Jan. 17, 1944, and as currently amended.)

(b) *Criminal penalties.* Any person whether an employer or employee who willfully violates any provision of the act or of these regulations promulgated thereunder, shall, upon conviction thereof, be subject to a fine of not more than $1,000 or to imprisonment for not more than one year, or both such fine and imprisonment. (Issued Jan. 17, 1944 and as currently amended.)

§ 1100.16 *Inspection of records.* Upon request of an authorized agent of the War Food Administrator, the Department of Agriculture, or a State WFA Wage Board, any person, including an independent contractor, employing or paying agricultural labor shall make available for inspection and audit by such authorized agent all employment and wage records kept by such person, such inspection and audit to be made at a place designated by such authorized agent, unless such person prefers to have the audit and inspection made at such person's place of business where such records are kept. (As issued Oct. 3, 1944.)

§ 1100.17 *Evasions.* The salary or wage limitations set forth in this part shall not be evaded either by direct or indirect methods in connection with any contract of hire, offer, solicitation, or agreement for the payment of any agricultural labor coming within the provisions of this part, or by the payment, gift, or other compensation to any agricultural labor covered by these regulations, such compensation including, but not limited to wagers, bonuses, gifts, perquisites, excessive transportation allowances, salary, wage, allowance of payment for not working, or payment for more volume or hours than those actually worked. Nor shall any person either singly or in conjunction with others pay any agricultural labor any additional compensation of any kind whatsoever for performing work for which such employee is receiving or will receive a salary or wage if such additional compensation will have the effect of increasing the total compensation of such employee to more than is permitted by these regulations. (Issued October 3, 1944 and as currently amended.)

§ 1100.18 *Scope of regulations.* The general regulations and this part shall apply only to salaries and wages paid for agricultural labor performed in any of the 48 states of the United States and the District of Columbia. (Issued October 3, 1944 and as currently amended.)

Effective date. This revision number 2 of the Regulations Relative to Salaries and Wages of Agricultural Labor shall be effective on the 25th day of June 1945 at 12:01 a. m., E. W. T., except that § 1100.8 shall not become effective until the 1st day of July 1945, 12:01 a. m., e. w. t.

Issued this 23d day of June 1945.

WILSON COWEN,
Assistant War Food Administrator.

APPENDIX—SALARY AND WAGE RATES DETERMINED BY THE WAR FOOD ADMINISTRATOR TO BE EQUIVALENT TO $200 PER MONTH

State	Area	Agricultural operations	Salary and wage rates equivalent to $200 per month
California	All	All	Hourly—57 cents. Piece work—rate which will permit an average worker, working at a reasonable rate of speed for regular work hours, to earn $2.00 per hour.
Florida	All	All	Same.
Oregon	All	All	Same.
Washington	All	All	Same.

NOTE: 1. Employers whose operations are not covered by the equivalent rates stated in this appendix will find a guide for determining the maximum salary or wage rate he may pay equivalent to a salary of $200.00 per month in § 1100.9 (b).

2. The equivalent rates stated in this appendix shall not be applicable when maximum wage rates have been established by a supplement to the specific wage ceiling regulations or when the employer comes within the exceptions stated in § 1100.10 (a) and (b).

[F. R. Doc. 45-11191; Filed, June 25, 1945; 11:06 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 294]

LOCAL BOARD ACTION REPORT

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940 as amended, I hereby prescribe the following change in DSS Forms:

Revision of DSS Form 110, entitled "Local Board Action Report".[1] Upon the effective date of the revised DSS Form 110, the use of the former supply of DSS Form 110 will be discontinued and all unused copies will be disposed of.

The foregoing revision shall become a part of the Selective Service regulations effective within the continental United States on July 1, 1945, and shall be effective outside the continental limits of the United States on August 1, 1945.

LEWIS B. HERSHEY,
Director.

JUNE 23, 1945.

[F. R. Doc. 45-11165; Filed, June 23, 1945; 4:07 p. m.]

[No. 295]

LIST OF REGISTRANTS

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 3B, entitled "List of Registrants". On the effective date of the discontinuance of DSS Form 3B, the

[1] Filed as part of the original document.

use of such form will be discontinued and all of the unused copies will be disposed of.

The foregoing discontinuance shall become a part of the Selective Service regulations effective within the continental United States on Aug. 1, 1945, and shall be effective outside the continental limits of the United States on Sept. 1, 1945.

LEWIS B. HERSHEY,
Director.

JUNE 23, 1945.

[F. R. Doc. 45-11166; Filed, June 23, 1945; 4:07 p. m.]

[No. 296]

REPORT OF SEPARATION

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 167, entitled "Report of Separation."

The foregoing discontinuance shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 22, 1945.

[F. R. Doc. 45-11167; Filed, June 23, 1945; 4:07 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-560, Amdt. 2]

GORDON STORES CO., INC.

The Gordon Stores Company, Inc., a corporation with its principal office at Denver, Colorado, during the month of February, 1944, began construction without authorization from the War Production Board on a store building located at 315 Main Street, Montrose, Colorado. In view of the amendment of May 29, 1945 to Order L-41, the Chief Compliance Commissioner has directed that Suspension Order No. S-560 be amended to allow additional construction up to, but not exceeding $5,000.

In view of the foregoing, it is hereby ordered, that:

§ 1010.560 *Suspension Order No. S-560* issued June 8, 1944, and amended November 4, 1944, be further amended by the substitution of the following paragraph (a) for the present paragraph (a):

(a) Neither The Gordon Stores Company, Inc., its successors or assigns, nor any other person, shall do any construction on the premises at 315 Main Street, Montrose, Colorado, including putting up or altering the structure, or on any of the other stores owned or operated by that corporation, except that The Gordon Stores Company, Inc., may do additional construction on the store building located at 315 Main Street, Montrose, Colorado so that the construction begun in February, 1944, may equal a cost of $5,000 but may not exceed that amount, unless hereafter specifically authorized in writing by the War Production Board.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11048; Filed, June 22, 1945; 4:23 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-735, Amdt. 1]

SIDNEY JANSMA

Sidney Jansma, 547 Umatilla, S. E., Grand Rapids, Michigan, engaged in business as a building contractor, subsequent to September 20, 1944, carried on construction of twelve houses in Wyoming, Kent County, Michigan, without authorization from the War Production Board in violation of Conservation Order L-41. In view of the amendment of May 29, 1945, to Order L-41, the Chief Compliance Commissioner has directed that Suspension Order No. S-735 be amended to allow additional construction on each of the twelve houses up to, but not exceeding $1,000 for each house.

In view of the foregoing it is hereby ordered, that:

§ 1010.735 *Suspension Order No. S-735*, issued March 12, 1945, be amended by the substitution of the following paragraph (a) for the present paragraph (a):

(a) Neither Sidney Jansma, his successors or assigns, nor any other person, shall do any construction on any of twelve houses located on the south side of Catherine Street and the north side of Robert Street, S. W., in Wyoming Township, Kent County, Michigan, including putting up, altering, or finishing the said structures, except that Sidney Jansma may do additional construction on each of the twelve houses located on the south side of Catherine Street and the north side of Robert Street, S. W., so that the construction begun subsequent to September 20, 1944, may equal a cost of $1,000 for each house, but may not exceed that amount, unless hereafter specifically authorized in writing by the War Production Board.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11049; Filed, June 22, 1945; 4:23 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 72]

EARLY DELIVERIES OF CONTROLLED MATERIALS ON UNRATED ORDERS

The following direction is issued pursuant to CMP Regulation 1:

The rule explained in paragraph (1) (4) permitting early deliveries of controlled materials does not permit deliveries on unrated orders of steel, wire mill products, or aluminum extrusions before July 1, 1945.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11120; Filed, June 23, 1945; 11:11 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310 Revocation of General Direction 11]

REQUIRED PRODUCTION OF HEAVY MILITARY UPPER LEATHER

General Direction 11 to General Conservation Order M-310 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture, sale, delivery and use of heavy military upper leather remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11117; Filed, June 23, 1945; 11:11 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-190, Revocation]

CALCIUM CARBIDE

Section 3293.271 *Allocation Order M-190* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order.

Calcium carbide is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 112, issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-190 are effective under the schedule, but are limited in duration as if originally issued under the schedule. Pending applications need not be refiled.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11118; Filed, June 23, 1945; 11:11 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 112]

CALCIUM CARBIDE

§ 3293.1112 *Schedule 112 to General Allocation Order M-300*—(a) *Definition.* "Calcium carbide" means the chemical compound of that name.

(b) *General provisions.* (1) Calcium carbide is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is January 1, 1943, when calcium carbide was first put under allocation by Order M-190 (revoked). The allocation period is the calendar month and the small order exemption is 30 tons per person per month.

(2) All specific authorizations for delivery of calcium carbide terminate ten days after the end of the authorized delivery month, notwithstanding Order M-300 (paragraph (t)).

(c) *Transition from M-190.* Regular and interim allocations heretofore issued under Order M-190 are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refiled. The procedure under this schedule remains in general substantially the same as under the former Order M-190.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to delivery shall file application on Form WPB-2946. Filing date is the 20th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-112. The unit of measure is short tons (2000 pounds). In Columns 3 and 8 specify size and in Column 3 specify basis of measure of size. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-112, and one copy (reverse side blank) to the supplier. The unit of measure is short tons (2000 pounds).

Fill in Column 3 in terms of the following examples:

Neoprene.
Acetic anhydride.
Trichlorethylene.
Tetrachlorethane.
Acetylene for sale as such.
Acetylene for use by applicant in (insert whether manufacturer of steel, production of scrap, ition, ship building, railroads, aircraft, automotive, mining, house lighting, all other)
Hexachlorethane.
Polyvinylchloride.
Vinyl acetate.
Other primary product (specify).
Export (as calcium carbide).
Inventory (as calcium carbide).
Resale (as calcium carbide).

Specify end use in Column 4 as required by paragraph (11-A) of Appendix E of Order M-300. In Columns 1, 11 and 19 specify size and in Column 1 specify basis of measure of size. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Acetylene purchase order certification.* (1) No person who has been specifically authorized to receive or use calcium carbide to generate acetylene, shall accept or fill any order for that acetylene for a purpose other than welding or cutting unless the person placing the order shall have furnished him or shall have filed with the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-112, a certified statement of the proposed use for which the acetylene is ordered. If the certificate has been filed with the War Production Board the purchase order must contain a notice to that effect.

(2) Proposed use of the acetylene shall be specified in terms of cubic feet required for each different proposed primary product and end use. The certificate must show whether the ultimate user is Army, Navy, other Government agency, Lend-Lease, UNRRA or civilian customer, and must set forth specification, requisition or contract numbers, if any.

(3) The statement of proposed use shall be followed by the certification "Use certified, Ref.: M-300" and shall be duly signed (as prescribed in Schedule D to Order M-300). However, the certification formerly prescribed in paragraph (e) (1) of Order M-190 as in effect just prior to revocation may continue to be used instead.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-112.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11119; Filed, June 23, 1945; 11:11 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-823]

GREAT NORTHERN CHAIR CO.

The Great Northern Chair Company is an Illinois corporation, with its principal place of business at 2500 Ogden Avenue, Chicago, Illinois, where it is engaged in the manufacture and crating of bent wood and metal furniture. It has failed to maintain accurate and complete records of its inventories of material and of the details of its transactions therein in violation of Priorities Regulation No. 1. During the second, third and fourth calendar quarters of 1943 it consumed essential metal parts in the production of furniture, in the amount of $3,768.35 in excess of the quota of essential metal parts which it was permitted to consume during these quarters under the provisions of Limitation Order L-260, in wilful violation of that order. Through wilful violation of Limitation Order L-260, the company obtained an apparent quota for the use of wood under Limitation Order L-260-a which was greatly in excess of the quota of wood it would have been permitted to use had it conformed to the provisions of Limitation Order L-260. During the first, second and third calendar quarters of 1944 it used wood in the manufacture and crating of furniture in an amount of 178,983 board feet in excess of its apparent quota of wood under the provisions of Limitation Order L-260-a, in wilful violation of that order.

These violations of orders and regulations of the War Production Board have diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.823 *Suspension Order No. S-823.* (a) Great Northern Chair Company, its successors or assigns, shall reduce its use of wood in the manufacture and crating of furniture in an amount of 59,661 board feet per calendar quarter in each of the third and fourth calendar quarters of 1945 and in the first calendar quarter of 1946, aggregating a total reduction of 178,983 board feet during this period beneath its permitted usage under the provisions of Limitation Order L-260-a as amended from time to time, unless otherwise specifically authorized in writing by the War Production Board. From July 1, 1945 and thereafter it shall compute its use of wood in the manufacture and crating of furniture for the calendar year 1943 as 1,266,125 board feet instead of 1,658,166 board feet.

(b) Nothing contained in this order shall be deemed to relieve Great Northern Chair Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11172; Filed, June 23, 1945; 4:17 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-629]

RICH LADDER AND MANUFACTURING CO.

The Rich Ladder and Manufacturing Company, an Ohio corporation, with its principal office at 1000 Depot Street, Cincinnati, Ohio, is engaged in the manufacture of ladders, scaffolding, and similar wood products. Between July 1 and September 30, 1944 it received at least 244,232 board feet of lumber without authorization from the War Production

Board. The responsible officers of the company were aware of orders and regulations of the War Production Board and receipt of this lumber without authorization from the War Production Board constituted a grossly negligent violation of Limitation Order L–335.

This violation of Limitation Order L–335 has interfered with the controls established by the War Production Board for the distribution of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.829 *Suspension Order No. S–829.* (a) Unless otherwise specifically authorized in writing by the War Production Board, the Rich Ladder and Manufacturing Company, its successors or assigns, shall reduce its authorized receipts of lumber under Limitation Order L–335 as amended from time to time by 122,000 board feet of lumber during the third calendar quarter of 1945 and by 122,000 board feet of lumber during the fourth calendar quarter of 1945.

(b) Nothing contained in this order shall be deemed to relieve the Rich Ladder and Manufacturing Company, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11173; Filed, June 23, 1945; 4:17 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328, Direction 17]

PRODUCTION OF MEN'S COTTON WORK SOCKS IN THE THIRD QUARTER OF 1945

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of men's cotton work socks and of materials and facilities used in the production of men's cotton work socks for defense, for private account and for export, and the following direction is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) *Production quotas.* Each person in the business of producing men's cotton work socks who, in the third calendar quarter of 1943, produced any of the types of men's cotton work socks listed in paragraph (b) below, shall produce in the third calendar quarter of 1945, at least as many dozens of each type as he produced in the corresponding calendar quarter of 1943. Production shall be maintained at such a rate that at least 25% of the quarterly quota will have been produced by the end of July and at least 60% by the end of August. Production of men's cotton work socks on orders to or for the account of the United States Army or Navy or procurement agencies of the United States Government shall be included in computing these quotas.

(b) *Types of men's cotton work socks.* The types of men's cotton work socks covered by this direction are: Men's cotton work socks with a finished weight of not less than one pound per dozen pairs, made of carded yarn in plain or two-tone colors, and with the body portion knit on one set of needles into plain flat knit fabric or on RI machines.

(c) Any appeal from the provisions of this direction shall be made pursuant to the provisions of paragraph (g) (4) of Order M–328.

(d) Each person covered by this direction may immediately apply an AA–3 rating to get up to 33⅓% of the year he needs to make the men's cotton work socks required under this direction. This rating must be applied in the manner provided in Priorities Regulations 1 and 3. The following certification must be placed on all orders on which the rating is used:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar. This rating is assigned by Direction 17 to Order M–328.

(Name of Purchaser)

(Address)

By ---
(Signature of duly authorized Officer)

(Date)

The standard certification provided by Priorities Regulation No. 7 may not be used instead.

(e) It is expected that Order M–328B will be amended with new schedules before July 1, 1945 to explain how persons covered by this direction may obtain preference ratings for all yarn they need.

(f) This direction shall expire on October 1, 1945, unless previously extended.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11163; Filed, June 23, 1945; 4:16 p. m.]

PART 984—LEAD

[General Preference Order M–38, as Amended June 25, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lead for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 984.1 *General Preference Order M–38.*—(a) *Scope of the order.* This order controls generally the use of lead and lead products. Lead and lead products may be used only for the items and purposes set forth in the order. Other restrictions may also be found in other orders of the War Production Board relating to particular articles or parts. In such case the more restrictive provision governs. In no case shall any person use, purchase, sell, deliver or accept delivery of any lead in violation of this order.

(b) *Definitions.* For the purpose of this order:

(1) "Lead" means metallic lead, including any alloy containing 50% or more by weight of metallic lead. It includes soft and antimonial lead produced from foreign or domestic ores, scrap, drosses, or other lead bearing material, as well as scrap lead and alloys in which the lead content is 50% or more by weight.

(2) "Lead product" means lead in the form of sheet, pipe, ingot, castings, and foil.

(3) "Refiner" means any person who produces lead in refinery shapes, and includes any person who has such lead produced for him under toll agreement.

(4) "Dealer" means any person who procures lead either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes selling agents, warehousemen, and brokers.

(5) "Military order" means a specific contract or sub-contract necessitating the use of lead or lead products in the manufacture of any product, or any component to be physically incorporated into such products, produced for or for the account of the Army or Navy of the United States, Maritime Commission, War Shipping Administration, Veterans Administration or Office of Scientific Research and Development.

(6) "Implement of war" means combat end products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Use" means to melt, form or alloy lead for introduction into an end product or a component thereof.

(8) "Item" means any article or component thereof.

(c) *Prohibitions on use.* On and after April 1, 1945, no person shall use lead or lead products except for the items and purposes and subject to the qualifications set forth in List I of this order, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product or where the use of any less critical material is impracticable or when satisfactory substitutes are prohibited in other War Production Board orders.

(d) *Special directions.* The War Production Board may at any time issue special directions to any person respecting the production, distribution, delivery, or acceptance of delivery of lead.

(e) *Lead from Metals Reserve Company.* Any person unable to obtain pig lead from the regular sources of supply and wishing to procure pig lead from the Metals Reserve Company must make application in writing to the War Production Board on Form WPB–95, not later than the 20th of the month preceding that of shipment.

(f) *Inventory restrictions.* No person shall knowingly deliver to any person and no person shall accept delivery of any quantity of pig lead if the total inventory of pig lead in the hands of the person accepting delivery is, or by virtue of the acceptance will become, in excess of his reasonable anticipated requirements for permissible uses in the next 45 days (except where a minimum carload quantity requested by Office of Defense Transportation exceeds these restrictions). The restrictions of this paragraph do not apply to a refiner, dealer, or scrap dealer.

(g) [Deleted May 1, 1945]

(h) *Restrictions on sales and deliveries of lead.* No person shall sell or deliver any lead to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(i) *Appeals.* Any appeal from the restrictions of this order must be by letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal, and filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. The appeal shall contain the following information:

(1) Product in which the lead will be used.

(2) Period of time, not exceeding one calendar quarter for which relief is requested.

(3) Monthly schedule of amount of lead to be used.

(4) Prime contract numbers on military orders.

(5) If the appeal is filed because the restrictions on use of lead will prevent the filling of non-military orders of extreme urgency, give exact information as to the use of the product in which the lead is used.

(6) Why other less critical materials cannot be used.

(7) Any other information pertinent to the appeal.

Attention is called to the requirement of Priorities Regulation No. 16 with respect to the statement of manpower requirements which must be submitted with any appeal.

(j) *Priorities Regulation No. 25.* Requests for exceptions from the restrictions of this order may not be made under the provisions of Priorities Regulation No. 25. The use of lead for production authorized under Priorities Regulation No. 25 prior to January 1, 1945, will be subject to the restrictions of this order.

(k) *Records.* All persons affected by this order must maintain accurate and complete records of all transactions as required by Priorities Regulation No. 1, 944.15. Such records must include complete statements of the amounts of lead consumed for the items specified in this order, and the amount of inventory on hand.

(l) *Required reports.* (1) On or before the 20th day of each calendar month each person who purchased or consumed 10 tons or more of lead during the preceding calendar month, or had in his possession or under his control 20 tons or more of lead, shall report such purchases, consumption and stocks on hand at the end of the preceding month to the War Production Board on Form WPB–95.

(2) The War Production Board may from time to time issue special directions requiring any refiner or dealer to file a report showing a schedule of his proposed deliveries of lead.

(3) All persons affected by this order shall execute and file with the War Production Board such other reports as may be required subject to the approval of the Bureau of the Budget.

(4) The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Violations.* Any person, who willfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Communications of the War Production Board.* All communications and reports dealing with this order shall be addressed to: War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., Ref. M–38

Issued this 25th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

Pursuant to the foregoing order, lead and lead products may be used only for the following items and purposes subject to such qualifications on use as are set forth next to the item or purpose; and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product or where the use of any less critical material is impracticable or when satisfactory substitutes are prohibited in other War Production Board orders.

1. Ammunition for Military Orders.
2. Anchorages for military and industrial equipment and components, including expansion bolts and shields.
3. Anodes for electrolytic refining, chromium plating and for lead plating as permitted in Item 40 of this list.
4. Anti-vibration mats.
5. Babbitt for abrasives and grinding wheels and for securing hardware to radio insulators and for securing end connections of windings and/or for securing enclosures of wire wound restrictors.
6. Ballast for implements of war where available space does not permit the use of material of lower density, for submarines and for surface craft of sizes up to and including destroyers.
7. Bearing Metal.
8. Bolster metal for surgical, table and industrial cutlery.
9. Brake lining and clutch facings.
10. Brass and bronze.
11. Cable covering as permitted by Direction 63 of CMP Regulation 1.
12. Cable sleeving and other accessories necessary for the maintenance, repair and installation of lead covered cable.
13. Cable terminals and bushings for storage batteries as permitted by Orders L–1–e and L–153.
14. Cames.
15. Caulking of cast iron pipelines (including lead wool) where other material such as sulphur compounds or cement does not provide a leak proof joint.
16. Chemicals subject to the restrictions of Conservation Order M–384.
17. Closure Spouts for drugs and chemicals.
18. Coating of wire and zinc plated sheet, including sheathing.
19. Collapsible tubes, subject to the restrictions of Conservation Order M–115.
20. Counterweights, weights and sliding poises for Military, Industrial and laboratory equipment, and implements of war where available space does not permit the use of material of lower density, other than automotive wheel balancing weights.
21. Foil:
    (a) Military orders to the extent that Method IA (not dehydrated) and/or Method II (dehydrated) packaging, as presently defined in the U. S. Army Specification 103–14, U. S. Navy Specification 39–P–16 and British Standard Packaging Code BS–1133, or any new specifications covering the above are expressly specified in the prime contract.
    (b) For component ammunition for military only.
    (c) Electrotypers subject to the restrictions of Order M–43.
    (d) Condensers.
    (e) Cap Liners for packaging drugs.
    (f) Electrostatic shielding of transformer coils and cores.
22. Fire extinguisher and decontaminator components.
23. Gaskets, locknuts and shims.
24. Heat equalization in galvanizing pots and for molten zinc operations.
25. Heat treating and annealing.
26. Implements of War, as defined in Section (b) (6) of the Order.
27. Impression lead.
28. Inserts for treads on non-sparking ladders and stairs.
29. Lead hammers.
30. Lead-headed nails only to the extent that the use of springhead or flathead nails is impracticable.
31. Fusible alloys.
32. Lead lined bowls for centrifugal oil purifiers.
33. Lead wire for determining gear bearing clearances.
34. Lining for acid lockers.
35. Lubricant for cold drawing of steel products.
36. Manufacture and moulding of plastics.
37. Medical, dental and veterinarian equipment and instruments.
38. Metallic and semi-metallic packing.
39. Patterns and dies.
40. Plating or coating where lead is used in place of either cadmium or tin, or where corrosion makes the use of any other material impractical.
41. Powder for military uses, powder metallurgy and gear lubricants.
42. Production of rayon.
43. Refining of platinum group metals, gold and silver, and metallic sodium.
44. Repair of existing lead construction.
45. Seals for pilfering and tampering protections.
46. Sheath for curing process of rubber.
47. Sheet, pipe (including lead lined pipe), valves, fittings, burning bars and castings to be used
    (a) in chemical and processing equipment to the extent that corrosion makes the use of any other material impracticable.
    (b) in water service lines to the extent that municipal, state or Federal regulations permit no substitutes or sound water works practice requires its use.
48. Sinkers for military requirements and commercial fishing.
49. Solder subject to the restrictions of Order M–43.
50. Sounding Leads.
51. Spectrographs and spectrophotometers.

52. Storage batteries, including lead content of oxide and cell covers:
(a) Military orders.
(b) Original equipment.
(c) [1] Industrial type, for the third quarter of 1945, 25% of the amount of lead used for the same purpose during the calendar year of 1944.
(d) Automotive SLI type, for replacement purposes, for the third quarter of 1945, 25% of the amount of lead used for the same purpose during the calendar year of 1944.

NOTE: Items 53 to 61, inclusive, formerly items 56 to 64 inclusive redesignated June 25, 1945.

53. Terne plate and Terne metal subject to restrictions of Conservation Order M-43.
54. Tetra ethyl subject to the restrictions of PAW directives.
55. Turbine and gear bearing oil deflectors.
56. Turbine gland labyrinth and diaphragm packing.
57. Type metal for use in printing trade.
58. Vocational purposes where lead is reused and in laboratories for analytical purposes and research.
59. X-ray purposes and Radiography.
60. Zinc production.
61. For use to comply with safety regulations issued under Government authority which requires the use of lead to the extent employed, or in safety equipment.

[F. R. Doc. 45-11199; Filed, June 25, 1945, 11:23 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-797, Stay of Execution]

HOLLAND FURNACE CO. (PORTLAND, OREGON BRANCH)

The Holland Furnace Co. branch in Portland, Oregon, a branch of Holland Furnace Company, Holland, Michigan has appealed from the provisions of Suspension Order S-797 and has requested a stay pending final determination of the appeal. The Chief Compliance Commissioner has directed that the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or one of his Deputies. In view of the foregoing, it is hereby ordered, that: § 1010.797 *Suspension Order No. S-797* be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or one of his Deputies.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11170; Filed, June 23, 1945; 4:18 p. m.]

[1] An Industrial Storage Battery means an electric storage battery of other than SLI type which has been completely assembled and sealed, whether charged or uncharged and which is designed and built for industrial applications such as, but not confined to, railway signaling and lighting, mine locomotives, industrial trucks, farm lighting, public utilities stand-by equipment, commercial radio installations, airplane and commercial boat installations and components thereof.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-802, Stay of Execution]

HUDSONVILLE BOX AND BASKET CO.

Hudsonville Box and Basket Company, a Michigan corporation with principal offices at Hudsonville, Michigan is appealing from the provisions of Suspension Order No. S-802 and has requested a stay, pending final determination of the appeal. The Chief Compliance Commissioner has directed that the suspension order be stayed subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or one of his Deputies. In view of the foregoing, it is hereby ordered, that: § 1010.802 *Suspension Order No. S-802* be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or one of his Deputies.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11171; Filed, June 23, 1945; 4:17 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Revocation of Direction 10]

RESTRICTIONS ON SALE AND USE OF NARROW COTTON WEBBINGS AND TAPES

Direction 10 to General Conservation Order M-317 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The sale, delivery and use of narrow cotton webbings and tapes remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 25th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11201; Filed, June 25, 1945; 11:23 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 71, as Amended June 25, 1945]

ETHYL ALCOHOL

§ 3293.1071 *Schedule 71 to General Allocation Order M-300*—(a) *Definitions.* For the purpose of this schedule:

(1) "Ethyl alcohol" means the product of that name, from whatever source derived. The term includes mixtures of ethyl alcohol and denaturants, including the product known as "proprietary solvent." The term does not include ethyl alcohol which has been tax paid for beverage purposes, nor does the term include ethyl alcohol imported into the continental United States unless it was imported tax free for industrial purposes under section 3125 of the Internal Revenue Code.

(2) "Anti-freeze" means any mixture containing ethyl alcohol, which mixture is designed and intended for use, without further processing, to depress the freezing point of coolant water in internal combustion engines.

(3) "Producer" means any person engaged in the production of ethyl alcohol under an industrial alcohol permit issued by the Bureau of Internal Revenue and includes any importer and any person who has ethyl alcohol produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases ethyl alcohol for purposes of resale.

(5) "Supplier" means a producer or a distributor, as defined in this schedule. This definition of supplier is different from the term as defined and used in the text of Order M-300 and the other schedules under M-300. This definition governs with respect to ethyl alcohol.

(b) *General provisions.* Ethyl alcohol is subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is October 1, 1943 when ethyl alcohol first became subject to allocation under Order M-30. As of midnight, December 31, 1944, Order M-30 will be revoked. Beginning January 1, 1945, the allocation period under this schedule is the calendar month, which represents a different period than that covered by allocations under Order M-30.

(1) Beginning January 1, 1945, the small order exemption per person per month is 54 gallons regardless of the type of ethyl alcohol involved. This includes proprietary solvents.

(2) Persons ordering more than the small order exemption, but not more than 3500 gallons from all suppliers, for delivery in any calendar month, must furnish their suppliers with the use certificate referred to in paragraph (h) of this schedule. There is one exception to this rule however. Distributors operating under paragraph (f) (1) of this schedule must furnish their suppliers with the distributor's certificate referred to in paragraph (i) of this schedule.

(3) Persons ordering more than 3500 gallons in the aggregate from all suppliers, for delivery in any calendar month, must obtain authorization in the way described in paragraph (g) of this schedule.

(4) Suppliers must apply for authorization on Form WPB-2947 before making any deliveries. However, distributors operating under paragraphs (f) (1) and (2) of this schedule are exempt from the filing of Form WPB-2947.

(c) *Transition to M-300.* Regular and interim allocations of ethyl alcohol issued under Order M-30, are effective until midnight, December 31, 1944. Applications for permission to deliver, accept delivery of or use ethyl alcohol on and after January 1, 1945, shall be filed in accordance with instructions in paragraphs (e) and (g) of this schedule.

(d) *Special provisions*—(1) *Tax payment, and deliveries in bond, for beverage purposes.* Any person may tax pay for beverage purposes, and any producer may deliver in bond, to any person authorized under the rules and regulations of the Bureau of Internal Revenue to receive ethyl alcohol in bond for the purpose of tax paying the same for beverage purposes, only such quantity of ethyl alcohol as is authorized by War Production Board pursuant to application of the original producer, made by letter addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C.

(2) *Acceptance of delivery in bond for beverage purposes.* Any person may accept delivery of ethyl alcohol in bond for the purpose of tax paying the same for beverage purposes if that person is authorized to do so under the rules and regulations of the Bureau of Internal Revenue.

(3) *Transactions outside the United States.* This order does not apply to deliveries of ethyl alcohol which are both made and received outside of the forty-eight states and the District of Columbia, or to the use of ethyl alcohol outside such states and District.

(4) *Restrictions on rubbing alcohol.* No person shall deliver ethyl alcohol or any compound or preparation containing ethyl alcohol for use as rubbing alcohol or for the manufacture of any rubbing alcohol compound or preparation, except to:

(i) A hospital or scientific institution holding a permit issued by the Bureau of Internal Revenue permitting it to receive undenatured alcohol tax free;

(ii) Licensed physicians, dentists and veterinarians;

(iii) Holders of written prescriptions or orders of licensed physicians, dentists or veterinarians;

(iv) Wholesale or retail druggists for resale only to the persons described in subdivisions (i) to (iv), inclusive, of this paragraph (d) (4).

(v) Manufacturers of rubbing alcohol compound or preparation, or packagers or bottlers of any such compound or preparation for resale only to the persons described in subdivisions (i) to (iv), inclusive, above.

(5) *Manufacture and distribution of anti-freeze.* (i) Effective midnight, December 31, 1944, Order L-51 will be revoked. All authorizations issued on Form WPB-1069 pursuant to Order L-51 to manufacture anti-freeze, remain effective until March 31, 1945. All directives to deliver anti-freeze, issued pursuant to Order L-51 remain effective until March 31, 1945, unless otherwise directed pursuant to paragraph (d) (5) (ii) of this schedule.

(ii) War Production Board may from time to time issue special directives concerning the distribution or delivery of anti-freeze. It will be the policy of the War Production Board to obtain an equitable distribution of the available supply of anti-freeze. In issuing these special directives, the War Production Board will take into account vehicle registrations and weather conditions throughout the United States.

(6) [Deleted June 25, 1945.]

(7) *Supplier's notification to consumers.* In the event a supplier does not deliver the entire quantity of alcohol called for on a purchase order accompanied by a certificate specifying more than one end use, the supplier shall notify the purchaser in writing (either on the invoice or otherwise) what portion of the total amount of alcohol delivered to the purchaser may be used or resold (in case the purchaser is a distributor) for each end use appearing on the purchaser's certificate.

(e) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 15th day of the month before the month in which delivery is proposed to be made. Send four copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-71. The unit of measure is gallons. In Column 1 list the names and delivery destination of customers who have filed WPB-2945 forms with the applicant and in Column 1-a specify "WPB-2945". Fill in Columns 4 and 5-a as indicated and in Column 7 indicate grade and type of alcohol. Next in order, specify proposed deliveries of ethyl alcohol against purchase orders accompanied by end use certificates. The various end uses are set forth below in this paragraph (e), under headings entitled "Group A, B, C" etc. If purchase orders have been received for any end uses listed in Group A, specify "Group A" in the middle of the page and in Column 1 list the end uses appearing in Group A for which you have received purchase orders and opposite each specified end use, report in Column 4 the total quantity requested for that end use. Fill in Column 5a as indicated, and in Column 7 indicate grade and type of alcohol. Purchase orders received for end uses falling in Groups B, C, D, E, F, G, and H need not be broken down in the same detailed manner as those falling in Group A. Thus, for example, if purchase orders have been received for one or more end uses falling within Group B, specify in Column 1 "Group B" and opposite it in Column 4 report the total quantity of ethyl alcohol for which purchase orders accompanied by certificates have been received for all the various end uses falling within Group B. Fill in Column 5-a as indicated, and in Column 7 indicate grade and type of alcohol. The same lump sum reporting method should be used for purchase orders accompanied by certificates covering end uses in the remaining groups C through H. This reporting method for Groups A to H, inclusive, refers only to purchase orders (accompanied by certificates) of customers ordering between 54 and 3500 gallons for delivery in any calendar month.

Group A:
- Adhesives
- Agricultural poisons
- Brake fluids
- Cutting oils
- Drugs and pharmaceuticals (not including rubbing alcohol or products specifically listed in Group C or D)
- Embalming fluids
- Food products (except candy glazes, pectin and vinegar)
- Laboratory and experimental
- Paint and varnish removers
- Photographic materials (including photo engraving)
- All other products not listed above, or not classified in Groups B to H, inclusive, should be separately listed and the total quantity requested for each product should be reported in Column 4.

Group B:
- Candy glazes
- Cleaning and polishing preparations (including shoe and floor polishes)
- Deodorant sprays (non-body)
- Tooth cleaning preparations
- Witch hazel
- All toiletries and cosmetics including but not limited to:
  - Bay rum
  - Body deodorants
  - Face and hand creams and lotions
  - Hair and scalp preparations
  - Perfume and perfume materials, tinctures and fixatives
  - Shampoos
  - Toilet soaps (including shaving cream)
  - Toilet waters

Group C:
- Antiseptics for oral uses (including Antiseptic Solution N. F.)
- Mouth washes

Group D:
- Acetaldehyde
- Acetic acid (except vinegar for food use)
- Butadiene
- Basic medicinal chemicals not in compounded form
- Biological preparations
- Dyes and intermediates (manufacture of)
- Ethers
- Ethyl acetate
- Ethyl chloride
- Other ethyl esters
- Ethylene dibromide
- Ethylene gas
- Ethylene oxide
- Explosives (military and industrial)
- Flotation reagents
- Fulminate of mercury
- Glycols
- Hydrosulfites
- Nitrocellulose (dehydration)
- Pectin
- Plastics and synthetic resins (manufacture of)
- Styrene
- Xanthates

Group E:
- Flavoring extracts
- Vinegar

Group F:
- Rubbing alcohol compound or preparation

Group G:
- Hospital and scientific institutions holding Bureau of Internal Revenue permits to acquire undenatured alcohol tax free.

Group H:
- Shellac and shellac substitutes.

Next in order, specify in Column 1 "aggregate small order deliveries". Leave Column 1-a blank, but fill in Columns 4 and 5-a as indicated, and in Column 7 specify grade and type of alcohol. Fill in Table II.

(f) *Special exemption for certain distributors from filing Form WPB-2947.* (1) Each distributor ordering for resale between 54 and 3500 gallons per month of proprietary solvent, completely denatured, or pure alcohol, in the aggregate from all suppliers, may resell such alcohol without obtaining War Production Board permission on Form WPB-2947 if he furnishes his suppliers with a certificate in the form prescribed in Appendix D of Order M-300, stating (a) that the alcohol is to be resold and, (b) the groups of end uses for which it will be resold and the quantity for each group of end uses. These groups of end uses are those listed in paragraph (e) of this schedule. It is not necessary to break down quantities by end uses appearing in any group. Merely specify "Group A end uses", "Group B end uses", etc., whichever is

commercial radio installations, airplane and commercial boat installations and components thereof.

ported tax free for industrial purposes under section 3125 of the Internal Revenue Code.

of the Bureau of Internal Revenue to receive ethyl alcohol in bond for the pur-

of the total amount of alcohol delivered

should be reported in Column 4.

merely specify "Group A end uses", "Group B end uses", etc., whichever is

the case. This certificate may be based upon actual certified purchase orders on hand from customers of the distributor, or upon anticipated purchase orders. In the event that the distributor's certificate specifies more than one end use group and the supplier delivers the entire quantity of alcohol called for on the distributor's order, the distributor shall not resell such alcohol for any other end use groups than those appearing on his certificate, nor shall he resell a greater quantity for a particular group than that appearing on his certificate opposite that group. In the event that the distributor's certificate specifies more than one end use group and his supplier does not deliver the entire quantity of alcohol called for on his purchase order, the distributor shall not resell a greater quantity for a particular group than the supplier notifies him is being delivered to him for resale for that group.

(2) Each distributor ordering for resale between 3500 and 3888 gallons (minimum drum carload per month of proprietary solvent, completely denatured or pure alcohol, in the aggregate from all suppliers, may resell such alcohol without obtaining War Production Board authorization on Form WPB–2947, provided he reports on his Form WPB–2945 (which he must file in order to get that quantity of alcohol) the end use group or groups for which the alcohol will be resold and the quantities for each group. For example, in filling out Form WPB–2945, specify in Column 1 the grade (viz. proprietary solvent, completely denatured or pure), in Column 2 the quantity, in Column 3 specify "resale", and in Column 4 specify the particular group or groups of end uses (appearing in paragraph (e) of this schedule) for which that quantity will be resold. It is not necessary to break down quantities by end uses appearing in any group. Merely specify "Group A end uses", "Group B end uses", etc., whichever is the case.

(g) *Customers' applications on WPB–2945.* Each person seeking delivery of more than 3500 gallons of ethyl alcohol per month in the aggregate from all suppliers, or seeking specific authorizations to use more than 3500 gallons of ethyl alcohol, shall file application for authorization on Form WPB–2945 (formerly PD–600). Filing date is the 5th day of the month preceding the month for which allocation is requested. Separate sets of forms shall be filed for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300–71, and one copy (reverse side blank) to the supplier. The unit of measure is gallons. Fill in Column 3 in terms of the following:

Acetaldehyde
Acetic acid (except vinegar for food use)
Adhesives
Agricultural poisons
Anti-freeze by states (see instructions below for filling in Column 4)
Antiseptics for oral uses
Basic medicinal chemicals not in compounded form
Biological preparations
Brake fluids
Butadiene
Candy glazes
Cleaning and polishing preparations (specify)
Cutting oils
Deodorant sprays (non-body)
Diethylamine
Drugs and pharmaceuticals (other than rubbing alcohol and other products elsewhere in this paragraph specifically listed)
Dyes and intermediates (manufacture of)
Embalming fluids
Ethers
Ethyl acetate
Ethyl chloride
Other ethyl esters
Ethylene dibromide
Ethylene gas
Ethylene oxide
Explosives (specify whether military or industrial)
Flavoring extracts
Flotation reagents
Food products (except candy glazes, pectin and vinegar)
Fulminate of mercury
Glycols
Hydrosulfites
Laboratory and experimental
Mouth washes (other than antiseptics)
Nitrocellulose (dehydration)
Nitrocellulose (dissolving and as a diluent)
Pectin
Photographic materials (including photo engraving)
Rubbing alcohol compounds
Shellac, natural or substitute
Styrene
Synthetic plastics and synthetic resins (manufacture of)
Toiletries and cosmetics (specify)
Tooth cleaning preparations
Vinegar
Witch hazel
Xanthates
Other products (specify)
Resale (as ethyl alcohol)
Inventory (as ethyl alcohol)

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M–300.

Tables II and III should be completed. In Table III list all other proposed purchases on any supplier, including purchase orders accompanied by certifications, as well as those purchases for which authorization has been applied for on Form WPB–2945. Tables IV and V need not be filled in. If "Anti-freeze by states" is specified in Column 3, list in Column 4 the states where the anti-freeze will be distributed, and opposite each state the quantity proposed to be distributed in each state.

(g) [Deleted Jan. 23, 1945.]

(h) *Use certificate.* Each person (other than a distributor operating under paragraph (f) (1) of this schedule) ordering between 54 and 3500 gallons of ethyl alcohol per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use. Specify proposed use in terms of the applicable specific end use in the various end use groups set forth in paragraph (e) of this schedule, and certify in the form prescribed in Appendix D of Order M–300. Do not specify end use in terms of Groups, viz. "Group A", "Group B", etc.

(i) *Distributor's certificate in place of WPB–2947.* Each distributor who orders between 54 and 3500 gallons of proprietary solvent, completely denatured or pure alcohol per month, in the aggregate from all suppliers, and who is operating under paragraph (f) (1) of this schedule, shall furnish each supplier with a certified statement of the proposed end use group or groups for which such alcohol will be resold, and the quantity for each group. The manner in which this distributor's certificate should be filled out is described in paragraph (f) (1) of this schedule.

(j) *Reports.* All producers shall file on or before the 2d day of each calendar month one copy of Form WPB–1533 with the Chemicals Bureau, War Production Board.

(k) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(l) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–71.

Issued this 25th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11200; Filed, June 25, 1945; 11:23 a. m.]

PART 3293—CHEMICALS

[Limitation Order L–348, Revocation]

IMPORTED CANE ALCOHOL

Section 3293.651 *Limitation Order L–348* is revoked, effective July 1, 1945. This revocation does not affect any liabilities incurred for violations of the order or any actions taken by the War Production Board under the order. The manufacture, use and delivery of cane alcohol remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 25th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN
Recording Secretary.

[F. R. Doc. 45–11198; Filed, June 25, 1945; 11:23 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[2d Rev. Supp. Order 76,[1] Amdt. 2]

PERMISSION FOR SERVICE SUPPLIER SUBJECT TO CERTAIN PRICE REGULATIONS TO APPLY THE PROVISIONS OF ONE PRICE REGULATION TO SERVICES SUPPLIED BY HIM

A statement of the reasons for this amendment to Second Revised Supplementary Order 76 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Second Revised Supplementary Order 76 is amended in the following respects.

1. Paragraph (a) is amended to read as follows:

(a) *Applicability of this second revised supplementary order.* This second revised supplementary order is applicable only to services subject to the General Maximum Price Regulation, Maximum Price Regulation 134 (Construction and

[1] 9 F.R. 14993; 10 F.R. 3222.

Road Maintenance Equipment Rental Prices and Charges for Operating and Maintenance or Repair and Rebuilding Services), Maximum Price Regulation 581 (Industrial Services), Revised Maximum Price Regulation 165 (Services), Maximum Price Regulation 246 (Manufacturers' and Wholesale Prices for Farm Equipment), Revised Maximum Price Regulation 251 (Construction Services and Sales of Installed Building Materials), or Maximum Price Regulation 571 (Rental of Certain Types of Commercial Motor Vehicles).

2. A new paragraph (d) is added to read as follows:

(d) *Requirement by OPA to apply the provisions of one regulation.* Notwithstanding the provisions of any of the regulations listed in paragraph (a), the Price Administrator, any Regional Administrator, and any District Director who has been authorized to act by the Regional Administrator having jurisdiction over his district, may in writing, of his own motion, require any person to apply the provisions of one regulation listed in paragraph (a) to services supplied by him which are subject to two or more of those regulations, subject to the restrictions in paragraph (b) (1) and (2), above.

This amendment shall become effective June 23, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–11136; Filed, June 23, 1945; 11:41 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 149, Amdt. 17]

MECHANICAL RUBBER GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 149 is amended in the following respects:

1. A new paragraph designated (d) is added to § 1315.21b to read as follows:

(d) *Maximum prices for sales at wholesale of strip rubber made of neoprene or buna-S.* Notwithstanding any other provision of this regulation or any order previously issued under this regulation, maximum prices for all sales at wholesale of strip rubber of 1 inch width or less made in whole or in part of neoprene or buna-S shall be determined in accordance with § 1315.37 (i) of this regulation.

2. A new paragraph designated (i) is added to § 1315.37 to read as follows:

(i) *Maximum prices for all sales of strip rubber made of neoprene or buna-S—*(1) *Applicability.* This paragraph (i) is applicable to all sales of strip rubber of 1 inch width or less which is made in whole or in part of neoprene or buna-S. The term "all sales" means all sales by producers, jobbers and other resellers.

(2) *Maximum prices.* The maximum prices for all sales of strip rubber described in subparagraph (1) above shall be the prices therefor set forth in Table VIII–D:

TABLE VIII–D—MAXIMUM PRICES FOR ALL SALES OF STRIP RUBBER MADE OF NEOPRENE OR BUNA-S

(All prices are per pound)

These prices apply only to strip rubber of 1 inch width or less

Strip gauge	Buna-S price	Neoprene price
0.050	$0.937	$1.40
0.042	.937	1.40
0.033	.960	1.50
0.030	1.020	1.53
0.028	1.038	1.55
0.025	1.058	1.59
0.021	1.065	1.60
0.024	1.085	1.615
0.020	1.145	1.66
0.019	1.173	1.683
0.017	1.232	1.74
0.015	1.252	1.80
0.014	1.314	1.84
0.013	1.471	1.94
0.012	1.528	2.07
0.011–0.010	1.658	2.17
0.009	1.770	2.58
0.008	1.987	2.78
0.007	2.570	3.20

The maximum prices for any sale of strip rubber which is of a different gauge than those listed above shall be the maximum price of the strip rubber of the next thicker or higher gauge that is priced above.

The above maximum prices are subject to all discounts, allowances and other deductions that the seller had in effect to each class of purchaser on October 1, 1941 for strip rubber made of natural rubber.

(3) *Notification of maximum prices.* With or prior to the first delivery by a seller of the strip rubber described in subparagraph (1) to a person who buys for resale purposes, such seller shall notify the reseller in writing of the maximum prices applicable to the reseller's sales which are the maximum prices set forth in subparagraph (2). Such notification shall include a statement that such reseller is required to notify any other reseller to whom he sells of the maximum prices applicable to such reseller's resales as established by subparagraph (2) above.

This amendment shall become effective June 28, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–11127; Filed, June 23, 1945; 11:41 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 9 to Supp. 6[1]]

CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES AND RELATED PRODUCTS (1944 AND LATER PACKS)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplement 6 to Food Products Regulation No. 1 is amended in the following respects:

1. The following undesignated paragraph is added to section 1 (a):

This supplement also establishes maximum prices for the service of custom packing fruits and berries wherever the finished product is an item of frozen fruits or berries covered by the supplement (see section 6, below). However, the service of freezing (without preliminary or other processing) when performed by a public cold storage warehouse, is not covered by this supplement.

2. Section 6 is amended to read as follows:

SEC. 6. *Maximum prices for custom packing in certain cases—*(a) *Maximum prices.* The custom packer's maximum price for the services of custom packing an item of fruit or berries (including the furnishing of any packaging materials and additional ingredients) shall be the amount by which his maximum price for sales of the frozen product on a no-storage basis exceeds the price paid for the particular fresh fruit or berries by the person for whom the custom packing is done, after conversion to cents per unit of the finished product. However, if the particular fresh fruit or berries being custom packed are subject either to a maximum price established by Maximum Price Regulation 425 or a price recommended by the Department of Agriculture for payment to growers, the custom packer's maximum price for his services shall not exceed the difference between his maximum price for the frozen product on a no-storage basis and the price so established or recommended for the fresh fruit or berries, after conversion to cents per unit of the finished product. If the goods are frozen by a public cold storage warehouse, the custom packer's maximum price for his services is reduced by the amount lawfully charged by the warehouse for freezing the item.

However, where more than one custom packer is engaged, the maximum price each, subsequent to the first, may charge is the maximum amount the preceding custom packer may charge for his services less what that custom packer actually receives.

(b) *Information required to be furnished and kept.* The person for whom the custom packing is done shall furnish the custom packer with a signed statement in writing, naming the amount paid for the fresh fruit or berries custom packed, the date on which and the name of the seller from whom they were purchased. Where more than one custom packer is engaged, the statement furnished each, subsequent to the first, shall instead name the maximum amount the preceding custom packer may charge for his services and the amount actually received by that custom packer. Each statement shall be furnished before the custom packer performs his services and each custom packer shall preserve the statement for examination by the Office

[1] 9 F.R. 8057, 10045, 11901, 14982.

of Price Administration or its authorized representatives at any reasonable time. However, if the custom packer who first performs any (or all) of the services acquires the fresh fruit or berries as agent of the purchaser, no statement need be furnished him, but he shall instead make and preserve a record for like examination of the information otherwise required to be furnished him.

(c) *Meaning of "custom packing".* In this supplement "custom packing" means any processing operation performed on fruits or berries owned by another, on a toll or contract basis (whether or not any packaging materials or additional ingredients are furnished), which alone or in conjunction with other operations constitutes the process of producing an item of frozen fruits or berries. However, the term does not apply to the service of freezing (without preliminary or other processing) performed by a public cold storage warehouse. "Custom packer" and "custom packed" shall be construed accordingly.

(d) *Individual authorization of maximum prices.* Any custom packer who cannot determine his maximum price for the service of custom packing fruits or berries under the foregoing provisions of this section shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price. The application in each case shall contain sufficient information to identify the service and shall state why the applicant cannot determine his maximum price under the provisions of paragraph (a), above. Upon receipt of the application, the Office of Price Administration will authorize a maximum price for the service, or a method of determining it, bearing a proper relationship to those for custom packers of comparable commodities under paragraph (a), above.

If the custom packer fails to apply for a maximum price under this paragraph, when required to do so, the Office of Price Administration may authorize a maximum price for his service, or method of determining it, bearing a proper relationship to those for custom packers of comparable commodities under paragraph (a), above. This will not relieve the custom packer of his obligation to comply with this paragraph or with any other provisions of this supplement, nor will it relieve him of any penalty for failure to do so.

This amendment shall become effective June 28, 1945.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11134; Filed, June 23, 1945; 11:41 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 299,[1] Amdt. 3]

SALES BY CANNERS OF TUNA, BONITO AND YELLOWTAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 299 is amended in the following respects:

1. Section 1364.656 (b) is revoked.

2. In § 1364.660 subparagraphs (14), (15) and (16) of paragraph (a) are amended to read as follows:

(14) "No. 1 Tuna" means a can 401 x 205.5 packed to a net weight of not less than 13 ounces in the case of fancy and standard packs and packed to a net weight of not less than 12 ounces in the case of grated and flake packs.

(15) "No. ½ Tuna" means a can 307 x 113 packed to a net weight of not less than 7 ounces in the case of fancy and standard packs and packed to a net weight of not less than 6 ounces in the case of grated and flake packs.

(16) "No. ¼ Tuna" means a can 211 x 109 packed to a net weight of not less than 3½ ounces in the case of fancy and standard packs and packed to a net weight of not less than 3 ounces in the case of grated and flake packs.

3. Section 1364.662 is amended to read as follows:

§ 1364.662 *Appendix A: Maximum canner's prices for tuna, bonito, and yellowtail.* (a) The prices set forth below are the maximum prices per case f. o. b. car at the shipping point nearest cannery. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts and differentials to purchasers of different classes.

Variety	Style of container and price per case		
	No. 1 Tuna	No. ½ Tuna	No. ¼ Tuna
Albacore:			
Fancy	$28.25	$15.50	$8.75
Standard	24.50	13.50	7.75
Grated	24.00	12.50	7.25
Flake	24.00	12.50	7.25
Light meat:			
Fancy	19.95	11.00	6.50
Standard	18.10	10.00	6.00
Grated	17.70	9.35	5.70
Flake	17.00	9.00	5.50
Bonito:			
Standard	16.00	8.50	5.25
Flake	14.00	7.50	4.75
Yellowtail:			
Standard	15.00	8.00	5.00
Flake	13.00	7.00	4.50

(b) For varieties, container sizes or types and styles of pack of tuna, bonito and yellowtail not listed in paragraph (a) the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a)." Such determination shall be made upon written request addressed to the Office of Price Administration, Washington, D. C. and accompanied by statements showing costs and usual differentials.

(c) *Notification of new maximum prices.* If any amendment to this regulation changes a canner's maximum price for any item of canned tuna, with the first delivery of that item after the effective date of provision changing the maximum price, the canner shall:

(1) Supply each wholesaler and retailer who purchases the item from him with the following written notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade, brand, style of pack and container type and size) has been changed under the provisions of Maximum Price Regulation No. 299. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations (see section 6 in each case). You must refigure your ceiling price on the first delivery of this item to you on and after (insert effective date of amendment).

For a period of 90 days after the effective date of the provision changing the maximum price and with the first delivery after the 90-day period to each person who has not made a purchase within that time, the canner shall include in each box, carton or case containing the item the written notice set forth above.

(2) Supply each purchaser of the item who is a distributor other than a wholesaler and retailer with written notice of the establishment of the new maximum price. The notice, which shall be attached to, or stated on, the invoice covering the first delivery to such purchaser after the effective date of the provision changing the maximum price shall read as follows:

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade, brand, style of pack and container type and size) has been changed from $_____ to $_____ under the provisions of Maximum Price Regulation No. 299. You are required to notify all wholesalers and retailers, for whom you are the customary type of supplier, purchasing the item from you after (insert effective date of the amendment) of any change in your maximum price. This notice must be made in the manner prescribed in § 1364.662 (c) (1) of Maximum Price Regulation No. 299.

(d) *Sales to Governmental procurement agencies.* The maximum price for sales by a canner of any item of canned tuna, bonito and yellowtail for which a maximum price is fixed by this regulation, to any procurement agency of the Armed Forces, the War Food Administration and any procurement agency thereof, the War Shipping Administration and the Veterans' Administration, shall be 97½% of the price fixed for the item in paragraph (a) of this section; from the price so computed there shall be deducted a cash discount of 1½% if payment is made within 10 days of receipt by the designated office of the war procurement agency of a properly authenticated claim.

This amendment shall become effective June 22, 1945.

NOTE: The reporting and recording provisions of this amendment are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11050; Filed, June 22, 1945; 4:18 p. m.]

[1] 8 F.R. 364, 6640, 7489.

[1] 9 F.R. 14993; 10 F.R. 3222.

[1] 9 F.R. 8057, 10045, 11901, 14982.

PART 1365—HOUSEHOLD FURNITURE

[MPR 548,[1] Incl. Amdts. 1-2]

METAL UPHOLSTERY SPRINGS, CONSTRUCTIONS AND ACCESSORIES

This compilation of Maximum Price Regulation 548 includes Amendment 2, effective June 28, 1945. The amended and added portions are indicated by underscoring or notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation, are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328. Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator, has determined with respect to such standardization that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

§ 1365.102 *Maximum prices for sales of metal upholstery springs, constructions and accessories.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Maximum Price Regulation No. 548 (Metal Upholstery Springs, Constructions and Accessories) which is annexed hereto and made a part hereof, is hereby issued.

Sec.
1. Scope of this regulation.
2. Prohibitions.
3. General specifications of those articles for which ceiling prices are established by sections 4, 5 or 6.
4. Dollars and cents ceiling prices for sales by manufacturers or specified items of metal upholstery springs, constructions and accessories.
5. Maximum prices for sales by manufacturers of certain articles which are not specifically priced under section 4, and which were sold or delivered by the manufacturer during March 1942.
6. Maximum prices for sales by manufacturers of articles which cannot be priced pursuant to sections 4 and 5, but which are of the same type as an article currently manufactured for which a ceiling price has been established under this regulation.
7. Maximum prices for sales of upholstery springs, construction and accessories manufactured from used materials.
8. Maximum prices for sales by manufacturers to automotive and aviation manufacturers of articles made from new and used materials.
9. Maximum prices for sales by manufacturers to jobbers.
10. Maximum prices for sales to the U. S. Government.
11. Maximum prices for sales by manufacturers of metal upholstery springs, constructions and accessories which cannot be priced under any other section of this regulation.
12. Terms of sale and zone differentials.
13. Maximum prices for sales by jobbers to any person.
14. Invoices and receipts.
15. Records to be kept by jobbers.
16. Relationship between this regulation and other regulations.
17. Licensing.
18. Exports.
19. Petitions for amendment.
20. Enforcement and evasion.
21. Geographical applicability.

AUTHORITY: § 1365.102 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

SECTION 1. *Scope of this regulation.* This regulation fixes ceiling prices for all sales and deliveries of the upholstery coils, innerspring units and constructions listed in paragraph (a) below by any person in the course of trade or business (except steel manufacturers who make and draw their own wire). It covers all the listed articles whether they are made wholly or in part of any new, reconditioned or used materials. It covers only those articles which are of the type used to form the resilient and shape-maintaining metal framework of all kinds of upholstered furniture, bedding articles and upholstered seat and back cushions which are used for any purpose. It also covers the specific accessory upholstery products listed below. It does not cover those articles listed in paragraph (b) below.

(a) *Articles covered by this regulation.* This regulation establishes ceiling prices for the following articles:

(1) Upholstery spiral coils of all kinds including, but not limited to, true upholstery springs, pillow springs, single cone springs, double cone springs, top extension springs, Marshall type springs, and all other springs of similar construction.

(2) Upholstery bar units wherein two or more upholstery spiral coils are attached to a rigid or flexible steel strip.

(3) Spring constructions made up of assembled or tied open or pocketed upholstery spiral coils or bar units (with or without padding or fabric or sisal covering) of the following types: davenport, chair, sofa, or seat constructions; cushion or back units.

(4) Shirstay bands. When used in this regulation, shirstay bands means any flat steel strip varying in length between 16" and 30" and varying in gauge between 14 gauge and 20 gauge and which is perforated at regular intervals in order to receive a spiral coil, for ultimate use in upholstered articles.

[Subparagraph (4) amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

(5) [Deleted.]

[Subparagraph (5) deleted by Am. 1, 9 F.R. 12027, effective 10-5-44]

(6) Extension spring helicals. When used in this regulation an extension spring helical means any helical of 16 gauge or lighter varying in length between 2½" to 5" and of the type used to connect the top turns of adjoining spiral coils in upholstered articles.

(7) Edge wire. When used in this regulation, edge wire means high or low carbon wire of the type used to form a wire border for an assembled innerspring unit or construction for upholstered articles.

(8) Mattress innerspring units of all types made up of assembled pocketed or wire-tied upholstery spiral coils designed or of the type used to form the inner metal framework of a mattress.

[Subparagraph (8) added by Am. 2, effective 6-28-45]

(b) *Articles not covered by this regulation.* The following articles are not covered by this regulation:

(1) Boxspring inner constructions. (Prices for these items continue under Maximum Price Regulation No. 188[3] for manufacturers and under the General Maximum Price Regulation[4] for other sellers.)

[Subparagraph (1) amended by Am. 2, effective 6-28-45]

(2) Inner constructions for dual purpose sleeping equipment. (Prices for these articles are under the jurisdiction of Maximum Price Regulation No. 188.)

(3) "No sag" or "zigger" type wire, together with attachments and accessories which are made exclusively for use with them.

(4) Helicals other than the extension spring helicals.

(5) Wood parts, fabrics and padding unless they are an integral part of the inner construction.

SEC. 2. *Prohibitions.* (a) On and after the effective date of this regulation and regardless of any contract or other obligation, no person is permitted to sell, offer to sell, deliver, or buy or receive any article covered by this regulation in the course of trade or business, at prices higher than the ceiling prices fixed by this regulation, and no person shall offer, solicit, attempt or agree to do any of the foregoing.

(b) Prices lower than the ceiling prices fixed by this regulation may be charged, demanded, paid or offered.

[1] 9 F.R. 12027.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 9 F.R. 8232, 9836, 10264, 10590, 11760, 13667, 14108, 14358, 14607, 14725; 10 F.R. 867, 2245, 2479, 3196, 3224, 4107, 5649, 5904, 6309, 6590, 6843.

[4] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

SEC. 3. *General specifications of those articles for which ceiling prices are established by sections 4, 5 or 6.* Articles priced under sections 4, 5 or 6 must conform to the following specifications:

(a) All materials must be new. Ceiling prices for articles made wholly or in part from used materials cannot be established pursuant to sections 4, 5 or 6 of this regulation, but must be established pursuant to the applicable section covering articles containing used materials. When used in this regulation used material means any material which has been subjected to any use in an upholstered product.

(b) All coils and helicals shall be high carbon spring wire and must be tempered by proper heat treatment.

(c) All wire connections must be properly secured and reinforced where necessary.

(d) The pig tail helicals which are used in helical-tied constructions and innerspring units shall be attached to vertical springs in such a manner as to prevent shifting under service while maintaining a definite hinge joint.

(e) Cut ends of wire on all constructions and innerspring units shall be turned into such a position as not to interfere with the action of the springs or damage the covering.

SEC. 4. *Dollars and cents ceiling prices for sales by manufacturers of specified items of metal upholstery springs, constructions and accessories.* This section establishes ceiling prices for the specified items of metal upholstery springs, constructions, and accessories set forth below. The ceiling prices are for sales and deliveries by manufacturers or their "sales agents" of articles covered by this regulation to the "furniture trade." (When used in this regulation the term "sales agent" means any person who distributes the products of a manufacturer to that class of trade normally serviced directly by the manufacturer; and the term "furniture trade" means manufacturers of bedding and furniture, and industrial users other than automotive manufacturers, aviation manufacturers, and the United States Government or any agency thereof.) The ceiling prices are only for those articles which clearly meet the specifications listed in this section, and the general specifications listed in section 3 above. The ceiling prices to classes of purchasers not covered by this section or for any article which varies from the specifications listed below must be established by sections 5 to 11 inclusive, whichever is first applicable.

[Above paragraph amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

TYPE I—UPHOLSTERY SPIRAL COILS

Item	Item 1. Upholstery coils (gauges up to 11½)	Item 2. Pillow springs (gauges of 12 or lighter)
Specifications of base models	7 inches or higher. Open ends. 10 gauge or heavier. Japanned and tempered. Quantity of 300 pounds or more of a single size and kind.	6 inches or higher. Open ends. 13 gauge. Japanned and tempered. Quantity of 250 pounds or more of a single size and kind.
Base price per cwt	$6.75	$8.60
Extras (add or deduct from base price):		
6" high	Add $0.25	
5" high	Add $0.70	Add $0.70.
4" high	Add $1.00	Add $1.00.
3" high	Add $1.60	Add $2.00.
Knot one end	Add $0.70	Add $1.00.
Knot two ends	Add $1.00	Add $1.50.
Dunk, dowell or eye—one end	Add $0.75	Add $1.25.
Extension top and one Knot	Add $1.25	Add $2.25.
Notched top	Add $1.00	
Single cone (applicable only to pillow springs of 13 gauge or lighter)		Add $0.55.
Each ½ gauge lighter	Add $0.25	Add $0.50.
Each ½ gauge heavier		Deduct $0.35.

(Fractional gauges or heights to be priced same as nearest ½ gauge or listed height)

Quantity differential (to be applied after all other extras are added to or deducted from base price)

(1) 100–499 pounds or more of a single size and kind	Add 5 percent	Add 5 percent.
(2) 100–249 pounds or more of a single size and kind	Add 15 percent	Add 15 percent.
(3) Less than 100 pounds of a single size and kind		

[Type I amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

TYPE II—SEAT AND BACK BAR UNITS

Item 3. *Seat bar hard edge*—Base price $8.75 per 100 pieces in quantities of 500 pieces of a single size and kind.
14½" x 19 ga. bar—formed (or other dimensions of same weight).
19" hole to hole.
2½" drop—2 ends.
3 coils—5" high—10½ ga.—6 turns—single cone—knot one end.
Japanned.

Extras (add or deduct from base price):

Bar each 1" additional drop, add	$0.25
Bar each 1" longer, add	.25
Bar each 1" shorter, deduct	.15
For 1¼" x 18 ga. bar, add	.50
For 1¼" x 18 ga. bar, add	.60
For each 1" higher all coils, add	.50
For each 1" lower all coils, deduct	.25
Each ½ ga. heavier—all coils, add	.35
Each ½ gauge lighter—all coils, deduct	.25
2 coil bar, deduct	1.00
4 coil bar, add	1.50

(Fractional dimension to be priced same as nearest listed dimension.)

Quantity differential (to be applied after all other extras are added to or deducted from base price).

For 100–499 pieces of a single size and kind, add	5
For less than 100 pieces of a single size and kind, add	15

Item 4. *Seat bars spring edge*—Base price $11.75 per 100 pieces in quantities of 500 pcs. of a single size and kind.
14½" x 19 gauge or 2" x 20 gauge bar—formed (or other dimensions of same weight).
2⅝" hole to hole.
2½" drop—2 ends.
2 coils—6" high—9½ gauge—6 turns—single cone—regular top.
1 coil—7" high—9 gauge—7 turns—single cone—regular top.
Lip and hook back.
Japanned.

Extras (add or deduct from base price):

Bar each 1" shorter, deduct	$0.15
Bar each 1" longer, add	.25
Each 1" additional drop, add	.25
For 1½" x 18 gauge bar, add	.50

Extras (add or deduct from base price)—Con.

For 1¾" x 18 gauge bar, add	$0.60
All coils, each inch higher, add	.50
One coil, each inch higher, add	.25
All coils, each inch lower, deduct	.25
One coil, each inch lower, deduct	.15
All coils, each ½ gauge heavier, add	.35
One coil, each ½ gauge heavier, add	.20
All coils, each ½ gauge lighter, deduct	.25
One coil, each ½ gauge lighter, deduct	.15
Extension top (per coil), add	.25
Double cone coil—all coils, add	.35
Two coil bar, deduct	1.00
Four coil bar, add	1.50

(Fractional dimensions to be priced same as nearest listed dimension).

[Above *Extras* amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

Quantity differential (to be applied after all other extras are added to or deducted from base price)

	Percent
For 100–499 pieces of a single size and kind, add	5
For less than 100 pieces of a single size and kind, add	15

Item 5. *Pillow back bars—Flexible bar.*—Base price $11.75 per 100 pieces in quantities of 500 pieces of a single size and kind.
1" x 20 gauge bar (or any other dimensions of same weight).
2½" hole to hole.
3 coils—6" high—13 gauge—6 turns—single cone—knot one end.
No drop.
Japanned.

Extras (add or deduct from base price):

Bar each 1" shorter, deduct	$0.15
Bar each 1" longer, add	.15
Drop, each end, add	.25
1" x 18 gauge bar, add	.75
1" x 19 gauge bar, add	.75
All coils each 1" higher or lower, add or deduct	.40
All coils each ½ gauge heavier or lighter, add or deduct	.35
2 coil bar, deduct	1.00
4 coil bar, add	.75

(Fractional dimension to be priced same as nearest listed dimension)

[Extras amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

Quantity differential (to be applied after all other extras are added to or deducted from base price)

	Percent
For 100–499 pieces of a single size and kind, add	5
For less than 100 pieces of a single size and kind, add	15

Item 6. *Rigid bar*—Base price $6.00 per 100 pieces in quantities of 500 pieces of a single size and kind.
1¼" x 19 gauge formed (or any other dimensions of same weight).
2½" hole to hole.
3 coils—6" high—13 gauge—6 turns—single cone—knot one end.
No drop.
Japanned.

Extras (add or deduct from base price):

Bar each 1" shorter, add	$0.15
Bar each 1" longer, add	.25
Drop, each end, add	.50
1¼" x 18 gauge, add	.60
1¼" x 18 gauge, add	.75
All coils each 1" higher or lower, add or deduct	.40
All coils each ½ gauge heavier or lighter, add or deduct	.30
2 coil bar, deduct	1.00
4 coil bar, add	.75
Double cone coils—all coils, add	.75

(Fractional dimension to be priced same as nearest listed dimension)

[Extras amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

Quantity differential (to be applied after all other extras are added to or deducted from base price)

	Percent
For 100–499 pieces of a single size and kind, add	5
For less than 100 pieces of a single size and kind, add	15

TYPE III—POCKETED COIL UNITS (MARSHALL TYPE ONLY)

Item 7. Specifications for base models:
Coil—3½" high—4½ turns or more.
Tie—Double tied or hog rinked
Fabric—Covers averaging more than 5 square yards per pound
Quantity—Lots of 50 cushion units or more of a single size and kind.
"Doubled tied" means tying the adjoining coils of parallel rows of coils transversely with interlocking ties running lengthwise between all the rows

[Item 7 amended by Am. 1, 10 F.R. 12027, effective 10-15-44]

[Base price per thousand coils]

Diameter of coils (inches)	Gauge of coils							
	13½	14	14½	15	15½	16	16½	17
2	----	----	----	----	----	14.35	14.10	13.85
2½	----	----	----	----	15.30	15.05	14.80	----
3	----	----	----	----	16.00	15.75	15.55	----
3½	----	----	17.20	16.95	16.70	16.45	----	----
3¾	----	----	18.45	18.10	17.75	17.40	17.15	----
3¾	----	19.40	19.05	18.75	18.45	----	----	----
3¾	20.80	20.40	20.00	19.60	----	----	----	----
3¾	21.60	21.15	20.70	----	----	----	----	----

Extra O. D.'s and gauges at price of nearest listed O. D. or gauge.

Extras (Add or deduct from base price):

	Percent
Coils—each ½" higher (same coil pitch) add	3
Coils—each ½ gauge heavier, add	3
Coils—each ½" lighter, deduct	1½
Border wire—12 gauge or heavier, high carbon wire, for cushion sizes up to 24" x 24":	
Top only, add per cushion	$0.05
Top and bottom, add per cushion	.10
Continuous formed border frame for innerspring units, all around, top and bottom, clipped or hog-ringed, add per unit:	
9½ gauge or heavier	.43
10-11½ gauge	.40
12-12½ gauge	.37
(All above high carbon spring wire)	
Flat high carbon edging wire minimum .60-.70 carbon, ¼" x 0.055 or ¼" x 0.052	.45
Two 14½-15½ gauge high carbon wire frames	.50
Three 14½-15½ gauge high carbon wire frames	.60
Marshall strip, deduct	3.00
Marshall nested tie, deduct	1.75
Single tie, deduct	1.00

Quantity differential (to be applied after all other extras are added or deducted from base price).

For lots of less than 50 cushions units of a single size and kind, add 10 percent.

*Average weight of cover to be computed for each shipment.

[Type III amended by Am. 1, 10 F.R. 12027, effective 10-15-44; and Am. 2, effective 6-28-45]

TYPE IV—WIRE TIED CUSHIONS UNITS, INCLUDING SAMPLES FOR MATTRESS UNITS NOT EXCEEDING 25 ASSEMBLED COILS PER UNIT

Item 8. *Bonnel type*—
Coils 4½" high—15 gauge—5 turns or more.
Center helicals—18 gauge or heavier—high carbon wire ½" O. D. or smaller—2 turns per inch or more.

TYPE IV—Continued

Item 8. *Bonnel type*—Continued.
Borders—4 sides—top and bottom 15 gauge helical—⅜" diameter—3 turns per inch or more; or 18 gauge helical—½" diameter or less—2 turns per inch or more with #15 gauge high carbon wire inserted border; or 2—18 gauge helicals interwound, ½" diameter—2 turns per inch.
With or without single insulation.
Not japanned.
Item 9. *Crimp or clip tied:*
Coils 4½" high—15½ gauge—5 turns—high carbon wire.
Crimps 16 gauge or heavier—low carbon wire.
Borders—1 piece—formed—top and bottom 15 gauge high carbon wire; or 2 strands—16½ gauge high carbon wire.
With or without single insulation.
Not japanned.

[Type IV heading amended by Am. 2, effective 6-28-45]

[Schedule of base prices for items 8 and 9. Price in cents]

Size	Coil count by row	Uncovered units	Fabric covered		Sisal covered	
			5 square yards per pound or lighter	3.01–4.99 square yards per pound	3 square yards per pound or heavier	Sisal covered 3 ounces	Bookfold extra (add to base price)
15 x 15	4 x 3	$0.253	$0.309	$0.366	$0.394	$0.444	$0.115
15 x 17	4 x 3	.257	.339	.378	.406	.494	.150
16 x 16	4 x 3	.257	.349	.378	.406	.494	.150
16 x 17	4 x 3	.268	.364	.384	.413	.475	.166
17 x 17	4 x 3	.269	.360	.392	.423	.480	.175
15 x 16	4 x 4	.286	.374	.402	.428	.484	.152
15 x 17	4 x 4	.287	.379	.408	.436	.494	.159
15 x 18	4 x 4	.288	.384	.415	.443	.504	.166
15 x 19	4 x 4	.289	.386	.421	.451	.514	.173
16 x 16	4 x 4	.287	.379	.408	.436	.494	.159
16 x 17	4 x 4	.288	.384	.415	.443	.505	.166
16 x 18	4 x 4	.289	.389	.421	.451	.516	.174
16 x 19	4 x 4	.290	.394	.427	.459	.526	.182
16 x 20	4 x 4	.291	.399	.434	.467	.536	.190
17 x 18	4 x 4	.290	.395	.428	.460	.527	.183
17 x 22	4 x 4	.294	.418	.457	.495	.573	.214
18 x 21	4 x 5	.349	.443	.476	.507	.573	.183
15 x 21	5 x 4	.340	.418	.482	.515	.583	.187
16 x 21	4 x 5	.341	.455	.491	.526	.596	.197
17 x 17	5 x 4	.348	.409	.471	.502	.565	.175
17 x 18	5 x 4	.350	.444	.477	.509	.576	.183
17 x 19	5 x 4	.349	.450	.485	.518	.587	.190
17 x 20	5 x 4	.341	.455	.491	.525	.598	.198
17 x 21	5 x 4	.347	.481	.524	.564	.648	.222
17 x 22	5 x 4	.348	.488	.533	.575	.663	.242
18 x 19	5 x 4	.365	.500	.533	.565	.631	.182
18 x 20	5 x 4	.366	.505	.540	.573	.641	.190
18 x 21	5 x 4	.367	.510	.546	.581	.651	.197
17 x 19	5 x 5	.366	.504	.544	.574	.643	.190
17 x 20	5 x 5	.367	.511	.547	.582	.654	.198
17 x 21	5 x 5	.368	.517	.555	.591	.666	.206
17 x 24	5 x 5	.401	.545	.578	.618	.702	.242
18 x 19	5 x 5	.367	.512	.549	.588	.655	.190
18 x 20	5 x 5	.368	.517	.555	.596	.666	.206
18 x 21	5 x 5	.369	.522	.561	.604	.677	.214
18 x 22	5 x 5	.400	.527	.568	.612	.688	.221
19 x 21	5 x 5	.400	.529	.570	.609	.680	.223
19 x 22	5 x 5	.401	.545	.578	.618	.702	.231
20 x 22	5 x 5	.403	.542	.586	.628	.716	.241
22 x 21	5 x 5	.405	.551	.598	.641	.733	.252
19 x 19	6 x 5	.465	.584	.622	.658	.720	.206
19 x 20	6 x 5	.466	.590	.630	.667	.745	.214
19 x 21	6 x 5	.467	.596	.637	.676	.757	.223
19 x 22	6 x 5	.469	.603	.646	.686	.770	.231
20 x 20	6 x 5	.467	.596	.637	.676	.757	.223
20 x 21	6 x 5	.470	.603	.646	.686	.770	.232
20 x 22	6 x 5	.470	.609	.654	.695	.783	.240
21 x 21	6 x 5	.470	.610	.655	.697	.785	.241
21 x 22	6 x 5	.472	.618	.665	.708	.800	.252
22 x 21	6 x 5	.475	.624	.674	.722	.820	.263
22 x 22	6 x 5	.477	.632	.685	.734	.838	.275
23 x 21	6 x 5	.477	.633	.686	.735	.840	.285
23 x 24	6 x 5	.479	.651	.707	.759	.868	.297
20 x 23	6 x 6	.532	.676	.722	.765	.857	.249
21 x 23	6 x 6	.534	.685	.733	.779	.874	.261
21 x 24	6 x 6	.536	.693	.743	.791	.889	.272

[Schedule of Base Prices amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

FABRIC AND HOOKFOLD SISAL EXTRAS TO BASE PRICES*

Diameter (inches)	Kind of cover		
	3-ounce hookfold sisal	Covers averaging 3.01-4.99 square yards per pound	Covers averaging 3 square yards or less per pound
2	$3.00	$1.20	$2.40
2½	3.20	1.35	2.70
2¾	4.10	1.55	3.10
3	4.30	1.75	3.50
3½	5.00	2.00	4.00
3¾	5.75	2.25	4.50
3¾	6.75	2.45	4.90
3¾	7.25	2.65	5.30

DEDUCTIONS WHERE COVER IS SUPPLIED BY PURCHASER

Diameter (inches)	Kind of cover	
	Roll goods (in full rolls)	Remnants
2	$3.00	$2.25
2½	3.20	2.65
2¾	4.10	3.00
3	4.70	3.50
3½	5.00	4.00
3¾	5.75	4.75
3¾	6.75	5.75
3¾	7.25	6.25

Quantity differential (to be applied after all other extras are added or deducted from base price).

For lots of less than 50 cushions units of a single size and kind, add 10 percent.

*Average weight of cover to be computed for each shipment.

Extras (add or deduct from base price)
1. Coils—for each ½ gauge heavier or lighter, add or deduct 3% of price of uncovered unit.
2. Coils—for each ½ inch higher (and same coil pitch) add 2%.
3. Serpentine or shaped fronts:
4 coil width, add $0.02
5 coil width, add .025
6 coil width, add .03
7 coil width, add .035
4. Tapered units, add .05

5. Each full gauge heavier border wire for top & bottom, add---- $0.01
6. Japanned unit, add---------- .03
7. 4 Piece border top and bottom in place of continuous formed border, deduct---------- .01
8. Each continuous formed border omitted, deduct---------- .03
9. Border, two sides only in place of four sides, top & bottom, deduct---------- .02
10. Offset coil units (coils flattened where joined by helicals) add (per coil)---------- .002
11. Fractional inch dimensions to be counted same as nearest full inch.
12. The maximum price of an unlisted size of a listed row count is the price of a listed cushion unit with the same row count and the same or nearest coil diameter (with ¼" maximum variance) plus or minus adjacent differentials for each inch variation in length.
13. The maximum price of an unlisted size which cannot be determined under (12) above must be determined under sections 5, 6, or 11 of this regulation.

Quantity differentials (to be applied after all other extras are added or deducted from base price).

For lots of less than 50 cushion units of a single size or kind, add 10%.

Cushions made with covers supplied by the purchasers, add 3 cents to the uncovered price.

[Above sentence added by Am. 2, effective 6-23-45]

[Extras amended by Am. 1, 9 F.R. 12027 effective 10-5-44 and as otherwise noted]

TYPE V—DAVENPORT AND CHAIR CONSTRUCTIONS

Item 10. *Bar base—Wire top.*
Coils—average 7" high—10½ gauge—6 turns or more—single cone—knot 1 end.
Rigid bar—1½" x 19 gauge—21" hole to hole—end holes punched, or
Flexible bar—1½ x 19 gauge—21" hole to hole—end holes punched.
Bar drop—2½".
Top ties—15 gauge or heavier, low carbon wire.
Border wire—12½ gauge or heavier, high carbon wire, or 8 gauge or heavier, low carbon wire.
Japanned.

Item 11. *Bar base—Helical top—*
Coils—average 7" high—10½ gauge—6 turns or more—single cone—knot one end.
Rigid bar—1½" x 19 gauge—21" hole to hole—end holes punched or
Flexible bar—1½" x 19 gauge—21" hole to hole—end holes punched.
Bar drop—2½".
Cross helicals—17 gauge or heavier.
Border wire—9 gauge or heavier, high carbon wire; or 7 gauge or heavier, low carbon wire.
Japanned.

Item 12. *Wire base—Wire top.*
Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot one end.
Base wire—10 gauge or heavier, high carbon wire, eyed or pointed ends 1 way, or 9 gauge or heavier, low carbon wire, eyed or pointed ends 1 way.
Drop—2½".
Top ties—15 gauge low carbon wire
Links—18 gauge low carbon wire or heavier.
Border wire—9½ gauge or heavier, high carbon wire; or 8 gauge or heavier, low carbon wire.
Japanned.

Item 13. *Wire base—Helical top*
Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot one end.
Base wires—10 gauge or heavier, high carbon wire, eyed or pointed ends one way; or 9 gauge or heavier low carbon wire, eyed or pointed ends one way.
Drop—2½".
Cross helical—17 gauge or heavier.
Border wire—9 gauge high carbon wire or heavier; or 7 gauge low carbon wire or heavier.
Japanned.

BASE PRICES PER UNIT IN QUANTITIES OF 50 DAVENPORT OR 100 CHAIR UNITS OF A SINGLE SIZE AND KIND

[11 14 davenport and chair construction base prices]

	Bar base		Wire base	
	Item 10 wire top	Item 11 helical top	Item 12 wire top	Item 13 helical top
3 x 2 chair	$0.60	$0.63	$0.56	$0.59
3 x 3 chair	.69	.73	.65	.69
3 x 4 chair	.86	.93	.78	.87
4 x 4 chair	1.00	1.13	.89	1.01
3 x 6 sofa	1.30	1.45	1.19	1.33
5 x 7 sofa	1.52	1.69	1.39	1.56
3 x 8 sofa	1.71	1.91	1.56	1.76
3 x 9 sofa	1.84	2.06	1.67	1.91
4 x 7 sofa	1.88	2.13	1.69	1.94
4 x 8 sofa	2.07	2.36	1.87	2.15

Extras (add or deduct from base price).

	Chair	Sofa
"I" frame and two coils, notched or eccentric frame (per unit)	$0.10	$0.15
Each 1" longer bar, bar base (per bar)	.0025	.0025
Each 1" shorter bar (per bar)	.0015	.0015
Each 1" shorter, wire base (per row)	.001	.001
deduct		
For each 1" longer, wire base (per row)	.0015	.0015
For 13½" x 18 ga. rigid bar (per bar)	.005	.005
For 13½" x 18 ga. rigid bar (per bar)	.0025	.0025
Each 1" additional drop (per bar)		
Each 1" variation in coil height (average all coils) add or deduct (per bar or row)	.005	.005

BASE PRICES—PER UNIT IN QUANTITIES OF 50 OR MORE OF ONE SIZE AND KIND

Size (inches)		Number bars	Length of bars (inches)	Number springs	Height (inches)	Gauge coils	Price	
Length	Depth						Wire base	Bar base
14	14	2	18	2	3	10½	$0.28	
15	15	2	20	3	3	10½	.33	
18	18	3	26	2	3	10½	.38	
18	18	3	22	3	3	10½	.39	

Extras (add or deduct from base price):

For 1½" x 19 gauge bar, per bar	
Each ½ gauge heavier or lighter all coils add or deduct, per bar or row	
Each 1" higher, all coils, per bar or row	
Bottom border #1 gauge low carbon wire, per unit	
Other sizes priced similar to item above with nearest surface area.	

Quantity differentials (to be applied after all other extras are added or deducted from base price)

	Percent
For 50-99 one size and kind, add	5
For less than 50 one size and kind, add	15

Item 16. *Seat construction for maple and sun room furniture:*

Self Supporting type—Non reversible base price $0.53 per unit in quantities of 100 or more of a single size and kind.
Size—20" x 21", 1" tolerance each way.
9 coils, 5½" high, 10½ gauge or heavier, 6 turns, single coils.
Top ties—15 gauge or heavier low carbon wire.
Links—13½ gauge or heavier low carbon wire.
Top Border—10½ gauge or heavier high carbon wire.
Bottom Border 6 gauge or heavier high carbon wire.
Bottom ties—9 gauge or heavier high carbon wire.
Japanned.

Item 17. *Non-self-supporting style—Non reversible* base price, $0.45 per unit in quantities of 100 or more of a single size and kind.
Size—21" x 21", 1" tolerance each way.
9 coils, 5½" high, 10 gauge or heavier—6 turns—single cone.
Top ties—15 gauge or heavier, low carbon wire
Links—13½ gauge.
Top Border—10½ gauge or heavier high carbon wire.
Bottom Border—10 gauge or heavier low carbon wire.
Bottom ties—11 gauge or heavier low carbon wire.
Japanned.

Extras, Items 16 and 17 (add or deduct from base price)

Each ½ gauge heavier or lighter, all coils, add or deduct per bar	$0.01
Each 1" higher or lower all coils, add or deduct per bar	.015

	Chair	Sofa
Coils each ½ ga. heavier (add per bar or row)	$0.005	$0.00
Coils each ½ ga. lighter (deduct per bar or row)	.004	.00
Bottom border 10½ ga. high carbon wire or 9 ga. low carbon wire (bar base unit per unit)	.15	.1
(wire base unit per unit)	.10	.1

Quantity differentials (to be applied after all other extras are added or deducted from base price)

For 50 to 99 chairs or 25-49 davenports of a single size and kind, add	.5
For less than 50 chairs or 25 davenports of a single size and kind, add	.1

TYPE VI—SAG SEAT AND SPECIAL CONSTRUCTIONS

Item 14. *Rigid bar type*
Coils—3" high—10½ gauge—single cone—knot one end.
Bar 1" x 18 gauge—formed for other dimensions of same weight, 2½" drop.
Top crimps 15 gauge low carbon wire or heavier.
Links 13½ gauge low carbon wire or heavier.
Border wire 10½ gauge high carbon wire or heavier.
Japanned.

Item 15. *Wire base type.*
Coils—3" high—10½ gauge—single cone—knot one end.
Base wire 10½ gauge or heavier, eyed or pointed, high carbon wire.
Top crimps 15 gauge low carbon wire or heavier.
Links 14½ gauge low carbon wire or heavier.
Border wire 10½ gauge high carbon wire, or heavier.
Japanned.

TYPE VII—ACCESSORIES

Item 18. *Edge wire.*

Kind of wire	Base prices per cwt.	
	Coils	Cut and troughed
6 gauge or heavier basic wire	$4.00	$5.00
9 gauge or heavier spring wire	5.15	6.15

Extras (add or deduct from base price):

Each gauge lighter	.10
Less than 100 pounds	.15

Item 19. *Shoretay bands:*
Hot rolled or eyelalled-punched.
1" x 20 gauge.
Base price per cwt., of 500 pounds or more of a single size and kind: $6.50
Coils
Cut to length—packed

Extras (add or deduct from base price):

Less than 500 pounds	.50
Each gauge heavier	.10
Each ¼" wider, deduct	.05

Extras (add or deduct from base price)—Con.

Item 20. *Extension springs:*
Inclusive, 6 turns per inch, ½" O.D. 4" long or longer.
Single extension springs, $13.25 per cwt.
Cross extension springs, $11.75 per cwt.

[Item 20 amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

Extras (add or deduct from base price): Each ½" shorter, $.50.

Item 21. *Single cone coils:*
Specifications of base model:
6" high or higher.
Knotted one end.
Japanned.
11½ gauge.
Base model price per cwt. $7.80 in quantities of 500 lbs. or more of a single size and kind.

Extras (add or deduct from base price):

Open both ends, deduct	$0.40
5" high, add	.50
4" high, add	1.00
3" high, add	1.50
Unjapanned, deduct	.20
Each ½ ga. heavier, deduct	.15
Each ½ ga. lighter (up to and including 12½ ga.), add	.20
Extension top, add	.75
Dunk, Dowel or Eye one end, add	.75

Quantity differential (to be applied to base price after all other extras are added to or deducted from base price):
100-499 lbs. of a single size and kind add 5%.
Less than 100 lbs. of a single size and kind add 15%.

[Item 21 amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

TYPE VIII—MATTRESS INNERSPRING UNITS

Maximum prices for base models of mattress innerspring units, i. e., Bonnel, Offset and Clip or Crimp type with open or knotted coils in straight formation, are established in this section.

Maximum prices should be established under section 5 or 6 or 11 of this regulation, whichever is first applicable, for all other units, including but not limited to the following:

Hospital units which cannot be priced under the schedule below.
Units containing stabilizing wires.
Units with coils in staggered formation.
Units with coil counts not priced in this schedule.
Units with coil heights lower than those specified in this schedule.
Special-size units varying more than 6 inches in any one dimension from those specified in this schedule.
Units containing distinctive patented features which do not meet or are not covered by the specifications and extras set forth.

The maximum price of any assembled sample unit (not exceeding 25 coils per unit) shall be determined under the schedule of base prices for items 8 and 9 (Type IV—Wire-Tied Cushion Units).

Specifications for base models. All models other than rollaway units—all coils—uniform coil diameter and height—double cone—K2E or open-end—4½" or higher—5-5½ turns.

Rollaway units—all coils—uniform coil diameter and height—double cone—K2E or open-end—3½" or higher—4—4½ turns.

Bonnell type—body helicals—18 gauge or heavier—minimum 24 turns per foot—including helicals on two sides or two ends—each coil attached by no less than three helical turns on one side and two turns on the other.

Clip or Crimp type—16 gauge or heavier high carbon steel rods—including rods or helicals on two sides or two ends—each coil clipped or clinched to rods to achieve locking effect—rods crimped or notched where attached to coils.

Offset Type A—"All male" offset coils (adjoining sides of which are flattened where wrapped by helicals) assembled with helicals of 36-50 turns per foot.

Offset Type B—"All male" offset coils assembled with helicals of 51 turns per foot or more; or "male and female" offset coils; or offset coils, adjoining sides of which are zigzagged where wrapped by helicals.

Quantity—Standard packing bale of a single size and kind. ("Standard packing bale" means that number of units which a manufacturer packed or crated for shipping purposes in one bale during March, 1942.)

TABLE I—SCHEDULE OF BASE PRICES PER UNIT, BY COIL GAUGES AND ROW COUNT, FOR REGULAR BED-SIZE UNITS[1]

Coil gauge	Coil count by row		Number coils 4/6	Maximum prices 4/6				Maximum prices 3/3			
	4/6	3/3		Bonnel	Crimp or clip	Offsets A	Offsets B	Bonnel	Crimp or clip	Offsets A	Offsets B
A. Crosswise lacing											
14½	10 x 17	7 x 17	170	$1.60	$1.80	$1.80	$1.80	$1.45	$1.65	$1.65	$1.75
14½	10 x 18	7 x 18	180	1.70	1.90	1.90	2.00	1.55	1.75	1.75	1.85
14½	11 x 18	8 x 18	198	1.85	2.05	2.05	2.15	1.70	1.90	1.90	2.00
14½	12 x 18	9 x 18	216	2.00	2.20	2.20	2.35	1.85	2.05	2.08	2.23
14½	10 x 19	7 x 19	190	1.78	1.98	1.98	2.08	1.63	1.83	1.83	1.93
14½	11 x 19	8 x 19	209	1.94	2.14	2.17	2.29	1.79	1.99	2.02	2.14
14½	12 x 19	9 x 19	228	2.10	2.30	2.33	2.45	1.95	2.15	2.18	2.30
14½	10 x 20	7 x 20	200	1.80	2.00	2.00	2.10	1.74	1.94	1.94	2.04
14½	11 x 20	8 x 20	220	2.05	2.25	2.25	2.40	1.90	2.10	2.13	2.25
15	12 x 20	9 x 20	240	2.14	2.36	2.40	2.54	1.99	2.24	2.25	2.39
15	13 x 20	9 x 20	260	2.30	2.55	2.56	2.70	1.99	2.24	2.27	2.39
15	14 x 20	10 x 20	280	2.46	2.71	2.75	2.91	2.31	2.56	2.60	2.76
14½	11 x 21	8 x 21	231	2.11	2.31	2.31	2.46	1.96	2.16	2.19	2.31
15	12 x 21	9 x 21	252	2.21	2.46	2.47	2.63	2.06	2.31	2.32	2.46
15½	15 x 21	11 x 21	315	2.62	2.87	2.94	3.12	2.42	2.67	2.74	2.92
15	12 x 22	9 x 22	264	2.30	2.55	2.59	2.75	2.15	2.40	2.44	2.60
15	13 x 22	9 x 22	286	2.48	2.73	2.77	2.93	2.15	2.40	2.44	2.60
15½	14 x 22	10 x 22	308	2.56	2.81	2.88	3.06	2.36	2.61	2.68	2.86
15½	14 x 23	10 x 23	322	2.65	2.90	2.97	3.15	2.45	2.70	2.77	2.95
15½	13 x 24	9 x 24	312	2.54	2.79	2.87	3.04	2.34	2.59	2.66	2.84
16½	17 x 24	12 x 24	408	3.20	3.50	3.55	3.75	2.95	3.25	3.30	3.50
16	14 x 25	10 x 25	350	2.82	3.12	3.17	3.37	2.62	2.92	2.97	3.17
16½	16 x 25	11 x 25	400	3.16	3.46	3.51	3.71	2.91	3.21	3.26	3.45
16½	16 x 26	11 x 26	416	3.25	3.55	3.60	3.80	3.00	3.30	3.35	3.55
16½	15 x 27	11 x 27	405	3.17	3.47	3.52	3.72	2.92	3.22	3.27	3.47
B. Lengthwise lacing											
14½	13 x 13	9 x 13	169	1.60	1.80	1.80	1.90	1.45	1.65	1.65	1.75
14½	13 x 14	9 x 14	182	1.70	1.90	1.90	2.00	1.55	1.75	1.75	1.85
14½	13 x 15	9 x 15	195	1.82	2.02	2.02	2.12	1.67	1.87	1.87	1.97
14½	13 x 16	9 x 16	208	1.94	2.14	2.17	2.29	1.79	1.99	2.02	2.14
14½	13 x 17	9 x 17	221	2.06	2.26	2.29	2.41	1.91	2.11	2.14	2.26
15	13 x 18	9 x 18	234	2.11	2.36	2.37	2.51	1.96	2.21	2.22	2.36
14½	14 x 15	10 x 15	210	1.94	2.14	2.17	2.29	1.79	1.99	2.02	2.14
14½	14 x 16	10 x 16	224	2.07	2.27	2.30	2.42	1.92	2.12	2.15	2.27
15	14 x 17	10 x 17	238	2.13	2.38	2.39	2.58	1.98	2.23	2.24	2.38
15	15 x 16	11 x 16	240	2.12	2.37	2.38	2.52	1.97	2.22	2.23	2.37
15	15 x 17	11 x 17	255	2.24	2.49	2.50	2.64	2.09	2.34	2.35	2.49
15	15 x 18	11 x 18	270	2.36	2.61	2.65	2.81	2.21	2.46	2.50	2.66
15	15 x 19	11 x 19	285	2.48	2.73	2.77	2.93	2.33	2.58	2.62	2.78
15½	16 x 19	11 x 19	304	2.52	2.77	2.84	3.02	2.37	2.62	2.71	2.70
15½	16 x 20	11 x 20	320	2.64	2.89	2.96	3.14	2.44	2.69	2.76	2.94
15½	17 x 19	12 x 19	323	2.65	2.90	2.97	3.15	2.46	2.70	2.77	2.95

[1] Regular bed-size units are as follows:

4/0 Size	51"-52" x 71"-73½"
4/0 Size	45"-47" x 71"-73½"
3/6 Size	39"-40" x 71"-73½"
3/3 Size	36"-37" x 71"-73½"
3/0 Size	33"-36" x 71"-73½"

The maximum prices and row counts of bed-sizes 4/0, 3/6, and 3/0 shall be in proportion to those shown in the above schedule.

TABLE II—SCHEDULE OF BASE PRICES PER UNIT, BY COIL GAUGES AND ROW COUNT, FOR REGULAR STUDIO, YOUTH, CRIB AND ROLLAWAY UNITS[1]

Type	Coil gauge	Coil count by row	Number of coils	Maximum price			
				Bonnell	Crimp or clip	Offsets A	Offsets B
Studio unit	14	5 x 17	85	$1.03	$1.13	$1.13	$1.18
	14	6 x 17	102	1.14	1.24	1.24	1.29
	14	5 x 18	90	1.08	1.18	1.18	1.23
	14	6 x 18	108	1.19	1.29	1.29	1.34
	14	7 x 13	91	1.08	1.18	1.18	1.23
	14	7 x 14	98	1.12	1.22	1.22	1.27
	14	7 x 15	105	1.16	1.26	1.26	1.31
Youth unit	14	5 x 16	80	1.02	1.12	1.12	1.17
	14	6 x 16	96	1.12	1.22	1.22	1.27

See footnote end of table.

TABLE II—SCHEDULE OF BASE PRICES PER UNIT, BY COIL GAUGES AND ROW COUNT, FOR REGULAR STUDIO, YOUTH, CRIB AND ROLLAWAY UNITS—Continued

Type	Coil gage	Coil count by row	Number of coils per unit	Maximum price: Bonnell	Maximum price: Comp-o-pedic	Maximum price: Offset A	Maximum price: Offset B
Crib unit							
Rollaway unit							

1 Regular—Size units are as follows:
Studio size.
Youth size.
Crib size.
Rollaway 4/0 size.
3/3 size.
2/6 size.

Bed size units 1	150–191 coils	192–282 coils	283–287 coils	288–349 coils	350–501 coils	Crib units
Studio and youth units	$0.10	$0.10	$0.10	$0.12	$0.12	$0.05
Rollaway 4/0	.05	.05	.05	.05	.05	.05
Rollaway 3/3	.05	.05	.05	.05	.05	.05
Rollaway 2/6	.05	.05	.05	.05	.05	.05

Extras (Add or deduct from base price).

	Bed size units 1					
	150–191 coils	192–282 coils	283–287 coils	288–349 coils	350–501 coils	Crib units
1. All coils heavier, per 2 gauge, add per unit	$0.10	$0.10	$0.10	$0.12	$0.12	$0.05
All coils lighter, per 2 gauge, deduct per unit	.05	.05	.05	.05	.05	.05
2. Heavier wire coils, add per unit	.05	.05	.05	.05	.05	.05
3. Tosturized coil sections, add per unit:	.10	.10	.10	.12	.12	.05
A. Heavier gauge only, of next one full gauge heavier than body coils, add per unit	.05	.05	.05	.05	.05	.05
B. Heavier gauge only, of next one full gauge heavier than body coils, add per unit	.05	.05	.05	.05	.05	.05
4. Flexible fire guard, add per unit	.05	.05	.05	.05	.05	.05
5. Additional helicals or clinched or crimped rods, add per helical or rod, to both ends, or omission of helicals or rods:						
A. Single clipped or crimped rods, or single helicals 16½ gauge and lighter with 50 turns per foot or less	.10	.10	.10	.12	.12	.10
B. Double clipped or crimped rods; or helicals in gauge or heavier under 51 turns per foot or more	.15	.15	.15	.17	.17	.15

1 Designated coil counts refer to 4/6 size only. Smaller sizes carry the same extras.
2 This extra also applies to Rollaway units.

TABLE II—Continued

Differentials (deduct from base price)

If customer supplies and delivers his own wire to manufacturers, deduct per unit:

Coil counts	Regular bed size units: Sizes 4/6, 4/0, 3/6		Small size units: Sizes 3/3, 3/0	
	Without border frame	With border frame	Without border frame	With border frame
191–195	$0.65	$0.73	$0.50	$0.55
196–216	.70	.78	.55	.60
217–231	.75	.83	.60	.65
232–263	.77	.85	.62	.67
264–287	.80	.88	.65	.70
288–349	.84	.93	.68	.73
350–501	.85	.93	.70	.75

Other sizes	Without border frame	With border frame
Crib	$0.25	$0.30
Studio and youth	.35	.40
Rollaway 4/0	.50	.55
Rollaway 3/3	.40	.45
Rollaway 2/6	.30	.35

[Type VIII added by Am. 2, effective 6–28–45]

SEC. 5. *Maximum prices for sales by manufacturers of certain articles which are not specifically priced under section 4 and which were sold or delivered by the manufacturer during March 1942.* (a) This section establishes ceiling prices for sales by manufacturers to the furniture trade of an article covered by this regulation, but which is not specifically priced under section 4. This section may only be used if the manufacturer:

(1) Sold, offered for sale or delivered the article to be priced during March 1942 to the furniture trade; and

(2) Sold, offered for sale or delivered during March 1942 to the furniture trade an article of the same general type which is specifically priced under section 4.

(b) You determine your ceiling price under this section as follows:

(1) Select from the articles listed in section 4 of this regulation an article of the same general type which you sold, offered for sale or delivered to the furniture trade during March 1942 and which is nearest in size and construction to the article being priced.

(2) Ascertain for that article both (i) the maximum price fixed in section 4 for sales in the base model quantities, and (ii) your "highest price" during March 1942 to the furniture trade for sales in the same quantities. The term "highest price" when used in this regulation, means the highest net f. o. b. factory price after application of all discounts and rebates, except discounts for cash payment.

(3) Divide the price ascertained under (2) (i) above by the March 1942 price ascertained in (2) (ii) above. The resulting figure is the percentage factor.

(4) Ascertain your highest March 1942 price of the article being priced for sales to the furniture trade in the quantities specified in (b) (2) above.

(5) Multiply the price in (b) (4) above by the percentage factor in (b) (3) above. The resulting figure is your base ceiling price for the article being priced for sales to the furniture trade in the quantities specified in (b) (2) above. That price is subject to all applicable extras and allowances set forth in section 4 for that type of article.

(c) *Reports to be filed.* You may not sell, offer to sell, or deliver any article for which a ceiling price is fixed by this section until you have complied with the reporting and waiting provision required below. You must file with the Consumer Durable Goods Price Branch of the Office of Price Administration, Washington, D. C., a report setting forth the following information:

(1) The principal specifications of the article selected under (b) (1) above.

(2) Your highest March 1942 price for sales of that article as ascertained in (b) (2) (ii) above.

(3) The ceiling price listed under section 4 for the article selected in (b) (1) above.

(4) The principal specifications of the article to be priced and your highest March 1942 price of that article in the base quantities.

(5) Your ceiling price for the article to be priced as determining by this section.

Fifteen days after mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported. If the report, as filed, is correct, the price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration, where it appears that the price so established is out of line with the general level of prices established by this regulation. If the report as filed, is incorrect, the ceiling price for a sale, offer to sell or delivery of an article made pursuant to the incorrect report shall be the ceiling price which is properly computed under the formula contained in this section.

SEC. 6. *Maximum prices for sales by manufacturers of articles which cannot be priced pursuant to sections 4 and 5 but which are of the same type as an article currently manufactured for which a ceiling price has been established under this regulation.* The ceiling price for sales by a manufacturer to the furniture trade of any article which cannot be priced pursuant to sections 4 and 5, and which is of the same general type as an article currently manufactured, and for which a ceiling price has been established under this regulation, shall be determined by the pricing formula set forth in this section.

[Above sentence and section heading amended by Am. 2, effective 6–28–45]

NOTE: The meaning of certain terms used in this section is further explained in subsequent provisions of this section. The terms so explained are in quotation marks the first time they appear in the text.

(a) *Pricing formula.* To establish a ceiling price under this section, the manufacturer shall:

(1) Determine the "unit direct cost" for the article being priced.

(2) Select an article of the same general type currently manufactured by him for which a ceiling price has been established under this regulation and which has a unit direct cost closest to the unit direct cost of the article being priced.

(3) For the article selected in (2) above, determine (i) the unit direct cost and (ii) ascertain the ceiling price established under this regulation.

[Subparagraphs (2) and (3) amended by Am. 2, effective 6–28–45]

(4) Divide the base ceiling price in (3) (ii) above by the unit direct cost in (3) (i) above. The resulting figure is the percentage factor.

(5) Multiply the unit direct cost of the article being priced by the percentage factor ascertained in (4) above. The resulting figure is your base ceiling price for sales of the article being priced to the furniture trade. That price is subject to all applicable extras and allowances applying to the article selected in (2).

[Last sentence amended by Am. 2, effective 6–28–45]

(b) *Computation of unit direct cost.* For the purpose of this regulation, unit direct cost includes direct labor and direct material costs, but does not include factory burden (sometimes called factory overhead, or indirect factory expense), packaging and crating costs, royalties and patterns, tool and die, and items of administrative, selling and general expenses. Manufacturers shall compute the cost per unit of direct labor and material for both the comparable article and the article to be priced on the basis of the following: "wage rates", "material prices", and "operating conditions".

(1) *Wage rates.* The wage rates applicable to any article shall be the highest wage rates in effect in the manufacturer's plant at the time he manufactures the article for each class of labor involved in the production of the article. However, wage rates may not be higher than those in effect in the manufacturer's plant on October 3, 1942, unless approved by the War Labor Board. If an officer or owner performs any direct labor in the manufacture of the article, the wage rate applicable for his services may not exceed the wage rate paid to an employee performing the same type of labor.

(2) *Material prices.* Material prices for both the article being priced and the comparable article shall be the manufacturer's "customary supplier's" ceiling price to his class of purchaser or the actual cost of such material, whichever is lower.

(3) *Customary supplier.* The term customary supplier means the person from whom the manufacturer purchased the majority of his materials during March 1942 or lacking a March 1942 supplier of the material, his most recent supplier of the material.

(4) *Operating conditions.* Using the wage rates and material prices determined under (b) (1) and (b) (2) above, the manufacturer shall compute his cost per unit of direct labor and material by the accounting methods customarily employed by him in computing his costs. He shall compute the cost on the basis of production techniques employed in his plant and his actual volume of production, or the volume of production he reasonably expects for the article for which a ceiling price must be established by this section. Such expenses as breaking in, training, starting, set up charges and other non-recurring expenses may not be included in determining unit direct costs.

(c) *Reports to be filed.* You may not sell, offer for sale or deliver any article for which a ceiling price is fixed by this section until you have complied with the reporting and waiting provisions required below. You must file with the Consumer Durable Goods Price Branch of the Office of Price Administration, Washington, D. C., a report setting forth the following information prior to first offering the articles for sale.

(1) Principal specifications of the article being priced.

(2) Principal specifications of the comparable article selected in (a) (2), above.

[Subparagraph (2) amended by Am. 2, effective 6-28-45]

(3) An itemized breakdown of the manufacturer's unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. Also, the number of units of production upon which the unit direct costs were based.

(4) An itemized breakdown of the manufacturer's unit direct cost of the comparable article listed in section 4, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. Also, the number of units of production upon which the unit direct costs were based.

(5) The ceiling price for the article being priced as determined by the application of the pricing formula.

(6) Specify as to each item of material and labor reported in (3) and (4) whether costs are computed from available written records or from estimates.

Fifteen days after mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported. If the report, as filed, is correct, the price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration, where it appears that the price so established is out of line with the general level of prices established by this regulation. If the report as filed, is incorrect, the ceiling price for a sale, offer to sell or delivery of an article made pursuant to the incorrect report shall be the ceiling price which is properly computed under the formula contained in this section.

SEC. 7. *Maximum prices for sales of upholstery springs, constructions and accessories manufactured from used materials.* If you manufacture and sell any article listed in section 4 of this regulation, which contains used materials, your ceiling price for that article to the furniture trade shall be 75% of the ceiling price for that article listed in section 4. If the article containing used materials is not the same as an article for which a ceiling price is established by section 4, the manufacturer must make an application pursuant to section 11 for specific approval of a maximum price.

SEC. 8. *Maximum prices for sales by manufacturers to automotive and aviation manufacturers of articles made from new or used materials.* If you are a manufacturer of the articles covered by this regulation you establish your ceiling prices for sales to automotive or aviation manufacturers as follows:

(a) *Manufacturers who sold both bedding or furniture manufacturers and automotive and aviation manufacturers during the period October 1, 1941 to March 31, 1942.* If you regularly sold articles covered by this regulation to both the furniture trade and automotive or aviation manufacturers during the period October 1, 1941 to March 31, 1942, you establish your ceiling prices to automotive and aviation manufacturers by the formula set forth below:

(1) Select from the articles listed in section 4 of this regulation an article of the same general type which you sold, offered for sale or delivered to the furniture trade during March 1942 and which is nearest in size and construction to the article being priced.

[Subparagraph (1) amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

(2) Ascertain for that article both (i) the maximum price fixed in section 4 for sales in the base model quantities and (ii) your highest March 1942 price to the furniture trade for sales in the same quantities.

(3) Divide the price ascertained in (2) (i) above by the March 1942 price ascertained in (2) (ii) above. The resulting figure is the percentage factor.

(4) Ascertain the highest price charged by you to automotive or aviation manufacturers during the period October 1, 1941 to March 31, 1942 for the article being priced.

(5) Multiply the price in (4) above by the percentage factor in (3) above. The resulting figure is your f. o. b. factory ceiling price under this regulation for sales of the article to automotive and aviation manufacturers. This price is subject to all quantity discounts and dollar differentials customarily allowed to these classes of purchasers.

(b) *Reports to be filed.* You may not sell, offer to sell, or deliver any articles for which a ceiling price is fixed by this section until you have complied with the reporting provisions below. You must file with the Consumer Durable Goods Price Branch of the Office of Price Administration, Washington, D. C., a report setting forth the following information prior to first offering the article for sale:

(1) The principal specifications of the article selected under (a) (1) above.

(2) Your highest March 1942 price for sales of that article as ascertained in (a) (2) (ii) above.

(3) The ceiling price listed under section 4 for the article selected in (a) (1) above.

(4) The principal specifications of the article to be priced and the highest price charged by you for that article during the period October 1, 1941 to March 31, 1942 for sales to automotive or aviation manufacturers.

(5) Your ceiling price for the article to be priced as determined by this section.

(c) *Manufacturers who did not regularly sell the articles covered by this regulation to both automotive and aviation manufacturers and the furniture trade during the period October 1, 1941 to March 31, 1942.* If you are a manufacturer and did not sell the articles covered by this regulation to both the automotive and aviation manufacturers and the furniture trade during the period October 1, 1941 to March 31, 1942, you must make an application for specific approval of ceiling prices for sales to automotive and aviation manufacturers pursuant to section 11 of this regulation.

SEC. 9. *Maximum prices for sales by manufacturers to jobbers.* When used in this regulation the term jobber means any person who purchases any article covered by this regulation and resells that article without substantially changing its form.

(a) On sales to jobbers of the articles covered by this regulation, each manufacturer shall allow a discount of not less than 3% off the ceiling prices established by sections 4, 5, 6, 7 and 8 of this regulation. You are required to notify each jobber of your base ceiling price for sales to the furniture trade as required by paragraph (b) below.

(b) *Notification.* On and after the effective date of this regulation, at the time the manufacturer sends his first invoice to each jobber, he must notify the jobber of the base ceiling price for sales to the furniture trade of each article covered by this regulation which is listed on the invoice. For the purpose of this regulation, the "base ceiling price" is the price determined under sections 4, 5, 6, 7 or 11 for the quantities applicable to the base model specified in section 4.

SEC. 10. *Maximum prices for sales to the United States Government.* On sales to the United States Government or any agency thereof, or any contractor therewith for use in fulfillment of the contract, of an article for which a ceiling price is established by this regulation, the ceiling price shall be the lowest price established by this regulation for sales of the article to any class of purchaser in the largest quantities.

SEC. 11. *Maximum prices for sales by manufacturers of metal upholstery springs, constructions and accessories which cannot be priced under any other section of this regulation.* The maximum price for sales by manufacturers of any article which cannot be priced under any other section of this regulation, shall be a price set by order of the Price Administrator in line with the level of maximum prices established by this regulation. No person may sell, offer to sell or deliver an article for which a ceiling price must be established under this section until the price has been specifically authorized by order of the Office of Price Administration. If in violation of this provision, a sale, offer to sell or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a ceiling price for the article, the ceiling price applicable to the sale, offer to sell or delivery shall be such a ceiling price as the Price Administrator may establish for the article by subsequent order. Applications for a ceiling price under this section shall be made to the Office of Price Administration, Washington, D. C., and shall contain the following information:

(1) Identifying number or trade name of article to be priced.

(2) The reasons why the article to be priced cannot be priced under any other section of this regulation.

(3) Detailed specifications of the article to be priced.

(4) An itemized breakdown of the manufacturer's current unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. Also, the number of units of production upon which the unit direct costs were based.

(5) An itemized breakdown of the manufacturer's current unit direct cost (as described in (4) above) of the basic model, specifically priced in this regulation, which is the most nearly comparable to the article being priced if the article is currently being produced. If the article is not currently being produced, an estimate of the costs.

(6) Price lists in effect during March 1942 showing the article most nearly comparable to the article being priced, with illustrations; the article most nearly comparable to the basic model mentioned in (4), with illustrations; all price differentials covering variations in these constructions.

If the manufacturer was not making and selling metal upholstery springs, constructions and accessories in March 1942, send the first price list which was in effect after March 1942, together with illustrations.

(7) A statement of the manufacturer's customary discounts, allowances and other price differentials to different classes of purchasers in effect for sales of metal upholstery springs, constructions and accessories during March 1942, or if the manufacturer was not making and selling metal upholstery springs, constructions and accessories during March 1942, the same information for the first period after March 1942 during which the manufacturer was engaged in this business.

(8) Requested maximum price of the article to be priced to each class of purchaser you intend to sell.

SEC. 12. *Terms of sale and zone differentials.*—(a) *Packing charges.* The ceiling prices established by sections 4 to 11 of this regulation include customary packing (whether in the form of crates, cartons or wire tied bundles) for freight shipment or local delivery whichever is applicable. No charge for special packing may be made in addition to the ceiling prices established by this regulation.

(b) *Freight allowances.* The ceiling prices established by sections 4 to 11 of this regulation are f. o. b. the manufacturer's point of shipment except that manufacturers who made deliveries within their local metropolitan area, not to exceed a radius of 30 miles from their plant, may not add a delivery charge. If, however, the manufacturer delivers outside his local metropolitan area, in his own conveyance, he may make in addition to the ceiling prices specified in this regulation, a delivery charge not to exceed the rates charged by the least expensive available method of transportation by a common carrier. No delivery charge may be made unless a separate statement of the delivery charge appears on all invoices, sales slips or other evidences of sale.

(c) *Discounts.* The prices established by sections 4 to 11 of this regulation are subject to a 2% discount for payment within ten days net thirty days. On purchases for single shipment of a carload or more of the products covered by this regulation (except purchases by automotive or aviation users) the manufacturer must allow a discount of 3% off the prices established in this regulation in addition to all other discounts, extras and allowances provided in this regulation.

(d) *Zone differentials.* (1) The ceiling prices established by this regulation are for sales by manufacturers and jobbers whose point of shipment is in the Eastern Zone. Manufacturers and jobbers whose point of shipment is in the Western Zone may add ½¢ per lb. gross shipping weight to the ceiling prices established by this regulation: *Provided, however,* That if the current leading supplier of an item to a jobber is located in the Eastern Zone, the jobber may not add this ½¢ per lb. differential to the ceiling price of that item.

(2) For the purposes of this regulation the Western Zone includes the states of California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, Wyoming, Montana, Colorado, New Mexico, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, Harris, and Reeves. The rest of the country is in the Eastern Zone. No zone differential charge may be made unless a separate statement of that charge appears on all invoices, sales slips or other evidence of sale.

[Paragraph (d) amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

SEC. 13. *Maximum prices for sales by jobbers to any person.* Ceiling prices for sales by any person other than a sales agent of any articles covered by this regulation which are purchased for resale and not for fabrication shall be determined by this section. Paragraph (a) establishes ceiling prices for sales by persons who purchased the articles directly from the manufacturers and who were engaged in the business of buying and selling the articles covered by this regulation during March 1942. Paragraph (e) establishes ceiling prices for sales by all other persons.

[Above paragraph amended by Am. 1, 9 F.R. 12027, effective 10-5-44]

(a) *Ceiling prices for sales by persons who purchased the articles covered by this regulation directly from the manufacturer and who were engaged in the business of buying and selling the articles covered by this regulation during March 1942.* If you were a jobber of the articles covered by this regulation during March 1942 and if you purchased the articles covered by this regulation directly from the manufacturer for the purpose of resale, you establish your ceiling prices for sales to any person as follows:

(1) The manufacturer is required to notify you of the base ceiling price established by this regulation for sales to the furniture trade. You ascertain his base ceiling price from that notice.

(2) You add to the base ceiling price ascertained in (1) above an allowance for incoming freight from your current leading supplier of the item. The resulting figure is your average delivered cost.

(3) You multiply the average delivered cost by 135%. The resulting figure is your maximum price for sales of the article to any person in the smallest quantities sold by you during March 1942. To that price you must apply all the differentials, discounts, trade allowances and terms and conditions of sale allowed by you during March 1942 on sales of the same types of articles.

(b) *Reports to be filed.* If you are a person establishing your ceiling prices pursuant to paragraph (a) of this section, before you sell, offer to sell or deliver any article covered by this regulation, you must file with the Office of Price Administration, Washington, D. C., a report containing the following information:

(1) Your name and address of your place of business.

(2) The name of the leading suppliers from whom you purchased and a brief description of the class of trade to whom you sold the articles covered by this regulation during March 1942.

(3) A schedule of your discounts, differentials and terms of sale granted by you during March 1942.

(4) A copy of your price list covering articles priced under this section.

In the absence of a contrary direction from the Office of Price Administration, within 15 days after filing his report, the jobber may offer for sale at the price reported. If the report, as filed is correct, the price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration where it appears that the price so established is out of line with the general level of prices established by this regulation.

(c) *Maximum prices for sales by jobbers who cannot establish ceiling prices pursuant to paragraph* (a). The ceiling prices for sales or deliveries by a jobber of any article covered by this regulation which cannot be determined under paragraph (a) above shall be a price fixed by order of the Price Administrator in line with the level of prices established by this regulation. No person may sell, offer to sell or deliver an article for which a price must be established under this paragraph, until a price has been specifically authorized by order of the Office of Price Administration. If in violation of this provision a sale, offer to sell or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a maximum price for the article, the maximum price applicable to the sale, offer to sell or delivery, shall be such ceiling price as the Price Administrator establishes for the article by subsequent order. An application for a ceiling price under this paragraph shall be made to the Office of Price Administration, Washington, D. C., and contain the following information:

(1) Reasons why the article cannot be priced under paragraph (a) above.

(2) Identification of the article.

(3) Your manufacturer's name and address and his f. o. b. ceiling price as established by this regulation.

(4) A brief description of the general business in which the applicant is engaged; the class of trade to whom articles priced in this regulation will be sold; and the terms and conditions of sale.

(5) Name of nearest competitive jobber or sales agent who operates a similar line of business selling to the same class of customer.

(6) Proposed ceiling prices.

SEC. 14. *Invoices and receipts.* After the effective date of this regulation every seller of any article covered by this regulation must furnish the purchaser with an invoice or other similar written evidence of purchase showing the:

(a) Date of sale
(b) The name and address of the buyer
(c) Terms of sale
(d) Quantities of each item
(e) The identification (including weight class of fabric) of each item
(f) The price for each item.
(g) Designation "used" for any item containing used materials
(h) Separate statement of any additional charges for freight and zone differentials.

A copy of such invoice shall be kept by every seller for inspection by the Office of Price Administration and the original shall be retained by the purchaser.

SEC. 15. *Records to be kept by jobbers.* Each jobber selling any article covered by this regulation shall keep records showing all computations which he used to establish his ceiling prices pursuant to section 13 of this regulation as well as those records on the basis of which he made his computations. These records must be kept available for inspection by the Office of Price Administration.

SEC. 16. *Relationship between this regulation and other regulations.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 188 with respect to sales and deliveries for which ceiling prices are established by this regulation except that the record keeping provisions §§ 1499.11 and 1499.12 of the General Maximum Price Regulation are incorporated herein by reference.

SEC. 17. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 18. *Exports.* The ceiling prices at which a person may export any article covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.[4]

SEC. 19. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[5] issued by the Office of Price Administration.

SEC. 20. *Enforcement and evasion*—(a) *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) *Evasion.* You must not evade any of the provisions of this regulation by any scheme or device, or by any practice which has the effect of charging a higher-than-ceiling price.

SEC. 21. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states and the District of Columbia.

NOTE: The record-keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective on the 20th day of July 1944.

[Maximum Price Regulation 548 originally issued July 15, 1944]

[Effective dates of amendments are shown in notes following the parts affected]

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11128, Filed, June 23, 1945; 11:42 a. m.]

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 584, Amdt. 3]

FEATHER FILLED PILLOWS AND UPHOLSTERY CUSHION INNERCASINGS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 584 is amended in the following respects:

1. Section 6 (a) (2) is amended by deleting the words "60 days" contained therein, and inserting at the same point the words "120 days".

2. The first paragraph of section 11 (a) (2) is amended by deleting the words "60 days" contained therein, and inserting at the same point the words "120 days".

3. Section 11 (a) (2) (i) is amended by deleting the phrase "60-day period" contained therein, and inserting at the same point the phrase "120-day period".

4. Section 11 (a) (2) (ii) is amended in the following respects:

(a) The phrase "60-day period" contained therein is deleted, and the phrase "120-day period" is inserted in its stead.

(b) The date "June 27, 1945" contained therein is deleted, and the date "August 26, 1945" is inserted in its stead.

5. The first paragraph of section 13 (a) (2) is amended by deleting the words "60 days" contained therein, and inserting at the same point the words "120 days".

6. Section 13 (a) (2) (i) is amended by deleting the phrase "60-day period" contained therein, and inserting at the same point the phrase "120-day period".

7. Section 13 (a) (2) (ii) is amended in the following respects:

(a) The phrase "60-day period" contained therein is deleted, and the phrase "120-day period" is inserted in its stead.

(b) The date "June 27, 1945" contained therein is deleted, and the date "August 26, 1945" is inserted in its stead.

This amendment shall become effective on the 22d of June 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11052; Filed, June 22, 1945; 4:18 p. m.]

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[3] 8 F.R. 13240.

[4] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432.

[5] 9 F.R. 10476, 13715.

PART 1418—TERRITORIES AND POSSESSIONS

[2d Rev. MPR 183]

MAXIMUM PRICES IN PUERTO RICO

Revised Maximum Price Regulation 183 is redesignated Second Revised Maximum Price Regulation 183, and is revised and amended to read as set forth herein.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.

ARTICLE I—GENERAL PROVISIONS AND SCOPE OF REGULATION

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1.4 Federal and territorial taxes.
1.5 Evasion.
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2.2 Hemp rope.
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2.5 Nails and staples.
2.6 Steel sheets.
2.7 Shovels, spades, picks and hoes.

ARTICLE III—FERTILIZERS

3.1 Mixed fertilizer, superphosphate, potash and nitrogenous materials.

ARTICLE IV—FOOD

4.1 Baby food.
4.2 Beverages.
4.3 Baking powder and cornstarch.
4.4 Cereals, flour, barley, rice, corn, corn meal and cracker meal.
4.5 Chewing gum.
4.6 Cigarettes.
4.7 Coffee, tea and chocolate.
4.8 Crackers and bread.
4.9 Dairy products and poultry.
4.10 Fats and oils.
4.11 Fish.
4.12 Food drinks.
4.13 Frosted foods.
4.14 Fruits, fruit juices and sauces.
4.15 Gelatins.
4.16 Marmalades, preserves, jams and jellies.
4.17 Meat, fresh.
4.18 Meat, processed and frozen.
4.19 Olives and capers.
4.20 Salt, condiments and dressings.
4.21 Soups.
4.22 Tomato products and certain vegetable juices.
4.23 Spaghetti, macaroni and other pastes.
4.24 Syrups.
4.25 Vegetables.

ARTICLE V—FUELS

5.1 Charcoal.
5.2 Kerosene.

ARTICLE VI—LIVESTOCK AND ANIMAL FEEDS

Sec.
6.1 Cattle.
6.2 Animal feeds.
6.3 Live hogs.

ARTICLE VII—PAPER AND PAPER PRODUCTS

7.1 Composition notebooks.

ARTICLE VIII—PHOTOGRAPHIC EQUIPMENT

8.1 Photostatic supplies and materials.

ARTICLE IX—SERVICES

9.1 Cold storage.
9.2 Needlework contractors.

ARTICLE X—SOAPS, CLEANSERS AND OTHER LAUNDRY PRODUCTS

10.1 Soaps.
10.2 Cleansers.
10.3 Other laundry products.

ARTICLE XI—TEXTILES, SHOES AND LUGGAGE

11.1 Textile products.
11.2 Bedding.
11.3 Bags (second hand).
11.4 Shoes.
11.5 Luggage.

ARTICLE XII—UTENSILS AND HOUSEHOLD GOODS

12.1 Alarm clocks.
12.2 Brooms.
12.3 Candles (imported).
12.4 Cooking pots.
12.5 Electric irons.
12.6 Flat bedsprings.
12.7 Kerosene stoves.
12.8 Matches.

ARTICLE XIII—TOYS AND GAMES

13.1 Maximum retail prices for toys and games.

ARTICLE XIV—MISCELLANEOUS

14.1 Cane blackstrap molasses.
14.2 Penicillin.

AUTHORITY: § 1418.1 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS AND SCOPE OF REGULATION

SECTION 1.1 *Sales at prices higher than ceiling prices prohibited.* (a) Regardless of any contract, or obligation or of any price regulation or order heretofore issued by the Office of Price Administration, no person shall sell or deliver and no person in the course of trade or business shall buy or receive in the Territory of Puerto Rico any of the commodities set forth in this regulation at a price higher than the maximum prices specified herein; and no person shall offer, solicit or attempt to do any of the foregoing.

(b) Prices lower than maximum prices may, of course, be charged and paid.

SEC. 1.2 *To what commodities, transactions, and persons these ceilings apply.* (a) *What commodities and transactions are covered.* This regulation covers sales within the Territory of Puerto Rico of the commodities set forth in the section below. The type of transaction covered, whether to wholesaler, at wholesale, or at retail, is specified in each section.

(b) *What persons are covered.* Any person who sells, or in the course of trade or business buys, any commodities listed in the sections set forth below is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, cooperative or any other organized group of persons, or legal successors or representatives of any of the foregoing, and includes the United States, or any agency thereof, or any other government or any of its political subdivisions or any agency of the foregoing.

(c) *Prices for comparable varieties.* The prices established in this regulation are intended to apply to all varieties of the commodities named without regard to country of origin, unless the provisions with regard to such commodity limit the applicability of the prices to named brands, sizes, styles, packagings, points of origin, or other determinants of variety. Where a commodity, of a variety different from that priced herein, bears a normal and customary trade relation to a variety of the commodity for which maximum prices have been fixed in this regulation or is similar or comparable to such variety or differs from such variety only in the matter of size or packaging, the Director of the Office of Price Administration for the Territory of Puerto Rico may, by order, prescribe a maximum price for such commodity, which price shall be in line with the markups and maximum prices fixed on the varieties of the commodity herein regulated. No such commodity shall be sold in the Territory of Puerto Rico until a maximum price therefor has been approved by the Director as indicated above.

SEC. 1.3 *Relation to other regulations.* The sale of commodities not otherwise governed by this Second Revised Maximum Price Regulation 183 shall be covered by the General Maximum Price Regulation[1] and by such other maximum price regulations, price schedules and orders as are applicable to sales within the Territory of Puerto Rico. Sales for delivery outside the Territory of Puerto Rico of the commodities for which maximum prices are established herein shall not exceed the maximum prices fixed herein plus the transportation charges necessary to the shipment of such commodities to the country of destination.

SEC. 1.4 *Federal and territorial taxes.* (a) Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity imposed by any statute of the United States or statute or ordinance of the Territory of Puerto Rico or subdivision thereof subsequent to such commodity becoming subject to this Second Revised Maximum Price Regulation 183, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(1) If the statute or ordinance imposing such tax does not prohibit the seller

[1] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased and in such cases the seller shall not include such amount in determining the maximum price under this Second Revised Maximum Price Regulation 183.

(2) Also, on sales of commodities covered by this regulation to the Insular or Municipal Governments of Puerto Rico, or to the agencies or instrumentalities of either, the seller may collect, in addition to the maximum prices established herein, the 3% excise tax levied on the amount of contracts of sales to the Insular or Municipal Governments by subsection 4 of Act 25 enacted by the Legislature of Puerto Rico and approved December 4, 1942; *Provided*, That the seller actually states and collects the amount of such tax separately from the maximum prices for the particular commodities involved in the contract.

SEC. 1.5 *Evasion.* The maximum prices established by this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities covered herein, alone or in conjunction with any other commodities or by way of commission, services, transportation, or other charge or discount, premium, or other privilege, or by tying-agreement, combination sales, or other trade understanding or otherwise.

SEC. 1.6 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by an order of the Director of the Office of Price Administration for the Territory of Puerto Rico, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery.

SEC. 1.7 *Gross prices.* The maximum prices established herein are gross prices to which no charges shall be added for transportation, delivery, commissions, containers, storage or any other services in connection with any commodity, unless otherwise hereinafter provided.

SEC. 1.8 *Price for fractional parts of units.* The maximum price for a quantity of a commodity which constitutes a fractional or multiple part of the unit in terms of which a commodity is priced in this regulation, shall be proportionately computed unless hereinafter otherwise provided.

SEC. 1.9 *Records and Reports*—(a) *Records to be kept.* (1) Every person making sales to wholesalers and at wholesale of the commodities which are subject to this regulation, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each purchase and of each sale made by him. The record of purchases shall include: the date of the purchase, a clear description or identification of the commodity, the price paid for each commodity, the quantity which was purchased, and the name and address of the seller from whom such commodity was purchased. The record of sales shall include: the date of the sale, a clear description or identification of the commodity, the price charged for such commodity, the quantity which was sold, and the name and address of the customer.

(2) Every person making sales at retail of the commodities which are subject to this regulation shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each purchase made by him. The record of purchases shall include: the date of the purchase, a clear description or identification of the commodity, the price paid for such commodity, the quantity which was purchased, and the name and address of the seller from whom such commodity was purchased.

(b) *Notification to purchaser.* (1) On or after the date any commodity becomes subject to this Second Revised Maximum Price Regulation 183, every person selling any such commodity, except at retail, shall with each delivery supply the purchaser with a statement of the maximum prices for the commodity or commodities delivered as follows: "The Office of Price Administration has established fixed maximum prices for (insert name of commodity) at $---------- on sales to wholesalers; at $---------- on sales at wholesale and at $---------- on sales at retail." Notice once given under this paragraph (b) to a particular purchaser with respect to a particular commodity need not be repeated unless a change is thereafter made in its maximum price.

(2) On and after the date any commodity becomes subject to this regulation, every person offering to sell any such commodity at retail shall mark the maximum price of such commodity in a manner plainly visible to and understandable by the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form of "Ceiling price $------" or "Our ceiling $------", and "Our selling price $------".

(c) *Sales slips and receipts.* (1) Every seller of the commodities subject to this regulation, who has customarily given purchasers sales slips or receipts shall continue to do so. Upon request from a purchaser, every seller of such commodities, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the quantity and description of the commodity sold, and the price received for it.

SEC. 1.10 *Registration.* Every person who owns, or hereafter becomes the owner of, any business selling any commodity for which a maximum price is established by this regulation, shall register with the Office of Price Administration at such time and in such manner as the Director of the Office of Price Administration for the Territory of Puerto Rico may by order or amendment prescribe, on forms made available by the Office of Price Administration.

SEC. 1.11 *Enforcement and licensing.* (a) Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 1.12 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1; *Provided, however*, That any such petition shall be filed with the Director of the Office of Price Administration for the Territory of Puerto Rico at San Juan, Puerto Rico.

SEC. 1.13 *Applications for adjustment.* (a) Any seller or group of sellers may, in accordance with the provisions of Revised Procedural Regulation No. 1,[2] apply for adjustment of a maximum price of a commodity or service established for him or them by this Second Revised Maximum Price Regulation 183, or any order issued thereunder, when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity or service which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices for such seller and of like sellers for such commodity or service; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in price in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[1] 8 F.R. 13240.
[2] 9 F.R. 10476, 13715.

SEC. 1.14 *Definitions.* (a) When used in this regulation, except as otherwise provided herein, the term:

(1) "Sale to wholesaler" means a sale of a commodity or commodities by any person (including, but not limited to, sales by importers, producers or manufacturers) to a person reselling such commodities to another wholesaler, to retailers, or to commercial, industrial, institutional, or governmental users.

(2) "Sale at wholesale" means a sale of a commodity or commodities by any person selling to retailers or to commercial, industrial, institutional or governmental users. The term also includes sales to wholesalers where no maximum price is fixed herein for sales at the "to wholesaler" level of distribution.

(3) "Sale at retail" means a sale to an ultimate consumer.

(4) "Ultimate consumer" means a person who buys the particular commodity being priced for direct consumption. The term includes commercial, industrial, institutional and governmental users when such users buy from retailers any commodity which has always been sold at retail prices by the seller without regard to the class of purchaser.

(5) "To deliver" means to transfer actual possession of the commodity to the purchaser. "Delivered" means that the commodity has been transported by the seller to the buyer's place of business or to his home, as the case may be.

(6) "The direct cost to the importer" means the price which the importer paid for the commodity, less discounts and commissions allowed to the importer (except cash discounts), plus all costs of shipment actually incurred by the importer, together with customs duties and entry fees: *Provided*, That, in computing the costs of shipment incurred by the importer, war risk insurance cost shall not exceed the amount represented by the charge for war risk insurance by the War Shipping Administration or if such insurance is not available the lowest commercial rates, available, on an identical shipment; and that the costs of shipment shall not exceed the costs of a reasonably expeditious shipment, via the most efficient, readily and regular available route and means.

(7) "Importer" means any person in Puerto Rico who is a consignee of a commodity entering into the Territory of Puerto Rico from outside thereof.

(8) "Variety" means a particular brand, grade and style of commodity in a container of a particular type and size.

(9) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(10) "Packaged" and "Pre-packaged" means packaged for sale in a container, where the packaging has been done before arrival at the point of retail sale.

(11) "Bulk" refers to commodities which are not packaged.

(b) Unless the content otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used herein.

SEC. 1.15 *Geographical applicability.* The provisions of this Second Revised Maximum Price Regulation 183 shall be applicable to the Territory of Puerto Rico only.

ARTICLE II—AGRICULTURAL IMPLEMENTS AND BUILDING MATERIALS

SEC. 2.1 *Barbed wire*—(a) *Definitions.* When used in this section the term:

(1) "Galvanized special barbed wire No. 14" means No. 14 wire A. S. & W. Gauge strands—2 pts. 4" spacing—barbs #16 A. S. & W. Gauge.

(2) "Galvanized barbed wire No. 12½" means No. 12½ wire A. S. & W. Gauge strands—4 pts. 5" spacing—barbs #14 A. S. & W. Gauge.

(b) *Maximum prices.*

	At wholesale (per spool)	At retail (per spool)
No. 14 galvanized special barbed wire (52.5 lbs. gross weight spools)[1]	$3.70	$5.55
No. 12½ galvanized barbed wire (87½ lbs. gross weight spools)[2]	5.45	8.13

[1] For sales involving less than one spool of 52.5 lbs. the price should be established on the basis of $0.12 per lb.
[2] For sales involving less than one spool of 87½ lbs. the price should be established on the basis of $0.11 per lb.

For galvanized special barbed wire No. 14 and galvanized barbed wire No. 12½ on spools of gross weights other than those specified, the prices at wholesale and at retail shall be proportionately computed on the basis of the maximum prices established herein.

SEC. 2.2 *Hemp rope*—(a) *Imported from Cuba.*

At wholesale---------- $26.00 per cwt.
At retail---------- $0.32 per lb.

SEC. 2.3 *Southern yellow pine, Douglas fir, oak and gum lumber.* (a) The maximum prices for Southern yellow pine, Douglas fir, oak and gum lumber, sold to an ultimate consumer shall be determined by adding to the last reported "weighted average direct cost", a markup which, regardless of the number of dealers or distributors handling the lumber, shall not exceed $12.50 per thousand board feet, plus actual transportation costs from the pier to the point at which the ultimate consumer receives delivery.

(1) For the purposes of this section, the term "ultimate consumer" includes the United States Government, the Insular Government, the agencies or instrumentalities of either, contractors, builders, and any person who purchases lumber for use rather than for resale.

(2) The transportation costs may not exceed the customary carrier charge for a similar shipment, whether such transportation is accomplished thru a common or contract carrier or by the seller.

(b) Every seller of such lumber shall file with the Territorial Office of Price Administration, at San Juan, Puerto Rico, a statement setting forth:

(1) The "direct cost to the importer" (as defined in section 1.14 (a) (6)) of each shipment which comprises the stock and the kind of lumber and amount in board feet in stock for each such shipment.

(2) The "weighted average direct cost" of all lumber in stock.

(c) The statement required by paragraph (b) above shall be accompanied by copies of all invoices (received from his supplier by the seller submitting such statement) which cover the seller's purchases of lumber in the stock reported.

(d) Within 5 days after the seller receives a shipment of lumber, not included in the said statement, he shall file with the same office a supplementary statement showing in detail his direct cost therefor and the manner in which he has computed his new "weighted average direct cost".

(e) No person may sell any lumber unless he has first appropriately computed his weighted average direct cost and complied with the record-keeping and reporting requirements of this section.

(f) Each purchaser of Southern yellow pine, Douglas fir, oak or gum lumber shall be supplied with an invoice stating the name and address of the seller, the date of the sale, a description of the lumber, including the quantity sold, the seller's weighted average direct cost for such lumber, transportation charges and markup added. Copies of all such invoices shall be kept for inspection by the OPA for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

(g) The maximum prices established by this section are gross prices to which no additional charges of any kind may be added.

SEC. 2.4 *Machetes.*

Description	At wholesale (per dozen)	At retail (per unit)
Machetes, Collins #570 22" with handle or similar	$7.00	$0.85
Machetes, Collins #571 22" with handle or similar	7.00	.85
Machetes, Collins #60 22" with handle or similar	7.50	.90
Hojas sables Collins #872 28" with handle	11.28	1.30

SEC. 2.5 *Nails and staples.* (a) *Maximum wholesale prices for wire nails.*

[Per hundred pounds]

Gauge	3/8	5/16	1	2	3	4	5	6	7	8	9	10	10½	10½	11	11½	12	12½	13	13½	14	14½	15	16	17	18	19	20
Length:																												
1"																								$12.95	$14.00	$15.10	$17.30	$19.50
1½"																	$7.05	$7.15	$7.25	$7.30	$7.40	$7.70	$7.95	11.85	12.25	13.60	14.85	17.
1¾"															$6.35	$6.45	6.60	6.65	7.05	7.15	7.25	7.30	7.55	10.30	10.95	12.25	14.05	16.2
2"													$6.35	$6.35	6.45	6.55	6.60	6.75	6.90	7.00	7.15	7.15	7.35	9.40	10.20	11.70	13.15	15.2
2½"												$6.35	6.45	6.45	6.45	6.55	6.60	6.75	6.90	6.90	7.00	7.15	7.25	8.75	9.65	10.90	12.50	15.3
2¾"											$6.15	6.25	6.25	6.25	6.30	6.40	6.50	6.50	6.75	6.80	6.95	7.00	7.25	8.55	9.65	10.30	12.50	
3"									$6.15	$6.15	6.05	6.15	6.15	6.15	6.20	6.25	6.25	6.25	6.60	6.85	6.85	6.85	7.55	8.55	9.65	10.30		
3½"									6.05	6.05	6.05	6.15	6.15	6.15	6.20	6.25	6.25	6.25	6.60	6.85	6.85	6.70	6.95	8.30	9.40			
4"									6.00	6.00	6.00	6.00	6.00	6.00	6.10	6.10	6.15	6.25	6.40	6.65	6.65	6.70	6.95	8.15	9.20			
4½"									5.90	5.90	5.90	5.90	5.90	5.90	5.90	5.90	5.90	5.90	5.90	6.25	6.25	6.45	6.65	8.15	9.20			
5"								.85 .80	5.70	5.70	5.70	5.70	5.75	5.75	5.85	5.80	5.80	5.80	5.80	6.15	6.15	6.15	6.55	8.15	9.20			
5½"								5.70	5.60	5.55	5.55	5.65	5.65	5.65	5.70	5.70	5.80	5.80	5.80	6.05	6.15	6.15	6.55	8.15	9.20			
6"								5.60	5.50	5.50	5.50	5.50	5.50	5.50	5.55	5.65	5.65	5.75	5.80	5.85	6.00	6.00	6.30	8.55				
6½"							.85 .80	.85 .80	5.40	5.40	5.40	5.40	5.45	5.45	5.45	5.50	5.50	5.45	5.80	5.80	5.85	5.85						
7"							5.45	5.45	5.40	5.40	5.40	5.40	5.45	5.45	5.45	5.50	5.50	5.45	5.50	5.55	5.65	5.70						
7½"							5.40	5.40	5.40	5.30	5.30	5.30	5.40	5.40	5.40	5.50	5.50	5.45	5.50	5.55	5.65	5.70						
8"						.85 .80	5.30	5.30	5.20	5.30	5.25	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.55	5.65	5.70						
8½"						5.30	5.30	5.30	5.20	5.30	5.25	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.40	5.40	5.40	5.40						
9"						5.30	5.30	5.30	5.30	5.30	5.25	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.40	5.40	5.40	5.40						
9½"						5.30	5.30	5.30	5.30	5.30	5.25	5.25	5.25	5.25	5.30													
10"						5.30	5.30	5.30	5.30	5.30	5.25	5.25	5.25	5.25	5.30													
10½"						5.30	5.30	5.30	5.30	5.30	5.25	5.25	5.25	5.10	5.30													
11"						5.30	5.30	5.30	5.30	5.30	5.25	5.25	5.25	5.10														
11½"						5.30	5.30	5.30	5.30	5.30	5.25	5.10	5.10	5.10														
12"						5.30	5.30	5.30	5.30	5.30	5.25	5.10																
12½"						5.30	5.30	5.30	5.30	5.30	5.25																	
13"						5.30	5.30	5.30	5.30	5.30																		
13½"						5.50	5.50	5.50	5.50	5.50																		
14"						5.50	5.50	5.50	5.50	5.50																		
14½"						5.50	5.50	5.50	5.50	5.50																		
15"						5.50	5.50	5.50	5.50	5.50																		
16"						5.50	5.50	5.50	5.50	5.50																		
17"						5.50	5.50	5.50	5.50	5.50																		
18"						5.50	5.50	5.50	5.50	5.50																		

(b) *Maximum retail prices for wire nails.*

[Price per pound]

Gauge	3/8	5/16	1	2	3	4	5	6	7	8	9	10	10½	10½	11	11½	12	12½	13	13½	14	14½	15	16	17	18	19	20
Length:																								$0.16	$0.21	$0.22	$0.28	$0.34
1"																	$0.11	$0.11	$0.11	$0.11	$0.11	$0.11	$0.12	.18	.18	.20	.22	
1½"																	.10	.10	.10	.10	.11	.11	.11	.15	.16	.18	.21	
1¾"															$0.10	$0.10	.10	.10	.10	.10	.11	.11	.11	.15	.16	.18	.21	
2"													$0.10	$0.10	.10	.10	.10	.10	.10	.10	.11	.11	.11	.14	.15	.16	.19	
2½"												$0.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.13	.14	.15	.17	
2¾"									$0.10	$0.10	$0.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
3"									.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
3½"								$0.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
4"								.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
4½"								.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
5"						$0.10	$0.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
5½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
6"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
6½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
7"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
7½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
8"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
8½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
9"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
9½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
10"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
10½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
11"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
11½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
12"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
12½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
13"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
13½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
14"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
14½"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
15"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
16"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
17"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			
18"						.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.12	.14			

(c) *Maximum prices for galvanized nails.*

Galvanized staples	Sales at wholesale (per hundred pounds)	Sales at retail (per pound)
¾" to 2½" x No. 7 Ga.	$6.20	$0.09
¾" to 2½" x No. 8 Ga.	6.20	.09
¾" to 2½" x No. 9 Ga.	6.20	.09
¾" to 2½" x No. 10 Ga.	6.54	.10
¾" to 2" x No. 11 Ga.	6.90	.10
¾" to 2" x No. 12 Ga.	7.20	.11
¾" to 1¾" x No. 13 Ga.	7.65	.11
¾" to 1½" x No. 14 Ga.	8.40	.12
¾" to 1½" x No. 15 Ga.	9.20	.14
¾" to 1" x No. 16 Ga.	10.50	.16
2" x 8 Thick Proof Roofing Nails	10.00	.13

SEC. 2.6 *Steel sheets.*

Description of item	Size	U. S. S. G. or G. S. G. No.	Price at wholesale (per hundred lbs.)	Price at retail (per hundred lbs.)
Plain galvanized	36 x 72	16	$5.45	$7.65
	36 x 72	20	5.35	7.45
	36 x 72	22	5.40	7.55
	36 x 72	24	5.45	7.65
	36 x 72	26	5.75	8.10
	36 x 72	28	6.35	8.90
	30 x 72	30	7.00	9.80
	36 x 96	20	5.65	7.90
	36 x 96	22	5.70	8.00
	36 x 96	24	5.75	8.10
	36 x 96	26	6.10	8.50
	30 x 96	28	6.65	9.30
	36 x 96	30	7.30	10.20
	28 x 108	26	5.55	7.75
	30 x 80	22	5.45	7.65
	48 x 120	22	5.75	7.95
	27 x 96	26	5.45	7.65
	30 x 144	22	5.95	8.30

Description of item	Size	U. S. S. G. or G. S. G. No.	Price at wholesale (per hundred lbs.)	Price at retail (per hundred lbs.)
Plain galvanized	48 x 120	22	$6.05	$8.40
Galvanized plain brick siding		29	6.75	9.45
Galvanized rock face brick siding		29	6.75	9.45
Galvanized corrugated	5' to 10' long [1]	24	5.65	7.90
	12' long [1]	24	5.85	8.20
	5' to 10' long	26	5.90	8.25
	12' long	26	6.00	8.40
	4' to 8' long	27	6.00	8.40

[1] For plain brick siding, rock face brick siding, corrugated galvanized steel sheets or gauges not listed other than those specified, the prices shall be determined on the basis of the gauge and size differentials appearing in the tables published by the Steel Products Association of America.

SEC. 2.7 *Shovels, spades, picks and hoes*—(a) *Shovels.*

Description of item	Price at wholesale (per dozen)	Retail price (per unit)
Hyde-style Grade C, #2, gauge 15, D or long handle, round or sq. point	$13.05	$1.50
Lawrence Grade C, #2, gauge 15, D or long handle, round or sq. point	13.05	1.50
Newton Grade C, #2, gauge 15, D or long handle, round or sq. point	13.05	1.50
Newton Grade C, #2, gauge 17, D handle, square point, ribbed	15.40	1.75
Ames Type Grade C, #2, gauge 15, D or long handle, round or sq. point	13.85	1.60

(b) *Spades.*

Description of item	Price at wholesale (per dozen)	Retail price (per unit)
Hyde-style Grade C, #2 with handle	$13.05	$1.50
Newton Grade C, #2 with handle	15.40	1.75
D Type No. Without handle	13.80	1.60
D Type No. Without handle	11.25	1.65

(c) *Picks.*

Description of item	Price at wholesale (per dozen)	Retail price (per unit)
Ames City (pick, mattock) Weight	$12.85	$1.50
Ames (Railroad pick) Weight 6 lbs.	11.40	1.35
Ames Model No. 340 Weight 5 lbs.	12.20	1.45

(d) *Hoes.*

Description of item	Price at wholesale (per dozen)	Retail price (per unit)
Ames No. 012 Width of cut 5"	$5.95	$0.70
Ames American Pattern Width of cut 5"	6.95	.75
Columbian Model 1165 No. 2 Width	5.65	.65
Columbian Model 1141 No. 2 Width	10.05	1.15
Columbian Model 1141 No. 3 Width of cut 7"	10.60	1.25

ARTICLE III—FERTILIZERS

SEC. 3.1 *Mixed fertilizer, superphosphate, potash and nitrogenous materials.* (a) *Definitions.* When used in this section the term:

(1) "Manufacturer" means a person who produces, mixes or processes, or who markets for his own account and under his own brand or trade name, mixed fertilizer, superphosphate, potash or nitrogenous materials for use as an aid to the growth of crops or plants.

(2) "Mixed fertilizer" means any substance containing any two or more, of potash, superphosphate, and nitrogenous materials, when marketed or sold as an aid to the growth of crops or plants.

(3) "Superphosphate" means any product which is obtained by mixing rock phosphate with either sulphuric acid or phosphoric acid or with both acids, when marketed or sold as an aid to the growth of crops or plants.

(4) "Potash" means muriate, chloride or sulphate of potash, manure salts and any other substance containing potassium oxide (K_2O), when marketed or sold as an aid to the growth of crops or plants.

(5) "Nitrogenous materials" means any organic or inorganic substance containing nitrogen, when marketed or sold as an aid to the growth of crops or plants.

(6) "Grade" means the minimum guarantee of the plant food content of mixed fertilizer, superphosphate, or potash, expressed in terms of ammonia, available phosphoric acid, and water-soluble potash, e.g., 4–12–4, 0–14–7, 0–20–0, 0–0–50.

(7) "Price schedule" means any price list or statement, irrespective of form, issued or used by the seller, setting forth the prices, grades, kinds, terms of payments, types of containers or bags, method and conditions of delivery and any other provisions relating to sales of the commodities being priced.

(8) "Consumer" means a person purchasing mixed fertilizer, superphosphate, potash or nitrogenous materials for use in aiding the growth of crops or plants (and not for resale) including the Agricultural Adjustment Agency.

(9) "Dealer" means a person who purchases mixed fertilizer, superphosphate, potash or nitrogenous materials and resells it to a consumer.

(b) *Manufacturers' maximum prices for sales of mixed fertilizer, superphosphate and potash*—(1) *Delivered prices.* A manufacturer's maximum prices for sales of mixed fertilizer, superphosphate and potash delivered to any purchaser's premises or to the railroad shipping station located nearest to the purchaser shall be the price set forth in his written or printed price schedule or list effective on October 15, 1941, denoted herein as the base period prices, subject to adjustment upward or downward each quarter year by an amount determined as follows:

(i) On or before January 1, 1944, the manufacturer shall determine the average delivered-to-factory cost per unit for each of these four items used or received by him, as the case may be, during the period July 1 to December 31, 1941:

1. Ammonia.
2. Available phosphoric acid.
3. Potash.
4. Bags or containers.

(a) Using these averages as cost figures the manufacturer shall determine, by use of his own formula, the total cost of the amounts of the first three items entering into a ton of his finished fertilizer. To this he shall add the cost (as determined above) of the number of bags or containers he has customarily used to contain one ton of his fertilizer. This final figure is hereafter referred to as "base cost". It is a figure that will be used each three months, and once verified, need not be recomputed.

(b) On January 1, 1944, and quarter-annually thereafter the manufacturer shall likewise determine the average delivered-to-factory cost per unit of each of the four items used or received by him, as the case may be, during the period of three months immediately preceding the date of computation.

(c) Using these averages as cost figures the manufacturer shall determine, by use of his own formula, the total cost of the amounts of the first three items entering into a ton of his finished fertilizer. To this he shall add the cost (as determined above) of the number of bags or containers he has customarily used to contain one ton of his fertilizer. This final figure is hereafter referred to as "current cost".

(d) If, during any three-month period one or more of the four items of raw material were not received by the manufacturer, he shall use as the price for such material in his quarterly computations the average price computed for the next preceding three-month period.

(e) If on any quarter-annual date the current cost shall be less than the base cost, then for the succeeding three-month period the manufacturer's maximum price per ton shall be the price scheduled by him on October 15, 1941, less the difference between current cost and base cost.

(f) If on any quarter-annual date the current cost be greater than the base cost, then for the succeeding three months' period the manufacturer's maximum price per ton shall be the price scheduled by him on October 15, 1941, plus the difference between current cost and base cost.

(g) The manufacturer's maximum prices on quantities less than a ton shall preserve the same relative differentials as were present in his price schedule of October 15, 1941.

(2) *F. o. b. prices.* A manufacturer's maximum prices for sales of mixed fertilizer, superphosphate and potash f. o. b. his plant or warehouse shall be determined by subtracting from his delivered prices the freight allowances which he included in his price schedule in effect on October 15, 1941.

(3) *Prices for grades not listed.* A manufacturer's maximum prices for sales of a grade of mixed fertilizer, superphosphate and potash which was not listed in his price schedule effective on October 15, 1941, shall be a price authorized, upon application of the manufacturer, by an Order of the Director of the Office of Price Administration for Puerto Rico, and shall be a price in line with those established by this regulation for grades which were offered for sale by the manufacturer in his price schedule effective October 15, 1941.

(c) *Manufacturers' maximum prices for cash sales of nitrogenous fertilizer material.* The maximum price for a cash sale of nitrogenous fertilizer material by fertilizer manufacturers, direct or through agents, to a consumer shall be:

(1) The manufacturer's actual landed cost of the material in the case of ammonium nitrate; or the manufacturer's weighted average landed cost of each material, calculated as of July 1, October 1, January 1, and April 1, in the case of sulphate of ammonia or any other nitrogenous fertilizer material, for all of the lots of each material received by him during the quarter-annual period last preceding the date of the calculation; or, if none was received in that period, the cost of the latest quarter-annual period in which material was received.

(2) An additional amount equal to the fertilizer manufacturer's expenditure, if any, for transportation of the nitrogenous fertilizer material within the territory to the fertilizer manufacturer's

plant or warehouse or direct to the buyer's delivery point.

(3) An additional 50 cents per ton if the nitrogenous fertilizer material is stored in and delivered from the fertilizer manufacturer's plant.

(4) Plus the actual cost of bags used, and $1.00 per ton when such nitrogenous fertilizer material is received in bulk by the fertilizer manufacturer and resold in bags.

(5) An additional amount equal to the cost of governmental tax tags, if any, and the attaching thereof, or governmental tonnage or inspection tax, but no license cost or registration fee.

(6) In addition a maximum margin of: $4.00 per ton if the cost (subparagraphs (1) through (5)) is less than $40.00 per ton; $5.00 per ton if such cost is $40.00 or more but less than $50.00 per ton; $6.00 per ton if such cost is $50.00 or more but less than $60.00 per ton; $7.00 per ton if such cost is $60.00 or more but less than $70.00 per ton; $8.00 per ton if such cost is $70.00 or more per ton.

(7) An additional 50 cents per ton if the nitrogenous fertilizer material is stored in, and delivered from a warehouse owned or operated by a fertilizer manufacturer or agent.

(8) An additional amount equal to the actual transportation expense incurred in making delivery from a fertilizer manufacturer's plant or warehouse or from the buyer's delivery point to the consumer.

(9) An amount equal to the actual loading or handling charges incurred in making delivery to the buyer.

(d) *Manufacturers' maximum prices for credit sales of nitrogenous fertilizer material.* In the case of credit sales, credit terms shall not be more onerous on Spring season sales than those in effect and applicable to such dealer or consumer for the period from February 16, 1942, to February 20, 1942, inclusive, and for Fall season sales credit terms shall not be more onerous than those in effect and applicable to such dealer or consumer for the period from October 1, 1941, to October 15, 1941, inclusive.

(e) *Filing of price schedules by manufacturers.* Not later than July 1, 1944, every manufacturer of mixed fertilizer, superphosphate, potash and nitrogenous materials in Puerto Rico shall file with the Territorial Office of the Office of Price Administration, San Juan, Puerto Rico, a complete schedule of prices in effect on that date and thereafter shall file within five days of their effective date all supplements and amendments to price schedules in effect on July 1, 1944.

(f) *Dealers' maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous materials*—(1) *Cash prices.* A dealer's maximum cash prices for sales of mixed fertilizer, superphosphate, potash or nitrogenous materials shall be determined by adding together the following factors:

(i) The manufacturer's maximum time price on a sale of the same quantity.

(ii) The actual transportation cost, if any, incurred by the dealer from the manufacturer's plant or warehouse to the dealer's place of business: *Provided*, That such transportation cost may not exceed the customary carrier charge for a similar shipment, whether such transportation be accomplished by a common or contract carrier or any other person.

(iii) An amount equal to five percent of the sum of subparagraphs (1) and (2).

(2) *Time prices.* A dealer's maximum time prices for sales of fertilizer, superphosphate, potash and nitrogenous material shall be equal to his maximum cash prices, plus six percent.

(g) *Prohibited practices, general.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts, and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

ARTICLE IV—FOOD

SEC. 4.1 *Baby food.*

Items and brand names	Case of—	Price at wholesale (per dozen)	Retail price (per unit)
All brands:			
Chopped or juniors	12 [illegible]-oz. cans	$1.15	[illegible]
	12 8-oz. cans	1.80	.20
Strained or homogenized	12 [illegible]-oz. cans	.925	.10
	12 8-oz. glasses	1.15	.12
Libby's: Combination of homogenized peaches, pears and apricots	18 [illegible]-oz. cans	1.12	.13
Gerber: Baby dry cereal and oatmeal	24 8-oz. packages	1.65	.15

SEC. 4.2 *Beverages.*[1]

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Price at retail
Beer and malt (Puerto Rican):[2]				
Compañía Cervecera de Puerto Rico: India Beer	½ keg		$11.30	
	¼ keg		6.00	
	24 12-oz	$5.05	5.55	$0.25 per bottle or $6.00 per case.
	12 32-oz	3.20	3.40	.35
	24 12-oz	2.70	3.00	.15
Corona Brewing Corporation: Corona Beer	½ keg		11.30	
	¼ keg		6.00	
	24 12-oz	5.05	5.55	.30 per case plus deposit.
	12 32-oz	3.20	3.40	.35
	24 12-oz	2.70	3.00	.15
Tropical City Ice Company: Tropical Beer	½ keg		11.30	
	¼ keg		6.00	
	24 12-oz	5.05	5.55	.30 per case plus deposit.
	12 32-oz	3.20	3.40	.35
	24 12-oz	2.70	3.00	.15
Malt (all brands)	24 12-oz	3.42	3.76	.20
	24 12-oz	1.71	1.88	.10
Liquors (Puerto Rican):				
Amisette:				
El Canario	24 12-oz		9.22	.42
El Pavo	24 12-oz		8.25	.40
Gorila	12 [illegible] qts		9.50	1.00
	24 12-oz		9.50	.45
Oriental	24 12-oz		9.25	.45
Portela	24 12-oz		9.25	.45
Gin:				
Superior	24 [illegible] pints		10.25	.50
	24 [illegible] pints		7.25	.42
Wine (Puerto Rican):				
Malgor & Company: El Pavo	4-1 gal		7.00	2.00
	12 32-oz		6.00	.75
	24 12-oz		5.00	.45
	12 24-oz		4.75	.50
	12 32-oz		6.00	.75
	24 12-oz		5.00	.50
Monller & Bosch Suers.: Turpial	6 64-oz		6.00	1.00
Suers. de Jose Fernandez, Inc.: Estrella Tipo Oporto	12 32-oz		6.00	.75
	24 12-oz		5.00	.55
	12 24-oz		4.75	.50
Imperial Moscatel	12 24-oz		8.80	.90
	24 12-oz		8.00	.80
Moscatel California	12 24-oz		6.00	.70
	24 12-oz		6.00	.70
Moscatel Pico de Oro	12 24-oz		10.00	1.25
Vino Estrella	4-1 gallons		7.50	2.00
Ramon Vega e Hijos: El Sabrosito	24 12-oz		5.00	.55
	12 24-oz		4.75	.50
Carmelo Oliver: Oliver	24 12-oz		5.00	.55
Malgor & Company: El Canario	12 32-oz		6.00	.75
	4-1 gal		7.50	2.00
	24 12-oz		5.25	.55
	12 24-oz		4.75	.53
Liquors, imported:[3]				
Brandies:				
Antonio Rodriguez Ruiz Hnos.: Cinco Estrellas	12 [illegible] qts		43.00	5.00
	24 [illegible] pints		37.25	2.75
Caballero	12 [illegible] qts		36.50	4.25
Domecq:				
Carlos I	12 [illegible] qts		180.00	14.00
Fundador	12 [illegible] qts		50.00	6.00
	24 [illegible] pints		50.00	3.00
8 Vinas	24 [illegible] pints		42.00	2.45
	12 [illegible] qts		41.00	5.00

See footnotes on page 7642.

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Brandies:			
Fundador A de Terry:			
Terry Tipo Compe-	24 [illegible] pints	$38.50	$2.25
dor	12 [illegible] qts	37.00	4.25
Terry Tipo Imperio	12 [illegible] qts	43.00	5.10
Terry Tipo 3 Estrel-	12 [illegible] qts	38.50	4.50
las	24 [illegible] pints	49.00	2.40
Fundador Hermanos:			
Fundador	12 [illegible] qts	45.00	5.45
Fundador 3 Esquibes	12 [illegible] qts	39.50	4.75
Fundador Reserva Es-	12 [illegible] qts	69.50	8.00
pecial			
Fundador & Co.:			
Fundador Extra Viejí-	12 [illegible] qts	52.75	6.35
simo			
Fundador FFF	12 [illegible] qts	40.25	4.85
	24 [illegible] pints	41.75	2.50
Fundador	12 [illegible] qts	44.00	5.30
	24 [illegible] pints	45.00	2.75
Fundador Byass:			
Extra	12 [illegible] qts	43.00	5.20
Imperiable	12 [illegible] qts	64.00	7.50
Veterano	12 [illegible] qts	46.50	5.60
Copas	12 [illegible] qts	38.25	4.60
Antiguedad de Puebla:			
Dorada Especial	12 [illegible] qts	43.00	5.00
Dorada 3 Bodas	12 [illegible] qts	45.00	5.25
Marques del Real Te-			
soro Gladiador	12 [illegible] qts	43.00	5.20
Fernando A Vergara:			
Centurion	12 [illegible] qts	48.00	5.75
	24 [illegible] pints	51.00	3.00
El Veneedor	12 [illegible] qts	38.50	4.65
	24 [illegible] pints	39.50	2.40
Gonzalez Romate Hermanos:			
Carlos V	12 [illegible] qts	120.00	13.00
Cardenal Cisteros	12 [illegible] qts	88.40	9.50
El Cesar	24 [illegible] pints	45.20	2.75
Fundador Especial	12 [illegible] qts	37.00	4.50
Fundador 4 Torres El			
Cesar	12 [illegible] qts	45.00	5.00
Fundador	12 [illegible] qts	41.00	5.00
Jerezano V O	12 [illegible] qts	38.25	4.60
Jerezano V S O P	12 [illegible] qts	39.50	4.75
Jerezano Tres Ceros	12 [illegible] qts	36.00	4.25
Jerezano Veterano	12 [illegible] qts	45.00	5.45
Cesar Spanish:			
El Capitan	12 [illegible] qts	15.00	1.85
El Centro	24 [illegible] pints	15.75	1.00
La Traviana	12 24-oz	14.50	1.80
	12 32-oz	13.00	1.60
Principe de Asturias	12 27-oz	16.50	2.00
	24 [illegible] pints	15.20	.95
Pedro Cima	12 24-oz	14.25	1.75
Quevedo	12 1 pt. 10 oz	13.50	1.65
Quevedo	12 20 oz	12.50	1.50
	24 [illegible] pints	13.50	.80
Cardenal:			
Cardenal:			
Amisette	12 [illegible] qts	40.50	4.75
Apricot Liqueur	12 [illegible] qts	40.50	4.75
Crema de Cacao	12 [illegible] qts	40.50	4.75
Crema de Menta	12 [illegible] qts	40.50	4.75
Curacao Extra Seco	12 [illegible] qts	40.50	4.75
Curacao Triple Seco	12 [illegible] qts	40.50	4.75
Cherry Liqueur	12 [illegible] qts	40.50	4.75
Peach Liqueur	12 [illegible] qts	40.50	4.75
Rosolio	12 [illegible] qts	40.50	4.75
Cardenal Bols:			
Advocaat	12 25-oz	43.00	5.00
Amisette	12 [illegible] qts	43.00	5.00
Apricot Liqueur	12 [illegible] qts	43.00	5.00
Crema de Cacao	12 [illegible] qts	43.00	5.00
Crema Menta Blanca	12 [illegible] qts	43.00	5.00
Crema Menta Verde	12 [illegible] qts	43.00	5.00
Cherry Liqueur	12 25-oz	43.00	5.00
Curacao Liqueur	12 [illegible] qts	43.00	5.00
Curacao Triple Sec	12 [illegible] qts	43.00	5.00
Maraschino	12 [illegible] qts	43.00	5.00
Parfait Amour	12 [illegible] qts	43.00	5.00
Peach Liqueur	12 [illegible] qts	43.00	5.00
Triple Sec	12 [illegible] qts	43.00	5.00
Nuestra Senora de la Piedad:			
Antiguedad Espanola	12 1	48.50	5.75
Antiguo Seco Puebla	12 1	43.50	5.00
Conde Domecq Anti-	24 [illegible] pints	42.75	2.50
guedad Spanish			
Amisette	12 [illegible] qts	42.00	5.00
Crema de Cacao	12 [illegible] qts	42.00	5.00
Crema Menta	12 [illegible] qts	46.00	5.25
Gonzalez Romate Her-			
manos:			
Amisette Romate	12 1 pt. 15 oz	50.00	6.00
Conde Ron Bacardi			
Anonimo: Ba-			
Amisette	12 [illegible] qts	37.00	4.30
Cruz & Cox: El Mono—			
Amisette	12 [illegible] liters	48.50	5.80
Destilerias Arus La Cas-			
tellana:			
La Castellana—Anis			
setre Dulce	24 1 pint	50.00	3.00
	12 1 qt	48.50	5.75
La Castellana—Anis			
setre Seco	12 1 qt	48.50	5.75

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Champagne:			
Angel M. Espino:			
Demi-Sec	12 1	$40.70	$5.00
	24 [illegible]	44.25	2.75
Sec	12 1	42.50	5.25
Bodegas Balbainos Lu-	12 1 pt. 10 oz	45.00	5.50
mich			
Domecq Demi Doux	12 27 oz	40.00	5.00
Schenley International:	12 26 oz	29.50	3.80
Cresta Blanca			
Ambassador	12 1	48.00	6.00
American Garnet	12 [illegible] qts	45.00	5.50
Codorniu Second Extra	12 1	55.00	6.75
Doux			
Cuvelier Brut	12 [illegible] qts	70.00	6.25
Cuvillier Demi Sec	12 [illegible] qts	48.00	6.00
Cuvillier Sec	12 [illegible] qts	48.00	6.00
De Chardon	12 1	70.00	6.25
Depuis de St. Remy	12 [illegible] qts	44.00	5.50
Emperator	12 1	47.00	5.75
Roma Gold Label	12 26 oz	39.00	4.85
Valdivieso	12 1	40.00	5.00
Weibel	12 26-oz	30.00	5.00
Gin:			
Importations:			
Ancient Bottles	12 [illegible] qts	27.50	2.95
Calvert	12 [illegible] qts	25.50	2.65
King Arthur	12 [illegible] qts	27.00	3.20
Erven Lucas Bols Ltd.	12 [illegible] qts	34.00	3.85
Bols			
Pedebouts & Cia. Daxton	12 1 qt	38.00	4.25
Schenley's International	12 [illegible] qts	13.00	1.50
Schenley's.			
Three Feathers	12 [illegible] qts	21.00	2.45
Rums (imported):			
Alhambra & Co.:			
Blanco	12 [illegible] qts	28.00	3.25
Extra	12 [illegible] qts	30.00	3.50
Oro	12 [illegible] qts	29.00	3.40
Bacardi:			
Anejo	12 [illegible] qts	40.00	4.70
Carta Blanca	24 [illegible] pints	33.70	2.00
	12 [illegible] qts	31.75	3.70
Carta de Oro	24 [illegible] pints	35.00	2.00
	12 [illegible] qts	33.00	3.85
Elixir	12 [illegible] qts	36.00	4.20
75% Brand	12 [illegible] qts	38.50	4.50
Castillo:			
Carta Blanca	12 [illegible] qts	29.25	3.40
Elixir	12 [illegible] qts	35.00	4.00
Extra XXX	12 [illegible] qts	33.00	3.85
Oriente Oro	12 [illegible] qts	31.00	3.60
Alvarez Camp & Co.:			
Carta Camp	12 [illegible] qts	30.00	3.50
Matusalem	12 [illegible] qts	31.00	3.65
Vermouth:			
Italian Swiss Colony:			
Italian	12 [illegible] qts	12.50	1.50
French	12 [illegible] qts	12.50	1.50
Private Stock	12 [illegible] qts	12.25	1.40
Martini & Rossi:			
Dry	12 1 pt. 14 oz	17.00	2.00
Regular	24 1 pint	20.00	1.15
Regular Dulce	12 1 pint 14 oz	17.00	2.00
Blanco Dulce	12 1 pt. 14 oz	17.00	2.00
Bandino Sweet	12 1	17.50	2.00
Cinzano	24 15 oz	18.10	1.00
	12 30 oz	17.00	2.00
Corbielle Dry	12 30 oz	19.00	2.25
Cupenar	12 30 oz	19.00	2.25
Chalibert Sweet	12 1 qt	15.80	1.85
El Globo Dry	12 32 oz	17.15	2.00
El Globo Sweet	12 1	15.20	1.95
Gancia	12 1 qt	17.50	2.00
Ideal Sweet	12 [illegible] qts	14.50	1.65
L'Sard Dry	12 [illegible] qts	17.25	1.95
Mitre Sweet	12 30 oz	16.00	2.00
Pasani Sweet	12 [illegible] qts	16.25	1.85
Redmondini Sweet	12 [illegible] qts	16.25	1.85
Saturno	12 32 oz	15.80	1.85
	24 16 oz	17.30	1.00
Suza Dry	12 [illegible] qts	18.00	2.10
Tiara	12 [illegible] qts	14.00	1.65
Wines (American):			
Garrets:			
Burgundy Type	12 [illegible] qts	11.50	1.30
Espumoso Garret			
Burgundy	12 [illegible] qts	40.20	4.70
Port White	12 [illegible] qts	11.50	1.30
Port Type	12 [illegible] qts	11.50	1.30
Roma VS Claret	12 [illegible] qts	12.50	1.55
Roma VS Sauterne	12 [illegible] qts	12.50	1.55
Sauterne Type	12 [illegible] qts	11.50	1.30
Virginia Dare Type	12 [illegible] qts	11.50	1.30
Virginia Dare Vino			
Blanco	6½ gal	12.00	2.80
Gilbey's:			
Angelica Altar	in gallons	4.10	
Invaluable Port	12 [illegible] qts	29.00	3.25
Invaluable Sherry	12 [illegible] qts	31.50	3.60
Italian Swiss Colony:			
Angelica (Gold Medal)	12 [illegible] qts	11.15	1.25
Burgundy (Gold Medal)	12 [illegible] qts	10.65	1.25
Clarete (Gold Medal)	12 [illegible] qts	10.65	1.25
Chablis (Gold Medal)	12 [illegible] qts	10.65	1.25

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Wines (American)—Con.			
Italian Swiss Colony—Continued.			
Hot Sauterne (Gold Medal)	12 [illegible] qts	$10.65	$1.25
Moscatel (Gold Medal)	12 [illegible] qts	11.15	1.25
Moscato Private Stock	12 1	12.70	1.50
Port (Gold Medal)	12 [illegible] qts	11.15	1.25
Port Private Stock	12 [illegible] qts	12.70	1.50
Sauterne (Gold Medal)	12 [illegible] qts	10.65	1.25
Sherry (Gold Medal)	12 [illegible] qts	11.15	1.25
Sherry Private Stock	12 1	12.70	1.50
Schenley International Corp.			
Chateau—Cresta Blanca	12 [illegible] qts	19.00	2.20
Dubbonet	12 1	19.00	2.15
Roma VS Port Wine	12 [illegible] qts	14.00	1.65
Sauterne—Cresta Blanca	12 [illegible] qts	16.00	1.85
Wines (Foreign):			
Angel M. Espino Rio			
Blanco Chichasa	12 1	15.25	1.75
Blanco Vina Lagar	12 1 1/5 S oz	16.75	1.50
Chianti Argentino	24 2	17.50	1.00
	12 1	17.00	2.00
Malaga Espino	12 1	15.00	1.75
Massoli Espino	12 1	15.00	1.75
Moscatel Alambrado	12 1	19.25	2.25
Moscatel Garrafas	12 1	26.50	3.00
Oporto Espino	12 1	16.00	1.85
Pierna de Perdiz Sparkling	12 1	28.00	3.25
Sauterne Argentino	12 1	13.75	1.50
	24 2	15.25	1.00
Sherry Espino	12 1	16.75	1.85
Tinto Borgona	12 1 pt. 8 oz	13.50	1.50
Tinto Cabernet Tre-	12 1	15.25	1.75
vador			
Tinto Lambrusco	12 1 pt. 6 oz	14.70	1.70
Armenta & Macarro:			
Clarete	12 1	16.25	1.80
	24 2	14.75	.85
Red Wine	12 1	17.00	1.90
Rioja Blanco	12 2	14.75	.85
Spanish White Wine	12 1	17.00	1.90
Topacio White Sweet	12 1	18.50	2.10
Perregas Hnos & Co. Ltd.:			
Derby	12 1	14.25	1.60
Tinto Reserva	12 1	13.00	1.50
B. Fonseca & Hno.:			
Moscatel de Sitges 3 Torres	12 25 oz	24.00	2.75
Bodegas Bilbainas: Clarete Fino	12 1	18.00	2.10
Bodegas Franco-Espanolas:			
Blanco Diamante	12 1	18.00	2.00
Claret Extra	12 1	14.65	1.70
Tinto Rio Royal	12 1	16.25	1.95
Bodegas Riojanas:			
Blanco Rioja Extra Fino	12 1 pt. 8 oz	18.75	2.15
	24 12 oz	19.75	1.10
Blanco Rioja Seco	12 1 pt. 8 oz	17.00	2.00
	24 12 oz	18.75	1.60
Tinto Rioja Superior	12 1 pt. 8 oz	15.50	1.85
	24 12 oz	16.50	1.00
Bodegas Vinicola Gallega:			
Blanco Mosteiro	12 1	16.00	1.85
Tinto Mosteiro	24 2	15.00	1.00
	12 1	16.00	1.85
Tostado 4 Bandos	12 1	24.25	2.65
Carlos Serres:			
Blanco	12 1	15.75	1.75
Tinto	12 1	15.00	1.75
Cia. Argentina de Importacion:			
Vino Blanco	12 1	17.50	1.70
Vino Tinto 1937	12 1	13.60	1.45
Chamizo Vino Espumoso	12 1 1/3	29.00	3.40
Domecq Vina 25	12 1	28.75	3.35
Florido Hermanos:			
Especial para Consagrar	12 [illegible] qts	27.00	2.90
Jerez Oloroso	12 1	21.50	2.80
Jerez Oloroso Seco	12 1	21.50	2.80
Malaga Especial	12 [illegible] qts	25.00	2.90
Manzanilla Clasica	12 [illegible] qts	21.75	2.90
Pedro Jimenez "El Abuelo"	12 1	40.00	4.60
Pedro Jimenez Rancio	12 1	28.75	3.10
Pico Plata	12 [illegible] qts	26.00	3.00
Penche Farsan	12 1	38.00	4.40
Vina Florido	12 1	28.25	3.25
Gomez Cruzado:			
Blanco	12 1	16.50	1.85
Tinto Rioja Predilecto	12 1	16.50	1.85
Gross Hermanos: Vino Reconstituvente Cruz Azul	12 1 qt	35.00	4.00

manufacturer's plant or warehouse to the dealer's place of business: *Provided*, That such transportation cost may not

See footnotes on page 7642.

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Wines (Foreign)—Con.			
Luis Caballero S. A.:			
Jerez Amontillado	12/25 oz.	$23.25	$2.60
Jerez Pedro Jimenez	12/25 oz.	28.50	3.00
Moscatel Caballero	12/25 oz.	28.50	3.00
Marques de la Puebla:			
Fino Machamudo	12/1	25.25	3.00
Jerez Quina Puebla	12/1 pt. 9 oz.	26.75	3.00
Jerez Seco Palido	12/1 pt. 9 oz.	23.25	2.70
Lagrimas Sherry	12/1	26.25	3.00
Manzanilla Especial	12/1	24.50	3.00
Moscatel Especial	12/1	26.25	3.00
Moscatel #1 Sherry	12/1	27.50	3.25
Pedro Ximenez Lagar	12/1	25.50	3.00
Pedro Xumenez Puebla Sherry.	12/1	42.00	4.80
Poeche Puebla	12/1 pt. 9 oz.	41.50	4.75
P. X. Genoveva	12/1 pt. 9 oz.	27.25	3.10
Sevilla Cream Sherry	12/1	40.00	4.70
Solera High Hat	12/1	31.25	3.50
Spanish Grape Wine	12/1	25.75	3.00
Superior Oscuro Dulce	12/1 pt. 9 oz.	26.25	3.00
Vino de Pasas	12/1	29.00	3.25
Marques del Merito:			
Jerez Abuelo	12/1 pt. 9 oz.	25.50	3.00
Jerez Oro	12/1 pt. 9 oz.	23.75	2.75
Manzanilla	12/1 pt. 9 oz.	23.75	2.75
Moscatel	12/1 pt. 9 oz.	23.75	2.75
Solera Amontillado	12/1 pt. 9 oz.	23.75	2.75
Vino Pedro Jimenez	12/1 pt. 9 oz.	25.00	2.90
Marques del Real Tesoro:			
Fino Andaluz	12/1	20.00	2.35
Ideal	12/1	22.00	2.50
Jerez Oro	12/1	20.00	2.35
Malaga Blanco Dulce	12/1	21.00	2.40
Malaga Oscuro Dulce	12/1	21.00	2.40
Manzanilla La Bailadora.	12/1	21.00	2.40
Manzanilla La Capitana.	12/1	20.00	2.35
Moscatel Solera	12/1	21.00	2.40
Moscatel Vina Luisa	12/1	21.00	2.40
Pedro J. Solera	12/1	17.75	2.00
Martini & Rossi	12/1	20.00	1.15
Chianti, Martini & Rossi.	24/2		
Palomino & Vergara:			
Jerez Amoroso	12/1	21.50	2.50
Jerez Dulce	12/1	23.00	2.65
Jerez Oro	12/1	21.50	2.50
Jerez Palido	12/1	21.50	2.50
Malaga Dulce Blanco	12/1	23.00	2.65
Malaga Dulce Oscuro	12/1	23.00	2.65
Manzanilla Fina	12/1	22.00	2.50
Manzanilla Oloroso	12/1	24.50	2.85
Manzanilla Revoltosa	12/1	26.50	3.00
Moscatel	12/1	23.00	2.65
Moscatel Payaso	12/1	31.75	3.70
Moscatel Solera	12/1	20.50	2.50
Oporto Lusitania	12/1	23.00	2.65
Pedro Ximenez Superior.	12/1	23.00	2.50
Vino Amontillado Fino.	12/1	23.00	2.85
Vino Amontillado Macharnudo.	12/1	27.50	3.20
Peters Hermanos:			
Claret Feudal	12/1	12.50	1.40
Oporto Argentino Templario.	12/1	18.50	2.10
Sauterne Feudal	12/1	14.75	1.70
Sanchez Romate Hermanos:			
Amontillado N. P. U. (Sherry).	12/1 pt. 7 oz.	31.50	3.65
Carlos V. Oloroso Sherry.	12/1 pt. 7 oz.	105.00	12.25
Cob-Nut Brown Sweet Sherry.	12/1 pt. 7 oz.	26.00	3.00
De Pasas	12/1 pt. 7 oz.	26.50	3.00
Dos Palos Cortados Fandango Sherry.	12/1 pt. 7 oz.	28.75	3.25
Dry Solera Romate	12/1 pt. 7 oz.	28.75	3.25
Dulce Superior Oscuro	12/1 pt. 7 oz.	24.00	2.80
East India Sherry	12/1 pt. 7 oz.	52.00	6.00
Fino Machamudo	12/1 pt. 7 oz.	23.25	2.75
Fino Marismeno Sherry.	12/1 pt. 7 oz.	31.50	3.65
Grape Wine Fine Ruby.	12/1 pt. 7 oz.	23.25	2.65
Jerez Turina Duque	12/1 pt. 7 oz.	25.00	2.90
Jerez Seco Palido	12/1 pt. 7 oz.	21.75	2.50
Lagrima Sweet Sherry Light.	12/1 pt. 7 oz.	23.75	2.75
Manzanilla Peternera	12/1 pt. 7 oz.	24.00	2.80
Manzanilla Viva La Pepa	12/1 pt. 7 oz.	22.00	2.50
Moscatel Ambrosia	12/1 pt. 7 oz.	60.00	7.00
Moscatel Especial	12/1 pt. 7 oz.	23.75	2.75
Moscatel Gloria	12/1 pt. 7 oz.	25.00	2.90

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Wines (Foreign)—Con.			
Sanchez Romate Hermanos—Con.			
Moscatel Reina	12/1 pt. 7 oz.	$32.00	$3.75
Oloroso El Cesar	12/1 pt. 7 oz.	70.00	8.00
Orange Flavor Sherry	12/1 pt. 7 oz.	26.50	3.00
Pedro Ximenez Cardenal Cisneros	12/1 pt. 7 oz.	42.00	4.90
Pedro Ximenez de Consigrar	12/1 pt. 7 oz.	23.00	2.65
Romate Cream Sherry	12/1 pt. 7 oz.	40.00	4.70
Sherry Bombita	12/1 pt. 7 oz.	26.00	3.00
Spanish Punch Romate	12/1 pt. 7 oz.	42.50	5.00
Pedro Ximenez Damas	12/1 pt. 7 oz.	35.00	2.00
Blanco Bonaparte	12/1	14.25	1.60
Blanco Brillante 1931	24/2	19.75	2.25
	24/2	21.00	1.25
Blanco Cepa de Oro	12/1	19.75	2.25
Blanco del Rhin Trapiche.	12/1	12.00	1.40
Blanco del Rhin Underrags.	12/1	15.25	1.75
Blanco Especial Concha y Toro.	12/1	14.00	1.60
Blanco Fino 1934	24/2	19.75	1.10
	12/1	18.75	2.15
Blanco Seco Argentino Tipo Cadet.	12/1	9.25	1.10
Blanco Trapiche Demi-Sec.	12/1	14.25	1.60
Blanco Vina Albina	24/12 oz.	22.75	1.25
	12/1 pt. 8 oz.	21.00	2.50
Claret Fino	24/2	19.75	1.10
	12/1	16.50	1.75
Edcrra Blanco	12/1 pt. 8 oz.	16.50	1.75
Gran Vino Blanco Concha y Toro.	12/1	16.50	1.80
Gran Vino Blanco San Jose	12/1	15.50	1.80
Jerez Rey	12/1	25.50	3.00
Sauterne El Cabildo	12/1	15.75	1.85
Sherry Vinas 25	24/12 oz.	29.75	1.75
Tinto Bonaparte	12/1	14.25	1.60
Tinto Edcrra	12/1	16.50	1.75
	24/2	19.75	1.10
Tinto Claret Alamdrado	12/1	19.75	2.25
Tinto del Rhin Underrags.	12/1	16.50	1.85
Tinto Especial Concha Toro	12/1	14.00	1.60
Tinto Vina Albina	12/1 pt. 8 oz.	21.00	2.50
Tinto Vina Pomal	12/1	19.75	2.25
Weibel Sparkling Burgundy.	24/13 oz.	41.50	2.40
Whiskies (American):			
Blended:			
Bourbon P. M. de Luxe.	24 pints	27.50	1.55
	12/45 qts	25.25	2.65
Calvert Reserve	24 pints	37.00	2.10
	12/45 qts	33.00	3.85
	48/5 oz.	38.25	1.10
Calvert Special	12/45 qts	28.25	3.25
King	12/45 qts	30.00	3.50
Old Forester	12/45 qts	33.00	3.75
Reserve Blend	12/45 qts	24.75	2.75
Schenley Black Label	48/5 pints	36.00	1.05
	24 pints	34.50	2.00
	12/45 qts	28.00	3.25
Schenley Red Label	48/5 pints	30.00	.90
	24 pints	28.50	1.65
	12/45 qts	23.00	2.70
Three Feathers Aristocrat.	24 pints	27.50	1.60
Three Feathers Reserve.	12/45 qts	30.00	3.50
Flamingo	12/45 qts	27.50	3.20
Bellows Special Reserve.	12/45 qts	25.00	2.90
Blended Straight:			
Four Roses	24 pints	39.75	2.30
	12/45 qts	32.00	3.75
Paul Jones	24 pints	29.00	1.70
	12/45 qts	24.25	2.75
Bourbon:			
Old Crow	12/45 qts	27.50	3.20
Old Grand Dad	12/45 qts	31.50	3.50
	24 pints	31.00	1.75
Old Log Cabin	12/45 qts	25.00	2.80
Old Schenley	24 pints	33.00	2.00
	12/45 qts	27.50	3.20
Old Taylor	24 pints	38.00	2.15
	12/45 qts	31.50	3.50
Rye:			
Mt. Vernon	24 pints	31.00	1.80
	12/45 qts	26.25	3.00

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Whiskies (American)—Continued			
Rye—Continued.			
Old Crow	12/45 qts	$27.50	$3.20
Old Overholt	12/45 qts	26.25	3.00
Old Schenley	24 pints	30.00	2.00
	12/45 qts	27.50	3.20
Canadian:			
Canadian Club	12/45 qts	39.00	4.50
Rye G. & W	12/45 qts	26.00	3.00
Seagrams V. O	12/45 qts	29.00	3.40
Scotch:			
Ballantine	12/45 qts	40.00	4.75
Bell's Special Reserve	12/45 qts	41.00	4.80
Black & White	12/45 qts	41.00	4.75
Haig & Haig Five Stars.	12/45 qts	40.00	4.70
Haig & Haig Pinch Bottle.	12/45 qts	47.00	5.50
Hanky Bannister	12/45 qts	40.00	4.75
House of Lords	12/45 qts	39.00	4.60
Johnnie Walker Black Label.	24/5 pints	54.00	6.30
	12/45 qts	52.00	6.00
Johnnie Walker Red Label.	24/5 pints	48.00	2.70
	12/45 qts	47.00	5.50
King's Ransom	12/45 qts	47.00	5.50
Martins de Luxe 12 years.	12/45 qts	49.00	5.75
Martins de Luxe 20 years.	12/45 qts	70.00	8.25
Martins VVO	12/45 qts	42.00	4.75
McNairs	12/1 qts	42.00	4.75
Old Angus	12/45 qts	45.00	5.25
Perfection	12/45 qts	40.00	4.70
Queen Annie	12/45 qts	40.00	4.75
Red Hackle	12/45 qts	43.00	4.75
Spey Royal 8 years old	12/45 qts	44.00	5.25
Special Blend Peter Dawson.	12/45 qts	44.00	5.00
The Antiquary	12 Imperial Liters.	61.00	7.50
Vat 69	12/45 qts	41.00	4.75
Weston's Special Reserve.	12 Imperial Liters.	56.00	6.50
White Horse	12/45 qts	41.00	4.75
White Label	12/45 qts	40.00	4.75
	24/5 pints	41.00	2.40
Scotch Type: Stuart Lloyds.	12/45 qts	37.00	4.15

[1] The maximum prices established by this section do not apply to sales made for immediate consumption on the premises of eating and drinking establishments. However, this type of sale continues to be covered by the provisions of the General Maximum Price Regulation.

[2] The prices specified for Beer and Malt (Dimetto Rico) include an allowance for bottle deposits at the rate of 50¢ per case of 24/12 oz., 45¢ for a case of 24/22 oz., 36¢ for a case of 12/32 oz., and $5.00 per keg. Prices on sales by breweries to wholesalers or to retailers include delivery.

[3] On sales at retail of Beer and Malt (Puerto Rico) a deposit charge may be imposed as follows: 2¢ per bottle of 12 or 22 oz., and 3¢ per bottle of 32 oz. The deposit shall be refunded to the depositor upon the return of the bottle.

[4] No increase for imported beverages which has occurred since April 30, 1943, in the f.o.b. prices charged by the foreign seller will be taken into account in establishing maximum prices for imported liquors, except that if the item is purchased in the continental United States the importer shall furnish a letter from the appropriate office of the Office of Price Administration having jurisdiction over his supplier, or other satisfactory evidence that his supplier's price for the item does not exceed the supplier's maximum price or the sale established under applicable OPA regulations.

SEC. 4.3 *Baking powder and cornstarch*—(a) *Baking powder.*

Item and brand names	Case of—	Price at wholesale	Retail price (per unit)
Baking powder:			
Fleischmann	10-lb. can	$0.17 per lb.	
Calumet	24/8 oz.	2.25	.15
Hearth Club	6/5# cans	3.00	.10

(b) *Cornstarch.*

Item and brand name	Case of—	Price to wholesaler	Price at wholesale	Price at retail (per unit)
Cornstarch (edible):				
Mazola	80/3 oz. pkg.[4]	$2.25	$2.50	$0.01
Mazola Duryea	40/100 grms.		3.80	.12
	80/100 grms.		2.00	.05
National Starch Co	144/1# pkg.	9.30	10.25	.10
	96/1# pkg.	6.20	6.50	.10
	40/1# pkg.	2.58	2.85	.10
Premier	48/16 oz. pkg.		3.90	.11

SEC. 4.4 *Cereals, flour, barley, rice, corn, corn meal and cracker meal.*

	Case of—	Price at wholesale	Price at retail (per unit)
Cereals			
1. Cream of Wheat: Cream of Wheat Corps.	36/28-oz.	$9.10	$0.33
	48/14-oz.	7.10	.19
2. Bran Flakes: General Foods.	24/8-oz.	3.10	.17
3. Grape Nuts: General Foods.	24/15-oz.	6.00	.32
	24/12-oz.	4.10	.22
	50/1-oz.	1.35	.01 or 2.07
4. Grape Nuts Flakes: General Foods.	24/7-oz.	2.95	.16
	50/1-oz.	1.35	.01 or 2.07
5. Grape Nut Wheat Meal: General Foods.	12/17-oz.	2.20	.21
6. Post Toms: General Foods.	1 0/1-oz.	3.40	.01
7. Post Toasties: General Foods.	50/1-oz.	1.35	.01 or 2.07
	36/6-oz.	2.05	.10
8. Whole Bran Shreds: General Foods.	12/10-oz.	2.60	.21
9. Cream of Rice: General Grocery Store Sales Co.	12/18-oz.	2.80	.30
10. Purity Instant Oats: General Mills.	24/14-oz.	3.00	.16
11. Purity Oats: General Mills.	12/42-oz.	3.40	.37
	24/20-oz.	3.70	.20
12. Cheerioats Gold Medal.	24/7-oz.	3.55	.19
13. Kix: Gold Medal.	24/7-oz.	3.30	.17
14. Oats:			
Gold Medal.	24/14 oz.	3.65	.19
Quaker	36/20 oz.	7.25	.25
15. Oats flakes: Gold Medal.	1 14 oz. with tumbler.	3.95	.21
16. Wheat flakes: Gold Medal.	24/8 oz.	2.61	.14
	36/8-oz.	3.92	.14
17. Wheatoes: Gold Medal	36/8-oz.	5.00	.18
18. All Bran: Kellogg	24/10-oz.	3.55	.19
19. Corn Flakes: Kellogg	36/6-oz.	2.95	.10
20. Pep: Kellogg	36/8-oz.	4.80	.17
21. Rice Krispies: Kellogg	24/5½-oz.	3.55	.19
22. Shredded Wheat: Kellogg	24/12-oz.	3.70	.20
23. Variety: Kellogg	12/10-oz.	3.40	.37
24. Golden Center Toasted Wheat Germ: Mother Hubbard.	12/1#	3.50	.37
25. Shredded Wheat: Nabisco	36/12-oz.	5.75	.20
26. Bran Flakes: Nabisco	24/8 oz.	2.60	.14
27. 3-Minute Oat Flakes: National Oats.	18/20-oz.	3.60	.25
	36/20-oz.	7.25	.25
28. Hominy Grits: Pillsbury	24/1½lb.	2.60	.14
Quaker	24/24-oz.	2.65	.14
29. Farina: Pillsbury	18/13#	3.25	.22
Quaker	36/24-oz.	7.55	.27
	24/14-oz.	2.70	.15
	12/14-oz.	1.35	.15
	12/28-oz.	2.70	.28
Vita	24/28-oz.	3.60	.18
30. Assorted cereals: Quaker	12/10-oz.	3.50	.38
31. Muffets: Quaker	24/8-oz.	2.75	.15
32. Puffed Rice Sparkles: Quaker	24/4½-oz.	3.45	.19
33. Puffed Wheat: Quaker	24/4-oz.	2.95	.16

	Case of—	Price at wholesale	Price at retail (per unit)
Flour			
31. Flour: American Beauty.	Bales of 20.5# buz.	$7.00	$0.45
35. Pancake: Aunt Jemima	24/20-oz.	3.60	.19
Pillsbury	24/14#	3.30	.18
36. Buckwheat: Aunt Jemima.	12/20-oz.	1.75	.19
37. Flour: Stoy-Soy	24/1#	3.35	.18
	12/3#	4.05	.20
38. Cake flour: Swans Down	12/2¾#	3.60	.39
	100# net cots	6.50	
Sno-Sheen: Pillsbury	12/2¾#	3.80	.39
39. Best Wheat flour: Pillsbury	2/2#	3.75	.19
	10/5#	3.30	.32
	5/10#	3.15	.31
	4/25#	6.10	1.67
Bewley	50/2-lb.	6.75	.17
	20/5-lb. bags	6.60	.39
	10/10-lb. bags	5.60	.72
40. Wheat flour: Cervato	1/25-lb. bags	4.70	1.52
Crown Mills Canaria	10/10-lb. bags	5.60	.72
	20/5-lb. bags	6.00	.39
41. 4X Enriched Fancy Patent: Premier	10/5#	3.60	.46
Gold Medal:			
42. KT wheat flour	20/5's O C	6.65	.43
43. Kitchen Tested wheat flour bales	4/25# bags	6.45	2.00
44. Kitchen Tested wheat flour	25/2#	3.85	.20
45. Softasilk wheat	12/44-oz.	3.35	.36
46. Buckwheat pancake: Pillsbury	12/34#	2.30	.24
47. Cake and pastry: Premier	12/44-oz.	3.35	.36
48. 4X Patent flour Premier	25/2-lb.	3.85	.20
49. All types of hard and soft wheat flour		.6455	.06

Commodity	To wholesaler	At wholesale	At retail
50. All grades of imported milled rice	$0.0955 lb.	$0.07 lb.	$0.08 lb.
	To wholesaler (per 100 lbs.)	At wholesale (per 100 lbs.)	At retail (per lb.)
51. Corn meal		$4.30	$0.05
52. Cracked corn		3.75	.05 or 2.09
53. Whole corn	$3.36	3.70	.05 or 2.09
	Case of—	Price at wholesale	Retail price
54. Yellow cornmeal: Pillsbury	24/13½#	$2.70	*Per unit* $0.15
Quaker	24/24 oz.	2.65	.14
	50/2# bags	5.75	.14
55. Cornmeal: Premier	24/12 oz.	2.50	.13
56. White cornmeal: Quaker	24/24 oz.	2.65	.14
	12/24 oz.	1.30	.14
57. Barley (fine): Premier	100# bags	10.42	.14
58. Barley (medium): Premier	24/16 oz.	2.60	.14
59. Coarse barley: Premier	24/16 oz.	2.45	.13
60. Cracker meal coarse: Premier	25 lb. bag	2.60	.14 lb. or $3.40 per bag.

SEC. 4.5 *Chewing gum.*

Items & brand names	Carton of—	Price to wholesaler	Price at wholesale	Retail price
All brands: (All flavors)	20 pkgs. of 5 sticks	$0.72	$0.75	$0.05 pkg. (stick 01).
	100 pkgs. 2 nuggets	.72	.75	.01 (2 nuggets).

SEC. 4.6 *Cigarettes.*

Brand	Price to wholesaler (per ctn. of 200)	Price at wholesale (per ctn. of 200)	Retail price (per pkg. of 20)
Camel	$1.80	$1.90	$0.22
Chelsea			
Chesterfield			
Fleetwood			
Kool			
Lucky Strike			
Mapleton			
Old Gold			
Phillip Morris			
Raleigh			
Rameses			
Spud			
Viceroy			
Avalon	1.70	1.74	.20
Domino			
Medal			
Roy			
Southland			
Tetem			
Wings			
Masterpiece	1.75	1.80	.21
Rivalo	1.70	1.74	.20
Casino	1.57	1.60	.19
Colectivas			
Toro			

Brand	Price to wholesaler (per ctn. of 200)	Price at wholesale (per ctn. of 200)	Retail price (per pkg. of 20)
Spur	$1.80	$1.84	$0.21 (Per pkg. of 10)
Casino	$1.57	$1.60	$0.10/2
Violetas	$1.57	$1.60	.10 pkgs.
Yankee	$1.70	$1.74	.10/.19
	(Per ctn. of 160)	(Per ctn. of 160)	(Per pkg. of 16)
De Luxe	$1.47	$1.50	$0.17
	(Per ctn. of 100)	(Per ctn. of 100)	(Per ctn. of 100)
Colectiva Largo	$0.83	$0.85	$0.99
Rivalo Largo	.92	.95	1.10
Toro Largo	.82	.85	.99
Yankee Largo	.87	.90	1.05

Number of cigarettes	On brands retailing at 22 cents per package	On brands retailing at 21 cents per package	On brands retailing at 20 cents per package	On brands retailing at 10 and 19 cents per package
19	$0.21	$0.20	$0.19	$0.18
18	.20	.19	.18	.18
17	.19	.18	.17	.17
16	.18	.17	.16	.16
15	.17	.16	.15	.15
14	.16	.14	.14	.14
13	.15	.13	.13	.13
12	.14	.12	.12	.12
11	.13	.11	.11	.11
10	.11	.10	.10	.10
9	.10	.09	.09	.09
8	.09	.08	.08	.08
7	.08	.07	.07	.07
6	.07	.06	.06	.06
5	.06	.05	.05	.05
4	.05	.04	.04	.04
3	.03	.03	.03	.03
2	.02	.02	.02	.02
1	.01	.01	.01	.01

SEC. 4.7 *Coffee, tea and chocolate*—(a) *Definitions.* When used in this section the term:

(1) "Coffee" means dried parchment coffee, green coffee, roasted coffee and roasted ground coffee.

(2) "Dried parchment coffee" means coffee from which the pulp has been removed, which has been fermented and washed but which still contains the endocarp or vellum covering the bean.

(3) "Green coffee" means dried parchment coffee from which the endocarp or vellum covering the bean has been removed.

(4) "Roasted ground coffee" means roasted coffee which has been ground.

(5) "Roaster" means any person who is engaged in the business of roasting green coffee.

(b) *Coffee*—(1) *Puerto Rican.*

	To wholesalers	At wholesale and to roasters and to retailers	At retail
			Per lb.
Dried parchment coffee	$21.70—122 lbs.	$24.70—122 lbs.	$0.28
Green coffee	24.00—100 lbs.	25.00—100 lbs.	
Roasted coffee, or roasted ground coffee:			
In container, in excess of one pound		35.40—100 lbs.	.40
In containers of one pound or less		36.00—100 lbs.	.40

(c) *Tea.*

	Case of:	Price to wholesaler	Price at wholesale	Retail price
Maxwell House	24 1-oz. pkg.	$5.55	$6.00	$0.33 pkg.
	24 16 tea bags		3.30	0.18 per pkg. of 16 tea bags.
Teem Tea	24 16 tea bags		3.00	0.16 pkg. of 16 bags.

(d) *Chocolate.*

	Case of—	Price at wholesale	Retail price (per unit)
Chocofan	48 7-oz pkg.	$8.00	$0.22
Premium #1	48 ½ lb.	7.15	.20

SEC. 4.8 *Crackers and bread*—(a) *Definitions.* When used in this section the term:

(1) "Bread" means the article of food, sold in standard loaves prepared by moistening, kneading and baking meal or flour usually with the addition of yeast or leaven, such as "pan francaise" or "pan de agua", (French bread), "pan de sandwich" (sandwich bread), and "pan sobado" (baked bread (sic.).

(2) "Specialty bread" means raisin bread, cracked wheat bread or any variety of bread other than "pan francaise", "pan de agua", "pan de sandwich" or "pan sobado", which constitutes 10% or less of the gross sales of the bread produced by the bakery during any month preceding the date of the sale of this type of bread.

(3) "Soda crackers, family type", means crackers such as those sold under the trade names of "Delicious", "Corona", "Sea Spray", "Sunland", "Sunland Saltines", "Soda Familia" and "Family Special".

(4) "Soda crackers, standard type", means crackers such as those sold under the trade names of sport "Borinquen". "Soda Rica", "Populat", "Boricua" and "Rovira".

(5) "Vanilla crackers" means crackers such as those sold under the trade names of "Princess", "Imperial", "Sunland", "Flor de Vainilla" and "Vanilla Biscuit".

(b) *Bread.*

To wholesaler, price per lb.	At bakery to retailers, price per lb.	Delivered to retailers, price per lb.	Delivered to institutional and commercial users, price per lb.	Delivered and made-in-vered at retail store, per lb.
$0.0775	$0.08	$0.085	$0.085	$0.10

NOTE.—The maximum prices for specialty [illegible] be established in accordance with the provisions of the General Maximum Price Regulation.

(c) *Crackers*—(1) *Locally produced.*

Items and brand names	Unit (container)	Price to wholesaler (per doz.)	Price at wholesale (per doz.)	Price [illegible] (per unit)
Soda crackers (family type):				
Corona				
Delicious				
Family Special	4 lb.	$12.27	$13.50	$0.09
Sea Spray	2 lb.	5.30	5.80	.09
Familia	1 lb.	2.80	3.10	.32
Sunland				
Sunland Saltines				
Soda crackers (standard type):				
Boricua				
Borinquen	4 lb.	10.77	11.85	1.37
Popular	2 lb.	5.60	6.15	.64
Rovira	1 lb.	2.80	3.08	.34
Soda Rica				
Sport Soda				
Vanilla crackers:				
Flor de Vainilla	3½ lb.	8.30	9.20	1.17
Imperial	4 lb.	10.77	11.85	1.37
Princess	2 lb.	5.60	6.15	.64
Sunland	1 lb.	3.04	3.35	.34
Vanilla Biscuit	1½ lb.	3.80	4.20	.47
	3 lb.	7.38	8.10	.82
Other varieties:				
Borinquen Lunch	1½ lb.	3.60	4.00	.47
	3 lb.	7.20	7.90	.92
Florettas	2½ lb.	7.00	7.70	.91
	3 lb.	8.40	9.25	1.10
Rival Lunch	4 lb.	9.65	10.60	1.22

(2) *Imported.*

Items and brand names	Unit (container)	Price to wholesaler (per doz.)	Price at wholesale (per doz.)	Price [illegible] (per unit)
Barry				
Butter Pretz Stix	10 oz.	$1.175	$1.30	$0.14
Celtez Trinket	9½ lb.		$20.15	$1.60
Croix Bix	10 oz.	1.725	$1.90	$0.19
Dixie Bulk Sprayed	6 lb.		$16.90	$1.75
Fast Biscuit Mix	10 oz.		$1.67	$0.17
Export Soda	1 lb.	3.50	$3.85	$1.42
Fruit Cake	1½ lb.		$17.30	$1.80
	3 lb.		$29.75	$3.10
Homespun Assortment	3½ lb.		$14.35	$1.50
Homespun #1	1 lb.	3.720	$4.10	$0.43
Horn of Plenty Valentine	2½ lb.		$17.45	$1.81
Military Gift Assortment	2¼ lb.		$12.85	$1.34
Par Chez	10 oz.	3.75	$4.15	$0.44
Soda Crackers	14 lbs.	9.45	$10.40	$1.08
Soda Pretz Stix	10 oz.	.423	$0.465	$0.78 doz. or 7 for 1 [illegible]
Snifties	7 oz.	4.80	$5.40	$0.56
Sugar Wafers	8¾ oz.	.43	$0.47	$0.78 doz. or 7 for 1 [illegible]
Swingtime Oatmeal Cookies	1 1/4 oz.		$0.097	$0.78 doz. or 7 for 1 [illegible]
Crackers				
Van Highland Cream	1½ oz.	0.421	$0.465	$0.78 doz. or 7 for 1 [illegible]
Van Highland Chocolate Nut Cooky	1½ oz.	.423	$0.467	$0.78 doz. or 7 for 1 [illegible]
Vanilla Blossom Cream	21 lb.		$0.2475 lb.	$0.22 lb.
Vanilla Champion	20 lb.		$0.1875 lb.	$0.24 lb.
Consolidated Cracker Co.				
Crackin' Good Butter Cookies	12 oz.	2.45	$2.70	$0.28
Crackin' Good Chocolate Snaps	12 oz.	2.125	$2.325	$0.24
Crackin' Good Ginger Snaps	1 lb.	2.125	$2.325	$0.24
Crackin' Good Lemon Snaps	12 oz.	2.125	$2.325	$0.24
Crackin' Good Milk Lunch	1 lb.	2.20	$2.425	$0.25
Crackin' Good Oyster	1 lb.		$2.365	$0.25
Crackin' Good Soda Cracker	1 lb.		$2.735	$0.28
Crackin' Thin Shell Saltines	1 lb.	2.20	$2.425	$0.25
Fig Bars	24 lb.		$0.25 lb.	$0.26 doz. or 7 for 1 [illegible]
Orange Cream Sandwiches	16 lb.		$0.25 lb.	$0.26 doz. or 7 for 1 [illegible]
Rosebud Cream Sandwiches	15 lb.		$0.25 lb.	$0.26 doz. or 7 for 1 [illegible]
Society Teas	15 lb.		$0.25 lb.	$0.01 for 1 cracker.
Taffy Bars	15 lb.		$0.25 lb.	$0.01 for 1 cracker.

Items and brand names	Unit (container)	Price to wholesaler (per doz.)	Price at wholesale (per doz.)	Price at retail (per unit)
Crackers, Imported—Continued				
Loose Wiles—Continued.				
Vanilla Wafers	1 lb.	$1.55	$1.65	$0.17 lb. or 1 cracker for 5¢.
Vienna Fingers	1 lb.	3.00	3.20	
Yum Yum	8 oz.	1.50	1.60	$0.17
Zwieback	12 oz.	2.15	2.30	$0.25
Mogiwerk-Ehrlicher Food Co., Cracker	1 lb.	2.70	2.90	$0.31
National Biscuit Co.	8 oz.	1.50	1.65	$0.17
Fig Newton	7¾ oz.		$1.80	$0.19
Gem (small)	8 lb.		$20.95	$2.25
Graham	2¼ oz.		$1.00	$0.11
Graham (small)	33 oz.		$3.60	$0.38
Sultana Cream Biscuit (small)	2 lb.		$7.35	$0.75
Sultana Royal Lunch	1 lb.	11.05	12.15	$1.27
National Sodas	2 lb.	16.75	18.40	$1.95
Ritz	1 lb.	13.50	14.85	$1.55
Nabisco Royal Lunch	1 lb.	7.75	8.50	$0.90
Social Tea	1 lb.	11.85	13.05	$1.37
Soda Crackers	5 lb.		$4.80	$0.51
Saltines, all brands	1 lb.		$19.00	$2.00
Uneeda Bakers Biscuits	5 oz.		$2.60	$0.27
Uneeda Bakers Cookies, Vanilla	22 oz.		$7.45	$0.79
Vanilla Cookies, Sugar			$9.10	$0.96
Acme Sodas with or without salt	1 lb.	2.35	$2.60	$0.27
Acme Sodas with Salt (small)	3½ oz.	4.40	$0.87	$0.09
Animal Crackers	7 oz.	.65	$0.72	$0.07
Cheese Bars	12 oz.		$0.75	$0.08
Cheese Squares	12 oz.		$0.65	$0.08
Dorothea Sandwich	1 oz.		$0.94	$0.10
Grand	5 lb.		$5.05	$0.54
Imperial Lunch	5 lb.		$11.25	$1.15
Late Grahams	13½ oz.		$1.25	$0.13
Jumbo Ginger Snaps	7 oz.	.90	$0.95	$0.08
Puritan Crackers	3½ lb.	8.25	$0.75	$0.87
Puritan Sodas	1 lb.		$1.53	$0.16
Rex Combination	1 lb.	8.30	$9.15	$0.98
Saltines	1 lb.		$8.40	$0.90
Sandwich Assortment	1 lb.		$14.80	$1.60 or one cracker for 1¢.
Soda Biscuits	5 oz.		$1.25	$0.13
Superb Assorted	10 oz.	1.10	$0.72	$0.08 or 2 for 15¢.
Tea Gingers	7 oz.	.65	$2.60	$0.30
Tea Biscuits	5 lb.		$1.25	$0.13
Vanilla Sandwiches	6.375 lb.		$14.80	$1.60 or one cracker for 1¢.
Westons:				
Cup Cream Filled	6 oz.		$1.05	$0.12
Cocktail Crip	6 oz.		$1.05	$0.12
Cocktail Cream Cookies	6 oz.		$1.05	$0.12
Fruit and Nut	6 oz.		$1.05	$0.12
Pecan Wafers	6 oz.		$1.05	$0.12

SEC. 4.9 *Dairy products and poultry.*—(a) *Definitions.* When used in this section the term:

(1) "Milk" means cow's milk produced, processed, distributed, and sold for consumption in fluid form as whole milk.

(2) "Raw milk" means all milk that is not pasteurized.

(3) "Pasteurized milk" means milk that has been pasteurized by subjecting it to a temperature between 142° F. and 145° F. for thirty minutes, and that has been immediately cooled and thereafter maintained at a maximum temperature of 53.6° F. or of 12° C., and has not been repasteurized, and which is sold or served only in the original container in which it left the factory and in no less quantity than that contained in the original container.

(4) "Loose milk" means milk sold in any container furnished by the seller except a small container or a paper container, or in any container, including a small container or paper container furnished by the purchaser.

(5) "Producer of milk" means any person who sells the milk which he produces to distributors and stores.

(6) "Store" means any person including a puesto, booth, stall or stand, except a distributor who sells milk at retail.

(7) "Zone I" means the following municipalities:

Aguadilla	Isabela
Aguada	Las Marias
Anasco	Mayaguez
Arecibo	Moca
Barceloneta	Morovis
Barranquitas	Naranjito
Camuy	Quebradillas
Ciales	Rincon
Corozal	Sabana Grande
Dorado	San German
Guayama	San Juan
Guayanilla	Toa Alta
Guaynabo	Toa Baja
Gurabo	Vieques
Hatillo	

(8) "Zone II" means the following municipalities:

Adjuntas	Lajas
Aguas Buenas	Lares
Aibonito	Las Piedras
Arroyo	Loiza
Bayamon	Luquillo
Caguas	Manati
Canovanas	Maricao
Carolina	Maunabo
Cataño	Naguabo
Cayey	Orocovis
Ceiba	Patillas
Cidra	Penuelas
Coamo	Ponce
Comerio	Rio Grande
Corozal	Sabana Hoyos
Culebra	San Lorenzo
Dorado	Santa Isabel
Fajardo	Toa Alta
Florida	Trujillo Alto
Guanica	Utuado
Guayama	Vega Alta
Guayanilla	Vega Baja
Guaynabo	Vieques
Gurabo	Villalba
Hatillo	Yabucoa
Humacao	Yauco
Juana Diaz	

(8) "Zone II," etc.—Continued.

Humacao	Naranjito
Isabela	Rio Grande
Jayuya	Santa Isabel
Juncos	Trujillo Alto
Lajas	Utuado
Luquillo	Vega Alta
Manati	Vega Baja
Mayaguez	Yauco
Moca	

(9) "Zone III" means the following municipalities:

Anasco	Maunabo
Barranquitas	Morovis
Cabo Rojo	Orocovis
Cidra	Patillas
Comerio	Penuelas
Culebra	Quebradillas
Guanica	Rincon
Hormigueros	Sabana Grande
Juana Diaz	San German
Lares	Salinas
Las Marias	San Lorenzo
Loiza	San Sebastian
Las Piedras	Villalba
Maricao	Yabucoa

(10) "Volume customer" means institutions, the Armed Forces, eating establishments, industrial users, and other similar users.

(11) "Distributor of milk" means any person not excluding a producer, but excluding a puesto or store, who is in the business of selling milk delivered to stores, to volume customers and to consumers.

(12) "Small container" means a container other than a paper container manufactured for the express purpose of containing milk with a capacity of one quart or less.

(13) "Paper container" means a paper or cardboard container manufactured for the express purpose of containing milk with a capacity of one quart or less.

(14) "Point of use" means the location of the store or puesto or the location of the volume customer or consumer receiving delivery from a distributor.

(15) "Eggs" means the eggs of the fowl known as the domestic or barnyard hen in their natural state.

(16) "Poultry" means all broilers, fryers, roasters, capons, old roosters and hens, turkeys, fresh or frozen, including dressed, drawn, and all other forms of the foregoing.

(17) "Dressed poultry" means poultry which has been killed, bled and plucked without regard to the method of plucking or finishing.

(18) "Drawn poultry" means dressed poultry from which the entrails, head and feet have been removed without contamination of the body cavity.

(b) *Fresh milk*—(1) *Producers maximum prices for raw or pasteurized milk.* (i) For sales of milk by a producer to a store, the maximum price is the price set forth below for the zone in which the store is located.

Type of milk	Location of store	Maximum price per quart
Raw milk, loose	Zone I	$0.13
	Zone II	.11
	Zone III	.095
Pasteurized milk, loose	All zones	.13

(ii) For sales of raw or pasteurized milk by a producer delivered to a consumer or volume customer, maximum prices for sales by the producer are the same as the maximum prices established for sales by distributors to a consumer or volume customer.

(iii) For sales of milk by a producer to a distributor, the producer's maximum price shall be a weighted average price computed by the distributor on a monthly basis. Each distributor shall determine the maximum price to be paid to each of its producers at the end of the month on the basis of the total sales made by the distributor during the month. The type of milk, whether raw or pasteurized, whether it is loose or in small containers, and the point of use of the milk are the factors to be used by the distributor in determining the maximum price to be paid to producers. The distributor shall compute monthly the total value of the milk sold by him at the rate of $0.13 per quart for all pasteurized milk, $0.13 per quart for all raw milk whose point of use is in Zone I, $0.11 per quart for all raw milk whose point of use is in Zone II, and $0.095 per quart for all raw milk whose point of use is in Zone III. The distributor shall determine the weighted average price, which represents the maximum price which may be paid to producers, by dividing the total value of the milk sold by him during the month by the total number of quarts sold by him during the month; and in order to arrive at the maximum payment which may be made to each producer, shall multiply the weighted average price by the total number of quarts supplied by each producer.

(iv) If, on sales of raw or pasteurized milk, to distributors or stores, the producer supplies a small container the producer's maximum price may be augmented by the following:

Size of container supplied by producer:

	Maximum addition
Quart	$0.01 per quart.
Pint	$0.005 per pint.
Half pint	$0.00375 per half pint.

(v) Distributors may make cash payments to producers at any time during a month, but such payments shall be subject to settlement at the end of such month by determining the difference between the cash payments and the maximum payments computed by the method set forth above. The cash payments which may be made during the month to each producer shall not exceed the amount computed by multiplying the maximum price per quart in the lowest price zone in which any of the milk sold by the distributor finds its point of use by the total number of quarts sold to the distributor by the producer during the month.

Example: During a given month P: delivers A, B, C, and D supplied Distributor X with milk in the following amounts:

Producer A—3,500 quarts, loose.
Producer B—2,000 quarts, in quart containers.
Producer C—9,500 quarts, in pint containers.
Producer D—9,000 quarts, in half pint containers.

24,000 quarts.

In addition to the 24,000 quarts received from these producers, Distributor X sold 1,000 quarts of milk he himself produced. The total number of quarts sold during July by Distributor X was 25,000. Of this total 10,000 quarts was pasteurized so the value of this portion shall be computed at the rate of $0.13 per quart. The point of use of the remaining 15,000 quarts was divided among the Zones as follows:

Zone I, 8,000 quarts (rate of $0.13 per quart).
Zone II, 5,000 quarts (rate of $0.11 per quart).
Zone III, 2,000 quarts (rate of $0.095 per quart).

The method to be used by Distributor X in computing the maximum price per quart of loose milk is set forth in the following table:

Type of milk	Point of use	Number of quarts sold by distributor	Rate	Value computed by multiplying number of quarts sold by rate
Raw	Zone I	8,000	$0.13	$1,040.00
Raw	Zone II	5,000	.11	550.00
Raw	Zone III	2,000	.095	190.00
Pasteurized	All zones	10,000	.13	1,300.00
Total number of quarts sold		25,000		$3,080.00

The weighted average price per quart is determined by dividing the total value by the total number of quarts sold:

3080 / 25000 = .1232 maximum price per quart.

Producer A's cash payment and total payment for the month is computed as follows:

3500 × .095 = $332.50 Cash payment
3500 × .1232 = $431.20 Total payment

Producer B's cash payment and total payment for the month is computed as follows:

2000 × .095 $190.00 Cash payment
2000 × .1232 246.40
2000 × .01 20.00 Maximum addition for quart containers

$266.40 Total payment

Producer C's cash payment and total payment for the month is computed as follows:

9500 × .095 $902.50 Cash payment
9500 × .0232 1170.40
19000 × .005 95.00 Maximum addition for pint containers—9,500 quarts equals 19,000 pints

$1265.40 Total payment

Producer D's cash payment and total payment for the month is computed as follows:

9000 × .095 — $855.00 Cash payment
9000 × .1232 — 1108.80
36000 × .00375 — 135.00 Maximum addition for half-pint containers — 9,000 qts. equals 36,000 half pints.

$1243.80 Total payment

to the applicable maximum price to cover the actual cost incurred in making such delivery.

(c) *Prepared milk and mixes.*

Items and brand names	Case of—	All sales except at retail (price per carton)			Retail price (per unit)
		1 to 4 cartons	5 to 19 cartons	20 or more cartons	
Evaporated milk (all brands)	72/6 oz. can	$7.70	$7.60	$7.40	$0.10
	48/14½ oz. can	16.60	16.50	16.00	.11
	24/14½ oz. can				.11

Items and brand names	Case of—	Price to wholesaler (per dozen)	Price at wholesale (per dozen)	Retail price (per unit)
Evaporated milk (all brands)—Continued	8 oz. tall	$3.80	$3.25	$0.32
	14 oz. (10½ fluid oz.) can	5.75	5.375	.46
	14 oz. (8 fluid oz.) can and over	9.625	9.375	.80
	29½ oz. can	23.10	25.00	2.00
Sweetened condensed milk	15 pint Cylinders	4.15	4.15	.45
	14 pint Cylinders	3.55	3.55	.38
	5 oz. pkg.		3.95	.43
Dry Skim Milk	200 lb. barrels		*Lb.* .40	
Powdered Milk				

(d) *Butter.*

Items	Price to wholesaler (per lb.)	Price at wholesale (per lb.)	Retail price (per lb.)
Butter in boxes and tubs, Grade A	$0.52	$0.58	$0.70
Butter in prints, not in cts., Grade A	.54	.60	.74
Butter in prints, in cts., Grade A	.55	.63	.72

(e) *Cheese.*

Items	Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Edam, 20% fat or more	12/1 lb. cans	$4.70	$5.00	$0.52 lb.
Knox Cheddar	12/8 oz. pkg.		4.00	0.42
Kraft Philadelphia Cream			1.50	0.16
Kraft Velveeta American Cheddar			0.375 lb.	0.42 lb.
Kraft Parmesan (grated)	144/1 oz. pkg.		2.50	0.27
Processed Cheddar and Cheddar type	24/1 lb. pkg.	$0.96 lb.	0.585 lb.	0.66 lb.
Processed Pimento Cheese	12/5 lb. pkg.		17.00	1.90
Processed Procolized	12/4 oz. cans		2.25	0.24
Swiss (grated in shaker top)				

(2) *Distributors and stores maximum prices for pasteurized milk.*

Sales by distributors (all zones)	Quart	Pint	Half-pint
	Cents	*Cents*	*Cents*
To volume customers and consumers (delivered):	15	10	5
In small containers	15		
To volume customers and consumers (not delivered):			
Loose	17	9	5
In small containers	17	9	5
To stores in small containers (delivered or not delivered)	15	7½	4
Sales by stores (delivered or not delivered): To consumers in small containers	18	9	5

(3) *Distributors and stores maximum prices for raw milk.*

Raw Milk

	Points of use	Zone I		Zone II		Zone III	
Sales by distributors							
To stores, delivered or not delivered:		*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
Loose		13	7	11	6	9	5
In small containers		14	8	12	7	10	6
Sales by distributors and stores							
To volume customers delivered or not delivered:							
Loose		15½	8½	13½	7½	11½	6½
In small containers		16½	9½	14½	8½	12½	7½
To consumers delivered or not delivered:							
Loose		16	8	14	7	12	6
In small containers		17	9	15	8	13	7

NOTE: The maximum price for milk sold in paper containers shall be the prices fixed in the above tables for milk sold in small containers plus 2¢ per quart as an allowance for the additional cost of the container.

(i) Deposit charges on containers. No deposit charge shall be made for any milk container with the exception of glass small containers furnished by the seller in connection with the sale of bottled milk. On such bottles a deposit of 10¢ may be imposed, which shall be refunded to the depositor upon the return of the bottle.

(ii) Charges for long distance deliveries on pasteurized milk. No charge for the transportation of milk shall be made or collected, except that in connection with the sale and delivery of pasteurized milk to the Armed Forces of the United States and to Municipal and Insular institutions the following charges shall be allowed:

(iii) The Puerto Rico Dairy, Inc., and Las Tres Monjitas Dairy may charge and collect, in addition to the applicable maximum price for milk not delivered, the following amounts for each truck trip involved in the delivery of pasteurized milk from their plants in San Juan and Rio Piedras:

Per truck trip

To Boringuen Field	$42.00
To Losey Field	32.00
To Henry Barracks	16.75
To Camp Tortuguero	16.25
To Fort Buchanan	12.50

(iv) In the event that delivery is made to more than one of the enumerated points in the course of a truck trip prior to returning to the plant, the total delivery charge shall not exceed the charge fixed per truck trip to the more distant point.

(v) On deliveries other than those specified above, the Director of the Office of Price Administration for the Ter-

(b) *Oils (edible)*—Continued.

Items and brands	Case of—	Price to wholesaler	Price at wholesale	Retail price
(1) Olive—Con.				
Linkasy	24 10½-oz. glass		$7.00	$2.65
	12 5-pt. can		12.50	6.60
	6 1-gal. can		6.65	3.75
	6 1-gal. can		10.00	5.65
	6 1-gal. can		13.50	7.25
	6 1-gal. can		14.50	8.10
	6 1-gal. glass		4.90	2.95
	6 1-gal. glass		6.55	3.95
	6 ½-gal. glass		3.75	2.25
	24 16-oz. glass		5.00	2.95
	24 14-oz. glass		4.50	2.65
Oberti	24 10-oz. glass		3.50	2.10
Reinherto	24 14-oz. glass		4.25	2.50
	24 12-oz. glass		3.50	2.10
	24 10-oz. glass		3.00	1.80
	24 14-oz. glass		4.25	2.50
	12 32-oz. glass		3.50	2.10
	24 14-oz. glass		4.25	2.50
	6 1-gal. glass		6.50	3.95
	6 ½-gal. glass		3.75	2.25
Sunbeam	24 16-oz. glass		5.00	2.95
	24 14-oz. glass		4.50	2.65
Sweet Life	24 10-oz. glass		3.50	2.10
	24 32-oz. glass		6.50	3.95
Top Flight	24 14-oz. glass		4.25	2.50
	36 1-oz. glass		1.20	.65
	72			.25
Tra-la-la	24 6-oz. glass		3.20	.95
Vermont	24 8-oz. glass		4.75	1.45
	12 quarts		6.15	1.75
Wesson	12 qt. can		11.20	3.25
Wilson	24 8-oz. glass		3.60	1.05
Victoria	24 8-oz. glass		3.60	1.05
	12 32-oz. glass		3.60	1.05
	24 16-oz. glass		5.00	1.45
	24 14-oz. glass		4.50	1.30
Violette	24 14-oz. glass		4.50	1.30
Wesson	24 pt. glass		3.60	1.05
	24 14-oz. glass		4.50	1.30
Wilson	24 8-oz. glass		3.60	1.05
(3) Vegetable oils	6 1-gal. can		9.00	2.95
Bottled in Puerto Rico: All brands	6 ½-gal. can		5.00	1.60
	12 1-pt.		3.00	.95
	24 8-oz.		3.00	.95
	24 12-oz.		4.00	1.30
	24 14-oz.		4.50	1.45

(b) *Oils (edible)*—Continued.

Items and brands	Case of—	Price to wholesaler	Price at wholesale	Retail price
(1) Olive—Con.				
Ethmann	48 15-oz. can		$28.80	$0.75 unit.
	24 32-oz. glass		20.00	.55 unit.
	12 1-qt. glass		9.60	.30 unit.
	6 1-gal. glass		8.15	.28 unit.
	6 1-gal. can		13.00	.35 unit.
Fantis	6 ½-gal. glass			.32 unit.
Fremont Trail	24 8-oz. glass		12.50	.43 lb.
	6 ½-gal. can		10.00	.41 unit.
Iberia	24 16-oz. glass			.43 lb.
	12 ½-gal. can			
	24 ¼-gal. can			
	96 (3) 4-gal. can			.55 unit.
La Primera	24 8-oz. glass		.30 lb.	.60 unit.
Torino	24 ¼-gal. can		7.75	.41 unit.
	6 1-gal. can			
	12 ½-gal. glass			
	24 ½-gal. can		.30 lb.	.43 lb.
	24 8-oz. glass			
	24 12-oz. glass			

(b) *Oils (edible)*—Continued.

Items and brands	Case of—	Price to wholesaler	Price at wholesale	Retail price
Anchovies, Portuguese, in olive oil:				
Fillets, rolled	100 2 oz. can		$25.00	$0.36 unit.
Lisboa	100 2 oz. flat can		30.00	.40 unit.
Rita	100 2 oz. flat can		8.15	.28 unit.
Anchovy Paste: Vita	24 4¼-oz. (6 oz. can)		13.00	.35 unit.
Bonito Fish: Premier	24 4½-oz. (6 oz. can)			
Caviar:				
Green (Domestic)	48 4-oz. glass		12.50	.32 unit.
Volga (Russian)	12 1 oz. glass		10.00	1.10 unit.
Chicken Haddie: Prince Edward	24 #1 can		10.00	.54 unit.
Cod Fillets:				
Blue Ribbon			.30 lb.	.43 lb.
Sea Fresh			7.75	
Flaked Fish: Billow Brand	24 15 oz. can			.41 unit.
Haddock Fillets:				
Blue Ribbon			.30 lb.	.43 lb.
Sea Fresh			7.75	
Lobster:				
Maine Rock	48 3½ oz. can			.55 unit.
Premier	48 3½ (5 oz.)			.765 unit.

(b) *Oils (edible)*—Continued.

Items and brands	Case of—	Price to wholesaler	Price at wholesale	Retail price
(1) Olive:				
Bellarosa	24 4-oz. glass		$7.50	$0.45
	24 8-oz. glass		13.75	.72
	24 16-oz. glass		22.50	1.30
Benedetto	24 4-oz. glass		7.50	.45
	24 8-oz. glass		13.75	.72
	12 16-oz. glass		12.50	.75
	12 ½-gal. can		10.00	.60
Bonoli	24 4-oz. glass		7.50	.45
Cal Crest	24 8-oz. glass		13.75	.72
	24 16-oz. glass		22.50	1.30
	24 4-oz. glass		7.50	.45
	48 8-oz. glass		14.00	.75
	24 8-oz. glass		13.75	.72
	12 16-oz. glass		12.50	.75
	24 pt. glass		14.00	.75
	12 qt. glass		10.00	.60
Cribari	24 4-oz. glass		7.50	.45
Cribi	24 8-oz. glass		13.75	.72
Delicia	24 16-oz. glass		22.50	1.30
	6 ½-gal. can		10.00	.60

(g) *Poultry.*

Items and brands	Price at wholesale	Retail price
	Pound	*Pound*
Live: All poultry	$0.50	$0.60
Fresh:		
All kinds:		
Dressed poultry	.58	.68
Ducks, Pekin poultry	.70	.85
Frozen:		
Turkeys, grade A (not eviscerated)	.52	.66
Turkeys, grade B (not eviscerated)	.51	.66

(f) *Eggs.*

Items and brands	Price at wholesale	Retail price
	Each	*Each*
All eggs	$0.05	$0.06

SEC. 4.10 *Fats and oils*—(a) *Fats.*

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Retail price
(1) Lard and rendered pork fat:				
Prints	30/1 lb. print		$0.1775 lb.[1]	$0.21 lb.
Tierces and cases of 50 pounds	30/1 lb. print		$0.15 lb.	$0.20 lb.
Tubs of 44 to 37 pounds	30/1 lb. print		$0.1625 lb.	$0.20 lb.
(2) Oleomargarine:				
In bulk			$0.2350 lb.	$0.27 lb.
Packaged:				
Armour's: Mayflower	30/1 lb. print		$0.26 lb.	$0.30 lb.
Allbrite	30/1 lb. print		$0.25 lb.	$0.27 lb.
Delmar: Standard brands, Inc.	30/1 lb. print		$0.25 lb.	$0.30 lb.
Wilson's Certified	24/1 lb. print		$0.28 lb.	$0.30 lb.
Wilson's Savory	30/1 lb. print		$0.24 lb.	$0.28 lb.
(3) Shortening, hydrogenated:				
In bulk			$0.2075 lb.	$0.26 lb.
Packaged (all brands)	12 5# containers		$0.52	$0.95 unit.
	24 1# containers		$0.80	$0.94 unit.
	24/16 oz. glass		$8.45	$0.45 unit.
(4) Peanut butter:	24/10½ oz. glass		$6.00	$0.32 unit.
Armour's	12/16 oz. glass		$4.60	$0.50 unit.
Heinz				

[1] On sales of less than a full container the maximum wholesale price may be increased by one quarter of a cent per pound ($0.0025 lb.).

(b) *Oils (edible).*

Items and brands	Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
(1) Olive:				
Bellarosa	24 4-oz. glass		$7.50	$0.45
	24 8-oz. glass		13.75	.72
	24 16-oz. glass		22.50	1.30
Benedetto	24 4-oz. glass		7.50	.45
	24 8-oz. glass		13.75	.72
	12 ½-gal. can		10.00	.60
Bonoli	24 4-oz. glass		7.50	.45
Cal Crest	24 8-oz. glass		13.75	.72
	24 16-oz. glass		22.50	1.30
	24 4-oz. glass		7.50	.45
	48 8-oz. glass		14.00	.75
	24 8-oz. glass		13.75	.72
	12 16-oz. glass		12.50	.75
	24 pt. glass		14.00	.75
	12 qt. glass		10.00	.60
Cribari	24 4-oz. glass		7.50	.45
Cribi	24 8-oz. glass		13.75	.72
Delicia	24 16-oz. glass		22.50	1.30
	6 ½-gal. can		10.00	.60

(b) *Oils (edible)*—Continued.

Items and brands	Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
(1) Olive—Con.				
Ethmann	48 15-oz. glass		$17.25	$0.75
	24 32-oz. glass		13.75	.60
	12 1-qt. glass		6.30	.30
	6 1-gal. glass		5.15	.28
	6 1-gal. can		8.00	.35
Fantis	24 8-oz. glass		7.75	.39
Fremont Trail	6 ½-gal. glass		7.75	.39
	6 1-gal. can		12.00	.60
Iberia	24 8-oz. glass		11.25	.50
	12 16-oz. glass		10.00	.50
	12 ½-gal. can		44.70	2.50
	24 ¼-gal. can		45.40	2.50
	96 (3) 4-gal. can		47.25	.55
La Primera	24 8-oz. glass		7.50	.64
Torino	24 ¼-gal. can		25.00	2.30
	6 1-gal. can		46.75	4.60
	12 ½-gal. glass		44.00	2.75
	24 ½-gal. can		41.75	2.50
	24 8-oz. glass		12.45	.75
	24 16-oz. glass			.75
	24 8-oz. glass			.64
	24 16-oz. glass			.64

* Price per dozen.

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Price at retail
Lobster Sandwich: Beaver	48/3 oz. can		$14.30	$0.38 unit.
Mackerel: Sea Glide (fillet)	48 15 oz. can		26.25	$0.68 unit.
Mackerel Fillets:				
Blue Ribbon			.30 lb.	$0.43 lb.
30 Fathom				
Sea Fresh				
Mussels:				
Smoked (natural)	48/3¼ kg	$11.30	12.20	$0.33 unit.
Red Glove	48 6-oz. can		14.75	$0.40 unit.
Oysters: 30 Fathom	48 7½-oz. can		18.60	$0.51 unit.
Perch Fillets:				
Blue Ribbon			.30 lb.	$0.43 lb.
30 Fathom				
Sea Fresh				
Pickerel:				
Natural	24/8-oz. can		6.30	$0.08 unit.
Natural	48 15-oz. oval can		5.60	$0.16 unit.
Natural	48 #1 tall can		5.15	$0.14 unit.
Tomato	24/8-oz. can		6.80	$0.09 unit.
Tomato	48 #1 oval can	6.20	5.60	$0.15 unit.
Tomato	100/5-oz. can	5.35	5.60	$0.08 unit.
Tomato	48 #1 tall can		5.60	$0.15 unit.
Tomato and Olive Oil	48 #1 oval can		6.20	$0.16 unit.
Salmon:				
Chinook	48 1# tall can	14.20	15.20	$0.41 unit.
Chum	48 1# tall can	9.00	9.80	$0.26 unit.
Chum	48 8 oz. can	6.00	6.60	$0.16 unit.
Coho	48 1# tall can	12.50	13.75	$0.37 unit.
Del Monte: Red Alaska Sockeye	48 ½ flat can		11.85	$0.32 unit.
Keta	48 8 oz. can	6.00	6.60	$0.16 unit.
Medium Red	48 #1 can	12.50	13.75	$0.37 unit.
Pink	48 #1 can	9.50	10.45	$0.27 unit.
Red Alaska Sockeye	48 1# tall can	16.00	17.60	$0.48 unit.
S & W: Red	48 #½ can	15.25	16.25	$0.43 unit.
Sardines: Airship, Peanut Oil	100/3¾ oz. can		13.40	$0.17 unit.
Century	48 #1 tall can		6.75	$0.18 unit.
Los Olas, Tomato Sauce	100/5 oz. can	5.60	6.15	$0.08 unit.
S & W, Tomato Sauce	48 #1 oval can	6.85	7.45	$0.20 unit.
Sea Sleeves:				
Best Liver	48 15 oz.	9.30	10.10	$0.27 unit.
Tortola, Natural Juice	48 15 oz.	8.35	9.09	$0.24 unit.
Shrimp:				
Gold Food Products, Dried	10/16 cont.		50.60	$0.65 lb.
I. A. P., Small (wet pack)	48 7 oz. can		14.80	$0.40 unit.
S & W:	48 7 oz. can	15.25	16.75	$0.45 unit.
Jumbo	48 7 oz. can	10.60	17.75	$0.48 unit.
Sea: Large (wet pack)	48 7 oz. can		19.00	$0.50 unit.
Three Star, dried	50 lb. wooden cont.		26.40	$0.68 lb.
Tropical:				
Medium, wet pack	48 7 oz. can		14.80	$0.40 unit.
Broken, wet pack	48 7 oz. can		13.60	$0.36 unit.
Jumbo, wet pack	48 7 oz. can		19.00	$0.50 unit.
Small, wet pack	48 7 oz. can		14.75	$0.40 unit.
Squids:				
Cordova, in Ink	48/0 tall	6.85	7.55	$0.20 unit.
Flying X	48 #1 can		7.70	$0.20 unit.
Ocean Fresh, Natural	48 15 oz. can		8.00	$0.21 unit.
Rustled Mar	48 #1 can		7.70	$0.20 unit.
Tuna fish:				
Premier:				
Sierra White	48/4½ (7 oz.)		19.25	$0.50 unit.
White Meat	48/4½ can (7 oz.)	19.00	20.50	$0.55 unit.
S & W: White Meat	48/7 oz. can		20.50	$0.55 unit.

(b) *Cured.*

Items and brand names	Price to wholesaler	Price at wholesale	Price at retail
	Pound	*Pound*	*Pound*
If hard dried, semi-dried or smoked	$0.14	$0.15	$0.18
Pickled:			
Bonito Fillet	.12	.1325	.17
Codfish Fillet	.17	.1825	.22
Herring	.0925	.105	.14
Salmon	.20	.2125	.25
All other fish not specified	.0825	.095	.13
Pilchards in brine	.1150	.1275	.17

SEC. 4.12 *Food drinks.*

Item and brand names	Case of—	Price to wholesaler	Price at wholesale	Retail price
				Per unit
Avila Vita Malt	½-lb. can		$2.30	$0.24
	6 oz.			
Carnation: Chocolate Malted Milk	12 1# glass		4.80	.50
Cocomalt	24/8-oz. glass		5.50	.30
	12 16-oz. glass		4.75	.50
	12 20-oz. can		5.95	.62
Instant Postum	24 4-oz.		6.00	.33
Kresto	12 1# glass		5.70	.59
Ovaltine:	288 pkgs. of 3 envelopes of 15 grams		19.00	($0.08 for Pkg. of 3 envelopes
Chocolate (hospital)	12/8-oz. glass		22.80	2.40
Chocolate (large)	12/16-oz. glass		7.10	.75
Chocolate (small)	12/8-oz. glass		3.80	.40
Plain (large)	12/14-oz. glass		7.10	.75
Plain (small)	12/6-oz. glass		3.80	.40
Thompson: Chocolate malted milk	12 1#-can		4.40	.45

SEC. 4.13 *Frosted foods.*

Item	Unit	Price at wholesale	Retail price
			Per unit
Birdseye:			
Asparagus	12-oz. pkg.	$0.35	$0.46
Baked beans	16-oz. pkg.	.17	.25
Blueberries	11-oz. pkg.	.30	.41
Boysenberries	13-oz. pkg.	.33	.44
Broccoli	13-oz. pkg.	.30	.41
Brussel sprouts	13-oz. pkg.	.30	.41
Cauliflower	13-oz. pkg.	.25	.35
Cherries	16-oz. pkg.	.33	.44
Corn cut	10-oz. pkg.	.20	.29
Corn on cob	2 ears to pkg.	.17	.25
Green beans	10-oz. pkg.	.20	.29
Hookl ima beans	12-oz. pkg.	.33	.44
Lima beans	12-oz. pkg.	.30	.41
Mixed fruits	16-oz. pkg.	.30	.41
Mixed vegetables	12-oz. pkg.	.22	.31
Peaches	16-oz. pkg.	.30	.41
Peas	12-oz. pkg.	.23	.31
Peas and carrots	12-oz. pkg.	.22	.31
Raspberries	13-oz. pkg.	.30	.41
Rhubarb	14-oz. pkg.	.17	.25
Spinach	10-oz. pkg.	.20	.29
Squash	16-oz. pkg.	.17	.25
Strawberries	16-oz. pkg.	.33	.44

SEC. 4.14 *Fruits, fruit juices and sauces*—(a) *Fruits.*

Items and brand names	Case of—	Price at wholesale	Retail price
			Per unit
Apples:			
S & W: Bak-A (special)	6 #10 can	$5.85	$1.25
Comstock: Sliced	12 20-oz. glass	3.25	.34
Apricots:			
Air Mail: Unpeeled Halves Standard.	24 #2½ can	6.50	.35
Century: Halves	6 #10 can	7.10	1.53
Del Monte:			
Halves	24 #2½ can	6.85	.37
	12 #2½ glass	4.05	.41
Peeled (whole)	12 #2½ glass	4.25	.44
Unpeeled (halves)	24 #2½ can	7.30	.39
Unpeeled (whole)	12 #2½ glass	3.70	.38
Exquisite: Unpeeled (whole).	24 #2½ can	5.90	.32
Flotill: Whole	24 #2½ can	7.40	.39
Heart's Delight: Unpeeled Halves.	24 #2½ can	7.40	.39
Hunt's: Peeled (whole)	24 #2½ can	7.85	.41
Libby's:			
Peeled (whole)	12 #2½ glass	4.40	.47
Halves	24 #2½ can	7.65	.41
Palmdale: Halves	24 #2½ can	8.00	.43
Premier: Unpeeled Halves (choice).	24 #2½ can	8.90	.47
Stokely: Unpeeled (whole).	24 #2½ can	5.90	.32
S & W: Unpeeled (halves).	24 #2½ can	8.90	.47
Boysenberries: Del Monte.	12 #303 glass	3.25	.35
Cherries:			
Astoria: Red Maraschino Style.	24 5-oz. glass	4.00	.21
Del Monte:			
Light	12 #2½ glass	4.85	.53
	12 #303 glass	3.40	.37
Royal Anne (sweet)	12 #2½ glass	5.75	.60
	12 #303 glass	3.80	.30
Black Beauty, dark (sweet).	12 #2½ glass	5.90	.62
	12 #303 glass	3.85	.40
Exquisite: Royal Anne	24 #2½ can	9.80	.53
For You (Royal Anne (fancy).	24 #2½ can	10.80	.58
Hunt's: Royal Anne	24 #2½ can	10.60	.54
Libby's: Royal Anne	24 #2½ can	9.65	.52
Pacific Gold: Royal Anne.	24 #2 can	7.00	.37
Premier:			
Black (unpittted)	24 #2½ can	11.00	.60
Dark sweet (unpitted).	12 #2½ glass	6.60	.70
Maraschino Style	12 28-oz. glass	9.70	1.05
Maraschino Style (red).	12 8-oz. glass	3.25	.35
Royal Anne	12 #2½ glass	6.35	.67
Royal Anne (fancy)	24 #2½ can	11.60	.62
Sunbeam: Maraschino Style.	24 8-oz. glass	6.00	.33
	12 16-oz. glass	5.95	.64
Superior: Royal Anne	12 #2½ glass	5.45	.59

Items and brand names	Case of—	Price at wholesale	Retail price
Cherries—Continued.			*Per unit*
S & W:			
Maraschino	48 6½-oz. glass	$11.28	$0.30
	24 14½-oz. glass	4.30	.23
Maraschino Style (large)	6/7# 8-oz. glass	20.50	4.40
	4/1 gal. (6# 2-oz. glass)	19.00	6.00
Black (unpitted)	24 #2½ can	11.35	.61
Black (pitted)	24 #2½ can	12.25	.65
Royal Anne (sweet)	24 #2½ can	10.75	.56
Trupack: Royal Anne	6 #10 can	9.50	2.05
White Rose: Royal Anne	6 #10 can	8.30	1.80
Figs:			
Del Monte: Whole (ripe)	12 #303 glass	2.95	.31
	12 #2½ glass	4.25	.43
F & P Kadota (fancy)	48 #1 can	8.60	.23
Kadoa: Kadota (halves)	24 #2½ can	9.30	.50
Libby's: Kadota	24 #2½ can	7.65	.40
Premier: Kadota	12 #2½ glass	4.80	.51
	24 #2½ can	8.75	.45
S & W:			
Delphia	24 #2 can	9.50	.50
Extra Large	6 #10 can	7.00	1.50
Fruit Cocktail:			
Del Monte	48 #1 can	$9.60	$0.24
	12 #303 glass	3.35	.34
	24 #2½ can	8.60	.42
	24 #2 tall can	5.35	.29
	12 #2½ glass	4.50	.44
Exquisite	24 #2½ can	7.60	.41
Facto	48 #1 tall can	9.60	.24
Hunt's Supreme	24 #2½ can	8.35	.45
Libby's	24 #2½ can	8.60	.44
	12 #2½ glass	5.05	.52
Pacific Gold	24 #2½ can	7.65	.40
	24 #2½ can	8.85	.47
Premier	48 #1 can	10.75	.28
Stokely	24 #2½ can	8.60	.42
	48 #1 can	9.25	.25
Sweet Life	24 #2½ can	8.75	.47
S & W	6 #10 can	7.35	1.57
	24 #2½ can	9.85	.52
UCO	24 #2½ can	8.80	.47

Item and brand names	Case of—	Price to wholesaler	Price at wholesale	Retail price
				Per unit
Fruit Mix: Belmont	24 #2½ can		$4.95	$0.27
Grapefruit packed in Puerto Rico, all brands:[2]				
Whole sections	#2 can	[1] $1.65	[1] 1.80	.21 or 2 for .41
	#2 can	[1] 1.55	[1] 1.80	.19
Broken sections				
Peaches:				
Air Mail: Yellow Cling (sliced)	24 #2½ can		5.75	.30
Century				
Yellow Cling (halves)	6 #10 can		6.45	1.38
Yellow Cling (sliced)	6 #10 can		6.60	1.43
CHECK:				
Yellow Cling (halves)	24 #2½ can		6.45	.35
Yellow Cling (sliced)	24 #2½ can		6.45	.35
Cosmos: Yellow Cling (halves)	24 #2½ can		6.55	.35
Del Monte:				
Yellow Cling (halves)	24 #2½ can		6.80	.37
	12 #2½ glass		3.85	.40
Yellow Cling (sliced)	48 #1 can		8.65	.24
	24 #2½ can		6.75	.37
	24 #2 can		5.10	.28
	12 #2½ glass		3.70	.40
	12 #303 glass		2.75	.29
Exquisite:				
Yellow Cling (halves)	24 #2½ can		7.00	.38
Yellow Cling (sliced)	24 #2½ can		6.65	.35
Yellow Cling (halves)	6 #10 can		5.65	1.29
Flotill: Yellow Cling (halves)	24 #2½ can		7.50	.40
Granny's style: Yellow Freestone (halves)	24 #2½ can		7.70	.40
Hunt's: Sliced	24 #2½ can		7.50	.40
Libby's:				
Yellow Cling (halves)	24 #2½ can		6.70	.36
Yellow Cling (sliced)	12 #2½ glass		4.25	.44
Mariposa: Yellow Cling (halves)	24 #2½ can		6.10	.33
Palmdale: Yellow Cling (sliced)	24 #2½ can		7.00	.37
Premier:				
Yellow Cling (halves) Old Fashion	24 #2½ can		9.00	.47
Yellow Cling (halves)	24 #2½ can		7.35	.39
Yellow Cling (sliced)	24 #2½ can		8.10	.43
	12 #2½ glass		4.15	.45
Prince: Sliced	24 #2½ can		6.50	.35
Rosedale: Yellow Cling (sliced)	24 #2½ can		6.10	.33
Ruby: Yellow Cling (sliced)	24 #2½ can		7.50	.38
Savella: Yellow Cling (halves)	24 #2½ can		5.60	.29
Soquel: For Pie				
Stokely:				
Yellow Cling (halves)	24 #2½ can		6.45	.35
Yellow Cling (sliced)	24 #2½ can		6.45	.35
Sunworthy: Yellow Cling (sliced)	24 #2½ can		5.60	.32
Supreme: Yellow Cling (halves)	24 #2½ can		7.60	.40
Sweet Life: Yellow Cling (halves)	24 #2½ can		8.00	.43
S & W:				
Yellow Cling (halves)	24 #2½ can		8.75	.47
Yellow Cling (sliced)	24 #2½ can		8.80	.47
	6 #10 can		6.55	1.42
Three Castles: Yellow Cling (halves)	24 #2½ can		5.85	.32
Val-Vita: Sliced Standard	24 #2½ can		6.00	.33
Yolo: Standard				
Pears:				
Class "A": Bartlett	24 #2½ can		8.75	.47
Exquisite: Bartlett (halves)	24 #2½ can		8.10	.44
Flavorite: Water	6 #10 can		4.40	.95
Flotill: Bartlett (halves)	24 #2½ can		8.60	.46
Hearts Delight: Bartlett (Diced)	24 #2½ can		7.55	.39
Jesse: Bartlett (halves)	24 #2½ can		7.55	.41
Libby's: Bartlett (halves)	24 #2½ can		8.00	.42
	6 #10 can		8.40	1.74
Lucky Boy: Bartlett (halves)	6 #10 can		9.60	.52
Premier: Bartlett (halves)	24 #2½ can		8.65	.47
	12 #2½ glass		4.65	.50
	24 #2½ can		7.30	.38
Rosedale: Bartlett (halves)	6 #10 can		5.80	1.20
Ruby: Bartlett (mixed pieces)	24 #2½ can		4.40	.95
Santa Cruz: Water	6 #10 can		8.75	.47
Supreme: Bartlett (halves)	24 #2½ can		9.60	.52
S & W: Bartlett (halves)	24 #2½ can		7.55	.41
True Mark: Bartlett (halves)	24 #2½ can		7.40	.40
Pineapple: S & W (sliced)	24 #2 can		6.10	.32

[1] Per dozen.

[2] The maximum price for all sales for export shall be the same as the maximum price for sale "to wholesalers".

	To wholesalers (per dozen)		
	#2	#2½	#10
Pineapple Packed in Puerto Rico:			
Crushed, All Brands: Natural (in juice)	$1.80	$2.35	$8.50
Sweetened, cut out of:			
20 to 24 Brix	2.00	2.80	4.50
Over 24 Brix	2.35	3.25	10.50
Fountain Topping	2.65	3.70	12.80
Cut, All Brands: Slices, Chunks, Tidbits	2.60	2.80	9.50

	At wholesale (per dozen)		
	#2	#2½	#10
Pineapple Packed in Puerto Rico:			
Crushed, All Brands: Natural (in juice)	$2.05	$2.95	$9.80
Sweetened, cut out of:			
20 to 24 Brix	2.30	3.25	10.95
Over 24 Brix	2.70	3.75	12.80
Fountain Topping	3.05	4.25	13.80
Cut, All Brands: Slices, Chunks, Tidbits	2.80	3.40	11.95

	At retail (per can)		
	#2	#2½	#10
Pineapple Packed in Puerto Rico:			
Crushed, All Brands: Natural (in juice)	$0.22	$0.30	$1.06
Sweetened, cut out of:			
20 to 24 Brix	.25	.35	1.20
Over 24 Brix	.29	.40	1.31
Fountain Topping	.31	.40	1.50
Cut, All Brands: Slices, Chunks, Tidbits	.25	.35	1.15

Item and brand names	Case of—	Price at wholesale	Retail price (per unit)
Plums:			
Del Monte, De Luxe	24 #2½ can	$5.70	$0.28
	12 #2½ glass	3.15	.32
	12 #303 glass	2.40	.27
Exquisite, Green Gage	24 #2½ can	6.10	.32
Libby's De Luxe	24 #2½ can	5.10	.26
Premier, Green Gage	12 #2½ glass	4.05	.45
	24 #2½ can	7.10	.40
Sweet Life, Purple (fancy)	6 #10 can	4.75	1.05
S & W:			
Whole Unpitted red tart	12 #2½ glass	4.15	.45
Whole Green Gage	24 # 2½ can	7.10	.37
	6 #10 can	6.10	1.30
Prunes:			
Hunt, Fresh Purple	24 #2½ can	5.75	.29
Del Monte, Ready to serve	12 #2½ glass	3.60	.39
Premier, Fresh Purple	24 #2½ can	6.75	.30
Sunbeam, Fresh Purple (choice)	6 #10 can	4.60	.95
Raspberries: Del Monte, Red	12 #303 glass	1.75	.19
Dried or dehydrated fruits			
Cherries:			
Palmdale, Dried	30 lbs. cs	15.75	.53 lb.
Premier, Whole and Broken	300 pails	14.70	.49 lb.
Citron: Premier, Drained Peel	10 lbs. each	5.75	.77 lb.
Dates:			
Dessert, Sweet	12 14-oz. pkg.	6.60	.55
Premier, Deglet	24 10-oz. pkg.	11.40	.47
	10 8-oz. pkg.	7.50	.75
S & W, Fresh	15 lbs.	11.25	1.04 lb.
	24/8-oz. pkg.	10.80	.56
Figs:			
Premier:			
California	25 lbs.	9.50	.53 lb.
Calymirna	24/1# pkg.	14.95	.84
	24/8-oz. pkg.	7.50	.42
S & W:			
Pulled (Black)	24/1# pkg.	11.60	.62
	24/8-oz. pkg.	6.25	.35
Pulled Calymirna	24/1# pkg.	16.60	.90
	24/8-oz. pkg.	7.25	.45
Peaches: S & W, Extra fancy (dried)	25 lbs.	17.50	.83 lb.
Oranges: Premier, Drained peel	10 lbs.	4.35	.59 lb.

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Dried or dehydrated fruits, Cont.			
Dates:			
1-1 Monte	25 lbs.	$5.15	$0.28 lb.
Lvandale, Dried:			
30/40	25 lbs.	5.40	.28 lb.
40/50	25 lbs.	5.25	.27 lb.
50/60	25 lbs.	5.05	.26 lb.
Golden Glow: Calfornia	25 lbs.	4.25	.21 lb.
Heart's Delight:			
24/30	25 lbs.	4.60	.25 lb.
30/36	25 lbs.	4.05	.22 lb.
Ins, 24/30	25 lbs.	4.60	.25 lb.
Lake View, 50/60	25 lbs.	4.30	.23 lb.
Mat-Rice, Dried, 30/40	25 lbs.	4.70	.24 lb.
Oro, 70/80	25 lbs.	4.05	.22 lb.
Premier, Santa Clara:			
24/30	25 lbs.	5.00	.27 lb.
30/36	25 lbs.	5.00	.27 lb.
36/42	25 lbs.	4.75	.26 lb.
40/50	25 lbs.	4.45	.24 lb.
1-1 Ribbon, 20/30	25 lbs.	4.70	.25 lb.
S & W:			
24/30	25 lbs.	5.45	.28 lb.
30/40	25 lbs.	5.20	.27 lb.
40/50	25 lbs.	4.60	.25 lb.
50/60	25 lbs.	4.40	.23 lb.
2-Crown	25 lbs.	5.25	.27 lb.
Thumbe Seal	24 1#	5.75	.31
Figs:			
Bolnick (Seedless)	18 15-oz.	7.60	.20
California, Muscatel 3 crowns (Seed)	25 lbs.	3.75	.20
Del Fino, Muscatel ungraded	25 lbs.	3.75	.19
Del Monte	48 15-oz.	8.40	.24
Del Monte, Pansy (They R) (Seedless)	36 11-oz.	4.45	.16
S & W (Seedless)			.18

(b) *Fruit juices and nectars.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Apple Juice:			
Mamoda	12 qts. gls.	$3.2	$0.35
Clovernook	12 qts. gls.	3.27	.35
	24 12 oz. gls	2.66	.14
	24 12 oz can	2.95	.15
Crystal	12 qts. gls.	2.85	.29
Hartman	24 12 oz. gls.	3.15	.17
Log Cabin	24 12 oz. gls.	2.35	.13
	24 16 oz. gls.	3.15	.17
Martinelli's Gold Medal	12 32 oz. gls.	3.95	.42
	24 12 oz. gls.	3.40	.18
	48 6 oz. gls.	4.70	.11
Miller	12 qts. gls.	3.25	.33
Motts	12 qts. gls.	3.25	.33
Premier	24 12 oz. can	3.05	.16
S & W	24 12 oz. gls.	5.00	.27
White House	24 12 oz. gls.	2.55	.14
Apple Nectar Golden	24 12 oz. gls.	3.70	.19
Apricot Juice:			
Libby's	24 12 oz. can	3.05	.17 or 2 for .33
Apricot Nectar:			
Calloud	48 12 oz. can	5.05	.13
Golden Flow	24 16 oz. gls.	4.05	.22
Hero's Health	24 12 oz. can	2.55	.14
	12 28 oz. gls.	3.35	.34
Heart's Delight	48 12 oz. can	5.05	.13
Pacific Gold	48 12 oz. can	4.80	.13
Pedestal	48 12 oz. can	5.05	.13
S & W (Apricade)	24 12 oz. can	2.90	.15
Wilson Smith	24 16 oz gls	4.05	.22
Fig Juice:			
Dessert	24 12 oz. gls	3.75	.20
Sweet Life	24 12 oz. gls	3.75	.20
Grape Juice:			
Imperial	24 15 oz. gls	5.60	.30
Welch	24 pint gls.	5.60	.30
	12 qts. gls.	3.25	.57
	24 pint gls.	5.30	.29
	12 qts. gls.	5.00	.54

GRAPEFRUIT JUICE PACKED IN PUERTO RICO

	To Wholesaler per case of—		At Wholesale per case of—		At retail per unit	
	24/2 can	12/46-oz. can	24/2 can	12/46-oz. can	#2 can	#10 can
All brands:						
Natural, fancy	$2.40	$2.70	$2.80	$3.10	$0.15	$0.67
Unsweetened, standard	2.20	2.45	2.55	2.80	.14	.61
Sweetened, fancy	2.50	2.80	2.90	3.20	.16	.69
Sweetened, standard	2.30	2.55	2.65	2.90	.14	.63

(1) "Fancy grapefruit juice" means grapefruit juice processed in such a manner as to prevent the mixing of citrus oil with the juice.

(2) "Standard grapefruit juice" means all locally processed grapefruit juice other than fancy grapefruit juice.

Items and brand names	Case of—	Price at wholesale	Retail price
			Per unit
Grapeade: Welch	24/1# gls.	$5.00	$0.27
Grape drink: Grapelane	24/16-oz. gls.	3.35	.18
Orange juice:			
Golden Nip	24/18-oz. can	4.75	.25
Premier	24/18-oz. can	5.45	.29
Sunfilled	12/46-oz. can	5.75	.61
	24/# 2-can	4.75	.25
S & W	24/# 2-can	5.90	.31
Peach nectar:			
Pacific Gold	48 12-oz. can	4.75	.13 or 2 for .25
Pear juice:			
Golden Flow	24/12-oz. gls	3.40	.18
Libby's	24/16-oz. gls	5.25	.27
	24/12-oz. gls	3.80	.20
S & W	24/12-oz. can	2.85	.15
Nectar:			
Chevy Chase	100 5½-oz. can	6.20	.08
Ensueno	48/12-oz. can	5.05	.13
Heart's Delight	48/15-oz. cls	6.85	.18
	48/1 tall can	6.40	.16
	48/12-oz. cls	5.55	.14
	48/12-oz. can	5.05	.13
King's Cup	48/12-oz. can	5.05	.13
Pacific Gold	48/12-oz. can	5.05	.13
Palmdale (Pearade)	48/12-oz. can	5.85	.15
Pedestal	48/12-oz. can	5.05	.13
Popular	48/12-oz. can	5.05	.13
R. C	48/12-oz. can	5.05	.13

PINEAPPLE JUICE PACKED IN PUERTO RICO

	To wholesaler per dozen		At wholesale per dozen		At retail per can	
	#2 can	#10 can	#2 can	#10 can	#2 can	#10 can
Sweetened	$1.65	$7.40	$1.80	$8.50	$0.21	$0.92
Unsweetened, natural	1.55	7.00	1.80	8.05	.20	.87

Items and brand names	Case of—	Price at wholesale	Retail price
			Per unit
Prune Juice:			
Air Line	24 16-oz. glass	$4.20	$0.23
	12 qts. glass	3.80	.40
	24 12-oz. glass	3.70	.20
Heart's Delight	24 16-oz. glass	3.80	.20
Premier	12 qts. glass	3.80	.41
	24 16-oz. glass	3.75	.19
	24 12-oz. glass	3.20	.17
Sunripe	24 16-oz. glass	3.70	.20
Sunrite	12 32-oz. glass	4.05	.44
Prune nectar, Heart's Delight	24 12-oz. glass	3.60	.19

(c) *Fruit Sauces*

Items and brand names	Case of—	Price at wholesale	Retail price
			Per unit
Apple:			
Bowman	24/#2 can	5.85	$0.29
Dodge	6/#10 can	5.25	1.14
Palmdale	24/#2 can	5.00	.27
Premier	24/#2 can	4.50	.24
Snider	24/#2 can	3.95	.21
Supreme	24/#2 can	4.10	.21
S & W	24/#2 can	5.80	.32
Cranberry:			
E. C. O	24/1# can	4.50	.26
Mimo	24/1# glass	4.80	.26
Ocean Spray	24/16-oz. can	4.50	.24
Premier	24/14-oz. glass	4.05	.24
S & W	24/16 oz	6.40	.35

SEC. 4.15 *Gelatines.*

Items	Unit	Price at wholesale	Retail price
		Per doz.	*Per unit*
Jello, all flavors	3 oz.	$0.75	$0.10
Royal, all flavors	3 oz.	.75	.10

SEC. 4.16 *Marmalades, preserves, jams and jellies.*

Items and brand names	Case of—	Price at wholesale	Retail price
			Per unit
Jam:			
Apricot:			
S & W	24 16-oz. glass	$7.25	$0.39
Tibbets Brook	24/1# glass	7.10	.39
Fig: Tropic Treat	12 35-oz. glass	6.35	.69
Grape:			
Goodwin	24/1# glass	5.45	.28
Premier	24/16-oz. glass	5.20	.28
Sweet Life	24/1# glass	5.50	.28
Peach:			
Del Monte	24/1# glass	6.00	.32
	12 2# glass	5.55	.60
Tibbet's Brook	24/1# glass	6.05	.32
Plum:			
Del Monte	24/1# glass	6.25	.33
	12 2# glass	5.80	.62
	6/3# glass	5.40	1.17
Spencer	24/1# glass	5.75	.31
S & W	24/1# glass	6.50	.34
Raspberry:			
Del Monte	24/1# glass	9.00	.49
Premier: Seeded (red)	12 16-oz. glass	4.10	.44
Jelly:			
Apple:			
Clovernook	12 2# glass	4.00	.43
Premier	24/16-oz. glass	4.35	.24
Snider	24/1# glass	5.00	.26
Tibbet's Brook	24/1# glass	4.55	.26
	12 2# glass	4.30	.46
Apple, Crab:			
Premier	24/12-oz. glass	5.60	.30
Apple Raspberry:			
Goodwin	24/16-oz. glass	5.80	.31
Currant: Premier (red)	24/12-oz. glass	5.60	.30
Grape: Heinz	12/11½-oz. glass	3.00	.34
Grape:			
Fozz	24/16-oz. glass	6.60	.37
La Tropica	24/1# glass	5.80	.31
	12 2# glass	5.00	.53
Mint: Premier	24/12-oz. glass	4.40	.24
Marmalade:			
Grapefruit: Spear	12 2# glass	4.00	.43
Orange:			
Spear	24/1# glass	4.65	.25
S & W	12/16-oz. glass	2.75	.30
Treat	24/1# glass	5.80	.31
	12 2# glass	5.00	.53
Orange and grapefruit: Acme	12/2# glass	4.00	.43
Preserves:			
Apricot: Fruiterest	24/1# glass	5.60	.32
Blackberry:			
Hunts	24/1# glass	7.20	.38
Premier	24/16 oz. glass	7.10	.39
Orange: Premier (sweet)	24/16-oz. glass	5.45	.29
Peach:			
Premier	24/16-oz	6.10	.31
Alice Foote MacDougal	24/1# glass	5.20	.29
Fruiterest	24/1# glass	5.55	.30
Pineapple:			
Fruiterest	24/1# glass	5.35	.29
Premier	24/16-oz. glass	6.15	.34
Raspberry:			
Fruiterest	24/1# glass	7.55	.39
Hunt's	24/1# glass	7.20	.38
Premier (red)	24/16-oz. glass	7.10	.39
Strawberry:			
Anna Mayers	24/16-oz. glass	8.70	.47
Goodwin	24/16-oz. glass	8.70	.47
Premier	24/16-oz. glass	7.30	.40

GUAVA PASTE MANUFACTURED IN PUERTO RICO

	Case of—	Price to wholesalers	Price at wholesale	Retail price
		Per 100 bars	*Per 100 bars*	
All brands:	100 14-oz bar	$10.00	$11.50	$0.17 (14 oz.).
First grade packaged or boxed in all containers except wood.	100 15-oz. bar	10.60	12.20	$0.18 (15 oz.).
	100 16-oz bar	11.20	12.90	$0.19 (16 oz.).

NOTE: The maximum price for guava paste manufactured in Puerto Rico and packed in wood containers continues to be covered by the provisions of the General Maximum Price Regulation.

The maximum price for guava paste manufactured in Puerto Rico sold in weights other than those specified above shall be a price proportionately computed on the basis of the price for the nearest weight in above table.

SEC. 4.17 *Meat, fresh.* (a) *Beef.* (1) *Definitions.* When used in this paragraph the term:

(i) "Beef" means meat derived from the carcasses of bovine animals except calves.

(ii) "Beef carcass" means and is limited to the dressed carcass, side or sides of beef.

(iii) "Meat" means tenderloin, round meat, stew meat and soup meat, as defined herein.

(iv) "Tenderloin" means filete.

(v) "Round meat" (carne de biftec) means lomillo, masa de cadera, masa redonda, masa larga, babilla and landrecilla.

(vi) "Stew meat" (carne de guisar) means faldilla, pecho, sobrepecho, pescuezo, espalda and sobrelomo.

(vii) "Soup meat" (carne de sopa) means garron, patas and bones with 25% or more of meat.

(2) *Imported beef.* (i) Maximum prices at wholesale for imported beef in beef carcasses.

(a) From the United States and Santo Domingo, $0.22 per lb.

(b) From Saint Croix, $0.29 per lb.

(ii) Maximum prices at retail for imported beef classified under the following cuts: (Except beef imported from Santo Domingo.)

	Pound
Botton round	$0.45
Eye round	.45
Hamburger	.30
Porterhouse steak	.65
Rib roast	.45
Rump roast	.45
Sirloin steak	.55
Soup bones (¼ meat)	.12
Stew beef	.25
Tenderloin steak	.65
Top chuck	.30
Top round	.45
Top sirloin	.45

NOTE: When the imported beef is not sold classified under the cuts listed above the maximum prices at retail shall be the prices fixed at retail by paragraph (c) below for sales of beef from cattle slaughtered in Puerto Rico.

The maximum prices at retail for imported beef from Santo Domingo shall be the prices fixed at retail for sales of beef, from cattle slaughtered in Puerto Rico.

(3) *Domestic beef.* (i) The maximum wholesale price for all meat derived from cattle slaughtered in the Territory of Puerto Rico shall be 21¢ per pound.

(ii) The maximum prices at retail for all meat derived from cattle slaughtered in the Territory of Puerto Rico shall be determined in accordance with either of the following two customary methods of sale:

(a) The meat shall be classified as tenderloin, round meat, stew meat and soup meat, and sold at prices not higher than the following:

	Sales at retail (per pound)
Round meat	$0.45
Soup meat	.12
Stew meat	.25
Tenderloin	.65

(b) Where the meat is not classified as provided in subdivision (a) above, the maximum retail price shall be:

	Sales at retail (per pound)
Tenderloin	$0.65
All meat except tenderloin	.27

(c) Meat sold at 27¢ per pound in accordance with subdivision (b) above shall not contain more than 25% of bone. Any sale at retail otherwise than in accordance with the two classifications described in subdivisions (a) and (b) above shall constitute a violation of this regulation.

(b) *Pork from hogs slaughtered in the Territory of Puerto Rico.* (1) *Definitions.* When used in this paragraph the term:

(i) "Pork" (carne de cerdo) means all meat derived from the skeletal part of the hog carcass and includes all edible byproducts derived from hogs for which maximum prices have been established under section 6.3 of this regulation.

(ii) "Chops" (chuletas) means individual pieces cut from the loin.

(iii) "Ribs" (costillas) means the pieces cut from the end of the ribs after the chops have been removed and includes the upper part of the belly, (carne de pecho).

(iv) "Shoulder" (jamoncillo, espalda o espaldilla) means the portion of the forequarter after the severance of the ribs, shank and breast.

(v) "Leg of pork" (pernil) means the hind quarter minus the shank.

(vi) "Shanks" (patas) means the part of the leg from the knee-joint to and including the hoof.

(vii) "Head" (cabeza) means and includes snout (hocico), brains (sesos), ears (orejas), tongue (lengua) and neck (papillo and morrillo).

(viii) "Loin" (lomo de filets) means the whole muscle section along both sides of the spinal cord from which the "chops" are cut.

(ix) "Dressed carcass" means the side or sides of slaughtered hogs skinned and fatted, from which the entrails, edible organs, head and shanks have been removed.

(2) *Maximum prices.* (i) The seller's maximum prices at wholesale for dressed carcasses and pork cuts, delivered at the slaughterhouse, from hogs slaughtered in the Territory of Puerto Rico shall be the following:

	Per pound
Dressed carcass	$0.23
All cuts	.28
Liver, heart, lungs and kidneys	.18
Head	.10
Shanks	.10

(ii) The seller's maximum prices at retail for pork cuts from hogs slaughtered in the Territory of Puerto Rico shall be the following:

	Per pound
Leg (skinned and fatted)	$0.38
Chops	.38
Ribs	.38
Loin	.38
Shoulder (skinned and fatted)	.33
Liver, heart, lungs and kidneys	.26
Head	.12
Shanks	.12

SEC. 4.18 *Meats, processed and frozen.*

Items and brand names	Case of—	Price at wholesale	Price at retail
1. Bacon			*Per unit*
All brands: Smoked, commercial type originating in the United States		$0.335 lb	$0.44 lb.
2. Beef and beef products			
Armour's:			
Corned Beef Briskets		$0.2750 lb	$0.35 lb.
Sliced Dried	24 2½-oz. can	$4.10	$0.21.
	24 3-oz. can	$7.50	$0.28.
Bradley: Sliced Dried	24 2-oz. glass	$5.50	$0.18.
Dubuque: Corned Beef Hash	24 16-oz. can	$6.40	$0.32.
Hyrrade: Corned Beef Hash	24 16-oz. can	$5.80	$0.30.
Libby: Corned Beef Hash	24 16-oz. can	$6.00	$0.31.
Star: Corned Beef Hash	24 16-oz. can	$5.50	$0.28.
Stokely Brothers: Corned Beef Hash	24 24-oz. can	$8.50	$0.45.
Wilson's Certified:			
Corned Beef Hash	24 1-# can	$6.60	$0.30.
Sliced Dried	24 2-oz. glass	$3.80	$0.17.
All brands:			
Corned beef:			
First grade	48 12-oz. can	$13.00	$0.32.
	48 8-oz. can	$11.00	$0.35.
Second grade	48 12-oz. can	$11.25	$0.27.
	48 8-oz. can	$9.50	$0.26.
Jerked beef		$0.2570 lb	$0.30 lb.
3. Ham			
Armour's:			
Chopped Pressed	24 12-oz. can	$9.60	$0.50.
Spread	24 3-oz. can	$3.10	$0.16.
Stella (Italian Style Cured Prosciutti)		$0.52 lb	$0.67 lb. (75¢ per lb. if less than 4 lb. sold).
B. B. & T.: Smoked		$0.45 lb	$0.55 lb.
Dorset: Ham a la King	24 11½-oz. can	$10.40	$0.54
Farmer Boy: Picnic	12 4½-# can	$0.61 lb	$0.76 lb.
Hormel:			
Spam	24 12-oz. can	$7.25	$0.48
Whole		$0.50 lb	$0.75 lb.
Libby's: Deviled	24 1¼ # (3 oz.)	$4.75	$0.24 lb.
O K B	6 10 to 11 # can	$0.67 lb	$0.84 lb.
Peacock: Boiled in Yorkines	8 10 #	$0.61 lb	$0.77 lb.
Premium: Smoked (Dinsbee)		$0.45 lb	$0.75 lb.
Prosciutti, Italian Style, cured		$0.18 lb	$0.23 lb.
Rath:			
Pullman Shape boneless, pressed	6 10 # can	$0.53 lb	$0.66 lb.
Savortite	8 12#	$0.65 lb	$0.81 lb.
Serv-Kwick: Boiled, skinless, boneless and fatted	24 9-oz. glass	$0.96 lb	$0.81 lb.
Shank End: Deviled	24 9-oz. glass	$7.00	$0.37
Sweet Meat: Regular	6 10 11# can	$0.67 lb	$0.84 lb.

Items and brand names	Case of—	Price at wholesale	Price at retail
3. Ham—Continued			*Per unit*
Underwood: Deviled	24 3-oz. can	$1.55	$0.21
	24 5-oz. can	$2.40	$0.32
Wilson's Certified Sliced	24 3-oz. glass	$2.75	$0.14
Wilson's Tenderlonette		$0.61 lb	$0.80 lb.
All Brands:			
Skinless, boneless, fatted, smoked and cooked hams		$0.54 lb	$0.70 lb.
Deviled:			
First grade	24 3¼ oz. can	$3.90	$0.19
Second grade	24 3¼ oz. can	$3.05	$0.16
Picnic: Regular Frozen		$0.2650 lb	$0.39 lb., or $0.45 lb., if less than 4 lbs. sold.
Sliced: Chopped	24 2½-oz. can	$11.85	$0.57.
	24 5-oz. can	$2.25	$0.30.
	96 ¼ # can	$7.00	$1.40.
	24 2½ # can	$7.00	
Smoked:		$0.21 lb	$0.41 lb. (or 47¢ if less than 4 lbs. sold).
Picnic		$0.26 lb	$0.50 or 54¢ if less than 4 lbs. sold.
Regular		$0.40 lb	$0.52 lb. or 58¢ if less than 4 lbs. sold.
Skinned		$0.49 lb	$0.61 lb
Spiced	6 lbs. can		$0.90 or 2 for 17.
4. Meat products			
Armour's:			
Assorted Spreads	24 3-oz. can	$2.15	$0.13
Lunch Tongue	24 12-oz. can	$7.25	$0.50
Lunch Veal Loaf	24 12-oz. can	$7.50	$0.51
Star Potted Meat	24 3½-oz. can	$2.45	$0.12
	24 5½-oz. can	$3.60	$0.17
Star Potted Meat	24 3¼-oz. can	$2.45	$0.11
Tongue Spreads	24 2½-oz. can	$2.25	$0.11
Veal and Pork Loaf	24 12-oz. can	$7.25	$0.50
Veal and Pork Loaf	24 7-oz. can	$5.00	$0.30
Cream City: Spiced Meat	6# can	$5.00	$0.75 lb.
Gatlilby Brothers: Veal Loaf	24 7-oz. can	$4.75	$1.04
Dorset: Ox Tongue	12 12-oz. glass		
Dorset:		$13.30	$0.72
Chicken a la King	24 14-oz. can	$14.50	$0.80
Chicken Fricasee, Boneless	24 16-oz. glass	$11.75	$0.75
Chicken a la King	24 14-oz. can	$7.50	$0.41
DeLuxe Pate	24 1 1/2-oz. glass	$14.50	$0.80
Turkey a la King	24 14-oz. can	$12.00	$0.77
Hormel: Luncheon Tongue	48 12-oz. can	$8.75	$0.46
Hygrade:	24 12-oz. can	$1.80 lbs	$0.48
Stew Meat	48 12-oz. can	$9.52	$0.40 lb.
Honey Party Loaf	96 # can	$7.70	$0.80
Honey Imitation Chicken Loaf	24 12-oz. can		
KF: Spiced luncheon meat		$4.60	$0.25
Libby:	24 5 1/4 (3¼ oz.)	$4.60	$0.25
Potted Meat	24 3-oz. can	$2.50	$0.12
Potted Meat	24 5-oz. can	$3.75	$0.19
Stew Meat and Vegetables	24 12-oz. can	$7.25	$0.40
Morell: Pig Feet	12 28-oz. glass	$4.25	$0.41
Premier: Luncheon Meat	24 12-oz. can	$7.75	$0.49
Shenandoah: Tongue	24 12-oz. glass	$8.50	$0.50
Swift: Prem Meat	24 3-oz. can	$2.30	$0.12
Underwood: Potted Chicken Spread	24 5-oz. can	$3.40	$0.22
Van Camp: Chile Con Carne	24 17-oz. glass	$7.50	$0.39
Vogt: Scrapple	24 1-# can	$5.00	$0.29
Wilson & Company: Chile con Carne			
Chile con Carne	24 16-oz. can	$4.55 doz	$0.23.
Ox Tongue	12 10-oz. glass	$2.20	$0.22.
Pigs Feet	12 12-oz. glass	$2.50	$0.24.
Pigs Feet (Selected)	12 12-oz. glass	$2.75	$0.27.
Pigs Feet (Selected)	12 14-oz. glass	$3.25	$0.34.
Ox Tongue	12 10-oz. glass	$4.75	$0.61.
Ox Tongue	12 12-oz. glass	$6.00	$0.80.
Ox Tongue	12 22-oz. can	$8.75	$0.96.
Wilson & Company: Mor Meat	24 12-oz. can		
All Brands:			
Hocks, Butts (all sizes)		$0.37 lb	$0.47 lb.
Briskets		$0.2780 lb	$0.39 lb.
Clear Plates		$0.1580 lb	$0.19 lb.
Fat backs dry, salt		$0.1580 lb	$0.19 lb.

Items and brand names	Case of—	Price at wholesale	Price at retail
5. Sausages—Continued			*Per unit*
Pork—Continued.			
Peacock	24/2-# can	$0.54 lb	$0.68 lb.
Premium (cooked specialty semi-dried)		$0.4625 lb	$0.65 lb.
Roth	48/8 oz. can	$14.45	$0.37
All-brands	2 lb. can	$0.84 lb	$0.68 lb.
First S. C		$0.3950 lb	$0.55 lb.
First B. C		$0.3650 lb	$0.51 lb.
If sold prepackaged per lb. add 1c more per lb.			
Second S. C		$0.34 lb	$0.47 lb.
Second B. C		$0.31 lb	$0.44 lb.
Salami:			
All brands		$0.53 lb	$0.74 lb.
B. C. First		$0.3150 lb	$0.44 lb.
Cotto B. C		$0.48 lb	$0.67 lb.
Second		$0.4150 lb	$0.58 lb.
Tramonto			
Genoa:		$0.66 lb	$0.92 lb.
First Grade		$0.62 lb	$0.87 lb.
Second Grade		$0.58 lb	$0.81 lb.
Third Grade		$0.50 lb	$0.66 lb.
Farmer		$0.505 lb	$0.66 lb.
Gothenburg		$0.50 lb	$0.66 lb.
Holstein		$0.36 lb	$0.50 lb.
Thuringer: Semi-Dried			
Vienna:			
Andrews: Whole	48/4-oz. can	$4.60	$0.12.
Libby: Whole	48/4-oz. can	$6.20	$0.16.
Star: Whole	36/4-oz. can	$4.65	$0.16.
All brands:			
Ends	48/4-oz. can	$3.72	$0.10.
	24/20-oz. can	$3.85	$0.32.
	6/5 # can	$9.05	$1.95.
Whole	24/24-oz. can	$17.70	$0.85

SEC. 4.19 *Olives and capers*—(a) *Olives.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Azufarones: Sweet Life	4/1 gal. net	$8.00	$2.60
Cocktail: Kaweah green	48/2½ oz. net	5.60	.15
Manzanilla:			
Iberia	12/22 oz. net	6.75	.73
Lippincott	24/3 oz. # 5	6.60	.32
Amapola, plain	48/3½ oz. net	7.00	.18
Iberia, plain	48/3¼ oz. net	6.50	.17
Oberti, plain (cocktail style)	12 qts	5.65	.61
Pick of Kings:			
Plain	24/6 oz. net	5.45	.29
	24/3 13 oz. net	3.20	.17
Alameda, stuffed	24/# Par. 5 oz	7.00	.37
Everoval, stuffed	24/3 oz. net	4.25	.23
Libby's:			
Stuffed	25/5.3 oz. net	4.80	.26
Stuffed (placed)	24/10-6¾ oz	8.60	.48
Lippincott, stuffed	12/11¾ oz	9.00	.95
	24/3 oz	6.60	.32
	12/7¾ oz	5.75	.60
Pick of Kings, stuffed	24/10.25 oz. net	13.80	.74
	24/5.85 oz. net	8.10	.43
	24/5 oz. net	6.55	.35
Premier, stuffed	24/3.24 oz. net	4.80	.26
	24/6¾ oz. net	9.70	.51
	12/11¾ oz	8.45	.90
	24/5 oz	6.70	.36
	24/3 oz	5.70	.30
	24/3½ net	5.65	.30
Rosedale, stuffed (thrown)	24/5 (3 oz. net)	4.50	.24
	12/#12 Par. 7½ oz. net.	4.70	.49
	24/#8 Par. 5 oz. net	4.35	.24
Silvia, stuffed	24/5 oz. net	6.80	.37
	24/4½ oz	6.15	.33
	24/2 oz	3.35	.18
Sunbeam, stuffed	24/5 oz. net	8.05	.43
	24/4½ oz. net	7.45	.40
	24/3 oz. net	5.25	.28
Sweet Life, stuffed	24/10 oz. net	13.80	.74
	12/12¾ oz. net	8.55	.91
Pitted:			
Premier, ripe	24/11½ oz. net	4.15	.22
Sunbeam	12/17 oz. net	10.50	1.13
Plain:			
Alameda (selected)	12/1# (4 oz. net)	6.50	.71
Evertasty, thrown	24/2 2¾ oz. net	2.75	.15
Lindsay:			
Green Ripe (Extra Large).	24 pts	5.80	.31
Ripe	24/C pts	4.90	.26
Lippincott, plain (pitted)	24/4½ oz. net	4.65	.25
	24/3 oz. net	3.50	.19
Oberti, green	24 pts	6.10	.33
Visalia Pride:			
Green Colossal	12/22 oz. net	8.95	.97
Green Extra Large	24/10½ oz. net	8.90	.48
Green Giant	24/10½ oz. net	9.60	.52
	12/22 oz. net	8.40	.91
Green Large	12/22 oz. net	$7.60	$0.82
Green Mammoth	24/10-1½ oz. net	9.20	.50
	12/22 oz. net	8.00	.87
	24/5½ oz. net	5.95	.32
Green Midget	24/3½ oz. net	4.60	.25
Green Small	24/10½ oz net	7.20	.39
	24/5½ oz. net	4.80	.26
Plain—Continued.			
Visalia Pride—Con.			
Queen:			
Alameda, plain	12/13¾ oz. net	8.10	.85
	12/7½ oz net	4.10	.42
La Andaluza, plain	24/5 (5 oz.)	2.95	.16
Libby's:			
Plain (placed)	24/10 cyl. 5½ oz. net.	5.40	.29
Stuffed	24/10 cyl. 6 oz. net.	7.20	.39
	12/11½ oz. net	6.40	.70
	12/7½ oz. net	5.25	.57
Thrown	12/#12 (mason) 21 oz. net.	7.35	.80
Lippincott:			
Placed	24/10¼ oz	5.80	.31
Plain	24/10 oz. Par.	10.10	.55
	24/6½		
	24/5¼ oz #10	6.70	.36
	24/4¾ oz Par.	5.60	.30
Stuffed	12/16½ oz. net	12.25	1.30
	12/11½ oz	9.00	.96
	12/14 oz	8.80	.88
Marti, thrown	12/22 oz	8.20	.88
	12/15 oz	5.50	.59
Palmdale: giant plain	4/1 gal. (3.8 oz. net).	10.80	3.70
Pick of Kings: plain	24/11.25 oz. net	8.65	.46
	24/6 oz. net	5.45	.29
	24/4.75 oz. net	4.85	.26
Premier	12/21 oz	7.40	.80
Placed	12/12¾ oz	5.20	.56
Plain	24/3 oz	3.50	.19
	12/23 oz. net	10.50	1.12
	4/1 gal	9.20	3.00
	24/7½ oz	6.35	.35
	24/5½ oz	6.05	.34
	24/3¾ oz	4.60	.26
Stuffed	12/24 oz	14.40	1.55
	24/6½ oz. net	8.00	.43
	12/9¾ oz	7.00	.75
Sunbeam plain	12/10 oz. net par	3.90	.42
Silvia:			
Plain	12/22 oz. net	7.60	.85
	12/21 oz	6.75	.73
	24/5½ oz	5.20	.28
	24/14 oz	5.00	.53
	24/4½ oz. net	4.50	.25
	24/3 oz	3.05	.17
Stuffed	12/21 oz	10.65	1.15
	24/14 oz	7.75	.84
Sweet Life:			
Stuffed	12/13¾ oz. net	8.00	.85

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Sweet Life—Con.			
Plain	24/7 oz	$6.8	
	24/6¾ oz. net	7.2	
	12/12¾ oz. net	4.2	
	24/3¾ oz. net	3.7	
	24/1¾ oz	2.0	
Rice:			
Libby's:			
Colossal	24/#303 (9¾ oz. net).	8.4	
Giant	24/10¼ oz	6.8	
Premier:			
Extra Large	24/9½ oz	3	
Jumbo	24/9½ oz	5.4	
Medium	24/8½ oz. net	6	
Super Colossal	24/9 oz	7.2	
Stuffed:			
Bordelaise	48/3½ oz	8.2	
Lippincott queen (placed)	24/6¾ oz	10.8	
	36/5 oz. net	9.7	
Premier	24/4 oz	7.4	
Sweet Life	24/5 oz	8.6	
	24/3 oz	7	
Vanilla Pride, green, large	24/2 oz	4	
	12/22 oz. net	13.2	
	24/5½ oz. net	8.4	

(b) *Capers.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Amapola	48/3¼ oz. net	$7.60	$0.2
Bizet	24/8 oz. lid	3.6	
	24/2¾ oz. net	4.2	
Cavaglieri	24/3 oz. net	4.2	
Iberia	48/3¾ oz. net	7.2	
La Andaluza	24/3½ oz. net or 5 fld oz	3.45	
L'Aiglon	24/2	3.10	
Rose Marie	48/1½ oz. net or 2½ fld oz	5.20	

(c) *Olives and capers.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Alameda	48/3½ oz. net	$7.60	$0.21
Amapola	24/10 oz. avd	7.20	.39
	24/8 oz. avd	6.00	.32
	24/6 oz. avd	4.80	.26
Fair Weather	48/3½ oz. net	7.20	.39
	24/6½ oz. fld. or (4½ oz. net).	4.80	.26
	48/1 oz. net	2.40	.13
Iberia	48/3½ oz. net	7.20	.39
	48/3½ oz. fld	7.20	.39
La Andaluza	24/5 oz. fld	3.45	.19
Rosemarie	(24/4½ oz. net or (6½ oz. lid.).	4.80	.26
Silvia	24/2 oz	2.40	.13
Victoria	24/3½ oz net or 48/3½ oz. net.	7.20	.39

NOTE: Glass containers unless otherwise specified.

SEC. 4.20 *Salt, condiments, and dressings*—(a) *Salt (imported)*—(1) *In blocks.*

	Per 50 pound
Iodized block	$1.45
Plain salt block	1.25
Sulphurized block	1.35

(2) *Refined.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Table salt:			
Axery	36/1¼ pkg	$1.45	$0.05
Cavo's	36/1¼ pkg	1.60	.05
Cerv'sal Fino	24/2# pkg	2.65	.11
	100# cot	1.85	.03 (12 for 36)
	24/26 oz. pkg	1.60	.10
Diamond	1-# pkg	1.80	.13
Diamond Crystal	24/26 oz. pkg	2.60	.11
Gold's Evaporated	36/1¼ pkg	1.65	.05
Jefferson	36/26 oz. pkg	1.60	.05
	24/2# pkg	2.20	.11
	36/1¼ pkg	1.60	.05
	100# cot	1.75	.03 (12 for 36)
Myl's	24/2# pkg	2.00	.11
	100# bags	1.85	.03
Myl's Rock	36/1¼ lb	1.65	.06
News Hardy's	24/2 lb. pkg	2.00	.11
	100# bags	2.15	.03 (12 for 36)
Premier	24/2# pkg	2.00	.11
	15/4# bag	2.00	.17
Purity	In bales of 70/25# bag	5.75	.07
	24/2# pkg	1.70	.09
Sterling	24/2# pkg	1.90	.10
	36/1¼# pkg	1.60	.06
	100# cots	1.65	.02
Wadsworth	24/2# pkg	1.90	.10
	100# cots	1.85	.03 (12 for 36)

(b) *Condiments and dressings*—(1) *Mustard.*

Items and brand names	Case of—	Price at wholesale	Retail price
Heinz	4/#10	$5.35	*Per unit* $1.75
	36/7-oz	4.20	.15
	24/7-oz	2.70	.15
Libby's	4/1-gal	4.35	1.45
	24/9-oz	2.75	.15
Primex (prepared)	4/1-gal	5.05	1.70
Sunbeam	24/3-oz	2.30	.13
	24/8-oz	2.40	.11

(2) *Salad dressings.*

Items and brand names	Case of—	Price at wholesale	Retail price
Heinz	4/1 gal	$7.15	*Per unit* $2.40
Kraft's (Miracle Whip)	48/8 oz	7.40	.21
Parmer's Mayonnaise	12/16 oz	4.65	.50
Salad Dressing	12/8 oz	2.50	.27
	24/8 oz	7.70	.42

(3) *Spaghetti sauces.*

Items and brand names	Case of—	Price at wholesale	Retail price
Dressel (Mushrooms)	24/10½-oz. can	$3.85	*Per unit* $0.21
Chef-Boy-ar-dee (with meat)	24/8-oz	2.55	.14
	24/8-oz. can	2.85	.15
Ideo	24/8-oz. can	2.70	.14
Luxury (with meat)	24/10½-oz. can	3.70	.20
Tip-Jack (with meat)	24/10½-oz. can	3.70	.20
Zucca (with meat)	48/10-oz. can	8.55	.23

(4) *Worcestershire sauce.*

Items and brand names	Case of—	Price at wholesale	Retail price
Heinz	12/6-oz	$2.65	*Per unit* $0.29
Lea & Perrins	36/5-oz	11.50	.42
Sunbeam	12/5-oz	1.20	.13

(5) *Others.*

Items and brand names	Case of—	Price at wholesale	Retail price
A-1 Sauce	12/6-oz	$3.60	*Per unit* $0.30
Derby, Steak Sauce	24/8 oz	3.60	.20
Durkees:			
Garlic Salt	24/1.87 oz	3.20	.18
Onion Salt	24/1¾ oz	3.20	.18
Giroux: Onion Juice	12/5 oz	3.10	.34
Heinz:			
"57" Sauce	12/8 oz	2.65	.20
Horse Radish	12/2½ oz	2.00	.22
Tomato Chutney	12/12½ oz	3.45	.37
Kitchen Bouquet:			
Cooking Sauce	48/1 oz	17.75	.48
Sauce	12/2 oz	2.95	.32
La Choy: Chop Suey Sauce	24/2¼ oz	5.20	.28
Premier:			
Arturo Sauce	24/8 oz. can	3.30	.18
Barbecue Sauce	24/5 oz	2.45	.13
Celery Salt	24/3 oz can	3.65	.20
Chutney	24/15 oz	13.60	.74
Cloves (whole)	24/1¾ oz. can	2.20	.12
Nutmeg (ground)	24/1½ oz. can	4.10	.22
Nutmeg (whole)	24/1¾ oz. can	2.70	.14
Paprika	24/1½ oz. can	2.35	.13
Paprika (Spanish)	12/16 oz	12.60	1.30
Red Hot Sauce	12/2 oz	2.75	.30
Presto: Sauce	48/10 oz can	3.80	.10
Progresso: Caponata	100/5 oz. can	13.50	.18
Snider's: Cocktail Sauce	24/14 oz. can	5.60	.32
Sunbeam: Red Hot Sauce	12/7 oz	3.75	.47
Trappey's:			
Green Pepper Sauce	24/3 oz	2.15	.12
Red Pepper Sauce	24/3 oz	2.10	.11
Wilson's Certified: Sauce H. & V.	24/2¾ oz	5.50	.30
Zucca: Mushroom Sauce	48/10 oz. can	8.55	.23
	24/8 oz	3.35	.18

(6) *Vinegar.*

Items and brand names	Case of—	Price at wholesale	Retail price
Heinz	24/16 oz	$3.25	*Per unit* $0.18
	12/32 oz	2.80	.30
Majestic (Grain, distilled)	4/1 gal	1.80	.58
Marques de la Puebla	12/4 pt. 9 oz	16.25	1.70
Monumental	4/1 gal	2.25	.70
National Food Product Company	5 gal. keg	3.40	4.40
Old Dominion	12/qt	2.50	.27
Premier (Cider)	4/1 gal	3.20	1.03
	24/pt	2.80	.15
Premier (White)	12/qt	2.65	.29
S & W	24 pints	2.60	.14
Sentenat	12/qt	3.00	.32
Sterling Cider Co	24/12 oz	2.20	.12
Wayne County	4/1 gal	2.75	.89
	24/12 oz	2.45	.28
	24/12 oz	2.20	.12

(c) *Pickles.*

Items and brand names	Case of—	Price at wholesale	Retail price
Anna Mayers: Dill	4/1 gal	$4.55	*Per unit* $1.55
Boyd: Sour Mixed	24/16 oz	5.65	.30
Chipco: Dill	24/16 oz	4.90	.27
	12/32 oz	4.70	.50
Colonial:			
Sour	12/32 oz	3.60	.42
Sweet	12/32 oz	4.75	.51
Sour Onions	24/8 oz	6.25	.34
Colony:			
Sour Mixed	24/16 oz	5.60	.30
	12/32 oz	4.80	.52
Sour	4/1 gal	5.15	1.75
Sweet Mixed	24/16 oz	6.00	.32
	24/12 oz	4.40	.23
Del Monte:			
All varieties	24/8 oz	3.25	.18
Chow Chow	12/24 oz	4.70	.50
	12/21 oz	3.60	.42
Midget Sweet	24/12 oz	6.00	.33
Sweet Gherkins	12/24 oz	5.80	.64
Whole Dill	12/21 oz	3.30	.36
Whole Sweet	12/24 oz	5.55	.60
Golden: Dill	4/1 gal	4.05	1.36
Heinz:			
All varieties	12/24 oz	5.00	.55
	12/10 oz	3.15	.34
	24/5 oz	4.35	.24
Chow Chow	24/5 oz	3.75	.20
Cucumber	24/11½ oz	3.95	.22
	12/24 oz	3.25	.35
Dill	4/#12	5.10	1.65
Sour	4/#10	3.70	1.20
	12/23 oz	4.35	.47
Sweet	4/#10	7.00	2.25
	12/23 oz	5.65	.55
Sweet Gherkins	12/24 oz	5.20	.56
Sweet Midget Gherkins	12/9 oz	5.45	.60
Sweet Mustard	12/24 oz	5.00	.55
	24/5 oz	3.80	.21
	12/10 oz	3.15	.34
Hargo: Sour	6/1 gal	5.60	1.25
Hot Hector Salad	12/32 oz	3.50	.38
Lang: Dill	12/32 oz	3.40	.37
Lehio:			
Dill	4/1 gal	4.60	1.55
	12/32 oz	3.40	.37
Sour Gherkins	24/12 oz	4.80	.26
Sweet Gherkins	24/12 oz	5.45	.59
Libby's:			
Dill	12/32 oz	4.35	.47
	4/105 (98 oz.)	4.10	1.25
Family homemade	12/23 oz	3.85	.42
Party Sweet Wholeand Mixed	24/12 oz	6.60	.36
Sweet Mustard	24/12 oz	7.60	.38
Sweet Tomato Relish	24/#303 (18 oz.)	6.80	.37
Premier:			
Cocktail Onions	24/8 oz	10.50	.57
Dill	12/32 oz	4.60	.53
Sour 135/165 count	4/1 gal	9.10	3.05
Sweet	4/1 gal	9.65	3.14
Sweet 185/230 count	4/1 gal	11.75	3.95
Sweet Beets	24/16 oz	4.65	.22
Sweet Mixed	4/1 gal	8.40	2.83
	12/11 oz	5.00	.54
Sour Onions	12/11 oz	6.60	.70
Sunbeam:			
Dill	24/5 oz	3.35	.18
Sour	24/8 oz	3.60	.19
Sour Mixed	24/8 oz	3.40	.18
Sweet	24/8 oz	3.70	.20
Sweet Mixed	24/8 oz	3.40	.18
Sweet Life:			
Sour Gherkins	24/12 oz	4.80	.26
Sour Gherkins Pickled	24/12 oz	5.45	.590
Sour	4/1 gal	5.15	1.75
Sour Mixed	24/16 oz	5.60	.30
	12/32 oz	4.80	.52
	24/12 oz	4.35	.23
Sweet Gherkins	24/12 oz	5.45	.30
Sweet Mixed	24/16 oz	6.05	.33
	12/32 oz	5.35	.58

(d) *Relishes.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Boyd, Sweet	12/32 oz	$4.10	$0.48
Del Monte, all varieties	24/12 oz	5.70	.31
	12/21 oz	4.50	.49
Heinz:			
All varieties	12/24 oz	5.00	.55
India	24/7½ oz	3.90	.32
	12/10 oz	2.60	.28
Sweet	4/#10	6.15	2.00
Libby's, Sweet	24/12 oz	7.00	.38
Sunbeam, Sweet	24/9 oz	3.40	.19

NOTE: Glass containers unless otherwise specified.

SEC. 4.21 *Soups*—(a) *Canned.*

Items and brand names	Case of—	Price at wholesale	Retail price
			Per unit
Asparagus:			
Campbell	48 #1 can	$5.75	$0.15
Gibbs	48 10½ oz. can	2.95	.08
Heinz	36 #1 can	5.65	.19
Hurff	48 10½ oz. can	1.85 (1 doz.)	.14
Rancho	48 10½ oz. can	4.70	.12
Van Camps	48 10½ oz. can	4.45	.12
Beans:			
Campbell (Black)	48 #1 can	5.75	.15
Gibbs	48 10½ oz. can	2.95	.08
Heinz	36 #1 can	5.65	.19
Beef:			
Campbell: Noodle	48 #1 can	7.07	.18
Beef Soup	48 10½ to 11 oz. can	7.07	.18
Heinz: Noodle	24 #1 can	4.00	.21
Torex: Extract	12 2 oz. glass	2.75	.28
Beef with vegetable:			
Heinz	36 #1 can	6.30	.21
Bouillon Campbell	48 #1 can	7.07	.18
Broth: Heinz, Scotch	36 #1 can	5.65	.19
Chicken:			
Campbell	48 #1 can	7.87	.21
Gumbo	48 #1 can	7.07	.18
Noodle	48 #1 can	7.07	.18
Crosse & Blackwell: Noodle	24 11 oz. can	4.60	.24
Diplomat:			
Broth with rice	24 12½ oz. can	3.60	.15
Noodle	24 12½ oz. can	3.30	.17
Dorset: Broth	12 #5 can	3.20	.30
Heinz: Noodle	36 #1 can	6.30	.20
Hormel: Broth	6 #10 can	2.40	.50
Ranchu: Noodle	48 10½ oz. can	3.85	.10
Wilson's Certified: Noodle & Chicken	12 16 oz. glass	4.45	.46
Clam:			
Campbell: Chowder	48 #1 can	5.75	.15
Saltsea: Chowder	12 #2½ can	1.80	.50
Consomme: Campbell	48 #1 can	7.07	.18
Cream: Dorset, Vichyssoise	24 17½ oz. can	6.40	.33
Gumbo: Heinz, Creole	36 #1 can	5.65	.19
Pea:			
Campbell, Green	48 #1 can	5.75	.15
Chilford	48 #1 can	4.95	.13
Heinz, Green	36 #1 can	5.65	.19
Hurff, Fresh	48 10½ oz. can	1.85 (1 doz.)	.14
Rancho	48 #1 can	5.20	.14
Ox: Campbell Tail	48 10½ oz. can	4.70	.12
Pepper, Campbell, Pot	48 #1 can	5.75	.15
Tomato:			
Campbell	48 #1 can	4.76	.12
Chilford	48 #1 can	4.95	.13
Gibbs	48 10½ oz. can	4.32	.11
Heinz	36 10¾ oz. can	3.55	.13
	36 #1 can	4.75	.16
Hurff	48 #1 can	4.44	.12
Phillips	48 10½ oz. can	4.25	.11
Rancho	48 10½ oz. can	4.70	.12
Van Camps: Fancy	48 10½ oz. can	4.45	.12
Turtle Campbell, Mock	48 #1 can	5.75	.15
Vegetable:			
Campbell	48 #1 can	6.15	.16 or 2.31c
Beef	48 #1 can	7.07	.18 or 2.31c
Vegetarian	48 #1 can	6.15	.16 or 2.31c
Chilford	48 #1 can	6.10	.16
Crosse & Blackwell: Beef	24 11 oz. can	4.60	.24
Gibbs	48 10½ oz. can	5.45	.14
Heinz: Vegetarian	36 #1 can	5.65	.19
	36 #1 can	6.20	.16
Hurff	24 20 oz. can	5.05	.26
Phillips	48 10½ oz. can	3.25	.09
Premier	48 10½ oz. can	5.50	.14
Rancho	48 10½ oz. can	4.70	.12
Van Camps	24 10½ oz. can	2.30	.12
Zucca: Minestrone	48 10½ oz. can	7.20	.18

(b) *Dehydrated.*

Item and brand names	Case of—	Price at wholesale	Retail price (per unit)
All brands and all varieties except the following	Per doz. 2¼, 2½ and 2½ oz. pkg.	$1.60	$0.10
	Per doz. 2¼ oz. pkg.	1.10	.11
Kraft's Phoenix mushroom	12/2 oz. pkg.	1.40	.15 or 2 for .29

(c) *Cubes.*

Item and brand names	Case of—	Price at wholesale	Retail price (per unit)
Kraft's Phoenix Bouillon Cubes, All varieties	¾ oz. each cube	($0.90 / doz.)	$0.10

SEC. 4.22 *Tomato products and certain vegetable juices*—(a) *Tomato products.*

Items and brand names	Case of—	Price at wholesale	Retail price
			Per unit
Chili sauce:			
Heinz	12 #2½ glass	$3.45	$0.37
Libby	24 12 oz. glass	5.80	.31
Premier	12 12 oz. glass	2.75	.30
Snider	24 11 oz. glass	4.95	.27
Supreme	24 12 oz. glass	6.50	.33
Tomato catchup: Libby	24 14 oz. glass	4.65	.25
	24 8 oz. glass	3.60	.19
Tomato catsup:			
Jersey Brand	24 14 oz. glass	4.15	.22
Del Monte	24 8 oz. glass	3.05	.17
	24 14 oz. glass	4.50	.23
Dodge	24 14 oz. glass	4.50	.23
Gibbs	24 14 oz. glass	3.75	.20
Our Favorite	24 14 oz. glass	4.50	.24
Premier	24 14 oz. glass	4.30	.23
Rutter	24 14 oz. glass	5.00	.27
S & W	24 14 oz. glass	5.85	.32
Scott	24 14 oz. glass	3.90	.21
Snider	24 14 oz. glass	4.45	.24
Tasty	24 14 oz. glass	5.00	.27
Van Camp's	24 14 oz. glass or 133¼ oz. glass	4.45	.24
Yolo	24 14 oz. glass	3.75	.20
Tomato ketchup: Heinz	24 14 oz. glass	6.05	.32
	24 8 oz. glass	3.85	.20
Tomato juice:			
CHB	48 12 oz. can	4.65	.11
Chevy Chase	48 #1 tall can	5.35	.15
	24 #2 can	3.55	.10
Curtiss	24 18 oz. can	3.00	.16
Del Monte	6 #10 can	3.25	.70
	24 #2 can	3.60	.16
	12 47 oz. can	3.95	.37
Exquisite	24 #2 can	3.25	.18
	24 #303 can	3.20	.17
Fame	12 46 oz. can	4.20	.35
Gloraetta	48 12 oz. can	4.65	.11
Heart's Delight	24 #2 can	3.30	.18
Heinz	24 18 oz. can	3.50	.19
Hunt's Supreme	24 18 oz. can	3.00	.16
Hurff	48 9 oz. can	4.20	.11
	48 5½ oz. can	3.10	.08
	48 13½ oz. can	4.60	.12
	24 #2 can	3.60	.16
Libby	24 #2 can	3.05	.16
	12 #5 can (47 oz.)	3.80	.40
Loudon	6 #10 can	3.40	.73
Martell	24 20 oz. can	3.60	.20
Pacific Gold	24 #2 can	3.60	.16
Phillips	24 #2 can	3.30	.18
	48 10½ oz. can	4.05	.11
Premier	24 18 oz. can	3.25	.17
Punch	24 #2 can	3.00	.16
Sacramento	24 #2 tall can	3.40	.18
S & W	24 #2 can	3.55	.19
	12 47 oz. can	3.70	.40
	6 #10 can	4.05	.88
	48 12 oz. can	5.20	.14
Scott	48 9 oz. can	4.00	.11
Snider	12 20 oz. glass	2.55	.27
(Tomato Cocktail)	12 20 oz. glass	2.50	.27
	48 4 oz. glass	2.60	.07
Stokely	24 20 oz. can	3.60	.20
Welch	12 qt. glass	2.50	.31
	24 pints glass	3.15	.17
Tomato paste:			
Firenze	100 6 oz. can	7.75	.10
Gibbs	100 6 oz. can	8.40	.10
Madonna	100 6 oz. can	8.00	.10
Tomato puree:			
Gibbs	48 10½ oz. can	3.65	.09
Palmdale	6 #10 can	4.50	.97
Rokeach	48 10½ oz. can	4.25	.11
S & W	6 #10 can	5.30	1.12
Sweet Life	24 10½ can	3.20	.27
Tomato sauce:			
Above Par	72 8 oz. can	4.65	.08
Allgood	72 8 oz. can	4.75	.08
Blue Bow	48 10½ oz. can	4.00	.10
Blue Bowl	48 10½ oz. can	3.85	.10
Blue Sky	72 8 oz. can	4.80	.08
Cupboard	72 8 oz. can	4.60	.08
Del Monte	72 8 oz. can	4.65	.08
Tomato Sauce—Cont.			
Eagle	48 8 oz. can	$3.45	$0.08
Gala	72 8 oz. can	4.75	.08
Garden Side	72 8 oz. can	4.75	.08
Hart	72 8 oz. can	4.65	.08
Heinz	24 18 oz. can	3.60	.18
Hunt's	24 #2 can	3.15	.17
Supreme	72 8 oz. can	4.60	.08
Lady Luck	48 10½ oz.	4.00	.10
Libby's	72 8 oz. can	4.45	.08
Mother's Kitchen	48 10½ oz.	3.85	.10
Nugget	72 8 oz. can	4.75	.08
Presto	48 10 oz. can	3.80	.10
Rialto	72 8 oz. can	4.75	.08
Sacramento	72 8 oz. can	4.80	.08
Santa Anita	96 8 oz. can	6.37	.08
S & W	72 8 oz. can	4.75	.08
Sunblest	48 11 oz. can	3.80	.10
Taste-tell	72 8 oz. can	4.75	.08
Tasty	72 7½ oz. can	4.15	.08
Trupack	48 8 oz. can	3.84	.08
Tyo	72 8 oz. can	4.80	.08
Val-Vita	72 10½ oz. can	6.50	.10
Tomatoes strained (water and spices added)	48 7½ oz. can	3.05	2 for .15

(b) *Vegetable juices.*

Items and brand names	Case of—	Price at wholesale	Retail price
			Per unit
Hurff (Vegetable cocktail)	48 12½ oz. can	$6.00	$0.15
Snider (Vegetable cocktail)	24 #2 can	3.47	.19
V-Eight	12 18 oz. can	2.75	.22
	12 46 oz. can	4.40	.45

SEC. 4.23 *Spaghetti, macaroni and other pastes.*

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Price at retail
				Per unit
Macaroni:				
In bulk		7.20 cwt.	7.70 cwt.	$0.10 lb.
Packed:				
Caruso	20 1# pkg. set			2.80 .28
Cruz Roja de Malta	32 7 oz. pkg.	1.80	2.00	.08
Ego	60 1 kilo	17.30	19.05	.40
Estrella Roja	28 ½ pkg.	1.80	1.95	.09
Foulds: Long	24 1# pkg.			2.40 .10
Gold Medal	24 12 oz. pkg.			2.40 .15
Itali	20 1# pkg.	1.17	1.25	.13
Justice	10 # each	.90	1.00	.10
Kraft: Macaroni and Cheese Dinner	12 8 oz. pkg.		1.27	.24
La Javanesa	8 oz. pkg.	16.60	17.80	.21
La Vazcongada	32 8 oz. pkg.	2.15	2.40	.08
Liberty	20 1# pkg.			2.40 .12
Lunardy: Semolina	48 7 oz. pkg.	2.65	2.80	.06
7 Minutes	24 16 oz. pkg.	2.65	2.80	.13
	24 8 oz. pkg.	1.37	1.55	.08
Premier	24 1 # pkg.	2.75	3.00	.16
	24 8 oz. pkg.	1.75	2.00	.11
(Elbow)	24 8 oz. pkg.	1.75	2.00	.11
Ronzoni: Egg Noodle Style	12 8 oz. pkg.	1.37	1.50	.13
Tampieri	20 1 # pkg.	4.20	4.60	.21
Maruzzi: Prince	20 16 oz. pkg.			2.60 .17
Mezzani: El Yunquie	48 1-1/2 # pkg.			2.80 .17
	24 1 # pkg.			2.80 .12
Noodles:				
Caruso:				
Egg	24 8 oz. pkg.	2.47	2.80	.17
Spinach	12 8 oz.	1.80	2.00	.20
Tofoli	10 1# pkg.	1.65	1.80	.18
El Yunquie:				
Pure Egg (Fine)	24 1-½# pkg.	2.70	2.85	.12
Pure Egg (Fine)	12 1# pkg.	2.40	2.75	.23
Pure Egg (Medium)	24 1-½# pkg.	2.70	2.85	.12

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Price at retail
Noodle—Con.				*Per unit*
El Yunquie: Con.				
Pure Egg (Medium	12 1# pkg.	$2.40	$2.75	$0.29
Pure Egg (Medium)	24 8 oz. pkg.		2.65	.14
Megliore: Alphabet with egg	24 6 oz. pkg.		2.65	.15
Premier:				
Egg Broad	24 8 oz. pkg.	2.75	3.10	.17
Egg Fine	24 8 oz. pkg.	2.75	3.10	.17
Egg Wide	12 12 oz. pkg.	2.40	2.80	.25
Ravarino: Valetos	24 16 oz. can		6.75	.31
Spaghetti:				
In bulk		7.20 cwt.	7.70 cwt.	.10 lb.
Packed:				
Cresse	24 1# pkg.		2.80	.18
4 Minutes	24 8 oz. pkg.	1.80	2.05	.11
Chef Boyardee: Dinner	12 1 # pkg.		4.00	.41
Cruz Roja de Malta	32 7 oz. pkg.	1.80	2.00	.08
Ego	60 1 kilo	17.30	19.05	.40
Estrella Roja	28 ½ # pkg.	1.80	1.95	.09
Foulds: Long	24 1# pkg.	2.25	2.80	.16
Gold Medal	24 12 oz. pkg.		2.40	.15
Peel	20 1 # pkg.	1.90	2.00	.14
Justice	10 # each	.80	1.05	.13
La Javanesa	16 oz. pkg.	14.60 cwt.	15.50 cwt.	.19 lb.
La Vazcongada	48 8 oz. pkg.	5.05	5.55	.09
Lend-Club Dinner	12 pkgs.		2.55	.27
Luxury	48 7 oz. pkg.	2.55	2.65	.07
	24 16 oz. pkg.	2.60	2.95	.16
Magic Chef: Dinner	24 9 oz. 12 pkgs.		3.45 per doz. pkgs.	.87
Progresso	12 13½ oz. jar		2.70	.26
Mueller	24 9 oz. pkg.		2.70	.13
Premier	24 1 # pkg.	2.75	3.10	.17
	24 8 oz. pkg.	1.75	2.00	.11
Prince	20 16 oz. pkg.		2.60	.17
4 Minutes	24 8 oz. pkg.		2.10	.11
Tofoli	20 16 oz. pkg.		2.60	.17
Ronzoni Genoese Style	20 1 # pkg.	2.65	3.25	.21
Tampieri	24 1 # pkg.	4.20	4.60	.21
Vellutina	24 16 oz. can		4.70	.24
Zita	20 16 oz. pkg.		2.60	.17
Tenderoni				
Van Camps	24 6 oz. pkg.		2.25	.12
Vermicelli				
In bulk		7.20 cwt.	7.70 cwt.	.10 lb.
Packed				
Cresse: Extra	10 1 # pkg.	1.75	2.00	.20
Cruz Roja de Malta	32 7 oz. pkg.	1.80	2.00	.08
Ego	60 1 kilo	17.30	19.05	.40
Estrella Roja	28 ½ # pkg.	1.80	1.95	.09
Justice	10 # each	.80	1.05	.13
La Javanesa	16 oz. pkg.	14.60 cwt.	15.50 cwt.	.19 lb.
La Vazcongada	48 8 oz. pkg.	5.05	5.55	.09
Ronzoni Naples Style	20 1 # pkg.	2.55	2.80	.18
Tampieri	24 1 # pkg.	4.20	4.60	.21

SEC. 4.24 *Syrups.*

Items and brand names	Case of	Price at wholesale	Retail price
			Per unit
Honey:			
Amber	24 16 oz. glass	$7.25	$0.29
Palmdale	12/24 glass	7.75	.84
Malt syrup:			
Anheuser Busch	60 lb. keg	.13 pound	
	230 lb. barrel	.125 pound	
	600 lb. barrel	.125 pound	
Dunne:	60 lb. keg	.13 pound	
	230 lb. barrel	.125 pound	
	600 lb. barrel	.1125 pound	
Syrup:			
Cristal White	24 12/2 glass	3.95	.21
Golden Table	24 12½ glass	3.95	.21
Log Cabin	24 15 oz. glass	6.35	.34

SEC. 4.25 *Vegetables*—(a) *Canned vegetables.*

Items and brand name	Case of—	Price at wholesale	Retail price
			Per unit
Artichokes: S & W	Heart's Small	24 #303 glass	$0.25	$0.20
Asparagus:				
Deerfield: Center Cuts	24 #2 can	5.20	.28
Del Monte:			
Colossal Green Tips	24 #1 sq. can	8.80	.48
Early Garden	24 #2 can	8.65	.46
Early Garden Tips	24 #1 sq. can	6.10	.34
Salad points	24 #2 rd. can	10.40	.56
Eagle: Tips	24 #1 sq. can	7.61	.41
Evangeline All green	24 #2 can	9.05	.49
Extra: Regular	24 #2 can	8.70	.47
Flotill:			
Large, All Green	24 #2 can	10.40	.56
Small Spears	24 #2 can	9.75	.49
Hunt's: Blanched (unpeeled)	24 #2 rd. can	8.60	.43
Libby's:			
Spears	24 #2 can	8.15	.44
Tips	48 10½ oz. can	5.55	.26
Tips, Mammoth	24 #1 sq. can	9.20	.50
Palmdale: Mammoth Blended, Green Cut	24 #2 rd. can	10.25	.55
Premier:			
All Green	24 #2 can	10.45	.56
All Green Tips	24 #2 can	8.10	.44
Green and White Tips	24 #2 can	9.75	.52
Rialto:			
Colossal	24 #2 can	8.75	.47
Green Tips	24 #1 sq. can	8.90	.49
Spear	24 #2 can	8.75	.47
White Tips	24 #1 sq. can	9.40	.51
Rutter: Cut, spear	24 19 oz. can	8.75	.47
S & W: Mammoth Blended (Green Point)	24 #2 rd. can	10.25	.55
Stokley:			
Large	24 #2 can	6.20	.50
Regular	24 #2 can	8.75	.47
Supreme: Natural	24 #2 tall can	7.75	.42
Extra Size:			
Cut wax	24 #2 can	4.00	.21
Green cut #3 Sieve	24 #2 can	4.25	.23
Green cut #4 Sieve	24 #2 can	4.15	.22
Green French Style	24 #2 can	4.15	.22
Whole Green #1 Sieve	24 #2 can	5.15	.28
Whole Green #2 Sieve	24 #2 can	1.80	.26
Foote Best: Red Pinto	24 #303 can	3.25	.17
Gibbs: With Tomato Sauce	24 19 oz. can	3.60	.16
Gren Pac: Red Kidney	24 22 oz. can	3.50	.18
Heinz:			
Baked with Tomato Sauce	24 17½ oz. glass	4.25	.22
Vegetarian Baked	24 17½ oz. glass	3.60	.21
Lacoon: Red	36 15½ oz. can	3.50	.14
Libby's: Deep Brown	24 17 oz. glass	4.65	.24
	24 14 oz. can	3.15	.17
Puritan: Baked	24 28 oz. can	4.20	.23
S & W: Oven baked	24 28 oz. can	5.40	.29
French Style	24 #2 can	4.15	.22
Snider:			
Cut green	24 #2 can	4.10	.22
Cut wax (sieve No. 3)	24 #2 can	4.30	.22
Soquel:			
Cut wax	24 #2 can	3.75	.20
Van Camps:			
Red Kidney	48 #300 (15 oz.)	5.65	.15
	24 #303 can	3.50	.19
Beans (string):			
Crown of Maryland: Cut green, Standard	24 #2 can	2.85	.15
Family: Cut	24 #2 can	2.85	.15
Ferndale: Cut, Green	24 #2 can	4.10	.22
Gibbs: Cut	24 #2 can	3.35	.18
Lakeview: Cut	24 #2 can	3.40	.17
Mountain Fresh: Extra Standard Florida Cut	24 #2 can	4.20	.23

Items and brand name	Case of—	Price at wholesale	Retail price
			Per unit
Beans (string)—Con.			
Premier			
Cut green	24 #2 can	$3.85	$0.26
Cut green refugee	24 #2 can	4.55	.25
Cut 3-5 Sieve	6 #10 can	7.25	1.08
Fancy cut green	24 #2 can	4.00	.23
Fancy whole #3 Sieve green	24 #2 can	4.50	.25
Sliced green	24 #2 can	4.10	.24
Redwood: Cut	24 #2 can	3.00	.16
S & W:			
Cut	24 #2 can	5.73	0.31
Cut Sieve #2	24 #2 can	8.05	.52
Cut Sieve #3	6 #10 can	5.30	1.15
Julienne	24 #2 can	5.05	.30
Sweet Life: French Style	24 #2 can	4.25	.23
Beans (stringless):			
Chilford: Cut Green	24 #2 can	3.15	.21
Evangeline: Cut Green	24#2 can	3.15	.17
Golden Harvest: Florida Standard	24 #2 can	3.00	.16
Homa	24 #2 can	3.00	.16
Kate's Petite Cut Green	24 #2 can	3.20	.17
Maryland Chief: Extra Standard Cut Green	24 #2 can	3.55	.18
Red Bloom, Cut Green	24 #2 can	3.10	.16
Schaw: Cut Green	24 #2 can	3.20	.17
Beets:			
Calasm: Sliced	24 #2 can	3.90	.21
Comstock: Diced	48 #1 can	4.55	.12
	24 #2 can	3.10	.16
Daisee: Diced	24 #2 can	3.20	.29
Deerfield: Cut	24 #2½ can	3.40	.18
	24 #2 can	2.75	.15
Diced	6 #10 can	3.00	.65
Del Monte:			
Diced	12 #303 glass	2.25	.24
Sliced	24 #2 can	4.25	.23
	12 #300 glass	2.75	.27
Whole	12 #300 glass	2.70	.29
Exquisite			
Diced (fancy)	24 #2 can	3.70	.20
Sliced	24 #2 can	4.25	.23
Glee Club: Diced	24 #2 can	3.20	.17
Jory: Diced	24 #2 can	3.70	.20
Libby's:			
Sliced	24 #2 can	3.45	.18
	12 16 oz. glass	1.60	.20
Whole	24 16 oz. glass	4.50	.24
	24 #2 can	3.40	.19
Maryland Chief: Cut	24 #2 can	2.80	.15
Motto: Shoestring	24 #2 can	3.35	.18
Premier			
Cut	24 #2 can	3.40	.18
Cut (fancy)	24 #2 can	3.45	.18
Diced	24 #2 can	3.75	.20
Diced	24 16 oz. glass	3.40	.18
Shoestring	24 16 oz. glass	3.40	.18
Sliced	6 #10 can	4.35	.91
	24 #2 can	3.70	.20
Premier:			
Sliced	24 16 oz. glass	3.70	.20
	24 16 oz. can	4.05	.22
Whole	24 #2 can	4.25	.23
Red Kind: Fancy Shoestring	24 #2 can	3.30	.18
S & W			
Diced	6 #10 can	4.00	.87
	24 #2 can	3.60	.19
Julienne	24 #2 can	3.60	.19
Midget whole	24 #2 can	6.65	.36
Sliced	6 #10 can	4.65	1.01
	24 #2 can	4.20	.23
Small (whole)	24 #2 can	5.80	.31
Snider:			
Diced	12 16 oz. glass	1.60	.17
	24 #2 can	2.75	.15
Midget	24 #2 can	5.00	.27
Shoestring	12 16 oz. glass	1.60	.17
Sliced	24 #2 can	2.75	.14
Tiny	24 #2 can	4.35	.23
Supreme: Diced	24 #2 can	3.75	.20
Sweet Life:			
Diced	24 #303 glass	3.50	.19
Sliced	24 16 oz. glass	3.45	.19
	24 #2 can	3.75	.20
Sweet Violet: Diced	24 #2 can	3.20	.17
Cabbage:			
Premier: Red	12 16 oz. glass	2.75	.30
Carrots:			
Del Monte:			
Diced	12 #303 glass	2.30	.25
Julienne	12 #303 glass	2.05	.22
Foote: Standard Diced	24 19 oz. can	2.30	.12
Gibbs: Standard Diced	48 10 oz. can	3.65	.08
	24 20 oz. can	2.30	.12
Loota Belle	24 #2 can	3.70	.19
Orchard Farm: Diced	24 #2 can	3.70	.19

Items and brand names	Case of—	Price at wholesale	Retail price
Carrots—Continued.			*Per unit*
Premier: Diced	6 #10 can	$4.50	$0.06
	24/17-oz. can	3.75	.19
Diced (Fancy)	72/8 ¼-oz. can	5.75	.10
	72/8 oz. can	5.75	.10
	24 #2 can	2.85	.15
Shoestring	6 #10 can	4.40	.96
Queen (diced)	24/17-oz. can	3.60	.19
Raymal: Shoestring	24 #2 can	3.60	.19
S & W: Diced	24 #2 can	3.70	.20
Scott:			
Cubes	24/16 oz. glass	3.00	.16
Diced	24/16 oz. glass	2.90	.16
Snider:			
Diced (fancy)	24 #2 glass	3.75	.19
	24 #2 can	2.85	.15
Shoestring (fancy)	24 #2 can	2.85	.15
	12/16 oz. glass	1.90	.20
Sunny Garden: Diced	48 #1 can	6.70	.17
Chicken:			
All brands	24 #2 can	3.60	.16
Family	24/16 oz. can	2.65	.14
	24 #303 can	2.80	.15
Naples	24/20 oz. can	4.10	.21
Corn:			
Cataline: Cream Style	24 #2 can	5.95	.20
Century: White Cream Style	24 #2 can	4.10	.21
Del Maiz: Fancy Golden Sweet Cream Style	24 #303 can	3.40	.18
Del Monte:			
Golden Bantam Cream Style	24 #2 can	4.20	.24
Golden Bantam Whole Kernel	12 #303 glass	2.65	.27
Golden Whole Kernel vacuum pack	24/12 oz. can	4.10	.22
Exquisite: Fancy Golden Sweet Cream Style	24 #2 can	3.85	.20
	24 #303 can	3.85	.20
Foote: Standard White Cream	24 #2 can	3.15	.16
Kitchen Queen: Whole Golden Bantam	24 #2 can	4.30	.22
Libby's:			
Fancy Country Gentleman or Tiny Kernel Cream	24 #2 can	3.90	.20
Fancy Golden Sweet Whole Kernel	24 #2 can	3.80	.20
Squat Home Style Golden Sweet	24 #2 can	3.40	.18, 2 for .35
Maryland Chief: Standard White Cream	24 #2 can	3.00	.16
Nibblets	24/12 oz. can	4.00	.20
Mexicorn	24/12 oz. can	4.60	.23
Palmdale: Golden Bantam Cream Style	24 #2 can	4.25	.22
Phillips:			
Cream Style	24 #2 can	3.05	.16
Standard Golden Cream	24 #2 can	2.60	.15
Standard White Cream	24 #2 can	3.15	.16
Premier:			
Fancy golden cream style	72/8 ¾ oz. can	7.00	.12
Fancy golden sweet cream style	24 #303 can	3.85	.20
Fancy golden sweet whole kernel	24 #2 can	3.80	.20
	24 #303 can	2.85	.15
Fancy white sweet cream style	24/16 oz. can	4.65	.21
Golden cream style	24 #2 can	4.10	.21
Golden whole Kernel	24 #2 can	4.15	.21
Mexican style	24/12 oz. can	4.30	.22
White cream style	24 #2 can	3.85	.20
Princessa: Golden cream style	24 #2 can	3.75	.19
Redmoon: Standard White Cream	24 #2 can	3.15	.16
S & W:			
Baby Kernel cream style	24 #2 can	5.00	.26
Delore Whole Kernel	24 #2 can	4.65	.24
Snider:			
Fancy country gentleman or tiny kernel cream	24 #2 can	4.05	.21
Fancy golden sweet cream style	24 #2 can	3.35	.18
Golden whole kernel	24/12 oz. can	3.35	.17
Sunbeam: Golden cream style	24 #2 can	3.55	.18
Corn—Continued.			
Sweet Life:			
Golden Bantam cream style	24 #2 can	$3.90	*Per unit* $0.20
Golden whole kernel	24 #2 can	4.30	.22
	24/14 oz. glass	4.20	.22
	24/16 oz. can	4.65	.20
World Favorite: Golden Whole Bantam	24 #2 can	3.80	.20
Lima beans:			
Del Monte:			
Early garden	24 #2 can	5.20	0.28
	12 #303 glass	2.80	.30
Green	24 #2 can	5.60	.30
Libby's: Garden green	24 #2 can	5.10	.26
Phillips: Run of garden	24 #2 can	5.15	.27
Premier: Medium green	24 #2 can	6.35	.34
S & W:			
Baby green	24 #2 can	7.50	.36
Small	24 #2 can	6.93	.37
Mixed vegetables:			
Gibbs	24 #2 can	4.50	.23
Libby's	24 #2 can	4.05	.22
Premier	24 #2 can	4.30	.23
Superdine	24 #2 can	3.60	.20
	24 #303 glass	3.60	.16
Supreme	24 #2 can	4.25	.23
Veg-All	24/14 ½-oz. can	4.30	.24
Mushrooms:			
Premier: Stem & Pieces	24/8-oz. can	15.15	.80
	24/4-oz. can	7.60	.42
Royal Treat: Kitchen Treat Buttons	24/16 oz. jar	24.00	1.75
	24/4 oz. can	11.40	.62
	12/8 oz. can	11.30	1.20
Peas:			
Alley Pigeon	24 #2 can	4.40	.22
April Showers: Medium Small No. 2	24/17 oz. can	4.25	.21
Cosmos:			
Extra Standard	24 #2 can	4.00	.20
Extra Standard Blended	24 #2 can	4.00	.20
Deerfield: Sweet	24 #2 can	2.85	.15
Del Monte:			
Early Garden	24 #2 can	4.20	.22
Fancy #1 Sieve Sugar (Tiny Size)	24 #2 can	5.25	.27
Very Small #2 Sieve	24 #2 can	4.85	.27
Ellison: Sweet Sub-Standard	24 #2 can	2.90	.15
Express: Sweet Standard	24 #2 can	3.35	.17
Exquisite:			
Fancy Garden Sugar Unranged	24 #2 can	4.35	.22
	24 #303 can	3.75	.19
Fancy #2 Sieve Early Variety	24 #2 can	4.75	.25
Fancy #2 Sieve sugar	24 #2 can	4.75	.25
Garden Patch: Sweet Unranged	24/20-oz. can	5.20	.26
Gibbs:			
Dried Cooked	100/6-oz. can	6.20	.06
Green Giant	24/20-oz. can	6.25	.27
Glad Wisconsin Sub-Standard No. 4 Sieve	24 #2 can	3.05	.15
Hambrock: Early June	24 #2 can	3.60	.15
Happyvale: #1 Sieve Early Variety	24 #2 can	3.25	.17
Jesse: Early June	24 #2 can	3.70	.19
Le Seur Pearl: #2 Sieve Alaskas	24/17 oz. can	4.50	.23
Libby's:			
Blended #1 & #2 Sieve Early Variety	24 #2 can	4.15	.21
Fancy garden sweet	24 #2 can	4.10	.21
Fancy #1 Sieve Sweet	24 #2 can	4.75	.24
Fancy #2 Sieve Early Variety	24 #2 can	4.60	.25
Fancy #3 Sieve Early Variety	24 #2 can	4.30	.22
Fancy #5 or #6 Sieve Sugar Jumbo	24 #2 can	4.05	.23
Milton: Sweet Standard	36 #303 can	4.55	.15
Motherwise: Standard #1 Sieve Alaska	24 #2 can	4.10	.21
Nibblets: Fancy #5 or #6 Sieve Sugar	24 #303 can	4.55	.24
Oregon Harvest: Early June	24 #2 can	3.70	.19
Palmdale: Blended	24 #2 can	4.00	.20
Premier: Garden Sweet	24 #2 can	4.15	.21
Princessa: Large Sweet	24 #2 can	3.60	.18
Peas—Continued.			
Queen: Standard Early June	24 #2 can	$3.80	*Per unit* $0.19
Rolling Green: Sub-Standard #5 Sieve	24 #2 can	3.30	.17
Rosedale:			
Blended #1 and #2 Sieve E. V.	24 #2 can	3.80	.20
Sweet	24 #2 can	4.40	.24
S & W:			
Medium	6 #10 can	6.47	1.93
Medium Sweet Sieve #3	24 #2 can	5.35	.27
Snider:			
Fancy #2 Sieve E.V.	24 #2 can	4.75	.24
Fancy #3 Sieve E.V.	24 #2 can	4.20	.22
Fancy #2 Sieve Sugar	24 #2 can	4.00	.21
Fancy #3 Sieve Sugar	24 #2 can	4.20	.22
Fancy #5 or #6 Sieve Sugar	24 #2 can	4.10	.21
Fancy, ungraded	24 #2 can	4.15	.22
Songstress: Sub-Standard	24 #2 can	3.30	.17
Stokely: Sweet, ungraded (fancy)	24 #2 can	4.00	.21
Sunbeam Extra Standard garden	24 #2 can	3.15	.21
Supreme: Sweet	24 #2 can	4.00	.28
Western Girl, Alaska Whole Green, Standard	24 #2 can	3.30	.17
Pimientos:			
Alimosa: Whole Pod	48 4 oz. can	4.80	.13
Dromedary: Whole Pod	24/7 oz. glass	4.00	.21
Georgia: Whole Pod	24/7 oz. can	4.00	.23
Miss Georgia: Whole Pod	48 4 oz. can	4.80	.13
Old Mission	48/6 oz. can	4.00	.11
	48/4 oz. can	4.00	.11
	48/3 oz. can	4.00	.12
Ossaus: Sliced	24/7 oz. glass	4.00	.21
Seville: Whole Pod	48/4 oz. can	4.80	.13
Sunshine: Whole Pod	24/7 oz. glass	4.00	.21
Pork and Beans:			
Chaford	48/16 oz. can	4.00	.11
Hurff	48/#300 can	3.60	.12
	24/20 oz. can	3.60	.18
	24/17 oz. can	3.60	.18
	24/22 oz. can	3.60	.19
	48/#1 can	3.60	.10
	24/#2 can	3.60	.19
	48/10½ oz. can	3.60	.12
	48/#300 tall can	3.60	.12
	24/#300 (20-oz. can)	3.60	.18
Spanish:			
Del Monte	24/#2½ can	4.10	.21
	24/#2 can	3.20	.17
Exquisite	24/#2½ can	3.45	.19
Libby's	24/#2½ can	4.80	.26
Maryland Chief	24/#2½ can	3.85	.21
Palmdale	24/#2½ can	4.40	.24
Premier	24/#2½ can	3.35	.18
Strained	24 #2 can	4.10	.22
S & W	24/#2½ can	4.10	.22
Snider	24 #2 can	3.60	.19
Stokely	6 #10 can	6.00	1.93
Tomatoes:			
American Wonder: Standard	24 #2 can	3.60	.18
Rounds: Standard	24 #2 can	3.60	.18
Century	6 #10 can	4.00	.21
	24 #2½ can	4.00	.21
Cock Robin: Grade "C"	24 #2½ can	3.90	.21
Cosmos: Standard	24 #2½ can	3.90	.21
Del Monte: Fancy Solid Pack	24 #2 can	4.00	.21
	24 #2½ can	4.10	.21
Driftwood: Standard	24/15 oz. can	3.60	.18
Exquisite: Fancy Solid Pack	24 #2½ can	4.10	.21
Gibbs: Standard	24 #2 can	3.60	.18
Happyvale: Standard	24 #2½ can	3.60	.18
	24 #2 can	3.60	.18
Jesse: Whole	24 #2 can	3.60	.18
McGrath: Standard	24 #2 can	3.60	.18
Mission: Standard	24 #2½ can	3.60	.18
Palmdale: Fancy Solid Pack	24 #2½ can	4.00	.20
Peacock: Sub-Standard	24 #2 can	3.60	.18
Phillips: Standard	24/19 oz. can	3.60	.18
Premier:			
Fancy Peeled	24 #2½ can	4.00	.20
	24 #2 can	3.60	.18
Fancy Solid Pack	24/19 oz. can	4.00	.20
Queen: Standard Peeled	24 #2 can	3.60	.18
Redmoon: Standard	24 #2 can	3.80	.19

Items and brand names	Case of—	Price at wholesale	Retail price
Tomatoes—Con.			*Per unit*
Snider:			
Fancy Solid Pack	24 #2 can	$4.10	$0.21
Solid	24 #2 can	3.20	.17
Sun Ripe	24 #2 can	3.45	.19
Whole	24 #2½ can	4.80	.26
State Fair: Grade "C"	24 #2½ can	3.85	.21
Sweet	24 #2 can	4.45	.24
Sunbeam: Fancy Peeled	24 #2 can	3.35	.18
Turnbull: Sunbeam Grade	24 #2½ can	4.10	.22

(b) *Dried vegetables.*

	Per pound	Per pound
All grades of dried beans and dried peas except garbanzos, red kidney beans and lima beans) imported from the continental United States	$0.07	$0.08
All grades of red kidney beans and lima beans imported from the continental United States	.08	.09
Garbanzos	9.10 (100 lbs)	.10
All grades of red, pink and mottled varieties of dried beans and lentils not imported from the continental United States	.125	.15
All grades of white varieties of dried beans not imported from the continental United States	.115	.14
Pigeon peas not imported from the continental United States	.065	.08

[1] On home delivered sales the maximum price at retail, except for lentils may be increased by 1 cent per pound.

NOTE: The above prices do not apply on sales of seeds to the Federal or Insular Government or to the agencies of either, which sales are exempted from price control.

(c) *Fresh vegetables.*

	Sales at wholesale: At seller's warehouse	Sales at wholesale: Delivered to retailer	Sales at retail
Beans, green: All grades and varieties not imported from the Continental United States	*Per 100 lbs.*	*Per 100 lbs.* $1.25	*Per lb.* [1] $0.15

[1] On home delivered sales the maximum price at retail may be increased by 1c per pound.

	Sales at wholesale (unit specified)	Sales at retail: Not delivered	Sales at retail: Home delivered
Cabbage: all grades and varieties	*Per 100 lbs.* $4.50	*Per lb.* $0.07	*Per lb.* $0.08

	Price at wholesale	Retail price (per unit)
Garlic	$0.28 per lb	$0.38 per lb. or $0.03 per head.
Onions (imported)	$3.75 per 50 lbs.	$0.10 per lb.

	Sales at wholesale (unit specified)	Sales at retail: Not delivered	Sales at retail: Home delivered
Pigeon peas, green, all grades and varieties	*Per 100 lbs.* $10.00	*Per lb.* $0.13	*Per lb.* $0.14

	Sales to wholesalers	At sellers warehouse	Delivered to retailer	Sales at retail
Potatoes: Imported from the Continental United States	*Per 100 lbs.* $4.25	*Per 100 lbs.* $4.55	*Per 100 lbs.* $4.55	*Per lb.* $0.05

	Sales at wholesale (per 100 lbs.)	Sales at retail: Not delivered (per lb.)	Sales at retail: Home delivered (per lb.)
Tomatoes: native, all grades	$5.00 Per standard lug	$0.08	$0.10
"Marglobe" (fancy)	$3.92	.20	.22
"Marglobe" (first class)	3.30 Per 100 lbs. net	.16	.18
"Marglobe" (fancy)	$12.00	.20	.22
"Marglobe" (first class)	10.00	.16	.18
"Marglobe" (second class)	5.75	.09	.11

(1) *Trade Practices:*

On sales of marglobe fancy tomatoes at wholesale, when such tomatoes are packed in standard lug, the seller shall be permitted a tolerance of not more than 5% in the size of the fruit and of not more than 5% for fruit damaged as the result of transportation; when such tomatoes are packed in containers other than standard lugs the seller shall be permitted a tolerance of not more than 8% in the size of the fruit and of not more than 8% for fruit damaged as the result of transportation. On sales of marglobe first class tomatoes at wholesale when such tomatoes are packed in standard lugs, the seller shall be permitted a tolerance of not more than 5% in the size of the fruit and of not more than 8% for fruit damaged as the result of transportation; when such tomatoes are packed in containers other than standard lugs the seller shall be permitted a tolerance of not more than 10% in the size of the fruit and of not more than 10% for fruit damaged as the result of transportation. The minimum net weight of each standard lug shall be 28 pounds for fancy and 30 pounds for first class marglobe tomatoes.

(2) Definitions. When used in this section the term:

(i) "Native tomatoes" means all wrinkled surface varieties of tomatoes produced in Puerto Rico.

(ii) "Standard lug" means a wooden box measuring 6" x 13.5" x 16".

(iii) "Marglobe fancy tomato" means a tomato no less than 2½ inches in diameter measured at a right angle from its axis, of a uniform shape and with a smooth surface, which is free from dirt, decay, insects and mechanical injury.

(iv) "Marglobe first class tomato" means a tomato, no less than 1⅞ inches in diameter measured at a right angle from its axis, of a fairly uniform shape and with a fairly smooth surface, which is free from dirt, decay, insects and mechanical injury.

(v) "Marglobe second class tomato" means a tomato with an unwrinkled surface which does not fit the specifications for a marglobe fancy or a marglobe first class tomato.

ARTICLE V—FUELS

SEC. 5.1 *Charcoal.*

	From Jan. 1 to May 31 [4] (at wholesale)	From June 1 to Dec. 31 (at wholesale) [4]
One hundred pound capacity [1] burlap bag	$0.53	$0.63

	From Jan. 1 to May 31 (at retail)		From June 1 to Dec. 31 (at retail)	
	Not delivered	Delivered	Not delivered	Delivered
One hundred pound capacity burlap bag	$0.60	$0.65	$0.70	$0.75
Five gallon tin [2]	.17	.19	.20	.22
Four pound capacity paper bag [3]	.04	.05	.05	.06

[1] Prices include the bag container.
[2] Prices do not include containers.
[3] Prices include the paper bag container.
[4] No amount may be added to the price "at wholesale" for transportation to the point at which buyer receives delivery.

NOTE:
A burlap bag used as a measure of content for sales of charcoal, shall contain no less than 3 full five gallon tin measures. The five gallon tin must be undented and filled to capacity. The maximum price for charcoal sold in containers other than those specified above shall be a price proportionately computed on the basis of container of the nearest capacity.

SEC. 5.2 *Kerosene.* The maximum prices of kerosene at wholesale are established by Maximum Price Regulation No. 88.[4] The maximum prices of kerosene at retail establishments are established by Revised Maximum Price Regulation No. 137.[5] These prices are 18c per gallon, and 5c per quart when a quantity less than one gallon is sold, except in the Islands of Vieques and Culebra where the prices are 20c per gallon, and 5c per quart when a quantity of less than one gallon is sold.

ARTICLE VI—LIVESTOCK AND ANIMAL FEEDS

SEC. 6.1 *Cattle.* (a) *Definitions.* When used in this section the term:

(1) "Cattle" means all animals of the domesticated bovine species.

(2) "Cattle sold for slaughter in Puerto Rico" shall be construed to include all cattle sold to any person who is not engaged in the dairy business or in the breeding of cattle.

(3) "Arroba" means the live weight equivalent to 25 pounds of dressed meat.

(4) "Cows" means only those female cattle which have conceived or which are five years or more of age.

(5) "Oxen" means all male cattle which are five years or more of age.

(b) *All cattle sold for slaughter in Puerto Rico.*

	Per arroba
Cows, Oxen	$5.00
All others	6.25

[4] 9 F.R. 14944; 10 F.R. 739, 2080, 2517, 3553, 3979.
[5] 10 F.R. 741, 2082.

SEC. 6.2 *Animal feeds*—(a) *Definitions.* When used in this section the term:

(1) "Base price" means the direct cost to the importer of the first shipment of a brand, grade or variety of mixed feed received by him after February 1, 1944.

(2) "Mixed feed" means a mixture or blend of more than one feed ingredient for the purpose of feeding animals and poultry except the following:

(i) Those commodities listed in section 2.3 (m) and (n) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation as exempt from said regulation.

(ii) A mixture resulting from the blending or mixing of offals or byproducts from a single vegetable, plant or other agricultural products, and also screenings as defined in the official publication of the Association of the American Feed Control Officials, Inc. for 1942, which commodities shall be and remain subject to § 1499.2 and other applicable provisions of the General Maximum Price Regulation.

(iii) Cat and dog feeds.

(3) "Straight feed" means an unmixed feed for the purpose of feeding animals and poultry.

(b) *Imported*—(1) *For cows.* The maximum prices for imported feeds for cows sold by an importer, his agent or distributor shall be computed by adding to the base price for such feed a markup of 35¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from pier to the warehouse of the importer, his agent or distributor, or 25¢ per 100 pound bag, whichever is the lower: *Provided*, That for each one dollar increase or decrease per ton in the direct cost to the importer of a brand, grade or variety of imported feed for cows received by the importer after his base price has been established, the Territorial Director of the Office of Price Administration at San Juan, Puerto Rico, may, by order, authorize or direct a corresponding increase or decrease in the importer's maximum price.

The maximum prices for imported feed for cows sold by a seller other than the importer, his agent or distributor shall be computed by adding to the importer's maximum price at the port of discharge a markup of 20¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from the port of discharge to the seller's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(2) *For dogs.*

Items and brand names	Unit—Case of—	Price at wholesale	Retail price (per unit)
Guines	12 2-pound bag	$2.20	$0.25
	12 5-pound bag	4.60	.50
Guines Kruncheon	12 2-pound bag	2.25	.25
Ken-L-Biskit, small cakes	18 25 oz	4.75	.34
Ken-L-Biskit Klb, Med.	18 2 lbs	5.30	.35
Ken-L-Meal	12 3 lbs	3.55	.38
Top Hat	48 8 oz. can	4.60	.10
Pard	48 8 oz. pkg	4.75	.14

(3) *For heifers and calves.* The maximum prices for imported feeds for heifers and calves shall be computed by adding to the base price for such feed a markup of 80¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from pier to the seller's place of business, or 25¢ per 100 pound bag, whichever is the lower: *Provided*, That for each \$1.00 increase or decrease per ton in the base price of a brand, grade or variety of imported feeds for heifer and calves, the Territorial Director of the Office of Price Administration of San Juan, Puerto Rico, may, by order, authorize or direct a corresponding increase or decrease in the maximum price.

(4) *For horses, mules and hogs.* The maximum prices for imported feeds for horses, mules and hogs, sold by an importer, his agent or distributor shall be computed by adding to the base price for such feed a markup of 45¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from pier to the warehouse of the importer, his agent or distributor, or 25¢ per 100 pound bag, whichever amount is the lower: *Provided*, That for each one dollar increase or decrease per ton in the direct cost to the importer of a brand, grade or variety of imported or importer feed for horses, mules and hogs received by the importer after his base price has been established, the Territorial Director of the Office of Price Administration of San Juan, Puerto Rico, may, by order, authorize or direct a corresponding increase or decrease in the importer's maximum price. The maximum prices for imported feed for horses, mules and hogs sold by a seller other than the importer, his agent or distributor shall be computed by adding to the importer's maximum price at the port of discharge a markup of 20¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from the port of discharge to the seller's place of business, or 25¢ per 100 pound bag, whichever amount is the lower.

(5) *For poultry.* Maximum prices for imported feeds for poultry.

(i) *Maximum prices for scratch feeds.*

	Price at wholesale	Retail price
Scratch feeds	$4.75 per 100-lb. bag	$0.11 per 2 lb.

(6) *For poultry mashes.* Maximum prices for imported poultry mashes.

(i) *Unadjusted wholesale price.* The maximum price at wholesale for imported poultry mashes shall be computed by adding to the direct cost to the importer at port of entry a markup of 55¢ per 100 pound bag. This price shall be subject to adjustment with retailer as specified in subdivision (iii) below.

(ii) *Retail price.* The maximum price per pound at retail for imported poultry mashes shall be determined by adding to the unadjusted wholesale price provided in subdivision (i) above, a markup of \$1.00 per 100 pound bag and dividing by 100. Where the result contains a fraction of a cent other than an even half cent, the fraction shall be evened to the nearest cent or half cent as follows:

From .01¢ to .25¢ to be reduced to the cent; from .26¢ to .49¢ to be increased to the half cent.

From .51¢ to .75¢ to be reduced to the half cent; from .76¢ to .99¢ to be increased to the next nearest cent.

(iii) *Adjustment of wholesale prices on basis of retail price.* Where the retail price per pound is required to be adjusted to the nearest cent or half cent as provided in subdivision (ii) above, the wholesale prices shall be adjusted as follows:

The amount of the adjustment per pound shall be multiplied by 100, and this amount shall be absorbed or shared, as the case may be, by the retailer and the wholesaler in the proportion of 2/3 by the retailer and 1/3 by the wholesaler. The wholesale price shall be reduced or increased accordingly.

(c) *Locally mixed feeds sold by the manufacturers*—(1) *Puerto Rico brand.*

	Per 100 pound bag
20% protein content	$3.65
24% protein content	3.75
16% protein content (dry freshening)	3.50
Calf meal	4.75
Oxen feed	3.60

(i) The maximum prices for locally mixed dairy feed sold by the manufacturer's agent or distributor shall be computed by adding to the price fixed in paragraph (c) (1) a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the purchaser's place of business, or 25¢ per 100 pound bag, whichever amount is lower.

(ii) The maximum prices for locally mixed dairy feed sold by a seller other than a manufacturer, his agent or distributor shall be computed by adding to the price fixed in paragraph (c) (1) a markup of 20¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the seller's place of business, or 25¢ per 100 pound bag, whichever amount is lower.

(2) *Straight feed.*

	Per 100 pound bag
Oats (red or white):	
Sales to wholesalers	$3.60
Sales to others than wholesalers	4.00

(3) *Filing requirements.* Prior to the first sale by the importer of imported mixed feed and thereafter within five days after the receipt in Puerto Rico of a shipment of mixed feed for sale, the importer shall file with the Office of Price Administration for the Territory of Puerto Rico a statement setting forth in detail the direct cost to the importer, including the price the importer paid or discounts allowed, all costs of shipment, custom and entry fees, and war risk insurance cost.

SEC. 6.3 *Live hogs*—(a) *Definition.* When used in this section the term "hogs" means all animals of the domesticated swine species.

(b) *Maximum prices.* The seller's maximum price for live hogs shall be \$16.00 per hundred weight.

(c) *Exemption.* The provisions of this section 6.3 shall not apply to sales or deliveries of hogs for breeding purposes:

Provided, That such purpose is established by evidence satisfactory to the Director of the Office of Price Administration, San Juan, Puerto Rico.

ARTICLE VII—PAPER AND PAPER PRODUCTS

SEC. 7.1 *Composition notebooks.*

Size	Price at wholesale (per gross)	Retail price (per notebook)
		Cents
40 pages	$4.80	5
72 pages	5.64	6 or 2/11
80 pages	6.15	6
100 pages	7.60	8 or 2/15

[1] The maximum price for sizes other than those specified above shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized prices shall be established in the form of an order or amendment prescribing the maximum prices for the applicants or for sellers of such notebooks generally, and shall be a price in line with the maximum prices established above for specific sizes.

ARTICLE VIII—PHOTOGRAPHIC EQUIPMENT AND MATERIALS

SEC. 8.1 *Photographic supplies and materials*—(a) *Maximum prices at retail.* The maximum retail price on each item of photographic supply and material shall be the price published for the item in the latest consumers' price list of the manufacturer of said supply and material.

(b) *Maximum prices on sales other than at retail.* The maximum price on each item of photographic supply and material on sales other than at retail shall be the price published for the item in the latest consumers' price list of the manufacturer of the photographic supply and material, less the following applicable discounts:

	Discount
(1) On sales to commercial photographers	10%
(2) On sales to resellers	20%

(c) *Insular excise tax.* On sales of a photographic supply and material, the seller may collect, in addition to the above maximum price, the amount of the increase in the Insular Excise Tax imposed after May 10, 1942, actually paid by him or collected from him provided the statute imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price and the seller does state it separately.

ARTICLE IX—SERVICES

SEC. 9.1 *Cold storage.*

PRICES PER FORTNIGHT OR FRACTION THEREOF

Item	20° or less (per lb.)	21° to 32° inclusive (per lb.)	33° to 45° inclusive (per lb.)
	Cent	Cent	Cent
Almonds			1/4
Butter	1/4	1/2	1/2
Cereal			1/4
Cheese			1/4
Chocolate			1/4
Codfish, herring (smoked and pickled) and other salted or semi-dry fish			1/4
Eggs (dozen)		1/4	1/4
Fish (fresh)			1/4
Fruits and vegetables not otherwise listed	1/4	1/2	
Hams, luncheon meat, and other pork products not otherwise listed		1/2	1/4
Jerked beef		1/2	1/4
Frozen dressed lambs, veal, pork loins, and other frozen meats and poultry not otherwise listed	1/4	1/2	1/4
Lard, oleomargarine, and shortening in tins, tierces or boxes			1/4
Lard, oleomargarine and shortening in prints		1/2	1/4
Milk powder			1/4
Penicillin			1/2
Pickles			1/4
Potatoes and onions in cases or crates			1/4
Potatoes and onions in bags			1/4
Salami, sausage and mortadella		1/2	1/4
Seeds and beans			1/4
Syrups			1/4
Yeast			1/4

NOTE: Above prices are to be used on net weights of the commodities stored.

The maximum price for cold storage service of a commodity not listed in section 9.1 above shall be the maximum price of the most comparable commodity listed, provided the supplier of the service reports, for the approval of the Director of the Office of Price Administration, San Juan, Puerto Rico, the name of the comparable commodity selected and the price charged for the service. If the price reported for the unlisted commodity is not approved, the Director may establish by order a price for said commodity in line with those established by this section.

SEC. 9.2 *Needlework contractors*—(a) *What this section covers.* This section covers the maximum prices that may be charged for contractors' services in the following branches of the needlework industry in Puerto Rico:

Hand sewing operations:
- Cotton Underwear and Infants' Underwear
- Gloves:
  - Leather
  - Woven and Knitted Fabric
- Handkerchief and Household Art Linen
- Infants Wear
- Miscellaneous Handwork
- Needlepoint and Hand Hooked Rugs
- Rayon Underwear (except infants)
- Silk Underwear (except Infants)
- Wearing Apparel

Other operations:
- Cotton Underwear and Infants' Underwear
- Gloves:
  - Leather
  - Woven and Knitted Fabric
- Handkerchief and Household Art Linen
- Infants' Wear
- Miscellaneous Handwork
- Needlepoint and Hand Hooked Rugs
- Rayon Underwear (except infants)
- Silk Underwear (except infants)
- Wearing Apparel

(b) *Relation to other regulations.* This section shall not apply to contractors' charges which are subject to the provisions of Maximum Price Regulation No. 157,[6] Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes.

(c) *Definitions.* (1) The term "contractor" includes any person who performs one or more processes of manufacturing in the production of an article of apparel, on materials supplied by a principal, and who receives payment for the process or processes so performed and for the furnishing of materials, if any, that are incidental to such operations: *Provided*, That the contractor who furnishes materials, the value of which constitutes 30 percent or more of the price charged for his services or who furnishes more material than is customary in services of the type rendered, is excluded hereunder. It shall also include any person engaged in examining, shrinking and sponging of woolen or worsted fabrics.

(2) A material shall be deemed "supplied" by a principal to a contractor if:

(i) It is consigned, or,

(ii) It is sold pursuant to an agreement providing that the articles of apparel to be processed from the material shall be sold only to the principal, at a price based upon the cost of material to the contractor plus a charge for his services and for any materials incidentally supplied by the contractor.

(3) A "principal" includes any person who engages the services of a contractor, as defined in paragraph (c) of this section, in the procurement, manufacture, or production of an article of apparel for the purposes of resale by the principal. A principal may or may not perform processes of manufacture on the article of apparel in addition to those performed by the contractor, and may himself be a contractor, as defined in subparagraph (1) of this section.

(4) An "article of apparel" shall include all apparel, apparel furnishings and accessories made by cutting and selling methods or knitting processes, except men's fur-felt, wool-felt, and silk hats and bodies, and men's, women's and children's footwear.

(5) "Consigned" means consigned, loaned, charged on memorandum or other agreement whereby title to the goods transferred is retained by the principal.

(6) "This dollar-and-cents charge made by the contractor" for the same or similar services in March 1942 is determined by subtracting the actual cost of direct labor in March 1942 from the highest price charged in March 1942, to a purchaser of the same class by the contractor for his services. If the contractor made no charge in March 1942, to a purchaser of the same class, then the same dollar-and-cents charge made to a purchaser of a different class shall be adjusted to reflect the contractor's customary differential between the two classes of purchasers.

(7) "Articles of the same type" are articles of apparel having the same use and which customarily sell in the same departments at retail (for example: infants' underwear, gloves, household linen, wearing apparel, etc.).

(8) "Contractor of the same class" means a contractor (i) performing the same function, (ii) of similar type, (iii) dealing in the same type of commodities or services, and (iv) selling to the same class or classes of purchaser. A seller's "most closely competitive contractor of the same class" shall be a contractor of the same class who (*a*) is selling the same or a similar commodity or service, and (*b*) is closely competitive in the sale of such commodities or services, and (*c*) is located nearest to the seller.

(*d*) *Maximum contractor's charges.* The seller's maximum price for any service governed by this section shall be as follows:

[6] 9 F.R. 11059; 10 F.R. 776, 1910, 2014.

(1) *Where the material is consigned to the contractor.* The total of the following:

(i) The direct labor cost of the services;

(ii) A charge equivalent to the dollars-and-cents charge made by the contractor for the same or similar services in March 1942.

Direct labor cost shall be computed on the basis of wage rates ordered by the Wage and Hour Division of the United States Department of Labor for the needlework industries in Puerto Rico, effective January 1, 1945, and actually paid by the contractors.

(2) *Where the material is sold to the contractor.* The total of the following:

(i) The direct labor cost of the service, which shall be computed according to subparagraph (1) above;

(ii) A charge equivalent to the dollars-and-cents charge made by the contractor for the same or similar services in March 1942;

(iii) The actual cost to the contractor of the material sold to the contractor by the principal.

(3) *Where the contractor cannot determine his price under (1) or (2).* If the contractor cannot determine the maximum price for a service pursuant to subparagraphs (1) or (2) above, the maximum price for such service shall be the total of the following:

(i) Direct labor cost of the service, which shall be computed as in subparagraph (1);

(ii) A charge equivalent to the dollars-and-cents charge made by the contractor in March 1942:

(a) For the services rendered in connection with the manufacturing of the most closely related article of the same type; or

(b) If the contractor did not furnish services in connection with the manufacture of articles of the same type, then the same dollars-and-cents charge over direct labor cost made by his most closely competitive contractor of the same class in March 1942 for services performed on the manufacture of articles of the same type.

(e) *Records and reports.* (1) Every person making any charges subject to this section on or after January 1, 1945, shall keep for inspection by the Office of Price Administration for a period so long as the Emergency Price Control Act of 1942, as amended, remains effective, complete and accurate records of:

(i) Each charge made, showing the date thereof, the principal, the nature of the service rendered, the price charged or received, and the method of computing such charge.

(ii) Such person shall keep such records in addition to or in lieu of the records required by this section as the Office of Price Administration may from time to time require.

(iii) Such person shall submit such reports to the Office of Price Administration as it may from time to time require.

(iv) A contractor furnishing services in connection with the production of an article of apparel which the principal is required to price under Maximum Price Regulation 287,[7] or Maximum Price Regulation 570,[8] shall within five days after request by the principal, furnish all information needed by the principal to prepare the records required by those regulations.

ARTICLE X—SOAPS, CLEANSERS AND OTHER LAUNDRY PRODUCTS

SEC. 10.1 *Soaps*—(a) *Definitions.* When used in this section the term:

(1) "Laundry soap" includes all soap and variations thereof commonly known as such, whether sold by the bar, the pound, per cake or otherwise, in bulk or packaged.

(2) "Toilet soap" includes all soap commonly known as such, which is always sold by the cake and prepackaged.

(b) *Maximum prices.*

Items & brand names	Case of—	Price at wholesale	Retail price (per unit)
Chips:			
Balloon	8-4 lb. 10 oz. pkg.	$4.65	$0.73
Easy Task	8-5 lb. pkg.	2.60	.56
Ivory Flakes	60-5 oz. pkg.	6.65	.11
			2 for 25¢
	24-12½ oz. pkg.	6.65	.32
Lux Flakes (large)	30-12½ oz. pkg.	4.75	.20
Lux Flakes (regular)	50-5 oz. pkg.	4.80	.12
	100-5 oz. pkg.	9.65	.12
Magic Washer	60-8 oz. pkg.	7.40	.16
Rinso:			
Giant	8-4 lb. 5 oz. pkg.	5.70	.85
Regular	60-9 oz. pkg.	5.80	.12
Large	24-1 lb. 8 oz. pkg.	5.80	.30
Super Suds	60-9 oz. pkg.	5.80	.12
	24-1 lb. 8 oz. pkg.	5.80	.30
Laundry:			
All brands		.065 lb.	.11 lb.
Powdered, flakes or granulated in bulk		.14 lb.	
Powdered:			
Babbit (extract)	144-5 oz. pkg.	3.50	.03
Gold Dust	100-7 oz. pkg.	3.75	.05
			2 for 9¢
Octagon	120-7 oz. pkg.	3.80	.04
	160-7 oz. pkg.	3.20	.04
Perlino	120-8 oz. pkg.	3.45	.04
Snow Boy	100-7 oz. pkg.	3.19	.04
Super Suds:			
Large	24 oz. pkg.	2.90 doz.	.30
Medium	9 oz. pkg.	1.15 doz.	.12
Victoria	24-24 pkg.	7.20	.36
Toilet:			
Camay	144-3¼ oz.	10.70	.09
Casco	144-3¼ oz.	9.56	.08
Cashmere Bouquet	144-3¼ oz.	6.70	.06
Cashmere Bouquet (regular)	144-2¾ oz.	12.55	.11
Ivory:			
Medium	100-6 oz.	8.35	.10
Large	100-10 oz.	13.60	.17
Toilet—Continued.			
Lifebuoy	144-3 oz.	9.15	$0.08
	200-1 1/10 oz.	9.15	2 for .01
	200-1 oz.	7.15	.02
	100-1 oz.	3.58	.04
Lux	250-1¼ oz.	7.15	.04
	250-2 oz.	8.44	.04
	120-4 oz.	7.15	.10
	240-1 oz.	7.15	.02
	1000-1 oz.	12.85	2 for .03
Maxine	144-3¾ oz.	9.15	.08
Nokay	100-1 2½ oz.	12.10	.02 2/3
			100 for $2
Novia	144-3¾ oz.	11.25	.10
	100-3½ oz.	8.20	.10
Palmolive	48-6 oz.	6.20	.18
	200-1 oz.	10.24	.05
			2 for .09
Giant	144-2 oz.	9.76	.08
Popular	144-2¾ oz.	11.50	.13
Regular	144-2½ oz.	10.20	.09
Pursuit	144-3¾ oz.	13.75	.11
Protex	100-4 oz.	6.40	.09
Swan:			
Large	100-10 oz.	12.45	.16
Regular	100-7 oz.	8.50	.10
Victoria	144-3¾ oz.	9.50	.07

SEC. 10.2 *Cleansers.*

Item and brand names	Case of—	Price at wholesale	Retail price (per unit)
Alum-brite (powder)	12-8 oz.	$1.05	$0.12
	12-16 oz.	1.68	.20
Alumglow	12-16 oz.	3.25	.35
Babbitt (liter tops and bottoms)	48-14 oz.	5.50	2 for .13
Bab-O (metal tops and bottoms)	48-14 oz.	5.60	.14
Big Boy Polishing Powder	36-12 oz.	3.50	.12
Chic	48-14 oz.	2.65	.07
Crystal White	15 oz.	doz. .93	2 for .13
Farola	48-14 oz.	2.65	.07
Kay-Tee	48-12 oz.	2.75	.07
Lumpa Mucho	100-10½ oz.	4.50	.06
Octagon	15 oz.	doz. .63	.07
			2 for .13
Old Dutch	48-14 oz.	3.40	.09
			2 for .17
Palco	48-16 oz.	2.95	.08
			2 for .15
Sapollo	36-28-4 grms.	3.40	.12
Sunbrite	48-13 oz.	2.65	.07
Sunshine	48-14 oz.	2.80	.07
Volcanic	50-14 oz.	4.50	.11
Gold Dust	20-14 oz.	1.50	.08
			2 for .15
Palco	48-14 oz.	2.50	.07
Invincible	100-10 ½ oz.	4.00	.06

SEC. 10.3 *Other laundry products.*

Items and brand names	Case of—	Price at wholesale	Retail price
Laundry Bluing:			
All brands (squares)	12-1 gross sq.	$14.40	1 square for 5¢.
	100 ctns. of 32 sq.	26.60	
Bull Dog Blue: Bluing Liquid	36-2 oz. glass	3.05	$0.12.
Laundry Starch (inedible):			
Argo Gloss	24-16 oz. pkg.	2.30	.12 per pkg.
		5.45 per cwt.	.07 lb. or 14 lbs. for 1¢.
All other inedible laundry starch			

ARTICLE XI—TEXTILES, SHOES, AND LUGGAGE

SEC. 11.1 *Textile products*—(a) *Definitions.* When used in this section the term:

(1) "Textile product" means a manufactured material or article consisting in chief part of wool or other animal fiber, cotton, rayon, silk, linen or synthetic textile fiber by whatever process manufactured, which falls within either Group A, Group B, or Group C, as listed below:

[7] 8 F.R. 9122, 10304, 10001; 9 F.R. 974, 12590.
[8] 10 F.R. 655, 1788, 4662.

GROUP A

Piece goods, yard goods or pound goods, and all garments with the exception of headwear and footwear and the garments and articles enumerated in Group B or Group C.

GROUP B

Aprons
Arm bands
Awnings
Bandanas
Bath mats
Bedspreads
Belts
Bibs
Blankets
Canvas
Chair slip covers
Cleaning rags
Clothes lines
Collars
Comforts
Couch slip covers
Counterpanes
Cuffs
Curtains
Diapers
Dinner sets
Dish cloths
Dolls
Drapes
Dress arm shields
Dresses (women's and misses') having a direct cost to the importer or factory price if locally produced of less than $5.00 each
Duffel bags
Dust shields for garments
Dusting cloths
Elastic
Garters
Fishing line
Gloves
Handkerchiefs
Hosiery
Hot dish holders
Hot pot holders
Infants' binders
Laundry bags
Luncheon sets
Mantillas
Mattress covers
Mattress pads
Men's suits having a direct cost to the importer or factory price if locally produced of more than $13.00 each
Mittens
Mops
Mosquito nets
Napkins
Neckties
Oilcloth
Pillow cases
Polishing cloths
Rugs
Scarfs
Seat covers
Sewing thread
Sheets
Shawls
Shoe bags
Shower curtains
Slacks having a direct cost to the importer or factory price if locally produced of more than $5.00 each
Sport coats having a direct cost to the importer or factory price if locally produced of more than $10.00 each
Suspenders
Table cloths
Table pads
Tape measures
Ticking
Toilet seat covers
Towels
Umbrellas
Veils
Wash cloths
Wrapping twine-string
Yarn

GROUP C

Dresses (women's and misses') having a direct cost to the importer or factory price if locally produced of $5 or more each.

Dresses and suits (children's) sizes 12 or under in dresses and 16 or under in suits, having a direct cost to the importer, or factory price, if locally produced, of more than $18 per dozen.

Ribbon-dressed, laces, lace edgings, rickracks, bias tape, garment bindings, embroidery and tape other than gummed or adhesive.

(2) "Job lot" means a single purchase of a group of units of textile products all of which in trade terms are "remnants", "shorts", "seconds", "pound goods", "imperfects", "close outs", or "substandards".

(3) "Class of textile products" means a group of units of a textile product all of which are identically priced and which are received in one delivery.

(4) "Reference stock number" means the number employed by the manufacturer or supplier and the seller to identify a textile product.

(5) "Textile reference book" means a book containing the seller's descriptive entries of the stock which he has on hand and which he is offering for sale.

(6) "Custom tailor" and "dressmaker" means manufacturers who sell to ultimate consumers in their own establishment, garments manufactured by them to individual specifications and at the special order of such ultimate consumer.

(b) *Maximum prices for imported textile products.* Sellers' maximum prices for imported textile products sold or delivered in the Territory of Puerto Rico shall be:

(1) For a product which is not a part of a job lot and which has been imported by the seller, the maximum price shall be the direct cost to the importer multiplied by the applicable factor set forth below: *Provided*, That the importer may sell at a price not to exceed the manufacturer's or converter's maximum price for sales in the continental United States to purchasers of the same class, plus cost of shipment actually incurred by the importer, as provided in section 14 (a) (6) of this regulation; *And provided further*, That such selling price shall be considered the "direct cost to the importer" for the purposes of this section.

Group	Sales at wholesale	Sales at retail
A	1.20	1.50
B	1.25	1.60
C	1.25	1.75

(2) For a product which is not part of a job lot and which has not been imported by the seller, the maximum price at wholesale shall be the price which the importer is permitted to charge for it under this regulation.

(3) The maximum price at retail shall be the price paid by the retailer, (which may not exceed the maximum price at wholesale determined under the preceding provisions) multiplied by:

Group	Sales at retail
A	1.25
B	1.60
C	1.40

(4) For a job lot sold intact, as received, the maximum price shall be computed by multiplying the direct cost of the job lot by the applicable multiplier in accordance with paragraph (b) (1) above.

(5) For each product received in a job lot, the maximum price shall be the price fixed by the seller, provided that the total of the prices charged for each product within the job lot in which the particular product was received, does not exceed the maximum price for the job lot, and provided that he notifies the Office of Price Administration of such prices in accordance with the requirements of paragraph (f) below.

(6) If a job lot consists of items falling within more than one of the groups of textile products set forth in paragraph (a) (1) the maximum price for the entire lot shall be computed by appiying the lowest multiplier appropriate to any item in the lot.

(7) Notwithstanding the foregoing provisions, any seller who has continuously sold an imported textile product pursuant to the conditions and prices of a written resale price maintenance contract executed by him with the manufacturer prior to April 1942 without any deterioration in quality since that date may apply to the Director of the Office of Price Administration for an order permitting him and other sellers similarly situated to sell such product at the price specified in the contract, or at a price equal to the direct cost to the importer of such product multiplied by 1.67, whichever is lower.

(c) *Maximum prices for locally manufactured textile products.* A seller's maximum prices for locally manufactured textile products sold or delivered in the Territory of Puerto Rico shall be:

(1) The maximum price for a product which is not part of a job lot shall be the factory price (if purchased from a factory) or the cost of manufacture (if manufactured for seller's own account), multiplied by:

Group	Sales at wholesale	Sales at retail
A	1.20	1.50
B	1.25	1.60
C	1.25	1.75

(2) The maximum price at retail shall be the price paid by the retailer (which may not exceed the maximum price at wholesale determined under subparagraph (1) above) multiplied by:

Group:	Sales at retail
A	1.25
B	1.28
C	1.40

(3) The maximum price for a product which is part of a job lot shall be the price fixed by the seller: *Provided*, That the total of the prices charged for each product within the job lot in which the particular product was received does not exceed the maximum price for the entire job lot determined in accordance with paragraph (c) (1) above: *And provided*, That he notified the Office of Price Administration of such prices in accordance with the requirements of paragraph (f) below, as applicable.

(4) All sellers of locally manufactured textile products, except sellers at retail, shall furnish the purchaser with a sales invoice showing the following information: date of sale, number, and description of units sold, the price charged per unit or in the sale of a job lot the price charged for the entire lot. Copies of all such invoices shall be kept for inspection by the OPA for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

(5) If a job lot consists of items falling within more than one of the groups of textile products set forth in paragraph (a) (1) the maximum price for the entire lot shall be computed by applying the lowest multiplier appropriate to any item in the lot.

(d) *Trade practices.* The markups authorized herein are gross markups which shall not be exceeded regardless of the number of sellers handling a textile product. No seller shall change his customary allowances, discounts or other price differentials or his customary alteration charges unless such change results in a lower net price.

(e) *Prohibited practices.* It shall be unlawful for any seller to improperly classify a textile product for the purpose of evading the appropriate pricing provision herein. It shall be unlawful for any seller to revise any maximum price fixed on a textile product and entered in his textile reference book except as otherwise provided in paragraph (h) (2).

(f) *Notification to OPA on sales of job lots.* Within five days of his first sale of a textile product from a job lot the seller shall file a statement with the Territorial Office of Price Administration, San Juan, Puerto Rico, and a duplicate thereof with his local War Price and Rationing Board, which statement shall show the name and address of the person from whom the job lot was purchased, a description of the job lot, the number of units included in each class of textile products, the direct cost of the job lot to the seller if it was imported by the seller, or the price paid for the job lot if it was not imported by the seller, the reference stock numbers assigned as provided in paragraph (g), the selling price of each unit or group of units as determined in accordance with the pricing provisions of paragraph (b) of this section, and the over-all markup taken by the seller on the job lot.

(g) *Identification of textile products.* Every seller shall assign a separate reference stock number to each price classification of textile products and shall clearly identify the physical merchandise with the reference stock number by use of a label, tag, slip, sticker, mark, or other similar appropriate marking.

(h) *Textile reference book.* (1) Every person selling textile products shall prepare a textile reference book which he shall keep and make available for examination by the Office of Price Administration, in which shall be entered prior to the time any textile product is sold or offered for sale, the following information for each price classification of textile products in the seller's stock: The reference stock number, a description of the units comprised, the name and address of the supplier, except in the case of merchandise from a job lot, the date of delivery except in the case of merchandise in a job lot, the multiplier used in computing the maximum price, the direct cost to the seller or the price paid by the seller whichever price is material in accordance with the pricing provisions utilized, and the seller's selling price at wholesale or at retail depending upon the level at which he sells.

(2) The maximum price charged by each seller and entered in his textile reference book shall in no instance be altered except that should the seller have erroneously computed the price for an item entered in such book, the seller's local War Price and Rationing Board may, after having received a written statement of the fact from the seller, if satisfied that the entry was the result of a miscalculation, authorize such seller to change the entry to correspond with the maximum price which he is authorized to charge in accordance with this regulation.

(3) All entries in the textile reference book shall be made in numerical sequence. Textile products received by the seller which are identical to products earlier entered into the reference book shall be re-entered under a new reference stock number.

(4) Notification to customers. Every person selling an imported textile product except at retail shall with each delivery supply the purchaser with a statement, which may be included in and made a part of the seller's invoice, specifying with respect to each price classification delivered: the seller's reference stock number, a notation of the pricing provisions employed, the number and description of units sold, and the price charged. This provision supersedes section 1.9 (b) of this Second Revised Maximum Price Regulation 183 with respect to sales of imported textile products.

Section 14 of the General Maximum Price Regulation ("Sales Slips and Receipts") applies to sales of textile products by local manufacturers.

(i) *Exemptions.* The provisions of this section shall not apply to the following:

(1) Sales of textile products by religious or charitable institutions. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

(2) Sales of uniforms and accessories for the armed forces. Prices are established by the Army and Navy Uniform Services.

(3) Sales at retail by manufacturers, of textile products manufactured in their own factory. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

(4) Sales by custom tailors and dressmakers, as defined in sub-paragraph (a) (6). These sales continue to be covered by the provisions of the General Maximum Price Regulation.

SEC. 11.2 *Bedding*—(a) *Quilts; manufactured by La Industrial Algodonera.*

	Price at wholesale (per dozen)	Retail price (each)
Cotton batting covered with cretonne:		
Size 27" x 45"	$13.50	$1.50
Size 42" x 60"	16.00	1.80
Size 50" x 70"	18.00	2.00
Size 54" x 76"	19.00	2.15
Covered with sateen and crêpe:		
Size 50" x 70"	29.00	3.35
Size 60" x 74"	34.00	3.95

(b) *Pillows.*

	Price at wholesale (per dozen)	Retail price (each)
Size 18" x 30"	$ 7.00	$0.80
Size 15" x 20"	4.50	.50
Baby size	1.75	.20

SEC. 11.3 *Bags, second hand*—(a) *Maximum prices.*

	Capacity 100 pounds or less (per bag)	Capacity over 100 pounds (per bag)
	Cents	*Cents*
To collectors:		
Processed bags	12	20
Unprocessed bags	10	18
Unmendable bags	08	15
To dealers (delivered):		
Processed bags	14	23
Unprocessed bags	12	21
Unmendable bags	10	18
To consumers (delivered):		
Processed or "in order" bags	16.5	28
Unprocessed bags	13	21
Unmendable bags	11	20

(b) *Definitions.* When used in this section the term:

(1) "Second hand bag" means an empty container, composed of burlap, jute, sisal, istle, cotton, cloth, gunny cloth, or other textile material which has either been previously used to package any commodity or is manufactured from any such textile material which material itself has been previously used to package any commodity or for any other commercial purpose. The term shall include an "unmendable" bag. It shall not include a bag containing a commodity packaged therein nor a container composed of any of the above textile materials which material has deteriorated to an extent that is no longer sufficiently sound for reuse as a container, commonly referred to by the trade as "junk" or "waste" material.

(2) "Collector" means any person who gathers second hand bags from persons who remove the contents from the bags known in the trade as "emptiers".

(3) "Processed" or "in order" bag means a second hand bag of sound material which is clean and free from holes. A bag shall be considered free from holes if all holes including trier or probe holes, have been patched or mended.

(4) "Unprocessed" or "as is" bag means a second hand bag of sound material which is not clean or which requires patching or mending.

(5) "Unmendable" bag means an "unprocessed" bag of sound material which can be reused as a container but which is cut or torn from previous use to such an extent that it cannot feasibly be mended or patched to fit the specification of a "processed" or "in order" bag.

(6) "Bag dealer" means any person who processes, reconditions, or places second hand bags in condition for reuse.

(7) "Capacity" means the number of pounds of the product which the bag was constructed to contain.

SEC. 11.4 *Shoes*—(a) *Definitions.* When used in this section, the term:

(1) "Shoes" means all types of covering for the human feet except hosiery.

(2) "Job lot" means a single purchase of a group of shoes all of which in trade terms are "seconds," "imperfects," "close outs," "sub-standards," "discontinued models" or "samples."

(3) "Shoe reference book" means a book containing the seller's descriptive entries of the shoes which he is offering for sale and the maximum prices authorized for them by this section.

(4) "Reference stock number" means the numbers employed by the manufacturer or supplier and the seller to identify a pair of shoes.

(5) A "price line of shoes" means a group of styles of footwear offered by a seller at the same price for each style in the group.

(6) "Group A" refers to all women's, misses' and growing girls' shoes which cost $3.00 or less per pair f. o. b. port of shipment and all shoes other than women's, misses' and growing girls' which cost $4.00 or less per pair f. o. b. port of shipment.

(7) "Group B" refers to all women's, misses' and growing girls' shoes which cost more than $3.00 per pair f. o. b. port of shipment and all shoes other than women's, misses' and growing girls' which cost more than $4.00 per pair f. o. b. port of shipment.

(b) *Maximum prices for imported shoes.* Except as otherwise specified in paragraph (c) a seller's maximum prices for imported shoes sold or delivered in the Territory of Puerto Rico shall be:

(1) For shoes which have been imported by the seller and which were not received as a part of a job lot, the cost per pair f. o. b. port of shipment multiplied by:

Group	Sales at wholesale	Sales at retail
A	1.25	1.60
B	1.28	1.67

(2) For shoes which have not been imported by the seller and which were not received by him as a part of a job lot, the price paid to the importer multiplied by:

Group:	Sales at retail
A	1.28
B	1.30

(3) For a job lot of shoes sold intact, the cost of the job lot, f. o. b. point of shipment, multiplied by 1.25: This markup may be taken only once, regardless of the number of sellers.

(4) For each pair of shoes received in a job lot, the price fixed by the seller: *Provided*, That the total of the prices charged for each pair of shoes within the job lot in which the shoes were received, shall not exceed the cost of the lot f. o. b. port of shipment multiplied by 1.25 at wholesale and 1.60 at retail on sales by importers, and the price paid to the importer multiplied by 1.28 on sales at retail by a merchant other than the importer.

(5) For shoes purchased in a job lot, part of which job lot has been sold prior to the effective date of this regulation, the price established and filed with the War Price and Rationing Boards in accordance with the requirements of the General Maximum Price Regulation. The seller's maximum price for shoes from a broken job lot which cannot be established by reference to such a price list shall be a maximum price, in line with the level of maximum prices established by this regulation, as determined by the Director of the Office of Price Administration at San Juan, Puerto Rico, on application of the seller.

(c) *Duty.* On all shoes on which duty is payable, the seller may add to the price of each pair of shoes the charge for duty which he has paid on them. The duty shall not be included in the cost price either by the importer or by the retailer for purposes of computing the markup to which the seller is entitled. Sales of imported shoes at wholesale on which duty has been paid shall be so invoiced as to state the amount of duty separately from the price charged for the shoes.

(d) *Trade practices.* The markups authorized herein are gross markups which shall not be exceeded regardless of any additional, unexpected, or unusual costs which the seller may have incurred or of the number of sellers handling the shoes. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower net price.

(e) *Prohibited practices.* It shall be unlawful for any seller to improperly classify a pair of shoes for the purpose of evading the pricing provision applicable to the sale of such shoes. It shall likewise be unlawful for any seller to revise the price entered in his shoe reference book for any pair of shoes except as otherwise provided in paragraph (h) (2).

(f) *Notification to OPA on sales of job lots.* Within five days of his first sale of a pair of shoes from a job lot the seller shall file a statement with the Territorial Office of the Office of Price Administration, San Juan, Puerto Rico, a copy with his local War Price and Rationing Board and retain a copy for his own files, which statement shall show:

(1) The name and address of the person from whom the lot was purchased;

(2) A description of the job lot;

(3) The number of pairs of shoes included within each price line;

(4) The reference stock number assigned as provided in paragraph (a);

(5) The f. o. b. port of shipment cost of the job lot to the seller, if imported by the seller, or the price paid to the importer for the job lot if not imported by the seller;

(6) The amount of duty, if any, paid by the importer;

(7) The selling price of each pair of shoes as determined in accordance with the pricing provision of paragraph (b) of this section; and

(8) Over-all markup taken by the seller on the job lot.

(g) *Identification of shoes.* Every seller shall assign a separate reference stock number to each price line of shoes and shall clearly mark on each pair of shoes the stock number by use of a label, tag, slip, sticker, mark, or other similar appropriate marking.

(h) *Shoe reference book.* (1) Every person selling shoes shall prepare a shoe reference book which he shall keep and make available for examination by the Office of Price Administration or by any person duly authorized by the Territorial Director of the Office of Price Administration, in which shall be entered prior to the time shoes are sold or offered for sale, the following information for each price classification of shoes in the seller's stock:

(i) The reference stock numbers;

(ii) A description of the units included;

(iii) The name and address of the supplier;

(iv) The date received;

(v) The cost to the seller or the price paid to the importer, whichever price is material in accordance with the pricing provision utilized, the duty if any paid by the importer;

(vi) The multiplier used in computing the maximum price; and

(vii) The selling price at wholesale or at retail depending upon the level at which the shoes are offered for sale.

(2) The maximum price charged by each seller and entered in his shoe reference book shall in no instance be altered except that should the seller have erroneously computed the price for an item entered in such book, the seller's Local War Price and Rationing Board may, after having received a written statement of the fact from the seller, if satisfied that the entry was the result of a miscalculation, authorize such seller to change the entry to correspond with the maximum price which he is authorized to charge in accordance with this regulation.

(3) All entries in the shoe reference book shall be made in numerical sequence. Shoes received by the seller which are identical to others earlier entered into the reference book shall be re-entered under a new reference stock number.

(i) *Notification to customers.* Every person selling shoes, except at retail, shall with each delivery supply the purchaser with a statement, which may be included in and made a part of the seller's invoice, specifying with respect to each price classification delivered:

(1) The seller's reference stock number;

(2) A notation of the pricing provision employed;

(3) The number and description of units sold;

(4) The price charged; and

(5) The duty paid, if any.

The provisions of this paragraph (i) supersede section 1.9 (b) (1) of Second Revised Maximum Price Regulation 183 with respect to sales of shoes.

SEC. 11.5 *Luggage*—(a) *Maximum prices for imported luggage (at retail).* (1) The maximum price at retail shall be determined by multiplying the retail price established in accordance with MPR–476* (Article III, section 8 (a)) by 1.10.

(b) *Definitions.* When used in this section the term:

(1) "Luggage" means any new container commonly used for the transportation of personal effects on a journey; for example, furlough bags, overnight cases, week-end cases, pullman cases, men's wardrobes, and footlockers. In addition, the term "luggage" includes physicians' bags, sample cases and sample trunks. Furthermore, the term "luggage" as used in this regulation includes new leather and non-leather luggage manufactured in the continental United States.

ARTICLE XII—UTENSILS AND HOUSEHOLD GOODS

SEC. 12.1 *Alarm clocks.*

	Price at wholesale	Price at retail
Alarm clocks (war model)	$1.55	$2.00

NOTE: The maximum prices fixed are gross prices including all taxes.

*8 F.R. 15977, 15193, 17414; 9 F.R. 3508.

Quality—number of strings	At wholesale	At retail
	Per dozen	*Per dozen*
2	$5.60	$7.00
3	7.50	9.35
4	8.75	10.90
5	10.50	13.10

(b) *Definitions.* When used in this section the term:

(1) "Broom corn" means the plant of the sorghum family used in the manufacture of brooms and brushes.

SEC. 12.5 *Electric irons.*

Item and brand names	Model No.	Description	Price at wholesale	Price at retail
			Each	*Each*
Electric Irons:				
American Electric Heater Co., Detroit, Mich.	55AB	Automatic, 1,000 watts	$5.30	$10.55
Chicago Electric Co., Chicago, Ill.	242A	Automatic, 800 watts	5.62	7.90
Chicago Flexible Shaft Co., Chicago, Ill.	A.A.	Automatic, 1,000 watts	7.75	11.15
Dominion Electric Mfg. Co., Mansfield, Ohio.	1002 1002A	Automatic, 1,000 watts Automatic, 1,000 watts	6.55 6.55	9.40 9.40
General Electric Co., Bridgeport, Conn.	1116F135 1116F132	Automatic, 1,000 watts Automatic, 1,000 watts	4.45 4.60	6.60 6.65
Knapp Monarch Co., St. Louis, Mo.	400R	Automatic, 1,000 watts	5.35	7.55
Landers, Frary & Clark, New Britain, Conn.	0174 0174X 0184	Automatic, 800 watts Automatic, 1,000 watts Automatic, 1,000 watts	5.50 7.50 9.10	10.50 13.15
Manning-Bowman Co., Meriden, Conn.	86-3900	Automatic, 800 watts	4.25	6.10
Montgomery Ward, Chicago, Ill.	351	Automatic, 1,000 watts	6.55	9.35
National Stamping & Electric Works, Chicago, Ill.	975	Automatic, 1,000 watts	7.20	10.45
Proctor Electric Co., Philadelphia, Pa.	500	Automatic, 1,000 watts	6.65	9.60
Sampson United Corp., Rochester, N. Y.		Automatic, 1,000 watts	5.40	7.80
Sears, Roebuck Co., Chicago, Ill.	27-6246 27-6247A	Automatic, 1,000 watts Automatic, 1,000 watts	5.60 5.60	7.85 7.85
Sole Chief Electries, Inc., Wilmington, Del.	27-6261A1 27-6261B1	Automatic, 1,000 watts Automatic, 1,000 watts, 500 watts	5.55 5.75	7.85 11.15
Steam Electric Co., St. Louis, Mo.	425	Steam non-automatic, with cord and connection	2.50	4.20
Superior Electric Products, Inc., Cape Girardeau, Mo.	1265W 1250	Non-automatic, 600 watts Automatic, 1,000 watts	3.60 5.60	5.60 8.30
Tennessee Valley Appliances, Nashville, Tenn.	100	Non-automatic, 625 watts	3.50	5.95
Wagge Mfg. Co., Chicago, Ill.	42-H 42-H10	Nonautomatic Automatic, 1,000 watts	4.10 11.10	6.95 16.80
Waverly Tool Co., Irvington, N.J.	10-200	Steam Automatic, 1,000 W	11.10	

SEC. 12.6 *Flat bedsprings*—(a) *Definitions.* When used in this section the term:

(1) "Flat bedspring" is an open non-upholstered bedspring with wooden frame.

Spring—One to join the cables.

(3 Double Deck 54" x 72"..... | | *Per dozen* $42.00

Minimum Specifications:
Frame—13 sq. ft. (Pitch pine) or wood of equivalent strength and serviceability:
2 Side Rails—2" x 3" x 6'
2 End Rails—2" x 3" x 4½'
2 End Bands—⅞" x 3" x 4½'
Screws:
2—⅜" x 9"
6—⅜" x 4½"
Fabric:
Wire
Gauge—22½ Spun in pairs—2 x 2
Ten and one half Pounds used in each bedspring.
Cables—(2) Spun—14 wires to a cable.
Borders (Sides)—Spun—14 wires to a cable.
Spring—One to join the cables.

(c) *Retail price tag.* On and after November 22, 1944, all manufacturers of flat bedsprings are required before delivery of any bedspring to attach a retail price tag showing the maximum retail price authorized by this section for such bedspring.

NOTE: The maximum prices for flat bedsprings other than those enumerated above shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such price established in the form of an Amendment or order prescribing the maximum price for the applicant or for sellers of such flat bedsprings generally, and shall be a price in line with the maximum prices fixed above for particular sizes with minimum specifications.

(b) *Maximum prices for bedsprings manufactured in Puerto Rico.*

Item and brand names	Model No.	Description	Price at wholesale	Price at retail
			Each	*Each*
(1) Simple Deck 42" x 72".....		2 burners, without legs	$5.25	$7.35
		3 burners, without legs	6.00	8.40
		2 burners, with legs	6.00	8.40
		3 burners, with legs	6.75	9.45
		4 burners, with legs	7.50	10.50
		5 burners, with legs	8.25	11.55
		2 burners, without legs	7.50	10.50
		3 burners, without legs	8.25	11.55
		4 burners, without legs	9.00	12.60
		5 burners, without legs	9.75	13.65
		3 burners, without legs	9.00	12.60
(2) Three Quarter's Deck—48" x 72".....		4 burners, without legs	10.50	14.70
		5 burners, without legs	11.25	15.75
		6 burners, without legs	12.00	16.80
Minimum Specifications: Frame—12 sq. ft. (Pitch pine) or wood of equivalent strength and serviceability: 2 Side Rails—2" x 3" x 6' 3 End Rails—2" x 3" x 4½' 2 End Bands—⅞" x 3" x 4½' Screws: 2—⅜" x 9" 6—⅜" x 4½" Fabric: *Wire* Gauge—22½ Spun in pairs—2 x 2 Nine Pounds used in each bedspring. *Cables*—(2) Spun—14 wires to a cable. *Borders* (Sides)—Spun—14 wires to a cable. *Spring*—One to join the cables.				

SEC. 12.7 *Kerosene stoves.*

Item and brand names	Model No.	Description	Price at wholesale	Price at retail
			Each	*Each*
Kerosene stoves:				
Dripe.....	C2NN	2 burners, without legs	$5.40	$7.80
Dripe.....	C3NN	3 burners, without legs	5.60	8.05
Dripe.....	C2N	2 burners, with legs	5.60	8.05
Dripe.....	C3N	3 burners, with legs	5.85	8.45
Hoss.....	10-AWS	3 burners, without legs	8.50	11.15
Nesco.....	1425	3 burners, with legs	6.75	11.15
Nesco.....	1426	3 burners, without legs	7.75	
Nesco.....	1427	4 burners, without legs	9.00	
Stil Blaire.....	5436	3 burners, without legs	8.50	
Gem.....	5436	3 burners, with legs	9.00	
Gem.....	5437	4 burners, without legs	10.50	
Gem.....	5438	5 burners, without legs	12.00	

SEC. 12.3 *Candles (imported).*

Items and brand names	Case of—	Price at wholesale	Price at retail
All candles—No. 8.....	250	$4.45	$9.62 each.
	640	4.45	.01 each.
Except the following:			
Adlake.....	640	4.75	24 for 3c.
Silver.....	640	4.75	24 for 3c.
Diamond No. 16.....	640	6.50	$0.03 each.
Diamond No. 8.....	250	6.50	$0.03 each.

SEC. 12.4 *Cooking pots*—(a) *Locally manufactured.*

	Price at wholesale	Retail price
Cooking pots (cast iron).....	$0.15 per lb.	$0.225 per lb.

(b) *Definitions.* When used in this section the term:

(1) "Broom corn" means the plant of the sorghum family used in the manufacture of brooms and brushes.

SEC. 12.2 *Brooms*—(a) *Manufactured from broom corn in Puerto Rico and Cuba.*

Quality—number of strings	At wholesale	At retail
	Per dozen	*Per broom*
2	$5.60	$0.60
3	7.50	.75
4	8.75	.90
5	10.50	1.10

(b) *Definitions.* When used in this section the term:

(1) "Broom corn" means the plant of the sorghum family used in the manufacture of brooms and brushes.

SEC. 12.5 *Electric irons.*

Item and brand names	Model No.	Description	Price at wholesale	Price at retail
			Each	*Each*
Electric Irons:				
American Electric Heater Co., Detroit, Mich.	55AB	Automatic, 1,000 watts	$5.30	$10.55
Chicago Electric Co., Chicago, Ill.	242A	Automatic, 800 watts	5.62	7.90
Chicago Flexible Shaft Co., Chicago, Ill.	A.A.	Automatic, 1,000 watts	7.75	11.15
Dominion Electric Mfg. Co., Mansfield, Ohio.	1002 1002A	Automatic, 1,000 watts Automatic, 1,000 watts	6.55 6.55	9.40 9.40
General Electric Co., Bridgeport, Conn.	1116F135 1116F132	Automatic, 1,000 watts Automatic, 1,000 watts	4.45 4.60	6.60 6.65
Knapp Monarch Co., St. Louis, Mo.	400R	Automatic, 1,000 watts	5.35	7.55
Landers, Frary & Clark, New Britain, Conn.	0174 0174X 0184	Automatic, 800 watts Automatic, 1,000 watts Automatic, 1,000 watts	5.50 7.50 9.10	10.50 13.15
Manning-Bowman Co., Meriden, Conn.	86-3900	Automatic, 800 watts	4.25	6.10
Montgomery Ward, Chicago, Ill.	351	Automatic, 1,000 watts	6.55	9.35
National Stamping & Electric Works, Chicago, Ill.	975	Automatic, 1,000 watts	7.20	10.45
Proctor Electric Co., Philadelphia, Pa.	500	Automatic, 1,000 watts	6.65	9.60
Sampson United Corp., Rochester, N. Y.		Automatic, 1,000 watts	5.40	7.80
Sears, Roebuck Co., Chicago, Ill.	27-6246 27-6247A	Automatic, 1,000 watts Automatic, 1,000 watts	5.60 5.60	7.85 7.85
Sole Chief Electries, Inc., Wilmington, Del.	27-6261A1 27-6261B1	Automatic, 1,000 watts Automatic, 1,000 watts, 500 watts	5.55 5.75	7.85 11.15
Steam Electric Co., St. Louis, Mo.	425	Steam non-automatic, with cord and connection	2.50	4.20
Superior Electric Products, Inc., Cape Girardeau, Mo.	1265W 1250	Non-automatic, 600 watts Automatic, 1,000 watts	3.60 5.60	5.60 8.30
Tennessee Valley Appliances, Nashville, Tenn.	100	Non-automatic, 625 watts	3.50	5.95
Wagge Mfg. Co., Chicago, Ill.	42-H 42-H10	Nonautomatic Automatic, 1,000 watts	4.10 11.10	6.95 16.80
Waverly Tool Co., Irvington, N.J.	10-200	Steam Automatic, 1,000 W	11.10	

SEC. 12.6 *Flat bedsprings*—(a) *Definitions.* When used in this section the term:

(1) "Flat bedspring" is an open non-upholstered bedspring with wooden frame.

Spring—One to join the cables.

(3 Double Deck 54" x 72"..... | | *Per dozen* $42.00

Minimum Specifications:
Frame—13 sq. ft. (Pitch pine) or wood of equivalent strength and serviceability:
2 Side Rails—2" x 3" x 6'
2 End Rails—2" x 3" x 4½'
2 End Bands—⅞" x 3" x 4½'
Screws:
2—⅜" x 9"
6—⅜" x 4½"
Fabric:
Wire
Gauge—22½ Spun in pairs—2 x 2
Ten and one half Pounds used in each bedspring.
Cables—(2) Spun—14 wires to a cable.
Borders (Sides)—Spun—14 wires to a cable.
Spring—One to join the cables.

(c) *Retail price tag.* On and after November 22, 1944, all manufacturers of flat bedsprings are required before delivery of any bedspring to attach a retail price tag showing the maximum retail price authorized by this section for such bedspring.

NOTE: The maximum prices for flat bedsprings other than those enumerated above shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such price established in the form of an Amendment or order prescribing the maximum price for the applicant or for sellers of such flat bedsprings generally, and shall be a price in line with the maximum prices fixed above for particular sizes with minimum specifications.

(b) *Maximum prices for bedsprings manufactured in Puerto Rico.*

Item and brand names	Model No.	Description	Price at wholesale	Price at retail
			Each	*Each*
(1) Simple Deck 42" x 72".....		2 burners, without legs	$5.25	$7.35
		3 burners, without legs	6.00	8.40
		2 burners, with legs	6.00	8.40
		3 burners, with legs	6.75	9.45
		4 burners, with legs	7.50	10.50
		5 burners, with legs	8.25	11.55
		2 burners, without legs	7.50	10.50
		3 burners, without legs	8.25	11.55
		4 burners, without legs	9.00	12.60
		5 burners, without legs	9.75	13.65
		3 burners, without legs	9.00	12.60
(2) Three Quarter's Deck—48" x 72".....		4 burners, without legs	10.50	14.70
		5 burners, without legs	11.25	15.75
		6 burners, without legs	12.00	16.80
Minimum Specifications: Frame—12 sq. ft. (Pitch pine) or wood of equivalent strength and serviceability: 2 Side Rails—2" x 3" x 6' 3 End Rails—2" x 3" x 4½' 2 End Bands—⅞" x 3" x 4½' Screws: 2—⅜" x 9" 6—⅜" x 4½" Fabric: *Wire* Gauge—22½ Spun in pairs—2 x 2 Nine Pounds used in each bedspring. *Cables*—(2) Spun—14 wires to a cable. *Borders* (Sides)—Spun—14 wires to a cable. *Spring*—One to join the cables.				

SEC. 12.7 *Kerosene stoves.*

Item and brand names	Model No.	Description	Price at wholesale	Price at retail
			Each	*Each*
Kerosene stoves:				
Dripe.....	C2NN	2 burners, without legs	$5.40	$7.80
Dripe.....	C3NN	3 burners, without legs	5.60	8.05
Dripe.....	C2N	2 burners, with legs	5.60	8.05
Dripe.....	C3N	3 burners, with legs	5.85	8.45
Hoss.....	10-AWS	3 burners, without legs	8.50	11.15
Nesco.....	1425	3 burners, with legs	6.75	11.15
Nesco.....	1426	3 burners, without legs	7.75	
Nesco.....	1427	4 burners, without legs	9.00	
Stil Blaire.....	5436	3 burners, without legs	8.50	
Gem.....	5436	3 burners, with legs	9.00	
Gem.....	5437	4 burners, without legs	10.50	
Gem.....	5438	5 burners, without legs	12.00	

SEC. 12.3 *Candles (imported).*

Items and brand names	Case of—	Price at wholesale	Price at retail
All candles—No. 8.....	250	$4.45	$9.62 each.
	640	4.45	.01 each.
Except the following:			
Adlake.....	640	4.75	24 for 3c.
Silver.....	640	4.75	24 for 3c.
Diamond No. 16.....	640	6.50	$0.03 each.
Diamond No. 8.....	250	6.50	$0.03 each.

SEC. 12.4 *Cooking pots*—(a) *Locally manufactured.*

	Price at wholesale	Retail price
Cooking pots (cast iron).....	$0.15 per lb.	$0.225 per lb.

SEC. 12.8 *Matches*—(a) *Maximum prices*—(1) *All varieties of boxed wooden safety matches.*

(i) *Sales at wholesale*—$1.15 per gross, or a price derived by applying a markup over direct cost of 10¢ per gross, whichever results in a lower price.

(ii) *Sales at retail*—1¢ per box.

(2) *Certain Cuban wax matches.*

	At wholesale (per gross)	At retail (per box)
Yumuri, No. 100.....	$8.43	$0.07
Yumuri No. 6.....	6.64	.05
Yumuri No. 2.....	3.95	.03
Fausto No. 100.....	6.99	.05
Cabanas No. A.....	3.31	.03

(i) The maximum prices for all varieties of Cuban wax matches other than those enumerated above, for folding book matches and for any other varieties of matches than those enumerated herein shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of amendment or of order prescribing the maximum price for the applicant or for sellers of such matches generally and shall be a price in line with the maximum prices fixed above on enumerated brands.

(b) *Definitions.* When used in this section the term:

(1) "Boxed wooden safety matches" means wooden matches, with a specially prepared head such as Signal Light, Palmer, Independence, Hav-a-lite, Red Stop and Criterion, which normally light only when struck on a specially prepared surface and which are packed in two piece wooden splint or paperboard boxes, containing no less than 30 matches.

ARTICLE XIII—TOYS AND GAMES

SEC. 13.1 *Maximum retail prices for toys and games.* The maximum retail prices for toys and games sold or delivered in the Territory of Puerto Rico shall be computed as follows:

(a) On imported toys and games the direct cost to the importer, as defined in section 1.14 (a) (b) multiplied by 1.75.

(b) On toys and games manufactured in the Territory of Puerto Rico the price charged by the manufacturer, which in no event may exceed the maximum price established by any applicable price regulation or order, multiplied by 1.75.

(c) Sales at retail by manufacturers of toys and games manufactured in their own factory are exempt. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

ARTICLE XIV—MISCELLANEOUS

SEC. 14.1 *Cane blackstrap molasses*—(a) *Definition.* When used in this regulation the term:

(1) "Cane blackstrap molasses" means the final by-product from sugar manufacturing after the extraction of all commercially available sucrose.

(b) *Maximum price.* The maximum price for cane blackstrap molasses shall be 13.6 per gallon delivered at the mill or at the mill tank. This is a gross price to which may be added no additional charges for warehousing, handling, transportation from mill to mill tank, or between mills of the same company, or for any other service or incidents of sale except that a purchaser from a mill may on resale add the actual transportation charges incurred by him in transporting the molasses from the mill or mill tank to the point at which the buyer received delivery.

SEC. 14.2. *Penicillin.*

	Price at retail (100,000 Oxford units)
All brands:	
Penicillin.....	$2.50

This Second Revised Maximum Price Regulation 183 shall become effective as of June 4, 1945.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11131; Filed, June 23, 1945; 11:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 E,[1] Amdt. 5]

SALES AT WHOLESALE OF CERTAIN COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Section 2.7 of Supplementary Regulation 14 E is amended in the following respects:

1. Paragraph (k) is amended to read as follows:

(k) *Sales of certain sheetings and print cloth yarn fabrics in the grey.* (1) This paragraph applies to sales at wholesale of print cloth yarn fabrics in the grey and sheetings Class A, B and C in the grey for which the producer's maximum prices are respectively established in Tables II and III of Appendix A of Revised Price Schedule No. 35.

(2) The maximum price for sales at wholesale of a print cloth yarn fabric in the grey and a sheeting Class A, B and C in the grey shall be the sum of the maximum price of the fabric or sheeting determined in accordance with the General Maximum Price Regulation and 3.4% of the producer's maximum price established by Revised Price Schedule No. 35.

2. Paragraph (n) is added to read as follows:

(n) *Minimum ceilings for laundry nets.* (1) This paragraph applies to sales at wholesale of laundry nets for which producers' maximum prices are established by Maximum Price Regulation No. 118.

(2) The maximum price for sales of laundry nets at wholesale where the seller makes shipment of the product to the purchaser from his own stock carried in his warehouse or place of business, shall be not less than the sum of the seller's net invoice cost of the product and freight from the manufacturer's or producer's mill to the seller's place of storage, divided by 0.84.

(3) The maximum price for sales of laundry nets at wholesale where the seller makes shipment or has shipment made to the purchaser otherwise than in the manner described in subparagraph (2) shall be not less than the seller's net invoice cost of the product as billed to him by his supplier, divided by 0.91.

This amendment shall become effective June 28, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-11132; Filed, June 23, 1945; 11:42 a. m.]

[1] 10 F.R. 1183, 2014, 4156.

PART 1499—COMMODITIES AND SERVICES

[SR 14F, Amdt. 6]

MAXIMUM PRICES FOR CERTAIN DYEWOOD EXTRACTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 32 is added to read as follows:

SEC. 32. *Maximum prices for sales of certain dyewood extracts to industrial users.* Notwithstanding anything in this General Maximum Price Regulation, the maximum prices for sales to industrial users of the following dyewood extracts shall be as follows:

(a) *Basic liquid dyewood extracts.*

	East of the Rocky Mountains (per 100 pounds delivered to customer's receiving point)	West of the Rocky Mountains (per 100 pounds, f. o. b. producer's plant)
Logwood, 51°.....	$17	$16
Fustic, 30°.....	14	13
Hypernic, 60°.....	19	18

(b) *Derivatives.* The maximum price for a sale of a derivative of any of the basic dyewood extracts listed above shall be the maximum price for such a sale in effect immediately prior to June 28, 1945, plus an amount per 100 pounds of derivative obtained by multiplying the increase permitted by paragraph (a) above per 100 pounds of the corresponding basic dyewood extract by the number of hundreds of pounds of basic dyewood extract equivalent per hundred pounds of the derivative.

Example: If the permitted increase in the maximum price for 100 pounds 51° logwood extract is $3.00 per hundred lbs., and the 51° logwood extract equivalent per 100 lbs. of solid logwood extract is 150 lbs., the maximum price for solid logwood extract may be increased 1.5 times $3.00 or $4.50 per hundred pounds.

On or before July 28, 1945, each producer shall file with the Rubber, Chemicals and Drugs Price Branch, Office of

Price Administration, Washington 25, D. C., a complete list of his maximum prices for sales to industrial users for such derivatives computed as indicated above, also showing his maximum price prior to the issuance of this section.

(c) The maximum prices established by paragraphs (a) and (b) above shall be subject to the discounts, commissions, allowances, and trade practices in effect on sales of such dyewood extracts by that seller in March 1942.

(d) If the buyer of the dyewood extracts covered by this section purchases through a broker or other agent acting for the buyer, the sum of the price paid by the buyer to the seller plus the commission fee or other charge paid by the buyer to his broker or other agent may not exceed the maximum prices established by this section.

This amendment shall become effective June 28, 1945.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11133; Filed, June 23, 1945; 11:42 a. m.]

PART 1429—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 117]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register:

Section 15, Appendix K is amended in the following respects:

1. In paragraph (b) (3), the second subparagraph beginning "'Standard container' in the case of grapes" is amended to read as follows:

"Standard container" in the case of grapes means a closed lug box packed with (i) 36 pounds or more of juice grapes grown in California, (ii) 24 pounds or more of table grapes grown in Arizona or in Riverside or Imperial County or the Borego Valley area of San Diego County in California or (iii) 28 pounds or more of table grapes grown elsewhere in California.

2. Paragraph (c) (2) is amended to read as follows:

(2) *As to grapes.* For the purposes of this appendix, standard containers of grapes shall be in Class C.

3. In paragraph (f), Table 2 is added between Tables 1 and 3 to read as follows:

TABLE 2—MAXIMUM PRICES FOR JUICE GRAPES GROWN IN CALIFORNIA AND TABLE GRAPES GROWN IN CALIFORNIA AND ARIZONA

Col. 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices for fruit loaded on car or truck at shipping point [1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer
	Juice[2] grapes grown in California					
1	Packed in lug boxes with a net weight of 36 pounds or more.	Per lug	All season	$2.00	Col. 5 price plus freight (including 3% transportation tax) from Bakersfield, California, plus protective service allowance.[4]	Same as Col. 6 price.
2	Packed in lug boxes with a net weight of less than 36 pounds and in all other containers.[3]	Per pound	All season	5.6 cents	Maximum price for item 1 above divided by 36.	Same as Col. 6 price.
	Table[2] grapes grown in Arizona or in Riverside or Imperial County or the Borego Valley area of San Diego County in California					
3	Packed in lug boxes with a net weight of 24 pounds or more.	Per lug	All season	$3.20	Col. 5 price plus actual cost of transportation from shipping point plus actual cost of protective services furnished (exclusive of precooling) not to exceed the lowest common carrier charge for the same service (including 3% transportation tax).[4]	Col. 6 price plus 8 cents.
4	Packed in lug boxes with a net weight of less than 24 pounds and in all other containers.[3]	Per pound	All season	13.3 cents	Maximum price for item 3 above divided by 24.	Col. 6 price plus 1½ cents.
	Table[2] grapes grown elsewhere in California					
5	Packed in lug boxes with a net weight of 28 pounds or more.	Per lug	Beginning-August 10	$2.10	Col. 5 price plus freight (including 3% transportation tax) from Bakersfield, California, plus protective service allowance.[4]	Col. 6 price plus 70 cents.
6			August 11-November 10	$1.65		
7			November 11-December 10	$1.40		
8			December 11-end of season	$2.20		
9	Packed in lug boxes with a net weight of less than 28 pounds and in all other containers.[3]	Per pound	Beginning-August 10	$.6 cents	Maximum price above for the applicable season (items 5-8) divided by 28.	Col. 6 price plus 2 cents.
10			August 11-November 10	5.9 cents		
11			November 11-December 10	6.8 cents		
12			December 11-end of season	7.9 cents		

[1] "Juice grapes" means the following varieties: Alicante, Barberone, Aramon, Burger, Burgundy, Carignane, Chianti, Cinsaut, Oregano, Grenache, Malvoisie, Mataro, Mission, Muscat, Petite Bouschet, Petite Sirah, Valdepena, Zinfandel.
"Table grapes" means all other varieties of the vinifera type.

[2] The maximum price for grapes sold in bulk (loose without containers or in containers furnished by the buyer) shall be 0.6 for juice grapes 1.7¢ per pound less than for item 2 and 0.6 for table grapes 2.7¢ per pound less than for items 4, 9, 10, 11 and 12.

[3] No separate charge shall be made for precooling since an allowance for precooling is included in the f. o. b. price (see paragraph (b)).

[4] The following table shows amounts for protecting services:

Wholesale receiving points	Allowance per lug for protective services (exclusive of 3% transportation tax)	
	Juice grapes	Table grapes
1. In all states wholly east of the Mississippi River except in Wisconsin and Illinois.	14 cents	12 cents.
2. In all other states except California, Oregon and Washington.	10 cents	9 cents.
3. In Oregon and Washington	5 cents	4 cents.
4. In California	none	None.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5928, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10192, 10499, 10877, 10777, 10878, 11350, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14062, 13995, 14437, 14731, 15107, 15107; 10 F.R. 49, 256, 460, 923, 1540, 1403, 1456, 1910, 2024, 2026, 2145, 2160, 2188, 2245, 2515, 2521, 2965, 3054, 4156, 4266, 4665, 4718, 4817, 5045, 5101, 5458, 5721, 5797, 5955, 6037, 6107, 6308.

4. In paragraph (g), Table A is amended by adding footnote reference 2 to the sub-headings of Columns 7 and 10 and by inserting Items 2 and 2a and amending the footnotes to read as follows:

TABLE A—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY GROWER-PACKERS, SHIPPING POINT DISTRIBUTORS AND THEIR AGENTS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE

[See Column 5 or 6 of tables in paragraph (f)][1]

Col. 1	2	3	4	5	6	7	8	9	10	11	12
			Sales by grower-packers				Sales by any person (including grower-packers) through a grower's sales agent and sales by shipping point distributors				
Item No.	Commodity	Unit	Through a broker in any quantity or through a commission merchant in carlots or trucklots [1]	Through a commission merchant in less-than-carlots or less-than-trucklots		Through an auction in less-than-car lots or less-than-trucklots [1] [2]	Direct sales (without the use of broker or any other agent)	Through a broker or salaried representative in any quantity or through a commission merchant [1] in carlots or trucklots	Through an auction in less-than-carlots or less-than-trucklots [1] [2]	Through a commission merchant in less-than-carlots or less-than-trucklots	
				Ex-dock, car or truck or terminal sales platform [1]	Ex-store or warehouse [1]					Ex-dock, car, truck or terminal sales platform [1]	Ex-store or warehouse [1]
2	Juice grapes	Lug box with a net weight of 36 pounds or more (item 1, table 2).	$0.03	$0.03	$0.15	$0.09	$0.08	$0.11	$0.17	$0.11	$0.23
		Lug box with a net weight of less than 36 pounds and all other containers and bulk, per pound (item 2, table 2).	1/10 cent	1/10 cent	6/10 cent	3/4 cent	4/10 cent	4/10 cent	1/2 cent	6/10 cent	9/10 cent.
2a	Table grapes	*Grown in Arizona or in Riverside or Imperial County or the Borego Valley area of San Diego County in California (items 3-4, table 2)*									
		Lug box with a net weight of 24 pounds or more.	$0.03	$0.17	$0.37	$0.11	$0.09	$0.12	$0.20	$0.26	$0.46
		Lug box with a net weight of less than 24 pounds and all other containers and bulk per pound.	1/8 cent	7/10 cent	1 7/10 cents	1/2 cent	5/8 cent	3/4 cent	1 1/4 cents	1 11/10 cents	1 7/10 cents.
		Grown elsewhere in California (items 5-12, table 2)									
		Lug box with net weight of 28 pounds or more.	$0.03	$0.11	$0.25	$0.08	$0.07	$0.10	$0.15	$0.18	$0.32
		Lug box with a net weight of less than 28 pounds and all other containers and bulk per pound.	1/8 cent	4/10 cent	9/10 cent	3/10 cent	3/4 cent	5/8 cent	1 1/4 cents	7/8 cent	1 1/10 cents.

[1] The growers' actual charges (not to exceed the maximum allowable charges under MPR 165) shall be used instead of the markups listed if the total of such actual charges is lower than the markup shown.
[2] In the case of juice grapes, the Column 7 and 10 markups apply also to sales through an auction in carlots or trucklots.

5. In paragraph (g), Table B is amended by adding footnote reference 3 to the principal heading of Columns 5 and 6 and by inserting Items 2 and 2a and amending the footnotes to read as follows:

TABLE B—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN GROWER-PACKERS, SHIPPING POINT DISTRIBUTORS AND THEIR AGENTS TO BE ADDED TO THE APPLICABLE MAXIMUM DELIVERED PRICE

[See Column 6 of tables in paragraph (f)][1]

Col. 1	2	3	4	5	6	7	8	9
				Sales by primary receivers in less-than-carlots or less-than-trucklots [4]			Sales by service wholesalers delivered to premises of any retail store, Government procurement agency or institutional buyer within the free delivery zone	
Item No.	Commodity	Unit	Sales by carlot distributor [1]	Through an auction [3] or ex-car, dock, truck or terminal sales platform	Ex-store or ex-warehouse	Sales by secondary jobbers in any quantity delivered to premises of the purchaser	Original container and quantities in excess of one-half of original container	Half original container or less
2	Juice grapes	Lug box with a net weight of 36 pounds or more (item 1, Table 2)	$0.18	$0.24	$0.30	$0.50	$0.50	
		Lug box with a net weight of less than 36 pounds and all other containers and bulk per pound (item 2, Table 2).	5/10 cent	3/10 cent	1 cent	1 5/10 cents	1 4/10 cents	1 4/10 cents
2a	Table grapes	*Grown in Arizona or in Riverside or Imperial County or the Borego Valley area of San Diego County in California (items 3-4, Table 2)*						
		Lug box with a net weight of 24 pounds or more	$0.22	$0.29	$0.40	$0.80	$0.80	
		Lug box with a net weight of less than 24 pounds and all other containers and bulk, per pound.	9/10 cent	1 3/10 cents	2 cents	3 3/8 cents	3 3/8 cents	3 3/8 cents.
		Grown elsewhere in California (items 5-12, Table 2)						
		Lug box with a net weight of 28 pounds or more	$0.17	$0.21	$0.35	$0.56	$0.56	
		Lug box with a net weight of less than 28 pounds and all other containers and bulk per pound.	9/10 cent	3/4 cent	1 3/4 cents	2 cents	2 cents	2 cents.

[1] A carlot distributor who resells on an f. o. b. basis may add the markup named in Column 4 to the maximum f. o. b. price (see column 5 of the applicable table in paragraph (f)).
[3] The Column 4 markup may be used only by a person who has bought the fruit being priced from a person other than a grower or grower-packer selling direct or through a broker and who sells in unbroken carlots or unbroken trucklots. A person who has bought the fruit being priced from a grower or grower-packer selling direct or through a broker and who sells in unbroken carlots or unbroken trucklots shall use the applicable markup in Table A for sales by a "shipping point distributor".
[4] In the case of juice grapes, the Column 5 markup applies also to sales through an auction in carlots or trucklots; and the column 6 markup applies also to all sales of juice grapes by a person who bought them in carlots or trucklots at auction.

6. Paragraph (h) (2) (v) is amended in the following respects:

a. The first paragraph is amended to read as follows:

(v) For sales of fruit (other than juice grapes) by growers or grower-packers to ultimate consumers, the maximum price in each case is the price named in Column 7 of the applicable table in paragraph (f) multiplied by 1.33. However, such price shall not exceed any applicable community price established by the Office of Price Administration.

b. The definition of "terminal auction" is amended to read as follows:

"Terminal auction" means a place in a terminal market, open to any seller and to any buyer who has established credit with the "auction company" or who pays cash, where, on the basis of competitive bidding, the fruit being priced is sold in less-than-carlots or less-than-trucklots quantities (or, in the case of juice grapes, in any quantities) by persons operating through a public licensed sales organization known as an "auction company" for whose services a fee is charged.

7. Paragraph (m) is amended in the following respects:

a. After subparagraph (3), subparagraph (3a) is inserted to read as follows:

(3a) *Sales of juice grapes bought through terminal auction.* For sales of juice grapes in less-than-carlots or less-than-trucklots by persons who bought the grapes being priced in carlots or trucklots at a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of Table 2 in paragraph (f) plus the markup named in Column 6 of Table B in paragraph (g).

b. Subparagraph (7) is added to read as follows:

(7) *Sales of juice grapes to consumers.* For sales of juice grapes to consumers by any seller covered by this regulation, the maximum price in each case is the same as the maximum price for sales to other classes of buyers.

This amendment shall become effective at 12:01 a. m., June 24, 1945, except as to grapes shipped from shipping point and actually sold before that date.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved:

MARVIN JONES,
War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the ceiling prices established by that amendment are necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-10964; Filed, June 21, 1945; 4:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Rev. Supp. Service Reg. 20]

WHOLESALE LAUNDRIES AND HAND LAUNDRIES IN NEW YORK CITY AREA

Supplementary Service Regulation 20 is redesignated Revised Supplementary Service Regulation 20 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this Revised Supplementary Service Regulation No. 20 has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Supplementary Service Regulation 20 is hereby issued. The specifications and standards set forth in this revised supplementary service regulation are those which prior to the issuance of the regulation, were in general use by the trade in the affected areas.

§ 1499.672 *Wholesale laundries and hand laundries in the New York City Area*—(a) *Maximum prices*—(1) *Wholesale laundries.* The maximum prices established by Revised Maximum Price Regulation No. 165 for wholesale laundry services supplied by wholesale laundries located in or when selling in the New York City area to hand laundries are hereby modified and shall henceforth be the prices established by Appendix A.

(2) *Hand laundries.* The maximum prices established by Revised Maximum Price Regulation No. 165 for services of hand laundries located in the New York City Area are hereby modified and shall henceforth be the prices set forth in Appendix B.

(3) *Less than maximum prices.* Lower prices than those established by this regulation may be charged.

(b) *Geographical area.* The "New York Area" as used herein includes the following eight counties in the State of New York: Bronx, New York, Kings, Queens, Richmond, Westchester, Nassau, and Suffolk.

(c) *Applicability of Revised Maximum Price Regulation No. 165.* Except as provided to the contrary, all the other provisions of Revised Maximum Price Regulation No. 165 and any applicable supplementary service regulation shall apply to the laundries subject to this regulation. Laundry services not listed in the Appendices performed by laundries subject to this regulation shall be governed by Revised Maximum Price Regulation No. 165.

(e) *Definitions.* As used in this regulation the terms:

"Wholesale laundry" means a power laundry offering laundry services for sale to retail hand laundries.

"Hand laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing some wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing not more than eight employees. This regulation shall not apply where more than three retail laundry establishments are operated under the same ownership.

"Shirts" means all shirts except the following: Shirts made of silk, wool, flannel, gabardine, rayon and other artificial fibers; full dress shirts. The prices of shirts included within the above exceptions shall be the prices for these items which were filed by the individual laundry with the OPA. If no such prices have been filed, the maximum price to be charged for all shirts shall be the price established for shirts by the appropriate Appendix for the type of laundry.

(f) *Notice and posting requirements*—(1) *Wholesale laundries.* Within 30 days after the issuance of this revised regulation, every wholesale laundry located in or selling in the New York City area shall notify its hand laundry customers affected by this regulation of the maximum prices established in Appendix A.

(2) *Hand Laundries.* Within 30 days after the issuance of this regulation, every hand laundry located in the New York City area shall post on its premises in a place and manner so that it is plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix B.

(g) *Adjustments.* Section 16 of Revised Maximum Price Regulation No. 165 shall no longer be available and all adjustments granted by the Office of Price Administration, are hereby revoked as to the services subject to this regulation for wholesale laundries and hand laundries, respectively. However, Hand Laundries which received written approval to continue to charge the maximum prices established by Revised Maximum Price Regulation No. 165 under the provisions of § 1499.672 (8) of Supplementary Service Regulation 20 prior to the effective date of this revision may continue to do so.

APPENDIX A—SCHEDULE OF PRICES FOR WHOLESALE LAUNDRIES

The maximum prices for the following wholesale laundry services shall be 4% above the prices listed in this Appendix A. You may apply such permitted increase by adding it to the total bill or invoice rendered to each hand laundry and not to the individual items listed on any such bill or invoice.

Item:	Price (cents)
Shirt	9.5
Sheet	5
Net (lb.)	3
Wet wash (lb.)	3
Pillow case	3
Bath towel	1.75
Hand towel	1.25
Collar—soft	2.5
Collar—starched	2.5
Bolster	9
Mattress cover	9
Dress shirt—finished	13
Blanket—wool double	50
Blanket—wool single	30
Blanket—cotton double	30
Blanket—cotton single	19
Napkin	1.25
Table cloth	5
Flatwork of wet and flat	3.25
Roller towel	2
Spread	10
Shower sheet	5
Apron	3
Bed pad	10
Table pad	10
Bath mat (under 2 lbs.) per lb	5
Bath rug (over 2 lbs.) per lb	5
Shirt starched rough dry	5
Overall	10
Coat—work	15
Pants—work, khaki, duck	15

NOTE: No other additional charge of any kind whatsoever may be added to the maximum prices listed in this appendix A.

APPENDIX B—SCHEDULE OF PRICES FOR HAND LAUNDRIES

Item:	Price (cents)
Shirts	16
Collars, soft or starched	5
Undershirts	10
Shorts	10
Pajamas	25
Union suits, cotton	20
Union suits, wool	30
Socks, pair	6
Handkerchiefs	3
Overalls	35
Coveralls	45
Coats, work	35
Coats, hand finished	50
Pants, work, khaki, duck	35
Slacks	50
Bathrobes	50
Boys' blouse	14
Sheets	13
Pillow cases	6
Face towels	5
Kitchen towels	5
Bath towels	6
Roller towels	8
Bolsters	25
Napkins	5
Luncheon and breakfast cloths, table tops	12
Table cloths	15
Spreads	30
Shower sheets	15
Pads, bed or table	30
Bath mats (under 2 lbs.)	15
Blankets, cotton, single	35
Blankets, cotton, double	75
Blankets, wool, single wholesaler processed	60
Blankets, wool, double wholesaler processed	100
Bath rugs (over 2 lbs.) per lb	15
Quilt covers	25
Mattress covers	25
Uniforms, maids'	35
Hoover aprons	35
Uniforms, nurses'	55
Smocks	40

MAXIMUM PRICES FOR FAMILY LAUNDRY SERVICE BY THE POUND

Services	*Maximum prices*
Wet wash, in which all laundry is washed and returned damp.	20 lbs. or less for $1.10 plus 5¢ for each additional pound.
Wet and flat—thrifty, in which the wearing apparel is washed and returned damp, the flat work is washed and returned finished ready for use.	20 lbs. or less for $1.10 plus 5¢ for each additional pound for washing. 15 lbs. or less of flat work ironed for 90¢ plus 6¢ for each additional pound ironed. If requested, each shirt finished for 9¢ extra.
Rough dried—all flat, in which the wearing apparel, if any, is washed and returned dry, the flat work is washed and returned finished ready for use.	10 lbs. or less for $1.25 plus 12¢ for each additional pound. If requested, each shirt finished for 9¢ extra.
Machine finish, in which both wearing apparel and flat work are washed and returned machine finished, ready for use.	8 lbs. or less for $1.45 plus 12¢ for each additional pound. If requested, each shirt finished for 9¢ extra. Wearing apparel is limited to 40% of entire bundle by weight.

MAXIMUM PRICES FOR FAMILY LAUNDRY SERVICE BY THE POUND—continued.

Services	*Maximum prices*
Hand finished (de luxe) in which both wearing apparel and flat work are washed and returned finished, ready for use, with all outer garments of wearing apparel starched where necessary and finished with hand iron.	8 lbs. or less for $1.55 plus 15¢ for each additional pound. If requested, each shirt finished for 9¢ extra.

NOTE: No additional charges of any kind whatsoever may be added to the maximum prices listed in this Appendix B.

This Revised Supplementary Service Regulation No. 20 shall become effective June 21, 1945.

Issued this 21st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10962, Filed, June 21, 1945; 4:32 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 585, Correction]

MIXED FEEDS FOR ANIMALS AND POULTRY

1. The reference to "Section 5.3 (d)" in Column 1 of the table in Appendix A is corrected to read "Schedule II in section 5.3."

2. The reference to "Section 5.3 (c)" in section 5.3 (b) (2) (iii) is corrected to read "Schedule II of this section."

This correction shall become effective June 22, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11053; Filed, June 22, 1945; 4:18 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 528, Amdt. 2]

TIRES AND TUBES, RECAPPING AND REPAIRING AND CERTAIN REPAIR MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 528 is amended in the following respects:

1. Section 6 is amended by adding thereto a new paragraph, designated (e), to read as follows:

(e) *Adjustment of maximum charges for extra services involved in tube repairs*—(1) *General.* Notwithstanding any other provision of this regulation, any supplier of an extra service, as defined in (a) above, in connection with the repair of a tube, may apply for an adjustment of his maximum price established pursuant to paragraph (b) or (c) of this section for such extra service.

(2) *Form of application.* The applicant for adjustment of maximum prices for such extra services must apply in writing to the Office of Price Administration in accordance with Revised Procedural Regulation No. 1, showing the total direct costs attributable to the extra service involved in connection with the repair of the tube, in the manner in which he would customarily prepare such costs for his own use. This will include the cost of labor based on customary time and rates for the operation, the cost involved in the use of an automobile when road service is included, and other operational costs directly connected with the specific extra service involved in the tube repair. It does not include selling, administrative or general expense attributable to other operations of the business or to the business generally.

(3) *Action by the Office of Price Administration.* The Office of Price Administration, any regional office or such district offices as may be authorized by order issued by the appropriate regional office, may adjust the maximum price of any extra service supplied in connection with a tube repair if, in its judgment, (i) the applicant's maximum price at the time the application is submitted makes it impossible for applicant to provide such extra service without substantial hardship; (ii) there is no adequate substitute service available at a lower price than the adjusted maximum price; and (iii) the supply of such extra service in connection with a tube repair is impeded or threatened without such adjustment. Such adjustment will be limited to the applicant's total direct costs attributable to the extra service involved in the tube repair or the price of the next higher competitive seller in the area, able to supply that service, whichever is lower.

2. The following items are added to Table B–III in section 17:

Tire size	Ply	Maximum prices for sound used tires	Deductions required on unbuffed tires: Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
5.25–16	8	$23.95	$5.50	$10.50	$8.40
11.00–19	12	52.25	7.80	16.05	13.00
12.00–18	12	60.10	8.60	19.80	15.85

3. The following items are added to Table B–IV in section 17:

Tire size	Ply	Maximum prices for sound basic tire carcasses	Deductions required on unrepaired tires: Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
5.25–16	8	$6.00	$2.00	$5.20	$3.50
11.00–19	12	14.40	3.10	8.40	5.60
12.00–18	12	14.40	3.50	10.35	6.70

4. Table B–VII of section 17 is amended as follows:

a. Under the heading *Smooth contour*, the prices for the following tire sizes are amended to read as follows:

Size	Maximum price for sound used tires	Deductions required on unrepaired tires		
		Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
27 inch	$11 05	$4 15	$9 05	$7 25
30 inch	16 80	4 15	9 05	7 25
26.00 inch	12 15	1 80	5 15	4 25

b. Under the heading *High pressure*, the prices for the following tire sizes are amended to read as follows:

Size	Maximum price for sound used tires	Deductions required on unrepaired tires		
		Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
30 x 7	$14 75	$3 30	$8 15	$6 50
32 x 8	17 95	4 15	9 05	7 25

5. Table B–VIII of section 17 is amended as follows:

a. Under the heading *Smooth contour*, the prices for the following tire sizes are amended to read as follows:

Size	Maximum price for sound used tires	Deductions required on unrepaired tires		
		Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
27 inch	$6 00	$1 70	$4 25	$2 85
30 inch	6 70	1 70	4 25	2 85
26.00 inch	3 50	1 20	2 25	1 80

b. Under the heading *High pressure*, the prices for the following tire sizes are amended to read as follows:

Size	Maximum price for sound used tires	Deductions required on unrepaired tires		
		Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
30 x 7	$6 00	$1 50	$4 10	$2 75
32 x 8	6 50	1 70	4 25	2 85

6. Table C–I in section 18 is amended as follows:

a. "$6.80" is substituted for "$5.80" where the latter appears for Stop-Start Mud and Snow Studded, Grade C Camelback, tire size 5.00–20.

b. Footnote designation "2" is added after the heading "Tire size" and a footnote designated [2] is added to the table to read as follows:

[2] The maximum price for a combination size shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

c. Under the heading "Tire size, Airplane", the airplane size 30" is deleted where it appears opposite Conventional size 7.00–15.

d. Under the heading "Tire size, Airplane", the airplane size 30 x 7 is added opposite Conventional size 7.00–16.

e. Under the heading "Tire size, Airplane", the airplane size 27" is added opposite Conventional size 7.50–14.

f. Under the heading "Tire size, Airplane", the airplane size 30" is substituted for 27" where the latter appears opposite Conventional size 7.50–15.

g. Under the heading "Tire size, Airplane", the airplane size 32 x 8 is added opposite Conventional size 7.50–16.

7. Table C–II in section 18 is amended as follows:

a. The following items are added thereto:

Size	When applying Grade A Camelback			When applying Grade C Camelback		
	Conventional	Stop-start mud and snow studded	Rock service	Conventional	Stop-start mud and snow studded	Rock service
8.25–16	$16 85	$24 30	$20 10	$16 15	$23 40	$17 75
10.00–22 (9.75–22)	26 25	47 25	30 25	25 05	45 60	29 17
11.00–19						
11.00–22 (10.50–22)						

b. Footnote designation "2" is added after the heading "Size" and a footnote designated [2] is added to the table to read as follows:

[2] The maximum price for a combination size shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

c. Under the heading "Size, Airplane", the airplane size 30" is deleted where it appears opposite Conventional size 7.00–15.

d. Under the heading "Size, Airplane", the airplane size 30 x 7 is added opposite Conventional size 7.00–16.

e. Under the heading "Size, Airplane", the airplane size 30" is substituted for 27" where the latter appears opposite Conventional size 7.50–15.

f. Under the heading "Size, Airplane", the airplane size 32 x 8 is added opposite Conventional size 7.50–16.

g. Under the heading "Size, Airplane", the airplane sizes 30 x 7 and 32 x 8 are deleted where they appear opposite Conventional size 9.00–16.

8. Table C–III in section 18 is amended as follows:

a. Under the heading "Size, Airplane", the airplane size 26" is deleted where it appears opposite Conventional size 7.50–10.

b. Under the heading "Size, Airplane", the airplane size 26.00" is added opposite Conventional size 6.00–9.

c. Under the heading "Size, Airplane", the airplane size 30 x 7 is added opposite Conventional size 7.00–16.

d. Under the heading "Size, Airplane", the airplane size 32 x 8 is added opposite Conventional size 7.50–16.

e. Under the heading "Size, Airplane", the airplane sizes 30 x 7 and 32 x 8 are deleted where they appear opposite Conventional size 9.00–16.

9. Table D–II in section 19 is amended by adding thereto the following item:

Size	Ply	Maximum prices for		
		Sectional repair	Reinforcement repair	Spot repair
12.00	12	$19.80	$15.85	$8.60

10. Table D–IV in section 19 is amended as follows:

a. Under the heading *Smooth contour*, the prices for the following tire sizes are amended to read as follows:

Size	Ply	Maximum prices for		
		Sectional repair	Reinforcement repair	Spot repair
30"		$9.65	$7.25	$1.15
26.00"		5.45	4.25	1.80

b. Under the heading *High pressure*, the prices for the following tire sizes are amended to read as follows:

Size	Ply	Maximum prices for		
		Sectional repair	Reinforcement repair	Spot repair
30 x 7		$8.15	$6.50	$1.15
32 x 8		9.05	7.25	1.15

11. The following price is added to the table of prices in Table E–I of section 20:

	Maximum retail price each
Size—Truck tire reliner:	*Uncemented 4-ply*
10.00 (9.75)—20 and 22	$6.60

12. The following price is added to the table of prices in Table E–II of section 20:

Group number	Area	Most popular size	Maximum retail price each Uncemented 4-ply
9	204 thru 235	13"–14" x 16"	$9.72

This amendment shall become effective June 30, 1945.

NOTE: Approval of the reporting requirements in this amendment has been waived by the Budget Bureau.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11208; Filed, June 25, 1945; 11:33 a. m.]

PART 1350—EMERGENCY CIVILIAN DEFENSE MATERIALS AND EQUIPMENT

[MPR 321, Revocation]

FELDSPAR FIRE EXTINGUISHERS

A statement of the considerations involved in the issuance of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 321 (Feldspar Fire Extinguishers) is hereby revoked subject to the provisions of Supplementary Order No. 40, which provide that the revocation of a price regulation shall not release or extinguish any penalty or liability incurred under such regulation prior to its revocation.

This order shall become effective June 30 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc. 45-11210; Filed, June 25, 1945; 11.31 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2, Supp. 6]

GRAIN SORGHUMS

This supplement together with Food Products Regulation 2 supersedes Maximum Price Regulation No. 511, as amended, insofar as it establishes maximum prices for the sale and delivery of grain sorghums as that term is defined herein.

A statement of the considerations involved in the issuance of this supplement, issued simultaneously herewith, has been filed with the Division of the Federal Register.

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AUTHORITY: § 1351.476 issued under 56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

Explanation of the relation of this supplement to Food Products Regulation No. 2. Not all of the provisions affecting the maximum prices for sales of grain sorghums are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 2, and they are just as much a part of this supplement as if they were printed here.

The particular sections of Food Products Regulation No. 2 which are applicable to this supplement are listed at appropriate places in the provisions which follow. When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SECTION 1. *Applicability.* Except for those sales exempted by paragraph (a) of this section, this supplement shall apply to all sales of imported and domestic grain sorghums, to all deliveries of such grain sorghums whether immediate or future, and to all purchases in the course of trade or business of grain sorghums grown outside of the United States to be imported into the United States.

(a) *Exempt sales*—(1) *Sales by retailers.* This supplement shall not apply to sales by retailers as defined herein. Supplement No. 1 to Food Products Regulation No. 2 shall apply.

(2) *Export sales.* The maximum price for export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation, as amended.

(3) *Emergency purchases.* Section 1.2 (a) of Food Products Regulation No. 2, dealing with the exemption of emergency purchases, is applicable to this supplement.

(4) *Seed grain sorghums.* This supplement shall not apply to sales of grain sorghums which the buyer intends to use for seed for planting or to resell for ultimate use as seed for planting. Section 2.7 of Food Products Regulation No. 2, dealing with special rules for such sales, is applicable to this supplement.

(5) *Prior contracts.* This supplement shall not apply to deliveries made pursuant to contracts for the sale of grain sorghums entered into before the effective date of this supplement. Such deliveries shall remain subject to the provisions of Maximum Price Regulation No. 511, as amended.

(6) *Waxy grain sorghums.* This supplement shall not apply to sales of waxy grain sorghums.

SEC. 2. *Sales at other than maximum prices.* Regardless of any contract or obligation, no person shall sell or deliver, and no person shall in the course of trade or business buy or receive any grain sorghums covered by this supplement at a price above the maximum price established by this supplement, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided for in paragraph (a) of this section.

(a) *Adjustable pricing.* Section 1.2 (b) of Food Products Regulation No. 2, dealing with adjustable pricing, is applicable to this supplement.

(b) Prices lower than the maximum prices established by this supplement may, of course, be charged or paid.

SEC. 3. *Evasion.* The price limitations set forth in this supplement shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to grain sorghums, alone or in conjunction with any other commodity, or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tying agreement, or other trade understanding, or by any other means.

SEC. 4. *Applicability of provisions of Food Products Regulation No. 2.* Most of the provisions of Food Products Regulation No. 2 are applicable to and made a part of this supplement. The sections of Article I not heretofore referred to, and the sections of Articles II, III and IV, listed below, with an indication of their subject matter, are applicable to this supplement.

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SEC. 5. *Definitions and explanation of the supplement.* (a) When used in this supplement, the following terms shall have the following meaning:

(1) "Person" means an individual, corporation, partnership, association or other organized group of persons, or the legal successor or representative of any of the foregoing, and includes the United States, or any other government, or any political subdivision or agency of any of the foregoing.

(2) "United States" when it refers to an area, means the 48 states and the District of Columbia.

(3) "Producer" means, with respect to any lot of grain sorghums grown in the United States, either:

(i) The person who grew or harvested such lot of grain sorghums; or

(ii) A landlord who received such lot of grain sorghums as or in lieu of rent for the farm where grown; or

(iii) Any person who delivers the grain sorghums to his customer at the farm where grown or at roadside near such farm. Consequently, if you do not deliver the grain sorghums to your customer off the farm where grown you do not secure a higher price than the person who grew it would have received.

(4) "Country shipper" means, with respect to any lot of grain sorghums, a person who purchases and receives the grain sorghums from a producer in any quantity, before any movement by rail or barge, and who (i) delivers it to his customer at a point which is neither on the farm where grown nor at roadside near such farm, and (ii) delivers it in any manner other than as a trucker-merchant or as a retailer.

NOTE: If you purchase and receive the grain sorghums from a producer at a terminal base point, on your resale thereof, you must determine your maximum price as a merchandiser or as a retailer, as the case may be, following the rules in section 10 of this supplement, or the rules in Supplement No. 1 to Food Products Regulation No. 2.

(5) "Trucker-merchant" means, with respect to any lot of grain sorghums, a person who purchases such grain sorghums for resale and without loading it into a barge or railroad car or unloading it into an elevator or warehouse for his own account and use, transports and delivers the same to his customer in a truck or other vehicle owned or leased and operated by him.

(6) "Merchandiser" means, with respect to any lot of grain sorghums owned by him, a seller, other than a retailer, for whom a maximum price is not otherwise provided in this supplement. In other words, he is a person who merchandises the grain sorghums other than as a producer, country shipper, trucker-merchant or retailer.

(7) "Commission merchant" means, with respect to any lot of grain sorghums, a person who receives a carload quantity on behalf of another person who is the owner thereof and negotiates or has negotiated a sale of such grain sorghums in his own name to a person other than himself (except as provided in (i) below) on a legally constituted grain exchange in any of the following cities:

Baltimore, Md.	Memphis, Tenn.
Boston, Mass.	Milwaukee, Wis.
Buffalo, N. Y.	Minneapolis, Minn.
Chicago, Ill.	New York, N. Y.
Cincinnati, Ohio	Nebraska City, Nebr.
Dallas, Tex.	Omaha, Nebr.
Denver, Colo.	Peoria, Ill.
Des Moines, Iowa	Philadelphia, Pa.
Duluth, Minn.	St. Joseph, Mo.
Enid, Okla.	St. Louis, Mo.
Forth Worth, Tex.	Salina, Kans.
Hutchison, Kans.	San Francisco, Calif.
Indianapolis, Ind.	Sioux City, Iowa
Kansas City, Mo.	Toledo, Ohio
Louisville, Ky.	Wichita, Kans.

(i) The requirement that the sale must be to a person other than the commission merchant will be waived if at all times from January 1, 1943 to and including the time of sale such purchase has been permissible under the rules of the exchange or under the law of the State in which the exchange is located.

(ii) Regardless of any of the provisions of this supplement, division of commission charges may be made with and paid to exchange members in accordance with rules of the respective exchanges which were in effect January 1, 1943, and sellers of grain sorghums who are members may receive such divisions.

(8) "Broker" means, with respect to any lot of grain sorghums, a person who, acting for the account of either seller or buyer or both, negotiates a sale or purchase of such grain sorghums for either seller or buyer or both, other than as a commission merchant or as an employee of either seller or buyer. No person can be a broker as to grain sorghums owned by him.

(9) "Retailer" means, with respect to any less than carload lot of grain, a person who sells and delivers such lot to a feeder from his "store."

(10) "Store", means a building, or a separate unit in a building, where the business of buying, selling and delivering grain at retail is carried on, or where a general business of which such retail grain business is a part, is conducted. In order to maintain its status as a store, such business shall carry a stock of grain for sale at retail, and in addition, it may carry other stocks of merchandise.

(11) "His supplier" or "your supplier" means, as to any seller, the person from whom he or you purchased the grain involved.

(12) "His customer" or "your customer" means, as to any seller, the person to whom he or you sell the lot of grain involved.

(13) "Grain sorghums" means the threshed grain of that name as defined in the Official Grain Standards of the United States, except grain sorghums which are exempted under section 1 (a).

(14) "Waxy grain sorghums" means that special hybrid variety of grain sorghums with a starch content similar to tapioca starch, and which stains reddish brown with iodine, and which is grown under contract and sold by the producer directly to the tapioca manufacturer or to his agent, for special processing.

(15) "Per hundred", as a unit of measurement of grain sorghums, means 100 pounds of grain sorghums.

(16) "Base price" means the price, per hundred, with adjustments for grade and quality, as provided in section 6. These base prices shall not be used independently as maximum prices nor shall they be used in any other method than is specifically provided in the maximum pricing provisions (sections 7 to 11 inclusive).

(17) "Interior point" means any point other than an interior rail point, except that with respect to any particular lot of grain sorghums it does not include the farm where such grain sorghums was grown.

(18) "Interior rail point" means any point having facilities for the loading of railroad freight cars and from which railroad freight rates are published as provided by law.

(19) "Carload quantity" means any lot of grain sorghums of 60,000 pounds or more not delivered by or into a truck, or any lot of grain sorghums of 30,000 pounds or more when shipped by rail in such a manner as to take a carload rate under tariff requirements. It also includes mixed cars and pool cars.

(20) "Less than carload lot" or "less than carload quantity" means a lot of grain less than a carload quantity. It includes any delivery by or into a truck.

(21) "Your transportation cost" means (i) if you employ a common carrier, contract carrier, or other carrier for hire or compensation, the charge which you actually incur for the transportation service; *Provided*, That such charge shall not include the difference, if any, between the unload rate and the winter storage rate in the case of grain sorghums shipped via lake vessel; or

(ii) If you do your own hauling by truck or other vehicle, the hauling allowance at the scale set forth in definition (22); or

(iii) If you transport the lot by barge or vessel owned, leased, or chartered and operated by you, the going rate for the same movement, if there is such a going rate, or if there is no going rate for the same movement, then the going rate for the most similar movement, not to exceed the reasonable value of the service; or

(iv) When any movement involves a combination of more than one of the types of transportation included in (i), (ii), or (iii), the transportation cost for the movement of each type shall be computed separately and the results added.

(v) If any part of the movement is by barge or vessel, you may add customary vessel brokerage, cargo insurance, and outturn insurance or allowances on such lot, to the extent not included in the cost computed under (i) or (iii) above.

(22) "Hauling allowance" means the following scale of charges:

(i) If the total haul does not exceed 100 miles—3 cents per 100 pounds for the first five miles or fraction thereof, plus 1 cent per 100 pounds for each additional five miles or fraction thereof; or

(ii) If the haul exceeds 100 miles, the lowest local carload grain sorghums rail rate from the rail point nearest the point of origin to the rail point nearest point of destination plus 8 cents per 100 pounds, but not to exceed 22 cents per 100 pounds, plus ¼ cent per 100 pounds for each five miles or fraction thereof over 100 miles.

(iii) In applying the above mileage scale, all distances for truck movement shall be determined via the shortest route between point of origin and point of destination reasonably suitable for truck movement.

(23) "Area A" means that area in the United States which is so described in Table II of Appendix A.

(24) "Area B" means that area in the United States which is so described in Table II of Appendix A.

(25) "Area C" means that area in the United States which is so described in Table II of Appendix A.

(26) "Other vehicle" means any conveyance other than truck, rail car, barge or vessel.

(27) "Nearest," as used in Section 6, means the shortest distance by a route suitable for truck movement.

(b) *General explanation of the pricing provisions in this supplement.* This supplement provides a maximum price for every kind of seller and for every kind of sale not exempted under other provisions of this supplement. You may not always be the same type of seller on different lots of grain sorghums that you sell, and you must consult the definitions to learn the type of seller you are in connection with any particular sale. In order that pricing provisions should be fair to every kind of handler, it has been necessary to define types of sellers more closely by reference to the functions they perform in each transaction rather than by popular terminology used by the trade. You must, therefore, be careful to study the definitions in connection with the particular sale you want to price. After you have decided the type of seller you are on a particular sale you look in the following section for your maximum price.

If you are a producer, see section 7.
If you are a trucker-merchant, see section 8.
If you are a country shipper, see section 9.
If you are a merchandiser, see section 10.
If you are an importer, see section 11.
If you are a retailer, you will find your maximum price in Supplement No. 1 to Food Products Regulation No. 2.
If you are selling mixed grain, your maximum price is arrived at in the manner set forth in Article IV of Food Products Regulation No. 2.

In some cases, you will find that your maximum price depends on your supplier's maximum price. In other cases, as in sections 7, 9, 10 or 11, you will find that your maximum price for the sale of a particular lot of grain sorghums depends on what is called a "base price," which you will find in section 6. Base prices are not maximum prices although sometimes you will find that the maximum price on a particular lot is the same as the base price; but more often the maximum pricing provisions provide that you deduct something from, or add something to, the base price in computing your maximum price.

SEC. 6. *Base prices.* As explained in the preceding section, "base prices" are not maximum prices but are used in the determination of maximum prices. All grain sorghums do not have the same value because of variations in grade and quality, and also because grain sorghums located at one point may command a different price than grain sorghums located at another point. Base prices are, accordingly, worked out to reflect differences in grade and quality and differences in locations. Generally speaking, this supplement starts any lot of grain sorghums into market channels with a maximum price at or near its origin, and these base prices are for the purpose of arriving at such initial maximum price for the particular grade, quality and location. At different levels of marketing the supplement permits the addition to base prices of transportation costs, markups, and similar incidents to distribution.

In order to provide a base price for grain sorghums at every point in the United States for every grade and quality, it is necessary to establish base prices by location for a "standard grade" of grain sorghums, and provide discounts from that standard grade for other grades and qualities. The "standard grade" is No. 2 or better grain sorghums. Base prices for other grades and qualities are determined by subtracting the discounts provided in Table I of Appendix A from the corresponding price for the "standard grade."

(a) Base prices by location for the "standard grade" of grain sorghums, and for other grain sorghums not required to be sold on grade, shall be as follows:

(1) At any interior rail point:

(i) At any interior rail point in Area A, $2.13 per hundred plus the lowest domestic carload freight rate from Denver, Colorado, to the interior rail point nearest the farm where the lot of grain sorghums was grown.

(ii) At any interior rail point in Area B, $2.40 per hundred plus the lowest domestic carload freight rate from Kansas City, Missouri, to the interior rail point nearest the farm where the lot of grain sorghums was grown.

(iii) At any interior rail point in Area C, the price set forth in Table II of Appendix A opposite the state and county wherein the interior rail point in question is situated. If any interior rail point lies in two price zones, its base price shall be the price of the higher zone. If any interior rail point lies in a zone for which no price is named, its base price shall be the highest base price in any county or parish abutting such zone.

(2) At any interior point, the base price at the nearest interior rail point.

(3) At the farm where grown, the base price at the nearest interior rail point less 13 cents per hundred.

(b) *Base prices for imported grain sorghums.* For base prices on imported grain sorghums, see Section 11 of this supplement.

(c) *Base prices for mixed grain.* The base price for mixed grain (as defined in the Official Grain Standards of the United States for grain sorghums) bulk, shall be determined pursuant to Article IV of Food Products Regulation No. 2.

SEC. 7. *Maximum prices for sales by producers.* You will find that the term "producer" has been defined to include several persons. It includes a person who grew or harvested the lot of grain sorghums, and a landlord who received the grain sorghums as or in lieu of rent for the farm where grown. In addition, for the purposes of the maximum pricing provisions, it includes any other person who delivers the grain sorghums to his customer on the farm where grown or at roadside near such farm, the price result of this being that you must deliver the grain sorghums to your customer away from the farm where grown or roadside nearby in order to secure a higher price than the person who grew the grain sorghums could have received.

You will not be acting as a producer in selling such grain sorghums, but as a country shipper, merchandiser, or retailer, as the case may be: *Provided*, That before selling the grain sorghums you have it transported to a store, elevator or warehouse operated by you at which you carry on a regular business of buying and selling grain produced by others. Under such circumstances, your maximum price shall be determined as though you purchased the grain sorghums from another producer at such producer's maximum price on his delivery made to your store, elevator or warehouse.

In connection with any delivery by you as a producer, if your customer performs any service or incurs any expense in connection with growing, threshing, harvesting, collecting from field, or assembling at point where available for ready transportation from farm, the reasonable value of all such services performed or the expense so incurred must be deducted when he pays you the appropriate maximum price.

The maximum price of a producer is as follows:

(a) *If delivery is made at the farm where grown, or at roadside near such farm.* If you deliver any lot of grain sorghums on the farm where grown or at roadside near the farm, your maximum price per hundred shall be the base price at the farm where grown, with the following two exceptions:

(1) If there is an interior rail point on the farm, and you deliver the grain sorghums to your customer at a rail loading facility at such interior rail point, your maximum price shall be the base price at the interior rail point, less 7 cents per hundred if delivered to your customer loaded in a rail car, or less 10 cents per hundred if not so loaded.

(2) If you are a landlord and you receive the grain sorghums from your tenant as or in lieu of rent, and if the lease or rental agreement between you provides for delivery of the grain sorghums at some point other than the farm where grown, then your maximum price for the sale of the grain sorghums to your tenant for delivery at the farm shall be the base price at the farm plus 3 cents per hundred.

(b) *If delivery is made by truck or other vehicle from the farm where grown to an elevator or warehouse.* If you deliver the grain sorghums by truck or other vehicle from the farm where grown to an elevator or warehouse (not including a delivery to a feeder, store, or processing plant, which is covered in paragraph (c) separately), your maximum price per hundred, shall be the base price at that point less 10 cents per hundred.

(c) *If delivery is made in storage after movement by truck or other vehicle.* If you unload from a truck or other vehicle and store the grain sorghums in any elevator or warehouse located at an interior point or at an interior rail point and deliver them to your customer in storage, your maximum price shall be the base price at that point less 3 cents per hundred, but you must either pay or have deducted from the payment of the maximum price to you, all accrued storage and handling charges, including the loading out charges. If your customer is also the warehouseman, the deduction for handling and loading shall be not less than 7 cents per hundred.

(d) *If delivery is made by truck or other vehicle from the farm where grown to a rail or barge loading facility.* (1) If you deliver the grain sorghums by truck or other vehicle from the farm where grown to your customer at a rail loading facility at an interior rail point, without loading into cars, your maximum price shall be the base price at that point less 10 cents per hundred, or

(2) If you deliver the grain sorghums to your customer loaded aboard a rail

has been permissible under the rules of the exchange or under the law of the State in which the exchange is located.

or more not delivered by or into a truck, or any lot of grain sorghums of 30,000

(b) *General explanation of the pricing provisions in this supplement.* This sup-

producer at such producer's maximum price on his delivery made to your store, elevator or warehouse.

that point less 10 cents per hundred, or

(2) If you deliver the grain sorghums to your customer loaded aboard a rail

car or barge and if it is delivered at point of loading, your maximum price shall be the base price at point of loading less 7 cents per hundred, or

(3) If after so loading the grain sorghums on a rail car or barge, you deliver them to your customer following a rail or barge movement, your maximum price shall be the base price at point of loading less 3 cents per hundred but plus your transportation cost from the point of loading: *Provided*, That if after such movement you store the grain sorghums, you must either pay or have deducted from the payment of the maximum price to you, all accrued storage and handling charges, and the loading out charge. If your customer is also the warehouseman, the deduction for handling and loading out shall be not less than 2 cents per hundred.

(e) *If delivery is made by truck or other vehicle to a feeder, store or processing plant.* You may deliver the grain sorghums by truck or other vehicle to a feeder, store or processing plant, in which case your maximum price per hundred shall be the base price at the farm where grown plus your transportation cost from the farm to the point of delivery to your customer.

(f) *If delivery is made in any other manner than is provided for above.* If you deliver the grain sorghum to your customer in any manner other than as provided above, your maximum price shall be the base price on the farm where grown plus 3 cents per hundred.

SEC. 8 *Maximum prices for sales by trucker - merchants.* "Trucker - merchant" is defined as one who purchases grain sorghums for resale and, without loading them into a barge or railroad car or unloading them into an elevator or warehouse for his own account and use, transports and delivers the grain sorghums to his customer in a truck or other vehicle owned or leased and operated by him.

If you are a trucker-merchant under this definition, your maximum price per hundred for the sale of any lot of grain sorghums is your supplier's maximum price on the sale and delivery to you plus your hauling allowance from the point where you received delivery from your supplier to the point of delivery to your customer.

Every trucker-merchant shall, with respect to every lot of grain sorghums transported by him as a trucker-merchant, procure or prepare a statement of information which shall accompany the grain sorghums while in transit on the truck or other vehicle. Such statement shall set forth the name and address of the trucker-merchant and of his supplier, the date of purchase, the point where he received delivery, and the grade and purchase price of the grain sorghums. Upon delivery of the grain sorghums by the trucker-merchant to his customer, a copy of the statement of information signed by the trucker-merchant shall be given to his customer showing also the point of delivery and the transportation charge being made. Copies of this statement shall be retained by the trucker-merchant and by his customer as a part of their records.

For enforcement purposes, it is necessary that both the shipments themselves and the records of the trucker-merchant covering such shipments be available for inspection while in transit. Failure of a trucker-merchant to stop for such inspection in response to instructions in a sign conspicuously posted at roadside or upon signal by an Office of Price Administration enforcement officer, shall be a violation of this supplement, subject to all penalties of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

SEC. 9. *Maximum prices for sales by country shippers.* "Country shipper" is defined in section 5 (a) (4) to mean, with respect to any lot of grain sorghums, a person who purchases and receives the grain sorghums from a producer in any quantity before any movement by rail or barge and delivers them to his customer at a point which is neither on the farm where grown nor at roadside near the farm and delivers it in any manner other than as a trucker-merchant or retailer.

This section sets forth the maximum prices for the ordinary "country shipper" marketing transactions.

To these prices, you may be entitled to add various charges which you incur, or allowances for special handling of the grain sorghums, under the rules provided in section 13. Subject to such conditions, the maximum price per hundred, bulk, for sales by a country shipper are as follows:

(a) *If delivery is made in a carload quantity.* If you deliver the grain sorghums in a carload quantity loaded in a rail car or barge or after a movement by rail or barge, your maximum price per hundred shall be the base price at the point where first so loaded plus your transportation cost, if any, from the point of loading: *Provided*, That if after a rail or barge movement you store the grain sorghums, you must either pay or have deducted from the payment to you of such maximum price all accrued storage and handling charges, and the loading out charge. If your customer is also the warehouseman, the deductions for handling and loading out shall be not less than 2 cents per hundred.

(b) *If delivery is made in less-than-carload quantities after movement by rail or barge.* If you deliver, after any movement by rail car or barge, in a less-than-carload quantity, your maximum price shall be determined by adding 5 cents per hundred if delivered to a feeder or 3 cents per hundred if delivered to any other person to your maximum price for a carload shipment as computed in paragraph (a), and plus your transportation cost, if any: *Provided*, That if you do your own hauling and, therefore, your transportation cost is the hauling allowance set forth in section 5 (a) (22), and if the distance you haul the grain sorghums is more than 60 miles, you shall not then add the markups provided in this paragraph because the scale is so established that for that distance or more, it includes an adequate profit on the sale of the grain sorghums hauled. The additional markups in this subparagraph will not be subject to the limitation on markups provided in section 12 of this supplement.

(c) *If delivery is made in storage or from storage in less than carload quantities.* (1) If you deliver the grain sorghums in any quantity stored in the elevator or warehouse to which they were hauled by truck or other vehicle from the farm where grown, your maximum price per hundred, bulk, shall be the base price at the point where the elevator or warehouse is located, but you must either pay, or have deducted from payment of the maximum price to you, all accrued storage and handling charges, and the loading out charges. If your customer is also the warehouseman, the deduction for handling and loading out shall be not less than 3 cents per hundred.

(2) If you deliver such grain sorghums from such elevator or warehouse, in a less-than-carload quantity, your maximum price shall be the base price at that point plus 5 cents per hundred if delivered to a feeder, or plus 2 cents per hundred if delivered to any other person and plus your transportation cost, if any: *Provided*, That if in making delivery to do your own hauling, and, therefore, your transportation cost is the hauling allowance set forth in section 5 (a) (22), and if the distance is more than 60 miles, you shall not add the extra markup provided in this subparagraph for the reason explained in paragraph (b) of this section. The additional markups in this subparagraph will not be subject to the limitation on markups provided in section 12 of this supplement.

(d) *If delivery is made by truck or other vehicle from the farm where grown to a store, feeder or processor.* If you deliver the grain sorghums from the farm where grown in a for-hire-truck or other vehicle to a store, feeder or processor, your maximum price per hundred, bulk, shall be the base price at such farm, plus 3 cents per hundred, and plus your transportation cost. (If so delivered in your own truck or other vehicle, you would come under the definition of "trucker-merchant" and price accordingly.)

(e) *If delivery is made in any manner other than as provided for above.* The maximum price for the sale by a country shipper of any lot of grain sorghums handled in any manner not specified above shall be the base price at the farm where grown plus 3 cents per hundred.

SEC. 10. *Maximum prices for sales by merchandisers.* With the exception of persons acting as producers or country shippers, all sellers who deliver grain sorghums in any manner other than as trucker-merchants or retailers are "merchandisers" by definition.

This section sets forth the maximum prices for the ordinary "merchandiser" marketing transactions. All markups are subject to the limitations of section 12. To these prices you may be entitled to add various charges which you may incur, or allowances for special handling of the grain, under the rules provided in section 13 of this supplement. Subject to such additions, the maximum prices per hundred, for sales by a merchandiser are as follows:

(a) *If delivery is made in a carload quantity.* (1) For all deliveries of grain sorghums, which you receive and deliver in a carload quantity, you calculate your maximum price by adding to your supplier's maximum price on the sale and delivery to you (or to the maximum price of a withdrawal of grain as determined under section 2.3 of Food Products Regulation 2), your transportation cost and a markup of 4 cents per hundred.

(2) If you receive any lot of grain sorghums from your supplier in less-than-carload quantities and reship such grain sorghums by rail or vessel or sell it in storage, you must use the base price at the point of reshipment or storage less 4 cents per hundred in place of your supplier's maximum price, and after such adjustment you calculate your maximum price as provided in subparagraph (1).

(b) *If delivery is in a less-than-carload quantity.* If you deliver any lot of grain sorghums in a less-than-carload quantity, your maximum price shall be calculated by adding:

(1) Your supplier's maximum price on the sale and delivery to you (or the price of a withdrawal, as determined under section 2.3 of Food Products Regulation No. 2); and

(2) Your transportation cost; and

(3) A markup of 4 cents per hundred; and

(4) The appropriate one of the following additional markups:

(i) 11 cents per hundred if delivered to a feeder; or

(ii) 8 cents per hundred if delivered to any person other than a feeder or a trucker-merchant; or

(iii) 6 cents per hundred if delivered to a trucker-merchant:

Provided, That if you do your own hauling, and, therefore, your transportation cost is the hauling allowance set forth in section 5 (a) (22), and if the distance hauled is more than 60 miles, you shall not be permitted to add the extra markups provided in subparagraph (4) above, in such case. The markups provided in subparagraph (4) above will not be subject to the limitations on markups on carload shipments, as provided in section 12 of this supplement, but no more than one of such markups shall be added to the maximum price on the sale of any less-than-carload quantity except an additional markup on a sale to a feeder may be added to (4) (ii) above.

(c) *If delivery is made in storage.* If you deliver the grain sorghums to your customer in storage, you must either pay or have deducted from the payment of the maximum price to you all accrued storage and handling charges, and the loading out charges. If your customer is also the warehouseman, such deduction for handling and loading out shall be not less than 2 cents per hundred.

SEC. 11. *Maximum prices for sales by importers.* "Importer" means, with respect to any lot of grain sorghums grown outside the United States, the first person who owns the lot after entry into the United States, and who sells it through his place of business located in the United States. When he sells the grain sorghums, the importer will be either a merchandiser, trucker-merchant or retailer, according to the manner in which he sells. In computing his maximum price on sales by him, "his supplier's" maximum price is the base price for the county in which the grain sorghums in question enter the United States.

SEC. 12. *Limitations on total markups of country shippers, merchandisers, and on service charges of commission merchants and brokers which may be included in a maximum price.* In order to prevent undue accumulation of markups for distributive services, all markups except those set forth in sections 9 (b), 9 (c) (2), 10 (b) (4), 13 (b) and 13 (g) are subject to the limitations provided in this section.

(a) The maximum price for the sale of any lot of grain sorghums shall never include an amount in excess of 16 cents per hundred as a total of all merchandising markups and all service charges for brokers and commission merchants: *Provided*, That the maximum price for any lot of grain sorghums sold in the States of Louisiana, Texas, New Mexico, Oklahoma, Arkansas, Missouri, Kansas and Colorado and including sales in the cities of Vicksburg, Mississippi; Memphis, Tennessee, and Cairo and East St. Louis, Illinois, shall never include an amount in excess of 11 cents per hundred as a total of all merchandising markups and all service charges for brokers and commission merchants.

These are limitations on the total of markups and service charges which may be included in any maximum price. They may lessen, but will never increase, the amount of any single maximum markup or maximum service charge.

SEC. 13. *Rules relating to additions to the maximum price—(a) Maximum charges for services of brokers and commission merchants, also provision for adding such charges subject to limitations.* (1) Notwithstanding the provisions of any other regulation, the maximum charge which a broker or a commission merchant may charge for all services in connection with any purchase and sale of a lot of grain sorghums shall be as set forth below. These are maximum service charges regardless of whether the grain sorghums are sold at their maximum price and regardless of whether the markups may be added to any maximum price.

(i) *Brokers.* The maximum service charge for all services of a broker with respect to a purchase and sale of any lot of grain sorghums is 1 cent per hundred.

(ii) *Commission merchants.* The maximum service charge for all services of commission merchants under this supplement with respect to a purchase and sale of any lot of grain sorghums is 2 cents per hundred.

(2) Subject to the limitations set forth in section 12 of this supplement, any seller may add the service charges of a broker and commission merchant to the maximum price he would otherwise be entitled to charge: *Provided*, That the seller actually incurs such charge and *Provided*, That no maximum price shall ever include more than 2 cents per hundred for the total service charges of brokers and 2 cents per hundred for commission merchants' charges.

(b) *Elevation charges which may be added to your maximum price.* (1) Except as provided in subparagraph (2), if grain sorghums are unloaded into an elevator or warehouse from a rail car, barge, or vessel, the maximum price of the seller shall be increased by 2 cents per hundred provided the seller has actually incurred or would otherwise bear the expense of such elevation or handling, including loading out, except that if the seller is not the warehouseman and the expense he incurs or bears is less than 2 cents per hundred, he shall add to his maximum price only the actual amount so incurred or borne.

(2) When any lot of grain sorghums are transferred from rail cars or barge through an elevator or warehouse to lake vessel, the elevation or handling charges actually incurred by the seller (but not exceeding the charges in effect December 6, 1943) may be added to his maximum price: *Provided*, That if the grain sorghums are handled through an elevator or warehouse operated by the seller, he may add 2 cents per hundred.

(3) This paragraph (b) does not fix maximum prices which may be charged by warehousemen for elevating or handling grain sorghums belonging to another person. The amount of such charges is determined under the General Maximum Price Regulation.

(4) The markups provided in this subparagraph are not subject to the limitations contained in section 12 of this supplement.

(c) *Inspection and weighing charges.* (1) Where to complete a contract of sale of grain sorghums official inspection is necessary, the cost thereof shall be borne by the seller.

(2) Where to complete a contract of sale of grain sorghums official weighing is necessary, the cost thereof may be borne by either seller or buyer as the parties may agree: *Provided*, That if paid by the buyer, said expenditure shall not be added to the maximum price for any resale of said grain sorghums.

(d) *Sacks and sacking.* (1) When grain sorghums are sold in sacks and the seller furnishes both the sacks and the sacking, there may be added to the appropriate maximum price the reasonable market value of the sacks used (not exceeding any maximum price established thereon) plus, except where the seller is the producer, a sacking charge of 5 cents per hundred.

(2) When grain sorghums are sold in sacks by any seller other than the producer, and the sacks are furnished by the buyer and the seller does the sacking, there may be added to the appropriate maximum price a sacking charge of 5 cents per hundred.

(3) These charges may be added to the appropriate maximum price for succeeding sales while the grain sorghums are sold in sacks.

(e) *Carrying charges.* (1) "Carrying charges" are the charges which a seller is permitted to add to the appropriate maximum price for grain sorghums where the buyer requests deferment of delivery of the grain sorghums beyond the free time allowed under the terms of

the contract of sale. Carrying charges cover maintenance of condition and grade, financing, insurance and storage, and they involve the assumption on the part of the seller of undertaking to make deferred delivery to the buyer according to the grade, quality and quantity of grain sorghums purchased by the buyer, at any time the buyer may select, after the expiration of the free time.

(2) In addition to the appropriate maximum prices for grain sorghums, a carrying charge of $\frac{1}{11}$ of a cent per hundred, per day, may be charged by the seller from the date of the expiration of the free time, under the contract of sale, to the date selected by the buyer as the date on which shipment shall be made, or the date on which shipment or delivery is actually made, whichever is earlier: *Provided*, That in all cases, the seller may have five days from the date of receipt of instructions within which to make shipment, and he may charge carrying charges accordingly.

(3) On any resale, the maximum price of the seller shall not be increased for any such carrying charges so added.

(4) This provision for the addition of carrying charges shall have no application to grain sorghums stored, or remaining, on the farm where grown.

(5) This paragraph (e) does not fix maximum prices which may be charged by warehousemen for storing grain sorghums belonging to another person. The amount of such charge is determined under the General Maximum Price Regulation.

(f) *Special services.* Under certain special conditions persons performing several marketing functions may add to their maximum price merchandising markups for special services. These markups, and the conditions under which they may be added, are set forth in section 2.5 of Food Products Regulation No. 2.

(g) *Drying service charges and shrinkage markups.* Inasmuch as the custom drying of grain sorghums in exact quantities to meet trade and railroad tariff requirements, and the requirements of the Office of Defense Transportation is impractical, sellers may artificially dry grain sorghums and sell the dried grain sorghums. Except as set forth in subparagraph (3) below, the maximum price of such artificially dried grain sorghums shall be the equivalent maximum price per hundred of wet grain sorghums before drying, based on the weight of artificially dried grain sorghums actually delivered. The seller may add to his maximum price as computed:

(1) A markup for drying which shall not exceed the dryer's charge established under Revised Maximum Price Regulation No. 165 for custom drying the amount of wet grain sorghums of the moisture content used in calculating the seller's maximum price as described above; and

(2) A shrinkage loss markup which shall be computed by multiplying the maximum price per hundred of the wet grain sorghums by the difference between the weight of the wet grain sorghums and the weight of the artificially dried grain sorghums. If the actual weights are not available, the shrinkage loss shall be computed according to the following formula:

(i) Multiply the weight of wet grain sorghums by the percentage of dry matter in the wet grain sorghums; then

(ii) Divide the result of (i) by the percentage of dry matter in the dried grain sorghums; then

(iii) Subtract ½ of one percent of the weight of the wet grain sorghums from the quotient reached in (ii). The result of this subtraction is the weight of the dried grain sorghums; then

(iv) Subtract the weight of the dried grain sorghums from the weight of the wet grain sorghums to determine the weight of the shrinkage loss.

(3) If the grain sorghums to be dried is from a commingled lot, the maximum price of the wet grain sorghums shall be determined pursuant to sections 2.2, 2.3 and 2.7 of Food Products Regulation No. 2.

(4) The markups provided for in this paragraph (g) shall not be subject to the limitations set forth in section 12 of this supplement.

(5) On resale, the seller's maximum price shall be based on the maximum price of the appropriate grade of the dried grain sorghums.

SEC. 14. *Separate invoicing of charges, markups and costs.* When any selling price equals or exceeds the base price adjusted for grade and quality at point of origin, plus freight, all service charges, markups, elevation and handling costs and transportation costs permitted in respect to distributors of carload quantities shall be separately stated on the invoice or on the confirmation of purchase or sale which shall be supplied to each purchaser of a carload quantity.

SEC. 15. *Maximum price for grain sorghums on futures contract markets.* For the purpose of establishing maximum prices for sales of grain sorghums on futures contract markets, the following shall be considered the terminal base price to which may be added the applicable markups provided for in section 5.1 of Food Products Regulation No. 2 which is otherwise made applicable to this supplement:

Kansas City, Mo..... $2.40 per hundred

APPENDIX A

TABLE I

(a) *Schedule of premiums and discounts over and under standard grade and quality.* The base price of the standard grade and quality No. 2 grain sorghums, shall be adjusted for other grade and qualities by the following discounts:

(1) *Discounts for moisture.* The base price for grain sorghums containing over 15 percent moisture shall be the base price for a like grade of grain sorghums on a basis of all factors other than moisture, with the following adjustments for moisture content:

If the moisture content is over 15 percent, deduct 1 cent per hundred for each ½ percent or fraction thereof by which the moisture content exceeds 15 percent.

(2) *Discounts for factors other than moisture content.* (i) The base price for the standard grade and quality No. 2 grain sorghums shall be adjusted as follows for factors other than moisture:

Discount per 100 pounds for grading:	Cents
No. 3	2
No. 4	4
Sample	5

The discounts set forth in this subdivision (i) shall not be cumulative.

(ii) For grain sorghums carrying the following grade notation, the following additional discounts shall be subtracted:

Notation:	Cents per 100 pounds
Weevily	2
Sour	2
Heating or hot	4
Discolored	2
Smutty	2
Musty	2
For damaged grain in excess of 30	—2

cents for each additional 10% or fraction thereof.

(b) *Method of adjusting prices for grade and quality.* The premiums and discounts in paragraph (a) of this table are used to adjust the price for the standard grade and quality (No. 2 grain sorghums) so as to arrive at the price for a lot of grain sorghums other than standard. When grain sorghums are shipped out of a place of business, such outbound lot may be of different grade and quality than the inbound lot whose history you are using for the purpose of pricing the outbound lot. In such cases it is necessary to make a price adjustment to reflect such differences in grade and quality. This is done by adjusting the price of the inbound lot to a No. 2 (standard grade and quality) basis, by applying the schedule of premiums and discounts set forth in paragraph (a) of this table, and then adjusting that price in the same manner to determine the correct price for the grade and quality of the outbound shipment.

TABLE II—BASE PRICES AT INTERIOR RAIL POINTS

"Area A" includes the following states or portions of states:

Colorado (the counties of Alamosa, Archuleta, Chaffee, Clear Creek, Conejos, Costilla, Custer, Delta, Delores, Eagle, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Jackson, Lake, La Plata, Mesa, Mineral, Moffat, Montezuma, Montrose, Ouray, Park, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel, Summit and Teller.)

Idaho
Montana
Nevada
Oregon
Utah
Washington
Wyoming

"Area B" includes the following states:

Alabama
Connecticut
Delaware
District of Columbia
Florida
Georgia
Illinois
Indiana
Kentucky
Maine
Maryland
Massachusetts
Michigan
Mississippi
New Hampshire
New Jersey
New York
North Carolina
Ohio
Pennsylvania
Rhode Island
South Carolina
Tennessee
Vermont
Virginia
West Virginia
Wisconsin

"Area C" includes, the following states or portions of states, and set out opposite the counties or parishes of such states is a statement of the base price per hundred for grain sorghums in such counties or parishes:

STATE AND COUNTY AND PRICE PER HUNDRED

ARIZONA

Apache	$2.41	Mohave	$2.60
Cochise	2.41	Navajo	2.46
Coconino	2.53	Pima	2.51
Gila	2.51	Pinal	2.51
Graham	2.41	Santa Cruz	2.51
Greenlee	2.41	Yavapai	2.58
Maricopa	2.56	Yuma	2.58

ARKANSAS

Arkansas	$2.51	Lee	$2.56
Ashley	2.49	Lincoln	2.49
Baxter	2.42	Little River	2.53
Benton	2.32	Logan	2.37
Boone	2.39	Loncke	2.47
Bradley	2.48	Madison	2.35
Calhoun	2.46	Marion	2.42
Carroll	2.33	Miller	2.36
Chicot	2.54	Mississippi	2.56
Clark	2.40	Monroe	2.53
Clay	2.54	Montgomery	2.37
Cleburne	2.45	Nevada	2.40
Cleveland	2.47	Newton	2.39
Columbia	2.40	Ouachita	2.43
Conway	2.40	Perry	2.40
Craighead	2.54	Philips	2.56
Crawford	2.33	Pike	2.37
Crittenden	2.56	Poinsett	2.54
Cross	2.53	Polk	2.33
Dallas	2.43	Pope	2.40
Desha	2.54	Prairie	2.50
Drew	2.49	Pulaski	2.47
Faulkner	2.43	Randolph	2.51
Franklin	2.35	St. Francis	2.53
Fulton	2.45	Saline	2.43
Garland	2.40	Scott	2.33
Grant	2.43	Searcy	2.43
Greene	2.54	Sebastian	2.33
Hempstead	2.36	Sevier	2.33
Hot Spring	2.40	Sharp	2.48
Howard	2.35	Stone	2.45
Independence	2.48	Union	2.44
Izard	2.45	Van Buren	2.43
Jackson	2.51	Washington	2.33
Jefferson	2.47	White	2.47
Johnson	2.37	Woodruff	2.50
Lafayette	2.39	Yell	2.37
Lawrence	2.51		

CALIFORNIA

Alameda	$2.71	Plumas	$2.71
Alpine	2.71	Riverside	2.71
Amador	2.71	Sacramento	2.67
Butte	2.66	San Benito	2.71
Calaveras	2.71	San Bernardino	2.71
Colusa	2.64	San Diego	2.71
Contra Costa	2.71	San Francisco	2.76
Del Norte	2.71	San Joaquin	2.69
Eldorado	2.71	San Luis Obispo	2.71
Fresno	2.65	San Mateo	2.76
Glenn	2.62	Santa Barbara	2.71
Humboldt	2.71	Santa Clara	2.71
Imperial	2.63	Santa Cruz	2.71
Inyo	2.71	Shasta	2.71
Kern	2.66	Sierra	2.71
Kings	2.63	Siskiyou	2.71
Lake	2.71	Solano	2.69
Lassen	2.71	Sonoma	2.71
Los Angeles	2.71	Stanislaus	2.67
Madera	2.65	Sutter	2.64
Marin	2.71	Tehama	2.68
Mariposa	2.71	Trinity	2.71
Mendocino	2.71	Tulare	2.63
Merced	2.66	Tuolumne	2.71
Modoc	2.71	Ventura	2.71
Mono	2.71	Yolo	2.67
Monterey	2.71	Yuba	2.71
Napa	2.71		
Nevada	2.71		
Orange	2.71		
Placer	2.71		

COLORADO

Adams	$2.13	Kit Carson	$2.15
Arapahoe	2.13	Larimer	2.13
Baca	2.16	Las Animas	2.13
Bent	2.14	Lincoln	2.14
Boulder	2.13	Logan	2.15
Cheyenne	2.15	Morgan	2.13
Crowley	2.13	Otero	2.13
Denver	2.13	Phillips	2.16
Douglas	2.13	Prowers	2.15
Elbert	2.13	Pueblo	2.13
El Paso	2.13	Sedgwick	2.16
Huerfano	2.13	Washington	2.15
Jefferson	2.13	Weld	2.13
Kiowa	2.15	Yuma	2.16

IOWA

Adair	$2.34	Jefferson	$2.47
Adams	2.34	Johnson	2.47
Allamakee	2.50	Jones	2.50
Appanoose	2.42	Keokuk	2.47
Audubon	2.33	Kossuth	2.32
Benton	2.44	Lee	2.50
Blackhawk	2.44	Linn	2.47
Boone	2.35	Louisa	2.50
Bremer	2.44	Lucas	2.40
Buchanan	2.47	Lyon	2.23
Buena Vista	2.27	Madison	2.37
Butler	2.41	Mahaska	2.45
Calhoun	2.30	Marion	2.42
Carroll	2.31	Marshall	2.39
Cass	2.32	Mills	2.30
Cedar	2.50	Mitchell	2.41
Cerro Gordo	2.38	Monona	2.27
Cherokee	2.25	Monroe	2.42
Chickasaw	2.44	Montgomery	2.32
Clarke	2.33	Muscatine	2.50
Clay	2.27	O'Brien	2.25
Clayton	2.50	Osceola	2.25
Clinton	2.50	Page	2.31
Crawford	2.29	Palo Alto	2.29
Dallas	2.37	Plymouth	2.23
Davis	2.45	Pocahontas	2.29
Decatur	2.38	Polk	2.39
Delaware	2.50	Pottawattamie	2.30
Des Moines	2.50	Poweshiek	2.43
Dickinson	2.27	Ringgold	2.36
Dubuque	2.50	Sac	2.28
Emmet	2.29	Scott	2.50
Fayette	2.47	Shelby	2.31
Floyd	2.41	Sioux	2.23
Franklin	2.38	Story	2.37
Fremont	2.29	Tama	2.42
Greene	2.33	Taylor	2.33
Grundy	2.41	Union	2.36
Guthrie	2.35	Van Buren	2.47
Hamilton	2.35	Wapello	2.45
Hancock	2.35	Warren	2.40
Hardin	2.38	Washington	2.48
Harrison	2.29	Wayne	2.40
Henry	2.50	Webster	2.32
Howard	2.44	Winnebago	2.35
Humboldt	2.32	Winneshiek	2.47
Ida	2.26	Woodbury	2.24
Iowa	2.45	Worth	2.38
Jackson	2.50	Wright	2.35
Jasper	2.41		

KANSAS

Allen	$2.27	Doniphan	$2.30
Anderson	2.28	Douglas	2.30
Atchison	2.31	Edwards	2.21
Barber	2.21	Elk	2.25
Barton	2.21	Ellis	2.21
Bourbon	2.28	Ellsworth	2.22
Brown	2.28	Finney	2.18
Butler	2.23	Ford	2.20
Chase	2.25	Franklin	2.30
Chautauqua	2.25	Geary	2.25
Cherokee	2.26	Gove	2.19
Cheyenne	2.17	Graham	2.21
Clark	2.18	Grant	2.18
Clay	2.26	Gray	2.19
Cloud	2.24	Greeley	2.17
Coffey	2.27	Greenwood	2.26
Comanche	2.20	Hamilton	2.17
Cowley	2.23	Harper	2.23
Crawford	2.27	Harvey	2.23
Decatur	2.21	Haskell	2.18
Dickinson	2.23	Hodgeman	2.20

KANSAS—continued

Jackson	$2.28	Pottawatomi	$2.26
Jefferson	2.30	Pratt	2.21
Jewell	2.23	Rawlins	2.18
Johnson	2.31	Reno	2.22
Kearny	2.17	Republic	2.24
Kingman	2.22	Rice	2.22
Kiowa	2.21	Riley	2.26
Labette	2.26	Rooks	2.22
Lane	2.19	Rush	2.21
Leavenworth	2.32	Russell	2.22
Lincoln	2.23	Saline	2.23
Linn	2.28	Sedgwick	2.23
Logan	2.18	Scott	2.18
Lyon	2.26	Seward	2.17
McPherson	2.23	Shawnee	2.28
Marion	2.23	Sheridan	2.19
Marshall	2.26	Sherman	2.17
Meade	2.18	Smith	2.22
Miami	2.30	Stafford	2.21
Mitchell	2.23	Stanton	2.16
Montgomery	2.26	Stevens	2.16
Morris	2.25	Sumner	2.23
Norton	2.16	Thomas	2.18
Nemaha	2.27	Trego	2.21
Neosho	2.27	Wabaunsee	2.26
Ness	2.20	Wallace	2.17
Norton	2.21	Washington	2.23
Osage	2.27	Wichita	2.17
Osborne	2.22	Wilson	2.26
Ottawa	2.23	Woodson	2.27
Pawnee	2.21	Wyandotte	2.34
Phillips	2.22		

LOUISIANA

Acadia	$2.44	Madison	$2.51
Allen	2.39	Morehouse	2.47
Ascension	2.54	Natchitoches	2.39
Assumption	2.49	Orleans	2.62
Avoyelles	2.44	Ouachita	2.45
Beauregard	2.39	Plaquemines	2.62
Bienville	2.39	Pointe Coupee	2.49
Bossier	2.39	Rapides	2.39
Caddo	2.36	Red River	2.39
Calcasieu	2.44	Richland	2.47
Caldwell	2.45	Sabine	2.36
Cameron	2.44	St. Bernard	2.62
Catahoula	2.47	St. Charles	2.58
Claiborne	2.40	St. Helena	2.58
Concordia	2.50	St. James	2.54
De Soto	2.36	St. John The Baptist	2.58
East Baton Rouge	2.54	St. Landry	2.44
East Carroll	2.51	St. Martin	2.44
East Feliciana	2.54	St. Mary	2.49
Evangeline	2.39	St. Tammany	2.62
Franklin	2.47	Tangipahoa	2.62
Grant	2.41	Tensas	2.51
Iberia	2.44	Terrebonne	2.54
Iberville	2.49	Union	2.44
Jackson	2.41	Vermilion	2.44
Jefferson	2.62	Vernon	2.39
Jefferson Davis	2.44	Washington	2.62
Lafayette	2.44	Webster	2.39
Lafourche	2.58	West Baton Rouge	2.49
La Salle	2.45	West Carroll	2.51
Lincoln	2.41	West Feliciana	2.54
Livingston	2.58	Winn	2.41

MINNESOTA

Aitkin	$2.40	Dodge	$2.40
Anoka	2.42	Douglas	2.31
Becker	2.30	Faribault	2.32
Beltrami	2.36	Fillmore	2.42
Benton	2.37	Freeborn	2.35
Big Stone	2.24	Goodhue	2.42
Blue Earth	2.32	Grant	2.28
Brown	2.30	Hennepin	2.40
Carlton	2.44	Houston	2.46
Carver	2.37	Hubbard	2.33
Cass	2.37	Isanti	2.40
Chippewa	2.26	Itasca	2.40
Chisago	2.42	Jackson	2.26
Clay	2.28	Kanabec	2.42
Clearwater	2.32	Kandiyohi	2.30
Cook	2.52	Kittson	2.32
Cottonwood	2.26	Koochiching	2.44
Crow Wing	2.37	Lac qui Parle	2.23
Dakota	2.40	Lake	2.46

MINNESOTA—continued

Lake of the Woods	$2.36	Red Wood	$2.27
Le Sueur	2.36	Renville	2.30
Lincoln	2.25	Rice	2.38
Lyon	2.25	Rock	2.22
McLeod	2.33	Roseau	2.36
Mahnomen	2.32	Saint Louis	2.44
Marshall	2.32	Scott	2.36
Martin	2.29	Sherburne	2.40
Meeker	2.33	Sibley	2.33
Mille Lacs	2.40	Stearns	2.35
Morrison	2.37	Steele	2.38
Mower	2.38	Stevens	2.27
Murray	2.24	Swift	2.25
Nicollet	2.33	Todd	2.34
Nobles	2.24	Traverse	2.25
Norman	2.30	Wabasha	2.46
Olmsted	2.42	Wadena	2.33
Otter Tail	2.30	Waseca	2.35
Pennington	2.32	Washington	2.42
Pine	2.44	Watonwan	2.29
Pipestone	2.22	Wilkin	2.26
Polk	2.32	Winona	2.46
Pope	2.30	Wright	2.37
Ramsey	2.42	Yellow Medicine	2.23
Red Lake	2.32		

MISSOURI

Adair	$2.45	Linn	$2.43
Andrew	2.34	Livingston	2.40
Atchison	2.30	McDonald	2.32
Audrain	2.48	Macon	2.45
Barry	2.35	Madison	2.52
Barton	2.31	Maries	2.44
Bates	2.32	Marion	2.50
Beaton	2.36	Mercer	2.37
Bollinger	2.54	Miller	2.41
Boone	2.45	Mississippi	2.56
Buchanan	2.34	Moniteau	2.42
Butler	2.53	Monroe	2.47
Caldwell	2.38	Montgomery	2.50
Camden	2.39	Morgan	2.39
Callaway	2.47	New Madrid	2.56
Cape Girardeau	2.54	Newton	2.32
Carroll	2.41	Nodaway	2.33
Carter	2.50	Oregon	2.49
Cass	2.34	Osage	2.45
Cedar	2.34	Ozark	2.42
Chariton	2.43	Pemiscot	2.56
Christian	2.39	Perry	2.52
Clark	2.50	Pettis	2.39
Clay	2.37	Phelps	2.43
Clinton	2.36	Pike	2.52
Cole	2.44	Platte	2.35
Cooper	2.41	Polk	2.35
Crawford	2.47	Pulaski	2.41
Dade	2.33	Putnam	2.42
Dallas	2.37	Ralls	2.50
Daviess	2.38	Randolph	2.45
De Kalb	2.36	Ray	2.39
Dent	2.47	Reynolds	2.49
Douglas	2.42	Ripley	2.51
Dunklin	2.56	St. Charles	2.52
Franklin	2.50	St. Clair	2.34
Gasconade	2.47	St. Francois	2.52
Gentry	2.35	Ste. Genevieve	2.52
Greene	2.36	St. Louis	2.52
Grundy	2.40	Saline	2.40
Harrison	2.37	Schuyler	2.44
Henry	2.35	Scotland	2.47
Hickory	2.36	Scott	2.55
Holt	2.31	Shannon	2.49
Howard	2.42	Shelby	2.47
Howell	2.46	Stoddard	2.54
Iron	2.50	Stone	2.38
Jackson	2.35	Sullivan	2.43
Jasper	2.30	Taney	2.41
Jefferson	2.52	Texas	2.46
Johnson	2.36	Vernon	2.32
Knox	2.47	Warren	2.50
Laclede	2.39	Washington	2.50
Lafayette	2.37	Wayne	2.53
Lawrence	2.33	Webster	2.39
Lewis	2.50	Worth	2.35
Lincoln	2.52	Wright	2.43

NEBRASKA

Adams	$2.24	Blaine	$2.20
Antelope	2.21	Boone	2.24
Boyd	2.19	Lancaster	2.27
Brown	2.19	Lincoln	2.20
Buffalo	2.23	Logan	2.19
Burt	2.25	Loup	2.20
Butler	2.27	McPherson	2.19
Cass	2.28	Madison	2.24
Cedar	2.20	Merrick	2.25
Clay	2.24	Nance	2.25
Colfax	2.27	Nemaha	2.27
Cuming	2.25	Nuckolls	2.23
Custer	2.20	Otoe	2.26
Dakota	2.21	Pawnee	2.28
Dawson	2.21	Phelps	2.22
Dixon	2.21	Pierce	2.22
Dodge	2.27	Platte	2.26
Douglas	2.30	Polk	2.26
Fillmore	2.25	Redwillow	2.21
Franklin	2.22	Richardson	2.28
Frontier	2.22	Rock	2.19
Furnas	2.21	Saline	2.26
Gage	2.26	Sarpy	2.39
Garfield	2.20	Saunders	2.29
Gosper	2.22	Seward	2.27
Greeley	2.24	Sherman	2.23
Hall	2.24	Stanton	2.24
Hamilton	2.25	Thayer	2.24
Harlan	2.22	Thomas	2.19
Hayes	2.20	Thurston	2.23
Hitchcock	2.19	Valley	2.23
Holt	2.19	Washington	2.27
Hooker	2.19	Wayne	2.23
Howard	2.24	Webster	2.23
Jefferson	2.25	Wheeler	2.21
Johnson	2.27	York	2.26
Kearney	2.23	All other counties	2.18
Keyapaha	2.19		
Knox	2.19		

NEW MEXICO

Bernalillo	$2.30	Nora	$2.20
Catron	2.36	Otero	2.24
Chaves	2.22	Quay	2.16
Colfax	2.18	Rio Arriba	2.30
Curry	2.16	Roosevelt	2.16
De Baca	2.20	Sandoval	2.30
Dona Ana	2.30	San Juan	2.36
Eddy	2.22	San Miguel	2.20
Grant	2.36	Santa Fe	2.24
Guadalupe	2.20	Sierra	2.30
Harding	2.16	Socorro	2.30
Hidalgo	2.36	Taos	2.24
Lee	2.20	Torrance	2.24
Lincoln	2.24	Union	2.16
Luna	2.20	Valencia	2.36
McKinley	2.36		

NORTH DAKOTA

Adams	$2.26	McIntosh	$2.26
Barnes	2.26	Morton	2.26
Bowman	2.26	Ransom	2.26
Burleigh	2.26	Richland	2.26
Cass	2.26	Sargent	2.26
Dickey	2.26	Sioux	2.26
Emmons	2.26	Slope	2.26
Grant	2.26	Stark	2.26
Hettinger	2.26	Stutsman	2.26
Kidder	2.26	All other counties	2.30
La Moure	2.26		
Logan	2.26		

OKLAHOMA

Adair	$2.30	Custer	$2.22
Alfalfa	2.22	Delaware	2.28
Atoka	2.27	Dewey	2.22
Beaver	2.18	Ellis	2.19
Beckham	2.19	Garfield	2.22
Blaine	2.22	Garvin	2.22
Bryan	2.24	Grady	2.22
Caddo	2.22	Grant	2.24
Canadian	2.22	Greer	2.22
Carter	2.22	Harmon	2.19
Cherokee	2.28	Harper	2.18
Choctaw	2.27	Haskell	2.28
Cimarron	2.16	Hughes	2.26
Cleveland	2.22	Jackson	2.19
Coal	2.26	Jefferson	2.22
Comanche	2.22	Johnson	2.24
Cotton	2.22	Kay	2.24
Craig	2.26	Kingfisher	2.22
Creek	2.24	Kiowa	2.22
Latimer	$2.28	Pawnee	$2.24
La Flore	2.30	Payne	2.22
Lincoln	2.22	Pittsburg	2.28
Logan	2.22	Pontotoc	2.24
Love	2.22	Pottawatomie	2.24
McClain	2.22	Pushmataha	2.28
McCurtain	2.30	Roger Mills	2.19
McIntosh	2.28	Rogers	2.26
Major	2.22	Seminole	2.24
Marshall	2.24	Sequoyah	2.30
Mayes	2.27	Stephens	2.22
Murray	2.22	Texas	2.16
Muskogee	2.28	Tillman	2.19
Noble	2.22	Tulsa	2.24
Nowata	2.24	Wagoner	2.27
Okfuskee	2.25	Washington	2.24
Oklahoma	2.22	Washita	2.22
Okmulgee	2.27	Woods	2.20
Osage	2.24	Woodward	2.20
Ottawa	2.27		

SOUTH DAKOTA

Armstrong	$2.22	Jackson	$2.20
Aurora	2.19	Jerauld	2.19
Beadle	2.20	Jones	2.19
Bennett	2.19	Kingsbury	2.20
Bon Homme	2.19	Lake	2.19
Brookings	2.20	Lawrence	2.22
Brown	2.24	Lincoln	2.20
Brule	2.19	Lyman	2.19
Buffalo	2.19	McCook	2.19
Butte	2.22	McPherson	2.24
Campbell	2.24	Marshall	2.24
Charles Mix	2.19	Meade	2.22
Clark	2.20	Mellette	2.19
Clay	2.21	Miner	2.19
Codington	2.20	Minnehaha	2.19
Corson	2.24	Moody	2.19
Custer	2.19	Pennington	2.20
Davison	2.19	Perkins	2.24
Day	2.22	Potter	2.22
Deuel	2.20	Roberts	2.22
Dewey	2.22	Sanborn	2.22
Douglas	2.19	Shannon	2.19
Edmunds	2.22	Spink	2.22
Fall River	2.19	Stanley	2.20
Faulk	2.22	Sully	2.20
Grant	2.20	Todd	2.19
Gregory	2.19	Tripp	2.19
Haakon	2.20	Turner	2.20
Hamlin	2.20	Union	2.21
Hand	2.20	Walworth	2.22
Hanson	2.19	Washabaugh	2.19
Harding	2.24	Washington	2.19
Hughes	2.20	Yankton	2.20
Hutchinson	2.19	Ziebach	2.22
Hyde	2.20		

TEXAS

Anderson	$2.23	Comal	$2.26
Angelina	2.34	Comanche	2.20
Aransas	2.29	Concho	2.20
Archer	2.18	Cooke	2.20
Atascosa	2.23	Coryell	2.23
Austin	2.37	Crane	2.20
Bandera	2.22	Crockett	2.20
Bastrop	2.30	Culberson	2.22
Bee	2.27	Dallas	2.23
Bell	2.25	Delta	2.24
Bexar	2.24	Denton	2.20
Blanco	2.24	De Witt	2.32
Bosque	2.23	Dimmit	2.18
Bowie	2.32	Duval	2.22
Brazoria	2.40	Eastland	2.18
Brazos	2.34	Ector	2.20
Brewster	2.24	Edwards	2.20
Brooks	2.22	Ellis	2.23
Brown	2.20	El Paso	2.30
Burleson	2.33	Erath	2.20
Burnet	2.24	Falls	2.28
Caldwell	2.27	Fannin	2.22
Calhoun	2.32	Fayette	2.18
Cameron	2.18	Fort Bend	2.40
Camp	2.28	Franklin	2.26
Cass	2.32	Freestone	2.27
Chambers	2.42	Frio	2.21
Cherokee	2.29	Galveston	2.42
Clay	2.20	Gillespie	2.21
Collin	2.20	Goliad	2.30
Colorado	2.36	Gonzale	2.30

TEXAS—continued

Grayson	$2.20	Navarro	$2.25
Gregg	2.29	Newton	2.39
Grimes	2.36	Nueces	2.24
Guadalupe	2.27	Orange	2.44
Hamilton	2.21	Palo Pinto	2.20
Hardin	2.41	Panola	2.32
Harris	2.41	Parker	2.20
Harrison	2.32	Pecos	2.22
Hays	2.26	Polk	2.37
Henderson	2.27	Presidio	2.24
Hidalgo	2.18	Rains	2.25
Hill	2.24	Reagan	2.20
Hood	2.21	Real	2.20
Hopkins	2.25	Red River	2.27
Houston	2.31	Reeves	2.22
Hudspeth	2.30	Refugio	2.29
Hunt	2.25	Robertson	2.32
Irion	2.20	Rockwall	2.23
Jack	2.20	Rusk	2.30
Jackson	2.36	Sabine	2.35
Jasper	2.39	San Augustine	2.35
Jeff Davis	2.24	San Jacinto	2.37
Jefferson	2.42	San Patricio	2.27
Jim Hogg	2.20	San Saba	2.21
Jim Wells	2.22	Schleicher	2.20
Johnson	2.22	Shelby	2.32
Karnes	2.27	Smith	2.28
Kaufman	2.24	Somervell	2.21
Kendall	2.24	Starr	2.18
Kenedy	2.22	Stephens	2.18
Kerr	2.21	Sutton	2.20
Kimble	2.20	Tarrant	2.21
Kinney	2.20	Terrell	2.22
Kleberg	2.22	Titus	2.28
Lamar	2.24	Tom Green	2.20
Lampasas	2.23	Travis	2.26
La Salle	2.21	Trinity	2.34
Lavaca	2.34	Tyler	2.37
Lee	2.31	Upshur	2.28
Leon	2.30	Upton	2.20
Liberty	2.40	Uvalde	2.18
Limestone	2.26	Val Verde	2.20
Live Oak	2.24	Van Zandt	2.26
Llano	2.22	Victoria	2.32
Loving	2.20	Walker	2.35
McCulloch	2.20	Waller	2.38
McKennan	2.25	Ward	2.20
McMullen	2.23	Washington	2.35
Madison	2.32	Webb	2.20
Marion	2.32	Wharton	2.38
Mason	2.20	Wichita	2.18
Matagorda	2.38	Willacy	2.20
Maverick	2.20	Williamson	2.28
Medina	2.21	Wilson	2.26
Menard	2.20	Winkler	2.20
Milam	2.29	Wise	2.20
Mills	2.21	Wood	2.26
Montague	2.20	Young	2.18
Montgomery	2.38	Zapata	2.18
Norris	2.28	Zavala	2.18
Nacogdoches	2.32	All other counties	2.16

This supplement shall become effective June 25, 1945.

NOTE: All record keeping and reporting requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved, June 15, 1945.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 45-11212; Filed, June 25, 1945; 11:34 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 511, Revocation]

OATS, BARLEY AND GRAIN SORGHUMS

A statement of the considerations involved in the issuance of this order, issimultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 511 is revoked, subject to the provisions of Supplementary Order No. 40, and subject to the exception that deliveries made pursuant to contracts for the sale of grain sorghums entered into prior to the effective date of this order for revocation shall remain subject to the provisions of the above regulation.

This order shall become effective June 25, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 15, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45-11209; Filed, June 25, 1945; 11:34 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 448,[1] Amdt. 4]

CANNED CLAMS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 448 is amended in the following respects:

1. In Section 1, paragraphs (d), (e) and (f) are redesignated (e), (f) and (g) respectively. A new paragraph (d) is inserted to read as follows:

(d) *Quahog clams.* The maximum price per dozen cans, f.o.b. New York City, New York, for any item of quahog clams, is the price listed below for that item. The maximum price per dozen cans, f.o.b. car at the shipping point nearest the cannery, for any item of quahog clams is the price listed below for that item, minus the rail carload freight rate for the item from such shipping point to New York City, New York. These maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts and differentials to purchasers of different classes.

QUAHOG CLAMS

Item No.	Container size	Per dozen cans
1	No. 1 E.O. or No. 1 Picnic	$2.70
2	No. 1 Tall	4.10
3	No. 2	5.00
4	No. 10	22.45

(1) Paragraph (f) of this section (formerly paragraph (e)) contains provisions with respect to maximum prices for sales to governmental procurement agencies.

(2) Paragraph (g) of this section (formerly paragraph (f)) requires canners to notify wholesalers, retailers, and other distributors of their new maximum prices fixed by this regulation or any amendment thereto.

2. Redesignated section 1 (e) is amended to read as follows:

(e) For container sizes not listed in paragraphs (a), (b), (c) and (d), respectively, the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraphs (a), (b), (c) and (d) respectively. Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by statements showing costs and usual differentials.

3. In section 6, paragraph (b) is revoked.

4. Section 11 is amended to read as follows:

SEC. 11. *Definitions.* (a) When used in this maximum price regulation the term:

(1) "Butter clams" means bivalve mollusks of the species Saxidomus muttali.

(2) "Canner" means a person who preserves clams by processing and hermetically sealing in containers.

(3) "Clams" means various bivalve mollusks, especially certain edible kinds, that have equal valves and normally live partially or wholly buried in the sand or mud.

(4) "No. ½ flat" means a can (307 x 200.25 or 307 x 201.25) packed to a net drained weight of not less than 3½ ounces of clams.

(5) "No. 1 E.O." or "No. 1 Picnic" means a can (211 x 400) packed to a net drained weight of not less than 5 ounces of clams except in the case of whole razor clams, in which case it must be packed to a net drained weight of not less than 4½ ounces of clams.

(6) "No. 1 Tall" means a can (301 x 411) packed to a net drained weight of not less than 8 ounces of clams except in the case of whole razor clams, in which case it must be packed to a net drained weight of not less than 7 ounces of clams.

(7) "No. 2" means a can (307 x 409) packed to a net drained weight of not less than 10 ounces of clams, and is also known as No. 2 Regular.

(8) "No. 10" means a can (603 x 700) packed to a net drained weight of not less than 50 ounces of clams.

(9) "Little neck clams" means bivalve mollusks of the species Tapes staminea.

(10) "Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof or other government, or any of its political subdivisions, and any agency of the forgoing: *Provided*, That no punishment provided by this regulation shall apply to the

United States or to any such government, political subdivision, or agency.

(11) "Price per dozen" means the price for 12 cans of clams packed for shipment in the usual container.

(12) "Quahog clams" means bivalve mollusks of the species Venus mercenaria.

(13) "Razor clams" means surf clams of the genus Siliqua patula (Pacific Coast) and Mactra solidissima (Atlantic Coast).

(14) "Razor minced" means meats which have been removed from razor clams and which have been cut or chopped into small pieces.

(15) "Razor whole" means the whole meats which have been removed from razor clams.

(16) "Soft clams" means clams of the genus Mya arenaria, also known as soft-shell clams, sand clams, nannynose, and maninose, wherever the same are caught.

(17) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942, shall apply to other terms used herein.

This amendment shall become effective June 28, 1945.

NOTE: The record-keeping and the reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11179; Filed, June 23, 1945; 4:44 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[RMPR 136, Amdt. 5]

MACHINES, PARTS AND INDUSTRIAL EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation 136 is amended in the following respects:

1. Section 2 (a) (7) is added to read as follows:

(7) Bicycle accessories and parts.

2. Section 2 (a) (8) is added to read as follows:

(8) Fountain pen and mechanical pencil parts.

3. Section 2 (a) (9) is added to read as follows:

(9) Inner-constructions for sofa beds, studio couches and other upholstered dual purpose sleeping equipment.

4. Section 2 (a) (10) is added to read as follows:

(10) Mica parts.

5. Section 2 (a) (11) is added to read as follows:

(11) Parts (except electrical) for portable lamps, lamp shades and residential lighting fixtures.

6. Section 2 (a) (12) is added to read as follows:

(12) Parts and accessories of musical instruments, including toy and novelty musical instruments.

7. Section 2 (a) (13) is added to read as follows:

(13) Radio cabinets.

8. Section 2 (a) (14) is added to read as follows:

(14) Radio receiver tubes covered by section 3.3 of Supplementary Regulation 14J to the General Maximum Price Regulation. Note that this exclusion does not apply to sales by manufacturers. Sales of these radio receiver tubes by manufacturers are covered by this regulation.

9. Section 2 (a) (15) is added to read as follows:

(15) Refrigerator cabinets.

10. Section 2 (a) (16) is added to read as follows:

(16) Watch and clock parts, except springs.

11. Section 2 (d) is amended to read as follows:

(d) *Sales of certain parts and subassemblies by a seller of the complete item.* Any sale or delivery of a part or subassembly of a commodity covered by any of the following regulations:

Regulation and Title
Maximum Price Regulation 64: Domestic Cooking and Heating Stoves.
Revised Price Schedule 86: Domestic Washing Machines and Ironing Machines.
Revised Price Schedule 102: Household Mechanical Refrigerators.
Revised Price Schedule 111: New Household Vacuum Cleaners and Attachments.
Maximum Price Regulation 188: Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.
Maximum Price Regulation 272: Cast-Iron Boilers and Cast-Iron Radiation.
Maximum Price Regulation 399: New Ice Boxes.

However, this regulation does cover:

(1) Sales and deliveries of metallic parts and subassemblies of such items (except those parts and subassemblies excluded from the coverage of this regulation by paragraph (a) above) to the manufacturer of the complete item of which they are a part.

(2) All sales and deliveries by a manufacturer of replacement units and assemblies for mechanical refrigerators having a refrigerated volume of 16 cubic feet or less.

(3) All sales and deliveries by a manufacturer of parts for radio transmitting and receiving equipment, except radio cabinets.

(4) All sales and deliveries by a manufacturer of parts for electronic devices or equipment, except radio cabinets.

NOTE: Other regulations establish the maximum prices for those sales which this paragraph (d) excludes from this regulation.

12. Section 2 (l) is added to read as follows:

(l) *Retail sales of electric storage batteries, electric fuses and wiring devices.* This regulation applies to sales of electric storage batteries, electric fuses and wiring devices to industrial, commercial or governmental users. However, this regulation does not apply to sales of these items to any other type of user.

13. The first paragraph of section 10 (d) (2) is amended to read as follows:

The price used in determining the allowable cost of purchased parts and subassemblies covered by this regulation, Revised Price Schedule 82 (Wire, Cable and Cable Accessories), Maximum Price Regulation 119 (Original Equipment Tires and Tubes), Maximum Price Regulation 147 (Bolts, Nuts, Screws and Rivets), Maximum Price Regulation 149 (Mechanical Rubber Goods), Maximum Price Regulation 452 (Manufacturers' Maximum Prices for Automotive Parts), and Maximum Price Regulation 523 (Plastics Products) shall be the price paid by the manufacturer, not in excess of the applicable maximum price.

14. The paragraph following section 12 (e) (4) is amended to read as follows:

The base price shall be the price f. o. b. manufacturer's plant. However, where the manufacturer sells the product, when new, only on an installed basis, the base price shall be the manufacturer's price to users for the sale of the product, when new, installed at the point of original installation. Where the manufacturer sells the product, when new, only on a delivered basis, the base price shall be the manufacturer's price to users for the sale of the product, when new, delivered to the point where the second-hand product is located at the time of purchase.

15. Section 19 (d) is amended to read as follows:

(d) *Mica capacitors.* The maximum manufacturers' prices of mica capacitors shall be determined as follows: The manufacturer shall first determine the price in accordance with all applicable provisions of this regulation, except this paragraph. The manufacturer shall then add to that price increases in unit cost, realized subsequent to the basic date of the capacitor (March 31, 1942, or April 1, 1943), in the cost of block mica and in the cost of splitting and cutting mica film. Labor rates must be determined as of the base date for the capacitor. Where the manufacturer purchases mica parts, he shall add increases in unit cost, realized subsequent to the base date of the capacitor, in the cost of mica parts.

16. The second sentence of section 28 (a) (1) is amended to read as follows: "However, if, during that period, he contracted at least once to sell, rent or lease that product to the same class of purchasers at a higher price, then neither price shall be considered an 'established price'."

17. The item "Governors, engine" with a base date of October 1, 1941, is added in alphabetical order to the list of products contained in Appendix A.

18. The item "Skid platforms and pallets, all metal" with a base date of October 1, 1941, is added in alphabetical order to the list of products contained in Appendix A.

19. In Appendix A, the base date for the item "Pole-line hardware and line construction specialties" is amended to read "March 31, 1942."

20. In Appendix A, the item "Blocks and sheaves, tackle" with a base date of October 1, 1941, is amended to read "Blocks and tackle" with a base date of March 31, 1942.

21. In Appendix A, the base date for the item "Capacitors, electrical, except fixed capacitors of the type and size used for military radio and radar equipment" is amended to read "March 31, 1942."

22. In Appendix A the item:

Parts, subassemblies and components, metallic, of any commodity covered by a regulation listed in the following table, when the part, subassembly or component is sold to the manufacturer of the commodity of which it is a part, March 31, 1942

Regulation and Title
Revised Price Schedule 86: Domestic Washing Machines and Ironing Machines.
Revised Price Schedule 102: Household Mechanical Refrigerators.
Revised Price Schedule 111: New Household Vacuum Cleaners and Attachments.
Maximum Price Regulation 188: Manufacturers' Maximum Prices for Specific Building Materials and Consumers' Goods Other Than Apparel.
Maximum Price Regulation 246: Manufacturers' and Wholesale Prices for Farm Equipment.
Maximum Price Regulation 254: New Small Firearms and Firearms Parts.
Maximum Price Regulation 272: Cast-Iron Boilers and Cast-Iron Radiation.
Maximum Price Regulation 399: New Ice Boxes.
Maximum Price Regulation 430: Assembled Radios and Phonographs.

is amended to read as follows:

Parts, subassemblies and components, metallic, of any commodity covered by a regulation listed in the following table, when the part, subassembly or component is sold to the manufacturer of the commodity of which it is a part, March 31, 1942

Regulation and Title
Maximum Price Regulation 64: Domestic Cooking and Heating Stoves.
Revised Price Schedule 86: Domestic Washing Machines and Ironing Machines.
Revised Price Schedule 102: Household Mechanical Refrigerators.
Revised Price Schedule 111: New Household Vacuum Cleaners and Attachments.
Maximum Price Regulation 188: Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.
Maximum Price Regulation 246: Manufacturers' and Wholesale Prices for Farm Equipment.
Maximum Price Regulation 272: Cast-Iron Boilers and Cast-Iron Radiation.
Maximum Price Regulation 399: New Ice Boxes.

This regulation does not cover bicycle parts and accessories; fountain pen and mechanical pencil parts; inner-constructions for sofa beds, studio couches and other upholstered dual purpose sleeping equipment; parts (except electrical) for portable lamps, lamp shades and residential lighting fixtures; parts and accessories of musical instruments, including toy and novelty musical instruments; radio cabinets; refrigerator cabinets; and watch and clock parts, except springs.

23. In Appendix A, the item "Radio receiving equipment parts when sold by the manufacturer of the part or when sold to industrial, commercial or governmental users" is amended to read as follows: "Radio receiving equipment parts when sold by the manufacturer of the part or when sold to industrial, commercial or governmental users, except sales by retailers and wholesalers of radio receiver tubes for which maximum prices are established by section 3.3 of Supplementary Regulation 14J to the General Maximum Price Regulation."

24. In Appendix A, the item "Springs, except furniture and bed springs and automotive springs covered by Maximum Price Regulation 452 (Manufacturers' Maximum prices for Automotive Parts)", is amended to read as follows: "Springs, except furniture and bed springs, inner-constructions for sofa beds, studio couches and other upholstered dual purpose sleeping equipment, and springs covered by Maximum Price Regulations 452 (Manufacturers' Maximum Prices for Automotive Parts) or 548 (Metal Upholstery Springs, Constructions, and Accessories)."

25. In Appendix E, the following items with the following depreciation rates are added in alphabetical order:

Transformers, portable types	10
Transformers, non-portable types	6

This amendment shall become effective June 30, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11211; Filed, June 25, 1945; 11:32 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 59]

FUEL OIL

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5347 (c) is amended to read as follows:

(c) *Not applicable to Pacific Northwest.* This section does not apply to Zones A-3, B-3, and C-3 until the Regional Administrator has declared, after approval from the Washington Office, that there is available in the area where the applicant is located, an adequate supply of fuel oil for the purpose.

2. Section 1394.5349 is revoked.

3. Section 1394.5361 (a) (1) is amended by substituting the phrase "from November 1, 1944 to June 29, 1945" for the phrase "beginning November 1, 1944."

4. Section 1394.5362 (a) (1) (i) is amended by substituting the phrase "from November 1, 1944 to June 29, 1945" for the phrase "beginning November 1, 1944."

[1] 9 F.R. 2357.

5. Section 1394.5366 (a) (4) is amended by substituting the phrase "from November 1, 1944 to June 29, 1945" for the phrase "beginning November 1, 1944."

6. Section 1394.5373 (b) is amended by substituting the phrase "From November 1, 1944 to June 29, 1945" for the phrase "beginning November 1, 1944."

7. Section 1394.5373 (e) is amended by deleting the parenthetical phrase "(or (b) if applicable)."

8. Section 1394.5378 (b) is amended by substituting the phrase "from November 1, 1944 to June 29, 1945" for the phrase "beginning November 1, 1944."

9. Section 1394.5421 (b) is amended by substituting for the word "of" the word "under."

10. Section 1394.5422 (a) (2) is amended by substituting for the parenthetical sentence at the end thereof the following parenthetical sentence: "(No ration under this section may be issued for domestic hot water furnished by means of domestic cooking equipment or by means of a space heater unless it is equipped with a water heating attachment.)"

11. Section 1394.5425 (a) (1) is amended by substituting for the parenthetical sentence at the end thereof the following parenthetical sentence: "(No renewed ration under this section may be issued for domestic hot water furnished by means of a space heater or cooking equipment unless it is equipped with a water heating attachment.)"

12. Section 1394.5735 (b) (2) is amended by substituting for the second sentence thereof the following sentence: "If so designated, the seller must surrender the ration evidences collected to the deliverer (if it is a ration check he must endorse and surrender it to the deliverer or he may, instead, endorse and surrender it to the Board which will issue to him, in exchange, a ration check which he must endorse and surrender to the deliverer)."

This amendment shall become effective on June 29, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11215; Filed, June 25, 1945; 11:33 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 118]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 15, Appendix H, Table 11 (Maximum Prices for Honeydew Melons), footnote reference 3 is added to the heading of Column 5 and footnote 3 is added to read as follows:

[3] During the period beginning June 23, and ending July 7, 1945, the Column 5 price shall be for items 1 and 2 (honeydew crate) $2.50; for items 4 and 5 (jumbo crate) $3.75; for items 7 and 8 (other containers) 6.45¢ per pound; and for items 10 and 11 (in bulk) 4.53¢ per pound. During the period beginning July 8 and ending July 20, 1945, the Column 5 price shall be for item 2 (honey-

as follows:

(11) Parts (except electrical) for portable lamps, lamp shades and residential lighting fixtures.

graph (d) excludes from this regulation.

12. Section 2 (1) is added to read as follows:

tober 1, 1941, is added in alphabetical order to the list of products contained in Appendix A.

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dew crate) $2.15; for item 5 (jumbo crate) $3.20; for item 8 (other containers) 5.55¢ per pound; and for item 11 (in bulk) 3.63¢ per pound.

This amendment shall become effective at 12:01 a. m. June 24, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 22, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-11178; Filed, June 23, 1945, 4:44 p. m.]

PART 1429—POULTRY AND EGGS

[2d Rev. MPR 269,[1] Incl. Amdts. 1-8]

POULTRY

This compilation of 2d Revised Maximum Price Regulation 269 includes Amendment 8, effective July 1, 1945. Portions added, amended, deleted and redesignated by Amendment 8 are indicated by underscoring or notes.

A statement of the considerations involved in the issuance of this regulation has been filed with the Division of the Federal Register.[2]

ARTICLE I—GENERAL SCOPE OF THE REGULATION

Sec.
1.1 What this regulation covers.
1.2 Where this regulation applies.
1.3 What this regulation prohibits.
1.4 What purchases, sales and deliveries are exempt from this regulation.
1.5 How this regulation applies to other price regulations and orders.
1.6 Transfer of business or stock in trade.
1.7 What this regulation permits.
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ARTICLE II—POWERS DELEGATED TO REGIONAL ADMINISTRATORS

2.1 Adjustment of maximum prices for live and processed poultry.
2.2 Adoption of uniform maximum base prices for live poultry.
2.3 Adjustment of maximum base prices and markups and modification of definitions.
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ARTICLE III—RECORDS, REPORTS, ENFORCEMENT PROVISIONS AND DEFINITIONS

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ARTICLE IV—HOW TO CALCULATE MAXIMUM BASE PRICE

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4.5 How the United States is zoned for the purpose of calculating maximum base prices for ducks.
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5.2 Definition of basing point cities for ducks.
5.3 Application of grade, species, age and sex specifications.
5.4 Monthly maximum base prices in the various zones for Grade A live and Grade A dressed poultry items, other than ducks and turkeys.
5.5 Additions to, and deductions from Table A prices for Grade A kosher-killed, kosher-dressed, drawn and frozen eviscerated poultry other than ducks and turkeys, and for cut-up poultry, specified portions of any poultry item and poultry fat.
5.6 Maximum base prices in the various zones for Grade A live and for Grade A processed turkeys.
5.7 Monthly adjustments in the maximum base prices for all turkey items.
5.8 Maximum base prices for Grade A live and Grades A and B processed duck items.
5.9 Monthly adjustments in the maximum base prices for all duck items.
5.10 Maximum base price for Grade B live poultry, for Grades B and C processed poultry and for hard-scalded poultry.
5.11 Application of prices for all poultry items sold in other than box-packed or barrel-pack form.
5.12 Additions to maximum base prices for live and processed turkey items during the months of June, July, August, September, and October 1945.

ARTICLE VI—MARKUP TO BE ADDED TO MAXIMUM BASE PRICES

6.1 General explanation.
6.2 Definitions of certain terms used in Tables D, E and F, of this regulation.
6.3 Markups for transporting live poultry.
6.4 Markups to maximum base prices for making certain types of sales.

ARTICLE VII—SPECIAL MAXIMUM PRICING PROVISIONS

7.1 General explanation.
7.2 Service charges for converting live poultry into processed poultry.
7.3 Maximum prices for poultry items when sold at retail by any type of seller other than a retailer covered by Maximum Price Regulations 422 and 423.
7.4 Maximum prices for poultry items requisitioned or purchased off carriers by the United States Government or any of its agencies.
7.5 Sale of poultry items by the United States Government.
7.6 Maximum prices for processed poultry items purchased for ultimate sale to ship operators.
7.7 Savings clause.
7.8 Maximum prices for poultry items set aside by the United States Government or its agencies pursuant to War Food Order No. 125.
7.9 Service charge for transporting live poultry.
7.10 Maximum base price for guineas.

AUTHORITY: § 1429.1 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL SCOPE OF THE REGULATION

SECTION 1.1 *What this regulation covers.* This regulation establishes maximum prices at which live and processed poultry items shall be sold, purchased or delivered.

SEC. 1.2 *Where this regulation applies.* The provisions of this regulation shall be applicable only to the 48 states of the United States of America and to the District of Columbia.

SEC. 1.3 *What this regulation prohibits.*—(a) *Prohibition against sales of poultry items at prices above the maximum.* Regardless of any contract, agreement or other obligation, no person shall sell or deliver or cause to be sold or delivered, whether for his own account or otherwise, the poultry items specified in this regulation at a price higher than the maximum prices established by this regulation; and no person in the course of trade or business shall buy or receive such poultry items at a price higher than the maximum prices established by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

(b) *Prohibition against the sharing of markups.* Regardless of any contract, agreement, agency agreement or other understanding to the contrary, no person shall share with or return to any person who could not himself have sold the poultry items at that markup any part of any amount which includes a markup obtained for the sale of poultry. This prohibition applies whether or not the person making the sale is an agent of the person to whom all or part of the price received for the poultry is to be returned. Any such sharing of the distributive markup or margin with one who could not himself have added such markup or margin to the applicable maximum base price shall be deemed to be a violation of this regulation. The practices described in this paragraph (b) as evasions of the regulation are in addition to other evasive practices prohibited by this regulation and shall not be deemed to permit the sharing or splitting of any part of any sale price in other instances.

(c) *Prohibition against payment by the purchaser of certain brokers' or finders' fees and commissions.* No purchaser of poultry shall pay to a broker or finder for his services any sum which, when added to the sum paid the seller for the poultry, exceeds the seller's maximum price established by this regulation. Any such payment shall be deemed to be a violation of the maximum prices established by this regulation.

(d) *Prohibition against evasion.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, any poultry items, prices for which are established by this regulation, alone or in conjunction with any commodity, or by way of any commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(e) *Sales through an agent.* No person shall, in selling poultry through an independent agent or independent contractor at any of the markups permitted for such sale by section 6.4, Table E or F, retain for himself more than the maximum price applicable for the sale of the poultry by the principal to the independent agent or contractor. In any sale of poultry through an independent agent or contractor to the United States Government or any of its agencies, however, the principal may retain for himself an amount not in excess of the applicable maximum base price plus ½ cent per pound. Insofar as it requires any independent agent or contractor to charge an amount for his services in excess of that allowed by Maximum Price Regulation 165,[3] this section 1.3 (e) supersedes the provisions of Maximum Price Regulation 165.

[Paragraph (e) added by Am. 5, 10 F.R. 5696, effective 5-22-45; amended by Am. 8, effective 7-1-45]

SEC. 1.4 *What purchases, sales and deliveries are exempt from this regulation.* The following sales are exempt from the provisions of this regulation:

(a) *Certain sales of poultry in canned form.* The sale, purchase, and delivery of canned poultry is covered by Maximum Price Regulation 262,[4] as amended, except insofar as maximum prices are established for canned poultry under the provisions of section 1.9 of this regulation.

[Paragraph (a) amended by Am. 8, effective 7-1-45]

(b) All sales and purchases of "baby" or "started" chicks, ducklings, goslings and poults when sold for purposes other than present human consumption.

(c) All sales and purchases of squabs, pigeons, quail and pheasants.

[Word "guineas" in paragraph (c) deleted by Am. 8, effective 7-1-45]

(d) All sales and purchases of breeding poultry sold to any purchaser who certifies in writing to the seller that he is a farmer or producer, purchasing the poultry for breeding purposes only, or is a person engaged in the business of distributing breeding poultry to farmers or producers. The certificate must also contain the name and business address of the purchaser and date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(e) All sales and purchases of female poultry sold to a farmer or producer who certifies in writing to the seller that he is a farmer or producer purchasing the poultry for the sole purpose of egg production, or is a person engaged in the business of distributing poultry to be used for egg production to farmers or producers. The certificate must also contain the name and business address of the purchaser and date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(f) All sales of live mallard and black ducks, capable of migratory flight when matured, raised under a permit from the Fish and Wildlife Service of the U. S. Department of the Interior or under any regulations or permits issued by any Game or Conservation Department of any state, and sold either for shooting purposes under any game law or to stock parks or game preserves.

(g) All sales at retail except those specified in Section 7.3 of this regulation. Sales at retail shall be determined in accordance with the provisions of Maximum Price Regulation No. 422,[5] entitled "Ceiling Prices of Certain Foods Sold at Retail in Group 3 and Group 4 Stores", and Maximum Price Regulation No. 423,[6] entitled "Ceiling Prices of Certain Foods sold at Retail in Independent Stores doing an Annual Business of Less than $200,000 (Group 1 and Group 2 Stores)".

(h) Export sales. The maximum prices at which any person shall export any of the poultry items covered by this regulation shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[7] issued by the Office of Price Administration.

SEC. 1.5 *How this regulation applies to other price regulations and orders.*—(a) *With respect to Maximum Price Regulation No. 280, Maximum Price Regulation 269 and Revised Maximum Price Regulation 269.* The provisions of this regulation supersede the provisions of Maximum Price Regulation 280,[8] Maximum Price Regulation 269 and Revised Maximum Price Regulation 269 with respect to the sale, purchase and delivery of poultry items for which maximum prices are established by this regulation. Insofar as this regulation does not establish a maximum price for any particular sale of poultry items, the provisions of Maximum Price Regulation 280, or any other applicable maximum price regulation, remain in effect.

(b) *With respect to certain provisions of the General Maximum Price Regulation.* Section 4 b (§ 1499.4 b) (Special Deals) and section 14 (§ 1499.14) (Sales slips and receipts) of the General Maximum Price Regulation,[9] as amended, shall be applicable to all agreements, sales, purchases and deliveries covered by this regulation.

(c) *With respect to certain provisions of supplementary regulations and orders.* The following provisions of the following supplementary regulations and orders shall be applicable to all agreements, sales, purchases and deliveries covered by this regulation unless otherwise provided in subsequent sections of this regulation:

(1) Revised Supplementary Regulation No. 1, section 4.3, (Emergency Purchases.)

(2) Revised Supplementary Regulation No. 1, section 4.4 (Developmental Contracts.)

(3) Supplementary Order No. 42, Amendment 1, § 1305.57, (Secret Contracts.)

(4) Supplementary Order No. 27, § 1305.32, (Sales or deliveries of the War Department or the Navy Department through such department's sales stores.)

(5) Supplementary Order No. 106 (Maximum Packing Charges on Sales of Food to Government Procurement Agencies).

[Subparagraph (5) amended by Am. 8, effective 7-1-45]

(6) Supplementary Order No. 31, (Treatment of 3% transportation tax imposed by section 620 of Revenue Act of 1942.)

(7) Supplementary Order No. 81, (Establishing maximum prices for sales of food by United States government agencies and exempting certain of such sales from price control.)

(8) Supplementary Order No. 72, (Licensing.)

(9) Supplementary Order No. 84, (Describing conditions under which marketing cooperatives may pay a patronage dividend.)

SEC. 1.6 *Transfer of business or stock in trade.* If the business, assets, or stock in trade of any seller are sold or otherwise transferred and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records sufficient to verify those prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

SEC. 1.7 *What this regulation permits.*—(a) *Less than maximum prices.* Lower prices than those established by this regulation for the sale or purchase of poultry may be charged, demanded, offered or paid.

(b) *Discounts and allowances.* The maximum prices established by this regulation shall apply to all sales of poultry, whether for cash or credit. However, any seller may always give discounts or allowances which result in prices lower than the maximum established herein for the sale or purchase of poultry.

(c) *Addition of separately stated and collected taxes.* If any statute of the United States or statute or ordinance of any state or subdivision of any state imposes a tax upon the sale or delivery of any poultry item covered by this regulation and does not prohibit the seller from stating and collecting the tax separately from the purchase price, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected by the vendor from whom he purchased such poultry items; *Provided, however,* That:

(1) The seller states and collects the tax separately from the purchase price; and

(2) If the tax was in effect prior to the effective date of this regulation, the sell-

[1] 9 F.R. 15095.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 9 F.R. 2357.

[4] Revised: 10 F.R. 2097, 2250, 3925, 6231.

[5] 7 F.R. 9244, 10844; 8 F.R. 262, 273, 437, 973, 2285, 5164, 9201, 10568, 11040, 11447, 14985, 15935, 16087, 17227; 9 F.R. 347, 9783; 10 F.R. 2617.

[6] 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514.

[7] 10 F.R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514.

[8] 2nd Revised: 8 F.R. 4122, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9634, 11273, 12919, 14346; 10 F.R. 863, 923, 2432.

[9] 9 F.R. 6520, 9090, 10858, 13004, 13057, 13758, 14067, 15107; 10 F.R. 1968.

[10] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

Copies may be obtained from the Office of Price Administration.

Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

trade understanding or otherwise.

9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

(2) If the tax was in effect prior to the effective date of this regulation, the sell-

er's usual business practice was to state and to collect the tax separately from the purchase price of the poultry items; and

(3) Appropriate records are kept indicating the amount of the tax so separately stated and collected, by which governmental authority the tax was imposed, to whom the tax was paid (the prior vendor or the government), to what specific poultry items the tax applies and to whom the products were sold.

SEC. 1.8 *Petitions for amendment.* (a) Persons who are subject to or directly affected by the provisions of this regulation and who desire an amendment to this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[9] issued by the Office of Price Administration. The petition should set forth specifically and in stated terms the precise amendment sought by petitioner.

(b) *Adjustable pricing during pendency of petition.* In appropriate situations, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, authorize the petitioner to agree to deliver poultry during the pendency of the petition at prices to be adjusted upward in accordance with the disposition of the petition. Such authorization may be given only if necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization shall be given only by the Administrator and only by order, except that when the contemplated revision will be the granting of an individual application for adjustment it may be given by letter or telegram.

SEC. 1.9 *Adjustment of certain maximum prices.* (a) The Price Administrator may by letter-order adjust the maximum prices established in this regulation or fix new maximum prices for any specially or distinctively prepared or packaged processed poultry items which differ substantially from the usual forms of processed poultry priced by this regulation when he finds that:

(1) the specially or distinctively prepared or packaged processed poultry items possess certain individual features of superior merit which warrant a price increase, and

(2) these processed poultry items cannot be prepared and distributed without financial hardship unless a price adjustment is granted or that

(3) such specially or distinctively prepared or packaged processed poultry items are now priced under the provisions of Maximum Price Regulation 262 or Maximum Price Regulation 280 and the price established by such regulation is either inadequate or excessive in comparison with the price of the same or similar products sold by other manufacturers or distributors under such regulation and is either inadequate or excessive in light of the costs involved in the preparation or packaging of the product.

[9] 9 F.R. 10476, 13715.

(b) No price adjustment shall be made for any specially or distinctively prepared or packaged processed poultry items under the provisions of this section where the price adjustment disrupts or tends to disrupt the production or distribution of other processed poultry products or creates or tends to create a need for increase in price for such other or competitive poultry products or in any way nullifies or defeats the purposes of the Emergency Price Control Act of 1942, as amended.

(c) No price adjustment shall be made under the provisions of this section for an item now priced under another regulation if the resulting maximum price will be in excess of the maximum price established by this regulation for the most comparable processed poultry item normally distributed under the provisions of this regulation, plus such shrink costs, processing and packaging expenses and other necessary production costs which are additional to those usually incurred in the production, preparation and packaging of the comparable product priced under this regulation.

[Sec. 1.9 added by Am. 8, effective 7-1-45]

ARTICLE II—POWERS DELEGATED TO REGIONAL ADMINISTRATORS

SEC. 2.1 *Adjustment of maximum prices for live and processed poultry.* Each Regional Administrator is authorized to adjust for his region any maximum price established under this regulation for live and processed poultry items in the case of any seller or group of sellers, where it appears that:

(a) There exists or threatens to exist in a particular locality in his region a shortage in the supply of such live and processed poultry items; and

(b) Such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such live and processed poultry items; and

(c) Such adjustment will not create or tend to create a shortage or need for increase in prices in another locality and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 2.2 *Adoption of uniform maximum base prices for live poultry.* Each Regional Administrator of the Office of Price Administration is authorized to adjust the maximum base prices for any live poultry items as established in this regulation for all places within any political subdivision or other defined area in his region to one uniform maximum base price applicable to all places in such political subdivision or other defined area; *Provided*, That:

(a) Such uniform maximum base price for the live poultry item shall not exceed by more than 1 10th of one cent per pound the lowest maximum base price for the live poultry item in such political subdivision or other defined area; and

(b) Such uniform maximum base price for the live poultry items will not create or tend to create a shortage or need for increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended; and

(c) The Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration is notified, and has approved, in writing of the proposed uniform maximum base price for the live poultry item:

Example: The maximum base price for live ducks in County X ranges from a low of 28.44 cents per pound to a high of 28.54 cents per pound. The Regional Administrator decides to adjust all maximum base prices for live ducks in County X to one uniform maximum base price of 28.5 cents per pound. In the interest of simplicity and effective enforcement. He ascertains that such uniform price will not create a shortage or need for increase in prices in another locality. He also knows that the uniform maximum base price of 28.5 cents per pound does not exceed by more than 1/10th of one cent the lowest maximum base price of 28.44 cents per pound. Therefore, upon receiving the written consent of the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration, he may establish 28.5 cents per pound as the uniform maximum base price for live ducks in all places in County X; and

(d) The Administrator of the War Food Administration is notified in writing of every proposed uniform maximum base price for any live poultry item which reduces the maximum base price for such live poultry item at any place in the political subdivision or other defined area for which the uniform maximum base price is proposed by more than one-tenth of one cent per pound, and has consented in writing to the establishment of such uniform maximum base price.

SEC. 2.3 *Adjustment of maximum base prices and markups and modification of definitions.* (a) The following powers are delegated to each Regional Administrator of the Office of Price Administration with respect to the purchase, sale, or delivery of any poultry item at all places or any number of places within his region, subject to the limitations listed below in paragraph (b) of this section 2.3.

(1) Each Regional Administrator is authorized to adjust the maximum base prices for poultry items as established by this regulation.

[Subparagraph (1) corrected, 10 F.R. 701, effective 1-1-45, amended by Am. 2, 10 F.R. 2097, effective 2-24-45]

(2) Each Regional Administrator is authorized to alter the provisions and to adjust the markups established in Article VI, sections 6.3 and 6.4 of this regulation.

[Subparagraph (2) corrected, 10 F.R. 521, effective 1-1-45]

(3) Each Regional Administrator is authorized to modify or change any of the definitions listed in sections 3.5 and 6.2 of this regulation, where it appears that such modified or changed definitions will aid in the enforcement of this regulation or in the proper distribution of poultry items in his region.

(b) The powers delegated to each Regional Administrator of the Office of Price Administration in this section are subject to the following limitations and restrictions:

(1) No Regional Administrator may take any action which will increase the maximum prices at which any poultry item may be sold at retail or to ultimate consumers, including commercial, industrial, institutional or governmental users.

(2) No Regional Administrator may take any action which will decrease the margin of profit for retail sales of poultry items by more than one cent per pound.

(3) No Regional Administrator may take any action which will create or tend to create a poultry shortage or need for increase in poultry prices in another locality, or which will nullify or defeat the purposes of the Emergency Price Control Act of 1942, as amended.

(4) No adjustment may be made to any maximum base price or to any definition, unless such adjustment or modification or change has first been submitted in writing to, and approved in writing by, the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration, and the Division Counsel for Food of the Office of Price Administration.

(5) No adjustment may be made to any maximum base price for live poultry unless such adjustment has first been submitted in writing to, and approved in writing by, the War Food Administrator.

[Subparagraph (5) added by Am. 2, 10 F.R. 2097, effective 2-24-45]

SEC. 2.4 *Establishment of local maximum base prices for special forms of processed poultry.* (a) Each Regional Administrator of the Office of Price Administration is authorized to establish a maximum base price for any special form of processed poultry prepared in a manner separate and distinct from any of the following forms—dressed, kosher-killed, kosher-dressed, cut-up, hard-scalded, drawn and frozen-eviscerated—where it appears that:

(1) Such special form of processed poultry has customarily been marketed in any locality in his region in substantial quantities for a period of twelve months prior to December 18, 1942; and

(2) Such special form of processed poultry is prepared to meet the racial, religious or traditional eating habits of the populace in that locality where it is marketed; and

(3) By reason of marked preference of a substantial segment of the local consuming public, no other form of processed poultry can adequately be substituted for such special form; and

(4) Those persons who have customarily prepared and marketed such special form of processed poultry will sustain undue hardship unless a maximum base price is established for such special form of processed poultry.

(b) The powers delegated to each Regional Administrator of the Office of Price Administration in this section are subject to the following limitations:

(1) Any action taken by the Regional Administrator shall restrict the applicability of the maximum base price adopted for any special form of processed poultry to those persons who engaged, as a usual practice during the December 1, 1941 to December 1, 1942 period, in processing or selling poultry in the special form designated by the Regional Administrator.

(2) No Regional Administrator may take any action which will create or tend to create a poultry shortage or need for increase in poultry prices in another locality, or which will nullify or defeat the purposes of the Emergency Price Control Act of 1942, as amended.

(3) No Regional Administrator may establish a maximum base price for any special form of processed poultry which will exceed the actual cost involved in the processing and marketing of such form of poultry plus a generally fair and equitable margin of profit.

(4) No Regional Administrator may establish a maximum base price for any special form of processed poultry which is so far out of relationship with the maximum base prices already established in this regulation for dressed, cut-up, hard-scalded, kosher-killed, kosher-dressed, drawn and frozen-eviscerated poultry, as to disrupt or tend to disrupt the normal movement of such processed poultry in his region or in any other region in the United States of America.

(5) No maximum base price for any special form of processed poultry may be established by any Regional Administrator unless such proposed maximum base price has first been submitted in writing to, and approved in writing by, the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration, and by the Division Counsel for Food of the Office of Price Administration.

SEC. 2.5 *Power of Regional Administrator to authorize the payment of patronage dividends by persons other than marketing cooperative associations.*— (a) Each Regional Administrator of the Office of Price Administration is authorized to issue orders permitting any person in his region who is not a marketing cooperative association to pay patronage dividends on his purchases of poultry items from producers in his region where it appears that:

(1) This person maintains a place of business in the region and has customarily purchased poultry items from producers located in the same region.

(2) This person purchases his poultry items in competition against a specific marketing cooperative association.

(3) This specific marketing cooperative association has paid or has declared patronage dividends for its purchases of poultry items, pursuant to the provisions of Supplementary Order No. 84[11] of the Office of Price Administration. These patronage dividends when added to the original payment for the poultry items made by the marketing cooperative association total an amount which on a per pound basis exceeds the applicable maximum prices established for these poultry items by this Regulation. The payment of these dividends creates a condition which makes it difficult for the person competing with the marketing cooperative association to purchase his normal supplies of poultry items.

(4) The issuance of an order permitting this person to pay patronage dividends to the producers from whom he purchases his poultry items is necessary to enable him to obtain supplies of poultry items in competition with cooperative marketing associations.

(b) The powers delegated to each Regional Administrator of the Office of Price Administration in this section are subject to the following limitations:

(1) No Regional Administrator may authorize any person to pay to any producer, from whom he has purchased poultry items, patronage dividends which when added to the original payment made to such producer exceed the total per pound payment (original purchase price plus patronage dividends) made by a competing marketing cooperative association to its patrons for purchases of the same type of poultry items.

(2) No Regional Administrator may authorize any person to pay to the producers from whom he has purchased poultry items patronage dividends in an aggregate amount exceeding the net profits (before taxes) earned by him from the marketing and/or processing of such poultry items.

(3) No Regional Administrator may authorize any person to offer or agree to pay a patronage dividend of a definite amount or at a specific rate.

(4) No Regional Administrator may authorize any person to pay patronage dividends except at the end of such person's fiscal year or at the end of intervals of not less than six months where the books of such person are regularly closed at the end of such intervals.

(5) No Regional Administrator may take any action which will create or tend to create a poultry shortage or need for increase in poultry prices in another locality, or which will nullify or defeat the purposes of the Emergency Price Control Act of 1942, as amended.

(6) No Regional Administrator shall issue any order under the provisions of this section unless such proposed order has first been submitted in writing to, and approved in writing by, the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration and the Division Counsel for Food Price Division of the Office of Price Administration. In addition, if the proposed order affects the prices to be paid for live poultry items, it must be submitted in writing to, and approved in writing by the War Food Administrator.

(c) The term "marketing cooperative association" as used in this section means a cooperative association engaged in the marketing and/or processing of the poultry items produced by its patrons and operating in conformity with the requirements and definitions set forth in Supplementary Order No. 84 of the Office of Price Administration.

[Sec. 2.5 added by Am. 5, 10 F.R. 5696, effective 5-22-45]

[11] 9 F.R. 1721.

ration or packaging of the product.

[9 F.R. 10476, 13715.]

ARTICLE III—RECORDS, REPORTS, ENFORCEMENT PROVISIONS AND DEFINITIONS

SEC. 3.1 *Requirements to keep records and reports.* (a) Every seller and purchaser who is subject to this Regulation and makes sales, deliveries or purchases of poultry items to the value of $200.00 or more in any one month, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete and accurate record of each sale or delivery of poultry items showing the date of purchase or sale, the name and address of the buyer and seller, the quantities, types, grades, weight classes (for capons, drawn and frozen-eviscerated poultry) of poultry bought and sold, the total weights of each type, grade and weight class sold, the type of sale made (delivered or non-delivered) and the price paid or received.

(b) Every person shipping any of the processed poultry items or 300 pounds or more of the live poultry items specified in this regulation by freight car, truck or other means of transport from one place to another, shall post within each such freight car, truck or other means of transport a manifest showing the place from which the poultry items were shipped, the name and address of the owner of such poultry while in transit, the name and address of the person or persons, if other than the title owner, to whom such poultry items are being shipped and the quantities (in pounds), weight classes (for capons, drawn and frozen-eviscerated poultry), and types and grades of each classification (live or processed; and if processed, the processed classification, i. e., dressed, drawn, frozen-eviscerated, etc.) of such poultry items. If all or any of these poultry items are being shipped to a purchaser or are ultimately destined for delivery to an ascertained purchaser, the name and address of the ascertained purchaser, and the price paid, or to be paid for each classification shall be included in the manifest.

(c) Every seller and purchaser who is subject to this regulation shall keep other records in addition to the records required in paragraphs (a) and (b) of this section, and shall submit such records to the Office of Price Administration as that Office may, subject to the approval of the Bureau of the Budget, from time to time require.

SEC. 3.2 *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation, but no such license is required of, or granted to, a farmer, as a condition of selling an agricultural commodity produced by him.

SEC. 3.3 *Suspension of license.* A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[1] 8 F.R. 13240.

SEC. 3.4 *Penalties for violation.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement suits, license suspension proceedings and suits for overcharge as provided by the Emergency Price Control Act of 1942, as amended.

SEC. 3.5 *Definitions.* — (a) *Explanation.* This section does not contain *all* the terms defined in this regulation. Other terms are defined elsewhere in this regulation, adjacent to the subject matter to which they pertain, for the purposes of clarity and coherence.

(1) *Applicability of definitions contained in the Emergency Price Control Act of 1942, as amended, and the General Maximum Price Regulation, as amended.* Unless the context requires otherwise, the definitions of section 302 of the Emergency Price Control Act of 1942, as amended, and of the General Maximum Price Regulation, as amended, shall apply to the terms used in this regulation.

(2) *Customary or customarily.* "Customary" or "customarily" means the usual practice of the person to whom the word applies during *both* the period December 1, 1941, to December 1, 1942, *and* the six months period immediately preceding the sale or purchase under consideration. If the person was not in any form of the poultry business during the December 1, 1941 to December 1, 1942 period, "customary" or "customarily" means his usual practice for the entire time after he entered the poultry business.

(3) *Customary receiving point.* "Customary receiving point" means any place in the buyer's business establishment where he usually accepts delivery of, or title to, poultry from the particular seller or type of seller. When used with reference to the United States Government or any of its agencies, the term means a place located on property owned, leased or otherwise controlled by the buyer where the purchasing branch of the government usually accepts delivery of, or title to, poultry to be used or distributed by it.

(4) *Person.* "Person" includes an individual, corporation, firm, partnership, association or other organized group of persons as hereinbefore defined, or legal successors or representatives of any of the foregoing, and includes the United States Government or any Federal Agency or any other government or any of its political subdivisions.

(5) *Poultry.* "Poultry" means all broilers, fryers, roasters, fowl, stags, capons, old roosters, turkeys, ducks and geese, including live, hard-scalded, dressed, cut-up, drawn, kosher-killed, kosher-dressed, frozen eviscerated and all other processed forms of such items.

(6) *Processed poultry.* "Processed poultry" means any poultry item which has been dressed, hard-scalded, cut up, drawn, kosher-killed, kosher-dressed, frozen eviscerated or transformed into any other form of killed and bled poultry, and also means any part or portion of the above described processed poultry items.

[Subparagraph (6) amended by Am. 8, effective 7-1-45]

(7) *Split carcass poultry.* "Split carcass poultry" means drawn poultry which has been cut into halves by splitting the bird down the back so that each half contains approximately equal, and as far as possible, equivalent parts of the bird.

(8) *Quarter carcass poultry.* "Quarter carcass poultry" means "split carcass poultry" each half of which has been divided into two parts so that one part includes the back, thigh and drum-stick, while the other part includes the breast and the wing.

(9) *Definitions and requirements for dressed poultry items.* "Dressed poultry" means poultry which has been killed, bled and plucked without regard to the method of plucking or finishing. Poultry items which have been killed but not plucked shall be sold at maximum base prices not exceeding those established for the corresponding live items.

(10) *Definitions and requirements for hard-scalded poultry items.* "Hard-scalded" poultry means any processed poultry items other than ducks and geese which have been immersed in or otherwise subjected to water for dressing at a temperature higher than 130 degrees Fahrenheit.

(11) *Definition and requirements of drawn poultry.* "Drawn poultry" means dressed poultry which has been drawn in accordance with the following requirements.

(i) The head, shanks, crop, windpipe, esophagus and entrails of each bird must be wholly removed without contamination of the body cavity. The shanks of each bird must be removed at the hock joint.

(ii) Each drawn poultry item must be in "whole carcass", "split carcass" or "quarter carcass" form when delivered to the purchaser.

(iii) The gizzard of each bird must be cleaned by removing the contents and lining. The cleaned gizzard, heart and liver must all either be replaced within the carcass of the bird from which taken if sold in whole form, or else all three items must be entirely excluded from the carcass and sold separately at maximum base prices not in excess of those established in table A-1 of section 5.5 of this regulation for the corresponding portions.

(iv) The neck and giblets shall be included with and sold as part of either half of the "split carcass" drawn poultry item from which taken or any quarter of the "quarter carcass" drawn poultry item from which taken, or shall be divided in any way among those portions, or all the giblets shall be sold separately at maximum base prices not in excess of those established in table A-1 for the corresponding portion.

If not prepared, sold, purchased and delivered as herein described, in accordance with all the requirements established for drawn poultry, the dressed bird shall be sold at maximum base prices not exceeding those established for the corresponding dressed poultry items.

(12) *Definition and requirements of frozen eviscerated poultry.* "Frozen eviscerated poultry" means "dressed poultry" which is eviscerated and frozen in accordance with the following requirements:

(i) Each poultry item must be fresh-dressed at the time of its evisceration. No "dressed poultry" item shall be considered fresh-dressed if it has been held in storage for more than sixty days after the date of slaughter, or if it has developed any appearance of cold storage stock, or if it shows evidence of deterioration from freezing.

(ii) Each poultry item must be eviscerated under the supervision of a federal inspector present at all stages of evisceration.

(iii) The exterior of each bird must be smeared.

(iv) The head, shanks, crop, windpipe, esophagus, entrails, gall bladder, lungs, kidneys and oil sac of each bird must be wholly removed. The shanks of each bird must be removed at the hock joint.

(v) The giblets of each bird must be removed and cleaned. All giblets must then either be wrapped in water resistant paper and replaced in same type and class of eviscerated bird from which taken, or else all must be excluded from the bird and sold separately at prices not in excess of those established in Table A-1 of section 5.5, for the corresponding portions.

[Subparagraph (5) amended by Am. 3, 10 F.R. 3870, effective 4-12-45]

(vi) The carcass and giblets (if to be replaced) of each bird must be subjected to a cleansing process which makes such bird ready to cook.

(vii) The carcass and giblets (if to be replaced) of each bird, whether in whole, split, or dismembered form must be weighed before being packaged or frozen, and then must be individually packaged in water resistant paper or cartons, one bird to one package, with the weight of each bird marked or printed on the exterior of each package, and with a statement printed on or attached to the exterior of each package reading as follows: "Inspected and Certified by U. S. Department of Agriculture". The exterior of each package should also show either the name and address of the person processing the eviscerated bird, or the plant number assigned to the eviscerator by the United States Department of Agriculture, thus:

UNITED STATES INSPECTED FROZEN EVISCERATED POULTRY

Inspected and Certified by the U. S. Department of Agriculture at Plant No. _____ (Food Distribution Registry Number.)

(viii) Each bird must be placed in a freezer within six hours after evisceration of such bird, and thereafter must be kept at freezing temperature until frozen solid.

(ix) After freezing, each bird must be kept at a temperature which will preserve the bird in hard-frozen condition until it is delivered to the purchaser. Each bird must also be delivered to the purchaser in the original package in which it was packaged at the time of its evisceration and from which it has not been removed.

(x) A discount of ¾ cent per pound shall be deducted from the maximum base price for any "frozen eviscerated poultry" item which is not individually weighed, packaged, and identified as provided for in subparagraph (vii) of this definition, but which otherwise meets all the requirements of this definition, and is packaged in bulk for sale to institutional, industrial, commercial, or governmental users, or for sale to distributors selling to such users: *Provided*, That a statement is printed on or attached to the exterior of each package certifying that the eviscerated poultry contained therein was eviscerated under Federal inspection, and showing the identity of the eviscerator.

In no event may any processed poultry item be sold as "frozen eviscerated poultry" unless all the requirements established for "frozen eviscerated poultry" have been met. If some, but not all of these requirements have been met, the processed bird, if drawn in accordance with all the requirements established for drawn poultry, shall be sold at a price not in excess of that established for the corresponding drawn poultry item.

If not drawn in accordance with all the requirements established for drawn poultry, then the dressed bird shall be sold at a price not in excess of that established for the corresponding dressed poultry item.

[Subparagraphs (9), (10), (11) and (12), formerly section 5.5 (a), (b), (c) and (d), redesignated by Am. 8, effective 7-1-45]

(13) "Kosher-killed" poultry means poultry which has been killed and bled in accordance with the requirements of the Hebraic dietary laws and which is identified as "kosher-killed" by a stamp or tag on each bird.

(14) "Kosher-dressed" poultry means poultry which has been killed, bled and dry plucked in accordance with the requirements of the Hebraic dietary laws and which is identified as "kosher-dressed" by a stamp or tag on each bird.

[Subparagraphs (13) and (14) formerly sections 5.6 (a) (1) and (2) redesignated by Am. 8, effective 7-1-45]

(15) *Definition and requirements of cut-up poultry.* "Cut-up poultry" means broilers and fryers, not exceeding 2½ pounds in drawn weight, from which the oil sac and lungs have been removed before weighing for sale and the carcass of which has been dismembered or cut into portions in accordance with the following requirements:

(i) The wings of each poultry item must be disjointed and removed at the socket joint adjoining the breast and must contain all the wing meat;

(ii) The legs must be disjointed and removed at the hock joint and at the hip joint and must contain the complete thigh, all thigh meat and the oyster, but shall not contain the illium or the ischium bones or any part thereof;

(iii) The breast must be removed from the back by cutting alongside the exterior of the oyster socket illium and through the ribs at the point where the ribs connect with the spinal vertebrae. No part of the wings, legs, back and neck bones, skin or meat or the gizzard, heart or any other portion not breast may be sold as breast;

(iv) The back must contain the neck, vertebrae, backbone, oyster socket (illium), the ischium, and the meat, skin and bones of these parts.

(16) *Raw poultry fat.* "Raw poultry fat" means edible fat which is obtained from cleaned poultry fat tissues and which is free from all flesh and viscera.

(17) *Government inspected raw poultry fat.* "Government inspected raw poultry fat" means "raw poultry fat" taken from frozen eviscerated poultry, as defined in paragraph (a) (12) of this section.

(18) *Rendered poultry fat.* "Rendered poultry fat" means fat obtained from pure poultry fat tissues which are free from other tissues and all foreign matter and which have been cleaned, deodorized or purified by settling, straining, filtering, treating with chemicals or other such means and which, at the conclusion of the refining process, do not contain any added or foreign substance. The rendered poultry fat must be pure, sweet, clean and free from adulteration, taint, sourness, rancidity or foreign matter and must not have a moisture content in excess of 1%.

(19) *Government inspected rendered poultry fat.* "Government inspected rendered poultry fat" means government inspected raw poultry fat which satisfies the standards of rendered poultry fat.

[Subparagraphs (15), (16), (17), (18) and (19), formerly sections 5.7 (a), (b) (1), (2), (3) and (4) redesignated by Am. 8, effective 7-1-45]

(20) *Shipping point.* "Shipping point" mean that place in the seller's business establishment from which shipments or deliveries of poultry items are normally made. In the case of non-delivered sales, "shipping point" means that place in the seller's business establishment where the buyer normally calls for and receives his purchases of non-delivered poultry items.

[Subparagraph (20), formerly (9) redesignated by Am. 8, effective 7-1-45]

(21) *Transportation factor.* "Transportation factor" means the lowest carlot railroad freight rate for dressed poultry multiplied by 1.22.

[Subparagraph (21) added by Am. 8, effective 7-1-45]

ARTICLE IV—HOW TO CALCULATE MAXIMUM BASE PRICE

SEC. 4.1 *What "maximum base price" means.* The term "maximum base price" means the highest price at which any poultry item subject to this regulation shall be sold by any person who is not eligible to charge any of the markups provided by sections 6.3 and 6.4 of this regulation. The term also means the price to which any one of the markups shall be added.

SEC. 4.2 *Where the maximum base price applies.* Every place in the United States shall have its own maximum base price for each of the poultry items subject to the provisions of this regulation.

(a) The word "place" means any city, town, village, hamlet or any unincorporated area in the United States where the purchase and sale of any poultry item subject to the provisions of this regulation occurs.

(b) Every place in the United States shall have as its own maximum base price for all poultry items, except ducks,

pended.

[8 F.R. 13240.]

[Subparagraph (6) amended by Am. 8, effective 7-1-45]

weighed, packaged, and identified as prod-

and bones of these parts.

price for all poultry items, except ducks,

the maximum base prices established by this regulation for the applicable zone in which such place is located. Section 4.4 lists separate geographical zones for turkeys and for other poultry items except ducks.

(c) Every unincorporated area in the United States which is not a city, town, village or hamlet shall have as its maximum base price for duck items subject to the provisions of this regulation, the same price for such duck items as is established for the city, town, village or hamlet nearest to such unincorporated area.

[Paragraph (b) amended and (c) added by Am. 8, effective 7-1-45]

SEC. 4.3 *How the seller determines where the maximum base price applies*—(a) *Live poultry items.* The maximum base price for live poultry items shall be the maximum base price at the place where the seller parts with physical possession of such live poultry item. The weight of live poultry items shall be determined at, and as of, the time when the seller parts with physical possession.

Examples: A trucker purchases 100 live broilers from a producer, taking physical possession of the broilers at the producer's place of business, which is in an unincorporated area, and loading the live broilers onto his truck. The maximum base price which the producer may charge, and which the trucker may pay, is the maximum base price established for the poultry zone in which the producer's place of business is located.

The same trucker hauls the live broilers to the county seat for sale at the local market. Here he has his broilers auctioned off to buyers from Pittsburgh, Cleveland and Detroit. These buyers load the broilers onto their trucks immediately after the auction. The trucker's maximum base price is the maximum base price established for the poultry zone in which the local market is located.

A trucker, shipper or farmer receives a telephone call from a New York wholesaler ordering 1,000 pounds of ducks. The live ducks are loaded onto the seller's trucks and hauled to the nearest railroad station where the live ducks are then loaded onto a freight car. The maximum base price for such sale is the maximum base price established for the city, town, village or hamlet in which the railroad freight station is located.

[Examples amended by Am. 8, effective 7-1-45]

(b) *Processed poultry items.* All processed poultry items subject to this regulation shall be sold, purchased, or delivered at the maximum base price established for the place either from which the seller makes shipment or else at which the buyer receives delivery, to be determined as follows:

(1) *Delivered sales.* When any processed poultry item is sold on the basis of delivery to the buyer's customary receiving point, the maximum base price for such processed poultry item shall be the maximum base price at the buyer's customary receiving point unless otherwise required by subparagraph (2) below. In such case, all the costs of shipping the processed poultry item to the buyer's customary receiving point shall be assumed and paid by the seller and shall not in any event be paid by the buyer.

(2) *F. o. b. sales by wholesalers, by any seller to the U. S. Government and by producers or processors at retail to ultimate consumers.* The maximum base price for processed poultry items shall be the maximum base price at the seller's shipping point in the following instances:

(i) All sales by wholesalers, as defined in this regulation, to any type of buyer.

(ii) Except where expressly provided otherwise by Table E, section 6.4 (a), all sales to the United States Government or any of its agencies by any type of seller.

[Subparagraph (ii) amended by Am. 1, 10 F.R. 1627, effective 2-19-45 and Am. 8, effective 7-1-45]

(iii) All sales by a producer or processor at retail to an ultimate consumer other than a commercial, institutional, industrial or non-federal governmental user.

(3) *All other f. o. b. sales.* All other f. o. b. prices for processed poultry (except where expressly provided otherwise for any particular sale or type of sale) shall be calculated in relationship to the maximum base price at the buyer's customary receiving point. Where any person purchases or sells any processed poultry item at one place for shipment to another place at a price f. o. b. the seller's shipping point, he shall calculate his maximum base f. o. b. price as follows:

(i) He shall first determine the maximum base price for such poultry item at the place to which it will be shipped; and

(ii) He shall then subtract from such maximum base price his transportation factor from the place where shipment begins to the place where shipment ends and the difference so obtained shall be his maximum base f. o. b. selling price for such poultry item.

(4) For the purposes of this paragraph (b) the buyer's customary receiving point shall be the point of ultimate destination of the shipment and in no event may be the point where shipment begins. In addition, the buyer's customary receiving point shall have the same meaning as that contained in the definition of the term in section 3.5 of this regulation.

SEC. 4.4 *How the United States is zoned for the purpose of calculating maximum base prices for poultry, other than ducks.* The zones referred to in this regulation are comprised of the counties or other political subdivisions of the respective states set opposite the zone numbers listed below. The numbers listed after the designation "C" are the proper zone numbers for all poultry items other than ducks and turkeys. The numbers listed after the designation "T" are the proper zone numbers for turkeys.

LIST OF COUNTIES, WITH ZONE NUMBERS FOR CHICKENS AND TURKEYS, ARRANGED ALPHABETICALLY BY STATES

ALABAMA

	Zones	
Autauga	C 32	T 14
Baldwin	C 33	T 28
Barbour	C 25	T 14
Bibb	C 31	T 28
Blount	C 31	T 14
Bullock	C 32	T 14
Butler	C 32	T 14
Calhoun	C 31	T 14
Chambers	C 31	T 14
Cherokee	C 31	T 14
Chilton	C 31	T 14
Choctaw	C 32	T 28
Clarke	C 32	T 28
Clay	C 31	T 14
Cleburne	C 31	T 14
Coffee	C 25	T 14
Colbert	C 31	T 28
Conecuh	C 32	T 14
Coosa	C 31	T 14
Covington	C 32	T 14
Crenshaw	C 32	T 14
Cullman	C 31	T 14
Dale	C 25	T 14
Dallas	C 32	T 28
De Kalb	C 31	T 14
Elmore	C 31	T 14
Escambia	C 32	T 14
Etowah	C 31	T 14
Fayette	C 31	T 28
Franklin	C 31	T 28
Geneva	C 25	T 14
Greene	C 32	T 28
Hale	C 32	T 28
Henry	C 25	T 14
Houston	C 25	T 14
Jackson	C 31	T 14
Jefferson	C 31	T 14
Lamar	C 31	T 28
Lauderdale	C 31	T 13
Lawrence	C 31	T 28
Lee	C 31	T 14
Limestone	C 31	T 28
Lowndes	C 32	T 14
Macon	C 31	T 14
Madison	C 31	T 14
Marengo	C 32	T 28
Marion	C 31	T 28
Marshall	C 31	T 14
Mobile	C 33	T 28
Monroe	C 32	T 14
Montgomery	C 32	T 14
Morgan	C 31	T 14
Perry	C 32	T 28
Pickens	C 31	T 14
Pike	C 32	T 14
Randolph	C 31	T 14
Russell	C 31	T 14
St. Clair	C 31	T 14
Shelby	C 31	T 14
Sumter	C 32	T 28
Talladega	C 31	T 14
Tallapoosa	C 31	T 14
Tuscaloosa	C 31	T 28
Walker	C 31	T 28
Washington	C 33	T 28
Wilcox	C 32	T 28
Winston	C 31	T 28

ARIZONA

Apache	C 56	T 10
Cochise	C 56	T 10
Coconino	C 56	T 10
Gila	C 56	T 10
Graham	C 56	T 10
Greenlee	C 56	T 10
Maricopa	C 56	T 10
Mohave	C 56	T 10
Navajo	C 56	T 10
Pima	C 56	T 10
Pinal	C 56	T 10
Santa Cruz	C 56	T 10
Yavapai	C 56	T 10
Yuma	C 56	T 10

ARKANSAS

	Zones	
Arkansas	C 17	T 9
Ashley	C 17	T 9
Baxter	C 35	T 7
Benton	C 34	T 5
Boone	C 34	T 7
Bradley	C 17	T 9
Calhoun	C 17	T 7
Carroll	C 34	T 5
Chicot	C 18	T 9
Clark	C 36	T 7
Clay	C 36	T 30
Cleburne	C 35	T 9
Cleveland	C 17	T 9
Columbia	C 36	T 7
Conway	C 35	T 7
Craighead	C 36	T 9
Crawford	C 34	T 5
Crittenden	C 17	T 9
Cross	C 36	T 9
Dallas	C 36	T 7
Desha	C 18	T 9
Drew	C 17	T 9
Faulkner	C 35	T 7
Franklin	C 34	T 7
Fulton	C 35	T 7
Garland	C 36	T 7
Grant	C 36	T 7
Greene	C 36	T 30
Hempstead	C 36	T 7
Hot Spring	C 36	T 7
Howard	C 35	T 7
Independence	C 35	T 9
Izard	C 35	T 7
Jackson	C 36	T 9
Jefferson	C 17	T 9
Johnson	C 34	T 7
Lafayette	C 36	T 7
Lawrence	C 35	T 9
Lee	C 17	T 9
Lincoln	C 17	T 9
Little River	C 35	T 7
Logan	C 34	T 7
Lonoke	C 36	T 9
Madison	C 34	T 5
Marion	C 34	T 7
Miller	C 36	T 7
Mississippi	C 17	T 9
Monroe	C 17	T 9
Montgomery	C 35	T 7
Nevada	C 36	T 7
Newton	C 34	T 7
Ouachita	C 17	T 7
Perry	C 35	T 7
Phillips	C 17	T 9
Pike	C 36	T 7
Poinsett	C 36	T 9
Polk	C 35	T 7
Pope	C 35	T 7
Prairie	C 36	T 9
Pulaski	C 36	T 9
Randolph	C 35	T 9
St. Francis	C 36	T 9
Saline	C 36	T 7
Scott	C 34	T 7
Searcy	C 34	T 7
Sebastian	C 34	T 5
Sevier	C 35	T 7
Sharp	C 35	T 9
Stone	C 35	T 7
Union	C 17	T 7
Van Buren	C 35	T 7
Washington	C 34	T 5
White	C 36	T 9
Woodruff	C 36	T 9
Yell	C 35	T 7

CALIFORNIA

Alameda	C 54	T 15
Alpine	C 56	T 3
Amador	C 14	T 25
Butte	C 14	T 25
Calaveras	C 14	T 25
Colusa	C 14	T 25
Contra Costa	C 54	T 15
Del Norte	C 56	T 3
El Dorado	C 56	T 3
Fresno	C 14	T 25
Glenn	C 14	T 25
Humboldt	C 56	T 3

CALIFORNIA—continued

	Zones	
Imperial	C 54	T 15
Inyo	C 56	T 3
Kern	C 14	T 25
Kings	C 14	T 25
Lake	C 14	T 25
Lassen	C 14	T 25
Los Angeles	C 56	T 3
Madera	C 14	T 25
Marin	C 54	T 15
Mariposa	C 14	T 25
Mendocino	C 14	T 25
Merced	C 54	T 15
Modoc	C 56	T 3
Mono	C 56	T 3
Monterey	C 54	T 15
Napa	C 54	T 15
Nevada	C 56	T 3
Orange	C 56	T 3
Placer	C 56	T 3
Plumas	C 14	T 25
Riverside	C 54	T 15
Sacramento	C 14	T 25
San Benito	C 54	T 15
San Bernardino	C 54	T 15
San Diego	C 56	T 3
San Francisco	C 56	T 3
San Joaquin	C 54	T 15
San Luis Obispo	C 14	T 22
San Mateo	C 54	T 15
Santa Barbara	C 14	T 22
Santa Clara	C 54	T 15
Santa Cruz	C 54	T 15
Shasta	C 14	T 25
Sierra	C 56	T 3
Siskiyou	C 56	T 3
Solano	C 54	T 15
Sonoma	C 54	T 15
Stanislaus	C 54	T 15
Sutter	C 14	T 25
Tehama	C 14	T 25
Trinity	C 56	T 3
Tulare	C 14	T 25
Tuolumne	C 14	T 25
Ventura	C 14	T 22
Yolo	C 14	T 25
Yuba	C 14	T 25

COLORADO

Adams	C 48	T 24
Alamosa	C 47	T 1
Arapahoe	C 48	T 24
Archuleta	C 47	T 1
Baca	C 45	T 24
Bent	C 45	T 24
Boulder	C 48	T 24
Chaffee	C 47	T 1
Cheyenne	C 45	T 24
Clear Creek	C 47	T 1
Conejos	C 47	T 1
Costilla	C 47	T 1
Crowley	C 45	T 24
Custer	C 48	T 1
Delta	C 47	T 1
Denver	C 48	T 24
Dolores	C 47	T 1
Douglas	C 48	T 24
Eagle	C 47	T 1
Elbert	C 45	T 24
El Paso	C 48	T 24
Fremont	C 48	T 1
Garfield	C 47	T 1
Gilpin	C 47	T 1
Grand	C 47	T 1
Gunnison	C 47	T 1
Hinsdale	C 47	T 1
Huerfano	C 48	T 24
Jackson	C 47	T 1
Jefferson	C 48	T 1
Kiowa	C 45	T 24
Kit Carson	C 45	T 24
Lake	C 47	T 1
La Plata	C 47	T 1
Larimer	C 48	T 24
Las Animas	C 48	T 24
Lincoln	C 45	T 24
Logan	C 45	T 24
Mesa	C 47	T 1
Mineral	C 47	T 1
Moffat	C 47	T 1

COLORADO—continued

	Zones	
Montezuma	C 47	T 1
Montrose	C 47	T 1
Morgan	C 45	T 24
Otero	C 45	T 24
Ouray	C 47	T 1
Park	C 47	T 1
Phillips	C 45	T 24
Pitkin	C 47	T 1
Prowers	C 45	T 24
Pueblo	C 45	T 24
Rio Blanco	C 47	T 1
Rio Grande	C 47	T 1
Routt	C 47	T 1
Saguache	C 47	T 1
San Juan	C 47	T 1
San Miguel	C 47	T 1
Sedgwick	C 45	T 24
Summit	C 47	T 1
Teller	C 48	T 1
Washington	C 45	T 24
Weld	C 48	T 24
Yuma	C 45	T 24

CONNECTICUT

Fairfield	C 14	T 19
Hartford	C 14	T 19
Litchfield	C 14	T 19
Middlesex	C 14	T 19
New Haven	C 14	T 19
New London	C 14	T 19
Tolland	C 14	T 19
Windham	C 14	T 19

DELAWARE

Kent	C 12	T 27
New Castle	C 12	T 27
Sussex	C 12	T 27

DISTRICT OF COLUMBIA

Washington	C 13	T 18

FLORIDA

Alachua	C 27	T 18
Baker	C 26	T 27
Bay	C 33	T 14
Bradford	C 27	T 18
Brevard	C 28	T 20
Broward	C 30	T 21
Calhoun	C 33	T 14
Charlotte	C 29	T 20
Citrus	C 27	T 18
Clay	C 27	T 18
Collier	C 30	T 21
Columbia	C 26	T 27
Dade	C 30	T 21
De Soto	C 29	T 20
Dixie	C 27	T 18
Duval	C 26	T 27
Escambia	C 33	T 14
Flagler	C 27	T 18
Franklin	C 26	T 16
Gadsden	C 26	T 16
Gilchrist	C 27	T 18
Glades	C 29	T 20
Gulf	C 26	T 16
Hamilton	C 26	T 27
Hardee	C 29	T 20
Hendry	C 29	T 20
Hernando	C 27	T 18
Highlands	C 29	T 20
Hillsborough	C 28	T 20
Holmes	C 33	T 14
Indian River	C 29	T 20
Jackson	C 33	T 14
Jefferson	C 26	T 16
Lafayette	C 27	T 27
Lake	C 27	T 18
Lee	C 29	T 20
Leon	C 26	T 16
Levy	C 27	T 18
Liberty	C 26	T 16
Madison	C 26	T 27
Manatee	C 29	T 20
Marion	C 27	T 18
Martin	C 29	T 20
Monroe	C 30	T 21
Nassau	C 26	T 27
Okeeloosa	C 33	T 14
Okeechobee	C 29	T 20
Orange	C 28	T 20

FLORIDA—continued

	Zones	
Osceola	C 28	T 20
Palm Beach	C 29	T 20
Pasco	C 28	T 20
Pinellas	C 28	T 20
Polk	C 27	T 18
Putnam	C 27	T 18
St. Johns	C 29	T 20
St. Lucie	C 35	T 14
Santa Rosa	C 29	T 20
Sarasota	C 28	T 20
Seminole	C 27	T 18
Sumter	C 26	T 27
Suwannee	C 26	T 27
Taylor	C 27	T 18
Union	C 27	T 18
Volusia	C 26	T 16
Wakulla	C 33	T 14
Walton	C 33	7 14
Washington		

GEORGIA

Appling	C 25	T 27
Atkinson	C 25	T 16
Bacon	C 25	T 27
Baker	C 25	T 16
Baldwin	C 23	T 16
Banks	C 22	T 16
Barrow	C 22	T 16
Bartow	C 22	T 16
Ben Hill	C 25	T 16
Berrien	C 25	T 16
Bibb	C 23	T 16
Bleckley	C 25	T 16
Brantley	C 25	T 27
Brooks	C 25	T 16
Bryan	C 26	T 27
Bullock	C 25	T 27
Burke	C 23	T 27
Butts	C 23	T 16
Calhoun	C 25	T 16
Camden	C 26	T 27
Candler	C 25	T 27
Carroll	C 22	T 16
Catoosa	C 22	T 16
Charlton	C 25	T 27
Chatham	C 26	T 27
Chattahoochee	C 23	T 16
Chattooga	C 22	T 16
Cherokee	C 22	T 16
Clarke	C 22	T 16
Clay	C 25	T 16
Clayton	C 23	T 16
Clinch	C 25	T 27
Cobb	C 22	T 16
Coffee	C 25	T 16
Colquitt	C 25	T 16
Columbia	C 23	T 27
Cook	C 25	T 16
Coweta	C 23	T 16
Crawford	C 25	T 16
Crisp	C 25	T 16
Dade	C 22	T 16
Dawson	C 22	T 16
Decatur	C 25	T 16
DeKalb	C 22	T 16
Dodge	C 25	T 16
Dooly	C 25	T 16
Dougherty	C 25	T 16
Douglas	C 22	T 16
Early	C 25	T 16
Echols	C 25	T 27
Effingham	C 25	T 27
Elbert	C 22	T 16
Emanuel	C 25	T 27
Evans	C 25	T 27
Fannin	C 22	T 16
Fayette	C 23	T 16
Floyd	C 22	T 16
Forsyth	C 22	T 16
Franklin	C 22	T 16
Fulton	C 23	T 16
Gilmer	C 22	T 16
Glascock	C 23	T 27
Glynn	C 26	T 27
Gordon	C 22	T 16
Grady	C 25	T 16
Greene	C 23	T 16
Gwinnett	C 22	T 16
Habersham	C 22	T 16

GEORGIA—continued

	Zones	
Hall	C 22	T 16
Hancock	C 23	T 27
Haralson	C 22	T 16
Harris	C 23	T 16
Hart	C 22	T 16
Heard	C 23	T 16
Henry	C 23	T 16
Houston	C 25	T 16
Irwin	C 25	T 16
Jackson	C 22	T 16
Jasper	C 23	T 16
Jeff Davis	C 25	T 27
Jefferson	C 23	T 27
Jenkins	C 23	T 27
Johnson	C 25	T 27
Jones	C 23	T 16
Lamar	C 23	T 16
Lanier	C 25	T 16
Laurens	C 25	T 27
Lee	C 25	T 16
Liberty	C 26	T 27
Lincoln	C 23	T 27
Long	C 25	T 27
Lowndes	C 25	T 16
Lumpkin	C 22	T 16
McDuffie	C 23	T 27
McIntosh	C 26	T 27
Macon	C 25	T 16
Madison	C 22	T 16
Marion	C 25	T 16
Meriwether	C 23	T 16
Miller	C 25	T 16
Mitchell	C 25	T 16
Monroe	C 23	T 16
Montgomery	C 25	T 27
Morgan	C 23	T 16
Murray	C 22	T 16
Muscogee	C 23	T 16
Newton	C 23	T 16
Oconee	C 22	T 16
Oglethorpe	C 22	T 16
Paulding	C 22	T 16
Peach	C 25	T 16
Pickens	C 22	T 16
Pierce	C 25	T 27
Pike	C 23	T 16
Polk	C 22	T 16
Pulaski	C 25	T 16
Putnam	C 23	T 16
Quitman	C 25	T 16
Rabun	C 22	T 16
Randolph	C 25	T 16
Richmond	C 23	T 27
Rockdale	C 23	T 16
Schley	C 25	T 16
Screven	C 25	T 27
Seminole	C 25	T 16
Spalding	C 23	T 16
Stephens	C 22	T 16
Stewart	C 25	T 16
Sumter	C 25	T 16
Talbot	C 25	T 16
Taliaferro	C 23	T 27
Tattnall	C 25	T 27
Taylor	C 25	T 16
Telfair	C 25	T 16
Terrell	C 25	T 16
Thomas	C 25	T 16
Tift	C 25	T 16
Toombs	C 25	T 27
Towns	C 22	T 16
Treutlen	C 25	T 27
Troup	C 23	T 16
Turner	C 25	T 16
Twiggs	C 23	T 16
Union	C 22	T 16
Upson	C 25	T 16
Walker	C 22	T 16
Walton	C 22	T 16
Ware	C 25	T 27
Warren	C 23	T 27
Washington	C 23	T 27
Wayne	C 25	T 27
Webster	C 25	T 16
Wheeler	C 25	T 27
White	C 22	T 16
Whitfield	C 22	T 16

GEORGIA—continued

	Zones	
Wilcox	C 25	T 16
Wilkes	C 23	T 27
Wilkinson	C 23	T 16
Worth	C 25	T 16

IDAHO

Ada	C 53	T 26
Adams	C 53	T 26
Bannock	C 53	T 1
Bear Lake	C 53	T 1
Benewah	C 54	T 15
Bingham	C 53	T 26
Blaine	C 53	T 26
Boise	C 53	T 26
Bonner	C 54	T 15
Bonneville	C 53	T 26
Boundary	C 54	T 15
Butte	C 53	T 26
Camas	C 53	T 26
Canyon	C 53	T 26
Caribou	C 53	T 1
Cassia	C 53	T 26
Clark	C 53	T 26
Clearwater	C 14	T 2
Custer	C 53	T 26
Elmore	C 53	T 26
Franklin	C 53	T 1
Fremont	C 53	T 26
Gem	C 53	T 26
Gooding	C 53	T 26
Idaho	C 53	T 26
Jefferson	C 53	T 26
Jerome	C 53	T 26
Kootenai	C 54	T 15
Latah	C 54	T 15
Lemhi	C 53	T 26
Lewis	C 14	T 2
Lincoln	C 53	T 26
Madison	C 53	T 26
Minidoka	C 53	T 26
Nez Perce	C 14	T 2
Oneida	C 53	T 1
Owyhee	C 53	T 26
Payette	C 53	T 26
Power	C 53	T 26
Shoshone	C 14	T 2
Teton	C 53	T 26
Twin Falls	C 53	T 26
Valley	C 53	T 26
Washington	C 53	T 26
Yellowstone National Park (part)	C 53	T 1

ILLINOIS

Adams	C 5	T 10
Alexander	C 8	T 10
Bond	C 5	T 10
Boone	C 6	T 10
Brown	C 5	T 10
Bureau	C 6	T 10
Calhoun	C 5	T 10
Carroll	C 5	T 10
Cass	C 6	T 10
Champaign	C 6	T 10
Christian	C 6	T 10
Clark	C 6	T 10
Clay	C 5	T 10
Clinton	C 6	T 10
Coles	C 7	T 12
Cook	C 6	T 10
Crawford	C 6	T 10
Cumberland	C 6	T 10
De Kalb	C 6	T 10
De Witt	C 6	T 10
Douglas	C 6	T 10
Du Page	C 6	T 10
Edgar	C 6	T 10
Edwards	C 6	T 10
Effingham	C 5	T 10
Fayette	C 6	T 10
Ford	C 6	T 10
Franklin	C 5	T 10
Fulton	C 8	T 10
Gallatin	C 5	T 10
Greene	C 6	T 10
Grundy	C 6	T 10
Hamilton	C 5	T 10
Hancock	C 8	T 10
Hardin	C 5	T 10
Henderson	C 5	T 10

ILLINOIS—continued

	Zones	
Henry	C 5	T 10
Iroquois	C 6	T 10
Jackson	C 6	T 10
Jasper	C 6	T 10
Jefferson	C 5	T 10
Jersey	C 5	T 10
Jo Daviess	C 5	T 10
Johnson	C 8	T 10
Kane	C 6	T 10
Kankakee	C 6	T 10
Kendall	C 6	T 10
Knox	C 5	T 10
Lake	C 7	T 12
La Salle	C 6	T 10
Lawrence	C 6	T 10
Lee	C 6	T 10
Livingston	C 6	T 10
Logan	C 6	T 10
McDonough	C 5	T 10
McHenry	C 6	T 10
McLean	C 6	T 10
Macon	C 6	T 10
Macoupin	C 5	T 10
Madison	C 5	T 10
Marion	C 5	T 10
Marshall	C 6	T 10
Mason	C 5	T 10
Massac	C 8	T 10
Menard	C 5	T 10
Mercer	C 5	T 10
Monroe	C 5	T 10
Montgomery	C 5	T 10
Morgan	C 5	T 10
Moultrie	C 6	T 10
Ogle	C 6	T 10
Peoria	C 6	T 10
Perry	C 5	T 10
Piatt	C 6	T 10
Pike	C 5	T 10
Pope	C 8	T 10
Pulaski	C 8	T 10
Putnam	C 6	T 10
Randolph	C 5	T 10
Richland	C 6	T 10
Rock Island	C 5	T 10
St. Clair	C 5	T 10
Saline	C 8	T 10
Sangamon	C 6	T 10
Schuyler	C 5	T 10
Scott	C 5	T 10
Shelby	C 6	T 10
Stark	C 6	T 10
Stephenson	C 5	T 10
Tazewell	C 6	T 10
Union	C 6	T 10
Vermilion	C 6	T 10
Wabash	C 6	T 10
Warren	C 5	T 10
Washington	C 5	T 10
Wayne	C 6	T 10
White	C 6	T 10
Whiteside	C 5	T 10
Will	C 6	T 10
Williamson	C 6	T 10
Winnebago	C 6	T 10
Woodford	C 6	T 10

INDIANA

Adams	C 9	T 14
Allen	C 9	T 14
Bartholomew	C 9	T 14
Benton	C 8	T 13
Blackford	C 9	T 14
Boone	C 8	T 13
Brown	C 8	T 13
Carroll	C 8	T 13
Cass	C 8	T 13
Clark	C 9	T 14
Clay	C 8	T 13
Clinton	C 8	T 13
Crawford	C 8	T 13
Daviess	C 8	T 13
Dearborn	C 9	T 14
Decatur	C 9	T 14
De Kalb	C 9	T 14
Delaware	C 9	T 14
Dubois	C 8	T 13
Elkhart	C 9	T 14
Fayette	C 9	T 14

INDIANA—continued

	Zones	
Floyd	C 9	T 14
Fountain	C 8	T 13
Franklin	C 9	T 14
Fulton	C 8	T 13
Gibson	C 8	T 13
Grant	C 9	T 14
Greene	C 8	T 13
Hamilton	C 8	T 13
Hancock	C 9	T 14
Harrison	C 9	T 14
Hendricks	C 8	T 13
Henry	C 9	T 14
Howard	C 8	T 13
Huntington	C 9	T 14
Jackson	C 9	T 14
Jasper	C 8	T 13
Jay	C 9	T 14
Jefferson	C 9	T 14
Jennings	C 9	T 14
Johnson	C 9	T 14
Knox	C 8	T 13
Kosciusko	C 9	T 14
Lagrange	C 9	T 14
Lake	C 7	T 12
La Porte	C 8	T 13
Lawrence	C 8	T 13
Madison	C 9	T 14
Marion	C 9	T 13
Marshall	C 8	T 13
Martin	C 8	T 13
Miami	C 8	T 13
Monroe	C 8	T 13
Montgomery	C 8	T 13
Morgan	C 8	T 13
Newton	C 8	T 13
Noble	C 9	T 14
Ohio	C 9	T 14
Orange	C 8	T 13
Owen	C 8	T 13
Parke	C 8	T 13
Perry	C 8	T 13
Pike	C 8	T 13
Porter	C 8	T 13
Posey	C 8	T 13
Pulaski	C 8	T 13
Putnam	C 8	T 13
Randolph	C 9	T 14
Ripley	C 9	T 14
Rush	C 9	T 14
St. Joseph	C 9	T 14
Scott	C 9	T 14
Shelby	C 9	T 14
Spencer	C 8	T 13
Starke	C 8	T 13
Steuben	C 9	T 14
Sullivan	C 8	T 13
Switzerland	C 9	T 14
Tippecanoe	C 8	T 13
Tipton	C 8	T 13
Union	C 9	T 14
Van Derburgh	C 8	T 13
Vermillion	C 8	T 13
Vigo	C 8	T 13
Wabash	C 9	T 14
Warren	C 8	T 13
Warrick	C 8	T 13
Washington	C 9	T 14
Wayne	C 9	T 14
Wells	C 9	T 14
White	C 8	T 13
Whitley	C 9	T 14

IOWA

Adair	C 3	T 8
Adams	C 3	T 8
Allamakee	C 4	T 30
Appanoose	C 4	T 30
Audubon	C 3	T 8
Benton	C 4	T 30
Black Hawk	C 4	T 30
Boone	C 3	T 8
Bremer	C 4	T 30
Buchanan	C 4	T 30
Buena Vista	C 3	T 8
Butler	C 4	T 30
Calhoun	C 3	T 8
Carroll	C 3	T 8
Cass	C 3	T 8
Cedar	C 5	T 10

IOWA—continued

	Zones	
Cerro Gordo	C 4	T 30
Cherokee	C 2	T 7
Chickasaw	C 4	T 30
Clarke	C 4	T 30
Clay	C 3	T 8
Clayton	C 5	T 10
Clinton	C 5	T 10
Crawford	C 2	T 7
Dallas	C 3	T 8
Davis	C 5	T 10
Decatur	C 4	T 30
Delaware	C 5	T 10
Des Moines	C 5	T 10
Dickinson	C 2	T 7
Dubuque	C 5	T 10
Emmet	C 3	T 8
Fayette	C 4	T 30
Floyd	C 4	T 30
Franklin	C 4	T 30
Fremont	C 2	T 7
Greene	C 3	T 8
Grundy	C 4	T 30
Guthrie	C 3	T 8
Hamilton	C 3	T 8
Hancock	C 3	T 8
Hardin	C 4	T 30
Harrison	C 2	T 7
Henry	C 5	T 10
Howard	C 4	T 30
Humboldt	C 3	T 8
Ida	C 2	T 7
Iowa	C 4	T 30
Jackson	C 5	T 10
Jasper	C 4	T 30
Jefferson	C 5	T 10
Johnson	C 4	T 10
Jones	C 5	T 10
Keokuk	C 4	T 30
Kossuth	C 2	T 8
Lee	C 5	T 10
Linn	C 4	T 30
Louisa	C 5	T 10
Lucas	C 4	T 30
Lyon	C 2	T 7
Madison	C 3	T 8
Mahaska	C 4	T 30
Marion	C 4	T 30
Marshall	C 4	T 30
Mills	C 2	T 7
Mitchell	C 4	T 30
Monona	C 2	T 7
Monroe	C 4	T 30
Montgomery	C 2	T 7
Muscatine	C 5	T 10
O'Brien	C 2	T 7
Osceola	C 2	T 7
Page	C 2	T 7
Palo Alto	C 3	T 8
Plymouth	C 2	T 7
Pocahontas	C 3	T 8
Polk	C 4	T 30
Pottawattamie	C 2	T 7
Poweshiek	C 4	T 30
Ringgold	C 3	T 8
Sac	C 3	T 8
Scott	C 5	T 10
Shelby	C 2	T 7
Sioux	C 2	T 7
Story	C 3	T 8
Tama	C 4	T 30
Taylor	C 3	T 8
Union	C 3	T 8
Van Buren	C 5	T 10
Wapello	C 5	T 10
Warren	C 4	T 30
Washington	C 5	T 10
Wayne	C 4	T 30
Webster	C 3	T 8
Winnebago	C 3	T 8
Winneshiek	C 4	T 30
Woodbury	C 2	T 7
Worth	C 3	T 8
Wright	C 3	T 8

KANSAS

Allen	C 3	T 7
Anderson	C 3	T 8
Atchison	C 2	T 7
Barber	C 1	T 4

KANSAS—continued

	Zones C	T
Barton	1	5
Bourbon	3	7
Brown	2	7
Butler	2	5
Chase	2	7
Chautauqua	2	5
Cherokee	3	7
Cheyenne	49	24
Clarke	1	4
Clay	2	5
Cloud	2	5
Coffey	2	7
Commanche	1	4
Cowley	2	5
Crawford	3	7
Decatur	1	4
Dickinson	2	5
Doniphan	2	7
Douglas	3	8
Edwards	1	4
Elk	2	5
Ellis	1	4
Ellsworth	1	5
Finney	1	4
Ford	1	4
Franklin	3	8
Geary	2	7
Gove	1	4
Graham	1	4
Grant	49	24
Gray	1	4
Greeley	49	24
Greenwood	2	7
Hamilton	49	24
Harper	1	5
Harvey	2	5
Haskell	1	4
Hodgeman	1	4
Jackson	2	7
Jefferson	2	7
Jewell	1	5
Johnson	3	8
Kearny	49	24
Kingman	1	5
Kiowa	1	4
Labette	3	7
Lane	1	4
Leavenworth	3	8
Lincoln	1	5
Linn	3	8
Logan	1	4
Lyon	2	7
McPherson	1	5
Marion	2	5
Marshall	2	5
Meade	1	4
Miami	3	8
Mitchell	1	5
Montgomery	2	5
Morris	2	7
Morton	49	24
Nemaha	2	7
Neosho	3	7
Ness	1	4
Norton	1	4
Osage	2	7
Osborne	1	5
Ottawa	1	5
Pawnee	1	5
Phillips	1	4
Pottawatomie	2	7
Pratt	1	5
Rawlins	1	4
Reno	1	5
Republic	1	5
Rice	2	5
Riley	1	4
Rooks	1	4
Rush	1	5
Russell	1	5
Saline	1	4
Scott	2	5
Sedgwick	1	24
Seward	2	7
Shawnee	1	4
Sheridan	49	24
Sherman	1	5
Smith	1	5
Stafford	1	5
Stanton	49	24
Stevens	49	24
Sumner	2	5
Thomas	1	4
Trego	1	4
Wabaunsee	2	7
Wallace	49	24
Washington	2	5
Wichita	49	24
Wilson	2	7
Woodson	2	7
Wyandotte	3	8

KENTUCKY

	Zones C	T
Adair	18	16
Allen	17	14
Anderson	17	14
Ballard	17	10
Baren	17	14
Bath	17	16
Bell	18	16
Boone	17	16
Bourbon	17	16
Boyd	17	16
Boyle	17	16
Bracken	17	16
Breathitt	18	16
Breckinridge	17	14
Bullitt	17	14
Butler	17	14
Caldwell	17	31
Calloway	17	31
Campbell	17	16
Carlisle	17	10
Carroll	17	16
Carter	17	16
Casey	18	16
Christian	17	13
Clark	17	16
Clay	17	16
Clinton	18	16
Crittenden	17	13
Cumberland	18	16
Daviess	17	14
Edmonson	17	14
Elliott	18	16
Estill	18	16
Fayette	17	16
Fleming	17	16
Floyd	18	16
Franklin	17	16
Fulton	17	10
Gallatin	17	16
Garrard	17	16
Grant	17	16
Graves	17	10
Grayson	17	14
Green	18	16
Greenup	17	16
Hancock	17	14
Hardin	17	14
Harlan	18	16
Harrison	17	16
Hart	17	14
Henderson	17	13
Henry	17	14
Hickman	17	10
Hopkins	17	13
Jackson	18	16
Jefferson	17	14
Jessamine	17	16
Johnson	18	16
Kenton	17	16
Knott	18	16
Knox	18	16
Larue	17	14
Laurel	18	16
Lawrence	18	16
Lee	18	16
Leslie	18	16
Letcher	18	16
Lewis	17	16
Lincoln	18	16
Livingston	17	31
Logan	17	14
Lyon	17	31
McCracken	17	10
McCreary	18	16
McLean	17	13
Madison	17	16
Magoffin	18	16
Marion	17	14
Marshall	17	31
Martin	18	16
Mason	17	16
Meade	17	14
Menifree	18	16
Mercer	17	16
Metcalfe	18	16
Monroe	18	16
Montgomery	17	16
Morgan	18	16
Muhlenberg	17	13
Nelson	17	14
Nicholas	17	16
Ohio	17	13
Oldham	17	14
Owen	17	16
Owsley	18	16
Pendleton	17	16
Perry	18	16
Pike	18	27
Powell	18	16
Pulaski	18	16
Robertson	17	16
Rockcastle	18	16
Rowan	17	16
Russell	18	16
Scott	17	16
Shelby	17	14
Simpson	17	14
Spencer	17	14
Taylor	18	16
Todd	17	14
Trigg	17	13
Trimble	17	14
Union	17	13
Warren	17	14
Washington	17	14
Wayne	18	16
Webster	17	13
Whitley	18	16
Wolfe	18	16
Woodford	17	16

LOUISIANA

	Zones C	T
Acadia	10	6
Allen	10	7
Ascension	10	12
Assumption	10	12
Avoyelles	10	9
Beauregard	10	7
Bienville	10	7
Bossier	40	7
Caddo	40	7
Calcasieu	43	7
Caldwell	10	9
Cameron	43	7
Catahoula	18	9
Claiborne	40	7
Concordia	18	9
De Sota	10	7
East Baton Rouge	10	9
East Carroll	18	9
East Feliciana	10	9
Evangeline	10	9
Franklin	18	9
Grant	10	7
Iberia	10	9
Iberville	10	9
Jackson	10	7
Jefferson	13	12
Jefferson Davis	10	7
Lafayette	10	9
Lafourche	10	12
La Salle	10	9
Lincoln	10	7
Livingston	13	12
Madison	18	9
Morehouse	18	9
Natchitoches	10	7
Orleans	13	12
Ouachita	18	9
Plaquemines	13	12
Pointe Coupee	10	9
Rapides	10	7
Red River	10	7
Richland	18	9
Sabine	10	7
St. Bernard	13	12
St. Charles	13	12
St. Helena	13	12
St. James	10	12
St. John the Baptist	13	12
St. Landry	10	9
St. Martin	10	9
St. Mary	10	12
St. Tammany	13	12
Tangipahoa	13	12
Tensas	18	9
Terrebonne	10	12
Union	10	7
Vermillion	10	9
Vernon	10	7
Washington	13	12
Webster	40	7
West Baton Rouge	10	9
West Carroll	18	9
West Feliciana	10	9
Winn	10	7

MAINE

	Zones C	T
Androscoggin	15	20
Aroostook	16	20
Cumberland	15	20
Franklin	16	20
Hancock	16	20
Kennebec	16	20
Knox	16	20
Lincoln	16	20
Oxford	16	20
Penobscot	16	20
Piscataquis	16	20
Sagadahoc	15	20
Somerset	16	20
Waldo	16	20
Washington	16	20
York	15	20

MARYLAND

	Zones C	T
Allegany	12	17
Anne Arundel	13	18
Baltimore	13	18
Baltimore City	13	18
Calvert	13	18
Caroline	12	18
Carroll	13	27
Cecil	12	27
Charles	13	18
Dorchester	12	27
Frederick	12	17
Garrett	12	17
Harford	12	27
Howard	13	18
Kent	12	27
Montgomery	13	18
Prince Georges	13	18
Queen Annes	12	27
St. Marys	13	18
Somerset	12	27
Talbot	12	27
Washington	12	17
Wicomico	12	27
Worcester	12	27

MASSACHUSETTS

	Zones C	T
Barnstable	15	20
Berkshire	14	19
Bristol	15	20
Dukes	15	20
Essex	15	20
Franklin	14	19
Hampden	14	19
Hampshire	14	19
Middlesex	15	20
Nantucket	15	20
Norfolk	15	20
Plymouth	15	20
Suffolk	15	20
Worcester	15	20

MICHIGAN

	Zones C	T
Alcona	11	14
Alger	10	14
Allegan	10	14
Alpena	11	14
Antrim	11	14

MICHIGAN—continued

	Zones C	T
Arenac	11	14
Baraga	10	14
Barry	10	14
Bay	11	14
Benzie	11	14
Berrien	9	14
Branch	10	14
Calhoun	10	14
Cass	9	14
Charlevoix	11	14
Cheboygan	11	14
Chippewa	10	14
Clare	11	14
Clinton	10	14
Crawford	11	14
Delta	10	14
Dickinson	10	14
Eaton	10	14
Emmet	11	14
Genesee	11	14
Gladwin	11	14
Gogebic	10	14
Grand Traverse	11	14
Gratiot	11	14
Hillsdale	10	16
Houghton	10	14
Huron	11	14
Ingham	10	14
Ionia	10	14
Iosco	11	14
Iron	10	14
Isabella	11	14
Jackson	10	14
Kalamazoo	10	14
Kalkaska	11	14
Kent	10	14
Keweenaw	10	14
Lake	10	14
Lapeer	11	14
Leelanau	11	14
Lenawee	10	16
Livingston	11	14
Luce	10	14
Mackinac	10	14
Macomb	11	14
Manistee	11	14
Marquette	10	14
Mason	10	14
Mecosta	11	14
Menominee	10	14
Midland	11	14
Missaukee	11	14
Monroe	10	16
Montcalm	10	14
Montmorency	11	14
Muskegon	10	14
Newaygo	10	14
Oakland	11	14
Oceana	10	14
Ogemaw	11	14
Ontnagon	10	14
Osceola	11	14
Oscoda	11	14
Otsego	11	14
Ottawa	10	14
Presque Isle	11	14
Roscommon	11	14
Saginaw	11	14
St. Clair	11	14
St. Joseph	10	14
Sanilac	11	14
Schoolcraft	10	14
Shiawassee	11	14
Tuscola	11	14
Van Buren	9	14
Washtenaw	10	16
Wayne	10	16
Wexford	11	14

MINNESOTA

	Zones C	T
Aitkin	2	7
Anoka	3	8
Becker	1	6
Beltrami	1	6
Benton	2	7
Big Stone	1	6
Blue Earth	3	8
Brown	2	7
Carlton	4	9
Carver	3	8
Cass	1	6
Chippewa	2	7
Chisago	3	8
Clay	1	6
Clearwater	1	6
Cook	4	9
Cottonwood	2	7
Crow Wing	2	7
Dakota	3	8
Dodge	4	9
Douglas	1	6
Faribault	3	8
Fillmore	4	9
Freeborn	3	8
Goodhue	4	9
Grant	1	6
Hennepin	3	8
Houston	4	9
Hubbard	1	6
Isanti	3	8
Itasca	1	6
Jackson	2	7
Kanabec	2	7
Kandiyohi	2	7
Kittson	1	5
Koochiching	1	6
Lac qui Parle	1	6
Lake	4	9
Lake of the Woods	1	6
Le Sueur	3	8
Lincoln	2	7
Lyon	2	7
McLeod	2	7
Mahnomen	1	5
Marshall	1	5
Martin	3	8
Meeker	2	7
Mille Lacs	2	7
Morrison	2	7
Mower	4	9
Murray	2	7
Nicollet	2	7
Nobles	2	7
Norman	1	5
Olmsted	4	9
Otter Tail	1	6
Pennington	1	5
Pine	4	9
Pipestone	2	7
Polk	1	5
Pope	2	7
Ramsey	3	8
Red Lake	1	5
Redwood	2	7
Renville	2	7
Rice	3	8
Rock	2	7
Roseau	1	5
St. Louis	4	9
Scott	3	8
Sherburne	2	7
Sibley	2	7
Stearns	2	7
Steele	3	8
Stevens	2	7
Swift	2	7
Todd	2	7
Traverse	1	6
Wabasha	4	9
Wadena	2	7
Waseca	3	8
Washington	3	8
Watonwan	2	7
Wilkin	1	6
Winona	4	9
Wright	3	8
Yellow Medicine	2	7

MISSISSIPPI

	Zones C	T
Adams	18	10
Alcorn	18	31
Amite	31	10
Attala	31	10
Benton	18	31
Bolivar	18	10
Calhoun	18	10
Carroll	18	10
Chickasaw	18	31

MISSISSIPPI—continued

	Zones			
Choctaw	C	31	T	10
Claiborne	C	18	T	10
Clarke	C	31	T	31
Clay	C	18	T	31
Coahoma	C	17	T	10
Copiah	C	31	T	10
Covington	C	31	T	10
De Sota	C	17	T	10
Forrest	C	31	T	31
Franklin	C	18	T	10
George	C	33	T	28
Greene	C	31	T	31
Grenada	C	18	T	10
Hancock	C	33	T	12
Harrison	C	33	T	28
Hinds	C	31	T	10
Holmes	C	18	T	10
Humphreys	C	18	T	10
Issaquena	C	18	T	10
Itawamba	C	18	T	31
Jackson	C	33	T	28
Jasper	C	31	T	31
Jefferson	C	18	T	10
Jefferson Davis	C	31	T	10
Jones	C	31	T	31
Kemper	C	31	T	31
Lafayette	C	18	T	10
Lamar	D	31	T	10
Lauderdale	C	31	T	31
Lawrence	C	31	T	10
Leake	C	31	T	10
Lee	C	18	T	31
Leflore	C	18	T	10
Lincoln	C	31	T	10
Lowndes	C	18	T	31
Madison	C	31	T	10
Marion	C	31	T	10
Marshall	C	18	T	10
Monroe	C	18	T	31
Montgomery	C	18	T	10
Neshoba	C	18	T	10
Newton	C	31	T	31
Noxubee	C	31	T	31
Oktibbeha	C	18	T	31
Panola	C	18	T	10
Pearl River	C	33	T	12
Perry	C	31	T	31
Pike	C	31	T	10
Pontotoc	C	18	T	10
Prentiss	C	18	T	31
Quitman	C	17	T	10
Rankin	C	31	T	10
Scott	C	31	T	10
Sharkey	C	18	T	10
Simpson	C	31	T	10
Smith	C	31	T	10
Stone	C	33	T	28
Sunflower	C	18	T	10
Tallahatchie	C	18	T	10
Tate	C	18	T	10
Tippah	C	18	T	31
Tishomingo	C	18	T	31
Tunica	C	17	T	10
Union	C	18	T	31
Walthall	C	31	T	10
Warren	C	18	T	10
Washington	C	18	T	10
Wayne	C	31	T	31
Webster	C	18	T	10
Wilkinson	C	18	T	10
Winston	C	31	T	10
Yalobusha	C	18	T	10
Yazoo	C	18	T	10

MISSOURI

	Zones			
Adair	C	5	T	10
Andrew	C	3	T	8
Atchison	C	2	T	7
Audrain	C	5	T	10
Barry	C	34	T	8
Barton	C	3	T	8
Bates	C	3	T	8
Benton	C	4	T	30
Bollinger	C	5	T	30
Boone	C	4	T	30
Buchanan	C	3	T	8
Butler	C	6	T	30
Caldwell	C	3	T	8
Callaway	C	4	T	30
Camden	C	4	T	30
Cape Girardeau	C	6	T	30
Carroll	C	4	T	30
Carter	C	5	T	8
Cass	C	3	T	8
Cedar	C	3	T	8
Charlton	C	4	T	30
Christian	C	34	T	8
Clark	C	5	T	10
Clay	C	3	T	8
Clinton	C	3	T	8
Cole	C	4	T	30
Cooper	C	4	T	30
Crawford	C	5	T	30
Dade	C	3	T	8
Dallas	C	4	T	8
Daviess	C	3	T	8
De Kalb	C	3	T	8
Dent	C	5	T	8
Douglas	C	34	T	8
Dunklin	C	36	T	30
Franklin	C	4	T	30
Gasconade	C	4	T	30
Gentry	C	3	T	8
Greene	C	4	T	8
Grundy	C	4	T	30
Harrison	C	3	T	8
Henry	C	3	T	8
Hickory	C	4	T	30
Holt	C	3	T	8
Howard	C	4	T	30
Howell	C	5	T	8
Iron	C	5	T	8
Jackson	C	3	T	8
Jasper	C	34	T	8
Jefferson	C	5	T	30
Johnson	C	3	T	8
Knox	C	5	T	10
Laclede	C	4	T	8
Lafayette	C	3	T	8
Lawrence	C	34	T	8
Lewis	C	5	T	10
Lincoln	C	5	T	10
Linn	C	4	T	30
Livingston	C	4	T	30
McDonald	C	34	T	8
Macon	C	5	T	10
Madison	C	5	T	8
Maries	C	4	T	30
Marion	C	5	T	10
Mercer	C	4	T	30
Miller	C	4	T	30
Mississippi	C	36	T	30
Moniteau	C	4	T	30
Monroe	C	5	T	10
Montgomery	C	5	T	10
Morgan	C	4	T	30
New Madrid	C	36	T	30
Newton	C	34	T	8
Nodaway	C	3	T	8
Oregon	C	5	T	8
Osage	C	4	T	30
Ozark	C	34	T	8
Pemiscot	C	36	T	30
Perry	C	6	T	30
Pettis	C	4	T	30
Phelps	C	4	T	8
Pike	C	5	T	10
Platte	C	3	T	8
Polk	C	3	T	8
Pulaski	C	4	T	8
Putnam	C	4	T	30
Ralls	C	5	T	10
Randolph	C	5	T	10
Ray	C	3	T	8
Reynolds	C	5	T	8
Ripley	C	5	T	30
St. Charles	C	5	T	10
St. Clair	C	3	T	8
St. Francois	C	5	T	30
Ste. Genevieve	C	5	T	30
St. Louis	C	5	T	10
St. Louis City	C	5	T	10
Saline	C	4	T	30
Schuyler	C	5	T	10
Scotland	C	5	T	10
Scott	C	36	T	30
Shannon	C	5	T	8
Shelby	C	5	T	10
Stoddard	C	6	T	30
Stone	C	34	T	8
Sullivan	C	4	T	30
Taney	C	34	T	8
Texas	C	5	T	8
Vernon	C	3	T	8
Warren	C	5	T	10
Washington	C	5	T	30
Wayne	C	5	T	10
Webster	C	3	T	8
Worth	C	4	T	8
Wright	C	4	T	8

MONTANA

	Zones			
Beaverhead	C	51	T	26
Big Horn	C	51	T	1
Blaine	C	52	T	1
Broadwater	C	51	T	26
Carson	C	51	T	1
Carter	C	52	T	2
Cascade	C	51	T	26
Chouteau	C	51	T	26
Custer	C	52	T	2
Daniels	C	52	T	1
Dawson	C	52	T	2
Deer Lodge	C	51	T	26
Fallon	C	52	T	2
Fergus	C	51	T	26
Flathead	C	51	T	11
Gallatin	C	51	T	26
Garfield	C	52	T	1
Glacier	C	51	T	26
Golden Valley	C	51	T	1
Granite	C	51	T	26
Hill	C	51	T	1
Jefferson	C	51	T	26
Judith Basin	C	51	T	26
Lake	C	51	T	11
Lewis and Clark	C	51	T	26
Liberty	C	51	T	26
Lincoln	C	51	T	11
McCone	C	52	T	2
Madison	C	51	T	26
Meagher	C	51	T	26
Mineral	C	51	T	11
Missoula	C	51	T	11
Musselshell	C	51	T	1
Park	C	51	T	26
Petroleum	C	51	T	26
Phillips	C	52	T	1
Pondera	C	51	T	26
Powder River	C	52	T	2
Powell	C	51	T	26
Prairie	C	52	T	2
Ravalli	C	51	T	26
Richland	C	52	T	2
Roosevelt	C	52	T	2
Rosebud	C	52	T	1
Sander	C	51	T	11
Sheridan	C	52	T	2
Silver Bow	C	51	T	26
Stillwater	C	51	T	1
Sweet Grass	C	51	T	26
Teton	C	51	T	26
Toole	C	51	T	26
Treasure	C	51	T	1
Valley	C	52	T	1
Wheatland	C	51	T	26
Wibaux	C	52	T	2
Yellowstone	C	51	T	1
Yellowstone National Park (part)	C	51	T	1

NEBRASKA

	Zones			
Adams	C	1	T	5
Antelope	C	1	T	5
Arthur	C	49	T	4
Banner	C	49	T	24
Blaine	C	1	T	5
Boone	C	1	T	5
Box Butte	C	49	T	24
Boyd	C	1	T	5
Brown	C	1	T	5
Buffalo	C	1	T	5
Burt	C	2	T	7
Butler	C	2	T	7
Cass	C	2	T	7
Cedar	C	1	T	5
Chase	C	49	T	24
Cherry	C	1	T	5

NEBRASKA—continued

	Zones			
Cheyenne	C	49	T	24
Clay	C	1	T	5
Colfax	C	1	T	7
Cuming	C	2	T	7
Custer	C	1	T	5
Dakota	C	2	T	7
Dawes	C	49	T	24
Dawson	C	1	T	4
Deuel	C	49	T	24
Dixon	C	2	T	7
Dodge	C	2	T	7
Douglas	C	2	T	7
Dundy	C	49	T	24
Fillmore	C	1	T	5
Franklin	C	1	T	5
Frontier	C	1	T	4
Furnas	C	1	T	4
Gage	C	2	T	7
Garden	C	49	T	24
Garfield	C	1	T	5
Gosper	C	1	T	4
Grant	C	49	T	4
Greeley	C	1	T	5
Hall	C	1	T	5
Hamilton	C	1	T	5
Harlan	C	1	T	5
Hayes	C	1	T	4
Hitchcock	C	1	T	4
Holt	C	1	T	5
Hooker	C	1	T	4
Howard	C	1	T	5
Jefferson	C	2	T	7
Johnson	C	2	T	7
Kearney	C	1	T	5
Keith	C	49	T	4
Keyapaha	C	1	T	5
Kimball	C	49	T	24
Knox	C	1	T	5
Lancaster	C	2	T	7
Lincoln	C	1	T	4
Logan	C	1	T	4
Loup	C	1	T	5
McPherson	C	1	T	4
Madison	C	1	T	5
Merrick	C	1	T	5
Morrill	C	49	T	24
Nance	C	1	T	5
Nemaha	C	2	T	7
Nuckolls	C	1	T	5
Otoe	C	2	T	7
Pawnee	C	2	T	7
Perkins	C	49	T	4
Phelps	C	1	T	5
Pierce	C	1	T	5
Platte	C	1	T	5
Polk	C	1	T	5
Redwillow	C	1	T	4
Richardson	C	2	T	7
Rock	C	1	T	5
Saline	C	2	T	7
Sarpy	C	2	T	7
Saunders	C	2	T	7
Scotts Bluff	C	49	T	24
Seward	C	2	T	7
Sheridan	C	49	T	24
Sherman	C	1	T	5
Sioux	C	49	T	24
Stanton	C	1	T	5
Thayer	C	1	T	5
Thomas	C	1	T	4
Thurston	C	2	T	7
Valley	C	1	T	5
Washington	C	2	T	7
Wayne	C	1	T	5
Webster	C	1	T	5
Wheeler	C	1	T	5
York	C	1	T	5

NEVADA

	Zones			
Churchill	C	56	T	33
Clark	C	55	T	33
Douglas	C	56	T	3
Elko	C	55	T	33
Esmeralda	C	56	T	33
Eureka	C	55	T	33
Humboldt	C	56	T	33
Lander	C	56	T	33
Lincoln	C	55	T	33
Lyon	C	56	T	3
Mineral	C	56	T	33
Nye	C	56	T	33
Ormsby	C	56	T	3
Pershing	C	56	T	33
Storey	C	56	T	3
Washoe	C	56	T	3
White Pine	C	55	T	33

NEW HAMPSHIRE

	Zones			
Belknap	C	15	T	20
Carroll	C	15	T	20
Cheshire	C	14	T	19
Coos	C	14	T	19
Grafton	C	14	T	19
Hillsboro	C	15	T	20
Merrimack	C	15	T	20
Rockingham	C	15	T	20
Stafford	C	15	T	20
Sullivan	C	14	T	19

NEW JERSEY

	Zones			
Atlantic	C	14	T	19
Bergen	C	14	T	19
Burlington	C	14	T	19
Camden	C	14	T	19
Cape May	C	14	T	19
Cumberland	C	14	T	19
Essex	C	14	T	19
Gloucester	C	14	T	19
Hudson	C	14	T	19
Hunterdon	C	14	T	19
Mercer	C	14	T	19
Middlesex	C	14	T	19
Monmouth	C	14	T	19
Morris	C	14	T	19
Ocean	C	14	T	19
Passaic	C	14	T	19
Salem	C	14	T	19
Somerset	C	14	T	19
Sussex	C	14	T	19
Union	C	14	T	19
Warren	C	14	T	19

NEW MEXICO

	Zones			
Bernalillo	C	47	T	34
Catron	C	50	T	35
Chaves	C	47	T	34
Colfax	C	45	T	24
Curry	C	45	T	24
De Baca	C	47	T	34
Dona Ana	C	50	T	35
Eddy	C	47	T	34
Grant	C	50	T	35
Guadalupe	C	47	T	34
Harding	C	45	T	24
Hidalgo	C	50	T	35
Lea	C	47	T	34
Lincoln	C	47	T	34
Luna	C	50	T	35
McKinley	C	50	T	35
Mora	C	47	T	34
Otero	C	47	T	34
Quay	C	45	T	24
Rio Arriba	C	47	T	34
Roosevelt	C	47	T	34
Sandoval	C	47	T	34
San Juan	C	50	T	35
San Miguel	C	47	T	34
Santa Fe	C	47	T	34
Sierra	C	50	T	35
Socorro	C	50	T	35
Taos	C	47	T	34
Torrance	C	47	T	34
Union	C	45	T	24
Valencia	C	50	T	35

NEW YORK

	Zones			
Albany	C	14	T	19
Alleghany	C	12	T	17
Bronx	C	14	T	19
Broome	C	13	T	18
Cattaraugus	C	12	T	17
Cayuga	C	13	T	18
Chautauqua	C	12	T	17
Chemung	C	13	T	18
Chenango	C	13	T	18
Clinton	C	14	T	19
Columbia	C	14	T	19
Cortland	C	13	T	18
Delaware	C	13	T	18
Dutchess	C	14	T	19
Erie	C	12	T	17
Essex	C	14	T	19
Franklin	C	14	T	19
Fulton	C	14	T	19
Genesee	C	12	T	17
Greene	C	14	T	19
Hamilton	C	14	T	19
Herkimer	C	13	T	18
Jefferson	C	13	T	18
Kings	C	14	T	19
Lewis	C	13	T	18
Livingston	C	12	T	17
Madison	C	13	T	18
Monroe	C	13	T	18
Montgomery	C	14	T	19
Nassau	C	14	T	19
New York	C	14	T	19
Niagara	C	12	T	17
Oneida	C	13	T	18
Onondaga	C	13	T	18
Ontario	C	13	T	18
Orange	C	14	T	19
Orleans	C	12	T	17
Oswego	C	13	T	18
Otsego	C	13	T	18
Putnam	C	14	T	19
Queens	C	14	T	19
Rensselaer	C	14	T	19
Richmond	C	14	T	19
Rockland	C	14	T	19
St. Lawrence	C	13	T	18
Saratoga	C	14	T	19
Schnectady	C	14	T	19
Schoharie	C	14	T	19
Schuyler	C	13	T	18
Seneca	C	13	T	18
Steuben	C	13	T	18
Suffolk	C	14	T	19
Sullivan	C	13	T	18
Tioga	C	13	T	18
Tompkins	C	13	T	18
Ulster	C	14	T	19
Warren	C	14	T	19
Washington	C	14	T	19
Wayne	C	13	T	18
Westchester	C	14	T	19
Wyoming	C	12	T	17
Yates	C	13	T	18

NORTH CAROLINA

	Zones			
Alamance	C	22	T	18
Alexander	C	22	T	18
Alleghany	C	22	T	18
Anson	C	22	T	18
Ashe	C	22	T	18
Avery	C	22	T	18
Beaufort	C	23	T	19
Bertie	C	23	T	18
Bladen	C	23	T	18
Brunswick	C	23	T	19
Buncombe	C	22	T	27
Burke	C	22	T	18
Cabarrus	C	22	T	18
Caldwell	C	22	T	18
Camden	C	23	T	19
Carteret	C	23	T	19
Caswell	C	22	T	18
Catawba	C	22	T	18
Chatham	C	22	T	18
Cherokee	C	22	T	27
Chowan	C	23	T	19
Clay	C	22	T	27
Cleveland	C	22	T	18
Columbus	C	23	T	18
Craven	C	23	T	19
Cumberland	C	23	T	18
Currituck	C	23	T	19
Dare	C	23	T	19
Davidson	C	22	T	18
Davie	C	22	T	18
Duplin	C	23	T	18
Durham	C	22	T	18
Edgecombe	C	23	T	18
Forsyth	C	22	T	18
Franklin	C	23	T	18
Gaston	C	22	T	18
Gates	C	23	T	19
Graham	C	22	T	27
Granville	C	22	T	18

NORTH CAROLINA—continued

	Zones		
Greene	C 23	T	18
Guilford	C 22	T	18
Halifax	C 23	T	18
Harnett	C 23	T	18
Haywood	C 22	T	27
Henderson	C 22	T	27
Hertford	C 23	T	18
Hoke	C 23	T	18
Hyde	G 23	T	19
Iredell	C 22	T	18
Jackson	C 22	T	27
Johnston	C 23	T	18
Jones	C 23	T	19
Lee	C 22	T	18
Lenoir	C 23	T	18
Lincoln	C 22	T	18
McDowell	C 22	T	27
Macon	C 22	T	27
Madison	C 22	T	27
Martin	C 23	T	18
Mecklenburg	C 22	T	18
Mitchell	C 22	T	27
Montgomery	C 22	T	18
Moore	C 22	T	18
Nash	C 23	T	18
New Hanover	C 23	T	19
Northampton	C 23	T	18
Onslaw	C 23	T	19
Orange	C 22	T	18
Pamlico	C 23	T	19
Pasquotank	C 23	T	19
Pender	C 23	T	19
Perquimans	C 23	T	19
Person	C 22	T	18
Pitt	C 23	T	18
Polk	C 22	T	27
Randolph	C 22	T	18
Richmond	C 22	T	18
Robeson	C 23	T	18
Rockingham	C 22	T	18
Rowan	C 22	T	18
Rutherford	C 22	T	27
Sampson	C 23	T	18
Scotland	C 23	T	18
Stanly	C 22	T	18
Stokes	C 22	T	18
Surry	C 22	T	18
Swain	C 22	T	27
Transylvania	C 22	T	27
Tyrrell	C 23	T	19
Union	C 22	T	18
Vance	C 23	T	18
Wake	C 22	T	18
Warren	C 23	T	18
Washington	C 23	T	19
Watauga	C 22	T	18
Wayne	C 23	T	18
Wilkes	C 22	T	18
Wilson	C 23	T	18
Yadkin	7 22	T	18
Yancey	C 22	T	27

NORTH DAKOTA

	Zones		
Adams	C 49	T	4
Barnes	C 1	T	5
Benson	C 1	T	4
Billings	C 49	T	32
Bottineau	C 1	T	4
Bowman	C 49	T	4
Burke	C 49	T	32
Burleigh	C 1	T	4
Cass	C 1	T	5
Cavalier	C 1	T	4
Dickey	C 1	T	5
Divide	C 49	T	32
Dunn	C 49	T	4
Eddy	C 1	T	5
Emmons	C 1	T	4
Foster	C 1	T	5
Golden Valley	C 49	T	32
Grand Forks	C 1	T	5
Grant	C 1	T	4
Griggs	C 1	T	5
Hettinger	C 49	T	4
Kidder	C 1	T	4
La Moure	C 1	T	5
Logan	C 1	T	5
McHenry	C 1	T	4
McIntosh	C 1	T	5
McKenzie	C 49	T	32

NORTH DAKOTA—continued

	Zones		
McLean	C 1	T	4
Mercer	C 1	T	4
Morton	C 1	T	4
Mountrail	C 49	T	32
Nelson	C 1	T	5
Oliver	C 1	T	4
Pembina	C 1	T	4
Pierce	C 1	T	4
Ramsey	C 1	T	5
Ransom	C 1	T	4
Renville	C 1	T	6
Richland	C 1	T	4
Rolette	C 1	T	5
Sargent	C 1	T	4
Sheridan	C 1	T	4
Sioux	C 49	T	4
Slope	C 49	T	4
Stark	C 1	T	5
Steele	C 1	T	5
Stutsman	C 1	T	4
Towner	C 1	T	5
Traill	C 1	T	5
Walsh	C 1	T	4
Ward	C 1	T	4
Wells	C 49	T	32
Williams			

OHIO

Adams	C 11	T	16
Allen	C 10	T	16
Auglaize	C 10	T	16
Ashtabula	C 11	T	16
Athens	C 11	T	16
Auglaize	C 10	T	16
Belmont	C 11	T	16
Brown	C 10	T	16
Butler	C 10	T	16
Carroll	C 11	T	16
Champaign	C 10	T	16
Clark	C 10	T	16
Clermont	C 10	T	16
Clinton	C 10	T	16
Columbiana	C 11	T	16
Coshocton	C 11	T	16
Crawford	C 11	T	16
Cuyahoga	C 10	T	16
Darke	C 10	T	16
Defiance	C 11	T	16
Delaware	C 11	T	16
Erie	C 11	T	16
Fairfield	C 10	T	16
Fayette	C 11	T	16
Franklin	C 10	T	16
Fulton	C 11	T	16
Gallia	C 11	T	16
Geauga	C 10	T	16
Greene	C 11	T	16
Guernsey	C 10	T	16
Hamilton	C 10	T	16
Hancock	C 10	T	16
Hardin	C 11	T	16
Harrison	C 10	T	16
Henry	C 10	T	16
Highland	C 11	T	16
Hocking	C 11	T	16
Holmes	C 11	T	16
Huron	C 11	T	16
Jackson	C 11	T	16
Jefferson	C 11	T	16
Knox	C 11	T	16
Lake	C 11	T	16
Lawrence	C 11	T	16
Licking	C 10	T	16
Logan	C 11	T	16
Lorain	C 10	T	16
Lucas	C 10	T	16
Madison	C 11	T	16
Mahoning	C 11	T	16
Marion	C 11	T	16
Medina	C 11	T	16
Meigs	C 10	T	16
Mercer	C 10	T	16
Miami	C 11	T	16
Monroe	C 10	T	16
Montgomery	C 11	T	16
Morgan	C 11	T	16
Morrow	C 11	T	16
Muskingum	C 11	T	16
Noble	C 11	T	16
Ottawa			

OHIO—continued

	Zones		
Paulding	C 10	T	16
Perry	C 11	T	16
Pickaway	C 11	T	16
Pike	C 11	T	16
Portage	C 10	T	16
Preble	C 10	T	16
Putnam	C 11	T	16
Richland	C 11	T	16
Ross	C 11	T	16
Sandusky	C 11	T	16
Scioto	C 11	T	16
Seneca	C 10	T	16
Shelby	C 11	T	16
Stark	C 11	T	16
Summit	C 11	T	16
Trumbull	C 11	T	16
Tuscarawas	C 10	T	16
Union	C 10	T	16
Van Wert	C 11	T	16
Vinton	C 10	T	16
Warren	C 11	T	16
Washington	C 11	T	16
Wayne	C 10	T	16
Williams	C 10	T	16
Wood	C 11	T	16
Wyandot			

OKLAHOMA

Adair	C 34	T	5
Alfalfa	C 37	T	5
Atoka	C 38	T	5
Beaver	C 37	T	24
Beckham	C 38	T	4
Blaine	C 37	T	4
Bryan	C 38	T	5
Caddo	C 38	T	4
Canadian	C 38	T	5
Carter	C 38	T	4
Cherokee	C 34	T	5
Choctaw	C 38	T	5
Cimarron	C 45	T	24
Cleveland	C 38	T	5
Coal	C 38	T	4
Comanche	C 38	T	4
Cotton	C 34	T	7
Craig	C 38	T	5
Creek	C 37	T	4
Custer	C 34	T	5
Delaware	C 37	T	4
Dewey	C 37	T	24
Ellis	C 37	T	5
Garfield	C 38	T	5
Garvin	C 38	T	5
Grady	C 37	T	5
Grant	C 38	T	4
Greer	C 38	T	24
Harmon	C 37	T	24
Harper	C 38	T	5
Haskell	C 38	T	5
Hughes	C 38	T	4
Jackson	C 38	T	4
Jefferson	C 38	T	5
Johnston	C 37	T	5
Kay	C 37	T	5
Kingfisher	C 38	T	4
Kiowa	C 33	T	5
Latimer	C 34	T	5
Le Flore	C 38	T	5
Lincoln	C 37	T	5
Logan	C 38	T	4
Love	C 38	T	5
McClain	C 33	T	5
McCurtain	C 38	T	5
McIntosh	C 37	T	4
Major	C 38	T	5
Marshall	C 34	T	5
Mayes	C 38	T	4
Murray	C 38	T	5
Muskogee	C 37	T	5
Noble	C 37	T	5
Nowata	C 38	T	5
Okfuskee	C 38	T	5
Oklahoma	C 38	T	5
Okmulgee	C 37	T	5
Osage	C 34	T	7
Ottawa	C 37	T	5
Pawnee	C 37	T	5
Payne	C 38	T	5
Pittsburg	C 33	T	5
Pontotoc			

OKLAHOMA—continued

	Zones		
Pottawatomie	C 38	T	5
Pushmataha	C 38	T	5
Roger Mills	C 37	T	24
Rogers	C 37	T	5
Seminole	C 38	T	5
Sequoyah	C 34	T	5
Stephens	C 38	T	5
Texas	C 46	T	24
Tillman	C 38	T	4
Tulsa	C 38	T	5
Wagoner	C 33	T	5
Washington	C 37	T	5
Washita	C 38	T	4
Woods	C 37	T	4
Woodward	C 37	T	4

OREGON

Baker	C 10	T	11
Benton	C 56	T	3
Clackamas	C 56	T	3
Clatsop	C 56	T	3
Columbia	C 56	T	3
Coos	C 56	T	3
Crook	C 10	T	11
Curry	C 56	T	3
Deschutes	C 10	T	11
Douglas	C 56	T	3
Gilliam	C 10	T	11
Grant	C 10	T	11
Harney	C 10	T	11
Hood River	C 56	T	3
Jackson	C 56	T	3
Jefferson	C 10	T	11
Josephine	C 56	T	3
Klamath	C 10	T	11
Lake	C 10	T	11
Lane	C 56	T	3
Lincoln	C 56	T	3
Linn	C 56	T	3
Malheur	C 10	T	11
Marion	C 56	T	3
Morrow	C 10	T	11
Multnomah	C 56	T	3
Polk	C 56	T	3
Sherman	C 10	T	11
Tillamook	C 56	T	3
Umatilla	C 10	T	11
Union	C 10	T	11
Wallowa	C 10	T	11
Wasco	C 10	T	11
Washington	C 56	T	3
Wheeler	C 10	T	11
Yamhill	C 56	T	3

PENNSYLVANIA

	Zones		
Adams	C 13	T	18
Allegheny	C 11	T	16
Armstrong	C 12	T	16
Beaver	C 11	T	16
Bedford	C 12	T	17
Berks	C 14	T	19
Blair	C 12	T	17
Bradford	C 13	T	18
Bucks	C 14	T	19
Butler	C 11	T	16
Cambria	C 12	T	17
Cameron	C 12	T	17
Carbon	C 13	T	18
Centre	C 13	T	18
Chester	C 14	T	19
Clarion	C 12	T	16
Clearfield	C 12	T	17
Clinton	C 13	T	18
Columbia	C 13	T	18
Crawford	C 11	T	16
Cumberland	C 13	T	18
Dauphin	C 13	T	18
Delaware	C 14	T	19
Elk	C 12	T	17
Erie	C 11	T	16
Fayette	C 12	T	16
Forest	C 12	T	16
Franklin	C 13	T	18
Fulton	C 12	T	17
Greene	C 11	T	16
Huntingdon	C 12	T	17
Indiana	C 12	T	17
Jefferson	C 12	T	17
Juniata	C 13	T	18

PENNSYLVANIA—continued

	Zones		
Lackawanna	C 13	T	18
Lancaster	C 13	T	18
Lawrence	C 11	T	16
Lebanon	C 13	T	18
Lehigh	C 14	T	19
Luzerne	C 13	T	18
Lycoming	C 13	T	18
McKean	C 12	T	17
Mercer	C 11	T	16
Mifflin	C 13	T	18
Monroe	C 13	T	18
Montgomery	C 14	T	19
Montour	C 13	T	18
Northampton	C 14	T	19
Northumberland	C 13	T	18
Perry	C 13	T	18
Philadelphia	C 14	T	19
Pike	C 13	T	18
Potter	C 12	T	17
Schuylkill	C 13	T	18
Snyder	C 13	T	18
Somerset	C 12	T	17
Sullivan	C 13	T	18
Susquehanna	C 13	T	18
Tioga	C 13	T	18
Union	C 13	T	18
Venango	C 11	T	16
Warren	C 12	T	16
Washington	C 11	T	16
Wayne	C 13	T	18
Westmoreland	C 12	T	16
Wyoming	C 13	T	18
York	C 13	T	18

RHODE ISLAND

Bristol	C 15	T	20
Kent	C 15	T	20
Newport	C 15	T	20
Providence	C 15	T	20
Washington	C 15	T	20

SOUTH CAROLINA

Abbeville	C 23	T	27
Aiken	C 23	T	27
Allendale	C 24	T	18
Anderson	C 23	T	27
Bamberg	C 24	T	18
Barnwell	C 24	T	18
Beaufort	C 24	T	18
Berkeley	C 24	T	18
Calhoun	C 24	T	18
Charleston	C 24	T	18
Cherokee	C 23	T	18
Chester	C 23	T	18
Chesterfield	C 23	T	18
Clarendon	C 24	T	18
Colleton	C 24	T	18
Darlington	C 24	T	18
Dillon	C 24	T	18
Dorchester	C 24	T	18
Edgefield	C 23	T	27
Fairfield	C 23	T	18
Florence	C 24	T	18
Georgetown	C 24	T	18
Greenville	C 23	T	27
Greenwood	C 23	T	27
Hampton	C 24	T	18
Horry	C 24	T	18
Jasper	C 24	T	18
Kershaw	C 23	T	18
Lancaster	C 23	T	18
Laurens	C 23	T	27
Lee	C 24	T	18
Lexington	C 23	T	18
McCormick	C 23	T	27
Marion	C 24	T	18
Marlboro	C 24	T	18
Newberry	C 23	T	18
Oconee	C 23	T	27
Orangeburg	C 24	T	18
Pickens	C 23	T	27
Richland	C 23	T	18
Saluda	C 23	T	27
Spartanburg	C 23	T	27
Sumter	C 24	T	18
Union	C 23	T	18
Williamsburg	C 24	T	18
York	C 23	T	18

SOUTH DAKOTA

	Zones		
Armstrong	C 1	T	4
Aurora	C 1	T	6
Beadle	C 1	T	6
Bennett	C 1	T	23
Bon Homme	C 1	T	6
Brookings	C 1	T	6
Brown	C 1	T	5
Brule	C 1	T	6
Buffalo	C 1	T	5
Butte	C 49	T	24
Campbell	C 1	T	4
Charles Mix	C 1	T	6
Clark	C 1	T	6
Clay	C 2	T	7
Codington	C 1	T	6
Corson	C 1	T	4
Custer	C 49	T	23
Davison	C 1	T	6
Day	C 1	T	5
Deuel	C 1	T	6
Dewey	C 1	T	4
Douglas	C 1	T	6
Edmunds	C 1	T	5
Fall River	C 49	T	23
Faulk	C 1	T	5
Grant	C 1	T	6
Gregory	C 1	T	5
Hanson	C 1	T	23
Hamlin	C 1	T	6
Hand	C 1	T	5
Hanson	C 1	T	6
Harding	C 49	T	23
Hughes	C 1	T	4
Hutchinson	C 1	T	6
Hyde	C 1	T	5
Jackson	C 1	T	23
Jerauld	C 1	T	6
Jones	C 1	T	4
Kingsbury	C 1	T	6
Lake	C 1	T	6
Lawrence	C 49	T	23
Lincoln	C 2	T	7
Lyman	C 1	T	5
McCook	C 1	T	7
McPherson	C 1	T	5
Marshall	C 1	T	5
Meade	C 49	T	23
Mellette	C 1	T	4
Miner	C 1	T	6
Minnehaha	C 2	T	7
Moody	C 1	T	6
Pennington	C 49	T	23
Perkins	C 49	T	4
Potter	C 1	T	4
Roberts	C 1	T	6
Sanborn	C 1	T	6
Shannon	C 49	T	23
Spink	C 1	T	5
Stanley	C 1	T	4
Sully	C 1	T	4
Todd	C 1	T	4
Tripp	C 1	T	5
Turner	C 1	T	7
Union	C 2	T	7
Walworth	C 1	T	4
Washabaugh	C 1	T	23
Washington	C 49	T	23
Yankton	C 1	T	6
Ziebach	C 1	T	4

TENNESSEE

Anderson	C 21	T	16
Bedford	C 19	T	14
Benton	C 20	T	31
Bledsoe	C 21	T	16
Blount	C 21	T	16
Bradley	C 21	T	16
Campbell	C 21	T	27
Cannon	C 19	T	16
Carroll	C 20	T	31
Carter	C 21	T	27
Cheatham	C 20	T	14
Chester	C 20	T	31
Claiborne	C 21	T	27
Clay	C 19	T	16
Cocke	C 21	T	27
Coffee	C 19	T	16
Crockett	C 20	T	31
Cumberland	C 21	T	16
Davidson	C 19	T	14

TENNESSEE—continued

	Zones	
Decatur	C 20	T 31
De Kalb	C 19	T 16
Dickson	C 20	T 14
Dyer	C 17	T 10
Fayette	C 20	T 31
Fentress	C 19	T 27
Franklin	C 21	T 14
Gibson	C 20	T 31
Giles	C 19	T 14
Granger	C 21	T 27
Greene	C 21	T 27
Grundy	C 21	T 16
Hamblen	C 21	T 27
Hamilton	C 21	T 16
Hancock	C 21	T 27
Hardeman	C 20	T 31
Hardin	C 19	T 13
Hawkins	C 21	T 27
Haywood	C 20	T 31
Henderson	C 20	T 31
Henry	C 20	T 31
Hickman	C 20	T 14
Houston	C 20	T 13
Humphreys	C 20	T 13
Jackson	C 19	T 16
Jefferson	C 21	T 27
Johnson	C 21	T 27
Knox	C 21	T 16
Lake	C 17	T 10
Lauderdale	C 17	T 10
Lawrence	C 19	T 14
Lewis	C 19	T 14
Lincoln	C 19	T 14
Loudon	C 21	T 16
McMinn	C 21	T 16
McNairy	C 20	T 31
Macon	C 19	T 16
Madison	C 20	T 31
Marion	C 21	T 16
Marshall	C 19	T 14
Maury	C 19	T 14
Meigs	C 21	T 16
Monroe	C 21	T 16
Montgomery	C 20	T 14
Moore	C 19	T 14
Morgan	C 21	T 27
Obion	C 17	T 10
Overton	C 19	T 16
Perry	C 20	T 13
Pickett	C 19	T 16
Polk	C 21	T 16
Putnam	C 19	T 16
Rhea	C 21	T 16
Roane	C 21	T 16
Robertson	C 20	T 14
Rutherford	C 19	T 14
Scott	C 21	T 27
Sequatchie	C 21	T 16
Sevier	C 21	T 16
Shelby	C 17	T 10
Smith	C 19	T 16
Stewart	C 20	T 13
Sullivan	C 21	T 27
Sumner	C 20	T 14
Tipton	C 17	T 10
Trousdale	C 19	T 16
Unicoi	C 21	T 27
Union	C 21	T 27
Van Buren	C 21	T 16
Warren	C 19	T 16
Washington	C 21	T 27
Wayne	C 19	T 13
Weakley	C 20	T 31
White	C 19	T 16
Williamson	C 19	T 14
Wilson	C 19	T 14

TEXAS

	Zones	
Anderson	C 42	T 29
Andrews	C 45	T 23
Angelina	C 43	T 5
Aransas	C 41	T 23
Archer	C 39	T 32
Armstrong	C 46	T 24
Atascosa	C 41	T 23
Austin	C 41	T 24
Bailey	C 45	T 32
Bandera	C 44	T 23

TEXAS—continued

	Zones	
Bastrop	C 41	T 24
Baylor	C 39	T 32
Bee	C 41	T 23
Bell	C 44	T 24
Bexar	C 44	T 24
Blanco	C 44	T 24
Borden	C 45	T 23
Bosque	C 40	T 24
Bowie	C 39	T 5
Brazoria	C 42	T 29
Brazos	C 42	T 24
Brewster	C 45	T 4
Briscoe	C 45	T 32
Brooks	C 44	T 4
Brown	C 40	T 32
Burleson	C 42	T 24
Burnet	C 44	T 24
Caldwell	C 41	T 24
Calhoun	C 41	T 24
Callahan	C 40	T 32
Cameron	C 44	T 4
Camp	C 40	T 5
Carson	C 46	T 24
Cass	C 40	T 5
Castro	C 45	T 32
Chambers	C 44	T 24
Cherokee	C 42	T 29
Childress	C 46	T 24
Clay	C 39	T 4
Cochran	C 45	T 23
Coke	C 45	T 23
Coleman	C 40	T 32
Collin	C 39	T 4
Collingsworth	C 45	T 24
Colorado	C 41	T 24
Comal	C 44	T 24
Comanche	C 40	T 32
Concho	C 40	T 23
Cooke	C 39	T 4
Coryell	C 44	T 24
Cottle	C 45	T 32
Crane	C 45	T 23
Crockett	C 45	T 4
Crosby	C 45	T 32
Culberson	C 47	T 4
Dallam	C 45	T 24
Dallas	C 40	T 4
Dawson	C 45	T 23
Deaf Smith	C 45	T 32
Delta	C 39	T 5
Denton	C 40	T 4
De Witt	C 41	T 24
Dickens	C 45	T 32
Dimmit	C 44	T 4
Donley	C 46	T 24
Duval	C 44	T 4
Eastland	C 40	T 32
Ector	C 45	T 23
Edwards	C 44	T 23
Ellis	C 40	T 4
El Paso	C 47	T 4
Erath	C 40	T 32
Falls	C 42	T 24
Fannin	C 39	T 4
Fayette	C 41	T 24
Fisher	C 40	T 32
Floyd	C 45	T 32
Foard	C 39	T 32
Fort Bend	C 42	T 29
Franklin	C 40	T 5
Freestone	C 42	T 24
Frio	C 44	T 23
Gaines	C 45	T 23
Galveston	C 42	T 29
Garza	C 45	T 32
Gillespie	C 44	T 23
Glasscock	C 45	T 23
Goliad	C 41	T 24
Gonzales	C 41	T 24
Gray	C 46	T 24
Grayson	C 39	T 4
Gregg	C 40	T 5
Grimes	C 42	T 29
Guadalupe	C 41	T 24
Hale	C 45	T 32
Hall	C 46	T 24
Hamilton	C 40	T 24
Hansford	C 46	T 24
Hardeman	C 39	T 4

TEXAS—continued

	Zones	
Hardin	C 43	T 5
Harris	C 42	T 29
Harrison	C 40	T 5
Hartley	C 45	T 24
Haskell	C 40	T 32
Hays	C 44	T 24
Hemphill	C 46	T 24
Henderson	C 40	T 4
Hidalgo	C 44	T 4
Hill	C 40	T 24
Hockley	C 45	T 23
Hood	C 39	T 32
Hopkins	C 40	T 5
Houston	C 42	T 29
Howard	C 45	T 23
Hudspeth	C 47	T 4
Hunt	C 39	T 4
Hutchinson	C 46	T 24
Irion	C 45	T 23
Jack	C 39	T 32
Jackson	C 41	T 24
Jasper	C 43	T 5
Jeff Davis	C 47	T 4
Jefferson	C 43	T 5
Jim Hogg	C 44	T 4
Jim Wells	C 44	T 4
Johnson	C 40	T 4
Jones	C 40	T 32
Karnes	C 41	T 24
Kaufman	C 40	T 4
Kendall	C 44	T 23
Kenedy	C 44	T 4
Kent	C 45	T 32
Kerr	C 44	T 23
Kimble	C 44	T 23
King	C 40	T 32
Kinney	C 44	T 4
Kleberg	C 44	T 4
Knox	C 40	T 32
Lamar	C 39	T 5
Lamb	C 45	T 32
Lampasas	C 44	T 24
La Salle	C 44	T 23
Lavaca	C 41	T 24
Lee	C 42	T 24
Leon	C 42	T 24
Liberty	C 42	T 29
Limestone	C 42	T 24
Lipscomb	C 46	T 24
Live Oak	C 41	T 23
Llano	C 44	T 24
Loving	C 45	T 23
Lubbock	C 45	T 32
Lynn	C 45	T 32
McCulloch	C 40	T 32
McLennan	C 40	T 24
McMullen	C 41	T 23
Madison	C 42	T 24
Marion	C 40	T 5
Martin	C 45	T 23
Mason	C 44	T 23
Matagorda	C 41	T 24
Maverick	C 41	T 4
Medina	C 44	T 23
Menard	C 44	T 23
Midland	C 45	T 23
Milan	C 42	T 24
Mills	C 40	T 32
Mitchell	C 45	T 23
Montague	C 39	T 4
Montgomery	C 42	T 29
Moore	C 46	T 24
Morris	C 40	T 5
Motley	C 45	T 32
Nacogdoches	C 43	T 5
Navarro	C 40	T 24
Newton	C 43	T 5
Nolan	C 45	T 32
Nueces	C 44	T 4
Ochiltree	C 46	T 24
Oldham	C 45	T 32
Orange	C 43	T 5
Palo Pinto	C 39	T 32
Panola	C 43	T 5
Parker	C 39	T 32
Parmar	C 45	T 32
Pecos	C 45	T 4
Polk	C 42	T 29
Potter	C 45	T 24
Presidio	C 47	T 4

TEXAS—continued

	Zones	
Rains	C 40	T 4
Randall	C 45	T 32
Reagan	C 45	T 23
Real	C 44	T 23
Red River	C 39	T 5
Reeves	C 45	T 4
Refugio	C 41	T 23
Roberts	C 46	T 24
Robertson	C 42	T 24
Rockwall	C 40	T 4
Runnels	C 40	T 23
Rusk	C 40	T 5
Sabine	C 43	T 5
San Augustine	C 43	T 5
San Jacinto	C 42	T 29
San Patricio	C 41	T 23
San Saba	C 44	T 32
Schleicher	C 45	T 23
Scurry	C 45	T 32
Shackleford	C 40	T 32
Shelby	C 43	T 5
Sherman	C 46	T 24
Smith	C 40	T 5
Somervell	C 39	T 32
Starr	C 44	T 4
Stephens	C 40	T 32
Sterling	C 45	T 23
Stonewall	C 40	T 32
Sutton	C 45	T 23
Swisher	C 45	T 32
Tarrant	C 40	T 4
Taylor	C 40	T 32
Terrell	C 45	T 4
Terry	C 45	T 23
Throckmorton	C 39	T 32
Titus	C 40	T 5
Tom Green	C 45	T 23
Travis	C 44	T 24
Trinity	C 42	T 29
Tyler	C 43	T 5
Upshur	C 40	T 5
Upton	C 45	T 23
Uvalde	C 44	T 23
Val Verde	C 45	T 4
Van Zandt	C 40	T 4
Victoria	C 41	T 24
Walker	C 42	T 29
Waller	C 42	T 29
Ward	C 45	T 23
Washington	C 41	T 24
Webb	C 44	T 4
Wharton	C 41	T 24
Wheeler	C 46	T 24
Wichita	C 39	T 4
Wilbarger	C 39	T 4
Willacy	C 44	T 4
Williamson	C 44	T 24
Wilson	C 41	T 24
Winkler	C 45	T 23
Wise	C 39	T 4
Wood	C 40	T 5
Yoakum	C 45	T 23
Young	C 39	T 32
Zapata	C 44	T 4
Zavala	C 44	T 23

UTAH

	Zones	
Beaver	C 53	T 1
Box Elder	C 53	T 1
Cache	C 53	T 1
Carbon	C 53	T 1
Daggett	C 53	T 1
Davis	C 53	T 1
Duchesne	C 53	T 1
Emery	C 53	T 1
Garfield	C 53	T 1
Grand	C 53	T 1
Iron	C 53	T 1
Juab	C 53	T 1
Kane	C 53	T 1
Millard	C 53	T 1
Morgan	C 53	T 1
Piute	C 53	T 1
Rich	C 53	T 1
Salt Lake	C 53	T 1
San Juan	C 53	T 1
Sanpete	C 53	T 1
Sevier	C 53	T 1
Summit	C 53	T 1
Tooele	C 53	T 1

UTAH—continued

	Zones	
Uintah	C 53	T 1
Utah	C 53	T 1
Wasatch	C 53	T 1
Washington	C 53	T 1
Wayne	C 53	T 1
Weber	C 53	T 1

VERMONT

	Zones	
Addison	C 14	T 19
Bennington	C 14	T 19
Caledonia	C 14	T 19
Chittenden	C 14	T 19
Essex	C 14	T 19
Franklin	C 14	T 19
Grand Isle	C 14	T 19
Lamoille	C 14	T 19
Orange	C 14	T 19
Orleans	C 14	T 19
Rutland	C 14	T 19
Washington	C 14	T 19
Windham	C 14	T 19
Windsor	C 14	T 19

VIRGINIA

	Zones	
Accomac	C 12	T 27
Albemarle	C 11	T 16
Alleghany	C 19	T 27
Amelia	C 12	T 27
Amherst	C 12	T 27
Appomattox	C 12	T 27
Arlington	C 13	T 18
Augusta	C 11	T 16
Bath	C 11	T 16
Bedford	C 19	T 27
Bland	C 19	T 27
Botetourt	C 19	T 27
Brunswick	C 12	T 27
Buchanan	C 18	T 27
Buckingham	C 12	T 27
Campbell	C 12	T 27
Caroline	C 12	T 27
Carroll	C 19	T 27
Charles City	C 12	T 27
Charlotte	C 12	T 27
Chesterfield	C 12	T 27
Clarke	C 12	T 17
Craig	C 19	T 27
Culpeper	C 12	T 17
Cumberland	C 12	T 27
Dickenson	C 18	T 27
Dinwiddie	C 12	T 27
Elizabeth City	C 14	T 19
Essex	C 12	T 27
Fairfax	C 13	T 18
Fauquier	C 12	T 17
Floyd	C 19	T 27
Fluvanna	C 12	T 27
Franklin	C 19	T 27
Frederick	C 11	T 16
Giles	C 19	T 27
Gloucester	C 12	T 27
Goochland	C 12	T 27
Grayson	C 19	T 27
Greene	C 11	T 16
Greensville	C 12	T 27
Halifax	C 12	T 27
Hanover	C 12	T 27
Henrico	C 12	T 27
Henry	C 19	T 27
Highland	C 11	T 16
Isle of Wight	C 14	T 19
James City	C 14	T 19
King and Queen	C 12	T 27
King George	C 12	T 27
King William	C 12	T 27
Lancaster	C 12	T 27
Lee	C 18	T 27
Loudoun	C 12	T 17
Louisa	C 12	T 27
Lunenburg	C 12	T 27
Madison	C 11	T 16
Mathews	C 12	T 27
Mecklenburg	C 12	T 27
Middlesex	C 12	T 27
Montgomery	C 19	T 27
Nansemond	C 14	T 19
Nelson	C 12	T 27
New Kent	C 12	T 27

VIRGINIA—continued

	Zones	
Norfolk	C 14	T 19
Northampton	C 12	T 27
Northumberland	C 12	T 27
Nottoway	C 12	T 27
Orange	C 12	T 17
Page	C 11	T 16
Patrick	C 19	T 27
Pittsylvania	C 19	T 27
Powhatan	C 12	T 27
Prince Edward	C 12	T 27
Prince George	C 12	T 27
Princess Anne	C 14	T 19
Prince William	C 13	T 18
Pulaski	C 19	T 27
Rappahannock	C 11	T 16
Richmond	C 12	T 27
Roanoke	C 19	T 27
Rockbridge	C 11	T 16
Rockingham	C 11	T 16
Russell	C 18	T 27
Scott	C 18	T 27
Shenandoah	C 11	T 16
Smyth	C 18	T 27
Southampton	C 12	T 27
Spotsylvania	C 12	T 17
Stafford	C 13	T 18
Surry	C 14	T 19
Sussex	C 12	T 27
Tazewell	C 18	T 27
Warren	C 11	T 16
Warwick	C 14	T 19
Washington	C 18	T 27
Westmoreland	C 12	T 27
Wise	C 18	T 27
Wythe	C 19	T 27
York	C 14	T 19

WASHINGTON

	Zones	
Adams	C 54	T 15
Asotin	C 14	T 2
Benton	C 14	T 2
Chelan	C 14	T 2
Clallam	C 56	T 3
Clarke	C 56	T 3
Columbia	C 14	T 2
Cowlitz	C 56	T 3
Douglas	C 14	T 2
Ferry	C 14	T 2
Franklin	C 14	T 2
Garfield	C 14	T 2
Grant	C 14	T 2
Grays Harbor	C 56	T 3
Island	C 56	T 3
Jefferson	C 56	T 3
King	C 56	T 3
Kitsap	C 56	T 3
Kittitas	C 14	T 2
Klickitat	C 56	T 3
Lewis	C 56	T 3
Lincoln	C 54	T 15
Mason	C 56	T 3
Okanogan	C 14	T 2
Pacific	C 56	T 3
Pend Orelle	C 54	T 15
Pierce	C 56	T 3
San Juan	C 56	T 3
Skagit	C 56	T 3
Skamania	C 56	T 3
Snohomish	C 56	T 3
Spokane	C 56	T 3
Stevens	C 54	T 15
Thurston	C 56	T 3
Wahkiakum	C 56	T 3
Walla Walla	C 14	T 2
Whatcom	C 56	T 3
Whitman	C 54	T 15
Yakima	C 14	T 2

WEST VIRGINIA

	Zones	
Barbour	C 11	T 16
Berkeley	C 12	T 17
Boone	C 11	T 16
Braxton	C 11	T 16
Brooke	C 11	T 16
Cabell	C 11	T 16
Calhoun	C 11	T 16
Clay	C 11	T 16
Doddridge	C 11	T 16
Fayette	C 11	T 16
Gilmer	C 11	T 16

WEST VIRGINIA—continued	Zones	
Grant	C 11	T 16
Greenbrier	C 19	T 27
Hampshire	C 11	T 16
Hancock	C 11	T 16
Hardy	C 11	T 16
Harrison	C 11	T 16
Jackson	C 12	T 17
Jefferson	C 11	T 16
Kanawha	C 11	T 16
Lewis	C 11	T 16
Lincoln	C 11	T 16
Logan	C 11	T 16
McDowell	C 11	T 16
Marion	C 11	T 16
Marshall	C 11	T 16
Mason	C 11	T 16
Mercer	C 11	T 16
Mineral	C 11	T 16
Mingo	C 11	T 16
Monongalia	C 19	T 27
Monroe	C 12	T 17
Morgan	C 11	T 16
Nicholas	C 11	T 16
Ohio	C 11	T 16
Pendleton	C 11	T 16
Pleasants	C 11	T 16
Pocahontas	C 11	T 16
Preston	C 11	T 16
Putnam	C 11	T 16
Raleigh	C 11	T 16
Randolph	C 11	T 16
Ritchie	C 11	T 16
Roane	C 11	T 16
Summers	C 11	T 16
Taylor	C 11	T 16
Tucker	C 11	T 16
Tyler	C 11	T 16
Upshur	C 11	T 16
Wayne	C 11	T 16
Webster	C 11	T 16
Wetzel	C 11	T 16
Wirt	C 11	T 16
Wood	C 11	T 16
Wyoming	C 11	T 16

WISCONSIN		
Adams	C 5	T 10
Ashland	C 6	T 10
Barron	C 4	T 9
Bayfield	C 6	T 10
Brown	C 6	T 10
Buffalo	C 4	T 9
Burnett	C 4	T 9
Calumet	C 6	T 10
Chippewa	C 4	T 9
Clark	C 4	T 9
Columbia	C 5	T 10
Crawford	C 5	T 10
Dane	C 6	T 10
Dodge	C 6	T 10
Door	C 6	T 10
Douglas	C 4	T 9
Dunn	C 4	T 9
Eau Claire	C 4	T 9
Florence	C 6	T 10
Fond du lac	C 6	T 10
Forest	C 6	T 10
Grant	C 5	T 10
Green	C 6	T 10
Green Lake	C 5	T 10
Iowa	C 5	T 10
Iron	C 6	T 10
Jackson	C 4	T 9
Jefferson	C 6	T 10
Juneau	C 5	T 10
Kenosha	C 7	T 12
Kewaunee	C 6	T 10
La Crosse	C 4	T 9
LaFayette	C 5	T 10
Langlade	C 5	T 10
Lincoln	C 5	T 10
Manitowoc	C 6	T 10
Marathon	C 5	T 10
Marinette	C 10	T 10
Marquette	C 5	T 10
Milwaukee	C 7	T 12
Monroe	C 4	T 9
Oconto	C 6	T 10
Oneida	C 5	T 10
Outagamie	C 5	T 10

WISCONSIN—continued	Zones	
Ozaukee	C 6	T 10
Pepin	C 4	T 9
Pierce	C 4	T 9
Polk	C 4	T 9
Portage	C 5	T 10
Price	C 4	T 9
Racine	C 7	T 12
Richland	C 5	T 10
Rock	C 6	T 10
Rusk	C 4	T 9
Saint Croix	C 4	T 9
Sauk	C 5	T 10
Sawyer	C 4	T 9
Shawano	C 6	T 10
Sheboygan	C 6	T 10
Taylor	C 4	T 9
Trempealeau	C 4	T 9
Vernon	C 4	T 9
Vilas	C 6	T 10
Walworth	C 6	T 10
Washburn	C 4	T 9
Washington	C 6	T 10
Waukesha	C 7	T 12
Waupaca	C 5	T 10
Waushara	C 5	T 10
Winnebago	C 5	T 10
Wood	C 5	T 10

WYOMING		
Albany	C 6	T 22
Big Horn	C 51	T 1
Campbell	C 51	T 22
Carbon	C 51	T 22
Converse	C 51	T 22
Crook	C 6	T 22
Fremont	C 51	T 1
Goshen	C 6	T 24
Hot Springs	C 51	T 1
Johnson	C 51	T 22
Laramie	C 6	T 24
Lincoln	C 53	T 1
Natrona	C 51	T 22
Niobrara	C 6	T 22
Park	C 51	T 1
Platte	C 6	T 22
Sheridan	C 51	T 1
Sublette	C 51	T 1
Sweetwater	C 51	T 1
Teton	C 51	T 1
Uinta	C 53	T 1
Washakie	C 51	T 22
Weston	C 6	T 22
Yellowstone National Park (part)	C 51	T 1

[Sec. 4.4 corrected, 10 F.R. 521; effective 1-1-45; amended by Am. 8, effective 7-1-45]

SEC. 4.5 *How the United States is zoned for the purpose of calculating maximum base prices for ducks.* The United States shall be divided into an "eastern zone" and into a "western zone" for the purpose of calculating maximum base prices for ducks. These zones are as follows:

(a) *Eastern zone.* The "eastern zone" for ducks shall consist of all the United States east of the line running south from the Canadian border along the eastern shore of Lake Michigan, the Illinois-Indiana State line, the Illinois-Kentucky State line, and then south along the eastern bank of the Mississippi River to the Gulf of Mexico and shall in addition include the counties of Cook, Lake and Du Page in the State of Illinois, and the counties of Kenosha, Racine and Milwaukee in the State of Wisconsin.

(b) *Western zone.* The "western zone" for ducks shall consist of all of the United States not included in the "eastern zone."

[Sec. 4.5 amended by Am. 8, effective 7-1-45]

SEC. 4.6 *How maximum base prices are calculated for all duck items—*(a) *Live duck items.* The maximum base price for any Grade "1" live duck item, purchased, sold or delivered at any place in the United States shall be 25¢ per pound. The maximum base price for any Grade "2" live duck item purchased, sold or delivered at any place in the United States shall be 21¢ per pound.

(b) *"Kosher processed duck items"—*(1) *"Kosher-killed" duck items.* The maximum base price for any Grade "A" or Grade "B" "Kosher-killed" duck item sold, purchased or delivered at any place in the United States shall be 29 cents per pound.

(2) *"Kosher-dressed" duck items.* The maximum base price for any Grade "A" or Grade "B" "Kosher-dressed" duck items purchased, sold or delivered at any place in the United States shall be 31 cents per pound.

(3) *Grade "C" "Kosher processed" duck items.* The maximum base price for any Grade "C" "Kosher processed" duck items purchased, sold or delivered at any place in the United States shall be 4 cents per pound less than the maximum base price established above for the corresponding Grade "A" processed duck items.

[Paragraph (b) amended by Am. 4, 10 F.R. 5524, effective 5-11-45]

(c) *Other processed duck items—*(1) *In the "eastern zone".* The maximum base price for any "non-kosher" processed duck item purchased, sold or delivered at any place in the "Eastern Zone" of the United States shall be calculated by taking the maximum base price for such processed duck item in New York City as set forth in Tables C-C1 of this regulation, and adding thereto the "transportation factor" from New York City to such particular place.

(2) *In the "western zone".* The maximum base price for any "non-kosher" processed duck item, purchased, sold or delivered at any place in the "Western Zone" of the United States shall be calculated as follows:

The "transportation factor" from such place in the "Western Zone" of the United States to each of the six basing point cities of Chicago, New Orleans, Los Angeles, San Francisco, Seattle and Portland, Oregon, shall be subtracted from the respective maximum base prices in each of these six cities for the processed duck item as set forth in Tables C-C1 of this regulation, and the highest price so obtained shall be the maximum base for the duck item at such particular place.

SEC. 4.7 *Exceptions to the above general rules for calculating maximum base prices.* The following exceptions are made to sections 4.5 and 4.6:

(a) The maximum base prices for any duck item, purchased, sold, or delivered in the cities of San Diego, California, Phoenix, Arizona, Tucson, Arizona and Las Vegas and Reno, Nevada, shall be the same as those listed for the corresponding duck item in the appropriate table of this regulation for Los Angeles, California.

(b) The maximum base price for any duck item purchased, sold or delivered at any place in the State of Oregon west of the eastern boundaries of the counties of Multnomah, Clackamas, Marion, Linn, Lane, Douglas and Jackson, shall be the same as those listed for the corresponding duck item in the appropriate table of this regulation for Portland, Oregon.

(c) The maximum base prices for any duck item purchased, sold or delivered at any place in the State of Washington west of the eastern boundaries of the counties of Whatcom, Skagit, Snohomish, King, Pierce, Lewis and Skamania shall be the same as those listed for the corresponding duck item in the appropriate table of this regulation for Seattle, Washington.

[Word "poultry" deleted from paragraphs (a), (b) and (c) by Am. 8, effective 7-1-45]

SEC. 4.8 *Calculation of prices.* Except insofar as prices are computed under the provisions of section 7.3, all calculations of maximum prices on a per pound basis shall be carried to the fourth decimal place. This price per pound (carried to the fourth decimal point) shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent or the next higher cent where the total price paid ends with a decimal of 0.005.

ARTICLE V—TABLES SHOWING MAXIMUM BASE PRICES FOR POULTRY IN BASING POINT CITIES

SEC. 5.1 *General explanation.* (a) Table A of this article establishes monthly maximum base prices in all the zones for Grade 1 live and Grade A dressed poultry items other than ducks and turkeys. Table A-1, by permitting additions to, or requiring deductions from, Table A dressed prices, establishes monthly maximum base prices in the various zones for Grade A kosher-killed, kosher-dressed, drawn and frozen eviscerated poultry, other than ducks and turkeys, as well as for cut-up poultry, for specified portions of *any* poultry item (including turkeys, geese and ducks) and for all poultry fat.

(b) Table B establishes maximum base prices in the various turkey zones for Grade 1 live and for all types of Grade A processed turkeys. Table B-1 lists monthly adjustments in the maximum base prices for all live and processed turkeys.

(c) Table C establishes the maximum base prices for all Grade 1 live and Grade A and B kosher-processed duck items at all places in the United States and for Grade A and Grade B processed ducks in the basing point cities in the "eastern zone" and the "western zone." Table C-1 lists the monthly adjustments in the maximum base prices for all duck items.

(d) Section 5.10 establishes maximum base prices (1) for other grades of all live and processed poultry items and (2) for hard scalded poultry, except ducks and geese.

(e) Section 5.11 requires deductions from the applicable maximum base prices for certain processed poultry items sold in loose form.

[Sec. 5.1 amended by Am. 8, effective 7-1-45]

SEC. 5.2 *Definition of basing point cities for ducks.* New York is the "eastern zone" basing point city for all duck items. Chicago, New Orleans and the four Pacific Coast cities of Los Angeles, San Francisco, Portland, Oregon and Seattle are the "western zone" basing point cities for all duck items.

[Sec. 5.2 amended by Am. 8, effective 7-1-45]

SEC. 5.3 *Application of grade, species, age and sex specifications.* The grade, species, age and sex specifications promulgated by the United States Department of Agriculture in the publications listed immediately below shall be used as the grade, species, age and sex specifications for all poultry items referred to in this regulation.

(a) Tentative U. S. Standards for Classes and Grades for Dressed Turkeys.

(b) Classification and Tentative Specifications for U. S. Standards and grades for Dressed Chickens.

(c) Tentative Specifications for U. S. Standards and Grades for Dressed Ducks, Geese, Guineas, and Squabs.

(d) Tentative U. S. Standards for Classes and Grades for Live Poultry.

(e) Tentative U. S. Standards for Classes and Grades for eviscerated, Federally inspected chickens.

The standards and specifications of the United States Department of Agriculture named in the above paragraphs as published and in effect on January 1, 1945 are to be controlling during the effective life of this regulation. Any modifications or repeal thereof by the Department of Agriculture shall not modify or repeal the effectiveness of such standards and specifications for the purposes of this regulation.

SEC. 5.4 *Monthly maximum base prices in the various zones for Grade 1 live and Grade A dressed poultry items, other than ducks and turkeys.* (a) Maximum base prices, by months, for Grade 1 live and for Grade A dressed poultry items, other than ducks and turkeys, in the various poultry zones are established at the prices set forth in Table A below. (Other grades are priced by reference to Section 5.10.) These dressed poultry prices are, however, applicable only when such poultry is sold box-packed or barrel-packed; if not so packed, the dressed poultry maximum base prices are established under the provisions of Section 5.11. Furthermore, the monthly maximum base prices established for dressed poultry by Table A, instead of applying for the complete month indicated, shall not commence until the beginning of the fourth business day of the month indicated and shall continue in effect until the beginning of the fourth business day of the succeeding month. (Saturday is to be considered a "business day" for the purposes of this regulation.)

TABLE A—MAXIMUM BASE PRICES FOR CHICKENS AND GEESE BEGINNING JULY 1, 1945 AND EACH CONSECUTIVE MONTH THEREAFTER

ZONE 1—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.0	36.7	31.5	39.7	23.5	31.5	19.5	27.0	24.5	29.5
January	28.5	37.2	32.0	40.2	24.0	32.0	21.7	29.2	25.0	30.0
February	29.0	37.7	32.5	40.7	24.5	32.5	20.5	28.0	25.5	30.5
March	29.4	38.1	32.9	41.1	24.9	32.9	19.5	27.0	25.9	30.9
April	29.8	38.5	33.3	41.5	25.3	33.3	19.5	27.0	26.3	31.3
May	30.2	38.9	33.7	41.9	25.7	33.7	19.5	27.0	26.7	31.7

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
June	29.7	38.4	33.2	41.4	24.5	32.5	19.5	27.0	25.5	30.5
July (not 1945)	29.0	37.7	32.5	40.7	23.5	31.5	19.5	27.0	24.5	29.5
August	28.0	36.7	31.5	39.7	23.5	31.5	19.5	27.0	24.5	29.5
September	28.0	36.7	31.5	39.7	23.5	31.5	20.0	27.5	24.5	29.5
October	28.0	36.7	31.5	39.7	23.5	31.5	20.5	28.0	24.5	29.5
November	28.0	36.7	31.5	39.7	23.5	31.5	20.9	28.4	24.5	29.5
December	28.2	36.9	31.7	39.9	23.5	31.5	21.3	28.8	24.5	29.5

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zone" for ducks shall consist of all of the same as those listed for the corresp

TABLE A—MAXIMUM BASE PRICES FOR CHICKENS AND GEESE BEGINNING JULY 1, 1945 AND EACH CONSECUTIVE MONTH THEREAFTER

ZONE 2—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.1	37.8	31.6	39.8	23.5	31.5	19.5	27.0	24.5	29.5
January	28.6	37.3	32.1	40.3	24.0	32.0	21.7	29.2	25.0	30.0
February	29.1	37.8	32.6	40.8	24.5	32.5	20.5	28.0	25.5	30.5
March	29.5	38.2	33.0	41.2	24.9	32.9	19.5	27.0	25.9	30.9
April	29.0	37.6	32.4	41.6	25.1	33.1	19.5	27.0	26.1	31.1
May	30.3	39.0	33.8	42.0	25.5	33.5	19.5	27.0	26.5	31.5
June	30.3	39.0	33.8	42.0	25.5	33.5	19.5	27.0	26.5	31.5
July (not 1945)	29.1	37.8	32.6	40.8	24.5	32.5	19.5	27.0	25.5	30.5
August	28.1	36.8	31.6	39.8	23.5	31.5	19.5	27.0	25.5	30.5
September	28.1	36.8	31.6	39.8	23.5	31.5	20.5	28.0	25.5	30.5
October	28.1	36.8	31.6	39.8	24.5	31.5	20.9	28.4	25.5	30.5
November	28.1	36.8	31.6	39.8	24.5	31.5	20.9	28.4	25.5	30.5
December	28.3	37.0	31.8	40.0	24.7	31.5	21.3	28.8	25.7	30.5

ZONE 3—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.2	36.9	31.7	39.9	23.7	31.7	19.7	27.2	24.7	29.7
January	28.7	37.4	32.2	40.4	24.2	32.2	21.9	29.4	25.2	30.2
February	29.2	37.9	32.7	40.9	24.7	32.7	20.7	28.2	25.7	30.7
March	29.6	38.3	33.1	41.3	25.1	33.1	19.7	27.2	26.1	31.1
April	29.1	37.7	32.6	41.7	25.3	33.3	19.7	27.2	26.3	31.3
May	30.4	39.1	33.9	42.1	25.9	33.9	19.7	27.2	26.9	31.9
June	30.4	39.1	33.9	42.1	25.9	33.9	19.7	27.2	26.9	31.9
July (not 1945)	29.2	37.9	32.7	40.9	23.7	31.7	19.7	27.2	24.7	29.7
August	28.2	36.9	31.7	39.9	23.7	31.7	19.7	27.2	24.7	29.7
September	28.2	36.9	31.7	39.9	23.7	31.7	19.7	27.2	24.7	29.7
October	28.2	36.9	31.7	39.9	23.7	31.7	21.1	28.6	24.7	29.7
November	28.2	36.9	31.7	39.9	23.7	31.7	21.5	29.0	24.7	29.7
December	28.1	37.1	31.9	40.1	23.7	31.7				

ZONE 4—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.3	37.0	31.8	40.0	23.7	31.7	19.7	27.2	24.7	29.7
January	28.8	37.5	32.3	40.5	24.2	32.2	21.9	29.4	25.2	30.2
February	29.3	38.0	32.8	41.0	24.7	32.7	20.7	28.2	25.7	30.7
March	29.7	38.4	33.2	41.4	25.1	33.1	19.7	27.2	26.1	31.1
April	29.2	37.8	32.7	41.8	25.3	33.3	19.7	27.2	26.3	31.3
May	30.5	39.2	34.0	42.2	25.9	33.9	19.7	27.2	26.9	31.9
June	30.5	39.2	34.0	42.2	25.9	33.9	19.7	27.2	26.9	31.9
July (not 1945)	29.3	38.0	32.8	41.0	23.7	31.7	19.7	27.2	24.7	29.7
August	28.3	37.0	31.8	40.0	23.7	31.7	19.7	27.2	24.7	29.7
September	28.3	37.0	31.8	40.0	23.7	31.7	19.7	27.2	24.7	29.7
October	28.3	37.0	31.8	40.0	23.7	31.7	21.1	28.6	24.7	29.7
November	28.3	37.0	31.8	40.0	23.7	31.7	21.5	29.0	24.7	29.7
December	28.5	37.2	32.0	40.2	23.7	31.7				

ZONE 5—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.4	37.2	32.0	40.2	23.9	31.9	19.9	27.4	24.9	29.9
January	28.9	37.7	32.5	40.7	24.4	32.4	22.1	29.6	25.4	30.4
February	29.4	38.2	33.0	41.2	24.9	32.9	20.9	28.4	25.9	30.9
March	29.8	38.6	33.4	41.6	25.3	33.3	19.9	27.4	26.3	31.3
April	29.3	38.0	32.9	42.0	25.5	33.5	19.9	27.4	26.5	31.5
May	30.7	39.4	34.2	42.4	26.1	34.1	19.9	27.4	27.1	32.1
June	30.7	39.4	34.2	42.4	26.1	34.1	19.9	27.4	27.1	32.1
July (not 1945)	29.4	38.2	33.0	41.2	23.9	31.9	19.9	27.4	24.9	29.9
August	28.4	37.2	32.0	40.2	23.9	31.9	19.9	27.4	24.9	29.9
September	28.4	37.2	32.0	40.2	23.9	31.9	19.9	27.4	24.9	29.9
October	28.4	37.2	32.0	40.2	23.9	31.9	21.3	28.8	24.9	29.9
November	28.4	37.2	32.0	40.2	23.9	31.9	21.7	29.2	24.9	29.9
December	28.7	37.4	32.2	40.4	23.9	31.9	22.1	29.6	24.9	29.9

ZONE 6—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.6	37.3	32.1	40.3	24.0	32.0	20.0	27.5	25.0	30.0
January	29.1	37.8	32.6	40.8	24.5	32.5	22.2	29.7	25.5	30.5
February	29.5	38.2	33.0	41.2	24.9	32.9	21.0	28.5	25.9	30.9
March	29.9	38.6	33.4	41.6	25.3	33.3	20.0	27.5	26.3	31.3
April	29.4	38.0	32.9	42.0	25.5	33.5	20.0	27.5	26.5	31.5
May	30.8	39.4	34.2	42.4	26.1	34.1	20.0	27.5	27.1	32.1
June	30.8	39.4	34.2	42.4	26.1	34.1	20.0	27.5	27.1	32.1
July (not 1945)	29.6	38.3	33.1	41.3	25.0	33.0	20.0	27.5	25.0	30.0
August	28.6	37.3	32.1	40.3	24.0	32.0	20.0	27.5	25.0	30.0
September	28.6	37.3	32.1	40.3	24.0	32.0	20.0	27.5	25.0	30.0
October	28.6	37.3	32.1	40.3	24.0	32.0	21.0	28.5	25.0	30.0
November	28.6	37.3	32.1	40.3	24.0	32.0	21.4	28.9	25.0	30.0
December	28.8	37.5	32.3	40.5	24.0	32.0	21.8	29.3	25.0	30.0

ZONE 7—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.7	37.4	32.2	40.4	24.1	32.1	20.1	27.6	25.1	30.1
January	29.2	37.9	32.7	40.9	24.6	32.6	22.3	29.8	25.6	30.6
February	29.7	38.4	33.2	41.4	25.1	33.1	21.1	28.6	26.1	31.1
March	30.1	38.8	33.6	41.8	25.5	33.5	20.1	27.6	26.5	31.5
April	29.6	38.2	33.1	42.2	25.9	33.9	20.1	27.6	26.9	31.9
May	30.9	39.5	34.4	42.6	26.3	34.3	20.1	27.6	27.3	32.3
June	30.9	39.5	34.4	42.6	26.3	34.3	20.5	28.0	27.3	32.3
July (not 1945)	29.7	38.4	33.2	41.4	25.2	33.2	20.5	28.0	25.7	30.7
August	28.7	37.4	32.2	40.4	24.2	32.2	20.5	28.0	25.7	30.7
September	28.7	37.4	32.2	40.4	24.2	32.2	20.5	28.0	25.7	30.7
October	28.7	37.4	32.2	40.4	24.2	32.2	21.9	29.4	25.7	30.7
November	28.7	37.4	32.2	40.4	24.2	32.2	22.3	29.8	25.7	30.7
December	28.9	37.6	32.4	40.6	24.2	32.2				

ZONE 8—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.8	37.5	32.3	40.5	24.4	32.4	20.4	27.9	25.4	30.4
January	29.3	38.0	32.8	41.0	24.9	32.9	22.6	30.1	25.9	30.9
February	29.8	38.5	33.3	41.5	25.4	33.4	21.4	28.9	26.4	31.4
March	30.2	38.9	33.7	41.9	25.8	33.8	20.4	27.9	26.8	31.8
April	29.7	38.3	33.2	42.3	26.0	34.0	20.4	27.9	27.0	32.0
May	31.0	39.7	34.5	42.7	26.5	34.5	20.4	27.9	27.5	32.5
June	31.0	39.7	34.5	42.7	26.5	34.5	20.4	27.9	27.5	32.5
July (not 1945)	29.8	38.5	33.3	41.5	25.4	33.4	20.4	27.9	25.4	30.4
August	28.8	37.5	32.3	40.5	24.4	32.4	20.4	27.9	25.4	30.4
September	28.8	37.5	32.3	40.5	24.4	32.4	20.4	27.9	25.4	30.4
October	28.8	37.5	32.3	40.5	24.4	32.4	21.8	29.3	25.4	30.4
November	28.8	37.5	32.3	40.5	24.4	32.4	22.2	29.7	25.4	30.4
December	29.0	37.7	32.5	40.7	24.4	32.4				

ZONE 9—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.0	37.7	32.5	40.7	24.4	32.4	20.4	27.9	25.4	30.4
January	29.5	38.2	33.0	41.2	24.9	32.9	22.6	30.1	25.9	30.9
February	29.9	38.6	33.4	41.6	25.3	33.3	21.4	28.9	26.3	31.3
March	30.3	39.0	33.8	42.0	25.7	33.7	20.4	27.9	26.7	31.7
April	29.8	38.4	33.3	42.4	26.0	34.0	20.4	27.9	27.0	32.0
May	31.1	39.8	34.6	42.8	26.4	34.4	20.4	27.9	27.4	32.4
June	31.1	39.8	34.6	42.8	26.4	34.4	20.4	27.9	27.4	32.4
July (not 1945)	29.8	38.5	33.3	41.5	25.4	33.4	20.4	27.9	25.4	30.4
August	29.8	38.5	33.3	41.5	25.4	33.4	20.4	27.9	25.4	30.4
September	29.8	38.5	33.3	41.5	25.4	33.4	20.4	27.9	25.4	30.4
October	29.8	38.5	33.3	41.5	25.4	33.4	21.8	29.3	25.4	30.4
November	29.8	38.5	33.3	41.5	25.4	33.4	22.2	29.7	25.4	30.4
December	30.0	38.7	33.5	41.7	25.4	33.4				

TABLE A—MAXIMUM BASE PRICES FOR CHICKENS AND GEESE BEGINNING JULY 1, 1945 AND EACH CONSECUTIVE MONTH THEREAFTER

ZONE 10—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.1	37.8	32.6	40.8	24.7	32.5	20.5	28.0	27.5	30.5
January	29.6	38.3	33.1	41.3	25.2	33.0	22.7	30.2	28.0	31.0
February	30.1	38.8	33.6	41.8	25.5	33.5	21.5	29.0	28.5	31.5
March	30.5	39.2	34.0	42.2	25.9	33.9	20.5	28.0	28.9	31.9
April	30.0	38.6	33.5	42.6	26.1	34.1	20.5	28.0	29.1	32.1
May	30.9	39.6	34.4	42.6	26.3	34.3	20.5	28.0	27.3	32.3
June	30.9	39.6	34.4	42.6	26.3	34.3	20.5	28.0	27.3	32.3
July (not 1945)	29.2	37.9	32.7	40.9	24.7	32.7	20.7	28.2	25.7	30.7
August	29.2	37.9	32.7	40.9	24.7	32.7	20.7	28.2	25.7	30.7
September	29.2	37.9	32.7	40.9	24.7	32.7	20.7	28.2	25.7	30.7
October	29.2	37.9	32.7	40.9	24.7	32.7	21.1	28.6	25.7	30.7
November	29.2	37.9	32.7	40.9	24.7	32.7	21.5	29.0	25.7	30.7
December	29.4	38.1	32.9	41.1	24.7	32.7				

ZONE 11—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.2	37.9	32.7	40.9	24.7	32.7	20.7	28.2	25.7	30.7
January	29.7	38.4	33.2	41.4	25.2	33.2	22.9	30.4	26.2	31.2
February	30.2	38.9	33.7	41.9	25.7	33.7	21.7	29.2	26.7	31.7
March	30.6	39.3	34.1	42.3	26.1	34.1	20.7	28.2	27.1	32.1
April	30.1	38.7	33.5	42.7	26.3	34.3	20.7	28.2	27.3	32.3
May	31.4	40.1	34.9	43.1	26.9	34.9	20.7	28.2	27.9	32.9
June	31.4	40.1	34.9	43.1	26.9	34.9	20.7	28.2	27.9	32.9
July (not 1945)	30.2	38.9	33.7	41.9	25.7	33.7	20.7	28.2	26.7	31.7
August	30.2	38.9	33.7	41.9	25.7	33.7	20.7	28.2	26.7	31.7
September	30.2	38.9	33.7	41.9	25.7	33.7	20.7	28.2	26.7	31.7
October	30.2	38.9	33.7	41.9	25.7	33.7	21.1	28.6	26.7	31.7
November	30.2	38.9	33.7	41.9	25.7	33.7	21.5	29.0	26.7	31.7
December	30.4	39.1	33.9	42.1	25.7	33.7				

ZONE 12—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.5	38.0	32.8	41.0	24.9	32.9	20.9	28.4	25.9	30.9
January	29.8	38.3	33.1	41.3	25.2	33.2	23.1	30.6	26.2	31.2
February	30.3	38.8	33.6	41.8	25.7	33.7	21.9	29.4	26.7	31.7
March	30.7	39.2	34.0	42.2	26.1	34.1	20.9	28.4	27.1	32.1
April	30.2	38.6	33.5	42.6	26.3	34.3	20.9	28.4	27.3	32.3
May	31.5	40.0	34.8	43.0	26.7	34.7	20.9	28.4	27.7	32.7
June	31.5	40.2	35.0	43.2	27.1	35.1	20.9	28.4	28.1	33.1
July (not 1945)	30.2	38.9	33.7	41.9	25.7	33.7	20.9	28.4	26.7	31.7
August	30.2	38.9	33.7	41.9	25.7	33.7	20.9	28.4	26.7	31.7
September	30.2	38.9	33.7	41.9	25.7	33.7	20.9	28.4	26.7	31.7
October	30.2	38.9	33.7	41.9	25.7	33.7	21.3	28.8	26.7	31.7
November	30.2	38.9	33.7	41.9	25.7	33.7	21.7	29.2	26.7	31.7
December	30.4	39.1	33.9	42.1	25.7	33.7				

ZONE 13—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.5	38.2	33.0	41.2	24.9	32.9	20.9	28.4	25.9	30.9
January	30.0	38.7	33.5	41.7	25.4	33.4	23.1	30.6	26.4	31.4
February	30.5	39.2	34.0	42.2	25.9	33.9	21.9	29.4	26.9	31.9
March	30.9	39.6	34.4	42.6	26.3	34.3	20.9	28.4	27.3	32.3
April	30.4	39.0	33.9	43.0	26.7	34.7	20.9	28.4	27.7	32.7
May	31.7	40.4	35.2	43.4	27.1	35.1	20.9	28.4	28.1	33.1
June	31.7	40.4	35.2	43.4	27.1	35.1	20.9	28.4	28.1	33.1
July (not 1945)	30.0	38.7	33.5	41.7	25.4	33.4	20.9	28.4	25.4	30.4
August	30.0	38.7	33.5	41.7	25.4	33.4	20.9	28.4	25.4	30.4
September	30.0	38.7	33.5	41.7	25.4	33.4	20.9	28.4	25.4	30.4
October	30.0	38.7	33.5	41.7	25.4	33.4	21.3	28.8	25.4	30.4
November	30.0	38.7	33.5	41.7	25.4	33.4	21.7	29.2	25.4	30.4
December	30.2	38.9	33.7	41.9	25.4	33.4				

ZONE 14—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.6	38.3	33.1	41.3	25.0	33.0	21.0	28.5	26.0	31.0
January	30.1	38.8	33.6	41.8	25.5	33.5	22.2	30.7	26.5	31.5
February	30.6	39.3	34.1	42.3	26.0	34.0	22.0	29.5	27.0	32.0
March	31.0	39.7	34.5	42.7	26.4	34.4	21.0	28.5	27.4	32.4
April	30.5	39.1	34.0	43.1	26.6	34.6	21.0	28.5	27.6	32.6
May	31.8	40.5	35.3	43.5	27.2	35.2	21.0	28.5	28.2	33.2
June	31.8	40.5	35.3	43.5	27.2	35.2	21.0	28.5	28.2	33.2
July (not 1945)	30.1	38.8	33.6	41.8	25.5	33.5	21.0	28.5	26.5	31.5
August	30.1	38.8	33.6	41.8	25.5	33.5	21.0	28.5	26.5	31.5
September	30.1	38.8	33.6	41.8	25.5	33.5	21.0	28.5	26.5	31.5
October	30.1	38.8	33.6	41.8	25.5	33.5	21.4	28.9	26.5	31.5
November	30.1	38.8	33.6	41.8	25.5	33.5	21.8	29.3	26.5	31.5
December	30.3	39.0	33.8	42.0	25.5	33.5				

ZONE 15—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.7	38.4	33.2	41.4	25.0	33.0	21.0	28.7	26.0	31.0
January	30.2	38.9	33.7	41.9	25.5	33.5	23.2	30.7	26.5	31.5
February	30.7	39.4	34.2	42.4	26.0	34.0	22.0	29.5	27.0	32.0
March	31.1	39.8	34.6	42.8	26.4	34.4	21.0	28.5	27.4	32.4
April	30.6	39.2	34.1	43.2	26.6	34.6	21.0	28.5	27.6	32.6
May	31.9	40.6	35.4	43.6	27.2	35.2	21.0	28.5	28.2	33.2
June	31.9	40.6	35.4	43.6	27.2	35.2	21.0	28.7	28.2	33.2
July (not 1945)	30.2	38.9	33.7	41.9	25.5	33.5	21.0	28.7	26.5	31.5
August	30.2	38.9	33.7	41.9	25.5	33.5	21.0	28.7	26.5	31.5
September	30.2	38.9	33.7	41.9	25.5	33.5	21.0	28.7	26.5	31.5
October	30.2	38.9	33.7	41.9	25.5	33.5	21.4	29.1	26.5	31.5
November	30.2	38.9	33.7	41.9	25.5	33.5	21.8	29.5	26.5	31.5
December	30.4	39.1	33.9	42.1	25.5	33.5				

ZONE 16—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.8	38.5	33.3	41.5	25.1	33.1	21.1	28.6	26.1	31.1
January	30.2	38.9	33.7	41.9	25.6	33.6	23.3	30.8	26.6	31.6
February	30.7	39.4	34.2	42.4	26.1	34.1	22.1	29.6	27.1	32.1
March	31.1	39.8	34.6	42.8	26.5	34.5	21.1	28.6	27.5	32.5
April	30.6	39.2	34.1	43.2	26.7	34.7	21.1	28.6	27.7	32.7
May	31.9	40.6	35.4	43.6	27.3	35.3	21.1	28.6	28.3	33.3
June	31.9	40.6	35.4	43.6	27.3	35.3	21.1	28.6	28.3	33.3
July (not 1945)	30.2	38.9	33.7	41.9	25.6	33.6	21.1	28.6	26.6	31.6
August	30.2	38.9	33.7	41.9	25.6	33.6	21.1	28.6	26.6	31.6
September	30.2	38.9	33.7	41.9	25.6	33.6	21.1	28.6	26.6	31.6
October	30.2	38.9	33.7	41.9	25.6	33.6	21.5	29.0	26.6	31.6
November	30.2	38.9	33.7	41.9	25.6	33.6	21.9	29.4	26.6	31.6
December	30.4	39.1	33.9	42.1	25.6	33.6				

ZONE 17—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.	37.8	32.6	40.8	24.5	32.5	20.5	28.0	25.5	30.5
January	29.5	38.0	32.8	41.0	25.0	33.0	22.7	30.2	26.0	31.0
February	29.8	38.5	33.3	41.5	25.5	33.5	21.5	29.0	26.5	31.5
March	30.2	38.9	33.7	41.9	25.9	33.9	20.5	28.0	26.9	31.9
April	29.7	38.3	33.2	42.3	26.1	34.1	20.5	28.0	27.1	32.1
May	30.6	39.3	34.1	42.3	26.3	34.3	20.5	28.0	27.3	32.3
June	31.0	39.7	34.5	42.7	26.7	34.7	20.5	28.0	27.7	32.7
July (not 1945)	30.1	38.8	33.6	41.8	25.5	33.5	20.5	28.0	26.5	31.5
August	30.1	38.8	33.6	41.8	25.5	33.5	20.5	28.0	26.5	31.5
September	30.1	38.8	33.6	41.8	25.5	33.5	20.5	28.0	26.5	31.5
October	30.1	38.8	33.6	41.8	25.5	33.5	20.9	28.4	26.5	31.5
November	30.1	38.8	33.6	41.8	25.5	33.5	21.3	28.8	26.5	31.5
December	30.3	39.0	33.8	42.0	25.5	33.5				

TABLE A—MAXIMUM BASE PRICES FOR CHICKENS AND GEESE BEGINNING JULY 1, 1945 AND EACH CONSECUTIVE MONTH THEREAFTER

ZONE 18—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.3	38.0	32.8	41.0	24.9	32.9	20.9	28.4	25.9	30.9
January	29.3	38.0	32.8	41.0	25.4	33.4	23.1	30.6	26.4	31.4
February	29.8	38.5	33.3	41.5	25.9	33.9	21.9	29.4	26.9	31.9
March	30.2	38.9	33.7	41.9	26.3	34.3	20.9	28.4	27.3	32.3
April	30.6	39.3	34.1	42.3	26.7	34.7	20.9	28.4	27.7	32.7
May	31.0	39.7	34.5	42.7	27.1	35.1	20.9	28.4	28.1	33.1
June	30.8	39.5	34.3	42.5	25.9	33.9	20.9	28.4	[illegible]	[illegible]
July (not 1945)	30.3	39.0	33.8	42.0	24.9	32.9	20.9	28.4	25.9	30.9
August	29.3	38.0	32.8	41.0	24.9	32.9	20.9	28.4	[illegible]	[illegible]
September	29.3	38.0	32.8	41.0	24.9	32.9	21.4	28.9	25.9	30.9
October	29.3	38.0	32.8	41.0	24.9	32.9	21.9	29.4	[illegible]	[illegible]
November	29.3	38.0	32.8	41.0	24.9	32.9	22.3	29.8	[illegible]	[illegible]
December	29.3	38.0	32.8	41.0	24.9	32.9	22.7	30.2	25.9	[illegible]

ZONE 19—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.3	38.0	32.8	41.0	24.9	32.9	20.9	28.4	25.9	30.9
January	29.6	38.3	33.1	41.3	25.4	33.4	23.1	30.6	26.4	31.4
February	30.1	38.8	33.6	41.8	25.9	33.9	21.9	29.4	26.9	31.9
March	30.5	39.2	34.0	42.2	26.3	34.3	20.9	28.4	27.3	32.3
April	30.9	39.6	34.4	42.6	26.7	34.7	20.9	28.4	27.7	32.7
May	31.3	40.0	34.8	43.0	27.1	35.1	20.9	28.4	28.1	33.1
June	31.0	39.7	34.5	42.7	25.9	33.9	20.9	28.4	[illegible]	[illegible]
July (not 1945)	30.3	39.0	33.8	42.0	24.9	32.9	20.9	28.4	[illegible]	[illegible]
August	29.3	38.0	32.8	41.0	24.9	32.9	20.9	28.4	25.9	[illegible]
September	29.3	38.0	32.8	41.0	24.9	32.9	21.4	28.9	25.9	[illegible]
October	29.3	38.0	32.8	41.0	24.9	32.9	21.9	29.4	25.9	30.9
November	29.3	38.0	32.8	41.0	24.9	32.9	22.3	29.8	25.9	[illegible]
December	29.3	38.0	32.8	41.0	24.9	32.9	22.7	30.2	[illegible]	[illegible]

ZONE 20—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.2	37.9	32.7	40.9	24.9	32.9	20.9	28.4	[illegible]	30.9
January	29.6	38.3	33.1	41.3	25.4	33.4	23.1	30.6	26.4	31.4
February	30.1	38.8	33.6	41.8	25.9	33.9	21.9	29.4	26.9	31.9
March	30.5	39.2	34.0	42.2	26.3	34.3	20.9	28.4	27.3	32.3
April	30.9	39.6	34.4	42.6	26.7	34.7	20.9	28.4	27.7	32.7
May	31.3	40.0	34.8	43.0	27.1	35.1	20.9	28.4	28.1	33.1
June	30.9	39.6	34.4	42.6	25.9	33.9	20.9	28.4	[illegible]	31.9
July (not 1945)	30.2	38.9	33.7	41.9	24.9	32.9	20.9	28.4	[illegible]	[illegible]
August	29.2	37.9	32.7	40.9	24.9	32.9	20.9	28.4	25.9	[illegible]
September	29.2	37.9	32.7	40.9	24.9	32.9	21.4	28.9	[illegible]	30.9
October	29.2	37.9	32.7	40.9	24.9	32.9	21.9	29.4	[illegible]	30.9
November	29.2	37.9	32.7	40.9	24.9	32.9	22.3	29.8	25.9	30.9
December	29.3	38.0	32.8	41.0	24.9	32.9	22.7	30.2	[illegible]	[illegible]

ZONE 21—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.5	38.2	33.0	41.2	25.1	33.1	21.1	28.6	26.1	31.1
January	29.5	38.2	33.0	41.2	25.6	33.6	23.3	30.8	26.6	31.6
February	30.0	38.7	33.5	41.7	26.1	34.1	22.1	29.6	27.1	32.1
March	30.4	39.1	33.9	42.1	26.5	34.5	21.1	28.6	27.5	32.5
April	30.8	39.5	34.3	42.5	26.9	34.9	21.1	28.6	27.9	32.9
May	31.2	39.9	34.7	42.9	27.3	35.3	21.1	28.6	28.3	33.3
June	30.9	39.6	34.4	42.6	26.1	34.1	21.1	28.6	27.1	32.1
July (not 1945)	30.5	39.2	34.0	42.2	25.1	33.1	21.1	28.6	[illegible]	31.1
August	29.5	38.2	33.0	41.2	25.1	33.1	21.1	28.6	[illegible]	31.1
September	29.5	38.2	33.0	41.2	25.1	33.1	21.6	29.1	[illegible]	31.1
October	29.5	38.2	33.0	41.2	25.1	33.1	22.1	29.6	[illegible]	31.1
November	29.5	38.2	33.0	41.2	25.1	33.1	22.5	30.0	[illegible]	31.1
December	29.5	38.2	33.0	41.2	25.1	33.1	22.9	30.4	26.1	31.1

ZONE 22—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.3	38.0	32.8	41.0	25.3	33.3	21.3	28.8	26.3	31.3
January	29.5	38.2	33.0	41.2	25.8	33.8	23.5	31.0	26.8	31.8
February	30.0	38.7	33.5	41.7	26.3	34.3	22.3	29.8	27.3	32.3
March	30.4	39.1	33.9	42.1	26.7	34.7	21.3	28.8	27.7	32.7
April	30.8	39.5	34.3	42.5	27.1	35.1	21.3	28.8	28.1	33.1
May	31.2	39.9	34.7	42.9	27.5	35.5	21.3	28.8	28.5	33.5
June	30.9	39.6	34.4	42.6	26.3	34.3	21.3	28.8	27.3	32.3
July (not 1945)	30.3	39.0	33.8	42.0	25.3	33.3	21.3	28.8	[illegible]	31.3
August	29.3	38.0	32.8	41.0	25.3	33.3	21.3	28.8	[illegible]	31.3
September	29.3	38.0	32.8	41.0	25.3	33.3	21.8	29.3	[illegible]	31.3
October	29.3	38.0	32.8	41.0	25.3	33.3	22.3	29.8	[illegible]	31.3
November	29.3	38.0	32.8	41.0	25.3	33.3	22.7	30.2	[illegible]	31.3
December	29.3	33.0	32.8	41.0	25.3	33.3	23.1	30.6	26.3	31.3

ZONE 23—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.6	38.3	33.6	41.3	25.3	33.3	21.3	28.8	26.3	31.3
January	29.6	38.3	33.1	41.3	25.8	33.8	23.5	31.0	26.8	31.8
February	30.1	38.8	33.6	41.8	26.3	34.3	22.3	29.8	27.3	32.3
March	30.5	39.2	34.0	42.2	26.7	34.7	21.3	28.8	27.7	32.7
April	30.9	39.6	34.4	42.6	27.1	35.1	21.3	28.8	28.1	33.1
May	31.3	40.0	34.8	43.0	27.5	35.5	21.3	28.8	28.5	33.5
June	31.0	39.7	34.5	42.7	26.3	34.3	21.3	28.8	[illegible]	32.3
July (not 1945)	30.6	39.3	34.1	42.3	25.3	33.3	21.3	28.8	[illegible]	31.3
August	29.6	38.3	33.1	41.3	25.3	33.3	21.3	28.8	[illegible]	31.3
September	29.6	38.3	33.1	41.3	25.3	33.3	21.8	29.3	[illegible]	31.3
October	29.6	38.3	33.1	41.3	25.3	33.3	22.3	29.8	[illegible]	31.3
November	29.6	38.3	33.1	41.3	25.3	33.3	22.7	30.2	[illegible]	31.3
December	29.6	38.3	33.1	41.3	25.3	33.3	23.1	30.6	26.3	31.3

ZONE 24—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.7	38.4	33.2	41.4	25.5	33.5	21.5	29.0	26.5	31.5
January	29.7	38.4	33.2	41.4	26.0	34.0	23.7	31.2	27.0	32.0
February	30.2	38.9	33.7	41.9	26.5	34.5	22.5	30.0	27.5	32.5
March	30.6	39.3	34.1	42.3	26.9	34.9	21.5	29.0	27.9	32.9
April	31.0	39.7	34.5	42.7	27.3	35.3	21.5	29.0	28.3	33.3
May	31.4	40.1	34.9	43.1	27.7	35.7	21.5	29.0	28.7	33.7
June	31.2	39.9	34.7	42.9	26.5	34.5	21.5	29.0	[illegible]	32.5
July (not 1945)	30.7	39.4	34.2	42.4	25.5	33.5	21.5	29.0	[illegible]	31.5
August	29.7	38.4	33.2	41.4	25.5	33.5	21.5	29.0	26.5	31.5
September	29.7	38.4	33.2	41.4	25.5	33.5	22.0	29.5	[illegible]	31.5
October	29.7	38.4	33.2	41.4	25.5	33.5	22.5	30.0	[illegible]	31.5
November	29.7	38.4	33.2	41.4	25.5	33.5	22.9	30.4	[illegible]	31.5
December	29.7	38.4	33.2	41.4	25.5	33.5	23.3	30.8	[illegible]	31.5

ZONE 25—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.7	38.4	33.2	41.4	25.4	33.4	21.4	28.9	26.4	31.4
January	29.8	38.5	33.3	41.5	25.9	33.9	23.6	31.1	26.9	31.9
February	30.3	39.0	33.8	42.0	26.4	34.4	22.4	29.9	27.4	32.4
March	30.7	39.4	34.2	42.4	26.8	34.8	21.4	28.9	27.8	32.8
April	31.1	39.8	34.6	42.8	27.2	35.2	21.4	28.9	28.2	33.2
May	31.5	40.2	35.0	43.2	27.6	35.6	21.4	28.9	28.6	33.6
June	31.3	40.0	34.8	43.0	26.4	34.4	21.4	28.9	27.4	32.4
July (not 1945)	30.7	39.4	34.2	42.4	25.4	33.4	21.4	28.9	[illegible]	31.4
August	29.7	38.4	33.2	41.4	25.4	33.4	21.4	28.9	[illegible]	31.4
September	29.7	38.4	33.2	41.4	25.4	33.4	21.9	29.4	[illegible]	31.4
October	29.7	38.4	33.2	41.4	25.4	33.4	22.4	29.9	[illegible]	31.4
November	29.7	38.4	33.2	41.4	25.4	33.4	22.8	30.3	[illegible]	31.4
December	29.7	38.4	33.2	41.4	25.4	33.4	23.2	30.7	[illegible]	31.4

TABLE A—MAXIMUM BASE PRICES FOR CHICKENS AND GEESE BEGINNING JULY 1, 1945 AND EACH CONSECUTIVE MONTH THEREAFTER

ZONE 26—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.8	38.5	33.3	41.5	25.6	33.6	21.6	29.1	26.6	31.6
January	30.1	38.8	33.6	41.8	26.1	34.1	23.8	31.3	27.1	32.1
February	30.6	39.3	34.1	42.3	26.6	34.6	22.6	30.1	27.6	32.6
March	31.0	39.7	34.5	42.7	27.0	35.0	21.6	29.1	28.0	33.0
April	31.4	40.1	34.9	43.1	27.4	35.4	21.6	29.1	28.4	33.4
May	31.8	40.5	35.3	43.5	27.8	35.8	21.6	29.1	28.8	33.8
June	31.5	40.2	35.0	43.2	26.6	34.6	21.6	29.1	27.6	32.6
July (not 1945)	30.8	39.5	34.3	42.5	25.6	33.6	21.6	29.1	26.6	31.6
August	29.8	38.5	33.3	41.5	25.6	33.6	21.6	29.1	26.6	31.6
September	29.8	38.5	33.3	41.5	25.6	33.6	22.1	29.6	26.6	31.6
October	29.8	38.5	33.3	41.5	25.6	33.6	22.6	30.1	26.6	31.6
November	29.8	38.5	33.3	41.5	25.6	33.6	23.0	30.5	26.6	31.6
December	29.8	38.5	33.3	41.5	25.6	33.6	23.4	30.9	26.6	31.6

ZONE 27—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.8	38.5	33.3	41.5	25.6	33.6	21.6	29.1	26.6	31.6
January	30.3	39.0	33.8	42.0	26.1	34.1	23.8	31.3	27.1	32.1
February	30.8	39.5	34.3	42.5	26.6	34.6	22.6	30.1	27.6	32.6
March	31.2	39.9	34.7	42.9	27.0	35.0	21.6	29.1	28.0	33.0
April	31.6	40.3	35.1	43.3	27.4	35.4	21.6	29.1	28.4	33.4
May	32.0	40.7	35.5	43.7	27.8	35.8	21.6	29.1	28.8	33.8
June	31.5	40.2	35.0	43.2	26.6	34.6	21.6	29.1	27.6	32.6
July (not 1945)	30.8	39.5	34.3	42.5	25.6	33.6	21.6	29.1	26.6	31.6
August	29.8	38.5	33.3	41.5	25.6	33.6	21.6	29.1	26.6	31.6
September	29.8	38.5	33.3	41.5	25.6	33.6	22.1	29.6	26.6	31.6
October	29.8	38.5	33.3	41.5	25.6	33.6	22.6	30.1	26.6	31.6
November	29.8	38.5	33.3	41.5	25.6	33.6	23.0	30.5	26.6	31.6
December	30.0	38.7	33.5	41.7	25.6	33.6	23.4	30.9	26.6	31.6

ZONE 28—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	30.1	38.8	33.6	41.8	25.8	33.8	21.8	29.3	26.8	31.8
January	30.6	39.3	34.1	42.3	26.3	34.3	24.0	31.5	27.3	32.3
February	31.1	39.8	34.6	42.8	26.8	34.8	22.8	30.3	27.8	32.8
March	31.5	40.2	35.0	43.2	27.2	35.2	21.8	29.3	28.2	33.2
April	31.9	40.6	35.4	43.6	27.6	35.6	21.8	29.3	28.6	33.6
May	32.3	41.0	35.8	44.0	28.0	36.0	21.8	29.3	29.0	34.0
June	31.8	40.5	35.3	43.5	26.8	34.8	21.8	29.3	27.8	32.8
July (not 1945)	31.1	39.8	34.6	42.8	25.8	33.8	21.8	29.3	26.8	31.8
August	30.1	38.8	33.6	41.8	25.8	33.8	21.8	29.3	26.8	31.8
September	30.1	38.8	33.6	41.8	25.8	33.8	22.3	29.8	26.8	31.8
October	30.1	38.8	33.6	41.8	25.8	33.8	22.8	30.3	26.8	31.8
November	30.1	38.8	33.6	41.8	25.8	33.8	23.2	30.7	26.8	31.8
December	30.3	39.0	33.8	42.0	25.8	33.8	23.6	31.1	26.8	31.8

ZONE 29—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	30.2	38.9	33.7	41.9	25.9	33.9	21.9	29.4	26.9	31.9
January	30.7	39.4	34.2	42.4	26.4	34.4	24.1	31.6	27.4	32.4
February	31.2	39.9	34.7	42.9	26.9	34.9	22.9	30.4	27.9	32.9
March	31.6	40.3	35.1	43.3	27.3	35.3	21.9	29.4	28.3	33.3
April	32.0	40.7	35.5	43.7	27.7	35.7	21.9	29.4	28.7	33.7
May	32.4	41.1	35.9	44.1	28.1	36.1	21.9	29.4	29.1	34.1
June	31.9	40.6	35.4	43.6	26.9	34.9	21.9	29.4	27.9	32.9
July (not 1945)	31.2	39.9	34.7	42.9	25.9	33.9	21.9	29.4	26.9	31.9
August	30.2	38.9	33.7	41.9	25.9	33.9	21.9	29.4	26.9	31.9
September	30.2	38.9	33.7	41.9	25.9	33.9	22.4	29.9	26.9	31.9
October	30.2	38.9	33.7	41.9	25.9	33.9	22.9	30.4	26.9	31.9
November	30.2	38.9	33.7	41.9	25.9	33.9	23.3	30.8	26.9	31.9
December	30.4	39.1	33.9	42.1	25.9	33.9	23.7	31.2	26.9	31.9

ZONE 30—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	30.5	39.2	34.0	42.2	26.0	34.0	22.0	29.5	27.0	32.0
January	31.0	39.7	34.5	42.7	26.5	34.5	24.2	31.7	27.5	32.5
February	31.5	40.2	35.0	43.2	27.0	35.0	23.0	30.5	28.0	33.0
March	31.9	40.6	35.4	43.6	27.4	35.4	22.0	29.5	28.4	33.4
April	32.3	41.0	35.8	44.0	27.8	35.8	22.0	29.5	28.8	33.8
May	32.7	41.4	36.2	44.4	28.2	36.2	22.0	29.5	29.2	34.2
June	32.2	40.9	35.7	43.9	27.0	35.0	22.0	29.5	28.0	33.0
July (not 1945)	31.5	40.2	35.0	43.2	26.0	34.0	22.0	29.5	27.0	32.0
August	30.5	39.2	34.0	42.2	26.0	34.0	22.0	29.5	27.0	32.0
September	30.5	39.2	34.0	42.2	26.0	34.0	22.5	30.0	27.0	32.0
October	30.5	29.2	34.0	42.2	26.0	34.0	23.0	30.5	27.0	32.0
November	30.5	39.2	34.0	42.2	26.0	34.0	23.4	30.9	27.0	32.0
December	30.7	39.4	34.2	42.4	26.0	34.0	23.8	31.3	27.0	32.0

ZONE 31—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.5	38.2	33.0	41.2	25.3	33.3	21.3	28.8	26.3	31.3
January	29.6	38.3	33.1	41.3	25.8	33.8	23.5	31.0	26.8	31.8
February	30.1	38.8	33.6	41.8	26.3	34.3	22.3	29.8	27.3	32.3
March	30.5	39.2	34.0	42.2	26.7	34.7	21.3	28.8	27.7	32.7
April	30.9	39.6	34.4	42.6	27.1	35.1	21.3	28.8	28.1	33.1
May	31.3	40.0	34.0	43.0	27.5	35.5	21.3	28.8	28.5	33.5
June	31.0	39.7	34.5	42.7	26.3	34.3	21.3	28.8	27.3	32.3
July (not 1945)	30.5	39.2	34.0	42.2	25.3	33.3	21.3	28.8	26.3	31.3
August	29.5	38.2	33.0	41.2	25.3	33.3	21.3	28.8	26.3	31.3
September	29.5	38.2	33.0	41.2	25.3	33.3	21.8	29.3	26.3	31.3
October	29.5	38.2	33.0	41.2	25.3	33.3	22.3	29.8	26.3	31.3
November	29.5	38.2	33.0	41.2	25.3	33.3	22.7	30.2	26.3	31.3
December	29.5	38.2	33.0	41.2	25.3	33.3	23.1	30.6	26.3	31.3

ZONE 32—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.6	38.3	33.1	41.3	25.3	33.3	21.3	28.8	26.3	31.3
January	29.8	38.5	33.3	41.5	25.8	33.8	23.5	31.0	26.8	31.8
February	30.3	39.0	33.8	42.0	26.3	34.3	22.3	29.8	27.3	32.3
March	30.7	39.4	34.2	42.4	26.7	34.7	21.3	28.8	27.7	32.7
April	31.1	39.8	34.6	42.8	27.1	35.1	21.3	28.8	28.1	33.1
May	31.5	40.2	35.0	43.2	27.5	35.5	21.3	28.8	28.5	33.5
June	31.3	40.0	34.8	43.0	26.3	34.3	21.3	28.8	27.3	32.3
July (not 1945)	30.6	39.3	34.1	42.3	25.3	33.3	21.3	28.8	26.3	31.3
August	29.6	38.3	33.1	41.3	25.3	33.3	21.3	28.8	26.3	31.3
September	29.6	38.3	33.1	41.3	25.3	33.3	21.8	29.3	26.3	31.3
October	29.6	38.3	38.1	41.3	25.3	33.3	22.3	29.8	26.3	31.3
November	29.6	38.3	33.1	41.3	25.3	33.3	22.7	30.2	26.3	31.3
December	29.6	38.3	33.1	41.3	25.3	33.3	23.1	30.6	26.3	31.3

ZONE 33—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.6	38.3	33.1	41.3	25.4	33.4	21.4	28.9	26.4	31.4
January	30.0	38.7	33.5	41.7	25.9	33.9	23.6	31.1	26.9	31.9
February	30.5	39.2	34.0	42.2	26.4	34.4	22.4	29.9	27.4	32.4
March	30.9	39.6	34.4	42.6	26.8	34.8	21.4	28.9	27.8	32.8
April	31.3	40.0	34.8	43.0	27.2	35.2	21.4	28.9	28.2	33.2
May	31.7	40.4	35.2	43.4	27.6	35.6	21.4	28.9	28.6	33.6
June	31.3	40.0	34.8	43.0	26.4	34.4	21.4	28.9	27.4	32.4
July (not 1945)	30.6	39.3	34.1	42.3	25.4	33.4	21.4	28.9	26.4	31.4
August	29.6	38.3	33.1	41.3	25.4	33.4	21.4	28.9	26.4	31.4
September	29.6	38.3	33.1	41.3	25.4	33.4	21.9	29.4	26.4	31.4
October	29.6	38.3	33.1	41.3	25.4	33.4	22.4	29.9	26.4	31.4
November	29.6	38.3	33.1	41.3	25.4	33.4	22.8	30.3	26.4	31.4
December	29.7	38.4	33.2	41.4	25.4	33.4	23.2	30.7	26.4	31.4

TABLE A—MAXIMUM BASE PRICES FOR CHICKENS AND GEESE BEGINNING JULY 1, 1945 AND EACH CONSECUTIVE MONTH THEREAFTER

ZONE 34—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.5	37.2	32.0	40.2	23.7	31.7	19.7	27.2	21.7	29.7	June	30.2	38.9	33.7	41.9	24.7	32.7	19.7	27.2	[illegible]	[illegible]
January	29.0	37.7	32.5	40.7	24.2	32.2	21.9	29.4	25.2	30.2	July (not 1945)	29.5	38.2	33.0	41.2	23.7	31.7	19.7	27.2	24.7	[illegible]
February	29.5	38.2	33.0	41.2	24.7	32.7	20.7	28.2	25.7	30.7	August	28.5	37.2	32.0	40.2	23.7	31.7	19.7	27.2	24.7	[illegible]
March	29.9	38.6	33.4	41.6	25.1	33.1	19.7	27.2	26.1	31.1	September	28.5	37.2	32.0	40.2	23.7	31.7	20.2	27.7	24.7	[illegible]
April	30.3	39.0	33.8	42.0	25.5	33.5	19.7	27.2	26.5	31.5	October	28.5	37.2	32.0	40.2	23.7	31.7	20.7	28.2	24.7	[illegible]
May	30.7	39.4	34.2	42.4	25.9	33.9	19.7	27.2	26.9	31.9	November	28.5	37.2	32.0	40.2	23.7	31.7	21.1	28.6	24.7	[illegible]
											December	28.7	37.4	32.2	40.4	25.7	31.7	21.5	29.0	24.7	[illegible]

ZONE 35—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.7	37.4	32.2	40.4	24.0	32.0	20.0	27.5	25.0	30.0	June	30.4	39.1	33.9	42.1	25.0	33.0	20.0	27.5	26.0	[illegible]
January	29.0	37.7	32.5	40.7	24.5	32.5	22.2	29.7	25.5	30.5	July (not 1945)	29.7	38.4	33.2	41.4	24.0	32.0	20.0	27.5	25.0	[illegible]
February	29.5	38.2	33.0	41.2	25.0	33.0	21.0	28.5	26.0	31.0	August	28.7	37.4	32.2	40.4	24.0	32.0	20.0	27.5	25.0	[illegible]
March	29.9	38.6	33.4	41.6	25.4	33.4	20.0	27.5	26.4	31.4	September	28.7	37.4	32.2	40.4	24.0	32.0	20.5	28.0	25.0	[illegible]
April	30.3	39.0	33.8	42.0	25.8	33.8	20.0	27.5	26.8	31.8	October	28.7	37.4	32.2	40.4	24.0	32.0	21.0	28.5	25.0	[illegible]
May	30.7	39.4	34.2	42.4	26.2	34.2	20.0	27.5	27.2	32.2	November	28.7	37.4	32.2	40.4	24.0	32.0	21.4	28.9	25.0	[illegible]
											December	28.7	37.4	32.2	40.4	24.0	32.0	21.8	29.3	25.0	[illegible]

ZONE 36—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.0	37.7	32.5	40.7	24.2	32.2	20.2	27.7	25.2	30.2	June	30.7	39.4	34.2	42.4	25.2	33.2	20.2	27.7	26.2	[illegible]
January	29.2	37.9	32.7	40.9	24.7	32.7	22.4	29.9	25.7	30.7	July (not 1945)	30.0	38.7	33.5	41.7	24.2	32.2	20.2	27.7	[illegible]	[illegible]
February	29.7	38.4	33.2	41.4	25.2	33.2	21.2	28.7	26.2	31.2	August	29.0	37.7	32.5	40.7	24.2	32.2	20.2	27.7	[illegible]	[illegible]
March	30.1	38.8	33.6	41.8	25.6	33.6	20.2	27.7	26.6	31.6	September	29.0	37.7	32.5	40.7	24.2	32.2	20.7	28.2	[illegible]	[illegible]
April	30.5	39.2	34.0	42.2	26.0	34.0	20.2	27.7	27.0	32.0	October	29.0	37.7	32.5	40.7	24.2	32.2	21.2	28.7	[illegible]	[illegible]
May	30.9	39.6	34.4	42.6	26.4	34.4	20.2	27.7	27.4	32.4	November	29.0	37.7	32.5	40.7	24.2	32.2	21.6	29.1	[illegible]	[illegible]
											December	29.0	37.7	32.5	40.7	24.2	32.2	22.0	29.5	[illegible]	[illegible]

ZONE 37—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.3	37.0	31.8	40.0	23.9	31.9	19.9	27.4	24.9	29.9	June	30.0	38.7	33.5	41.7	24.9	32.9	19.9	27.4	[illegible]	[illegible]
January	28.7	37.4	32.2	40.4	24.4	32.4	22.1	29.6	25.4	30.4	July (not 1945)	29.3	38.0	32.8	41.0	23.9	31.9	19.9	27.4	24.9	[illegible]
February	29.2	37.9	32.7	40.9	24.9	32.9	20.9	28.4	25.9	30.9	August	28.3	37.0	31.8	40.0	23.9	31.9	19.9	27.4	[illegible]	[illegible]
March	29.6	38.3	33.1	41.3	25.3	33.3	19.9	27.4	26.3	31.3	September	28.3	37.0	31.8	40.0	23.9	31.9	20.4	27.9	24.9	[illegible]
April	20.0	38.7	33.5	41.7	25.7	33.7	19.9	27.4	26.7	31.7	October	28.3	37.0	31.8	40.0	23.9	31.9	20.9	28.4	[illegible]	[illegible]
May	30.4	39.1	33.9	42.1	26.1	34.1	19.9	27.4	27.1	32.1	November	28.3	37.0	31.8	40.0	23.9	31.9	21.3	28.8	[illegible]	[illegible]
											December	28.4	37.1	31.9	40.1	23.9	31.9	21.7	29.2	[illegible]	[illegible]

ZONE 38—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.6	37.3	32.1	40.3	23.9	31.9	19.9	27.4	24.9	29.9	June	30.2	38.9	33.7	41.9	24.9	32.9	19.9	27.4	[illegible]	[illegible]
January	28.7	37.4	32.2	40.4	24.4	32.4	22.1	29.6	25.4	30.4	July (not 1945)	29.6	38.3	33.1	41.3	23.9	31.9	19.9	27.4	24.9	29.9
February	29.2	37.9	32.7	40.9	24.9	32.9	20.9	28.4	25.9	30.9	August	28.6	37.3	32.1	40.3	23.9	31.9	19.9	27.4	24.9	29.9
March	29.6	38.3	33.1	41.3	25.3	33.3	19.9	27.4	26.3	31.3	September	28.6	37.3	32.1	40.3	23.9	31.9	20.4	27.9	24.9	29.9
April	30.0	38.7	33.5	41.7	25.7	33.7	19.9	27.4	26.7	31.7	October	28.6	37.3	32.1	40.3	23.9	31.9	20.9	28.4	24.9	29.9
May	30.4	39.1	33.9	42.1	26.1	34.1	19.9	27.4	27.1	32.1	November	28.6	37.3	32.1	40.3	23.9	31.9	21.3	28.8	[illegible]	29.9
											December	28.6	37.3	32.1	40.3	23.9	31.9	21.7	29.2	[illegible]	[illegible]

ZONE 39—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.7	37.4	32.2	40.4	24.0	32.0	20.0	27.5	25.0	30.0	June	30.4	39.1	33.9	42.1	25.0	33.0	20.0	27.5	[illegible]	31.0
January	29.1	37.8	32.6	40.8	24.5	32.5	22.2	29.7	25.5	30.5	July (not 1945)	29.7	38.4	33.2	41.4	24.0	32.0	20.0	27.5	[illegible]	30.0
February	29.6	38.3	33.1	41.3	25.0	33.0	21.0	28.5	26.0	31.0	August	28.7	37.4	32.2	40.4	24.0	32.0	20.0	27.5	[illegible]	30.0
March	30.0	38.7	33.5	41.7	25.4	33.4	20.0	27.5	26.4	31.4	September	28.7	37.4	32.2	40.4	24.0	32.0	20.5	28.0	25.0	30.0
April	30.4	39.1	33.9	42.1	25.8	33.8	20.0	27.5	26.8	31.8	October	28.7	37.4	32.2	40.4	24.0	32.0	21.0	28.5	[illegible]	30.0
May	30.8	39.5	34.3	42.5	26.2	34.2	20.0	27.5	27.2	32.2	November	28.7	37.4	32.2	40.4	24.0	32.0	21.4	28.9	[illegible]	30.0
											December	28.8	37.5	32.3	40.5	24.0	32.0	21.8	29.3	[illegible]	[illegible]

ZONE 40—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.1	37.8	32.6	40.8	24.0	32.0	20.0	27.5	25.0	30.0	June	30.8	39.5	34.3	42.5	25.0	33.0	20.0	27.5	[illegible]	31.0
January	29.5	38.2	33.0	41.2	24.5	32.5	22.2	29.7	25.5	30.5	July (not 1945)	30.1	38.8	33.6	41.8	24.0	32.0	20.0	27.5	[illegible]	[illegible]
February	30.0	38.7	33.5	41.7	25.0	33.0	21.0	28.5	26.0	31.0	August	29.1	37.8	32.6	40.8	24.0	32.0	20.0	27.5	[illegible]	[illegible]
March	30.4	39.1	33.9	42.1	25.4	33.4	20.0	27.5	26.4	31.4	September	29.1	37.8	32.6	40.8	24.0	32.0	20.5	28.0	[illegible]	[illegible]
April	30.8	39.5	34.3	42.5	25.8	33.8	20.0	27.5	26.8	31.8	October	29.1	37.8	32.6	40.8	24.0	32.0	21.0	28.5	[illegible]	[illegible]
May	31.2	39.9	34.7	42.9	26.2	34.2	20.0	27.5	27.2	32.2	November	29.1	37.8	32.6	49.8	24.0	32.0	21.4	28.9	[illegible]	[illegible]
											December	29.2	37.9	32.7	40.9	24.0	32.0	21.8	29.3	[illegible]	[illegible]

ZONE 41—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.8	37.5	32.3	40.5	23.7	31.7	19.7	27.2	21.7	29.7	June	30.4	39.1	33.9	42.1	24.7	32.7	19.7	27.2	[illegible]	30.7
January	29.0	37.7	32.5	40.7	24.2	32.2	21.9	29.4	25.2	30.2	July (not 1945)	29.8	38.5	33.3	41.5	23.7	31.7	19.7	27.2	[illegible]	[illegible]
February	29.5	38.2	33.0	41.2	24.7	32.7	20.7	28.2	25.7	30.7	August	28.8	37.5	32.3	40.5	23.7	31.7	19.7	27.2	[illegible]	[illegible]
March	29.9	38.6	33.4	41.6	25.1	33.1	19.7	27.2	26.1	31.1	September	28.8	37.5	32.3	40.5	23.7	31.7	20.2	27.7	[illegible]	[illegible]
April	30.3	39.0	33.8	42.0	25.5	33.5	19.7	27.2	26.5	31.5	October	28.8	37.5	32.3	40.5	23.7	31.7	20.7	28.2	[illegible]	[illegible]
May	30.7	39.4	34.2	42.4	25.9	33.9	19.7	27.2	26.9	31.9	November	28.8	37.5	32.3	40.5	23.7	31.7	21.1	28.6	[illegible]	[illegible]
											December	28.8	37.5	32.3	40.5	23.7	31.7	21.5	29.0	[illegible]	[illegible]

TABLE A—MAXIMUM BASE PRICES FOR CHICKENS AND GEESE BEGINNING JULY 1, 1945 AND EACH CONSECUTIVE MONTH THEREAFTER

ZONE 42—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.1	37.8	32.6	40.8	24.0	32.0	20.0	27.5	25.0	30.0	June	30.7	39.4	34.2	42.4	25.0	33.0	20.0	27.5	26.0	31.0
January	29.2	37.9	32.7	40.9	24.5	32.5	22.2	29.7	25.5	30.5	July (not 1945)	30.1	38.8	33.6	41.8	24.0	32.0	20.0	27.5	25.0	30.0
February	29.7	38.4	33.2	41.4	25.0	33.0	21.0	28.5	26.0	31.0	August	29.1	37.8	32.6	40.8	24.0	32.0	20.0	27.5	25.0	30.0
March	30.1	38.8	33.6	41.8	25.4	33.4	20.0	27.5	26.4	31.4	September	29.1	37.8	32.6	40.8	24.0	32.0	20.5	28.0	25.0	30.0
April	30.5	39.2	34.0	42.2	25.8	33.8	20.0	27.5	26.8	31.8	October	29.1	37.8	32.6	40.8	24.0	32.0	21.0	28.5	25.0	30.0
May	30.9	39.6	34.4	42.6	26.2	34.2	20.0	27.5	27.2	32.2	November	29.1	37.8	32.6	40.8	24.0	32.0	21.4	28.9	25.0	30.0
											December	29.1	37.8	32.6	40.8	24.0	32.0	21.8	29.3	25.0	39.0

ZONE 43—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.1	37.8	32.6	40.8	24.2	32.2	20.2	27.7	25.2	30.2	June	30.8	39.5	31.3	42.5	25.2	33.2	20.2	27.7	26.2	31.2
January	29.3	38.0	32.8	41.0	24.7	32.7	22.4	29.9	25.7	30.7	July (not 1945)	30.1	38.8	33.6	41.8	24.2	32.2	20.2	27.7	25.2	30.2
February	29.8	38.5	33.3	41.5	25.2	33.2	21.2	28.7	26.2	31.2	August	29.1	37.8	32.6	40.8	24.2	32.2	20.2	27.7	25.2	30.2
March	30.2	38.9	33.7	41.9	25.6	33.6	20.2	27.7	26.6	31.6	September	29.1	37.8	32.6	40.8	24.2	32.2	20.7	28.2	25.2	30.2
April	30.6	39.3	34.1	42.3	26.0	34.0	20.2	27.7	27.0	32.0	October	29.1	37.8	32.6	40.8	24.2	32.2	21.2	28.7	25.2	30.2
May	31.0	39.7	34.5	42.7	26.4	34.4	20.2	27.7	27.4	32.4	November	29.1	37.8	32.6	40.8	24.2	32.2	21.6	29.1	25.2	30.2
											December	29.1	37.8	32.6	40.8	24.2	32.2	22.0	29.5	25.2	30.2

ZONE 44—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.2	37.9	32.7	40.9	23.7	31.7	19.7	27.2	24.7	29.7	June	30.7	39.4	34.2	42.4	24.7	32.7	19.7	27.2	25.7	30.7
January	29.2	37.9	32.7	40.9	24.2	32.2	21.9	29.4	25.2	30.2	July (not 1945)	30.2	38.9	33.7	41.9	23.7	31.7	19.7	27.2	24.7	29.7
February	29.7	38.4	33.2	41.4	24.7	32.7	20.7	28.2	25.7	30.7	August	29.2	37.9	32.7	40.9	23.7	31.7	19.7	27.2	24.7	29.7
March	30.1	38.8	33.6	41.8	25.1	33.1	19.7	27.2	26.1	31.1	September	29.2	37.9	32.7	40.9	23.7	31.7	20.2	27.7	24.7	29.7
April	30.5	39.2	34.0	42.2	25.5	33.5	19.7	27.2	26.5	31.5	October	29.2	37.9	32.7	40.9	23.7	31.7	20.7	28.2	24.7	29.7
May	30.9	39.6	34.4	42.6	25.9	33.9	19.7	27.2	26.9	31.9	November	29.2	37.9	32.7	40.9	23.7	31.7	21.1	28.6	24.7	29.7
											December	29.2	37.9	32.7	40.9	23.7	31.7	21.5	29.0	24.7	29.7

ZONE 45—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.8	37.5	32.3	40.5	24.1	32.1	20.1	27.6	25.1	30.1	June	30.5	39.2	34.0	42.2	25.1	33.1	20.1	27.6	26.1	31.1
January	29.3	38.0	32.8	41.0	24.6	32.6	22.3	29.8	25.6	30.6	July (not 1945)	29.8	38.5	33.3	41.5	24.1	32.1	20.1	27.6	25.1	30.1
February	29.8	38.5	33.3	41.5	25.1	33.1	21.1	28.6	26.1	31.1	August	28.8	37.5	32.3	40.5	24.1	32.1	20.1	27.6	25.1	30.1
March	30.2	38.9	33.7	41.9	25.5	33.5	20.1	27.6	26.5	31.5	September	28.8	37.5	32.3	40.5	24.1	32.1	20.6	28.1	25.1	30.1
April	30.6	39.3	34.1	42.3	25.9	33.9	20.1	27.6	26.9	31.9	October	28.8	37.5	32.3	40.5	24.1	32.1	21.1	28.6	25.1	30.1
May	31.0	39.7	34.5	42.7	26.3	34.3	20.1	27.6	27.3	32.3	November	28.8	37.5	32.3	40.5	24.1	32.1	21.5	29.0	25.1	30.1
											December	29.0	37.7	32.5	40.7	24.1	32.1	21.9	29.4	25.1	30.1

ZONE 46—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.5	37.2	32.0	40.2	24.1	32.1	20.1	27.6	25.1	30.1	June	30.2	38.9	33.7	41.9	25.1	33.1	20.1	27.6	26.1	31.1
January	29.0	37.7	32.5	40.7	24.6	32.6	22.3	29.8	25.6	30.6	July (not 1945)	29.5	38.2	33.0	41.2	24.1	32.1	20.1	27.6	25.1	30.1
February	29.5	38.2	33.0	41.2	25.1	33.1	21.1	28.6	26.1	31.1	August	28.5	37.2	32.0	40.2	24.1	32.1	20.1	27.6	25.1	30.1
March	29.9	38.6	33.4	41.6	25.5	33.5	20.1	27.6	26.5	31.5	September	28.5	37.2	32.0	40.2	24.1	32.1	20.6	28.1	25.1	30.1
April	30.3	39.0	33.8	42.0	25.9	33.9	20.1	27.6	26.9	31.9	October	28.5	37.2	32.0	40.2	24.1	32.1	21.1	28.6	25.1	30.1
May	30.7	39.4	34.2	42.4	26.3	34.3	20.1	27.6	27.3	32.3	November	28.5	37.2	32.0	40.2	24.1	32.1	21.5	29.0	25.1	30.1
											December	28.7	37.4	32.2	40.4	24.1	32.1	21.9	29.4	25.1	30.1

ZONE 47—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.3	38.0	32.8	41.0	24.4	32.4	20.4	27.9	25.4	30.4	June	31.0	39.7	34.5	42.7	25.4	33.4	20.4	27.9	26.4	31.4
January	29.8	38.5	33.3	41.5	24.9	32.9	22.6	30.1	25.9	30.9	July (not 1945)	30.3	39.0	33.8	42.0	24.4	32.4	20.4	27.9	25.4	30.4
February	30.3	39.0	33.8	42.0	25.4	33.4	21.4	28.9	26.4	31.4	August	29.3	38.0	32.8	41.0	24.4	32.4	20.4	27.9	25.4	30.4
March	30.7	39.4	34.2	42.4	25.8	33.8	20.4	27.9	26.8	31.8	September	29.3	38.0	32.8	41.0	24.4	32.4	20.9	28.4	25.4	30.4
April	31.1	39.8	34.6	42.8	26.2	34.2	20.4	27.9	27.2	32.2	October	29.3	38.0	32.8	41.0	24.4	32.4	21.4	28.9	25.4	30.4
May	31.5	40.2	35.0	43.2	26.6	34.6	20.4	27.9	27.6	32.6	November	29.3	38.0	32.8	41.0	24.4	32.4	21.8	29.3	25.4	30.4
											December	29.5	38.2	33.0	41.2	24.4	32.4	22.2	29.7	25.4	30.4

ZONE 48—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.1	37.8	32.6	40.8	24.1	32.1	20.1	27.6	25.1	30.1	June	30.8	39.5	34.3	42.5	25.1	33.1	20.1	27.6	26.1	31.1
January	29.6	38.3	33.1	41.3	24.6	32.6	22.3	29.8	25.6	30.6	July (not 1945)	30.1	38.8	33.6	41.8	24.1	32.1	20.1	27.6	25.1	30.1
February	30.1	38.8	33.6	41.8	25.1	33.1	21.1	28.6	26.1	31.1	August	29.1	37.8	32.6	40.8	24.1	32.1	20.1	27.6	25.1	30.1
March	30.5	39.2	34.0	42.2	25.5	33.5	20.1	27.6	26.5	31.5	September	29.1	37.8	32.6	40.8	24.1	32.1	20.6	28.1	25.1	30.1
April	30.9	39.6	34.4	42.6	25.9	33.9	20.1	27.6	26.9	31.9	October	29.1	37.8	32.6	40.8	24.1	32.1	21.1	28.6	25.1	30.1
May	31.3	40.0	34.8	43.0	26.3	34.3	20.1	27.6	27.3	32.3	November	29.1	37.8	32.6	40.8	24.1	32.1	21.5	29.0	25.1	30.1
											December	29.3	38.0	32.8	41.0	24.1	32.1	21.9	29.4	25.1	30.1

ZONE 49—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese		Months	Broilers, fryers, roasters and light capons		Heavy capons		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed		Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.3	37.0	31.8	40.0	23.6	31.6	19.6	27.1	24.6	29.6	June	30.0	38.7	33.5	41.7	24.6	32.6	19.6	27.1	25.6	30.6
January	28.8	37.5	32.3	40.5	24.1	32.1	21.8	29.3	25.1	30.1	July (not 1945)	29.3	38.0	32.8	41.0	23.6	31.6	19.6	27.1	24.6	29.6
February	29.3	38.0	32.8	41.0	24.6	32.6	20.6	28.1	25.6	30.6	August	28.3	37.0	31.8	40.0	23.6	31.6	19.6	27.1	24.6	29.6
March	29.7	38.4	33.2	41.4	25.0	33.0	19.6	27.1	26.0	31.0	September	28.3	37.0	31.8	40.0	23.6	31.6	20.1	27.6	24.6	29.6
April	30.1	38.8	33.6	41.8	25.4	33.4	19.6	27.1	26.4	31.4	October	28.3	37.0	31.8	40.0	23.6	31.6	20.6	28.1	24.6	29.6
May	30.5	39.2	34.0	42.2	25.8	33.8	19.6	27.1	26.8	31.8	November	28.3	37.0	31.8	40.0	23.6	31.6	21.0	28.5	24.6	29.6
											December	28.5	37.2	32.0	40.2	23.6	31.6	21.4	28.9	24.6	29.6

TABLE A—MAXIMUM BASE PRICES FOR CHICKENS AND GEESE BEGINNING JULY 1, 1945 AND EACH CONSECUTIVE MONTH THEREAFTER

ZONE 50—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capon		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.7	38.4	33.2	41.4	24.6	32.6	20.6	28.1	25.6	30.6
January	30.2	38.9	33.7	41.9	25.1	33.1	22.5	30.3	26.1	31.1
February	30.7	39.4	34.2	42.4	25.6	33.6	21.6	29.1	26.6	31.6
March	31.1	39.8	34.6	42.8	26.0	34.0	20.6	28.1	27.0	32.0
April	31.5	40.2	35.0	43.2	26.4	34.4	20.6	28.1	27.4	32.4
May	31.9	40.6	35.4	43.6	26.8	34.8	20.6	28.1	27.8	32.8
June	31.4	40.1	34.9	43.1	25.6	33.6	20.6	28.1	26.6	31.6
July (not 1945)	30.7	39.4	34.2	42.4	24.6	32.6	20.6	28.1	25.6	30.6
August	29.7	38.4	33.2	41.4	24.6	32.6	21.1	28.6	25.6	30.6
September	29.7	38.4	33.2	41.4	24.6	32.6	21.6	29.1	25.6	30.6
October	29.7	38.4	33.2	41.4	24.6	32.6	22.0	29.5	25.6	30.6
November	29.7	38.4	33.2	41.4	24.6	32.6	22.4	29.9	25.6	30.6
December	29.9	38.6	33.4	41.6	24.6	32.6				

ZONE 51—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capon		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.2	37.9	32.7	40.9	24.0	32.0	20.0	27.5	25.0	30.0
January	29.5	38.2	33.0	41.2	24.5	32.5	22.2	29.7	25.5	30.5
February	30.0	38.7	33.5	41.7	25.0	33.0	21.0	28.5	26.0	31.0
March	30.4	39.1	33.9	42.1	25.4	33.4	20.0	27.5	26.4	31.4
April	30.8	39.5	34.3	42.5	25.8	33.8	20.0	27.5	26.8	31.8
May	31.2	39.9	34.7	42.9	26.2	34.2	20.0	27.5	27.2	32.2
June	30.9	39.6	34.4	42.6	25.0	33.0	20.0	27.5	26.0	31.0
July (not 1945)	30.2	38.9	33.7	41.9	24.0	32.0	20.0	27.5	25.0	30.0
August	29.2	37.9	32.7	40.9	24.0	32.0	20.5	28.0	25.0	30.0
September	29.2	37.9	32.7	40.9	24.0	32.0	21.0	28.5	25.0	30.0
October	29.2	37.9	32.7	40.9	24.0	32.0	21.4	28.9	25.0	30.0
November	29.2	37.9	32.7	40.9	24.0	32.0	21.8	29.3	25.0	30.0
December	29.2	37.9	32.7	40.9						

ZONE 52—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capon		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	28.8	37.5	32.3	40.5	23.6	31.6	19.6	27.1	24.6	29.6
January	29.1	37.8	32.6	40.8	24.1	32.1	21.8	29.3	25.1	30.1
February	29.6	38.3	33.1	41.3	24.6	32.6	20.6	28.1	25.6	30.6
March	30.0	38.7	33.5	41.7	25.0	33.0	19.6	27.1	26.0	31.0
April	30.4	39.1	33.9	42.1	25.4	33.4	19.6	27.1	26.4	31.4
May	30.8	39.5	34.3	42.5	25.8	33.8	19.6	27.1	26.8	31.8
June	30.5	39.2	34.0	42.2	24.6	32.6	19.6	27.1	25.6	30.6
July (not 1945)	29.8	38.5	33.3	41.5	23.6	31.6	19.6	27.1	24.6	29.6
August	28.8	37.5	32.3	40.5	23.6	31.6	19.6	27.1	24.6	29.6
September	28.8	37.5	32.3	40.5	23.6	31.6	20.1	27.6	24.6	29.6
October	28.8	37.5	32.3	40.5	23.6	31.6	20.6	28.1	24.6	29.6
November	28.8	37.5	32.3	40.5	23.6	31.6	21.0	28.5	24.6	29.6
December	28.8	37.5	32.3	40.5	23.6	31.6	21.4	28.9	24.6	29.6

ZONE 53—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capon		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.3	38.0	32.8	41.0	24.6	32.6	20.6	28.1	25.6	30.6
January	29.8	38.5	33.3	41.5	25.1	33.1	22.8	30.3	26.1	31.1
February	30.3	39.0	33.8	42.0	25.6	33.6	21.6	29.1	26.6	31.6
March	30.7	39.4	34.2	42.4	26.0	34.0	20.6	28.1	27.0	32.0
April	31.1	39.8	34.6	42.8	26.4	34.4	20.6	28.1	27.4	32.4
May	31.5	40.2	35.0	43.2	26.8	34.8	20.6	28.1	27.8	32.8
June	31.0	39.9	34.5	42.7	25.6	33.6	20.6	28.1	26.6	31.6
July (not 1945)	30.3	39.2	33.8	42.0	24.6	32.6	20.6	28.1	25.6	30.6
August	29.3	38.2	32.8	41.0	24.6	32.6	21.1	28.6	25.6	30.6
September	29.3	38.2	32.8	41.0	24.6	32.6	21.6	29.1	25.6	30.6
October	29.3	38.2	32.8	41.0	24.6	32.6	22.0	29.5	25.6	30.6
November	29.3	38.2	32.8	41.0	24.6	32.6	22.4	29.9	25.6	30.6
December	29.5	38.2	33.0	41.2	24.6	32.6				

ZONE 54—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capon		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.8	38.5	33.3	41.5	25.1	33.1	21.1	28.6	26.1	31.1
January	30.3	39.0	33.8	42.0	25.6	33.6	23.3	30.8	26.6	31.6
February	30.8	39.5	34.3	42.5	26.1	34.1	22.1	29.6	27.1	32.1
March	31.2	39.9	34.7	42.9	26.5	34.5	21.1	28.6	27.5	32.5
April	31.6	40.3	35.1	43.3	26.9	34.9	21.1	28.6	27.9	32.9
May	32.0	40.7	35.5	43.7	27.3	35.3	21.1	28.6	28.3	33.3
June	31.5	40.2	35.0	43.2	26.1	34.1	21.1	28.6	27.1	32.1
July (not 1945)	30.8	39.5	34.3	42.5	25.1	33.1	21.1	28.6	26.1	31.1
August	29.8	38.5	33.3	41.5	25.1	33.1	21.6	29.1	26.1	31.1
September	29.8	38.5	33.3	41.5	25.1	33.1	22.1	29.6	26.1	31.1
October	29.8	38.5	33.3	41.5	25.1	33.1	22.5	30.0	26.1	31.1
November	29.8	38.5	33.3	41.5	25.1	33.1	22.9	30.4	26.1	31.1
December	30.0	38.7	33.5	41.7	25.1	33.1				

ZONE 55—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capon		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	29.6	38.3	33.1	41.3	25.5	33.5	21.5	29.0	26.5	31.5
January	30.1	38.8	33.6	41.8	26.0	34.0	23.7	31.2	27.0	32.0
February	30.6	39.3	34.1	42.3	26.5	34.5	22.5	30.0	27.5	32.5
March	31.0	39.7	34.5	42.7	26.9	34.9	21.5	29.0	27.9	32.9
April	31.4	40.1	34.9	43.1	27.3	35.3	21.5	29.0	28.3	33.3
May	31.8	40.5	35.3	43.5	27.7	35.7	21.5	29.0	28.7	33.7
June	31.3	40.0	34.8	43.0	26.5	34.5	21.5	29.0	27.5	32.5
July (not 1945)	30.6	39.3	34.1	42.3	25.5	33.5	21.5	29.0	26.5	31.5
August	29.6	38.3	33.1	41.3	25.5	33.5	22.0	29.5	26.5	31.5
September	29.6	38.3	33.1	41.3	25.5	33.5	22.5	30.0	26.5	31.5
October	29.6	38.3	33.1	41.3	25.5	33.5	22.9	30.4	26.5	31.5
November	29.6	38.3	33.1	41.3	25.5	33.5	23.3	30.8	26.5	31.5
December	29.8	38.5	33.3	41.5	25.5	33.5				

ZONE 56—PRICES IN CENTS PER POUND

Months	Broilers, fryers, roasters and light capons		Heavy capon		Fowl		Stags and old roosters		Geese	
	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed	Live	Dressed
July 1945	30.1	38.8	33.6	41.8	25.5	33.5	21.5	29.0	26.5	31.5
January	30.6	39.3	34.1	42.3	26.0	34.0	23.7	31.2	27.0	32.0
February	31.1	39.8	34.6	42.8	26.5	34.5	22.5	30.0	27.5	32.5
March	31.5	40.2	35.0	43.2	26.9	34.9	21.5	29.0	27.9	32.9
April	31.9	40.6	35.4	43.6	27.3	35.3	21.5	29.0	28.3	33.3
May	32.3	41.0	35.8	44.0	27.7	35.7	21.5	29.0	28.7	33.7
June	31.8	40.5	35.3	43.5	26.5	34.5	21.5	29.0	27.5	32.5
July (not 1945)	31.1	39.8	34.6	42.8	25.5	33.5	21.5	29.0	26.5	31.5
August	30.1	38.8	33.6	41.8	25.5	33.5	22.0	29.5	26.5	31.5
September	30.1	38.8	33.6	41.8	25.5	33.5	22.5	30.0	26.5	31.5
October	30.1	38.8	33.6	41.8	25.5	33.5	22.9	30.4	26.5	31.5
November	30.1	38.8	33.6	41.8	25.5	33.5	23.3	30.8	26.5	31.5
December	30.3	39.0	33.8	42.0	25.5	33.5				

[Sec. 5.4 amended by Am. 8, effective 7-1-45]

SEC. 5.5 *Additions to, and deductions from Table A prices for Grade A kosher-killed, kosher-dressed, drawn and frozen eviscerated poultry, other than ducks and turkeys, and for cut-up poultry, specified portions of any poultry item and poultry fat.* The following Table A-1 establishes monthly maximum base prices in the various zones for Grade A kosher-killed, kosher-dressed, drawn and frozen eviscerated poultry, other than ducks and turkeys, and for cut-up poultry, for specified portion of any poultry item (including turkeys, geese and ducks) and for poultry fat by permitting additions to, or requiring deductions from, Table A dressed poultry prices. (Other grades are priced by reference to section 5.10.) As in Table A, the poultry prices established in Table A-1 are applicable only when the poultry items are sold box-packed or barrel-packed; if not so packed, the prices for these poultry items are established under the provisions of section 5.11. Also, the monthly maximum base prices established for processed poultry here again do not commence until the beginning of the fourth business day of the month indicated and continue in effect until the beginning of the fourth business day of the succeeding month.

TABLE A-1—ADJUSTMENTS TO TABLE A FOR ALL OTHER PROCESSED POULTRY ITEMS

[Adjustments in cents per pound]

Other processed poultry items	Broilers and fryers	Roasters and light capons	Heavy capons	Fowl	Stags and old roosters	Geese
Drawn	Add 11.3 cents to the dressed price in table A.	Add 9.2 cents to the dressed price in table A.	Add 8.6 cents to the dressed price in table A.	Add 8.3 cents to the dressed price in table A.	Add 6.8 cents to the dressed price in table A.	Add 12.5 cents to the dressed price in table A.
Frozen eviscerated	Add 18.3 cents to the dressed price in table A.	Add 15.2 cents to the dressed price in table A.	Add 13.6 cents to the dressed price in table A.	Add 13.3 cents to the dressed price in table A.	Add 11.8 cents to the dressed price in table A.	Add 15.5 cents to the dressed price in table A.
Kosher killed			Subtract 1 cent from the dressed price in table A			
Kosher dressed			Add 0.5 cent to the dressed price in table A			
Portions of "cut-up" poultry:						
Wings	Subtract 6.5 cents from the dressed price in table A.					
Legs and breasts	Add 27.3 cents to the dressed price in table A.					
Portions of any poultry item:						
Wing tips, backs, necks or skin	Subtract 23.3 cents from the dressed price of broilers and fryers in table A					
Livers	Add 35.3 cents to the dressed price of broilers and fryers in table A					
Hearts and cleaned gizzards	Subtract 6.5 cents from the dressed price of broilers and fryers in table A					
Uncleaned gizzards	Subtract 22 cents from the dressed price of broilers and fryers in table A					
Poultry fat:						
Raw	Add 22.3 cents to the pressed price of fowl in table A					
Government inspected raw	Add 27.3 cents to the dressed price of fowl in table A					
Rendered	Add 41.8 cents to the dressed price of fowl in table A					
Government inspected rendered	Add 46.8 cents to the dressed price of fowl in table A					

[Sec. 5.5 amended by Am. 3, 10 F.R. 3870, effective 4-12-45; Am. 4, 10 F.R. 5524, effective 5-11-45; Am. 8, effective 7-1-45]

SEC. 5.6 *Maximum base prices in the various zones for Grade A live and for Grade A processed turkeys.* Maximum base prices for all Grade A live and Grade A processed turkey items in the various turkey zones are established at the prices set forth in Table B below. (Other grades are priced by reference to section 5.10.) These processed turkey prices are, however, applicable only when such turkeys are sold box-packed or barrel-packed; if not so packed, the processed poultry prices are established by reference to section 5.11.

TABLE B—MAXIMUM BASE PRICES FOR TURKEYS BEGINNING JULY 1, 1945

Zones	Live		Dressed		Drawn						Frozen eviscerated						Kosher killed		Kosher dressed	
					Young			Old			Young			Old						
	Young	Old	Young	Old	Light	Medium	Heavy	Light	Medium	Heavy	Light	Medium	Heavy	Light	Medium	Heavy	Young	Old	Young	Old
1	33.6	31.6	41.3	39.3	49.8	48.8	47.8	47.3	46.3	45.7	52.8	51.8	50.8	50.3	49.8	48.3	40.3	38.3	41.8	39.8
2	33.8	31.8	41.5	39.5	50.0	49.0	48.0	47.5	46.5	46.0	53.0	52.0	51.0	50.5	49.5	49.0	40.5	38.5	42.0	40.0
3	34.3	32.3	42.0	40.0	50.5	49.5	48.5	48.0	47.0	46.5	53.5	52.5	51.5	51.0	50.0	49.5	41.0	39.0	42.5	40.5
4	33.5	31.5	42.2	40.2	50.9	49.9	48.9	48.4	47.4	46.8	53.9	52.9	51.9	51.4	50.4	49.8	41.2	39.2	42.7	40.7
5	33.7	31.7	42.4	40.4	51.1	50.1	49.1	48.6	47.6	47.0	54.1	53.1	52.1	51.6	50.6	50.0	41.4	39.4	42.9	40.9
6	33.8	31.8	42.5	40.5	51.2	50.2	49.2	48.7	47.7	47.1	54.2	53.2	52.2	51.7	50.7	50.1	41.5	39.5	43.0	41.0
7	33.9	31.9	42.6	40.6	51.3	50.3	49.3	48.8	47.8	47.2	54.3	53.3	52.3	51.8	50.8	50.2	41.6	39.6	43.1	41.1
8	34.0	32.0	42.7	40.7	51.4	50.4	49.4	48.9	47.9	47.3	54.4	53.4	52.4	51.9	50.9	50.3	41.7	39.7	43.2	41.2
9	34.2	32.2	42.9	40.9	51.6	50.6	49.6	49.1	48.1	47.5	54.6	53.6	52.6	52.1	51.1	50.5	41.9	39.9	43.4	41.4
10	34.3	32.3	43.0	41.0	51.7	50.7	49.7	49.2	48.2	47.6	54.7	53.7	52.7	52.2	51.2	50.6	42.0	40.0	43.5	41.5
11	33.3	31.3	41.0	39.0	49.5	48.5	47.5	47.0	46.0	45.5	52.5	51.5	50.5	50.0	49.0	48.5	40.0	38.0	41.5	39.5
12	34.4	32.4	43.1	41.1	51.8	50.8	49.8	49.3	48.3	47.7	54.8	53.8	52.8	52.3	51.3	50.7	42.1	40.1	43.6	41.6
13	34.7	32.7	43.4	41.4	52.1	51.1	50.1	49.6	48.6	48.0	55.1	54.1	53.1	52.6	51.6	51.0	42.4	40.4	43.9	41.9
14	34.9	32.9	43.6	41.6	52.3	51.3	50.3	49.8	48.8	48.2	55.2	54.2	53.2	52.7	51.7	51.1	42.6	40.6	44.1	42.1
15	34.1	32.1	41.8	39.8	50.3	49.3	48.3	47.8	46.8	46.3	53.3	52.3	51.3	50.8	49.8	49.3	40.8	38.8	42.3	40.3
16	35.0	33.0	43.7	41.7	52.4	51.4	50.4	49.9	48.9	48.3	55.4	54.4	53.4	52.9	51.9	51.3	42.7	40.7	44.2	42.2
17	35.1	33.1	43.8	41.8	52.5	51.5	50.5	50.0	49.0	48.4	55.5	54.5	53.5	53.0	52.0	51.4	42.8	40.8	44.3	42.3
18	35.3	33.3	44.0	42.0	52.7	51.7	50.7	50.2	49.2	48.6	55.7	54.7	53.7	53.2	52.2	51.6	43.0	41.0	44.5	42.5
19	35.4	33.4	44.1	42.1	52.8	51.8	50.8	50.3	49.3	48.7	55.8	54.8	53.8	53.3	52.3	51.7	43.1	41.1	44.6	42.6
20	35.5	33.5	44.2	42.2	52.9	51.9	50.9	50.4	49.4	48.8	55.9	54.9	53.9	53.4	52.4	51.8	43.2	41.2	44.7	42.7
21	35.6	33.6	44.3	42.3	53.0	52.0	51.0	50.5	49.5	48.9	56.0	55.0	54.0	53.5	52.5	51.9	43.3	41.3	44.8	42.8
22	33.9	31.9	41.6	39.6	50.1	49.1	48.1	47.6	46.6	46.1	53.1	52.1	51.1	50.6	49.6	49.1	40.6	38.6	42.1	40.1
23	33.2	31.2	41.9	39.9	50.6	49.6	48.6	48.1	47.1	46.5	53.6	52.6	51.6	51.1	50.1	49.5	40.9	38.9	42.4	40.4
24	33.4	31.4	42.1	40.1	50.8	49.8	48.8	48.3	47.3	46.7	53.8	52.8	51.8	51.3	50.3	49.7	41.1	39.1	42.6	40.6
25	34.0	32.0	41.7	39.7	50.2	49.2	48.2	47.7	46.7	46.2	53.2	52.2	51.2	50.7	49.7	49.2	40.7	38.7	42.2	40.2
26	33.5	31.5	41.2	39.2	49.7	48.7	47.7	47.2	46.2	45.7	52.7	51.7	50.7	50.2	49.2	48.7	40.2	38.2	41.7	39.7
27	35.2	33.2	43.5	41.9	52.6	51.6	50.6	50.1	49.1	48.5	55.6	54.6	53.6	53.1	52.1	51.5	42.9	40.9	44.4	42.4
28	34.8	32.8	43.5	41.5	52.2	51.2	50.2	49.7	48.7	48.1	55.2	54.2	53.2	52.7	51.7	51.1	42.5	40.5	44.0	42.0
29	33.6	31.6	42.3	40.3	51.0	50.0	49.0	48.5	47.5	46.9	54.0	53.0	52.0	51.5	50.5	49.9	41.3	39.3	42.8	40.8
30	34.1	32.1	42.8	40.8	51.5	50.5	49.5	49.0	48.0	47.4	54.5	53.5	52.5	52.0	51.0	50.4	41.8	39.8	43.3	41.3
31	34.5	32.5	43.2	41.2	51.9	50.9	49.9	49.4	48.4	47.8	54.9	53.9	52.9	52.4	51.4	50.8	42.2	40.2	43.7	41.7
32	33.3	31.3	42.0	40.0	50.7	49.7	48.7	48.2	47.2	46.6	53.7	52.7	51.7	51.2	50.2	49.6	41.0	39.0	42.5	40.5
33	33.8	31.8	42.0	41.0	51.5	50.5	49.5	49.0	48.0	47.5	54.5	53.5	52.5	52.0	51.0	50.5	42.0	40.0	43.5	41.5
34	33.7	31.7	42.1	40.1	50.8	49.8	48.8	48.3	47.3	46.7	53.8	52.8	51.8	51.3	50.3	49.7	41.1	39.1	42.6	40.6
35	34.1	32.1	42.1	40.1	50.8	49.8	48.8	48.3	47.3	46.7	53.8	52.8	51.8	51.3	50.3	49.7	41.1	39.1	42.6	40.6

[Sec. 5.6 amended by Am. 4, 10 F.R. 5524, effective 5-11-45; and Am. 8, effective 7-1-45]

SEC. 5.7 *Monthly adjustments in the maximum base prices for all turkey items.* The maximum base prices established for turkey items in the various turkey zones in the preceding section 5.6 as modified by sections 5.10 and 5.11 of this regulation shall be in force for the months of July, August, September, October, November, and December. For the remaining months of each year, the following additions shall be made to each of these maximum base prices for live and processed turkeys:

TABLE B-1

Month:	*Cents per lb.*
January	0.5
February	1.0
March	1.4
April	1.8
May	2.2
June	1.0

Provided, however, That for processed turkeys, the addition indicated for any month shall not commence until the beginning of the fourth business day of such month and shall continue in effect until the beginning of the fourth business day of the succeeding month. (Saturday is to be considered a "business day" for the purposes of this regulation.)

These additions shall not be added cumulatively, but rather, each addition establishes the total amount which may be added to the maximum base prices for sales, purchases and deliveries during the month indicated.

[Sec. 5.7 amended by Am. 4, 10 F.R. 5524, effective 5-11-45 and Am. 8, effective 7-1-45]

SEC. 5.8 *Maximum base prices for Grade 1 live and Grades A and B processed duck items.* Maximum base prices for Grade 1 live and Grades A and B kosher-processed ducks at all places in the U. S. and for Grade A and Grade B non-kosher processed ducks in the basing point cities are established at the prices set forth in Table C below. Other grades are priced by reference to section 5.10. Furthermore, if the processed ducks are not box-packed or barrel-packed, the maximum base prices are established by reference to section 5.11.

TABLE C—DUCKS

[Prices are in cents per pound]

Basing point cities	Live [1]	Dressed	Kosher killed [1]	Kosher dressed [1]	Drawn	Frozen eviscerated
Eastern zone: New York	[1] 25	28 0	[1] 29	[1] 31	39 8	42 8
Western zone:						
Chicago	[1] 25	28 0	[1] 29	[1] 31	40 8	43 8
New Orleans	[1] 25	29 4	[1] 29	[1] 31	41 2	44 2
Pacific Coast: Los Angeles, San Francisco, Seattle, and Portland, Oreg.	[1] 25	30 0	[1] 29	[1] 31	41 8	44 8

[1] These maximum base prices at all places in the United States.

[Sec. 5.8 amended by Am. 4, 10 F.R. 5524, effective 5-11-45 and Am. 8, effective 7-1-45]

SEC. 5.9 *Monthly adjustments in the maximum base prices for all duck items.* The maximum base prices as established by sections 4.6, 4.7, 5.8, 5.10 and 5.11 of this regulation shall be in effect for the months of March, April, May, June, July and August. For the remaining months of each year the following additions shall be made to each of such maximum base prices:

TABLE C-1

Month:	*Cents per pound*
September	0.5
October	1.0
November	1.4
December	1.8
January	2.2
February	1.0

Provided, however, That for processed ducks, the addition indicated for any month shall not commence until the beginning of the fourth business day of such month and shall continue in effect until the beginning of the fourth business day of the succeeding month. (Saturday is to be considered a "business day" for the purposes of this regulation.)

These additions shall not be added cumulatively, but rather, each addition establishes the total amount which may be added to the maximum base prices for sales, purchases and deliveries during the month indicated.

[Sec. 5.9 amended by Am. 6, 10 F.R. 6247, effective 5-26-45 and Am. 8, effective 7-1-45]

SEC. 5.10 *Maximum base price for Grade 2 live poultry, for Grades B and C processed poultry and for hard-scalded poultry.*—(a) *Grade 2 live poultry.* The maximum base prices for Grade 2 live poultry shall be 4¢ per pound less than the maximum base prices established for the corresponding Grade 1 live poultry items by the appropriate section and table of this regulation.

(b) *Grade B processed poultry except ducks.* The maximum prices for Grade B processed poultry, except ducks, shall be 1½¢ per pound less than the maximum base prices established for the corresponding Grade A processed poultry items by the appropriate section and table of this regulation.

(c) *Grade C processed poultry.* The maximum base prices for Grade C processed poultry items shall be 4¢ per pound less than the maximum base prices established for the corresponding Grade A processed poultry items by the appropriate section and table of this regulation.

(d) *Hard-scalded poultry, other than ducks and geese.* Hard-scalded poultry, other than ducks and geese, shall be eligible only for Grade B or Grade C classification and shall be sold at maximum base prices no higher than those established for the corresponding Grade B or Grade C processed poultry items.

[Sec. 5.10 amended by Am. 6, 10 F.R. 6247, effective 5-26-45; and Am. 8, effective 7-1-45]

SEC. 5.11 *Application of prices for all poultry items sold in other than box-packed or barrel-packed form.* The maximum base prices established for dressed, hard-scalded, drawn and frozen eviscerated poultry may be charged only when such poultry is sold box-packed or barrel-packed; provided that all wholesalers and hotel supply houses may sell less than wholesale quantities of dressed, drawn, and frozen eviscerated poultry in loose form to retailers, hotels, restaurants, clubs, dining cars, steamship companies or institutional users at the maximum base prices established for such poultry by the applicable sections and tables of this regulation, plus the applicable markup established in Table F of this regulation. In all other cases, all dressed, hard-scalded, drawn and frozen eviscerated poultry which is not box-packed or barrel-packed shall be sold at a discount of 1¢ per pound below the maximum base prices established for such poultry item by the applicable sections and tables of this regulation.

[Sec. 5.11 added by Am. 8, effective 7-1-45]

SEC. 5.12 *Additions to maximum base prices for live and processed turkey items during the months of June, July, August, September and October 1945.* The additions indicated below shall be made to the maximum base prices, during the months of June, July, August, September and October 1945, for live turkeys sold and delivered to processors, authorized under the provisions of War Food Order 106, and for processed turkeys sold and delivered to the United States Government or any of its agencies. These additions shall not be added cumulatively, but rather each establishes the total amount which may be added, under this section, for sales and deliveries during the month indicated to the appropriate monthly maximum base price for the corresponding poultry item.

[Figures are in cents per pound]

Additions to—	Turkey items sold during—				
	June	July	August	September	October
Maximum base price for live turkeys	0	1.0	1.0	1.0	0.5
Maximum base prices for any processed turkey item [1]	1	2.0	2.0	2.0	1.0

[1] (a) For the increases here indicated, processed turkeys must be hard frozen and dry packed in standard veneer turkey boxes, wire bound, or standard 3-ply lumber turkey boxes, wire bound, except that standard fibre turkey boxes, wire bound, may be used for frozen eviscerated turkeys. The term "standard turkey box" as used hereinafter shall be deemed to mean those styles of boxes.

(b) If items are dry packed in standard turkey boxes, wire bound, but not hard frozen, deduct ½ cent per pound.

(c) If items are dry packed hard frozen in containers other than standard turkey boxes, wire bound, deduct ½ cent per pound.

(d) If items are dry packed not hard frozen in containers other than standard turkey boxes, deduct 1 cent per pound.

(e) If items are ice or wet packed, deduct 1 cent per pound.

(f) If items are sold and delivered in loose form, deduct 1½ cents per pound.

The additions permitted by this section 5.12 shall be in effect only during the months set forth above and shall terminate and become ineffective immediately after the last day of October 1945, or upon the suspension or revocation of War Food Order 106, should such suspension or revocation occur earlier.

[Sec. 5.12 formerly sec. 5.11, added by Am. 5, 10 F.R. 5696, effective 5-22-45; redesignated by Am. 8, effective 7-1-45]

ARTICLE VI—MARKUP TO BE ADDED TO MAXIMUM BASE PRICES

SEC. 6.1 *General explanation.* The following Tables D, E and F list markups which may be added to the applicable maximum base prices for certain types of transactions and sales.

[Sec. 6.1 amended by Am. 8, effective 7-1-45]

SEC. 6.2 *Definitions of certain terms used in Tables D, E and F of this regulation.*—(a) *Producer.* "Producer" means any person who grows or raises live poultry on any premises operated by or for him.

[Section heading amended by Am. 8, effective 7-1-45]

(b) *Processing plant.* "Processing plant" means any canning plant converting live poulty to dressed poultry for canning purposes or any business establishment which is engaged primarily in the business of converting live poultry into dressed, hard-scalded, drawn or frozen eviscerated poultry.

(c) *Wholesale quantities.* "Wholesale quantities" means lots of 3,000 pounds or more of live or processed turkeys or lots of 1,000 pounds or more of other live or processed poultry.

(d) *Wholesaler.* No person shall be considered a wholesaler within the meaning of this regulation and no person shall charge any of the wholesale markups established by this regulation unless he possesses all of the following characteristics:

(1) He must maintain a business establishment or establishments where he physically receives and stocks, and from which he physically distributes poultry items at wholesale generally to retailers, and such other buyers as other wholesalers, purveyors of meals, institutional, industrial, commercial, and governmental users.

(2) If he distributes live poultry his business establishment must include office space and handling space suitable for the receipt and distribution of such live poultry.

(3) If he distributes processed poultry his business establishment must include both office and warehouse space. This warehouse space, if leased, must be definitely ascertainable and accessible to him and to his employees and he must have complete control of its poultry contents. This space must be leased on a fixed and established minimum *base* rental not in any way contingent upon the poundage or volume of poultry stored therein.

(4) He must customarily physically receive and stock in the above described warehouse space of his business establishment or establishments at least 60% of the processed poultry sold by him as a wholesaler.

(5) He or his own pay roll employees shall physically distribute at least 60% of the poultry items distributed from his business establishment. No person on the pay roll of a commercial warehouse or a common carrier or a contract carrier shall be considered the employee of a wholesaler.

(6) He must customarily distribute his processed poultry in quantity lots which are smaller than his purchases or receipts of such processed poultry.

(7) He must customarily sell or distribute at least 75% of his dollar volume of poultry items for ultimate consumption within a radius of 100 miles from his place of business; *Provided, however,* That if he maintains his business establishment at any place west of the eastern boundaries of the States of Montana, Wyoming, Colorado, and New Mexico, this radius shall be increased to 200 miles, unless otherwise fixed by order of the appropriate Regional Administrator of the Office of Price Administration. In computing his dollar volume of poultry items, he shall exclude all sales of poultry to the United States Government or any of its agencies, all export sales and all sales of processed ducks.

[Subparagraph (7) amended by Am. 1, 10 F.R. 1827, effective 2-19-45]

(8) No person shall be deemed to be a wholesaler as to any sale or delivery of any poultry item, except ducks, made to any other wholesaler whose customary receiving point is located outside the applicable radius specified in subparagraph (7) immediately above from the seller's place of business.

(e) *Cooperative Live Poultry Auction.* For the purpose of this regulation, "cooperative live poultry auction" means any person operating in conformity with the provisions of the Capper-Volstead Act and in a manner consistent with all the requirements of the "wholesaler definition."

(f) *Hotel supply house.* "Hotel supply house" means any person who sells or distributes 90% or more of his annual dollar volume of poultry sales to hotels, restaurants, clubs, dining cars, steamship companies and institutional users and who for a period of at least 12 months prior to March 1, 1943, sold and distributed 90% or more of such annual dollar volume to such users.

SEC. 6.3 *Markups for transporting live poultry.* Any person who transports live poultry for a distance of five miles or more to and for ultimate consumption in any city, town or village, may sell or deliver such live poultry items to any wholesaler, individual retail store or to any ultimate consumer, including commercial, institutional or governmental users, located in such city, town or village at the appropriate maximum base prices established for such place plus the following trucking markups in cents per pound:

TABLE D

Shortest distance in road or railroad miles from point where transport of live poultry begins to point where transport ends	Maximum markup in cents per pound for transporting all live poultry (except turkeys being transported to any point in the "Pacific coast" States	Maximum markup in cents per pound for transporting live turkeys to any point within the "Pacific coast" States
Less than 5 miles	0	0
5 to 49 miles	1.50	1.50
50 to 99 miles	2.00	2.00
100 to 199 miles	2.50	2.00
200 or more miles	3.00	2.00

(a) Only one markup for transporting live poultry may be added to the maximum base price for such live poultry items at any city, town or village where such items are destined for ultimate consumption. Markups for transporting live poultry may not be added cumulatively.

(b) The "Pacific coast" States referred to in this section are the States of Nevada, Washington, Oregon, California, Utah, and Idaho.

[Table D, formerly F, redesignated by Am. 8, effective 7-1-45]

[Sec. 6.3 amended by Am. 4, 10 F.R. 5521, effective 5-11-45]

SEC. 6.4 *Markups to maximum base prices for making certain types of sales.* (a) Any person who makes any one of the types of sales indicated in tables E or F below, may add the applicable markup indicated in the appropriate table for such sale to the applicable maximum base price in order to determine his maximum selling price. No person, however, may add more than one of the markups established by section 6.3 and this section 6.4 to any maximum base price unless expressly permitted by the terms of the appropriate markup.

[Above paragraph amended by Am. 8, effective 7-1-45]

TABLE E—MAXIMUM MARKUPS IN CENTS PER POUND THAT MAY BE ADDED TO APPLICABLE MAXIMUM BASE PRICES FOR CERTAIN SALES OF LIVE POULTRY

Seller	Item No.	Buyer	Form of sale	Maximum base prices to which markups may be added	Markups in cents per pound
Any person	1	Processing plant, canner, commercial or industrial user	Any quantity of live poultry, except turkeys, delivered to buyer's customary receiving point in the processing plant.	Maximum base price at buyer's customary receiving point in the processing plant.	Delivered
	2	Individual retail stores, institutional or governmental user.	Any quantity of live poultry delivered to buyer's customary receiving point.	Maximum base price at buyer's customary receiving point.	Delivered
Producers selling through any coop live poultry auctions	3	Processing plant, canner, commercial or industrial user.	Any quantity of live poultry, except turkeys.	Maximum base price at site of auction	Non-delivered
	4	Wholesaler	Any quantity of live poultry	Maximum base price at site of auction	Non-delivered
	5	Retailer or institutional or governmental user.	Any quantity of live poultry	Maximum base price at site of auction	Non-delivered
Any wholesalers	6	Any other wholesaler of live poultry or hotel supply house.	Any quantity of live poultry received and physically handled by the seller.	Maximum base price at seller's shipping point. If the purchaser is located within the same metropolitan area as the seller, the applicable trucking markup for the actual distance the live poultry was transported to the seller's shipping point may also be added	Non-delivered or delivered
	7	Retailer, commercial, institutional, industrial user, purveyor of meals, or governmental user, or wholesale slaughterhouse.	Any quantity of live poultry received and physically handled by the seller.	Maximum base price at seller's shipping point. If the purchaser is located within the same metropolitan area as the seller, the applicable trucking markup for the actual distance the live poultry was transported to the seller's shipping point may also be added.	Non-delivered Delivery within 25 miles Delivery beyond 25 miles

[Table E, formerly G, amended by Am. 1, 10 F.R. 1827, effective 2-19-45; Am. 4, 10 F.R. 5524, effective 5-11-45; redesignated by Am. 8, effective 7-1-45]

TABLE F—MAXIMUM MARKUPS IN CENTS PER POUND THAT MAY BE ADDED TO APPLICABLE MAXIMUM BASE PRICES FOR CERTAIN SALES OF PROCESSED POULTRY

Seller	Item No.	Buyer	Form of sale	Maximum base prices to which markups may be added	Markups in cents per pound
Any person	1	U. S. Government or any of its agencies.	Any quantity of poultry processed and packed to meet government specifications. If delivered must also be shipped according to government specifications and requirements.	Maximum base price at seller's shipping point.	1 cent. [illegible] however, lowest [illegible] cost [illegible] also be added
	2	Individual retail store, commercial, industrial, institutional, governmental user, or purveyor of meals located within a radius of 25 miles from the point of slaughter	Less than 500 lbs. of processed turkeys or less than 250 lbs. of other processed poultry items delivered to buyer's customary receiving point in any one day.	Maximum base price at buyer's customary receiving point	Delivered
Any person who customarily sells in less than wholesale quantities.	3	Individual retail store, commercial, industrial, institutional, governmental user, or purveyor of meals.	Less than wholesale quantities delivered to buyer's customary receiving point in any one day.	Maximum base price at buyer's customary receiving point.	Delivered
Any wholesaler or hotel supply house.	4	Any other wholesaler	Any quantity of processed poultry received and physically handled by the seller.	Maximum base price at seller's shipping point.	Non-delivered or delivered
	5	Any hotel supply house; any buyer other than another wholesaler or the U. S. Government or any of its agencies.	Any quantity of processed poultry received and physically handled by the seller.	Maximum base price at seller's shipping point.	Non-delivered Delivered within 25 miles Delivered beyond 25 miles.
	6	U. S. Government or any of its agencies	Less than 10,000 pounds of processed poultry delivered in any one day.	Maximum base price at seller's shipping point.	Non-delivered Delivered within 25 miles Delivered beyond 25 miles
Any hotel supply house	7	Purveyor of meals or institutional user.	Processed poultry warehoused, physically handled and sold in quantity lots of less than 10,000 pounds.	Maximum base price at seller's shipping point.	Non-delivered Delivered

[Table F, formerly H, amended by Am. 1, 10 F.R. 2-19-45; redesignated by Am. 8, effective 7-1-45]

ARTICLE VII—SPECIAL MAXIMUM PRICING PROVISIONS

SEC. 7.1 *General explanation.* This article establishes maximum prices for certain types of services, sales, purchases and deliveries and applies irrespective of other provisions of this Regulation. The maximum prices provided by this Article VII control and override the other maximum price provisions of this regulation in the event of any conflict.

SEC. 7.2 *Service charges for converting live poultry into processed poultry.* (a) Any person who is employed to convert into processed poultry for the owner's account, any of the live poultry items, except turkeys, covered by this Regulation, shall compute his charges for such services in the following manner:

(1) First, he shall multiply the live weight of such poultry items at his processing plant by the applicable maximum base price per pound established for the corresponding live poultry items in this Regulation.

(2) Second, he shall multiply the weight of these poultry items after they have been converted into processed poultry by the applicable maximum base price per pound established in this Regulation for the corresponding processed poultry items.

(3) Third, he shall then subtract the lesser of the results thus obtained from the greater.

(4) His charges for picking up, transporting and converting the live poultry into processed poultry shall not exceed the difference between these two results: *Provided, however,* That if the live and processed poultry is the property of, and the services are performed for, the United States Government or any of its agencies, and the processed poultry is prepared, packaged and shipped according to the owner's specifications, the person performing such services may add an amount not to exceed one cent for each pound of processed poultry items to the result thus obtained.

(b) If the live poultry is delivered to the processing plant without expense to the person performing the service, he shall deduct ½ cent for each pound of processed poultry from the result obtained under paragraph (a) of this section.

(c) If the processed poultry is returned to the owner in loose form, the person performing the service shall deduct one cent for each pound of processed poultry from the result obtained by the application of paragraphs (a) and (b) of this section.

(d) *Evasive practices prohibited.* No person, who processes poultry not his own and who subsequently purchases such processed poultry items himself, or by or through an agent, employee or affiliate, shall charge less for the service of processing the poultry than the true economic value of such service. A charge of less than that permitted by the preceding paragraphs of this section shall be considered prima facie evidence of an evasion of the maximum prices established by this Regulation in the event that the poultry items so processed are subsequently sold to the person who performed the service or to his agent, employee or affiliate.

The practices described in this paragraph (d) are in addition to other evasive practices prohibited by section 1.3 of this regulation.

SEC. 7.3 *Maximum prices for poultry items when sold at retail by any type of seller other than a retailer covered by Maximum Price Regulations 422 or 423.* (a) The maximum price for the sale and delivery of poultry items at retail, that is, in quantities of 5 or less poultry items, except turkeys, or 3 or less turkeys sold to an ultimate consumer, other than a commercial, institutional, industrial or governmental user, by any type of seller other than a retailer covered by Maximum Price Regulations 422 or 423, shall be calculated as follows:

The seller shall add 1½ cents per pound to the maximum base price at his shipping point for the poultry items and shall multiply the sum so obtained by 1.20 for all poultry items other than processed turkeys, and by 1.17 for processed turkeys, and the product of such multiplication shall be his maximum selling price for such poultry items; *Provided,* That in cases of mail order sales the seller may add to such maximum selling price his actual express or mailing expense to the buyer's receiving point.

(b) Fractions of a cent remaining after the price per pound for the poultry item being sold under this section 7.3 has been calculated, shall be dropped if less than ½¢ and increased to the next higher cent if ½¢ or more.

SEC. 7.4 *Maximum prices for poultry items requisitioned or purchased off carriers by the United States Government or any of its agencies.* If the United States Government or any of its agencies requisitions or purchases any of the poultry items subject to this Regulation from a truck, freight car or any other carrier, whether or not such truck, freight car or carrier is in transit or at stoppage, it shall pay no more than the maximum base price established for such poultry items at the place where the requisitioning or transfer of physical possession occurs plus a sum not in excess of 1½ cents per pound.

The weight of any poultry item requisitioned or purchased in such manner shall be determined at the time and place where the requisitioning or transfer of physical possession of such poultry occurs; *Provided,* That if the United States Government or its agency believes it is impracticable to determine the weight of the poultry items at the time and place where the requisitioning or transfer of physical possession occurs, then such poultry item shall be transported immediately to the nearest available weighing station and its weight shall there be determined as soon as possible.

SEC. 7.5 *Sale of poultry items by the United States Government.* The maximum price at which the United States Government or any of its agencies shall sell any poultry item which it has purchased or requisitioned shall be the price which the Government paid for such poultry items pursuant to the provisions of this Regulation, computed in the manner normally used by the government to compute purchase prices paid, whether by averages or otherwise, and any person may pay such price.

NOTE: S. O. No. 81 [2] exempts from price control federal government sales to certain types of purchasers.

SEC. 7.6 *Maximum prices for processed poultry items purchased for ultimate sale to ship operators*—(a) *Sales by civilian sellers to licensed ship suppliers or to designated corporations.* Notwithstanding other provisions of this regulation, in any case where the purchase order has been initially placed by, through, or pursuant to the direction of, the War Shipping Administration, the maximum price for the sale of processed poultry items by any civilian seller, other than a designated corporation, to any licensed ship supplier or to any designated corporation shall be the maximum price as established by other provisions of this regulation, or other pertinent orders or regulations issued by the Office of Price Administration, for the sale of such processed poultry items by such seller to the United States Government or any of its agencies.

(b) *Sales by designated corporations to licensed ship suppliers or to other designated corporations.* Notwithstanding other provisions of this regulation, any designated corporation which has purchased processed poultry items from any civilian seller, upon order initially placed by, through, or pursuant to the direction of, the War Shipping Administration, or from any agency of the United States Government, for the express purpose of ultimate resale to licensed ship suppliers, shall sell such processed poultry items at a maximum price not in excess of the sum of (1) the purchase price paid by such corporation plus all interest charges, apportioned to the particular lot of poultry being sold, not to exceed 2% per annum, (2) all banking charges, apportioned to the particular lot of poultry being sold, not to exceed ½% per annum, (3) all out of pocket storage charges actually incurred and paid to a public warehouse for storing the poultry items being sold, (4) all administration charges actually incurred in handling the specific poultry items being sold and (5) all transportation charges actually paid by the designated corporation for transporting the specific processed poultry items being sold to the place where title passes to the purchaser. No interest or banking charges may be added, however, unless actually incurred in connection with a loan obtained to facilitate the purchase of the poultry items being sold by the designated corporation from a bank approved in writing by the War Shipping Administration. Furthermore, before any designated corporation may add any of the interest, banking, storage, administration or transportation charges referred to above, these charges must be approved in writing by the War Shipping Administration.

(c) *Sales by licensed ship suppliers to other licensed ship suppliers.* Notwithstanding other provisions of this regulation, the maximum price at which any licensed ship supplier may sell processed poultry items to another licensed ship supplier, where such sale has been requested or directed by the War Shipping Administration, shall be the sum of (1) the purchase price paid for such processed poultry items, (2) the actual out of pocket storage charges accrued and paid to a public warehouse, and (3) all transportation charges actually paid by the seller for transporting the specific processed poultry items being sold to the place where title passes to the purchasing licensed ship supplier: *Provided, however,* That if such sale is not requested or directed by the War Shipping Administration, the maximum price which may be charged by the seller shall be the purchase price paid by him for such processed poultry items.

In no event, however, may any licensed ship supplier add any storage or transportation charges under the provisions of this paragraph (c) unless such charges have been approved in writing by the War Shipping Administration.

(d) *Sales of processed poultry items delivered shipside by licensed ship suppliers, other than Group 2 ship chandlers, to ship operators.* Notwithstanding other provisions of this regulation, the maximum price at which any licensed ship supplier, except a Group 2 ship chandler, shall sell and deliver shipside to any ship operator, processed poultry items purchased under the provisions of this section or purchased from any agency of the United States Government shall be the sum of (1) the purchase price paid by the licensed ship supplier for such processed poultry items, (2) actual out-of-pocket storage charges approved in writing by the War Shipping Administration, and (3) an amount not in excess of 2¢ per pound.

[Paragraph (d) amended by Am. 7, 10 F.R. 7342, effective 6-15-45]

(e) *Sales of processed poultry items delivered shipside by Group 2 ship chandlers to ship operators.* Notwithstanding other provisions of this regulation,

[2] 9 F.R. 310, 7689; 10 F.R. 2521.

the maximum price for sales of processed poultry items, delivered shipside by Group 2 ship chandlers to ship operators, shall be the sum of (1) the purchase price paid by the ship chandler for such processed poultry items, (2) actual out-of-pocket storage charges approved in writing by the War Shipping Administration, and (3) an amount not in excess of 3¢ per pound.

[Paragraph (e) added, former (e) redesignated (f) by Am. 7, 10 F.R. 7342, effective 6-15-45]

(f) *Definitions*—(1) *Designated corporation.* "Designated corporation", as used in this regulation, means any corporation which has received the written approval of the War Shipping Administration to receive and to stockpile set aside, restricted and designated foods for the purpose of ultimate resale to licensed ship suppliers.

(2) *Purchase price paid.* "Purchase price paid", as used in this section, means the actual cost per pound paid by the "designated corporation" or the "licensed ship supplier" for the poultry items, not to exceed the maximum price for such sale as established by this regulation or other pertinent orders or regulations issued by the Office of Price Administration, or, if the poultry items have been purchased from a civilian seller other than a "designated corporation", not to exceed the applicable maximum base price, as established by this regulation and as adjusted by additions permitted by other pertinent orders or regulations issued by the Office of Price Administration, by more than 1½¢ per pound.

(3) *Out of pocket storage charges.* "Out of pocket storage charges", as used in this section, means all storage rates actually accrued and paid to a public warehouse not to exceed an amount of 0.5¢ per pound for one month's storage, 1¢ per pound for more than one, but not over two months' storage, 1.4¢ per pound for more than two, but not over three months' storage, 1.8¢ per pound or more than three, but not over four months' storage, and 2.2¢ per pound for four or more months of storage.

(4) *Licensed ship suppliers.* "Licensed ship supplier," as used in this regulation, means any person who has received a license under War Food Order No. 74 to receive set aside, restricted and designated foods for resale to ship operators for ship stores. It shall also mean ship suppliers otherwise approved in writing by the War Shipping Administration to purchase and sell to ship operators poultry or other food products made available by or through the War Shipping Administration.

(5) *Ship operator.* "Ship operator," as used in this regulation, means any person conducting the business of operating vessels for the account of the United States or any of its agencies under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or as the owner's agent, a vessel which has been time-chartered to the United States Government, as represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States Government, as represented by the Administrator of the War Shipping Administration; or operating a vessel designated by the War Shipping Administration which is owned, chartered, or operated by any allied or neutral country.

(6) *Group 2 ship chandler.* Group 2 ship chandler means any licensed ship supplier whose total dollar volume of sales during the fiscal year 1944 amounted to less than $500,000.00, and who files with the Regional Office of the Office of Price Administration a statement approved by the District Food Control Representative of the War Shipping Administration in New York, New Orleans or San Francisco, stating that he (1) has been allotted a ship store's quota under War Food Order No. 74, covering the sale of each of the following products: meats, butter, cheese, canned fruits and fruit juices and canned vegetables and vegetable juices and (2) who is currently regularly engaged in the business of selling to ship operators a complete line of food products including, but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish. Furthermore, however, no person shall be deemed to be a Group 2 ship chandler for the purposes of this regulation unless he has also filed with the appropriate Regional Office of the Office of Price Administration a certified statement showing the amount of his total dollar volume of sales during the fiscal year 1944.

[Subparagraph (6) added by Am. 7, 10 F.R. 7342, effective 6-15-45]

SEC. 7.7. *Savings clause.* Regional orders previously issued by any Regional Administrator and not now inconsistent with the powers delegated to the Regional Administrator in section 2.1 to 2.4, inclusive, of Article II are not revoked by the operation of this regulation but shall remain in full force and effect unless and until specifically revoked, modified or otherwise revised by the appropriate Regional Administrator or by appropriate order of the National Office of Price Administration. Such regional orders, which remain in full force and effect under the provisions of this savings clause, shall take precedence over and override the provisions of this regulation in the event of any conflict.

[Sec. 7.7 added by Am. 1, 10 F.R. 1827, effective 2-19-45]

SEC. 7.8 *Maximum prices for poultry items set aside by the United States Government or its agencies pursuant to War Food Order No. 125.* Notwithstanding any other provisions of this regulation, the maximum prices at which the United States Government or any of its agencies shall purchase or requisition processed poultry items set aside pursuant to War Food Order No. 125 are:

(a) From producers and processors, the appropriate monthly maximum base price at the point of storage plus one cent per pound;

(b) From wholesalers, the appropriate monthly maximum base price at the point of storage plus 1½ cents per pound;

(c) From hotel supply houses, the appropriate monthly maximum base price at the point of storage plus 3¼ cents per pound;

(d) From any seller, other than retailers and those mentioned in the preceding paragraphs (a), (b) and (c), the appropriate monthly maximum base price at the point of storage plus 5¼ cents per pound.

[Sec. 7.8 added by Am. 3, 10 F.R. 3870, effective 4-12-45]

SEC. 7.9 *Service charge for transporting live poultry.* The maximum charge for the service of catching, cooping, weighing, loading on trucks or other vehicles at a farm or country shipping point, and transporting live poultry owned by another and for performing any other additional incidental services (for example, furnishing equipment such as coops, weighing scales, etc., or returning such equipment to the owner) shall be as set forth below, based on farm or country shipping point weights, for the distances indicated:

Maximum service charge in cents per pound, farm or country shipping point weights for transporting live poultry owned by another: Shortest distance in road or railroad miles from point where transport of live poultry begins to point where transport ends:	
Less than 49 miles	0.75
50 miles to 99 miles	1.00
100 miles to 199 miles	1.25
200 or more miles	1.50

The provisions of this section 7.9 supersede the provisions of Maximum Price Regulation No. 165, as amended, with respect to the service of catching, cooping, weighing, loading on trucks or other vehicles, and transporting from one place to another, live poultry owned by another. The maximum charges listed above, which may not be added cumulatively, apply only where all the stated services (including those additional incidental services requested by the person for whom the service is accomplished) have been performed. If some but not all the stated services have been performed, the maximum charge allowed continues to be controlled by the provisions of Maximum Price Regulation No. 165, as amended. No additional charge may be made for other incidental services.

The provisions of this section 7.9 do not apply to the transportation of live poultry items from any place in a city to any other place in the same or another city.

[Sec. 7.9 added by Am. 4, 10 F.R. 5524, 6590 effective 5-11-45]

SEC. 7.10 *Maximum base price for guineas.* Notwithstanding other provisions of this regulation, the maximum base price for the sale at any time or place of live and processed young guineas shall be 50¢ and 60¢ per pound, respectively and the maximum base price for the sale at any time or place of live and processed old guineas shall be 30¢ and 40¢ per pound, respectively.

[Sec. 7.10 added by Am. 8, effective 7-1-45]

This regulation shall become effective January 1, 1945. [2nd Revised Maximum Price Regulation 269 originally issued December 23, 1944]

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 15, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this Amendment [Am. 8], insofar as it involves increases in producer prices for poultry and consequent increases in the consumer cost of living is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F.R. Doc. 45-11204; Filed, June 25, 1945; 11:28 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 590]

WHOLESALE CEILING PRICES FOR SPECIFIED CONSUMERS' GOODS

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—SCOPE OF THIS REGULATION

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2. How this regulation fixes ceiling prices.

ARTICLE II—CEILING PRICES

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CEILING PRICES TO RETAILERS

4. Articles in your line during March 1942.
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CEILING PRICES TO OTHER WHOLESALERS

7. Articles in your line during March 1942.
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9. "Net cost."
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14. Registration.
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21. Relation between this regulation and other regulations.
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27. Articles covered.

Appendix A: General information sheet to accompany mark-up charts. (OPA Form 663-2270.)

Appendix B: Markup chart (OPA Form 663-2271).

Appendix C: Application for category markups (OPA Form 663-2271).

Appendix D: Example of ceiling price statement:

AUTHORITY: § 1499.695 issued under 56 Stat. 23,765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE OF THIS REGULATION

SECTION 1. *What this regulation covers.* (a) This regulation applies to all persons making "wholesale" sales of the consumer goods articles belonging in the categories listed in section 27.

(b) A "wholesale" sale is a sale (or delivery) which

(1) Is made by a person who buys and sells the articles in substantially the same form, and

(2) Is made to a purchaser who resells the articles, and

(3) Is not covered by Maximum Price Regulation No. 580.[1]

(c) The word "you", as used in this regulation, means a person who makes a sale or delivery covered by this regulation.

SEC. 2. *How this regulation fixes ceiling prices.* In general, this regulation will provide you with percentage markups which you will apply to your cost to find your ceiling prices for sales of articles covered by this regulation, except those articles you now sell which were in your line during March 1942. For the purpose of figuring those markups, you must, if you were in the business of making "wholesale" sales during March 1942, prepare the Markup Chart and General Information Sheet described in sections 12 and 13, and file it with OPA. The form of that chart and information sheet are set forth at the end of this regulation in Appendix A and Appendix B.

ARTICLE II—CEILING PRICES

SEC. 3. *Previous regulation applicable to certain sales.* (a) The ceiling prices for the following "wholesale" sales are those determined under the regulation which applied to those sales immediately before this regulation was issued:

(1) "Wholesale" sales by persons who also make sales of the article at retail at prices determined from a pricing chart prepared under Maximum Price Regulation No. 530, and whose total "wholesale" sales amount to less than 25% of their total sales of articles covered by this regulation, when

(i) The "wholesale" sales are accompanied by deliveries of the articles to ultimate consumers for the benefit of another retailer, and

(ii) The seller's prices on such "wholesale" sales during March 1942 bore a fixed relation to his prices for sales at retail.

(2) "Wholesale" sales by any person to another person when both the seller and the buyer are under common ownership or control.

(b) The ceiling price for all other "wholesale" sales is the price properly determined under the following sections of this regulation.

CEILING PRICES TO RETAILERS[2]

SEC. 4. *Articles in your line during March 1942.* The ceiling price for sales to retailers of an article which is the same as one you delivered or offered for delivery during March 1942 is your "highest price charged during March 1942" (as defined in section 20), but only if you have written records kept in the regular course of business substantiating that price.

SEC. 5. *Sales to retailers of articles not in your line during March 1942, but belonging in a category in your line during March 1942.* Your ceiling prices for sales to all classes of purchasers who are retailers of an article which you cannot price under section 4, but which is of the same category as articles which you delivered or offered for delivery during March 1942, are as follows:

(a) For all sales and deliveries made up to September 18, 1945, your ceiling prices are those properly established in accordance with the regulation applicable to those sales and deliveries before this regulation was issued.

(b) For all sales and deliveries on and after September 18, 1945 your ceiling prices are those found by applying to your "net cost" your "category markup" for sales to each class of purchaser, but only if you have written records kept in the regular course of business from which to determine those figures. "Category markup" is the percentage markup factor which you compute on the Markup Chart described in section 12 and filed with the Office of Price Administration, and "net cost" for this purpose is defined below in section 9.

SEC. 6. *Ceiling prices for sales to retailers where section 4 or section 5 cannot be used.* (a) If you cannot use section 4 or section 5 of this regulation to find your ceiling price for a particular sale to a retailer, you must apply to the appropriate OPA Regional Office (as defined in section 20) for the establishment of a category markup which you will apply to your net cost (as defined in section 9) to find your ceiling price. It will be necessary to apply under this section, for example, if you did not deliver or offer for delivery articles of the same category to retailers during March 1942; or if you

[1] Maximum Price Regulation No. 580 (Retail Ceiling Prices for Certain Apparel and House Furnishings) covers sales by retailers to other retailers and wholesalers of certain listed articles when the seller's sales to those persons amounts to less than 10 percent of his total sales of those articles.

[2] All adjustment charges permitted by orders of the Office of Price Administration may be added to these prices as provided in section 10.

have no written records kept in the regular course of business to use in finding your ceiling prices under section 4 or section 5; or if you now wish to sell to a new class of purchaser, or on new terms and conditions of sale.

(b) Applications for a category markup under this provision may be filed at any time after the issuance of this regulation and must be filed in duplicate on OPA Form No. 663–2272 (which is set forth in Appendix C) giving all the information required by that form. Copies of that form are available from any OPA Regional or District Office. Category markups under this section will be established by the Office of Price Administration which, according to the best information available to it, will result in ceiling prices which are in line with the level of properly established ceiling prices of competitive sellers for sales to the same class of purchaser. Ordinarily, manufacturers will be considered to be sellers who are competitive with wholesalers who have taken over all or part of distributive functions previously performed by the manufacturers. Until a category markup has been approved, you may not make any sales or deliveries for which ceiling prices must be determined under this section, except that if you have ceiling prices for those sales properly established in accordance with the regulation applicable before this regulation was issued, and you file your application under this section on or before August 7, 1945, you may continue to sell at those established ceiling prices until September 18, 1945.

CEILING PRICES TO OTHER WHOLESALERS

SEC. 7. *Articles in your line during March 1942.* The ceiling price for sales to other wholesalers of an article which is the same as one you delivered or offered for delivery during March 1942 to wholesalers is your "highest price charged during March 1942" (as defined in section 20), but only if you have written records kept in the regular course of business substantiating that price.

SEC. 8. *Ceiling prices for sales to other wholesalers where section 7 cannot be used.* Your ceiling prices for sales to all classes of purchasers who are wholesalers of an article which you cannot price under section 7 are found as follows:

(a) *If you are an "exclusive distributor".* (1) If you are an "exclusive distributor" of an article which is of the same category as articles which you delivered or offered for delivery to other wholesalers during March 1942, your ceiling prices are:

(i) For all sales and deliveries made up to September 18, 1945, your ceiling prices are those properly established in accordance with the regulation applicable to those sales and deliveries before this regulation was issued.

(ii) For all sales and deliveries on and after September 18, 1945, your ceiling prices are those found by applying to your "net cost" your "category markup" for sales to each class of purchaser, but only if you have written records kept in the regular course of business from which to determine those figures. "Category markup" is the percentage markup factor which you compute on the Markup Chart described in section 12 and filed with the Office of Price Administration, and "net cost" for this purpose is defined below in section 9.

For the purposes of this section, a seller is an "exclusive distributor" of an article if, under the terms of an agreement with the manufacturer, the seller has the sole right to supply that article to purchasers for resale in a specified geographical area which includes at least one state and the manufacturer's ceiling price to wholesalers other than exclusive distributors (if he sells to such), in any geographical area, is not lower than the "exclusive distributor's" ceiling price for sales to other wholesalers computed under this section.

(2) If you are an "exclusive distributor" and cannot find your ceiling price for a particular sale to another wholesaler under paragraph (1) above, you must apply to the Office of Price Administration, Washington, D. C. for the establishment of a category markup which you will apply to your "net cost" (as defined in section 9) to find your ceiling price. It will be necessary to file such an application, for example, if you did not, as an "exclusive distributor", deliver or offer for delivery during March 1942 articles of the same category to other wholesalers, or if you have no written records kept in the regular course of business to use in finding your ceiling prices under section 7 or paragraph (1) above, or if you wish to sell to a new class of purchaser, or on new terms and conditions of sale.

Applications for a category markup under this provision may be filed at any time after the issuance of this regulation and must be filed in duplicate on OPA Form No. 663–2272 (which is set forth in Appendix C) giving all the information required by that form. Category markups under this section will be established by the Office of Price Administration which, according to the best information available to it, will result in ceiling prices which are in line with the level of properly established ceiling prices of competitive sellers for sales to the same class of purchaser. Ordinarily, manufacturers will be considered to be sellers who are competitive with "exclusive distributors". Until a category markup has been approved, you may not make any sales or deliveries for which ceiling prices must be determined under this paragraph; except that if you have ceiling prices for those sales properly established in accordance with the regulation applicable before this regulation was issued, and you file your application under this paragraph on or before August 7, 1945, you may continue to sell at those established ceiling prices until September 18, 1945.

(b) *If you are not an "exclusive distributor".* (1) If you are not an "exclusive distributor" of an article which you wish to sell to other wholesalers, your ceiling price for all sales and deliveries on and after July 3, 1945, is your net cost plus actual incoming transportation costs, unless in an application to the Office of Price Administration, Washington, D. C., you show that your proposed ceiling prices for sales of the particular article to other wholesalers are in line with manufacturers' ceiling prices to the same class of purchaser, and approval of ceiling prices or a method of determining ceiling prices in line with manufacturers' ceiling prices has been issued by an order under this section.

(2) Applications under this provision may be filed at any time after the issuance of this regulation and must be filed in duplicate giving the following information:

(i) Your name and address.

(ii) A list of the articles for which ceiling prices are to be established, together with your supplier's name and address, the manufacturer's name and address, the manufacturer's model number for each article, and the category number of the category listed in section 27 in which each article belongs.

(iii) Which articles you will sell from your own stock and which from the manufacturer's stock.

(iv) A statement that the same articles were not sold by you to other wholesalers during March 1942, or that you sold the same articles to other wholesalers during March 1942 but do not have written records kept in the regular course of business substantiating the prices you charged during March 1942.

(v) The manufacturer's ceiling prices to all classes of purchasers, if known.

(vi) Your net cost after deducting all cash and other discounts. Also show the incoming transportation costs paid by you (if any).

(vii) The geographical area in which sales will be made.

(viii) Proposed ceiling prices and terms of sale to each class of purchaser who is a wholesaler, and why you believe those prices to be in line with manufacturers' ceiling prices to the same classes of purchasers.

Until ceiling prices or a method of determining ceiling prices has been established by an order of the Office of Price Administration you may not make any sales or deliveries for which ceiling prices must be established under this paragraph, except at prices no higher than your net cost plus actual incoming transportation costs.

"NET COST" AND ADJUSTMENT CHARGES

SEC. 9. *"Net cost."* For the purposes of sections 5, 6 and 8, "net cost" is your invoice cost (or your supplier's ceiling prices to purchasers of your class, if that is lower) less all cash and other discounts, and not including any OPA adjustment charge which your supplier is required to state as a separate amount. You may include "incoming transportation costs" in your "net cost" only if the category markup you apply was computed on a markup chart which used delivered costs as the "current replacement costs", or if the order issued under this regulation establishing a category markup for your sales specifically states that you may include incoming transportation costs in your "net cost." (See section 20 for the definition of incoming transportation costs).

SEC. 10. *Adjustment charges on certain sales.* (a) Order No. 1052 under Maximum Price Regulation No. 188 permits manufacturers and (under certain circumstances) wholesalers of certain articles of furniture to make an upward adjustment in their ceiling prices. The adjustment charge permitted by Order No. 1052 on sales by wholesalers may be added to the ceiling prices established by this regulation under the conditions and in the manner and amount provided in that order.

(b) Any other adjustment charges permitted by specific orders of the Office of Price Administration on sales by wholesalers may be added to the ceiling prices established by this regulation under the conditions and in the manner and amount provided in those adjustment orders.

ARTICLE III—THE MARK-UP CHARTS

Under section 5 and section 8 ceiling prices for sales to retailers and for sales by "exclusive distributors" to wholesalers of articles which belong in categories delivered or offered for delivery during March 1942, are found by applying a "category markup" to a "net cost". Those category markups are based upon your costs and ceiling prices of articles which you delivered or offered for delivery during March 1942.

SEC. 11. *Filing of markup charts.* (a) On or before August 7, 1945, every person who must determine his ceiling prices under section 4, 5, 7, or 8 (a) (1) of this regulation must file with the "appropriate OPA Regional Office" (as defined in section 20) markup charts, in duplicate, prepared in the manner set forth in section 12 together with two copies of the general information sheet (OPA Form No. 663–2270, which is set forth in Appendix A) giving the information called for on that sheet.

(b) On and after August 28, 1945, no person may sell or deliver articles for which ceiling prices must be determined under section 4, 5, 7, or 8 (a) (1) of this regulation, until he has received from the OPA an acknowledgment of the filing of the markup charts prepared in the manner set forth in section 12.

SEC. 12. *How to prepare the markup chart.* (a) Your markup charts must be prepared on OPA Form No. 663–2271 which is set forth in Appendix B, and must contain all the information called for on that form. On that form you list (in its proper category) each article which you delivered or offered for delivery during March 1942 to retailers, and each article which you, as an "exclusive distributor", delivered or offered for delivery to other wholesalers. For each article listed you must give a description sufficient to identify it on your March 1942 sales records, its "current replacement cost" (as defined in paragraph (b) of this section) and your "highest price charged during March 1942" to each class of purchaser. A separate markup chart should be prepared for each category of articles. If, during March 1942 you delivered or offered for delivery articles in a particular category both on a drop-shipment basis (that is, from the manufacturer's stock) and from your own stock, you must prepare separate markup charts for sales on each basis. All of this information, with the exception of the "current replacement cost", may be taken directly from your base period statement properly prepared in accordance with § 1499.11 of the General Maximum Price Regulation, provided you have written records kept in the regular course of business substantiating the March 1942 prices appearing on that statement.

(b) "Current replacement cost" means either the price appearing on the most recent invoice to you from your March 1942 supplier (dated not earlier than March 1, 1942) or on a statement from that supplier as to his current ceiling price to you, in both cases less all discounts (including cash discounts) and not including any OPA adjustment charge which your supplier is required to state as a separate amount. If it was your practice during March 1942 to use as cost in computing your selling prices the total of invoice cost plus incoming transportation paid by you, you may, if you wish, include those transportation costs in the "current replacement cost" you enter on the markup chart. If you decide to use delivered cost, you must use it for all the articles on that chart and must indicate that fact on the markup chart. (See section 20 for the definition of "incoming transportation costs".)

If you cannot find the "current replacement cost" of a particular article from your own records or from your supplier, you may not list that article on the markup chart but you must list it on the reverse side of OPA Form No. 663–2271 and give all the information called for by that part of the form. The Office of Price Administration may itself ascertain the "current replacement cost" of articles so listed, and may recalculate category markups on the basis of such new information.

(c) After you have entered all the cost and March 1942 price information for one category of articles, total each column. Then divide the total of the highest March 1942 prices to each class of purchaser by the total of the corresponding "current replacement costs". (There must be exactly the same number of entries in the "current replacement cost" column as in the column of highest March 1942 prices to each class of purchaser). This will give you category markup factors for sales of articles in that category to each class of purchaser listed. (To find your ceiling price for sales to a particular class of purchaser, you multiply the "net cost" of the article (as defined in section 9) by the category markup factor for sales of that category of article to that class of purchaser).

Example. A seller's markup chart or category 702-W (Beds) shows the following:

Description of article	Manufacturer's model designation	Current replacement cost per unit and ceiling price, etc.					
		(1) Mail order house		(2) ABC department store		(3) Other retailers	
		(a) Cost	(b) Ceiling price	(a) Cost	(b) Ceiling price	(a) Cost	(b) Ceiling price [1]
X Mfg. Co. walnut veneer—4 poster	406	$7.46	$9.60	$7.46	$9.10	$7.46	$9.25
Y Mfg. Co. mahogany veneer—pineapple type 4 poster	276	9.10	10.75	9.10	11.00		
Z Mfg. Co.—Full panel modern—walnut veneer	207			8.00	9.50	8.00	10.00
Totals for category		16.56	20.75	24.56	29.60	15.46	19.25
Compute category markup factor by dividing total of ceiling prices (b) by total of costs (a) for each class of customer		1.193		1.205		1.245	

To find the ceiling price for sales to each of these three classes of purchasers of a bed which he did not deliver or offer for delivery during March 1942, and which has a "net cost" of $9.82, the seller makes the following computations:

(1) For sales to mail order houses: $9.82 (net cost) × 1.193 (category markup factor) = $11.72 (Ceiling price).

(2) For sales to ABC Department Store: $9.82 (net cost) × 1.205 (category markup factor) = 11.83 (Ceiling price).

(3) For sales to other retailers: $9.82 (net cost) × 1.245 (category markup factor) = $12.23 (Ceiling price).

SEC. 13. *Revision of category markup.* Any category markup computed on a markup chart may be revised by the Price Administrator or the appropriate OPA Regional Adinistrator of the Office of Price Administration at any time as follows:

(a) An upward revision may be authorized if it appears that a particular category markup is lower than the wholesaler's realized cumulative markup on sales of the articles in that category for the year 1941 or for the seller's fiscal year which includes most of 1941. Any revision made under this section will bring the category markup up to a figure no greater than that realized markup. Applications for such revision should be filed with the appropriate OPA Regional Office and should be prepared in accordance with Revised Procedural Regulation No. 1[9] as an application for adjustment.

(b) A downward revision may be made if it appears that a particular category markup results in ceiling prices for articles in that category which are out of line with those of other wholesalers who serve the same or substantially the same geographical area, giving due consideration to customary price relationships and differences in selling conditions (for example, selling from own stock or manufacturer's stock, terms of sale, etc.) between the wholesalers during March 1942. A revision under this paragraph will not apply retroactively.

ARTICLE IV—GENERAL PROVISIONS

SEC. 14. *Registration.* The Price Administrator may at any time require sellers subject to this regulation to regis-

[9] 9 F.R. 10476, 13315.

markup" is the percentage markup fac-

ticular article to other wholesalers are

cles of furniture to make an ap-

ter with the Office of Price Administration.

SEC. 15. *Invoices.* You must furnish every purchaser with an invoice or other similar written evidence of purchase giving your name and address and that of the purchaser; the date of sale; the terms of sale; the quantity, model designation, and a description of the articles sold sufficient to identify them on your ceiling price records; the price charged; the kind and amount of any additional charge; and the following notice (with the blank properly filled in):

NOTICE OF CEILING PRICES

All prices on this invoice are at or below our ceiling prices to you for the quantities, terms and conditions of this sale, as shown on our Ceiling Price Statement filed with the ---------- Regional Office of (Name of city)
the OPA, pursuant to section 16 of MPR 590.

SEC. 16. *Ceiling price statements*—(a) *Wholesalers to file ceiling price statements.* On and after October 16, 1945 you may not deliver an article covered by this regulation to a purchaser for resale unless you have previously filed with the appropriate Regional Office of the Office of Price Administration three copies of a Ceiling Price Statement giving the information set forth in paragraph (b) below for the article, the class of purchaser, and the terms and conditions of sale involved. An example of how you may comply with this requirement is given in Appendix D.

(b) *What the ceiling price statement must contain.* Every ceiling price statement must contain all of the following information:

(1) An identification of every article covered by the statement, including the style or model number, and such additional information as may be necessary to identify the article on your ceiling price records and your invoices to the purchaser.

(2) Your ceiling price or prices for each article covered by the ceiling price statement.

(3) A statement of the OPA regulation and the section of that regulation under which you established each ceiling price given in the ceiling price statement for sales to each class of purchaser.

(4) If any ceiling price given on the ceiling price statement was established under a section of the regulation which requires you to file a report or application with the Office of Price Administration and obtain OPA approval of the ceiling price or method of determining ceiling prices, the ceiling price statement must contain a statement that OPA approval was obtained and must give the date on which such approval was obtained.

(5) A statement of the class of purchaser and terms and conditions of sale to which each ceiling price on the ceiling price statement applies; and a statement either that you had an established practice in March 1942 of selling that category of articles to that class of purchaser and on those terms and conditions of sale, or that you obtained written OPA approval of a ceiling price or method of determining ceiling prices for such sales.

NOTE: You can have a proper ceiling price for sales of an article to a particular class of purchaser only if you had an established practice of selling that category of article to that class of purchaser and on the particular terms and conditions during March 1942, or where you had no such practice, if you obtained OPA approval of a ceiling price or method of determining ceiling prices for such sales.

(c) *Filing of corrections to ceiling price statements.* Whenever a ceiling price statement previously filed is incorrect in any respect you must at once file three copies of the corrections or a corrected statement with the OPA Regional Office with which you previously filed the incorrect statement.

SEC. 17. *Effect of filing.* The receipt, filing, or acknowledgment of charts or statements which you file in accordance with this regulation does not constitute an approval by the Office of Price Administration of the figures or information appearing on those papers.

SEC. 18. *Records.* (a) You must:

(1) Retain the records which, prior to the effective date of this regulation were required by §§ 1499.11 and 1499.12 of the General Maximum Price Regulation.

(2) Retain one copy of each markup chart, general information sheet, application, and ceiling price statement which you prepare and file under this regulation.

(3) Prepare, on or before October 16, 1945 and thereafter keep up to date a Current Ceiling Price List which contains a brief description of each article sold or offered for sale on and after that date sufficient to distinguish it from other articles in your line (including the type of article, model designation and supplier's name); its ceiling price to each class of purchaser; and the basis for each ceiling price (as for example, "Section 4, MPR 590" or "Section 5, MPR 590" or "Order No. ------ Under MPR 590", etc.) (You may satisfy this requirement by keeping a copy of the ceiling price statements which you file in accordance with section 16 but only if they are prepared in the form set forth in Appendix D.) If your ceiling prices for an article are based on a "net cost" which includes incoming transportation costs, your current ceiling price list must, in addition, contain the shipping weight of the article, and the amount allocated to that article as having been paid for incoming transportation.

(4) Retain all purchase invoices and copies of all sales invoices.

(b) These records shall be kept available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect; and you must show the records applicable to any particular article or transaction upon request of the Office of Price Administration.

SEC. 19. *Issuance of special order*—(a) *Modification of the provisions of this regulation by order.* The provisions of this regulation, as applied to certain commodities or persons subject to this regulation, may be modified by orders issued under this section.

(b) *Establishment of maximum prices in certain cases.* If any seller subject to this regulation fails to maintain records showing determinations of ceiling prices as required by this regulation or fails to make the applications for approval of ceiling prices or category markups which this regulation requires in certain cases, the Office of Price Administration may, either upon application or upon its own motion, issue orders under this section establishing ceiling prices or category markups which are or which will result in prices in line with the level of ceiling prices established by this regulation. Ceiling prices so established shall be effective as of the date of first sale after the effective date of this regulation.

(c) *Corrections and revocations.* Any ceiling price or category markup approved under this regulation, may be corrected or revoked by order of the Office of Price Administration, if it appears that the price or category markup approved was based upon incorrect information furnished in connection with the request for approval.

(d) *Revision of ceiling price or category markup.* Any ceiling price or category markup approved under this regulation may be revised by order of the Office of Price Administration if it appears that the ceiling price is, or the category markup results in ceiling prices which are, out of line with the ceiling prices established under this regulation by competitive sellers. A revision under this paragraph will not apply retroactively.

SEC. 20. *Definitions.* (a) Unless the context otherwise requires, the definitions contained in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used in this regulation.

In addition, when used in this regulation, the term:

(1) "Highest price charged during March 1942" means:

(i) The highest price which the seller charged for a commodity delivered by him during March 1942 to a purchaser of the same class; or

(ii) If the seller made no such delivery during March 1942, his highest offering price for delivery during that month to a purchaser of the same class; or

(iii) If the seller made no such delivery and had no such offering price to a purchaser of the same class, the highest price charged by the seller during March 1942, to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers: *Provided, however,* That:

(*a*) If before April 1, 1942, the seller raised his prices for a commodity to all his classes of purchasers (or to all his classes of purchasers except those to whom he was bound to make delivery during March 1942 pursuant to a firm commitment made before the price rise), and

(*b*) If during March 1942 he delivered the commodity at the increased price to at least one class of purchasers, then, in order to allow the seller to apply the price rise to any class of purchasers to which no delivery was made during that month after the price rise (except under a firm commitment made before the price rise), the highest price charged during March 1942 shall be deemed to be:

(*1*) The seller's increased offering price to such class of purchasers for delivery during March 1942, or

(*2*) If the seller had no such increased offering price to that particular class of purchasers, the highest price charged during March 1942 to a purchaser of a different class, adjusted to reflect:

(*i*) The seller's customary differential in price between the two classes of purchasers; or

(*ii*) If the seller had no such customary differential, the actual percentage differential in price between the two classes of purchasers which existed at the time the seller last entered into a commitment, or, if he did not enter into such a commitment, last submitted an offering price for delivery to a purchaser of that particular class during March 1942.

No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity, than the seller required purchasers of the same class to pay during March 1942 on deliveries or supplies of the same or similar types of commodities.

(2) "Incoming transportation costs" means:

(i) With respect to the amount included in "current replacement costs" on the markup chart (see section 12 (b)), the actual amount you paid for transportation to your warehouse, allocated on the basis of weight.

(ii) With respect to the amount included in "net cost" for purposes of section 9, the actual amount you paid for transportation to your warehouse, allocated on the basis of weight, but not to exceed railroad freight charges computed on a less than carload (l. c. l.) basis. Such amount may be included in "net cost", however, only if the current ceiling price list required by section 18 shows both the weight of each article and the amount of transportation costs allocated to each article. If the current ceiling price list does not show those figures, no amount may be included in the "net cost" for incoming transportation costs.

(3) "Ceiling price" means a ceiling price for sales to a particular class of purchaser and, except where this regulation or an order under this regulation specifies otherwise, is subject to the terms, discounts, allowances, and price differentials which the seller had in effect during March 1942, or which have been specifically approved by the Office of Price Administration in an order under this regulation.

(4) "Class of purchaser" means any purchaser or group of purchasers to whom the seller had an established practice during March 1942 of selling the same type of article at prices different from those charged other purchasers or groups of purchasers. A class of purchaser may be a single purchaser, or a kind of purchaser (for example, mail-order establishments, department stores, etc.) or purchasers located in a particular area (for example, retailers in the west coast area, etc.), or purchasers who buy in particular quantities, or purchasers who buy under particular conditions of sale (for example, long-term credit; cash; 5% cash discount; 2% cash discount; f. o. b. warehouse; delivered; purchasers who buy from stock, on drop-shipment, from showroom, through catalogue, etc.).

Any purchaser, kind of purchaser, or purchaser on certain terms or conditions of sale, which the trade has generally recognized as constituting a separate class of purchaser, and for sales to which the seller does not have ceiling prices established under this regulation is a new class of purchaser under this regulation. A seller's ceiling prices for sales to a new class of purchaser must be established under section 6, section 8 (a) (2) or section 8 (b) of this regulation, whichever is applicable.

(5) "Category" means any one of the categories of articles listed in section 27 or any permitted subdivision of such categories.

(6) "Appropriate OPA Regional Office" means the OPA Regional Office having jurisdiction over the area in which is located the wholesaler's office which customarily set the selling prices.

Example: (i) A wholesaler has but one office and one place of business. He should file with the OPA Regional Office having jurisdiction over that location.

(ii) A wholesaler has six branches located in six different OPA regions, but all prices for all six branches were customarily set by one central office. That wholesaler should file pricing charts for all six branches with the OPA Regional Office for the area in which the central office is located. This applies regardless of whether the prices set by the central office were the same for all branches or not.

(iii) A wholesaler has six branches located in six different OPA regions. Customarily each branch set its own prices. In this case the pricing charts for each separate branch must be filed with that branch's OPA Regional Office.

The following is a list of all OPA Regional Offices together with their addresses:

Region 1: 55 Tremont Street, Boston 8, Mass.
Region 2: Empire State Building, New York 1, N. Y.
Region 3: Union Commerce Building, Cleveland 1, Ohio.
Region 4: Candler Building, Atlanta 3, Ga.
Region 5: 1000 Main Street, Dallas 2, Tex.
Region 6: 226 West Jackson Blvd., Chicago 6, Ill.
Region 7: 506 Kittredge Bldg., Denver 2, Colo.
Region 8: 1355 Market Street, San Francisco, Calif.

SEC. 21. *Relation between this regulation and other regulations.* This regulation replaces the General Maximum Price Regulation or any other regulation, insofar as it establishes ceiling prices for sales, after this regulation became effective, of articles covered; however, the provisions of § 1499.5 (Transfers of business or stock in trade), § 1499.6 (sales for export), § 1499.7 (Federal and State taxes), § 1499.18 (d) Adjustment of maximum prices for articles subject to State Fair Trade Acts), and § 1499.19a (Adjustable pricing) of the General Maximum Price Regulation shall continue to apply to all "wholesale" sales.

SEC. 22. *Compliance with the regulation*—(a) *No selling or buying above ceiling prices.* Regardless of any contract or other obligation, no person shall make a sale or delivery covered by this regulation, and, in the course of trade or business, no person shall buy or accept delivery, at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things. Prices lower than the ceiling prices may be charged or paid.

Any charge which is not quoted and billed separately shall, for the purposes of this regulation, be considered as part of the price charged for the article sold.

(b) *Certain practices forbidden.* Any practice or device which has the effect of getting a higher-than-ceiling price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over ceiling price. This applies, among others, to devices making use of commissions, services, tying agreements, combination sales, and the like. Matched sets, however, if designed by the manufacturer for sale at a unit price, and so purchased by the seller, may be sold at a unit price; and matched groupings of furniture articles (covered by categories 701–W through 722–W) may also be sold at a unit price as suites or sets, if all the articles in the grouping were produced by the same manufacturer.

(c) *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control are applicable to all sales subject to this regulation. A seller's license may be suspended for violation of the license or of this regulation or any other price schedules or regulations. A person whose license is suspended may not, during his period of suspension, make any sales for which his license has been suspended.

(d) *Ceiling prices for sales made without required OPA price approval.* If any person subject to this regulation who is required to apply to the Office of Price Administration for the approval of a ceiling price or category markup, makes sales or deliveries without so applying, or before a ceiling price or category markup is approved, or despite notification of disapproval of a proposed price or category markup, the ceiling price applicable to such sales and deliveries is the ceiling price finally established.

(e) *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

SEC. 23. *Delegation of authority.* Any Regional Administrator may, by order, fix ceiling prices or a method of determining ceiling prices, upon the receipt of applications under section 6 of this regulation and adjust category markups in accordance with section 13 of this regulation.

SEC. 24. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance

[9 F.R. 10476, 13215.]

[8 F.R. 13240.]

with the provisions of Revised Procedural Regulation No. 1.

SEC. 25. *Export sales.* The ceiling price at which a wholesaler may sell an article for export is established by Second Revised Maximum Export Price Regulation.*

SEC. 26. *Geographical applicability.* The provisions of this regulation shall be applicable in the forty-eight states and the District of Columbia.

SEC. 27. *Articles covered*—(a) *Categories.* The categories of articles covered by this regulation are listed below. However, this regulation does not apply to any of the following articles.

(1) Any article for which the Office of Price Administration has established a uniform dollar-and-cents wholesale ceiling price by any regulation or order except an order under the General Maximum Price Regulation.

(2) Any articles of which you are the importer.

(3) Used articles.

(4) Bedsprings covered by RMPR 213.

(5) Metal cots covered by Order No. 1470 under MPR 188.

(b) *Subdivision of categories.* You may subdivide the categories listed below into the number of subcategories indicated for each group. This subdivision, however, may be based only on differences in cost or source of supply, or both.

If a category is subdivided, each subdivision shall be given the category number followed by the phrase "Subcategory 1" for the first subdivision, the phrase "Subcategory 2" for the second subdivision, etc., and the description of the subcategory must appear at the top of the markup chart for that subcategory (For example, "Category 711–W, Subcategory 1" might be "Upholstered suites (except those purchased from X Mfg. Co.) having net cost less than $100.00"; "Category 711–W, Subcategory 2" might be "Upholstered suites (except those purchased from X Mfg. Co.) having net cost $100.00 or more"; "Category 711–W, Subcategory 3" might be "Upholstered suites purchased from X Mfg. Co."; etc.)

(c) *List of categories.* All articles specifically listed in a category must be included in the proper category. In addition, you may, if you wish, include in a given category all other related articles which fall within the general category description and which are not listed in any other category. If you buy together at a unit price two or more articles covered by this regulation, you may consider the combination as belonging to any category to which one of the articles belongs, unless the combination is listed in a particular category.

GROUP 1: *Household furniture categories.* (These categories may be subdivided into no more than five subcategories.)

Unless otherwise specified, all these categories include only articles of finished wood household furniture. Separate categories are provided for articles of unfinished wood furniture, metal bedroom furniture, juvenile furniture, and sun room and outdoor furniture. As used in this regulation, household furniture means furniture which is primarily designed for and generally used in homes. Articles of this type are covered even though they are sold for use in other places, such as hotels, clubs, institutions, ships, etc. Articles of furniture and equipment specifically designed for office or commercial use are not included in these categories.

Certain categories include or are confined to "suites" or "sets." As used below, a suite or set is any combination of matching pieces made by one manufacturer. List the combination in the appropriate category if, during March 1942, you were not offering the pieces separately, or if you were offering the combination at a price different from the sum of the offering prices for the individual pieces. If during March 1942 you were offering for sale separately an article which is part of a listed combination, you must also list that article in its appropriate category as an individual piece.

Category 701–W—*Wood bedroom suites.*

Category 702–W—*Beds.*

This category does not include headboards sold separately. See category 751–W.

Category 703–W—*Individual chests of drawers, dressers, vanities, wardrobes, and chiffarobes.*

This category also includes cedar-lined wardrobes and chiffarobes, but not cedar chests which are in category 705–W.

Category 704–W—*Individual bedroom chairs, night tables, benches, vanity stools, and mirrors from bedroom suites.*

Category 705–W—*Cedar chests.*

This category includes any wood finished cedar or cedar-lined chests.

Category 706–W—*Dining room suites.*

A suite belongs in this category, rather than category 707–W, if the buffet in the manufacturer's grouping from which the suite is composed is 60 inches or larger.

Category 707–W—*Dinette and breakfast sets.*

A suite belongs in this category rather than category 706–W, if the buffet in the manufacturers' grouping from which the suite is composed is smaller than 60 inches or if the grouping contains no buffet or no case pieces at all. This category includes dinette and breakfast sets made of wood, plastics, composition, metal, or any combination of these materials.

Category 708–W—*Individual pieces of dining room, dinette, and breakfast sets.*

This category includes individual chairs, tables, buffets, china closets, cupboards, benches, hutches, cabinets, servers, etc.

Category 709–W—*Upholstered chairs and rockers.*

This category includes all upholstered chairs and rockers, including those with outside frames or arms made of wood, such as upholstered occasional, pull-up, club, lounge, boudoir, maple frame, oak frame, etc.; upholstered chair and ottoman combinations; ottomans; chaise lounges, etc. It does not include upholstered chairs listed in other categories, such as dining room, sunroom, juvenile, etc.

Category 710–W—*Upholstered sofas and love seats.*

This category includes all upholstered sofas and love seats (including those with outside frames or arms made of wood). It does not include sofas and love seats in categories 712–W and 717–W.

Category 711–W—*Upholstered suites.*

This category does not include any set or suite covered in categories 712–W, and 717–W. It includes sets or suites of upholstered articles having outside frames made of wood, such as maple frame, oak frame, etc.

Category 712–W—*Upholstered dual purpose sleeping equipment.*

This category includes upholstered sofa beds: single and double studio couches; love seats, chairs, davenports, etc., which pull into beds; and any set or suite of these articles with chairs.

Category 713–W—*Living-room tables of all types.*

This category includes cocktail, end, gate-leg, lamp, drop-leaf, etc., tables of wood, glass, plastics, etc. It does not include tables listed in other categories.

Category 714–W—*Desks, secretaries, and breakfronts.*

Category 715–W—*Living-room cabinet pieces.*

This category includes smokers, cellarettes, magazine racks, bookcases, record cabinets, sewing cabinets, bridge sets, telephone stands, costumers, odd footstools, etc.

Category 716–W—*Kitchen and utility cabinets, kitchen tables, chairs, stools.*

This category includes kitchen cabinets of all kinds, kitchen tables, kitchen chairs, kitchen stools, utility cabinets. It does not include any unfinished furniture or breakfast sets.

Category 717–W—*Sunroom and outdoor furniture.*

This category includes sunroom, porch and lawn furniture, whether made of wood, metal, reed, fibre, rattan, or any combination of these. Included here are chairs, rockers, tables, canvas folding cots, settees, garden and beach umbrellas, gliders, swings, garden umbrella sets, collapsible folding chairs, adirondack chairs, rustic chairs, etc.

NOTE: Sets or suites as well as individual pieces are included in the category

Category 718–W—*Juvenile furniture.*

This category includes all articles of infants' nursery, and youths' furniture. Among these are bassinettes, cribs, play yards, porch gates, chests, dressers, chiffarobes, high chairs, bathinettes, nursery seats, juvenile tables, chairs, rockers, etc.

NOTE: Sets or suites as well as individual pieces are included in this category

Category 719–W—*Unfinished furniture.*

This category includes all unfinished furniture such as unfinished kitchen sets, tables and chairs, bookcases, chests, dressers, beds, magazine racks, record cabinets, etc.

Category 720–W—*Miscellaneous chairs.*

This category includes all chairs not included in any other category such as rush-seat chairs, fibre-seat chairs, individual slip-seat chairs, benches, rockers, etc.

Category 721–W—*Metal bedroom suites.*

Category 722–W—*Individual pieces of metal bedroom suites.*

This category includes metal beds, dressers, chests of drawers, vanities, night tables, wardrobes, chiffarobes, chairs, double-deck bunk beds, etc.

GROUP 2: *Bedding categories.* (These categories may be subdivided into no more than five subcategories.)

These categories do not cover household textile commodities such as sheets, pillow cases, mattress protectors, blankets, comforters, etc., nor pillows, nor metal bedsprings which are covered by RMPR 213, nor metal cots covered by Order No. 1470 under MPR 188.

Category 751–W—*Mattresses, box springs, mattress pads, and headboards.*

This category includes mattresses, box springs, mattress pads, upholstered and non-upholstered headboards of all types and materials. It also includes box springs on legs, set combinations of a matching mattress and box spring on legs, headboard sets (consisting of a headboard and box spring with or without a mattress), etc.

* 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9838, 11273, 12919, 14346; 10 F.R. 863, 923, 2432.

APPENDIX A—Continued

6 What are your customary practices concerning each of the following? If these vary with the class of purchaser, indicate the variation.

a	Credit terms (cash discounts)	
b	Delivery arrangements (by rail, f. o. b., or delivered by your truck, etc.)	
c	Quantity discounts	
d	Exchanges and returns	
e	Showroom facilities for customers	
f	Other customary practices (specify)	

7 By what method or methods do you make sales (e. g., traveling salesmen, catalogues, showroom, etc.)?

8 Estimate the percentage of your purchases during 1941 which were made at prices below the manufacturer's established prices to retailers: ____%

9 What was the most common differential between manufacturer's maximum prices to retailers and the prices you paid for the same merchandise?

I CERTIFY that I am the owner of the company whose name appears below or that I am authorized to make this report on behalf of the owner of the company and that the accompanying OPA Form 663-2271, "Markup Chart for Wholesalers," and the attachments thereto, are true, correct and complete to the best of my knowledge and belief. I am submitting herewith two copies of each of ____ pages of OPA Form 663-2271.

(Signature of owner or agent) (Title) (Date)

(Company name) (Company address)

OPA Form 663-2270 (6-45) Back

APPENDIX B

OPA FORM 663-2271 (6-45) Replaces Budget Bureau No. 86-R139 Form Approved

Name of company	
Address—Number and street	
City, postal zone number, State	

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

MARKUP CHART FOR WHOLESALERS TO BE FILED IN ACCORDANCE WITH SECTION 12 OF MPR 540

INSTRUCTIONS

DO NOT WRITE IN SPACE WITHIN HEAVY LINES

File two copies of this chart for each category with the appropriate OPA Regional Office. When you file your first report, Schedule A must be filed in two copies of OPA Form 663-2270, General Information Sheet.

Date received by OPA | Date acknowledged by OPA

Signature of OPA reviewer

APPENDIX A
OPA FORM 663-2270 (6-45)
Budget Bureau No. 86-R139
Form Approved

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

GENERAL INFORMATION SHEET TO ACCOMPANY MARKUP CHARTS FILED BY WHOLESALERS IN ACCORDANCE WITH SECTION 12 OF MPR 540

Company name	
Address—Number and street	
City, postal zone number, State	

Two copies of this form are to accompany "Markup Charts" (OPA Form 663-2271) which must be filed with your OPA Regional Office

1 If the markup charts you are filing apply to more than one branch or warehouse, indicate below the address of each branch or warehouse to which they apply:

NOTE: Only those branches which customarily have the same selling prices may be covered by the same markup charts.

2 Approximately what geographic area do your sales cover?

3	What was your total dollar volume of sales during 1941 and 1941 (or your fiscal years which include most of 1941 and 1941)?	1941 $ / 1941 $
4	Estimate below the percentage of your total dollar volume of purchases during 1941 (or your fiscal year which includes most of 1941) secured from each of the following types of suppliers:	
a	Manufacturers	%
b	Manufacturers' distributors	%
c	Wholesalers or jobbers	%
d	Others (specify):	
	1	%
	2	%
e	Total	100%

5 Define below specifically and in detail each "Class of Purchaser" listed in columns (1), (2), (3), and (4) of your markup charts (OPA Form 663-2271). If you are now selling classes of purchasers to whom you did not sell in March 1942, you must apply for category markups for those classes of purchasers on OPA Form 663-2272. Do not list such classes of purchasers below. If volume of annual purchases or size of individual purchases is a factor in your classification of purchasers, be explicit as to the volume range used for each separate class of purchaser.

Class of purchaser	Description

APPENDIX B—Continued

1	Category covered by this chart:
	Number / Title
	If you subdivide a category, fill out a separate chart for each subdivision and describe here the sub-category covered by this chart.
2	This chart covers markup factors for: (Check one) ☐ Shipments from manufacturer's stocks (drop shipments) ☐ Shipments from your own stocks (stock shipments)
3	Do the "Current Replacement Cost" entries on this chart include incoming transportation costs? Yes ☐ No ☐
	NOTE: You may include incoming transportation only if you did so in March 1942. (See Section 12)

NOTE: Every article in this category or subcategory shown in your GMPR base period statement should be listed on this markup chart, either front or back, depending on the information available.

Description of article	Manufacturer's model designation	CURRENT REPLACEMENT COSTS PER UNIT (AS DEFINED IN SECTION 12) AND CEILING PRICE (HIGHEST PRICE CHARGED IN MARCH 1942) (Write in as headings to columns (1), (2), (3), and (4) the class of purchaser (department store, etc.) to which "ceiling price" applies. Note that "cost" in each column should be the same for a given item. If you have more than four classes of purchasers, use an additional sheet.)							
		(1)		(2)		(3)		(4)	
		Cost (a)	Ceiling price (b)	Cost (a)	Ceiling price (b)	Cost (a)	Ceiling price (b)	Cost (a)	Ceiling price (b)
		$	$	$	$	$	$	$	$

NOTE: If there are additional listings for the above category, continue on another sheet and do not make any calculations below this line on this sheet, all calculations should be made on final sheet for each category or sub-category.

Totals for category*	$	$	$	$	$	$	$	$
Compute category markup factor by dividing total of Ceiling Price (b) by total of Cost (a) for each class of purchaser								

*Before totaling columns, make sure that for each Column you have exactly the same number of entries under (a), Cost, as you have under (b), Ceiling Price.

This is page ____ of ____ pages filed for this category or sub-category

APPENDIX B—Continued

REVERSE SIDE

List below those items in this category for which you are not able to obtain current replacement costs. As headings to Columns (1), (2), (3) and (4), write in the class of purchasers to whom you sell, to correspond with headings used on other side of this sheet. If you do not have an invoice for an article, write "no invoice" in the last two columns.

NOTE: Every article in this category or sub-category shown on your GMPR base period statement should be listed on this markup chart, either front or back, depending on the information available.

Description of article and name and address of supplier (If possible, include manufacturer's model number or designation)	Ceiling price (1)	(2)	(3)	(4)	Cost on last invoice prior to March 1942: Date of invoice	Cost on that invoice
	$	$	$	$		$

OPA Form 663-2271 (6-45) back

APPENDIX C

OPA Form 664-2272 (6-45)	Form Approved! Budget Bureau No. 08-R1327
UNITED STATES OF AMERICA OFFICE OF PRICE ADMINISTRATION	
WHOLESALER'S APPLICATION FOR CATEGORY MARKUPS	
In accordance with Sections 6 and 8 (a) (2) of MPR 580	
File *two* copies with appropriate OPA Regional Office	

Name of company

Address—Number and street

City, postal zone number, and State

Do not write in space within heavy lines

Date received by OPA | Date acknowledged by OPA

OPA Reviewer

If this application applies to more than one branch or warehouse, indicate below the address of each branch or warehouse to which it applies:

Have you previously filed markup charts with OPA under Section 12 of MPR 580? Yes ☐ No ☐

If so, give date of OPA acknowledgment

APPENDIX C—Continued

SECTION I

Check below the reason why you cannot establish your markup factors under Section 12 of MPR 580

A	☐ You were not a wholesaler in March 1942	D	☐ Although you were selling in March 1942 all of the categories you now plan to sell and have written records, you were not selling them to the class(es) of purchasers for which you are now applying for markup factors
B	☐ You were a wholesaler in March 1942, but you do not have written records kept in the regular course of business from which to establish your markup factors under Section 12	E	☐ Although you were selling the same categories in March 1942 to the same classes of purchasers and have written records, you wish to change certain terms of sale you employed at that time
C	☐ Although you were a wholesaler during March 1942 and have written records, you were not then selling the categories on which you are now applying for markup factors	F	☐ The reason why you cannot establish your markup factors under Section 12 does not fit any of the above statements

IMPORTANT: The remainder of this application form is divided into sections. You need fill out *only that section* which is applicable to the situation you have checked in Section I above. For instance, if you checked "A", "B", or "C", fill out only Section II and disregard the remaining sections. *Be sure*, however, that you sign the application form as provided in the certification at bottom of Page 2.

SECTION II

Fill in this Section if you have checked Items A, B, or C above

NOTE: If you have previously filed markup charts and are applying only for markup factors on proposed new categories, disregard questions 1 and 2; in replying to subsequent questions, *confine replies to the new categories you plan to add.*

1	What is your anticipated total annual dollar volume of sales? (If you were in business during March 1942, give dollar volume for calendar years 1941 and 1944 or fiscal years including most of 1941 and 1944.)	$
2	What geographical area do you cover or plan to cover?	

3 List below the suppliers from whom you buy or plan to buy.

Name of supplier	Address	Type of supplier (manufacturer, exclusive distributor, etc.)

4	a	Have you or any officer, director, or member of your firm at any time since March 1942 been associated with any of your suppliers or prospective suppliers? If yes, give particulars	Yes ☐	No ☐	c	Does your firm have a financial interest in any of your customers or prospective customers? If yes, give particulars	Yes ☐	No ☐
	b	Do any of your suppliers or prospective suppliers have a financial interest in your firm? If yes, give particulars	Yes ☐	No ☐	d	Do any of your customers or prospective customers have a financial interest in your firm? If yes, give particulars	Yes ☐	No ☐

5	Do you or do you plan to: (Check one)	a. ☐ Deliver merchandise only from manufacturer's stock (drop ship) b. ☐ Deliver merchandise only from your own stock c. ☐ Use a combination of a and b above.

APPENDIX C—Continued

6 List below each category or subcategory on which you are applying for markup factors, the classes of purchasers to whom you plan to sell and the markup factors you propose to use. If you checked 5c above, you must propose *separate* markup factors for "drop" and "stock" shipments. Write in, as headings to columns (1), (2), (3), and (4), the class of purchaser to whom you plan to sell.

Category number and title (If you subdivide any category, indicate coverage of subdivision used.)	Proposed markup factors (1) Drop	(1) Stock	(2) Drop	(2) Stock	(3) Drop	(3) Stock	(4) Drop	(4) Stock

If more space is needed to list all categories, use another sheet of paper using the same headings given above.

7 Define specifically and in detail each class of purchaser listed above. If volume of annual purchases or size of individual purchase has any bearing on your classification of purchasers, be explicit as to the volume range used for each separate purchaser class.

Class of purchaser	Description

8 What practices do you plan to establish with respect to each of the following:

a	Credit terms (cash discounts)	d	Exchanges and returns
b	Delivery arrangements (by rail f. o. b. or delivered; your truck; etc.)	e	Showroom facilities for customers
c	Quantity discounts	f	Other customary or proposed practices (specify)

(Over)

9 List below the name and address of one or more closely competitive wholesalers. To the best of your knowledge, choose wholesalers who (1) sell approximately the same merchandise you sell or plan to sell, (2) sell to the same type of outlets, (3) buy from similar sources of supply at approximately the same prices, and (4) offer similar terms and services.

10 By what method or methods do you or do you propose to make sales (e. g., travelling salesmen, catalogues, showroom, etc.)?

APPENDIX C—Continued

11	State below why you think the markup factors you propose in Question 6 will result in maximum prices in line with those of competitive sellers.

NOTE: If you checked A, B, or C, you must fill out (in addition to the foregoing) a Markup Chart, OPA Form 663-2271, for each category or subcategory on which you are applying for markup factors. If you do not have established ceiling prices, fill out name and address and Items 1, 2, and 3 of the front side of that form and list on *the reverse* side the items you plan to sell and the name of your supplier; disregard the columns asking for ceiling prices. If you have cost records and established ceiling prices, use both sides of OPA Form 663-2271 and include all items for which you have ceiling prices.

SECTION III

Fill in this section if you have checked Item D in Section I

1 List below each class of purchaser you wish to add, describe it in detail, and indicate by a check mark (✓) in the applicable column whether you plan to make shipments only from manufacturer's stock (Drop Ship) only from your stock (Stock Ship) or use a combination thereof (both).

Classes of purchasers you wish to add	Description	You plan to— Drop ship only	Stock ship only	Both

2 Describe below the terms on which you expect to sell these new classes of purchasers. Write in as column headings the names of the classes you propose to add.

	(1)	(2)	(3)	(4)
Terms of sale				
Credit terms				
Delivery arrangements				
Quantity discounts				

APPENDIX C—Continued

3 List the categories you wish to sell to these new classes of purchasers. If you indicated in Question 1 above that you are going to sell to any new class both from manufacturer's stock and your own stock, you must propose separate markup factors for each. Write in as column headings the names of the classes as above.

Category number and title (use exact category designations used on charts previously filed with OPA)	Proposed markup factors (1) Drop	(1) Stock	(2) Drop	(2) Stock	(3) Drop	(3) Stock	(4) Drop	(4) Stock

If more space is needed to list all categories, use another sheet of paper, using the same headings given above.

4 State why you think the markup factors you propose in Question 3 above will result in ceiling prices in line with the maximum prices of competitive wholesalers.

SECTION IV

Fill in this section if you have checked Item E in Section I

1 Describe the practices you wish to alter and the manner in which you wish to alter them.

APPENDIX C—Continued

2	Do you propose to make this change with respect to all classes of purchasers to whom you sell? Yes ☐ No ☐	4	Do you propose to make this change with respect to all categories of goods which you sell? Yes ☐ No ☐
3	If you checked "No" above, list those classes of purchasers which will be affected:	5	If you checked "No" above, list below those categories which will be affected:

SECTION V

If you have checked Item F in Section I, write a statement to accompany this form explaining in detail the reason why you are applying for category markup factors.

I HEREBY CERTIFY that I am the owner of the company whose name appears below or that I am authorized to make this report on behalf of the company; that I have read this report; and that all of the statements and figures contained in this report are correct, to the best of my knowledge and belief.

Sign here

(Signature) (Company name and address)

(Title) (Date)

OPA Form 663-2272 (6-45) back

APPENDIX D: EXAMPLE OF CEILING PRICE STATEMENT

BLANK WHOLESALE CO.

Listed below are our maximum prices for sales to our different classes of purchasers in less than carload lots. These maximum prices are subject to a discount of 5% for sales in carload lots. All maximum prices are subject to a discount of 2% for payment in 30 days. These discounts were in effect during March 1942. Except for Category 709-W, we had an established practice during March 1942 of delivering or offering for delivery the same type of article to each of the classes of purchasers listed below.

CATEGORY 701-W, WOOD BEDROOM SUITES

(1) Description of article	(2) To retailers other than mail order houses and department stores	(3) To department stores	(4) To mail order houses	(5) To other wholesalers	(6) Basis for ceiling prices
#100 3-pc. suite	$75.00	$73.50	$72.00	$70.50	To retailers: section 4 of MPR 590. To wholesalers: section 7 of MPR 590.
#101 4-pc. suite	77.50	75.95	74.40	72.85	To retailers: section 4 of MPR 590. To wholesalers: section 7 of MPR 590.
#106 3-pc. suite	60.00	58.80	57.60	....	To retailers: section 4 of MPR 590.
#107 4-pc. suite	100.00	98.00	96.00	94.00	To retailers: section 5 of MPR 590. To wholesalers: OPA Order No. 000 of 7-1-45, under section 8 (b) of MPR 590.

CATEGORY 703-W, INDIVIDUAL CHESTS OF DRAWERS, DRESSERS, VANITIES, WARDROBES, CHIFFOROBES

(1)	(2)	(3)	(4)	(5)	(6)
#234 6-drawer chest	20.00	19.40	18.80	18.20	To retailers: Section 5 of MPR 590. To wholesalers: Section 8 (a) (1) of MPR 590
#241 4-drawer chest	25.00	24.25	23.00	....	To retailers: Section 4 of MPR 590.

CATEGORY 709-W, UPHOLSTERED CHAIRS AND ROCKERS

(1)	(2)	(3)	(4)	(5)	(6)
#530 Upholstered chairs	35.00	33.95	32.90	30.00	To retailers: OPA Order No. 0000 of 7/5/45, under section 6 of MPR 590. To wholesalers: OPA Order No. 00000 of 7/5/45, under section 8 (a) (2) of MPR 590.
#532 Upholstered rocker	50.00	48.50	47.00	37.50	To retailers: OPA Order No. 0000 of 7/5/45, under section 6 of MPR 590. To wholesalers: Section 8 (b) of MPR 590.

Explanation of ceiling price statement

NOTE: This need not appear on your ceiling price statement, but is merely given here as an explanation of the entries in Column 6 above.

#100 3-pc. suite—This was in the wholesaler's line during March 1942 and was then delivered or offered for delivery to all classes of customers shown, including wholesalers. The Blank Wholesale Company is not an exclusive distributor of the item. Prices shown are March 1942 prices.

#101 4-pc. suite—This was in the wholesaler's line during March 1942 and was then delivered or offered for delivery to all classes of customers shown, including wholesalers. The Blank Wholesale Company is an exclusive distributor of the item. Prices shown are March 1942 prices.

#106 3-pc. suite—This was in the wholesaler's line during March 1942 and was then delivered or offered for delivery to all classes of customers shown, except that it was not then and is not now sold to other wholesalers. Prices shown are March 1942 prices.

#107 4-pc. suite—This was not in the wholesaler's line during March 1942 but belongs in a category which was delivered or offered for delivery during March 1942. The Blank Wholesale Company is not an exclusive distributor of the item. Prices shown for retailers are those determined by applying the category markup for each class of purchaser to the "net cost"; price shown for sales to wholesalers is that established by OPA order.

#234 6-Drawer Chest—This was not in the wholesaler's line during March 1942 but belongs in a category which was delivered or offered for delivery during March 1942. The Blank Wholesale Company is an exclusive distributor of the item. Prices shown are those arrived at by applying the category markup for each class of purchaser to "net cost".

#241 4-Drawer Chest—This was in the wholesaler's line during March 1942 and was then delivered or offered for delivery to all classes of customers shown, except that it was not then and is not now sold to other wholesalers. Prices shown are March 1942 prices.

#530 Upholstered Chair—This belongs to a category which was not delivered or offered for delivery during March 1942. The Blank Wholesale Company is an exclusive distributor of the item. Prices for sales to retailers are determined by applying to "net cost" the category markups established by Office of Price Administration order. Price for sales to other wholesalers is the dollar-and-cents price established by Office of Price Administration order.

#532 Upholstered rocker—This belongs to a category which was not delivered or offered for delivery during March 1942. The Blank Wholesale Company is not an exclusive distributor of the item and has not received an order from the Office of Price Administration establishing a pricing method for sales to other wholesalers. The maximum prices for sales to retailers are determined by applying to "net cost" the category markups established by Office of Price Administration order. The maximum price for sales to other wholesalers is "net cost" including incoming transportation.

Effective date. This regulation shall become effective July 3, 1945.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the Federal Register are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11207; Filed, June 25, 1945; 11:29 a. m.]

PART 1335—CHEMICALS

[RPS 42, Amdt. 8]

PARAFFIN WAX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Price Schedule No. 42 is amended in the following respects:

1. Paragraph (j) is added to § 1335.460, Appendix A, to read as follows:

(j) Notwithstanding anything to the contrary in the foregoing paragraphs, Kalamazoo Paraffine Company, having its principal place of business in Kalamazoo, Michigan, may sell, deliver, and transfer to any consumers and such consumers may buy paraffin wax processed by such Company at the maximum prices

set forth in paragraphs (1) and (2) of (a) above, plus freight from source to Kalamazoo, Michigan, and plus the additions set forth below:

Quantity	*Price per pound*
10,000–20,000 pounds	$0.005
Over 20,000 pounds	.0025

This amendment shall become effective the 28th day of June 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11137; Filed, June 23, 1945; 11:41 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 36—REGULATIONS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

DETERMINATION AS TO INELIGIBILITY OF CLAIMANTS

Sec.
36.549 Authority of State Unemployment Compensation Agencies to make findings of fact as to ineligibility.
36.550 Review of determination by readjustment allowance agent.
36.551 Veteran's right to request review of decision.
36.552 Penalty imposed under section 1300.

AUTHORITY: §§ 36.549 to 36.552, inclusive, issued under 58 Stat. 284; 38 U.S.C. 693.

§ 36.549 *Authority of State unemployment compensation agencies to make findings of fact as to ineligibility.* The State unemployment compensation agencies are hereby vested with authority to hold hearings and to make findings of fact as to whether or not a claimant knowingly accepted an allowance to which he was not entitled under the provisions of Title V, Public No. 346, 78th Congress.

§ 36.550 *Review of determination by readjustment allowance agent.* In all cases where it is indicated that a veteran knowingly accepted the payment of an allowance to which he was not entitled, or knowingly accepted an allowance where fraudulent representations were made to secure or increase the allowance, it is the responsibility of the State agency to hold a hearing and make a determination of the applicability of the provisions of section 1300, Title V, Public No. 346, 78th Congress. The determination will be reviewed by the readjustment allowance agent and the provisions of section 1300 will not be applied until the readjustment allowance agent has approved the determination of the State agency.

§ 36.551 *Veteran's right to request review of decision.* Where the readjustment allowance agent concurs with the determination of the State agency holding the claimant ineligible to receive any further allowance under Title V, the veteran will be informed by the State agency of his right to request the Administrator to review the decision.

§ 36.552 *Penalty imposed under section 1300.* The provisions of section 1300 may be imposed irrespective of the disposition of cases submitted for action under the provisions of section 1301 and the method of handling thereunder. (June 18, 1945.)

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 45-11045; Filed, June 22, 1945; 4:02 p. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 28—PAYMENTS TO PROVIDE TRAINING FOR NURSES

MISCELLANEOUS AMENDMENTS

Sections 28.5 (a) (2) and 28.7 (a) are amended to read as follows:

§ 28.5 *Approval of plans and determination of allotments.* * * *

(a) *Student nurse (basic) training program.* * * *

(2) Maintenance in amount of $315 for students admitted on and after July 1, 1945, for first nine months in the training period: *Provided*, That such maintenance will not be paid for any student during such first nine months if the hours of student practice in the hospital exceed an average of twenty-four per week and the hours of combined practice and class exceed forty-eight hours in any one week: *Provided further*, That the Surgeon General may in the case of schools in which combined pre-cadet and junior cadet periods are less than thirty months waive this limitation.

§ 28.7 *Methods of payment for student nurse training programs and for postgraduate programs.* (a) Payments from an allotment may be made on a six months prepayment basis for the first half of the Federal fiscal year and quarterly thereafter for estimated expenditures for plans approved except that institutions as defined in § 28.4 (c) participating under an approved plan may be paid on a reimbursement basis upon completion of the nursing courses. The first payment will be made as near as possible to the beginning of the Federal fiscal year. On or before thirty days after the close of each Federal fiscal quarter the school must submit a certified statement giving the names of all students admitted under the plan during the preceding quarter and full information concerning the present status of all students for whom prepayments were made, and an accounting of all Federal funds received. The first quarterly expenditure report shall include expenditures for the first quarter and budget estimates for the third quarter. The expenditure report of the second quarter shall include expenditures for the second quarter and budget estimates for the fourth quarter. This account will be audited upon receipt and payment for the next quarter will be adjusted on the basis of the total unobligated balance of funds from preceding quarter or quarters, the number of remaining students for whom prepayments are to be made, and the number of students scheduled to enroll during the ensuing quarter. Within thirty days after the close of the Federal fiscal year the institution shall furnish a statement of receipts and disbursements for the period covered by its budget within the fiscal year.

The term "unobligated balance of funds" includes but is not limited to such items as (1) the full amount of tuition, fees, maintenance, and stipends budgeted for those students who failed to enter the plan, (2) that portion of tuition and fees customarily refundable for those students who have withdrawn during the quarter, (3) maintenance for each such student from the date when he or she withdrew from the plan to the end of the quarter, (4) stipends not earned by and not paid to those students who have withdrawn during the quarter. In computing earned stipends, and maintenance for periods of less than a full month, daily rates amounting to one-thirtieth the monthly rate should be used.

Effective date. This amendment shall become effective July 1, 1945.

(Secs. 3, 6, and 9, 57 Stat. 154, 155, 50 U.S.C. App. 1453, 1456, 1459)

Dated: June 6, 1945.

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved: June 22, 1945.

PAUL V. MCNUTT,
Federal Security Administrator.

[F. R. Doc. 45-11112; Filed, June 23, 1945; 10:54 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 31—UNIFORM SYSTEM OF ACCOUNTS CLASS A AND CLASS B TELEPHONE COMPANIES

EXTENSION OF DATE FOR COMPLETION OF CONTINUING PROPERTY RECORDS

The Commission on June 19, 1945, effective immediately, amended the third sentence of paragraph (2) of § 31.2-26 *Telephone plant continuing property record required* (7 F.R. 7408, 9 F.R. 3039) to read: "These records shall be completed not later than June 30, 1946, with respect to property as at December 31, 1936, and with respect to the changes effected therein between the dates of January 1, 1937, and December 31, 1945."

(Sec. 4 (i), 48 Stat. 1066; sec. 220, 48 Stat. 1078; 47 U.S.C. 154 (i), 220)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-11036; Filed, June 22, 1945; 3:03 p. m.]

PART 35—UNIFORM SYSTEM OF ACCOUNTS FOR WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS

EXTENSION OF DATE FOR COMPLETION OF CONTINUOUS PROPERTY RECORDS

The Commission on June 19, 1945, effective immediately, amended the second sentence of paragraph (a) of § 35.1-8 *Continuous property-record required* to read: "The record shall be completed not later than June 30, 1946, with respect to property as at December 31, 1942, and with respect to the changes effected therein between the dates of January 1, 1943, and December 31, 1945; *Provided, however*, That such data shall not be used by the carrier in its permanent records until the approval by the Commission of a plan (and list of property units) and other details of a continuous property-record procedure to be submitted in compliance with the provisions of paragraph (b) of this section."

(Sec. 4 (i), 48 Stat. 1066; Sec. 220, 48 Stat. 1078; 47 U.S.C. 154 (i), 220)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-11035 Filed, June 22, 1945; 3:03 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 317]

PART 95—CAR SERVICE

PREFERENCE IN MOVEMENT OF EMPTY FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23d day of June, A. D. 1945.

It appearing, that empty freight cars have accumulated at Los Angeles, Richmond, San Francisco and Oakland, California, at Seattle and Tacoma, Washington, and at Portland, Oregon, to the extent that such accumulations are contributing to the shortage of equipment and are causing congestion of traffic; the Commission is of opinion an emergency exists at the above named points requiring immediate action to best promote the service in the interest of the public and the commerce of the people. It is ordered, that:

(a) *Preference in movement of empty freight cars.* All common carriers by railroad subject to the Interstate Commerce Act serving Los Angeles, Richmond, San Francisco and Oakland, California, Seattle and Tacoma, Washington, and Portland, Oregon, shall accord preference in movement of empty freight cars from the above-named points over all civilian carload freight traffic.

(b) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(c) *Effective date.* This order shall become effective at 12:01 p. m., June 23, 1945.

(d) *Expiration date.* This order shall expire at 12:01 a. m., June 25, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon each State railroad regulatory body of the States named in paragraph (a) hereof, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11187; Filed, June 25, 1945; 11:02 a. m.]

[S. O. 318]

PART 95—CAR SERVICE

PRECOOLING CITRUS PROHIBITED IN CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23d day of June, A. D. 1945.

It appearing, that the precooling at Los Angeles, Colton and San Bernardino, California, of refrigerator cars loaded with citrus fruit, is causing excessive delay in the transportation of perishable traffic; the Commission is of opinion an emergency requiring immediate action exists at the above named points. It is ordered, that:

(a) *Precooling citrus prohibited.* No common carrier by railroad subject to the Interstate Commerce Act serving Los Angeles, Colton or San Bernardino, California, shall accord, allow or permit, the precooling at the above named points of a refrigerator car loaded, or to be loaded, with citrus fruit. In the event such cars are precooled in violation of this provision they shall not be transported.

(b) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(c) *Effective date.* This order shall become effective at 12:01 a. m., June 23, 1945.

(d) *Expiration date.* This order shall expire at 11:59 p. m., June 26, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon the Railroad Commission of the State of California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11186; Filed, June 25, 1945; 11:02 a. m.]

[S. O. 319]

PART 95—CAR SERVICE

LOADING OF CITRUS, ONIONS AND POTATOES PROHIBITED IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23d day of June A. D. 1945.

It appearing, that the loading of refrigerator cars with citrus fruit, onions and potatoes at points in the States of Arizona and California has resulted in the accumulation of an excessive number of such cars so loaded and in a congestion of traffic; the Commission is of opinion an emergency exists requiring immediate action at points in those States. It is ordered, that:

(a) *Loading of citrus, onions and potatoes prohibited.* No common carrier by railroad subject to the Interstate Commerce Act operating in the States of Arizona or California shall furnish or supply a railroad freight car for loading with, or allow or permit a railroad freight car to be loaded with, citrus fruit, onions or potatoes at any point in the States of Arizona or California. In the event such cars are so loaded in violation of this provision they shall not be transported.

(b) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(c) *Effective date.* This order shall become effective at 12:01 a. m., June 24, 1945.

(d) *Expiration date.* This order shall expire at 11:59 a. m., June 27, 1945, unless otherwise modified, changed, suspended or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 910; 49 U.S.C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11189; Filed, June 25, 1945; 11:02 a. m.]

§ 36.552 *Penalty imposed under section 1300.* The provisions of section 1300 of students scheduled to enroll during the ensuing quarter. Within thirty days effective immediately, amended the sec-

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 2038724]

WYOMING

AMENDING ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JUNE 16, 1945.

The lands described in General Land Office order of May 2, 1945 providing for the opening of certain public lands in Wyoming are located partly in the Cheyenne and partly in the Buffalo Land District. Accordingly, the order is hereby amended so as to provide that applications for these lands in the Cheyenne Land District shall be filed in the District Land Office at Cheyenne, and that applications for these lands in the Buffalo Land District shall be filed in the District Land Office at Buffalo.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-11108; Filed, June 23, 1945; 9:38 a. m.]

Office of the Secretary.

[Order SFA T-7]

ANTHRACITE COAL MINES

TERMINATION OF POSSESSION

JUNE 22, 1945.

On the basis of available information, and after consideration of all the circumstances, and in accordance with the provisions of Executive Order No. 9548 (10 F. R. 5024), and the War Labor Disputes Act (57 Stat. 163), I find that the possession by the Government of all of the coal mines now in the possession of the Government pursuant to Order No. 2049 (10 F.R. 5121) and Order No. 2052 (10 F.R. 5381) should be terminated.

Accordingly, I order and direct that possession by the Government of all coal mines now in the possession of the Government pursuant to Order No. 2049 and Order No. 2052, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and it is hereby terminated, and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Solid Fuels Administration for War and reading as follows:

NOTICE

Government possession of this coal mine, and of all property and assets used in connection with the operation thereof, has been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9548, pursuant to which Government possession was taken, may be concluded in an orderly manner.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 45-11046; Filed, June 22, 1945; 4:05 p. m.]

[Order SFA T-8]

BEVIER LAMB MINING CO., ET AL.

BITUMINOUS COAL MINES; TERMINATION OF POSSESSION

JUNE 23, 1945.

On the basis of available information, and after consideration of all the circumstances, and in accordance with the provisions of Executive Order No. 9536 (10 F.R. 3939) and the War Labor Disputes Act (57 Stat. 163), I find that the possession of the Government pursuant to Order No. 2044 (10 F.R. 3983) and Order No. 2051 (10 F.R. 5380) should be terminated.

Accordingly, I order and direct that possession by the Government of the coal mines listed in Appendix A of this order, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and it is hereby terminated, and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Solid Fuels Administration for War and reading as follows:

NOTICE

Government possession of this coal mine, and of all property and assets used in connection with the operation thereof, has been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9536, pursuant to which Government possession was taken, may be concluded in an orderly manner.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name and Address of Company. Name of Mine and Location or P. O. Address of Mine

Bevier Lamb Mining Co., Bevier, Ky.; Mine No. 3; Bevier, Ky.

DeBardeleben Coal Corp., 2201 First Ave., North, Birmingham, Ala.; Sipsey; Sipsey, Ala.

Ebensburg Coal Co., 123 So. Broad St., Philadelphia, Pa.; Colver No. 1; Colver, Pa.

H. C. Frick Coke Co., Frick Bldg., Pittsburgh, Pa.; Kyle; Kyle, Pa.

Gatliff Coal Co., Williamsburg, Ky.; Gatliff; Gatliff, Ky.

Harlan Collieries, Brookside, Ky.; Brookside; Brookside, Ky.

Harlan-Wallins Coal Corp., Verda, Ky.; Molus; Molus, Ky.

Knox Consolidated Coal Co., 1456 Consolidated Bldg., Indianapolis, Ind.; No. 1, Bicknell, Ind.; No. 2, Bicknell, Ind.; No. 5, Knox County, Ind.

The Liberty Elkhorn Mining Co., Drift, Ky.; Liberty, Maytown, Ky.

Woodward Iron Co., Woodward, Ala.; Mulga; Mulga, Ala.

[F. R. Doc. 45-11161; Filed, June 23, 1945; 2:01 p. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Entomology and Plant Quarantine.

GYPSY MOTH AND BROWN-TAIL MOTH QUARANTINE

NOTICE OF PUBLIC HEARING TO CONSIDER EXTENSION

Notice of public hearing to consider advisability of extending the gypsy moth and brown-tail moth quarantine to include the State of New York and to consider the quarantine status of an isolated infestation in the State of Pennsylvania.

The Secretary of Agriculture has information that the gypsy moth (*Porthetria dispar* L.), an insect pest of serious consequence to forest, shade, and fruit trees, and shrubs, and not heretofore widely prevalent or distributed within and throughout the United States, but known to be present as a continuous infestation in the New England States, has been found to be present in parts of eastern New York State into which the insect has apparently spread by natural progression from the adjoining infested areas. The Secretary also has information that an isolated infestation of the gypsy moth occurs in Pennsylvania.

It appears necessary, therefore, to consider the advisability of revising the quarantine on account of this insect (B. E. P. Q.—Q. 45; 7 CFR 301.45) to include the State of New York and of prohibiting or restricting the interstate movement from that State or areas therein where the gypsy moth has been discovered of (1) live gypsy moths in any stage of development, (2) trees, shrubs, and other plants having persistent woody stems, including Christmas trees and evergreen decorative plants, (3) forest plant products, (4) stone and quarry products, and (5) any other commodities or articles capable of carrying the gypsy moth in any of its stages. Consideration will also be given to the quarantine status of a small isolated infestation of the gypsy moth which has existed in northeastern Pennsylvania for a number of years and where spread of the insect apparently has been prevented by a State quarantine enforced in conjunction with eradication efforts cooperatively conducted by the Federal Government and the State of Pennsylvania.

Notice is, therefore, hereby given that, in accordance with section 8 of the Plant Quarantine Act of August 20, 1912 (37 Stat. 315; 7 U.S.C. 161), as amended, a public hearing will be held before the Bureau of Entomology and Plant Quarantine at the Hotel Sheraton, Newark, New Jersey, on July 10, 1945, at 10 a. m., in order that any person interested in the proposed quarantine revision may appear and be heard, either in person or by attorney.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

JUNE 23, 1945.

[F. R. Doc. 45-11164; Filed, June 23, 1945; 3:49 p. m.]

Rural Electrification Administration.

[Administrative Order 903]

ALLOCATION OF FUNDS FOR LOANS

MAY 28, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Illinois 5-46043B5 Pulaski	$75,000
Illinois 5-46045B3 Clinton	45,000
Iowa 5-46040C5 Marion	60,000
Iowa 5-46059C2 Woodbury	50,000
Iowa 5-46067B3 Sac	50,000
Louisiana 5-46016B3 Beauregard	40,000
Michigan 5-46044C1 Grand Traverse	55,000
Missouri 5-46018E3 Texas	80,000
Nebraska 5-46056C5 Cedar-Knox District Public	50,000
Nebraska 5-46063B3 Stanton District Public	40,000
Ohio 5-46036F1 Guernsey	375,000
Ohio 5-46093B4 Washington	396,000
Ohio 5-46094B1 Adams	60,000
Oklahoma 5-46010E3 Cleveland	50,000
Texas 5-46096C6 Victoria	100,000
Texas 5-46102C1 Jackson	100,000
Vermont 5010B4 Windham	29,024
Vermont 5-46016B4 Windham	20,976
Virginia 5-46029K3 Nelson	50,000
Virginia 5-46030D5 Bath	50,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-11192; Filed, June 25, 1945; 11:06 a. m.]

[Administrative Order 904]

ALLOCATION OF FUNDS FOR LOANS

MAY 31, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts set forth in the following schedule:

Project designation:	*Amount*
Florida 5-46035A1 Glades	$215,700
Florida 5-46035G1 Glades	259,300
Michigan 5-46044D1 Grand Traverse	40,000
Oregon 5-46026C1 Wasco	692,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-11193; Filed, June 25, 1945; 11:06 a. m.]

[Administrative Order 905]

ALLOCATION OF FUNDS FOR LOANS

MAY 31, 1945.

I hereby amend:

(a) Administrative Order No. 897, dated May 14, 1945, by changing the project designation appearing therein as "Kentucky 5038C4 Fulton" to read "Kentucky 5-4038C4 Fulton";

(b) Administrative Order No. 897, dated May 14, 1945, by changing the project designation appearing therein as "Minnesota 5001D3 Kanabec" to read "Minnesota 5-4001D3 Kanabec";

(c) Administrative Order No. 895, dated April 30, 1945, by changing the project designation appearing therein as "Oklahoma 5015H2 Tillman" to read "Oklahoma 5-4015H2 Tillman";

(d) Administrative Order No. 895, dated April 30, 1945, by changing the project designation appearing therein as "South Carolina 5021B4 Lancaster" to read "South Carolina 5-4021B4 Lancaster."

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-11194; Filed, June 25, 1945; 11:06 a. m.]

[Administrative Order 906]

ALLOCATION OF FUNDS FOR LOANS

MAY 31, 1945.

I hereby amend:

(a) Administrative Order No. 896, dated May 5, 1945, by rescinding the allocation of $31,000 therein made for "Florida 5038A1 Dade";

(b) Administrative Order No. 282, dated September 1, 1938, by reducing the allocation of $25,000 therein made for "Tennessee 8022B1 Gibson" (project designation changed by Administrative Order No. 457, dated May 10, 1940, to read "Tennessee 9-8022B1 Milan Public") by $3,205.44, so that the reduced allocation shall be $21,794.56;

(c) Administrative Order No. 413, dated November 22, 1939, by reducing the allocation of $55,000 therein made for "Tennessee 0029A1 Weakly Public" by $3,669.36, so that the reduced allocation shall be $51,330.64;

(d) Administrative Order No. 329, dated March 22, 1939, by rescinding the allocation of $5,000 therein made for "Texas R9074W2 Baylor" (project designation changed to read "Texas R9074W2 Seymour Public" by Administrative Order No. 469, dated June 4, 1940);

(e) Administrative Order No. 721, dated June 25, 1942, by reducing the allocation of $417,000 therein made for "Texas 2087C1 Karnes" by $267,000, so that the reduced allocation shall be $150,000.

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-11195; Filed, June 25, 1945; 11:06 a. m.]

[Administrative Order 907]

ALLOCATION OF FUNDS FOR LOANS

JUNE 1, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Arkansas 5-46018E2 Carroll	$50,000
Arkansas 5-46022D1 Clay	135,000
Florida 5-4030A2 Walton	50,000
Florida 5034A1 Bay	17,091
Florida 5-2034A1 Bay	82,909
Georgia 5094A3 Jones	50,000
Iowa 5-46021D1 Guthrie	125,000
Iowa 5-46060D1 Emmet-Dickinson	75,000
Iowa 5-46071C1 Buchanan	75,000
Kentucky 5-46021F2 Nelson	50,000
Kentucky 5-46037D3 Owen	50,000
Kentucky 5-46040C4 Jessamine	50,000
Kentucky 5-46056C2 Morgan	50,000
Missouri 5-46030H1 Lawrence	150,000
Missouri 5-46053D1 Polk	130,000
Missouri 5-46055D1 Cedar	150,000
Nebraska 5-46088A1 Perkins	460,000
North Carolina 5-46047A2 Wake	25,000
North Carolina 5049B1 Surry	14,164
North Carolina 5-46049B1 Surry	312,836
Oklahoma 5-46012F1 Alfalfa	125,000
Pennsylvania 5-46017E1 Armstrong	124,000
Texas 5-46135A3 Ochiltree	109,000
Wisconsin 5-2062A2 Portage	45,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-11196; Filed, June 25, 1945; 11:06 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employer's representations that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, LEARNER, OCCUPATIONS, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, EFFECTIVE AND EXPIRATION DATES

Southwestern Junior College, Keene, Texas; furniture, ladder, chenille factory and print shop; 50 learners, milliman, assembler and related operations for a learning period of 480 hours at 30¢ for the first 300 hours and 35¢ for the last 180 hours; 15 learners, serger, cutter, machine operator, trimmer and related operations for a learning period of 600 hours at 30¢ for the first 400 hours and 35¢ for the last 200 hours; 10 learners, compositor, pressman and re-

lated operations for a learning period of 1,000 hours at 30¢ for the first 500 hours and 35¢ for the last 500 hours; effective June 12, 1945, expiring June 30, 1946.

Signed at New York, New York, this 20th day of June 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-11113; Filed, June 23, 1945; 11:04 a. m.]

[Administrative Order 349]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Rolando Anglada from Special Industry Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Luis R. Gonzalez of Hato Rey, Puerto Rico.

Signed at New York, New York, this 16th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-11176; Filed, June 23, 1945; 4:29 p. m.]

[Administrative Order 350]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Luis R. Gonzalez from Special Industry Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. Jose Margarida of San Juan, Puerto Rico.

Signed at New York, New York this 18th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-11175; Filed, June 23, 1945; 4:28 p. m.]

[Administrative Order 351]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Jose Margarida from Special Industry Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. James E. Powell of San Juan, Puerto Rico.

Signed at Washington, D. C., this 20th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-11177; Filed, June 23, 1945; 4:29 p. m.]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

NOTICE OF HEARING

Revised notice of public hearing before Special Industry Committee No. 4 for Puerto Rico for the purpose of receiving evidence to be considered in recommending minimum wage rates for employees in Puerto Rico engaged in the wholesaling, warehousing, and other distribution industries; the foods, beverages, and related products industries; the chemical, petroleum, and related products industries; the stone, clay, glass, and related products industries; the construction, business service, motion picture, and miscellaneous industries; the metal, plastics, machinery, instrument, transportation equipment, and allied industries; the lumber and wood products industries; the communications, utilities, and miscellaneous transportation industries; the leather, textile, rubber, straw, and related products industries; the paper and related products industries; and the woven and knitted fabric glove division and the leather glove division of the needlework industries.

Whereas, on May 17, 1945 there was published in the FEDERAL REGISTER notice of hearing to be held in Puerto Rico beginning June 11, 1945 before Special Industry Committee No. 4 for Puerto Rico; and

Whereas, on June 13, 1945 by Administrative Order No. 345 the Administrator of the Wage and Hour Division of the United States Department of Labor disapproved the recommendation of Special Industry Committee No. 3 for Puerto Rico for the newspaper publishing and graphic arts industry in Puerto Rico; and

Whereas, on June 14, 1945, by Administrative Order No. 346, the Administrator amended Administrative Order No. 344 dated May 10, 1945, appointing Special Industry Committee No. 4 for Puerto Rico, so as to amend the title and definition of the paper and related products industries to include the operations, activities and products previously included in the newspaper publishing and graphic arts industry as defined by Special Industry Committee No. 3 for Puerto Rico;

Now, therefore, the above notice of hearing is hereby amended so that the title of the "Paper and Related Products Industries" shall read the "Paper, Paper Products, Printing, Publishing, and Related Industries." Notice is also hereby given that the public hearing in the paper, paper products, printing, publishing, and related industries will be held on July 2, 1945, at 10 a. m. in the Chamber of Commerce Auditorium, San Juan, Puerto Rico, in accordance with the provisions of the original notice of hearing in this matter, except that notice of intention to appear shall be filed not later than July 2, 1945, and written statements of persons who cannot appear personally shall be received not later than July 2, 1945.

Signed at San Juan, Puerto Rico, this 18th day of June 1945.

MARTIN TRAVIESO,
Chairman,
Special Industry Committee No. 4 for Puerto Rico.

[F. R. Doc. 45-11174; Filed, June 23, 1945; 4:28 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1925]

TRANS-CANADA AIR LINES

NOTICE OF HEARING

In the matter of the application of Trans-Canada Air Lines for a foreign air permit under section 402 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001, that a hearing in the above-entitled proceeding is assigned to be held on July 2, 1945, at 10:00 a.m. (eastern war time) in Room 5132, Department of Commerce Building, Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., June 21, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMES,
Secretary.

[F. R. Doc. 45-11202; Filed, June 25, 1945; 11:26 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-627 and G-635]

PITTSBURGH & WEST VIRGINIA GAS CO. ET AL.

ORDER DENYING REQUESTED POSTPONEMENT OF HEARING AND FIXING DATE FOR FURTHER HEARING

JUNE 19, 1945.

City of Pittsburgh, complainant, v. Pittsburgh & West Virginia Gas Company, Kentucky West Virginia Gas Company, Defendants; Docket No. G-627. In the matter of Pittsburgh & West Virginia Gas Company and Kentucky West Virginia Gas Company, Docket No. G-635.

Upon consideration of the application for continuance of the hearings in the above-entitled matters filed on June 18, 1945, by Pittsburgh & West Virginia Gas Company and Kentucky West Virginia Gas Company, and upon consideration of the record in these proceedings,

It appears to the Commission that:

(a) On March 17, 1945, the City of Pittsburgh, Pennsylvania, a municipality within the meaning of the Natural Gas Act, filed a complaint in Docket No. G-627 in which it alleged, among other things, that Pittsburgh & West Virginia Gas Company ("Pittsburgh Company") is engaged in the sale of natural gas in interstate commerce to Equitable Gas Company ("Equitable"), a wholly owned subsidiary of Pittsburgh Company engaged in the business of distributing natural gas at retail to domestic, commercial and industrial customers in the City of Pittsburgh and surrounding territory; that all or a substantial part of the gas sold by Kentucky West Virginia Gas Company ("Kentucky Company") to its affiliate, Pittsburgh Company, is in turn sold by the latter company to Equitable; and that the rates and charges demanded and collected by Kentucky Company for the sale of natural gas to Pittsburgh Company and by Pittsburgh Company to Equitable are unjust and unreasonable and in contravention of the provisions of the Natural Gas Act.

(b) The City of Pittsburgh also alleged in its complaint that Equitable had on December 11, 1944, filed a tariff with the Pennsylvania Public Utility Commission which would effect increases in Equitable's presently existing retail rates in the City of Pittsburgh; and that the Pennsylvania Commission, after protests against the increased rates had been filed by the City of Pittsburgh and others, had, on its own motion, instituted an inquiry to determine the fairness, reasonableness, and justness of the proposed increases and had, in accordance with the law of Pennsylvania, suspended the operation of the increased rates to August 10, 1945.

(c) The City of Pittsburgh prayed that an immediate investigation and hearing be instituted of the justness and reasonableness of the rates and charges of Pittsburgh and Kentucky Companies and stressed the need for speedy relief because of the fact that a substantial portion of Equitable's operating expenses consists of the cost of natural gas purchased from Pittsburgh Company and the "relatively short period of suspension" of Equitable's proposed rate increases.

(d) The complaint was served on Pittsburgh and Kentucky companies on March 23, 1945, and their answers were filed on April 16, 1945. In these answers, among other things, the companies denied that their rates and charges are unjust and unreasonable.

(e) On April 18, 1945, the Commission adopted an order instituting an investigation on its own motion of all rates and charges of Pittsburgh Company and Kentucky Company subject to the Commission's jurisdiction, in Docket No. G-635, consolidated the complaint proceeding and the investigation for purposes of hearing, and set both proceedings for public hearing on June 11, 1945.

(f) In accordance with the Commission's order of May 29, 1945, fixing the procedure to be followed at the hearing, the City of Pittsburgh and the Office of Price Administration, which had on April 10, 1945, been permitted to intervene in the proceedings, on June 11, 1945, and June 12, 1945, presented their case in chief. Upon completion thereof the Trial Examiner, in accordance with the order fixing the procedure to be followed at the hearing, requested the Pittsburgh and Kentucky Companies to go forward with their case in chief. Counsel for the afore-named companies then announced for the first time the companies were not ready to proceed and requested a minimum of thirty days to present a portion of their case and about three or four months to present the entire case in chief.

(g) The trial examiner on June 13, 1945, denied the request for continuance and directed Pittsburgh and Kentucky Companies to go forward with their case in chief on June 18, 1945.

(h) On June 18, 1945, Pittsburgh and Kentucky Companies jointly filed a written application for a continuance of the hearings in which they represented that they would be ready to present a portion of their case in chief by July 18, 1945, at the earliest and that their entire case in chief would not be ready before September 16, 1945, and possibly not before October 16, 1945.

The Commission finds that:

(1) The Commission's order of April 18, 1945, setting the above-entitled matters for hearing, was served on Pittsburgh Company and Kentucky Company on April 20, 1945; and such companies have had notice of the urgency of these proceedings since March 23, 1945.

(2) Pittsburgh Company and Kentucky Company have had notice of the issues involved in these proceedings at least since April 20, 1945, and the record indicates that they were informed on these aspects since March 23, 1945.

(3) Pittsburgh Company and Kentucky Company filed no application for continuance prior to June 11, 1945, and did not make known any need for a continuance before June 12, 1945.

(4) Ample opportunity has been afforded Pittsburgh Company and Kentucky Company to prepare and go forward with their case in chief.

(5) No good cause has, therefore, been shown for the granting of the application for continuance, and the same should be denied, as hereinafter ordered.

The Commission orders that:

(A) The application for continuance filed by Pittsburgh Company and Kentucky Company on June 18, 1945, be and the same is hereby denied.

(B) The hearings in the above-entitled matters be recessed from June 19, 1945, to July 10, 1945, at which time Pittsburgh Company and Kentucky Company shall go forward with the presentation of their entire case in chief without further delay and recesses.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-11186; Filed, June 25, 1945; 9:37 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 320]

UNLOADING OF GARLIC AT SAN FRANCISCO, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23d day of June, A. D. 1945.

It appearing, that cars PFE 92006 and 34892 containing garlic, now at San Francisco, California, on the Southern Pacific Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, that:

Garlic at San Francisco, California, be unloaded. (a) The Southern Pacific Company, its agents or employees, shall unload forthwith cars PFE 92006 and 34892, containing garlic, now on hand at San Francisco, California, consigned to California Bank notify Gonzales and Blanco, Los Angeles.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such cars have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Southern Pacific Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11190; Filed, June 25, 1945; 11:02 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 16]

NORDMARK CORP. AND NORDMARK CHEMICAL WORKS, INC.

Whereas, by Vesting Order No. 343, dated November 7, 1942 (8 F.R. 242, January 6, 1943) the Alien Property Custodian vested all of the issued and outstanding shares of the capital stock of Nordmark Corporation, a Delaware corporation; and by Supervisory Order No. 77, dated November 7, 1942, undertook the direction, management, supervision and control of said Nordmark Corporation; and

Whereas, by Supervisory Order No. 134, dated February 2, 1943, the Alien Property Custodian undertook the direction, management, supervision and control of Nordmark Chemical Works, Inc., a New York corporation, all of the capital stock of which is owned by said Nordmark Corporation, to the extent deemed necessary or advisable from time to time; and

Whereas, by said Vesting Order No. 243, dated as aforesaid, the Alien Property Custodian vested all right, title, interest and claim of any name or nature whatsoever of Nordmark Werke G. m. b. h. in and to all indebtedness owing to it by said Nordmark Chemical Works, Inc.; and

Whereas, Nordmark Corporation and Nordmark Chemical Works, Inc. have been substantially liquidated under the supervision of the Alien Property Custodian.

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors of Nordmark Corporation and Nordmark Chemical Works, Inc. have been paid, except such claim if any as the undersigned may have against either or both corporations for monies advanced or services rendered to or on behalf of either or both corporations; and except a claim of Nordmark Werke G. m. b. H. against Nordmark Chemical Works, Inc., in the sum of $13,369.91, which has been vested by the Custodian as aforesaid; and

2. Having determined that it is in the national interest of the United States that both said corporations be dissolved and the assets of both corporations be distributed, and a Certificate of Dissolution of Nordmark Corporation having accordingly been filed with the Secretary of State of the State of Delaware, and a Certificate of Dissolution of Nordmark Chemical Works, Inc., having accordingly been filed with the Secretary of State of the State of New York;

hereby orders, that the Officers and Directors of Nordmark Chemical Works, Inc. (to wit: Robert Kremer, President and Director, E. W. Hardy, Secretary and Director, and M. S. Watts, Treasurer and Director, and their successors, or any of them) continue the proceedings for the dissolution of Nordmark Chemical Works, Inc., in accordance with the Statutes of the State of New York in such cases made and provided; and further orders, that the said Officers and Directors wind up the affairs of said corporation, Nordmark Chemical Works, Inc., and distribute the assets thereof coming into their possession as follows:

a. They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of Nordmark Chemical Works, Inc. and the dissolution thereof; and

b. They shall then pay all known Federal, State and local taxes and fees owed by or accruing against Nordmark Chemical Works, Inc.; and

c. They shall then pay over, transfer, assign and deliver to the undersigned out of the funds and property, if any, remaining in their hands after the payments as aforesaid, such amount as is necessary to satisfy the claim of the undersigned in the amount of $13,369.91 against said Nordmark Chemical Works, Inc., as hereinbefore described; and

d. They shall then pay over, transfer, assign and deliver to the undersigned out of the funds and property, if any, remaining in their hands after the payments as aforesaid, such sum as is necessary to satisfy such claim, if any, as the undersigned may have for monies advanced or services rendered to or on behalf of said Nordmark Chemical Works, Inc.; and

e. They shall then pay over, transfer, assign and deliver to the officers and directors of said Nordmark Corporation all of the funds and property, if any, remaining in their hands after the payments as aforesaid, as a liquidating distribution of assets to said Nordmark Corporation as holder of all of the issued and outstanding capital stock of Nordmark Chemical Works, Inc.; and

further orders, that the Officers and Directors of the Nordmark Corporation (to wit: Robert Kramer, President and Director, E. W. Hardy, Secretary and Director, and M. S. Watts, Treasurer and Director, and their successors, or any of them) continue the proceedings for the dissolution of Nordmark Corporation, in accordance with the statutes of the State of Delaware in such cases made and provided; and further orders, that the said Officers and Directors wind up the affairs of said corporation, Nordmark Corporation, and distribute the assets thereof coming into their possession as follows:

a. They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of Nordmark Corporation and the dissolution thereof; and

b. They shall then pay all known Federal, State and local taxes and fees owed by or accruing against Nordmark Corporation;

c. They shall then pay over, transfer, assign and deliver to the undersigned all of the funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any persons making claim against said Nordmark Chemical Works, Inc., or under the laws of the State of Delaware, of any person making claim against said Nordmark Corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned and applied by him as a liquidating distribution of the assets to the undersigned as stockholder as above set forth: *Provided, however*, That any such claims against Nordmark Chemical Works, Inc., shall be filed with or presented to the undersigned within the time prescribed for such claims by the statutes of the State of New York, and that any such claims against Nordmark Corporation shall be filed with or presented to the undersigned within the time prescribed for such claims by the statutes of the State of Delaware; and further orders, that all actions taken and acts done by the said officers and directors of J. W. Spear & Sons, Incorporated, pursuant to the order and the directions contained therein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., June 19, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-11121; Filed, June 23, 1945; 11:12 a. m.]

[Dissolution Order 17]

J. W. SPEAR & SONS, INC.

Whereas, by Vesting Order No. 718, dated January 18, 1943 (8 F.R. 2451, February 26, 1943), the undersigned vested all of the issued and outstanding shares of the capital stock of J. W. Spear & Sons, Incorporated, a New York Corporation; and

Whereas, J. W. Spear & Sons, Incorporated has been substantially liquidated under the supervision of the undersigned.

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except such claim if any as the undersigned may have for monies advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved and its assets distributed, and a Certificate of Dissolution having accordingly been filed with the Secretary of State of the State of New York;

hereby orders, that the officers and directors of J. W. Spear & Sons, Incorporated, (to wit, E. W. Hardy, President and Director, and Stanley B. Reid, Secretary and Director, and Robert Kramer, Treasurer and Director, and their successors, or any of them), continue the proceedings for the dissolution of J. W. Spear & Sons, Incorporated, in accordance with the statutes of the State of New York in such cases made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State and local Taxes and fees owed by or accruing against said corporation; and

(c) They shall then pay over, transfer, assign and deliver to the undersigned all other funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing

the rights, under the laws of the State of New York, of any persons who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned and applied by him as a liquidating distribution of assets to the undersigned as stockholder as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the statutes of the State of New York; and further orders, that all actions taken and acts done by the said officers and directors of J. W. Spear & Sons, Incorporated, pursuant to the order and the directions contained therein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., June 19, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-11122; Filed, June 23, 1945; 11:12 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 739]

LUCERA AND CRESCENT CITY, CALIF.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 28, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

A. W. Way, doing business as Way's Redwood Empire Freight Lines, Eureka, Calif.
George S. Butler, doing business as Butler Freight Service, Eureka, Calif.
Veryl Collison, Eureka, Calif.

[F. R. Doc. 45-11087; Filed, June 22, 1945; 3:47 p. m.]

[Supp. Order ODT 3, Rev. 740]

IDAHO AND WASHINGTON

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall

[1] Filed as part of the original document.

apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 28, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

M. R. Goodwin, doing business as Goodwin Moving & Storage Co., Spokane, Wash.
Don M. Chapin, Lewiston, Idaho.

[F. R. Doc. 45-11038; Filed, June 22, 1945; 3:47 p. m.]

[Supp. Order ODT 3, Rev. 741]

HOOKER, OKLA. AND DALHART, TEX.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 28, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Jesse L. Riley, doing business as Riley's Truck Line, Pratt, Kans.
E. S. Westerfield, doing business as Texas-Oklahoma Motor Freight Line, Amarillo, Tex.
D. G. Dalby, doing business as Denver-Amarillo Express, Amarillo, Tex.
D. G. Dalby, doing business as Denver-Amarillo Express, Lessee and Operator of Harold B. Reynolds, doing business as North Plains Motor Freight Line, Amarillo, Tex.

[F. R. Doc. 45-11039; Filed, June 22, 1945; 3:48 p. m.]

[Supp. Order ODT 3, Rev. 742]

SEATTLE AND BELLINGHAM, WASH.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 28, 1945 and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

John Barber, doing business as Bellingham Transfer, Bellingham, Wash.
Coast Transit, Inc., Bellingham, Wash.
Model Truck & Storage Co., Bellingham, Wash.
Pacific Highway Transport, Inc., Seattle, Wash.
Gustave Robertson, doing business as Robertson Freight Lines, Portland, Oreg.

[F. R. Doc. 45-11040; Filed, June 22, 1945; 3:48 p. m.]

[Supp. Order ODT 3, Rev. 743]

WASHINGTON

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such

[1] Filed as part of the original document.

diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 28, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX I

M. R. Goodwin, doing business as Goodwin Moving & Storage Co., Spokane, Wash.
Harry H. Maskelyne and Albert W. Maskelyne, copartners, doing business as Maskelyne Bros. Transfer & Storage, Walla Walla, Wash.
R. G. Culbertson, doing business as Bryant Transfer, Walla Walla, Wash.
D. Vern Howell, doing business as Woolsey Transfer, Walla Walla, Wash.

[F. R. Doc. 45-11041; Filed, June 22, 1945; 3:48 p. m.]

[Supp. Order ODT 3, Rev. 744]

CHICAGO, ILL., AND CUDAHY, WIS.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

[1] Filed as part of the original document.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carrier's possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 28, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of June 1945.

GUY A. RICHARDSON,
Director,
High Transport Department,
Office of Defense Transportation.

APPENDIX 1

Coordinated Transport, Inc., of Illinois, Chicago, Ill.
Liberty Trucking Co., Chicago, Ill.

[F. R. Doc. 45-11042; Filed, June 22, 1945; 3:48 p. m.]

[Supp. Order ODT 6A-135]

NEW YORK AND BERGEN COUNTY, N. J.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 28, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of June 1945.

GUY A. RICHARDSON,
Director,
High Transport Department,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Volk's Express, Inc., Nyack, N. Y.
Clement DeSimone, doing business as Rockland Express, Nyack, N. Y.

[F. R. Doc. 45-11043; Filed, June 22, 1945; 3:49 p. m.]

[Supp. Order ODT 6A-136]

GULFPORT, MISS., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in viola-

tion of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 28, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of June 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Gordons Transports, Inc., Memphis, Tenn.
McDonough Motor Express, Inc., Meridian, Miss.

[F. R. Doc. 45-11044; Filed, June 22, 1945; 3:49 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Max. Import Price Reg., Order 358 Under Order 38]

EXTRA-FANCY, FANCY AND UNGRADED CANADIAN CANNED LOBSTER AND CANADIAN CANNED LOBSTER PASTE

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the provisions of section (c) (5) of Order 38 under the Maximum Import Price Regulation, it is ordered:

(a) *Purpose of this order.* The purpose of this order is to establish separate item maximum prices at which extra-fancy, fancy, and ungraded Canadian Canned Lobster (any brand) and Canadian Canned Lobster Paste (any brand) may be sold by importers to independent retail stores, industrial users and institutional users without having to make application to the Office of Price Administration for the issuance of an individual order.

(b) *Application of this order; exception from this order.* The maximum prices established by this order apply only to sales of extra-fancy, fancy and ungraded Canadian Canned Lobster (any brand) and Canadian Canned Lobster Paste (any brand) to the classes of purchasers specified herein. Sales to classes of purchasers other than those specifically set out are not authorized by this order.

(c) *Importers' maximum prices.* The maximum prices, on sales to the classes of purchasers named below, above which no importer shall sell and no person buying from an importer shall purchase, for the following designated sizes of extra-fancy, fancy and ungraded Canadian Canned Lobster (any brand) and Canadian Canned Lobster Paste (any brand) which have been shipped from points in Canada to New York, New York, shall be as follows:

Sales by importers of—	Canadian Canned Lobster ex car or ex warehouse, New York, N. Y.			
	One dozen 6-oz. tins (½ lb.)		One dozen 12-oz. tins (1 lb.)	
	Fancy and extra-fancy	Ungraded	Fancy and extra-fancy	Ungraded
To:				
Independent retail stores	$6.93	$6.62	$13.82	$13.52
Industrial users	7.20	6.89	14.40	13.78
Institutional users	7.20	6.89	14.40	13.78

Sales by importers of—	Canadian Canned Lobster Paste ex car or ex warehouse, New York, N. Y.	
	One dozen 3- to 3½-oz. tins (¼ lb.)	One dozen 6-oz. tins (½ lb.)
To:		
Independent retail stores	$2.65	$4.12
Industrial users	2.77	4.29
Institutional users	2.77	4.29

The maximum prices quoted above are ex car or ex warehouse New York, New York. The maximum prices ex car or ex warehouse in some city other than New York, N. Y. shall be determined by adding to or subtracting from the New York, N. Y. maximum price the difference between the transportation costs of $0.03 per dozen 3 to 3½ ounce tins, $0.06 per dozen 6-ounce tins and $0.11 per dozen 12-ounce tins from the Canadian point of origin to New York, N. Y. and the actual transportation cost incurred on one dozen tins of the same weight from the Canadian point of origin to such other city.

(d) *Terms of sale.* The importer shall grant, with respect to his sales of extra-fancy, fancy and ungraded Canadian Canned Lobster (any brand) and Canadian Canned Lobster Paste (any brand) for which maximum prices are established by this order, the discount for cash or prompt payment customarily granted in 1941, on sales of the same merchandise, to purchasers of the same class.

(e) *Definitions.* An "independent retail store" is one that is not one of four or more stores under one ownership whose combined "annual gross sales" are $500,000 or more.

An "industrial user" is any person who, either for his own commercial use or for resale, subjects an imported food item covered by this regulation, to a process that results in the production of a new and different article having a distinctive name, character or use; or who uses such food item as an ingredient or a component part of such an article.

An "institutional user" is a restaurant, hotel, club, hospital, or other similar establishment using an imported food item covered by this regulation in preparation or service of meals to individual consumers.

(f) *Relation of this order to Order 38.* Unless the context otherwise requires, the provisions of Order 38 under the Maximum Import Price Regulation (with the requirement for notice to purchasers as set out in paragraph (k)) shall apply to the sales for which the maximum prices are established by this order.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11216; Filed, June 25, 1945; 11:33 a. m.]

[MPR 188, Amdt. 84 to Order A-1]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new paragraph (a) (60) is added to Order A-1 to read as follows:

(a) (60) *Modification of maximum prices for vitrified clay sewer pipe and allied products when sold for delivery outside a factory's normal market area.* (i) The manufacturer's maximum prices for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation 206, when sold for shipment from a factory to a destination which is outside the normal market area of such factory, to a Federal, State, county or municipal governmental agency, or to a drainage or sewerage district, or to a contractor or subcontractor of any such agency or district, may be determined in the following manner:

(a) A price f. o. b. factory not in excess of 95 percent of the f. o. b. plant price for straight or mixed carload shipments. The following methods shall be used in determining the f. o. b. plant price which shall apply to manufacturers who wish to use this subdivision:

1. For those manufacturers who sell on an f. o. b. plant basis, the price so established in this Maximum Price Regulation 188.

2. For those manufacturers who sell at a delivered price based on geographical zones, the delivered price as established in this Maximum Price Regulation 188, for the zone within which the factory is located, less the weighted average freight paid by the manufacturer, during the calendar year 1941, for delivery in the zone in which the factory is located.

For those manufacturers who determine their price in accordance with 2, the weighted average freight shall be determined in the following manner: From the total amount of freight paid during the year 1941 for rail delivery of sewer pipe products to the zone within which the factory is located, deduct that amount of freight applicable to dunnage only, that is, to crating, bracing, or other materials carried for the protection of the product. Divide the balance by the total amount of tons of sewer pipe products delivered by rail, during the calendar year 1941, in the zone in which the factory is located.

3. For manufacturers located in the Eastern Area, who sell at a delivered price based on freight rate zones, the delivered price as established in this Maximum Price Regulation 188, in the first or 10¢ zone, less the highest amount of freight from Akron, for delivery to the first, or 10¢ zone.

(b) A delivered price may be charged under this provision not higher than the maximum price established in this subparagraph, f. o. b. factory plus the actual freight charges incurred by the manufacturer in making delivery to the point of destination.

(c) Material purchased in accordance with the provisions of this subparagraph which is in excess of requirements, or which is rejected by the purchaser for cause, may be re-sold to any person at the prices established by the General Maximum Price Regulation, for the same grade or quality for the area in which the product is ultimately used.

(ii) A manufacturer may sell vitrified clay sewer pipe and allied products to any person who resells to any of the purchasers specified in (i) above, at prices not in excess of the maximum prices established pursuant to (i) above.

(iii) The manufacturer must compute transportation charges on the basis of rail carload quantities.

(iv) The manufacturer must secure and retain for inspection of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect a certificate signed by the purchaser in the following form:

CERTIFICATE FORM

(Form OPA 678-655a)

Place _____
Date _____

Project _____
(Identity: Number, location, etc.)

Purchaser _____
(Area Engineer; Purchasing Agent; Contractor; Subcontractor)

Quantity and description of sewer pipe products required: _____

_____

_____

The quantity of sewer pipe products listed above are required for the construction of the project named above. Diligent effort has been made to secure the necessary products from the sources of supply normally servicing the area where the project is located. Such sources are unable to supply the required products within the time allotted for construction. Therefore, it becomes necessary to purchase the required products from _____ Company (indicate whether distributor or manufacturer), whose office is located at _____. The products so purchased will not be used on any project other than one controlled by a Federal, State, county or municipal governmental agency, or by a drainage or sewerage district, or by a contractor or subcontractor of any such agency or district, except products that have been rejected for cause.

_____
(Name of purchaser)

By _____
(Title)

4. The following form of endorsement shall be made by the seller if he is not the manufacturer of the sewer pipe products. Such endorsement may be made on the reverse side of purchaser's certificate.

ENDORSEMENT FORM

(Form OPA 678-656a)

The undersigned has received an order from _____ of _____, which is covered by the certificate on the reverse side, or attached hereto. The undersigned is unable and will be unable to supply the requirements of the purchaser from our own stock of vitrified clay sewer pipe, or allied products, in the time allotted for delivery. It is therefore necessary to order from _____ of _____ the requirements of purchaser as listed on the certificate. Prices charged the purchaser by the undersigned do not exceed the maximum prices established in paragraph (a) (60) of Order A-1 under Maximum Price Regulation 188.

_____

By _____
(Title)

(v) Every manufacturer who makes a sale pursuant to this subparagraph in any month shall make a report to the Office of Price Administration, Washington 25, D. C., on or before the 15th day of the following month, setting forth a list of all sales which resulted in sewer pipe products being shipped to points outside his normal market area during the preceding calendar month, showing the name and address of the purchaser, the point of shipment and the point of delivery, the quantity and classification of products sold, the price charged, and the method of computing such price.

When used in this subparagraph the term:

"Normal market area" for any factory means that area in which sewer pipe products were regularly offered for sale during the period January 1, 1940, to January 1, 1942; for the purposes of this definition, sewer pipe products will be deemed to have been "regularly offered for sale" only in that area in which the factory had salesmen travelling at regular intervals and/or customarily quoted for shipment during the above-mentioned period.

This amendment shall become effective June 26, 1945.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11217; Filed, June 25, 1945; 11:31 a. m.]

[Order 375 Under 3 (b), Order 83]

SHABRO IMPORTING CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 83 under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation. Shabro Importing Company. Docket No. 6035:2-GMPR-ORD 375-164.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*:

(a) The maximum prices for the indicated sales below of Items 1, 2, 3, V-J and 5, all packaged confectionery items processed by Shabro Importing Company, New York 7, New York, in accordance with its price application dated May 31, 1945, shall be the sums following:

	Item 1	Item 2	Item 3	Item 4	Item 5
1. From Shabro Importing Co. to retailer or to factory, per item	$1.90	$1.69	$1.47	$2.16	$1.75
2. From retailers to consumers, per item	2.85	2.53	2.20	3.24	2.62

(b) The Shabro Importing Company may make substitutions in its various formulae: *Provided*, That any confectionery item used as a substitution be of at least equal cost to the item it replaces at the time of substitution.

(c) The prices established in this order are the highest prices for which these items may be sold by the respective sellers. All sellers, on sales of these items, shall reduce the above appropriate maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable candy items. In the application of any customary differentials, the specific maximum prices established by this order shall not be exceeded.

(d) Shabro Importing Company shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchaser, the following notice:

The Office of Price Administration has authorized us to sell our Items 1, 2, 3, V-J and 5 to retailers at the respective maximum prices per item of $1.90, $1.69, $1.47, $2.16 and $1.75, f. o. b. our factory. Retailers are authorized to sell these items to consumers at the respective maximum prices of $2.85, $2.53, $2.20, $3.24 and $2.62 per item. On sales of these items, all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable candy items.

(e) This order may be revoked or amended at any time by the Price Administrator.

(f) This Order No. 83 shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10999; Filed, June 22, 1945; 11:41 a. m.]

[MPR 64, Order 181]

CONSOLIDATED IRON-STEEL MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 10 and 11 of Maximum Price Regulation No. 64; it is ordered:

(a) *Manufacturer's maximum prices.* The Consolidated Iron-Steel Manufacturing Co., 1290 East 53 Street, Cleveland, 14, Ohio may adjust its maximum prices for sales to wholesale distributors of the three models of gas hot plates specified below which it manufactures by amounts no higher than those set forth opposite each model number, resulting in the following adjusted maximum prices:

Article	Model No.	Maximum price	Percent increase in maximum price	Adjusted maximum price to wholesale distributor
Gas hot plates	121	$8.65	10.1%	$9.53
	122	7.75	10	8.53
	130	7.71	10	8.48

The adjustment charges listed above may be made and collected only if they are separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, and allowances which are no less favorable than those in effect during the period January 15 to June 1, 1941.

(b) *Reseller's maximum prices.* Resellers at wholesale or retail shall determine their adjusted maximum prices for resales of the three gas hot plates identified above by adding to their maximum prices, as established under the General Maximum Pricing Regulation, the exact amount of the adjustment charge on each hot plate which the manufacturer or wholesale distributor separately states and collects from him in accordance with the terms of this order, *Provided, however*, That in these cases where the regulation requires the maximum price to be computed on the basis of cost, the amount used as the cost may be no greater than the supplier's maximum price in effect prior to the issuance of this order. Resellers' maximum prices adjusted under this order are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of the same or similar articles. Each seller to a purchaser for resale must state the amount of the adjustment charge separately on each invoice.

(c) *Notification.* At the time of or prior to the first invoice after the effective date of this order covering sales of any of the stoves listed above at a price adjusted by the order, the manufacturer and each wholesale distributor shall notify each purchaser for resale in writing of the method of adjusting maximum prices for resales established by paragraph (b) of this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of June 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11001; Filed, June 22, 1945; 11:42 a. m.]

[MPR 188, Order 3994]

BEALL PIPE AND TANK CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the Beall Pipe and Tank Corporation and as described in its application dated May 19, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington, D. C., shall be:

Model	Size	Maximum list price	Maximum retail price
9 C (chest model)	9 cu. ft. with 1 compartment	$299.00	$399
15 U (upright cabinet model)	15 cu. ft. with 1 compartment	250	333
17 C (chest model)	17 cu. ft. with 1 compartment	250	333
21 C (chest model)	21 cu. ft. with 1 compartment	299	399

(b) On sales by the Beall Pipe and Tank Corporation the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied:

Model 9 C	$4.00
Model 15 U	6.00
Model 17 C	6.00
Model 21 C	6.00

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following:

Model 9 C	$4.00
Model 15 U	6.00
Model 17 C	6.00
Model 21 C	6.00

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Beall Pipe and Tank Corporation shall stencil on the inside of the lid or cover of the farm and home freezers covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price—$____

Plus freight and crating as provided in Order No. ____ under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11003; Filed, June 22, 1945; 11:43 a. m.]

[MPR 188, Order 3995]

THOMAS H. BENTLEY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the heavy duty model 3 can milk cooler with ⅓ HP condensing unit and motor driven agitator manufactured by the Thomas H. Bentley Company shall be:

On sales to distributors	$239.20
On sales to dealers	299.00
On sales to consumers	399.00

(b) On sales by the Thomas H. Bentley Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied. $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Thomas H. Bentley Company shall stencil on the inside of the lid or cover of the milk cooler covered by this order the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $399.00

Plus freight and crating as provided for in Order No. 3995 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11004; Filed, June 22, 1945; 11:44 a. m.]

[MPR 260, Order 1264]

PETER PAUL KRUSZKA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Peter Paul Kruszka, 1502 West 18th Street, Chicago, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Remember Pearl Harbor.	Queens 5" Breva 4¾"	50 50	*Per M* $75 56	*Cents* 10 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11005; Filed, June 22, 1945; 11:44 a. m.]

[MPR 260, Order 1265]

EMILIO LEFLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Emilio Lefler, 1409 8 Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any

person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
E. I.	Coronas	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11006; Filed, June 22, 1945; 11:44 a. m.]

[MPR 260, Order 1266]

H. VIDAL CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H. Vidal Cigar Factory, 1723 Lexington Ave., New York 29, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Coronitas	4½"	50	$44	2 for 11
Coronubes	5"	50	90	12
Regalia	4¾"	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11007; Filed, June 22, 1945; 11:45 a. m.]

[MPR 260, Order 1267]

E. A. SHORB

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) E. A. Shorb, 614 Main St., McSherrystown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Shorb	President [1]	50	$90	12
Chas. J. Stanleys	do [1]	50	90	12
After Dinner.				
Fred Obergesumer.	do [1]	50	90	12
Loran Doane	do [1]	50	90	12
Westerbrooke	do [1]	50	90	12
Justo Garcia.				

[1] Prices granted apply only to those brands and frontmarks using Type 61 Connecticut Shade-Grown wrappers of the delimite grades specified in the application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11008; Filed, June 22, 1945; 11:45 a. m.]

[MPR 260, Order 1268]

FRANK G. GARCIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frank G. Garcia, 145 N. Clark St., Chicago 2, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11009; Filed, June 22, 1945; 11:46 a. m.]

[MPR 260, Order 1269]

HENRY BOLOTIN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Henry Bolotin, 3214 Montrose Ave., Chicago, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Mild Havana	Smoker 5"	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cuban Seal	Panatella Fancy.	50	$48	6
Frank G. Garcia.	Corona Chico Special.	50	146	19
	Palmas Special.	50	154	20
Flor de Soto	Corona Chicos.	50	146	19
Cuban Sun	El Comando	50	64	8
	Favoritas Chicos.	50	56	7
	Londres Grande.	50	72	9
Frank G. Garcia.	Sport Panatella Special.	50	115	15
	Queen Special.	50	154	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for

which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11010; Filed, June 22, 1945; 11:46 a. m.]

[MPR 260, Order 1270]

DIGNITY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Dignity Cigar Co., 7 Central Square, Lynn, Mass. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Nobility	Nobility Londres	50	$105	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11011; Filed, June 22, 1945; 11:46 a. m.]

[MPR 260, Order 1271]

EPHRAIM R. STAVELY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ephraim R. Stavely, 27 Park Avenue, Littlestown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Uncle Ephraim's	Londres	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11012; Filed, June 22 1945; 11:47 a. m.]

[MPR 260, Order 1272]

DOUGLAS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Douglas Cigar Factory, 3625 Douglas Blvd., Chicago, Ill. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Media	Breva 4½"	50	$75	10
L. J. R.	Breva 4½"	50	75	10
La Salle	Shaped 4½"	50	72	9
General Miriam	Breva 4¾"	50	44	2 for 11
La Salle	Breva 4½"	50	138	18
Longfellow	F. J. R. 6"	50	169	22
Michewier	Breva 4½"	50	56	7
Schlesinger's	Breva 4¾"	50	44	2 for 11
Community	Breva 4½"	50	56	7
Artesano	Breva 4½"	50	56	7
La Zoola	Breva 4½"	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11013; Filed, June 22, 1945; 11:47 a. m.]

[MPR 260, Order 1273]

MARCOS LLERENA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Marcos Llerena, 1652 Park Ave., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor de Llerena	Coronitas	50	$75	10
	Coronas	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11014; Filed, June 22, 1945; 11:47 a. m.]

[MPR 260, Order 1274]

LOUIS KALMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Louis Kalman, 266 Neilson St., New Brunswick, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
L. Kalman	Kalman Hand Made	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials al-

lowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11015; Filed, June 22, 1945; 11:48 a. m.]

[MPR 260, Order 1275]

WILLIAM C. MARLEY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) William C. Marley, Penn Ave., Ontonagon, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
McLaly	Ambassador	50	*Per M* $72	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11016; Filed, June 22, 1945; 11:48 a. m.]

[MPR 260, Order 1289]

MIRABEL Y SERIEL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mirabel y Seriel Cigar Co., 814 E Palm Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Don Manuel	Coronas	50	*Per M* $75 00	*Cents* 8
	Panetella Especial	50	141 00	17
	Diplomaticos	50	82 50	11
	Palmaras Grandes	50	175 00	25
	Palmas	50	135 00	15
	Kings	50	105 00	11
	Londres Grandes	50	135 00	15
	Blunts	50	60 00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11017; Filed, June 22, 1945; 11:48 a. m.]

[MPR 260, Order 1290]

A. MARTINEZ & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) A. Martinez & Co., 2704 21 St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garcia & Martinez	Especiales	50	*Per M* $97.50	*Cents* 13
	Londres	50	82 50	11
	Cadetes	50	93 75	2 for 25
	Carmen	50	82 50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11018; Filed, June 22, 1945; 11:48 a. m.]

[MPR 260, Order 1276]

LOWELL WOOLLEY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lowell Woolley, 2724 N. Wayne Ave., Chicago 14, Ill., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Liana	Liana	50	*Per M* $115	*Cents* 15
Eugene Field	Eugene Field	50	115	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11054; Filed, June 22, 1945; 4:18 p. m.]

[MPR 260, Order 1277]

ABE MESH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Abe Mesh, 69-71 Montgomery St., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Wild Chief	No. 1	50	$56.00	7
Prince D'Amerique	No. 3	50	97.50	13
San Miguel	No. 4	50	97.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11055. Filed, June 22, 1945; 4:19 p. m.]

[MPR 260, Order 1278]

G. E. M. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) G. E. M. Cigar Co., 37 Bollingbrook St., Petersburg, Va. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
G. E. M.	G. E. M. Perfecto	50	$48	2 for 11
	G. E. M. Sr.	50	70	7
	G. E. M. Jr.	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11056, Filed, June 22, 1945; 4:20 p. m.]

[MPR 260, Order 1279]

CHARLES D. RIDER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Charles D. Rider, Rear 33 N. Main St., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Hav-A-Taylor	10c Blunt	50	$70	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11057; Filed, June 22, 1945; 4:20 p. m.]

[MPR 260, Order 1280]

DIAZ & BORREGO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Diaz & Borrego Cigar Co., 2705 12 St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
D & B	Havana Cigarillos.	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11058; Filed, June 22, 1945; 4:20 p. m.]

[MPR 260, Order 1281]

CASTELLANO & CABRERA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Castellano & Cabrera Cigar Factory, 1806 19th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Castellano - Cabrera	Babies	50	$48.00	6
	Londres	50	154.00	20
	Grande.			
	Brevas	50	169.00	22
	Reinas-D	50	108.75	2 for 29
	Conchas	50	93.75	2 for 25
	Fancy Tales	50	154.00	20
	Bostons	50	93.75	2 for 25
	Londres	50	90.00	12
	Blunts	50	75.00	10
	Panetelleax	50	75.00	10
	C. C. Smokers	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

Administrator.

[F. R. Doc. 45-11055; Filed, June 22, 1945; 4:19 p. m.]

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11059; Filed, June 22, 1945; 4:21 p. m.]

[MPR 260, Order 1282]

GLORIA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gloria Cigar Factory, 1917 N. Howard, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Donna Rosa	Panetella LA	50	$150.00	20
	Panetella 2nd	50	131.00	17
	Kings	50	90.00	12
	Cadetes	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11060; Filed, June 22, 1945; 4:22 p. m.]

[MPR 260, Order 1283]

L. L. SUFFEL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) L. L. Suffel, 1443 43d Street, Des Moines 11, Iowa (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Suffel's Hand Made	4½".....	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11061; Filed, June 22, 1945; 4:22 p. m.]

[MPR 260, Order 1284]

MADELINE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Madeline Cigar Company, Key West, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
	Coronas 4½"	50	*Per M*	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11062; Filed, June 22, 1945; 4:22 p. m.]

[MPR 260, Order 1285]

CORONA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Corona Cigar Factory, 2901 21st Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Very Mild	King	50	$80.00	12
	Babies	50	82.50	11
	Panetella	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11063; Filed, June 22, 1945; 4:22 p. m.]

[MPR 260, Order 1286]

REY CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rey Cigar Factory, 2916 29th Street, Tampa 5, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Rey	Corona	50	$101.25	2 for 27
	Londres	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11064; Filed, June 22, 1945; 4:23 p. m.]

[MPR 260, Order 1287]

ROSALIE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rosalie Cigar Factory, 1610 19th St., Tampa 5, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Rosalie	Media Corona	50	$100	22
	Pina MeKay	50	75	10
	Tampaneto	50	50	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11065; Filed, June 22, 1945; 4:24 p. m.]

[MPR 260, Order 1288]

WILLIAM S. STIFFLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) William S. Stiffler, R. D. #2, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Stiffler Hand Made	De Luxe	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 23, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11051; Filed, June 22, 1945; 4:18 p. m.]

[General Order 62, Amdt. 1]

REGIONAL ADMINISTRATOR OF SAN FRANCISCO REGION

DELEGATION OF AUTHORITY

General Order 62 is amended by adding paragraph (e).

(e) On receipt of written certification of the State Department of the United States, of the names of all foreign government personnel accredited to attend the conference, to issue to each of such persons one special shoe stamp.

This amendment shall become effective June 22, 1945.

Issued this 22d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11052; Filed, June 22, 1945; 4:18 p. m.]

[MPR 120, Order 1402]

BOBBIE POCAHONTAS COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with §§ 1340.207 (a) and 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Lindsey and Borden Mine of Bobbie Pocahontas Coal Company is hereby assigned Mine Index No. 1024.

(b) Coals produced by Bobbie Pocahontas Coal Company from the Pocahontas No. 6 Seam at its Lindsey and Borden Mine, Mine Index No. 1024, located in Subdistrict No. 3 of District No. 7, may be purchased and sold for the indicated uses and movements at per net ton maximum prices not exceeding the following:

	Size group Nos.								
	1	2	3	4	5	6	7	8	9
Price classifications	D	D	C	A	A	B	B	D	D
All methods of transportation (except truck or wagon) and for all uses	$4.06	$4.16	$4.26	$3.81	$3.71	$4.06	$4.10	$3.36	$3.31
Truck or wagon shipments	4.91	4.11	4.41	3.76	3.61	3.96			

(c) The maximum prices established hereby are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and railroad fuel, all uses. The schedule of maximum prices set forth in Maximum Price Regulation No. 120 shall apply to all size groups not listed herein.

(d) The applicant shall include a statement on all invoices in connection with the sales of coal priced under this order that the price charged includes an adjustment granted by Order No. 1402 under Maximum Price Regulation No. 120 of the Office of Price Administration.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(g) This order may be revoked or amended by the Price Administrator at any time.

(h) The price classifications and mine index numbers assigned herein are permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11139; Filed, June 23, 1945; 11:46 a. m.]

[MPR 188, Rev. Order 3056]

WM. E. PHILLIPS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Wm. E. Phillips Company, 714 South Hill Street, Los Angeles 14, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons		
		Wholesalers	Retailers	Consumers
Cigarette lighter	Stadlit	*Each* $1.12	*Each* $1.50	*Each* $2.50

These maximum prices are for the article described in the manufacturer's application dated March 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 25th day of June 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11141; Filed, June 23, 1945; 11:47 a. m.]

[MPR 188, Order 3097]

HARRIS & BAKALAR

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Harris & Bakalar, 46 Madison Street, Brooklyn 16, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—		Maximum prices for sales by sellers other than manufacturer to—	
		Jobber	Retailer	Retailer	Consumer
Fisherman's knife	SA100	*Each* $2.40	*Each* $3.00	*Each* $4.00	*Each* $5.00
Hunting knife	12DE	1.92	2.40	2.40	4.00
Hunting knife	GSE	1.65	2.06	2.06	3.45

These maximum prices are for the articles described in the manufacturer's application dated May 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following state-

ment with the retail prices properly filled in:

OPA Retail Ceiling Price—$----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 25th day of June 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11142; Filed, June 23, 1945; 11:47 a. m.]

[Order 57 Under 3 (c)]

GOODYEAR TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.3 (c) of the General Maximum Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales in the shoe repair trade by the manufacturer thereof and by wholesalers of molded half-soles and toplift strips, each bearing the brand name Neolite, which are manufactured by The Goodyear Tire and Rubber Company of Akron, Ohio. It also establishes prices for shoe repairmen's sales of the unattached molded half-soles described above.

(b) *The manufacturer's and wholesalers' maximum prices.* The manufacturer's and wholesalers' maximum prices for sales in the shoe repair trade of the soles and toplift strips described in paragraph (a) shall be as follows:

NEOLITE HALF-SOLES, PER PAIR

Type	Iron	Size	To shoe repairmen, list	To wholesalers, net
Women's	6½	Standard	$0.22	$0.165
	6½	Large	.265	.20
Men's	6½	6	.36	.27
	6½	8	.395	.295
	6½	10	.425	.32
	6½	12	.48	.36
Boys'	10½	2	.285	.215
	10½	4	.365	.275
Men's	10½	6	.40	.30
	10½	8	.43	.325
	10½	10	.465	.35
	10½	12	.52	.39

NEOLITE TOPLIFT STRIPS, PER EACH

		To shoe repairmen	To wholesalers
9	12½" x 2⅜"	$2.90	$2.175
10½	12½" x 2⅝"	3.10	2.325
12	12½" x 2⅞"	3.40	2.55

The above maximum prices for sales to shoe repairmen shall be reduced by any cash discounts given by the seller to shoe repairmen of the same class during March 1942.

The above maximum prices for sales to wholesalers shall be decreased by 5 percent if the purchaser pays cash within thirty days after delivery.

The discount, transportation allowance and other provisions of paragraphs (e), (f) and (h) of § 1315.1424 of Maximum Price Regulation 200 shall apply to sales of the soles and toplift strips covered by this order.

(c) *Shoe repairmen's maximum prices for soles.* The maximum prices for sales by shoe repairmen of the soles (unattached) described in paragraph (a) shall be 40 percent of the maximum price established under the appropriate regulation of the Office of Price Administration for sales of the attached sole.

(d) *Notification of maximum prices.* With or prior to the first delivery to a wholesaler of any of the commodities covered by this order the seller shall notify the wholesaler in writing of the maximum prices (or the method of determining maximum prices) applicable to his resales as established by paragraph (b) of this order. With or prior to the first delivery to a reseller of any of the soles covered by this order the seller shall notify the reseller in writing that the maximum prices for shoe repairmen's sales of the unattached soles to consumers shall be 40 percent of the maximum prices established under the appropriate regulation of the Office of Price Administration for shoe repairmen's sales of the attached soles. If such reseller of the soles is a wholesaler this notification shall include a statement that the wholesaler is required to notify any purchaser to whom he sells that the maximum prices for the shoe repairmen's sales of the unattached soles to consumers shall be 40 percent of the maximum price established under the appropriate regulation of the Office of Price Administration for shoe repairmen's sales of the attached soles.

(e) All provisionsof the General Maximum Price Regulation that are not inconsistant with this order shall apply to sales covered by this order.

(f) This order may be revoked or amended by the Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11138; Filed, June 23, 1945; 11:46 a. m.]

[MPR 260, Order 1291]

IRWIN MARKLEY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Irwin Markley Cigar Co., Inc., R. D. No. 1, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garcia Imperial	Imperial	50	Per M $56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11144; Filed, June 23, 1945; 11:47 a. m.]

[MPR 260, Order 1292]

CESAR ALVAREZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cesar Alvarez Cigar Factory, 1610½ 9th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cesar Alvarez	Cadetes	50	Per M $72.00	Cents 9
	Cabos	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11145; Filed, June 23, 1945; 11:48 a. m.]

[MPR 260, Order 1293]

LA SUERTE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) La Suerte Cigar Factory, 64 West Chestnut St., Chicago 10, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Suerte	Stroller 4¾"	50	Per M $56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11146; Filed, June 23, 1945; 11:48 a. m.]

[MPR 260, Order 1294]

GARFIELD MANOR CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Garfield Manor Cigar Factory, 2645 W. 51 St., Chicago 32, Ill. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garfield Manor	Club House	50	Per M $72	Cents 9
	Perfecto Grande	50	75	10
	Invincible	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their

sizes of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11147; Filed, June 23, 1945; 11:49 a. m.]

[MPR 260, Order 1295]

RAYMOND A. MITZEL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Raymond A. Mitzel, 673 W. Broadway, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Mitzel's Queens	Hand Made	50	*Per M* $90	*Cents* 25 or 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11148; Filed, June 23, 1945; 11:49 a. m.]

[MPR 260, Order 1296]

DEL RIO FUENTE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Del Rio Fuente Cigar Factory, 930 11th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Del Rio Fuente	Boston	50	*Per M* $144	*Cents* 3
	Belicoso	50	108	3
	Londres[1]	50	90	12
	Sublimes	50	90	12
	Smokers	50	48	6
	Chicos	50	36	2 for 9

[1] Prices granted apply only to this brand and frontmark using imported Havana short filler only.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales

of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11149; Filed, June 23, 1945; 11:49 a. m.]

[MPR 260, Order 1297]

C. H. STEVENER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) C. H. Stevener, 198 Main Street, Oneonta, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
[illegible]	[illegible]		*Per M*	*Cents*
[illegible]	5"	50	$93	8
[illegible]	4½"	50	64	8
[illegible]	4½"	50	44	2 for 11
[illegible]	5"	50	64	8
[illegible]	4½"	50	64	8
[illegible]	4½"	50	44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11150; Filed, June 23, 1945; 11:49 a. m.]

[MPR 260, Order 1298]

RAMON SIERRA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ramon Sierra, 226 W. 28th St., New York City, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Las Marias	Coronitas	50	*Per M* $56	*Cents* 7
	Blunts	50	75	10
	Coronas	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11151; Filed, June 23, 1945; 11:50 a. m.]

[MPR 260, Order 1299]

LUZ M. GUADALUPE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Luz M. Guadalupe, 186 E. 104th Street, New York 29, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Rancha	Baltar Regalias.	50	$36	2 for 9
Something Special	Something Special.	50	36	2 for 9
Don Guada	Coronas	50	60	12
	Queen Grande	50	141	3 for 55
	Coronados	50	154	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11152; Filed, June 23, 1945; 11:50 a. m.]

[MPR 260, Order 1300]

FREDERICK A. BEDFORD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frederick A. Bedford, Box 776-B, R. F. D. Rt. 3, Sebastapol, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Redwood Empire	De Lux	30	$67.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11153; Filed, June 23, 1945; 11:50 a. m.]

[MPR 260, Order 1301]

EDWARD C. GROTHE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Edward C. Grothe, 215 S. Main Street, Philadelphia, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Northwestern	Northwestern	50	$36	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11154; Filed, June 23, 1945; 11:50 a. m.]

[MPR 260, Order 1302]

OSCAR MACIAS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Oscar Macias Cigar Factory, 1026 13th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Oscar Macias	Dallas	50	$45	6
	Dalia Chica	50	40	5
	Dalia Grande	50	48	6
	Dalia Extra Grande	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11155; Filed, June 23, 1945; 11:51 a. m.]

[MPR 260, Order 1303]

H. CARBALLO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) H. Carballo, 1111 Southern Building, Bronx, New York City, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
H. & G.	Corona Grande	50	$84.75	2 for 27
	Concha Larga	50	44.10	2 for 11
	Coronas	50	169.00	22
	Queens	50	138.00	18
	Blunts	50	203.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars.

The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc 45-11156; Filed, June 23, 1945; 11:51 a. m.]

[MPR 260, Order 1304]

ALLEN A. FREY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Allen A. Frey, 42 High Street, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Pecro	Straight	50	*Per M* $64	*Cents*

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall appiy to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11157; Filed, June 23, 1945; 11:51 a. m.]

[Supp. Order 94, Amdt. 1 to Order 51]

UNITED STATES DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR MILITARY SAND BAGS

An opinion accompanying this amendment has been issued simultaneously herewith.

Order 51 under Supplementary Order 94 is amended in the following respect:

1. Paragraph (b) is amended to read as follows:

(b) *Maximum price.* The maximum price for sales and deliveries by all resellers of the new military sand bag described herein, in any quantity and to any class of purchaser, including such sand bags which have been degreased, cleaned, mangled, bleached, dyed or similarly treated, shall be $0.10 each, f. o. b. shipping point.

Description of sand bag. Military burlap or osnaburg sand bag, manufactured in the United States; some mildewproofed.

This amendment shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11135; Filed, June 23, 1945; 11:41 a. m.]

[EMPR 136, Order 462]

DIAMOND T MOTOR CAR CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 462 under Revised Maximum Price Regulation 136. Machines, Parts and Industrial Equipment. Diamond T Motor Car Co.; Docket No. 6083-136.25a-284 and Docket No. 6083-136.21-370.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136. *It is ordered:*

(a) Diamond T Motor Car Company, 4401 West 26th Street, Chicago, Illinois, is authorized to charge a price not to exceed the applicable list price in subparagraph (1), adjusted as provided in that subparagraph, plus the applicable charges set forth in subparagraph (2), when such chassis are produced under War Production Board allocation for 1945 and the first six months of 1946 of an aggregate production of 750 units of chassis models 306SC, 509SC, and 614SC, and of an aggregate production of 100 units of chassis models 509C and 614C:

(1) *List price.* The following applicable list price, f. o. b. factory, subject to the discounts to each class of purchasers in effect on March 31, 1942:

Chassis model	Description	List price f. o. b. factory
306SC	Chassis, truck, 2-3½ tons nominal rating, 160" or 194" wheelbase, 1942 standard specifications and equipment excepting the following changes and additions, synthetic rubber tires of base tire equipment size delivered to the manufacturer on or after April 18, 1944, 6⅝" Bendix Hydrovac booster brake assembly, 6-blade fan, seal beam headlamps, WGH oil clarifier, oil bath air cleaner, muffler extension pipe, 5-ton hydraulic jack, 2-plate battery; excluding all tires—weight tax and other federal excise taxes	$1,50
509C	Chassis, truck, 2-3½ tons nominal rating, 160" wheelbase, 1942 standard specifications and equipment excepting the following changes and additions: synthetic tires of base tire equipment size delivered to the manufacturer on or after April 18, 1944, 6⅝" Bendix Hydrovac booster, brake assembly, oversize radiator, 6-blade fan, high altitude carburetor, seal beam headlamps, 50-gallon side mounted gasoline tank, oil filter and cooler, 5-ton hydraulic jack, excluding all tires—weight and other Federal excise taxes.	1,95
614C	Chassis, truck, 2½-5 tons nominal rating, 66" wheelbase, 1942 standard specifications and equipment excepting the following changes and additions: synthetic tires of base tire equipment size delivered to the manufacturer on or after April 18, 1944, oversize radiator, 6-blade fan, high altitude carburetor, dual brake transmission, 50-gallon side mounted gasoline tank, seal beam headlamps, 5-ton hydraulic jack; excluding all tires—weight and other Federal excise taxes.	2,69

(2) *Charges.* (i) A charge for extra, special, and optional equipment which shall not exceed the list or established price in effect on March 31, 1942, subject to the discounts in effect on that date, for such equipment when sold as original equipment for the applicable chassis described above; except that for the following item of such optional equipment the charge shall not exceed the following applicable list price, subject to the discounts to each class of purchasers in effect on March 31, 1942:

Model No.	Description	List price f. o. b. factory
12.....	Cab, driver's, de luxe (modified)....	$225

(ii) A charge to cover handling and delivery expense computed in accordance with seller's method in effect on March 31, 1942;

(iii) A charge to cover transportation expense, based on current rates and computed in accordance with seller's method in effect on March 31, 1942;

(iv) A charge to include the Federal excise tax on tires and tubes and other Federal excise taxes, and State and local taxes on the vehicle being sold.

(b) A reseller of Diamond T motor trucks may sell, delivered at place of business, each Diamond T truck containing a chassis described in subparagraph (1) of paragraph (a) at a price not to exceed the total of the applicable list price in that subparagraph and the following applicable charges in subparagraph (1) below, subject to the discounts in effect on March 31, 1942, to each class of purchaser, when such chassis are produced under War Production Board allocation for 1945 and the first six months of 1946 of an aggregate production of 750 units of chassis models 306SC, 509SC, and 614SC, and of an aggregate production of 100 units of chassis models 509C and 614C;

(1) *Charges.* (i) A charge for extra, special, and optional equipment which shall not exceed the charge the reseller had in effect for this equipment on March 31, 1942, when sold as original equipment; except, that for the following item of original equipment the charge shall not exceed the applicable list price stated below, subject to the discounts in effect on March 31, 1942, to each class of purchasers:

Model No.	Description	List price f. o. b. factory
12.....	Cab, driver's, de luxe (modified)...	$225

(ii) A charge for transportation which shall not exceed the charge Diamond T Motor Car Company would make for transportation of the trucks from the factory to the place of business of the reseller;

(iii) A charge to include the Federal excise tax on tires and tubes and other Federal excise taxes, and State and local taxes on the purchase, sale or delivery of the truck, computed in accordance with the reseller's method in effect on March 31, 1942;

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery;

(v) The dollar amount of all other charges which the reseller had in effect on March 31, 1942.

(c) A reseller that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942, shall determine its maximum price by adding to the applicable list price stated in subparagraph (1) of paragraph (a), the following charges:

(1) *Charges.* (i) The original equipment retail charge that Diamond T Motor Car Company suggested on March 31, 1942, to be made by resellers, for extra, special and optional equipment attached to the applicable chassis as original equipment; except, that for the following item of original equipment the charge shall not exceed the following applicable list price:

Model No.	Description	List price f. o. b. factory
12	Cab, driver's, de luxe (modified)...	$225

(ii) A charge for transportation which shall not exceed the charge Diamond T Motor Car Company would make for transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made to the reseller by the Diamond T Motor Car Company, to cover Federal tax on tires and tubes and other Federal excise taxes;

(iv) A charge equal to reseller's expense for payment of State and local taxes on the purchase, sale, or delivery of the truck;

(v) A charge equal to reseller's actual expense for handling and delivery.

(d) A reseller of Diamond T motor trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (a), at a price not to exceed the applicable price established in paragraph (b) or (c), to which it may add a sum equal to the expense incurred by or charged to it for payment of territorial and insular taxes on the purchase, sale, or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

NOTE: The Diamond T Motor Car Company prices under paragraph (a) (1) for the truck chassis are for such chassis equipped with synthetic rubber tires of base tire size delivered to Diamond T Motor Car Company on or after April 18, 1944, and with certain other items of equipment set forth in the chassis description, which modified the 1942 base specifications of the truck chassis.

Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) because of a substantial change in design, specifications or equipment for the truck chassis or for extra, special and optional equipment, sold as original equipment with the applicable chassis, the reseller may add to its price under paragraph (b), (c), or (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a), the reseller must reduce its price under paragraph (b), (c), or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective June 23, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11140; Filed, June 23, 1945; 11:46 a. m.]

[MPR 168, Amdt. 63 to Order A-1]

FIRE CLAY AND SILICA REFRACTORY BRICK

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (50) (i) is amended to read as follows:

(50) (i) The manufacturers' maximum f. o. b. plant or delivered prices established pursuant to Maximum Price Regulation 188, as amended, for all qualities, sizes and shapes of fire clay and silica brick including also ladle brick, sleeves and nozzles, runner brick and hot tops, super-clay and high alumina, ground fire clay, silica cement, and other low temperature mortars, produced in the State of Missouri and in the United States east of the Mississippi River, may be increased by 6 percent. This 6 percent increase does not apply to sales of glass house brick, insulating firebrick, high temperature bonding mortars, plastic firebrick and castables.

This amendment shall become effective June 25, 1945.

Issued this 23d day of June, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11143; Filed, June 23, 1945; 11:46 a. m.]

[RMPR 136, Order 461]

OLIVER CORP.

DETERMINATION OF MAXIMUM PRICES

Order No. 46 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Docket No. 6033-136.21-365. The Oliver Corporation.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by all sellers of the following car movers manufactured by the Oliver Corporation, Chicago, Illinois, shall be determined as follows: The seller shall add the following amounts to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order:

Superior Car Mover With Spring------	$0.93
Richtal Car Mover With Spring------	.84

(b) The Oliver Corporation shall notify each person who buys car movers

for resale of the dollars-and-cents amounts by which this Order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11180; Filed, June 23, 1945; 4:44 p. m.]

Regional and District Office Orders.

[Philadelphia Order G-1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN PHILADELPHIA, PA., DISTRICT

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority vested in the Philadelphia District Director of the Office of Price Administration by the Regional Administrator of Region II pursuant to section 2b of Maximum Price Regulation No. 426, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes maximum markups which certain named "purveyors" in the City and County of Philadelphia may charge for certain fresh fruits and vegetables sold to commercial and institutional users. The order applies only to sales by the purveyors named and then only to sales of fresh fruits and vegetables which have been handled and sold in the manner herein defined.

SEC. 2. *Where this order applies.* This order applies in the City and County of Philadelphia and the Counties of Bucks, Chester, Delaware and Montgomery in the Commonwealth of Pennsylvania.

SEC. 3. *Definition of "purveyor".* When used in this order the word "purveyor" means a person who meets all the following requirements:

(a) Purchases the kind of fresh fruits and vegetables being priced.

(b) Maintains facilities for washing, trimming, sorting, grading, repacking, plant commercial refrigeration and warehousing, and employs these facilities in connection with the sale of the fresh fruits and vegetables covered by this order and being priced.

(c) Employs salesmen to call on institutional and commercial users.

(d) Makes less than carlot or less than trucklot or less than original container sales to institutional or commercial users such as restaurants, ships, hotels, hospitals, camps, and the War Shipping Administration.

(e) Delivers within the metropolitan area surrounding and including the City and County of Philadelphia.

(f) Maintains at all times an inventory consisting generally of all fresh fruits and vegetables available.

(g) Extends credit to not less than 75% of all his customers.

(h) Was doing business in the manner described and maintained the facilities enumerated in this section in the calendar year 1942 and continuously thereafter, unless this requirement is specifically waived by the Office of Price Administration.

SEC. 4. *What sales by purveyors are covered by this order.* The prices established by this order may be charged only by the persons named in section 5 when all the following conditions are satisfied:

(1) The purchaser is a commercial or institutional user.

(2) The item being sold has been handled and sold in the manner described in section 3, and

(3) The sale is of broken containers (in no case may the prices fixed by this order be charged for a sale of a listed fresh fruit or vegetable in unbroken containers).

In all other cases the seller must charge no more than the applicable maximum prices provided by Maximum Price Regulation No. 426.

SEC. 5. *The purveyors to whom this order applies.* (a) This order applies only to the following persons:

Name and address

Spector & Faddis, 313 S. 2d Street, Philadelphia, Pa.

Ben Corson, Reading Terminal Market, Philadelphia, Pa.

Robert C. Venturi, 1430 South Street, Philadelphia, Pa.

McCray & Hunter, 3525 Germantown Avenue, Philadelphia, Pa.

D. Martell, Reading Terminal Market, Philadelphia, Pa.

Novick Bros., 719 Noble Street, Philadelphia, Pa.

Felix Spatola & Sons, Reading Terminal Market, Philadelphia, Pa.

Peter Vitulli, 1414 South Street, Philadelphia, Pa.

(b) Any person who meets the requirements of section 3 may apply in writing to the Office of Price Administration, Broad Street Station Building, Philadelphia 3, Pennsylvania, for recognition as a "purveyor" and permission to charge the prices established by this order. Any application filed must demonstrate the manner in which the applicant does business and the extent to which he satisfies the requirements of section 3 of this order. If any applicant is to be recognized as a "purveyor" and granted permission to charge the prices fixed by this order, that recognition and permission will be granted by an amendment to this order. Unless and until such recognition and permission are granted the prices fixed herein may not be charged.

SEC. 6. *Maximum markups for sales by purveyors to commercial and institutional users.* (a) The maximum markups for sales delivered to the premises of any institutional or commercial user which purveyors covered by this order may add to the "maximum prices for sales delivered to any wholesale receiving point in any quantity" established in accordance with Column 6 of the tables contained in paragraph (b) of Appendix H, paragraph (c) of Appendix I and paragraph (f) of Appendix K, all in section 15 of Maximum Price Regulation No. 426, shall be those provided in subsection (b) of this section.

(b) *Table of maximum markups for sales by purveyors to commercial and institutional users.*

Commodity	Standard container and minimum contents	Time of year	Maximum markup: Per package: Containers (for full repacked standard containers)	Per package: More than ½ container but less than a full container
Apples	Graded and packed in standard box container	Feb. 6 July 1	$0.93	$0.02
	Do	July 2 Feb. 5	.83	.02
Egg plant:				
(a)	30 lb. bushel crate	Mar. 1-June 1	.99	.02
	Do	All other months	.87	.02
(b)	45 lb. 1½ bushel crate	Mar. 1-June 1	1.29	.03
	Do	All other months	1.05	.03
(c)	20 lb. lug	Mar. 1-June 1	.56	.02
	Do	All other months	.47	.02
Iceberg lettuce	L. A. or Salinas crate containing not less than 18 heads and not weight of 60 lb.	All year	1.31	.02
Sweet peppers:				
(a)	25 lb. bushel crate	Mar. 1-June 1	1.03	.04
	Do	All other months	.84	.03
(b)	37 lb. 1½ bushel crate	Mar. 1-June 1	1.32	.05
	Do	All other months	1.04	.04
Spinach	18 lb. bushel crate	All year	.93	.02
Grapefruits, white:				
(a) California and Arizona.	1⅗ bushel standard container.	June 1-Sept. 30	.97	.02
	Do	All other months	.78	.03
(b) "Indian River" and all other white grapefruit.	1⅗ bushel container	March 1-July 31	.97	.04
	Do	All other months	.78	.02
Lemons	1⅗ bushel standard container.	All year	1.33	.05
Oranges:				
(a) California and Arizona	1⅗ bushel standard container.	May 1-Sept. 30	1.06	.04
	Do	Oct. 1-Apr. 30	.88	.03
(b) "Indian River" and all others.	1⅗ bushel standard container.	Apr. 1-Aug. 31	1.06	.04
	Do	All other months	.88	.03

SEC. 7. *Effective date.* This order shall become effective at 12:01 a. m. on May 28, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409, 9 F.R. 790, 902)

Issued this 21st day of May, 1945.

FRANK J. LOFTUS,
District Director.

Approved:

FRANCIS P. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 45-11025; Filed, June 22, 1945; 12:27 p. m.]

[Region II Order G-20 Under MPR 165]

LAUNDRY SERVICE IN NEW YORK METROPOLITAN AREA

Applications for permission to increase their maximum prices for family laundry, dry cleaning and related services, as established under Revised Maximum Price Regulation No. 165, as amended—Services, have been filed with the New York Regional Office of the Office of Price Administration by a large number of the power laundry establishments located in the greater metropolitan area of New York City. After due consideration of these applications and other available information, it has been decided to adjust the maximum prices of the laundries hereinafter named, to the extent indicated, for the reasons set forth in the opinion attached hereto.

Accordingly, pursuant to the Emergency Price Control Act of 1942, Supplementary Order No. 28, and section 16 (a) of Revised Maximum Price Regulation No. 165, as amended—Services, *It is hereby ordered:*

(1) The applications of the following named laundries are granted to the extent that they are permitted to increase their present legal maximum prices for all their family laundry, dry cleaning, and related retail services, by the percentage amount set forth after their names, in the manner hereinafter in paragraph (3) of this order provided:

Name	Permitted increase (percent)
A & P Family Laundry	3
Alabama Laundry Service, Inc	4
Benson Laundry Inc	2
Best-Self Service Laundry Inc	6
Brookbridge Laundry Inc	4
Chasol Laundry Inc	6
Colony Laundry Corp	4
Comet Laundry Inc	4
Cornell Laundry Service Inc	5
Crown Heights Laundry	7
Duplex Laundry Inc	2
Fortview Laundry Inc	2
Goodwill Steam Laundry Inc	1
Grant Laundry Inc	3
Grateful Laundry Inc	6
Halsey Laundry Service Inc	11
Hartman Square Laundry	11
Huron Laundry Service Inc	7
Jamaica Wet Wash Laundry Inc	5
Leader Service Laundry Inc	3
Majestic Laundry System Inc	11
Menahan Laundry Inc	4
Midwood Laundry Inc	1
Mutual Wet Wash Service Inc	3
New American Steam Laundry	2
Newport Wet Wash Laundry, Inc	4
Nonpareil Laundry Service, Inc	5
Nu R & S Laundry, Inc	9
President Laundry Co., Inc	3
Park Gate Laundry, Inc	7
Purity Laundry Service Inc	2
Queen Anne Laundry Service Inc	1
Reliable Steam Laundry Inc	3
Sparton Laundry Inc	5
Spry Laundry Inc	4
Square Deal Laundry Service Inc	8
Starbright Laundry	2
Two Gates Laundries Inc	4
Tudor Laundry Co	5
Vermont Wet Wash Ldry	6
Waldorf Laundry Service	7
White Rose Laundry Service Inc	10
Wikoff Laundry Service Inc	6
Winthrop Laundry	6
American Laundry	7
Blue White Laundry Inc	6
Castle Laundry Co. Inc	2
Gardenia Laundry Service Inc	4

(2) Any power laundry listed in paragraph (1) of this order is permitted to add to its present legal maximum price to agent-drivers supplied by it, the percentage price increase granted to it in that paragraph. Agent-drivers, any of whose family laundry and related services are supplied by any such power-laundry, are permitted to add to their retail prices the same percentage increase herein granted to their supplier, in the manner provided by paragraph (3) of this order. Agent-drivers shall compute the price increase permitted them by this paragraph upon the bills rendered by them to their customers in the manner provided in paragraph (3) of this order. They shall inscribe upon each bill presented to any customer the statement prescribed in paragraph (4) of this order. They shall be subject to all the other provisions of this order which are applicable to their circumstances.

(3) The percentage increases permitted to any laundry establishment by this order shall be applied only to the total amount of the bill rendered to each customer for any service afforded (as it would be computed under existing lawful maximum prices). Such increases may not be applied to individual items of service. Existing price lists shall not be altered. If the increased prices so arrived at include a fraction of a cent less than one-half, the price that may be charged shall be reduced to the next lower cent. If, however, the increased price includes a fraction equal to or more than one-half cent, the seller shall be permitted to charge the next higher cent.

(4) Any power laundry establishment and any driver-agent of a power laundry which has been granted a price increase by this order shall give notification of such price increase as follows: (a) furnish each customer within 15 days after the effective date of this order with a statement describing its services, and specifying its lawful ceiling prices, and the percentage increase permitted it by the order; (b) file a copy of the same statement with the New York Regional Office of the Office of Price Administration within 15 days after the effective date of this order, together with a statement signed by a responsible official of the laundry establishment certifying that the applicant has complied with section (a) above: (c) inscribe on each bill rendered the statements: "OPA permitted increase of ____% to maintain supply: $____"; or "OPA permitted increase to maintain supply: $____"; and (d) give all new customers as acquired the same notification as hereinabove provided for existing customers. The foregoing statement may be omitted upon compliance with the provisions of Order No. 18 under Revised Maximum Price Regulation No. 165.

(5) In addition, all power laundries to whom a price increase is permitted by this order shall immediately advise their agent-driver customers of the amount of permitted price increase which the latter may add to their total bills under the provisions of paragraph (3) of this order, and of the manner in which such permitted increase shall be computed.

(6) Customary allowances, discounts, or other price differentials may not be changed by any of the laundry service suppliers named or otherwise referred to in this order, unless such change results in prices lower than the prices permitted by this order, after applying the supplier's customary allowances, discounts, or other price differentials; and all laundry service suppliers named or otherwise referred to herein shall maintain all of their legal current pricing and other business practices.

(7) All of the power laundry establishments named herein shall keep this order and attached opinion in their establishments, together with the statement required by section 14 of Revised Maximum Price Regulation No. 165, and make them available for inspection by any person during business hours.

(8) Except as expressly provided by this order, all of the laundry establishments named or otherwise referred to in this order shall remain in all respects subject to all of the provisions of Revised Maximum Price Regulation No. 165, as amended—Services.

(9) This order may be revoked or amended by the Regional Administrator of Region II, or the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto.

(10) Within ten days from the date hereof each power laundry named herein, and the agent-drivers of each such laundry must amend their statements of maximum prices required by section 14 of Revised Maximum Price Regulation No. 165—Services, and the copies thereof, which are on file with the appropriate Local War Price and Rationing Boards. A copy of this order shall be kept at the place of business of each seller affected hereby and made available to any person during ordinary business hours.

(11) None of the power laundries named herein may institute the price increases hereby granted until they have put into effect the wage increases permitted by the War Labor Board, effective June 4, and June 7, 1945, and have sent written notice to that effect to the New York Regional Office of the Office of Price Administration.

(12) Any relief requested by any applicant not expressly granted herein is denied. To the extent that the appli-

fruits and vegetables available.

cation of any laundry establishment herein named has been denied in whole or in part, such applicant may, within sixty days after the date on which this order was issued, request a review of such denial in the manner provided by Revised Procedural Regulation No. 1.

This order shall become effective immediately.

Issued this 7th day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11024; Filed, June 22, 1945; 12:27 p. m.]

[Region IV 2d Rev. Order G-3 Under RMPR 122, Amdt. 1]

SOLID FUELS IN FULTON AND DE KALB COUNTIES, GA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administrator, by § 1340.260 of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-3 under Revised Maximum Price Regulation No. 122 issued by this office on April 26, 1945, is hereby amended in the following respects:

1. Paragraphs (e), (f), and (g) are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Lump, chunk, or block	$9.70	$5.10	$2.80
Egg	9.45	4.98	2.74
Egg, size group No. 5, price classification E, from mine index No. 136 and 417	9.95	5.23	2.86
Stoker	9.30	4.90	2.70
Stoker, size group 10, price classification A	9.65	5.08	2.79
Nut and slack	7.20	3.85	2.18
2" nut and slack from mine index No. 5693	7.70	4.10	2.30

(2) *High volatile bituminous coal from District No. 13.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Lump, chunk, or block	$9.84	$5.17	$2.84
Egg	9.60	5.05	2.78
Stoker	9.90	5.20	2.85
Nut and slack	7.35	3.93	2.21
Monteavallo 5" block	11.30	5.90	3.20

(f) *Other maximum prices.* Maximum prices established by this order for sales of forty tons or more when delivery is made in less than carload lots to consumers are as follows on a "commercial" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size:	Per ton 2,000 lbs.
Egg	$7.80
Nut and slack	6.60
Nut and slack from mine index No. 5693	7.10

(2) *High volatile bituminous coal from district No. 13.*

Size:	Per ton 2,000 lbs.
Egg	$7.95
Nut and slack	6.75

(g) *Other maximum prices.* Maximum prices established by this order for sales of carload lots to consumers are as follows on a "commercial" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size:	Per ton 2,000 lbs.
Egg	$7.15
Nut and slack	6.45
Nut and slack from mine index No. 5693	6.95

(2) *High volatile bituminous coal from District No. 13.*

Size:	Per ton 2,000 lbs.
Egg	$7.30
Nut and slack	6.60

2. Subparagraph (h) (6) is amended to read as follows:

(6) *Sacked coal.* On yard sales of less than ¼ ton of sacked high volatile bituminous coal, the dealer may charge at a rate of not more than 51¢ per 80 lb. sack.

3. Supplementary Order No. 1 to Second Revised Order No. G-3 under Revised Maximum Price Regulation No. 122 is hereby revoked, and Supplementary Order No. 1 to Order No. G-37 under Revised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to Second Revised Order No. G-3 under Revised Maximum Price Regulation No. 122.

Effective date: This amendment shall become effective June 11, 1945.

Issued: June 5, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11026; Filed, June 22, 1945; 12:26 p. m.]

[Region IV, 2d Rev. Order G-15 Under RMPR 122]

SOLID FUELS IN WINSTON-SALEM, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, It is hereby ordered:

(a) *What this order does.* This Adopting Order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Winston-Salem, North Carolina, and the area lying within 10 miles thereof by the most direct highway route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This Second Revised Order No. G-15 supersedes Revised Order No. G-15 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1 thereunder, and as a result, said revised order and supplementary order are hereby revoked as of the effective date of this order. This Second Revised Order is issued as an Adopting Order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Second Revised Order No. G-15.

(e) *Maximum prices.* Maximum prices established by this Order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Chunk, block, lump and egg (size groups 1 and 2):			
In price classifications L, M, and N (except from mine index No. 203)	$9.85	$5.18	$2.8[illegible]
From mine index Nos. 203, 435, and 3764	10.30	5.40	2.7[illegible]
Lump and egg (size group No. 3):			
In price classification A	10.10	5.30	2.71
In price classifications P through S, inclusive	9.50	5.00	2.5[illegible]
From mine index No. 364	9.95	5.23	2.6[illegible]
Lump and egg (size group No. 4), from mine index Nos. 187 and 725	9.50	5.00	2.56
Egg (size group No. 5):			
In price classifications B through E, inclusive	9.85	5.18	2.65
In price classifications G, H, J, and K	9.65	5.08	2.6[illegible]
Egg (size group No. 6):			
In price classification A	10.10	5.30	2.71
In price classifications G through N, inclusive	9.20	4.8[illegible]	2.4[illegible]
From mine index No. 22	9.75	5.1[illegible]	2.6[illegible]
From mine index No. 437	9.45	4.98	2.5[illegible]
Egg (size group No. 7) in price classification A	9.70	5.10	2.61
Stoker (size group No. 10):			
In price classifications A through E, inclusive	9.10	4.80	2.4[illegible]
From mine index No. 419	8.95	4.73	2.4[illegible]
Mine run (size group No. 16) in price classifications C through E, inclusive	8.90	4.70	2.4[illegible]

(2) *Low volatile coals from district No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg (size group No. 2) in price classifications B and C	$10.60	$5.25	$2.69
Stove (size group No. 3) in price classification D	10.00	5.25	2.69
Nut (size group No. 4) in price classifications B through D, inclusive	9.15	4.83	2.48
Pea (size group No. 5) from mine index No. 391	8.75	4.63	2.38

(3) *Low volatile coal from district No. 7.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ (ton 500 lbs.)
Egg (size group No. 2) in price classification A	$10.51	$5.51	$2.82
Stove (size group No. 3) in price classification A	10.15	5.33	2.73
Nut (size group No. 4) in price classification A	9.21	4.85	2.49
Pea stoker (size group No. 5) in price classification A	8.95	4.73	2.43
Domestic run-of-mine (size group No. 6) in price classifications A and B	8.95	4.73	2.43
Straight run-of-mine (size group No. 7) in price classifications A and B	9.51	5.01	2.57
Retwind Briquettes	11.20	5.88	3.00

(f) *Maximum authorized service charges and required deductions*—(1) *Southern Appalachian.* The prices specified in subparagraph (e) (1) hereof may be increased by 15¢ per ton, 8¢ per one-half ton, and 4¢ per one-quarter ton on coal mined in Sub-district No. 6 (Southern Appalachian) of District No. 8, if it is separately weighed and billed by the dealer. Said Sub-district No. 6 includes that portion of District No. 8 lying in Northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.

(2) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(3) *Sacked coal.* For splint coal in sacks, the dealer may charge not more than 52¢ per 100 pounds.

(4) *Yard sales.* When a buyer picks up coal at the dealer's yard, the domestic price must be reduced at least $1.00 per ton. On sales to other dealers at the yard, the dealer must reduce the domestic price at least $1.20 per ton.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Quantity discounts.* On carload sales of forty tons or more to a single purchaser in a single order, the dealer may charge not more than the per ton maximum price of the coal at the mine, plus the per ton freight from the mine, plus $1.00 per ton for delivery.

(7) *Delivery zone.* No additional charge may be made for deliveries within the corporate limits of Winston-Salem, North Carolina. For deliveries beyond said corporate limits and within 10 miles thereof, the dealer may make an additional charge of not more than 10¢ per ton per mile for each mile beyond the corporate limits of said city, and may impose a minimum charge of not more than 50¢ for each delivery, said mileage to be determined by the actual highway mileage from the said corporate limits to the point of delivery by the most direct highway route. Such delivery charge, if added, must be separately stated from all other charges on the invoice.

(8) *Sales tax.* The North Carolina State Sales Tax may be added to the prices established in this order.

(9) *Credit.* No additional charges over the prices provided in this order may be made for the extension of credit.

(g) *Definitions.* The kinds and sizes of coal priced in this second revised order are those customarily sold by dealers whose places of business are located in Winston-Salem, North Carolina as reported to the Office of Price Administration in connection with the establishment of the prices named herein. Maximum prices for all other kinds and sizes of coal shall be determined under the applicable pricing provisions of Revised Maximum Price Regulation No. 122. The kinds and sizes of coal referred to are specifically defined hereinafter.

(1) *District No. 8.* The area included in District No. 8 includes the area delineated and numbered as such by the Bituminous Coal Act of 1937, as amended and as modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943. Roughly speaking, it includes Eastern Kentucky, Southwestern West Virginia, Western Virginia, Northern Tennessee, and North Carolina.

(2) *District No. 7.* The area included in District No. 7 includes the area delineated and numbered as such by the Bituminous Coal Act of 1937, as amended as modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943. Roughly speaking, it includes Southern West Virginia and Northwestern and Central Virginia.

(3) *Sizes of high volatile bituminous coal from District No. 8.*

(i) Chunk, Block, Lump and Egg (Size Groups No. 1 and 2)—All single screened block, bottom size larger than 5"; All single screened lump, bottom size larger than 3", but not exceeding 5"; All double screened egg coals, top size larger than 6" and bottom size larger than 3" but not exceeding 4".

(ii) Lump and egg (Size Group No. 3)—All single screened lump, bottom size larger than 2", but not exceeding 3"; All double screened egg coals, top size larger than 3", but not exceeding 6" and bottom size larger than 2" but not exceeding 3".

(iii) Lump and egg (Size Group No. 4)—All single screened lump, bottom size larger than ¾", but not exceeding 2"; All double screened egg coals, top size larger than 6" and bottom size larger than 2", but not exceeding 3".

(iv) Egg (Size Group No. 5)—All double screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller.

(v) Egg (Size Group No. 6)—All double screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2" and smaller, and top size 3" and larger, but not exceeding 5" and bottom size larger than 2", but not exceeding 3".

(vi) Egg (Size Group No. 7)—All double screened egg coals, top size larger than 3", but not exceeding 5", and bottom size 2" and smaller.

(vii) Stoker (Size Group No. 10)—All double screened stoker coals, top size not exceeding 1¼" and bottom size less than 1¼".

(viii) Mine run (Size Group No. 16) Straight Run-of-Mine.

(4) *Sizes of low volatile coals from District No. 8:*

(i) Egg (Size Group No. 2)—All double screened egg coal, top size larger than 3".

(ii) Stove (Size Group No. 3)—All double screened stove coal, top size larger than 1¼" but not exceeding 3".

(iii) Nut (Size Group No. 4)—All double screened nut coal, top size larger than ¾" but not exceeding 1¼".

(iv) Pea (Size Group No. 5)—All double screened pea coal, top size not exceeding ¾".

(5) *Sizes of low volatile coals from District No. 7:*

(i) Egg (Size Group No. 2)—Top size larger than 3", bottom size no limit.

(ii) Stove (Size Group No. 3)—Top size larger than 1¼", but not exceeding 3", bottom size smaller than 3".

(iii) Nut (Size Group No. 4)—Top size larger than ¾" but not exceeding 1¼", bottom size smaller than 1¼".

(iv) Pea Stoker (Size Group No. 5)—Top size not exceeding ¾", bottom size smaller than ¾".

(v) Domestic run-of-mine (Size Group No. 6)—Straight run-of-mine from which all or part of the screenings, top size ⅜" in Price Classification A or ¾" in Price Classification B, have been removed.

(vi) Straight run-of-mine (Size Group No. 7)—Larger than 1¼" x 0.

(6) *Mine Index Numbers.* The mine index numbers in District 8 to which references are made are defined as follows:

(i) Mine Index 22—The Anthras Mine of Tennessee Jellico Coal Co.

(ii) Mine Index 187—The Elk Creek #1 Mine of the Elk Creek Coal Co.

(iii) Mine Index 203—The Fleming Mine of Robert Fleming and Company.

(iv) Mine Index 364—The Pardee Mine of the Gibson Fuel Company.

(v) Mine Index 391—The Raven Red Ash No. 2 Mine of the Raven Red Ash Coal Company.

(vi) Mine Index 419—The Royal Mine of the Cambria Coal Company.

(vii) Mine Index 435—The #2 Mine of the New Southland Coal Corporation.

(viii) Mine Index 437—The Darby Mine of the Peerless Darby Coal Company, Inc.

(ix) Mine Index 725—The Elk Creek #2 Mine of the Elk Creek Coal Co.

Nut and slack	6.60
Nut and slack from mine index No. 5693	7.10

miles thereof by the most direct highway route.

through F, inclusive	$8.00	$4.70	

(x) Mine Index 3764—The No. 1 Mine of the New Southland Coal Corp.

Effective date: This order shall become effective June 12, 1945.

Issued: June 7, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11027; Filed, June 22, 1945; 12:25 p. m.]

[Region IV Rev. Order G-20 Under RMPR 122]

SOLID FUELS IN NEW BERN, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of New Bern, North Carolina and when sold and delivered outside such corporate limits by a dealer whose yard is located therein. Extra charges are specified for deliveries beyond the corporate limits of said city.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said order is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-30 supersedes Order No. G-20 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1 thereunder, and as a result, said order and supplementary order are hereby revoked as of the effective date of this order. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Revised Order No. G-20.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg (size group No. 2), top size larger than 5", bottom size no limit, in price classifications A through F, inclusive	$12.51	$6.51	$3.38
Screened or domestic run-of-mine (size group No. 6), in price classifications A and B	10.41	5.46	2.85
Pea stoker (size group No. 5), top size not exceeding ¾", bottom size smaller than ¾", in price classification A, and Straight run-of-mine (size group No. 7), larger than 1¼" x ½" in price classifications A and B	9.81	5.16	2.70

(2) *Low volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Lump, single screened (size group No. 1), bottom size larger than for screened run-of-mine, and egg, top size larger than 3", bottom size no limit, both in price classifications A, B, and C	$11.65	$6.08	$3.16

(3) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg (size group No. 2), top size 6" to larger than 5", bottom size 3" to larger than 2"; and top size larger than 6", bottom size 2" and smaller, in price classifications F through K, inclusive	$11.35	$5.93	$3.09
Egg (size group No. 6), top size 6" to larger than 5", bottom size 2" and smaller, and top size 4" but not over 5", bottom size 1" to larger than 2", in price classifications K through L, inclusive	10.25	5.38	2.81
Stoker (size group No. 10), double screened, top size 1¼" and smaller, bottom size smaller than 1¼", in price classifications B through G, inclusive	10.10	5.30	2.78

(4) *Briquettes.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
"Glen Rogers" briquettes	$13.81	$7.16	$3.70

(f) *Maximum authorized service charges and required deductions*—(1) *Carry from curb.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(3) *Yard sales.* On deliveries to other dealers at the yard, the dealer must reduce the domestic price at least $1.00 per ton.

(4) *Sacked coal.* On deliveries of sacked or bagged coal, a dealer may charge not more than 66¢ per 100 lbs., not including sack.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Discounts.* On deliveries of five tons or more in a single sale, the dealer must reduce the price specified at least 50¢ per ton.

(7) *Delivery zone.* No additions may be made for deliveries within the corporate limits of New Bern, North Carolina. For deliveries beyond such corporate limits, a dealer whose yard is located therein may add not more than 10¢ per ton per mile and may impose a minimum charge of not more than 50¢ for each such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(8) *Sales tax.* The North Carolina State Sales Tax may be added to the prices established by this order.

(9) *Credit.* No charge in excess of the prices established by this order may be made for the extension of credit.

Effective date: This order shall become effective June 11, 1945.

Issued: June 5, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11028; Filed, June 22, 1945; 12:24 p. m.]

[Region IV 2d Rev. Order G-23 Under RMPR 122]

SOLID FUELS IN MEMPHIS, TENN.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Memphis, Tennessee, or outside such corporate limits by a dealer whose yard is located therein.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV—issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration, are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This second revised order supersedes Revised Order No. G-23 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1 thereunder, and as a result, said revised order and supplementary order are hereby revoked as of the effective date of this second revised order. This second revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Second Revised Order No. G-23.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Lump or block from Mine Index 638 (Glover Darby Coal Co.) and Mine Index 5805 (Gatliff Coal Co.)	$10.40	$5.45
Lump or block from other than Mine Index Nos. 638 and 5805	10.10	5.30
Stoker	8.00	4.55
Yard screenings	6.90	3.70

(2) *High volatile bituminous coal from District No. 9.* (i) From other than hand operated mines:

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Lump	$7.51	$4.01
Sentry lump	7.86	4.18
No. 11 vein egg, and 6" x 3" egg	7.51	4.01
Nut	7.41	3.95
Stoker	7.21	3.86
No. 6 vein stoker	7.61	4.06
Pea and slack screenings	5.66	3.08

(ii) Coal from hand operated mines in District No. 9 shall be priced by adding 14¢ to the per ton prices specified in subdivision (e) (2) (i), above, and 7¢ to the ½ ton prices.

(3) *High volatile bituminous coal from District No. 10.* (i) From machine operated mines:

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Lump and egg:		
From mines in Price Group 31	$9.84	$5.17
From mines in Price Groups 1, 2, and 8	9.09	4.80
From mines in Price Group 11	8.89	4.70
From mines in Price Groups 14, 15, and 29	8.74	4.62
From mines in Price Groups 3 and 4	8.69	4.60
From mines in Price Group 32	8.59	4.55
From mines in Price Groups 33 and 34	8.54	4.52
From mines in Price Groups 5 and 7	8.34	4.42
From mines in Price Groups 27 and 28	8.29	4.40
From mines in Price Groups 10, 12, 13, and 16 through 26, inclusive	8.19	4.35
Nut and stoker from mines in Price Group 8	8.24	4.37

(ii) Coal from hand operated mines in District No. 10 shall be priced by adding 11¢ to the per ton prices specified in subdivision (e) (3) (i), above, and 6¢ to the ½ ton prices.

(iii) Coal from strip mines in District No. 10 shall be priced by subtracting 9¢ from the per ton prices specified in subdivision (e) (3) (i), above and 5¢ from the ½ ton price.

(4) *High volatile bituminous coal from District No. 13.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Block, lump and double screened egg coal from:		
Mines in the Jagger and Mary Lee seams, identified by Mine Index No. 30-49, inclusive, and 41, 53, and 54, and from mines in these seams producing coal having the same maximum price at the mine, as of the date of this order	$9.15	$4.83
Mine Index 54—Debardeleben Coal Corp.—Corona seam	10.15	5.33
Mines in the Black Creek and Clark Seams, identified by Mine Index No. 1, 2, 7, 9, 10, 11, 12, 14, 15, and 17, and from mines in these seams producing coal having the same maximum price at the mine, as of the date of this order	10.90	5.70
Mines in the Black Creek seam and which are identified by Mine Index No. 16, 18, 20, 21, 23, and 1305, and from mines in this seam producing coal having the same maximum price at the mine, as of the date of this order	11.10	5.80
Mine Index No. 22	11.20	5.85
Mines in the Montevallo and Thompson seams, identified by Mine Index No. 3, 4, 6, and 8, and from mines in these seams producing coal having the same maximum price at the mine, as of the date of this order	12.05	6.28
Stoker	8.85	4.68

(f) *Maximum authorized service charges and required deductions*—(1) *Trimming.* If buyer requests such service, the dealer may not charge more than 30¢ per ton therefor.

(2) *Carry or wheel from curb.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(3) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(4) *Sacking.* If buyer requests such service, the dealer may charge not more than $2.000 per ton for the labor of sacking coal. This charge does not include sacks.

(5) *Sacked coal.* Dealer may charge not more than 61¢ for 85 lb. of sacked coal from District No. 8, and not more than 51¢ for 85 lb. of sacked coal from District No. 9, when sold at the yard. An additional charge of not more than 10¢ per 85 lb. bag may be made for delivery. The prices specified do not include sack, for which no charge in excess of the applicable maximum price may be made.

(6) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least $1.00 per ton.

(7) *Quantity discounts.* When a buyer makes single purchases of coal in quantities of thirty tons or more, the dealer must reduce the domestic price at least 75¢ per ton, except on stoker and slack coal. No discount for quantity purchases is required on these.

(8) *Treated coal.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the maximum price otherwise applicable under this order, the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated, but it is not necessary that this charge be separately stated thereon.

(9) *Delivery zone.* No additional charge may be made for deliveries within the corporate limits of the City of Memphis, Tennessee. For deliveries outside such corporate limits by a dealer whose yard is located therein, an additional charge of not more than 10¢ per ton per mile may be made, and a minimum charge of not more than 50¢ may be imposed for each such delivery. Such delivery charge, if added, must be stated separately from all other items on the invoice.

(10) The prices named in this order are for cash sales, and if the buyer does not make payment in full for all purchases of solid fuels covered by this order within three days from the date of the invoice or the date of delivery (whichever is later), the dealer may add a charge of not more than 50¢ per ton for the extension of credit.

Effective date. This order shall become effective June 11, 1945.

Issued: June 5, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11029; Filed, June 22, 1945; 12:23 p. m.]

[Region IV Rev. Order G-24 Under RMPR 122]

SOLID FUELS IN GAINESVILLE, GA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional

follows for sales on a "direct delivery or domestic" basis:

dealers at the yard, the dealer must re-

sued April 4, 1945 by the

Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Gainesville, Georgia, and when sold and delivered outside said corporate limits by a dealer whose yard is located therein. Extra charges are specified for deliveries beyond the corporate limits of said city.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-24 supersedes Order No. G-24 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1 thereunder, and as a result, said order and supplementary order are hereby revoked as of the effective date of this order. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Revised Order No. G-24.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Block, Size Groups No. 1 and 2, in price classifications A-D, inclusive	$9.60	$5.20	$2.75
Egg, Size Groups No. 3 and 6, in price classifications A-D, inclusive	9.70	5.10	2.65
Stoker, Size Group No. 10, in price classifications A-E, inclusive	9.15	4.83	2.54
Yard shack	7.15	3.83	2.04

(f) *Maximum authorized service charges and required deductions*—(1) *Sacked coal at the yard.* Dealer may charge not more than 51¢ for 80 lbs. of coal sold in sacks at the yard. This price does not include sack, for which no charge in excess of the applicable maximum price may be made.

(2) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(3) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of Gainesville, Georgia. For deliveries outside said corporate limits by a dealer whose yard is located therein, the dealer may add not more than 10¢ per ton per mile and may impose a minimum charge of not more than 50¢ for each such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(4) *Credit.* No additional charge in excess of the prices named in this order may be made for the extension of credit.

Effective date. This order shall become effective June 11, 1945.

Issued: June 5, 1945.

THOMAS L. HISGEN
Acting Regional Administrator.

[F. R. Doc. 45-11030; Filed, June 22, 1945; 12:23 p. m.]

[Region IV Rev. Order G-25 Under RMPR 122]

SOLID FUELS IN VIRGINIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered to consumers at any point in Dinwiddie or Prince George Counties, in the Matoaka Magisterial District of Chesterfield County, or in the Independent Cities of Petersburg and Hopewell, all in the State of Virginia.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect, all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-25 supersedes Order No. G-25 under Revised Maximum Price Regulation No. 122 and Amendment 1 thereto and Supplementary Order No. 1 thereunder, and as a result, said order, amendment, and supplementary order are hereby revoked as of the effective date of this order. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Revised Order No. G-25.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District Nos. 7 and 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Egg (Size Group 2), top size larger than 3", bottom size no limit, in price classifications A-D, inclusive	$10.75	$5.60
Stove (Size Group 3), top size larger than 1¼" but not exceeding 3", bottom size smaller than 3", in price classifications A-E, inclusive	10.25	5.35
Nut (Size Group 4), top size larger than ¾" but not exceeding 1¼", bottom size smaller than 1¼", in price classifications A-E, inclusive	9.11	4.80
Pea stoker (Size Group 5), top size not exceeding ¾", bottom size smaller than ¾", in price classifications A-D, inclusive	8.05	4.25
Domestic or screened run-of-mine (Size Group 6), in price classifications A and B	9.30	4.90
Straight run-of-mine (Size Group 7), in price classifications A and B	8.85	4.65
Briquettes made from low volatile bituminous coal from District No. 7	11.00	5.80

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Egg (Size Group 6), top size 6" to larger than 3", bottom size 2" and smaller, in price classifications E-L, inclusive	$8.90	$4.70
Stove (Size Group 8), top size 3" to larger than 2", bottom size 2" and smaller, in price classifications E-H, inclusive	8.55	4.60
Yard shack (from coal from Districts No. 7 and 8)	6.60	3.55

(f) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel from curb.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(3) *Sacked coal.* For high volatile egg and stove coals from District No. 8, in paper sacks at the yard, dealer may charge not more than 25¢ for 35 lbs. and

36¢ for 50 lbs., paper sacks included. For high volatile egg and stove coals from District No. 8 in 100 lb. lots at the yard, dealer may charge not more than 50¢, and for low volatile egg and lump in 100 lb. lots at the yard, dealer may charge not more than 61¢, when the customer furnishes the receptacle.

(4) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(5) *Yard discounts.* For sales at the yard to consumers, the dealer must reduce the domestic price at least 50¢ per ton, and for sales at the yard to other dealers, the dealer must reduce the domestic price at least $1.00 per ton.

(6) *Delivery zone.* For deliveries beyond the corporate limits of the city, town, or county (whichever is the smaller geographical unit) in which the dealer's yard is located, the dealer may add 10¢ per ton per mile and may impose a minimum charge of not more than 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(7) *Terms for credit.* The prices set in the price list are net for payment in 30 days. For credit of longer than 30 days from date of delivery, the dealer may add not more than 50¢ per ton.

Effective date: This order shall become effective June 12, 1945.

Issued: June 7, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11031; Filed, June 22, 1945; 12:22 p. m.]

[Region IV Rev. Order G 27 Under RMPR 122]

SOLID FUELS IN MACON, GA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Macon, Georgia, and the area lying within 15 miles of the corporate limits of said city by the most direct highway route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This revised order supersedes Order No. G-27 under Revised Maximum Price Regulation No. 122, and Supplementary Order No. 1 issued thereunder, as of the date of this revised order, and as a result, said order and supplementary order are hereby revoked as of the effective date of this revised order. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Revised Order No. G-27.

(e) *Maximum prices.* Maximum prices established by this revised order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg	$9.70	$1.98	$2.75
Egg (Blue Gem)	10.15	5.20	2.66
Block	10.30	5.28	2.70
Block (Mayflower, Blue Gem, Regal and Red Clover)	10.60	5.43	2.78
Stoker	9.20	4.73	2.43
Slack	7.65	3.95	2.01

(f) *Maximum authorized service charges and required deductions*—(1) *Southern Appalachian coal.* On high volatile bituminous coals from District No. 8, Subdistrict No. 6 (Southern Appalachian), the above prices may be increased by 15¢ per ton, 8¢ per half ton, and 4¢ per quarter ton.

(2) *Carrying or wheeling from curb to bin.* If buyer requests such service, the dealer may not charge more than 50¢ per ton therefor.

(3) *Sacked coal.* For egg coal sold in sacks at the yard, the dealer may charge not more than a price computed at the rate of 51¢ per 80 lbs. For block coal sold in sacks at the yard, the dealer may charge not more than a price computed at the rate of 61¢ per 80 lbs. For deliveries of 10 or more sacks of egg coal, the dealer may charge not more than a price computed at the rate of 10¢ per 80 lbs. in addition to the price specified for the coal at the yard.

(4) *Yard sales.* When buyer picks up coal at the dealer's yard, the domestic price must be reduced at least 50¢ per ton.

(5) *Quantity discounts.* When a buyer makes single purchases of coal in quantities of ten tons or more, the dealer must reduce the domestic price at least 50¢ per ton.

(6) If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated, but it is not necessary that this charge be separately stated thereon.

(7) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of Macon, Georgia. For deliveries beyond such corporate limits and within fifteen miles thereof, the dealer may add not more than 10¢ per ton per mile and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the corporate limits to the point of delivery by the most direct highway route. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(8) *Credit.* If the buyer requests the dealer to extend credit, the dealer may add not more than 50¢ per ton therefor.

Effective date. This revised order shall become effective June 11, 1945.

Issued: June 5, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11032; Filed, June 22, 1945; 12:22 p. m.]

[Region IV Rev. Order G-32 Under RMPR 122]

SOLID FUELS IN PICKENS COUNTY, S. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of Pickens County, South Carolina.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this

charges and required deductions—(1) *Sacked coal at the yard.* Dealer may charge not more than 51¢ for 80 lbs. of

sions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this

paper sacks at the yard, dealer may charge not more than 25¢ for 35 lbs. and

G-37 under Revised Maximum Price Regulation No. 122—Basic Order for

tic price must be reduced at least 50¢ per ton.

likewise, without other action, be a part of this order. All persons subject to this

adopting order are also subject to and should read and be familiar with the provisions of said Order No. G–37.

(d) *Relationship between this order and previous orders.* This Revised Order No. G–32 supersedes Order No. G–32 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1 thereunder, and as a result, said order and supplementary order are hereby revoked as of the effective date of this order. This revised order is issued as an adopting order pursuant to the provisions of Order No. G–37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G–37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G–37 shall not be applicable to this Revised Order No. G–32.

(e) *Maximum prices.* Maximum prices estbalished by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Lump and Block, Size Group No. 3 (including 3½" x 5½" and 3") in price classifications A–E, inclusive	$9.60	$5.08	$2.60
Egg, Size Groups 5 and 6 (including 5" x 3" and 6" x 3") in price classifications A–H, inclusive	9.40	4.95	2.60
Stoker, Size Group 10 (including 1" x 1½" and ⅜" x 1") in price classifications A–E, inclusive	9.15	4.80	2.54

(f) *Maximum authorized service charges and required deductions*—(1) *Carry from curb.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Yard sales.* When buyer picks up coal at the dealer's yard, the Domestic price must be reduced at least 50¢ per ton.

(3) *Sacked coal.* A dealer may charge not more than 66¢ per 100 lbs. of coal at the yard, and not more than 76¢ per 100 lbs. delivered.

(4) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated, but it is not necessary that this charge be separately stated thereon.

(5) *Delivery zone.* No addition may be made for deliveries within the corporate limits of the city or town in which the dealer's yard is located or within five miles of said corporate limits. For deliveries within the area covered by this order and more than five miles for the corporate limits of the city or town in which the dealer's yard is located, the dealer may add not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for each delivery. Such delivery charge if added, must be stated separately from all other charges on the invoice.

(6) *Credit.* No additional charge in excess of the prices established by this order may be made for extension of credit.

Effective date. This order shall become effective June 13, 1945.

Issued: June 8, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45–11033; Filed, June 22, 1945; 12:21 p. m.]

[Region IV Order G–40 Under RMPR 122, Amdt. 1]

SOLID FUELS IN DALTON, GA., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G–40 under Revised Maximum Price Regulation No. 122 issued by this Office on April 21, 1945, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg	$7.90	$4.20	$2.10
Block	8.45	4.48	2.24
Stoker	7.95	4.21	2.11
Slack	6.40	3.35	1.71

2. Subparagraph (f) (2) is amended to read as follows:

(f) * * *

(2) *Sacked coal.* For egg coal sold in sacks or bags, the dealer may charge not more than 51¢ per 100 pounds.

3. Supplementary Order No. 1 to Order No. G–37 under Revised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to the area covered by this Order G–40 under Revised Maximum Price Regulation No. 122.

Effective date. This amendment shall become effective June 11, 1945.

Issued: June 5, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45–11034; Filde, June 22, 1945; 12:21 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 20, 1945.

REGION I

Augusta Order 1–F, covering fresh fruits and vegetables. Filed 3:04 p. m.

Augusta Order 2–F, covering fresh fruits and vegetables. Filed 3:04 p. m.

Augusta Order 2–F, covering fresh fruits and vegetables in Portland, S. Portland and Westbrook, Maine. Filed 3:04 p. m.

Augusta Order 2–F, covering fresh fruits and vegetables in the Maine Area. Filed 3:04 p. m.

Augusta Order 5–F, covering fresh fruits and vegetables in the Bangor and Brewer, Maine Area. Filed 3:03 p. m.

Boston Order 1–C, Amendment 8, covering poultry in certain areas in Massachusetts. Filed 3:09 p. m.

Concord Order 4–O, covering eggs in certain areas in New Hampshire. Filed 3:11 p. m.

Vermont Order 3–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Vermont. Filed 3:09 p. m.

REGION II

Baltimore Order 37, Amendment 1, covering dry groceries in certain counties in Maryland. Filed 3:05 p. m.

Camden Order 3–F, Amendment 35, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 3:09 p. m.

Camden Order 4–F, Amendment 35, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 3:09 p. m.

Harrisburg Order 2–F, Amendment 22, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:08 p. m.

Harrisburg Order 2–F, Amendment 23, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:08 p. m.

Harrisburg Order 2–F, Amendment 24, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:05 p. m.

Harrisburg Order 2–F, Amendment 27, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:05 p. m.

New York Order 9–F, Amendment 16, covering fresh fruits and vegetables in the five boroughs in New York. Filed 3:11 p. m.

New York Order 10–F, Amendment 16, covering fresh fruits and vegetables in Nassau and Westchester Counties, New York. Filed 3:11 p. m.

New York Order 12–F, Amendment 9, covering fresh fruits and vegetables in certain counties in New York. Filed 3:10 p. m.

Pittsburgh Order 3–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 3:10 p. m.

Trenton Order 44, covering poultry in certain areas in New Jersey. Filed 3:10 p. m.

Trenton Order 45, covering poultry in certain areas in New Jersey. Filed 3:09 p. m.

REGION III

Escanaba Order 2–C, Amendment 1 covering poultry in the Upper Penn. of Michigan. Filed 3:03 p. m.

Lexington Order 5–F, Amendment 11, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 3:03 p. m.

Lexington Order 6–F, Amendment 11 covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 3:03 p. m.

Lexington Order 7–F, Amendment 11 covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 3:02 p. m.

Louisville Order 9–F, Amendment 7, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:02 p. m.

Louisville Order 10–F, Amendment 7, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:02 p. m.

Louisville Order 12–F, Amendment 22, covering fresh fruits and vegetables in Jefferson County, Ky. and Clark and Floyd, Indiana. Filed 3:02 p. m.

Louisville Order 13–F, Amendment 22, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 3:02 p. m.

Louisville Order 14–F, Amendment 22, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 3:01 p. m.

Louisville Order 15–F, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:01 p. m.

Louisville Order 16–F, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:00 p. m.

REGION IV

Atlanta Order 6–F, Amendment 35, covering fresh fruits and vegetables in the Atlanta-Decatur Area. Filed 3:01 p. m.

Atlanta Order 7–F, Amendment 5, covering fresh fruits and vegetables in certain areas in Georgia. Filed 3:00 p. m.

Atlanta Order 8–F, Amendment 5, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:59 p. m.

Atlanta Order 9–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Georgia and Alabama. Filed 2:59 p. m.

Atlanta Order 28–C, Amendment 3, covering poultry in the Atlanta Area. Filed 3:00 p. m.

Birmingham Order 3–F, Amendment 21, covering fresh fruits and vegetables in Jefferson County, Alabama. Filed 3:00 p. m.

Birmingham Order 4–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Alabama. Filed 2:59 p. m.

Jackson Order 4–F, Amendment 34, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 2:59 p. m.

Miami Order 1–F, Amendment 17, covering fresh fruits and vegetables in certain cities in Florida. Filed 2:59 p. m.

Miami Order 2–F, Amendment 16, covering fresh fruits and vegetables in certain cities in Florida. Filed 2:59 p. m.

Miami Order 3–F, Amendment 6, covering fresh fruits and vegetables in certain counties in Florida. Filed 2:58 p. m.

Miami Order 4–F, Amendment 6, covering fresh fruits and vegetables in Monroe County, Florida. Filed 2:58 p. m.

Montgomery Order 22–F, Amendment 34, covering fresh fruits and vegetables in Houston County, Alabama. Filed 3:12 p. m.

Montgomery Order 23–F, Amendment 10, covering fresh fruits and vegetables in certain counties in Alabama. Filed 3:12 p. m.

Montgomery Order 24–F, Amendment 31, covering fresh fruits and vegetables in Dallas County, Alabama. Filed 3:12 p. m.

REGION VII

Albuquerque Order 8–F, Amendment 19, covering fresh fruits and vegetables in Albuquerque. Filed 2:58 p. m.

Salt Lake City Order 5–W, Amendment 1, covering dry groceries in the Salt Lake, Ogden, and Provo Area. Filed 2:54 p. m.

Salt Lake City Order 11–F, covering fresh fruits and vegetables in certain cities in Utah. Filed 2:57 p. m.

Salt Lake City Order 11–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Utah. Filed 2:57 p. m.

Salt Lake City Order 12–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 2:57 p. m.

Salt Lake City Order 12–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Utah. Filed 2:56 p. m.

Salt Lake City Order 13–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 2:56 p. m.

Salt Lake City Order 13–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Utah. Filed 2:56 p. m.

Salt Lake City Order 20, Amendment 1, covering dry groceries in the Salt Lake City, Ogden and Provo Area. Filed 2:55 p. m.

Salt Lake City Order 21, Amendment 1, covering dry groceries in the Salt Lake City, Ogden and Provo Area. Filed 2:54 p. m.

Salt Lake City Order 24, Amendment 1, covering dry groceries in certain areas in Utah. Filed 2:54 p. m.

Salt Lake City Order 22, Amendment 1, covering dry groceries in certain areas in Utah, Idaho and Wyoming. Filed 2:54 p. m.

REGION VIII

Fresno Order 1–F, Amendment 73, covering fresh fruits and vegetables in Fresno, California. 2:53 p. m.

Fresno Order 2–F, Amendment 61, covering fresh fruits and vegetables in Modesto. Filed 2:53 p. m.

Fresno Order 3–F, Amendment 58, covering fresh fruits and vegetables in certain areas in California. Filed 2:53 p. m.

Fresno Order 4–F, Amendment 33, covering fresh fruits and vegetables in certain counties and cities in California. Filed 2:52 p. m.

Fresno Order 6–F, Amendment 44, covering fresh fruits and vegetables in Bakersville, California. Filed 2:52 p. m.

Fresno Order 7–F, Amendment 23, covering fresh fruits and vegetables in Merced, California. Filed 2:51 p. m.

Fresno Order 35, Amendment 2, covering dry groceries. Filed 2:51 p. m.

Nevada Order 5–0, covering eggs. Filed 2:51 p. m.

Nevada Order 6–0, covering eggs in certain counties in Nevada. Filed 2:42 p. m.

Phoenix Order 1–F, Amendment 23, covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:42 p. m.

Phoenix District Order 3–F, Amendment 76, covering fresh fruits and vegetables in Phoenix. Filed 2:42 p. m.

Phoenix Adopting Order 8–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:41 p. m.

Portland Order 5–F, Amendment 27, covering fresh fruits and vegetables in certain cities in Oregon. Filed 2:41 p. m.

Portland Order 6–F, Amendment 27, covering fresh fruits and vegetables in certain cities in Oregon. Filed 2:41 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–10961; Filed, June 21, 1945; 4:31 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 21, 1945.

REGION I

Boston Order 8–F, Amendment 3, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:45 a. m.

Boston Order 9–F, Amendment 4, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:44 a. m.

Boston Order 10–F, Amendment 3, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:45 a. m.

REGION II

New York Order 3–D, covering butter and cheese in parts of the New York and Newark Districts. Filed 10:44 a. m.

New York Order 4–D, covering butter and cheese in parts of the New York and Newark Districts. Filed 10:43 a. m.

New York Order 9–F, Amendment 17, covering fresh fruits and vegetables in the five boroughs in New York. Filed 10:44 a. m.

New York Order 10–F, Amendment 17, covering fresh fruits and vegetables in Nassau and Westchester counties, New York. Filed 10:44 a. m.

New York Order 12–F, Amendment 10, covering fresh fruits and vegetables in certain counties in New York. Filed 10:44 a. m.

Philadelphia Order 6–F, Amendment 31, covering fresh fruits and vegetables in Philadelphia, Pennsylvania. Filed 10:43 a. m.

Philadelphia Order 11–F, Amendment 6, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:43 a. m.

Philadelphia Order 12–F, Amendment 6, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:43 a. m.

Philadelphia Order 30, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 10:42 a. m.

Philadelphia Order 31, Amendment 1, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:42 a. m.

Philadelphia Order 32, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 10:42 a. m.

Philadelphia Order 33, Amendment 2, covering poultry in the city and county of Pennsylvania. Filed 10:42 a. m.

REGION III

Charleston Order 7–F, Amendment 16, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:42 a. m.

Charleston Order 7–F, Amendment 17, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:42 a. m.

Charleston Order 9–F, Amendment 16, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:41 a. m.

Charleston Order 9–F, Amendment 17, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:41 a. m.

Charleston Order 10–F, Amendment 16, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:41 a. m.

Charleston Order 10–F, Amendment 17, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:41 a. m.

Charleston Order 11–F, Amendment 16, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:41 a. m.

Charleston Order 11–F, Amendment 17, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:40 a. m.

Charleston Order 14–F, Amendment 4, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:40 a. m.

Charleston Order 15–F, Amendment 12, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:40 a. m.

Detroit Order 1–O, Amendment 5, covering eggs in certain counties in Michigan. Filed 10:47 a. m.

Detroit Order 5–F, Amendment 19, covering fresh fruits and vegetables in Wayne and Macomb Counties. Filed 10:47 a. m.

Grand Rapids Order 13–W, covering dry groceries in certain counties in Michigan. Filed 10:46 a. m.

Grand Rapids Order 14–FA, Amendment 76, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 10:36 a. m.

Grand Rapids Order 14–FB, Amendment 76, covering fresh fruits and vegetables in certain cities in Michigan. Filed 10:35 a. m.

Grand Rapids Order 14–FA, Amendment 77, covering fresh fruits and vegetables in certain cities in Michigan. Filed 10:35 a. m.

Grand Rapids Order 14–FB, Amendment 77, covering fresh fruits and vegetables in certain cities in Michigan. Filed 10:35 a. m.

Grand Rapids Order 14–FC, Amendment 51, covering fresh fruits and vegetables in certain counties in Michigan. Filed 10:35 a. m.

Grand Rapids Order 14–FC, Amendment 52, covering fresh fruits and vegetables in certain counties in Michigan. Filed 10:35 a. m.

Grand Rapids Order 14–FD, Amendment 21, covering fresh fruits and vegetables in certain counties in Michigan. Filed 10:34 a. m.

Grand Rapids Order 21, covering dry groceries in certain counties in Michigan. Filed 10:46 a. m.

Grand Rapids Order 21, Amendment 1, covering dry groceries in the Grand Rapids Area. Filed 10:46 a. m.

Indianapolis Order 14–F, Amendment 20, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe. Filed 10:34 a. m.

Indianapolis Order 15–F, Amendment 20, covering fresh fruits and vegetables in Wayne, Delaware and Allen. Filed 10:34 a. m.

Indianapolis Order 16–F, Amendment 20, covering fresh fruits and vegetables in St. Joseph. Filed 10:34 a. m.

Indianapolis Order 17–F, Amendment 20, covering fresh fruits and vegetables in Vanderburgh. Filed 10:34 a. m.

Indianapolis Order 18–F, Amendment 8, covering fresh fruits and vegetables in certain counties in Indiana. Filed 10:34 a. m.

Indianapolis Order 19–F, Amendment 8, covering fresh fruits and vegetables in certain counties in Indiana. Filed 10:33 a. m.

Lexington Order 8–F, Amendment 2, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:47 a. m.

Toledo Order 1–F, Amendment 79, covering fresh fruits and vegetables. Filed 10:39 a. m.

Toledo Order 2–F, Amendment 73, covering fresh fruits and vegetables. Filed 10:39 a. m.

Toledo Order 10–C, Amendment 6, covering poultry. Filed 10:45 a. m.

REGION IV

Atlanta Order 6–F, Amendment 36, covering fresh fruits and vegetables in the Atlanta-Decatur Area. Filed 10:39 a. m.

Atlanta Order 6–F, Amendment 37, covering fresh fruits and vegetables in the Atlanta-Decatur Area. Filed 10:39 a. m.

Atlanta Order 8–F, Amendment 6, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:39 a. m.

Atlanta Order 9–F, Amendment 9, covering fresh fruits and vegetables in Bibb and Muscogee, Georgia and Phenix City, Alabama. Filed 10:38 a. m.

Memphis Order 6–F, Amendment 35, covering fresh fruits and vegetables in Memphis and Shelby, Tennessee. Filed 10:38 a. m.

REGION V

Houston Order 1–F, Amendment 59, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:47 a. m.

Houston Order 3–F, Amendment 47, covering fresh fruits and vegetables in Jefferson and Orange Counties, Texas. Filed 10:47 a. m.

St. Louis Order 3–F, Amendment 35, covering fresh fruits and vegetables in St. Louis city and county, Missouri. Filed 10:38 a. m.

REGION VI

Twin Cities Order C–1, covering poultry in the Twin Cities Area. Filed 10:38 a. m.

REGION VIII

Portland Order 20, Amendment 8, covering dry groceries in certain areas in Oregon. Filed 10:37 a. m.

Nevada Order 6–F, Amendment 17–A, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 10:37 a. m.

Sacramento Order 29–F, Amendment 19, covering fresh fruits and vegetables in certain areas in California. Filed 10:37 a. m.

Sacramento Order 30–F, Amendment 2, covering fresh fruits and vegetables in certain areas in California. Filed 10:37 a. m.

Sacramento Order 30–F, Amendment 3, covering fresh fruits and vegetables in certain areas in California. Filed 10:37 a. m.

Sacramento Order 31–F, Amendment 2, covering fresh fruits and vegetables in certain areas in California. Filed 10:36 a. m.

Sacramento Order 31–F, Amendment 3, covering fresh fruits and vegetables in certain areas in California. Filed 10:36 a. m.

San Diego Order 1–F, Amendment 34, covering fresh fruits and vegetables in the San Diego Area. Filed 10:36 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–10991; Filed, June 22, 1945; 11:39 a. m.]

[Region I Order G–3 Under MPR 188, Amdt. 1]

CRUSHED STONE IN CONNECTICUT

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–3 under Maximum Price Regulation No. 188 is amended in the following respect:

1. Paragraph (a) is amended to read as follows:

(a) The maximum prices of producers of crushed stone quarried from trap rocks produced or sold within the State of Connecticut as established by § 1499.153 of Maximum Price Regulation No. 188 are modified so that their maximum prices shall be as follows:

	Sizes and prices per net ton f. o. b. quarry				
	2″	1¼″	¾″	½″	⅜″
For crushed stone produced or sold in the territory commonly known as Metropolitan New Haven	$1.25	$1.35	$1.50	$1.85	$1.95
For crushed stone produced or sold in the rest of Connecticut	1.25	1.35	1.45	1.60	1.70

This amendment shall become effective June 15, 1945.

Issued June 14, 1945.

ELDON C. SHARP,
Regional Administrator.

[F. R. Doc. 45–11085; Filed, June 22, 1945; 4:31 p. m.]

[Augusta Order G–1 Under RMPR 259]

DOMESTIC MALT BEVERAGES IN MAINE

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 4.2 (b) of RMPR 259, this order establishes the amount to be deducted for sales to retailers made f. o. b. the sellers' premises from the ceiling price for sales to retailers delivered within the base delivery zone premises.

SEC. 2. *Where this order applies.* The provisions of this order apply to all brewers required to price as wholesalers and to all wholesalers located within the State of Maine.

SEC. 3. *Applicability.* No person subject to this order may sell to any retailer within his base delivery zone f. o. b. his premises without deducting 5¢ from his ceiling price if such retailer's place of business is located not more than 10 miles from the seller's premises and 10¢ if more than 10 miles, distance being computed by the most direct feasible route of travel.

SEC. 4. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective May 21, 1945 at 12:01 a. m.

Issued this 18th day of May 1945.

PRESCOTT H. VOSE,
District Director.

[F. R. Doc. 45–11070; Filed, June 22, 1945 4:27 p. m.]

[Region II Order G–2 Under MPR 423]

POULTRY IN NEW YORK REGION

For the reasons set forth in an accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by section 19a of Maximum Price Regulation No. 423, this order is issued.

SECTION 1. *What this order does.* This order reduces the markups listed in Table B in section 28 (a) of Maximum Price Regulation No. 423 for sales by certain Groups 1 and 2 retailers in Region II of poultry, except ducks, bought live and sold live or on a dressed-weight basis, and bought kosher-killed and sold kosher-killed. The markup-reduction is necessary to prevent an increase, arising out of the issuance of Order No. G–6 and Amendment No. 1 to Revised Order No. G–1 under Second Revised Maximum Price Regulation No. 269, in the ceiling prices at which such poultry items may be sold by retailers.

SEC. 2. *Where this order applies.* This order applies in the counties of Bronx, Kings, New York, Queens, Richmond and Westchester in the State of New York; the counties of Bergen Essex, Hudson, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset and Union, and the City of Camden in the State of New Jersey; and the counties of Allegheny, Delaware and Philadelphia in the Commonwealth of Pennsylvania.

SEC. 3. *Reduced markups for live and kosher-killed poultry.* In determining the retail ceiling prices for live and kosher-killed poultry no effect shall be given to the increase in retail-cost of live and kosher-killed poultry arising out of the issuance of Order No. G–6 and Amendment No. 1 to Revised Order No. G–1 under Second Revised Maximum Price Regulation No. 269. Retail markups for such poultry items shall be reduced accordingly.

Effective date: This order shall become effective on June 18, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7831; E.O. 9328, 8 F.R. 4681; MPR 423, 8 F.R. 9407, 10570)

Issued: June 16, 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45–11086; Filed, June 22, 1945; 4:31 p. m.]

[Region II Order G–6 Under 2d Rev. MPR 269]

LIVE POULTRY IN NEW YORK REGION

For the reasons stated in the accompanying opinion and pursuant to the authority contained in Second Revised Maximum Price Regulation No. 269 (2d Rev. MPR 269), this order is hereby issued.

SECTION 1. *What this order does.* This order establishes allowances for transportation of live poultry, except ducks, sold and delivered at any point in the area described in section 2. These allowances shall apply instead of those provided in 2d Rev. MPR 269. Except as modified by this order 2d Rev. MPR 269 and orders issued thereunder by the Regional Administrator shall continue in effect.

SEC. 2. *Where this order applies.* This order applies in the Counties of Bronx, Kings, New York, Queens, Richmond, and Westchester in the State of New York; the Counties of Bergen, Essex, Hudson, Morris, Passaic, Union, Mercer, Middlesex, Monmouth, and Somerset and the City of Camden in the State of New Jersey; and the counties of Allegheny, Delaware and Philadelphia in the Commonwealth of Pennsylvania.

SEC. 3. *Permitted additions to maximum base prices—(a) Markups for transporting live poultry.* (1) Any person who transports live poultry, except ducks, for a distance of 5 miles or more to and for ultimate consumption in any city, town or village may sell or deliver it to any "wholesaler" or individual retail store located in that community, at the maximum base price established for that place, plus whichever one of the following markups in cents per pound is applicable:

Shortest distance in road miles or railroad miles from point where transport of live poultry begins to point where transport ends	*Maximum markups in cents per pound*
Less than 5 miles	No increase
5 to 49 miles	2 cents
50 to 99 miles	2½ cents
100 to 199 miles	3 cents
200 or more miles	4 cents

Only one markup for transporting live poultry may be added to the maximum base price. The weight of the live poultry item sold and delivered shall be the weight at the time of delivery of physical possession to the buyer in the community where his place of business is located and where the live poultry items are destined for ultimate consumption. Under no circumstances may the total purchase price exceed the maximum price per pound multiplied by the weight of the live poultry at the time the buyer first receives physical possession.

(2) *Permitted increases for wholesalers.* Any "wholesaler" (as defined in 2d, Rev. MPR 269) who sells live poultry, except ducks, to another wholesaler or to an individual retail store located in the same metropolitan area, may add to the maximum base price at the seller's shipping point the permitted increase established by section 3 (a) (1) of this order for the actual distance the live poultry was transported to the seller's place of business, in accordance with Items 6 and 7 of Table G of section 6.4 (a) of 2d Rev. MPR 269. In the case of sales to any other purchaser, however, only the applicable markup named in section 6.3 of 2d Rev. MPR 269 may be added. The weight of the live poultry items sold and delivered shall be the weight at the time and point of delivery of physical possession to the buyer: *Provided, however,* That if at the time of delivery of physical possession, the poultry is "overcropped" within the meaning of the Tentative U. S. Standards for Classes and Grades for Live Poultry promulgated by the United States Department of Agriculture, the actual weight delivered, for the purpose of determining maximum prices, shall be reduced by the weight of the excessive feed contained in the crops of the poultry. In the case of live poultry transported from the producing area by truck, for the purpose of determining maximum prices, the weight upon resale of a long coop containing 56 or more chickens averaging more than 2½ pounds each may not exceed the actual weight when the seller received physical possession by more than 7 pounds, and the resale weight of coops or other containers with fewer birds must be proportionately less.

Effective date. This order shall become effective on June 18, 1945.

Issued: June 16, 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45–11097; Filed, June 22, 1945; 4:35 p. m.]

[Region II Rev. Order G–15 Under RMPR 122, Amdt. 6]

SOLID FUELS IN BALTIMORE, MD., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–15 is amended in the following respects:

1. Paragraph (d) is amended by revising the "direct-delivery" prices for Virginia anthracite as follows:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
• • •	•	•	•
Virginia anthracite:			
Egg, stove, nut	$11.60	$6.30	$0.65
Pea	9.95	5.50	.55
Buckwheat	9.00	5.00	.....

(Required discounts and maximum authorized service charges remain unchanged.)

2. Paragraph (e) (1) is amended by revising the prices for "yard sales" of Virginia anthracite as follows:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
• • •	•	•
Virginia anthracite:		
Egg, stove, nut	$10.60	$0.60
Pea	8.95	.50
Buckwheat	8.09	.....

(Required discounts remain unchanged.)

This Amendment No. 6 to Revised Order No. G–15 shall become effective April 9, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9828, 8 F.R. 4681)

Issued this 7th day of April 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45–11102; Filed, June 22, 1945; 4:36 p. m.]

[Region II Order G–41 Under RMPR 122, Amdt. 3]

SOLID FUELS IN MARYLAND

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–41 is amended in the following respects:

1. Paragraph (d) (1) is amended by revising the "direct-delivery" prices for Virginia anthracite as follows:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
• • •	•	•	•
Virginia anthracite			
Egg, stove, nut	$12.10	$6.30	$0.75
Pea	10.70	5.60	.65
Buckwheat	10.05	5.30	.60

Required discounts and maximum authorized service charges remain unchanged.

2. Paragraph (d) (2) is amended by revising the prices for "*Yard sales*" of Virginia anthracite as follows:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
• • •	•	•
Virginia anthracite		
Egg, stove, nut	$11.10	$0.65
Pea	9.70	.55
Buckwheat	9.05	.50

Required discounts remain unchanged.

areas in California. Filed 10:37 a. m.

(5) *Permitted increases for wholesalers.* Any "wholesaler" (as defined

(Required discounts and maximum authorized service charges remain unchanged.)

Required discounts remain unchanged.

This Amendment No. 3 to Order No. G-41 shall become effective April 9, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11101; Filed, June 22, 1945; 4:36 p. m.]

[Region II Rev. Order G-15 Under RMPR 122, Amdt. 7]

SOLID FUELS IN BALTIMORE, MD., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-15 is amended in the following respects:

1. Paragraph (d) is amended by revising the "direct-delivery" prices for Virginia anthracite as follows:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Virginia anthracite:			
Egg, stove, nut	$11.60	$6.20	$0.65
Pea	9.05	5.50	.55
Buckwheat	9.00	5.00	
Virginia anthracite produced and prepared at the Great Valley Mine of the Great Valley Anthracite Coal Corp. (provided that it is kept separate in storage and delivery and sold and invoiced as "Great Valley Virginia Anthracite"):			
Egg, stove, nut	11.60	6.15	.65
Pea	10.25	5.65	.55
Buckwheat	9.30	5.15	

(Required discounts and maximum authorized service charges remain unchanged.)

2. Paragraph (e) (1) is amended by revising the prices for "yard sales" of Virginia anthracite as follows:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Virginia anthracite:		
Egg, stove, nut	$10.60	$0.60
Pea	8.05	.50
Buckwheat	8.00	
Virginia anthracite produced and prepared at the Great Valley Mine of the Great Valley Anthracite Coal Corp. (provided that it is kept separate in storage and delivery and sold and invoiced as "Great Valley Virginia Anthracite"):		
Egg, stove, nut	10.60	.60
Pea	9.25	.50
Buckwheat	8.30	

(Required discounts remain unchanged.)

[Region II Rev. Order G-15 Under RMPR 122, Amdt. 8]

SOLID FUELS IN BALTIMORE, MD., AREA

This Amendment No. 7 to Revised Order No. G-15 shall become effective April 25, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11094; Filed, June 22, 1945; 4:34 p. m.]

[Region II Rev. Order G-15 Under RMPR 122, Amdt. 8]

SOLID FUELS IN BALTIMORE, MD., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-15 is amended in the following respects:

1. Paragraph (d) is amended by revising the "Direct-delivery prices for bituminous coal to read as follows:

(b) *Schedule I: Sales on a "direct-delivery" basis for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal from underground mines			
District 1 (low volatile)			
Run-of-mine	$6.63	$5.34	
Stoker pea	10.58	5.69	$0.60
Nut and slack	9.68	5.74	.55
Egg and lump	10.43	5.74	.60
Dealer rescreened egg	11.33	6.19	.65
District 1 (high volatile)			
Run-of-mine	8.08	4.99	
Districts II, III, and VI (high volatile)			
Run-of-mine	9.23	5.12	
Stoker (special) Sewell seam classification "A"	9.68	5.37	.55
Stoker (double screened) bottom size over ¾" and nut and slack, top size over 2"	8.58	5.02	.55
Egg and lump—Sewell seam, classification "A"	10.43	5.72	.60
Egg and lump—Except Sewell seam classification "A"	9.48	5.27	.55
District VII (low volatile)			
Domestic run-of-mine	11.21	6.13	.65
Stoker and pea	10.46	5.73	.60
Stove	12.01	6.53	.65
Egg and lump	12.26	6.63	.70
District VIII (high volatile)			
Egg	9.65	5.33	.60

2. Paragraph (e) is amended by revising the "yard" sales prices for bituminous coal to read as follows:

(e) *Schedule II: "Yard" sales—(1) Sales at dealer's yard to consumers.*

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal from underground mines		
District 1 (low volatile)		
Run-of-mine	$8.63	
Stoker (special)	9.58	$0.60
Nut and slack	8.68	.55
Egg and lump	9.43	.60
Dealer rescreened egg	10.35	.65
District 1 (high volatile)		
Run-of-mine	7.98	
Districts II, III & VI (High volatile)		
Run-of-mine	8.23	
Stoker (special) Sewell seam, classification "A"	8.68	.55
Stoker (double screened) bottom size over ¾" and nut and slack, top size over 2"	7.98	.55
Egg and lump—Sewell seam, classification "A"	9.43	.60
Egg and lump—except Sewell seam, classification "A"	8.48	.55
District VII (low volatile)		
Domestic run-of-mine	10.21	.65
Stoker and pea	9.46	.60
Stove	11.01	.70
Egg and lump	11.26	.75
District VIII (high volatile)		
Egg	8.65	.55

(2) *Sales at dealer's yard to other dealers for resale:*

Kind and Size of Coal	Maximum price per net ton
Bituminous coal:	
Run-of-mine (district 1, low volatile)	$6.63
Egg (district 2, high volatile)	6.59
Egg (district 3, high volatile)	6.78
Nut (district 3, high volatile)	6.68
District VII, low volatile:	
Egg	9.11
Stove	9.25
Pea	7.66

3. Paragraph (q) is amended by redesignating subparagraphs (14) and (15) as subparagraphs (15) and (16), respectively, and inserting a new subparagraph (14) to read as follows:

(14) "Underground mine coal" means coal that is taken entirely from underground seams from which the overburden is not removed, and does not include coal from a mine which takes in coal from the ground by the stripping method.

This Amendment No. 8 to Revised Order No. G-15 shall become effective as of May 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11093; Filed, June 22, 1945; 4:34 p. m.]

[Region II Order G-27 Under RMPR 122, Amdt. 4]

SOLID FUELS IN DELAWARE

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-27 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended by revising the prices of bituminous coal to read as follows:

(1) *Sales on a "direct-delivery" basis for sales of solid fuels of the kinds and sizes, and in the quantities specified:*

Kind and size of fuel	Per net ton for sales of ½ ton or more
Bituminous coal from district No. 1 (underground mines):	
Egg or pea (double screened coal sold for domestic use)	$10.23
Run-of-mine in price classification "A"	9.38
Run-of-mine in price classification "D" and "E"	8.83
2" Lump in price classification "E"	9.03
Smithing coal	10.28
High volatile coal from district No. 3:	
2" nut and slack	8.58
Stoker pea (double screened)	8.58
High volatile coal from District No. 8:	
Channel coal—lump	18.85
Splint coal—Lump sold as fireplace coal	15.35
Coke	12.75

(2) *"Yard sales" for sales of solid fuels of the sizes and in the quantities specified to dealers and to consumers:*

Kind and size of coal	Per net ton, for sales of ½ ton or more	
	To dealers for resale	To consumers
Bituminous coal from district No. 1 (underground mines)		
Egg or pea (double screened coal sold for domestic use)	$8.23	$8.73
Run-of-mine in price classification "A"	7.88	8.38
Run-of-mine in price classification "D" and "E"	7.33	7.84
2" lump in price classification "E"	7.53	8.03
Smithing coal	8.88	9.38
High volatile coal from District No. 3		
2" nut and slack	7.08	7.58
Stoker pea (double screened)	7.08	7.58
High volatile coal from district No. 8		
Channel coal lump	16.85	17.35
Splint coal lump sold as fireplace coal	13.35	13.85
Coke	10.75	10.75

2. Paragraph (q) is amended by redesignating subparagraphs (17) and (18) as subparagraphs (18) and (19), respectively, and adding a new subparagraph (17) to read as follows:

(17) "Underground mine" or "deep mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

This Amendment No. 4 to Order No. G-27 shall become effective as of May 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11102; Filed, June 22, 1945; 4:36 p. m.]

[Region II Rev. Order G-15 Under RMPR 122, Amdt. 9]

SOLID FUELS IN BALTIMORE, MD., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-15 is amended in the following respects:

1. Paragraph (d) is amended by adding to the table of "direct-delivery" prices for bituminous coal the following:

(d) *Schedule I: Sales on a "direct-delivery" basis for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal from underground mines			
Districts II, III and VI (High volatile)			
Golden Ridge coal, mine index No. 65, Sewell seam—all price classification "A" (provided that it is kept separate in storage and delivery and sold and invoiced as "Golden Ridge bituminous coal"):			
Egg and lump	$10.58	$5.79	$0.60
Stoker (special)	9.98	5.49	.55
Stoker (Double screened) Bottom size over ¾" and nut and slack, top size over 2"	9.28	5.14	.55
Bergoo No. 2 coal, Mine Index No. 16, Sewell seam, all price classification "A" (provided that it is kept separate in storage and delivery and sold and invoiced as "Bergoo No. 3 bituminous coal"):			
Stoker (special)	9.83	5.42	.55
Stoker (Double screened) bottom size over ¾" and nut and slack, top size over 2"	9.13	5.07	.55

2. Paragraphs (e) (1) and (e) (2) are amended by adding to the tables of "yard" sales for bituminous coal the following:

(e) *Schedule II. "Yard" sales—(1) Sales at dealer's yard to consumers:*

Kind and size of coal	Per net ton (for sales of ½ ton or more)	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal from underground mines		
Districts II, III & VI (High volatile)		
Golden Ridge coal, Mine Index No. 65 (provided that it is kept separate in storage and delivery and sold and invoiced as "Golden Ridge bituminous coal").		
Egg and lump	$9.58	$0.55
Stoker (special)	8.98	.50
Stoker (double screened) bottom size over ¾" and nut and slack, top size over 2"	8.28	.50
Bergoo No. 2 coal, Mine Index No. 16 (provided that it is kept separate in storage and delivery and sold and invoiced as "Bergoo No. 2 bituminous coal"):		
Stoker (special)	8.83	.50
Stoker (double screened) bottom size over ¾" and nut and slack, top size over 2"	8.13	.50

(2) *Sales at dealer's yard to other dealers for resale:*

KIND AND SIZE OF COAL AND MAXIMUM PRICE PER NET TON

BITUMINOUS COAL

Golden Ridge coal, mine index No. 65 (district 3) (provided that it is kept separate in storage and delivery and sold and invoiced as "Golden Ridge bituminous coal")	
Egg	$6.93
Nut	6.98
Bergoo No. 2 coal, mine index No. 16 (district 3) (provided that it is kept separate in storage and delivery and sold and invoiced as "Bergoo No. 2 bituminous coal"): Nut	6.83

This Amendment No. 9 to Revised Order No. G-15 shall become effective as of May 18, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11092; Filed, June 22, 1945; 4:33 p. m.]

[Region II Rev. Order G-41 Under RMPR 122, Amdt. 4]

SOLID FUELS IN MARYLAND

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-41 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended by revising the prices of bituminous coal to read as follows:

(1) *Sales on a "direct-delivery" basis for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal (from underground mines) low volatile			
Producing district 1:			
Lump or egg (size group 1, price classification D and E)	$10.18	$9.49	$0.65
Nut and slack (size group 4, price classification G)	8.53	4.49	.55
Run-of-mine (size group 3, price classification E and G)	9.18	4.84	.60
Producing district 2:			
Run-of-mine (size group 6, price classification D)	9.14	4.82	.60
Producing district 3:			
Lump (size group 3, price classification "DE")	8.82	4.67	.55
Stoker (size group 5, price classification E)	8.68	4.62	.55

(2) *"Yard sales" for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal (from underground mines) low volatile		
Producing district 1:		
Lump or egg (size group 1, price classification D and E)	$9.68	$0.55
Nut and slack (size group 4, price classification G)	7.93	.45
Run-of-mine (size group 3, price classification E and G)	8.18	.50
Producing district 2:		
Run-of-mine (size group 6, price classification D)	8.14	.50
Producing district 3:		
Lump (size group 3, price classification "DE")	7.84	.45
Stoker (size group 5, price classification E)	7.68	.45

2. Paragraphs (e) (1) and (e) (2) are amended by revising the prices for bituminous coal to read as follows:

(1) *Sales on a "direct-delivery" basis for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal (from underground mines) Low volatile			
Producing district 1:			
Lump (size group 1, price classification D and E)	$8.98	$4.74	$0.60
Run-of-mine (size group 3, price classification E)	9.18	4.84	.60
Producing district 7:			
Stove (size group 5, price classification A and D)	10.06	5.28	.60

(2) *"Yard sales"—for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal (from underground mines)—Low volatile		
Producing district 1:		
Lump (size group 1, price classification A, C, D, E, G and H)	$8.83	$4.69	$0.55
Run-of-mine (size group 3, price classification D and E)	8.48	4.49	.55
Producing district 3:			
Lump (size group 1, price classification G)	7.53	4.02	.50
Producing district 7:			
Egg (size group 2, price classification D)	10.81	5.68	.65
Stove (size group 3, price classification A)	11.01	5.78	.65
Stove (size group 5, price classification C and D)	10.51	5.58	.65
Nut (size group 4, price classification A)	10.71	5.63	.65
Pea (size group 5, price classification A)	9.76	5.13	.60

3. Paragraphs (f) (1) and (f) (2) are amended by revising the prices for bituminous coal to real as follows:

(1) *Sales on a "direct-delivery" basis—For sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal (from underground mines)—Low volatile			
Producing District 1:			
Lump (size group 1, price classification A, C, D, E, G, and H)	$8.83	$4.69	$0.55
Run-of-mine (size group 3, price classification D and E)	8.48	4.49	.55
Producing district 3:			
Lump (size group 1, price classification G)	7.53	4.02	.50
Producing district 7:			
Egg (size group 2, price classification D)	10.81	5.68	.65
Stove (size group 3, price classification A)	11.01	5.78	.65
Stove (size group 5, price classification C and D)	10.51	5.58	.65
Nut (size group 4, price classification A)	10.71	5.63	.65
Pea (size group 5, price classification A)	9.76	5.13	.60

(2) *"Yard sales"—For sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal (from underground mines)—Low volatile		
Producing district 1:		
Lump (size group 1, price classification A, C, D, E, G, and H)	$7.83	$0.15
Run-of-mine (size group 3, price classification D and E)	7.48	.45
Producing district 3: Lump (size group 1, price classification G)	6.53	.50
Producing district 7: Egg (size group 2, price classification D)	9.81	.75
Stove (size group 3, price classification A)	10.01	.75
Stove (size group 3, price classification C and D)	9.51	.75
Nut (size group 4, price classification A)	9.71	.75
Pea (size group 5, price classification A)	8.76	.70

4. Paragraphs (g) (1) and (g) (2) are amended by revising the prices for bituminous coal to read as follows:

(1) *Sales on a "direct-delivery" basis for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal (from underground mines)—Low volatile			
Producing district 1:			
Lump (size group 1, price classification D and E)	$9.33	$4.94	$0.65
Double screened coal 2" and smaller (size group 2, price classification E and F)	8.98	4.74	.60
Run-of-mine (size group 3, price classification E and F)	8.98	4.74	.60
Producing district 7:			
Stove (size group 3, price classification A)	10.96	5.73	.75
Pea (size group 5, price classification A)	9.41	4.98	.65

(2) *"Yard sales"—for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal (from underground mines) low volatile		
Producing district 1:		
Lump (size group 1, price classification D and E)	$8.33	$0.70
Double screened coal 2" and smaller (size group 2, price classification F and F	7.98	.65
Run-of-mine (size group 3, price classification E and F)	7.98	.65
Producing district 7:		
Stove (size group 3, price classification A)	9.66	.85
Pea (size group 5, price classification A)	8.41	.70

5. Paragraphs (h) (1) and (h) (2) are amended by revising the prices of bituminous coal to read as follows:

(1) *Sales on a "direct-delivery" basis—For sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Bituminous coal (from underground mines)—Low volatile			
Producing district 1:			
Lump (size group 1, price classification G and H)	$10.88	$5.69	$0.75
Run-of-mine (size group 3, price classification F and H)	9.48	4.99	.70
High volatile			
Producing district 2:			
Lump 6" and larger x 12" (size group 6, price classification E)	10.39	5.47	.75
Lump 6" and larger x 12" and smaller (size group 4, price classification D)	9.41	4.97	.70
Producing district 3:			
Double screened coal 2" and smaller (size group 5, price classification F)	9.28	4.92	.70

6. Paragraph (i) is amended by redesignating subparagraphs (14) and (15) as subparagraphs (15) and (16), respectively, and inserting a new subparagraph (14) to read as follows:

(14) "Underground mine coal" means coal that is taken entirely from underground seams from which the overburden is not removed, and does not include coal from a mine which takes coal from the ground by the stripping method.

Kind and size of coal	Underground mines	Strip mines	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
	Per net ton	Per net ton	
Bituminous coal			
Producing district 1:			
Lump (size group 1, price classification D and E)	$8.64	$3.52	.40
Run-of-mine (size group 3, price classification E)	6.64	3.52	.40
Producing district 3	6.13	3.57	.40

On single ton deliveries of bituminous coal, the foregoing per net ton prices may be increased by 50¢ per net ton.
Maximum authorized service charges remain unchanged.)

(2) *"Yard" sales by dealers for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Underground mines	Strip mines	Per 100 lbs. (for sales of less than ½ ton)
	Under ground mines per net ton	Strip mines per net ton	
Bituminous coal—Con.			
Producing District 1—Continued: Lump, Black, size group 5, rail shipped coal, price classification "D"	4.98	4.80	.35
Producing district 2: Run-of-mine, size group 6, rail shipped coal, price classification "D"	5.34	.....	.35
Lump-of-mine, size group 6, truck shipped coal, from Allegheny and Westmoreland Counties, Pa.	5.34	.....	.35
Producing district 3: Egg, size group 2, rail Shipped coal, price classification "F"	5.63	.....	.35

(3) Producers' "Yard" sales are not governed by this order.

2. Paragraphs (e) (1) and (e) (2) are amended by revising the "direct-delivery" and "Yard" sales prices to read as follows:

(e) *Schedule II*—(1) *Sales on a "direct-delivery" basis by dealers, and by bituminous coal producers for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Underground mines	Strip mines	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
	Per net ton	Per net ½ ton	Per net ton	
Bituminous coal				
Producing district 1: Screened "Canal Coal", size group 1, truck shipped coal, price classification "A"	$6.98	$3.84	$6.50	$0.15
Pea, size group 2, rail shipped coal, price classification "A"	6.63	3.54	5.85	.10
Lump-of-mine, size group 6, truck shipped coal, from the Harlem (Coal) Mining Co. at its Hughes No. 11 mine, mine index No. 29	6.13	3.54	5.85	.10
Nut and Pea, size group 2, rail and truck shipped coal, from the A. B. C. D. and E seams:				
(a) Treated	6.08	3.74	5.50	.10
(b) Untreated	5.88	3.74	5.50	.10
Run-of-mine, size group 3, rail shipped coal, from the A, B, C, D, and E seams	5.48	3.24	5.30	.10
Run-of-mine, size group 3, truck shipped coal, from the A, B, C, D and E seams	5.48	3.26	5.30	.10
3/4" Slack, size group 5, rail shipped coal, price classification "D"	5.48	3.24	4.50	.10

Maximum authorized service charges remain unchanged.

(2) *"Yard" sales by dealers[1] for sales of coal of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Underground mines per net ton for sales of 2½ ton or more	Strip mines per net ton for sales of 2½ ton or more	Per ton tax (for sales of less than 2½ tons)
Bituminous coal			
Producing district 1:			
Nut, size group 1, rail shipped coal, price classification "A"	$5.65	$5.40	$0.25
Pea, size group 2, rail shipped coal, price classification "A"	5.43	5.25	.35
Run-of-mine, size group 3, truck shipped coal, Little Pittsburgh and A, B, C, C', D, and E seams	4.58	4.40	.30

[1] Producers' "yard" sales are not governed by this order.

3. Paragraph (q) is amended by redesignating subparagraphs (12) and (13) as subparagraphs (14) and (15), respectively, and inserting new subparagraphs (12) and (13) to read as follows:

(12) "Underground mine" or "deep mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(13) "Strip mine" means a mine producing coal by the stripping method and taking its entire production from the underground after removing all overburden.

This Amendment No. 2 to Order No. G-51 shall become effective as of May 1, 1945.

(56 Stat. 23, 765,; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11100; Filed, June 22, 1945; 4:36 p. m.]

[Region II Order G-53 Under RMPR 122, Amdt. 12]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respect:

1. Item (21) under Appendix A is amended to read as follows:

PERMITTED PER NET TON INCREASES ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE, PURSUANT TO PARAGRAPH (b)

[For sales of fractions of a net ton, the increase shall be proportionate]

Kind	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(21) "Jermyn-Green" (this includes only Pennsylvania anthracite produced by Jermyn-Green Coal Co., Inc., from its No. 6, No. 14, and Luther Collieries, and prepared at its No. 14 breaker)	$0.50	$0.50	$0.50	$0.50	$0.50	$0.50	$0.50	.....

This Amendment No. 12 to Order No. G-53 shall become effective as of April 13, 1945, except that for purposes of an application under paragraph (c) of Order No. G-53, it shall not become effective until May 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of April 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11099; Filed June 22, 1945; 4:35 p. m.]

[Region II Order G-53 Under RMPR 123, Amdt. 13]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respects:

1. Appendix A is amended by revising the prices under item (13) and by adding a new item designated (28) immediately after item (27) as hereinafter outlined:

PERMITTED PER NET TON INCREASE ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE, PURSUANT TO PARAGRAPH (b)

[For sales of fractions of a net ton, the increase shall be proportionate]

Kind	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(13) T. E. Steele Coal Co. (This includes only anthracite produced by T. E. Steele Coal Co., and prepared at its central breaker located at Juneddle, Pa.)	$0.50	$0.50	$0.50	$0.50	$0.50	$0.50	$0.35	.....
(28) Duryea Anthracite Co. (This applies only to Pennsylvania anthracite produced and prepared by Duryea Anthracite Co. at its Ridewood breaker, Laflin, Pa.)	.50	.50	.50	.50	.50	.50	.50	.....

This Amendment No. 13 to Order No. G-53 with respect to T. E. Steele Coal Company shall become effective as of April 18, 1945, and with respect to Duryea Anthracite Company, it shall become effective as of April 21, 1945, except that for purposes of an application under paragraph (c) of Order No. G-53, it shall not become effective until May 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of April 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11090; Filed, June 22, 1945; 4:33 p. m.]

PERMITTED PER NET TON INCREASE ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE, PURSUANT TO PARAGRAPH (b)

[For sales of fractions of a net ton, the increase shall be proportionate]

Kind	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(29) "Luzerne Anthracite" (This applies only to anthracite produced by Luzerne Anthracite, Inc. and prepared at its Luzerne anthracite colliery.)	$0.40	$0.40	$0.40	$0.40	$0.40	$0.40	$0.40	.....

This Amendment No. 14 to Order No. G-53 shall become effective as of April 23, 1945, except that for purposes of an application under paragraph (c) of Order No. G-53, it shall not become effective until May 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11089; Filed, June 22, 1945; 4:33 p. m.]

[Region II Order G-53 Under RMPR 122, Amdt. 15]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122 Order No. G-53 is amended in the following respect:

1. Appendix A is amended by adding a new item designated (30) immediately after item (29) to read as follows:

PERMITTED PER NET TON INCREASE ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE, PURSUANT TO PARAGRAPH (b)

[For sales of fractions of a net ton, the increase shall be proportionate]

Kind	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(30) "Morrellville coal" (This applies only to anthracite produced and prepared by Morrellville Coal Mining Company at its Gowen Colliery)	$0.50	$0.50	$0.50	$0.50	$0.50	$0.35	$0.15	.....

This Amendment No. 15 to Order No. G-53 shall become effective as of April 28, 1945, except that for purposes of an application under paragraph (c) of Order No. G-53, it shall not become effective until June 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11088; Filed, June 22, 1945; 4:32 p. m.]

[Region II Order G-53, Under RMPR 122, Amdt. 16]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respects:

1. Appendix A is amended by revising the prices under items (6), (7) and (23) as hereinafter outlined:

PERMITTED PER NET TON INCREASE ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE, PURSUANT TO PARAGRAPH (b)

[For sales of fractions of a net ton, the increase shall be proportionate]

Kind	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(6) "Dial Rock" (rail) (This includes only anthracite produced and prepared by the Dial Rock Coal Co., Scranton, Pa., for rail shipments only, and marketed under the trade name "Dial Rock Coal.")	$0.40	$0.40	$0.40	$0.40	$0.40	$0.40	$0.40	.....
(7) "Dial Rock" (truck) (This includes only anthracite produced and prepared by the Dial Rock Coal Co., Scranton, Pa., for truck shipments only, and marketed under the trade name "Dial Rock Coal.")	.30	.30	.30	.30	.30	.30	.30	.....
(23) "No. 9 Coal Co." (This includes only anthracite produced by No. 9 Coal Co., and prepared at its No. 9 Colliery, Pittston, Pa.)	.40	.40	.40	.40	.40	.40	.40	.....

This Amendment No. 16 to Order No. G-53 with respect to No. 9 Coal Company shall become effective as of May 9, 1945, and with respect to Dial Rock Coal Company, it shall become effective as of May 11, 1945, except that for purposes of an application under paragraph (c) of Order No. G-53, it shall not become effective until June 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11087; Filed, June 22, 1945; 4:32 p. m.]

[Region II Order G-53 Under RMPR 122, Amdt. 17]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administraior of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respect:

1. Appendix A is amended by adding a new item designated (31) immediately after item (30) to read as follows:

PERMITTED PER NET TON INCREASE ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE, PURSUANT TO PARAGRAPH (b)

[For sales of fractions of a net ton, the increase shall be proportionate]

Kind	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(31) "Susquehanna." (This includes only anthracite produced by Susquehanna Collieries Co., and prepared at its Glen Burn Colliery, Shamokin, Pa.)	$.15	$0.15	$0.15	$0.15	$0.15	$0.15	$.015	.....

This Amendment No. 17 to Order No. G-53 shall become effective May 19, 1945, except that for purposes of an application under paragraph (c) of Order No. G-53, it shall not become effective until June 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11098; Filed, June 22, 1945; 4:35 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-76, 54-126]

EASTERN GAS AND FUEL ASSOC.

NOTICE OF FILING OF PLAN, AND ORDER FOR POSTPONEMENT AND CONSOLIDATION OF PROCEEDINGS AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 21st day of June, A. D. 1945.

Notice is hereby given that Eastern Gas and Fuel Associates ("Eastern"), a registered holding company, has filed a plan of recapitalization pursuant to section 11 (e) of the Public Utility Holding Company Act (File No. 54-126) accompanying its answer to proceedings instituted by the Commission pursuant to section 11 (b) (2) of the Act (File No. 59-76) in which a hearing has been previously scheduled for June 26, 1945. (See Holding Company Act Release No. 5827.)

Notice is further given that Eastern has also filed an application supplementing the plan of recapitalization with respect to the refunding of its outstanding bond indebtedness.

All interested persons are referred to said plan of recapitalization and supplemental application, which are on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

The plan of recapitalization is stated by the applicant to be a plan for the purpose of enabling it to comply with the provisions of section 11 (b) (2) of said act. Pursuant to the plan, Eastern proposes to issue approximately 2,202,090 shares of new common stock, par value $10 per share, in exchange for its pres-

ently outstanding 374,138 shares of 6% Preferred Stock, par value $100 per share, and 1,988,400 shares of common stock without par value. Each share of the 6% Preferred Stock now outstanding will be exchanged for five shares of new common stock in satisfaction of all rights represented by the existing shares of 6% Preferred Stock, including all rights to accumulated unpaid dividends amounting to $32.25 per share as of December 31, 1944. Each share of the present common stock wil be exchanged for 1/8 share of the new common stock in satisfaction of all rights represented by the present shares. The proposed allocation would result in the distribution of approximately 1,870,690 shares or 85% of the new common stock to the holders of Eastern's 6% Preferred Stock and approximately 331,400 shares or 15% of the new common stock to the holders of Eastern's present common stock.

In connection with the issuance of the new common stock the plan provides for a restatement of the capital represented by Eastern's existing common stock ($37,018,651) and 6% Preferred Stock ($37,413,800) into $22,020,900 common stock capital and $52,411,551 capital surplus. A portion of this capital surplus is to be used to eliminate an earned surplus deficit of $35,312,153 resulting from the elimination of amounts aggregating $46,379,228 representing intangible assets on Eastern's consolidated balance sheet and other proposed adjustments.

As provided in the plan, the present 246,373 shares of $100 par value 4½% Prior Preference Stock will remain outstanding with certain changes in the rights of such stock, including increased voting rights, as described in the plan and Eastern will use its best efforts to refund its outstanding $55,497,000 of 4% First Mortgage and Collateral Trust Bonds with debt bearing a sufficiently lower interest rate to make such refunding advantageous. The plan indicates that approval of such refunding will be sought, and this step of the plan consummated, independently of the approval and consummation of the rest of the plan. Such refunding is the subject of the supplemental application described hereinbelow.

The supplemental application, which proposes the refunding of Eastern's outstanding bonds as a step in its plan of recapitalization, provides for the issuance and sale pursuant to the competitive bidding requirements of Rule U-50 of $40,000,000 principal amount of First Mortgage and Collateral Trust Bonds, ——% Series, due 1965, to be issued under an indenture dated as of July 1, 1945 between Eastern and State Street Trust Company, Boston, Massachusetts as trustee. In the supplemental application, Eastern also proposes to issue and sell privately to banks $15,000,000 principal amount of unsecured promissory notes. The interest rate and the principal terms of the loan agreement will be determined by negotiations between the lending banks and Eastern. The notes will mature serially in 20 semi-annual installments of $750,000 each from the date of issue. The proceeds of the sale of the new bonds and bank notes, together with necessary treasury cash, are to be used to retire the presently outstanding $55,497,000 principal amount of First Mortgage and Collateral Trust Bonds, Series A 4%, due 1956, at 101½% of the principal amount thereof.

In order to facilitate prompt completion of the proposed financing Eastern has requested the Commission to take action with respect to the application supplementing the plan of recapitalization as soon as feasible and independently of approval by the Commission of the remaining transactions involved in the plan of recapitalization.

Eastern has requested that the Commission find the plan, as submitted or as modified by Eastern, and the transactions described in the supplemental application thereto, to be necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby, as required by section 11 (e) of the act, that the Commission enter orders approving the supplemental application and the plan, and that the Commission apply to an appropriate federal court for an order to enforce and carry out the provisions of such plan other than the transactions involved in the refunding of Eastern's bonds.

Eastern has further requested that the orders of the Commission relating to the refunding of its bonds and the issuance and exchange of its shares pursuant to the plan contain the recitals and other provisions necessary to bring the issuance and exchange of such securities within the provisions of section 1808 (f) and Supplement R of the Internal Revenue Code.

Since Eastern has filed an answer admitting that the allegations of fact contained in Part I of the notice and order instituting proceedings under section 11 (b) (2) of the act are substantially true and correct and has filed a plan of recapitalization designed to effectuate compliance with such section, it appears to the Commission to be appropriate in the public interest and in the interest of investors and consumers that the hearing heretofore scheduled for June 26, 1945 in the proceedings previously instituted under section 11 (b) (2) of the act should be postponed, that a hearing should be held with respect to said plan of recapitalization and said application supplementing the plan of recapitalization, and that said hearing should be consolidated with the proceedings heretofore instituted under section 11 (b) (2):

It is ordered, That said proceedings involving the plan of recapitalization and the application supplementing said plan (File No. 54-126) are hereby consolidated with the proceedings instituted under section 11 (b) (2) (File No. 59-76), and that a hearing in said consolidated proceedings shall be held upon the matters involved in such proceedings under the applicable provisions of the act and the rules of the Commission thereunder on the 11th day of July, 1945 at 10:30 a. m., e. w. t. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in room 318. All persons desiring to be heard or wishing to participate otherwise in the proceedings should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before July 10, 1945.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by the proceedings, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the plan, as proposed or as modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby.

2. Whether the proposed allocation of approximately 85% of the new common stock to the holders of Eastern's present 6% Preferred Stock and approximately 15% of such new common stock to the holders of the present common stock is fair and equitable or whether such allocation should be modified.

3. Whether the proposed accounting entries on the books of Eastern and its subsidiaries are appropriate and in conformity with the applicable provisions of the act.

4. Whether the proposed issue and sale of bonds and notes and the issue of common stock by Eastern are in conformity with the provisions of sections 6 and 7.

5. Whether the fees and expenses in connection with the proposed transactions are for necessary services and are reasonable in amount.

6. What, if any, terms and conditions with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors or consumers.

7. Generally, whether, in any respects, the proposed transactions are detrimental to the public interest or the interest of investors or consumers or will tend to contravene or circumvent any applicable provisions of the act or the rules, regulations or orders promulgated thereunder.

8. What order or orders, if any, should be entered pursuant to section 11 (b) (2) of the act requiring Eastern to take action additional to, or different from, that contemplated by the plan in order to ensure that the corporate structure of Eastern will not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders of Eastern's holding company system.

At said hearing attention will first be directed to the issues involved in the supplemental application to the plan relating to the proposed refunding of Eastern's outstanding bonds.

It is further ordered, That jurisdiction be and hereby is reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That notice of this hearing be given to the Respondent and to all other persons; said notice to be given to Eastern and to the Massachusetts Department of Public Utilities, the City of Boston, The Union Trust Company of Pittsburgh and The Union Trust Company of Boston by registered mail, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Act and by publication in the FEDERAL REGISTER.

It is further ordered, That Eastern shall mail a copy of this notice and order at least 15 days prior to July 11, 1945 to each of its stockholders of record as of a date not earlier than June 1, 1945 at his recorded address. Any interested stockholder not having already received a copy of the plan of recapitalization may obtain a copy thereof from the Secretary of Eastern Gas and Fuel Associates, 250 Stuart Street, Boston 16, Massachusetts.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11123; Filed, June 23, 1945; 11:12 a. m.]

[File Nos. 54-54, 70-559 and 59-50]

NORTHERN STATES POWER CO., ET AL.

ORDER EXTENDING TIME WITHIN WHICH TO FILE AN AMENDMENT TO PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of June, A. D. 1945.

In the matter of Northern States Power Company (Delaware); File No. 54-54; Northern States Power Company (Minnesota); File No. 70-559; and Northern States Power Company (Delaware) and each of its subsidiaries; File No. 59-50.

Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company, having filed a plan, applications and declarations, and amendments thereto, pursuant to section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935, and proceedings having been instituted under sections 11 (b), 15 (f) and 20 (a) of the act with respect to Northern States Power Company (Delaware) and each of its subsidiaries;

The Commission having issued on April 26, 1945, its findings and opinion herein (Holding Company Act Release No. 5745) in which it was provided that if within 10 days from the date of said opinion the plan were amended in accordance with the views expressed therein, an appropriate order approving said plan as so amended would be entered subject to the reservations of jurisdiction mentioned therein;

The Commission having entered on May 5, 1945, and on May 21, 1945, orders extending to June 20, 1945, the period within which the plan might be amended in accordance with the views expressed in the said findings and opinion;

The applicants and declarants herein having further applied on June 16, 1945, for an order extending for an additional period of 30 days from June 20, 1945, the time within which to prepare and file the amendment to the plan that would accord with the views expressed in said findings and opinion, said applicants and declarants representing that the Federal Bureau of Internal Revenue is expected to issue before the expiration of such thirty-day period a final ruling regarding the taxability of certain of the proposed transactions set forth in the plan, as heretofore amended; and

The Commission having considered said application for an additional extension of time within which such actions should be taken and concluding that the request should be granted;

It is hereby ordered, That the period within which the plan may be amended in accordance with the views expressed in said findings and opinion be, and the same is hereby extended for a period of 30 days from June 20, 1945.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11124; Filed, June 23, 1945; 11:12 a. m.]

[File No. 70-1036]

UNION ELECTRIC CO. OF MO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of June 1945.

Union Electric Company of Missouri, a registered holding company, has filed an application pursuant to section 6 of the Public Utility Holding Company Act of 1935, regarding the proposed issue of its promissory notes in the aggregate face amount of $9,000,000, to be dated June 28, 1945, maturing December 28, 1945, and bearing interest at the rate of 1½% per annum, payable quarterly. Applicant proposes to deliver such notes in exchange for and cancellation of its outstanding promissory notes in the aggregate amount of $9,000,000, dated June 28, 1944, bearing interest at 1½% per annum, maturing June 28, 1945, and held by 44 commercial banks. Such outstanding notes were heretofore authorized by order of the Commission, dated April 19, 1944 (Holding Company Act Release No. 5005) and as originally executed were to mature March 28, 1945. The original maturity date of such notes was extended by the company from March 28, 1945, to June 28, 1945, pursuant to an order of this Commission dated March 27, 1945 (Holding Company Act Release No. 5684).

The application having been filed on the 17th day of May 1945, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under the act, and the Commission not having received a request for hearing with respect to the application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

Union Electric Company of Missouri having requested that the Commission issue its order on or before June 23, 1945; and

The Commission finding that the requirements of section 6 (b) are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the application, and to accelerate the effective date thereof;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24 that said application be and the same is hereby granted forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11126; Filed, June 23, 1945; 11:13 a. m.]

[File No. 70-819]

INDIANA GAS UTILITIES CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of June, A. D. 1945.

Associated Electric Company ("Aelec"), a registered holding company, and its wholly-owned subsidiary, Indiana Gas Utilities Company ("Utilities"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, concerning the acquisition by Aelec of all the assets of Utilities, subject to its existing liabilities, upon the surrender by Aelec, for cancellation, of all the outstanding shares of capital stock of, and claims against, and the subsequent dissolution of, Utilities; and

The Commission having, on March 9, 1944, after notice and hearing, filed its memorandum opinion and order (Holding Company Act Release No. 4954) granting the application and permitting the declaration to become effective; and

The Commission having, by orders dated June 22, August 29, and December 27, 1944, February 26, and April 25, 1945, upon the request of applicants-declarants, extended the time for consummating said transaction to and including June 28, 1945; and

Applicants-declarants having, on June 18, 1945, advised the Commission that the parties have been unable to consummate the transaction proposed in said application-declaration within such time, and having requested that the time for such consummation be extended to and including August 28, 1945; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors to grant said request;

It is ordered, That the time for consummating said transaction be, and hereby is, extended to and including August 28, 1945.

to be used to retire the presently out-

sion in the manner provided by Rule

ducive to an orderly, prompt and

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11125; Filed, June 23, 1945; 11:13 a. m.]

[File No. 59-52]

NIAGARA HUDSON POWER CORP. AND SUBSIDIARY COMPANIES

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of June, 1945.

The Commission having on June 19, 1944, entered its order pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, directing that Buffalo, Niagara and Eastern Power Corporation, a subsidiary of Niagara Hudson Power Corporation, change its existing capitalization to one class of stock, namely, common stock, and that appropriate voting power be extended to the $5 First Preferred Stock of Buffalo, Niagara and Eastern Power Corporation;

Notice is hereby given that Buffalo, Niagara and Eastern Power Corporation has filed an application, pursuant to section 11 (c) of the Act, requesting that the time for compliance with said order of the Commission, dated June 19, 1944, be extended for an additional year.

All interested persons are referred to said application, which is on file in the offices of this Commission, for details concerning said application.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held upon said application;

It is ordered, That a hearing on said application under the applicable provisions of the act and rules of the Commission thereunder be held on the 6th day of July, 1945, at 10 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that date by the hearing room clerk in Room 318.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following matters:

(1) Whether Buffalo, Niagara and Eastern Power Corporation or its parent, Niagara Hudson Power Corporation, have exercised due diligence to comply with the Commission's order of June 19, 1944.

(2) Whether and to what extent a further extension of time for compliance with said order of June 19, 1944, is necessary or appropriate in the public interest or for the protection of investors and consumers;

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the secretary of this Commission on or before July 3, 1945, his application therefor, as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That the secretary of the Commission shall serve notice of this order by mailing copies thereof by registered mail to Buffalo, Niagara and Eastern Power Corporation and Niagara Hudson Power Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11185; Filed, June 25, 1945; 9:57 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544 (46 U. S. C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed :

BUOYANT CUSHION FOR MOTORBOATS

15" x 15" x 2" Typha filled buoyant cushion (Specification dated 31 May, 1945); Approval No. B-267, manufactured by Velvograph Co., 625 Broadway, New York 12, N. Y. (For use on motorboats of Classes A, 1, and 2, not carrying passengers for hire for the duration of the National Emergency and six months thereafter.)

LIFEBOATS

14' x 5' x 2.2' metallic oar-propelled lifeboat (For use on inland waters only) (capacity, 9 persons) (General Arrangement Dwg. No. G-359, dated 23 March, 1945), submitted by C. C. Galbraith & Son Inc., 99 Park Place, New York, N. Y.

28' x 9' x 4' metallic oar-propelled lifeboat (59-person peacetime capacity) (General Arrangement Dwg. No. G-355, dated 5 March, 1945), submitted by C. C. Galbraith & Son Inc., 99 Park Place, New York, N. Y.

LIFE RAFT

24-person improved type life raft, plywood and metal construction filled with Styrofoam and cork (General Arrangement Dwg. No. LR-10, dated 15 May, 1945, Alt. 1), constructed by Barry Manufacturing Company, 44 West 63rd Street, New York, N. Y., for Leyde and Leyde, Falls Church, Va.

Dated: June 22, 1945.

R. R. WAESCHE,
Admiral, U. S. C. G.,
Commandant.

[F. R. Doc. 45-11111; Filed, June 23, 1945; 10:04 a. m.]

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

DISENGAGING APPARATUS FOR LIFEBOATS

Rottmer type releasing gear (Release Hook Assembly Dwg. No. 5-A 1A, dated 9 June, 1945) (Maximum working load of 10,200 pounds' per hook), submitted by Kargard Boat and Engine Co., Marinette, Wisconsin

Dated: June 23, 1945.

R. R. WAESCHE,
Admiral, U. S. C. G.,
Commandant.

[F. R. Doc. 45-11203; Filed, June 25, 1945; 11:31 a. m.]

WAR PRODUCTION BOARD.

[C-261, Revocation]

JOHN R. LUMBER CO., AND JOHN R. DEVELOPMENT CO.

CONSENT ORDER

Wilfred L. Katz, Sarah Katz and Donald J. Katz, individually and as co-partners doing business as John R. Lumber Company, located at John R. and Eleven-Mile Road, Royal Oak Township, Michigan, are engaged in the sales of lumber, builders supplies, and general hardware. Donald Katz has taken no active part in the management of the business during the period involved, inasmuch as he is a member of the armed forces of the United States of America and was absent from the business.

Wilfred L. Katz, Sarah Katz, and Donald J. Katz, individually and as co-partners doing business as John R. Lumber Company, and John R. Development Company, a Michigan corporation, are charged by the War Production Board with having done construction of a new building at the aforesaid premises for use as a display and storage room, in violation of War Production Board Conservation Order L-41. They admitted the violation as charged and entered into a consent order with the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner. In view of the fact that Conservation Order L-41 has been amended to allow construction of this type up to $5,000 the Chief Compliance Commissioner has directed that the consent order be revoked.

In view of the foregoing, it is hereby ordered, that: *Consent Order C-261* be revoked.

Issued this 22d day of June 1945.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11047; Filed, June 22, 1945; 4:23 p. m.]

[C-264, Revocation]

ABOTT FLUORESCENT CO., INC., ET AL

CONSENT ORDER

Consent Order C-264 was entered into by the Abott Fluorescent Co., Inc. and

Abott Industries, Inc. and Harry Rosenthal, individually, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner on February 10, 1945 to take effect February 17, 1945. In view of the fact that General Limitation Order No. L-78 was revoked, the Chief Compliance Commissioner has directed that the consent order be revoked. In view of the foregoing, it is hereby ordered, that: *Consent Order C-264* be revoked.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11169; Filed, June 23, 1945; 4:18 p. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 127

Washington, Wednesday, June 27, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 120-6, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

IRISH POTATOES

War Food Order No. 120-6 (10 F.R. 6549), issued on June 2, 1945, is hereby amended by deleting therefrom the provisions in § 1405.57 (b) and inserting, in lieu thereof, the following:

(b) *Specifications relative to territorial scope.* The provisions of War Food Order No. 120, as amended, shall be applicable to any shipment of Irish potatoes from each of the following areas:

(1) The counties of Pasquotank, Camden, and Currituck in the State of North Carolina, and

(2) The counties of Princess Anne, Norfolk, Accomac, and Northampton in the State of Virginia.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 26, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 120-6 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 120-6 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 120, as amended, 9 F.R. 14475; 10 F.R. 103, 1823)

Issued this 22d day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-11235; Filed, June 25, 1945; 3:47 p. m.]

[WFO 75-2, Amdt. 25]

PART 1410—LIVESTOCK AND MEATS

BEEF SET ASIDE REDUCTION

War Food Order No. 75-2, as amended (10 F.R. 6496), is further amended as follows:

1. By deleting paragraph (a) (9) and substituting in lieu thereof the following:

(9) "Base period" means that period of the year 1944 established by the Director and published in Appendix A, attached hereto and made a part hereof.

2. By deleting the table at the end of paragraph (b) and substituting in lieu thereof the following:

Army-style		Utility (Grade C) Federally inspected slaughterers only	Cutter and canner (Grade D) Federally inspected slaughterers only
Zone 9 kosher slaughterers	Slaughterers other than Zone 9 kosher slaughterers		
25%	30%	60%	65%

3. By deleting the period at the end of paragraph (e) and substituting in lieu thereof the following: "and published in Appendix A hereof."

This amendment, together with Appendix A hereof, shall become effective at 12:01 a. m., e. w. t., July 1, 1945, and shall supersede in all respects War Food Order No. 75-2a (10 F.R. 6495). With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-2, as amended, or War Food Order No. 75-2a, all provisions of said orders shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E. O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649)

Issued this 26th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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APPENDIX A—SCHEDULE OF GOVERNMENT BEEF PURCHASE AND SET ASIDE PERCENTAGES UNDER WAR FOOD ORDER NO. 75–2

Base period. The month of July 1944 is hereby established as the base period.

Current rate of slaughter. Current rate of slaughter is determined by dividing the dressed weight of cattle slaughtered during a current week by the average weekly slaughter of cattle (dressed weight) during the base period (July 1944).

Government purchase and set aside percentages. In accordance with the standard set forth in paragraph (e), the following schedule of percentages is hereby established. The quantity of each grade of Army-style beef which the persons or agencies designated in paragraph (c) (1) may purchase is determined by applying the appropriate percentage to the total weekly production (dressed weight) of each of such grades of Army-style beef, and the quantities of Utility grade (Grade C) beef and of Canner and Cutter grade (Grade D) beef which are required to be set aside by any slaughterer are determined by applying the appropriate percentage to the total weekly production (dressed weight) of Utility grade beef and Canner and Cutter grade beef, respectively. All Army-style beef required to be set aside or made available for purchase by Zone 9 kosher slaughterers shall be in the form of hind quarters.

Current rate of slaughter (percent of July 1944 weekly average)	Percentage of beef production (dressed weight of slaughter)		
	Army style		Utility and either rated cutter grades
	Regular	Kosher	
Less than 60.1	17.3	11.4	58.7
60.1–65.0	20.0	11.9	60.0
65.1–70.0	22.3	16.7	61.1
70.1–75.0	24.2	18.8	62.1
75.1–80.0	26.0	20.7	63.0
80.1–85.0	27.5	22.3	63.7
85.1–90.0	28.8	23.7	64.4
90.1–100.0	30.0	25.0	65.0
100.1–115.0	30.9	26.0	65.5
115.1–120.0	31.8	26.9	65.9
120.1–125.0	32.6	27.7	66.3
125.1–130.0	33.3	28.5	66.6
130.1–145.0	33.9	29.2	67.0
145.1–140.0	34.6	29.9	67.3
140.1–145.0	35.1	30.5	67.6
145.1–150.0	35.7	31.1	67.8
150.1–175.0	37.1	32.6	68.5
175.1–200.0	38.9	34.6	69.5
Over 200.0	40.4	36.1	70.2
Slaughterers without July 1944 slaughter history	40.4	36.1	70.2

[F. R. Doc. 45–11292; Filed, June 26, 1945; 11:16 a. m.]

[WFO 75–3, Amdt. 16]

PART 1410—LIVESTOCK AND MEATS

PORK SET ASIDE REDUCTION

War Food Order No. 75.3, as amended (10 F.R. 6499), is hereby further amended as follows:

1. By deleting paragraph (a) (8) and substituting in lieu thereof the following:

(8) "Base period" means that period of the calendar year 1944 established by the Director and published in Appendix A, attached hereto and made a part hereof.

2. By deleting the table at the end of paragraph (b) and substituting in lieu thereof the following:

Percentage of live weight of hogs purchased for slaughter

Type of dressed pork cut or pork product:	
Hams	6
Loins	5.5
Shoulders and manufacturing pork	10
Bellies	4.5
Lard	5.5

3. By deleting paragraph (d) and substituting in lieu thereof the following:

(d) The percentage of lard required to be set aside shall be the same for all slaughterers subject to this order. The specific percentage of each dressed pork cut or pork product, other than lard, which any slaughterer shall be required to set aside under this order shall be proportional to and graduated in accordance with the current rate of slaughter of such slaughterer, with the result that a greater proportion of Government requirements will be drawn from those slaughterers who are slaughtering more, with reference to base period, than their normal volume of hogs. Determination of such percentages will be made by the Director at periodic intervals and published in Appendix A hereof. All dressed pork cuts and pork products set aside under this order shall be prepared in accordince with specifications established by governmental agencies. Such specifications may be obtained by application addressed to the Order Administrator.

This amendment, together with Appendix A hereof, shall become effective at 12:01 a. m., e. w. t., July 1, 1945, and shall supersede in all respects War Food Order No. 75.3a, as amended (10 F.R. 6500, 6924). With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75.3, as amended, or War Food Order No. 75.3a, as amended, all provisions of said orders shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649)

Issued this 26th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

APPENDIX A—SCHEDULE OF PORK SET ASIDE PERCENTAGES UNDER WAR FOOD ORDER NO. 75–3

SCHEDULE OF PORK SET ASIDE PETERNTAGES UNDER WAR FOOD ORDER NO. 75–3

Base period. The month of July 1944 is hereby established as the base period.

Current rate of slaughter. Current rate of slaughter is determined by dividing the live weight of hogs slaughtered during the current week by the average weekly slaughter of hogs (live weight) during the base period (July 1944).

Set aside percentages. In acordance with the standard set forth in paragraph (d), the following schedule of percentages is hereby established. The quantity of dressed pork cuts and pork products of the type indicated which is required to be set aside by any slaughterer is determined by applying the appropriate percentage to the total weekly slaughter of hogs (live weight).

Current rate of slaughter (percent of weekly average July 1944)	Percentages of live weight of slaughter				
	Loins	Hams	Spareribs and seedless bellies	Shoulders and manufacturing pork	Total
Less than 50.1	5.0	5.4	4.1	9.0	23.5
50.1–55.0	5.1	5.6	4.2	9.4	24.3
55.1–60.0	5.3	5.8	4.3	9.6	25.0
60.1–65.0	5.4	5.9	4.4	9.8	25.5
65.1–80.0	5.5	6.0	4.5	10.0	26.0
80.1–85.0	5.6	6.1	4.6	10.1	26.4
85.1–90.0	5.6	6.2	4.6	10.3	26.7
90.1–95.0	5.7	6.2	4.7	10.4	27.0
95.1–100.0	5.7	6.3	4.7	10.5	27.2
Over 100.0	5.8	6.3	4.8	10.6	27.5
Slaughterers without July 1944 slaughter history	5.8	6.3	4.8	10.6	27.5

In addition to the above, each slaughterer subject to the provisions of this order shall set aside a quantity of lard the total weight of which shall be not less than 5.5 percent of the total live weight of each week's slaughter of hogs: *Provided*, That until further order of the Director this requirement shall not be applicable to slaughterers located in the States of Alabama, California, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Virginia, Washington, and West Virginia.

Specifications

Not less than 70 percent of the total weight of all loins set aside shall be converted into semi-boneless (partially boneless) loins.

Not less than 30 percent of all hams set aside shall be processed into oversea hams requiring 96 hours' smoke, and not less than 20 percent of all hams set aside shall be processed into Army hams requiring 48 hours' smoke.

Not less than 35 percent of all square-cuts and seedless bellies set aside shall be processed into oversea bacon requiring 96 hours' smoke, and not less than 20 percent of such bellies shall be processed into Army bacon requiring 48 hours' smoke.

[F. R. Doc. 45–11291; Filed, June 26, 1945; 11:15 a. m.]

[WFO 75–4, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

VEAL SET ASIDE REDUCTION

War Food Order No. 75–4 (10 F.R. 4654) is amended by deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity; quality; specifications.* No federally inspected slaughterer shall deliver meat unless he shall set aside, reserve, and hold the total amount of each week's production of veal graded "U. S. Choice", "U. S. Good", and "U. S. Commercial", obtained from calves whose carcasses weigh, with the hide off, from 60 to 275 pounds, both inclusive: *Provided, however*, That governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers may select and purchase not to exceed 30 percent of each grade of veal so set aside, and upon the delivery or execution of contracts to deliver, to such persons or agencies, not less than 30 percent of any grade of veal so set aside, such slaughterer may deliver to any other person not in excess of 70 percent of such grade of veal.

This amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1945. With respect to violations, rights accrued; liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–4, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649)

Issued this 26th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–11293; Filed, June 26, 1945; 11:16 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial 339]

PENNSYLVANIA-CENTRAL AIRLINES CORP.

REQUIREMENTS FOR CHECK PILOTS

Noncompliance with the requirements of § 40.2611 (b) of the Civil Air Regulations with respect to the approved route of Pennsylvania-Central Airlines Corporation between Pittsburgh and New York.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of June 1945.

The following Special Civil Air Regulation is made and promulgated to become effective June 19, 1945:

Ten check pilots who are listed as first pilots in the Pennsylvania-Central Airlines Corporation air carrier operating certificate as of June 1, 1945, will be deemed competent to pilot aircraft in scheduled air transportation over the Pennsylvania-Central Airlines approved route between Pittsburgh, Pennsylvania, and New York, if in lieu of the 6 one-way trips required by § 40.2611 (b) they complete 4 one-way trips over this route as a first pilot without passengers or as a second pilot with or without passengers and comply in all other respects with the prescribed route requirement qualifications set forth in the Civil Air Regulations.

This regulation shall terminate October 1, 1945.

(56 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-11289; Filed, June 26, 1945; 11:13 a. m.]

[Reg., Serial 340]

LIMITED MECHANIC CERTIFICATE WITH PROPELLER OR AIRCRAFT APPLIANCE RATING

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of June, 1945.

The following Special Civil Air Regulation is made and promulgated to become effective June 19, 1945.

A mechanic certificate with a propeller or aircraft appliance rating, excepting a parachute rating, may be issued by the Administrator of Civil Aeronautics to an individual who is employed and designated by either a manufacturer holding a currently effective propeller or aircraft appliance production certificate or by an applicant for, or the holder of, a repair station certificate with a propeller or aircraft appliance rating. The individual must be in direct charge of the inspection, overhaul, or repair of propellers or aircraft appliances and his experience and employment record must indicate that he is competent to engage in such activity. The individual to whom a certificate is issued shall exercise the privileges of his certificate only with respect to the work performed for such manufacturer or repair station and through the use of facilities provided by the manufacturer or repair station.

This regulation and the certificates issued in accordance with it shall terminate December 31, 1945.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

NOTE: This Special Civil Air Regulation affects § 24.2 of the Civil Air Regulations.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-11290; Filed, June 26, 1945; 11:13 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4675]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LIQUID TIGHT PAPER CONTAINER ASSN. ET AL.

§ 3.27 (c 10) *Combining or conspiring—To enforce or bring about resale price maintenance:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices:* § 3.27 (h) *Combining or conspiring—To restrain and monopolize trade.* In connection with the offering for sale, sale, and distribution of cylindrical liquid tight paper containers in commerce, and on the part of respondent association and its secretary and manager, and on the part of the eight respondent manufacturers named, and on the part of their respective officers, agents, etc., entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to this proceeding, to (1) fix or maintain certain percentage quotas which represent and limit the amount of business that each respective respondent manufacturer should do in said products; (2) fix or maintain uniform delivered prices for the sale of said products; (3) fix or maintain uniform discounts, terms, and conditions of sale to be observed in the sale of said products; (4) fix or maintain standard uniform sizes, colors, and quality of materials for said products for the purpose or with the effect of restraining competition in the offering for sale or sale of said products; (5) continue the delivered price zones heretofore used for making quotations and sales of said products, or establish or maintain any delivered price zones which are similar to those heretofore used in that their use would result as heretofore in making the delivered prices of the respective respondent manufacturers identical despite their different costs of delivery; (6) fix or maintain uniform price differentials between such established geographical zones; (7) fix or maintain any classification of customers, either as jobbers or consumers, for the purpose or with the effect of establishing or maintaining uniform price differentials between the respective classes; (8) fix or maintain resale prices at which the respective respondent manufacturers' jobber customers sell said products, and refuse to allow usual jobber discounts to those jobbers who do not sell at the respondent manufacturers' suggested prices and terms; (9) file with the respondent association, or with any other medium or central agency, price lists or other information showing current or future prices for said products, with the understanding that such price lists or other information showing current or future prices for said products will not be changed or deviated from until new and different price lists or other information showing other current or future prices are so filed by the respondent manufacturers; (10) forward by the respondent manufacturers to the respondent association invoices or copies thereof showing the details in respect to prices, discounts, and terms of sale at which said products are being sold, for the purpose or with the effect of restraining competition in the offering for sale or sale of said products; or (11) hold and sponsor meetings of respondent manufacturers for the discussion and interchange of information relating to prices, discounts, conditions, charges, or terms to be fixed for the sale of said products; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Liquid Tight Paper Container Association et al., Docket 4675, May 29, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of May, A. D. 1945.

In the Matter of Liquid Tight Paper Container Association, an Unincorporated Association; George J. Lincoln, Jr., as Secretary and Manager of Liquid Tight Paper Container Association; Boothby Fibre Can Company, a Corporation; Gordon S. Smith and George T. Hynes, copartners, doing business under the firm name Champion Container Company; Fonda Container Company, Inc., a Corporation; Menasha Products Company, a Corporation; Minkoff & Rosenfield Brothers, Inc., Doing Business Under the Firm Name Miro Container Company; Russell Box Company, a Corporation; Sealright Company, Inc., a Corporation; and Sutherland Paper Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents admitting all of the material allegations of fact in the complaint and waiving all intervening procedure and further hearings as to the facts, and testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission act;

It is ordered, That respondents Liquid Tight Paper Container Association, an unincorporated association, and George J. Lincoln, Jr., secretary and manager of said association, and respondent manufacturers Boothby Fibre Can Company, a corporation, George T. Hynes, individually and doing business under the name Champion Container Company, Fonda Container Company, Inc., a corporation, Menasha Products Company, a corporation, Minkoff & Rosenfield Brothers, Inc., a corporation doing business under the name Miro Container Company, Russell Box Company, a corporation, Sealright Company, Inc., a corporation, and Sutherland Paper Company, a corporation, and the respondents' respective officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of cylindrical liquid tight paper containers in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to this proceeding, to do or perform any of the following acts or things:

1. Fixing or maintaining certain percentage quotas which represent and limit the amount of business that each respective respondent manufacturer should do in said products.

2. Fixing or maintaining uniform delivered prices for the sale of said products.

3. Fixing or maintaining uniform discounts, terms, and conditions of sale to be observed in the sale of said products.

4. Fixing or maintaining standard uniform sizes, colors, and quality of materials for said products for the purpose or with the effect of restraining competition in the offering for sale or sale of said products.

5. Continuing the delivered price zones heretofore used for making quotations and sales of said products, or establishing or maintaining any delivered price zones which are similar to those heretofore used in that their use would result as heretofore in making the delivered prices of the respective respondent manufacturers identical despite their different costs of delivery.

6. Fixing or maintaining uniform price differentials between such established geographical zones.

7. Fixing or maintaining any classification of customers, either as jobbers or consumers, for the purpose or with the effect of establishing or maintaining uniform price differentials between the respective classes.

8. Fixing or maintaining resale prices at which the respective respondent manufacturers' jobber customers sell said products, and refusing to allow usual jobber discounts to those jobbers who do not sell the respondent manufacturers' suggested prices and terms.

9. Filing with the respondent association, or with any other medium or central agency, price lists or other information showing current or future prices for said products, with the understanding that such price lists or other information showing current or future prices for said products will not be changed or deviated from until new and different price lists or other information showing other current or future prices are so filed by the respondent manufacturers.

10. Forwarding by the respondent manufacturers to the respondent association of invoices or copies thereof showing the details in respect to prices, discounts, and terms of sale at which said products are being sold, for the purpose or with the effect of restraining competition in the offering for sale or sale of said products.

11. Holding and sponsoring meetings of respondent manufacturers for the discussion and interchange of information relating to prices, discounts, conditions, charges, or terms to be fixed for the sale of said products.

It is further ordered, That all of said respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to respondent Gordon S. Smith, now deceased.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-11293; Filed, June 26, 1945; 10:56 a. m.]

TITLE 24—HOUSING CREDIT

Chapter I—Federal Home Loan Bank Administration

[Bulletin 41]

PART 4—OPERATIONS OF THE BANKS

SAFE-KEEPING ACCOUNTS

JUNE 26, 1945.

Section 4.7 of the rules and regulations for the Federal Home Loan Bank System is hereby amended, effective as of June 26, 1945, to read as follows:

§ 4.7 *Safe-keeping accounts.* All securities owned by each Bank shall be held in either the Federal Reserve Bank of New York or the Federal Reserve Bank of Chicago, subject to the order of the Secretary of the Treasury, who will promptly transmit to the Federal Reserve Bank concerned all orders affecting such safe-keeping accounts which have been delivered to him by the Administration upon the request of the Bank concerned: *Provided, however*, Any Bank may make arrangements with a Federal Reserve Bank or with one of its depositary commercial banks to hold in safe-keeping United States Treasury Bills owned by it, subject only to its order.

(Secs 15, 17 of F.H.L.B.A., 47 Stat. 736; 12 U.S.C. 1435, 1437; E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of a procedural character within the meaning of § 8.3 of the rules and regulations for the Federal Home Loan Bank System.

JAMES TWOHY,
Governor.

HAROLD LEE,
General Counsel.

ORMOND E. LOOMIS,
Executive Assistant to the Commissioner.

[F. R. Doc. 45-11282; Filed, June 26, 1945; 10:00 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Rev. Supp. 19]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING AND CUTTING PEACHES IN CERTAIN CALIFORNIA COUNTIES

Supplement No. 19 (formerly known as Specific Wage Ceiling Regulation 19) issued June 20, 1944 (9 F.R. 7377, 8593, 10 F.R. 3518), is hereby amended and revised to read as follows:

§ 1102.12 *Wages of workers engaged in the picking of peaches from trees and the cutting of peaches in certain counties in the State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177) entitled "specific wage ceiling regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking peaches from trees and persons so engaged a portion of the time who are also engaged on a farm in the cutting of peaches in the counties of Kern, Kings, Tulare, Fresno, Madera, Merced, Stanislaus, Tehama, Glenn, Butte, Yuba, Sutter, Colusa, Sonoma, Napa, Yolo, Solano, Sacramento, Placer, El Dorado, Contra Costa, San Joaquin and Santa Clara, State of California, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 16702; 9 F.R. 9035, 14547).

(b) *Wage rates; maximum wage rates for picking and cutting peaches:*

(1) Tree picking Freestone peaches—(i) For market:
Piece rate—$8 per ton.
Hourly rate—85¢ per hour.
(ii) For drying or canning:
Piece rate—$6 per ton.
Hourly rate—85¢ per hour.
(2) Tree picking Clingstone peaches:
Piece rate—$6 per ton.
Hourly rate—85¢ per hour.

(3) Cutting of Freestone peaches for drying:
Piece rate—$7 per ton.
Hourly rate—85¢ per hour.

If workers are paid on other than a per ton basis the rates paid cannot exceed the equivalent of the above maximum rates. The above rates are exclusive of any payment to labor contractors.

(c) *Administration.* The California Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206, 10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Supplement No. 19 shall become effective at 12:01 a. m., Pacific war time, June 26, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14205; 10 F.R. 3177)

Issued this 23d day of June 1945:

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-11234; Filed, June 25, 1945; 3:46 p. m.]

[Supp. 50, Amdt. 2]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PERFORMING GENERAL ORCHARD LABOR THROUGHOUT THE YEAR ON CHERRY, APRICOT, PEACH, AND OTHER TREE FRUIT FARMS AND IN HARVESTING CHERRIES, APRICOTS, PEACHES, AND OTHER TREE FRUITS IN WASCO AND SHERMAN COUNTIES, OREG.

Supplement 50 (10 F.R. 7239, 7393) is amended as follows: The last subparagraph of § 1110.6 (c) is revised and amended to read as follows:

No perquisites may be paid in addition to the maximum wage rates specified above except that perquisites consisting of cabins, lights, water and fuel may be paid in addition to the wage rates specified in paragraph (c) (2) hereof for tree fruit harvest labor.

If workers are paid on any other basis the rate of compensation shall not exceed the equivalent of the rates herein provided.

This supplement shall not be construed as establishing maximum wage or salary rates for services performed by farm managers or farm superintendents.

This amendment 2 to Supplement 50 shall become effective at 12:01 a. m., Pacific war time, June 26, 1945.

Issued this 25th day of June 1945.

WILSON R. BRICE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-11294; Filed, June 26, 1945; 11:16 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 40]

PART 802—GENERAL LICENSES

BELGIUM, DENMARK, FRANCE, LUXEMBOURG AND THE NETHERLANDS; ADDITION TO LIST OF DESTINATIONS

Section 802.3 *General License Country Groups* is hereby amended in the following particulars:

Paragraph (a) is amended by adding to the countries designated as Group G therein the following destinations:

	County No.
Belgium	None Assigned
Denmark	None Assigned
France	None Assigned
Luxembourg	None Assigned
The Netherlands	None Assigned

This amendment shall become effective on June 27, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

SAMUEL H. LEDENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

Dated: June 25, 1945.

[F. R. Doc. 45-11287; Filed, June 26, 1945; 11:11 a. m.]

[Amdt. 41]

PART 802—GENERAL LICENSES

BELGIUM AND FRANCE; DELETION FROM LIST OF DESTINATIONS

Section 802.25 *General License "G-Post"* is hereby amended in the following particulars:

Subparagraph (2) of paragraph (b) is amended by deleting from the destinations listed in Group II the following destinations:

Belgium.
France.

This amendment shall become effective on June 27, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

SAMUEL H. LEDENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

Dated: June 25, 1945.

[F. R. Doc. 45-11288; Filed, June 26, 1945; 11:11 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W P B Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 32]

EFFECT OF § 944.11 OF PRIORITIES REGULATION 1 ON SALE OF B PRODUCTS

The following interpretation is issued with respect to CMP Reg. 1:

(a) *Sale of B products by the manufacturer.* Section 944.11 of Priorities Regulation 1 provides that when a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priorities assistance used to get the material was given, the material or product may only be used or disposed of in certain ways. However, this provision does not present the sale of Class B products manufactured on an authorized production schedule to fill different orders (including unrated orders) from those originally anticipated, because the purpose for which the priorities assistance was given was to assist the manufacturer to get materials to make the Class B product, and not to get materials to fill only rated orders or any particular orders. Therefore, unless a particular War Production Board order covering the product provides otherwise, any Class B product manufactured on an authorized production schedule may be sold to fill any orders received, whether rated or unrated, as long as rated orders are given the preference required by Priorities Regulation 1 or other applicable regulations or orders. This is true even though the CMP-4B application was filed with the expectation that all sales would be made on rated orders or on particular orders, and even though all production materials required were obtained by the use of priorities assistance.

(b) *Examples.* (1) A manufacturer of frying pans is given priorities assistance pursuant to application on Form CMP-4B, for sufficient material to make 10,000 frying pans during a particular quarter. There is no order requiring frying pans to be sold only on rated orders, but at the time the manufacturer files his CMP-4B application he expects to deliver 5,000 of these pans to fill a rated Army contract and the other 5,000 to fill other rated orders which he has on hand or expects to receive. The Army then cancels its contract. Under these circumstances the manufacturer may still manufacture the 10,000 pans and sell them to fill any orders which he receives, whether rated or unrated, *Provided*, That rated orders are given the preference required by Priorities Regulation 1.

(2) A manufacturer of metal creepers is given priorities assistance, pursuant to application on Form CMP-4B, for sufficient material to make 1,000 metal creepers. At the time he files the application and until he receives the authorization and purchases the material, a War Production Board order prohibits sales of metal creepers on unrated orders. Then this prohibition on unrated sales is removed from the order. The manufacturer may make the 1,000 creepers from the material and sell them on any orders he receives, whether rated or unrated, *Provided*, That rated orders are given the preference required by Priorities Regulation 1.

(3) A manufacturer is given priorities assistance, pursuant to application on Form CMP-4B, for sufficient material to make 1,000 filing cabinets out of steel. The use of steel in filing cabinets is prohibited by Order L-13-b except to fill orders of the Army, Navy and certain other agencies. The manufacturer has an order from the Navy for 1,000 filing cabinets and proceeds to make 500 of them when the Navy cancels its order. The manufacturer may sell the cabinets he has already made on any order, rated or unrated, to any person. (There is no WPB order which requires a rating before filing cabinets can be sold.) This is true since L-13-b merely forbids manufacture of steel filing cabinets except for certain purposes, and the cabinets were legitimately manufactured for one of these purposes from material given to make filing cabinets. This applies only where the manufacturer in fact produces the product for a permitted purpose, or on a permitted order and not where he produces in anticipation of orders of the permitted type which he does not later receive. However, he cannot, without violating L-13-b, use any more steel in making more filing cabinets after cancellation of the Navy contract unless he receives another order from one of the agencies mentioned in L-13-b. If L-13-b also forbade delivery except on certain types of orders, such provision will still control. However, it would not be necessary to obtain rated orders so long as the orders came within the permitted types.

(c) *Exception to general rule regarding sale of Class B products.* Where the WPB, by special action gives priorities assistance to get certain materials required to produce the Class B product for a certain customer or use, those materials and the particular B products into which they are incorporated may be disposed of only as described in § 944.11 of Priorities Regulation 1, if the products or materials cannot be used for the special purpose for which the priorities assistance was given. For instance, if the WPB has granted rating of AAA to get wood for the manufacturer of wooden filing cabinets to fill a specific Navy order, the manufacturer could not dispose of the finished filing cabinets except as described in § 944.11. Also, since the preference rating was granted only to fill the Navy order, he can dispose of any excess wood only as described in § 944.11.

Issued this 26th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11285; Filed, June 26, 1945; 11:11 a. m.]

PART 3175—REGULATION APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Revocation of Direction 44]

SALE OF STEEL NOT NEEDED BY PRODUCERS AND DISTRIBUTORS TO FILL AUTHORIZED CONTROLLED MATERIAL ORDERS

Direction 44 to CMP Regulation No. 1 is hereby revoked, effective July 1, 1945. This revocation does not affect any liabilities incurred under the direction.

Issued this 26th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11286; Filed, June 26, 1945; 11:11 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Revocation of Direction 5]

DISPOSAL OF CONTROLLED MATERIALS PROCURED BY A WAREHOUSE OR DISTRIBUTOR FOR HIS STOCK FROM HOLDERS OF IDLE OR EXCESS INVENTORIES, INCLUDING THE METALS RESERVE CO.

Direction 5 to CMP Regulation No. 4 is hereby revoked, effective July 1, 1945. This revocation does not affect any liabilities incurred under the direction.

Issued this 26th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc 45-11284; Filed, June 26, 1945; 11:11 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Rev. RO 1C,[1] Amdt. 3]

TIRE RATIONING REGULATIONS FOR VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 1C is amended in the following respect:

Section 8.2 (b) is revoked.

This amendment shall become effective as of June 15, 1945.

Issued this 25th day of June 1945.

JACOB A. ROBLES,
Territorial Director, Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-11213; Filed, June 25, 1945; 11:32 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5E, Amdt. 1]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5E is amended in the following respects:

[1] 9 F.R. 5156.

1. The table in section 2.2 (a) is amended to read as follows:

Coupons:	*Valid period*
A 36	July 1945.
A 37	August 1945.
A 38	September 1945.
A 39	October 1945.
A 40	November 1945.
A 41	December 1945.

2. The table in section 2.4 (b) is amended to read as follows:

"B" or "C" coupons bearing number:	*Valid period six days commencing with—*
139	July 2, 1945.
140	July 9, 1945.
141	July 16, 1945.
142	July 23, 1945.
143	July 30, 1945.
144	August 6, 1945.
145	August 13, 1945.
146	August 20, 1945.
147	August 27, 1945.
148	September 3, 1945.
149	September 10, 1945.
150	September 17, 1945.
151	September 24, 1945.
152	October 1, 1945.
153	October 8, 1945.
154	October 15, 1945.
155	October 22, 1945.
156	October 29, 1945.
157	November 5, 1945.
158	November 12, 1945.
159	November 19, 1945.
160	November 26, 1945.
161	December 3, 1945.
162	December 10, 1945.
163	December 17, 1945.
164	December 24, 1945.
165	December 31, 1945.

3. The table in section 2.8 (a) (1) is amended to read as follows:

Mileage allowed during week of validity of coupons of B ration book page:

Number of B coupons to remain in page
1-12 — 1
13-24 — 2
25-36 — 3
37-48 — 4
49-60 — 5
61-72 — 6
73-84 — 7
85-96 — 8

4. The table in section 2.12 (d) is amended to read as follows:

S-1, S-2, S-3, S-4 or S-5 coupons bearing number:	*Valid period 6 days commencing with—*
138	July 2, 1945
139	July 9, 1945
140	July 16, 1945
141	July 23, 1945
142	July 30, 1945
143	August 6, 1945
144	August 13, 1945
145	August 20, 1945
146	August 27, 1945
147	September 3, 1945
148	September 10, 1945
149	September 17, 1945
150	September 24, 1945
151	October 1, 1945
152	October 8, 1945
153	October 15, 1945
154	October 22, 1945
155	October 29, 1945
156	November 5, 1945
157	November 12, 1945
158	November 19, 1945
159	November 26, 1945
160	December 3, 1945
161	December 10, 1945
162	December 17, 1945
163	December 24, 1945
164	December 31, 1945

5. The table in section 2.31 (a) is amended by deleting the numeral "$^1/_2$" from the second line setting forth the value of "B" coupons and inserting in lieu thereof the number "1".

This amendment shall become effective as of July 2, 1945.

Issued this 25th day of June 1945.

SAM GILSTRAP,
Territorial Director, Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-11214; Filed, June 25, 1945; 11:32 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 288, Amdt. 2]

SALMON IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 44 is added to read as follows:

SEC. 44. *Maximum prices for sales by producers of gill net and seine caught salmon*—(a) *What this section does.* This section fixes maximum prices at which producers may sell certain species of fresh salmon taken in seines in any Alaskan waters, and fresh salmon taken in gill nets in the Taku and Stikine rivers. Maximum prices for some species are fixed in cents per pound, for others in cents per fish. Such prices apply to sales to any person, and include all brokerage, commissions, or any other customary selling fees, transportation and any other expenses incurred. The species covered by this section are as follows:

Common name	*Scientific name*
Chum, dog or keta	Oncorhynchus keta.
Coho, or silver	Oncorhynchus kisutch.
King, or spring	Oncorhynchus tschawytscha.
Pink, or humpback	Oncorhynchus gorbuscha.
Sockeye, or red	Oncorhynchus nerka.
Steelhead	Salmo Gairdneri.

(b) *Definitions.* As used in this section, the term:

(1) "Producer" means the fisherman and those persons allied with him in the catching and landing of fish, and includes any person who sells or delivers at a port of entry or at any other place fresh salmon which he bought and received on a vessel owned or hired by him.

(2) "Round" salmon means salmon as it comes from the water. For the purposes of this section, round is to be considered a style of dressing.

(3) "Dressed" salmon means salmon from which the head and viscera have been removed, and any portion of such fish not otherwise designated.

(4) "Drawn" salmon means salmon from which the viscera or entrails have been removed, with the head left on.

(5) "Price per pound" means the price for 16 net ounces of fresh salmon at time of sale.

(6) "Price per fish" means the price per fish regardless of its weight or size.

(c) *Evasion.* It shall be a violation of this section for any producer to sell the salmon covered by this section on any other basis than that for which maximum prices are established, unless written approval has first been obtained from the Alaska Director of the Office of Price Administration. (By way of example, Stikine River chums may not be sold on a pound basis; Taku River cohoes may not be sold on a per fish basis; seine caught fish may not be sold on a drawn or dressed basis.)

(d) *Maximum prices.* The maximum prices for fresh salmon sold by producers shall be the prices given in the schedules below:

SCHEDULE 1—MAXIMUM PRICES FOR FRESH SALMON TAKEN IN GILL NETS IN THE TAKU RIVER, REGARDLESS OF SIZE

Species	Style of Dressing	Price per pound
King (red meated)	Round	$0.13½
Do	Drawn	.17½
King (white meated)	Round	.09
Do	Drawn	.11
Coho	Round	.10½
Do	Drawn	.13
Steelhead	Round	.09
Do	Dressed	.11½
Pink	Round	.17
Chum	do	.17
Sockeye	do	.86

NOTE: The above prices are for deliveries on the River or at a receiving station on the River. One cent per pound, or one cent per fish where the fish is priced on a per fish basis, may be added to the above prices when the fish are landed ex-vessel at Juneau or any other port.

SCHEDULE 2—MAXIMUM PRICES FOR FRESH SALMON TAKEN IN GILL NETS IN THE STIKINE RIVER, REGARDLESS OF SIZE UNLESS OTHERWISE INDICATED

Species	Style of dressing	Price per pound
King (red meated, 14# or over)	Drawn	$0.15½
King (red meated, under 14#)	do	.10½
King (white meated)	Round	.09½
Do	Drawn	.11½
Coho	Round	.10½
Do	Drawn	.13
Steelhead	Round	.09½
Do	Dressed	.12
	Price per fish	
Pink	Round	.17
Chum	do	.17
Sockeye	do	.86

NOTE: The above prices are for deliveries on the River or at receiving stations. One-half cent per pound, or one-half cent per fish where the fish is priced on a per fish basis, may be added to the above prices when the fish are landed ex-vessel at Wrangell or any other port.

SCHEDULE 3—MAXIMUM PRICES FOR SEINE CAUGHT SALMON, REGARDLESS OF SIZE OR STYLE OF DRESSING, LANDED EX-VESSEL AT CANNERY OR COLD STORAGE PLANT

Species	*Price per fish*
Pink	$0.17
Chum	.18
Sockeye	.90

NOTE: One cent per fish must be deducted from the above prices when the fish are sold or delivered at the fishing grounds or a receiving station.

This amendment shall become effective June 28, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11205; Filed, June 25, 1945; 11:28 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373,[1] Amdt. 2]

CONSTRUCTION AND REPAIR SERVICES, AND INSTALLED BUILDING MATERIALS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

A new section 69 is added to read as follows:

SEC. 69. *Construction and repair services and sales of installed building materials on the Island of Oahu, Territory of Hawaii*—(a) *Scope of this section*—(1) *To what transactions this section applies.* (i) This section covers sales of installed building materials and the services incidental to their installation into any and all residential or commercial building structures, and the removal therefrom of building materials, construction and repair services performed in connection with any single or multiple residential unit or commercial building structure located on the Island of Oahu, Territory of Hawaii. It does not cover industrial structures such as steel frame buildings, docks, warehouses, hospitals, or buildings or housing projects erected for or by the United States or Territorial Governments.

(ii) In general, the construction and repair services and sales of installed building materials covered by this section fall into nine main categories in accordance with the trade practice of the building trades on the Island of Oahu. They are:

General contracting	Appendix A
Carpentry and roofing	Appendix B
Masonry	Appendix C
Plumbing and sheet metal work.	Appendix D
Electrical work	Appendix E
Painting	Appendix F
Cesspool construction	Appendix G
Hard tile work	Appendix H
Floor sanding and paint removal.	Appendix I

(iii) Maximum prices for construction services and sales of installed building materials performed under each of these main categories are established under separate appendices at the end of this section. This is done either by fixing dollars and cents prices for a particular service or installed building materials, or by providing a formula by which an individual contractor or subcontractor may calculate his maximum price for the particular type of work being performed. The nature of the contracting work constituting a particular category is defined in paragraph (c).

(iv) Every person, whether a general contractor or a subcontractor covered by this section, is required to determine his maximum prices for the kind of work performed by him under the particular appendix covering that work. If any person sells installed building materials or

[1] 10 F.R. 6646.

performs construction services covered by this section which are not included in the definitions of the nine categories listed in subdivision (ii) above, he shall determine his maximum prices under Appendix A.

(2) *Exclusions from this section.* The following are excluded from this section:

(i) New construction actually started previous to the issuance of this section and which is completed within 60 days from the effective date of this section.

(ii) Construction services excepted from price control under the provisions of paragraph (b) of Revised Supplementary Regulation No. 11 to the General Maximum Price Regulation for the Territory of Hawaii such as architects and engineers fees.

(iii) *Housemoving services.* This remains under Revised Maximum Price Regulation 165—Services.

(iv) *Sales of prefabricated houses.* These are covered by the General Maximum Price Regulation for the Territory of Hawaii but the services of erection and installation of materials in connection therewith are covered by Revised Maximum Price Regulation 165—Services. Upon application to the Office of Price Administration, Honolulu 2, T. H. prices will be established for the installation and erection of same.

(b) *Relation of this section to Revised Maximum Price Regulation 165; services.* This section supersedes Revised Maximum Price Regulation 165 for the services covered by this section.

(c) *Definitions.* When used in this section, the term:

(1) "General Contracting" means the sales of installed building materials and the services necessary to supply a completed or partially completed building structure. It includes the service of supervision of those subcontractors who are included in the definition in paragraph (c) (11), and the securing of all permits and approval certificates incidental to their services. It also includes such sales and services as are included in excavation, demolition and site preparation work, water-well drilling, and landscaping, including the layout of the building and the necessary cleanup, grading and other work necessary to the completion of a particular job or project not completed by other contractors.

(2) "Carpentry and roofing" means the installation or the supply of all lumber, wallboard, roofing and millwork; the application of builders' hardware; and the supplying of all necessary rough hardware for the proper application and installation of all wooden parts and such metal parts as may be contracted for and the installations of such materials supplied by the owner; or any of the foregoing.

(i) "Reroofing" means the installation of a new roof on an already constructed building.

(ii) "Repairs to roofs" means work done on the roof of an already constructed building less than the installation of a new roof.

(3) "Masonry" means the supply or installation of all concrete or clay products such as brick and tile; the supply or installation of concrete floors, walls, steps, slabs, and all other materials commonly known as masonry materials including the installation of such materials supplied by the owner; or any of the foregoing.

(4) "Plumbing and sheet metal work" means the supply or installation of all plumbing fixtures and their proper connection to water and sewer facilities including all labor necessary to such installations. It shall also include the supply or installation of all gutters, downspouts and other sheet metal construction as may be required by the type of construction covered by this section as well as the installation of materials supplied by the owner, including the necessary permits as required by the Revised Ordinances of the City and County of Honolulu, or any of the foregoing.

(5) "Electrical work" means the supply or installation of electrical fixtures and all wiring and work necessary to comply with the Ordinances of the City and County of Honolulu, the proper connection to power and light utilities, the installation of materials supplied by the owner and the securing of the necessary permits and certificates of approval required by the Electrical Code of the Revised Ordinances of the City and County of Honolulu; or any of the foregoing.

(6) "Painting" means the preparation of surfaces other than as provided under (9) below, the supplying and mixing of paints and finishes, and their application to both exterior and interior surfaces and includes the application of such material supplied by the owner; or any of the foregoing.

(7) "Cesspool construction" means the constructing of a cesspool, and the supply of all materials and labor necessary to fulfill requirements of the Bureau of Sanitation, Department of Health, Territory of Hawaii.

(8) "Hard Tile Work" means the supply or installation of ceramic and other types of finished hard or decorative floor and wall tile, and all labor necessary thereto and the installation of such materials supplied by the owner, or any of the foregoing.

(9) "Floor sanding and paint removal" means the sanding of floors for refinishing and the complete removal of paint and restoration of the original surface of the wood.

(10) "Labor" means actual site workers and foremen actively and continuously working on the job. It does not include superintendence, clerical workers, or contractor's time, unless such contractor is actually performing manual labor.

(11) "Subcontractor" means an independent contractor who performs labor and services and furnishes materials in and about a construction by virtue of a contract with the general contractor, or any independent contractor not within subparagraph (1) of this paragraph (c).

(12) "Owner" or "customer" means the end user who contracts to buy installed building materials or construction or repair services.

(13) "Alterations". Remodeling and additions to existing structures shall be construed to be new work and shall be computed on the basis of new work.

(d) *Modification of section 1 of Revised Maximum Price Regulation 373.* Notwithstanding the provisions of Section 1 (Prohibition against dealing in certain commodities at prices above the maximum) of this regulation, any person may make offers, bids, contracts or estimates provided that he may not charge more than the maximum prices in this section for the completed job.

(e) *Prohibited practices.* In addition to the provisions of section 6 of Revised Maximum Price Regulation 373, the following practices are prohibited:

(1) Requiring the purchaser to furnish any materials or services without a corresponding reduction in price at rates provided for in this section.

(2) Eliminating any material or service without a corresponding reduction in price at rates provided for in this section.

(3) Charging for more materials or for a higher quality of materials than was actually furnished.

(4) Charging for more labor time or for a higher scale of labor than was actually employed except as otherwise provided in this section.

(5) Charging the rates provided for journeymen when only common labor or apprentices or helpers are furnished.

(6) Charging for travel time on jobs which are done within a five mile radius of seller's premises.

(7) Making terms of payment more onerous than the terms customarily given by the contractor prior to the effective date of this section.

(8) No provision is made in this section for construction or repair services to be done at any special hour of the day or week. No provision is made for work to be done on special order or request of a customer at a price higher than that stipulated in this section. It is prohibited to charge prices higher than the maximum prices established in this section.

(f) *Records and reports.* All sellers of building materials or equipment on an installed basis and all sellers of construction or repair services subject to this section shall comply with the following requirements:

(1) *Records.* Sellers of materials and services under this section must keep complete and adequate records concerning each such sale, including the name of the purchaser, the location of the job, the dates the work was done, a full description of the commodities and services involved, the prices paid your supplier for materials and the price charged or received. Records of a kind the seller customarily kept must also be retained.

(i) *Repair work on hourly rates.* Sellers who perform repair work on an hourly basis must keep, in addition to the information listed in (1) above, a time slip for each repair job or service call performed. Such slip shall be signed by the employer or the employee doing the work and the purchaser or his agent or representative having the work done and shall show the date of performance, the name and address of the seller and the purchaser, the grade of labor and the number of each grade used on the

job, the price charged per hour plus the travel time beyond the five mile limit. This time slip (signed) must be on file in his place of business as a matter of record within ten days from the completion of the job.

(ii) *Work on fixed fee basis.* Sellers who perform repair work on a fixed fee basis may keep only an invoice showing the name of the purchaser, the location of the job, the date or dates the work was done, and the fixed charge made. All such records shall be available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) *Filing of reports.* Sellers who perform new construction, or remodeling or alteration work which is not priced on an hourly basis nor charged for on the basis of a fixed fee are required to complete appropriate sections of Form THP 15, and file one copy with the Office of Price Administration, Iolani Palace Grounds, Honolulu 2, T. H., and shall furnish one copy to the customer, within 10 days after the completion of such work. In the event several contractors are performing the work, it shall be the responsibility of the general contractor to file such report properly completed by the various subcontractors.

This amendment shall become effective as of June 15, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

APPENDIX A—MAXIMUM PRICES FOR GENERAL CONTRACTING

The maximum prices for general contracting as defined in paragraph (c) (1) of this section shall be the sum of the amounts set forth below which represent the actual work performed by the general contractor or his subcontractors.

(a) A charge for labor done and materials furnished at prices not to exceed maximum wholesale prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373, and all applicable regulations, and installed by the general contractor's own employees as determined under Appendices B through I.

(b) A charge for labor and materials furnished, at prices not to exceed maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373 and all applicable regulations, by the general contractor for work done such as site clearing, excavating and grading, for which prices are not established under Appendices B through I, determined by adding the following amounts:

(1) A charge for machinery rental, whether owned personally or rented, at rates not to exceed the maximum prices established under Maximum Price Regulation 134, and

(2) An amount equal to one and one-half times the actual job site payroll of the general contractor for such work.

(3) A charge for materials actually used not to exceed the maximum wholesale prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373 and installed by the general contractor's own employees.

(c) The actual cost of labor done and materials furnished at prices not to exceed maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373, and all applicable regulations, and installed by his subcontractors as determined under Appendices B through I.

(d) Ten percent of the total of the amounts determined under paragraphs (a), (b), and (c), above.

(e) In no event may the general contractor's mark-up be added by more than one contractor on a structure, nor may the general contractor's mark-up be taken by any subcontractor.

APPENDIX B—MAXIMUM PRICES FOR CARPENTRY AND ROOFING

1. The maximum prices for carpentry and roofing as defined in paragraph (c) (2) of this section shall be determined as follows:

(a) The maximum price for carpentry and roofing work done in connection with the remodeling, alteration or erection of a building structure and the reroofing of an old structure shall be the sum of materials furnished at prices not to exceed maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373 or applicable regulations, delivered on the job site and used, plus an amount equal to 90% of the cost of such materials. By "delivered" is meant that if the ceiling price of materials does not include delivery to the site, a charge may be made for such trucking to the site at prices not to exceed ceiling prices for trucking and such delivery charges are to be construed as a part of "material costs". By "materials used" is meant all lumber, hardware and other building materials furnished to the job, from which shall be deducted all new materials returned to the supplier or taken elsewhere and credited at prices charged the customer. All used lumber, taken from the site by the carpenter or roofer, shall be credited to the customer at 60% of the ceiling price for such used lumber, according to the provisions of Revised Maximum Price Regulation 373, section 49.

(b) Mill work may be charged at the applicable ceiling price for finished mill work whether you purchase it from a supplier or do it in your own shop away from site. Mill work is defined as "materials" as used in (a) above and shall be charged for at no higher than maximum ceiling prices under the General Maximum Price Regulation for the Territory of Hawaii.

(c) On new construction which is done at a distance greater than five miles from the seller's place of business, actual travel time may be added (beyond the five mile limit) but in no event to exceed more than one-eighth of the actual site payroll and is allowed only provided the travel is done on contractor's time.

Where the contract is taken for labor only, the prices established in subparagraphs (a) and (b) above shall be reduced by an amount equivalent to materials furnished by customers computed at prices equal to maximum prices for those materials estimated for sales to contractors by section 50 and 61 of Revised Maximum Price Regulation 373 or applicable regulations.

2. The maximum prices for repairs involving carpentry and roof repairs (but not reroofing) shall be the sum of the following amounts:

(a) Actual labor time involved in the performance of the job at the job site calculated at a rate of $2.25 per hour for each journeyman and $1.50 per hour for each helper actually used, plus:

(b) Materials furnished at prices not to exceed maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373 or applicable regulations, delivered on the job site and used.

(c) In addition, for repair work done at a distance greater than five miles from the seller's place of business, travel time actually incurred (beyond the five mile limit) on contractor's time may be charged for each employee used on the job at the rate above provided; no more than one hour of travel time per employee per day may be charged.

In lieu of a computed charge, a fixed charge of $3.00 may be made for any repair service call regardless of the time required. This charge includes travel time.

APPENDIX C—MAXIMUM PRICES FOR MASONRY

The maximum prices for masonry work as defined in paragraph (c) (3) of this section shall be determined as follows:

Maximum price

(a) For concrete floors and walks, concrete slabs 3½" to 4½" thick, masonry walks laid on the ground or on suitable base requiring no bottom form including wire mesh, if required by specifications, $0.60 per sq. ft.

For concrete floors and walks, as above, where color is added for surface coloring, $0.70 per sq. ft.

For concrete floors and walks, as above, where color is added to the extent of ½" depth intensity, $0.80 per sq. ft.

The above prices include the preparation of the base and the finishing of floors and walks.

(b) For all other masonry work, the maximum price shall be the sum of the following:

(1) Materials delivered and used at prices not to exceed maximum prices established for sales to contractors by sections 50 or 61 of Revised Maximum Price Regulation 373 or applicable regulations.

(2) Actual labor performed at rates no higher than those permitted for masonry work under General Orders No. 9 of the Military Governor of the Territory of Hawaii.

(3) An amount not to exceed one-half of the actual site labor payroll. Where the contract is taken for labor only, do not include subparagraph (1), above.

(4) On construction which is done at a distance greater than five miles from the seller's place of business, actual travel time may be added (beyond the five mile limit) but in no event to exceed more than one-eighth of the actual site payroll and is allowed only provided the travel is done on contractor's time.

It is stipulated that the minimum strength concrete permitted under these prices be either 1:3:5 ratio or two thousand pound 28-day strength. No addition to these prices may be made for stronger or higher water cement ratio concrete.

APPENDIX D—MAXIMUM PRICES FOR PLUMBING AND SHEET METAL

The maximum prices for plumbing and sheet metal work as defined in paragraph (c) (4) of this section shall be determined as follows:

1. For plumbing and sheet metal work done in connection with the erection, remodeling or alteration of building structures.

Maximum price

(a) For roughing in—including the service of installation and the supplying of all materials except fixtures, $60.00 per fixture for hot and cold water connections including all materials except fixtures.

"Roughing in" means the furnishing of all plumbing materials and assembling them in their proper places to comply with the sanitary requirements of the Territory of Hawaii.

A "fixture" means a sink, toilet, basin, bathtub, shower or laundry tub. A combination bathtub-shower is one fixture. Where the owner furnishes the fixtures, the prices for roughing in include the attachment of fixtures.

(b) *For fixtures supplied by the contractor.* Fixtures furnished and delivered to the site at prices not to exceed maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373 or applicable regulations.

(c) *Extra charges for roughing in.* (1) When necessary to provide a line beyond 20 feet from the principal four-inch vent stack to a cesspool or sewer connection, an additional charge of $1.60 per lineal foot for each lineal foot over 20 feet of such completed line may be added. This charge includes all necessary connections requisite to place such fixtures in working order sufficient to comply with the requirements of the Plumbing Code of the Revised Ordinances of the City and County of Honolulu.

(2) When necessary to provide a water line beyond 20 feet from the structure an additional charge per foot of pipe, regardless of size, of fifty cents per each additional foot may be charged.

(d) *Other charges than roughing in.* (1) For connecting a gas heater, including all necessary piping for such connection but not including the heater, the sum of $15.00 may be added plus $1.00 per each additional lineal foot when the fuel gas supply is more than five feet removed from the gas heater.

(2) For connecting a gas stove where the necessary piping is already established at the point of connection, $4.50 may be added for connecting. In cases where it is necessary to install piping to the gas heater beyond five feet from stove, the connection charge will be $4.50 plus $1.00 per each additional lineal foot of pipe to meter connection actually installed.

(3) For the supply and installation of metal gutter and downspouts, a charge not to exceed $1.00 per lineal foot may be made.

(4) For other new plumbing or sheet metal work such as the installation of new sheet metal work other than specifically mentioned in paragraph 1 of this appendix, the maximum price shall be:

(i) Materials furnished at prices not to exceed maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373, or applicable regulations, delivered to the job site, plus

(ii) Actual labor performed at rates no higher than those permitted to the plumbing trade under General Orders No. 9 of the Military Governor of the Territory of Hawaii, plus

(iii) An amount equal to 50% of the actual site labor, plus travel time as defined in paragraph (c) below of this Appendix D.

Where the contract is taken for labor only, deduct from the prices set forth above all material except fixtures furnished by customers at prices equal to maximum prices established for sales to contractors by section 61 of Revised Maximum Price Regulation 373.

(c) *Travel time.* On new construction which is done at a distance greater than five miles from the seller's place of business, actual travel time may be added (beyond the five-mile limit) but in no event to exceed more than one-eighth of the actual site payroll and is allowed only provided the travel is done on contractor's time.

2. For repairs and remodeling involving plumbing and sheet metal work:

The maximum prices for repairs involving plumbing and sheet metal work shall be the sum of the following amounts:

(a) Actual labor time involved calculated at a rate of $2.25 per hour for each journeyman and $1.50 per hour for each helper actually used.

For repair work done at a distance greater than five miles from the seller's place of business, travel time actually incurred beyond the five mile limit on the contractor's time may be charged for each employee used on the job at the rates above established; no more than one hour travel time per employee per day may be charged.

In lieu of a computed charge, a fixed charge of $3.00 may be made for any repair service call regardless of the time required. This charge includes travel time.

(b) Materials furnished and used at prices not to exceed maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373.

APPENDIX E—MAXIMUM PRICES FOR ELECTRICAL WORK

The maximum prices for electrical work as defined in paragraph (c) (5) of this section shall be determined as follows:

1. For electrical work done in connection with the erection, remodeling or alteration of a building structure:

	Maximum price
Meter loop connection for lighting only	$15.00 each.
Combined power and lighting loop	$25.00 each.
Ceiling and wall light outlet and switches, including the installation of fixtures when furnished by the contractor.	$4.50 per outlet or switch.
Base outlets	$4.50 per outlet.
Complete bell installation	$15.00 per complete installation.
Appliance outlets (such as refrigerators, laundry tubs and power plugs).	$5.50 per outlet.
3-way switch	$12.00 per set.
Heater wiring (hot water heater)	$17.50 per job.
Electric range wiring	$40.00 per job.

2. Extra charges.

(a) For external wiring such as to garages, outhouses, barns and similar structures, for a run between the necessary points or connection in the two structures an additional charge shall be made of $3.00 for 30 feet of each pair of wires. 3c additional may be charged for each foot in excess of 30 feet. This charge does not include light or power outlets installed in external buildings.

(b) On the service entrance cable for lighting where the cable is extended beyond 10 feet a charge of 40 cents per additional foot may be added.

(c) On the service entrance cable for power and lighting where the cable is extended beyond 10 feet a charge of 75 cents per additional foot may be added.

(d) For service subfeeders for light between the meters and the panel after a run of 10 feet a charge of 40 cents per additional foot may be charged.

(e) For service subfeeders for power and light between meter and panel after a run of 10 feet a charge of 75 cents per additional foot may be added.

The above prices include all labor and materials (except lighting fixtures, and circuit breakers with fittings.

On new construction which is done at a distance greater than five miles from the seller's place of business, actual travel time may be added (beyond the five mile limit) but in no event to exceed more than one-eighth of the actual site payroll and is allowed only provided the travel is done on contractor's time.

Where fixtures are supplied by the contractor he may charge for them prices not to exceed the maximum retail prices established by applicable regulations. The latter ceiling price shall include the installation of the fixture.

Where the contract is taken for labor only, deduct from the prices established above materials furnished by customers at prices equal to maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373 or applicable regulations.

3. For electrical work done in connection with the erection, remodeling or addition to a building structure where ordinary house wiring and accessories are unobtainable and higher cost material must be substituted, because:

(a) Ordinary materials suitable for house wiring are not obtainable, or

(b) The requirements of the particular job call for heavier wiring or a better grade of materials than that used in ordinary house wiring, or

(c) Changes from the plans on which the building contract was based have been ordered by the owner, any contractor doing such electrical work shall file an application with the Office of Price Administration, Honolulu 2, T. H., for approval of a proposed maximum price for the electrical work he proposes doing. The application shall contain:

1. The name and address of the applicant.
2. The name and address of the owner.
3. The location of the job.
4. Number of w & c outlets.
5. Number of utility outlets.
6. Other work to be done.
7. The kind of wiring or accessories required on the job.
8. The difference in price between the wiring and accessories required on small residences to comply with the electrical code of the City and County of Honolulu and those required to meet the job specifications.
9. The difference in labor requirements between those usually required on small residences to comply with the electrical code of the City and County of Honolulu and those required to meet the job specifications.
10. The proposed maximum price for the work to be done. He shall also furnish any additional information which the Office of Price Administration may require.

Electrical work for which a maximum price is proposed under this paragraph 3 may not be contracted for at such price, until that price has been approved by the Office of Price Administration, but the proposed price shall be deemed to be approved 15 days after the receipt of the application (or all additional information which may have been requested), unless within that time the Office of Price Administration notifies the contractor that his proposed price has been disapproved.

The Director of the Office of Price Administration for the Territory of Hawaii may by order at any time approve, disapprove, or revise maximum prices proposed or established under this paragraph 3 so as to bring them in line with the maximum prices established under paragraphs 1 and 2 above, for such work, adjusted to reflect the difference in the cost of materials and labor required on the particular job.

4. For repairs, remodeling and alterations involving electrical work:

The maximum prices for repairs involving electrical work and the installation of fixtures furnished by the owner shall be the sum of the following amounts:

(a) Actual labor time involved in the performance of the job at the job site calculated at a rate of $2.50 per hour for each journeyman and $1.50 per hour for each helper actually used where the job requires less than 20 hours of labor time. On all jobs requiring

20 hours or more for labor on the excess over 20 hours time, the rate shall be calculated at $2.25 per hour for each journeyman and $1.25 for each helper.

(b) Materials furnished and used at prices not to exceed maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373 or applicable regulations.

(c) On electrical repair work done at a distance greater than five miles from the seller's place of business, actual travel time incurred may be charged at the rates stated above at the higher rate mentioned; however, no more than one hour of travel time may be charged per employee per day, and only travel time may be charged for which is done on contractor's time.

In lieu of a computed charge, a fixed fee of $3.00 may be made on any calls for repair and remodeling work. This fixed charge includes travel time.

APPENDIX F—MAXIMUM PRICES FOR PAINTING

1. The maximum prices for "painting" as defined in paragraph (c) (6) of this section shall be determined as follows:

(a) For painting interior and exterior surfaces (except roofs) on new construction or repainting jobs:

(1) One coat—$0.04 per square foot of surface.

(2) Two coats—$0.03 per square foot of surface.

(3) Three coats—$0.08 per square foot of surface.

The above listed prices shall include travel time, all labor, all materials and necessary surface preparation such as washing down, cleaning, puttying and the protection of furniture and property (but not paint removal or sanding).

(4) In lieu of a computed charge, a fixed charge of $15.00 per room may be made for two coats of paint on walls and closets, but not on floor or ceiling.

(5) Where the burning off of old paint or paint removal is required, an additional charge of $2.00 per hour for each worker for such burning or removal of paint may be added. Where floor sanding is required, a special charge is provided in Appendix I, below.

(6) Additional charges: The following additional charges may be made:

(i) Where the floor line of the building on any one side is more than four feet above the ground level at any point, an additional charge of $3.00 per lineal foot for each foot over four feet and up to 10 feet may be added.

(ii) Where the floor line is more than ten feet above the ground level, an additional charge of $4.50 per lineal foot for the excess over ten feet may be added.

The prices listed in this subparagraph (a) include the painting of any lattice or grill work or other outside woodwork below the floor level.

(7) The following rules and measurements shall apply in the determination of the surface painted.

Exterior

(i) Trim only—for windows of 7 lights or less, measure over casing and add one-half to the area.

(ii) Trim only—for windows more than 7 lights, measure over casing and double area.

(iii) Doors: Up to 3 panels, add one-half the area for each side.

(iv) Up to 6 panels, measure the area for each side and multiply by 2.

French doors, measure the area for each side and multiply by 3.

(v) Blinds, plain, one side: Measure one side and multiply by 2.

(vi) Blinds, slatted, one side: Measure one side and multiply by 4.

(vii) Columns, fluted: Measure one side and multiply by 2.

(viii) Columns, paneled: Measure one side and multiply by 2.

(ix) Cornices, plain: Measure the area and multiply by 2.

(x) Cornices, fancy: Measure the area and multiply by 3.

(xi) Downspouts and gutters: Measure the area and multiply by 2.

(xii) Eaves, plain: Where walls are painted same color, measure the area and multiply by $1\frac{1}{2}$.

(xiii) Eaves, plain: If different color from siding, measure the area and multiply by 2.

(xiv) Eaves with rafters running through: Measure the area and multiply by 3.

(xv) Eaves, over brick or stucco walls: Measure the area and multiply by 3.

(xvi) Grills, plain: Measure one side and multiply by 2.

(xvii) Lattice-work: Measure one side and multiply by 4.

Interior

(xviii) Windows: Measure over casings as for exterior sash under trim only.

(xix) Baseboards: Under 12 inches in height, 9 lineal feet per yard.

(xx) Picture moldings: $13\frac{1}{3}$ lineal feet per 1 yard.

(xxi) Chair rail: $13\frac{1}{3}$ lineal feet per 1 yard.

(xxii) Wainscoting: If paneled, multiply actual area by 2.

(xxiii) Balustrades: Measure one side and multiply by 4.

(xxiv) Doors: Same as for exterior.

(xxv) Door frames. Where no door is hung: Allow area of opening to take care of both sides.

(xxvi) Handrails, per running foot: Measure the area and multiply by 2.

(xxvii) Mouldings, cut in on both sides: 1 foot per running foot.

(xxviii) Stairs: Count risers and multiply by 8.

(xxix) Radiators: For each front foot multiply the face area by 7.

(xxx) Cabinets: Measure the front area and multiply by 5.

(b) For painting roofs on new construction or repainting jobs.

(1) One coat job on metal, including the laps before laying—$2.50 per 100 sq. ft.

(2) Two coat job on metal, including the laps before laying—$4.00 per 100 sq. ft.

(3) One coat stain job on wood shingles—$4.00 per 100 sq. ft.

(4) Two coat stain job on wood shingles—$6.00 per 100 sq. ft.

(5) On roof painting where there exists a fractional part of 100 sq. ft., this area may be figured on the actual fractional basis.

(c) Where the contract is taken for labor only deduct from the prices established in subparagraphs (a) and (b) above, the materials furnished by customers at prices equal to maximum prices established for sales to contractors by sections 50 and 61 of Revised Maximum Price Regulation 373 or applicable regulations.

(d) *Alternative pricing method for painting residential construction.* Painting contractors may elect to use the following pricing method in determining their maximum prices (instead of the method set forth in paragraph 1 (a) above) for painting the interior and exterior surfaces on residential construction except for roofs:

The maximum price for painting the interior and exterior surfaces on new construction, but not the roofs, for two coats (one primer and one finish coat) for residential structures shall be as follows:

$0.55 per square foot of floor space.

The above rate includes all travel time and labor and material charges including the preparation of surfaces by cleaning and puttying if necessary, the finishing of floors with two coats of varnish and other exposed woodwork not painted, and the application of two coats of paint (one primer and one finish coat) exterior and interior, of standard quality. The preparation of surfaces shall not include the chipping or smoothing of rough concrete, floor sanding, or the filling of honey-combed concrete surfaces

APPENDIX G—MAXIMUM PRICES FOR CESSPOOL CONSTRUCTION

1. The maximum prices for cesspool construction as defined in paragraph (c) (7) of this section, shall be the sum of the following:

(a) Per lineal foot of depth up to and including 20 feet and 8 feet in diameter (except where lining is used and then 6 feet in diameter for the section lined and below such lining) the following charges per foot may be made according to the type of soil indicated in the Sanitary Inspector's Report on Cesspools, Sanitary Form No. 40 of the Bureau of Sanitation, Department of Health Territory of Hawaii, and defined in paragraph 2 below. The rates set forth below include all necessary shoring up, and the spreading of soil or rock taken from the excavation at the site of the cesspool, but not the removal of said soil or rock to another part of the customer's property or elsewhere.

Class 1: loose soil, sand, top soil	$9.00
Class 2: tight soil, gumbo or clay, loose rocky soil	14.00
Class 3: tight rocky soil, soft coral rock	19.00
Class 4: hard rock	30.00

(b) Per lineal foot of depth of the cesspool over 20 feet, an additional charge of $5.00 per lineal foot may be made for each class of soil found.

(c) Special charges as follows:

For masonry top	$50.00 per top
For lining, title or rock	$5.00 per lineal foot of depth lined.

(d) An addition of 10% to the sum of (a), (b) and (c) above.

(e) On new construction which is done at a distance greater than five miles from the seller's place of business, actual travel time may be added (beyond the five-mile limit) but in no event to exceed more than one-eighth of the actual site payroll and is allowed only provided the travel is done on contractor's time.

2. Definitions of classes used above:

(a) Class 1 shall include any kind of soil or soil formation which requires no loosening but may be shoveled out with a normal shoveling effort.

(b) Class 2 shall include all soil which needs a pick or similar tool for loosening before shoveling.

(c) Class 3 is such formation which needs a pick or similar tool for loosening but also contains rocks and boulders which do not necessarily need blasting for loosening.

(d) Class 4 shall be of such formation as to require dynamiting for loosening.

(e) The determination as to soil formation shall be that contained in the Sanitary Inspector's Report on Cesspool, Sanitary Form No. 40.

3. No person contracting for cesspool construction shall collect the final payment from the customer until the said inspector's report has been filed and a copy of THP Form No. 151 is filed with the Office of Price Administration within ten days of completion.

APPENDIX H—MAXIMUM PRICES FOR HARD TILE WORK

1. The maximum prices for tile work as defined in paragraph (c) (8) of this section shall be determined as follows:

(a) For tile installation for showers which are not over 4' x 4' in area and 6'6" in height, $200.00 per job.

(b) For other tile installations:

(1) Not exceeding 300 sq. ft. of surface area, $2.00 per sq. ft. of surface area.

(2) Over 300 sq. ft. and not exceeding 1,000 sq. ft. of surfaced area, $1.75 per sq. ft. of surface area.

(3) Over 1,000 sq. ft. of surface area, $1.50 per sq. ft. of surface area.

(4) Cove, bullnose and trim, $1.50 per lin. ft.

(5) Double doorjamb, $3.00 per lin. ft.

(6) Sink, drainboard and backboard, $10.00 per lin. ft. of drainboard.

(7) 18" shower with trim, $100.00 each.

(8) 18" shower without trim, $85.00 each.

(9) Bathroom tile accessories such as soap dishes, towel bars, etc., installed, $5.00 each.

(c) On new construction which is done at a distance greater than five miles from the seller's place of business, actual travel time may be added (beyond the five-mile limit) but in no event to exceed more than one-eighth of the actual site payroll, and is allowed only provided the travel is done on contractor's time.

(d) Where the contract is taken for labor only, deduct from the above prices the actual cost of tile which in no event shall exceed the maximum prices for sales of tile to contractors under applicable maximum price regulations.

2. The maximum prices for tile repair work shall be determined as follows:

(a) Labor—journeymen mechanics, $2.60 per hour.

(b) Labor—common labor—apprentices—helpers, $1.50 per hour.

(c) Where materials are supplied, add wholesale cost of materials at ceiling prices under the applicable Maximum Price Regulation (The General Maximum Price Regulation for the Territory of Hawaii), plus five percent of maximum wholesale prices.

(d) On hard tile repair work done at a distance greater than five miles from the seller's place of business, actual travel time incurred may be charged at the rates stated above; however, no more than one hour of travel time may be charged per employee per day, and only travel time may be charged for which is done on contractor's time.

APPENDIX I—FLOOR SANDING AND PAINT REMOVAL

The maximum prices for floor sanding of either new or old structures, shall be determined as follows:

(a) On areas up to 800 square feet the maximum price shall be $0.08 per square foot on soft wood surfaces.

(b) On areas exceeding 800 square feet the maximum price shall be $0.07 per square foot on soft wood surfaces.

(c) The maximum price for sanding hardwood surfaces shall be $0.12 per square foot.

The maximum price for paint removal from old floors and restoration of same to natural wood finish by scraping, acid or other method than floor sanding, shall be $2.00 per hour per employee.

On new construction which is done at a distance greater than five miles from the seller's place of business, actual travel time may be added (beyond the five mile limit) but in no event to exceed more than one eighth of the actual site, payroll and is allowed only provided the travel is done on contractor's time.

On old construction which is done at a distance greater than five miles from the seller's place of business, actual travel time incurred may be charged at the rate of $2.00 per hour per employee; however, no more than one hour of travel time may be charged per employee per day, and only travel time may be charged for which is done on contractor's time.

[F. R. Doc. 45-11130; Filed, June 23, 1945; 11:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373,[1] Amdt. 3]

ISLAND PRODUCED BEER IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

1. Section 24 (a) (5) (i) is amended to read as follows:

(i) *Sales at wholesale.* The maximum wholesale price for island produced beer per case, delivered to the purchaser's place of business, shall be $2.31 per case. This price includes all Federal taxes as of April 1, 1944, but does not include the 6% Territorial tax, which may be added when applicable. In case the wholesaler does not make delivery to the purchaser's place of business, the maximum wholesale price shall be the maximum wholesale price set forth above less five cents per case.

2. Section 24 (a) (5) (ii) is amended to read as follows:

(ii) *Sales at retail.* The maximum retail price for island produced beer per case shall be $2.76. This price includes all Federal taxes as of April 1, 1944 but does not include the 6% Territorial tax, which may be added.

This amendment shall become effective as of May 25, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11206; Filed, June 25, 1945; 11:29 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 395,[2] Amdt. 2]

CIGARETTES IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 395 is amended in the following respects:

1. Section 46 (1), Table XXXIV, is amended by adding Item 9 to read as follows:

(1) *Sales in the Municipality of St. Croix.*

TABLE XXXIV—MAXIMUM RETAIL AND WHOLESALE PRICES FOR CERTAIN BRANDS OF IMPORTED CIGARETTES

Brand	Maximum retail price per package of 20 cigarettes	Maximum retail price per carton of 10 packages	Maximum wholesale price per carton of 10 packages
9. Wings	$0.06	$0.50	$0.41

2. Section 46 (2), Table XXXV, is amended by adding Item 9 to read as follows:

(2) *Sales in the Island of St. Thomas.*

TABLE XXXV—MAXIMUM RETAIL AND WHOLESALE PRICES FOR CERTAIN BRANDS OF IMPORTED CIGARETTES

Brand	Maximum retail price per package of 20 cigarettes	Maximum retail price per carton of 10 packages	Maximum wholesale price per carton of 10 packages
9. Wings	$0.06	$0.50	$0.41

3. Section 46 (3), Table XXXVI, is amended by adding Item 9 to read as follows:

(3) *Sales in the Island of St. John.*

TABLE XXXVI—MAXIMUM RETAIL AND WHOLESALE PRICES FOR CERTAIN BRANDS OF IMPORTED CIGARETTES

Brand	Maximum retail price per package of 20 cigarettes	Maximum retail price per carton of 10 packages	Maximum wholesale price per carton of 10 packages
9. Wings	$0.07	$0.54	$0.48

4. Section 46, Tables XXXIV, XXXV and XXXVI are amended by adding a footnote to read as follows:

NOTE: The maximum retail price for loose cigarettes contained in subparagraph (1) shall not be applicable to Wings.

5. Section 46, paragraphs (1), (2) and (3) are amended by adding subdivision (v) to read as follows:

(v) The maximum wholesale price per case (of 50 cartons) of Wings cigarettes shall be the "direct cost" as defined in section 12 (a) (6) of Revised Maximum Price Regulation No. 395, to the importer plus a markup of $3.00, not delivered.

The maximum prices contained herein supersede all previous price orders issued on Wings cigarettes.

This amendment shall become effective June 28, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11129; Filed, June 23, 1945; 11:43 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 119]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 15, Appendix K, Table 3 (Maximum Prices for Apples), footnote reference 4 is added to items 1, 12, 23, 34, 45 and 54 in Column 5 and footnote 4 is added to read as follows:

'During the period beginning June 25, 1945 and ending July 20, 1945, the Column 5 price shall be for item 1 (box or bushel) $3.45; for item 12 (barrel) $13.80; for item 23 (graded and packed in certain containers, per pound) $0.0767; for item 34 (graded in bulk, per pound) $0.0682; for item 45 (tree-run in containers, per pound) $0.0627; and

[1] 10 F.R. 6646.

[2] 10 F.R. 5941, 6940.

for Item 54 (tree-run in bulk per pound) $0.0587.

This amendment shall become effective June 25, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 25, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45-11236; Filed, June 25, 1945; 4:49 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Supp. 12]

CERTAIN PACKED CITRUS PRODUCTS (1945 AND LATER PACKS)

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.

1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Packed single strength grapefruit juice.
5. Packed grapefruit segments.
6. Packed single strength orange juice.
7. Packed single strength orange-grapefruit juice blended (50% orange—50% grapefruit).
8. Sales between processors for the purpose of fulfilling government set-aside requirements of War Food Order 22-7.
9. Maximum prices for sales by processors of prior years' pack of listed products which have been sold to them by government agencies.
10. Label and labor allowance.
11. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

12. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE 1—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for sales of the following packed citrus products of the 1945 and later packs, by all persons except wholesalers and retailers:

Packed single strength grapefruit juice
Packed grapefruit segments
Packed single strength orange juice
Packed single strength orange-grapefruit juice blended (50% orange—50% grapefruit)

Fresh citrus juices and citrus concentrates are not subject to the maximum prices or other requirements imposed by this or any other maximum price regulation when sold by sellers covered by this supplement.

This supplement also establishes maximum prices for sales by processors of items of prior years' packs which have been sold to them by government agencies.

(b) This supplement applies in the 48 states of the United States and the District of Columbia.

(c) This supplement supersedes the provisions of all other maximum price regulations and orders as to the commodities and sellers covered.

(d) This supplement becomes effective July 2, 1945.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all the provisions affecting the maximum prices of the listed packed citrus products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The explanation of the regulation is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed in appropriate places in the following sections (in each case, the section number set forth in parenthesis is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement the term:

"Packed citrus products of the 1945 and later packs" mean the commodities specified in section 1, processed and packed on and after October 1, 1944, in any container, whether or not hermetically sealed. However, it does not include frozen citrus products, dehydrated citrus products, or reconstituted citrus juices.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement.

"Person" (sec. 1.1 of FPR 1).
"Processor" (sec. 1.2 of FPR 1).
"Distributor" (sec. 1.3 of FPR 1).
"Primary distributor" (sec. 1.5 of FPR 1).
"Wholesaler" and "retailer" (sec. 1.6 of FPR 1).
"Ultimate consumer" (sec. 1.7 of FPR 1).
"Item" (sec. 1.8 of FPR 1).
"Container type" (sec. 1.9 of FPR 1).
"Sale" (sec 1.10 of FPR 1).
"Price" (sec. 1.11 of FPR 1).
"Net delivered cost" (sec. 1.12 of FPR 1).
"Records" (sec. 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Packed single strength grapefruit juice*—(a) *General pricing provisions.* The processor's maximum prices per dozen containers, f. o. b. factory, for packed single strength grapefruit juice shall be as follows:

Column 1	Column 2	Column 3		Column 4		Column 5	
		No. 2 cans		No. 3 cyl.		No. 10 cans	
State or area	Style of pack	Sales to Government procurement agencies	Other sales	Sales to Government procurement agencies	Other sales	Sales to Government procurement agencies	Other sales
Florida (For juice packed prior to 1 I 45)	Natural (unsweetened)	$1.105	$1.125	$3.170	$2.550	$6.950	$6.950
	Sweetened	1.500	1.150	3.555	2.600	7.135	7.135
Florida (For juice packed on and after 1 I 45)	Natural (unsweetened)	1.430	1.125	3.375	2.550	6.750	6.750
	Sweetened	1.105	1.150	3.105	2.600	6.905	7.135
Texas	Natural (unsweetened)	1.175	1.125	2.755	2.550	5.405	5.405
	Sweetened	1.210	1.150	2.845	2.600	5.645	5.845
California and Arizona	Natural (unsweetened)	1.275	1.225	2.970	2.850	5.855	6.040
	Sweetened	1.310	1.270	3.060	2.850	6.040	6.240

NOTE: The prices in this table for sales to government procurement agencies must be adjusted in accordance with the provisions of paragraph (b), below.

The area named in column 2 refers in each case to the area in which the fruit used was grown. (The location of the processor or his factory is not controlling). Where the processor's pack of grapefruit juice at one factory is produced from fruit grown in more than one area and different prices are named for those areas, the processor shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, in accordance with the provisions of section 11 (c).

(b) *Special pricing provisions relating to sales to government procurement agencies.* (1) The processor's maximum prices for sales to government procurement agencies shall be the gross maximum prices named in paragraph (a) for such sales for the period of pack indicated, less the amount of the applicable monthly area grapefruit juice cost reduction for the month (or period) in which such grapefruit juice was packed.

(2) The monthly area grapefruit juice cost reduction shall be established by order of the Office of Price Administration as soon as may be practicable after the period to which it applies. That amount is the difference between the cost for raw grapefruit reflected in the applicable gross maximum prices for sales to government procurement agencies set forth in paragraph (a), above, and the applicable weighted average delivered grapefruit cost for such month (or period) determined by the Office of Price Administration, converted to costs per dozen containers of the particular size and type packed during the month (or period) to which such monthly area grapefruit juice cost reduction is applicable.

(3) In the event that any monthly area grapefruit cost, determined by the Office of Price Administration as set forth above, shall be equal to or greater than the cost for raw grapefruit reflected in the applicable gross maximum prices for sales to government procurement agencies the Office of Price Administration shall provide by order that no reduction shall be made in the gross maximum prices for grapefruit juice packed during the month (or period) to which such monthly area grapefruit cost is applicable.

(c) *Processors' base prices for use in determining maximum export prices for packed single strength grapefruit juice.* For packed single strength grapefruit juice, the base prices to be used by the processor in determining his maximum prices for export sales other than to the Territories and Possessions of the United States under the Second Revised Maximum Export Regulation[2] shall be the maximum prices set forth in paragraph (a) for "other sales" plus an amount equal to the amount of the subsidy that would be payable to him for the month (or period) during which such grapefruit juice was packed if the sale of that grapefruit juice was made to a domestic civilian purchaser or to a purchaser in the Territories and Possessions of the United States. For export sales to the Territories and Possessions of the United States, the processor's base prices to be used in determining his maximum export prices under the Second Revised Maximum Export Price Regulation shall be the maximum prices set forth in paragraph (a) for "other sales." The provisions of this paragraph (c) do not apply to sales to government procurement agencies of the United States.

SEC. 5. *Packed grapefruit segments.* The processor's maximum prices per dozen containers, f. o. b. factory, for packed grapefruit segments shall be as follows:

Column 1	Column 2	Column 3
		No. 2 cans
State or area	Style of pack (sweetened)	Sales to Government procurement agencies
Florida	Sections	$1.80
	Broken sections	1.700
Texas	Sections	1.625
	Broken sections	1.525

The area named in column 2 refers in each case to the area in which the fruit used was grown. (The location of the processor or his factory is not controlling.) Where the processor's pack of grapefruit segments at one factory is produced from fruit grown in more than one area and different prices are named for those areas, the processor shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, in accordance with the provisions of section 11 (c).

SEC. 6. *Packed single strength orange juice.* The processor's maximum prices per dozen containers, f. o. b. factory, for packed single strength orange juice shall be as follows:

[1] 9 F.R. 6711.

[2] 6 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1039, 9435, 5923, 7201, 9334, 11233, 12919, 14346; 10 F.R. 863, 923, 2432.

Column 1	Column 2	Column 3		Column 4		Column 5	
		No. 2 cans		No. 3 cyl.		No. 10 cans	
State or area	Style of pack	Sales to Government procurement agencies	Other sales	Sales to Government procurement agencies	Other sales	Sales to Government procurement agencies	Other sales
Florida	Natural (unsweetened)	$1.095	$1.055	$3.855	$3.940	$7.830	$8.035
	Sweetened	1.630	1.580	3.895	4.095	7.960	8.165
Texas	Natural (unsweetened)	1.475	1.525	3.570	3.645	7.140	7.345
	Sweetened	1.500	1.550	3.270	3.675	7.270	7.475
California and Arizona	Natural (unsweetened)	1.760	1.810	4.170	4.275	8.345	8.670
	Sweetened	1.785	1.835	4.230	4.335	8.505	8.800

The area named in column 2 refers in each case to the area in which the fruit used was grown. (The location of the processor or his factory is not controlling.) Where the processor's pack of orange juice at one factory is produced from fruit grown in more than one area and different prices are named for those areas, the processor shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, in accordance with the provisions of section 11 (c).

SEC. 7. *Packed single strength orange-grapefruit juice blended (50% orange-50% grapefruit).* The processor's maximum prices per dozen containers, f. o. b. factory, for packed single strength orange-grapefruit juice blended shall be as follows:

Column 1	Column 2	Column 3		Column 4		Column 5	
		No. 2 cans		No. 3 cyl.		No. 10 cans	
State or area	Style of pack	Sales to Government procurement agencies	Other sales	Sales to Government procurement agencies	Other sales	Sales to Government procurement agencies	Other sales
Florida	Natural (unsweetened)	$1.320	$1.360	$3.960	$3.760	$7.290	$7.470
	Sweetened	1.345	1.390	3.675	3.745	7.425	7.625
Texas	Natural (unsweetened)	1.325	1.370	3.135	3.225	6.240	6.475
	Sweetened	1.355	1.400	3.285	3.360	6.490	6.630
California and Arizona	Natural (unsweetened)	1.529	1.570	3.550	3.675	7.160	7.355
	Sweetened	1.545	1.600	3.645	3.750	7.320	7.510

The area named in column 2 refers in each case to the area in which the fruit used in the pack was grown. (The location of the processor or his factory is not controlling.) Where the processor's pack of orange-grapefruit juice blended at any one factory is produced from fruit grown in more than one area and different prices are named for those areas, the processor shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, in accordance with the provisions of section 11 (c).

SEC. 8. *Sales between processor for the purpose of fulfilling government set-aside requirements of War Food Order 22-7.* The processor's maximum price per dozen containers, f. o. b. factory, for any item of packed citrus products of the 1945 and later packs, in sales to another processor of these products, which are to be used by the purchaser in making sales to government procurement agencies under the set-aside requirements of War Food Order 22-7 shall be the maximum price set forth in sections 4, 5, 6 and 7 for sale of the item to government procurement agencies.

SEC. 9. *Maximum prices for sales by processors of prior years' packs of listed products which have been sold to them by government agencies.* The maximum price for sales by a processor, to purchasers other than government procurement agencies, of that portion of an item of any citrus product listed in sections 4, 6 or 7 of this supplement which was packed prior to October 1, 1944 and which has been sold to the processor by a government agency, shall be the processor's maximum price f. o. b. factory, as established under this supplement for the same item when packed subsequent to October 1, 1942. However, differences in brand shall be ignored.

SEC. 10. *Label and labor allowances.* (a) Label and labor allowances shall be made by processors in the following circumstances and in the following amounts:

(1) When the processor sells any item covered by this supplement, unlabeled or labeled with labels supplied by the purchasers, in containers no greater in content than a No. 10 can, the maximum price established under this supplement shall be reduced by $1.50 per thousand labels used (label allowance). The processor is, of course, free to make a greater allowance if he so desires.

(2) When any item covered by this supplement is sold unlabeled in containers no greater in content than a No. 10 can, the maximum price established under this supplement shall be reduced by one cent per case (labor allowance) in addition to the allowance provided in subparagraph (1), above. The processor is, of course, free to make a greater allowance if he so desires.

(b) In each sale to a purchaser other than a government procurement agency, where a processor makes an allowance for labels or labor under this section, he shall separately state the selling

price and the amount and nature of the allowance on the invoice accompanying the sale.

SEC. 11. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Maximum prices for products in new container types or sizes (sec. 2.2 of FPR 1).

(b) Adjustment of dollar-and-cents maximum prices for processors who perform the wholesale or retail function (sec. 2.3 of FPR 1).

(c) Individual authorization of maximum prices (sec. 2.5 of FPR 1).

(d) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (sec. 2.8 of FPR 1).

(e) Maximum prices for sales by primary distributors (sec. 2.9 of FPR 1). The maximum markup is 8%.

(f) Maximum prices for sales by distributors who are not primary distributors, wholesalers, or retailers (sec. 2.10 of FPR 1).

(g) Payment of brokers (sec. 2.11 of FPR 1).

(h) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (sec. 2.13 of FPR 1).

(i) Treatment of federal and state taxes (sec. 2.14 of FPR 1). The "base period" applicable to primary distributors is March 1942.

(j) Units of sale and fractions of a cent (sec. 2.15 of FPR 1).

(k) Maintenance of customary discounts and allowances (sec. 2.16 of FPR 1). This section shall not apply to the label and labor allowances required to be made by processors under section 10.

SEC. 12. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement.

(a) Restriction on sales to primary distributors (sec. 3.1 of FPR 1).

(b) Storage (sec. 3.3 of FPR 1).

(c) Export sales (sec. 3.4 of FPR 1).

(d) Notification of new maximum price (sec. 3.5 of FPR 1).

(e) Records which must be kept (sec. 3.6 of FPR 1). In addition to the other records required to be maintained by this section and for the same period of time each processor shall keep records of all grapefruit purchased, in value and quantity, during the period October 1, 1944, through November 30, 1945.

(f) Sales slips and receipts (sec. 3.8 of FPR 1).

(g) Transfers of business or stock in trade (sec. 3.9 of FPR 1).

(h) How a figured maximum price is established and how an established maximum price may be changed (sec. 3.10 of FPR 1).

(i) Adjustable pricing (sec. 3.11 of FPR 1).

(j) Compliance with the applicable supplement (sec. 3.12 of FPR 1).

(k) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (sec. 3.13 of FPR 1).

(l) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (sec. 3.14 of FPR 1).

(m) Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (sec. 3.15 of FPR 1).

(n) Petitions for amendment (sec. 3.16 of FPR 1).

This supplement shall become effective July 2, 1945.

NOTE: All reporting and record keeping requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc 45-11302; Filed, June 26, 1945; 11:36 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 9]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.7551 (a) (11) is amended to read as follows:

(11) "Fleet", as applied to a passenger automobile or motorcycle, means that such vehicle is one of three or more passenger automobiles or three or more motorcycles owned or leased by and used by the same person or organization principally in connection with the same or related occupations, or, as applied to a commercial motor vehicle that such vehicle is one covered by a fleet certificate issued by the Office of Defense Transportation.

2. Section 1394.7904 (a) (6) is added to read as follows:

(6) Notwithstanding any other provisions of this paragraph (a), if the District Director, or his designee, finds that a person who applies within his jurisdiction for the issuance of a non-highway ration in the form of Class E or R coupons maintains an adequate system for accounting for the handling of these coupons to prevent the ration from being improperly used, he may authorize the Board to issue Class E or R coupons without an accompanying delivery record, or if a delivery record has already been issued, exempt the person from the requirements of this order with respect to the use and maintenance of the delivery record. However, such authorization may be granted only if the person requires a non-highway ration in the form of these coupons for use in ten or more separate machines or pieces of equipment by ten or more employees who must use these coupons to acquire gasoline at ten or more different locations. The District Director, or his designee, shall have the authority to rescind such an authorization at any time.

This amendment shall become effective June 29, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc 45-11303; Filed, June 26, 1945; 11:36 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 203, Amdt. 4]

VITAMIN A NATURAL OILS AND CONCENTRATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1396.201 is amended by adding the following new paragraph (c):

(c) Neither this nor any other regulation issued by the Office of Price Administration shall apply to sales to the War Food Administration or other agency of the United States Government of blends of Vitamin A natural oils or Vitamin A natural oils and concentrates containing 2000 U. S. P. units of Vitamin A per gram and 200 U. S. P. units of Vitamin D per gram.

This amendment shall become effective July 2, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11304; Filed, June 26, 1945; 11:35 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 62 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) (17) is added to read as follows:

(17) J1, K1, L1, M1, N1 ------ From July 1, 1945, to October 31, 1945, inclusive

This amendment shall become effective June 29, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11304; Filed, June 26, 1945; 11:35 a. m.]

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[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15054, 10 F.R. 48, 776, 924.

PART 1377—WOODEN CONTAINERS

[MPR 424,[1] Incl. Amdts. 1-6]

TIGHT COOPERAGE AND TIGHT COOPERAGE STOCK*

This compilation of Maximum Price Regulation 424 includes Amendment 6, effective July 2, 1945. Text added and amended by Amendment 6 is underscored.

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2] Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Preamble amended by Supplementary Order No. 61, 8 F.R. 12552, effective 9-11-43]

§ 1377.301 *Maximum prices for tight cooperage stock and sawed tight cooperage.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 424 (Tight Cooperage and Tight Cooperage Stock), which is annexed hereto and made a part hereof, is hereby issued.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.
1. Prohibition against dealing in tight cooperage stock and sawed tight cooperage at prices above the maximum.
2. Less than maximum prices.
3. Transactions and products covered.
4. Definitions.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

5. Maximum prices for tight staves and headings.
6. Maximum prices for tight cooperage.
7. Maximum prices for cooperage dowels.
8. Products not specifically priced.
9. Delivered prices.
10. Prohibited practices.

ARTICLE III—MISCELLANEOUS

11. Adjustable pricing.
12. Application for adjustment or petition for amendment.
13. Records and reports.
14. Licenses.
15. Registration.
16. Enforcement.
17. Relation to other regulations.
18. Appendix A. Basic maximum prices for sawed tight cooperage stock.
19. Appendix B. Extra charges for sawed tight cooperage.

AUTHORITY: § 1377.301 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

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*Title amended by Am. 6, effective 7-2-45.
[1] 8 F.R. 9516.
[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *Prohibition against dealing in tight cooperage stock and sawed tight cooperage at prices above the maximum.* On and after the effective date of this regulation, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any tight cooperage stock or sawed tight cooperage, at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

SEC. 2. *Less than maximum prices.* Nothing in this regulation shall prevent the sale of the products covered at less than maximum prices.

SEC. 3. *Transactions and products covered*—(a) *Transactions covered.* This regulation covers any and all sales and purchases, whether from a factory, warehouse, or dealer, by any person, whether manufacturer, dealer, wholesaler or user, of any of the products covered by this regulation.

(b) *Products covered.* The term "tight cooperage stock" as used in this regulation covers all staves, headings and cooperage dowels, both finished and unfinished, including laminated, sawed, bucked, rived and split, produced primarily for use in making liquid tight barrels and kegs of a bilged type and all staves and headings produced as a result of such primary production, as defined in the grading rules of the Associated Cooperage Industries of America, Inc., or in this regulation or by general or individual specifications. Coverage is limited to production in the following states: Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia and Wisconsin.

The term "sawed tight cooperage" as used in this regulation covers all barrels and kegs made entirely or partially of staves and headings covered by this regulation.

[Paragraph (b) amended by Am. 2, 9 F.R. 3351; effective 4-1-44; Am. 4, 10 F.R. 621; effective 1-20-45, and Am. 5, 10 F. R. 3644; effective 4-9-45]

SEC. 4. *Definitions*—(a) *Sap clear white oak oil grade stock* is tight sap oil grade white oak with the sapwood removed.

(b) *No. 2 grade stock is of a quality* lower than No. 1 grade which can be coopered into a barrel which will hold hot grease. The grading rule oil inspection applies except that the following imperfections are allowed: mold and discoloration if sound; small, sound, tight knots on the quarter; streaks; straight checks that will pull up in coopering; cat faces that do not extend through the piece; a reasonable number of sound worm holes; straight grub holes that can be easily plugged.

(c) *No. 3, dog, copper or metal barrel stock* is of a quality lower than No. 2 grade. Dead culls are not included, but any stock that can be coopered in the regular manner without breaking is included.

(d) *Dead culls* include any badly warped or twisted stock; stock which contains dote or rot or any other stock which cannot be coopered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 5. *Maximum prices for tight staves and headings*—(a) *Factory or mill sales.* In direct factory sales, that is, sales made by the producing factory, the maximum prices, f. o. b. mill or railhead, for sawed tight staves and headings are those contained in the Tables II to V, inclusive, of Appendix A. Actual transportation cost may be added for the distance in excess of 25 miles from the mill to the railhead. Except, however:

(1) On shipments of sawed tight staves and/or headings of 6,000 pounds or less from a producing factory, a mark-up of 10 percent may be added to the maximum prices contained in the schedules;

(2) When staves and headings are sawed in the Southern Area and finished in the Upper Area, the maximum price shall be the Upper Area price, or the Southern Area price plus transit freight, whichever is the lower;

(3) When staves and headings are sawed in the Upper Area and finished in the Southern Area, the maximum price shall be the Upper Area price.

(b) *Warehouse sales.* In warehouse sales the maximum prices for tight staves and headings shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up on the same items in March 1942 plus average inbound freight from the producing factory to the warehouse. As used in this regulation a "warehouse sale" is a sale in which shipment or delivery is made from an established storage or distribution place located and operated independently of the producing mill or factory. No shipment from a stave or heading mill or finishing plant may be considered a "warehouse sale".

Average inbound freight is to be weighted by the quantity in the warehouse at the time of making the computation. The average must be figured at least once each month.

As used in this regulation the term "warehouseman" is one who maintains an established storage or distribution place, located and operated independently of a producing mill or factory and from which shipments of cooperage stock are made.

A warehouseman who had no such mark-up in March 1942 may apply in writing to the Office of Price Administration, Washington 25, D. C., setting forth the nature of his business operations, including such facts as the classes of customers to which he sells, a description of the items to be sold, the requested mark-up and the names and addresses of the applicant's nearest competitors. The Administrator will by order establish a

mark-up for the applicant based on the mark-ups used by his competitors.

[Above paragraph added by Am. 6, effective 7-2-45]

(c) *Sales by dealers or merchants.* In sales by dealers or merchants of their purchased stock the maximum prices for tight staves and or headings of more than 6,000 pounds shall be the maximum f. o. b. producing factory price contained in the schedule plus a mark-up of 7 percent of the f. o. b. factory price.

[Paragraph (c) amended by Am. 1, 8 F.R. 11175, effective 8-9-43]

On shipments of 6,000 pounds or less a dealer's or merchant's maximum price shall be the maximum f. o. b. producing factory price contained in the schedule plus a mark-up of 7 percent of the f. o. b. factory price. This mark-up is in addition to the 10 percent mark-up provided for such sales in section 5 (a) (1).

As used in this regulation the term "dealer or merchant" is one who, although he does not take actual physical possession, buys, takes title to, resells, and assumes credit risks and responsibility for grade and count. No producer may qualify as a dealer or merchant under this regulation of products which he has produced in the rough.

SEC. 6. *Maximum prices for tight cooperage*—(a) *Factory or mill sales.* (1) The maximum prices, f. o. b. factory, for sawed tight cooperage covered by this regulation shall be the maximum price in the area where the cooperage plant is located for the finished staves and headings used in the barrel plus the mark-ups shown below plus extra charges for materials and services as specified in Table I of Appendix B. The cooperage allowance for barrels of 30 gallons or over shall be the mark-up shown below or $1.60, whichever is greater.

PERCENTAGE MARK-UPS ON BARRELS

Bourbon barrels. The mark-up shall be 50% of the maximum price of the staves and headings used in the barrel.

Barrels of grades over sap clear oil grade and under bourbon. The mark-up shall be 65% of the maximum price of sap clear oil grade staves and headings.

Barrels of sap clear oil grade and under. The mark-up shall be 65% of the maximum price of the No. 1 grade in the type and species used.

Barrels with single or loose wood heads or heads other than wood. The mark-up over actual material cost shall be the same as shown for standard two crozed head barrels.

(2) Cooperage producers located in states other than those included in the stock-producing areas (Table 1, Appendix A) shall use the maximum prices of staves and headings in the upper area for the purpose of computing cooperage prices under paragraph (a) (1) of this section.

[Subparagraph (2) amended by Am. 2, 9 F.R. 3351, effective 4-1-44]

(b) *Warehouse sales.* In warehouse sales the maximum prices for tight cooperage covered by this regulation shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up in March 1942 plus average inbound freight actually paid or incurred by the warehouseman (computed in accordance with section 5 (b)). A warehouse sale is defined in section 5 (b).

(c) *Sales by dealers or merchants.* In sales by dealers or merchants the maximum prices for sawed tight cooperage covered by this regulation shall be the maximum f. o. b. producing factory price plus the seller's average percentage mark-up on such sales in March 1942. Sales by dealers or merchants are defined in section 5 (c).

(d) *Sales by new sellers other than manufacturers.* A warehouseman, dealer, or merchant who did not sell tight cooperage covered by this regulation in March 1942 may make application in writing to the Office of Price Administration, Washington 25, D. C., setting forth the nature of his business operations, including such facts as the classes of customers to which he sells, a description of the items to be sold, the requested mark-up and the names and addresses of the applicant's nearest competitors. The Administrator will by order establish a mark-up for the applicant based on the mark-ups used by his competitors.

[Paragraph (d) added by Am. 6, effective 7-2-45]

SEC. 7. *Maximum prices for cooperage dowels.* The maximum prices f. o. b. factory, for cooperage dowels are those contained in Table VI of Appendix A.

SEC. 8. *Products not specifically priced.* Tight cooperage and cooperage stock not specifically priced in this regulation are nevertheless covered by the regulation. Any person desiring to sell on the domestic market any product covered by the regulation for which he cannot determine a f. o. b. mill price under the regulation shall make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for a price. The application must contain a complete description of the product to be priced, the applicant's March 1942 selling price of the product if he sold such product at that time, his requested selling price and his method of arriving at this price. Products may be sold and delivered at the requested selling price, pending approval of a price by this Office subject, however, to adjustment to the price finally approved. Prices not disapproved within 20 days from the receipt of application are approved until specifically revoked.

SEC. 9. *Delivered prices.* If delivery is by common carrier the actual transportation costs paid or incurred by the seller may be added to the basic maximum prices. If shipment is by truck, owned or controlled by the seller, actual transportation costs may be added to the basic maximum prices. Such transportation cost may not exceed 80% of the common carrier charge for the same shipment. This provision is subject to the exception contained in section 5 (a) regarding free delivery of staves and headings from mill to railhead located within 25 miles of the mill.

SEC. 10. *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in discount practices, devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

ARTICLE III—MISCELLANEOUS

SEC. 11. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[Sec 11 amended by Supplementary Order No. 50, 8 F.R. 10568, effective 7-27-43 and Am. 1 thereto, 8 F.R. 14310, effective 10-26-43]

SEC. 12. *Application for adjustment or petition for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[3] for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) amended by Supplementary Order No. 83, 9 F.R. 973, effective 2-1-44]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[4] issued by the Office of Price Administration.

(c) *Applications for adjustment—(1) When adjustment may be granted.* The Price Administrator may by order adjust the maximum prices established under this regulation for any manufacturer of tight cooperage or tight cooperage stock produced in one or more plants who can show:

[3] 9 F.R. 10628.
[4] 9 F.R. 10476, 13715.

(i) That increased costs result in hardship which will impede his production of essential supply of tight cooperage and/or cooperage stock, and

(ii) That his existing maximum price or prices are less than manufacturing costs if his current over-all profits are favorable in relation to those of a representative peace-time period; or that his existing maximum price or prices are less than total costs if his current over-all profits are comparable to his over-all profits for a representative peace-time period; or that his existing maximum price or prices do not afford a reasonable profit if current over-all profits are unfavorable compared to those in a representative peace-time period.

(2) *Factors which may also be considered.* The following factors are relevant to the consideration of whether the maximum prices are at such a level that production of essential items is threatened or impeded, and whether the increased costs warrant an adjustment.

(i) Whether greater efficiency in production, management or merchandising can be reasonably expected so that an adjustment would not be necessary.

(ii) Whether the seller previously sold the particular item or items under consideration at a price which was below his total unit costs.

(iii) The relationship of the seller's stumpage costs to his previous costs and to prices in the area for similar stumpage.

(3) *Form and contents of application.* Applications under this section must be filed in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration. All applications should contain:

(i) Balance sheets, analyses of surplus and profit and loss statements for the company's over-all operations, in the detail normally prepared by the applicant, but at least in the detail required in A and B forms issued by the Office of Price Administration, by years from 1936 to 1939, inclusive, and for the last two full calendar or fiscal years preceding the filing of the application and the available interim period for the current calendar or fiscal year. These statements must be accompanied by a schedule of annual salaries, showing for each year the number of principal executive officers and, in the case of a corporation, individual stockholders owning 10% or more of any single class of capital stock, the total compensation paid to them during each year and the current annual rate of total compensation for such individuals.

The applicant may submit, in addition, data for other years if in his opinion they are more truly representative of his normal operations.

(ii) Operating statements for tight cooperage and or tight cooperage stock for the last two full calendar or fiscal years and the available interim period of the current calendar or fiscal year. This statement should show a break-down as to quantity and dollar amount of stumpage costs, logging and log transportation costs, log purchases and log sales, manufacturing cost, opening and closing inventories of both raw materials and finished products and proportioned share of operating expenses, and method used in allocation of such proportioned expenses.

(iii) A schedule for the same periods as in (ii) above of sales and production as to dollar value and quantity of each type and specification of tight cooperage or cooperage stock produced.

(iv) A statement describing the ownership and control of the seller's business.

Sellers who have previously submitted any of the above required data may omit such items from the data submitted with their application provided they indicate when and in what connection they were submitted.

The filing of over-all profit and loss statements for 1936 through 1939 is optional providing, these reports for the company's operations are available from the Bureau of Internal Revenue. Should the applicant indicate that he prefers this procedure this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.

(4) *Orders issued.* The Price Administrator may authorize, modify or deny by order the maximum prices requested. He may require in appropriate cases a compensatory decrease in the maximum prices for other wooden container items manufactured by the applicant.

Any order issued hereunder may be amended or revoked at any time.

[Paragraph (c) added by Am. 6, effective 7-2-45]

SEC. 13. *Records and reports*—(a) *Records.* All persons making sales covered by this regulation must keep records which will show a complete description of the products sold, the name and address of the buyer, the date of the transaction and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept two years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever period is the shorter, for inspection by the Office of Price Administration.

(b) *Reports.* Any person operating as a dealer, merchant or warehouseman of tight cooperage or as a warehouseman of tight staves and heading under this regulation must file with the Office of Price Administration, Washington 25, D. C., a report showing the types of tight cooperage or tight cooperage stock handled and his weighted average percentage mark-up on sales of tight cooperage and tight cooperage stock in March 1942 on or before August 1, 1945.

Any dealer, merchant or warehouseman operating under this regulation who fails to file his report as required above may not use his mark-up during the period of non-compliance.

[Sec. 13 amended by Am. 6, effective 7-2-45]

SEC. 14. *Licenses.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 14 amended by Am. 1, 8 F.R. 11175, effective 8-9-43; Supplementary Order 72, 8 F.R. 13241, effective 10-1-43 and Am. 2, 9 F.R. 3351, effective 4-1-44]

SEC. 15. *Registration.* Persons desiring to sell as dealers, merchants or warehousemen, any of the products covered by this regulation must register with the Lumber Branch, Office of Price Administration, Washington, D. C. within 15 days after becoming subject to the regulation. The registration shall be accomplished by filing with the Office of Price Administration a statement of the applicant's qualifications. Every person owning, operating or maintaining more than one place of business shall file a separate registration statement for each place of business. In case a new, additional or different place of business is later established or acquired by a dealer, warehouseman or merchant, such dealer, warehouseman or merchant shall, within 15 days after establishing or acquiring it, file a registration statement with respect to such new, additional or different place of business.

The Office of Price Administration will issue to each dealer, warehouseman or merchant registering in accordance with this section a registration certificate which shall be posted at all times in a conspicuous place in the registrant's place of business.

Persons who have previously filed their qualifications and received specific approval under the original section 14 of the regulation are not required to register under this section.

[Sec. 15 added and former sections 15 through 18 redesignated 16 through 19 respectively by Am. 2, 9 F.R. 3351, effective 4-1-44]

SEC. 16. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for

[1] 8 F.R. 13240.

treble damages provided by the Emergency Price Control Act of 1942.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 17. *Relation to other regulations—(a) General Maximum Price Regulation.*[1] Any sale or delivery covered by this Maximum Price Regulation is not subject to the General Maximum Price Regulation.

(b) *Second Revised Maximum Export Price Regulation.*[2] The maximum prices for export sales of tight cooperage and cooperage stock are governed by the Second Revised Maximum Export Price Regulation.

SEC. 18. *Appendix A: Basic maximum prices for sawed tight cooperage stock.* The maximum prices, f. o. b. mill or railhead, for sawed tight cooperage stock are those shown in the following tables:

TABLE I—STOCK PRODUCING AREAS

Southern area:	Upper area:
Alabama	Illinois
Arkansas	Indiana
Florida	Kentucky
Georgia	Maryland
Louisiana	Michigan
Mississippi	Minnesota
Oklahoma	Missouri
South Carolina	New York
Texas	North Carolina
	Ohio
	Pennsylvania
	Tennessee
	Virginia
	West Virginia
	Wisconsin

[Table I amended by Am. 4, 10 F.R. 621 effective 1-20-45 and Am. 5, 10 F.R. 3644, effective 4-9-45]

TABLE II—SAWED TIGHT COOPERAGE STAVES, ROUGH, AIR DRIED AND LISTED[1]

Per M staves, grading rule average width f. o. b. mill or railhead

Southern producing area						To make a finish stave length	Upper producing area					
Over 36" through 36"	26" through 30"	Over 22" to 26"	Over 18" through 22"	Over 15" through 18"	15" and under	Standard thickness when planed one side[1]	Over 30" through 36"	26" through 30"	Over 22" to 26"	Over 18" through 22"	Over 15" through 18"	15" and under
¾"	⅝" to ¾"	⅝"	½"	½" to ⅝"	½"		¾"	⅝" to ¾"	⅝"	½"	½" to ⅝"	½"
$205.00	$131.00					White oak types:						
152.50	92.00					Bourbon (green)	$215.00	$131.00				
113.75	68.25					Wine grade	160.00	97.00	$87.00	$76.50	$61.00	$43.00
87.50	52.50					Sap clear, oil grade	121.25	73.25	65.75	55.50	46.50	32.50
82.00	49.50	42.00	36.00	30.00	20.00	Tight sap #1	95.00	57.50	51.50	44.50	36.50	25.50
82.00	49.50	42.00	36.00	30.00	20.00	Wide sap #1	85.50	54.50	46.00	39.50	33.00	22.00
82.00	49.50	42.00	36.00	30.00	20.00	Red oak #1	85.50	54.50	46.00	39.50	33.00	22.00
77.00	49.50	40.00	35.00	30.00	20.00	Chestnut oak #1	85.50	54.50	46.00	39.50	33.00	22.00
60.00						Gum and gum mixed [2] #1	84.50	54.50	44.00	38.50	33.00	22.00
50.00						Oak, all species #2	67.50					
46.00						Gum and gum mixed [2] #2	57.50					
32.00						Oak, all species, dogs or copper	47.50					
	49.50					Gum and gum mixed [2] dogs	42.50					
	34.50					Ash, pork grade		51.50				
						Ash #2		38.50				

[1] Except bourbon.
[2] Includes singly or mixed: Red gum, sweet gum, black gum, sap gum, tupelo, ash, basswood, beech, birch, cottonwood, cypress, elm, hackberry, hickory, locust, maple poplar, sycamore.

NOTES

	Add Percent	Deduct Percent
1. For air dried bourbon staves add to the green price per M, 24" to 36", $10.60, 20", $8.60.		
2. Maximum price for all oil grade on bourbon inspection is $7.50 per M under the tight sap maximum price in the producing area.		
3. For staves 18" thicker than above standards	12½	
For staves 18" thinner than above standards		12½
For staves ¼" thicker than above standards	25	
For staves ¼" thinner than above standards		25

[Table II amended by Am. 2, 9 F.R. 3351, effective 4-1-44]

TABLE III—MAXIMUM PRICES OF FINISHED SETS OF STAVES, INCLUDES KILN DRYING, PLANING ONE SIDE, JOINTING AND BUNDLING (COMBINING TABLE II, INCLUDING NOTE)

[F. o. b. mill or railhead]

Southern producing area					Stave length	Upper producing area				
34" through 36"	30"	24"	21" through 22"	19" through 17"	Bilge measurement:	34" through 36"	30"	24"	21" through 22"	19" through 17"
76½" through 81"	68"	56"	48"	39"		76½" through 81"	68"	56"	48"	39"
$1.87	$2.90				White oak types:					
1.75	2.31	$1.83	$1.47	$1.16	Bourbon	$5.05	$3.03			
1.65	1.93	1.55	1.21	.96	Wine grade	3.88	2.39	$1.91	$1.52	$1.20
2.21	1.96	1.10	.85	.67	Sap clear, oil grade	3.18	2.01	1.61	1.26	1.00
2.11	1.37	1.02	.80	.63	Tight sap #1	2.34	1.41	1.15	.89	.71
2.11	1.37	1.02	.80	.63	Wide sap #1	2.24	1.35	1.07	.84	.67
2.11	1.37	1.02	.80	.63	Red oak #1	2.24	1.35	1.07	.84	.67
2.02	1.24	.99	.79	.63	Chestnut oak #1	2.21	1.35	1.07	.84	.67
1.71					Gum and gum mixed [1] #1	2.15	1.32	1.05	.83	.66
1.54					Oak, all species, #2	1.85				
1.53					Gum and gum mixed [1] #2	1.67				
1.26					Oak, all species, dogs	1.49				
	1.31				Gum and gum mixed [1] dogs	1.40				
	1.06				Ash (pork grade)		1.39			
					Ash #2		1.14			

[1] See table II for species.

NOTES

1. For finishing sets of staves up to 34" through 36" length in sets other than the above standard bilge measurements, multiply the actual inch bilge measurement.
A. On bourbon, wine and sap clear grades by .0123 cents.
B. On grades allowing sap on by .0077 cent.
Price to nearest cent, ½ being figured to next higher cent.

2. For planing clean two sides, occasional saw marks permitted, add $0.04 per linear foot of staves.

3. For unplaned staves, deduct .004 cent per linear foot of staves.

[Note 2 amended by Am. 6, effective 7-2-45]

[1] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.
[2] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 7201, 9835, 11273, 12919.

TABLE IV—SAWED TIGHT COOPERAGE HEADING, ROUGH, SQUARE, AIR DRIED AND LISTED[1]

[Per set, f. o. b. mill or railhead]

Southern producing area					To make a finished circled head	Upper producing area				
19" through 21"	16" to 19"	13" to 16"	9" to 13"	Under 9"	To finish when planed one side[1]	19" through 21"	16" to 19"	13" to 16"	9" to 13"	Under 9"
¾"	⅝"	⅝"	½"	½"		¾"	⅝"	⅝"	½"	½"
$1.00	$0.61				White oak types:					
.78	.48	$0.42	$0.24	$0.16	Bourbon (green)	$1.06	$0.66			
.64	.39	.34	.19	.13	Wine	.83	.52	$0.45	$0.25	$0.17
.51	.31	.27	.15	.10	Sap clear, oil grade	.69	.43	.37	.20	.14
.44	.27	.22	.11	.08	Tight sap #1	.56	.35	.30	.17	.11
.44	.27	.22	.11	.08	Wide sap #1	.49	.31	.27	.13	.09
.41	.25	.22	.11	.08	Red oak #1	.49	.31	.25	.13	.09
.40	.25	.21	.11	.08	Chestnut oak #1	.49	.31	.25	.13	.09
.33					Gum and gum mixed [2] #1	.45	.31	.24	.13	.09
.30					Oak, all species, #2	.38				
.25					Gum and gum mixed [2] #2	.35				
.22					Oak, all species, dogs	.30				
	.25				Gum and gum mixed [2] dogs	.27				
	.13				Ash, pork grade		.31			
					Ash, #2		.17			

[1] Except bourbon.
[2] See table II for species.

NOTES

	Add percent	Deduct percent
1. For air dried bourbon heading, add to the green price per set, 19" through 21" (6" to 16"), 63.		
2. Maximum price for all oil grade on bourbon inspection is 5c per set under the tight sap maximum price in the producing area.		
3. For heading ¾" thicker than above standards	12½	
For heading ¾" thinner than above standards		12½
For heading ½" thicker than above standards	25	
For heading ½" thinner than above standards		25

[Table IV amended by Am. 2, 9 F.R. 3351, effective 4-1-44]

TABLE V—FINISHING SAWED TIGHT COOPERAGE HEADING PER SET

SOUTHERN AND UPPER AREAS

[Includes kiln drying, planing one side, jointing, doweling, flagging and circling]

	19" through 21"	16" to 19"	13" to 16"	11" to 13"	9" to 11"	under 9"
Sap clear grades	$0.50	$0.43	$0.33	$0.29	$0.24	$0.17
Sap oil grades	.35	.30	.24	.21	.17	.12

NOTES

1. To compute the prices per set for planing clean 2 sides, occasional saw marks permitted, add $.0035 for each inch of diameter of a single head using the nearest inch, ½" to be figured to the next higher inch.

2. To compute the price per set for unplaned heading, deduct $.0035 for each inch of diameter of a single head using the nearest inch, ½" being figured to the next higher inch.

[Note 2 amended by Am. 6, effective 7-2-45]

TABLE VI—MAXIMUM PRICES FOR COOPERAGE DOWELS

F. O. B. MILL OR RAILHEAD

	Per Bushel
5/16" size	$2.85
¼" size	3.30

[Table VI amended by Am. 3, 9 F.R. 9835, effective 8-16-44]

SEC. 19. *Appendix B: Extra charges for sawed tight cooperage.* The additions shown in the following table may be added to the stave and heading cost plus the mark-up as provided in section 6 in determining the f. o. b. mill price for sawed tight cooperage.

TABLE I. MAXIMUM PRICES FOR EXTRA CHARGES ON TIGHT COOPERAGE

	Over 20 gal. per hoop	20 gal. and under per hoop
Hoops:		
19" and over	$0.07	$0.035
17" and lighter	.06	.03

TABLE I—Continued

Galvanized, all sizes, all gauges, $0.04 per hoop.

	Over 20 gal.		20 gal. and under	
	First coat	Second coat (including drying)	First coat	Second coat (including drying)
Lining:				
Silicate of soda	$0.05	$0.15	$0.02½	$0.07½
Paraffine or asphalt	.15	.10	.07½	.05
Glue	.15	.25	.07½	.12½

NOTE: Prices for special linings must be approved by OPA.

	Over 20 gal.	20 gal. and under
Miscellaneous:		
Varnishing barrels	$0.10	$0.05
Painting barrels, one color	.15	.07½
Painting barrels, two colors	.20	.10

	All size barrels
Varnishing hoops—per hoop	$0.00½
Vent holes—per barrel	.01½
Boring any holes other than one bung and vents:	
2" and less—per hole	.02
Over 2" through 3"—per hole	.03
Boring any holes other than one bung and vents—Continued	
Over 3" through 4"—per hole	$0.06
Over 4"—per hole	.07½
Boring for wooden threaded bung and installing	.05
Furnishing and installing screwed metal flanges and bungs with gaskets, one each ¾" and 2", including boring bungs	.50
Hoop fasteners (3 to each hoop)—per barrel	.05
Branding (hot)—per barrel	.05
Bung strap—each	.01

	30 gal. and over	Up to 30 gal.
Water kegs and coolers:		
Single hinged lid complete for railroad water keg	*Each* $0.65	*Each* $0.40
Railroad water keg handles	.05	.05
Solid double lid complete with knob for single cooler	1.50	1.00
Solid triple lid complete with knob for double cooler	1.90	1.50
Handle and 2 eyes complete for well buckets		*Per set* .10
Handle, bail, mouthpiece and stopper complete for harvest kegs		.05

NOTE: Equipment not included in this list of extras, furnished on barrels and kegs included in this schedule, may be furnished at ceiling prices plus extra charge as made in March 1942, or totally during March 1942 whichever applies. Such prices, and a description of the extra must be filed with the Lumber Branch, OPA.

Effective date. The effective date of this regulation is April 3, 1943. [Maximum Price Regulation No. 424 originally issued July 9, 1943.]

[Effective dates of amendments are shown in notes following parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11360; Filed, June 26, 1945; 11:37 a. m.]

PART 1383—SHOES AND SHOE FINDINGS

[MPR 420,[1] Amdt. 6]

HARDWOOD HEEL BLOCKS, FINISHED HARDWOOD AND SYNTHETIC HARDWOOD HEELS AND WOOD SHANKS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 420 is amended in the following respects:

1. Section 3 (b) (1) is amended by deleting the words "and over" after the figure 19 in the table and by adding the following items at the end of the table:

Height (based on eighths of an inch)	Column I (New England)	Column II (Outside of New England) (Base price per pair)
11½	$0.0025	$0.0075
20	.0050	.0711
20½	.0050	.0711
21	.0078	.0750
21½	.0078	.0750
22	.0098	.0750
22½	.0098	.0750
23	.0218	.0770
23½	.0218	.0770
24	.0238	.0780
24½	.0238	.0780
25	.0258	.0810
25½	.0258	.0810

2. Section 3 (c) (1) is amended to read as follows:

(1) *Base finished heel prices.*

[Price per pair]

Style	Column I	Column II	Column III
Cuban fancy			
10 S 17½ S inches	$0.13	$0.1425	$0.2650
18 S 21 S inches	.14	.1525	.2650
21½ S 22 S inches	.1481	.1606	.2101
22½ S 24 S inches	.1512	.1637	.2102
24½ S 24 S inches	.1543	.1668	.2103
24½ S 25 S inches	.1574	.1699	.2224
25½ S 26 S inches	.1605	.1730	.2225
26½ S 27 S inches	.1636	.1761	.2286
Cuban celluloid			
10 S 17½ S inches	.140	.1675	.285
18 S 21 S inches	.150	.1775	.285
21½ S 22 S inches	.1695	.1880	.2955
22½ S 24 S inches	.1750	.1935	.3000
24½ S 24 S inches	.1805	.1990	.3045
24½ S 25 S inches	.1860	.2045	.3120
25½ S 26 S inches	.1915	.2100	.3175
26½ S 27 S inches	.1970	.2155	.3230
Lacquer sprayed on wood			
10 S 17½ S inches	.130	.155	----
18 S 21 S inches	.140	.165	----
21½ S 22 S inches	.1573	.1734	----
22½ S 24 S inches	.1626	.1766	----
24½ S 24 S inches	.1639	.1799	----
24½ S 25 S inches	.1672	.1832	----
25½ S 26 S inches	.1705	.1865	----
26½ S 27 S inches	.1738	.1898	----

The maximum prices for celluloid covered heels apply to finished heels with 10/1000 celluloid. Maximum prices may be increased by $0.004 per pair for each 2.5/1000 celluloid over 10/1000.

The maximum prices established above apply to finished heels with a 9-iron leather or rubber top lift. Such maximum prices must be reduced by $.0025 per pair for an 8-iron leather or rubber top lift and may be increased by $.0075 per pair for a 10½-iron leather or rubber top lift. The maximum prices for finished heels with a top lift made of material other than leather or rubber shall be the applicable price in the table above, reduced by $.025 and increased by the actual cost of the top lift material, not to exceed $.025 per pair. As used in this paragraph the word "rubber" includes synthetic rubber.

The following additions for heels with a leather or rubber top lift may be made to the base finished heel prices established above:

Height (based on eighths of an inch):	Extra
Over 20	$0.00
19½–20	.005
17½–19	.01
14½–17	.015
11½–14	.02

On heels under 11½ eighths inches, $.02 plus $.005 per ½ square inch (or fraction thereof) over 3½ square inches, measured on the finished heel.

This amendment shall become effective July 2, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11298; Filed, June 26, 1945; 11:36 a. m.]

[1] 8 F.R. 9331, 9567, 15193, 16736; 9 F.R. 3592, 8187.

PART 1385—NAVAL STORES

[RMPR 561]

GUM NAVAL STORES

Maximum Price Regulation No. 561, as amended, is redesignated Revised Maximum Price Regulation No. 561 and revised and amended to read as set forth herein:

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—GENERAL PROVISIONS

1. Prohibition against buying and selling gum naval stores at higher than maximum prices.
2. Less than maximum prices.
3. Adjustable pricing.
4. Applicability and relation to other price regulations.
5. Records and reports.
6. Evasion.
7. Enforcement.
8. Licensing.
9. Petitions for amendment.
10. Definitions.
11. Commissions and broker's fees.

ARTICLE II—GUM ROSIN

12. Maximum prices for gum rosin.
13. Application for right to sell at gum rosin dealer prices or as gum rosin dealer entitled to make sales from local stocks at special prices.

AUTHORITY: § 1385.54, issued under 56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Prohibition against buying and selling gum naval stores at higher than maximum prices.* On and after July 2, 1945, regardless of any contract or other obligation:

(a) No person shall make a sale or delivery of gum naval stores for which a maximum price is established by this regulation at a price higher than the maximum price established by this regulation.

(b) No person in the course of trade or business shall buy or receive gum naval stores on a sale or delivery for which a maximum price is established by this regulation at a price higher than the maximum price established by this regulation.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

(d) However, any person who prior to July 2, 1945 had purchased gum rosin in order to fulfill a contract for the sale of such gum rosin entered into prior to July 2, 1945 and who prior to July 2, 1945:

(1) Had such gum rosin in his possession or the possession of a carrier or warehouse other than a carrier or warehouse owned or controlled by the person from whom such gum rosin was acquired or,

(2) If it was in the possession or control of the supplier, had had it segregated, identified, and earmarked for his account as buyer and had assumed the risk of loss,

may deliver such gum rosin in accordance with such contract if the price specified in such contract does not exceed the seller's maximum price as of June 30, 1945. The above permission to make deliveries in accordance with such contract is conditioned upon the seller filing with the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C. on or before August 1, 1945, a report in duplicate upon a form copied from Appendix B of this regulation, OPA Report Form 692–2346, with respect to all contracts as to which such permission will be exercised.

(e) If, prior to payment, a buyer of gum naval stores receives from the seller a written statement that to the best of the seller's knowledge the price charged therefor does not exceed the maximum price fixed by this regulation, and if the buyer has no reason to doubt the truth of the statement, the buyer shall be deemed to have complied with this section.

SEC. 2. *Less than maximum prices.* Prices lower than the maximum prices prescribed herein may be charged and paid.

SEC. 3. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Price Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 4. *Applicability and relation to other price regulations.*—(a) *Geographical applicability.* This regulation applies in the 48 States of the United States and the District of Columbia.

(b) *Transactions covered.*—(1) *Gum rosin.* This regulation applies to all sales of gum rosin except sales by resellers in quantities of less than 100 pounds.

(c) *Imports (Maximum Import Price Regulation[2] applicable).* The provisions of this regulation shall not apply and the Maximum Import Price Regulation shall apply to the purchases, sales or deliveries of gum naval stores, if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the Maximum Import Price Regulation.

(d) *Exports (Second Revised Maximum Export Price Regulation[3] applicable).* The maximum prices at which a person may export gum naval stores shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.

SEC. 5. *Records and reports.*—(a) *Preservation of existing records.*—(1) *Gum rosin.* Every person making sales of gum rosin subject to this regulation shall preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to prices which he charged for sales of such gum rosin during the period January 1–June 30, 1944; all his existing records relating to contracts for the sale of rosin which he made firm during this period or under which he made deliveries during this period; and all his existing records relating to deliveries of gum rosin which he made during this period.

(2) *Gum turpentine.* Every person making sales of gum turpentine shall preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to prices which he charged for deliveries of such gum turpentine during October, November, and December 1944, and all his other existing records relating to such deliveries during that period.

(b) *Keeping of current records, gum rosin and gum turpentine.* Every person making purchases or sales of gum rosin subject to this regulation or of gum turpentine shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase or sale, showing the date thereof, the name and address of the buyer and seller, the price contracted for or received and the quantity of each grade of such gum rosin or the quantity of turpentine purchased or sold. Customary records, such as invoices showing the above information, will constitute compliance with the above provisions of this paragraph (b).

(c) *Reports.*—(1) *Gum rosin.* Every person other than a producer making sales of gum rosin subject to this regulation shall file on or before August 1, 1945, with the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., a report in duplicate upon a form copied from Appendix A of this regulation, OPA Report Form 692–2345.

(d) *Other records and reports.* Persons making sales and purchases of gum rosin subject to this regulation or of gum turpentine shall keep such other records and shall submit such other reports to the Office of Price Administration in addition to or in place of the records and reports required in paragraphs (a), (b) and (c) of this section as the Office of Price Administration, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, may from time to time require.

SEC. 6. *Evasion.* Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to gum rosin or gum turpentine, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates or otherwise.

SEC. 7. *Enforcement.* Persons violating any provision of the regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 9. *Petitions for amendment.* Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[4]

SEC. 10. *Definitions.* (a) As used in this regulation, the term:

(1) "Gum naval stores" means the products for which maximum prices are established by this regulation.

(2) "Gum turpentine" means gum spirits of turpentine extracted in the distillation of oleoresin exuded from the living pine tree.

(3) "Gum rosin" means the vitreous transparent or translucent mass remaining after the extraction of gum spirits of turpentine in the distillation of oleoresin exuded from the living pine tree.

(4) "Grade" means the grade of gum rosin as established by the Naval Stores Act of 1923 (42 Stat. 1435; 7 USC. secs. 91–99) and the regulations of the Secretary of Agriculture issued thereunder.

(5) "Gum rosin producer" means any person who produces gum rosin by the distillation of oleoresin and who is not a gum rosin dealer as defined below.

(6) "Gum rosin factor" means any person who performs the functions of a factor as defined by the applicable state law. Where a person acts as a gum rosin factor with respect to a sale or delivery of gum rosin, that sale or delivery of gum rosin shall be subject to the maximum prices established under Sec. 12 (a) for sales by gum rosin factors even though such person might also be classified as a gum rosin dealer.

(7) "Gum rosin dealer" means any person:

(i) Who during the period January 1–June 30, 1944 produced no gum rosin and during that period purchased and sold gum rosin produced by others; or

(ii) Who during the period January 1–June 30, 1944 produced gum rosin and during that period made more than 50% by weight of his deliveries of gum rosin to resellers located outside the producing belt and to consumers, and who in that period acquired from others (as distinguished from that he processed himself from oleoresin) a quantity of gum rosin (in pounds) equal to at least 100% by weight of the amount of gum rosin delivered to such resellers and consumers; or

(iii) Who acquired from others at least 85% by weight of the quantity of oleoresin processed by him during the period January 1–June 30, 1944 and who in that period made more than 50% by weight of his deliveries of gum rosin to resellers located outside the producing belt and to consumers.

For the purpose of this definition of "Gum rosin dealer" William S. Gray & Co. shall not be considered to be a reseller located outside the producing belt.

(8) "Producing belt" means the states of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas.

(9) "Direct sales" means sales by gum rosin dealers of gum rosin other than sales from local stocks in small lots.

(10) "Carload" means the minimum weight which will move at carload rates under applicable tariffs, and includes such a carload made up of one or more than one grade of gum rosin.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control

[2] 9 F.R. 2350.

[3] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 2350.

[4] 8 F.R. 13240.

[4] 9 F.R. 5791.

Act of 1942, as amended, shall apply to other terms used in this regulation.

SEC. 11. *Commissions and broker's fees.* Except as specifically provided herein, maximum prices shall not be increased by any charges for commissions or broker's fees. If the buyer purchases through a broker or other agent acting for the buyer, the sum of the price paid by the buyer to the seller plus the commission, fee or other charge paid by the buyer to a broker or other agent may not exceed the maximum prices established by this regulation.

ARTICLE II—GUM ROSIN

SEC. 12. *Maximum prices for gum rosin*—(a) *Sales in drums or barrels by gum rosin producers or factors.* Maximum prices for sales of gum rosin in drums or barrels by gum rosin producers or factors (as to factors see note below) shall be:

Grade:	*Per 100 pounds net f. o. b. cars at shipping point or on official or Savannah, Ga., yard*
X	$6.55
WW	6.55
WG	6.26
N	6.03
M	5.87
K	5.85
I	5.81
H	5.81
G	5.79
F	5.75
E	5.65
D	5.12
B	5.05

"Official" yard as used above means any yard which, at the time the gum rosin being priced is delivered to the yard, is designated by Commodity Credit Corporation as an approved storage or concentration point for gum rosin which otherwise qualifies as collateral for a commodity loan on gum rosin from that agency.

Maximum prices for 100 pounds net for sales on yard other than official or Savannah, Ga., yard shall be the prices specified above less 3½ cents per 100 pounds net. If the seller or any other person loads the gum rosin on cars at such a yard, the maximum loading charge to be added to the maximum price so reduced shall be 3½ cents per 100 pounds net. If the seller or any other person loads the gum rosin on cars at official or Savannah, Ga., yard, the maximum loading charge shall be 3½ cents per 100 pounds net.

NOTE: As provided in the definition of gum rosin factor in section 10 (a) (6), where a person acts as a gum rosin factor with respect to a sale or delivery of gum rosin, that sale or delivery of gum rosin is subject to the maximum prices established by this paragraph though such person may also be classified as a gum rosin dealer.

(b) *Sales in drums or barrels by gum rosin dealers*—(1) *Direct sales by gum rosin dealers.* Maximum-prices per 100 pounds net f. o. b. cars at shipping point, for direct sales of gum rosin in drums or barrels by gum rosin dealers shall be the prices specified in paragraph (a) above for sales f. o. b. cars plus 22 cents per 100 pounds net.

(2) *Sales from local stocks in small lots by gum rosin dealers.* Maximum prices are established under this subparagraph (2) per 100 pounds net, ex warehouse (or other point where local stocks are maintained), for lcl sales of gum rosin in drums or barrels for local delivery from local stocks maintained at a particular point by a gum rosin dealer who during the period January 1–June 30, 1944 maintained local stocks of gum rosin at that point for the purpose of supplying a local lcl demand and who in that period made deliveries of gum rosin from such stocks in lcl quantities. However, any gum rosin dealer who during the period January 1–June 30, 1944 made all or a substantial part of such lcl sales at the same prices at which cl sales were made, shall be deemed not to be a gum rosin dealer making sales from local stocks in small lots. Such maximum prices shall be the maximum prices specified in paragraph (a) above for sales f. o. b. cars, plus 80 cents per 100 pounds net, plus cl freight to local stocks from that one of the following points to which freight costs are lowest: Savannah, Valdosta, Helena, Ga.; Jacksonville, Pensacola, Fla.; Mobile, Ala.; Wiggins, Miss.; New Orleans, La.

The foregoing maximum prices apply to all such lcl sales of gum rosin for local delivery by a seller who during the period January 1–June 30, 1944 made sales from local stocks at a particular point solely in lcl quantities. The foregoing maximum prices also apply to an aggregate amount by weight of such lcl sales of gum rosin for local delivery during each six-month period, beginning April 1, 1945, by a seller who during the period January 1–June 30, 1944 made a substantial part of his sales from local stocks at a particular point for local delivery in cl as well as lcl quantities, not to exceed the amount by weight of his lcl sales of gum rosin for local delivery from such local stocks during that period; and the maximum prices for any such lcl sales by such a seller during any such six-month period in excess of such base period lcl volume of sales shall be the maximum prices established for direct sales by gum rosin dealers under subparagraph (1) above. The foregoing maximum prices do not apply to any sales from local stocks at a particular point for local delivery in other than lcl quantities and the maximum prices for such sales shall be the maximum prices established for direct sales by gum rosin dealers under subparagraph (1) above.

(3) With respect to sales by gum rosin dealers for future delivery more than 30 days after date of sale where the gum rosin has been earmarked at the time of sale, an extra charge may be added to the prices specified in subparagraphs (1) and (2) above to cover actual storage, insurance, and interest incurred during the period between 30 days after the date of sale and the date of delivery. However, in no event may this charge exceed 4 cents per 100 pounds net per month.

(c) *Sales in bags or tank cars.* Maximum prices for sales of gum rosin in bags shall be the maximum prices specified in paragraphs (a) and (b) above less 5 cents per 100 pounds net, and for sales in tank cars shall be the maximum prices specified in paragraphs (a) and (b) above less 10 cents per 100 pounds net. As used herein "bags" refers to bags of a size and type generally used for ordinary sales of gum rosin.

(d) *Containers.* No extra charge may be made for containers.

(e) *Failure to file reports.* On and after August 1, 1945, the maximum prices established by paragraphs (b) and (c) of this section for sales by gum rosin dealers will apply only if the reports required by section 5 (c) (1) have been filed. On and after August 1, 1945, the maximum price applicable to any sale of gum rosin in quantities of 100 pounds or more will be the maximum price established for a like sale by a gum rosin producer or factor under paragraph (a) or (c) above, unless the seller has filed the report required by section 5 (c) (1).

(f) *Sales not otherwise provided for*—(1) *In general.* The maximum price for any sale (except a sale by a reseller in quantities of less than 100 pounds and except as indicated in subparagraph (2) below) for which a maximum price is not otherwise established under this section shall be the maximum price established for a like sale by a gum rosin producer or factor under paragraph (a) or (c) above.

(2) *Powdered gum rosin and sales in small containers.* In the case of any sale of powdered gum rosin for which a maximum price otherwise established under this section is not appropriate or of gum rosin in small containers other than the drums, barrels or bags referred to in paragraphs (a), (b) and (c) above, the maximum price shall be the maximum price established under subparagraph (1) above unless and until an application has been filed and a different maximum price has been established by order as indicated below.

If the seller elects to file an application, his maximum price for sales of powdered gum rosin or of gum rosin in small containers shall be the price in line with the level of maximum prices established by this regulation, fixed by order of the Administrator, unless the application is dismissed by order of the Administrator for the reason that granting it would be inconsistent with the purposes of this regulation and the Emergency Price Control Act of 1942, as amended.

Upon the filing of the application or within five days prior thereto, and until final disposition of the application, contracts may be entered into or proposed and bids submitted at the price or prices proposed in the application, and deliveries may be made under such contracts, except that the seller may not receive, and the buyer may not pay the amount by which the price exceeds the maximum price otherwise established under this section 12 unless and until an order granting a higher price has been issued. The seller shall include in any sale, contract to sell, or offer to sell at the price proposed in the application the following:

(i) The maximum price otherwise established under this section 12.

(ii) A statement that the quoted price is subject to approval of the Office of Price Administration.

(iii) A statement that an appropriate application has been filed, or will be filed, within five days, with the Office of Price Administration.

The application shall be filed in duplicate by registered mail with the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., and shall contain the following information concerning sales of powdered gum rosin or in small containers, or both, as the case may be:

(i) *Powdered gum rosin.* (a) A statement of the reasons why a maximum price otherwise established under this section 12 is not appropriate.

(b) A short description of his powdered gum rosin business including the classes of persons from whom he buys and the classes of persons to whom he sells; the extent he is currently powdering gum rosin, and the proportion of gum rosin powdered which he produces himself.

And in the case where the applicant is a new seller of powdered gum rosin, whether his business is owned by an individual, partnership or corporation, and by whom it is controlled, directly or indirectly, through management interest, corporate affiliation, ownership of stock or otherwise, and the name, address, and previous connection with the production or distribution of gum rosin other than in powdered form of each proprietor, partner, or stockholder holding more than 10% of any class of stock.

(c) A short description of the transactions for which and class of purchasers for sales to whom a maximum price is proposed.

(d) The proposed maximum price.

(e) An explanation of how the proposed price was determined, including

(1) In the case of a person who powders gum rosin, the costs of powdering.

(2) The maximum price, if any, already established to other classes of purchasers, and a statement as to how these were determined.

(3) In the case of a reseller of powdered gum rosin, the name and address of his supplier, and the cost (not in excess of the supplier's maximum price) of the powdered gum rosin resold.

(f) The reasons why the applicant believes the proposed price to be in line with the level of maximum prices established by this regulation.

(ii) *Small containers.* (a) A statement of the reasons why a maximum price cannot be otherwise established under this section 12.

(b) A short description of the small container to be used including its cost (not in excess of the maximum price) and the customary dollar and cent differentials between such a container and standard gum rosin containers.

(c) A short description of the transactions for which and class of purchasers for sales in such containers to whom a maximum price is proposed.

(d) The proposed maximum price.

(e) An explanation of how the proposed price was determined including

(1) The maximum price, if any, already established to other classes of purchasers, and a statement as to how these were determined.

(2) In the case of a reseller of gum rosin who acquires gum rosin already packaged in such containers, the name and address of his supplier, and the cost (not in excess of the supplier's maximum price) of such packaged gum rosin.

(f) The reasons why the applicant believes the proposed price to be in line with the level of maximum prices established by this regulation.

SEC. 13. *Application for right to sell at gum rosin dealer prices or as a gum rosin dealer entitled to make sales from local stocks at special prices.* This section applies to any person who cannot qualify as a gum rosin dealer or as such a dealer entitled to make sales from local stocks in small lots at special prices and believes that because of the particular facts of his case the application to him of the general criteria for such dealers would be inequitable and not necessary to effectuate the purposes of this regulation and the Emergency Price Control Act of 1942, as amended. Such a person may file an application in duplicate for authorization as such a dealer with the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., which application shall contain the following information:

(a) Whether he was in business during the period January 1–June 30, 1944.

(b) Whether his operations, if any, during the period January 1–June 30, 1944 were representative as compared with his operations, if any, in the preceding calendar year.

(c) The extent, if any, to which the nature of his gum rosin business has changed since the period January 1–June 30, 1944.

(d) Whether his business is owned by an individual, partnership or corporation, and by whom it is controlled, directly or indirectly, through management interest, corporate affiliation, ownership of stock or otherwise, and the name, address, and previous connection with the production or distribution of gum rosin of each proprietor, partner, or stockholder holding more than 10% of any class of stock.

The application for authorization as such a dealer shall be granted or denied in whole or in part by order of the Administrator so as to effectuate the purposes of this regulation and the Emergency Price Control Act of 1942, as amended.

Effective date. This regulation shall become effective July 2, 1945.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 25, 1945.

GROVER B. HILL,
First Assistant,
War Food Administrator.

APPENDIX A—FORM FOR REPORTING UNDER SECTION 5 (c) (1)

OPA Form 692-2345
This form may be reproduced without change.
Form approved
Bureau of Budget No. 08 R 1351

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

REPORT UNDER SECTION 5 (c) (1) OF RMPR 561

NOTE: RMPR 561 prohibits sales of gum rosin after July 1, 1945 at prices higher than those listed in section 12 (a) until the information required on this form has been filed.

Instructions: Completed copies in duplicate of this form must be filed, in accordance with section 5 (c) (1), with the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., by all sellers other than producers making sales of gum rosin subject to RMPR 561.

1. Inventory of gum rosin, January 1, 1944 (Include all rosin owned by you wherever located) ____ lbs.
2. Gum rosin acquired from others, January 1–June 30, 1944 ____ lbs.
3. Gum rosin produced from oleoresin, January 1–June 30, 1944 ____ lbs.
4. Gum rosin shipped January 1–June 30, 1944 from stocks owned by you—
   I. By type of purchaser
      (a) To consumers ____ lbs.
      (b) To resellers outside producing belt ____ lbs.
      (c) To all others ____ lbs.
      (d) Total shipments ____ lbs.
   II. By quantity shipped
      (a) Carload shipments ____ lbs.
      (b) LCL shipments direct to consumers ____ lbs.
      (c) LCL shipments ex warehouse* ____ lbs.
      (d) Other shipments ex warehouse* ____ lbs.
      (e) Total shipments ____ lbs.
      (Total shipments shown in Item II (e) should equal shipments shown in 1 (d), if not, explain)
5. Inventory of gum rosin, June 30, 1944 ____ lbs.
6. Oleoresin
   I. Owned but unprocessed on January 1, 1944 ____ lbs.
   II. Produced January 1–June 30, 1944 ____ lbs.
   III. Acquired from others January 1–June 30, 1944 ____ lbs.
   IV. Processed into gum rosin and turpentine ____ lbs.
   V. Ownership transferred to others January 1–June 30, 1944 ____ lbs.
   VI. Owned but unprocessed at June 30, 1944 ____ lbs.

I hereby certify that the statements and figures contained in this report are to the best of my knowledge and belief correct.

(Name of Company)

Sign here ____
(Name of Seller or Authorized Agent)

(Official Position)

A False Certification is a Criminal Offense

*Enter total LCL and other shipments from local stocks maintained for purpose of supplying local LCL demand. In the event local stocks were maintained at more than one point give on separate sheets the location and total and LCL and other shipments from each point.

APPENDIX B—FORM FOR REPORTING UNDER SECTION 1 (d)

OPA Form 692-2345 — Form Approved
This form may be reproduced without change. — Bureau of Budget No. 08 R1350

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

REPORT UNDER SECTION 1 (d) OF RMPR 561

NOTE: RMPR 561 permits certain resellers to make deliveries of gum rosin in accordance with contracts made before the effective date of this regulation under the conditions described in section 1 (d) and conditioned upon making this report.

Instructions: Completed copies in duplicate of this form must be filed, in accordance with section 1 (d), with the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., by certain resellers as indicated in the note above.

I. Reseller's Contracts for Sale of Purchased Gum Rosin.

1	2	3	4	5	6	7
Date contract executed	Purchaser	Quantity of gum rosin to be supplied	Deliveries of gum rosin made prior to effective date of RMPR 591	Balance of gum rosin to be supplied (Column 3 less column 4)	Contract price per 100 pounds net of gum rosin	Ceiling price per 100 pounds net of gum rosin as of date contract executed
		Total	Total	Total		

Attach separate sheet if more space necessary

II. Inventory of Gum Rosin Purchased to Fulfill Contracts in I Above.

1	2	3	4	5	6
Date of purchase	Supplier	Quantity of gum rosin purchased	Quantity of gum rosin on June 30, 1945, in reseller's possession or possession of agent or warehouse, other than carrier or warehouse owned or controlled by person from whom such gum rosin was acquired	Quantity of gum rosin on June 30, 1945, in supplier's possession or control which gum rosin reseller had had segregated, identified and earmarked for his account as buyer, and for which he had assumed risk of loss	Inventory of gum rosin which may be delivered under contracts in I (sum of columns 4 and 5), but not in excess of total of column 3 (5)
		Total	Total	Total	Total .....

Attach separate sheet if more space necessary

I hereby certify that the statements and figures contained in this report are to the best of my knowledge and belief correct.

(Name of Company)

Sign here (Name of Seller or Authorized Agent)

(Official Position)

A False Certification is a Criminal Offense

[F. R. Doc. 45-11296; Filed, June 26, 1945; 11:35 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 46 to 2d Rev. Supp. 1]

MEATS, FATS, FISH AND CHEESES

Section 1407.3027 (e) (21) is added to read as follows:

(21) A1, B1, C1, D1, E1 ..... From July 1, 1945, to October 31, 1945, inclusive.

This amendment shall become effective June 29, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11305; Filed, June 26, 1945; 11:35 a. m.]

[1] 9 F.R. 6772, 6825, 7202, 7438, 8147, 8931, 9266, 9278, 9785, 9806, 10425, 10878, 10777, 11426, 11513, 11906, 11955, 11961, 12814, 12867, 14287, 14645, 15058, 10 F.R. 48, 521, 857, 293, 294.

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 62]

TOYS AND GAMES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respect:

1. Section 1499.158 is amended by deleting from the list of orders and commodities covered by each order appearing in the note at its end the following:

Order No. 1444 ..... Toys and games.

This amendment shall become effective on the 2d day of July 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11299; Filed, June 26, 1945; 11:37 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter I—Procurement Division, Department of the Treasury

PART 4—SUPPLIES TO BE PROCURED BY THE PROCUREMENT DIVISION

MISCELLANEOUS AMENDMENTS

The regulations in this part are hereby amended as follows:

1. Section 4.1 (b) (*Motor vehicles*) is revised to read as follows:

(b) *Motor trucks, truck-tractors and trailers.* Motor trucks, truck-tractors and trailers, new, except for export and requirements of the War Department, Navy Department (including the Marine Corps and Coast Guard), U. S. Maritime Commission, Panama Canal, Coast and Geodetic Survey, Civil Aeronautics Administration, National Advisory Committee for Aeronautics and Office of Scientific Research and Development. [Proc. Div. Circ. Letter 589, April 22, 1942.]

2. Section 4.1, paragraph (d) (*Wood, lumber and timber*), paragraph (e) (*Electrical equipment, materials and supplies*) and paragraph (f) (*Machinery*) are amended by the addition of the following footnote:

SUSPENDED Proc. Div. Circ. Letter B 21, March 15, 1945.

(Sec. 1, E.O. 6166, June 10, 1933, sec. 2, Director's Order 73, approved by President June 10, 1939 (41 CFR 1.2, 3.2), Proc. Div. Circ. Letters B-20 and B-21, dated March 15, 1945)

[SEAL] CLIFTON E. MACK,
Director of Procurement.

[F. R. Doc. 45-11197; Filed, June 26, 1945; 10:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 285]

NEVADA

REVOKING IN PART E.O. 8927 OF OCTOBER 29, 1941, RESERVING PUBLIC LANDS UNDER JURISDICTION OF SECRETARY OF INTERIOR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943; *It is ordered*, As follows:

Executive Order No. 8927 of October 29, 1941, reserving certain lands under the jurisdiction of the Secretary of the Interior for use in connection with the production of magnesium metals and magnesium alloys, is hereby revoked so far as it affects the following-described public lands:

MOUNT DIABLO MERIDIAN

T. 21 S., R. 62 E.,
Sec. 35, S½NE¼, N½SE¼, and E½SE¼SE¼.

The areas described aggregate 180 acres.

Effective upon the signing of this order, the jurisdiction over and administration of such lands for other purposes shall be vested in the Department of the Interior and any other Department or agency of the Federal Government, according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m., on the 63d day from the date on which it is signed. At that time the lands shall, subject to valid existing rights, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20 day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Carson City, Nevada, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert-land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that Title.

ABE FORTAS,
Acting Secretary of the Interior.

JUNE 16, 1945.

[F. R. Doc. 45-11281; Filed, June 26, 1945; 9:36 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 104, 2d Rev. Amdt. 7]

SUBSTITUTION OF REFRIGERATOR CARS FOR BOXCARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of June, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 104 (8 F.R. 1036), as amended (8 F.R. 5270, 11852, 12100; 9 F.R. 947, 9295; 10 F.R. 4612, 6257) and good cause appearing therefor:

It is ordered, That Service Order No. 104 (8 F.R. 1036), as amended, be, and it is hereby, further amended by adding the following provisions:

(h) *Temporary additional territories.* (1) Carload Shipments of ammonium nitrate in bags from points in the United States to Dinamita, Mexico, shall be subject to all the provisions of this order.

(2) Carload shipments of peat moss from points in British Columbia, Canada, to destinations in the States of Arizona and California shall be subject to all the provisions of this order.

(3) Carload shipments of flour from points in the States of Idaho, Montana, Oregon and Washington to destinations in the State of California shall be subject to all the provisions of this order.

(i) *Effective date.* This Amendment shall become effective at 12:01 a. m., June 30, 1945.

(j) *Expiration date.* This Amendment shall expire at 11:59 p. m., July 31, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

It is further ordered, That a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11329; Filed, June 26, 1945; 11:43 a. m.]

PART 95—CAR SERVICE

[6th Rev. S. O. 259, Amdt. 6]

PERMIT REQUIRED FOR SHIPMENT OF IRISH POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of June, A. D. 1945.

Upon further consideration of Sixth Revised Service Order No. 269 (10 F.R. 4266), as amended (10 F.R. 4360, 5603, 5764, 6314, 6598), and good cause appearing therefor: *It is ordered*, That:

Sixth Revised Service Order No. 259 (10 F.R. 4266) as amended (10 F.R. 4360, 5603, 5764, 6314, 6598), be, and it is hereby, further amended by substituting the following paragraph (f) and Appendix A for paragraph (f) and Appendix A thereof:

(f) *Expiration date.* This order shall expire at 11:59 p. m., e. w. t., July 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

APPENDIX A

Section No. 8. The County Kern in the State of California.

Section No. 9. The Counties of Camden, Currituck, and Pasquotank, in the State of North Carolina.

Section No. 10. The Counties of Accomac, Norfolk, Northampton, and Princess Anne, in the State of Virginia.

It is further ordered, That this amendment shall become effective at 12:01 a. m., June 26, 1945, and shall vacate and set aside Amendment No. 5 to Service Order No. 259 on the effective date hereof; that copies of this order shall be served upon the State railroad regulatory bodies of the States of California, North Carolina, and Virginia, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11325; Filed, June 26, 1945; 11:43 a. m.]

[S. O. 319, Amdt. 1]

PART 95—CAR SERVICE

LOADING OF CITRUS, ONIONS AND POTATOES PROHIBITED IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 25th day of June, A. D. 1945.

Upon further consideration of Service Order No. 319 (10 F. R. 7729), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 319 (10 F.R. 7729), be, and it is hereby, amended by adding the following paragraph (e) thereto:

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

It is further ordered, That this order shall become effective at 6:00 p. m., June 25, 1945; that copies of this order and direction shall be served upon the Arizona Corporation Commission, the Railroad Commission of the State of California and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-11326; Filed, June 26, 1945; 11:43 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT L-4, Amdt. 8]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF IRISH POTATOES FROM DESIGNATED AREAS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, War Production Board Directives 21 and 36, as amended, and authorizations and requests contained in certificates of the War Food Administration dated December 8, 1944, January 24, 1945, February 8, 1945, February 26, 1945, March 17, 1945, April 18, 1945, April 20, 1945, May 12, 1945, May 18, 1945, June 1, 1945, and June 21, 1945, respectively,

It is hereby ordered, That Appendix A to General Order ODT L-4, as amended (9 F.R. 14502, 10 F.R. 1245, 1705, 2448, 3290, 4505, 5961, 6598), be, and it hereby is, further amended by amending the paragraph therein captioned "Area No. 8" to read as follows:

Area No. 8: The counties of Pasquotank, Camden, and Currituck in the State of North Carolina, and the counties of Princess Anne, Nefolk, Accomac, and Northampton in the State of Virginia.

This Amendment 8 to General Order ODT L-4 shall become effective June 25, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directives 21 and 36, as amended, 8 F.R. 5934, 10 F.R. 3009; Certificates of War Food Administration dated December 8, 1944, January 24, 1945, February 8, 1945, February 26, 1945, March 17, 1945, April 18, 1945, April 20, 1945, May 12, 1945, May 18, 1945, June 1, 1945, and June 21, 1945, respectively)

Issued at Washington, D. C., this 22d day of June 1945.

C. D. YOUNG, *Deputy Director, Office of Defense Transportation.*

[F. R. Doc. 45-11163; Filed, June 23, 1945; 3:40 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

MINIDOKA PROJECT, IDAHO

FIRST FORM RECLAMATION WITHDRAWAL

MARCH 7, 1945.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described land be withdrawn from public entry under the first ofrm of withdrawal, as provided in section 3 of the act of June 17, 1902 (32 Stat. 388), and that Departmental Order of December 5, 1940 establishing Idaho Grazing District No. 5 be modified and made subject to the withdrawal effected by this order.

BOISE MERIDIAN, IDAHO

T. 9 S., R. 24 E.
Sec. 25, Lot 3 and NW¼NE¼.

Respectfully,

H. W. BASHORE, *Commissioner.*

I concur: March 8, 1945.

ARCHIE D. RYAN, *Acting Director, Grazing Service.*

I concur: May 30, 1945.

FRED W. JOHNSON, *Commissioner of the General Land Office.*

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS, *Assistant Secretary.*

JUNE 8, 1945.

[F. R. Doc. 45-11278; Filed, June 26, 1945; 9:36 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 321]

RESTRICTION ON LOADING OF ANTHRACITE COAL AT SHENANDOAH, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of June, A. D. 1945.

It appearing, that:

By petition dated June 20, 1945, from the Assistant Deputy Solid Fuels Administrator, Solid Fuels Administration for War, to the Director, Office of Defense Transportation, the Assistant Deputy recited that the Solid Fuels Administration for War prohibited shipments of anthracite with an ash content exceeding that prescribed in Solid Fuels Administration for War Regulation No. 9 (8 F.R. 15560) produced at William Penn Breaker; that the Solid Fuels Administration for War advises further that directions will be issued to retail dealers prohibiting their receipt of coal from this mine with an ash content in excess of that prescribed in such regulation; that this action will result in detention of cars at destination for unloading or other disposition and in a waste of cars and transportation; Solid Fuels Administration requests the Director of the Office of Defense Transportation, and the Director of that office has requested this Commission to prohibit the furnishing, supplying or placing of coal cars at the William Penn Breaker, Shenandoah, Pennsylvania, for loading of anthracite coal produced by William Penn Colliery Company; in the opinion of the Commission an emergency requiring immediate action exists at Shenandoah, Pa.; *It is ordered*, That:

(a) The Pennsylvania Railroad Company shall not furnish, supply or place coal cars at William Penn Breaker, Shenandoah, Pennsylvania, for loading with anthracite coal produced by William Penn Colliery Company.

(b) *Effective date.* This order shall become effective at 12:01 a. m., June 26, 1945.

(c) *Expiration date.* This order shall expire at 11:59 p. m., August 26, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That a copy of this order and direction shall be served upon the Pennsylvania Railroad Company, upon the Pennsylvania Public Utility Commission, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-11327; Filed, June 26 1945; 11:43 a. m.]

[S. O. 322]

RESTRICTION ON LOADING OF ANTHRACITE COAL AT UNION JUNCTION, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of June, A. D. 1945.

It appearing, that:

By petition dated June 20, 1945, from the Assistant Deputy Solid Fuels Administrator, Solid Fuels Administration for War, to the Director, Office of Defense Transportation, the Assistant Deputy recited that the Solid Fuels Administration for War prohibited shipments of anthracite with an ash content exceeding that prescribed in Solid Fuels Administration for War regulation No. 9 (8 F.R. 15569) produced at Ridgewood Breaker; that the Solid Fuels Administration for War advises that directions will be issued to retail dealers prohibiting their receipt of coal from this mine with an ash content in excess of that prescribed in such regulation; that this action will result in detention of cars at destination for unloading or other disposition and in a waste of cars and transportation; Solid Fuels Administration requests the Director of the Office of Defense Transportation, and the Director of that office has requested this Commission to prohibit the furnishing, supplying or placing of coal cars at the Ridgewood Breaker, Union Junction, Pennsylvania, for loading of anthracite coal produced by Duryea Anthracite Company; in the opinion of the Commission an emergency requiring immediate action exists at Union Junction, Pa. *It is ordered*, That:

(a) The Central Railroad Company of New Jersey shall not furnish, supply or place coal cars at Ridgewood Breaker, Union Junction, Pa., for loading with anthracite coal produced by Duryea Anthracite Company.

(b) *Effective date.* This order shall become effective at 12:01 a. m., June 26, 1945.

(c) *Expiration date.* This order shall expire at 11:59 p. m., August 26, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That a copy of this order and direction shall be served upon the Central Railroad Company of New Jersey, upon the Pennsylvania Public Utility Commission, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-11328; Filed, June 26, 1945; 11:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 580, Order 78]

GOODALL CO.

Maximum Price Regulation No. 580, Order 78. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-223.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Goodall Company, Cincinnati 2, Ohio and described in the manufacturer's application dated May 31, 1945.

Article	Brand name	Style name	Manufacturer's sell-ing price	Ceiling price at retail
Men's suits	Goodall tropical	Springweave	$17.25	$29.75
Do	do	Sunfrost	14.35	24.75
Students' suits	do	do	13.00	22.50
Men's trousers	do	Springweave	5.80	10.00
Do	do	Sunfrost	4.35	7.50
Students' trousers	do	do	4.00	6.95

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 1, 1945, Goodall Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 25, 1945.

Issued this 23d day of June 1945.

CHESTER BOWLES, *Administrator.*

[F. R. Doc. 45-11158; Filed, June 23, 1945; 11:52 a. m.]

[MPR 120, Order 1394]

DARK RIDGE FUEL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In Federal Register Document 45-10572, appearing on page 7355 of the issue for Tuesday, June 19, 1945, in the table for McIntyre Brothers the third from the last figure for rail shipments and railroad fuel should read 295 instead of 2985. The tenth price classification for the Turkey Pen Coal Company should be "G."

[RO 17, Admin. Exception Order 28]

DANIEL GREEN CO.

RATION-FREE HOUSE SLIPPER

The above petitioner is a registered manufacturing establishment which makes house slippers exclusively.

On August 7, 1943 an amendment to Ration Order 17 was made effective which provided that any footwear made with cattle hide leather in the upper or with cattle hide grain leather outsoles (other than heads, bellies, shins or shanks of 5 iron or less) could not be classified as house slippers if they were shipped from a factory in the United States after August 31, 1943. At the time this amendment became effective, the petitioner had in process of manufacture about 4,000 pairs of house slippers made with cattle hide leather in the upper. The petitioner states that these shoes could not be completed or shipped before September 1, 1943 and that, therefore, these shoes have remained in stock since the middle of September 1943.

These shoes are typical house slippers designed exclusively for indoor wear. Therefore, it has been impossible for the petitioner to sell these shoes as neither members of the trade nor consumers would surrender ration stamps for them. Because of the financial loss entailed to the petitioner and because the leather in these shoes will deteriorate in time unless they can be disposed of, the petitioner states the foregoing facts and requests that it may transfer such shoes without ration currency.

The relief requested in this case may be granted to the petitioner and all other persons similarly situated without defeating or impairing the effectiveness or the policy of Ration Order 17 and without varying standards of eligibility or need.

It is hereby ordered, That the petitioner is authorized to receive from the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C., 4,000 non-rationed stickers. Petitioner shall attach a non-rationed sticker on one

shoe of each pair of the house slippers described herein. It may then transfer the shoes ration-free. Any unused stickers shall be returned to the Director of the Miscellaneous Products Rationing Division within 30 days after they are received by the petitioner.

It is further ordered, That any other persons similarly situated may be given the same relief under similar conditions upon application to and written authorization from the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C.

Issued and effective this 26th day of June 1945.

MAX MCCULLOUGH,
Deputy Administrator for Rationing.

[F. R. Doc. 45-11301; Filed, June 26, 1945; 11:37 a. m.]

[EMPR 137, Amdt. 1 to Order 2]

RADBILL OIL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered*, That:

Order No. II under section 11 of Revised Maximum Price Regulation No. 137 is amended to read as follows:

The Radbill Oil Company of Philadelphia, Pennsylvania, and all other retailers, are hereby authorized to sell Renuzit French Dry Cleaner packaged in 5-gallon steel pails with pull-out pour spout, removable head and bail, at retail, at prices not to exceed the following:

Where established retail price of Renuzit in 2-gallon cans is:	Maximum retail price of Renuzit in 5-gallon pail shall be:
$0 98	$3 19
1 09	3 35
1 19	3 66
1 25	3 85
1 29	3 97
1 49	4 58

The maximum prices on the 5-gallon containers are subject to the same conditions of delivery as are applicable to the maximum prices on the 2-gallon containers.

This Amendment No. 1 to Order No. II may be revoked or amended at any time by the Office of Price Administration.

This Amendment No. 1 to Order No. II shall become effective on the 27th day of June 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11324; Filed, June 26, 1945; 11:42 a. m.]

[MPR 186, Amdt. 1 to Rev. Order 1414]

J. P. METS AND SONS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

The effective date of Revised Order No. 1414 is hereby amended to be the 1st day of July 1945.

This amendment shall become effective on the 27th day of June, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11316; Filed June 26, 1945; 11:41 a. m.]

[MPR 188, Revocation of Order 1444]

TOYS AND GAMES

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

(a) Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188 is revoked, subject to the provisions of Supplementary Order No. 40.

(b) This order shall become effective on the 2d day of July 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11317; Filed, June 26, 1945; 11:41 a. m.]

[MPR 188, Amdt. 2 to Order 1509]

UPHOLSTERED SOFA BEDS, STUDIO COUCHES, AND OTHER UPHOLSTERED DUAL SLEEPING EQUIPMENT

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:*

Paragraph (b) of Order No. 1509 under § 1499.159b of Maximum Price Regulation No. 188 is amended to read as follows:

(b) *Maximum prices for sales by jobbers.* The maximum prices for sales by jobbers of articles covered by this order are those determined under Maximum Price Regulation No. 550.

This amendment shall become effective on the 3d day of July 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11318; Filed, June 26, 1945; 11:41 a. m.]

[MPR 188, Rev. Order 3037]

MICHAEL M. GORDON

APPROVAL OF MAXIMUM PRICES

Order No. 3037 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of the Model No. A-1 Steadi-glo Electric Stove manufactured by Michael M. Gordon, of 644 N. Michigan Avenue, Chicago 11, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

	F.
(i) For sales to jobbers and to hotel and restaurant supply houses	$4
(ii) For sales to retailers and to industrial, commercial or institutional users:	
Lots of six or more	5
Lots of less than six	5
(iii) For sales to users other than those listed in (ii)	9

These maximum prices are for the articles described in the manufacturer's application dated March 1, 1945. They include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries made fifteen days or more after the effective date of this revised order. These prices are f. o. b. factory and they are subject to a cash discount of two percent for payment within ten days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries made fifteen days or more after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price $9.

For sales to users other than industrial, commercial and institutional users. This price includes Federal Excise Tax.

Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 27th day of June 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES
Administrator.

[F. R. Doc. 45-11319; Filed, June 26, 1945; 11:41 a. m.]

Regional and District Office Orders.

[Raleigh Rev. Order G-1 Under Gen. Order 50, Amdt. 5]

MALT AND CEREAL BEVERAGES IN RALEIGH, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Carolina, District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, the sections 1-22, inclusive, and Appendices A and B of Revised Order No. G-1 under General Order No. 50 are hereby amended to read as follows:

SECTION 1. *Purpose of order.* Order No. G-1 under General Order 50 issued by the District Director of the Raleigh District Office of the Office of Price Administration on the 1st day of September, 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order 50 is redesignated Revised Order No. G-1 under General Order 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on-premises sales, and for the further purpose of clarifying and strengthening the order.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of North Carolina:

Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Robeson, Sampson, Scotland, Tyrrell, Vance, Wake, Warren, Washington, Wayne and Wilson.

SEC. 3. *Ceiling prices.* (a) On and after September 11, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Raleigh, North Carolina District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Raleigh, North Carolina District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1 B.* Your establishment belongs to Group 1 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1 B establishments.

(2) *Group 2 B.* Your establishment belongs to Group 2 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2 B establishments, but were less than those provided in Appendix A for Group 1 B establishments.

(3) *Group 3 B.* Your establishment belongs to Group 3 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2 B establishments. All establishments not in operation during the base period of April 4-10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3 B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, but was in operation prior to the effective date of this order, and if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may, but not later than the first day of October, 1944, file an application with the Raleigh, North Carolina District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1B or Group 2B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Raleigh, North Carolina District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in Section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above you must, on or before September 11, 1944, filed with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to

which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling price listed for Group 3B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1942 legal ceiling prices, this order properly applies, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such) including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as a part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a nonprofit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you had in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your Local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Revised Maximum Price Regulation No. 259, as amended, and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ½ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell, sale, etc." include the service, for a consideration, of all beverages subject to this order, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premise sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller, or in the immediate vicinity thereof, and includes curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferer would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferer shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance to the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Raleigh, North Carolina District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This order shall become effective September 11, 1944.

APPENDIX A

PART I—BOTTLED BEERS AND ALES

GROUP 1A

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer		
Blatz Pilsner	$0.25	$0.50
Budweiser	.25	.50
Canadian Ace	.25	.50
Down's Arf and Arf	.25	.50
Leowers	.25	.50
Miller's High Life	.25	.50
Narmar	.25	.50
National Premium	.25	.50
Pabst Blue Ribbon	.25	.50
Schlitz	.25	.50
Trim	.25	.50
Tru-Blu Old Fashioned	.25	.50
Imported Beer		
Carta Blanca	.50	
Ale		
Ballantine's XXX	.25	.50
Canadian Ace	.25	.50
Carling's Red Cap	.25	.50
Special Ale		
Champ	.50	
All other brands of domestic or imported beer and ale not listed above and not listed in appendix B hereof including unlabeled beer and ale	.20	.45

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See part II of this appendix A for draft beer and ale.)

GROUP 2A

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer		
Blatz Pilsner	$0.20	$0.45
Budweiser	.20	.45
Canadian Ace	.20	.45
Down's Arf and Arf	.20	.45
Leowers	.20	.45
Miller's High Life	.20	.45
Narmar	.20	.45
National Premium	.20	.45
Pabst Blue Ribbon	.20	.45
Schlitz	.20	.45
Trim	.20	.45
Tru-Blu Old Fashioned	.20	.45
Imported Beer		
Carta Blanca	.30	
Ale		
Ballantine's XXX	.20	.45
Canadian Ace	.20	.45
Carling's Red Cap	.20	.45
Special Ale		
Champ	.25	
All other brands of domestic or imported beer and ale not listed above and not listed in appendix B hereof including unlabeled beer and ale	.15	.40

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See part II of this appendix A for draft beer and ale.)

GROUP 3B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer		
Elitz Pilsner	$0.17	$0.42
Budweiser	.17	.42
Canadian Ace	.17	.42
Down's Arf and Arf	.17	.42
Loewers	.17	.42
Miller's High Life	.17	.42
Munar	.17	.42
National Premium	.17	.42
Pabst Blue Ribbon	.17	.42
Schlitz	.17	.42
Trum	.17	.42
Tru-Blu Old Fashioned	.17	.42
Imported Beer		
Carta Blanca	.27	
Ale		
Ballantine's XXX	.17	.42
Canadian Ace	.17	.42
Carling's Red Cap	.17	.42
Special Ale		
Champ	.21	
All other brands of domestic or imported beer and ale not listed above and not listed inapparently B hereof including unlabeled beer and ale	.13	.37

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See Part II of this appendix A for draft beer and ale.)

PART II—DRAFT BEERS AND ALES

Commodity and brand or trade name	Container capacity	Maximum prices for groups		
		1B	2B	3B
Draft beer and ale—all brands	(Oz.)			
	6	$0.10	$0.09	$0.09
	9	.11	.10	.10
	10	.12	.11	.11

NOTE: For any size of container other than those set forth above the maximum price for sellers of all groups shall be 1¢ per ounce of beverage.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above price if such tax is separately stated and collected.

APPENDIX B

NOTE: That appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. As we have not established his group on the basis of the prices given in appendix B but based determination thereon on the basis of prices given for the other brands covered by appendix A.

Commodity and brand or trade name	Size of bottle	Maximum prices for groups		
		1B	2B	3B
Beer	*Ounces*			
Barbarossa	12	$0.20	$0.17	$0.17
Bay State	12	.20	.17	.17
Burger Brau	12	.20	.17	.17
Camden Light Lager	12	.20	.17	.17
Doorschuck	12	.20	.17	.17
Dorquest	12	.20	.17	.17
Dover	12	.20	.17	.17
Eblins Extra	12	.20	.17	.17
Ehret's Extra	12	.20	.17	.17
Eschner's	12	.20	.17	.17
Genesee Lager	12	.20	.17	.17
Gold Label	12	.20	.17	.17
Gold Medal Tivoli	12	.20	.17	.17

Commodity and brand or trade name	Size of bottle	Maximum prices for groups		
		1B	2B	3B
Beer—Continued	*Ounces*			
Hohenadel	12	$0.20	$0.17	$0.17
Holland	12	.20	.17	.17
Hornung's	12	.20	.17	.17
Kramer Brau	12	.20	.17	.17
Lambic	12	.20	.17	.17
Lion	12	.20	.17	.17
Nectar	12	.20	.17	.17
P. O. S.	12	.20	.17	.17
Supreme	12	.20	.17	.17
Topaz	12	.20	.17	.17
White Cap	12	.20	.17	.17
Barbarossa	32	.45	.42	.42
Burger Brau	32	.45	.42	.42
Camden Light Lager	32	.45	.42	.42
Doorschuck	32	.45	.42	.42
Dorquest	32	.45	.42	.42
Dover	32	.45	.42	.42
Eblins Extra	32	.45	.42	.42
Ehret's Extra	32	.45	.42	.42
Eschner's	32	.45	.42	.42
Genesee Lager	32	.45	.42	.42
Gold Label	32	.45	.42	.42
Gold Medal Tivoli	32	.45	.42	.42
Hohenadel	32	.45	.42	.42
Holland	32	.45	.42	.42
Hornung's	32	.45	.42	.42
Kramer Brau	32	.45	.42	.42
Lambic	32	.45	.42	.42
Lion	32	.45	.42	.42
Nectar	32	.45	.42	.42
P. O. S.	32	.45	.42	.42
Supreme	32	.45	.42	.42
Topaz	32	.45	.42	.42
White Cap	32	.45	.42	.42
Ale				
Bay State	12	.20	.17	.17
Dover	12	.20	.17	.17
Kramer Cream	12	.20	.17	.17
New England	12	.20	.17	.17
Eschner's Little Man	12	.20	.17	.17
Red Top	12	.20	.17	.17
Bay State	32	.45	.42	.42
Dover	32	.45	.42	.42
Kramer Cream	32	.45	.42	.42
New England	32	.45	.42	.42
Eschner's Little Man	32	.45	.42	.42
Red Top	32	.45	.42	.42

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

This amendment No. 5 to Revised Order No. G–1 under General Order No. 50 shall become effective March 19, 1945 and supersedes any provision of the aforesaid Revised Order or amendments thereto which are inconsistent with the provisions of this amendment.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4803)

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

Issued this 16th day of March 1945.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 45-11076; Filed, June 22, 1945; 4:26 p. m.]

[Raleigh 2d Rev. Order G–1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN RALEIGH, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order No. G–1 under General Order 50 issued by the District Director of the Raleigh District Office of the Office of Price Administration on the 1st day of September, 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order G–1 under General Order 50 was thereafter redesignated Revised Order No. G–1 under General Order 50. Revised Order G–1 under General Order 50 is redesignated 2nd Revised Order G–1 under General Order 50, and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on-premise sales, and for the further purpose of clarifying and strengthening the order. Maximum prices for domestic malt beverages when sold for off-premise consumption are controlled by Revised Maximum Price Regulation 252.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of North Carolina:

Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hartford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Robeson, Sampson, Scotland, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson.

SEC. 3. *Ceiling Prices.* (a) On and after September 11, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Raleigh, North Carolina District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Raleigh, North Carolina District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in appendix A hereof for Group 1B establishments.

(2) *Group 2B.* Your establishment belongs to Group 2B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as or more than, the prices listed in appendix A hereof for Group 2B establishments, but were less than those provided in appendix A for Group 1B establishments.

(3) *Group 3B.* Your establishment belongs to Group 3B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may, but not later than the first day of October, 1944, file an application with the Raleigh, North Carolina District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3B sellers in the appendices hereof. However, if the nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1B or Group 2B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Raleigh, North Carolina District Office, requesting that your establishment be reclassified into the same group in which the nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in Section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above you must, on or before September 11, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling price listed for Group 3B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such) including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as a part of, a meal and where the price

of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you had in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and Menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals, and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your Local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "ODA 2B", or "OPA 3B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request, by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Revised Maximum Price Regulation No. 259, as amended, and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2. Maximum prices for domestic malt beverages when sold for off-premise consumption are controlled by Revised Maximum Price Regulation 259.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(e) "Sell, sale, etc." include the service, for a consideration, of all beverages subject to this order, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premise sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller, or in the immediate vicinity thereof, and includes curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance to the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Raleigh, North Carolina, District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This order shall become effective May 17, 1945. (The prior orders and amendments which this order supersedes became effective on the following dates: Order G–1, July 1, 1944, and Amendment 1, July 29, 1944; Revised Order G–1, September 11, 1944, and Amendment 1, September 25, 1944, Amendment 2, October 14, 1944, Amendment 3, November 13, 1944, Amendment 4, February 1, 1945, and Amendment 5, March 19, 1945. Such prior orders and amendments have been revised and redesignated as set forth in Section 1 above.)

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Raleigh, North Carolina this 14th day of May 1945.

I. BEVERLY LAKE,
Acting District Director.

APPENDIX A

PART I—BOTTLED BEERS AND ALES

Commodity and brand or trade name	Maximum prices per bottle					
	Group 1B		Group 2B		Group 3B	
	12 oz.	32 oz.	12 oz.	32 oz.	12 oz.	32 oz.
Beer						
Blatz Pilsner	$0.20	$0.30	$0.20	$0.30	$0.17	$0.42
Budweiser	.25	.50	.20	.45	.17	.42
Canadian Ace	.25	.50	.20	.45	.17	.42
Dawn's Artland Ale	.25	.50	.20	.45	.17	.42
Loewers	.25	.50	.20	.45	.17	.42
Miller's High Life	.25	.50	.20	.45	.17	.42
Namur	.25	.50	.20	.45	.17	.42
National Premium	.25	.50	.20	.45	.17	.42
Pabst Blue Ribbon	.25	.50	.20	.45	.17	.42
Schlitz	.25	.50	.20	.45	.17	.42
Trim	.25	.50	.20	.45	.17	.42
Tru-Blu Old Fashioned	.25	.70	.20	.45	.17	.42
Imported Beer						
Carls Bräuerei	.35	----	.30	----	.27	----
Ale						
Ballantine's XXX	.25	.50	.20	.45	.17	.42
Canadian Ace	.25	.50	.20	.45	.17	.42
Carling's Red Cap	.25	.50	.20	.45	.17	.42
Krueger Cream Ale	.25	.50	.20	.45	.17	.42
Special Ale						
Champ	.30	----	.25	----	.21	----
All other brands of domestic or imported beer and ale not listed above and not listed in appendix B hereof including unlabeled beer and ale	.20	.45	.15	.40	.13	.37

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

PART II—DRAUGHT BEERS AND ALES

Commodity and brand or trade name and size	Maximum prices for groups		
	1B	2B	3B
All brands:			
8 ounces	$0.10	$0.10	$0.10
9 ounces	.11	.11	.11
10 ounces	.12	.12	.12

NOTE: For any size of container other than those set forth above the maximum price for sellers of all groups shall be 1¢ per ounce of beverage.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above price if such tax is separately stated and collected.

APPENDIX B

NOTE: This appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of prices given for the other brands covered by appendix A.

Commodity and brand or trade name	Maximum prices per bottle					
	Group 1B		Group 2B		Group 3B	
	12 oz.	32 oz.	12 oz.	32 oz.	12 oz.	32 oz.
Beer						
Barbarossa	$0.20	$0.45	$0.20	$0.45	$0.17	$0.42
Bay State	.20	.45	.20	.45	.17	.42
Burger Bräu	.20	.45	.20	.45	.17	.42
Camden Licht Lager	.20	.45	.20	.45	.17	.42
Doersch eck	.20	.45	.20	.45	.17	.42
Dogpatch	.20	.45	.20	.45	.17	.42
Dover	.20	.45	.20	.45	.17	.42
Ebling's Extra	.20	.45	.20	.45	.17	.42
Ehret's Extra	.20	.45	.20	.45	.17	.42
Esslinger's	.20	.45	.20	.45	.17	.42
Feigl's Extra	.20	.45	.17	.42	.15	.40
Genesee Lager	.20	.45	.20	.45	.17	.42
Gold Label	.20	.45	.20	.45	.17	.42
Gold Medal Tivoli	.20	.45	.20	.45	.17	.42
Ha Bräu	.20	.45	.20	.45	.17	.42
Hohenadel	.20	.45	.17	.42	.15	.40
Holland	.20	.45	.20	.45	.17	.42
Hornung's	.20	.45	.20	.45	.17	.42
Koenig Bräu	.20	.45	.20	.45	.17	.42
Koenig's Special	.20	.45	.17	.42	.15	.40
Krueger	.20	.45	.17	.42	.15	.40
Leidle	.20	.45	.20	.45	.17	.42
Lang's	.20	.45	.17	.42	.15	.40
Lebanon Valley	.20	.45	.17	.42	.15	.40
Lion	.20	.45	.20	.45	.17	.42
Marlem	.20	.45	.17	.42	.15	.40
Nectar	.20	.45	.20	.45	.17	.42
P. O. S	.20	.45	.20	.45	.17	.42
Peters	.20	.45	.17	.42	.15	.40
Pilser's Original	.20	.45	.17	.42	.15	.40
Red Fox	.20	.45	.17	.42	.15	.40
Red Rose	.20	.45	.17	.42	.15	.40
Supreme	.20	.45	.20	.45	.17	.42
Topaz	.20	.45	.20	.45	.17	.42
Victory Premium	.20	.45	.17	.42	.15	.40
White Cap	.20	.45	.20	.45	.17	.42
Ale						
Bay State	.20	.45	.20	.45	.17	.42
Dover	.20	.45	.20	.45	.17	.42
Esslinger's Little Man	.20	.45	.20	.45	.17	.42
Grabuts XXX	.20	.45	.17	.42	.15	.40
Koenig's Special	.20	.45	.17	.42	.15	.40
Lang's	.20	.45	.17	.42	.15	.40
New England	.20	.45	.20	.45	.17	.42
Pilser's Original	.20	.45	.17	.42	.15	.40
Red Top	.20	.45	.20	.45	.17	.42

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

[F. R. Doc. 45–11106; Filed, June 22, 1945; 4:38 p. m.]

[Memphis Order G-2 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN MEMPHIS, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director, Memphis District Office, Region IV, by General Order 50, and Revised Regional Delegation Order 17, this Order is hereby issued.

What this order does. This Order No. G-2 under General Order No. 50 revokes Order No. G-1 of the Memphis District Office, Region IV, under General Order No. 50.

This order shall become effective immediately.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of May 1944.

W. C. MANLEY, JR.,
District Director.

[F. R. Doc. 45-11084; Filed, June 22, 1945; 4:31 p. m.]

[Region IV 2d Rev. Order G-8 Under RMPR 122]

SOLID FUELS IN COLUMBIA, S. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within a radius of 10 miles of the State Capitol Building in the City of Columbia, South Carolina. This 10 mile radius is determined by the actual highway mileage from the State Capitol Building to the point of delivery by the most direct route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this Order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This Second Revised Order No. G-8 supersedes Revised Order No. G-8 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1 thereunder, and as a result, said revised order and supplementary order are hereby revoked as of the effective date of this second revised order. This second revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Second Revised Order No. G-8.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Lump, chunk, block, and egg coal (size group Nos. 1 through 5)	$10.55	$5.53	$2.80
Stoker (size group No. 10)	9.65	5.08	2.61
Nut and slack (size group No. 20)	7.60	4.05	2.10

(f) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel service.* If a buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If a buyer requests such service the dealer may charge not more than $1.00 per ton therefor.

(3) *Sacked coal.* A dealer may charge not more than 51¢ each for 80 lb. bags delivered at his yard, or 61¢ each for 80 lb. bags delivered to the purchaser's premises.

(4) *Yard sales.* When the buyer picks up the solid fuel covered by this Order at the dealer's yard, the dealer must reduce the domestic price at least $1.00 per ton.

(5) *Quantity.* When the buyer purchases 40 tons or more, either in carload or less-than-carload deliveries, the dealer must reduce the domestic price at least $1.50 per ton on lump, chunk, block, and egg coal, and at least $1.00 per ton on stoker coal. No quantity discount shall be applicable on the sale of nut and slack coal.

(6) *Treated coal.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(7) *Credit.* No additional charge over the prices listed in this schedule may be made for the extension of credit.

Effective date. This order shall become effective June 7, 1945.

Issued: June 2, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11083; Filed, June 22, 1945; 4:31 p. m.]

[Region IV Rev. Order G-11 Under RMPR 122, Amdt. 1]

SOLID FUELS IN ROANOKE, VA., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Run-of-mine (domestic)	$7.86	$4.18	$2.26
Run-of-mine (steam)	7.76	4.13	2.23
Stove	8.46	4.48	2.39
Egg	8.66	4.73	2.49
Lump	7.71	4.11	2.26
Nut and chestnut	7.86	4.18	2.23
Stoker	7.66	4.03	2.14
Slack	5.21	3.01	1.68

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Stove	$7.95	$3.93	$2.09
Egg	7.50	4.00	2.13
Great Heart Stove	8.10	4.30	2.28
Raven Red Ash-egg	8.30	4.40	2.34

2. Subparagraph (f) (2) is amended to read as follows:

(2) *Sacked coal.* Dealer may charge not more than 26¢ for 50 lb. bag at his yard.

3. Supplementary Order No. 1 to Revised Order No. G-11 under Revised Maximum Price Regulation No. 122 is hereby revoked, and Supplementary Order No. 1 to Order No. G-37 under Revised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to the area covered by this Revised Order No. G-11 under Revised Maximum Price Regulation No. 122.

Effective date. This amendment shall become effective June 7, 1945.

Issued: June 2, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11082; Filed, June 22, 1945; 4:31 p. m.]

[Region IV Rev. Order G-21 Under RMPR 122]

SOLID FUELS IN FLORENCE, S. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Florence, South Carolina, and when delivery is made outside said corporate limits by dealers whose yards are located therein. Extra charges are specified for such deliveries beyond said corporate limits.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-21 supersedes Order No. G-21 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1 thereunder, and as a result, said order and supplementary order are hereby revoked as of the effective date of this order. This revised order is issued as an Adopting Order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Revised Order No. G-21.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Stoker (size group No. [illegible])	$9.61	$5.06	$2.78

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Chunk, lump, or block (size groups Nos. 1, 2, and 3)	$10.60	$5.55	$3.03
Egg (size groups Nos. 5 and 6) and stove (size group No. 8)	10.05	5.28	2.89
Stoker (size group No. 10)	9.60	5.05	2.78

(f) *Maximum authorized service charges and required deductions*—(1) *Wheel or carry from curb.* If a buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If a buyer requests such service, dealer may charge not more than $1.00 per ton therefor.

(3) *Yard sales.* When buyer picks up coal at the dealer's yard, the domestic price must be reduced at least 50¢ per ton.

(4) *Sacked coal.* On deliveries of sacked or bagged coal, a dealer may not charge more than 66¢ per 100 lbs., not including sack.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Delivery zone.* The dealer may make no extra charge for deliveries within the corporate limits of Florence, South Carolina. For deliveries beyond said corporate limits by a dealer whose yard is located in Florence, he may add not more than 10¢ per ton per mile and may impose a minimum charge of not more than 50¢ for each such delivery, such mileage to be determined by the actual mileage from said corporate limits to the point of delivery by the most direct highway route. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(7) No additional charge in excess of the prices listed in this order may be made for the extension of credit.

Effective date. This order shall become effective June 9, 1945.

Issued: June 4, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11081; Filed, June 22, 1945; 4:30 p. m.]

[Region IV Rev. Order G-31 Under RMPR 122]

SOLID FUELS IN GREENVILLE CO., S. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of Greenville County, and within that part of Spartanburg County lying within the corporate limits of the Town of Greer, all in the State of South Carolina.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This revised order No. G-31 supersedes Order No. G-31 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1 thereunder, and as a result, said order and supplementary order are hereby revoked as of the effective date of this order. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Revised Order No. G-31.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coals from District No. 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Lump or block, size group Nos. 1-4 (including 4", 2" 6", 6" x 5", 3" x 5") in price classifications A-N, inclusive	$10.35	$5.18	$3.09
Egg, size group Nos. 5 and 6 (including 3" x 3", 6" x 3") in price classifications A-N inclusive, and			
Stoker, size group No. 10 (including 1" x 1", 3" x 1") in price classifications A-G, inclusive	9.85	4.93	2.66
Run-of-mine (for domestic consumption)	9.65	4.83	2.01
Nut and slack or Screenings, size groups Nos. 18-21 (larger than 3" x 0") in price classifications A-E	7.33	3.68	2.34

(f) *Maximum authorized service charges and required deductions*—(1) *Carrying up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(2) *Yard sales.* When buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least $1.00 per ton.

(3) *Sacked coal.* Dealer may charge not more than 66¢ per 100 pounds of coal at the yard, and not more than 76¢ for 100 pounds delivered, less 15¢ if sack is not included.

(4) *Discounts.* On sales of five to nine tons to one customer, the dealer

must reduce price 25¢ per ton. On sales of ten to nineteen tons to one customer, the dealer must reduce price 50¢ per ton. On sales of twenty or more tons to one customer, the dealer must reduce price 75¢ per ton. These discounts do not apply on nut and slack.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Delivery zone.* For deliveries made more than five miles beyond the corporate limits of the city or township in which the dealer's yard is located, the dealer may add not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for such deliveries. Such delivery charge, as added, must be stated separately from all other charges on the invoice.

(7) *Credit.* No additional charge over the prices listed in this schedule may be made for the extension of credit.

Effective date. This order shall become effective June 9, 1945.

Issued: June 4, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11079; Filed, June 22, 1945; 4:29 p. m.]

[Region IV Rev. Order G-22 Under RMPR 122]

SOLID FUELS IN WILSON, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Wilson, North Carolina, or outside such corporate limits by a dealer whose yard is located therein.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV—issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-22 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1 thereunder, and as a result, said order and supplementary order are hereby revoked as of the effective date of this order. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Revised Order No. G-22.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from Districts No. 7 and 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Egg; top size larger than 3", bottom size no limit, in prep classification A and B, and from mine index 201, the No. 2 mine of Raven Red Ash Coal Co. in District No. 8	$11.55	$6.05	$3.30
Stove; top size 3" to larger than 1¼", bottom size smaller than 3", in price classification A	10.75	5.63	3.10
Stoker (egg; top size not exceeding ¾", bottom size smaller than ¾", in price classification A	9.20	4.85	2.80
Screened run-of-mine in price classifications A-D, inclusive	9.26	4.88	2.82

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Egg; top size 6" to larger than 5", bottom size 4" to larger than 3", (size group 3), in price classification E	$10.75	$5.63	$3.10
Block; bottom size larger than 5", in price classification G			
Lump; bottom size 5" to larger than 3" in price classifications E-D, inclusive, and			
Chunk; top size 6" to larger than 5", bottom size 3" to larger than 2", from mine index 370, the Point Like No. 4 Mine, Hatfield-Campbell Creek Coal Co.	10.30	5.40	3.08
Block; from mine index 339, Blue Diamond Coal Co. (size groups No. 1, 2, and 3)	11.35	5.93	3.31
Egg; top size 6" to larger than 5", bottom size 2" and smaller, and top size 3" and larger but not exceeding 5", bottom size 3" to larger than 2"; (size groups 5 and 6), in price classifications E-O, inclusive; and			
Stoker, from mine index 439, Dixport Coal Co. (size group 10)	9.75	5.13	2.94
Stoker, double screened; top size not exceeding 1¼", bottom size less than ¾", in price classifications B-G, inclusive	9.35	4.93	2.81
Straight run-of-mine in price classifications A and B	9.10	4.80	2.78

(3) *Briquettes.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Briquettes—prepared from low volatile bituminous coal	$11.66	$6.08	$3.41

(f) *Maximum authorized service charges and required deductions*—(1) *Yard sales.* When a buyer-consumer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least 50¢ per ton. When a buyer-dealer picks up coal at the dealer's yard, the dealer must reduce the domestic price by at least $1.00 per ton.

(2) *Sacked coal.* The dealer may not charge more than 61¢ per 100 lb., not including sack, for egg and stove coal from District No. 7 and for egg coal in Size Group 3 from District No. 8, delivered. The dealer may not charge more than 51¢ per 90 lb., not including sack, for egg coal in Size Group 5 from District No. 8, delivered.

(3) *Quantity discounts.* On single sales of coal in carload lots, in which the dealer handles the coal, he may not charge more than the f. o. b. mine price, plus actual freight, plus $1.75 per ton.

(4) *Treated coal.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the maximum price otherwise applicable under this order, the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(5) *Delivery zone.* No additional charge may be made for deliveries within the corporate limits of the City of Wilson, North Carolina. For deliveries beyond such corporate limits by a dealer whose yard is located therein, the dealer may make an additional charge of not more than 10¢ per ton per mile for each mile beyond the limits of such city and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from said corporate limits to the point of delivery by the most direct highway route.

(6) *Sales tax.* The North Carolina State sales tax may be added to the prices established by this order.

(7) *Credit.* No additional charge may be made for the extension of credit.

Effective date. This order shall become effective June 9, 1945.

Issued: June 4, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11080; Filed, June 22, 1945; 4:30 p. m.]

[Region IV Order G-41 Under RMPR 122, Amdt. 1]

SOLID FUELS IN ROME, GA., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G-41 under Revised Maximum Price Regulation No. 122 issued by this office on April 21, 1945, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Egg	$8.25	$4.38	$2.31
Block	8.80	4.65	2.45
Stoker	7.60	4.05	2.15
Slack	5.65	3.08	1.66
Egg from subdistrict No. 6 (Southern Appalachian)	8.40	4.45	2.35
Block from subdistrict No. 6 (Southern Appalachian)	8.95	4.73	2.49

2. Subparagraph (f) (1) is amended to read as follows:

(1) *Sacked coal.* For egg coal sold in 70 pound sacks the dealer may charge not more than 36¢ per sack and $1.02 for three sacks in a single sale, at the yard.

3. Supplementary Order No. 1 to Order No. G-37 under Revised Maximum Price Regulation No. 122 is hereby revoked insofar as the same is applicable to the area covered by this Order No. G-41 under Revised Maximum Price Regulation No. 122.

Effective date. This amendment shall become effective June 11, 1945.

Issued: June 5, 1945.

THOMAS L. HIGGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11068; Filed, June 22, 1945; 4:24 p. m.]

[Region IV Order G-45 Under RMPR 122]

SOLID FUELS IN SPARTANBURG, S. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of Spartanburg, South Carolina, and the area lying within fifteen miles of said corporate limits, measured by the actual mileage by the most direct highway route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV—issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of said order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Amendments 9 and 29 to Order No. G-17 under Revised Maximum Price Regulation No. 122 and all supplementary orders issued thereunder insofar as they are applicable to the area covered by this order, and as a result, said amendments and supplementary orders are hereby, to that extent, revoked. This order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Order No. G-45.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Egg from Virgilow mine of Benedict Coal Corp., mine index No. 481; top size larger than 5", but not exceeding 6"; bottom size 2" and smaller; top size 3", but not exceeding 5"; bottom size larger than 2" but not exceeding 3"	$9.60	$5.20	$2.73
Egg (other)	9.15	4.83	2.54
Chunk, block, or lump, larger than 5"—size group No. 1 in price classifications A and B, and larger than 2" but not exceeding 5"—size groups No. 2 and 3 in price classification A	9.45	4.98	2.61
Chunk, block, or lump (other)	9.35	4.93	2.59
Stoker from Back Creek No. 2 mine of Praden Coal & Coke Co., mine index No. 728; top size 1¼" and smaller, bottom size smaller than 1¼"	9.40	4.95	2.60
Stoker (other)	9.15	4.83	2.54
Run-of-mine (for domestic use)	9.15	4.83	2.54

(f) *Maximum authorized service charges and required deductions*—(1) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(2) *Sacked coal.* Dealer may charge not more than 30¢ for 40 pound bag, including the bag or sack, on a delivered basis, and not more than 50¢ for 80 pound bag, including the bag or sack, on a delivered basis. For sacked coal sold at the dealer's yard, dealer may charge not more than 61¢ for 100 pounds, not including sack or bag.

(3) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least 50¢ per ton.

(4) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(5) *Delivery zone.* No charge may be made for deliveries within the corporate limits of Spartanburg, South Carolina. For deliveries beyond such corporate limits and within fifteen miles thereof, the dealer may make an additional charge of not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage to be measured by the actual highway mileage from said corporate limits to the point of delivery by the most direct highway route.

(6) *Quantity discounts.* On single purchases of from 5 to 9 tons, inclusive, the dealer must reduce the domestic price at least 25¢ per ton. On single purchases of 10 or more tons, the dealer must reduce the domestic price at least 50¢ per ton.

(7) *Credit.* No charge in excess of the prices otherwise permitted herein may be made for extension of credit.

Effective date. This order shall become effective June 6, 1945.

Issued: June 1, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11078; Filed, June 22, 1945; 4:29 p. m.]

[Region IV Order G-49 Under RMPR 122]

SOLID FUELS IN ROCKY MOUNT, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold

and delivered within the corporate limits of the City of Rocky Mount, North Carolina, and the area lying within 15 miles of said corporate limits by the most direct highway route.

(c) *Applicability of basic order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supercedes Amendment 19 to Order No. G-17 under Revised Maximum Price Regulation No. 122 and all supplementary orders thereunder, and as a result, said amendment and supplementary orders are hereby revoked as of the effective date of this order. This order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Order No. G-49.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District Nos. 7 and 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Egg, top price (top size larger than 3" bottom size no limit), in price classification C, from the Red Ash seam	$11.70	$6.10	$3.18
Egg, low price, from mine index No. 391, the No. 2 mine of the Raven Red Ash Coal Co.	11.40	5.95	3.10
Lump (bottom size larger than that designated for screened run-of-mine) in price classifications A through D, inclusive	11.65	6.08	3.16
Stove, (top size larger than 1¼" but not exceeding 4", bottom size smaller than 3"), from mine index No. 391, the No. 2 mine of the Raven Red Ash Coal Co.	11.15	5.80	3.04
Nut (top size larger than ¾" but not exceeding 1¼", bottom size smaller than 1¼"), price classification A, and size group No. 4 coal from mine index 37, the Caretta mine of the Carter Coal Co.	9.61	5.06	2.65
Run-of-mine, domestic or screened (in size group No. 6), price classification A	9.55	5.03	2.64
Stoker (top size not exceeding ¾", bottom size smaller than ¾"), in price classification A	8.90	4.70	2.48
Slack	8.20	4.35	2.30
Briquettes	12.26	6.38	3.31

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Chunk, 5" x 8" (size group No 2, egg or lump), from mine index 181, the Virginia Mine of the Benedict Coal Corp.	$11.30	$5.90	$3.08
Lump, 3" (size group 3), in price classification M, and egg, top price, 3" x 5" (size group No. 6), price classifications C through L, inclusive	10.00	5.25	2.75
Egg, low price, 2" x 5" (size group No. 7), price classifications K through M, inclusive	9.65	5.08	2.65
Stoker (top size 1¼" and smaller, bottom size smaller than 1¼"), in price classifications B through E, inclusive	9.10	4.95	2.60
Slack	6.65	3.58	1.91

(f) *Maximum authorized service charges and required deductions*—(1) *Carry from curb.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If the buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(3) *Bagged coal.* For coal bagged at the yard and delivered, the dealer may add not more than $1.00 per ton. The bags remain the property of the dealer.

(4) *Yard sales.* On sales of egg coal from District No. 8 to peddlers, the dealer must reduce the domestic price at least $1.00 per ton at the yard.

(5) *Sacked coal.* The dealer may charge not more than 61¢ per 100 lbs. of coal at the yard, not including the sack. The dealer may charge not more than 71¢ per 100 lbs. of coal delivered not including sack.

(6) *Quantity discounts.* On single sales of from 5 to 9 tons inclusive, the dealer must reduce the domestic price at least 25¢ per ton. On single sales of 10 tons or more, the dealer must reduce the domestic price at least 50¢ per ton.

(7) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(8) *Delivery zone.* No additional charge may be made for deliveries within the corporate limits of Rocky Mount, North Carolina. For deliveries beyond such corporate limits and the area lying within 15 miles thereof, the dealer may make an additional charge of not more than 10¢ per ton per mile for each mile beyond the limits of said city with a minimum charge of not more than 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said corporate limits to the point of delivery by the most direct highway route.

(9) *Sales tax.* The North Carolina state sales tax may be added to the prices established by this order.

(10) *Credit.* No additional charge over the prices established by this order may be made for credit.

Effective date. This order shall become effective June 12, 1945.

Issued: June 7, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11069; Filed, June 22, 1945; 4:25 p. m.]

[Region IV Order G-50 Under RMPR 122]

SOLID FUELS IN ELIZABETH CITY, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Elizabeth City, North Carolina, and the area lying within 15 miles of said corporate limits by the most direct highway route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Amendment 22 to Order No. G-17 under Revised Maximum Price Regulation No. 122 and all supplementary orders issued thereunder insofar as they are applicable to the area covered by this order, and as a result, said amendment and supplementary orders are hereby, to that extent, revoked. This order is issued as an adopting order pursuant to the provisions of order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Order No. G-50.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
[illegible]	$11.51	$6.01	$3.13
[illegible] run-of-mine	9.46	4.98	2.62
[illegible]	11.41	5.96	3.10

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Lump	$9.79	$5.15	$2.70

(3) *Briquettes from District No. 7.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Briquettes	$12.06	$6.28	$3.27

(4) *Yard slack from District Nos. 7 and 8.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Yard	$8.20	$4.35	$2.30

(f) *Maximum authorized service charges and required deductions*—(1) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(2) *Delivery zone.* For deliveries beyond the corporate limits of Elizabeth City, North Carolina and in the area lying within 15 miles of said corporate limits, the dealer may make an additional charge of not more than 10¢ per ton per mile for each mile beyond the limits of such city with a minimum charge of not more than 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said city limits to the point of delivery by the most direct highway route.

(3) *Sacked coal.* The dealer may charge not more than 76¢ per 100 pounds of coal plus 15¢ deposit on the sack.

(4) *Treated coal.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(5) *Sales tax.* The North Carolina State Sales Tax may be added to the prices established by this order.

(6) *Credit.* No additional charge may be made for the extension of credit.

Effective date. This order shall become effective June 6, 1945.

Issued: June 1, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11077; Filed, June 22, 1945; 4:29 p. m.]

[Region VI Order G-1 Under MPR 188]

CONCRETE BLOCKS IN MINNEAPOLIS, MINN., AREA

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, as amended, and for reasons stated in an opinion issued herewith, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sale of concrete blocks by producers and dealers whose principal places of business are located in Hennepin County, Minnesota.

(b) *Prices.* The maximum prices for the sale of concrete blocks by producers and dealers whose principal places of business are located in Hennepin County, Minnesota, are hereby established as follows:

(1) *Sales at retail:*

Block size	At yard per block	Delivered per block
	Cents	Cents
8 x 8 x 16	12½	14
8 x 12 x 16 (plain)	15½	17½
8 x 12 x 16 square end	16½	18½
8 x 8 x 12	14	16½
8 x 12 x 12	17	19
8 x 8 x 24	14	15½
6 x 12 x 24	17	19
4 x 8 x 12	8	9

(2) *Sales by producers to dealers.* The maximum prices on sales by producers to dealers shall be the above less one (1¢) cent per block.

(3) *Sales of specialty blocks.* The maximum prices for special types of blocks not listed above such as sash units, half units, "L" corner units, partition units and other specialties shall be determined by applying the same differential used prior to this order, as properly computed under Maximum Price Regulation No. 188, in cents or half cents of the 8 inch size, except that where a 12 inch special unit is being priced, the differential may be that applied to a 12 inch size.

(c) *Discounts.* (1) On payment within 10 days following the end of the month in which a sale at retail or to a dealer is made there shall be allowed a discount of 5%.

(2) Every producer and dealer shall continue all his allowances, discounts and other price differentials in effect in March 1942 to volume buyers and special accounts.

(3) Every dealer shall continue all his allowances, discounts, and other price differentials in effect in March 1942.

(d) *Definitions.* (1) "Sale at retail" means any sale to a purchaser for use and not for resale; this includes purchaser who resells the concrete blocks on an installed basis.

(2) "Dealer" means any person who purchases concrete blocks for the purpose of resale on other than an installed basis.

(3) "At yard" sales means deliveries to the purchaser by the producer or dealer in his customary manner at his yard.

(4) "Delivered" sales means deliveries to the purchaser by the producer or dealer in his customary manner at the location designated by the purchaser other than "at yard."

(5) Except as otherwise provided herein, or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Maximum Price Regulation No. 188, as amended, or in the Emergency Price Control Act of 1942, as amended.

(e) *Effect of order on Maximum Price Regulation No. 188, as amended.* To the extent applicable, the provisions of this order supersede Maximum Price Regulation No. 188, as amended. Insofar as any provisions in this order may be inconsistent with any provision of Maximum Price Regulation No. 188, as amended, the provision contained in this order shall be controlling in the area governed by this order. Except as herein otherwise provided, the provisions of Maximum Price Regulation No. 188, as amended, shall remain in full force and effect.

(f) This order may be modified, revoked, or amended at any time.

This Order No. G-1 shall become effective June 18, 1945.

Issued this 13th day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-11105; Filed, June 22, 1945; 4:37 p. m.]

[Region VI Order G-4 Under RMPR 251]

INSTALLED COMBINATION STORM SASH AND SCREENS IN CHICAGO REGION

Pursuant to the authority vested in the Regional Administrator of Region VI by section 9 of Revised Maximum Price Regulation No. 251, and by the Emergency Price Control Act of 1942, as amended; the Executive Orders No. 9250 and 9328, and for the reasons stated in an opinion, issued herewith, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sale of all sizes and types of combination storm sash and screens "on an installed basis" by all sellers. Section (c) establishes prices for sellers other than manufacturers. Section (d) establishes prices for manufacturers.

(b) *Geographical applicability.* This order shall apply to sales "on an installed basis" in the area known as Region VI, which includes the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin and Lake County, Indiana. For the purpose of determining maximum prices under this order, the above area is divided into the

following described zones, covering the counties and States listed:

Zone 1: Cook, Du Page, Kane, Lake, and McHenry in the State of Illinois, and Lake County in the State of Indiana, and East St. Louis, Illinois.

Zone 2: The State of Illinois (excluding East St. Louis and the counties included in Zone 1), Polk County and Scott County in the State of Iowa, Dakota, Hennepin, Ramsey, Scott and Washington Counties in the State of Minnesota, Douglas County in the State of Nebraska, Milwaukee County in the State of Wisconsin.

Zone 3: The States of Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, excluding all counties of these States listed in Zone 2.

(c) *Maximum prices for sales by sellers other than manufacturers.* The maximum price for a sale of combination storm sash and screen, described herein as "C S & S," "on an installed basis," by a seller other than a manufacturer shall be the sum of the following for all zones, plus the charges listed below in paragraph (3) for the particular zone in which the installation is performed.

(1) The maximum glazed and wired delivered price for "C S & S" as established under Maximum Price Regulation No. 525 to the seller's place of business nearest to the point of installation: *Provided, however,* As to any type of "C S & S" not covered by the provisions of Maximum Price Regulation 525, the seller's price under this section (1) shall be his supplier's legally established glazed and wired and delivered price determined under the applicable regulation, governing the particular type of "C S & S" plus,

(2) A markup of 70% to be applied to the above delivered price. Plus,

(3) The following installation and painting charges listed for the zone in which the services are performed:

	Zone 1	Zone 2	Zone 3
Installation	$2.00	$1.65	$1.40
Painting, when performed by the seller, each coat	1.00	.80	.70

The term "installation" includes installation of "C S & S", loosening of house windows where necessary, caulking where necessary, or other services and materials required for a proper installation of the "C S & S".

(d) *Maximum prices for sales by manufacturers.* The maximum price for a sale of "C & S" "on an installed basis" by a manufacturer shall consist of the sum of the following:

(1) The maximum delivered price which the manufacturer would be permitted to charge to sellers as computed under section C (1) above at the point of installation for "C S & S," as established under the applicable regulation, (the point of installation shall be considered as though it were a seller's place of business) plus a markup of 70% to be applied to the foregoing maximum delivered price, plus installation and painting charges computed under section (c) (3) above.

(e) *Multiple sales.* If more than one "C S & S" is sold on an "installed basis," the maximum price for all shall be the total of the maximum prices for each "C S & S" as computed under paragraph (c) or (d), whichever is applicable.

(f) *Definitions.* (1) The phrase "on an installed basis" refers to the sale by a seller of a "C S & S," together with the labor, services and material required to incorporate such "C S & S" into a building, structure, or construction project.

(2) "C S & S" means a combination storm sash and screen consisting of (i) a frame designed to be affixed to the window frame and which may or may not have built in features such as vents or louvers; (2) a storm window sash with one or two glazed sections, one or both of which can be demounted usually from inside the building; and (3) a half or full screen or combination of a top and bottom screen which can be inserted and substituted for the glass section or sections; and (4) necessary hardware and fixtures.

(3) "Seller" means the person who sells the "C S & S", and in connection therewith, assumes responsibility for its installation, by charging the purchaser a single price for the "C S & S" installed, by guaranteeing performance and use, or by other objective evidence.

(4) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 251, or the Emergency Price Control Act of 1942; or if not therein defined, they shall be given their ordinary and popular trade meaning.

(g) *Records and invoices.* (1) Every seller of "C S & S" on an "installed basis" shall preserve records of all sales showing the information required by subparagraphs (i) to (vi) inclusive below and upon request by the purchaser shall furnish him with an invoice showing:

(i) Name and address of the buyer and seller.

(ii) The date on which the installation was completed.

(iii) The size of each "C S & S".

(iv) The price charged for each "C S & S," itemized in the following manner:

(a) The price charged by the seller, which consists of the total of the computations under section (c) (1) and (2) of this order.

(b) Installation charge.

(c) Painting charge, if any.

(v) The terms of sale.

(vi) A statement shown separately on the invoice of details and prices of any other work not covered by this order, but performed in connection with the sale of "C S & S."

(2) Every person making sales subject to this order shall notify the purchaser of the existence of this order, and, if requested, show the purchaser a copy of this order and Revised Maximum Price Regulation No. 251.

(h) *Relationship of this Order No. G–2 to Revised Maximum Price Regulation No. 251.* (a) The provisions of this order supersede sections 6, 7 and 8 of Revised Maximum Price Regulation No. 251, except as otherwise provided herein, with respect to sales of "C S & S" on an "installed basis". Except as otherwise provided herein, all transactions subject to this order shall remain subject to the provision of Revised Maximum Price Regulation No. 251, together with all amendments that have been or hereafter may be issued.

(b) On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell, offer to sell, or deliver "C S & S" on an "installed basis" and make charges for installing or painting, if any, at prices higher than the maximum prices established by this order.

(c) An employer paying or about to pay labor rates higher than those in effect for him on the effective date of this order by reason of the pre-determination of wage rates by the Secretary of Labor under the Davis-Bacon Act or any order or authorization of the Wage Adjustment Board, National War Labor Board, or Economic Stabilization Director may file an application for the amendment of this order to reflect such increased labor rates. Such a petition for amendment shall conform in all respects with the provisions of Revised Procedural Regulation No. 1, except that it shall be filed with the Chicago Regional Office of the Office of Price Administration.

This order shall become effective June 20, 1945.

Issued this 12th day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-11095; Filed, June 22, 1945; 4:34 p. m.]

[Region VI Rev. Order G–10 Under RMPR 122]

SOLID FUELS SOLD IN DES MOINES, IOWA, AREA

Order No. G–10 under Revised Maximum Price Regulation No. 122 is redesignated Revised Order No. G–10 and is revised and amended to read as follows:

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and by § 1340.209 of Maximum Price Regulation No. 120, as amended, and for reasons stated in the opinion issued herewith; it is ordered:

(a) *What this order does.* This order establishes maximum prices for all sales of specified solid fuels, pursuant to which deliveries are made within the corporate limits of Des Moines, Clover Hills, Fort Des Moines, Johnston Station, Urbandale, West Des Moines, and Windsor Heights, Iowa. These are the highest prices that any dealer may charge when he delivers any of such fuel at or to a point in the Des Moines Area or from a coal yard within such area; they are also the highest prices that any buyer in the course of trade or business may pay for such solid fuels.

(b) *What this order prohibits.* Regardless of any obligation, no person shall,

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order but less than the maximum prices may at any time be charged, paid, or offered.

(2) Obtain a higher than maximum price by:

(i) Charging for a service unless expressly requested by the buyer and unless specifically authorized to do so by this order.

(ii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2, 3 and 4 show maximum prices for sales of coal delivered in the quantities indicated by each column heading. Column 5 shows the maximum prices for coal sold for use by buyers whose customary annual requirements of coal exceed 50 tons. All prices are stated on a net ton basis.

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District Nos. 7, 8, and 9 the prices established are similar for the same kind and size of solid fuel regardless of the type of mine operation. On sales of District No. 10 coal the prices established for fuel specified in paragraph IV, 1, apply to coal produced in Deep Machine Mines only; the prices for fuel described in paragraph IV, 2, and IV, 4, apply to coal produced in both Deep Machine Mines and Strip Mines; the prices of coal described in paragraph IV, 3, apply to coal produced in Strip Mines only. The prices of coal produced in District No. 12 apply to both Deep Machine Mine and Strip Mine coal. The prices of coal produced in District No. 15 apply to Strip Mine coal only. The prices of Pennsylvania Anthracite and By-Product Coke are unaffected by the type of mine operation.

SCHEDULE

	2 tons or more (per ton)	1 ton (per ton)	½ ton (per ton)	50 tons or more to 1 ton (per ton)
IV. High-volatile bituminous coals from district No. 10				
1. Southern subdistrict (deep machine mines):				
a. Lump and egg, size group Nos. 1, 2, and 3 production group Nos. 1, 2, and 8	$8.71	$8.96	$4.90	$8.49
b. Small egg and stove, size group Nos. 1, 2, 5, 6, and 8 production group 1, 2, and 8	8.09	8.34	4.55	7.84
c. Special-picked treated, size group Nos. 21, 22, and 28 production group Nos. 1, 2, and 8	7.99	8.24	4.50	7.74
2. Bellevich subdistrict:				
a. Lump and egg, size group Nos. 3, 4, and 5 production group Nos. 10, 22, inclusive	7.60	7.85	4.35	7.35
(i) Strip mines	6.95	7.20	4.00	6.70
(ii) Deep machine mines	7.04	7.29	4.05	6.79
c. Washed nut and pea, special size group Nos. 17 to 22 production group Nos. 10 to 22, inclusive	7.05	7.30	4.05	6.80
(i) Strip mines	7.14	7.39	4.10	6.89
(ii) Deep machine mines				
d. Washed screenings, size groups Nos. 23 and 24, production group Nos. 10 to 22, inclusive	7.10	7.35	4.05	6.85
(i) Strip mines	6.75	6.80	3.80	6.30
(ii) Deep machine mines	7.00	8.15	4.45	7.65
3. Fulton County subdistrict:				
a. Lump and egg, size group Nos. 1, 2, and 3 production group Nos. 24, 25, and 28, strip mines	7.10	7.35	4.05	6.85
b. Small egg and stove, size group Nos. 4, 5, 6, and 8 production group Nos. 24, 25, and 28, strip mines	6.75	6.80	3.80	6.30
4. Thompson subdistrict:				
a. Lump and egg, size group Nos. 1, 2, and 3 production group Nos. 10 and 16 to 22, inclusive	7.90	8.15	4.45	7.65
(i) Strip mines	7.99	8.24	4.50	7.74
(ii) Deep machine mines				
b. Washed nut and pea, size group Nos. 17 to 22 production group Nos. 10 and 16 to 22, inclusive	7.05	7.30	4.05	6.80
(i) Strip mines	7.14	7.39	4.10	6.89
(ii) Deep machine mines				
V. High volatile bituminous coals from district No. 12:				
1. Chunk, size group No. 1	6.85	7.10	3.95	6.60
(i) Strip mines	7.12	7.37	4.09	6.87
(ii) Deep machine mines				
2. Lump, size group No. 2:	6.70	6.95	3.85	6.45
(i) Strip mines	6.97	7.22	3.99	6.72
(ii) Deep machine mines				
3. Egg, size groups No. 3 and No. 4:	6.60	6.85	3.80	6.37
(i) Strip mines	6.87	7.12	3.94	6.62
(ii) Deep machine mines				
4. Mine Run, size group No. 5:	6.00	6.25	3.50	5.75
(i) Strip mines	6.27	6.52	3.64	6.02
(ii) Deep machine mines				
5. Stoker Nut, size groups Nos. 9 and 17:	6.35	6.60	3.70	6.10
(i) Strip mines	6.62	6.87	3.84	6.37
(ii) Deep machine mines				
6. Screenings, size group No. 8:	4.75	5.00	2.90	4.50
(i) Strip mines	5.02	5.27	3.04	4.77
(ii) Deep machine mines				
VI. High volatile bituminous coals from district No. 15:				
1. Egg, size of standard nut, production group No. 3, strip mines	6.99	7.24	4.02	6.74
2. Stoker, production group No. 3, lump 1" and smaller, bottom size 3/4" and smaller, strip mines	6.43	6.71	3.77	6.21
3. Stoker, production group No. 19, 1" x ¼", strip mines	8.54	8.80	4.82	8.29
VII. Pennsylvania anthracite: Chestnut	20.85	21.10	10.95	
VIII. By-product coke: Egg	16.85	17.10	9.05	16.60

(2) The maximum prices for all sales by dealers of solid fuels not provided for by the above schedule shall be the maximum prices applicable for such sales under Revised Maximum Price Regulation No. 122, as amended.

(d) *Service charges.* A dealer may make the following charges for the services described when rendered in connection with sales of solid fuel covered by this order. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated on the dealer's invoice.

SCHEDULE OF SERVICE CHARGES

	Per ton (cents)
Carrying or wheeling from curb	50
Carrying up or down stairs, per flight	25

(e) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this order: *Provided,* That the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. But no part of that tax may be collected, in addition to the maximum price on sales of quarter-ton or lesser quantities, or on sales of any quantity of sacked coal.

(g) *Addition of increase in supplier's price prohibited.* Notwithstanding the provisions of Revised Maximum Price Regulation No. 122, the maximum prices set by this order may not be increased and need not be decreased by a dealer to reflect increases or decreases in pur-

chase costs or in his supplier's maximum prices occurring after the effective date hereof; but increases or decreases in the maximum prices set hereby, to reflect such changes, are within the discretion of the Regional Administrator.

(h) *Petitions for amendments.* This order may be revoked, amended or modified at any time. Any dealer may at any time file with the Des Moines District Office of the Office of Price Administration a petition for amendment to this order in accordance with the provisions of Revised Procedural Regulation No. 1.

(i) *Records.* Each dealer shall continue to preserve for examination by the Office of Price Administration all his existing records relating to:

(1) The prices he charged on deliveries made by him during December, 1941;

(2) His offering prices (as defined in Rule 1A of § 1340.254 of Revised Maximum Price Regulation No. 122) for delivery during the period December 15–31, 1941;

(3) His customary allowances, discounts and other price differentials;

(4) His charges for all special services and rates of interest on all forms of debts during December, 1941;

(5) The prices charged to him by all of his suppliers during the last month of 1941 in which he received each different size, kind and quality of solid fuel.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every person making a sale of solid fuels for which a maximum price is set by this order shall keep a record thereof showing the date; the name and address of the buyer, if known; the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(k) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size, and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated: *And further provided*, That provisions of this paragraph (k) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(2) "Pennsylvania anthracite" means only coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania. "Chestnut" size of Pennsylvania anthracite refers to the size of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Committee, effective December 15, 1941.

(3) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended.

(4) "Low volatile bituminous coal" refers to coal produced in the low volatile sections of the producing districts specified herein.

(5) "High volatile bituminous coal" refers to coal produced in the high volatile sections of the producing districts specified herein.

(6) "Egg, stove, nut", etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior.

(7) "P. G." (price group) and "S. G." (size group) refer to the meaning given to these terms under the Bituminous Coal Act of 1937 or under any order, schedule, rule or regulation issued by the Bituminous Coal Division of the U. S. Department of Interior which was established or in effect as of midnight August 23, 1943.

(8) Except as otherwise provided herein or as the context may otherwise require all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; or if not therein defined, they shall be given their ordinary and popular trade meaning.

(m) *Effect of order on Revised Maximum Price Regulation No. 122 and to Regional Order No. G–19.* Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122 shall remain in full force and effect. This order supersedes Order No. G–19 as to dealers covered hereby.

This Revised Order No. G–10 shall become effective immediately.

Issued this 9th day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-11096; Filed, June 22, 1945; 4:35 p. m.]

[Region VI Order G-21 Under RMPR 122]

UNITED COAL AND DOCK CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in an opinion issued herewith, it is ordered:

(a) *What this order does.* This order adjusts the maximum prices for the sale of United briquettes by dealers, including the United Coal and Dock Co., whose prices for the sale of such briquettes are now covered by area pricing orders which briquettes are purchased by the dealers from the United Coal and Dock Company at Milwaukee, Wisconsin.

(b) *Geographical applicability.* This order applies to all sales in which the buyer receives physical delivery within the areas covered by each area pricing order in Region VI, which includes the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, Wisconsin, and Lake County, Indiana.

(c) *Price adjustments.* On United briquettes obtained by dealers from the United Coal and Dock Company at Milwaukee, Wisconsin, including retail sales of such United briquettes by the United Coal and Dock Company, the maximum prices established for the sale of such United briquettes by Region VI Order No's. G–1 to G–16, inclusive, under Revised Maximum Price Regulation No. 122 and Appendices thereto, and any other Region VI area pricing order issued under that regulation, dealers including the United Coal and Dock Company are hereby permitted to increase by 25¢ per ton the maximum prices as set forth in the area pricing order under which they are pricing.

(d) This Order No. G–21 shall remain in effect in each area covered by a Region VI area pricing order until such area order is amended to reflect the price increase permitted herein and to supersede this Order No. G–21.

(e) *Effect of order on Revised Maximum Price Regulation No. 122.* Insofar as any provision of this order may be inconsistent with the provisions of Revised Maximum Price Regulation No. 122, as amended, the provision contained in this order shall be controlling. Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

(f) This order may be revoked, amended, or modified at any time.

This Order No. G–21 shall become effective retroactively as of June 1, 1945.

Issued this 15th day of June 1945.

EARL W. CLARK,
Acting Regional Administrator.

[F. R. Doc. 45-11067; Filed, June 22, 1945; 4:24 p. m.]

[Region VII Order G-3 Under 3(e)]

PLOUGH SALES CORP., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.3 (e) (2) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G–3 is issued.

(a) *What this order does.* This order No. G–3 establishes maximum prices for Mufti Dry Cleaner, manufactured by Plough Sales Corporation of Memphis, Tennessee, when sold by the manufacturer to jobbers or wholesalers, and when sold by jobbers or wholesalers to retailers or industrial users, and incorporates herein the maximum prices for sales by retailers to individual ultimate consumers as established by Order 48 under 3 (e), issued by the Price Administrator, effective May 16, 1945 (F.R. 10, p. 5618).

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–3, the maximum prices for Mufti Dry Cleaner, manufactured by Plough Sales Corporation of Memphis, Tennessee, shall be as follows:

(1) When sold by the manufacturer, delivered, to a jobber or wholesaler, $6.80 per dozen quart bottles;

(2) When sold by a jobber or wholesaler, f. o. b. shipping point, to a retailer or industrial user, $8.00 per dozen quart bottles;

(3) When sold by any seller to an ultimate consumer or user other than an industrial user, $1.00 per quart bottle.

NOTE: The maximum prices authorized by the above paragraph (1) are subject to 1% cash discount.

The maximum prices authorized by the above paragraph (2) are subject to all of the seller's customary allowances, transportation allowances, discounts, or other price differentials or practices.

(c) *Notice to be given jobbers and wholesalers.* When the manufacturer makes a first sale under this Order No. G–3 to a jobber or wholesaler, he must show upon his invoice or on a separate slip or rider attached thereto the following:

By virtue of Order No. G–3 under § 1499.3 (e) (2) of the General Maximum Price Regulation, the OPA authorized maximum resale price for this Mufti Dry Cleaner in quart bottles, when made f. o. b. shipping point, to a retailer in Region VII, is $8.00 per dozen quart bottles.[1]

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G–3 for sales made by the manufacturer to jobbers or wholesalers and for sales by jobbers or wholesalers to retailers supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The prices authorized by this order No. G–3 for sales under the categories specified in paragraph (b) hereof are applicable only when made within or made for delivery within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–3 shall become effective on the 8th day of June 1945.

Issued this 8th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11073; Filed, June 22, 1945; 4:28 p. m.]

[Region VII Order G-17 Under MPR 188]

JAMES S. BABCOCK ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–17 is issued.

(a) *What this order does.* This Order No. G–17 establishes maximum prices for a lawn sprinkler manufactured by James S. Babcock, 1134 South Elizabeth Street, Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–17, the maximum prices for the lawn sprinkler manufactured by James S. Babcock of 1134 South Elizabeth Street, Denver, Colorado, in accordance with the specifications set forth in the application of said James S. Babcock on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler (per dozen)	$6.00
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer (per dozen)	8.00
(3) When sold by any seller to an ultimate consumer or user (each)	1.00

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–17 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–17 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this lawn sprinkler are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer (per dozen)	$8.00
(2) When sold by any seller to an ultimate consumer or user (each)	1.00

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G–17 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–17 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–17 shall become effective on the 8th day of June 1945.

Issued this 8th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11075; Filed, June 22, 1945; 4:28 p. m.]

[1] Sales made by jobbers and wholesalers are subject to all of the seller's customary allowances, transportation allowances, discounts, or other price differentials or practices.

[Region VII Order G-18 Under MPR 188]

D & S MANUFACTURING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-18 is issued.

(a) *What this order does.* This Order No. G-18 establishes maximum prices for a lawn sprinkler manufactured by D & S Manufacturing Company, 4454 South Lincoln Street, Englewood, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-18, the maximum prices for the lawn sprinkler manufactured by D & S Manufacturing Company of 4454 South Lincoln Street, Englewood, Colorado, in accordance with the specifications set forth in the application of said D & S Manufacturing Company on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler (per dozen)	$10.50
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer (per dozen)	14.00
(3) When sold by any seller to an ultimate consumer or user (each)	1.75

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-18 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-18 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this lawn sprinkler are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer (per dozen)	$14.00
(2) When sold by any seller to an ultimate consumer or user (each)	1.75

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G-18 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-18 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-18 shall become effective on the 8th day of June 1945.

Issued this 8th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11074; Filed, June 22, 1945; 4:28 p. m.]

[Region VII Order 248 Under MPR 188, Amdt. 3]

CLARK QUARRIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and paragraph (d) of Order No. 248 issued by the Washington Office under Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 to said Order No. 248 is issued.

1. Paragraph (b) (2) of Order No. 248 issued by the Washington Office under Maximum Price Regulation No. 188 is hereby amended to read as follows:

(2) *Clark Quarries, Inc., Fort Collins, Colorado.* The maximum price for sugar rock testing not less than 96% calcium carbonate, and not less than 3" diameter, and not larger than will pass through a 5" slot or grizzly, shall be $1.60 per ton, f. o. b. cars, Rex Siding, Colorado, subject to adjustment as follows:

Sliding scale of prices for sugar rock testing between 95.50% and 99% calcium carbonate

Calcium carbonate:	Price
99%	$1.90
98.90%	1.89
98.80%	1.88
98.70%	1.87
98.60%	1.86
98.50%	1.85
98.40%	1.84
98.30%	1.83
98.20%	1.82
98.10%	1.81
98%	1.80
97.90%	1.79
97.80%	1.78
97.70%	1.77
97.60%	1.76
97.50%	1.75
97.40%	1.74
97.30%	1.73
97.20%	1.72
Calcium carbonate—Continued.	Price
97.10%	$1.71
97%	1.70
96.90%	1.69
96.80%	1.68
96.70%	1.67
96.60%	1.66
96.50%	1.65
96.40%	1.64
96.30%	1.63
96.20%	1.62
96.10%	1.61
96%	1.60
95.90%	1.59
95.80%	1.58
95.70%	1.57
95.60%	1.56
95.50%	1.55

2. *Effective date.* This Amendment No. 3 shall become effective retroactively as of May 21, 1945.

Issued this 12th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11104; Filed, June 22, 1945; 4:37 p. m.]

[Region VIII Order G-1 Under SR 15, Amdt. 8]

FLUID MILK IN BAKER, OREG.

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-1 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, as amended, is amended in the following respects:

1. Paragraph (a) is hereby amended by adding at the end thereof the following:

THE CITY OF BAKER IN THE STATE OF OREGON

Quantity	Wholesale price	Retail price
Quart	$0.11	$0.[illegible]
Pint	.06	.[illegible]
Half-pint	.04	.[illegible]

This amendment shall become effective June 17, 1945.

Issued this 12th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45-11071; Filed, June 22, 1945; 4:27 p. m.]

[Region VIII Order G-12 Under MPR 329, Amdt. 10]

FLUID MILK IN BAKER, OREG.

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-12 under Maximum Price Regulation No. 329 is amended in the following respects:

1. Paragraph (a) (1) is amended by adding at the end thereof the following:

	Maximum price per pound for:
City of Baker	$0.80

for Grade "A" Processed Poultry Items and Grade "1" Live Poultry Items in Zone 1—(1) *Description of Zone 1.* Zone 1 shall include:

a. The entire state of Delaware.

b. The following counties of Maryland: Caroline, Cecil, Dorchester, Harford, Kent, Queene Annes, St. Marys, Somerset, Wicomico, Worcester, and Talbot.

c. The entire state of New Jersey.

d. The following counties of New York: Bronx, Clinton, Columbia, Dutchess, Essex, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Ulster, Warren, Washington, and Westchester.

e. The following counties of Pennsylvania: Bucks, Delaware, Montgomery, Northampton, and Philadelphia.

(2) *Maximum base prices for Grade "A" processed poultry items, except ducks, and Grade "1" live poultry items, except ducks, in Zone 1.*

[Prices are in cents per pound]

Food products				Maximum base prices						
	Weight			Zone 1						
Type	Live weight	Kosher-killed, Kosher-dressed and dressed weight	Frozen eviscerated and drawn weight	Live	Dressed	Kosher-killed	Kosher-dressed	Drawn	Frozen eviscerated	
Broilers and fryers	All	Under 3½	Under 2½	28.5	37.0	36.0	37.5	45.9	54.9	
Roasters	All	3½ and over	2½ and over	28.5	37.0	36.0	37.5	45.9	54.9	
Capons, light	Under 6	Under 5½	Under 4½	28.5	37.0	36.0	37.5	45.9	54.9	
Capons, heavy	6 and over	5½ and over	4½ and over	28.5	37.0	36.0	37.5	45.9	54.9	
Fowl	All	All	All	28.5	37.0	36.0	37.5	45.9	54.9	
Stags and old roosters	All	All	All	28.5	37.0	36.0	37.5	45.9	54.9	
Geese	All	All	All	26.0	31.0	32.0	32.5	43.5	46.5	
Young turkeys:										
Light	All	All	Under 12	25.3	37.0	42.0	44.5	52.7	56.7	
Medium	All	All	12 and over	25.3	37.0	42.0	44.5	52.7	56.7	
Heavy	All	All	16 and over	25.3	37.0	42.0	44.5	52.7	56.7	
Old turkeys:										
Light	All	All	Under 13	23.3	37.0	42.0	42.5	50.2	52.2	
Medium	All	All	13 to 16	23.3	37.0	42.0	42.5	50.2	52.2	
Heavy	All	All	16 and over	23.3	37.0	42.0	42.5	49.6	51.6	
"Capon poultry":										
White								20.7		
Legs								24.4		
Breast								63.4		
Portions of any poultry										
Wing tips, back, neck or skin								11.5		
Liver								71.3		
Liver, gizzard or heart								30.7		
Poultry fat:										
Raw poultry fat								20.3		
Government inspected raw poultry fat								74.8		
Rendered poultry fat								79.8		
Government inspected rendered poultry fat										

[1] If the giblet is not cleaned by removing the contents and lining, the maximum base price shall not exceed ½ of the maximum base price for giblets listed in this table.

This amendment shall become effective June 17, 1945.

Issued this 12th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

Approved: June 11, 1945.

PAUL C. ADAMS,
Officer in Charge, Dairy & Poultry Branch, Office of Marketing Service, War Food Administration, Western Region.

[F. R. Doc. 45-11072; Filed, June 22, 1945; 4:27 p. m.]

[Region II Rev. Order G-1 Under 2d RMPR 269, Amdt. 1]

POULTRY, EXCEPT DUCKS, IN NEW YORK REGION

For the reasons stated in the accompanying opinion and pursuant to the authority contained in Second Revised Maximum Price Regulation No. 269 (2d RMPR 269), Revised Order No. G-1 under that regulation is amended as follows:

1. A new paragraph (f) is added to section 3 to read as follows:

(f) Regardless of the provisions of paragraphs (a), (b), (c) and (d) of this section 3, the maximum base prices of kosher-killed poultry, except ducks, in the Counties of Bronx, Kings, New York, Queens, Richmond and Westchester in the State of New York; and the Counties of Bergen, Essex, Hudson, Morris, Passaic, Union, Middlesex, Monmouth and Somerset in the State of New Jersey, shall be as follows:

Type	Maximum base price (cents per pound)
Broilers and fryers	37.0
Roasters	37.0
Capons, light	40.0
Capons, heavy	40.0
Fowl	33.0
Stags and old roosters	26.5
Geese	32.0
Turkeys, young	44.0
Turkeys, old	42.0

2. A new paragraph (g) is added to section 3 to read as follows:

(g) Regardless of the provisions of paragraphs (a), (b), (c), and (d) of this section 3, the maximum base prices of kosher-killed poultry in Mercer County and the City of Camden in the State of New Jersey; and the Counties of Delaware and Philadelphia in the Commonwealth of Pennsylvania, shall be as follows:

Type	Maximum base price (cents per pound)
Broilers and fryers	36.5
Roasters	36.5
Capons, light	39.5
Capons, heavy	39.5
Fowl	32.5
Stags and old roosters	26.0
Geese	31.5
Turkeys, young	43.5
Turkeys, old	41.5

3. A new paragraph (h) is added to section 3 to read as follows:

(h) Regardless of the provisions of paragraphs (a), (b), (c), and (d) of this section 3, the maximum base prices of kosher-killed poultry in Allegheny County in the Commonwealth of Pennsylvania, shall be as follows:

Type	Maximum base price (cents per pound)
Broilers and fryers	36.7
Roasters	36.7
Capons, light	36.7
Capons, heavy	39.7
Fowl	32.7
Stags and old roosters	26.2
Geese	31.7
Turkeys, young	43.7
Turkeys, old	41.7

4. *Effective date.* This amendment shall become effective on June 18, 1945.

Issued: June 16, 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11182; Filed, June 23, 1945; 4:45 p. m.]

[Region II Rev. Order G-1 Under 2d RMPR 269]

POULTRY, EXCEPT DUCKS, IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by Second Revised Maximum Price Regula-

land, Genesee, Livingston, Monroe, Onondaga, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, and Yates.

c. The following counties of Pennsylvania: Bedford, Blair, Bradford, Cambria, Cameron, Centre, Clearfield, Clinton, Elk, Fulton, Huntingdon, Indiana, Jefferson, Lycoming, McKean, Mifflin, Montour, Northumberland, Potter, Snyder, Somerset, Sullivan, Tioga, and Union.

(2) Maximum base prices for Grade "A" processed poultry items, except ducks, and Grade "I" live poultry items, except ducks, in Zone 3.

[Prices are in cents per pound]

Food products		Maximum base prices									
		Zone 3									
Type	Live weight	Kosher-killed, Kosher-dressed and dressed weight	Frozen eviscerated and drawn weight	Live	Dressed	Kosher-killed	Kosher-dressed	Drawn	Frozen eviscerated
Broilers and fryers	All	Under 3½	Under 2½	36.8	38.3	35.8	37.3	47.7	54.7
Roasters	All	3½ and over	2½ and over	35.8	37.3	34.8	36.3	45.6	51.6
Capons, light	Under 6	Under 5½	Under 4½	35.8	37.3	34.8	36.3	45.6	51.6
Capons, heavy	6 and over	5½ and over	4½ and over	38.8	40.3	36.8	38.3	48.1	53.1
Fowl	All	All	All	32.8	34.3	30.8	32.3	41.1	46.1
Stags and old roosters	All	All	All	26.8	27.3	25.8	26.3	33.3	40.3
Geese	All	All	All	29.8	30.8	28.8	29.8		
Young turkeys:									
Light	All	All	Under 13	35.1	42.8	34.1	41.8	30.5	53.5
Medium	All	All	13 to 16½	35.1	42.8	34.1	41.8	28.2	54.5
Heavy	All	All	16½ and over	35.1	42.8	34.1	41.8	26.2	53.5
Old turkeys:									
Light	All	All	Under 13	33.1	40.8	32.1	39.8	30.0	52.0
Medium	All	All	13 to 16½	33.1	40.8	32.1	39.8	28.2	52.0
Heavy	All	All	16½ and over	33.1	40.8	32.1	39.8	26.2	51.0
"Cut-up poultry":									
Wings								14.3	
Backs								11.1	
Breast								30.5	
Portions of any poultry item:									
Wing tips, back, neck or skin								55.1	
Liver								20.1	
Gizzard 1 or heart								14.6	
Poultry fat								79.6	
Raw poultry fat									
Government inspected raw poultry fat									
Rendered poultry fat									
Government inspected rendered poultry fat									

1 If the gizzard is not cleaned by removing the contents and lining, the maximum base price shall not exceed ½ of the maximum base price for gizzards listed in this table.

(c) Base prices for Grade "A" processed poultry items and Grade "I" live poultry items in Zone 4.—(1) *Description of Zone 4.* Zone 4 shall include:

a. The following counties of New York: Cattaraugus, Chautauqua, Erie, and Niagara.

b. The following counties of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Lawrence, Mercer, Venango, Warren, Washington, and Westmoreland.

(2) Maximum base prices for Grade "A" processed poultry items, except ducks, and Grade "I" live poultry items, except ducks, in Zone 4.

[Prices are in cents per pound]

Food products		Maximum base prices									
		Zone 4									
Type	Live weight	Kosher-killed, Kosher-dressed and dressed weight	Frozen eviscerated and drawn weight	Live	Dressed	Kosher-killed	Kosher-dressed	Drawn	Frozen eviscerated
Broilers and fryers	All	Under 3½	Under 2½	37.2	38.7	35.7	37.2	47.6	54.6
Roasters	All	3½ and over	2½ and over	35.7	38.7	35.7	37.2	45.5	50.5
Capons, light	Under 6	Under 5½	Under 4½	35.7	38.7	35.7	37.2	45.5	51.5
Capons, heavy	6 and over	5½ and over	4½ and over	37.7	38.7	36.7	37.2	48.0	53.0
Fowl	All	All	All	32.7	34.2	30.7	32.2	41.0	46.0
Stags and old roosters	All	All	All	24.7	25.2	23.7	24.2	31.0	40.0
Geese	All	All	All	28.7	29.7	27.7	28.7	35.0	40.0
Young turkeys:				35.7	37.2	34.7	36.2	43.2	46.2
Light	All	All	Under 13	35.0	43.7	42.7	44.2	52.4	55.4
Medium	All	All	13 to 16½	35.0	43.7	42.7	44.2	51.4	54.4
Heavy	All	All	16½ and over	35.0	43.7	42.7	44.2	50.4	53.4
Old turkeys:									
Light	All	All	Under 13	33.0	41.7	40.7	42.2	49.9	52.9
Medium	All	All	13 to 16½	33.0	41.7	40.7	42.2	48.9	51.9
Heavy	All	All	16½ and over	33.0	41.7	40.7	42.2	48.3	51.3
"Cut-up poultry":									
Wings								30.4	
Backs								23.1	
Breast								63.1	
Portions of any poultry item:									
Wing tips, back, neck or skin								11.2	
Liver								71.0	
Gizzard 1 or heart								30.4	
Poultry fat								55.0	
Raw poultry fat									
Government inspected raw poultry fat								60.0	
Rendered poultry fat								74.5	
Government inspected rendered poultry fat								79.6	

1 If the gizzard is not cleaned by removing the contents and lining, the maximum base price shall not exceed ½ of the maximum base price for gizzards listed in this table.

(c) Base prices for Grades "B" and "C" processed poultry items and Grade "2" live poultry items. The maximum base prices established by this section are for "Grade "A" processed poultry items and Grade "I" live poultry items. The maximum base prices for lower grades, and for poultry items which would otherwise be eligible for Grade "A" or Grade "I" base prices except for the provisions of Second Revised Maximum Price Regulation No. 269, shall be determined by deductions from the base prices established by this revised order as required in Second Revised Maximum Price Regulation No. 269.

SEC. 4. *Effective date.* This order shall become effective at 12:01 a. m. on May 21, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11183; Filed, June 23, 1945; 4:45 p. m.]

[Birmingham Order G-1 Under Gen. Order 50, Corr. to Amdt. 14]

MALT AND CEREAL BEVERAGES IN JEFFERSON COUNTY, ALA.

Correction to Amendment No. 14 to Order No. G-1 under General Order No. 50. Maximum Prices for Malt and Cereal Beverages in Jefferson County, Alabama; Docket No.: 41a-DG-100-50-14.

Amendment No. 14 to Order No. G-1 under General Order No. 50 is corrected in the following respect:

In Column 3 the words "Minimum Price Per Bottle" are corrected to read "Maximum Price Per Bottle".

This correction shall become effective as of April 18, 1945.

Issued this 15th day of June 1945.

SAM J. WATKINS,
District Director.

[F. R. Doc. 45-11181; Filed, June 23, 1945; 4:44 p. m.]

[Region V Order G-4 Under RMPR 251]

ROOFING IN DALLAS COUNTY, TEX.

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region V of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sale of certain specified roofing when sold on an installed basis in Dallas County, Tex.

(b) *Relationship of this order to Revised Maximum Price Regulation No. 251.* Sellers subject to this order may not use the pricing provisions set forth in section 6, 7 and 8 of Revised Maximum Price Regulation No. 251. Except where the provisions of this order are inconsistent therewith, the other provisions of Revised Maximum Price Regulation No. 251 shall remain in full force and effect with respect to the sales of installed roofing covered by this order.

(c) *Maximum prices.* The maximum prices which any seller subject to this order may charge for the following materials when sold on an installed basis are established, as follows:

	Maximum price per square of 100 square feet installed
210 lb. 12" (3 tab) asphalt strip shingles	$10.25
210 lb. thickbutt asphalt strip shingles	10.25
167 lb. 11⅓" hexagon asphalt strip shingles	9.50
99 lb. composition roll roofing, mineral surface	5.50

The above prices cover installed sales of these materials applied according to the manufacturer's specifications and include weather strip along eaves and gables, metal flashing around chimneys and vents, and Boston type hips and ridges.

(d) *Permitted additions.* There may be added to the maximum prices set forth in paragraph (c) above, the following:

(1) An amount not to exceed 75¢ per square if the pitch of the roof is as much as or more than a rise measured vertically of two feet in each three feet of horizontal dimension.

(2) An amount not to exceed 75¢ per square for any job requiring less than five squares of roofing material.

(3) An additional charge may be made for any construction work performed in connection with the sale of installed roofing such as the removal of old wooden shingles, the installation of new sheathing, metal valleys, gable ends and other operations which are not a part of the installation of the materials subject to this order. The maximum price for such additional construction work must be priced in accordance with the provisions of Revised Maximum Price Regulation No. 251 and the charge so computed shall be shown separately on the customer's invoice.

(e) *Quoting a guaranteed price.* A seller may offer to sell a roofing job covered by this order on the basis of a guaranteed price, the seller agreeing to charge a fixed amount: *Provided, however,* That such guaranteed price must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order. Upon completion of the contract and before final payment, if requested by the purchaser, the seller must furnish the purchaser with an itemized statement showing the number of square feet and the weight, type, and unit price of each category of roofing and an explanation of the amount for incidental work.

(f) *Notification to purchaser.* Every person making sales subject to this order shall certify on his invoice or sales tag that the price charged does not exceed the price permitted by this Order No. G-1 under Revised Maximum Price Regulation No. 251.

(g) *Application by sellers for unit prices on certain combination sales.* For any combination or type of installed roofing materials which cannot be priced according to the above schedule of specific prices and permitted increases, a

price may be determined in accordance with the provisions of section 6 (a) of Revised Maximum Price Regulation No. 251, if possible, or an application for determination of a price may be made in writing to the Office of Price Administration, Dallas District Office. The Regional Administrator will authorize a pricing method either by letter or by amendment to this order.

(b) *Evasion.* Any practice or device which results in a higher price to the purchaser than is permitted by this Order No. G–1 is as much a violation as an outright over-ceiling charge and subjects the seller to the penalties provided by section 16 of Revised Maximum Price Regulation No. 251.

This order may be revised, amended, or revoked by the Price Administrator at any time.

This Order No. G–1 shall become effective on the 15th day of June 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 9th day of June 1945.

C. B. BRAUN,
Acting Regional Administrator.

[F. R. Doc. 45-11184; Filed, June 23, 1945; 4:46 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 22, 1945.

REGION I

Boston Order 1–O, Amendment 2, covering eggs in certain areas in Massachusetts. Filed 10:23 a. m.

Connecticut Order 2–W, Amendment 9, covering dry groceries in the state of Connecticut. Filed 10:14 a. m.

Connecticut Order 2–W, Amendment 10, covering dry groceries in the state of Connecticut. Filed 10:14 a. m.

Connecticut Order 5–F, Amendment 6, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 10:11 a. m.

Connecticut Order 6–F, Amendment 6, covering fresh fruits and vegetables in the Hartford Area. Filed 10:15 a. m.

Connecticut Order 7–F, Amendment 5, covering fresh fruits and vegetables in the New Haven Area. Filed 10:15 a. m.

Connecticut Order 8–F, Amendment 6, covering fresh fruits and vegetables in the Bridgeport Area. Filed 10:15 a. m.

New Hampshire Order 9–F, Amendment 6, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 10:14 a. m.

Vermont Order 2–F, Amendment 5, covering fresh fruits and vegetables in certain areas in Vermont. Filed 10:14 a. m.

Vermont Order 2–F, Amendment 6, covering fresh fruits and vegetables in certain areas in Vermont. Filed 10:14 a. m.

REGION II

District of Columbia Order 5–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Region II. Filed 10:13 a. m.

Wilmington Order 3–O, covering eggs in the entire state of Delaware. Filed 10:13 a. m.

REGION III

Columbus Order 8–F, Amendment 25, covering fresh fruits and vegetables in Franklin County, Ohio. Filed 10:13 a. m.

Grand Rapids Order 13–W, Amendment 1, covering dry groceries in the Grand Rapids Area. Filed 10:23 a. m.

REGION IV

Jackson Order 4–F, Amendment 35, covering fresh fruits and vegetables in certain areas in Mississippi. Filed 10:13 a. m.

Jacksonville Order 9–F, Amendment 27, covering fresh fruits and vegetaoles in Jacksonville, Florida. Filed 10:13 a. m.

Memphis Order 6–F, Amendment 34, covering fresh fruits and vegetables in Memphis and Shelby, Tennessee. Filed 10:13 a. m.

Memphis Order 7–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Tennessee. Filed 10:12 a. m.

Montgomery Order 20–F, Amendment 29, covering fresh fruits and vegetables in Mobile County. Filed 10:12 a. m.

Montgomery Order 21–F, Amendment 34, covering fresh fruits and vegetables in Montgomery County. Filed 10:12 a. m.

Montgomery Order 22–F, Amendment 35, covering fresh fruits and vegetables in Houston County. Filed 10:12 a. m.

Montgomery Order 24–F, Amendment 32, covering fresh fruits and vegetables in Dallas County. Filed 10:12 a. m.

Nashville Order 11–F, Amendment 9, covering fresh fruits and vegetables in certain areas in Tennessee. Filed 10:12 a. m

Nashville Order 11–F, Amendment 10 covering fresh fruits and vegetables in certain counties in Tennessee. Filed 10:11 a. m.

Nashville Order 11–F, Amendment 11, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 10:11 a. m.

Nashville Order 12–F, Amendment 26, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 10:11 a. m.

Nashville Order 11–F, Amendment 13, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 10:11 a. m.

REGION V

Dallas Order 2–C, Amendment 3, covering poultry. Filed 10:22 a. m.

Fort Worth Order 7–F, Amendment 12 covering fresh fruits and vegetables in Tarrant County, Texas. Filed 10 22 a. m.

Fort Worth Order 8–F, Amendment 12, covering fresh fruits and vegetables in Taylor County, Texas. Filed 10:22 a. m.

Fort Worth Order 9–F, Amendment 12, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 10:22 a. m.

Fort Worth Order 10–F, Amendment 12, covering fresh fruits and vegetables in McLennan County, Texas. Filed 10:22 a. m.

Fort Worth Order 11–F, Amendment 12, covering fresh fruits and vegetables in Wichita County, Texas. Filed 10:21 a. m.

Little Rock Order 2–F, Amendment 61, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 10:21 a. m.

Little Rock Order 5–F, Amendment 52, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 10:21 a. m.

Little Rock Order 8–F, Amendment 51, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 10:21 a. m.

Lubbock Order 3–F, Amendment 59, covering fresh fruits and vegetables in certain counties in Texas. Filed 10:21 a. m.

REGION VI

Des Moines Order 1–F, Amendment 68, covering fresh fruits and vegetables in certain areas in Iowa. Filed 10:20 a. m.

Des Moines Order 3–F, Amendment 16, covering fresh fruits and vegetables in certain counties in Iowa. Filed 10:20 a. m.

Duluth-Superior Order 1–F, Amendment 74, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 10:23 a. m.

Green Bay Order 4–F, Amendment 18, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 10:20 a. m.

Green Bay Order 5–F, Amendment 18, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 10:20 a. m.

Green Bay Order 6–F, Amendment 18, covering fresh fruits and vegetables in Florence, Forest and Marinette. Filed 10:19 a. m

La Crosse Order 1–F, Amendment 75, covering fresh fruits and vegetables in certain cities in Wisconsin and Winona, Minnesota Filed 10:19 a. m.

La Crosse Order 3–F, Amendment 70, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 10 19 a. m.

La Crosse Order 5–F, Amendment 69 covering fresh fruits and vegetables in Rochester, Minnesota. Filed 10 19 a. m.

Milwaukee Order 31, Amendment 8, covering dry groceries. Filed 10:18 a. m.

Peoria Order 7–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:17 a. m.

Peoria Order 8–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:17 a. m.

Peoria Order 9–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:17 a. m.

Peoria Order 9–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:17 a. m.

Peoria Order 10–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:18 a. m.

Sioux City Order 2–F, Amendment 76, covering fresh fruits and vegetables in Sioux City, Iowa and S. Sioux City, Nebraska. Filed 10:18 a. m.

Sioux City Order 3–F, Amendment 19 covering fresh fruits and vegetables in certain areas in Iowa, South Dakota and Nebraska. Filed 10:17 a. m.

Sioux City Order 4–F, Amendment 19, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 10:17 a m

Twin Cities Order 1–F, Amendment 20, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:16 a m.

REGION VII

Cheyenne Order 6–F, Amendment 6 covering fresh fruits and vegetables in the Casper Area. Filed 10:16 a. m.

Cheyenne Order 7–F, Amendment 6, covering fresh fruits and vegetables in the Cheyenne Area. Filed 10:16 a. m.

Cheyenne Order 8–F, Amendment 6 covering fresh fruits and vegetables in the Laramie Area. Filed 10:15 a. m.

Cheyenne Order 9–F, Amendment 5, covering fresh fruits and vegetables in the Rock Springs Area. Filed 10:15 a. m.

Cheyenne Order 10–F, Amendment 6 covering fresh fruits and vegetables in the Sheridan Area. Filed 10:16 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-11295; Filed, June 26, 1945; 11:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1089]

JOHN H. WARE, 3D

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of June 1945.

John H. Ware, 3d (Ware), has filed an application pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, and particularly section 10 of the act, regarding the acquisition by Ware for cash of all the stock of two newly formed Pennsylvania companies, namely, Hamburg Gas & Fuel Company (Hamburg) and Pen Argyl Gas Company (Pen Argyl), such stock consisting of a maximum of 300 and 600 shares, respectively, of common stock of the par value of $50 per share. Such companies will then acquire certain gas utility assets from Allentown-Bethlehem Gas Company (Allentown), a subsidiary of The United Gas Improvement Company, a registered holding company, as follows:

Hamburg will acquire the gas utility assets of Allentown located in the Borough of Hamburg, Berks County, Pennsylvania, and vicinity, for a basic sales price of $9,000,000.

Pen Argyl will acquire from Allentown the gas utility assets located in the Borough of Pen Argyl, Northampton County, Pennsylvania, and vicinity, for a basic sales price of $22,500.00.

In each case an additional amount will be paid Allentown on account of certain tools, equipment, materials, supplies and accounts receivable.

Said application having been filed on the 22d day of May, 1945, and notice of said filing having been given in the form and manner prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 10 of the act are satisfied and observing no basis for adverse findings thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers to grant said application;

It is hereby ordered, That pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application be, and hereby is, granted forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11276; Filed, June 26, 1945; 9:36 a. m.]

LOWELL NIEBUHR & CO., INC.

ORDER PERMITTING WITHDRAWAL OF REGISTRATION AND DISCONTINUING PROCEEDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of June, A. D. 1945.

In the matter of Lowell Niebuhr & Co., Inc., 120 South LaSalle Street, Chicago, Illinois.

The Commission having instituted proceedings under section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration of Lowell Niebuhr & Co., Inc. as a broker and dealer should be revoked;

Hearings having been held after appropriate notice, and said respondent having moved for permission to withdraw its registration and for dismissal of the proceeding;

The Commission having reopened the hearings to receive evidence on said motion and having issued its findings and opinion herein,

It is ordered, That withdrawal of respondent's registration be and hereby is permitted to become effective forthwith, and that the proceeding under section 15 (b) of the act be and hereby is discontinued without prejudice to the Commission's consideration of the facts found herein regarding the conduct of Lowell Niebuhr individually in the event such facts become material in any future proceeding.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11280; Filed, June 26, 1945; 9:37 a. m.]

WAR FOOD ADMINISTRATION.

Office of Marketing Services.

DESIGNATION OF DISTRICTS AND HEADQUARTERS THEREOF FOR THE PURPOSES OF ADMINISTRATION OF THE UNITED STATES GRAIN STANDARDS ACT

The order (3 F.R. 1151) effective June 1, 1938, designating districts and headquarters for the purposes of the administration of the United States Grain Standards Act of August 11, 1916, as amended (7 U.S.C. 71–87) under the authority of section 26.3 of the regulations promulgated thereunder (7 C.F.R., Cum. Supp., Part 26) is hereby amended as follows:

The office of the Grain Products Branch located in the city indicated below in the name of the district is designated as the headquarters of such district.

Baltimore (Md.) District

The District of Columbia; the entire States of Maryland, North Carolina, South Carolina and Virginia; and the following counties in the State of West Virginia:

Barbour, Berkeley, Braxton, Doddridge, Gilmer, Grant, Greenbrier, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Monroe, Morgan, Pendleton, Pocahontas, Preston, Randolph, Ritchie, Taylor, Tucker, Tyler, Upshur, Webster, Wetzel.

Boston (Mass.) District

The entire States of Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; and the following counties in the State of Connecticut:

New London, Tolland, Windham.

Buffalo (N. Y.) District

The following counties in the State of New York:

Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Cortland, Erie, Genesee, Jefferson, Lewis, Livingston, Madison, Monroe, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, Yates.

The following counties in the State of Pennsylvania:

Bradford, Crawford, Erie, McKean, Potter, Tioga, Warren.

Cedar Rapids (Iowa) District

The following counties in the State of Illinois:

Carroll, Jo Daviess, Rock Island, Whiteside.

The following counties in the State of Iowa:

Allamakee, Appanoose, Benton, Black Hawk, Boone, Bremer, Buchanan, Butler, Cedar, Cerro Gordo, Chickasaw, Clarke, Clayton, Clinton, Dallas, Davis, Decatur, Delaware, Des Moines, Dubuque, Fayette, Floyd, Franklin, Grundy, Hamilton, Hancock, Hardin, Henry, Howard, Humboldt, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk, Kossuth, Lee, Linn, Louisa, Lucas, Madison, Mahaska, Marion, Marshall, Mitchell, Monroe, Muscatine, Polk, Poweshiek, Ringgold, Scott, Story, Tama, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, Winnebago, Winneshiek, Worth, Wright.

Chicago (Ill.) District

The following counties in the State of Illinois:

Boone, Cook, De Kalb, Du Page, Grundy, Iroquois, Kane, Kankakee, Kendall, Lake, La Salle, Lee, McHenry, Ogle, Stephenson, Will, Winnebago.

The following counties in the State of Indiana:

Adams, Allen, Benton, Carroll, Cass, De Kalb, Elkhart, Fulton, Huntington, Jasper, Kosciusko, La Grange, Lake, La Porte, Marshall, Miami, Newton, Noble, Porter, Pulaski, St. Joseph, Starke, Steuben, Wabash, Wells, White, Whitley.

Cincinnati (Ohio) District

The following counties in the State of Indiana:

Dearborn, Franklin, Ohio, Ripley, Switzerland, Union.

The following counties in the State of Kentucky:

Bath, Boone, Bourbon, Boyd, Bracken, Breathitt, Campbell, Carter, Clark, Elliott, Estill, Fleming, Floyd, Grant, Greenup, Harlan, Harrison, Johnson, Kenton, Knott, Lawrence, Lee, Leslie, Letcher, Lewis, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Nicholas, Pendleton, Perry, Pike, Powell, Robertson, Rowan, Wolfe.

The following counties in the State of Ohio:

Adams, Athens, Belmont, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Delaware, Fairfield, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Highland, Hocking, Jackson, Lawrence, Licking, Logan, Madison, Meigs, Miami, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway,

Pike, Preble, Ross, Scioto, Shelby, Union, Vinton, Warren, Washington.

The following counties in the State of West Virginia:

Boone, Cabell, Calhoun, Clay, Fayette, Jackson, Kanawha, Lincoln, Logan, McDowell, Mason, Mercer, Mingo, Nicholas, Pleasants, Putnam, Raleigh, Roane, Summers, Wayne, Wirt, Wood, Wyoming.

Denver (Colo.) District

The entire State of Colorado.

The following counties in the State of Nebraska:

Banner, Cheyenne, Deuel, Garden, Kimball, Morrill, Scotts Bluff.

The following counties in the State of New Mexico:

Bernalillo, Colfax, Harding, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Taos, Union, Valencia.

All counties in the State of Wyoming with the exception of Lincoln, Teton, Uinta, and Yellowstone National Park.

Duluth (Minn.) District

The following counties in the State of Michigan:

Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft.

The following counties in the State of Minnesota:

Aitkin, Beltrami, Carlton, Cass, Clearwater, Cook, Crow Wing, Hubbard, Itasca, Kanabec, Kittson, Koochiching, Lake, Lake of the Woods, Marshall, Mille Lacs, Pennington, Pine, Polk, Red Lake, Roseau, St. Louis.

The following counties in the State of Wisconsin:

Ashland, Bayfield, Burnett, Douglas, Iron, Oneida, Price, Sawyer, Vilas, Washburn.

Enid (Okla.) District

The entire State of Oklahoma.

Fort Worth (Tex.) District

The following counties in the State of New Mexico:

Catron, Chaves, Curry, De Baca, Dona Ana, Eddy, Grant, Guadalupe, Hidalgo, Lea, Lincoln, Luna, Otero, Quay, Roosevelt, Sierra, Socorro, Torrance.

The following counties in the State of Texas:

Anderson, Andrews, Archer, Armstrong, Bailey, Baylor, Bell, Blanco, Borden, Bosque, Bowie, Brewster, Briscoe, Brown, Burnet, Callahan, Camp, Carson, Cass, Castro, Cherokee, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, Dickens, Donley, Eastland, Ector, Edwards, Ellis, El Paso, Erath, Falls, Fannin, Fisher, Floyd, Foard, Franklin, Freestone, Gaines, Garza, Gillespie, Glasscock, Gray, Grayson, Gregg, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hemphill, Henderson, Hill, Hockley, Hood, Hopkins, Howard, Hudspeth, Hunt, Hutchinson, Irion, Jack, Jeff Davis, Johnson, Jones, Kaufman, Kent, Kimble, King, Knox, Lamar, Lamb, Lampasas, Limestone, Lipscomb, Llano, Loving, Lubbock, Lynn, McCulloch, McLennan, Marion, Martin, Mason, Menard, Midland, Mills, Mitchell, Montague, Moore, Morris, Motley, Navarro, Nolan, Ochiltree, Oldham, Palo Pinto, Panola, Parker, Parmer, Pecos, Potter, Presidio, Rains, Randall, Reagan, Red River, Reeves, Roberts, Rockwall, Runnels, Rusk, San Saba, Schleicher, Scurry, Shackleford, Sherman, Smith, Somervell, Stephens, Sterling, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terrell, Terry, Throckmorton, Titus, Tom Green, Upshur, Upton, Val Verde, Van Zandt, Ward, Wheeler, Wichita, Wilbarger, Winkler, Wise, Wood, Yoakum, Young.

Galveston (Tex.) District

The following counties in the State of Texas:

Angelina, Aransas, Atascosa, Austin, Bandera, Bastrop, Bee, Bexar, Brazoria, Brazos, Brooks, Burleson, Caldwell, Calhoun, Cameron, Chambers, Colorado, Comal, De Witt, Dimmit, Duval, Fayette, Fort Bend, Frio, Galveston, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Hidalgo, Houston, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kleberg, La Salle, Lavaca, Lee, Leon, Liberty, Live Oak, McMullen, Madison, Matagorda, Maverick, Medina, Milam, Montgomery, Nacogdoches, Walton, Nueces, Orange, Polk, Real, Refugio, Robertson, Sabine, San Augustine, San Jacinto, San Patricio, Shelby, Starr, Travis, Trinity, Tyler, Uvalde, Victoria, Walker, Waller, Washington, Webb, Wharton, Willacy, Williamson, Wilson, Zapata, Zavala.

Great Falls (Mont.) District

All counties in the State of Montana, with the exception of Flathead, Granite, Lake, Lincoln, Mineral, Missoula, Powell, Ravalli and Sanders.

Indianapolis (Ind.) District

The following counties in the State of Illinois:

Clark, Edgar.

The following counties in the State of Indiana:

Bartholomew, Blackford, Boone, Brown, Clay, Clinton, Daviess, Decatur, Delaware, Fayette, Fountain, Grant, Greene, Hamilton, Hancock, Hendricks, Henry, Howard, Jay, Johnson, Knox, Lawrence, Madison, Marion, Martin, Monroe, Montgomery, Morgan, Owen, Parke, Putnam, Randolph, Rush, Shelby, Sullivan, Tippecanoe, Tipton, Vermillion, Vigo, Warren, Wayne.

Kansas City (Mo.) District

The following counties in the State of Arkansas:

Baxter, Benton, Boone, Carroll, Fulton, Izard, Madison, Marion, Newton, Searcy, Sharp, Stone, Washington.

The following counties in the State of Kansas:

Allen, Anderson, Bourbon, Cherokee, Cheyenne, Clay, Cloud, Coffey, Crawford, Decatur, Dickinson, Douglas, Ellis, Ellsworth, Franklin, Geary, Gove, Graham, Jackson, Jefferson, Jewell, Johnson, Labette, Leavenworth, Lincoln, Linn, Logan, Lyon, Marshall, Miami, Mitchell, Montgomery, Morris, Nemaha, Neosho, Norton, Osage, Osborne, Ottawa, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rooks, Russell, Saline, Shawnee, Sheridan, Sherman, Smith, Thomas, Trego, Wabaunsee, Wallace, Washington, Wilson, Woodson, Wyandotte.

The following counties in the State of Missouri:

Adair, Barry, Barton, Bates, Benton, Caldwell, Camden, Carroll, Cass, Cedar, Charlton, Christian, Clark, Clay, Clinton, Cooper, Dade, Dallas, Daviess, Douglas, Greene, Grundy, Henry, Hickory, Howard, Howell, Jackson, Jasper, Johnson, Knox, Laclede, Lafayette, Lawrence, Lewis, Linn, Livingston, McDonald, Macon, Mercer, Moniteau, Morgan, Newton, Oregon, Ozark, Pettis, Platte, Polk, Putnam, Randolph, Ray, St. Clair, Saline, Schuyler, Scotland, Shannon, Shelby, Stone, Sullivan, Taney, Texas, Vernon, Webster, Wright.

Los Angeles (Calif.) District

The entire State of Arizona; the following counties in the State of California:

Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Ventura.

Louisville (Ky.) District

The following counties in the State of Indiana:

Clark, Crawford, Dubois, Floyd, Gibson, Harrison, Jackson, Jefferson, Jennings, Orange, Perry, Pike, Posey, Scott, Spencer, Vanderburgh, Warrick, Washington.

The following counties in the State of Kentucky:

Adair, Allen, Anderson, Barren, Bell, Boyle, Breckinridge, Bullitt, Butler, Carroll, Casey, Christian, Clay, Clinton, Cumberland, Daviess, Edmonson, Fayette, Franklin, Gallatin, Garrard, Grayson, Green, Hancock, Hardin, Hart, Henderson, Henry, Hopkins, Jackson, Jefferson, Jessamine, Knox, Larue, Laurel, Lincoln, Logan, McCreary, McLean, Madison, Marion, Meade, Mercer, Metcalfe, Monroe, Muhlenberg, Nelson, Ohio, Oldham, Owen, Owsley, Pulaski, Rockcastle, Russell, Scott, Shelby, Simpson, Spencer, Taylor, Todd, Trigg, Trimble, Warren, Washington, Wayne, Webster, Whitley, Woodford.

Memphis (Tenn.) District

The following counties in the State of Arkansas:

Arkansas, Ashley, Bradley, Calhoun, Chicot, Clark, Clay, Cleburne, Cleveland, Columbia, Conway, Craighead, Crawford, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Garland, Grant, Greene, Hempstead, Hot Spring, Howard, Independence, Jackson, Jefferson, Johnson, Lafayette, Lawrence, Lee, Lincoln, Little River, Logan, Lonoke, Miller, Mississippi, Monroe, Montgomery, Nevada, Ouachita, Perry, Phillips, Pike, Poinsett, Polk, Pope, Prairie, Pulaski, Randolph, St. Francis, Saline, Scott, Sebastian, Sevier, Union, Van Buren, White, Woodruff, Yell.

The following counties in the State of Mississippi:

Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, De Soto, Grenada, Holmes, Humphreys, Itawamba, Lafayette, Lee, Leflore, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Winston, Yalobusha.

The following counties in the State of Tennessee:

Benton, Carroll, Chester, Crockett, Decatur, Dyer, Fayette, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, McNairy, Madison, Obion, Shelby, Tipton, Weakley.

Milwaukee (Wis.) District

The following counties in the State of Wisconsin:

Adams, Brown, Calumet, Columbia, Crawford, Dane, Dodge, Door, Florence, Fond du Lac, Forest, Grant, Green, Green Lake, Iowa, Jefferson, Juneau, Kenosha, Kewaunee, Lafayette, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Marquette, Milwaukee, Oconto, Outagamie, Ozaukee, Portage, Racine, Richland, Rock, Sauk, Shawano, Sheboygan, Vernon, Walworth, Washington, Waukesha, Waupaca, Waushara, Winnebago, Wood.

Minneapolis (Minn.) District

The following counties in the State of Minnesota:

Anoka, Becker, Benton, Big Stone, Blue Earth, Brown, Carver, Chippewa, Chisago, Clay, Cottonwood, Dakota, Dodge, Douglas, Faribault, Fillmore, Freeborn, Goodhue, Grant, Hennepin, Houston, Isanti, Jackson, Kandiyohi, Lac qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Mahnomen, Martin, Meeker, Morrison, Mower, Murray, Nicollet, Nobles, Norman, Olmsted, Otter Tail, Pipestone, Pope, Ramsey, Redwood, Renville, Rice, Rock, Scott, Sherburne, Sibley, Stearns, Steele, Stevens, Swift, Todd, Traverse, Wabasha, Wadena, Waseca, Washington, Watonwan, Wilkin, Winona, Wright, Yellow Medicine.

The entire State of North Dakota; the following counties in the State of South Dakota:

Armstrong, Brown, Campbell, Clark, Coddington, Corson, Day, Deuel, Dewey, Edmunds, Faulk, Grant, Hamlin, Harding, McPherson, Marshall, Perkins, Potter, Roberts, Spink, Walworth, Ziebach.

The following counties in the State of Wisconsin:

Barron, Buffalo, Chippewa, Clark, Dunn, Eau Claire, Jackson, La Crosse, Monroe, Pepin, Pierce, Polk, Rusk, Saint Croix, Taylor, Trempealeau.

Nashville (Tenn.) District

All counties in the State of Alabama with the exception of Baldwin and Mobile; the entire State of Georgia and the following counties in the State of Tennessee:

Anderson, Bedford, Bledsoe, Blount, Bradley, Campbell, Cannon, Carter, Cheatham, Claiborne, Clay, Cocke, Coffee, Cumberland, Davidson, De Kalb, Dickson, Fentress, Franklin, Giles, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Hickman, Houston, Humphreys, Jackson, Jefferson, Johnson, Knox, Lawrence, Lewis, Lincoln, Loudon, McMinn, Macon, Marion, Marshall, Maury, Meigs, Monroe, Montgomery, Moore, Morgan, Overton, Perry, Pickett, Polk, Putnam, Rhea, Roane, Robertson, Rutherford, Scott, Sequatchie, Sevier, Smith, Stewart, Sullivan, Sumner, Trousdale, Unicoi, Union, Van Buren, Warren, Washington, Wayne, White, Williamson, Wilson.

New Orleans (La.) District

Mobile and Baldwin counties in the State of Alabama; the entire State of Florida; the entire State of Louisiana; and the following counties in the State of Mississippi:

Adams, Amite, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, George, Greene, Hancock, Harrison, Hinds, Issaquena, Jackson, Jasper, Jefferson, Jefferson Davis, Jones, Kemper, Lamar, Lauderdale, Lawrence, Leake, Lincoln, Madison, Marion, Neshoba, Newton, Pearl River, Perry, Pike, Rankin, Scott, Sharkey, Simpson, Smith, Stone, Walthall, Warren, Wayne, Wilkinson, Yazoo.

New York (N. Y.) District

All counties in the State of Connecticut with the exception of New London, Tolland, and Windham; the following counties in the State of New Jersey:

Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, Warren.

The following counties in the State of New York:

Albany, Bronx, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Kings, Montgomery, Nassau, New York, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, St. Lawrence, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester.

The following counties in the State of Pennsylvania:

Lackawanna, Monroe, Northampton, Pike, Susquehanna, Wayne, Wyoming.

Ogden (Utah) District

The entire State of Utah; the following counties in the State of Idaho:

Ada, Adams, Bannock, Bear Lake, Bingham, Blaine, Boise, Bonneville, Butte, Camas, Canyon, Caribou, Cassia, Clark, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, Valley, Washington.

The following counties in the State of Wyoming:

Lincoln, Teton, Uinta, Yellowstone National Park.

Omaha (Neb.) District

The following counties in the State of Iowa:

Adair, Adams, Audubon, Carroll, Cass, Crawford, Fremont, Greene, Guthrie, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie, Shelby, Taylor.

The following counties in the State of Nebraska:

Adams, Arthur, Blaine, Boone, Buffalo, Burt, Butler, Cass, Chase, Clay, Colfax, Cuming, Dawson, Dodge, Douglas, Dundy, Fillmore, Franklin, Frontier, Furnas, Gage, Garfield, Gosper, Grant, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Hooker, Howard, Jefferson, Kearney, Keith, Lancaster, Lincoln, Logan, Loup, McPherson, Madison, Merrick, Nance, Nuckolls, Otoe, Perkins, Phelps, Platte, Polk, Redwill, Saline, Sarpy, Saunders, Seward, Sherman, Stanton, Thayer, Thomas, Valley, Washington, Webster, Wheeler, York.

Peoria (Ill.) District

The following counties in the State of Illinois:

Adams, Brown, Bureau, Cass, Champaign, Christian, Coles, Cumberland, De Witt, Douglas, Ford, Fulton, Hancock, Henderson, Henry, Knox, Livingston, Logan, McDonough, McLean, Macon, Marshall, Mason, Menard, Mercer, Moultrie, Peoria, Piatt, Putnam, Sangamon, Schuyler, Shelby, Stark, Tazewell, Vermilion, Warren, Woodford.

Philadelphia (Pa.) District

The entire State of Delaware; the following counties in the State of New Jersey:

Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, Salem.

The following counties in the State of Pennsylvania:

Adams, Armstrong, Bedford, Berks, Blair, Bucks, Cambria, Cameron, Carbon, Center, Chester, Clarion, Clearfield, Clinton, Columbia, Cumberland, Dauphin, Delaware, Elk, Fayette, Forest, Franklin, Fulton, Huntingdon, Indiana, Jefferson, Juniata, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Montgomery, Montour, Northumberland, Perry, Philadelphia, Schuylkill, Snyder, Somerset, Sullivan, Union, Westmoreland, York.

Portland (Oreg.) District

The entire State of Oregon; the following counties in the State of Washington:

Asotin, Benton, Clark, Columbia, Cowlitz, Franklin, Garfield, Klickitat, Skamania, Wahkiakum, Walla Walla.

St. Joseph (Mo.) District

The following counties in the State of Kansas:

Atchison, Brown, Doniphan.

The following counties in the State of Missouri:

Andrew, Atchison, Buchanan, De Kalb, Gentry, Harrison, Holt, Nodaway, Worth.

The following counties in the State of Nebraska:

Johnson, Nemaha, Pawnee, Richardson.

St. Louis (Mo.) District

The following counties in the State of Illinois:

Alexander, Bond, Calhoun, Clay, Clinton, Crawford, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macoupin, Madison, Marion, Massac, Monroe, Montgomery, Morgan, Perry, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Scott, Union, Wabash, Washington, Wayne, White, Williamson.

The following counties in the State of Kentucky:

Ballard, Caldwell, Calloway, Carlisle, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, McCracken, Marshall, Union.

The following counties in the State of Missouri:

Audrain, Bollinger, Boone, Butler, Callaway, Cape Girardeau, Carter, Cole, Crawford, Dent, Dunklin, Franklin, Gasconade, Iron, Jefferson, Lincoln, Madison, Maries, Marion, Miller, Mississippi, Monroe, Montgomery, New Madrid, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Ralls, Reynolds, Ripley, St. Charles, St. Francois, St. Louis, Ste. Genevieve, Scott, Stoddard, Warren, Washington, Wayne.

And the City of St. Louis, Mo.

San Francisco (Calif.) District

The entire State of Nevada; the following counties in the State of California:

Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Eldorado, Fresno, Glenn, Humboldt, Inyo, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino,

JUL 5

Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, Yuba.

Seattle (Wash.) District

The following counties in the State of Washington:

Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom, Yakima.

Sioux City (Iowa) District

The following counties in the State of Iowa:

Buena Vista, Calhoun, Cherokee, Clay, Dickinson, Emmet, Ida, Lyon, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux, Woodbury.

The following counties in the State of Nebraska:

Antelope, Box Butte, Boyd, Brown, Cedar, Cherry, Dakota, Dawes, Dixon, Holt, Keya Paha, Knox, Pierce, Rock, Sheridan, Sioux, Thurston, Wayne.

The following counties in the State of South Dakota:

Aurora, Beadle, Bennett, Bon Homme, Brookings, Brule, Buffalo, Butte, Charles Mix, Clay, Custer, Davison, Douglas, Fall River, Gregory, Hankon, Hand, Hanson, Hughes, Hutchinson, Hyde, Jackson, Jerauld, Jones, Kingsbury, Lake, Lawrence, Lincoln, Lyman, McCook, Meade, Mellette, Miner, Minnehaha, Moody, Pennington, Sanborn, Shannon, Stanley, Sully, Todd, Tripp, Turner, Union, Washabaugh, Washington, Yankton.

Spokane (Wash.) District

The following counties in the State of Idaho:

Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone.

The following counties in the State of Montana:

Flathead, Granite, Lake, Lincoln, Mineral, Missoula, Powell, Ravalli, Sanders.

The following counties in the State of Washington:

Adams, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Whitman.

Toledo (Ohio) District

The following counties in the State of Michigan:

Alcona, Allegan, Alpena, Antrim, Arenac, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Cheboygan, Clare, Clinton, Crawford, Eaton, Emmet, Genesee, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kalkaska, Kent, Lake, Lapeer, Leelanau, Lenawee, Livingston, Macomb, Manistee, Mason, Mescosta, Midland, Missaukee, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Ottawa, Presque Isle, Roscommon, Saginaw, St. Clair, St. Joseph, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, Wayne, Wexford.

The following counties in the State of Ohio:

Allen, Ashland, Ashtabula, Auglaize, Carroll, Columbiana, Coshocton, Crawford, Cuyahoga, Defiance, Erie, Fulton, Geauga, Hancock, Hardin, Harrison, Henry, Holmes, Huron, Jefferson, Knox, Lake, Lorain, Lucas, Mahoning, Marion, Medina, Mercer, Morrow, Ottawa, Paulding, Portage, Putnam, Richland, Sandusky, Seneca, Stark, Summit, Trumbull, Tuscarawas, Van Wert, Wayne, Williams, Wood, Wyandot.

The following counties in the State of Pennsylvania:

Allegheny, Beaver, Butler, Greene, Lawrence, Mercer, Venango, Washington.

The following counties in the State of West Virginia:

Brooke, Hancock, Marshall, Ohio.

Wichita (Kans.) District

The following counties in the State of Kansas:

Barber, Barton, Butler, Chase, Chautauqua, Clark, Comanche, Cowley, Edwards, Elk, Finney, Ford, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Haskell, Hodgeman, Kearny, Kingman, Kiowa, Lane, McPherson, Marion, Meade, Morton, Ness, Pawnee, Pratt, Reno, Rice, Rush, Scott, Sedgwick, Seward, Stafford, Stanton, Stevens, Sumner, Wichita.

This order shall become effective June 30, 1945.

(39 Stat. 482, 485; 54 Stat. 765; 7 U. S. C. 1940 ed. 71–87; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–11116; Filed, June 23, 1945; 11:09 a. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 10 NUMBER 128

Washington, Thursday, June 28, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75–5, Amdt. 2]

PART 1410—LIVESTOCK AND MEATS

LAMB SET ASIDE REDUCTION

War Food Order No. 75–5, as amended (10 F.R. 4655, 6869), is further amended by deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity; quality; specifications.* No federally inspected slaughterer shall deliver meat unless he shall set aside, reserve, and hold the total amount of each week's production of lamb graded "U. S. Choice", "U. S. Good", and "U. S. Commercial" (not including yearlings or mutton), obtained from lambs whose carcasses weigh from 30 to 70 pounds dressed, both inclusive: *Provided, however,* That governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers may select and purchase not to exceed 15 percent of each grade of lamb so set aside, and upon the delivery or execution of contracts to deliver, to such person or agencies, not less than 15 percent of any grade of lamb so set aside, such slaughterer may deliver to any other person not in excess of 85 percent of such grade of lamb.

This amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–5, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649)

Issued this 27th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–11350; Filed, June 27, 1945; 11:16 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 107—MANIFESTS

CHANGE IN FORMS

JUNE 11, 1945.

The following amendments to Part 107, Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

Section 107.2 is amended by substituting "Forms I–415 and I–416" for "Forms I–400 and I–430".

Section 107.5 is amended to read as follows:

107.5 *Manifest; prescribed form; preparation.* The lists or manifests with respect to arriving aliens shall be prepared on Form I–415; with respect to arriving United States citizens, on Form I–416. Such forms shall meet the specifications prescribed in §§ 107.9 and 107.10. All entries on Forms I–415 and I–416 shall be in the English language. For alien passengers a separate Form I–415, or as many as are needed, shall be prepared for each of the four classes named in § 107.1, except that where the number of alien passengers in all classes does not exceed thirty, all classes may be shown on one Form I–415 with the names grouped according to class and the name of the class of the group noted; the same rule shall be applied to determine whether a separate Form (or Forms) I–416 shall be prepared for each class of United States citizen passengers. (Secs. 12, 13, 39 Stat. 882, 884, sec. 2 (e), 43 Stat. 154; 8 U.S.C. 148, 149, 202 (e))

Section 107.9 is amended to read as follows:

§ 107.9 *Form I–415; specifications.* Form I–415 shall be typewritten or printed in the English language on white commercial ledger paper, size 40 x 18½ inches, substance 50 pounds. All Forms I–415 shall correspond in all respects to the Form I–415 approved by the Commissioner of Immigration and Naturalization and printed by the Government Printing Office. Until any stock of old Forms I–400, I–401, I–402, and I–403, which is available at the Government Printing Office or which transportation companies have on hand, is exhausted,

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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such old forms may be used if the text and form number are altered so that they will correspond to Form I–415. (Secs. 12, 13, 39 Stat. 882, 884, sec. 2 (e), 43 Stat. 154; 8 U.S.C. 148, 149, 202 (e))

Section 107.10 is amended to read as follows:

§ 107.10 *Form I–416: specifications.* Form I–416 shall be typewritten or printed in the English language on white commercial ledger paper, size 36 by 18½ inches, substance 50 pounds, in sheets 18 by 18½ inches. All Form I–416 shall correspond in all respects to the Form I–416 approved by the Commissioner of Immigration and Naturalization and printed by the Government Printing Office. Until any stock of old Forms I–430, I–431, I–432, and I–433, which is available at the Government Printing Office or which transportation companies have on hand, is exhausted, such old forms may be used if the form numbers are changed to I–416. Sec. 12, 39 Stat. 882; 8 U.S.C. 148)

This order shall become effective September 1, 1945.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675; 8 U.S.C. 102, 222, 458; sec. 1, Reorg. Plan No. V, 5 F.R. 2223; 8 CFR, 1943 Supp., 90.1)

UGO CARUSI,
Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 45–11330; Filed, June 26, 1945; 2:55 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

APPOINTMENT AND RESTORATION AFTER RETURN FROM MILITARY SERVICE

Correction

In Federal Register Document 45–10438, appearing at page 7153 of the issue for Friday, June 15, 1945, a line of five stars should appear immediately above amendatory paragraph 2 to indicate omission of the remainder of § 18.5 (f) which is not reprinted.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51257]

PART 16—LIQUIDATION OF DUTIES

IMPORT TAXES

Section 16.15 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.15 (a)), relating to the applicability of customs laws to import taxes, amended to correct statutory references. Certain import taxes and pertinent regulations extended.

Section 16.15 (a) of the Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.15 (a)) is hereby amended to read as follows:

(a) Import taxes imposed by I.R.C. sections 2490, 3420, and 3500 shall be construed to be customs duties subject to the limitations specified in I.R.C. sections 2493, 3430, and 3501, respectively, and in the liquidation of entries such taxes shall be treated in the same manner as duties imposed by the Tariff Act of 1930, as amended. (Sec. 624, 46 Stat. 759, I.R.C. secs. 2494, 3431, 3500; 19 U.S.C. 1624, 26 U.S.C. 2494, 3431, 3500)

Section 501 of the Revenue Act of 1941 (55 Stat 706) repealed I.R.C. section 3452, relating to the expiration of certain taxes including those imposed by I.R.C. section 3420, and, therefore, the taxes imposed by I.R.C. section 3420 are now permanent taxes.

The termination date of the tax imposed by I.R.C. section 3500 upon the importation of certain imported sugar and sugar products has been extended for 2 years by section 2 of the act of June 20, 1944 (Public, No. 345, 78th Congress), so that such sugar and sugar products imported on or before June 30, 1947 are subject to such tax.

All pertinent customs regulations are hereby extended to govern the assessment and collection of the import taxes imposed by I.R.C. section 3420 without time limit; and all pertinent customs regulations are hereby extended to govern the assessment and collection of the import taxes imposed by I.R.C. section 3500 for the period from July 1, 1945 to June 30, 1947, inclusive. (Sec. 624, 46 Stat. 759, I.R.C. secs. 2494, 3431, 3500; 19 U.S.C. 1624, 26 U.S.C. 2494, 3431, 3500)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: June 25, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45–11427; Filed, June 27, 1945; 11:44 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 10, Amdt. 2]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN PICKING GREEN PEAS FOR MARKET IN CERTAIN DESIGNATED IDAHO COUNTIES

Supplement No. 10 (9 F.R. 6585; 10 F.R. 6169) to the specific wage ceiling regulations, § 1108.1 (b) (2) is hereby amended to read as follows:

(2) Long Pod Varieties, including Giant Stride—60¢ per full bushel hamper

This amendment shall be effective at 12:01 a. m., mountain war time, June 26, 1945.

(56 Stat. 765 (1942); 50 U.S.C. App. 961 et seq. (Supp. III); 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III), 58 Stat. 632 (1944), E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611; 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 26th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45–11351; Filed, June 27, 1945; 11:16 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–770, Revocation]

A. MOODY & CO.

A. Moody & Company, a copartnership consisting of W. A. Moody, Donald D. Moody and Joseph M. Moody with its principal place of business at 154 East 57th Street, Los Angeles, California, is engaged in the manufacture of box bed springs. Suspension Order No. S–770 was issued against them on April 24, 1945. In view of the revocation of Limitation Order L–49 the Chief Compliance Commissioner has directed that Suspension Order No. S–770 be revoked. In view of the foregoing, it is hereby ordered, that: § 1010.770 *Suspension Order No. S–770* issued April 24, 1945 be revoked.

Issued this 26th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11333; Filed, June 26, 1945; 4:16 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-818]

MOBERN ELECTRICAL SUPPLY CO.

Mobern Electrical Supply Company is a partnership composed of Nathan Movitz and Hyman Bernstein, doing business at 744 Ninth Street, N. W. Washington, D. C. The partnership is engaged in the sale of electrical equipment, including fluorescent lighting fixtures and parts. Between April 20, 1944 and July 24, 1944, the partnership applied unauthorized preference ratings of AA-2 MRO for a total of 134 fluorescent lighting fixtures and lamps and miscellaneous electrical supplies in violation of Priorities Regulation No. 3. Between August 29, 1944 and November 15, 1944 the said partnership sold and delivered a total of 33 new fluorescent lighting fixtures without obtaining preference ratings, as required by General Limitation Order L-78 and in violation of that order. In addition, the partnership failed to keep and preserve accurate and complete records of its inventories of materials, sales and purchase orders, in violation of Priorities Regulation No. 1. The aforementioned acts constituted wilful violations of Priorities Regulations No. 1 and 3 and General Limitation Order L-78.

These violations have diverted critical materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.818 *Suspension Order No. S-818.* (a) Nathan Movitz and Hyman Bernstein shall not for four months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery of materials to Nathan Movitz and Hyman Bernstein, doing business as Mobern Electrical Supply Company, or placed prior to the expiration date of this order, are void and shall not be given effect by their suppliers or by any other person. This does not apply to material already delivered or in transit for delivery to them on the effective date of this order.

(c) The restrictions and prohibitions contained herein shall apply to Nathan Movitz and Hyman Bernstein, doing business as Mobern Electrical Supply Company, or under whatever name they may operate, their successors or assigns, or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on June 27, 1945.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11374; Filed, June 27, 1945; 11:16 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-824]

UNCLE SAM CHEMICAL CO., INC.

Uncle Sam Chemical Company, Inc., with its principal office and place of business in New York City, is engaged in the manufacture and sale, among other things of paradichlorobenzene, a moth repellant packed in metal cans. Between October 15, 1943 and January 7, 1944, Uncle Sam Chemical Company, Inc., purchased and accepted delivery of 73,889 cans manufactured of blackplate for packing its moth repellant, in violation of Conservation Order M-81. During the course of the transaction, Uncle Sam Chemical Company, Inc. furnished its supplier with a canners purchaser's certificate claiming that it had the authority to do so although in fact it was not authorized to do so under the provisions of Conservation Order M-81, paradichlorobenzene not being included in the non-food products permitted to be packed in tinplate, terneplate or blackplate cans, nor did it have any specific written authorization from the War Production Board to accept delivery of such packing cans. The responsible officer of the Uncle Sam Chemical Company, Inc., was aware of the provisions of Conservation Order M-81 and its actions constituted such gross negligence as to amount to a wilful violation of that order. These violations have diverted critical materials to uses not authorized by the War Production Board.

In view of the foregoing, it is hereby ordered, that:

§ 1010.824 *Suspension Order No. S-824.* (a) Uncle Sam Chemical Company, Inc. shall not for a period of four months from the effective date of this order, purchase, receive, accept delivery of, or otherwise deal in, cans made in whole or in part of tinplate, terneplate or blackplate and as defined in Conservation Order M-81, unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Uncle Sam Chemical Company, Inc. from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Uncle Sam Chemical Company, Inc., its successors or assigns or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on June 27, 1945.

Issued this 20th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11375; Filed, June 27, 1945; 11:16 a. m.]

PART 1075—CONSTRUCTION

[Limited Preference Rating Order P-55-c, Schedule I as Amended June 27, 1945]

WAR HOUSING CRITICAL LIST

Section 1075.16 *Schedule I to Preference Rating Order P-55-c* is amended to read as follows:

§ 1075.16 *Schedule I to Preference Rating Order P-55-c.* The preference rating and allotment symbol provided under Order P-55-c may be used to obtain all materials to be used in the construction of the approved project except as they may be limited by the provisions of Schedule II and of this schedule.

100 GENERAL PROVISIONS:

111 Material or equipment may not be used if the use for the proposed purpose is specifically prohibited or restricted in this list.

112 War Housing Construction Standards include limitations on the use of certain materials in addition to the limitations contained in this list. These standards are set forth in Schedule II.

113 This list is based upon the critical positions, at the time this list is issued, of materials essential to the construction and equipment of housing, and is subject to revision by the War Production Board whenever warranted by a change in the critical positions of the materials included herein.

200 GENERAL BUILDING CONSTRUCTION:

210 Elevators and escalators including equipment and accessories, are prohibited for housing projects except under specific authorization of the War Production Board, Washington, D. C.

220 Solder may be used for electric wiring, sheet metal work and plumbing. Tin content may not exceed 30%, except for electric wiring which may be 35%, and for wiping water service connections to utilities which may be 40%.

221 Terne plate is not permitted for roofing purposes.

222 The use of lead and lead products is prohibited except for the following purposes:

a. Solder—as limited by 220
b. Caulking of cast iron pipe lines where other material such as sulphur compounds or cement does not provide a leak proof joint
c. Paint (M-384 restricts the use of lead in making paint)
d. For uses in water service lines to the extent required by applicable building codes or sound water works practice
e. Repairing existing lead construction
f. Lead sheathed cables and accessories for the following uses only:
1. Fire alarm and traffic control systems
2. Telephone and telegraph systems
3. Wire in cable rated more than 2000 volts

230 Insect screen cloth is permitted for doors, windows and vents; only half screens for double hung windows; no porch screens permitted.

240 Lumber and lumber products; general restrictions. The use of dimension lumber shall not exceed the amounts permitted by the current War Housing Construction Standards or any subsequent revision thereof. Lumber for housing projects shall, insofar as possible, be restricted to available species and grades, the supply of which is most conveniently located to the project. In project facilities, structural grades of lumber may be used for roof trusses. The use of hardboard is prohibited.

241 Framing lumber—2" nominal size or thicker, shall be spaced not less than as permitted by the FHA Minimum Construction Requirements and sizes shall not be greater than indicated by these requirements. Where members thicker than 2" are required such members shall be solid timbers or built up of sizes 3" or thicker, except that 2" sections are permitted if thicker sections are not obtainable.

242 The use of lumber is prohibited for:
a. The sheathing of ceilings, partitions, and exterior or interior walls.
b. Sheathing of roofs with a pitch less than 3" in 12".
c. Fences.

NOTE: Wood strips not thicker than 1" and not wider than 3" may be used to support side wall shingles.

243 All lumber less than 2" nominal thickness, other than that used for siding, finish floor, millwork and trim shall be square edged.

244 Shingles—wood shingles are prohibited for sidewall use.

245 Concrete forms—new lumber, and ply-form grade of plywood may be used only where used lumber or existing prefabricated wood or metal forms are not available. Forms of new lumber shall be subject to the following:
a. Maximum re-use in form work and in project construction.
b. For wall construction only where reinforced concrete is required for resistance to hydrostatic pressure or where masonry units are not available. No form work is permitted for footings except where required by soil conditions.
c. Plywood or hardboard is not permitted for form lining.

246 Plywood—is prohibited except as follows and may be used only when secured in accordance with the provisions of WPB Order L-150 or L-150A:
a. Exterior type (phenolic resin bonded) for:
1. Weather exposed coverings of site-fabricated structural units—wall, roof.
2 Coverings of site-fabricated structural units—floor.
3. Stressed members—flanges, webs, gusset plates, etc.—for 1 and 2 above.
b Plyform grade—as permitted under 245.
c. Moisture resistant type for:
1. Stressed members—flanges, webs, gusset plates, etc.
2 Surfaces of site-fabricated structural units—floor, wall, partition, ceiling, roof.
3. For finish flooring without subflooring where conventional wood flooring is not obtainable.
4. For doors, exposed panels, and cabinets.
5. Counter tops.
6 Interior partitions built of one thickness of plywood with both faces exposed.
7. Shelving for purposes where metal would normally be used.
8. Underlayment for linoleum and composition flooring in kitchens, baths, toilet rooms and entrance vestibules, without finish flooring of wood.
9. Air ducts.
10. For other purposes only when specifically approved by the War Production Board.

247 Prefabricated buildings or structural building units (floor, wall, partition, ceiling, roof) having coverings or hardboard are prohibited.

300 PLUMBING, WATER, AND GAS INSTALLATIONS:

Quantities of cast iron soil pipe in excess of that necessary to meet minimum requirements of the current Emergency Plumbing Standards for Defense Housing are prohibited. Cast iron soil pipe may extend only 5 feet outside of foundation. Four-inch pipe may be substituted for three-inch where the latter is not available.

310 Water heaters and control equipment requiring for their operation a fuel, the use of which is prohibited in the project locality, by the Federal Agency controlling fuel consumption, are not permitted.

400 HEATING:

410 General conditions—Natural and mixed gas fuel use to be as controlled by Utilities Order U-7 administered by WPB Office of War Utilities. Oil and liquefied petroleum gas use to be as controlled by the Petroleum Administrator for War.

500 LAND DEVELOPMENT:

510 Water, gas, or electrical connections to public utilities systems to be subject to approval of the supplying utilities organization.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11362; Filed, June 27, 1945; 11:16 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule VII as Amended June 27, 1945]

COMMERCIAL ENVELOPES

§ 3281.23 *Schedule VII to Limitation Order L-120*—(a) *Definitions:* For the purpose of this schedule:

(1) The term "commercial envelopes" means all envelopes, including envelopes for greeting cards and valentines, and envelopes equipped with mechanical closures, except

(i) Envelopes included within the definition of "paper stationery" in Schedule VIII of Limitation Order L-120.

(ii) Expansion type envelopes.

(iii) Envelopes made wholly of glassine or transparent film (transparent cellulose, plicfilm, etc.)

(2) The term "envelopes equipped with mechanical closures" means envelopes having attached thereto a mechanical device, such as clasp or string and button, for closing or securing the open flap of the envelope.

(3) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Limitations.* After September 29, 1943,

(1) *Papers.* No person shall manufacture commercial envelopes from paper the substance weight of which is greater than the substance weight indicated for such paper in the following table per 500 sheets—17" x 22":

Grade of paper:	*Substance weight*
Envelope manila	28
Envelope Kraft	23
Bonds	20
Rope and jute	28
Papers made principally from extra strong sulphite or extra strong sulphate pulps excluding white	23
Other grades	24

The following are excepted from this limitation on basis weight:

(i) Envelopes equipped with mechanical closures
(ii) Filing and document envelopes
(iii) Envelopes with safety fold
(iv) Envelopes used to package material, not including written or printed matter, the weight of which requires paper heavier than shown in the above table.

(v) Envelopes made prior to December 28, 1943, from papers which on August 30, 1943, were in the possession or manufactured for the account of the envelope manufacturer, regardless of the weight of such papers provided that such person complies with all other provisions of this schedule.

(2) *Styles.* No person shall manufacture commercial envelopes with linings.

(3) *Boxes.* No envelope manufacturer shall use for packaging commercial envelopes any paperboard boxes except boxes made in accordance with Table I of Schedule IV to General Limitation Order L-239.

(4) *Miscellaneous provisions.* (i) No person who manufactures commercial envelopes for resale in bunches through wholesale and retail outlets, or commercial announcement envelopes, shall fold such envelopes so as to bulk in excess of the thickness per bunch specified by the following tables:

Number of envelopes per bunch:	*Thickness of bunch (inches)*
24-25	1 1/2
20-23	1 1/4
18-19	1 1/8
15-17	1
10-14	3/4
Under 10	1/2

(ii) [Deleted June 27, 1945.]

(iii) No person who manufactures commercial envelopes equipped with mechanical closures shall package same in containers, other than outside shipping containers, containing less than 250 envelopes.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

COMMERCIAL ENVELOPES

Under paragraph (b) (1) (ii) of Schedule VII, an exception from the substance weight restrictions is made for filing and document envelopes. This means that it is permissible to use papers heavier than substance 28 in the manufacture of filing and document envelopes when such envelopes are designed and sold particularly for use in connection with the permanent filing of documents, securities, records, etc., in filing cabinets, vaults, safe depositories and similar devices where safety and permanence are of paramount importance or for use in filing cabinets where rigidity of the filing material is necessary for the proper functioning of the filing system. Such items as bank pass book, license holders, photo negatives and similar envelopes not used in filing cabinets are not permitted to be made from papers heavier than 28 substance.

Users of filing and packaging envelopes can be of assistance to the manufacturer, in those instances where heavier weights may be permitted, by including in their order a

statement as to the end use of the envelope. (Issued February 1, 1944.)

[F. R. Doc. 45-11361; Filed, June 27, 1945; 11:17 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule VIII as Amended June 27, 1945]

PAPER STATIONERY

§ 3281.24 *Schedule VIII to Limitation Order L-120*—(a) *Definitions.* For the purpose of this Schedule the term "paper stationery" includes:

(1) Envelopes, correspondence paper and cards, manufactured for social correspondence.

(2) Envelopes with paper or cards to correspond manufactured for wedding invitations and wedding announcements.

(3) Envelopes with note paper or cards of corresponding size, packaged together in a single box, portfolio, or other common container, manufactured and assembled for resale as a unit (papeteries).

(4) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *General limitations.* From and after September 29, 1943:

(1) *Papers.* (i) No person shall manufacture paper stationery from any paper the substance weight of which is greater than that specified for such paper in the following table per 500 sheets.

Grades	Substance weights		
	17" x 22"		22½" x 28½"
	Envelopes	Note paper	Cards
Bonds	20	16	
Other grades for use in manufacturing stationery writing tablets		20	
All grades for use in manufacturing invitations and announcements (wedding, commencement, social, business, etc.)	24	24	120
Other grades	24	20	100

(ii) There is excepted from this limitation on basis weight, paper stationery made prior to December 29, 1943 from papers which on August 30, 1943, were in the possession or manufactured for the account of the paper stationery manufacturer, regardless of their substance weight, provided that such person complies with all other provisions of this schedule.

(2) *Sizes and styles.* (i) [Revoked June 27, 1945.]

(ii) No person shall manufacture paper stationery envelopes with linings.

(3) *Boxes.* No paper stationery manufacturer shall use for packaging paper stationery any paperboard boxes except boxes made in accordance with Tables 1 and 2 of Schedule 4 to Limitation Order L-239.

(4) *Miscellaneous.* (i) No person who manufactures or assembles paper stationery envelopes for resale in bunches through wholesale and retail outlets shall fold such envelopes in excess of the thickness per bunch specified by the following table:

Number of envelopes per bunch:	Thickness of bunch (inches)
24–25	1½
20–23	1¼
18–19	1⅛
15–17	1
10–14	¾
Under 10	½

(ii) No person who manufactures or assembles paper stationery envelopes for papeteries in bunches shall fold such envelopes so as to bulk in excess of the thickness per bunch specified by the following table, when such bunches whether banded or not, are enclosed in the papeterie box.

Number of envelopes per bunch:	Thickness of bunch (inches)
24–25	1½
20–23	1¼
18–19	1⅛
15–17	1
10–14	¾
Under 10	½

Exception. Paper stationery envelopes made prior to December 28, 1943 may be folded so as to bulk in excess of the limitations of the above table only for the purpose of being enclosed in papeterie boxes which are wholly or partially fabricated on August 30, 1943.

(iii) No person shall manufacture or assemble wedding invitation or wedding announcement stationery in bunches, boxes or other units containing more than 1 envelope per invitation or announcement unit.

(iv) No person shall manufacture or assemble wedding invitation or wedding announcement cabinets which contain less than 100 envelopes and 100 sheets per cabinet. The envelopes for said cabinets shall not be folded so as to bulk more than 2" per 25 envelopes.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11360; Filed, June 27, 1945; 11:17 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L-265, Interpretation 5]

MANUFACTURE AND SALE OF COMPONENTS FOR NON-ELECTRONIC EQUIPMENT

The following interpretation is issued with respect to General Limitation Order L-265:

A number of producers have asked whether the restrictions of L-265 apply to transformers, resistors, capacitors or other components which are primarily designed for use in non-electronic equipment such as air conditioning equipment, automobiles, incandescent or fluorescent lamps, oil burners, refrigerators, sewing machines, washing machines, power transmission lines, etc. Paragraph (a) (3) of L-265 defines electronic equipment as any apparatus or device involving the use of vacuum or gaseous tubes or any associated or supplementary device, apparatus or component part therefor. It includes acoustic phonographs other than those operated with spring motors, but does not include equipment listed in the various subparagraphs of paragraph (a) (3). If the transformers, resistors, capacitors or other components are designed primarily for use in equipment which does not involve the use of vacuum or gaseous tubes or for use in equipment specifically excluded from L-265 by the various subparagraphs of paragraph (a) (3), they are not covered by L-265. Consequently, such components may be manufactured and sold in accordance with Priorities Regulation 1 and other applicable orders and regulations of the War Production Board. While rated orders for such components must be given preference in production and delivery schedules over unrated orders, a manufacturer may fill unrated orders for such components if doing so will not interfere with meeting the required delivery dates on his rated orders and is not in violation of any applicable order or regulation.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11359; Filed, June 27, 1945; 11:17 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Direction 5 as Amended June 27, 1945]

PRIORITIES ASSISTANCE FOR CLASS A AND CLASS B SHEETINGS FOR LINEN RENTAL SERVICES, HOTELS, RESTAURANTS, HAIR CUTTING ESTABLISHMENTS, COMMERCIAL LAUNDRIES, DRY CLEANING ESTABLISHMENTS AND DIAPER SERVICE LAUNDRIES

The following direction is issued pursuant to General Conservation Order M-317:

(a) Linen rental services, hotels, restaurants, hair cutting establishments, commercial laundries, dry cleaning establishments, and diaper service laundries, may apply on Form WPB-2842 for priorities assistance to obtain Class A and Class B sheetings to be used for their own use only and not for resale, as follows:

Linen rental services: Class A sheetings for men's and women's washable service apparel. Class B sheetings for table tops (covers), napkins, and cover cloth for laundry presses.

Hotels: Class A sheetings for men's and women's washable service apparel. Class B sheetings for table tops (covers), napkins, coffee urn bags and cover cloth for laundry and dry cleaning presses.

Restaurants: Class A sheetings for men's and women's washable service apparel. Class B sheetings for table tops (covers), napkins, coffee urn bags and cover cloth for laundry and dry cleaning presses.

Hair cutting establishments: Class A sheetings for men's and women's washable service apparel. Class B sheetings for cover cloth for laundry and dry cleaning presses.

Commercial laundries, dry cleaning establishments, and diaper service laundries: Class B sheetings for cover cloth for laundry and dry cleaning presses.

(b) Applications must be filed on a quarterly basis with the Service Trades Division, Office of Civilian Requirements, War Production Board, Washington 25, D. C., not later than 15 days prior to the beginning of each calendar quarter. (For example, applications for the first quarter of 1945 must be filed by December 16, 1944).

(c) The total amount of Class A and Class B sheetings for which priorities assistance will be granted under this program in each calendar quarter is limited. Within the available supply applications will generally be granted on a pro rata basis, based on the actual consumption of the materials by the applicant in the quarter preceding the date of the filing of the application, taking into account the applicant's inventory on hand at the end of that quarter. New establishments and establishments whose consumption of these materials for the above listed uses during the preceding quarter was below their average quarterly consumption during the preceding year may, nevertheless, apply for their needs, and their applications will be processed on an equitable basis.

(d) No person may accept delivery of materials obtained with this priorities assistance that will result in his having on hand in excess of a 45 days' supply of the materials: *Provided, however,* That this shall not prevent the acceptance of deliveries of minimum procurable quantities.

(e) The preference rating assigned under this direction may be used by the applicant only to buy Class A or Class B sheetings. However, he may make arrangements with manufacturers of the finished items for the incorporation of the sheetings into the finished items to be actually delivered to the applicant.

(f) Orders shall be placed and preference ratings assigned under this direction shall be applied and extended in the manner provided in Priorities Regulations 1 and 3. The following certification shall be placed on all orders on which the rating is used:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference rating indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

This rating has been assigned under Form WPB-2842, Serial No. ---- (Insert the serial number).

(Name of purchaser)

(Address)

By ---

(Signature and title of duly authorized officer)

(Date)

When the above is complied with, the requirements of M-317 and M-328 are met, and it is unnecessary to use any other notation.

(g) *Second quarter ratings may be used in third quarter.* All ratings granted under this direction on Form WPB-2842 for the second quarter of 1945 may be used to obtain Class A and Class B sheetings until September 30, 1945 in spite of the statement on the form that the authorization expires on June 30, 1945. However, no person may use any rating granted under this direction for the second quarter of 1945 to get any Class A or Class B sheetings after September 30, 1945. This means that any orders bearing such a rating which are not filled by September 30, 1945, must be treated as unrated orders.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11357; Filed, June 27, 1945; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-388, Interpretation 3]

POSITION OF SEPARATE OPERATING UNITS OF THE SAME COMPANY WITH RESPECT TO THE PROVISIONS OF PARAGRAPH (G) (1) DEALING WITH SMALL PURCHASES OF FABRIC

The following interpretation is issued with respect to General Preference Order M-388:

(a) Paragraph (g) (1) of General Preference Order M-388 deals with deliveries to customers making small purchases of fabric, and provides for certifications to be made by such customers. It sometimes happens that one person has two or more operating units and that the purchases of each operating unit are small enough to be made under the provisions of paragraph (g) (1). Interpretation 8 of Priorities Regulation 1 deals with purchases by separate operating units of the same company. As provided in paragraph (b) of that interpretation, an operating unit which normally buys separately, need not consider purchases made by other units of the same company in determining whether the operating unit comes within the provisions of paragraphs (g) (1) (i) or (g) (1) (iii) of Order M-388.

(b) However, a separate operating unit may use the certificates in paragraphs (g) (1) (i) or (g) (1) (iii) only where its regular business practice is to buy separately and to keep a separate inventory; it may not use the certificates if the regular practice has been changed just for the purpose of coming within this interpretation.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11356; Filed, June 27, 1945; 11:18 a. m.]

PART 3307—PETROLEUM INDUSTRY MACHINERY AND EQUIPMENT

[Limitation Order L-347, Revocation]

MEASURING AND DISPENSING PUMPS

Section 3307.1 *Limitation Order L-347* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by War Production Board under the order. The manufacture and delivery of measuring and dispensing pumps remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11358; Filed, June 27, 1945; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[1] Amdt. 62]

HOUSING

The application of the Rent Regulation for Housing is terminated in the Hansford County Defense-Rental Area, and consequently item 319c in Schedule A of the Rent Regulation for Housing is hereby revoked and the area decontrolled.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective July 1, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11336; Filed, June 26, 1945; 4:38 p. m.]

[1] 10 F.R. 3436, 3555, 3951, 4714, 4713, 5089, 5577, 5603, 6074, 6400.

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[1] Amdt. 57]

HOTELS AND ROOMING HOUSES

The application of the Rent Regulation for Hotels and Rooming Houses is terminated in the Hansford County Defense-Rental Area, and consequently item 319c in Schedule A of the Rent Regulation for Hotels and Rooming Houses is hereby revoked and the area decontrolled.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective July 1, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11337; Filed, June 26, 1945; 4:39 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 148, Amdt. 28]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Subparagraph (5) of § 1364.32 (b) is amended to read as follows:

(5) "Ready-to-eat" refers to a pork product which (i) has been heated in the smokehouse for sufficient time to assume the characteristics of a cooked product; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 90% of its weight in the green state, or the moisture content of which is not in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested. On and after June 28, 1945, each piece of a ready-to-eat pork cut

[1] 10 F.R. 3452, 3555, 3556, 3950, 4713, 5089, 5576, 5579, 6400.

wrapped in moisture resistant paper or stuffed in a casing must have the words "ready-to-eat" printed or stamped on such wrapper or casing in letters not less than ¼ inch in height. A similar label must be branded or stamped or affixed on the meat if such meat is not in a casing, except that the letters used must not be less than ⅜ of an inch in height. This label must be repeated either on the casing or on the pork cut itself at least once in each 1½ inches of the length of the wholesale cut, except that the seller may brand or stamp his brand name, trade mark or other descriptive identification of the product on the shank end of a "ready-to-eat" ham: *Provided:* That not less than nine square inches of the skin surface of the shank end of such ham is covered by such brand name, trade mark or identification and the words "ready-to-eat" in letters not less than ½ inch in height are branded or stamped within ½ of an inch above and below such brand name, trade mark or identification. This label may be accompanied by the name of the manufacturer, his brand name and his trade mark in addition to such specified above. If any "ready-to-eat" product not in a casing is sold unwrapped, the applicable maximum price specified in Schedule I shall be reduced $0.50 per hundredweight (see § 1364.35, Appendix A, Schedule II (d)).

In the event any producer of "ready-to-eat" pork cuts using printed casings, had on hand or in transit from the manufacturer a supply of printed casings not conforming to the foregoing specifications, but indicating clearly that the product contained therein is "ready-to-eat" or "ready-to-serve" and if it appears that a substantial portion of such supply of printed casings will remain unused on and after June 28, 1945, such producer of "ready-to-eat" products may continue to use such casings on and after June 28, 1945, notwithstanding the foregoing specifications: *Provided*, That on or before June 28, such producer first submits a sample of such casing to the Office of Price Administration, Washington, D. C., together with a signed statement of the number of casings on hand, the number used during the preceding six months, and an estimate of the length of time it will require to exhaust such supply. Thereafter any producer who has submitted the required sample casing and statement may continue to use casings similar to the one submitted until such supply is exhausted, unless notified to the contrary by the Administrator. Nothing herein contained shall be construed to prevent the Administrator from requiring discontinuance of the use of any type of casing submitted, or the use of additional identification supplementing such casing, if such casing does not indicate clearly that the product contained therein is "ready-to-eat", "ready-to-serve" or similarly made suitable for human consumption without requiring additional cooking, heating or other like preparation.

2. Schedule II (e) (1) of § 1364.35 is amended to read as follows:

(1) ½ lb., 1 lb., or 1½ lb. cartons or sealed cellophane and/or sealed parchment packages, $0.75 per cwt.

This amendment shall become effective June 26, 1945.

NOTE: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11335; Filed, June 26, 1945; 4:38 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 81,[1] Amdt. 3]

SALES BY THE UNITED STATES GOVERNMENT OR ITS AGENCIES

A statement of the considerations involved in the issuance of this Amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Supplementary Order 81 is amended in the following respect:

Section 2 is amended to read as follows:

SEC. 2. *Where this supplementary order applies.* With the exception of the provisions of section 7, this supplementary order shall be applicable only to the 48 States of the United States of America and to the District of Columbia. Section 7, however, shall have general geographic applicability and shall apply not only to sales made in the 48 States of the United States and in the District of Columbia, but in all United States territories and possessions as well.

This amendment shall become effective July 2, 1945.

Issued this 27th day of June 1945.

IVAN D. CARSON,
Acting Administrator.

Approved: June 20, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-11391; Filed, June 27, 1945; 11:41 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 144, Amdt. 1]

COTTON TEXTILES; WHEN PRODUCER MAY USE ADJUSTABLE PRICING PERMISSION

A statement of the reasons involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 114 is amended in the following respects:

1. Section 1305.142 (b) (2) is amended to read as follows:

(2) A producer is "subject to" the 1945 textile wage increase if he is paying that increase, or has applied to the National War Labor Board for permission to pay that increase, or is a party to a dispute case before the War Labor Board involving the issue of whether he will pay that increase. The "1945 textile wage increase" means a flat increase of 5¢ per hour to all workers in occupations whose wage rates prior to March 1, 1945 exceeded 50¢ per hour, and, in addition, any one of the following:

(i) A minimum wage of 55¢ per hour for all workers except learners and handicapped,

(ii) A premium of 5¢ per hour for all workers worked on the third shift, or

(iii) A minimum of one week's paid vacation per year.

2. Section 1305.142 (c) (2) is amended to read as follows:

(2) The commodities referred to in subparagraph (1) above are:

(i) The following commodities covered by Maximum Price Regulation No. 118:

Reference No.	*Name*
1.	Ducks (in the grey).
2.	Paper-makers dryer felts.
3.	Flannels.
4.	Gauze diapers
5.	Flannelette diapers
6.	Bleached cheesecloth, bleached sanitary napkin gauze and bunting.
7.	Wide print cloths
8.	Terry products
9.	Huck and crash towels, towelling, and corded napkins
10.	Ginghams, seersuckers, and related fabrics for which ceilings are established in or by reference to § 1400.118 (d) (10)
11.	Play cloth
12.	Cotton seamless bags
13.	Birdseye nursery products
14.	Grey carded gabardines
15.	Warp sateens under 42" in width
16.	Woven tickings

(ii) The following commodities covered by Revised Price Schedule No. 35:

Reference No.	*Name*
1.	Print cloth yarn fabrics
2.	Denims
3.	Chambrays and coverts
4.	Woven tickings
5.	Osnaburgs

(iii) Carded cotton yarns covered by Maximum Price Regulation No. 33.

(iv) The following commodities covered by the General Maximum Price Regulation:

Reference No.	*Name*
1.	Industrial cotton stitching thread
2.	Cotton tire cord and cotton tire cord fabric

(v) Fine cotton goods covered by Maximum Price Regulation No. 11.

(vi) Bed linens (excluding the print-cloth type) covered by Revised Price Schedule No. 89.

3. Section 1305.142 (e) is amended by adding thereto the following sentence: "Moreover, ceilings of textile producers for any commodities processed or manufactured from any commodity designated in this order shall remain unaffected as though this Supplementary Order No. 114 had not been issued."

[1] 9 F.R. 310.

This amendment shall become effective June 26, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11339; Filed, June 26, 1945; 4:40 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 187,[1] Amdt. 6]

CERTAIN PAPERBOARD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 187 is amended in the following respects:

1. In section 1, paragraph (a) is amended to read as follows:

(a) This Revised Maximum Price Regulation 187 shall apply to the following described commodities and services rendered in connection therewith whether partially or completely manufactured and/or services rendered by a manufacturer of such commodities.

(1) Folding cartons, corrugated fibre sheets, corrugated fibre boxes, solid fibre sheets, solid fibre boxes, set-up boxes, pads, partitions and other paperboard products manufactured on the same converting equipment, rectangular set-up and flat Pure-Pak milk bottles, and wedge shaped pails formed on a Brightwood or similar type machine, but excluding such commodities as shoe findings, tacking strips, milk bottle caps, book matches, and other commodities covered by Revised Maximum Price Regulation 129.

(2) Bobbins, cans, canisters, cones, cores, ribbon blocks, roving cans, spindles, spools, tubes, cylindrical paperboard casings and cans and related hollow paperboard and paper commodities manufactured on an open-end rotating or stationary mandrel of whatever size, shape, grade and specifications and having one or two open ends and/or one or two plugged or closed ends, and regardless of end-use.

(3) Fibre drums and fibre pails of cylindrical or conical shape made on an open-end rotating or stationary mandrel or any other means, with a body of fibre board and ends of fibre board, steel or wood, or any other material, or any combinations thereof.

2. In section 1, paragraph (b) is amended to read as follows:

(b) On and after July 2, 1945, regardless of any contract, agreement, lease or other obligation, no manufacturer shall sell or deliver any of the commodities described in paragraph (a) of this section, and no manufacturer shall sell or supply any services in connection with the manufacture of such commodities, and no person shall buy or receive such commodities and/or services, in the course of trade or business, at prices higher than the maximum prices now or hereafter established by this Revised Maximum Price Regulation 187; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

3. In section 1, the opening paragraphs of paragraph (c) are amended to read as follows:

(c) It is the general intent of this paragraph (c) to hold the prices of the commodities priced under this paragraph at the level of prices in effect during the period October 1–31, 1941, inclusive, by limiting the charges for raw material costs, conversion, margin and delivery as follows:

The manufacturer's maximum price for any given quantity of any commodity and/or service described in this section shall be calculated in accordance with his formula duly filed pursuant to section 6 hereof and shall be subject to the limitations of the following factors in section 1 (c) (1), (2), (3) and (4) hereof for the quantity of the commodity and/or service being priced.

4. Section 6 is amended to read as follows:

SEC. 6. *Base period and other records.* Every manufacturer selling any commodity and/or service for which maximum prices are established by this regulation shall:

(a) Preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to the prices which he charged for any commodity and/or service contracted to be sold or supplied at a definite price during the period October 1–31, 1941, inclusive.

(b) (1) (i) Within 21 days after July 2, 1945, every manufacturer shall file with the Office of Price Administration, Washington, D. C., the pricing formula including such items as but not limited to hourly rates and standards of production applicable thereto as defined in section 11 (a) (22) hereof and/or piece rates for hand and/or machine operations, or rates per thousand units and/or per thousand square feet of base material, make ready charges, and a complete range of margins, as employed by the manufacturer during the period October 1–31, 1941, inclusive, in determining selling prices of any commodity and/or service sold during such period, as well as a sample estimate showing the application of such formula.

(ii) Within 21 days from the commencement of any business newly established after July 2, 1945 for the purpose of manufacturing any commodity and/or rendering of any service covered by this regulation, every manufacturer shall file with the Office of Price Administration, Washington, D. C., the pricing formula including such items as but not limited to hourly rates and standards of production applicable thereto as defined in section 11 (a) (22) hereof and/or piece rates for hand and/or machine operations, or rates per thousand units and/or per thousand square feet of base material, make ready charges, and a complete range of margins to be employed by the manufacturer in determining selling prices of any commodity and/or service, as well as a sample estimate showing the application of such formula.

(2) In the event that a manufacturer has filed with the Office of Price Administration his pricing formula and such formula contains all of the information required by subparagraph (1) above, he need not refile such formula. If a manufacturer has filed a formula but such formula is incomplete, he shall file only the additional information required to comply with subparagraph (1) above.

(c) If the records a manufacturer has preserved under this regulation are insufficient, in whole or in part, to show that he actually employed during the period October 1–31, 1941, inclusive, all pricing data required to be filed as his formula; or if a manufacturer must use rates for any machine and/or hand operations, make ready charges or margins which were not used in determining the selling prices of any commodity and/or service contracted to be sold or supplied at a definite price during the period October 1–31, 1941, inclusive, such manufacturer must submit these factors to the Office of Price Administration, Washington, D. C., for approval or adjustment within 21 days from July 2, 1945 or within 21 days from the commencement of any machine and/or hand operations, or the employment of any make ready charges, or of any margins. The manufacturer who seeks such approval or adjustment shall file with the Office of Price Administration, Washington, D. C., an application setting forth the following information:

(1) *For hand and/or machine operations.* (i) Range of performance speeds and description of each machine and/or hand operation.

(ii) Hourly or piece wage rates prevailing during the period October 1–31, 1941, inclusive.

(iii) Statement of justification of any variance in rates used during the period October 1–31, 1941, inclusive, and those being applied for.

(2) *For margins.* (i) Location of plant.

(ii) Type of equipment.

(iii) Size of equipment.

(iv) List of products to be made.

(v) Range of margins.

(vi) Complete statement of method used in determining special differentials.

(d) (1) On and after July 2, 1945 and until the pricing formula or the rates for hand and/or machine operations, make ready charges or margins are approved by the Office of Price Administration, all prices charged which have been based on such pricing formula and/or rates and/or margins shall be billed by the manufacturer subject to adjustment by him to conform with the pricing formula and/or rates and/or margins established by the Office of Price Administration: *Provided, however,* That in the event a manufacturer is not required to submit any of the aforementioned data under paragraphs (b) and (c) above, the provisions of this paragraph (d) (1) shall not apply.

(2) Unless the Office of Price Administration or a duly authorized representative thereof shall, by order mailed to the applicant within 21 days from the filing of a formula or an application ap-

[1] 8 F.R. 14395, 17367; 9 F.R. 1320, 2464.

2. Schedule II (e) (1) of § 1364.35 [19] amended to read as follows:

[19] 9 F.R. 310.

[18] 8 F.R. 14395, 17367; 9 F.R. 1320, 2464.

Order No. 114 had not been issued.

prove, reject, adjust, amend, or extend the time within which to do any of the foregoing, such formula or application shall be deemed to have been approved, subject to non-retroactive written rejection or adjustment at any later time by the Office of Price Administration.

(e) If in the judgment of the Administrator, the records a manufacturer has preserved under this section are insufficient to show that he actually employed during the period October 1–31, 1941, inclusive, any charge used after July 1, 1945 for raw material, conversion, margin or delivery or all pricing data required to be filed as his formula; or, if in the judgment of the Administrator, such records have been altered, removed or destroyed, in whole or in part, the Administrator may by order establish a pricing formula, and/or conversion charges, and/or rates for machine and/or hand operations, and/or margins, and/or delivery charges in line with those in use in the industry which the manufacturer shall use in addition to the provisions of section 1 (c) (1) hereof to determine his maximum prices.

(f) Every person selling commodities and/or services for which maximum prices are established by this Revised Maximum Price Regulation 187, shall keep, and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept relating to the prices which he charged for such of those commodities and/or services as he sold after July 1, and, in addition, records showing as precisely as possible the basis upon which he estimates and determines his selling price for each sale made subject to this regulation. He shall also preserve all records kept in accordance with Maximum Price Regulation 187.

5. In section 10 (b), subparagraph (3) is amended to read as follows:

(3) *Form of application.* Applications for adjustment shall be filed in accordance with the provisions of Revised Procedural Regulation 1[1] issued by the Office of Price Administration.

This amendment shall become effective July 2, 1945.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–11384; Filed, June 27, 1945; 11:40 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 463,[1] Amdt. 3]

SPECIALTY PAPER BAGS AND SPECIALTY PAPER ENVELOPES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 463 is amended in the following respect:

Appendix A (b) (1) is amended to read as follows:

(1) The manufacturer's maximum delivered prices for coffee and tea bags and any services except printing in connection therewith which were, during the period of October 1, 1941 to November 15, 1941, sold at prices based upon price lists or charts or computed in accordance with price formulae published or circulated, shall not exceed the highest price which the manufacturer established under such lists, charts or price formulae during such period. The maximum prices for printing charges shall not exceed the highest established prices for such printing under the manufacturer's price lists, charts, or price formulae existing on January 15, 1942.

This amendment shall become effective July 2, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–11387; Filed, June 27, 1945; 11:40 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289,[1] Amdt. 31]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 20 (a) (4) (ii) is amended to read as follows:

(ii) No sale shall be deemed a sale by a jobber within the meaning of this subparagraph unless delivery is made to the physical premises of a purchaser designated in subdivision (i) of this subparagraph. The physical premises of an individual retail store means the place where butter is sold to ultimate household consumers. The physical premises of an individual, non-Federal governmental, commercial, institutional or industrial user means the place where butter is consumed by such users. The physical premises of any railroad company purchasing butter for consumption in its dining cars and restaurants, or on the railroad premises, shall include the railroad commissary owned and operated by the railroad, and located on grounds owned or leased by the railroad, where butter is customarily delivered for the purpose of servicing its dining cars and restaurants.

This amendment shall become effective July 2, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–11386; Filed, June 27, 1945; 11:40 a. m.]

PART 1358—CIGARS

[MPR 260, Amdt. 13]

CIGARS, CIGAR CUTTINGS AND CLIPPINGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation 260 is amended in the following respects:

1. Section 1358.102a (d) is amended to read as follows:

(d) Importers' discounts on sales of any imported cigar priced under paragraph (a) or (b) above shall not be less than those allowed in March 1942 on their sales of imported cigars of the same March 1942 price class to the same class of purchasers. Importers' price differentials for packings charged in March 1942 on their sales of imported cigars in the same March 1942 price class may be charged on sales of such imported cigars and shall not be increased. Importers' price differentials for packings allowed in March 1942 on their sales of imported cigars of the same March 1942 price class shall be allowed on their sales of such imported cigars and shall not be reduced: *Provided, however,* That any importer may eliminate any packing differential allowed by him between packings of 25 imported cigars and 50 imported cigars in standard labeled wooden boxes of all brands and frontmarks of imported cigars having maximum retail prices of three for one dollar or less. This allowed elimination of a packing differential shall apply to all imported cigars for which maximum prices are established by order under paragraph (c) of this section in addition to those imported cigars for which maximum prices are established by § 1358.117, Appendix B. If an imported cigar is of a price class not previously sold by the particular importer, the discounts applicable to his sales thereof shall not be less than those established under this regulation for sales of imported cigars of that price class by his most closely competitive seller of the same class and packing differentials charged or allowed shall not be greater or less, respectively, than those charged or allowed under this regulation by his most closely competitive seller of the same class on sales of imported cigars of that price class.

2. The following sentence is added to § 1358.102a (e): "If an importer eliminates his packing differential between packings of 25 and 50 imported cigars with a maximum price of three for a dollar or less as allowed by paragraph (d) of this section, a wholesaler may, to the same extent, eliminate his packing differential on such cigars as he purchases from that importer."

This amendment shall become effective July 2, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–11385; Filed, June 27, 1945; 11:40 a. m.]

[1] 8 F.R. 12177; 9 F.R. 7520.
[1] 9 F.R. 10476, 13715.

[1] 10 F.R. 2352, 2658, 2928, 3554, 3948, 3950, 5772, 5792, 6232.

PART 1388—DEFENSE RENTAL AREAS

[Housing,' Amdt. 61]

HOUSING

In Schedule A of the Rent Regulation for Housing, item 309a is amended, item 319c is added and item 123a is corrected to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(123a) Danville, Kentucky	Kentucky	Boyle	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1945
(309a) Dalhart	Texas	Dallam, Hartley, Moore, and Sherman.	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(319c) Hansford County	Texas	Hansford	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in Accordance with the Federal Reports Act of 1942.

This amendment shall become effective June 30, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11392; Filed, June 27, 1945; 11:41 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,' Amdt. 63]

HOUSING

In Schedule A of the Rent Regulation for Housing, item 38 is amended and items 26a and 39c are added to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(26a) Alameda County	California	Alameda	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(38) San Francisco Bay	California	Marin, San Francisco, San Mateo, and Sonoma.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(39c) San Jose	California	Santa Clara	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in Accordance with the Federal Reports Act of 1942.

This amendment shall become effective July 1, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11397; Filed, June 27, 1945; 11:42 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,' Amdt. 56]

HOTELS

In Schedule A of the Rent Regulation for Hotels and Rooming Houses, item 309a is amended, item 319c is added and item 123a is corrected to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(123a) Danville, Kentucky	Kentucky	Boyle	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1945
(309a) Dalhart	Texas	Dallam, Hartley, Moore, and Sherman.	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(319c) Hansford County	Texas	Hansford	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in Accordance with the Federal Reports Act of 1942.

This amendment shall become effective June 30, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11394; Filed, June 27, 1945; 11:42 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,' Amdt. 58]

HOTELS

In schedule A of the Rent Regulation for Hotels and Rooming Houses, item 38 is amended and items 26a and 39c are added to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under Rent Regulation for Hotels and Rooming Houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(26a) Alameda County	California	Alameda	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(38) San Francisco Bay	California	Marin, San Francisco, San Mateo, and Sonoma.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(39c) San Jose	California	Santa Clara	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in Accordance with the Federal Reports Act of 1942.

This amendment shall become effective July 1, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11395; Filed, June 27, 1945; 11:42 a. m.]

[1] 10 F.R. 3452, 3555, 3566, 3950, 4713, 5080, 5576, 5579, 6400.

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[1] Amdt. 33]

DESIGNATIONS OF CERTAIN AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

Section 1388.1201 of Designation and Rent Declaration 25, item 271 is amended and item 273 is added to read as follows:

(271) Dalhart, Texas, Dallam, Hartley, Moore, and Sherman.
(273) Hansford County, Texas, Hansford.

This amendment shall become effective June 30, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11393; Filed, June 27, 1945; 11:42 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[1] Amdt. 34]

DESIGNATION OF AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Section 1388.1201 of Designation and Rent Declaration 25, item 30 is amended and items 274 and 275 are added to read as follows:

(30) San Francisco Bay, California, Marin, San Francisco, San Mateo, and Sonoma.
(274) Alameda County, California, Alameda.
(275) San Jose, California, Santa Clara.

This amendment shall become effective July 1, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11396; Filed, June 27, 1945; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 15,[2] Amdt. 2]

RICE RESTRICTION ORDER FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Restriction Order No. 15 is amended in the following respects:

1. Section 1.2 (d) is amended to read as follows:

(d) *Local Boards may grant authorization for the acquisition of rice or may assign clients to wholesalers and retailers.* (1) An institutional or industrial user who must use rice in the performance of services essential to the health or welfare of the community who prior to April 2, 1945 was not a purchaser of rice, or who cannot perform its services with the quantity of rice to which it is entitled, under the provisions of this order, may be issued a certificate for the acquisition of rice by the Board having jurisdiction over the area where such establishment is located. The Director shall instruct the Boards as to the amount of rice which may be allotted by them to the different classes of institutional or industrial users and may, if circumstances so require, eliminate from the eligible list any class of institutional or industrial user for such period of time as he may deem proper.

(2) A retailer who during the basic period transferred to his clients a quantity of rice larger than the quantity obtained by him from his supplier during such basic period may be issued a certificate for the acquisition of rice by the Board having jurisdiction over the area where such establishment is located, or a retailer may be authorized by the Board to obtain rice from a wholesaler who during the basic period obtained from his supplier a quantity of rice larger than the amount transferred by him to his clients during said period. The quantity of rice which a retailer may be authorized to obtain under the provisions of this paragraph shall not exceed an amount which when added to his allowable quota will permit him to transfer to each of his customers more than one and one quarter pounds of rice per week. The certificates for the acquisition of rice shall be issued by the Board on Form OPA PR-R 211, shall not exceed the quota of rice assigned to such Board, shall be honored by any wholesaler or importer, and shall be valid for the transfer of rice in the quantity specified. The wholesaler or importer shall return the corresponding part of the certificate to the Office of Price Administration, at San Juan, Puerto Rico, within ten (10) days after receipt of same.

(3) A new consumer may be authorized by his local Board to obtain rice from a retailer who during the basic period obtained from his suppliers a quantity of rice larger than the amount transferred by him to his clients. The quantity of rice which a new consumer may be authorized to obtain from the retailer designated by the Board shall not exceed one and one quarter ($1\frac{1}{4}$) pounds a week per person.

2. Section 1.2 (e) is amended to read as follows:

(e) *How applications are made to the local Boards.* Applications made by institutional or industrial users, or retailers, shall be made in writing to the local Board having jurisdiction over the area where such establishment is located, setting forth all pertinent facts.

3. Section 2.2 is amended to read as follows:

SEC. 2.2 *Importer's, wholesaler's and retailer's monthly reports.* Every importer and wholesaler shall prepare in triplicate a monthly report on Form OPA PR-R 205 indicating the name of its customers and transfers of rice made to each one of them during the month. The original of said report must be filed with the Office of Price Administration in San Juan, Puerto Rico; the duplicate shall be filed with the local Board having jurisdiction over the area where such importer's or wholesaler's establishment is located, and the triplicate shall be kept in such importer's or wholesaler's establishment for at least six months after this order has been revoked. Every retailer shall prepare in duplicate a monthly report on Form OPA PR R-205 indicating the names of his suppliers and the quantities of rice obtained from each one of them during the month. The original of such report shall be filed with the local Board having jurisdiction over the area where such retailer's establishment is located, and the duplicate shall be kept in his establishment for at least six months after this order has been revoked. These monthly reports must be filed not later than the 5th day of the month immediately succeeding the period reported.

4. Section 2.5 is added to read as follows:

SEC. 2.5 *A retailer may not acquire or transfer rice if he does not file his monthly report.* A retailer who does not file his monthly reports on the dates specified in this order shall not thereafter transfer or accept the transfer of rice.

5. Section 6.1 (i) is added to read as follows:

(i) "Industrial user" means an establishment which receives rice for use in the production, manufacturing, cooking, or processing of any food for sale or service.

This amendment shall become effective as of June 14, 1945.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of June 1945.

SAM GILSTRAP,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-11398; Filed, June 27, 1945; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Amdt. 10]

SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

RMPR 165 is amended in the following respects:

1. Section 23 (a) (5) is amended to read as follows:

(5) "Non-retail sale" means a sale to an industrial, commercial, or governmental user.

2. Section 15 (c) is amended to read as follows:

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[1] 9 F.R. 5820, 11540, 11798, 12865, 12967, 14060; 10 F.R. 2407, 4714, 5576.
[2] 10 F.R. 3815, 5908.

[1] 10 F.R. 2097, 2250, 3925.

(c) *Record-keeping and filing violations; failure to establish maximum price.* If you fail to keep the records or file the statement as required by section 14, or if such records or statement are incorrect or incomplete, or if you fail to apply to OPA for the establishment of a maximum price under section 5, if you are required to do so, OPA may issue an order establishing a maximum price for each service you sell in line with prices established by this regulation. such order may establish the maximum price as of the date of the first sale of the service under this regulation. Such order may also require you to give sales slips or receipts to your customers as specified in the order, to retain copies thereof in your files, and to prepare and keep such records as may be specified in the order. These requirements will not, however, relieve you of your obligation to comply with the requirements of sections 14 and 5, or of the various penalties for failure to do so.

The term "maximum price" as used in this paragraph and in section 14 also includes a maximum rate or pricing method.

3. Section 12 is amended to read as follows:

SEC. 12. *Additional charges.* You may not make a higher charge for expediting, packaging, or other incidents of a service than you made in March 1942 to a purchaser of the same class; nor may you now make any charge for any incident of a service if it was not your practice to do so in that month, unless you are authorized to do so by OPA. You may not require a purchaser to pay a larger proportion of transportation costs incurred in the supply of any service than you required a purchaser of the same class to pay during March 1942 for the same service. Unless authorized by OPA, you may not require a deposit for any reason or make an extra charge for insurance, if you did not do so in March 1942; nor may you now increase any such deposit or insurance charge made in that month.

This amendment shall become effective July 2, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11369; Filed, June 27, 1945; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[2d Rev. SR 14, Amdt. 7]

WIRE NAILS AND STAPLES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Article V of Revised Supplementary Regulation No. 14 is amended by adding a new section to read as follows:

SEC. 5.4 *Modification of maximum prices for retail sales of wire nails and wire staples other than galvanized in 100 and 50 pound net kegs or other containers*—(a) *Applicability.* The provisions of this section shall be applicable only to sales of wire nails and wire staples other than galvanized in keg lots when sold at retail through retail outlets in the following quantities:

(1) 2,500 pounds or less to a consumer.

(2) 1,500 pounds or less to contractors, commercial, industrial, and institutional buyers, or the Federal Government or any state government or any political subdivision thereof.

The weights specified above shall be determined by combining all items of bright and galvanized wire nails, brads, wire tacks or staples ordered by any one person in one day.

(b) *Maximum prices.* The maximum price for sales of wire nails or wire staples other than galvanized in 100 pound and 50 pound net kegs or other containers shall be:

(1) When purchased by the seller from a jobber, the seller's delivered cost (not to exceed the applicable maximum price) excluding his cost of cartage from his local freight terminal to his place of business plus the amount designated below:

On sales in 100 pound net kegs or other containers	$0.75 per 100 lbs.
On sales in 50 pound net kegs or other containers	$0.40 per 50 lbs.

(2) When purchased by the seller from a manufacturer, the seller's delivered cost (not to exceed the applicable maximum price) computed on the basis of carload rate of freight, excluding his cost of cartage from his local freight terminal to his place of business or warehouse plus the amount designated below:

On sales in 100 pound net kegs or other containers—$1.10 per 100 lbs.
On sales in 50 pound net kegs or other containers—$0.55 per 50 lbs.

(c) *Delivery charges.* Any maximum price determined under the provisions of this section shall include delivery to the seller's purchaser, if such purchaser is located within a "free delivery" zone as recognized by the seller during March 1942. Charges for deliveries outside such "free delivery" zones may be added but shall not exceed the common carrier rate.

(d) *Definitions.* For the purpose of this section:

"Retail sale" means a sale to any person for use and not for resale.

"Retail outlet" means an outlet operated primarily for the purpose of making retail sales and includes, but is not limited to, retail hardware stores and retail lumber yards.

This amendment shall become effective July 2, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11388; Filed, June 27, 1945; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14D,[1] Amdt. 2]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY THE GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TOBACCO PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Regulation 14D to the General Maximum Price Regulation is amended in the following respect:

The first sentence of paragraph (f) of section 3 is amended to read as follows: "Notwithstanding a seller's prior practices, sales at retail of loose cigarettes are prohibited: *Provided, however,* That such sales may be made on the premises of an employer to employee buyers, who, at the time of the sale, can not buy a full package because of inability to carry it on their persons, either because of dangerous working surroundings, sanitary conditions, working attire, or similar conditions which prevent carrying of cigarettes on the person."

This amendment shall become effective July 2, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11390; Filed, June 27, 1945; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp. Storage Reg. 1,[2] Amdt. 1]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY MAXIMUM PRICE REGULATION 586 FOR CERTAIN STORAGE AND TERMINAL SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 16 is added, to read as follows:

SEC. 16 *Handling Government loan wheat in eastern Maryland under guarantee of weight and grade.* Operators of facilities for grain handling and shipping in Kent, Queen Anne, Caroline, and Talbot Counties, Maryland may add 1 cent per bushel to their maximum charges otherwise established under Maximum Price Regulation 586 for the handling of wheat received by them from producers, to be shipped to a terminal elevator and placed under Commodity Credit Corporation Loan, where the handler guarantees delivery to the producer of a warehouse receipt for wheat delivered to terminal elevators of weight and grade the same as that evidenced by the scale and grade receipt issued by the handler upon initial receipt of the wheat from the producer, *Provided,* The follow-

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[1] 10 F.R. 1180, 5103.
[2] 10 F.R. 5802.

[9 F.R. 5820, 11540, 11798, 12865, 12907, 14060; 10 F.R. 2407, 4714, 5576.
[10 F.R. 3815, 5908.

filed with the local Board having jurisdiction over the area where such im-

[10 F.R. 2097, 2250, 3925.

ing qualifications and conditions are complied with:

(a) The additional charge may be assessed only for handling services which include the use of an electrical moisture-test device, accurate test-weight equipment, and facilities for segregating grades of wheat for shipment.

(b) Upon receipt and weighing and grading of the wheat, the producer must be provided with a written statement setting forth the quantity of wheat received and the grade (test-weight and moisture content) thereof, and including a commitment by the handler to deliver to the producer or other person delivering the wheat for handling, an official warehouse receipt for wheat in a terminal elevator equivalent in all respects to that described in the statement.

(c) No handler may assess the additional charge unless he shall provide and continue to provide regular handling services without guarantee of weight and grade at a price not to exceed 3 cents per bushel, as such service may be required by producers or other persons delivering wheat for handling.

Notice of the producer's option in this respect, printed in letters not less than two inches high, must be posted in at least three different and prominent locations at each facility where handling under guarantee of weight and grade is offered.

This amendment shall become effective June 26, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11334; Filed, June 26, 1945; 4:38 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 318, Amdt. 1]

PART 95—CAR SERVICE

PRECOOLING CITRUS PROHIBITED IN CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of June, A. D. 1945.

Upon further consideration of Service Order No. 318 (10 F.R. 7729), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 318 (10 F.R. 7729), be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p. m., July 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 6:00 p. m., June 26, 1945; that copies of this order and direction shall be served upon the Railroad Commission of the State of California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11383; Filed, June 27, 1945; 11:29 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order SFA T-5]

ACTION COAL CO. ET AL

TERMINATION OF POSSESSION OF BITUMINOUS COAL MINES

Correction

In Appendix A of Federal Register Document 45-10466, appearing at page 7263 of the issue for Saturday, June 16, 1945, the street address for the Barnes and Tucker Co. should read "123 S. Broad St., Philadelphia, Pa."

CIVIL AERONAUTICS BOARD.

[Docket No. 1225]

BRANIFF AIRWAYS, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the alteration, amendment, or modification of applicant's certificate of public convenience and necessity for route No. 15, so as to remove therefrom or modify the restriction governing service to Colorado cities.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on July 11, 1945, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., June 25, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-11348; Filed, June 27, 1945; 11:11 a. m.]

[Docket Nos. 1596 and 1595]

NATIONAL AIRLINES, INC., AND EASTERN AIR LINES, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of National Airlines, Inc., and Eastern Air Lines, Inc., for amendments of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given that oral argument in the above-entitled proceeding is assigned to be held July 12, 1945, 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C. before the Board.

Dated Washington, D. C., June 25, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-11349; Filed, June 27, 1945; 11:11 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6766]

NEW IBERIA BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING AND STATING ISSUES

In re: Application of George H. Thomas, James J. Davidson, Jr. & Daniel H. Castille, a partnership d/b as the New Iberia Broadcasting Company, New Iberia, Louisiana. For construction permit; File No. B3-P-3861.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 19th day of June 1945.

The Commission having under consideration an application filed by George H. Thomas et al. d/b as the New Iberia Broadcasting Company, New Iberia, Louisiana, for construction permit for a new standard broadcast station (File No. B3-P-3861).

It is ordered, That the application be designated for hearing in a consolidated proceeding with the application of Frederic Le Mieux III and Mrs. Edna Capo Le Mieux d/b as the Teche Broadcasting Company (File No. B3-P-3816) to be heard in Washington, D. C., on the 31st day of July 1945 upon the following issues:

1. To determine the legal, financial, technical and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the character of the program service proposed to be rendered by the applicant, and whether it will meet the requirements of the population and area proposed to be served.

4. To determine the extent of overlapping of the service areas of Station KVOL, Lafayette, Louisiana, and of the station proposed herein.

5. To determine whether the granting of this application would be consistent with § 3.35 of the Commission's rules.

6. To determine the qualifications and character of the personnel who will be employed in the operation of the proposed station.

7. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its supplemental statement of policy of January 16, 1945.

8. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by a grant of this application, the application of Frederic Le Mieux III and Mrs. Edna Capo Le Mieux d/b as the Teche Broadcasting Company (File No. B3-P-3816) or either of them.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-11428; Filed, June 27, 1945; 12:00 m.]

[Docket No. 6765]

TECHE BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING AND STATING ISSUES

In re: Application of Frederic Le Mieux III & Mrs. Edna Capo Le Mieux d/b as the Teche Broadcasting Company, New Iberia, Louisiana. For construction permit; File No. B3-P-3816.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 19th day of June 1945.

The Commission having under consideration an application by Frederic Le Mieux III and Mrs. Edna Capo Le Mieux d/b as the Teche Broadcasting Company, New Iberia, Louisiana for a construction permit for a new standard broadcast station (File No. B3-P-3816).

It is ordered, That the application be designated for hearing in a consolidated proceeding with the application of George H. Thomas et al. d/b as the New Iberia Broadcasting Company, New Iberia, Louisiana (File No. B3-P-3861) to be heard in Washington, D C., on the 31st day of July, 1945, upon the following issues:

1. To determine the legal, financial, technical and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the character of the program service proposed to be rendered by the applicant, and whether it will meet the requirements of the population and area proposed to be served.

4. To determine the qualifications and character of the personnel who will be employed in the operation of the proposed station.

5. To determine whether the granting of this application would be consistent with the Policy announced by the Commission in its Supplemental Statement of Policy of January 16, 1945.

6. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by a grant of this application, the application of George H. Thomas et al. d/b as the New Iberia Broadcasting Company (File No. B3-P-3861) or either of them.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-11429; Filed, June 27, 1945; 12:00 m.]

[Docket No. 6763]

OBSERVER RADIO CO.

NOTICE OF HEARING

In re application of The Observer Radio Company (New); Date filed: May 1, 1945, for, construction permit; class of service: Broadcast; class of station: Broadcast; location, Orangeburg, S. C.; operating assignment specified: Frequency, 1450 kc, Power, 250 w. Hours of operation unlimited. File No. B3-P-3866.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Augusta Broadcasting Company, Docket No. 6708 and Orangeburg Broadcasting Corporation, Docket No. 6764 for the following reasons:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the operation of the proposed station, and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which the applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed service area in whole or in part.

4. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and from the operation of the station proposed by the Augusta Broadcasting Company, Charleston, South Carolina (Docket No. 6708), as well as the areas and populations affected thereby, and the nature of other broadcast services available to these areas and populations.

5. To determine whether the granting of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

6. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

7. To determine whether the granting of this application would be otherwise consistent with the Commission's supplemental statement of policy of January 16, 1945.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by the granting of this application, the application of the Orangeburg Broadcasting Corporation (Docket No. 6764) and the application of the Augusta Broadcasting Company (Docket No. 6708) or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: The Observer Radio Company (New), Wolfe Building, Courthouse Square, Orangeburg, South Carolina.

Dated at Washington, D. C., June 23, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-11430; Filed, June 27, 1945; 12:00 m.]

[Docket No. 6764]

ORANGEBURG BROADCASTING CORP.

NOTICE OF HEARING

In re application of Orangeburg Broadcasting Corporation (New), date filed March 19, 1945; for construction permit; class of service, broadcast; class of station, broadcast; location, Orangeburg, S. C.; operating assignment specified: Frequency, 1450 kc; power, 250 w; hours of operation unlimited. File No. B3-P-3857.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Augusta Broadcasting Company, Docket No. 6708 and The Observer Radio Company, Docket No. 6763 for the following reasons:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the opera-

shall become effective at 6:00 p. m., June 26, 1945; that copies of this order and direction shall be served upon the Railroad

In the matter of the applications of National Airlines, Inc., and Eastern Air

6. To determine the qualifications and character of the personnel who will be

tion of the proposed station, and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which the applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed service area in whole or in part.

4. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and from the operation of the station proposed by the Augusta Broadcasting Company, Charleston, South Carolina, (Docket No. 6708), as well as the areas and populations affected thereby, and the nature of other broadcast services available to these areas and populations.

5. To determine whether the granting of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

6. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

7. To determine whether the granting of this application would be otherwise consistent with the Commission's supplemental statement of policy of January 16, 1945.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by the granting of this application, the application of The Observer Radio Company (Docket No. 6763) and the application of the Augusta Broadcasting Company (Docket No. 6708) or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Orangeburg Broadcasting Corporation (New), c/o J. B. Fuqua, Radio Station WGAC, Augusta, Georgia.

Dated at Washington, D. C., June 23, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-11431; Filed, June 27, 1945; 12:00 m.]

[Docket No. 6708]

AUGUSTA BROADCASTING CO.

SUPPLEMENTAL NOTICE OF HEARING

In re application of Augusta Broadcasting Company (New); date filed, June 2, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Charleston, S. C.; operating assignment specified; frequency, 1450 kc; power, 250 w; hours of operation unlimited. File No. B3-P-3632.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of The Observer Radio Company, Docket No. 6763 and Orangeburg Broadcasting Corporation, Docket No. 6764 for the following additional reasons:

1. To determine the nature, extent, and effect of any interference which would result from the simultaneous operation of the proposed station and from the operation of the stations proposed by The Observer Radio Company and the Orangeburg Broadcasting Corporation in their respective applications for a new station at Orangeburg, South Carolina, (Docket Nos. 6763 and 6764), as well as the areas and populations affected thereby, and the nature of other broadcast services available to these areas and populations.

Issues Nos. 8 and 10 contained in the Bill of Particulars issued December 22, 1944, with respect to this application are hereby amended to read as follows:

8. To determine whether the granting of this application would be otherwise consistent with the Commission's supplemental statement of policy of January 16, 1945.

10. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by the granting of this application, the application of The Observer Radio Company (Docket No. 6763) and the application of the Orangeburg Broadcasting Corporation (Docket No. 6764) or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Augusta Broadcasting Company, c/o W. R. Ringson—Radio Station WRDW, Masonic Building, 8th & Broad Streets, Augusta, Georgia.

Dated at Washington, D. C., June 23, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-11432; Filed, June 27, 1945, 12:00 m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5110]

S & S TIE CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of June, A. D. 1945.

In the matter of Joseph Schecter and Arnold Stockenberg copartners, trading as S & S Tie Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 30, 1945, at ten o'clock in the forenoon of that day (Pacific standard time), in Room 229, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-11347; Filed, June 27, 1945, 11:05 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Gen. Order 64]

EXERCISE BY DEPUTY OR ASSISTANT REGIONAL ADMINISTRATOR OF DISTRICT DIRECTOR'S FUNCTIONS, WHERE LATTER OFFICE NON-EXISTENT

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942 as amended, and by the Second War Powers Act as amended and Executive Order 9125 and WPB Directive No. 1, as supplemented, the following is issued:

(a) Wherever an order issued by the Administrator or his duly authorized representative provides for the exercise of a power or function by the District Director, such power or function may, in those areas where the office of the District Director does not exist, or where such power or function has been delegated or transferred to the Regional Administrator, be exercised by the Deputy Regional Administrator, the Assistant Regional Administrator, or an Assistant to the Regional Administrator.

This order shall become effective June 26, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES, *Administrator.*

[F. R. Doc. 45-11340; Filed, June 26, 1945; 4:39 p. m.]

[MPR 188, Order 1 Under Order 2525]

LESTER PIANO CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to paragraph (d) of Revised Order 2525 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's Maximum Prices for all sales except at retail.* The Lester Piano Manufacturing Co., Inc., 1533 Chestnut Street, Philadelphia 2, Pennsylvania, herein called the manufacturer may increase its maximum prices for sales of new pianos of its manufacture, in effect prior to October 7, 1944, to each class of purchaser, for all sales except sales at retail as follows:

(1) Subtract the Federal excise tax and any amount for freight which is included in the price.

(2) To this figure add 21.41% thereof.

(3) The result is the new maximum price to each class of purchaser. The Federal excise tax payable to that maximum price and any freight deducted may be added.

(b) *Maximum prices for sales at retail.* The maximum price for a sale or delivery at retail by the manufacturer on or after the effective date of this order or by a retailer of a piano which he receives on or after the effective date of this order (except for a sale by mail order) is the total of the following, adjusted upward or downward to the nearest dollar.

(1) The manufacturer's highest maximum price to retailers as established under paragraph (a) of this order (exclusive of freight and Federal excise tax).

(2) The applicable markup of the following: If the manufacturer's highest maximum price (exclusive of freight and Federal excise tax), is:

(i) Not more than $225, add 77% of such maximum price.

(ii) Between $255.01 and $338.00, add 73% of such maximum price, or $173.25, whichever is greater.

(iii) Between $338.01 and $564.00, add 68% of such maximum price, or $246.74, whichever is greater.

(iv) Over $564.00 add 65% of such maximum price or $383.52, whichever is greater.

(3) The amount of Federal excise tax payable by the manufacturer.

(4) The freight allowance indicated in paragraphs (e) (2) (i) and (e) (2) (ii) (a) of Revised Order 2525 under Maximum Price Regulation No. 188.

The maximum retail price so computed includes the Federal excise tax and the permissible charge for freight. No additional amount may be added thereto on account of these terms. Each seller at retail shall continue to furnish the services he customarily furnished in March 1942 on the sale of a new piano, as, for example, free delivery, tuning, etc. In addition, a seller at retail shall continue in effect, terms, discounts, trade in and other allowances no less favorable to the purchaser than he allowed in March 1942. Local and state taxes and credit charges (in accordance with paragraph (i) of Revised Order 2525) may be added, together with other price differentials for which the seller at retail customarily made a separately stated charge during March 1942.

(c) *Applicability of provisions of Revised Order 2525.* The following paragraphs of Revised Order 2525 are specifically applicable to the pianos for which adjusted maximum prices are established by this order:

(c) *Manufacturers' maximum prices for new or changed models.*
(f) *Tagging.*
(k) *Adjustment, corrections and revocation of maximum prices.*
(l) *Credit charges.*
(j) *Definitions.*
(k) *Relationship between this order, The General Maximum Price Regulation and Maximum Price Regulation No. 188.*

This order shall become effective on the 26th day of June 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES, *Administrator.*

[F. R. Doc. 45-11338; Filed, June 26, 1945; 4:39 p. m.]

[RMPR 136, Amdt. 1 to Order 407]

FORD MOTOR CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Order 407 under Revised Maximum Price Regulation 136, Machines, parts and industrial equipment. Ford Motor Company, Docket No. 6083-136.25a-136.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

1. The narrative of paragraph (a) preceding subparagraph (1) is amended to read as follows:

(a) Ford Motor Company, Dearborn, Michigan, is authorized to sell f. o. b. factory its Model 51C, truck chassis and cab with pickup body, 8 cylinder, 90 horsepower, 114" wheelbase, ½-ton nominal rating, produced under the War Production Board's allocation to the Ford Motor Company for 1945 production of 12,674 units of ½-ton commercial truck models, at a price not to exceed a net wholesale price of $630.00 and a retail list price of $840.00 (subject to the discounts and deductions in effect to the applicable class of purchasers on March 31, 1942). The manufacturer shall determine the maximum prices of other models within the ½-ton commercial line of its manufacture produced under the above allocation, by adjusting the maximum price in effect on March 31, 1942 of each such model so that the same dollar differential shall exist between that adjusted price and the adjusted price of the Model 51C pickup as existed between the March 31, 1942 prices of such models. The following applicable charges may be added to these adjusted prices:

2. A new paragraph (a) 1 is added to Order No. 407 under Revised Maximum Price Regulation 136, to read as follows:

(a) 1-(1) This paragraph authorizes a maximum price for the Ford Motor Company's sale f. o. b. Dearborn, Michigan, the basing point, for each of the Ford models referred to in paragraph (a) when sold on a knocked down basis. The maximum price for the knocked down model shall be the maximum net selling price under paragraph (a) for the complete unit less the following deductions:

(i) When chassis is delivered as knocked down material	$55.00
(ii) When cab is delivered as knocked down material	28.50
(iii) When cowl is delivered as knocked down material	7.00
(iv) When closed drive-away front-end is delivered as knocked down material	7.00
(v) When pickup body is delivered as knocked down material	7.00

(2) When the Ford Motor Company makes a sale of a Ford model on a knocked down basis, including a knocked down chassis, in accordance with this paragraph (a) 1, in addition to the price it may charge under subparagraph (1) above, it may charge an amount not to exceed 2.6% of the maximum net selling price in subparagraph (1) to cover additional expense of loading the knocked down vehicle in railroad cars for shipment.

3. All requests not granted herein are denied.

4. This amendment may be revoked or amended by the Administrator at any time.

This amendment shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES, *Administrator.*

[F. R. Doc. 45-11426; Filed, June 27, 1945; 11:50 a. m.]

[MPR 120, Order 1403]

JACKSON AND SQUIRE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Coaldale Mine of Jackson and Squire is hereby assigned Mine Index No. 1037 and its coals are classified in Production Group No. 9 of District No. 14.

(b) Coals produced by Jackson and Squire from the Upper and Lower Hartshorne Seams, located in Scott County, Arkansas, in Production Group No. 9 of District No. 14, may be purchased and sold for the indicated uses and movements at per net ton prices not exceeding the following:

	Size group Nos.												
	1, 3A	2, 3	6, 7, 8	9	10, 11	12, 13	14, 15, 16	17	18	19	20	21	22
All methods of transportation and for all uses	$5.30	$5.15	$5.30	$4.85	$4.85	$4.45	$2.20	$3.25	$3.75	$4.25	$3.75	$3.35	$2.55
Washed coal					5.00	4.60	2.35	3.40					

(c) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel, all uses.

(d) All prayers of the applicant not granted herein are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(g) The price classifications and mine index number assigned herein are permanent but the maximum price classifications may be changed by order or amendment.

(h) The term "washed coal" used herein shall mean coal that has been submerged in or thoroughly flushed with water and cleaned by flotation or flushing process in coal washeries.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11260; Filed, June 25, 1945; 4:56 p. m.]

[MPR 120, Order 1404]

ORONOGO MUTUAL MINING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120. *It is ordered:*

(a) The Bates Mine of Oronogo Mutual Mining Company is hereby assigned Mine Index No. 1035 and its coals are classified in Production Group No. 9 of District No. 14.

(b) Coals produced by Oronogo Mutual Mining Company from the Upper and Lower Hartshorne Seams at its Bates Mine, Mine Index No. 1035, located in Scott County, Arkansas, in Production Group No. 9 of District No. 14 may be purchased and sold for the indicated uses and movements at per net ton prices not exceeding the following:

	Size group Nos.												
	1, 3A	2, 3	6, 7, 8	9	10, 11	12, 13	14, 15, 16	17	18	19	20	21	22
All methods of transportation and for all uses	$5.30	$5.15	$5.30	$4.85	$4.85	$4.45	$2.20	$3.25	$3.75	$4.25	$3.75	$3.35	$2.55
Washed coal					5.00	4.60	2.35	3.40					

(c) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel for all uses.

(d) All prayers of the applicant not granted herein are hereby denied.

(e) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) The price classifications and mine index numbers assigned herein are permanent, but the maximum prices may be charged by order or amendment.

(h) The term "washed coal" used herein shall mean coal that has been submerged in or thoroughly flushed with water and cleaned by flotation or flushing process in coal washeries.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11261; Filed, June 25, 1945; 4:57 p. m.]

[MPR 188, Order 103 Under 2d Rev. Order A-3]

ROME SPECIALTY CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Rome Specialty Co., Inc., Rome, N. Y., may add to its maximum prices, in effect prior to the issuance of this order, for sales and deliveries to jobbers and manufacturers of the articles of fishing tackle listed below which it manufactures, the adjustment charges set forth opposite each article.

Article	No.	Permitted adjustment for sales to jobbers and manufacturers
		Per gross
Brass barrel swivels	6-0	$0.30
	5-0	.18
	4-0	.14
	3-0	.11
	2-0	.09
	1-0	.08
	1	.07
	2	.06
	3½	.05
	5	.04
	7	.03
	10	.02
	12	.02
Brass box swivels	00	.12
	0-0	.10
	4-0	.09
	3-0	.08
	2-0	.07
	1-0	.06
	1	.05
	2	.04
	3	.03
	4	.03
	5	.03
	6	.02
	7	.02
	8	.02
	10	.02
Barrel swivels and snaps	6-0-5	.14
	5-0-5	.12
	4-0-5	.10
	3-0-5	.09
	2-0-5	.07
	1-0-5	.06
	1-5	.04
	2-5	.03
	3½-4	.02
	5-3	.02
	7-2	.02
	10-1	.02
	12-0	.02
Safety snaps only	0	.03
	1	.03
	2	.03
	3	.03
	4	.02
	5	.02

These adjustment charges may be made and collected only if they are separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect prior to the issuance of this order, an adjustment charge in the same amount as the adjustment charge herein authorized for and which he pays to his supplier. If such a purchaser does not have an established maximum price for the article prior to the issuance of this order, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sale under the applicable price regulation. If the applicable regulation requires maximum resale prices to be computed on the basis of costs, the reseller must find his maximum prices (without the adjustment charge) by using as costs his invoice costs not including any adjustment charges stated on the invoice. On all sales except sales to ultimate consumers these additional adjustment charges may be made and collected only if they are separately stated on the invoice. The adjusted maximum prices are subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of June 1945

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11237; Filed, June 25, 1945; 4:49 p. m.]

[MPR 188, Rev. Order 3325]

HARRY J. ABRAMS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 3325 under Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a lawn chair, a swing and a utility table manufactured by Harry J. Abrams, 1307 Randolph Street, N. W., Washington, D. C.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Lawn chair "Packaway"	10	*Dozen* $31.88	*Dozen* $37.50
Swing	14	*Each* $13.20	*Each* $16.50
Utility table	13	3.97	4.97

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated December 17, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Lawn chair "Packaway"	10	*Dozen* $37.50
Swing	14	*Each* $16.50
Utility table	13	4.97

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated December 17, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11259; Filed, June 25, 1945; 4:56 p. m.]

[MPR 188, Rev. Order 3447]

CARROLLTON MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3447 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Carrollton Manufacturing Company of Carrollton, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales to—				
		Jobbers	Chain stores	Department stores	Retailers other than chain and department stores	Users
4-quart stainless steel sauce pan	214	*Each* $2.70	*Each* $3.60	*Each* $3.60	*Each* $3.33	*Each* $5.00
2-quart stainless steel sauce pan	212	2.02	2.25	2.25	2.50	3.75
2-quart stainless steel double boiler	302	3.37	3.75	3.75	4.17	6.25
6-quart stainless steel sauce pot	266	3.24	3.60	3.60	4.00	6.00

These maximum prices are for the articles described in the manufacturer's application dated January 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days except that sales to users are net.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, it must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no such sales or deliveries may be made until its maximum prices have been established by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement with the blank properly filled in:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11258; Filed, June 25, 1945; 4:56 p. m.]

[MPR 188, Rev. Order 3523]

ALL-WOOD PRODUCTS CO., INC.

APPROVAL OF MAXIMUM PRICES

Order No. 3523 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by All-Wood Products Company, Inc., of 1934 Jerome Avenue, Bronx 53, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by the manufacturer to—		Maximum prices for sales by persons other than the manufacturer to—	
	Jobbers	Retailers	Retailers	Consumers
Model 400, 20 x 10 x 20, masonite hamper	*Each* $4.00	*Each* $5.00	*Each* $5.00	*Each* $7.95
Model 405, 20 x 10 x 30, masonite hamper	4.50	5.75	5.75	8.95

These maximum prices are for the articles described in the manufacturer's application dated December 5, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These maximum prices are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been established by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement, with the amount properly filled in:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11257; Filed, June 25, 1945; 4:56 p. m.]

[MPR 188, Order 3998]

ORONO BOAT WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Orono Boat Works of R. F. D. No. 1, Wayzata, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by any person to—	
	Retailers	Consumer
16-foot rowboat with oars	$108.15	$154.50

These maximum prices are for the articles described in the manufacturer's application dated April 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$154.50
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11238; Filed, June 25 1945; 4:50 p. m.]

[MPR 188, Order 3999]

ZEPHYR MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Zephyr Manufacturing Company, 201 Hindry Avenue, Inglewood, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	ZT-33	*Each* $2.02	*Each* $2.70	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated May 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11239; Filed, June 25, 1945; 4:50 p. m.]

[MPR 188, Order 4000]

ATLANTA ALUMINUM PATTERN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Atlanta Aluminum Pattern Company, 8 Adair Avenue SE., Atlanta, Ga.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—		Maximum prices for sales by all other than manufacturer to—	
		Jobber	Retailer	Retailer	Consumer
Cast aluminum skillet	8"	*Each* $0.47	*Each* $0.57	*Each* $0.57	*Each* $0.95
Do	6½"	.24	.30	.30	.50

These maximum prices are for the articles described in the manufacturer's application dated February 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to no cash discount.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in.

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11240; Filed, June 25, 1945; 4:50 p. m.]

[MPR 188, Order 4001]

SWAN METAL CAP CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Swan Metal Cap Company, Inc., 108-128 North Jefferson Street, Chicago, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article—No. 63MM Jar Cap

Maximum prices for sales by manufacturer to—	
Jobber	gross $1.20
Department and chain stores	gross 1.44
Other retailer	gross 1.60
Maximum prices for sales by sellers other than manufacturer to—	
Retailer	gross 1.60
Consumer	dozen .20

These maximum prices are for the articles described in the manufacturer's application dated April 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.20 Dozen
Do Not Detach

Model 485, 20 x 10 x 30, masonite hamper	4.50	5.75	5.75	8.95

sellers indicated below, the maximum prices are those set forth below:

imum Price Regulation No. 188, *It is ordered:*

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11241; Filed, June 25, 1945; 4:50 p. m.]

[MPR 188, Order 4002]

MONTICELLO DISPLAYS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Monticello Displays of Elwood, Ind.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES OF WIRE BROOM RAKE—MODEL NO. MD-22

	Per dozen
By manufacturer to—	
Wholesalers (jobbers)	$7.20
Syndicate stores and chain stores	7.20
Other retailers	9.60
By sellers other than manufacturer to—	
Retailers	9.60
	Each
Consumers	$1.20

These maximum prices are for the articles described in the manufacturer's application dated January 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.20
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11242; Filed, June 25, 1945; 4:51 p. m.]

[MPR 188, Order 4003]

SPOKANE STOVE & FURNACE REPAIR WORKS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Spokane Stove & Furnace Repair Works, Inc., 914 First Avenue, Spokane 6, Wash.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to retailer	Maximum prices for sales by sellers other than manufacturer to—	
			Retailer	Consumer
		Pair	*Pair*	*Pair*
Brass andirons	1121D	$5.40	$5.40	$9.00
Do	1223A	7.20	7.20	12.00
Do	2330F	8.70	8.70	14.50
Do	3231F	9.00	9.00	15.00
Do	3632J	11.70	11.70	19.50
Do	3130K	13.50	13.50	22.50
Do	4050R	15.30	15.30	25.50
Do	5333P	17.10	17.10	28.50
Do	5151T	19.80	19.80	33.00
Do	6666U	26.10	26.10	43.50
		Each set	*Each set*	*Each set*
Brass fireset	103	12.60	12.60	21.00

These maximum prices are for the articles described in the manufacturer's application dated May 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

OPA Retail Ceiling Price, $____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11243; Filed, June 25, 1945; 4:51 p. m.]

[MPR 188, Order 4005]

HARVILL CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Harvill Corporation, 6251 West Century Boulevard, Los Angeles 43, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—CAST ALUMINUM FRY PAN, PLASTIC HANDLES, HIGH POLISH, 10½" x 4¼", MODEL NO. SK10½

	Each
Maximum prices for sales by manufacturer to—	
Jobber	$3 13
Department store	3.75
Other retailer	4 17
Maximum prices for sales by seller other than the manufacturer to—	
Retailer	4 17
Consumer	6.25

These maximum prices are for the articles described in the manufacturer's application dated May 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$6.25
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11245; Filed, June 25, 1945; 4:52 p. m.]

[MPR 188, Order 4006]

MONARCH TOOL & INSTRUMENT CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of the aluminum cooking utensils manufactured by the Monarch Tool & Instrument Company, 301 West G Street, San Diego 1, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by manufacturer to—			Maximum prices for sales by sellers other than manufacturer to—	
		Jobbers	Department stores	Other retailers	Retailers	Consumers
		Each	*Each*	*Each*	*Each*	*Each*
Aluminum cooky sheet, 17⅝" x 12¾" x 7/16"	66	$0.67	$0.80	$0.80	$0.80	$1.33
Aluminum grill roaster with handles, 16¾" x 11⅝"	116A	.91	1.09	1.21	1.21	1.82
Aluminum grill roaster without handles, 16¾" x 11⅝"	117A	.82	.98	1.09	1.09	1.63
Aluminum roaster, 17⅛" x 11⅝"	125A	2.99	3.58	3.98	3.98	6.97

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 1% for payment within 10 days, net 30 days. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

OPA Retail Ceiling Price—$____
Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11246; Filed, June 25, 1945; 4:52 p. m.]

[MPR 188, Order 4004]

THE SELLERS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Sellers Company, 610 South Third Street, Philadelphia 47, Pennsylvania.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Each	*Each*	*Each*
Pottery base table lamp in 3 colors—ivory, blue and coral—embossed and decorated with 15" drum pleated rayon shade with ruffled braid trim	P-300/1	$4.68	$5.50	$9.90
Pottery base table lamp in 3 colors—ivory, blue and coral—embossed and decorated with 16" stretched ball shade	P-400/2	5.53	6.50	11.70
Moulded crystal table lamp, 24" tube on 6 x 6 glass ash tray base with pleated rayon 15" drum shade single ruching top and bottom	C-303/21	5.65	6.65	11.97
Do	C-301/21	5.65	6.65	11.97
Moulded crystal table lamp, 24" tube on 6 x 6 glass ash tray base with stretched 16" bell shade of rayon with single ruching top and bottom	C-300/2	6.19	7.65	13.10
Moulded crystal table lamp, 24" tube on 6 x 6 glass ash tray base with stretched 18" bell shade with two-toned ruching	C-700/3	7.24	8.50	15.30
Moulded crystal table lamp, 24" tube on 6 x 6 glass ash tray base with stretched 18" bell shade with two-toned ruching	C-600/3	7.23	8.50	15.30
Moulded crystal table lamp, 24" tube on 6 x 6 glass ash tray base with stretched 18" bell shade with two-toned ruching	C-650/3	7.23	8.50	15.30
Moulded crystal table lamp, 24" tube on 6 x 6 glass ash tray base with stretched 18" bell shade with two-toned ruching	C-550/3	6.70	7.95	14.31

These prices are for the articles described in the manufacturer's application dated April 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the ef-

fective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11244; Filed, June 25, 1945; 4:51 p. m.]

[MPR 188, Order 4007]

BARNES-McINTOSH

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Barnes-McIntosh of 110 Albany Avenue, Waycross, Ga.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Retailers	Retailers	Consumers
Lawn rake (broom type)	2	*Per doz.* $3.50	*Per doz.* $4.07	*Per doz.* $4.67	*Each* $0.58

These maximum prices are for the articles described in the manufacturer's application dated March 29, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$------
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11247; Filed, June 25, 1945; 4:53 p. m.]

[MPR 188, Order 4008]

ARNO ELECTRIC MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188. *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Arno Electric Manufacturing Company, 401 Broadway, New York 13, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Maximum prices for sales by manufacturer to—	1000-watt electric heater, bowl type, No. 1116	350-1000 watt, B-heat, single burner, No. 20, hot plate
	Each	*Each*
Distributor	$2.97	$3.65
Wholesaler	3.24	3.98
Retailer (in units of 6 or more)	3.84	2.34
Retailer (in less than 6 units)	4.10	2.74
Maximum prices for sales by sellers other than manufacturer to		
Retailer (in units of 6 or more)	3.84	2.34
Retailer (in less than 6 units)	4.10	2.74
User	6.21	4.10

These maximum prices are for the articles described in the manufacturer's application dated May 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the retail prices properly filled in:

Arno Electric Manufacturing Co.
401 Broadway
New York, New York
Model No. ----------
OPA Retail Ceiling Price—$---------
Price Includes Federal Excise Tax
Do Not Detach

Order No. ----------
Model No. ----------
OPA Retail Ceiling Price—$---------
Price Includes Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11248; Filed, June 25, 1945; 4:53 p. m.]

[MPR 188, Order 4009]

LEWIS BISHOP

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lewis Bishop of Arcadia, Fla.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Retailers	Retailers	Consumers
Lawn and garden sprinkler	2	$1.95	$2.60	$2.60	$3.90
	1	2.56	3.41	3.41	5.12

These maximum prices are for the articles described in the manufacturer's application dated February 13, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, with full freight allowed on shipments of 100 pounds or more to jobber's stock, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price —$------
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11249; Filed, June 25, 1945; 4:53 p. m.]

[MPR 188, Order 4010]

HOLLYWOOD LAMPS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Hollywood Lamps, 2532 West Boulevard, Los Angeles 16, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Rayon covered paper parchment lamp shade with bound edges:		*Each*	*Each*	*Each*
21-inch	201A	$3.36	$3.95	$5.11
19-inch	201B	3.14	3.70	6.66
17-inch	201C	2.93	3.45	6.21
15-inch	201D	2.72	3.20	5.76
Rayon covered pleated paper parchment lamp shade with bound edges:				
22-inch	401A	4.16	4.80	8.80
20-inch	401B	3.88	4.56	8.21
18-inch	401C	3.60	4.24	7.63
16-inch	401D	3.30	3.88	6.98

These maximum prices are for the articles described in the manufacturer's application dated February 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11250; Filed, June 25, 1945; 4:53 p. m.]

[MPR 188, Order 4011]

ASTOR PLAYING CARD CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Astor Playing Card Company, Inc., 43 West 23d Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by all persons to—		
	Jobber	Retailer	Consumer
Astor windproof cigarette lighter	*Each* $1.125	*Each* $1.50	*Each* $2.50

These maximum prices are for the articles described in the manufacturer's application dated June 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $2.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc. 45-11251; Filed, June 25, 1945; 4:54 p. m.]

[MPR 188, Order 4012]

BEACON LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Beacon Lamp Company, 48 A Lombardy Street, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Jobber	Retailer	Consumer
Chrome vase table lamp with colorful floral decoration	1	*Each* $5.10	*Each* $8	*Each* $10.80

These maximum prices are for the articles described in the manufacturer's application dated March 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$10.80 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc 45-11252, Filed, June 25 1945; 4:54 p m.]

[MPR 188, Order 4013]

DE LUXE ELECTRIC LAMP MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by De Luxe Electric Lamp Mfg. Co., 1220 Jerome Avenue, Bronx, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons— To wholesalers	To retailers	To consumers
Rayon satin bed lamp with braid, lace and rosebud trim and complete with fixtures. (Lamp is lined and frame wrapped)	501	*Each* $1.70	*Each* $2.00	*Each* $3.00

These maximum prices are for the articles described in the manufacturer's application dated April 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$3.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11253; Filed, June 25, 1945; 4:54 p. m.]

[MPR 188, Order 4014]

MCGRATH ST. PAUL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by McGrath St. Paul Company, 242 East Fifth Street, St. Paul 1, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by all persons		
	Jobber	Retailer	Consumer
Gale-Lite cigarette lighter	*Each* $0.90	*Each* $1.20	*Each* $2

These maximum prices are for the articles described in the manufacturer's application dated June 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F R Doc. 45-11254; Filed, June 25, 1945; 4:55 p. m.]

[MPR 188, Order 4015]

DEW-LITE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Dew-Lite Company, 3431 South Main Street, Los Angeles 7, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to— Jobber	Retailer	Consumer
Cigarette lighter	100A	*Each* $2.02	*Each* $2.70	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated June 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11255; Filed, June 25, 1945; 4:55 p. m.]

[MPR 188, Order 4016]

CRYSTAL PLASTIC CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Crystal Plastics Company, 3023 Ocean Park Boulevard, Santa Monica, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by all persons		
	Jobber	Retailer	Consumer
Crystal 50 cal. cigarette lighter	*Each* $0.68	*Each* $0.90	*Each* $1.50

These maximum prices are for the articles described in the manufacturer's application dated June 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of June 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11256; Filed, June 25, 1945; 4:55 p. m.]

[MPR 260, Order 1305]

VENTURA VAZQUEZ & FELIX MERCED

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ventura Vazquez & Felix Merced, 231 E. 110 St., New York 29, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Coronitas	4½"	50	$36	2 for 9
Cetros	5"	50	60	2 for 15
Corona Chicas	4⅝"	50	26	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11262; Filed, June 25, 1945; 4:57 p. m.]

[MPR 260, Order 1306]

F. & F. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) F. & F. Cigar Factory, 1518-15 Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Luz de Tampa	Diplotas	50	$28	2 for 7
Florida Finos	Corona Chica	50	56	7
Victorias	Rondo Victorias	50	44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11263; Filed, June 25 1945; 4:57 p. m.]

[MPR 260, Order 1307]

MIGEL C. GARCIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Migel C. Garcia, 2714 State Street, Tampa 6, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
	Inches		*Per M*	*Cents*
Culebalanos	4½	50	$75.00	10
Coronas	5	50	97.50	13
P. Cigriente	4⅝	50	130.00	17
Churchill	4⅝	50	72.00	9
Breves, Flat	4⅝	50	36.00	2 for 9
Londres	4⅝	50	78.75	2 for 21
Media Corona	5	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11264; Filed, June 25, 1945; 4:57 p. m.]

[MPR 260, Order 1308]

ARCURI MICHELLE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Arcuri Michelle Cigar Factory, 1702 Michigan Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
A. M. Cigars	Media Corona	50	$161.50	21
	Breves	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11265; Filed, June 25, 1945; 4:58 p. m.]

[MPR 260, Order 1309]

VINCENT & JACK PECORARO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Vincent & Jack Pecoraro, 2418 Wentworth Avenue, Chicago 16, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
3-J-Cigar	Corona	50	$72	9
	Smoker	50	72	9
	Perfecto	50	72	9
Washington	Smoker	50	115	15
	Corona	50	105	14
	Perfectos	50	123	16

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer

or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11266; Filed, June 25, 1945; 4:58 p. m.]

[MPR 260, Order 1310]

SHERMAN L. BULL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Sherman L. Bull, 137 W. Gay Street, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ramona de Luxe	De Luxe	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11267; Filed, June 25, 1945; 4:58 p. m.]

[MPR 260, Order 1311]

HARRY F. SCHMUCK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Harry F. Schmuck, R. D. #1, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Harry's De Luxe	Kings	50	$60	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11268; Filed, June 25, 1945; 4:59 p. m.]

[MPR 260, Order 1312]

YOLANDA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Yolanda Cigar Factory, 3209 W. Columbus Drive, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Yolanda	Coronas	50	$75	10
	Elegantes	50	60	2 for 15
	Blunts	50	50	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11269; Filed, June 25, 1945; 4:59 p. m.]

[MPR 260, Order 1313]

M. H. SMALTZ & SON, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. H. Smaltz & Son, Inc., 15 So. 2 St., Womelsdorf, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ditto	Perfecto	50	$44	2 for 11
Bessie Kenton	do	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11270; Filed, June 25, 1945; 4:59 p. m.]

[MPR 260, Order 1314]

SEA BREEZE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Sea Breeze Cigar Factory, 1823 13 St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Sea Breeze	Palmas	50	$177	23
	Brevas	50	100	22
	Queen	50	72	6
	Panetela No. 1	50	75	10
	Alambrados	50	48	6
	Corona No. 2	50	75	10
	Fancy Pales	50	75	10
	Especiales	50	60	2 for 15
	Londres	50	56	7
	Reinas	50	56	7
	Corona No. 3	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to pur-

chasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11271; Filed, June 25, 1945; 4:59 p. m.]

[MPR 260, Order 1315]

GREY BEAR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Grey Bear Cigar Co., 3749 Leland Ave., Chicago, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Grey Bear	Corona	50	$1.00.00	3 for 50
	Smoker	50	72.00	9
Wm. Bond	Corona	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11272; Filed, June 25, 1945; 5:00 p. m.]

[MPR 260, Order 1316]

JUAN ALVAREZ CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan Alvarez Cigar Co., 4011 Nebraska Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
City Council	Panetelas	50	$141.00	17
	Joys	50	96.00	12
	Queens	50	154.00	20
	Couchus	50	82.50	11
	Brevas	50	150.00	22
	Londres	50	101.25	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11273; Filed, June 25, 1945; 5:00 p. m.]

[MPR 260, Order 1317]

CASA CUBA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Casa Cuba Cigar Factory, 3001 Chestnut Ave., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Casa Cuba	Senators	50	$82.50	11
La Estampa	Petit Cetros	50	90.00	12
	Breva Chica	50	101.25	2 for 25
	Diplomatic	50	101.25	2 for 25
	Brevas Finas	50	150.00	22
	Favoritos	50	173.00	2 for 45
Casa Cuba	Panetela	50	161.50	21
	Invencibles	50	192.00	25
	Corona-Corona	50	200.00	26

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11274; Filed, June 25, 1945; 5:00 p. m.]

[MPR 260, Order 1318]

TOM BISHOP CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tom Bishop Cigar Factory, 5133 W. Parker Ave., Chicago, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tom Bishop	Club House	50	$72.00	9
	Panatella inches. 4⅝	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11275; Filed, June 25, 1945; 5:01 p. m.]

[MPR 260, Order 1319]

I. FONTE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) I. Fonte Cigar Factory, 1715 15 Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list

price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Feuste Cigars	Cubanas	50	$64	8
	Panatelas	50	56	7
	Palmas	20	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11276; Filed, June 25, 1945; 5:01 p. m.]

[MPR 260, Order 1320]

ESSEX CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Essex Cigar Co., 5247 Grandy, Detroit 11, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Robert Mantell	Longfellow	50	*Per M* $101	*Cents* 2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1945.

Issued this 25th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11277; Filed, June 25, 1945; 5:01 p. m.]

[MPR 188, Order 4017]

BUDAN PLASTIC & METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Budan Plastic & Metal Products Company, 2912 Lachde Avenue, Los Angeles 26, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for any seller to—			
		Wholesalers (jobbers) stocking	Wholesalers (jobbers) nonstocking	Retailers	Consumers
Aluminum milk bottle cover, 2¾ x 2¾ x 2¼	"Leisure Cap"	*Per gross* $3.60	*Per gross* $3.82	*Per gross* $4.20	*Each* $0.05

These maximum prices are for the articles described in the manufacturer's application dated January 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 27th day of June 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11321; Filed, June 26, 1945; 11:42 a. m.]

[MPR 188, Order 4018]

CARDINAL CUTLERY CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Cardinal Cutlery Corporation, 475 Fifth Avenue, New York 17, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—			Maximum prices for sales by sellers other than manufacturer to—	
		Wholesalers (jobbers)	Wholesalers (dropship jobbers)	Other retailers	Retailers	Consumers
Hunting knife	#100	*Each* $1.56	*Each* $1.66	*Each* $1.95	*Each* $1.95	*Each* $2.25
Do	#101	1.32	1.40	1.65	1.65	2.75
Do	#101X	1.32	1.40	1.65	1.65	2.75

These maximum prices are for the articles described in the manufacturer's application dated May 22, 1945. They are f. o. b. factory, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of June 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11322; Filed, June 26, 1945; 11:43 a. m.]

[MPR 260, Order 1321]

ROHNER & VADERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rohner & Vaders, 35 Redding St., Hartford 6, Conn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
City Seal	Perfecto	50	$44	2 for 11
Old Timer	Londres	50	115	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11306; Filed, June 26, 1945; 11:38 a. m.]

[MPR 260, Order 1322]

ANGEL SANTIAGO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Angel Santiago, Machuelo Abajo, Ponce, Puerto Rico (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona Corta	Fly	50	$14	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11307; Filed, June 26, 1945; 11:38 a. m.]

[MPR 260, Order 1323]

JUNCOSA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juncosa Cigar Factory, 1203 Collins St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Juncosa	Corona Chica	50	$ 6.00	5
	Corona	50	97.50	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11308; Filed, June 26, 1945; 11:38 a. m.]

[MPR 260, Order 1324]

LESTER H. MOORE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Lester H. Moore, 510 Manor St., Lancaster, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Loel Jerome	Perfecto	50	$56	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11309; Filed, June 26, 1945; 11:39 a. m.]

[MPR 260, Order 1325]

LA ROSITA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Rosita Cigar Factory, 2007 12th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
E. Capaz Special	Comodores	50	$101.25	2 for 27
	Brevas	50	169.00	22
Hijits	Coronas 24	50	96.00	12
	Bongos	50	64.00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11310; Filed, June 26, 1945; 11:38 a. m.]

[MPR 260, Order 1326]

MARY FERNANDEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mary Fernandez, 1483 Madison Avenue, New York City, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Floranada	Coronas	50	$78.75	2 for 21
	Palmas	50	160.00	22
Garcia Liberal	Panetelas	50	72.00	9
Floranada	Dukes	50	64.00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars.

The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requiries, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11311; Filed, June 26, 1945; 11:39 a. m.]

[MPR 260, Order 1327]

ROBERT P. GONZALEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Robert P. Gonzalez Cigar Factory, 2004 Mitchell St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Don Manuel	Panetela Especial	50	$131	17
Notice	Blunts	50	48	6
	Diplomaticos	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11312; Filed, June 26, 1945; 11:39 a. m.]

[MPR 260, Order 1328]

LUIS ALADRO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Luis Aladro Cigar Co., 2912½ 16th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Invasion	Little Kings	50	$80 00	12
	Kings	50	101 25	2 for 27
	Generals	50	60 00	2 for 15
	Epitores	50	115 00	15
	Brevas	50	154 00	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11313; Filed, June 26, 1945; 11:41 a. m.]

[MPR 260, Order 1329]

S. FRIEDER & SONS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) The S. Frieder & Sons Co., of Pennsylvania, Third & Spruce Streets, Philadelphia 6, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Factory Seconds		50	$90	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11314; Filed, June 26, 1945; 11:40 a. m.]

[MPR 260, Order 1330]

GUSTAVE A. LAINE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gustave A. Laine, 112 French Avenue, East Haven, Conn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Laine's Chicken	4½"	50	$36	2 for 9
Laine's Rooster	5"	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11315; Filed, June 26, 1945; 11:40 a. m.]

[MPR 198, Amdt. 1 to Order 3818]

W. P. FULLER AND CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 3618 under § 1499.158 of Maximum Price Regulation is amended in the following respects:

(1) The name "W. F. Fuller and Company" wherever it appears in the order should read "W. P. Fuller and Company."

(2) Paragraph (a) (1) is amended to read as follows:

(1) On sales to consumers.

24" x 62" or 24" x 64" aluminum shower door with alumilited finish	$35.00
27" x 62" or 27" x 64" aluminum shower door with alumilited finish	37.50
30" x 62" or 30" x 64" aluminum shower door with alumilited finish	40.00

This amendment is effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11320; Filed, June 26, 1945; 11:42 a. m.]

[MPR 580, Revocation of Order 9]

JULIUS KAYSER & CO.

ADJUSTMENT OF MAXIMUM PRICES

Order 9 under Section 13 of Maximum Price Regulation 580, order of revocation, Julius Kayser & Co. Docket No. 6963-580-13-53.

The opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

(a) Order 9 under section 13 of Maximum Price Regulation 580, issued to Julius Kayser & Co., on May 10, 1945, effective May 11, 1945, is hereby revoked subject to the provisions of Supplementary Order 40.

(b) Julius Kayser & Co. shall send a copy of this order of revocation to each person to whom it forwarded a copy of Order 9 or whom it notified of the provisions of Order 9.

This order shall become effective June 27, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 11323; Filed, June 26, 1945; 11:42 a. m.]

Regional and District Office Orders.

[Region II Order G-1 Under MPR 188]

READY-MIXED CONCRETE IN NEW YORK CITY AREA

For the reasons set forth in an opinion issued simultaneously herewith filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188; *It is ordered:*

(a) On and after the effective date of this order, manufacturers of ready-mixed concrete produced and sold in the metropolitan area of New York City as hereinafter defined, are permitted to increase their maximum prices for ready-mixed concrete produced and sold in the metropolitan area of New York City, as established pursuant to Maximum Price Regulation No. 188 as amended, by 75¢ per cu. yard.

(b) The metropolitan area of New York City, as the term is used in this order consists of the five boroughs of New York City, Manhattan, Bronx, Brooklyn, Queens and Richmond, and the counties of Nassau and Westchester.

(c) The adjusted maximum prices permitted by this order are subject to the manufacturers' customary allowances, discounts and other price differentials and said manufacturers shall not change such allowances, discounts and other price differentials unless such change results in a lower price than that permitted by this order.

(d) All prayers of the applications not granted herein are denied.

(e) This order may be revoked or amended by the Administrator or the Regional Administrator at any time.

This order shall become effective June 19, 1945.

Issued this 19th day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-11230; Filed, June 25, 1945; 1:21 p. m.]

[Region IV Order G-1 Under RMPR 259]

CONTAINERS AND CASES OF DOMESTIC MALT BEVERAGES IN MEMPHIS, TENN., DISTRICT

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of RMPR 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within the counties of Bedford, Benton, Carroll, Chester, Coffee, Crockett, Decatur, Dickson, Dyer, Fayette, Franklin, Gibson, Giles, Grundy, Hardeman, Hardin, Haywood, Henderson, Henry, Hickman, Houston, Humphreys, Lake, Lauderdale, Lawrence, Lewis, Lincoln, McNairy, Madison, Marion, Marshall, Maury, Moore, Montgomery, Obion, Perry, Shelby, Stewart, Tipton, Wayne and Weakley, all in the State of Tennessee, and under the jurisdiction of the Memphis District Office.

SEC. 3. *Applicability* No wholesaler or retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

Cases:
Wooden, fibre or paper-- 27 cents each.
Containers:
12 oz. bottle, and under in size. 2 cents per bottle.
Over 12 oz. bottle------- 4 cents per bottle.

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective June 23, 1945.

Issued this 18th day of June 1945.

W. C. MANLEY, Jr.,
District Director,
Memphis District Office,
Memphis, Tennessee.

[F. R. Doc. 45-11231; Filed, June 25, 1945; 1:21 p. m.]

[Region IV 2d Rev. Order G-7 Under RMPR 122]

SOLID FUELS IN KNOXVILLE, TENN., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of Knoxville, Knox County, Tennessee, and within the area lying within four (4) miles thereof (measured by the most direct highway route) and when delivery is made to any point within the villages of Bearden, Westmoreland Heights, Inskip, and Fountain City, Tennessee.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, Issued April 4, 1945, by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This Second Revised Order No. G-7 supersedes Revised Order No. G-7 under Revised Maximum Price Regulation No. 122, and Amendment No. 1 thereto, and Supplementary Order No. 1 thereunder, and as a result, said revised order, amendment, and supplementary order are hereby revoked as of the effective date of this second revised order. This second revised order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Second Revised Order No. G-7.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Lump, chunk or block	$7.10	$3.[illegible]
Egg	7.10	[illegible]
Junior egg or stove	6.60	[illegible]
Stoker	7.15	[illegible]
Run-of-mine	6.60	[illegible]
Nut and slack	5.30	[illegible]

(f) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel service.* If the buyer requests such service the dealer may charge not more than 25¢ per ton therefor.

(2) *Yard sales.* When the buyer picks up coal at the dealer's yard in lots of not less than one-half ton, the dealer must reduce the domestic price at least 75¢ per ton.

(3) *Bagged coal.* When the buyer picks up coal at the dealer's yard in less than one-half ton lots, the dealer may charge not more than 37¢ per 100 lbs. If such coal is bagged, an additional charge, not exceeding the applicable maximum price, may be made for the bag.

(4) *Quantity sales.* When the buyer purchases lump, chunk, block, egg, junior egg, or stove coal in quantities of 40 tons or more, the dealer must reduce the domestic price not less than 50¢ per ton. This quantity discount is not applicable to sales of stoker, run-of-mine, nut, or slack coal.

(5) *Southern Appalachian coals.* To the maximum prices for bituminous coals from subdistrict No. 6 (Southern Appalachian) of District No. 8, may be added the sum of 15¢ per ton and 8¢ per one-half ton.

(6) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(7) *Bearden.* Any dealer in the village of Bearden, Tennessee purchasing coal from the Southern Coal and Coke Company shipped from a mine located on the L. & N. Railroad may add to the prices specified herein an amount not exceeding $1.10 per ton.

(8) *Credit.* No additional charge over the prices specified herein may be made for the extension of credit.

Effective date. This order shall become effective June 6, 1945.

Issued: June 1, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11229; Filed, June 25, 1945; 1:20 p. m.]

[Region IV Order G-51 Under RMPR 122]

SOLID FUELS IN ORANGE COUNTY, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of Orange County, North Carolina.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Amendment No. 23 to Order No. G-17 under Revised Maximum Price Regulation No. 122 and all supplementary orders issued thereunder insofar as they are applicable to the area covered by this order, and as a result, said amendment and supplementary orders are hereby, to that extent, revoked. This order is issued as an adopting order pursuant to the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G-37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G-37 shall not be applicable to this Order No. G-51.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Block—size groups No. 1 and 2—in price classification A	$10.40	$5.45	$2.85
Splint egg—3" x 5"—size group No. 6—in price classifications K-1, inclusive	9.30	4.90	2.58
Egg—3 ½" x 5"—size group No. 5—in price classifications B-G, inclusive	9.70	5.10	2.68
Stove—1" x 2½"—size group No. 8—in price classification G	9.25	4.88	2.56
Chunk—3" x 5"—size group No. 4, egg—in price classification K	9.75	5.13	2.69
Stoker Nut—1" x 1½"—size group No. 10—in price classifications B-F, inclusive	9.15	4.83	2.54

(2) *Low volatile bituminous coal from District Nos. 7 and 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg—top size larger than 3", bottom size no limit—in price classification A	$10.51	$5.51	$2.88
Egg—2½" x 5"—size group No. 2—from the red ash seam	10.00	5.25	2.75
Stove—top size larger than 1¼" but not exceeding 3", bottom size smaller than 3"—in price classification A	10.01	5.26	2.75
Nut—top size 1¼" to larger than ¾", bottom size smaller than 1¼"—in price classification A	9.16	4.83	2.51
Stoker pea—top size not exceeding ¾", bottom size smaller than ¾"—in price classification A	9.11	4.81	2.53

(3) *Yard slack from District Nos. 7 and 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Yard slack	$6.70	$3.60	$1.93

(f) *Maximum authorized service charges and required deductions*—(1) *Carry from curb.* If the buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If the buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(3) *Sacked coal.* For coal delivered in bags and carried, the dealer may add not more than 50¢ per ton. The bags remain the property of the dealer.

(4) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least $1.00 per ton.

(5) *Delivery zone.* No addition may be made for delivery within the corporate limits of the city or town in which the dealer's yard is located. For deliveries made within Orange County beyond such corporate limits, the dealer may add not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for each such delivery.

(6) *Treated coal.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(7) *Sales tax.* The North Carolina State sales tax may be added to the prices established by this order.

(8) *Credit.* No additional charge may be made for the extension of credit.

Effective date. This order shall become effective June 7, 1945.

Issued: June 2, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11228; Filed, June 25, 1945; 1:20 p. m.]

[Region IV Order G-52 Under RMPR 122]

SOLID FUELS IN ASHEVILLE, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of Asheville, North Carolina, and the area lying within fifteen miles of said corporate limits by the most direct highway route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Admin-

istration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G–37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G–37.

(d) *Relationship between this order and previous orders.* This Order No. G–52 supersedes Amendment 24 to Order No. G–17 under Revised Maximum Price Regulation No. 122 and all supplementary orders issued thereunder, and as a result, said amendment and supplementary orders are hereby revoked as of the effective date of this order. This order is issued as an adopting order pursuant to the provisions of Order No. G–37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G–37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G–37 shall not be applicable to this Order No. G–52.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Lump, chunk and block—bottom size larger than 5"—size group No. 1—in price classification A	$9.30	$4.90	$2.83
Lump and block—bottom size larger than 3"; Egg—top size larger than 6", bottom size 4" to larger than 3"; and All double screened coals—top size 5" and larger, bottom size larger than 1"—size groups No. 1 and 2—in price classifications E through S, inclusive:			
a. From Subdistrict No. 6 (Southern Appalachian)	9.20	4.85	2.80
b. From all Subdistricts except Subdistrict No. 6 (Southern Appalachian)	9.00	4.75	2.73
Egg—top size 6" to larger than 5", bottom size 3" to larger than 2", and top size larger than 6", bottom size 2" and smaller—size group No. 5—in price classifications B through E, inclusive	9.10	4.80	2.78
a. From mine index No. 404, Rex No. 2 mine of the Frances Rex Coal Co.	9.55	5.03	2.89
Egg—top size 6" to larger than 5", bottom size 2" and smaller; and top size 3" and larger but not exceeding 5", bottom size 3" to larger than 2"—size group No. 6:			
a. In price classifications B through K, inclusive, from subdistrict No. 6 (southern Appalachian)	9.10	4.80	2.78
b. In price classification H, from all subdistricts except subdistrict No. 6 (southern Appalachian)	8.50	4.50	2.63
Stoker—top size not exceeding 1¼", bottom size less than 1¼"—size group No. 10—in price classification A (untreated)	8.80	4.65	2.70
In price classifications B through E, inclusive (untreated)	8.45	4.48	2.61
Steam coal and modified stoker screenings—size group No. 18—in price classifications C through J, inclusive (untreated)	7.75	4.13	2.44
Nut and slack and screenings—2" x 0" to larger than ⅜" x 0"—size groups No. 20 and 21—in price classifications A through K, inclusive (untreated)	7.15	3.83	2.29

(f) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(3) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least $1.00 per ton.

(4) *Sacked coal.* The dealer may charge not more than 71¢ per 100 lb. sack, delivered, and 51¢ per 100 lb. sack, at the yard, for top price lump and egg coals, sacks not included. Lower priced lump and egg coals must be sold at prices at least 5¢ lower per 100 pounds.

(5) *Quantity discounts.* On single sales of 20 tons or more but less than a carload, the dealer must reduce the price at least 25¢ per ton. On sales of carload lots dealer must reduce the price at least 50¢ per ton. These discounts do not apply to sales of nut and slack and steam coal and modified stoker screenings.

(6) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(7) *Delivery zone.* No additional charge may be made for deliveries within the corporate limits of Asheville, North Carolina. For deliveries beyond such corporate limits and within 15 miles thereof, the dealer may make an additional charge of not more than 10¢ per ton per mile for each mile beyond the limits of such city with a minimum charge of not more than 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from said corporate limits to the point of delivery by the most direct highway route.

(8) *Sales tax.* The North Carolina State sales tax may be added to the prices established by this order.

(9) *Credit.* No additional charge may be made for the extension of credit.

Effective date. This order shall become effective June 7, 1945.

Issued: June 2, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45–11227; Filed, June 25, 1945; 1:19 p. m.]

[Region IV Order G–53 Under RMPR 122]

SOLID FUELS IN GOLDSBORO, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of Goldsboro, North Carolina, and the area lying within 15 miles of said corporate limits by the most direct highway route.

(c) *Applicability of Basic Order No. G–37.* All the provisions of Order No. G–37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G–37 is amended in any respect all the provisions of such order, as amended shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G–37.

(d) *Relationship between this order and previous orders.* This Order No. G–53 supersedes Amendments 25 and 30 to Order No. G–17 under Revised Maximum Price Regulation No. 122 and all supplementary orders issued thereunder, and as a result, said amendments and supplementary orders are hereby revoked as of the effective date of this order. This order is issued as an adopting order pursuant to the provisions of Order No. G–37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G–37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G–37 shall not be applicable to this Order No. G–53.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg, top size larger than 3", bottom size no limit, in price classification A	$11.62	$6.01	[illegible]
Stove, or deslusted screenings, top size larger than 1¼" but not exceeding 3", bottom size smaller than ¾", in price classification A	10.56	5.41	[illegible]
Stoker, pea, or deslusted screenings, top size not exceeding ¾", bottom size smaller than ¾" in price classification A	9.46	4.86	2.62
Screened or domestic run-of-mine in price classification A	9.11	4.68	2.53
Briquettes	11.96	6.11	3.24

(2) *High volatile bituminous coal from District No. 8*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
BLOCK, LUMP AND EGG			
Top price, lump, bottom size larger than 2" but not exceeding 3"; egg top size larger than 3" but not exceeding 6", bottom size larger than 2" but not exceeding 4", in price classification A	$11.81	$6.03	$3.20
Middle price, block or lump, bottom size larger than 3", but not exceeding 5". Egg, top size larger than 6", bottom size larger than 3", but not exceeding 6", all double screened coals, top size 5" and larger, bottom size larger than 1", in price classifications E through O, inclusive. Egg from mine index No. 404, Rex Star Slope Mine of the Dixport Coal Company	11.05	5.65	3.01
Low price, egg, top size larger than 6", but not exceeding 6", bottom size larger than 2" but not exceeding 3", top size larger than 6", bottom size 2" and smaller in price classifications G through L, inclusive and egg, top size larger than 5", but not exceeding 6", bottom size 2" and smaller; top size 3" and larger, but not exceeding 5", in price classifications G through L, inclusive—from mine index No. 370, Point Lick No. 1 Mine of the Hartfield-Campbell Creek Coal Company. Stoker, top size not exceeding 1¼", bottom size less than 1¼", in price classifications B through E, inclusive, and from mine index No. 429, the Star Slope Mine of the Dixport Coal Company	10.65	5.45	2.91
	10.60	5.13	2.75

(3) *Yard slack from District Nos. 7 and 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Yard slack	$8.45	$4.35	$2.36

(f) *Maximum authorized service charges and required deductions*—(1) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(2) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least 50¢ per ton.

(3) *Sacked coal.* The dealer may charge not more than 61¢ per 100 lb. sack at the yard, plus 15¢ per sack, if the dealer furnishes the sack.

(4) *Quantity discounts.* On sales in carload lots, the dealer must reduce the domestic price at least $1.50 per ton.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Delivery zone.* No additional charge may be made for deliveries within the corporate limits of Goldsboro, North Carolina. For deliveries beyond such corporate limits and within 15 miles thereof, the dealer may make an additional charge of not more than 10¢ per ton per mile for each mile beyond the limits of such city with a minimum charge of not more than 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from said corporate limits to the point of delivery by the most direct highway route.

(7) *Sales tax.* The North Carolina State sales tax may be added to the prices established by this order.

(8) *Credit.* No additional charge may be made for the extension of credit.

Effective date. This order shall become effective June 7, 1945.

Issued: June 2, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45–11226; Filed, June 25, 1945; 1:19 p. m.]

[Region V Order G–5 RMPR 122, Amdt. 7]

SOLID FUELS IN ST. JOSEPH, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered*, That Order No. G–5 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended in the following respects:

1. Section (c) (1) II is hereby revoked, and a new section (c) (1) II is added to read as follows:

II. Low volatile bituminous coal from District 14 (Arkansas and Oklahoma):

1. Until maximum prices for low volatile bituminous coal from District 14 (Arkansas and Oklahoma) of the kinds, sizes and quantities described in Order G–5 as amended prior hereto, are re-established by this order, the maximum prices of such solid fuel, when sold by any person covered by this order, shall be established under the pricing provisions of Revised Maximum Price Regulation No. 122, as amended, but such sales shall, in all other respects, be governed by the provisions of this order.

2. Insofar as section (a) (1) of Order No. G–5 is inconsistent with the foregoing paragraph, the provisions of said paragraph shall supersede section (a) (1).

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Tex., and effective this the 19th day of June 1945.

W. A. ORTH,
Regional Administrator, Region V, Dallas, Texas.

[F. R. Doc. 45–11232; Filed, June 25, 1945; 1:21 p. m.]

[Region VIII Order G–3 Under 18 (c), Amdt. 49]

FLUID MILK IN WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, and special authorization conferred by the Price Administrator, *It is hereby ordered*, That Order No. G–3 under § 1499.18 (c) as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Section (1) is hereby amended by deleting the schedule of prices under the heading "The Town of Republic", and substituting therefor the following:

	Not less than 3.6 per-cent butterfat	
	Wholesale	Retail
	Cents	*Cents*
Quart	12	14

This amendment shall become effective June 12, 1945.

Issued this 7th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45–11220; Filed, June 25, 1945; 1:16 p. m.]

[Region VIII Rev. Order G–7 Under MPR 188]

CONCRETE BUILDING BLOCKS IN MARICOPA, PIMA AND PINAL COUNTIES, ARIZ.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188; it is hereby ordered, that Order No. G–7 be revised to read as follows:

(a) *Geographical applicability.* This order shall apply in the Counties of Maricopa, Pima, and Pinal, State of Arizona.

(b) *Adjusted maximum prices.* The adjusted maximum prices of concrete building blocks with minimum compressive strength 1,000 psi (ASTM) in the above described area shall be as follows:

Dimension	F. o. b. plant (maximum price per 1,000 blocks) [1]			Additions for delivery (miles from producers plant)		
	Hollow	Cap	Solid	Less than 5 miles	5–10 miles	Over 10 miles
32⅝" x 2" x 8"			$12.50	$3	$4	$5
32⅝" x 2" x 12"			25.00	5	7	9
32⅝" x 4" x 12"	$40	$45	55.00	6	8	10
32⅝" x 6" x 12"	53	58	75.00	7	10	13
30⅝" x 8" x 12"	64	68	90.00	8	12	15
4⅝" x 8" x 12"	73	77	95.00	9	14	19

[1] A block 90% solid with interlocking lugs and recesses may be priced as solid.

(c) *Other sizes.* The adjusted maximum price of a concrete building block of any size not listed in paragraph (b) shall be the adjusted maximum price provided in that paragraph for the nearest size of the same type (that is, either hollow, cap or solid) multiplied by the ratio of the cubic content of the unlisted block and cubic content of the comparable block.

(d) *Invoicing requirements.* Every person making sales subject to this order shall certify on his invoice or sales tag that the price charged does not exceed the price permitted by this order and shall separately show any additional charges made for delivery.

(e) This order may be revised, amended, or revoked by the Office of Price Administration at any time.

(f) This order shall become effective June 7, 1945.

Issued this 11th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-11225; Filed, June 25, 1945; 1:18 p. m.]

[Region VIII Order G-9 Under Supp. Order 94]

CERTAIN USED STERILIZED FEATHER PILLOWS IN CALIFORNIA

For the reasons set forth in the accompanying opinion, and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of Supplementary Order No. 94, as amended, *It is hereby ordered*, As follows:

(a) The maximum prices for sales of certain used sterilized feather pillows, hereinafter described, shall be as follows:

Item (used sterilized feather pillows)	Maximum price to wholesaler	Maximum price to retailer	Maximum price at retail
	Each	*Each*	*Each*
17½" x 21"	$0.42	$0.70	$0.80
17" x 24"	.44	.70	.80
17" x 27"	.45	.85	.95
17½" x 27"	.45	.85	.95
17" x 28"	.45	.85	.95
17" x 30"	.45	.85	.95
18" x 30"	.45	.85	.95
21" x 27"	.475	.895	1.19

(b) The above prices are f. o. b. point of shipment to the purchaser.

(c) For the purposes of this order "used sterilized feather pillows" are defined as feather pillows, the contents of which have been removed and sterilized, ticks washed and sterilized, and contents returned to the pillows.

This order shall become effective June 1, 1945, and shall continue in effect until the sales for which maximum prices are hereby established shall be made subject to an order issued by the National Office of the Office of Price Administration.

This order may be amended, corrected or revoked at any time.

Issued this 1st day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc 45-11219; Filed, June 25, 1945; 1:16 p. m.]

[Region VIII Order G-14 Under RMPR 333]

EGGS AND EGG PRODUCTS IN SIERRA NEVADA AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority reserved in paragraph (b) thereof, Order No. G-14 under Revised Maximum Price Regulation No. 333 is hereby revoked.

This revocation shall become effective June 19, 1945.

Issued this 13th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45-11224; Filed, June 25, 1945; 1:17 p. m.]

[Region VIII Order G-19 Under 3 (c), Amdt. 1]

RECONDITIONED PILLOWS IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation, as amended, and Order No. G-19 under § 1499.3 (c) of the General Maximum Price Regulation, *It is ordered*, That Order No. G-19, under § 1499.3 (c) of the General Maximum Price Regulation be amended as follows:

Paragraph (b) of the aforesaid order is amended to read as follows:

(b) This order shall apply to sales in the States of Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

This Amendment Number 1 shall become effective June 1, 1945.

Issued this 1st day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-11222; Filed, June 25, 1945; 1:16 p. m.]

[Region VIII Order G-21 Under RMPR 333]

SHELL EGGS IN NEVADA AND CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by sections 3.3 (a) and 3.3 (c) of Revised Maximum Price Regulation No. 333, *It is hereby ordered:*

(a) This order applies to the following counties in the States of Nevada and California:

Nevada

Churchill	Mineral
Clark	Nye
Douglas	Ormsby
Esmeralda	Pershing
Humboldt	Storey
Lander	Washoe
Lyon	

California

Alpine	Mono

and that portion of the following counties lying east of the crest of the Sierra Nevada:

El Dorado	Placer
Nevada	Sierra

(b) The maximum prices for consumer grade shell eggs sold and delivered in the area described in paragraph (a) of this order are adjusted to be the prices provided by Revised Maximum Price Regulation No. 333 for sales and deliveries in Zone 16 plus 2½ cents per dozen.

(c) This order may be amended or revoked at any time.

This order shall become effective June 19, 1945.

Issued this 13th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45-11223; Filed, June 25, 1945; 1:17 p. m.]

[Region VIII Order G-29 Under 3 (c)]

GLENWOOD GAS RANGE, MODEL 37-143T, IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) (2) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The maximum price for sales to retailers and at retail of Glenwood Gas Range, Model 37-143T, by sellers subject to the General Maximum Price Regulation, who cannot determine their maximum prices under § 1499.2 of the General Maximum Price Regulation, shall be as follows:

Item	Maximum price to retailers	Maximum [illegible]
Glenwood Gas Range, Model 37-143T	$133.55	$[illegible]

The above prices include flue pipe assembly.

(b) Sales to retailers shall include federal excise tax; terms to retailers shall be net, f. o. b. San Francisco, owners warehouse.

(c) Sales at retail shall include federal excise tax, less discounts, allowances and price differentials no less favorable than those customarily granted by the seller. The above prices shall include installation services and all other services customarily furnished by the seller on sales of similar commodities during March, 1942.

(d) This order shall apply to sales in the State of California.

(e) This order may be corrected, amended or revoked at any time.

(f) This order shall become effective June 14, 1945.

Issued this 14th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45-11221; Filed, June 25, 1945; 1:16 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-92, 59-14, 54-19]

NEW ENGLAND POWER ASSN., ET AL.

NOTICE OF FILING OF AMENDED PLAN AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commisison held at its office in the City of Philadelphia, Pa., on the 25th day of June 1945.

In the matter of New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates Common Voting Trust, and Massachusetts Utilities Associates; File No. 54-92, File No. 59-14, File No. 54-19.

New England Power Association (NEPA), a registered holding company, Massachusetts Power and Light Associates (MP&L), North Boston Lighting Properties (NOBO), The Rhode Island Public Service Company (RIPS), Massachusetts Utilities Associates Common Voting Trust (MUA Common Voting Trust) and Massachusetts Utilities Associates (MUA), subsidiary holding companies of NEPA, having on March 6, 1944 filed an application for approval of a plan of simplification of the New England Power Association holding company system for the purpose of complying with the provisions of section 11 (b) (2) of the Public Utility Holding Company Act of 1935 and with the order of this Commission dated March 17, 1943 thereunder (Holding Company Act Release No. 4168); the Commission in its notice of filing and order for hearing issued April 3, 1944 (Holding Company Act Release No. 4972) having summarized the terms of said plan and having ordered a hearing thereon; and hearings having been held pursuant to said notice, extensive testimony having been taken and numerous exhibits having been introduced, and the hearing having been continued subject to the call of the trial examiner; and

Applicant companies having on May 28, 1945 requested the Commission to issue tentative conclusions with respect to the capital structure of the proposed Reorganized Holding Company, and the Commission having on June 1, 1945 issued a Statement of Tentative Conclusions (Holding Company Act Release No. 5839) expressing the tentative views that the capital structure for the Reorganized Holding Company as proposed in the plan would not meet the applicable statutory standards, but that with a capital structure consisting solely of debt and common stock it would be within permissible limits for the Reorganized Holding Company to have approximately $85,000,000 of funded debt subject to appropriate protective provisions:

Notice is hereby given that applicant companies have, on June 21, 1945, filed an amended plan of simplification of the New England Power Association holding company system, which amended plan modifies the original plan filed March 6, 1944 in various respects.

All interested persons are referred to said amended plan, which is on file in the offices of the Commission, for a full statement of the transactions therein proposed which, insofar as they differ substantially from those proposed in the original plan filed March 6, 1944, may be summarized as follows:

1. The Reorganized Holding Company will issue $85,000,000 principal amount of funded debt and 6,695,075 common shares. The funded debt will consist of obligations with serial maturities or substantial sinking fund, and is expected to be secured by all, or some substantial part of, the securities to be owned by the Reorganized Holding Company upon consummation of the amended plan. It is stated in the amended plan that it is now anticipated that the interest rate on such funded debt will not exceed 3¾% per annum. This funded debt will be issued and sold for cash and the proceeds will be used to discharge the funded debt of NEPA, MUA and NOBO (now aggregating $59,750,000 principal amount) or any indebtedness incurred to refund such debt, and to provide most of the cash required for distribution under the amended plan. The balance of such cash will be provided from treasury funds. The amended plan provides that the Reorganized Holding Company will pay the NEPA Debentures at the principal amount thereof plus interest to the date the amended plan is consummated and plus an amount equal to the premium which would have been payable had the Debentures been redeemed pursuant to the provisions of the respective indentures. The shares proposed to be issued will all be of one class, namely common shares, will have a par value of $20 a share, will be entitled to one vote a share at all times and will have no preemptive rights.

2. Cash and common shares of the Reorganized Holding Company will be distributed in substitution for the outstanding stocks of MP&L, NOBO, MUA, RIPS and NEPA upon the following basis, subject to certain adjustments for dividends provided for in the amended plan:

Outstanding shares now held by public	*Cash and common shares of reorganized holding company to be substituted therefor*
Massachusetts Power and Light Associates:	
For each $2 preferred share	$8.00 cash and one and one-tenth shares.
For each $2 second preferred share	three one-hundredths of a share.
For each common share	one one-hundredth of a share.
North Boston Lighting Properties:	
For each preferred share	$26.00 cash and one share.
For each common share	two shares.
Massachusetts Utilities Associates:	
For each preferred share	$16.50 cash and one and one-half shares.
For each common share[1]	fifteen one-hundredths of a share.
The Rhode Island Public Service Company:	
For each preferred share	$16.50 cash and one share.
For each class A share	three and three-fourths shares.
New England Power Association:	
For each 6% preferred share	five and four-tenths shares.
For each $2 dividend preferred share	one and eight-tenths shares.
For each common share	sixty-five one-hundredths of a share.

[1] Represented by voting trust certificates.

3. All expenses incidental to the consummation of the amended plan and the proceedings relating thereto to the extent not paid by one of the participating companies prior to the consummation date will be paid by the Reorganized Holding Company, subject to approval by the Commission and the Court of items subject to their jurisdiction. The Reorganized Holding Company will also pay such fees and reimburse such expenses of others in connection with the amended plan and said proceedings as are similarly approved.

It appearing to the Commission that the hearing should be reconvened for the purpose of considering said amended plan in the light of such of the issues designated or specified in the Commission's order of April 3, 1944, as are applicable to said amended plan;

It is ordered, That the hearing herein be reconvened before the trial examiner heretofore designated at 10:00 A. M., E. W. T., on the 17th day of July, 1945, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in Room 318. All persons who have not heretofore entered their appearances in these proceedings, but desiring to be heard or otherwise wishing to participate in these proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before July 14, 1945.

It is further ordered, That notice of the reconvened hearing be given to NEPA, MP&L, NOBO, RIPS, MUA and MUA Common Voting Trust and all other participants in the proceedings by mailing to them copies of this order by registered mail, and to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11352; Filed, June 27, 1945; 11:13 a. m.]

[File Nos. 54-59, 59-27]

INTERNATIONAL UTILITIES CORP. AND DOMINION GAS AND ELECTRIC CO.

ORDER RELEASING JURISDICTION AS TO CERTAIN FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Penn-

(c) *Other sizes.* The adjusted maximum price of a concrete building block of any size not listed in paragraph (b) shall be the adjusted maximum price provided in that paragraph for the nearest size of the same type (that is, either hollow, cap or solid) multiplied by the ratio of the cubic content of the unlisted block and cubic content of the comparable block.

(d) *Invoicing requirements.* Every person making sales subject to this order shall certify on his invoice or sales tag that the price charged does not exceed the price permitted by this order and shall separately show any additional charges made for delivery.

(e) This order may be revised, amended, or revoked by the Office of Price Administration at any time.

(f) This order shall become effective June 7, 1945.

Issued this 11th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-11225; Filed, June 25, 1945; 1:18 p. m.]

[Region VIII Order G-9 Under Supp. Order 94]

CERTAIN USED STERILIZED FEATHER PILLOWS IN CALIFORNIA

For the reasons set forth in the accompanying opinion, and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of Supplementary Order No. 94, as amended, *It is hereby ordered*, As follows:

(a) The maximum prices for sales of certain used sterilized feather pillows, hereinafter described, shall be as follows:

Item (used sterilized feather pillows)	Maximum price to wholesaler	Maximum price to retailer	Maximum price at retail
	Each	*Each*	*Each*
17½" x 21"	$0.42	$0.50	$0.80
17" x 24"	.44	.53	.80
17" x 27"	.45	.55	.95
17½" x 27"	.45	.55	.95
17½" x 28"	.45	.55	.95
17" x 30"	.45	.55	.95
18" x 30"	.45	.55	.95
21" x 27"	.475	.595	1.19

(b) The above prices are f. o. b. point of shipment to the purchaser.

(c) For the purposes of this order "used sterilized feather pillows" are defined as feather pillows, the contents of which have been removed and sterilized, ticks washed and sterilized, and contents returned to the pillows.

This order shall become effective June 1, 1945, and shall continue in effect until the sales for which maximum prices are hereby established shall be made subject to an order issued by the National Office of the Office of Price Administration.

This order may be amended, corrected or revoked at any time.

Issued this 1st day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-11219; Filed, June 25, 1945; 1:16 p. m.]

[Region VIII Order G-14 Under RMPR 333]

EGGS AND EGG PRODUCTS IN SIERRA NEVADA AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority reserved in paragraph (b) thereof, Order No. G-14 under Revised Maximum Price Regulation No. 333 is hereby revoked.

This revocation shall become effective June 19, 1945.

Issued this 13th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45-11224; Filed, June 25, 1945; 1:17 p. m.]

[Region VIII Order G-19 Under 3 (e), Amdt. 1]

RECONDITIONED PILLOWS IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) of the General Maximum Price Regulation, as amended, and Order No. G-19 under § 1499.3 (e) of the General Maximum Price Regulation, *It is ordered*, That Order No. G-19, under § 1499.3 (e) of the General Maximum Price Regulation be amended as follows:

Paragraph (b) of the aforesaid order is amended to read as follows:

(b) This order shall apply to sales in the States of Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

This Amendment Number 1 shall become effective June 1, 1945.

Issued this 1st day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-11222; Filed, June 25, 1945; 1:16 p. m.]

[Region VIII Order G-21 Under RMPR 333]

SHELL EGGS IN NEVADA AND CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by sections 3.3 (a) and 3.3 (c) of Revised Maximum Price Regulation No. 333, *It is hereby ordered:*

(a) This order applies to the following counties in the States of Nevada and California:

Nevada

Churchill	Mineral
Clark	Nye
Douglas	Ormsby
Esmeralda	Pershing
Humboldt	Storey
Lander	Washoe
Lyon	

California

Alpine	Mono

and that portion of the following counties lying east of the crest of the Sierra Nevada:

El Dorado	Placer
Nevada	Sierra

(b) The maximum prices for consuming grade shell eggs sold and delivered in the area described in paragraph (a) of this order are adjusted to be the prices provided by Revised Maximum Price Regulation No. 333 for sales and deliveries in Zone 16 plus 2½ cents per dozen.

(c) This order may be amended or revoked at any time.

This order shall become effective June 19, 1945.

Issued this 13th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45-11223; Filed, June 25, 1945; 1:17 p. m.]

[Region VIII Order G-29 Under 3 (e)]

GLENWOOD GAS RANGE, MODEL 37-143T IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) (2) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum price for sales to retailers and at retail of Glenwood Gas Range, Model 37-143T, by sellers subject to the General Maximum Price Regulation, who cannot determine their maximum prices under § 1499.2 of the General Maximum Price Regulation, shall be as follows:

Item	Maximum price to retailers	Maximum price at retail
Glenwood Gas Range, Model 37-143T	$133.55	$159.95

The above prices include flue pipe assembly.

(b) Sales to retailers shall include federal excise tax; terms to retailers shall be net, f. o. b. San Francisco, owners warehouse.

(c) Sales at retail shall include federal excise tax, less discounts, allowances and price differentials no less favorable than those customarily granted by the seller. The above prices shall include installation services and all other services customarily furnished by the seller on sales of similar commodities during March, 1942.

(d) This order shall apply to sales in the State of California.

(e) This order may be corrected, amended or revoked at any time.

(f) This order shall become effective June 14, 1945.

Issued this 14th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator

[F. R. Doc. 45-11221; Filed, June 25, 1945; 1:16 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-92, 59-14, 54-19]

NEW ENGLAND POWER ASSN., ET AL.

NOTICE OF FILING OF AMENDED PLAN AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commisison held at its office in the City of Philadelphia, Pa., on the 25th day of June 1945.

In the matter of New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates Common Voting Trust, and Massachusetts Utilities Associates; File No. 54-92, File No. 59-14, File No. 54-19.

New England Power Association (NEPA), a registered holding company, Massachusetts Power and Light Associates (MP&L), North Boston Lighting Properties (NOBO), The Rhode Island Public Service Company (RIPS), Massachusetts Utilities Associates Common Voting Trust (MUA Common Voting Trust) and Massachusetts Utilities Associates (MUA), subsidiary holding companies of NEPA, having on March 6, 1944 filed an application for approval of a plan of simplification of the New England Power Association holding company system for the purpose of complying with the provisions of section 11 (b) (2) of the Public Utility Holding Company Act of 1935 and with the order of this Commission dated March 17, 1943 thereunder (Holding Company Act Release No. 4168); the Commission in its notice of filing and order for hearing issued April 3, 1944 (Holding Company Act Release No. 4972) having summarized the terms of said plan and having ordered a hearing thereon; and hearings having been held pursuant to said notice, extensive testimony having been taken and numerous exhibits having been introduced, and the hearing having been continued subject to the call of the trial examiner; and

Applicant companies having on May 28, 1945 requested the Commission to issue tentative conclusions with respect to the capital structure of the proposed Reorganized Holding Company, and the Commission having on June 1, 1945 issued a Statement of Tentative Conclusions (Holding Company Act Release No. 5839) expressing the tentative views that the capital structure for the Reorganized Holding Company as proposed in the plan would not meet the applicable statutory standards, but that with a capital structure consisting solely of debt and common stock it would be within permissible limits for the Reorganized Holding Company to have approximately $85,000,000 of funded debt subject to appropriate protective provisions:

Notice is hereby given that applicant companies have, on June 21, 1945, filed an amended plan of simplification of the New England Power Association holding company system, which amended plan modifies the original plan filed March 6, 1944 in various respects.

All interested persons are referred to said amended plan, which is on file in the offices of the Commission, for a full statement of the transactions therein proposed which, insofar as they differ substantially from those proposed in the original plan filed March 6, 1944, may be summarized as follows:

1. The Reorganized Holding Company will issue $35,000,000 principal amount of funded debt and 6,695,075 common shares. The funded debt will consist of obligations with serial maturities or substantial sinking fund, and is expected to be secured by all, or some substantial part of, the securities to be owned by the Reorganized Holding Company upon consummation of the amended plan. It is stated in the amended plan that it is now anticipated that the interest rate on such funded debt will not exceed 3¾% per annum. This funded debt will be issued and sold for cash and the proceeds will be used to discharge the funded debt of NEPA, MUA and NOBO (now aggregating $59,750,000 principal amount) or any indebtedness incurred to refund such debt, and to provide most of the cash required for distribution under the amended plan. The balance of such cash will be provided from treasury funds. The amended plan provides that the Reorganized Holding Company will pay the NEPA Debentures at the principal amount thereof plus interest to the date the amended plan is consummated and plus an amount equal to the premium which would have been payable had the Debentures been redeemed pursuant to the provisions of the respective indentures. The shares proposed to be issued will all be of one class, namely common shares, will have a par value of $20 a share, will be entitled to one vote a share at all times and will have no preemptive rights.

2. Cash and common shares of the Reorganized Holding Company will be distributed in substitution for the outstanding stocks of MP&L, NOBO, MUA, RIPS and NEPA upon the following basis, subject to certain adjustments for dividends provided for in the amended plan:

Outstanding shares now held by public	*Cash and common shares of reorganized holding company to be substituted therefor*
Massachusetts Power and Light Associates:	
For each $2 preferred share	$8.00 cash and one and one-tenth shares.
For each $2 second preferred share	three one-hundredths of a share.
For each common share	one one-hundredth of a share.
North Boston Lighting Properties:	
For each preferred share	$36.00 cash and one share.
For each common share	two shares.
Massachusetts Utilities Associates:	
For each preferred share	$16.50 cash and one and one-half shares.
For each common share [1]	fifteen one-hundredths of a share.
The Rhode Island Public Service Company:	
For each preferred share	$16.50 cash and one share.
For each class A share	three and three-fourths shares.
New England Power Association:	
For each 6% preferred share	five and four-tenths shares.
For each $2 dividend preferred share	one and eight-tenths shares.
For each common share	sixty-five one-hundredths of a share.

[1] Represented by voting trust certificates.

3. All expenses incidental to the consummation of the amended plan and the proceedings relating thereto to the extent not paid by one of the participating companies prior to the consummation date will be paid by the Reorganized Holding Company, subject to approval by the Commission and the Court of items subject to their jurisdiction. The Reorganized Holding Company will also pay such fees and reimburse such expenses of others in connection with the amended plan and said proceedings as are similarly approved.

It appearing to the Commission that the hearing should be reconvened for the purpose of considering said amended plan in the light of such of the issues designated or specified in the Commission's order of April 3, 1944, as are applicable to said amended plan;

It is ordered, That the hearing herein be reconvened before the trial examiner heretofore designated at 10:00 A. M., E. W. T., on the 17th day of July, 1945, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in Room 318. All persons who have not heretofore entered their appearances in these proceedings, but desiring to be heard or otherwise wishing to participate in these proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before July 14, 1945.

It is further ordered, That notice of the reconvened hearing be given to NEPA, MP&L, NOBO, RIPS, MUA and MUA Common Voting Trust and all other participants in the proceedings by mailing to them copies of this order by registered mail, and to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11352; Filed, June 27, 1945; 11:13 a. m.]

[File Nos. 54-59, 59-27]

INTERNATIONAL UTILITIES CORP. AND DOMINION GAS AND ELECTRIC CO.

ORDER RELEASING JURISDICTION AS TO CERTAIN FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Penn-

sylvania, on the 26th day of June, A. D., 1945.

In the matters of International Utilities Corporation, and Dominion Gas and Electric Company, File No. 54–59; International Utilities Corporation, File No. 59–27.

The Commission, by its order entered in these proceedings on April 13, 1944 (Holding Company Act Release No. 4992), having approved a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, which plan provided for the merger of Dominion Gas and Electric Company into International Utilities Corporation and the recapitalization of the resulting company, subject to the condition, among others, that the applicant undertake to pay such fees and reimburse such expenses incurred or to be incurred in connection with said plan, the transactions incident thereto, and the consummation thereof, as are approved, allocated, or awarded by further order or orders of this Commission; and

White & Case, attorneys for International Utilities Corporation, and the Class A Stockholders Protective Committee having filed petitions for allowances and International Utilities Corporation having filed an amendment setting forth the amount of fees and expenses for which requests for payments have been made, which requests total in the aggregate the sum of $87,783.20 classified as follows:

	Fees	Expenses	Total
Class A stockholders protective committee:			
Stanley Stanger, chairman	$8,500.00	$1,204.25	[1] $9,704.25
Gordon C. Ubersh, member	450.00	228.97	[1] 678.97
Edward W. Smith, member	450.00	25.00	475.00
George J. Allen, secretary	375.00		375.00
Ralph C. Tees, Canadian secretary	1,000.00	248.90	1,248.90
Molson & Cushing, accountants	3,000.00	81.97	[1] 11,081.97
Scribner & Miller, attorneys	4,000.00	188.40	4,188.40
Total	17,775.00	2,280.49	20,055.49
Less Canadian exchange differential	794.18	160.65	954.83
Net	15,181.82	2,119.84	17,301.66
White & Case	19,875.00	227.50	20,102.50
Transfer agencies and registrars	16,282.46	14,043.81	30,326.27
Printing and advertising		7,207.28	7,207.28
Listing fees of new securities	1,454.55		1,454.55
Accountants' fees	1,250.00		1,250.00
Other legal fees	1,000.00	1.31	1,001.31
Miscellaneous		9,009.83	9,009.83
Total	55,043.83	32,739.37	87,783.20

[1] Stated in Canadian dollars which, at the present rate of exchange, are equal to approximately $0.91 of American dollars.

and

The Class A Stockholders Protective Committee having submitted an amendment to its petition indicating that it would accept, in lieu of the amounts stated above claimed by it for fees and expenses incurred in connection with these proceedings totalling $18,215.49, the total sum of $12,555.49 in full payment for its services to be distributed as follows:

	Fees	Expenses	Total
Stanley Stanger	$8,500.00	$1,204.25	[1] $9,704.25
Gordon C. Ubersh	450.00	228.97	[1] 678.97
Edward W. Smith	450.00	25.00	475.00
George J. Allen	375.00		375.00
Ralph C. Tees	1,000.00	248.90	1,248.90
Molson & Cushing	3,000.00	81.97	[1] 11,081.97
Scribner & Miller	4,000.00	188.40	4,188.40
Total	17,775.00	2,280.49	12,555.49
Less Canadian exchange differential			655.10
Net			11,899.39

[1] Stated in Canadian dollars.

The Commission having examined all the relevant facts in the record and having considered the amounts now requested for said fees and expenses; and it appearing to the Commission that no adverse findings are required in respect to the payment of such fees and expenses as so reduced and that said fees and expenses, as so reduced, are not unreasonable; and

International Utilities Corporation having further amended its application to provide for the payment of such fees and expenses as so reduced;

It is ordered, That the jurisdiction reserved in the order of April 13, 1944 with respect to the reasonableness and the allocation of fees and expenses incurred by the applicants be, and the same hereby is, released, subject to the provisions of Rule U–24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45–11353; Filed, June 27, 1945; 11:13 a. m.]

[File No. 59–77]

KOPPERS CO., INC.

OPINION AND ORDER OF DIVESTMENT

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 26th day of June, A. D. 1945.

Koppers Company, Inc. ("Koppers"), a registered holding company, is a Delaware corporation, organized on September 30, 1944, which became the successor to Koppers United Company and three subsidiaries thereof, Koppers Company, Fuel Investment Associates and The Koppers Erecting Corporation, by virtue of and in accordance with the terms of an agreement of merger which was consummated on November 10, 1944.[1] On November 27, 1944 Koppers filed its Notification of Registration under Section 5 (a) of the Act on condition, however, that the filing of such notification should not (i) terminate the temporary exemption available to Koppers under Section 3 (c) by reason of the filing of its application for exemption then pending before the Commission, as such exemption applies to sections of the Act other than sections 4, 5 (except 5 (b)) and 11 (b) (1), and to the extent necessary to implement compliance with section 11 (b) (1), and only to that extent, sections 11 (c), (d) and (e), or (ii) cause any subsidiary company, affiliate, director, officer or trustee of Koppers or of any subsidiary thereof to be subject to any of the provisions of the act.

On May 14, 1945 the Commission issued its notice of and order for hearing instituting proceedings with respect to Koppers pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 (Holding Company Act Release No. 5793) and stating that, on the basis of the allegations of fact contained in Part I of said notice, it appeared to the Commission that the holding company system of Koppers is not confined in its operations to those of a single integrated public utility system, within the meaning of the act, or to those of a single integrated public utility system together with such additional integrated public utility systems as meet the requirements of section 11 (b) (1), and to such other businesses as are reasonably incidental or economically necessary or appropriate to the operations of such integrated public utility system or systems.

The Commission's notice and order directed that Koppers file an answer in the proceedings, in the form prescribed by Rule U-25, and indicated that such answer might, if the respondent desired, include a statement by the respondent of its views as to what action, if any, it deems to be necessary or appropriate and which it is prepared to take for the purpose of limiting the operations of its holding company system to a single integrated public utility system together with additional retainable systems and such other businesses as are reasonably incidental or economically necessary or appropriate to the operations of such integrated public utility system or systems. The Commission's notice and order also provided that in lieu of the statement of views as aforesaid, the answer of Koppers might, if the respondent desired, include a statement that respondent consents to the entry of an order requiring it to take appropriate action so as to cause it to cease to be a holding company within the meaning of the act, together with a description of such action as the respondent proposes and is prepared to take.

In its answer filed on May 30, 1945 Koppers admits that the allegations of fact contained in Part I of the Commission's notice and order are true in all material respects and Koppers consents to the entry of an order by the Commission requiring Koppers to dispose of all of its interest, direct and indirect, in the securities of Eastern Gas and Fuel Associates ("Eastern") owned by Koppers, thereby causing Koppers to cease to be a holding company within the meaning of the act.[2] The answer also states that Koppers proposes and is prepared to take action to effectuate the disposition of its interest in the securities of Eastern within a reasonable time subsequent to the recapitalization of Eastern now in contemplation.[3]

In accordance with the Commission's notice and order a hearing was held on June 5, 1945. No security holder of Koppers or other interested person requested leave to be heard at such hearing.

It appears from the record that Koppers is engaged directly in the production, manufacture and sale of crude and refined coal-tar products, treated and untreated forest products, coke and gas, machine shop and foundry products, and in the design and construction of by-product coke plants, coke ovens, chemical plants and related auxiliary equipment and structures, and in the operation, as agent for Rubber Reserve Company of a butadiene and styrene plant leased from Defense Plant Corporation. The company's principal operating plants are located in 24 states.

In addition to its direct operations, Koppers controls several subsidiary companies including Eastern.[4] Eastern is a non-utility operating company and a public utility holding company. Eastern owns and operates bituminous coal mines in West Virginia, eastern Kentucky and western Pennsylvania, owns and operates a fleet of steamships engaged principally in the transportation of coal from Norfolk, Virginia to other eastern ports,[5] sells coal through sales offices in 6 states, manufactures coke, gas and other related products and pig iron in Everett, Massachusetts, sells coke manufactured in New Haven, Connecticut, and operates mine stores in western Pennsylvania, West Virginia and eastern Kentucky.

Included among the subsidiaries of Eastern are Boston Consolidated Gas Company ("Boston Consolidated") and Old Colony Gas Company ("Old Colony") which are public utility companies as defined by the act. Boston Consolidated is a gas and electric utility which owns and operates a gas distribution system in Boston, Massachusetts, and 20 nearby cities and towns, and an electric distribution system in the Charlestown district of Boston. The company purchases substantially all the gas it distributes from Eastern's coke plant at Everett, Massachusetts. A gas manufacturing plant, which Boston Consolidated owns, is used for standby purposes. All electric energy distributed by Boston Consolidated is purchased from Boston Edison Company, a non-affiliate. Old Colony is a gas utility owning and operating a gas distribution system serving 8 towns in territory adjacent to Boston. Old Colony purchases all the gas it distributes from Boston Consolidated.

It is apparent from the record that the only companies in the Koppers holding company system which are public utility companies as defined by the Act are Boston Consolidated and Old Colony all of the outstanding securities of which are owned by Eastern. Thus, Koppers is a holding company, within the meaning of the Act, by virtue of its ownership, control and holding of outstanding voting securities of Eastern which, in turn, is a holding company by virtue of its ownership of Boston Consolidated and Old Colony.

Counsel for Koppers stated at the hearing herein that Koppers desired under present circumstances to retain its extensive industrial business rather than to be confined to such integrated utility system or systems and such portion of its related non-utility business as are retainable under the standards of section 11 (b) (1) of the act and that, in order to cause itself to cease to be a holding company, Koppers consents to the entry of an order requiring its divestment of all securities of Eastern.

It appears from the record that Koppers proposes to comply with section 11 (b) (1) by disposing of its interest in utilities and that Koppers has determined to accomplish such disposition by means of the divestment of its interest in the securities of Eastern which owns all the securities of Boston Consolidated and Old Colony. Eastern has pending an application under section 3 for exemption from all the provisions of the Act following recapitalization in conformity with section 11 (b) (2) of the act. On June 5, 1945 Eastern filed a Plan of Recapitalization (see Footnote 3 *supra*) for the stated purpose of furthering its exemption application by bringing the capital structure of the company into compliance with the provisions of section 11 (b) (2). Under all the circumstances, we are of the opinion that it is appropriate and in the public interest and in the interest of investors and consumers to enter an order, consented to by Koppers in its answer, requiring divestment of all its interest, direct and indirect, in the securities of Eastern.[6]

Wherefore it is ordered, Pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 that Koppers shall sever its relationship with Eastern and its subsidiaries by disposing in any appropriate manner not in contravention of the applicable provisions of the act or the rules and regulations promulgated thereunder, of its direct and indirect ownership, control and holding of securities issued by Eastern and its subsidiaries.

It is further ordered, That Koppers shall not, directly or indirectly, sell or otherwise dispose of any securities or other interest pursuant to the direction of this order unless (1) Koppers shall have given at least ten days' notice of the terms and conditions of such proposed sale or disposition and shall not have received notification from the Commission within said ten day period that a declaration should be filed with respect to said proposed transaction, or (2) in the event such notification shall have been given by the Commission, the required declaration shall have been filed and permitted to become effective.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45–11354; Filed, June 27, 1945; 11:13 a. m.]

[File No. 1–1233]

McCORD CORP.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of June, A. D. 1945.

The Chicago Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1924 and Rule X-12D2–1 (b) promulgated thereunder, having made application to strike from listing and registration the Certificates of Deposit for $3.00 Cumulative Class A Common Stock, No Par Value, of McCord Corporation;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Mon-

[1] At the date of the aforesaid merger Koppers, Koppers United Company, Koppers Company, and Fuel Investment Associates had filed applications for exemption which were pending with the Commission under section 3 (a) of the Public Utility Holding Company Act of 1935. The application for exemption filed by Koppers requested exemption from all provisions of the act except the provisions of sections 4 and 5 (other than those of section 5 (b)), the provisions of section 11 (b) (1) and, to the extent necessary to implement compliance with section 11 (b) (1), and only to that extent, the provisions of sections 11(c), (d) and (e).

[2] In accordance with the provisions of section 5 (d) of the act, the registration of Koppers as a holding company shall continue in effect until such time as the Commission, upon application, finds and declares by order that Koppers has ceased to be a holding company.

The Commission instituted proceedings under section 11 (b) (2) of the act with respect to Eastern by order dated May 28, 1945. On June 5, 1945 Eastern filed its answer in such proceedings, such answer being accompanied by a plan of recapitalization which provides, among other things, for the exchange of new common stock for Eastern's presently outstanding 6% Preferred Stock and common stock (File No. 59–76).

[3] Koppers owns 78% of the common stock and 13.4% of the 6% Preferred Stock of Eastern. Due to arrearages in dividends on Eastern's 4½% Prior Preference Stock, the holders of such stock and of the 6% Preferred Stock, together, are now entitled to 50% of the total voting power in Eastern. Thus, Koppers owns securities representing 43.1% of the present voting power in Eastern.

[4] The ships owned by Eastern are now chartered to the War Shipping Administration and are operated by Eastern as agent.

[5] Cf. *Cities Service Company*, Holding Company Act Release No. 5350.

day, July 9, 1945, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11355; Filed, June 27, 1945; 11:13 a. m.]

SELECTIVE SERVICE SYSTEM.

[Camp Order 148-A]

MINERSVILLE PROJECT, MINERSVILLE, CALIF.

DESIGNATION AS CONSCIENTIOUS OBJECTOR CAMP

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the Minersville Project is designated as work of national importance and shall be known as Civilian Public Service Camp No. 148. Said camp, located at Minersville, Trinity County, California, will be the base of operations for forestry work in the State of California, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

2. That the work to be undertaken by the men assigned to said Minersville Project will consist of fire suppression, stand improvement, plantation release, hazard reduction, boundary posting, range erosion control, brush and snag disposal, timber cruising, resource improvement investigations, surveys and action plan preparation and related forestry work of equal importance, and shall be under the technical direction of the Forest Service of the Department of Agriculture insofar as concerns the planning and direction of the work program. This Bureau will also be responsible for the housing, feeding, clothing, discipline and provision of necessary medical and dental care. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Supervision and control of the Minersville Project shall be under the Selective Service System through the Assistant Director of Selective Service in charge of Camp Operations.

Camp Order No. 148 (10 F.R. 5574) is hereby rescinded.

LEWIS B. HERSHEY,
Director.

JUNE 9, 1945.

[F. R. Doc. 45-11331; Filed, June 26, 1945; 3:04 p. m.]

WAR MANPOWER COMMISSION.

MADISON, WIS., AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Madison War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Objectives.
2. Geographic content of the area.
3. Definitions of terms used in this plan.
4. Control of hiring and solicitation of workers.
5. Provisions governing the orderly transfer of workers.
6. Authority and responsibility of the Madison Area Labor Management War Manpower Committee.
7. Posting pertinent provisions of this plan.
8. Revocation of existing stabilization plans.
9. Effective date.

SECTION 1. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

(e) The establishment of procedures for the orderly transfer of essential workers.

SEC. 2. *Geographic content of the area.* The Madison Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Columbia, Crawford, Dane, Dodge, Fond du Lac, Grant, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Outagamie, Richland, Sauk, Waupaca, Waushara, and Winnebago.

The boundaries of the Madison Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

SEC. 3. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as critical occupation by the Chairman of the War Manpower Commission.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439).

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplemental employments means his principal employment.

(h) "The War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) "The Madison Area Labor Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Madison Area Labor Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission", herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following states: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Areas as defined in section 2 of this plan.

SEC. 4. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Madison Area shall be conducted in accordance with this plan.

SEC. 5. *Provisions governing the orderly transfer of workers.*—(a) *General provisions.* (1) A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed

to aid in the effective prosecution of the war only if:

(i) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(ii) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

(2) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(i) He has been discharged, or his employment has been otherwise terminated by his employer, or

(ii) He has been laid off for an indefinite period, or for a period of seven or more days, or

(iii) Continuance of his employment would involve undue personal hardship, or

(iv) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(v) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(3) *Issuance of statements of availability by the USES.* (i) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subparagraph (2) is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(ii) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

(4) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(5) *Workers who may be hired upon referral by the USES.* (i) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation,

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period,

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(ii) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(6) *Exclusion.* No provision of this employment stabilization plan shall be applicable to:

(i) The hiring of a new employee for agricultural employment.

(ii) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(iii) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(iv) The hiring by a foreign, State, county, or municipal government, or their political subdivision, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the constitution and laws applicable to it, with the plan.

(v) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(vi) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(7) *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

(8) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address, of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

(9) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(10) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(11) *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

(12) *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

(13) *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

SEC. 6. *Authority and responsibility of the Madison Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Madison Area is authorized to consider questions of policy, standards, and safeguards, in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

SEC. 7. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Madison Area of the WMC, Region VI.

SEC. 8. *Revocation of existing stabilization plans.* The Madison Area stabilization plan, effective May 9, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

SEC. 9. *Effective date.* This plan shall become effective at 12:01 a. m. on October 14, 1943.

Signed: September 28, 1943.

A. A. HOLLY,
Area Director.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director.

[F. R. Doc. 45-11233; Filed, June 25, 1945; 2:51 p. m.]

WAR PRODUCTION BOARD.

[C-277, Revocation]

TRIFARI, KRUSSMAN & FISHEL, INC.

CONSENT ORDER

Consent Order No. C-277 was issued March 12, 1945 against Trifari, Krussman & Fishel, Inc., for violation of Conservation Order M-199 upon the consent of Trifari, Krussman & Fishel, Inc., the Regional Compliance Manager, and the Regional Attorney, and with the approval of a Compliance Commissioner. List B of Conservation Order M-199 was revoked on May 25, 1945, and Trifari, Krussman & Fishel, Inc., has requested a revocation of Consent Order C-277. The Regional Compliance Manager and Regional Attorney have consented to such revocation.

In view of the foregoing, the Director of the Compliance Division and the Office of General Counsel have directed that Consent Order No. C-277 be revoked.

Wherefore, it is hereby ordered, that *Consent Order* C-277 be revoked, effective on the date of issuance of this order.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11364; Filed, June 27, 1945; 11:15 a. m.]

[C-305 Revocation]

BILTMORE JEWELRY CO.

CONSENT ORDER

Consent Order No. C-305 was issued April 13, 1945 against Biltmore Jewelry Company, for violation of Conservation Order M-199 upon the consent of the Biltmore Jewelry Company, the Regional Compliance Manager, and the Regional Attorney, and with the approval of a Compliance Commissioner. List B of Conservation Order M-199 was revoked on May 25, 1945, and the Biltmore Jewelry Company has requested a revocation of Consent Order C-305. The Regional Compliance Manager and Regional Attorney have consented to such revocation.

In view of the foregoing, the Director of the Compliance Division and the Office of General Counsel have directed that Consent Order No. C-305 be revoked.

Wherefore, it is hereby ordered, that *Consent Order C-305* be revoked, effective on the date of issuance of this order.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11365; Filed, June 27, 1945; 11:15 a. m.]

[C-310]

BROWARD COUNTY KENNEL CLUB, INC.

CONSENT ORDER

Broward County Kennel Club, Inc., is a Florida corporation which owns a dog racing track and plant known as "Hollywood Kennel Club" located at Hallandale in Broward County, Florida. During the months of October and November, 1944, it did construction on an entrance on the north side of its race track, including additions and alterations, without the authorization of the War Production Board at an estimated cost of approximately $4,000, which amount exceeded the limit permitted by Conservation Order L-41, and was in violation of that order. Broward County Kennel Club, Inc., admits the violation and, although denying willfulness, does not care to contest this issue, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Broward County Kennel Club, Inc., the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Broward County Kennel Club, Inc. shall not do any construction on the north entrance of its dog racing track and plant known as "Hollywood Kennel Club", located at Hallandale, Broward County, Florida, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of this order shall not apply to maintenance and repair, as defined or governed by Conservation Order L-41 as amended from time to time, which involves no alterations, structural or otherwise, no change in design and no change in type or kind of materials.

(c) Nothing contained in this order shall be deemed to relieve Broward County Kennel Club, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11366; Filed, June 27, 1945; 11:15 a. m.]

[C-317, Revocation]

MARINO JEWELRY CO.

CONSENT ORDER

Paul Marino, doing business as Marino Jewelry Company in North Providence, Rhode Island, is engaged in the business of a jewelry manufacturer. He was charged with violations of Conservation Order M-199. On April 30, 1945 he entered into Consent Order C-317 with the Regional Atttorney and the Regional Compliance Manager with the approval of the Compliance Commissioner. In view of the revocation of Conservation Order M-199 the Chief Compliance Commissioner has directed that the consent order be revoked.

In view of the foregoing, it is hereby ordered that: *Consent Order C-317* be revoked.

Issued this 26th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11382; Filed June 26, 1945; 4:16 p. m.]

[C-372]

LAWRENCE BROTHERS, INC.

CONSENT ORDER

Lawrence Brothers, Inc., a New York corporation, located at 44 Warburton Avenue, Yonkers, New York, is a limited distributor selling principally to industrial manufacturers. James V. Lawrence, Jr., is President of said corporation and its operating head. The corporation is charged by the War Production Board with wilful violations of Limitation Order L-335 and Priorities Regulation #3 in that (1) it extended to its suppliers certified rated orders for lumber which were 113,896 board feet in excess of certified rated orders received from customers; (2) it extended certified orders for lumber bearing priority ratings of AA-1 which were 56,315 board feet in excess of certified orders received bearing priority ratings of AA-1; (3) it extended certified orders for lumber bearing priority ratings of AA-2 which were 59,581 board feet in excess of certified orders received bearing priority ratings of AA-2. The violations in question began on August 1, 1944 and continued to December 22, 1944. Lawrence Brothers, Inc., admits the violations charged, does not desire to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Lawrence Brothers, Inc., the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Lawrence Brothers, Inc., its successors and assigns, shall not sell or deliver any lumber to its customers except pursuant to certified orders as defined and governed by Limitation Order L-335 and bearing preference ratings of AA-1 or higher.

(b) Lawrence Brothers, Inc., its successors and assigns, shall be permitted to extend customers' certified orders bearing preference ratings of AA-1 or higher only when it is unable to fill orders from inventory on hand.

(c) Nothing contained in this order shall be deemed to relieve Lawrence Brothers, Inc., its successors and assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 4, 1945 and shall expire on October 4, 1945.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11367; Filed, June 27, 1945; 11:15 a. m.]

[C-373]

JOHN F. MCKENNA, INC.

CONSENT ORDER

John F. McKenna, Inc., a New York corporation, located at 688 Court Street, Brooklyn, New York, is a wholesale distributor of lumber. The corporation is charged by the War Production Board with wilful violations of Limitation Order L-335 and Priorities Regulation #3 in that (1) it extended to its suppliers certified rated orders for lumber which were 2,004,062 board feet in excess of certified rated orders received from customers; (2) it extended certified orders for lumber bearing priority ratings of AA-1 which were 2,635,734 board feet in excess of certified orders received bearing priority ratings of AA-1.

The violations in question began on August 1, 1944 and continued to January 10, 1945. John F. McKenna, Inc., admits the violations charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of John F. McKenna, Inc., the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) John F. McKenna, Inc., its successors and assigns, shall not sell or deliver any lumber to its customers except pursuant to certified orders as defined and governed by Limitation Order L-335 and bearing preference ratings of AA-1 or higher.

(b) John F. McKenna, Inc., its successors and assigns, shall be permitted to extend customers' certified orders bearing preference ratings of AA-1 or higher only when it is unable to fill orders from inventory on hand.

(c) Nothing contained in this order shall be deemed to relieve John F. McKenna, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 4, 1945, and shall expire on October 4, 1945.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11368; Filed, June 27, 1945; 11:15 a. m.]

[C-374]

CENTURY TEXTILE CO.

CONSENT ORDER

Hyman Hurwitz and Lillian Hurwitz are partners doing business under the trade name and style of Century Textile Company located at 79 Leonard Street, New York City. This company is engaged in the business of jobbing and converting textile piece goods. Century Textile Company is charged by the War Production Board with wilful violations of Limitation Order L-99-a and Priorities Regulation No. 3 in that (1) it sold and delivered 91,738 yards of cotton cloth contrary to the provisions of Limitation Order L-99-a; (2) it knowingly purported to apply a preference rating of AA-2X to the purchase of 50,000 yards of cotton cloth which preference rating it was not entitled to use; (3) it knowingly purported to apply preference ratings of A-2 for the purchase of 125,000 yards of cotton sheeting which preference ratings it was not entitled to use.

The violations in question began on September 23, 1943 and continued to February 2, 1944. Hyman Hurwitz, individually, and as a partner doing business under the trade name and style of Century Textile Company, admits the violations charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Hyman Hurwitz and the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner; *It is hereby ordered*, That:

(a) Century Textile Company and Hyman Hurwitz, individually, their successors and assigns, shall not apply or extend any preference ratings to the deliveries of textiles except pursuant to purchase orders bearing preference ratings of AA-2X or higher.

(b) Nothing contained in this order shall be deemed to relieve Century Textile Company and Hyman Hurwitz, individually, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance and shall expire on September 27, 1945.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11369; Filed, June 27, 1945; 11:15 a. m.]

[C-375]

K. J. WERMLING

CONSENT ORDER

K. J. Wermling of 1163 West 27th Street, Erie, Pennsylvania, is engaged in the general contracting business. In December 1944 he commenced the construction and remodeling of a club house for the Slovak Social Club, 902 Pennsylvania Avenue, Erie, Pennsylvania, and thereafter carried on such construction at an estimated cost substantially in excess of $200 permitted by Conservation Order L-41, namely, $5,440 and without War Production Board authorization. This constituted a violation of Order L-41 as amended September 28, 1944, paragraph (c) (13). K. J. Wermling admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and voluntary consent of K. J. Wermling, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) For a period of 90 days from the effective date of this consent order, K. J. Wermling shall not apply or extend any preference rating or use any CMP allotment symbols regardless of the delivery date named on any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used unless hereafter specifically authorized in writing by the War Production Board.

(b) The restrictions and prohibitions contained herein shall apply to K. J. Wermling, his successors, or assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve K. J. Wermling, his successors or assigns from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11370; Filed, June 27, 1945; 11:15 a. m.]

[C-376]

VALLEY SHOE CORP.

CONSENT ORDER

Valley Shoe Corporation is a Missouri corporation with its principal place of business at 2868 South 13th Street, St. Louis, Missouri. It is engaged in the manufacture of women's and growing girls' shoes. It is charged by the War Production Board with having manufactured 4,974 pairs of such shoes in its $6.85 to $7.10 price range in excess of its quota during the production period of September 1, 1943, through February 29, 1944; 2,857 pairs of shoes in the $6.85 to $7.10 price range in excess of its quota in the production period of March 1, 1944, through August 31, 1944; and 1,046 pairs of shoes in the $6.85 to $7.10 price range in excess of its quota in the production period of September 1, 1944, through February 28, 1945. Valley Shoe Corporation admits the violations as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Valley Shoe Corporation, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the production period March 1, 1945 through August 31, 1945, the quota of Valley Shoe Corporation for the manufacture of women's and growing girls' shoes in the $6.85 to $7.10 price range shall be 2,959 pairs less than the quota it would otherwise have for such production period under the provisions of War Production Board Conservation Order M-217.

JUL 5 '45

(b) During the production period September 1, 1945, through February 28, 1946, the quota of Valley Shoe Corporation for the manufacture of women's and growing girls' shoes in the $6.85 to $7.10 price range shall be 5,918 pairs less than the quota it would otherwise have for such production period under the provisions of Conservation Order M-217.

(c) Nothing contained in this order shall be deemed to relieve Valley Shoe Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11371; Filed, June 27, 1945; 11:16 a. m.]

[C-377]

DOLAN STEEL CO.

CONSENT ORDER

Dolan Steel Company is a partnership composed of James A. Dolan, George T. Baird, Jr., Robert T. Baird, Grace E. Dolan, and Grace E. Dolan as Trustee, with its principal place of business at 810 Union Avenue, Bridgeport, Connecticut. The partnership operates a steel warehouse and is engaged in purchasing from producers and reselling to consumers. The partnership is charged by the War Production Board with having placed, between January 1, 1944 and March 13, 1945, orders for general steel products for delivery to its warehouse in an amount approximately 5,000 tons in excess of the amount permitted by War Production Board Orders M-21-b-1 and M-21-b-3.

Dolan Steel Company admits the violations as charged, does not desire to contest the issue of wilfulness and has consented to the issuance of this order. Wherefore upon the agreement and consent of Dolan Steel Company, the Regional Compliance Manager, the Regional Attorney, and upon approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the second, third, and fourth calendar quarters of 1945, James A. Dolan, George T. Baird, Jr., Robert T. Baird, Grace E. Dolan, and Grace E. Dolan as Trustee, doing business as Dolan Steel Company, shall reduce by 1,600 tons per quarter its orders for general steel products for delivery to its warehouse as authorized by War Production Board Order M-21-b-3 or any amendments thereto.

(b) Nothing contained in this order shall be deemed to relieve James A. Dolan, George T. Baird, Jr., Robert T. Baird, Grace E. Dolan, and Grace E. Dolan, as Trustee, doing business as Dolan Steel Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to James A. Dolan, George T. Baird, Jr., Robert T. Baird, Grace E. Dolan, and Grace E. Dolan as Trustee, doing business as Dolan Steel Company, its successors or assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking directly as well as indirectly of any such action.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11372; Filed, June 27, 1945; 11:16 a. m.]

JUL 5 '45

FEDERAL REGISTER

VOLUME 10 NUMBER 129

Washington, Friday, June 29, 1945

The President

EXECUTIVE ORDER 9575

DECLARING THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE TO BE A MILITARY SERVICE AND PRESCRIBING REGULATIONS THEREFOR

By virtue of the authority vested in me by section 216 of the Public Health Service Act, approved July 1, 1944, 58 Stat. 691; Title I of the First War Powers Act, approved December 1, 1941, 55 Stat. 838; and as President of the United States and Commander in Chief, I hereby declare the commissioned corps of the Public Health Service to be a military service and a branch of the land and naval forces of the United States during the period of the present war. The commissioned corps of the Public Health Service during such period shall be subject to the Articles for the Government of the Navy to the extent prescribed in the following regulations:

1. The Articles for the Government of the Navy are hereby adapted to apply to officers of the commissioned corps of the Public Health Service in the same manner and to the same extent as they apply to commissioned officers of the Navy under like circumstances.

2. Any member of the commissioned corps of the Public Health Service who violates any provision of the Articles for the Government of the Navy shall be subject to trial and punishment as prescribed therein. The authority conferred by the Articles for the Government of the Navy upon the Secretary of the Navy with respect to the convening of general courts-martial and courts of inquiry, the review of their proceedings and the confirmation, remission, mitigation, and execution of sentences of general courts-martial shall be vested in the Federal Security Administrator, and the authority conferred by law for such purposes upon the commander in chief of a fleet or squadron and other officers of the Navy shall be vested in the Surgeon General of the Public Health Service. The authority to convene a general court-martial or court of inquiry may not be delegated to any other officer of the Public Health Service.

3. The general courts-martial and courts of inquiry convened pursuant to this authority shall have the same powers and authority as other general courts-martial and courts of inquiry under the Articles for the Government of the Navy. The provision of Article 7 thereof shall apply in carrying out sentences of imprisonment and hard labor.

4. Commissioned officers of the Public Health Service now or hereafter detailed for duty with the Army, Navy, or Coast Guard shall be subject to the laws for the government of the service to which detailed as now prescribed by law. In the initiation, prosecution, and completion of disciplinary action, including remission or mitigation of punishments for any offense which has been or may be committed by any commissioned officer of the Public Health Service while detailed for duty with the Army, Navy, or Coast Guard, the jurisdiction shall depend upon and be in accordance with the laws and regulations applicable to the Army, Navy, Coast Guard, or Public Health Service, as the case may be, whichever has jurisdiction of the person of the offender at the various stages of such action: *Provided*, That any punishment imposed and executed in accordance with the provisions of this paragraph shall not exceed that to which the offender was liable at the time of the commission of the offense.

5. Naval Courts and Boards, 1937 and modifications or revisions thereof, shall govern the conduct of general courts-martial and courts of inquiry in the Public Health Service.

6. This order shall be published in the FEDERAL REGISTER and shall be effective on and after the thirtieth day following the date of such publication.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 21, 1945.

[F. R. Doc. 45-11460; Filed, June 28, 1945; 10:02 a. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1945 C. C. C. Barley Bulletin 1]

PART 264—BARLEY LOANS

SUBPART—1945

Commodity Credit Corporation has authorized the making of loans on barley stored on farms or in approved public warehouses in accordance with this bulletin.

Sec.

264.1 Eligible producer.
264.2 Eligible barley.
264.3 Eligible storage.
264.4 Areas in which loans will be made.
264.5 Basic loan rates at terminal markets.
264.6 Basic loan rates at country points.
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264.17 Purchase of loans.
264.18 Insurance.
264.19 Offices of Commodity Credit Corporation.
264.20 County agricultural conservation committees.
264.21 Release of collateral.

AUTHORITY: §§ 264.1 to 264.21, inclusive, issued under section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U. S. C., 1302).

§ 264.1 *Eligible producer.* Any person, partnership, association, or corporation, producing barley in 1945 as landowner, landlord, or tenant, shall be eligible for such loans.

§ 264.2 *Eligible barley.* Barley of any class grading No. 5 or better which was produced in 1945, the beneficial interest in which is now in the person tendering the barley, and has always been in him, or has been in him and a former producer whom he succeeded before the barley was harvested, shall be eligible as collateral for such loans. Barley grading tough, stained, blighted, smutty, garlicky, weevily, ergotty, or bleached, shall not be eligible for loan.

§ 264.3 *Eligible storage.* Loans will be made on eligible barley stored in approved public grain warehouses or in acceptable storage structures located on farms.

§ 264.4 *Areas in which loans will be made.* Loans will be made on eligible barley stored in approved public grain warehouses wherever located.

Loans are available on eligible barley stored on farms in the following areas:

All counties in the States of Arizona, California, Colorado, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, and in the following counties of Oklahoma and Texas:

Oklahoma. Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Mayes, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

Texas. Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Callahan, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Coleman, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Fisher, Floyd, Foard, Gaines, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Runnels, Scurry, Sherman, Shackelford, Stonewall, Swisher, Taylor, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, and Young.

§ 264.5 *Basic loan rates at terminal markets.* The 1945 barley loan rates per bushel for No. 1 barley at terminal basic markets are as follows: 95 cents at Chicago, Illinois, St. Louis, Missouri, Portland, Oregon, Los Angeles, and San Francisco, California; 91 cents at Minneapolis, Minnesota, Kansas City, Missouri, and Omaha, Nebraska; $1.06 at Philadelphia, Pennsylvania, and Baltimore, Maryland, and $1.01 at Memphis, Tennessee.

All barley eligible for loan at the foregoing loan rates must have been shipped on a domestic freight rate basis. The loan rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic rate on any barley shipped at other than the domestic rate.

The foregoing schedule of loan rates applies to barley, delivered to any of the above designated terminal markets in carload lots, which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required herein: *Provided,* That in the event the amount of paid-in freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional basis on the outbound movement; and, *Provided further,* That Commodity Credit Corporation will accept, in lieu of such bills, a certification by the warehousemen, on warehouse receipt or on a separate instrument, as follows:

FREIGHT CERTIFICATE FOR TERMINALS

"The _____ represented by
(commodity)
attached warehouse receipt No. _____ was received by rail freight from _____
(town)
_____ _____ point of origin, as
(county) (State)
evidenced by freight bill described as follows:
Way Bill, Date _____ No. _____
Car No. _____ Init. _____
Freight Bill, Date _____ No. _____
Carrier _____ Transit Weight _____
Freight Rate In _____ Amount Collected _____
Number Unused Transit Stops _____

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

_____
Date of signature

_____
Warehouseman's signature

_____
Address

Unless such evidence is furnished as required herein, a deduction of 6 cents per bushel shall be made.

Barley trucked to a designated terminal market and stored in a warehouse shall have a loan rate equal to the higher of (a), the terminal loan rate minus 6 cents per bushel, or (b) the county loan rate for the county in which the barley is stored.

§ 264.6 *Basic loan rates at country points.* Commodity Credit Corporation will determine county loan rates on barley in storage on the farm or in the country warehouses by deducting from the designated terminal market loan value an amount equal to 4 cents more than the applicable county average freight rate, plus freight tax, to such terminal market.

Each approved warehouse will be advised as to the loan rate applicable to barley stored in such warehouse. Producers may obtain, from their respective county agricultural conservation committees, the loan rates applicable to barley stored on farms and in public warehouses. Loan rates from each State are published in C. C. C. Barley Bulletin 1, Supplement 1.

The loan rate for eligible barley stored in approved warehouses (other than those located in the designated terminal markets) which was shipped by rail may be determined by deducting from the appropriate designated terminal market loan value an amount equal to the transit balance of the through freight rate from point of origin for such barley to such terminal market, plus freight tax on such transit balance: *Provided,* That, in the

case of barley stored at any railroad transit point, taking a penalty by reason of out-of-line movement, or for any other reason, there shall be added to such transit balance an amount equal to any out-of-line or other costs incurred in storing loan barley at such point as determined by Commodity Credit Corporation. Arrangements have been made for the railroads to indicate transit balance of the through rate on the inbound paid freight bills on a basis of 100 pounds. To obtain the loan rate as determined above, the warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges: *Provided*, That Commodity Credit Corporation will accept, in lieu of such bills, a certification by the warehouseman, on the warehouse receipt or on a separate instrument, in the form set forth in § 264.5, with the following information added:

Transit Balance, if any, of through freight rate to _____ of _____ per 100 pounds.

If the above-described freight bill has not been officially registered for transit the loan rate shall be the loan rate for the county in which the barley is stored.

§ 264.7 *Variation for grades.* The loan rate for barley which grades No. 2 shall be 2 cents per bushel less than the basic loan rate for No. 3 barley 5 cents per bushel less than the basic loan rate, for No. 4 barley 8 cents per bushel less than the basic loan rate, and for No. 5 barley 15 cents per bushel less than the basic loan rate. In addition, a discount of 2 cents per bushel will apply to "mixed" barley.

§ 264.8 *Storage payment.* No farm storage payment shall be made, and 7 cents per bushel shall be deducted from the applicable loan rate for barley stored in warehouses for which evidence of prepaid storage is not submitted in substantially the following form:

Storage charges through April 30, 1946 on the barley represented by this warehouse receipt have been paid or otherwise provided for, and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.

_____
Warehouseman

_____
Address

§ 264.9 *Determination of quantity of barley.* A bushel shall be 48 pounds of clean barley free of dockage when determined by weight, or 1.25 cubic feet of barley testing 48 pounds per bushel when determined by measurement. In determining the quantity of barley in farm storage by measurement, fractional pounds of the bushel test weight will be disregarded, and the quantity, determined as above, will be the following percentages of the quantity determined for 48-pound barley:

	Percent
For barley testing 48 pounds or over	100
For barley testing 47 pounds or over, but less than 48 pounds	98
For barley testing 46 pounds or over, but less than 47 pounds	96
For barley testing 45 pounds or over, but less than 46 pounds	94
For barley testing 44 pounds or over, but less than 45 pounds	92
For barley testing 43 pounds or over, but less than 44 pounds	90
For barley testing 42 pounds or over, but less than 43 pounds	88
For barley testing 41 pounds or over, but less than 42 pounds	85
For barley testing 40 pounds or over, but less than 41 pounds	83
For barley testing 39 pounds or over, but less than 40 pounds	81
For barley testing 38 pounds or over, but less than 39 pounds	79
For barley testing 37 pounds or over, but less than 38 pounds	77
For barley testing 36 pounds or over, but less than 37 pounds	75
For barley testing 35 pounds or over, but less than 36 pounds	73

§ 264.10 *Farm storage.* Barley stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, except as approved by State agricultural conservation committees. Chattel mortgages covering the barley must be executed and filed in accordance with the State law.

§ 264.11 *Warehouse storage.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts covering eligible barley pledged as collateral to notes on C. C. C. Grain Form B or C. C. C. Commodity Form B, issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement as amended, and has been approved by Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the regional director of Commodity Credit Corporation serving the area in which the warehouse is located. A list of approved warehouses and their locations is available at the office of the regional director of Commodity Credit Corporation. A list of approved warehouses for the area may also be obtained at any State or county agricultural conservation office. All barley pledged as security for a particular loan must be stored in the same warehouse.

§ 264.12 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer, must be dated on or prior to the date of the related note, must be properly assigned by an endorsement in blank so as to vest title in the holder, and must be issued by an approved warehouseman. Unless the warehouse receipts are stamped or printed "insured" there must be attached and included in the certificate of the warehouseman a statement that the barley is insured for not less than the market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for unpaid handling and storage charges will be recognized only from May 15, 1945, or the date of the warehouse receipt, whichever is later. Such receipts must set out in their written or printed terms the gross weight or bushels, the grade, test weight, and all other factors and statements required to be stated in the written or printed terms of negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Act, or be accompanied by a certificate of the warehouseman, identified with such warehouse receipt, setting out such information, and shall be based on the inbound movement or delivery of the barley to an approved warehouse.

§ 264.13 *Liens.* The barley collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the chattel mortgage or note and loan agreement.

§ 264.14 *Maturity and interest rate.* Notes secured by farm-stored barley or by warehouse receipts representing barley will mature on demand, or on April 30, 1946, whichever is earlier. All loans will bear interest at the rate of 3 percent per annum.

§ 264.15 *Lending agency.* Any bank, cooperative marketing association, corporation, partnership, or person, making loans in accordance with these instructions, which has executed the Contract to Purchase, on 1940 C. C. C. Form E, may act as a lending agency in connection with the 1945 Barley Loan Program.

§ 264.16 *Eligible paper.* Eligible paper shall consist of notes of the producers on C. C. C. Grain Form A (Revised) secured by chattel mortgages on C. C. C. Grain Form AA (Revised), or C. C. C. Commodity Form A secured by chattel mortgages on C. C. C. Commodity Form AA, or notes and loan agreements on C. C. C. Grain Form B or C. C. C. Commodity Form B, secured by warehouse receipts representing barley in existence, which instruments shall be dated prior to December 31, 1945. Notes executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

§ 264.17 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, eligible paper, as defined above, from lending agencies which have executed and delivered to the office of Commodity Credit Corporation to which notes are submitted Contract to Purchase, 1940 C. C. C. Form E, forms of which contract are obtainable from such offices.

Notes held by lending agencies must be tendered to Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request made by Commodity Credit Corporation and, in the absence of such request, at least 10 days prior to maturity. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the unpaid principal of such notes plus accrued interest, at the rate of 1½ percent per annum, from the respective dates of the disbursements of the loans to the date of payment of the purchase price. Under the terms of the Contract to Purchase, lending agencies are required to report weekly, on C. C. C. Form F, all payments or collections on producers' notes held by them, and to remit, with such report, to Commodity Credit Corporation an amount equivalent to 1½ percent interest per annum from the date of the disbursement of the loan to the date of payment on the principal amount collected.

§ 264.18 *Insurance*—(a) *Barley stored on farms.* Commodity Credit Corporation will not require producers to insure their 1945 farm-stored barley placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion by the producer, or his negligence, or caused by vermin, the producer will not be held personally liable on the note. In case of partial loss of collateral resulting from an external cause, with the exceptions aforesaid, the producer will not be held liable for that part of the indebtedness secured by the barley lost. No loss will be assumed by the Corporation, however, if it is determined that there is a fraudulent representation on the part of the borrower in connection with the loan.

(b) *Barley stored in approved warehouses.* Warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, windstorm, cyclone, and tornado, for the full market value of barley stored in their warehouses, as long as receipts are outstanding.

§ 264.19 *Offices of Commodity Credit Corporation.* The locations and addresses of the regional directors of Commodity Credit Corporation previously referred to herein and the areas served by them are:

Address and Area

208 South LaSalle Street, Chicago 4, Ill.: Delaware, Illinois (except East St. Louis), Indiana, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Southern Wisconsin, and States not otherwise listed.

Dwight Building, 1004 Baltimore Avenue, Kansas City 13, Mo.: Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.

326 McKnight Building, Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, and Northern Wisconsin.

Artisans Building, 225 Southwest Broadway, Portland 5, Oreg.: Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

§ 264.20 *County agricultural conservation committees.* Forms may be obtained from county agricultural conservation committees or from the office of Commodity Credit Corporation. Pursuant to instructions, the State committee and county committee will determine, or cause to be determined, the quantity and grade of the barley collateral and the amount of the loan. All loan documents will be completed and approved by the county committee. County agricultural conservation associations will collect a service fee for all loans.

§ 264.21 *Release of collateral.* The producer may obtain the release of the barley upon the payment of the principal amount due on the loan plus accrued interest. The loan paper may be sent to an approved bank for collection or the producer may ascertain the amount due and remit directly to the office of Commodity Credit Corporation holding the paper. Partial releases of collateral may be arranged with the county agricultural conservation committee by paying to the holder of the note the loan value, plus accrued interest, for the barley released.

Dated: May 19, 1945.

C. C. FARRINGTON,
Vice President,
Commodity Credit Corporation.
Director, Office of Basic Commodities.

[F. R. Doc. 45-11490; Filed, June 28, 1945; 11:09 a. m.]

TITLE 7—AGRICULTURE

Chapter I—War Food Administration Standards, Inspections, Marketing Practices)

Subchapter A—Commodity Standards and Standard Container Regulations

PART 34—REGULATIONS UNDER THE TOBACCO SEED AND PLANT EXPORTATION ACT

By virtue of the authority vested in the War Food Administrator, and pursuant to the provisions of the Tobacco Seed and Plant Exportation Act (54 Stat. 231; 7 U.S.C., 516), the following revision of the regulations issued thereunder (7 CFR, Cum. Supp. 34.1 et seq.) is hereby promulgated.

GENERAL PROVISIONS

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34.1 Definitions.

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34.2 Director.

PERMITS

34.3 Permit required.
34.4 Restrictions upon issuance of permits.
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INSTRUCTIONS TO SHIPPERS

34.7 Marking packages.
34.8 Shipments by mail.
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DISPOSITION OF USED PERMIT

34.11 Procedure.

AUTHORITY: §§ 34.1 to 34.11, inclusive, issued under 54 Stat. 231; 7 U. S. C., 516, et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783.

GENERAL PROVISIONS

§ 34.1 *Definitions.* (a) "Secretary" means the War Food Administrator or any person to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead.

(b) "Director" means the Director of Marketing Services of the War Food Administration or any person to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead.

ADMINISTRATION

§ 34.2 *Director.* The Director is charged with the administration of the provisions of the aforesaid Tobacco Seed and Plant Exportation Act and of this part.

PERMITS

§ 34.3 *Permit required.* No tobacco seed or live tobacco plants may be exported from the United States or any Territory subject to the jurisdiction thereof to any foreign country, port, or place unless such exportation or transportation shall have been authorized in advance by a written permit of the Secretary countersigned by the Director.

§ 34.4 *Restrictions upon issuance of permits.* (a) Permits will be granted only where the evidence indicates that the consignee is a representative of a government institution or an agency engaged in conducting agricultural experiments in the course of scientific research.

(b) Quantities permitted to be exported will be restricted to 14 grams or ½ ounce of seed or 500 live plants of any one variety, with the exception of the species *Nicotiana rustica*, to which this restriction will not apply.

§ 34.5 *Method of obtaining permits.* Applications for permits shall show the following information:

(a) Name and address of exporter.

(b) Name, official title, address of person to whom the seed or plants are to be consigned, and the institution at which research is to be conducted.

(c) Type and variety of seed or plants.

(d) Nature of experiments to be conducted and objectives sought.

(e) Method of shipment proposed.

(f) Port of exit or post office of mailing.

(g) The intended date of exportation.

§ 34.6 *Exceptions.* Shipments of tobacco seed or plants originating in a foreign country and entering or leaving a part of the United States in transit through the territory of the United States to a foreign country will not require a permit under the terms of this part.

INSTRUCTIONS TO SHIPPERS

§ 34.7 *Marking packages.* Packages or parcels containing tobacco seed or plants the exportation of which has been authorized shall be marked "Tobacco Seed and Plant Export Permit No. ——" with the permit number inserted in the blank space.

§ 34.8 *Shipments by mail.* The permit must be filed by the consignor with the Postmaster at the office of mailing.

§ 34.9 *Shipments by railway, ferry boat or vehicle.* The permit must be filed with the Collector of Customs at the port from which the shipment is to be exported.

§ 34.10 *Shipments by seagoing vessel or airplane.* The permit must be filed with the Collector of Customs at the port of lading on board the exporting vessel or airplane at least 24 hours be-

fore departure; and, in the case of shipment by a seagoing vessel, the permit must be filed at least 24 hours before the lading of such vessel.

DISPOSITION OF USED PERMITS

§ 34.11 *Procedure.* Permits filed with postmasters and collectors of customs shall be stamped or endorsed to show the place and date of filing, and shall be mailed to the following address:

Tobacco Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

Issued at Washington, D. C., this 28th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-11470, Filed, June 28, 1945; 11:09 a. m.]

Chapter XIII—War Food Administration (Surplus Property)

PART 1700—STATEMENT OF POLICIES ON DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES AND SURPLUS FOODS PROCESSED THEREFROM

Sec.

1700.1 General purpose and scope.
1700.2 Relationship to Surplus Property Act and other statements.
1700.3 Methods and procedures.
1700.4 Time of disposal.
1700.5 Priorities, preferences and selection of purchasers.
1700.6 Price.
1700.7 Donation and destruction.
1700.8 Consumer protection; inspection, etc.
1700.9 Sales for export.
1700.10 Sales of commodities abroad.
1700.11 Interpretations, amendments and implementing regulations.

AUTHORITY: §§ 1700.1 to 1700.11, inclusive, issued under section 21 (a) Surplus Property Act of 1944, Pub. Law 457, 78th Congress; 58 Stat. 775; 50 U.S.C. App. Sup., 1630.

§ 1700.1 *General purpose and scope.* Section 21 (a) of the Surplus Property Act of 1944 makes the War Food Administrator, or his successor, solely responsible, subject to the supervision of the Surplus Property Board, for the formulation of policies with respect to the disposal of surplus agricultural commodities and surplus foods processed from agricultural commodities. This part, issued under section 21 (a), announces the policies which are to be observed by all disposal agencies designated by the Board to handle any of the surplus commodities with respect to which the War Food Administrator has policy making responsibility. These policies are therefore also applicable to the War Food Administration and its various agencies and bureaus insofar as they act as disposal agencies.

§ 1700.2 *Relationship to Surplus Property Act and other statements.* This part is to be regarded as implementing the provisions, purposes and objectives of the Surplus Property Act of 1944. Failure to include or elaborate on any particular requirement or provision of the act should not, of course, cause it to be concluded that such requirement or provision was intended to be ignored with respect to handling surplus agricultural commodities and surplus foods processed from agricultural commodities.

There is no intention to exclude the applicability of the general policy statements and regulations of the Surplus Property Board. These must also be considered in dealing with surplus agricultural commodities and surplus foods processed from agricultural commodities. Departures from the Surplus Property Board's policies and regulations may be made with respect to such commodities only if explicitly and affirmatively required by the terms of this part. An explicit and affirmative requirement of this character means that the War Food Administrator has determined, with the concurrence of the Surplus Property Board, that such requirement is more appropriate for the particular commodities covered.

§ 1700.3 *Methods and procedures.* All disposals shall be conducted with fairness and adequate publicity and in a manner compatible with the national interest and economy. Subject to the specific requirements of this part, disposals may be by sale, exchange, lease, or transfer, for cash, credit, or other property, with or without warranty, and upon such other terms and conditions as the disposal agency deems proper.[1] Disposals may be made without regard to any provision of existing law for competitive bidding[2] except when otherwise provided by the Surplus Property Board or by this part. Disposal agencies are, however, charged with the following responsibilities:

(a) To develop comprehensive and understandable disposal procedures, which will operate in a uniform manner and which are widely publicized.

(b) To give adequate advance notice and information of proposed sales and disposals to assure that all those interested have a full opportunity to participate.

(c) To prescribe terms and conditions of sale which are fully disclosed to all prospective buyers in advance and which are not discriminatory between different buyers similarly situated.

(d) To provide reasonable checks and safeguards designed to prevent secretive and discriminatory disposals.

(e) To prepare and maintain adequate records of all disposals.

(f) To answer all reasonable requests for information concerning sales and disposals, including the character of items sold, volume of sales, identity of purchasers and price paid and other terms and conditions of particular sales.

(g) To give regard to established and existing trade practices.

(h) To seek the advice and recommendations of the established industry advisory committees of the War Food Administration on general disposal problems.

(i) To observe all applicable Government regulations and orders with respect to prices, rationing, priorities, and allocations.

(j) To refrain from and provide against diversion of food to non-food uses except where the particular food is in over-supply or is of questionable quality or condition or such diversion is deemed desirable for the war effort.

(k) Such other responsibilities as may be prescribed from time to time by the War Food Administrator or the Surplus Property Board.

§ 1700.4 *Time of disposal.* Every emphasis should be on promptness of disposal in order to keep deterioration of the commodity to a minimum and to take advantage of the short-supply and high-demand condition of the war and immediate post-war markets. Disposals should be delayed intentionally only when necessary to avoid disruption of the market or an unnecessary depression of prices.

§ 1700.5 *Priorities, preferences and selection of purchasers.* Subject to such regulations as the Surplus Property Board may prescribe in the nature of over-riding priorities or preferences, the following procedure shall be followed in a selection of purchasers:

(a) In the case of surplus foods processed from agricultural commodities, commodities shall be offered whenever it is reasonably practicable in the following order:

(1) To the original vendor or processor

(2) To vendors or processors of like commodities

(3) To wholesale food distributors, chain stores and other trade groups either directly or through the medium of food brokers

(4) To all others, except that sales should be made in such a manner as to discourage speculators

(b) Agricultural commodities to any person except that sales should be made in such a manner as to discourage speculators.

Within the foregoing groups efforts shall be made to give small buyers or small business an equal opportunity with large buyers.

Generally the quantity or size of the lot to be sold at any given time should be determined by sound business and commercial practice.[3]

In the event brokers are employed, fees paid should not exceed those customary in the trade.

[1] See Surplus Property Act, sec. 15 (a).

[2] See Surplus Property Act, sec. 29.

[3] Section 21 (c) of the Surplus Property Act provides that surplus farm commodities are not to be sold in the United States (except for export) in quantities in excess of those in which they may be sold by Commodity Credit Corporation. The only quantitative restriction on Commodity Credit Corporation is to be found in section 381 (c) of the Agricultural Adjustment Act of 1938, which prohibits the sale of more than 300,000 bales of cotton in any calendar month, or more than 1,500,000 bales in any calendar year. See 52 Stat. 66, 7 U. S. C. 1381 (c). However, section 2 of Public Law 30, April 12, 1945, suspends section 381 (c) until the expiration of the two-year period beginning with the first day of January immediately following the date on which the President, by proclamation, or the Congress, by concurrent resolution declares that hostilities in the present war have terminated.

§ 1700.6 *Price.* Efforts should be made to obtain a price which will result in the maximum return to the Government, taking into account the policies to be effectuated, Office of Price Administration maximum prices,[4] and all relevant circumstances such as quality, quantity, condition, pack, etc. However, the purchaser may be given the benefit of all discounts and allowances normally granted in the trade, and allowances on account of swells, relabeling, reconditioning, etc.

Transfers to other Federal agencies shall be at a fair valuation to be fixed by the disposal agency, unless transfer without reimbursement or transfer of funds is otherwise authorized by law.[5]

Disposals made for school or educational use, or for health or medical purposes, pursuant to section 13 (a) (1) of the Surplus Property Act, shall be at a valuation which takes into consideration any benefit which has accrued or may accrue to the United States from such use. If the Surplus Property Board has acted to fix such valuation its action in this respect shall be regarded as controlling.

Commodities for which the War Food Administration has price-support programs in effect at the time of the sale, and food processed from such commodities, shall not be sold (except for export or abroad in accordance with paragraph 9) at prices which will be disruptive of such programs or the market generally. Before such a commodity is sold as surplus below the support price, or food processed from a commodity is sold at a price which will not reflect the support price there must be a finding by the War Food Administration that the sale at the proposed price will not unduly disrupt the price-support program involved.

Surplus farm commodities shall not be sold in the United States (except for export) at prices less than those applicable with respect to sales of such commodities by Commodity Credit Corporation or less than current prevailing market prices, whichever may be higher.[6]

[4] Maximum prices for sales of food by Government agencies are covered by OPA Supplementary Order 81.

[5] See Surplus Property Act, Sec. 12 (c).

[6] Section 2 of Public Law 30, April 12, 1945, suspends section 381 (c) of the Agricultural Adjustment Act of 1938 (which prohibits Commodity Credit Corporation from selling cotton at a price which is not sufficient to reimburse it for its investment in the cotton) until the expiration of the two year period beginning with the first day of January immediately following the date on which the President, by proclamation, or the Congress, by concurrent resolution, declares that hostilities in the present war have terminated; and during the period of such suspension prohibits Commodity Credit Corporation from selling any farm commodity owned or controlled by it at less than the parity or comparable price therefor with the following exceptions: "(1) sales for new or byproduct uses; (2) sales of peanuts for the extraction of oil; (3) sales for export; (4) sales for seed or feed: *Provided*, That no wheat or corn shall be sold for feed at less than parity price for corn at the time such sale is made: *And provided further*, That in making regional adjustments in the sale price of corn or wheat for feed, the minimum price need not be higher in any area than the United States average parity price for corn; (5) sales of commodities which have substantially deteriorated in quality or of nonbasic perishable commodities where there is danger of loss or waste through spoilage; or (6) sales for the purpose of establishing claims against persons who have committed fraud, misrepresentation, or other wrongful acts with respect to the commodity. The method that is now used for the purposes of Commodity Credit Corporation loans for determining the parity price or its equivalent for seven-eighths-inch Middling cotton at the average location used in fixing the base loan rate for cotton shall also be used for determining the parity price for seven-eighths-inch Middling cotton at such average location for the purposes of this section."

Public Law 52, May 5, 1945, Department of Agriculture Appropriation Act, 1946, which would apply during the fiscal year ending June 30, 1946, contains virtually the same limitations on sales by Commodity Credit Corporation of farm commodities below the parity or comparable price except that the exception with respect to perishable commodities applies to "perishable fruits, vegetables, and animal products if there is danger of deterioration or of accumulation of stocks."

§ 1700.7 *Donation and destruction.* Whenever the disposal agency finds that commodities have no commercial value, or that the cost of care, handling, and disposition will exceed the estimated proceeds, such commodities may be donated to any agency or institution supported by the Federal Government or any state or local government, or to any nonprofit or charitable organization. The findings of the agency, together with information as to the identity of the donee, shall be incorporated in a complete written statement, a copy of which shall be filed with the Director of Surplus Property and Reconversion, War Food Administration, Washington, D. C., within thirty days after the donation takes place. No surplus agricultural commodities or surplus foods processed from agricultural commodities shall be donated except under the circumstances and on the conditions provided in this section.

Commodities which are so far deteriorated that they are obviously unfit for any use whatsoever and present a serious problem of storing and handling may be destroyed immediately but in such cases a written declaration that such destruction was necessary for the stated reasons shall be promptly filed with the Director of Surplus Property and Reconversion, War Food Administration, Washington, D. C. Where the deterioration is not such that immediate destruction is necessary, the following steps must be taken in advance of destruction:

(a) Public notice of the proposed destruction given thirty days in advance.

(b) The filing of copies of such notice with the Surplus Property Board and the Director of Surplus Property and Reconversion, War Food Administration, Washington, D. C., at the beginning of the thirty-day period.

(c) An attempt during the thirty-day period to dispose of the commodity other than by destruction.

(d) The filing of a statement describing all steps which have been taken to dispose of the commodity with the Director of Surplus Property and Reconversion at the beginning of the thirty-day period and a supplementary statement at the close of the period.

§ 1700.8 *Consumer protection; inspection, etc.* All reasonable safeguards and precautions shall be taken in cooperation with Federal, State, and local health authorities, to ensure that foods which are unfit for human consumption do not go into food uses. Before any commodity is disposed of for food uses, it must be inspected to determine its fitness for human consumption. Items found to be unfit for human consumption must be segregated under Government supervision. Only those portions fit for human consumption may be sold for food uses or to buyers who may put them to such uses. Unfit items may be sold only for reconditioning or reprocessing for food uses or for industrial or nonfood purposes under circumstances and on conditions which will assure that the items are so used. If this cannot be done, destruction may be necessary under the terms of § 1700.7.

§ 1700.9 *Sales for export.* Food and food products which are located in the United States shall not be sold for export unless it is first determined that, (a) there is no shortage of the commodity in the United States and that the proposed sale or disposal will not result in such shortage, and (b) the commodity is not needed to supply the normal demands of consumers in the United States. Such determinations shall be made by the War Food Administration.

Export sales may be made of any farm commodity or product thereof at competitive world prices without regard to the restrictions stated in § 1700.6, but only upon an adequate and properly secured undertaking of the purchaser that the commodity will not later be imported into the United States.

§ 1700.10 *Sales of commodities abroad.* Commodities located abroad shall promptly be returned to the United States upon the issuance of a declaration and finding by the War Food Administration that commodities of that type or character are in short supply in the United States and that such return is in the public interest. In the absence of such a finding, commodities located abroad, notwithstanding the foregoing provisions of this part, shall be sold or otherwise disposed of abroad upon such terms and conditions and employing such methods of sale or disposition and priority of offering as seem reasonable under all of the circumstances: *Provided*, That if the War Food Administration determines that a commodity of the same type or character as the commodity located abroad is being exported from the United States and specifies a minimum sales price for the commodity located abroad, sales of such commodity shall not be made at a price below such minimum sales price. Records shall be kept of all disposals abroad and they shall be reported to the War Food Administration. The disposal agency shall insert in each contract for the sale or

other disposition of any such commodity an undertaking on the part of the purchaser not to import the commodity into the United States in the same or processed form: *Provided*, That the foregoing shall not apply where such commodities are sold to a member of the armed forces abroad who certifies to the disposal agency that he is purchasing the commodities for the purpose of bringing them into the United States for his personal use.

§ 1700.11 *Interpretations, amendments and implementing regulations.* Requests for interpretations, or for amendments, or for clearance of implementing regulations issued by the disposal agencies should be addressed to the Director of Surplus Property and Reconversion, War Food Administration, Washington, D. C.

Effective date. This statement of policies shall become effective June 29, 1945.

Issued: March 30, 1945.

MARVIN JONES,
War Food Administrator.

Concurred in:

SURPLUS PROPERTY BOARD,
G. M. GILLETTE,
Chairman.

[F. R. Doc. 45-11469; Filed, June 28, 1945; 11:09 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 504—ARMY EXCHANGES

POSTS, CAMPS AND STATIONS

The following amendments and additions to the regulations contained in Part 504 are hereby prescribed.

1. Section 504.1 (b) is rescinded and the following substituted in lieu thereof:

§ 504.1 *Purposes.* • • •

(b) To operate or manage all revenue-producing activities at a post other than:

(1) The quartermaster sales commissary or the quartermaster sales store.

(2) War Department theaters.

(3) Minor or incidental revenue-producing activities conducted by welfare and sundry funds. This restriction does not preclude specific War Department directive to the exchange to operate or manage any other food, drink, merchandise, or service facility.

(4) Revenue from communications services.

(5) Book departments at service schools.

(6) Post restaurants. (See Army Regulations.)

(7) "Yank" magazine and similar publications.

(8) Such other activities as the War Department may direct.

2. Section 504.5 is amended as follows:

§ 504.5 *Activities*—(a) *Authorized activities.*

(1) Main store.

• • • • •

(22) Management, procurement or other services for other nonappropriated fund activities, as authorized by applicable directives.

• • • • •

(c) *Concessions.* • • •

(4) A concession contract will be approved only when it embodies the express provision that the concessionaire assumes complete liability for all local taxes applicable to the property, income, and transactions of the concessionaire.

3. In § 504.6 paragraph (c) (2) (iii) (*d*) is amended as follows:

§ 504.6 *Army Exchange Service.* • • •

(c) • • •

(2) • • •

(iii) • • •

(*d*) Receive, investigate, and pay from Army exchange fund claims of creditors of exchanges lost through enemy action, preserving records of such payments for presentation as claims before a claims commission, indemnity commission, or similar body which may hereafter be constituted. Any such amounts received from such commission or similar body shall be used to reimburse Army exchange fund. (R. S. 161; 5 U. S. C. 22) [AR 210-65, 12 June 1945]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F.R. Doc. 45-11456; Filed, June 28, 1945; 9:40 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 278-B]

ISSUANCE OF ASSISTANT AIRLINE TRANSPORT PILOT CERTIFICATES

EXTENSION OF EFFECTIVE PERIOD

Extending the effective period of Special Civil Air Regulation Serial Number 278 authorizing the issuance of assistant airline transport pilot certificates.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 27th day of June, 1945.

Effective June 27, 1945, Special Civil Air Regulation Serial Number 278 is amended by striking the words "June 30, 1945" and inserting in lieu thereof the words "December 31, 1945."

NOTE: The termination date of this regulation was previously extended to June 30, 1945, by Special Civil Air Regulation Serial Number 278-A.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-11467; Filed, June 28, 1945; 10:50 a. m.]

[Amdt. 22-1]

PART 22—LIGHTER-THAN-AIR PILOT CERTIFICATES

MILITARY COMPETENCE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of June 1945.

Effective June 19, 1945, §§ 22.118 and 22.129 of the Civil Air Regulations are amended to read as follows:

§ 22.118 *Military competence.* An applicant who is or was within the preceding 12 calendar months a member of the armed forces of the United States will be deemed to have met the requirements of §§ 22.115, 22.116, and 22.117 if he presents reliable documentary evidence showing:

(a) That he is a member of the armed forces, or that he has been honorably discharged or returned to inactive service,

(b) That he is or was on flying status as a lighter-than-air pilot and is presently competent to pilot airships, and

(c) His total flying time.

§ 22.129 *Military competence.* An applicant who is or was within the preceding 12 calendar months a member of the armed forces of the United States will be deemed to have met the requirements of §§ 22.125, 22.126, 22.127, and 22.128 if he presents reliable documentary evidence showing:

(a) That he is a member of the armed forces or that he has been honorably discharged or returned to inactive service,

(b) That he is or was on flying status as a lighter-than-air pilot holding an instrument rating and is presently competent to pilot airships, and

(c) His total flying time.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R Doc. 45-11466; Filed, June 28, 1945; 10:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-308]

PART 162—WOOD CASED LEAD PENCIL INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1945

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commisison Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been

approved and received, respectively, by the Commission in this proceeding, be promulgated as of June 29, 1945.

Statement by the Commission

Trade practice rules for the Wood Cased Lead Pencil Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

Wood cased lead pencils, the products of the industry, are of many types and grades. They are sold in large numbers by manufacturers, importers, distributors, dealers, and other marketers; and are used extensively by the public and business generally, in schools, in drawing and drafting, in the crafts, and in many other activities. The rules are directed toward the maintenance of free and fair competition in the business of marketing such pencils throughout the several channels of trade and to consumers or the purchasing public. To this end, the rules catalog and proscribe various unfair trade practices which are to be avoided and prevented that the industry, trade, and the public may be adequately protected against the harmful effects of such practices. Other rules are also included which provide additional support for sound business methods.

Production of wood cased lead pencils in the United States is large. In 1944 it exceeded 1,047,000,000 pencils. Invested capital of the manufacturers in this country is above $25,000,000. In addition to the domestic production, imported wood cased lead pencils are also covered by the rules, as well as those which are assembled in this country from imported leads or slats.

The proceedings for establishing the rules were instituted upon application from members of the industry. A general trade practice conference was held by the Commission in New York City. At such conference suggested rules were considered, subject to the Commission's approval in the form deemed proper. Thereafter, a draft of the proposed rules under consideration by the Commission was published for the information of all concerned and public notice was issued by the Commission under which all interested or affected parties (including consumers) were afforded opportunity to present their views, including such pertinent information, suggestions, amendments, or objections as they desired to offer, and to be heard. Such hearing was accordingly held in Washington, D. C. All matters presented pursuant to such public notice, or otherwise received in the proceedings, were duly considered.

Thereupon, and after full consideration, final action was taken by the Commission whereby it approved and received, respectively, the trade practice rules appearing in Group I and Group II, as follows:

The Rules

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of the industry and the public. Their operation is to be directed toward this end and is not to permit of the use of any practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition.

Group I

The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Sec.
- 162.1 Misrepresentation and misbranding.
- 162.2 Deception as to origin of pencils made of fully fabricated imported lead or slats.
- 162.3 Misuse of word "free," etc.
- 162.4 Defamation of competitors or disparagement of their products.
- 162.5 Procurement of competitors' confidential information by unfair means and wrongful use thereof.
- 162.6 Commercial bribery.
- 162.7 Imitation or simultation of trademarks, trade names, etc.
- 162.8 Selling below cost.
- 162.9 Use of "loss leaders."
- 162.10 Coercing purchase of one product as a prerequisite to the purchase of other products.
- 162.11 Substitution of products.
- 162.12 Combination or coercion to fix prices, suppress competition, or restrain trade.
- 162.13 Discrimination.

AUTHORITY: §§ 162.1 to 162.13, inclusive, issued under the authority contained in 38 Stat. 717, as amended, and pursuant to other provisions of law administered by the Commission.

§ 162.1 *Misrepresentation and misbranding.* It is an unfair trade practice to use, or cause or promote the use of, any advertising by radio, newspapers, magazines, or other media, or any trade promotional literature, label, brand, mark, imprint, designation, or representation, however, disseminated or published:

(a) Which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public with respect to the lead hardness, brand, grade, origin, quality, quantity, durability, size, use, value, price, or terms of sale of any industry product, or with respect to the manufacture, distribution, or marketing of such product; or

(b) Which is false, misleading, or deceptive in any other respect. [Rule 1]

§ 162.2 *Deception as to origin of pencils made of fully fabricated imported lead or slats*—(a) *In the sale or distribution in the domestic market of wood cased lead pencils assembled in the United States from fully fabricated imported lead or slats.* (1) It is an unfair trade practice to conceal or fail to fully and nondeceptively disclose the foreign origin of such lead or slats or both, as the case may be, the concealment or nondisclosure having the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public.

(2) The practice of imprinting the phrase "Made in U. S. A." upon such pencils or their containers, or the use thereof in advertisements or other representations pertaining to such pencils, is also an unfair trade practice when truthful disclosure is not clearly and conspicuously made, in immediate conjunction therewith, showing that such lead or slats or both, as the case may be, have been imported from or made in the country of their origin.

(b) *Manner of disclosure.* The following is prescribed as a proper manner of making said disclosure under this section of the foreign origin of such lead or slats or both, as the case may be:

(1) Unless the disclosure is made on the pencils themselves, the disclosure shall in all cases be made on the wrapper or immediate container of a dozen or smaller number of pencils, irrespective of whether or not the phrase "Made in U. S. A." is used; and

(2) Whenever the phrase "Made in U. S. A." is used, whether on the pencils, on their wrappers or containers, or in advertising matter, the disclosure shall be made in immediate conjunction with such phrase wherever used.

(3) Illustrative designations of foreign origin of such lead or slats which may be used under this section are as follows: "Lead made in _____," "Slats made in _____," "Lead and slats made in _____," "Lead imported from _____," "Slats imported from _____," "Lead and slats imported from _____," (inserting the applicable country of origin in such blanks).

(c) All the provisions of this section respecting the phrase "Made in U. S. A." shall be equally applicable to expressions or representations of similar import or meaning such as, but not limited to, "U. S. A.," "Made in America," "American Made," "U. S. Product," etc.

(d) This section shall not be construed as prohibiting the imprinting upon such pencils, or the use in advertising or elsewhere, of the name of the city or State, or both, which constitute the address of the person or concern manufacturing or marketing such pencils: *Provided, However*, all other provisions of this section are complied with and no deception is involved.

(e) Nothing herein shall be deemed to relieve anyone of the necessity of complying with the requirements of the customs law or regulations, or other applicable provisions of law or regulations, relating to the marking of imported articles. [Rule 2]

§ 162.3 *Misuse of word "free," etc.* It is an unfair trade practice to use the term "free," or any other term of similar import or meaning, to describe, designate, or refer to any industry product which is not given to the recipient thereof without cost and unconditionally. [Rule 3]

§ 162.4 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, in-

ability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the grade or quality of the products of competitors or of the source or origin of raw materials or component parts used in their products, or the false disparagement of the nature or form of business conducted by competitors, their credit terms, values, policies, or services, or other false disparagement, is an unfair trade practice. [Rule 4]

§ 162.5 *Procurement of competitor's confidential information by unfair means and wrongful use thereof.* It is an unfair trade practice for any member of the industry to obtain information concerning the business of a competitor by bribery of an employee or agent of such competitor, by false or misleading statements or representations, by the impersonation of one in authority, or by any other unfair means, and to use the information so obtained in such manner as to injure said competitor in his business or to suppress competition or unreasonably restrain trade. [Rule 5]

§ 162.6 *Commercial bribery.* It is an unfair trade practice for any member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing or contracting to deal with competitors. [Rule 6]

§ 162.7 *Imitation or simulation of trade-marks, trade names, etc.* The imitation or simulation of the trade-marks, trade names, brands, or labels of competitors, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 7]

§ 162.8 *Selling below cost.* The practice of seling industry products below the seller's cost, when pursued with wrongful intent of thereby injuring a competitor and where the effect of such practice is to unreasonably restrain trade, tend to create a monopoly, or substantially lessen competition, is an unfair trade practice.

This section is not to be construed as prohibiting all sales below cost, but only such selling below the seller's cost as is resorted to and pursued as a monopolistic practice with the wrongful intent referred to and coupled with the effect of unreasonably restraining trade, tending to create a monopoly, or substantially lessening competition.

All elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this section. The costs referred to in this section are actual costs of the respective seller and not some other figure or average costs in the industry, determined by an industry cost survey or otherwise. [Rule 8]

§ 162.9 *Use of "loss leaders."* The practice of selling any product of the industry below the seller's cost as a "loss leader" to induce the purchase of any other product of the industry, the sale of the latter being used to recoup the loss sustained on the "loss leader" product so sold, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 9]

§ 162.10 *Coercing purchase of one product as a prerequisite to the purchase of other products.* The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products, where the effect may be to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade, is an unfair trade practice. [Rule 10]

§ 162.11 *Substitution of products.* The practice of shipping or delivering products which do not conform to samples submitted, to specifications upon which the sale is consummated, or to representations made prior to securing the order, without the consent of the purchasers to such substitution, or with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 11]

§ 162.12 *Combination or coercion to fix prices, suppress competition, or restrain trade.* It is an unfair trade practice for a member of the industry, or any other person:

(a) To use, directly or indirectly, any form of threat, intimidation, or coercion against any member of the industry or other person to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade; or

(b) To enter into or take part in, directly or indirectly, any agreement, understanding, combination, conspiracy, or concerted action with one or more members of the industry, or with one or more other persons, to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade. [Rule 12]

§ 162.13 *Discrimination*—(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential (whether in the form of so-called free goods or otherwise), where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,[1] and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,[1] or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce[1] from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Purchases by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.* The foregoing provisions of this section relate to practices within the purview of the Robinson-Patman Antidiscrimination Act, which Act and the application thereunder of this section are subject to the limitations expressed in the amendment to such Robinson-Patman Antidiscrimination Act, which amendment, passed by Congress, was approved May 26, 1938, and reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Act approved June 19, 1936 (Public, Numbered 692, Seventy-fourth Congress, second session), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit. (52 Stat. 446; United States Code, 1940 edition, Title 15, Sec. 13c) [Rule 13]

Group II

Compliance with trade practice provisions embraced in Group II rules is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not, per se, constitute violation of law. Where, however, the practice of not complying with any such Group II rules is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of Group I rules.

RULE A. *Ambiguity in contracts or orders.* In order to avoid ambiguity and misunderstanding between buyers and sellers, it is the judgment of the industry that contracts or orders for wood cased lead pencils should be specific as to the description, quality, and price of the pencils to be furnished thereunder.

RULE B. *Fictitious bids.* The industry condemns fake or fictitious bids made for the purpose of deceiving competitors and securing undue advantage.

RULE C. *Recording of trade-marks, trade names, etc., to avoid confusion.* To avoid confusion within the industry, it is recommended that each member thereof voluntarily file with some person designated by the industry all trade-marks, trade names, labels, or brands belonging to and used by such member and that such information be made equally available to all members of the industry and to the public.

A Committee on Trade Practices is hereby created by the industry to cooperate with the Federal Trade Commission and to perform such acts as may be legal and proper to put these rules into effect.

Promulgated and issued by the Federal Trade Commission June 29, 1945.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-11468; Filed, June 28, 1945; 11:01 a. m.]

[1] As here used, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States," (exclusive, however, of the Philippine Islands).

TITLE 29—LABOR

Chapter IV—Children's Bureau, Department of Labor

[Reg. 26]

PART 402—ACCEPTANCE OF STATE CERTIFICATES

§ 402.1 *Designation of States.* Pursuant to the provisions of § 401.5,[1] I hereby designate the following States as States in which State age, employment, or working certificates or permits shall have the same force and effect as Federal certificates of age under the Fair Labor Standards Act of 1938, c. 676, 52 Stat. 1060, 29 U.S.C., sec. 201:

Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

This designation shall be effective from July 1, 1945, until June 30, 1946, unless this regulation is amended or repealed by regulation hereafter made and published by the Chief of the Children's Bureau.

Dated: June 27, 1945.

KATHARINE P. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 45-11465; Filed, June 28, 1945; 10:46 a. m.]

[1] Refers to section 5, Child Labor Regulations No. 1, "Certificates of Age," issued October 14, 1938, pursuant to the authority conferred by sections 3 (l) and 11 (b) of the Fair Labor Standards Act of 1938, published at 3 F.R. 2487, October 15, 1938; republished at 4 F.R. 1361, March 29, 1939.

Chapter IX—War Food Administration (Agricultural Labor)

[Rev. Supp. 9]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN BALING ALFALFA, VETCH, AND GRAIN HAY IN DESIGNATED CALIFORNIA COUNTIES

Supplement 9 (formerly referred to as Specific Wage Ceiling Regulation 9), issued June 10, 1944 (9 F.R. 6396, 10 F.R. 3797, 5764), is hereby amended and revised to read as follows:

§ 1102.9 *Wages of workers engaged in the baling and piling of alfalfa, vetch and grain hay in the counties of Marin, Sonoma, Napa, Solano, Alameda, San Joaquin, Contra Costa, Sacramento, Sutter, Yolo and Yuba, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in the baling and piling of alfalfa, vetch and grain hay in the counties of Marin, Sonoma, Napa, Solano, Alameda, San Joaquin, Contra Costa, Sacramento, Sutter, Yolo, and Yuba, State of California, are agricultural labor as defined in § 4001.1 (l) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547).

(b) *Wage rates—maximum wage rates for baling and piling alfalfa, vetch and grain hay.*

	Cents per ton per man
(1) 5-wire balers:	
3-man feeder crew	40
4-man feeder crew	35
Power driver (lever tender)	25
Bale jerker (if 2 men are employed the employer will divide the 40c per ton among the 2 men in any proportion desired)	40
Bale roller (piler)	25
Roustabout	20
Spool tender	15
(Board furnished in addition.)	
(2) 3-wire stationary baler:	
2 or 3 feeders	50
(Where feeders rotate to other jobs the feeder rate applies, provided, however, a maximum of 3 men in a crew may be paid the feeder rate.)	
Wire tier (where an exclusive job)	40
Wire poker (where an exclusive job)	25
Bale roller (piler)	40
Spool tender	25
(Board not included.)	
(3) 2- or 3-wire pickup type balers:	
Lead man (not more than one)	50
Other men in crew	45
(Total crew can not exceed 4 men.)	
(Board not included.)	
(4) 8-wire pitch-in type movable or shock-to-shock baler:	
3 or 4 feeders	90
(Board not included.)	

If an hourly rate is paid for any operation listed in (1), (2), (3) or (4), the rate must not exceed earnings computed on the above piece rate basis.

(c) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206, 10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This revised Supplement 9 shall become effective at 12:01 a. m. Pacific war time, June 30, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 27th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-11471; Filed, June 28, 1945; 11:10 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 307]

PART 611—DUTY AND RESPONSIBILITY TO REGISTER

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend § 611.2 to read as follows:

§ 611.2 *Change of status.* Except as otherwise provided in § 611.2–1, every man who would have been required to be registered on a day fixed for registration by Presidential proclamation except for the fact that he was in one of the groups mentioned in section 5 (a), Selective Training and Service Act of 1940, as amended, or section 208, Coast Guard Auxiliary and Reserve Act of 1941, shall be required, under the provisions of section 5 (h) of the Selective Training and Service Act of 1940, as amended, to present himself for and submit to registration before a local board when a change in his status removes him from such group.

2. Amend the regulations by adding a new section to be known as § 611.2–1 to read as follows:

§ 611.2–1 *Registration of men separated from land or naval forces.* Every man who (1) has been discharged from the land or naval forces by discharge or by an equivalent type of release from service in the case of an officer or a warrant officer, (2) has not been registered prior to such discharge or release, and (3) would have been required to be registered on a date fixed for registration by Presidential proclamation except for the fact that he was on that date a member of the land or naval forces, shall present himself for and submit to registration within the period of ten days following the day on which he was discharged from the land or naval forces.

3. Amend § 611.4 to read as follows:

§ 611.4 *Inmate of institution.* Unless he has already been registered every man subject to registration who is an inmate of an insane asylum, jail, penitentiary, reformatory, or similar institution, shall be registered on the day he leaves the institution.

4. Amend § 611.5 by deleting paragraph (e) thereof in its entirety and relettering paragraph (f) to (e) to read as follows:

§ 611.5 *Responsibility for performance of duty.* • • •

(e) Men required to present themselves for and submit to registration shall not be paid for performing such obligation nor shall they be paid travel allowances or expenses.

5. Amend § 611.13 to read as follows:

§ 611.13 *When a nondeclarant alien is not residing in the United States.* (a) A male alien who is now in or hereafter enters the United States who has not declared his intention to become a citizen of the United States is not "a male person residing in the United States" within the meaning of section 2 or section 3 of the Selective Training and Service Act of 1940, as amended, *Provided:*

(1) He is a diplomatic representative, a technical attaché of a foreign embassy or legation, a consul general, a consul, a vice consul, or a consular agent of a foreign country; or

(2) He is a full-time official or employee of a foreign government and a national of the country employing him who has been notified to the Department of State: *Provided,* That at the time he is notified to the Department of State, a proper representative of his government advises and after investigation the Department of State and the Director of Selective Service agree that he is in fact not residing in the United States; or

(3) He is a dependent male child of any person described in subparagraph (1) or (2) of this paragraph; or

(4) He is and was at the time of his entry into the United States in the active service of the armed forces of a cobelligerent or a neutral country; or

(5) He is an individual designated by the Director of Selective Service as not required to present himself for and submit to registration; or

(6) He is within a group of individuals described by the Director of Selective Service as not required to present themselves for and submit to registration; or

(7) He has, within the time prescribed and in the manner provided in section 611.21, filed with the local board with which he is registered, or if he is not registered, with the local board having jurisdiction over the area in which he is located, an Alien's Application for Determination of Residence (Form 302), together with an Alien's Personal History and Statement (Form 304), and such application is either pending or has resulted in the issuance by the local board of an Alien's Certificate of Nonresidence (Form 303) which has not expired.

(b) Each Alien in one of the categories described in subparagraphs (1), (2), (3), (4), (5), or (6) of paragraph (a) must have in his personal possession, at all times, an official document issued pursuant to authorization of or described by the Director of Selective Service which identifies him as a person not required to present himself for and submit to registration and must exhibit it in the same manner and to the same persons as a registrant is required to exhibit a Registration Certificate (Form 2) under § 617.1.

6. Amend § 611.21 to read as follows:

§ 611.21 *What aliens may apply for a determination.* Any nondeclarant alien who has entered or who hereafter enters the United States in a manner prescribed by its laws, except a nondeclarant alien described in subparagraphs (1), (2), (3), (4), (5), and (6) of § 611.13 (a), may file with his local board, if he is registered, or with the local board where he is at the time located, if he is not registered, an Alien's Application for Determination of Residence (Form 302): *Provided,* That such application is filed within ninety days after the date of his entry into the United States or within ninety days after persons of his age become liable for training and service by law, whichever is the later: *And provided further,* That such application is filed prior to induction. An Alien's Personal History and Statement (Form 304) must be filed with such application.

7. Amend the regulations by adding a new section to be known as § 611.21–1 to read as follows:

§ 611.21–1 *Application filed after three months.* Any alien who has not complied with the provisions of § 611.21 or § 611.26 may file an Alien's Application for Determination of Residence (Form 302) and an Alien's Personal History and Statement (Form 304) with a local board for transmittal to the Director of Selective Service for consideration.

8. Amend § 611.25 to read as follows:

§ 611.25 *Action of local board following determination by Director of Selective Service.* Immediately upon receipt of the file containing a determination made by the Director of Selective Service under the provisions of § 611.24 or § 611.29, the local board shall:

(a) Prepare and mail to the alien a Notice of Determination of Alien's Residence (Form 305) if the Director of Selective Service has determined that such alien is "a male person residing in the United States" within the meaning of section 2 and section 3 of the Selective Training and Service Act of 1940, as amended; or

(b) Prepare and deliver to the alien, in the manner prescribed in paragraph (d) of § 611.22 on Alien's Certificate of Nonresidence (Form 303) if the Director of Selective Service has determined that such alien is not "a male person residing in the United States" within the meaning of section 2 or section 3 of the Selective Training and Service Act of 1940, as amended.

9. Amend paragraph (b) of § 611.32 to read as follows:

§ 611.32 *Register of nonresident aliens.* • • •

(b) The State Director of Selective Service shall maintain a register showing the names, addresses, and nationalities of individuals to whom Alien's Certificates of Nonresidence (Form 303) have been issued in his State, the name or number of the local board issuing the certificates, and the number and expiration date of each individual certificate issued by each local board.

The foregoing amendments to the Selective Service regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11436; Filed, June 27, 1945; 2:36 p. m.]

[Amdt. 308]

PART 612—REGISTRATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Amend Part 612 to read as follows:

DUTIES

Sec.
612.1 State Director of Selective Service.
612.2 Chairman of local board.
612.3 Registrars.

PROCEDURES

612.11 Place and time of registration.
612.12 Manner of registration; general.
612.13 Manner of registration; inmate of institution.
612.14 Interpreters.
612.15 Registrant unable or who refuses to sign.
612.16 Checking place of residence.
612.17 Disposition of Registration Card of registrant whose place of residence is not within local board area.
612.18 Persons registered more than once.

AUTHORITY: §§ 612.1 to 612.18, inclusive, issued under 54 Stat. 885, as amended; 50 U.S.C., App. and Sup., 301 et seq.; E.O. 8545, 9279, 3 CFR, Cum. Supp.

DUTIES

§ 612.1 *State Director of Selective Service.* The State Director of Selective Service shall supervise the registration of men who present themselves for registration before local boards in his State.

§ 612.2 *Chairman of local board.* The chairman of the local board shall supervise the registration of men who present themselves for registration at the office of his local board.

§ 612.3 *Registrars.* (a) Any member or employee of a local board or a local board group, or any other qualified person appointed as registrar by the chairman of the local board may perform the duties of registrar. The chairman and other members and employees of the local board or of a local board group are authorized to act as registrars without special appointment.

(b) Unless he has already done so, each registrar, before entering upon his duties as registrar, shall take the following oath:

"I, ---------- do solemnly swear (or affirm) that I will faithfully perform the duties of registrar of Local Board No. ------; that I will correctly record the answers given me by persons registered; that I will indicate on every Registration Card (Form 1) answers that I believe to be untrue; and that I will truthfully answer and record matters charged to my own observation.

The oath may be administered by any person qualified to administer oaths, or by a member of the local board.

(c) No compensation shall be paid to any registrar for his services as such, and, unless such person has already signed an Oath of Office and Walver of Pay or Compensation (Form 21), or is a full-time paid employee of the Selective Service System, he shall sign an Oath of Office and Waiver of Pay or Compensation (Form 21) before being sworn or undertaking any duties as registrar.

PROCEDURES

§ 612.11 *Place and time of registration.* Any person required to be registered may present himself for and submit to registration at the office of any local board during the usual business hours.

§ 612.12 *Manner of registration; general.* (a) For each person required to present himself for and submit to registration, Selective Service forms shall be completed as follows:

(1) Registration Card (Form 1) of the proper color; and

(2) Registration Certificate (Form 2).

(b) Each person who presents himself for registration shall be registered on a properly colored Registration Card (Form 1) which shall be determined by his date of birth in accordance with the following table:

TABLE OF AGE GROUPS AND REGISTRATION CARDS (FORM 1)

GROUP 1—WHITE CARD

Registrants born on or after October 17, 1904, and born on or before October 16, 1919.

GROUP 2—MELON CARD

Registrants born on or after October 17, 1919, and born on or before July 1, 1920.

GROUP 3—GREEN CARD

Registrants born on or after July 2, 1920, and born on or before December 31, 1921, and

Registrants born on or after February 17, 1897, and born on or before October 16, 1904.

GROUP 4—BUFF CARD

Registrants born on or after April 28, 1877, and born on or before February 16, 1897.

GROUP 5—GRAY CARD

Registrants born on or after January 1, 1922, and born on or before June 30, 1924.

GROUP 6—GRAY CARD

Registrants born on or after July 1, 1924, and born on or before December 31, 1924; and

those reaching the eighteenth anniversary of the day of their birth on or after January 1, 1943.

(c) The registrar shall complete and certify, and the registrant shall sign, the proper colored Registration Card (Form 1) before the registrar completes and signs the Registration Certificate (Form 2). The register shall complete all entries on the Registration Card (Form 1), except the spaces for the registrant's signature, serial number and order number. The entries on the front of the card will be made by the registrar from the information obtained from the registrant, and the entries on the back of the card will be made by the registrar from information obtained by observation. The registrar will take extreme care in making correct entries on the Registration Card (Form 1). Special attention shall be given to the entry to be made on line 2 of the Registration Card (Form 1). Except as otherwise provided in these regulations, the local board whose area of jurisdiction includes the place of residence given on line 2 of the Registration Card (Form 1) will always have jurisdiction over the registrant. The registrant will not be permitted to give a place of residence outside the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States.

(d) When the Registration Card (Form 1) has been completed and certified by the registrar and signed by the registrant, the registrar will prepare from information taken from the Registration Card (Form 1), the Registration Certificate (Form 2), and give it to the registrant.

(e) The registrar should advise the registrant that he must advise the local board each time there is a change in his address.

§ 612.13 *Manner of registration; inmate of institution.* (a) An inmate of an insane asylum, jail, penitentiary, reformatory, or similar institution, who is required to be registered on the day he leaves such institution, shall be registered in the manner prescribed in this

section. The superintendent or warden shall perform the duties of registrar.

(b) In filling out the Registration Card (Form 1) and the Registration Certificate (Form 2), the superintendent or warden, acting in his capacity as registrar, shall be careful not to indicate that the inmate was registered in an institution or by an official thereof. If the inmate does not have a permanent place of residence or an address where he intends to be or where he can be located, the address of the local board of the area in which the institution is located shall be entered on line 2 of the Registration Card (Form 1). Under no circumstances shall the address of the institution be given as the place of residence or as the mailing address of the inmate who is being registered.

(c) The superintendent or warden acting as registrar shall then (1) explain to the registrant his obligations under the Selective Training and Service Act of 1940, as amended; (2) prepare and sign the Registration Certificate (Form 2) entering on the line commencing "Registrar for Local Board" the number of the local board of the area in which the institution is located; and (3) give the Registration Certificate (Form 2) to the inmate.

(d) The superintendent or warden shall mail the Registration Card (Form 1) of a person registered under the provisions of this section to the State Director of Selective Service for the State in which the place of residence described on line 2 of such card is located. The State Director of Selective Service shall forward such Registration Card (Form 1) to the local board having jurisdiction of the place of residence described on line 2 thereof.

§ 612.14 *Interpreters.* Registrars may accept the gratuitous assistance of such interpreters as are necessary, provided such interpreters shall first execute an Oath of Office and Waiver of Pay or Compensation (Form 21) and shall be sworn to correctly interpret the questions asked by the registrar and the answers given by the registrant.

§ 612.15 *Registrant unable or who refuses to sign.* If a person required to be registered is unable to sign his name or make his mark, or if he refuses to sign his name on the Registration Card (Form 1), the registrar shall sign each such person's name in the space provided on the Registration Card (Form 1) and indicate that he has done so by signing his own name followed by the word "Registrar" beneath the name of such person. The act of the registrar in so doing shall have the same force and effect as if the person required to be registered had signed his name on the Registration Card (Form 1), and such person shall thereby be registered.

§ 612.16 *Checking place of residence.* When a Registration Card (Form 1) is received or completed at the office of a local board, the clerk of the local board shall carefully check the place of residence of such registrant as indicated on line 2 of his Registration Card (Form 1).

§ 612.17 *Disposition of Registration Card of registrant whose place of residence is not within local board area.* (a) If the clerk of the local board finds that the place of residence of the registrant as shown on line 2 of his Registration Card (Form 1) is not within the area of the local board where he registered, the clerk of the local board shall immediately mail the Registration Card (Form 1) of such registrant to the proper local board if he is absolutely sure of the local board that has jurisdiction over such registrant. If he has any doubt about the proper local board, he shall mail such card to the State Director of Selective Service having jurisdiction over the place of residence shown on line 2 of such card.

(b) If the place of residence shown on line 2 of any Registration Card (Form 1) is nonexistent or is outside of the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands of the United States, the local board in whose area the registrant registered shall retain such card.

§ 612.18 *Persons registered more than once.* If a registrant has registered or hereafter registers more than once and gives different addresses on line 2 of his Registration Card (Form 1), each local board having jurisdiction of the area in which each address is located shall put a serial number and (except in the case of a registrant in Group 4) an order number on the Registration Card (Form 1). Except for the local board which may cancel the registration, the registrant shall be subject to the jurisdiction of each local board having a Registration Card (Form 1) for such registrant.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11437; Filed, June 27, 1945; 2:36 p. m.]

[Amdt. 309]

PART 613—PROCEDURE ON REGISTRATION DAY

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Delete Part 613 in its entirety.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11438; Filed, June 27, 1945; 2:36 p. m.]

[Amdt. 310]

PART 614—GROUPING AND SERIAL NUMBERING OF REGISTRATION CARDS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Delete Part 614 in its entirety.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11439; Filed, June 27, 1945; 2:36 p. m.]

[Amdt. 311]

PART 615—ASSIGNMENT OF SERIAL NUMBERS AND ORDER NUMBERS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend Part 615 to read as follows:

FIRST REGISTRATION—GROUP 1

Sec.
615.1 Registration.
615.2 Serial numbers.
615.3 First National Master List.
615.4 Order numbers.

SECOND REGISTRATION—GROUP 2

615.11 Registration.
615.12 Serial numbers.
615.13 Second National Master List.
615.14 Order numbers.

THIRD REGISTRATION—GROUP 3

615.21 Registration.
615.22 Serial numbers.
615.23 Third National Master List.
615.24 Order numbers.

FOURTH REGISTRATION—GROUP 4

615.31 Registration.
615.32 Serial numbers.
615.33 No national master list.
615.34 Order numbers.

FIFTH REGISTRATION—GROUP 5

615.41 Registration.
615.42 Serial numbers.
615.43 No national master list.
615.44 Order numbers.

SIXTH REGISTRATION—GROUP 6

615.51 Registration.
615.52 Serial numbers.
615.53 No national master list.
615.54 Order numbers.

SERIAL NUMBERING LATE REGISTRATION CARDS

615.61 Serial numbering; late registrants in Groups 1, 2, 3, or 4.
615.62 Serial numbering; late registrants in Group 5.
615.63 Serial numbering; late registrants in Group 6.

ORDER NUMBERING LATE REGISTRATION CARDS

615.71 Assigning order numbers to Group 1 registrants whose Registration Cards are received late.
615.72 Assigning order numbers to Group 2 registrants whose Registration cards are received late.
615.73 Assigning order numbers to Group 3 registrants whose Registration Cards are received late.
615.74 No order numbers assigned to Group 4 registrants.
615.75 Assigning order numbers to Group 5 registrants whose Registration Cards are received late.
615.76 Assigning order numbers to Group 6 registrants whose Registration Cards are received late.

CLASSIFICATION RECORD AND COVER SHEET

615.81 Classification Record.
615.82 Preparation of Cover Sheets.

AUTHORITY: §§ 615.1 to 615.82, inclusive, issued under 54 Stat. 885, as amended; 50 U.S.C., App. and Sup. 301 et seq.; E.O. 8545, 9279, 3 CFR, Cum. Supp.

FIRST REGISTRATION—GROUP 1

§ 615.1 *Registration.* Persons who were born on or after October 17, 1904 and on or before October 16, 1919, Group 1, were required to be registered on October 16, 1940, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to October 16, 1940 on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were registered on white Registration Cards (Form 1).

§ 615.2 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 1, provided that:

(a) All white Registration Cards (Form 1) received prior to the time the local board assigned any serial numbers to such cards, were placed together and thoroughly shuffled. The local board then placed on each card a serial number in the space marked "Serial Number." The card that was first in the pile after the shuffle was given Serial Number 1, and the next card was given Serial Number 2, and so on. Each card was given one, and only one, serial number, and no letters or fractions were used.

(b) White Registration Cards (Form 1) received by the local board after the other cards had been assigned serial numbers were considered as cards of late registrants and assigned serial numbers as provided in § 615.61.

§ 615.3 *First National Master List.* On October 29–30, 1940, the first national lottery was held in Washington, D. C. The list of serial numbers arranged in the order drawn in that lottery was called the National Master List—First Drawing October 29–30, 1940 (Form 169). This national master list is hereafter referred to as "First National Master List" and is used exclusively for determining order numbers of registrants in Group 1. Each local board has received a copy of the First National Master List (Form 169).

§ 615.4 *Order numbers.* The regulations which governed the assignment of order numbers from the First National Master List (Form 169) to registrants in Group 1: *Provided*, That:

(a) Upon receiving the First National Master List (Form 169), the local board gave each such registrant an order number. The registrant whose serial number appeared at the top, or nearest the top, of the First National Master List was given Order Number 1. The registrant whose serial number was next closest to the top of the First National Master List was given Order Number 2, and so on until each registrant had an order number.

(b) Order numbers were assigned in sequence; no order number was skipped. Serial numbers on the First National Master List which were not held by any registrant of the particular local board were simply crossed off the First National Master List and ignored.

(c) When the local board had completed the assignment of order numbers on its First National Master List (Form 169), it entered such order numbers in red ink in the place designated on the Registration Cards (Form 1) of registrants in Group 1.

(d) White Registration Cards (Form 1) for registrants in Group 1, received after the other cards had been assigned order numbers, as provided in the paragraphs above, were considered as cards of late registrants and assigned order numbers as provided in § 615.71.

SECOND REGISTRATION—GROUP 2

§ 615.11 *Registration.* Persons who were born on or after October 17, 1919, and on or before July 1, 1920, Group 2, were required to be registered on July 1, 1941, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to July 1, 1941, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were registered on melon-colored Registration Cards (Form 1).

§ 615.12 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 2 provided that:

(a) All melon-colored Registration Cards (Form 1) received prior to the time the local board assigned any serial numbers to such cards were placed together and thoroughly shuffled. The local board then placed on each card a serial number with the prefix letter "S" in the space marked "Serial Number." The card that was first in the pile after the shuffle was given Serial Number "S–1," the next card was given the Serial Number "S–2," and so on. Each card was given one, and only one, serial number, and no letters except the prefix letter "S" or fractions were used.

(b) Melon-colored Registration Cards (Form 1) received by the local board after the order cards had been assigned serial numbers were considered as cards of late registrants and assigned "S" serial numbers as provided in § 615.61.

§ 615.13 *Second National Master List.* On July 17, 1941, the second national lottery was held in Washington, D. C. The list of serial numbers arranged in the order drawn in that lottery was called the "Second National Master List of 'S' Serial Numbers" (Form 172). This national master list is hereafter referred to as "Second National Master List" and is used exclusively for determining order numbers of registrants in Group 2. Each local board has received a copy of the Second National Master List (Form 172).

§ 615.14 *Order numbers.* The regulations which governed the assignment of order numbers from the Second National Master List (Form 172) to registrants in Group 2: *Provided*, That:

(a) When the local board received the Second National Master List (Form 172), it assigned to each such registrant a sequence number. The registrant whose serial number appeared at the top, or nearest the top, of the Second National Master List was given Sequence Number 1. The registrant whose serial number was next closest to the top of the Second National Master List was given Sequence Number 2, and so on until each registrant had a sequence number. It will be noted that the sequence numbers were determined in the same manner as order numbers were determined in the first national lottery. Sequence numbers were assigned consecutively; no sequence number was skipped. Serial numbers on the Second National Master List (Form 172) which were not held by any registrant of the particular local board were crossed off the Second National Master List (Form 172) and ignored. The local board marked the sequence number in the first space opposite the applicable serial number on the Second National Master List (Form 172).

(b) Having entered the sequence numbers of its registrants in Group 2 on the Second National Master List, the local board then determined the key number. The key number was the order number of the last man inducted by the local board in the usual and ordinary course of classification, selection and induction from Group 1. It was not the order number of a volunteer for induction. This key number was determined as of midnight, June 30, 1941. The key number was placed at the top of each page of the List of Registrants (Form 3) in the following words:

Key number _____ (in the blank was inserted this key number).

(c) Example: Suppose a local board's last inductions ran as follows:

Order No. 1213. Class I–A: Inducted.
Order No. 1214. Deferred.
Order No. 1215. Class I–A: Induction postponed.
Order No. 1216. Class I–A: Inducted.
Order No. 1217. Deferred.
Order No. 1218. Deferred.
Order No. 1219. Class I–A: Order number not reached for induction.
Order No. 1220. Deferred.
Order No. 1221. Class I–A: Order number not reached for induction.
Order No. 1222. Volunteer: Inducted.
Order No. 1223. Deferred.

In the example, the key number was 1216. It was the order number of the last man inducted in the usual process of the local board. The man who was selected but his induction postponed (Order No.

Card of registrant whose place of residence is not within local board area.

[F. R. Doc. 45-12215; Filed, June 28, 1945; 2:36 p. m.]

Group 6.

1215) was disregarded. The man who volunteered and who was therefore inducted out of order (Order No. 1222) was disregarded.

(d) Having determined the key number, the local board assigned order numbers to the registrants in Group 2 and determined where such order numbers were inserted among the order numbers of the registrants in Group 1 in that portion of the Classification Record (Form 100) which follows the key number. To do this, the local board first subtracted the key number from the largest order number assigned by the local board to any registrant in Group 1 whose Registration Card (Form 1) was received prior to midnight, July 8, 1941; divided the figure so obtained by the largest sequence number assigned to a registrant in Group 2 whose Registration Card (Form 1) was received prior to midnight, July 8, 1941; and using as a yardstick the nearest whole number to the figure so obtained, placed the registrants in Group 2 among the registrants in Group 1 whose order numbers were listed in the portion of the Classification Record (Form 100) following the key number, so that the order number of the registrant in Group 2 with Sequence Number 1 was separated from the key number by that number of old registrants' order numbers in Group 1 (including order numbers followed by a letter) equal to the number used as a yardstick and so that each registrant in Group 2 was separated from each succeeding registrant in Group 2 (in the order of their sequence numbers) by the same number of registrants' order numbers in Group 1. The order number given each such registrant in Group 2 was the same as the order number of the registrant in Group 1 immediately above the place where the order number of the registrant in Group 2 was inserted and was preceded by the letter "S".

(e) Example: Assume that in a local board 1740 was the key number; 4329 was the largest order number assigned to any registrant in Group 1 whose Registration Card (Form 1) was received prior to midnight July 8, 1941; and 216 was the largest sequence number assigned to a registrant in Group 2 whose Registration Card (Form 1) was received prior to midnight July 8, 1941. Under such circumstances, the number used as a yardstick was 12, obtained by subtracting 1740 from 4329, leaving 2489; and dividing 2589 by 216, which gave a result of 11.98; 12 was then the nearest whole number and was the number used as a yardstick.

(f) The local board then marked the order numbers thus determined opposite the applicable sequence numbers (and serial numbers) on the Second National Master List (Form 172), and carefully checked to be sure no errors had been made.

(g) When the local board was sure that its assignment of order numbers was correct, it entered such order numbers in red ink in the place designated on Registration Cards (Form 1) of registrants in Group 2.

(h) Melon-colored Registration Cards (Form 1) for registrants in Group 2 received after the other cards had been assigned order numbers as provided in the paragraphs above were considered as cards of late registrants and assigned order numbers as provided in § 615.72.

THIRD REGISTRATION—GROUP 3

§ 615.21 *Registration.* Persons who were born on or after July 2, 1920 and on or before December 31, 1921, and persons who were born on or after February 17, 1897 and on or before October 16, 1904, Group 3, were required to be registered on February 16, 1942, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to February 16, 1942, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were registered on green-colored Registration Cards (Form 1).

§ 6615.22 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 3 provided that:

(a) All green-colored Registration Cards (Form 1) received prior to the time the local board assigned serial numbers to such cards were placed together and thoroughly shuffled. The local board then placed on each card a serial number with the prefix letter "T" in the space marked "Serial Number." The card that was first in the pile after the shuffle was given Serial Number "T–1," and the next card was given Serial Number "T–2," and so on. Each card was given one, and only one, serial number and no letter other than the prefix letter "T" or fractions were used.

(b) Green-colored Registration Cards (Form 1) received by the local board after the other cards had been assigned serial numbers were considered as cards of late registrants and assigned "T" serial numbers as provided in § 615.61.

§ 615.23 *Third National Master List.* On March 17–18, 1943, the third national lottery was held in Washington, D. C. The list of serial numbers arranged in the order drawn in the third national lottery is hereafter referred to as the "Third National Master List" (Form 174) and is used exclusively for determining order numbers of registrants in Group 3. Each local board has received a copy of the Third National Master List (Form 174).

§ 615.24 *Order numbers.* The regulations which governed the assignment of order numbers from the Third National Master List to registrants in Group 3 provided that:

(a) Registrants in Group 3 were assigned order numbers in sequence starting with order number 10,001.

(b) The registrant in Group 3 whose "T" serial number appeared at the top, or nearest the top, of the Third National Master List (Form 174) was given Order Number 10,001. The registrant in Group 3 whose "T" serial number was next nearest the top of the Third National Master List was given Order Number 10,002, and so on until each registrant in Group 3 had an order number.

(c) Order numbers were assigned in sequence. No order number was skipped. Serial numbers on the Third National Master List (Form 174) which were not held by any registrant were simply crossed off and ignored.

(d) When the local board had completed the assignment of order numbers on its Third National Master List (Form 174), it entered such order numbers in red ink in the place designated on the Registration Cards (Form 1) of registrants in Group 3.

(e) Green-colored Registration Cards (Form 1) for registrants in Group 3 received after the other cards had been assigned order numbers as provided in the paragraphs above were considered as cards of late registrants and were assigned order numbers as provided in § 615.73.

FOURTH REGISTRATION—GROUP 4

§ 615.31 *Registration.* Persons who were born on or after April 28, 1877, and on or before February 16, 1897, Group 4, were required to be registered on April 27, 1942, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to April 27, 1942, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were registered on buff-colored Registration Cards (Form 1).

§ 615.32 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 4 provided that:

(a) All buff-colored Registration Cards (Form 1) received prior to the time the local board assigned any serial numbers to such cards were placed together and thoroughly shuffled. The local board then placed on each card a serial number preceded by prefix letter "U" in the space marked "Serial Number." The card that was first in the pile after the shuffle was given Serial Number "U–1," and the next card was given Serial Number "U–2," and so on. Each card was given one, and only one, serial number, and no letters, other than the prefix letter "U" or fractions were used.

(b) Buff-colored Registration Cards (Form 1) received by the local board after the other cards had been assigned serial numbers were considered as cards of late registrants and assigned "U" serial numbers as provided in § 615.61.

§ 615.33 *No national master list.* A national lottery was not held for registrants in Group 4, and a national master list was not prepared.

§ 615.34 *Order numbers.* Order numbers were not assigned to registrants in Group 4.

FIFTH REGISTRATION—GROUP 5

§ 615.41 *Registration.* Persons who were born on or after January 1, 1922 and on or before June 30, 1924, Group 5, were required to be registered on June 30, 1942, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to June 30, 1942, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were registered on gray-colored Registration Cards (Form 1).

§ 615.42 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 5 provided that:

(a) All gray-colored Registration Cards (Form 1) received prior to the time the local board assigned any serial numbers to such cards were placed in a pile according to the registrants' respective dates of birth so that the cards of registrants born on January 1, 1922, were on the top, the cards of registrants born on January 2, 1922, followed the cards of those born on January 1, 1922, the cards of registrants born on January 3, 1922, followed the cards of those born on January 2, 1922, and so on, to the bottom of the pile where the cards of those born on June 30, 1924, were located. If the local board had cards for two or more registrants born on the same date, such cards were arranged in alphabetical order. The local board then placed on each card a serial number preceded by the prefix letter "N" in the space marked "Serial Number." The card that was first in the pile was given Serial Number "N–1", and the next card was given Serial Number "N–2", and so on. Each card was given one, and only one, serial number, and no letters other than the prefix letter "N." or fractions were used.

(b) Registration Cards (Form 1) received by the local board after the other cards were given serial numbers were considered as cards of late registrants and were assigned "N" serial numbers as provided in § 615.62.

§ 615.43 *No national master list.* A national lottery was not held for registrants in Group 5 and a national master list was not prepared.

§ 615.44 *Order numbers.* The regulations which governed the assignment of order numbers to registrants in Group 5 provided that:

(a) The registrant in Group 5 having the Registration Card (Form 1) bearing serial number "N–1" was given the order number immediately following the highest order number assigned by the local board to a registrant in Group 3. Consecutive order numbers were then assigned to the remaining registrants in Group 5. Example: Assume that in a local board the highest order number which has been assigned to a registrant in Group 3 was 11,123, then the registrant with serial number "N–1" in Group 5 received Order Number 11,124, the registrant in Group 5 with serial number "N–2" received Order Number 11,125, and so on until all of the registrants in Group 5 had received an order number.

(b) Gray-colored Registration Cards (Form 1) for registrants in Group 5 received by the local board after the other cards had been assigned order numbers as provided in the paragraph above were considered as cards of late registrants and assigned order numbers as provided in § 615.75.

SIXTH REGISTRATION—GROUP 6

§ 615.51 *Registration.* Persons who were born on or after July 1, 1924 and on or before December 31, 1924, were required to be registered during the period from December 11 to December 31, 1942, inclusive, if, by the Proclamation of the President, they were liable for registration during such period; or on the day subsequent to December 31, 1942, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Persons who reached their eighteenth birthday on or after January 1, 1943, also Group 6, were required to be registered on the day they reached their eighteenth birthday. Such persons were registered on gray-colored Registration Cards (Form 1).

§ 615.52 *Serial numbers.* (a) The regulations which governed the assignment of serial numbers to registrants in Group 6 who were properly registered on gray-colored Registration Cards (Form 1) during the period from December 11 to December 31, 1942, inclusive, provided that all the Registration Cards (Form 1) received prior to the time the local board assigned serial numbers to such cards, were arranged in a pile according to the registrants' respective dates of birth so that the cards of registrants born on July 1, 1924, were on top; the cards of registrants born on July 2, 1924, followed the cards of registrants born on July 1, 1924; the cards of registrants born on July 3, 1924, followed the cards of those born on July 2, 1924; and so on to the bottom of the pile where the cards of those born on December 31, 1924 were located. When the local board had cards for two or more registrants born on the same date, such cards were arranged alphabetically. The local board then placed on each card a serial number preceded by the prefix letter "W" in the space marked "Serial Number." The card that was first in the pile was given Serial Number "W–1," the card next to the top was given Serial Number "W–2," and so on. Each card was given one, and only one, serial number, and no letters other than the prefix letter "W" or fractions were used.

(b) Registrants who were born on or after January 1, 1925, and who were registered on or after January 1, 1943, on the day they reached their eighteenth birthday whose Registration Cards (Form 1) were received by their local board on the day they reached their eighteenth birthday; and registrants who are hereafter registered on the day they reach their eighteenth birthday whose Registration Cards (Form 1) are received by their local board on the day they reach their eighteenth birthday, are not late registrants. Such registrants who have heretofore registered and those who will hereafter register are assigned "W" serial numbers immediately following the highest "W" serial number theretofore assigned to a registrant in Group 6.

(c) Registrants who were born on or after July 1, 1924 and on or before December 31, 1924, who were required to be registered during the period from December 11 to December 31, 1942, inclusive, whose Registration Cards (Form 1) were not received by their local board until after the initial assignment of "W" serial numbers for registrants in Group 6, were late registrants and were assigned "W" serial numbers as provided in § 615.63.

(d) Registrants who were born on or after January 1, 1925, who were required to be registered on or after January 1, 1943, on the day they reached their eighteenth birthday, whose Registration Cards (Form 1) were not received by their local board until after the day on which they reached their eighteenth birthday, were considered as late registrants and were assigned "W" serial numbers as provided in § 615.63.

§ 615.53 *No national master list.* A national lottery was not held for registrants in Group 6 and a master list was not prepared.

§ 616.54 *Order numbers.* (a) The regulations which governed the assignment of order numbers to registrants in Group 6 who were properly registered on gray-colored Registration Cards (Form 1) during the period from December 11 to December 31, 1942, inclusive, and who were assigned serial numbers in the manner provided in paragraph (a) of section 615.52, provided that the Registration Card (Form 1) bearing Serial Number "W–1" was given the order number immediately following the highest order number assigned by the local board to a registrant in Group 5. Consecutive order numbers were then assigned to the remaining registrants in Group 6.

Example: Assume that in a local board the highest order number which had been assigned to a registrant in Group 5, was 12,111, then the registrant with Serial Number "W–1" was assigned Order Number 12,112; the registrant in Group 6 with Serial Number "W–2" was assigned Order Number 12,113, and so on until all registrants in Group 6, who were registered during the period from December 11 to December 31, 1942, inclusive, had been assigned an order number.

(b) Registrants who were born on or after January 1, 1925, and who were registered on or after January 1, 1943, on the day they reached their eighteenth birthday whose Registration Cards (Form 1) were received by their local board on the day they reached their eighteenth birthday; and registrants who are hereafter registered on the day they reach their eighteenth birthday whose Registration Cards (Form 1) are received by their local board on the day they reach their eighteenth birthday, are not late registrants. Such registrants who have heretofore registered and those who are hereafter registered are assigned order numbers immediately following the highest order numbers theretofore assigned to a registrant in Group 6.

(c) Registrants who were born on or after July 1, 1924 and on or before December 31, 1924, who were required to be registered during the period from December 11 to December 31, 1942, inclusive, whose Registration Cards (Form 1) were not received by their local board until after the initial assignment of "W" serial numbers for registrants in Group 6, were late registrants and were assigned order numbers as provided in § 615.76.

(d) Registrants who were born on or after January 1, 1925, who were required to be registered on or after January 1, 1943, on the day they reached their eighteenth birthday whose Registration Cards (Form 1) were not received by their local board until after the day on which they reached their eighteenth birthday were considered as late registrants and were assigned order numbers as provided in § 615.76.

SERIAL NUMBERING LATE REGISTRATION CARDS

§ 615.61 *Serial numbering; late registrants in Group 1, 2, 3, or 4.* (a) When the local board is satisfied that it has jurisdiction over a late registrant in Group 1, Group 2, Group 3, or Group 4, it shall place the smallest unassigned serial number in the group to which such late registrant belongs on his Registration Card (Form 1).

(b) After all serial numbers in the Third National Master List have been cancelled or assigned, the First Registration Card (Form 1) thereafter completed or received by a local board for a late registrant in Group 3 shall be assigned Serial Number T–7001, the second such Registration Card (Form 1) completed or received, shall be assigned Serial Number T–7002, and so on.

§ 615.62 *Serial numbering; late registrants in Group 5.* When the local board is satisfied that it has jurisdiction over a late registrant in Group 5, a serial number shall be placed on his Registration Card (Form 1) in the following manner: The local board shall determine the serial number which would have been placed upon his Registration Card (Form 1) had it been received by the local board prior to the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 5. This shall be done by referring to the date of birth on his Registration Card (Form 1), and ascertaining the place his card would have been located had his card been received by the local board before it started to assign serial numbers to registrants in Group 5. The local board shall then place on his Registration Card (Form 1) the serial number preceding the one which he would have had and shall add a letter after such number. For example: If he would have received "N–117" as his serial number had his card been received by the local board before the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 5, he will be given serial number "N–116A."

§ 615.63 *Serial numbering; late registrants in Group 6.* When the local board is satisfied that it has jurisdiction over a late registrant in Group 6, a serial number shall be placed on his Registration Card (Form 1) in the following manner: The local board shall determine the serial number which would have been placed upon his Registration Card (Form 1) under § 615.52 had the registrant not been a late registrant. This shall be done by referring to the date of birth on his Registration Card (Form 1) and ascertaining the place his card would have been located had the registrant not been a late registrant. The local board shall then place on his Registration Card (Form 1) the serial number preceding the one which he would have had and shall add a letter after such number. For example: If he would have received "W–217" as his serial number had he not been a late registrant, he will be given serial number "W–216A."

ORDER NUMBERING LATE REGISTRATION CARDS

§ 615.71 *Assigning order numbers to Group 1 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 1 has been given a serial number, the local board shall find from the First National Master List what the registrant's order number would have been if his card had been received prior to the commencement of the first national lottery. The local board shall then assign such registrant the order number which precedes the order number which would have been assigned to such registrant had his card been received prior to the commencement of the first national lottery and shall add a letter to it. For example: If his order number would have been 84 had his card been received prior to the commencement of the first national lottery, the local board will assign him Order Number 83A.

§ 615.72 *Assigning order numbers to Group 2 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in group 2 has been given a serial number, the local board shall find from the Second National Master List what the registrant's sequence number would have been if his card had been received before midnight, July 8, 1941. The local board shall then assign to such registrant the sequence number which would have been assigned to him had his card been received prior to midnight, July 8, 1941, and shall assign to him the order number immediately preceding the order number assigned to the registrant having the same sequence number and shall add a letter to it. For example: If the registrant having the same sequence number received Order Number S–123, the local board will assign him Order Number S–122A, if the preceding order number is 122.

§ 615.73 *Assigning order numbers to Group 3 registrants whose Registration Cards are received late.* (a) When a late Registration Card (Form 1) in Group 3 has been given a serial number of 7,000 or lower under the provisions of this part, the local board shall find from the Third National Master List what the registrant's order number would have been if his card had been received before the commencement of the Third National Lottery. The local board shall then assign such registrant the order number which precedes the order number which would have been assigned to such registrant if his card had been received prior to the commencement of the Third National Lottery and shall add a letter to it. For example: If his order number would have been 11,271, the local board shall give him Order Number 11,270A.

(b) When a late Registration Card (Form 1) in Group 3 has been given a serial number of 7,001 or higher, the local board shall assign the registrant an order number in the following manner: The local board shall first subtract the number 7,000 from the serial number assigned and obtain the remainder. For example: If the local board assigns a late registrant in Group 3 Serial Number T–7401, it shall subtract the numeral 7,000 from the Serial Number T–7401. The remainder is 401. The local board shall then assign the registrant the order number which precedes the order number which it has assigned to the registrant whose serial number is the same as such remainder and shall add a letter to it. For example: If the order number assigned to Serial Number T–401 is Order Number 12,512, the local board shall give the registrant Order Number 12,511A.

§ 615.74 *No order numbers assigned to Group 4 registrants.* When a late Registration Card (Form 1) in Group 4 is received by the local board, it shall not be given an order number.

§ 615.75 *Assigning order numbers to Group 5 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 5 has been given a serial number, the local board shall determine the order number the registrant would have been given had his Registration Card (Form 1) been received by the local board prior to the time it commenced to serial number Registration Cards (Form 1) of registrants in Group 5 and shall assign to the registrant the order number preceding the one he would have been assigned with a letter added to it. For example: If the registrant would have received "N–117" as his serial number had his card been received before the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 5, he would, under the provisions of section 615.62 be given serial number "N–116A." Therefore, if the registrant with serial number "N–117" (the serial number which the late registrant would have been given had his card been received on time) was given order number "14,254," the late registrant would be given order number "14,253A."

§ 615.76 *Assigning order numbers to Group 6 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 6 has been given a serial number, the local board shall determine the order number the registrant would have been given had he not been a late registrant and shall assign to the registrant the order number preceding the one he would have been assigned with a letter added to it. For example: If the registrant would have received "W–217" as his serial number had he not been a late registrant, he would, under the provisions of § 615.63 be given serial number "W–216A." Therefore, if the registrant with serial number "W–217" (the serial number which the late registrant would have been given had he not been a late registrant) was given order number "15,254," the late registrant would be given order number "15,253A."

CLASSIFICATION RECORD AND COVER SHEET

§ 615.81 *Classification Record.* (a) The Classification Record (Form 100) was started at the time order numbers were assigned to registrants in Group 1 following the first national lottery. The names and order numbers of registrants in Group 1 commenced on page 1 of the Classification Record (Form 100). When order numbers were assigned to registrants in Group 2 immediately following the second national lottery, the names and order numbers of such registrants were placed in the Classification Record (Form 100) commencing on a new page numbered 2,001. This was done in order to keep the list of registrants in Group 2 separated from the list of registrants in Group 1 in the Classification Record (Form 100). In a similar manner, when the registrants in Group 3 were listed in the Classification Record (Form 100) numerically, according to their order numbers, with Order Number 10,001 at the top, such list was commenced upon a new page numbered 3,001. Registrants in Group 4 were not listed in the Classification Record (Form 100). The names and order numbers of registrants in Group 5 were listed in the Classification Record (Form 100) numerically, according to their order numbers, immediately following the name and order number of the registrant in Group 3 to whom the local board had assigned the highest order number in Group 3. The names and order numbers of registrants in Group 6 were listed in the Classification Record (Form 100) numerically, according to their order numbers, immediately following the name and order number of the registrant in Group 5 to whom the local board had assigned the highest order number in Group 5.

(b) The local board shall enter in the Classification Record (Form 100) the name, serial number, and order number of each registrant in Group 1, Group 2, Group 3, Group 5, or Group 6 following the names, serial numbers, and order numbers of the registrants in the age group to which such registrant belongs. To make certain that the case of such registrant is handled in its proper turn, the local board shall insert an "R," followed by the page on which his name appears in the Classification Record (Form 100), in the column of order numbers in the Classification Record (Form 100) at the place where the order number of such registrant would have appeared in the Classification Record (Form 100) had his Registration Card (Form 1) been received on time. For example: If the registrant is in Group 1, his order number is 83A, and his name appears on page 30 of the Classification Record (Form 100), print "R page 30" between Order Numbers 83 and 84.

§ 615.82 *Preparation of cover sheets.* After each registrant in Group 1, Group 2, Group 3, Group 5, or Group 6 is listed in the Classification Record (Form 100), the local board shall open an individual file for him by preparing a Cover Sheet (Form 53). These Cover Sheets (Form 53) shall be maintained in a file in the local board. Every paper pertaining to the registrant, except his Registration Card (Form 1) and such other papers and documents as may be designated by the Director of Selective Service shall be filed in his Cover Sheet (Form 53), until authorization to remove it has been received from the Director of Selective Service.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11440; Filed, June 27, 1945; 2:37 p. m.]

[Amdt. 312]

PART 616—LATE REGISTRATIONS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Delete Part 616 in its entirety.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11441; Filed, June 27, 1945; 2:38 p. m.]

[Amdt. 313]

PART 617—REGISTRATION CERTIFICATES

DUTY OF REGISTRANT SEPARATED FROM LAND OR NAVAL FORCES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend § 617.11 to read as follows:

§ 617.11 *Duty of registrant separated from the land or naval forces.* (a) Every registrant who is separated from the land or naval forces of the United States who does not have a Registration Certificate (Form 2), shall, within 10 days of the date of separation, make application for the issuance by his local board of a duplicate Registration Certificate (Form 2).

(b) The registrant may make such application (1) by appearing in person at the office of his local board; or (2) by filing with his local board a written request; or (3) by executing and filing with any local board an Application for Issuance of Duplicate Registration Certificate (Form 14).

(c) Upon receipt at any time of an application for a duplicate Registration Certificate (Form 2) from a registrant who has been separated from the land or naval forces of the United States, the local board with which the registrant is registered shall issue a duplicate Registration Certificate (Form 2) to such registrant and shall deliver it to the registrant or mail it to his present mailing address; provided that, after the local board has issued one duplicate Registration Certificate (Form 2) to a registrant under this section, it shall not thereafter issue another duplicate Registration Certificate (Form 2) to such registrant except in accordance with the provisions of § 617.11–1. If the local board issues a duplicate Registration Certificate (Form 2), it shall mark it "Duplicate" and note the issuance of such duplicate Registration Certificate (Form 2) upon the written application, if any, which shall be filed in the registrant's Cover Sheet (Form 53).

2. Amend the regulations by adding a new section to be known as § 617.11–1 to read as follows:

§ 617.11–1 *Issuing duplicate for lost, mislaid, stolen, or destroyed Registration Certificate.* A duplicate Registration Certificate (Form 2) shall be issued to a registrant by the local board having jurisdiction of the registrant upon application made on Application for Issuance of Duplicate Registration Certificate (Form 14) and the presentation of satisfactory proof to the local board that the Registration Certificate (Form 2) of the registrant has been lost, mislaid, stolen, or destroyed and that the registrant has made a diligent search for the Registration Certificate (Form 2) and has been unable to find it. If the local board issues a duplicate Registration Certificate (Form 2), it shall mark it "Duplicate" and note the issuance of such Registration Certificate (Form 2) upon the application which shall be filed in the registrant's Cover Sheet (Form 53).

3. Amend the regulations by adding a new section to be known as § 617.11–2 to read as follows:

§ 617.11–2 *Action by local boards when Form 14 is filed.* A registrant may complete and file an Application for Issuance of Duplicate Registration Certificate (Form 14) at his own or any other local board. If the registrant files Application for Issuance of Duplicate Registration Certificate (Form 14) at any local board other than the local board with which such registrant is registered, the local board with which such application is filed shall immediately mail the application to the State Director in whose State is located the local board shown on the application as the local board with which the registrant is registered, for transmission to the proper local board. Upon receipt of a completed Application for Issuance of Duplicate Registration Certificate (Form 14), the local board with which the registrant is registered shall issue a duplicate Registration Certificate (Form 2) to such registrant and shall mail it to the registrant's present mailing address as shown on Application for Issuance of

Duplicate Registration Certificate (Form 14).

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing thereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11442; Filed, June 27, 1945; 2:38 p. m.]

[Amdt. 314]

PART 618—REGISTRATION OUTSIDE CONTINENTAL UNITED STATES, ALASKA, HAWAII, AND PUERTO RICO

SERIAL AND ORDER NUMBERS TO BE ASSIGNED AND RECORDS TO BE COMPLETED BY LOCAL BOARD RECEIVING REGISTRATION CARD

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Amend paragraph (b) of § 618.11 to read as follows:

§ 618.11 *Registrant's serial and order numbers to be assigned and records to be completed by local board receiving Registration Card (Form 1-F).* • • •

(b) If the local board determines that it has jurisdiction of the registrant, it shall:

(1) Transcribe from the Registration Card (Form 1-F) to an appropriate colored Registration Card (Form 1) all information needed to complete the Registration Card (Form 1), including placing the name of the registrant and the name of the registrar on the lines provided for their respective signatures;

(2) Prepare a Registration Certificate (Form 2-F) from the information contained on the Registration Card (Form 1-F). The date on which the registrant was registered as certified at the bottom of the reverse side of the Registration Card (Form 1-F) shall be inserted as the date of registration on the face of the Registration Certificate (Form 2-F). When the Registration Certificate (Form 2-F) has been completed, it shall be signed by a member or clerk of the local board and mailed to the registrant at his present mailing address as given on line 3 of the Registration Card (Form 1-F): *Provided*, That if such mailing address is outside of the continental United States, the Territory of Hawaii, the Territory of Alaska, Puerto Rico, the Virgin Islands of the United States, Canada, Cuba, and Mexico, such certificate shall be mailed to the Director of Selective Service, Washington 25, D. C.

(3) Assign serial numbers and order numbers to its registrants and make entries in the local board records in the manner prescribed for late registrants, unless the local board is located in the Virgin Islands or is District of Columbia Local Board No. 1 (Foreign), in which case it will assign such serial numbers and order numbers in the manner directed by the Director of Selective Service.

(4) File the Registration Card (Form 1) in the appropriate alphabetical file and the Registration Card (Form 1-F) in the registrant's Cover Sheet (Form 53).

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11443; Filed, June 27, 1945; 2:38 p. m.]

[Amdt. 315]

PART 619—CANCELLATION OF REGISTRATION

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend § 619.1 to read as follows:

§ 619.1 *Cancellation on determination of local board.* (a) The Director of Selective Service, the State Director of Selective Service, or the registrant, may file with the registrant's local board a written request for a determination that the registrant is a person not required by law to be registered. Upon the filing of such a request the local board shall, or if such a request has not been filed, the local board may upon its own motion, make a determination (1) that the registrant is a person required by law to be registered, or, (2) that the registrant is not a person required by law to be registered.

(b) Upon making such a determination the local board shall mail notice thereof to the State Director of Selective Service and to the registrant. If the Director of Selective Service made a request for such a determination the local board shall also mail the Director of Selective Service notice thereof.

(c) If the local board makes a determination that the registrant is not a person required by law to be registered, it shall cancel his registration when the time within which the registrant may take an appeal from such determination to the board of appeal and to the President has expired, or if an appeal from such determination has been taken, when it has been determined upon appeal that the registrant is a person not required by law to be registered.

(d) In cancelling the registration of a registrant under this section, the local board shall (1) write across the face of his Registration Card (Form 1) "canceled—§ 619.1 SS Reg. Date ----------"; (2) take up and cancel the Registration Certificate (Form 2) if issued and available; (3) report the cancellation on Local Board Action Report (Form 110); and (4) retain the entire file of the registrant.

(e) This section shall not be applicable to a registrant who is a nondeclarant alien.

2. Delete §§ 619.2, 619.3, 619.4, 619.5, and 619.6 in their entirety.

3. Amend § 619.11 to read as follows:

§ 619.11 *When cancellation authorized by Director of Selective Service.* The Director of Selective Service may authorize or direct the cancellation by a local board of the registration of any particular registrant or of a registrant who comes within a specified group of registrants. Whenever the Director of Selective Service authorizes or directs the cancellation of the registration of any particular registrant or of a registrant within a specified group of registrants, the local board shall cancel the registration and shall take such other action as the Director of Selective Service may prescribe.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11444; Filed, June 27, 1945; 2:38 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 39]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the Schedule of Commodities the Department of Commerce Schedule B numbers and commodity descriptions of the following commodities are hereby amended as follows:

Schedule B No. and Commodity

809990 Knit apparel, n. e. s. (except men's) (include knit dresses) (report knit headwear in 395700)

is amended to read:

809990 Knit apparel, n. e. s. (include men's and boy's) (include knit dresses) (report knit headwear in 395700)

700005 Generators, direct current

is amended to read:

700000 Generators, direct current
799590 Wheels, except automobile and car

is amended to read:

799500 Wheels, n. e. s.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 20, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-11110; Filed, June 23, 1945; 9:01 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3900—SPECIAL ORDERS APPLICABLE TO THE TERRITORY OF HAWAII

[Territory of Hawaii Order THO-4, as Amended Mar. 8, 1945, Amdt. 1]

LIMITATIONS AS TO PRIORITIES ASSISTANCE

Territory of Hawaii Order THO-4 is amended as follows:

Delete paragraph (b) in its entirety and substitute the following therefor:

(b) *Orders for Mainland procurement must be presented to Honolulu District Office for authentication.* Despite what any War Production Board Order may provide to the contrary all rated purchase orders, and all purchase orders, whether rated or unrated, for controlled materials, as defined in CMP Regulation No. 1, and all purchase orders bearing War Production Board allotment numbers or symbols which purchase orders have their origin within the Territory of Hawaii and call for delivery of material or equipment to the Territory of Hawaii, must initially be presented to the Honolulu District Office of the War Production Board for authentication; and no material or equipment hereafter brought into the Territory of Hawaii can be used, processed, assembled, distributed, sold or otherwise disposed of unless the purchase order or other document upon which such material or equipment was acquired from the Mainland shall have been authenticated by the Honolulu District Office of the War Production Board. Each such purchase order, when approved, shall be authenticated by imprinting thereon a facsimile of the signature of the Regional Director of the War Production Board, Region 10, together with the case number prefixed by the letters TH-A, TH-E, or TH—, followed by serial numbers. Example: "J. A. Folger, Regional Director of the War Production Board, Region 10, TH-A, 1234".

Issued this 26th day of June 1945.

WAR PRODUCTION BOARD,
JAMES F. MCINDOE,
Regional Priorities Manager,
Region No. 10.

Confirmed:

J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11454; Filed, June 27, 1945; 4:36 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, as Amended June 28, 1945]

Sec.
944.1 Purpose and scope of this regulation; definitions.
944.1a Certain defense orders rated AA-5.
944.1b Specific authorizations rated AA-5.
944.2 Rules for acceptance and rejection of rated orders.
944.3 Report to War Production Board of improperly rejected orders.
944.4 Assignment of preference ratings.
944.4a Cancellation of preference ratings.
944.5 Sequence of preference ratings.
944.6 Doubtful cases.
944.7 Sequence of filling rated orders.
944.8 Delivery or performance dates.
944.9 Report to War Production Board of improper delay of orders.
944.10 Effect of other regulations and orders.
944.10a Effect of revocation of orders and regulations.
944.11 Use or disposition of material acquired with priorities assistance.
944.12 Intra-company deliveries.
944.13 Scope of regulations and orders.
944.13a Defense against claims for damages.
944.14 Inventory restriction.
944.14a Delivery for unlawful purposes prohibited.
944.15 Records.
944.16 Audit and inspection.
944.17 Reports.
944.18 Violations.
944.19 Appeals for relief in exceptional cases.
944.20 Notification of customers.

§ 944.1 *Purpose and scope of this regulation; definitions.* This regulation states the basic rules of the War Production Board which apply to all business transactions unless they are covered by more specific regulations or orders of the War Production Board which are inconsistent with this regulation. It includes transactions which are not subject to priority control in any other way than by this regulation. The following definitions apply for purposes of this regulation and any other regulation or order of the War Production Board, unless otherwise indicated.

(a) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) "Defense order" means:

(1) Any contract or purchase order for material to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(For status of Panama Canal and Coast Guard in general see Interpretation 1 e.)

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Any contract or purchase order for material which is to be ultimately delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

§ 944.1a *Certain defense orders rated AA-5.* Every defense order of the type defined in paragraph (b) (1) of § 944.1 which is placed after March 18, 1944, for any material and which has not been specifically assigned a higher preference rating, is hereby assigned a rating of AA-5.

§ 944.1b *Specific authorizations rated AA-5.* When a War Production Board order or regulation with respect to a particular material requires specific authorization for the placing of a purchase order or for delivery or acceptance of delivery, every purchase order for delivery of that material which is specifically authorized pursuant to the order is rated AA-5 unless it is otherwise assigned a higher rating or an applicable order or regulation (for example, Priorities Regulation 25) states that there is no such automatic rating. This does not apply to materials for which ratings may not be used (such as those on List A of Priorities Regulation 3), or materials for which only certain specified ratings may be used (such as those on Schedule A of M-328).

§ 944.2 *Rules for acceptance and rejection of rated orders.* Every order bearing a preference rating must be accepted and filled regardless of existing contracts and orders except in the following cases:

(a) A person must not accept a rated order for delivery on a date which would interfere with delivery on equal or higher rated orders which he has already accepted, or if delivery of the material ordered would interfere with delivery on an order which the War Production Board has directed him to fill for that material or for a product which he makes out of it.

(b) A person must not accept a rated order (except an AAA order) for delivery on a date which can be met only by using material which was specifically produced for delivery on another rated order, and which is completed or is in production and scheduled for completion within 15 days.

(c) If a person, when receiving a rated order bearing a specific delivery date, does not expect to be able to fill it by the time requested, he must not accept it for

delivery at that time. He must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date. He may adopt either of these two courses, depending on his understanding of which his customer would prefer. He may not reject a low rated order just because he expects to receive conflicting higher rated orders in the future, nor because he would for any reason prefer to have higher ratings.

(d) If a person receives a rated order which is not required by § 944.8 to bear a specific delivery date and which he cannot fill promptly, he must accept it as long as he expects to be able to fill it within a reasonable time, unless he makes a consistent practice of not carrying a backlog and rejecting orders which cannot be promptly filled. He may treat different classes of customers differently in this respect, but only if there is a reasonable basis for the distinction. For example, he may make a regular practice of rejecting unfillable orders from all retailers but holding for backlog orders from all industrial customers.

(e) A rated order need not be (but may be) accepted in the following cases, but there must be no discrimination in such cases against rated orders, or between rated orders of different customers:

(1) If the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. (When a person who has a rating asks a supplier to quote his regularly established prices and terms of sale or payment or the earliest date on which he could make delivery on that rating, the supplier must do so, except that if this would require detailed engineering or accounting work, he may give his best estimate without such work and state that it is not binding. However, the supplier need not quote if he is not required to accept the rated order and knows that he will not do so if he receives it. Any quotation as to delivery date to a person whose order has not been received will be subject to the effect on the supplier's deliveries of rated orders received by him after making the quotation and before he receives the firm order from the person making the inquiry.)

(For status of OPA ceiling prices under this section see Interpretation 2. For rule covering types of sales and types of purchasers see Interpretation 3.)

(2) If the order is for the manufacture of a product or the performance of a service of a kind which the person to whom the order is offered has not usually made or performed, and in addition if either (i) he cannot fill the order without substantially altering or adding to his facilities or (ii) the order can readily be performed by someone else who has usually accepted and performed such orders.

(3) If the order is for material which the person to whom the order is offered produces or acquires for his own use only, and he has not filled any orders for that material within the past two years, except on "special sales" as permitted in Priorities Regulation 13. If he has, but the rated order would take more than the excess over his own needs, he may not reject the rated order unless filling it would interfere with equal or higher rated orders already on hand, or orders which the War Production Board has directed him to fill, for the material or for a product which he makes out of it.

(4) If filling the order would stop or interrupt his production or operations during the next 40 days in a way which would cause a substantial loss of total production or a substantial delay in operations.

(For types of contracts which must be deferred see Interpretation 1b. For rule as to use of facilities of controlled materials producers see Interpretation 4.)

(f) Any person who fails or refuses to accept an order bearing a preference rating shall, upon written request of the person placing the order, promptly give his reasons in writing for his failure or refusal.

(g) Some orders of the War Production Board provide special rules as to the acceptance and rejection of orders for particular materials. In such cases, the rules stated above in this section are inapplicable to the extent that they are inconsistent with the applicable order of the War Production Board. In addition, the War Production Board may specifically direct a person in writing to fill a particular purchase order or orders. In such cases he must do so without regard to any of the above rules in this § 944.2, except that he may insist upon compliance with regularly established prices and terms of payment.

§ 944.3 *Report to War Production Board of improperly rejected orders.* When a rated order is rejected in violation of this regulation, the person who wants to place it may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person rejecting the order.

§ 944.4 *Assignment of preference ratings.* Preference ratings may be assigned to contracts, orders or deliveries by means of preference rating certificates, or by rules, regulations or orders of the War Production Board assigning ratings to particular orders or deliveries or to specified classes of orders or deliveries. Such ratings may be assigned to accepted contracts or orders, and also to orders which have not been placed or accepted at the time the rating is applied for. Ratings are also assigned by certain governmental agencies, authorized by the War Production Board, to their own purchase orders or contracts. In some cases the War Production Board will raise or lower ratings already assigned and in that event the rules of Priorities Regulation 12 (§ 944.33) apply. Specific orders may also be issued as to particular deliveries or as to the use of particular facilities, without assigning ratings thereto.

§ 944.4a *Cancellation of preference ratings.* If a preference rating which has been assigned to a named person is revoked, he must immediately, in the case of each order to which he has applied the rating, either cancel the order or inform his supplier that it is no longer to be treated as rated. If a regulation or order of the War Production Board which assigns a rating to a class or group of persons without naming them individually, is revoked they may not apply the rating to orders placed after the revocation. Orders to which they have already applied the rating for delivery within three months after the revocation remain validly rated, but, in the case of each order which they have placed for delivery after three months from that date, they must either cancel the order or withdraw the rating. If any person receives notice from his customer or otherwise that the customer's order is no longer rated or that the customer's order is cancelled, he must immediately withdraw any extensions of the rating which he has made to any order placed by him for more than $25 worth of material. The War Production Board may specify different rules for the treatment of outstanding ratings at the time it revokes them.

(For the rules about transferring preference ratings when contracts are assigned, see Interpretation 5.)

§ 944.5 *Sequence of preference ratings.* Preference ratings in order of precedence are: AAA, AA-1, AA-2, AA-2X, AA-3, etc.; A-1-a, A-1-b, etc.; A-2, A-3, etc.; B-1, B-2, etc. The letter "X" after a numeral indicates that such rating is inferior to the rating of the same numeral and superior to the rating of the next numeral. (For example, AA-2X is inferior to AA-2 and superior to AA-3.) The War Production Board, after March 18, 1944, will not assign ratings below AA-5 but any such ratings which were assigned before that date may be applied or extended.

§ 944.6 *Doubtful cases.* Whenever there is doubt as to the preference rating applicable to any order, or as to whether a particular order is a defense order, the matter is to be referred to the War Production Board for determination, with a statement of all pertinent facts.

§ 944.7 *Sequence of filling rated orders.* (a) Every person who has rated orders on hand must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date (determined as explained in § 944.8). If this is not possible for any reason, he must give precedence to higher over lower rated orders and to all rated over unrated orders. However, material specifically produced for a rated order may not be used to fill a higher rated order (except AAA) subsequently received if the material is completed or is in production and scheduled for completion within 15 days. A low rated order bearing an earlier delivery or performance date must be filled before a higher rated order bearing a later delivery or performance date if it is possible to fill both of them on the required dates.

(b) As between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. As between conflicting orders received with the same prefefence rating on the same date, precedence must be given to the order which has the earlier required delivery or performance date.

(c) If a rated order or the rating applicable to an order is cancelled when the supplier has material in production to fill it, he need not immediately stop to put other rated orders into production if doing so would cause a substantial loss of total production. He may continue to process that material which he had put into production for the cancelled order to a stage of completion which would avoid a substantial loss of total production, but he may not incorporate any material which he needs to fill any rated order on hand. He may not, however, delay putting other rated orders into production for more than 15 days.

(For the effect of changes in customers' orders, see Direction 1 to this regulation. For further explanations of paragraph (b) see Interpretation 1c. For an explanation of how to determine the date on which a purchase order is received, see Interpretation 12).

§ 944.8 *Delivery or performance dates.* (a) Every rated order placed after March 18, 1944, must specify delivery or performance on a particular date or dates or within specified periods of not more than 31 days each, which in no case may be earlier than required by the person placing the order. Any order which fails to comply with this rule must be treated as an unrated order. The words "immediately" or "as soon as possible", or other words to that effect, are not sufficient for this purpose. There are four exceptions to this rule, where a rated order need not bear a required delivery or performance date as long as it is understood that delivery or performance is required as soon as practicable or customary: (1) Orders for maintenance, repair or operating supplies as identified by the symbol MRO or otherwise; (2) orders placed with or by persons who normally take physical delivery of the item ordered to hold it in stock for resale; (3) orders for not more than $100; (4) orders rated AAA.

(b) The required delivery or performance date, for purposes of determining the sequence of deliveries or performance pursuant to § 944.7, shall be the date on which delivery or performance is actually required. The person with whom the order is placed may assume that the required delivery or performance date is the date specified in the order or contract unless he knows either (1) that the date so specified was earlier than required at the time the order was placed, or (2) that delivery or performance by the date originally specified is no longer required by reason of any change of circumstances. A delay in the scheduled receipt of any other material which the person placing the order requires prior to or concurrently with the material ordered, shall be deemed a change of circumstances within the meaning of the foregoing sentence.

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it on time or within 15 days following the specified time, owing to the receipt of higher rated orders or for other reasons, he must promptly notify the customer, telling him approximately when he expects to be able to fill the order. Inability to fill the order on time or within fifteen days following the specified time does not authorize a supplier to cancel the order.

§ 944.9 *Report to War Production Board of improper delay of orders.* When delivery or performance of a rated order is unreasonably or improperly delayed, the customer may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person with whom the order is placed.

§ 944.10 *Effect of other regulations and orders.* Specific allocations or other directions of the War Production Board for delivery of material or the use of facilities must be complied with regardless of ratings, unless otherwise specified. If restrictions under two or more regulations or orders of the War Production Board apply to the same subject matter, the most restrictive controls unless otherwise expressly provided. Defense orders or other rated orders are not exempt from restrictions on the amount of materials that may be made or delivered unless expressly so stated.

§ 944.10a *Effect of revocation of orders and regulations.* (a) When an order or regulation of the War Production Board is revoked, all published amendments, schedules, appendices, and directions to that order or regulation are revoked, unless otherwise stated in the instrument revoking the order or regulation.

(b) When an order or regulation of the War Production Board is revoked, all directions, authorizations, production or delivery schedules, and other instruments, addressed to named persons and requiring or permitting them to take specific action pursuant to the order or regulation, remain in effect unless expressly revoked. There are two exceptions: (1) Where an appeal from a restriction in an order or regulation has been granted on certain conditions, or an authorization relaxing a restriction has been issued on certain conditions, and the restriction is entirely revoked, the conditions need no longer be complied with after the revocation unless compliance with those conditions is required by some other order or regulation; (2) a production or delivery schedule or other instrument telling a person what to make, or what orders to fill during a specified period, remains in effect throughout the period but, after the revocation of the order under which the schedule or other instrument was issued, he may make additional products or fill additional orders which do not interfere with it.

(c) "Suspension orders" and "consent orders" issued on the basis of a violation of orders and regulations of the War Production Board remain in effect after revocation of such orders and regulations, unless otherwise provided. If you are subject to a suspension order or consent order which you think should be lifted or modified because of the lifting of the restriction on which the violation was based, you may address a request for relief to the Chief Compliance Commissioner, War Production Board, Washington 25, D. C.

§ 944.11 *Use or disposition of material acquired with priorities assistance.* (a) Any person who gets material with priorities assistance must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This restriction applies to material obtained by means of a preference rating, allocation, specific direction, CMP allotment, or any other action of the War Production Board. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(b) When a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priorities assistance was given (for example, when the priorities assistance was given to fill a particular contract or purchase order and the material or product does not meet the customer's specifications or the contract or purchase order is cancelled), the holder may use or dispose of it only as follows:

(1) If the holder acquired or made the material or product for use and not for sale or resale and is not regularly engaged in the business of selling it, a proposed sale by him is a special sale covered by Priorities Regulation 13 and he may sell or transfer it only as provided in that regulation.

(2) If the proposed sale is not one described by paragraph (b) (1), this paragraph (b) imposes no restriction on the sale. However, in such a case the holder must comply with all requirements of other applicable sections of this regulation and of other orders and regulations of the War Production Board. This is true of all such sales of any material including scrap.

(3) Whether or not he is in the regular business of selling similar materials or products, a holder may, within the limitations of paragraph (c) of § 944.14 of this regulation, use it himself for any purpose for which he has the necessary rating or other qualification which would be necessary for a special sale to him under Priorities Regulation 13 or directions issued under it. However, if the material or product is a controlled material or a Class A product obtained pursuant to an allotment under CMP Regulation 1, the holder may use it only in accordance with paragraph (u) of that regulation, or any applicable direction issued under it. In addition, the holder must comply with any applicable War Production Board order that requires him to get permission from the War Production Board before using any particular material or product and he may not use it in any manner or for any purpose prohibited by a regulation or order of the War Production Board. It may also be used in any other manner specifically authorized in writing by the War Production Board. Field offices of the Board will tell applicants how to get authorization.

§ 944.12 *Intra-company deliveries.* When any rule, regulation or order of the War Production Board prohibits or restricts deliveries of any material by any person, such prohibition or restriction shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(For rule as to effect of inventory and small order provisions on separate operating units of same company see Interpretation 8.)

§ 944.13 *Scope of regulations and orders.* All regulations and orders of the War Production Board (including directions, directives and other instructions) apply to all subsequent transactions even though they are covered by previous contracts. Regulations and orders apply to transactions in the territories or insular possessions of the United States unless the regulation or order specifically states that it is limited to the continental United States or to the 48 states and the District of Columbia. Regulations and orders do not apply to transactions in the Philippine Islands unless they specifically state that they do. However, restrictions of War Production Board orders or regulations on the use of material or on the amount of inventory shall not apply when the material is used or the inventory is held directly by the Army or Navy outside the 48 states and the District of Columbia, unless otherwise specifically provided.

NOTE: Parenthetical note deleted June 28, 1945.

§ 944.13a *Defense against claims for damages.* No persons shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with any rule, regulation or order of the War Production Board, notwithstanding that any such rule, regulation or order shall thereafter be declared by judicial or other competent authority to be invalid.

§ 944.14 *Inventory restriction.* (a) No person shall knowingly make delivery of any material whatever, and no person shall accept delivery thereof if the inventory of such material of the person accepting delivery is, or will by virtue of such acceptance become, in excess of a practicable minimum working inventory reasonably necessary to meet deliveries to be made by the person accepting delivery on the basis of his current or scheduled method and rate of operation.

(b) If any order of the War Production Board imposes a specific inventory limit on a particular material or product or for a particular class of persons, that limitation governs and the restrictions of paragraph (a) above may be disregarded unless the order also states that a practicable minimum working inventory may not be exceeded. The following four exceptions apply to paragraph (a) and to all other inventory restrictions on delivery and acceptance of delivery in WPB orders and regulations unless they contain specific provisions to the contrary:

(1) Order M-161 lists certain materials which are exempt from inventory restrictions;

(2) Priorities Regulation 13 provides a limited exemption from inventory restrictions in the case of items which are bought on special sales;

(3) A person may import materials without regard to the inventory restriction in paragraph (a), but the restriction does apply to any deliveries he makes and to the amount that any person accepting delivery from him may receive of such imported material.

(4) A person may also receive, in anticipation of starting or resuming civilian production, the minimum amount of material he would need during the first 30 days of such production, providing no priorities assistance is used to get such material. Records of such receipts and the basis on which they were computed must be preserved as required by § 944.15 of this regulation.

(c) No person shall process, fabricate, alloy or otherwise alter the shape or form of any material if his inventory of such material in its processed, fabricated, alloyed or otherwise altered shape or form is, or will by virtue of such operation become, in excess of a practicable minimum working inventory thereof. However, this does not restrict a person from altering the form of surplus materials by scrapping or reprocessing them, unless an order of the War Production Board specifically prohibits.

(d) If because of a change in operations, slowing or stoppage of production, delayed delivery by a supplier or any other cause, a person who has ordered material for future delivery would if he accepted delivery on the dates specified exceed the limits prescribed by this regulation, he must promptly adjust his outstanding orders. If a person cancels or cuts back a contract with his supplier, delivery of material may nevertheless be accepted by him and the inventory restriction of paragraph (a) exceeded to the following extent only:

(1) Delivery may be accepted from any supplier who has shipped the material or loaded it for shipment before receipt of the instruction to cancel or cut back; or

(2) Delivery may be accepted of any special item which the supplier actually has in stock or in production or special components or special materials which he has acquired for the purpose of filling that contract. A special item, as used above, means one that the producer does not usually make, stock, or sell and which cannot readily be disposed of to others; or

(3) Even if the material is not a special item, delivery may be accepted from a producer if it has already been produced or is in production before receipt of the instruction to cancel or cut back, and it cannot be used to fill other orders on the producer's books.

(e) Appeals from the provisions of this section should be addressed by letter in duplicate to the War Production Board, Washington 25, D. C., Ref: PR-1; § 944.14.

§ 944.14a *Delivery for unlawful purposes prohibited.* No person shall deliver any material which he knows or has reason to believe will be accepted, redelivered, held or used in violation of any order or regulation of the War Production Board.

(For application of this section to seasonal industries see Interpretation 1a, and to minimum sale quantities and production runs see Interpretation 7.)

§ 944.15 *Records.* Each person participating in any transaction to which any rule, regulation or order of the War Production Board applies shall keep and preserve for at least two years accurate and complete records of the details of each such transaction and of his inventories of the material involved. Such records shall include the dates of all contracts or purchase orders accepted, the delivery dates specified in such contracts or purchase orders, and in any preference rating certificates accompanying them, the dates of actual deliveries thereunder, description of the material covered by such contracts or purchase orders, description of deliveries by classes, types, quantities, weights and values, the parties involved in each transaction, the preference ratings, if any, assigned to deliveries under such contracts or purchase orders, details of defense orders (or other orders required by the War Production Board to be filled) either accepted or offered and rejected, and other pertinent information. Records kept by any person pursuant to this section shall be kept either separately from the other records of such person and chronologically according to daily deliveries by such person, or in such form that such a separate chronological record can be promptly compiled therefrom. Whenever a regulation or order requires a person to restrict his operations in proportion to his operations in a base period (for example, an order may forbid him to use more of a certain kind of material than he used in the fourth quarter of 1942) he must determine, as accurately as is reasonably possible, his base period operations and preserve a written record of any figures and work sheets showing how he made his calculations for inspection by War Production Board officials as long as the regulation or order remains in force and for two years after that. Whenever a person is restricted as to the quantity of material he may use in production or the amount he may produce, under quota restrictions, limitation orders, authorized production schedules, special directions or similar provisions, he must keep reasonably adequate records of the material consumed and of production to show whether he is complying with the restrictions. This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Photographic copies of records may be kept. See Interpretation 6.)

§ 944.16 *Audit and inspection.* All records required to be kept by this regulation or by any rule, regulation or order of the War Production Board shall, upon request, be submitted to audit and inspection by its duly authorized representatives.

§ 944.17 *Reports.* Every person shall execute and file with the War Production Board such reports and questionnaires as it shall from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 944.18 *Violations.* Any person who violates any provision of this regulation or any other rule, regulation or order of the War Production Board, or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to the War Production Board, and any person who obtains a delivery, an allocation of material or facilities, or a preference rating by means of a material and wilful, false or misleading statement, may be prohibited by the War Production Board from making or obtaining further deliveries of material or using facilities under priority or allocation control and may be deprived of further priorities assistance. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U. S. C. Sec. 80), or under the Second War Powers Act (Public No. 507, 77th Congress, March 27, 1942).

§ 944.19 *Appeals for relief in exceptional cases.* Any person who considers that compliance by himself or another with a rule or regulation or order of the War Production Board would work an exceptional and unreasonable hardship on him may appeal for relief. The rules for the filing and handling of appeals are given in Priorities Regulation 16.

§ 944.20 *Notification of customers.* Any person who is prohibited from or restricted in making deliveries of any material by the provisions of any rule, regulation or order of the War Production Board shall, as soon as practicable, notify each of his regular customers of the requirements of such rule, regulation or order, but the failure to give notice shall not excuse any customer from the obligation of complying with any requirements applicable to him.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1B

TYPES OF EXISTING CONTRACTS WHICH MUST BE DEFERRED

Section 944.2 of Priorities Regulation 1, as amended, makes compulsory the acceptance and filling of rated orders for any material "regardless of existing contracts and orders". The "existing contracts" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced. Preference ratings are applicable to facilities as well as materials.

Examples of such "existing contracts" which must be subordinated to higher rated orders are (1) arrangements whereby a producer, regularly engaged in producing a given product for sale to others, leases a portion of his plant, or the whole of it for a relatively short period, as a going concern to one of his customers and operation is continued under the producer's management and with the producer's regular personnel; and (2) arrangements whereby such a producer, in lieu of buying raw materials and selling the product, accepts raw materials belonging to a customer for processing pursuant to a toll agreement or similar undertaking. If the deliveries to be made to such customer carry a preference rating, the sequence of deliveries as compared with deliveries to other persons placing orders with the producer is to be determined as provided in § 944.7 of Priorities Regulation No. 1. (Issued Mar. 18, 1944.)

INTERPRETATION 1C

SEQUENCE OF DELIVERIES AND PRODUCTION FOR RATED ORDERS

The provisions of § 944.7 (b) of Priorities Regulation No. 1, as amended, with respect to the sequence of deliveries bearing the same preference rating, are applicable only in cases where different deliveries bearing the same preference rating cannot be made on schedule. If material supply and available facilities permit deliveries bearing the same rating to be made on schedule, Regulation No. 1 does not have any particular effect on the sequence of production for such deliveries. Where it is necessary to choose between deliveries bearing the same preference ratings, delivery to the customer from whom the order was first received with the rating is to be preferred and production schedules must be adjusted accordingly. For example, suppose a rated order is received from one customer in January for August delivery and another order bearing the same rating is received from a second customer in June calling for July delivery. If both deliveries cannot be made on schedule, the second customer is not permitted to get the material away from the first customer. The producer must defer production on the second order to the extent necessary to make delivery on the first order on the August delivery date. If, on the other hand, both deliveries can be made on schedule, it is not necessary to produce or make delivery on the first customer's order ahead of that of the second. (Issued Mar. 18, 1944.)

INTERPRETATION 1E

ARMY INCLUDES PANAMA CANAL—NAVY INCLUDES COAST GUARD

(a) Section 944.1 (b) defines "defense order" to mean, among other things, any contract or purchase order for material or equipment to be delivered to or for the accounts of the Army or Navy of the United States, the Panama Canal or the Coast Guard. At the present time the Panama Canal is part of the Army and the Coast Guard is part of the Navy. Some question has arisen as to whether the specific enumeration in Priorities Regulation No. 1 of the Panama Canal and the Coast Guard means that they do not fall within general references to the Army and Navy in other regulations and orders of the War Production Board. In particular, inquiries have been made as to whether exemptive provisions in limitation and conservation orders in favor of the Army and Navy also provide exemptions for the Panama Canal and the Coast Guard when the latter are not specifically mentioned.

An exemptive or other provision applicable to the Army also applies to the Panama Canal, and a provision applicable to the Navy to the Coast Guard, unless the provision expressly states otherwise.

(b) Question has also been raised as to the status of the Office of Strategic Services under § 944.1 (b) and similar general references to the Army and Navy in other regulations and orders of the War Production Board.

The operations of the Office of Strategic Services are under the direction and supervision of the Joint Chiefs of Staff. Therefore, any provision in a regulation or order of the War Production Board which applies to both the Army and the Navy (but not a provision which applies to the Army alone or to the Navy alone) also covers the Office of Strategic Services. (Issued Mar. 18, 1944.)

INTERPRETATION 2

REGULARLY ESTABLISHED PRICES AND OPA CEILING PRICES

An order bearing a preference rating may not be rejected on the ground that the price is below the regularly established price, if the purchaser offers the OPA ceiling price.

Section 944.2 of Priorities Regulation 1 makes the acceptance of rated orders mandatory except in the several situations specified in the section. The only exception dealing with price is contained in paragraph (e) (1) which states that a rated order need not be accepted "if the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment".

"Regularly established prices" cannot be higher than OPA ceiling prices. They may, however, be lower. (Issued Mar. 18, 1944.)

INTERPRETATION 3

REJECTION OF RATED ORDERS FOR FAILURE TO MEET ESTABLISHED PRICES AND TERMS

(a) Section 944.2 of Priorities Regulation 1 states that every order bearing a preference rating must be accepted and filled with certain exceptions listed in the section. One exception is where a buyer does not "meet regularly established prices and terms of sale or payment". This exception applies to a seller who receives a rated order for quantities which are less than the minimum which he regularly sells. For example, a manufacturer who has been selling only in carload lots may reject a rated order for a less than carload lot.

This exception applies similarly to a person who regularly sells only in multiples of a specified quantity and receives a rated order for a number which is not a multiple of that quantity. For example, a manufacturer who regularly sells his product only in standard shipping packages containing one dozen receives a rated order for 40. He may fill the whole order or he may fill it to the extent of 36 and reject it for 4.

A further problem arises when a manufacturer receives such an order with split ratings. For example, suppose the manufacturer who sells his product only in standard shipping packages of a dozen receives an order for 30 rated AA-4 and 20 rated AA-5. In such a case the general rule is that amounts in excess of a multiple of the standard shipping package ordered at higher ratings may be included with amounts ordered at lower ratings if the manufacturer wishes to adhere to his standard shipping package and not fill the order as received. He may then, in the case supposed, treat the order as one for 24 items rated AA-4 and 24 rated AA-5 and reject it for 2 of the items. Of course, he may fill the order as placed if he prefers to do so; but, if he does not he must fill it as illustrated above.

(b) The exception also applies to the seller who regularly sells only to certain types of trade purchasers, such as wholesalers, jobbers or retailers. He may reject orders from other

types of purchasers but only if it is practicable to obtain the merchandise in the required quantity through regular trade channels.

(c) The exception applies to a manufacturer who receives a rated order which, together with orders on hand, totals less than his minimum production run of a product which is mass produced and cannot be filled from inventory. It makes no difference that he has regularly sold in quantities as small as that ordered. For example, suppose a manufacturer's minimum production run is 1,000 units, but he has regularly sold in lots of 10 units. At a time when he has none of the particular product in inventory and no orders on hand, he receives a rated order for 600 units. He may reject the order. If, however, he has on hand a previously accepted order for 400 units, he would be required to accept the order for 600 units.

(d) It should be noted that paragraph (e) of § 944.2 in which the above exception appears includes the requirement that "there must be no discrimination in such case against rated orders, or between rated orders of different customers." This means, for example, that a seller who sells principally at wholesale but also at retail to one or more customers may not reject rated retail orders from other customers. However, if a manufacturer or wholesaler has an exclusive distributor, either for all sales or for a particular territory, he may reject orders from other purchasers provided the exclusive distributor is in a position to fill the orders promptly. (Issued Jan. 6, 1945.)

INTERPRETATION 4

ACCEPTANCE OF RATED ORDERS FOR USE OF FACILITIES BY CONTROLLED MATERIALS PRODUCERS

Section 944.2 of Priorities Regulation No. 1 provides for the compulsory acceptance of defense and other preference rated orders for the use of facilities, and § 944.7 provides for the sequence of deliveries on such orders. With respect to all such orders placed with a producer of controlled materials, the provisions of these sections are applicable only to the extent that they do not interfere with the acceptance, production, and delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. (Issued Mar. 18, 1944.)

INTERPRETATION 5

EFFECT OF ASSIGNMENT OF A RATED ORDER OR CONTRACT ON SEQUENCE OF DELIVERY

When a rated contract is assigned, the rating remains applicable to the contract as assigned if, but only if, the assignee uses the material covered by the contract for substantially the same purpose for which the rated contract was placed.

Examples. (1) The Navy places a rated order with A and A extends the rating to B. Later the Navy and A cancel the contract and the Navy enters into a new contract with C for delivery of the same product at the same time and applies the same rating to it. A assigns to C his contract with B. The rating which A had extended to B remains valid as of the time it was extended by A, and B must honor it in making delivery to C.

(2) A steel mill places an order for a repair part rated AA-1 under CMP Regulation No. 5. The steel mill finds that it does not need the part but another steel mill needs the same and asks the first mill to assign its contract for the part. The second mill could also apply a AA-1 rating to the delivery. However, it prefers to use the first mill's rating so as to come ahead of the orders which have been placed since the first mill placed its order. The second mill may not make this use of the rating, since the rated order was placed for the repair of the first mill's facilities and the purpose of the order has thus been changed.

(3) The War Production Board assigns a rating on a PD-1A certificate to a textile manufacturer to buy some textile machinery. He places an order with a machinery manufacturer and applies the rating to the order. He decides he does not need the machinery but finds another textile producer who does need the machinery and is willing to purchase the same from him. He therefore assigns the contract for the machinery to the second textile producer. The rating does not apply to the delivery to the second producer since it was assigned by the War Production Board only for the purpose of filling a specific need shown by the first textile producer. (Issued July 24, 1943.)

INTERPRETATION 6

MICROFILM RECORDS

Records required to be kept by § 944.15 of Priorities Regulation No. 1 or by any other order or regulation of the War Production Board may be kept in the form of microfilm or other photographic copies instead of the originals. (Issued Aug. 14, 1943.)

INTERPRETATION 7

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

(a) *Applicable provisions of the regulations.* Section 944.14 of Priorities Regulation No. 1 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. A similar provision in paragraph (b) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum required amounts".

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation No. 1 or his "minimum required amounts" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive (and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells or less than his minimum production run of a product which is mass produced under the conditions explained in Interpretation 3 of Priorities Regulation 1.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the War Production Board for permission, stating the facts and why it is not practicable to satisfy the condition of paragraph (b).

(d) *Special provisions for controlled materials and Class A products.* This interpretation does not apply to deliveries of controlled materials under the Controlled Materials Plan. Rules regarding deliveries of controlled materials are given in CMP Regulation No. 2, and additional rules for Class A products are explained in Interpretation 9 to CMP Regulation No. 1.

(e) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that he can only get the material in larger quantities, he should apply for a modification of the rating.

(f) *No effect on contractual rights.* The times and amounts in which deliveries are to be made are to be determined by agreement between the supplier and the customer. Nothing in this interpretation relieves a supplier from fulfilling a contract to make deliveries at specified times in specified amounts. For example, if a customer has agreed to buy and a supplier has agreed to furnish 100 units a month for six months, this interpretation does not obligate the buyer to accept 600 units delivered during the first month, although it permits him to do so under the conditions described in paragraph (b). (Issued Jan. 6, 1945.)

INTERPRETATION 8

EFFECT OF INVENTORY AND SMALL ORDER PROVISIONS ON SEPARATE OPERATING UNITS OF THE SAME COMPANY

(a) If an individual plant, branch store, division or other operating unit normally keeps separate inventory from the rest of the corporation or firm, inventory restrictions in WPB orders and regulations apply to it separately. Thus, although another unit may have exceeded an inventory limit, this does not prevent a unit which has not exceeded it from acquiring additional inventory within the limit.

(b) Likewise, if an order of the War Production Board provides an exemption for small purchases, an operating unit which normally buys separately need not consider purchases made by other units in determining whether it comes within the exemption.

(c) It may happen that the same operating unit will be treated separately for purposes of inventory restrictions but not for purposes of small order exemptions. For example, if a distributor purchases centrally for direct shipment to several outlets which keep separate inventories, the outlets are treated separately for purposes of inventory restrictions but the central purchasing agency must include all its purchases in determining whether a transaction comes within a small order exemption.

(d) This interpretation applies only in cases where a contrary rule is not expressly stated in the applicable War Production Board order or regulation. Also it only applies where the regular business practice of the unit in question is to keep a separate inventory or to buy separately. It does not apply if the regular practice has been changed just for the purpose of coming within this interpretation. (Issued Nov. 22, 1944.)

INTERPRETATION 9: Revoked Mar. 18, 1944.

INTERPRETATION 10

EFFECT OF CANCELLATION OF A PURCHASE ORDER ON DIRECTIVE REQUIRING ITS IMMEDIATE PRODUCTION

In many instances, both under the Controlled Materials Plan and otherwise, the War Production Board has issued directives to producers and manufacturers requiring them to produce particular orders ahead of their normal place on the producers' or manufacturers' schedules. Typical of such directives are directives requiring them to produce certain orders by a given date, regardless of the effect of doing so on the production of other orders. If and when the particular orders are cancelled, the directives lose all effect. This is so since the reason for issuing the directives, namely, the urgent need for a particular product, no longer exists when the order for the product has been cancelled. (Issued Sept. 21, 1944.)

INTERPRETATION 11

ACCEPTANCE OF POST-WAR ORDERS

(a) Some orders and regulations of the War Production Board forbid the placing or acceptance of purchase orders for certain materials or products unless the purchase orders bear specified preference ratings, or unless they are accompanied by an allotment symbol or special authorization, or unless they meet some other condition. Such provisions do not, however, prohibit the placing or acceptance of a purchase order which by its express terms, is not to be filled until after removal of such restrictions by the War Production Board.

(b) A manufacturer may not, of course, schedule such orders for production or place material in production to fill such orders until after the applicable WPB restriction is removed. He may order material, but since § 944.14 of Priorities Regulation 1 would prevent his receiving it, the order must call for delivery at a future time when the material can be received. Also, if he is ordering a material which is itself subject to a restriction on placing or accepting of orders, that purchase order must as well be conditioned on the removal of the restriction.

(c) For example, Order L-111 forbids the acceptance of an order for new hand trucks unless the order bears a rating of AA-5 or higher. Nevertheless, an unrated order for hand trucks may be accepted subject to the condition that no steps will be taken to fill it until the restriction on acceptance of unrated orders is removed.

(d) [Deleted Nov. 13, 1944]

(Issued Nov. 13, 1944.)

INTERPRETATION 12

DATE ON WHICH PURCHASE ORDER IS RECEIVED

Section 944.7 (b) provides that between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. Some questions have arisen as how to fix the date when the order was "received", due to the fact that occasionally specifications are not sent to the manufacturer with the customer's order. The word "order" as used in § 944.7 (b) means a purchase order accompanied by specifications in sufficient detail to enable the manufacturer to put the product in production. Not until such specifications have been furnished is there an "order". The date on which such specifications are furnished to the manufacturer is the date on which the order is "received". This date, and not the date on which the order without specifications was first received by the manufacturer, controls the position the order takes in the manufacturer's schedule.

For example, where an engine manufacturer on February 1st receives a rated order for fifty engines for July delivery but the customer does not, until March 1st, furnish the specifications as to carburetors, pumps, or other equipment, necessary before the engines can be put into production, March 1st is the date the "order was received" for the purposes of § 944.7 of Priorities Regulation No. 1. (Issued Nov. 8, 1944.)

INTERPRETATION 13

APPLICABILITY OF ORDERS AND REGULATIONS TO USED OR SECOND-HAND MATERIALS AND PRODUCTS

(a) Every order or regulation of the War Production Board applies to materials and products in used or second-hand form (other than scrap) to the same extent as to new items, unless the order or regulation or a published interpretation of it expressly states otherwise.

(b) The following examples illustrate the above rule: (1) Order L-265 regulates the manufacture and distribution of "electronic equipment". The definition of this term in paragraph (a) (3) of the order does not exclude used or second-hand equipment from the coverage of the order. Therefore, all of the provisions of the order apply to both new and used or second-hand electronic equipment.

(2) Paragraph (c) of Order L-190 controls the distribution of new Class D scales. The term "new" is defined in the order. Therefore, the restrictions of paragraph (c) apply only to Class D scales which are "new", as defined in the order, and this interpretation does not apply to that order. (Issued Mar. 27, 1945.)

INTERPRETATION 15

MAKING OR DELIVERING MATERIAL EARLIER THAN REQUIRED BY CUSTOMERS

(a) Paragraph (a) of § 944.14 of Priorities Regulation 1 prohibits a person from knowingly making a delivery which will give his customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. Paragraph (c) of that section prohibits a person from processing or fabricating material if his inventory of the material in its processed or fabricated form will be more than a practicable minimum working inventory of it. These two restrictions should be borne in mind by any supplier who wants to make or deliver any material to his customer earlier or in greater quantities than required by the customer.

(b) For example: A supplier has accepted his customer's order for a product to be delivered at the rate of 100 a month for six months. The supplier would like to ship 200 a month for three months, or perhaps the entire 600 in the first month. Since the customer's requirements of 100 a month are presumably all he could accept within the inventory limitations of paragraph (a) of § 944.14, the requirement that the supplier may not knowingly ship more than this would prevent him from delivering earlier than required by his customer, unless he received notice from his customer that the receipt of the larger amount would not cause him to have an excess inventory.

(c) Thus, before delivering a material or product substantially earlier or in greater quantities than is called for by his customer's order, a supplier is required to satisfy himself that the receipt by the customer of the changed quantities will be within the permissible inventory limitations applicable to the customer. The supplier may rely on any statement or notice to this effect from his customer, unless he knows or has reason to know that it is false.

(d) Similarly, assuming his customer would not be permitted to receive the larger quantities, the supplier should take this into account in his plans for processing the material or product so that he himself will not have an inventory greater than permitted by § 944.14, paragraph (c).

(e) This interpretation, of course, does not change the rule on delivery or acceptance of minimum sales quantities or production runs to the extent described in Interpretation 7 to Priorities Regulation 1. Also, if any WPB order or regulation permits increased deliveries to the extent necessary to avoid shipping partly filled containers (such as paragraph (y) (4) of Order M-300), the rule in this interpretation does not prevent such deliveries. (Issued May 2, 1945.)

INTERPRETATION 16

APPLICABILITY OF PRIORITY RULES TO SUPPLIERS OF COMPLETE PRODUCTS AND PARTS FOR THE COMPLETE PRODUCTS

(a) *Applicability of rules regarding acceptance of orders.* A person who supplies parts for a complete product, as well as the complete product itself, may not accept an order for the complete products calling for delivery on a date which would interfere with delivery of equal or higher rated orders for parts which he has already accepted. In other words, he must comply with the rules in § 944.2 of Priorities Regulation 1 in accepting orders for complete products and orders for parts only, and this is true even if the complete product is subject to a frozen schedule under Priorities Regulation 18 and the parts are not. Thus if he gets a rated order for complete products calling for delivery on June 1, 1945, and cannot fill this order without using parts which are required for delivery on an equal or higher rated parts order previously accepted, calling for delivery on June 1, 1945, he may not accept the order for the complete products. In such a case, he must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date.

(b) *Arranging sequence of shipments under scheduling orders, and effect of frozen schedules.* (1) In arranging the sequence of shipments on a shipping schedule filed under Order M-293 and other scheduling orders, a manufacturer may not schedule an order for complete products for shipment on a date which would interfere with delivery of an equal or higher rated parts order which he has on his books. In other words, the manufacturer must comply with the rules in § 944.7 of Priorities Regulation 1 in arranging his shipping schedules under the scheduling orders. The fact that in some cases the complete products are subject to the scheduling provisions and parts are not, does not allow the manufacturer to disregard the parts orders in scheduling the orders for complete products. Furthermore, it would make no difference whether the parts were made by the manufacturer, or whether he made some and bought some, or whether he bought them all.

(2) However, where a shipping schedule for the complete products has been properly made up under Order M-293, or any other scheduling order, and has become a frozen schedule under Priorities Regulation 18, orders for parts (or for the complete product) subsequently received, may not be allowed to interfere with deliveries under the frozen schedule, unless the War Production Board takes affirmative action to permit or direct such interference. But when the next schedule is made up and filed, these newly received orders must be given the preference required by Priorities Regulation 1, as explained above.

(c) *Illustrations.* (1) If a manufacturer of internal combustion engines, who also makes (or buys) parts for such engines, has on hand an order rated AA-1 for 1,000 cylinder heads calling for delivery in January 1946, and then receives an AA-1 rated order for 1,000 engines also calling for delivery in January 1946, he may not accept the engine order unless he could fill it during January without using cylinder heads needed to fill the cylinder head order on time.

(2) If the manufacturer has accepted an AA-2 rated order for engines for delivery in January 1946, and thereafter receives an AA-1 rated order for cylinder heads for delivery in January, he must accept the latter order. Furthermore, in making up his January shipping schedule for engines under Table 4 of M-293, he must not schedule the engine order for shipment during the month unless he could fill it without using cylinder heads needed to fill the cylinder head order on time. However, if both of the orders call for delivery in December 1945, and his engine schedule for December, including this particular engine order, has already been frozen under Priorities Regulation 18, then he must not accept the cylinder head order for delivery in December unless he could fill it without interfering with the frozen schedule or unless the War Production Board specifically authorizes or directs him to do so. (Issued May 8, 1945.)

[F. R. Doc. 45-11474; Filed, June 28, 1945; 11:23 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 1A, as Amended June 28, 1945]

INVENTORIES IN SEASONAL INDUSTRIES

The following amended interpretation is issued with respect to Priorities Regulation 1:

The question has been raised, in connection with various seasonal industries, whether a company which is engaged in such an industry and which normally stocks up inventory in advance of the season, is forbidden by § 944.14 of the foregoing regulation from doing so.

The prohibition against accepting delivery of inventory "in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products of the person accepting delivery, on the basis of his current or scheduled method and rate of operation," does not prevent the acceptance of delivery by such person of his requirements of the inventory in question provided, (a) that such person is not guilty of hoarding, and (b) that the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11473; Filed, June 28, 1945; 11:23 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Revocation of Interpretation 1D]

APPLICATION OF ORDERS AND REGULATIONS TO SALES BY AUCTIONEERS, RECEIVERS, TRUSTEES, ETC.

Interpretation 1d of Priorities Regulation 1 is hereby revoked. Sales by auctioneers and sales by receivers, trustees, etc. in the course of liquidation are "special sales" and are governed by Priorities Regulation 13.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11475; Filed, June 28, 1945; 11:23 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 14, as Amended June 28, 1945]

SUMMARY OF WPB CONTROLS REGARDING IDLE OR EXCESS INVENTORIES

The following amended interpretation is issued with respect to Priorities Regulation 1:

Introduction

(a) *Purpose of this interpretation.* This interpretation summarizes some of the important rules on what to do when you have materials or products which are idle or excess in your inventory because of a termination or cut-back in your war contracts or other change in your operations. These are not new rules on this subject, nor are they necessarily complete, but they are intended to be convenient references to rules which are now effective in WPB orders and regulations. As these orders and regulations are revised from time to time, you should be sure to look at the latest copies.

(b) *General rule.* The general rule is that if you got a material or product by using a preference rating, allotment or other WPB priorities assistance, you must if possible use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This is the rule of § 944.11 (a) of Priorities Regulation 1, which also states the conditions under which physical segregation of inventory is not required.

Disposition or Use of Excess

(c) *In general.* If you have a termination, cut-back, or other reduction in your operations, it may be impossible to use the material or product for the purpose for which the priorities assistance was given. In this case, you may dispose of it as explained in paragraphs (b) (1) and (b) (2) of § 944.11 of PR-1, or you may use it as explained generally in paragraph (b) (3) of that section. These rules are summarized in paragraphs (d) and (e) below.

(d) *Disposition*—(1) *Special sales.* If you want to sell the excess material or product to someone else, and you acquired or made it for your own use and you do not sell it in the regular course of your business, you should look at Priorities Regulation 13 for the rules governing such "special sales". These include special sales as scrap (other than plant generated scrap). Also, all sales of surplus materials or products by Government agencies are special sales.

(2) *Other sales.* If the sale of the particular material or product, including scrap, is not a special sale, it is permitted as long as you comply with all requirements of WPB orders and regulations which apply to the material or product you are selling. For example, you are usually required to accept rated orders and observe the sequence of preference ratings; and if the material or product may be sold or scrapped only on specific WPB authorization as described in the applicable E, L, M, R, or U order, you must do what the order says.

(e) *Use*—(1) *Must be in compliance with applicable WPB orders.* If you want to use the excess material or product, you must always comply with all applicable WPB orders and regulations governing its use, inventory, etc. This is in addition to the rules in paragraphs (e) (2), (3) and (4) below. To find out what orders or regulations are applicable to the particular material or product, it may be helpful to look at the WPB monthly publication, "Products and Priorities," or you can ask your nearest WPB field office.

(2) *Use permitted if you could buy under PR-13.* You may use the excess material or product in your inventory for any permitted purpose for which you have the necessary rating or other qualification to buy from someone else at a "special sale" under PR-13. Thus, if that regulation says that a particular material may be sold for use only to someone who has an AA-5 rating, you could use it yourself for any permitted purpose for which you have that or a higher rating.

(3) *Use of controlled material.* In the case of steel, copper or aluminum in controlled material form, or a Class A product, you must look at paragraph (u) of CMP Regulation 1 which explains in more detail how you can divert and use such materials or products.

(4) *Special permission.* If you think you could get permission to buy the particular material or product from someone else under PR-13 and the rules in paragraphs (e) (2) and (3) above do not let you use it in your own inventory, you may ask for special permission to use the material or product yourself. The way to get this permission is explained in Direction 52 to CMP Regulation 1 on controlled materials and Class A products, and in Direction 4 to PR-1 for other materials and products. This permission may be given for use in other war contracts or in permitted civilian uses as long as there is no interference with war production in your area. (For prohibited or restricted civilian uses, see paragraph (f) below.) However, permission to use excess materials under these rules will not constitute an exception or appeal from the provisions of any E, L, or M order which might apply to the use you are interested in. Thus, you may also have to appeal or apply for the exception as provided in the particular order.

(f) *Resuming civilian production.* If you want to divert idle or excess materials for use in resuming civilian production presently limited or prohibited, the rules for getting the necessary permission are explained in Priorities Regulation 25. If permission is granted, you can use materials in your inventory under the rules described in paragraph (e) above.

(g) *Special provision for transfer among war contractors.* If you have a war contract which has been terminated or modified, and another contractor is producing similar products for the same procuring agency, he may be able to receive excess materials (from you, your suppliers, or the procuring agency) in excess of inventory limits. This is permitted when authorized by the procuring agency to the extent described in Direction 3 to PR-1 and Inventory Direction 17 to CMP Regulation 2. These directions cover both the inventory exceptions necessary to receive excess materials of this kind, and also the sale or exchange of the materials.

Bringing Inventory Back to Normal

(h) *Inventory limitations.* If the termination or cut-back results in your having a bigger inventory than you need, the mere possession of it is not prohibited as long as the particular material or product was properly acquired. This is explained in Interpretation 3 to CMP Regulation 2. However, you may not receive further deliveries of the particular material or product held in excess, nor may you fabricate above permitted inventory levels, except as provided in the applicable regulations or orders. The general inventory rule is in § 944.14 of PR-1; there are also specific inventory limits on particular materials or products in certain E, L, M, P, R, and U orders, and CMP Regulation 2 sets forth a detailed inventory control for controlled materials. In general, upon any reduction in operations, outstanding orders for the items which constitute an excessive inventory must be promptly adjusted, or, if necessary, cancelled. However, certain further deliveries may be received to the extent permitted by § 944.14 (d) of Priorities Regulation 1 and paragraph (c) of CMP Regulation 2, and special items may be received as permitted by those paragraphs and by Direction 7 to PR 1 and Direction 23 to CMP Regulation 2. A limited inventory exception in the case of items bought on special sales is provided in PR-13.

(i) *Cancelling ratings or allotments.* In cutting back or cancelling orders as described above you will probably have to cancel your ratings to the extent described in § 944.4a of PR-1, and make the necessary adjustments in your allotments and authorized controlled material orders as explained in paragraph (u) (2) of CMP Regulation 1 and Interpretation 28 and 31 to CMP Regulation 1.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11485; Filed, June 24, 1945; 11:23 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 5 as Amended June 28, 1945]

DELIVERIES OF MATERIAL TO FILL A PRODUCTION SCHEDULE AUTHORIZED UNDER PRIORITIES REGULATION 25

The following amended direction is issued pursuant to Priorities Regulation 1:

Notwithstanding the provisions of § 944.14 of Priorities Regulation 1, a person who has been given an authorized production schedule under Priorities Regulation 25 may accept delivery of any item of non-controlled materials or products which he needs to fill that production schedule providing his inventory is not, or will not by virtue of accepting the delivery become, in excess of his succeeding six months requirements.

Non-controlled materials or products, for the purposes of this direction, means any material or product which is not in a controlled material form as defined in CMP Regulation 1.

Inventory Direction 20 to CMP Regulation 2 states similar rules for controlled materials.

This direction expires June 30, 1945 unless sooner revoked or modified.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11476; Filed, June 28, 1945; 11:23 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 12, Direction 1]

RERATING OF THIRD QUARTER PRODUCTION SCHEDULES

The following direction is issued pursuant to Priorities Regulation 12:

Notwithstanding the provisions of Priorities Regulation 12, no person who has been or is assigned a new preference rating for his third quarter production schedule under CMP Regulations is required to rerate purchase orders for materials which he has placed prior to receipt of the new rating with preference ratings previously assigned. However, if new ratings are assigned on any CMP authorization, they must be applied on all orders placed after receipt of the new rating.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11477; Filed, June 28, 1945; 11:28 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, Direction 1, as Amended June 28, 1945]

SPOT AUTHORIZATIONS UNDER PRIORITIES REGULATION NO. 25

The following direction is issued pursuant to Priorities Regulation 1:

(a) A holder may make a special sale of copper, copper base alloy, aluminum or steel in a form described as a controlled material in CMP Regulation 1, to a buyer who gives him an order bearing a CMP allotment symbol whose initial letter is "Z". The buyer need not charge material bought under this paragraph against any CMP allotment account. No special permission from the War Production Board is required to make such a sale to a buyer who has been authorized to use a CMP allotment symbol whose initial letter is "Z".

(b) A holder may also make a special sale of a noncontrolled material or product which, pursuant to Priorities Regulation 13, may be sold to a user on a rating of AA5, if the buyer furnishes an order bearing a CMP allotment symbol whose initial letter is "Z" which has been granted to him under Priorities Regulation 25.

(c) A production schedule authorized under Priorities Regulation 25 does not permit the person holding such a schedule to acquire materials or products which are limited under Priorities Regulation 13 to sales on ratings higher than AA-5 or which require special permission of the War Production Board.

(d) This direction expires June 30, 1945 unless sooner revoked or modified.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11478; Filed, June 28, 1945; 11:23 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 25, as Amended June 28, 1945]

SPOT AUTHORIZATIONS FOR PRODUCTION

Section 944.46 *Priorities Regulation 25* is amended to read as follows:

§ 944.46 *Priorities Regulation 25*—(a) *What this regulation does.* This regulation describes the revised spot authorization method for getting authorizations to produce a product that is still restricted or limited by certain L orders. Other orders controlling products using relatively less amounts of the same materials and manpower have been revoked or relaxed, but these L orders had to be retained because the products controlled require substantial amounts of materials and manpower, and unlimited production would interfere with the war effort. This regulation applies only to the L orders listed on Direction 1 to this regulation and to any other orders which expressly state that authorizations may be obtained under this regulation. This regulation differs from the previous spot authorization method chiefly in that preference ratings and allotments are no longer given with the spot authorization.

(b) *Policy for granting spot authorizations.* The WPB will give spot authorizations where it finds that the use of materials and manpower in the proposed production will not interfere with war production and will not be so great as to interfere with a reasonably free supply of basic materials for industry generally.

(c) *No priorities assistance will be given.* Beginning July 1, 1945, no allotments of controlled material will be made, and no preference rating will be assigned on a spot authorization. The WPB does not guarantee, by granting an authorization that controlled materials or other materials and products will be available to a particular applicant.

(d) *How to apply for spot authorization.* Application for a spot authorization should be made by filing Form WPB-4000 (or special form where provided by an order) with the WPE Field Office for the district for the plant in which you propose to produce. The application should be accompanied by Form WPB-3820 (Statement of Manpower Information) unless (1) the plant is located in a Group III, IV, or unclassified Labor Area, or (2) you do not propose to use more than 100 production workers for all production in the plant. If either of these two conditions apply, you should attach a statement to that effect.

(e) *Effect of spot authorizations.* (1) A spot authorization (on Form CMPL-150C or Form WPB-4000) provides an exemption from the provisions of orders which refer to this regulation, or of orders which are listed on Direction 1 to this regulation. When the orders themselves include provisions as to the effect of a spot authorization, the exemption applies only to the extent stated in those provisions. In the absence of such provisions, the exemption applies to present production restrictions in the order. All other provisions of the order and the provisions of other applicable orders or regulations still apply.

(2) *Material obtained from another source or for another purpose may not be used.* You may not use any material or products to fill a production schedule authorized under a spot authorization which you obtained by using a preference rating or allotment symbol assigned for another purpose or another production schedule unless you are unable to use or dispose of the materials or products for the production schedule or the purpose for which the allotment or rating was given. For example, if you have been making domestic mechanical refrigerator repair parts with an allotment and rating assigned pursuant to an application on Form CMP-4B for that purpose, you may not use these parts to make domestic mechanical refrigerators authorized by a spot authorization under this regulation. This does not prevent the use of the rating and allotment symbol assigned by Priorities Regulation 27 for production materials for production authorized under this regulation, where you are otherwise qualified under Priorities Regulation 27.

(3) *Schedules not automatically rated.* Authorization of a production schedule under this regulation does not of itself give the applicant a preference rating of

AA-5 under § 944.1b of Priorities Regulation 1.

(4) *Rated orders for other products you can produce must still be accepted.* Spot authorizations to produce civilian products do not allow you to refuse to accept and produce rated orders for civilian or military production. If you receive a spot authorization, you still must comply with all the provisions of Priorities Regulation 1 regarding the acceptance and filling of rated orders.

(5) *Restrictions on Class A components.* Spot authorization to make a product restricted by a WPB Order not only gives you relief from the production restrictions of that order but also will grant the same relief automatically to any sub-contractor who furnishes you with a Class A component of the product which is restricted by the same order.

(f) *Relationship to the appeals procedure.* An appeal may not be filed from the restrictions of an order which can be waived by a spot authorization. The only relief is by filing for a spot authorization. However, if your application for a spot authorization is denied, and if you will consequently suffer exceptional and unreasonable hardship, you can then appeal in the way described in Priorities Regulation 16.

(g) (1) *Spot authorizations until July 1st.* Until July 1, 1945, WPB will continue to issue spot authorizations in the manner provided in this regulation before this amendment of June 28, 1945. However, no further allotments of material for the third or subsequent quarters of 1945 will be made.

(2) *Authorizations issued prior to July 1st effective after July 1.* Any spot authorization issued under this regulation prior to July 1st which authorizes production after July 1st remains in effect if the restrictions of the L or M order from which it gave an exemption continue in effect. Spot authorizations issued for products controlled by provisions in L and M orders which are revoked may be disregarded, after July 1st, in producing such product.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11483; Filed, June 28, 1945; 11:24 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 25, Direction 1, as Amended June 28, 1945]

WPB ORDERS COVERED BY PRIORITIES REGULATION 25

Direction 1 to Priorities Regulation 25 is amended to read as follows:

Production of products covered by the following WPB orders may be authorized under Priorities Regulation 25. The order should be referred to, since it may still restrict models and types that may be made or materials that may be used, or impose other limitations on the product; from these provisions the regulation will in most cases afford no relief.

If one of the following orders is amended to refer to Priorities Regulation 25, authorization under the regulation will affect the provisions of the order only to the extent provided in the amended order.

Until one of the following orders has been specifically amended to provide otherwise, authorizations granted under this regulation will give relief only from the provisions of the order which either prohibit manufacture entirely or restrict the amount of manufacture permitted. The authorization will not in any way relieve the person receiving it from any other restrictions of the order.

NOTE: List amended June 28, 1945.

L-1-e	Motor trucks and truck trailers
L-2-g	Passenger automobiles.
L-5-c	Domestic mechanical refrigerators
L-13-b	Use of metal in furniture and fixtures
L-23-b	Domestic electric ranges
L-23-c	Domestic cooking appliances and domestic heating stoves
L-257-c	Farm machinery
L-260-a	Furniture and furniture parts
L-265	Electronic equipment

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11479; Filed, June 28, 1945; 11:23 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 25, Direction 4]

CANCELLATION OF Z-1 ALLOTMENTS AND PREFERENCE RATINGS

The following direction is issued pursuant to Priorities Regulation 25:

All third and subsequent quarter allotments identified by the CMP allotment symbol Z-1, and all preference ratings of AA-5 assigned to third and subsequent quarter production schedules authorized under Priorities Regulation 25, are cancelled.

Persons who have placed rated orders and made allotments are required to cancel the ratings and the allotments on orders for delivery after July 1, 1945.

Suppliers must disregard ratings and allotments identified by the CMP allotment symbol Z-1 on orders calling for delivery after July 1, 1945.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11480; Filed, June 28, 1945; 11:23 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-704, Revocation]

RADER AND GARVER

Suspension Order No. S-704 was issued January 31, 1945 against Ralph Rader and Leonard R. Garver of Walla Walla, Washington for beginning construction of a bulk pea storage elevator at 12th and Reese, Walla Walla, Washington, without authorization from the War Production Board. In view of changed conditions, the project has now been determined to be essential. For this reason the Chief Compliance Commissioner has directed that the suspension order be revoked. In view of the foregoing, it is hereby ordered, that: § 1010.704 *Suspension Order No. S-704* be revoked.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11373; Filed, June 27, 1945; 11:15 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-720, Amdt. 1]

LEO GLASS AND CO.

Leo Glass and Beatrice Glass, his wife, under the registered trade name of Leo Glass and Company, are in the business of the manufacture of costume jewelry. Suspension Order No. S-720 was issued against them February 14, 1945, effective February 21, 1945 and was modified March 3, 1945 to permit them to do toll work. In view of the revocation of Conservation Order M-199 the Chief Compliance Commissioner has directed that Suspension Order No. S-720 be amended by striking out paragraph (b) thereof.

In view of the foregoing, *It is hereby ordered*, That: Suspension Order No. S-720 effective February 21, 1945 as modified March 3, 1945 be amended by striking out paragraph (b) thereof.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11452; Filed, June 27, 1945; 4:36 p. m.]

PART 1010—SUSPENSION ORDER

[Suspension Order S-806, Stay of Execution]

ROYAL HEATING CO.

Michael Palmer, doing business as Royal Heating Company, 5328 Chene Street, Detroit, Michigan, is engaged in the sale and installation of new and used heating systems. He has appealed from the provisions of Suspension Order S-806 and has requested a stay pending final determination of the appeal. The Chief Compliance Commissioner has directed that the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. In view of the foregoing,

It is hereby ordered, That: Suspension Order No. S-806, issued June 7, 1945 and effective June 14, 1945 be stayed.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11453; Filed, June 27, 1945; 4:36 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Dir. 20, as Amended June 28, 1945]

DELIVERIES OF CONTROLLED MATERIALS TO FILL A PRODUCTION SCHEDULE AUTHORIZED UNDER PRIORITIES REGULATION 25

§ 3175.120 *Inventory Direction 20 to CMP Regulation 2.* Pursuant to paragraph (b) (2) of CMP Regulation 2, it is hereby ordered, that:

Notwithstanding the provisions of CMP Regulation 2 a user of controlled material who has been given an authorized production schedule under Priorities Regulation 25 may accept delivery of any item of controlled material which he needs to fill that production schedule providing his inventory is not, or will not by virtue of accepting the delivery become, in excess of his succeeding six months requirements.

This direction permits a person to exceed the inventory limits stated in CMP Regulation 2 only to the extent that the excesses are obtained from idle and excess stocks pursuant to Priorities Regulation 13 or through the use of deferred allotments granted under Priorities Regulation 25.

Direction 5 to Priorities Regulation 1 states similar rules for non-controlled materials.

This direction expires June 30, 1945 unless sooner revoked or modified.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11481; Filed, June 28, 1945; 11:24 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L-265, as Amended June 28, 1945]

ELECTRONIC EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account, and for export, of electronic equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3289.31 *General Limitation Order L-265*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of individuals whether incorporated or not.

(2) "Manufacture" means produce, fabricate or assemble electronic equipment, or perform any act or operation upon electronic equipment so as to modify or convert it from one to another type, use or mode of operation, but shall not include acts incidental to the maintenance or repair of electronic equipment.

(3) "Electronic equipment" means any electrical apparatus or device involving the use of vacuum or gaseous tubes and any associated or supplementary device, apparatus or component part therefor, and shall include any acoustic phonograph other than those operated with spring motors. The term shall not include:

(i) Hearing aid devices;

(ii) Wire telephone and telegraph equipment;

(iii) Electric batteries;

(iv) Power and light equipment;

(v) Medical, therapeutic, x-ray and fluoroscopic equipment other than replacement electron tubes therefor;

(vi) Phonograph records, needles, blank recording discs and cutting styli.

(vii) Automotive maintenance equipment as defined in Limitation Order L-270;

(viii) Incandescent, fluorescent and other electric discharge lamps, as defined in Limitation Order L-28; and rectifier tubes, as defined in Limitation Order L-264.

(ix) Industrial type instruments and associated circuit devices, for measuring or controlling temperature, pressure, flow, liquid level, relative humidity, specific gravity, acidity, alkalinity, speed, power load, or frequency of electric power generating stations.

(x) Cabinets.

(xi) Antennae.

(4) "Preferred order" means any order for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or any order bearing a preference rating of AA-4 or higher.

(5) "Transfer" means sell, lease, trade, give, deliver, or physically transfer in any way so as thereby to make available for the use of a person other than the transferor, but shall not include the transfer of electronic equipment by one person to another person for repair or storage thereof nor the return of such equipment to the owner thereof (or his agent).

(6) "Producer" means any person to the extent engaged in the manufacture of electronic equipment for transfer or for commercial use.

(7) "Supplier" means any person to the extent that his business consists in whole or in part of the sale, distribution or transfer from stock or inventory of electronic equipment, and includes wholesalers, distributors, jobbers, dealers, retailers, servicemen, branch warehouses or other distribution outlets controlled by producers and other persons performing a similar function.

(8) "Consumer" means any person who owns, operates or purchases electronic equipment for his own use.

(b) *Restrictions.* (1) No producer shall manufacture any electronic equipment except:

(i) To fill preferred orders, or

(ii) To fulfill, under the Controlled Materials Plan, any authorized production schedule, as defined in CMP Regulation 1,

(iii) To the extent specifically authorized under Priorities Regulation 25.

(2) No producer or supplier (other than Defense Supplies Corporation) shall transfer any electronic equipment to any consumer, nor shall any consumer accept the transfer of any electronic equipment from any producer or supplier (other than Defense Supplies Corporation) except:

(i) To fill preferred orders, or

(ii) To fill orders bearing a preference rating of AA-5 or higher, or

(iii) To fill an order for any component part of electronic equipment provided the consumer delivers to the producer or supplier concurrently with the transfer a used, defective or exhausted part of similar kind and size which cannot be repaired or reconditioned; or, when circumstances render the delivery of a part for a part impractical, provided the consumer's purchase order (or written confirmation thereof) is accompanied by a certificate in substantially the following form signed by the consumer:

CONSUMER'S REPAIR CERTIFICATE

I hereby certify that the part(s) specified on this order are essential for presently needed repair of electronic equipment which I own or operate.

Signature and Date

(iv) To fill an order for any component part of electronic equipment from a consumer, *Provided*, That the consumer's purchase order (or written confirmation thereof) is accompanied by a certificate in substantially the following form signed by the consumer:

CONSUMER'S PR-25 CERTIFICATE

I hereby certify that I have been authorized to produce electronic equipment under PR-25 and that the parts specified on this order are required to fill my authorized production schedules.

Signature and date

(3) No producer or supplier shall transfer any electronic equipment to any supplier, nor shall any supplier accept the transfer of any electronic equipment from any producer or supplier, except:

(i) To fill preferred orders, or

(ii) To fill orders bearing a preference rating of AA-5 or higher or

(iii) To fill an order for component parts of electronic equipment required by the receiving supplier for the repair of electronic equipment then in his possession, or to replace in the inventory of the receiving supplier parts similar in kind and equal in number which have been delivered on or after the 24th day of April 1943 by the receiving supplier to consumers against defective or exhausted parts or consumer's repair or PR 25 certificates, or to other suppliers against supplier's certificates, as specified in this order; provided the purchase order is accompanied by a certificate in substantially the following form signed by the receiving supplier:

SUPPLIER'S CERTIFICATE

I hereby certify that I am entitled to purchase the items specified on the accompanying purchase order under the provisions of Limitation Order L–265, with the terms of which I am familiar.

Signature and Date

The producer or supplier to whom the above certificate is furnished shall be entitled to rely thereon as evidence that the purchase order is within the provisions of this paragraph (b) (3) (iii), unless he has knowledge or reason to believe that it is false.

(4) No producer or supplier shall retain in his inventory, possession or control, for more than sixty (60) days, any used, defective, exhausted or condemned parts which cannot be reconditioned; but must dispose of them for salvage where practical, or destroy such parts as have no practical salvage value.

(5) After June 30, 1943, no person shall mark radio receiving type tubes with the symbol "MR" except when authorized or directed to do so by the War Production Board. No person shall use radio receiving type tubes which are marked "MR" in the manufacture of electronic equipment to fill any preferred order. No person shall transfer or accept the transfer of such tubes on any preferred order or any other order bearing a preference rating, except rated purchase orders for export. No producer shall transfer for export in any calendar quarter a quantity in excess of fifteen (15%) percent of his production of such tubes during that calendar quarter. Producers of such tubes may transfer them to each other without restriction.

(c) *Exceptions.* (1) The provisions of this order shall not apply:

(i) To the transfer of any finished product of the following kinds which was produced and designed for home use and the manufacture of which was completed on or before the 24th day of April 1943, to wit: radio receiving sets; phonographs and record players; sound motion picture projectors.

(ii) To transfers of electronic equipment which transfers are made on or before the 23d day of June 1943 pursuant to purchase orders placed prior to the 24th day of April 1943.

(iii) To the lease of electronic equipment to any person by any person: *Provided*, That the lessor was actually engaged in the leasing of such equipment as a normal incident and part of his established business prior to the 24th day of April 1943.

(iv) To the transfer of any finished product of the following kinds, the manufacture of which was completed on or before the 24th day of April 1943: automobile radio receiving sets designed for the reception of standard broadcasts; automatic phonographs as defined in Limitation Order L–21.

(v) To transfers of radio antennae; antenna couplers; power supplies and battery cables for battery type home radio receivers; automobile radio control assemblies, loudspeakers and cables; electric fence excitors; or musical instruments (other than phonographs and radios) which involve the use of vacuum or gaseous tubes and the manufacture of which was completed on or before the 24th day of April 1943.

(vi) To gratuitous transfers of electronic equipment to or for the account of War Emergency Radio Service by any person; and to the manufacture or transfer of electronic equipment for the account of War Emergency Radio Service by any individual who is not a commercial producer or supplier of electronic equipment.

(vii) To the transfer of electronic equipment built under an authorized production schedule for use with sound motion pictures.

(2) The War Production Board may from time to time specifically authorize in writing exceptions to the provisions and restrictions of paragraphs (b) (2) and (b) (3) hereof.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to War Production Board, Radio and Radar Division, Washington 25, D. C. Ref: L–265.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11487; Filed, June 28, 1945; 11:25 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L–265, Interpretation 3, as Amended June 28, 1945]

STATUS OF CERTIFICATE ORDERS

The following amended interpretation is issued with respect to General Limitation Order L–265:

Purchase orders accompanied by either the "Consumer's Repair Certificate", "the Consumer's PR 25 Certificate" or the "Supplier's Certificate" specified in Order L–265 carry no priority by virtue of the certificate. They are unrated orders, and they must not be filled, therefore, to the prejudice of required deliveries on rated orders. The fact that a certificate order was placed earlier than a rated order does not give it any kind of preference. Shipments on certificate orders cannot be made to any extent that they will prevent or interfere with required shipments on rated orders. Furthermore, certificate orders do not give rise to any preference ratings. Ratings cannot be applied or extended by suppliers simply on the basis of certificate orders on hand.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11488; Filed, June 28, 1945; 11:25 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L–265, Interpretation 4, as Amended June 28, 1945]

RESTRICTIONS UNDER PARAGRAPH (B) OF ORDER L–265 UNAFFECTED BY PR–27

The following amended interpretation is issued with respect to General Limitation Order L–265:

Several questions have arisen with respect to the effect of Priorities Regulation 27 on the restrictions on the manufacture of electronic equipment contained in Order L–265.

Priorities Regulation 27 provides priorities assistance for manufacturers needing limited amounts of production materials and states the conditions under which the ratings assigned by the regulation may be used. Paragraph (g) (2) of Priorities Regulation 27 specifically points out that persons who operate under that regulation must comply with all applicable WPB orders and regulations which prohibit or restrict (by quotas or otherwise) the manufacture of products, the use of materials, and the purchase and sale of commodities.

Priorities Regulation 27 does not relax in any way the restrictions on the manufacture of electronic equipment under Order L–265. Under paragraph (b) (1) of that order no producer may manufacture any electronic equipment except (i) to fill preferred orders or (ii) to fill an authorized production schedule as defined in CMP Regulation 1 and (iii) production specifically authorized under Priorities Regulation 25. Priorities Regulation 27 does not establish any authorized production schedule for electronic equipment, nor may the AA–4 rating assigned by the regulation be used to purchase complete equipment such as radios or phonographs since these are not production materials.

Paragraph (g) (3) of Priorities Regulation 27 points out that that regulation does not permit a person to purchase material for inventory contrary to the inventory restrictions of Priorities Regulation 1, CMP Regulation 2, or other applicable orders and regulations. Under § 944.14 of Priorities Regulation 1 this means that the priorities assistance granted by Priorities Regulation 27 may not be used to build up an inventory of component parts in anticipation of starting or resuming civilian production. While paragraph (b) (4), § 944.14 of Priorities Regulation 1 does allow the acceptance of a 30-day inventory in anticipation of starting or resuming civilian production, such an inventory is permitted only if it can be obtained without priorities assistance. Under Order L–265 the only electronic components that can be purchased without priorities assistance are those which are supported by a supplier's, a consumer's repair or PR–25 certificate. It should be emphasized that the use of these certificates is limited to the receiving of repair parts or to the receiving of parts which are required to fill production schedules which have already been authorized under PR–25. They can not be used to obtain inventories for future production not yet authorized.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11489; Filed, June 28, 1945; 11:25 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L–265, Direction 1, as Amended June 28, 1945]

PRODUCTION SCHEDULES NOT AFFECTED BY OPEN-ENDING OF CMP

The following amended direction is issued pursuant to General Limitation Order L–265:

The restriction in paragraph (b) of Order L–265 prohibiting the manufacture of electronic equipment except to fill preferred orders or "an authorized production schedule, as defined in CMP Regulation 1" remains in effect in spite of the provisions of paragraph (o) (4) of CMP Regulation 1. That paragraph removes the restriction formerly contained in CMP Regulation 1 against exceeding CMP authorized production schedules, but does not affect the restriction in Order L–265.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11484; Filed, June 28, 1945; 11:24 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[General Limitation Order L–2–g, as Amended June 28, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials entering into the production of passenger automobiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.36 *General Limitation Order L–2–g*—(a) *Definitions.* As used in this order.

(1) "Automobile" means any self-propelled vehicle designed for the purpose of carrying passengers, or the chassis therefor, with a seating capacity of not more than ten. The term "automobile" includes station wagons, taxicabs, ambulances and hearses.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(3) "Producer" means any person who was regularly established in the business of manufacturing automobiles at any time during the period August 1, 1941 to November 30, 1941, or who at any subsequent date has received a written authorization to produce automobiles issued under this order.

(b) *Limitation on production of passenger automobiles.* The War Production Board will authorize the production of automobiles on and after July 1, 1945 by written authorizations, specifying the quantities and the period in which production is to be made. No person shall produce any automobiles except as so authorized.

(c) *Basis for authorizations.* (1) The War Production Board will determine the total number of automobiles the production of which can be permitted without interference with the war effort. This total will be divided among the different producers in the same proportion as the production which was authorized for the period August 1 to November 30, 1941, subject to such compensating adjustments as may be necessary to take care of new producers or for other reasons.

(2) Any person who was not established in 1941 as a producer of automobiles but who wishes to engage in that business and to receive a written authorization to produce automobiles, and any person who upon receipt from the War Production Board of a written authorization to produce automobiles believes that he is entitled to produce a larger quantity than authorized, may apply for permission to do so as explained in Priorities Regulation 25.

(d) *No general priorities assistance to be granted.* The War Production Board cannot undertake to assure producers that they will be able to get all the materials needed for the production authorized. It is not the policy of the Board to make allotments of controlled materials or to assign preference ratings to cover the authorized production.

(e) *Restrictions on various materials remain in effect.* A number of materials normally used in the production of automobiles are expected to continue in short supply and various War Production Board orders restricting their delivery or use remain in effect. Consequently, producers of automobiles and of automotive parts will, in many cases, have to find substitutes for such materials.

(f) *Prohibition on spare tires for new automobiles.* No producer shall equip any automobile with more than four new tires, nor shall any producer or any other person sell, ship or deliver any automobile equipped with more than four new tires.

(g) *Production subject to rationing by Office of Price Administration.* The automobiles produced pursuant to this order will be subject to the rationing procedures of Ration Order 2–B, or subsequent ration orders, of the Office of Price Administration.

(h) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Reports.* Producers shall file such reports as may be required from time to time by the War Production Board.

(j) *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Automotive Division, War Production Board, Washington 25, D. C., Ref: Order L–2–g.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11432; Filed, June 28, 1945; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[1] Amdt. 11]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Control Order 1 is amended in the following respects:

1. Section 23 (a) (1) is amended to read as follows:

(1) "Meat" has the meaning given to that term in Revised Ration Order 16 except that:

(i) All edible rendered fats extracted from cattle, calves, sheep, lambs or swine are excluded; and

(ii) The items listed in section 30.1 (a) (2) of Revised Ration Order 16 are included except pork skins (gelatine) and pork skins (No. 1).

2. Section 23 (a) (3) is added to read as follows:

(3) The District of Columbia and any city no part of which is included within one or more counties shall each be deemed to be a county.

3. Section 23 (g) (1) is amended by substituting for the sixth sentence the following: "Where such authorization is granted, the trading areas specified in the authorization shall be substituted for the counties, as the basis for the delivery calculations under paragraphs (c), (d), and (e) and for the reports required under paragraph (k)."

This amendment shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–11451; Filed, June 27, 1945; 4:21 p. m.]

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[1] 10 F.R. 4605.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 25]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 3.27 (a) is amended by deleting the phrase "between March 16, 1945 and June 15, 1945" between the words "is registered shall" and the words "for each such user" and by substituting in place thereof the phrase "beginning March 16, 1945".

This amendment shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11448; Filed, June 27, 1945; 4:20 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 83]

PROCESSED FOODS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 6.14 (a) is amended by deleting the phrase "between March 16, 1945 and June 15, 1945" between the words "is registered shall" and the words "for each such user" and by substituting in place thereof the phrase "beginning March 16, 1945".

This amendment shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11449; Filed, June 27, 1945; 4:21 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 55]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 7.18 (a) is amended by deleting the phrase "between March 16, 1945 and June 15, 1945" between the words "is registered shall" and the words "for each such user" and by substituting in place thereof the phrase "beginning March 16, 1945".

This amendment shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11450; Filed, June 27, 1945; 4:21 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 23 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplement 7 to Food Products Regulation No. 1 is amended in the following respects:

1. Section 1 (b) is amended to read as follows:

(b) *What sales are covered by this supplement.* This supplement applies to sales by all persons except wholesalers and retailers. However, the following sales and deliveries are not subject to the maximum prices or other requirements of this or any other maximum price regulation:

(1) Sales and deliveries of products covered by this supplement by a processor in any calendar year in which his total volume of sales of the products does not exceed 1,500 quarts (or an equivalent amount in other container sizes).

(2) Sales and deliveries by a processor of any vegetable or mixture of vegetables which is processed only by such operations as chopping, shredding or grading and packaged in containers for sale as a salad or salad mix.

2. The "Note" in section 5 (a) (1) (iii) which precedes the example is revoked.

3. Section 10 (b) is amended to read as follows:

(b) Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function (section 2.3 of FPR 1). This section applies only to maximum prices figured under section 5 (b).

4. Section 10 (f) is amended to read as follows:

(f) Uniform prices where the processor or repacker has more than one factory (section 2.7 of FPR 1). For the purpose of this supplement, however, the last undesignated paragraph is inapplicable.

5. Section 13a (c) (4) is amended to read as follows:

(4) "Median price" means the middle price of a series of prices arranged in order of size or if the series consists of an even number of prices, the simple arithmetic average of the two middle prices.

6. Table 9 in Appendix C to section 15 is amended to read as follows:

[1] 10 F.R. 1750, 2188.

TABLE 9—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

(All areas, varieties, sieve sizes and grades.)

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies.

No. 2 and No. 95 vacuum cans	$0.20
No. 10 cans	1.02

To figure amount of subsidy for other container sizes, multiply the amount named above for No. 2 and No. 95 vacuum cans by the appropriate conversion factor in Table 5

7. Appendix D to section 15 is amended in the following respects:

a. Table 9 is amended to read as follows:

TABLE 9—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

(All areas, varieties, sieve sizes and grades)

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies.

No. 2 and No. 95 vacuum cans	$0.11
10 cans	0.54

To figure amount of subsidy for other container sizes, multiply the amount named above for No. 2 and No. 95 vacuum cans by the appropriate conversion factor in Table 5.

b. Paragraph (a) of the "Special pricing provisions applicable to packed pole beans in areas other than Area 11, packed bush beans in Area 11, certain styles of pack, and blends of sieve sizes," appearing immediately following Table 9 in Appendix D is amended to read as follows:

(a) In each area other than Areas 10 and 11, the maximum prices for packed pole beans shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans twenty-five cents per dozen, higher than the maximum prices for packed bush beans in the same area. In Area 10 the maximum prices for packed pole beans shall be: In No. 2 cans, nine cents per dozen, in No. 2½ cans, thirteen and one-half cents per dozen, and in No. 10 cans, forty-five cents per dozen, higher than the maximum prices for packed bush beans in the same area.

8. Table 8 in Appendix E to section 15 is amended to read as follows:

TABLE 8—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

(All areas and grades)

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies.

No. 1 picnic cans	No. 1 tall cans	No. 303 cans	No. 2 and No. 95 vacuum cans	No. 2½ cans	No. 10 cans
$0.08	$0.10	$0.10	$0.12	$0.16	$0.[illegible]

9. Table 8 in Appendix F to Section 15 is amended by adding "No. 95 vacuum cans" to the table immediately following No. 2 cans, to read as follows:

8 oz. cans	No. 1 picnic cans	No. 303 cans	No. 2 vacuum cans	No. 2 and No. 95 vacuum cans	No. 10 cans
$0.05	$0.06	$0.07	$0.08	$0.08	$0.[illegible]

[1] 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5220, 5166, 5426, 5346.

[2] 9 F.R. 3, 104, 574, 695, 765, 848, 1997, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 5074, 5436, 5695, 5829, 6234, 6235, 6647, 6951, 7080, 7081, 7202, 7257, 7345, 7437, 7773, 8793, 9169, 9954, 10087, 10636, 11113.

[3] 10 F.R. 2621, 2875, 3223, 3556, 3549.

This amendment shall become effective July 3, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment insofar as it establishes maximum prices for packed pole beans produced in Area 10 at a differential over bush beans produced in the same area of 9¢ per dozen for #2 cans, 13½¢ per dozen for #2½ cans and 45¢ per dozen for #10 cans is necessary to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-11497; Filed, June 28, 1945; 11:40 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[1] Amdt. 40]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 24 of Revised Maximum Price Regulation 271 is amended in the following respects:

1. An undesignated paragraph is added after the headnote and before Table I to read as follows:

The prices in the following tables are maximum prices, f. o. b. country shipping point, for U. S. No. 1 potatoes, per 100 pounds, graded, sacked and loaded on carrier and for dry onions per 50 pounds, in sacks, loaded on carrier.

2. The title of Table I is amended to read as follows:

TABLE I—EARLY WHITE POTATOES

(These prices apply to potatoes planted after September 1 and harvested between the following November 1 and July 1.)

3. Table IV is added, to read as follows:

TABLE IV—WHITE POTATOES EXCEPT EARLY WHITE POTATOES

(These prices apply to all potatoes except those planted after September 1, and harvested between the following November 1 and July 1)

Area and State	Producing area	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June and after
North Atlantic:													
Maine	All	$2.60	$2.40	$2.25	$2.15	$2.25	$2.35	$2.40	$2.45	$2.55	$2.65	$2.75	$2.75
New Hampshire	do	2.95	2.85	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
Vermont	do	2.95	2.85	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
Massachusetts	do	2.95	2.85	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
Rhode Island	do	2.95	2.85	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
Connecticut	do	2.85	2.75	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
New York	(Long Island	2.85	2.75	2.60	2.50	2.60	2.70	2.75	2.80	2.90	3.00	3.10	3.10
	(Rest of State	2.75	2.65	2.50	2.40	2.50	2.60	2.65	2.70	2.80	2.90	3.00	3.00
New Jersey	All	2.85	2.75	2.60	2.50	2.60	2.70	2.75	2.80	2.90	3.00	3.10	3.10
Pennsylvania	do	2.80	2.70	2.55	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
East North Central:													
Ohio	All	2.95	2.70	2.55	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Indiana	do	2.95	2.70	2.55	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Illinois	do	2.95	2.70	2.55	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Michigan	do	2.85	2.60	2.45	2.35	2.45	2.55	2.60	2.65	2.75	2.85	2.95	2.95
Wisconsin	do	2.65	2.45	2.30	2.20	2.30	2.40	2.45	2.50	2.60	2.70	2.80	2.80
West North Central:													
Minnesota	Traverse, Grant, Douglas, Todd, Morrison, Mille Lacs, Kanabec, Pine, and all counties north thereof.	2.50	2.30	2.15	2.05	2.15	2.25	2.30	2.35	2.45	2.55	2.65	2.65
	Rest of State	2.65	2.45	2.30	2.20	2.30	2.40	2.45	2.50	2.60	2.70	2.80	2.80
Iowa	All	2.80	2.65	2.45	2.40	2.50	2.60	2.65	2.70	2.80	2.90	3.00	3.00
North Dakota	Bowman, Golden Valley, Billings, Slope, McKenzie, Williams, Divide Counties.	2.65	2.45	2.30	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
	Rest of State	2.50	2.30	2.15	2.05	2.15	2.25	2.30	2.35	2.45	2.55	2.65	2.65
South Dakota	All	2.60	2.40	2.25	2.15	2.25	2.35	2.40	2.45	2.55	2.65	2.75	2.75
Nebraska	do	2.80	2.60	2.45	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
Kansas	do	2.50	2.45	2.30	2.20	2.30	2.40	2.45	2.50	2.60	2.70	2.80	2.80
Missouri	do	2.50	2.45	2.30	2.20	2.30	2.40	2.45	2.50	2.60	2.70	2.80	2.80
South Atlantic:													
Delaware	All	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Florida	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Georgia	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Maryland	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
North Carolina	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
South Carolina	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Virginia	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
West Virginia	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
South Central:													
Kentucky	All	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Tennessee	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Alabama	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Mississippi	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Arkansas	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Louisiana	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Oklahoma	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Texas	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
West													
Montana	All	2.60	2.40	2.25	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
Idaho	Idaho, Lewis, Nez Perce, Clearwater, Latah, Benewah, Shoshone, Kootenai, Bonner, and Boundary Counties.	2.70	2.50	2.35	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
	Rest of State	2.60	2.40	2.25	2.15	2.25	2.35	2.40	2.45	2.55	2.65	2.75	2.75
Wyoming	All	2.60	2.40	2.25	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
Colorado	La Plata, Hinsdale, Gunnison, Pitkin, Eagle, Routt, and all counties west thereof.	2.55	2.35	2.20	2.10	2.20	2.30	2.35	2.40	2.50	2.60	2.70	2.70
	Rest of State	2.60	2.40	2.25	2.15	2.25	2.35	2.40	2.45	2.55	2.65	2.75	2.75
New Mexico	All	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Arizona	do	2.75	2.75	2.55	2.50	2.60	2.70	2.75	2.80	2.90	3.00	3.10	3.10
Utah	do	2.50	2.30	2.15	2.05	2.15	2.25	2.30	2.35	2.45	2.55	2.65	2.65
Nevada	do	2.75	2.55	2.40	2.30	2.40	2.50	2.55	2.50	2.70	2.80	2.90	2.90
Washington	do	2.70	2.50	2.35	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
Oregon	Malheur County	2.60	2.40	2.25	2.15	2.25	2.35	2.40	2.45	2.55	2.65	2.75	2.75
	Curry, Jackson, Josephine, Klamath, Lake, Harney, Crook, and Deschutes Counties.	2.50	2.55	2.45	2.30	2.40	2.50	2.55	2.60	2.70	2.80	2.90	2.90
	Rest of State	2.70	2.50	2.35	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
California	Modoc and Siskiyou Counties	2.80	2.55	2.45	2.30	2.40	2.50	2.55	2.60	2.70	2.80	2.90	2.90
	Rest of State	2.90	2.75	2.60	2.50	2.60	2.70	2.75	2.80	2.90	3.00	3.10	3.10

[1] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10089, 10199, 10981, 10778, 12270, 12475, 12262; 10 F.R. 1334, 2248, 2969, 3764, 4035, 4154, 4347, 4600, 5457.

This amendment shall become effective 12:01 a. m. July 1, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 20, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45-11492; Filed, June 28, 1945; 11:40 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341,[1] Amdt. 10]

MAXIMUM PRICES FOR USED COMMERCIAL MOTOR VEHICLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 341 is amended in the following respects:

1. The provision of Amendment 9 relating to section 18 (b) (3) (i) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where an application for dealer authorization is denied in the first instance or a dealer authorization is revoked by an authorized Regional Administrator the request for review shall be filed with his regional office."

2. The provision of Amendment 9 relating to section 18 (b) (3) (ii) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where the authorized Regional Administrator denied the application for dealer authorization in the first instance or revoked the dealer authorization, the Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation."

3. The effective date provision of Amendment 9 is amended to read as follows:

This Amendment 9 shall become effective August 1, 1945, except as to the filing and processing of applications and the issuance of orders of authorization and denial it shall become effective June 27, 1945.

This amendment shall become effective this 27th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11447; Filed, June 27, 1945; 4:20 p. m.]

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[1] 8 F.R. 11175, 17038, 17414; 9 F.R. 3847, 4396, 7000, 10841.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 540,[1] Amdt. 8]

MAXIMUM PRICES FOR USED PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 540 is amended in the following respects:

1. Section 5 (b) is amended to read as follows:

(b) *For sales on and after July 1, 1945.* For any used car sold on and after July 1, 1945, the price a seller may charge is the total of the following applicable charges:

(1) The base price determined in accordance with section 6, reduced by 4% for each half year after July 1, 1945, including the half year containing the date of sale. If the amount is in cents (that is a certain number of dollars and cents) it shall be evened to the nearest dollar; and

(2) The applicable equipment allowance in Appendix D reduced by 4% for each half year after July 1, 1945, including the half year containing the date of sale (This allowance may not be evened to the nearest dollar); and

(3) When the car is sold as warranted used car (as defined in section 7) and the sale is by a dealer to a person not generally engaged in the busines of selling used cars, add $100, or if it is higher add 25% of the total of the allowances permitted in (1) and (2) above. If the warranted maximum price is in cents (that is a certain number of dollars and cents) it shall be evened to the nearest dollar.

This amendment shall become effective July 1, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11494; Filed, June 28, 1945; 11:41 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 540,[1] Amdt. 9]

MAXIMUM PRICES FOR USED PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 540 is amended in the following respects:

1. The provision of Amendment 7 relating to section 15 (b) (3) (i) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where an application for dealer authorization is denied in the first instance or a dealer authorization is revoked by an authorized Regional Administrator the request for review shall be filed with his regional office."

2. The provision of Amendment 7 relating to section 15 (b) (3) (ii) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where the authorized Regional Administrator denied the application for dealer authorization in the first instance or revoked the dealer authorization, the Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation."

3. The effective date provision of Amendment 7 is amended to read as follows:

This amendment 7 shall become effective August 1, 1945, except as to the filing and processing of applications and the issuance of orders of authorization and denial it shall become effective June 27, 1945.

This amendment shall become effective this 27th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11446; Filed, June 27, 1945; 4:20 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 569,[1] Amdt. 5]

MAXIMUM PRICES FOR USED MOTORCYCLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 569 is amended in the following respects:

1. The provision of Amendment 3 relating to section 16 (b) (3) (i) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where an application for dealer authorization is denied in the first instance or a dealer authorization is revoked by an authorized Regional Administrator the request for review shall be filed with his regional office."

2. The provision of Amendment 3 relating to section 16 (b) (3) (ii) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where the authorized Regional Administrator denied the application for dealer authorization in the first instance or revoked the dealer authorization the Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation."

3. The effective date provision of Amendment 3 is amended to read as follows:

This Amendment 3 shall become effective August 1, 1945, except as to the filing

[1] 9 F.R. 14994; 10 F.R. 2658.

[2] 10 F.R. 1393, 1911, 6037, 6954.

and processing of applications and the issuance of orders of authorization and denial it shall become effective June 27, 1945.

This amendment shall become effective this 27th day of June, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11445; Filed, June 27, 1945; 4:20 p. m.]

PART 1377—WOODEN CONTAINERS

[MPR 424,[1] Amdt. 7]

TIGHT COOPERAGE AND TIGHT COOPERAGE STOCK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 424 is amended in the following respects:

1. Section 5 is amended to read as follows:

SEC 5. *Maximum prices for tight staves and headings*—(a) *Factory or mill sales.* On direct factory sales, that is, sales made by the producing factory, the maximum prices, f. o. b. mill or railhead, for sawed, tight staves and headings are those contained in Tables II to V, inclusive and Table VII of Appendix A. Actual transportation cost may be added for the distance in excess of 25 miles from the mill to the railhead. Except, however: (1) On shipment of sawed tight staves and/or headings of 6,000 lbs. or less from a producing faetory, a mark-up of 10% may be added to the maximum prices contained in the schedules. This mark-up does not apply on shipments of bourbon staves or heading.

(2) When staves and headings are sawed in the Southern Area and finished in the Upper Area, the maximum price shall be the Upper Area price, or the Southern Area price plus transit freight, whichever is the lower.

(3) When staves and headings are sawed in the Upper Area and finished in the Southern Area, the maximum price shall be the Upper Area price.

(b) *Warehouse sales.* In warehouse sales, the maximum prices for tight staves and headings (except bourbon staves and headings) shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up on the same items in March 1942 plus average inbound freight from the producing factory to the warehouse. On warehouse sales of bourbon staves and headings the maximum prices for staves and headings shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up on the same items in March 1942 as applied to the maximum prices in effect under this regulation on December 31, 1944, plus average inbound freight from the producing factory to the warehouse. As used in this regulation a "warehouse sale" is a sale in which shipment or delivery is made from an established storage or distribution place located and operated independently of the producing mill or factory. No shipment from a stave or heading mill or finishing plant may be considered a "warehouse sale."

Average inbound freight is to be weighted by the quantity in the warehouse at the time of making the computation. The average must be figured at least once each month.

As used in this regulation the term "warehouseman" means one who maintains an established storage or distribution place, located and operated independently of a producing mill or factory and from which shipments of ccoperage stock are made.

A warehouseman who had no such mark-up in March 1942 may apply in writing to the Office of Price Administration, Washington 25, D. C., setting forth the nature of his business operations, including such facts as the classes of customers to which he sells, a description of the items to be sold, the requested mark-up and the names and addresses of the applicant's nearest competitors. The Administrator will by order establish a mark-up for the applicant based on the mark-ups used by his competitors.

(c) *Sales by dealers or merchants.* In sales by dealers or merchants of their purchased stock, the maximum prices for tight staves and/or headings of more than 6,000 lbs. shall be the maximum f. o. b. producing factory price contained in the schedule plus a mark-up of 7% of the f. o. b. factory price, except that for bourbon staves and headings the mark-up shall be 5¼% of the f. o. b. factory price.

On shipments of 6,000 lbs. or less a dealer's or merchant's maximum price shall be the maximum f. o. b. producing factory price contained in the schedule plus a mark-up of 7% of the f. o. b. factory price, except for bourbon stock on which the mark-up shall be 5¼% of the f. o. b. factory price. This mark-up, except for bourbon stock, is in addition to the 10% mark-up provided for such sales in section 5 (a) (1).

As used in this regulation the term "dealer or merchant" means one who, although he does not take actual physical possession, buys, takes title to, resells, and assumes credit risks and responsibility for grade and count. No producer may qualify as a dealer or merchant under this regulation of products which he has produced in the rough.

2. In section 6 (a) (1), the first sentence under the heading "Percentage Mark-up on Barrels" is amended to read as follows:

Bourbon barrels. The mark-up shall be $3.30 for 45/50 gallon bourbon whiskey barrels and $2.05 for 30 gallon whiskey barrels, regardless of where produced and of the area in which the stock was produced.

3. In section 6, paragraph (a) (2) is amended to read as follows:

(2) Cooperage producers located in states other than those included in the stock-producing areas (Table 1, Appendix A) shall use the maximum prices of staves and headings in the upper area for the purpose of computing cooperage prices, except bourbon, under paragraph (a) (1) of this section.

4. Section 6 (b) is amended to read as follows:

(b) *Warehouse sales.* In warehouse sales, the maximum prices for tight cooperage covered by this regulation shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up in March 1942 plus average inbound freight actually paid or incurred by the warehouseman (computed in accordance with section 5 (b)), except that the mark-ups on bourbon barrels may not exceed, dollar-wise, the highest mark-up added by the seller on sales of similar barrels during 1944. A warehouse sale is defined in section 5 (b).

5. Section 6 (c) is amended to read as follows:

(c) *Sales by dealers or merchants.* In sales by dealers or merchants the maximum prices for sawed tight cooperage covered by this regulation shall be the maximum f. o. b. producing factory price plus the seller's average percentage mark-up on such sales in March 1942, except that the mark-up on bourbon barrels may not exceed, dollar-wise, the highest mark-up added by the seller on sales of similar barrels during 1944. Sales by dealers or merchants are defined in section 5 (c).

6. In section 18, Table II, the prices for bourbon (green) staves, per M, are amended as follows:

Southern producing area		Upper producing area	
Over 30" through 36"	26" through 30"	Over 30" through 36"	26" through 30"
¾"	⅝" to ¾"	¾"	⅝" to ¾"
$280	$169	$290	$177

7. In section 18, Table III, the prices for finished sets of bourbon staves are amended as follows:

Southern producing area		Upper producing area	
31" through 36"	30"	31" through 36"	30"
79½" through 81"	68"	79½" through 81"	68"
$6.22	$3.72	$6.40	$3.85

8. In section 18, Table IV, the prices for sets of bourbon (green) headings are amended as follows:

Southern producing area		Upper producing area	
19" through 21"	16" to 19"	19" through 21"	16" to 19"
¾"	⅝"	¾"	⅝"
$1.37	$0.84	$1.43	$0.89

[1] 8 F.R. 9516, 11175; 9 F.R. 3351, 9835; 10 F.R. 621.

9. In section 18, a new table, Table VII, is added to read as follows:

TABLE VII—CIRCLE SAWN WHITE OAK BOURBON GRADE EXPORT STAVES AIR DRIED AND LISTED [1]

(Per M Staves, f. o. b. mill or railhead)

Dimension in the rough as sawn (inches)	Maximum prices	
	Southern area	Upper area
38 x 1¼ x 4½ average width	$296	$301
38 x 1⅜ x 4½ average width	325	336
38 x 1⅜ x 4½ average width	359	372
38 x 1½ x 4½ average width	393	408
38 x 1⅝ x 4½ average width	428	443
37 x 1¼ x 4½ average width	283	293
37 x 1⅜ x 4½ average width	317	329
37 x 1⅜ x 4½ average width	351	364
37 x 1½ x 4½ average width	386	400
37 x 1⅝ x 4½ average width	420	435
35 x 1¼ x 4½ average width	267	277
35 x 1⅜ x 4½ average width	302	313
35 x 1⅜ x 4½ average width	336	348
35 x 1½ x 4½ average width	370	384
35 x 1⅝ x 4½ average width	405	420
28 x 1¼ x 4¼ average width	149	156
28 x 1¼ x 4¼ average width	169	177
28 x 1⅜ x 4¼ average width	189	198
28 x 1½ x 4¼ average width	209	219
28 x 1⅝ x 4¼ average width	229	240
28 x 1¼ x 4 average width	134	141
28 x 1¼ x 4 average width	152	160
28 x 1⅜ x 4 average width	170	178
28 x 1½ x 4 average width	188	197
28 x 1⅝ x 4 average width	206	216

[1] The maximum prices for these specifications are the base prices for the determination of export prices under the Second Revised Maximum Export Price Regulation. These prices supersede any other prices for these items, previously approved or authorized under this regulation.

Rules and regulations as laid down in the "Grade Rules and Specifications covering Tight Barrel Staves and Heading of the Associated Cooperage Industries of America, Inc." as revised May 13, 1942, are to govern.

This amendment shall become effective July 3, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11493; Filed, June 28, 1945; 11:41 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 60]

FUEL OIL

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5159 (a) (11) is amended to read as follows:

(11) *Production of paving products or dust palliatives.* For the production of a product for paving purposes or a dust palliative.

2. Section 1394.5159 (a) (12) is amended to read as follows:

(12) *Surfacing or maintaining roads or laying dust on roads.* For surfacing or maintaining roads or laying dust on roads.

[1] 9 F.R. 2357.

3. Section 1394.5159 (b) is amended by substituting for the phrase "(a) (2), (4) and (11)" the phrase "(a) (2) and (4)".

This amendment shall become effective on July 2, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11496; Filed, June 28, 1945; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14D,[1] Amdt. 3]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY THE GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TOBACCO PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2 of Supplementary Regulation 14D is amended in the following respects:

1. Paragraph (b) is amended to read as follows:

(b) *Manufacturers' maximum prices for twist tobacco.* (1) A manufacturer may sell, and any person may buy from that manufacturer, twist tobacco of a minimum weight provided for in paragraph (a) for a maximum list price equal to that established by the manufacturer under the General Maximum Price Regulation for the same twist tobacco prior to adjustment of its weight, and for a maximum net selling price determined pursuant to this paragraph (b).

(2) A manufacturer's maximum net selling price for any particular brand of twist tobacco shall be his maximum list price therefor, less, at his election, either

(i) His March 1942 customary discounts and allowances on sales of that brand to the particular class of purchasers in question, or

(ii) The following minimum discounts and allowances:

Amount of purchase	Trade discount	Additional discount for payment within 10 days
	Percent	*Percent*
Less than 30 lbs.	10	2
30 lbs. but less than 60 lbs.	10 and 3	2
60 lbs. or over	10 and 5	2

Trade discounts may be given wholly or partly in the form of free goods valued in the manner customarily used for that purpose by the particular manufacturer during March 1942.

(3) Any manufacturer of an item of twist tobacco may increase his maximum net selling price for such tobacco by the amounts set forth in the following table:

TABLE A

	Amount that may be added to maximum net selling price (cents per twist)
Number of twists per pound:	
More than 12 twists per pound	½
More than 8 but not more than 12 twists per pound	1
More than 6 but not more than 8 twists per pound	1½
More than 4.8 but not more than 6 twists per pound	2
More than 3 but not more than 4 twists per pound	3
Number of twists per pound—Con.	
More than 2.4 but not more than 3 twists per pound	4
More than 2 but not more than 2.4 twists per pound	5
Twists weighing more than ½ pound each.—Exact weight of the twist in pounds multiplied by 12 cents per pound. If the result contains a fractional part of a cent, such amount shall be reduced to the nearest full cent.	
Example: Twist weighing .8 pound, multiplied by 12 cents, equals 9.6¢. Amount that may be added is 9¢ per twist.	

(4) Except as expressly permitted in this subdivision, no manufacturer shall so alter his March 1942 customary terms of sale to any class of purchasers as to make them more burdensome to a purchaser.

2. Paragraph (c) is amended to read as follows:

(c) *Manufacturers' notice to purchasers.* (1) Before or at his first delivery of any twist tobacco of a weight other than its March 1942 weight, or at a maximum net selling price different from its March 1942 net selling price, to any purchaser, every manufacturer shall give the purchaser a completed notice in writing as follows:

The Office of Price Administration has authorized us to reduce the size of (insert brand name) twist tobacco from —— ounces to —— ounces per twist. The Office of Price Administration has authorized us to establish the following minimum discounts on our sales of (insert brand name) twist tobacco:

Amount of purchase	Trade discount	Additional discount for payment within 10 days
	Percent	*Percent*
Less than 30 lbs.	10	2
30 lbs. but less than 60 lbs.	10 and 3	2
60 lbs. or over	10 and 5	2

The permission given us does not allow you to increase your ceiling prices for this brand and no change in your ceiling prices or discounts can be made because of it. The Office of Price Administration requires you to keep this notice for examination.

NOTE: The first or second sentence of the notice may be omitted if not applicable in a particular case.

(2) Every manufacturer of an item of twist chewing tobacco, the maximum net selling price of which has been adjusted pursuant to paragraph (b) (3) above, shall supply each purchaser of the item from him with the following written

[1] 10 FR. 1180, 5103.

notice attached to or stated on the invoice covering the first delivery to the purchaser after July 2, 1945:

On our ---------- (describe item by brand and weight) of twist chewing tobacco, we are authorized by the Office of Price Administration to increase our maximum net selling price by ---- cents per twist. Customary discounts and allowances in effect in March 1942 on your purchases of twist chewing tobacco will not be lowered.[1] The Office of Price Administration requires that you keep this notice for examination.

3. Paragraph (d) is amended to read as follows:

(d) *Wholesalers' and jobbers' maximum prices; notice to purchasers.* (1) After receipt of notice from his supplier, any wholesaler or jobber may sell, and any person may buy from that wholesaler or jobber, twist tobacco of a minimum weight provided in paragraph (a) at a maximum price not greater than that established by the particular wholesaler or jobber under the General Maximum Price Regulation for his sales of the same twist tobacco to a purchaser of the same class, prior to adjustment of its weight. Upon receipt of notification pursuant to paragraph (c) (2), above, of an adjustment of his supplier's maximum net selling price for an item of twist chewing tobacco, a wholesaler may adjust his maximum price by the amount of the increase in the price of his supplier. Such adjustment shall be applicable to floor stocks. Where any manufacturer has not adjusted his maximum net selling price pursuant to paragraph (b) (3) above, with respect to any item of twist chewing tobacco, the wholesaler shall not adjust his maximum price with respect to that item. No wholesaler or jobber shall so alter his March 1942 customary terms of sale to any class of purchasers as to make them more burdensome to a purchaser.

(2) Each wholesaler or jobber shall mark on the invoice or sales slip given to any purchaser, covering his first sale to that purchaser of a brand of twist tobacco of a weight adjusted pursuant to (a) the following:

Weight of brands of twist tobacco included in this purchase has been reduced by the manufacturer with the Office of Price Administration authorization. Wholesalers, jobbers and retailers are authorized to sell the reduced weight without changing their ceiling prices for those brands.

(3) Before or at his first delivery of any item of twist tobacco for which his supplier has adjusted the maximum net selling price pursuant to paragraph (b) (3), above, the wholesaler or jobber shall supply each purchaser of the item from him with the following written notice:

The Office of Price Administration has authorized a price increase of ——— cents per twist on the (describe item by brand and weight) of twist chewing tobacco. You may add the amount of the increase per twist to your March 1942 price for this item, to find your new maximum price. Retailers must maintain their customary price differentials allowed by them during March 1942 below the manufacturer's stated retail price. The Office of Price Administration requires that you keep this notice for examination.

4. Paragraph (e) is amended to read as follows:

(e) *Retailers' maximum prices.* (1) After receipt of notice from his supplier, any retailer may sell, and any person may buy from that retailer, twist tobacco of a minimum weight provided in subparagraph (2) for a maximum price not greater than that established by the particular retailer under the General Maximum Price Regulation for his sales of the same twist tobacco to a purchaser of the same class, prior to adjustment of its weight.

(2) Upon receipt of notification pursuant to paragraph (d) (3), above, from the wholesaler or jobber of an adjustment of the manufacturer's maximum net selling price for an item of twist chewing tobacco, pursuant to paragraph (b) (3), a retailer may adjust his maximum price by adding the amount of the increase per twist to his March, 1942 price established under the General Maximum Price Regulation, in accordance with such notification. Such adjustment shall be applicable to floor stocks. Where the addition of the allowed price increase results in a price containing a fraction of a cent the retailer shall give the purchaser the option of buying the number of twists for which the retailer's new maximum price times such number results in a price for the multiple unit of a round number of cents. If the purchaser offers to buy the number of twists for which the price results in round cents, but the retailer refuses to sell the purchaser that number, the retailer's maximum price shall be rounded off to the next lowest full cent.

5. Paragraphs (f) and (g) are redesignated (g) and (h) respectively, and a new paragraph (f) is added to read as follows:

(f) *State and local taxes.* Maximum prices established under (b), above, are exclusive of State and local taxes upon tobacco products. Sellers may add to those prices the amount of such taxes applicable to the item being priced and paid or payable by them to the taxing authority or to a prior vendor.

This amendment shall become effective July 3, 1945.

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11495; Filed, June 28, 1945; 11:41 a. m.]

[1] This sentence may be omitted if notice of allowed change of discounts under subparagraph (2) (ii) is being given at the same time as this notice or has been given at some prior time.

Chapter XXIII—Surplus Property Board

[SPB Reg. 3,[1] Order 2]

PART 8303—DISPOSITIONS OF SURPLUS PROPERTY IN RURAL AREAS AND TO FARMERS

ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN THE STATES OF WASHINGTON, IDAHO, MONTANA, AND OREGON

Acting pursuant to § 8303.4 and in reliance upon the certificate of the War Food Administrator to the Board that farm production is impaired or threatened to be impaired in the State of Washington, in the Counties of Spokane, Whitman, Asotin, Garfield, Columbia and Walla Walla; in the State of Idaho, in the Counties of Bonner, Kootenai, Benewah, Latah, and Nez Perce; in the State of Montana, in the Counties of Teton, Hill, Choteau, Fergus, Dawson, McCone, Valley, Roosevelt and Sheridan; in the State of Oregon, in the Counties of Jefferson, Wasco, Sherman, Gilliam, Morrow, and Umatilla, by a shortage of one-half ton, three-fourths ton, one ton, one and one-half ton and two ton cargo stake, dump, express, pickup, weapon carrier and chassis trucks: *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in the State of Washington, in the counties of Spokane, Whitman, Asotin, Garfield, Columbia and Walla Walla; in the State of Idaho, in the counties of Bonner, Kootenai, Benewah, Latah, and Nez Perce; in the State of Montana, in the counties of Teton, Hill, Choteau, Fergus, Dawson, McCone, Valley, Roosevelt and Sheridan; in the State of Oregon, in the counties of Jefferson, Wasco, Sherman, Gilliam, Morrow, and Umatilla; and holding certificates of the Agricultural Adjustment Agency, 172 one-half ton, three-fourths ton, one ton, one and one-half ton and two ton cargo, stake, dump, express, pickup, weapon carrier, and chassis trucks, and shall without regard to the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the method provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

June 26, 1945.

[F. R. Doc. 45-11472; Filed, June 28, 1945; 11:29 a. m.]

[1] 10 F.R. 5325.
[2] SPB Reg. 2, 10 F.R. 5104.

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 48, Supp. 1]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

PRELIMINARY CONTRACTS

General Order 48 and Warshipdockreceipt 5/15/45 authorized by that General Order are hereby amended, modified and superseded insofar as West Coast United States ports are concerned only. The procedure in connection with the receipt and handling of cargo intended for shipment on vessels owned or operated by or for the account of the War Shipping Administration at United States West Coast ports shall be as prescribed in this supplement.

1. Section 303.40 *Uniform dock receipt, "Warshipdockreceipt 5/15/45."* (a) is amended by inserting, after the words "on and after May 15, 1945 all agents." a comma and the following: "Except at West Coast United States ports,".

2. The following new sections are added:

§ 303.41 *Uniform dock receipt for West Coast United States ports only, "Warshipdockreceipt–Pac 7/15/45."* (a) On and after July 15, 1945 the uniform dock receipt for use at West Coast United States ports only shall be Warshipdockreceipt–Pac 7/15/45.

(b) The said dock receipt shall be used when and in the manner prescribed in § 303.42.

(c) Different or additional contractual and formal provisions for insertion in Warshipdockreceipt-pac may be authorized by the Director of Traffic, War Shipping Administration, Washington, D. C.

(d) Agents and others may print Warshipdockreceipt-pac in whatever form, style and type they deem best suited to their purposes except that all contractual provisions must either precede the signature or be specifically incorporated in the matter preceding the signature. Non-contractual matters such as instructions to shippers may be printed after the signature, on the reverse side of the document or in the margin, and may be modified or changed, omitted in whole or in part, and different or additional instructions not inconsistent with the contractual terms of the dock receipt may be inserted. In cases of doubt, approval of the District Counsel, War Shipping Administration, San Francisco, should be obtained.

(e) The general form of Warshipdockreceipt-Pac 7/15/45 shall be as follows:

DOCK RECEIPT—NOT NEGOTIABLE

Warshipdockreceipt-Pac 7/15/45 Receipt No. ------

(Insert name of terminal operator or issuer)

Pier ------ ---------- 194..
(Insert port of loading and date)

M. S.

Ship S. S. ----------

Port of discharge from ship ----------

Destination of goods ----------
(If goods to be transhipped at port of discharge)

Received from ---------- for account of ---------- (the shipper) for shipment on the vessel named herein (or other or substitute vessel or vessels) the goods or packages said to contain goods in apparent good order and condition subject to all the terms, conditions and exceptions contained herein and in WARSHIPLADING–7/1/42 (as amended) which are incorporated herein and shall be considered a part hereof with the same force and effect as if herein set forth at length. The goods are received subject to delay or carrier's inability to carry due to accumulation of goods, lack of conveyances, space or facilities of apy sort, labor disturbances, strikes, lockouts, riots, war, governmental authority or any other condition or circumstances whatsoever beyond the control of the carrier. Any valuation in excess of $500 per package or customary shipping unit as provided for in the aforementioned bill of lading shall be declared in writing by the shipper upon delivery to the carrier and inserted herein as well as in the bill of lading and extra freight paid if required. Nothing in this Dock Receipt shall operate to limit or deprive the carrier of any statutory protection or exemption from or limitation of liability.

1. The carrier shall not become responsible for the goods as carried until the goods are actually loaded on the vessel, and until such loading it shall be liable only for loss or damage occasioned by its fault, such as an ordinary bailee is liable for, and such goods while on dock and awaiting shipment are at the risk of the shipper or owner of the goods for loss or damage by flood and all other risks and causes mentioned in paragraphs (a) to (p) inclusive of subdivision 2 of Section 4 of the Carriage of Goods by Sea Act of the United States, or any other cause whatsoever; but subject also to the terms, conditions, exceptions, and limitations of liability and value contained in the aforementioned bill of lading not inconsistent with the terms of this Dock Receipt. It is agreed that the shippers have acquainted themselves with the terms and provisions of the aforementioned bill of lading and by acceptance of this Receipt have assented to those terms and conditions.

2. The word "carrier" as used herein shall be deemed to mean and shall include to the extent of any right, duty or liability to which it or they may be entitled or subject hereunder, the vessel, her owner, master and charterer, the undersigned, and the War Shipping Administration acting in any capacity or any of its or their agents in any capacity. The undersigned has issued this Dock Receipt on its own behalf and as agent for the carrier as defined herein.

(Name of terminal operator or issuer)

PARTICULARS FURNISHED BY SHIPPER OF GOODS

Leading marks and numbers	Number of packages	Kind of packages	Description of goods

Total measurment ... cu. ft. Total gross weight ... lbs. Shippers are requested to fill measurement and weight detail on reverse side.

INSTRUCTIONS TO SHIPPERS

1. **Shipping Marks, Numbers and Port of Destination must be clearly and durably marked by the shipper on each package, in letters and numbers not less than two inches high together with the name of the port of discharge.**

2. **A separate Dock Receipt must be obtained for each shipment.**

3. **Bills of Lading and Export Declaration must unless otherwise agreed be presented to freight office not later than two days before sailing.**

4. **The weight of each piece or package in excess of 4,000 lbs. must be declared by the shipper on shipment and clearly and durably marked on the outside of each such piece or package.**

5. **Attention of shippers is called to the fact that serious penalties are specified by law for delivery to a carrier of packages containing explosives and other dangerous articles without disclosure of the nature of the contents and that all such goods must be packed and marked in accordance with laws and regulations pertaining thereto. (May be printed in margin if desirable.)**

§ 303.42 *Procedure relating to dock receipts for West Coast United States ports only.*—(a) *Independent terminal operators; dock receipt.* Where cargo prior to loading on a vessel operated by or for the account of the War Shipping Administration is received and held on a dock, pier, wharf, terminal or other place not owned or leased by a War Shipping Administration agent or operated under Warshiptermop-GA-CAL, the terminal operator may issue its own form of dock receipt or other contract and may issue such document as its own contract and in its own name. Berth Agents of the vessel upon which such cargo is intended to be loaded or carried shall require such dock receipt or contract to contain the following notation, which may be inserted by means of a stamp provided by the Berth Agent.

The within goods are received and held subject to the terms and conditions contained or incorporated in Warshipdockreceipt-Pac insofar as the rights and obligations of the carrier, vessel, her owner, master and charterer and the War Shipping Administration are concerned.

(b) *Independent terminal operators; draymen's tags, and similar documents.* Where terminal operators described in paragraph (a) of this section, issue or sign drayman's tags, lighter receipts or similar documents upon the receipt of cargo to be loaded and transported on vessels operated by or for the account of the War Shipping Administration or where such terminal operators sign or receipt railroad delivery records or orders for cargo delivered by rail, Berth Agents of the vessel shall require that the draymen's tags, lighter receipts, delivery record or receipts or similar documents contain the provision prescribed in paragraph (a).

(c) *Contract terminal operators; dock receipt.* Where cargo prior to loading on a vessel operated by or for the account of the War Shipping Administration is received and held at a dock, pier, wharf, terminal or other place owned or leased by a War Shipping Administration agent or operated under Warshiptermop–Ga–Cal the said terminal operator shall issue or cause to be issued Warshipdockreceipt–Pac in the form prescribed in § 303.41.

(d) *Coastal terminal operators; draymen's tags and similar documents.* Where the terminal operators described in paragraph (c) of this section issue or sign drayman's tags, lighter receipts or similar documents upon the receipt of cargo intended to be loaded and transported on a vessel operated by or for the account of the War Shipping Administration or where such terminal operators sign or receipt railroad delivery records or orders for cargo delivered by rail the said terminal operator shall cause the following provision to be inserted in such drayman's tags, lighter receipts, delivery records or receipts or similar documents.

The within goods are received and held subject to all the terms and conditions contained or incorporated in Warshipdockreceipt–Pac.

(e) *When dock receipts not required.* Where goods are loaded on vessels direct from railroad cars, lighters or otherwise without coming into the actual or constructive custody or possession of the War Shipping Administration or any of its agents or of any terminal operator under Warshiptermop-ga-cal or when the use of received-for-shipment forms of bills of lading has been authorized by the War Shipping Administration and such bill of lading is in fact issued concurrently with the receipt of the goods at a terminal, wharf, pier, dock or other place, the issuance of a dock receipt or the incorporation of the terms of the dock receipt and any other document is not required as far as the War Shipping Administration, its agents, or terminal operators as described in this paragraph are concerned. Similarly no dock receipt is required when cargo is received for which a bill of lading authorized by General Order 16 and supplements thereto (§§ 303.11 to 303.23, inclusive, and §§ 303.31 to 303.34, inclusive) will not be issued.

(f) *General agents and agents.* In the absence of a berth agent, general agents or agents shall perform all the duties and functions prescribed for berth agents by §§ 303.41 and 303.42.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JUNE 27, 1945.

[F. R. Doc. 45–11455; Filed, June 28, 1945; 9:30 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order 83–H]

PART 13—RULES GOVERNING COMMERCIAL RADIO OPERATORS

SUSPENSION OF REQUIREMENTS

At a session of the Federal Communications Commission, held at its office in Washington, D. C., on the 26th day of June, 1945;

The Commission having under further consideration the matter of the shortage of radiotelegraph operators possessing six months' previous service as qualified operators on a station on board a ship or ships of the United States, and having in mind the related provisions of

sections 351 and 353 of the Communications Act of 1934, as amended; and

It appearing, that the Commission, by its Orders Nos. 83, 83–A, 83–B, 83–C, 83–D, 83–E, 83–F, and 83–G, suspended for the periods July 9, 1941 to January 9, 1942, January 9, 1942 to July 9, 1942, July 9, 1942 to January 9, 1943, January 9, 1943 to June 30, 1943, July 1, 1943 to December 31, 1943, January 1, 1944 to June 30, 1944, July 1, 1944 to December 31, 1944 and January 1, 1945 to June 30, 1945, respectively, the requirements of six months' previous service contained in section 353 (b) of said act, and paragraphs (c) (3) and (d) (2) of § 13.61 of the rules and regulations; and

It appearing, that a shortage of radiotelegraph operators available for assignment as qualified operators on board cargo ships of the United States, who possess six months' previous service, will continue to exist subsequent to June 30, 1945, and accordingly, further suspension of the foregoing requirement is necessary;

It is ordered, Pursuant to Public Law No. 85, 78th Congress, approved June 22, 1943, that the requirement of six months' previous service contained in section 353 (b) of the Communications Act of 1934, as amended, and in paragraphs (c) (3) and (d) (2) of § 13.61 of the rules and regulations, be, and the same is hereby, suspended for a further period beginning July 1, 1945 and ending December 31, 1945.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45–11491; Filed, June 28, 1945; 11:49 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

PINE RIVER PROJECT, COLO.

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 4, 1945.

The SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388).

PINE RIVER PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 37 N., R. 6 W.,
Sec. 33, Lots 3 and 4.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: June 19, 1945.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

JUNE 20, 1945.

[F. R. Doc. 45–11457; Filed, June 28, 1945; 9:44 p. m.]

General Land Office.

[Misc. 2050856]

NEW MEXICO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JUNE 16, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

NEW MEXICO PRINCIPAL MERIDIAN

T. 15 N., R. 15 W.,
Sec. 14, SW¼.

The area described contains 160 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act c. June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20 day period immediately preceding such 91st day, and all such applications, together

with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-11458; Filed, June 28, 1945; 9:44 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-644]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF APPLICATION

JUNE 26, 1945.

Notice is hereby given that on June 18, 1945, applications were filed by Consolidated Gas Utilities Corporation (Applicant), a Delaware corporation having its principal place of business at Oklahoma City, Oklahoma, for temporary and permanent certificates of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described. The application for a permanent certificate includes a request for authorization to abandon a certain portion of its transmission facilities pursuant to section 7 (b) of the Natural Gas Act.

The proposed construction consists of a 14-inch O. D. gas pipe line approximately 3.05 miles in length to replace a like amount of 12¾-inch O. D. transmission pipe line which is at present an integral part of Applicant's pipe-line system beginning at or near the discharge of Applicant's Hunnewell compressor station in the Southwest Quarter of the Southeast Quarter of Section 16, Township 35 South, Range 1 East, Sumner County, Kansas, and extending thence in a Northwesterly direction across sections 16, 9 and 4 to a point near the Northwest corner of the Northwest Quarter of section 4, all in Township 35 South, Range 1 East.

The facility which Applicant seeks authorization to abandon consists of the 12¾-inch O. D. transmission pipe line as above described.

Applicant asserts that the 12¾-inch O. D. transmission pipe line has deteriorated due to rust, pitting and corrosion to such an extent that adequate and dependable service cannot be rendered through it. The application further recites that as a result of corrosive action replacement of the existing pipe is necessary to prevent excessive leakage of gas with a consequent waste of natural resources and to eliminate the hazards to continued service presented by the weakened condition of the pipe walls. Applicant further states that replacement of the defective 12¾-inch O. D. pipe line is necessary in view of the increased delivery requirements that have occurred during recent years.

Applicant, in support of its request for temporary authorization, submits that the proposed construction is located in an area where there is a critical shortage of manpower and that the work must be done when and as labor is available, and therefore requests authority to proceed pending disposition of its application for a permanent certificate of public convenience and necessity in order to allow ample time within which to complete the construction above described.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 9th day of July, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-11434; Filed, June 27, 1945; 12:22 p. m.]

[Docket No. G-625]

METROPOLITAN EASTERN CORP.

ORDER FIXING DATE OF HEARING

JUNE 22, 1945.

Upon consideration of the application filed February 22, 1945, as supplemented, by Metropolitan Eastern Corporation (Applicant), for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of approximately 825 miles of 18-inch natural-gas transmission pipe line extending from the Carthage Field, Panola County, Texas, in a general northeasterly direction to a point near Hamilton, Ohio, together with five compressor stations having an aggregate of 25,600 horsepower and a dehydration plant.

The Commission orders that:

(A) A public hearing be held commencing on October 15, 1945, at 10:00 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisonal rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-11459; Filed, June 28, 1945; 9:50 a. m.]

INTERSTATE COMMERCE COMMISSION.

[2d Rev. S. O. 300, Special Permit 10]

REFRIGERATION OF SEED POTATOES FROM TRENTON, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on car FGE 34960, loaded with seed potatoes, shipped June 21 or 22, 1945, by C. H. Robinson, from Trenton, New Jersey, to St. Louis, Missouri, via Pennsylvania Railroad.

The waybill shall show reference to this special permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of June 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-11462; Filed, June 28, 1945; 10:34 a. m.]

[2d Rev. S. O. 300, Special Permit 11]

ICING OF POTATOES AT NORFOLK, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Revised Service Order No. 300 of April 19, 1945 (10 F.R. 4359), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 300 insofar as it applies to the initial icing only of not to exceed 10 cars June 26 and 30 cars per day thereafter to be loaded with potatoes which have been unloaded from the steamship Arabian Star at Lambert Point, Norfolk, Virginia.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of June 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-11463; Filed, June 28, 1945; 10:34 a. m.]

[2d Rev. S. O. 300, Special Permit 12]

REFRIGERATION OF SEED POTATOES FROM TRENTON, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Revised Service Order No. 300 of April 19, 1945 (10 F.R. 4359), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on one car loaded June 25 or 26, with foundation stock seed potatoes, from Trenton, New Jersey, to St. Louis, Missouri, as ordered by C. H. Robinson Company (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of June 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-11464; Filed, June 28, 1945; 10:34 a. m.]

[S O. 319, Special Permit 1]

LOADING OF CITRUS FRUITS IN IMPERIAL VALLEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 319, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 319 insofar as it applies to the furnishing of twenty (20) cars for loading with citrus at various points in the Imperial Valley of California on the Southern Pacific Company and their movement to the U. S. Navy at Los Angeles Harbor, California, for export, not later than July 1, 1945.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of June 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-11461; Filed, June 28, 1945; 10:34 a. m.]

WAR PRODUCTION BOARD.

ORDERS STOPPING CONSTRUCTION ON CERTAIN PROJECTS

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE

The War Production Board has issued certain orders stopping construction on the projects listed below. Thereafter certain of these revocation orders have been cancelled, as indicated below. For the effect of each such revocation order, and cancellation thereof if any, upon the construction of the projects, upon the use of priorities assistance for materials for the projects and upon the delivery of materials therefor, the respective builders and suppliers affected shall refer to the specific order issued to the builder.

Issued this 27th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST OF PROJECTS

Authorization Serial No.	Name and address of builder	Location of project	Date of issuance of action taken
GA-1456 135,739	Inland Rubber Corp., Chicago, Ill.	Chicago, Ill.	May 5, 1945, Revocation.
GA-1456 32,795	South Carolina State Highway Dept., Columbia, S. C.	Between Lyman and Greer, S. C.	May 7, 1945, Cancellation of Revocation.
GA-1456 136,892	The Mohawk Rubber Co., 1235 Second Ave., Akron 5, Ohio	Chattanooga, Tenn.	June 1, 1945, Revocation.
GA-1456 131,824	United States Plywood Corp., 616 West 16th St., New York 19, N. Y.	Bronx, N. Y.	June 1, 1945, Cancellation of Revocation.
GA-1456 128,428	Reed Roller Bit Co., Navigation Blvd. & Mack St., Houston, Tex.	Houston, Tex.	June 1, 1945, Cancellation of Revocation.
GA-1456 135,600	The Firestone Tire & Rubber Co., 1200 Firestone Parkway, Akron, Ohio	Newcastle, Ind.	June 7, 1945, Revocation.
P-136-a 58,029	Maryland State Roads Comm. Baltimore, Md.	South of Laurel on the Baltimore-Washington Blvd. to Fort George G. Meade, Md.	June 6, 1945, Cancellation of partial revocation.
GA-1456 N C-8394	The Killian Manufacturing Co., Akron, Ohio	Akron, Ohio	June 8, 1945, Revocation.
GA-1456 136,789	The Goodyear Tire & Rubber Co., 1144 East Market St., Akron, Ohio	Akron, Ohio	June 8, 1945, Revocation.
GA-1456 136,463	B. F. Goodrich Co., 500 South Main St., Akron 18, Ohio	Akron, Ohio	June 8, 1945, Revocation.
GA-1456 136,808	The Dayton Rubber Manufacturing Co., Box 1004, Dayton Ohio	Dayton, Ohio	June 8, 1945, Revocation.
GA-1456 137,168	The American Brass Co., 414 Meadow St., Waterbury 88, Conn.	Waterbury, Conn.	June 9, 1945, Revocation.
GA-1456 136,029	General Electric Co., 151 Garden St., Poughkeepsie, N. Y.	Poughkeepsie, N. Y.	June 9, 1945, Revocation.
GA-1456 136,919	Anaconda Wire & Cable Co., Hastings-on-Hudson, N. Y.	Marion, Ind.	June 9, 1945, Revocation.
GA-1456 136,205	The Pharis Tire and Rubber Co., 265 West Main St., Newark, Ohio	Newark, Ohio	June 9, 1945, Revocation.

[F. R. Doc. 45-11363; Filed, June 27, 1945; 11:17 a. m.]

[C–320, Revocation]

CHARLES S. BISSETT AND HELEN BISSETT

CONSENT ORDER

Consent Order C–320 was issued April 30, 1945 against Charles S. Bissett and Helen Bissett for violation of Conservation Order L–41 upon the consent of Charles S. Bissett and Helen Bissett, the Regional Compliance Manager and the Regional Attorney, and with the approval of a Compliance Commissioner. Charles S. Bissett and Helen Bissett have entered into an option for the sale of the premises located at 119 North Main Street, Cohasset, Massachusetts, and application has been made to the Federal Housing Administration by the prospective purchaser for authorization to complete the construction of the building on the premises. The Federal Housing Administration is prepared to authorize the construction requested in the application and the Regional Compliance Manager and Regional Attorney have consented to the revocation of this consent order.

In view of the foregoing, the Director of the Compliance Division and the Office of General Counsel have directed that Consent Order C–320 be revoked.

Wherefore, it is hereby ordered, That Consent Order C–320 be revoked upon issuance of this order.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11486; Filed, June 28, 1945; 11:25 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5042]

CHARLES K. McINTOSH ET AL.

In re: Charles K. McIntosh, as trustee, vs. Gaston Bolado Ashe, et al.; File D–6–1214; E.T. sec. 13606.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Carl Gall, also known as Karl Gall, in and to the trust established under an agreement executed on July 30, 1919 between William J. Younger and Virginia T. Younger, parties of the first part, and Maud Younger, Herbert L. Younger, Annie E. MacDonald, Alice Y. Nugent, Carl Gall and Margarethe Kolb, parties of the second part,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Carl Gall, also known as Karl Gall, Germany (Austria).

That such property is in the process of administration by Charles K. McIntosh, as Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 21, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–11376; Filed June 27, 1945; 11:26 a. m.]

[Vesting Order CE 13]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN KENTUCKY, MISSOURI, ILLINOIS, INDIANA, MINNESOTA, KANSAS, MICHIGAN AND OHIO COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
John Calantzis	Greece	Estate of Costi Calaris, deceased, Fayette County Court, Lexington, Ky., No. 2560.	$814.06	R. J. Colbert, Master Commissioner, Fayette Circuit Court, Lexington, Ky.	$47.72
		Item 2			
Louis Hack	Luxemberg	Estate of Nicholas Hack, deceased, Probate Court, St. Louis, Mo.	243.47	Jefferson Gravois Bank of St. Louis, St. Louis, Mo. Account in the name of Louis Hack, Anna Schank, Elizabeth Hack.	14.93
		Item 3			
Anna Schank	Luxemberg	Same	243.47	Same	14.93
		Item 4			
Elizabeth Hack	Luxemberg	Same	243.47	Same	14.93
		Item 5			
Otto Marker	Denmark	Estate of Peter Marker, deceased, Probate Court, LaSalle County, Ill.	1,425.48	LaSalle County Treasurer, Ottawa, Ill.	28.12
		Item 6			
Ingeborg Marker Jorgensen	Denmark	Same	1,425.48	Same	28.11
		Item 7			
Sotera N. Angelinas	Greece	Estate of Nick H. Angelinas, deceased, Lake Superior Court, Room One, Hammond, Ind.	316.20	Clerk of Court, Lake Superior Court, Hammond, Ind.	19.12
		Item 8			
Fotema Angelinas	Greece	Same	316.20	Same	19.11
		Item 9			
Mrs. John Pontasis Thoteny (also known as Photeny Geanakoplis).	Greece	Estate of Peter J. Geanakoplos, deceased, Probate Court, Hennepin County, Minn., No. 60465.	349.30	LaSalle National Bank, Chicago, Illinois, Savings Account No. 29234.	32.69
		Item 10			
Georgia Geanakoplis	Greece	Same	349.30	Same	32.69
		Item 11			
Dimitrius Geanakoplis	Greece	Same	349.29	Same	32.69
		Item 12			
Marie Foerster	Czechoslovakia	Estate of Elizabeth Akesson, deceased, Probate Court, Ramsey County, Minn.	[1]166.59	Andrew R. Bratter, Administrator of the estate of Elizabeth Akesson, 328 Court House, 15 W. Kellogg Blvd., St. Paul, Minn.	43.02
		Item 13			
Franz Sikora	Czechoslovakia	Estate of Elizabeth Akesson, deceased, Probate Court, Ramsey County, Minn.	[1]166.59	Andrew R. Bratter, Administrator of the estate of Elizabeth Akesson, 328 Court House, 15 W. Kellog Blvd., St. Paul, Minn	43.02
		Item 14			
Evangelical Lutheran Church.	Germany	Trust under the will of George J. Miller, deceased, Probate Court, Shawnee County, Kans.	1,875.00	The State Savings Bank, Topeka, Kans. Trustee under the will of George J. Miller, deceased.	60.74
		Item 15			
Adolfi Langer	Czechoslovakia	Estate of Joseph Hitschmann, deceased, Probate Court, Barton County, Kans., Vol. F, Pg. 212, Case No. 4231.	150.00	County Treasurer of Barton County, Great Bend, Kans.	22.78
		Item 16			
Aurelia Hitschmann	Czechoslovakia	Same	100.00	Same	15.18
		Item 17			
Maranus (Marin) Thysse	Netherlands	Cornelius Vierhout and Mary H. Vierhout, husband and wife, vs. John Thysse, et al. Circuit Court, Kalamazoo County, Mich.	310.15	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95816.	55.66
		Item 18			
Pauline Thysse Fritzens	Netherlands	Same	310.15	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95811.	55.66
		Item 19			
John Vandenberg	Netherlands	Same	77.54	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95815.	13.92
		Item 20			
Peter Vandenberg	Netherlands	Same	77.54	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95813.	13.92
		Item 21			
Helen Vandenberg	Netherlands	Same	77.54	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95812.	13.92
		Item 22			
Helene Vandenberg	Netherlands	Same	77.54	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95814.	13.92
		Item 23			
May Donner	Czechoslovakia	Estate of Feni Fogel, deceased, Probate Court, Lorain County, Ohio, No. 21459.	96.06	First Federal Savings & Loan Association of Lorain, Lorain, Ohio, Account No. 1315.	10.52
		Item 24			
Lotz Donner	Czechoslovakia	Same	96.07	First Federal Savings & Loan Association of Lorain, Lorain, Ohio, Account No. 1316.	10.53
		Item 25			
Children of Samuel Donner	Czechoslovakia	Same	142.09	First Federal Savings & Loan Association of Lorain, Lorain, Ohio, Account No. 1317.	15.56
		Item 26			
Fabian Donner	Czechoslovakia	Same	96.07	First Federal Savings & Loan Association of Lorain, Lorain, Ohio, Account No. 1318.	10.53

[1] ½ interest in $8,620 U. S. Government Bonds, Series F.

[F. R. Doc. 45–11377; Filed, June 27, 1945; 11:26 a. m.]

[Vesting Order CE 14]

Costs and Expenses Incurred in Certain Actions or Proceedings in Certain California Courts

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 25, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Pierre Frechon	France	Estate of John Frechon, deceased, in the Superior Court of the State of California, in and for the County of Santa Clara, No. 26499.	$45,000.00	America Trust Co and Cecil L. Carlyle, Co. Executors, First and San Fernando Sts., San Jose, Calif.	$278.77
		Item 2			
Leopoldine Schwab Meyer	France	Estate of S. Schwab, deceased in the Superior Court of the State of California, in and for the County of Yolo, No. 4738.	20,352.38	County Treasurer, Yolo County, Woodland, Calif.	109.73
		Item 3			
Xenia Molchanoff	Holland	Estate of Evdokia Molchanoff, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 231843.	4,611.49	Kassinia Molchanoff, administratix of the Estate of Evdokia Molchanoff, 2102 Wilmot St., Los Angeles 7, Calif.	69.17
		Item 4			
Robustina Capone Nanni	Italy	Estate of Giustino Capone, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 197731.	1,388.20	Bank of America National Trust and Savings Association, Seventh and Olive Office, Los Angeles, Calif. Savings Account No. 12568.	88.29
		Item 5			
Mario Capone	Italy	Same	10.00	Bank of America National Trust and Savings Association, Seventh and Olive Office, Los Angeles, Calif. Savings Account No. 12570.	.67
		Item 6			
Hans Friis	Denmark	Estate of Anna Petersen, deceased, in the Superior Court of the State of California, in and for the County of Humboldt, No. 8284.	1,802.78	Treasurer of Humboldt County, Eureka, Calif.	137.61
		Item 7			
Maria Ygoa	France	Estate of Juan Chotro, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 231964.	920.37	Ellen B. Vial, administratrix of the Estate of Juan Chorto, 3530 Strong St., Riverside, Calif.	77.71
		Item 8			
Marie Lassalle	France	Estate of Marie Mouliot, deceased, in the Superior Court of the State of California, in and for the County of Orange, No. A-11632.	500.00	Edward Mene, Executor, 601 S. Clementine St., Anaheim, Calif.	71.98
		Item 9			
Alice Hall Mouillac	France	Estate of Robertine Hines Hall, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 214308.	298.99	Security First National Bank of Los Angeles, Maine Office, 6th and Spring Sts., Los Angeles, Calif., in the name of Alice Hall Mouillac.	20.18
		Item 10			
Kyllikki Pohjaha	Finland	Estate of Anne Bush Nesbitt, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. SMP 1607.	935.79	Security First National Bank of Los Angeles, Main Office, 6th and Spring Sts., Los Angeles, Calif., in the name of Kyllikki Pohjaha.	80.41
		Item 11			
Anna Serotowich	Poland	Estate of Antoni Serotowich, also known as Antony Serotowich, also known as Tony Sirtowich, also known as Tony Sistowich, also known as Antony Sirotovics, also known as Antony Sirotowich, deceased, in the Superior Court of the State of California, in and for the County of Mendocino, No. 6873.	384.32	Treasurer of Mendocino County, Ukiah, Calif	27.70
		Item 12			
Bernslauf Serotowich	Poland	Same	384.32	Same	27.70
		Item 13			
Joseph Serotowich	Poland	Same	384.32	Same	27.70

[F. R. Doc. 45-11378; Filed, June 27, 1945; 11:26 a. m.]

[Vesting Order CE 15]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN DISTRICT OF COLUMBIA, PENNSYLVANIA, MARYLAND AND LOUISIANA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 25, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or Territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
George William Cook	France	Henry C. Knouse, plaintiff vs. George William Cook, Frontstalag 122, Compiegne, France. In the District Court of the United States for the District of Columbia.	$15,961.20	Edward C. Knouse, 1427 I St. NW., Washington, D. C., executor of the will of Coralie Franklin Cook.	$80.98
		Item 2			
Carl Gustav Hallin	Norway	Estate of Bertha Bern, deceased, in the Orphans' Court of Philadelphia County, Pa.	[1] 11,343.36	The Fidelity-Philadelphia Trust Co., executor, 135 S. Broad St., Philadelphia, Pa.	222.98
		Item 3			
Joseph Anderson	Norway	Same	[1] 1,417.92	Same	27.87
		Item 4			
Ellinor Husvik	Norway	Same	[1] 1,417.93	Same	27.87
		Item 5			
Angela Camarda	Italy	Estate of Frank Salmieri, deceased, in the District Court of the United States for the District of Columbia, Holding Probate Court 61479.	1,578.35	Santo Salmieri, administrator of the estate of Frank Salmieri, 656 W. 183d St., New York, N. Y.	15.07
		Item 6			
Mother and brother of Jacob Tomson, deceased (names unknown).	Estonia	Estate of Jacob Tomson, deceased, Orphans' Court of Baltimore County, Baltimore, Md.	2,243.96	Register of Wills, of Baltimore County, Baltimore, Md., in an account titled "Registry of the Orphans' Court for Baltimore County as provided in Chapter 726 of the Legislation Acts of 1941," in the Towson National Bank, Towson, Md.	430.18
		Item 7			
Lorentz Ryan	Norway	Estate of Rafael Ryan, deceased, Orphans' Court, Montgomery County, Pa., No. 47805.	507.48	Security Trust Co., Pottstown, Pa., account in the name of Lorentz Ryan.	4.43
		Item 8			
Children of Johan Ryan	Norway	Same	1,014.95	Security Trust Co., Pottstown, Pa., account in the name of Children of Johan Ryan.	8.85
		Item 9			
Angela Medoro	Italy	Estate of Adolph Medoro, deceased, in the District Court of the United States and for the District of Columbia, Holding Probate Court, Administration No. 61605.	362.06	Liberty National Bank, Washington D. C., estate of Adolph Medoro by Zelinda Rose, administratrix.	18.85
		Item 10			
Mary Manciul	Italy	Estate of Tony Di Sandro, deceased, Orphans' Court of Philadelphia County, Philadelphia, Pa., No. 1095 of 1944.	491.72	Ermilico Yacovetti, administrator, 3409 N. Goodman St., Philadelphia, Pa.	43.83
		Item 11			
Pasquale DiSandro	Italy	Same	491.73	Same	43.82
		Item 12			
Andrea Franciamore	Italy	Dominico Alessi vs. Mrs. Josephine Franciamore Genovese, et al., in the Twenty-First Judicial District Court, Parish of Tangipahoa, State of Louisiana, No. 11214.	105.47	Registry of the Twenty-First Judicial District Court of Louisiana, Parish of Tangipahoa, Norman P. Vernon, Clerk of Court, at Amite, Louisiana, account in the name of Andrea Franciamore.	9.91
		Item 13			
Rosa Franciamore	Italy	Same	105.47	Registry of the Twenty-First Judicial District Court of Louisiana, Parish of Tangipahoa, Norman P. Vernon, Clerk of Court, at Amite, Louisiana, account in the name of Rosa Franciamore.	9.91

[1] Cash only.

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 14			
Cosmia Franciamore	Italy	Same	$105.47	Registry of the Twenty-First Judicial District Court of Louisiana, Parish of Tangipahoa, Norman P. Vernon, Clerk of Court, at Amite, La., account in the name of Cosmia Franciamore.	$9.28
		Item 15			
Milos Pavlovich	Yugoslavia	Spiro M. Pavlovich, et al. vs. Milos Pavlovich, Case No. 255,013, Docket No. 1, Civil District Court for the Parish of Orleans, New Orleans, La.	900.93	Clerk, Civil District Court for the Parish of Orleans, New Orleans, La.	19.04
		Item 16			
Slovka Trpovich	Yugoslavia	Estate of Peter Trpovich, deceased, in the Orphans' Court of Beaver County, Pa.	35.19	Milan Arangelovich, administrator of the estate of Peter Trpovich, 175 Baker St., Aliquippa, Pa.	4.81
		Item 17			
Vesela Trpovich	Yugoslavia	Estate of Peter Trpovich, deceased, in the Orphans' Court of Beaver County, Pennsylvania.	17.60	Milan Arangelovich, administrator of the estate of Peter Trpovich, 175 Baker St., Aliquippa, Pa.	2.41
		Item 18			
Klimen Trpovich	Yugoslavia	Same	17.59	Same	2.40
		Item 19			
Kiril Trpovich	Yugoslavia	Same	17.60	Same	2.41
		Item 20			
Lubo Trpovich	Yugoslavia	Same	17.60	Same	2.41

[F. R. Doc. 45-11379; Filed, June 27, 1945; 11:26 a. m.]

[Vesting Order CE 16]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Cornelia Hoogeboom Koster	Holland	Estate of Peter Laan, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 179766.	$119.87	Riggs National Bank, Washington, D. C., Netherlands Embassy, Custody Account.	$0.38
		Item 2			
Cornelis Hoogeboom	Holland	Same	119.88	Same	.38
		Item 3			
Pieter Hoogeboom	Holland	Same	17.13	Same	.05
		Item 4			
Marijtje Hoogeboom	Holland	Same	17.13	Same	.05
		Item 5			
Coenraad Hoogeboom	Holland	Same	17.13	Same	.05
		Item 6			
Catharina Hoogeboom	Holland	Same	17.13	Same	.05
		Item 7			
Geertruida Hoogeboom	Holland	Same	17.13	Same	.05
		Item 8			
Cornelis Hoogeboom	Holland	Same	17.13	Same	.05

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 9			
Johannes Hoogeboom	Holland	Same	$17.13	Same	$0.90
		Item 10			
Dina Hoogeboom Tesselaar	Holland	Same	119.88	Same	6.27
		Item 11			
Pieter Hoogeboom	Holland	Same	119.88	Same	6.27
		Item 12			
Maria Petronella Catharina Dekker	Holland	Same	19.98	Same	1.05
		Item 13			
Cornelis Hoogeboom	Holland	Same	19.97	Same	1.05
		Item 14			
Petronella Hoogeboom	Holland	Same	19.97	Same	1.05
		Item 15			
Nicolaas Hoogeboom	Holland	Estate of Peter Laan, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 179766.	19.97	Riggs National Bank, Washington, D. C., Netherlands Embassy, custody account.	1.05
		Item 16			
Theodorus Cornelis Hoogeboom	Holland	Same	19.97	Same	1.05
		Item 17			
Catharina Agatha Dekker	Holland	Same	19.97	Same	1.05
		Item 18			
Willemina Pieternella Buys	Netherlands	Estate of John Cornelissen, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 215740.	2,715.13	Chase National Bank of New York, Account under the name of "Netherlands Embassy, Royal Netherlands Government."	55.73
		Item 19			
Pieternella Willemina de Heijde	Netherlands	Same	2,715.13	Same	55.73

[F. R. Doc. 45-11380; Filed, June 27, 1945; 11:26 a. m.]

[Vesting Order CE 17]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN WASHINGTON, NEW MEXICO, COLORADO, IDAHO AND OREGON COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or Territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Stamata Michel	Greece	Estate of Peter Michel, deceased, Superior Court, Pierce County, Wash., No. 37843.	$295.14	Clerk of the Superior Court, Pierce County, Tacoma, Wash.	$30.52
		Item 2			
Anastasios Michel	Greece	Same	295.14	Same	30.52
		Item 3			
Stavroula Michel	Greece	Same	295.13	Same	30.52
		Item 4			
Francois Cauhape	France	Estate of John P. Cauhape, deceased, Probate Court, Chaves County, N. Mex., No. 2041.	1,000.00	William A. Dunn, Esq., Box 32, Roswell, N. Mex.	16.62
		Item 5			
Catholic Church of Lescun	France	Same	500.00	Same	8.31

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 6			
Pastor M. Nielsen	Denmark	Estate of Laura McIntosh, deceased, Superior Court, Pueblo County, Colo., No. 7976.	$366.56	State Treasurer of the State of Colorado, Denver, Colo.	$20.12
		Item 7			
Johanne Kirstine Lauridsen	Denmark	Same	366.37	Same	21.03
		Item 8			
Christine Moe	Norway	Estate of Charlotte Picard, deceased, Probate Court, Canyon County, Idaho.	1,329.56	County Treasurer of Canyon County, Idaho	17.08
		Item 9			
Olivia Mathilda Bohn	Denmark	Estate of Andrew J. Bohn, County Court of Denver County, Denver, Colo.	101.54	Colorado National Bank, Denver, Colo., Account No. 141376.	5.71
		Item 10			
Kristina Antonnette Bohn	Denmark	Same	101.54	Colorado National Bank, Denver, Colo., Account No. 141377.	21.03
		Item 11			
Laura Emilia Bohn	Denmark	Same	101.54	Colorado National Bank, Denver, Colo., Account No. 141378.	21.03
		Item 12			
Kristian Edward Bohn	Denmark	Same	101.54	Colorado National Bank, Denver, Colo., Account No. 141383.	21.03
		Item 13			
Niels Kristian Bohn	Denmark	Estate of Andrew J. Bohn, County Court of Denver County, Denver, Colo.	101.54	Colorado National Bank, Denver, Colo., Account No. 141379.	21.03
		Item 14			
Karl Martin Bohn	Denmark	Same	101.54	Colorado National Bank, Denver, Colo., Account Account No. 141380.	21.03
		Item 15			
Johanna Marie Bohn	Denmark	Same	101.54	Colorado National Bank, Denver, Colo., Account No. 141381.	21.03
		Item 16			
Anton Bohn	Denmark	Same	101.54	Colorado National Bank, Denver, Colo., Account No. 141382.	21.03
		Item 17			
Maria Porfirio	Italy	Estate of John Porfirio, County Court of Denver County, Denver, Colo., No. 71561.	1,298.44	International Trust Co., Denver, Colo., account in the name of Maria Porfirio.	268.92
		Item 18			
Vincengo Dinatale	Italy	Estate of Antonio Dinatale, deceased, Circuit Court, Multnomah County, Oreg., No. 50-998	171.60	Title & Trust Co., Portland, Oreg., as trustee for Vincengo Dinatale.	28.88
		Item 19			
Edoardo Dinatale	Italy	Same	171.60	Title & Trust Co., Portland, Oreg., as Trustee for Edoardo Dinatale.	28.88
		Item 20			
Sabattino Dinatale	Italy	Same	171.60	Title & Trust Co., Portland, Oreg., as trustee for Sabattino Dinatale.	28.87
		Item 21			
Mariantonia Dinatale	Italy	Same	171.60	Title & Trust Co., Portland, Oreg., as trustee for Mariantonia Dinatale.	28.87

[1] Cash only.

[F. R. Doc. 45-11381; Filed, June 27, 1945; 11:26 a. m.]

[Vesting Order CE 18]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN WASHINGTON AND WYOMING COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Johannes Treider	Norway	Estate of Henry Treider, deceased, Superior Court, Snohomish County, Washington, No. 14228.	$236.66	National City Bank of New York, New York, N. Y., Account in the name of the Royal Norwegian Government Special Account "H".	$21.04
		Item 2			
Ragna Holm	Norway	Same	236.66	Same	21.03
		Item 3			
Harell Rygge	Norway	Same	236.66	Same	21.03
		Item 4			
Roger Rygge	Norway	Same	236.66	Same	21.03
		Item 5			
Marie Rygge	Norway	Same	236.66	Same	21.03
		Item 6			
Hanna Rygge	Norway	Same	236.66	Same	21.03
		Item 7			
Olea Rygge	Norway	Same	236.66	Same	21.03
		Item 8			
Henry Treider	Norway	Same	236.66	Same	21.03
		Item 9			
Nelly Treider	Norway	Same	236.66	Same	21.03
		Item 10			
Quival Treider	Norway	Same	236.66	Same	21.03
		Item 11			
Sigrid Treider	Norway	Same	236.66	Same	21.03
		Item 12			
Eva Treider	Norway	Same	236.66	Same	21.03
		Item 13			
Bertel O. Breiseth	Norway	Estate of Louis O. Breiseth, deceased, Superior Court, Pierce County, Wash., No. 38513.	342.91	Same	43.44
		Item 14			
Asbern O. Breiseth	Norway	Same	342.91	Same	43.43
		Item 15			
Ingeborg Breiseth	Norway	Estate of Louis O. Breiseth, deceased, Superior Court, Pierce County, Wash., No. 38513.	342.91	National City Bank of New York, New York, New York, Account in the name of the Royal Norwegian Government Special Account "H."	43.43
		Item 16			
Agot (Agote) Jensen	Norway	Estate of Ole O. Lee, deceased, Superior Court, Snohomish County, Wash., No. 15771.	7,964.25	Same	69.04
		Item 17			
Hans Pearson (Persen)	Norway	Estate of P. M. Pearson, deceased, Superior Court, Pierce County, Wash., No. 25327.	562.71	Same	31.14
		Item 18			
Soren Pearson (Persen)	Norway	Same	562.71	Same	31.14
		Item 19			
Soljorn Pearson (Persen)	Norway	Same	562.71	Same	31.13
		Item 20			
Henrick Pearson (Persen)	Norway	Same	562.71	Same	31.13
		Item 21			
Ingeborg Klevsve	Norway	Estate of Sam H. Berg, deceased, District Court, Natrona County, Wyoming, No. 5313.	123.16	Same	5.36
		Item 22			
Oliver H. Klevsve	Norway	Same	123.16	Same	5.36
		Item 23			
Karl Klevsve	Norway	Same	123.16	Same	5.35
		Item 24			
Hannah Klevsve	Norway	Same	123.17	Same	5.35

[F. R. Doc. 45-11382; Filed, June 27, 1945; 11:26 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

WENTWORTH BUS LINES, INC.

ORDER OF CANCELLATION

A directive having been duly issued on June 2, 1945, by the Director of the Office of Economic Stabilization (10 F.R. 6804) directing the Office of Defense Transportation and the Office of Price Administration to deny the Wentworth Bus Lines, Inc., of Dover, New Hampshire, its successors and assigns, all applications for priority assistance or for the allocation of materials which are short in supply and to cancel all outstanding priorities and allocations of that company; and

It appearing, that the Office of Defense Transportation, in the exercise of its authority to allocate the use of rubber-borne transportation equipment and facilities by carriers and operators thereof, has heretofore issued to the Wentworth Bus Lines, Inc., of Dover, New Hampshire, Certificate of War Necessity No. 1-13-07 F3746, certifying mileage and motor fuel for the operation of commercial motor vehicles by said company and that said certificate and certifications therein contained are now in full force and effect; and

It is further appearing, that rubber-borne transportation equipment, facilities, materials, and supplies, including motor fuel, are short in supply; there-

fore, pursuant to said directive of the Director of the Office of Economic Stabilization,

It is ordered, That Certificate of War Necessity No. 1-13-07 F3746, heretofore issued to the Wentworth Bus Lines, Inc., of Dover, New Hampshire, be and it hereby is cancelled, and the Wentworth Bus Lines, Inc., is directed forthwith to surrender or deliver such certificate of war necessity to Harold L. Barnard, District Manager, Highway Transport Department, Office of Defense Transportation, at his office: 12 Park Street, Concord, New Hampshire.

It is further ordered, That any representative of the Office of Defense Transportation is hereby authorized and directed by lawful and peaceable means to take possession of the said certificate if said Wentworth Bus Lines, Inc., fails or neglects to surrender or deliver it in accordance herewith.

This order shall become effective July 9, 1945.

(E.O. 9156, 7 F.R. 3349; WPB Directive 21, 8 F.R. 5834; Gen. Order ODT 21A, 9 F.R. 12362)

Issued at Washington, D. C., this 26th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-11435; Filed, June 27, 1945; 1:35 p. m.]

OFFICE OF PRICE ADMINISTRATION

[Order 58 Under 3 (e)]

SOLDINE CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) Maximum delivered prices for sales in various sized containers of "Soldine V-110" a waterproofing compound, manufactured by the Soldine Corporation, Evanston, Illinois, are established as follows:

Maximum price to—	1-gal. size	½-gal. size	1-qt. size	1-pint size
Jobbers and commercial users	$3.25	$1.76	$0.92	$0.49
Dealers	3.61	1.95	1.02	.54
Consumers	6.00	3.25	1.70	.90

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a jobber, the manufacturer shall furnish such jobber with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of Soldine V-110, after the effective date of this order, the manufacturer shall mark or cause to be marked thereon whichever of the following legends is applicable:

Pint size—"Maximum retail price 90 cents".
Quart size—"Maximum retail price $1.70".
½ Gallon size—"Maximum retail price $3.25".
Gallon size—"Maximum retail price $6.00".

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11400; Filed, June 27, 1945; 11:44 a. m.]

[Order 59 Under 3 (e)]

GENERAL ANILINE & FILM CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) Maximum delivered prices for sales of the photographic chemicals listed below, manufactured by Ansco Division, General Aniline & Film Corporation, are established as follows:

	List price	Maximum prices— To distributor	Maximum prices— To commercial consumer
Sodium tetraphosphate:			
Per 1-lb. bottle	$0.50	$0.30	$0.35
Per 5-lb. bottle	2.25	1.35	1.57
Per 25-lb. drum	8.73	5.24	6.11
Sodium thiocyanate:			
Per 2-oz. bottle	.29	.19	.22
Per 8-oz. bottle	.66	.41	.50
Per 32-oz. bottle	1.97	1.31	1.48
Per 1-gal. bottle	7.41	4.94	5.56
Colamine:			
Per 4-oz. bottle	1.16	.70	.82
Per 16-oz. bottle	4.13	2.49	2.90
Per ½-gal. bottle	16.20	9.76	11.38
Per 5-gal. bottle	145.07	86.71	109.28

(b) No extra charge may be made for containers.

(c) Prior to making any delivery of any of the aforesaid commodities after the effective date of this order, the manufacturer shall mark thereon whichever of the following legends is applicable:

Sodium tetraphosphate:
1-lb. bottle—"Maximum retail price 50 cents".
5-lb. bottle—"Maximum retail price $2.25".
25-lb. drum—"Maximum retail price $8.73".
Sodium thiocyanate:
2-oz. bottle—"Maximum retail price 29 cents".
8-oz. bottle—"Maximum retail price 66 cents".
32-oz. bottle—"Maximum retail price $1.97".
1-gal. bottle—"Maximum retail price $7.41".
Colamine:
4-oz. bottle—"Maximum retail price $1.16".
16-oz. bottle—"Maximum retail price $4.13".
½-gal. bottle—"Maximum retail price $16.20".
5-gal. bottle—"Maximum retail price $145.07".

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11401; Filed, June 27, 1945; 11:43 a. m.]

[MPR 120, Revocation of Order 1399]

LUXNER COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Subsequent to June 15, 1945, the date of the issuance of Order No. 1395 under Maximum Price Regulation No. 120, a duplicate thereof was inadvertently issued as Order No. 1399 under said regulation. Therefore, *It is ordered:*

Order No. 1399 under Maximum Price Regulation No. 120 is hereby revoked.

This order shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11402; Filed, June 27, 1945; 11:45 a. m.]

[MPR 120, Order 1405]

ARNOLD HALL ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

tive size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when

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numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price

ARNOLD HALL, HELECHAWA, KY., ARNOLD HALL MINE, No. 2 SEAM, MINE INDEX NO. 7401, WOLFE COUNTY, KY., SUBDISTRICT 3, UPPER MINE, MAXIMUM TRUCK PRICE GROUP NO. 8.

Size group Nos.

ARNOLD HALL, HELECHAWA, KY., ARNOLD HALL MINE, NO. 2 SEAM, MINE INDEX NO. 7403, WOLFE COUNTY, KY., SUBDISTRICT 3, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipment	395	375	350	350	335	310	275	270

ELYS CREEK COAL CO., C/O DAN SHACKLEFORD, PENNINGTON GAP, VA., ELYS CREEK MINE, NO. 3 SEAM, MINE INDEX NO. 7404, LEE COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: PENN LEE, VA., F. O. G. 204, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	365	365	360	360	360	350	330	325	325	360	315	300	295	295
Truck shipment	395	375	350	350	335	310	275	270						

MULLINS ELKHORN COAL CO., C/O E. G. PHILLIPS MANTON, KY., MULLINS MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7401, FLOYD COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: MARRS, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	H	H	H	H	H	H	G	E	C	E	C	G	G	G
Rail shipments and railroad fuel	395	390	375	375	360	350	330	330	330	385	315	310	300	295
Truck shipment	420	400	365	365	335	315	275	270						

SHEPHERD & SMITH, C/O ANDREW SHEPHERD, ONEIDA, KY., SHEPHERD AND SMITH MINE, NO. 1 HORSE CREEK SEAM, MINE INDEX NO. 7394, CLAY COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, MANCHESTER, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	380	380	375	375	375	365	345	340	340	375	330	315	310	310
Truck shipment	395	375	350	350	335	310	275	270						

TERRY MAURO, RACINE, W. VA., SHORT CREEK MINE, NO. 2 GAS SEAM, MINE INDEX NO. 7399, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, PEYTONA, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	L	L	L	L	H	H	G	G	E	G	B	H	H	H
Rail shipments and railroad fuel	365	365	360	360	360	350	330	325	325	360	320	310	300	295
Truck shipment	420	400	365	365	335	315	275	270						

RED ASH POCAHONTAS COAL CO., MERCANTILE LIBRARY BLDG., CINCINNATI 2, OHIO, SPRUCE RIVER NO. 4 MINE REFUSE PILE, ALMA SEAM, MINE INDEX NO. 7040, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, JEFFREY, W. VA., F. O. G. 123, DEEP MINE

	Size group No. 23
Price classification	D
Railroad fuel	265

This order shall become effective June 28, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11403; Filed, June 27, 1945; 11:50 a. m.]

[MPR 120, Order 1406]

SANDERSON COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

SANDERSON COAL CO., NATIONAL BANK OF COMMERCE BLDG., CHARLESTON, W. VA., SANDERSON NO. 1 MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7408, KAWAWHA COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: SANDERSON, W. VA. F. O. G. 127, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	Q	Q	Q	Q	P	P	O	M	K	M	F	M	M	M
Rail shipment	345	340	335	335	320	315	310	310	305	355	310	280	275	270
Railroad fuel	345	340	335	335	325	325	325	325	325	355	310	280	275	270
Truck shipment	105	385	355	365	335	320	275	270						

BARSTON FORK COAL CO., C/O H. CHANEY, EAST LYNN, W. VA., BARSTON FORK MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7406, WAYNE COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT, EAST LYNN, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Q	Q	Q	Q	O	O	L	L	J	L	G	M	M	M
Rail shipment	345	340	335	335	325	315	325	310	305	355	310	280	275	270
Railroad fuel	345	340	335	335	325	325	325	325	325	355	310	280	275	270
Truck shipment	395	375	350	350	335	310	275	270						

CHANEY AND BERRY, C/O ELMER CHANEY, BOX 120-A, EAST LYNN, W. VA., CHANEY AND BERRY MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7409, WAYNE COUNTY, W. VA., SUBDISTRICT 8, RAIL SHIPPING POINT, EAST LYNN, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Q	Q	Q	Q	O	O	L	L	J	L	G	M	M	M
Rail shipment	345	340	335	335	325	315	325	310	305	355	310	280	275	270
Railroad fuel	345	340	335	335	325	325	325	325	325	355	310	280	275	270
Truck shipment	395	375	350	350	335	310	275	270						

CUTSHIN COAL CO., COMBS, KY., SECOND CREEK MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7037, PERRY COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT, COMBS, KY., F. O. G. 100, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	J	J	H	G	E	G	D	K	K	K
Rail shipments and railroad fuel	380	375	365	365	360	350	330	325	325	360	315	300	295	295
Truck shipment	395	375	350	350	335	310	275	270						

QUEEN SHOALS COAL CO., C/O L. E. WOOFTER, CLAY, W. VA., QUEEN NO. 1 MINE, PEACOCK SEAM, MINE INDEX NO. 7407, CLAY COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, QUEEN SHOALS, W. VA., F. O. G. 120, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Q	Q	Q	Q	P	P	M	M	K	M	F	M	M	M
Rail shipment	345	340	335	335	320	315	325	310	305	355	310	280	275	270
Railroad fuel	345	340	335	335	325	325	325	325	325	355	310	280	275	270
Truck shipment	395	375	350	350	335	310	275	270						

	Size group Nos.						
	1 to 5, inclusive	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
M. E. HUDDLESTON, 1929 19th St., S. BIRMINGHAM, ALA., HUDDLESTON MINE, MARY LEE SEAM, MINE INDEX No. 2083, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT, BIRMINGHAM, ALA., DEEP MINE, MAXIMUM PRICE GROUP No. 1 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP No. 7							
Rail shipment and railroad fuel	395	395	395	395	380	385	375
Truck shipment	465	480	460	425	415	420	385
PARKE AND DAWKINS, C/O J. G. PIERCE, MAYFORK, ALA., PIERCE MINE, UPPER DOGWOOD SEAM, MINE INDEX No. 2085, SHELBY COUNTY, ALA., RAIL SHIPPING POINT, SYCAMORE, ALA., DEEP MINE, MAXIMUM PRICE GROUP No. 6 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP No. 2							
Rail shipment and railroad fuel	575	525	515	435	425	415	405
Truck shipment	590	530	500	470	460	445	410
ROBERTS, EPPERSON & POMPEY, C/O BEN ROBERTS, NEWCASTLE, ALA., ROBERTS MINE, MARY LEE SEAM, MINE INDEX No. 2084, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT, DEEP MINE, MAXIMUM PRICE GROUP No. 7; RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP No. 7							
Truck shipment	465	480	460	425	415	420	385
DIXIE L. WEST, PATTERSON, ALA., BLUE DIAMOND COAL CO MINE, BROOKWOOD SEAM, MINE INDEX No. 2084, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT, SHIRAS, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 1 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7							
Rail shipment and railroad fuel	395	395	385	385	380	385	375
Truck shipment	465	480	460	425	415	420	385
WOODSTOCK COAL CO., C/O H. C. COWLES, P. O. BOX 111, FAIRFIELD, ALA., NO. 1 MINE, WADSWORTH SEAM, MINE INDEX No. 2086, BIBB COUNTY, ALA., RAIL SHIPPING POINT, WOODSTOCK, ALA., STRIP MINE, MAXIMUM PRICE GROUP No. 6 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP No. 2							
Rail shipment and railroad fuel	575	525	515	435	425	415	405
Truck shipment	590	530	500	470	460	445	410

This order shall become effective June 28, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11404; Filed, June 27, 1945; 11:50 a. m.]

[MPR 120, Order 1407]

ALABAMA BY-PRODUCTS CORP. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.224 and all other provisions of Maximum Price Regulation No. 120.

	Size group Nos.						
	1 to 5, inclusive	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
ALABAMA BY-PRODUCTS CORP., C/O P. O. BOX 254, BIRMINGHAM, ALA., BURTON MINE, PRATT-AMERICA SEAM, MINE INDEX No. 2085, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT, COLLA, ALA., STRIP MINE, MAXIMUM PRICE GROUP No. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP No. 3							
Rail shipment and railroad fuel	420	420	410	420	410	410	400
Truck shipment	510	505	495	490	480	435	435
BEAN MINING CO., 2109 THIRD AVE., N. BIRMINGHAM, ALA., THOMPSON #1 MINE, THOMPSON SEAM, MINE INDEX No. 2064, BIBB COUNTY, ALA., RAIL SHIPPING POINT, BRIERFIELD, ALA., STRIP MINE, MAXIMUM PRICE GROUP No. 5 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP No. 2							
Rail shipment and railroad fuel	735	595	585	505	495	465	455
Truck shipment	540	520	540	470	460	445	410
FRANK G. CHISM, BIRMINGHAM, ALA., CHISM MINE, WADSWORTH SEAM, MINE INDEX No. 2065, ST. CLAIR COUNTY, ALA., RAIL SHIPPING POINT, BROOKSIDE, ALA., STRIP MINE, MAXIMUM PRICE GROUP No. 6 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP No. 2							
Rail shipment and railroad fuel	575	525	515	435	425	415	405
Truck shipment	590	530	500	470	460	445	410
DUNLAP COAL CO., ROUTE 3, JASPER, ALA., DUNLAP MINE, MARY LEE SEAM, MINE INDEX No. 2087, WALKER COUNTY, ALA., RAIL SHIPPING POINT, EAST JASPER, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 7 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7							
Rail shipment and railroad fuel	395	395	385	385	380	385	375
Truck shipment	465	480	460	425	415	420	385

That Order No. 3615 under § 1499.158 of Maximum Price Regulation No. 188 be and the same hereby is revoked.

This order is effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11406; Filed, June 27, 1945; 11:45 a. m.]

[MPR 188, Order 4019]

ELITE APPLIANCES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Elite Appliances, 5014 Fort Hamilton Parkway, Brooklyn, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers 6 units or more	Retailers (less than 6 units)	Consumers
Two burner single heat white enameled hot plate	50	*Each* $3.10	*Each* $3.75	*Each* $4.05	*Each* $6.05

These maximum prices are for the articles described in the manufacturer's application dated June 7, 1945, and include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements:

Either
Order No. --------
Model No. 50
OPA Retail Ceiling Price $6.05
Do Not Detach
Federal Excise Tax Included
Or
Elite Appliances
5014 Fort Hamilton Parkway
Brooklyn, New York
Model No. 50
OPA Retail Ceiling Price $6.05
Do Not Detach
Federal Excise Tax Included

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11410; Filed June 27, 1945; 11:46 a. m.]

[MPR 188, Order 4020]

ROBERT ADEL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Robert Adel, 22 West 25th Street, New York 10, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
1 heat, 1 burner hot plate	123	*Each* $0.97	*Each* $1.15	*Each* $1.25	*Each* $1.85

These maximum prices are for the articles described in the manufacturer's application dated March 23, 1945, and include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements:

Either
Order No. ——
Model No. 123
OPA Retail Ceiling Price $1.85
Do Not Detach
Federal Excise Tax Included
Or
Robert Adel
22 West 25th Street
New York 10, New York
Model No. 123
OPA Retail Ceiling Price $1.85
Do Not Detach
Federal Excise Tax Included

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11411; Filed, June 27, 1945; 11:46 a. m.]

[MPR 188, Order 4021]

RAVENNA METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ravenna Metal Products Company, 6518 Ravenna Avenue, Seattle 5, Wash.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article and model No.	Maximum prices to			
	Exclusive distributor (broker)	Jobber	Retailer	Consumer
Keen Kaster Reel 6	*Each* $3.08	*Each* $3.39	*Each* $4.01	*Each* $6.50

The above wholesale prices are subject to a cash discount of 2 percent 10 days, net 30 days, and are f. o. b. usual point of shipment. These prices include the Federal excise tax.

These maximum prices are for the articles described in the manufacturer's application dated May 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices

are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$_____
Including Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11412; Filed, June 27, 1945; 11:46 a. m.]

[MPR 260, Order 1331]

BERT REDBURN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Bert Redburn, 605 S. W. Broad St., Des Moines, Iowa (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Berts cigars	Kings	50	$48	6
	Knights	50	36	2 for 9
	Queens	50	36	2 for 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11413; Filed, June 27, 1945; 11:48 a. m.]

[MPR 260, Order 1332]

FERMIN REBOLLO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Fermin Rebollo, 35 E. 110 Street, New York 29, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Elena	Perfecto	50	$115	15
	Queens	50	130	2 for 35
	Coronita	50	72	9
	Corona	50	105	14
	Corona Extra	50	146	19

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11414; Filed, June 27, 1945; 11:49 a. m.]

[MPR 260, Order 1333]

GEORGE SECHRIST

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) George Sechrist, 88 E. Main Street, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Queen Perfecto—Post Cigar Co.	Queen Perfecto.	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11415; Filed, June 27, 1945; 11:48 a. m.]

[MPR 260, Order 1334]

MAX FINEGOLD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Max Finegold, 1409 McColloch St., Wheeling, W. Va. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Wheeling Perfecto.	5".....	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11416; Filed, June 27, 1945; 11:49 a. m.]

[MPR 260, Order 1335]

DAN SVILAR

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Dan Svilar, Hudson, Wyo. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Rocky Mountain	Perfecto.....	50	*Per M* $82.50	*Cents* 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not

be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11417; Filed, June 27, 1945; 11:49 a. m.]

[MPR 260, Order 1336]

LUIS PRIETO ALFONZO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Luis Prieto Alfonzo, 602 East 138th Street, New York 54, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Leader	Ambassador	50	*Per M* $44	*Cents* 2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11418; Filed, June 27, 1945; 11:49 a. m.]

[MPR 260, Order 1337]

COLLEGE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) College Cigar Co., 145 E. College Avenue, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Penn Athletic Club.	Perfecto	50	*Per M* $82.50	*Cents* 11
	Medium Perfecto.	50	75.00	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11419; Filed, June 27, 1945; 11:47 a. m.]

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11419; Filed, June 27, 1945; 11:47 a. m.]

[MPR 260, Order 1338]

NUNEZ & PEREZ CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Nunez & Perez Cigar Co., 29 Columbus Avenue, New York 23, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Carmelita	4¾"	50	*Per M* $72.00	*Cents* 9
Carlota	5"	50	82.50	11
Fatty Corona	4½"	50	64.00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11420; Filed, June 27, 1945; 11:50 a. m.]

[MPR 260, Order 1339]

EVA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Eva Cigar Co., Route 4, Box 1329, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Anthony	Concha Fina	50	*Per M* $56	*Cents* 7
	Londre Especial	50	64	8
	Corona Chica	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11421; Filed, June 27, 1945; 11:47 a. m.]

[MPR 260, Order 1340]

KLEINHEINZ BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Walter L. Kleinheinz, d/b/a Kleinheinz Bros., 1207 So. Minnesota Avenue, Sioux Falls, S. Dak. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Celia Thaxter	Celia Thaxter	50	*Per M* $93.75	*Cents* 2 for 25
Little Celia Thaxter.	Little Celia Thaxter.	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11422; Filed, June 27, 1945; 11:46 a. m.]

[MPR 260, Order 1341]

A. PEREZ & BROSS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) A. Perez & Bross, 2006 Taliaferro Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Margaret	Sublimes	50	$48	6
	Coronas Special	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11423; Filed, June 27, 1945; 11:47 a. m.]

[RMPR 357, Order 1]

CERTAIN IMPORTED INDIA TANNED SHEEPSKINS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 6 of Revised Maximum Price Regulation 357; *It is ordered:*

(a) The maximum prices at which any person may purchase, sell or deliver SS mark East India tanned sheepskins shall be the applicable maximum prices for corresponding grades, weights and selections of MO mark East India tanned sheepskins established by sections 4 and 5 of Revised Maximum Price Regulation 357.

(b) This order may be amended or revoked at any time by the Office of Price Administration.

(c) This Order No. 1 shall become effective the 2d day of July 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11399; Filed, June 27, 1945; 11:43 a. m.]

[MPR 580, Order 79]

THE LANE CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 79 under Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-205.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by The Lane Company, Inc., Altavista, Va., and described in the manufacturer's application dated June 8, 1945:

Article	Brand name	Style No.	Manufacturer's price line (per dozen)	Ceiling price at retail (per unit)
Cedar Chest	Lane	2101	$21.50	$29.50
	do	2076	25.50	49.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 1, 1945, The Lane Company, Inc. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11424; Filed June 27, 1945; 11:47 a. m.]

[MPR 580, Order 80]

MANFIELD HANDKERCHIEF CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 80 under Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-221.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Manfield Handkerchief Co., Inc., 404 Fifth Avenue at 37th Street, New York, N. Y., and described in the manufacturer's application dated June 5, 1945:

Article	Brand name	Style No.	Manufacturer's price line (per dozen)	Ceiling price at retail (per unit)
Handkerchief	Dutchess	300	$1.85	$0.25

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 1, 1945, Manfield Handkerchief Co., Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11425; Filed, June 27, 1945; 11:48 a. m.]

[RMPR 136, Amdt. 1 to Order 452]

WHEELCO INSTRUMENTS CO.

DETERMINATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 452 Under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Wheelco Instruments Company. Docket No. 6083-136.21-333.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

In paragraph (a), the text preceeding the table is amended to read as follows:

(a) The maximum prices for sales by Wheelco Instruments Company, Chicago, Illinois, of industrial measuring and control instruments to equipment manufacturers and stocking jobbers shall be determined as follows: The company shall apply the following discounts to the list price it had in effect just prior to the issuance of this order:

This amendment shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11408; Filed June 27, 1945; 11:45 a. m.]

[Supp. Order 78, Order 8]

R. E. NOBLE

APPROVAL OF REGISTRATION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 73; *It is ordered:*

(a) That the maximum price regulations of the Office of Price Administration shall have no application to sales or deliveries of damaged commodities by R. E. Noble, 2111 Kittridge Street, Berkeley, California.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective on the 28th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11409; Filed, June 27, 1945; 11:45 a. m.]

[RPS 40, Amdt. 3 to Order 10]

WILSON BOHANNAN CO.

ADJUSTMENT OF MAXIMUM PRICES

An opinion setting forth the reasons for the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (1) of Order No. 10 under § 1346.6a (a) of Revised Price Schedule No. 40 is amended to read as follows:

(1) *Maximum list prices for Wilson Bohannan Company.* On and after July 13, 1944, Wilson Bohannan Company may sell, offer to sell and deliver the following padlocks at not more than the list prices specified below:

BRONZE AND MALLEABLE IRON SWITCH LOCKS

Model No.	Maximum net price (per dozen)		
	No keys	1 key	2 keys
(80)	$16.20	$19.25	$22.30
181	18.20	21.25	24.30
116	19.20	23.25	27.30
118	22.25	26.30	30.30

EXTRUDED PIN TUMBLER PADLOCKS WITH 2 KEYS

Model No.:	*Maximum list price (per dozen)*
618	$6.70
619	14.60
620	16.20
621	21.20
622	27.30

(i) *Discounts, services and transportation charges.* The maximum list prices established in subparagraph (1) shall be subject to the following discounts:

On sales to jobbers--- Discount of 50 percent.
On sales to industrial users- Discount of 25 percent.
On sales to retailers-- Discount of 33⅓ percent.

Such maximum list prices shall also be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which Wilson Bohannan Company extended, rendered or absorbed or would have extended or absorbed during the period October 1 to 15, 1941.

This amendment shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11407; Filed, June 27, 1945; 11:45 a. m.]

Regional and District Office Orders.

[Region I 2d Rev. Order G-1 Under 2d Rev. MPR 269, Amdt. 1]

POULTRY IN BOSTON REGION

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 2.3 of Second Revised Maximum Price Regulation No. 269 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) Second Revised Order No. G-1 under Second Revised Maximum Price Regulation No. 269 is amended as follows:

(1) Section (d-1) is added as follows:

(d-1) (a) If a State Government located in Region I or any agency thereof requisitions or otherwise takes possession of any of the live poultry items subject to this order from a truck or any other carrier, whether or not such truck or other carrier is in transit or at stoppage, it shall pay for such poultry no more than the the maximum base price established for such live poultry items at the place where the requisitioning or transfer of physical possession occurs, plus 2¢ per pound. The weight of any poultry items so requisitioned or seized shall, where practicable, be determined at the time and place where the requisitioning or transfer of physical possession occurs. Otherwise, the weight of such poultry items shall be determined as soon as such State Government or its agency determines it to be practicable.

(b) A State Government or any agency thereof which has requisitioned or otherwise taken possession of poultry items may sell such poultry items to any purchaser at the "net cost" thereof. "Net cost" is the amount paid for the poultry items plus all incidental expenses connected with processing and/or transporting the poultry. Such incidental expenses include, but are not limited to, fees for processing; feeding, icing, storage and packaging charges; and transportation from a processor's place of business to the premises of the purchaser.

(2) Table B in paragraph (c) is amended so that the column headed "Buyer" reads as follows as to items 1 and 3:

	Buyer
1	All wholesalers and individual retail stores and a State Government located in Region I or any agency thereof, requisitioning or otherwise taking possession of poultry.
2	----------
3	Wholesalers or hotel supply houses and a State Government located in Region I or any agency thereof, requisitioning or otherwise taking possession of poultry.

(b) This amendment shall be effective as of March 28, 1945.

Issued this 28th day of March 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-11342; Filed, June 26, 1945; 4:41 p. m.]

[Region I 2d Rev. Order G-1 Under 2d RMPR 269, Amdt. 2]

POULTRY IN BOSTON REGION

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 2.3 of Second Revised Maximum Price Regulation No. 269 and the Emergency Price Control Act of 1942, as amended; *It is hereby ordered:*

(a) Second Revised Order No. G-1 under Second Revised Maximum Price Regulation No. 269 is amended as follows:

(1) Table A in paragraph (b) (1) is amended to read as follows:

TABLE A

Type	Food products (weight)		Eastern zone basing-point city— Chicago			
	Liveweight	Kosher-killed, kosher-dressed and dressed weight	Live	Dressed	Kosher killed	Kosher dressed and plucked
Broilers and fryers	Under 4	Under 3½	27.5	37	36	37.5
Roasters	4 and over	3½ and over	27.5	37	36	37.5
Capons:						
Light	Under 6	Under 5½	27.5	37	36	37.5
Heavy	6 and over	5½ and over	31	40	39	40.5
Fowl	All weights	All weights	24	33	32	33.5
Stags and old roosters	All weights	All weights	20	28.5	27.5	29

(b) This amendment shall be effective as of May 11, 1945.

Issued this 11th day of May 1945.

E. C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-11346; Filed, June 26, 1945; 4:42 p. m.]

[Richmond Rev. Order 1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN RICHMOND, VA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Richmond District Office of Region IV of the Office of Price Administration by General Order Number 50, issued by the Administrator of the Office of Price Administration, and by Region IV Revised Delegation Order Number 17, issued May 5, 1944: *It is hereby ordered*, subject to Supplementary Order Number 40 (issued April 2, 1943; 8 F.R. 4325):

1. Subsections (a) and (b) of section 10 of Revised Order Number 1, issued as amended September 2d, 1944, under the said General Order Number 50 are amended to read as follows:

(a) Supplying all purchasers with menus or bills of fare showing the establishment's ceiling prices for each brand and container type and size sold by it of malt or cereal beverages, whether bottled or on draught, or by

(b) Posting a sign giving the same information as required on menus or bills of fare by subsection (a) above. Such a sign must be posted in the establishment at a place where it can be easily read by all purchasers while eating or drinking. If you prefer you may use a similar sign furnished by the Office of Price Administration.

2. Appendix A and Appendix B of the said Revised Order Number 1 are amended to read as follows:

3. All other provisions of the said Revised Order Number 1 remain unchanged and in full force and effect.

4. This amendment shall become effective immediately upon issuance.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808, Rev. Reg. Deleg. Order 17)

Issued at Richmond, Virginia this fifth day of October 1944.

J. FULMER BRIGHT,
District Director.

[F. R. Doc. 45-11344; Filed, June 26, 1945; 4:42 p. m.]

[Region VII Order G-5 Under Order 1444 of MPR 188]

WENTWORTH MFG. CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-5 is issued.

(a) *What this order does.* This Order No. G-5 establishes maximum prices for a doll chest of drawers manufactured by Wentworth Manufacturing Company of 3380½ West Thirty-eighth Avenue, Denver, Colorado, when sold, finished and unfinished, by the manufacturer to jobbers or wholesalers, by the manufacturer, jobbers or wholesalers to retailers, and by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-5, the maximum prices for the doll chest of drawers, which is by the manufacturer designated Model No. 1, manufactured by Wentworth Manufacturing Company of Denver, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Finished	Unfinished
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	*Each* $2.15	*Each* $1.60
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	2.65	2.00
(3) When sold by any seller to an ultimate consumer or user	4.00	3.00

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-5 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-5 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this Doll Chest of Drawers, Model No. 1, are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer: $2.65 each, finished; $2.00 each, unfinished.

(2) When sold by any seller to an ultimate consumer or user; $4.00 each, finished; $3.00 each, unfinished.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-5 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The prices authorized by this Order No. G-5 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Arizona lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-5 shall become effective on the 14th day of June, 1945.

Issued this 14th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11345; Filed, June 26, 1945; 4:42 p. m.]

[Region VII 2d Rev. Order G-7 Under Supp. Reg. 15]

FLUID MILK IN COLORADO

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, and for the reasons set forth in the accompanying opinion, this compilation of 2d Revised Order No. G-7 under Supplementary Regulation 15 to the General Maximum Price Regulation, including Amendments 1 to 8, is issued.

(a) *What this order does.* This second revised order, including Amendments 1 to 8, covers only that part of the State of Colorado not covered by Amendment No. 7 to Supplementary Regulation 14A drawn by the Washington Office of the Office of Price Administration and issued simultaneously with said 2d Revised Order No. G-7; and that part of the State of Colorado so covered by this 2d Revised Order No. G-7, including Amendments 1 to 8, is divided into thirteen areas, designated Area 1, Area 2, Area 3, Area 4, Area 5, Area 6, Area 7, Area 8, Area 9, Area 10, Area 11, Colorado Springs Area, and Pueblo Area, as geographically defined in paragraph (c) hereof.

(b) *Adjusted maximum prices for the several Colorado areas covered.* On and after the effective date of this compilation of 2d Revised Order No. G-7 including Amendments 1 to 8, the maximum prices for fluid milk of approved grade in the several Colorado areas defined in paragraph (c) hereof, when sold in glass or paper containers, at wholesale and at retail, shall be as follows:

TABLE OF MAXIMUM PRICES

	½ pint	Pint	Quart	½ gallon	Gallon
	Ct.	*Ct.*	*Ct.*	*Ct.*	*Ct.*
Area 1:					
Wholesale	3½	6	11	21	41
Retail out of store or home delivered	5	7	13	25	48
Area 2:					
Wholesale	3½	5	10	19	37
Retail out of store or home delivered	5	7	12	22	44
Area 3:					
Wholesale	3½	5½	10½	20	39
Retail out of store or home delivered	6	7	12½	24	46
Area 4:					
Wholesale	5	7	13	25	49
Retail out of store or home delivered	7	9	15	29	56
Area 5:					
Wholesale	4	6	12	23	45
Retail out of store or home delivered	6	8	14	27	52
Area 6:					
Wholesale	----	----	----	----	----
Retail out of store or home delivered	----	----	14	----	----
Maximum prices for certain milk products sold at retail in glass or paper containers in area 6:					
Coffee cream (18 percent butterfat)	----	----	50½	----	----
Buttermilk	----	----	11½	----	----
Chocolate drink	----	----	13½	----	----
Area 7:					
Wholesale delivered	----	----	12½	----	----
Retail out of store	----	----	14½	----	----
Area 8:					
Wholesale delivered	3½	5	10½	20	38
Retail out of store or home delivered	5	7	12½	22	44
Area 9:					
Wholesale delivered	----	----	11½	----	----
Retail out of store	----	----	13½	----	----
Area 10:					
Wholesale delivered	4	6	11½	22	43
Retail out of store	6	7	13½	26	50

TABLE OF MAXIMUM PRICES—Continued

	½ pint	Pint	Quart	½ gallon	Gallon
	Ct.	*Ct.*	*Ct.*	*Ct.*	*Ct.*
Area 11:					
Wholesale delivered	----	----	11	----	----
Retail out of store	----	----	13	----	----
Colorado Springs area:					
Wholesale	3½	6	11	21	41
Retail	5	7	13	25	48
Pueblo area:					
Wholesale	3½	6	11	21	41
Retail	5	7	13	25	48

(c) *Definitions.* (1) "Milk" or "fluid milk" means cow's milk, raw or processed, of approved grade, when sold in glass or paper containers for human consumption in fluid form as whole milk.

(2) "Approved fluid milk" means fluid milk which satisfies the minimum butterfat content, sanitary, and health standards established by the appropriate municipal or other governmental authority in the area where delivered and, in addition, for purchases by the armed forces, the standards established by the Army and Navy.

(3) "Area 1" means all that area in the State of Colorado contained within the Counties of Baca, Bent, Boulder, Clear Creek, Delta, Fremont, Gilpin, Hinsdale, Las Animas, Larimer, Mesa, Mineral, Moffat, Montrose, except that portion contained in Area 4), Otero, Ouray, Pitkin, Prowers, Summit (except that portion contained in Area 6), the municipality of Crested Butte in Gunnison County and a distance of five miles beyond the corporate limits thereof at all points, the coal mining camps of Somerset and Oliver in Gunnison County, the Towns of Oak Creek, Phippsburg, Pinnacle, Haybro, Routt, and Oak Hills in Routt County, and the mining camp of Climax in Lake County.

(4) "Area 2" means all that area in the State of Colorado contained within the County of Alamosa (except the municipality of Alamosa and a distance of five miles beyond the corporate limits thereof at all points), Chaffee, Cheyenne, Conejos, Costilla, Crowley (except the Town of Ordway and a distance of three miles beyond the corporate limits thereof at all points), Custer, Dolores (except that portion contained in Area 1), Eagle (except that portion contained in Area 6), Elbert, El Paso (except the Colorado Springs Area), Garfield, Grand (except the Town of Grand Lake and a distance of five miles beyond the corporate limits thereof at all points), Gunnison (except that portion contained in Area 1), Jackson, Kit Carson, Kiowa, Lincoln, Morgan, Park, Phillips, Pueblo (except the Pueblo Area, and except the hamlet of Rye in Pueblo County and all that area lying within a radius of five miles thereof), Rio Blanca, Rio Grande (except the municipality of Del Norte), Routt (except that portion contained in Area 1), Saguache, San Miguel (except that portion contained in Area 4), Washington, and Yuma.

(5) "Area 3" means all that area in the State of Colorado contained within the Counties of Adams (except that portion covered by Amendment 7 to Sup-

as of March 28, 1945.

plementary Regulation 14A as issued by the Washington Office), Arapahoe (except that portion covered by Amendment 7 to Supplementary Regulation 14A as issued by the Washington Office), Archuleta, Douglas, Jefferson (except that portion covered by Amendment 7 to Supplementary Regulation 14A as issued by the Washington Office), Huerfano, La Plata, Logan, Montezuma, Teller, Sedgwick and Weld.

(6) "Area 4" means all that area in the State of Colorado contained within the County of San Juan, all that part of San Miguel County contained within the boundaries of the Montezuma National Forest, and the mining camps of Naturita and Uravan in Montrose County.

(7) "Area 5" means all that area in the State of Colorado contained within the County of Lake (except the mining camp of Climax and that portion of Lake County contained within Area 6), and the hamlet of Rye and all that area lying within a radius of five miles thereof in Pueblo County.

(8) "Area 6" means all that area in the State of Colorado contained within the Camp Hale Military Reservation.

(9) "Area 7" means all that area contained within the municipality of Rico in Dolores County, and a distance of five miles beyond the corporate limits thereof at all points.

(10) "Area 8" means all that area contained within the municipality of Alamosa, and a distance of five miles beyond the corporate limits thereof at all points.

(11) "Area 9" means all that area contained within the municipality of Del Norte, Colorado.

(12) "Area 10" means all that area contained within the Town of Grand Lake and a distance of five miles beyond the corporate limits thereof at all points.

(13) "Area 11" means all that area contained within the Town of Ordway, and a distance of three miles beyond the corporate limits thereof at all points.

(14) "Colorado Springs Area" means all that area in the State of Colorado lying east of a line drawn north and south through a point one mile west of the most westerly boundary of the municipality of Manitou, Colorado, and south of a line drawn east and west through a point four miles north of the most northerly boundary of the municipality of Colorado Springs, Colorado, and west of a line drawn north and south through a point one mile east of the most easterly boundary of the municipality of Fountain, Colorado, and north of a line drawn east and west through a point one mile south of the most southerly boundary of Fountain, Colorado.

(15) "Pueblo Area" means all of that area in the State of Colorado lying east of a line drawn north and south through a point three miles west of the most westerly boundary of the municipality of Pueblo, Colorado, and south of a line drawn east and west through a point three miles north of the most northerly boundary of the municipality of Pueblo, Colorado, and west of a line drawn north and south through a point three miles east of the most easterly boundary of the municipality of Pueblo, Colorado, and north of a line drawn east and west through a point three miles south of the most southerly boundary of the municipality of Pueblo, Colorado.

(d) *Higher established maximum prices may be maintained.* Any seller who has established a maximum price under § 1499.2 of the General Maximum Price Regulation, or any other applicable price regulation or pursuant to any market agreement or order made or issued under the provisions of the Agricultural Market Agreement Act, as amended, that is higher than the price fixed by this compiled 2d Revised Order No. G–7 under Supplementary Regulation 15 to the General Maximum Price Regulation, including Amendments 1 to 8, may continue to sell at such higher established maximum price and the same shall not be modified or superseded by this compiled 2d Revised Order No. G–7.

(e) *Fractional prices.* In computing prices for a quantity purchase, either at wholesale or at retail, fractions of less than one-half cent shall be adjusted downward to the next cent, and fractions of one-half cent or more shall be adjusted upward to the next cent, and where a sale involves a single fractional unit or a single unit with a fractional price, the price shall be adjusted upward to the next cent. For example, a maximum price of 12½¢ for one unit will be adjusted to 13¢.

(f) *Limitation on applicability.* The specific maximum prices established for the several areas in the State of Colorado as set forth in paragraph (b) hereof have been arrived at and determined upon a statistical basis which assumes that the producer of the milk sold will be paid therefor the maximum price authorized by 2d Revised Order No. G–10 under Maximum Price Regulation No. 329. Therefore, the specific maximum prices established for said several areas of the State of Colorado shall be available to those dealers only who are producers of the milk sold; or who have purchased the milk sold from a producer or producers to whom they have paid the full maximum price authorized by said 2d Revised Order No. G–10 under Maximum Price Regulation No. 329; or who have purchased the milk sold from an intermediate seller or distributor who certifies on the invoice or other written memorandum of the transaction that the producers of the milk sold were paid the full maximum price authorized by said 2d Revised Order No. G–10 under Maximum Price Regulation No. 329. If the producer of the milk sold or offered to be sold has not been paid therefor the full maximum price established by said 2d Revised Order No. G–10 under Maximum Price Regulation No. 329, then the seller's maximum prices at wholesale and at retail shall be ¼¢ less per quart and a proportionate reduction where the unit of quantity sold is less than a quart, below the specific maximum prices set forth in this compiled 2d Revised Order No. G–7 for the area in the State of Colorado in which the sale is made, for each 3¢ that the price paid the producer is below such authorized maximum price. If any part or portion of the milk sold at wholesale or at retail by a seller during any calendar month is milk for which the producer has not been paid the full maximum price as authorized by said 2d Revised Order No. G–10 under Maximum Price Regulation No. 329, then all of the milk sold in the State of Colorado by such seller during such calendar month shall be subject to this limitation and his maximum prices therefor shall be determined upon the basis of the lowest price paid by him to any producer for any part or portion of the total quantity of milk sold by him during such calendar month.

(g) *Certification as to price paid producer.* Any person other than the producer thereof who sells milk to a distributor or dealer for resale either at wholesale or at retail under this compiled 2d Revised Order No. G–7 shall, at the time of the sale, deliver to the purchaser a written invoice or other memorandum of the transaction upon which the seller shall certify that the producer of the milk was or was not, as the case may be, paid the full maximum price authorized by said 2d Revised Order No. G–10 for Colorado producers, under maximum Price Regulation No. 329, and if such maximum price was not paid the producer, the price actually paid said producer shall be stated.

(h) *Penalty for false certificate.* A false certificate made by any person pursuant to paragraph (g) above shall constitute a violation of this regulation and subject the maker thereof to the penalties provided by the Emergency Price Control Act of 1942, as amended, for such offense.

(i) *Applicability of other regulations.* This compiled 2d Revised Order No. G–7 including Amendments 1 to 8, supersedes 2d Revised Order No. G–7 and Amendments 1 to 8 thereo, subject to the terms and provisions of Supplementary Order No. 40. But except insofar as the same are contradictory of or inconsistent with one or more of the terms and provisions hereof, all of the terms and provisions of the General Maximum Price Regulation shall remain in full force and effect and be applicable to all persons selling milk under this compiled 2d Revised Order No. G–7.

(j) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(k) *Right to revoke or amend.* This compiled 2d Revised Order No. G–7 Including Amendments 1 to 8 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(l) *Effective date.* This compiled 2d Revised Order No. G–7 Including Amendments 1 to 8 shall become effective on the 18th day of June 1945.

Issued this 18th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11341; Filed, June 26, 1945; 4:40 p. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 10 NUMBER 130

Washington, Saturday, June 30, 1945

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture and War Food Administration

CHIEF OF SOIL CONSERVATION SERVICE

DELEGATION OF AUTHORITY WITH RESPECT TO WATER CONSERVATION AND UTILIZATION PROGRAMS

By virtue of the authority vested in me by Title 5, U.S.C., Section 22, and Executive Order No. 9322, as amended by Executive Order No. 9334, it is hereby ordered as follows:

(a) The Chief of the Soil Conservation Service (hereinafter referred to as the "Chief") is hereby authorized and directed to do all things necessary to administer and supervise, in a manner consistent with law, the various functions relating to:

(1) the Water Conservation and Utilization Programs of the War Food Administration as authorized by the Case-Wheeler Act of August 11, 1939 (53 Stat. 1418), as amended, and the item entitled "Water Conservation and Utility Projects" in the Interior Department Appropriation Act, 1940 (53 Stat. 685), as supplemented and continued available by subsequent legislation, (2) the expenditure of funds heretofore or hereafter authorized or appropriated for any of such programs, (3) the loans made to the Buffalo Rapids Farms Association, Mirage Flats Cooperative Association and Buford-Trenton Mutual Aid Corporation, and (4) State corporations' trust property, real and personal, used in connection with the programs designated in this paragraph, except that any such functions relative to rural rehabilitation loans made to individuals shall remain in the Farm Security Administration.

(b) The Chief is further authorized to sell, lease or otherwise dispose of, in accordance with the applicable provisions of law, any real and personal property under the jurisdiction of the Soil Conservation Service in connection with the programs designated in (a) hereof, including, but not limited to, the following:

(1) The approval of sales, leases and conveyances of real property or interests therein heretofore or hereafter acquired by the United States in connection with such programs and under the jurisdiction of the Soil Conservation Service, including real property held in trust for any State rural rehabilitation corporation, and to execute, on behalf of the United States of America, all deeds, leases or other instruments necessary in connection therewith: *Provided, however,* That in selling such property, mineral rights, including coal, oil and gas, which are vested in or owned by the United States, either legally or equitably, at the time of the sale of lands in accordance with this authorization, shall be reserved in accordance with the then current departmental policy with respect to such reservations.

(2) In connection with the sale and disposition of such property or interests therein: (a) to exercise, for and on behalf of the United States of America, all rights, privileges and powers of the United States of America under the terms of any agreement or instrument heretofore or hereafter entered into in connection with the sale of such lands or property, or taken as security for the purchase price in connection with such sales; (b) to execute and perform all notices, consents and other acts to be given or done by the United States of America under the aforesaid agreements or security instruments; (c) to do and perform all things necessary for servicing, renewing, and collecting the outstanding indebtedness in favor of the United States of America and to accept, record, release and satisfy instruments of security of all kinds, and (d) upon default in any payment or obligation, to enforce payment by realizing upon the security.

(c) The Chief may, from time to time, prescribe such rules and regulations, consistent with law, as appear to him to be necessary or appropriate in carrying out the authority delegated hereby.

(d) All orders, rules, regulations, permits, or other privileges effective on the date of this order and relating to the programs, funds and assets identified in (a) hereof and not in conflict herewith shall continue in effect until modified by me or by the Chief acting pursuant to this order.

(e) In his discretion, the Chief may delegate such of the authority as is hereby conferred upon him.

(f) In the absence of the Chief or his inability to carry out the authority here-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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by delegated, such authority may be exercised by the Acting Chief of the Soil Conservation Service.

(g) Any provision of any delegation of authority conflicting with this order is superseded to the extent of such conflict.

(h) This order shall take effect when signed.

(5 U.S.C. 22; E.O. 9322, 8 F.R. 3807, as amended by E.O. 9334, 8 F.R. 5423; 53 Stat. 1418; 53 Stat. 685)

Issued this 28th day of June, 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45–11525; Filed, June 28, 1945; 4:12 p. m.]

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter A—Commodity Standards and Standards Container Regulations

PART 28—COTTON STANDARDS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the War Food Administrator, and pursuant to the provisions of the United States Cotton Standards Act (42 Stat. 1518–1519, 7 U.S.C. 1940 ed. 51–65, as amended, 58 Stat. 734), the regulations issued thereunder (7 CFR, Cum. Supp., 28.1 et seq., as amended) are hereby amended as follows:

1. Strike therefrom the provisions in 28.12 (a) and substitute therefor the following:

(a) *Form A determination.* The informal classification or comparison of samples submitted for the purpose. Such informal classification or comparison shall be evidenced by a Form A memorandum.

2. Strike therefrom the provisions in § 28.15 and substitute therefor the following:

§ 28.15 *Filing of requests for classification or comparison.* All requests for classification or comparison in the United States leading to Form A memoranda and Form B certificates shall be filed with the secretary of the board which serves the territory in which the cotton is located: *Provided*, That such requests may, where desired, be filed directly with the Appeal Board of Review Examiners located at Washington, D. C., or with any committee of such Appeal Board. Samples which are submitted to any board or to the aforesaid Appeal Board of Review Examiners for classification or comparison may be referred by such board or Appeal Board to another board for classification or comparison.

3. Strike therefrom the provisions in § 28.58 and substitute therefor the following:

§ 28.58 *Provisions for reviews.* Reviews of classifications or comparisons represented by Form A memoranda shall be governed by §§ 28.59, 28.64, and 28.69 hereof. Reviews of classifications or comparisons represented by Form B or Form C certificates shall be governed by §§ 28.60 to 28.67, inclusive, and § 28.69 hereof.

4. Strike therefrom the provisions in § 28.59 and substitute therefor the following:

§ 28.59 *Form A memorandum; review.* A review of any Form A determination may be requested by the owner or custodian of the cotton from which the sample was drawn within a reasonable time after the issuance of the Form A memorandum. Such request may be filed with, and the review made by, the board which issued such memorandum or the Appeal Board of Review Examiners. Redrawn samples shall be required except in cases where the original samples have remained, identity preserved, in the custody of the aforesaid board or Appeal Board. As evidence of any review determination, a Form A memorandum appropriately marked to indicate that it represents a review determination shall be issued in each instance to the applicant requesting the review, and such applicant may be required by the board or the Appeal Board issuing such review determination to surrender the original Form A memorandum.

5. Strike therefrom the provisions in § 28.119 (c) and substitute therefor the following:

The fees provided for in paragraph (a) of this section may be waived, in whole or in part, as to the classification and certification and the review, if any, of any cotton (1) for any governmental agency; (2) to facilitate a cotton program of any governmental agency; and (3) for a charitable or philanthropic organization if such cotton will be used in accordance with an act of Congress or a congressional resolution for the relief of distress or will be exchanged for goods to be so used. The samples accumulated in the classification or certification of cotton for a governmental agency or to facilitate a cotton program of any governmental agency shall be disposed of as required by such agency. To demonstrate classification according to the official cotton standards, the informal classification of samples and the issuance without charge of Form A memoranda evidencing such classification may be authorized for limited periods of time in designated localities, but such samples shall be disposed of as provided in § 28.25 hereof unless claimed and removed by the person submitting the same at or about the time of classification.

6. Strike therefrom the provisions in § 28.121 and substitute therefor the following:

§ 28.121 *Fees for review classification or comparison.* For any review of the classification or comparison of any cotton, the fee shall be 25 cents per bale where both grade and staple length are involved and 20 cents where only grade or staple length is involved.

The provisions of this amendment shall become effective at 11:59 p. m., e. w. t., June 30, 1945.

(42 Stat. 1518–1519, 7 U.S.C. 1940 ed. 51–65, as amended, 58 Stat. 734; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued at Washington, D. C., this 29th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45–11591; Filed, June 29, 1945; 12:04 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 42, Amdt. 16]

PART 1460—FATS AND OILS

MISCELLANEOUS AMENDMENTS

War Food Order No. 42, as amended (9 F.R. 12075; 10 F.R. 2639, 3315, 5969), is further amended as follows:

1. By adding, immediately after paragraph (a) (3) (iv), the following new subparagraph:

(v) Oil used to can fish.

2. By adding, immediately after paragraph (a) (8), the following new subparagraph:

(9) "Can" means (i) to pack for commercial purposes in hermetically sealed metal or glass containers, and (ii) to sterilize the product packed in such containers by the use of heat.

3. By deleting the table at the end of paragraph (b) (1) and substituting in lieu thereof the following:

Class of edible fat or oil product:	*Permitted percentage*
Margarine	95
Edible fat or oil products other than margarine	77

This order shall become effective at 12:01 a. m., e. w. t., July 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 42, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45–11560; Filed, June 29, 1945; 11:13 a. m.]

[WFO 136]

PART 1460—FATS AND OILS

TALL OIL

The fulfilment of requirements for the defense of the United States will result in a shortage in the supply of tall oil for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1460.45 *Distribution, use and delivery of tall oil*—(a) *Definitions.* (1) "Tall oil" means sulfate soap, crude tall oil and refined tall oil.

(2) "Sulfate soap" means the material commonly referred to as black liquor

skimmings, recovered as a by-product in the pulping of wood.

(3) "Crude tall oil" means tall oil produced from sulfate soap by acidulation without further refining.

(4) "Refined tall oil" means any grade or quality of tall oil produced by refining crude tall oil, including fatty acids obtained from tall oil but not including still bottoms and pitch.

(5) "Inventory" means the total quantity of tall oil, wherever located, owned by any person.

(6) "Eastern zone" means that area of the United States lying east of the eastern boundaries of the States of Montana, Wyoming, Colorado, and New Mexico.

(7) "Western zone" means that area of the United States lying west of the eastern boundaries of the States of Montana, Wyoming, Colorado, and New Mexico.

(8) "Current rate of consumption", as determined on any particular date, means the amount of tall oil used during the 30-day period immediately prior to such date, or the amount thereof scheduled for use during the 30-day period immediately following such date.

(9) "Maximum unit" means the largest, single, segregate, commercial quantity of tall oil shipped to and accepted by any person during the calendar year 1944.

(10) "Certified order" means a written order for tall oil which has attached thereto or incorporated therein a certificate executed in accordance with paragraph (d) of this order. The term includes "primary certified order" and "secondary certified order" as herein defined.

(11) "Primary certified order" means a certified order for tall oil issued by a user.

(12) "Secondary certified order" means a certified order for tall oil issued by a producer, distributor, or refiner.

(13) "User" means any person who uses tall oil in the manufacture of any other product, regardless of whether tall oil is incorporated into such other product.

(14) "Producer" means any person who produces sulfate soap or crude tall oil.

(15) "Distributor" means any person who acquires tall oil for resale.

(16) "Refiner" means any person who refines crude tall oil.

(17) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(18) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Delivery restrictions.* (1) Except as specifically authorized by the Director, no person shall, in any calendar month, deliver tall oil on other than certified orders unless and until he has, before the end of such month, filled or offered to fill all certified orders received by him on or before the first day of such month.

(2) Except as specifically authorized by the Director, no person shall, in any calendar month, deliver tall oil on secondary certified orders unless and until he has, before the end of such month, filled or offered to fill all primary certified orders received by him on or before the first day of such month.

(c) *Refining restrictions.* No person shall, in any calendar month, refine tall oil for the fulfilment of uncertified orders unless and until he has, before the end of such month filled or offered to fill all certified orders received by him on or before the first day of such month.

(d) *Certified orders.* (1) Any user who requires tall oil for any purpose other than the production of soap, protective coatings (except allocated phthalic alkyd resins), coated fabrics or floor coverings, and any producer, distributor, or refiner who requires tall oil for the fulfilment of primary certified orders, may transmit to his supplier a written order which has attached thereto or incorporated therein a properly executed certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to ----------
(Name and Address of Supplier)
that he is familiar with the terms of War Food Order No. 136 that this certificate is furnished in order to enable the undersigned to obtain preferred delivery, in accordance with War Food Order No. 136, of ------ pounds of tall oil. The undersigned further certifies that (check applicable statement):

This is a primary certified order, the undersigned is a user, and will use all of such tall oil in the manufacture of products other than soap, protective coatings (except allocated phthalic alkyd resins), coated fabrics, or floor coverings.

This is a secondary certified order, the undersigned is a ----------
State whether producer, distributor, or refiner
and will use all of such tall oil for the fulfilment of primary certified orders.

Purchaser
By ----------
Authorized official
---------- ----------
Date

(2) No person who receives tall oil under a certified order shall use any part thereof for any purpose other than the use indicated in such certificate.

(e) *Inventory restrictions.* No user shall accept delivery of tall oil in any quantity which will cause his inventory to exceed the following number of days' supply based upon his current rate of consumption:

Users located in the Eastern zone—30 days' supply or 1,000 pounds, whichever is the greater.

Users located in the Western zone—45 days' supply or 1,000 pounds, whichever is the greater.

(f) *Inventory exemption; maximum units.* Any user whose inventory does not exceed two-thirds of the quantity which he is permitted to have under the applicable provision of paragraph (e) may accept delivery of no more than one maximum unit, provided that such acceptance shall not cause his inventory to exceed twice the quantity which he is permitted to have under such provision.

(g) *Transfers between branches or departments.* The transfer of tall oil between units, departments, branches, plants, or companies owned, controlled, or directed by the same person but engaged in separate activities as producers, distributors, or users shall constitute delivery and acceptance of delivery within the meaning of this order.

(h) *Records and reports.* (1) All certified orders and all certificates executed under paragraph (d) of this order shall be retained for at least two years and shall, upon request, be submitted to the Director for examination. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(2) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) Every person subject to this order shall, for at least two years or for such other period of time as the Director may designate, maintain an accurate record of his production of and transactions in tall oil.

(i) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(j) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of tall oil of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(k) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(l) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using tall oil. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, a provision of this order.

(m) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 136, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(o) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(p) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 28, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 27th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-11433; Filed, June 27, 1945; 12:15 p. m.]

[WFO 44, Amdt. 10]

PART 1465—FISH AND SHELLFISH

RESTRICTIONS ON 1945 PACK OF CANNED FISH

War Food Order No. 44, as amended (9 F.R. 7361, 9584, 10624; 10 F.R. 103, 555, 3277, 5713), is further amended as follows:

1. By inserting at the end of § 1465.20 (b) (1) the following additional class of fish:

Class 11. Tuna: Albacore, or white-meat (Germo alalunga); Yellowfin, or light-meat (Neothunnus macropterus); Skip jack, or striped (Katsuwonus pelamis, sometimes called Euthynnus pelamis); Bluefin, or leaping (Thunnus thynnus, sometimes called Thunnus saliens);
Yellowtail: (Seriola dorsalis);
Bonito: (Sarda chiliensis).

(For the period July 1, 1945, to March 31, 1946, inclusive)

2. By inserting after § 1465.20 (b) (5) the following additional subparagraph:

(6) Unless otherwise authorized by the Director, no canner may use, in the production of his 1945 pack of class numbered 11 (designated in (b) (1) hereof) a quantity of vegetable oil in excess of the following applicable quantity per case of 48 cans of the size stated:

TUNA—YELLOWTAIL—BONITO

(a) *Solid pack.*
No. ½ tuna can (307 x 113), 4.1 pounds of oil per case.
No. 1 tuna can (401 x 205.5), 5.6 pounds of oil per case.
4-pound tuna can (603 x 408), 7.5 pounds of oil per case.

(b) *Flakes, shredded, or grated.*
No. ½ tuna can (307 x 113), 3.00 pounds of oil per case.
No. 1 tuna can (401 x 205.5), 4.25 pounds of oil per case.
4-pound tuna can (603 x 408), 5.50 pounds of oil per case.

This order shall become effective at 12:01 a. m., P. w. t., July 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 44, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 44, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-11559; Filed June 29, 1945; 11:12 a. m.]

[WFO 137]

PART 1460—FATS AND OILS

CASTOR OIL

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of castor oil for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1460.44 *Distribution, delivery and use of castor oil*—(a) *Definitions.* (1) "Castor oil" means oil obtained from the castor bean, commonly known as castor oil, whether crude, raw, filtered, refined, blown, dehydrated, or otherwise processed, excluding sulfonated castor oil.

(2) "Producer" means any person who produces castor oil, including any person for whom castor oil is produced under a toll agreement.

(3) "Distributor" means any person who acquires castor oil for resale.

(4) "User" means any person who uses castor oil in the manufacture of any other product, regardless of whether castor oil is incorporated into such other product.

(5) "Use" includes processing or blending.

(6) "Specific authorization" means:

(i) A written notice addressed to a named user or distributor authorizing such user or distributor to use a stated quantity of castor oil or to receive a stated quantity of castor oil from a named source of supply, or both;

(ii) A written notice addressed to a named supplier authorizing such supplier to deliver to a named user or distributor a stated quantity of castor oil.

(7) "General authorization" means:

(i) A written notice addressed to a named producer or distributor authorizing such producer or distributor to deliver, during a particular calendar month, not in excess of a stated maximum quantity of castor oil, such castor oil to be delivered to users in lots of not more than 450 pounds per calendar month to any one user, or

(ii) A written notice addressed to a named producer authorizing such producer to deliver, during a particular calendar month, not in excess of a stated maximum quantity of castor oil to distributors for resale for medicinal use as such.

(8) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(9) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Authorization required.* No producer, distributor, or user shall deliver, receive, or use castor oil except in accordance with a specific or general authorization issued by the Director under the provisions of this order. No authorization shall be required for the delivery of castor oil by a distributor to any person who acquires such castor oil for resale for medicinal use as such, or for the receipt or consumption of castor oil for medicinal use as such by an ultimate consumer.

(c) *Prescribed conditions.* The Director may prescribe the period of time during which an authorization shall be effective. No person shall deliver, receive, or use castor oil under an authorization which has expired. To the extent that any castor oil is not used for the purpose for which or during the period in which its use is authorized, such castor oil shall revert to inventory and shall remain subject to all the provisions of this order.

(d) *Specific authorizations.* Except as provided in paragraph (b) hereof, specific authorization shall be required for the delivery to any one person in any calendar month, and the receipt or use by such person in such month, of more than 450 pounds of castor oil.

(e) *General authorizations; certificates.* (1) General authorization shall be required for:

(i) The delivery of castor oil by producers or distributors where such deliveries are in quantities of 450 pounds or less to any one user in any calendar month;

(ii) The delivery of castor oil by producers to distributors who require such castor oil for resale for medicinal use as such. No general authorization issued under this paragraph (e) (ii) shall authorize any producer to deliver castor oil to a distributor for use or resale for use in the preparation of medicinal or pharmaceutical products.

(2) General authorizations will state the maximum quantity of castor oil which the producer or distributor may deliver during any calendar month. No person shall deliver castor oil under a general authorization in excess of the

maximum quantity permitted for such calendar month.

(3) No person shall deliver and no user or distributor shall receive castor oil under a general authorization unless such user or distributor executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to _____
Name and address of supplier
_____ that he is familiar with the terms of War Food Order No. 137, that this certificate is furnished in order to enable the undersigned to acquire _____ pounds of castor oil, to be delivered on or about _____. The undersigned further certifies that he is a _____
State whether user or distributor
and that (check applicable statement):

[ ] The receipt of such castor oil will not increase his total receipts as a user of castor oil beyond 450 pounds for the current month.

[ ] All such castor oil will be sold as castor oil for medicinal use as such.

_____
Purchaser

By _____
Authorized Official

_____
Date

(4) All certificates executed under this paragraph (e) shall be retained for at least two years and shall, upon request, be submitted to the director for examination. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reason to believe it to be false.

(f) *Applications for and issuance of authorizations.* (1) Applications for specific authorizations shall be made by the user or distributor on Form FDA 478, and shall be accompanied by Form FDA 477 where the applicant desires to receive castor oil from another person. Where the applicant for a specific authorization is a user, he shall specify, in accordance with the following classifications, the primary product for which such castor oil will be used:

Synthetic resins
Protective coatings
  Civilian (describe use)
  Military (give agency, contract number, end use, specifications if any, and delivery requirements under contract)
Artificial leather
Coated fabrics other than artificial leather
Synthetic rubber
Rubber factice
Sulfonated oil (describe end use fully, e. g., cotton dyeing and finishing, fat liquoring leather, etc.)
Industrial tape
Adhesives other than industrial tape
Binding compounds
Lubricating oil additives
Lubricants and greases
Metal working compounds
Medicinal and pharmaceutical preparations (identify)
Cosmetics
Hydralic brake fluid
Textile oil (non-sulfonated base)
Real leathers (non-sulfonated oil base)
Plasticizers (explain by type with end uses)
Printing ink
Duplicating supplies (carbons, ribbons, stencils, etc.)
Dielectrics
Boiler feed water compound
Abrasives
Petroleum treating compounds
Insecticides
Disinfectants
Products not listed above (specify)

(2) Applications for general authorizations shall be made on Form FDA 478 by the producer or distributor who desires to deliver castor oil.

(3) All applications for specific or general authorizations shall be filed on or before the 15th day of the month preceding the month in which delivery, receipt, or use is requested: *Provided, however*, That applications for delivery, receipt, or use during July 1945 shall be filed on or before July 10, 1945. Insofar as practicable, authorizations will be issued prior to the beginning of the calendar month in which delivery, receipt, or use is requested.

(g) *Records and reports.* (1) Every producer shall, within 15 days after the end of each calendar month, execute and mail to the Order Administrator one copy of Form FDA 476 showing, separately, his actual and estimated production, deliveries, and stocks of castor oil: *Provided, however*, That reports showing production, deliveries, and stocks of castor oil for the month of June 1945 shall be executed and mailed on or before July 7, 1945.

(2) Every person who uses more than 1,000 pounds of castor oil in any calendar month shall, on or before the 15th day of the following month, execute and mail to the Bureau of the Census, Washington 25, D. C., Bureau of the Census Form BM–1. Every person who uses more than 3,000 pounds of castor oil in any calendar quarter shall, on or before the 15th day of the second month following such calendar quarter, execute and mail to the Bureau of the Census, Washington 25, D. C., Bureau of the Census Form BM–2. Nothing contained herein shall be construed as requiring any person to file more than one Form BM–1 in any month, nor more than one Form BM–2 in any quarter, except that a separate report shall be filed for each plant in which such person uses castor oil.

(3) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) Every person subject to this order shall, for at least two years or for such other period of time as the Director may designate, maintain an accurate record of his production of and transactions in castor oil.

(h) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(i) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records, and other writings, premises, or stocks of castor oil of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(j) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(k) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using castor oil. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(m) *Communications.* All applications for authorizations to deliver, receive or use castor oil, all reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 137, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(n) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(o) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 1, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785)

Issued this 29th day of June 1945.

ASHLEY SELLERS.
Assistant War Food Administrator.

[F. R. Doc. 45-11592; Filed, June 29, 1945; 11:13 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4407 [1]]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ULTRA-VIOLET PRODUCTS, INC.

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with the offering for sale, sale or distribution of respondent's therapeutic lamp designated as "Life Lite", or any other lamp of substantially similar construction, whether sold under the same name or any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of said lamp, which advertisements represent, directly or by implication ,that said lamp, (a) is a sun lamp; or that it affords benefits to the user comparable to those afforded by natural sunlight, other than the benefits resulting from the production of vitamin D, the benefits resulting from the bactericidal action of said lamp upon bacteria existing at the surface or outer layers of the skin, and the benefits resulting from the stimulation or irritation of the skin; (b) constitutes a cure or remedy or a competent or adequate treatment for barber's itch, ringworm, athlete's foot, acne, eczema, psoriasis, shingles, or erysipelas; (c) constitutes a cure or remedy for sores or ulcers, or that it constitutes a competent treatment therefor except insofar as it may stimulate the healing process in those cases in which the infection causing such conditions is confined to the surface of the skin; (d) possesses any therapeutic value in the treatment of asthma, hay fever, bronchitis, colds, sinus trouble, or discharges from the ears; (e) possesses any therapeutic value in the treatment of anemia; (f) builds up in the body resistance to diseases other than those benefited from the development in the body of vitamin D or the lamp's bactericidal action or stimulating effect on the outer layers of the skin; (g) has any tonic effect upon the blood, that it produces any chemical reaction with respect to the blood stream, or that it is of any assistance in overcoming a deficiency of white or red corpuscles; (h) builds up the resistance of the body to infection, or that it stimulates the endocrine glands; (i) affords any stimulation to the tissues of the skin in excess of such stimulation as may result from its irritating effect; (j) quiets or soothes the nerves or the nerve endings in the skin; (k) acts as an antacid or has any alkalizing effect upon the body; (l) improves the general tone of the body, makes the body strong, increases vitality, or improves mental reactions; (m) tones up the nervous system, induces sleep, or relieves pain; or (n) normalizes the chemistry of the body, improves metabolism, or builds or aids in building new tissues, except insofar as such effects are related to the production of vitamin D resulting from the use of the lamp or from the stimulating or bactericidal effect of the lamp on the skin; or which advertisements fail to reveal that excessive exposure to said lamp either with respect to proximity or length of time may result in injury to the user; that said lamp should not be used in the case of pellagra, lupus erythematosus, or certain types of eczema; and that said lamp should never be used unless goggles are worn to protect the eyes; prohibited, subject to the provision, however, as respects the aforesaid required disclosures, that such advertisements need contain only the statement, "Caution: Use Only as Directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45i) [Modified cease and desist order, Ultra-Violet Products, Inc., Docket 4407, June 7, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of June A. D. 1945.

This proceeding coming on for further hearing before the Federal Trade Commission and it appearing that on June 8, 1942, the Commission made its findings as to the facts herein and concluded therefrom that the respondent, Ultra-Violet Products, Inc., a corporation, had violated the provisions of the Federal Trade Commission Act, and on June 8, 1942, issued and subsequently served its order to cease and desist upon said respondent; and it further appearing that on January 24, 1945, the United States Circuit Court of Appeals for the Ninth Circuit issued its decree modifying the aforesaid order in certain respects and affirming said order as therein modified:

Now, therefore, pursuant to the provisions of the Federal Trade Commission Act, the Commission issues this its modified order to cease and desist in conformity with said decree:

It is ordered, That said respondent, Ultra-Violet Products, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of respondent's therapeutic lamp designated as "Life Lite", or any other lamp of substantially similar construction, whether sold under the same name or any other name, do forthwith cease and desist from, directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represents, directly or by implication,

(a) That said lamp is a sun lamp; or that it affords benefits to the user comparable to those afforded by natural sunlight, other than the benefits resulting from the production of vitamin D, the benefits resulting from the bactericidal action of said lamp upon bacteria existing at the surface or outer layers of the skin, and the benefits resulting from the stimulation or irritation of the skin;

(b) That said lamp constitutes a cure or remedy or a competent or adequate treatment for barber's itch, ringworm, athlete's foot, acne, eczema, psoriasis, shingles, or erysipelas;

(c) That said lamp constitutes a cure or remedy for sores or ulcers, or that it constitutes a competent treatment therefor except insofar as it may stimulate the healing process in those cases in which the infection causing such conditions is confined to the surface of the skin;

(d) That said lamp possesses any therapeutic value in the treatment of asthma, hay fever, bronchitis, colds, sinus trouble, or discharges from the ears;

(e) That said lamp possesses any therapeutic value in the treatment of anemia;

(f) That said lamp builds up in the body resistance to diseases other than those benefited from the development in the body of vitamin D or the lamp's bactericidal action or stimulating effect on the outer layers of the skin.

(g) That said lamp has any tonic effect upon the blood, that it produces any chemical reaction with respect to the blood stream, or that it is of any assistance in overcoming a deficiency of white or red corpuscles;

(h) That said lamp builds up the resistance of the body to infection, or that it stimulates the endocrine glands;

(i) That said lamp affords any stimulation to the tissues of the skin in excess of such stimulation as may result from its irritating effect;

(j) That said lamp quiets or soothes the nerves or the nerve endings in the skin;

(k) That said lamp acts as an antacid or has any alkalizing effect upon the body;

(l) That said lamp improves the general tone of the body, makes the body strong, increases vitality, or improves mental reactions;

(m) That said lamp tones up the nervous system, induces sleep, or relieves pain;

(n) That said lamp normalizes the chemistry of the body, improves metabolism, or builds or aids in building new tissues, except insofar as such effects are related to the production of vitamin D resulting from the use of the lamp or from the stimulating or bactericidal effect of the lamp on the skin.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which fails to reveal that excessive exposure to said lamp either with respect to proximity or length of time may result in injury to the user; that said lamp should not be used in the case of pellagra, lupus erythematosus, or certain types of eczema; and that said lamp should never be used unless goggles are worn to protect the eyes: *Provided, however*, That such advertisement need contain only the statement, "Caution: Use

[1] 7 F.R. 4511, 9 F.R. 11789.

Only as Directed," if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect.

3. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said lamp, which contains any representation prohibited in paragraph 1 hereof, or which fails to comply with the affirmative requirements set forth in paragraph 2 hereof.

It is further ordered, That said respondent corporation shall, within thirty (30) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-11545; Filed, June 29, 1945; 10:00 a. m.]

[File No. 21-389]

PART 163—BUTTON JOBBING INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 29th day of June A. D. 1945.

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of June 30, 1945.

Statement by the Commission

Trade practice rules for the Button Jobbing Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

A primary purpose of the rules is to maintain free and fair competition for the protection of the buying public and the industry through the elimination and prevention of harmful trade practices. To this end various unfair methods of competition, unfair or deceptive acts or practices, and other trade evils are listed and proscribed. Certain additional provisions included are likewise in support of sound business methods.

The rules apply to the business of selling and distributing all kinds of buttons and related articles. Such products are jobbed or wholesaled by members of the industry for use in the manufacturing trades, and for distribution or resale to the public generally. They are purchased by garment manufacturers and others for use on the many different products requiring buttons, particularly wearing apparel for men, women, and children. They are also purchased by retailers and other resellers from members of the industry for sale to the purchasing public. Total annual sales aggregate $25,000,000 at wholesale prices.

Proceedings for establishment of the rules were instituted upon application of industry members. A general trade practice conference of the industry was held by the Commission in New York City, and at such conference suggested rules were considered. Subsequently, a draft of the proposed rules in appropriate form was published for the information of all concerned and public notice was issued affording interested or affected parties opportunity to present their views, including such pertinent information, suggestions, or objections as they desired to offer, and to be heard in the premises. Accordingly, hearing was held in Washington, D. C., and all matters presented, or otherwise received in the proceeding, were duly considered.

Thereafter, and upon full consideration, final action was taken by the Commission whereby it approved and received respectively, the following trade practice rules in Group I and Group II:

The Rules

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of the industry and the public. Their operation is to be directed toward this end and is not to permit of the use of any practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition.

Group I

The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, or such unlawful practices in commerce.

Sec.

163.1 Misrepresentation and deception.
163.2 Defamation of competitors or disparagement of their products.
163.3 Enticing away employees of competitors.
163.4 Inducing breach of contract.
163.5 Selling below cost.
163.6 Procurement of competitors' confidential information by unfair means and wrongful use thereof.
163.7 Commercial bribery.
163.8 False invoicing.
163.9 Consignment shipping.
163.10 Discrimination.
163.11 Imitation of trade-marks, etc.
163.12 Combination or coercion to fix prices, suppress competition, or restrain trade.

AUTHORITY: §§ 163.1 to 163.12, inclusive, issued under 38 Stat. 717, as amended, and pursuant to other provisions of law administered by the Commission.

§ 163.1 *Misrepresentation and deception.* (a) It is an unfair trade practice to use, or cause or promote the use of, any trade promotional literature, advertising matter, mark, brand, label, designation, or representation, however disseminated or published, which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers with respect to the price, grade, quality, quantity, substance, character, nature, size, use, design, preparation, manufacture, or distribution of any product of the industry, or in any other material respect.

(b) It is an unfair trade practice (1) to cause any buttons or other products of the industry of foreign origin to be represented, directly or indirectly, as being domestic products or as not having been imported from or manufactured in a foreign country; or (2) to conceal the fact that such products are of foreign origin either by failing to clearly mark the country of origin on the display cards or containers, or by other deceptive concealment.

NOTE: Nothing herein shall be construed as relieving anyone of such further marking as may be required by applicable laws or regulations thereunder.

[Rule 1]

§ 163.2 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the products of competitors in any respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 2]

§ 163.3 *Enticing away employees of competitors.* Wilfully enticing away the employees of competitors, with the purpose and effect of thereby hampering or injuring competitors in their business and destroying or substantially lessening competition, is an unfair trade practice.

NOTE: Nothing in this section shall be construed as prohibiting employees or agents from seeking more favorable employment.

[Rule 3]

§ 163.4 *Inducing breach of contract.* Inducing or attempting to induce the breach of existing lawful contracts between competitors and their customers or their suppliers by any false or deceptive means whatsoever, or interfering with or obstructing the performance of any such contractual duties or services by any such means, with the purpose and effect of unduly hampering, injuring, or prejudicing competitors in their business, is an unfair trade practice. [Rule 4]

§ 163.5 *Selling below cost.* The practice of selling industry products below the seller's cost, when pursued with wrongful intent of thereby injuring a competitor and where the effect of such practice is to unreasonably restrain trade, tend to create a monopoly, or substantially lessen competition, is an unfair trade practice.

This section is not to be construed as prohibiting all sales below cost, but only such selling below the seller's cost as is resorted to and pursued as a monopolistic practice with the wrongful intent referred to and coupled with the effect of unreasonably restraining trade, tending to create a monopoly, or substantially lessening competition.

All elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this section. The costs referred to in the section are actual costs of the respective seller and not some other figure or average costs in the industry, determined by an industry cost survey or otherwise. [Rule 5]

§ 163.6 *Procurement of competitors' confidential information by unfair means and wrongful use thereof.* It is an unfair trade practice for any member of the industry to obtain information concerning the business of a competitor by bribery of an employee or agent of such competitor, by false or misleading statements or representations, by the impersonation of one in authority, or by any other unfair means, and to use the information so obtained in such manner as to injure said competitor in his business or to suppress competition or unreasonably restrain trade. [Rule 6]

§ 163.7 *Commercial bribery*—(a) *In selling or marketing.* It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors.

(b) *In purchasing supplies.* It is an unfair trade practice for any member of the industry, directly or indirectly, to bribe an employee or agent of a supplier to induce such supplier to discriminate in favor of such member of the industry over other purchasers from such supplier, with the effect of thereby hampering a competitor of such member in his business and destroying or substantially lessening competition. (See also § 163.10 (e), relative to procurement of illegal discrimination in price.) [Rule 7]

§ 163.8 *False invoicing.* Withholding from or inserting in an invoice any statements or information by reason of which omission or insertion a false record is made, wholly or in part, of the transaction represented on the face of such invoice, with the effect of thereby misleading or deceiving purchasers or prospective purchasers, is an unfair trade practice. [Rule 8]

§ 163.9 *Consignment shipping.* It is an unfair trade practice for any member of the industry to use the practice of shipping goods on consignment or pretended consignment for the purpose and with the effect of artificially clogging trade outlets and unduly restricting competitors' use of said trade outlets in getting their goods to consumers through regular channels of distribution, or with such purpose to entirely close said trade outlets to such competitors so as to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade: *Provided, however*, That nothing herein shall be construed or used as restricting or preventing consignment shipping or marketing of commodities in good faith and without artificial interference with competitors' use of the usual channels of distribution in such manner as thereby to suppress competition or restrain trade. [Rule 9]

§ 163.10 *Discrimination*—(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential (whether in the guise of samples or otherwise), where such rebate, refund, discount, credit or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,[1] and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,[1] or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce[1] from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

[1] As here used, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States." (exclusive, however, of the Philippine Islands.)

(j) *Purchases by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.* The foregoing provisions of this section relate to practices within the purview of the Robinson-Patman Antidiscrimination Act, which Act and the application thereunder of this section are subject to the limitations expressed in the amendment to such Robinson-Patman Antidiscrimination Act, which amendment was approved May 26, 1938, and reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Act approved June 19, 1936 (Public, Numbered 692, Seventy-fourth Congress, second session), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit." (52 Stat. 446; United States Code, 1940 edition, Title 15, sec. 13c.)

[Rule 10]

§ 163.11 *Imitation of trade-marks, etc.* The practice of imitating or causing to be imitated, or directly or indirectly promoting or aiding the imitation of, the trade-marks, trade names, or other exclusively owned symbols or marks of identification of competitors, or the exclusively owned patterns or designs of competitors which have been patented and have not been directly or by operation of law dedicated to the public, with the capacity and tendency or effect of thereby misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 11]

§ 163.12 *Combination or coercion to fix prices, suppress competition, or restrain trade.* It is an unfair trade practice for a member of the industry, or any other person:

(a) To use, directly or indirectly, any form of threat, intimidation, or coercion against any member of the industry or other person, to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade; or

(b) To enter into or take part in, directly or indirectly, any agreement, understanding, combination, conspiracy, or concerted action with one or more members of the industry, or with one or more other persons, to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade. [Rule 12]

GROUP II

Compliance with trade practice provisions embraced in Group II rules is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not, per se, constitute violation of law. Where, however, the practice of not complying with any such Group II rules is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of Group I rules.

RULE A. *Giving of samples.* The industry disapproves the giving of samples without charge except only as may be necessary to acquaint purchasers or prospective purchasers with the grade or quality of the product offered for sale, and where the giving of such samples by any member of the industry is not practiced or accomplished in such way or to such extent as to effectuate an illegal discrimination in price contrary to the provisions of § 163.10.

RULE B. *Arbitration.* The industry approves the practice of handling business disputes between members of the industry and their customers in a fair and reasonable manner, coupled with a spirit of moderation and good will, and every effort should be made by the disputants themselves to compose their differences. If unable to do so they should, if possible, submit these disputes to arbitration.

RULE C. *Repudiation of contracts.* Lawful contracts are business obligations which should be performed in letter and in spirit. The cancellation or repudiation of contracts by sellers on a rising market or by buyers on a declining market is condemned by the industry.

Promulgated and issued by the Federal Trade Commission June 30, 1945.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-11549; Filed, June 29, 1945; 10:57 a. m.]

[File No. 21-385]

PART 164—LOW PRESSURE REFRIGERANTS INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 29th day of June A. D. 1945.

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of June 30, 1945.

Statement by the Commission

Trade practice rules for the Low Pressure Refrigerants Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

Low pressure refrigerants are those having a vapor pressure of not more than 100 pounds per square inch, absolute, at a temperature of 70 degrees Fahrenheit. Included therein are sulphur dioxide, methyl chloride, various Freons and other actual or potential refrigerants.

The products are produced by manufacturers in the industry in the form of compressed liquified gases or as liquids. They form the cooling agent in mechanical refrigerators used in the home, in meat shops and stores, and in quick freezing units. The products are also used extensively as the cooling agent in equipment for the preservation of food aboard ship, and in refrigerator cars and vessels for the transportation of perishable commodities. Such refrigerants are also essential to most forms of comfort cooling or air-conditioning in homes, office buildings, business establishments, hospitals—particularly operating rooms—in trains, places of entertainment or public gatherings, and in other places.

The refrigerants are stored, sold, and distributed in large metal drums and in pressure cylinders of different sizes ranging from 3 pounds to several hundred pounds capacity. Manufacturing members of the industry sell and distribute the refrigerants in such containers to wholesale and retail dealers, refrigeration supply jobbers, refrigeration machine manufacturers, service organizations whose members repair refrigeration machinery, and to owners of such machinery. Sales are also made by the jobbers, wholesalers, retailers, and repairmen, to consumers and other purchasers, either in the original containers or in smaller ones to which the product has been transferred. Total sales to the purchasing public of low pressure refrigerants of all kinds are at present in the neighborhood of $25,000,000 per annum.

The rules are issued in the interest of maintaining free and fair competition in the marketing of the refrigerants throughout the various channels of trade and to the purchasing public. To this end various deceptive and discriminatory practices and other trade evils are listed and proscribed. Their elimination and prevention is required for protection of business and the buying public.

Proceedings for establishment of the rules were instituted upon application from members of the industry. A general trade practice conference for the industry was held by the Commission in New York City at which suggested rules were considered. Thereafter draft of the proposed rules in appropriate form was published by the Commission and made available to all interested or affected parties upon public notice whereby they were afforded opportunity to present their views, including such pertinent information, suggestions, or objections as they desired to offer, and to be heard in the premises. Pursuant to the notice, such hearing was held in Washington, D. C., and all matters presented or otherwise received were duly considered.

Thereupon, and after full consideration of the entire matter, final action was taken by the Federal Trade Commission whereby it approved and received, respectively, the trade practice rules appearing in Group I and Group II, as follows:

The Rules

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive practices in harmony with law and

the public interest. They are not to be used, directly or indirectly, as part of, or in connection with, any unlawful combination or agreement to fix prices, or to suppress competition, or otherwise to restrain trade.

Group I

The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Sec.
- 164.1 Misrepresentation in diverse forms.
- 164.2 Deception in respect to "heels."
- 164.3 Deception in respect to refrigerant containers.
- 164.4 Deceptive use of refrigerant containers.
- 164.5 Defamation of competitors or disparagement of their products.
- 164.6 Imitation of trade-marks, trade names, etc.
- 164.7 Commercial bribery.
- 164.8 Inducing breach of contract.
- 164.9 False invoicing.
- 164.10 Procurement of competitors' confidential information by unfair means and wrongful use thereof.
- 164.11 Consignment distribution.
- 164.12 Selling below cost.
- 164.13 Combination or coercion to fix prices, suppress competition, or restrain trade.
- 164.14 Discrimination.
- 164.15 Discrimination as to return of cylinders or containers, and discrimination in refunding of deposits on cylinders or containers.

AUTHORITY: §§ 164.1 to 164.15, inclusive, issued under 38 Stat. 717, as amended, and pursuant to other provisions of law administered by the Commission.

§ 164.1 *Misrepresentation in diverse forms.* It is an unfair trade practice to use, or cause or promote the use of, any trade promotional literature, advertising matter, guarantee, warranty, mark, brand, label, designation, or representation, however disseminated or published:

(a) Which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public with respect to the grade, quality, quantity, origin, efficacy, price, ingredients, safety, preparation, manufacture, or distribution of any industry product; or

(b) Which is false, misleading, or deceptive in any other material respect. [Rule 1]

§ 164.2 *Deception in respect to "heels."* It is an unfair trade practice to represent to purchasers or prospective purchasers that refunds will be credited or paid for "heels" when such refunds are not actually made, or when such "heels" do not actually exist, or when such representation is otherwise false, misleading, or deceptive. (For inhibited discriminations in respect of "heels," see § 164.14.) (The term "heels" as used in this part refers to the small residual portion of refrigerant remaining in the cylinder or container and returned therein by the purchaser to the manufacturer, such residual portion however, not being regarded as "heels" if it exceeds 10% of the full capacity of the respective container.) [Rule 2]

§ 164.3 *Deception in respect of refrigerant containers.* It is an unfair trade practice to cause any refrigerant shipped or delivered in a cylinder or container not complying fully with appropriate regulations of the Interstate Commerce Commission to be represented or passed off, directly or indirectly, as and for a refrigerant shipped or delivered in cylinders or containers which do comply with such regulations.

NOTE: Nothing in this section shall be construed as relieving any member of the industry or other party of the necessity of complying with all of the rules and regulations of the Interstate Commerce Commission relative to the shipment or delivery in commerce in cylinders or containers of the various compressed refrigerants used, including requirements as to packing, testing, re-testing, marking, qualification, and maintenance of cylinders, etc.; and no misrepresentation or deception, direct or indirect, shall be practiced in the sale or distribution of industry products respecting any such matters.

[Rule 3]

§ 164.4 *Deceptive use of refrigerant containers.* The use by any member of the industry of the refrigerant cylinder or container of a competitor with the capacity and tendency or effect of thereby misleading or deceiving purchasers or prospective purchasers, or the unauthorized use of a competitor's container with the effect of prejudicing such competitor in his business, is an unfair trade practice.

NOTE: Owing to the responsibility of the owners of containers involving compliance with Interstate Commerce Commission Specifications or requiring periodic testing of such containers, the industry recommends that containers which bear a competitor's identification marks should not be used without owner's permission evidenced by bill of sale, lease, or other instrument in writing, or duly recorded transfer of ownership on the records of I.C.C.)

[Rule 4]

§ 164.5 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the grade, quality, quantity, origin, efficacy, price, ingredients, safety, preparation, manufacture, or distribution of the products of competitors, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 5]

§ 164.6 *Imitation of trade-marks, trade names, etc.* The practice of imitating or causing to be imitated, or directly or indirectly promoting the imitation of, the trade-marks, trade names, or other exclusively owned symbols or marks of identification of competitors, having the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers, is an unfair trade practice. [Rule 6]

§ 164.7 *Commercial bribery.* It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with the competitors. [Rule 7]

§ 164.8 *Inducing breach of contract.* Inducing or attempting to induce the breach of existing lawful contracts between competitors and their customers or their suppliers by any false or deceptive means whatsoever, or interfering with or obstructing the performance of any such contractual duties or services by any such means, with the purpose and effect of unduly hampering, injuring, or prejudicing competitors in their business, is an unfair trade practice. [Rule 8]

§ 164.9 *False invoicing.* It is an unfair trade practice to withhold from or insert in invoices any statements or information by reason of which omission or insertion a false record is made, wholly or in part, of the transactions represented on the face of such invoices, with the effect of thereby misleading or deceiving purchasers or prospective purchasers. [Rule 9]

§ 164.10 *Procurement of competitors' confidential information by unfair means and wrongful use thereof.* It is an unfair trade practice for any member of the industry to obtain information concerning the business of a competitor by bribery of an employee or agent of such competitor, by false or misleading statements or representations, by the impersonation of one in authority, or by any other unfair means, and to use the information so obtained in such manner as to injure said competitor in his business or to suppress competition or unreasonably restrain trade. [Rule 10]

§ 164.11 *Consignment distribution.* It is an unfair trade practice for any member of the industry to employ the practice of shipping industry products on consignment or pretended consignment for the purpose and with the effect of artificially clogging or closing trade outlets and unduly restricting competitors' use of said trade outlets in getting their products to consumers through regular channels of distribution, thereby injuring, destroying, or preventing competition or tending to create a monopoly or to unreasonably restrain trade. Nothing in this section shall be construed as restricting or preventing consignment shipping or marketing of industry products in good faith where suppression of competition, restraint of trade, or un-

due interference with competitors' use of the usual channels of distribution, is not effected. [Rule 11]

§ 164.12 *Selling below cost.* The practice of selling industry products below the seller's cost with the intent and with the effect of injuring a competitor and where the effect may be substantially to lessen competition or tend to create a monopoly or unreasonably restrain trade is an unfair trade practice. All elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this section. The costs, however, which are referred to in the section are actual costs of the respective seller and not some other figure or average costs in the industry determined by an industry cost survey or otherwise. [Rule 12]

§ 164.13 *Combination or coercion to fix prices, suppress competition, or restrain trade.* It is an unfair trade practice for a member of the industry or any person, firm, partnership, corporation, or association,

(a) To use, directly or indirectly, any form of threat, intimidation, or coercion against any member of the industry to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade; or

(b) To enter into or take part in, directly or indirectly, any agreement, understanding, combination, conspiracy, or concert of action with one or more members of the industry, or with one or more persons, firms, partnerships, corporations, or associations, to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade. [Rule 13]

§ 164.14 *Discrimination*—(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, so-called "heel" refund, or other refund, discount, credit, or other form of price differential, where such rebate, so-called "heel" refund, or other refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,[1] and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,[1] or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce[1] from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to knowingly induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Purchases by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.* The foregoing provisions of this section relate to practices within the purview of the Robinson-Patman Antidiscrimination Act, which Act and the application thereunder of this section are subject to the limitations expressed in the amendment to such Robinson-Patman Antidiscrimination Act, which amendment was approved May 26, 1938, and reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Act approved June 19, 1936 (Public, Numbered 692, Seventy-fourth Congress, second session), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit. (52 Stat. 446; United States Code, 1940 edition, Title 15, Sec. 13c.)

[Rule 14]

§ 164.15 *Discrimination as to return of cylinders or containers, and discrimination in refunding of deposits on cylinders or containers.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to discriminate in favor of one customer-purchaser against another customer-purchaser of industry products, bought from such member of the industry for resale, by contracting to furnish or furnishing in connection therewith:

(a) The service or facility whereby such favored purchaser is accorded the right or privilege of retaining refrigerant cylinders or containers on more favorable conditions, including longer periods of time, than those accorded other customer-purchasers and upon terms not accorded to all customer-purchasers on proportionally equal terms; or

(b) The service or facility whereby such favored purchaser is accorded the right or privilege of receiving the return of deposits or allowances upon terms not accorded to all customer-purchasers on proportionally equal terms. [Rule 15]

Group II

Compliance with trade practice provisions embraced in Group II rules is considered to be conducive to sound business methods and is to be encouraged

[1] As here used, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States," (exclusive, however, of the Philippine Islands).

and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not, per se, constitute violation of law. Where, however, the practice of not complying with any such Group II rules is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of Group I rules.

RULE A. *Return of cylinders.* (a) Recognizing that the rate of cylinder return affects the cost of marketing refrigerants, and desiring to give the best possible service at the lowest possible cost to the purchaser, the industry seeks to encourage prompt return of empty cylinders.

(b) Cylinders that do not circulate freely and are thus used for storage by purchasers of the refrigerant greatly increase the cost and difficulty of doing business. The industry recommends that such cylinders, if not returned after a reasonable period of time, may properly be considered the property of the purchasers of the refrigerant and believes a delay of more than two years in making such return an unreasonable length of time for this purpose.

RULE B. *Return of merchandise.* The practice, by members of the industry, of selling merchandise and later permitting the purchaser to return it for credit or refund of purchase price, without just cause, creates waste and loss, increases the cost of doing business to the detriment of both the industry and the public, and is condemned by the industry, subject, however, to the requirements and limitations set forth in the provisions of Rules 14 and 15 of Group I, herein, and subject also to the general limitation that members of the industry shall not engage in any combination or conspiracy in restraint of trade, or use any other illegal methods in the regulation, control, or prevention of the return of merchandise.

RULE C. *Differentiating between wholesale and retail transactions.* Where products of the industry are sold at wholesale and retail in the same establishment, the failure on the part of such concern correctly to differentiate between or identify the two types of transactions, where the result may be to create confusion and deception as to the character of the transaction in the minds of purchasers or prospective purchasers, is condemned by the industry.

RULE D. *Dissemination of credit information.* The industry records its approval of the distribution among members of the industry of information covering delinquent and slow credit accounts insofar as such may be lawfully done.

Promulgated and issued by the Federal Trade Commission June 30, 1945.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-11548; Filed, June 29, 1945; 10:57 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

PART 155—SEA FOOD INSPECTION

INSPECTION OF CANNED SHRIMP

Under the authority of section 702A[1] of the Federal Food, Drug, and Cosmetic Act each of the sections hereinafter specified of the regulations for the inspection of canned shrimp published in the FEDERAL REGISTER of July 2, 1942, and as amended in the FEDERAL REGISTER of June 10, 1943 (8 F.R. 7751) and June 15, 1944 (9 F.R. 6582-4) is hereby amended as indicated below:

In § 155.60 (a), "$202.50" is changed to "$225."

In § 155.62 (a), "$135" is changed to "$150."

In § 155.12 (a), "six (6) cents" is changed to "ten (10) cents" and "$300" to "$500."

In § 155.12 (b), "$135" in each instance where it appears is changed to "$150"; "$202.50" in each instance where it appears is changed to "$225;" "$4.50" is changed to "$5.00".

These amendments shall become effective upon their publication in the FEDERAL REGISTER but shall apply only to service to be rendered after July 1, 1945. All applications for such service to be rendered after July 1, 1945, shall be submitted in accordance with these regulations as amended hereby.

(52 Stat. 1040, 21 U.S.C. 301, et seq.)

Dated: June 28, 1945.

[SEAL] WATSON B. MILLER, *Acting Administrator.*

[F. R. Doc. 45-11550; Filed, June 29, 1945; 11:01 a. m.]

PART 155—SEA FOOD INSPECTION

INSPECTION OF CANNED OYSTERS

Under the authority of section 702A[1] of the Federal Food, Drug, and Cosmetic Act each of the sections hereinafter specified of the regulations for the inspection of canned oysters published in the FEDERAL REGISTER of January 4, 1944 (9 F.R. 56), and as amended in the FEDERAL REGISTER of February 2, 1944 (9 F.R. 1203), June 15, 1944 (9 F.R. 6584), and October 21, 1944 (9 F.R. 12675), is hereby amended as indicated below:

In § 155.30 (a), "$180" is changed to "$200."

In § 155.32 (a), "$135" is changed to "$150."

In § 155.42 (a), "eight (8) cents" is changed to "ten (10) cents" and "$240" to "$300."

In § 155.42 (b), "$135" in each instance where it appears is changed to "$150"; "$180" in each instance where it appears is changed to "$200"; "$4.50" is changed to "$5.00."

These amendments shall become effective upon their publication in the FEDERAL REGISTER but shall apply only to service to be rendered after July 1, 1945. All applications for such service to be rendered after July 1, 1945 shall be submitted in accordance with these regulations as amended hereby.

(52 Stat. 1040, 21 U.S.C. 301, et seq.)

Dated: June 28, 1945.

[SEAL] WATSON B. MILLER, *Acting Administrator.*

[F. R. Doc. 45-11551; Filed, June 29, 1945; 11:01 a. m.]

[1] Section 10A of the Federal Food and Drugs Act (49 Stat. 871; 21 U.S.C. 14a) which remains in force and effect and is applicable to the provisions of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040 et seq.; 21 U.S.C. 301 et seq.). It is provided in Public Law 135, 78th Congress, Title II, that section 10A of the Federal Food and Drugs Act, as amended by the Act of August 27, 1935 (21 U.S.C. 372a), may hereafter be cited as section 702A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301-392).

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Supplies and Equipment

[Procurement Regs. 2, 3, 6, 7, 12, 13]

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Parts 802, 803, 806, 807, 812, 813, 823, 826 and 829 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (9 F.R. 8363) as amended by change 49, 20 June 1945, the particular regulations being Nos. 2, 3, 6, 7, 12 and 13.

In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act, 1941, 55 Stat. 838, 50 U.S.C. Sup. 601-622.

Subchapter A—Procurement

[Procurement Reg. 2]

PART 802—GENERAL PURCHASE POLICIES

SUBPART B—CONTRACT PLACEMENT

In paragraph (d-1) of § 802.223, subparagraph (1) (iv), the proviso of sub-

[1] See also 9 F.R. 9460, 9585, 10944, 12242, 13215, 14159; 10 F.R. 556, 1855, 4012, 5171, 7085.

paragraph (2), and subparagraph (4) are amended, and in paragraph (d–2), subparagraph (5) is amended to read as follows:

§ 802.223 *Factors governing placement of contracts.* • • •

(d–1) *Group I areas—(1) Contracts permitted to be placed in Group I areas.* • • •

(iv) Which are placed with a contractor currently employing less than 100 wage earners and which will not increase employment in the contractor's plant above 100 wage earners.

(2) *Contracts not requiring clearance of Production Urgency Committees.* A contract or contract supplement of the character referred to in subparagraph (1) may be placed in a Group I area without clearance of a Production Urgency Committee if the contract or contract supplement will not increase employment in the contractor's plant above the ceiling currently established by the War Manpower Commission; or, if a contractor currently employs less than 100 wage earners, will not increase employment in the contractor's plant above 100 wage earners: *Provided, however,* That the reporting procedure prescribed in subparagraph (3) is to be followed in all cases when applicable.

• • • • •

(4) *Contracts requiring clearance of Production Urgency Committees.* No contract or contract supplement, of any value, which will increase employment in the contractor's plant above the ceiling established by the War Manpower Commission, may be placed in a Group I area without prior clearance of the appropriate Production Urgency Committee; except that contracts or contract supplements with a contractor currently employing less than 100 wage earners and which will not increase employment in the contractor's plant above 100 wage earners need not be so cleared. Applications for clearance of the Committee will be made to the Committee for the area in which are located the facilities of the contractor at which the work, or a major part of the work, will be done. Applications for clearance may seek approval of a single contract or of an entire program.

(d–2) *Group II areas.* • • •

(5) Contracts or contract supplements with a contractor currently employing less than 100 wage earners and which will not increase employment in the contractor's plant above 100 wage earners.

SUBPART C—CONTRACT PRICE POLICIES

In § 802.232 paragraphs (b) and (c) are amended to read as follows, and paragraph (e) is revoked:

§ 802.232 *Cost-plus-a-fixed-fee contracts.* • • •

(b) *Use forbidden: exceptions.* For the foregoing reasons supply contracts will not be made on a cost-plus-a-fixed-fee basis. Pending the conversion of one or more cost-plus-a-fixed-fee supply contracts in the course of performance in the contractor's plant to a fixed price basis pursuant to instructions from the Under Secretary of War, it may be necessary to use the cost-plus-a-fixed-fee form for the placement of further orders to be filled from the plant. While the cost-plus-a-fixed-fee form may be used for contracts which in substance provide for the payment of a management fee for the operation of Government-owned facilities, contracts of a service character such as modification center and airline contracts, research, experimental and development contracts, and contracts for first production quantities of articles not previously produced, such contracts will be placed on a fixed price basis whenever, in the judgment of the chief of the technical service, it is practicable to do so. Utilization of the price adjustment articles authorized by §§ 803.375 and 803.376 should aid materially in negotiating a fixed price for research and development work.

(c) *Conditions on use.* In the exceptional situations where the cost-plus-a-fixed-fee form is permitted by § 802.232 (b) to be used for a supply contract, the following conditions will be met:

(1) When the contractor is to be reimbursed for substantially all its costs, the fixed fee represents essentially profit without risk. It should be determined not by the amount of the estimated cost, but by the extent and nature of the work supervised or the services to be performed by the contractor. Thus in fixing the fee consideration should be given, among other things, to whether the work or production involved is complicated or simple, the turnover slow or rapid, how much or little of the work will be subcontracted, and how extensive or difficult the duties of the prime contractor will be in supervising the subcontracted work.

(2) Contracts for first production quantities of articles not previously produced will include a provision for conversion as soon as practicable to a fixed price basis (see article set forth in § 803.341 (c)). Whenever feasible a similar provision will be included in research, experimental, and developmental contracts.

(3) The article for statutory renegotiation of the fixed-fee will be included when required by § 812.1208 (a).

(4) In no case will the fixed-fee exceed the statutory maximum of 7% for supply contracts.

• • • • •

(e) *Existing contracts.* [Revoked.]

SUBPART D—NEGOTIATION OF CONTRACTS

In § 802.243, paragraph (b) is amended to read as follows, and paragraphs (d) and (e) are revoked.

§ 802.243 *Contractors' proposals.* • • •

(b) *Standard procurement forms prescribed for use in certain cases—(1) When used—(i) Standard Procurement Form No. 3.* Whenever, in the opinion of the technical service involved, detailed cost or price information should be obtained from bidders as an aid to the adequate negotiation of contracts for supplies (excluding construction), it will employ Standard Procurement Form No. 3 and related forms (WD AGO Form 299, Mar. 1, 1945; WD AGO Form 299–1, February 1, 1945 or July 12, 1944; and WD AGO Form 299–2, March 1, 1945, referred to in § 813.1327. Within the scope of the foregoing rule, each technical service may prescribe more precisely the size and types of procurements in which Standard Procurement Form No. 3 is to be used.

(ii) *Standard Procurement Form No. 4.* In simple procurements of supplies (excluding construction) for small amounts where effective competition exists, and where it is accordingly expected that awards will be made to the lowest bidders (subject to the principles set forth in Subpart B of this part), the information to be obtained from bidders may ordinarily be confined substantially to the quotation of prices. Whenever the technical service desires to obtain this limited information in the form of a written proposal, it will employ either (*a*) W. D. Contract Form No. 5 (§ 813.1317d), if that form of contract is otherwise suitable; or (*b*) Standard Procurement Form No. 4 (WD AGO Form 298), referred to in § 813.1327, followed by the execution of a suitable contract form.

(2) *Detailed instructions to procurement offices as to use of Form No. 3 and related forms—(i) Flexibility.* One important feature of Standard Procurement Form No. 3 is that it has considerable internal flexibility. The procurement office is required by the terms of the form to select and specify (within established limits), the data which the bidder is expected to furnish. Thus, the procurement office has latitude to accommodate the form to the necessities of particular procurements; for example, it may relieve the bidder of the task of compiling information which is not pertinent to the procurement or which is already known to the procurement office.

(ii) *In general.* (*a*) Whenever feasible, a preliminary survey will be made, by telephone or otherwise, to determine the prospective contractors to whom an award might be made. In this way, contractors not likely to make acceptable proposals may be eliminated without being required to expend the time and effort necessary to fill out Standard Procurement Form No. 3. Care should be taken, however, not to eliminate or exclude contractors whose proposals might possibly be acceptable, and not to act inconsistently with the policy of the Smaller War Plants Corporation. (See § 802.225).

(*b*) It is of the utmost importance that no contractor be asked to complete any portion of Standard Procurement Form No. 3 requiring information which will not be pertinent or useful in properly effecting the particular procurement, or which is already on file with the procurement office. This principle of selectivity will be applied to each contractor, so that in a particular procurement all of the bidders need not necessarily be asked to furnish the same information. The exclusion of such irrelevant and duplicative data is made possible by the flexible character of the form. A proper use of this feature of the form will relieve contractors of the burden of gathering and filling in unnecessary information. At

the same time it will help to expedite procurements by making it possible for contractors to fill out and return their proposals more promptly. If, however, portions of the form omitted in the original request call for information which is subsequently deemed pertinent, that information may be requested by sending to the contractor additional copies of the form with an indication in the box on page 1 of the additional portions of the form to be completed.

(*c*) The procurement office and the contractor may, of course, make arrangements for the contractor to submit some part or parts of the information called for by the form by means of periodic reports or some other mutually satisfactory method. Such an arrangement may expedite and improve dealings with the contractor. Information so submitted should meet the substance of the requirements of the form.

(*d*) Although deviations from or additions to the form are not permitted without approval of higher authority (see § 802.243 (c)) where necessary the information obtained through use of the form may be clarified or amplified through correspondence or personal negotiation.

(*e*) The information submitted in or with Standard Procurement Form No. 3 will be used as a basis of negotiations with the prospective contractor, in accordance with PR 2 and ASF Manual M 601 and any other instructions that may be in force from time to time.

(*f*) If a prospective contractor requests that he be notified upon rejection of his proposal, the procurement office will give such notice.

(iii) *Instructions as to page 1 of Form No. 3.* (*a*) In the upper left-hand corner of page 1 of Standard Procurement Form No. 3, insert in the appropriate blanks the date, the request number (if any), the name and address of the procurement office, the name and address of the contractor, the preference rating to be assigned and (on the line entitled "Subject") the name or a brief description of the item or items as to which a proposal is sought.

(*b*) The box in the upper right-hand corner of page 1 should contain a list of all the titles of the Contractor's Proposal, or the portions of such titles which the contractor is requested to fill out or answer. It is at this point that the flexibility of the form, which has been discussed above, comes into actual operation. Care and sound judgment must be exercised in selecting the titles, or portions thereof, to be included in the box. The selection should be made only after a review has been made of the information already on hand in the procurement office, and after consideration has been given to the need for further information necessary to effect the procurement in accordance with War Department policies. In filling out the box, list only the title if all the sections thereof are to be completed; otherwise the sections themselves should be specified in the box. If the request for proposal relates to more than one kind of item, specify in the box, by item number or otherwise, the items for which cost breakdowns are to be submitted under either or both of Titles V and IX.

(*c*) A reference to the contract form number or some other brief description of the form of proposed contract (which may be stated in the alternative if the procurement office is uncertain as to which form of contract is to be used) should be inserted in the first blank in paragraph 1 on page 1. Mandatory clauses need not be specified. Any optional contract clauses which the procurement office desires to include in the contract should be appropriately referred to and identified in the blank space provided at the end of paragraph 1 on page 1. Such of the optional clauses as the procurement office requires to be included in the contract should be stated first and preceded by the words "No Deviation"; such of the optional clauses as the procurement office merely suggests for inclusion should be set forth in a second group and preceded by the words "Optional with Contractor". It may be desirable in some cases to attach a copy of the contract form or of the clauses.

(*d*) Insert in the blanks in paragraph 4 on page 1 the number of copies of the form to be completed and returned and the date for the return of the Contractor's Proposal. The date specified should give the contractor a reasonable time in which to complete and return the proposal but should be no longer than is necessary in the circumstances.

(*e*) The inclosures should be indicated in the lower left-hand corner, and the name of the procurement office and the signature and title of its representative should be entered on the blank lines in the lower right-hand corner, of page 1.

(iv) *Instructions as to remainder of Form No. 3, and as to related forms.* (*a*) It should be noted that certain portions of the form following the heading "Contractor's Proposal" are required to be filled in by the procurement office. In filling out those portions and in determining the portions of the forms to be completed by the contractor, the following instructions will be observed.

(*b*) If the procurement office desires that the contractor's proposal be kept open for a certain number of days, that number may be inserted in the blank space provided therefor in paragraph 2 on page 2 of the form. That time should be kept to a minimum and in any event will not exceed thirty days. Otherwise the space should be left blank for completion by the contractor.

(*c*) In Title II (A) of Standard Procurement Form No. 3, Scope of Proposal, show the F. O. B. point in the space provided therefor and insert in the appropriate columns of the table the following information as to each item: Item number, description of item (or reference to description contained in any attachment), total quantity and unit (as pounds, yards, etc.) on the first two lines of column (3), and the Government's requested delivery schedule. The description of the item may be extended into column (3). Items for which separate prices are wanted, e. g., special packaging, should be shown as separate items in the table. If the delivery schedule for one item is the same as that for an item already specified, the schedule need not be repeated but may be indicated by the words "Same as for Item ——". In the case of spare parts, reference may be made to deliveries concurrent with the item or items to which they relate. If a proposal is desired without deviations from the request, the words "No Deviation" should be inserted in the columns for the description, total quantity and delivery schedule, or in one or more of such columns. If deviations are allowed, leave space at least equal to that used in filling out the Government's requested delivery schedule below each item. Columns (5) and (6), for the proposed unit and total prices, and column (7), for the contractor's proposed delivery schedule, should of course be left blank for completion by the contractor.

(*d*) Attention is invited to the space provided at the end of paragraph (c) of Title III of the "Instructions for Completing War Department Standard Procurement Form No. 3". (WD AGO Form 299–2, March 1, 1945). This space is intended for the insertion, by the procurement office, of special instructions relating to taxes in any case where the general instructions are inapplicable or inappropriate.

(*e*) Insert in paragraph (D) of Title III of Standard Procurement Form No. 3, a brief but adequate description of any material which the Government proposes to furnish. If more convenient, that description may be included in column (2) of the table under Title III (A). If no such material is to be furnished, insert the word "None". Where necessary, insert the words "No Deviation".

(*f*) Before the contractor is asked to complete Titles II and IV of Standard Procurement Form No. 3, the paragraphs appearing under those titles should be carefully checked by the contracting officer. To the extent that any of the information called for will not be useful or the procurement office already has obtained, or has made other arrangements by means of periodic reports or otherwise for obtaining, the information called for, the contractor should not be asked to complete the titles. Thus the box on page 1 of the form should list only such of the paragraphs of Titles II and IV as will elicit new and useful information. It should be noted that some information is requested only to the extent available, and that whether the information called for by specification of paragraph 6 of Title IV is or is not to be furnished is a matter to be left to the contractor's judgment.

(*g*) When the contractor is asked to fill out Title V of Standard Procurement Form No. 3, Unit Cost Breakdowns, or some part or parts thereof, Column A under that title will be called for in nearly all cases, but Column B will be omitted where the contractor has not had relevant previous experience or where the procurement office already has satisfactory cost information on hand. It is permissible to insert in lines 12 through 19 any special elements of cost which are not included in the classifications appearing in the preceding lines, e. g., packaging materials or special tool-

ing, but such insertions should be made sparingly and only when there is good reason for them. It is also permissible to work out with the contractor other classifications that are suitable for use with his cost accounting system or to make arrangements for over-all reports on his past cost experience. Where the proposal is to include more than one type of item, a continuation sheet for Title V (WD AGO Form 209–1, February 1, 1945 or July 12, 1944) should be added to each counterpart of the form for each of the additional items for which cost information is required.

(*h*) The supplement to Standard Procurement Form 3 includes Titles VI through X. If no part of these titles or any part thereof is specified in the box on page 1 the supplement should not be sent to the contractor.

(*i*) Title VI, Indirect Factory Expenses, and Title VII, General and Administrative Expenses, portions of Standard Procurement Form No. 3, should not be specified in the box on page 1 of the form unless there is reasonable cause for believing that the information to be elicited thereby will assist materially in the negotiation of the contract price, and the information is not already on file with the procurement office. Arrangements may be made with the contractor for the submission of this information in some other form or forms acceptable to both the procurement office and the contractor. Note that under each title, columns 1, 2 or 3 may be listed in the box on page 1 of the form. Use only the column or columns necessary in the particular instance.

(*j*) Title VIII of Standard Procurement Form No. 3, Accounting Methods, should be used only infrequently, when the information called for therein will contribute substantially to an understanding of the contractor's proposal. Where the information is considered useful, the request may be limited, by an appropriate indication in the box on page 1, to such of the lettered clauses as may be deemed appropriate in the particular instance. This title should not ordinarily be used where the contractor has supplied the information to the procurement office in connection with a reasonably recent or current procurement. Such information should be preserved in the files of the procurement office.

(*k*) Title IX of Standard Procurement Form No. 3, Costs of Other Items, should be specified only where the amount involved in any of the paragraphs of that title is substantial. Where necessary, the items as to which the information is sought should be specified. Note that any one or more of the paragraphs may be listed in the box on page 1 of the form. Continuation sheets used with Title V (WD AGO Form 209–1, February 1, 1945 or July 12, 1944) should be supplied where Title IX is used.

(*l*) Title X of Standard Procurement Form No. 3, Direct Materials, is to be used only where a few materials constitute an important element of total material cost and where the amount of subcontracting is not large in relation to total material cost. A list of the materials as to which the information is desired may be inserted by the procurement office in the space provided therefor. If Title X is specified in the box on page 1 of the form with respect to more than one item, the necessary additional copies of the supplement should be furnished to the contractor.

(*m*) One copy of the "Instructions for Completing War Department Standard Procurement Form No. 3" (WD AGO Form 209–2, March 1, 1945) should be sent to each contractor along with the necessary number of counterparts of Standard Procurement Form No. 3.

(3) Detailed instructions to contractors for completing Form No. 3 are set forth in the related form, WD AGO Form 209–2, March 1, 1945.

(4) Standard Procurement Form No. 4 (WD AGO Form 298) is self-explanatory.

* * * * *

(d) *Detailed instructions on use of standard proposal forms.* [Revoked.]

(e) *Standard Procurement Forms Nos. 1 and 2 discontinued.* [Revoked.]

[Procurement Reg. 3]

PART 802—CONTRACTS

SUBPART B—AUTHORITY TO MAKE AWARDS, CONTRACTS, AND MODIFICATIONS THEREOF; REQUIRED APPROVALS

1. In § 803.305 paragraph (d) (1) (x) is amended to read as follows:

§ 803.305 *Making and approval of awards of contracts, supplemental agreements and change orders.* * * *

(d) *Information to be furnished in requesting approval of awards.* * * *

(1) * * *

(x) Reference to form of contract to be used, noting and justifying any provisions requiring approval of higher authority, or referring to any such approval previously obtained (see, for example, §§ 803.306 (b) and (d), 803.376, and 803.378).

2. In § 803.306 a headnote is added to paragraph (b) and paragraph (e) is amended to read as follows:

§ 803.306 *Making and approval of contracts, supplemental agreements and change orders.* * * *

(b) *Factors to be considered in determining whether review is necessary.* * * *

* * * * *

(e) *Supplemental agreements converting cost-plus-a-fixed-fee contracts to a fixed price basis.* (1) In all cases, supplemental agreements converting cost-plus-a-fixed-fee contracts to a fixed price basis (which for purposes of this paragraph will include conversion to the incentive type contract—see § 803.378 (e)) will be made subject to the approval of the Director, Purchases Division, Headquarters, Army Service Forces. In submitting such supplemental agreements for the approval of the Director, Purchases Division, Headquarters, Army Service Forces, in addition to any information required by § 803.305 (d) or other instructions as to contract clearance, a written statement should be presented (i) analyzing the price data and other similar information, if any, submitted by the contractor, (ii) describing the investigations of these data and of other relevant facts which have been made by the War Department representatives, and (iii) setting forth the principal factors considered in negotiating the conversion of the particular contract to a fixed price basis on the terms recommended. In the case of a partial conversion (not retroactive to the beginning of performance), the statement will indicate what steps have been taken to exclude from the proposed fixed price starting load costs for which the contractor is entitled to reimbursement or has been reimbursed under the cost-plus-a-fixed-fee portion of the contract. The records of the cost analyses and other investigations made in connection with the conversion will be preserved in the procurement office charged with the conversion negotiations or in the office of the Chief of the technical service concerned.

(2) It is the policy of the War Department to convert cost-plus-a-fixed-fee contracts to a fixed price basis as stated in the recitals quoted below in this subparagraph (2). It has been administratively determined by the Under Secretary of War that such policy is to the advantage of the Government and that the execution of supplemental agreements effecting such conversions of cost-plus-a-fixed-fee contracts to a fixed price basis will facilitate the prosecution of the war when the contracting officer shall have satisfied himself as hereinafter provided in this subparagraph (2) and when the supplemental agreements shall have been approved as provided in subparagraph (1) above. Although a fixed price, properly determined, will usually result in lower expenditure by the Government than on a cost-plus-a-fixed-fee basis, in some instances it may be to the interest of the Government to convert cost-plus-a-fixed-fee contracts for various reasons other than expected monetary saving. Therefore, the policy in favor of conversion may be carried out even in those cases where a price must be set for the first period of deliveries after the conversion which appears to be higher than the unit cost plus unit fee being paid on the cost-plus-a-fixed-fee basis at the time of the conversion. The price for the first period of deliveries after conversion may be necessitated by the increased risks to which the contractor is subject, but opportunity may exist over the life of the contract for savings to develop for the Government as a result of increased efficiency. Each supplemental agreement providing for such a conversion will be made only after the contracting officer has satisfied himself in the light of the above-mentioned policy of the War Department that the facts warrant substantially the following recitals which will be included with appropriate modifications to meet the needs of each particular case in each supplemental agreement:

Whereas, it is the policy of the War Department to convert cost-plus-a-fixed-fee contracts to a fixed price basis to the greatest extent feasible in order, among other things, (1) to develop greater efficiency in the use of manpower, materials and capacity by providing the contractor with an incentive to improve its operations, (2) to develop lower prices and costs through improvements in operating efficiency, and (3) to reduce the expense and manpower necessary for administrative work, both for the Government and for contractors; and

Whereas, it has been administratively determined by the Under Secretary of War that such policy is to the advantage of the Government and that the execution of supplemental agreements effecting such conversions of cost-plus-a-fixed-fee contracts to a fixed price basis will facilitate the prosecution of the war; and

Whereas, the conversion of this contract from a cost-plus-a-fixed-fee to a fixed price basis will implement the policy of the War Department aforementioned not only insofar as this contract is concerned but also to the extent that future contracts for supplies with the contractor may, as a result of this conversion, be placed by the Government on a fixed price basis; and

Whereas, in view of the aforementioned policy of the War Department and after consideration of all factors deemed relevant to the conversion of this contract from a cost-plus-a-fixed-fee to a fixed price basis, and after reasonable price analysis, the terms and conditions set forth in this supplemental agreement have been found to be reasonable under all the circumstances; and

Whereas, for the purposes aforesaid this supplemental agreement is entered into pursuant to the First War Powers Act, 1941, and Executive Order No. 9001.

(3) The supplemental agreement covering the conversion will be distributed as provided in §§ 803.303 (e) and 803.315 *et seq.* The statements and other data referred to in subparagraph (1) need not be submitted with the supplemental agreement to the General Accounting Office or to the finance officer, but will be retained as provided in subparagraph (1) available for inspection.

(4) Prior to distribution there will be attached to each copy of the conversion supplement a certificate signed by the contracting officer stating specifically that the conversion of the contract from a cost-plus-a-fixed-fee to a fixed price basis was made after an investigation and determination that, in the judgment of the War Department, such action would facilitate the prosecution of the war.

(5) Any supplemental agreement, converting a cost-plus-a-fixed-fee subcontract to a fixed price basis, if required to be approved by the contracting officer, shall, prior to such approval, be forwarded for approval of the Director, Purchases Division, Headquarters, Army Service Forces, accompanied by the information required by subparagraph (1) above.

3. In § 803.306h (b) the references to "the Judge Advocate General (attention Litigation Division)," are amended to read "The Judge Advocate General (attention Contracts Appeals Branch, Contracts Division)."

SUBPART H—MANDATORY AND OPTIONAL CONTRACT PROVISIONS

1. Section 803.324 (b) is added as follows:

§ 803.324 *Uniform termination article.* * * *

(b) *Termination at the option of the Government (Short form).* The following article may be used in any supply or construction contract where neither of the articles set out in §§ 803.324 and 803.324 (a) is required to be used.

ARTICLE __. *Termination at the option of the Government.* The performance of work under this contract may be terminated by the Government whenever the Contracting Officer shall determine that such action is for the best interests of the Government. If this contract is so terminated, fair compensation, within the meaning of the Contract Settlement Act of 1944 (Public No. 395, 78th Cong.), as the same may from time to time be amended, will be provided for the contractor.

2. In the table of price revision articles contained in § 803.370 (e), Item 2 of Form II–B, is amended to read as follows:

§ 803.370 *General considerations.* * * *

(e) *Tabular view of price revision articles.* * * *

2. Price is based on projections not extending beyond completion of initial portion of contract.

SUBPART J—MISCELLANEOUS

In § 803.392 paragraphs (d), (e), and (f) are amended to read as follows:

§ 803.392 *Handling defaults and threatened defaults by suppliers and subcontractors under cost-plus-a-fixed-fee prime contracts.* * * *

(d) Where a supplier or subcontractor has defaulted, and a claim arises in favor of the prime contractor, the latter will attempt to negotiate and settle the claim on reasonable terms whenever it appears that a fair settlement capable of prompt consummation is preferable to litigation. The prime contractor will keep the Contracting Officer informed of the progress of such settlement negotiations. The Contracting Officer shall have authority to approve a settlement and no settlement agreement will be made without his written approval.

(e) When, in the opinion of the prime contractor further efforts at settlement will be ineffectual, he will promptly so notify the Contracting Officer. If the Contracting Officer concurs in this opinion, he will reimburse the prime contractor, if the latter has not been reimbursed previously for the amount of his claim against the supplier or subcontractor and if the claim is a reimbursable one under the prime contract, and he will direct the prime contractor to execute an assignment to the United States of the claim on the defaulted purchase order or subcontract, to assemble all the papers pertinent to the claim, to make or obtain any affidavits or other records of the transaction, and to prepare any necessary report on the claim. The Contracting Officer will forward this record (in triplicate), together with his own report and recommendation (in triplicate) to the Litigation Division, Office of The Judge Advocate General, through the chief of the technical service concerned.

(f) The Judge Advocate General may from time to time in the further handling of the claim request cooperation and assistance from the prime contractor, the Contracting Officer, and the chief of the technical service concerned.

[Procurement Reg. 6]

PART 806—INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

SUBPART B—INTERBRANCH PROCUREMENT

1. In § 806.603 paragraphs (b) (2), (f) (3) and (4) are amended to read as follows:

§ 806.603 *Authority of Procurement Assignment Board.* * * *

(b) *Purchase of an item by other than the service assigned such responsibility.* * * *

(2) When an item is required within a brief period of time and, in the judgment of the service requiring it, cannot be provided in such time by the service having responsibility for purchasing it, the item may be purchased by the requiring service; *Provided, however,* That in connection with emergency purchases of paper and paper products, the procedure established in paragraph 8, War Department Supply Bulletin SB 10–8, 1945, will be observed.

* * * * *

(f) *Procedure.* * * *

(3) When circumstances warrant, requirements may be forwarded by the most expeditious method available through the service responsible for the determination of requirements to the service responsible for purchase, and will be confirmed by a formal requisition.

(4) Each requisition from a service responsible for determination of requirements and provision of funds will contain a certificate of availability of funds and citation of the applicable allotment number.

2. In § 806.604 (b) the following three items are added under the heading "Corps of Engineers Construction Equipment," and the item "Boats, Aircraft Crash Rescue * * *" is added at the end of the paragraph:

§ 806.604 *Report of actions of the Procurement Assignment Board.* * * *

(b) *Assignment of boats, vessels and floating equipment (FSSC Class 9).*

Items	Spec	Req.	Funds	Pur.	Insp.
*	*	*	*	*	*
Corps of Engineers Construction Equipment:					
Dredges, rear, and attachments	ENG	ENG	ENG	ENG	ENG
Pile drivers, rear and attachments	ENG	ENG	ENG	ENG	ENG
Scows, dump, for use with bucket dredges	ENG	ENG	ENG	ENG	ENG
*	*	*	*	*	*
Boats, aircraft crash rescue	AAF	AAF	AAF	TC	TC

3. In § 806.605d the table "Indefinite Quanity Contracts Executed by Office of Quartermaster General" is amended to read as follows:

§ 806.605d *Indefinite quantity contracts executed by the Office of The Quartermaster General.* • • •

INDEFINITE QUANTITY CONTRACTS EXECUTED BY OFFICE OF QUARTERMASTER GENERAL

Supply bulletin number	Date	Commodity	Contract period	Contract symbol number	Contractor	Area serviced	Applicability
To be numbered	To be issued	Books	Fiscal year 1946.	See Supply Bulletin		Continental United States and its possessions.	General authorization to the War Department except the Army Air Corps.
10-94 and Change No. 2 [1].	18 July 44 (12 Oct. 44).	Compressed yeast	Fiscal year 1945.	W 11 000 qm 19505	Federal Yeast Corp., Celeste Creek-Richlandtown, P. O., Baltimore, Md.	3d Service Command	All branches of the War Department.
				W 11 000 qm 19518	Vapuum Yeast Co., 105 Cambridge St., Boston, Mass.	1st Service Command	
				W 11 000 qm 19540	Standard Brands, Inc., 595 Madison Ave., New York, N. Y.	4th, 8th, and 9th Service Commands.	
				W 11 000 qm 19731	Anheuser-Busch Inc., 721 Pestalozzi St., St. Louis, Mo.	2d and 7th Service Commands Military District of Washington.	
				W 11 000 qm 19752	Red Star Yeast & Products Co., 221 E. Buffalo St., Milwaukee, Wis.	5th and 6th Service Commands.	
To be numbered	To be issued	Paper rolls, for cash registers.	Fiscal year 1946.	W 28 021 qm 4578	The National Cash Register Co., Main & K Sts., Dayton, Ohio.	See Supply Bulletin	All posts, camps, stations.
To be numbered	To be issued	Oil, engine, grease and gear lubricants [2]	1 July 1945 to 31 Dec 1945.	W 44 109 qm 613	The Texas Co.	Continental United States exclusive of Arizona, California, Illinois, Maryland, Massachusetts, New Jersey, North Dakota, Oregon, Pennsylvania, Vermont and Washington.	All War Dept. activities within Continental United States and in Alaska for domestic consumption, exclusive of items ordered by Army Ground Force Headquarters.
				W 44 109 qm 611	Shell Oil Co. Inc. of California.	California, Oregon and Washington.	
				W 44 109 qm 612	Shell Oil Co. Inc. of New York.	Illinois	
				W 44 109 qm 614	Atlantic Refining Co.	Maryland, Massachusetts, New Jersey, and Pennsylvania.	
		Male	1 April 1945 to 30 June 1945.	W 11 099 qm 4718	Malt-Diastase Company, Wyckoff Ave. & Decatur St., Brooklyn, N. Y.	1st, 2nd and 3d Service Commands. Military District of Washington	All Branches of the War Department.
				W 11 099 qm 46115	Anheuser-Busch, Inc., 721 Pestalozzi St., St. Louis, Mo.	4th Service Command	
				W 11 099 qm 46116	Birk Bros. Brewing Co., Webster and Wayne Sts., Chicago, Ill.	9th Service Command	
				W 11 099 qm 46117	Standard Brands, Inc., War Prod. & Supply Dept., 595 Madison Ave., New York, N. Y.	5th, 7th and 8th Service Commands	
				W 11 099 qm 46111	Hazelton Syrup Co., Hazelton, Pa.	6th Service Command	
10-103	Jan 45	Ink, duplicating machine, black 1 lb. cans.	1 Feb. 1945 to 31 Aug. 1945.	W 28 021 qm 27720	Howard Fluid Ink Co., Clark Ave. & M. C. R. R., Detroit 9, Mich.	See Supply Bulletin No. 10-103.	All Branches of the War Department.

[1] Change No. 1, 16 Aug. 44, to Supply Bulletin Number 10-94 has been rescinded. Change No. 2 relates to Contract W 11-000-qm-19752.

[2] The lease contracts for greases and gear lubricants are contracts of Treasury Department, Procurement Division.

SUBPART C—INTERDEPARTMENTAL PURCHASES

1. In the table in § 806.606 (g) the item "Motor-Vehicle Accessories" is added following "Tire chains"; "Typewriters" is added following "Offset duplicating supplies", and "Feed and forage" is added following "Portable drinking fountains;" and the item "Floor and window coverings" is amended, as follows:

§ 806.606 *Purchases under contract of Procurement Division, Treasury Department.* • • •

(g) *Mandatory schedules.* • • •

Description of item	Schedule of Supplies	Period
• •	• •	•
Motor-Vehicle Accessories, etc., item 8 C 5460 (clutch facings) only.	8 & 66, Supp. No. 1, Revised	July 1, 1944 to June 30, 1945.
• •	• •	•
Floor and window coverings.	27, Revised	Oct. 1, 1944 to Sept. 30, 1945.
• •	• •	•
Typewriters	54, Revised	July 1, 1944, to June 30, 1945, (extended to June 30, 1945).

3. In § 806.608 paragraphs (c) and (d) are amended to read as follows:

§ 806.608 *Purchases from Federal Prison Industries Inc., Department of Justice.* • • •

(c) *General clearance.* The following general clearance, dated June 1, 1945, which covers purchases for the period July 1 to December 31, 1945, indicates not only the items as to which such clearance has been granted but also those items which are available and which, accordingly, must be purchased from Federal Prison Industries, Inc.:

THE UNDER SECRETARY OF WAR,
Washington, D. C.

DEAR SIR: Subject to applicable conservation and limitation orders, the following articles and services are available and can be furnished by Federal Prison Industries, Inc., from industries established under the Act of Congress approved May 27, 1930 (46 Stat. 391):

Brushes: As listed in Schedule of Products.
Canvas goods: Shell covers, canvas covers, tarpaulins, truck covers, truck curtains, barracks bags, shower curtains, miscellaneous bags, bandoleers.
Camouflage nets.
Cargo nets.
Castings: Manhole frames and covers, grates, grate bars, and gutter drains for delivery in Wisconsin, Michigan, Illinois, Indiana, Ohio, Pennsylvania, New York, New Jersey, Delaware, Maryland, West Virginia, Virginia, Kentucky and the District of Columbia.
Fiber furniture.
Laundry services required by posts and stations within 100 miles of the Federal Correctional Institution, Tallahassee, Florida, the United States Penitentiary, Alcatraz, California, the Federal Detention Headquarters, New York City, the Federal Reformatory for Women, Alderson, West Virginia, and the United States Penitentiary, Terre Haute, Indiana.
Mattresses: Cotton felt.
Metal products: Storage shelving, transfer cases, lockers, food trays, sputum cups, iron berths, bunks and hospital beds.
Milk: 1,000 lbs. per day for delivery to Fort Bliss, Texas, only.
Printing: See § 806.610 (i).
Wood furniture and specialties: Desk trays, costumers; striking tool handles as listed in Fed. Spec. NN-H-93, Grade A only; Douglas, 4C, 3C, wide arm and side chairs; stools as listed in Schedule of Products, except rotary type.

CLEARANCE

C-26980

1. Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., not listed above.

2. Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., including the items listed above, in the following cases:

(a) By contractors or contracting officers under cost-plus-a-fixed-fee construction or supply contracts;

(b) By contracting officers under fixed-price (lump sum) construction or supply contracts, wherein the Government is required to furnish certain Government materials;

(c) When immediate delivery or performance is required by the public exigency;

(d) When suitable second hand or used articles can be procured;

(e) When required in small quantities and for delivery within ten days.

3. This clearance is to cover purchases made by the War Department only, and is effective for the period July 1 to December 31, 1945, inclusive.

4. Copy of this clearance should be attached to your contract or voucher when transmitted to the General Accounting Office, or reference made thereon to this clearance number.

Very truly yours,

FEDERAL PRISON INDUSTRIES, INC.,
By (Signed) A. H. CONNER,
Associate Commissioner.

(d) *Attaching clearances to vouchers.* It is to be noted that it is no longer necessary to attach a copy of the clearance to the contract or voucher. It is sufficient to make reference on either the contract or the voucher to Clearance No. C-26980.

[Procurement Reg. 12]

PART 812—RENEGOTIATION AND PRICE ADJUSTMENT

In § 812.1291 (b), subparagraph (3) of RR 352.2 is amended, as follows:

§ 812.1291 *Rulings of War Contracts Price Adjustment Board relating to discretionary exemptions from statutory renegotiation:* • • •

(b) *Discretionary exemption relating to contracts and subcontracts for profits determinable when price established; real estate, public utilities, perishable goods.* • • •

352.2 *Exemptions.* • • •

(3) For an exemption relating to certain contracts and subcontracts involving public utilities, see [RR] paragraph 842 [reprinted in subparagraph (2) below]. For an exemption relating to perishable foods, see [RR] paragraph 843 [reprinted in subparagraph (3) below].

[Procurement Reg. 13]

PART 813—FORMS OF CONTRACTS

1. Section 813.1327 is amended to read as follows:

§ 813.1327 *Standard Procurement Form No. 3 and related forms (WD AGO Forms 299, 299-1, 299.2).* The instructions for the use of these forms, which formerly appeared in this section, are now set forth at § 802.243 (b). These forms are no longer reproduced in procurement regulations. WD AGO Form 299 was revised on March 1, 1945; Form 299-1 was revised on February 1, 1945; and Form 299-2 was revised on March 1, 1945. Form 299 (July 12, 1944) and Form 299-2 (August 31, 1944) will not be used after the revised forms are available. Since revised Forms 299 and 299-2 differ materially from the earlier versions, the revised forms should always be used together; that is to say, the 31 August 1944 edition of Form 299-2 should not be used with the March 1, 1945 edition of Form 299 and the March 1, 1945 edition of Form 299-2 should not be used with the July 12, 1944 edition of Form 299. Form 299-1 (July 12, 1944) may be used until existing stocks are exhausted. The revised forms will be requisitioned and distributed as prescribed in AR 310-200. They will be identified as follows for requisition purposes:

WD Standard Procurement Form No. 3—WD AGO Form 299, Mar. 1, 1945;
Continuation Sheet, Title V, WD AGO Form 299-1;
Instructions for Completing WD Standard Procurement Form No. 3-WD AGO Form 299-2, March 1, 1945.

Detailed instructions to procurement offices as to the use of these forms are set forth in § 802.243 (b) (2).

2. Section 813.1327a is amended to read as follows:

§ 813.1327a *Standard Procurement Form No. 4.* See § 802.243, which prescribes the use of this form in certain cases. This form is no longer reproduced in procurement regulations. It was revised on February 1, 1945, but the edition of July 20, 1944 may be used until existing stocks are exhausted. The form will be requisitioned and distributed as prescribed in AR 310-200. It will be identified as WD AGO Form 298 for requisition purposes.

Subchapter B—Disposal of Property

[Procurement Reg. 7]

PART 823—DISPOSITION OF PROPERTY FOR PURPOSES DIRECTLY RELATED TO PROSECUTION OF WAR

1. Section 823.301-2 is revoked, as follows:

§ 823.301-2 *Sales to contractors in possession.* [Revoked.]

NOTE: The subject matter formerly dealt with under this section is now treated in § 843.804-4 of this chapter.

2. Section 823.301-3 is amended to read as follows:

§ 823.301-3 *Pricing policy.* (a) Sales under § 823.301-1 of all property, other than the property referred to in paragraph (b) hereof, will be made at prices that are fair and reasonable, having due regard for the circumstances of the sale and the nature, condition, quantity, and location of the property.

(b) Sales under § 823.301-1 of all used standard general-purpose machine tools and all used standard machines included in the following classifications of the Standard Commodity Classification (excluding special machines), will be made at prices determined in accordance with Surplus War Property Administration Regulation No. 3 and Surplus Property Board Special Order No. 2 (see § 829.905-4):

Major Group 34, Code 34—40,000 to, but not including, 47,000.
Major Group 34, Code 34—49,000 to, but not including, 70,000.
Major Group 34, Code 34—74,000 to, but not including, 74,900.
Major Group 33, Code 33—6300 through 6620, inclusive.
Major Group 33, Code 33—6800.
Major Group 33, Code 33—6910.
Major Group 33, Code 33—6920.
Major Group 33, Code 33—7210.
Major Group 33, Code 33—7220.
Major Group 33, Code 33—7260.

3. Section 823.301-4 is amended to read as follows:

§ 823.301-4 *Review of sale.* (a) Sales made under § 823.301-1, other than sales made in accordance with § 823.301-3 (b) and sales made to a cost-plus-a-fixed-fee contractor for the account of the Government, will be subject to prior review and approval of a Disposal Board, established in accordance with § 821.105 in all cases where the cost (estimated if not known) of the property to be disposed of in the sale (1) exceeds $100,000 and it is proposed to sell below such cost, less freight and handling charges, or (2) exceeds $10,000 and it is proposed to sell at more than 25 per cent below such cost, less freight and handling charges.

(b) Chiefs of technical services may require or permit review by Disposal Boards established pursuant to § 821.106 where the cost (estimated if not known)

of the property to be disposed of exceeds $500,000 and it is proposed to sell at more than 25 per cent below such cost.

4. Section 823.301–5 is revoked, as follows:

§ 823.301–5 *Sale of tooling and production accessories.* [Revoked.]

PART 826—DISPOSITION OF SERVICEABLE NON-MILITARY PROPERTY

SUBPART A—PRODUCTION EQUIPMENT AND UTILITY EQUIPMENT

Subpart A is amended to read as follows:

§ 826.610 *Application.* The procedures established in this subpart are applicable to idle production and utility equipment. However, such procedures will not apply to property comprised in complete War Department owned industrial installations that have been placed in stand-by or reported as excess under WD Circular 8, 1944, as amended by WD Circular 89, 1945.

§ 826.610–1 *Production and utility equipment.* Production and utility equipment (hereinafter referred to as Part 1 property) includes the following:

Machine tools.
Metal working machinery.
Cleaning and spraying equipment.
Compressors and vacuum pumps.
Industrial pumps.
Industrial conveying machinery.
Engines and turbines, general purpose.
Heat exchangers.
Optical machinery.
Industrial cranes and hoists.
Thermal driers and dehydrators.
Fans, blowers, and exhausters, industrial type.
Pressure and vacuum filters.
Power boilers and pressure vessels.
Electric motors, integral horsepower and electric motor controls.
Power conversion equipment.
Foundry equipment.
Heat treating equipment.
Packaging machinery.
Industrial scale and weighing equipment.
Industrial laboratory equipment.
Industrial trucks, tractors, trailers, and stackers.
Welding and cutting equipment, industrial types.
Crushing, pulverizing, screening, and mixing equipment and machinery, industrial types.
Special industry machinery (specialized machinery for food products, pulp and paper, printing trades, rubber working, petroleum, ceramics, glass, shoemaking, textile, tanning, pharmaceutical, chemical, and other special industries).
Major items of equipment used in the generating, processing, transmission, or distribution of electricity, gas, and water, and in the disposal of sewage.

§ 826.610–2 *Surveys of Part 1 property.* The chief of the technical services will make energetic and continuous surveys of Part 1 property in order to ascertain promptly when such property is idle. Part 1 property will be considered idle when it is no longer required for war purposes by the contractor or the War Department installation in possession thereof; however, mere lack of immediate use will not constitute idleness if there is a definitely foreseeable need for the item in connection with the prosecution of the war. Efforts should be made to consolidate production on as few items of Part 1 property as possible consistent with production efficiency, in order to render other items idle and available for redistribution.

§ 826.611 *Part 1 property owned by War Department.*

§ 826.611–1 *Applicability.* The procedures prescribed by this section will apply to Part 1 property except any item (a) the cost of which (estimated if not known) is less than $350; (b) which is classified as "X" in accordance with the classification of condition prescribed by the Surplus Property Board; or (c) which was manufactured prior to 1930.

§ 826.611–2 *Industrial Equipment Redistribution Board.* The Industrial Equipment Redistribution Board (hereinafter in this Subpart A referred to as "the Board") has been established by a memorandum between the War and Navy Departments and the Defense Plant Corporation, April 24, 1945. The chiefs of the technical services (except The Quartermaster General and The Surgeon General) will each designate one representative (and one alternate to act in his absence) stationed in the Military District of Washington to serve as members of the Board. The Quartermaster General and The Surgeon General may, if they desire, each designate one officer to serve on the Board. The Director, Readjustment Division, Headquarters Army Service Forces, will designate one officer to act as vice chairman of the Board.

§ 826.611–3 *Duties of the Board.* The Board will study operating procedures, forms and practices in connection with the redistribution and reporting of Part 1 property and will take necessary action or make appropriate recommendations to assure the maximum utilization of such property in war production or for national defense. It will direct its efforts toward eliminating the purchase by the Government of new Part 1 property when requirements can be supplied from Government-owned idle property.

§ 826.611–4 *Redistribution.* The chief of the owning technical service will determine and take whatever action is necessary to redistribute idle War Department owned Part 1 property (other than items excepted by § 826.611–1) within the technical service. The period of such redistribution will be limited to 20 days from the time when such property was determined to be idle. Circularization, if any, will not be made to other technical services.

§ 826.611–5 *"War Available" reports.* If War Department owned Part 1 property is not redistributed or definitely assigned for immediate transfer to war production by the owning technical service within the 20 day period prescribed by § 826.611–4, it will be reported to the Board as "War Available" on suitable Kardex forms approved by the Board (address: Industrial Equipment Redistribution Board, % Defense Plant Corporation, 811 Vermont Avenue, NW., Washington 25, D. C.). Each such form shall include only one item of Part 1 property and its accessories, and shall be prepared as fully and accurately as possible with particular attention to matters of description and condition. Redistribution efforts may be continued after reporting property to the Board as "War Available": *Provided, however,* That no property so reported may be transferred, except to storage, or returned to production without the approval of the Board. When Part 1 property is reported to the Board, the owning technical service will indicate which, if any, items it requires for future modernization, stand-by or War Department industrial reserve, in the event that such items are not redistributed by the Board for immediate war use. If a technical service moves any property to storage after it has been reported to the Board as "War Available" it will notify the Board promptly of the change in location.

§ 826.611–6 *War Available Equipment File.* The Board will maintain a War Available Equipment File of Part 1 property reported to it by the technical services. Property reported to the Board as "War Available" will be available for redistribution through the Board for a period not to exceed 40 days from the date of its receipt of such report: *Provided, however,* That the Board may extend such redistribution period for an additional period not to exceed 20 days.

§ 826.611–7 *Screening requirements.* The Board member of each technical service will screen his service's requirements for Part 1 property against the War Available Equipment File and such records of surplus equipment as are maintained centrally by the Reconstruction Finance Corporation. Under the jurisdiction of the Board, the Joint Army-Navy Screening Staff will review War Production Board 542 (formerly PD–3A) certificates, as provided in WPB Directive 23 as amended, and available order boards of equipment manufacturers, and will screen these war equipment requirements against the War Available Equipment File and such records of surplus equipment as are maintained centrally by the Reconstruction Finance Corporation.

§ 826.611–8 *Requests for transfer.* When the Board ascertains a requirement for items which can be supplied from the War Available Equipment File, it will direct that the member representing the requiring technical service submit in behalf of his service a written request for transfer of the items, together with appropriate instructions, to the owning technical service or Bureau via the Board. If any item selected from the War Available Equipment File proves, upon inspection by the requiring service not to be in satisfactory condition, the Board will be so advised. Upon receipt of a request for transfer of an item, indorsed by the Board, the owning technical service will promptly transfer the item in accordance with Part 823 of this subchapter, even though the owning technical service or Bureau has earmarked the item for future modernization, stand-by or War Department industrial reserve.

§ 826.611–9 *Release of Part 1 property.* If any Part 1 property reported to the Board as "War Available" has not been redistributed by the Board within the designated period, it will be released by the Board and reported back to the owning technical service.

§ 826.611–10 *Idle Part 1 property.* Idle Part 1 property need not be reported to the Board as "War Available" when:

(a) The contractor submits an application for removal of the property pursuant to § 848.863 and the technical service reports the property promptly to a disposal agency as surplus; however, in such cases, the technical service will forward to the Board a copy of the surplus report transmitted to the disposal agency; or

(b) The technical service agrees to sell the property to the contractor pursuant to § 848.861–3 or § 848.864–4.

If, subsequent to its report of property to the Board as "War Available", a technical service receives an application from the contractor for removal of the property and it wishes to report such property promptly as surplus to a disposal agency, or if the contractor agrees to purchase the property, the Board will be notified thereof, and will immediately release any of the property covered by such removal or purchase application for which redistribution instructions cannot be furnished.

§ 826.611–11 *"Freezing" idle Part 1 property.* When a technical service contemplates that a facility should be maintained intact for possible further war production or, where appropriate, for disposal as an integrated unit, it may "freeze" idle Part 1 property and need not report it to the Board as "War Available"; however the "freeze" will not constitute actual "stand-by", which requires other action in accordance with WD Circular 8, 1944, as amended. Where Part 1 property is thus "frozen," the owning technical service will report to the Board the name and address of the plant or installation in which such property is located, together with information as to the nature of the property and purposes for which its retention intact is desired.

§ 826.612 *Determination of surplus.* When Part 1 property, excluded from the Board's redistribution procedure as set forth in § 862.611, becomes idle and is determined to be excess to the needs of the owning service, it will be deemed surplus without further action and will be disposed of by the technical service in accordance with Part 827. When Part 1 property subject to redistribution by the Board is released by the Board and reported back to the owning technical service in accordance with § 826.611–9, it will be disposed of by the technical service in accordance with Part 827.

§ 826.613 *Interim procedure.* Part 1 property which has not been reported as surplus to a disposal agency prior to the issuance of this regulation will not be so reported unless it has first been reported to the Board as "War Available" and released by the Board in accordance with § 826.611–9: *Provided, however,* That Part 1 property which has already been circularized may be reported as surplus without being reported to the Board as "War Available", if the technical service forwards a copy of such surplus report to the Board.

§ 826.614 *Authorized stand-by and War Department industrial reserve.* Prior to the cessation of hostilities, items of Part 1 property, other than those suitable solely for production of purely military items, will not be held in stand-by or War Department industrial reserve without the prior approval of the Director, Production Division, Headquarters Army Service Forces, or, in the case of Part 1 property of the Army Air Forces, the Commanding General, Army Air Forces.

§ 826.615 *Part 1 property owned by Defense Plant Corporation.*

§ 826.615–1 *Applicability.* The provisions of §§ 826.615 to 826.615–3 will not apply to complete Defense Plant Corporation projects for which redistribution procedures are established by paragraph 4b, WD Memorandum W5–44, January 25, 1944.

§ 826.615–2 *Procedure.* The following procedure has been agreed upon between the War Department and the Defense Plant Corporation with respect to Part 1 property owned by Defense Plant Corporation and sponsored by a technical service (including Production Division, Headquarters Army Service Forces (referred to in this § 826.615 as Production Division) when it is the sponsor):

(a) The DPC Supervising Engineer will cooperate with the local representative of the sponsoring service (in the case of a technical service) or the Director, Production Division, to ascertain when such property is idle.

(b) The Defense Plant Corporation will prescribe a standard form upon which contractors will indicate such idle property. The standard form will be filed by the contractor with the DPC Supervising Engineer who will inform the contractor as to the number of copies to be made. The Supervising Engineer will deliver the original and two copies of the form to the local representative of the sponsoring service (in the case of a technical service) or to the Director, Production Division.

(c) Upon receipt of a duly executed standard form, the local representative will forward the original and two copies to the chief of the technical service, who will determine whether such property is required by the service or may be released to the Defense Plant Corporation as no longer required by such service. When Production Division is the sponsor, the determination will be made by the Director, Production Division. The determination will be made within a period of 20 days from the time when the form is submitted to the local representative of the service or to the Director, Production Division. If the property is not redistributed or definitely assigned for immediate war production by the sponsoring technical service or the Production Division, the chief of the technical service or the Director, Production Division, will acknowledge its release on the original copy of the form and will forward the original to the Defense Plant Corporation through the Board. The Board will attempt to redistribute the property in accordance with the procedures prescribed in § 826.611 so far as they are applicable. If redistribution cannot be accomplished, the form will be turned over to the Defense Plant Corporation and will constitute a formal release by the War Department.

(d) When the property is not required by the sponsoring technical service or the Production Division for an immediate war production requirement but is required for authorized future modernization, stand-by, or War Department industrial reserve, the release prescribed by paragraph (c) above will not be executed; however, the forms will nevertheless be forwarded to Defense Plant Corporation through the Board with notation to indicate the intention to withhold the property for future modernization, stand-by, or War Department industrial reserve. The Board will attempt to redistribute the property for immediate war production and, if thus redistributed, it will so notify the sponsoring technical service or the Production Division.

§ 826.615–3 The chief of a sponsoring technical service and the Director, Production Division, will expedite the determination of requirements pursuant to § 826.615–2 when notified by the Defense Plant Corporation that the contractor in possession has:

(a) Offered to purchase of Part 1 property; or

(b) Requested removal of such property pursuant to section 12 (g) of the Contractor Settlement Act of 1944.

In such cases, the chief of the sponsoring service and the Director, Production Division, will not defer action upon a release for a period in excess of 10 days from receipt by the local representative of the service or by the Director, Production Division, of a request for release accompanied by a schedule of the property and by a notification from Defense Plant Corporation as aforesaid.

PART 829—APPENDIX

1. Section 829.902 is amended by changing the material under the heading "*Office of the Chief Signal Officer*" to read as follows:

§ 829.902 *Offices to receive Part 1 and Part 3 circularization lists.*

* * * * * * *

OFFICE OF THE CHIEF SIGNAL OFFICER

Director, Requirements Division, Procurement & Distribution Service, Office of the Chief Signal Officer, Washington 25, D. C.	1
Chief, Communications Engineering Br., Army Communications Service, Office of the Chief Signal Officer, Room 4D279 Pentagon Building, Washington 25, D. C.	1
Commanding Officer, Signal Security Agency, Army Communication Service, Office of the Chief Signal Officer, Pentagon Building, Room 3C340, Washington 25, D. C.	1

Commanding Officer, Signal Corps Photographic Laboratory, Army War College, Washington 25, D. C.	1
Chief, Special Activities Branch, Office Service Division, Office of the Chief Signal Officer, Pentagon Building, Room 3C283, Washington 25, D. C.	1
Commanding Officer, Storage and Issue Agency, 128 North Broad Street, Philadelphia 2, Pa. Attn: Redistribution and Salvage Officer	3
Officer In Charge, Plant Engineering Agency, SPSLP-82, Architects Building, 17th and Sansom Streets, Philadelphia 3, Pa	1
Commanding Officer, Philadelphia Sig. C. Procurement District, 128 North Broad Street, Philadelphia 2, Pa	3
Officer in Charge, Philadelphia Signal Corps, Production Field Office, Architects Building, 17th and Sansom Streets, Philadelphia 3, Pa	1
Officer in Charge, Sig. C. Ground Sig. Maintenance Br., Architects Building, 17th and Sansom Streets, Philadelphia 3, Pa	1
Commanding Officer, Monmouth Sig. C. Procurement District, Bradley Beach, N. J	1
Commanding General, Eastern Sig. C. Training Center, Fort Monmouth, N. J.	1
Commanding Officer, Signal Corps Ground Signal Agency, Shark River Hills Hotel, Bradley Beach, N. J., Attn: Redistribution and Salvage Officer	1
Commanding Officer, Signal Corps Photographic Center, 35-11 35th Avenue, Long Island City 1, N. Y.	1
Officer in Charge, New York Sig. C. Production Field Office, 165 Broadway, New York 6, N. Y.	1
Commanding Officer, Army Experimental Station, Pine Camp, N. Y.	1
Officer in Charge, Los Angeles Sig. C. Production Field Office, Rm. 1009, Pacific National Bldg., 315 West Ninth Street, Los Angeles 15, Calif.	1
Director, Western Div., Sig. C. Photographic Center, 1421 North Western Avenue, Los Angeles, Calif.	1
Officer in Charge, Chicago Sig. C. Production Field Office, 1 North LaSalle Street, Chicago 2, Ill.	1
Commanding Officer, Holabird Signal Depot, Baltimore, Md., Attn: Training Branch	1
Commanding General, Camp Crowder, Mo	1
Commanding Officer, Alaska Communication System, Seattle, Wash.	1

2. Sections 829.905-4 and 829.905-5 are amended to read as follows:

§ 829.905-4 *Surplus War Property Administration—Regulation No. 3.* On August 9, 1944, the Administrator of the Surplus War Property Administration issued Regulation No. 3, the text of which is as follows:

STANDARD GENERAL-PURPOSE MACHINE TOOLS

PRICING POLICY FOR SALE BY RFC

Scope of regulation. By Regulation No. 1, Reconstruction Finance Corporation was designated as the disposal agency for surplus war property of the type generally described as capital and producers' goods. Property so assigned includes machine tools.

The purpose of this regulation is to establish a pricing policy for the sale by Reconstruction Finance Corporation of standard general-purpose machine tools which have been used and which it has available for disposal as surplus.

The policy has been established on a fixed price basis so that prospective purchasers will be able to make current plans with reasonable certainty involving the purchase of surplus machine tools. The prices fixed are based on the original price of the machine tool at the plant of its manufacturer, depreciated over the period of its active use at rates which take into account, among other things, the usage which most such tools are undergoing in war production.

This regulation does not apply to special types of machine tools or to other production equipment.

This regulation shall become effective August 15, 1944. It is recommended that any arrangements made prior to that date for the sale of used standard general-purpose machine tools at prices differing from those set forth herein, be revised to conform to the prices herein set forth if they have not theretofore become contractually binding.

While this regulation applies only to sales of surplus machine tools, the Administration has been advised by the principal owning agencies that, in such sales of machine tools which have not been declared surplus as may be made by them, they intend to adhere to the prices herein set forth.

Definitions. "Standard general-purpose machine tools" are machine tools being currently produced and are types used in civilian production; they consist of those listed in the Standard Commodity Classification, Vol. I, Major Group 34, Code Number 34 11000 to 34 19900, inclusive, with the exception of Special Machine Tools designed for and used exclusively in the production of war material, such as:

Special gun reaming, rifling and chambering machines.
Gun boring and turning lathes.
Shell turning lathes.
Shell tappers.
Small arms ammunition machinery.
Special military tank manufacturing machine tools.
Special aircraft manufacturing machine tools.
Special shipbuilding machine tools.
Other special war production machine tools.

Price policy. All sales of used standard general-purpose machine tools, which have been declared surplus to Reconstruction Finance Corporation as disposal agency, shall be made at prices computed as follows: *Provided*, That all sales shall be made in conformity with all applicable War Production Board and Office of Price Administration regulations:

(1) The original price of the manufacturer of the machine tool, inclusive of electric equipment and standard accessories, shall be computed f. o. b. the plant of such manufacturer. If special tooling is to be sold with the machine tool, its original price shall be included, on the same basis.

(2) The period of active use of the machine tool shall be computed on the basis of the best information reasonably available. This period shall run from the estimated date the machine too was originally put in use to the date of sale, if the machine tool is then still in use. If the machine tool is not in use at the time of sale, the period shall run to the estimated date when the machine tool became idle.

(3) The price computed pursuant to paragraph (1) above shall be used as a base. The price at which machine tool shall be offered for sale shall be computed by applying to that base the percentage appearing in Exhibit I to this regulation opposite the period of active use of the machine tool computed pursuant to paragraph (2) above. The percentage appearing in column **B** of Exhibit I shall be applied where the buyer is the person who is using the machine tool at the time of sale or, if the machine tool is then idle, the person who last used it, and the percentage appearing in column **A** shall be applied where the sale is to any other buyer.

(4) The price computed pursuant to paragraph (3) above shall be the sale price f. o. b. cars or trucks at the location of the machine tool at the time of sale.

(Signed) W. L. CLAYTON,
Administrator.

EXHIBIT I

Period of active use	*A* (percent)	*B* (percent)
Less than one month	85.0	90.0
1 month	82.5	87.5
2 months	80.0	85.0
3 months	77.5	82.5
4 months	75.0	80.0
5 months	72.5	77.5
6 months	70.0	75.0
7 months	69.0	74.0
8 months	68.0	73.0
9 months	67.0	72.0
10 months	66.0	71.0
11 months	65.2	70.2
12 months	64.4	69.4
13 months	63.6	68.6
14 months	62.8	67.8
15 months	62.0	67.0
16 months	61.2	66.2
17 months	60.4	65.4
18 months	59.6	64.6
19 months	58.8	63.8
20 months	58.0	63.0
21 months	57.2	62.2
22 months	56.4	61.4
23 months	55.6	60.6
24 months	54.8	59.8
25 months	54.0	59.0
26 months	53.2	58.2
27 months	52.4	57.4
28 months	51.6	56.6
29 months	50.8	55.8
30 months	50.0	55.0
31 months	49.2	54.2
32 months	48.4	53.4
33 months	47.6	52.6
34 months	46.8	51.8
35 months	46.0	51.0
36 months (or more)	45.2	50.2

§ 829.905-5 *Surplus Property Board: Special Order No. 2.* On April 11, 1945, the Administrator of the Surplus Property Board issued Special Order No. 2, the text of which is as follows:

MACHINE TOOL PRICING POLICY

The purpose of this special order is to make certain administrative determinations relative to the machine tool price policy contained in Regulation No. 3 of the Surplus War Property Administration (9 F.R. 9870). That regulation provides that used standard general-purpose machine tools shall be sold at specified percentages of the manufacturer's original sales price. These percentages, as set forth in the schedule annexed to the regulation, decrease with each month of active use, up to 36 months. At that point the schedule ends with the percentage of 45.2 of original cost, and all tools that have been in active use for more than 36 months are sold at the same percentage (45.2) of the manufacturer's original sales price.

This special order is designed to facilitate the administration of the foregoing price policy. The order permits the disposal agency at its election, to use the March 1, 1941 price of the nearest equivalent new machine tool, as the base price for machine tools manufactured before March 1, 1941.

The order also permits the disposal agency to sell machine tools manufactured prior to January 1, 1936 at current market prices even if those prices are below the 45.2% minimum specified in the foregoing regulation.

Pursuant to the authority of the Surplus Property Act of 1944 (Pub. Law 457, 78th Congress, 2d Sess.; 58 Stat. 765), It is hereby ordered, That, in applying the provisions of Regulation No. 3 of the Surplus War Property Administration (9 F.R. 9870) relating to the sale of used standard general-purpose machine tools, the Reconstruction Finance Corporation may:

1. Use as an alternative base price for any machine tool manufactured prior to March 1, 1941, the March 1, 1941 price of the nearest equivalent new machine tool, and

2. Sell any such machine tool manufactured prior to January 1, 1936, at current market prices but not in excess of the applicable prices determined in accordance with SWPA Regulation No. 3, and this Special Order No. 2.

This order shall become effective upon publication in the FEDERAL REGISTER.

SURPLUS PROPERTY BOARD,
By (Signed) A. E. HOWSE,
Administrator.

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 45-11218; Filed, June 25, 1945; 11:34 a. m.]

Subchapter C—Termination of Contracts

[Joint Termination Regulation (PR 15)]

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Parts 841–849 are hereby prescribed. These regulations are also contained in Procurement Regulations, Change 47, 20 April 1945 (10 F.R. 5171) as amended by Change 49, 20 June 1945.

AUTHORITY: Parts 841 to 849 inclusive, issued under sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225, 10 U.S.C. 1193–1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622; Contract Settlement Act of 1941; 58 Stat. 649.

NOTE: In order to conform the Joint Termination Regulation to the numbering system used in the Code of Federal Regulations, the following changes have been made: Sections in the original regulations have been treated as code parts, parts as code subparts, and paragraphs as code sections. Thus Section I becomes Part 841, Section II becomes Part 842, part 1 of any section becomes Subpart A, part 2 becomes Subpart B, etc. Paragraphs in the original regulations become sections, with the number to the right of the decimal point corresponding to the original paragraph number, except that where paragraph numbers also contain a decimal point the point is changed to a dash. The original paragraph numbers appear in brackets following text affected.

For an explanation of the numbering and arrangement of the original regulations see §§ 841.113 to 841.113-5.

PART 841—GENERAL PROVISIONS

SUBPART D—ADMINISTRATION OF TERMINATIONS

In § 841.143, paragraph (c) is amended to read as follows:

§ 841.143 *Delegation of authority.* • • •

(c) The chief of each service or bureau may redelegate any authority or discretion granted to him by this regulation, with or without authority to make successive redelegations (1) within his service or bureau, except where action is explicitly required to be taken by such chief himself or by a specified officer or employee within his service or bureau, or (2) to the chief of another service or bureau: *Provided*, That no such delegation shall be made to the chief of another service or bureau without his consent. In connection with the redelegation of authority between services or bureaus, direct communication between the chiefs of the services or bureaus and their representatives is authorized. [JTR 143]

PART 842—PROCEDURES FOR TERMINATING PRIME CONTRACTS

SUBPART A—AUTHORITY FOR TERMINATIONS

Sections 842.217–2 and 842.217–3 are amended to read as follows:

§ 842.217–2 *Where suspensions authorized.* (a) Arbitrary suspension of performance of work under contracts generally causes undue hardship to affected war contractors and increased costs to the Government, gives rise to injurious uncertainty in the minds of management and labor, and otherwise creates confusion and disorganization harmful to the war effort and to the national economy. Contracting officers should not direct a prime contractor to suspend performance while attempting to decide requirements for continuing production or as a temporary expedient in connection with the solution of other administrative problems. Suspensions will, therefore, be ordered only to the limited extent permitted by paragraph (b) below, and every precaution will be taken to insure that each suspension is in fact in the public interest in the light of the factors set out above and not merely an administrative convenience.

(b) Contractors may be directed to suspend performance of work only where:

(1) A termination has definitely been decided upon, but time is needed in which to determine whether the termination should be effected as a termination for default or for the convenience of the Government; or

(2) Complete, or a substantial part of, performance under the contract is needed, but cessation of performance for a period not unreasonable under the circumstances is necessary or deemed to be in the best interest of the Government, provided that the written approval (in the case of the War Department) of the head of the local procurement district, depot, or other office, or (in the case of the Navy Department) of the chief or assistant chief of the bureau, acting personally, will be required for the continuance of any suspension (subject to § 842.217–3 (c)) issued under this paragraph (2) for more than five days after receipt of a request by the contractor for its revocation; or

(3) Prior approval of the Readjustment Division, ASF, or the Industrial Readjustment Branch, OP&M, is obtained. [JTR 272.2]

§ 842.217–3 *Terms of suspension.* (a) Where a suspension is ordered, the contracting officer should:

(1) Discuss with the prime contractor the nature and terms of the suspension and reduce such terms to writing;

(2) Limit the duration of the suspension to the shortest practicable period; and

(3) Avoid delay in reaching any decision which may be required as to the necessity, nature, or scope of a termination.

(b) If possible, the contracting officer should negotiate with the contractor a supplemental agreement covering the terms of the suspension. If the prime contract does not already contain a termination article substantially in the form currently approved, the agreement should insert the appropriate approved article.

(c) Unless the prime contract or supplemental agreement provides otherwise, the contractor may elect to treat any suspension, extending for thirty days or more, as a termination. Whether the contract is reinstated or terminated, the reasonable costs of the contractor caused by the suspension should be paid either pursuant to an appropriate supplemental agreement or as a part of the termination settlement.

(d) The contracting officer shall not suspend performance of work under a contract before clearance with, or notice to, the War Production Board, if required by § 842.233. [JTR 217.3]

SUBPART B—ADVANCE PREPARATIONS FOR TERMINATION SETTLEMENTS

1. In § 842.222–3, the introductory text of paragraph (i) preceding subparagraph (1) is amended to read as follows:

§ 842.222–3 *Specific subjects of discussions with contractors.* • • •

(i) *Disposal of property by the contractor.* In general, it is the policy of the Government to encourage war contractors to retain or sell as much termination inventory as possible at prices which conform to regulations of the Surplus Property Board.

2. In § 842.224–1, paragraph (c) is added, as follows:

§ 842.224–1 *Regulations of Office of Contract Settlement.* • • •

(c) Regulation No. 9 of the Surplus Property Board provides:

To the maximum extent practicable decisions for the retention or disposal by contractors of all types of contractor inventories shall be made in advance of termination by means of pretermination agreements or otherwise. Provisions may be included in pretermination agreements for the determination of what property shall be considered to be scrap and for the retention or disposal of all types of property by the contractor. Pretermination agreements may also provide for the care and handling and removal of contractor inventories and for the classes of property that the owning agency will take over.

[JTR 224.1]

3. Section 842.224–2 is amended to read as follows:

§ 842.224–2 *Price provisions in pretermination settlement agreements.* The following provisions apply to pretermination agreements entered into on and after July 1, 1945:

(a) Any property, except scrap, which is to be retained by the contractor for his own use, may be retained at prices that

are fair and reasonable and not less than the proceeds that could reasonably be expected to be obtained if the property were offered for sale. The agreement shall contain in connection with each such retention a written representation from the contractor that he intends to use or consume the property for manufacturing, construction, maintenance or repair purposes, and that he is not retaining it for the purpose of reselling it at profit.

(b) Any property, except scrap, which is to be retained by the contractor not for his own use may be retained at either (1) prices that are fair and reasonable and not less than the proceeds that could reasonably be expected to be obtained if the property were offered for sale, but in no event less than 50% of cost (estimated if not known); or (2) market prices.

(c) Any property to be retained by the contractor as scrap may be retained at market prices with or without a scrap warranty.

(d) All prices referred to in this paragraph may be determined either as of the time of the agreement or the time of termination. [JTR 224.2]

4. In § 842.224–3 (a), clause (2) is amended to read as follows:

§ 842.224–3 *Required conditions.* (a) * * * (2) that the agreement will advance one or more of the objectives of the act.

5. In § 842.225–4, the fourth sentence is amended to read as follows:

§ 842.225–4 *Property required by Government.* * * * In general, the Government will require raw materials only where the supply is critical, and, as to spare parts, will require only completed components and assemblies.

5. Section 842.225–6 is amended to read as follows:

§ 842.225–6 *Scrap.* (a) For the purpose of this subpart the term "scrap" shall mean property that has no reasonable prospect of sale except for its basic material content.

(b) All scrap determinations shall be submitted for disposal board review and approval as provided in § 842.227–2. [JTR 225.6]

6. Paragraph (c) is added to § 842.226–2, as follows:

§ 842.226–2 *Pretermination settlement agreements.* * * *

(c) When a pretermination settlement agreement between a war contractor and his subcontractor has been made binding on the Government by the approval of one service or bureau, any other service or bureau may rely upon that approval and, without making any independent review of any provisions so approved, may approve other pretermination settlement agreements or other settlements between the subcontractor and the same or other customers which contain or give effect to the same provisions. Such action may appropriately be taken with respect to provisions of general application to all claims of the subcontractor, such as those determining overhead or profit rates or classifying items of termination inventory. [JTR 226.2]

7. Section 842.227–2 is amended to read as follows:

§ 842.227–2 *Approval by disposal board.* Where a pretermination settlement agreement provides for the retention or disposal of any termination inventory by the contractor, or for a scrap determination, regardless of the cost of the property involved, such agreement shall be subject to prior review and approval by a disposal board established under § 844.455. [JTR 227.2]

8. In § 842.227–3, paragraphs (e) and (f) are amended to read as follows:

§ 842.227–3 *Approval by Readjustment Division or Industrial Readjustment Branch.* * * *

(e) Is a direct pretermination settlement agreement with a war contractor under § 842.224–5 or § 842.226–3; or

(f) Relates to reimbursement of costs or adjustment of the fee under a cost-plus-a-fixed-fee contract. [JTR 227.3]

SUBPART C—DISTRIBUTION OF CUTBACKS

1. Section 842.231–2 is amended to read as follows:

§ 842.231–2 *Review boards.* The chief of each service (except the Army Air Forces) and the chief of each bureau will establish one or more boards of review composed of not less than three responsible officers or employees to review proposed terminations of contracts and reductions in individual delivery schedules. Such a board shall review each such cutback required to be cleared by the War Production Board (CPAD), which involves a selection of facilities and a reduction of more than $500,000 in the total value of the items to be delivered under all prime contracts with that service or bureau for substantially similar procurement items (a) in the current month or in any one of the succeeding 11 months, or (b) in the case of Navy Department ship construction, in the current month or any succeeding month. The chief of the service or bureau in his discretion may require proposed cutbacks involving smaller amounts to be submitted to a review board. In the Army Service Forces such Boards shall review all cutbacks which may result in the complete or partial closing of government-owned plants and transmit the action of the board to the Commanding General ASF (Director, Production Division) for approval. [JTR 231.2]

2. Section 842.232–5 is amended to read as follows:

§ 842.232–5 *Government-owned versus privately-owned facilities.* Privately-owned plants not normally engaged in production of a military character will be given first priority of release from war production in order to facilitate their reconversion to civilian production, due consideration being given to the wishes of the contractors. Government-owned plants will be kept in operation or reserve until their production is clearly no longer required for military needs. However, where a plant is located in an isolated section with no opportunity for displaced workers, the exercise of wise administrative discretion may prompt other action. [JTR 232.5]

3. In § 842.232–10, the word "elect" is amended to read "prefer".

4. In § 842.233–1 paragraph (b) is revoked and paragraph (c) is redesignated paragraph (b).

5. Section 842.233–3 (a) is amended to read as follows:

§ 842.233–3 *PEC Form A, preliminary advice of current cutbacks.* (a) PEC Form A will be filed for a proposed cutback which will involve a reduction of more than $500,000 in the total value of items to be delivered under all prime contracts with that service or bureau for substantially similar procurement items (1) in the current month or any one of the succeeding 11 months or (2) in the case of Navy Department ship construction, in the current month or any succeeding month.

6. Sections 842.237, 842.238, 842.238–1 and 842.238–2 are revoked, as follows:

§ 842.237 *Period I procedures in the War Department; general plan.* [Revoked]

§ 842.238 *Period I procedures in the War Department; action by the services.* [Revoked]

§ 842.238–1 *Army Service Forces.* [Revoked]

§ 842.238–2 *Army Air Forces.* [Revoked]

SUBPART E—IMMEDIATE ACTION AFTER TERMINATION

In § 842.251–3, paragraph (b) is redesignated (c), and a new paragraph (b) is added, as follows:

§ 842.251–3 *Termination of subcontracts.* * * *

(b) In the notice of termination, the prime contractor will inform his subcontractors of the number of the prime contract to which their subcontracts relate, and the name and address of the contracting officer administering the prime contract. Each subcontractor will, in turn, include such information in the notice terminating any next lower tier subcontract.

(c) The prime contractor should take such action as the contracting officer may direct to secure to the Government by assignment or otherwise the benefit of his rights under subcontracts in accordance with § 846.614. [JTR 251.3]

PART 843—INTERIM FINANCING

SUBPART E—PARTIAL PAYMENTS FOR THE BENEFIT OF PRIME CONTRACTORS

In § 843.355 (a), subparagraph (3) is amended to read as follows:

§ 843.355 *Partial payments to prime contractors on account of final settlements with, or partial payments to subcontractors.* (a) * * *

(3) The amount of any partial payment made pursuant to authority to make partial payments in amounts up to

$10,000 granted to the prime contractor under § 843.368 or pursuant to other authorization by the contracting officer.

SUBPART F—PARTIAL PAYMENTS FOR THE BENEFIT OF SUBCONTRACTORS

1 In § 843.364–4, paragraphs (c), (e) and (f) are amended to read as follows:

§ 843.364–4 *Fund created by direct loan to war contractors.* * * *

(c) An application for a direct loan shall be in the form of a letter. Such letter shall (1) indicate the amount of the loan requested, (2) list the services and bureaus under which the applicant holds war contracts and the approximate current dollar value of such contracts under each of such services or bureaus, (3) indicate any outstanding advance payments or loans to the applicant, (4) estimate the number and total amount of subcontract termination claims which it is anticipated will be settled or partially paid by the applicant during the next 90 days, (5) enclose a certified copy of the applicant's balance sheet and operating statement for the latest fiscal year and for the latest period subsequent to such fiscal year, and, if the contractor has an outstanding loan, any necessary consents of financing institutions to the additional borrowing, and (6) indicate the name of the bank or banks which it is proposed to use as a depositary for the fund.

* * * * *

(e) (1) In the War Department, the contracting officer with whom the application is filed will forward the application, together with his recommendations thereon (including a specific statement concerning each of the matters referred to in paragraph (d) hereof to the extent known) through channels to the Advance Payment and Loan Branch for approval. If the contracting officer's recommendation is favorable, the application will be accompanied by 8 copies of the loan agreement, in substantially the form set forth in § 849.955, and 4 copies of the voucher required by § 843.364–5, both executed by the contractor, together with 8 copies of the depository agreement executed by the bank. The amount of the application for a loan as recommended by the contracting officer will be inserted in the loan agreement and in the voucher, but the name of the Financial Contracting Officer and the contract number shall be left blank for insertion upon approval by the Advance Payment and Loan Branch.

(2) In the Navy Department, the Finance Division, OP&M, before approving the application, will obtain the recommendations of the Assistant Chief of Procurement and Material for Industrial Readjustment.

(f) Upon approval of the application, an agreement in substantially the form set forth in § 849.955 will be executed by a Financial Contracting Officer in the War Department, or by the Chief, Deputy Chief or Assistant Chief of the Finance Division, OP&M, in the Navy Department. [JTR 364.4]

2. Section 843.364–5 is amended to read as follows:

§ 843.364–5 *Disbursement of direct loans for the benefit of subcontractors.* In making a direct loan to a war contractor for the benefit of subcontractors, payment will be made to the war contractor on the basis of a voucher which (a) contains a Form 1034 certificate signed by the war contractor and (b) is approved by a person authorized under the preceding paragraph to execute the agreement. A confirmed copy of the agreement will be attached to the first voucher by the approving officer. In addition, the voucher shall include substantially the following provision:

> The payment covered by this voucher is a payment pursuant to the Agreement for Subcontractors' Payment Fund, No. ——, dated ——, authorized by the Contract Settlement Act of 1944 and the Joint Termination Regulation.

[JTR 364.5]

3. Section 843.368–2 is amended to read as follows:

§ 843.368–2 *Partial payments to war contractors on account of final settlement with, or partial payments to, lower tier subcontractors.* A war contractor may include in his application for a partial payment any of the amounts provided for in the case of prime contractors by § 843.355, and under like conditions. [JTR 368.2]

PART 844—TERMINATION INVENTORY

SUBPART A—GENERAL POLICIES

Section 844.417–2 is amended to read as follows:

§ 844.417–2 *Common items.* (a) Items which are reasonably usable on other work of the war contractor because they are materials, parts or components, common in nature to both the terminated contract and other work of the contractor, should not be listed on termination inventory schedules nor should any costs with respect thereto be included in his settlement proposal, to the extent that the items are reasonably applicable to the contractor's other work. The foregoing provision is not intended to prevent a war contractor from listing properly allocable items which cannot be used on other work except at a loss to the contractor. The determination of whether or not items are reasonably usable on other work of the contractor and without loss should be made as of the effective date of termination.

(b) In the settlement of a terminated contract common items properly allocable thereto may be taken into consideration in determining the amount to be paid, on the same basis as other termination inventory, and such items may be retained, sold or otherwise disposed of in the same way as other termination inventory in accordance with this part. For further instructions regarding common items, see Termination Cost Memorandum No. 3, Regulation No. 14 of the Office of Contract Settlement, set forth in Appendix B. [JTR 417.2]

SUBPART B—SUBMISSION OF TERMINATION INVENTORY SCHEDULES

In § 844.421, the second sentence is amended to read as follows:

§ 844.421 *Schedules not required on Form 1a.* * * * This form is to be used only if the war contractor will retain or dispose of all termination inventory and the net amount of the proposed settlement is less than $1,000.

SUBPART E—DISPOSITION OF TERMINATION INVENTORY; AUTHORITY OF GOVERNMENT PERSONNEL

1. Paragraph (i) is added to § 844.455–3, as follows:

§ 844.455–3 *Dispositions not subject to review.* * * *

(i) Retentions or sales in connection with settlements based on proposals properly submitted in accordance with § 845.524–1 on Form 1a. [JTR 455.3]

2. Section 844.457–3 is amended to read as follows:

§ 844.457–3 *Reporting to disposal agency under special arrangements.* (a) Under a special arrangement between Air Forces and Reconstruction Finance Corporation, surplus aircraft items listed in § 827.702–2 (d) of this chapter will be reported to Reconstruction Finance Corporation, Surplus Property Division, Chamber of Commerce Building, Springfield, Ohio.

(b) Special arrangements have been entered into under a Memorandum of Understanding between the Army Air Forces, the Navy, Army Signal Corps, and Defense Supplies Corporation, as agent for the Reconstruction Finance Corporation, covering disposition of certain electronic components, parts and equipment. Other such special arrangements may be made with the approval of the Readjustment Division, ASF, or the Industrial Readjustment Branch, OP&M. A war contractor whose termination inventory is subject to such arrangements will be notified by the contracting officer. The terms of such arrangements will be observed in disposing of termination inventory affected thereby and in reporting items thereof to a disposal agency as surplus. [JTR 457.3]

SUBPART F—STORAGE AND REMOVAL

Section 844.466–1 (b) is amended to read as follows:

§ 844.466–1 *Preparation of material for removal.* * * *

(b) Such instructions will require that all termination inventory, other than scrap, be crated, baled, or otherwise packaged, and that each container or bale be marked or tagged to show the war contractor's name, the terminated war contract number, the page number of the termination inventory schedule, and the item number. In general only one type of product or material will be packed in the same container or bundle; miscellaneous assortments of items in the same container will be avoided. Packaged kits and sets, however, need not be unpacked, sorted and repacked. Where a single item of inventory is to

be moved in more than one container or bundle, each container or bundle should show its number and the total number in the series, as for example, 1 of 5; 2 of 5; etc. If available, the Surplus War Property Administration report number, or disposal agency identification number assigned to the report, will be shown in the markings or on the tags, in lieu of the contract number. Strict observance of these packaging and marking requirements is essential to efficient handling of termination inventory.

PART 845—GENERAL BASIS FOR SETTLEMENT OF PRIME CONTRACT AND SUBCONTRACT CLAIMS

SUBPART C—BASIS FOR NEGOTIATED SETTLEMENT OF FIXED-PRICE CONTRACTS

Section 845.535–2 is amended to read as follows:

§ 845.535–2 *Effect of Navy Department price adjustment articles after termination.* (a) Certain Navy Department fixed price contracts contain articles providing for the readjustment of contract prices by negotiation or otherwise upon the occurrence of a specified event (the date of occurrence of which is hereinafter referred to as the "target date"). Where a contract contains such an article which specifically prescribes the effect to be given thereto upon termination, the provisions of paragraphs (b) and (c) below shall not apply.

(b) This paragraph applies to terminated fixed price contracts which contain the Uniform General Price Redetermination Article approved for use in Navy fixed price contracts, or any substantially similar article providing for the downward redetermination of contract prices by negotiation or otherwise upon the target date. This paragraph does not apply to any contract under which the price redetermination has been effected prior to the date fixed for termination.

(1) In the absence of unusual circumstances, where the contracting officer finds that, by reason of a termination, the target date will never be reached, the contracting officer shall not exercise any privilege he may have of accelerating the target date, and the termination settlement shall waive the Government's rights under the redetermination article.

(2) Where settlement of a termination claim is completed before redetermination is effected, the settlement agreement shall reserve to the Government any right it may have to redetermination, unless settled and released, or waived, as provided in subparagraph (1) above or paragraph (c) below.

(c) Where performance of work under a terminated contract has been substantially completed, and a termination settlement is effected on the total cost basis (Form 1b) prior to redetermination of price under any redetermination article, any claim of the contractor or the Government under the redetermination article, shall, wherever possible, be settled and released as part of the termination settlement. Redetermination shall not, however, be delayed substantially beyond the original or accelerated target date solely in order to permit the contractor to file his termination claim on Form 1b.

(d) Except as otherwise provided in this section, the readjustment or redetermination of prices shall proceed upon the terms and conditions stated in the contract, regardless of any termination thereof. [JTR 535.2]

SUBPART D—BASIS FOR FORMULA SETTLEMENT OF FIXED-PRICE CONTRACTS

Section 845.541–3 is amended to read as follows:

§ 845.541–3 *Subcontractors' claims.* The war contractor is entitled to the costs of settling and paying claims under terminated subcontracts allocable to the terminated portion of the war contract. For the purpose of computing the allowance for profit, the amounts paid or payable to subcontractors for materials delivered or services furnished by them before the effective date of termination should be treated as a part of the war contractor's own charges and not as part of the cost of settling termination claims of subcontractors. [JTR 541.3]

SUBPART F—BASIS FOR SETTLEMENT OF COST-PLUS-A-FIXED-FEE CONTRACTS

1. Paragraph (c) of § 845.562–3 is amended to read as follows:

§ 845.562–3 *Partial termination.*
* * *

(c) Where the contracting officer determines that the terminated portion is clearly severable from the balance of the contract, the terminated portion and any related claims likewise severable and appropriate for settlement in connection with the terminated portion may be settled separately, in accordance with § 845.563 if the settlement includes reimbursed costs, or in accordance with § 845.564 if the settlement does not include reimbursed costs. [JTR 562.3]

2. In § 845.563–2, paragraph (b) is amended to read as follows:

§ 845.563–2 *Discontinuance of vouchers.*

(b) Although discontinuance of the use of Form 1034 cost vouchers will permit speedier settlement, a contractor may elect to continue presenting costs on Form 1034 cost vouchers. A contractor who continues presentation of Form 1034 cost vouchers may at any time thereafter elect to discontinue the use of such vouchers. A contractor will not, however, be permitted during the same period of time to use both Form 1034 cost vouchers and settlement proposals in presenting his costs, except that during the continued use of Form 1034 cost vouchers a contractor may present settlement proposals which are to serve as a basis for the negotiation of a partial settlement authorized by § 845.564–2 (a).

3. In § 845.563–6 paragraph (c) is amended to read as follows:

§ 845.563–6 *Authority to proceed with final settlement agreement.* * * *

(c) In negotiating the settlement, the provisions of the particular contract governing the types of reimbursable costs shall constitute the basis of negotiation. The contracting officer will have for his consideration the accountant's report submitted in accordance with § 845.567–3. Differences of opinion between the parties to the settlement as to the interpretation of the provisions of the contract and their application to the circumstances of the particular case should be settled by agreement whenever feasible. The negotiated settlement, however, will not be made the means of reimbursing contractors for costs which under the provisions of the contract are not allowable. No unreimbursed cost will be allowed which is identical in nature to an item of the contractor's own costs (as distinguished from reimbursement by the contractor of a cost incurred by a cost-plus-a-fixed-fee subcontractor) required to be excluded from the settlement under the provisions of this section. [JTR 563.6]

4. In § 845.569–2, paragraph (a) is amended to read as follows:

§ 845.569–2 *Cost-plus-a-fixed-fee subcontracts where settlement includes reimbursed costs.* (a) Where the settlement of a terminated cost-plus-a-fixed-fee subcontract includes reimbursed costs, the settlement will be made in accordance with the provisions of § 845.563–6. If subcontract costs which have been reimbursed by the prime contractor are required under § 845.563–6 to be excluded from the agreement settling the prime contract, such costs and any unreimbursed costs identical in nature must likewise be excluded from the agreement settling the subcontract. The contracting officer in charge of the settlement of the prime contract may, however, if the parties to the subcontract settlement so request, refer any costs not authorized for inclusion in the settlement agreement for instructions as provided in § 845.563–6 (b). [JTR 569.2]

5. Section 845.569–4 is amended to read as follows:

§ 845.569–4 *Direct settlement of cost-plus-a-fixed-fee subcontracts.* With the written approval (in the case of the War Department) of the head of the local procurement district, depot, or other office, or, (in the case of the Navy) of the chief of the bureau settling the related prime contract, the contracting officer may settle directly all claims of a subcontractor under a terminated cost-plus-a-fixed-fee subcontract in accordance with the procedures set forth in §§ 845.569–2 and 845.569–3 and the applicable provisions of Subparts E and F of Part 846, in any case in which such action is deemed necessary or desirable. [JTR 569.4]

SUBPART H—SETTLEMENT REVIEW BOARDS

Paragraph (d) is added to § 845.582–3, as follows:

§ 845.582–3 *Settlements and agreements not subject to review.* * *

(d) Settlements based on proposals properly submitted in accordance with § 845.524–1 on Form 1a are not subject to review or approval by a settlement review board. [JTR 582.3]

PART 846—SETTLEMENTS OF SUBCONTRACT CLAIMS

SUBPART E—PROTECTION OF SUBCONTRACTORS

Subpart E is amended to read as follows:

Sec.
846.650 Scope.
846.651 Supervision of payments to prime contractor for subcontractors.
846.651–1 Statutory provisions.
846.651–2 When duty to supervise arises.
846.651–3 Methods of supervision.
846.652 Supplemental payments to subcontractors.
846.652–1 Statutory provision.
846.652–2 Scope of statutory provision.
846.652–3 Circumstances requiring payment.
846.652–4 Request for authority to make supplemental payments.

SUBPART E—PROTECTION OF SUBCONTRACTORS

§ 846.650 *Scope.* This subpart deals with special procedures for protecting subcontractors where the prime contractor is unable to meet his obligations. The requirements of Regulation No. 17 of the Office of Contract Settlement entitled "Protection of Termination Claims of Subcontractors" (see Appendix B) are effectuated in this subpart and the succeeding Subpart F of this part. [JTR 650]

§ 846.651 *Supervision of payments to prime contractor for subcontractors.* [JTR 651]

§ 846.651–1 *Statutory provisions.* Section 7 (b) of the act provides:

(b) Whenever any contracting agency is satisfied of the inability of a war contractor to meet his obligations, it shall exercise supervision or control over payments to the war contractor on account of termination claims of subcontractors of such war contractor to such extent and in such manner as it deems necessary or desirable for the purpose of assuring the receipt of the benefit of such payments by the subcontractors.

[JTR 651.1]

§ 846.651–2 *When duty to supervise arises.* (a) The contracting officer shall be under no duty to make an investigation of the financial condition of any war contractor until he has received a request for protection from one or more subcontractors. If such request is made to him, the contracting officer shall take such steps as he considers reasonable to investigate the financial condition of the war contractor concerned. The identity of the contractor making the request shall not be disclosed except to Government personnel concerned with such investigation. [JTR 651.2]

(b) In determining whether a war contractor is unable to meet his obligations, the contracting officer is required to act only on the basis of substantial evidence indicating that the contractor is insolvent or bankrupt or is involved in pending proceedings in insolvency, bankruptcy, receivership or corporate reorganization, or is in imminent danger of such proceedings. [JTR 651.2]

§ 846.651–3 *Methods of supervision.* Whenever the contracting officer is satisfied that a prime contractor, or a subcontractor with whom a direct settlement is made, is unable to meet his obligations, he shall:

(a) Follow substantially the procedure outlined in § 843.367 in making payments to the war contractor on account of termination claims of subcontractors, or

(b) Make such payments through a trustee or escrow agent, or

(c) Settle directly the termination claims of subcontractors in accordance with Subpart F of this part.

In his discretion, the contracting officer may take action under this paragraph in other cases where he deems it necessary or desirable for the protection of subcontractors. [JTR 651.3]

§ 846.652 *Supplemental payments to subcontractors.* [JTR 652]

§ 846.652–1 *Statutory provision.* Section 7 (f) of the Act provides:

(f) If any contracting agency determines that in the circumstances of a particular case equity and good conscience require fair compensation for the termination of a war contract to be paid to a subcontractor who has been deprived of and cannot otherwise reasonably secure such fair compensation, the contracting agency concerned may pay such compensation to him although such compensation already has been included and paid as part of a settlement with another war contractor.

[JTR 652.1]

§ 846.652–2 *Scope of statutory provision.* The payment that may be made under this provision is limited to fair compensation for the termination of a war contract. It does not include a payment on account of a claim for completed articles delivered or services performed pursuant to the subcontract or on account of any other claim that may arise under the terminated contract. [JTR 652.2]

§ 846.652–3 *Circumstances requiring payment.* Payment may be made under this provision only when it is not reasonably practicable for the subcontractor applying therefor to secure fair compensation for the termination of his contract from the war contractor liable to him, or from any other party, or by application of any of the procedures provided in § 846.651–3. In addition, the chief of a service or bureau must determine that in the circumstances of the particular case equity and good conscience require such payment. The determination will call for the exercise of sound judgment on the facts of each case. For example, many contractors, at the instance of representatives of the Government and in order to expedite war production, assumed risks in dealing with previously unknown or with over-extended customers, contrary to their normal peacetime practice. In such cases, considerations of fairness may make it appropriate to make payments to subcontractors who could not otherwise obtain fair compensation for the termination of their subcontracts. On the other hand, payments should not be made under section 7 (f) of the act to subcontractors who incurred the risk of non-payment in the course of normal business dealings. [JTR 652.3]

§ 846.652–4 *Request for authority to make supplemental payments.* Whenever the chief of a service or bureau considers that a subcontractor is entitled to receive a payment of fair compensation under the provisions of section 7 (f) of the act, he shall forward to the Readjustment Division, ASF, or the Industrial Readjustment Branch, CP&M, a report stating the essential facts of the case and the reasons for requesting the approval of such a payment. No such payment shall be made without such approval. [JTR 652.4]

SUBPART F—DIRECT SETTLEMENT OF SUBCONTRACTS BY GOVERNMENT

Subpart F is amended to read as follows:

Sec.
846.660 Scope.
846.661 Authority to settle subcontract claims directly under contract provisions therefor.
846.662 Authority to settle subcontract claims directly where no contract provisions therefor.
846.662–1 Statutory provisions.
846.662–2 Methods of direct settlement.
846.662–3 When required.
846.662–4 When authorized.
846.662–5 Limitation on authority.
846.663 Procedures in making direct settlement with subcontractors.
846.663–1 General.
846.663–2 Acceptance of responsibility for direct settlement.
846.663–3 Allocability.
846.663–4 Limitations on amount payable under prime contract.
846.663–5 Set-offs, assignments, and insolvency.
846.663–6 Partial and final settlement agreements.
846.663–7 Release or assignment of claim.
846.664 Payments only if liability otherwise exists.
846.665 Application of payments to benefit of prime contractor.

SUBPART F—DIRECT SETTLEMENT OF SUBCONTRACTS BY GOVERNMENT

§ 846.660 *Scope.* This subpart deals with the direct settlement and payment by the Government of termination claims of subcontractors in individual cases. It does not apply to direct settlement on a company-wide basis pursuant to Subpart E of Part 848. The requirements of Regulation No. 17 of the Office of Contract Settlement entitled "Protection of Termination Claims of Subcontractors" (see Appendix B) are effectuated in this subpart and the preceding Subpart E of this part. [JTR 660]

§ 846.661 *Authority to settle subcontract claims directly under contract provisions therefor.* Where the Government by a termination article or other contract provision or by a settlement agreement has agreed to assume the obligations of a war contractor to any subcontractor, the contracting officer may settle the termination claim of the subcontractor directly, in accordance with the contract provision. [JTR 661]

§ 846.662 *Authority to settle subcontract claims directly where no contract provisions therefor.* [JTR 662]

§ 846.662–1 *Statutory provisions.* Section 7 (d) of the act authorizes the War and Navy Departments to settle directly

termination claims of subcontractors to the extent that such action is deemed necessary or desirable for the expeditious and equitable settlement of such claims, and prescribes certain procedures to be followed for this purpose. [JTR 662.1]

§ 846.662–2 *Methods of direct settlement.* As used in this part, unless the context clearly indicates otherwise, the terms "settle directly" or "direct settlement" refer to:

(a) The negotiation or determination by a contracting agency of the amount due on account of the termination claim of a subcontractor and the payment of such amount to the subcontractor, or

(b) The payment to a subcontractor of the amount which has been determined to be due on his termination claim by a settlement which was made under any other authorized procedure and adopted and assumed by the contracting agency. [JTR 662.2]

§ 846.662–3 *When required.* Whenever the contracting officer is satisfied that a war contractor is, or is in serious danger of becoming, unable to meet his obligations, and where he considers that action under paragraph (a) or (b) of § 846.651–3 would fail to assure prompt payment of the termination claims of subcontractors of that war contractor, the contracting officer shall settle directly, subject to the provisions of § 846.662–5, the termination claims of such subcontractors. The duties of the contracting officer with respect to investigation of the financial condition of a war contractor, and the determination that a war contractor is, or is in serious danger of becoming, unable to meet his obligations shall be determined in accordance with § 846.651–2. [JTR 662.3]

§ 846.662–4 *When authorized.* (a) The contracting officer may settle directly the termination claim of any subcontractor in any other case in which such action is deemed necessary or desirable for the expeditious and equitable settlement of such claim.

(b) In the War Department such direct settlement, in cases where it is not required by contract or § 846.662–3, shall be limited to direct payment (§ 846.662–2 (b)) unless written permission to negotiate or determine directly the amount due on account of the termination claim has been granted by the head of the local procurement district, depot or other office. [JTR 662.4]

§ 846.662–5 *Limitation of authority.* The authority under § 846.662 shall not be used to settle any claim other than the claim or demand for fair compensation for the termination of the subcontract. [JTR 662.5]

§ 846.663 *Procedures in making direct settlement with subcontractors.* [JTR 663]

§ 846.663–1 *General.* In general, in any case where direct settlement with subcontractors is undertaken under § 846.622, the settlement and disbursement procedures specified for settlement with price contractors shall be followed to the extent applicable. [JTR 663.1]

§ 846.663–2 *Acceptance of responsibility for direct settlement.* (a) Before undertaking to settle directly the termination claim of a subcontractor under § 662, the contracting officer shall send a written notice to the subcontractor in substantially the form set forth in § 849.988–2 or § 849.988–3, depending upon the method of direct settlement to be undertaken. Upon execution by the subcontractor of the consent provision of such notice, the Government shall become liable for the settlement of his claim to the extent and upon the conditions specified in such notice.

(b) The contracting officer shall also send written notice of the assumption of responsibility to the war contractor liable to the subcontractor on account of the termination of the subcontract which the Government is undertaking to settle. Such notice shall be in substantially the form set forth in § 849.988–4 or § 849.988–5, depending upon the method of direct settlement to be undertaken. [JTR 663.2]

§ 846.663–3 *Allocability.* In making direct settlement with a subcontractor under § 846.662 the contracting officer may apply the provisions of § 848.855–8, relating to the determination of allocability in the settlement of subcontract claims under company-wide settlement. [JTR 663.3]

§ 846.663–4 *Limitations on amount payable under prime contract.* Direct settlement with a subcontractor may be made under § 846.662 without regard to any limitation on the amount payable by the Government to the prime contractor. [JTR 663.4]

§ 846.663–5 *Set-offs, assignments and insolvency.* (a) The contracting officer may settle directly with a subcontractor under § 846.662 without regard to any assignment by, or insolvency or bankruptcy of, higher tier war contractors, and without regard to set-offs between contractors in the contractual chain. Such direct settlement shall be made without deduction for claims which the Government may have against the prime contractor or any other higher tier war contractor.

(b) Set-offs which the Government may have against the subcontractor with whom direct settlement is made shall be protected to the same extent that set-offs against prime contractors are protected in making payments on account of their termination claims.

(c) Payments to a subcontractor in direct settlement of his termination claim shall be made consistently with the terms of any assignments executed by that subcontractor of which the disbursing officer has knowledge. The disbursing officer may rely, however, on the subcontractor's statement with respect to outstanding assignments in the absence of actual knowledge to the contrary or notice given in accordance with the Assignment of Claims Act of 1940. [JTR 663.5]

§ 846.663–6 *Partial and final settlement agreements.* (a) When direct settlement of a claim of a subcontractor is accomplished by the first method mentioned in § 846.662–2 and the amount due is established by direct negotiation between the subcontractor and the contracting officer, a final settlement agreement will be executed substantially in the form set forth in § 849.988–6.

(b) When the contracting officer has undertaken to pay directly to a subcontractor an amount which has been determined to be due by agreement between the subcontractor and the next higher tier war contractor, the voucher or invoice shall be supported by the notice to the subcontractor (§ 849.988–3) on which the subcontractor has executed the consent provision. No formal direct settlement agreement is required. [JTR 663.6]

§ 846.663–7 *Release or assignment of claim.* (a) As a condition of the direct settlement of his claim by the Government under § 846.662, the subcontractor is required, upon final settlement, either to assign his termination claim to the Government or to release the Government and his purchaser from his liability thereon. The contracting officer ordinarily should obtain a release, but he should secure an assignment of the subcontractor's claim whenever he considers it necessary to protect any interest that the Government may have.

(b) The form of final settlement agreement for cases in which the amount is determined by direct negotiation with the subcontractor (§ 849.983–6) and the consent provision of the notice by which the Government adopts and assumes a settlement made under another procedure (§ 849.968–3) contain alternative clauses providing for either a release or an assignment.

(c) When the assignment of a claim is received from a subcontractor under a War Department prime contract the contracting officer will forward the assignment directly to the Judge Advocate General, Attention: Chief, Litigation Division, Washington, D. C.; and he will forward a report of the action taken through channels to the Readjustment Division, ASF. In the Navy Department, the assignment will be forwarded directly to the Disbursing Division, Bureau of Supplies and Accounts, Washington, D. C.; and a report of the action taken will be forwarded directly to the Industrial Readjustment Branch, OP&M. [JTR 663.7]

§ 846.664 *Payments only if liability otherwise exists.* (a) Except for payments under § 846.652, and except to the extent required in order to give effect to the provisions of § 846.663–5, payments shall be made to subcontractors under Subpart E and this subpart only in cases where the Government would otherwise be required to bear the cost of settling the terminated subcontract.

(b) Where payment has been made to a prime contractor or a higher tier war contractor on account of any portion of the termination claim of a subcontractor, an additional payment on account of the same portion of that claim may be made only in accordance with § 846.652, or to the extent that the prior payment has been recovered by the Government. Where a sum has been paid to a prime contractor on account of the termination claim of a subcontractor but has not been paid to the subcontractor, Article 3 of the final settlement agreement with the prime contractor (§§ 849.961–1, 849.983–1) requires the prime contractor, upon request, to return to the Government the amount so payable to his subcontractor. Sums returned pursuant to this provision, or otherwise recovered, may be paid to the subcontractors in direct settlement of their termination claims. [JTR 663.7]

§ 846.663 *Application of payments to benefit of prime contractor.* (a) The uniform termination articles for fixed-price and cost-plus-a-fixed-fee prime contracts provide that, with certain exceptions, the obligation of the Government to make payments under the article shall be subject, in the discretion of the contracting officer, to deduction for the amount of any termination claim of any subcontractor. The purpose of this provision is to permit the withholding of sums owing by the prime contractor to his subcontractors, in order to assure their receipt by the subcontractor. In any case where this provision is used, the prime contractor is entitled to have the withheld sum applied for his benefit in such a way as to exonerate him, to that extent, from the claim of the subcontractor.

(b) Other forms of approved termination articles contain similar provisions of various types, which are construed in the same manner. [JTR 668]

PART 847—SETTLEMENT OF PRIME CONTRACT CLAIMS

SUBPART D—SETTLEMENT AGREEMENTS

1. Section 847.743–1 is amended to read as follows:

§ 847.743–1 *Renegotiation.* The settlement agreement will specifically reserve all rights and liabilities, if any, of the Government and the prime contractor under the Renegotiation Act. [JTR 743.1]

2. Section 847.743–2 is amended to read as follows:

§ 847.743–2 *Deductions for damaged property and defects.* A reasonable deduction should be made for damaged property, defective materials and workmanship in termination inventory transferred to the Government, or retained or sold with the approval of the contracting officer in connection with the termination settlement, unless this factor has otherwise been taken into account in the negotiation. [JTR 743.2]

SUBPART E—PROCEDURE FOR FORMULA SETTLEMENTS UNDER FIXED-PRICE CONTRACTS

1. Section 847.752–3 is amended to read as follows:

§ 847.752–3 *Preservation of evidence.* The contracting officer shall retain in the files of the office to which he is attached all written evidence and other data relied upon by him in making his findings and determination, except that copies of original books of account need not be made, and such books of account may be returned to the contractor with other original papers and documents in view of the contractor's obligation to preserve them for examination in accordance with section 19 (a) of the act. [JTR 752.3]

2. Section 847.755–1 is amended to read as follows:

§ 847.755–1 *When allowed or required.* Under section 13 (c) of the act, the contractor in his discretion may resort to any procedure provided by the War or Navy Department for appeal from such formula findings within the time specified in his contract, or if no time is specified, within thirty days after the delivery of the findings to him. Furthermore, if so required by regulations of the Director, he must take such an appeal before resorting to appeal or suit under the act. No such regulations have as yet been issued by the Director. Any such findings revised upon appeal within the Department will, as revised, be treated as the findings of the Department for the purpose of any subsequent appeal or suit under the act. [JTR 755.1]

3. In § 847.756–2 paragraph (a) is amended to read as follows:

§ 847.756–2 *Duty of contracting officer on appeal.* (a) Immediately upon receipt of notice of the filing of an appeal, the contracting officer will forward all documents required to be preserved in accordance with § 847.752–3, or copies thereof, together with a statement of the issues in dispute and the basis of the contracting officer's findings on such issues, in the case of the War Department, directly to the Office of the Judge Advocate General, and in the case of the Navy, to counsel for the bureau. [JTR 756.2]

SUBPART F—RECORDS OF SETTLEMENT

Section 847.762 is redesignated § 847.763, and §§ 847.762 to 847.762–2 are added as follows:

§ 847.762 *Examination of records by General Accounting Office.* [JTR 762]

§ 847.762–1 *Statutory provision.* Section 16 (c) of the act provides in part as follows:

> The Comptroller General may investigate the settlements completed by each contracting agency for the purpose of reporting to the Congress from time to time on:
>
> (1) Whether the settlement methods and procedures employed by such agency are of a kind and type designed to result in expeditious and fair settlements in accordance with and subject to the provisions of this Act and the orders and regulations of the Director;
>
> (2) Whether such methods and procedures are followed by such agency with care and efficiency; and
>
> (3) Whether such methods and procedures adequately protect the interest of the Government.

[JTR 762.1]

§ 847.762–2 *Arrangements for examination.* In carrying out its examination of records incident to the statutory authority set forth in § 847.762–1, it is the policy of the War and Navy Departments to assist the General Accounting Office in every way practicable. In order to facilitate this policy, the following informal understanding has been reached with the General Accounting Office:

(a) Representatives of the General Accounting Office will make arrangements for such examinations in advance, in the case of the War Department, with the responsible district office of the service involved, and, in the case of the Navy, with the cognizant supervisory cost inspector.

(b) Records will be reviewed at the places where such records are made available by the War and Navy Departments and will not be removed from such location by the General Accounting Office. [JTR 762.2]

PART 848—SPECIAL PROCEDURES AND REPORTS

SUBPART B—CONSOLIDATED TERMINATION PROGRAM FOR SELECTED CONTRACTORS

1. Sections 848.822–4, 848.822–5, and 848.822–6 are amended to read as follows:

§ 848.822–4 *Selection of contractors.* (a) The Readjustment Division, ASF, and the Industrial Readjustment Branch, OP&M, will review and coordinate recommendations with the services or offices involved. They will then assign contractors, or, in some cases appropriate divisions thereof, to individual services or to the Navy Department.

(b) When a war contractor has been assigned to a designated office, that office will notify the contractor in writing of the selection and of the scope of the work to be handled by the designated office for the services and bureaus. Information copies of the notice will be forwarded to the Readjustment Division, ASF, and the Industrial Readjustment Branch, OP&M.

(c) Contractors selected prior to the effective date of this regulation will be requested to take action with respect to the claims of their subcontractors in accordance with § 848.822–2 (b). [JTR 822.4]

§ 848.822–5 *Designated office.* (a) In the War Department, the chief of the service to which the contractor has been assigned will designate a single office within his service responsible for all work required to expedite the settlement of termination claims of the assigned contractor in accordance with the provisions of this regulation. Specifically, the designated office will be responsible for the following:

(1) Conducting all activities related to accounting matters as set forth in § 848.824.

(2) Conducting all activities related to the disposal of property, as set forth in § 848.825, including the determination of the existence of inventory and its allocability to the terminated contract. When a War Department office checks the existence and allocability of inventory to a terminated Navy Department prime contract or subcontract, such office may request the cognizant Navy material inspector to furnish such reasonable technical assistance as may be necessary. Similarly, such assistance may be requested from other services of the War Department where terminated

prime or subcontracts of such services are involved.

(3) Expediting, with the assistance of property disposal, accounting and other personnel, the conclusion of agreements as to general policies and methods governing the preparation and submission of individual claims and the disposition of termination inventories; insuring the effective continuing operation of the program under such agreements; and effecting promptly any changes in such agreements made necessary by changing conditions. In this connection, the designated office will devote particular attention to furnishing guidance and assistance in matters not specifically within the normal scope of accounting and disposal personnel by furnishing opinions or decisions on which such personnel may rely as a basis for their recommendations or determinations.

(4) Supervising and coordinating the activities of all personnel involved, with the objectives of expediting the filing of claims by the contractor and of processing the claims within a minimum period of time subsequent to filing.

(b) In the Navy Department, the designated office will consist of the following:

(1) The Cost Inspection Service, which will be responsible for designating a Cost Inspection Service Office to conduct activities set forth in paragraph (a) (1) above.

(2) The Material Redistribution and Disposal Administration, which will be responsible for designating a Field Disposal Office to conduct activities set forth in paragraph (a) (2) above except that determination of the existence of inventory and its allocability to the terminated contracts will remain the responsibility of the material inspector.

(3) The Material Inspection Service, which will designate the cognizant Inspection Office to be responsible for activities designated in paragraph (a) (3) and (4) above. This office will also check the existence and quantity of inventories, spot check the price of raw materials and purchased parts, and determine the allocability of inventories to the terminated contract. When an Inspection Office checks the existence of inventory and its allocability to a terminated War Department prime contract or subcontract thereunder, the Inspection Office may request the appropriate War Department office to furnish such reasonable technical assistance as may be necessary. [JTR 822.5]

§ 848.822–6 *Responsibility with respect to contracts terminated prior to assignment.* The designated office shall have no responsibility with respect to terminations incurred prior to the date of assignment to the program. Such office may, however, upon request of the terminating service, assume responsibility for processing such prior terminations in accordance with this subchapter. [JTR 822.6]

2. In § 848.824–1 The last sentence of paragraph (a) is deleted so that paragraph (a) reads as follows:

§ 848.824–1 *Procedures.* (a) All settlement proposals of the assigned contractor will be filed with the designated office, except as provided in § 848.827. That office will make office accounting reviews of such proposals, and will make further accounting reviews as requested by a contracting officer or by a higher tier war contractor. Even without, or in advance of, such requests, the designated office will make field accounting reviews, where such examination would be made in accordance with the established practice of the designated office. [JTR 824.1]

3. Section 848.824–3 is revoked as follows:

§ 848.824–3 *Forwarding of claims.* [Revoked.]

4. Section 848.826–1 is amended to read as follows:

§ 848.826–1 *War Department procedure.* In the case of contracts assigned to a designated office in the War Department, property disposal personnel of that office will prepare a report covering the following points:

(a) Approval of inventory schedules as to form.

(b) The extent of examinations made to verify the existence of materials included in the inventory schedules.

(c) Comments as to the allocability of that material to the terminated contract.

(d) A summary of disposal actions which have been taken with respect to the inventory, including approvals of sales or diversions by the contractor, scrapping determinations, and property to which title has been taken for the Government. [JTR 826.1]

5. Section 848.826–3 is added as follows:

§ 848.826–3 *Forwarding of settlement proposals.* (a) Where a claim relates to a War Department prime contract, the settlement proposal, with the inventory schedules and accounting and property disposal reports attached, will be forwarded to the contracting officer. Where a claim relates to a subcontract under a War Department prime contract, the proposal, with the schedules and reports attached, will be delivered to the assigned contractor for transmission to his customer.

(b) Where a claim relates to a Navy Department prime contract, or to a subcontract under a Navy Department prime contract, and the amount of the claim exceeds $10,000, the settlement proposal, with the inventory schedules and accounting and property disposal reports attached, will be forwarded to the Navy material inspector cognizant of the assigned contractor.

(c) Where a claim not exceeding $10,000 relates to a subcontract under a Navy Department prime contract, the settlement proposal, with the accounting and property disposal reports attached, will be delivered to the assigned contractor for transmission to his customer. [JTR 826.3]

6. Section 848.828 is amended to read as follows:

§ 848.828 *List of assigned contractors.* A list of the contractors assigned under the consolidated termination program is set forth in Part 1 of Appendix D. This list will be revised from time to time as additional contractors are brought into the program. [JTR 828]

SUBPART E—DIRECT SETTLEMENT OF WAR CONTRACTS ON A COMPANY-WIDE BASIS

Subpart E is added as follows:

Sec.

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848.853 Assignment of contractors.
848.853–1 Regulation No. 16 of Office of Contract Settlement.
848.853–2 Applications of contractors.
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848.855 Procedure.
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848.855–2 No-cost settlements.
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848.855–10 Review of settlement proposals.
848.855–11 Settlement agreements.
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848.856 Authority and responsibility with respect to contracts of assigned contractors.
848.856–1 Designated officer.
848.856–2 Contracting officer under applicable prime contract.
848.856–3 War contractor.
848.856–4 Action in case of excluded contracts and price adjustments.
848.857 Payments under terminated contracts of assigned contractors.
848.857–1 Interim financing.
848.857–2 Set-offs.
848.857–3 Assignments and insolvency.
848.857–4 Disbursements.
848.858 Direct communication authorized.
848.859 Cooperation.

§ 848.850 *Scope.* This subpart deals with the direct settlement on a company-wide basis of termination claims of war contractors assigned to the War or Navy Department for settlement pursuant to Regulation No. 16 of the Office of Contract Settlement. The procedures described in this part do not apply to the direct settlement of individual subcontracts under subpart F of Part 846 of this subchapter. [JTR 850]

§ 848.851 *Definitions.* As used in this subpart, the following terms shall have the following meanings. [JTR 851]

§ 848.851–1 *Applicable prime contract.* The term "applicable prime contract" means the terminated prime contract that is being settled, or where a subcontract in any tier is being settled, the prime contract to which that subcontract relates. [JTR 851.1]

§ 848.851–2 *Assigned contractor.* The term "assigned contractor" means a war contractor assigned, under § 848.853, to a service or bureau for company-wide settlement. [JTR 851.2]

§ 848.851–3 *Company-wide settlement.* The term "company-wide settlement" means the direct settlement on a company-wide basis of termination claims of an assigned contractor by the chief of a service or bureau who is authorized to act for all services of the War Department, all bureaus of the Navy Department, and (in some cases) for other contracting agencies, with respect to terminated war contracts of the assigned contractor. [JTR 851.3]

§ 848.851–4 *Customer.* The term "customer" means the purchaser from an assigned contractor under a subcontract. [JTR 851.4]

§ 848.851–5 *Designated officer.* The term "designated officer" means the chief of the service or bureau authorized to conduct company-wide settlement with an assigned contractor, or his duly authorized representative. In the case of the Navy Department, a Navy material inspector may be a designated officer, in which case he shall exercise all powers and have all responsibilities of a chief of a bureau so designated under this subpart. [JTR 851.5]

§ 848.851–6 *Other contracting agency.* The term "other contracting agency" means a contracting agency, as defined in section 3 (g) of the act, other than the War Department and the Navy Department, on behalf of which the War or Navy Department has been authorized to settle terminated war contracts of an assigned contractor pursuant to Regulation No. 16 of the Office of Contract Settlement. [JTR 851.6]

§ 848.852 *Authority.* [JTR 852]

§ 848.852–1 *Statutory authority.* Section 7 (c) of the act provides that the Director shall prescribe policies and methods for the settlement as a group, or otherwise, by a contracting agency of termination claims of a war contractor under contracts with one or more services or bureaus within an agency, with other agencies, or with other war contractors, to the extent he deems such action necessary or desirable for the expeditious and equitable settlement of such claims. The Director is also authorized, after consulting with the contracting agencies concerned, to provide for assignment of war contractors to a contracting agency for such settlement. [JTR 852.1]

§ 848.852–2 *Regulation No. 16 of Office of Contract Settlement.* Regulation No. 16 of the Office of Contract Settlement directs the contracting agencies to conduct a program of company-wide settlement for the purpose of facilitating expeditious and equitable settlement and payment of termination claims of certain war contractors holding large numbers of subcontracts. [JTR 852.2]

§ 848.852–3 *Authority of designated officer.* (a) The designated officer is authorized to settle the termination claims of the assigned contractor arising under prime contracts of the War or Navy Department or other contracting agency, or under subcontracts in any tier that were terminated as a result of the modification or termination for the convenience or at the option of the Government of any prime contract of the War or Navy Department or other contracting agency or under other circumstances which require the Government to bear the cost of settling the terminated subcontract.

(b) When the designated officer is in the Navy Department, the Cost Inspection Service, Bureau of Supplies and Accounts, will designate a field accounting officer, and the Navy Material Redistribution and Disposal Administration (NMR&DA) will designate a field disposal office, to perform respectively the accounting and property disposal work. The designated officer has primary responsibility for the expeditious and equitable settlement of the termination claims of the assigned contractor in accordance with the provisions of this regulation. The field accounting office and the field disposal office will perform their respective functions with respect to accounting reviews and property disposition matters, but the designated officer shall have authority to coordinate their functions in order to expedite settlement and property disposal.

(c) The designated officer of the War Department, or the designated officer, NMR&DA and Navy Material inspector, in the case of a contractor assigned to the Navy Department, shall have the authority and responsibility with respect to termination inventory under war contracts of the assigned contractor and his lower tier subcontractors (other than another assigned contractor and his lower tier subcontractors, or a contractor subject to the provisions of Subpart B of this part) which the contracting officer for the War Department, or the contracting officer, NMR&DA and Navy Material inspector for the Navy Department has under Part 844. [JTR 852.3]

§ 848.853 *Assignment of contractors.* [JTR 853]

§ 848.853–1 *Regulation No. 16 of Office of Contract Settlement.* (a) Pursuant to Regulation No. 16 of the Office of Contract Settlement, a committee composed of representatives of the Office of Contract Settlement and the War and Navy Departments, after consultation with the contracting agencies concerned, will select the war contractors for company-wide settlement, will assign each of those contractors to a contracting agency, and will specify the contracting agencies on behalf of which the designated agency shall have authority to settle termination claims of the assigned contractor. Applications for assignment may be filed with any contracting agency.

(b) Regulation No. 16 declares that, in general, expeditious and equitable settlement of termination claims will be advanced by company-wide settlement in the case of those contractors:

(1) Who are subcontractors under numerous war contracts for the production of articles for different purchasers;

(2) Whose volume of war business and termination claims, actual and anticipated, is sufficiently large to make such settlement lead to the economical utilization of Government personnel;

(3) Whose terminated war contracts are of such character that they can efficiently be settled by one contracting agency on behalf of other contracting agencies; and

(4) Who have efficient termination organizations.

Among contractors who meet these conditions, preference is to be given to those upon whom large numbers of lower tier subcontractors depend for payment of their claims. [JTR 853.1]

§ 848.853–2 *Applications of contractors.* A contractor applying to the War Department for company-wide settlement will file its application with the Readjustment Division, ASF. A contractor applying to the Navy Department will file its application with the Industrial Readjustment Branch, OP&M. Each such application will contain the following:

(a) (1) Name of Contractor.

(2) Address of principal office.

(3) Number and location of contractor's plants.

(4) Statement of the plants (including those of subsidiaries, if any) to which this program will be applicable.

(5) A brief description of the major products being manufactured.

(6) The total number and dollar amount of the undelivered portion, estimated if necessary, of all prime contracts held by the contractor.

(7) The percentage of such total number and dollar amount of prime contracts applicable to each contracting agency, and to each service or bureau.

(8) The number and dollar amount estimated if necessary, of the undelivered portion of all subcontracts held by the contractor.

(9) The percentage, estimated if necessary, of such total number and dollar amount of the undelivered portion of all subcontracts applicable to each contracting agency, and to each service or bureau.

(10) The approximate number of, and dollar amount of the terminated portions of, both prime contracts and subcontracts, terminated to date, and during the past four months.

(11) The percentage, estimated if necessary, of such total number and dollar amount applicable to each contracting agency, and to each service or bureau.

(12) The approximate number of, and dollar amount of the terminated portions of, war contracts which have not been settled to date.

(13) The percentage, estimated if necessary, of such number and dollar amount of unsettled terminations applicable to each contracting agency, and to each service or bureau.

(14) The approximate number of subcontractors, and the approximate number and dollar amount of the undelivered portion of all the subcontracts, under the war contracts of the contractor.

(15) Such other information regarding the contractor's war business as, in the judgment of the contractor, will show that his assignment for company-wide

settlement is appropriate and will make possible a proper assignment of the contractor to a service or bureau for company-wide settlement.

(b) If more than one plant is to be included under the program, the information listed in (a) above as to each such plant.

(c) A statement by the contractor that he is willing to enter into a master agreement for company-wide settlement substantially in the form set forth in § 849.986–1, and that he has a termination organization capable of complying with the provisions of this subpart. [JTR 853.1]

§ 848.853–3 *Processing of applications.* (a) Each application of a contractor for company-wide settlement will normally be referred to a service or bureau for investigation and recommendation. Where desirable, the assistance and advice of the appropriate termination coordination committee should be secured. When a service or bureau recommends that a contractor be assigned for company-wide settlement, its recommendation shall include:

(1) Plants of the contractor to be assigned.

(2) The service or bureau to which the contractor should be assigned.

(3) A brief statement describing the functions, personnel, and operations of any resident officers of the War and Navy Departments previously assigned to the contractor.

(4) A brief statement describing the contractor's termination organization. The promptness with which subcontractors' claims are being processed and paid, and the contractor's efficiency with respect to the presentation of his own claims, should be indicated.

(b) The application of a contractor, together with any recommendation of a service or bureau regarding him, will be referred by the Readjustment Division, ASF, or the Industrial Readjustment Branch, OP&M, to the committee appointed pursuant to Regulation No. 16 of the Office of Contract Settlement. [JTR 853.1]

§ 848.853–4 *Assignment of designated officer.* When a contractor has been assigned to the War Department by the committee, the Readjustment Division, ASF, will assign that contractor to a designated officer. When a contractor has been assigned to the Navy Department, the Industrial Readjustment Branch, OP&M, will assign that contractor to a designated officer. [JTR 853.4]

§ 848.854 *Master agreement for company-wide settlement.* (a) Prior to the commencement of company-wide settlement, the assigned contractor and the designated officer will enter into a master agreement for company-wide settlement substantially in the form set forth in § 849.986–1. That agreement shall be numbered and distributed as a contract of the designated officer. By that agreement, the contractor undertakes not to file settlement proposals with any contracting officer other than the designated officer, and not to seek compensation from any customer for the termination of any war contract, except in the case of contracts that have been excluded from company-wide settlement pursuant to Article 3 of that agreement.

(b) The form of master agreement set forth in § 849.986–1 may be varied to meet the needs of particular cases in accordance with the principles stated in § 841.144–2. Any deviation from that form shall be considered substantial if it changes Article 2, relating to the scope of the settlement; Article 4, relating to the basis of settlement; or Article 5, relating to settlements with and payments to subcontractors.

(c) As promptly as possible after the execution of a master agreement with an assigned contractor, the Readjustment Division, ASF, and the Industrial Readjustment Branch, OP&M, will publish notice of such agreement in such manner as to inform all contracting officers that termination claims of the assigned contractor are to be settled on a company-wide basis. A list of the assigned contractors is set forth in Part 2 of Appendix D. This list will be revised from time to time as additional contractors are brought into the program. [JTR 854]

§ 848.855 *Procedure.* [JTR 855]

§ 848.855–1 *General.* Each termination claim of the assigned contractor that is settled under the program shall be settled in accordance with the procedures applicable to the settlement of prime contract claims in the service or bureau of the designated officer, except as such procedures are modified by the provisions of this subpart. [JTR 855.1]

§ 848.855–2 *No-cost settlements.* Where the assigned contractor determines that he will present no claim on account of the termination of a prime contract, the designated officer will be responsible for the execution of a no-cost settlement agreement (§§ 849.981–3 and 849.981–4 of this subchapter), unless such an agreement has previously been executed. Where the assigned contractor determines that he will present no claim on account of the termination of a subcontract, he will normally conclude a no-cost settlement with his customer, but the designated officer may enter into no-cost settlement agreements relating to subcontracts where he considers it advisable. [JTR 855.2]

§ 848.855–3 *Notice of termination.* In accordance with Article 3 of the master agreement, the assigned contractor, within fifteen days (or such other time as the master agreement may provide) after receipt of a notice of termination of any prime contract or of any subcontract on account of which he intends to file a claim, will furnish a copy or abstract of such notice of termination to the designated officer. [JTR 855.3]

§ 848.855–4 *Notice to contracting officer under prime contract.* Immediately upon receipt of such notice, the designated officer will notify the contracting officer under the applicable prime contract, using substantially the form of notice set forth in § 849.986–2 of this subchapter. [JTR 855.4]

§ 848.855–5 *Exclusion of claims.* The master agreement gives the Government the option to exclude any termination claim from the scope of company-wide settlement, and provides that this option must be exercised within 30 days (or such longer period as the parties may agree) after receipt by the designated officer of notice that the contract has been terminated. This option will be exercised by the designated officer if he determines that the claim should be excluded (a) in the interest of continued war production or (b) by reason of the complexity or special character of the contract or (c) for some other substantial reason. In deciding whether or not to exclude a claim, he will consider the advice of the contracting officer under the applicable prime contract, and he will exclude the claim if he is advised by that contracting officer that such exclusion is in the interest of continued war production. Where a claim is to be excluded, the assigned contractor should be notified in writing as promptly as possible. [JTR 855.5]

§ 848.855–6 *Notice to customer.* As soon as the designated officer has determined that a subcontract termination claim of the assigned contractor is to be included in the program, or earlier in the discretion of the designated officer, a notice will be sent to the customer substantially in the form set forth in § 849.986–3 of this subchapter. Such notice will be sent by the designated officer or by the assigned contractor with the indorsement of the designated officer. [JTR 855.6]

§ 848.855–7 *Settlement proposals.* The assigned contractor will submit to the designated officer his settlement proposals and inventory schedules on the standard forms, except as otherwise authorized by the designated officer. In the Navy Department, the procedures and functions of the Navy material inspector with respect to settlement proposals and inventory schedules shall be those established in §§ 842.253–3, 844.415–2 (c), 846.644–4, 847.721–4 except as otherwise provided in this Subpart, or as directed by the designated officer. The designated officer may permit items of termination inventory, general and administrative overhead, post-termination expenses, and profit, which are chargeable to two or more contracts, to be appropriately apportioned among the several contracts on such reasonable basis as he may determine. Settlement proposals shall not include any charge on account of completed articles delivered by the assigned contractor (or shipped, but not received) prior to termination, or thereafter in accordance with the notice of termination. [JTR 855.7]

§ 848.855–8 *Allocability.* (a) Except in the situation described in subparagraph (b) below, the designated officer shall satisfy himself, on the basis of such evidence as he deems sufficient, that the terminated subcontract on which a termination claim of the assigned contractor is based is a war contract and that the terminated portion thereof is allocable to the terminated or modified portion of a prime contract. This requirement may be met:

(1) In the case of a termination claim not in excess of $25,000 without deducting disposal credits or claims of subcontractors, by a copy of a notice of termination from the customer of the assigned contractor substantially in the form set forth in §849.944–2 or a certificate of the customer substantially in the form set forth in § 849.986–4. Further evidence of such allocability should not be required unless there is reason to believe that the subcontract of the assigned contractor was not directly or indirectly required for the performance of the terminated or modified portion of a prime contract.

(2) In the case of a termination claim in excess of $25,000, by a certificate substantially in the form set forth in § 849.986–4 from the prime contractor and each intervening subcontractor as to the subcontract immediately under his contract in the contractual chain. The assigned contractor should secure such certificates in the ordinary case, but other affirmative evidence of allocability may be accepted in the discretion of the designated officer.

(b) Where the subcontract on which the claim is based was not terminated as a result of the modification or termination for the convenience or at the option of the Government of a prime contract, but was terminated under other circumstances which require the Government to bear the cost of settling the terminated subcontract, appropriate proof of those circumstances should be required.

(c) The allocability of the costs and termination inventory of the assigned contractor to his terminated subcontract shall be established in the same manner as under other settlement procedures. [JTR 855.8]

§ 848.855–9 *Disposal of property.* (a) Except as provided in paragraph (b) below, the designated officer of the War Department, or the designated officer, NMR&DA and Navy material inspector, in the case of a contractor assigned to the Navy Department, should begin to effect the disposal of termination inventories as early as possible and without awaiting the submission of settlement proposals or inventory schedules. For the purpose of taking property disposal action, reliance will be placed on the contractor's representations as to allocability.

(b) Disposition of termination inventory in accordance with paragraph (a) above shall be subject to the following limitations:

(1) *Production and supply items.* Disposition or approval of disposition of production and supply items shall be made in accordance with the procedure specified for such items in § 848.825–6 (a).

(2) *Materials subject to special arrangements.* Materials held under special arrangements pursuant to § 844.457–3 of this subchapter will be disposed of in accordance with the procedures established by § 848.825–6 (b); but if no shipping instructions have been received ten days before the expiration of the plant clearance period, disposition thereof shall proceed in accordance with Part 846 of this subchapter.

(3) *Other materials requested by the contracting officer.* Any other materials requested by the contracting officer under the applicable prime contract shall be disposed of in accordance with such request to the extent that such materials have not otherwise been disposed of before the receipt of such request. Disposition of termination inventory shall not be delayed pending receipt of such a request.

(4) *Significant materials.* The designated officer of the War Department, or the Navy material inspector in the case of a contractor assigned to the Navy Department, will exercise his judgment as to what significant items of material, if any, in addition to those included in subparagraphs (1) and (2), should be submitted to the contracting officer under the applicable prime contract for consideration. The existence and quantities of such items shall be reported directly by the designated officer to the contracting officer with a request that disposition instructions be sent to him promptly if such items are desired. No action with respect to the disposition of such materials shall be taken for a period of fifteen days from the date of reference. Thereafter, and in no event later than expiration of the plant clearance period, disposition of such materials shall proceed in accordance with Part 844 of this subchapter.

(c) Where any disposal action is dependent upon the amount of a contractor's claim or the cost of the inventory, the claim or inventory under each terminated war contract of the assigned contractor shall be considered separately unless termination inventories under two or more claims have been so physically intermingled that the separate disposal of each inventory is not considered feasible, in which case they shall be considered as one inventory.

(d) The designated officer of the War Department, or the NMR&DA in the case of a contractor assigned to the Navy Department, will be responsible for taking all necessary action under § 844.457 of this subchapter with respect to that portion of the termination inventory which is not disposed of, and for the storage and removal thereof. Where the designated officer is in the War Department, accountability for the termination inventory of the assigned contractor shall be taken in accordance with Subpart B of Part 844 of this subchapter by an accountable property officer in the service of the designated officer. Where the designated officer is in the Navy Department, the records prescribed in that Part will not be required, although the inventory relates to War Department contracts, but NMR&DA shall proceed in accordance with Chapter VIII of the NMR&DA Handbook. [JTR 855.9]

§ 848.855–10 *Review of settlement proposals.* The designated officer shall have the same responsibility and discretion with respect to the review of settlement proposals of the assigned contractor that a contracting officer has in the case of settlement proposals of prime contractors under Subpart B of Part 847 of this subchapter, and the same duty with respect to the negotiation of final settlement agreements that a contracting officer has under Subpart C of Part 847 of this subchapter. Accounting reviews of settlement proposals submitted under the company-wide settlement program should not be in greater detail than under ordinary procedures. [JTR 855.10]

§ 848.855–11 *Settlement agreements.* Each settlement reached by negotiation shall be embodied in a final settlement agreement, which shall be numbered and distributed as a supplement to the master agreement. Each such agreement may relate to one or more contracts, and shall contain substantially the provisions of the appropriate prescribed form or forms of settlement agreement (§§ 849.981, 849.983, and 849.988–6 of this subchapter) adapted to meet the needs of the particular case. Where the agreement settles a claim under a subcontract, it will contain either a release of the Government and the customer from liability on account of the termination of the subcontract, or an assignment of the claim to the Government. At the time of final settlement of a subcontract claim, the designated officer will decide which alternative to adopt. Ordinarily he should obtain a release, but he should secure an assignment of the subcontractor's claim whenever he considers it necessary to protect any interest that the Government may have. Assignments shall be forwarded and reported in accordance with § 846.663–7 (c) of this subchapter. [JTR 855.11]

§ 848.855–12 *Contract price limitation.* Termination claims under subcontracts of an assigned contractor may be settled and paid without regard to any limitation on the amounts payable by the Government under the applicable prime contracts. [JTR 855.12]

§ 848.855–13 *Copy of settlement to contracting officer and customer.* The designated officer shall forward to the contracting officer under the applicable prime contract, and where a subcontract, is settled, to the customer, a copy of each final settlement agreement or a copy of findings determining the amount due in the case of a formula settlement. [JTR 855.13]

§ 848.855–14 *Reviews.* Any required review of settlements or property disposal actions by an assigned contractor or his subcontractors (other than another assigned contractor and his lower tier subcontractors or, in the case of property disposal actions, a contractor subject to the provisions of subpart B of this part) shall be accomplished by boards established in the service, bureau, or office of the designated officer. In the Navy Department, required reviews of property disposal actions shall be made by a disposal board or boards established pursuant to Part 844 of this subchapter, and where a Navy material inspector is the designated officer, a settlement review board shall be established in his office, which board shall exercise all the functions with respect to

the review of settlement proposals set forth in §§ 845.581 to 845.584–2 of this subchapter. [JTR 855.14]

§ 848.856 *Authority and responsibility with respect to contracts of assigned contractors.* [JTR 856]

§ 846 856–1 *Designated officer.* The designated officer shall have all the powers and duties with respect to the settlement of the termination claims (to be included in company-wide settlement) of an assigned contractor which this regulation grants to, or imposes upon, the contracting officer under the applicable prime contract or the chief of the service or bureau of such contracting officer. In the case of war contracts of other contracting agencies, the designated officer shall also have all the powers with respect to the settlement of termination claims thereunder which are granted to the War or Navy Department by or pursuant to regulations of the Director of Contract Settlement, and shall exercise those powers and perform those duties in accordance with this subchapter. Without limiting the generality of the foregoing:

(a) The designated officer shall take action in connection with the advance preparations for termination of assigned contractors in accordance with subpart B of Part 842. Nothing in this subpart, however, shall impair the validity or alter the effect of any such advance preparations, including pretermination settlement agreements, made by an assigned contracter prior to his assignment under the program, but the designated officer may exercise any powers reserved to the Government to amend such pretermination settlement agreements.

(b) Subject to the provisions of this regulation, the designated officer shall have authority to grant to an assigned contractor authorizations to settle claims of his subcontractors, to take action with respect to termination inventories of such subcontractors, and to make partial payments to such subcontractors under all his War and Navy Department prime contracts and subcontracts thereunder.

(c) The designated officer may rely on copies of contractual instruments, notices of termination and other records and documents in the possession of the assigned contractor. [JTR 856.1]

§ 848.856–2 *Contracting officer under applicable prime contract.* After delivery of the notice of termination of a war contract of an assigned contractor that is to be included in company-wide settlement, the contracting officer under the applicable prime contract shall have authority and responsibility in connection with the settlement thereof only with respect to (a) the matters mentioned in the notice from the designated officer (§ 849.986–2 of this subchapter), (b) any matters relating to the cancellation or modification of the notice of termination, and (c) any other matters with respect to which the designated officer requests his advice or assistance. [JTR 856.2]

§ 848 856–3 *War contractor.* (a) Nothing in this subpart shall impair or modify any authority granted to an assigned contractor or to his subcontractors by or pursuant to this regulation to negotiate final settlements, to approve the disposition of termination inventory, or to make partial payments. Use of any such authority by the customer or other higher tier contractor will not be required in connection with any termination claim of the assigned contractor that is included in direct settlement, since the assigned contractor agrees in Article 2 of the master agreement (§ 849.986–1 of this subchapter) that he will submit his termination claims only to the designated officer.

(b) The assigned contractor agrees, in Article 5 of the master agreement (§ 849.986–1 of this subchapter), to exercise diligently any authority granted to him with respect to settlements with, termination inventories of, and partial payments to his subcontractors. Where approval or other action by a contracting officer is required on any such matters, the designated officer has authority to grant such approval or take such action. Accordingly, all termination claims of subcontractors that should be included in a termination claim of an assigned contractor settled under this subpart should be finally settled without any action by a contractor above the assigned contractor in the contractual chain or by any contracting officer other than the designated officer. [JTR 856.3]

§ 848.856–4 *Action in case of excluded contracts and price adjustments.* Where a terminated war contract of an assigned contractor is excluded from company-wide settlement in accordance with § 855–5 of this subchapter, the designated officer (in the Navy Department, the officers named in § 852–3 (b) of this subchapter) shall, nevertheless, proceed with the accounting and property disposal work in connection with such contract in the manner, and with the effect, set forth in Subpart B of this part, except to the extent that the contracting officer under the applicable prime contract may limit his authority. At the request of that contracting officer, the designated officer shall also render any reasonable assistance with respect to equitable adjustments resulting from change orders under prime contracts of the assigned contractor. [JTR 856.4]

§ 848.857 *Payments under terminated contracts of assigned contractors.* [JTR 857]

§ 848.857–1 *Interim financing.* The designated officer shall have the authority and responsibility with respect to interim financing for the assigned contractor and his subcontractors (other than another assigned contractor and his lower tier subcontractors) which the contracting officer under the applicable prime contract has under Part 843 of this subchapter, except with respect to termination claims that are excluded from company-wide settlement. [JTR 857.1]

§ 848.857–2 *Set-offs.* Settlements of the termination claims of assigned contractors and payments thereunder shall be made without regard to any set-offs that may exist between contractors in the contractual chain. Set-offs in favor of the Government shall be protected by appropriate withholding only when such set-offs are against the assigned contractors, and only to the same extent that set-offs against prime contractors are protected under usual disbursement procedures. [JTR 857.2]

§ 848.857–3 *Assignments and insolvency.* Settlements of the termination claims of assigned contractors, and payments thereunder, shall be made without regard to any assignment by, or insolvency or bankruptcy of, higher tier war contractors. Payments under terminated contracts of an assigned contractor shall be made consistently with the terms of known assignments executed by that contractor. The designated officer may rely, however, on the contractor's statement with respect to outstanding assignments in the absence of actual knowledge to the contrary or notice given in accordance with the Assignment of Claims Act of 1940. [JTR 857.3]

§ 848.857–4 *Disbursements.* (a) Partial and final payments on account of the termination claims of an assigned contractor shall be made by a disbursing officer of the contracting agency that entered into the applicable prime contract on the basis of vouchers or invoices approved by the designated officer.

(b) Where the applicable prime contract is a contract of any service of the War Department, the designated officer will forward the voucher or invoice, with supporting documents, to the disbursing officer designated to make payments on termination claims of the assigned contractor. One such disbursing officer will be designated for each assigned contractor. That officer will make all payments to the assigned contractor on account of his termination claims under War Department prime contracts or subcontracts thereunder included in a company-wide settlement.

(c) Where the applicable prime contract is a contract of any bureau of the Navy Department, the designated officer will forward the voucher or invoice, with supporting documents, to the Termination Branch, Disbursing Division, Bureau of Supplies and Accounts, Navy Department, Washington 25, D. C. That Branch will make all payments to the assigned contractor on account of his termination claims under Navy Department prime contracts or subcontracts thereunder.

(d) Where the applicable prime contract is a contract of another contracting agency, the designated officer will forward the voucher or invoice, with supporting documents, in accordance with instructions to be furnished to the designated officer by that other contracting agency. [JTR 857.4]

§ 848.858 *Direct communication authorized.* Designated officers, other contracting officers, and interested offices of the services and bureaus may communicate directly with each other on any matters related to the settlement of termination claims of assigned contractors. [JTR 858]

§ 848.859 *Cooperation.* Each service or bureau interested in any contract which a designated officer of another service or bureau is authorized to settle will cooperate, to the fullest extent possible, with the designated officer, and will deliver information relating to such contract, make available the services of personnel, and furnish other assistance, as requested. [JTR 859]

SUBPART F—GOVERNMENT-OWNED PLANT EQUIPMENT UNDER WAR DEPARTMENT CONTRACTS

1. Section 848.861–3 is amended to read as follows:

§ 848.861–3 *Sales.* The contracting office will endeavor to dispose of plant equipment pursuant to any option which a war contractor may have to acquire such plant equipment. In the absence of such option, the contracting officer may dispose of any plant equipment to war contractors or other persons as authorized in § 848.864–4 or Part 823 of this chapter. Unless otherwise provided by the facilities contract, dispositions pursuant to this paragraph will be restricted to plant equipment which is not required by the War Department as provided in § 848.864–2. [JTR 861.3]

2. In the first sentence of § 848.863–5 "contemplated" is changed to "forwarded."

3. Section 848.864–4 is amended to read as follows:

§ 848.864–4 *Sales to war contractors in possession not pursuant to options.* (a) *Sales authorized.* Subject to any contractual rights of intervening war contractors which have not been waived, any item of plant equipment may be sold under authority of this section to a war contractor in possession of such plant equipment without regard to whether or not it is idle: *Provided*, That:

(1) No item of plant equipment of a type listed on Schedule A of Surplus Property Board Regulation No. 6 (see Appendix C) shall be disposed of to any war contractor in possession who employs 500 or more wage earners;

(2) The price at which the plant equipment is to be sold has been established in accordance with the pricing policy set out in paragraph (b);

(3) The sale has been approved by a disposal board if required by paragraph (d);

(4) The contract of sale is not executed after (i) the plant equipment has been reported to a disposal agency as surplus in accordance with Part 827 of this chapter or (ii) the War Department has taken actual or constructive possession of the plant equipment (for example, by executing an agreement for its storage as contemplated in § 848.865–4, or by allowing the contractor to store it for the account and risk of the Government as contemplated in § 848.865–3 or by executing a receipt therefor as contemplated in § 848.865–8);

(5) If the aggregate cost to the Government of the plant equipment to be sold is $1,000,000 or more, the contract of sale is not executed until receipt by the contracting officer from the Readjustment Division, ASF, of a favorable reply from the Attorney General to the report required by paragraph (c);

(6) The contract of sale complies with paragraph (e); and

(7) The sale is in accordance with all applicable regulations of the War Production Board and the Office of Price Administration.

(b) *Pricing policies.* All sales of plant equipment to war contractors in possession shall be made in accordance with the following pricing policies.

(1) All sales of used standard general-purpose machine tools as defined in Surplus War Property Administration Regulation No. 3 (see Appendix C) and of used standard machines listed in paragraph 8306.5 (a) of Surplus Property Board Regulation No. 6 (see Appendix C) shall be made at prices in accordance with said Regulation No. 3 and Surplus Property Board Special Order No. 2 (see Exhibit D of said Regulation No. 6).

(2) All sales of plant equipment, which is readily severable and which is not required to be sold at a price established in accordance with subparagraph (1), shall be made at prices which are fair and reasonable and not less than the net proceeds that could reasonably be expected to be obtained by the Government if the property were offered for sale to the public generally. In determining such prices consideration shall be given to such factors as original cost and reproduction cost (new), less reasonable depreciation and obsolescence. Consideration shall also be given to market conditions, location, quantity and condition of the items, and any other pertinent factors.

(3) In the case of the sale of any plant equipment which is not governed by a fixed price schedule the contracting officer may request the advice and assistance of the Reconstruction Finance Corporation in the establishment of the price required by subparagraph (2). Such advice and assistance shall be requested in every case where the estimated cost of the plant equipment to be sold (excluding plant equipment required to be sold at a price established in accordance with subparagraph (1) exceeds $100,000. The request shall be addressed to the regional office of the Reconstruction Finance Corporation for the region in which the property is located.

(c) *Submission of data to the Attorney General.* In any case where it is proposed to dispose of items of plant equipment which in the aggregate cost the Government $1,000,000 or more, the contracting officer will immediately prepare and forward through channels to the Readjustment Division, ASF, a report of such proposal for transmission to the Attorney General as contemplated by Section 20 of the Surplus Property Act of 1944. This report will indicate the name of the prospective purchaser, the types, cost, and general location of the plant equipment to be sold and the probable terms and conditions of the proposed disposition.

(d) *Review by disposal board.* (1) All sales of plant equipment will be subject to review and approval by local disposal boards established as described in § 844.455–1 except as follows:

(i) Sales of plant equipment at specific prices fixed by paragraph (b) (1).

(ii) Sales where the cost, estimated if necessary, of the plant equipment sold is not in excess of $25,000.

(2) If review and approval are required under subparagraph (1), the chief of a service may require an additional prior review and approval by a disposal board, established in his office under § 821.106 of this chapter, or, in the case of the Army Air Forces, in the headquarters office of a command, where the cost (estimated if necessary) of the material to be disposed of by the sale exceeds $500,000 and it is proposed to sell such material at more than 25 percent below such cost.

(e) *Provisions in contracts of sale.* Every contract of sale made pursuant to this section will contain (1) a recitation that it is made under the authority of section 14 (a) of the Surplus Property Act and regulations issued thereunder, (2) a waiver by the purchaser of any purchase options, rights of refusal or similar privileges with reference to other plant equipment which the contractor may have under the same facilities contract, and (3) an article substantially in the following form:

Warranty as to use in production. The Contractor represents and warrants that he intends that all property being acquired under this contract shall be used in his production and that he is not acquiring any of such property for the purpose of reselling it, directly or indirectly, at a profit.

[JTR 864.4]

4. Section 848.867–2 is amended to read as follows:

§ 848.867–2 *Movement of items from the war contractor's plant.* Movement of items of plant equipment on War Department order from the war contractor's plant will require the preparation of shipping documents, or other forms authorized for use in lieu thereof, as prescribed in paragraph 97, TM 14–910, or paragraph 77a, TM 14–911. Movement on disposal agency order will require the action prescribed in § 844.495–2. Shipping documents covering shipments of plant equipment hereunder will be marked "Plant Clearance Equipment". In addition, those documents covering shipments of such equipment from storage under a storage agreement with a war contractor, or from storage in a commercial warehouse, must bear the notation "Shipped from Storage," and must indicate the station of the contracting officer under the storage or warehouse agreement involved. Instances of losses of or damage to plant equipment in storage under storage agreements with war contractors or commercial warehousemen require action as provided in § 844.495–3 (a) of this subchapter. [JTR 867.2]

SUBPART I—MONTHLY REPORTS ON STATUS OF TERMINATIONS

Subpart I is amended to read as follows:

Sec.
848.890 Scope.
848.891 Responsibility for submitting reports.
848.891-1 Reports within War Department.
848.891-2 Reports within Navy Department.
848.891-3 How amounts to be shown.
848.892 Report on status of terminated fixed-price contracts.
848.892-1 General description.
848.892-2 Form.
848.892-3 Arrangement.
848.892-4 Columnar entries.
848.892-5 Summary.
848.892-6 Special cases.
848.893 Report on status of terminated cost-plus-a-fixed-fee contracts.
848.893-1 General description.
848.893-2 Form.
848.893-3 Arrangement.
848.893-4 Columnar entries.
848.893-5 Summary.
848.893-6 Special cases.
848.894 Report on partial payments
848.894-1 General description.
848.894-2 Form.
848.894-3 Line entries.
848.894-4 Supporting list.
848.895 Report on subcontract settlement delegations.
848.895-1 General description.
848.896-2 Form.
848.895-3 Contents.
848.896 Report on findings and appeals
848.896-1 General description.
848.826-2 Form.
848.896-3 Contents.
848.897 Report on plant clearance.
848.897-1 General description.
848.897-2 Form.
848.897-3 Line entries and definitions.
848.897 4 Supporting list.
848.898 Report on consolidated termination and company-wide settlement programs.
848.858-1 General description.
848.898-2 Form.

§ 848.890 *Scope.* This subpart covers the preparation and submission of monthly reports covering settlement of terminated war contracts and related matters. [JTR 890]

§ 848.891 *Responsibility for submitting reports.* [JTR 891]

§ 848.891-1 *Reports within War Department.* In the War Department, the chief of each service shall submit each month to the Readjustment Division, Headquarters, Army Service Forces, an original and one copy of each report in the manner prescribed in §§ 848.892, 848.898. Each such report shall be submitted on or before the 10th day of the month following the one reported upon, except that reports on plant clearance, as prescribed in § 848.897, shall be filed on or before the 12th day of the month. [JTR 891.1]

§ 848.891-2 *Reports within Navy Department.* In the Navy Department, reports shall be submitted as follows:

(a) Each Bureau shall submit:

(1) The report on the status of terminated fixed price contracts (see § 848.892).

(2) The report on the status of terminated cost-plus-a-fixed-fee contracts (see § 848.893).

(3) The partial payment report (Subparts A, B, and C only, see § 848.894).

(4) The report on subcontract settlement delegations (see § 848.895).

(5) The report on findings and appeals (see § 848.896).

(b) The Finance Division, OP&M, shall submit the partial payment report (Subpart D only, see § 848.894-3).

(c) NMR&DA shall submit:

(1) The report on plant clearance (see § 848.897).

(2) The report on the consolidated termination and company-wide settlement programs (see § 848.898).

(d) The Bureau reports and the Finance Division, OP&M, report shall be submitted to the Industrial Readjustment Branch, OP&M, on or before the 10th of the month following the one reported upon; the NMR&DA reports shall be submitted to the Property Disposition Branch, OP&M, on or before the 15th of the month following the one reported upon. [JTR 891.2]

§ 848.891-3 *How amounts to be shown.* In all reports, amounts will be shown to the nearest whole dollar. [JTR 891.3]

§ 848.892 *Report on status of terminated fixed-price contracts.* [JTR 892]

§ 848.892-1 *General description.* This report will list all fixed price prime contracts (except facilities contracts and agreements reached by the use of change orders) terminated for the convenience or at the option of the Government, the settlement of which was effected during the month or was pending at the end of the month, regardless of the amount of the contract, where formal notice of its termination has been given. It will also list all claims under terminated fixed price subcontracts (whether under fixed price or cost-plus-a-fixed-fee contracts) the settlement of which has been assumed by the Government, and will summarize terminations of a company-wide settlement contractor arising from termination of subcontracts held by him with another war contractor in accordance with instructions under §848.892-60 [JTR 892.1]

§ 848.892-2 *Form.* (a) In the War Department, this report will be submitted on W.D., A.G.O. Form No. 505, Control Approval Symbol PDE-10. This form is available at AG Depots.

(b) In the Navy Department, this report will be submitted on NAVEXOS Form Nos. 753, 754 and 755. The forms are available in the Industrial Readjustment Branch, OP&M, Navy Department, Washington 25, D. C. Part I of this report will be submitted on Form NAVEXOS 755; Part II on Form NAVEXOS 753; and Part III on Form NAVEXOS 754 (see § 848.892-3). [JTR 892.2]

§ 848.892-3 *Arrangement.* (a) The reports will be prepared to show separately the results in each War Department procurement office or Navy Department termination unit. Each assigned contractor under the company-wide settlement program will be considered as a separate procurement office or termination unit.

(b) The reports will be prepared in the various parts and sections described below. The terminations listed within each section will be arranged in chronological order based on the effective date of termination. Part One will not be required by the War Department.

PART ONE

Section I. Terminations initiated during the month.

Section II. All other terminations, including transfers-in (terminations received for settlement from another terminating office) reported for the first time, regardless of the effective date of termination.

PART TWO

Section I. Terminations settled during the month. All dates and amounts for terminations in this group must agree with the corresponding data on the final settlement proposal form and the supplemental agreement. In the event that a settlement with a prime contractor excludes certain subcontract claims, pursuant to § 846.613-1 of this subchapter, which are not assumed by the Government for direct settlement, the names of the excluded subcontractors and the reason for their exclusion will be noted.

Section II. Terminations rescinded during the month.

Section III. Terminations transferred-out (terminations transferred from the terminating office to another office for settlement) during the month. See § 848.892-6 (b) (2) for handling of "company-wide settlement" transfers. In the War Department, the chief of the service is responsible for "zero balancing" all intra-service transfers.

PART THREE

Section I. Terminations in process of settlement. For the Navy Department, this will include cases in Section II of Part 1 but not in Section I thereof.

Section II. Suspense Terminations, which are those as to which the terminated contract is—

(a) In litigation.

(b) before a Board of Appeals at a higher level than the terminating service or bureau,

(c) a War Supplies, Ltd. termination pending three months or more after the effective date of termination; or

(d) unsettled for reasons beyond the control of the service or bureau, including those cases under appeal in the Court of Claims, a U. S. District Court, or a U. S Circuit Court of Appeals.

[JTR 892.3]

§ 848.892-4 *Columnar entries.* (a) The following information will be entered in the respective columns of the report form:

Column 1—*Number.* The number of the terminated contract.

Column 2—*Name of Contractor.*

Column 3—*Item.* Sufficient information will be given to permit identification of the item or items, the production of which has been terminated.

Column 4—*Partial or Complete.* Partial terminations should be indicated by "P" and complete terminations by "C". A partial termination is one in which only a part of the uncompleted portion of the contract is terminated and the balance is to be continued after the effective date of termination. A complete termination is one in which the entire uncompleted balance of a contract is terminated.

Column 5—*Date of Termination Notice.* The date on which the contractor was notified of the proposed termination by the responsible office or bureau.

Column 6—*Effective Date of Termination.* The date specified in the notice of termination as the effective date. In the event that no date is specified in the notice, the best estimate will be used until final information is obtained.

Column 7—*Amount of Contract.* The total amount of the contract, including supplements. If a contract is partially terminated and later terminated with respect to the continued portion, each such termination will normally be treated as a separate transaction (see § 848.892-6 (a)), but the value is to be listed in this column in parentheses.

Column 8—*Total Contract Price of Items Cancelled.* The best estimate is to be used until final figures can be ascertained. Final figures must agree with the amount shown as "Not to be completed" on the settlement proposal form.

Column 9—*Contractor's Claim—Date of Filing.* The date on which the prime contractor's claim for his own charges was received by the contracting agency. In the case of the Navy, this is the date on which the claim is received by the cognizant Navy material inspector. Settlement proposals, which are improper as to form and which will therefore be returned to the contractor for revision or correction without submission to the contracting officer, should not be reported. In the event of interim proposals, show the original date prefixed by "I". The date of the most recent interim proposal or of the final proposal will be shown below this original date prefixed by "I" or "F", whichever is applicable. Addition or adjustment of interest in the final settlement proposal does not constitute a change in date of filing.

Column 10—*Contractor's Claim—Amount Exclusive of Subcontractors.* The dollar amount of the prime contractor's own charges. This amount will be Line 13 plus Line 16 of Settlement Proposal Form 1, Line 2 plus Line 3 of Settlement Proposal Form 1a, and Line 13 plus Line 15 of Settlement Proposal Form 1b. If interest is added in final settlement in excess of that shown on the settlement proposal, the corresponding addition should be made to the amount of the proposal. The difference between the amount of final claim and the amount entered in Column 17 for completed cases will represent the net change resulting from negotiation. Where the contractor submits interim proposals, the latest amount proposed to date will be shown opposite the most recent proposal date, and previous proposal figures will be omitted.

Column 11—*Subcontractors' Claims—Submitted—Number.* The number of first tier subcontractors' claims submitted by the prime contractor to the office administering the termination, or settled by the prime contractor under delegation of authority. This will not include "no cost" settlement agreements made by prime contractors with their subcontractors.

Column 12—*Subcontractors' Claims—Submitted—Amount.* The total dollar amount of all first tier subcontractors' claims submitted by the prime contractor to the office administering the termination. The amount of subcontractors' claims must be as shown on Line 14 of Settlement Proposal Form 1 or 1b

Column 13—*Subcontractors' Claims—Approved—Number.* The number of first tier subcontractors' claims which have been approved by the contracting officer or his representative, or by prime contractors where authority has been granted to settle without Government approval.

Column 14—*Partial Payments—For Benefit of Prime Contractor.* The total amount of partial payments made to the prime contractor solely for his use and benefit.

Column 15—*Partial Payments—For Benefits of Subcontractors.* The total amount of partial payments made for the use and benefit of subcontractors, whether such amounts are paid to the prime contractor for the account of subcontractors or are paid direct to subcontractors.

Column 16—*Details of Final Settlement—Date.* The date on which the supplemental agreement incorporating the final settlement is received by the contracting officer, signed by both the contractor and the contracting officer. Where approval by the chief of the service or bureau is required, the transaction must be considered as pending until this approval is received.

Column 17—*Details of Final Settlement—Gross Amount Excluding Subcontractors.* The gross amount of the settlement agreement including expenses subsequent to termination but excluding that portion of the contractor's settlement represented by settlements with subcontractors. Differences between Columns 10 and 17 represent negotiated reductions between the contractor's final claim (see Column 10 above) and the final settlement.

Column 18—*Details of Final Settlement—Amount Subcontractors.* The amount payable to subcontractors by the prime contractor, and included in the final settlement. Differences between Columns 12 and 18 represent negotiated reduction made by the contracting officer in the subcontractors' settlements previously approved by the prime contractor and submitted to the contracting officer for approval.

Column 19—*Details of Final Settlement—Disposal Credits.* Enter the amount credited to the Government by the prime contractor for receipts from sales or retention of termination inventory included in his gross settlement proposal.

Column 20—*Details of Final Settlement—Net Amount of Settlement.* The net settlement of the proposal. This is Column 17 plus 18 minus 19.

Column 21—*Details of Final Settlement—Amount Allowed for Property Taken over by the Government.* The amount included in the net settlement, shown in Column 20, required to reimburse the contractor for the cost of his inventory taken over by the Government. When an exact cost cannot be assigned to this inventory, as in some settlements on a total cost basis, the best possible estimate will be given. Do not include the value of, or loss on, items scrapped, retained, abandoned, or disposed of by contractor.

(b) For War Department terminations in process of settlement, the space occupied by Columns 16, 17, 18, 19, 20, and 21 will be used to explain briefly the status of plant clearance and settlement action. As to plant clearance, each termination must show one of the following remarks:

(1) No inventory involved
(2) Awaiting inventory list
(3) Inventory clearance in process
(4) Inventory cleared

As to settlement action, each termination must show one of the following remarks:

(1) Awaiting information from contractor as to cost or "no cost" settlement
(2) Awaiting claim
(3) Awaiting office review or audit
(4) Negotiating (use only where accounting review is completed)
(5) Awaiting supplemental agreement

(c) For Navy Department terminations in process of settlement, the remarks column of NAVEXOS 754 shall show such remarks as are requested by the Industrial Readjustment Branch, OP&M, from time to time.

(d) Other pertinent remarks will be added when they are of assistance in explaining the status of the termination settlement. In the case of suspense terminations (Part Three, Section II of the Report) a brief statement should be added explaining why the termination cannot be settled by the contracting officer. Where this information appears in the findings and appeals report (§ 848.896) a cross reference to such report will be sufficient.

(e) In terminations involving subcontractors, it is desirable to show the total number of first tier subcontractors from whom claims are expected so as to provide a comparison between probable subcontractors' claims and those submitted to date as shown in Column 11. [JTR 892.4]

§ 848.892-5 *Summary.* (a) A summary will be prepared for each report in both numbers and dollars.

(b) In the War Department, this report will be submitted on WD, AGO Form No. R 5056. Control Approval Symbol RCC-22.

(c) In the Navy Department, this report will be submitted on NAVEXOS Form 2091.

(d) *Line Entries.* The following information will be entered in the respective lines of the form:

Line 1—*In process of settlement—Active per last report.* This will agree with Line 13 of the previous month's report.

Line 2—*In process of settlement—Suspense per last report.* This will agree with Line 14 of previous month's report.

Line 3—*Adjustments in last report—(Dollars only).* Net adjustments during the current month in the contract price of items cancelled in Lines 1 and 2 above. The service terminating a prime contract shall make no reduction in the reported amount of any prime contract due to the assumption by another designated officer of the settlement responsibility in company-wide settlement of a subcontract allocable to such a prime contract.

Line 4—*Added this month.* Terminations listed on this month's report for the first time regardless of the effective date of termination. This will exclude transfers-in.

Line 5—*Transferred-in (Other procurement offices of same service).*

Line 6—*Transferred-in (Company-wide settlement).* Those transfers-in from other services will be entered.

Line 7—*Total—Lines 1 through 6.*

Line 8—*Settled this month.*

Line 9—*Rescinded this month.*

Line 10—*Transferred-out (Other procurement offices of same service).*

Line 11—*Transferred-out (Company-wide settlement).*

Line 12—*Total—Lines 8 through 11.*

Line 13—*In process of settlement—Active this report.* This group will be subdivided as below.

Line 13a—*Less than four months.* This group includes terminations with effective dates which have not yet been reached, those effective during the month of report, and any of the preceding three months.

Line 13b—*4 through 6 months.* This group includes terminations with effective dates falling in the fourth, fifth and sixth month preceding the month of report.

Line 13c—*7 through 12 months.* This group includes terminations with effective dates falling in the seventh, eighth, ninth, tenth, eleventh and twelfth month preceding the month of report.

Line 13d—*Over 12 months.* This group includes those terminations with effective dates falling in a month earlier than the twelfth month preceding the month of report.

Line 13e—*Total.* Lines 13a through 13d.
Line 14—*In process of settlement—Suspense this report.*
Line 15—*Total in process.* Line 13e plus Line 14. Also Line 7 minus Line 12.

[JTR 892.5]

§ 848.892–6 *Special cases.*

(a) *Successive partial terminations.* (1) Where successive partial terminations are made under one prime contract, each such termination will be treated as a separate transaction, unless it is intended to settle all partial terminations in one settlement agreement.

(2) When a further termination is made against a contract which has already been partially terminated and it is intended to settle all partial terminations in one supplemental agreement, the previous terminations should be listed under the "Rescinded" section of the report. The total terminations to date under the contract will be picked up as a single termination under the date of the latest termination.

(b) *Company-wide settlements.* (1) The designated officer engaged in the company-wide settlement of an assigned contractor shall prepare a separate monthly contract termination status report with respect to the termination of such assigned contractor.

(2) As to prime contracts:

(i) The terminating agency will report the termination as a "termination in process of settlement" until such time as transfer to the designated officer has been effected, after which it will be reported as a "termination in process of settlement" by the designated officer.

(ii) At the time of transfer to the designated officer, the service or bureau terminating the contract will notify the designated officer of the contract price of items cancelled, the effective date of termination, and other pertinent data. The designated officer will acknowledge receipt and notify the service or bureau as to the month in which the termination will be picked up on the designated officer's Monthly Contract Termination Status Report. Upon receipt of this advice, such service or bureau will list the termination as transferred-out in the month indicated in the acknowledging letter.

(3) As to claims of a company-wide settlement contractor arising from termination of subcontracts held by him with another war contractor which are assumed by the Government for direct settlement

(i) Claims settled during the month will be reported on a single line immediately below the prime contract terminations reported as settled during the month. A notation will be made across Columns 3, 4, 5, 6, 7, and 8 as follows: "Subcontract Claims Awaiting Settlement Under Company-wide Settlement Program". The number of subcontract claims submitted will be entered in Column 11; the amount of these claims will be entered in Column 12; the number of subcontract claims approved will be entered in Column 13; the net settlement will be entered in Columns 18 and 20; and the amount allowed for property taken over by the Government in Column 21. All such subcontract claims will be entered on the report on a net basis after exclusion of disposal credits.

(ii) Claims awaiting settlement will be reported on a single line immediately below the prime contract terminations pending settlement at the end of the month. A notation will be made across Columns 3, 4, 5, 6, 7, and 8 as follows: "Subcontract Claims Awaiting Settlement Under Company-wide Settlement Program". The number of subcontract claims submitted will be entered in Column 11; the amount of these claims in Column 12; the number of claims approved but not yet settled in Column 13; and any partial payments thereon in Column 15.

(iii) A summary report will be submitted showing an analysis of the information included in (i) and (ii), above, in the manner prescribed by the Readjustment Division, ASF, or the Industrial Readjustment Branch, OP&M.

(c) *Terminations under the consolidated termination program.* Settlement of contracts held by companies under the consolidated termination program will be reported by the terminating service or bureau.

(d) *Subcontract settlements negotiated or reviews made by office other than terminating office (War Department only).* Where settlement negotiation as to certain subcontract settlements are conducted by an office other than the terminating office within the same service, the office terminating the prime contract will retain reporting responsibility except in the case of company-wide settlements, and of subcontract claims assumed by the Government.

(e) *Settlements excluding certain subcontractors.* Where a prime contractor's claim has been completely settled except for one or more subcontract claims which are assumed by the Government for direct settlement (including those assumed under company-wide settlement or which are excluded from the settlement by agreement with the prime contractor pursuant to paragraph 613.1) the prime contract and all such subcontracts as are settled with it will be reported as settled. The entire contract price of items cancelled under the prime contract will be reported as settled.

(f) *Subcontract claims assumed by the Government.* Each such obligation assumed by the Government, excluding those assumed under the company-wide settlement program, will be reported as a separate termination and treated as a termination of a prime contract made upon the effective date of the notice of termination from the higher tier contractor. Columns 7 and 8 of the fixed price form or Column 7 of the CPFF form will be marked "Sub Claims Assumed", and no amounts will be entered.

(g) *Revisions in dates and amounts previously reported.* Whenever dates or amounts shown are revised from those shown on the immediately preceding report, the revised figures will be preceded by "R" except as to the date of filing claim. All dates and amounts applicable to terminations settled must be in agreement with the corresponding data on the final settlement proposal form.

(h) *Corrections of previously reported settlements.* When corrections are made in terminations previously reported as settled (Part Two, Section I of the report), a separate sheet of the status report form headed "Corrections" will be submitted. For each correction to be made, the information as shown in all columns of the report as originally submitted will be shown with the corrected figures immediately below those originally submitted. [JTR 892.6]

§ 848.893 *Report on status of terminated cost-plus-a-fixed-fee contracts.* [JTR 893]

§ 848.893–1 *General description.* This report will list all cost-plus-a-fixed-fee prime contracts terminated for the convenience or at the option of the Government, the settlement of which was effected during the month or was pending at the end of the month, regardless of the amount of the contract. The report will include prime contract terminations accomplished according to "Changes Articles". [JTR 893.1]

§ 848.893–2 *Form.* (a) In the War Department, this report will be submitted on W.D., A.G.O. Form No. 0405, Control Approval Symbol RCC 21. The form is available at AG Pentagon Depot, Washington 25, D. C.

(b) In the Navy Department, this report will be submitted on NAVEXOS Form No. 2094 (but Columns 8 through 11 will not be used, and Columns 17, 18 and 19 will not be filled in until the audit status date). The form is available at the Industrial Readjustment Branch, OP&M. [JTR 893.2]

§ 848.893–3 *Arrangement.* See § 848.892–3. [JTR 893.3]

§ 848.893–4 *Columnar entries.* (a) The following information will be entered in the respective columns of the report form. Columns 14 to 22, inclusive, will be entered for complete terminations and for severable partial terminations only.

Column 1—*Contract Number.*
Column 2—*Contractor's Name and Location of Facility.*
Column 3—*Item.* Sufficient information will be given to permit identification of the item or items, the production of which has been terminated.
Column 4—*Partial or Complete.* Partial terminations should be indicated by "P" and complete terminations by "C". A partial termination is one in which only a part of the uncompleted portion of the contract is terminated and the balance is to be continued after the effective date of termination. A complete termination is one in which the entire uncompleted balance of a contract is terminated.
Column 5—*Date of Termination Notice.* The date on which the contractor was notified of the proposed termination by the responsible office or bureau.
Column 6—*Effective Date of Termination.* The date specified in the notice of termination as the effective date. In the event that no date is specified in the notice, the best estimate will be used until final information is obtained.
Column 7—*Estimated Value of Work or Items Cancelled.* Estimated value of the terminated portion of the contract.
Column 8—*Subcontracts Terminated—Number.* The total number of subcontracts terminated, i. e., the number on which stop work orders were issued under the termination.
Column 9—*Subcontracts Terminated—Settled Without Claim—Number.*
Column 10—*Subcontracts Terminated—Settled With Claim—Number.*
Column 11—*Subcontracts Terminated—Settled With Claim—Amount.*
Column 12—*Partial Payment for Benefit of Prime Contractor.* The total amount of partial payment made to the prime contractor solely for his use and benefit, including the amount of withdrawals from advance payment accounts authorized for termination financing under Subpart C of Part 843 of this subchapter.
Column 13—*Partial Payments for Benefit of Subcontractors.* The total amount of partial payments made for the use and benefit of subcontractors, whether such amounts are paid to the prime contractor for the account of the subcontractor or are paid direct to subcontractors.
Column 14—*Date of Discontinuation of Vouchers.* The date on which the contractor's election to discontinue the use of cost vouchers becomes effective. So long as voucher reimbursement continues, this column will be left blank. For terminations where there have been no reimbursed costs, enter "no reimbursed costs".
Column 15—*Audit Status Date.* The audit status date referred to in the notice to the GAO requesting date on uncleared exceptions.
Column 16—*Estimated Amount to be paid Contractor.* The estimated reimbursement yet to be made for past and future expenses, and unpaid balance of fee, including amounts to be paid in connection with settlement of subcontract claims.
Column 17—*GAO Exceptions Outstanding—Number.* The number of GAO exceptions outstanding against cost vouchers at the end of the month.
Column 18—*GAO Exceptions Outstanding—Amount.* The amount of GAO exceptions outstanding against cost vouchers at the end of the month.
Column 19—*Vouchers Paid.* The amount of reimbursement made to the contractor on cost vouchers prior to discontinuance of cost vouchers pursuant to § 845.563–2.
Column 20—*Settlement Proposal—Date of Filing.* In the event of partial proposals, the date should be prefixed by "P". Final proposals should be prefixed by "F". The date of the first and of the most recent proposal should be shown.
Column 21—*Settlement Proposal—Amount.* The amount of the contractor's settlement proposal, before deductions of previous payments to contractors (Line 13 minus Line 14 of Column 4 of the Settlement Proposal Form). When interim proposals are submitted by the contractor, the amount of the total submitted to date will be shown opposite the most recent proposal date and previous proposal figures will be omitted.
Column 22—*Amount of Final Settlement.* The amount of the settlement agreement applicable to the settlement proposal submitted by the contractor before deduction of previous payments. Any variation between amounts in Columns 21 and 22 represent negotiated adjustments.
Column 23—*Date of Settlement.* For complete termination, this is the date on which the supplemental agreement incorporating the final settlement is received by the contracting officer, signed by both the contractor and the contracting officer. For partial terminations, this is the date of the adjustment of fixed fee or final settlement of all subcontractor claims whichever is later.

(b) (1) For War Department reports only, either on an attached sheet or immediately below the entries described above, beginning in Column 1 and extending across the page, remarks pertinent to each termination in process will be shown. Remarks will contain the following information:

(i) Status of plant clearance;

(ii) Status of GAO audit, including number of vouchers yet to be audited by GAO;

(iii) Status of overhead audit by service, if overhead audit is required;

(iv) Number of vouchers to be finalized upon settlement of the terminated contract;

(v) The date and number of the final and last cost voucher;

(vi) The number of final GAO exceptions cleared by deductions on which reclaim vouchers will be submitted, and the amount involved in such vouchers;

(vii) Estimated date of final settlement.

(2) Navy Department reports shall also contain such remarks as are requested by the Industrial Readjustment Branch, OP&M, from time to time.

(c) In the case of suspense terminations (Part Three, Section I of the report) a brief statement should be added explaining why the termination cannot be settled by the contracting officer. Where this information appears in the findings and appeals report (§ 848.896) a cross reference to such report will be sufficient. [JTR 893.4]

§ 848.893–5 *Summary.* See § 848.892–5. [JTR 893.5]

§ 848.893–6 *Special cases.*

(a) *Successive partial terminations.* See § 848.892–6 (a).

(b) *Company-wide settlements.* See § 848.892–6 (b).

(c) *Terminations under the consolidated termination program.* See § 848.892–6 (c).

(d) *Settlements negotiated or reviews made by office other than terminating office (War Department only).* See § 848.892–6 (d).

(e) *Settlements excluding certain subcontractors.* See § 848.892–6 (e).

(f) *Subcontract claims assumed by Government.* See § 848.892–6 (f).

(g) *Revisions in dates and amounts previously reported.* See § 848.892–6 (g). [JTR 893.6]

§ 848.894 *Report on partial payments.* [JTR 894]

§ 848.894–1 *General description.* This report will summarize the receipt, approval, reduction, or rejection during the month of partial payment applications in connection with terminations pending settlement, and withdrawals from advance payment accounts for use as partial payment. This report will not include transactions under § 843.364–4. [JTR 894.1]

§ 848.894–2 *Form.* (a) In the War Department, this report will be submitted on W. D., A. G. O. Form No. 271 (Termination Partial Payment Status Report), Control Approval Symbol RCC–12. The form is available at AG Depots.

(b) In the Navy Department, this report will be submitted on Form No. OCS–R4. This form is available at the Industrial Readjustment Branch, OP&M. [JTR 894.2]

§ 848.894–3 *Line entries.* (a) The following information will be entered in the respective lines of the War Department report form:

Line 1—*Applications on Hand—1st of Month (Prime Contractor).* This will include the number and amount of applications for partial payments originated in the name of a prime contractor, whether for his own benefit or for the establishment of a fund from which payments may be made to subcontractors. The number and amount of applications shown on this line must agree with that shown on Line 8 of the previous month's report.

Line 2—*Applications Received During Month (Prime Contractor).* This will include the number and amount of applications received during the month of the type described in Line 1.

Line 3—*Total.* Line 1 plus Line 2.

Line 4—*Applications Approved During Month (Prime Contractor).* The number of applications approved and the amount actually approved for payment. If this is less than the amount originally applied for, the reduction will be shown on Line 5.

Line 5—*Applications Reduced During Month (Prime Contractor).* The amount by which the total payments under all applications approved during the month were less than the payments requested in such applications. This amount plus the amount shown on Line 4 will equal the total originally applied for under all applications approved during the month.

Line 6—*Applications Rejected or Withdrawn During Month (Prime Contractor).* The number and amount of applications rejected or withdrawn in their entirety during the month.

Line 7—*Total.* Line 4 plus Line 5 plus Line 6.

Line 8—*Applications on Hand—End of Month (Prime Contractor).* The number and amount of applications (at amount of original application) on hand at the end of the month. The dollar amount shown in this column should equal Line 3 minus Line 7.

Line 9—*Applications on Hand—End of Month—Received Prior to 1st of Month (Prime Contractor).* The number and amount of applications included in Line 8 which were received in the contracting office prior to the first of the month.

Line 10—*Applications on Hand—1st of Month (Subcontractor).* This will include the number and amount of applications for partial payments originated in the name of a subcontractor. The number and amount of applications shown on this line must agree with that shown on Line 17 of the previous month's report.

Line 11—*Applications Received During Month (Subcontractor).* This will include the number and amount of applications received during the month of the type described on Line 10.

Line 12—*Total.* Line 10 plus Line 11.

Line 13—*Applications Approved During Month (Subcontractor).* The number and amount of applications actually approved for payment. If this is less than that originally applied for, the reduction will be shown in Line 14.

Line 14—*Applications Reduced During Month (Subcontractor).* The amount by which the total payments under all applications approved during the month were less than the payments requested in such applications. This amount plus the amount shown in Line 13 will equal the total originally applied for under all applications approved during the month.

Line 15—*Applications Rejected or Withdrawn During Month (Subcontractor).* The

number and amount of applications rejected or withdrawn in their entirety during the month.

Line 16—*Total.* Line 13 plus Line 14 plus Line 15.

Line 17—*Applications on Hand—End of Month (Subcontractor).* The number and dollar amount of applications (at amount of original application) on hand at the end of the month. The dollar amount shown in this column should equal Line 12 minus Line 16.

Line 18—*Applications on Hand—End of Month—Dated Prior to 1st of Month (Subcontractor).* The number and amount of subcontractor applications included in Line 17 for which the date of application (not the date of receipt in the contracting office) was prior to the first of the month for which the report is prepared.

Line 19—*Withdrawals from Advance Payment Funds and Controlled Accounts for Purpose of Partial Payments (Complete Termination).* The number and amount of withdrawals from advance payment and controlled accounts for purposes of termination partial payments in accordance with Section III of this Regulation. The information entered on this line will be restricted to advance payment withdrawals for purposes of termination partial payments applicable to complete terminations.

(b) In preparing the Navy Department report, the line entries shall be made in accordance with the definitions and instructions that accompany Form OCS-R4. [JTR 894.3]

§ 848.894-4 *Supporting list.* (a) The War Department form will be supported by a list of applications included in Lines 9 and 18 above, showing as to each:

(1) Name of subcontractor.

(2) Name of prime contractor and contract number of prime contract.

(3) Date of application.

(4) Date application received by contracting officer.

(5) Dollar amount of application.

(6) Name of administering district.

(7) Reason for delay.

(b) In the Navy, the report form will also be supported by the following lists:

(1) A list of payments approved during the month as to which the amount of the payment plus prior unliquidated partial, progress, and advance payments and credits from the disposal or retention of inventory included in the applicant's own charges is less than 75% of the applicant's own charges. This list shall show:

(i) Contract number.

(ii) Name of contractor.

(iii) Amount of payment requested.

(iv) Amount of payment approved.

(2) A list of overpayments outstanding and not referred to collection agencies at end of month. This list shall show:

(i) Contract number.

(ii) Name of contractor.

(iii) Amount of overpayment outstanding.

(iv) Date overpayment was established. [JTR 894.4]

§ 848.895 *Report on subcontract settlement delegations.* [JTR 895]

§ 848.895-1 *General description.* This report will list all war contractors to whom a service or bureau has, pursuant to § 846.642-2, delegated authority to make final settlement of terminated subcontracts, or as to whom it has revoked such authority, pursuant to § 846.642-7 or § 846.643-2, during the month. [JTR 895.1]

§ 848.895-2 *Form.* No standard form is prescribed in either the War or Navy Departments. The report will be headed "Subcontract Settlement Delegations". In the War Department, the report will show Control Approval Symbol RCT-10. [JTR 895.2]

§ 848.895-3 *Contents.* The report will consist of a list, in alphabetical order, setting forth:

(1) The name and address of each war contractor to whom the service or bureau has during the month, pursuant to § 846.642-2, delegated authority to make final settlement of terminated subcontracts, together with a statement as to whether (i) such delegations cover only specific contracts (enter contract numbers), under the service or bureau, or cover all contracts (each type to be listed in separate groups), and (ii) the service or bureau made such delegation on its own authority, or in reliance on a prior delegation to another service or bureau, in which latter case the name of such other service or bureau shall be given.

(2) The name and address of each war contractor as to whom the service or bureau has during the month, pursuant to § 846.642-7 or 846.643-2, revoked authority to make final settlement of terminated subcontracts, together with the reasons for such revocation.

(3) The date each delegation was granted or revoked. [JTR 895.3]

§ 848.896 *Report on findings and appeals.* [JTR 896]

§ 848.896-1 *General description.* A separate report will be submitted for each dispute or which findings have been ordered pursuant to section 13 of the Contract Settlement Act (including disputes arising under section 17 of the Contract Settlement Act) regardless of whether a prime contractor or subcontractor is involved, or whether or not a termination is involved. Cases should be first reported in the month during which findings were ordered, and should be reported monthly through the month in which the findings are accepted, or other settlement is accomplished, or in which the contractor makes an external appeal. [JTR 896.1]

§ 848.896-2 *Form.* In the War and Navy Departments, this report will be submitted on Form OCS-R5, Budget Bureau No. 17-RO17. This form is available at the Readjustment Division, Headquarters, Army Service Forces, and at the Industrial Readjustment Branch, OP&M. [JTR 896.2]

§ 848.896-3 *Contents.* (a) The following information will be entered in the respective lines of the report form:

Line 1—*Type of dispute.* Enter a check mark under "a" if the dispute has arisen under Section 17 of the Act and under "b" if the dispute has arisen under other sections. If the dispute involves other sections as well as Section 17, check both "a" and "b".

Line 2—*Contract number.* The complete contract number.

Line 3—*Name of contractor.* The full name of the contractor holding the contract.

Line 4—*Business address of contractor.* The usual business address of the contractor. The location of the plant where the contract was being performed should also be shown under "a" if this location is different from the usual business address

Line 5—*Item(s) cancelled.* The item, or type or class of items, being produced under the contract.

Line 6—*Effective date of termination.* The date specified in the notice of termination as the effective date.

Line 7—*Contract Price of Items Cancelled.* The dollar amount of the contract price of the terminated items. The original estimate should be entered under "a", while the latest estimate should be entered under "b".

Line 8—*Contractor's claim.* The dollar amount claimed by the contractor as representing his charges applicable to the portion of the contract not to be completed. The claim, as it stood at the date findings were ordered, should be entered under "a", and the latest claim should be entered under "b".

Line 9—*Date findings ordered.* The date on which the contracting agency determined to prepare written findings on an unsettled claim or the date of receipt by the contracting agency of the contractor's demand for such findings. The date should be entered under "a" if the findings were ordered at the request of the contractor, and under "b" if ordered through a determination of the contracting agency. A summary of the disagreement between the contractor and the contracting agency should be given under Line 13 (Remarks).

Line 10—*Findings.* The delivery of written findings. The date on which the original findings were mailed and the amount of the findings should be entered under "a", and the date and amount of any subsequent revision in the findings should be entered under "b". If more than one revision is made in the findings, the latest revision should be entered under "b", and interim revisions under Line 13 (Remarks). Modification in findings made during review by higher echelons within the procurement agency should be considered as a revision in the findings rather than an internal appeal.

Line 11—*Internal appeals.* Appeal by the contractor from the conclusions of the written findings, through the appeals machinery of the procurement agency. The date of such appeal should be entered under "a", the date of action on such appeal under "b", and the amount determined under "c". (See Line 10 for reporting revisions in findings arising during review by higher echelons within the procurement agencies.) Other pertinent results of internal appeals should be summarized under Line 13 (Remarks). Disputes submitted to arbitration or mediation under section 13 (e) or 13 (f) of the Contract Settlement Act will also be considered as internal appeals. The report prepared for the month in which the dispute is submitted to arbitration or mediation should show under Line 13 a statement to the effect that the case is being submitted to arbitration or mediation, the date on which the dispute was submitted to arbitration or mediation, the name and address of the arbitrator, and the nature of the dispute.

Line 12—*Acceptance of findings or other settlement.* Settlement of the claim at any stage short of external appeal. The date of such acceptance or other settlement should be entered under "a" and the amount of the settlement under "b". When settlement is accomplished by means of arbitration or mediation, a statement should be included under Line 13 giving a concise summary of the dispute.

Line 13—*Report on findings and appeals—Remarks.* Wherever Lines 9, 11 and 12 request that pertinent information or a concise summary be furnished as to the nature of the dispute, sufficient data should be included to indicate as precisely as practicable the character of the controversy and the points at issue, with particular emphasis on questions of law or policy. The purpose of this is to furnish information as to the kind and type of disputes which may be hampering settlements by negotiation.

(b) It should be noted that information for Lines 2 and 7 of § 848.896-3 may not be available for cases arising under section 17 of the Contract Settlement Act. [JTR 896.3]

§ 848.897 *Report on plant clearance.* [JTR 897]

§ 848.897-1 *General description.* This report will summarize (a) clearance requests received during the month, (b) clearance requests completed during the month, (c) clearance requests pending at the end of the month, and (d) the period of time required to complete clearance under clearance requests or the period of time for which clearance has been pending under clearance requests. Clearance requests covering contractor inventory will be recorded separately from those covering Government-owned plant equipment. The plant clearance figures for the reports on consolidated terminations, and the reports on company-wide settlements shall be included. The reporting agency will be the service or bureau which has the disposal responsibility regardless of the original terminating agency. It should be noted that the plant clearance status of Government-owned plant equipment is to be reported only by the agency owning the equipment. [JTR 897.1]

§ 848.897-2 *Form.* (a) In the War Department, this report will be submitted on W. D., A. G. O. Form No. 294, Control Approval Symbol RCC 11. This form is available at AG Depots.

(b) In the Navy Department, this report will be submitted on Form No. OCS-R6 Budget Bureau No. 17-RO18. This form is available at the Property Disposal Branch, OP&M. [JTR 897.2]

§ 848.897-3 *Line entries and definitions.* (a) The following information will be entered in the respective lines of the War Department report form, subdivided as between clearance requests received from prime contractors and subcontractors, and as between contractor inventory and Government-owned plant equipment.

Line 1—*Number of Clearance Requests—Pending—1st of Month.* The number of clearance requests pending at the first of the month. This must agree with Line 7 on the preceding month's report.

Line 2—*Number of Clearance Requests—Received.* The number of clearance requests received during the month.

Line 3—*Number of Clearance Requests—Total Before Disposition.* Line 1 plus Line 2.

Line 4—*Number of Clearance Requests—Returned to Contractor.* The number of clearance requests returned to the contractor during the month.

Line 5—*Number of Clearance Requests—Completed.* The number of clearance requests which were completed.

Line 6—*Number of Clearance Requests—Total Disposition.* Line 4 plus Line 5.

Line 7—*Number of Clearance Requests—Pending—End of Month.* The number of clearance requests on hand at the end of the month which had not been completed. (Line 3 minus Line 6.)

Line 8—*Clearance Requests Completed—Within 40 Days.* The number of clearance requests completed during the month within 40 days after date of receipt.

Line 9—*Clearance Requests Completed—41 Through 60 Days.* The number of clearance requests completed during the month in 41 through 60 days after date of receipt.

Line 10—*Clearance Requests Completed—Over 60 Days—Within Waiver.* The number of clearance requests completed during the month which required more than 60 days to complete but which were completed within a period covered by a waiver.

Line 11—*Clearance Requests Completed—Over 60 Days—Beyond Waiver.* The number of clearance requests completed during the month which requires more than 60 days to complete, for which no waiver was obtained or which were completed beyond the period covered by a waiver.

Line 12—*Clearance Requests Completed—Total Completed.* The sum of Lines 8, 9, 10 and 11. This total must agree with Line 5.

Line 13—*Clearance Requests Pending—40 Days or Less.* The number of clearance requests pending at the end of the month which had been pending for 40 days or less after date of receipt.

Line 14—*Clearance Requests Pending—41 Through 60 days.* The number of clearance requests pending at the end of the month which had been pending for 41 through 60 days after date of receipt.

Line 15—*Clearance Requests Pending—Over 60 Days—Within Waiver.* The number of clearance requests pending at the end of the month which had been pending for more than 60 days, but within a period covered by a waiver.

Line 16—*Clearance Requests Pending—Over 60 Days—Beyond Waiver.* The number of clearance requests pending at the end of the month which had been pending for more than 60 days, and for which no waiver had been obtained or which were pending beyond the period covered by a waiver.

Line 17—*Clearance Requests Pending—Total Pending.* The sum of Lines 13, 14, 15 and 16. This total must agree with Line 7.

Line 18—*Residual Cost—60 Day Items—Within Waiver.* The approximate cost of items not yet removed included in clearance requests (Line 15) which had been pending for more than 60 days but not beyond the period covered by a waiver. For Government-owned plant equipment, the cost F. O. B. Manufacturer will be used for this purpose.

Line 19—*Residual Cost—60 Day Items—Beyond Waiver.* The approximate cost of inventory not yet removed included in clearance requests (Line 16) which had been pending for more than 60 days and for which no waiver was obtained, or which were pending beyond the period covered by a waiver. For Government-owned equipment, the F. O. B. cost will be used.

Line 20—*Residual Cost—Total 60 Day Residual Cost.* The sum of Lines 18 and 19. This represents the approximate cost of inventory not yet removed included in all clearance requests which had been pending over 60 days.

(b) In preparing the War Department report, the following definitions will apply.

(1) *Contractor inventory.* Termination inventory and property to which termination inventory procedures are applicable (paragraph 400.2) but excluding Government-owned plant equipment.

(2) *Government-owned plant equipment.* Government-owned machinery, tools, equipment and readily severable facilities to which plant clearance policies as to Government-owned facilities (paragraph 861) are applicable.

(3) *Clearance requests.* A listing by prime contractor or subcontractor of specific items of property to be removed from his plant unless otherwise disposed of. In the case of Government-owned plant equipment, this is the removal schedule. Purchase schedules will not be considered as clearance requests. Items submitted on purchase schedules which are disapproved by the contracting officer will be picked up when the removal schedule covering these items is presented.

(4) *Clearance request completed.* Removal from the plant of the contractor or subcontractor concerned of the last item of inventory included in a clearance request. For this purpose, removal is effected by physical removal by the Government (or issuance of shipping instructions), approval of retention of inventory by the contractor or subcontractor, approval of sale by a contractor or subcontractor to a third party, execution of a storage agreement between the Government and the contractor or subcontractor, or on the physical removal (after 60 days and after the expiration of the notice period) by the prime contractor or subcontractor to another location for storage at Government expense. In the cases where the contractor or subcontractor moves termination inventory to another location for storage at own expense, clearance is not achieved until one of the above defined actions is completed.

(5) *Waiver.* Execution of a written agreement between the prime contractor or subcontractor and the contracting officer to extend the 60 day clearance period.

(c) In preparing the Navy Department report, the line entries shall be made in accordance with the definitions and instructions that accompany Form OCS-R6. [JTR 897.3]

§ 848.897-4 *Supporting list.* In both the War and Navy Department, the plant clearance report will be supported by a list of clearance requests which, at the end of the month, had been pending for more than 60 days. As to each such request, the following information will be submitted:

(1) Name and address of contractor.

(2) Contract number if request is from a prime contractor.

(3) Name and address of prime contractor, and number of prime contract (if request is from a subcontractor).

(4) Approximate cost of property not yet removed.

(5) Reason for delay.

(6) Action being taken to complete clearance.

(7) Expiration date of waiver, if waiver obtained. [JTR 897.4]

§ 848.898 *Report on consolidated termination and company-wide settlement programs.* [JTR 898]

§ 848.898-1 *General description.* (a) In the War Department this report will summarize Governmental action during the month as to terminated war con-

tracts held by contractors assigned to a designated office under the consolidated termination program.

(b) In the Navy Department this report will summarize Governmental action during the month as to terminated war contracts held by contractors assigned to a designated office under the consolidated termination program, or to a designated officer for company-wide settlement. [JTR 898.1]

§ 848.898–2 *Form.* (a) In the War Department, this report will be submitted on W. D., A. G. O. Form No. 436, Control Approval Symbol RCC 18. Instructions for completing this form are set forth in ASF Circular No. 105, 1945, and Army Air Forces ATSC letter of 23 March 1945.

(b) In the Navy Department, present instructions apply. The instructions as to a progress report or property disposal are set forth in OP&M letter to NMR&DA dated 19 February 1945, the contents of which were forwarded to MRDO's by NMR&DA circular letter 47–45. Reports covering accounting reviews shall continue to be furnished by Cost Inspection Service. [JTR 898.2]

PART 849—FORMS AND INSTRUCTIONS

SUBPART D—FORMS RELATING TO TERMINATION NOTICE AND INSTRUCTIONS

1. Section 849.941–1, is amended to read as follows:

§ 849.941–1 *Telegraphic notice to fixed-price prime contractors.* The following form of notice will be used in accordance with § 842.243.

XYZ CORPORATION
New York, New York

Your contract No.------ is hereby terminated effective [Here insert "Immediately" or "On---------- 194--" (inserting the date), or "As soon as you have delivered thereunder including previous deliveries the following items" (listing items), or "On ---------- 194--, on which date you will reduce delivery rate as follows" (inserting instructions as to reduced rate of delivery).] Immediately stop all work. Terminate subcontracts and place no further orders except to extent [Here insert, if applicable, "Necessary to perform any portion thereof not terminated hereby or"] that you or a subcontractor wish to retain and continue for own account any work in process or other materials. Telegraph similar instructions to all subcontractors and suppliers. If this termination will result in release of labor, facilities, or production tools, you are requested to notify contracting officer named below [In the case of the Navy, substitute "Your cognizant inspector"] immediately and cooperate with him in arranging meeting with WPB and WMC. Letter and instructions follow.

Captain JOHN DOE,
Contracting Officer.

[JTR 941.1]

2. In § 849.942–1, paragraphs 1 and 4 of the notice form are amended to read as follows:

§ 849.942–1 *Letter termination notice to prime contractors under fixed-price (lump sum) supply or construction contracts.* • • •

1. *Effective date of termination.* You are notified that your Contract No. ---------- (hereinafter sometimes referred to as "the Contract") is hereby terminated [in part] for the convenience of the Government. Such termination will be effective:

[Here insert either "immediately upon your receipt of this Notice" or "on----------, 194--" (inserting the date), or "as soon as you have delivered under the Contract the following number of each of the items listed below, including those heretofore delivered, to wit: ----------" *or* "on ----------, 194--, on which date you are hereby directed to reduce the rate of delivery under the Contract as follows:" (here insert instructions as to reduced rate of delivery).][1] If this termination will result in a release of labor, facilities, or production tools, you are requested to notify the Contracting Officer named below [In the case of the Navy, substitute "your cognizant inspector"] immediately and coperate with him in arranging a meeting with representatives of the War Production Board and the War Manpower Commission.

• • • • • •

4. *Completed articles.* Acceptable completed articles which have been shipped prior to the effective date of termination, and such other completed articles as are accepted and delivered after the effective date of termination in accordance with directions of the Contracting Officer, will be treated for all purposes as articles delivered under the contract. The termination notice will be appropriately amended, whenever necessary, to reinstate such completed articles in the unterminated portion of the contract. You will, therefore, invoice such completed articles under the contract in the usual way and not include them in your termination inventory. All other completed articles will be included in your termination inventory. You will be advised by the service or bureau (in the Navy by your cognizant Navy material inspector) as to what completed articles, if any, will be accepted for delivery under the contract.

3. In § 849.944–2 the first paragraph of the notice form is amended to read as follows:

§ 849.944–2 *Letter termination notice for use by prime contractors in terminating fixed-price (lump sum) supply subcontracts.* • • •

[At the top of the Notice set out all special details relating to the particular termination: e. g., name and address of company, contract number of terminated prime contract, contract number or other designation of terminated subcontract, service or bureau involved, name and address of contracting officer administering prime contract, etc.]

SUBPART E—FORMS RELATING TO INTERIM FINANCING

In the form in § 849.955 paragraphs (4), (6) and (7) are amended to read as follows:

§ 849.955 *Form of agreement for subcontractors' payment fund.*

(4) *Use of funds.* The Contractor shall, subject to the provisions of paragraph (5) and (6) hereof, use the funds in the special account to make prompt partial and final payments on account of the termination claims of subcontractors under such of the Contractor's war contracts as are prime contracts with the War Department and the Navy Department or with any other Government agency which has delegated authority to settle the Contractor's war contracts to the War and Navy Department, or are subcontracts under prime contracts with such contracting agencies; provided that the Contractor shall not be required to use the funds in the special account to make partial or final payments on account of the termination claim of a subcontractor, with respect to which the Contractor will not have a termination claim. The Contractor shall make partial payments from the special account only (i) upon specific approval of subcontractors' applications therefor by a properly authorized Government representative or (ii) pursuant to authority delegated by the Government to the Contractor to make such partial payments without such approval and shall make final payments from the special account only upon settlements which have been (i) approved by a properly authorized Government representative or (ii) made pursuant to authority delegated by the Government to the Contractor. The Contractor shall not use the funds in the special account for any other purpose unless specifically authorized by the Financial Contracting Officer.

• • • • • •

(6) *Reimbursement of fund.* On or before the tenth day of each quarter the Contractor shall, unless otherwise authorized by the Administrative Officer, submit partial payment applications, pursuant to the procedures set forth in the Joint Termination Regulation of the War and Navy Departments, covering all payments made by the Contractor from the special account during the preceding quarter and not included in any settlement proposal theretofore submitted. An amount equal to all payments received pursuant to such applications, together with any amounts received by or credited to the Contractor upon partial or final settlements representing payments from the special account on account of subcontractors' claims, shall promptly upon such receipt or credit be deposited by the Contractor in the special account. If the Contractor uses the funds in the special account to make a partial or final payment on the termination claim of a subcontractor on account of which the Contractor will not have a termination claim, the Contractor shall reimburse the special account for such payment on or before the tenth day of the quarter following the quarter in which it is determined that the Contractor will not have a termination claim.

(7) *Repayment of fund.* The Contractor may at any time repay to the Government all or any part of the amounts paid to the Contractor by the Government under paragraph (2) hereof. The Government may at any time, immediately after notice to the Contractor, withdraw all or any part of the balance in the special account by check payable to the Treasurer of the United States and signed solely by the Administrative Officer, the amounts so withdrawn to be applied against the Contractor's obligation to repay to the Government the amounts paid to the Contractor under paragraph (2) hereof. Upon final and conclusive settlement of all of the Contractor's prime contracts and subcontracts with respect to which the Contractor has made payments from the special account, or within three years after the date of this agreement, whichever is earlier, the Contractor shall repay to the Government all amounts paid to the Contractor by the Government under paragraph (2) hereof and not theretofore repaid. The Contractor shall have the right to set off against its obligations to make such repayment any and all amounts due to the Contractor from the Government on account of any payment made from the special account.

[1] The language within the brackets is designed principally for supply contracts. In the case of construction contracts, the following alternative language is recommended:

[Here insert either "immediately upon your receipt of this Notice" *or* "on----------, 194--" (inserting the date), *or* "as soon as you have completed the following work:" (here state the work to be completed.)]

SUBPART G—FORMS RELATING TO PROPERTY DISPOSITION

Sections 849.974 and 849.974–1 are amended to read as follows:

§ 849.974 Forms relating to removal of plant equipment held under facilities contracts. [JTR 974]

§ 849.974–1 Application for disposition of plant equipment. The following form of application for disposition of plant equipment (together with supporting schedules) will be used in accordance with § 848.863. This form is prescribed for use by the Office of Contract Settlement under Regulation No. 18.

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Form approved Budget Bureau No. 17-R022

Form 5—Office of Contract Settlement

(Read instructions below)

APPLICATION FOR DISPOSITION OF PLANT EQUIPMENT[1]

For Use by Facilities Contractor or Subcontractor in Possession Seeking Purchase or Removal of Government-Owned Plant Equipment

---

(Owning Government Agency) ----------

(Applicant) ----------

(Street Address) ----------

This application applies to (check one):
☐ A prime facilities contract with Government, or
☐ A Subcontract identified as ---------- with

(Contractor) ----------

(Street Address) ----------

(City) (Zone) (State) ----------

(Date of Application) (Date Rec'd by Govt.) ----------

1. Application is hereby made for the disposition of Government-owned plant equipment provided under the captioned facilities contract (or subcontract) on the basis proposed by the following supporting schedules:

(a) Purchase schedule, sheets ---- thru ---- attached, describing items which we desire to purchase.

(b) Removal schedule, sheets ---- thru ---- attached, describing items of plant equipment which we request be removed, pursuant to section 12 (a) of the Contract Settlement Act of 1944 and regulations issued thereunder. Any option rights which we may have to purchase any of the items described on the removal schedule and any other rights in and to said items, except rights of removal, are hereby waived. Exhibit A, attached, sets forth: (1) the extent to which these items can be dismantled and prepared by us for shipment or storage, (2) the amount of space required to store the items, (3) the amount of adequate storage space available at our plant therefor, and (4) the use for which we require the space now occupied by the items to be removed.

2. It is hereby certified that each item listed on the removal schedule which is marked O1 or O2 in column 5 has been inspected by one of our authorized representatives and, except as stated on attached Exhibit B, in our judgment, is operating or is capable of operating, within established tolerances, on the operation for which it was originally procured, or on operations for which it was designed. This certification to the owning agency is not a representation or warranty to prospective purchasers or others.

By ----------

(Applicant) (Authorized Representative and Title)

(To be completed by Facilities Contractor if Applicant is a Subcontractor) ----------

(Date)

The undersigned hereby waives all of its rights under the captioned facilities contract to acquire or use the items set forth on the attached purchase schedule or removal schedule except items set forth in Exhibit I attached which it desires to purchase under its option rights in the captioned facilities contract.

By ----------

(Facilities Contractor) (Authorized Representative and Title)

GENERAL INSTRUCTIONS

1. This Form is prescribed by the Director of Contract Settlement under the Contract Settlement Act of 1944 for use by facilities contractors and subcontractors in making application for the disposition of Government-owned machinery, tools and equipment (referred to herein as "plant equipment") no longer required for the performance of war contracts. The form and the supporting schedules may be used for other purposes in connection with the disposition of plant equipment or for any purpose in connection with the disposition of facilities other than plant equipment to the extent authorized by the owning agency. The Form has been made uniform for all Departments and Agencies of the United States Government in order to facilitate preparation and review of applications and to expedite plant clearance. Prompt action upon contractors' applications is dependent upon preparation of the supporting schedules accurately and completely in accordance with these instructions.

2. This Application may be submitted with respect to all or any part of the plant equipment in a contractor's plant, and will be accompanied by a purchase schedule and/or a removal schedule. However, in the interests of sound administration, contractors should not make repeated submissions covering minor amounts of plant equipment.

3. Forms may be obtained from any owning agency. Reproduction of the Form is authorized, but no change in arrangement or size (other than omission of the instructions) may be made without the approval of the owning agency. With the approval of the owning agency, the format of the supporting schedules may be varied, or existing listings of plant equipment may be used in lieu of the supporting schedules, provided no essential information is omitted. However, a contractor receiving such approval may not require his subcontractors to submit their supporting schedules on other than the prescribed standard forms. In order to avoid unnecessary labor you should consult the authorized representative of the owning agency before preparing the supporting schedule or exhibits.

4. This application should be submitted to the authorized representatives of the owning agency if you hold the plant equipment under a facilities contract, lease or similar arrangement made directly with the owning agency; or, if you are a subcontractor, to the facilities contractor with whom your arrangements for the use of the equipment were made. The owning agency will advise as to the number of copies of the Form required.

INSTRUCTIONS FOR SUPPORTING SCHEDULES

1. Supporting schedules (purchase schedule and removal schedule) may be obtained from any owning agency or may be prepared in the following form on 8½" x 11" pages, with headings running across the 11" side.

Form Approved Budget Bureau No. 17-R023

Form 5a—Office of Contract Settlement

SUPPORTING SCHEDULES APPLICATION FOR DISPOSITION OF PLANT EQUIPMENT

(See Instructions on reverse of Contract Settlement Form 5)

(Applicant) ---------- Page ----------

(Facility Contract No.) ---------- Application Number ----------

(Facility Location) ----------

☐ Purchase Schedule (check if any)
☐ Removal Schedule

(Cost Prime Facility Contract Sch. ----------) ---------- (Sub-contract Identification) ----------

Item No.	Description	Quantity	Government Identification No.	Cost: Date of Cost	Cost: Basis of Cost	Cost: Original Cost	Cost: Total Adjustments	Cost: Net Book Value	Cost: Estimated Fair Market Price (See Inst.)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	

[1] Specimen form. The form may be obtained from any Government contracting agency and the larger war contractors or from the Readjustment Distribution Center, 90 Church Street, New York 7, N. Y.

2. If any government-owned accessories or spare parts were acquired under a contract other than the contract to which the supporting schedule applies, list such accessories and spare parts on a separate schedule showing appropriate contract number and a cross reference to the item for which such accessories and spare parts were purchased. If the contracts are with different owning agencies separate applications are required in addition to the separate schedule.

3. Use a separate page for plant equipment located at geographically separated plants.

4. Number each page of supporting schedules in space provided, using only one series of numbers beginning with "1".

5. Show total cost in Columns 7 and 8 at the foot of each sheet and at the end of each supporting schedule.

6. *Column instructions:*

Column 1—Item number. Enter consecutive numbers for each item listed starting with "1" on each page.

Column 2—Description. Description shall be furnished in accordance with the "Handbook of Standards for Describing Surplus Property", unless otherwise instructed by the owning agency. If records or schedules, copies of which can be made available to the owning agency, adequately describe the items to the satisfaction of the owning agency, they may be used in lieu of furnishing the description required on the above form: *Provided, however,* That Column 2 includes a clear reference to the respective listings on such records or schedules. In any event, descriptive data shall be kept to a minimum consistent with the needs of the owning agency for the information in ascertaining losses and discharging accountability, effecting sales, and reporting to disposal agencies.

Column 3—Quantity. Enter number of units.

Column 4—Government inventory tag numbers. Where items are grouped, indicate all tag numbers involved.

Column 5—Present condition. Use following code to report present condition of each item:

O1. Excellent—no repairs required.	X—Items of no further value for use as originally intended but of possible value other than as scrap.
O2. Good—no repairs required.	
R3. Fair—repairs required.	
R4. Poor—repairs required.	S—Scrap.

Column 6—Period of use. Indicate whether item was new (N) or used (U) when acquired and the period of actual use by the applicant, e. g.:

N 8 40 10 45	) Item new when acquired. In use from August 1940 to October 1945.	U 8 41 2 46	) Item used when acquired. In use from August 1941 to February 1946.

Column 7—Cost f. o. b. manufacturer. Show cost f. o. b. manufacturer to the nearest dollar for all items, including standard accessories and electrical equipment.

Column 8—Cost in place. Entries in this column shall be made to the extent and on the basis required by the owning agency.

Column 9—This column may be used on purchase schedules to indicate specific price offers. If the contractor desires to indicate generally his basis for negotiations or to submit any additional data, he may do so by means of an exhibit attached to the schedule.

[JTR 974.1]

SUBPART H—FORMS RELATING TO SETTLEMENT

1. Paragraph (c) (2) of Article 4 in § 849.981–1 is amended to read as follows:

§ 849.981–1 *Settlement agreement for use in settling fixed-price prime contracts after complete termination.* • • •

ART. 4. • • •

(c) • • •

(2) All rights and liabilities of the parties arising under the Contract articles, if any, or otherwise which relate to reproduction rights, patent infringements, inventions, applications for patent and patents, including rights to assignments, invention reports and licenses, covenants of indemnity against patent risks and bonds for patent indemnity obligations, together with all rights and liabilities under any such bond.

2. Paragraph (2) of Article 2 in § 849.981–3 is amended to read as follows:

§ 849.981–3 *No-cost settlement agreement for use in settling fixed-price prime contracts after complete termination where contractor presents no claim.* • • •

ART. 2. • • •

(2) All rights and liabilities of the parties arising under the Contract articles, if any, or otherwise, which relate to reproduction rights, patent infringements, inventions, applications for patent and patents, including rights to assignments, invention reports and licenses, covenants of indemnity against patent risks and bonds for patent indemnity obligations, together with all rights and liabilities under any such bond.

3. In § 849.983–1 the introductory text, paragraph (c) (5) of Article 4 and paragraphs (3) and (4) of Article 5 are amended to read as follows:

§ 849.983–1 *Settlement agreement for use in settling cost-plus-a-fixed-fee prime contracts after complete termination.* The following form is designed for a negotiated settlement, under § 845.560 and following, after complete termination. In using it for partial final settlements, appropriate changes should be made.

• • • • • •

ART. 4. • • •

(c) • • •

(5) All rights and liabilities of the parties arising under the Contract articles, if any, or otherwise which relate to reproduction rights, patent infringements, inventions, applications for patent and patents, including rights to assignments, invention reports and licenses, covenants of indemnity against patent risks and bonds for patent indemnity obligations, together with all rights and liabilities under any such bond.

ART. 5. • • •

(3) The Contractor shall promptly notify the Contracting Officer of any claims of the type described in subparagraph (3) of Article 4 which are asserted subsequent to the execution of this Agreement. In the event of the assertion of any such claim against the Contractor, he shall, if requested by the Contracting Officer, promptly and diligently proceed in good faith to assemble all data and information relative to such claim. The expenses incurred by the Contractor in the performance of this duty shall be reimbursable under the Contract.

(4) If the Contracting Officer shall determine that the best interests of the Government require that the Contractor initiate or defend litigation in connection with claims of third parties arising under the Contract or by virtue of its termination, the Contractor will proceed with such litigation in good faith and the costs and expenses of such litigation, including judgments and court costs, allowances rendered or awarded in connection with suits for wages, overtime or salaries, and other items, and reasonable attorneys' fees for private counsel when the Government does not furnish Government counsel, shall be reimbursable under the Contract. The term "litigation" shall include suits at law or in equity and proceedings before any Governmental agency having jurisdiction over the claim.

4. Sections 849.986 to 849.986–4 are amended to read as follows:

§ 849.986 *Forms relating to direct settlement on a company-wide basis.* [JTR 986]

§ 849.986–1 *Master agreement for company-wide settlement.* The following form of agreement will be used in accordance with § 848.854:

This Master Agreement for Company-wide Settlement, entered into pursuant to authority contained in the Contract Settlement Act of 1944, this _____ day of _____, 1945, between the United States of America (hereinafter called "the Government"), represented by the Contracting Officer executing this contract and _____ a corporation organized and existing under the laws of _____ and having its principal offices at _____ (hereinafter called "the Contractor");

Witnesseth that:

Whereas, the Contractor has entered, and may enter, into prime contracts with various contracting agencies of the Government and subcontracts with other prime contractors and subcontractors (including purchase orders, letter contracts, and letters of intent, all of which are hereinafter called "war contracts"); and

Whereas, all of such war contracts are directly or indirectly subject to termination at the option of the Government; and

Whereas, pursuant to Regulation No. 16 of the Office of Contract Settlement, the Contractor has applied to have its claims resulting from the termination of its war contracts settled directly by the Government on a company-wide basis and such application has been granted by the Office of Contract Settlement; and

Whereas, the chief of [insert service, bureau, or office] hereinafter called the "designated officer" (which term also includes any duly authorized representative of such chief) has been authorized pursuant to Subpart E of Part 848 of the Joint Termination Regulation to settle directly termination claims of the Contractor on behalf of the War Department and the Navy Department [and—insert any other contracting agencies];

Now, therefore, the parties do mutually agree as follows:

ARTICLE 1. *Applicable statute.* This Agreement shall be construed and administered in the light of, consistently with, and for the purpose of carrying out the provisions and policies of the Contract Settlement Act of 1944 (hereinafter called the "act"). All terms herein which are defined in the act shall be construed in accordance with such definitions unless the context clearly requires otherwise.

ART. 2. *Scope of company-wide settlement.* This Agreement shall govern the settlement of all termination claims of the Contractor arising under prime contracts of the War Department or the Navy Department [or other contracting agencies] or subcontracts of any tier under prime contracts of the War Department or the Navy Department [or other contracting agencies] which subcontracts have been terminated as a result of the modification or termination of a prime contract for the convenience or at the option of the Government, or under other circumstances which require the Government to bear the cost of settling them, as to which notices of termination shall be received by the Contractor after the date of this Agreement, except such claims as may be excluded from its scope pursuant to Article 3 hereof. It shall also govern the settlement of all termination claims of the Contractor under any such war contracts as to which notices of termination have been received prior to the date of this Agreement which the parties may mutually agree to have governed hereby. The Contractor agrees that it will not submit any termination claim governed by this Agreement to a contracting officer of the Government other than the designated officer, and that it will not seek payment of any such claim from another war contractor, unless that claim has been excluded from the scope of this Agreement. The Contractor agrees that it will not include in any termination claim to be settled hereunder any request for payment on account of completed articles delivered to the purchaser under a war contract prior to the termination thereof or which are to be delivered to the purchaser in accordance with the notice of termination.

ART. 3. *Exclusion of claims.* The Contractor, within fifteen days after receipt of a notice of termination of any prime contract, or of any subcontract on account of which it intends to file a termination claim, will furnish a copy or abstract of such notice of termination to the designated officer. Any termination claim of the Contractor may be excluded from the scope of this Agreement at the option of the Government, but such option may not be exercised later than 30 days (or such longer period as the parties may agree) after submission to the designated officer of notice that the contract has been terminated. The Government will exercise its option to exclude claims from the scope of this Agreement only where it determines that (a) such exclusion is required in the interest of continued war production, or (b) the contract is of such complexity or special character that expeditious and fair settlement of the claim will not be advanced by settlement under this Agreement, or (c) that some other substantial reason makes such exclusion advisable.

ART. 4. *Basis of settlement.* (a) The Contractor agrees that it will promptly and diligently prepare and file its settlement proposals on the prescribed forms, or enter into no-cost termination settlement agreements, in accordance with applicable regulations. Each war contract of the Contractor that is to be settled under the terms of this Agreement shall be treated, for the purposes of such settlement and of payment thereunder, as though it were a prime contract of the [insert service, bureau, or office, of the designated officer].

(b) The rights and obligations of the parties under fixed price war contracts to be settled under this agreement will be those set forth in the Uniform Termination Article for fixed price supply prime contracts contained in JTR 931. That Article shall be deemed to be included in each fixed price war contract held by the Contractor for the purpose of settling, under the terms of this Agreement, termination claims under that war contract. For this purpose, paragraph (d) (2) of that Article, which is to be applied in case the parties fail to reach a settlement by negotiation, shall be deemed to provide for payment of profit to the Contractor in the amount of 2% of the cost of articles and materials not processed by the Contractor, plus 8% of the remaining costs of work terminated upon which a profit may be based, but not to exceed the limitation of 6% on the total, imposed by that Article.

(c) The rights and obligations of the parties under cost-plus-a-fixed-fee contracts to be settled pursuant to this Agreement will be those set forth in the Uniform Termination Article for cost-plus-a-fixed-fee prime contracts contained in § 849.932, applying the appropriate Navy Department form to Navy contracts and the War Department form to Army contracts. That Article will be deemed to be included in each cost-plus-a-fixed-fee war contract held by the Contractor for the purpose of settling, under the terms of this Agreement, the termination claims under that war contract.

(d) The Government hereby accepts responsibility for settling and paying directly to the Contractor all termination claims governed by this Agreement, except such claims as may be excluded from its scope pursuant to Article 3 hereof. Upon the payment of any claim hereunder, the Contractor will either release the Government and the war contractor liable to the Contractor from liability on account of such claim, or, at the option of the Government, assign such claim to the Government. The Contractor hereby acknowledges written notice of the acceptance of responsibility by the Government for settling all claims hereunder, and of the conditions applicable thereto. The Contractor waives all the other and future notices that it otherwise might be entitled to receive under section 7 (d) of the act and consents to such acceptance of responsibility by the Government.

(e) The Contractor will notify the designated officer of any and all assignments by the Contractor of monies payable on account of termination claims due or to become due under its contracts.

(f) Payments on account of termination claims to be settled under this Agreement shall be made by the Government only on the basis of vouchers or invoices supported by final settlement agreements, determinations of amounts due where the parties fail to agree, or arrangements for interim financing.

ART. 5. *Settlements with and payments to subcontractors.* The Contractor agrees that it will make all reasonable efforts to bring about the prompt settlement and payment of the claims of its subcontractors (including suppliers) arising out of the termination of subcontracts (including purchase orders) under the terminated war contracts of the contractor. In furtherance of this undertaking, and without limiting the generality thereof, the Contractor agrees that it will:

(a) Promptly make such reviews of the termination claims of its subcontractors as are required or are considered desirable, undertake to negotiate the settlement of such claims, and process them in accordance with applicable regulations and directives;

(b) Accept and exercise diligently and in good faith any authority, existing under any statute, regulation or special authorization from a contracting agency, (i) to settle finally the termination claims of its subcontractors, (ii) to take action with respect to termination inventories of such subcontractors, or (iii) to make partial payments to such subcontractors;

(c) Make partial payments to such subcontractors within 30 days after receipt of proper application therefor in all cases in which the contractor is entitled, under section 9 (b) of the act, to receive payment or credit from the Government in the full amount of such payment; and in all other cases take appropriate action under applicable regulations on each such application for a partial payment within 5 days after receipt thereof;

(d) When directed by the Contracting Officer, make application for a loan or partial payment to set up a fund from which partial and final payments may be made to its subcontractors; and

(e) Pay or credit to each such subcontractor the amount determined to be due on account of each termination claim that is finally settled, within 10 days after receipt of payment on account thereof.

ART. 6. *Officials not to benefit.* No member of or delegate to Congress or resident commissioner shall be admitted to any share or part of this contract or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

ART. 7. *Covenant against contingent fees.* The Contractor warrants that it has not employed any person to solicit or secure this contract upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul the contract, or in its discretion, to deduct from any sum which may become payable hereunder the amount of such commission, percentage, brokerage, or contingent fee. This warranty shall not apply to commissions payable by the Contractor upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business.

ART. 8. *Anti-discrimination.* The Contractor, in performing the work required by this contract, shall not discriminate against any employee or applicant for employment because of race, creed, color or national origin.

ART. 9. *Termination.* This Agreement may be terminated by either party by delivery of written notice of such termination to the other, specifying the effective date of such termination, which shall not be earlier than 30 days after the date of delivery of such notice; provided that, unless otherwise mutually agreeable, no such termination shall affect the administration of any termination with respect to which a settlement proposal has been submitted by the Contractor to the designated officer, all of which terminations shall be concluded in the same manner and to the same effect as if this Agreement had not been so terminated. In the event, however, that the Contractor shall file a petition in bankruptcy, or be adjudged a bankrupt, or commit an act of bankruptcy, or make a general assignment for the benefit of its creditors, or a receiver shall be appointed for all or substantially all the assets of the Contractor, then, in any such case, the Government may, at its option, forthwith terminate this Agreement and any or all settlement negotiations or proceedings then pending hereunder.

In Witness Whereof _____, etc.

[JTR 986.1]

§ 849.986–2 *Form of notice to contracting officer under applicable prime contract.* The following form will be used in accordance with § 848.855–4:

To: Contracting Officer
Bureau or Procurement District
Subject: Direct settlement of contract termination charges of _____

1. Pursuant to Subpart E of Part 848 of the Joint Termination Regulation, the undersigned contracting officer is engaged in the direct settlement on a company-wide basis of the termination claims of _____ (hereinafter called the "assigned contractor"), arising under its terminated prime

2. If any government-owned accessories or spare parts were acquired under a contract other than the contract to which the supporting schedule applies, list such accessories and spare parts on a separate schedule showing appropriate contract number and a cross reference to the item for which such accessories and spare parts were purchased. If the contracts are with different owning agencies separate applications are required in addition to the separate schedule.

3. Use a separate page for plant equipment located at geographically separated plants.

4 Number each page of supporting schedules in space provided, using only one series of ntimbers beginning with "1".

5 Show total cost in Columns 7 and 8 at the foot of each sheet and at the end of each supporting schedule

6. *Column instructions:*

Column 1—Item number. Enter consecutive numbers for each item listed starting with "1" on each page.

Column 2—Description. Description shall be furnished in accordance with the "Handbook of Standards for Describing Surplus Property", unless otherwise instructed by the owning agency. If records or schedules, copies of which can be made available to the owning agency, adequately describe the items to the satisfaction of the owning agency, they may be used in lieu of furnishing the description required on the above form: *Provided, however,* That Column 2 includes a clear reference to the respective listings on such records or schedules. In any event, descriptive data shall be kept to a minimum consistent with the needs of the owning agency for the information in ascertaining losses and discharging accountability, effecting sales, and reporting to disposal agencies.

Column 3—Quantity. Enter number of units.

Column 4—Government inventory tag numbers. Where items are grouped, indicate all tag numbers involved.

Column 5—Present condition. Use following code to report present condition of each item:

O1 Excellent—no repairs required.	X—Items of no further value for use as originally intended but of possible value other than as scrap.
O2 Good—no repairs required.	
R3. Fair—repairs required.	
R4. Poor—repairs required.	S—Scrap.

Column 6—Period of use. Indicate whether item was new (N) or used (U) when acquired and the period of actual use by the applicant, e. g.:

N 8 40) Item new when acquired.	U 8 41) Item used when acquired
10 45 In use from August 1940 to October 1945.	2 46 In use from August 1941 to February 1946.

Column 7—Cost f. o. b. manufacturer. Show cost f. o. b. manufacturer to the nearest dollar for all items, including standard accessories and electrical equipment.

Column 8—Cost in place. Entries in this column shall be made to the extent and on the basis required by the owning agency.

Column 9—This column may be used on purchase schedules to indicate specific price offers. If the contractor desires to indicate generally his basis for negotiations or to submit any additional data, he may do so by means of an exhibit attached to the schedule.

[JTR 974.1]

SUBPART H—FORMS RELATING TO SETTLEMENT

1. Paragraph (c) (2) of Article 4 in § 849.981–1 is amended to read as follows:

§ 849.981–1 *Settlement agreement for use in settling fixed-price prime contracts after complete termination.* . . .

ent risks and bonds for patent indemnity obligations, together with all rights and liabilities under any such bond.

3. In § 849.983–1 the introductory text, paragraph (c) (5) of Article 4 and paragraphs (3) and (4) of Article 5 are amended to read as follows:

the Contractor, he shall, if requested by the Contracting Officer, promptly and diligently proceed in good faith to assemble all data and information relative to such claim. The expenses incurred by the Contractor in the performance of this duty shall be reimbursable under the Contract.

(4) If the Contracting Officer shall determine that the best interests of the Government require that the Contractor initiate or defend litigation in connection with claims of third parties arising under the Contract or by virtue of its termination, the Contractor will proceed with such litigation in good faith and the costs and expenses of such litigation, including judgments and court costs, allowances rendered or awarded in connection with suits for wages, overtime or salaries, and other items, and reasonable attorneys' fees for private counsel when the Government does not furnish Government counsel, shall be reimbursable under the Contract. The term "litigation" shall include suits at law or in equity and proceedings before any Governmental agency having jurisdiction over the claim.

4. Sections 849.986 to 849.986–4 are amended to read as follows:

§ 849.986 *Forms relating to direct settlement on a company-wide basis.* [JTR 986]

§ 849.986–1 *Master agreement for company-wide settlement.* The following form of agreement will be used in accordance with § 848.854:

This Master Agreement for Company-wide Settlement, entered into pursuant to authority contained in the Contract Settlement Act of 1944, this _____ day of _____, 1945, between the United States of America (hereinafter called "the Government"), represented by the Contracting Officer executing this contract and _____ a corporation organized and existing under the laws of _____ and having its principal offices at _____ (hereinafter called "the Contractor");

Witnesseth that:

Whereas, the Contractor has entered, and may enter, into prime contracts with various contracting agencies of the Government and subcontracts with other prime contractors and subcontractors (including purchase orders, letter contracts, and letters of intent, all of which are hereinafter called "war contracts"), and

licenses, covenants of indemnity against pat-

of the assertion of any such claim against

shall be construed in accordance with such

war contract. For this purpose, paragraph

amount of such payment; and in all other

tor"), arising under its terminated prime

contracts with the War Department or the Navy Department, and under its terminated subcontracts under any terminated or modified prime contracts with the War Department or the Navy Department. Among these claims may be a charge against _____ _____, based on a termination (dated _____) of Contract (Purchase Order) No. _____, of which the assigned contractor received notice on _____ which termination is claimed to have resulted from the termination or modification of Contract No. _____ issued by your office to _____ _____.

2. Any claim of the assigned contractor resulting from the above mentioned termination will be settled directly by the undersigned unless it is determined by the undersigned that it should be excluded from company-wide settlement (a) in the interest of continued war production, or (b) by reason of the complexity or special character of the contract, or (c) for some other substantial reason. In the event you consider that this claim should be excluded from company-wide settlement, you should notify the undersigned within 15 days from the receipt of this letter, stating your reasons therefor.

3. In the event you consider that this claim should not be excluded, you are requested to furnish the following information within 15 days from receipt of this letter.

a. A copy of the notice of termination or modification of the prime contract. (Omit where the termination claim is for the termination of a prime contract.)

b. Whether or not, to your knowledge, there is any assignment of the amounts due under the terminated contract (purchase order) of the assigned contractor, and, if so, the name and address of the assignee.

c. Any information you have as to any rights of set-off which the Government may have against the assigned contractor, including rights arising out of advance payments, progress or partial payments or guaranteed loans.

d. Such other relevant information as may assist the undersigned in negotiating a settlement of the claim.

4. The undersigned will deliver at your request any items of termination inventory which the assigned contractor may have: *Provided*, That you furnish adequate shipping instructions: *And provided*, That such items have not previously been disposed of.

5. The accounting and property disposal representatives of the undersigned will immediately begin work in connection with the above mentioned termination claim.

_____
Contracting Officer

[JTR 986.2]

§ 849.986-3 *Form of notice to customer.* The following form will be used in accordance with § 848.855-8:

(Appropriate changes should be made in this form if it is sent by the contractor with the indorsement of the designated officer.)

ABC Corporation

Gentlemen: Pursuant to section 7 (c) of the Contract Settlement Act of 1944 and Subpart E of Part 848 of the Joint Termination Regulation, the United States of America, acting through the undersigned contracting officer is undertaking to settle directly the termination claim of _____ resulting from the termination by you of that contractor's subcontract (purchase order) under Government Contract No. _____. That contractor has consented to have its claim settled directly by the Government and the Government recognizes its liability for the settlement of that claim: *Provided*, That the terminated subcontract (purchase order) is allocable to the terminated or modified portion of a Government prime contract or that other circumstances require the Government to bear the cost of settling that claim. Unless you are notified to the contrary by the undersigned, you are relieved of your obligation to negotiate a settlement of that contractor's termination claim and you should make no payment to that contractor on account of that contractor's termination claim or make any provision for payment thereof in any application for compensation for the termination of your contract (subcontract or purchase order).

The termination claim of the above named contractor will not include any charge for completed items delivered to you, or shipped to you but not received, prior to the termination of the above subcontract (purchase order), or thereafter in accordance with the notice of termination. You remain liable to pay for any such completed items. It will also remain your responsibility to furnish the Government and the above named contractor with any information and assistance necessary for the verification of the termination charges of that contractor and in determining their allocability to the prime contract.

Very truly yours,

_____
Contracting Officer

[JTR 986.3]

§ 849.986-4 *Certificate of allocability.* The following form will be used in accordance with § 848.855-8:

Certificate of Allocability

The undersigned hereby certifies:

(a) That it received the following war contract from _____(1)_____ which has been terminated or modified as follows:

Buyer's contract No.	Date of order	Date of termination or modification	Quantity involved	Number of[2] applicable prime contracts	Government office in charge of applicable prime contract

(b) That for the purpose of performing the foregoing war contract, the undersigned placed a subcontract with _____(2)_____ which it has terminated by reason of the above described termination or modification as follows:

Contract Number of undersigned	Date of order	Date of termination	Quantity terminated

(c) That the stated quantity terminated under the subcontract placed with _____(3)_____ by the undersigned is properly allocable to the terminated portion of the war contract described in (a) above.

Dated at _____ this _____ day of _____, 1945.

_____(4)_____

By _____

_____
Title

[1] Name of buyer from contractor executing certificate.
[2] Omit where contract listed is a prime contract.
[3] Name of seller to contractor executing certificate.
[4] Name of contractor executing certificate.

[JTR 986.4]

5. Section 849.988-2 is amended to read as follows:

§ 849.988-2 *Notice to subcontractor under section 7 (d) of act when Government undertakes to negotiate or determine amount due on termination claim.* The following form will be used in accordance with § 846.663-2 (a) when the contracting officer undertakes to negotiate or determine the amount due on account of the termination claim of a subcontractor, and to make payment of such amount to the subcontractor.

XYZ Corporation.

Gentlemen: Pursuant to section 7 (d) of the Contract Settlement Act of 1944, the United States of America, acting through the undersigned contracting officer, proposes to settle directly the termination claim which you have filed with _____ arising out of the termination of the subcontract (purchase order) for war production No. _____, which subcontract (purchase order) is apparently allocable to Government Contract No. _____.

The Government will accept responsibility for settling this claim to the extent that it is allocable to the aforementioned Government contract on condition that you agree:

a. That the claim will be settled on the basis of the principles set forth in the Uniform Termination Article for use in Fixed-Price Supply Contracts (Joint Termination Regulation, § 849.931), in the same manner as if your claim arose under a prime contract with the Government containing that article; [1]

b. That upon the final settlement of your claim, by agreement or otherwise, you will, at the option of the Government, either (i) assign to the Government the claim against your purchaser resulting from the termination of your subcontract, or (ii) release your purchaser and the Government from all liability on account of the termination of your subcontract; and that you will execute such document or documents as a contracting officer of the Government may request to effect such assignment or release.

This assumption of liability relates only to your claim for compensation for the termination of your subcontract, and does not include any claim which you may have for completed articles delivered to your purchaser prior to the termination of your subcontract or thereafter in accordance with the notice of termination, or any other claim which you may have against your purchaser under the subcontract.

If you sign and return the consent set forth below, the Government shall become liable for the settlement of your claim on the foregoing conditions.

Very truly yours,

_____
Contracting Officer

[1] The contracting officer may omit condition a, or substitute therefor any other authorized basis of settlement that he considers reasonable under the circumstances. He may also add other conditions that he considers appropriate.

Captain John Doe,
Contracting Officer.

The undersigned subcontractor under Government Contract No. _____ consents to the direct settlement by the Government of its claim against _____ resulting from the termination of Contract (Purchase Order) No. _____ upon the conditions set forth in the foregoing letter.

_____
(Subcontractor)

[JTR 988.2]

6. Section 849.988-3 is redesignated 849.988-4 and a new § 849.988-3 is added as follows:

§ 849.988-3 *Notice to subcontractor under section 7 (d) of act where Government adopts settlement previously made with subcontractor.* The following form will be used in accordance with § 846.663-2 (a) when the contracting officer adopts a settlement previously made by the higher tier war contractor with the subcontractor and assumes to make payment of the amount due thereon.

XYZ Corporation

Gentlemen: Pursuant to section 7 (d) of the Contract Settlement Act of 1944, the United States of America, acting through the undersigned contracting officer, proposes to adopt and assume the settlement of the termination claim which you have filed with _____ arising out of the termination of the subcontract (purchase order) for war production No. _____ under Government contract No. _____.

The Government will accept responsibility for direct payment to you of the sum of $_____ in full and complete settlement of your claim for compensation for the termination of this subcontract, including all interest to which you are entitled under the Contract Settlement Act, on condition that you sign and return the consent and [assignment / release] set forth below.

The said sum of $_____ represents solely your claim for compensation for the termination of your subcontract and does not include any claim for completed articles delivered to your purchaser prior to the termination of your subcontract or thereafter in accordance with the notice of termination, or any other claim which you may have against your purchaser under the subcontract.

Very truly yours,

_____
Contracting Officer

Captain John Doe,
Contracting Officer.

The undersigned subcontractor under Government Contract No. _____ consents to the direct settlement and payment by the Government of the sum of $_____ in full and complete settlement of its claim against _____ for compensation for the termination of Contract No. _____.

(In consideration of the payment of said sum of $_____, the undersigned subcontractor hereby releases the Government and _____ from all liability on account of the termination of its subcontract.)

(In consideration of the payment of said sum of $_____ the undersigned subcontractor does hereby assign, transfer and set over to the United States of America all its rights and claims against _____ under said subcontract and under the Contract Settlement Act of 1944 resulting from the termination of said subcontract.)

_____
(Subcontractor)

[JTR 988.3]

7. In § 849.988-4 (formerly § 849.988-3) the headnote and introductory text are amended to read as follows:

§ 849.988-4 *Notice to immediate purchaser of proposed direct settlement of termination claim of subcontractor.* The following form will be used in accordance with § 846.663-2 (b) when the contracting officer undertakes to negotiate or determine the amount due on account of the termination claim of a subcontractor and to make payment of such amount to the subcontractor.

8. Section 849.988-5 is added as follows:

§ 849.988-5 *Form of notice to immediate purchaser of assumption by Government of subcontract settlement.* The following form will be used in accordance with § 846.663-2 (b) when the contracting officer adopts a settlement previously made by the higher tier war contractor with the subcontractor and assumes to make payment of the amount due thereon.

ABC Corporation.

Gentlemen: Pursuant to section 7 (d) of the Contract Settlement Act of 1944, the United States of America, acting through the undersigned contracting officer, has adopted and assumed the settlement, in the amount of $_____, of the termination claim of _____ resulting from the termination by you of that company's subcontract under Government No. _____. The named company has consented to have its claim for compensation for the termination of its subcontract paid directly by the Government and the Government recognizes its liability for the payment of that claim. You should make no payment to the company on account of that claim and should include no provision for payment on account of the termination of that company's subcontract in any application for compensation for the termination of your contract.

You remain liable to pay for any completed items delivered under the above subcontract prior to the effective date of the termination thereof and for any completed items to be delivered to you under the notice of termination.

Very truly yours,

_____
Contracting Officer

[JTR 988.5]

9. Section 849.988-4 is redesignated 849.988-6 and is amended to read as follows:

§ 849.988-6 *Settlement agreement for use when the Government settles directly the termination claim of a fixed-price subcontractor.* The following form will be used in accordance with § 846.663-6 (a).

This agreement, entered into pursuant to the Contract Settlement Act of 1944, hereinafter called "the act", this _____ day of _____ 194__, by the United States of America, hereinafter called "the Government", represented by the Contracting Officer executing this Contract, and _____ _____, hereinafter called "the Contractor",

Witnesseth That:

Whereas, the Contractor has previously entered into a contract for war production with _____ which contract (hereinafter called "the Contract") is a subcontract under contract No. _____ between the Government and _____ _____ (hereinafter called "the Prime Contract"); and

Whereas, the Contract has been terminated as a result of the termination in whole or in part of the Prime Contract for the convenience or at the option of the Government; and

Whereas, the act requires that fair compensation be provided to war contractors by reason of such termination of their war contracts, and provides for the settlement by agreement of the amount payable as such fair compensation; and

Whereas, the Government, pursuant to section 7 (d) of the act, has undertaken to settle directly the claim of the Contractor for such fair compensation and has so notified the Contractor in writing and the Contractor has consented to such direct settlement of its claim; and

Whereas, the term "Contract termination inventory", as used herein, shall mean all materials (including a proper part of any common materials), determined by the parties hereto, in connection with this settlement, to be properly allocable to the terminated portion of the Contract, except any machinery or equipment subject to a separate contract or contract provision specifically governing the use or disposition thereof; and

Whereas, the term "subcontract termination inventory", as used herein, shall mean all materials (including a proper part of any common materials), determined by the parties to any subcontract under the Contract, in connection with the settlement thereof, to be properly allocable to the terminated portion of any such subcontract, except any machinery or equipment subject to a separate contract or contract provision, specifically governing the use or disposition thereof;

Now therefore, the parties hereto do mutually agree as follows:

Article 1. (Insert the appropriate form of Article 1 of the Supplemental Settlement Agreement for use in settling fixed-price prime contracts after complete termination (§ 849.981-1).)

Art. 2. (Insert Article 2 of said agreement (§ 849.981-1).)

Art. 3. (Insert Article 3 of said agreement (§ 849.981-1).)

Art. 4. Upon the execution of this agreement (and of the storage agreement(s) referred to in Article 1),[1] the Government agrees to pay to the Contractor, upon presentation of properly certified invoices or vouchers, the sum of $_____ (a) _____, representing the sum of $_____ (x) _____ less (1) the amount of $_____ (y) _____ representing partial payments previously made on account of the termination claim under the Contract and (2) the amount of $_____ (z) _____ representing all applicable property disposal credits. All interest to which the Contractor is entitled under the act to the date of payment is included in said sum of $_____ (a) _____, or, to the extent not so included, is expressly waived by this agreement.[2] Said sum, together with all other sums heretofore paid, constitutes payment in full and complete settlement of the amount due the Contractor by reason of the complete termination of work under the Contract and under the act, in so far as it pertains to the terminated portion of the Contract, [except as herein-

[1] This phrase is to be inserted only when the second form of Article 1 is used.

[2] Where interest is not waived and the parties have not included in the Agreement a lump sum for interest to to the date of payment, the following should be substituted for this sentence: "Said sum of $_____ (a) _____ includes all interest to which the Contractor is entitled under the Act to the date of execution of this Agreement; for each day thereafter until final payment hereunder, the Contractor shall be entitled to interest at the rate of $_____ (u) _____ per day." Also, in the next sentence change the words "sum" to "sums" and "constitutes" to "constitute".

contracts with the War Department or the Navy Department, and under its terminated subcontracts under any terminated or modified prime contracts with the War Department or the Navy Department. Among these claims may be a charge against ------------------, based on a termination (dated ------------) of Contract (Purchase Order) No. --------, of which the assigned contractor received notice on ------------ which termination is claimed to have resulted from the termination or modification of Contract No. -------- issued by your office to -----------------.

2 Any claim of the assigned contractor resulting from the above mentioned termination will be settled directly by the undersigned unless it is determined by the undersigned that it should be excluded from company-wide settlement (a) in the interest of continued war production, or (b) by reason of the complexity or special character of the contract, or (c) for some other substantial reason. In the event you consider that this claim should be excluded from company-wide settlement, you should notify the undersigned within 15 days from the receipt of this letter, stating your reasons therefor.

3. In the event you consider that this claim should not be excluded, you are requested to furnish the following information within 15 days from receipt of this letter.

a. A copy of the notice of termination or modification of the prime contract. (Omit where the termination claim is for the termination of a prime contract.)

b. Whether or not, to your knowledge, there is any assignment of the amounts due under the terminated contract (purchase order) of the assigned contractor, and, if so, the name and address of the assignee.

c. Any information you have as to any rights of set-off which the Government may have against the assigned contractor, including rights arising out of advance payments, progress or partial payments or guaranteed loans.

d. Such other relevant information as may

fied portion of a Government prime contract or that other circumstances require the Government to bear the cost of settling that claim. Unless you are notified to the contrary by the undersigned, you are relieved of your obligation to negotiate a settlement of that contractor's termination claim and you should make no payment to that contractor on account of that contractor's termination claim or make any provision for payment thereof in any application for compensation for the termination of your contract (subcontract or purchase order).

The termination claim of the above named contractor will not include any charge for completed items delivered to you, or shipped to you but not received, prior to the termination of the above subcontract (purchase order), or thereafter in accordance with the notice of termination. You remain liable to pay for any such completed items. It will also remain your responsibility to furnish the Government and the above named contractor with any information and assistance necessary for the verification of the termination charges of that contractor and in determining their allocability to the prime contract.

Very truly yours,

Contracting Officer

[JTR 986.3]

§ 849.986–4 *Certificate of allocability.* The following form will be used in accordance with § 848.855–8:

Certificate of Allocability

The undersigned hereby certifies:

(a) That it received the following war contract from ----------(1)---------- which has been terminated or modified as follows:

Buyer's contract No.	Date of order	Date of termination or modification	Quantity involved	Number of [3] applicable prime contracts	Government office in charge of applicable prime contract

(b) That for the purpose of performing the foregoing war contract, the undersigned placed a subcontract with --------(2)---------- which it has terminated by reason of the above described termination or modification as follows:

Contract Number of undersigned	Date of order	Date of termination	Quantity terminated

(c) That the stated quantity terminated under the subcontract placed with ----------(1) ---------- by the undersigned is properly allocable to the terminated portion of the war contract described in (a) above.

Dated at -------------------------- this -------- day of -------------------, 1945.

----------------(4)---------- ----------

By------------------------------------

Title

[1] Name of buyer from contractor executing certificate.

[2] Omit where contract listed is a prime contract.

[3] Name of seller to contractor executing certificate.

[4] Name of contractor executing certificate.

after provided in Article 5 of this Agreement][1]

(Insert whichever form of Article 5 is applicable. The Contracting Officer should decide in each case whether the Government has any interest, or possible interest, that would be protected by its taking an assignment of the Contract. If so, the first form should be used).

ART 5. In consideration of the payment of said sum of $_____ (a) _____ as aforesaid, the Contractor does hereby assign, transfer, and set over to the United States of America all of its right, title and interest in and to its claim for fair compensation for the termination of the Contract and all its rights and claims against _____ for fair compensation for such termination, to the extent that the terminated portion of the Contract is allocable to the terminated portion of the Prime Contract, (or)

ART 5. In consideration of the payment of said sum of $_____ (a) _____ as aforesaid, the Contractor hereby releases the Government from all liability with respect to its claim for fair compensation for the termination of the Contract under the Act and under the terminated portion of the Contract. In consideration of the payment of said sum, the Contractor also releases _____ from all liability and obligation to pay such claim for fair compensation for such termination in connection with the settlement of the Prime Contract to which the terminated portion of the Contract is allocable. Such releases, however, shall not apply to the following:

(Here insert any of the excepted items set forth in Article 4 (c) of the fixed price prime contract settlement agreement (§ 819.981-1), or appropriate modifications thereof, or other exceptions, which are applicable).

ART 6. *Officials not to benefit.* (Insert the clause set forth in War Department Procurement Regulations § 803.322; Navy Procurement Directives par. 17.601.)

ART 7 *Covenant against contingent fees.* (Insert the clause set forth in War Department Procurement Regulations § 803.323; Navy Procurement Directives par. 10.531.)

ART. 8. *Anti-discrimination.* (When the third form of Article 1 is used, insert the clause set forth in War Department Procurement Regulations § 803.325; Navy Procurement Directives par. 17.731.)

ART 9. *Disputes.* (When the third form of Article 1 is used, insert the clause set forth in War Department Procurement Regulations § 803.326; Navy Procurement Directives par. 11.604.)

In witness whereof, etc.

[JTR 988.6]

ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General,
War Department.
W. JOHN KENNEY,
Vice Chief,
Office of Procurement and Material,
Navy Department.

[F. R. Doc. 45-11544; Filed, June 29, 1945; 9:26 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amdt. 20-1]

PART 20—PILOT CERTIFICATES

DURATION OF CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 27th day of June 1945.

[1] The phrase in brackets is to be included only when the second form of Article 5 is used and rights under the act are excepted from the release.

Effective July 1, 1945, § 20.51 of the Civil Air Regulations, adopted April 26, 1945, is amended to read as follows:

§ 20.51 *Duration.* A student pilot certificate or a pilot certificate with a private or commercial rating shall expire 24 calendar months[1] after the month of issuance. However, the Administrator or his authorized representative may issue a temporary pilot certificate with a private or commercial rating for a period of not to exceed 90 days subject to the terms and conditions specified therein by the Administrator.

(52 Stat. 934, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TCOMBS,
Secretary.

[F. R. Doc. 45-11561; Filed, June 29, 1945; 11:14 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 545—REGULATIONS RELATING TO HOME WORKERS IN THE NEEDLEWORK INDUSTRIES IN PUERTO RICO

PIECE RATES FOR CERTAIN OPERATIONS PERTAINING TO HANDKERCHIEFS

By virtue of the authority vested in me by section 6 (a) (5) of the Fair Labor Standards Act (52 Stat. 1060), as amended (Pub. Res. No. 83, 76th Cong.), I hereby amend Schedule C of § 545.11 of the regulations, Part 545 (Regulation relating to home workers in the Needlework Industries in Puerto Rico), by adding piece rates for certain operations pertaining to the hand-rolling of corners of machine-edged handkerchiefs, as follows:

HAND-ROLLING CORNERS OF MACHINE-EDGED HANDKERCHIEFS

Operation	Piece rate	Unit of payment
	Cents	
13. Hand-rolling one side of a corner—the piece rate shall apply under the following conditions: (a) The machine-stitching runs to the end on one side of each corner, and on the other side, the space left open for hand-rolling at the corner is not less than one-quarter of an inch nor more than one inch, and (b) Only one side of each corner is hand-rolled; and the hand-rolling is not longer than one inch.	10.00	Per dozen handkerchiefs.
14. Hand-rolling both sides of a corner—the piece rate shall apply under the following conditions: (a) The machine-stitching does not run to the end of either side of any corner, and the space left open for hand-rolling at each side of the corners is not less than one-quarter of an inch nor more than one inch, and	20.00	Per dozen handkerchiefs.
15. Hand-rolling both sides of a corner—the piece rate shall apply under the following conditions: (a) The machine-stitching runs to the end on one side of each corner, and on the other side, the space left open for hand-rolling at the corner is not less than one-quarter of an inch nor more than one inch, and (b) Both sides of the corners are hand-rolled; but the hand-rolling is not longer than two inches on any corner.	25.00	Do.

[1] For example, a certificate issued any time in April 1946 will expire on the last day of April 1948.

These amendments shall become effective 90 days after the date of publication thereof in the FEDERAL REGISTER.

Signed at New York, New York this 14th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-11541; Filed, June 29, 1945; 9:24 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 73]

CANCELLATION OF CERTAIN PREFERENCE RATINGS AND THIRD AND SUBSEQUENT QUARTER ALLOTMENTS OF CONTROLLED MATERIALS BEARING CMP ALLOTMENT SYMBOLS Z-1, Z-2 AND ZW

The following direction is issued pursuant to CMP Reg. 1:

(a) *Allotments.* All third and subsequent quarter allotments identified by the CMP allotment symbols Z-1 and Z-2 are cancelled.

(b) *Ratings.* All preference ratings assigned to third and subsequent quarter production schedules identified by the CMP allotment symbols Z-1 and Z-2 are cancelled. All preference ratings identified by the CMP allotment symbols Z-1 and Z-2 applied to or extended to orders calling for delivery after July 1, 1945 are cancelled.

(c) *Allotments and ratings must be specifically cancelled.* Consumers who have received authorized production schedules identified with the CMP allotments Z-1 and Z-2 must, before July 1, 1945, cancel any use they have made of these allotments for the delivery of A products or controlled materials in the third and subsequent quarters, and any use of the preference rating for the delivery of other products or materials in the third and subsequent quarters.

(d) *Suppliers must disregard ratings and allotments.* Suppliers must disregard ratings and allotments identified by the CMP allotment symbols Z-1 and Z-2 on orders calling for delivery after July 1, 1945.

(e) *ZW orders.* Direction 3 to Order M-21-b-1 is revoked, effective July 2, 1945. Steel producers and warehouses must, effective July 2, treat all ZW orders as unrated orders.

(f) Direction 4 to Priorities Regulation 25 also explains the cancellation of Z-1 allotments and preference ratings.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11536; Filed, June 28, 1945; 4:50 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-388, Direction 2 as Amended June 28, 1945]

FIXING PERCENTAGE OF MANUFACTURER'S RATED QUOTA FOR DELIVERY IN THE THIRD QUARTER OF 1945

The following amended direction is issued pursuant to General Preference Order M-388:

As explained in paragraph (d) (2) of General Preference Order M-388, suppliers may not deliver, and manufacturers may not accept delivery, on M-388 ratings in any quota period in excess of the percentage of the manufacturers' rated quota then in effect for that period.

The percentage for deliveries in the third quarter of 1945 is fixed until further notice, as follows:

	Third quarter 1945 Percent
Cotton Items	50
Synthetic Fibre Items	75
Wool Items	100

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11537; Filed, June 28, 1945; 4:50 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1Q, as Amended June 28, 1945]

RATIONING OF TIRES, TIRE CASINGS, TIRE TUBES, GASOLINE, NAPHTHA, ETC.

Further delegation of authority with reference to the rationing of tires, tire casings, tire tubes, tire retreading and recapping materials and gasoline.

§ 903.22 *Supplementary Directive 1Q.* (a) The authority heretofore delegated to the Office of Price Administration by Directive No. 1, § 903.1, is hereby extended to include the exercise of control over:

(1) The sale, transfer, delivery or other disposition of all tires, tire casings, tire tubes, tire retreading and recapping materials, by or to any person;

(2) The use, alteration, mounting, or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials by any person; and

(3) The sale, transfer, delivery or other disposition of gasoline by any person to any consumer; the use of gasoline by any consumer, the use of gasoline substitutes or gasoline blends by any consumer in a motor vehicle, and the blending of gasoline by any gasoline dealer; and

(4) The sale, transfer, delivery or other disposition of gasoline by any person to any person other than a consumer, to the extent of requiring the delivery of such coupons, certificates or other evidence as the Office of Price Administration may prescribe as a condition to such sale, transfer, delivery or disposition.

(5) The importation by any person, for the personal use of such person, of tires, tire tubes and tire casings.

(6) The sale, transfer, delivery or other disposition of gasoline by any person to any person who stores such gasoline in a drum or other mobile storage facility.

(7) The denial of permission to engage in the business of dealing in gasoline, or the withdrawal of such permission, if the Office of Price Administration deems such denial or withdrawal appropriate to the operation, administration or enforcement of its gasoline rationing regulations.

(8) The assignment of maximum allowable inventories of gasoline and gasoline evidences when deemed appropriate by the Office of Price Administration to the operation, administration or enforcement of its gasoline rationing regulations.

(b) The authority of the Office of Price Administration shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials, and gasoline to, or acquisition, use, alteration, mounting or other disposition of said materials and facilities by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) The authority delegated by this order does not include the power to limit or restrict:

(1) The quantity of the materials and facilities referred to herein obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States, or by government agencies or other persons to the extent to which they acquire such materials or facilities for export to and consumption or use in any foreign country; and

(2) The manufacture of tires, tire tubes, tire casings, tire retreading and recapping materials, or the manufacture, processing, distilling or refining of gasoline; and

(3) The importation, use, sale, transfer, delivery or other disposition of airplane tires, airplane tire casings, or airplane tire tubes.

(4) The importation for testing purposes of tires, tire tubes or tire casings by any manufacturer of camelback, tires, tire tubes or tire casings; and

(5) The importation of bicycle tires, tire tubes or tire casings manufactured in the continental United States, Canada or the British Isles; and

(6) The importation from the Dominion of Canada of tires, tire tubes or tire casings manufactured in the continental United States, Canada or the British Isles; and

(7) The importation of tires, tire tubes or tire casings by diplomatic representatives of any foreign Government, for their personal use or the use of members of their staffs; and

(8) The importation of tires, tire tubes or tire casings by commercial representatives of any foreign Government, for use in their official business.

(d) As used herein:

(1) "Gasoline" means any petroleum product either commonly known or sold as gasoline (including casinghead and natural gasoline) or having an ASTM 50% distillation point lower than 400° F. (ASTM D86-40), and includes, without limitation, rubber solvents, mineral spirits, cleaners' naphtha, Stoddard solvents, stove and lamp naphtha and V. M. & P. naphtha, but does not include (i) fuel oil as defined in Ration Order 11, (ii) aromatics, synthetic rubber raw materials and other products which are both controlled by an order of the War Production Board and not used or blended for use as fuel in internal combustion engines, (iii) any finished petroleum product having an octane rating of 85 or more (ASTM D357-42T) or any component thereof, used for the propulsion of aircraft, and (iv) liquefied product of petroleum gases.

(2) "Motor vehicle" means any rubber-tired self-propelled conveyance the motive power for which is furnished by an internal combustion engine designed for operation by gasoline and which is built primarily for the purpose of transporting persons or property.

(3) "Tire, tire tube, tire casing, and tire recapping and retreading materials" mean any of the foregoing made in whole or in part of any kind of rubber.

(4) "Rubber" means any form or type of natural, reclaimed, or synthetic rubber, or other similar materials.

(5) "Person" includes any individual, partnership, corporation, association, business trust, government or government agency, or any organized group of persons whether incorporated or not.

(6) "Consumer" means any person acquiring gasoline for use, including use as a component part of any manufactured article, material, or compound other than gasoline. The term includes dealers and distributers to the extent that they use gasoline, or acquire gasoline for use rather than for transfer.

(7) "Gasoline dealer" means any person engaged in the business of selling or transferring gasoline, except a person who transfers, receives, or uses gasoline in such a manner as to be required to account for the state motor fuel taxes imposed thereon directly to the motor fuel tax administration of a state.

(8) "Aviation gasoline" means any finished petroleum product used in aircraft or aircraft engines, as defined in paragraph (j) (1) of WPB Directive No. 38.

(e) This supplementary directive supersedes the delegation of authority to the Office of Price Administration made by Supplementary Order M-15-c, § 940.4, as amended, Supplementary Directive

used and rights under the act are excepted from the release.

in April 1946 will expire on the last day of April 1948.

livery of other products or materials in the third and subsequent quarters.

materials by any person; and

ada or the British Isles, and

No. 1-B, § 903.3, as amended, and Supplementary Directive No. 1-H, § 903.9, as amended: *Provided, however*, That all action heretofore taken (including, without limitation, regulations or orders heretofore issued) by the Office of Price Administration pursuant thereto or pursuant to said supplementary directives as originally issued, is hereby ratified, approved and confirmed, and the authority so delegated shall continue to remain in full force and effect with respect to all such action which is not inconsistent with the terms of this directive, for all purposes including the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding heretofore or hereafter commenced with respect to any violation heretofore committed or right or liability heretofore incurred under or pursuant to the terms thereof.

(f) Notwithstanding the provisions of Directive 1 or of this Supplementary Directive 1Q, the Office of Price Administration shall exercise no control over:

(1) The delivery of aviation gasoline into the tank of an aircraft or aircraft engine test stand (other than those of the agencies or other persons specified in paragraph (c) (1) of this directive) if the delivery is made by a person who is engaged in the sale of aviation gasoline at an airport designated by the Administrator of Civil Aeronautics, who acquires that gasoline for that purpose and is designated by the Administrator of Civil Aeronautics as a retail vendor of aviation gasoline;

(2) The quantity of aviation gasoline that may be acquired by such a retail vendor for such purpose or by a person for delivery into the tank of his own aircraft or aircraft engine test stand; or

(3) The use of aviation gasoline in an aircraft or aircraft engine test stand.

Issued this 28th day of June 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-11535; Filed, June 28, 1945; 4:50 p. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Revocation of Direction 6]

CAST IRON BATHTUBS

Direction 6 to Limitation Order L-42 is revoked.

This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of cast iron bathtubs remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 29th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11556; Filed, June 29, 1945; 11:11 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-79, as Amended June 29, 1945]

DISTRIBUTION OF PLUMBING, HEATING AND COOKING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of plumbing, heating and cooking equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3288.31 *Limitation Order L-79*—(a) *What this order does.* The purpose of this order is to conserve the supply and direct the distribution of plumbing, cooking and heating equipment by preventing the sale of certain essential items on List A except for necessary replacements, or on rated orders. These are items which can be made available to essential users only. The order provides a rating to enable sellers to get these items for necessary replacement. It permits other items of plumbing and heating equipment to be bought by sellers on unrated orders without restriction but provides a preference rating to enable sellers to buy these non-restricted items when a rating is needed. No preference ratings are assigned to consumers and deliveries to consumers for replacement and repair do not have to be on rated orders. It must be noted, however, that deliveries of certain parts for plumbing and heating equipment are also subject to applicable provisions of other limitation orders.[1] The order supersedes the previous version of L-79, as well as General Preference Order P-84.

(b) *Assignment of preference ratings.* Preference rating AA-3 is assigned to any seller to enable him to get the following:

(1) Equipment shown in List A, including repair parts.

(2) Repair parts only for items on List B.

(3) All other equipment, material and parts which are used to supply, store and heat water, to cook food (except as excluded below), to remove waste matter and water borne waste, to treat waste matter chemically, and to heat buildings (except as excluded below), including electric heat controls.

Any rating under this paragraph (b) cannot be used, however, to get equipment specifically designed for industrial processing, fire protection, the production or transmission of power, or for use by a public utility; equipment, other than water heaters, using electricity as fuel; heat exchangers; domestic water systems as covered by L-257; domestic cooking appliances and domestic heating stoves as defined in L-23-c; liquefied petroleum gas equipment as defined in L-86; fans, blowers and exhausters; steel or wrought iron pipe or steel sheets or other controlled materials; industrial and domestic sump pumps; equipment specifically designed for refrigerating or dehumidifying; metal bathtubs; or portable items such as pans, domestic stove lid lifters and domestic stove pokers which are not designed to be built into or fastened to the building in which they are used. Directions will from time to time be issued specifying items which are subject to this paragraph (b) and items which are excluded.

(c) *Exception.* No rating is assigned to any delivery to which a rating is assigned by CMP Regulation 9A.

(d) *Inventory restrictions on sellers.* (1) A seller who is a repair man as defined in CMP Regulation 9A may not accept delivery of any item of parts or materials obtained by applying a rating under this order if his inventory of that item of parts or materials is or would by accepting delivery become larger than he needs to continue his repair and maintenance services for a 60-day period, according to his current method of operation. However, if the supply of any item which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item which his distributor normally sells, even if that will increase his supply beyond the amount specified.

(2) A seller who is not a repair man as defined in CMP Regulation 9A is subject to the limitation of inventory prescribed in Order L-63.

(e) [Deleted June 29, 1945.]

(f) *Restrictions on deliveries of items on List A.* No seller may sell or deliver to a consumer any equipment included on List A except:

(1) [Deleted July 26, 1944.]

(2) Equipment which is delivered to fill a rated order.

(3) When the delivery is to a consumer for installation to replace existing equipment which is worn out, damaged beyond repair or destroyed, but not to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the part or parts worn out, damaged or destroyed.

(g) *Restrictions on sale and delivery of equipment using gas as fuel.* In those areas where the use of gas is restricted by War Production Board orders, no seller may sell or deliver to a consumer any equipment using gas as fuel when the installation of such equipment will increase the potential demand for gas (manufacturer's hourly input rating) unless a letter has first been obtained from the Utility Company which will deliver the gas to the consumer stating that it is authorized to provide the gas necessary to operate the equipment. However, the restrictions of this paragraph do not apply to gas fired domestic water heating equipment for a residence.

(h) *When a consumer needs a preference rating and how he gets it.* Consumers are not assigned ratings by this order and will not need ratings unless they want to buy items on List A for purposes other than replacement. When a rating is needed, application may be made as follows:

(1) *For residential use.* If the equipment is to be used for residential purposes, construction or otherwise, Form WPB-2896 should be filed with the nearest Federal Housing Administration field office.

(2) *For commercial and industrial use.* If the equipment is to be used for commercial or industrial purposes and is construction of a type which is restricted under Limitation Order L-41, Form WPB-617 should be filed with the nearest War Production Board field office. If not restricted under Limitation Order L-41, then Form WPB-1319 should be filed with the nearest War Production Board field office.

(3) *For farm use.* If the equipment is to be used for farm purposes (including farm dwellings), and is construction of a type which is restricted under Limitation Order L-41, Form WPB-617 should be filed with the County Agricultural Conservation Committee. If not restricted under Limitation Order L-41, then Form WPB-1319 should be filed with the nearest War Production Board field office.

(4) *For utilities use.* If the equipment is to be used by a utility furnishing telephone, telegraph, electric, gas, water or central steam heating service for use by the public, Form WPB-2774 should be filed with the War Production Board, Washington 25, D. C. (For utility MRO and minor plant additions applicable utilities orders should be followed).

(i) *Consumer's certificates.* No seller may deliver an item on List A to fill a consumer's unrated order unless he obtains a certificate in substantially the following form:

I need the item included in this purchase to replace equipment worn out, damaged beyond repair, or destroyed. I will not use it to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the parts which are worn out, damaged, or destroyed.

Address of installation _____
Consumer's signature _____
Address _____

Any certification is a representation to the War Production Board as well as to the seller. No one may deliver relying on a certification being true if he knows or should know it is false, but anyone who reasonably relies on the truth of a certificate is not to be held responsible if it turns out to be false. No one shall make a false statement in a certification. Sellers shall retain certificates in their files for two years for inspection by WPB representatives.

(j) *Salvage.* No person may install equipment on List A for replacement unless he takes any replaced metal parts or equipment, not coated with a fused or nonmetallic surface, and arranges for its further use, or turns it in for salvage to any authorized scrap metal dealer within thirty days after the replacement. This requirement does not mean that the installer is entitled to take old equipment without the owner's consent or without crediting him with its value.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(o) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the production, delivery or use of any plumbing, heating or cooking equipment to a greater extent than the restrictions imposed by this order, the restrictions of such other orders shall govern.

(p) *Appeals.* Any person affected by this order may appeal from its provisions by filing Form WPB 1477 with a field office of the War Production Board.

(q) *Communications.* All reports to be filed and other communications concerning this order, except appeals, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-79.

(r) *Definitions.* For the purposes of this order:

(1) "Seller" means any person who buys plumbing, heating, or cooking equipment for resale, whether or not he makes the installation. A manufacturer who sells directly to the consumer is to be considered a seller with respect to those sales.

(2) "Consumer" means any person who buys plumbing, heating, or cooking equipment for installation or use on premises owned or occupied by him.

Issued this 29th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items of plumbing and heating equipment, when new:

1. Furnaces, heating, excluding those designed specifically for industrial applications or heat processing; and cast iron boilers, heating, excluding furnace burners and boiler burner units in which the boiler or furnace is designed for use of gas or oil only as a fuel.

2. Water heaters, direct-fired and indirect types, but excluding indirect water heaters having a coil or a nest of tubes installed in a shell or pressure vessel having a diameter 12 inches or less if other than circular in cross section and internal cross sectional area 113 sq. in. or less; and also excluding industrial and direct hand-fired solid fuel hot water heaters of the following types: bucket-a-day stoves, dome-type water heaters, and service water tank heaters.

3. [Deleted July 26, 1944.]

4. Cast iron radiators and cast iron convectors.

5. Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch. All types exclusive of those for marine, shipboard, or locomotive use, and also excluding boiler burner units in which the boiler is designed for use of oil or gas only as a fuel.

6. [Deleted June 29, 1945.]

7. [Deleted June 29, 1945.]

LIST B

1. Commercial cooking and food and plate warming equipment: all not electric.

Bakers.
Broilers.
Fryers.
Food warmers.
Griddles: commercial cooking.
Grills.
Hot plates: commercial.
Ovens: bake, except industrial type.
Ranges.
Roasters: commercial.
Steamers: oven.
Toasters: commercial.
Urns.
Warmers: food-plate.

2. Commercial dishwashing machines: not domestic: as defined in Limitation Order L-248 as amended.

3. Coal Stokers: grate area 36 square feet or less.

4. Oil burners, not designed specifically for shipboard use or heat processing.

5. Extended surface heating equipment.

Unit heaters: steam or hot water.
Unit ventilators, heating: steam or hot water.
Convectors.
Blast heating coils: steam or hot water.
Special heating coils: steam or hot water.
Heat transfer element: metal: fin tube: for transferring heat from steam or water to air.

6. Steel boilers of types listed in Order M-293, Table 14, excluding low pressure boilers on List A of this order.

INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

INTERPRETATION 2

Office of Price Administration requirements not affected. Question has been raised as to whether this order dispenses with the necessity of conforming to the requirements of O. P. A. Ration Order 9-A.

The words "without restriction" as used in L-79 refer only to restrictions placed by the War Production Board, and Order L-79 is not intended in any way to affect rationing or other requirements of the Office of Price Administration or any other agency. (Issued Feb. 29, 1944.)

[1] Other orders of the War Production Board and of the Petroleum Administration for War restrict deliveries of gas and fuel oil for newly installed equipment using those fuels. These orders should be consulted before any installation of equipment is made.

INTERPRETATION 3

SUBSTITUTION REQUIRING CHANGE OF DISTRIBUTION SYSTEM PROHIBITED

The restrictions of paragraph (f) (3) of Limitation Order L–79 prohibit the substitution of one type of heating system for another (e. g. cast iron heating boiler for heating furnace) if it will require the change of a useable distribution system. (Issued Apr. 13, 1944.)

[F. R. Doc. 45–11557; Filed, June 29, 1945; 11:11 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M–388C, as Amended June 28, 1945]

WOOL AND WOOL TEXTILES FOR CIVILIAN ITEMS

§ 3290.354 *General Preference Order M–388C*—(a) *Explanation.* This order is supplemental to M–388. It states the special rules applicable to civilian items made from wool materials and lists the items for which ratings are assigned.

(b) *Delivery quotas*—(1) *General rule.* (Orders rated AA–3 or higher, or AA–5, must be filled as required by Priorities Regulation 1, in addition to the quotas under this paragraph.) Every producer and importer of wool fabrics must deliver to fill AA–4 orders in the period from May 1, 1945, through June 30, 1945, inclusive, and in each subsequent calendar quarter, at least 80 percent of his total deliveries of wool fabrics (by linear yards) during the same period on both AA–4 and unrated orders. Stated another way, he must not deliver on unrated orders in any of these periods more than 20 yards of wool fabrics for each 80 yards he delivers to fill AA–4 orders in the same period. He must not discriminate against rated orders in distributing fabric widths as between rated and unrated deliveries.

(2) *Exception for 6 percent of total deliveries.* An exception to the above rule is that each producer or importer may deliver up to 6 percent of his total deliveries in the period without regard to AA–4 ratings, as long as he fills all other rated orders and complies with all other applicable orders, regulations and directions of the War Production Board.

(3) *Examples.* If a woolen mill delivers a total of 1,000,000 yards in a calendar quarter, and half of this yardage is delivered to fill orders rated AA–3 or higher, or AA–5, it has available a total of 500,000 yards of both AA–4 and unrated deliveries. Eighty percent of this total, or at least 400,000 yards, would have to be delivered on AA–4 orders, and not more than 20 percent or 100,000 yards could be delivered on unrated orders. However, if the mill delivers in the period 750,000 yards on orders rated AA–3 or higher, or AA–5, leaving 250,000 yards for unrated and AA–4 orders, he may still deliver 60,000 yards on unrated orders to the extent that these 60,000 yards are not needed to fill orders other than AA–4 or to comply with regulations, orders or directions of the War Production Board.

(4) *Rejects.* Rejects, including remnants over one yard and seconds, must be included in calculating required deliveries for rated delivery quotas under this order.

(5) *Military and other cancellations.* Material resulting from cancellations of customers' orders must also be included in calculating rated delivery quotas. However, unless otherwise ordered by the War Production Board, a producer or importer who has a contract or subcontract with the U. S. Army, Navy, Maritime Commission, War Shipping Administration or the Procurement Division of the Treasury Department which is cancelled after April 30, 1945 and for which wool fabric, wool yarn or wool is already completed or in process either in his plant or that of one of his subcontractors may deliver the completed fabric, or the fabric made from the material in process free of his rated delivery quota.

(c) *Dyeing and finishing of fabrics.* A producer of wool fabrics or importer shall dye wool fabrics which he produces or imports after May 1, 1945, only to fill accepted rated orders, or orders which are authorized under paragraph (g) of M–388, or unrated orders within the limits allowed by this order. Material must not be finished in a manner which will make it unsuitable to fill the required amounts of rated orders.

(d) *Preference rating schedules.* Preference ratings are assigned in the preference rating schedules of this order. The conditions under which the ratings can be used are explained in these schedules.

Issued this 28th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA–4 PREFERENCE RATING SCHEDULE I—WOOL CIVILIAN ITEMS

Assignment of AA–4 rating to manufacturers of listed wool apparel and other items. Preference rating AA–4 for wool fabric is assigned to manufacturers of the items shown in this schedule who qualify under M–388 and M–388C and comply with the following:

(1) This rating may be used only to get the fabric shown in the Fabric Column for the particular item and may be extended for wool material to be incorporated in the fabric, as permitted by Priorities Regulation 3.

(2) The fabric must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices: (i) the price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration, or (ii) the price specified in the Maximum Price Column.

(3) The Rated Quota Column in this schedule shows for each item a quota of units of the item. This quota is a percentage of the total number of units (in all prices lines) of the same item which the manufacturer made in the corresponding quarter of 1943. He may not get more fabric with the rating in any calendar quarter than the yardage necessary to fill this quota. This is the yardage which he must show in Form WPB–4200 before using the rating, as explained in paragraph (1) (2) of M–388.

(4) The rated quotas shown below, as amended June 28, 1945, supersede the previous rated quotas of this schedule for deliveries in the third calendar quarter of 1945 and thereafter. AA–4 ratings previously accepted by a supplier for deliveries within the 50 percent of previous quotas authorized by Direction 3 to M–388 remain valid, but the yardages covered by such ratings must be charged to the rated quotas shown below.

[The applicable provisions of each Column are indicated for each numbered item opposite the item number]

NOTE: Table amended June 28, 1945.

Item number	Item column (name of item)	Size (or equivalent trade designation)	Maximum price column	Rated quota column	Fabric column
C–1	Coats, women's and misses'.	9 to 17 10 to 20 36 to 44 46 and up	Untrimmed $22.75 each.* Fur trimmed $45 each *.	35	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C–2	Coats, teen age, girls'	10 to 16	$13.75 each	75	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C–3	Coats, girls'	7 to 14	$12.75 each	75	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C–4	Coats, children's and small boys'.	3 to 6X 3 to 8	$9.75 each	85	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C–5	Coats, toddlers'	1 to 4	$7.75 each	75	Woolen fabric, less than 19 oz. per linear yd.
C–6	Coats, infants'	6 mos. to 2 yrs.	$6.75 each	75	Woolen fabric, less than 19 oz. per linear yd.
C–7	Dresses, women's and misses', street only.	9 to 17 10 to 20 38 to 44 16½ to 26½ 46 and up	$12.75 each *.	35	Woolen fabric, less than 10 oz. per linear yd. Worsted fabric, piece dye only, not over 9 oz. per linear yd., in which worsted yarn content is single ply.
C–8	Dresses, teen age, girls'	10 to 16	$5.75 each	75	Woolen fabric, less than 10 oz. per linear yd. Worsted fabric, piece dye only, not over 9 oz. per linear yd. in which worsted yarn content is single ply.
C–9	Dresses, girls'	7 to 14	$5 each	75	Woolen fabric, less than 10 oz. per linear yd. Worsted fabric, piece dye only, not over 9 oz. per linear yd. in which worsted yarn content is single ply.
C–10	Suits, women's and misses'.	9 to 17 10 to 20 38 and up	$22.75 each *.	35	Woolen fabric, less than 16 oz. per linear yd. Worsted fabric, single twist, piece dye only.
C–11	Suits, teen age girls'	10 to 16	$12.75 each	75	Woolen fabric, less than 16 oz. per linear yd. Worsted fabric, single twist, piece dye only.

See footnotes at end of table.

AA–4 PREFERENCE RATING SCHEDULE I—WOOL CIVILIAN ITEMS—Continued

Item number	Item column (name of item)	Size (or equivalent trade designation)	Maximum price column	Rated quota column	Fabric column
C–12	Suits, girls'	7 to 14	$10.75 each	75	Woolen fabric, less than 16 oz. per linear yd. Worsted fabric, single twist, piece dye only.
C–13	Skirts, women's, misses', and juniors'.	36 and up 9 to 17 10 to 20	$5 each *	40	Woolen fabric, less than 12 oz. per linear yd.
C–14	Skirts, teen age, girls'	10 to 16	$4.75 each	75	Woolen fabric, less than 12 oz. per linear yd.
C–15	Skirt, girls'	7 to 14	$3.75 each	75	Woolen fabric, less than 12 oz. per linear yd.
C–16	Skirts, children's	3 to 6x	$2.50 each	85	Woolen fabric, less than 12 oz. per linear yd.
C–17	Suits, men's	All sizes	$32.25 each*	40	Worsted fabric. Woolen fabric, less than 19 oz. per linear yd.
C–18	Shirts, men's	All sizes	$4.50 each**	40	Woolen fabric, less than 32 oz. per linear yd.
C–19	Men's separate trousers	All sizes	$6.25 each*	40	Woolen fabric, less than 32 oz. per linear yd. Worsted fabric.
C–20	Overcoats, boys', student.	10 to 20 12 to 24	$14.75 each	75	Woolen fabric, 32 oz. per linear yd. and lighter.
C–21	Suits, students'	32 to 38	$17.50 each	75	Worsted fabric. Woolen fabric less than 19 oz. per linear yd.
C–22	Suits, cadet's	8 to 16	$13.50 each	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric.
C–23	Suits, junior boys'	3 to 12	$10.00 each	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric.
C–24	Separate trousers, students'.	26 to 32	$5.00 each	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric.
C–25	Separate trousers, cadets'	21 to 26	$4.00 each	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric.
C–26	Separate trousers, junior boys', including knickers.	3 to 12 6 to 16	$3.00 each	75	Woolen fabric, less than 10 oz. per linear yd. Worsted fabric.
C–27	Men's and Women's official uniforms and caps or hats, (except Army or Navy uniforms, caps or hats) as required by Government regulations, or for transportation, police, and industrial operations, but excluding sporting and amusement industries.	All sizes		40	Worsted fabric. Woolen fabric less than 36 oz. per linear yd.
C–28	Shoes, misses', women's and children's daytime outdoor type.	All sizes		100	Worsted fabric. Woolen fabric, less than 19 oz. per linear yd.
C–29	Religious vestments, clothing and robes as required by the rules of religious sects.			100	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric.
C–30	Separate coats (jackets) men's.	All sizes	$15.75 each	40	Woolen fabric, less than 19 oz. per linear yd.
C–31	Separate coats (jackets) students'.	32 to 38	$11.75 each	75	Woolen fabric, less than 19 oz. per linear yd.
C–32	Separate coats (jackets) cadets'.	8 to 16	$7.75 each	75	Woolen fabric, less than 19 oz. per linear yd.
C–33	Separate coats (jackets) junior boys'.	3 to 12	$5.75 each	75	Woolen fabric, less than 19 oz. per linear yd.
C–34	Separate jackets, women's, misses' and juniors'	36 and up 10 to 20 9 to 17	$10.75 each*	35	Woolen fabric, less than 12 oz. per linear yd.
C–35	Separate jackets, teen age, girls'.	10 to 16	$7.75 each	75	Woolen fabric, less than 12 oz. per linear yd.
C–36	Separate jackets, girls'	7 to 14	$6.75 each	75	Woolen fabric, less than 12 oz. per linear yd.
C–37	Separate jackets children's.	3 to 6X	$5.75 each	85	Woolen fabric, less than 12 oz. per linear yd.
C–38	Men's overcoats, ulster and double-breasted.	All sizes	$39.00 each*	75	Woolen fabric less than 40 oz. per linear yard.
C–39	Men's overcoats and topcoats other than ulster or double-breasted.	All sizes	$34.20 each*	75	Woolen fabric under 40 oz. per linear yard. Worsted fabric under 19 oz. per linear yard.
C–40	Children's legging sets	1 to 4	$6.75 each	75	Woolen fabric less than 19 oz. per linear yard.
C–41	Children's legging sets	3 to 6x	$8.75 each	85	Woolen fabric less than 19 oz. per linear yard.

NOTE: 1. Weight per linear yard is based on 56–58 inches finished width.

2. When an AA–4 rating is applied to obtain wool linings or interlinings, it may only be used to get woolen fabric or lining, interlining or under-collar cloth containing at least 25 Percent or more wool fiber by weight, however spun.

*The applicable maximum prices of single-asterisk items may be 10 percent higher for sizes 46 and up.

**The applicable maximum price of double-asterisk items may be 10 percent higher for sizes 17½ and up.

[F. R. Doc. 45–11534; Filed, June 28, 1945; 4:50 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–64, as Amended June 29, 1945]

CASKETS, SHIPPING CASES AND BURIAL VAULTS

Section 3291.245 *General Limitation Order L–64* is hereby amended to read as follows:

§ 3291.245 *General Limitation Order L–64*—(a) *Definitions.* For the purpose of this order:

(1) "Casket" means a container in which it is intended to place a human corpse for interment.

(2) "Burial vault" means a container in which it is intended to place a casket containing a human corpse for interment, and shall include burial boxes.

(3) "Shipping case" means a container in which it is intended to place a casket containing a human corpse for shipment and to which handles have been attached in accordance with railroad shipping regulations.

(4) "Metal casket", "metal burial vault" and "metal shipping case" means any casket, burial vault or shipping case containing more than 75 lbs. of metal by weight.

(5) "Manufacturer" means any person engaged in the production, upholstering, finishing or lining of caskets, shipping cases, burial vaults or parts made specifically for incorporation into those products.

(6) "Design" means the construction essentials of a casket which distinguish that casket from another casket. For the purposes of this order, two or more caskets identical in every respect other than species of wood, size, handle hardware, interior linings, upholstery, textile coverings or color of wood finishes shall be considered one design. Two or more caskets identical in every respect but containing different contours of moldings, pilasters or corners shall be considered two or more designs.

(7) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, Veterans' Administration or the War Shipping Administration.

(b) *Restrictions on use of certain metals.* No manufacturer shall make or assemble any casket, shipping case or burial vault containing tin, antimony, antimonial lead, lead or zinc, except to the extent that the use of those materials is not prohibited by Orders M–43 (tin), M–112 (antimony), any orders in the M–38 series (lead) and any orders in the M–11 series (zinc).

Whenever a restriction in any of those orders is relaxed by revocation, amendment, appeal or other specific authorization, the material may be used in the production or assembly of caskets, shipping cases or burial vaults as permitted by the relaxation without requiring any other relief from this order.

(c) *Specifications.* (1) No manufacturer shall produce or assemble any caskets, shipping cases or burial vaults which do not conform to the applicable specifications in Schedule A to this

order. The restrictions of this subparagraph (c) (1) do not apply to the production or assembly of metal caskets, plastic caskets, metal burial vaults, metal shipping cases, or to any shipping cases or burial vaults produced or assembled in fulfillment of preferred orders.

(2) No manufacturer shall use textiles for lining, covering or upholstering caskets contrary to the restrictions in Schedule B of this order. The restrictions in Schedule B apply to all caskets whether they are metal caskets or other caskets.

(d) *Restrictions on number of designs for caskets.* Except for metal and plastic caskets, no manufacturer shall make or assemble more designs of caskets than the following:

(1) Twelve designs of adult caskets (five feet six inches or more in inside bottom length);

(2) One design of children's caskets (less than five feet six inches in inside bottom length);

(3) One additional institution or hospital design (including both children and adult sizes);

(4) One design of stillborn containers; and

(5) Such other designs specifically authorized by the War Production Board. Applications for such authorization should be made by filing a letter with the War Production Board, Washington 25, D. C., Ref: L–64.

(e) *Restrictions on use and transfer of caskets which exceed the dimensions specified in Schedule A.* No manufacturer or jobber shall sell, deliver or otherwise dispose of a casket (except a metal or plastic casket) which exceeds the dimensions specified in Schedule A attached to this order to any person unless such person furnishes the manufacturer or jobber with a certification in substantially the following form, manually signed by that person or his authorized agent.

CERTIFICATION

The undersigned purchaser hereby certifies to ----------
Name of seller Address

and to the War Production Board that:

(1) He is familiar with the specifications for caskets contained in Schedule A of L–64, and

(2) This casket will be used for a body of such size that no casket produced in conformance with the dimensions specified in Schedule A of L–64 will be adequate.

Name of purchaser

Address

By ----------
(Signature of purchaser or duly authorized agent)

A manufacturer or jobber may rely upon such certification unless he knows or has reason to believe it to be false. The standard form of certificate contained in Priorities Regulation No. 7 can not be used.

(f) *Reports.* Each manufacturer of caskets shall file with the War Production Board a catalogue illustration, photograph, snapshot (postcard size), or sketch of each design which he produces showing the casket closed and no lining, except that head lid lining may be shown. Each design shall be identified by the factory catalogue number or other distinguishing identification which may be placed on the reverse side of each illustration submitted, together with the manufacturer's name and address.

(g) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wiltully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeal.* Any appeal from the provisions of this order must be made on Form WPB–1477 and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–64.

(j) *Applicability of regulations and other orders.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of caskets, shipping cases or burial vaults to a greater extent than does this order, the other order shall govern unless it states otherwise.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 29th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Restrictions on size	Maximum dimensions (shown in inches)					Maximum inside dimensions of wood burial vaults and shipping cases used with caskets specified (shown in inches)			Net amount of lumber which may be contained in finished products (shown in board feet)		
	Length		Width		Height						
	Inside bottom edge	Overall outside length	Inside top edge	Overall outside width	Overall outside height	Length	Width	Depth	Casket specified	Burial box	Shipping case
Institution caskets	75	81	22	24½	16	84	26½	17	46	65	
Octagon and flaring square caskets without base and rail mouldings	75	81	22	24½	20	84	26½	21	55	71	
Octagon and flaring square caskets with base and rail mouldings	75	81	22	26½	20	84	28½	21	63	73	
Vertical square caskets	75	81	22	26½	20	84	28½	21	67	73	

Burial boxes and shipping cases exceeding these dimensions may be produced for metal, plastic or extra size caskets provided that such caskets are not produced in violation of any rule, regulation, or order of the War Production Board. No manufacturer shall produce or accumulate extra size caskets in excess of the minimum amount necessary to satisfy demands pursuant to paragraph (e) of this order. Extra size caskets, burial vaults, and shipping cases may contain an additional net amount of lumber of 20 board feet for each three inches of additional length and 10 board feet for each two inches of additional width.

Extra size caskets may be made in only three decrements in addition to an institution or hospital casket design and shall be produced in multiples of three inches additional length and two inches in additional width.

A tolerance of one-half inch in length and one-fourth inch in width is permitted from the specifications of caskets and burial boxes contained in this schedule.

	Caskets	Burial vaults and shipping cases
Restrictions on lumber, laminated lumber and plywood.	Not more than 1 inch thick before milling operations, except: (1) Ten inches before milling operations for ogee molding provided no backing strip is used on ogee. (2) 2 inches before milling operations for combined side and base or rail molding.	Not more than 1 inch thick before milling operations. Not more than 1 thickness of wood in any part, except: (1) top battens not exceeding 3 inches in width and 1 inch thickness, (2) corner cleats not exceeding 6 inches in width and 1 inch thickness, and (3) 2 skids not exceeding 1 inch width and thickness respectively.

SCHEDULE B—RESTRICTIONS ON LININGS, COVERING MATERIALS, PILLOWS AND FOOTROLLS FOR CASKETS

Definitions: The words "cotton fabric" in this Schedule mean any fabric containing less than 25% wool by weight, but of which the remaining fibers are 50% or more cotton by weight. The words "rayon fabric" mean any fabric containing less than 25% wool by weight, but of which the remaining fibers are more than 50% rayon by weight.

(a) No cotton or rayon fabrics may be contained in upholstery or interior lining except:

(1) Basic casket fittings: 4300 square inches cotton fabric and 5200 square inches rayon fabric.

(2) Half couch (amplex and simplex) casket fittings: 5000 square inches cotton fabric and 6500 square inches of rayon fabric.

(3) Hinged top (full couch and dropside) casket fittings: 4000 square inches cotton fabric and 9650 square inches rayon fabric.

NOTE: For the purpose of the restrictions in (1), (2) and (3) measurements of cotton and rayon fabrics must be computed while the fabric is lying flat before formation and shall include material in seams.

NOTE: The figures in (1), (2) and (3) above may be exceeded by 5% for oversize caskets. Metal and plastic caskets shall not be considered oversize unless their dimensions exceed 78 by 23 inches inside bottom measurements.

(b) No rayon fabric in the foot half of basic or half couch caskets.

(c) No rayon fabric in bed covering of any casket.

(d) No aprons or overlays in basic caskets.

(e) No plus effects on lids (panels) or ogees on any casket.

(f) No apron, overlay or throwout on a half couch casket shall exceed 12 inches width or 30 inches length, (over-all finished measurements).

(g) No extendover on hinged top casket shall exceed 5 inches in width. Measurements shall be taken from inside top edge of casket body side.

(h) No footrolls or separate mattresses made from woven fabric in any casket, nor more than one pillow in any casket.

(i) Notwithstanding the provisions of this schedule, manufacturers may use any interior linings in their inventory which were completely fabricated before June 29, 1945, until August 29, 1945.

(j) No casket covering shall contain more than 6.3 square yards of cotton or rayon fabrics. Extra size caskets exceeding the specifications in Schedule A may contain, in addition to 6.3 square yards, 250 square inches of cotton or rayon fabrics for each additional 3 inches in length, as well as 250 square inches for each additional 2 inches in width, and may contain an additional 350 square inches for each additional 2 inches in height. (For the purposes of this schedule each yard contains 1296 square inches.)

[F. R. Doc. 45–11555; Filed, June 29, 1945; 11:11 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5[1], Amdt. 107]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order is amended in the following respects:

1. Section 3.1 (d) is amended by changing the parenthetical sentence at the end of that section to read as follows: "(There is an exception to this rule in the case of certain educational and eleemosynary Group III establishments, covered in section 28.7 (f).)"

2. Section 9.9 (d) is amended by changing the reference to "section 28.9" in the first sentence of that section to read "section 28.7".

3. Section 13.4 (a) is amended by changing the parenthetical sentence at the end of that section to read as follows: "(There is an exception to this rule as far as registration is concerned in the case of certain educational and eleemosynary Group III establishments, covered in section 28.7 (f).)"

4. Section 15.4 (a) (3) is amended to read as follows:

(3) The rules contained in (1) and (2) above do not apply to home processed foods or to processed foods produced in accordance with section 28.6. Transfers of those foods are governed by sections 28.2, 28.5, and 28.6.

5. Section 15.5 (b) (2) is amended to read as follows:

(2) Home processed foods with respect to which a Group II, III, IV, V or VI institutional user was charged with an excess inventory under section 28.5.

6. Section 15.5 (b) (3) is amended to read as follows:

(3) Processed foods with respect to which a Group II, III, IV, V or VI institutional user was charged with an excess inventory under section 28.6.

7. Article XXVIII is amended to read as follows:

ARTICLE XXVIII—HOME PROCESSING BY INSTITUTIONAL USERS

SEC. 28.1 *Explanation of terms*—(a) *Home processed foods.* Processed foods which are produced in a "kitchen" are "home processed foods". "Kitchen" is a place principally used for the preparation of meals, or for the demonstration of such preparation, such as a kitchen in a school or in a home economics center.

(b) *Processed foods which may be treated as home processed foods.* Certain types of processed foods, although not produced in a kitchen, may be treated as though they were home processed foods. Those foods are covered by section 28.3.

SEC. 28.2 *Home processing provisions for Group I users.* (a) A Group I institutional user may not use the War Ration Books of the persons who live and eat at his establishment in order to obtain sugar for home processing. However, those persons may obtain sugar for home processing in the same way as consumers under Second Revised Ration Order 3, and a Group I institutional user may use the home processed foods produced with such sugar for the purpose of feeding such persons.

(b) A Group I institutional user may use and transfer home processed foods which he produces in the same way as a consumer under Revised Ration Order 13.

SEC. 28.3 *Institutional users who produce processed foods in places other than a kitchen.* (a) An institutional user may produce processed foods in a place other than a kitchen but in facilities which do not differ substantially from those ordinarily found in a kitchen and which clearly are not commercial-scale processing facilities. For example, a state prison may have on its premises, in addition to its "kitchen", a separate place containing facilities used for processing foods, which are of a type similar to those normally used by such institutions in kitchens. An institutional user who has such a place and facilities may apply to the Board in writing for permission to treat the processed foods produced there as home processed foods. He must describe the facilities he intends to use, the purposes for which those facilities are ordinarily used, the total amount of processed foods he expects to produce there, and the disposition to be made of such processed foods. If the Board finds that the facilities used are not commercial-scale processing facilities, and do not differ substantially from those normally used by such institutional users in kitchens, it shall notify the applicant that the food so produced may be treated as home processed foods. After such notification, the foods may be treated, for all purposes, as though they were home processed foods.

SEC. 28.4 *Sugar allotments for producing home processed foods from fresh fruits*—(a) *Who may apply.* (1) An institutional user (other than a Group I user) may apply for an allotment of sugar to be used in producing home processed foods from fresh fruits, if such foods are to be produced in his kitchen (section 28.1 (a)), or in a place like a kitchen (section 28.3).

(2) A government or government agency (for example, a federal prison or state asylum) may apply for an allotment of sugar to be used in producing processed foods from fresh fruits in commercial-scale processing facilities for use in its Group II or eleemosynary or educational Groups III, V, or VI establishment.

(b) *Application.* Application must be made to the Board on OPA Form R–315 and must state:

(1) The name and address of the place where the home processed foods will be produced;

(2) The type and location of the facilities to be used;

(3) The number of pounds of sugar needed:

(4) The number of pounds of home processed foods (other than jams, jellies, preserves, marmalades or fruit butters) to be produced from fruit and fruit juices;

(5) The number of pounds of prepared fruit (or pints of fruit juices) to be used in making jams, preserves and marmalades;

(6) The number of pounds of prepared fruit (or pints of fruit juices) to be used in making jellies and fruit butters;

(7) The disposition to be made of such processed foods;

(8) If the applicant is a Group III or IV user he shall state the amount of sugar if any obtained from the Board for home canning during 1944.

(c) *Amount of allotment.* The Board may grant an allotment of sugar in an amount not exceeding:

(1) One (1) pound for each four (4) quarts (or 8 pounds) of finished home processed foods (other than jams, jellies, preserves, marmalades or fruit butters) produced from fruit and fruit juices;

(2) One (1) pound of sugar for each pound of prepared fruit used for mak-

[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5919, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121, 12449, 13919.

ing jams, preserves, and marmalades;

(3) One (1) pound of sugar for each two (2) pounds of prepared fruit (or one pint of fruit juice) used for making jellies and fruit butters.

However, the amount of sugar granted for producing jams, jellies, preserves, marmalades and fruit butters shall not exceed five (5) pounds of sugar for each 1,000 persons served meals during the year 1944. Moreover, a Group III or IV user who did not obtain sugar for home canning in 1944 or who did obtain sugar for this purpose but failed to properly account for such sugar is not eligible, for a home canning allotment in 1945. If he is eligible, the amount of the allotment in 1945 shall not exceed the amount he received for this purpose in 1944.

(d) *Issuance of ration evidences.* The Board shall issue ration evidences for the amount of the allotment. However, if the applicant has an excess inventory of sugar, the amount of that excess inventory shall be deducted from the amount to be issued. Any excess inventory so deducted shall be cancelled.

SEC. 28.5 *Home processed foods; general provisions*—(a) *Report of amount produced and excess inventory charge.* An institutional user (other than a Group I user) who produces home processed foods in any allotment period, except in the way described in section 28.7, must report to the Board, when he next applies for regular allotments, the total amount of such foods produced by him. The Board shall charge him with an excess inventory of processed foods equal to the point value of the home processed foods which he produced. (The point value of home processed foods is fixed on the official Table of Point Values). This excess inventory charge may be apportioned, at his request, over a period of time not exceeding one year from the date of such report. If he operates separately registered establishments, he may have this excess inventory charged against those establishments in such proportions as he chooses. For the purposes of section 15.2 of this order, home processed foods used by an institutional user are to be included (at their point value at the time they were used) in determining the amount of processed foods he used during an allotment period.

(b) *Transfers of home processed foods.* An institutional user may sell or transfer home processed foods produced by him only if he gets from the transferee points equal to the point value of those foods. However, he need not give up points for the movement of such foods to his establishment which was charged with excess inventory under paragraph (a), or to any of his other establishments in the same group or registered together. (A movement of such foods to one of his establishments, which was registered separately, is treated as a transfer to another person.) He is not required to register as a processor or make reports, but must keep a record of any transfer, showing the amount and date of the transfer and the name and address of the person to whom the transfer is made. He must give up to the Board, on or before the tenth day of the next month, points received from such transfer during any month, but he is to be credited with any excess inventory charged against him under paragraph (a).

SEC. 28.6 *Special provisions for processed foods produced by a government agency in commercial-scale facilities*—(a) *General.* In some cases a government or government agency which operates one or more Group II or eleemosynary or educational Group III, V or VI establishments, produces processed foods in commercial-scale processing facilities, primarily for use in the preparation and service of food in such establishments.

(b) *Report of amount produced and excess inventory charge.* The government or government agency shall at the same point value they would have if they were home processed foods make the report and be charged with excess inventory for the foods so produced by it in the way provided in section 28.5 (a) for the purposes of section 15.2, such processed foods are to be included (at the home processed foods point value at the time they were used) in determining the amount of processed foods used during an allotment period.

(c) *Transfers of such foods.* It may sell or transfer such processed foods to other Group II or eleemosynary Group III, V or VI institutional user establishments operated by a government or government agency, or to the Lend-Lease Administration, or to the Army, Navy, Marine Corps or Coast Guard, at the point value they would have if they were home processed foods. A transfer to a separately registered establishment operated by it, which was not charged with excess inventory under paragraph (b), may be made only for points. However, no points need be given up for a transfer of such foods to an establishment operated by it and registered together with it, or which was charged with excess inventory under paragraph (b). For this purpose, it need not register as a processor or make reports but it must keep a record and surrender points to the Board in the way required in section 28.5 (b), and be credited for any excess inventory already charged in the way described in that section. Transfers to any person or establishment other than those mentioned in this paragraph may be made only at the regular point value of such processed foods, not at the home processed foods rate as fixed by Revised Supplement 1 to Revised Ration Order 13, and the government or government agency making such transfers must register as a processor as to all such transfers, and must file reports as required by section 3.2 of that order.

SEC. 28.7 *Special provisions for Group II and eleemosynary and educational Group III, V and VI users*—(a) *General.* Some Group II and eleemosynary and educational Group III, V and VI institutional use processed foods:

(1) Produced by them from fruits or vegetables grown by them or given to them by a person who grew them and does not ordinarily market his produce commercially, or

(2) Produced by them from fruits or vegetables which were part of a local surplus acquired by the War Food Administration and transferred to them, or

(3) Given to them by a person who does not ordinarily market his produce commercially, or

(4) Given to them by another Group II or eleemosynary or educational Group III, V or VI user.

There is no restriction on the total amount of processed foods of this type that such an institutional user is entitled to use during an allotment period, and it is not charged with any excess inventory by reason of its production and acquisition of such foods. Regardless of any other provision in this Article, the provisions of this section apply to such foods.

(b) *Accounting.* (1) When an institutional user, of the type described above, who produced processed foods of the type described in paragraph (a), applies for regular allotments, it must account to the Board for points equal to the point value of such foods which it used during the preceding allotment period at the same rate they would have if they were home processed foods. However, the number of points for which it is required to account for each item (e. g., canned peas or tomatoes) of such foods that it used, shall not exceed 10% of its processed foods allotments (regular or supplemental) for the preceding allotment period. The total amount for which it is required to account shall not exceed such allotments. For example, if such an institutional user was granted an allotment for the March-April period of 5,000 points of processed foods and it used 2,000 points' worth of tomatoes during that period, it must account only for 500 points (10% of 5,000 points) when applying for its May-June allotment.

(2) When it applies for its regular allotments, it must attach to its application a statement showing, by item, the amount of such foods it used, in the preceding period. It must, at such time, give up to the Board, in the way described in paragraph (b) (1), points equal to the point value of such foods used in the preceding period. It need not, in any case, give up points for more than the amount of its processed foods allotment for the preceding period. If it does not give up the number of points required, it shall be charged with excess inventory for the difference between the number given up and the number required.

(c) *Transfers.* Any Group II or eleemosynary or educational Group III, V or VI user may transfer foods covered by this section to any other such user point-free.

(d) *Government agencies.* Where a government or government agency which operates a Group II or eleemosynary or educational Group III, V, or VI establishment produces processed foods in commercial-scale facilities, primarily for use in such establishments, from fresh fruits and vegetables of the kind described in this section, the provisions of this section rather than those of section 28.6 apply. (However, section 28.6 applies to transfers of those foods to, and use of them by, any other person or establishment as well as to processed foods produced from fruits and vegetables not covered by this section.)

(e) *Sugar allotments.* This section does not affect the method of obtaining sugar allotments for producing processed foods. Such allotments are covered by section 28.4.

(f) *Registration.* An institutional user may not register eleemosynary or educational Group III establishments together with Group III establishments which are not eleemosynary or educational.

This amendment shall become effective July 3, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11580; Filed, June 29, 1945; 11:53 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 435, Amdt. 9]

NEW BICYCLE TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 435 is amended in the following respects:

1. Paragraph (c) (2) of Appendix A is amended to read as follows:

(2) *Maximum prices*—(i) *Certain synthetic assemblies.* The maximum price for any sale or delivery to which this paragraph applies of a standard grade synthetic bicycle tire assembly, consisting of rim strip, tube, and tire, in the following size, shall be:

Size:	*Maximum price for assembly, each*
26 x 2.125	$3.25

(ii) The maximum price for any sale or delivery to which this paragraph applies of a tire, tube, and rim strip assembly other than specified in (i) above, shall be the highest net price which the seller had in effect to the same purchaser during March 1942 for original equipment sales involving tires and tubes of the same brand as those now being priced. If the seller had no price in effect to the same purchaser during March 1942 for the original equipment sale of the same brand, the maximum price shall be a price in line with the maximum prices that this paragraph specified, authorized by the Office of Price Administration, Washington, D. C., upon application in writing by the seller for such an authorization.

2. Table IA of Appendix A, Table IC of Appendix C, and Table ID of Appendix D are amended by substituting the brand name "Zephyr" for the word "Greyhound" wherever the latter appears in each table.

This amendment shall become effective July 5, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11570; Filed, June 29, 1945; 11:49 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 48]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 422 is amended in the following respects:

1. In section 39 (a) the item "Grapes" is added in alphabetical order to list (2) in Table B–I, to read as follows:

TABLE B–MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

	Allowed mark-ups over net cost		"Selling unit" in which ceiling price must be calculated
1. Food commodities	Group 3. Retailer other than independent with annual volume under $250,000	Group 4. Any retailer with annual volume of $250,000 or more	
(2) Fresh fruits: Grapes	*Percent* 40	*Percent* 40	1 pound.

2. In section 39 (b) (2), the following definition is added in alphabetical order:

"Grapes" means all varieties of the vinifera type of California juice grapes and California and Arizona fresh table grapes including but not limited to Alicante, Almeria, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless, Tokay and Zinfandel. Each variety shall be considered a separate item and priced separately.

This amendment shall become effective July 5, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 20, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-11572; Filed, June 29, 1945; 11:51 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[2] Amdt. 46]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 423 is amended in the following respects:

1. In section 28 (a), the item "Grapes" is added in alphabetical order to list (2) in Table B–I, to read as follows:

TABLE B–MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

	Allowed mark-ups over net cost—independent retailers with annual volumes		"Selling unit" in which ceiling price must be calculated
1. Food commodities	Group 1. Under $250,000	Group 2. $250,000 but less than $250,000	
(2) Fresh fruits: Grapes	*Percent* 40	*Percent* 40	1 pound.

2. In section 28 (b) (2), the following definition is added in alphabetical order:

"Grapes" means all varieties of the vinifera type of California juice grapes and California and Arizona fresh table grapes including but not limited to Alicante, Almeria, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless, Tokay and Zinfandel. Each variety shall be considered a separate item and priced separately.

This amendment shall become effective July 5, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 20, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-11573; Filed, June 29, 1945; 11:51 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,[1] Amdt. 21]

PASSENGER AUTOMOBILES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 2B is amended in the following respects:

1. The headnote of section 1.1 and paragraph (a) thereof are amended to read as follows:

SEC. 1.1 *What this order covers.* (a) The provisions of this Ration Order No. 2B apply to all new 1942 passenger cars. The only provisions of this Order which apply to used 1942 passenger cars are those in section 2.15 relating to records which persons engaged in the business of selling or renting passenger cars are required to keep. A "1942 passenger car" means any 1942 automobile, or the chassis thereof, with a seating capacity of not more than ten persons, including taxicabs but not including ambulances, hearses, station wagons or vehicles designed and built for the armed forces.

2. Section 1.2 is amended by inserting the word "new" immediately preceding the numeral "1942" wherever it appears.

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[1] 10 F.R. 1505, 2024, 2297, 3814.

[2] 10 F.R. 1523, 2025, 2298, 3814.

[1] 8 F.R. 2483, 5317, 5531, 5678.

3. The headnote of section 1.3, and the text preceding paragraph (a) (1) are amended to read as follows:

SEC. 1.3 *Who may get a new 1942 car—(a) Eligibility based on use of car.* The following persons, or their employers, who need a car principally for one or more of the following purposes, and who do not already have the use of a serviceable or repairable car for the specified purpose, may acquire a new 1942 car for use.

4. Section 1.3 (a) (8) is amended to read as follows:

(8) Any person engaged in the rental car business, for the exclusive purpose of leasing the car to the holder of a certificate for a new 1942 car in exchange for his certificate. After the termination of the original lease of the car acquired under this subparagraph, the car may be leased to anyone.

5. Section 1.3 (b) is revoked.

6. The first sentence of section 1.4 (b) is amended to read as follows: "A separate application shall be filed on Form R-213 for each new 1942 car."

7. Section 1.5 (b) is revoked and sections 1.5 (d) and (f) are amended to read as follows:

(d) A certificate for a new 1942 car may only be used to acquire a new 1942 car.

(f) The parts of the certificate shall be disposed of according to the instructions on the certificate. However, when a certificate holder contracts to lease a new 1942 car from an automobile rental agency, the certificate shall be surrendered to the agency which shall retain Parts B and C in its permanent files and attach Part A to its application for a new 1942 car under section 1.3 (a) (8).

8. Sections 1.6, 1.6a and 1.7 are revoked.

9. Section 1.8 is amended to read as follows:

SEC. 1.8 *How 1942 cars are registered.* (a) A new 1942 car may be registered only if the person seeking to register it presents to the registrar of automobiles a ration certificate or clearance statement issued to him covering the car sought to be registered.

(b) There are no restrictions imposed by this order on the registration of a used 1942 automobile by any person in any state.

(c) The Regional Administrator may authorize the registration of title to new 1942 cars held for sale without a clearance statement or ration certificate in any state whose law requires such registration. If the Regional Administrator has authorized such registration, any person holding a new 1942 car in the state for sale may register its title. However, no person shall register a new 1942 car for use except as provided in paragraph (a) of this section.

10. Section 1.9 (a), (b) and (e) are revoked.

11. Section 2.1 and the chapter heading preceding it are revoked.

12. Section 2.5 (a) is amended by adding the word "new" immediately preceding the phrase "1942 car" wherever it occurs.

13. Section 2.6 is amended to read as follows:

SEC. 2.6 *Unrestricted transfers.* The following transfers of a new 1942 car may be made without certificate, clearance statement or report:

(a) A person may reacquire a new 1942 car which has been taken or withheld from his possession, including a car taken by or on behalf of the owner of the security interest in the car.

(b) A new 1942 car may be transferred to or from a common or contract carrier in the course of its shipment; it may be transferred to a public warehouse, repair shop or garage for repair or storage; and it may be returned to the person from whom it was received. This paragraph does not permit a transfer between the shipper and the person to whom the car is shipped.

14. Section 2.7 is amended to read as follows:

SEC. 2.7 *New 1942 cars held by dealers may be driven only for restricted purposes.* A person engaged in the business of selling automobiles (or his employee) may use a new 1942 car:

(a) For the purpose of demonstrating it to a person who is interested in purchasing the car;

(b) To move it from a sales establishment or place of storage to another sales establishment or place of storage.

15. Section 2.8 (a) is amended to read as follows:

(a) A dealer who does not post the notice set forth in subparagraph (1) in the manner described, or who does not, under the conditions set forth in subparagraph (2), sell a new 1942 car which he holds for sale, may be prohibited from acquiring for sale and from transferring any car which is rationed under this order or which may be rationed under subsequent orders of the Office of Price Administration. Every new 1942 car owned by a dealer is deemed to be "held for sale" unless the dealer has sold or contracted to sell it to a person who has delivered a certificate to him.

(1) The notice shall be typed or printed, not less than 18 x 24 inches in size, and must be posted in a place and manner which will make it plainly visible to prospective buyers. It shall be headed "Rationed 1942 Cars Held for Sale" and shall list the make, body type, serial number and engine number of each new 1942 car currently held for sale. Following the listing of cars shall be a certification signed by the dealer or his authorized agent in the following form: "The above is a complete and current list of all new 1942 cars held for sale by the undersigned dealer." A dealer who holds no new 1942 cars for sale shall post a notice in the same manner as if he had cars for sale, stating "None" between the heading and the certification. The notice is deemed to be a representation to the Office of Price Administration that the dealer has not omitted from the notice any car held for sale.

(2) A dealer must sell any new 1942 car which he holds for sale to the holder of a certificate who tenders the maximum price for the car as established by the Office of Price Administration, in cash or by a cashier's or a certified check, or who offers to sign the security instruments and has the financial and legal qualifications customarily required of a purchaser, or who presents a purchase order of a government or government agency.

16. In section 2.10 (a) the word "new" is added immediately preceding the numeral "1942" wherever it appears.

17. Section 4.1 is amended to read as follows:

SEC. 4.1 *Prohibitions on the transfer, registration, alteration and use of new 1942 cars.* (a) No person shall transfer or acquire (or offer to transfer or acquire) a new 1942 car or shall alter, register, use or permit the alteration, registration or use of a new 1942 car except as permitted by the provisions of this order. These provisions apply regardless of any conflicting private agreement or obligation.

(b) A used 1942 car may be transferred, acquired, altered, registered or used without restriction.

This amendment shall become effective July 2, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, WPB Dir. No. 1, 7 F.R. 563, Supp. Dir. IX, 9 F.R. 8776)

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11579; Filed, June 29, 1945; 11:52 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amdt. 34]

DESIGNATION OF CERTAIN AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1341 of Designation and Rent Declaration 31, items 35, 38, and 41 are amended and items 186–191, inclusive, are added to read as follows:

(35) South Carolina, South Carolina. That portion of the State of South Carolina not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Colleton, Darlington, Florence, Georgetown, Marion and Orangeburg and in the County of Horry, the Townships of Conway, Dogwood Neck and Socastee.

(38) Texas, Texas. That portion of the State of Texas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Bee, Brazos, Brewster, Collin, Collingsworth, Cottle, Denton, Gregg, Hall, Hardeman, Kerr, Smith, Uvalde, Val Verde, Webb, Winkler, Wood, and that portion of the City of Winnsboro in Franklin County and Justices' Precincts 1, 6, and 7 in the County of Caldwell.

(41) Virginia, Virginia. That portion of the State of Virginia not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Accomac, Frederick, Northampton, Roanoke, Shenandoah, and Warren, and the Independent Cities of Danville, Roanoke and Winchester, and in Pittsylvania County, the Magisterial Districts of Tunstall and Dan River, and in Rockbridge County, the Magisterial District of Lexington.

(186) Darlington, South Carolina, Darlington.

(187) Georgetown, South Carolina, Georgetown.

(188) Marion, South Carolina, Marion.

(189) Winkler County, Texas, Winkler.

(190) Lexington, Virginia, Virginia, In the County of Rockbridge, the Magisterial District of Lexington.

(191) Winchester, Virginia, Independent City of Winchester, and the Counties of Frederick and Shenandoah.

This amendment shall become effective July 1, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11580; Filed, June 29, 1945; 11:52 a. m.]

[1] 9 F.R. 5823, 5915, 7329, 7431, 9265, 9512, 11540, 11796, 12866, 14061, 15059, 15156; 10 F.R. 1103, 2406.

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses[1], Amdt. 59]

HOTELS AND ROOMING HOUSES

Items 278a, 279a, 280c, 333b, 342a and 345b are added to Schedule A of the Rent Regulation for Hotels and Rooming Houses to read as follows:

Name of defense-rental area	State	County or counties in defense-rental areas under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(278a) Darlington	South Carolina	Darlington	Jan. 1, 1944	July 1, 1945	Aug. 15, 1945
(279a) Georgetown	South Carolina	Georgetown	July 1, 1944	July 1, 1945	Aug. 15, 1945
(280c) Marion	South Carolina	Marion	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(333b) Winkler County	Texas	Winkler	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(342a) Lexington, Virginia	Virginia	In the County of Rockbridge, the Magisterial District of Lexington.	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(345b) Winchester	Virginia	Independent City of Winchester and the Counties of Frederick and Shenandoah.	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945

This amendment shall become effective July 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11565; Filed, June 29, 1945; 11:47 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[2] Amdt. 64]

HOUSING

Items 278a, 279a, 280c, 333b, 342a and 345b are added to Schedule A of the Rent Regulation for Housing to read as follows:

Name of defense-rental area	State	County or counties in defense-rental areas under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(278a) Darlington	South Carolina	Darlington	Jan. 1, 1944	July 1, 1945	Aug. 15, 1945
(279a) Georgetown	South Carolina	Georgetown	July 1, 1944	July 1, 1945	Aug. 15, 1945
(280c) Marion	South Carolina	Marion	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(333b) Winkler County	Texas	Winkler	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(342a) Lexington, Virginia	Virginia	In the County of Rockbridge, the Magisterial District of Lexington.	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(345b) Winchester	Virginia	Independent City of Winchester, and the Counties of Frederick and Shenandoah.	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945

This amendment shall become effective July 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11564; Filed, June 29, 1945; 11:47 a. m.]

[1] 10 F.R. 3452, 3555, 3556, 3950, 4713, 5089, 5576, 5579, 6400.

[2] 10 F.R. 3436, 3555, 3951, 4714, 4713, 5089, 5577, 5603, 6074, 6400.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Corr. to Amdt. 5]

MILEAGE RATIONING; GASOLINE REGULATIONS

In item 2 of Amendment No. 5 to Revised Ration Order 5C, § 1394.7706 (q) (9) is corrected by substituting the reference "§ 1394.7706 (o)" for the reference "1394.7706" in the two places it appears.

This correction shall become effective June 9th, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued his 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11578; Filed, June 29, 1945; 11:52 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[3] Amdt. 9]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and

[3] 10 F.R. 4005.

has been filed with the Division of the Federal Register.

Control Order 1 is amended in the following respects:

1. Section 17 (b) is amended by substituting for the first sentence the following: "A Board may not act upon any application under (a)."

2. Section 17 (c) is added to read as follows:

(c) (1) Any Class 2 slaughterer who supplied during 1944 to his own Group II or Group V institutional user establishments (as defined in General Ration Order 5) meat derived from livestock slaughtered by him, or custom slaughtered for him, may apply for an adjustment of his quotas for any quota period to enable him to continue to supply from livestock slaughtered by him, or custom slaughtered for him, during the quota period in question, the meat requirements of those establishments, in the same proportion as such requirements were supplied by him from such slaughter during the corresponding base period.

(2) The application must be made on OPA Form R-315, in duplicate, to the District Office with which his Class 2 slaughtering establishment is registered, before the expiration of the allotment period which contains all or any part of the quota period, and must show:

(i) His name, the address of his Class 2 slaughtering establishment and the OPA license number or numbers issued to him for such establishment;

(ii) The names and addresses of the Group II and Group V institutional user establishments currently operated and operated by him during the base period and to which he supplies, and during the base period supplied, meat derived from livestock slaughtered by him or custom slaughtered for him;

(iii) The quota period for which the adjustment is requested;

(iv) The quantity (by weight) of the quota base which represents livestock slaughtered during the base period to supply meat to the establishments specified in (ii). (This is to be determined by multiplying the weight of the meat so supplied by the appropriate conversion factors in Table II in Supplement No. 1 to this order. The way in which the quantity was arrived at must be shown.);

(v) The meats-fats allotments for meal services for those establishments for the allotment period which contains all or any part of the quota period for which the adjustment is requested;

(vi) The meats-fats allotments for meal services for those establishments for the corresponding allotment period in 1944; and

(vii) The amount of the adjustment he wishes as to his quotas for the period in question.

(3) If the District Office finds that the applicant supplied during 1944 to his own institutional user establishments specified in the application meat resulting from livestock slaughtered by, or custom slaughtered for him, and that he needs an adjustment of his quotas for the quota period in question to enable him to continue to supply to those establishments meat derived from such slaughter in the same proportion as such establishments were so supplied during the corresponding base period, it may adjust any of his quotas for the quota period in question in the following way:

(i) Determine the quantity, by weight, of the quota base which represents livestock slaughtered during the base period to supply meat to the applicant's institutional user establishments specified in the application;

(ii) Divide the meats-fats allotments for meal services for such establishments for the allotment period which includes, in whole or in part, the quota period in question, by the establishments' meats-fats allotments for meal services for the corresponding allotment period in 1944;

(iii) Multiply the result in (i) by the result in (ii);

(iv) Determine the quota for the portion, if any, of the quota base not included in (i);

(v) Add the result in (iv) to the result in (iii);

(vi) The result in (v) is the applicant's adjusted quota for the quota period in question.

(4) Any Class 2 slaughterer who is granted an increase in quota under this paragraph (c) may use the portion of the adjusted quota determined by (3) (iii) only to the extent that he supplies his institutional user establishments specified in the application, meat derived from the slaughter of livestock included in that portion of the adjusted quota.

This amendment shall become effective July 3, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11574; Filed, June 29, 1945; 11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1[1], Amdt. 10]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Control Order 1 is amended in the following respects:

1. Section 21 (a) is amended by adding the following at the end of the paragraph:

"Wholesale cut", with respect to any species of meat, has the meaning given that term in OPA Revised Maximum Price Regulation 148 (swine), OPA Revised Maximum Price Regulation 169 (cattle and calves), or OPA Revised Maximum Price Regulation 239 (sheep and lambs), as the case may be.

[1] 10 F.R. 4605.

2. Section 24 is added to read as follows:

SEC. 24. *Class 2 and Class 3 slaughterers must mark meats.* (a) (1) Beginning July 15, 1945, every Class 2 and Class 3 slaughterer, before selling or transferring any meat resulting from slaughter of livestock by him, or custom slaughter of livestock for him, (except meat resulting from custom slaughter of livestock by him for the owner of such livestock), must mark on each accessible "wholesale cut" of such meat, whether in the entire carcass or detached therefrom, the number of the OPA license (OPA Form MC-5) or OPA permit (OPA Form MC-1) issued to him under which the livestock was slaughtered. In the case of a calf carcass with the skin on, he must mark such license or permit number only on the hind shanks and brisket. The marking must be clear and conspicuous and the numerals and letters must be at least $\frac{1}{4}$ inch in height and width. The required marking may be made with a Kosher marking pencil or with a stamp or stencil, using marking fluid conforming with the following violet branding fluid formula:

	Ounces
Water	3.5
Grain alcohol	2.5
Cane sugar	1.0
Methyl violet	0.1

(The methyl violet is dissolved in alcohol and a portion of the water; the sugar is dissolved in the remaining portion of the water and added to the methyl violet solution. Thorough stirring facilitates solution of the methyl violet.)

(2) Any Class 3 slaughterer who sells or transfers to a consumer (as defined in Revised Ration Order 16) meat resulting from slaughter of livestock by him or custom slaughter of livestock for him, (excepting meat resulting from custom slaughter of livestock by him for the owner of such livestock) may, instead of marking such meat in the manner provided in (1), firmly attach to each wholesale cut sold or transferred to the consumer, a tag showing clearly and conspicuously in ink or indelible pencil the number of the OPA permit issued to him under which the livestock was slaughtered.

(b) Before August 1, 1945, any Class 2 or Class 3 slaughterer may use, for the purpose of marking meats under this section, the number he was permitted to use for that purpose under War Food Order 75-1 instead of his OPA license or permit number specified in (a).

(c) Any Class 2 or Class 3 slaughterer who has an establishment number assigned by a Federal, State, county or city meat inspecting authority may use that number for the purpose of marking meats under this section instead of his OPA license or permit number specified in (a). However, if he wishes to do so on and after August 1, 1945 he must, before using that number for the purpose, notify, in writing, the Board or District Office with which his establishment is registered pursuant to this order, that he intends to use the establishment number assigned him by a Federal, State, county or city meat inspecting authority instead of his OPA license or permit number. The notice must state:

(1) The number he intends to use;

(2) The name of the agency which issued such number to him; and

(3) The OPA license or permit number in place of which he intends to use that number.

In addition, he must enter that number on his applicable OPA Form MC-1 or OPA Form MC-5 immediately below the OPA license or permit number shown thereon.

(d) The marking requirements of this section shall not apply to meat transferred by a Class 2 slaughterer to a unit or department of such slaughterer for use in the preparation, manufacture or production of any product other than meat, if the meat so transferred resulted from slaughter of livestock by him or custom slaughter of livestock for him.

(e) Beginning July 15, 1945, a person who acquires a calf carcass with the skin on, may not sell, transfer or break such carcass after removal of the skin unless he marks on each accessible wholesale cut of such meat the establishment number or the OPA license or permit number marked on the hind shanks and brisket. The marking shall be made in the manner specified in (a) (1) of this section.

(f) Subject to (a) (2) and (d) of this section:

(1) Beginning July 15, 1945, a person may sell or transfer, and a person may acquire, any livestock carcass other than a calf carcass with the skin on, only if each accessible wholesale cut undetached from the carcass bears the marking required by this section or the Federal inspection marking (as required by the Regulations Relating to Meat Inspection, Title 9, Chapter II, Subchapter B, Code of Federal Regulations), unless he knows or has reason to believe that the carcass was sold or transferred before July 15, 1945 by the slaughterer who slaughtered the livestock (from which the meat was derived) or had it custom slaughtered for him;

(2) Beginning July 15, 1945, a person may sell or transfer, and a person may acquire, a calf carcass with the skin on, only if the hind shanks and brisket bear the marking required by this section, or the Federal inspection marking referred to in (1) above, unless he knows or has reason to believe that such calf carcass with the skin on was sold or transferred before July 15, 1945 by the slaughterer who slaughtered the livestock (from which the meat was derived) or had it custom slaughtered for him;

(3) Beginning July 15, 1945, a person may sell or transfer, and a person may acquire, a wholesale cut of meat detached from the carcass, only if the wholesale cut bears the marking required by this section or the Federal inspection marking referred to in (1) above, unless he knows or has reason to believe that such meat, whether in the entire carcass or detached therefrom, was sold or transferred before July 15, 1945 by the slaughterer who slaughtered the livestock (from which such meat was derived) or had it custom slaughtered for him.

(g) Beginning July 15, 1945, no person shall alter, mutilate, obliterate, remove or otherwise tamper with any number marked on meat pursuant to this section, except to the extent that such mutilation, obliteration or removal is necessary in connection with (1) the preparation of such meat for use or service by an industrial user, an institutional user or a consumer (as those terms are defined in Revised Ration Order 16) or (2) the breaking of the wholesale cut into retail cuts of meat.

This amendment shall become effective July 3, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11575; Filed, June 29, 1945; 11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 10,[1] Amdt. 3]

FOOD RATIONING IN VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 10 is amended in the following respects:

1. Section 1407.623 (a) (1) is revoked and the present § 1407.623 (a) (2) is redesignated § 1407.623 (a) (1).

2. Section 1407.687 is amended by deleting Table I and redesignating the present Table II as Table I.

3. Section 1407.704 is amended by deleting § 1407.704 (a) (1) and redesignating the present paragraphs (a) (2) and (a) (3) as (a) (1) and (a) (2) respectively.

This amendment shall become effective as of June 17, 1945.

Issued this 29th day of June 1945.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:
JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-11581; Filed, June 29, 1945; 11:53 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RO 20,[2] Amdt. 4]

LAUNDRY SOAP IN VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 20 is amended in the following respects:

1. Section 6.1 is added to read as follows:

SEC. 6.1 *How laundry soap is transferred to consumers.* A retailer may sell or transfer laundry soap to a consumer, and a consumer may receive or accept a transfer of laundry soap from a retailer only if the consumer at the time of the transfer gives up to the retailer a valid War Ration Book stamp or stamps, or a certificate authorizing such transfer issued by the Office of Price Administration, equal in value to the amount of laundry soap transferred.

2. Section 6.2 is added to read as follows:

SEC. 6.2 *Valid periods.* (a) A retailer may sell or transfer laundry soap to a consumer, and a consumer may receive or accept a transfer of laundry soap from a retailer only for the War Ration Book No. 2 stamps numbered as listed below and during the valid periods indicated as follows:

Valid periods	Red Stamps Valid during ration period (book No. 2)	Weight value of stamps
June 20, to July 19, 1945	U-2	1 lb. laundry soap.
July 20, to Aug. 19, 1945	U-5	Do.
Aug. 20, to Sept. 19, 1945	U-8	Do.
Sept. 20, to Oct. 19, 1945	V-1	Do.

(b) *Certificates.* A consumer's certificate issued by the Board shall be valid only for the period shown thereon.

3. Section 6.3 is added to read as follows:

SEC. 6.3 *How laundry soap is transferred to industrial or commercial users.* (a) A wholesaler or retailer may sell or transfer laundry soap to an industrial or commercial user for use in connection with his business establishment, and an industrial or commercial user may receive or accept such transfer only if the latter, at the time of the transfer gives up to such wholesaler or retailer a certificate issued by the Office of Price Administration authorizing the transfer of an allotment of laundry soap equal in value to the amount of laundry soap being transferred.

(b) *Certificates.* An industrial or commercial user's certificate shall be valid only for the period shown thereon.

4. Section 6.4 is added to read as follows:

SEC. 6.4 *How laundry soap is transferred to institutional users.* (a) A wholesaler or retailer may transfer laundry soap to an institutional user and the latter may receive or accept such transfer only if he gives up to the wholesaler or retailer a certificate issued by the Office of Price Administration authorizing the transfer of an allotment of laundry soap equal in value to the amount of laundry soap transferred.

(b) *Certificates.* An institutional user's certificate shall be valid only for the period shown thereon.

[1] 10 F.R. 6515.
[2] 10 F.R. 2311.

This amendment shall become effective as of June 20, 1945.

Issued this 29th day of June 1945.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-11569; Filed, June 29, 1945; 11:49 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 4]

MISCELLANEOUS COMMODITIES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

1. Section 21 is amended as follows:

a. The table following paragraph (c) (1) is amended by deleting the item "Beans, mung" and adding the item "Beans, mung (Certified)" and changing the wholesale price to $38.55 per 100 lb. bag with the maximum retail price remaining $0.48 per lb.

b. The prices for the item "Onions, dry Australian brown" as fixed by Amendment 1 to RMPR 373 are changed from $4.35 to $4.65 per 50 lb. bag at wholesale and from $0.11 to $0.13½ per lb. at retail.

c. The item "Onions, dry yellow" is deleted; and the following items are added: "Onions, white pickling," $5.60 per 50 lb. bag at wholesale and $0.16 per lb. at retail and "Potatoes, white" $5.40 per 100 lb. bag at wholesale and $0.07½ per lb. at retail.

d. A note is added reading as follows:

There may be added and there must be deducted at wholesale $0.45 per 100 lbs. for each 1% of certified germination potential above or below 90%. At retail ½¢ per lb. may be added and must be deducted for each 1% of certified germination potential above or below 90%.

To be sold as certified mung beans the beans must bear the certification of any State Department of Agriculture in the United States. At wholesale they must be sold and delivered in the original container tagged by the packer. At retail they must be sold from the original container with the packer's tag attached and clearly displayed. The tag must state the percentage of germination potential certified and the name of the certifying agency.

At wholesale the maximum price for uncertified mung beans is the seller's landed cost multiplied by 1.15 but in no case may the maximum price so computed exceed $38.55 per 100 lb. bag. At retail the maximum price for uncertified mung beans is the seller's net cost multiplied by 1.25 but in no case may the maximum price so computed exceed $0.48 per lb.

e. The table following (d) (1) is amended as follows:

Delete "Grapefruit" as listed. Add item "Grapefruit, all sizes", $5.10 per box at wholesale and $0.11½ per lb. at retail.

Delete "Lemons" as listed. Add item "Lemons, all sizes", $7.65 per box at wholesale and $0.14½ per lb. at retail.

Delete "Oranges" as listed. Add item "Oranges, all sizes", $6.20 per box at wholesale and $0.12 per lb. at retail.

2. Section 49 is amended as follows:

a. Paragraphs (c) (4) and (c) (5) are hereby deleted.

b. Paragraph (d) (2) is amended to read as follows:

(2) Second-hand lumber, f. o. b. distribution yard per M b. m.

	Salvage	Reclaimed
Oak	$50	$60
All types except oak	40	60

Firewood "as is" at original source $2 per cord
Salvage "as is" at original salvage source $15 per M B.M.
Salvage f. o. b. trucks at original salvage source $20 per M B.M.

c. Paragraph (e) is amended to read as follows:

(e) *Delivery charges.* (1) Where delivery is made by a trucker, an amount not to exceed the maximum price for delivery as allowed by applicable regulations.

(2) Where delivery is made with equipment owned or operated by the seller, an amount not in excess of the maximum price allowed by applicable regulations.

d. Paragraph (f) (4) is amended to read as follows:

(4) When any of the above charges for working at the yard or custom establishment are made, the seller must give the purchaser an invoice, bill of sale or other billing which must clearly state that the work was done at the distribution yard or at the custom establishment, and the amount must be separately shown.

e. Paragraph (g) is amended to read as follows:

(g) *What the invoice must contain.* All invoices must contain the date of sale, name and address of buyer and seller, a sufficiently complete description of the lumber, i. e., whether sold as salvage or reclaimed, the number of board feet sold, the price per board foot charged or received, and a separate itemization of any charges for delivery.

3. Section 61 is amended as follows:

a Paragraph (b) (3) is amended to read:

(3) For sales of any locally manufactured item of home-building materials, multiply the manufacturer's selling price by the applicable percentage markup (except in the case of brick for which ceiling prices in dollars and cents are provided) as shown in Appendix A.

b. Paragraph (h) (2) (v) is amended to read as follows:

(v) The price charged or received, and, in addition, in the case of sales to contractors, builders and industrial users, the maximum price established by this section for any of the classifications of the following building materials as listed in Appendix A:

Finishing-builders hardware.
Knobs and handles.
Miscellaneous door hardware.
Window hardware.
Screen hardware.
Miscellaneous hardware.
Hinges.
Locks.
Insect screen cloth.
Wall Board (except plywood).
Masonite.
Flexboard.
Asbestos cement board.
Plasterboard.
Roofing materials (except clay tile roofing and wood shingles).
Composition and asbestos shingles.
Roll roofing.
Steel roofing.
Window glass.
Nails.
Stock doors, windows and screen millwork.

4. Appendix A is amended in the following respects:

a. The headings for the third and fourth columns are amended by striking out the words "or dollars-and-cents markup".

b. New headings are inserted for the third and fourth columns, opposite the item "Brick", etc., following "Steel roofing", reading as follows:

Classification	Description	Ceiling prices on sales to contractors, builders, industrial users and the U. S. Government	Ceiling prices [illegible] dealers

c. Preceding the item "Window glass" insert the same headings as used at the beginning of the table.

This amendment shall become effective as of June 25, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11567; Filed, June 29, 1945; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14C,[1] Amdt. 6]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY THE GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN FOODS AND BEVERAGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 5.4 is hereby revoked.

This amendment shall become effective July 5, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11576; Filed, June 29, 1945; 11:52 a. m.]

[1] 10 F.R. 1165, 1704, 2618, 5458, 6308.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Incl. Amdts. 1-112]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

§ 1439.3 *Maximum prices for fresh fruits and vegetables for table use, sales except at retail.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, Maximum Price Regulation No. 426 (Fresh Fruits and Vegetables for Table Use, Sales Except at Retail), which is annexed hereto and made a part hereof, is hereby issued.

ARTICLE I—APPLICABILITY, PURPOSES AND DEFINITIONS

Sec.
1. Commodities covered and operation of this regulation.
2 Sales of imported fresh fruits and vegetables.
2a. Individual authorization of maximum prices in certain cases.
3 Types of sales covered.
4. Geographical applicability.
5. Exempt sales.
6. Export sales.
7. Prohibition against sales above maximum prices.
8. Definitions.

ARTICLE II—ENFORCEMENT PROVISIONS AND MISCELLANEOUS PROVISIONS

9. Enforcement.
9a. Licensing.
10. Relationship between this regulation, Maximum Price Regulation No. 376 and the General Maximum Price Regulation.
11. Evasion.
12. Petitions for amendment.
13. Adjustable pricing.
13a. [Deleted]
14. Records.
14a. Notification provisions.

ARTICLE III—PRICE SCHEDULES

15. Appendices.
Appendix A. Revoked.
Appendix B. Revoked.
Appendix C. Revoked.
Appendix D. Revoked.
Appendix E. Revoked.
Appendix F. Revoked.
Appendix G. Revoked.
Appendix H. Maximum prices for certain fresh fruits and vegetables.
Appendix I. Maximum prices for citrus fruits.
Appendix J. Maximum prices for certain deciduous tree fruits.
Appendix K. Maximum prices for certain fruits.

AUTHORITY: § 1439.3 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—APPLICABILITY, PURPOSES AND DEFINITIONS

SECTION 1. *Commodities covered and operation of this regulation.* (a) This regulation covers the fresh fruits and vegetables set forth in the Appendices to Article III, section 15, whether imported or domestic, except when sold for commercial processing.

(b) It is the purpose of this regulation to establish flexible price control for fresh fruits and vegetables (except when sold for commercial processing) in such manner that flat ceiling prices in dollars and cents may be computed and published in each community, or by zones or regions.

(c) For this purpose, this regulation provides either (1) a method for establishing dollar-and-cents ceilings for sales of fresh fruits and vegetables in carlots or truck lots at any wholesale receiving point and in less than carlots or less than truck lots in the markets served from the particular wholesale receiving point, or (2) a method for establishing dollar-and-cents ceilings for sales of fresh fruits and vegetables to retailers and institutional users. Sales by retailers are to be covered by other regulations now in effect, or to be issued.

(d) A general plan is set up by this regulation for establishing ceiling prices for fresh fruits and vegetables. Each fresh fruit and vegetable will be separately considered. Special provisions may be made for particular fresh fruits and vegetables, which do not apply generally. If any special provision is contrary to or inconsistent with any general provision, the special provision shall be controlling. The general provision shall apply to the extent that it is not contrary to or inconsistent with the special provision.

(e) The general plan is to establish maximum prices at certain points or levels in the distribution of fresh fruits and vegetables. The points of control will not necessarily be the same for all commodities. The ceiling prices may differ by season, regions, varieties, grades, or other factors.

[Paragraph (e) amended by Am. 55, 9 F.R. 10878, effective 9-1-44]

(f) Points of control, at which maximum prices are established will generally be one or more of the following:

(1) *Carlot or trucklot sales at any wholesale receiving point.* A ceiling price is established for sales in carlots, or trucklots at the wholesale receiving point. The ceiling price may be named in dollars and cents, at a particular wholesale receiving point (or by area or region) or a method may be given by which the ceiling price at a particular wholesale receiving point may be computed by adding to a given basing point price the freight from the basing point to the wholesale receiving point.

A pool car or pool truck, (that is, a car or truck containing one commodity owned by more than one seller or sold to more than one purchaser) shall be considered a carlot or trucklot.

[Above paragraph amended by Am. 3, 8 F.R. 10673, effective 7-29-43]

A "carlot sale" or a "trucklot sale" means a sale of a quantity of fresh fruits or vegetables transported in one car or truck or other conveyance at one time out of which 75% or more by weight is sold to one person. The sale of the remaining quantity to another person or persons may be considered a less-than-carlot sale, or less-than-trucklot sale. The sale of that portion of the fresh fruits or vegetables moving in a mixed carlot or mixed trucklot with another commodity or commodities, must be on the basis of a "carlot sale" or "trucklot sale" if the entire carlot or trucklot or 75% thereof by weight is sold to one person.

[Subparagraph (1) amended by Am. 55, 9 F.R. 10878, effective 9-1-44, and as otherwise noted]

(2) *Less than carlot or trucklot sales in the market.* A ceiling price is established for less than carlot or trucklot sales at wholesale receiving points.

[Subparagraph (2) amended by Am. 55, 9 F.R. 10878, effective 9-1-44]

(3) [Revoked.]

[Subparagraph (3) amended by Am. 3, 8 F.R. 10673, effective 7-29-43; revoked by Am. 29, 9 F.R. 5926, effective 6-5-44]

(4) [Revoked.]

[Subparagraph (4) revoked by Am. 55]

(5) [Revoked.]

[Subparagraph (5) amended by Am. 12, 8 F.R. 16409, effective 12-3-43; revoked by Am. 29, 9 F.R. 5926, effective 6-5-44]

(6) The maximum prices for sales by purveyors of the fresh fruits and vegetables set forth in the Appendices to Article III, section 15, shall be those established by the regional or district offices (see section 2b). Until maximum prices are so established by the regional or district offices, the maximum prices for sales by purveyors shall be the maximum prices named in the Appendices to Article III, section 15, for less-than-carlot and less-than-trucklot sales to institutional users.

[Subparagraph (6) added by Am. 17, 9 F.R. 790 effective 1-19-44 and amended by Am. 64, 9 F.R. 12643, effective 10-21-44]

(g) Whenever used in this regulation, the terms "ceiling", "ceiling price", and "maximum price" all have the same meaning.

[NOTE: Supplementary Order No. 106 (10 F.R. 2015) permits, under certain conditions, the addition of special packing expenses to maximum prices on sales to procurement agencies of the United States.]

SEC. 2. *Sales of imported fresh fruits or vegetables.* This regulation applies not only to domestic fruit and vegetables but also to fruit and vegetables imported into the continental United States from a territory, possession or foreign country. However, as the regulation is drawn primarily for domestic produce, certain of its terms are inappropriate to imported produce. Accordingly, the maximum price for the first sale of imported produce after its entry into the continental United States must be determined as though the seller were a grower or country shipper under Appendix H or I, a grower-distributor under Appendix J, or a shipping point distributor under Ap-

[1] 9 F.R. 11546.

[2] Statements of Considerations are also issued with amendments. Copies may be obtained from the Office of Price Administration.

pendix K. The maximum price for any sale of imported produce must be determined as though that produce has been produced at its port of entry and as though that were its country shipping point.

However, if the imported produce being priced was imported before February 14, 1945 the maximum price per unit at any wholesale receiving point shall be the maximum price for sales delivered at that wholesale receiving point for the most closely similar variety of the same kind of domestic produce applicable to the particular seller.

[Former Sec. 2 amended by Am. 3, 8 F.R. 10673, effective 7-29-43, Am. 17, 9 F.R. 790, effective 1-19-44; revoked by Am. 55, 9 F.R. 10878, effective 9-1-44. New Sec. 2 added by Am. 55; amended by Am. 85, 10 F.R. 1910, effective 2-19-45, and Am. 91, 10 F.R. 2515, effective 3-5-45]

SEC. 2a. *Individual authorization of maximum prices in certain cases.*—(a) *Sales covered.* This section applies to sales of items made to members of the armed forces of the United States by any person through Post Exchanges, Ship's Stores and similar agencies, where delivery is to be made in the continental United States to a person designated by the buyer. The maximum prices otherwise established by this regulation do not apply to these sales. Until a maximum price is established pursuant to this section, the seller may deliver the item but may not charge or receive payment for it.

(b) *Application for maximum prices.* For sales of an item covered by this section the seller shall apply to the Office of Price Administration, Washington, D. C., for a maximum price. The application in each case shall be in writing and show the following:

(1) The name and address of the seller;

(2) The classification into which he normally falls under this regulation;

(3) A description of the item (as for example: kind of fruit, container type and size, weight of contents, etc.);

(4) The figure to which he would add any markup in determining a maximum price for the item under any other section of this regulation, but not including transportation charges or allowances for protective services;

(5) The point or points from which deliveries will be made, the estimated number of deliveries to each general freight zone in the United States, and the estimated freight charge for each such delivery; and

(6) The proposed maximum price for the item and a statement showing how the requested price was figured.

(c) *Establishment of maximum prices.* In appropriate cases the Administrator will, by order, establish a uniform maximum price for sales of the item delivered at any place in the continental United States.

[Sec. 2a added by Am. 57, 9 F.R. 11546, effective 9-23-44]

SEC. 2b. *Delegation of authority to establish maximum prices for purveyors.* Any regional administrator, and such district directors as the regional administrator may authorize, may by order establish maximum markups for purveyors at wholesale receiving points within its jurisdiction, not to exceed 150% of the applicable over-all maximum markups for less-than-carlot and less-than-truckiot sales named in the Appendices to Article III, section 15, and add further limitations to the definition of the term "purveyor" in order to reflect any additional functions normally performed by such sellers in the particular wholesale receiving point for which the markup is being fixed.

[Sec. 2b added by Am. 64, 9 F.R. 12643, effective 10-21-44]

SEC. 3. *Types of sales covered.* This regulation applies to each of the types of sales specified in the Appendices of Article III, section 15.

SEC. 4. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

SEC. 5. *Exempt sales.* This regulation does not apply to the following sales:

(a) Sales at retail;

(b) Sales of fruits specifically exempted by the provisions of any appendix to this regulation;

(c) Those sales of gift packages of fruit, and fruit to be used in gift packages, specified in section 5a of this regulation.

[Sec. 5 amended by Am. 15, 8 F.R. 16423, effective 12-4-43; Am. 35, 9 F.R. 7268, effective 7-1-44; Am. 57, 9 F.R. 11546, effective 9-23-44; and Am. 75, 9 F.R. 14731, effective 12-18-44]

SEC. 5a. *Special provisions for sales of gift packages of fruit and sales of fruit to be used in gift packages.*—(a) *Definitions.* When used in this section the term

(1) "Standard container" includes "standard" or "legal" container as defined elsewhere in this regulation, and also includes single units or component parts of standard containers, such as a half-strap box, a one-half box bag, etc.

(2) "Gift package of fruit" means either (i) a container, other than a standard container, which is specially made, wrapped or otherwise particularly adapted for use as a gift, and which contains either one or several kinds of fresh fruit specially packed in the container, or (ii) any container, not larger than a standard container, which contains more than one kind of fresh fruit, specially packed in the container; whether or not, in either case, the fresh fruit is mixed with other food items such as nuts, jams, preserves, glaced fruits, etc.

(3) "Ultimate consumer" means a person who buys the particular gift package of fruit for use as a gift, or for direct consumption, and not for re-sale or for commercial or industrial use.

(b) *Exempt sales of gift packages of fruit.* Sales and deliveries of gift packages of fruit are exempt from the regulation if all of the following conditions are satisfied:

(1) The sale is made by the packer of the particular gift package to an ultimate consumer;

(2) The order is taken directly from the buyer by the seller and not through any agent except a regularly paid employee, and delivery is made directly by the seller and not through any agent except a regularly paid employee or a carrier;

(3) The sale provides for delivery of not more than 5 packages in one lot to the buyer or to any one person designated by him.

(c) *Exempt sales of fruit to be used in gift packages of fruit.* Sales of fruit by growers, country shippers or primary sellers to packers of gift packages of fruit are exempt from this regulation if the fruit sold is to be used and resold in gift packages.

(d) *Reports to be filed by packers of gift packages of fruit.* Every packer of gift packages of fruit who purchases fruit that is exempt under paragraph (c) of this section shall, within 5 days after each such purchase, file an affidavit with the Regional Office of the Office of Price Administration for the region in which he is located showing his name and address, the name and address of the person from whom he purchased the fruit, the date of the purchase, the quantity and a description of the fruit purchased and containing a statement that the fruit was purchased or received for sale in gift packages of fruit.

(e) *Maximum prices for all other sales of gift packages of fruit.*—For all sales of gift packages of fruit not specifically exempted by this section, the seller, unless the sale is covered by Maximum Price Regulation 421, 422 or 423, figures his maximum price in each case as follows:

(1) He determines his maximum price under this regulation for the quantity of each fruit contained in the package and adds these to his maximum prices, if any, for the other items in the package. If the fruit was produced by him, he uses the per-pound maximum price for bulk sales, or for bulk graded sales if such a price is named for the particular fruit. If he bought the particular fruit, he uses the per-pound maximum price for the type and style of pack in which he bought it.

(2) He adds the actual cost to him (not to exceed the legal cost) of any item in the package that is not covered by this regulation, or for which he cannot determine a maximum price, and of all packaging materials, including the container.

(3) He multiplies the total by 1.05. The result is his maximum price for the particular gift package of fruit.

If any particular fruit or other item in the package has no maximum price under this or any other maximum price regulation, the seller uses his actual cost of that item. However, he may not use the actual cost of any fruit which he purchased under paragraph (c) of this section. For such fruit he must use his maximum price figured under (1) above.

[Sec. 5a added by Am. 75, 9 F.R. 14731, effective 12-18-44]

SEC. 6. *Export sales.* The maximum prices at which a person may export the fresh fruits and vegetables covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation,[1] issued by the Office of Price Administration.

SEC. 7. *Prohibition against sales above maximum prices.* On and after July 20, 1943, regardless of any contract or other obligation, no person shall sell or deliver and no person, in the course of trade or business shall buy or receive fresh fruits and vegetables at prices higher than the maximum prices established by this regulation, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices than the maximum prices may be charged and paid.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

[NOTE: Supplementary Order No. 42 (8 F.R. 4963) provides that no price regulation of the OPA shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

SEC. 8. *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Grower" means a person who produces fresh fruits or vegetables.

(3) "Ultimate consumer" is a person who purchases fresh fruits or vegetables for table use or for home processing. It does not include institutional users or procurement agencies of the United States or any State.

(4) "Retailer" means a person the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers.

[Subparagraph (4) amended by Am. 57]

(5) "Sales at retail" means sales by retailers to ultimate consumers.

(6) "Intermediate seller" means any person who purchases fresh fruits or vegetables and who resells in less-than-carlot or less-than-truckiot quantities to any person who is not an ultimate consumer.

(7) "Freight from basing point to wholesale receiving point" or "freight from shipping point to wholesale receiving point" means the cost per package for transportation by the cheapest customary and generally available means. It does not include the cost of refrigeration, other protective services, diversions, demurrage, local cartage or unloading; but the transportation tax imposed by section 620 of the Revenue Act of 1942 is included.

To wholesale receiving points in principal markets where carlot or truckiot quantities are customarily received, this freight factor will ordinarily be based on the railroad carload rate from the basing point or f. o. b. shipping point. However, to some wholesale receiving points in principal markets, located relatively near the basing point or shipping point, motor or water transportation may be customary and cheaper than rail transportation and generally available. In these cases the freight factor for motor or water transportation would be applicable.

To wholesale receiving points in secondary markets, where it is not customary to receive carlots or truckiots, the freight factor will ordinarily be based on the carlot or truckiot factor to a nearby wholesale receiving point in a principal market, plus the cost of transportation by the cheapest customary and generally available means from the wholesale receiving point in the principal market to the wholesale receiving point in the secondary market.

For example, it is customary for carlots of lettuce to be received at Philadelphia, Pa., and the cheapest customary and generally available means of transportation from the basing points (El Centro and Salinas, Cal.) is by rail. The freight factor for determining lettuce prices at Philadelphia is therefore based on the railroad carload rate. On the other hand, it is not customary for carlots of lettuce to be received at Atlantic City, New Jersey. Intermediate sellers in Atlantic City customarily purchase lettuce in less-than-carlot quantities from carlot receivers in Philadelphia and transport it to Atlantic City by truck or rail. The freight factor to be used in determining prices at Atlantic City, therefore, would be the Philadelphia freight factor, as determined above, plus the cost at the customary truck rate or rail rate (whichever is the cheapest customary and generally available method from Philadelphia to Atlantic City).

However, in the event a carlot or truckiot is sold by a country shipper on a delivered basis direct to a wholesale receiving point in a secondary market the seller's maximum price shall be figured direct to that wholesale receiving point. In the example above, a carlot or truckiot of lettuce sold directly to a wholesaler at Atlantic City would be priced on the basis of the railroad carload rate from the basing point to Atlantic City.

Regional Directors of the Office of Price Administration, and such district officers as they in turn may authorize, shall determine the cheapest method of transportation which is customary and generally available from the basing point or shipping point to each wholesale receiving point within their jurisdiction, and shall figure the freight to be used in determining maximum prices at each wholesale receiving point in markets within their jurisdiction.

[Subparagraph (7) amended by Am. 3, 8 F.R. 10673, effective 7-29-43; Am. 8, 8 F.R. 12951, effective 9-29-43; and Am. 55, 9 F.R. 10878, effective 9-1-44]

(8) "Basing point" means a selected point in an area of production designated as a basing point by the Appendices of Article III, section 15, from which freight to the wholesale receiving point is computed for the purposes of calculating a maximum price.

(9) "Basing point price" includes all charges for protective services, including icing, refrigeration and charges under appropriate railroad refrigeration rules such as rules 240, 242, 247, etc. It includes all charges except freight as defined in this regulation. If a person purchases fresh fruits or vegetables, f. o. b. country shipping point, all charges for re-icing in transit, demurrage, or other similar charges, shall be paid by such purchaser out of the maximum price provided for him.

[Subparagraph (9) amended by Am. 3, effective 7-29-43]

(10) "Net weight" means the actual weight of fresh fruits or vegetables without including the weight of the container or ice.

(11) "Records" means books of account, ledgers, sales and price lists, sales slips, receipts, invoices, bills of lading and other papers and documents.

(12) "Wholesale receiving point" means any place at which an intermediate seller receives fresh fruits or vegetables.

(13) "Market" means any area in which intermediate sellers sell fresh fruits and vegetables received at a particular wholesale receiving point.

(14) "Purveyor" means a person who (i) purchases the kind of fresh fruits and vegetables being priced, (ii) maintains facilities for washing, trimming, sorting, grading, repacking and warehousing and employs such of these facilities in connection with the sale of the particular goods being sold, as may be specified by the appropriate regional or district office, (iii) employs salesmen to call on institutional and commercial users, (iv) makes less-than-carlot or less-than-truckiot or less-than-original-container sales to restaurants, ships, hotels, hospitals, camps, or other institutional users, (v) delivers within the metropolitan area surrounding and including the city, town, village, or other populated area in which his warehousing and selling facilities are located, and (vi) performs such additional functions as may be defined by the appropriate regional or district office of the Office of Price Administration for the area in which the seller is located. A seller shall be considered a purveyor only when making sales to institutional users of goods which have been handled and sold in this manner, and no seller shall be considered a purveyor when selling unbroken containers.

[Subparagraph (14) added by Am. 17, 9 F.R. 790, effective 1-19-44]

(15) "Terminal sales platform" means a platform, building or other structure

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1025, 7201, 9835, 11273, 12919, 14436; 10 F.R. 862, 923, 2432.

(other than a store or warehouse) to which the particular commodity being priced has been moved from railroad cars or trucks standing alongside the structure.

[Subpargaraph (15) added by Am. 90, 10 F.R. 2245, effective 2-24-45]

(16) "Store or warehouse" means a structure at which the seller of the particular commodity being priced has facilities for storage, sorting, repacking and other handling of such commodity.

[Subparagraph (16) added by Am. 90, 10 F.R. 2245, effective 2-24-45; and amended by Am. 111, 10 F.R. 7343, effective 6-15-45]

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

ARTICLE II—ENFORCEMENT PROVISIONS AND MISCELLANEOUS PROVISIONS

SEC. 9. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 9a. *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 9a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

SEC. 10. *Relationship between this regulation, Maximum Price Regulation No. 376 and the General Maximum Price Regulation.*[2] (a) The provisions of this regulation supersede the provisions of Maximum Price Regulation No. 376 with respect to the fresh fruits and vegetables now or hereafter specified herein. However, the following provisions of the General Maximum Price Regulation, as well as any amendment thereto, shall be applicable to every fresh fruit and vegetable sale covered by this regulation:

(1) Current records (§ 1499.12).

(2) Sales slips and receipts (§ 1499.14).

(b) [Revoked.]

[Paragraph (b) revoked by Supplementary Order 72]

SEC. 11. *Evasion.* The price limitations which are set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to fresh fruits or vegetables alone or in conjunction with any other commodity or by way of commission, service, transportation or any other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

SEC. 12. *Petitions for amendment.* Persons seeking a modification of this regulation may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1[3] issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (9 F.R. 10628) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175 makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 13. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action to be taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any officer of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 13a. [Deleted]

[Sec. 13a added by Am. 110, 10 F.R. 6519, effective 6-1-45; and deleted by Am. 112, 10 F.R. 7403, effective 6-17-45]

SEC. 14. *Records.* (a) Every person subject to this regulation shall, so long as the Emergency Price Control Act of 1942, as amended, remains in effect, preserve for examination by the Office of Price Administration all his records, including invoices, sales tickets, cash receipts, or other written evidences of sale or delivery which relate to the prices charged pursuant to the provisions of this regulation.

(b) Every person subject to this regulation shall keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept, relating to the prices which he charges for fresh fruits and vegetables after the effective date of this regulation and in addition as precisely as possible, the basis upon which he determined maximum prices for these commodities.

SEC. 14a. *Notification provisions—(a) "Minimum net weight."* The first person (including a grower) who packs fresh fruits or vegetables in a crate, box, lug, or other container shall place on the container, in legible printing or writing, the "minimum net weight" of the fruit or vegetable.

(b) *Hothouse vegetables.* (1) Any person (including a grower) who packs hothouse vegetables in any container shall place on the container in legible printing or writing, the word "hothouse".

(2) Every invoice covering the sale of hothouse vegetables shall contain the word "hothouse" in the description of the vegetables being sold.

[Sec. 14a added by Am. 29, 9 F.R. 5926, effective 6-5-44]

ARTICLE III PRICE SCHEDULES

SEC. 15. *Appendices.*

Appendix A [Revoked]

[Appendix A amended by Am. 3, 8 F.R. 10673, effective 7-29-43 and Am. 5, 8 F.R. 11691, effective 8-21-43; revoked by Am. 51, 9 F.R. 10192, effective 8-19-44]

Appendix B [Revoked]

[Appendix B amended by Am. 3, 8 F.R. 10673, effective 7-29-43; Am. 6, 8 F.R. 11756, effective 8-23-43; Am. 8, 8 F.R. 12951, effective 9-29-43; Am. 10, 8 F.R. 15610, effective 11-15-43; Am. 31, 9 F.R. 6104, 6108, effective 6-4-44; and revoked by Am. 38, 9 F.R. 7583, effective 7-10-44]

Appendix C [Revoked]

[Appendix C added by Am. 1, 8 F.R. 9568, effective 7-10-43; amended by Am. 2, 8 F.R. 9727, effective 7-13-43 and 7-19-43; Am. 3, 8 F.R. 10673, effective 7-29-43; Am. 6, 8 F.R. 11756, effective 8-23-43; and revoked by Am. 25, 9 F.R. 4434, effective 4-27-44]

Appendix D [Revoked]

[Appendix D added by Am. 4, 8 F.R. 11589, effective 9-3-43, except that the f. o. b. shipping point prices in Column 5 of Appendix D shall become effective 8-19-43. Any regional office or such district office of the Office of Price Administration as may be authorized by the appropriate regional office may, by order, extend the effective date of Am. 4 with respect to the maximum prices named in Columns 7 and 8 of the table in Appendix D of section 15 for sales by any individual receiving a carlot of merchandise at a wholesale receiving point who (a) exhibits a bill of lading showing that the carlot was actually shipped from California prior to 8-19-43 and (b) shows that he cannot dispose of the merchandise prior to 9-3-43. The effective date may be extended only to such date that will permit the individual sufficient time in which to dispose of the merchandise, but in no event shall the effective date be extended beyond 9-3-43]

[Effective date provisions of Am. 4 amended by Am. 7, 8 F.R. 12098, effective 8-31-43]

[Appendix D later amended by Am 14 8 F.R. 16519, effective 12-6-43; and Am 16, 8 F.R. 17372, effective 12-23-43; revoked by Am. 46, 9 F.R. 9509, effective as follows:

(1) On 8-4-44 as to all sales f. o. b. shipping point.

(2) On 8-18-44 for all States wholly east of the Mississippi River except Illinois and Wisconsin.

(3) On 8-13-44 for all other States except California, Oregon, and Washington.

(4) On 8-7-44 for California, Oregon, and Washington]

[However as to grapes which were sold and shipped from the country shipping point before 8-4-44, the maximum prices at wholesale receiving points established by this amendment shall become effective on 8-28-44]

[Effective date provision of Am. 46 amended by Am. 50, 9 F.R. 10192, effective 8-18-44]

[1] 8 F.R. 13240

[2] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

[3] 9 F.R. 10476, 13715.

Appendix E [Revoked]

[Appendix E added by Am. 8, 8 F.R. 12951, effective 9-29-43 and revoked by Am. 52, 9 F.R. 10499, effective 8-26-44]

Appendix F [Revoked]

[Appendix F added by Am. 8, 8 F.R. 12951, effective 9-24-43, 9-29-43, 10-9-43; corrected 8 F.R. 14154, effective 10-1-43; revoked by Am. 13, 8 F.R. 16294, effective 11-30-43]

Appendix G [Revoked]

[Appendix G added by Am. 9, effective 10-7-43 as to f. o. b. shipping point prices. All other prices and provisions set forth in Am. 9 shall become effective 10-22-43; amended by Am. 12, 8 F.R. 16409, effective 12-3-43; Am. 17, 9 F.R. 790, effective 1-19-44; Am. 27, 9 F.R. 4787, effective 5-4-44; Am. 30, 9 F.R. 5959, effective 6-5-44; revoked by Am. 49, 9 F.R. 9785, effective 8-16-44]

APPENDIX H—MAXIMUM PRICES FOR CERTAIN FRESH FRUITS AND VEGETABLES

(a) *Explanation.* This appendix establishes maximum prices for certain sales of spinach, snap beans (green and wax), carrots, green peas, eggplant, sweet peppers, cucumbers, cabbage, lettuce, sweet potatoes, black raspberries, red raspberries, dewberries, watermelons, cantaloupes and other melons, red sour cherries, and such other fresh fruits and vegetables as may later be added. (These will be referred to as "listed commodities".) It supersedes the provisions of Maximum Price Regulation No. 376[1] (except as otherwise provided) which affect listed commodities and the provisions of all regional and district orders, issued under that regulation, which affect listed commodities.

Each of the listed commodities is covered by a separate table of prices. Provisions applying specially to a commodity are to be found in footnotes to the applicable table. Provisions applying to all the listed commodities are to be found in the paragraphs following the tables. The maximum markups which may be added to f. o. b. or delivered maximum prices, as the case may be, for certain types of sales common to all the listed commodities, are set forth in a separate table of general applicability. Thus, for each listed commodity a special table and a general table must be referred to.

The maximum prices for sales of the listed commodities in unbroken packages of not more than five pounds net weight of spinach, or not more than one pound net weight of any other listed commodity, which has been trimmed, cleaned, washed or otherwise prepared for sale to the ultimate consumer ready for consumption without further preparation, other than cooking is, in each case, the same as the seller's maximum price was for the item being priced, under Maximum Price Regulation 376. Such prices may be adjusted under the provisions of paragraph (f) (4) of this appendix.

The Office of Price Administration reserves the right to change the basing points named in this appendix at any time, or to establish new or additional basing points, without changing the maximum price, f. o. b. country shipping point.

[Paragraph (a) corrected, 9 F.R. 2091; amended by Am. 25, 9 F.R. 4434, effective 4-27-44; Am. 29, 9 F.R. 5926, effective 6-5-44; and Am. 55, 9 F.R. 10878, effective 9-1-44]

(b) *Maximum price tables applicable to individual listed commodities.* The following tables state the maximum prices which apply to certain sales of listed commodities by growers, country shippers, and by intermediate sellers. (For other transactions by these sellers, see the table in paragraph (c) and the provisions of paragraphs (d) and (e).)

Except as specified for bulk sales, the maximum prices named in the tables of this paragraph include all costs of harvesting, hauling, and packing, and no additional charge may be made for containers.

Regardless of whether maximum f. o. b. shipping point prices are named for any or all sales, all listed commodities are subject to the maximum prices named in Columns 6 and 7 of the following tables, irrespective of where produced or shipped.

[Above paragraph amended by Am. 25, 9 F.R. 4434, effective 4-27-44]

(1) For sales of listed commodities covered by this appendix made f. o. b. shipping point by growers or country shippers, if the seller furnishes precooling, initial icing or refrigeration services in any case, he may charge, in addition to the named f. o. b. shipping point price (see Column 5 of the applicable table in paragraph (b)), for the services furnished not in excess of the lowest of the following: (i) The lowest available common or contract carrier rates for the same services, (2) the amount the seller may charge for such services under Maximum Price Regulation No. 165,[2] or (3) the applicable amount permitted for protective services in the case of sales delivered to any wholesale receiving point. However, in each case the grower or country shipper shall show separately on his invoice the specific nature of the services furnished and the amount charged for the services.

For sales of listed commodities on a delivered basis, the maximum prices named include protective service allowances which cover any precooling, initial icing, refrigeration, or other services.

[Subparagraph (1) added by Am. 55, 9 F.R. 10878, effective 9-1-44]

[1] Revised: 10 F.R. 2097, 2250, 3925, 6231.

TABLE 1—MAXIMUM PRICES FOR CARROTS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping points in California-Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer.[3]
1....	Bunched carrots, full tops, in L. A. crates containing 72 bunches or more and with a minimum net weight of one pound per bunch.[4]	L. A. crate	Jan. 16-May 31	$3.00	$3.60 *plus* freight (including 3% transportation tax) from El Centro, California *plus* protective services.[5] [6]	Col. 6 price plus 90 cents.
2....			June 1-Jan. 15	$3.00	$3.00 *plus* freight (including 3% transportation tax) from Salinas, California *plus* protective services.[5] [6]	Col. 6 price plus 90 cents.
3....	Bunched carrots, full tops, in L. A. crates containing less than 72 bunches and in all other containers.[4] [7]	Per dozen bunches (minimum net weight per bunch—1 lb.).	Jan. 16-May 31	50 cents per dozen bunches.[7]	Maximum price above (Item 1) divided by 6.[7]	Col. 6 price plus 15 cents per dozen bunches.[7]
4....			June 1-Jan. 15	50 cents per dozen bunches.[7]	Maximum price above (Item 2) divided by 6.[7]	Col. 6 price plus 15 cents per dozen bunches.[7]
5....	Clipped topped carrots (with a minimum length of leaf stem of $1\frac{1}{2}$ inches and a maximum length of leaf stem 4 inches) sold in any container.[3]	Pound	Jan. 16-May 31	3.5 cents per pound.	Maximum price above (Item 1) divided by 85.	Col. 6 price plus $\frac{1}{10}$ cent per pound.
6....			June 1-Jan. 15	3.5 cents per pound.	Maximum price above (Item 2) divided by 85.	Col. 6 price plus $\frac{1}{10}$ cent per pound.
7....	Carrots without tops (topped) or with a leaf stem up to $1\frac{1}{2}$ inches in length sold in any container.[3]	Pound	Jan. 16-May 31	3.0 cents per pound.	Maximum price per pound above (Item 5) minus $\frac{1}{2}$ cent.	Col. 6 price plus $\frac{9}{10}$ cent per pound.
8....			June 1-Jan. 15	3.0 cents per pound.	Maximum price per pound above (Item 6) minus $\frac{1}{2}$ cent.	Col. 6 price plus $\frac{9}{10}$ cent per pound.

[1] Protective service allowance to be added shall be as follows: Jan. 16-March 31, 16 cents per L. A. crate; April 1-May 31, 26 cents per L. A. crate; June 1-November 30, 28 cents per L. A. crate; Dec. 1-Jan. 15, 16 cents per L. A. crate.

[2] For all wholesale receiving points in California no allowance shall be added for protective services.

[3] The maximum price for bunched carrots sold in bulk (loose without containers) shall be 10 cents per dozen bunches less than the appropriate price listed in Columns 5, 6, or 7. The maximum price in Columns 5 and 6 for clipped topped or topped carrots shall be reduced $\frac{1}{2}$ cent per pound for sales in bulk. The maximum price in Column 7 for clipped topped or topped carrots shall be reduced $\frac{4}{10}$ cent per pound for sales in bulk and in calculating that price the Column 6 price for sales in bulk shall be used.

[4] Carrots with full tops sold loose (not bunched) shall have the same maximum price per pound and provisions therefore as Items 7 and 8.

[5] For sellers covered by Column 7 see general provisions of this Appendix.

[6] The maximum price f. o. b. shipping point for bunched carrots weighing less than 1 pound per bunch shall be 4.2 cents per pound. The maximum price per pound for Column 6 shall be the delivered price determined for Items 1 and 2 divided by 72. The maximum price per pound for Column 7 shall be the Column 6 price for Items 1 and 2 plus $\frac{1}{10}$ cents per pound.

[7] For California and Arizona carrots packed in containers of 5 dozen bunches and having a net weight of 72 pounds, the Column 5 price is $2.50 per crate and Column 6 price is $3.00 per crate, plus freight from El Centro or Salinas, California, as the case may be (including 3% transportation tax) plus protective services in footnotes 1 and 2 above. The Column 7 price is the Column 6 price in the footnote plus 75¢.

[Table 1 corrected, 9 F.R. 2091; amended by Am. 29, 9 F.R. 5926, effective 6-5-44. Footnote 1 amended by Am. 55, 9 F.R. 10878, effective 9-1-44; footnote 3 amended by Am. 23, 9 F.R. 4086, effective 4-14-44; Am. 29; and Am. 35, 9 F.R. 7268, effective 7-1-44; footnote 7 added by Am. 64, 9 F.R. 12643, effective 10-21-44]

TABLE 2—MAXIMUM PRICES FOR SPINACH

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping points in Texas.	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[3]
1	Spinach in bushel containers with a minimum net weight of 18 pounds or more.	Bushel	Sept. 1-June 30	$1.15	$1.15 *plus* freight (including 3% transportation tax) from Crystal City, Texas *plus* 7 cents protective services.[1]	Col. 6 price plus 15 cents.
2			July 1-Aug. 31	To be announced later.		
3	Spinach in bushel containers with a net weight of less than 18 pounds and in all other containers.[2]	Pound	Sept. 1-June 30	6.4 cents per pound.	Maximum price above (item 1) divided by 18.	Col. 6 price plus 2½ cents per pound.
4			July 1-Aug. 31	To be announced later.		

[1] For all wholesale receiving points in that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Gillespie, Kerr, Edwards, and Val Verde, no allowance shall be added for protective services.
[2] The maximum price for spinach sold in bulk (loose without containers) shall be 1½ cents per pound less than the prices per pound listed in Columns 5, 6 or 7 above.
[3] For the sellers covered by Column 7 see general provisions of this appendix.

[Footnote 4 added by Am. 68, 9 F.R. 12537, effective 10-15-44 and deleted by Am. 111, 10 F.R. 7343, effective 6-15-45. Footnote 5 added by Am. 74, 9 F.R. 14437, effective 12-7-44 and deleted by Am. 111, 10 F.R. 7343, effective 6-15-45]

TABLE 3—MAXIMUM PRICES FOR GREEN PEAS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in California	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[1]
1	Green peas in bushel containers with a net weight of 28 pounds or more.	Bushel	Sept. 1-Mar. 31	$2.70[2]	$2.70[2] *plus* freight (including 3% transportation tax) from California, Calif., *plus* 12 cents for protective services.[1]	Col. 6 price plus 75 cents.
2			Apr. 1-Aug. 31	$2.80	$2.80 *plus* freight (including 3% transportation tax) from Santa Barbara, Calif., *plus* 20 cents for protective services.[1]	Col. 6 price plus 75 cents.
3	Green peas in bushel containers with a net weight of less than 28 pounds and in all other containers.[4]	Pound	Sept. 1-Mar. 31	12.5 cents per pound.[4]	Maximum price above (item 1) divided by 28.	Col. 6 price plus 2⅞ cents per pound
4			Apr. 1-Aug. 31	10.0 cents per pound.	Maximum price above (item 2) divided by 28.	Col. 6 price plus 2⅞ cents per pound.

[1] For all wholesale receiving points in California, the protective service allowance shall be 10 cents per bushel.
[2] The maximum price for green peas sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate price per pound listed in Column 5, 6, or 7.
[3] For the sellers covered by Column 7, see general provisions of this appendix.
[4] During the period beginning March 6 and ending March 31, 1945, "$3.05" is substituted for "$3.50" in Item 1, Columns 5 and 6, and "13.0 cents per pound" is substituted for "12.5 cents per pound" in Item 3, Column 5.

[Table 3 corrected, 9 F.R. 2091, effective 1-31-44. Footnote 4 added by Am. 78, 10 F.R. 49, effective 1-1-45; and amended by Am. 92, 10 F.R. 2521, effective 3-6-45]

TABLE 4—MAXIMUM PRICES FOR SNAP BEANS (GREEN OR WAX)

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and California.[1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[3]
1	Snap beans in bushel containers with a net weight of less than 28 pounds and in all other containers.[2]	Pound	Nov. 1-Dec. 31	11.6 cents per pound	(Maximum price above (item 1) divided by 28.	Col. 6 price plus 2⅞ cents per pound.
2			Jan. 1-Feb. 29	12.5 cents per pound.	(Maximum price above (item 2) divided by 28.	
3			Mar. 1-Apr. 30	11.6 cents per pound	(Maximum price above (item 3) divided by 28.	
4			May 1-May 31	9.6 cents per pound	(Maximum price above (item 4) divided by 28.	
5			June 1-June 30	9.6 cents per pound	(Maximum price above (item 5) divided by 28.	
6			Oct. 1-Oct. 31	9.6 cents per pound.	(Maximum price above (item 6) divided by 28.	

See footnotes at end of table.

TABLE 4—MAXIMUM PRICES FOR SNAP BEANS (GREEN OR WAX)—continued

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and California.[1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[3]
5	Snap beans in bushel containers with a net weight of less than 28 pounds and in all other containers.[2]	Pound	June 1-June 30	$2.70	($2.70 *plus* freight (including 3% transportation tax) from Pompano, Florida, *plus* 10 cents for protective services for all markets east of and including Chicago, Illinois; and from San Jose, California *plus* 10 cents for protective services for all markets west of Chicago, Illinois.[2]	Col. 6 price plus 75 cents.
6			Oct. 1-Oct. 31	$2.70	($2.70 *plus* freight (including 3% transportation tax) from Pompano, Florida, *plus* 10 cents protective services for all markets east of and including Chicago, Illinois; and from San Jose, California, *plus* 10 cents for protective services for all markets west of Chicago, Illinois.[2]	
7			Nov. 1-Dec. 31	11.6 cents per pound	(Maximum price above (item 1) divided by 28.	Col. 6 price plus 2⅞ cents per pound.
8			Jan. 1-Feb. 29	12.5 cents per pound.	(Maximum price above (item 2) divided by 28.	
9			Mar. 1-Apr. 30	11.6 cents per pound	(Maximum price above (item 3) divided by 28.	
10			May 1-May 31	9.6 cents per pound	(Maximum price above (item 4) divided by 28.	
11			June 1-June 30	9.6 cents per pound	(Maximum price above (item 5) divided by 28.	
12			Oct. 1-Oct. 31	9.6 cents per pound.	(Maximum price above (item 6) divided by 28.	

[1] Maximum price f. o. b. shipping point does not apply to California during the period Nov. 1-Feb. 29.
[2] For all wholesale receiving points in Florida for the period November 1 to June 30 and in California during the period March 1 to June 30 no allowance shall be added for protective services.
The maximum price for snap beans sold in bulk (loose without containers) shall be 1 cent per pound less than the prices per pound listed in Column 5, 6 or 7.
[3] For sellers covered by Column 7, see general provisions of this Appendix.
During the period beginning June 17, 1945 and ending June 30, 1945, the Column 6 price for snap beans grown in Arkansas and Tennessee shall be based on $3.00 rather than $2.70 and the Column 6 price for snap beans grown in Delaware, Maryland, New Jersey and Virginia shall be based on $2.85 rather than $2.70.

[Table 4 amended by Am. 23, 9 F.R. 4086, effective 4-14-44; Am. 28, 9 F.R. 4877, effective 5-5-44; Am. 31, 9 F.R. 6104, 6108, effective 6-4-44; Am. 53, 9 F.R. 10877, effective 9-4-44; Am. 67, 9 F.R. 13067, effective 11-1-44; Am. 71, 9 F.R. 13934, effective 12-1-44; Am. 76, 9 F.R. 15107, effective 1-1-45; Am. 78, 10 F.R. 49, effective 1-1-45; Am. 99, 10 F.R. 4817, effective 5-1-45; and Am. 112, 10 F.R. 7403, effective 6-17-45]

TABLE 5—MAXIMUM PRICES FOR EGGPLANT

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and California.[1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[3]
1	Eggplant in 1½ bushel crates with a net weight of 45 pounds or more for sale in all wholesale receiving points east of and including Chicago, Illinois.	1½ bushel crate	Jan. 1-July 15	$3.50[4] (Florida)	$3.50[4] *plus* freight (including 3% transportation tax) from Fort Myers, Florida *plus* 11 cents protective services.[4]	Col. 6 price plus 90 cents.
2	Eggplant in bushel containers with a net weight of 30 pounds or more for sale in all wholesale receiving points east of and including Chicago, Illinois.	Bushel	Jan. 1-July 15	$2.35[4] (Florida)	$2.35[4] *plus* freight (including 3% transportation tax) from Fort Myers, Florida *plus* 8 cents protective services.[4]	Col. 6 price plus 75 cents.
3	Eggplant in 1½ bushel crates with a net weight of less than 45 pounds and in bushel containers with a net weight of less than 30 pounds and in all other containers for sale in all wholesale receiving points east of and including Chicago, Illinois.[3]	Pound	Jan. 1-July 15	7.8[4] cents per pound (Florida).	Maximum price for item 1 above divided by 45.	Col. 6 price plus 2 cents per pound.
4	Eggplant in lug boxes with a net weight of 20 pounds or more for sale in all wholesale receiving points west of Chicago, Illinois.	Lug	Jan. 1-July 15	$1.85 (California)	$1.85 *plus* freight (including 3% transportation tax) from Indio, California *plus* 5 cents protective services.[3]	Col. 6 price plus 40 cents.
5	Eggplant in lug boxes with a net weight of less than 20 pounds and in all other containers for sale in all wholesale receiving points west of Chicago, Illinois.[3]	Pound	Jan. 1-July 15	9.3 cents per pound (California).	Maximum price for item 4 above divided by 20.	Col. 6 price plus 2 cents per pound.

[1] The maximum prices f. o. b. shipping point in Column 5 listed for Items 1, 2 and 3 apply to eggplant produced in Florida and Items 4 and 5 apply to eggplant produced in California.
[2] For all wholesale receiving points in California and Florida no allowance shall be added for protective services.
[3] The maximum price for eggplant sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate price per pound listed in Column 5, 6 or 7.
[4] For the sellers covered by Column 7, see general provisions of this Appendix.
During the period beginning May 21 and ending June 30, 1945, in Item 1, Columns 5 and 6, "$3.50" is changed to "$3.70" (per 1½ bushel crate); in Item 2, Columns 5 and 6, "$2.70" is changed to "$2.45" (per bushel); and in Item 3, Column 5, "7.8 cents per pound" is changed to "8.2 cents per pound".

[Table 5 corrected 9 F.R. 2091, effective 1-31-44; amended by Am. 76, 9 F.R. 15107, effective 1-1-45. Footnote 5 added by Am. 78, 10 F.R. 49, effective 1-1-45; amended by Am. 95, 10 F.R. 4156, effective 4-16-45; Am. 99, 10 F.R. 4817, effective 5-1-45; and Am. 104, F.R. 5797, effective 5-21-45]

TABLE 6—MAXIMUM PRICES FOR SWEET PEPPERS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[2]
1	Sweet peppers in 1⅑ bushel crates with a net weight of 37 pounds or more.	1⅑ bushel crates	(Jan. 1–May 31	$4.90[4]	Col. 5 price *plus* freight (including 3% transportation tax) from Pompano, Florida, *plus* 11 cents for protective services[1] for all markets east of and including Chicago, Illinois, and from Nogales, Arizona, *plus* 15 cents for protective services[1] for all markets west of Chicago, Illinois.	Col. 6 price plus 50 cents.
2			June 1–July 15	$3.75[4]		
3	Sweet peppers in bushel containers with a net weight of 25 pounds or more.	Bushel	(Jan. 1–May 31	$3.25[4]	Col. 5 price *plus* freight (including 3% transportation tax) from Pompano, Florida, *plus* 8 cents for protective services[1] for all markets east of and including Chicago, Illinois, and from Nogales, Arizona, *plus* 10 cents for protective services[1] for all markets west of Chicago, Illinois.	Col. 6 price plus 75 cents.
4			June 1–July 15	$2.70[4]		
5	Sweet peppers in 1⅑ bushel crates with a net weight of less than 37 pounds and in bushel containers with a net weight of less than 25 pounds and in all other containers[3]	Pound	(Jan. 1–May 31	11.7[4] cents per pound	Maximum price above item 1 divided by 42	Col. 6 price plus 2½ cents per pound.
6			June 1–July 15	8.9[4] cents per pound.	Maximum price above item 2 divided by 42	Col. 6 price plus 2¼ cents per pound.

[1] For all wholesale receiving points in the States of Florida and Arizona, no allowance shall be added for protective services.

[2] The maximum price for peppers sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate price per pound listed in Column 5, 6 or 7 above.

[3] For the sellers covered by Column 7, see general provisions of this appendix.

[4] This asterisk applies to sweet peppers sold f. o. b. shipping points in Florida and sweet peppers sold in all wholesale receiving points east of and including Chicago. During the period beginning May 21 and ending May 31, 1945, the column 5 price for such peppers shall be for Item 1—$5.90 (per 1⅑ bushel crate), for Item 3—$3.85 (per bushel), and for Item 5—14 cents per pound. During the period beginning June 1 and ending June 30, 1945, the column 5 price for such peppers shall be for Item 2—$4.15 (per 1⅑ bushel crate), for Item 4—$2.75 (per bushel), and for Item 6—9 cents per pound.

[Table 6 amended by Am. 26, 9 F.R. 4786, effective 5–4–44; Am. 29, 9 F.R. 5926, effective 6–5–44; Am. 35, 9 F.R. 7268, effective 7–1–44; and Am. 76, 9 F.R. 15107, effective 1–1–45. Footnote 4 added by Am. 78, 10 F.R. 49, effective 1–1–45; amended by Am. 95, 10 F.R. 4156, effective 4–16–45; Am. 99, 10 F.R. 4817, effective 5–1–45, and Am. 104, 10 F.R. 5797, effective 5–21–45]

TABLE 7—MAXIMUM PRICES FOR CUCUMBERS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida, Louisiana, California, and Iowa.[4] For season beginning July 1 prices shall apply to shipping points in all states.	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[3]
1	Cucumbers, except hothouse cucumbers, in bushel containers with a net weight of 48 pounds or more.	Bushel	Nov. 1–Dec. 31	$3.40	Col. 5 price *plus* freight (including 3% transportation tax) from Wauchula, Florida, *plus* 10 cents for protective services[1] for all markets east of and including Chicago, Illinois; and from Chula Vista, California, *plus* 10 cents for protective services for all markets west of Chicago, Illinois.	Column 6 prices plus 75 cents.
2			Jan. 1–Apr. 30	$3.00		
3			May 1–May 31	$3.40		
4			June 1–June 15	$3.15	Col. 5 price *plus* freight (including 3% transportation tax) from Ponchatoula, Louisiana, *plus* 10 cents for protective services[1] for all markets east of and including Chicago, Illinois, and from Chula Vista, California, *plus* 10 cents for protective services for all markets west of Chicago, Illinois.	
4a			June 16–June 30	$2.10		
4b			July 1–Sept. 30	$2.00, all States	Col. 5 price *plus* freight (including 3% transportation tax) *plus* actual cost of protective service furnished not to exceed the lowest common carrier charge for the same service (including 3% transportation tax).	
4b			Oct. 1–Oct. 31	$2.10	Col. 5 price *plus* freight (including 3% transportation tax) from Ponchatoula, Louisiana, for all markets east of and including Denver, Colorado, and from Modesto, California, for all markets west of Denver, Colorado; and *plus* 10 cents for protective services.	

See footnotes at end of table.

TABLE 7—MAXIMUM PRICES FOR CUCUMBERS—continued

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida, Louisiana, California, and Iowa.[4] For season beginning July 1 prices shall apply to shipping points in all states.	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[3]
5	Cucumbers, except hothouse cucumbers, in lug boxes with a net weight of 28 pounds or more.	Lug	Nov. 1–Dec. 31	$2.00	Col. 5 price *plus* freight (including 3% transportation tax) from Wauchula, Florida, *plus* 8 cents for protective services[1] for all markets east of and including Chicago, Illinois; and from Chula Vista, California, *plus* 8 cents for protective services for all markets west of Chicago, Illinois.[3]	Column 6 prices plus 45 cents.
6			Jan. 1–Apr. 30	$2.60		
7			May 1–May 31	$2.00		
8			June 1–June 15	$1.81	Col. 5 price *plus* freight (including 3% transportation tax) from Ponchatoula, Louisiana, *plus* 8 cents for protective services[1] for all markets east of and including Chicago, Illinois, and from Chula Vista, California, *plus* 8 cents for protective services for all markets west of Chicago, Illinois.[3]	
8a			June 16–June 30	$1.22		
8b			July 1–Sept. 30	$1.17, all States	Col. 5 price *plus* freight (including 3% transportation tax) *plus* actual cost of protective service furnished not to exceed the lowest common carrier charge for the same service (including 3% transportation tax).	
8b			Oct. 1–Oct. 31	$1.22	Col. 5 price *plus* freight (including 3% transportation tax) from Ponchatoula, Louisiana, for all markets east of and including Denver, Colorado, and from Modesto, California, for all markets west of Denver, Colorado; and plus 10 cents for protective services.	
9	Cucumbers, except hothouse cucumbers, in bushel containers with a net weight of less than 48 pounds and in lug boxes with a net weight of less than 28 pounds and in all other containers.[2]	Pound	Nov. 1–Dec. 31	7.1 cents per pound	(Maximum price for item 1 above divided by 48.	Col. 6 price plus 15/16 cents per pound.
10			Jan. 1–Apr. 30	10.4 cents per pound	(Maximum price for item 2 above divided by 48.	
11			May 1–May 31	7.1 cents per pound	(Maximum price for item 3 above divided by 48.	
12			June 1–June 15	6.6 cents per pound	(Maximum price for item 4 above divided by 48.	
12a			June 16–June 30	4.4 cents per pound	(Maximum price for item 4a above divided by 48.	
12b			July 1–Sept. 30	4.2 cents per pound all States.	(Maximum price for item 4b above divided by 48.	
13	Hothouse cucumbers in any container.	Pound	Oct. 1–Oct. 31	4.4 cents per pound	Col. 5 price plus express (including 3% transportation tax) from Davenport Iowa.[5]	Col. 6 price plus 2½ cents per pound.
14			Nov. 1–Dec. 31	13.8 cents per pound		
15			Jan. 1–Apr. 30	19.3 cents per pound		
16			May 1–May 31	13.8[6] cents per pound		
16a			June 1–June 30	11.3[6] cents per pound.		
16b			July 1–Sept. 30	11.3 cents per pound		
			Oct. 1–Oct. 31	11.3 cents per pound		

[1] For all wholesale receiving points in California, Louisiana, and Florida, no allowance shall be added for protective services.

[2] The maximum price for cucumbers sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate prices per pound listed in Columns 5, 6, or 7.

[3] For the sellers covered by Column 7, see general provisions of this appendix.

[4] Maximum prices f. o. b. shipping point for hothouse cucumbers apply only to Iowa.

[5] Express charges to be computed at the published less-than-carlot rate per 100 pounds without regard to minimum or fixed charges per package or per shipment. No protective service charge to be added to express shipments.

[6] The Column 5 price for hothouse cucumbers in any container shall be 12.8 cents per pound during June 1945.

[Table 7 amended by Am. 20, 9 F.R. 2023, effective 2–19–44; Am. 22, 9 F.R. 4030, effective 4–12–44; Am. 26, 9 F.R. 4786, effective 5–4–44; Am. 28, 9 F.R. 4877, effective 5–5–44; Am. 31, 9 F.R. 6104, 6108, effective 6–4–44; Am. 35, 9 F.R. 7268, effective 7–1–44; Am. 53, 9 F.R. 10877, effective 9–4–44; Am. 66, 9 F.R. 12973, effective 10–30–44; Am. 76, 9 F.R. 15107, effective 1–1–45; Am. 78, 10 F.R. 49, effective 1–1–45; Am. 84, 10 F.R. 1456, effective 2–1–45; Am. 88, 10 F.R. 2160, effective 2–21–45; and Am. 110, 10 F.R. 6519, effective 6–1–45]

TABLE 8—MAXIMUM PRICES FOR CERTAIN BERRIES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Kind of berries and production zone[1]	Unit[2]	Season	Maximum prices f.o.b. country shipping point	Maximum price for sales delivered at any wholesale receiving point in any quantity[2]	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional user.[3]
				Cents		
1a	Strawberries, Zone I	Pint	(Beginning of season–Mar. 15	26		
1b			Mar. 16–Apr. 15	24		
1c			Apr. 16–May 1	19½		
1d			May 2–end of season	[4] 16½		
2a	Strawberries, Zone I	Quart	(Beginning of season–Mar. 15	50		
2b			Mar. 16–Apr. 15	44		
2c			Apr. 16–May 1	37		
2d			May 2–end of season	[4] 32½		
3a	Strawberries, Zone I	Pound	(Beginning of season–Mar. 15	33		
3b			Mar. 16–Apr. 15	29½		
3c			Apr. 16–May 1	24½		
3d			May 2–end of season	[4] 21½		

See footnotes at end of table.

TABLE 8—MAXIMUM PRICES FOR CERTAIN BERRIES—continued

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Kind of berries and production zone [1]	Unit [2]	Season	Maximum prices f.o.b. country shipping point	Maximum price for sales delivered at any wholesale receiving point in any quantity [3]	Maximum prices for sales by certain persons in less than carlots or less than truckloads delivered to the premises of any retail store, Government procurement agency or institutional user [4]
				Cents		
1	Strawberries, Zone II	Pint	Entire season	20	Price in Column 5 plus freight from shipping point to wholesale receiving point, and *plus* actual cost of protective services, not to exceed a common carrier's lowest charge for the same services.	Price in Column 6 plus 3[illegible] for pints and pounds, or *plus* 2¢ for quarts.
2		Quart		39		
3		Pound		26½		
4	Strawberries, Zone III	Pint	Entire season	11		
5		Quart		27		
6		Pound		18		
7	Red raspberries, Zones I & II	Pint	Entire season	21		
8		Quart		40½		
9		Pound		27		
10	Red raspberries, Zone III	Pint	Entire season	14½		
11		Quart		27		
12		Pound		18		
13	Black raspberries, Zones I & II	Pint	Entire season	19½		
14		Quart		37½		
15		Pound		25		
16	Black raspberries, Zone III	Pint	Entire season	13		
17		Quart		24		
18		Pound		16		
19	Blackberries and dewberries,[5] Zones I & II.	Pint	Entire season	[6] 14		
20		Quart		[6] 27		
21		Pound		[6] 18		
22	Blackberries and dewberries,[5] Zone III.	Pint	Entire season	12		
23		Quart		22½		
24		Pound		15		

[5] Including both wild and cultivated blackberries and dewberries.

[1] Zone I consists of the states of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas and all states east thereof.
Zone II consists of the states of Montana, Wyoming, Colorado, Idaho, New Mexico, Arizona, Nevada, Utah, California, Oregon (counties of Wasco, Jefferson, Deschutes, Douglas, Coos, Curry and all counties east thereof) and Washington (counties of Okanogan, Chelan, Kittitas, Yakima, Klickitat and all counties east thereof).
Zone III consists of all other counties of Oregon and Washington.

[2] The per pound price applies to berries in all containers other than pints and quarts.

[3] In figuring a price under Column 6, or for sales made while the goods are in transit, the Column 5 price to be used is the price for the zone in which the berries were produced, in effect at the time of shipment from the country shipping point.

[4] The prices figured under Columns 6 and 7 are maximum prices for each lot or shipment of berries received and sold by the particular seller. For the sellers covered by Column 7, see general provisions of this appendix.

[6] During the period beginning May 21 and ending June 20, 1945 the column 5 price shall be for Item 1d (pint)—14½¢; for Item 2d (quart)—36¢; and for Item 3d (pound)—24¢.

[6] During the period beginning May 25, 1945, and ending June 20, 1945, the price in Column 5 for dewberries grown in Virginia and North and South Carolina shall be for Item 22 (pint) 16½¢; for Item 23 (quart) 32¢, and for Item 24 (pound) 21¢.

[Table 8 added by Am. 25, 9 F.R. 4434, effective 4-27-44; amended by Am. 33, 9 F.R. 7434, effective 7-3-44; and Am. 58, 9 F.R. 12038, effective 10-5-44. Footnote 5 added by Am. 79, 10 F.R. 459, effective 1-10-45; amended by Am. 83, 10 F.R. 1403, effective 2-1-45; Am. 86, 10 F.R. 2026, effective 2-21-45; Am. 97, 10 F.R. 4665, effective 4-26-45; and Am. 105, 10 F.R. 5797, effective 5-21-45. Footnote 6 added by Am. 93, 10 F.R. 2985, effective 3-16-45 and amended by Am. 107, 10 F.R. 6107, effective 5-25-45]

TABLE 9—MAXIMUM PRICES FOR WATERMELONS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Commodity	Unit	Season	Maximum price f.o.b. country shipping point	Maximum prices for sales delivered to any wholesale receiving point in any quantity.[1]	Maximum prices for sales by certain persons in less than carlots or less than truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer.[2]
1	Watermelons	Ton	Through July 1	$45.00	Price in Column 5 *plus* freight from country shipping point.	Price in Column 6 *plus* 1.3 cents per lb.
2		Pound		.0225		
3		Ton	July 5 and after	35.00		
4		Pound		.0175		

[1] [Deleted.]

[1] In determining the delivered price the Column 5 price to be used is the price in effect at the time the particular goods were shipped from the country shipping point.

[2] The prices named in Columns 6 and 7 are maximum prices for each individual lot or shipment of watermelons received and sold by the particular seller. For the sellers covered by Column 7 see the general provisions of this appendix.

[Table 9 added by Am. 34, 9 F.R. 7259, effective 6-29-44. Footnote 1 deleted by Am. 55, 9 F.R. 10878, effective 9-1-44]

TABLE 10—MAXIMUM PRICES FOR CANTALOUPS AND HONEYBALL MELONS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f.o.b. shipping points in California and Arizona [1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity [2]	Maximum prices for sales in less than carlots or less than truckloads delivered to the premises of any retail store, Government procurement agency, or institutional buyer [3]
1	Cantaloup or honeyball melons in jumbo crates with a net weight of 83 pounds or more.	Jumbo crate	Beginning of season-June 25	[4] $3.95	Col. 5 price *plus* freight from El Centro, Calif., *plus* protective services stated in Table A below.	Col. 6 price plus 95¢.
2			June 26-July 25	3.25		
3			July 26-end of season	2.80	Col. 5 price *plus* freight from Mendota, Calif., *plus* protective services stated in Table A below.	
4	Cantaloup or honeyball melons in standard crates with a net weight of 68 pounds or more.	Standard crate	Beginning of season-June 25	[4] 3.25	Col. 5 price *plus* freight from El Centro, Calif., *plus* protective services stated in Table A below.	Col. 6 price plus 85¢.
5			June 26-July 25	2.70		
6			July 26-end of season	2.30	Col. 5 price *plus* freight from Mendota, Calif., *plus* protective services stated in Table A below	
7	Cantaloup or honeyball melons in pony crates with a net weight of 57 lbs. or more.	Pony crate	Beginning of season-June 25	[4] 2.70	Col. 5 price *plus* freight from El Centro, Calif., *plus* protective services stated in Table A below.	Col. 6 price plus 70¢.
8			June 26-July 25	2.25		
8a			July 26-end of season	1.90	Col. 5 price *plus* freight from Mendota, Calif., *plus* protective services stated in Table A below.	
9	Cantaloup or honeyball melons in jumbo crates with a net weight of less than 83 pounds, in standard crates with a net weight of less than 68 pounds, in pony crates with a net weight of less than 57 pounds, and in all other containers.	Pound	Beginning of season-June 25	[4] .0477	Maximum price for item 1 above divided by 83.	Col. 6 price plus 1¾¢.
10			June 26-July 25	.0384	Maximum price for item 2 above divided by 83.	
11			July 26-end of season	.0337	Maximum price for item 3 above divided by 83.	
12	Cantaloup or honeyball melons in bulk (no container).	Pound	Beginning of season-June 25	[4] .0350	Col. 5 price *plus* freight from El Centro, Calif.	Col. 6 price plus 2½¢.
13			June 26-July 25	.0267		
14			July 26-end of season	.0210	Col. 5 price *plus* freight from Mendota, Calif.	

[1] For f. o. b. shipping point prices in certain other States, see Table 10 (a) below.

[2] In figuring a price under this Column, the Column 5 price to be used is the price in effect at the time of sale at the wholesale receiving point.

[3] For the sellers covered by Column 7 see general provisions of this appendix.

[4] During the period beginning May 23, 1945 and ending June 5, 1945, for cantaloups, the Column 5 price shall be for Item 1 (Jumbo crates with minimum net weight of 83 pounds) $7.20; for Item 4 (standard crates with a minimum net weight of 68 pounds) $5.50; for Item 7 (pony crates with a minimum net weight of 57 pounds) $4.65; for Item 9 (in all other containers) 8.68 cents per pound; and for Item 12 (in bulk) 7.41 cents per pound.

[Table 10 amended by Am. 42, F.R. 8148, effective 7-18-44; Am. 47, 9 F.R. 9512, effective 8-3-44; Am. 58, 9 F.R. 12038, effective 10-5-44; and Am. 106, 10 F.R. 5955, effective 5-23-45]

[NOTE: Order No. 4 under section 13a issued June 9, effective June 25, 1945, provides that: "Maximum prices set for cantaloups, honeyball melons and honeydew melons for the period May 1–June 25 (see Maximum Price Regulation 426, section 15, Appendix H, paragraph (b), Tables 10 and 11) shall apply through July 7, 1945, and that the maximum prices set for those melons for the period June 26–July 25 shall not be effective until July 8, 1945." (10 F.R. 7013)]

TABLE 10 (A)—MAXIMUM PRICES F. O. B. SHIPPING POINTS IN STATES OTHER THAN CALIFORNIA AND ARIZONA, FOR CANTALOUPS AND HONEYBALL MELONS—JULY 26—END OF SEASON

States	Container	Minimum net weight (pounds)	F. o. b. shipping point price— Per container	F. o. b. shipping point price— Per pound	States	Container	Minimum net weight (pounds)	F. o. b. shipping point price— Per container	F. o. b. shipping point price— Per pound
Colorado, New Mexico, Texas, and Utah.	Jumbo	83	$3.00		Georgia, North Carolina, South Carolina, and Ohio.	Jumbo	83	$3.65	
	Standard	68	2.60			Standard	68	3.20	
	Any other container			$0.0387		Any other container			$0.0467
	Bulk—no container			.0260		Bulk—no container			.0340
Oregon and Washington	Jumbo	83	3.15		Delaware, Maryland, New Jersey, and New York.	Jumbo	83	3.80	
	Standard	68	2.75			Standard	68	3.30	
	Any other container			.0407		Any other container			.0487
	Bulk—no container			.0280		Bulk—no container			.0360
Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, and Oklahoma.	Jumbo	83	3.50						
	Standard	68	3.05						
	Any other containers			.0447					
	Bulk—no container			.0320					

[Table heading amended by Am. 58, 9 F.R. 12038, effective 10-5-44]

TABLE 11—MAXIMUM PRICES FOR HONEYDEW MELONS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f.o.b. shipping points in Arizona and California	Maximum prices for sales delivered to any wholesale receiving point in any quantity [1]	Maximum prices for sales by certain persons in less than carlots or less than truck-lots delivered to the premises of any retail store, Government procurement agency or institutional buyer [2]
1	Honeydew melons in jumbo or standard honeydew crates with a net weight of 39 pounds or more.	Honeydew crate.	Beginning of season-June 25	$2.30	Col. 5 price *plus* freight from El Centro, Calif., *plus* protective services stated in Table A below.	Col. 6 price plus 70¢.
2			June 26-July 25	2.00		
3			July 26-end of season	1.85	Col. 5 price *plus* freight from Mendota, Calif., *plus* protective services stated in Table A below.	
4	Honeydew melons in jumbo cantaloup crates with a net weight of 58 pounds or more.	Jumbo crate	Beginning of season-June 25	3.45	Col. 5 price *plus* freight from El Centro, Calif., *plus* protective services stated in Table A below.	Col. 6 price plus 95¢.
5			June 26-July 25	3.00		
6			July 26-end of season	2.75	Col. 5 price *plus* freight from Mendota, Calif., *plus* protective services stated in Table A below.	
7	Honeydew melons in jumbo or standard crates with a net weight of less than 39 pounds, in jumbo cantaloup crates with a net weight of less than 58 pounds, and in all other containers.	Pound	Beginning of season-June 25	.0566	Maximum price for item 1 above divided by 39.	Col. 6 price plus 11½¢
8			June 26-July 25	.0513	Maximum price for item 2 above divided by 39.	
9			July 26-end of season	.0474	Maximum price for item 3 above divided by 39.	
10	Honeydew melons in bulk (no containers).	Pound	Beginning of season-June 25	.0104	Col. 5 price *plus* freight from El Centro, Calif.	Col. 6 price plus 1½¢.
11			June 26-July 25	.0321		
12			July 26-end of season	.0282	Col. 5 price *plus* freight from Mendota, Calif.	

[1] In figuring a price under Column 6, the Column 5 price to be used is the price in effect at the time of sale at the wholesale receiving point.
[2] For sellers covered by Column 7 see general provisions of this appendix.

[Table 11 amended by Am. 58, 9 F.R. 12038, effective 10-5-44]

[NOTE: Order No. 4 under section 13a issued June 9, effective June 25, 1945, provides that: "Maximum prices set for cantaloups, honeyball melons and honeydew melons for the period May 1-June 25 (see Maximum Price Regulation 426, section 15, Appendix H, paragraph (b), Tables 10 and 11) shall apply through July 7, 1945, and that the maximum prices set for those melons for the period June 26-July 25 shall not be effective until July 8, 1945." (10 F.R. 7013)]

TABLE 12—MAXIMUM PRICES FOR PERSIAN MELONS, CASABA MELONS, CRANSHAW MELONS, AND ALL OTHER MELONS (EXCEPT WATERMELONS) NOT MENTIONED IN APPENDIX B

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f.o.b. shipping points in Arizona and California	Maximum prices for sales delivered to any wholesale receiving point in any quantity [1]	Maximum prices for sales by certain persons in less than carlots or less than truck-lots delivered to the premises of any retail store, Government procurement agency or institutional buyer [2]
1	Persian melons in jumbo Persian crates with a net weight of 41 pounds or more.	Jumbo crate	All year	$2.35	Col. 5 price *plus* freight from Mendota, Calif., *plus* protective services stated in Table A below.	Col. 6 price plus 70¢.
2	Persian melons in standard Persian crates with a net weight of 37 pounds or more.	Standard crate.	All year	2.05		Col. 6 price plus 60¢.
3	Persian melons in pony Persian crates with a net weight of 35 pounds or more.	Pony crate	All year	1.90		Col. 6 price plus 57¢.
4	Persian melons in jumbo Persian crates with a net weight of less than 41 lbs., in standard Persian crates with a net weight of less than 37 lbs., in Persian pony crates with a net weight of less than 35 lbs. and in all other containers.	Pound	All year	.0548	Maximum price for item 3 above divided by 35.	Col. 6 price plus 11½¢.
5	Persian melons in bulk (no containers).	Pound	All year	.0376	Col. 5 price *plus* freight from Mendota, Calif.	Col. 6 price plus 11½¢.
6	Casaba melons in jumbo or standard crates with a net weight of 42 pounds or more.	Jumbo or standard crate.	All year	1.75	Col. 5 price *plus* freight from Mendota, Calif., *plus* protective services stated in Table A below.	Col. 6 price plus 50¢.
7	Casaba melons in jumbo or standard crates with a weight of less than 42 pounds, and in all other containers.	Pound	All year	.0417	Maximum price for item 6 above divided by 42 pounds.	Col. 6 price plus 12½¢.
8	Casaba melons in bulk (no containers).	Pound	All year	.0239	Col. 5 price *plus* freight from Mendota, Calif.	
9	Cranshaw melons in jumbo or standard crates with a net weight of 40 pounds or more.	Jumbo or standard crate.	All year	2.25	Col. 5 price *plus* freight from Mendota, Calif., *plus* protective services stated in Table A below.	Col. 6 price plus 60¢.
10	Cranshaw melons in jumbo or standard crates with a net weight of less than 40 pounds and in all other containers.	Pound	All year	.0562	Maximum price for item 9 above divided by 40.	Col. 6 price plus 11½¢.
11	Cranshaw melons in bulk (no containers).	Pound	All year	.0374	Col. 5 price *plus* freight from Mendota, Calif.	
12	All other melons, in any containers	Pound	All year	.0417	Col. 5 price *plus* freight from Mendota, Calif., *plus* protective services stated in Table A below.	Col. 6 price plus 13½¢.
13	All other melons, in bulk (no container).	Pound	All year	.0299		

[1] In figuring a price under Column 6, the Column 5 price to be used is the price in effect at the time of sale at the wholesale receiving point.
[2] For the persons covered by Column 7, see general provisions of this appendix.

[Table 12 amended by Am. 58, 9 F.R. 12038, effective 10-5-44]

TABLE A—ALLOWANCES FOR PROTECTIVE SERVICES TO BE USED IN CALCULATING MAXIMUM PRICES IN COLUMN 6 OF TABLES 10, 11, AND 12

Kind of melon	Container	Wholesale receiving points: In California and Arizona	Wholesale receiving points: In all other areas: West of and including Chicago	Wholesale receiving points: In all other areas: East of Chicago
		Cents	*Cents*	*Cents*
Cantaloup and Honeyball.	Jumbo crate	58	39	44
	Standard crate	15	34	38
	Pony crate	13	28	32
	Any other container, per pound.	1½	1½	3½
	Bulk (no container)	None	None	None
Honeydew	Jumbo or standard Honeydew crate.	10	22	25
	Jumbo cantaloup crate	18	39	44
	Any other container, per pound.	1½	2½	3½
	Bulk (no container)	None	None	None

Kind of melon	Container	Wholesale receiving points: In California and Arizona	Wholesale receiving points: In all other areas: West of and including Chicago	Wholesale receiving points: In all other areas: East of Chicago
		Cents	*Cents*	*Cents*
Persian	Jumbo crate	10	22	25
	Standard crate	9	20	23
	Pony crate	9	20	23
	Any other container, per pound.	1½	4½	3½
	Bulk (no container)	None	None	None
Casaba	Jumbo or standard crate	10	22	25
	Any other container, per pound.	1½	1½	3½
	Bulk (no container)	None	None	None
Cranshaw	Jumbo or standard crate	10	22	25
	Any other container, per pound.	1½	1½	3½
	Bulk (no container)	None	None	None
All other melons (except watermelons).	Any container, per pound	1½	1½	3½
	Bulk (no container)	None	None	None

[Tables 10, 10 (a), 11, 12, and A added by Am. 36, 9 F.R. 7580, effective 7-11-44 as to all sales f. o. b. country shipping point, as to all other sales as follows: 7-25-44, as to states wholly east of the Mississippi River except Illinois and Wisconsin; 7-20-44 as to all other states and amended as otherwise noted]

TABLE 13—MAXIMUM PRICES FOR CABBAGE

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Commodity, unit, style of pack [1]	Zone in which wholesale receiving point is located [2]	Season	Maximum prices f. o. b. shipping points [3]	Maximum prices for sales delivered to any wholesale receiving point in any quantity [4]	Maximum price for sales by certain persons in less than carlots or less than truck-lots delivered to the premises of any retail store, Government procurement agency or institutional buyer. [5]
1	Cabbage per lb. in any container	I	July 1 through Sept. 30	The appropriate price in Column 6, less actual cost to the buyer of protective services and freight from the shipping point to the wholesale receiving point.	*Cents* 3.3	Column 6 price plus 5½¢.
		II			3.0	
		III			2.7	

[1] For cabbage sold in bulk (loose without containers) or in containers supplied by the buyer, the maximum price is the price in the above table less 3½¢.
[2] The zones mentioned in Column 3 consist of the following states:
Zone I: Louisiana, Mississippi, Alabama, Georgia, South Carolina, Florida, and Texas.
Zone II: Kansas, Oklahoma, Missouri, Arkansas, Kentucky, Tennessee, Virginia, North Carolina, California, Arizona, Utah, New Mexico, Nevada, Wyoming, Montana, North Dakota, South Dakota, Nebraska, Idaho.
Zone III: All other states and the District of Columbia.
[3] The prices figured under Column 5 apply to buyers and not to sellers.
[4] The prices in Columns 6 and 7 include all allowances for freight, protective services and all other charges.
[5] For the sellers covered by Column 7 see the general provisions of this appendix.

[Table 13 added by Am. 38, 9 F.R. 7583, effective 7-10-44]

TABLE 14—MAXIMUM PRICES FOR SWEET POTATOES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Commodity and unit [1]	Zone [2]	Season	Maximum prices f.o.b. shipping point	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-car-lots or less-than-truck-lots delivered to the premises of any retail stores, Government procurement agency or institutional buyer. [3]
1	Sweet potatoes in a bushel containing not less than 50 lbs. if green, and 45 lbs. if cured.	I	July 15-Sept. 10	$3.05	The price in Column 5 for shipping points in Zone I in effect at the time the goods are sold at the wholesale receiving point, *plus* freight from basing point (Sunset, La.) to the wholesale receiving point, without allowance for protective services.	Price in Column 6 plus 50¢.
2		II		3.15		
3		III		3.25		
4		IV		3.45		
5		I	Sept. 11-Sept. 25	2.50		
6		II		2.60		
7		III		2.70		
8		IV		2.90		
9		I	Sept. 26-Nov. 3	1.90		
10		II		2.00		
11		III		2.10		
12		IV		2.30		
13		I	Nov. 4-Nov. 18	2.20		
14		II		2.30		
15		III		2.40		
16		IV		2.60		
17		I	Nov. 19-Feb. 3	2.60		
18		II		2.70		
19		III		2.80		
20		IV		3.00		
21		I	Feb. 4-Mar. 3	2.70		
22		II		2.80		
23		III		2.90		
24		IV		3.10		

See footnotes at end of table.

TABLE 14—MAXIMUM PRICES FOR SWEET POTATOES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Commodity and unit [1]	Zone [2]	Season	Maximum prices f. o. b. shipping point	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-car-lots or less-than-truck-lots delivered to the premises of any retail store, Government procurement agency or institutional buyer [3]
25	- sweet potatoes in a bushel containing not less than 50 lbs. if green and 45 lbs. if cured.	I	Mar. 1 Apr. 3	2.90	The price in Column 5 for shipping points in Zone 1 in effect at the time the goods are sold at the wholesale receiving point, *plus* freight from basing point (Sunset, La.) to the wholesale receiving point, without allowance for protective services.	Price in Column 6 plus 25c.
26		II		3.00		
27		III		3.00		
28		IV		3.00		
29		I	Apr. 4 May 3	3.10		
30		II		3.20		
31		III		3.00		
32		IV		3.15		
33		I	May 4 July 14	3.25		
34		II		3.35		
35		III		3.55		
36		IV				

[1] For sweet potatoes sold in containers other than those specified in Column 2, the maximum price per pound is the appropriate price in Column 5 or Column 6 for cured or green sweet potatoes, as the case may be, and for the appropriate reported season, divided by 50 in the case of green sweet potatoes or 45 in the case of cured sweet potatoes. For such sales the markup under Column 7, above, is 1c per pound. For sweet potatoes in bulk, the maximum price per pound is 1c less than the appropriate maximum price per pound according to this footnote for sweet potatoes in containers other than those specified in Column 2.

[2] Zone I consists of the states of Louisiana and Texas. Zone II consists of the states of Alabama, Arkansas, Florida, Georgia, Mississippi, Oklahoma, and South Carolina and Tennessee. Zone III consists of the states of Delaware, Kansas, Kentucky, Illinois, Indiana, Iowa, Maryland, Missouri, New Jersey, New Mexico, North Carolina, and Virginia. Zone IV consists of the state of California.

[3] For the sellers covered by Column 7 see general provisions of this appendix.

[Table 14 added by Am. 40, 9 F.R. 7774, effective 7-15-44 as for sales f. o. b. country shipping point, and 7-25-44 for all other sales; amended by Am. 55, 9 F.R. 10878, effective 9-1-44; Am. 68, 9 F.R. 13136, effective 11-4-44, and Am. 82, 10 F.R. 1540, effective 2-8-45. Heading amended by Am. 82]

TABLE 15—MAXIMUM PRICES FOR RED SOUR CHERRIES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.[1]	Unit	Season	Maximum prices f. o. b. shipping points	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlot or less than truckload quantities delivered to the premises of any retail store, Government procurement agency or institutional buyer [2]
1	Red Sour cherries with stems sold in any container.	Pound	Entire season	11 cents	Prices in Column 5 *plus* freight from shipping point to the wholesale receiving point, and *plus* actual costs of protective services not to exceed a common carrier's lowest charge for the same services.	Col. 6 price plus 1½ cents.
2	Red Sour cherries without stems sold in any container.	Pound	Entire season	9½ cents		

[1] The maximum price for red sour cherries sold in bulk (loose without containers or in containers furnished by the buyers) shall be 2 cents per pound less than the appropriate prices per pound for items 1 and 2 in Columns 5, 6, or 7.

[2] For sellers covered by Column 7 see general provisions of this appendix.

[Table 15 added by Am. 41, 9 F.R. 7834, effective 7-18-44, except for red sour cherries shipped from the shipping point and actually sold before 7-18-44 and except for red sour cherries shipped from the shipping point, before 7-12-44 whether sold or unsold]

TABLE 16—MAXIMUM PRICES FOR LETTUCE

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping points in California and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer [1]
1	Iceberg lettuce in L. A. or Salinas crates containing not less than 48 heads with a net weight of 60 pounds or more.	L. A. or Salinas crate	Dec. 1-Mar. 31	$3.25	$1.25 plus freight (including 3 percent transportation tax) from El Centro, California *plus* protective services [2]	Column 6 price *plus* 25 cents.
2		L. A. or Salinas crate	Apr. 1-Nov. 30	$3.25	$3.25 plus freight (including 3 percent transportation tax) from Salinas, California *plus* protective services [2]	Column 6 price *plus* 25 cents.
3	Iceberg lettuce in L. A. or Salinas crates containing less than 48 heads or with a net weight of less than 60 pounds and all other lettuce, except bothouse lettuce, in any container	Pound	Dec. 1-Mar. 31	5.1 cents per pound	Maximum price above (item 1) divided by 60.	Column 6 price *plus* 1½ cents per pound.
4		Pound	Apr. 1-Nov. 30	5.1 cents per pound	Maximum price above (item 2) divided by 60.	Column 6 price *plus* 1½ cents per pound.
5	Bothouse lettuce in any container.	Pound	All year		Maximum prices per pound above (items 3 and 4) *plus* 8 cents.	Column 6 price *plus* 10 cents per pound.

See footnotes at end of table.

[1] The maximum price for lettuce sold in bulk (loose without containers) shall be 1 cent less than the appropriate price per pound listed in Columns 5, 6, or 7.

[2] Protective service allowances shall be added in accordance with the following groups of wholesale receiving points during shipping seasons indicated.

Wholesale receiving points	Allowance for protective service per L. A. or Salinas crate (includes 3 percent transportation tax)				
	Jan.-Feb.	Mar.-Apr.	May	June 1 to Oct. 15	Oct. 16 to Dec. 31
1. In States wholly east of Mississippi River (except Wisconsin and Illinois)	0.16	0.20	0.25	0.35	0.20
2. In all other states except for intra-state shipments described in 3 below	.16	.20	.25	.25	.20
3. In California and Arizona, in cases where the shipping point and the wholesale receiving point are in the same state.		Entire season, 0.07			

[3] For sellers covered by Column 7, see general provisions of this appendix.

[Table 16 added by Am. 51, 9 F.R. 10192, effective 8-19-44. Footnote 2 amended by Am. 64, 9 F.R. 12643, effective 10-21-44]

(c) *Table of maximum markups applicable to all listed commodities.* The following table states the maximum markups which may be added for certain distributive services. In each case, the maximum price shall be figured by adding the appropriate markup to the named f. o. b. or delivered maximum price, as the case may be. In figuring maximum prices, markups may not be taken cumulatively.

Example. If a carlot receiver buys a carlot of snap beans delivered at the wholesale receiving point from a grower selling through a broker, the grower's ceiling price is the maximum delivered price plus the broker's fee (not to exceed 11¢ per bushel) and the carlot receiver's ceiling price on the resale is the maximum carlot delivered price plus 40¢. In other words, the broker's fee comes out of the 40¢ and is not added to it.

AMT. OF MAXIMUM MARKUPS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE

[See Columns 5 and 6 of tables in paragraph (b)]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
			Sales by a grower or a country shipper [1]					Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency, or institutional buyer, within the free delivery zone [2]	
Item No.	Commodity	Unit [3]	Through a broker, shipper's sales agent or commission merchant in carlots or trucklots or through broker, shipper sales agent, or auction in less-than-carlot or less-than-truckload	Through a commission merchant in less than carlots or less than truckloads	Sales by anyone, other than a grower or country shipper, who has purchased a carlot or truckload, and sells such a carlot or truckload unbroken	Sales by carlot receivers in less-than-carlots or less-than-truckloads. (For sales by carlot receivers through auction the mark-ups named in Col. 4 shall be applied)	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser	Half container or larger or in bulk in any quantity	Less than half container
1	Snap beans	(Bushel	$0.11	$0.40	$0.11	$0.40	$0.75	$0.75	3½¢ per lb.
		Other containers (or in bulk)	½¢ per lb.	1½¢ per lb.	½¢ per lb.	1½¢ per lb.	2½¢ per lb.	2½¢ per lb.	
2	Peppers	(Bushel	$0.14	$0.50	$0.14	$0.50	$0.90	$0.90	3½¢ per lb.
		Other containers (or in bulk)	¾¢ per lb.	1¼¢ per lb.	¾¢ per lb.	1¼¢ per lb.	2½¢ per lb.	2½¢ per lb.	
3	Egg plant	(½ bu. crate	$0.14	$0.50	$0.14	$0.50	$0.90	$0.90	3¢ per lb.
		Bushel	$0.11	$0.40	$0.11	$0.40	$0.75	$0.75	
		Other containers (or in bulk)	¾¢ per lb.	1¼¢ per lb.	¾¢ per lb.	1¼¢ per lb.	2¢ per lb.	2¢ per lb.	
4	Cucumbers	(Other than hothouse, bushel	$0.11	$0.40	$0.11	$0.40	$0.75	$0.75	2½¢ per lb.
		Lugs	$0.07	$0.22	$0.07	$0.22	$0.45	$0.45	
		Other containers (or in bulk)	½¢ per lb.	½¢ per lb.	½¢ per lb.	½¢ per lb.	1½¢ per lb.	1½¢ per lb.	3½¢ per lb.
		Hothouse—All containers (or in bulk)	½¢ per lb.	1½¢ per lb.	½¢ per lb.	1½¢ per lb.	2½¢ per lb.	2½¢ per lb.	
5	Spinach	(Bushel	$0.07	$0.25	$0.07	$0.25	$0.45	$0.45	3½¢ per lb.
		Other containers (or in bulk)	¾¢ per lb.	1½¢ per lb.	½¢ per lb.	1½¢ per lb.	2½¢ per lb.	2½¢ per lb.	
		L. A. Crate (containing 72 bunches or more and with a minimum net weight of one pound per bunch).	$0.14	$0.50	$0.14	$0.50	$0.90	$0.90	
		Per dozen bunches	2¼¢	$0.09	2¼¢	$0.09	$0.15	$0.15	2¢ per doz.
6	Carrots	(Minimum net weight per bunch—1 lb.)							
		Other bunches, per pound	2½¢	7½¢	2½¢	7½¢	13½¢	13½¢	13½¢ per lb.
		Clipped, topped 50# (in containers).	$0.07	$0.25	$0.07	$0.25	$0.45	$0.45	
		Topped 50# (in containers)	$0.07	$0.25	$0.07	$0.25	$0.45	$0.45	1.2¢ per lb.
		Clipped topped or topped (in containers) per lb.	½¢	½¢	½¢	½¢	¾¢	¾¢	
		(Bulk per lb.	½¢	¾¢	½¢	¾¢	¾¢	¾¢	
7	Peas	(Bushel	$0.11	$0.40	$0.11	$0.40	$0.75	$0.75	3½¢ per lb.
		Other containers (or in bulk)	½¢ per lb.	1½¢ per lb.	½¢ per lb.	1½¢ per lb.	2½¢ per lb.	2½¢ per lb.	
8	Strawberries, blackberries, dewberries, red and black raspberries.	(Pint	½¢	2½¢	½¢	2½¢	5¢	5¢	
		Quart	½¢	2½¢	½¢	2½¢	5¢	5¢	
		Pound	½¢	1½¢	½¢	1½¢	3½¢	3½¢	
		24 pint crate	$0.10	$0.45	$0.10	$0.45	$0.80	$0.80	
		24 quart crate	$0.15	$0.70	$0.15	$0.70	$1.20	$1.20	
9	Watermelon	(Pound	2½¢	½¢	2½¢	½¢	1½¢	1½¢	
10	Cantaloup and Honeyball melons.	(Jumbo	$0.14	$0.52	$0.14	$0.52	$0.95	$0.95	
11		(Standard	$0.13	$0.47	$0.13	$0.47	$0.85	$0.85	
12		(Pony	$0.11	$0.39	$0.11	$0.39	$0.70	$0.70	
13		(Pound	2½¢	7½¢	2½¢	7½¢	13½¢	13½¢	
14	Honeydew melons	(Jumbo or Standard	$0.09	$0.33	$0.09	$0.35	$0.60	$0.60	
15		(Jumbo Cantaloup	$0.14	$0.52	$0.14	$0.52	$0.95	$0.95	
16		(Pound	2½¢	8½¢	2½¢	8½¢	15½¢	15½¢	
17	Persian melons	(Jumbo	$0.11	$0.39	$0.11	$0.39	$0.70	$0.70	
18		(Standard	$0.09	$0.33	$0.09	$0.33	$0.60	$0.60	
19		(Pony	$0.08	$0.30	$0.08	$0.30	$0.55	$0.55	
20		(Pound	2½¢	8½¢	2½¢	8½¢	15½¢	15½¢	
21	Casaba melons	(Jumbo or Standard	$0.08	$0.28	$0.08	$0.28	$0.50	$0.50	
22		(Pound	2½¢	7½¢	2½¢	7½¢	12½¢	12½¢	
23	Cranshaw melons	(Jumbo or Standard	$0.09	$0.33	$0.09	$0.33	$0.60	$0.60	
24		(Pound	2½¢	8½¢	2½¢	8½¢	15½¢	15½¢	
25	All other melons except watermelons.	(Pound	2½¢	7½¢	2½¢	7½¢	12½¢	12½¢	

TABLE OF MAXIMUM MARKUPS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE—Con.

[See Columns 5 and 6 of tables in paragraph (b)]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
			Sales by a grower or a country shipper [1]					Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency, or institutional buyer within the free delivery zone:	
Item No.	Commodity	Unit [2]	Through a broker, shipper's sales agent or commission merchant in carlots or trucklots or through broker, shipper's sales agent, or wholesaler in less-than-carlot or less-than-trucklot	Through a commission merchant in less-than-carlots or less-than-trucklots	Sales by anyone, other than a grower or country shipper, who has purchased a carlot or trucklot, and sells such a carlot or trucklot unbroken	Sales by carlot receivers in less-than-carlots or less-than-trucklots. (For sales by carlot receivers through auction the mark-ups named in Col 4 shall be applied	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser	Half container or larger or in bulk in any quantity	Less than half container
26	Cabbage	(50 lb. sack	$0.05	$0.25	$0.07	$0.25	$0.45	$0.45	
		(Other containers (or in bulk)	1¢ per lb.	5¢ per lb.	1½¢ per lb.	5¢ per lb.	9¢ per lb.	9¢ per lb.	1½¢ per lb.
27	Sweetpotatoes	(Bu.	5¢	25¢	5¢	25¢	55¢	55¢	
		(Lb.	1¢¢	5½¢	1½¢	5½¢	1¢	1¢	1½¢
28	Red sour cherries	Pound	2½¢	5½¢	4½¢	5½¢	11½¢	11½¢	13½¢
29	Lettuce	(L. A. or Salinas crate	$0.14	$0.70	$0.14	$0.70	$1.80	$1.80	
30		(Other containers (or in bulk)	2½¢	5½¢	4½¢	5½¢	11½¢	11½¢	21½¢

[1] Charges determined under MPR 165 shall be used instead of those listed in this table if such charges are lower than the mark-ups listed.

[2] Mark-ups listed in Column 9 are on a full container basis (except where otherwise specified). Where the total quantity sold is a half container or larger but less than a full container, the per pound or other unit mark-up shall be used, whether the goods are sold in a container or in bulk. Where the total quantity sold is in less than a half container, the per pound or unit mark-up in Column 10 shall be used. Column 10 shall not apply to sales made in bulk.

[3] The listed red sour cherry containers listed in this column must not exceed in the minimum net weight specified in Column 2 of the applicable table in paragraph (b). For listed red sour cherry containers containing less than this minimum net weight the per pound mark-up shall apply.

[4] [Deleted.]

[Table amended by Am. 23, 9 F.R. 4086, effective 4-14-44; Am. 25, 9 F.R. 4434, effective 4-27-44; Am. 26, 9 F.R. 4786, effective 5-4-44; Am. 29, 9 F.R. 5926, effective 6-5-44; Am. 33, 9 F.R. 7434, effective 7-3-44; Am. 34, 9 F.R. 7259, effective 6-29-44; Am. 35, 9 F.R. 7268, effective 7-1-44; Am. 36, 9 F.R. 7580, effective 7-11-44 as to all sales f. o. b. country shipping point, and as to all other sales as follows: 7-25-44 as to states wholly east of the Mississippi River except Illinois and Wisconsin; 7-20-44 as to all other states; Am. 38, 9 F.R. 7583, effective 7-10-44; Am. 40, 9 F.R. 7774, effective 7-15-44 for sales f. o. b. country shipping point, and 7-25-44 for all other states; Am. 41, 9 F.R. 7834, effective 7-18-44, except for red sour cherries shipped from the shipping point and actually sold before 7-18-44 and except for red sour cherries shipped from the shipping point, before 7-12-44, whether sold or unsold; Am. 42, 9 F.R. 8148, effective 7-18-44; Am. 51, 9 F.R. 10192, effective 8-19-44; and Am. 64, 9 F.R. 12643, effective 10-21-44. Table heading amended by Am. 55, 9 F.R. 10878, effective 9-1-44 and Am. 85, 10 F.R. 1910, effective 2-19-45. Footnote 4 added by Am. 66, 9 F.R. 12973, effective 10-30-44 and deleted by Am. 78, 10 F.R. 49, effective 1-1-45]

(d) *Provisions applicable to growers and country shippers*—(1) *Prohibition against certain payments.* No grower or country shipper shall receive, and no person shall pay to any grower or country shipper, an amount in excess of the maximum price f. o. b. (if sold f. o. b.) or the maximum price for delivered sales (if sold delivered) (see Columns 5 and 6 of the applicable table in paragraph (b)), regardless of the type of sale or the type of purchaser, and regardless of any existing or future commitment between buyer and seller. However, this rule does not affect any allowance made to growers and country shippers for sales through agents for precooling, initial icing or refrigeration services in sales f. o. b. shipping point; to ultimate consumers; delivered to the premises of retail stores, designated receiving depots of government procurement agencies, institutional buyers, intermediate sellers and retailers' warehouses; or in farmers' markets.

No person who does not pack and ship the listed commodity being priced and who does not regularly operate a packing and shipping plant for that commodity, shall purchase acreage at a price which, after the costs of harvesting, hauling and packing have been added, results in a price higher than the maximum price, f. o. b. shipping point, listed in the applicable table in paragraph (b).

Example.—Suppose a retailer wishes to buy an unharvested field of carrots from a grower. The amount which he pays the grower for the carrots, plus the cost of harvesting, hauling and packing, may not exceed the maximum price, f. o. b. shipping point, for carrots in the kind of container in which they are being packed, as set forth in the table for carrots in paragraph (b).

"Country shipper" means any person, including a grower, grower's cooperative, or packer, who grades, sizes, packs or otherwise prepares the listed commodity being priced for shipment and who sells the commodity from a farm, orchard, grove or other country shipping point. A person who has the listed commodity packed or prepared for him for sale shall be deemed to be a "country shipper", and the country shipping point shall be deemed to be the place where the particular fruits or vegetables have been prepared for shipment.

"Ultimate consumer" means a person who buys the listed commodity being priced for direct consumption. However, as used in this appendix, the term does not include a commercial, industrial, or institutional user or government procurement agency.

[Subparagraph (1) amended by Am. 35, 9 F.R. 7268, effective 7-1-44; and Am. 55, 9 F.R. 10878, effective 9-1-44]

(2) *Sales by growers or country shippers direct and through brokers, shippers' sales agents, commission merchants or auctions.* (i) For sales of listed commodities by growers or country shippers in carlots or trucklots through a broker, shipper's sales agent or commission merchant or in less-than-carlots or less-than-trucklots through a broker or shipper's sales agent, the maximum price in each case is the maximum price, f. o. b. country shipping point or the maximum delivered price in Column 6, as the case may be, for the particular goods being priced, as named in the applicable table in paragraph (b), plus the actual commission or fee charged for the particular sale, not to exceed the maximum allowable commission, or fee which such selling agent may charge under Maximum Price Regulation No. 165 or the markup shown in Column 4 of the table in paragraph (c), whichever is lower.

"Broker" or "shipper's sales agent" means a person other than a commission merchant or a salaried representative of a grower or country shipper, who for a commission or fee sells the particular goods being priced on behalf of his principal, without packing any part of the particular goods sold.

"Commission merchant" means a seller's agent who receives the particular goods being priced and who, for commission or fee, sells it in a terminal market or other wholesale receiving point, and who performs the wholesale functions of unloading cars or trucks and selling in less than carlots or less than trucklots on behalf of his principal, or who sells carlots or trucklots on behalf of his principal.

"Commission" or "fee" means the charge made by an agent for services performed in connection with the sale of the particular goods being priced. No amount which the agent pays over to his principal shall be considered part of his fee or commission.

[Headnote amended by Am. 25, 9 F.R. 4434, effective 4-27-44; and Am. 35, 9 F.R. 7268, effective 7-1-44. Subparagraph (1) amended by Am. 23, 9 F.R. 4086, effective 4-14-44; and Am. 55, 9 F.R. 10878, effective 9-1-44]

(ii) For sales of listed commodities by growers or country shippers through a commission merchant in less-than-carlots or less-than-trucklots, the maximum price in each case is the maximum delivered price for the listed commodity, as named in Column 6 of the applicable table in paragraph (b), plus the actual commission or fee charged for the particular sale, not to exceed the maximum allowable commission or fee which such selling agent may charge under Maximum Price Regulation No. 165 or the markup named in Column 5 of the table in paragraph (c), whichever is lower. (For deliveries made in conveyances owned by the seller, see paragraph (iv), below.)

Example. Assume that the maximum price for a carlot of carrots in L. A. crates delivered in a particular market is $4.50 per crate. Assume that the commission merchant's actual fee (and his maximum fee under MPR 165) is 7½ of the selling price, or $0.34 per crate. The maximum markup in Column 5 of the table in paragraph (c) is $0.50 per crate. The maximum price for sales through the commission merchant is therefore $4.50 plus $0.34 or $4.84 per crate.

[Subparagraph (ii) amended by Am. 23, 9 F.R. 4086, effective 4-14-44]

(iii) The maximum price in each case for sales by growers or country shippers through any auction is the maximum price, f. o. b. country shipping point, in the case of sales through auction at a country shipping point, or the maximum delivered price, in the case of sales through auction at a terminal market or other wholesale receiving point, as named in Column 6 of the applicable table in paragraph (b), plus the respective actual commissions or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165, plus any actual unloading charges in the terminal market, or, the markup named in Column 4 of the table in paragraph (c), whichever is lower.

"Auction" means a place where, on the basis of competitive bidding open to any person who has established credit with the auction company or pays cash, the listed commodity being priced is sold by persons operating through a licensed sales organization, known as an "auction company", for whose services a fee is charged.

[Subparagraph (iii) amended by Am. 23, and Am. 25, 9 F.R. 4434, effective 4-27-44]

(iv) For sales by growers or country shippers delivered, within a radius of 225 miles of the country shipping point, directly from the grower's farm, ranch or place of business at the country shipping point to the premises of (1) retail stores where resale is made to ultimate consumers, (2) institutional buyers, or (3) designated receiving depots of government procurement agencies, where the delivery of the particular goods being priced is made in an "original conveyance", owned or leased and operated by the grower or country shipper (and not furnished, owned or controlled, directly or indirectly, by the buyer), the maximum price in each case is the price for the listed commodity named in Column 7 of the applicable table in paragraph (b).

"Original conveyance" means the first conveyance (other than a railroad car) in which the particular goods being priced are loaded for shipment at the country shipping point.

[Subparagraph (iv) amended by Am. 23, 9 F.R. 4086, effective 4-14-44 and Am. 35, 9 F.R. 7268, effective 7-1-44]

(v) For sales by growers or country shippers delivered, within a radius of 225 miles of the country shipping point, directly from the grower's farm, ranch or place of business at the country shipping point to the premises of intermediate sellers or retailers' warehouses, where the delivery of the particular goods being priced is made in an "original conveyance", owned or leased and operated by the grower or country shipper (and not furnished, owned or controlled, directly or indirectly, by the buyer), the maximum price in each case is the price for the listed commodity named in Column 6 of the applicable table in paragraph (b) plus one-half the amount named in Column 7 of the table in paragraph (c) for the unit of the listed commodity being sold.

(vi) For sales by growers or country shippers in a farmer's market located at a wholesale receiving point within a radius of 225 miles of the country shipping point, where the goods being priced have been transported to the farmer's market in an "original conveyance", owned or leased and operated by the grower or country shipper (and not furnished, owned or controlled directly or indirectly by the buyer), the maximum price in each case is the price for the listed commodity named in Column 6 of the applicable table in paragraph (b) plus the amount named in Column 7 of the table in paragraph (c) for the unit of the listed commodity being sold.

(vii) For sales by growers or country shippers to ultimate consumers, the maximum price in each case is the price for the listed commodity named in Column 7 of the applicable table in paragraph (b) multiplied by 1.33. However, such price shall not exceed any applicable community price established by the Office of Price Administration.

(viii) For sales by growers and country shippers not covered by subdivisions (i) through (vii), the maximum price in each case shall be the appropriate price for the listed commodity named in Columns 5 and 6 of the applicable table in paragraph (b).

[Subparagraphs (v), (vi), (vii), and (viii) added by Am. 35, 9 F.R. 7268, effective 7-1-44]

(e) *Maximum prices for sales by persons other than growers or country shippers.* (1) If any person other than a grower or country shipper purchases and resells a listed commodity in unbroken carlots or trucklots, the maximum price in each case is the maximum price, f. o. b. country shipping point, or the maximum delivered price, in Column 6 as the case may be, in the applicable table in paragraph (b) plus the markup named in Column 6 of the table in paragraph (c).

[Subparagraph (1) corrected 9 F.R. 2091, effective 1-31-44; amended by Am. 23, 9 F.R. 4086, effective 4-14-44]

(2) The maximum price in each case for sales by persons other than growers and country shippers through a terminal auction is the maximum delivered price, as named in Column 6 of the applicable table in paragraph (b), plus the respective actual commission or fee charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165, plus any actual unloading charges in the terminal market, or, the markup named in Column 4 of the table in paragraph (c), whichever is lower.

[Subparagraph (2) amended by Am. 23, 9 F.R. 4086, effective 4-14-44]

(3) The maximum price in each case for sales of less-than-carlots or less-than-trucklots by carlot or trucklot receivers is the maximum delivered price for the particular goods being priced in Column 6 of the applicable table of paragraph (b) plus the markup named in Column 7 of the table in paragraph (c). This price does not include delivery charges. If the seller makes delivery, he may also add the amount which the appropriate regional or district office determines to be applicable to deliveries in these cases (see paragraph (f)).

"Carlot receiver" or "trucklot receiver" means a person who for his own account and profit buys the particular goods being priced in unbroken carlots or unbroken trucklots for resale, in less-than-carlots or less-than-trucklots, to persons other than ultimate consumers. For sales of particular goods in unbroken carlots or trucklots, the seller shall not be considered a carlot receiver.

(4) The maximum price in each case for sales by secondary jobbers on a delivered basis is the maximum delivered price for the particular goods in Column 6 of the applicable table in paragraph (b) plus the markup named in Column 8 of the table in paragraph (c). "Delivered" means delivered to the buyer's premises within the free delivery zone and, in the case of retailers, delivered to the retail store.

The maximum price in each case for sales by secondary jobbers not on a delivered basis is the maximum price for sales on a delivered basis less five cents per container for containers under 50 pounds (gross weight) and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (f)).

"Secondary jobber" means a person other than a retailer who for his own account and profit purchases the particular goods being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

[Subparagraphs (3) and (4) amended by Am. 23, 9 F.R. 4086, effective 4-14-44; and Am. 55, 9 F.R. 10878; effective 9-1-44]

(5) The maximum price in each case for sales by service wholesalers on a delivered basis is the maximum delivered price for the listed commodity in Column 6 of the applicable table in paragraph (b) plus the markup named in Column 9 of the table in paragraph (c). "Delivered" means delivered to the buyer's premises within the free delivery zone and, in the case of retailers, delivered to the retail store.

A service wholesaler, when selling the listed commodity being priced on a delivered basis in quantities of less than one half-container, may add to the maximum delivered price for the listed commodity in the applicable table in paragraph (b) the markup named in Column 10 of the table in paragraph (c) but only if he has first offered to sell to the buyer on a full package basis.

The maximum price in each case for sales by service wholesalers not on a delivered basis is the maximum price for sales on a delivered basis less five cents per container for containers under 50 pounds (gross weight) and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (f)).

"Service wholesaler" means a person who maintains a store or warehouse at which the particular goods being priced is received and stored or warehoused, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, repacking and other handling of the listed commodity, who employs salesmen to call on the trade in the city or country points which he services, and who sells the particular goods being priced to retail stores, government procurement agencies or institutional buyers.

[Subparagraph (5) amended by Am. 23, 9 F.R. 4086, effective 4-14-44]

(6) The maximum price for sales by secondary jobbers or service wholesalers delivered to the premises of any purchaser located outside of the free delivery zone is the maximum delivered price in Column 6 of the applicable table in paragraph (b) plus the applicable markup named in Columns 8, 9, or 10 of the table in paragraph (c), plus the cost of transportation, beyond the free delivery zone, figured at the lowest common or contract carrier rate for available transportation, from the seller's place of business to the premises of the purchaser. The amount added for transportation shall not exceed 25 cents per cwt. for the first 25 miles beyond the free delivery zone and five cents per cwt. for each successive 25 miles, and the total amount may not exceed 50 cents per cwt., except as these amounts may be changed by the appropriate regional or district office (see paragraph (f)).

[Subparagraph (6) amended by Am. 23, 9 F.R. 4086, effective 4-14-44]

(7) [Revoked]

[Subparagraph (7) revoked by Am. 23, 9 F.R. 4086, effective 4-14-44]

(8) All weighing and packing by growers and country shippers of the listed commodities shall be done in accordance with customary weighing and packing practices and

the requirements of the applicable State Agricultural Code. The provisions of section 14a (a) apply only to those containers of the listed commodities whose maximum prices are named in the applicable table in paragraph (b) hereof, on a per pound basis.

[Subparagraph (8) added by Am. 19, 9 F.R. 2008, effective 2-23-44 as to maximum prices f. o. b. shipping point; effective 3-3-44 as to maximum prices other than maximum prices f. o. b. shipping point named in tables 2, 3, 6, 7, 8 and 10 of paragraph (c) of Appendix I; effective 3-9-44 as to maximum prices other than maximum prices f. o. b. shipping point named in tables 1, 4, 5, 9 and 11 of paragraph (c) of Appendix I. Amended by Am. 29, 9 F.R. 5926, effective 6-5-44]

[Effective date provision of Am. 19 amended by Am. 21, 9 F.R. 2493, effective 3-3-44]

(f) *Adjustments by regional and district offices.* For the listed commodities, the regional offices of the Office of Price Administration, and such district offices as they in turn may authorize, are authorized:

(1) To determine the limits of the free delivery zone at any wholesale receiving point located within its jurisdiction and to adjust upwards or downwards the allowances provided in paragraph (e) (4) and (e) (5) for sales by secondary jobbers and service wholesalers on a non-delivered basis and to adjust upwards or downwards the allowances for transportation beyond the free delivery zones named in paragraph (e) (6), at the lowest rates for customary and generally available means of transportation.

(2) To determine and publish orders announcing the maximum amounts which carlot or truckiot receivers may add to their maximum prices for deliveries made within the free delivery zone at that wholesale receiving point.

(3) On individual application, to adjust the maximum markups for carlot and truck-lot receivers, but not to exceed the maximum markups for service wholesalers named in Column 9 of the table in paragraph (e). These adjustments shall be restricted to cases where the applicant demonstrates, to the satisfaction of the regional or district office, that he is performing substantial functions beyond those performed by carlot or truckiot receivers.

[Paragraph (f) corrected 9 F.R. 2091, effective 1-31-44; amended by Am. 55, 9 F.R. 10878, effective 9-1-44]

(4) On individual application, to adjust upward the maximum price of any seller of any listed commodity (except berries) in unbroken packages, not exceeding 5 pounds (net weight) for spinach and 1 pound (net weight) for any other listed commodity, which has been trimmed, cleaned, washed or otherwise prepared for sale to the ultimate consumer ready for consumption without further preparation other than cooking. The maximum price as adjusted shall not be greater than the seller's former maximum price for the item being priced plus the difference between the applicant's cost of the bulk commodity at the time that price was established under Maximum Price Regulation 376 and the maximum price of the bulk commodity established by this regulation for his customary type of supplier.

[Subparagraph (4) added by Am. 29, 9 F.R. 5926, effective 6-5-44. Former (4) revoked by Am. 23, 9 F.R. 4086, effective 4-14-44]

[Appendix H added by Am. 18, 9 F.R. 902, effective 1-31-44 as to maximum prices, f. o. b. shipping point and 2-15-44 as to all other maximum prices]

(5) To adjust upward the maximum price for lettuce in sales to agencies of the United States to account for any increase in cost which is caused by special trimming or cutting to meet the specifications required by such purchaser for overseas shipment.

[Subparagraph (5) added by Am. 51, 9 F.R. 10192, effective 8-19-44]

(g) *Miscellaneous adjustments for crop losses*—(1) *Cabbage.* The maximum prices named in Table 13 of paragraph (b) and the markups named in Item 25 in the table in paragraph (c) are suspended from September 13, 1944, through September 30, 1944.

[Paragraph (g) added by Am. 56, 9 F.R. 11350, effective 9-13-44]

APPENDIX I—MAXIMUM PRICES FOR CITRUS FRUITS

(a) *Explanation.* This appendix establishes maximum prices for certain sales of oranges, grapefruit, lemons, and tangerines. It supersedes the provisions of Maximum Price Regulation No. 292,* and applies to every seller of citrus fruits including growers, country shippers, carlot distributors, terminal brokers, carlot receivers, secondary jobbers, commission merchants and all other sellers except retailers.

Specifically, this appendix:

(1) Establishes designated basing points, maximum prices f. o. b. shipping point, for sales f. o. b. point of shipment.

(2) Establishes maximum prices at the wholesale receiving point for sales through certain named agents and for such sales by all sellers other than retailers.

(3) Establishes maximum prices for all sales of citrus fruits to retail stores, government procurement agencies and institutional buyers.

Each of the citrus fruits is covered by a separate table. Provisions which apply specially to any one kind of citrus fruit are to be found in footnotes to the applicable table. Provisions applicable to all the citrus fruits are to be found in the paragraphs following the tables. The maximum markups which may be added to the f. o. b. or delivered maximum prices, as the case may be, for certain types of sales common to all the citrus fruits, are set forth in a separate table.

Sales by growers or country shippers of five containers (not larger than a "standard" box) or less of citrus fruits in any one lot by mail or express to any one ultimate consumer shall be exempt from the provisions of this regulation, but such sales shall be subject to the provisions of this regulation when made by sellers other than growers or country shippers.

The Office of Price Administration reserves the right to change any basing point named in this Appendix at any time, or to establish new or additional basing points, without changing the maximum prices f. o. b. country shipping point.

(b) *Definitions.*—(1) *Container definitions.* (i) For California and Arizona citrus fruits, "standard" or "legal" container means $1\frac{2}{5}$ bushel containers (wooden nailed boxes or wire-bound crates) conforming to the specifications of the standard orange box, the standard grapefruit box or the standard lemon box respectively, as prescribed by the Agricultural Code of the State of California, or two "half boxes" or two "half strap boxes", packed and lidded in conformity with the requirements of said Agricultural Code, or a "full box bag" or two "half box bags" containing a quantity of citrus fruit equivalent to that contained in a $1\frac{2}{5}$ bushel container as described above.

(ii) For Florida and Texas citrus fruits, "standard" or "legal" container means $1\frac{3}{5}$ bushel containers (wooden nailed boxes or wirebound crates) conforming to the specifications for citrus boxes and as published in Freight Container Bureau Tariffs No. 2B, ICC No. 14, and No. 3A, ICC No. 15, as amended, packed and lidded in conformity with the requirements of the Florida Citrus Commission for Florida fruit and in accordance with the requirements of the Texas Commission of Agriculture for Texas fruit. The term, "standard" or "legal" container, also includes two "half boxes" or two "half strap boxes" packed and lidded in conformity with the requirements of the Agricultural Codes of these states, or a "full box bag" or two "half box bags" or four "quarter box bags" or eight "one-eighth box (10 lbs.) bags" or ten "one-tenth box (8 lbs.) bags" or sixteen "one-sixteenth box (5 lbs.) bags", containing a quantity of citrus fruit equivalent to that contained in a $1\frac{3}{5}$ bushel container as described above.

[Subparagraphs (i) and (ii) amended by Am. 23, 9 F.R. 4086, effective 4-14-44]

(iii) "Loose box" means a container of the same size as the standard or legal box filled without any special arrangement or sizing of the fruit and which may be lidded or unlidded.

(2) *Commodity definitions.* (i) "Oranges" includes all oranges, except tangerines.

(ii) "Tangerines" means tangerines, tangelos, satsumas, clementines, temple, and king oranges.

(c) *Maximum price tables applicable to individual citrus fruits.* The following tables state the maximum prices which apply to certain sales of citrus fruits by growers, country shippers, and by intermediate sellers. (For other transactions by these sellers, see the table in paragraph (d) and the provisions of paragraphs (e), (f) and (g).)

[Above paragraph amended by Am. 23]

Except as specified for bulk sales and "on the tree" sales, the maximum prices named in the tables of this paragraph include all costs of harvesting, hauling and packing, and no additional charge may be made for containers.

* 8 F.R. 135, 543, 2869, 3367, 6134.

TABLE I—MAXIMUM PRICES FOR ORANGES PRODUCED IN CALIFORNIA AND ARIZONA

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
1	Oranges packed in standard containers of $1\frac{2}{5}$ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	$1\frac{2}{5}$ bushel standard container.	Nov. 16–Apr. 30	$3.85	(Col. 5 price plus freight [5] (including 3% transportation tax [6]) from Phoenix, Arizona, for all wholesale receiving points in the states of Oregon, Washington, Montana, Nevada, Idaho and Utah; and Los Angeles, California for wholesale receiving points in all other states; plus protective services.[7]	Col. 6 price plus 75 cents.
2			May 1–Nov. 15	$4.30		Col. 6 price plus 75 cents.
3	Oranges packed in containers other than standard containers of $1\frac{2}{5}$ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	Pound	Nov. 16–Apr. 30	5.0 cents per pound	Maximum price above (Item 1) divided by 77.	Col. 6 price plus 1 cent per pound.
4			May 1–Nov. 15	5.6 cents per pound	Maximum price above (Item 2) divided by 77.	Col. 6 price plus 1 cent per pound.
5	Oranges sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points, except in California and Arizona.[8]	Pound	Nov. 16–Apr. 30	4.0 cents per pound	Maximum price per pound above (Item 3) minus 1 cent.	Col. 6 price plus 1 cent per pound.
6			May 1–Nov. 15	4.6 cents per pound	Maximum price per pound above (Item 4) minus 1 cent.	Col. 6 price plus 1 cent per pound.
7	Oranges packed in standard containers of $1\frac{2}{5}$ bushel contents for sale in all wholesale receiving points in California and Arizona.	$1\frac{2}{5}$ bushel standard container.	Nov. 16–Apr. 30	$3.85	$4.07	$4.82.
8			May 1–Nov. 15	$4.30	[9] $4.57	[9] $5.32.
9	Oranges sold loose in standard $1\frac{2}{5}$ bushel containers for sale in all wholesale receiving points in California and Arizona.	$1\frac{2}{5}$ bushel standard container.	Nov. 16–April 30	$2.85	$3.02	$3.57.
10			May 1–Nov. 15	$3.22	[9] $3.43	[9] $3.98.
11	Oranges sold in containers other than standard $1\frac{2}{5}$ bushel containers (either packed or loose) for sale in all wholesale receiving points in California and Arizona.	Pound	Nov. 16–April 30	4.7 cents per pound	5.0 cents per pound	6.0 cents per pound.
12			May 1–Nov. 15	5.4 cents per pound	5.7 cents per pound [9]	6.7 cents per pound.[9]
13	Oranges sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points in California and Arizona.[8]	Pound	Nov. 16–April 30	4.0 cents per pound	4.3 cents per pound	5.3 cents per pound.
14			May 1–Nov. 15	4.6 cents per pound	4.9 cents per pound [9]	5.9 cents per pound.[9]
15	Oranges sold by growers "on the tree" to persons other than packers.[8]	Pound	Nov. 16–April 30	3.4 cents per pound		
16			May 1–Nov. 15	4.0 cents per pound		

[1] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be $\frac{1}{2}$ cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for Items 5, 6, 13, and 14 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 2 below.)

[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)

[3] Protective service allowances shall be added in accordance with the following schedule of freight rate classes:

Freight per 100 lbs.	Allowances for refrigeration and accessorial charges	
	November 16–April 30	May 1–November 15
$1.31 or higher	$0.14	$0.21
1.11 to 1.30	.14	.17
.83 to 1.10	.12	.15
Less than .83	.12	.13

[4] For sellers covered by Column 7, see General Provisions of this Appendix.

[5] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case on the basis of the published estimated weight and rate for the standard $1\frac{2}{5}$ bushels nailed box shipped in refrigerator cars.

[6] The amount of tax to be included shall be figured on freight and the protective service allowance.

[7] During the period May 1 to November 15, maximum prices for sales delivered to wholesale receiving points in Arizona shall be the price in Column 5 plus freight (including 3% transportation tax) from Fillmore, California, plus protective services as listed in footnote 3, above.

[8] This price does not apply to wholesale receiving points in Arizona, but instead the maximum price is the Column 6 price plus 75 cents for Item 8, or plus 55 cents for Item 10.

[9] This price does not apply to wholesale receiving points in Arizona, but instead the maximum price is the Column 6 price plus 1 cent.

[Footnote 1 amended and footnotes 5 and 6 added by Am. 23, 9 F.R. 4086, effective 4-14-44. Footnotes 7, 8 and 9 added by Am. 64, 9 F.R. 12643, effective 10-21-44]

TABLE 2—MAXIMUM PRICES FOR ORANGES PRODUCED IN FLORIDA (EXCEPT THOSE MARKED "INDIAN RIVER"), TEXAS AND ALL OTHER STATES, EXCEPT CALIFORNIA AND ARIZONA [1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in Florida and Texas [2]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [7]
1..... 2.....	Oranges place packed in standard containers of 1⅗ bushel contents.[3]	1⅗ bushel standard container.	Sept. 1-Feb. 29..... Mar. 1-Aug. 31.....	[10] $3.45..... $3.75.....	{Col. 5 price *plus* freight [8] (including 3% transportation tax [9]) from Homestead, Florida *plus* 10 cents protective service.[6]	Col. 6 price plus 75 cents.
3..... 4.....	Oranges sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound.....	Sept. 1-Feb. 29..... Mar. 1-Aug. 31.....	3.8 cents per pound [10]..... 4.2 cents per pound.....	Maximum price above (item 1) divided by 90. Maximum price above (item 2) divided by 90.	Col. 6 price plus 1/10 cent per pound. Col. 6 price plus 1/10 cent per pound.
5..... 6.....	Oranges sold in bulk (loose without containers), washed, graded and stamped.[4]	Pound.....	Sept. 1-Feb. 29..... Mar. 1-Aug. 31.....	3.0 cents per pound [10]..... 3.3 cents per pound.....	Maximum price per pound above (item 3) minus 1/10 cent. Maximum price per pound above (item 4) minus 1/10 cent.	Col. 6 price plus 1/10 cent per pound. Col. 6 price plus 1/10 cent per pound.
7..... 8.....	Oranges sold by growers "on the tree" to persons other than packers.[4]	Pound.....	Sept. 1-Feb. 29..... Mar. 1-Aug. 31.....	2.5 cents per pound [10]..... 2.8 cents per pound.....	---------- ----------	----------

[1] Oranges produced in Florida and marked "Indian River" shall be priced under the provisions of Table 3. For citrus fruits packed in bushel baskets with a net content of ⅘ that of "standard" or "legal" containers, and packed "fairly tight" or tighter, or packed in accordance with any applicable law, the maximum price in each case is ⅘ of the maximum price for the same citrus fruits packed in "standard" or "legal" 1⅗ bushel containers. For citrus fruits packed in 8 10-pound bags, 10 8-pound bags or 16 5-pound bags, the maximum price in each case is 2¢ higher than the maximum price for "standard" or "legal" 1⅗ bushel containers.

[2] Provisions of items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.

[3] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 2/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)

[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)

[5] Maximum prices named in this table do not apply to fruit produced in Florida that is marked "Indian River". (See Table 3.)

[6] For all wholesale receiving points in the State of Florida and from October 1 to March 15 for that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards and Val Verde, the total allowance for freight (including 3% transportation tax) and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.

[7] For sellers covered by Column 7, see general provisions of this appendix.

[8] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 6, on the basis of the published estimated weight and rate for the 1⅗ bushels wire-bound crate (container 5644) shipped in refrigerator cars.

[9] The amount of tax to be included shall be figured on freight and the protective service allowance.

[10] During February, 1945, for oranges produced in Florida (except those marked "Indian River"), the Column 5 price shall be for Item 1—$3.62, for Item 3—4.02 cents per pound, for Item 5—3.22 cents per pound, and for Item 7—2.69 cents per pound.

[Footnote 1 amended by Am. 64, 9 F.R. 12643, effective 10-21-44; Am. 72, 9 F.R. 14062, effective 11-25-44; and Am. 85, 10 F.R. 1910, effective 2-19-45. Footnotes 3, 5 and 6 amended, 8 and 9 added by Am. 23, 9 F.R. 4086, effective 4-14-44. Footnote 10 added by Am. 69, 9 F.R. 13205, effective 11-6-44; amended by Am. 77, 9 F.R. 15107, effective 1-1-45; and Am. 89, 10 F.R. 923, effective 2-1-45]

TABLE 3—MAXIMUM PRICES FOR ORANGES PRODUCED IN FLORIDA AND MARKED "INDIAN RIVER" [1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point for oranges produced in Florida and marked "Indian River" [2]	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[7]
1..... 2.....	Oranges placed packed in standard containers of 1⅗ bushel contents.[3]	1⅗ bushel standard container.	Sept. 1-Feb. 29..... Mar. 1-Aug. 31.....	[11] $3.89..... $4.01.....	{Col. 5 price *plus* freight [8] (including 3% transportation tax [9]) from Homestead, Florida plus 10 cents protective service.[6]	Col. 6 price plus 75 cents. Col. 6 price plus 75 cents.
3..... 4.....	Oranges sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound.....	Sept. 1-Feb. 29..... Mar. 1-Aug. 31.....	4.3 cents per pound [10]..... 4.4 cents per pound.....	Maximum price above (item 1) divided by 90. Maximum price above (item 2) divided by 90.	Col. 6 price plus 1/10 cent per pound. Col. 6 price plus 1/10 cent per pound.
5..... 6.....	Oranges sold in bulk (loose without containers), washed, graded and stamped.[4]	Pound.....	Sept. 1-Feb. 29..... Mar. 1-Aug. 31.....	3.5 cents per pound [10]..... 3.6 cents per pound.....	Maximum price per pound above (item 3) minus 1/10 cent. Maximum price per pound above (item 4) minus 1/10 cent.	Col. 6 price plus 1/10 cent per pound. Col. 6 price plus 1/10 cent per pound.
7..... 8.....	Oranges sold by growers "on the tree" to persons other than packers.[4]	Pound.....	Sept. 1-Feb. 29..... Mar. 1-Aug. 31.....	3.0 cents per pound [10]..... 3.1 cents per pound.....	---------- ----------	----------

[1] Oranges produced in Florida and not marked "Indian River" shall be priced under the provisions of table 2. For citrus fruits packed in bushel baskets with a net content of ⅘ that of "standard" or "legal" containers, and packed "fairly tight" or tighter, or packed in accordance with any applicable law, the maximum price in each case is ⅘ of the maximum price for the same citrus fruits packed in "standard" or "legal" 1⅗ bushel containers. For citrus fruits packed in 8 10-pound bags, 10 8-pound bags or 16 5-pound bags, the maximum price in each case is 2¢ higher than the maximum price for "standard" or "legal" 1⅗ bushel containers.

[2] Provisions of items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.

[3] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 2/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)

[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)

[5] Maximum prices named in this table do not apply to fruit produced in Florida and not marked "Indian River". (See Table 2.)

[6] For all wholesale receiving points in the State of Florida and from October 1 to March 15 for that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards and Val Verde, the total allowance for the freight (including 3% transportation tax) and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.

[7] For sellers covered by Column 7, see general provisions of this appendix.

[8] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 6, on the basis of the published estimated weight and rate for the 1⅗ bushels wirebound crate (container 5644) shipped in refrigerator cars.

[9] The amount of tax to be included shall be figured on freight and the protective service allowance.

[10] During February, 1945, the Column 5 price shall be for Item 1—$4.06, for Item 3—4.54 cents per pound, for Item 5—3.71 cents per pound, and for Item 7—3.18 cents per pound.

[Footnote 1 amended by Am. 64, 9 F.R. 12643, effective 10-21-44; Am. 72, 9 F.R. 14062, effective 11-25-44; and Am. 85, 10 F.R. 1910, effective 2-19-45. Footnotes 5 and 6 amended, 8 and 9 added by Am. 23, 9 F.R. 4086, effective 4-14-44. Footnote 10 added by Am. 69, 9 F.R. 13205, effective 11-6-44; amended by Am. 77, 9 F.R. 15107, effective 1-1-45; and Am. 89, 10 F.R. 923, effective 2-1-45]

TABLE 4—MAXIMUM PRICES FOR WHITE GRAPEFRUIT PRODUCED IN CALIFORNIA AND ARIZONA

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
1..... 2.....	White grapefruit packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅗ bushel standard container.	Nov. 1-Apr. 30 ... May 1-Oct. 31....	$2.79..... $3.48.....	{Col. 5 price plus freight [3] (including 3% transportation tax [6]) from Phoenix, Arizona, for all wholesale receiving points in the States of Oregon, Washington, Montana, Nevada, Idaho, and Utah; and Los Angeles, California, for wholesale receiving points in all other States; plus protective services.[2]	Col. 6 price plus 65 cents. Col. 6 price plus 95 cents.
3..... 4.....	White grapefruit packed in containers other than standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	Pound.....	Nov. 1-Apr. 30 ... May 1-Oct. 31....	4.1 cents per pound ..... 5.1 cents per pound.....	Maximum price above (item 1) divided by 68. Maximum price above (item 2) divided by 68.	Col. 6 price plus 1 cent per pound. Col. 6 price plus 1 cent per pound.
5..... 6.....	White grapefruit sold in bulk (loose without containers), washed, graded and stamped for sale in all wholesale receiving points, except in California and Arizona.	Pound.....	Nov. 1-Apr. 30.... May 1-Oct. 31 ...	3.0 cents per pound..... 4.0 cents per pound	Maximum price per pound above (item 3) minus 1.1 cent. Maximum price per pound above (item 4) minus 1.1 cent.	Col. 6 price plus 1 cent per pound. Col. 6 price plus 1 cent per pound.
7..... 8.....	White grapefruit packed in standard containers of 1⅗ bushel contents for sale in all receiving points in California and Arizona.	1⅗ bushel standard container.	Nov. 1-Apr. 30 ... May 1-Oct. 31....	$2.79 ..... $3.48.....	$3.09..... $3.73.....	$2.74. $3.38.
9..... 10.....	White grapefruit sold loose in standard 1⅗ bushel containers for sale in all wholesale receiving points in California and Arizona.	1⅗ bushel standard container.	Nov. 1-Apr. 30 ... May 1-Oct. 31....	$2.21 ..... $2.79.....	$2.46 ..... $3.09.....	$2.01. $2.55.
11..... 12.....	White grapefruit sold in containers other than standard 1⅗ bushel containers (either packed or loose) for sale in all wholesale receiving points in California and Arizona.	Pound.....	Nov. 1-Apr. 30 ... May 1-Oct. 31....	3.8 cents per pound ..... 4.8 cents per pound	4.1 cents per pound ..... 5.2 cents per pound	5.1 cents per pound. 6.2 cents per pound.
13..... 14.....	White grapefruit sold in bulk (loose without containers) washed, graded, and stamped for sale in all wholesale receiving points in California and Arizona.[5]	Pound.....	Nov. 1-Apr. 30 ... May 1-Oct. 31....	3.0 cents per pound ..... 4.0 cents per pound	3.3 cents per pound ..... 4.4 cents per pound	4.3 cents per pound. 5.4 cents per pound.
15..... 16.....	White grapefruit sold by growers "on the tree" to persons other than packers.[5]	Pound.....	Nov. 1-Apr. 30.... May 1-Oct. 31....	2.6 cents per pound ..... 3.6 cents per pound.....	---------- ----------	----------

[1] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 2/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 5, 6, 13, and 14 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 2 below.)

[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)

[3] Protective service allowance shall be added in accordance with the following schedule of freight rate classes:

Freight per 100 pounds	Allowances for refrigeration and accessorial charges	
	November 1-April 30	May 1-October 31
$1.31 or higher	$0.14	$0.21
$1.11 to $1.30	.14	.17
$0.93 to $1.10	.12	.15
Less than $0.93	.12	.13

[4] For sellers covered by Column 7, see general provisions of this appendix.

[5] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case on the basis of the published estimated weight and rate for the standard 1⅗ bushels nailed box shipped in refrigerator cars.

[6] The amount of tax to be included shall be figured on freight and the protective service allowance.

[Table 4 and footnotes 1, 2 and 3 amended, footnotes 5 and 6 added by Am. 23, 9 F.R. 4086, effective 4-14-44]

TABLE 5—MAXIMUM PRICES FOR PINK GRAPEFRUIT PRODUCED IN CALIFORNIA AND ARIZONA

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style or pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
1	Pink grapefruit packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅗ bushel standard container.	All year	$3.03	Col. 5 price *plus* freight [2] (including 3% transportation tax [5]) from Phoenix, Arizona for all wholesale receiving points in the States of Oregon, Washington, Montana, Nevada, Idaho and Utah; and Los Angeles, California for wholesale receiving points in all other States; plus protective services [3]	Col. 6 price plus 65 cents.
2	Pink grapefruit packed in containers other than standard containers of 1⅗ bushel contents for sale in all wholesale receiving points in California and Arizona.	Pound	All year	4.5 cents per pound	Maximum price above (Item 1) divided by 88.	Col. 6 price plus 1 cent per pound.
3	Pink grapefruit sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points, except in California and Arizona.[1]	Pound	All year	3.4 cents per pound	Maximum price per pound above (item 2) minus 1.1 cent.	Col. 6 price plus 1 cent per pound.
4	Pink grapefruit packed in standard containers of 1⅘ bushel contents for sale in all wholesale receiving points in California and Arizona.	1⅘ bushel standard container.	All year	$3.03	$3.33	$3.98.
5	Pink grapefruit sold loose in standard 1⅘ bushel containers for sale in all wholesale receiving points in California and Arizona.	1⅘ bushel standard container.	All year	$2.41	$2.66	$3.21.
6	Pink grapefruit sold in containers other than standard 1⅘ bushel containers (either packed or loose) for sale in all wholesale receiving points in California and Arizona.	Pound	All year	4.2 cents per pound	4.6 cents per pound	5.6 cents per pound.
7	Pink grapefruit sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points in California and Arizona.[1]	Pound	All year	3.4 cents per pound	3.8 cents per pound	4.8 cents per pound.
8	Pink grapefruit sold by growers "on tree" to persons other than packers.[1]	Pound	All year	2.9 cents per pound		

[1] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 3/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for Items 3 and 7 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 2 below.)

[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)

[3] Protective service allowances shall be added in accordance with the following schedule of freight rate classes:

Freight per 100 lbs.	Allowances for refrigeration and accessorial charges	
	November 1–April 30	May 1–October 31
$1.31 or higher	$0.14	$0.[illegible]
$1.11 to $1.30	.14	.[illegible]
$0.83 to $1.10	.12	.[illegible]
Less than $0.83	.12	.[illegible]

[4] For sellers covered by Column 7, see general provisions of this appendix.

[5] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case on the basis of the published estimated weight and rate for the standard 1⅘ bushels nailed box shipped in refrigerator cars.

[6] The amount of tax to be included shall be figured on freight and the protective service allowance.

[Table 5 and footnotes 1 and 2 amended, footnotes 5 and 6 added by Am. 23, 9 F.R. 4086, effective 4-14-44]

TABLE 6—MAXIMUM PRICES FOR WHITE GRAPEFRUIT PRODUCED IN FLORIDA (EXCEPT THOSE MARKED "INDIAN RIVER"), TEXAS, AND ALL OTHER STATES EXCEPT CALIFORNIA AND ARIZONA [1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price, f. o. b. shipping point in Florida and Texas [2]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer [3]
1	White grapefruit place packed in standard containers of 1⅗ bushel contents.[4]	1⅗ bushel standard container.	Sept. 1–Feb. 29	$2.91	Col. 5 price *plus* freight [5] (including 3% transportation tax) from Homestead, Florida [6] plus 10 cents protective service.[7]	Col. 6 price plus 65 cents.
2			March 1–Aug. 31	$2.77 [10]		Col. 6 price plus 65 cents.
3	White grapefruit sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound	Sept. 1–Feb. 29	3.1 cents per pound	Maximum price above (Item 1) divided by 80.	Col. 6 price plus 8/10 cent per pound.
4			March 1–Aug. 31	3.5 cents per pound [10]	Maximum price above (Item 2) divided by 80.	Col. 6 price plus 7/10 cent per pound.
5	White grapefruit sold in bulk (loose without containers), washed, graded and stamped.[8]	Pound	Sept. 1–Feb. 29	2.2 cents per pound	Maximum price per pound above (Item 3) minus 7/10 cent.	Col. 6 price plus 8/10 cent per pound.
6			March 1–Aug. 31	2.6 cents per pound [10]	Maximum price per pound above (Item 4) minus 7/10 cent.	Col. 6 price plus 7/10 cent per pound.
7	White grapefruit sold by growers "on the tree" to persons other than packers.[9]	Pound	Sept. 1–Feb. 29	1.8 cents per pound		
8			March 1–Aug. 31	2.1 cents per pound [10]		

[1] White grapefruit produced in Florida and marked "Indian River" shall be priced under the provisions of table 7. For citrus fruits packed in bushel baskets with a net content of 5/8 that of "standard" or "legal" containers, and packed "fairly tight" or tighter, or packed in accordance with any applicable law, the maximum price in each case is 5/8 of the maximum price for the same citrus fruits packed in "standard" or "legal" 1⅗ bushel containers.

For citrus fruits packed in 8 10-pound bags, 10 5-pound bags or 16 5-pound bags, the maximum price in each case is 2/10 higher than the maximum price for "standard" or "legal" 1⅗ bushel containers.

[2] Provisions of Items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.

[3] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 2/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for Items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)

[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)

[5] Maximum prices named in this table do not apply to fruit produced in Florida that is marked "Indian River." (See Table 7.)

[6] For all wholesale receiving points in the State of Florida and from October 1 to May 1 for that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Val Verde, the total allowance for freight (including 3 percent transportation tax) and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.

[7] For sellers covered by Column 7, see general provisions of this appendix.

[8] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 6, on the basis of the published estimated weight and rate for the 1⅘ bushels wirebound crate (container 5004) shipped in refrigerator cars.

[9] The amount of tax to be included shall be figured on freight and the protective service allowance.

[10] During the period March 21 to August 31, 1945, inclusive, for white grapefruit produced in Florida (except those marked "Indian River") the Column 5 price shall be (for Item 2, $3.02; for Item 4, 4.2 cents per pound; for Item 6, 3.3 cents per pound; for Item 8, 2.8 cents per pound.

[11] For the period beginning May 5, 1945 and ending July 31, 1945, for white grapefruit produced in Texas, the Column 6 price shall include freight from Weslaco, Texas, rather than from Homestead, Florida.

[Footnote 1 amended by Am. 64, 9 F.R. 12643, effective 10-21-44; Am. 72, 9 F.R. 14062, effective 11-25-44; and Am. 85, 10 F.R. 1910, effective 2-19-45. Footnotes 5 and 6 amended, 8 and 9 added by Am. 23, 9 F.R. 4086, effective 4-14-44. Footnote 10 added by Am. 69, 9 F.R. 13205, effective 11-6-44; amended by Am. 77, 9 F.R. 15107, effective 1-1-45; Am. 80, 10 F.R. 923, effective 2-1-45; Am. 89, 10 F.R. 2188, effective 3-1-45; Am. 94, 10 F.R. 3054, effective 3-21-45; Am. 96, 10 F.R. 4266, effective 4-21-45; and Am. 103, 10 F.R. 5797, effective 5-21-45. Footnote 11 added by Am. 100, 10 F.R. 5101, effective 5-5-45]

TABLE 7—MAXIMUM PRICES FOR WHITE GRAPEFRUIT PRODUCED IN FLORIDA AND MARKED "INDIAN RIVER" [1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point for white grapefruit produced in Florida and marked "Indian River" [2]	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than truck lots delivered to the premises of any retail store, Government procurement agency or institutional buyer. [3]
1	White grapefruit place packed in standard containers of 1⅗ bushel contents.[4]	1⅗ bushel standard container.	Sept. 1–Feb. 29	$3.01	(Col. 5 price *plus* freight [5] (including 3% transportation tax [6]) from Homestead, Florida *plus* 10 cents protective service [7]	Col. 6 price plus 65 cents.
2			March 1–Aug. 31	$3.27 [11]		Col. 6 price plus 65 cents.
3	White grapefruit sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound	Sept. 1–Feb. 29	3.8 cents per pound	Maximum price above (item 1) divided by 80.	Col. 6 price plus 8/10 cent per pound.
4			March 1–Aug. 31	4.1 cents per pound [11]	Maximum price above (item 2) divided by 80.	Col. 6 price plus 8/10 cent per pound.
5	White grapefruit sold in bulk (loose without containers), washed, graded and stamped.[8]	Pound	Sept. 1–Feb. 29	2.9 cents per pound	Maximum price per pound above (item 3) minus 7/10 cent.	Col. 6 price plus 8/10 cent per pound.
6			March 1–Aug. 31	3.2 cents per pound [11]	Maximum price per pound above (item 4) minus 7/10 cent.	Col. 6 price plus 8/10 cent per pound.
7	White grapefruit sold by growers "on the tree" to persons other than packers.[9]	Pound	Sept. 1–Feb. 29	2.4 cents per pound		
8			March 1–Aug. 31	2.8 cents per pound [11]		

[1] White grapefruit produced in Florida and not marked "Indian River" shall be priced under the provisions of Table 6. For citrus fruits packed in bushel baskets with a net content of 5/8 that of "standard" or "legal" containers, and packed "fairly tight" or tighter, or packed in accordance with any applicable law, the maximum price in each case is 5/8 of the maximum price for the same citrus fruits packed in "standard" or "legal" 1⅗ bushel containers. For citrus fruits packed in 8 10-pound bags, 10 5 pound bags or 16 5-pound bags, the maximum price in each case is 2/10 higher than the maximum price for "standard" or "legal" 1⅗ bushel containers.

[2] Provisions of Items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.

[3] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 2/10 cent per pound less than the maximum prices per pound for fruit sold in bulk, washed, graded and stamped listed for Items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)

[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this Appendix.)

[5] Maximum prices named in this table do not apply to fruit produced in Florida and not marked "Indian River." (See Table 6.)

[6] For all wholesale receiving points in the State of Florida and from October 1 to May 1 for that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Val Verde, the total allowance for freight (including 3 percent transportation tax) and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.

[1] For sellers covered by Column 7, see general provisions of this appendix.
[2] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 6, on the basis of the published estimated weight and rate for the 1⅗ bushels wirebound crate shipped in refrigerator cars.
[3] The amount of tax to be included shall be calculated on freight and the protective service allowance.
[10] During the period March 21 to August 31, 1945, inclusive, for white grapefruit produced in Florida and marked "Indian River" the Column 5 price shall be for Item 2, $3.82 for Item 4, 4.8 cents per pound; for Item 6, 3.9 cents per pound; for Item 8, 3.5 cents per pound.

[Footnote 1 amended by Am. 64, 9 F.R. 12643, effective 10–21–44; Am. 72, 9 F.R. 14062, effective 11–25–44; and Am. 85, 10 F.R. 1910, effective 2–19–45. Footnotes 3, 5 and 6 amended, 8 and 9 added by Am. 23, 9 F.R. 4086, effective 4–14–44. Footnote 10 added by Am. 69, 9 F.R. 13205, effective 11–6–44; amended by Am. 77, 9 F.R. 15107, effective 1–1–45; Am. 80, 10 F.R. 923, effective 2–1–45; Am. 89, 10 F.R. 2188, effective 3–1–45; Am. 94, 10 F.R. 3054, effective 3–21–45; Am. 96, 10 F.R. 4266, effective 4–21–45; and Am. 103, 10 F.R. 5797, effective 5–21–45]

TABLE 8—MAXIMUM PRICES FOR PINK GRAPEFRUIT PRODUCED IN ALL STATES, EXCEPT CALIFORNIA AND ARIZONA [1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in Florida and Texas	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
1	Pink grapefruit place packed in standard containers of 1⅗ bushel contents.[5]	1⅗ bushel standard container.	(Sept. 1–Feb. 29	$2.90	(Col. 5 price *plus* freight [6] (including 3% transportation tax [7]) from Weslaco, Texas *plus* 10 cents protective service.[8]	Col. 6 price plus 65 cents.
2			(Mar. 1–Aug. 31	[9] $3.17		Col. 6 price plus 65 cents.
3	Pink grapefruit sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound	(Sept. 1–Feb. 29	3.7 cents per pound	Maximum price above (item 1) divided by 80.	Col. 6 price plus ⅘ cent per pound.
4			(Mar. 1–Aug. 31	4.0 cents per pound [9]	Maximum price above (item 2) divided by 80.	Col. 6 price plus ⅘ cent per pound.
5	Pink grapefruit sold in bulk (loose without containers), washed, graded and stamped.[5]	Pound	(Sept. 1–Feb. 29	2.8 cents per pound	Maximum price per pound above (item 3) minus 9/10 cent.	Col. 6 price plus ⅘ cent per pound.
6			(Mar. 1–Aug. 31	3.1 cents per pound [9]	Maximum price per pound above (item 4) minus 9/10 cent.	Col. 6 price plus 7/10 cent per pound.
7	Pink grapefruit sold by growers "on the tree" to persons other than packers.[5]	Pound	(Sept. 1–Feb. 29	2.4 cents per pound		
8			(Mar. 1–Aug. 31	2.6 cents per pound [9]		

[1] Provisions of items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.
[2] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 4/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 3 below.)
[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)
[5] For all wholesale receiving points in the State of Florida and that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Val Verde, the total allowance for freight (including 3% transportation tax and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.
[6] For sellers covered by Column 7, see general provisions of this appendix.
[7] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 4, on the basis of the published estimated weight and rate for the standard 1⅗ bushels nailed box shipped in refrigerator cars.
[8] The amount of tax to be included shall be figured on freight and the protective service allowance.
[9] For citrus fruits packed in bushel baskets with a net content of ⅝ that of "standard" or "legal" containers, and packed "fairly tight" or tighter, or packed in accordance with any applicable law, the maximum price in each case is ⅝ of the maximum price for the same citrus fruits packed in "standard" or "legal" 1⅗ bushel containers. For citrus fruits packed in 8 10-pound bags, 10 8-pound bags or 16 pound bags, the maximum price in each case is 2¢ higher than the maximum price for "standard" or "legal" 1⅗ bushel containers.
[10] During the period March 21 to August 31, 1945, inclusive, for pink grapefruit produced in Florida, the Column 5 price shall be for Item 2, $3.72, for Item 4, 4.7 cents per pound; for Item 6, 3.8 cents per pound, for Item 8, 3.3 cents per pound.

[Footnotes 2, 3 and 4 amended; 6 and 7 added by Am. 23, 9 F.R. 4086, effective 4–14–44. Footnote 8 added by Am. 64, 9 F.R. 12643, effective 10–21–44; amended by Am. 72, 9 F.R. 14062, effective 11–25–44 and Am. 85, 10 F.R. 1910, effective 2–19–45. Footnote 9 added by Am. 69, 9 F.R. 13205, effective 11–6–44; amended by Am. 77, 9 F.R. 15107, effective 1–1–45; Am. 80, 10 F.R. 923, effective 2–1–45; Am. 89, 10 F.R. 2188, effective 3–1–45; Am. 94, 10 F.R. 3054, effective 3–21–45; Am. 96, 10 F.R. 4266, effective 4–21–45; and Am. 103, 10 F.R. 5797, effective 5–21–45]

TABLE 8A—MAXIMUM PRICES FOR ISLE OF PINES GRAPEFRUIT [1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Types, variety, style of pack, etc.[2]	Unit	Season	Maximum prices f. o. b. port of entry [3]	Maximum prices for delivery at any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
1	Isle of Pines grapefruit, place packed in standard 1⅗ bushel container.	Standard 1⅗ bushel container.	August and September.	$4.42	Column 5 price *plus* freight (including 3% taxes) from Miami, Florida and *plus* 10¢ for protective services.[5]	Column 6 price plus 65¢.
2	Isle of Pines grapefruit in any other container, style of pack, or in bulk.	Pound	August and September.	$0.06	Maximum price above divided by 72.	Column 6 price plus 1 cent per pound.

[1] The prices in this table apply only to grapefruit, imported from the Isle of Pines for sale within the United States, which the importer has either shipped from the port of entry or delivered to the buyer at the port of entry during August and September, which is individually wrapped in wrappers bearing the printed words "Isle of Pines Grapefruit"—or words to the same effect. The crates or other containers must be likewise marked. If not so marked, and for all other seasons, the maximum price is the applicable price for California white grapefruit in Column 6 of Table 4 of this appendix.
All reference in this appendix to country shippers and country shipping points are applicable to importers of Isle of Pines grapefruit and ports of entry of Isle of Pines grapefruit, respectively. An "importer" is the person who makes the first sale of the goods in the United States, and the "port of entry" is the place where the goods are received from the foreign source and loaded on a carrier.
[2] "Standard containers" for Isle of Pines grapefruit means closed containers in which the fruit is placed packed, containing 1⅗ bushels.
[3] The prices in Column 5 are maximum prices, f. o. b. any port of entry, loaded on carrier, and include all costs and charges up to that point.
[4] For the sellers covered by Column 7 see general provisions of this appendix.
[5] The amount of tax to be included shall be figured on freight and the protective service allowance.

[Table 8A added by Am. 45, 9 F.R. 9289, effective 8–1–44; footnote 1 amended by Am. 51, 9 F.R. 10192, effective 8–19–44]

TABLE 9—MAXIMUM PRICES FOR LEMONS PRODUCED IN ALL STATES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
1	Lemons packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅗ bushel standard container.	(Nov. 1–Apr. 30	$5.08	(Col. 5 price *plus* freight [5] (including 3% transportation tax [6]) from Phoenix, Arizona, for all wholesale receiving points in the States of Oregon, Washington, Montana, Nevada, Idaho, and Utah; and Los Angeles, California, for wholesale receiving points in all other States *plus* protective services.[7]	Col. 6 price plus 90 cents.
2			(May 1–Oct. 31	$5.57		
3	Lemons packed in other than standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	Pound	(Nov. 1–Apr. 30	6.4 cents per pound	Maximum price above (item 1) divided by 79.	Col. 6 price plus 1.1 cents per pound.
4			(May 1–Oct. 31	7.0 cents per pound	Maximum price above (item 2) divided by 79.	
5	Lemons sold in bulk (loose without containers) washed, graded, and stamped for sale in all wholesale receiving points, except in California and Arizona.[1]	Pound	(Nov. 1–Apr. 30	5.0 cents per pound	Maximum price per pound above (item 3) minus 1.4 cents.	Col. 6 price plus 1.1 cents per pound.
6			(May 1–Oct. 31	5.6 cents per pound	Maximum price per pound above (item 4) minus 1.4 cents.	
7	Lemons packed in standard containers of 1⅘ bushel contents for sale in all wholesale receiving points in California and Arizona.	1⅘ bushel standard container.	(Nov. 1–Apr. 30	$5.08	$5.31	$0.21.
8			(May 1–Oct. 31	$5.57	[8] $5.80	[8] $6.70.
9	Lemons sold loose in standard 1⅘ bushel containers for sale in all wholesale receiving points in California and Arizona.	1⅘ bushel standard container.	(Nov. 1–Apr. 30	$3.94	$4.12	$1.81
10			(May 1–Oct. 31	$4.33	[8] $4.51	[8] $5.23.
11	Lemons sold in other than standard 1⅘ bushel containers (either packed or loose) for sale in all wholesale receiving points in California and Arizona.	Pound	(Nov. 1–Apr. 30	6.2 cents per pound	6.5 cents per pound	7.5 cents per pound.
12			(May 1–Oct. 31	6.8 cents per pound	7.1 cents per pound [8]	8.1 cents per pound.[9]
13	Lemons sold in bulk (loose without containers), washed, graded, and stamped for sale in all wholesale receiving points in California and Arizona.[1]	Pound	(Nov. 1–Apr. 30	5.0 cents per pound	5.3 cents per pound	6.3 cents per pound.
14			(May 1–Oct. 31	5.6 cents per pound	5.9 cents per pound [8]	6.9 cents per pound.[9]
15	Lemons sold by grower "on tree" to persons other than packers.[2]	Pound	(Nov. 1–Apr. 30	3.8 cents per pound		
16			(May 1–Oct. 31	4.4 cents per pound		

[1] The maximum price for grove run fruit (not washed, graded, and stamped) sold in bulk shall be 4/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded, and stamped listed for Items 5, 6, 13, and 14 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 2 below.)
[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)
[4] Protective service allowances shall be added in accordance with the following schedule of freight rate classes:

Freight per 100 lbs.	Allowances for refrigeration and accessorial charges	
	Nov. 1–Apr. 30	May 1–Oct. 31
$1.31 or higher	$0.03	$0.17
$1.11 to $1.30	.03	.17
$0.83 to $1.10	.02	.14
Less than $0.83	.01	.14

[5] For sellers covered by Column 7, see general provisions of this appendix.
[6] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case on the basis of the published estimated weight and rate for the standard 1⅗ bushels nailed box shipped in refrigerator cars.
[7] The amount of tax to be included shall be figured on freight and the protective service allowance.
[8] During the period May 1 to November 15 maximum prices for sales delivered to wholesale receiving points in Arizona shall be the Column 5 price plus freight (including 3% transportation tax) from Fillmore, California, plus protective services as listed in footnote 3, above.
[9] This price does not apply to wholesale receiving points in Arizona, but instead the maximum price is the Column 6 price plus 90 cents for Item 8, or plus 72 cents for Item 10.
[10] This price does not apply to wholesale receiving points in Arizona, but instead the maximum price is the Column 6 price plus 1.1 cents.

[Table 9 amended by Am. 24, 9 F.R. 4088, effective 4–19–44; footnotes 1 amended, 5 and 6 added by Am. 23, 9 F.R. 4086, effective 4–14–44; footnotes 7, 8 and 9 added by Am. 64, 9 F.R. 12643, effective 10–21–44]

TABLE 10—MAXIMUM PRICES FOR TANGERINES, PRODUCED IN ALL STATES, EXCEPT CALIFORNIA AND ARIZONA [12]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in Florida and Texas [4]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [9]
1	Tangerines place packed in standard containers of 1⅗ bushel contents [1]	1⅗ bushel standard contaiher.	All year	$1.46	Col. 5 price *plus* freight [7] (including 3% transportation tax [8]) from Homestead, Florida *plus* 10 cents protective service [5]	Col. 6 price plus 80 cents.
2	Tangerines sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound	All year	5.2 cents per pound	Maximum price above (item 1) divided by 86.	Col. 6 price plus 1 cent per pound.
3	Tangerines sold in bulk (loose without containers), washed and graded [3]	Pound	All year	4.0 cents per pound	Maximum price per pound above (item 2) minus 1.2 cent.	Col. 6 price plus 1 cent per pound.
4	Tangerines sold by growers "on the tree" to persons other than packers. [4]	Pound	All year	3.2 cents per pound		

[1] Half boxes (⅘ bu.) or half box bags shall have a maximum price one half that of 1⅗ bushel standard containers. (Item 1.)
[2] Provisions of items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.
[3] The maximum price for grove run fruit (not washed, graded) sold in bulk shall be ⅗o cent per pound less than the maximum prices per pound for fruit sold in bulk washed and graded listed for Item 3 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)
[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)
[5] For all wholesale receiving points in the State of Florida and from October 1 to March 15 for that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards and Val Verde, the total allowance for freight (including 3% transportation tax) and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.
[6] For sellers covered by Column 7, see general provisions of this appendix.
[7] The freight to be added, as determined in accordance with section 8 (a) (7) shall be figured in each case, except as provided in footnote 5, on the basis of the published estimated weight and rate for two ⅘ bushel nailed boxes shipped in refrigerator cars.
[8] The amount of tax to be included shall be figured on freight and the protective service allowance.
[9] During the period beginning April 21, 1945, and ending August 31, 1945, for tangerines grown in Florida, the Column 5 price shall be for Item 1—$4.72, for Item 2—5.5 cents per pound, for Item 3—4.3 cents per pound, and for Item 4—3.5 cents per pound.
[10] For tangerines packed in bushel baskets with a net content of ⅘s that of "standard" or "legal" ⅘ bushel box containers. For tangerines packed in 8 10-pound bags, 10 8-pound bags or 16 5-pound bags, the maximum price in each case is ⅘ of the maximum price for tangerines packed in "standard" or "legal" 1⅗ bushel box containers. For tangerines packed in any applicable state law, the maximum price in each case is 2¢ higher than the maximum price for "standard" or "legal" 1⅗ bushel containers.

[Table 10 and footnote 5 amended; 7 and 8 added by Am. 23, 9 F.R. 4086, effective 4–14–44. Footnote 9 added by Am. 70, 9 F.R. 13761, effective 11–16–44 and amended by Am. 77, 9 F.R. 15107, effective 1–1–45; Am. 80, 10 F.R. 923, effective 2–1–45; Am. 89, 10 F.R. 2188, effective 3–1–45; Am. 94, 10 F.R. 3054, effective 3–21–45; and Am. 98, 10 F.R. 4266, effective 4–21–45. Footnote 10 added by Am. 72, 9 F.R. 14062, effective 11–25–44]

TABLE 11—MAXIMUM PRICES FOR TANGERINES PRODUCED IN CALIFORNIA AND ARIZONA

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truckslots delivered to the premises of any retail store, Government procurement agency or institutional buyer [9]
1	Tangerines packed in standard containers of 1⅘ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅘ bushel standard container.	All year	$5.13	Col. 5 price *plus* freight [7] (including 3% transportation tax [8]) from Phoenix, Arizona, for all wholesale receiving points in the States of Oregon, Washington, Montana, Nevada, Idaho and Utah, and Los Angeles, California for wholesale receiving points in all other States; *plus* protective services [5]	Col. 6 price plus 6¢ cents.
2	Tangerines packed in containers other than standard containers of 1⅘ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	Pound	All year	6.7 cents per pound	Maximum price above (Item 1) divided by 77.	Col. 6 price plus 12½ cents per pound.
3	Tangerines sold in bulk (loose without containers) washed, graded for sale in all wholesale receiving points, except in California and Arizona. [3]	Pound	All year	5.3 cents per pound	Maximum price per pound above (Item 2) minus 1.4 cents.	Col. 6 price plus 15½ cents per pound.
4	Tangerines packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points in California and Arizona.	1⅗ bushel standard container.	All year	$5.13	$5.40	$6.30.
5	Tangerines sold in containers other than standard containers of 1⅘ bushel contents for sale in all wholesale receiving points in California and Arizona.	Pound	All year	6.7 cents per pound	7.0 cents per pound	8.2 cents per pound.
6	Tangerines sold in bulk (loose without containers) washed and graded for sale in all wholesale receiving points in California and Arizona. [3]	Pound	All year	5.3 cents per pound	5.6 cents per pound	6.8 cents per pound.
7	Tangerines sold by growers "on the tree" to persons other than packers. [4]	Pound	All year	4.4 cents per pound		

See footnotes on following page.

[1] The maximum price for grove run fruit (not washed, graded) sold in bulk shall be ⅗o cent per pound less than the maximum prices per pound for fruit sold in bulk washed and graded listed for items 3 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 2 below.)
[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)
[3] Protective service allowances shall be added in accordance with the following schedule of freight rate classes:

Allowances for refrigeration and accessorial charges (all year)

Freight per 100 lbs.:	
$1.31 or higher	$0.21
$1.11 to $1.30	.17
$0.93 to $1.10	.15
$0.83 to $0.92	.13
Less than $0.83	.11

[4] For sellers covered by Column 7, see general provisions of this appendix.
[5] The freight to be added, as determined in accordance with section 8 (a) (7) shall be figured in each case on the basis of the published estimated weight and rate of the standard 1⅘ bushel nailed box shipped in refrigerator cars.
[6] The amount of tax to be included shall be figured on freight and the protective service allowance.

[Table 11 and footnote 1 amended, footnotes 5 and 6 added by Am. 23, 9 F.R. 4086, effective 4–14–44]

For sales of citrus fruit covered by this appendix made f. o. b. shipping point by growers or country shippers, if the seller furnishes precooling, initial icing or refrigeration services in any case he may charge, in addition to the named f. o. b. shipping point price (see column 5 of the applicable table in paragraph (c)), for the services furnished not in excess of the lowest of the following: (1) the lowest available common or contract carrier rates for the same services, (2) the amount the seller may charge for such services under Maximum Price Regulation No. 165, or (3) the applicable amount permitted for protective services in the case of sales delivered to any wholesale receiving point. However, in each case the grower or country shipper shall show separately on his invoice the specific nature of the services furnished and the amount charged for the services.

For sales of citrus fruit on a delivered basis the maximum prices named include protective service allowances which cover any precooling, initial icing, refrigeration, or other services.

[Above paragraph added by Am. 35, 9 F.R. 7268, effective 7–1–44]

(d) *Table of maximum markups applicable to all citrus fruits.* The following table states the maximum markups which may be added for certain distributive services. In each case, the maximum price shall be figured by adding the appropriate markup to the named f. o. b. or delivered maximum price (see Column 6 of the applicable table in paragraph (c)), as the case may be. In figuring maximum prices, markups may not be taken cumulatively.

For example: If a carlot receiver buys a carlot of oranges delivered at the wholesale receiving point from a grower selling through a broker, the grower's ceiling price is the maximum delivered price (see Column 6 of the applicable table in paragraph (c)), plus the broker's fee (not to exceed 7¢ per box) and the carlot receiver's ceiling price on the resale (ex store) is the maximum carlot delivered price plus 45¢ per standard box. In other words, the broker's fee comes out of the 45¢ and is not added to it.

TABLE OF MAXIMUM MARK-UPS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE

[See Columns 5 and 6 of tables in paragraph (c)]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10	Col. 11	Col. 12	Col. 13
			Sales by a grower or country shipper				Sales by anyone, other than a grower, or country shipper, who has purchased a carlot or trucklot and sells such a carlot or trucklot unbroken	Sales by carlot receivers in less-than-carlots or less-than-truck-lots		Sales by secondary jobbers in any quantity delivered to the premises of the purchaser	Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency or institutional buyer, within the free delivery zone	
Item No.	Commodity	Unit	Through a broker or shipper's sales agent in any quantity or through a commission merchant in carlots or truck-lots [1]	Through a terminal auction in less-than-carlots or less-than-truck-lots [1]	Through a commission merchant in less-than-carlot or less-than-trucklot [1]			Through a terminal auction or ex car, truck, dock, terminal sales platform	Ex store or warehouse		Original containers and quantities in excess of half of original container	Half original containers and less [2]
					Ex car, truck, dock, terminal sales platform	Ex store or warehouse						
1	Oranges	Standard container	$0.07	$0.16	$0.20	$0.45	$0.10	$0.20	$0.45	$0.75	$0.75	
		California standard container loose pack.	$0.05	$0.12	$0.16	$0.35	$0.08	$0.16	$0.35	$0.55	$0.55	
		Other containers or bulk: California, per pound	1/20 cent	2/20 cent	3/20 cent	6/20 cent	1/20 cent	3/20 cent	6/20 cent	1 cent	1 cent	12/20 cents.
		All other, per pound	1/20 cent	2/20 cent	2/20 cent	5/20 cent	1/20 cent	2/20 cent	5/20 cent	8/20 cent	8/20 cent	1 cent.
2	Grapefruit	Standard container	$0.07	$0.16	$0.18	$0.40	$0.10	$0.18	$0.40	$0.65	$0.65	
		California standard container loose pack.	$0.06	$0.14	$0.15	$0.34	$0.08	$0.15	$0.34	$0.55	$0.55	
		Other container or bulk: California, per pound	1/20 cent	2/20 cent	3/20 cent	6/20 cent	1/20 cent	3/20 cent	6/20 cent	1 cent	1 cent	12/20 cents.
		All other, per pound	1/20 cent	2/20 cent	2/20 cent	5/20 cent	1/20 cent	2/20 cent	5/20 cent	8/20 cent	8/20 cent	1 cent.
3	Lemons	Standard container	$0.07	$0.16	$0.25	$0.55	$0.10	$0.25	$0.55	$0.90	$0.90	
		California standard container loose pack.	$0.05	$0.13	$0.20	$0.45	$0.08	$0.20	$0.45	$0.72	$0.72	
		Other containers or bulk: All, per pound	1/20 cent	2/20 cent	3/20 cent	7/20 cent	1/20 cent	3/20 cent	7/20 cent	11/20 cents.	11/20 cents.	13/20 cents.
4	Tangerines, Temples, King oranges, Clementines, Tangelos, Satsumas	Standard container	$0.07	$0.16	$0.20	$0.55	$0.10	$0.20	$0.55	$0.80	$0.80	
		Other containers or bulk: California, per pound	1/20 cent	2/20 cent	3/20 cent	7/20 cent	1/20 cent	3/20 cent	7/20 cent	12/20 cents.	12/20 cents.	14/20 cents.
		All other, per pound	1/20 cent	2/20 cent	2/20 cent	5/20 cent	1/20 cent	2/20 cent	5/20 cent	1 cent	1 cent	12/20 cents.

[1] Charges determined under MPR 165 shall be used instead of those listed in this table if such charges are lower than the mark-ups shown.
[2] Column 13 does not apply to sales made in bulk. Bulk sales of any quantity by a service wholesaler shall be priced under Column 12.

[Footnote 2 amended by Am. 23]

[Table heading amended by Am. 55, 9 F.R. 10878, effective 9–1–44]

(e) *Provisions applicable to growers and country shippers*—(1) *Prohibition against certain payments.* No grower or country shipper shall receive, and no person shall pay to any grower or country shipper, an amount in excess of the maximum price f. o. b. (if sold f. o. b.) or the maximum price for delivered sales (if sold delivered) (see Columns 5 and 6 of the applicable table in paragraph (c)), regardless of the type of sale or the type of purchaser, and regardless of any existing or future commitment between buyer and seller. However, this rule does not affect any allowances made to growers and country shippers for sales through agents; for pre-

cooling, initial icing or refrigeration services in sales f. o. b. shipping point; to ultimate consumer; or delivered to the premises of retail stores, government procurement agencies and institutional buyers. No person who does not pack and ship the citrus fruit being priced and who does not regularly operate a packing and shipping plant for that commodity, shall purchase citrus fruits in bulk (but not washed, graded and stamped) or "on the tree" at a price higher than the maximum price for the applicable purchase and sale named in the applicable table in paragraph (c).

For example: Suppose a grower of Florida "Indian River" oranges receives an offer from an eastern jobber to "split the wholesale markup" on a delivered sale to the buyer's place of business. It is illegal for the grower to accept any amount of money in excess of the maximum price, f. o. b. country shipping point, plus freight from the applicable basing point and the allowance for protective services listed in the table in paragraph (c) for Florida "Indian River" oranges. The grower may enter into a "joint account" with an eastern buyer, but after the sale the gross return to the grower must not exceed the applicable maximum price, f. o. b. country shipping point plus freight from the basing point and the named protective service allowance.

"Country shipper" means any person, including a grower, grower's cooperative, or packer, who grades, sizes, and packs, or otherwise prepares the kind of citrus fruit being priced for shipment and who sells the commodity from a farm, orchard, grove or other country shipping point. A person who has the citrus fruit packed or prepared for him for sale shall be deemed to be a "country shipper", and the country shipping point shall be deemed to be the place where the particular citrus fruit has been prepared for shipment.

"Ultimate consumer" means a person who buys the kind of citrus fruit being priced for direct consumption. However, as used in this Appendix, the term does not include a commercial, industrial, institutional user or government procurement agency.

[Subparagraph (1) amended by Am. 35, 9 F.R. 7268, effective 7–1–44]

(2) *Sales by growers or country shippers direct and through brokers, shippers' sales agents, commission merchants or terminal auctions.* (i) For sales of citrus fruits by growers or country shippers in carlots or trucklots through a broker, shipper's sales agent or commission merchant, or in less-than-carlots or less-than-trucklots through a broker or shipper's sales agent, the maximum price in each case is the maximum price, f. o. b. country shipping point, or the maximum delivered price (see Column 6 of the applicable table in paragraph (c)), as the case may be, for the particular citrus fruit being priced, as named in the applicable table in paragraph (c), plus the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such selling agent may charge under Maximum Price Regulation No. 165) or the markup shown in Column 4 of the table in paragraph (d), whichever is lower.

"Broker" or "shipper's sales agent" means a person other than a commission merchant or a salaried representative of a grower or country shipper who, for a commission or fee, sells the particular citrus fruit being priced on behalf of his principal.

"Commission merchant" means a seller's agent who receives the particular citrus fruit being priced and who, for a commission or fee, sells it in any quantity in a terminal market or other wholesale receiving point, and who, in the case of less-than-carlot and less-than-trucklot sales, performs the wholesale functions of unloading the fruit from the car or truck in which it is received.

"Commission" or "fee" means the charge made by an agent for services performed in connection with the sale of citrus fruits. No amount which the agent pays over to his principal shall be considered part of his fee or commission.

[Subparagraph (i) amended by Am. 55, 9 F.R. 10878, effective 9–1–44. Headnote amended by Am. 35, 9 F.R. 7268, effective 7–1–44]

(ii) For sales by growers or country shippers through a commission merchant in less-than-carlots or less-than-trucklots, the maximum price in each case is the maximum delivered price for the kind of citrus fruit being priced, as named in Column 6 of the applicable table in paragraph (c), plus the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such selling agent may charge under Maximum Price Regulation No. 165) or the applicable markup (for ex car or ex store sales, as the case may be, named in Columns 6 and 7 of the table in paragraph (d)), whichever is lower. (For deliveries made in conveyances owned by the seller, see paragraph (iv), below.)

For example: Assume that the maximum price for a carlot of oranges in standard boxes delivered in a particular market is $4.50 per box. Assume the commission merchant is selling ex store, and that his actual fee (and his maximum fee under MPR 165) is 7% of the selling price, or 34¢ per box. The maximum markup for sales by commission merchants (ex store) in Column 7 of the table in paragraph (d) is 45¢ per box. The maximum price for sales through the commission merchant is therefore $4.50 plus 34¢, or $4.84 per box.

(iii) The maximum price in each case for sales by growers or country shippers through a terminal auction is the maximum delivered price named in Column 6 of the applicable table in paragraph (c), plus (1) the respective actual commissions or fees charged for the particular sale (not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165) or the markup named in Column 5 of the table in paragraph (d), whichever is lower, plus (2) any actual unloading charges in the terminal market.

"Terminal auction" means a place where, on the basis of competitive bidding open to any person who has established credit with the auction company or pays cash, the citrus fruit being priced is sold in less-than-carlots or less-than-trucklots, by persons operating through a licensed sales organization, known as an "auction company", for whose services a fee is charged.

(iv) For sales by growers or country shippers delivered from the country shipping point in conveyances owned by the seller to government procurement agencies, to institutional buyers or to retail stores where resale is made to ultimate consumers, the maximum price, in each case, is the price for the kind of citrus fruit being priced, as named in Column 7 of the applicable table in paragraph (c).

(For deliveries made in conveyances not owned by growers or country shippers when sales are made by country shippers or growers through brokers, shippers' sales agents, commission merchants or terminal auctions, see paragraphs (i), (ii) and (iii) above; for all other deliveries made in conveyances not owned by growers or country shippers the price named in Column 6 of the applicable table in paragraph (c) applies.)

For sales by growers or country shippers to ultimate consumers, the maximum price is the price for the kind of citrus fruit being priced, as named in Column 7 of the applicable table in paragraph (c) multiplied by 1.33. However, such price shall not exceed any applicable community price established by the Office of Price Administration.

[Subparagraph (iv) amended by Am. 21, 9 F.R. 4086, effective 4–14–44; and Am. 35, 9 F.R. 7268, effective 7–1–44]

(f) *Maximum prices for sales by persons other than growers or country shippers.* (i) If any person other than a grower or country shipper purchases and resells in unbroken carlots or unbroken trucklots, the maximum price in each case is the maximum price f. o. b. country shipping point, or the maximum delivered price named in Column 6 of the applicable table in paragraph (c), plus the markup named in Column 8 of the table in paragraph (d).

(2) *Sales by carlot or trucklot receivers in less-than-carlots or less-than-trucklots.* (i) For sales ex car, ex truck, ex dock, or ex terminal sales platform, at a terminal market or any wholesale receiving point the maximum price shall be the maximum delivered price (see Column 6 of the applicable table in paragraph (c)) plus the markup named in Column 9 of the table in paragraph (d) for such sales.

(ii) If a carlot or trucklot receiver breaks a car or truck, unloads into a store or warehouse owned or leased in whole or part by him, and makes sales ex store or ex warehouse, the maximum price in these sales shall be the maximum delivered price (see Column 6 of the applicable table in paragraph (c)) plus the markup named in Column 10 of the table in paragraph (d) for ex store or ex warehouse sales. This price does not include delivery charges. If the carlot or trucklot receiver makes delivery, he may also add the amount which the appropriate regional or district office determines to be applicable to deliveries in these cases (see paragraph (g)).

(iii) If a carlot or trucklot receiver makes a delivered sale to the premises of a purchaser, within the free delivery zone, without first unloading into a store or warehouse owned or leased by him, the maximum price shall be the maximum price for ex car, ex truck, ex dock, or ex terminal sales platform sales plus the amount which the appropriate regional or district office determines to be applicable to such sales (see paragraph (g)).

(3) *Sales through terminal auctions.* (i) The maximum price in each case for sales by persons other than growers and country shippers through a terminal auction is the maximum delivered price, as named in Column 6 of the applicable table in paragraph (c), plus (1) the markup named in Column 9 of the table in paragraph (d), plus (2) any actual unloading charges in the terminal market. All charges incurred in the making of the sale are included in the named markup and shall not be added to it.

[Subparagraph (i) amended by Am. 23, 9 F.R. 4086, effective 4–14–44]

(ii) "Carlot receiver" or "trucklot receiver" means a person who for his own account and profit buys the citrus fruit being priced in unbroken carlots or unbroken trucklots for resale, in less-than-carlots or less-than-trucklots, to persons other than ultimate consumers. For sales of citrus fruits in unbroken carlots or unbroken trucklots, the seller shall not be considered a carlot or trucklot receiver.

(4) *Sales by secondary jobbers.* (i) The maximum price in each case for sales by secondary jobbers on a delivered basis is the maximum delivered price named in Column 6 of the applicable table in paragraph (c) plus the markup named in Column 11 of the table in paragraph (d). However, for sales of goods which secondary jobbers have purchased at auction, ex car, dock, truck or terminal sales platform the maximum price shall be figured by adding, instead of the markup named in Column 11, the markup named in Column 9 plus the difference between the markups named in Columns 10 and 11. "Delivered" means delivered to the buyer's premises within the free delivery zone and, in the case of retailers, delivered to the retail store.

[Subparagraph (i) amended by Am. 62, 9 F.R. 12412, effective 10–13–44]

(ii) The maximum price in each case for sales by secondary jobbers not on a delivered basis is the maximum price for sales on a delivered basis less five cents per container for containers under 50 pounds (gross weight) and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (g)).

(iii) "Secondary jobber" means a person other than a retailer who for his own account and profit purchases the particular citrus fruit being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

[Subparagraph (iii) amended by Am. 55, 9 F.R. 10878, effective 9–1–44]

(5) *Sales by service wholesalers.* (i) The maximum price in each case for sales by service wholesalers on a delivered basis is the maximum delivered price named in Column 6 of the applicable table in paragraph (c) plus the markup named in Column 12 of the table in paragraph (d). "Delivered" means delivered to the buyer's premises within the free delivery zone and, in the case of retailers, delivered to the retail store.

(ii) A service wholesaler, when selling the kind of citrus fruit being priced on a delivered basis in quantities of one-half container or less, may add to the maximum delivered price for that kind of citrus fruit, as named in the applicable table in paragraph (c), the markup named in Column 13 of the table in paragraph (d), but only if he has first offered to sell to the buyer on a full-container basis. This paragraph applies only where the seller breaks the original container received by him and sells a quantity not in excess of half of the quantity in that container. The paragraph does not apply to sales of "half box bags", "half strap boxes", or other fractional units of a standard or legal container, received by the seller and sold unbroken in the form in which it was received.

(iii) The maximum price in each case for sales by service wholesalers not on a delivered basis is the maximum price for sales on a delivered basis less five cents per container for containers under 50 pounds (gross weight) and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (g)).

(iv) "Service wholesaler" means a person who maintains a store or warehouse at which the particular goods being priced is received and stored or warehoused, who maintains at such store or warehouse facilities for cold storage, sorting, repacking, and other handling of the fruit, who employs salesmen to call on the trade in the city or country points which he services, and who sells the particular goods being priced to retail stores, government procurement agencies or institutional buyers.

(v) The maximum price for sales by secondary jobbers or service wholesalers delivered to the premises of any purchaser located outside of the free delivery zone is the maximum delivered price named in Column 6 of the applicable table in paragraph (c) plus the applicable markup named in Columns 11, 12 and 13 of the table in paragraph (d), plus the cost of transportation, beyond the free delivery zone, figured at the lowest common or contract carrier rate for available transportation, from the seller's place of business to the premises of the purchaser. The amount added for transportation shall not exceed 25 cents per cwt. for the first 25 miles beyond the free delivery zone and five cents per cwt. for each successive 25 miles, and the total amount may not exceed 50 cents per cwt., except as these amounts may be changed by the appropriate regional or district office (see paragraph (g)).

[Subparagraphs (iv) and (v) amended by Am. 23, 9 F.R. 4086, effective 4–14–44]

(g) *Adjustments by regional and district offices.* For citrus fruits, the regional offices of the Office of Price Administration, and such district offices as they in turn may authorize, are authorized:

(1) To determine the limits of the free delivery zone at any wholesale receiving point located within its jurisdiction and to adjust upwards or downwards the allowances for sales by secondary jobbers and service wholesalers on a non-delivered basis and to adjust upwards or downwards the allowances for transportation beyond the free delivery zones, at the lowest rates for customary and generally available means of transportation.

(2) To determine and publish orders announcing the maximum amounts which carlot or trucklot receivers may add to their maximum prices for deliveries made within the free delivery zone at that wholesale receiving point.

(3) To adjust upwards or downwards the maximum markups established for sales by growers or country shippers through commission merchants in less-than-carlots or less-than-trucklots ex car, ex truck, ex dock, or terminal sales platform, and for sales by carlot or trucklot receivers ex car, ex truck, ex dock, or ex terminal sales platform or through a terminal auction. However, any upward adjustment that is made under this paragraph shall not exceed the maximum markup established for sales ex store or ex warehouse, by a grower or country shipper through a commission merchant in less-than-carlots or less-than-trucklots or by a carlot or trucklot receiver.

[Paragraph (g) amended by Am. 24, 9 F.R. 4088, effective 4–19–44]

(h) *Record keeping and notification requirements.* Every sale by any person to intermediate sellers shall be accompanied by a notification in writing showing the date of the sale, the names and addresses of the seller and buyer, the quantity being sold and total price charged. When the total actual price includes brokerage, commission, freight, trucking, refrigeration, or any other charge or fee recognized by this Appendix, the notice shall also set forth the nature of such charges, where the giving of such information is not inconsistent with state law.

(i) *Weights.* (i) All weighing and packing of citrus fruits by growers and country shippers shall be done in accordance with customary weighing and packing practices and the requirements of the applicable State Agricultural Code.

(ii) The provisions of section 14a (a) shall apply to those containers of citrus fruits whose maximum prices named in the applicable table in paragraph (c) are stated on a per pound basis.

[Subparagraph (ii) amended by Am. 29, 9 F.R. 5926, effective 6–5–44]

(j) *Fractions of a cent*—(1) *Standard containers.* Any maximum price, figured for citrus fruit in a standard container, which contains a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and increased to the nearest higher cent if the fraction is one-half cent or more.

(2) *Non-standard containers and in bulk.* Any maximum price, figured for citrus fruit on a pound basis, shall be carried to the second decimal place of a cent (hundredths of a cent). Any final calculation of a total maximum price applicable to an individual sale which contains a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and increased to the nearest higher cent if the fraction is one-half cent or more.

[Paragraph (j) added by Am. 55, 9 F.R. 10878, effective 9–1–44]

[Appendix I added by Am. 19, 9 F.R. 2008, effective 2–23–44 as to maximum prices, f. o. b. shipping point; effective 3–3–44 as to maximum prices other than maximum prices f. o. b. shipping point named in tables 2, 3, 6, 7, 8, and 10 of paragraph (c) of Appendix I; effective 3–9–44 as to maximum prices other than maximum prices f. o. b. shipping point named in tables 1, 4, 5, 9 and 11 of paragraph (c) of Appendix I.]

[Effective date provision amended by Am. 21, 9 F.R. 2493, effective 3–3–44]

Appendix J—Maximum Prices for Certain Deciduous Tree Fruits

(a) *Explanation.* This appendix establishes maximum prices for the following deciduous tree fruits:

Sweet cherries (all varieties)
Apricots (all varieties)
Plums (all varieties including fresh prunes, except fresh Italian prunes)
Fresh Italian prunes (all varieties)
Pears (all varieties except Forelle and Seckel)

[Above item added by Am. 43, 9 F.R. 9066, effective as to maximum prices f. o. b. shipping point on 12:01 a. m., 7–25–44, and as to all other maximum prices as follows: (1) On 8–8–44 for all states wholly east of the Mississippi River except Illinois and Wisconsin; (2) on 8–3–44 for all other states except California, Oregon and Washington; (3) on 7–29–44 for California and Washington]

It applies to every seller of the listed deciduous tree fruits, including growers, grower-distributors, buyer-distributors, carlot distributors, primary receivers, secondary jobbers, service wholesalers and all other sellers except retailers.

Specifically, the appendix:

(1) Establishes maximum prices f. o. b. shipping point for sales made f. o. b. shipping point, and designates basing points from which to figure maximum prices for sales made on a delivered basis.

(2) Establishes maximum prices for sales direct and through certain named agents by all persons other than retailers.

(3) Establishes maximum prices for sales to retail stores, government procurement agencies and institutional buyers.

Each of the listed deciduous tree fruits is covered by a separate table (see paragraph (d)). Special provisions applicable to any one kind of deciduous tree fruit will be found in footnotes to the applicable table. Provisions applicable to all listed deciduous tree fruits are to be found in the paragraphs following the tables. The maximum markups which may be added to the applicable f. o. b. or delivered maximum price, as the case may be, for certain sales common to all the listed deciduous tree fruits, are set forth in Tables A and B (see paragraph (e)). Table A names the markups for sales by growers through agents and for sales by other primary sellers direct or through agents. Table B names the markups for sales by persons other than primary sellers.

Any sale by a primary seller of deciduous tree fruits shipped by him by mail or express to an ultimate consumer in a lot of five containers or less (not larger than "standard" containers) is exempt from this regulation. However, this exemption does not apply to sales by sellers other than primary sellers.

The Office of Price Administration reserves the right to change any basing point named

in this appendix at any time or to establish new or additional basing points without changing the maximum price f. o. b. country shipping point.

(b) *Definitions.* (1) "Standard container" means any container listed in Column 2 of the applicable table in paragraph (d) which is closed and contains a net weight within the weight ranges specified for that container.

(2) "Shipping point" means the place in or near the producing area where the kind of deciduous tree fruit being priced is prepared for shipment and first loaded on cars for rail shipment or on trucks for truck shipment.

Example: Suppose pears are packed at a packing plant at Lakeport, California, and that the nearest point for rail shipment is Yuba City, California, and that the pears must therefore be transported from Lakeport to Yuba City by truck. The country shipping point in this case will be Yuba City, California, and the maximum prices established for pears f. o. b. shipping point will apply at Yuba City. The cost of transportation from Lakeport, California to Yuba City, California, must be borne by the seller. If, however, the pears are destined for a terminal market by truck shipment, for example, to Los Angeles, California, the shipping point in such case will be Lakeport, California.

(3) "Primary seller" means the first person including a grower, grower-distributor, buyer-distributor, or growers' cooperative who prepares the particular deciduous tree fruit being priced for shipment and who sells it from a "shipping point" on an f. o. b. or delivered basis. A person who owns and has the fruit prepared for him for shipment from the shipping point is a primary seller.

(4) "Graded and packed" means graded and packed in accordance with the requirements of the applicable State Agricultural Code.

(c) *Weight markings and price calculations.* (1) Before sale, every seller shall clearly mark a net weight on every unmarked container. In the case of a standard container, the seller shall mark a minimum net weight which may be lower, but in no case higher, than the actual weight. In the case of other containers, the seller shall mark the actual net weight on the container. However, marking requirements do not apply to open containers.

The weight requirements provided in this appendix are based on weights existing at the time of shipment from the shipping point, in the case of closed containers, and at the time of sale, in the case of open containers. All weighing and marking shall be done according to the weighing and marking requirements of the applicable State Agricultural Code. (Section 14a (a) does not apply to this appendix.)

(2) Every seller who sells a container upon which a net weight has not theretofore been marked by a prior seller or who sells an open container, shall figure his maximum price on the basis of the actual net weight of the contents. Every seller who sells a container (other than an open container) upon which a net weight has theretofore been marked by a prior seller shall figure his maximum price on the basis of the net weight marked on the container.

Some sellers of standard containers may not wish to weigh each container before marking and selling it. In recognition of this, weight ranges have been provided, for standard containers, within which maximum prices do not vary. However, a seller who sells without weighing all containers takes the risk that the estimated minimum net weight may exceed the actual net weight, which would be a violation of the regulation. Subsequent sellers, however, may rely on the minimum net weight marked on the container and figure their maximum prices on the basis of it.

A seller obtains his maximum price first by determining whether the net weight of the container being priced falls within any of the weight ranges established by the appendix for that type of container. If the net weight falls within an applicable weight range, the maximum price named in the price table for that container is on a container basis and it applies to all weights within that range. On the other hand, if the net weight falls outside the applicable weight ranges, the maximum price is figured by the seller on a straight per-pound basis. (In the latter case, the container is not a "standard container" and the seller will therefore be required to figure a maximum price for it on the basis of actual net weight.)

(d) *Maximum price tables applicable to individual deciduous tree fruits.* The following tables state maximum prices for certain sales of deciduous tree fruits by all sellers, except sellers at retail. (For other transactions by these sellers see Tables A and B in paragraph (e) and the provisions of paragraphs (f), (g) and (k)).

Except as specified for bulk sales, and "on the tree" sales, the maximum prices named in the following tables include all costs of harvesting, hauling, packing, precooling, loading and inspection, and no additional charge may be made for containers or for any other materials furnished or services rendered.

Although f. o. b. shipping point maximum prices are named only for listed deciduous tree fruits shipped from certain states (see Column 5 of the applicable table in each case), all listed fruits are subject to the maximum prices named in Columns 6 and 7 of the following tables, regardless of where produced or shipped.

TABLE 1—MAXIMUM PRICES FOR SWEET CHERRIES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6	Col. 7
				Maximum prices for fruit loaded in car or truck at shipping point			
Item No.	Type, variety, style of pack, etc.	Unit	Season	Produced in zone I or zone II for sale within the zone of production [1]	Produced in zone II for sale outside the zone of production, and those produced in zone III for sale in any zone [1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity [2]	Maximum prices for sales by certain persons in less-than-carlots or less-than-truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer [3]
	Sweet cherries graded and packed in the following containers:						
1	Campbell lugs (WPB L–232 Nos. 28 and 29) with a net weight of not less than 14½ pounds or more than 15½ pounds.	Per lug	Beginning—June 17	$2.65	$3.31	Applicable Column 5 price plus actual cost of transportation (including 3% transportation tax) from shipping point plus protective service allowances. [4]	Column 6 price plus 86 cents.
2			June 18—end of season	$2.55	$3.21		
3	Campbell lugs (WPB L–232 No. 27) with a net weight of not less than 16 pounds nor more than 18 pounds.	Per lug	Beginning—June 17	$3.02	$3.78		Column 6 price plus 95 cents.
4			June 18—end of season	$2.89	$3.66		
5	Calex lugs (WPB L–232 No. 48) with a net weight of not less than 19 pounds nor more than 21 pounds.	Per lug	Beginning—June 17	$3.55	$4.45		Column 6 price plus $1.08.
6			June 18—end of season	$3.40	$4.30		
7	Fruit boxes (WPB L–232 No. 36) with a net weight of not less than 19½ pounds nor more than 20½ pounds.	Per box	Beginning—June 17	$3.55	$4.45		Column 6 price plus $1.08.
8			June 18—end of season	$3.40	$4.30		
9	Lug boxes (WPB L–232 No. 47) with a net weight of not less than 23 pounds nor more than 25 pounds.	Per box	Beginning—June 17	$4.26	$5.34		Column 6 price plus $1.29.
10			June 18—end of season	$4.08	$5.16		
11	Any of the above containers but with a net weight of less than or more than that specified for each container, and in any other container. [5]	Per lb	Beginning—June 17	17.75 cents	22.25 cents		Column 6 price plus 5.6 cents.
12			June 18—end of season	17.00 cents	21.50 cents		
	Sweet cherries ungraded (orchard run):						
13	In any container [5]	Per lb	Beginning—June 17	14.75 cents			Column 6 price plus 4.6 cents.
14			June 18—end of season	14.00 cents			

[1] Zone I—State of California. Zone II—States of Oregon and Washington. Zone III—All other States.

[2] The maximum price for sweet cherries sold in bulk (loose without containers) shall be ½ cent per pound less than the appropriate prices per pound listed for items 13 and 14 in columns 5, 6 and 7.

[3] The prices named in columns 6 and 7 are maximum prices for each individual lot or shipment of sweet cherries received and sold by the particular seller. For sellers covered by column 7, see general provisions of this appendix.

[4] Protective service allowances shall be the actual cost of protective services furnished but not to exceed the lowest common carrier charge for the same services (including 3 per cent transportation tax).

[Table 1 corrected 9 F.R. 6711, effective 6–9–44; amended by Am. 37, 9 F.R. 7425, effective 7–2–44; Am. 87, 10 F.R. 2351, effective 3–5–45; and Am. 101, 10 F.R. 5458, effective 5–9–45, except as to sweet cherries shipped from the shipping point and actually sold before that date]

TABLE 1A [DELETED]

[Table 1a corrected 9 F.R. 6711, effective 6–9–44; amended by Am. 37, 9 F.R. 7425, effective 7–2–44; Am. 87, 10 F.R. 2351, effective 3–5–45; and deleted by Am. 101, 10 F.R. 5458, effective 5–9–45]

TABLE 2—MAXIMUM PRICES FOR APRICOTS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6		Col. 7
				Maximum prices for fruit loaded in car or truck at shipping points		Maximum prices for sales delivered to any wholesale receiving point in any quantity		Maximum prices for sales by certain persons in less-than-carlots or less-than-truckloads delivered to the premises of any retail store, government procurement agency or institutional buyer. [4]
Item No.	Type, variety, style of pack, etc.	Unit	Season	5 (a) Produced in Zone I or II and destined for sale within the zone of production [1]	5 (b) Produced in Zone I or II and destined for sale outside the zone of production [1]	6 (a) Produced in Zone I or II for sale within the zone of production. [2]	6 (b) Produced in Zone I or II for sale outside the zone of production and in Zone III for sale in any zone. [2]	
	Apricots graded and packed in the following containers:							
1	Northwest lugs (WPB L 232 No. 20) with a net weight of not less than 14 pounds nor more than 15 pounds.	Per lug	Beginning June 15	$1.20	$1.54	(Column 5 (a) price plus freight (including 3% transportation tax) from Sacramento, California, for apricots produced in Zone I; and from Yakima, Washington, for apricots produced in Zone II. (No amount may be added for protective service allowance.)	Column 5 (b) price plus freight (including 3% transportation tax) from Sacramento, California, for apricots produced in Zone I; and from Yakima, Washington, for apricots produced in Zone II or III; and plus protective service allowances [3]	Column 6 price plus 43 cents.
2			June 16 June 24	1.05	1.54			
3			June 25—end of season	1.00	1.24			Column 6 price plus 75 cents.
4	Beauty wood lugs (WPB L 242 No. 4 with a net weight of not less than 20 pounds nor more than 26 pounds.	Per lug	Beginning—June 15	2.25	2.75			
5			June 16 June 24	1.50	2.75			
6			June 25—end of season	1.20	2.40			Column 6 price plus 3 cents.
	Any of the above containers but with a net weight of less than or more than that specified for each container, and in any other container. [2]			*Cents*	*Cents*			
7		Per lb.	Beginning—June 15	9.0	11.0			
8			June 16 June 24	7.6	11.0			
9			June 25—end of season	7.6	9.6			
10	Apricots ungraded (orchard run) in any container [2]	Per lb.	Beginning June 15	*Cents* 7.5		(Column 5 price plus freight (including 3% transportation tax) from Sacramento, California, for apricots produced in Zone I; and from Yakima, Washington, for apricots produced in Zone II or III. (No amount may be added for protective service allowance.)		Column 6 price plus 3 cents.
11			June 16—end of season	6.1				

[1] Zone I—State of California. Zone II—States of Oregon and Washington. Zone III—All other states.

[2] The maximum price for apricots sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate prices per pound listed for Items 10 and 11 in Columns 5, 6 and 7.

[3] Protective service allowances shall be added in accordance with the following schedule for apricots priced by Column 6 (b):

Wholesale Receiving Points	Items 1, 2 and 3 per lug	Items 4, 5 and 6 per lug	Items 7, 8 and 9 per pound
1. In all states east of the Mississippi River, except in Wisconsin and Illinois	$0.09	$0.13	$0.006
2. In all other states, except California, Oregon and Washington	0.07	0.10	0.004
3. In California, Oregon and Washington	0.03	0.04	0.002

[4] For sellers covered by Column 7, see general provisions of this Appendix.

[Table 2 amended by Am. 109, 10 F.R. 6517, effective 6–1–45, except as to apricots shipped from shipping point and actually sold before that date]

TABLE 2A [REVOKED]

[Table 2a revoked by Am. 103]

TABLE 3—MAXIMUM PRICES FOR PLUMS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices for fruit loaded on car or truck at shipping points in California, Oregon and Washington	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store Government procurement agency or institutional buyer [1]
	Plums graded and packed in standard 4-basket crates (WPB L.232 Nos. 37, 38, 39, 40) with the following size and net weight classes:					
	Size / Net weight: Not less than / Not over					
1	3 x 4	Per 4-basket crate.	All season	$2.91	Column 5 price *plus* freight (including 3% transportation tax) from Sacramento, California, *plus* protective services.[1]	Col. 6 price plus [illegible] cents.
2	3 x 4 x 4 / 29 pounds / 33 pounds			$2.91		Col. 6 price plus [illegible] cents.
3	4 x 4 / 28 pounds / 32 pounds			$2.82		Col. 6 price plus [illegible] cents.
4	3 x 4 x 5 / 26 pounds / 30 pounds			$2.63		Col. 6 price plus [illegible] cents.
5	4 x 5 / 26 pounds / 30 pounds			$2.61		Col. 6 price plus [illegible] cents.
6	5 x 5 / 24 pounds / 28 pounds			$2.44		Col. 6 price plus [illegible] cents.
7	5 x 6 / 23 pounds / 27 pounds			$2.35		
8	6 x 6			$2.35		
9	Plums graded and packed in standard 4-basket crates of each of the above sizes (Items 1-8 above) with a net weight of less than or more than that specified for each size, and plums of any size graded and packed in all other containers.	Per pound	All season	9.4 cents	Column 5 price *plus* freight (including 3% transportation tax) from Sacramento, California *plus* protective services.[1]	Col. 6 price plus [illegible] cents.
10	Plums sold loose and ungraded in any container.[2]	Per pound	All season	8.2 cents	Column 5 price *plus* freight (including 3% transportation tax) from Sacramento, California *plus* protective services.[1]	Col. 6 price plus [illegible] cents.

[1] The maximum price for plums sold in bulk (loose without containers) shall be 2.0 cents per pound less than the maximum prices per pound listed for Item 10 in Columns 5, 6, and 7.

[2] Protective service allowances shall be added in accordance with the following groups of wholesale receiving points:

Wholesale receiving points	Allowance for protective services. (Includes 3% tax) For containers of 20 lbs. and over	Per lb. for containers under 20 lbs.
1. In all States wholly east of the Mississippi River, except in Wisconsin and Illinois	$0.14	7/10 cent.
2. In all other States, except in California, Oregon and Washington	.11	1/2 cent.
3. In Oregon and Washington	.04	1/5 cent.
4. In California	.03	$0.00.

[3] No protective service allowances may be added for plums sold loose and ungraded in any container.

[4] For the sellers covered by Column 7, see general provisions of this appendix.

[Table 3 amended by Am. 44, 9 F.R. 9090, effective 7-27-44; and Am. 87, 10 F.R. 2351, effective 3-5-45]

TABLE 4—MAXIMUM PRICES FOR FRESH ITALIAN PRUNES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices for fruit loaded on car or truck at shipping point	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [1]
1	Fresh Italian prunes graded and packed in standard 1/2 bushel baskets with a net weight of not less than 28 pounds nor more than 32 pounds.	Per basket.	Jan. 1-Oct. 17	$1.97 Washington, Oregon, Idaho and California.	Column 5 price *plus* freight (including 5% transportation tax) from Yakima, Washington, *plus* protective services.[2]	Column 6 price plus [illegible] cents.
2			Oct. 18-Nov. 8	$2.10		
3			Nov. 9-Dec. 31	$2.27		
4	Fresh Italian prunes graded and packed in standard prune box (WPB L. 242, No. 20) with a net weight of not less than 15 pounds nor more than 17 pounds.	Per box.	Jan. 1-Oct. 17	$1.04 Washington, Oregon, Idaho, and California.	Column 5 price *plus* freight (including 5% transportation tax) from Yakima, Washington, *plus* protective services.[2]	Column 6 price plus 41 cents.
5			Oct. 18-Nov. 8	$1.12		
6			Nov. 9-Dec. 31	$1.20		
7	Fresh Italian prunes graded and packed in standard 1/2 bushel baskets with a net weight of less than 28 pounds or more than 32 pounds, and fresh Italian prunes packed in standard prune boxes with a net weight of less than 15 pounds or more than 17 pounds, and those graded and packed in all other containers.	Per pound	Jan. 1-Oct. 17	6.5 cents Washington, Oregon, Idaho, and California.	Maximum price for item 1 above divided by 30.	
8			Oct. 18-Nov. 8	7.0 cents	Maximum price for item 2 above divided by 30.	Column 6 price plus [illegible] cents.
			Nov. 9-Dec. 31	7.5 cents	Maximum price for item 3 above divided by 30.	
9	Fresh Italian prunes sold loose and ungraded in any container.[3]	Per pound	Jan. 1-Dec. 31	4.7 cents Washington, Oregon, Idaho, and California.	Column 5 price *plus* freight (including 5% transportation tax) from Yakima, Washington.[2]	Column 6 price plus [illegible] cents.

[1] The maximum price for fresh Italian prunes sold in bulk (loose without containers) shall be 7.0 cents per pound less than the maximum prices per pound listed for Item 10 in Columns 5, 6, and 7.

[2] Protective service allowances shall be added in accordance with the following groups of wholesale receiving points:

Wholesale receiving points	Allowance for protective services (includes 3% tax) Per one-half bushel basket	Per standard prune box
1. In all States east of the Mississippi River, except in Wisconsin and Illinois	$0.14	$0.09
2. In all other States, except in California, Washington, Oregon and Idaho	.11	.07
3. In California	.03	.03
4. In Oregon, Washington and Idaho	.00	.00

[3] No protective service allowances may be added for fresh Italian prunes sold loose and ungraded in any container.

[4] For the sellers covered by Column 7, see general provisions of this appendix.

TABLE 5—MAXIMUM PRICES FOR PEARS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices for fruit loaded on car or truck at shipping point	Maximum prices of sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
				California and Josephine and Jackson Counties in Oregon		
1	Pears produced in California and in the counties of Josephine and Jackson in Oregon and packed in standard Western pear boxes (WPB L.232 No. 54), and in one-way pear lugs (WPB L.232 No. 56) and in two standard half-pear boxes (WPB L.232 No. 55) with a net weight of not less than 46 pounds nor more than 50 pounds.	Per box, one-way lug or two half boxes	Beginning of season-Sept. 10	$3.69	Col. 5 price plus freight (including 3% transportation tax) from Sacramento, California, plus protective services.[2]	Col. 6 price plus $1.00.
2			Sept. 11-Oct. 10	$3.76		
3			Oct. 11-Nov. 10	$3.92		
4			Nov. 11-Dec. 10	$4.08		
5			Dec. 11-Jan. 10	$4.16		
6			Jan. 11-Feb. 10	$4.24		
7			Feb. 11-March 10	$4.36		
8			March 11-April 10	$4.48		
9			April 11-end of season	$4.60		
10	Pears produced in California and in Josephine and Jackson Counties of Oregon and packed in Washington pear lugs (WPB L.232 No. 56) with a net weight of not less than 19 pounds nor more than 21 pounds.	Per lug	Beginning of season-Sept. 10	$1.50	Col. 5 price plus freight (including 3% transportation tax) from Sacramento, California, plus protective services.[2]	Col. 6 price plus 15 cents.
11			Sept. 11-Oct. 10	$1.57		
12			Oct. 11-end of season	$1.64		
13	Pears produced in California and in Josephine and Jackson Counties of Oregon and packed in standard Western pear boxes (WPB L.232 No. 54) and in one-way pear lugs (WPB L.232 No. 56) and in two standard half-pear boxes (WPB L.232 No. 55) with a net weight of less than 46 pounds or more than 50 pounds, and pears graded and packed in any other container, except Washington pear lugs.	Per pound	Beginning of season-Sept. 10	7.50 cents	Maximum price above for applicable month (Items 1-9) divided by 48.	Col. 6 price plus 2 2/10 cents.
14			Sept. 11-Oct. 10	7.83 cents		
15			Oct. 11-Nov. 10	8.17 cents		
16			Nov. 11-Dec. 10	8.50 cents		
17			Dec. 11-Jan. 10	8.67 cents		
18			Jan. 11-Feb. 10	8.83 cents		
19			Feb. 11-Mar. 10	9.08 cents		
20			Mar. 11-Apr. 10	9.33 cents		
21			Apr. 11-end of season	9.58 cents		

See footnotes at end of table.

TABLE 5—MAXIMUM PRICES FOR PEARS—continued

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices for fruit loaded on car or truck at shipping point	Maximum prices of sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
				Washington and Oregon except Josephine and Jackson Counties		
22	Pears produced in California and in Josephine and Jackson Counties of Oregon and packed in Washington pear lugs with a net weight of less than 19 pounds or more than 21 pounds.	Per pound.	Beginning of season-Sept. 10	7.50 cents	Maximum price above for applicable month (Items 10-12) divided by 20.	Col. 6 price plus 2½¢ per lb.
23			Sept. 11-Oct. 10	7.83 cents		
24			Oct. 11-end of season	8.17 cents		
25	Pears produced in California and in Josephine and Jackson Counties of Oregon and sold loose and unpraded in any container.	Per pound.	All season	6.0 cents	Col. 5 price plus freight (including 3% transportation tax) from Sacramento, California. [2] [3]	Col. 6 price plus 2½¢ per lb.
26	Pears produced in California and in Josephine and Jackson Counties of Oregon and sold in bulk (loose without container, or in containers furnished by the buyer).	Per pound.	All season	5.0 cents	Col. 5 price plus freight (including 3% transportation tax) from Sacramento, California. [2] [3]	Col. 6 price plus 2½¢ per lb.
27	Pears produced in all other areas and packed in standard Western pear boxes (WPB L.232 No. 54), and in one-way pear lugs (WPB L.232 No. 56), and in two standard half-pear boxes (WPB L.232 No. 55) with a net weight of not less than 44 pounds nor more than 48 pounds.	Per box, one-way lug, or two half-boxes.	Beginning of season-Sept. 10	$3.45	Col. 5 price plus freight (including 3% transportation tax) from Yakima, Washington, plus protective services. [1] [3]	Col. 6 price plus $1.62.
28			Sept. 11-Oct. 10	$3.60		
29			Oct. 11-Nov. 10	$3.76		
30			Nov. 11-Dec. 10	$3.90		
31			Dec. 11-Jan. 10	$4.00		
32			Jan. 11-Feb. 10	$4.08		
33			Feb. 11-March 10	$4.18		
34			March 11-April 10	$4.29		
35			April 11-end of season	$4.41		
36	Pears produced in all other areas and packed in Washington pear lugs (WPB L.232 No. 56) with a net weight of not less than 19 pounds nor more than 21 pounds.	Per lug	Beginning of season-Sept. 10	$1.50	Col. 5 price plus freight (including 3% transportation tax) from Yakima, Washington, plus protective services. [1] [3]	Col. 6 price plus 45 cents.
37			Sept. 11-Oct. 10	$1.57		
38			Oct. 11-end of season	$1.64		
39	Pears produced in all other areas and packed in standard western pear boxes (WPB L.232 No. 54), and in one-way pear lug (WPB L.232 No. 56) and in two standard half-pear boxes (WPB L.232 No. 55) with a net weight of less than 44 pounds or more than 48 pounds, and pears graded and packed in any other container, except Washington pear lugs.	Per pound.	Beginning of season-Sept. 10	7.50 cents	Maximum price above for applicable month (Items 27-35) divided by 16.	Col. 6 price plus 2½¢ per lb.
40			Sept. 11-Oct. 10	7.83 cents		
41			Oct. 11-Nov. 10	8.17 cents		
42			Nov. 11-Dec. 10	8.50 cents		
43			Dec. 11-Jan. 10	8.67 cents		
44			Jan. 11-Feb. 10	8.84 cents		
45			Feb. 11-March 10	9.08 cents		
46			March 11-April 10	9.33 cents		
47			April 11-end of season	9.58 cents		
48	Pears produced in all other areas and packed in Washington pear lugs with a net weight of less than 19 pounds or more than 21 pounds.	Per pound.	Beginning of season-Sept. 10	7.50 cents	Maximum price above for applicable month (Items 36-38) divided by 20.	Col. 6 price plus 2½¢ per lb.
49			Sept. 11-Oct. 10	7.83 cents		
50			Oct. 11-end of season	8.17 cents		
51	Pears produced in all other areas and sold loose and ungraded in any container.	Per pound.	All season	6.0 cents	Col. 5 price plus freight (including 3% transportation tax) from Yakima, Washington. [2] [3]	Col. 6 price plus 2½¢ per lb.
52	Pears produced in all other areas and sold in bulk (loose without container, or in container furnished by the buyer)	Per pound.	All season	5.0 cents	Col. 5 price plus freight (including 3% transportation tax) from Yakima, Washington. [2] [3]	Col. 6 price plus 2½¢ per lb.

[1] Protective service allowances shall be added in accordance with the following groups of wholesale receiving points:

Wholesale receiving points	Allowance for protective services (includes 3% tax)	
	Standard pear box, one-way lug, two half-pearboxes	Washington pear lug
1. In all states wholly East of the Mississippi River, except in Wisconsin and Illinois	$0.18	[illegible]
2. In all other states, except in California, Oregon and Washington	.14	[illegible]

[2] Maximum prices for sales delivered to wholesale receiving points in California, Oregon and Washington shall be the price in Column 5 for the applicable producing area plus freight (including 3% transportation tax) from the shipping point, and plus actual protective service costs not to exceed the actual cost of protective services furnished and not to exceed the lowest common carrier charge for the same services (including 3% tax).

[3] No protective service allowance shall be added for pears sold loose and ungraded in any container, or in bulk.

[4] For the sellers covered by Column 7, see general provisions of this appendix.

[Table 5 added by Am. 43, 9 F.R. 9066, effective as to maximum prices f. o. b. shipping point on 12:01 a. m., 7-25-44, and as to all other maximum prices as follows: (1) On 8-8-44 for all states wholly east of the Mississippi River except Illinois and Wisconsin; (2) on 8-3-44 for all other states except California, Oregon and Washington; (3) on 7-29-44 for California, Oregon and Washington]

(e) *Tables of maximum markups applicable to all listed deciduous tree fruits.* The following tables name the maximum markups which may be added for certain distributive services. Table A names maximum markups for sales by growers through agents and sales by primary sellers other than growers. Table B names maximum markups for all other sellers. In each case, the maximum price shall be figured by adding the appropriate markup to the named f. o. b. shipping point or delivered price (see Column 5 or 6 of the applicable table in paragraph (d)), as the case may be. In figuring maximum prices, markups may not be taken cumulatively.

[Examples 1 through 6 deleted by Am. 109, 10 F.R. 6517, effective 6-1-45]

TABLE A—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE AS THE CASE MAY BE

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10	Col. 11	Col. 12
			Sales by growers				Sales by a grower-distributor, buyer-distributor and by a grower or any person through a grower's sales agent				
			Through a commission merchant in less-than-carlots or less-than-trucklots [4]								
Item No.	Commodity	Unit	Through a broker in any quantity or through a commission merchant in carlots or trucklots [4]	Ex-dock, car, truck or terminal sales platform	Through a commission merchant in less-than-carlots or less-than-trucklots [4]	Through an auction in less-than-carlots or less-than-trucklots [4]	Through a broker or buyer-distributor's office, or through a commission merchant in carlots or trucklots [4]	Direct sale (without the use of broker or any other agent) [5]	Through a broker or buyer-distributor's office, or through a commission merchant in less-than-trucklots [4]	Ex-store or warehouse	Ex-dock, car, truck or terminal sales platform
1	Sweet cherries	(Items 1-11, Table D): Canpacking 14½-15½ pounds	$0.02	$0.17	$0.27	$0.11	$0.18	$0.16	$0.27	$0.34	$0.33
		Canpacking 19-21 pounds	.02	.19	.28	.12	.18	.16	.28	.35	.35
		Canpacking 24-26 pounds	.02	.21	.29	.14	.18	.16	.29	.36	.36
		Fruit box 10½-12½ pounds	.02	.25	.30	.14	.18	.16	.30	.36	.36
		Lug box 23-25 pounds	.02	.27	.32	.16	.18	.16	.32	.36	.36
		Above containers with a net weight of less than 10 pounds, and sweet cherries packed in all other containers, and those sold unpraded for fresh fruit) in any container, or in bulk—per pound.	3½ cent	15 cents	2½ cents	3½ cent	$0.15 per container for all containers over 14 lbs. plus 1½¢ per pound. For all others 2½¢ per pound.	$0.16 per container for all containers over 14 lbs. plus 1½¢ per pound. For all others 2½¢ per pound.	$0.15 per container for all containers over 14 lbs. plus 1½¢ per pound. For all others 2½¢ per pound.	$0.25. $0.31. 1½ cents.	$0.16 per container for all containers over 14 lbs. plus 2½¢ per pound. For all others 3½¢ per pound.
2	Apricots	Irrigated Type: Table 2: Northwest lug 13-15 pounds	$0.02	$0.09	$0.19	$0.06	$0.12	$0.11	$0.19	$0.30	$0.29
		Brentwood lug 24-26 pounds	.03	.16	.30	.10	.19	.16	.30	.37	.35
		Above containers with a net weight of less than 24 pounds, and those packed for each container, and apricots packed in any other container, and those sold unpraded (orchard run) in any container or in bulk—per pound.	3½ cent	9½ cent	14½ cents	5½ cent	3½ cent	3½ cent	14½ cents	5½ cent	9½ cent
3	Plums	Italian Type: Table 2: Standard 4-basket crate with a net weight of 22-33 pounds.	$0.03	$0.17	$0.30	$0.10	$0.12	$0.09	$0.30	$0.18.	$0.36
		Standard 4-basket crate with a net weight of more than 33 pounds, and plums packed in any other container, and those sold unpraded in any container, or in bulk—per pound.	5½ cent	15½ cent	19½ cents	5½ cent	5½ cent	5½ cent	19½ cents	17½ cents.	5½ cent
4	Fresh Italian prunes.	All Cities: Table 4): ½ bushel basket 28-32 pounds	$0.03	$0.15	$0.33	$0.09	$0.15	$0.11	$0.33	$0.26.	$0.36
		Standard prune box 15-17 pounds	.02	.08	.18	.05	.08	.06	.18	$0.14.	.20
		Above containers with net weight of less than 15 pounds, and those packed for each container and fresh Italian prunes packed in all other containers and those sold loose and unpraded in any container, or in bulk—per lb.	2½ cent	5½ cent	11½ cents	3½ cent	5½ cent	3½ cent	11½ cents	$0.11 per container for all containers over 30 lbs. plus 3½¢ per lb. For all others 5½¢ per lb.	11½ cents.
5	Pears	Anjou, Bosc, Comice, Table 5): Standard Western Pear Box, One Way Lug, Two Standard ½ Pear Boxes: California, and 46-50 pounds, Oregon and Washington Pear Lugs 42 pounds, all other areas	$0.03	$0.21	$0.37	$0.15	$0.23	$0.17	$0.37	$0.62.	$0.44
		Above containers with net weight of less than 46 pounds, and those packed for each container and those sold loose and unpraded in any container, or in bulk—per lb.	3½ cent	7½ cent	13½ cents	5½ cent	7½ cent	5½ cent	13½ cents	$0.11 per container for all containers over 30 lbs. plus 3½¢ per lb. For all others 5½¢ per lb.	13½ cents.
		Washington Pear Lugs: 42 pounds	$0.02	$0.20	$0.36	$0.14	$0.22	$0.16	$0.36	$0.60.	$0.43
		Above containers with net weight of less than 42 pounds, and those packed for each container and those sold loose and unpraded in any container, or in bulk—per lb.	3½ cent	7½ cent	13½ cents	5½ cent	7½ cent	5½ cent	13½ cents	$0.10 per container for all containers over 30 lbs. plus 3½¢ per lb. For all others 5½¢ per lb.	13½ cents.

[1] Maximum markups listed above in Columns 1, 8 and 9 may be added to the maximum prices for fruit loaded on car or truck at shipping point (Column 5 of applicable table in paragraph (d)) for sales made by agents of growers and primary sellers other than growers, f. o. b. shipping point.

For purposes of computing the maximum price, the amounts set forth in Columns 1, 8 and 9 shall be used instead of the markup listed in Columns 5, 6, 7, 10, 11 and 12 if the amount of such actual charge is lower than the amount shown.

[2] The actual charge not to exceed the maximum allowable charge under MPR 165 shall be used instead of the amount shown.

[Table **A** amended by Am. 43, 9 F.R. 9066, effective as to maximum prices f. o. b. shipping point on 12:01 a. m. 7-25-44, and as to all other maximum prices as follows: (1) on 8-9-44 for all states wholly east of the Mississippi River except Illinois and Wisconsin; (2) on 8-3-44 for all other states except California, Oregon and Washington; (3) on 7-28-44 for California, Oregon and Washington; Am. 44, 9 F.R. 9099, effective 7-27-44; Am. 48, 9 F.R. 9549, effective 8-4-44, and Am. 101, 10 F.R. 5458, effective 5-9-45, except as to sweet cherries shipped from the shipping point and actually sold before that date; and Am. 109, 10 F.R. 6517, effective 6-1-45, except as to apricots shipped from shipping point and actually sold before that date]

TABLE B—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES

[See Column 5 of tables in paragraph (d)]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9
Item No.	Commodity	Unit	Sales by any person other than a grower or grower-distributor who has purchased a result such lot or truckl	Sales by primary receivers in less-than-carlots or less-than-trucklots			Sales by service wholesalers delivered to premises of any retail or institutional establishment, government procurement agency or other institutional buyer within the free delivery zone	
				Through an auction company on a rail, ex-car, dock, truck or terminal sale basis as set forth	Ex-store or ex-warehouse	Sales by secondary jobbers in any quantity delivered to premises of the purchaser	Original container and half of original container	Half original container or less
1	Sweet cherries	(Items 1-14, Table B): Bushel lug 44½-45½ pounds	$0.35	$0.35	$0.86	$0.86	$0.86	
		Campbell lug 16-18 pounds	$0.29	$0.29	$0.96	$0.96	$0.96	
		Cates lug 19-21 pounds	$0.29	$0.29	$1.08	$1.08	$1.08	
		Fruit lug 19½-20½ pounds	$0.29	$0.29	$1.08	$1.08	$1.08	
		Lug box 24-25 pounds	$0.45	$0.45	$1.26	$1.26	$1.26	
		Above containers with a net weight of less than that specified for each container and sweet cherries packed in all other containers, and those sold ungraded (orchard run) in any container, or in bulk—per pound.	$0.18 per container for all containers over 14 lbs. plus 4½¢ per pound. For all others 5½¢ per pound.	$0.18 per container for all containers over 14 lbs. plus 4½¢ per pound. For all others 5½¢ per pound.	$0.18 per container for all containers over 14 lbs. plus 4½¢ per pound. For all others 5½¢ per pound.	$0.18 per container for all containers over 14 lbs. plus 4½¢ per pound. For all others 5½¢ per pound.	$0.18 per container for all containers over 14 lbs. plus 4½¢ per pound. For all others 5½¢ per pound.	$0.18 per container for all containers over 14 lbs. plus 4½¢ per pound. For all others 5½¢ per pound.
2	Apricots	(Items 1-11, Table A): Bushel lug 43-45 pounds	$0.27	$0.27	$0.43	$0.43	$0.43	
		Brentwood lug 24-26 pounds	$0.17	$0.17	$0.75	$0.75	$0.75	
		Above containers with a net weight of less than or more than that specified for each container, and those sold ungraded (orchard run) in any container, or in bulk—per pound.	1½ cents	1½ cents	3 cents	3 cents	3 cents	
3	Plums	(Items 1-11, Table A): Standard 4 basket crate with a net weight of 28-32 pounds	$0.51	$0.51	$0.82	$0.82	$0.82	
		Above containers with a net weight of less than or more than that specified for each container, and those sold ungraded in any container, or in bulk—per pound.	1½ cents	1½ cents	2½ cents	2½ cents	2½ cents	
4	Fresh Italian Prunes	All (Items 1-11, Table A): 15 bushel basket 28-32 pounds	$0.67	$0.67	$0.74	$0.74	$0.74	
		Standard prune box 15-17 pounds	$0.37	$0.37	$0.41	$0.41	$0.41	
		Above containers with net weight of less than or more than that specified for each container, and those sold ungraded in any container, or in bulk—per pound.	$0.14 per container for all containers over 20 pounds plus 1½¢ per pound. For all others 2½¢ per pound.	$0.11 per container for all containers over 20 pounds plus 1½¢ per pound. For all others 2½¢ per pound.	$0.14 per container for all containers over 20 pounds plus 3¢ per pound. For all others 2½¢ per pound.	$0.11 per container for all containers over 20 pounds plus 3¢ per pound. For all others 2½¢ per pound.	$0.14 per container for all containers over 20 pounds plus 3¢ per pound. For all others 2½¢ per pound.	$0.14 per container for all containers over 20 pounds plus 3¢ per pound. For all others 2½¢ per pound.
5	Pears	All (Items 1-11, Table A): Lug box, One way lug, Two Standard Way lug, Box-50 pounds California and Jonesboro and Jackson counties, Oregon.	$0.67	$0.67	$1.06	$1.06	$1.06	
		45-48 pounds all other areas	$0.65	$0.65	$1.02	$1.02	$1.02	
		Washington Pear Lug 42-45 pounds	$0.29	$0.29	$0.45	$0.45	$0.45	
		Above containers with a net weight of less than or more than that specified for each container, and pears packed in all other containers and those sold ungraded in any container or in bulk those without container or those containers furnished by the buyer—per pound.	1½ cents	1½ cents	2½ cents	2½ cents	2½ cents	

This markup applies not only to sales by primary receivers through auction but also to sales by all persons, other than primary sellers, through terminal auctions (see paragraph (g) (3)).

[Table **B** amended by Am. 35, 9 F.R. 7268, effective 7-1-44; and Am. 43, 9 F.R. 9066, effective as to maximum prices as follows: (1) On 8-8-44 for all states wholly east of the Mississippi River except Illinois and Wisconsin; (2) on 8-3-44 for all other states except California, Oregon and Washington; (3) on 7-29-44 for California, Oregon and Washington; Am. 48, 9 F.R. 9549, effective 8-4-44, and Am. 101, 10 F.R. 5458, effective 5-9-45, except as to apricots shipped from shipping point and actually sold before that date; and Am. 109, 10 F.R. 6517, effective 6-1-45, except as to sweet cherries shipped from the shipping point and actually sold before that date; and Am. 109, 10 F.R. 6517, effective 6-1-45]

Footnote 1 added by Am. 56, 9 F.R. 10878, effective 9-1-44]

(f) *Provisions applicable to primary sellers*—(1) *Prohibition against certain payments.* No primary seller shall receive, and no person shall pay to any primary seller, an amount in excess of the applicable maximum price f. o. b. shipping point, if sold f. o. b., or the applicable maximum price for delivered sales, if sold delivered, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)), regardless of the type of sale or the type of purchaser, and regardless of any existing or future commitment between the buyer and seller except for allowances made to grower-distributors, buyer-distributors, and to growers and primary sellers for sales through certain named agents, and except as provided for shipments of not more than five containers in paragraph (a), and except as provided for sales by growers delivered to the premises of retail stores, institutional buyers and designated depots of government procurement agencies, and except as provided for sales to ultimate consumers.

No person who does not pack and ship the fruit being priced, and who does not regularly operate a packing and shipping plant for that commodity, shall purchase deciduous tree fruits "on the tree" or in bulk at a price, which, after the costs of harvesting, hauling, packing, precooling, and loading have been added, results in a price higher than the maximum f. o. b. shipping point price listed in the applicable table of paragraph (d).

Example: Suppose an intermediate seller or a retailer wishes to buy an unharvested crop of plums from a grower. The amount which he pays the grower for the plums plus the cost of harvesting, hauling, packing, precooling and loading may not exceed the maximum price f. o. b. shipping point for plums in the kind of container in which they are being sold, as set forth in the table for plums in paragraph (d). If the plums are purchased already packed, but not precooled or loaded on cars, the price paid for the packed plums plus the cost of precooling and loading must likewise not exceed the maximum price f. o. b. shipping point for plums in such containers.

(2) *Sales by growers direct and through brokers, commission merchants or terminal auctions.* (i) For direct sales of deciduous tree fruits in any quantity by growers, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)).

(ii) For sales of deciduous tree fruits in any quantity by growers through brokers, or sales in carlots or trucklots through commission merchants, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)) plus the markup named in Column 4 of Table A in paragraph (e), regardless of the actual charge made by the broker or commission merchant. (The broker or commission merchant may not receive for his services more than the commission or fee allowed under Maximum Price Regulation 165).

(iii) For sales of deciduous tree fruits in less-than-carlots or less-than-trucklots by growers through commission merchants, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such commission merchant may charge under Maximum Price Regulation 165) or the applicable markup (for ex car or ex store sales, as the case may be, named in Column 5 or 6 of Table A in paragraph (e)), whichever is lower.

[Example deleted by Am. 109, 10 F.R. 6517, effective 6-1-45]

(iv) For sales of deciduous tree fruits by growers through a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus (1) the markup named in Column 7 of Table A in paragraph (e), or the sum of (i) the markup named in Column 4 of Table A in paragraph (e) and (ii) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which the auction company may charge under Maximum Price Regulation 165), whichever is lower, and (2) any unloading charges in the terminal market incurred by the seller.

(v) For sales of deciduous tree fruits by growers delivered directly from the grower's ranch, orchard, or place of business at the shipping point in a truck owned by him (and not furnished, owned or controlled, directly or indirectly, by the buyer) to the premises of institutional buyers, designated depots of government procurement agencies or retail stores where resale is made to ultimate consumers, the maximum price in each case is the price named in Column 7 of the applicable table in paragraph (d).

A sale of deciduous tree fruit, delivered directly from the shipping point in a truck (owned by another grower and transporting the deciduous tree fruit of that grower and the fruit of not more than three other growers), to the premises of institutional buyers, designated depots of government procurement agencies or retail stores where resale is made to ultimate consumers shall be priced as a sale by a grower "in a truck owned by the grower."

(vi) For sales by growers of deciduous tree fruits to ultimate consumers the maximum price in each case is the price named in Column 7 of the applicable table, in paragraph (d) multiplied by 1.33. However, such price shall not exceed any applicable community price where established by the Office of Price Administration.

"Broker" means a person other than a grower's sales agent or a commission merchant who, for a commission or fee, represents his principal in the sale of the deciduous tree fruit being priced.

"Commission merchant" means a seller's agent, other than a grower's sales agent or a broker, who receives the particular deciduous fruit being priced, and who, for a commission or fee, sells it in any quantity in a terminal market or other wholesale receiving point, and who, in the case of less-than-carlot or less-than-trucklot sales, performs the wholesale functions of unloading the fruit from the car or truck in which it is received.

"Commission" or "fee" means the charge made by an agent for services performed in connection with the sale of deciduous tree fruits.

"Terminal auction" means a place in a terminal market, open to any seller and to any buyer who has established credit with the "auction company" or who pays cash, where, on the basis of competitive bidding, the particular deciduous tree fruit being priced is sold in less-than-carlot or less-than-trucklot quantities by persons operating through a public licensed sales organization known as an "Auction Company", for whose services a fee is charged.

"Ultimate consumer" means a person who buys the particular deciduous tree fruit being priced for direct consumption. However, as used in this appendix, the term does not include a commercial, industrial, institutional user or government procurement agency.

[Subparagraph (vi) amended by Am. 55, 9 F.R. 10873, effective 9-1-44]

(3) *Sales by grower-distributors, buyer-distributors, and by any persons (including growers) through growers sales agents.* (i) For sales of deciduous tree fruits in any quantity by (1) grower-distributors, (2) buyer-distributors or (3) any persons (including growers) through growers' sales agents, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)) plus the markup named in Column 8 of Table A in paragraph (e). (The grower's sales agent may not receive for his services more than the fee or commission allowed him under Maximum Price Regulation 165.)

Example: A grower of cherries in Wenatchee, Washington, employs a grower's sales agent to make a delivered sale in Chicago, Illinois. The maximum price is the price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 8 of Table A in paragraph (e), even though the lawful charge received for this service by the grower's sales agent is less than the markup named.

"Grower-distributor" means a person (1) who grows the kind of deciduous tree fruit being priced, (2) who assembles, packs or otherwise prepares such fruit for shipment, (3) who sells it on his own behalf and arranges for shipment and ships from shipping point to wholesale receiving point, (4) who sells through brokers or salaried representatives or who sells direct to intermediate sellers on a delivered basis, and (5) who does not make more than 25% (by volume) of his sales to any one person other than to government procurement agencies during the 1944 season. A person who would be a "grower-distributor" but for the fact that he does not meet requirement (5) shall be considered a "grower".

"Buyer-distributor" means a person (1) who purchases the deciduous fruit being priced before it is loaded on cars or trucks, or assembles, packs or otherwise prepares such fruit for shipment and (2) who sells it on his own behalf and (3) who arranges for shipment and ships from shipping point to wholesale receiving point and (4) who sells through brokers or salaried representatives, or who sells direct to intermediate sellers on a delivered basis and (5) who does not make more than 25% (by volume) of his sales to any one person other than to government procurement agencies during the 1944 season. A person who would be a "buyer-distributor" but for the fact that he does not meet requirement (5) shall be priced as if he were a "grower".

"Grower's sales agent" means a person (including a grower's cooperative) other than a broker or commission merchant (1) who receives the deciduous tree fruit being priced from another, (2) who for a commission or fee sells it for the account of such person after the fruit has been graded, packed, or otherwise prepared for shipment and (3) who regularly uses brokers or maintains salaried representatives in terminal markets through whom sales are made.

"Growers' cooperative" means a non-profit agricultural marketing association, regularly marketing the kind of deciduous tree fruit being priced, which is organized under State law and in conformity with the Capper-Volstead Act.

(ii) For sales of deciduous tree fruit by (1) grower-distributors or (2) buyer-distributors or (3) any person (including growers) through growers' sales agents, who in carlot or trucklot sales use brokers, salaried representatives or commission merchants and in less than carlot or trucklot sales use brokers or salaried representatives, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)), plus the markup named in Column 9 of Table A in paragraph (e). (The grower's sales agent, the broker, or the commission merchant may not receive for his services more than the fee or commission allowed under MPR 165).

Example: Suppose a grower of cherries in Wenatchee, Washington, employs a grower's

sales agent to make a delivered sale to a buyer in Boston, Massachusetts. The grower's sales agent uses a broker in making the sale. The maximum price is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 9 of Table A in paragraph (e), even though the lawful charges received for services by the grower's sales agent and the broker are less than the markup named.

(iii) For sales of deciduous tree fruits by grower-distributors or buyer-distributors through a terminal auction, or by any persons (including growers) through growers' sales agents who use a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus (1) the markup named in Column 10 of Table A in paragraph (e), or the sum of (i) the markup named in Column 9 of Table A in paragraph (e) and (ii) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which the auction company may charge under MPR 165), whichever is lower, and (2) any unloading charges in the terminal market incurred by the seller.

(iv) For sales of deciduous tree fruits in less-than-carlots or less-than-trucklots by grower-distributors or buyer-distributors through commission merchants, or by any persons (including growers) through growers' sales agents who use commission merchants, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the applicable markup (for ex car or ex store sales, as the case may be) named in Columns 11 and 12 of Table A in paragraph (e), or the sum of (1) the markup named in Column 8 of Table A in paragraph (e) and (2) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such commission merchant may charge under MPR 165), whichever is lower.

(g) *Maximum prices for sales by persons other than primary sellers*—(1) *Sales in unbroken carlots or trucklots.* If any person other than a primary seller purchases and resells unbroken carlots or trucklots of deciduous tree fruits, the maximum price in each such case shall be the maximum f. o. b. shipping point or delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)), plus the markup named in Column 4 of Table B in paragraph (e).

(2) *Sales by primary receivers in less-than-carlots or less-than-trucklots.* (i) For sales by "primary receivers" of deciduous tree fruits ex car, ex truck, ex dock, or ex terminal sales platform, at a terminal market or other wholesale receiving point, the maximum price in each case shall be the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 5 of Table B in paragraph (e).

(ii) If a primary receiver breaks a car or truck, unloads the particular deciduous tree fruit being priced into a store or warehouse owned or leased in whole or in part by him, and makes sales ex store or ex warehouse, the maximum price in each case shall be the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 6 of Table B in paragraph (e). This price does not include delivery charges. If the primary receiver makes delivery, he may also add the amount which the appropriate regional or district office determines to be applicable for deliveries in these cases (see paragraph (1)).

(iii) If a primary receiver makes a delivered sale to the premises of a purchaser within the free delivery zone, without first unloading the particular deciduous tree fruit being priced into a store or warehouse owned or leased by him, the maximum price shall be the maximum price for ex car, ex truck, ex dock, or ex terminal sales platform sales plus the amount which the appropriate regional or district office determines to be applicable to such sales (see paragraph (1)).

"Primary receiver" means a person who for his own account and profit buys the particular deciduous tree fruit being priced, (1) in unbroken carlots or trucklots from any person or (2) in any quantity from a primary seller selling either direct or through any agent (except a commission merchant or auction in less-than-carlots or less-than-trucklots), for resale in less-than-carlots or less-than-trucklots to persons other than ultimate consumers.

[Above definition amended by Am. 62, 9 F.R. 12412, effective 10-13-44]

(3) *Sales through terminal auctions.* For sales of deciduous tree fruits through a terminal auction, by persons other than primary sellers, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus (1) the markup named in Column 5 of Table B in paragraph (e) and (2) any unloading charges in the terminal market incurred by the seller.

(4) *Sales by secondary jobbers.* (i) For sales by secondary jobbers of deciduous tree fruit on a "delivered" basis, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 7 of Table B in paragraph (e). However, for sales of goods which secondary jobbers have purchased at auction, ex car, dock, truck or terminal sales platform the maximum price shall be figured by adding, instead of the markup named in Column 7 of Table B, the markup named in Column 5 plus the difference between the markups named in Columns 6 and 7. "Delivered" means delivered to the buyer's premises (in the case of a retailer, delivered to the retail store where resale is made to ultimate consumers) within the free delivery zone.

[Subparagraph (i) amended by Am. 62, 9 F.R. 12412, effective 10-13-44]

(ii) For sales by secondary jobbers of deciduous tree fruits not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis less five cents per container for containers under 50 pounds (gross weight), and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (1)).

"Secondary jobber" means a person other than a retailer who for his own account and profit purchases the kind of deciduous tree fruit being priced in less-than-carlots or less-than-trucklots from a primary receiver or from any seller through a commission merchant or auction, for resale in any quantity.

[Above definition amended by Am. 62]

[Subparagraph (ii) amended by Am. 55, 9 F.R. 10878, effective 9-1-44]

(5) *Sales by service wholesalers.* (i) For sales by service wholesalers of deciduous tree fruits on a "delivered" basis, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 8 of Table B in paragraph (e). "Delivered" means delivered to the buyer's premises (in the case of a retailer, delivered to the retail store where resale is made to ultimate consumers) within the free delivery zone.

(ii) A service wholesaler, when selling the kind of deciduous tree fruit being priced on a delivered basis in quantities of one-half container or less, may add to the maximum delivered price named in Column 6 of the applicable table in paragraph (d) the markup named in Column 9 of Table B in paragraph (e), but only if he has first offered to sell to the buyer on a full-container basis. This paragraph applies only to sales where the seller breaks the original container received by him and sells no more than half of the quantity in that container.

(iii) For sales by service wholesalers of deciduous tree fruits not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis less five cents per container under 50 pounds (gross weight), and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (1)).

"Service wholesaler" means a person who maintains a store or warehouse at which the particular deciduous tree fruit being priced is received and stored or warehoused; who maintains at such store or warehouse facilities for cold storage, ripening, sorting, repacking, and other handling of the fruit; who employs salesmen to call on the trade in the city or country points which he services; and who sells the particular deciduous tree fruit being priced to retail stores, government procurement agencies or institutional buyers.

(6) *Sales by secondary jobbers and service wholesalers delivered outside the free delivery zone.* (i) For sales by secondary jobbers or service wholesalers of deciduous tree fruits delivered to the premises of any purchaser located outside of the free delivery zone, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the applicable markup named in Columns 7, 8 or 9 of Table L in paragraph (e) plus the cost of transportation beyond the free delivery zone, figured at the lowest common or contract carrier rate for available transportation from the seller's place of business to the premises of the purchaser. The amount added for transportation shall not exceed 25 cents per cwt. for the first 25 miles beyond the free delivery zone, and five cents per cwt. for each successive 25 miles, and the total amount may not exceed 50 cents per cwt., except as these amounts may be changed by the appropriate regional or district office (see paragraph (1)).

(h) *Fractions.* In calculating maximum prices, except for sales to ultimate consumers, all fractions shall be carried to the second decimal place of a cent. Any final calculations of total maximum prices applicable to individual sales resulting in a fraction of one-half cent or more shall be adjusted to the next higher cent, and any fraction below one-half cent shall be adjusted to the next lower cent.

(i) [Deleted]

[Paragraph (i) deleted by Am. 109, 10 F.R. 6517, effective 6-1-45]

(j) *When maximum prices apply.* The applicable maximum price in each case is the maximum price in effect on the date of delivery.

When shipment is by independent carrier and the sale is on an f. o. b. shipping point basis, with the risk of loss on the buyer for any part of the transit prior to physical delivery to him, the date of delivery is the date when the goods are loaded on the carrier ready for shipment. When shipment is by independent carrier and the sale is on a delivered basis, with the risk of loss on the seller for the entire transit prior to physical delivery to the buyer, the date of delivery is the date when the goods are physically delivered by the carrier to the buyer.

(k) *Sales of futures.* In the case of sales of futures, no "advance" (that is, payment prior to delivery) shall, when added to any previous advances, exceed either the maximum price in effect on the date of delivery or the maximum price in effect on the date of the payment.

"Sales of futures" means sales of goods for delivery at a future date beyond the normal time after sale necessary for transit.

(l) *Adjustments by regional and district offices.* For deciduous tree fruit the Regional Directors of the Office of Price Administration, and such district officers as they in turn may authorize, are authorized:

(1) To determine the limits of the free delivery zone at any wholesale receiving point located within its jurisdiction and to adjust upwards or downwards the allowances for sales by secondary jobbers and service wholesalers on a non-delivered basis and to adjust upwards or downwards the allowances for transportation beyond the free delivery zones, at the lowest rates for customary and generally available means of transportation.

(2) To determine and publish orders naming the amounts which primary receivers may add, for deliveries made within the free delivery zone at wholesale receiving points, to the maximum prices otherwise applicable; and to determine and publish orders naming the amounts which primary receivers may add, for deliveries beyond the free delivery zone, to the maximum prices otherwise applicable. These amounts shall be figured at the lowest rates for customary and generally available means of transportation.

[Subparagraph (2) amended by Am. 35, 9 F.R. 7268, effective 7-1-44]

(3) To adjust upwards or downwards the maximum markups named for sales by primary sellers through commission merchants in less-than-carlots or less-than-trucklots ex car, ex truck, ex dock, or terminal sales platform. However, any upward adjustment that is made under this paragraph shall not exceed the maximum markup named for sales by a primary seller through a commission merchant in less-than-carlots or less-than-trucklots ex store or ex warehouse.

(4) To adjust upwards or downwards the maximum markups named for sales by primary receivers ex car, ex truck, ex dock, or ex terminal sales platform or through a terminal auction. However, any upward adjustment that is made under this paragraph shall not exceed the maximum markup named for sales by primary receivers ex store or ex warehouse.

(m) *Record keeping and notification requirements.* Every sale by any person to any buyer other than an ultimate consumer shall be accompanied by a notification in writing showing the date of the sale, the names and addresses of the seller and the buyer, an adequate description of the commodity sold, including the quantity, unit of sale and the total price charged. When the total price includes charges for brokerage, commission, freight, trucking, protective services or any other charge or fee recognized by this appendix, the notice shall set forth the nature and amount of each of such charges, except insofar as the giving of such information is inconsistent with state law.

[Appendix J added by Am. 32, 9 F.R. 6420, effective for sweet cherries on 6-13-44 except for sweet cherries shipped from the shipping point and actually sold before 6-13-44 and except for sweet cherries shipped from the shipping point, before 6-9-44, whether sold or unsold; effective for all other deciduous tree fruits on 6-13-44 as to maximum prices f. o. b. shipping point, and effective as to all other maximum prices as follows:

(1) On 6-27-44 for all states east of the Mississippi River except Illinois and Wisconsin.

(2) On 6-22-44 for all other states except California, Oregon and Washington.

(3) On 6-17-44 for California, Oregon and Washington.]

APPENDIX K—MAXIMUM PRICES FOR CERTAIN FRUITS

(a) *Explanation.* This appendix establishes maximum prices for the following fruits:

Peaches (except Jewel variety)
Grapes
Apples (except lady apples and crab apples)
Cranberries

It applies to all sellers, including growers, grower-packers, shipping point distributors, carlot distributors, primary receivers, secondary jobbers and service wholesalers, but it does not apply to retailers.

[Peaches amended by Am. 98, 10 F.R. 4718, effective 4-28-45]

[Grapes added by Am. 46, 9 F.R. 9509, effective as follows:

(1) On 8-4-44 as to all sales f. o. b. shipping point.

(2) On 8-18-44 for all states wholly east of the Mississippi River except Illinois and Wisconsin.

(3) On 8-13-44 for all other states except California, Oregon and Washington.

(4) On 8-7-44 for California, Oregon and Washington.[

However, as to grapes which were sold and shipped from the country shipping point before 8-4-44, maximum prices at wholesale receiving points established by this amendment shall become effective 8-28-44.

[Effective date provision of Am. 46 amended by Am. 50, 9 F.R. 10192, effective 8-18-44]

[Apples added by Am. 49, 9 F.R. 9785, effective 8-16-44 except for apples shipped from the shipping point and actually sold before 8-16-44, and apples shipped from the shipping point (whether sold or unsold) before 8-9-44 effective 9-6-44.]

[Effective date of Am. 49 amended by Am. 55]

[Cranberries added by Am. 59, 9 F.R. 12209, effective 10-6-44]

Specifically, the appendix:

(1) Establishes maximum prices f. o. b. shipping point for sales made f. o. b. shipping point and maximum delivered prices for sales made on a delivered basis.

(2) Establishes maximum markups which may be added in certain sales. These are set forth in Tables A and B (see paragraph (g)). Table A names the markups for sales (i) by grower-packers selling through certain named agents, and (ii) by shipping point distributors direct or through agents. Table B names the markups for sales by persons other than grower-packers and shipping point distributors.

Any sale by a grower, grower-packer, or shipping point distributor of fruit shipped by him by mail or express to an ultimate consumer in a lot of five containers or less (not larger than standard containers) is not subject to maximum prices. However, the exception does not apply to sellers other than growers, grower-packers and shipping point distributors.

(b) *Definitions.* (1) "Shipping point" means the place in or near the producing area where the fruit being priced is prepared for shipment and first loaded on cars for rail shipment or on trucks for truck shipment.

Example: Suppose that peaches are packed at a packing plant at Methow, Washington, and that the nearest point for rail shipment is Pateros, Washington, and that the peaches must be transported from Methow to Pateros by truck. The country shipping point in this case is Pateros, Washington, and the maximum prices for peaches f. o. b. shipping point apply from Pateros. The cost of transportation from Methow to Pateros must be borne by the seller. However, if the peaches are destined for a terminal market by truck shipment (for example, to Seattle, Washington), the shipping point in this case is Methow, Washington.

(2) "Graded and packed" means graded and packed in accordance with applicable State and Federal requirements.

(3) "Standard container" in the case of peaches, means (i) a bushel basket of 2150.42 cu. in. capacity, or a one-half bushel basket of 1075.21 cu. in. capacity, which is closed and packed "fairly tight" or tighter, or (ii) any container listed in Column 2 of the applicable table in paragraph (f) which is closed and contains a net weight within the weight ranges specified for that container. "Fairly tight" means that the package is level full and the peaches are held in place by the cover at time of shipment from shipping point and thereafter until a government inspection certificate is secured showing that the container is fairly tight or tighter and the container is marked with a lot number which is also described in the government inspection certificate.

"Standard container" in the case of grapes means (i) a closed lug box (WPB L232 No. 46), packed with table grapes produced in Riverside or Imperial County California, or in Arizona, with a net weight of 24 pounds or more, or (ii) a closed lug box (WPB L232 No. 46), packed with table grapes produced in any other area, with a net weight of 28 pounds or more.

[Above paragraph added by Am. 46, 9 F.R. 9509, effective as follows:

(1) On 8-4-44 as to all sales f. o. b. shipping point.

(2) On 8-18-44 for all states wholly east of the Mississippi River except Illinois and Wisconsin;

(3) On 8-13-44 for all other states except California, Oregon and Washington;

(4) On 8-7-44 for California, Oregon and Washington.]

[However, as to grapes which were sold and shipped from the country shipping point before 8-4-44, the maximum prices at wholesale receiving points established by this amendment shall become effective on 8-28-44.]

[Effective date provision of Am. 46 amended by Am. 50, 9 F.R. 10192, effective 8-18-44]

"Standard container", in the case of apples, means any of the following listed containers which is closed and packed in accordance with the requirements specified for each:

Bushel basket of 2150.42 cu. in. capacity, faced and filled packed, "slightly slack" or tighter, with graded apples.

United States standard barrel of 7056 cu. in. capacity, faced and filled packed, "fairly tight" or tighter, with graded apples.

Apple box WPB–L232 No. 1, with flexible top and bottom, tier-packed, "fairly tight" or tighter, with graded and individually wrapped apples.

Apple box WPB–L232 No. 2	Tier-packed or faced and filled packed, "fairly tight" or tighter, with graded apples.
Apple box WPB–L232 No. 3[1]	
Apple box WPB–L232 No. 58	

[1] Apple box WPB–L232 No. 3 when packed with graded McIntosh apples, need not be tier-packed or faced and filled packed, but must be packed "fairly tight" or tighter with graded apples.

"Slightly slack", in the case of baskets, means that the apples are not below the level of the top of the basket but there is still some movement of the apples within the basket upon handling.

"Fairly tight", in the case of barrels, means that the pack is tight enough to prevent apples from moving within the barrel sufficiently to cause injury, but not as ideal as a tight pack, and likely to loosen sooner

than normally should be the case. There will be very little bruising or crushing at the tail.

"Fairly tight", in the case of apple box WPB-L232 No. 1, means that the apples are packed tight enough to prevent them moving within the package sufficiently to cause injury under ordinary handling conditions.

"Fairly tight", in the case of apple box WPB-L232 No. 2, No. 3 and No. 58, means that the package is sufficiently filled to prevent any appreciable movement of the apples, and that the apples are in contact with the lid or cover.

To be a standard container the container must be packed "slightly slack" or tighter, or "fairly tight" or tighter, as the case may be, at the time of shipment from the shipping point, and thereafter until a government inspection certificate is secured showing that the container is "slightly slack" or tighter, "fairly tight" or tighter, as required for the particular standard container, and the container is marked with a lot number which is also described in the government inspection certificate. However, the condition that the container be packed "slightly slack" or tighter, or "fairly tight" or tighter, at the time of shipment from the shipping point shall be deemed satisfied where the particular goods are sold and placed in storage by the buyer prior to shipment from the shipping point, if the container is packed "slightly slack" or tighter, or "fairly tight" or tighter, as the case may be, at the time of delivery to the buyer.

[Above paragraph added by Am. 49, 9 F.R. 9785, effective 8-16-44 except for apples shipped from the shipping point and actually sold before 8-16-44, and except for apples shipped from the shipping point (whether sold or unsold) before 8-9-44]

"Standard container" in the case of cranberries means any of the following listed containers which is closed and packed in accordance with the requirements specified for each.

Standard quarter barrel box: (WPB L-232; Nos. 30 or 31).

Three-eighths (3/8) Barrel Box: (Inside dimensions 12" x 11" x 16⅝").

Seven-sixteenths (7/16) Barrel Box: (Inside dimensions 9 9/16" x 14" x 18⅞").

Each of the above named containers must be solidly packed with sound cranberries when loaded on cars or trucks at shipping point so that they will arrive at first wholesale receiving point with not exceeding twenty percent (20%) of the boxes slack.

Carton containing twenty-four (24) one pound cellophane bags.

[Above paragraph added by Am. 59, 9 F.R. 12208, effective 10-6-44]

(c) *Classification of standard containers*—(1) *As to peaches.* For the purpose of this appendix, standard containers shall be classified as follows:

Class A	(1) Bushel basket of 2150.42 cu. in. capacity (2) One-half bushel basket of 1075.71 cu. in. capacity	Closed and packed "fairly tight" or tighter.
Class B	(1) Fruit box (WPB L-232 No. 35) (2) Fruit box (WPB L-232 No. 36) (3) Sanger Lug Box (WPB L-232 No. 46)	Closed with a net weight within applicable weight ranges in Column 2 of the applicable table in paragraph (f).

(2) *As to grapes.* For the purposes of this appendix, standard containers shall be classified as follows:

Class C	(1) A closed lug box (WPB L-232 No. 46), packed with table grapes produced in Riverside or Imperial County, California, or in Arizona, with a net weight of 24 pounds or more. (2) A closed lug box (WPB L-232 No. 46), packed with table grapes produced in any other area, with a net weight of 28 pounds or more.

(3) *As to apples.* For the purposes of this appendix, standard containers shall be classified as follows:

CLASS D

(1) Bushel basket of 2150.42 cu. in. capacity.	Closed and faced and filled packed "slightly slack" or tighter.
(2) United States standard barrel of 7056 cu. in. capacity.	Closed and faced and filled packed "fairly tight" or tighter.
(3) Apple box WPB-L232 No. 1	Closed and tier-packed "fairly tight" or tighter.
(4) Apple box WPB-L232 No. 2	Closed and tier-packed or faced and filled packed "fairly tight" or tighter.
(5) Apple box WPB-L232 No. 3[1]	
(6) Produce box WPB-L232 No. 58	

[1] Apple box WPB-L232 No. 3, when packed with graded McIntosh apples, need not be tier-packed or faced and filled packed, but must be packed "fairly tight" or tighter.

[Subparagraph (3) added by Am. 49, 9 F.R. 9785, effective 8-16-44, except for apples shipped from the shipping point and actually sold before 8-16-44, and apples shipped from the shipping point (whether sold or unsold) before 8-9-44, effective 9-6-44. (Effective date of Am. 49 amended by Am. 55)]

(d) *Marking requirements.* The grower-packer shall plainly mark each container sold by him in accordance with the requirements of State and Federal Grades and Standards Laws and of the Federal Food, Drug and Cosmetic Act, and

(1) *As to standard containers in Class A.* The grower-packer shall plainly mark each standard container in Class A sold by him to show the following:

(i) The name and address of the grower-packer.

(ii) The volume of the contents.

(2) *As to standard containers in Class B.* The grower-packer shall plainly mark each standard container in Class B sold by him to show the following:

(i) The name and address of the grower-packer.

(ii) A minimum net weight. This may be lower, but in no case higher, than the actual weight at the time of shipment from the shipping point.

The grower-packer may determine the actual net weight of contents of standard containers noted in Class B and mark the actual net weight in pounds on each container. Some grower-packers may not wish to weigh each container before marking and selling it. In order to make possible the use of reasonable estimated net weights, weight ranges have been provided for the standard containers listed above in Class B within which maximum prices do not vary. However, a grower-packer who sells without weighing all containers takes the risk that the estimated minimum net weight may exceed the actual net weight, which would be a violation of the regulation. Subsequent sellers, however, may rely on the minimum net weight marked on the container and figure their maximum prices on the basis of it.

(3) *As to standard containers in Class C.* The grower-packer shall plainly mark each standard container in Class C sold by him to show the following:

(i) The name and address of the grower-packer.

(ii) A minimum net weight. This may be lower, but in no case higher, than the actual weight at the time of shipment from the shipping point. Subsequent sellers, however, may rely on the minimum net weight marked on the container and figure their maximum prices on the basis of it.

(4) *As to standard containers in Class D.* (i) The grower-packer shall plainly mark each standard container in Class D sold by him to show the following:

(a) The name and address of the grower-packer.

(b) The volume of the contents.

(ii) In addition, where apples have been placed in storage, each seller, including a grower-packer, shipping point distributor or carlot distributor, who ships the particular fruit being priced from the shipping point shall, at the time of shipment, plainly mark each standard container to show the following:

(a) The name and address of the shipper.

(b) The volume of the contents.

However, no person is required to mark a container a second time with information that is already on it.

[Above sentence added by Am. 81, 10 F.R. 1540, effective 2-8-45]

(5) *As to non-standard containers.* If a container would be a standard container in Class A except for the fact that it is not packed "fairly tight" or tighter, or if a container would be a standard container in Class B except for the fact that it has a net weight not within the weight ranges for the particular container, or if a container would be a standard container in Class C except for the fact that it has a net weight less than that specified for the particular container, or if the container would be a standard container in Class D except for the fact that it is not packed "slightly slack" or tighter, or "fairly tight" or tighter, as specified for the particular container, or if the fruit is in any other closed container, each seller, including a grower-packer, shipping point distributor or carlot distributor, prior to and including time of shipment from the shipping point, shall plainly mark the container to show the following:

(i) The name and address of the seller.

(ii) A minimum net weight. This may be lower, but in no case higher than the actual net weight (a) at the time of sale, or (b) at the time of shipment from shipping point in the case of shipment before sale.

The weight-marking requirement does not apply to open containers. Section 14a (c) does not apply to this appendix.

[Former subparagraph (4) revoked, and subparagraphs (4) and (5) added by Am. 49, 9 F.R. 9785, effective 8-16-44, except for apples shipped from the shipping point and actually sold before 8-16-44, and apples shipped from the shipping point (whether sold or unsold) before 8-9-44 effective 9-6-44]

(e) *How maximum prices are figured*—(1) *Standard containers in Class A.* For standard containers in Class A, the maximum price in each case is named in Columns 5 or 6 of the applicable table in paragraph (f). However, the maximum price for any container which would be a standard container except for the fact that it is not packed "fairly tight," or tighter, shall in no event be greater than the maximum price for the standard container.

(2) *Standard containers in Class B.* A grower-packer obtains his maximum price for any of the types of containers listed in Class B by first determining whether the net weight of the container being priced falls within any of the weight ranges established by the appendix for that type of container. If the net weight falls within an applicable weight range, the maximum price named in the price table for that container is on a container basis and it applies to all weights within that range. On the other hand, if the net weight falls outside the applicable weight ranges, the maximum price is figured by the seller on the basis of actual net weight.

(3) *Standard containers in Class C.* A grower-packer obtains his maximum prices for any of the types of containers listed in Class C by first determining whether the minimum net weight of the container being priced complies with the minimum net weight established by the appendix for that type of container. If it does, the maximum prices named in the price table for that container apply. On the other hand, if the net weight falls below the minimum net weight requirement, the maximum price is figured by the seller on the basis of actual net weight.

(4) *Standard containers in Class D.* For standard containers in Class D, the maximum price is named in Column 5 or 6 of the applicable table in paragraph (f). However, the maximum price for any container which would be a standard container except for the fact that it is not packed in accordance with the requirements specified for standard containers of apples (see paragraph (b) (3)) shall in no event be greater than the maximum price for the standard container.

(5) *Non-standard containers.* (i) All fruit offered for sale in closed containers which do not meet the requirements of standard containers in Class A, Class B, Class C, or Class D shall be sold on the basis of actual net weight.

(ii) All fruit offered for sale in bulk or open containers shall be sold on a basis of actual net weight.

[Former subparagraph (4) revoked, former (5) redesignated (6), and subparagraphs (4) and (5) added by Am. 49, 9 F.R. 9785, effective 8-16-44, except for apples shipped from the shipping point and actually sold before 8-16-44 and apples shipped from the shipping point (whether sold or unsold) before 8-9-44 effective 9-6-44]

(6) The weight requirements provided in this Appendix are based on weights existing at the time of shipment from the shipping point, in the case of closed containers, and at the time of sale, in the case of open containers, unless otherwise specifically provided.

[Paragraphs (c), (d) and (e) amended by Am. 46, 9 F.R. 9509, effective as follows:

(1) On 8-4-44 as to all sales f. o. b. shipping point;

(2) On 8-18-44 for all states wholly east of the Mississippi River except Illinois and Wisconsin;

(3) On 8-13-44 for all other states, except California, Oregon and Washington;

(4) On 8-17-44 for California, Oregon, and Washington.

However, as to grapes which were sold and shipped from the country shipping point before 8-4-44, the maximum prices at wholesale receiving points established by this amendment shall become effective on 8-28-44]

[Effective date provision of Am. 46, amended by Am. 50, 9 F.R. 10192, effective 8-18-44]

(f) *Maximum price tables.* The following tables state maximum prices for certain sales of fruit by all sellers, except sellers at retail. (For other sales by these sellers see Tables A and B in paragraph (g) and the provisions of paragraphs (h) through (m) and (q)).

Except as specified for bulk sales and "on tree" sales, the maximum prices named in the following tables include all costs of harvesting, hauling, packing, precooling, loading and inspection, and no additional charge may be made for containers or for any other materials furnished or services rendered.

Although f. o. b. shipping point maximum prices may not be named for fruit shipped from certain states (see Column 5 of the applicable table in each case), all listed fruit are subject to the maximum prices named in Columns 6 and 7 of the following tables, regardless of where produced or shipped.

TABLE 1—MAXIMUM PRICES FOR PEACHES

Col-umn	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices for fruit loaded on car or truck at shipping point [1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-truckloads delivered to the premises of any retail store, government procurement agency or institutional buyer
	Peaches produced in Montana, Wyoming, Utah, Colorado, New Mexico, Southern Idaho [2] and Malheur County in the State of Oregon:					
	Graded and packed in the following containers:					
1	Fruit box (WPB L-232 No. 35) with a net weight of not less than 16 pounds nor more than 18 pounds.	Per box	All season	$1.47	Price in Column 5 plus freight (including 20% transportation tax) from shipping point and plus protective service allowances.	Column 6 price plus 32 cents.
2	Standard bushel basket	Per bushel	All season	$1.34		Column 6 price plus $1.08.
3	Fruit box (WPB L-232 No. 35) with a net weight of less than 16 pounds or more than 18 pounds, bushel baskets, the contents of which do not meet the requirements of pack specified for standard containers (see paragraph (b) (3) (i)) and peaches graded and packed in any other container	Per pound	All season	7 cents		Column 6 price plus 2 cents.
4	Ungraded (orchard run) in any container,[3] graded and loose without containers.	Per pound	All season	6.2 cents		Column 6 price plus 2½ cents.
	Peaches produced in Washington, Northern Idaho [2] and all of Oregon except Malheur County:					
	Graded and packed in the following containers:					
5	Fruit box (WPB L-232 No. 35) with a net weight of not less than 16 pounds nor more than 19 pounds.	Per box	All season	$1.43		Column 6 price plus 42 cents.
6	Fruit box (WPB L-232 No. 36) with a net weight of not less than 19 pounds nor more than 21 pounds.	Per box	All season	$1.63		Column 6 price plus 49 cents.
7	Sanger lug box (WPB L-232 No. 46) with a net weight of not less than 22 pounds nor more than 24 pounds.	Per box	All season	$1.88		Column 6 price plus 58 cents.
8	Any of above containers but with a net weight of less than or more than that specified for each container, and peaches graded and packed in any other container.	Per pound	All season	8.1 cents		Column 6 price plus 2½ cents.
9	Ungraded (orchard run) in any container [3]	Per pound	All season	6.5 cents		Column 6 price plus 2½ cents.
	Peaches produced in California, Nevada and Arizona:					
	Graded and packed in the following containers:					
10	Fruit box (WPB L-232 No. 35) with a net weight of not less than 17 pounds nor more than 19 pounds.	Per box	(Beginning June 17 to June 18 end of season	$1.76		Column 6 price plus 42 cents.
11			(Beginning June 17 to June 18 end of season	$1.47		
12	Sanger lug box (WPB L-232 No. 46) with a net weight of not less than 24 pounds nor more than 26 pounds.	Per box	(Beginning June 17 to June 18 end of season	$2.44		Column 6 price plus 58 cents.
13			(Beginning June 17 to June 18 end of season	$2.04		
14	Any of above containers but with a net weight of less than or more than that specified for each container; and peaches graded and packed in any other container.	Per pound	(Beginning June 17 to June 18 end of season	9.8 cents		Column 6 price plus 2½ cents.
15			(Beginning June 17 to June 18 end of season	8.1 cents		
16	Ungraded (orchard run) in any container [3]	Per pound	(Beginning June 17 to June 18 end of season	8.2 cents		Column 6 price plus 2½ cents.
17				6.7 cents		
	Peaches produced in all other States:					
	Graded and packed in the following containers:					
18	Standard bushel baskets	Per bushel	(Beginning June 17 to June 18 end of season	$4.41		Column 6 price plus $1.08.
19			(Beginning June 17 to June 18 end of season	$3.64		
20	Standard ½ bushel baskets	Per ½ bushel	(Beginning June 17 to June 18 end of season	$2.37		Column 6 price plus 54 cents.
21			(Beginning June 17 to June 18 end of season	$1.98		
22	Any of above containers, the contents of which do not meet the requirements of pack specified for standard containers (see paragraph (b) (3) (ii)), and peaches graded and packed in any other container.	Per pound	(Beginning June 17 to June 18 end of season	9.2 cents		Column 6 price plus 2½ cents.
23			(Beginning June 17 to June 18 end of season	7.5 cents		
24	Ungraded (orchard run) in any container [3]	Per pound	(Beginning June 17 to June 18 end of season	8.3 cents		Column 6 price plus 2½ cents.
25				6.6 cents		

See footnotes on following page.

[1] The maximum price for peaches sold in bulk (loose without containers) shall be 1 cent per pound less than the maximum prices per pound listed for items 4, 9, 16, 17, 24 and 25 in Columns 5, 6 and 7, except for those peaches which are priced in item 4 as graded and loose without containers.

[2] Protective service allowances shall be the actual cost of protective services furnished, not to exceed the lowest common carrier charge for the same services (including .3% transportation tax), but shall not include precooling (see paragraph (b)).

[3] The prices named in Columns 6 and 7 are maximum prices for each individual lot or shipment of peaches received and sold by the particular seller. For sellers covered by Column 7, see general provisions of this appendix.

[4] No separate charge shall be made for precooling since an allowance for precooling is included in the f. o. b. price (see paragraph (b)).

[5] For the purpose of this table, "Southern Idaho" means all counties south of Idaho County in the State of Idaho, and "Northern Idaho" means Idaho County and all counties north of Idaho County in the State of Idaho.

[Table 1 amended by Am. 48, 9 F.R. 9549, effective 8-4-44; Am. 54, 9 F.R. 10777, effective 9-1-44; Am. 55, 9 F.R. 10878, effective 9-1-44; Am. 87, 10 F.R. 2351, effective 3-5-45; and Am. 102, 10 F.R. 5721, effective 5-18-45, as to peaches shipped from the shipping point and actually sold before that date]

TABLE 2 [Revoked]

[Table 2 added by Am. 46. See note following paragraph (a) for effective date. Footnote 3 amended and footnote 6 added by Am. 55, 9 F.R. 10878, effective 9-1-44. Table 2 revoked by Am. 61, 9 F.R. 12341, effective 10-10-44]

TABLE 3—MAXIMUM PRICES FOR APPLES[1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices for fruit loaded on car or truck at shipping point[2]	Maximum prices for sales delivered to any wholesale receiving point in any quantity[3]	Maximum prices for sales by certain persons in less-than-carlots or less-than-truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer[4]
	Apples graded and packed in the following standard containers:					
1	Apple box (WPB 1.232 No. 1)	Per box or bushel.	Beginning of season–August 19	$2.85	Col. 5 price *plus* freight (including 3% transportation tax) from shipping point and *plus* protective service allowances[5]	Col. 6 price plus 70 cents.
2			August 20–October 31	2.75		
3			November 1–November 15	2.85		
4	Apple box (WPB 1.232 No. 2)		November 16–November 30	2.90		
5	Apple box (WPB 1.232 No. 31)		December 1–January 5	2.98		
6	Apple box (WPB 1.232 No. 4)		January 6–February 5	3.01		
7	Apple box (WPB 1.232 No. 36)		February 6–March 5	3.04		
8	Bushel basket (2,150.42 cu. inches)		March 6–April 5	3.07		
9			April 6–May 5	3.12		
10			May 6–June 5	3.17		
11			June 6–end of season	3.22		
12	U. S. Standard Barrel (7,056 cu. inches)	Per barrel	Beginning of season–August 19	$8.25	Col. 5 price *plus* freight (including 3% transportation tax) from shipping point and *plus* protective service allowances[5]	Col. 6 price plus $2.10.
13			August 20–October 31	8.25		
14			November 1–November 15	8.55		
15			November 16–November 30	8.70		
16			December 1–January 5	8.94		
17			January 6–February 5	9.03		
18			February 6–March 5	9.12		
19			March 6–April 5	9.21		
20			April 6–May 5	9.36		
21			May 6–June 5	9.51		
22			June 6–end of season	9.66		
23	Any of the above containers, the contents of which do not meet the requirements of pack specified for standard containers (see paragraph (b) (3)); and apples graded and packed in any other container.	Per pound	Beginning of season–August 19	$.085	Col. 5 price *plus* freight (including 3% transportation tax) from shipping point and *plus* protective service allowances[5]	Col. 6 price plus 1½ cents.
24			August 20–October 31	.085		
25			November 1–November 15	.088		
26			November 16–November 30	.090		
27			December 1–January 5	.092		
28			January 6–February 5	.093		
29			February 6–March 5	.094		
30			March 6–April 5	.096		
31			April 6–May 5	.099		
32			May 6–June 5	.07		
33			June 6–end of season	.074		
34	Apples sold graded in bulk (loose without containers) or in containers furnished by the buyer.	Per pound	Beginning of season–August 19	$.0547	Col. 5 price *plus* freight (including 3% transportation tax) from shipping point and *plus* protective service allowances[5]	Col. 6 price plus 1½ cents.
35			August 20–October 31	.0525		
36			November 1–November 15	.0545		
37			November 16–November 30	.0565		
38			December 1–January 5	.057		
39			January 6–February 5	.0585		
40			February 6–March 5	.059		
41			March 6–April 5	.0595		
42			April 6–May 5	.0605		
43			May 6–June 5	.0615		
44			June 6–end of season	.0625		
45	Apples sold graded in bulk (tree-run) in bins without containers or in containers furnished by the buyer.	Per pound	Beginning of season–August 19	$.040	Col. 5 price *plus* freight (including 3% transportation tax) from shipping point and *plus* protective service allowances[5]	Col. 6 price plus 1½ cents.
46			August 20–October 31	.047		
47			November 1–November 15	.049		
48			November 16–November 30	.050		
49			December 1–January 5	.052		
50			January 6–February 5	.054		
51			February 6–March 5	.0555		
52			March 6–April 5	.057		
53			April 6–end of season	.058		
54	Apples sold ungraded (tree-run) in bulk (loose without containers or in containers furnished by the buyer).	Per pound	Beginning of season–August 19	$.045	Col. 5 price *plus* freight (including 3% transportation tax) from shipping point and *plus* protective service allowances[5]	Col. 6 price plus 1½ cents.
55			August 20–October 31	.044		
56			November 1–November 15	.045		
57			November 16–November 30	.046		
58			December 1–January 5	.048		
59			January 6–February 5	.049		
60			February 6–March 5	.0495		
61			March 6–April 5	.05		
62			April 6–end of season	.051		

[1] The prices named in Columns 6 and 7 are maximum prices for each individual lot or shipment of apples received and sold by the particular seller. For sellers covered by Column 7, see general provisions of this appendix.

[2] Protective services allowance shall be the actual cost of protective services furnished (exclusive of precooling) but to exceed the lowest common carrier charge for the same services (including 3% transportation tax). No separate charge shall be made for precooling since an allowance for precooling is included in the f. o. b. price (see paragraph (b)).

[3] On and after November 26, 1944 until the end of the season, the table appearing below rather than Table 3 shall apply to apples of the 1944 crop produced in these central states: Indiana, Illinois, Iowa, Missouri, Oklahoma, Kansas, Tennessee, Kentucky and Arkansas; and to apples of the 1944 crop produced in this northeast area: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, the counties of Clinton, Essex, Columbia, Dutchess, Putnam, Greene, Westchester, Ulster, Orange, Rockland, Warren, Washington, Saratoga, Schenectady, Albany, and Rensselaer, in New York, the counties of Worcester, Talbot, Cecil, Kent, Queen Annes, Caroline, Dorchester, Wicomico and Somerset in Maryland and the counties of Accomac and Northampton in Virginia.

During the period beginning May 29, 1945 and ending June 30, 1945, the Column 5 prices for apples of the 1945 crop shall be for Item 1 (apples graded and packed in standard box or bushel basket) $4.54 per box or basket, for Item 12 (apples graded and packed in standard barrel) $10.79 per barrel, for Item 23 (apples graded and packed in other containers) 7 cents per pound; for Item 34 (graded apples in bulk) 6.95 cents per pound, for Item 45 (ungraded apples (tree-run) loose in any containers) 6.4 cents per pound, and for Item 54 (ungraded apples (tree-run) in bulk) 6.0 cents per pound.

APPLES OF THE 1944 CROP PRODUCED IN CERTAIN AREAS

Col. 1	2	3	4	5		6	7
				Maximum prices for fruit loaded on car or truck at shipping point—			
Item No.	Type, variety, style of pack, etc.	Unit	Season	5 (a) Apples produced in the central States named above in footnote 3	5 (b) Apples produced in the northeast area described above in footnote 3	Maximum prices for sales delivered to any wholesale receiving point in any quantity (see footnote 1 above)—	Maximum prices for sales by certain persons in less-than-carlots or less-than-truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer (see footnote 1 above)
4	Apples graded and packed in the following standard containers:		(Nov. 23–Nov. 30	$3.47	$3.05	The applicable Col. 5 price plus freight (including 3% transportation tax) from shipping point and plus protective service allowances. (See footnote 2 above.)	Col. 6 price plus 70 cents.
5			Dec. 1–Jan. 5	3.55	3.14		
6			Jan. 6–Feb. 5	3.58	3.16		
7	Apple box (WPB 1.232 No. 1)	Per box or bushel.	Feb. 6–Mar. 5	3.61	3.19		
8	Apple box (WPB 1.232 No. 2)		Mar. 6–Apr. 5	3.64	3.22		
9	Apple box (WPB 1.232 No. 31)		Apr. 6–May 5	3.69	3.27		
10	Apple box (WPB 1.232 No. 36)		May 6–June 5	3.74	3.32		
11	Bushel basket (2,150.42 cu. inches)		June 6–End of season	3.79	3.37		
12			(Nov. 23–Nov. 30	10.11	9.15		
13			Dec. 1–Jan. 5	10.65	9.39		
14			Jan. 6–Feb. 5	10.74	9.48		
15	Apples graded and packed in U. S. Standard Barrel (7,056 cu. in.)	Per barrel	Feb. 6–Mar. 5	10.83	9.57	do	Col. 6 price plus $2.10.
16			Mar. 6–Apr. 5	10.92	9.66		
17			Apr. 6–May 5	11.07	9.81		
18			May 6–June 5	11.22	9.96		
19			June 6–end of season	11.37	10.11		
20	Any of the above containers, the contents of which do not meet the requirements of pack specified for standard containers (see paragraph (b) (3)); and apples graded and packed in any other container.	Per pound	(Nov. 23–Nov. 30	.0771	.0658	do	Col. 6 price plus 1½ cents.
21			Dec. 1–Jan. 5	.0789	.0665		
22			Jan. 6–Feb. 5	.0796	.0702		
23			Feb. 6–Mar. 5	.0802	.0709		
24			Mar. 6–Apr. 5	.0809	.0716		
25			Apr. 6–May 5	.082	.0727		
26			May 6–June 5	.0831	.0738		
27			June 6–end of season	.0842	.0749		
28	Apples sold graded in bulk (loose without containers or in containers furnished by the buyer).	Per pound	(Nov. 23–Nov. 30	.0666	.0553	do	Col. 6 price plus 1½ cents.
29			Dec. 1–Jan. 5	.0701	.0603		
30			Jan. 6–Feb. 5	.0711	.0617		
31			Feb. 6–Mar. 5	.0717	.0624		
32			Mar. 6–Apr. 5	.0724	.0631		
33			Apr. 6–May 5	.0735	.0642		
34			May 6–June 5	.0746	.0653		
35			June 6–end of season	.0757	.0664		
36	Apples sold loose and ungraded (tree-run) in any container.	Per pound	(Nov. 23–Nov. 30	.0631	.0538	do	Col. 6 price plus 1½ cents.
37			Dec. 1–Jan. 5	.0649	.0555		
38			Jan. 6–Feb. 5	.0656	.0562		
39			Feb. 6–Mar. 5	.0662	.0569		
40			Mar. 6–Apr. 5	.0669	.0576		
41			Apr. 6–end of season	.0680	.0587		
42	Apples sold ungraded (tree-run) in bulk (loose without containers or in containers furnished by the buyer).	Per pound	(Nov. 23–Nov. 30	.0591	.0498	do	Col. 6 price plus 1½ cents.
43			Dec. 1–Jan. 5	.0649	.0715		
44			Jan. 6–Feb. 5	.0656	.0522		
45			Feb. 6–Mar. 5	.0622	.0529		
46			Mar. 6–Apr. 5	.0629	.0536		
47			Apr. 6–end of season	.0640	.0547		

[Table 3 added by Am. 49. See note following paragraph (a) for effective date. Footnote 3 added by Am. 73, 9 F.R. 13995, effective 11-23-44. Footnote 4 added by Am. 108, 10 F.R. 6308, effective 5-29-45]

TABLE 4—MAXIMUM PRICES FOR CRANBERRIES

Col. 1	2	3	4	5			6	7
				Maximum prices for fruit loaded on car or truck at shipping point[1]—				
Item No.	Type, variety, style of pack, etc.	Unit	Season	5 (a) Cranberries produced in Massachusetts, Rhode Island, New York, and New Jersey	5 (b) Cranberries produced in Wisconsin	5 (c) Cranberries produced in Washington and Oregon	Maximum prices for sales delivered to any wholesale receiving point in any quantity[1]	Maximum prices for sales by certain persons in less-than-carlots or less-than-truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer[2]
	Cranberries graded and packed in the following containers:							
1	Standard ¼ barrel box (W. P. B. L232.30 or 31).	Per ¼ barrel box.	Beginning—Oct. 8	$5.85	$5.95	$6.10	Price in column 5 (a), plus freight from Wareham, Massachusetts, and plus protective service allowance through October 29[3]	Col. 6 price plus $1.11.
2			Oct. 9–Oct. 29	6.00	6.10	6.25		
3			Oct. 30–Nov. 19	6.15	6.25	6.40		
4			Nov. 20–end of season	6.30	6.40	6.55		
5	⅜ barrel box (inside dimensions 12" x 11" x 16⅜").	Per ⅜ barrel box.	Beginning—Oct. 8	8.775	8.925	9.150	Price in column 5 (a), plus freight from Wareham, Massachusetts, and plus protective service allowance through October 29[3]	Col. 6 price plus $1.66.
6			Oct. 9–Oct. 29	9.000	9.150	9.375		
7			Oct. 30–Nov. 19	9.225	9.375	9.600		
8			Nov. 20–end of season	9.450	9.600	9.825		
9	5¼ barrel box (inside dimensions 9 9/16" x 14" x 18⅝").	Per 5¼ barrel box.	Beginning—Oct. 8	10.2375	10.4125	10.6750	Price in column 5 (a), plus freight from Wareham, Massachusetts, and plus protective service allowance through October 29[3]	Col. 6 price plus $1.94.
10			Oct. 9–Oct. 29	10.5000	10.6750	10.9375		
11			Oct. 30–Nov. 19	10.7625	10.9375	11.2000		
12			Nov. 20–end of season	11.0250	11.2000	11.4625		

See footnotes at end of table.

TABLE 4—MAXIMUM PRICES FOR CRANBERRIES—continued

Col. 1	2	3	4	5			6	7
				Maximum prices for fruit loaded on car or truck at shipping point [1]				
Item No.	Type, variety, style of pack, etc.	Unit	Season	5 (a) Cranberries produced in Massachusetts, Rhode Island, New York, and New Jersey	5 (b) Cranberries produced in Wisconsin	5 (c) Cranberries produced in Washington and Oregon	Maximum prices for sales delivered to any wholesale receiving point in any quantity [1]	Maximum prices for sales by certain persons in less-than-carlots or less-than-truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer [1]
13	Cartons, containing 24–1-lb. cellophane bags.	Per carton	(Beginning—Oct. 8	$6.21	$6.31	$6.46	(Price in column 5 (a), plus freight from Wareham, Massachusetts, and plus protective service allowance through October 29.) [4]	Col. 6 price plus $1.11.
14			Oct. 9–Oct. 29	6.36	6.46	6.61		
15			Oct. 30–Nov. 19	6.51	6.61	6.76		
16			Nov. 20–end of season	6.66	6.76	6.91		
17	Any of the above containers, the contents of which do not meet the requirements of pack specified. (See paragraph (b) (3) and cranberries graded and packed in any other container.) [2]	Per pound	(Beginning—Oct. 8	.224	.238	.244	(Maximum price above for applicable month (Items 1–4) divided by 24.) [4]	Col. 6 price plus 4½ cents.
18			Oct. 9–Oct. 29	.249	.244	.250		
19			Oct. 30–Nov. 19	.246	.250	.256		
20			Nov. 20–end of season	.252	.256	.262		

[1] The delivered price in any receiving point is the same as that determined for Items 1–20 Column 5 (a) regardless of the f. o. b. price shown in Columns 5 (b) and 5 (c). Prices in Column 5 (b) and 5 (c) apply only to sales made f. o. b. shipping point.

[2] The prices named in columns 6 and 7 are maximum prices for each individual lot or shipment of cranberries received and sold by the particular seller. For sellers covered by Column 7, see general provisions of this appendix.

[3] The maximum price for cranberries sold in bulk (loose without containers or in containers furnished by the buyer) shall be 2 cents per pound less than the maximum price per pound listed for Items 17, 18, 19, 20 in Columns 5 (a), 5 (b), 5 (c), 6 and 7.

[4] Protective service allowance shall be added through October 29, in accordance with the following schedule:

Wholesale receiving points	Allowance for protective services through October 29			
	¼ barrel box	24 1-pound cello bags	⅜ barrel box	⅝ barrel box
In the following States: Arizona, Arkansas, California, Colorado, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, Texas, Utah	$0.09	$0.09	$0.13	$0.

[5] From October 28, 1944 until the end of the 1944 season the following prices shall be substituted for the prices named in Column 5.

Item	5 (a)	5 (b)	5 (c)
2	$6.25	$6.35	$6.50
3	6.40	6.50	6.65
4	6.55	6.65	6.80
6	9.375	9.525	9.750
7	9.600	9.750	9.975
8	9.825	9.975	10.200
10	10.9875	11.1125	11.3500
11	11.2000	11.3750	11.6250
12	11.4025	11.6375	11.8900
13	6.62	6.72	6.87
14	6.77	6.87	7.02
15	6.92	7.02	7.17
16	.250	.254	.260
18	.256	.260	.266
19	.262	.266	.272
20			

[Table 4 added by Am. 59, 9 F.R. 12208, effective 10–6–44; and amended by Am. 65, 9 F.R. 12968, effective 10–28–44. Footnote 5 added by Am. 65]

(g) *Tables of maximum markups.* The following tables name the maximum markups which may be added for certain distributive services. Table A names maximum markups for sales by grower-packers through certain named agents and sales by shipping point distributors direct and through agents. Table B names maximum markups for sales by persons other than grower-packers and shipping point distributors. In each case, the maximum price shall be figured by adding the appropriate markup to the named f. o. b. shipping point or delivered price (see Column 5 or 6 of the applicable table in paragraph (f)), as the case may be. In figuring maximum prices, markups may not be taken cumulatively.

[Examples 1 through 6 deleted by Am 111, 10 F.R. 7343, effective 6–15–45]

TABLE A—MAXIMUM MARK-UPS FOR DISTRIBUTIVE SERVICES PERFORMED BY GROWER-PACKERS, SHIPPING POINT DISTRIBUTORS, AND THEIR AGENTS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE

[See Column 5 or 6 of tables in paragraph (f).] [1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10	Col. 11	Col. 12
			Sales by grower-packers				Sales by any person (including grower-packers) through a grower's sales agent and sales by shipping point distributors				
				Through a commission merchant in less-than-carlots or less-than-truckloads							
Item No.	Commodity	Unit	Through a broker in any quantity or through a commission merchant in carlots or truckloads [1]	Ex-dock, car or truck or terminal sales platform [1]	Ex-store or warehouse [1]	Through an auction in less-than-carlots or less-than-truckloads [1]	Direct sales (without the use of broker or any other agent)	Through a broker [1] or salaried representative in any quantity, or through a commission merchant in carlots or truckloads	Through an auction in less-than-carlots or less-than-truckloads [1]	Through a commission merchant in less-than-carlots or less-than-truckloads	
										Ex-dock, car, truck or terminal sales platform [1]	Ex-store or warehouse [1]
		California, Arizona, Nevada, Oregon, Washington, Idaho (Items 1–3, table 1)									
1	Peaches	Fruit Box (WPB L–232 No. 35) with a net weight of 16–19 pounds (Items 1, 5, 10 and 11, Table 1).	$0.02	$0.08	$0.18	$0.06	$0.07	$0.09	$0.13	$0.15	$0.25.
		Fruit Box (WPB L–232 No. 36) with a net weight of 19–21 pounds (Item 6, Table 1).	$0.03	$0.09	$0.21	$0.08	$0.08	$0.11	$0.16	$0.17	$0.29.
		Super Lug Box (WPB L–232 No. 46) with a net weight of 22–25 pounds (Items 7, 12 and 13, Table 1).	$0.03	$0.11	$0.25	$0.09	$0.10	$0.13	$0.18	$0.21	$0.35.
		Standard Bushel Baskets (Items 2, 18 and 19, Table 1).	$0.06	$0.23	$0.50	$0.17	$0.12	$0.18	$0.29	$0.35	$0.62.
		Standard ½ Bushel Baskets (Items 20 and 21, Table 1).	$0.03	$0.11	$0.25	$0.09	$0.06	$0.09	$0.15	$0.17	$0.31.
		Box (WPB L–232 Nos. 35, 36 or 46) with a net weight of less than or more than that specified above for the particular box; bushel baskets and ½ bushel baskets, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3) (i); all other containers or bulk loose without containers—per pound (Items 3, 4, 8, 9, 14–17 and 22–27).	1/8 cent	¼ cent	1 cent	⅛ cent	1/10 cent	⅛ cent	⅛ cent	2/10 cent	4/10 cents.
2	Table grapes	Revoked									
3	Apples	Standard Boxes, bushels (Items 1–11).	$0.05	$0.14	$0.30	$0.13	$0.10	$0.15	$0.23	$0.24	$0.40.
		Standard Barrels (Items 12–22)	$0.15	$0.42	$0.90	$0.39	$0.30	$0.45	$0.69	$0.72	$1.20.
		Above containers, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3)); apples packed in all other containers; and those sold loose and ungraded in any container, or in bulk—per pound.	1/10 cent	3/10 cent	⅖ cent	2/10 cent	2/10 cent	3/10 cent	½ cent	½ cent	⅞ cent.
4	Cranberries	¼ bbl. box	$0.03	$0.23	$0.50	$0.16	$0.18	$0.21	$0.24	$0.41	$0.68.
		24/1 lb. cello bags	$0.03	$0.23	$0.50	$0.16	$0.18	$0.21	$0.34	$0.41	$0.68.
		⅜ bbl. box	$0.04	$0.31	$0.74	$0.22	$0.27	$0.31	$0.49	$0.61	$1.01.
		⅝ bbl. box	$0.05	$0.39	$0.87	$0.28	$0.31	$0.39	$0.57	$0.70	$1.18.
		Any of above containers the contents of which do not meet the requirements of pack specified (see paragraph (b) (3)) and cranberries graded and packed in any other container, per pound.	1/10 cent	1 cent	2 cents	2/10 cent	2/10 cent	3/10 cent	3/10 cent	1 3/10 cents	1 3/10 cents 2 5/10 cents.

[1] The agents' actual charge (not to exceed the maximum charges under MPR 165) shall be used instead of the mark-ups listed if the total of such actual charges is lower than the mark-up shown.

[Table A amended by Am. 46, Am. 49; Am. 54, 9 F.R. 10777, effective 9–1–44; Am. 59, 9 F.R. 12208, effective 10–6–44; Am. 61, 9 F.R. 12341, effective 10–10–44; and Am. 102, 10 F.R. 5721, effective 5–18–45, except as to peaches shipped from the shipping point and actually sold before that date]

TABLE B—MAXIMUM MARK-UPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN GROWER-PACKERS, SHIPPING-POINT DISTRIBUTORS AND THEIR AGENTS TO BE ADDED TO THE APPLICABLE MAXIMUM DELIVERED PRICES (SEE COLUMN 6 OF TABLES IN PARAGRAPH (f))[1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9
				Sales by primary receivers in less-than-carlots or less-than-trucklots		Sales by secondary jobbers in any quantity delivered to premises of the purchaser	Sales by service wholesalers delivered to premises of any retail store, Government procurement agency or institutional buyer within the free delivery zone	
Item No.	Commodity	Unit	Sales by carlot distributor[1]	Through an auction[2] or ex-car, dock, truck, or terminal sales platform	Ex-store or ex-warehouse		Original container and quantities in excess of ½ of original container	Half original container or less
1	Peaches	Fruit Box (WPB L–232 No. 33) with a net weight of 16–19 pounds (Items 1, 5, 10 and 11, Table I)	$0.14	$0.17	$0.27	$0.12	$0.42	
		Fruit Box (WPB L–232 No. 36) with a net weight of 19–21 pounds (Item 6, Table I)	0.17	0.20	0.32	0.19	0.49	
		Sanger Lug Box (WPB L–232 No. 46) with a net weight of 22–25 pounds (Items 7, 12 and 13, Table I)	0.20	0.24	0.38	0.28	0.58	
		Standard Bushel Baskets (Items 2, 18 and 19, Table I)	0.32	0.41	0.68	1.08	1.68	
		Standard ½ Bushel Baskets (Items 20 and 21, Table I)	0.16	0.20	0.34	0.54	0.84	
		Box (WPB L–232 Nos. 35, 36 or 46) with a net weight of less than or more than that specified above for the particular box; bushel baskets and ½ bushel baskets, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3) (i)); all other containers or bulk (loose without containers)—per pound (Items 3, 4, 5, 9, 14–17 and 22–25).	½ cent	1 cent	1½ cents	2¾ cents	2¾ cents	2¾ cents.
2	Table grapes	Revoked.						
3	Apples	Standard boxes, bushel (Items 1–11)	$0.23	$0.29	$0.45	$0.70	$1.70	
		U. S. Standard barrel (Items 12–22)	0.69	0.87	1.45	2.10	2.10	
		Above containers, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3) (i)); apples packed in all other containers, and those sold loose and ungraded in any container, or in bulk—per pound.	½ cent	⅝ cent	1 cent	1⅛ cents	1⅛ cents	1⅛ cents.
4	Cranberries	¼ bbl. box	$0.25	$0.44	$0.71	$1.11	$1.11	
		24 lb cello bags	0.25	0.44	0.71	1.11	1.11	
		⅜ bbl. box	0.31	0.65	1.05	1.66	1.66	
		½ bbl. box	0.60	0.75	1.23	1.94	1.94	
		Any of above containers, the contents of which do not meet the requirements of pack specified (see paragraph (b) (3)) and cranberries graded and packed in any other container—per pound.	1⅛ cents	1⅝ cents	2⅜ cents	1½ cents	1½ cents	1½ cents.

[1] A carlot distributor who resells on an f. o. b. basis may add the markup named in Column 4 to the maximum f. o. b. price. (See Column 5 of the applicable table in par. (f).

[2] The Column 4 markup may be used only by a person who has purchased the peaches being priced from any person other than a grower or grower-packer selling direct or through a broker, and sells in unbroken carlots or unbroken trucklots. A person who has purchased the peaches being priced from a grower or grower-packer selling direct or through a broker, and sells in unbroken carlots or unbroken trucklots shall use the markups named in the applicable columns in Table A for sales by a "shipping point distributor."

The Column 4 markup may be used only by a person who has purchased the grapes being priced from any person other than a grower or grower-packer selling direct or through a broker and sells in unbroken carlots or unbroken trucklots. A person who has purchased the grapes being priced from a grower or grower-packer selling direct or through a broker, and sells in unbroken carlots or unbroken trucklots shall use the markups named in the applicable columns in Table A for sales by a "shipping point distributor."

The Column 4 markup may be used only by a person who has purchased the apples being priced from any person other than a grower or grower-packer selling direct or through a broker, and sells in unbroken carlots or unbroken trucklots. A person who has purchased the apples being priced from a grower or grower-packer selling direct or through a broker, and sells in unbroken carlots or unbroken trucklots shall use the markups named in the applicable columns in Table A for sales by a "shipping point distributor."

[3] This mark-up applies not only to the sales by primary receivers through auction but also to sales by all persons, other than growers, grower-packers or shipping point distributors, through terminal auctions (see paragraph (m) (4)).

[Table B amended by Am. 46, Am. 49; Am. 54, 9 F.R. 10777, effective 9–1–44; Am. 55, 9 F.R. 10878, effective 9–1–44; Am. 59, 9 F.R. 12208, effective 10–6–44; Am. 61, 9 F.R. 12341, effective 10–10–44; and Am. 102, 10 F.R. 5721, effective 5–18–45, except as to peaches shipped from the shipping point and actually sold before that date]

(h) *Prohibition against certain payments.* No grower, grower-packer, or shipping point distributor shall receive, and no person shall pay to any grower, grower-packer or shipping point distributor, an amount in excess of the applicable maximum price f. o. b. shipping point, if sold f. o. b. or the applicable maximum price for delivered sales, if sold delivered, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)), regardless of the type of sale or the type of purchaser and regardless of any existing or future commitment between the buyer and seller. However, this rule does not affect any allowance made (1) to shipping point distributors for sales direct or through agents or (2) to grower-packers for sales through agents; to ultimate consumers; delivered to the premises of retail stores, designated receiving depots of government procurement agencies and institutional buyers.

No person who does not pack and ship the fruit being priced, and who does not regularly operate a packing and shipping plant for that commodity, shall purchase fruit "on the tree" or in bulk at a price, which, after the costs of harvesting, hauling, packing, precooling, and loading have been added, results in a price higher than the maximum f. o. b. shipping point price named in Column 5 of the applicable table in paragraph (f).

Example. Suppose an intermediate seller or a retailer wishes to buy an unharvested crop of fruit from a grower. The amount which he pays the grower for the fruit plus the cost of harvesting, hauling, packing, precooling and loading may not exceed the maximum price f. o. b. shipping point for fruit in the kind of container in which they are being sold, as set forth in the table for fruit in paragraph (f). If the fruit is purchased already packed, but not precooled or loaded on cars, the price paid for the packed fruit plus the cost of precooling and loading must likewise not exceed the maximum price f. o. b. shipping point for fruit in such containers.

(i) *Sales by growers or grower-packers direct and through brokers, commission merchants or terminal auction*—(1) *Sales by growers and grower-packers direct.* (i) For direct sales of fruit in any quantity by growers or grower-packers, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)).

(2) *Sales by growers and grower-packers through certain named agents.* (i) For sales of fruit in any quantity by growers or grower-packers through brokers, or sales in carlots or trucklots through commission merchants, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)), plus the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such selling agent may charge under Maximum Price Regulation 165) or the markup named in Column 4 of Table A in paragraph (g), whichever is lower.

(ii) For sales of fruit in less-than-carlots or less-than-trucklots by growers or grower-packers through commission merchants, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such commission merchant may charge under Maximum Price Regulation 165) or the applicable markup (for ex car or ex store sales, as the case may be, named in Column 5 or 6 of Table A in paragraph (g)), whichever is lower.

(iii) For sales of fruit by growers and grower-packers through a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus (1) the sum of the respective actual commissions or fees charged for the particular sale (not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation 165) or the markup named in Column 7 of Table A in paragraph (g), whichever is lower, and (2) any unloading charges in the terminal market incurred by the seller.

(iv) For sales of fruit by growers or grower-packers delivered directly from the grower's ranch, orchard or place of business at the shipping point in an "original conveyance" owned, or leased, and operated by the sellers (and not furnished, owned or controlled, directly or indirectly by the buyer) to the premises of institutional buyers, designated depots of government procurement agencies or retail stores where resale is made to ultimate consumers, the maximum price in each case is the price named in Column 7 of the applicable table in paragraph (f). The provisions of this subdivision do not apply to sales delivered to retailers' warehouses.

A sale of fruit, delivered directly from the shipping point in an "original conveyance" owned, or leased, and operated by another grower (and not furnished, owned or controlled, directly or indirectly by the buyer), transporting fruit of that grower and the fruit of not more than three other growers, to the premises of institutional buyers, designated depots of government procurement agencies or retail stores where resale is made to ultimate consumers, shall be priced as a sale by a grower "in an original conveyance owned by the grower."

"Original conveyance" means the first conveyance (other than a railroad car) in which the particular goods being priced are loaded for shipment at the country shipping point.

(v) For sales by growers or grower-packers of fruit to ultimate consumers the maximum price in each case is the price named in Column 7 of the applicable table in paragraph (f) multiplied by 1.33. However, such price shall not exceed any applicable community price established by the Office of Price Administration.

"Grower-packer" means a person (including a grower or a grower's cooperative) (1) who grows the fruit being priced, or who has bought the fruit being priced on the tree (tree-run) or in bulk, (2) who sizes, grades, packs or otherwise prepares the fruit being priced for shipment or has it so prepared by others, and (3) who sells the fruit being priced at or from the shipping point on an f. o. b. or delivered basis but does not fit the definition of a "shipping point distributor".

[Above definition amended by Am. 81, 10 F.R. 1540, effective 2–8–45]

"Growers' cooperative" means a non-profit agricultural marketing association, regularly marketing the fruit being priced, which is organized under state law and in conformity with the Capper-Volstead Act.

"Broker" means a person other than a "grower's sales agent" or a "commission merchant" who, for a commission or fee, represents his principal in the sale of the fruit being priced.

"Commission merchant" means a seller's agent, other than a "grower's sales agent" or a "broker", who receives the fruit being priced, and who, for a commission or fee sells it in any quantity in a terminal market or other wholesale receiving point, and who, in the case of less-than-carlot or less-than-truckloT sales, performs the wholesale functions of unloading the fruit from the car or truck in which it is received.

"Commission" or "fee" means the actual charge made by an agent for services performed in connection with the sale of fruit.

"Terminal auction" means a place in a terminal market, open to any seller and to any buyer who has established credit with the "auction company" or who pays cash, where, on the basis of competitive bidding, the fruit being priced is sold in less-than-carlot or less-than-truckloT quantities by persons operating through a public licensed sales organization known as an "auction company", for whose services a fee is charged.

"Ultimate consumer" means a person who buys the fruit being priced for direct consumption. However, as used in this appendix, the term does not include a commercial, industrial or institutional user or government procurement agency.

(j) *Provisions applicable to sales by any person (including growers and grower-packers) through growers' sales agents*—(1) *Sales at shipping points by any person (including growers and grower-packers) through growers' sales agents.* (i) For sales of fruit in any quantity at shipping points by any person through growers' sales agents, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)), plus the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which the grower's sales agent may charge under Maximum Price Regulation 165) or the markup shown in Column 8 of Table A in paragraph (g), whichever is lower.

(2) *Sales at terminal markets or other wholesale receiving points by any persons (including growers and grower-packers) through growers' sales agents.* (i) For sales of fruit at terminal markets or other wholesale receiving points by any person through growers' sales agents, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)), plus the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which the grower's sales agent may charge under Maximum Price Regulation 165) or the markup named in Column 9 of Table A in paragraph (g), whichever is lower. However, this markup may be taken only by a person selling through a grower's sales agent who regularly maintains sales offices and salaried representatives at terminal markets and other wholesale receiving points. For sales through a grower's sales agent who does not regularly maintain sales offices and salaried representatives at terminal markets and other wholesale receiving points the markup in Column 8 shall apply.

(ii) For sales of fruit at terminal markets or other wholesale receiving points by any person through growers' sales agents who in carlot or truckloT sales use brokers or commission merchants and in less-than-carlot or less-than-truckloT sales use brokers, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)), plus the respective actual commissions or fees charged for the particular sale (not to exceed the maximum allowable commissions or fees which the respective agents may charge under Maximum Price Regulation 165) or the markup named in Column 9 of Table A in paragraph (g), whichever is lower.

(iii) For sales of fruit by any person through grower's sales agents who use a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus (1) the sum of the respective actual commissions or fees charged for the particular sale (not to exceed the maximum allowable commissions or fees which the grower's sales agent, the agent of the auction seller and the auction company may charge under Maximum Price Regulation 165) or the markup named in Column 10 of Table A in paragraph (g), whichever is lower, and (2) any unloading charges in the terminal market incurred by the seller.

(iv) For sales of fruit in less-than-carlots or less-than-truckloTs by any person through growers' sales agents who use commission merchants, the maximum price in each case is the maximum delivered price in Column 6 of the applicable table in paragraph (f) plus the sum of the respective actual commissions or fees charged for the particular sale (not to exceed the maximum allowable commissions or fees which the grower's sales agent and the commission merchant may charge under Maximum Price Regulation 165) or the applicable markup (for ex car or ex store sales, as the case may be) named in Columns 11 and 12 of Table A in paragraph (g), whichever is lower.

"Grower's sales agent" means a person (including a growers' cooperative), other than a broker or commission merchant, (1) who is regularly engaged in the business of selling fruit at country shipping points, terminal markets and other wholesale receiving points, and shipping it to terminal markets and other wholesale receiving points, either in person or through salaried representatives, brokers, auctions, or other agents, (2) who receives the fruit being priced from another, (3) who for a commission or fee sells, at shipping points, terminal markets or other wholesale receiving points, the fruit being priced for the account of another, (4) who assumes full financial responsibility for the collection of funds due his principal on all fruit sold by him for the account of his principal, and (5) who handles for his principal all freight traffic problems with respect to the fruit being priced, such as routing, diversion of shipments and collection of claims.

(k) *Sales by shipping point distributors*—(1) *Sales by shipping point distributors at shipping points.* For sales of fruit in any quantity at shipping points by shipping point distributors, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)), plus the markup named in Column 8 of Table A in paragraph (g).

(2) *Sales at terminal markets or other wholesale receiving points by shipping point distributors.* (i) For sales of fruit at terminal markets or other wholesale receiving points by shipping point distributors, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)), plus the markup named in Column 9 of Table A in paragraph (g). However, this markup may be taken only by a shipping point distributor who regularly maintains sales offices and salaried representatives at terminal markets and other wholesale receiving points. For sales by a shipping point distributor who does not regularly maintain sales offices and salaried representatives at terminal markets and other wholesale receiving points the markup in Column 8 shall apply.

(ii) For sales of fruit at terminal markets or other wholesale receiving points by shipping point distributors, who in carlot or truckloT sales use brokers or commission merchants and in less-than-carlot or less-than-truckloT sales use brokers, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)), plus the markup named in Column 9 of Table A in paragraph (g), or the sum of (1) the markup named in Column 8 of Table A in paragraph (g) and (2) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such selling agent may charge under Maximum Price Regulation 165), whichever is lower.

(iii) For sales of fruit by shipping point distributors through a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus (1) the markup named in Column 10 of Table A in paragraph (g) or the sum of (1) the markup named in Column 8 of Table A in paragraph (g) and (2) the respective actual

commissions or fees charged for the particular sale (not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation 165), whichever is lower, plus (2) any unloading charges in the terminal market incurred by the seller.

(iv) For sales of fruit in less-than-carlot or less-than-trucklot by shipping point distributors through commission merchants, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus the applicable markup (for ex car or ex store sales, as the case may be) named in Columns 11 and 12 of Table A in paragraph (g) or the sum of (1) the markup named in Column 8 of Table A in paragraph (g) and (2) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which the commission merchant may charge under Maximum Price Regulation 165), whichever is lower.

"Shipping point distributor" means a person who performs all the functions of a grower-packer as to the fruit being priced and (1) who is regularly engaged in the business of selling fruit at country shipping points, terminal markets and other wholesale receiving points, and shipping it to terminal markets and other wholesale receiving points, either in person or through salaried representatives, brokers, auctioneers or other agents and (2) who does not make more than 25% (by volume) of his sales to any one person other than to a government procurement agency during the 1944 season.

[Above definition amended by Am. 81, 10 F.R. 1540, effective 2-8-45]

A person who would be a "shipping point distributor" but for the fact that he does not meet the requirement of (2) is a "grower-packer" and prices accordingly.

(m) *Maximum prices for sales by persons other than growers, grower-packers and shipping point distributors.*—(1) *Sales by carlot or trucklot distributors.* (i) For sales of fruit in unbroken carlots or unbroken trucklots by carlot distributors, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (f)), plus the markup named in Column 4 of Table B in paragraph (g).

"Carlot distributor" means any person who has purchased the fruit being priced from any person other than a grower or grower-packer selling direct or through a broker, and sells in unbroken carlots or unbroken trucklots.

A person who has purchased the fruit being priced from a grower or grower-packer selling direct or through a broker and sells in unbroken carlots or unbroken trucklots shall price as if he were a "shipping point distributor".

(2) *Sales by primary receivers in less-than-carlots or less-than-trucklots.* (i) For sales by primary receivers of fruit ex car, ex truck, ex dock, or ex terminal sales platform, at a terminal market or other wholesale receiving point, the maximum price in each case shall be the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus the markup named in Column 5 of Table B in paragraph (g).

(ii) If a primary receiver breaks a car or truck, unloads the particular fruit being priced into a store or warehouse owned or leased in whole or in part by him, and makes sales ex store or ex warehouse, the maximum price in each case shall be the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus the markup named in Column 6 of Table B in paragraph (g). This price does not include delivery charges. If the primary receiver makes delivery, he may also add the amount which the appropriate regional or district office determines to be applicable for deliveries in these cases (see paragraph (r)).

(iii) If a primary receiver makes a delivered sale to the premises of a purchaser within the free delivery zone, without first unloading the particular fruit being priced into a store or warehouse owned or leased in whole or in part by him, the maximum price shall be the maximum price for sales ex car, ex truck, ex dock, or ex terminal sales platform, plus the amount which the appropriate regional or district office determines to be applicable to these sales (see paragraph (r)).

"Primary receiver" means a person, other than a service wholesaler, who for his own account and profit buys the particular fruit being priced, (i) in unbroken carlots or unbroken trucklots from any person, or (ii) in any quantity from a grower, grower-packer or shipping point distributor selling either direct or through any agent (except a commission merchant or auction in less-than-carlots or less-than-trucklots), for resale in less-than-carlots or less-than-trucklots to persons other than ultimate consumers.

[Above definition added by Am. 62, 9 F.R. 12412, effective 10-13-44]

(3) *Sales through terminal auctions.* For sales of fruit through a terminal auction, by persons other than growers, grower-packers, or shipping point distributors, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus (1) the markup named in Column 5 of Table B in paragraph (g) and (2) any unloading charges in the terminal market incurred by the seller.

(4) *Sales by secondary jobbers.* (i) For sales by secondary jobbers of fruit on a "delivered" basis, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus the markup named in Column 7 of Table B in paragraph (g). However, for sales of goods which secondary jobbers have purchased at auction, ex car, dock, truck or terminal sales platform, the maximum price shall be figured by adding, instead of the markup named in Column 7 of Table B, the markup named in Column 5 plus the difference between the markups named in Columns 6 and 7. "Delivered" means delivered to the buyer's premises (in the case of a retailer, delivered to the retail store where resale is made to ultimate consumers) within the free delivery zone.

[Subparagraph (i) amended by Am. 62]

(ii) For sales by secondary jobbers of fruit not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis less five cents per container for containers under 50 pounds (gross weight), and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (r)).

"Secondary jobber" means a person other than a retailer who for his own account and profit purchases the particular fruit being priced in less-than-carlots or less-than-trucklots from (i) a primary receiver, or (ii) any person selling through a commission merchant or auction, for resale in any quantity.

[Above definition amended by Am. 62]

(5) *Sales by service wholesalers.* (i) For sales by service wholesalers of fruit on a "delivered" basis, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus the markup named in Column 8 of Table B in paragraph (g). "Delivered" means delivered to the buyer's premises (in the case of a retailer, delivered to the retail store where resale is made to ultimate consumers) within the free delivery zone.

(ii) A service wholesaler, when selling the fruit being priced on a delivered basis in quantities of one-half container or less, may add to the maximum delivered price named in Column 6 of the applicable table in paragraph (f) the markup named in Column 9 of Table B in paragraph (g), but only if he has first offered to sell to the buyer on a full-container basis. This paragraph applies only to sales where the seller breaks the original container received by him and sells no more than half of the quantity in that container.

(iii) For sales by service wholesalers of fruit not on a "delivered" basis, the maximum price for sales on a "delivered" basis less five cents per container under 50 pounds (gross weight), and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (r)).

"Service wholesaler" means a person who maintains a store or warehouse at which the fruit being priced is received and stored (or warehoused); who maintains at such store or warehouse facilities for cold storage, ripening, sorting, repacking, and other handling of the fruit; who employs salesmen to call on the trade in the city or country points which he services; and who sells the fruit being priced to retail stores, government procurement agencies or institutional buyers.

(6) *Sales by secondary jobbers and service wholesalers delivered outside the free delivery zone.* (i) For sales by secondary jobbers or service wholesalers of fruit delivered to the premises of any purchaser located outside of the free delivery zone, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (f) plus the applicable markup named in Columns 7, 8 or 9 of Table B in paragraph (g) plus the cost of transportation beyond the free delivery zone, figured at the lowest common or contract carrier rate for available transportation from the seller's place of business to the premises of the purchaser. The amount added for transportation shall not exceed 25 cents per cwt. for the first 25 miles beyond the free delivery zone, and five cents per cwt. for each successive 25 miles, and the total amount may not exceed 50 cents per cwt., except as these amounts may be changed by the appropriate regional or district office (see paragraph (r)).

(n) *Fractions.* In figuring maximum prices, except for sales to ultimate consumers, all fractions shall be carried to the second decimal place of a cent. Any final calculations of total maximum prices applicable to individual sales resulting in a fraction of one-half cent or more shall be adjusted to the next higher cent, and those below one-half cent shall be adjusted to the next lower cent.

(o) [Deleted]

[Paragraph (o) deleted by Am. 111, 10 F.R. 7343, effective 6-15-45]

(p) *When maximum prices apply.* The applicable maximum price in each case is the maximum price in effect on the date of delivery.

When shipment is by independent carrier and the sale is on an f. o. b. shipping point basis, with the risk of loss on the buyer for any part of the transit prior to physical delivery to him, the date of delivery is the date when the goods are loaded on the carrier ready for shipment. When shipment is by independent carrier and the sale is on a delivered basis, with the risk of loss on the seller for the entire transit prior to physical delivery to the buyer, the date of delivery is the date when the goods are physically delivered by the carrier to the buyer.

(q) *Sales of futures.* In the case of futures, no "advance" (that is, payment prior to delivery) shall, when added to any previous advances, exceed either the maximum price in effect on the date of delivery or the maximum price in effect on the date of the payment.

"Sales of futures" means sales of goods for delivery at a future date beyond the normal time after sale necessary for transit.

(r) *Adjustments by regional and district offices.* For fruit, the Regional Directors of the Office of Price Administration, and such district officers as they in turn may authorize, are authorized:

[Above paragraph amended by Am. 55, 9 F.R. 10878, effective 9-1-44]

(1) To determine the limits of the free delivery zone at any wholesale receiving point located within its jurisdiction and to adjust upwards or downwards the allowances for sales by secondary jobbers and service wholesalers on a non-delivered basis and to adjust upwards or downwards the allowances for transportation beyond the free delivery zones, at the lowest rates for customary and generally available means of transportation.

(2) To determine and publish orders naming the amounts which primary receivers may add, for deliveries made within the free delivery zone at wholesale receiving points, to the maximum price otherwise applicable; and to determine and publish orders naming the amounts which primary receivers may add, for deliveries beyond the free delivery zone, to the maximum prices otherwise applicable. These amounts shall be figured at the lowest rates for customary and generally available means of transportation.

(3) To adjust upwards or downwards the maximum markups named for sales through commission merchants in less-than-carlots or less-than-trucklots ex car, ex truck, ex dock, or terminal sales platform. However, any upward adjustment that is made under this paragraph shall not exceed the maximum markup named for such sales through a commission merchant in less-than-carlots or less-than-trucklots ex store or ex warehouse.

(4) To adjust upwards or downwards the maximum markups named for sales by primary receivers ex car, ex truck, ex dock, or ex terminal sales platform or through a terminal auction. However, any upward adjustment that is made under this paragraph shall not exceed the maximum markup named for sales by primary receivers ex store or ex warehouse.

(s) *Record keeping and notification requirements.* Every sale by any person to any buyer other than an ultimate consumer shall be accompanied by a notification in writing showing the date of the sale, the names and addresses of the seller and the buyer, an adequate description of the commodity sold, including the quantity, unit of sale and the total price charged. When the total price includes charges for brokerage, commission, freight, trucking, protective services or any other charge or fee recognized by this appendix, the notice shall set forth the nature and amount of each of such charges, except insofar as the giving of such information is inconsistent with state law.

[Former subparagraph (r) (5) redesignated (s) by Am. 47, 9 F.R. 9512, effective 8-3-44]

[Appendix K added by Am. 39, 9 F.R. 7759, effective 7-15-44, except for peaches shipped from shipping point and actually sold before 7-15-44, and except for peaches shipped (whether sold or unsold) before 7-10-44]

(t) [Deleted]

[Paragraph (t) added by Am. 56, 9 F.R. 11350, effective 9-13-44; amended by Am. 60, 9 F.R. 12340, effective 10-9-44; and deleted by Am. 73, 9 F.R. 13995, effective 11-23-44]

This regulation shall become effective July 10, 1943 as to Appendix C of Article III, section 15, and on July 20, 1943 as to Articles I through III except Appendix C of Article III, section 15.

[Effective date provisions amended by Am. 1, 8 F.R. 9568, effective 7-10-43]

[Effective dates of amendments are shown in notes following the parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11571; Filed, June 29, 1945; 11:49 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 120]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 7 (Maximum Prices for Cucumbers), footnote reference 6 is deleted from Items 15 and 16 and added to the heading of Column 5 and footnote 6 is amended to read as follows:

[6] The Column 5 price for hothouse cucumbers in any container shall be 12.8 cents per pound during July 1945.

This amendment shall become effective at 12:01 a. m. June 29, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 27, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-11518; Filed, June 28, 1945; 4:03 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 5]

FOREST PRODUCTS IN TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

1. Section 50 (a) is amended by adding after the item "Western Red Cedar—MPR 402," the item "Pressure Preservative Treatment of Forest Products and Pressure Treated Forest Products—MPR 491, as amended."

2. Section 50 (j) is amended to read as follows:

(j) *What the invoice must contain.* Upon the completion of each transaction, the seller must deliver to the purchaser an invoice which must contain a sufficiently complete description of the lumber to show whether or not the price is proper, i. e. grade, quantity, size, condition of dressing, pattern, species, and any other extras or specifications which affect the maximum price. The amount added for each specification or extra does not have to be separately shown except in those cases where the provisions permitting the addition expressly require it. Where the invoice does not specify the amount of each grade shipped or delivered, the maximum price of the lowest grade in the shipment shall apply to the whole order.

In addition to the foregoing, the invoice must show the applicable maximum price as provided for in this section and also the price received, paid or charged.

This amendment shall become effective as of June 15, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11568; Filed, June 29, 1945; 11:48 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 395, Amdt. 3]

CHARCOAL AND SHELL EGGS IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 395 is amended in the following respects:

1. The Table set forth under section 13 (c) (5) "Units of Measurements" is amended as follows: The figure in the Bushels column of "3.2" is changed to read "3.2."

2. Article IV, section 14, Table II, is revised in the following respects: Paragraph (a) is revised to read as follows, and subparagraph (a) (1) is deleted:

SEC. 14. *Table II: Maximum prices for shell eggs.* (a) Maximum prices for locally produced eggs in the Virgin Islands of the United States:

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[1] 8 F.R. 5941, 6946.

	Municipality of St. Croix			Municipality of St. Thomas and St. John		
	Sales at wholesale	Sales at retail per dozen	Sales at retail less than dozen	Sales at wholesale	Sales at retail per dozen	Sales at retail less than dozen
A	(1)	$0.78	$0.07 for 1, $0.14 for 2	(1)	$0.78	$0.07 for 1, $0.14 for 2.
B	(1)	.67	$0.06 for 1, $0.11 for 2	(1)	.65	$0.06 for 1, $0.11 for 2
C (Filler)	(1)	.52	$0.05 for 1, $0.09 for 2	(1)	.52	$0.05 for 1, $0.09 for 2.
Select	(1)	.50	$0.05 for 1, $0.09 for 2	(1)	.50	$0.05 for 1, $0.09 for 2.
Fancy	(1)	.65	$0.06 for 1, $0.11 for 2	(1)	.65	$0.06 for 1, $0.11 for 2.

[1] The wholesale price is subject to agreement between buyer and seller, but in no event may the price exceed the maximum retail price of the grade.

This amendment shall become effective as of May 28, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11577; Filed, June 29, 1945; 11:52 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1541—MANUFACTURING ASPHALT

[Petroleum Directive 80 as Amended June 30, 1945]

The most effective utilization of transportation requires that the number of grades of asphalt be limited to the minimum necessary to fulfill essential civilian and war demands, contributing thereby to the best use of the transportation and storage facilities available for asphalt; and the following directive is deemed necessary and appropriate to promote the national defense, and to provide adequate supplies of petroleum for military and other essential uses:

§ 1541.1 *Petroleum Directive No. 80 as amended June 30, 1945*—(a) *Manufacture of asphalt.* No asphalt or asphaltic products for paving purposes or dust palliatives other than the grades specified in paragraph (b) shall be manufactured after the effective date of this directive.

(b) *Grades of asphalt.* The grades of asphalt and asphaltic products for paving purposes which may be manufactured after the effective date of this directive are:

Asphalt cements. Penetration Ranges—50–60, 60–70, 70–85, 85–100, 100–120, 120–150, 150–200, [1] 200–300.

Federal specifications—SS-A-706b (November 10, 1943) and SS-R-406a (April 25, 1942).

Medium curing cutback asphalts. MC 1, MC 2, MC 3, MC 4, MC 5.

Federal specifications—SS-A-671a (June 20, 1941) and SS-R-406a (April 25, 1942).

Rapid curing cutback asphalts. RC 1, RC 2, RC 3, RC 4, RC 5.

Federal specifications—SS-A-671a (June 20, 1941) and SS-R-406a (April 25, 1942).

Emulsified asphalts. Any grade manufactured from base stocks provided for in this directive.

(c) *Special provisions.* (1) At the option of the purchaser, the Ohensis Spot Test, A. A. S. H. O. designation T102–38 may be required in addition to Federal specifications only for asphalt for use on surfaces on which aircraft travel. For all other surfaces, at the option of the purchaser, the Heptane-Xylene Equivalent Spot Test, A. A. S. H. O. designation T102–42, using 35% Xylene and 65% normal Heptane may be required in addition to Federal specifications.

(2) Except as provided in paragraph (c) (1), no refiner or processor of asphalt and asphaltic products for paving purposes shall be required to meet any material test not provided for in the Federal specifications.

(d) *Exceptions.* (1) Crack filler, joint filler, cold patch, lump or powdered asphalt, center striping paint, and zone marking paint are excepted from the restrictions of this directive.

(2) Flux oil may be manufactured only when such flux oil is to be used in connection with natural rock asphalt or is to be used with lump or powdered asphalt exclusively for plant mix paving mixtures.

(e) *Communications.* All communications concerning this directive shall, unless otherwise directed, be addressed to: The Director of Refining, Petroleum Administration for War, the Interior Building, Washington 25, D. C. Ref: Petroleum Directive No. 80.

(f) *Area of applicability.* This directive shall apply to the Continental United States.

This directive shall become effective as of the 30th day of June, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued June 30, 1945.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 45-11511; Filed, June 28, 1945; 1:01 p. m.]

[1] At purchaser's option, penetration may be 120–200, or 150–300.

Chapter XVIII—Office of Economic Stabilization

[OES Reg. 1, Amdt. 1]

PART 4002—REGULATIONS ON GRADING AND GRADE LABELING

GRADING AND GRADE LABELING OF MEATS

A statement of the reasons involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Office of Economic Stabilization Regulation No. 1 is amended in the following respects:

1. Section 4002.2 (c) (3) (ii) is amended and subdivisions (iii) and (iv) are added to read as follows:

(ii) If the slaughterer is a farm slaughterer, he shall not be required to have beef or veal produced from animals slaughtered by him or custom slaughtered for him, graded by an official grader of the United States Department of Agriculture. Such beef or veal as is sold by the farm slaughterer shall be graded by him in accordance with the requirements of paragraphs (a), (b), (c) (1) and (c) (2) of this section.

(iii) Notwithstanding any other provision of this paragraph (c), if a farm slaughterer delivers beef or veal to a commercial freezer or locker plant, such beef or veal shall not be broken by the operator thereof, unless graded and grade stamped in accordance with the requirements of paragraphs (a), (b), (c), (1) and (c) (2), hereof. Such beef or veal broken by such operator shall be graded and grade stamped either by the owner of the beef or veal or by the operator of the commercial freezer or locker plant with the consent of the owner.

(iv) "Farm slaughterer" as used in this paragraph (c) means a person operating a Class 3 slaughtering establishment, defined in Section 21 of Control Order 1, "Livestock Slaughter and Meat Distribution", issued April 25, 1945, to mean any place, other than a Class 1 slaughtering establishment, at which a person slaughters cattle, calves, sheep, lambs or swine and from which he sold or transferred during any consecutive 12 month period from January 1, 1944, to March 31, 1945, inclusive, not more than 6,000 pounds of meat which he, as the resident operator of a farm, slaughtered on that farm (or had custom slaughtered for him).

2. Section 4002.3 (c) is redesignated (c) (1) and is amended to read as follows:

(1) If the slaughterer is a farm slaughterer, he shall not be required to have lamb or mutton produced from animals slaughtered by him or custom slaughtered for him, graded by an official grader of the United States Department of Agriculture. Such lamb or mutton as is sold by the farm slaughterer shall be graded by him in accordance with the requirements of paragraph (a) of this section.

3. Subparagraphs (2) and (3) are added to § 4002.3 (c) to read as follows:

(2) Notwithstanding any other provision of this paragraph (c), if a farm slaughterer delivers lamb or mutton to a commercial freezer or locker plant, such lamb or mutton shall not be broken by the operator thereof, unless graded and grade stamped in accordance with the requirements of paragraph (a) hereof. Such lamb or mutton broken by such operator shall be graded and grade stamped either by the owner of the lamb or mutton or by the operator of the commercial freezer or locker plant with the consent of the owner.

(3) "Farm slaughterer" as used in this paragraph (c) means a person operating a Class 3 slaughtering establishment, defined in Section 21 of Control Order 1, "Livestock Slaughter and Meat Distribution", issued April 25, 1945, to mean any place, other than a Class 1 slaughtering establishment, at which a person slaughters cattle, calves, sheep, lambs or swine and from which he sold or transferred during any consecutive 12 month period from January 1, 1944, to March 31, 1945, inclusive, not more than 6,000 pounds of meat which he, as the resident operator of a farm, slaughtered on that farm (or had custom slaughtered for him).

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 28th day of June, 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-11533; Filed, June 28, 1945; 4:22 p. m.]

[Dir. 60]

PART 4004—PRICE STABILIZATION: MAXIMUM PRICES

CANNED VEGETABLES; 1945

The War Food Administrator and the Price Administrator having submitted to me information with respect to payment of subsidies on the sale of the 1945 pack of certain canned vegetables and vegetable products and on the utilization of certain canned vegetable products of the 1945 pack and with respect to the establishment of maximum prices for the 1945 pack of such commodities, I do hereby find that the measures hereinafter authorized and directed to be taken by the War Food Administration and the Office of Price Administration will effectuate the purpose of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

(1) The Office of Price Administration is hereby authorized and directed:

(a) Subject to paragraph (1) (b), below, to maintain or establish maximum prices for sales to purchasers other than Government procurement agencies of the 1945 pack of canned green peas, snap beans, sweet corn, tomatoes, tomato catsup, tomato paste, tomato puree, tomato sauces, tomato cocktail, tomato juice contained in mixed vegetable juices, tomato soup, and green pea soup approximately at the levels of maximum prices maintained or established for similar sales of such commodities in 1944, subject to any revision that may be authorized by this Office.

(b) In establishing maximum prices for sales to purchasers other than government procurement agencies of the 1945 pack of canned snap beans and canned green peas, to reflect the differences by area between the applicable 1944 grower support prices for snap beans and green peas and the applicable 1945 grower support prices specified in Schedule A (attached hereto and by this reference made a part hereof), where such difference in support prices is of a local nature and where the reflection of such difference in maximum prices will not affect the 1944 national level of maximum prices. Where the reflection of such differences by area would have the effect of changing the national level of price from the 1944 average, the national rate of subsidy payments shall be adjusted accordingly; and

(c) To establish maximum prices for sales to government procurement agencies, of the 1945 pack of canned green peas, snap beans, sweet corn, tomatoes, tomato juice, tomato catsup, tomato paste, tomato puree, tomato sauces, tomato cocktail and tomato juice contained in mixed vegetable juices, which are computed on the basis of the applicable estimated weighted average of 1945 grower support prices specified in Schedule A; and

(d) To establish maximum prices for all other canned products covered as to the 1944 pack by Supplement 7 to Food Products Regulation No. 1, produced wholly or in part from the four major vegetables, which are computed on the basis of the applicable estimated weighted average of 1945 grower support prices specified in Schedule A.

(2) The War Food Administration is hereby authorized and directed, by the use of Commodity Credit Corporation funds, to make subsidy payments to canners on the rate basis applicable to the 1944 pack with respect to (a) eligible sales to purchasers other than government procurement agencies consummated between May 1, 1945, and June 30, 1946, or such later date as the War Food Administration may hereinafter specify, both dates inclusive, of canned green peas, snap beans, sweet corn, tomatoes, tomato juice, tomato catsup, tomato paste, tomato puree, tomato sauces, tomato cocktail, tomato juice contained in canned mixed vegetable juices, tomato soup, and green pea soup, produced during the period May 1, 1945, to December 31, 1945, both dates inclusive, except that with respect to canned snap beans the terminal date of production shall be February 28, 1946, inclusive, and (b) utilization, by the canner thereof, of bulk or canned tomato puree, tomato paste and tomato sauces produced during the period May 1, 1945, to December 31, 1945, both dates inclusive, in the production, during the aforesaid period of eligible sales, of any other canned food product also actually produced by him.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 27th day of June 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

SCHEDULE A

GREEN PEAS FOR CANNING: ESTIMATED WEIGHTED AVERAGE OF 1945 GROWER SUPPORT PRICES

State or district	Prices [1] (Dollars per ton)
Delaware, Maryland	91.00
New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and Pennsylvania	90.50
Virginia	89.50
Washington, western [2]	89.00
Maine	88.50
New York	88.00
New Jersey, Iowa (except southwest Iowa), West Virginia, North Carolina, Kentucky, and Tennessee	86.00
Illinois and Southeast Wisconsin	85.00
Minnesota, Northwest Wisconsin, Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina	82.50
Arkansas	81.00
Ohio	80.50
Oregon (except Malheur County), Washington (other than western,[2] and northern Idaho [3]	79.00
Michigan, Texas, Utah, and Southeast Idaho	78.50
Indiana, Southwest Idaho, Malheur County in Oregon	77.50
Missouri, Southwest Iowa, Nebraska, Oklahoma, Kansas	76.50
Arizona and Nevada	76.00
California, Colorado, and Montana	74.00
South Dakota and North Dakota	73.50
Wyoming	73.00
New Mexico	71.00

[1] Price basis: Delivered at canneries or to customary assembly points.

[2] Western Washington: Whatcom, Skagit, Snohomish, King, Pierce, Lewis, Skamania, Cowlitz, Clark, Wahkaikum, Pacific, Thurston, Grays Harbor, Mason, Kitsap, Jefferson, Clallam, Island, and San Juan Counties.

[3] Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Nez Perce, Clearwater, Lewis, and Idaho Counties.

SNAP BEANS FOR CANNING: ESTIMATED WEIGHTED AVERAGE OF 1945 GROWER SUPPORT PRICES

State or district	Prices [1] (dollars per ton)
Maine, Vermont, New Hampshire, Rhode Island, Massachusetts, and Connecticut	$90.00
New York	101.80
Maryland, Delaware, Virginia, West Virginia, and Pennsylvania, and New Jersey	90.59
Tennessee, Kentucky, North Carolina, South Carolina, Georgia, Mississippi, Louisiana, Alabama	80.17
Florida	80.00
Arkansas, Oklahoma, Missouri, Kansas	80.15
Texas	81.40
Wisconsin, Michigan, Indiana, Illinois, Ohio, Iowa, Nebraska, North Dakota, South Dakota, Minnesota, Colorado, Utah, Idaho, Wyoming, New Mexico, Nevada, Montana, and Arizona:	84.89
Pole	110.00
Bush	80.00
Oregon, Washington, California	110.00

SWEET CORN FOR CANNING: ESTIMATED WEIGHTED AVERAGE OF 1945 GROWER SUPPORT PRICES

State or district	Prices [1] (dollars per ton)
Maine and New Hampshire	$28.00
Vermont	22.00
New York and New Jersey	19.00
Pennsylvania	19.00

[1] Price basis: Delivered at canneries or to customary assembly points.

SWEET CORN FOR CANNING: ESTIMATED WEIGHTED AVERAGE OF 1945 GROWER SUPPORT PRICES—continued

State or district	Prices [1] (dollars per ton)
Delaware, Maryland and Virginia	$19.00
Illinois, Indiana & C. & E. Iowa [2]	19.00
Michigan, Ohio, Wisconsin, Minnesota, and Missouri	17.00
Washington, Oregon and N. W. Utah [3]	23.00
N. and S. W. Idaho [4]	23.00
Wyoming, Colorado, and Montana	17.00
All other states and counties	17.00

[1] Price basis: Delivered at canneries or to customary assembly points.

[2] The area in Iowa bounded with the following counties: Clayton, Fayette, Bremer, Butler, Franklin, Wright, Humboldt, Pocahontas, Buena Vista, Sac, Calhoun, Webster, Boone, Dallas, Madison, Union, and Ringgold.

[3] N. W. Utah: Box Elder, Cache, Davis, Morgan, Salt Lake, Utah, and Weber Counties.

[4] N. Idaho: Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Nez Perce, Clearwater Lewis, and Idaho Counties; S. W. Idaho: Adams, Valley, Washington, Payette, Gem, Canyon, Boise, Elmore, Ada, Owyhee, Camas, Gooding, Lincoln, Jerome, Minidoka, Twin Falls, and Cassia Counties.

TOMATOES FOR CANNING: ESTIMATED WEIGHTED AVERAGE OF 1945 GROWER SUPPORT PRICES

State or district	Prices [1] (Dollars per ton)
California, S. [2]	27.00
Italian	27.00
California, Other than S.	25.00
Italian	27.00
Oregon, Washington, and N. & S. W. Idaho [3]	26.00
Idaho (Other than N & S W.), Montana, Utah, Nevada, Arizona, New Mexico, Colorado Wyoming, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, Iowa, Missouri, Illinois, Wisconsin, Indiana, Michigan, Ohio, and Massachusetts	24.00
Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, Kentucky, Tennessee and North Carolina	24.00
New Jersey	29.00
Rhode Island, Connecticut, and New York, S. E. [4]	28.00
New York, Other than S. E., Maine, New Hampshire, and Vermont	25.00
Pennsylvania, N. [5]	25.00
Pennsylvania, Other than N.	27.00
Delaware	28.00
Maryland, Washington, Allegany, and Garrett Counties	27.00
Maryland (Remainder of State)	28.00
Virginia, Accomack, and Northampton Counties	28.00
Virginia, Mainland	27.00
West Virginia	27.00

[1] Price Basis: Delivered at canneries or to customary assembly points.

[2] Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, San Diego, and Imperial Counties.

[3] Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Nez Perce, Clearwater, Lewis, Idaho, Adams, Valley, Washington, Payette, Gem, Canyon, Boise, Elmore, Ada, Owyhee, Camas, Gooding, Lincoln, Jerome, Minidoka, Twin Falls, and Cassia Counties.

[4] Green, Columbia, Ulster, Dutchess, Putnam, Westchester, Rockland, Orange, Albany, and Rensselaer Counties and all of Long Island.

[5] Erie, Crawford, Mercer, Venango, Forest, Warren, McKean, Potter, Tioga, Bradford, Wayne, and Susquehanna Counties.

[F. R. Doc. 45-11531; Filed, June 28, 1945; 4:22 p. m.]

[Dir. 61]

PART 4004—PRICE STABILIZATION: MAXIMUM PRICES

FROZEN VEGETABLES—1945

The War Food Administrator and the Price Administrator having submitted to me information with respect to the payment of subsidies on the sale of the 1945 pack of certain frozen vegetables and with respect to the establishment of maximum prices for the 1945 pack of such commodities, I do hereby find that the measures hereinafter authorized and directed to be taken by the War Food Administration and the Office of Price Administration will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

(1) The Office of Price Administration is hereby authorized and directed:

(a) To establish for sales to purchasers other than government procurement agencies maximum prices for the 1945 pack of frozen snap beans, frozen sweet corn, frozen green peas, and frozen mixed vegetables containing one or more of these three vegetables, which are computed on the basis of applicable resale prices of the 1943 purchase and resale program of the Commodity Credit Corporation; and

(b) To establish for sales to government procurement agencies maximum prices for the 1945 pack of frozen snap beans, frozen sweet corn, frozen green peas, and frozen mixed vegetables containing one or more of these three vegetables, which are computed on the basis of the applicable 1945 designated area average prices specified in Schedule A (attached hereto and by this reference made a part hereof) or the weighted average of the applicable actual prices paid by the respective freezer for snap beans, sweet corn, and green peas for freezing, whichever is the lesser.

(2) The War Food Administration is hereby authorized and directed to make subsidy payments, out of funds of the Commodity Credit Corporation, on frozen snap beans, frozen sweet corn, frozen green peas, and frozen mixed vegetables containing one or more of these three vegetables, produced during the period May 1, 1945 thru December 31, 1945 (except that with respect to frozen snap beans and frozen mixed vegetables containing snap beans, the terminal date of production shall be February 28, 1946, inclusive), and eligibly sold to purchasers other than Government procurement agencies during the period May 1, 1945 thru June 30, 1946 (or such later date as the War Food Administration may specify). Rates of payment shall be based upon the amount, in each case, by which the applicable 1945 designated area average price specified in Schedule A, or the weighted average of the actual price paid by the respective freezer for snap beans, sweet corn, or green peas, whichever is the lesser, exceeds the applicable 1943 resale price of the Commodity Credit Corporation. With respect to the aforesaid actual prices paid, prices in excess of the applicable designated area average price shall be computed in an amount equal to such designated price.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 27th day of June 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

SCHEDULE A—DESIGNATED AREA AVERAGE PRICES SPECIFIED VEGETABLES FOR FREEZING FOR 1945

Commodity	State or Area	[Dollars per ton]
Beans, snap	New Jersey	125.00
	California, Oregon, Washington	110.00
	Arkansas	105.00
	New York	100.00
	Delaware, Maryland, Virginia, and Pennsylvania	95.00
	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut	90.00
	Minnesota, Wisconsin, Michigan, Illinois, Indiana, Iowa, Ohio and Nebraska	85.00
	All other States	80.00
Corn, sweet	Maine and New Hampshire	85.00
	Washington, Oregon, Utah and Idaho	75.00
	Vermont	70.00
	New York	70.00
	Pennsylvania, New Jersey, Delaware, Maryland, Virginia, Indiana, Illinois, and central and eastern Iowa	65.00
	Michigan, Ohio, Wisconsin, Minnesota, and Missouri	60.00
	All other states and areas	55.00
Peas, green	New Jersey	110.00
	Oregon, Washington	95.00
	Delaware and Maryland	90.00
	Pennsylvania, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut	85.00
	Virginia	80.00
	Washington (western [1]) and Idaho	80.00
	Maine and Utah	75.00
	New York	75.00
	Iowa (other than southwestern), West Virginia, North Carolina, Kentucky, and Tennessee	70.00
	Illinois, and Wisconsin (southeastern [2])	65.00
	Minnesota, Wisconsin (northwestern [3]), Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina	60.00
	Arkansas	55.00
	Ohio	50.00
	Washington (other than western), and Oregon, other than western, (except Malheur County)	70.00
	Michigan and Texas	75.00
	Indiana and Oregon (Malheur County)	70.00
	Missouri, Iowa (southwestern [4]), Nebraska, Oklahoma, and Kansas	70.00
	Arizona and Nevada	75.00
	California, Colorado, and Montana	70.00
	North Dakota and South Dakota	70.00
	Wyoming	70.00
	New Mexico	70.00

[1] Central and eastern Iowa: The area bounded by and including, and to the southeast of Clayton, Fayette, Bremer, Butler, Franklin, Wright, Humboldt, Pocahontas, Buena Vista, Sac, Calhoun, Webster, Boone, Dallas, Madison, Union, Ringgold Counties.

[2] Western Washington: Whatcom, Skagit, Snohomish, King, Pierce, Lewis, Skamania, Cowlitz, Clark, Wahkiakum, Pacific, Thurston, Grays Harbor, Mason, Kitsap, Jefferson, Clallam Island and San Juan Counties.

[3] Southwestern Iowa: Mills, Fremont and Page Counties.

[4] Southeastern Wisconsin: All counties south and east of and including the Counties of Marinette, Oconto, Shawano, Waupaca, Waushara, Adams, Juneau, Sauk, Richland and Crawford.

[5] Northwestern Wisconsin: All counties north and west of those listed in 5.

[F. R. Doc. 45-11532; Filed, June 28, 1945; 4:22 p. m.]

Chapter XIX—Defense Supplies Corporation

[Rev. Reg. 3, Amdt. 3]

PART 7003—LIVESTOCK SLAUGHTER PAYMENTS

MISCELLANEOUS AMENDMENTS

1. Section 7003.5 is amended to read as follows:

§ 7003.5 *Rates of payment*—(a) *Calves, sheep and hogs.* Defense Supplies Corporation will make payment on approved basic claims for calves, sheep, lambs, hogs and pigs at the following rates:

	Cents a pound
Calves	1.1
Sheep and lambs	.95
Hogs and pigs	1.3

(b) *Ungraded cattle of small slaughterers.* Defense Supplies Corporation will make payment on approved basic claims for cattle which do not report cattle by grades, from applicants who are not required to report cost of cattle, at the rate of one and one-tenth cents ($0.011) a pound.

(c) *Ungraded cattle of large slaughterers.* Defense Supplies Corporation will make payment on approved basic claims for cattle which do not report cattle by grades, of applicants who are required to report cost of cattle, at the rate of one-half of one cent ($.005) a pound. This applies only to applicants who come under Section 7003.7 (a) (3).

(d) *Government graded cattle.* Defense Supplies Corporation will make payment on approved basic claims for cattle which report cattle by grades as graded by an official grader of the United States Department of Agriculture, at the following separate grade rates:

(1) *Ineligibles for extra compensation.* On claims reporting cost of cattle of applicants who are not eligible under § 7003.2 (b) for extra compensation for the same accounting period:

	Cents a pound
AA or choice	2.75
A or good	2.70
B, commercial or medium	1.65
C, utility or common	1.00
D, or cutter and canner	1.00
Bulls of cutter and canner grade	1.00

(2) *Eligibles for extra compensation.* On claims reporting cost of cattle of applicants who are eligibly under § 7003.2 (b) for extra compensation for the same accounting period:

	Cents a pound
AA or choice	2.25
A or good	2.20
B, commercial or medium	1.15
C, utility or common	.50
D, or cutter & canner	.50
Bulls of cutter and canner grade	.50

(3) *Feeders and club cattle.* On claims of all applicants filed under § 7003.7 (d) (1) which do not report cost of cattle:

	Cents a pound
AA or choice	2.00
A or good	1.95
B, commercial or medium	.90
C, utility or common	.50
D, or cutter & canner	.50
Bulls of cutter and canner grade	.50

(e) *Self-graded cattle.* Defense Supplies Corporation will make payment on approved basic claims for cattle which report cattle by grades as graded by the applicant's own graders, if the applicant has an exemption to grade his own beef, at the applicable separate grade rates set out above in paragraph (d) of this section, but the total amount of the claim before deductions on account of cost of cattle under § 7003.6 (b) shall not exceed the total number of pounds, live weight (less condemnations), of cattle slaughtered, multiplied by the following maxima:

(1) *Ineligibles for extra compensation.* One and sixty-five hundredths cents ($0.0165) on claims reporting cost of cattle of applicants who are not eligible under § 7003.2 (b) for extra compensation for the same accounting period.

(2) *Eligibles for extra compensation.* One and three-tenths cents ($0.013) on claims reporting cost of cattle of applicants who are eligible under § 7003.2 (b) for extra compensation for the same accounting period.

(3) *Feeders and club cattle.* One and three-tenths cents ($0.013) on claims filed under § 7003.7 (d) (1) which do not report cost of cattle.

(f) *Extra compensation.* Defense Supplies Corporation will make payment on approved claims for extra compensation at the rate of eight-tenths of one cent ($0.008) a pound.

2. Section 7003.6 is amended to read as follows:

§ 7003.6 *Amount of payment*—(a) *Ease of payment.* (1) No payments will be made on the live weight equivalent of the applicant's production of condemned meat. The applicant shall reduce the live weight of his livestock slaughter by the actual or equivalent live weight of the livestock which produced the condemned meat, and reduce the dressed weight of beef reported by grades by the actual or equivalent dressed weight of the condemned carcasses.

(2) If beef is reported by grades, payment will be made at the separate grade rates on the total amount of actual live weight of cattle slaughtered in all grades, distributed among the grades in the same proportion as the calculated live weight in each grade. The calculated live weight in each grade shall be that computed in accordance with § 7003.8 (b).

(b) *Deductions.* (1) Deductions will be made from all claims of an applicant on account of under or overpayment for cattle in accordance with § 7003.8.

(2) Deductions will be made from all basic claims reporting cost of cattle in accordance with § 7003.7 (c), of two-thirds of the dollar amount by which the total cost of cattle on the claim is below the maximum permissible cost; this deduction shall not exceed two-thirds of the difference between the maximum and minimum permissible costs.

(c) *Maximum base of payment.* Payments will not be made on claims covering accounting periods beginning on and after February 20, 1945, on a greater live weight of any class or species of livestock slaughtered by an applicant in any one non-federally inspected establishment than a specified percentage of the total live weight of such class or species of livestock for which the applicant filed subsidy claims with Defense Supplies Corporation covering slaughter in that establishment in the corresponding accounting period of 1944. *Provided*, That on certification to Defense Supplies Corporation by the War Food Administrator that the applicant is entitled to payment on a greater live weight of any class or species of livestock, he will become entitled to payment on the live weight of his slaughter up to the specified percentage of the live weight certified to Defense Supplies Corporation by the War Food Administrator. Such percentages will be determined and announced from time to time.

3. Section 7003.6 (d) is hereby terminated and cancelled.

4. A new paragraph (e) is added to § 7003.9, reading as follows:

§ 7003.9 *Terms of payment.* • • •

(e) *Right to declare claims invalid.* Defense Supplies Corporation shall have the right to declare invalid, in whole or in part, any claim which does not meet the requirements of this part.

5. Section 7003.10 is amended to read as follows:

§ 7003.10 *Invalid claims*—(a) *Compliance with other regulations.* Defense Supplies Corporation shall declare invalid, in whole or in part, any claim filed by an applicant who, in the judgment of the War Food Administrator or the Price Administrator, has wilfully violated any regulation or order of their respective agencies applicable to the purchase or sale of livestock or to livestock slaughter or to the sale or distribution of meat, and any claim of any applicant who the Price Administrator certifies to Defense Supplies Corporation has been determined in a civil proceeding to have violated a substantive provision of any regulation or order of the Office of Price Administration applicable to the purchase or sale of livestock or to livestock slaughter or to the sale or distribution of meat.

(b) *Payments to producers of livestock.* Defense Supplies Corporation shall have the right to declare invalid, in whole or in part, any claim of any applicant who fails to pass on to persons from whom he purchases livestock the benefits secured from payments under this regulation.

(c) *Specific disqualification.* All claims shall be invalid which the Price Administrator finds are not an accurate reflection of the applicant's operations and the amounts of payments properly due. Defense Supplies Corporation shall declare invalid, in whole or in part, any claim filed by an applicant who, in the judgment of the Price Administrator has:

(1) Purchased cattle from a seller with whom he has a financial affiliation or relationship, at a price higher than that paid by the seller plus a reasonable handling charge; or

(2) Purchased cattle on consideration or condition of another purchase or sale or transfer of livestock between the applicant and the seller; or

(3) Has used any direct or indirect method, transaction, practice, or device in filing claims which results in a claim for subsidy payments to which he is not wholly entitled under this part; or

(4) Has engaged in any act or practice or operated in such a way that he would be ineligible to receive a subsidy payment, under this part.

6. A new § 7003.14 is added as follows:

§ 7003.14 *Additional subsidy.* Defense Supplies Corporation will pay additional amounts to an applicant otherwise eligible for basic payments under this regulation, in such amounts as are certified to Defense Supplies Corporation by the Price Administrator.

This amendment shall become effective May 5, 1945, except that, at the election of any applicant, this amendment shall become effective as to him May 1, 1945.

Issued this 24th day of April, 1945.

(Section 5d of the Reconstruction Finance Corporation Act, as amended, 52 Stat. 212, 54 Stat. 573; 15 U.S.C. 606b; Defense Supplies Corporation Charter which appears at 6 F.R. 2972)

[SEAL] DEFENSE SUPPLIES CORPORATION,
By STUART K. BARNES,
Vice President.

[F. R. Doc. 45-11542; Filed, June 29, 1945; 9:25 a. m.]

[Rev. Reg. 3, Amdt. 5]

PART 7003—LIVESTOCK SLAUGHTER PAYMENTS

NON-PROCESSING SLAUGHTERERS

Section 7003.1, paragraph (s) is amended to read as follows:

(s) "Non-processing slaughterers of beef" means an unaffiliated slaughterer as hereinafter defined who, during six consecutive months between January 1, 1941, and October 1, 1943, sold, and who currently sells, 98% or more, measured in dressed carcass weight, of the total beef produced from cattle slaughtered by him in all his establishments in the form of carcasses, wholesale cuts, boneless beef, or ground beef.

This amendment shall become effective July 1, 1945.

Issued this 15th day of June 1945.

(Section 5d of the Reconstruction Finance Corporation Act, as amended, 52 Stat. 212, 54 Stat. 573; 15 U.S.C. 606b; Defense Supplies Corporation Charter which appears at 6 F.R. 2972)

[SEAL] DEFENSE SUPPLIES CORPORATION,
By STUART K. BARNES,
Vice President.

[F. R. Doc. 45-11543; Filed, June 29, 1945; 9:24 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 25—CONTRACT SETTLEMENT ACT

AMENDMENT OF JOINT TERMINATION REGULATION

CROSS REFERENCE: For amendments and additions to the Joint Termination Regulation issued by the Secretary of War and Secretary of the Navy and filed with the Division of the Federal Register, November 4, 1944 (9 F.R. 13316), as amended (10 F.R. 5171), see Title 10, Chapter VIII, *supra*.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit ODT 1-5]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS AND PERMITS

MERCHANDISE TRAFFIC

In accordance with the provisions of paragraph (g), § 500.2 of General Order O. D. T. No. 1, as amended, it is hereby authorized, that:

§ 520.7 *Loading of cars specially equipped with racks for handling beams.* Notwithstanding the provisions of § 500.2 of General Order O. D. T. No. 1, as amended, any carrier by railroad may accept for shipment or forwarding, load or forward, from the city or town at which such car is originated, any railway closed car specially equipped with racks for handling beams, when such car is loaded with empty beams and such beams are to be used in making shipments of rayon yarn from the point to which the empty beams are consigned.

This General Permit ODT 1-5 shall become effective June 29, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order O.D.T. No. 1, as amended, 7 F.R. 3046, 3213, 3763, 9744)

Issued at Washington, D. C., this 29th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-11563; Filed, June 29, 1945; 11:42 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Area Coordinator's Gen. Dir. H-12]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT

Pursuant to Order No. 1956 of the Secretary of the Interior, as amended, 50 CFR 401.4 entitled "Allocation of Halibut" (9 F.R. 6780, 9917; 10 F.R. 5528, 7262), commonly referred to as the Halibut Order, and in order to accomplish the purposes thereof, this General Direction No. H-12 is issued.

1. In each port where the Office of Fisheries Coordination employs a port supervisor he will control the rate of buying by each dealer at that port. This control will be exercised in such a manner as to assure each dealer in the port that he will receive, as nearly as practical, his poundage of halibut at that port in the same ratio as all other dealers receive their poundages at that port. Poundages are based on expected port landings, are allocated by the Area Coordinator and are set out on permit issued pursuant to the Halibut Order. All dealers at a port should complete their purchases at approximately the same time.

2. If actual landings at any port are less than expected, dealers at that port should request the Area Coordinator to issue permits to them at other ports or to amend such permits to make up for the deficiency. If actual landings at any port are greater than expected, the surplus at that port will be assigned to dealers with deficiencies at other ports so that the requirements of the overall halibut allocation program will be fulfilled.

3. If a dealer refuses or is unable to accept and unload a halibut trip offered to him by a port supervisor he must unload a vessel offered to him on the next business day or forfeit the poundage of halibut on the latter trip by having that poundage charged to his over-all allocation as well as to his allocation at the port. No load will be considered offered to a dealer on any particular day unless the vessel is at the dealer's dock ready for unloading by an hour in the day recognized by custom in the port or indicated by reasonable consideration of all the circumstances as the hour when a dealer should be expected to receive and unload a halibut trip.

4. All general directions except General Direction No. H-11, dated June 13, 1945, heretofore issued by the Area Coordinator pursuant to the Halibut Order, as amended, has expired, or have been revoked, or are hereby revoked. General Direction No. H-11, relating to sales of halibut in British Columbia, remains effective.

Issued this 21st day of June 1945.

V. J. SAMSON,
Area Coordinator, Area I

[F. R. Doc. 45-11539; Filed, June 29, 1945; 9:26 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

ADMINISTRATION OF CONNALLY ACT

APPROVAL OF FORMS

By virtue of the authority vested in the Secretary of the Interior by Executive Order No. 7756 of December 1, 1937 (30 CFR. 401.1), and pursuant to §§ 403.9 and 403.11 of Title 30, Code of Federal Regulations, *It is hereby ordered*, That Forms G. T. and R, as approved by the Bureau of the Budget on June 6, 1945, Form P, as approved by the Bureau of the Budget on June 20, 1945, and Form OCB-1, as approved by the Bureau of the Budget on June 5, 1945, are approved for use in the administration and enforcement of the act of February 22, 1945 (40 Stat. 30), as amended.

HAROLD L. ICKES,
Secretary of the Interior.

JUNE 28, 1945.

[F. R. Doc. 45-11562; Filed, June 29, 1945; 11:18 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 352]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT OF CERTAIN MEMBERS

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

Do hereby accept the resignation of Mr. James E. Powell from Special Industry Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. James A. Stuart of San Juan, Puerto Rico.

Signed at New York, New York, this 25th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-11538; Filed, June 29, 1945; 9:24 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Apparel Industry Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

I. U. Yoder, Reinerton, Pennsylvania; men's shorts, woven fabrics; 5 learners (T); effective June 15, 1945, expiring June 14, 1946.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Co-Ed Frocks, Inc., Pana, Illinois; ladies' outer apparel; 10 learners (T); effective June 19, 1945, expiring June 18, 1946.

Del Monte Frocks, Inc., 113 No. Broadway, Long Branch, New Jersey; ladies' and misses' rayon dresses and negligees; 5 learners (T); effective June 16, 1945, expiring June 15, 1946.

Charles Desreau Company, 247 North 3rd Street, Easton, Pennsylvania; ladies' slips and lingerie; 10 percent (T); effective June 24, 1945, expiring June 23, 1946.

K & G Dress Company, 209 W. Independence Street, Shamokin, Pennsylvania; dresses; 10 learners (T); effective June 19, 1945, expiring December 18, 1945. Shelgar Manufacturing Company, Shelbyville, Illinois; ladies' and childrens' outer washable apparel; 42 learners (E); effective June 21, 1945, expiring December 20, 1945.

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Elizabeth City Hosiery Mills, Elizabeth City, North Carolina; full-fashioned and seamless; 20 learners (AT); effective June 24, 1945, expiring December 23, 1945.

Vermont Hosiery and Machinery Company, Northfield, Vermont; seamless; 5 learners (T); effective June 17, 1945, expiring June 16, 1946.

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Bradford County Telephone Company, Towanda, Pennsylvania; to employ learners as commercial switchboard operators at its Towanda, Pennsylvania exchange, located at 211 Main Street, Towanda, Pennsylvania; effective June 22, 1945, expiring June 21, 1946.

Commonwealth Telephone Company, Tunkhannock, Pennsylvania; to employ learners as commercial switchboard operators at its Tunkhannock, Pennsylvania exchange, located at 130 Warren Street, Tunkhannock, Pennsylvania; effective June 22, 1945, expiring June 21, 1946.

Commonwealth Telephone Company, Susquehanna, Pennsylvania; to employ learners as commercial switchboard operators at its Susquehanna, Pennsylvania exchange, located at Main and Franklin Streets, Susquehanna, Pennsylvania; effective June 22, 1945, expiring June 21, 1946.

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Covington Mills, Covington, Georgia; cotton textile; 3 percent (T); effective June 24, 1945, expiring June 23, 1946.

The Daisie Ribbon Company, Front and Saucon Streets, Hellertown, Pennsylvania; rayon and cotton narrow fabrics; 3 learners (T); effective June 24, 1945, expiring June 23, 1946.

Cigar Industry Learner Regulations, April 22, 1944 (9 F.R. 4330).

General Cigar Company, Inc., 7th and Poplar Streets, Benton, Kentucky; cigars; 10 percent (T); hand stripping for a learning period of 160 hours at 30 cents per hour; effective June 16, 1945, expiring June 15, 1946.

Regulations, Part 522—Regulations Applicable to the Employment of Learners (supra).

Hallelgh and Company, Buchanan, Virginia; button bones, bone rings, case hardening bone, bone meal, gun parts; 8 learners; button making for a learning period of 320 hours at 35 cents per hour; effective June 16, 1945, expiring December 17, 1945.

Signed at New York, N. Y., this 22d day of June, 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-11540; Filed, June 29, 1945; 9:24 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5338]

NATIONAL MODES, INC., ET AL.

NOTICE OF HEARING

In the matter of National Modes, Inc., a corporation; National Modes Holding Corporation, a corporation; John Block, an individual; Hyman Schreier and Ethel Schreier, his wife, a partnership trading as H. Schreier Co.; Junior Deb Coat & Suit Company, Inc., a corporation; Eclipse Knitting Mills, Inc., a corporation; Morris W. Haft & Bros., Inc., a corporation; Grossman & Spiegel, Inc., a corporation; Charles Hymen, Inc., a corporation; Junior Guild Frocks, Inc., a corporation; Godett & Gross, Inc., a corporation; Henry Rosenfeld, Inc., a corporation; Henlo Sportswear, Ltd., a corporation; Fred Perlberg, Inc., a corporation; Shelton Coat Corporation, a corporation; Babs Junior, Inc., a corporation; Shipman & Baker, Inc., a corporation; Rubin-Feld, Inc., a corporation; Arnold Constable & Company, a corporation; Auerbach Company, a corporation; Best's Apparel, Inc., a corporation; Fowler, Dick and Walker, a corporation; Gimbel Brothers, Inc., a corporation; Hale Bros. Stores, Inc., a corporation; A. Harris & Company, a corporation; The Hecht Company, a corporation; Popular Dry Goods Company, a corporation; Ames & Brownley, Inc., a corporation; Dalton Company, a corporation; King's, Inc., a corporation; Ogus, Rabinovich & Ogus, Inc., a corporation; J. W. Scarbrough and L. Scarbrough, a partnership trading as E. M. Scarbrough & Sons.

Complaint. Count I. The Federal Trade Commission having reason to believe that the parties respondent named in the caption hereof and hereinafter more particularly designated and described, have, since June 19, 1936, violated and are now violating the provisions of subsection (c), section 2 of the Clayton Act as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C. Title 15, Sec. 13), hereby issues this complaint stating its charges with respect thereto as follows:

PARAGRAPH 1: Respondent National Modes, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 130 West 31st Street, New York, New York.

PAR. 2: Respondent National Modes Holding Corporation is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 130 West 31st Street, in the City of New York, State of New York.

PAR. 3: Respondent John Block, an individual, is a stockholder, officer and director in each of the respondents National Modes, Inc., and National Modes Holding Corporation and has his principal office and place of business at 130 West 31st Street, New York, New York, being the same address of respondents National Modes, Inc., and National Modes Holding Corporation. He owns the majority of the capital stock of respondent National Modes Holding Cor-

poration and is secretary and a director of respondent National Modes, Inc. He is president, treasurer and a director of respondent National Modes Holding Corporation and is also a director of respondent Arnold Constable & Company, a holding corporation which owns and controls the retail dry goods store known as Arnold Constable of New York, New York. Said respondent John Block is the active business head of both respondents National Modes, Inc., and National Modes Holding Corporation.

PAR. 4. Respondents Hyman Schreier and Ethel Schreier, his wife, are a partnership operating under the firm name of H. Schreier Co., having its principal office and place of business at 525 Seventh Avenue, New York, N. Y.

Respondent Junior Deb Coat & Suit Company, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 512 Seventh Avenue, New York, N. Y.

Respondent Eclipse Knitting Mills, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 1410 Broadway, New York, N. Y.

Respondent Morris W. Haft & Bros., Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 500 Seventh Avenue, New York, N. Y.

Respondent Grossman & Spiegel, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 512 Seventh Avenue, New York, N. Y.

Respondent Charles Hymen, Inc., is a corporation organized and existing under and by virtue of the laws of the State of Illinois with its principal office and place of business at 237 South Market Street, Chicago, Illinois.

Respondent Junior Guild Frocks, Inc., is a corporation organized and existing under and by virtue of the laws of the State of Illinois with its principal office and place of business at 847 West Jackson Blvd., Chicago, Illinois.

Respondent Godett & Gross, Inc., is a corporation organized and existing under and by virtue of the laws of the State of Illinois with its principal office and place of business at 337 South Franklin Street, Chicago, Illinois.

Respondent Henry Rosenfeld, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 498 Seventh Avenue, New York, N. Y.

Respondent Henlo Sportswear, Ltd., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 498 Seventh Avenue, New York, N. Y.

Respondent Fred Perlberg, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 525 Seventh Avenue, New York, N. Y.

Respondent Shelton Coat Corporation is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 230 West 38th Street, New York, N. Y.

Respondent Babs Junior, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 498 Seventh Avenue, New York, N. Y.

Respondent Shipman & Baker, Inc., is a corporation organized and existing under and by virtue of the laws of the state of New York with its principal office and place of business at 500 Seventh Avenue, New York, N. Y.

Respondent Rubin-Feld, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business located at 214 West 39th Street, New York, N. Y.

The 16 respondents named in this paragraph are hereinafter designated and referred to as "seller-respondents." Said seller-respondents and each of them are, and since June 19, 1936, have been, engaged in the business of manufacturing, selling and distributing women's dresses and women's wearing apparel to numerous buyers, including the "buyer-respondents" hereinafter set out. Said seller-respondents are fairly typical and representative of a large number of manufacturers of women's dresses and women's wearing apparel engaged in the common practice of selling a substantial portion of their products to buyers who purchase through respondents National Modes, Inc., National Modes Holding Corporation and John Block as intermediaries for buyers. Said seller-respondents are named as parties respondent both individually and as representatives of a group or class of a large number of manufacturers engaged in selling a substantial portion of their products through respondents National Modes, Inc., National Modes Holding Corporation and John Block to the buyer-respondents.

PAR. 5: Respondent Arnold Constable & Company is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 453 Fifth Avenue, New York, N. Y.

Respondent Auerbach Company is a corporation organized and existing under and by virtue of the laws of the State of Utah with its principal office and place of business at Salt Lake City, Utah.

Respondent Best's Apparel, Inc., is a corporation organized and existing under and by virtue of the laws of the State of Washington with its principal office and place of business at Fifth and Pine Streets, Seattle, Washington.

Respondent Fowler, Dick and Walker is a corporation organized and existing under and by virtue of the laws of the State of Pennsylvania with its principal office and place of business at Wilkes-Barre, Pennsylvania.

Respondent Gimbel Brothers, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 33rd and Broadway, New York, N. Y., with a branch located at Ninth and Market Streets, Philadelphia, Pa., which branch is a stockholder in National Modes, Inc.

Respondent Hale Bros. Stores, Inc., is a corporation organized and existing under and by virtue of the laws of the State of Delaware with its principal office and place of business at San Francisco, California.

Respondent A. Harris & Company is a corporation organized and existing under and by virtue of the laws of the State of Texas with its principal office and place of business at Dallas, Texas.

Respondent The Hecht Company is a corporation organized and existing under and by virtue of the laws of the State of Maryland with its principal office and place of business at Seventh and F Streets NW., Washington, D. C.

Respondent Popular Dry Goods Company is a corporation organized and existing under and by virtue of the laws of the State of Texas with its principal office and place of business at El Paso, Texas.

Respondent Ames & Brownley, Inc., is a corporation organized and existing under and by virtue of the laws of the State of Virginia with its principal office and place of business at Norfolk, Virginia.

Respondent Dalton Company is a corporation organized and existing under and by virtue of the laws of the State of Louisiana with its principal office and place of business at Baton Rouge, Louisiana.

Respondent King's, Inc., is a corporation organized and existing under and by virtue of the laws of the State of Tennessee with its principal office and place of business at Johnson City, Tennessee.

Respondent Ogus, Rabinovich & Ogus, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business at 2 Park Avenue, New York, N. Y.

Respondents J. W. Scarbrough and L. Scarbrough are a partnership operating under the firm name of E. M. Scarbrough & Sons, having its principal office and place of business at Congress Avenue and Sixth Street, Austin, Texas.

The 15 respondents named in this paragraph are hereinafter designated and referred to as "buyer-respondents." Each of said buyer-respondents is engaged in the retail dry goods business and is a stockholder in the respondent National Modes, Inc. Said buyer-respondents are named as parties respondent both individually and as representatives of a group or class of a large number of retail dry goods concerns, each of whom is likewise a stockholder in respondent National Modes, Inc.

PAR. 6. National Modes, Inc., was organized in August of 1925 by respondent John Block and a group of retail dry goods stores, among which are the buyer-respondents named in Paragraph Five to create and promote the sale of "style" women's dresses and women's wearing apparel under brands, labels and trademarks owned and controlled by such retailers and respondent National Modes, Inc., the principal trademarked labels being "Carolyn" and "Jeanne Barrie".

Respondents National Modes, Inc., National Modes Holding Corporation and John Block are now, and since the time of the incorporation and organization of National Modes, Inc., and National Modes Holding Corporation have been, engaged in the business of providing purchasing and other services for the buyer-respondents named in Paragraph Five hereof and for other buyers.

In the course and conduct of their business respondents National Modes, Inc., National Modes Holding Corporation and John Block receive orders for women's dresses and women's wearing apparel from the buyer-respondents and other buyers to purchase such products as agents for the buyers and transmit such orders to the seller-respondents and other sellers. As a result of the transmission of said orders by said buyers to respondents National Modes, Inc., National Modes Holding Corporation and John Block, the placing of same by said respondents for or in behalf of said buyers, and the acceptance of said orders by said seller-respondents and other sellers, women's dresses and women's wearing apparel are by each of said seller-respondents and other sellers shipped from the State in which such merchandise is located at the time of sale into and through the various other states of the United States directly to each of said buyer-respondents and to other buyers.

In the course of the buying and selling transactions above set out said seller-respondents since June 19, 1936, have transmitted, paid and delivered, and do transmit, pay and deliver to respondents National Modes, Inc., National Modes Holding Corporation and John Block so-called brokerage fees and commissions or allowances and discounts in lieu of such brokerage fees and commissions, the same being certain percentages of the quoted sales prices agreed upon by said seller-respondents and other sellers with respondents National Modes, Inc., National Modes Holding Corporation and John Block. The three respondents last named since June 19, 1936, have received and accepted and are receiving and accepting such so-called brokerage fees, commissions or allowances and discounts in lieu thereof upon the purchases of the buyer-respondents and other buyers.

PAR. 7: National Modes, Inc., has divided its stock into three separate classes which are as follows: 50 shares of Class A stock of the par value of $100 each, 100 shares of Class B stock of the par value of $100 each and 50 shares of Class C stock without nominal or par value. Class A and Class B stock is owned and can be owned only by retailers of women's dresses and women's wearing apparel. Since the incorporation of both respondents National Modes, Inc., and National Modes Holding Corporation in 1925 Respondent John Block has been the sole owner of the Class C stock. Class A stock is owned by retailers of women's dresses and women's wearing apparel whose annual business is in excess of $250,000. The Class B stock is held by retailers of women's dresses and women's wearing apparel whose annual business is less than $250,000. No more than one share of Class A or Class B stock may be held by a single retailer for each city in which such retailer conducts a retail dry goods store.

The Class A stock is held by approximately 28 retail dry goods stores located in the larger cities of the United States; the Class B stock is held by approximately 60 retail dry goods stores located in the larger cities of the United States. No two of such stores are located in the same city. In addition to the stockholder customers of respondent National Modes, Inc. holding the Class A and B stock there are approximately 60 retail dry goods stores situated throughout the country which are not stockholders but which purchase their requirements of women's dresses and women's wearing apparel through respondents National Modes, Inc., National Modes Holding Corporation and John Block. Such stores are potential stockholders and are permitted by respondents National Modes, Inc., National Modes Holding Corporation and John Block to participate in the benefits and services rendered by said respondents in the same manner, form and degree as the stores which are stockholders in respondent National Modes, Inc.

PAR. 8: Immediately upon the organization of respondents National Modes, Inc., and National Modes Holding Corporation a contract was effected between said respondents and each of the stores having stock in National Modes, Inc. The provisions of said contract are as follows:

Agreement made this ____ day of _____ 19__, by and between National Modes, Inc. (hereinafter called "corporation"), party of the first part, National Modes Holding Corporation (hereinafter sometimes called the "Holding Corporation"), party of the second part, and _____ (hereinafter called the "stockholder"), party of the third part, witnesseth:

Whereas, the parties of the first and second part are interested and are cooperating in the creation, acquisition and development of certain trademarks and tradenames, and in the creation and popularization of styles and in the sale of merchandise bearing any such trademarks or tradenames; and

Whereas, the Stockholder is or desires to become a stockholder or such Corporation, and the parties of the first and second part have entered into and may enter into contracts similar to this contract with other stockholders of the corporation;

Now, therefore, in consideration of the premises, of the mutual agreements of the parties, of one dollar and other good and valuable considerations, receipt whereof is hereby acknowledged, the parties do hereby agree as follows:

1. The parties of the first and second part agree to use their best efforts to create and develop said trademarks and tradenames in connection with specialized lines of apparel and other merchandise, to create, use and popularize styles and merchandise in connection with which said trademarks or tradenames are to be used or applied, to choose and designate manufacturers or producers of merchandise bearing said trademarks or tradenames and generally to supervise said manufacture, to advertise nationally such trademarks and tradenames and merchandise bearing the same and to render such other services in connection therewith as they may deem necessary or advisable, to render the same valuable and generally to advance the interests of the Corporation and the Stockholders.

2. The Stockholder is hereby granted the sole and exclusive right to sell merchandise bearing any trademarks and/or tradenames in the City of _____ and within a radius of _____ miles thereof. Said Stockholder is also to have the right to fill mail orders for any such merchandise.

3. The Stockholder agrees to pay National Modes Holding Corporation a commission upon the net invoice cost of merchandise selected by the Corporation to bear any such trademarks or tradenames purchased by the Stockholder in any fiscal year, said commission to be paid on the tenth day of each month upon invoices bearing the previous month's date as follows:

4% on purchases by the Stockholder on coats, suits, furs, underwear, bags and millinery; and dresses costing over $10.75 each.

3% on purchases by the Stockholder on dresses costing up to and including $10.75.

2% on all purchases of hosiery.

4. The advertising expenses of the Corporation shall be paid from a fund to be subscribed to through the payment of one percent (1%) by each stockholder of the net amount of purchases made by the Holding Corporation for the account of such stockholder.

5. The Stockholder agrees that it will not use or apply any such trademark or tradename in connection with any merchandise except such as may have been selected or approved by the Style Committee or Committees of the Corporation and agrees that any merchandise bearing any such tradename or trademark will be purchased by said Stockholder only from such sources as may be designated by the Corporation. The Stockholder will place all orders or reorders through the Corporation. The Stockholder agrees further that it will not sell through branches or otherwise any such merchandise in any locality other than the City of _____ and within a radius of _____ miles thereof, except that it may fill mail orders as aforesaid, irrespective of the territory in which any said mail orders may originate.

6. In the event that the Stockholder shall offer for sale any such merchandise below the established price, it must first remove the labels containing any such trademark or tradename and in such event such merchandise shall not be advertised or represented as having any connection with any of such trademarks or tradenames.

7. The Stockholder agrees that it will locally advertise and push the sale of the merchandise bearing any such trademark or tradename.

8. The Stockholder agrees that it will purchase a minimum amount of such merchandise, to be determined from time to time by the Executive Committee upon a basis which shall be proportioned according to the ready-to-wear volume of the Stockholder or the population of the cities in which the respective Stockholders operate.

9. This agreement shall cease to be operative if and when the Stockholder shall cease to be a Stockholder of the Corporation, except that in such event the Stockholder shall not be released from any obligations or liability theretofore incurred hereunder.

10. This agreement shall be binding upon and inure to the benefit of the successors and assigns of the Corporation and of the Stockholder; and shall be binding upon and inure to the benefit of National Modes Holding Corporation or any successor thereof so long as Mr. John Block shall own and continue to own the majority of the capital

stock thereof, and so long as he shall continue in the management thereof, and so long as said National Modes Holding Corporation, or its successors, shall engage in no enterprise except in connection with the business of National Modes, Inc.

11. The Stockholder may terminate this agreement by giving to the Corporation at least ninety (90) days' notice in writing of its intention so to do, but such cancellation shall not affect in any way any obligation of the Stockholder theretofore incurred hereunder.

In witness whereof, the parties have executed this agreement the day and year first above mentioned.

NATIONAL MODES, INC.,

By ----------

NATIONAL MODES HOLDING CORPORATION,

By ----------

(Stockholder)

By ----------

Pursuant to the agreement above set forth, respondents National Modes, Inc., National Modes Holding Corporation and John Block receive from the stockholders of National Modes, Inc., being the buyer-respondents herein named, so-called buying fees. The so-called buying fees are paid on a percentage basis, and are predicated on the net invoice cost of merchandise, as follows:

1. 2% of the invoice cost for women's hosiery.

2. 3% of the invoice cost for women's dresses, coats, suits and other women's wearing apparel which are purchased at a wholesale price of less than $10.75 each.

3. 4% of the invoice price on women's dresses, coats, suits and other women's wearing apparel which are purchased at a wholesale price of more than $10.75 each.

4. 1% of the invoice price of all purchases made by the buyer-respondents herein named through respondents National Modes, Inc., National Modes Holding Corporation and John Block, for the advertising of brands, labels and trade-marks owned and controlled by respondent National Modes, Inc.

PAR. 9. At the time the contract above set forth was executed agreements were also executed between National Modes Holding Corporation and retailers of women's dresses and women's wearing apparel not stockholders of the National Modes, Inc. The provisions of such agreements are as follows:

Agreement made this day between National Modes Holding Corporation, of 130 West 31st Street, hereinafter known as the Corporation, and of ---------- hereinafter known as the Retailer, for the period of ---------- and ending ----------

It is understood that the Retailer shall have the right to publicize and advertise the names of "Carolyn" and "Jeanne Barrie" exclusively in the City of ------ for the duration of this contract; and that the name of the Retailer will be listed in all advertisements in national publications run by the Corporation, where there is a listing of retailers names.

The Retailer agrees to take a minimum amount of garments per month, and his orders are herewith attached.

It is understood, however, that at no time will the retailer offer for sale any garment below its agreed advertised price without first removing the label, and thereafter the names of "Carolyn" or "Jeanne Barrie" will not be mentioned in connection with the sale or advertising of such garment.

The retailer agrees to pay monthly to the Corporation 4% of the net purchase price of all garments costing up to and including $10.75, and 5% above $10.75, it being understood that there will be an equal percentage of savings on cost price for the Retailer, effected by the Corporation. This is to apply to all orders as well as reorders shipped to the Retailer. The Retailer agrees to place all orders and reorders through the Corporation's New York Office.

It is agreed that either party to this contract has the right to cancel same at any time before its expiration by giving sixty (60) days' written notice, by registered mail, to the other party.

It is further agreed that matters contained herein, together with the attached order for merchandise, and for copies of the Corporation's mailing brochures, constitute the entire agreement between us.

NATIONAL MODES HOLDING CORP.

Pursuant to the agreement above set forth, non-stockholding retail dry goods stores which purchase merchandise through respondents National Modes, Inc., National Modes Holding Corporation and John Block bearing the brands owned and controlled by respondent National Modes, Inc., pay to respondents National Modes, Inc., National Modes Holding Corporation and John Block as a so-called buying fee 4% on article of clothing including women's dresses, suits and coats which are purchased at a wholesale price of less than $10.75 each and 5% on such garments which are purchased at a wholesale price of more than $10.75 each.

PAR. 10. Respondents National Modes, Inc., National Modes Holding Corporation and John Block, pursuant to an understanding and agreement between them and the buyer-respondents and other buyers, induce and have induced the seller-respondents herein named and other sellers to allow them on purchases of women's dresses, coats, suits and other women's wearing apparel made for the retailer-stockholders of National Modes, Inc., and other retailers, a 4% lower price on such articles of clothing which wholesale for less than $10.75 each, and at a 5% lower price on such articles of clothing which wholesale for more than $10.75 each than said sellers allow to competitors of said retailers. This preferential discount of 4% or 5% as the case may be is in some instances paid by the seller-respondents and other sellers direct to the buyer respondents and to buyers with contracts described in Paragraph Nine hereof in the form of a reduced price for the articles of clothing purchased. In other instances, the seller-respondents and other sellers pay directly to respondents National Modes, Inc., National Modes Holding Corporation and John Block a brokerage fee and commission equal to 4% of the wholesale price of women's dresses, coats, suits and other women's wearing apparel costing less than $10.75 each and 5% of the wholesale price of such articles of clothing costing in excess of $10.75 each.

Where the 4% or 5% allowance or discount in lieu of brokerage is paid directly by the seller-respondents and other sellers to the stockholders of respondent National Modes, Inc., and other retailers, such stockholders and retailers transmit it to respondents National Modes, Inc., National Modes Holding Corporation and John Block in the form of so-called buying fees. In the instances where the seller-respondents and other sellers pay directly to respondents National Modes, Inc., National Modes Holding Corporation and John Block a brokerage fee and commission or an allowance or discount in lieu thereof in the amount of 4% or 5% on the invoice price of women's dresses, coats, suits and other women's wearing apparel, the buyers are not required to pay so-called buying fees on such purchases.

PAR. 11. On occasion some seller-respondents and other sellers will not allow the discount and allowance to appear as such on the invoices representing purchasers by the buyer-respondents and other buyers. On such occasions the buyer-respondents and other buyers are secretly advised by such sellers, when remitting payment for the articles of clothing so purchased, to deduct from the net invoice price the discount or allowance of 4% or 5%, as the case may be.

Some seller-respondents and other sellers will not allow the buyers to deduct the discount and allowance when remitting payment for the merchandise so purchased nor do they pay direct to respondents National Modes, Inc., National Modes Holding Corporation and John Block the brokerage fees and commissions on the separate purchases of the respective buyer-respondents and other buyers. However, such seller-respondents and other such sellers do allow respondents National Modes, Inc., National Modes Holding Corporation and John Block to periodically audit their sales records for the purpose of determining the accumulated amounts of brokerage fees and commissions upon the purchases of buyer-respondents and other buyers to the three respondents last named.

Respondents National Modes, Inc., National Modes Holding Corporation and John Block refuse to purchase any merchandise from any sellers who will not allow to them or to the buyer-respondents and other buyers a brokerage fee and commission or a discount or allowance in lieu thereof upon the purchases of the stockholders or National Modes, Inc., or other retailers purchasing through said three respondents.

The brokerage fees and commissions or allowances or discounts in lieu thereof received by respondents National Modes, Inc., National Modes Holding Corporation and John Block either directly from the seller-respondents and other sellers or indirectly from the seller-respondents and other sellers through the buyer-respondents and other buyers, upon the purchases of the buyer-respondents and other buyers are used by the three respondents, after the payment of operating expenses and the payment of dividends on stock to the stockholders of respondents National Modes, Inc., and

National Modes Holding Corporation, to perform valuable service and to furnish valuable facilities for and to promote in behalf of the buyer-respondents and other buyers the sale of brands, labels and trademarks owned and controlled by respondent National Modes, Inc.

PAR. 12. In all of the buying and selling transactions hereinabove referred to, the so-called brokerage fees and commissions or allowances and discounts in lieu thereof are paid and transmitted by the seller-respondents and other sellers to and are accepted and received by respondents National Modes, Inc., National Modes Holding Corporation and John Block while said respondents are acting in fact for and in behalf of the buyer-respondents and other buyers and no services whatsoever have been rendered or are now being rendered in connection with such purchases for or to said seller-respondents and other sellers by the three respondents last named or by said buyer-respondents and other buyers.

The so-called brokerage fees and commissions or discounts and allowances in lieu thereof are paid by the seller-respondents and other sellers to respondents National Modes, Inc., National Modes Holding Corporation and John Block and are transmitted to and received by the buyer-respondents and other buyers in the form of services performed and facilities furnished by said respondents while acting as intermediaries for and in behalf of said buyer-respondents and other buyers.

PAR. 13. The transmission and payment of said so-called brokerage fees and commissions or discounts and allowances in lieu thereof by the seller-respondents and other sellers to respondents National Modes, Inc., National Modes Holding Corporation and John Block upon the purchases of buyer-respondents and other buyers, and the receipt and acceptance thereof by the three respondents last named, or by the buyer-respondents and other buyers in the manner and under the circumstances hereinabove set forth are in violation of the provisions of section 2, subsection (c) of the Clayton Act as amended by the Robinson-Patman Act approved June 19, 1936.

Count II. The Federal Trade Commission, having reason to believe that the parties respondent named in paragraph 1 of Count II hereof, since June 19, 1936, have violated and are now violating the provisions of subsection (d) of section 2 of the Clayton Act (U. S. C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues this complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondents Babs Junior, Inc., Morris W. Haft and Bros., Inc., Shipman and Baker, Inc., Shelton Coat Corporation, and Henlo Sportswear, Ltd., as more particularly described in paragraph 4 of Count One hereof, are engaged in the business of manufacturing, selling and distributing women's dresses and women's wearing apparel to numerous buyers including National Modes, Inc., National Modes Holding Corporation, John Block and the Buyers named in paragraph 5 of Count One hereof. Said respondents sell and distribute their products in commerce between and among the various states of the United States and in the District of Columbia and as a result of such sales cause the said products to be shipped and transported from their respective places of business to purchasers thereof who are located in various other states of the United States. There is and has been at all times mentioned herein a continuous course of trade and commerce in women's dresses and women's wearing apparel across state lines between respondents' factories and the purchasers of said products.

Said respondents' enterprises are operated with the ultimate objective of marketing their women's dresses and women's wearing apparel through retail department stores and other retail dry goods establishments to the consuming public in all parts of the United States.

PAR. 2. In the course and conduct of their business as aforesaid the respondents named in paragraph 1 of Count Two hereof are now and during all the time herein mentioned have been in competition with other corporations and with individuals, partnerships and firms engaged in the business of manufacturing, selling and distributing women's dresses and women's wearing apparel in commerce. Many of said respondents' retail department store customers and dry goods store customers are competitively engaged with each other and with customers of respondents' competitors in the resale of women's dresses and women's wearing apparel within the trading areas in which the respondents' said retailer-customers, respectively, offer for sale and sell the said products purchased from the respondents through National Modes, Inc., National Modes Holding Corporation and John Block.

PAR. 3. In the course and conduct of their business in commerce respondents named in Paragraph One of Count Two since June 19, 1936 have secretly paid and agreed to pay to National Modes, Inc., National Modes Holding Corporation, John Block and to retailers purchasing women's dresses and women's wearing apparel through them certain sums of money as compensation for and in consideration of advertising and promotional services furnished by them and by such retailers in connection with the sale and offering for sale of women's dresses and women's wearing apparel under registered trademarks such as "Carolyn," "Jeanne Barrie" and others. The making of such payments by the respondents named in paragraph 1 of Count Two hereof was concealed by said respondents from competitors of said National Modes, Inc., National Modes Holding Corporation, John Block and from competitors of other buyers purchasing women's dresses and women's wearing apparel from said respondents. Respondents did not make such payments available on proportionally equal terms or on any terms to other purchasing agents and retailers of women's dresses and women's wearing apparel who compete in the sale and distribution of such products purchased from respondents.

PAR. 4. It has been the policy of respondents named in paragraph 1 of Count Two hereof to conceal from all of their customers, except those favored by respondents, the details of their agreements relating to compensation of customers for services in connection with advertising and promotional facilities. Other customers of respondents are denied knowledge of such allowances and compensation and the respondents have not and do not make it known to any of their customers except their favored ones that they pay compensation for advertising and promotional services in connection with the sale of women's dresses and women's wearing apparel to the consuming public. Respondents have resisted the extension of such allowances to some purchasers of women's dresses and women's wearing apparel even though such purchasers were willing to give advertising and promotional services to respondents in connection with the sale of such women's dresses and women's wearing apparel to the consuming public.

PAR. 5. The above described acts and practices of respondents named in paragraph 1 of Count Two hereof are in violation of subsection (d) of section 2 of the Clayton Act as amended by the Robinson-Patman Act approved June 19, 1936 (U.S.C. Title 15, Section 13).

Wherefore, the premises considered, the Federal Trade Commission on this 23d day of June, A. D. 1945, issues its complaint against said respondents.

Notice. Notice is hereby given you, National Modes, Inc., a corporation; National Modes Holding Corporation, a corporation; John Block, an individual; Hyman Schreier and Ethel Schreier, his wife, a partnership trading as H. Schreier Co.; Junior Deb Coat & Suit Company, Inc., a corporation; Eclipse Knitting Mills, Inc., a corporation; Morris W. Haft & Bros., Inc., a corporation; Grossman & Spiegel, Inc., a corporation; Charles Hymen, Inc., a corporation; Junior Guild Frocks, Inc., a corporation; Godett & Gross, Inc., a corporation; Henry Rosenfeld, Inc., a corporation; Henlo Sportswear, Ltd., a corporation; Fred Perlberg, Inc., a corporation; Shelton Coat Corporation, a corporation; Babs Junior, Inc., a corporation; Shipman & Baker Inc., a corporation; Rubin-Feld, Inc., a corporation; Arnold Constable & Company, a corporation; Auerbach Company, a corporation; Best's Apparel, Inc., a corporation; Fowler, Dick and Walker, a corporation; Gimbel Brothers, Inc., a corporation; Hale Bros. Stores, Inc., a corporation; A. Harris & Company, a corporation; The Hecht Company, a corporation; Popular Dry Goods Company, a corporation; Ames & Brownley, Inc., a corporation; Dalton Company, a corporation; King's, Inc., a corporation; Ogus, Rabinovich & Ogus, Inc., a corporation; J. W. Scarbrough and L. Scarbrough, a partnership trading as E. M. Scarbrough & Sons, respondents herein, that the 27th day of July, A. D. 1945, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Com-

mission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the Complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 23d day of June, A. D. 1945.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-11546; Filed, June 29, 1945; 10:00 a. m.]

[Docket No. 5305]

TIPTEX

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of June A. D. 1945.

In the matter of Olive L. Richards, an individual, doing business as Tiptex.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, August 1, 1945, at ten o'clock in the forenoon of that day (Pacific standard time), in Room 229, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law, and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-11547; Filed, June 29, 1945; 10:00 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 1019]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 26 or 27, 1945, by Cohodas Brothers Company, of car PFE 94406, lettuce, to Appleton Junction.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of June 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-11554; Filed, June 29, 1945; 11:04 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 169, Amdt. 1, Order 57]

CHIP STEAK CO.

ESTABLISHMENT OF MAXIMUM PRICE

On October 30, 1944, Order No. 57 under Revised Maximum Price Regulation No. 169 was issued, authorizing Chip Steak Company of Oak Park, Illinois to sell its "chip steaks" to purveyors of meals and to intermediate distributors for resale to purveyors of meals at a maximum price of 41½ cents per pound, f. o. b. the seller's place of business. Chip Steak Company of Oak Park, Illinois was further authorized to sell in specified 3 month periods, a maximum total volume by weight of "chip steaks" in an amount not exceeding 35,000 pounds.

Due consideration has been given to the applicant's request for reconsideration of Order No. 57 and an opinion in support of this Amendment No. 1, has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the accompanying opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and pursuant to the provisions of § 1364.452 (r) of Revised Maximum Price Regulation No. 169; *It is hereby ordered:*

That Order No. 57 to Revised Maximum Price Regulation No. 169 be amended by striking the figure "41½ cents" wherever appearing in said order and substituting therefor "45 cents".

This Amendment No. 1 to Order No. 57 shall become effective June 29, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11499; Filed, June 28, 1945; 11:42 a. m.]

[MPR 188, Order 104 under 2d Rev. Order A-3]

ENTERPRISE MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of MPR No. 188 it is ordered:

(a) *Manufacturer's maximum prices.* Enterprise Manufacturing Company, 110 Union Street, Akron 9, Ohio, may sell the articles of fishing hooks listed below of its manufacture to jobbers at prices no higher than its maximum prices for such sales in effect immediately prior to the effective date of this order, plus the adjustment charges set forth opposite each article.

Article	No.	Current maximum prices to jobbers	Adjustment for sales to jobbers	Adjusted maximum prices to jobbers
Sliding hooks	6/0	*Per dozen* $0.42	*Per dozen* $0.26	*Per dozen* $0.68
	7/0	.62	.68	.70
	8/0	.77	.165	.99
	9/0	.99	.165	1.88
	10/0	1.30	.24	1.10
	11/0	1.68	.24	1.22
	12/0	1.10	.33	1.43
	13/0	1.52	.45	1.97
	14/0	1.82	.62	2.31
Spring hooks, ringed, tinned	1/0	.21	.17	.41
	2/0	.32	.17	.54
	3/0	.48	.14	.62
	4/0	.58	.19	.77
	5/0	.80	.25	.05
		Per thousand	*Per thousand*	*Per thousand*
Limerick hooks	3/0	$1.90	$0.31	$2.21
	4/0	2.00	.48	2.48
	5/0	2.10	.84	2.94
	6/0	2.35	.61	2.96
Kirby hooks, ringed, tinned	7/0	2.08	.24	3.32
	10/0	2.15	.24	3.39

These adjustment charges may be made and collected only if they are separately stated on each invoice. The adjusted prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to this class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect prior to the issuance of this order, an adjustment charge in the same amount as the adjustment charge herein authorized for and which he pays to his supplier. If such a purchaser did not have an established maximum price for sales of the article prior to the issuance of this order, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable price regulation. If the applicable regulation requires maximum resale prices to be computed on the basis of costs, the reseller must find his maximum prices (without the adjustment charge) by using as costs his invoice costs not including any adjustment charges stated on the invoice. On all sales except sales to ultimate consumers these additional adjustment charges may be made and collected only if they are separately stated on each invoice. The adjusted maximum prices are subject to each seller's customary terms, discounts and allowances on sales of the same or similar articles, to each class of purchaser.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 29th day of June 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11508; Filed, June 28, 1945; 11:42 a. m.]

[MPR 188, Order 105 Under 2d Rev. Order A-3]

CHAS. D. BRIDDELL, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Chas. D. Briddell, Inc. of Crisfield, Maryland, may sell and deliver the seafood harvesting rakes which it manufactures and which are fully described in the manufacturer's application dated July 18, 1944 at prices no higher than its maximum prices currently in effect immediately prior to the effective date of this order plus an adjustment charge amounting to six percent of each such maximum price.

The adjustment charge, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the articles for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user may add to his properly established maximum price for sales of these articles in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, provided the amount charge has been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March, 1942, on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order except persons making sales to users, shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. ------ under 2d. Rev. Order No. A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices, in effect prior to June 29, 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice, *Provided*, That amount is stated separately on an invoice which contains this notice.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on June 29, 1945.

Issued this 26th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11500; Filed, June 28, 1945; 11:43 a. m.]

[MPR 188, Order 106 Under 2d Rev. Order A-3]

A. FRITZ & CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* A. Fritz & Co. of 92 Greene Street, New York City 12, New York, may sell and deliver the Model No. 55 Steel Ladder Stools, which it manufactures and which are fully described in the manufacturer's application dated January 11, 1945, to R. H. Macy & Co. Inc., of Herald Square, New York City, New York, L. Hammel Dry Goods Co., of Mobile, Alabama, The Gamble-Desmond Co., of Chapel, Center and Gregson Street, New Haven, Connecticut, and to Denhelm & McKay Co., of Worcester, Massachusetts, at prices no higher than its maximum prices in effect immediately prior to the effective date of this order plus an adjustment charge in the sum of fifty cents per unit.

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Purchasers for resale, listed in paragraph (a) of an article covered by this order may not increase their properly established maximum prices in effect immediately before the issuance of this order by any amount. If any such purchasers for resale did not have a maximum price in effect for the article when this order was issued, it may not add any adjustment charge to the maximum price which it hereafter establishes for its sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find its maximum resale price by using as costs its invoice cost less any adjustment charge stated on the invoice as a separate amount.

(c) *Notification.* On each sale and delivery at an adjusted price permitted by

this order, A. Fritz & Co. shall furnish any purchaser listed in paragraph (a) with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. ------ under 2d Rev. Order No. A-3 under MPR 188 authorizes us to adjust our maximum price on sales of this article to you, in effect prior to June 29, 1945, by adding no more than the dollar-and-cents amount of the adjustment charge appearing on this invoice, *Provided*, That amount is stated separately on an invoice which contains this notice. You may not include that adjustment charge as part of your cost in determining your resale price.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on June 29, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11510; Filed, June 28, 1945; 11:43 a. m.]

[MPR 188, Order 42 Under Order 1052]

H & K FURNITURE CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (g) of Order No. 1052, under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* H. & K. Furniture Co., Inc., 629 East 16th Street, New York, N. Y., may add an additional adjustment charge to its properly established maximum prices in effect immediately before this order was issued for sales and deliveries to all classes of purchasers of the articles of wood household furniture which it manufactures, equal to two percent of its established maximum prices to each class of purchaser as adjusted by paragraph (d) of Order No. 1052 under Maximum Price Regulation No. 188.

This additional adjustment charge applies only to articles for which maximum prices have been established before the effective date of this order and may be made and collected only if it is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances; and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Purchasers for resale of an article covered by this order may not increase their properly established maximum prices in effect immediately before the issuance of this order by any amount. If a purchaser for resale did not have a maximum price in effect for the article when this order was issued, he may not add any adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale, on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the manufacturer shall notify the purchaser in writing of the provisions of paragraph (b) of this order, and that the adjustment charge may not be included in any manner in the purchaser's resale prices. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of June 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11500, Filed, June 28, 1945; 11:45 a.m.]

[MPR 188, Revocation of Order 3043]

MODERN DECOR

REVOCATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

Order No. 3043 under § 1499.158 of Maximum Price Regulation No. 188 is hereby revoked.

This order shall become effective on the 29th day of June 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11501; Filed, June 28, 1945; 11:43 a. m.]

[MPR 188, Rev. Order 3263]

KINNEY ALUMINUM COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 3263 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Kinney Aluminum Company, of 5900 South Boyle Avenue, Los Angeles 11, California.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

	Maximum prices to—				
	Consumers	Jobbers	Food stores and syndicates	Department and chain stores	Retailers other than department and chain stores
DE LUXE LINE					
Sauce pans:					
1 qt.	$2.85	$1.63	$2.08	$2.31	$2.[illegible]
2 qt.	4.50	2.25	2.46	2.70	2.[illegible]
3 qt.	5.75	2.88	3.11	3.45	3.[illegible]
4 qt.	6.95	3.48	3.75	4.17	4
Dutch ovens:					
5 qt.	7.50	3.75	4.05	4.50	4.[illegible]
6 qt.	8.50	4.25	4.59	5.10	5.[illegible]
10 qt.	11.25	5.63	6.08	6.75	6.[illegible]
Fry pans:					
6" no cover	2.25	1.13	1.22	1.35	1.[illegible]
7½" no cover	2.75	1.38	1.49	1.65	1.[illegible]
8¾" w cover	5.35	2.68	2.89	3.21	3.[illegible]
10" w cover	6.40	3.20	3.46	3.84	4
12" w cover	7.95	3.98	4.29	4.77	5.[illegible]
Chicken fryers:					
10" w cover	7.20	3.63	3.92	4.35	4.[illegible]
12" w cover	9.25	4.63	5.00	5.55	6.[illegible]
Oval roasters:					
10 x 13	10.95	5.48	5.91	6.57	7.[illegible]
11 x 16	14.95	7.48	8.07	8.97	9.[illegible]
12 x 18	18.95	9.48	10.23	11.37	12.[illegible]
Griddles:					
12½ sq. w handle	5.70	2.85	3.11	3.45	3.[illegible]
12" rd. w handle	5.25	2.63	2.84	3.15	3.[illegible]
12½ rd. w handle					
Coffee pots:	5.50	2.75	2.97	3.30	3.[illegible]
6-8 cup	6.35	3.18	3.43	3.81	4.[illegible]
10-12 cup	8.75	4.38	4.73	5.25	5.[illegible]
Water or tea kettles 4 qt.	6.25	3.13	3.38	3.75	4.[illegible]
Pressure cookers:					
2 qt.	11.25	5.63	6.08	6.75	7.[illegible]
3 qt.	13.25	6.63	7.16	7.95	8.[illegible]
4 qt.	15.25	7.63	8.24	9.15	9.[illegible]
STANDARD LINE					
Sauce pans:					
1 qt.	3.25	1.63	1.76	1.95	2.[illegible]
2 qt.	3.65	1.83	1.97	2.19	2.[illegible]
3 qt.	4.50	2.25	2.43	2.70	2.[illegible]
4 qt.	5.25	2.63	2.84	3.15	3.[illegible]
5 qt.	6.35	3.18	3.43	3.81	4.[illegible]
6 qt.	6.95	3.48	3.75	4.17	4.[illegible]
Dutch ovens:					
5 qt.	6.85	3.43	3.70	4.11	4.[illegible]
6 qt.	7.65	3.83	4.13	4.59	5.[illegible]
8 qt.	9.15	4.58	4.94	5.49	6.[illegible]
11 qt.	11.25	5.63	6.08	6.75	7.[illegible]
Fry pans:					
6" no cover	1.50	.75	.81	.90	1.[illegible]
7" no cover	1.80	.90	1.03	1.14	1.[illegible]
8¾" w cover	3.10	1.55	2.13	2.37	2.[illegible]
9" w cover	4.20	2.25	2.43	2.70	2.[illegible]
10" w cover	5.20	2.60	2.81	3.12	3.[illegible]
11" w cover	5.75	2.88	3.11	3.45	3.[illegible]
Chicken fryers:					
10" w cover	5.45	2.73	2.94	3.27	3.[illegible]
11" w cover	6.95	3.48	3.74	4.17	4.[illegible]
Oval roasters:					
10 x 13	7.95	3.98	4.29	4.77	5.[illegible]
11 x 16	11.95	5.98	6.45	7.17	7.[illegible]
12 x 18	14.95	7.48	8.07	8.97	9.[illegible]
Griddles:					
10½ sq. w handle	2.95	1.48	1.59	1.77	1.[illegible]
10½ rd. w handle	3.25	1.63	1.76	1.95	2.[illegible]
12½ sq. w handle	4.25	2.13	2.30	2.55	2.[illegible]
Coffee pots:					
6-8 cup	4.75	2.38	2.57	2.85	3.[illegible]
10-12 cup	7.55	3.78	4.08	4.53	4.[illegible]
Water or tea kettles 3 qt.	5.50	2.75	2.97	3.30	3.[illegible]

These maximum prices are for the articles described in the manufacturer's application dated October 2, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days except that sales to users are net.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of Maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement, with the amount properly filled in:

CPA Retail Ceiling Price $ -----

This tag may not be removed before delivery to the consumer.

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 29th day of June 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11502; Filed, June 28, 1945; 11:44 a. m.]

[MPR 188, Amdt. 1 to Rev. Order 3746]

DETROIT MFG. SUPPLY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered*, That paragraph (a) (1) of Revised Order No. 3746 under § 1499.158 of Maximum Price Regulation No. 188 be and the same hereby is amended by adding at the end thereof, the following: "To each of these maximum prices, each seller may add only the exact amount of Federal Excise Tax which he is required to pay."

This amendment shall become effective on June 29, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11503; Filed, June 28, 1945; 11:43 a. m.]

[MPR 188, Rev. Order 3748]

GRESHAM CABINET WORKS

APPROVAL OF MAXIMUM PRICES

Order No. 3748 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Gresham Cabinet Works, 4 Kelley Street, Gresham, Oregon.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailer's who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Chest	5-30-39	*Each* $5.56	*Each* $5.90	*Each* $6.95

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated January 5, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 29th day of June 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11504; Filed, June 28, 1945; 11:44 a. m.]

[MPR 188, Order 4022]

REYNOLDS METALS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of aluminum cooking utensils manufactured by the Reynolds Metals Company, Louisville, Kentucky, 2500 South Third Street.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—			Maximum prices for sales by sellers other than manufacturer to—	
		Jobbers	Department stores	Other retailers	Retailers	Consumers
Aluminum baking pan	500	*Each* $0.38	*Each* $0.43	*Each* $0.47	*Each* $0.47	*Each* $0.75
3-quart aluminum sauce pan	23	.47	.54	.59	.54	.93
1½-quart aluminum sauce pan	21½	.31	.35	.39	.39	.62
2-quart aluminum sauce pan with cover	52	.58	.66	.73	.73	1.15
3-quart aluminum sauce pan with cover	43	.66	.75	.84	.83	1.32

These maximum prices are for the articles described in the manufacturer's applications dated June 1, 4, and 6, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

[MPR 189, Order 4024]

KINNEY ALUMINUM CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of the aluminum cooking utensils manufactured by the Kinney Aluminum Company, 5900 South Boyle Avenue, Los Angeles, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article and model	Maximum prices for sales by manufacturer to—				Maximum prices for sellers other than manufacturer to—	
	Jobbers	Department stores	Syndicates	Other retailers	Retailers	Consumers
Saucepan and cover—Stippled finish	*Each*	*Each*	*Each*	*Each*	*Each*	*Each*
1 qt.	$2.50	$2.60	$2.70	$2.80	$3.25	$4.95
2 qt.	2.80	2.90	3.00	3.10	3.60	5.50
3 qt.	3.10	3.20	3.30	3.40	3.95	6.00
4 qt.	3.40	3.50	3.60	3.70	4.30	6.50
Dutch oven—Stippled finish						
6 qt.	3.40	3.50	3.60	3.70	4.30	6.50
8 qt.	3.70	3.80	3.90	4.00	4.65	7.00
10 qt.	4.00	4.10	4.20	4.30	5.00	7.50
Fryer—no cover	2.50	2.60	2.70	2.80	3.25	4.95
9" no cover	2.80	2.90	3.00	3.10	3.60	5.50
9" with cover	3.10	3.20	3.30	3.40	3.95	6.00
10" with cover	3.40	3.50	3.60	3.70	4.30	6.50
Chicken fryer—with cover						
10"	3.40	3.50	3.60	3.70	4.30	6.50
Oval roaster—with cover						
13" x 18"	3.70	3.80	3.90	4.00	4.65	7.00
15" x 21"	4.00	4.10	4.20	4.30	5.00	7.50
Griddle						
10" diameter, with handle	1.40	1.45	1.50	1.55	1.95	2.95
12" x 24", with handle	2.10	2.15	2.20	2.25	2.75	4.25

These prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. The prices are for sales by persons other than the manufacturer and are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of June 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11565; Filed, June 28, 1945; 11:46 a. m.]

[MPR 189, Order 4023]

RIVAL MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of juice extractors and can openers manufactured by the Rival Manufacturing Company, 2415-23 East Fifteenth Street, Kansas City, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—			Maximum prices for sales by other than manufacturer to—	
		Jobbers	Department stores	Other retailers	Retailers	Consumers
		Each	*Each*	*Each*	*Each*	*Each*
Fruit juice extractor	SJ-454	$2.50	$2.60	$2.80	$3.25	$4.95
Chrome-plated can opener	Can-O-Mat DD-415	1.80	1.90	2.10	2.45	3.95
Painted can opener	Can-O-Mat OP-447	1.65	1.75	1.95	2.25	3.50

If purchased in lots of six dozen or more, transportation is f. o. b. destination, otherwise f. o. b. factory. The cash discount is 2% ten days, net 30 days. These maximum prices are for the articles described in the manufacturer's application dated June 1, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of June 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11566; Filed, June 28, 1945; 11:46 a. m.]

[RMPR 357, Order 2]

CERTAIN IMPORTED INDIA TANNED SHEEPSKINS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 6 of Revised Maximum Price Regulation 357; *It is ordered:*

(a) The maximum price at which any person may purchase, sell or deliver the following selection of SHA Superior mark East India tanned sheepskins shall be a price computed as though such selection were listed in section 4, Table II, of Revised Maximum Price Regulation 357 as follows:

Mark	Selection		Average weight in lbs. per dozen skins	Price
	Grade	Percent in each grade		
SHA superior	1V	100	6-7	$1.225

(b) This order may be amended or revoked at any time by the Office of Price Administration.

(c) This Order No. 2 shall become effective the 3d day of July 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11498; Filed June 28, 1945; 11:42 a. m.]

[MPR 64, Amdt. 1 to Order 177]

RENOWN STOVE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 10 and 11 of Maximum Price Regulation No. 64; *It is ordered:*

That Order No. 177 is amended in the following respects:

1. The table of prices in paragraph (b) is amended to read as follows:

Article	Model	Maximum price for sales to retailers			
		Zone 1	Zone 2	Zone 3	Zone 4
		Each	*Each*	*Each*	*Each*
Coal and wood range with reservoir	Empress J-700	$85.79	$88.50	$92.57	$97.68
Coal and wood range without reservoir	Empress G-700	82.40	85.10	89.15	94.25
Coal range	Empress G-720	75.85	78.25	81.55	86.40
Combination coal and gas range	Crest G-1105	111.08	117.13	121.48	127.33

2. The table of prices in paragraph (c) is amended to read as follows:

Article	Model	Maximum price for sales to ultimate consumers			
		Zone 1	Zone 2	Zone 3	Zone 4
		Each	*Each*	*Each*	*Each*
Coal and wood range with reservoir	Empress J-700	$129.95	$133.95	$139.95	$147.50
Coal and wood range without reservoir	Empress G-700	124.95	128.95	134.95	142.50
Coal range	Empress G-720	114.95	118.50	123.50	130.50
Combination coal and gas range	Crest G-1105	167.95	172.50	178.95	187.50

This amendment shall become effective June 28, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11519; Filed, June 28, 1945; 4:03 p. m.]

[Supp. Order 94, Order 66]

UNITED STATES DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR CERTAIN NEW AND USED SHOTGUNS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the new and used shotguns hereinafter described may be sold by the United States Department of Commerce and by any subsequent reseller.

(b) *Maximum prices for new "standard brand" shotguns.* (1) The maximum prices, including Federal excise taxes, for a new "standard brand" shotgun of a model listed in the firearm manufacturer's current price list shall be:

(i) For all sales at retail, the ceiling price as shown on the tag attached to the shotgun by the Department of Commerce, which price shall not exceed the price set forth in the manufacturer's current price list as the price established for sales by retailers.

(ii) For sales by all persons to retailers, the price set forth in the manufacturer's current price list as the price established for sales by a wholesaler to a purchaser of this class.

(iii) For sales by the Department of Commerce and all other persons to wholesalers, the price set forth in the manufacturer's current price list as the price established for sales by the manufacturer to wholesalers of the same class.

(2) The maximum prices, including Federal excise taxes, for a new "standard brand" shotgun not listed in a firearm manufacturer's current price list shall be the ceiling price established for sales to each class of purchaser, for the most closely comparable shotgun listed in the manufacturer's current price lists.

(c) *Maximum prices for new "private brand" shotguns.* The maximum prices, including Federal Excise Taxes, for new "private brand" shotguns shall be:

(1) For all sales at retail

$10.50 for a single barrel shotgun
$26.00 for a double barrel shotgun

(2) For sales by all persons to retailers 25% off the aforesaid retail prices.

(3) For sales by the Department of Commerce or any other person to wholesalers, 25% and 19% off the aforesaid retail prices.

(d) *Maximum prices for new shotguns not covered by paragraphs* (b) *and* (c). (1) The maximum prices, including Federal excise taxes, for new shotguns other than "standard brand" and "private brand" shotguns, manufactured in the continental United States shall be the ceiling price established for sales to each class of purchaser for the most closely comparable shotgun listed in any manufacturer's current price lists.

(2) Sales by the Department of Commerce of surplus shotguns manufactured outside the continental United States are exempt from price control by operation of this order.

(e) *Maximum prices for used shotguns.* The maximum prices for a used shotgun shall be:

(1) Class I. 75% of the appropriate maximum price for the shotgun new: *Provided*, (i) no part is missing which is necessary to make it fully useful, and (ii) the shotgun is in good working condition, can be used by the consumer for the purpose intended without further repair, is clean, free from rust, scratches and dents and its appearance is good.

(2) Class II. 33⅓% of the appropriate maximum price for the shotgun new if it is not in Class I.

(f) *Discounts and freight allowances.* The aforesaid maximum prices for sales by the Department of Commerce and wholesalers are f. o. b. point of shipment.

All sellers shall continue to maintain their customary discounts for cash.

(g) *Tagging.* The Department of Commerce shall inspect all shotguns which it offers for sale and classify them as being in new, used Class I or used Class II condition. Before sale the Department of Commerce shall attach to each shotgun a tag which plainly states its condition (new, used Class I or used Class II), name of manufacturer, model, type, gauge of barrel, serial number, retail list price new, and OPA retail ceiling price "this gun."

If a dealer in firearms purchases a used shotgun in Class II condition and makes repairs sufficient to put it in Class I condition, he must before sale attach to the shotgun a tag which plainly states that the shotgun has been reconditioned, his name and address and the OPA ceiling price. This tag and the tag attached by the Department of Commerce must not be removed before the shotgun is delivered to the purchaser.

(h) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(i) *Definitions.* (1) "Sale at wholesale." A sale at wholesale is a sale by one person to any other person who is not a user or ultimate consumer.

(2) "Sale at retail." A sale at retail is a sale by any person to a user or ultimate consumer.

(3) "Standard brand" shotgun. A "standard brand" shotgun is a shotgun which is marked with the manufacturer's name or trade mark.

(4) "Private brand" shotgun. A "private brand" shotgun is a shotgun which is marked in a manner other than with the manufacturer's name or trade mark.

(j) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11582; Filed, June 29, 1945; 11:56 a. m.]

[MPR 188, Amdt. 28 to Order A-2]

PRODUCERS OF LIME

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (16) of Order A-2 under Maximum Price Regulation No. 188 is amended in the following respect:

Subdivision (ii) is amended by adding to the list of commodities set forth therein the following:

Carpenter's planes
Compass saws
Hand saws
Linemen's pliers
Toy embossed wooden blocks
Wire tied box springs
Wooden domino and checker games

This amendment shall become effective on the 4th day of July 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11583; Filed, June 29, 1945; 11:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-888, 70-889]

COMMONWEALTH UTILITIES CORP. ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of June 1945.

In the matters of Commonwealth Utilities Corporation, The Arizona Power Corporation, File No. 70-888; James C. Tucker, File No. 70-889.

Commonwealth Utilities Corporation ("C. U. C."), a registered holding company, and its subsidiary, The Arizona Power Corporation ("Power"), having filed joint applications and declarations and amendments thereto, pursuant to sections 12 (c), 12 (d) and 12 (e) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-44 and U-62 promulgated thereunder regarding the sale by C.U. C. to James C. Tucker of 14,920.15 shares of the common stock and 200 shares of the preferred stock of Power for an agreed consideration of $999,650.05 for the common stock and $15,400 for the preferred stock; the redemption of the outstanding $6 preferred stock of Power at the redemption price of $105 per share plus accrued dividends; and the solicitation of proxies from the common stockholders of Power other than C. U. C.; and

James C. Tucker having filed an application and amendments thereto pursuant to sections 9 (a) (2) and 10 of the act regarding the acquisition of the common and preferred stock of Power; and

C. U. C. having requested that the Commission enter an order finding that the proposed transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the act and that such order conform to the pertinent requirements of the Internal Revenue Code, as amended, include section 1808 (f) and Supplement R thereof; and

The application and declarations of C. U. C., Power, and James C. Tucker having been consolidated and a public hearing having been held thereon after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein:

It is hereby ordered, That the aforesaid declarations, as amended, be, and hereby are, permitted to become effective forthwith, and the aforesaid applications, as amended, be, and hereby are, granted, subject, however, to the terms and conditions prescribed in Rule U-24;

It is further ordered, That the sale by C. U. C. of its holdings of the common and preferred stock of Power to James C. Tucker is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and is necessary and appropriate to the integration or simplification of the holding company system of which both C. U. C. and Power are a part.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11512; Filed, June 28, 1945; 2:53 p. m.]

[File No. 1-1931]

OILSTOCKS LIMITED

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of June, A. D. 1945.

Oilstocks Limited, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock, $5.00 Par Value, from listing and registration on the New York Curb Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:30 a. m. on Monday, July 9, 1945, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be, and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11513; Filed, June 28, 1945; 2:53 p. m.]

WAR FOOD ADMINISTRATION.

Farm Security Administration.

OHIO COUNTY, IND.

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued August 2, 1944, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION III

INDIANA

Ohio County

Locality I:	
Consisting of Cass and Pike Townships	$4,332
Locality II:	
Consisting of Randolph and Union Townships	$5,629

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: June 28, 1945.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 45-11514; Filed, June 28, 1945; 3:44 p. m.]

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U. S. GOVERNMENT PRINTING OFFICE: 1945

FEDERAL REGISTER

VOLUME 10 NUMBER 131

Washington, Tuesday, July 3, 1945

The President

EXECUTIVE ORDER 9576

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE ERIE RAILROAD COMPANY AND ITS EMPLOYEES

WHEREAS a dispute exists between the Erie Railroad Company, a carrier, and certain of its employees represented by the Brotherhood of Railroad Trainmen, labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the states of Illinois, Indiana, Ohio, Pennsylvania, New York and New Jersey to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Erie Railroad Company or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 28, 1945.

[F. R. Doc. 45-11734; Filed, June 30, 1945; 2:18 p. m.]

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations affected by documents appearing in this issue, follows the table of contents.

EXECUTIVE ORDER 9577

TERMINATING THE WAR FOOD ADMINISTRATION AND TRANSFERRING ITS FUNCTIONS TO THE SECRETARY OF AGRICULTURE

By virtue of the authority vested in me as President by the Constitution and laws of the United States, including Title I of the First War Powers Act, 1941 (55 Stat. 838), it is ordered as follows:

1. The War Food Administration and the office of War Food Administrator, established by Executive Order No. 9334 of April 19, 1943, are hereby terminated.

2. The functions, duties, and powers of the War Food Administrator, including but not limited to those vested in the Administrator by Executive Orders No. 9334 of April 19, 1943,[1] as amended, No. 9385 of October 6, 1943,[1] No. 9401 of December 7, 1943,[1] No. 9418 of January 29, 1944,[1] and No. 9534 of April 3, 1945,[1] are hereby transferred to, and shall be exercised and performed by, the Secretary of Agriculture.

3. The records, property, personnel, funds, and agencies of the War Food Administration are hereby placed under the jurisdiction and control of the Secretary of Agriculture. The agencies of the War Food Administration shall, consistent with applicable law, be organized and administered in such manner as the Secretary of Agriculture may deem desirable.

4. The Secretary of Agriculture shall have, and may exercise to such extent and subject to such conditions as he shall determine, (a) all powers of delegation vested in the War Food Administrator, including but not limited to those speci-

[1] For the text of Executive orders referred to herein see 3 CFR Cum. Supp., 8 F.R. 13783, 9 F.R. 1073, 10 F.R. 3667.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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EXECUTIVE ORDER 9577A

AUTHORIZING THE PETROLEUM ADMINISTRATOR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE TEXAS COMPANY LOCATED IN AND AROUND PORT ARTHUR, TEXAS

WHEREAS after an investigation I find and proclaim that the plants and facilities of the Texas Company, located in and around Port Arthur, Texas, are equipped for the production of crude oil and its products that are required for the war effort, or that are useful in connection therewith; that there is a real, substantial, and immediate emergency in the form of a threatened interruption of the operation of the plants and facilities as a result of a labor disturbance; that the immediacy and extent of the emergency will not permit of further delay without irreparable damage to the war effort; that the war effort will thereby be unduly impeded or delayed for an indefinite period by an interruption however brief; that the productive efficiency of the plants and facilities is impaired by reason of the labor dispute; and that the exercise hereinafter specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892), as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Petroleum Administrator is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Texas Company, located in and around Port Arthur, Texas, and, to the extent that he may deem necessary, of any real or personal property and other assets, wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Texas Company, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this Order.

2. The Petroleum Administrator shall observe the provisions of the War Labor Disputes Act in the operation of the plants and facilities.

3. The Petroleum Administrator is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein, and upon the request of the Petroleum Administrator, or such person as may be designated to act for him, the Secretary of War shall take such action as may be necessary to provide such protection to such persons and property.

4. All Federal agencies, including, but not limited to, the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Petroleum Administrator to the fullest extent possible in carrying out the purposes of this Order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this Order shall be terminated by the Petroleum Administrator within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the threatened interruption of production, referred to in the recitals of this Order, has been restored.

6. The Petroleum Administrator may delegate any and all power, authority, and discretion conferred upon him by this Order to the Deputy Petroleum Administrator. The Petroleum Administrator and Deputy Petroleum Administrator may exercise the powers, authority, and discretion conferred upon them by or under the provisions of this Order through such personnel of the Petroleum Administration for War as they may determine.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 1, 1945.

[F. R. Doc. 45-11810; Filed, July 2, 1945, 11:13 a. m.]

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[1] For the text of Executive orders referred to herein see 3 CFR Cum. Supp., 8 F.R. 13783, 9 F.R. 1073, 10 F.R. 3667.

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1945 C.C.C. Cotton Form 2]

PART 256—COTTON LOANS

SUBPART—1945

Commodity Credit Corporation will make loans available to eligible producers on eligible cotton of the 1945 crop harvested prior to the beginning of the regular 1945 cotton loan program. These instructions state the requirements of Commodity Credit Corporation with reference to such loans.

Sec.
256.21 Definitions.
256.22 Forms.
256.23 Amount.
256.24 Classification of cotton.
256.25 Preparation of documents.
256.26 Certification of producer.
256.27 Approved warehouses.
256.28 Warehouse receipts.
256.29 Warehouse charges.
256.30 Liens.
256.31 Time and manner of tendering loans for purchase.
256.32 Lending agency.
256.33 Repayments.

AUTHORITY: §§ 256.21 to 256.33, inclusive, are issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C. 1302).

§ 256.21 *Definitions.* As used in this subpart, unless the context otherwise requires, the following terms will be construed respectively to mean:

(a) *Eligible producer.* An eligible producer shall be any person (individual, partnership, firm, corporation, association, joint-stock company, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision), producing cotton in 1945 in the capacity of landowner, landlord, tenant, or sharecropper. Except as provided below, two or more producers may not obtain a joint loan. If the eligible cotton produced on a farm has been divided among the producers entitled to share in such cotton, each landlord, tenant, and sharecropper, may obtain a loan on his separate share. If the cotton has not been divided, the landlord, and one or more of the share tenants or sharecroppers may obtain a joint loan on their shares of such cotton. In no case shall a share tenant or sharecropper obtain a loan individually on cotton in which the landlord has an interest. In any case where a landlord obtains a loan on cotton in which a share tenant or sharecropper has an interest, he must have the legal right to do so, and the share tenant or sharecropper must be paid his pro rata share of the proceeds.

(b) *Eligible cotton.* Eligible cotton shall be produced in 1945 by or for an eligible producer: *Provided*, That the cotton meets the following requirements:

(1) Such cotton must be of a grade and staple specified in the table of premiums and discounts attached hereto.

(2) Such cotton must be represented by warehouse receipts complying with the provisions of § 256.28.

(3) Such cotton must not be compressed to high density.

(4) Such cotton must be free and clear of all liens and encumbrances, except those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in 1945 C.C.C. Cotton Form M (hereinafter referred to as "Form M").

(5) Such cotton must be tendered for a loan by a person who has the legal right to pledge it as security for a loan.

(6) If the person tendering such cotton for a loan is a landlord, or landowner, the cotton must not have been acquired by him directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent and, if it was produced by him in the capacity of landlord, share tenant, or sharecropper, it must be his separate share of the crop, unless he is a landlord and is tendering cotton in which both he and a share tenant or sharecropper have an interest.

(7) Each bale of such cotton must weigh at least 300 pounds.

(c) *Lending agency.* A lending agency shall be any bank, corporation, partnership, association, or person, who has executed a Lending Agency Agreement (C.C.C. Cotton Form N) covering loans on cotton of the 1945 crop.

(d) *Eligible paper.* Eligible paper shall be a Form M, duly executed, after June 1, 1945, and prior to September 1, 1945. State documentary revenue stamps should be affixed thereto where required by law. (A Form M executed by an administrator, executor, or trustee, will be acceptable only where valid in law and must be submitted for a direct loan by Commodity Credit Corporation unless accompanied by a repurchase agreement of the lending agency. Copies of this agreement may be obtained from the Regional Office of Commodity Credit Corporation, New Orleans 12, La.)

§ 256.22 *Forms.* The following documents must be delivered by the lending agency upon tender of notes to Commodity Credit Corporation for purchase:

(a) Form M complying with the provisions of § 256.21 (d).

(b) Warehouse receipts complying with the provisions of § 256.28.

(c) Lending Agency's Letter of Transmittal (C.C.C. Cotton Form O).

§ 256.23 *Amount.* The base loan rate applicable at each approved warehouse will be shown in a "Schedule of Base Loan Rates by Cities and Counties for Cotton Entering the 1945 Interim Cotton Loan" issued for this program by Commodity Credit Corporation. Premiums and discounts applicable to each grade and staple length are shown in the table below. Loans will not be made on grades or staple lengths of cotton not shown in such table. All loans will be made on the gross weight of the lint cotton, and an allowance of 7 pounds will be made for each bale wrapped in cotton bagging.

§ 256.24 *Classification of cotton.* All cotton must be classified by a Board of Cotton Examiners of the War Food Administration. Warehousemen should forward samples to the Board of Cotton Examiners serving the district in which the warehouse is located (the Austin, Corpus Christi, Dallas, Galveston, and Houston, Tex., offices will be open for classing cotton under this program), and a list showing the class of the cotton will be returned to the warehouseman by said board. Instructions have been issued to approved warehouses concerning sampling and forwarding of samples and recording the class of the cotton in Form M. No separate charge is to be made to producers for this service as it is included in the Warehouseman's Storage Agreement. Form 1 classification memorandum of the War Food Administration will also be accepted as evidence of the class of cotton.

A charge of 15 cents per bale shall be collected from the producer for all cotton from which samples are drawn and submitted to a Board of Cotton Examiners for classification, except that no charge shall be collected for samples submitted for a Form 1 classification. The Boards of Cotton Examiners will make collections for classing charges from the warehousemen at the end of each month. A certified check, cashier's check, or postal money order, payable to Commodity Credit Corporation, must be sent to the Board of Cotton Examiners by the warehouseman in payment of these charges.

§ 256.25 *Preparation of documents.* A producer desiring to obtain a loan may obtain the necessary forms from approved cotton warehouses and also from persons approved by the county agricultural conservation committees, in the cotton-producing areas, to assist producers in preparing and executing

the loan forms. Only persons approved by such committees for such purpose may execute the Clerk's Certificate in Form M. Such persons are permitted to collect fees from producers not to exceed the fees set out in § 256.5 (a).[1] All entries must be made with ink, indelible pencil, or typewriter, in the manner indicated therein, and no documents containing additions, alterations, or erasures, will be accepted by Commodity Credit Corporation. A duplicate copy shall be prepared and retained by the producer. The Schedule of Pledged Cotton must represent cotton of only one grade and staple length.

§ 256.26 *Certification of producer.* As evidence that the producer is entitled to a loan, Commodity Credit Corporation will accept the Clerk's Certificate on Form M.

§ 256.27 *Approved warehouses.* Warehouse receipts representing eligible cotton will be accepted as security for loans made pursuant to Form M only if issued by warehousemen approved by Commodity Credit Corporation. Warehousemen desiring to be approved should communicate with the Regional Office of Commodity Credit Corporation, New Orleans 12, Louisiana. When warehouses are approved, notification will be given either by letter or published lists. Warehouse receipts will also be acceptable if issued by warehousemen approved by Commodity Credit Corporation under the 1945 cotton loan program. All cotton pledged as security for any one loan must be in the same warehouse.

The warehouseman is required, as provided in the Warehouseman's Certificate and Storage Agreement in Form M, to draw representative samples from the bales and to deliver or forward such samples to a Board of Cotton Examiners for classing, except where Form 1 classification memorandum of the War Food Administration is used.

§ 256.28 *Warehouse receipts.* Only negotiable warehouse receipts issued by an approved warehouse, dated on or prior to the date of the producer's note and properly assigned by an endorsement in blank so as to vest title in the holders, or issued to bearer, will be acceptable. They must set out in their written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts which, by their terms, will expire prior to September 1, 1945, must bear an endorsement of the warehouse extending the terms of the warehouse receipt through September 1, 1945. Block warehouse receipts will not be accepted.

§ 256.29 *Warehouse charges.* The warehouseman's charges are limited and his obligation defined by the Warehouseman's Certificate and Storage Agreement contained in Form M. This should be read carefully and must be executed by the warehouseman issuing the cotton warehouse receipts pledged as collateral to the producer's note. All warehouse charges must be paid to the dates of the warehouse receipts.

§ 256.30 *Liens.* Eligible cotton must be free and clear of all liens except in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in Form M. The names of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees (but not warehousemen), must be listed in the space provided therefor in Form M, and the lienholders so listed must execute the Lienholders' Waiver in such form. If the borrower is a tenant or sharecropper, the landlord must be listed in the List of Lienholders and must sign the lien waiver whether or not he claims a lien, unless the producer's note is signed jointly by the landlord and the tenant or sharecropper. A misrepresentation as to prior liens, or otherwise, will render the producer personally liable under the terms of the loan agreement and subject him to criminal prosecution under the provisions of section 35 (A) of the Criminal Code of the United States (18 U.S.C. 80). The Lienholders' Waiver in Form M must be signed personally by all lienholders listed or by their agents, or, if a corporation, by the designated officer thereof customarily authorized to execute such instruments, in which case the duly executed authority need not be attached.

§ 256.31 *Time and manner of tendering loans for purchase.* Loans made by a lending agency which has executed and delivered a Lending Agency Agreement (C. C. C. Cotton Form N) to the Regional Office of Commodity Credit Corporation, New Orleans 12, Louisiana, prior to the making of the loan, will be eligible for purchase by Commodity Credit Corporation, C. C. C. Cotton Forms N are obtainable only from the Regional Office of Commodity Credit Corporation, New Orleans 12, Louisiana. Under the terms of this agreement, lending agencies are required to tender to Commodity Credit Corporation, New Orleans 12, Louisiana, between September 1, 1945, and September 15, 1945, on Lending Agency's Letter of Transmittal (C. C. C. Cotton Form O), executed in triplicate, all notes on Form M, with collateral attached, which have not been paid by the producers. Upon receipt by Commodity Credit Corporation, the loan papers will be examined, and if found correct, will be approved and purchased. Unless the producer redeems the pledged cotton or converts his loan to a loan under the regular 1945 Cotton Loan Program prior to September 1, 1945, Commodity Credit Corporation will sell such cotton by pooling, or otherwise, as provided in Form M.

§ 256.32 *Lending agency.* The lending agency shall endorse the notes of producers as provided in Form M. Care should be exercised by the lending agency to determine that the warehouse receipts are genuine. No provision is made for any deduction from the loan proceeds by the lending agency as a charge for handling the loan documents, except the authorized clerk's fee in case the lending agency has executed the Clerk's Certificate in Form M.

§ 256.33 *Repayments.* No partial release of the cotton securing a note will be permitted. If a producer desires to repay his loan while the note is held by the lending agency, payment should be made directly to the lending agency. In such case, the lending agency is entitled to retain the principal amount of the note plus 3 percent interest.

Dated: May 19, 1945.

C. C. FARRINGTON,
Vice President.

PREMIUMS AND DISCOUNTS FOR ALL QUALITIES OF 1945 AMERICAN UPLAND COTTON UNDER 1945 COTTON LOAN PROGRAM
[Basis 15/16-inch Middling]

Grade	Staple length (inches)													
	15/16	7/8	29/32	13/16	25/32	1	1 1/32	1 1/16	1 1/32	1 1/8	1 3/32	1 1/16	1 5/32	1 1/4 and longer
White and Extra White:														
Good Middling and better	Pts. −225	Pts. −90	Pts. −30	Pts. 35	Pts. 90	Pts. 70	Pts. 95	Pts. 165	Pts. 325	Pts. 585	Pts. 765	Pts. 945	Pts. 1045	Pts. 1170
Strict Middling	−235	−100	−40	25	40	55	85	155	305	560	740	920	1020	1145
Middling	−260	−125	−65	Base	15	30	50	120	225	460	635	795	895	1020
Strict Low Middling	−350	−245	−160	−120	−110	−160	−80	−45	45	190	335	460	555	635
Low Middling	−625	−485	−430	−370	−365	−350	−345	−335	−280	−290	−205	−180	−165	−155
Strict Good Ordinary	−745	−610	−563	−505	−505	−563	−495	−495	−495	−495	−495	−495	−495	−495
Good Ordinary	−855	−715	−670	−610	−645	−660	−595	−595	−595	−595	−595	−595	−595	−595
Spotted:														
Good Middling	−270	−135	−95	−25	−15	Even	15	40	105	205	330	430	505	605
Strict Middling	−285	−155	−110	−40	−35	−20	−5	20	80	180	305	405	480	580
Middling	−440	−300	−255	−185	−180	−170	−155	−155	−80	5	80	120	225	325
Strict Low Middling	−650	−520	−485	−425	−425	−415	−415	−410	−395	−370	−345	−325	−225	−225
Low Middling	−820	−680	−645	−580	−580	−575	−575	−570	−555	−555	−555	−555	−555	−555
Tinged:														
Good Middling	−455	−350	−315	−295	−250	−240	−210	−235	−215	−175	−140	−100	−45	−90
Strict Middling	−500	−375	−345	−280	−275	−265	−265	−260	−240	−200	−165	−125	−80	−95
Middling	−730	−560	−555	−500	−500	−495	−495	−495	−445	−420	−420	−420	−420	−420
Strict Low Middling	−855	−730	−695	−645	−645	−640	−640	−640	−615	−610	−610	−610	−610	−610
Low Middling	−950	−830	−800	−745	−745	−745	−745	−745	−720	−720	−720	−720	−720	−720
Yellow Stained:														
Good Middling	−730	−595	−565	−520	−515	−515	−515	−510	−460	−420	−445	−445	−445	−445
Strict Middling	−750	−620	−590	−540	−540	−540	−540	−535	−485	−475	−470	−470	−470	−470
Middling	−860	−730	−700	−650	−650	−650	−650	−650	−630	−630	−630	−630	−630	−630
Gray:														
Good Middling	−375	−255	−215	−155	−145	−135	−115	−95	−55	90	140	215	265	315
Strict Middling	−430	−310	−270	−210	−200	−190	−170	−150	−105	40	115	190	240	290
Middling	−550	−425	−390	−330	−325	−315	−305	−300	−225	−185	−160	−135	−110	−160

[1] 1944 Cotton Loan Instructions (1944 C. C. C. Cotton Form 1, 9 F.R. 10143.

[F. R. Doc. 45-11774; Filed, June 30, 1945; 3:30 p. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 493, Fifth Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE REGULATIONS

Introductory note. The revision of Regulation 2 of the pink bollworm quarantine, effective May 23, 1945, added to the lightly infested regulated area the Texas counties of Bailey, Borden, Cochran, Coleman, McCulloch, Nolan, Runnels, San Saba, Scurry, Taylor, and that part of Coke County not theretofore under regulation. These counties are located in northwestern Texas where the pink bollworm occurs only from time to time, several years often elapsing in a given county between findings of infestations. In this area it is considered safe under present conditions to eliminate special treatment requirements on baled cotton lint originating therein when it is ginned and protected as required in these instructions. This revision of B. E. P. Q. 493 provides the same safeguards for handling cotton lint produced in the additional counties that have been required for counties in this area.

§ 301.52–4b *Administrative instructions designating certain lightly infested counties in New Mexico and Texas from which baled cotton lint may be moved without treatment.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52 (Notice of Quarantine No. 52), and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in paragraph (a) of § 301.52–4, notice is hereby given that certificates may be issued for the interstate movement of baled cotton lint, without treatment, from the following-designated counties when the lint has been produced in an authorized gin and subsequently protected from contamination:

New Mexico: County of Lea.

Texas: Counties of Andrews, Bailey, Borden, Cochran, Coke, Coleman, Concho, Dawson, Ector, Gaines, Glasscock, Howard, Irion, Martin, McCulloch, Midland, Mitchell, Nolan, Runnels, San Saba, Schleicher, Scurry, Sterling, Taylor, Terry, Tom Green and Yoakum.

These instructions supersede those in B. E. P. Q. 493, fourth revision, dated October 26, 1944, and shall become effective July 1, 1945.

(Sec. 8, 37 Stat. 318, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.52)

Done at Washington, D. C., this 22d day of June 1945.

[SEAL] P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 45-11769; Filed, June 30, 1945; 3:30 p. m.]

Chapter X—War Food Administration (Production Orders)

[WFO 5, Amdt. 2]

PART 1206—FERTILIZER

MANUFACTURE, DELIVERY AND USE OF FERTILIZER

Effective July 1, 1945, War Food Order No. 5 (formerly Food Production Order No. 5)[1] is hereby revised and amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of fertilizer for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

MANUFACTURE, DELIVERY AND USE OF FERTILIZERS

Sec.
1206.1 Conditions of manfacture, delivery and use of fertilizers.
1206.2 Fertilizer ingredients for home mixing and direct application.

EXEMPTIONS

1206.3 Exemptions.

MISCELLANEOUS PROVISIONS

1206.4 Records and reports.
1206.5 Directions.
1206.6 State regulations.
1206.7 Federal Explosives Act.
1206.8 Definitions.
1206.9 Audits and inspections.
1206.10 Petition for relief from hardship.
1206.11 Violations.
1206.12 Delegation of authority.
1206.13 Territorial application of order.
1206.14 Communications.

AUTHORITY: §§ 1206.1 to 1206.14, inclusive, issued under 54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783.

MANUFACTURE, DELIVERY AND USE OF FERTILIZERS

§ 1206.1 *Conditions of manufacture, delivery and use of fertilizers.* (a) No fertilizer manufacturer, dealer or agent shall, subject to the exemptions provided herein, deliver for use on crops, and no person shall use on crops, in any of the States listed in Schedule I, attached hereto, any grades of fertilizer other than the grades designated in such schedule as applicable to the respective States listed therein, and where a grade is designated on such schedule as available only for a particular crop or purpose, such grade shall be delivered for use and used only on such crop or for such purpose.

(b) Each fertilizer manufacturer, dealer and agent, shall, during the 1945–46 season, make fertilizer available according to crop requirements in each geographical locality in which such manufacturer, dealer and agent made fertilizer available for use in the 1944–45 season, unless such manufacturer, dealer or agent has adequate proof that crop requirements for fertilizer in any such locality are being adequately provided by other manufacturers, dealers or agents.

§ 1206.2 *Fertilizer ingredients for home mixing and direct application.* Each fertilizer manufacturer, dealer and agent shall make available to home mixers the same percentage of his 1945–46 supply of each fertilizer material as he delivered for such use from his 1940–41 or 1941–42 supply, whichever is greater. There shall be no discrimination against any customer who wishes to purchase fertilizer materials for inclusion in home mixtures or for direct application.

EXEMPTIONS

§ 1206.3 *Exemptions.* Notwithstanding any other provisions of this order:

(a) *Deliveries to fertilizer manufacturers.* Any person may deliver fertilizer or fertilizer materials to a fertilizer manufacturer for use in the manufacture of mixed fertilizer.

(b) *Deliveries to States not listed in Schedule I.* Grades applicable to all States and any grades of mixed fertilizers may be delivered by fertilizer manufacturers, dealers and agents in States not named in Schedule I and such grades may be used in such States.

(c) *Deliveries to armed forces.* Fertilizer manufacturers, dealers or agents may deliver any quantity of fertilizer for use in establishing and maintaining grass and other vegetation at Air Force Stations of the United States Army, Navy, Marine Corps and Coast Guard, and at other military installations for establishing and maintaining grass and other vegetation, where such is certified, in the case of the Army, by the Division Engineer, or in the case of the Navy, Marine Corps and Coast Guard, by the Agronomist, Bureau of Aeronautics, Navy Department, as essential for training activities, operations or health.

(d) *Deliveries for experimental purposes to educational institutions.* Any fertilizer may be delivered to and used by educational institutions or publicly owned agricultural institutions for experimental purposes.

(e) *Starter fertilizers.* Nothing herein shall be construed to prohibit the manufacture or delivery of starter fertilizers in pressed tablet form, or in a completely soluble form.

MISCELLANEOUS PROVISIONS

§ 1206.4 *Records and reports.* Each fertilizer manufacturer, dealer and agent who delivers fertilizers to any person, other than a manufacturer, dealer or agent, shall keep a record of each such delivery involving a quantity of over 250 pounds, showing the person to whom delivery was made, the date of delivery, and the quantity of fertilizer materials or grade of mixed fertilizer. (For this purpose, the taking of fertilizer by a manufacturer, dealer or agent for use on his own crops shall be treated as a delivery.) Such records shall be retained for a period of two years. The Director shall be entitled to obtain such information from, and require such reports and the keeping of such other records by, any person, as may be necessary

[1] 8 F.R. 14649, 9 F.R. 632, 2593, 4319.

or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

§ 1206.5 *Directions.* Each person affected by this order shall comply with such directions as may be issued from time to time by the Director with respect to the quantities, grades and kinds of mixed fertilizers to be manufactured and with respect to the delivery and use of any fertilizers.

§ 1206.6 *State regulations.* Nothing contained in this order shall be construed to permit the delivery or use of any grade of fertilizer in any State where the use or delivery of such grade in such State is specifically prohibited by such State.

§ 1206.7 *Federal Explosives Act.* Nothing contained in this order shall be construed to supersede or affect in any manner whatsoever the licensing and other requirements of the Federal Explosives Act of December 26, 1941 (55 Stat. 863), as amended, and the regulations issued thereunder by the Bureau of Mines of the United States Department of the Interior.

§ 1206.8 *Definitions.* For the purposes of this order:

(a) "Fertilizer" means any material used as a plant food containing one or more of the following: nitrogen, phosphorus, or potassium, excluding, however, animal and poultry manure, peat, humus and basic slag.

(b) "Grade" means the minimum guaranteed plant food content of any fertilizer expressed in percentages of its principal plant food components in the following order: nitrogen, available phosphoric acid and available potash.

(c) "Approved grade" means any grade of fertilizer listed in Schedule I attached hereto.

(d) "Specialty fertilizer" means any fertilizer which is prepared for use on lawns, shrubbery, trees, flowers, bulbs, parks and parkways, mails and roadsides, cemeteries, golf courses, trees, and other ornamental plants and gardens.

(e) "Fertilizer manufacturer" means any person who manufactures or mixes fertilizer for sale.

(f) "Dealer" means any person, other than a fertilizer manufacturer, who rechases fertilizer for resale.

(g) "Agent" means any person, other than a fertilizer manufacturer, who receives fertilizer on a consignment basis for sale.

(h) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(i) "State" means any of the 48 States and the District of Columbia.

(j) "Director" means the Director of the Office of Materials and Facilities of the War Food Administration.

§ 1206.9 *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of fertilizer of any persons, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

§ 1206.10 *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

§ 1206.11 *Violations.* In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using fertilizer. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

§ 1206.12 *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

§ 1206.13 *Territorial application of order.* This order shall have application only in the 48 States and the District of Columbia of the United States.

§ 1206.14 *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director, Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref. WFO 5, Amdt. 2.

NOTE: All record keeping requirements of this order have been approved by, and subsequent reporting and record keeping requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

GROVER B. HILL,
First Assistant
War Food Administrator.

SCHEDULE I—FERTILIZER GRADES FOR 1945–1946

GRADES APPLICABLE TO ALL STATES

Nitrate of soda	16–0–0
By-product nitrate of soda	15–0–0
Nitrate of potash	15–0–14
Sulphate of ammonia	20 (or higher)–0–0
Cyanamid	20 (or higher)–0–0
Uramon	42–0–0
Ammoniated superphosphate	4 (or higher)–16 (or higher)–0
Ammonium phosphate	11–48–0
Ammonium phosphate-sulphate	16–20–0
Cal-nitro	20 (or higher)–0–0
A-N-L	20 (or higher)–0–0
Ammonium nitrate	30 (or higher)–0–0
Potassium nitrate	12–0–44 (or higher)
Superhposphate	0–18 (or higher)–0
Muriate of potash	0–0–50 (or higher)
Sulphate of potash	0–0–48 (or higher)
Manure salts	0–0–22 (or higher)
Sulphate or potash magnesia	0–0–18 (or higher)
Potash lime	0–0–6
Ground phosphate rock	Any grade
Colloidal phosphate	Any grade
Cotton hull ash	Any grade
Wood ash	Any grade
Organic carriers of nitrogen	Any grade
Mixed specialty fertilizers containing 16 units plant food or more	Any grade
Mixed Victory Garden fertilizers	Any approved grade

NEW ENGLAND AREA

Maine: 0–10–20; 0–14–14; 4–12–4; 4–12–8; 4–12–16; 5–7–10; 5–8–7 [4]; 5–10–5 [1]; 5–10–10; 6–9–15; 7–7–7.

New Hampshire: 0–14–14; 4–12–4; 4–12–8; 4–12–12; 4–12–16; 5–8–7 [4]; 5–10–5 [1]; 5–10–10; 6–3–6 [3]; 7–7–7.

Vermont: 0–14–14; 4–12–8; 4–12–16; 5–8–7 [4]; 5–10–5 [1]; 5–10–10; 6–3–6 [3]; 7–7–7.

Massachusetts: 0–14–14; 4–10–0; 4–12–4; 4–12–8; 4–12–16; 5–3–5 [1 4]; 5–5–15; 5–8–7 [4]; 5–10–10; 5–10–5 [1]; 6–3–6 [3]; 7–7–7.

Rhode Island: 0–10–20; 0–14–14; 4–12–4; 4–12–8; 4–12–16; 5–8–7 [4]; 5–10–5 [1]; 5–10–10; 7–7–7.

Connecticut: 0–14–14; 4–10–0; 4–12–4; 4–12–8; 4–12–16; 5–3–5 [1 4]; 5–5–15; 5–8–7 [4]; 5–10–5 [1] 5–10–10; 6–3–6 [3]; 7–7–7.

MIDDLE ATLANTIC AREA

New York: 0–10–20; 0–12–12; 3–9–12; 3–9–15; 3–12–6; 4–8–12; 4–12–4; 4–12–8; 5–10–5 [1]; 5–10–10; 7–7–7.

Pennsylvania: 0–12–12; 0–14–7; 3–9–12; 3–9–15; 3–12–6; 4–8–12; 4–12–4; 4–12–8; 4–12–12; 5–10–5 [1]; 5–10–10; 7–7–7; 10–6–4.

New Jersey: 0–12–12; 0–14–7; 3–9–12; 3–9–15; 3–12–6; 4–8–12; 4–12–4; 4–12–8; 5–10–5 [1]; 5–10–10; 7–7–7; 10–6–4.

Delaware: 0–12–12; 0–14–7; 2–12–12; 3–9–12; 3–9–15; 3–12–6; 4–8–12; 4–12–4; 4–12–8; 5–10–5 [1]; 5–10–10; 6–8–6; 7–7–7; 10–0–10; 10–6–4.

Maryland and District of Columbia: 0–10–20; 0–12–12; 0–14–7; 2–12–12; 3–9–12; 3–9–15; 3–12–6; 4–8–12; 4–12–4; 4–12–8; 5–10–5 [1]; 5–10–10; 6–8–6; 7–7–7; 10–0–10; 10–6–4.

Virginia: 0–12–12; 0–14–7; 2–10–6 [1]; 2–12–12; 3–8–5 [1]; 3–9–6 [3]; 3–9–9; 3–9–12; 3–12–6; 4–9–3; 4–10–6; 4–12–4; 4–12–8; 5–5–20; 5–10–5 [1]; 6–8–6; 7–7–7; 10–0–10; 10–6–4.

West Virginia: 0–12–12; 0–14–7; 3–12–6; 4–12–4; 4–12–8; 5–10–5 [1]; 5–10–10; 7–7–7; 10–6–4.

SOUTHEASTERN AREA

North Carolina: 0–8–16 (Basic 500 lbs.); 0–12–12 (Basic 300 lbs.); 0–14–7; 2–10–6 [1]; 2–12–12; 3–8–5 [1]; 3–9–6 [3]; 3–9–9; 3–9–12; 3–12–6; 4–8–8; 4–9–3 [1]; 4–10–6; 4–12–4; 5–5–20 [1]; 5–10–5 [1]; 6–8–6; 10–0–10; 0–9–27; 10–0–30; 6–9–3.[4]

South Carolina: 0–12–12; 0–14–7; 3–9–6 [3]; 3–9–9; 3–9–12; 3–12–6; 4–8–8; 4–10–6; 4–12–4; 4–12–12; 5–10–5 [1]; 5–10–10; 6–8–6; 6–9–3; 7–7–7.

Georgia: 0–14–7; 0–14–10; 2–12–6; 3–9–6; 3–9–9; 3–12–6; 4–4–8; 4–8–6; 4–8–8; 4–9–3 [1]; 4–10–6; 4–12–4; 5–10–5 [1]; 6–8–6; 6–8–8.

Alabama: 0–14–10; 3–9–9 [1]; 4–10–4; 4–10–7; 5–10–5 [2]; 6–8–4; 6–8–8.

Mississippi: 0–14–7; 4–8–8; 5–10–5 [1]; 6–8–4; 6–8–8.

Tennessee: 0–12–12; 0–14–7; 2–12–6; 3–9–6; 4–8–8; 4–8–12; 4–12–4; 5–5–10; 5–10–5 [1]; 6–8–4, 10–6–4; 3–9–18; 6–8–8; 12–0–12.

FLORIDA AREA

Florida: 0–8–12; 0–8–24; 0–10–10; 0–12–16; 0–14–5; 0–14–10; 0–16–0 plus mn; 2–8–6; 2–8–10; 2–10–4; 3–6–8; 3–6–10; 3–8–5; 3–8–8; 4–4–8; 4–5–7; 4–6–8; 4–7–5; 4–8–4; 4–8–6; 4–8–8; 4–9–3; 4–10–7; 4–12–4; 4–12–6; 5–5–8; 5–6–10; 5–7–5; 5–8–8; 5–10–5 [2]; 6–4–8; 6–6–6; 8–0–8; 8–0–12; 12–0–10; 10–0–10.

See footnotes on following page.

WEST SOUTH CENTRAL AREA

Arkansas: 0–10–20; 0–12–12; 0–14–7; 3–9–18; 3–12–6; 4–8–8; 4–12–4; 5–10–5 [1]; 6–8–4; 6–8–12; 8–8–8; 10–6–4.

Louisiana: 0–12–12; 0–14–7; 3–12–12; 4–12–4; 4–12–8; 5–10–5 [1]; 6–8–8; 6–9–6; 8–8–8; 9–6–9; 10–6–4; 12–0–12; 5–10–10.

Texas: 0–14–7; 4–8–8; 4–12–4; 5–10–5 [1]; 6–8–4; 6–12–0; 6–30–0 [5]; 10–10–0; 10–20–0; 12–15–0; 8–8–8.

Oklahoma: 0–14–7; 2–12–6; 4–12–0; 4–12–4; 5–10–5 [1]; 3–12–12; 8–8–8.

MIDDLE WEST AREA

Illinois: 0–9–27; 0–10–20; 0–12–12; 0–14–7; 0–20–10; 0–20–20; 2–12–6; 3–9–18; 3–12–12; 3–18–9; 4–12–4 [2]; 4–12–8; 8–8–8; 10–6–4.

Indiana: 0–6–18 [10]; 0–9–27; 0–10–20; 0–12–12; 0–14–7; 0–20–10; 0–20–20; 2–12–6; 3–9–18; 3–12–12; 3–18–9; 4–12–4 [2]; 4–12–8; 5–10–10; 8–8–8; 10–6–4.

Iowa: 0–9–27; 0–10–20; 0–12–12; 0–14–7; 0–14–14; 0–20–10; 0–20–20; 2–12–6; 2–16–8; 3–9–18; 3–12–12; 3–18–9; 4–12–4 [2]; 4–12–8; 4–16–4; 8–8–8; 10–6–4.

Minnesota: 0–9–27; 0–10–20; 0–12–12; 0–12–24; 0–12–36; 0–14–7; 0–20–10; 0–30–15; 0–20–20; 2–12–6; 2–16–8; 3–9–18; 3–12–12; 3–18–9; 4–12–4 [2]; 4–12–8; 4–24–12; 4–16–16; 8–12–18; 8–8–8; 8–16–12; 10–6–4.

Ohio: 0–9–27; 0–10–20; 0–12–12; 0–14–7; 0–20–10; 0–20–20; 2–12–6; 3–9–18; 3–12–12; 3–18–9; 4–12–4 [2]; 4–12–6; 5–10–10; 8–8–8; 10–6–4.

Wisconsin: 0–6–18 [10]; 0–9–27; 0–10–20; 0–12–12; 0–14–7; 0–14–14; 0–20–10; 0–20–20; 2–12–6; 3–9–18; 3–12–12; 3–18–9; 4–12–4 [2]; 4–12–8; 6–6–18; 8–8–8; 10–6–4.

Michigan: 0–6–18 [10]; 0–9–27; 0–10–20; 0–12–12; 0–14–7; 0–14V14; 0–20–10; 0–20–20; 2–12–6; 2–16–8; 3–9–18; 3–12–12; 3–18–9; 4–12–4 [2]; 4–12–8; 8–8–8; 10–6–4; 0–9–27.

Missouri: 0–10–20; 0–12–12; 0–14–7; 0–20–10; 0–20–20; 2–12–6; 3–9–18; 3–12–12; 3–18–9; 4–12–4 [2]; 4–12–8; 8–8–8; 10–6–4; 0–9–27.

Kentucky: 0–12–12; 0–14–7; 0–20–10; 0–20–20; 2–12–6; 3–9–6; 3–12–12; 3–18–9; 4–12–0 [4]; 4–12–4 [1]; 4–12–8; 5–10–10; 6–8–6; 8–8–8; 10–6–4; 5–10–5.

PACIFIC COAST AREA

Arizona: 4–8–0; 4–12–4; 4–19–5; 6–10–4 [1]; 6–12–0; 6–18–0; 8–8–0; 8–12–0; 8–16–0; 10–10–0; 10–20–0; 10–38–0; 14–6–0.

California: 0–10–8; 0–10–12; 2–10–8; 4–6–8; 4–10–10; 4–12–4; 4–18–18; 5–12–5; 5–14–9; 6–9–6; 6–10–4 [1]; 6–12–8; 6–16–6; 8–0–12; 8–6–8; 8–8–4; 8–10–12; 10–5–5; 10–5–10; 10–10–0; 10–10–5; 10–12–10; 10–16–8; 10–20–0; 12–0–14; 12–6–0; 14–0–8; 15–8–4; 17–7–0.

Oregon: 0–12–20; 3–10–10; 3–10–20; 4–12–4; 4–12–8; 5–0–8; 5–10–10; 5–10–20; 6–10–4 [1]; 6–20–0; 10–10–0; 10–10–5; 10–16–8; 10–20–0; 12–12–0; 17–12–0; 17–4–4.

Washington: 0–12–20; 3–10–10; 3–10–20; 4–12–4; 4–12–8; 5–6–8; 5–10–10; 5–10–20; 6–10–4 [1]; 6–30–0; 10–10–0; 10–10–5; 10–16–8; 10–20–0; 12–12–0; 17–12–0; 17–4–4.

Idaho: 0–12–20; 3–10–10; 3–10–20; 4–12–4; 4–12–8; 5–6–8; 5–10–10; 5–10–20; 6–10–4 [1]; 6–12–0; 6–30–0; 10–10–0; 10–10–5; 10–16–8; 10–20–0; 12–12–0; 17–12–0; 17–4–4; 8–8–4; 4–16–4; 2–20–20.

[F. R. Doc. 45–11772; Filed, June 30, 1945; 3:29 p. m.]

[1] Recommended, victory garden and specialty fertilizer.
[2] Victory garden and specialty fertilizers only.
[3] Tobacco only.
[4] Tobacco plant beds only.
[5] Unless prohibited herein multiples (higher analysis with the same ratio) of the foregoing approved grades may be manufactured and delivered.
[6] No multiples permitted.
[7] Top dressing only.
[8] Fruit only.
[9] Panhandle and West Texas only.
[10] To contain 700 pounds NaCl per ton.

[WFO 105, Amdt. 1]

PART 1206—FERTILIZER

USE OF EDIBLE OILSEED MEAL IN FERTILIZER

Effective July 1, 1945, War Food Order No. 105 [1] is hereby revised and amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of edible oilseed meal for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1206.760 *Use of edible oilseed meal in fertilizer*—(a) *Acquisition.* During the period from July 1, 1945, to June 30, 1946, no person shall acquire any edible oilseed meal for fertilizer purposes unless authorized to do so by the Director. Applications for such authorization shall be filed with the Director on or before September 30, 1945. The maximum quantity of edible oilseed meal which any person may be authorized to acquire for fertilizer purposes shall be the same proportion of the total quantity of edible oilseed meal made available for fertilizer purposes as the proportion which such person used for fertilizer purposes of the total quantity used by all applicants for such purposes during the period July 1, 1941 to June 30, 1942. In making an application the applicant shall inform the Director of the quantity of edible oilseed meal used by him for fertilizer purposes during the period July 1, 1941, to June 30, 1942, unless such information has previously been filed with the Director pursuant to the provisions of War Food Order No. 12 (formerly Food Production Order No. 12).[2] The Director's authorization, serially numbered, will be issued in writing upon approval of the application. No processor, jobber or other person shall deliver any edible oilseed meal to any person for fertilizer purposes other than a person duly authorized to acquire such meal pursuant to the provisions of this order.

(b) *Inedible oilseed meal of edible type.* No processor, jobber or other person shall transfer or deliver any inedible oilseed meal of edible type for fertilizer purposes without first having obtained authorization to do so from the Director. To obtain such authorization the processor, jobber or other person shall apply to the Director in writing, setting forth the type and quantity of such oilseed meal, and an explanation of why it is considered inedible. The authorization will be issued by the Director upon approval.

(c) *Records and reports.* Each person affected by this order shall maintain for at least two years accurate records of his acquisitions and deliveries of edible oilseed meal and inedible oilseed meal of edible type for fertilizer purposes showing the quantities and types acquired from or delivered to each person. In addition, the Director shall be entitled to obtain such information from, and require such reports and the keeping of such additional records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Definitions.* For the purposes of this order:

(1) "Edible oilseed meal" means cottonseed oil meal or cake, soybean oil meal or cake, peanut oil meal or cake, and linseed oil meal or cake, of merchantable quality for feeding purposes.

(2) "Inedible oilseed meal of edible type" means an oilseed meal that ordinarily is edible, but because of taste, color or chemical change, is unfit for feeding.

(3) "Person" means any individual, partnership, corporation, association, business trust or any organized group of persons whether incorporated or not. The term "person" shall also include the United States or any agency thereof and a State or any political subdivision or agency thereof.

(4) "Processor" means a person who produces or processes oilseed meal.

(5) "Jobber" means any person who imports, or purchases from a processor or importer, oilseed meal for transfer to fertilizer manufacturers or other persons.

(6) "Director" means the Director of the Office of Materials and Facilities of the War Food Administration.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of edible oilseed meal or inedible oilseed meal of edible type, of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(g) *Violations.* In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using edible oilseed meal or inedible oilseed meal of edible type. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall,

[1] 9 F.R. 7296.
[2] 8 F.R. 15419, 9 F.R. 2039, 4319.

unless instructions to the contrary are issued by the Director, be addressed to the Director, Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref. WFO 105, Amdt. 1.

NOTE: All reporting and record keeping requirements of this order have been approved by, and subsequent reporting and record keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14733)

Issued this 30th day of June 1945.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 45-11773; Filed, June 30, 1945; 3:29 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 90—DEPARTMENTAL ORGANIZATION AND AUTHORITY

MISCELLANEOUS AMENDMENTS

JUNE 23, 1945.

The following amendments to Part 90, Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

Section 90.3 is amended to read as follows:

§ 90.3 *Board of Immigration Appeals; powers.* (a) Subject to the provisions of § 90.12, the Board of Immigration Appeals in behalf of the Attorney General shall have authority to consider and determine cases involving:

(1) Appeals from decisions of Boards of Special Inquiry in exclusion or preexamination proceedings, if the Commissioner has recommended affirmance of the excluding decision of the Board of Special Inquiry.

(2) Deportation proceedings, if the Commissioner has recommended deportation.

(3) Administrative fines and penalties against persons, steamship companies, or other carriers, for violations of the immigration laws, if the Commissioner has ordered the imposition of a fine and the party or parties fined appeal from the order of the Commissioner.

(4) Applications for admission under the 7th or 9th Provisos to section 3 of the Immigration Act of 1917, if a recommendation for denial has been made by the Commissioner.

(5) Requests for stay of execution of a warrant of deportation, if the Commissioner has denied such request.

(6) Applications filed in accordance with section 9 of the Immigration Act of 1924 for non-quota or preference quota status, if the Commissioner has denied such application.

(7) Revocation of non-quota or preference quota status previously granted to any alien.

(8) All cases whether in deportation, exclusion, or preexamination, or proceedings in which application is made for admission under the 7th or 9th Provisos, in which the Commissioner has entered an order granting relief less favorable than that requested by the subject of the proceeding.

(b) If the Board's decision in any of the foregoing proceedings is contrary to the decision or recommendation of the Commissioner, on the Commissioner's request the case shall be certified to the Attorney General by the Board of Immigration Appeals for final decision. The Commissioner may in any case arising in exclusion, deportation or administrative fine proceedings, which in his opinion presents a problem of difficulty or policy, submit such case to the Board of Immigration Appeals for decision and if review by the Attorney General in any such case is desired by the Commissioner, such case shall be submitted to the Board for consideration and certification to the Attorney General.

(c) The Board shall have jurisdiction to consider and decide any case or matter arising under the immigration and naturalization laws which the Attorney General specially refers to the Board.

(d) In connection with the authority granted to the Board under this section it shall be empowered to exercise such discretion and power conferred upon the Attorney General by law as is appropriate for the complete disposition of the proceeding, including but not limited to the power to cancel or terminate, and the power to grant permission to reapply for admission after arrest and deportation, or exclusion and deportation.

Section 90.5 is amended to read as follows:

§ 90.5 *Board of Immigration Appeals; oral argument.* Oral argument shall be heard by the Board of Immigration Appeals, upon request, in any case or proceeding before it for decision and determination. Requests for oral argument shall be directed to the Board of Immigration Appeals, Department of Justice, Washington, D. C., and shall specify the date on which the argument is desired. The Board shall have authority, upon its own motion or upon request, to fix any date or change the date upon which oral argument is to be heard.

Sections 90.6, 90.7, and 90.8 are hereby revoked.

Section 90.12 is amended to read as follows:

§ 90.12 *Board of Immigration Appeals; reference of cases to the Attorney General.* In any case in which a dissent has been recorded; in any case in which the Board shall certify that a question of difficulty is involved, or in any case in which the Attorney General so directs, the Board of Immigration Appeals shall refer the case to the Attorney General for review of the Board's decision. In any case in which the Attorney General shall reverse the decision of the Board, the Attorney General will state in writing his conclusions and the reasons for his decision.

(R.S. 161, R.S. 360, 39 Stat. 892; 43 Stat. 166; 50 Stat. 164; 53 Stat. 1425; 54 Stat. 675, 1150, 1238; 55 Stat. 736; 5 U.S.C. 22, 311, 8 U.S.C. and Sup., 102, 222, 457, 458, 727)

PART 142—PREEXAMINATION OF ALIENS WITHIN THE UNITED STATES

AUTHORIZATION

The following amendment to Part 142, Title 8, Chapter I, Code of Federal Regulations is hereby prescribed:

Section 142.5 is amended to read as follows:

§ 142.5 *Preexamination; authorization.* The Commissioner or a designated official in the Central Office shall have authority to authorize the preexamination of any alien eligible under the provisions of § 142.2.

(39 Stat. 875, 885, 887, 889, 891, 892, 41 Stat. 981; 45 Stat. 1551; 50 Stat. 164; 53 Stat. 1425; 54 Stat. 671, 673-676, 1233, 1238; 56 Stat. 1044; 8 U.S.C. and Sup. 102, 136, 152, 153, 155 (d), 155 (c), 156, 451-460)

PART 150—ARREST AND DEPORTATION

PROPOSED FINDINGS, CONCLUSIONS AND ORDER

The following amendment to Part 150, Title 8, Chapter I, Code of Federal Regulations is hereby prescribed:

Section 150.7 (e) is hereby amended by deleting the last sentence.

(39 Stat. 892; 43 Stat. 166; 54 Stat. 675; 8 U.S.C. 102, 222, 458)

PART 160—IMPOSITION AND COLLECTION OF FINES

DECISIONS AND APPEAL

The following amendment to Part 160, Title 8, Chapter I, Code of Federal Regulations is hereby prescribed:

Section 160.19 is amended to read as follows:

§ 160.19 *Notice of decisions; appeal.* The Central Office shall furnish notice of the decision in all cases to the field office. The port will then inform the steamship company, carrier or person against whom the proceedings were instituted and, where a fine has been imposed by the Commissioner, shall at the same time notify such company, carrier or person that 30 days will be allowed from the date of the notice within which to enter an appeal to the Board of Immigration Appeals. Any notice of appeal shall be filed in writing at the port and state whether oral argument is desired before the Board. The port shall also inform the Collector of Customs promptly in the event no penalty is imposed, and in all other cases upon the disposition of any appeal, or at the expiration of the time in which an appeal may be entered. The Collector of Customs shall take such action as may be appropriate in carrying out the provisions of the decision.

(39 Stat. 879 ff, 43 Stat. 163, 164, 166, 45 Stat. 1551; 8 U.S.C. 143, 145, 150, 151, 154, 156, 167, 169, 171, 216)

This order shall become effective on August 1, 1945.

UGO CARUSI,
Commissioner.

Recommended:

THOMAS G. FINUCANE,
Chairman,
Board of Immigration Appeals.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 45-11631; Filed, June 30, 1945; 10:40 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 204—RESERVES OF MEMBER BANKS

COMPUTATION OF RESERVES

On June 27, 1945, the Board of Governors of the Federal Reserve System amended § 204.2 (a), effective August 1, 1945, by inserting immediately before the last paragraph of such paragraph the following new paragraph:

§ 204.2 *Computation of reserves.* • • • (a) *Amounts of reserves to be maintained.* • • •

For the purposes of this paragraph and of subparagraph (1) of paragraph (a) of § 204.3, a member bank shall be considered to be in a central reserve city if the head office or any branch of such bank is located in a central reserve city, and a member bank shall be considered to be in a reserve city if the head office or any branch thereof is located in a reserve city and neither the head office nor any branch thereof is located in a central reserve city: *Provided*, That, if a member bank is considered to be in a central reserve city or a reserve city under this paragraph solely by reason of the location of an office of such bank in any outlying district of such a city or in territory added to such city by the extension of the city's corporate limits, such bank may, upon the affirmative vote of five members of the Board of Governors of the Federal Reserve System, be permitted to maintain lower reserve balances as above provided in this paragraph.

(Sec. 11 (c), (e), (i), 38 Stat. 262; sec. 10, 40 Stat. 239; sec. 4, 40 Stat. 970; sec. 207, 49 Stat. 706; sec. 324, 49 Stat. 714; Public No. 656, 77th Cong.; Public No. 37, 78th Cong.; 12 U.S.C. 248 (c), (e), (i), 462, 466, 12 U.S.C., Sup. 462b, 461, 462a1, 465)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.
S. R. CARPENTER,
Secretary.

[F. R. Doc. 45-11804; Filed, July 2, 1945; 10:33 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amdt. 60-2]

PART 60—AIR TRAFFIC RULES

REDUCTION OF PRESCRIBED ALTITUDES

Reduction of the prescribed flight altitudes governing visibility and proximity-to-cloud minimums under contact flight rules from 1,000 to 700 feet and reduction of minimum altitudes for instrument flight from 1,500 to 1,000 feet.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 26th day of June 1945.

Effective August 1, 1945, Part 60 of the Civil Air Regulations is amended as follows:

1. By striking "1,000" from the titles of § 60.110 (a) and (b) and inserting in lieu thereof "700".

2. By striking "1,000" from the "Chart of Visibility and proximity-to-cloud Minimums" in § 60.110 and inserting in lieu thereof "1,000".

3. By striking "1,500" from § 60.23 and inserting in lieu thereof "1,000".

4. By striking "3,000; 5,000; etc." from the table and chart in § 60.24 (b) and inserting in lieu thereof "1,000; 3,000; etc."

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMES,
Secretary.

[F. R. Doc. 45-11833; Filed, July 2, 1945; 11:31 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5239]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PECK AND HILLS FURNITURE CO., INC.

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—List as regular selling:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Retail or selling as wholesale, jobbing or discounted, etc.:* § 3.55 *Furnishing means and instrumentalities of misrepresentation or deception:* § 3.66 (f) *Misbranding or mislabeling—Price:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Exaggerated as regular and customary:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Fictitious marking:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Retail as dealer's or wholesale:* § 3.72 (n) *Offering deceptive inducements to purchase or deal—Special offers, savings and discounts.* In connection with the offering for sale, sale, and distribution of household furniture and floor coverings or other products in commerce, (1) representing, directly or by implication, that the established or regular retail selling prices at which its products are sold or offered for sale to consumer purchasers are special or wholesale prices; (2) using courtesy cards as a means of representing, directly or by implication, that the holders thereof are thereby enabled to purchase respondent's products for less than the prices customarily charged therefor by the respondent; or (3) using in catalogs or on tags attached to the products offered for sale, or otherwise, "list" or other prices which do not represent the prices at which respondent's products are regularly and customarily sold by respondent in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Peck and Hills Furniture Company, Inc., Docket 5239, June 23, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of June A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and a stipulation as to the facts entered into between counsel for the respondent herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which stipulation provides, among other things, that without further evidence or other intervening procedure, the Commission may enter its order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Peck and Hills Furniture Company, Inc., a corporation, its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of household furniture and floor coverings or other products, do forthwith cease and desist from:

1. Representing, directly or by implication, that the established or regular retail selling prices at which its products are sold or offered for sale to consumer purchasers are special or wholesale prices.

2. Using courtesy cards as a means of representing, directly or by implication, that the holders thereof are thereby enabled to purchase respondent's products for less than the prices customarily charged therefor by the respondent.

3. Using in catalogs or on tags attached to the products offered for sale, or otherwise, "list" or other prices which do not represent the prices at which respondent's products are regularly and customarily sold by respondent in the normal and usual course of business.

It is further ordered, That the respond shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-11832; Filed, June 30, 1945; 10:48 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 371]

PART 414—TRANSACTIONS AND OPERATIONS IN HOME OWNERS' LOAN CORPORATION BONDS

RELIEF ON ACCOUNT OF LOST, STOLEN, DESTROYED, MUTILATED OR DEFACED BONDS

Effective July 1, 1945, § 414.4 is hereby amended by striking out the language "407.07a", and inserting in lieu thereof the language "404.04–3".

(Secs. 4 (a), 4 (c), and 4 (k), 48 Stat. 129, 132, as amended by secs. 1 (a), 2, 4, 13 of the Act of April 27, 1934, 48 Stat. 643, 644, 645, 647, secs. 506 (a), (b), 508 (b) of the Act of June 27, 1934, 48 Stat. 1263, 1264, sec. 11 of the Act of May 28, 1935, 49 Stat. 296; 12 U.S.C. 1463; E.O. 9070, 7 F.R. 1529)

Dated: June 29, 1945.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 45-11704; Filed, June 30, 1945; 5:10 p. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 12, Amdt. 2]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PICKING GREEN PEAS FOR MARKET IN MALHEUR COUNTY, OREGON

Supplement 12 (9 F.R. 6701; 10 F.R. 6169) to the specific wage ceiling regulations, § 1110.1 (b) (2) is hereby amended to read as follows:

(2) Long pod varieties, including Giant Stride—60¢ per full bushel hamper.

This amendment shall be effective at 12:01 a. m., Pacific War Time, June 30, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq. (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177, 7609)

Issued this 29th day of June 1945.

K. A. BUTLER,
Acting Director of Labor,
War Food Administration.

[F. R. Doc. 45-11688, Filed, June 30, 1945; 11:06 a. m.]

[Rev. Supp. 27]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN HARVESTING APPLES, PEARS, AND CHERRIES IN HOOD RIVER COUNTY, OREG.

Supplement No. 27 (formerly referred to as Specific Wage Ceiling Regulation 27) issued September 7, 1944 (9 F.R. 11056, 10 F.R. 3518) is hereby amended and revised to read as follows:

§ 1110.3 *Wages of workers engaged in harvesting apples, pears and cherries in Hood River County, Oregon.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon certification of the Oregon WFA Wage Board that a majority of the producers of apples, a majority of the producers of pears, and a majority of the producers of cherries in Hood River County, Oregon, have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Oregon WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking and other harvesting of all varieties of apples, pears, and cherries in the county of Hood River, State of Oregon, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage rates for picking and other harvesting of all varieties of apples, pears and cherries.*

(1) Cherry picking, all varieties—3½¢ per lb.

(2) Bartlett Pear picking:
(i) 10c per apple box or Libby Lug, for single picking
(ii) 11½¢ per A. G. A. Lug, for single picking
(iii) 2¢ more per box may be added to the above rates for size picking

(3) All pear picking other than Bartlett:
(i) 12¢ per apple box or Libby Lug, for single picking
(ii) 13½¢ per A. G. A., for single picking

(4) Apple picking, all varieties except Newtown:
(i) 11¢ per apple box or Libby Lug
(ii) 12½¢ per A. G. A. Lug

(5) Newtown apple picking:
(i) 12¢ per apple box or Libby Lug
(ii) 13½¢ per A. G. A. Lug

(6) Other harvest labor consisting of tractor driver and crew foreman—$1 per hour

Perquisites consisting of cabins, lights, water and fuel may be supplied in addition to the above wage rates.

(c) *Administration.* The Oregon WFA Wage Board, located at 701 Pittock Block, Portland 5, Oregon, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F. R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Revised Supplement No. 27 shall become effective at 12:01 a. m., Pacific war time, June 30, 1945.

(56 Stat. 765 (1942); 50 U.S.C. App. 961 et seq. (Supp. III) 57 Stat. 63 (1943); 50 U.S.C. 964; (Supp. III); 58 Stat. 632 (1944); E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 29th day of June 1945.

K. A. BUTLER,
Acting Director of Labor,
War Food Administration.

[F. R. Doc. 45-11637; Filed, June 30, 1945; 11:06 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter B—Bureau of the Public Debt

[1945 Rev. Dept. Circ. 750]

PART 321—REGULATIONS GOVERNING PAYMENTS BY BANKS AND OTHER FINANCIAL INSTITUTIONS IN CONNECTION WITH THE REDEMPTION OF UNITED STATES SAVINGS BONDS

JUNE 30, 1945.

Department Circular No. 750, dated September 5, 1944 (9 F.R. 10846), is hereby amended, effective July 2, 1945, and issued to read as follows:

Pursuant to the authority of the Second Liberty Bond Act, as amended, the following regulations are hereby prescribed to govern payments by banks and other financial institutions in connection with the redemption of United States Savings Bonds.

SUBPART A—AUTHORITY TO ACT

Sec.
321.1 Financial institutions authorized to act.
321.2 Application and qualification.
321.3 Termination of an agent's qualification to pay bonds.

SUBPART B—GENERAL

Sec.
321.4 Meaning of terms in this circular.
321.5 Reimbursement of agents' costs.
321.6 Announcements, etc., of authority to pay bonds.

SUBPART C—SCOPE OF AUTHORITY OF PAYING AGENTS

321.7 General.
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321.17 Redemption of bonds not payable by agents.
321.18 Functions of Federal Reserve Banks.
321.19 Supplements, amendments, etc.

AUTHORITY: §§ 321.1 to 321.19, inclusive, issued under R. S. 161 (5 U.S.C. 22), the Second Liberty Bond Act, as amended, and the Public Debt Act of 1941 (55 Stat. 7).

SUBPART A—AUTHORITY TO ACT

§ 321.1 *Financial institutions authorized to act.* Commercial banks, trust companies, savings banks, savings and loan associations, building and loan associations (including cooperative banks), credit unions, cash depositories, industrial banks, and similar financial institutions which (a) are incorporated under Federal Law or under the laws of a State, Territory or possession of the United States, the District of Columbia, or the Commonwealth of the Philippine Islands; (b) in the usual course of business accept, subject to withdrawal, funds for deposit or the purchase of shares; (c) are under the supervision of the banking department or equivalent authority of the jurisdiction in which incorporated; (d) maintain regular offices for the transaction of their business; and (e) are open daily and observe regular business hours, are eligible to become paying agents and, upon qualification in accordance with § 321.2 hereof, are hereby authorized to make payments in connection with the redemption of United States Savings Bonds, subject to the provisions of this circular and any instructions issued hereunder.

§ 321.2 *Application and qualification.* Federal Reserve Banks, as Fiscal Agents of the United States, are authorized to qualify eligible institutions hereunder, and to terminate any such qualification as hereinafter provided. Any eligible institution possessing adequate authority under its charter which desires to qualify to make payments in connection with the redemption of United States Savings Bonds, should make application to the Federal Reserve Bank of the Federal Reserve District in which it is located[1] on Application-Agreement Form PD 1958, Revised (see appended Exhibit A), copies of which may be obtained from the appropriate Federal Reserve Bank. If the application is approved, the Federal Reserve Bank will forward to the applicant a Notice of Qualification Form PD 1959 Revised (see appended Exhibit B), establishing that it is qualified to make payments in connection with the redemption of the United States Savings Bonds hereinafter specified. If the application is not approved, the applicant will be so advised in writing by the Federal Reserve Bank of the District.

(a) *Continuation of existing qualifications.* Any incorporated bank or trust company duly acting as a paying agent at the effective date of this revision may continue so to act under its present qualification, but subject to the terms and conditions of this part.

§ 321.3 *Termination of an agent's qualification to pay bonds.* The Secretary of the Treasury or under authority of the Secretary the appropriate Federal Reserve Bank, as Fiscal Agent of the United States, may, by written notice, at any time and without previous demand or notice, terminate the qualification of any paying agent hereunder. A duly qualified paying agent may discontinue making payments at any time upon written notice to the Federal Reserve Bank, and its qualification shall thereupon cease.

SUBPART B—GENERAL

§ 321.4 *Meaning of terms in this part.* For the purpose of this part, unless otherwise indicated specifically, or by context, the terms:

(a) "Paying agent(s)" or "agent(s)" shall mean any eligible financial institution duly qualified pursuant to the provisions of this circular to make payments in connection with the redemption of the United States Savings Bonds hereinafter specified, including such branches located within the United States (including its territories and possessions and the Canal Zone) and the Commonwealth of the Philippine Islands, as it may wish to utilize. For the purpose of this circular the term "branches" shall include those bank facilities at army and navy installations and at defense plants which have been established for the duration of the War with the specific approval of the Treasury Department.

(b) "Bond(s)" shall include only United States Savings Bonds of Series A, B, C, D or E, including bonds of Series E designated Defense Savings Bonds or War Savings Bonds. (Savings Bonds of Series F and G are not included.)

(c) "Owner(s)" shall mean an individual (natural person) whose name is inscribed as an owner (or coowner) in his own right on a bond which is registered in any of the following forms:

(1) In the name of a single individual in his own right, e. g. John A. Jones;

(2) In the names of two individuals as coowners, e. g. John A. Jones or Mrs. Ella S. Jones (each is considered as an owner, and payment may be made to either without the consent of the other); or

(3) In the name of one individual, payable on death to another, e. g. John A. Jones, payable on death to Mrs. Ella S. Jones, or John A. Jones, p. o. d. Mrs. Ella S. Jones. (In this example, John A. Jones is the owner and Mrs. Ella S. Jones is the beneficiary. Payment under this circular to a beneficiary is not authorized.)

(d) "Federal Reserve Bank" includes each Federal Reserve Bank and each Branch of a Federal Reserve Bank conducting any of the transactions in connection with which the term is used in this part.

§ 321.5 *Reimbursement of agents' costs.* (a) Each paying agent shall be entitled to receive, for its service in paying bonds hereunder, reimbursement for bonds paid and forwarded to the Federal Reserve Bank each calendar quarter according to the following scale, which shall be applicable separately to the agent and to each of its branches utilized in making payments hereunder, if the bonds paid by each are separately scheduled and accounted for:

15 cents each for the first 1,000 bonds.
10 cents each for all over 1,000 bonds.

The date such bonds are forwarded to the Federal Reserve Bank will govern the rate of reimbursement, and the payment of such amount as the agent is entitled to receive shall be made by the Federal Reserve Bank on behalf of the Treasury Department.

(b) Paying agents shall not make any charge whatever to owners of savings bonds in connection with payments hereunder.

§ 321.6 *Announcements, etc. of authority to pay bonds.* Any announcement of or any reference to an agent's authority to pay savings bonds may be made only in a form or manner or contain such statements or substance as may be approved by the Secretary of the Treasury or, under authority of the Secretary, by the Federal Reserve Bank of the District, as Fiscal Agent of the United States. An eligible financial institution shall not make such announcements or references unless and until it is officially qualified to pay bonds.

SUBPART C—SCOPE OF AUTHORITY OF PAYING AGENTS

§ 321.7 *General.* In order to protect the interests of the owners and to insure receipt by the proper persons of the proceeds thereof, savings bonds are registered, are not transferable, and, in accordance with their terms, are payable only to the owner named on the bond

[1] For the purpose of this part, eligible institutions in Puerto Rico, the Virgin Islands and the Canal Zone shall be considered as being within the Second Federal Reserve District and shall make application to the Federal Reserve Bank of New York, and eligible institutions in Alaska, Hawaii, Guam and the Philippine Islands shall be considered as being within the Twelfth Federal Reserve District and shall make application to the Federal Reserve Bank of San Francisco.

(except as otherwise specifically provided in the regulations governing the bonds); they may not be used as security for loans or advances in any form. This policy must be understood and effectuated by each agent, notwithstanding the authority granted herein to make payments of bonds, since it is of the utmost importance that payment of the appropriate redemption value of the bonds be made only to and received by the persons entitled and strictly under the terms and conditions of the bonds and applicable regulations.

§ 321.3 *Payments to owner named on bond.* Subject to the terms of the bonds and to the provisions of the regulations governing them (Treasury Department Circular No. 530, as currently in effect on the date of payment) and the provisions of this part, an agent may make payment of any United States Savings Bond of Series A, B, C, D or E, to the individual (natural person) whose name is inscribed as the owner (or coowner) in his own right on the bond: *Provided*, That such individual presents the bond to the agent for payment and that the individual is known to the agent or establishes his identity to the complete satisfaction of the agent. This authority to make payments to the owner named on the bond will be held to include the following exceptional cases:

(a) *Payments—owner's name changed by marriage.* Where the name of the owner as inscribed on the bond has been changed by marriage and the agent knows or can establish to its complete satisfaction the identity of the owner whose name has been so changed. The signature to the request for payment should show both names, for example "Miss Mary T. Jones, now by marriage Mrs. Mary J. Smith." An agent is not authorized to pay a bond for an owner whose name as inscribed on the bond has been changed in any other manner.

(b) *Payments—to parent of a minor.* Where the name of the owner inscribed on the bond is that of a minor child who is not of sufficient competency and understanding to execute the request for payment and comprehend the nature of such act but upon whose behalf request for payment is made by a parent with whom the child resides: *Provided, however*, That the form of registration does not indicate a guardian or similar representative of the estate of the minor owner has been appointed or is otherwise legally qualified. The parent requesting payment on behalf of the minor child must be known or his or her identity established to the complete satisfaction of the agent, and the parent must sign the request for payment in the form: "John A. Jones, on behalf of John C. Jones" and affix an endorsement in substantially the following form, which may be typed on the back of the bond: "I certify that I am the ---------- (father or mother) of John C. Jones and the person with whom he resides. He is ---- years of age and is not of sufficient competency and understanding to sign the request." Such a payment may not be made to any person other than a father or mother.

§ 321.9 *Specific limitations of payment authority.* An agent is not authorized to pay a bond:

(a) If the bond is presented for payment prior to the expiration of 60 days from the issue date (the issue date should not be confused with the date appearing in the issuing agent's dating stamp.) Any payment or advance to a bond owner before a bond is eligible for redemption is not authorized in any circumstance.

(b) If the agent does not know or cannot establish to its complete satisfaction the identity of the person requesting payment as the owner of the bond (including the establishment of the identity of parents requesting payment on behalf of minor children, as set forth in § 321.8 (b)).

(c) If the owner requesting payment (form for which appears on the back of each bond) does not sign his name in ink as it is inscribed on the face of the bond and show his home or business address. (See also §§ 321.8 (a) and (b) and 321.10 (d).)

(d) If the bond appears to bear a material irregularity, for example, an altered, illegible, incomplete or unauthorized inscription, issue date or issuing agent's validating stamp impression; or if a bond appears to be altered, or is multilated or defaced in such a manner as to create doubt or arouse suspicion with respect to the bond or any essential part thereof.

(e) If the bond is marked "Duplicate."

(f) If Treasury Department regulations require the submission of documentary evidence to support the redemption of the bond, as in the case of deceased owners, incompetents or minors under legal guardianship or the change of an owner's name as inscribed on a bond if for any reason other than marriage.

(g) If the owner named on the bond and requesting payment is a minor who, in the opinion of the agent, is not of sufficient competency and understanding to execute the request for payment and comprehend the nature of such act. (Note the authority granted to agents to make payments of bonds to either parent on behalf of a minor child under the provisions of § 321.8 (b).)

(h) If it is known to the agent that the owner has been declared, in accordance with law, incompetent to manage his estate.

(i) If partial redemption is requested. Attention is directed to § 321.17 hereof for handling bonds of the foregoing classes of cases which may not be paid by agents.

SUBPART D—PAYMENT AND ACCOUNTING

§ 321.10 *Examination of bonds presented for payment.* Before making payment of bonds presented hereunder the agent:

(a) Shall determine that the person requesting payment as the "owner" (as defined in this circular) is known or his identity is established to the satisfaction of the agent.

(b) Shall examine the bond and determine that it is a bond which the agent is authorized to pay under the provisions of this part.

(c) If the request for payment on the back of the bond is already executed, shall determine that the request is properly signed by the registered owner presenting the bond and that his home or business address is shown.

(d) If the request for payment on the back of the bond has not been executed or has been improperly executed by the owner presenting the bond, shall require such owner to properly sign the request and show his home or business address.

§ 321.11 *Certification of requests for payment.* In view of the provisions of this part governing payment of bonds and the requirements as to the data to be endorsed on each bond, under § 321.12, an agent will not be required in the case of any bond paid by it to complete the certification form at the end of the request for payment, nor determine the authenticity of any certification which may appear on the bond at the time it is presented for payment: *Provided, however*, That each agent submitting paid bonds shall be understood by such submission to have represented and certified that the identity of the owner requesting payment has been duly established to the satisfaction of the agent by one of its officers or by an employee duly authorized by the agent.

§ 321.12 *Determination of redemption values and payment of bonds.* The redemption value of a bond is determined from the period of time (years and full half-year) that it has been outstanding, and the table of redemption values on each bond. The Federal Reserve Bank of the District will furnish each agent monthly with a table of redemption values from which it will be possible, after determining the month and year of issue of any bond, to immediately establish its current value. After establishing such value, payment thereof to the owner requesting payment shall be made in cash. No objection will be made to an arrangement between the owner and the agent under which the owner accepts in lieu of cash, a credit to his checking, savings or share account with the agent, or a check or similar instrument payable to his order. Each agent shall place on the face of each bond paid by it the word "Paid," the amount and date of payment and the name, location and code number assigned to the agent by the Federal Reserve Bank. Other data pertinent to the payment procedure of an agent may be included if approved by the Federal Reserve Bank of the District. The Federal Reserve Bank will furnish rubber stamps for this purpose or, in lieu thereof, will approve suitable stamps prepared by an agent. The affixation of such data shall be construed by and between the agent and the Treasury Department to be a certification by the paying agent that the bond has been paid in accordance with the terms and requirements of this part and that payment of the proceeds of the bond has been made to the owner.

§ 321.13 *Forwarding paid bonds to the Federal Reserve Bank.* After payment, the bonds shall be forwarded to the Federal Reserve Bank of the District in accordance with instructions issued by such Federal Reserve Bank.

§ 321.14 *Redemption of paid bonds by Federal Reserve Banks.* Upon receipt of the paid bonds the Federal Reserve Bank will make immediate settlement with the paying agent for the total amount of payments made on such bonds; however, such settlement shall be subject to adjustment if any discrepancies are discovered at a later date.

§ 321.15 *Losses resulting from payments.* Section 22 of the Second Liberty Bond Act, as amended, provides:

(1) Any losses resulting from payments made in connection with the redemption of savings bonds shall be replaced out of the fund established by the Government Losses in Shipment Act, as amended, under such regulations[1] as may be prescribed by the Secretary of the Treasury. The Treasurer of the United States, any Federal Reserve Bank, or any qualified paying agent authorized or permitted to make payments in connection with the redemption of such bonds, shall be relieved from liability to the United States for such losses, upon a determination by the Secretary of the Treasury that such losses resulted from no fault or negligence on the part of the Treasurer, the Federal Reserve Bank, or the qualified paying agent. • • •. The provisions of Section 3 of the Government Losses in Shipment Act, as amended,[2] with respect to the finality of decisions by the Secretary of the Treasury shall apply to the determinations made pursuant to this subsection. • • •.

(a) *Consideration of facts concerning loss.* In any case in which a loss occurs, the paying agent shall be afforded ample opportunity to present all of the facts pertaining to the circumstances of the payment for consideration by the Secretary.

§ 321.16 *Preservation of rights.* Nothing contained in this part shall be construed to limit or restrict any existing rights which holders of savings bonds may have acquired under the circulars offering such bonds for sale and the regulations prescribed thereunder.

§ 321.17 *Redemption of bonds not payable by agents.* Any bonds which an agent is not authorized to pay pursuant to the provisions of this part should be forwarded by the owner, or his agent, after certification of the requests for payment, to the Federal Reserve Bank or Branch of the District for redemption. If an agent should undertake to forward such unpaid bonds at the request and in behalf of the person entitled to payment, such bonds must be sent separate and apart from bonds which the agent has paid. Any documentary evidence required to support the redemption should accompany the bond or bonds when forwarded to the Federal Reserve Bank.

§ 321.18 *Functions of Federal Reserve Banks.* The Federal Reserve Banks, as Fiscal Agents of the United States, are authorized to perform such duties, and prepare and issue such forms and instructions, as may be necessary to the fulfillment of the purpose and requirements of this part. The Federal Reserve Banks, in their discretion, may utilize any or all of their Branches in the performance of these duties.

§ 321.19 *Supplements, amendments, etc.* The Secretary of the Treasury may at any time or from time to time revise, supplement, amend, or withdraw, in whole or in part, the provisions of this part, or of any revisions, supplements, or amendments thereto, information as to which will be furnished promptly to the Federal Reserve Banks and to the agents qualified hereunder.

HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

EXHIBIT A

Form PD 1958, Revised (July 2, 1945)
Treasury Department, Fiscal Service
Bureau of the Public Debt

APPLICATION-AGREEMENT

Payments by banks and other financial institutions in connection with the redemption of United States Savings Bonds

Dated ---------- 194--

To the FEDERAL RESERVE BANK OF ----------
Fiscal Agent of the United States.

The ---------- hereinafter referred to as the undersigned, hereby applies for qualification to make payments in connection with the redemption of United States Savings Bonds, as provided in Treasury Department Circular No. 750, Revised. The undersigned hereby certifies that (a) it is incorporated under the laws of ----------; (b) in the usual course of business it accepts, subject to withdrawal, funds for deposit or the purchase of shares; (c) it is under the supervision of the ----------; (d) it maintains a regular office for the transaction of its business at the address specified below; (e) it is open daily and observes regular business hours; and (f) it has adequate authority under its charter to enter into this agreement.

Name of institution

Name of supervising Dept. or similar office

State or other jurisdiction

In consideration of being qualified as a paying agent, the undersigned hereby agrees:

1. To be bound by and to comply with the provisions of Treasury Department Circular No. 750, Revised, including all supplements and amendments thereof and instructions issued thereunder.

2. That the Secretary of the Treasury, or the Federal Reserve Bank of ----------, by written notice, may, at any time, and without previous demand or notice, terminate the qualification of the undersigned; and that in the event of such termination the undersigned, after receipt of such notice or after the date of termination specified therein, will not thereafter pay any United States Savings Bonds.

It is understood that the undersigned may withdraw from this Agreement at any time upon written notice of such intention to the Federal Reserve Bank of ----------.

In witness whereof, the undersigned has caused this Agreement to be executed under seal by the officer below named, thereunto duly authorized by a resolution of its governing board or committee adopted on the ----- day of ----------, 194--.

---------- (Name)

---------- (Address)

[SEAL] By ---------- (Signature of Officer)

---------- (Title of Officer)

ACKNOWLEDGMENT

State of }
County of } *ss:*

On this ------- day of ----------, 194--, before me appeared ----------, to me personally known, who being by me duly sworn, did say that he is the ---------- of the ---------- (Title of Officer) ---------- and ---------- (Name of Institution) that the seal affixed to the above instrument is the corporate seal of said institution, and that the above instrument was signed and sealed in behalf of said institution by authority of its governing board or committee, and said officer acknowledged said instrument to be the free act and deed of said institution.

[SEAL] ----------
Notary Public

My commission expires ----------

(In case the applicant has no corporate seal omit the words, "and that the seal affixed to the above instrument is the corporate seal of said institution", and add at the end of the affidavit "The institution has no corporate seal".)

EXHIBIT B

Form PD 1959, Revised (July 2, 1945)

Treasury Department Fiscal Service
Bureau of the Public Debt

NOTICE OF QUALIFICATION OF A BANK OR OTHER FINANCIAL INSTITUTION TO MAKE PAYMENTS IN CONNECTION WITH THE REDEMPTION OF UNITED STATES SAVINGS BONDS

----------, 194----

To: ----------

GENTLEMEN:

Your Application-Agreement Form PD 1958, Revised, dated ---------, has been approved as of this date. You are hereby notified that you are qualified to make payments in connection with the redemption of United States Savings Bonds pursuant to the provisions of Treasury Department Circular No. 750, Revised, and any supplements or amendments thereof and instructions issued pursuant thereto.

FEDERAL RESERVE BANK OF ----------
Fiscal Agent of the United States

By ----------

[F. R. Doc. 45-11626; Filed, June 30, 1945; 10:15 a. m.]

[1] Regulations governing replacement of connection with the redemption of United States Savings Bonds are set forth in Part 322 of this chapter.

[2] The provisions of section 3 of the government Losses in Shipment Act, as amended, with respect to the finality of decisions by the Secretary of the Treasury are—"Notwithstanding any provision of law to the contrary, the decision of the Secretary of the Treasury that such loss, destruction, or damage has occurred or that such shipment was made substantially in accordance with such regulations shall be final and conclusive and shall not be subject to review by any other officer of the United States."

[1945 Rev. Dept. Circ. 751]

PART 322—REGULATIONS GOVERNING REPLACEMENT OUT OF THE FUND ESTABLISHED BY THE GOVERNMENT LOSSES IN SHIPMENT ACT, AS AMENDED, OF ANY LOSSES RESULTING FROM PAYMENTS MADE IN CONNECTION WITH THE REDEMPTION OF UNITED STATES SAVINGS BONDS

JUNE 30, 1945.

Department Circular No. 751, dated September 5, 1944, (9 F.R. 10848) is hereby amended and issued to read as follows:

SUBPART A—REGULATIONS PRESCRIBED

Sec.

322.1 Application of regulations.

SUBPART B—REPORTS OF LOSSES

322.2 Loss to the United States.
322.3 Erroneous payments reported to or discovered by Federal Reserve Banks.
322.4 Report to Treasury of cases involving erroneous payments.

SUBPART C—FINAL DETERMINATION OF LOSSES

322.5 Reported erroneous payment; general action by Treasury.
322.6 Restitution by paying agents.

SUBPART D—REPLACEMENT OF LOSSES OUT OF THE FUND

322.7 Replacement and recovery in connection with losses.

SUBPART E—INVESTIGATION OF LOSSES

322.8 Use of United States Secret Service.

SUBPART F—SUPPLEMENTS, AMENDMENTS, ETC.

322.9 Supplements, amendments, etc.

AUTHORITY: §§ 322.1 to 322.9, inclusive, issued under R.S. 161 (5 U.S.C. 22) the Second Liberty Bond Act, as amended, and the Public Debt Act of 1941, sec. 3 (55 Stat. 7).

SUBPART A—REGULATIONS PRESCRIBED

§ 322.1 *Application of regulations.* Pursuant to the authority of the Second Liberty Bond Act, as amended, the following regulations are hereby prescribed for the replacement out of the fund established by the Government Losses in Shipment Act, as amended, of any losses to the United States resulting from payments made in connection with the redemption of United States Savings Bonds, and shall apply to losses resulting from payments made (a) by the Treasurer of the United States, (b) by any Federal Reserve Bank or Branch, as Fiscal Agent of the United States, and (c) by any bank or other financial institution qualified as a paying agent pursuant to Part 321 of this chapter.

SUBPART B—REPORTS OF LOSSES

§ 322.2 *Loss to the United States.* A loss to the United States may result from an erroneous (or unauthorized) payment in connection with the redemption of savings bonds.

§ 322.3 *Erroneous payments reported to or discovered by Federal Reserve Banks.* If a financial institution, qualified to pay savings bonds, finds an erroneous payment to have been made, either before or after the bonds have been forwarded to the Federal Reserve Bank, immediate report thereof should be made to the Federal Reserve Bank. Any such erroneous payments so reported, and any other erroneous payments found by a Federal Reserve Bank of bonds received from a duly qualified paying agent shall, so far as possible, be adjusted between the Federal Reserve Bank and the paying agent concerned.

§ 322.4 *Report to Treasury of cases involving erroneous payments.* Any such erroneous payments which cannot be adjusted by a Federal Reserve Bank and any other erroneous payments found after the account of the Treasurer of the United States has been charged shall immediately be reported by the Federal Reserve Bank to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois.

SUBPART C—FINAL DETERMINATION OF LOSSES

§ 322.5 *Reported erroneous payment, general action by Treasury.* Following receipt of the report of an erroneous payment, the Treasury Department will appropriately advise the paying agent concerned, unless such action is unnecessary. The Department shall determine whether or not appropriate adjustment may be effected with the persons concerned in the erroneous payment and in this connection will expect the cooperation of the paying agent, if necessary.

(a) If it is determined that no loss to the United States will occur the paying agent will be so advised.

(b) If it is determined that a final loss to the United States has occurred, the paying agent will be given every opportunity to present the full facts relating to the payment for consideration of the Secretary of the Treasury. If the Secretary shall determine that the final loss resulted from no fault or negligence on the part of the paying agent, notice to that effect will be given the paying agent and he will be relieved from liability to the United States. If, however, the Secretary of the Treasury finds fault or negligence on the part of the paying agent, notice to that effect will be given such paying agent who will be expected to make prompt restitution.

§ 322.6 *Restitution by paying agents.* In no case will the Treasurer of the United States, a Federal Reserve Bank (including any of its branches) or the financial institution qualified as a paying agent under Part 321 of this chapter, whichever made the erroneous payment, be called upon to make restitution unless and until the Secretary has determined that a final loss has been incurred as a result of an erroneous payment due to the fault or negligence of the paying agent.

SUBPART D—REPLACEMENT OF LOSSES OUT OF THE FUND

§ 322.7 *Replacement and recovery in connection with losses.* When it is established to the satisfaction of the Secretary of the Treasury that a loss has resulted from a payment made in connection with the redemption of a United States Savings Bond, the loss shall be subject to immediate replacement out of the fund established by the Government Losses in Shipment Act, as amended. Any recovery or repayment on account of any such loss as to which replacement shall have been made out of the fund, shall be credited to the fund.

SUBPART E—INVESTIGATION OF LOSSES

§ 322.8 *Use of United States Secret Service.* The Treasury Department and, in appropriate cases, Federal Reserve Banks, as Fiscal Agents of the United States, may request the Secret Service to investigate losses and assist in the recovery of improper payments. The Treasurer of the United States, the Federal Reserve Banks, and qualified paying agents should cooperate with the Secret Service to the fullest extent in facilitating investigations and making recoveries and they will be expected to take such actions as may be necessary on their part to complete such investigations and recoveries.

SUBPART F—SUPPLEMENTS, AMENDMENTS, ETC.

§ 322.9 *Supplements, amendments, etc.* The Secretary of the Treasury may at any time or from time to time supplement, amend, or withdraw, in whole or in part, the provisions of this circular, or of any amendments or supplements thereto, information as to which will be furnished promptly to the Federal Reserve Banks and to eligible financial institutions qualified to make payments of savings bonds under the provisions of Part 321 of this chapter.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 45-11627; Filed, June 30, 1945; 10:15 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 297]

FILING FOLDER

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 54, entitled "Filing Folder"

The foregoing discontinuance shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 28, 1945.

[F. R. Doc. 45-11598; Filed, June 29, 1945; 2:58 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 42]

PART 802—GENERAL LICENSES

MEXICO; SHIPMENTS OF LIMITED VALUE

Section 802.10 *Shipments of limited value "GLV"* is hereby amended in the following particulars:

Paragraph (f) *Special provisions for Mexico* is amended by adding thereto subparagraph (5) to read as follows:

(5) Notwithstanding the value limits specified in the Schedule of Commodities set forth in § 801.2 of this subchapter under the column headed "GLV Dollar Value Limits" the following textile commodities may be exported under general license "GLV" to Mexico where, in a single shipment, the net value of all articles or commodities classified under a single Schedule B Number listed in Group I (cotton) does not exceed $25.00 and the net value of all articles or commodities classified under a single Schedule B. Number listed in Group II (woolens) does not exceed $50.00 *Provided:* That such shipments are made in conformity with the special provisions for Mexico, set forth in this paragraph (f) and also that no exportation of such commodities may be made under this general license unless such commodities are intended for the direct use of the consignee or members of his immediate family and are not being exported for the purpose of resale.

LIST OF COMMODITIES

GROUP I—COTTON (DOLLAR VALUE LIMITATION—$25)

Schedule B number	*Commodity description*
309300	Women's knit hosiery.
309400	Children's knit hosiery.
309500	Men's knit hosiery.
309600	Men's and boys' underwear.
309700	Women's and children's underwear.
309800	Nightwear, knit, women's and children's.
309910	Men's and boys' sweaters, jersey pullovers and sweatshirts.
309950	Women's and children's sweaters and shawls.
309990	Knit apparel, n. e. s.
311300	Men's and boys' jackets and windbreakers.
311400	Overalls, breeches, pants, aprons and men's work clothing, n. e. s.
311500	Nightwear, men's and boys'.
311610	Underwear, men's and boys'.
311710	Work shirts.
311720	Other men's and boys' shirts, except knit.
312000	Men's and boys' clothing of woven fabrics, n. e. s.
312200	Women's dresses and ensembles.
312400	Women's and children's underwear and nightwear, not knit.
312700	Children's outerwear, not knit.
312900	Women's and children's apparel of woven fabrics, n. e. s.
318900	House furnishings, n. e. s.

GROUP II—WOOL (DOLLAR VALUE LIMITATION—$50)

367500	Knit bathing suits.
367600	Knit sweaters for men, women and children.
367700	Wool knit goods, n. e. s.
368005	Men's overcoats, suits and pants.
368098	Boys' overcoats, suits and pants.
368200	Women's and children's dresses and ensembles, except knit.
368300	Women's and children's apparel, except knit, n. e. s.
368950	Men's and boys' apparel, except knit, n. e. s.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 26, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-11801; Filed, July 2, 1945; 10:08 a. m.]

[Amdt. 43]

PART 810—LIMITED PRODUCTION LICENSE FOR FARM MACHINERY "LPL"

Part 810 Limited production license for farm machinery "LPL" is hereby amended to read as follows:

Sec.
810.1 General provisions.
810.2 Clearance for export.
810.3 Period of validity.

AUTHORITY: §§ 810.1 to 810.3 issued under sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320.

§ 810.1 *General provisions.* (a) There is hereby established a limited production license, designated "LPL", authorizing, subject to the other provisions of this part, the exportation of farm machinery and equipment, not including repair parts, manufactured for export, or the production of which is permitted, under the provisions of War Production Board Order L-257-c and classified under one of the following Department of Commerce Schedule B numbers:

610600, 618500
620998, 701200, 709998
722300, 722600
735500, 735700, 736100
736500, 736800, 736900
759200, 761200
775098
780000 thru 784100
784400 thru 787000
787900 thru 788600
788905 thru 789600
789998, 797500

(b) Any person may, as an alternative procedure to the filing of applications for individual licenses, file an "Application for Limited Production License accompanied by an "Application for Distribution Schedule for Farm Machinery and Equipment" for the exportation of farm machinery and equipment (not including repair parts) manufactured, or the production of which is permitted, under the provisions of War Production Board Order L-257-c. Such applications shall be filed on the form or forms prescribed by the Foreign Economic Administration. Any exporter, other than a manufacturer or manufacturer's agent, shall, in addition, submit a statement from the manufacturer of such farm machinery and equipment that the commodities to be exported as set forth in said distribution schedule have been charged to the manufacturer's production for export in any case where the commodities to be exported have been or will be produced by a manufacturer whose production of farm machinery and equipment for export is scheduled by the War Production Board. All of the terms, conditions, provisions and instructions contained in such forms are hereby incorporated as a part of the regulations in this subchapter. Each application shall contain such information as may be required by the Foreign Economic Administration, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) Applications for limited production licenses and related distribution schedules for farm machinery and equipment produced under War Production Board Order L-257-c shall be filed with the Agricultural Machinery Section, Office of Food Programs, Foreign Economic Administration, Washington 25, D. C.

(d) Any exporter, whose application for a limited production license and related application for a distribution schedule for farm machinery and equipment has been approved, may, during the period of validity of the license, export under such license to each country or group of countries listed in the related distribution schedule not more than the quantity and type of farm machinery and equipment approved by the Foreign Economic Administration for export to each such country or group of countries in said distribution schedule.

(e) Limited production licenses and related distribution schedules for farm machinery and equipment may be amended by the Foreign Economic Administration upon application of the holder of such license in the form of a letter addressed to the Office of Food Programs, Foreign Economic Administration, Washington 25, D. C. Amendments will be issued by the Foreign Economic Administration by letter which shall be considered a part of the limited production license and distribution schedule to which the amendment is applicable.

§ 810.2 *Clearance for export.* (a) The provisions of § 801.7 of this subchapter shall not apply to exportations under any limited production license for farm machinery and equipment. In lieu of the presentation of an original export license, or other document issued by Foreign Economic Administration, the exporter making an exportation of farm machinery and equipment under a limited production license shall present to the United States Collector of Customs at the port of exit, or the United States Postmaster at the place of mailing, a Shipper's Export Declaration bearing

the symbol "LPL" and the number of the limited production license pursuant to which such exportation is being made.

(b) The use by any exporter of the symbol "LPL" on a Shipper's Export Declaration for the purpose of clearing an exportation of farm machinery and equipment constitutes a certification by the exporter (1) that the exportation of the commodities described in such Shipper's Export Declaration is authorized under the limited production license therein identified to the destination specified; (2) that the type and quantity of such commodities are within the limitations set by the distribution schedule relating to such license; (3) that all of the other provisions and conditions of said license have been met.

§ 810.3 *Period of validity.* Limited production licenses for farm machinery and equipment manufactured, or the production of which is permitted, under the provisions of War Production Board Order L–257–c shall be valid for the period beginning on July 1, 1945, or on any subsequent date of issuance, and expiring on July 31, 1946 unless otherwise indicated on the face of the license or unless the period of validity is reduced or extended by the Foreign Economic Administration. This amendment supersedes the provisions of Part 810 previously in effect except that all limited production licenses issued prior to July 1, 1945 authorizing the exportation of farm machinery, equipment and repair parts manufactured under the provisions of War Production Board Order L–257–a are continued in effect until July 31, 1945.

This amendment shall take effect on July 1, 1945.

Dated: June 29, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45–11802; Filed, July 2, 1945; 10:08 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 937—ZINC

[M–11 as Amended June 30, 1945]

SLAB ZINC

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of zinc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 937.1 *General Preference Order M–11*—(a) *Scope of this order.* This order controls deliveries of zinc insofar as necessary to assure that consumers obtain available zinc of a particular grade or grades to fill "preferred orders" as defined in paragraph (b) (4). Consumers are required to file applications with the War Production Board setting forth their "preferred orders" for zinc and the War Production Board will issue them allocations of sufficient zinc to fill such orders to the extent that zinc is available therefor. Producers of zinc will be directed to set aside from their production a sufficient amount of zinc in each grade to fill orders supported by allocation certificates. Deliveries of zinc by producers over and above the amount under allocation will be unrestricted except as subject to specific directions of the War Production Board in cases of emergencies.

(b) *Definitions.* (1) "Zinc" means all grades of metallic slab zinc (spelter) produced directly from ores, concentrates or other primary material; or redistilled from zinc scrap, including ashes, dross, skimmings, clippings, castings, engravers' plates, die castings, die cast scrap, or any secondary zinc-bearing material.

(2) "Producer" means any person producing zinc and any person who has zinc produced for him under toll agreement.

(3) "Dealer" means any person who regularly receives physical delivery of zinc and sells or holds the same for resale without changing the form. A person who produces any zinc or who has the same produced for him under toll agreement, is a producer as to such zinc, and not a dealer.

(4) "Preferred order" means an order bearing a rating of AA–3 or higher in the case of non-controlled materials and products, and in the case of controlled materials an "authorized controlled material order" as defined in CMP Regulation 1, other than an authorized controlled material order identified by a CMP allotment symbol containing the letter "Z".

(c) *Restrictions on deliveries.* (1) Each producer and importer of zinc shall set aside the amounts and grades of zinc as directed monthly by the War Production Board (beginning with the month of August, 1945) and, except as noted in paragraph (c) (2) below, no producer shall deliver any zinc so set aside except on notification from the purchaser of the serial number of an allocation certificate issued him under paragraph (d) of this order.

(2) Any zinc set aside for a particular month (beginning with August, 1945) as directed by the War Production Board and for which a producer or importer has not received an order supported by notification of an allocation serial number on or before the 10th day of that month, may be delivered without restriction after the 10th day of that month.

(3) On and after August 1, 1945, each producer and importer may deliver at any time and without restriction under this order zinc which the War Production Board has not directed him to set aside as provided in paragraph (c) (1).

(4) Preference ratings, except AAA, on purchase orders filed with a producer or importer are not applicable whether or not such orders are supported by an allocation certificate.

(d) *Acceptance of deliveries of zinc from producers and importers.* (1) Any person consuming twenty tons or more of zinc a month and all dealers shall file Form WPB–2893 with the War Production Board not later than the 12th day of each month in accordance with instructions on said form.

(2) For the month of August, 1945, and monthly thereafter, the War Production Board will allocate zinc in amounts and grades necessary to fill "preferred orders" but only to the extent that zinc is available therefor.

(3) An allocation certificate issued for the month of August, 1945, and for any month thereafter will authorize the holder to accept from a producer, an importer or the Metals Reserve Company deliveries of zinc in the amount and grade specified, provided notification of the serial number of an allocation certificate is presented to the producer, the importer or the Metals Reserve Company on or before the 10th day of said month. The holder of an allocation certificate shall not use it to obtain more than the amount and grades of zinc therein stated.

(4) After the month of July, 1945, the War Production Board will not allocate zinc to fill orders other than "preferred orders" and any person may accept delivery of zinc to fill them from any available source of supply.

(e) *Acceptance of deliveries of zinc from a dealer.* (1) No allocation certificate will be issued by the War Production Board to permit any person to accept deliveries of zinc from a dealer. However, a person may accept delivery of zinc from a dealer only if such delivery meets the following conditions:

(i) The delivery in question combined with all other deliveries of zinc to the purchaser during the calendar month, from whatever source, will not aggregate as much as 20 short tons; and

(ii) The purchaser has not filed Form WPB–2893 with the War Production Board for that particular calendar month in accordance with paragraph (d) (1) above.

(2) Preference ratings on orders filed with a dealer are applicable and shall be honored as provided in Priorities Regulation No. 1.

(f) *Deliveries of zinc.* No person shall make any delivery of zinc if he knows or has reason to believe that the person accepting the delivery has not complied with all the provisions of this order.

(g) *Restrictions on depletion of inventory.* No person should use zinc and no dealer should deliver zinc to fill orders other than rated orders, if in so doing he will deplete his inventory of zinc to a point which will interfere with or delay the production or delivery of rated orders.

NOTE: Paragraph (h), (i), (j), (k), and (l), formerly paragraphs (e), (f), (g), (h), and (i), redesignated June 30, 1945. Former paragraph (j) deleted, June 30, 1945.

(h) *Specific directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, grades and amounts of zinc, to be delivered or acquired by any person.

(i) *Applicability of regulations.* Except as provided in paragraph (c) (3) above, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(j) *Reports.* All producers, dealers, and users of zinc shall file, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, such reports as the War Production Board may from time to time prescribe.

(k) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Tin, Lead and Zinc Division, WPB Dept. 7512, Washington 25, D. C., Ref: M–11.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11718; Filed, June 30, 1945; 12:05 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–740, Reinstatement and Amdt.]

SEATTLE TIMES CO.

Seattle Times Company, a Washington corporation publishing the Seattle Times, a daily and Sunday newspaper was suspended by the provisions of Suspension Order No. S–740. It appealed to the Chief Compliance Commissioner on March 26, 1945 and pending final determination of the appeal a stay was issued. The appeal was considered by the Chief Compliance Commissioner who has directed that the stay be revoked as of June 30, 1945 and the order reinstated and amended to take effect July 1, 1945.

In view of the foregoing, it is hereby ordered, that: § 1010.740, *Suspension Order No. S–740* be reinstated effective July 1, 1945, the stay be revoked effective June 30, 1945 and the suspension order be amended by substituting for the present paragraph (a) the following:

(a) Seattle Times Company, its successors or assigns, shall reduce its consumption of print paper during the last two calendar quarters of 1945 and the first two calendar quarters of 1946 by 265 tons under the consumption quota it would otherwise be entitled to use under the provisions of Order L–240, unless otherwise specifically authorized in writing by the War Production Board. Such reduction shall be at the rate of at least 60 tons per calendar quarter.

Issued this 19th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11725; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order No. S–752, Reinstatement]

CHARLES J. H. GIMPEL

Charles J. H. Gimpel and Elizabeth A. Gimpel, doing business as Charles H. Gimpel, 72–74 Front Street, New York, engaged in the business of packing merchandise mainly for export and, in connection therewith, designing and manufacturing cases, crates and platforms was suspended effective April 9, 1945, by Suspension Order No. S–752. They appealed from the provisions of the suspension order and pending final determination of the appeal the order was stayed effective April 9, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Curtis Bok who has directed that the appeal be dismissed, the stay terminated and the suspension order reinstated as of July 1, 1945.

In view of the foregoing, it is hereby ordered, that: § 1010.752, *Suspension Order No. S–752* be reinstated as of July 1, 1945 to run for a period of three months and the stay of execution be terminated as of June 30, 1945.

Issued this 6th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11726; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–752, Amdt. 1 to Reinstatement]

CHARLES H. GIMPEL

Suspension Order No. S–752, reinstated June 6, 1945 to take effect July 1, 1945 is hereby amended as follows:

It is hereby ordered, that: § 1010.752, *Suspension Order No. S–752* as amended April 5, 1945 be reinstated as of July 1, 1945 to run for a period of three months and the stay of execution be terminated as of June 30, 1945.

Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11727; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–828, Stay of Execution]

KIMEL SHOE CO.

Kimel Shoe Company, a partnership composed of Morris E. Kimel, Harry Moss, and Stanley Kimel engaged in the business of manufacturing shoes in Los Angeles, California, has appealed from the provisions of Suspension Order S–828 and has requested a stay. The Chief Compliance Commissioner has directed that the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. In view of the foregoing, it is hereby ordered, that:

The provisions of *Suspension Order No. S–828* be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

Issued this 29th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11623; Filed, June 29, 1945; 4:45 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–830]

DICKINSON & MOORHOUSE, INC.

Dickinson & Moorhouse, Inc., a Michigan corporation, 14551 Meyers Road, Detroit, Michigan, is engaged in business as a building contractor, and during December, 1944, and thereafter, without permission of the War Production Board, did construction of a commercial building to be used for storage purposes, at 13550 Fullerton Avenue, Detroit, Michigan, the estimated cost of which was in excess of $200, in violation of Conservation Order L–41. The responsible officials of Dickinson & Moorhouse, Inc., had knowledge of Conservation Order L–41, and the beginning and carrying on of this construction without authorization was a wilful violation of that order.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.830 *Suspension Order No. S–830.* (a) For a period of three months from the effective date of this order, unless otherwise specifically authorized in writing by the War Production Board, Dickinson & Moorhouse, Inc., its successors or assigns, shall not apply or extend any preference ratings, regardless of the delivery date named in any pur-

chase order to which such ratings may be applied or extended.

(b) Nothing contained in this order shall be deemed to relieve Dickinson & Moorhouse, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 30, 1945.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11730; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-831]

RUBY LIGHTING CORP.

Ruby Lighting Corporation, a corporation, 1216 South Olive Street, Los Angeles, California, between March 3, 1944 and October 31, 1944 unlawfully delivered new fluorescent lighting fixtures to various persons and between April 14, 1944 and December 1, 1944 unlawfully used metal in the production of fluorescent lighting fixtures. In view of the foregoing, it is hereby ordered, that:

§ 1010.831 *Suspension Order No. S-831.* (a) Ruby Lighting Corporation shall not, for a period of forty-five (45) days from the effective date of this order, apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve Ruby Lighting Corporation from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Ruby Lighting Corporation, its successors or assigns or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on June 30, 1945.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11732; Filed, June 30, 1945; 12:03 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Interpretation 13]

SCRAP DEALERS

The following interpretation is issued with respect to Conservation Order L-41:

Paragraph (d) (1) (vii) of Order L-41 provides that it is not necessary to get permission from the War Production Board under that order for construction jobs done on a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, if the total cost of all the construction jobs done on the unit in a calendar year does not exceed $25,000.

A scrap dealer's plant falls within paragraph (d) (1) (vii) if it is primarily engaged in such processing operations as bailing, pressing or briquetting light iron, cutting up heavy melting steel, breaking up cast iron, detinning cans or smelting non-ferrous metals for the purpose of making the scrap available for further use.

On the other hand an automobile graveyard where automobiles are taken apart and the parts sold without any change and a junk dealer's yard where items are sorted and cleaned are not considered to be engaged in manufacturing, processing or assembling goods within the meaning of paragraph (d) (1) (vii). These establishments fall within paragraph (d) (1) (v) and may do construction jobs having a total cost of $5,000 in a calendar year without getting War Production Board permission under L-41.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11712; Filed, June 30, 1945; 12:03 p. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, as Amended Apr. 30, 1945, Amdt. 3]

FIBRE SHIPPING CONTAINERS: MANUFACTURE, DELIVERY AND USE

Section 3270.6 *Limitation Order L-317* is amended in the following respects:

1. A new unnumbered subparagraph shall be added after paragraph (b) (1) (iv) to read as follows:

However, a container (except a "V box" or a "W box") shall not be regarded as a fibre shipping container as defined above where it is acquired from a disposal agency of the United States Government.

2. In Schedule II of Order L-317, under item g, the words "Hose-rubber and fabric, except wire inserted" shall be changed to read as follows:

Hose, garden (rubber or fabric).

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11714; Filed, June 30, 1945; 12:04 p. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, as Amended Jan. 5, 1945, Amdt. 3]

LUMBER CONTROL ORDER

Section 3285.121 *Order L-335* is hereby amended in the following respect:

Amend paragraph (q) by inserting after the word "order" in line 15 the following: "A certification required by this order or a directive or direction to this order may not be waived under paragraph (f) of Priorities Regulation 7."

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11715; Filed, June 30, 1945; 12:04 p. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 2a, as Amended June 30, 1945]

RESTRICTION ON DELIVERY AND RECEIPTS OF WESTERN PINE LUMBER

Direction 2a to Order L-335 is hereby amended to read as follows:

(a) *What this direction does.* This direction restricts the delivery by sawmills and distributors and the receipt by consumers of Western pine lumber produced by sawmills located in the States of Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico and South Dakota which currently produce 10,000 or more board feet of Western pine lumber per average day of eight hours of continuous operation or which produced an average of 10,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 when in operation. For the purposes of this direction Western pine means Idaho white pine, Ponderosa pine, and sugar pine.

(b) *Deliveries prohibited except on orders bearing special certificate.* No sawmill of the kind described in paragraph (a) above and no distributor may deliver Western pine lumber except on orders bearing one of the certificates described in paragraphs (g) and (h) below. These certificates may not be accepted by a sawmill or distributor unless they bear an authorization number.

(c) *Restriction on placement of orders by Class I consumers.* Except as authorized on Form WPB-3640 or GA-2425 (or by letter from the War Production Board amending the authorization on such forms) a Class I consumer may not place an order with a lumber supplier to obtain Western pine lumber. If the authorization on Form WPB-3640 or GA-2425 (or letter from the War Production Board amending the authorization) permits the Class I consumer to receive a specified amount of Western pine lumber then the Class I consumer may order and receive within the quarter for which the authorization is valid the amount (but no more) stated on the authorization. A Class I consumer authorized to receive Western pine lumber must use the certificate described in paragraph (g) below in addition to the regular certificate required by Order L-335. The certificate described in paragraph (g) below will not be valid and cannot be accepted by a distributor or sawmill unless the authorization number assigned to the Class I consumer is inserted in the space provided in the certificate. If authorization is on Form WPB-3640 for the second quarter, the authorization number appears in the upper right margin of the form, and if authorization is on Form WPB-3640 for the third quarter, or on Form GA-2425, the authorization number will be placed in column (c) on the line designated for Western pine lumber. If authorization to receive Western pine lumber is by letter amending an authorization on Form WPB-3640 or GA-2425 then the number will be assigned in that letter. All applications for authorization to order and receive Western pine lumber, whether filed on Form WPB-3640 or as a request by letter for reconsideration of a former action on Form WPB-3640 or GA-2425, shall include a statement specifying fully the use to which such lumber is to be put and the amount of lumber required for such use. Within the available supply authorizations will be granted only for essential purposes where substitutes for Western pine lumber cannot be used. Letters of request should be addressed to the War Production Board, Lumber and Lumber Products Division, Washington 25, D. C., Ref. L-335, Direction 2a, and letters requesting reconsideration must indicate the code letters and number appearing on the Form WPB-3640 or GA-2425 in the code number box marked "For WPB Entries Only."

(d) *Placement of orders by consumers other than Class I consumers.* Unless authorized in writing by the War Production Board or by paragraph (e) below no Class II consumer or farmer may place an order with a lumber supplier to obtain Western pine lumber. If a Class II consumer or farmer is authorized by the War Production Board in writing or by paragraph (e) below to receive Western pine lumber, he must use the certificate provided in paragraph (g) below on his orders for such lumber. That certificate will not be valid and may not be accepted unless the authorization number (assigned by the War Production Board) is inserted in the space provided for in the certificate. Requests for authorization to order and receive Western pine lumber shall be made by mailing a letter to the Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref. L-335, Direction 2a, stating fully the use to which such lumber is to be put and the amount required. Within the available supply authorizations will be granted only for essential purposes where substitutes for Western pine lumber cannot be used.

(e) *Class II consumer who received authorization in a previous quarter entitled to same authorization in subsequent quarters.* Any Class II consumer who was authorized to order and accept delivery of Western pine lumber in any specific calendar quarter and who needs the same or smaller amount of Western pine lumber in any subsequent quarter for the same purpose is permitted to use the certificate described in paragraph (g) below to order such amount of Western pine lumber from his supplier for delivery in the subsequent quarter. In using such certificate a Class II consumer must insert in the space provided in the certificate the authorization number which he was permitted to use in the quarter in which he was granted authorization, and the amount of Western pine lumber which he orders must not exceed his actual requirements for the quarter for which he places the orders. If such a Class II consumer needs more Western pine lumber than he was permitted to order in the quarter in which authorization was granted or needs it for a purpose other than the purpose for which he was then permitted to receive it, he must apply under paragraph (d) above for the additional amount or for the new purpose.

(f) *Limitation on manufacture of millwork out of Western pine lumber authorized under this direction.* Any Class I or Class II consumer who receives any Western pine lumber or has any Western pine lumber which he received on an order bearing the certificate described in paragraph (g) below is forbidden to use such Western pine lumber for millwork except in the manufacture of windows; sash; doors; window, sash and door frames; window and door screens; cut stock for such items; trim; mouldings; and any other millwork items for authorized construction projects rated AA-3 or higher.

(g) *Certificate required of consumers.* Any consumer (including a Class I consumer) who is authorized to receive Western pine lumber must provide his lumber supplier with the following certificate which is in addition to the regular certificate required by Order L-335. This certificate may only be used by a consumer to obtain the amount of Western pine lumber which he is specifically authorized by the War Production Board to receive.

I certify to the supplier and to the War Production Board that this order together with all other orders that I have placed for Western pine lumber does not exceed the amount that I have been specifically authorized by the War Production Board to receive under Direction 2a to Order L-335. My "authorization" number is ---------.

Consumer

By ---
Duly authorized official

Date ----------.

(h) *Distributors extension of orders.* No distributor may place an order with a sawmill of the kind described in paragraph (a) above to get Western pine lumber except where the Western pine lumber is required for delivery on an order bearing one of the certificates shown in this direction or where the Western pine lumber is required to replace lumber in inventory which the distributor has delivered on an order bearing such a certificate. In extending such an order the distributor shall use the following certificate:

I certify to the supplier and to the War Production Board that the amount of Western pine lumber covered by this order does not exceed the amount which I have sold on unextended orders certified under Direction 2a to Order L-335. These unextended orders bear the following "authorization" numbers-----.

Distributor

Duly authorized official

Date----------.

This certificate is in addition to the regular certificate required of distributors' by Order L-335 and need only be used to get Western pine lumber from sawmills of the kind described in paragraph (a) above.

(i) *Production of small sawmills excepted.* This direction does not apply to Western pine lumber produced by sawmills smaller than the size sawmill referred to in paragraph (a) above. Consumers (including Class I consumers) and distributors may order and receive such lumber from these small sawmills without regard to the provisions of this direction or any restrictions on Forms WPB-3640 or GA-2425 against the receipt of Western pine lumber. However, such a small sawmill may not deliver lumber on an uncertified order unless permitted under paragraph (t) of Order L-335 or under Direction 7 to Order L-335.

(j) *Distributors' old inventory may be excepted.* If a distributor wished to dispose of Western pine lumber which he received before December 31, 1944 without requiring his customer to give him one of the certificates described in paragraphs (g) and (h) above, he may do so but he is not required to deliver any Western pine lumber (even on a rated order) unless such a certificate is supplied by his customer. This applies also to Western pine lumber which the distributor ordered from a sawmill before December 2, 1944 if it was placed in transit by the sawmill before December 31, 1944. The restrictions of this direction and any restrictions on Forms WPB-3640 or GA-2425 against receipt of Western pine lumber do not apply to Western pine lumber that a consumer is able to get from this source.

(k) *Provisions of Order L-335 and other directions.* In the event there is any conflict between the provisions of this direction and the provisions of Order L-335 or any other direction, the provisions of this direction shall govern. However, nothing in this direction shall prevent a sawmill from delivering Western pine lumber to a consumer or a distributor on an uncertified order or on an order bearing only the regular certificate described in paragraph (q) of Order L-335, or the receipt of such lumber by a consumer or a distributor when specific authorization for such delivery has been granted under the terms of paragraph (t) of Order L-335.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11716; Filed, June 30, 1945; 12:04 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Order M-375, Direction 2]

RESTRICTIONS ON SALE OF RUBBER COATED WORK GLOVES

The following direction is issued pursuant to Order M-375:

On and after July 7, 1945, no manufacturer or processor of new rubber coated work gloves shall sell or deliver any of them except on rated orders. "Rubber coated work glove" means any type of band top, gauntlet style or knit wrist canton flannel work glove which has been immersed, sprayed or coated with rubber, reclaimed rubber or synthetic rubber for the purpose of making it resistant to acids, abrasives and similar hazards.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11719; Filed, June 30, 1945; 12:05 p. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended May 30, 1945, Amdt. 1]

Rubber Order R-1 as amended May 30, 1945, is hereby further amended as follows:

1. In § 4600.02, *Authorized consumption*, delete the reference to "aqueous dispersions of reclaimed rubber."

2. In § 4600.05, *Restrictions on delivery of materials*, change the first sentence to read as follows: "No person shall deliver any natural rubber, natural rubber latex, reclaimed rubber, synthetic rubber, or chlorinated rubber, except as specifically authorized by the War Production Board or as permitted by regulations of Rubber Reserve Company."

3. In § 4600.05, *Restrictions on delivery of materials*, change paragraph (b) to read as follows:

(b) Delivery of GR-S types, Neoprene (all types), Butadiene-Acrylonitrile (all types) or reclaimed rubber for permitted uses under this order. Transfers of GR-S, Neoprene, Butadiene-Acrylonitrile types, reclaimed rubber, or aqueous dispersions of reclaimed rubber must, however, be reported as shipments or receipts on Form WPB-3410 for the calendar month in which the transactions occur.

4. In § 4600.05, *Restrictions on delivery of materials*, change paragraph (c) to read as follows:

(c) Any person from accepting delivery from another of natural rubber, reclaimed rubber, synthetic rubber or chlorinated rubber, for the purpose of milling, washing, deresinating, drying, compounding, or conditioning the same, or for processing or manufacturing products therefrom, and thereafter returning the same or the products thereof to such other person.

5. In § 4600.05, *Restrictions on delivery of materials*, delete paragraph (d).

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E. O. 9476, 9 F.R. 10817; WPB Reg 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11721; Filed, June 30, 1945; 12:04 p. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Amdt. 1 to Appendix I, as Amended May 30, 1945]

Appendix I as amended May 30, 1945, to Rubber Order R-1, is hereby further amended as follows:

1. In Table A, *General Permitted Uses of Materials*, opposite "Reclaimed Rubber" in the column entitled "General permitted uses subject to applicable end product restrictions", change the second sentence to read:

The use of other than black reclaimed rubber for civilian use made from scrap tires or tire parts is permitted only for those end products listed in Table B of this Appendix I under Codes 16-A and 22-F.

2. In Table A, *General Permitted Uses of Materials*, opposite "Aqueous dispersions of reclaimed rubber" change the material in the column headed "General permitted uses subject to applicable end product restrictions" to read as follows:

In the manufacture of products listed below or of any other product to fill U. S. Army, Navy, Maritime Commission or Veterans' Administration orders. The use of other than black reclaimed rubber made from scrap tires, or tire parts, in the manufacture of aqueous dispersions for civilian use, is permitted only for those end products listed in Table B of this Appendix I, under Codes 16-A and 22-F.

3. In Table B, Code 9C, opposite "*Flat transmission belting*" in the column entitled "Special restrictions or provisions" change the poundage from "0.007" to read ".07"

4. In Table B, Code 11, *Packing and gaskets*, in the column entitled "Special restrictions or provisions", insert: "Color: black, unless otherwise indicated".

5. In Table B, Code 12C, *Electrical products equipment*, opposite the product "Cable and test caps and separators," in the column entitled "Percent natural rubber", change "48" to "21"; and opposite the product "Lineman's sleeves", change the designation "X" to "50".

6. In Table B, Code 12D, *Hard rubber products*, opposite the product "Storage batteries and parts not elsewhere listed", in the column entitled "Special restrictions or provisions", insert "Manufacture of boxes not permitted".

7. In Table B, Code 12E, *Industrial equipment*, under "Pads 4" or more in thickness", opposite "40 and over shore hardness", in the column headed "Percent natural rubber" change "44" to "33".

8. In Table B, Code 17 and Code 17A, change the position of "17" so that it is alongside of the words "Proofing, combining or coating of fabric", and change the position of "17A" so it is alongside of the words "Compounds for the following".

9. In Table B, Code 17A, *Other purposes*, in the Butyl column change "O" to "X"; in "Special Restrictions or Provisions" column add: "Butyl permitted (except Tube Butyl) for Government orders only."

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11720; Filed, June 30, 1945; 12:04 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Regulation 29]

REVISED PRIORITIES SYSTEM

Par.
(a) What this regulation does.
(b) Transition period between old and new priorities system.
(c) General description of new rating system.
(d) Continued use of AA ratings in transition period.
(e) Use of MM ratings in transition period.
(f) Automatic rerating of 1946 military orders from AA to MM.
(g) Military symbols.
(h) End of Controlled Materials Plan.
(i) Production materials for Class B and unclassified products during balance of 1945.
(j) Maintenance, repair and operating supplies.
(k) Construction, facilities and equipment.
(l) Extension of customers' ratings.

(a) *What this regulation does.* This regulation describes the transition to the revised and simplified priorities system which is being adopted by the WPB because the military services have substantially reduced their supply programs as a result of victory in Europe. There will also be changes in other regulations and orders of the WPB. It may not be practicable to make all such changes before this regulation is published, and, if there is any inconsistency between this regulation and any other regulation or order of the WPB, this one controls unless the other expressly states the contrary.

(b) *Transition period between old and new priorities systems.* The new priorities system described in this regulation is required because WPB proposes to discontinue priorities assistance for virtually everything except military requirements, as soon as war-supporting and essential civilian production no longer needs general help. The new system will be introduced gradually during the period from July 1 through December 31, 1945. This period, which is called the "transition period", will give business an opportunity to adjust its operations to the new system.

(c) *General description of new rating system.* The present system of AA ratings (AA-1, AA-2, AA-2X, AA-3, AA-4 and AA-5) and the Controlled Materials Plan will be discontinued by the end of 1945 and will be replaced by the following:

(1) The AAA rating will still be assigned in emergencies as under existing procedures.

(2) The new MM rating will be assigned by the Army and Navy and other military agencies. WPB Directive 41 and other WPB Directives will explain the rules governing the assignment of ratings by those agencies. The WPB will assign the MM rating to manufacturers of certain types of components who are not in a position to extend the MM ratings on their customers' orders, as explained in paragraph (l) below. In a few other instances, the WPB may assign MM ratings directly instead of through a military agency, but this will be done only where it is clearly necessary for the war effort or for requirements of similar urgency. Do not apply to WPB for an MM rating except as explained in paragraph (l) below or on the instructions of the officials of the government agency primarily concerned with the programs involved.

(3) The WPB will, if necessary, provide additional procedures to give priorities assistance for war supporting or highly essential civilian purposes. This may be in the form of a new rating junior to the MM rating or in the form of some other procedure. This will not be announced until more information is available as to the supply of materials for non-military use.

(4) During the transition period from July 1 to December 31, the MM rating is equivalent to AA-1.

(5) The AA rating system may be retained for certain materials such as textiles if it is not practicable to adapt existing controls to the new system. If this is done, the orders controlling these materials will be amended to make clear that some of the provisions of this regulation do not apply to such materials.

(d) *Continued use of AA ratings in transition period.* The AA rating system remains in effect until the end of 1945, except as follows:

(1) Beginning October 1, 1945, no more AA ratings will be assigned by the WPB or other agencies except for deliveries to be made before January 1, 1946.

(2) Before October 1, 1945, the WPB will cancel outstanding AA ratings calling for delivery after the end of 1945, wherever this can be done without interfering with war production or war supporting activities. Details as to what ratings are cancelled and how purchasers must unrate their orders will be announced later. However, if you have a rating for a delivery to be made to you in 1946, you may assume that the rating is still valid until October 1, 1945, unless it is specifically cancelled by a later regulation or other formal action of the WPB.

(3) On October 1, 1945 all remaining orders which carry AA ratings not previously cancelled by the WPB and which call for delivery on or after January 1, 1946 will become unrated automatically unless they are identified as military orders as explained in paragraph (f) below, or have been re-rated under the new rating system. This applies to ratings assigned both before and after the issuance of this regulation. Beginning October 1, 1945 no person may use AA ratings on orders calling for delivery after the end of the year, and suppliers who receive such orders with AA ratings must disregard the ratings.

(4) AA ratings may still be used till October 1, 1945 on orders calling for delivery in 1946. Also, the WPB will continue until October 1, 1945, to assign AA ratings in some cases, even on orders calling for delivery after the end of the year. This will be necessary to get orderly scheduling of those products which have to be ordered far in advance and to permit some producers to extend ratings for the delivery in 1945 of components that they will need before the end of the year to fill orders calling for delivery by them in 1946. Although such ratings will become invalid on October 1, 1945, suppliers cannot be sure that orders carrying AA ratings for delivery in 1946 will not be confirmed under the new rating system before the unrating of AA orders on October 1, 1945, and they must therefore accept such orders and keep them in their schedules until October 1 according to priority regulations.

(5) If you have an AA rated order on your books for delivery in 1946 and are permitted to extend your customers' ratings under Priorities Regulation 3, you may, until October 1, 1945, extend the rating for material to be delivered to you in 1945 or 1946. However, beginning October 1, 1945, you may not extend any of the AA ratings on your customers' 1946 orders to orders calling for deliveries to be made to you in 1945 or 1946. The automatic unrating of orders on your books as of October 1, 1945, for delivery after 1945 does not require you to unrate the orders to which you have properly extended your customers' ratings for delivery in 1945.

(e) *Use of MM ratings in transition period.* (1) Beginning as soon as possible after July 1, 1945, the military services will assign the MM rating in accordance with WPB Directives to orders and contracts placed during the transition period for delivery during or after the transition period. They may also change existing orders with AA ratings to MM ratings, if necessary to assure delivery on schedule.

(2) The rules for the acceptance and filling of rated orders and the use of ratings are the same for the MM rating as for ratings in the AA series, except as otherwise stated in this regulation or other orders and regulations of the WPB. During the transition period the MM rating will be equivalent to an AA-1 rating.

(f) *Automatic rerating of 1946 military orders from AA to MM.* As of October 1, 1945, the following three kinds of orders bearing AA ratings will be automatically rerated MM and suppliers must then make any necessary changes in their 1946 delivery schedules. (These changes in delivery schedules must not be made before October 1, 1945, since it is expected that many military orders will be cancelled before then.) (1) AA rated orders on prime or subcontracts for delivery after December 31, 1945 which bear one of the military symbols listed below; (2) rated prime contracts and rated orders placed directly by one of the military agencies listed in paragraph (g) below to the extent that they call for delivery after December 13, 1945; and (3) orders not identified by a military symbol, but bearing AA ratings assigned by a military agency on Form WPB-542 for delivery after December 31, 1945. If you have received an order of either of the first two kinds, it is not necessary to get any confirmation from your customer of the rerating to MM, and, as of October 1, 1945 you may use the MM rating on orders to get materials needed to fill your rated order, subject to the rules for extension of ratings given in Priorities Regulation 3 and paragraph (l) below. In the case of the third kind of order, the person to whom the rating was assigned on Form WPB-542 must specifically rerate his purchase order MM to have this effect, and a supplier must not treat a purchase order as rated MM merely because it bears a WPB-542 serial number, Army or Navy contract number or other similar identification.

(g) *Military symbols.* (1) Orders which bear CMP allotment symbols with initial letters shown below will be automatically rerated MM as explained in paragraph (f) above:

"W"—War Department (except Ordnance).
"O"—War Department (Ordnance).
"N"—Navy Department.
"M"—Maritime Commission (Construction directed by Joint Chiefs of Staff and purchases for War Shipping Administration and Co-ordinator of Ship Repair and Conversion).
"C"—Aircraft Resources Control Office (Agent for Army Air Forces & Bureau of Aeronautics of the U. S. Navy).

(2) The above symbols must not be used on any orders except as explained in CMP Regulations 1 and 3.

(3) Canadian War Agencies corresponding to the above United States Agencies will also be authorized to use the MM rating. However, none of their orders are to be treated automatically as rated MM. They will specifically change the ratings, where the order calls for delivery after December 31, 1945, or before if necessary to assure delivery on schedule.

(h) *End of Controlled Materials Plan.* (1) At the end of the transition period, December 31, 1945, the Controlled Materials Plan and all regulations and directions issued under it will automatically expire, except CMP Regulation 2, restricting inventories, and directions issued before then to individually named controlled materials producers, warehouses or distributors.

(2) During the third and fourth quarters of 1945, deliveries of controlled materials will continue to be regulated by the Controlled Materials Plan alone, and not by ratings. Thus prime and subcontractors on 1946 contracts will still have to get 1945 allotments if they need priorities assistance to get controlled materials in 1945.

(3) Effective immediately, deliveries of controlled materials scheduled to be made after the end of 1945 will be governed exclusively by the new rating system, and by such specific directions as the WPB may issue. Controlled material producers, distributors, and warehouses must accept and schedule orders for controlled materials for delivery after December 31, 1945, in accordance with Priorities Regulation 1 instead of under the Controlled Materials Plan. For the purpose of scheduling 1946 deliveries, authorized controlled material orders are to be treated, until October 1, 1945, as if they were rated MM. After that date, authorized controlled material orders for 1946 delivery are to be treated as unrated unless they are identified by one of the military symbols listed in paragraph (g) above, or have been rerated under the new rating system. Since suppliers of controlled materials cannot be sure that their authorized controlled material orders for 1946 delivery will not be confirmed under the new rating system before the unrating of non-military orders on October 1, they must accept and keep them on their books until October 1, 1945.

(4) Until October 1, 1945, persons who have allotments of controlled materials for the first quarter of 1946 and subsequent quarters may still place authorized controlled material orders and make allotments of controlled materials to their suppliers of Class A products. Authorized controlled material orders based on such allotments will be treated as though rated MM, until October 1, as explained above. However, persons who have unused allotments for the first quarter of 1946 and subsequent quarters may not convert these allotments into MM ratings but may only use them to place authorized controlled material orders, since many authorized controlled material orders will become unrated at October 1 or will be required to be cancelled before then.

(5) Persons who have received MM ratings may use them at any time during the transition period to place rated orders for delivery of controlled materials after the end of the year.

(6) The WPB will cancel 1946 allotments before October 1, 1945, wherever this can be done without interfering with war production or war supporting activi-

ties. Details as to what allotments are cancelled will be announced later. Holders of 1946 allotments may assume that they are still valid until October 1, 1945, unless they are specifically cancelled by a later regulation or other formal action of the WPB.

(i) *Production materials for Class B and unclassified products during balance of 1945.* Regular applications for allotments will not be required for the fourth quarter of 1945. Producers of Class B products and unclassified products will be notified of their allotments and ratings for delivery in the fourth quarter without filing an application. Some exceptions may be made, in which case manufacturers who must file applications will be notified. WPB's general policy with respect to giving limited additional priorities assistance for delivery of production materials during the balance of 1945 for civilian production is explained in Priorities Regulation 28.

(j) *Maintenance, repair and operating supplies.* (1) CMP Regulations 5 and 5A, and the P and U orders assigning priorities assistance for maintenance, repair and operating supplies, remain in effect through December 31, 1945, unless previously revoked. However, the use of the AA ratings and CMP allotment symbols assigned by these regulations and orders is subject to the restrictions stated above with respect to deliveries after the end of 1945.

(2) Under the new rating system, after December 31, 1945, ratings will generally not be given for maintenance, repair and operating supplies on a blanket basis similar to CMP Regulations 5 and 5A and the present P and U orders.

(k) *Construction, facilities and equipment.* (1) AA ratings for construction materials to be delivered during the transition period will be assigned by WPB under the conditions described in Order L-41 and the other orders and regulations covering specific kinds of construction. AA ratings for equipment required for reconversion to civilian production may be assigned as described in Priorities Regulation 24. AA ratings for equipment required for war supporting and essential civilian activities during the transition period will be assigned as in the past.

(2) Military agencies will assign the MM rating for certain construction, facilities, and equipment, as described in the appropriate WPB Directives, for materials to be delivered both during and after the transition period. In a few cases, the WPB may assign the MM rating for construction where it is clearly necessary for the war effort or for requirements of similar urgency. Do not apply to WPB for an MM rating for construction except on the instructions of, or after consultation with, the appropriate officials of the military or other Federal agency primarily concerned with the program involved.

(l) *Extension of customer's ratings.* The rules of Priorities Regulation 3 as to extension of customers' ratings apply to MM ratings in the same way as to AA ratings. Manufacturers of Class B products and unclassified products who receive their production material ratings from the WPB and are forbidden by CMP Regulation 3 and Priorities Regulation 11B to extend their customers' ratings, may nevertheless extend customers' MM ratings for delivery after December 31, 1945. However, if such a manufacturer already has outstanding orders for 1946 delivery carrying AA ratings assigned by WPB, he must cancel these ratings before extending his customers' MM ratings. Most producers of such products are expected to get whatever priorities assistance they need for production materials after the end of the year by extending their customers' MM ratings. However, for producers of certain common components and similar products where it would be impracticable to extend customers' ratings, the WPB will announce later a system by which "rating patterns" will be assigned by the WPB for placing MM rated orders.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11793; Filed, June 30, 1945; 4:51 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-723, Reinstatement and Amendment]

AMLING'S OF CALIFORNIA, INC.

Amling's of California, Inc., a corporation engaged as a wholesaler in the shipment, of California flowers and floral items largely to dealers outside of California, but to some dealers also within the State, using corrugated box containers in such shipments was suspended on February 19, 1945 by Suspension Order No. S-723. It appealed from the provisions of the suspension order and, pending final determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on March 1, 1945. The appeal has been considered by the Deputy Chief Compliance Commissioner who has directed that the stay be terminated as of June 30, 1945 and the suspension order be reinstated and amended as of July 1, 1945.

In view of the foregoing, it is hereby ordered that: § 1010.723. *Suspension Order No. S-723* effective February 19, 1945, be reinstated as of July 1, 1945, the stay be terminated as of June 30, 1945, and the suspension order amended by substituting the following paragraph (a) for the present paragraph (a):

(a) During the last two calendar quarters of 1945 and the first two calendar quarters of 1946, Amling's of California, Inc., its successors or assigns, shall reduce its acceptance and use of new fiber shipping containers under the provisions of Limitation Order L-317 (as applicable to its then operations, and as amended from time to time) so that its "footage quota" is reduced by the total amount of 70,250 square feet which shall be allocated so as to be not less than 14,000 square feet reduction in any one calendar quarter, and so that its "tonnage quota" is reduced by the total amount of 1,750 pounds which shall be allocated so as to be not less than 300 pounds in any one calendar quarter, otherwise the amounts of such reductions being distributed among the four calendar quarters as the corporation may see fit. The corporation may accelerate its reduction, in both footage and tonnage, at any time before the end of the second quarter of 1946. In the event of such acceleration upon presentation of evidence that the total reduction has been effected the suspension order shall be terminated.

Issued this 28th day of May 1945.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11790; Filed, June 30, 1945; 4:50 p. m.]

PART 3201—MINING

[Limitation Order L-208, Revocation]

GOLD MINING

Section 3201.6 *Limitation Order L-208* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11791; Filed, June 30, 1945; 4:51 p. m.]

PART 3201—MINING

[Preference Rating Order P-56, as Amended June 30, 1945]

MINES AND SMELTERS

§ 3201.11 *Preference Rating Order P-56*—(a) *Purpose and scope.* This order explains how operators of mines and smelters in the United States and in foreign countries may get the materials and products they need to carry on their operations. The materials covered include not only maintenance, repair, and operating supplies, including controlled materials, but also machinery, other kinds of materials, and equipment.

(b) *Definitions.* (1) "Producer" means a person operating any of the following enterprises, whether in the United States, or any of its territories, or in a foreign country: (i) any plant actually engaged in the extraction by surface, open-pit, or underground methods, or in the beneficiation, concentration, or preparation for shipment of the products of mining activity; (ii) any plant wholly engaged in the processing and burning of refractories; (iii) any plant producing any material listed below by smelting or refining processes, and to whom a serial number has been issued under Preference Rating Order P-73, or is hereafter issued as provided in paragraph (c):

Antimony	Nickel
Cobalt	Platinum
Copper	Tin
Iridium	Tungsten
Lead	Vanadium
Mercury	Zinc
Molybdenum	

(iv) any prospecting enterprise for the discovery, exploration, or development of new or additional mining projects, including the construction of access roads; and (v) mines, concentrating mills, smelters, railroads, power plants, refineries, and appurtenances owned and operated by the companies holding serial numbers under Preference Rating Order P-58 on December 24, 1943.

(2) "District" means a mine supply control district of the Foreign Economic Administration.

(3) "Maintenance, repair, and operating supplies" means material used for the following purposes by producers in the conduct of enterprises described above in paragraph (b) (1): (i) minimum upkeep necessary to continue the working condition of essential property or equipment, and (ii) restoration of essential property or equipment to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like have made the property or equipment unfit or unsafe for service; and supplies which are essential to and consumed or worn out in the conduct of such enterprises. In addition, except as hereinafter noted, the term "maintenance, repair, and operating supplies" includes minor capital additions normally necessary to the operation of the enterprise, but not exceeding in cost $500 (excluding purchaser's cost of labor) for any one complete capital addition. The term "one complete capital addition" includes a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition shall be subdivided for the purpose of coming within this paragraph.

Producers Holding Serial Numbers

(c) (1) *Maintenance, repair, and operating supplies for domestic producers with serial numbers.* Producers located within the United States, its territories and possessions (herein called "domestic" producers), holding serial numbers, which may be obtained in the manner specified in paragraph (f), are hereby assigned a preference rating of AA-1 for the purchase of maintenance, repair, and operating supplies, other than controlled materials. This rating may be applied by the producer by placing on his delivery order the endorsement described in paragraph (g). The producer may obtain controlled materials for maintenance, repair, and operating supplies by endorsing his delivery order with the endorsement described in paragraph (g) and inserting therein the allotment symbol "S-7" and appropriate quarterly abbreviation. An order bearing this endorsement constitutes an authorized controlled material order. No serialized producer shall order for delivery during any calendar quarter, with or without preference ratings, or allotment number, maintenance, repair, or operating supplies in an aggregate amount exceeding 120 percent of his aggregate expenditures for maintenance, repair, and operating supplies during the corresponding calendar quarter of 1943. A producer who has several plants or other operating units which maintain separate records of maintenance, repair, and operating supplies may treat each of them separately for purposes of complying with the provisions of this paragraph (c) (1).

(2) *Maintenance, repair, and operating supplies for foreign producers with serial numbers.* Producers located outside the United States, its territories and possessions and outside of Canada,[1] (herein called "foreign" producers), holding serial numbers, which may be obtained in the manner specified in paragraph (f), may apply for priorities assistance for maintenance, repair, and operating supplies by filing the foreign mine quota application Form WPB-2937 with the Mining Division, War Production Board, Washington 25, D. C.

(3) *Machinery and equipment.* All producers holding serial numbers, whether domestic, foreign, or Canadian, may apply for priority assistance in obtaining machinery and equipment by filing Form WPB-1319 in accordance with the WPB-1319 instruction pamphlet for items of equipment listed therein. Also, for items of equipment not listed in the instruction pamphlet for which a preference rating is required without authorization on a special form, application should be made on Form WPB-1319. For items of equipment not listed in the WPB-1319 instruction pamphlet, for which orders of the War Production Board require application for specific authorization to be made on a special form, application should be made on such special form. All applications should be filed with the Mining Division, War Production Board, Washington 25, D. C., Ref. P-56, unless otherwise provided in the WPB-1319 instructions. If necessary, Form WPB-1319 or the special form may be accompanied by a letter explaining any unusual circumstances. No application is necessary in the case of minor capital additions as defined in paragraph (b) (3) unless a special form is required by another order of the War Production Board.

Foreign Producers Operating Under Mine Supply Control Districts

(d) *Priorities assistance for certain foreign producers operating under mine supply control districts.* To enable a producer not holding a serial number hereunder and located outside the continental United States and within the jurisdiction of a district to obtain priorities assistance, the following procedure is established:

(1) For maintenance, repair, and operating supplies a district may apply for priorities assistance by filing the foreign mine quota application Form WPB-2937 with the Mining Division, War Production Board, Washington 25, D. C., Ref: P-56. A producer not holding a serial number and located in a district may apply for priorities assistance by submitting to such district his purchase orders for maintenance, repair, or operating supplies, together with such information as may be required by the district. Within the limits of the priorities assistance granted to it pursuant to this paragraph (d) (1), such district may authenticate any such purchase order for maintenance, repair, or operating supplies by indicating the appropriate priorities assistance and countersigning the purchase order as follows:

Approved:

_____
Name of district

_____
Signature of authorized official

(2) For other machinery, materials, and equipment, a producer not holding a serial number and located within a district may submit to the War Production Board, Form WPB-1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), such application to be endorsed with the signed approval of the district within which the applicant is located.

(3) A distributor of maintenance, repair, or operating supplies or of other machinery, materials, or equipment used by producers, who is located outside the United States and within the jurisdiction of a district, may apply for priorities assistance in the same manner as prescribed in paragraphs (d) (1) and (d) (2) for producers not holding serial numbers and located within the jurisdiction of a district.

Other Producers Not Holding Serial Numbers

(e) (1) *Priorities assistance for other producers not holding serial numbers.* A preference rating of AA-5 is hereby assigned to delivery orders for maintenance, repair, and operating supplies (including minor capital additions as defined in paragraph (b) (3)), other than controlled materials, placed by domestic producers not holding serial numbers. This rating may be applied by the producer by placing on his delivery order the endorsement described in paragraph (g). The producer may obtain controlled materials for maintenance, repair, and operating supplies by placing on his delivery order the endorsement described in paragraph (g) and inserting therein the allotment symbol "S-7" and appropriate quarterly abbreviation. An order bearing this endorsement constitutes an authorized controlled material order. No producer who uses the allotment symbol assigned by this order shall order controlled materials for delivery during any calendar quarter in an amount exceeding 120 percent of his aggregate expenditures for controlled materials for use as maintenance, repair, and operating supplies during the corresponding calendar quarter of 1943. Such producers may apply for higher ratings for maintenance, re-

[1] Producers located in Canada, whether or not they hold serial numbers issued under this order, may obtain maintenance, repair, and operating supplies in the United States under Canadian order PO5B.

pair, or operating supplies exclusive of minor capital additions by filing Form WPB–2910 with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P–56; and for higher ratings, or for specific authorization if such is required, for minor capital additions, such producers may apply on Form WPB–1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), except that Form WPB–1319 shall be filed with the War Production Board regional or district office in which is located the Technical Advisor for Mining for the area in which the enterprise is located, and only the special application form, when one is prescribed, shall be filed with the Mining Division in Washington, D. C. Such producers may apply for priorities assistance for machinery or equipment by filing Form WPB–1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P–56. Foreign producers, not holding serial numbers and not located in a mine supply control district, may apply for priorities assistance for maintenance, repair, and operating supplies, exclusive of minor capital additions, by filing Form WPB–2910 with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P–56, and for machinery or equipment, including minor capital additions, by filing Form WPB–1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P–56.

Serial Numbers

(f) *Issuance of serial numbers.* Applications for serial numbers may, in the case of producers within the continental limits of the United States, be filed with the appropriate War Production Board Regional Office, Attention: Regional Technical Advisor, Mining Division; or with the appropriate State Coordinator of Mines for transmission to such Regional Advisor; or with the Mining Division, War Production Board, Washington, D. C. Serial number application by districts must be filed with the Mining Division, War Production Board, Washington 25, D. C., Ref: P–56. Applications by Canadian and all other foreign producers should also be filed with the Mining Division, War Production Board, Washington 25, D. C., Ref: P–56. In filing such application, the following forms shall be used:

Metal mines	Form WPB–1212
Coal mines	Form WPB–2784
Non-metallic mines	Form WPB–2758
Core or churn drill operators	Form WPB–2952

Smelters and refineries shall apply by letter. In issuing and cancelling serial numbers, the War Production Board will consider the importance to national defense of the present and prospective output of materials to be produced, the consumption of the critical material involved, and the importance to national defense of competing demands for such material, and competing demands for manpower and transportation. Serial numbers issued under Preference Rating Orders P–58 and P–73, and not cancelled prior to December 24, 1943, are hereby confirmed and shall be considered as having been issued under this Order P–56.

Use of Priorities Assistance; All Producers

(g) *Application and extension of priorities assistance.* The way to use preference ratings is explained in Priorities Regulation No. 3, and the way to use allotments, both in placing authorized controlled material orders and in making allotments, is explained in CMP Regulation No. 1. Instead of using the certification prescribed by those regulations or by any other regulation of the War Production Board, including Priorities Regulation No. 7, the producer may use the following endorsement signed manually or as provided in Priorities Regulation No. 7:

Allotment number ----------
Preference rating ----------
Order authorized under Preference Rating Order P–56, Serial No. ----------

He shall not add the symbol "MRO" despite the certification instructions in CMP Regulation No. 5 or any other regulation. Requirements of other orders of the War Production Board as to special certifications remain applicable, but the foregoing endorsement shall be added to such certification. The use of the foregoing endorsement by a producer shall constitute a representation by the producer to the seller and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code (18 U. S. C. 80), that to the best of the producer's knowledge and belief he is authorized under applicable War Production Board orders and regulations to place the delivery order, to receive the item ordered for the purpose for which ordered, and to use the preference rating or allotment symbol for this purpose. Preference ratings assigned under this order for maintenance, repair, and operating supplies may not be used to obtain items on List A or List B of Priorities Regulation No. 3, except where that regulation permits the use of a P–56 rating for a particular item.

(h) *Restrictions on receipts and inventories.* Notwithstanding the provisions of any other order or regulation of the War Production Board, including CMP Regulation 2, receipts and inventories of producers shall be subject to the following restrictions only: No producer shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations; and the ratio of such inventory to current production shall in no event exceed the ratio of average inventory to average production for the years 1938, 1939, and 1940.

(i) *Restrictions on use and resale of material.* Notwithstanding § 944.11 of Priorities Regulation No. 1, no producer shall use any material, whether or not obtained pursuant to this order, for any purpose other than that for which priorities assistance was granted to acquire it; nor may he sell any material (including machinery and equipment), which he has used in the conduct of any enterprise described in paragraph (b) (1), whether or not he obtained such material with priorities assistance under this or any other order, except:

(1) To a producer holding a serial number hereunder, or

(2) With the written approval of the War Production Board applied for by letter to the Mining Division, or

(3) With the written approval of a district if he is a non-serialized producer located within such district, or

(4) As permitted by Priorities Regulation No. 13.

Applicability of Other Regulations and Orders

(j) (1) *CMP Regulation No. 5 and other regulations of the War Production Board.* None of the restrictions contained in CMP Regulation No. 5 shall be applicable to producers, and no producer shall obtain any material under CMP Regulation No. 5. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedules I and II of CMP Regulation No. 5 shall be considered as applicable to producers operating under this order. For example, Order E–5–a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation No. 5 as an "approved user." Producers operating under Order P–56 are in the same position providing that certification clauses and all other provisions of such other orders are complied with.

(2) *Restriction on use of priorities assistance.* No serialized foreign producer or district shall acquire maintenance, repair, or operating supplies through the use of any preference rating except after having received an approved application on the foreign mine quota application Form WPB–2937, or, in the case of a non-serialized foreign producer located outside a district, on Form WPB–2910, from the Mining Division, War Production Board, Washington 25, D. C. No producer shall acquire any machinery or equipment (other than maintenance, repair, and operating supplies) through the use of any preference rating or any specific authorization of the War Production Board except after filing Form WPB–1319 or any prescribed special application form in the manner above provided, or except after filing a project application.

Miscellaneous Provisions

(k) *Records and orders.* Each producer and each distributor acquiring maintenance, repair, or operating supplies pursuant to this order shall keep and preserve for a period of not less than two years accurate and complete records of all such materials so acquired and used or disposed of which shall upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Reports.* Producers shall file such report forms as may be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942. The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(m) *Additional assistance and appeals in individual cases.* If the sound working condition of a producer is adversely affected by any provisions of this order or by inability to obtain material essential for repair, maintenance, or operating supplies, the producer may apply to the War Production Board for additional assistance by letter, in duplicate, giving the reasons why such assistance is essential. If an increased quota is sought, the present quota should be stated. In case of breakdown, imminent breakdown, or other emergency, the application may be made by telegraph or telephone either to the Mining Division, Washington, D. C., or to the nearest regional or district WPB office.

(n) *Communications.* All reports and applications hereunder and all other communications with respect to this order shall, except as otherwise specifically provided, be addressed to the Mining Division, War Production Board, Washington 25, D. C., Ref: P–56.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

APPLICABILITY TO CUTTING AND POLISHING OPERATIONS AT THE QUARRY

The term "producer" as defined in Preference Rating Order P–56 includes persons operating a quarry and also persons conducting further cutting and polishing operations at the quarry site, such as the manufacture of building stone and tombstones. These latter operations are included in the phrase "preparation for shipment, of the products of mining activity" appearing in paragraph (b) (1) (i) (§ 3201.11) of the order.

Since paragraph (j) (1) of the order forbids "producers" from obtaining any materials under CMP Regulation 5, producers of tombstones or other stone products at the quarry site may not operate under this regulation but must get priorities assistance exclusively under Order P–56.

The manufacture of tombstones and structural stone at a separate plant away from the quarry is not covered by Order P–56, and priorities assistance for MRO supplies required in such operations may be obtained under CMP Regulation 5. Under CMP Regulation 5, a rating of AA–2 is assigned to persons engaged in the manufacture of structural stone, while persons engaged in the manufacture of tombstones and monuments may use the AA–5 rating which is assigned under that regulation to unlisted business. (Issued Nov. 13, 1943.)

[F. R. Doc. 45–11792: Filed, June 30, 1945; 4:51 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 41]

PREFERENCE RATING AUTHORITY OF THE ARMY AND NAVY MUNITIONS BOARD

§ 903.54 *Directive 41.*—(a) *Purpose and effect.* The purpose of this directive is to delegate to and define the authority of the Army and Navy Munitions Board with respect to the assignment of preference ratings. It replaces, effective July 1, 1945, Directives 23, 31 and 32. The assignment of preference ratings for deliveries to be made on or after July 1, 1945, will be governed by this Directive 41. However, this directive shall not affect the validity of preference ratings heretofore properly assigned.

(b) *Priorities instructions of the Army and Navy Munitions Board.* The Army and Navy Munitions Board, after approval by the War Production Board, may issue instructions governing the assignment of preference ratings within limits prescribed by WPB program determinations covering contracts, purchase orders and other similar procurement documents for the delivery of materials (including products, commodities, equipment, accessories, parts or assemblies) to or for the account of;

(1) The Army (including the Panama Canal) and the Navy (including the Marine Corps and the Coast Guard). This does not include material procured by either of the above under the Act of March 11, 1941 (Lend-Lease Act) which is not for the direct use of the armed services of a foreign country.

(2) U. S. Army and Marine Corps Post Exchanges, U. S. Navy and Coast Guard Ships Service Departments, War Shipping Administration Training Organization Ships Service Activities, all for overseas or shipboard use only (except for items specifically approved for domestic use in WPB program determinations).

(3) The following agencies of the Federal Government: Coast and Geodetic Survey, National Advisory Committee on Aeronautics, Civil Aeronautics Administration (only for activities performed at the request or under the sponsorship of the Army or Navy), Selective Service System, Office of Scientific Research and Development, Office of Strategic Services, Weather Bureau, U. S. Soldiers Home (Washington, D. C.), War Shipping Administration, Maritime Commission (only for ship construction directed by the Joint Chiefs of Staff), and the Coordinator of Ship Repair and Conversion.

(4) American Red Cross and United Service Organizations, Inc., activities directly connected with military personnel.

(5) Foreign Governments, for the procurement of material on a cash basis for the use of their armed services.

(6) Institutions and schools training military personnel under supervision of the military.

(7) Units of the Reserve Officers Training Corps, for the purchase of uniforms for trainees.

(c) *Deliveries which may be rated.* The Army and Navy Munitions Board may assign preference ratings to:

(1) Deliveries in fulfillment of contracts and purchase orders of the kinds described in paragraph (b), including deliveries of material to be incorporated in command construction, Engineers Corps construction, Panama Canal construction or Maritime ship construction. (See paragraphs (2), (3), (4) and (5) below.)

(2) Command construction; that is, the following types of projects ordered built by either the Chief of Staff, U. S. Army, or the Chief of Naval Operations, U. S. Navy: air fields; military housing; facilities for the repair of finished items of munitions; ports and depots; overseas or theatre of operations construction; seacoast fortifications; military hospitals; maneuvering, training and staging areas and proving grounds.

(3) Engineers Corps construction; that is, projects which (i) have been approved for rating by the War Production Board, (ii) are built by or under the supervision of the Corps of Engineers (and where appropriate, completed by the Army Air Forces) in accordance with a design directive approved by an authorized representative of the War Production Board and (iii) will be owned, leased, maintained or operated by or under the direction of the War Department, and financed by War Department funds.

(4) Panama Canal construction; that is, projects (other than command construction) which are owned by the Panama Canal.

(5) Maritime ship construction; that is, construction of ships directed by the Joint Chiefs of Staff.

(6) Maritime MRO and inventories; that is, deliveries of materials and equipment immediately required for the maintenance, repair and operation of ships under the control of the War Shipping Administration, facilities directly operated by the Maritime Commission or War Shipping Administration or the Coordinator of Ship Repair and Conversion for the prosecution of the war, and neutral ships in ports of the United States after clearance of the vessel's status has been made with the Foreign Economic Administration; also deliveries of material for inventory purposes (not exceeding a 90-day inventory) to ship repair yards, to ship repair facilities, to river and harbor maintenance facilities, to ship chandlers and other distributors of marine supplies, and to sales and distribution outlets of manufacturers of marine supplies, *Provided*, That such material is of a kind necessary for shipping activities connected with the prosecution of the war and that such ship chandlers and other distributors of marine supplies, and sales and distribution outlets of manufacturers of marine supplies are specifically named by the Maritime Commis-

sion in a list approved by the War Production Board.

(7) Deliveries of materials to prime contractors or subcontractors for packaging and preserving, within the period of time specified in the Contract Settlement Act of 1944, materials and equipment owned by the government at the termination of production contracts; but only on condition that the rating shall be assigned on a form specifying the kinds and amounts of government owned materials and equipment to be prepared for storage or shipment and the kinds and amounts (units or dollar value) of packaging and preservative materials for which the rating is assigned.

(8) Deliveries of machine tools or other productive capital equipment to prime contractors or subcontractors to produce items being procured under a prime Army or Navy contract. Provided, however, that every preference rating certificate which assigns a rating to the delivery of capital equipment or machine tools (whether such delivery is to be made directly to the Army or Navy or other Government agency or to a prime or subcontractor thereof), shall prior to issuance be reviewed and approved by a duly authorized official of the War Production Board, as stated in paragraph (h), unless the preference rating certificate is countersigned under any of the following circumstances:

(i) Where the total value of the delivery or deliveries rated by the instrument does not exceed $500. Purchases shall not be divided for the purpose of making this exemption available.

(ii) Where the countersigning takes place outside of the 48 States, the District of Columbia and the Dominion of Canada.

(iii) Where the capital equipment or machine tools are for shipboard use (including floating dry docks), or are for use outside the 48 States and the District of Columbia for military operations.

(iv) Where capital equipment not including machine tools is purchased by or for the account of the Army or the Navy for military operations.

(v) Where the certificate assigns a rating to a command construction project, as defined in paragraph (c) (2) above, of which the capital equipment or machine tools are only a part.

(vi) Such cases as may be exempted in writing by the War Production Board on the recommendation of the Tools Division.

(vii) A purchase made pursuant to approval given by a commanding officer, commandant, or the Bureau of Supplies and Accounts of the Navy, or by a commanding officer of a defense command of the Army, in an emergency where the degree of urgency is such that advance approval by a War Production Board official cannot be obtained: *Provided*, That in each such case a copy of the rating document is mailed within 24 hours after issuance to the appropriate Regional Office of the War Production Board.

(d) *Rating of military construction.* (1) All construction, other than that covered by the provisions of paragraphs (c) (2), (c) (3), (c) (4) and (c) (5) will be rated only by the War Production Board, even though the facilities when completed will be owned, leased or operated by the Army, Navy or Maritime Commission.

(e) *Redelegation of authority to assign ratings.* The authority delegated to the Army and Navy Munitions Board in paragraph (c) may be redelegated by the Board only to authorized officials of the agencies enumerated in paragraphs (b) (1), (b) (2) and (b) (3) except that the authority to assign preference ratings under paragraph (c) (6) may be redelegated only to the Maritime Commission, the War Shipping Administration and the Coordinator for Ship Repair and Conversion and officials thereof.

(f) *Method of assigning ratings.* (1) Where the preference rating is to be assigned to a production schedule at the time allotments are made, or to construction, the preference rating shall be assigned on an allotment form, on a construction authorization form, on Form WPB-542, or as prescribed in subparagraph (3) below.

(2) All other preference ratings assigned under this directive shall be assigned on Form WPB-542 or Form WPB-646 or as prescribed in subparagraph (3) below.

(3) When any Government agency having the authority assigns a preference rating to deliveries to be made to or for its account, it may do so by placing the rating on the purchase order or contract and endorsing the order or contract with a certification substantially as follows: "By authority of the War Production Board the preference ratings indicated are assigned to the deliveries on this purchase order or contract." This certification may be placed on a purchase order or contract by means of a rubber stamp or printed on the order or contract form. The certification need not be signed separately if the purchase order or contract is signed by an official who is authorized to assign the ratings on behalf of the agency which is placing the order or contract. This method of assigning the rating may not be used when the assignment of the rating is subject to review and approval by the War Production Board before issuance, nor when materials are ordered by prime or subcontractors for packaging and preserving materials and equipment owned by the government at the termination of production contracts.

(4) Re-ratings may be issued or effected with the War Production Board program determinations in the manner prescribed by Priorities Regulation 12.

(5) Every rating assigned under this directive on a form or certification shall be assigned in the manner prescribed therein without attaching any further conditions or qualifications, except that in approving any Form WPB-542 for capital equipment or machine tools the War Production Board may limit the use of the rating to a specific make of equipment or may provide that delivery may only be obtained from a specified supplier.

(g) *Application and extension of ratings.* Ratings assigned under this directive may be applied and extended only in accordance with applicable regulations of the War Production Board.

(h) *Procedure for review and approval of rating actions by War Production Board officials.* (1) Every Form WPB-542 submitted for review and approval under this directive shall be accompanied by Form WPB-542.1 containing a statement of the proposed use of the capital equipment or machine tools requested.

(2) Instruments assigning the rating to the delivery of capital equipment or machine tools required in connection with a production project in a single plant shall be submitted to the War Production Board as follows:

(i) Where the total cost of all tools and equipment required for the project is less than $100,000 the instruments shall be submitted after countersignature by the appropriate Service Officer to the War Production Board field office within whose jurisdiction the tools or equipment are to be located. The instruments shall be approved by the War Production Board official of such office only after he has determined that the item or items requested are required and that no existing equipment or subcontracting facilities are available which are suitable and appropriate for the purposes for which the items are requested or that such determinations cannot be made within fifteen days after receipt thereof. Purchases shall not be divided for the purpose of coming within this subdivision (i). The fact that the equipment or machine tools appear on a single preference rating application or on several such applications shall not determine whether the capital equipment or machine tools are in connection with a single given project, but the War Production Board field office shall determine this after full consideration of all the facts surrounding such application or applications.

War Production Board field offices will work closely with the regional offices of Reconstruction Finance Corporation to make full use of any existing regional surpluses. In addition, War Production Board field offices shall refer requests for major items of capital equipment and machine tools to Industrial Equipment Redistribution Board, 811 Vermont Avenue, Washington, D. C., so that they may be checked against the national list of surplus or available equipment. For the purpose of this subdivision, a major item of capital equipment or machine tools means any machine tool or other item of capital equipment which has a retail sales price of $3,000 or more.

(ii) Where the total cost of all tools and equipment required for the project is $100,000 or more the instruments shall be submitted after counter-signature by the appropriate Service Officer to the appropriate War Production Board field office specified in subdivision (i) above or the Routing and Issuance Section of the War Production Board, Washington 25, D. C., at the option of the sponsoring agency. If such an instrument is submitted to the War Production Board field office under this subdivision, the field office shall not approve it but shall recommend the granting or denying of approval and forward it, together with its recommendation, to the Tools Division of the War Production Board for approval or disapproval in accordance with prescribed procedures.

(iii) Where the War Production Board from time to time specifies certain equipment as to which instruments assigning a rating for delivery thereof shall follow the procedure specified in subdivision (ii) above, that procedure shall govern irrespective of whether the capital equipment or machine tools may have a total cost of less than $100,000.

(3) Whenever the War Production Board is advised that a suitable substitute is available for a particular item, it may delete the item from the rating instrument and advise the applicant that he must use the existing equipment. The War Production Board may reinstate any item deleted from a rating instrument pursuant to this paragraph if, upon investigation, it is established that the substitute item recommended is not in fact suitable or available. Application for reinstatement of an item should be made by the applicant through the appropriate countersigning Service Officer to the War Production Board office which reviewed the original rating instrument. The appropriate countersigning Service Officer should submit an amended instrument bearing a reference to the number of the original instrument with a full written explanation of why the recommended substitute equipment cannot be used. The amended instrument need only cover the deleted items for which reinstatement is requested. Application for reinstatement may be made by letter instead of an amended instrument when the original instrument was reviewed by the War Production Board in Washington.

(4) When an instrument which has been countersigned by the appropriate Service Officer under paragraphs (2) or (3) above is disapproved by a War Production Board official in a War Production Board field office, the Service Officer may request the War Production Board field office to forward the latter's entire file in the matter, together with a statement of the facts to the Tools Division of the War Production Board, at the same time forwarding a copy of the statement of facts to the Army and Navy Munitions Board in Washington. The War Production Board may in its discretion issue the instrument in question.

(5) The review and approval of a rating instrument shall be evidenced by endorsing the certificate "Reviewed and approved under Directive 41" over the official signature of the War Production Board.

(i) *Authority to change destination of shipments or to allot materials.* Specific authority to issue on Form GA-209 instructions to contractors and subcontractors for change in destination of shipments of items being produced for Army or Navy programs, or authority to allot specific materials for specified purposes, may be delegated from time to time to officers of the Army and Navy respectively, by the Chairman or Program Vice Chairman of the War Production Board.

(j) *Directives and delegations of authority superseded.* This directive supersedes Directives 23, 31 and 32 and all individual delegations of authority to assign preference ratings which have heretofore been issued by officials of the War Production Board to the Army and Navy Munitions Board or to any service of the Army, to the Army Air Forces or to any Bureaus of the Navy or Maritime Commission.

(k) *Effective date.* This directive shall take effect on July 1, 1945.

Issued this 30th day of June 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-11711; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-95, Revocation]

HERBERT S. KOHLBUSH

Suspension Order No. S-95 was issued September 9, 1942, effective September 14, 1942, against Herbert S. Kohlbush, Huntington Beach, California, for violation of Conservation Order M-68. The Chief Compliance Commissioner has directed that Suspension Order No. S-95 be revoked forthwith. In view of the foregoing, it is hereby ordered, that: § 1010.95 *Suspension Order No. S-95* be revoked, effective June 30, 1945.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11722; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-96, Revocation]

CHESTER F. DOLLEY

Suspension Order No. S-96 was issued September 9, 1942, effective September 14, 1942, against Chester F. Dolley, Torrance, California, for violation of Conservation Order M-68. The Chief Compliance Commissioner has directed that Suspension Order No. S-96 be revoked forthwith. In view of the foregoing, it is hereby ordered, that: § 1010.96 *Suspension Order No. S-96* be revoked, effective June 30, 1945.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11723; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-739, Revocation]

DUFFY SILK CO.

Suspension Order No. S-739 was issued March 14, 1945, against the Duffy Silk Company of 1270 Broadway, Buffalo, New York, for violation of Conservation Order L-41. In view of the recent amendment to Conservation Order L-41, the Chief Compliance Commissioner has directed that Suspension Order No. S-739 be revoked forthwith. In view of the foregoing, it is hereby ordered, that: § 1010.739 *Suspension Order No. S-739* be revoked, effective June 30, 1945.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11724; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-777, Amdt. 2]

BENTON HARBOR MALLEABLE INDUSTRIES

Suspension Order No. S-777 was issued April 30, 1945, effective May 7, 1945, against Benton Harbor Malleable Industries, a Michigan corporation with offices at Benton Harbor, Michigan. On June 19, 1945 the Suspension Order was amended by the addition of paragraph (g). The Chief Compliance Commissioner has directed that the order be further amended so that the suspension order shall not apply to purchase orders bearing ratings of AA-3 and higher. In view of the foregoing, it is hereby ordered, that: *Suspension Order No. S-777* issued April 30, 1945 and effective May 7, 1945 as amended June 19, 1945 be further amended by adding the following paragraph (h):

(h) The provisions of this order shall not apply to purchase orders bearing ratings of AA-3 and higher.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11725; Filed, June 30, 1945; 12:03 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-802, Revocation of Stay of Execution]

HUDSONVILLE BOX AND BASKET CO.

Hudsonville Box and Basket Company, a Michigan corporation with principal offices at Hudsonville, Michigan was suspended on June 2, 1945 effective June 9, 1945 by Suspension Order S-802. The order was stayed on June 23, 1945. The Chief Compliance Commissioner, after further investigation has directed that the stay be revoked. In view of the foregoing, it is hereby ordered, that:

The stay of *Suspension Order S-802* issued June 23, 1945 be revoked.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11729; Filed, June 30, 1945; 12:03 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-831, Stay of Execution]

RUBY LIGHTING CORP.

Ruby Lighting Corporation, a corporation, 1216 South Olive Street, Los Angeles, California is appealing from the provisions of Suspension Order No. S-831 and has requested a stay. The Chief Compliance Commissioner has directed that the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. In view of the foregoing, it is hereby ordered, that: The provisions of *Suspension Order No. S-831* issued June 23, 1945 and effective June 30, 1945, be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11731; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-836]

STERLING BATTERY CO.

Benjamin Gelardin and his wife, Beatrice Gelardin, co-partners doing business under the trade name of Sterling Battery Company at 3615 East Tremont Avenue, New York City, are engaged in the manufacture and sale of flashlight batteries. During the fourth quarter of the year 1944 they made and delivered 1,362,205 flashlight batteries in excess of their authorized quota in violation of General Limitation Order L-71. They also failed to keep and preserve accurate and complete records of their manufacture, inventories and shipments of the flashlight batteries in violation of Priorities Regulation No. 1. The partners were aware of the provisions of Limitation Order L-71 and Priorities Regulation No. 1, and their actions constituted grossly negligent violations thereof.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.836 *Suspension Order No. S-836.* (a) Benjamin Gelardin and Beatrice Gelardin doing business under the trade name of Sterling Battery Company or otherwise, their successors and assigns, shall reduce their manufacture and deliveries of flashlight batteries on non-rated purchase orders below the number they would otherwise be authorized to manufacture and deliver under Limitation Order L-71, as follows: during the third quarter of 1945, by 370,700 batteries; during the fourth quarter of 1945, by 370,770 batteries; and during the first quarter of 1946 by 196,835 batteries, unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Benjamin Gelardin and Beatrice Gelardin, doing business under the trade name of Sterling Battery Company or otherwise, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11830; Filed, July 2, 1945; 11:23 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-837]

SMITH ENVELOPES, INC.

Smith Envelopes, Inc., a Michigan corporation, with offices at 2460 East Grand Boulevard, Detroit, Michigan, operates a plant for the printing and lithographing of envelopes and letterheads, and during the first, second and third quarters of 1944 the company as a converter consumed, in the manufacture of envelopes and letterheads, 124,705 pounds of paper in excess of its quota, in violation of General Conservation Order M-241-a.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.837 *Suspension Order No. S-837.* (a) During the three calendar quarters beginning July 1, 1945 and ending April 1, 1946, Smith Envelopes, Inc. shall reduce its consumption of paper in the manufacture of envelopes and letterheads by using, during each of the third and fourth quarters of 1945 and the first quarter of 1946, at least 31,568 pounds less than the quota it would otherwise be entitled to use during these quarters as specified by the provisions of Conservation Order M-241-a, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Smith Envelopes, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Smith Envelopes, Inc., its successors or assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11831; Filed, July 2, 1945; 11:23 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-838]

FRANK YOUNG

Frank Young of Hatfield, Pennsylvania, during the period between June 1, 1944 and June 3, 1945, did construction in erecting a one-story brick detached dwelling containing seven rooms and bath, located on the north side of Cowpath Road, approximately one-half mile east of Hatfield, Pennsylvania, without authorization from the War Production Board, and in violation of Conservation Order L-41. On April 9, 1945, Frank Young admitted that the cost of the house had exceeded $2,900, and he voluntarily agreed to stop construction at that time. In spite of this agreement he has continued the construction and the building is now occupied by him. Frank Young's action in beginning and carrying on this construction without authorization from the War Production Board constitutes a willful violation of Conservation Order L-41.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.838 *Suspension Order No. S-838.* (a) Neither Frank Young, his successors or assigns, nor any other person, shall do any construction on the premises located on the north side of Cowpath Road, approximately one-half mile east of Hatfield, Pennsylvania, including putting up, altering or completing any structure located on the said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Frank Young from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11832; Filed, July 2, 1945; 11:23 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Revocation]

Section 1029.15 *Limitation Order L-257* and Directions 1, 3, 4, 5, 6 and 7 to that order, are revoked. This revocation does not affect any liabilities incurred for violation of the order or directions or of actions taken by the War Production Board under the order or directions. The order and directions are superseded by Order L-257-c.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11814; Filed, July 2, 1945; 11:24 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Revocation of Schedule B]

Section 1029.17 *Schedule B to Limitation Order L-257* is revoked. This revocation does not affect any liabilities incurred for violation of the schedule or of actions taken by the War Production Board under the schedule. The schedule is superseded by Order L-257-c.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11815; Filed, July 2, 1945; 11:24 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257-a, Revocation]

EXPORTS

Section 1029.16 *Limitation Order L-257-a* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The order is superseded by Order L-257-c.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11816; Filed, July 2, 1945; 11:24 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257-a, Revocation of Export Schedules X-11 through X-18]

Section 1029.18 *Export Schedules X-11 through X-18 to Limitation Order L-257-a* is revoked. This revocation does not affect any liabilities incurred for violation of the schedules or of actions taken by the War Production Board under the schedules. The schedules are superseded by Order L-257-c.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11817; Filed, July 2, 1945; 11:24 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257-c, Direction 1]

PRODUCTION DIRECTIVE FOR HAMES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hames and of materials and facilities used in the production of hames for defense, for private account and for export. It is deemed necessary and appropriate in the public interest and to promote the national defense to assign priority to orders for hames and to allocate materials and facilities available for the production of hames on the conditions and in the manner and to the extent set forth in the following direction to Order L-257-c:

(a) *Required production of hames.* Each producer of hames is required to manufacture and accept and fill orders for at least as many hames during each of the third and fourth quarters of 1945 as he produced during the second quarter of 1945. Manufacture of hames under this direction shall take precedence over all other production in the hame producer's plant except for orders rated higher than AA-2.

(b) *Appeals.* Any appeal from the provisions of this direction shall be made by filing a letter in triplicate with the War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref: L-257-c, Direction 1, referring to the particular provision appealed from and stating fully the grounds of the appeal. An appeal for suspension of this direction may be made by any producer on the ground that compliance with it will result in production at a loss: *Provided*, That an application for price relief on that ground is first filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy is filed with the WPB appeal. If the WPB appeal is granted, requirements of this direction for increases above current production will be suspended until the decision by the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11818; Filed, July 2, 1945; 11:24 a. m.]

PART 1272—MACHINE TOOL ELECTRICAL SPECIFICATIONS

[Limitation Order L-147, Revocation]

Section 1272.1 *Limitation Order L-147* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of machine tools remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11713; Filed, June 30, 1945; 12:03 p. m.]

PART 1288—POWER, STEAM, AND WATER AUXILIARY EQUIPMENT

[Limitation Order L-154, Schedule IV, as Amended July 2, 1945]

POWER SWITCHGEAR

Section 1288.5 *Schedule IV to Limitation Order L-154* is amended to read as follows:

§ 1288.5 *Schedule IV to Limitation Order L-154*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles power switchgear.

(2) "Power switchgear" means all equipment for the control and protection of apparatus used for power generation, conversion, transmission, and distribution and includes oil or air circuit breakers, metal enclosed or open type switchboards, buses and related devices.

This term does not include motor controller equipment, busway, small air circuit breakers, (known as types AB, ET or similar) or panelboards or distribution boards on which all circuits of 600 amperes or less utilize either the small air circuit breaker or switch and fuse units.

(b) *Restrictions on materials and required specifications*—(1) *Spare panels and apparatus.* In the manufacture of power switchgear, spare panels or fillers, and all panels and apparatus for the control of future equipment or future feeders shall be eliminated unless the elimination of such structures necessitates a redesign of standard construction.

(2) *Loading of switchgear and buses.* (i) All new power switchgear of the metal enclosed type, indoor or outdoor, shall be manufactured with main current interchange surfaces silver-surfaced or equivalent, thereby permitting operation at the maximum approved rating of 85° C. temperature (based on 30° C. rise above 55° C. ambient temperature). In the case of power switching and distribution equipment, open type, both indoor and outdoor, and including enclosed cutouts, all such equipment and devices shall be designed and manufactured for operation at not less than 70° C. temperature (based on 30° C. rise above 40° C. ambient temperature). In no case shall any equipment be rated on a current density basis.

(ii) All power buses, indoor and outdoor, shall be so designed and built that each section will operate under full load conditions at as near as possible to 85° C. temperature (based on 30° C. rise above 55° C. ambient temperature), using standard bus sizes. In order to accomplish the required full loading of all sections of buses on a temperature basis, it will generally be necessary that buses be tapered so that each section will be loaded to the above temperature limits. Multicircuit switchboards shall be so designed that the heaviest circuits are adjacent to the circuits supplying power to the bus in order to accomplish maximum tapering of the bus, unless this results in an over-all increase in copper.

(3) *Double buses.* Double buses or duplicate buses shall not be used in metal enclosed installations, but instead a single bus, sectionalized, if necessary, shall be used.

(4) *Benchboard type panels.* Benchboard type panels (except for mill drive controls) shall not be used.

(c) *Limitation on tests.* No producer of power switchgear shall make or furnish design or certified electrical or mechanical tests on equipment which has been furnished to the industry and has given satisfactory service, or for which test data is already available.

(d) *Restrictions on production, deliveries, and acceptances.* No person shall accept deliveries of, and no producer shall deliver or produce (or accept deliveries of material for the purpose of producing) power switchgear which does not conform to the applicable restrictions on materials and required specifications, limitation on tests and other restrictions, established by this schedule.

(e) *Exceptions.* The restrictions of this schedule shall not apply to equipment which is to be used by the Army or Navy of the United States on board any ship or vessel, and which is so certified on the original order placed by the Army or Navy.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11813; Filed, July 2, 1945; 11:23 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order L-335, Interpretation 1 to Direction 1A]

MEANING OF WORDS "BOARDS" AND "DIMENSION"

The following interpretation is issued with respect to Direction 1A:

Direction IA of Order L-335 requires certain sawmills to manufacture a stated percentage of their expected monthly production of Douglas fir, White fir, and West Coast Hemlock in the form of one inch, one and one-quarter inch, and one and one-half inch boards, and another percentage in the form of two-inch dimension. The words "boards" and "dimension" as used in that Direction include all grades of the specified species of lumber which have the above nominal thicknesses.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary

[F. R. Doc. 45-11810; Filed, July 2, 1945; 11:25 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-359, Revocation]

PORT ORFORD CEDAR

Section 3285.96 *Conservation Order M-359* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The distribution and use of Port Orford Cedar remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 1st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11829; Filed, July 2, 1945; 11:26 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Direction 9, as Amended July 2, 1945]

RESTRICTIONS ON SALE AND DELIVERY OF CERTAIN CARDED COTTON SALE YARN IN COUNTS OF 9'S THROUGH 14'S

Direction 9 to Order M-317 is hereby amended to read as follows:

(a) *Purpose.* This direction is issued to provide cotton duck and duck substitutes for the programmed requirements of the armed services and essential civilian needs.

(b) *Restrictions on delivery.* This paragraph restricts deliveries of carded cotton sale yarns (excluding seconds), single or ply, 9's through 14's (other than machine knitting), as listed in the Sale Yarn Production Schedule of Order M-317B. From July 2, 1945 through September 30, 1945, and regardless of preference rated orders, no person who produces any such yarns shall sell or deliver any of them, except to fill an order bearing a preference rating assigned for carded cotton sale yarn on Form WPB-2842. No other rating is effective even if it originated with the Army or any of the other agencies named in paragraph (d), and was applied or extended to the producer of the yarn.

(c) *Restrictions on acceptance of delivery.* No person shall buy or accept delivery of any carded cotton sale yarn in counts of 9's through 14's, if he knows or has reason to believe that it is being sold or delivered in violation of paragraph (b) of this direction.

(d) *Applications on Form WPB-2842.* Applications made on Form WPB-2842 will be granted only for deliveries of yarn in proper amounts, descriptions and counts to or for the Army, Navy, Maritime Commission or War Shipping Administration, and to others only when it appears that the programmed requirements of the armed services will not be interfered with and it is shown that the yarn is needed for an essential industrial, agricultural or other civilian purpose.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11827; Filed, July 2, 1945; 11:23 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-65-a, Revocation]

ELECTRIC IRONS

Section 3291.316 *Limitation Order L-65-a* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of electric irons remain subject to all applicable regulations and orders of the War Production Board.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11812; Filed, July 2, 1945; 11:23 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 75]

SYNTHETIC CAMPHOR

Section 3293.1075 *Schedule 75 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective July 2, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

On and after July 2, 1945 deliveries of synthetic camphor are subject to General Preference Order M-340 as amended simultaneously with the issuance of this revocation.

The manufacture, use and delivery of synthetic camphor remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11625; Filed, July 2, 1945; 11:25 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 100]

AMYL ALCOHOL AND AMYL ACETATE

Section 3293.10100 *Schedule 100 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective July 2, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

On and after July 2, 1945 deliveries of amyl alcohol and amyl acetate are subject to General Preference Order M-340 as amended simultaneously with the issuance of this revocation.

The manufacture, use and delivery of amyl alcohol and amyl acetate remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 2d day of July, 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11826; Filed, July 2, 1945; 11:25 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-21-b-2, Revocation of Direction 3]

OIL COUNTRY DISTRIBUTORS

Direction 3 to Order M-21-b-2 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under its provisions.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11821; Filed, July 2, 1945; 11:25 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-21-b-1, Revocation of Direction 3]

TO INCREASE WAREHOUSE STOCKS OF GENERAL STEEL PRODUCTS

Direction 3 to Order M-21-b-1 is revoked. The deferred allotment status of all unfilled orders bearing the symbol "ZW", placed by distributors under the direction, is cancelled. Existing "ZW" orders may, however, be filled on an unrated basis. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under its provisions.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11820; Filed, July 2, 1945; 11:25 a. m.]

PART 3293—CHEMICALS

[General Preference Order M-340 as Amended July 2, 1945]

MISCELLANEOUS CHEMICALS

§ 3293.491 *General Preference Order M-340*—(a) *Definitions.* (1) "Subject chemical" means any chemical as defined in List 1 attached to this order.

(2) "Preferred order" means any purchase order for subject chemicals which are (i) ultimately to be delivered to or incorporated in material to be delivered to, the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission, War Shipping Administration, Panama Canal, Office of Scientific Research and Development, Veterans' Administration, or any government agency pursuant to the Act of March 11, 1941 (Lend-Lease Act), unless restricted in the second column of list 1 attached to this order, or which are (ii) ultimately to be used for any preferred purpose specified opposite the subject chemical in List 1 attached to this order. The term "preferred order" under item (i) above shall not include any order for a military exchange or service department unless clearly identified on its face as coming within the definition of "overseas order" under Priorities Regulation 17.

(b) *Inapplicability of certain preference ratings.* (1) No person shall give any effect to any preference rating below AAA on any purchase order for subject chemicals, unless the person placing the purchase order certifies that it is a "Preferred order" and that acceptance of delivery will not result in his having an inventory in excess of that permitted under paragraph (c) of this order. Preference ratings on certified preferred orders shall be given full effect.

(2) "Preferred orders" shall be certified in substantially the following form, duly signed by an authorized official:

Certified as Preferred Order under WPB Order M-340

(Identify purchase order if certificate is not on it or attached to it; if certificate does not cover whole order, add "as to ------ (quantity) of ----- (material). Add 'Inventory certified—Ref: M-340, paragraph (b) (1)':")

(Name of purchaser)

(Signature and title of duly authorized official)

The certificate may be indorsed on or attached to the purchase order and need not be filed with the War Production Board. Any person receiving the certificate may rely upon it unless he knows or has reason to believe that it is false. The standard certification of Priorities Regulation 7 may not be used instead.

(3) A person who receives a subject chemical on a certified "preferred order" shall use the chemical only for the purposes shown in paragraph (a) (2) above, unless otherwise specifically authorized in writing by the War Production Board.

(c) *Use of certified preferred orders.* (1) Where a person is ordering a subject chemical to fill either orders for the chemical itself or orders for material into which it is to be incorporated, he may not certify his order as a preferred order if the orders to be filled are not on hand. An order for a subject chemical may be certified as a preferred order if the chemical is required to replace withdrawals from inventory of the chemical within the previous 30 days used to fill orders for a purpose preferred under paragraph (a) (2), but in no case may an order for a subject chemical to accumulate inventory be certified as a preferred order.

(2) Even in cases where an order to replace inventory might be certified as a preferred order under paragraph (c) (1) above, no person may so certify an order, if the receipt of the quantity ordered would result in his having an inventory of the subject chemical, whether or not acquired in part by uncertified orders, in excess of an amount sufficient to meet deliveries on orders for purposes preferred under paragraph (a) (2) which he has accepted for delivery during the succeeding 60 day period (unless a different period is indicated in List 1). This paragraph prohibits the use of certified preferred orders for inventory except as specified above. It does not restrict the amount of inventory which a person may accumulate by uncertified orders, but if a person accumulates by uncertified orders or otherwise an inventory in excess of that specified he is prohibited from using certified preferred orders to replace withdrawals from inventory, even though the withdrawals were made for preferred purposes, until his inventory has been reduced to the specified amount. Inventories continue to be subject to other applicable orders and regulations of the War Production Board.

(d) *Special directions.* The War Production Board may at any time issue special directions to any person regarding production, use or delivery of subject chemicals, notwithstanding the other provisions of this order.

(e) *Applicability of regulations.* Except as provided in paragraph (b) above, this order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* Communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-340.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST 1

Note: Table amended July 2, 1945.

Subject chemical	Preferred purposes under paragraph (a) (2) (ii)
1. Oxidized petrolatum, meaning high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventative compounds or corrosion inhibitors meeting specification No. 52-C-18 such as those petrolatums known by the trade-marks Par-Al-Ketone, Alox 707, and Alox 701.	None.
2. Enamelwire naptha, also known as E. W. naphtha, meaning a mixture of aromatic solvents derived from coke oven light oil, drip oil, or coal tar, distilling between 150 and 200° C., with at least 15 per cent monomeric polymerizable constituents of the cumorene-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorene-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.	(i) Wire and cable.
3. Precipitated calcium carbonate, meaning ultrafine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.	(i) Wire and cable.
4. Hi-flash naphtha, meaning water white coal tar solvent naphtha, having a distillation range of 140° C. (263° F. to 200° C.) (392° F.) derived from coke oven light oils, coal tar distillates, drip oils or holder oils.	None.
5. Dipentene, meaning certain terpene solvents, consisting largely or entirely of mono cyclic terpene hydrocarbons of the empirical formula $C_{10}H_{16}$, having a distilling range and solvent power above that of turpentine.	(i) Rubber reclaiming. NOTE: Orders for dipentene to be used for ultimate delivery for paint to any agency listed under paragraph (a) (2) (i) under specifications not specifying dipentene are not included in "preferred orders."

LIST 1—Continued

Subject chemical	Preferred purposes under paragraph (a) (2) (ii)
6. Heat treated rosins, meaning rosin heated to a sufficiently high temperature and for a sufficient period to effect some degree of isomerization and disproportionation. 90 day period under paragraph (c) (2).	(i) Foundry cores. (ii) Wire and cable. (iii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office.
7. Stabilized rosins, meaning rosin stabilized by hydrogenation, dehydrogenation, or disproportionation. 90 day period under paragraph (c) (2).	(i) Manufacturing and compounding of synthetic and natural rubber. (ii) Wire and cable. (iii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office.
8. Polymerized rosins, meaning rosin which contains 20% or more of polymerized or condensed rosin acids. 90 dap period under paragraph (c) (2).	(i) Wire and cable. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office.
9. Metal resinates, meaning any rosin which has been reacted with any given metal or metallic salt and contains 1% or more of the metal combined with the rosin. 90 day period under paragraph (c) (2).	(i) Foundry cores. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office. (iii) Orders rated under Order P-149.
10. Rosin, meaning gum rosin and wood rosin as defined in the Naval Stores Act of March 3, 1923. 90 day period under paragraph (c) (2).	(i) Foundry cores. (ii) Orders rated under Order P-65 and P-149. (iii) Ultimate use by War Food Administration, U. S. Government Printing Office or Bureau of Printing and Engraving;
11. Nitrocellulose plastics, meaning plasticized cellulose nitrate in primary unfabricated forms, such as sheets, shapes, rods, and tubes (including extruded, butt-joined, and spiral wound tubes manufactured by the producer of the nitrocellulose plastic incorporated therein).	(iv) Wire and cable. None.
12. Titanium dioxide, means any pigment containing more than 12% titanium dioxide whether alone or admixed with or precipitated on inerts, extenders or opaque pigments.	(i) Marine paint for maintenance of ocean-going vessels; (ii) Orders rated under Order P-149 for materials for coatings for interior can linings; (iii) Ultimate use by U. S. Government Printing Office or Bureau of Printing and Engraving; (iv) Wire and cable.
13. Zinc sulfide, meaning any pigment containing more than 12% zinc sulfide whether alone or admixed with, or precipitated on inerts, extenders or opaque pigments. The terms include all the commercial grades of lithopone, but does not include luminescent pigments containing zinc sulfide.	(i) Marine paint for maintenance of ocean-going vessels; (ii) Orders rated under Order P-149 for materials for coatings for interior can linings; (iii) Ultimate use by U. S. Government Printing Office or Bureau of Printing and Engraving, (iv) Wire and cable.
14. Vulcanized fibre sheet and rod, meaning unfabricated or fabricated (unless attached to other items) sheet or rod formed from regular paper which has been processed through a zinc chloride bath and pured in a series of fresh water baths.	(i) Railroad track electrical insulation; (ii) Electrical insulation for electrical power transformers.
15. Paradichlorobenzene, meaning paradichlorobenzene in any form and from whatever source derived.	(i) Fungicides and insecticides solely for agricultural crops (excluding all moth preventative and deodorant uses).
16. Ester gum, meaning the reaction product of wood or gum rosin and any alcohol (usually glycerin or pentaerythritol). 90 day period under paragraph (c) (2).	(i) Wire and cable. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office. (iii) Orders rated under Orders P-65 and P-149.
17. Amyl alcohol, meaning any aliphatic alcohol having the empirical formula $C_5H_{12}O$, including a mixture of isomeric forms of amyl alcohol but not amyl alcohol in the unrefined form known as crude fusel oil. Also amyl acetate, meaning the acetic esters of amyl alcohol. (Subject to M-340 on and after July 2, 1945).	(i) Penicillin. NOTE: Orders for amyl alcohol and amyl acetate to be used for ultimate delivery of lacquer, lacquer thinner or retarder thinner to any agency listed under paragraph (a) (2) (i) under specifications not specifying amyl acetate are not included in "preferred orders."
18. Terpene hydrocarbon resins, meaning terpene hydrocarbon resin type polymers derived from pinene.	(i) Manufacturing and compounding of synthetic and natural rubber.
19. Synthetic camphor, meaning the oxygenated bicyclic terpene of the empirical formula $C_{10}H_{16}O$ which is synthesized from turpentine or borneol. (Subject to M-340 on and after July 2, 1945).	None.

[F. R. Doc. 45-11828; Filed, July 2, 1945; 11:25 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Supplementary Order M-21-j, Revocation]

TOOL STEEL

Section 3294.114 *Supplementary Order M-21-j* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture, use and delivery of tool steel remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11822; Filed, July 2, 1945; 11:25 a. m.]

PART 3305—PAPERBOARD

[Conservation Order M-290, as Amended July 2, 1945]

CONTAINERBOARD

The fulfillment of requirements for the defense of the United States has created shortages in the supply of containerboard and of materials entering into the production of containerboard for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3305.11 *Conservation Order M-290—What this order does.* Under this order anyone who wants to buy more than 2½ tons of containerboard in any calendar quarter must apply for and receive the written authorization of the War Production Board to do so. Furthermore, this material may not be delivered in lots of 50 pounds or more on uncertified orders.

Two kinds of authorizations to accept delivery of containerboard will be issued:

(1) "Basic authorizations" permitting the acceptance of a specific amount of containerboard. In most cases, this amount will be based upon the tonnage of containerboard consumed by the applicant in the fourth quarter of 1943 and adjusted upwards or downwards in accordance with the rating pattern which he files monthly with the War Production Board.

(2) "Incentive authorizations" permitting the acceptance of an unlimited amount of containerboard. On and after July 1, 1945, this type of authorization will be issued to each person receiving a "basic authorization" who will use the incentive tonnage for the manufacture of fibre shipping containers, as defined in Order P-146.

To the extent specified in paragraphs (h), (i) and (j) of this order, the acceptance and delivery of basic orders must be preferred to that of incentive orders by producers of containerboard.

Other provisions of this order limit the uses to which certain kinds of containerboard may be put; establish inventory ceilings; prohibit the use of ratings; provide for the issuance of directions for the production and delivery of containerboard and its end products; and require producers to manufacture and ship specific amounts of containerboard if they wish to produce certain other kinds of paper and paperboard.

(a) *Definitions.* For the purpose of this order:

(1) "Producer" means a person (including a sheet supplier) who makes containerboard in roll stock form or in the form of corrugated or solid fibre sheets at one or more plants which he owns or controls.

(2) "Plant" means a congregation of pulp preparation, roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of containerboard.

(3) "Containerboard" means the types and grades of paperboard classified under caption No. 211000 through 219000 in Form WPB-514, as currently revised. It shall also mean corrugated or solid fibre sheets of the kind used by "sheet plants" and "cleated-box manufacturers" in making containers or any other product. The term shall not include any item which is defined in Order P-146 as a "fibre shipping container"—such as a solid fibre (.045 or heavier) or corrugated fibre sheet or roll to be used for wrapping, packaging or otherwise protecting a product or material for shipment.

(4) "Container manufacturer" means any person (including any sheet plant operator, fibre-drum manufacturer, and any cleated-box manufacturer) who manufactures shipping containers or parts therefor, made wholly or in part from any type of containerboard.

(5) "Sheet-plant" means any container-manufacturing plant which does not have either corrugating or pasting equipment.

(6) "Cleated-box manufacturer" means any manufacturer of shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(7) "Sheet supplier" means any producer who supplies corrugated or solid fibre sheets to sheet plants, cleated-box manufacturers or other users, whether owned by him or not.

Restrictions on Delivery and Receipt of Containerboard

(b) *Restrictions on acceptance of delivery.* On and after April 1, 1944, no person shall accept delivery of containerboard except as authorized by the War Production Board in writing.

(c) *Sheet plants and cleated box manufacturers.* Any person who has been authorized to accept delivery of containerboard in the form of corrugated or solid fibre sheets may place orders for such containerboard with sheet suppliers. If the orders have been properly certified as provided in the next paragraph the supplier may (subject to the provisions of paragraph (i) below in the case of incentive orders) obtain the amount of containerboard which he will use to fill the orders in addition to that which the War Production Board has permitted him to receive by authorization issued directly to him. In certifying his orders for this additional containerboard the supplier shall give his customer's authorization number and date.

(d) *Delivery restrictions.* On and after April 1, 1944, no person shall deliver containerboard except on an order accompanied by a certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the following form:

Authorized under Order M-290. Date of authorization ---------, authorization number ----------

This certificate shall constitute a representation to the War Production Board (subject to the penalties of section 35A of the United States Criminal Code) that the purchaser is authorized under this and other applicable War Production Board regulations and orders to place the delivery order and to receive the item(s) ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (d).

(d-1) *Exception to requirement of authorization to receive containerboard.* A person who has been granted an authorization by the War Production Board to receive containerboard may deliver such containerboard to another person to be processed, and such other person need not have War Production Board authorization or give the required certificate to accept the delivery if the person having the authorization retains ownership of the containerboard and invoices and sells the end product made from the containerboard. He must report the shipments of products so made on Form WPB-3077 in accordance with paragraph (v) below.

Authorizations

(e) *V-board.* Normally authorizations to accept delivery of containerboard for use in the manufacture of V-boxes will be on a monthly basis and will be issued separately on Form WPB-2492, Supplement No. 1, immediately prior to the month in which such containerboard is to be received. However, they may be issued at any other time and in any other manner (as by telegram or letter).

(f) *Containerboard other than V-board.* Authorizations to accept delivery of containerboard other than that described in paragraph (e) above will be either:

(i) *"Basic authorizations"* which will permit the acceptance of a specific amount of containerboard;

(ii) *"Incentive authorizations"* which will permit the acceptance of an indefinite amount of containerboard during a particular quarter. These incentive authorizations will be identified by the inclusion of the letter "X" in the authorization number.

Both basic and incentive authorizations will generally be issued on Form WPB-2492 on a quarterly basis prior to the beginning of the pertinent quarter. They may, however, be issued at any other time and in any other manner, such as by telegram or letter.

(g) *Specifications of suppliers and delivery date; cancellation or amendment of authorizations.* (1) The authorizations described in paragraphs (e) and (f) above may specify the supplier with whom all or part of the authorized orders may be placed and the date as of which said orders are to be delivered.

(2) The War Production Board may cancel or amend any authorization for the acceptance of containerboard at any time prior to its complete fulfilment.

Treatment of "Basic" Authorizations

(h) *Policy.* The following paragraphs ((i) and (j)) are directed at assuring, insofar as is possible, that all orders covered by basic authorizations can be placed and filled during the calendar quarter for which the authorization was issued. To further implement this policy basic authorizations will be originally issued only to the extent of the contemplated production of containerboard during the pertinent quarter, less a reasonable safety factor, and, if necessary, will be adjusted from time to time to conform with variations in production trends and military requirements.

(i) *Definitions.* For the purposes of this paragraph (h) and of paragraphs (i) and (j) below "basic orders" are all those which do not have the letter "X" in the authorization number which must be set forth in the certificate provided by paragraph (d). The term shall include "V-board" orders and small delivery orders (see paragraphs (k) and (l)).

"Incentive orders" are those which do have the letter "X" in the authorization number.

(j) *Preferential treatment of basic authorizations*—(1) *General rule.* No producer shall fill any order for containerboard (other than containerboard in the form of corrugated or solid fibre sheets) which is certified as carrying an incentive authorization, in any calendar quarter during which he has not previously shipped, from all plants he owns or controls, on basic orders, a tonnage of containerboard equal to at least 95 percent of the total production of containerboard, at these plants, during the corresponding quarter of 1944 (as reported on Form WPB-514).

(2) *Monthly basis.* A producer who wants to fill incentive orders on a monthly basis should apply by letter to the War Production Board for permission to do so. If granted, this permission will be subject to the following conditions (and may contain such further limitations as are deemed advisable in view of the policy stated in paragraph (h) above):

(i) That no incentive orders may be filled in the first month of any calendar quarter unless the producer has, during that month, previously shipped, from all plants he owns or controls, on basic orders, a tonnage of containerboard equal to at least 33⅓ percent of the total production of containerboard, at those plants, during the corresponding quarter of 1944 (as reported on Form WPB-514), and

(ii) That no incentive orders may be filled in the second month of any calendar quarter unless the producer has, during that quarter, previously shipped from all plants he owns or controls, on basic orders, a tonnage of containerboard equal to at least 66⅔ percent of the total production of containerboard, at those plants, during the corresponding quarter

of 1944 (as reported on Form WPB–514), and

(iii) That no incentive orders may be filled in the third month of any calendar quarter unless the producer has, during that quarter, previously shipped from all plants he owns or controls, on basic orders, a tonnage of containerboard equal to at least 95 percent of the total production of containerboard, at those plants, during the corresponding quarter of 1944 (as reported on Form WPB–514).

(3) *Sheets.* The filling of incentive orders for containerboard in the form of corrugated or solid fibre sheets is not restricted by subparagraphs (1) and (2) of this paragraph (i). However, incentive orders for roll stock which will be used to make such sheets may be filled only in complete conformity with the provisions of those subparagraphs.

(j) *Acceptance, fulfillment and placing of authorized orders.* Except where noted to the contrary, the provisions of this paragraph (j) apply to orders for containerboard in the form of corrugated or solid fibre sheets as well as for roll stock. The percentages specified in subparagraphs (1) (ii), (iii) and (iv) below shall, in the case of sheet suppliers, be computed on the basis of the tonnage reported on Form WPB–3077 as having been delivered in the form of corrugated or solid fibre sheets during the applicable base period.

(1) *Acceptance of orders.* Each producer of containerboard must accept basic orders in the order in which they are received by him, except:

(i) He may reject orders calling for delivery in any month which are received on or before the seventh day of that month.

(ii) He may reject orders calling for delivery during the first month of any calendar quarter at any time when the basic orders which he has on his schedule for delivery during that month, plus those which he has already delivered during that month, call for a tonnage of containerboard equal to at least 33⅓ percent of that produced, at all plants he owns or controls, during the corresponding calendar quarter of 1944. Orders carried over from a previous month may not be credited to the tonnage specified in this subparagraph (unless this was done at the written request of the customer).

(iii) He may reject orders calling for delivery during the second month of any calendar quarter, at any time when the basic orders which he has on his schedule for delivery during that month, plus those which he has already delivered during that month, call for a tonnage of containerboard equal to at least 33⅓ percent of that produced, at all plants he owns or controls, during the corresponding calendar quarter of 1944. Orders carried over from a previous month may not be credited to the tonnage specified in this subparagraph (unless this was done at the written request of the customer).

(iv) He may reject orders calling for delivery during the third month of any calendar quarter at any time when the basic orders which he has on his schedule for delivery during the quarter, plus those which he has already delivered during the quarter, call for a tonnage of containerboard equal to at least 95 percent of that produced, at all plants he owns or controls, during the corresponding calendar quarter of 1944. Orders carried over from a previous quarter may not be credited to the tonnage specified in this subparagraph (unless this was done at the written request of the customer).

(v) He must reject any order which he receives after the end of the quarter for which the authorization covering the order was issued. (Authorization numbers, which must be certified to suppliers according to paragraph (d), will identify the quarter for which the authorization is valid by the first digit following the letters in the authorization number. This number will be "6" for the second quarter of 1945, (such as CB–6–000), "7" for the third quarter of 1945, and so on.)

(vi) In any case where he is of the opinion that the filling of an order for containerboard would substantially reduce his over-all production, owing to the large or small size of the order, its specifications, or otherwise, he may apply for relief to the Paperboard Division of the War Production Board. The War Production Board may release him from his obligation to accept and fill such order.

(vii) He may reject an order, if the person seeking to place it is unwilling or unable to meet his regularly established prices and terms of sale or payment.

(2) *Notification of filling of schedules.* Each month, each producer shall notify the Paperboard Division of the War Production Board, in writing, as soon as he has accepted basic orders for delivery, during that month, in the amounts specified in subparagraphs (1) (ii), (1) (iii) and (1) (iv) of this paragraph (j). If, after giving this notice, a producer's orders scheduled for delivery during the month are reduced (due to customers' cancellations, cut backs or postponement of orders, etc.) below the specified amounts—and such reduction continues for more than twenty-four hours—he must immediately advise the Paperboard Division of the War Production Board, in writing, that his original notice is withdrawn.

(3) *Delivery of orders.* If a producer fails to deliver a basic order, which he has accepted, during the month in which delivery is called for, he must deliver it as soon as possible thereafter, in preference to all other orders except orders for V or W board. He must do this even if delivery is effected after the end of the quarter in which the purchase order was placed.

This rule does not apply to orders based upon incentive authorizations. No person may deliver and no person may accept delivery of containerboard (other than containerboard in the form of corrugated or solid fibre sheets) pursuant to incentive authorizations unless the containerboard was in transit to the purchaser on or before the last day of the calendar quarter for which the incentive authorization was issued.

(4) *Variation of percentages in individual cases.* The War Production Board may increase the percentage of past production which any producer must sell and deliver on basic orders (paragraphs (i) and (j)), or which he must produce (paragraph (m)), where facilities have been expanded since the base period, or increased production is expected for other reasons. On application from a producer, the War Production Board may reduce said percentages in cases where breakdowns, work stoppages, raw material shortages, etc., justify a reduction.

(5) *Limitation on placing of orders.* No person may place basic orders for containerboard (other than authorized orders for V and W board and for containerboard to be exported unused) calling for delivery during either of the first two months of any calendar quarter, in a total amount exceeding 36⅔ percent of his basic authorization for that quarter (excluding V and W board authorizations and authorizations for containerboard to be exported unused). However, this shall not prevent any person from placing an order for one full carload of containerboard in each month, providing he does not exceed the tonnage he is authorized to accept under this order.

Exceptions for Small Deliveries

(k) *Purchasers.* A person who accepts delivery of less than 2½ tons of containerboard from all sources in any calendar quarter shall not be required to obtain the written authorization of the War Production Board to get containerboard in that quarter. However, when he buys in lots of more than fifty pounds he must accompany his order with a certificate in the following form:

> The undersigned certifies that the amount of containerboard delivered to him and ordered for delivery to him during the calendar quarter in which delivery of this order is to be made (including the amount specified in this delivery order), does not exceed 2½ tons.

Any person may accept delivery of containerboard in lots of less than fifty pounds without the authorization of the War Production Board and without filing the foregoing certificate.

(l) *Suppliers.* Any supplier of containerboard may deliver it to a person purchasing in accordance with the preceding paragraph (k) regardless of the provisions of paragraph (d) of this order.

Production of Containerboard

(m) *Required production.* (1) No producer may manufacture any paperboard defined in Order M–378, other than tonnage credited to his "reserve" under that order, at any plant, during any calendar quarter, unless the total tonnage of containerboard in roll stock form produced and shipped in that quarter, at all plants he owns or controls, is at least as great as the tonnage of containerboard produced at said plants in roll stock form in the corresponding quarter of 1944.

(2) No paper classified under caption #051500 in Form WPB–514 (screenings, core stock, bogus or imitation kraft and mill wrappers) may be made at any plant, during any calendar quarter, unless the total tonnage of containerboard in roll stock form produced and shipped in that quarter, at that plant, is at least as great as the tonnage of containerboard produced at said plant in roll stock form in the corresponding quarter of 1944.

Directions

(n) *Directions.* The War Production Board may, from time to time, issue directions of the following kinds:

(1) *Mill production.* Directions requiring that all or any part of any plant's or producer's containerboard production during any period shall be in specified types and grades. Such directions will not be inconsistent with Order M–93 or actions taken under that order.

(2) *Mill shipment.* Directions requiring that all or any part of any plant's or producer's containerboard production shall be shipped (in such quantities, types, and grades as may be specified) to specified persons and at specified times, whether or not the containerboard is produced for other persons.

(3) *Sheet-supplier shipments.* Directions requiring that all or any part of any sheet-supplier's supply of containerboard sheets shall be shipped in such quantities, types, and grades as may be specified, to specified sheet-plants or cleated-box manufacturers.

(4) *Observance of directions.* Directions issued pursuant to this paragraph (n) shall, to the extent stated therein, take precedence over other deliveries of containerboard. The War Production Board may (with or without conditions) rescind or modify any directions issued pursuant to this paragraph (n) in any case in which it decides that there are special circumstances which would cause fulfillment of the direction to be impractical. In order to receive consideration, such special circumstances must be presented by telegram or letter to the War Production Board within seventy-two hours after they have arisen. If the War Production Board shall, after receipt of such facts, not give its written approval to an application for rescission or modification of a direction, the direction shall be fulfilled in accordance with its original terms.

Unless the War Production Board specifically permits him to do so, in writing, no plant or producer or other supplier shall require customers to deliver waste in return for containerboard shipped on any authorized order.

Restrictions on Use of Authorized Containerboard

(o) *Use of authorized or directed containerboard.* Authorizations or directions issued under paragraphs (e), (f), or (n) may specify the use to which all or any part of the authorized or directed containerboard may be put. In such cases, no person shall use any such containerboard except for the purpose specified. This prohibition does not, however, prevent the substitute use of any equivalent amount of containerboard of suitable grades.

(p) *Production directions.* The War Production Board may, from time to time, direct any person to fill any designated order or class of orders involving the use of containerboard and to use in filling that order, any allocated or unallocated containerboard available to him.

(q) *Restrictions on usage of Kraft as a corrugating media.* No Kraft containerboard may be used as corrugating media except for V and W boxes. For the purposes of this paragraph "Kraft containerboard" shall mean a grade of paperboard of full bending quality manufactured on a Fourdrinier or a Cylinder machine from a furnish of at least 70 percent virgin Kraft wood pulp or Kraft wood pulp screenings.

Ratings

(r) *Prohibition against use of ratings.* No person shall use any rating to get containerboard and no person selling containerboard shall require a rating as a condition of sale. Any rating purporting to be applied or extended to containerboard shall be void and no person shall give any effect to it in filling an order.

Inventory Restrictions

(s) *Inventories.* No person shall knowingly deliver to any person, and no person shall accept delivery of any quantity of containerboard if the total inventory in the hands of the person accepting delivery is, or by virtue of acceptance will become, either (1) in excess of two carloads, or (2) in excess of his reasonably anticipated requirements for the next thirty days, whichever is greater.

(t) *Amounts of containerboard which may be ordered.* No person may place orders for more containerboard than he has been authorized to receive under this order, regardless of whether or not he intends to cancel or reduce some of his orders before they are delivered.

In addition, authorized purchase orders must specify delivery at a time when a person reasonably anticipates that he will be entitled to receive the amount of containerboard he has ordered within the inventory limitations of Priorities Regulation No. 1 or of paragraph (s) of this order, whichever is the more restrictive.

Applications and Reports

(u) *Applications for permission to receive containerboard.* Each person requiring authorization to accept delivery of containerboard during any calendar quarter shall file application on Form WPB–2492 in the manner and at the time stated in the instructions on that Form.

(v) *Reports required from all container manufacturers.* Each container manufacturer who requires authorization for the acceptance of containerboard (i. e. all those who are not exempt from this requirement under paragraph (k) shall report to the War Production Board on Form WPB–3077 in accordance with the instructions appearing on that form.

(w) *Reports by manufacturers of V-boxes.* In addition to the reports required by paragraphs (u) and (v), above each manufacturer of V-boxes shall, on or before the 10th day of each month, report to the War Production Board on Form WPB–2492–Supplement No. 1, in accordance with the instructions on that form.

(x) *Reports by producers of containerboard.* Each producer shall, on or before the fifteenth day of each month report to the War Production Board on Form WPB–3850 in accordance with the instructions on that form.

(y) *Budget approval.* The reporting requirements set forth in paragraphs (j), (u), (v), (w) and (x) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(z) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Miscellaneous

(aa) *Multiple function organizations.* Where any person (including any parent subsidiary organization) engages in two or more of the types of operations subject to this order (for instance, if he is both a producer or supplier and a converter of containerboard), the provisions of this order applicable to each type of function shall apply separately to his operations of that type. For example, a container-manufacturer may not receive containerboard from his own mill without an authorization; or part or all of that mill's production may be made the subject of a direction under paragraph (n). Similarly a producer who makes containerboard in roll stock form and also in the form of corrugated or solid fibre sheets may only obtain roll stock for the manufacture of the sheets pursuant to authorized orders (see paragraph (c) for provisions concerning the extension of sheet plant orders); and he must apply the percentages specified in paragraphs (i), (j) and (m) separately to each operation.

(bb) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(cc) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(dd) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: M-290.

(ee) *Appeals.* Appeals from this order shall be filed by addressing a letter, in triplicate, to the War Production Board, Paperboard Division, Washington 25, D. C., Ref: M-290. The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in exceptional and unreasonable hardship, and such other statistical and narrative information as may be pertinent.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11624; Filed, July 2, 1945; 11:25 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 6 to Supp. 3[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

Section 1305.216 (b) is amended by changing the part dealing with foods covered by Ration Order 16 to read as follows:

Foods covered by Revised Ration Order 16	60%	100%

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11652; Filed, June 30, 1945; 11:36 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 109]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order No. 5 is amended in the following respects:

1. Section 7.1 (g) is amended to read as follows:

(g) Whenever the December use factor, the allowance per person or the refreshment factor for a rationed food is changed, the base for that food of any institutional user affected by the change shall be computed when he next applies for his regular allotment. The recomputed base shall be treated as his base for all purposes. In recomputing the bases for foods covered by Revised Ration Order 16 as of July 1, 1945, of Groups III, IV and V institutional users whose base month was after March 1943, and before July 1945, the usage, in points is multiplied by 1.33 and the result is multiplied by 60 percent. This figure is his base.

2. Section 13.3 (f) is amended to read as follows:

(f) At the end of the first thirty days he shall report to the Board on OPA Form R-1307 (Revised) the information called for by Part II of that form. The Board shall then compute a base for meal services for each rationed food in the following way:

(1) The number of meals actually served is multiplied by the result arrived at in (d) (1) for each rationed food:

(2) His use of each rationed food is determined as follows:

(i) Sugar, in pounds;

(ii) Processed foods, in points;

(iii) Food covered by Revised Ration Order 16 divided by the December use factor in paragraph (b) of Supplement 3, and the resulting figure multiplied by that factor.

(3) The lower of the figures obtained in (1) and (2) is his base for meal services.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11651; Filed, June 30, 1945; 11:36 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 141]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1340.220 (h) (2) is amended to read as follows:

(2) *Maximum prices for shipment by truck or wagon to all destinations for all uses.*

Consolidated size groups	Description	Coals produced at any and all mines from all seams except those in Butler County, Ky.	Coals produced at any and all mines from all seams in Butler County, Ky.
A	All single-screened lump coals, bottom size larger than 1¼", and all double-screened raw, washed or air-cleaned coals, bottom size larger than 1¼".	$2.80	$ [illegible]
B	All single-screened lump coals, bottom size 1¼" and smaller, and all double-screened coals, bottom size 1¼" and smaller.	2.45	[illegible]
C	Mine run, modified mine run and mine run resultants larger than 2".	2.35	[illegible]
D	Screenings, top size not exceeding 2"	2.00	[illegible]

This Amendment No. 141 shall become effective July 5, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11648; Filed, June 30, 1945; 11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 275,[1] Amdt. 1]

HONEY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 275 is amended in the following respects:

1. Section 2 (b) is amended by inserting before the word "honey" in the first sentence thereof the word "domestic."

2. Section 2 (c) is amended to read as follows:

(c) A "dealer" is a person actively engaged in buying and selling domestic or imported bulk honey at a regular place of business performing the services customarily performed by an established honey dealer and entitled to dealers' maximum prices on sales of such honey only: (1) if he bought it; (2) if he warehoused it; and (3) if he sells it with full responsibility for its delivery according to specifications. A dealer shall not pay a refund, bonus, or any other consideration over the producers' maximum prices or divide any part of the selling price with the producer or any other person except as is provided for cooperative associations governed by Supplementary Order 84.

3. Section 2 (r) is added to read as follows:

(r) An "importer" is a purchaser to whom imported bulk honey is shipped from outside continental United States of America and who is not qualified to receive a dealer's maximum price under paragraph 3 (b) (2) (ii) unless he meets the requirements of a dealer under paragraph 2 (c) and who sells imported bulk honey without performing any manufacturing operation on it which changes its identity.

4. Section 2 (s) is added to read as follows:

(s) An "import-broker" is a person in continental United States of America engaged in the business of selling bulk honey produced outside the continental United States as an exporter's agent for the account of persons doing business outside of the United States. He serves the foreign seller and shall receive payment for his services only in accordance with the provisions of Revised Maximum Price Regulation 165. He is not entitled to sell bulk honey at prices higher than the maximum prices provided for such honey in section 3 (b) (1), and is not entitled to the maximum prices provided for sales by importers in section 3 (b) (2) of this regulation.

5. Section 3 (a) (1) is amended to read as follows:

(1) *Maximum prices for producers or other sellers.* Where a sale is made in a marketable container, f. o. b. seller's local shipping point by a producer or other seller who does not qualify under any of the other classifications herein defined:

	Cents per lb.
(i) To persons other than consumers... (If purchaser furnishes, exchanges, or returns a container for, that shipped by the seller, the maximum price shall be 11½¢ per lb.)	12
(ii) To consumers	15

6. Section 3 (b) (2) is amended to read as follows:

(2) *Maximum prices on imported bulk honey sold in the United States*—(i) *Importers' maximum price.* Where the sale of imported bulk honey in a marketable container is made in continental United States of America (other than a sale by an import-broker or a sale to the importer thereof), the maximum price, duty paid, f. o. b. freight car or truck, at a point or port of arrival in the United States shall be 12¢ per pound.

(ii) *Dealers' maximum prices on sales of imported bulk honey.* Where a dealer makes a sale of imported bulk honey in a marketable container, duty paid, f. o. b. freight car or truck, at a point or port of arrival in the United States:

Quantity:	*Cents per lb.*
(i) For 12,000 lbs or over, or any quantity in a pool car	12
(ii) For less than 12,000 lbs., but not less than 1,500 lbs	13
(iii) For less than 1,500 lbs., but not less than 500 lbs	14
(iv) For less than 500 lbs	15

(c) Where a sale is made of imported bulk honey on a basis other than an f. o. b. car or truck basis, the loading and carting charges that would have been incurred if the sale had been f. o. b. car or truck must be deducted from the 12¢ per pound maximum price.

(d) Where a sale of imported bulk honey is made in bond, the maximum price shall be the same as that established for the same type of sale made on a duty-paid basis less the amount of applicable duties.

7. Section 5, paragraph (g) (1) is amended by deleting therefrom references to forms "1-A, 1-B and 1-C" and inserting in lieu thereof the following: "Form 635-988."

8. Section 14 (b) is amended by deleting therefrom reference to Forms "1-A, 1-B and 1-C" and inserting in lieu thereof the following: "Form 635-988."

This amendment shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 20, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-11649; Filed, June 30, 1945; 11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 312,[1] Amdt. 2]

MAPLE SYRUP AND MAPLE SUGAR

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 14 (a) (11) is amended to read as follows:

(11) "Block sugar" is all maple sugar put up in blocks larger than one pound and commonly used in the confectionery, blended syrup and tobacco industries. It does not include, however, maple sugar which is customarily sold in containers to retailers and domestic consumers.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11646; Filed, June 30, 1945; 11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 595, Amdt. 3]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 595 is amended in the following respects:

1. Section 2.1 (a) (9) (viii) is amended to read as follows:

(viii) Mixtures of grains for which maximum prices are provided in Supplement No. 5 to Food Products Regulation No. 2.

2. A new sentence is added at the end of section 3.12 (a) to read as follows: "Every seller who, prior to May 3, 1943, customarily gave invoices to his customers, must continue to do so."

3. Section 3.14 is amended to read as follows:

SEC. 3.14 *Delegation of authority to determine import purchases prices, differentials and uniform delivery charges, margins, differentials for Class C plants and base prices for ingredients and containers.* The administrator, any regional administrator or any district director authorized by the appropriate regional administrator, may establish maximum import purchase prices pursuant to the provisions of section 5.5, systems of differentials and uniform delivery charges pursuant to the provisions of section 3.7, and may approve, disapprove and allow margins and differentials for Class C plants pursuant to the provisions of section 4.1 and base prices for ingredients and containers pursuant to the provisions of section 4.2.

4. The first sentence in the First Method in section 4.1 (d) (2) is amended to read as follows: "You may use this method only for a plant operated by you during the year 1944 at which you produced for your own account less than 3500 tons of mixed feed during that year."

5. The first sentence in section 4.2 (b) (1) is amended to read as follows: "'Base Price' as used in this subparagraph (1) means, with respect to wheat, oats, barley, corn and grain sorghums, the 'base price' therefor as defined, respectively, in 2nd Revised Maximum Price Regulation 487 and Supplements 2, 3, 4 and 6 to Food Products Regulation No. 2."

6. The first method in section 4.2 (b) (1) is amended to read as follows:

First Method. You may use the "base price" at the point where the plant is located.

7. Section 4.2 (b) (3) (iii) is amended to read as follows:

(iii) The simple average of the prices you paid delivered at your plant for either

(*a*) Your receipts during the last thirty days prior to the effective date of this regulation, or

(*b*) Your last twenty receipts prior to the effective date of this regulation, or

(*c*) Your receipts during the last year preceding the effective date of this regulation.

8. A new sentence is added at the end of section 4.2 (b) (4) (i) to read as follows: "You may have several such base container prices; for example, you may have one price for standard cotton bags and another for 'print' cotton bags."

9. Section 4.2 (b) (4) (iv) is amended to read as follows:

(iv) *Methods.* Your base container price for any containers shall be the maximum price you could lawfully pay, if subject to price control, or the reasonable market value, if not subject to price control, delivered to your plant from your normal suppliers of such containers. Such prices shall be on the basis of normal quantities of such containers (as evidenced by receipts) that you purchase either in the 100 pound size or in smaller sizes.

10. The last sentence in the first paragraph of section 4.3 is amended to read as follows: "A manufacturer need not calculate an adjusted base ingredient price unless he desires to do so, but he cannot take an ingredient into his mixed feed at a price higher than the base ingredient price (whether or not such base

[1] 8 F.R. 10602, 11676, 11460, 11479, 12463, 12557, 12403, 12744, 17486, 14472, 15488, 16787; 9 F.R. 601, 455, 692, 1810, 2212, 2287, 2252, 2476.

[2] 9 F.R. 2019.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 3577, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813.

[1] 10 F.R. 2969.

[1] 9 F.R. 2247, 4390.

ingredient price has been filed) in determining his control price, unless he determines an adjusted base ingredient price as herein provided."

11. Section 4.8 (b) (6) is amended to read as follows:

(6) Such discounts as are consistent with your regular discount policy, if any, on such sales during the 1942 base months, except that, in the case of private brand mixed feeds, you must allow at least as great a discount as your largest discount to a wholesaler during the 1942 base months on sales of the same or most nearly similar mixed feed produced by you, which is not a private brand mixed feed.

This amendment shall become effective June 30, 1945.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11647; Filed, June 30, 1945; 11:35 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 110]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 24.1 is amended by adding a new paragraph (f) to read as follows:

(f) Sugar ration checks issued by the Veterans' Administration or by any of its establishments shall be issued in accordance with the procedure and under the conditions prescribed by section 16.5 (b) of Second Revised Ration Order 3.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11748; Filed, June 30, 1945; 3:08 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 11,[2] Amdt. 20]

REPLACEMENT OF RATIONED FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGENCIES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order 11 is amended in the following respects:

1. Section 4.1 (a) is amended by deleting the first sentence and inserting in place thereof the following sentences:

The designated agency may in its discretion issue a check or checks payable to the applicant for each rationed food, other than sugar, used or to be used in such products equal to the point value (at the time the check is issued) of the rationed foods. However, if the agency grants the application for replacement or advance of sugar used or to be used in products acquired by such agency, it shall issue a check or checks payable to each industrial user for whom application is made for the amount of sugar used or to be used by such industrial user in such products. Before issuing such check or checks for sugar to that industrial user, the designated agency must type or stamp in ink on the back of each such check the following notation: "Not valid for deposit except by a primary distributor as defined in the Sugar Rationing Regulations. Transfer by endorsement only." An industrial user who is entitled to a check for sugar under this Order may request the designated agency to issue to him more than one check covering the amount of sugar used or to be used by him.

2. Section 4.1 (c) is amended to read as follows:

(c) The applicant must issue a check to each industrial user for the amount of such rationed food, other than sugar, for which replacement or advance has been obtained on his behalf.

(1) Notwithstanding the provisions of Second Revised Ration Order 3 or Revised General Ration Order 3A, no industrial user who receives a check for sugar under the provisions of paragraph (a) and no person, other than a person who is a primary distributor under the sugar rationing regulations, who delivers sugar in exchange for such check, may deposit such check, even if such person has or is required to have a ration bank account. Instead, he must endorse and transfer such check for any purpose for which checks or evidences may be transferred under this order or Second Revised Ration Order 3.

3. Section 5.2 (a) is amended to read as follows:

(a) No industrial user may apply for replacement or advance of any rationed food (except sugar) on behalf of another industrial user, unless the applicant has a ration bank account for each rationed food (except sugar) for which replacement or an advance is requested. An industrial user who is applying for replacement or for an advance of sugar, whether or not he is applying for himself or on behalf of another industrial user, does not need to have a sugar ration bank account. The applicant may open a ration bank account as an industrial user for any rationed food, other than sugar, even if he is not an industrial user with respect to that rationed food under the order rationing that food.

This amendment shall become effective July 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11746; Filed, June 30, 1945; 3:08 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 17,[1] Amdt. 2]

EXPORT OF RATIONED FOODS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order 17 is amended in the following respects:

1. Section 10 (a) is amended to read as follows:

(a) Every person other than a primary distributor as defined by the Sugar Rationing Regulations who is engaged in a business which involves the export of rationed foods, other than sugar, may open a ration bank account for each such rationed food, other than sugar, he exports (for which he does not already have an account), in the same way that a "wholesaler" registered under the provisions of the order rationing that food may open an account. (However, such an exporter is not, merely because of his exports, required to register as a "wholesaler" under such ration order.) Ration bank accounts are to be opened in accordance with the provisions of Revised General Ration Order 3A.

2. Section 10 (b) is amended to read as follows:

(b) Only ration evidences received to acquire rationed foods for export, other than sugar, may be deposited in an account opened under this section and checks may be issued against that account only to acquire rationed foods, other than sugar, for export or to account to the District Office for evidences received to acquire such foods, other than sugar. (Checks obtained for the export of sugar may be transferred only in accordance with the provisions of section 7.1 (b) of Second Revised Ration Order 3.)

3. Section 11 is redesignated section 12 and a new section 11 is added to read as follows:

SEC. 11. *Issuance of ration checks for sugar.* (a) Before issuing any sugar ration check under the provisions of this order, the District Office shall type or stamp in ink on the back of each such check the following notation:

Not valid for deposit except by a primary distributor as defined by the Sugar Rationing Regulations. Transfer by endorsement only.

[1] 9 F.R. 3608.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 3577, 4196, 4393, 4647, 4873, 5041, 5332, 5684, 5826, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813.

[2] 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13771, 13920, 16640; 9 F.R. 848, 1053, 17511.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11747; Filed, June 30, 1945; 3:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 26]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Second Revised Ration Order 3 is amended in the following respects:

1. Section 7.1 (b) is amended by adding a subparagraph (1) to read as follows:

(b) (1) Notwithstanding the provisions of this order or of General Ration Order 3A, no person, other than a primary distributor, who receives a sugar check issued under the provisions of General Ration Orders 11 or 17, or in accordance with section 16.5 (b) of this order, may deposit such check if it has a notation typed or stamped in ink, on its back stating: "Not valid for deposit except by a primary distributor as defined in the Sugar Rationing Regulations. Transfer by endorsement only." In addition, no person who knows or has reason to believe that a check was issued under the provisions of General Ration Orders 11 or 17 or in accordance with section 16.5 (b) of this order may accept such check for any of the purposes covered by this Order unless it has on its back the notation required by General Ration Orders 11 or 17 or section 16.5 (b) of this order. Each person who has a ration bank account, other than a primary distributor, and who transfers such checks by endorsement must keep a record of each such check which he endorses and transfers. The record must show the date when the check was issued, the amount of the check, the name of the payee, and the last endorser, the issuing agency, and the dates he received and transferred that check.

2. Section 16.5 (b) is amended to read as follows:

(b) Each exempt agency, each agency listed in section 16.8 (a), and the Veterans' Administration, shall issue a check in the proper amount to the person making delivery by the time of delivery or as soon as practicable thereafter. Before issuing such check the agency shall type, or stamp in ink, on the back of each such check the following notation: "Not valid for deposit except by a primary distributor, as defined by the Sugar Rationing Regulations. Transfer by endorsement only".

This amendment shall become effective July 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11745; Filed, June 30, 1945; 3:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 64 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 27) (OPA Form R-1313) which is made a part hereof.

This amendment shall become effective 12:01 a. m. July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11752; Filed, June 30, 1945; 3:10 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[2] Amdt. 56]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Revised Ration Order 16 is amended in the following respects:

1. Section 1.1 (a) (3) is amended to read as follows:

(3) "Rationed cheeses" means all cheeses of any kind, variety or description which contain more than 5 percent butterfat, by weight, (but not including "cottage cheese," "whey products," or any cheese in the manufacture of which neither cow's milk nor milk solids derived from cow's milk are used) and any other edible product containing 30 percent or more by weight of such cheeses.

2. Section 27.1 is amended by changing the definition of "rationed cheeses" to read as follows:

"Rationed cheeses" means all cheeses of any kind, variety or description which contain more than 5 percent butterfat, by weight, (but not including "cottage cheese," "whey products," or any cheese in the manufacture of which neither cow's milk nor milk solids derived from cow's milk are used) and any other edible product containing 30 percent or more by weight of such cheeses.

3. Section 27.1 is amended to change the definition of "shortening" to read as follows:

"Shortening" means any "rationed fat or oil" other than "butter," "lard," "margarine," or "cooking or salad oil."

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11750; Filed, June 30, 1945; 3:09 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 49 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 27 and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 27 which are made a part hereof.

This amendment shall become effective 12:01 a. m. July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11751; Filed, June 30, 1945; 3:09 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[2] Amdt. 12]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Control Order 1 is amended in the following respects:

1. Section 4 (b) is amended by substituting the date October 14, 1945 for the date July 1, 1945 appearing in the first sentence.

2. Section 23 (i) (4) (i) is amended to read as follows:

(i) Any common carrier or any contract or private carrier of the slaughterer.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11744; Filed, June 30, 1945; 3:07 p. m.]

[1] 9 F.R. 13641, 13992, 14642, 15048, 10 F.R. 201.

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2558, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15054; 10 F.R. 48, 776, 924.

[2] 9 F.R. 6731, 7060, 7031, 7082, 7187, 7203, 7253, 7367, 7344, 7428, 7878, 7774, 8182, 8793, 9934, 9955, 10049, 10087, 10590, 10876, 11543, 12036, 12649, 12971.

[1] 9 F.R. 11906, 11955, 11961, 12814, 12867, 14287, 14645; 10 F.R. 48, 521, 857, 293, 294.

[2] 10 F.R. 4605.

PART 1305—ADMINISTRATION

[Gen. RO 11,[1] Amdt. 21]

REPLACEMENT OF RATIONED FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGENCIES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 11 is amended in the following respects:

1. Section 2.3 (b) (3); section 2.4 (a) (6); section 3.2 (b) (3) and section 3.3 (a) (8) are amended to read as follows:

A statement that the replacement or the advance, for which the application is made, has not previously been obtained or applied for; or if obtained, was insufficient to permit acquisition of the full amount of the rationed food necessary to make the product or replace the full amount of rationed food used in it;

2. Section 3.4 (a), (b) and (c) are amended to read as follows:

(a) If, for reasons other than changes in point value, any of the ration evidences advanced to an industrial user are not used by him to manufacture products for delivery to the designated agency in accordance with the contract, he must return, or otherwise account for, the ration evidences advanced to the agency which made the advance. If he used the ration evidences to obtain rationed foods which were used in manufacturing products transferred to a person described in section 3.1 (a) (2), and that person does not transfer to the agency or activity in question all the products for which the advance was obtained, the industrial user must account for the balance to the agency which made the advance.

(b) If, for reasons other than changes in point values, the industrial user uses a greater quantity of rationed foods in the products acquired by the agency or activity in question than the amount it was contemplated he would use at the time he received an advance of ration evidences, he may apply for replacement of the balance under Article II of this order.

(c) Except as provided in paragraph (b) of this section, and in section 4.1 (b) of this order, any advance obtained by an industrial user under this or any other order shall be in lieu of any right of replacement which he may have under this order.

3. Section 4.1 (a) is amended to read as follows:

(a) The designated agency may, in its discretion, issue a check or checks payable to the applicant for each rationed food used or to be used in such products equal to the point value (at the time the check is issued) of rationed foods other than sugar, or the weight value of sugar. However, before issuing any check the designated agency must determine:

(1) That the products were acquired in the amounts and on the dates stated, or that the applicant has a contract with or order from the agency or activity in question or a person described in section 3.1 (a) (2) for the manufacture of the products specified in the application; and

(2) That rationed foods, in the amount stated, were used in such products, or that rationed foods, in the amount stated, will be used in such products pursuant to a contract with or an order from the agency or activity in question or the applicant or a person described in section 3.1 (a) (2); and

(3) That the other statements made in the application are true; and

(4) That the rationed foods used in the products were not obtained and are not obtainable as a provisional allowance, or that the rationed foods to be used in the products will not be obtained and are not obtainable as a provisional allowance.

4. The present section 4.1 (b) is renumbered section 4.1 (c).

5. The present section 4.1 (c) is renumbered section 4.1 (d).

6. The present section 4.1 (d) is renumbered section 4.1 (e).

7. The present section 4.1 (e) is renumbered section 4.1 (f).

8. The present section 4.1 (f) is renumbered section 4.1 (g).

9. The present section 4.1 (g) is renumbered section 4.1 (h).

10. A new section 4.1 (b) is added to read as follows:

(b) (1) If the point value of any of the rationed food covered by an application for advance or replacement is increased within 30 days after the date on which the designated agency issues its check by way of advance or replacement for such food, it may issue to the applicant a supplementary ration check for the number of points required to purchase, at the point value in effect at the time the supplementary check is issued, the quantity of rationed foods covered by the original application which, because of increases in point value, could not be obtained with the number of ration points previously issued. Application for such supplementary check must be made within 14 days after the date of the increase in point value of the rationed foods, or by July 14, 1945, whichever is later. He must submit with his application a statement of the quantity of rationed foods which had not been obtained prior to the point value increase.

The application for a supplementary check for additional ration evidences, by way of advance or replacement, must be made by the same industrial user who made the application for the original advance or replacement check, and the application must contain all the information required by section 2.4 or section 3.3 of this order, whichever is proper.

The designated agency may, in its discretion, permit the application to be made more than 14 days after the point value increase, if the applicant, for reasons beyond his control, was unable to file the application within the 14 day period.

(2) If the point value of the rationed foods covered by any application decreases within 30 days after the date on which the designated agency issues its check and before all the rationed foods for which the check was issued is obtained, the applicant shall return to the designated agency the ration evidences or otherwise account for the ration evidences not needed to acquire the remainder of the rationed foods used or to be used by him at the decreased point value.

This amendment shall become effective June 30, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11749; Filed, June 30, 1945; 3:09 p. m.]

[1] 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13171, 13920, 16840; 9 F.R. 848, 1053, 1751, 3076, 4010, 5374, 6628, 8986.

PART 1305—ADMINISTRATION

[Supp. Order 115]

MAXIMUM PRICES FOR THE 1945 PACK OF CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES AND RELATED PRODUCTS UNDER SUPPLEMENT 6 TO FOOD PRODUCTS REGULATION NO. 1

A statement of the considerations involved in the issuance of this supplementary order has been issued and filed with the Division of the Federal Register.

§ 1305.143 *Maximum prices for the 1945 pack of certain frozen fruits, berries and vegetables and related products under Supplement 6 to Food Products Regulation No. 1.* (a) Any maximum price for the 1944 pack of any item approved or authorized by order issued pursuant to section 8 (d) or 8 (e) of Supplement 6 to Food Products Regulation No. 1 shall apply to sales and deliveries of the seller's 1945 pack of the item until the establishment by the Office of Price Administration of new maximum prices for the 1945 pack of that commodity.

(b) Any maximum price for the 1944 pack of any item approved or authorized automatically upon expiration of the 30-day period specified in section 8 (d) or 8 (e) of Supplement 6 to Food Products Regulation No. 1 shall apply to sales and deliveries of the seller's 1945 pack of the item until the establishment by the Office of Price Administration of new maximum prices for the 1945 pack of that commodity.

(c) This supplementary order shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11756; Filed, June 30, 1945; 3:11 p. m.]

PART 1316—COTTON TEXTILES

[RPS 35[1], Amdt. 26]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

The following proviso is added to the end of § 1316.61 (c) (4): *"Provided:* That, it may be charged in connection with sales to manufacturers who will use the cloth (together with other material) to make moisture vapor-proof wrapping material for the ultimate use of War Procurement Agencies and in connection with sales made in conformity with AA-4 Preference Rating Schedule II of WPB General Preference Order M-388A."

This amendment shall become effective June 29, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11601; Filed, June 29, 1945; 4:39 p. m.]

[1] 8 F.R. 1963.
[2] 10 F.R. 1750, 2188.

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 24 to Supp. 7[2]]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 1 (b) (3) is added to read as follows:

(3) Sales and deliveries by a processor to government procurement agencies of the following commodities:

(i) Whole unpeeled apricots, packed in No. 10 cans, with a drained weight of 90 ounces or more per can.

(ii) Solid pack pie peaches, prepared from freestone peaches, packed in No. 10 cans by processors whose factories are located in North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma and Texas.

(iii) The following finished component parts of Ten-in-One rations: 4-ounce cans of peaches, pears, sweet cherries, apricots, any mixture of these fruits, and fruit cocktail.

This amendment shall become effective June 29, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11603; Filed, June 29, 1945; 4:39 p. m.]

[2] 9 F.R. 11003, 12269, 14600, 14645; 10 F.R. 109, 4154, 4542.

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 150,[1] Amdt. 8]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The sub-heading in the last column of the table in section 9 (a) (1) is amended to read as follows: "Parboiled rice (when sold to the U. S. Government or any of its agencies)."

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11766; Filed, June 30, 1945; 3:14 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262,[2] Amdt. 19]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1351.969 is amended by deleting the word "tamales."

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11755; Filed, June 30, 1945; 3:10 p. m.]

[1] 7 F.R. 9244, 10844; 8 F.R. 262, 273, 437, 973, 2285, 5164, 9201, 10568, 11040, 11447, 14985, 15935, 16687, 17227; 9 F.R. 347, 9783; 10 F.R. 2617.
[2] 10 F.R. 6457.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 156,[2] Amdt. 5]

CANNED MEAT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 156 is amended in the following respects:

1. Paragraph (a) of section 1 is amended to read as follows:

(a) *In general.* This regulation fixes ceiling prices on sales of canned meat. "Canned meat" means any canned food containing meat or meat by-products (other than canned soup, mince-meat, spaghetti and meat balls, chow mein, chop suey, ravioli, meat extract, and infant and junior foods and stews) having a meat and/or meat by-product content of not less than 20 percent, which is processed in accordance with good commercial practice and packed in hermetically sealed cans or glass jars, for human consumption only, except that pigs feet, bone-in or boneless, may be packed in unsealed glass jars containing less than 6½ pounds of product, net weight. The percentage of meat and/or meat by-product content shall be determined on the basis of the relation the unprocessed total weight of the meat and/or meat by-products used as ingredients bears to the unprocessed total weight of all ingredients. The ingredients may include any combination of one or more of the meats, beef, pork, veal, lamb, mutton, goat meat, variety meats and edible by-products described in Maximum Price Regulation No. 398, with or without cereal, vegetables, processed vegetable products, milk products, eggs or similar substances, including added moisture and spice or seasoning. Notwithstanding this meat and/or meat by-product content requirement, all canned hashes and stews, meat and gravy products, chili and tamales shall be deemed to be "canned meat"; and any other canned meat product not exempted from this regulation and meeting the minimum specifications which have been defined by the Meat Inspection Division of the War Food Administration or its successor in authority for such product shall be deemed to be "canned meat".

2. Subparagraph (7) of section 1 (b) is amended to read as follows:

(7) To sales of canned meat, ceiling prices for which have been established prior to the effective date of this regulation by individual orders under the General Maximum Price Regulation, Revised Maximum Price Regulation No. 148, and Revised Maximum Price Regulation No. 169, *Provided*, That such orders are not revoked.

3. Subparagraph (10) of section 1 (b) is added to read as follows:

(10) To sales of hermetically sealed cans or glass jars of soups, mince-meat, spaghetti and meat balls, chow mein, chop suey, ravioli, meat extract, and infant and junior foods and stews. The products named are exempt from the pricing provisions of Revised Maximum Price Regulation No. 156, but nothing herein contained shall be construed as exempting any of the products named above from price control under any other regulation, if applicable.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11753; Filed, June 30, 1945; 3:10 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169,[1] Amdt. 56]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. The headnote "Cutter and canner or D" appearing above the first column of prices in the table of § 1364.452 (1) (2) is amended to read "Cutter and canner or D (other than bull)".

2. A new column of prices is inserted in the table of § 1364.452 (1) (2) to read as follows:

Price zone:	*Cutter and canner or D (bull)*
1	$20.25
2	19.50
3	18.50
4	18.50
5	19.00
6	19.25
7	19.50
8	19.75
9	20.00
10	20.25

3. The last two sentences of § 1364.452 (1) (3) are amended to read as follows: "The seller shall place a sticker or stencil on the container certifying the appropriate grade and class (e. g., cow, bull, etc.) of the "boneless beef for Army canned meat" contained therein. By placing an official United States inspection stamp on the container, the official inspector shall attest the accuracy of the seller's certification."

4. Section 1364.455 (a) (8) is amended to read as follows:

(8) "Beef carcass" means and is limited to two sides of beef or two hindquarters and two forequarters derived in either case from the same beef animal which shall be dressed in the following manner: The head shall be removed by disjointing at the socket joint (occipito-atlas). The hide shall be entirely removed. The belly shall be opened by cutting or sawing through the aitch bone (symphysis-pelvis) down the belly in a straight line to the center of the sternum bone and continuing through the sternum bone to the neck. All the viscera (not including the kidneys and the kidney fat) shall be removed. The heart (mediastinal) fat, caul fat and the sweetbreads from the neck shall be entirely removed. The front feet shall be detached at the lower knee (carpometacarpal) joint and the hind legs shall be detached at the hock (tarsometatarsal joint). The tail shall be removed leaving not more than two tail (caudal) vertebrae remaining attached to the carcass.

In dressing cows the udders shall be entirely removed. In dressing steers, stags, and bulls the entire genito-urinary tract shall be removed. The carcass shall be separated into two sides by splitting or sawing the chine bones as nearly as possible through the center of the spinal column and spinous processes so that the spinal cord is fully exposed. The muscular portion of the skirt (diaphragm) shall be left attached to the carcass but the non-muscular part (centrum tendineum) shall be trimmed so as to leave not more than ½ inch of it remaining adjacent to the red (muscle) meat. Bruises and grubs shall be trimmed out. The hanging tender shall be left on the carcass. The inside of the carcass shall be thoroughly cleaned by washing. The beef carcass shall not be broken in any other manner than as provided in paragraph (a) (10) of this § 1364.455.

5. Section 1364.455 (a) (9) is amended to read as follows:

(9) "Side of beef" or "one-half carcass" means a hindquarter and forequarter separated or attached which are derived from one side of a beef animal and which have been dressed in accordance with the specifications applicable to "beef carcass" specified in paragraph (a) (8) hereof.

6. Section (a) (10) (ii) is amended to read as follows:

(ii) "Forequarter" means the anterior portion of the side remaining after the severance of the one rib hindquarter from the side and comprises the rib, regular chuck, brisket, short plate and foreshank, all in one piece, which anterior portion contains the first and twelfth ribs, inclusive. No heart (mediastinal) fat or neck sweetbreads and not more than ½ inch of the fibrous part (centrum tendineum) of the skirt (diaphragm) shall apear in the forequarter and otherwise it shall be dressed in accordance with the specifications applicable to "beef carcass" as set forth in paragraph (a) (8) of this section.

7. Section 1364.467 (p) is added to read as follows:

(p) *Frozen fabricated veal (Army specifications).* (1) On and after June 30, regardless of any contract, agreement or other obligation, no person shall sell or deliver frozen fabricated veal (Army specifications) to any purchasing agency of a war procurement agency at a price higher than the maximum price permitted therefor in paragraph (p) (2) of this section. The sale or delivery of frozen fabricated veal (Army specifications) to a purchaser other than a purchasing agency of a war procurement agency is prohibited.

(2) The maximum f. o. b. boning plant price for frozen fabricated veal (Army specifications) in each of the following price zones shall be:

[Zone prices per hundredweight in carload or less-than-carload quantities, frozen, packaged and boxed in accordance with the requirements and specifications contained in CQD No. 371 "Veal, Fabricated, Frozen", issued by the Chicago Quartermaster Depot of the United States Army. The price for any fraction of a hundredweight shall be reduced accordingly. Additions and deductions of Schedules III and II, respectively, are not applicable]

Price zone	Choice or AA	Good or A	Commercial or B
1	$34.60	$32.30	$29.90
2	32.60	30.80	27.60
3	31.55	29.85	26.55
4	30.50	28.80	25.50
5	31.20	29.70	26.20
6	31.55	29.85	26.55
7	31.80	30.20	26.90
8	32.25	30.55	27.25
9	32.60	30.90	27.60
10	32.95	31.25	27.95

[1] All veal carcasses designed for Army use shall be inspected and passed by a representative of the Army Veterinary Corps and the cutting, boning, trimming, packaging, boxing and any other necessary preparation for freezing involved in the production of frozen fabricated veal (Army specifications) shall be supervised by him at the time of such preparation in accordance with Army regulations. No veal shall be packed as frozen fabricated veal (Army specifications) except in the presence of the official inspector designated by the United States Army Veterinary Corps or other United States Government agency. Each box or shipping container shall have clearly printed or legibly stenciled on it the net weight, grade and type of cut contained in the box and the official stamp of the representative of the Veterinary Corps shall attest to the accuracy of the legend appearing thereon.

(3) "Frozen fabricated veal (Army specifications) as used in this paragraph (p) means fabricated veal legs, backs (ribs and short loins) and boneless shoulders (brisket attached), in the same proportion as these cuts are derived from veal carcasses of grades choice, good, and commercial, and satisfying the requirements and specifications contained in CQD No. 371 "Veal, Fabricated, Frozen" issued by the Chicago Quartermaster Depot of the United States Army. Any frozen fabricated veal which has been rejected by a purchasing agency of a war procurement agency may not be sold or delivered unless the Administrator at Washington, D. C., by order, authorizes its sale or delivery to a designated purchaser or purchasers, upon receipt of an application from the seller showing the grade, type and amount of meats rejected, the date and reasons for the rejection and the name and address of the proposed purchaser or purchasers. In addition, such application shall be accompanied by a certification of the Meat Inspection Division of the Department of Agriculture that the meat is fit for human consumption.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11762; Filed, June 30, 1945; 3:13 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 184,[1] Amdt. 6]

SALES BY CANNERS OF MAINE SARDINES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 184 is amended in the following respects:

1. Section 1364.106 (c) is revoked.

2. Section 1364.110 is amended to read as follows:

§ 1364.110 *Definitions.* (a) When used in this Maximum Price Regulation No. 184 the term:

(1) "Maine sardines" means canned Atlantic sea herring (ordinarily Clupea harengus) of the sizes customarily packed and marketed under the trade designation, sardines.

(2) "Price per case" means, as to ¼'s, the price for a lot of one hundred cans packed for shipment in the usual container and, as to ¾'s, the price for a lot of forty-eight cans packed for shipment in the usual container.

(3) "Smoked Maine sardines" are Maine sardines which have been subjected to a curing process by the application of heat and smoke over an open fire or in an oven.

(4) "¼'s" means ¼ Drawn cans (300.5×404×014.5).

(5) "¾'s" means ¾ Three Piece cans (308×412×112) or ¾ Drawn cans (304×508×105).

(6) "Canner" means a person who preserves Maine sardines by processing and hermetically sealing in metal containers: *Provided,* That any person who, during the year prior to March 31, 1942, conducted canning operations and also maintained established local wholesale or retail selling branches, doing business in the same manner as other wholesalers or retailers generally in the localities where such branches were situated, shall not be deemed a canner subject to this Maximum Price Regulation No. 184, as to any sales by such branches of the same general character as those they were accustomed to make prior to March 31, 1942.

(7) *Styles of pack.* (i) "Standard keyless can pack" means a pack meeting the following specifications:

The minimum count of fish per ¼ size keyless can, whether packed in oil, mustard sauce, tomato sauce, or other packing medium, shall be 4 fish, and in all cans packed with less than 8 fish, the heads of all fish shall be removed by cutting. No broken fish shall be packed. The minimum quantity of oil shall be not less than 4 pounds per case of 100 ¼ size cans. The minimum count of fish for ¾ size cans shall be 4 fish, and the minimum quantity of mustard or tomato sauce shall be not less than 6 pounds per case of 48 ¾ size cans. For all ¼ size cans of sardines packed with tomato or mustard sauce, there shall be not less than 6 pounds of tomato or mustard sauce per case of 100 ¼ size cans.

(ii) "Standard key can pack" means a pack meeting the following specifications:

The minimum count of fish per ¼ size key can, whether packed in oil, mustard sauce, tomato sauce, or other packing medium, shall be 5 fish. In all key cans packed with less than 8 fish, the heads of all fish shall be removed by cutting, and the tails shall be removed by cutting, or shall be neatly trimmed. No broken fish shall be packed. The minimum quantity of oil shall be not less than 5 pounds per case of 100 ¼ size key cans. The minimum quantity of mustard or tomato sauce shall be not less than 6 pounds per case of 100 ¼ size key cans. The minimum count for ¾ size cans shall be 4 fish, and the minimum quantity of mustard or tomato sauce shall be not less than 6 pounds per case of 48 ¾ size cans.

(iii) "Fancy grade pack" means a pack meeting the following specifications:

The minimum count of fish per ¼ size can shall be 5 fish. All fish shall have heads removed by cutting, and in all cans packed with less than 8 fish the tails shall be removed by cutting or shall be neatly trimmed. The minimum quantity of oil shall be not less than 5½ pounds per case of 100 ¼ size cans. The fish in the cans shall be free from defects, no detached heads or tails present, and the fish shall be uniform in size.

(iv) *General.* In packing the listed styles of pack, the quality of the oil shall be for cotton-seed a "prime winter yellow" sweet in flavor and odor and shall not contain more than 1/10 of 1% of free fatty acid, or a pure unadulterated soya-bean oil, peanut oil, olive oil or any vegetable oil not below the grade of "prime winter yellow" cottonseed oil. The quality of the tomato sauce shall be of not less than 1.035 specific gravity.

"Cutting" shall mean removing the heads of the fish packed, either before or after flaking and steaming, by some implement or device operated by hand, or by a machine or mechanical device operated by power. The operation of "cutting" does not mean the practice of beheading the fish by "snipping" or "pinching" the heads off the fish with the fingers.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

3. Section 1364.112 is amended to read as follows:

§ 1364.112 *Appendix A: Maximum Canners' prices for Maine sardines.* (a) The prices set forth below are the maximum prices per case for Maine sardines, packed in the listed container sizes and styles of pack, f. o. b. the railroad shipping point nearest the cannery. These maximum prices are gross prices and the canner must deduct therefrom his customary allowances, discounts, and differentials to purchasers of different classes.

Standard keyless can pack (cans not scored for convenience in opening and without keys)	
¼'s Cottonseed oil, soybean oil, mustard or tomato sauce [1]	$4.55
¾'s Cottonseed oil, soybean oil, mustard or tomato sauce [1]	4.55
Standard key can packs (cans scored for convenience in opening and with keys) [2]	
¼'s Cottonseed oil, soybean oil, mustard or tomato sauce, decorated (lithographed) cans	$5.18
¼'s Cottonseed oil, soybean oil, mustard or tomato sauce, wrapped or in cartons	5.43
Fancy grade packs (cans scored for convenience in opening and with keys) [2]	
¼'s peanut oil, decorated (lithographed) cans	$5.875
¼'s peanut oil, wrapped or in cartons	6.125
¼'s cottonseed oil, soybean oil, smoked, decorated (lithographed) cans	6.875
¼'s cottonseed oil, soybean oil, smoked, wrapped or in cartons	7.125
¼'s olive oil, decorated (lithographed) cans	9.875
¼'s olive oil, wrapped or in cartons	10.125
¼'s olive oil, smoked, decorated (lithographed) cans	10.375
¼'s olive oil, smoked, wrapped or in cartons	10.625

[1] Add 30 cents per case to the listed price for sardines packed west of the Penobscot River or outside of the State of Maine and sold to governmental procurement agencies.
[2] Without keys deduct $0.125 from the listed price.

(b) For container sizes or types or styles of pack not listed in paragraph (a), the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by a statement showing costs and usual differentials. All orders pricing packs of Maine sardines issued under this paragraph or otherwise prior to June 29, 1945, are hereby revoked.

(c) *Sales to governmental agencies.* The maximum price for sales of canned Maine sardines to any procurement agency of the Armed Forces, the War Food Administration and any procurement agency thereof, the War Shipping Administration, and the Veterans' Administration shall be 97½ percent of the price established in paragraph (a) of this section; from the price thus computed there shall be deducted a cash discount of 1½ percent if payment is made within 10 days from the date of receipt by the designated office of the government procurement agency of a properly authenticated claim.

4. Section 1364.112a is added after § 1364.112 to read as follows:

§ 1364.112a *Adjustment of maximum prices for Maine sardines sold to the War Food Administration or any procurement agency thereof.* (a) Any canner of Maine sardines who has entered into or proposes to enter into a contract for the sale of Maine sardines to the War Food Administration or any procurement agency thereof and who believes that this maximum price impedes or threatens to impede the production of Maine sardines subject to such contract may apply for adjustment of the maximum price for such sale.

(b) Notwithstanding the provisions of Section 1364.102, upon the filing of an application for adjustment or within 5 days prior thereto, and until final disposition of the application, contracts may be entered into at the price or prices requested in the application and deliveries may be made under such contracts except that the seller may not receive and the buyer may not pay the amount by

which the price exceeds the maximum price unless and until an order authorizing a higher price has been issued. The seller shall include in any sale, or contract to sell at the price requested in the application the following:

(1) The maximum price for the Maine sardines in question.

(2) A statement that the price quoted in the contract is subject to approval of the Office of Price Administration.

(3) A statement that an appropriate application has been filed or will be filed within 5 days with the Office of Price Administration.

(c) *Contents of application.* The application shall include

(1) The name and address of the applicant.

(2) The names and addresses of each of the applicant's plants in which Maine sardines are being or will be produced.

(3) The requested unit price.

(4) The price quoted in the applicant's contract with the War Food Administration or any procurement agency thereof.

(d) *Place of filing.* An original and 2 copies of each application and all supplementary data shall be filed with the Office of Price Administration at Washington, D. C.

(e) *Supplementary data.* The applicant shall submit:

(1) Form A—*Annual Financial Report*—(issued by the Office of Price Administration) for the last and for the current fiscal year. ("Current fiscal year" means the applicant's fiscal year during which the application for adjustment was filed). See instruction sheet accompanying Form A.

(2) The amount of salaries, withdrawals, commissions, bonuses or other compensation received by officers or other such executives (if the applicant is a corporation), partners and proprietors.

(3) The amount and gross dollar sales volume of each product and service sold during the current fiscal year.

(4) The gross dollar sales volume of the standard keyless can pack during the current fiscal year.

(5) The number of cases of the standard keyless can pack produced during the current fiscal year.

(6) The number of cases of the standard keyless can pack delivered to the War Food Administration (or any procurement agency thereof) between the date the application was filed and March 31, 1946.

(7) In addition applicants, 20% or more of whose gross dollar sales volume during the current fiscal year consisted of production other than Maine sardines, must file Form OPA 612:205 set out in Appendix A to Procedural Regulation No. 6. Such form may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix A to Procedural Regulation No. 6.

(f) *Amount of adjustment.* (1) In the case of applicants more than 80 percent of whose gross dollar sales volume during the current fiscal year consisted of Maine sardines, the adjustment shall be sufficient so that the applicant will realize 25 cents over his "average total cost" for each case of Maine sardines delivered to the War Food Administration, or any procurement agency thereof, between the date the application was filed and March 31, 1946.

(2) "Average total cost" shall be computed by:

(i) Multiplying the applicant's total cost of all operations during the current fiscal year (exclusive of salaries, withdrawals, commissions, bonuses or other compensations received by officers and other such executives—if the applicant is a corporation—partners and proprietors) by the ratio obtained through dividing his total gross dollar sales volume of the standard keyless can pack during the current fiscal year by his total gross dollar sales volume from all operations and

(ii) Dividing the result by the number of cases of the standard keyless can pack he produced during the current fiscal year.

(3) In the case of applicants 20% or more of whose gross dollar sales volume during the current fiscal year consisted of products other than Maine sardines the adjustment shall be made in accordance with the criteria established for applications under Supplementary Order No. 9 and Procedural Regulation No. 6.

(4) In no case will the adjusted prices for the keyless standard pack exceed $5.30 per case for sardines packed west of the Penobscot River or outside of the State of Maine or $5.00 per case for sardines packed elsewhere.

(g) *Protests of denials of applications.* Any applicant whose application for adjustment has been denied in whole or in part may file a protest in accordance with the provisions of Revised Procedural Regulation No. 1.

(h) The provisions of Supplementary Order No. 9 and Procedural Regulation No 6 are hereby made inapplicable to this regulation No. 184 except as otherwise specifically provided in this section.

5. Section 1364.113 is amended to read as follows:

§ 1364.113 *Notification to wholesalers, retailers and other distributors.* If any amendment to this regulation changes a canner's maximum price for any item of canned Maine sardines, with the first delivery of that item after the effective date of such amendment the canner must:

(a) Supply each wholesaler and retailer who purchases that item from him with the following written notice:

(Insert date)

NOTICE TO WHOLESALERS & RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. 184. We are authorized to inform you that if you are a wholesaler or a retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations. (See Section 6 in each case). You must refigure your ceiling price on the first delivery of such item to you on or after (insert effective date of amendment).

For a period of 90 days after the effective date of such amendment, and with the first shipment after the 90 day period to each person who has made a purchase within that time the canner shall include in each case or carton containing the item the written notice set forth before or securely attach it to the outside thereof.

(b) Supply each purchaser of the item who is a distributor other than a wholesaler and retailer with a written notice of the establishment of the new maximum price. The notice, which shall be attached to or stated on the invoice covering the first delivery to such purchaser after the effective date of the amendment changing the maximum price, shall read as follows:

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item) has been changed, under the provisions of Maximum Price Regulation No. 184. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier, purchasing the item from you after (insert effective date of amendment), of any change in your maximum price. This notice must be made in the manner prescribed in Section 10 of Maximum Price Regulation No. 542, substituting the date (insert effective date of amendment) for the date July 17, 1944.

This amendment shall become effective June 29, 1945.

NOTE: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11599; Filed, June 29, 1945, 4:38 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 239, Amdt. 18]

LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. A footnote reference "1" is inserted after the word "carcass" in the table of paragraph (b) of § 1364.177, and a footnote is added to appear below the table reading as follows:

[1] 25 cents per hundredweight may be added on sales of lamb or mutton carcasses to a war procurement agency or on sales of set-aside lamb or mutton carcasses to any authorized purchaser of set-aside lamb or mutton where the latter transaction is covered by a separate invoice and where such purchaser has satisfied the requirements of WFO 75-5.

2. A footnote reference "1" is inserted after the words "Fabricated carcasses" in the table of paragraph (d) (2) of § 1364.177, and a footnote is added to appear below the table to read as follows:

[1] Where fabricated lamb or mutton carcasses (War Shipping Administration specifications) are prepared from lamb or mutton carcasses which have been set aside for war procurement purposes pursuant to WFO 75-5, the seller may add 25 cents per hundredweight to the table of prices listed above.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11754; Filed, June 30, 1945; 3:10 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 286,[1] Amdt. 7]

CERTAIN SAUSAGE PRODUCTS FOR WAR PROCUREMENT AGENCIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 286 is amended in the following respects:

1. The title of the regulation is amended to read as follows: "Certain Sausage Products for War Procurement Agencies, Licensed Ship Suppliers, and Ship Operators."

2. The preamble to the regulation is amended by changing the table headed "Contents" and the unnumbered paragraph immediately following to read as follows:

Sec.

1364.801 Prohibition against selling certain sausage items at prices above the maximum to war procurement agencies of the United States Government, licensed ship suppliers and ship operators.
1364.802 Maximum prices for certain sausage products sold to war procurement agencies of the United States Government, licensed ship suppliers and ship operators.
1364.803 Less than maximum prices.
1364.804 Evasion.
1364.805 Enforcement, licensing, labelling, invoicing and record-keeping.
1364.806 Petitions for amendment.
1364.807 Zones.
1364.808 Definitions.
1364.809 Relation to other maximum price regulations.
1364.810 Revocation or replacement of regulation.
1364.811 Effective period.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 286 is hereby issued.

3. Section 1364.801 is amended to read as follows:

§ 1364.801. *Prohibition against selling certain sausage items at prices above the maximum to war procurement agencies of the United States Government, licensed ship suppliers and ship operators.* On and after December 19, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any of the sausage items specified in § 1364.802 hereof, to any war procurement agency of the United States Government at prices higher than the maximum prices specified in § 1364.802. On and after June 30, 1945, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any of the sausage items specified in § 1364.802 hereof, to any licensed ship supplier or any ship operator at prices higher than the maximum prices specified in § 1364.802. The maximum prices specified herein shall not be applicable to products delivered prior to December 19, 1942, to a carrier other than a carrier owned or controlled by the seller, for delivery to a war procurement agency, or prior to June 30, 1945, for similar delivery to a licensed ship supplier or a ship operator.

4. Section 1364.802 is amended to read as follows:

§ 1364.802 *Maximum prices for certain sausage products sold to war procurement agencies of the United States Government, licensed ship suppliers and ship operators.* The maximum prices on sales to war procurement agencies, licensed ship suppliers and ship operators of certain sausage products produced in accordance with Federal specifications and approved by the Federal Specifications Board, for use of agencies of the United States Government shall be computed as provided in this section.

(a) *How to determine maximum prices.* (1) The maximum price for products sold f. o. b. the point of production shall be the base price specified in paragraph (b) of this section, plus the amount specified in paragraph (c) of this section for the zone in which the product is produced, plus the additions specified in paragraphs (d) and (e) of this section where applicable.

(2) For product sold on any basis other that "f. o. b. the point of production," the maximum price shall be: (i) the base price specified in paragraph (b) of this section, (ii) plus the amount specified in paragraph (c) of this section for the zone in which the product is delivered into the physical possession of the buyer, (iii) plus the additions specified in paragraphs (d) and (e) of this section, where applicable: *Provided*, That in any case where local delivery is charged under paragraph (e) (1) of this section, the addition authorized in subdivision (ii) of this subparagraph (2) shall be determined in accordance with the zone location of the selling establishment from which the local delivery begins; and, *Provided further*, That if the product is shipped by common carrier from an establishment of the seller located in the zone in which the buyer takes physical possession, the cost of such carriage may be added in lieu of the addition for local delivery provided in subparagraph (1) of paragraph (e).

(b) *Base prices.* The prices set forth in this paragraph (b) shall be the base prices per hundredweight for all sales of the products listed, and include all packing costs, except for export shipment.

Product	Price per cwt.
1. Frankfurters, sheep casings	$27.00
2. Frankfurters, skinless or hog casings	24.00
3. Bologna, beef bungs or middles	22.00
4. Bologna, artificial casings	21.25

(c) *Zone differentials.* Depending upon the point of production for f. o. b. sales, as specified in paragraph (a) (1), or the point at which the product is delivered into the physical possession of the buyer for all sales other than "f. o. b. the point of production," the seller may add to the base price per hundredweight the applicable one of the following zone differentials:

Zone 1	$2.25
Zone 2	1.25
Zone 3	.75
Zone 4	Base
Zone 5	.50
Zone 6	.75
Zone 7	1.00
Zone 8	1.25
Zone 9	1.50
Zone 10	1.75

(d) *Permitted additions for selling.* One of the following amounts may be added to cover the cost of selling:

	Per cwt.
(1) On sales to ship operators by a Group II ship chandler (as defined in section 13 (a) of Maximum Price Regulation No. 389)	$3.00
(2) On sales to ship operators by a Group I ship chandler (as defined in section 13 (a) of Maximum Price Regulation No. 389) or a hotel supply house (as defined in section 13 (a) of Maximum Price Regulation No. 389) which is a licensed ship supplier	2.25
(3) On sales to ship operators by all licensed ship suppliers other than those specified in subparagraphs (1) and (2) of this § 1364.802 (d)	1.50
(4) On sales to war procurement agencies and licensed ship suppliers	.50

(e) *Other additions.* The following amounts may be added by the seller whenever applicable, subject to the conditions hereinafter provided:

(1) *Local delivery.* If the delivery of any of the products specified herein is made by a vehicle owned or operated by the seller, the seller may charge for such delivery an amount equivalent to the lowest commercial common carrier rate for such delivery. However, if there is no common carrier service to the buyer's destination, the seller may charge for delivery the actual cost of making the delivery: *Provided, however*, That such delivery charge shall in no event exceed:

$0.25 per cwt.	Up to 25 miles.
$0.50 per cwt.	26 miles to 150 miles.
$0.75 per cwt.	151 miles to 300 miles.

[1] 7 F.R. 10551; 8 F.R. 2157, 2350, 4640, 7681, 10[illegible].

(2) *Freezing.* For freezing at the request of the buyer, the seller may add $0.35 per hundredweight.

(3) *Packaging for export shipment.* For packing in an export container, United States Government specifications, the seller may add $1.20 per hundredweight.

(4) *Certain charges paid by licensed ship suppliers.* If a licensed ship supplier who is not a slaughterer, packer or packer's branch house, has paid a charge under paragraphs (d) or (e) (1) of this § 1364.802, he may, upon resale, add the amount of such charge to the base price: *Provided*, That in no event may the total of all charges for local delivery exceed $0.75 per hundredweight.

5. Section 1364.805 is amended by changing the title to read "*Enforcement, licensing; labelling, invoicing and record-keeping.*" and by inserting the words "(a) *Enforcement*" immediately thereafter, preceding the sentence beginning with the word "Persons".

6. Section 1364.805 (a) is redesignated paragraph (b) of § 1364.805.

7. Paragraphs (c), (d) and (e) of § 1364.805 are added to read as follows:

(c) *Labelling.* All sausage sold to war procurement agencies, licensed ship suppliers and ship operators under this regulation shall bear a descriptive label or stencil affixed to the shipping container designating that it has been produced in accordance with Federal specifications, the name of the sausage and the kind of casing used.

(d) *Invoicing.* Every person making a sale of any sausage product covered by this regulation shall furnish the buyer a written statement setting forth the name and address of the buyer and the seller, the date of sale, the name of each product and the type of casing used thereon sold to such buyer, the weight thereof, the total price charged for each product, and a separate itemized statement on the invoice of the local delivery charges made.

(e) *Records.* Every person making sales and every person making purchases in the course of trade or business of the sausage products subject to this regulation on and after June 30, 1945, shall make and preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete and accurate record of each such transaction showing the date of sale or purchase, the name and address of the seller and buyer, the name of each sausage product sold or bought and the type of casing used theron, the weight thereof, and the price charged or paid therefor, itemizing separately all charges for local delivery.

8. Paragraphs (c) and (d) are added to § 1364.808 to read as follows:

(c) "Licensed ship supplier" means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1942) to sell and or deliver meats and other food products to ship operators.

(d) "Ship operator" means any person as defined in Food Distribution Regulation No. 3 who conducts "the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration, which is owned, chartered, or operated by any allied or neutral country," or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

This amendment shall become effective June 30, 1945.

NOTE: The record-keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11761; Filed, June 30, 1945; 3:13 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 118,[1] Amdt. 33]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

The following proviso is added to the end of § 1400.118 (d) (23) (ii) (b): "*Provided:* That, they may be charged in connection with sales to manufacturers who will use the cloth (together with other material) to make moisture vapor-proof wrapping material for the ultimate use of War Procurement Agencies and in connection with sales made in conformity with AA-4 Preference Rating Schedule II of WPB General Preference Order M-388A."

This amendment shall become effective June 29, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11600; Filed, June 29, 1945; 4:38 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 8,[2] Amdt. 27]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new section 2.14 is added to read as follows:

SEC. 2.14 *Consumers who must have more sugar because of occupational reasons.* (a) Certain consumers will be granted evidences for sugar to meet their nutritional needs. Such issuances will be given only if those consumers are workers in an industry or occupation designated by the Deputy Administrator for Rationing, and only after a determination based on studies and recommendations made by the War Food Administration.

(b) Applications shall be filed on OPA Form R-315 with the Board for the area where the consumer resides. The Regional Office is authorized to rule on such applications. It may, however, delegate authority to District Offices or local boards in its region to rule on such applications. The Regional Office or an authorized board or district office may grant evidences under this section only when authorized by instructions from the Deputy Administrator for Rationing, and only to persons and under the conditions and limitations set forth in those instructions.

(c) Any consumer who is entitled to issuances under this section shall not be entitled to issuances under section 2.10 since the purpose of this section will be to cover nutritional needs to the extent that food supplies and other conditions permit.

This amendment shall become effective June 30, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11775; Filed, June 30, 1945; 4:00 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 57]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new section 2.8 is added to read as follows:

SEC. 2.8 *Consumers who must have more foods covered by this order because of occupational reasons.* (a) Certain consumers will be granted points for foods covered by this order to meet their nutritional needs. Such issuances will be given only if those consumers are workers in an industry or occupation designated by the Deputy Administrator for Rationing, and only after a determination based on studies and recommendations made by the War Food Administration.

(b) Applications shall be filed on OPA Form R-315 with the Board for the area where the consumer resides. The Regional Office is authorized to rule on such applications. It may, however, delegate authority to District Offices or local boards in its region to rule on such applications. The Regional Office or an authorized board or district office may grant points under this section only when authorized by instructions from the Deputy Administrator for Rationing, and only to persons and under the conditions and limitations set forth in those instructions.

(c) Any consumer who is entitled to issuances under this section shall not be entitled to issuances under section 2.7 since the purpose of this section will be to cover nutritional needs to the extent that food supplies and other conditions permit.

This amendment shall become effective June 30, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11776; Filed, June 30, 1945; 4:01 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 471,[1] Amdt. 6]

LEGUME AND GRASS SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 6 of Revised Maximum Price Regulation 471 is amended to read as follows:

SEC. 6. *Records and reports.*[2] (a) Every person subject to this regulation making a bid on or an offer to purchase a lot of thresher-run or rough cleaned legume or grass seeds or making a sale or purchase of legume or grass seeds in the course of trade or business shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of such bids or offers to purchase or of such sales or purchases, including the date thereof, name of the person to whom such bid or offer was made or name of the seller and purchaser, price bid or offered or price received or paid, buyer's receiving point, and the quantity and quality of legume and grass seeds which was bid on or on which an offer to purchase was made or which was sold or purchased, and a representative sample of every lot of seed on which a bid or offer to purchase was made or which was actually purchased.

(b) Every person subject to this regulation keeping on file a representative sample of a lot of seed in accordance with the provisions of paragraph (a) must keep such representative samples on file for at least one year for the purpose of this regulation.

(c) Every person subject to this regulation making a bid on or an offer to purchase or a purchase of a lot of thresher-run or rough cleaned legume or grass seeds, after having drawn a representative sample and made an accurate dockage determination in accordance with the method set forth in section 8 (a) (12) of this regulation, shall make a report in duplicate whether he actually purchases such lot as the result of his bid or only makes an offer to purchase. Such a report, blank forms (OPA-Form No. 634-2450) for which should be obtained from the Regional OPA Offices, District OPA Offices or the local War Price and Rationing Boards, must contain the following information:

(1) Date of bid or purchase.

(2) Name and address of seller or person to whom bid or offer was made.

(3) Name and address of bidder or buyer.

(4) Type of transaction on which report is made, whether bid or purchase.

(5) Identification of lot of seed, giving lot number, kind of seed and gross quantity of seed.

(6) Base price of seed.

(7) Percentage of dockage determined from representative sample.

(8) Net price per 100 pounds of seed.

(9) Any additional considerations, such as sacks and transportation charges or any other charge.

The duplicate copy of this report on every bid or offer to purchase made or on every purchase completed for lots of thresher-run or rough-cleaned legume and grass seeds subject to this regulation shall be forwarded to the Seeds and Rice Section, Office of Price Administration, Washington, D. C. within 48 hours after the bid or purchase has been made.

(d) Every person subject to this regulation making a sale or offer for sale of processed legume and grass seeds as a commercial processor must declare on his records, such as bills, invoices, sales contracts and other documents relating to every sale offer for sale or delivery of legume and grass seeds, that he qualifies as a commercial processor in accordance with the provisions of this regulation and that he has been approved as such in writing by his Regional OPA Office in accordance with the provisions of this section.

(e) Any person making sales of processed legume and grass seeds as a commercial processor under this regulation, who did not file with his District OPA Office a Statement of Qualifications for Commercial Processors (OPA Form 634-2049) on or before April 17, 1945, shall submit such statement to the Regional Office of the Office of Price Administration, having jurisdiction over the area in which his principal place of business is located, for permission to make sales of processed legume and grass seeds as a commercial processor and will receive a written notice whether or not he is permitted to make such sales as a commercial processor.

(f) Any Regional Administrator of the Office of Price Administration is hereby authorized to notify any seller of processed legume and grass seeds whose principal place of business is located in his region whether or not he is permitted to sell as a commercial processor, upon the receipt of and on the basis of a Statement of Qualifications for Commercial Processors (OPA Form No. 634-2049) filed with a District Office prior to April 17, 1945, or with a Regional Office on or subsequent to April 17, 1945. No person who has not filed a Statement of Qualifications for Commercial Processors (OPA Form No. 634-2049) and has not been authorized under this section, may take mark-ups as a qualified commercial processor of legume and grass seeds.

(g) Upon demand every seller of legume and grass seeds shall submit such records as are provided for in this section to the Office of Price Administration; and keep such further records as the Office of Price Administration may from time to time require subject to the approval of the Bureau of the Budget in accordance with the Reports Act of 1942.

This amendment shall become effective July 7, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: June 25, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45-11935; Filed, July 2, 1945; 11:40 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 108]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new section 11.5 (e) is added to read as follows:

(e) Whenever the provisions governing bases or allotments are changed, supplemental allotments issued in the allotment period preceding the one for which the change is effective shall be accounted for in accordance with the provisions in effect for the period in which the supplemental allotment was issued. For example, if a user obtained a supplemental allotment in the May-June period, and effective July 1, the bases are recomputed, the supplemental allotment obtained in the May-June period shall be accounted for on the basis of the base in effect for the May-June period.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11650; Filed, June 30, 1945; 11:36 a. m.]

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[1] 8 F.R. 12186.

[2] 9 F.R. 13992, 14642, 15048; 10 F.R. 201, 412, 1143, 1537, 2144, 2581, 2874, 3223, 4105, 4715.

[1] 10 F.R. 2521, 2875, 3223, 3549, 3556.

[1] 9 F.R. 8340, 10427, 12812, 13138, 13264, 14553, 10 F.R. 1269, 4208.

[2] The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 14472, 15488, 16786, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196 4393 4647 4973 5041, 5232, 5684, 5826, 5919, 6108, 6504, 6628, 7167, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121.

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 203—RULES OF PRACTICE

Pursuant to the authority vested in the Secretary of Labor by section 4 of the Public Contracts Act (49 Stat. 2036, 41 U.S.C. 35–45), there are hereby issued the Rules of Practice of July 27, 1939, as amended, which govern proceedings under sections 5 and 6 of said act.

Sec.

203.1 Reports of breach or violations.
203.2 Issuance of a formal complaint.
203.3 Answer.
203.4 Motions.
203.5 Interventions.
203.6 Witnesses and subpoenas.
203.7 Hearing.
203.8 Briefs.
203.9 Examiner's report.
203.10 Exceptions to Examiner's report.
203.11 Decision of Administrator.
203.12 Review.

AUTHORITY: §§ 203.1 to 203.12, inclusive, issued under sec. 4, 49 Stat. 2036; 41 U.S.C. 38.

§ 203.1 *Reports of breach or violations.* (a) Any employer, employee, labor or trade organization or other interested person or organization may report a breach or violation, or apparent breach or violation of the act, or of any of the rules or regulations prescribed thereunder.

(b) A report of breach or violation shall be in writing and addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C.

(c) The report should contain the following:

(1) The full name and address of the person or organization reporting the breach or violation.

(2) The full name and address of the person against whom the report is made, hereinafter referred to as the "respondent".

(3) A clear and concise statement of the facts constituting the alleged breach or violation of any of the provisions of the Public Contracts Act, or of any of the rules or regulations prescribed thereunder.

§ 203.2 *Issuance of a formal complaint.* (a) After a report of a breach or violation has been filed, or upon its own motion and without any report of a breach or violation having been previously filed, the Department may issue and cause to be served upon the respondent a formal complaint stating the charges and containing a notice of hearing before an Examiner of the Divisions. If, at the time of issuance of the complaint, the date and place of hearing are known, the notice shall fix the date and place of hearing. If the date and place of hearing are not then known, notice thereof shall be issued and served within a reasonable time after the issuance of the complaint and before such hearing. A copy of the complaint and notice of hearing shall be served upon the surety or sureties. Unless the Administrator otherwise determines, the date of hearing shall not be sooner than thirty days after the date of issuance of the complaint.

§ 203.3 *Answer.* (a) The respondent shall have the right, unless otherwise specified in the complaint and notice, within twenty (20) days after date of issuance of the formal complaint, to file an answer thereto. Such answer shall not be limited to a mere denial of the charges. It shall specifically deny or admit each of the charges, and, if the answer is in denial of any one of the charges, it shall contain a concise statement of the facts relied upon in support of the denial. Any charges not specifically denied in the answer shall be deemed to be admitted and may be so found by the Examiner, unless the respondent disclaims knowledge upon which to make a denial.

If the answer should admit any charge but the respondent believes there are reasons or circumstances warranting special consideration, such reasons and circumstances should be fully but concisely stated.

(b) Such answer shall be in writing, and signed by the respondent or by a duly authorized agent with power of attorney affixed.

(c) If no answer is filed, or if the answer as filed does not warrant a postponement of the hearing, such hearing will be held as scheduled.

(d) The original and two copies of the answer shall be filed with the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C.

(e) In any case where a formal complaint has been amended, the respondent shall have the right to amend his answer within such time as may be fixed by the Administrator.

§ 203.4 *Motions.* (a) All motions made previous or subsequent to the hearing, and before the filing of the Examiner's report shall be filed in writing with the Examiner, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C. Motions made subsequent to the filing of the Examiner's report shall be filed in writing with the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C. Such motions shall state briefly the order or relief applied for and the grounds for such motion. The moving party shall file an original and two copies of all such motions. All motions made at the hearing shall be stated orally and included in the stenographic report of the hearing.

(b) The Examiner designated to conduct the hearing may in his discretion reserve his ruling upon any question or motion.

(c) All motions and rulings thereon shall become part of the record in the proceeding, and rulings and orders claimed to be prejudicial shall be reviewed by the Administrator upon request.

§ 203.5 *Interventions.* (a) Any employer, employee, labor or trade organization or other interested person or organization desiring to intervene in any pending proceeding prior to, or at the time it is called for hearing, but not after the hearing, except for good cause shown, shall file a petition for leave to intervene in writing with the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, or with the Examiner designated to conduct the hearing, setting forth the position and interest of the petitioner and the grounds of the proposed intervention. The Administrator, or the Examiner, as the case may be, may grant leave to intervene to such extent and upon such terms as he shall deem just.

§ 203.6 *Witnesses and subpoenas.* (a) Witnesses shall be examined orally under oath except that for good and exceptional cause, the Examiner may permit their testimony to be taken by deposition under oath.

(b) The Secretary of Labor, the Administrator, or the Examiner, may, upon application, issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence under oath, including books, records, correspondence, or documents that relate to the subject matter of the hearing. Applications for the issuance of subpoenas requiring the production of books, records, correspondence, or other documents, and the subpoenas for the production of such evidence shall specify the books, records, correspondence, or other documents sought. Such applications must make a showing that the documentary evidence sought is relevant to a proper determination in the proceeding.

(c) Witnesses summoned before the Examiner shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear, and the persons taking the depositions shall be paid by the party at whose instance the depositions are taken.

§ 203.7 *Hearing.* (a) The hearing for the purpose of taking evidence upon a formal complaint shall be conducted by an Examiner specifically designated by the Secretary of Labor, or designated by an authorized official of the Department of Labor, acting for the Secretary of Labor. At any time an Examiner may be designated to take the place of the Examiner previously designated to conduct the hearing. Such hearings shall be public, unless otherwise ordered by the Examiner.

(b) At all hearings it shall be the right of counsel for the Wage and Hour and Public Contracts Divisions to open and close, subject to the right of the Examiner to designate, upon cause shown, who shall open and close.

(c) It shall be the duty of the Examiner to inquire fully into the facts as to whether the respondent has breached or violated any of the provisions of the Public Contracts Act, or any rules or regulations prescribed thereunder, as set forth in the formal complaint. Counsel for the Wage and Hour and Public Contracts Divisions, and the Examiner, shall have the power to call, examine, and cross examine witnesses and to introduce into the record documentary or other evidence.

(d) Any party to the proceeding shall have the right to appear at such hearing in person, by counsel, or otherwise, to call, examine, and cross-examine witnesses, and to introduce into the record documentary or other evidence.

(e) In any such proceedings, the rules of evidence prevailing in courts of law or equity shall not be controlling.

(f) In any such proceedings, in the discretion of the Examiner, stipulations of fact may be made with respect to any issue.

(g) Any objection with respect to the conduct of the hearing, including any objection to the introduction of evidence, shall be stated orally, together with a short statement of the grounds for such objection, and included in the stenographic report of the hearing. No such objection shall be deemed waived by further participation in the proceeding.

(h) Unless the Examiner otherwise directs, any party to the proceeding shall be entitled to a reasonable period at the close of the hearing for oral argument, which shall not be included in the stenographic report of the hearing unless the Examiner directs.

(i) In the discretion of the Examiner the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the Examiner, or by other appropriate notice.

(j) Contemptuous conduct at any hearing before an Examiner shall be ground for exclusion from the hearing. The failure or refusal of a witness to appear at any such hearing or to answer any question which has been ruled to be proper shall be ground for the action provided in section 5 of the Public Contracts Act, and in the discretion of the Examiner may be ground for the striking out of all testimony which may have been previously given by such witness or related matters.

(k) The Secretary of Labor may in his discretion direct that, in lieu of the procedure set forth in paragraph (a) of this section, the hearing on formal complaint be held in the first instance before the Administrator of the Wage and Hour and Public Contracts Divisions, in which event the Administrator, within a reasonable period of time, shall issue an order embodying his decision which shall be final, subject to the provisions of §§ 203.11 and 203.12.[1]

§ 203.8 *Briefs.* (a) Any interested person or organization shall be entitled to file with the Examiner, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C., briefs or written statements within the time limited by the Examiner.

(b) Any brief or written statement shall be stated in concise terms.

(c) Three copies of all briefs or written statements, duly signed, shall be filed.

(d) Briefs or written statements of more than twenty pages shall be properly indexed.

[1] As amended October 16, 1941.

§ 203.9 *Examiner's report.* (a) Following any hearing before an Examiner, the Examiner shall, within a reasonable period of time, prepare a report which shall contain, among other things, findings of fact, and recommendations as to what disposition of the case should be made, which may include a recommendation as to what affirmative action should be taken by the respondent or by the Wage and Hour and Public Contracts Divisions, Department of Labor, to bring about a condition of compliance with the Public Contracts Act and the rules and regulations prescribed thereunder.

(b) The Examiner's report shall be served upon the respondent or respondents by mailing a copy thereof by registered mail to the respondent or respondents or to the attorney or attorneys of record. Upon request from employees or other interested parties, the report will be served upon such persons, and in the discretion of the Examiner, the report will be served upon such other parties or their attorneys who appeared at the hearing or upon brief by mailing a copy thereof to such persons.

§ 203.10 *Exceptions to Examiner's report.*[1] (a) Within ten (10) days after service of the Examiner's report, any interested party upon whom such report has been served, or the trial attorney for the Government, may file with the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C., an original and four copies of a statement in writing, setting forth such exceptions to the report or the proceedings (including rulings upon all motions or objections) as he relies upon, together with the original and four copies of any brief he may wish to file in support thereof. Any interested party upon whom the report has been served, or the trial attorney for the Government, may file within twenty (20) days after service of the report a brief in support thereof.

(b) The statement of exceptions and the briefs filed in support thereof shall set out separately and particularly each exception to the Trial Examiner's report or rulings, and specific reference shall be made to the pages of the transcript or of the exhibits which are relevant to such exceptions. Consideration of the record on review will be limited to the specific matters raised by the statements of exceptions or briefs filed hereunder. No exception to a finding of fact will be considered by the Administrator unless it is supported by the record references required by this rule.

(c) After the expiration of the time fixed for the filing of exceptions to the Examiner's report, the Administrator shall make his decision based on the record of the proceedings, including such exceptions and briefs as may have been filed. The Administrator, on his own motion, may consider any matter raised by the record, may order the reopening of the proceeding before the Trial Examiner to take further evidence, or may permit or require oral argument before him on any of the issues involved in the proceeding.

[1] As amended June 6, 1945.

§ 203.11 *Decision of Administrator.*[1] (a) The Administrator shall issue an order embodying his decision on all issues as to whether respondent has violated the Act and the amount of damages due therefor, which shall become final, unless a petition for review is filed under § 203.12, on the expiration of the period provided for the filing of such petition. If the respondent is found guilty of violating the act, the Administrator shall make recommendations to the Secretary in his decision as to whether respondent shall be relieved from the application of the ineligible list provisions of section 3 of the act.

(b) The Decision of the Administrator shall be made part of the record of proceedings, and a copy thereof shall be served in the manner provided for the serving of the Examiner's report, upon all parties who were served a copy of the Examiner's report, including the respondent or the attorney of record and upon such other parties as the Administrator may direct.

§ 203.12 *Review.*[1] (a) Within ten (10) days after service of the decision of the Administrator any interested party upon whom such decision has been served may file with the Administrator an original and four copies of a petition for review of his decision by the Secretary of Labor which shall set out separately and particularly each error asserted. The request for review and the record will then be certified to the Secretary of Labor.

(b) The petitioner may file a brief (original and four copies) in support of his petition within the period allowed for the filing of the petition. Any interested party upon whom the report has been served, or the trial attorney for the Government, may file within five (5) days after the date upon which the petition is to be filed a brief in support of or in opposition to the Administrator's decision.

(c) The petition and the briefs filed under this rule shall make specific reference to the pages of the transcript or of the exhibits which are relevant to the errors asserted with respect to findings of fact and objections to such findings which are not so supported will not be considered.

(d) No matter properly subject to objection before the Administrator will be considered by the Secretary unless it shall have been raised before the Administrator or unless there were reasonable grounds for failure so to do; nor will any matter be considered by the Secretary unless included in the assignment of errors. In the discretion of the Secretary, review may be denied if the petition and brief in support thereof fail to show adequate cause for such review.

(e) The order denying review, or the decision of the Secretary, whichever is entered, will be made a part of the record, and a copy of each order or decision will be served upon the parties who were served with a copy of the Administrator's decision.

NOTE: Pursuant to section 6 of the Public Contracts Act, the following rules of practice, with respect to exceptions and exemptions, are embodied in Articles 601 and

602 of the Regulations No. 504, issued by the Secretary of Labor, September 14, 1936 (41 CFR 201.601, 201.602).

(a) Article 601, in regard to requests for exceptions and exemptions, reads as follows:

Request for the exception or exemption of a contract or class of contracts from the inclusion or application of one or more of those stipulations required by Article 1 must be made by the head of a contracting agency or department, and shall be accompanied with a finding by him setting forth reasons why such inclusion or application will seriously impair the conduct of Government business.

Request for the exception or exemption of a stipulation respecting minimum rates of pay and maximum hours of labor contained in an existing contract must be made jointly by the head of the contracting agency and the contractor, and shall be accompanied with a joint finding by them setting forth reasons why such exception or exception is desired.

All requests for exceptions or exemptions shall be transmitted through the Procurement Division of the Treasury for submission to the Department of Labor for consideration and shall be returned through the Procurement Division.

(b) Article 602, in regard to decisions concerning exceptions and exemptions, reads as follows:

Decisions concerning exceptions and exemptions shall be in writing and approved by the Secretary of Labor, or officer prescribed by him, originals being filed in the Department of Labor, and certified copies shall be transmitted to the Department or agency originating the request, to the Comptroller General, and to the Procurement Division of the Treasury. All such decisions shall be promulgated to all contracting agencies by the Procurement Division of the Treasury.

Signed at Washington, D. C., this 29th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-11787; Filed, June 30, 1945; 4:03 p. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 2—MEDICAL RELIEF

SUBPART B—MEDICAL RELIEF UNDER THE ACT OF JULY 1, 1944

The regulations appearing as §§ 2.1 to 2.207 are designated as Subpart A—Medical Relief under Laws Prior to the Act of July 1, 1944 (ch. 373, 58 Stat. 682), and a new subpart designated as Subpart B—Medical Relief under the Act of July 1, 1944 (ch. 373, 58 Stat. 682), is added. Any provisions of Subpart A which are in conflict with the provisions of Subpart B are superseded.

Section 2.111, relating to emergency medical care of Red Cross personnel when serving with the U. S. Coast Guard (10 F.R. 2759) is redesignated § 2.416 in Subpart B.

Sections 2.301 to 2.411 are added, as follows:

DEFINITIONS

Sec
2.301 Meaning of terms.

BENEFICIARIES

Sec.
2.306 Persons eligible.

AMERICAN SEAMEN

2.311 Use of service facilities.
2.312 Use of other than service facilities.
2.313 Application for treatment.
2.314 Evidence of eligibility.
2.315 Sickness or injury while employed.
2.316 Seamen from wrecked vessels.
2.317 Lapse of more than 90 days since last service.
2.318 Procedure in case of doubtful eligibility.
2.319 False document evidencing service.
2.320 Treatment during voyage; treatment not arranged for.
2.321 Injury while committing breach of peace.
2.322 Communicable diseases.
2.323 Certificate of discharge from treatment.

SEAMEN—EMPLOYEES OF THE UNITED STATES THROUGH WAR SHIPPING ADMINISTRATION

2.341 Conditions and extent of treatment.

SEAMEN—STATE SCHOOL SHIPS AND VESSELS OF THE U. S. GOVERNMENT

2.346 Conditions and extent of treatment.

SEAMEN—MISSISSIPPI RIVER COMMISSION

2.351 Conditions and extent of treatment.

SEAMEN—FISH AND WILDLIFE SERVICE

2.356 Conditions and extent of treatment.

MARITIME SERVICE ENROLLEES AND MERCHANT MARINE CADETS

2.361 Use of Service facilities.
2.362 Use of other than Service facilities.
2.363 Injury while committing breach of peace.
2.364 Communicable diseases.
2.365 Absence without leave.

CADETS AT STATE MARITIME ACADEMIES OR ON STATE TRAINING SHIPS

2.376 Conditions and extent of treatment.

FIELD EMPLOYEES OF THE PUBLIC HEALTH SERVICE

2.381 Use of Service facilities.
2.382 Use of other than Service facilities.

PERSONS AFFLICTED WITH LEPROSY

2.386 Admissions to Service facilities.
2.387 Diagnostic board for arriving patients.
2.388 Detention or discharge according to diagnosis.
2.389 Examinations and treatment.
2.390 Restrictions on movement within reservation.
2.391 Isolation or restraint.
2.392 Discharge.
2.393 Notification to health authorities regarding discharged patients.

SEAMEN ON FOREIGN FLAG VESSELS OWNED OR OPERATED BY UNITED STATES CITIZENS OR CORPORATIONS

2.401 Conditions and extent of treatment.

SEAMEN ON OTHER FOREIGN FLAG VESSELS

2.406 Conditions and extent of treatment; rates; burial.

NON-BENEFICIARIES—TEMPORARY TREATMENT IN EMERGENCY

2.411 Conditions and extent of treatment.

RED CROSS PERSONNEL

2.416 Emergency medical care when serving with U. S. Coast Guard.

AUTHORITY: §§ 2.301 to 2.411, inclusive, issued under sec. 215, 58 Stat. 690; 42 U.S.C., Sup., 216; and sec. 321, 58 Stat. 695. Secs. 2.301 to 2.411, inclusive (except secs. 2.301, 2.386–2.393, and 2.401) also issued under sec. 322, 58 Stat. 696; 42 U.S.C., Sup., 249. Statutes giving special authority are listed in parentheses at the end of specific sections.

DEFINITIONS

§ 2.301 *Meaning of terms.* When used in this subpart:

(a) "Act" means the act approved July 1, 1944, 58 Stat. 682, entitled "An act to consolidate and revise the laws relating to the Public Health Service, and for other purposes";

(b) The term "Service" means the Public Health Service;

(c) The term "Surgeon General" means the Surgeon General of the Public Health Service;

(d) The term "seamen" includes any person employed on board in the care, preservation, or navigation of any vessel, or in the service, on board, of those engaged in such care, preservation, or navigation;

(e) The term "vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, exclusive of aircraft and amphibious contrivances;

(f) "Medical relief station" means a first-, second-, third-, or fourth-class station of the Service;

(g) "First-class station" means a hospital operated by the Service;

(h) "Second-class station" means a medical relief facility, other than a hospital of the Service, under the charge of a commissioned officer;

(i) "Third-class station" means a medical relief facility, other than a hospital of the Service, under the charge of an acting assistant surgeon;

(j) "Fourth-class station" means a medical relief facility, other than a first-, second-, or third-class station, under the charge of an authorized Government representative;

(k) "Active duty", with respect to an enrollee of the United States Maritime Service, means that the enrollee is on the active list of that service, as distinguished from being on inactive status, and includes absence on authorized leave or liberty.

BENEFICIARIES

§ 2.306 *Persons eligible.* Under this subpart the following persons are entitled to care and treatment by the Service as hereinafter prescribed:

(a) Seamen employed on vessels of the United States registered, enrolled, or licensed under the maritime laws thereof, other than canal boats engaged in the coasting trade, hereinafter designated as American seamen;

(b) Seamen employed on United States or foreign flag vessels as employees of the United States through the War Shipping Administration;

(c) Seamen, not enlisted or commissioned in the military or naval establishments, who are employed on State school ships or on vessels of the United States Government of more than five tons' burden;

(d) Seamen on vessels of the Mississippi River Commission;

(e) Officers and crews of vessels of the Fish and Wildlife Service;

(f) Enrollees in the United States Maritime Service on active duty and members of the Merchant Marine Cadet Corps;

(g) Cadets at State maritime academies or on State training ships;

(h) Employees and noncommissioned officers in the field service of the Public Health Service when injured or taken sick in line of duty.

(i) Persons afflicted with leprosy;

(j) Seamen employed on foreign flag vessels owned or operated by citizens of the United States or by corporations incorporated under the law of the United States or of any State;

(k) Seamen on foreign flag vessels other than those seamen employed on foreign flag vessels specified in paragraphs (b) and (j);

(l) Non-beneficiaries for temporary treatment and care in case of emergency. (Sec. 331, 58 Stat. 698; 42 U.S.C., Sup., 255; sec. 332, 58 Stat. 698; 42 U.S.C., Sup., 256; sec. 610 (c), 58 Stat. 714; 42 U.S.C. Sup., 249 (note).)

NOTE: Section 2.306 does not list all the persons entitled to care and treatment by the Public Health Service.

Separate regulations govern: (a) the medical care of certain personnel, and their dependents, of the Coast Guard, Coast and Geodetic Survey, and Public Health Service; (b) physical and mental examinations of aliens; and (c) care and treatment of narcotic addicts.

While regulations of the Public Health Service are not required with respect thereto, circular instructions by the Service cover the care and treatment or physical examination of the following:

(1) Persons not otherwise eligible for treatment, for purposes of study;

(2) Persons detained in accordance with quarantine laws;

(3) Persons detained by the Immigration and Naturalization Service, for treatment at the request of that service;

(4) Persons entitled to treatment under the Employees' Compensation Commission Act and extensions thereof;

(5) Beneficiaries of other Federal agencies on a reimbursable basis;

(6) Medical examinations of:

(i) Employees of the Alaska Railroad and employees of the Federal Government for retirement purposes;

(ii) Employees in the Federal classified service, and applicants for appointment, as requested by the Civil Service Commission for the purpose of promoting health and efficiency;

(iii) Seamen for purposes of qualifying for certificates of service; and

(iv) Employees eligible for benefits under the Longshoremen's and Harbor Workers' Compensation Act, as amended, as requested by any deputy commissioner thereunder.

AMERICAN SEAMEN

§ 2.311 *Use of Service facilities.* American seamen (hereinafter referred to in §§ 2.311 to 2.325, inclusive, as seamen) shall, on presenting evidence of eligibility, be entitled to medical, surgical, and dental treatment and hospitalization at medical relief stations of the Service.

§ 2.312 *Use of other than Service facilities.* (a) When a seaman requires medical, surgical, or dental treatment or hospitalization and the urgency of the situation does not permit treatment at a medical relief station, arrangements for necessary treatment or hospitalization at the expense of the Service from public or private medical or hospital facilities other than those of the Service may be made by the officer in charge of a medical relief station or a quarantine station or by the director of a Service district. When such emergency treatment is necessary preference shall be given to other Federal medical facilities when reasonably available and when conditions permit.

(b) If eligibility cannot be established at the time of application by the seaman or by the person who applies in his behalf, the applicant shall be notified that the authorization for treatment is conditional and that the payment of reasonable expenses by the Service for such treatment shall be subject to proof of eligibility.

(c) In every such case of emergency treatment or hospitalization, authorized either conditionally or unconditionally, a full report shall be submitted promptly by the authorizing officer to the Surgeon General. The authorizing officer shall keep himself informed regarding the progress of the case to the end that treatment or hospitalization shall not be unduly and unnecessarily prolonged. As soon as practicable, unless the interests of the patient or the Government require otherwise, treatment or hospitalization shall be continued at a medical relief station or at another appropriate Federal medical facility.

(d) Expenses for consultants or special services, or for dental treatment other than emergency measures to relieve pain, shall not be allowed except when authorized in advance by the headquarters of the Service or, in extraordinary cases, when subsequently approved by such headquarters upon receipt of report and satisfactory explanation as to the necessity and urgency therefor.

(e) Certified vouchers on proper forms covering expenses for emergency treatment or hospitalization shall be forwarded to the Surgeon General by the authorizing officer, and each such voucher shall contain a statement of the facts necessitating the treatment or hospitalization.

§ 2.313 *Application for treatment.* A sick or disabled seaman, in order to obtain the benefits of the Service, must apply in person, or by proxy if too sick so to do, at a medical relief station or to an officer of the Service as specified in § 2.312 and must furnish satisfactory evidence of his eligibility for such benefits.

§ 2.314 *Evidence of eligibility.* (a) As evidence of his eligibility an applicant must present a properly executed master's certificate or a continuous discharge book or a certificate of discharge showing that he has been employed on a registered, enrolled, or licensed vessel of the United States. The certificate of the owner or accredited commercial agent of a vessel as to the facts of the employment of any seaman on said vessel may be accepted in lieu of the master's certificate where the latter is not procurable. When an applicant cannot furnish any of the foregoing documents, his oath or affirmation as to the facts of his most recent (including his last) employment as a seaman, stating names of vessels and dates of service, may be accepted as evidence in support of his eligibility: such oath or affirmation shall be taken before a notary or other person authorized by law to administer oaths. Documentary evidence of eligibility, excepting continuous discharge books and certificates of discharge, shall be filed at the station where application is granted. Where continuous discharge books and certificates of discharge are submitted as evidence of eligibility, the pertinent information shall be abstracted therefrom, certified by the officer accepting the application, and filed at the station.

(b) Except as otherwise provided in §§ 2.311 to 2.325, inclusive, documentary evidence of eligibility must show that the applicant has been employed for 60 days of continuous service on a registered, enrolled, or licensed vessel of the United States, a part of which time must have been during the 90 days immediately preceding application for relief. There may be included as a part of such 60 days of continuous service as a seaman time spent in training as (1) an active duty enrollee in the United States Maritime Service, (2) a member of the Merchant Marine Cadet Corps, (3) a cadet at a State maritime academy, or (4) a cadet on a State training ship. The phrase "60 days of continuous service" shall not be held to exclude seamen whose papers show brief intermissions between short services that aggregate the required 60 days: *Provided*, That any such intermission does not exceed 60 days. The time during which a seaman has been treated as a patient of the Service shall not be reckoned as absence from vessel in determining eligibility. When the seaman's service on his last vessel is less than 60 days, his oath or affirmation as to previous service may be accepted.

§ 2.315 *Sickness or injury while employed.* A seaman taken sick or injured on board or ashore while actually employed on a vessel shall be entitled to care and treatment without regard to length of service.

§ 2.316 *Seamen from wrecked vessels.* Seamen taken from wrecked vessels of the United States and returned to the United States, if sick or disabled at the time of their arrival in the United States, shall be entitled to care and treatment without regard to length of service.

§ 2.317 *Lapse of more than 90 days since last service.* Where more than 90 days have elapsed since an applicant's last service as a seaman and he can show that he has not definitely changed his occupation, such period of time shall not exclude him from receiving care and treatment (1) if due to closure of navigation or economic conditions resulting in decreased shipping with consequent lack of opportunity to ship or (2) in the

event the applicant has been receiving treatment at other than Service expense.

§ 2.318 *Procedure in case of doubtful eligibility.* When a reasonable doubt exists as to the eligibility of an applicant for care and treatment, the matter shall be referred immediately to the headquarters of the Service for decision. If, in the opinion of the responsible Service officer, the applicant's condition is such that immediate care and treatment is necessary, temporary care and treatment shall be given pending receipt of the decision as to eligibility.

§ 2.319 *False document evidencing service.* The issuance or presentation of a false document as evidence of service with intent to procure the treatment of a person as a seaman shall be immediately reported to the headquarters of the Service.

§ 2.320 *Treatment during voyage or when not arranged for.* The service shall not be liable for the expense of caring for sick and disabled seamen incurred during a voyage, nor when the care of a seaman has not been arranged for by a responsible officer of the Service.

§ 2.321 *Injury while committing breach of peace.* Seamen injured in street brawls or while otherwise committing a breach of the peace shall not receive treatment at the expense of the Service while in jail or in a hospital other than a hospital belonging to or under contract with the Service.

§ 2.322 *Communicable diseases.* The Service shall not be liable for the expense of caring for seamen who are suffering from communicable diseases and who, in accordance with State or municipal health laws and regulations, are taken to quarantine or other hospitals under charge of local health authorities, unless such patients were admitted at the time at the request of a responsible officer of the Service.

§ 2.323 *Certificate of discharge from treatment.* A certificate of discharge from treatment may, at the discretion of the officer in charge, be given to a hospital patient, but such certificate, when presented at another medical relief station, shall not be taken as sufficient evidence of the applicant's eligibility for care and treatment, but may be considered in connection with other documentary evidence submitted by the seaman.

SEAMEN—EMPLOYEES OF THE UNITED STATES THROUGH WAR SHIPPING ADMINISTRATION

§ 2.341 *Conditions and extent of treatment.* Seamen employed on United States or foreign flag vessels as employees of the United States through the War Shipping Administration shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen.

SEAMEN—STATE SCHOOL SHIPS AND VESSELS OF THE U. S. GOVERNMENT

§ 2.346 *Conditions and extent of treatment.* Seamen, not enlisted or commissioned in the military or naval establishments, who are employed on State school ships or on vessels of the United States Government of more than five tons' burden, shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen.

SEAMEN—MISSISSIPPI RIVER COMMISSION

§ 2.351 *Conditions and extent of treatment.* Seamen on vessels of the Mississippi River Commission shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen.

SEAMEN—FISH AND WILDLIFE SERVICE

§ 2.356 *Conditions and extent of treatment.* Seamen on vessels of the Fish and Wildlife Service shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen.

MARITIME SERVICE ENROLLEES AND MERCHANT MARINE CADETS

§ 2.361 *Use of Service facilities.* Enrollees in the United States Maritime Service on active duty and members of the Merchant Marine Cadet Corps shall, upon written request of the responsible officer of the station or training ship to which such enrollees or cadets are attached, identifying the applicant, be entitled to medical, surgical, and dental treatment and hospitalization at medical relief stations of the Service. Whenever an enrollee or cadet applies for relief without the above-mentioned written request and in the opinion of the responsible Service officer the applicant's condition is such that immediate care and treatment is necessary, temporary care and treatment shall be given pending verification of the applicant's status as an enrollee or cadet.

§ 2.362 *Use of other than Service facilities.* (a) When an enrollee on active duty or a cadet requires medical, surgical, or dental treatment or hospitalization for an emergency condition and the urgency of the situation does not permit treatment at a medical relief station or at a Maritime Service medical facility, arrangements for necessary treatment or hospitalization at the expense of the Service from public or private medical or hospital facilities other than those of the Service may be made by the officer in charge of a medical relief station or a quarantine station, by the director of a Service district, or by the responsible officer of the Service assigned to a Maritime Service station, to a Merchant Marine Cadet Corps school, or to a State maritime academy. When such emergency treatment is necessary preference shall be given to other Federal medical facilities when reasonably available and when conditions permit.

(b) If eligibility cannot be established at the time of application by the enrollee or cadet or by the person who applies in his behalf, the applicant shall be notified that the authorization for treatment is conditional and that the payment of reasonable expenses by the Service for such treatment shall be subject to proof of eligibility.

(c) In every such case of emergency treatment or hospitalization, authorized either conditionally or unconditionally, a full report shall be submitted promptly by the authorizing officer to the Surgeon General. The authorizing officer shall keep himself informed regarding the progress of the case to the end that treatment or hospitalization shall not be unduly and unnecessarily prolonged. As soon as practicable, unless the interests of the patient or the Government require otherwise, treatment or hospitalization shall be continued at a medical relief station or at another appropriate Federal medical facility.

(d) Expenses for consultants or special services, or for dental treatment other than emergency measures to relieve pain, shall not be allowed except when authorized in advance by headquarters of the Service or, in extraordinary cases, when subsequently approved by such headquarters upon receipt of report and satisfactory explanation as to the necessity and urgency therefor.

(e) Certified vouchers on proper forms covering expenses for emergency treatment or hospitalization shall be forwarded to the Surgeon General by the authorizing officer, and each such voucher shall contain a statement of the facts necessitating the treatment or hospitalization.

§ 2.363 *Injury while committing breach of peace.* Enrollees on active duty or cadets injured in street brawls or while otherwise committing a breach of the peace shall not receive treatment at the expense of the Service while in jail or in a hospital other than a hospital belonging to or under contract with the Service.

§ 2.364 *Cummunicable diseases.* The Service shall not be liable for the expense of caring for enrollees on active duty or cadets who are suffering from communicable diseases and who, in accordance with State or municipal health laws and regulations, are taken to quarantine or other hospitals under charge of local health authorities, unless such patients were admitted at the time at the request of a responsible officer of the Service.

§ 2.365 *Absence without leave.* Enrollees on active duty or cadets who are absent without leave shall not be entitled to receive treatment by the Service except at a medical relief station.

CADETS AT STATE MARITIME ACADEMIES OR ON STATE TRAINING SHIPS

§ 2.376 *Conditions and extent of treatment.* (a) Cadets at State maritime academies or on State training ships while they are enrollees in the U. S. Maritime Service shall be entitled to care and treatment by the Service under the same conditions and to the same extent as is provided for enrollees in the U. S. Maritime Service on active duty: *Provided, however,* That the written request of the superintendent or other responsible officer of an academy, including the master of a training ship, shall be acceptable in lieu of the written request of

the responsible officer of the Maritime Service.

(b) Cadets at State maritime academies or on State training ships when not enrolled in the U. S. Maritime Service shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen: *Provided, however,* That the written request of the superintendent or other responsible officer of an academy, including the master of a training ship, shall be acceptable in lieu of the documentary evidence of eligibility required of American seamen.

FIELD EMPLOYEES OF THE PUBLIC HEALTH SERVICE

§ 2.381 *Use of Service facilities.* Employees and noncommissioned officers in the field service of the Public Health Service when injured or taken sick in line of duty shall, upon presentation of satisfactory evidence of their status, be entitled to medical, surgical, and dental treatment and hospitalization at medical relief stations.

§ 2.382 *Use of other than Service facilities.* (a) Employees and noncommissioned officers in the field service of the Public Health Service when injured or taken sick in line of duty shall be entitled to the same care and treatment under the same conditions and to the same extent as is provided for American seamen in § 2.312.

(b) When employees or noncommissioned officers in the field service of the Public Health Service on duty in any foreign place are injured or taken sick in line of duty, the officer in charge shall make the necessary arrangements for treatment or hospitalization. If the patient himself is the only employee or noncommissioned officer of the Service on duty at a foreign place, the treatment or hospitalization may be obtained by or on behalf of the patient. In every such case, a full report shall be submitted to the Surgeon General by the officer in charge or by the patient himself where there is no superior on duty at the foreign place. In all other respects the provisions of § 2.312 shall govern where applicable.

PERSONS AFFLICTED WITH LEPROSY

§ 2.386 *Admissions to Service facilities.* Any person afflicted with leprosy who presents himself for care, detention, or treatment or who may be apprehended pursuant to regulations prescribed under section 332 or 361 of the act and any person afflicted with leprosy who is duly consigned to the care of the Service by the proper health authority of any State, Territory, or the District of Columbia shall be received into the Service hospital at Carville, Louisiana, or into any other hospital of the Service which has been designated by the Surgeon General as being suitable for the temporary accommodation of persons afflicted with leprosy. (Sec. 331, 58 Stat. 698; 42 U.S.C. Sup., 255.)

§ 2.387 *Diagnostic board for arriving patients.* At the earliest practicable date, after the arrival of a patient at the Service hospital at Carville, Louisiana, the medical officer in charge shall convoke a board of not less than three medical officers of the Service, who shall confirm or disapprove the diagnosis of leprosy. (Sec. 332, 58 Stat. 698; 42 U.S.C., Sup., 256).

§ 2.388 *Detention or discharge according to diagnosis.* If the diagnosis of leprosy is confirmed, the patient shall be detained in the hospital as provided in these regulations; if the diagnosis is not confirmed, the patient shall be discharged. (Sec. 332, 58 Stat. 698; 42 U.S.C., Sup., 256).

§ 2.389 *Examinations and treatment.* Patients shall undergo the usual routine clinical examinations which may be required for the diagnosis of primary or secondary conditions, and such treatment as may be prescribed. (Sec. 332, 58 Stat. 698; 42 U.S.C., Sup., 456)

§ 2.390 *Restrictions on movement within reservation.* No patient shall be allowed to proceed beyond the limits set aside for the detention of patients suffering from leprosy except upon authority from the headquarters of the Service and under prescribed conditions applicable to the individual patient. Should any patient violate his instructions in this regard, he shall upon his return, be properly safeguarded to prevent a repetition of the offense, or, at the discretion of the medical officer in charge, be permitted to give bond to the United States of America in a penal sum not exceeding $5,000 conditioned upon his faithful observance of this regulation. (Sec. 332, 58 Stat. 698; 42 U.S.C., Sup., 256)

§ 2.391 *Isolation or restraint.* There shall be provided the necessary accommodations, within the limits set aside for persons afflicted with active leprosy, for isolation or restraint of patients when in the judgment of the medical officer in charge such action is necessary for the protection of themselves or others. The medical officer in charge shall maintain a separate register in which shall be recorded the names of patients who have been placed in isolation or restraint, and all circumstances attendant upon such isolation or restraint. (Sec. 332, 58 Stat. 698; 42 U.S.C., Sup., 256)

§ 2.392 *Discharge.* The medical officer in charge of the Service hospital at Carville, Louisiana, shall convoke, from time to time, a board of three medical officers for the purpose of examining patients with a view to recommending their discharge. When in the judgment of the board a patient may be regarded as no longer a menace to the public health, he may be discharged, upon approval of the headquarters of the Service, as being either cured or an arrested or latent case. (Sec. 332, 58 Stat. 698; 42 U.S.C., Sup., 256)

§ 2.393 *Notification to health authorities regarding discharged patients.* Upon the discharge of a patient the medical officer in charge shall give notification of such discharge to the proper health officer of the State, Territory, District of Columbia, or other jurisdiction in which the discharged patient is to reside. The notification shall also set forth the clinical findings and other essential facts necessary to be known by the health officer relative to such discharged patient. (Sec. 332, 58 Stat. 698; 42 U.S.C., Sup. 256)

SEAMEN ON FOREIGN FLAG VESSELS OWNED OR OPERATED BY UNITED STATES CITIZENS OR CORPORATIONS

§ 2.401 *Conditions and extent of treatment.* For the duration of the present war and for six months thereafter seamen employed on foreign flag vessels which are owned or operated by citizens of the United States or by corporations incorporated under the laws of the United States or of any State shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen. (Sec. 610 (c), 58 Stat. 714; 42 U.S.C., Sup., 249 (Note))

SEAMEN ON OTHER FOREIGN FLAG VESSELS

§ 2.406 *Conditions and extent of treatment; rates; burial.* (a) Except as provided in §§ 2.341 and 2.401 for seamen on certain foreign flag vessels, seamen on foreign flag vessels may, when suitable accommodations are available and on application of the master, owner, or agent of the vessel, be hospitalized at first-class stations or furnished out-patient treatment ,including physical examinations, at first-, second-, and third-class stations at rates prescribed by the Surgean General with the approval of the Administrator.

(b) Upon similar application, hospitalization of such seamen or private services in connection with their treatment may be arranged for at second- and third-class stations, with the understanding that all expenses shall be paid directly to the vendors by the master, owner, or agent of the vessel. For any professional services which may be furnished by Service personnel in connection with such hospitalization or treatment, the rates charged shall be those prescribed by the Surgeon General with the approval of the Administrator.

(c) If any such seaman dies while receiving treatment by the Service, the expenses of burial shall be paid directly to the vendors by the master, owner, or agent.

NONBENEFICIARIES—TEMPORARY TREATMENT IN EMERGENCY

§ 2.411 *Conditions and extent of treatment.* Persons not entitled to treatment by the Service may receive temporary care and treatment from the Service in case of emergency as an act of humanity. Such temporary care and treatment shall be limited to hospitalization at first-class stations and to out-patient treatment at first-, second-, and third-class stations.

Dated: June 12, 1945.

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved: June 29, 1945.

WATSON B. MILLER,
Acting Federal Security Administrator.

[F. R. Doc. 45-11803; Filed, July 2, 1945; 10:28 a. m.]

TITLE 46—SHIPPING

Chapter XII—War Shipping Administration

PART 306—GENERAL AGENTS AND AGENTS

[G.O. 45, Supp. 5]

FREIGHT BROKERAGE AND COMMISSIONS ON FARES

Paragraph (a) *Rates* of § 306.123 *Freight brokerage* is amended by striking out the second sentence and inserting in lieu thereof, the following sentence: "No brokerage will be paid on cargoes procured under Lend-Lease or UNRRA (United Nations Relief and Rehabilitation Administration) requisitions moving from continental United States ports, except as provided in §§ 301.51 to 301.57, inclusive (General Order 38)."

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator,
War Shipping Administration.

JUNE 29, 1945.

[F. R. Doc. 45-11733; Filed, June 30, 1945; 12:29 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

PROTECTIVE SERVICE, PERISHABLE FREIGHT

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 27th day of June A. D. 1945.

In the matter of a Uniform System of Accounts to be Kept by Steam Roads.

In the matter of the order of July 13, 1937, effective July 1, 1937, prescribing operating revenue account 117, "Protective service—Perishable freight," for steam roads, and subsequent orders finally changing the effective date to January 1, 1946;

It is ordered, That the effective date be changed to January 1, 1947.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11806; Filed, July 2, 1945; 11:10 a. m.]

PART 14—ELECTRIC RAILWAYS: UNIFORM SYSTEM OF ACCOUNTS

PROTECTIVE SERVICE REVENUE, PERISHABLE FREIGHT

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 27th day of June A. D. 1945.

In the matter of a Uniform System of Accounts To Be Kept by Electric Railways.

In the matter of the order of July 13, 1937, effective July 1, 1937, prescribing operating revenue account 108½, "Protective service revenue—perishable freight," for electric railways, and subsequent orders, finally changing the effective date to January 1, 1946;

It is ordered, That the effective date be changed to January 1, 1947.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11805; Filed, July 2, 1945; 11:10 a. m.]

[S.O. 68, Amdt. 8]

PART 95—CAR SERVICE

FREIGHT CHARGES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 68, (codified as § 95.15 of Title 49 C.F.R.) as amended (8 F.R. 8513, 14224, 16265; 9 F.R. 7206, 14306; 10 F.R. 6040), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 68, as amended, is hereby further amended by substituting the following provisions for those previously provided in Amendments Nos. 1 to 7, inclusive:

(a) *Overloaded cars.* When part of the contents (hereinafter termed the excess) of an overloaded car of carload freight is transferred to another car and both cars forwarded without other frieght therein the following shall govern:

Freight charges. All common carriers by railroad subject to the Interstate Commerce Act shall:

(1) On the original car assess and collect freight charges, origin to final destination in effect at time of shipment, based upon the actual weight of freight left in that car after the excess has been removed, but not less than the tariff minimum weight for such car;

(2) On the car loaded with the excess freight assess and collect freight charges at the carload rate, applicable on the commodity as originally shipped, from transfer point to final destination in effect at time of original shipment, based on the actual weight of such excess freight subject to the following minima:

(i) When the tariff minimum weight depends on the length of the car, 50 percent of the minimum weight applicable to a car 40 feet 6 inches in length; or

(ii) When the tariff minimum weight depends on capacity of the car, 50 percent of 30,000 pounds; or

(iii) When the tariff minimum weight does not depend on the length or capacity of a car, 50 percent of the minimum weight applicable to the shipment as originally billed.

(b) *Exemption of freight transshipped from ocean vessels.* (1) This order shall not apply to a single consignment consisting of two or more freight cars loaded with freight transshipped directly from ocean-going vessels to railroad cars at ports, or to freight transshipped directly from barges to railroad cars at ports on inland waterways which freight has been previously transshipped directly from ocean-going vessels to barges at ocean ports, provided all such cars are loaded to not less than the tariff minimum weight or to cubical or visible capacity, except one car for each consignment loaded with a remnant lot as defined in the following paragraph, and provided charges are assessed on the remnant lot on a weight of 10,000 pounds or more.

(2) *Remnant lot defined.* The term "remnant lot" as used herein, is that part of a consignment, insufficient to fill the last car to cubical or visible capacity, remaining after the other car or cars used for the consignment has or have been loaded to not less than the tariff minimum weight or to full cubical or visible capacity.

(3) *Loading transshipped freight.* Common carriers by railroad shall load carload freight (except a remnant lot), transshipped from vessels, to the carload minimum weight or to cubical or visible capacity of the car or cars used.

(c) *Exemption of livestock.* This order shall not apply to shipments of livestock.

(d) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(e) *Expiration date.* This order as amended shall expire at 12:01 a. m., January 31, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, That:

Tariff provisions suspended. The operation of all tariff rules, regulations or charges insofar as they conflict with the provisions of this amendment is hereby suspended.

Announcement of suspension. Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby announcing the suspension and publishing the provisions required by this amendment. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

Effective date. This amendment shall become effective at 12:01 a. m., July 15, 1945.

It is further ordered, That this amendment shall vacate and supersede all prior amendments on the effective date hereof; that a copy of this order and direction shall be served upon each State railroad regulatory body and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C.,

and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-11634; Filed, June 30, 1945; 11:05 a. m.]

[S. O. 304, Amdt. 4]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR CARLOAD GRAIN

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June, A. D. 1945.

Upon further consideration of Service Order No. 304 (10 F.R. 4612), as amended (10 F.R. 5327, 5464, 6315), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 304 (10 F.R. 4612), as amended, be, and it is hereby, suspended until further order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this amendment shall become effective at 12:01 a. m., July 2, 1945; that copies of this order and direction shall be served upon the State regulatory bodies of all States and the District of Columbia, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-11635; Filed, June 30, 1945; 11:05 a. m.]

[S. O. 323]

PART 95—CAR SERVICE

PRE-ICING CITRUS PROHIBITED IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June, A. D. 1945.

It appearing, that refrigerator cars, to be loaded with shipments of citrus originating in the States of Arizona and California, are being pre-iced thus causing additional switching and diminishing the supply and control of refrigerator cars; in the opinion of the Commission an emergency requiring immediate action exists in Arizona and California. It is ordered, That:

(a) *Pre-icing citrus in Arizona and California prohibited.* No common carrier by railroad subject to the Interstate Commerce Act shall ice a refrigerator car, intended to be loaded with citrus fruit in Arizona or California, prior to the actual complete loading of the refrigerator car with such citrus fruit. In the event such cars are pre-iced and loaded, in violation of this provision, those cars shall not be transported.

(b) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(c) Tariff provisions suspended. The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(f) *Effective date.* This order shall become effective at 12:01 a. m., June 30, 1945.

(g) *Expiration date.* This order shall expire at 11:59 p. m., July 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-11636; Filed, June 30, 1945; 11:05 a. m.]

[S. O. 326]

PART 95—CAR SERVICE

PROHIBITION ON LOADING OF CITRUS, ONIONS, AND POTATOES IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of June, A. D. 1945.

It appearing, that the loading of refrigerator cars with citrus fruit, onions, and potatoes at points in the States of Arizona and California has resulted in the accumulation of an excessive number of such cars so loaded and in a congestion of traffic; the Commission is of opinion an emergency exists requiring immediate action at points in those States. It is ordered:

(a) *Loading of citrus, onions, and potatoes prohibited.* No common carrier by railroad subject to the Interstate Commerce Act operating in the States of Arizona or California shall accept orders for a railroad freight car to be loaded with, shall furnish or supply a railroad freight car for loading with, or allow or permit a railroad freight car to be loaded with, citrus fruit, onions, or potatoes at any point in the States of Arizona or California. In the event such cars are so loaded in violation of this provision they shall not be transported.

(b) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(c) *Effective date.* This order shall become effective at 12:01 a. m., July 1, 1945.

(d) *Expiration date.* This order shall expire at 7:00 a. m., July 4, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–17))

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-11809; Filed, July 2, 1945; 11:10 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 21A, Amdt. 1]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, and 9294, and War Production Board Directive 21,

It is hereby ordered, That paragraph (a) of § 501.92 of General Order ODT 21A (9 F.R. 12362), be, and it hereby is, amended by striking therefrom the words "any County Farm Transportation Committee of the Department of Agriculture."

This Amendment 1 to General Order ODT 21A, shall become effective July 1, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code App. sec. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 29th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-11628; Filed, June 30, 1945; 10:33 a. m.]

[General Order ODT 52]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

PASSENGER RESERVATIONS RESTRICTED

Pursuant to Title III of the Second War Powers Act, 1942, as amended, and Executive Order 8989, as amended, in order to make railway cars and other transportation facilities available for the preferential transportation of troops and material of war; to prevent shortages of equipment necessary for such transportation; to assure the orderly and expeditious movement of troops and materials of war; and to expedite the movement of necessary domestic passenger traffic, the attainment of which purposes is essential to the successful prosecution of the war, it is hereby ordered, that:

Sec.
502.240 Definitions.
502.241 Railroad passenger reservations restricted.
502.242 Exemptions.
502.243 Communications.

AUTHORITY: §§ 502.240 to 502.243, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183.

§ 502.240 *Definitions.* As used in this order (§§ 502.240 to 502.243, inclusive), or in any general permit issued hereunder, the term:

(a) "Carrier" means any common carrier by railroad or sleeping car company which transports passengers for compensation.

(b) "Ticket" means the evidence issued by a carrier which when presented to it will be honored for a reserved seat or sleeping space on a passenger train.

§ 502.241 *Railroad passenger reservations restricted.* (a) No carrier shall reserve, assign or allocate seating or sleeping space on a passenger train more than 120 hours in advance of the scheduled departure time of such train.

(b) No carrier shall issue a ticket for a reserved seat or sleeping space on a passenger train more than 120 hours in advance of the scheduled departure time of such train except in the case of tickets for reservations made prior to the effective date of this order which have not been picked up.

§ 502.242 *Exemptions.* This order shall not apply to seating or sleeping space authorized by any general permit issued by the Office of Defense Transportation.

§ 502.243 *Communications.* Communications concerning this order should refer to "General Order ODT 52" and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 52 shall become effective at 12:01 o'clock a. m., June 30, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-11633; Filed, June 30, 1945; 10:55 a. m.]

[Administrative Order ODT 8, Amdt. 4]

PART 503—ADMINISTRATION

PROCEDURE FOR REVIEW OF TERMS AND CONDITIONS OF CERTIFICATES OF WAR NECESSITY

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, and 9294, and War Production Board Directive 21,

It is hereby ordered, That §§ 503.228, 503.229, 503.234, and 503.235 of Administrative Order ODT 8, as amended (8 F.R. 13073, 9 F.R. 12365, 14343; 10 F.R. 460), be, and the same are hereby, revoked.

It is hereby further ordered, That §§ 503.230 and 503.236 of said Administrative Order be, and the same are hereby, amended by striking from § 503.230 the words and figures "or § 503.229," and by striking from § 503.236 the words and figures "or 503.234 and 503.235."

This Amendment 4 to Administrative Order ODT 8, as amended, shall become effective July 1, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code App. sec. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 29th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-11629; Filed, June 30, 1945; 10:33 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

ELK REFUGE, WYO.; FISHING REGULATIONS

Under authority of § 12.3 of the General Regulations for the Administration of National Wildlife Refuges (5 F.R. 5284) as amended, the following is ordered:

Section 22.271 (4 F.R. 373, 393) *Elk Refuge, Wyoming; fishing*, of January 18, 1939 is amended by deleting from the third paragraph the words and figures "NW¼ of Sec. 14," and inserting in lieu thereof the following: "SE¼ of Sec. 15,".

Dated: June 26, 1945.

ALBERT M. DAY,
Acting Director.

[F. R. Doc. 45-11597; Filed, June 29, 1945; 2:19 p. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 85]

INTERSTATE TRANSFER, MOVING AND STORAGE CO.

FINDING AS TO CONTRACT IN PROSECUTION OF THE WAR

In the matter of Interstate Transfer, Moving and Storage Company, Kansas City, Kansas. Case No. S-2269.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Interstate Transfer, Moving and Storage Company, Kansas City, Kansas;

I find that the storage, warehousing and transportation of commodities by the above company, pursuant to contract, whether oral or written, through the Federal Emergency Warehousing Association, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 30th day of June 1945.

FRANCES PERKINS,
Secretary.

[F. R. Doc. 45-11786; Filed, June 30, 1945; 4:03 p. m.]

Wage and Hour Division.

[Administrative Order 353]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT OF CERTAIN MEMBERS

By virtue of and pursuant to the authority vested in me by the Fair Labor

Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. James A. Stuart from Special Industry Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mrs. Vesta C. Vesoske of Vega Alta, Puerto Rico.

Signed at Washington, D. C., this 27th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-11795; Filed, June 30, 1945; 5:10 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE 19]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW JERSEY COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A.

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Wanda Pedersen	Denmark	Estate of Thorkild S. Pedersen, deceased, Hudson County Orphans' Court, Hudson County, New Jersey.	$182.20	Alfred J. Bedard, Administrator of the Estate of Thorkild S. Pedersen, 40 Exchange Place, New York 5, New York.	$6.86
		Item 2			
"Svend" Pedersen, first name being fictitious.	Denmark	Same	109.31	Same	4.11
		Item 3			
Rosa Sorensen	Denmark	Estate of Gustav A. Sorensen, deceased, Hudson County Orphans' Court, Hudson County, New Jersey.	586.28	Alfred J. Bedard, Administrator of the Estate of Gustav A. Sorensen, 40 Exchange Place, New York 5, New York.	13.55
		Item 4			
"Hans" Sorensen, first name being fictitious.	Denmark	Same	351.76	Same	8.13
		Item 5			
Carla Petersen	Denmark	Estate of Martin Petersen, deceased, Hudson County Orphans' Court, Hudson County, New Jersey.	247.56	Alfred J. Bedard, Administrator of the Estate of Martin Petersen, 40 Exchange Place, New York 5, New York.	5.03
		Item 6			
"Kai" Petersen, first name being fictitious.	Denmark	Same	52.14	Same	1.00
		Item 7			
"Svend" Petersen, first name being fictitious.	Denmark	Same	52.15	Same	1.00
		Item 8			
"Helger" Petersen, first name being fictitious.	Denmark	Same	52.15	Same	1.00
		Item 9			
"Niels" Petersen, first name being fictitious.	Denmark	Same	52.15	Same	1.00
		Item 10			
Eva Nielsen	Denmark	Estate of Carlo B. Nielsen, deceased, Hudson County Orphan's Court, Jersey City, New Jersey.	2,080.43	Alfred J. Bedard, Administrator of the Estate of Carlo B. Nielsen, 40 Exchange Place, New York 5, New York.	21.68
		Item 11			
Gusti Schmied	Germany	Homer Smith, et al., vs. Harry B. Kotler, Administrator of the Estate of Erwin Winkler, deceased, Court of Chancery, New Jersey, Docket No. 148/112.	301.17	Harry B. Kotler, Administrator of the Estate of Erwin Winkler, 1143 East Jersey St., Elizabeth, New Jersey.	301.17
		Item 12			
Viki Neustadtl	(Austria) Germany	Same	301.17	Same	301.17
		Item 13			
City of Schoenbeck	Germany	State Trust Co. at Plainfield vs. Elsie Schanz, et al., Court of Chancery of New Jersey, Docket No. 148/239.	69.74	The State Trust Company at Plainfield, New Jersey, Trustee of the Estate of Else Schanz, 221 Park Avenue, Plainfield, New Jersey.	69.74
		Item 14			
Church of Schoenbeck	Germany	Same	69.74	Same	69.74

[F. R. Doc. 45-11552; Filed, June 29, 1945; 11:02 a. m.]

[Vesting Order 3696, Amdt.]

FUJI SAKE BREWING CO. LTD.

Vesting Order Number 3696, dated May 19, 1944, is hereby amended as follows and not otherwise:

By deleting therefrom the vesting clause and substituting therefor the following:

hereby vests in the Alien Property Custodian 7,352 shares of the common stock of Fuji Sake Brewing Company, Limited, registered in the names of the following persons:

Name	Name
Haruo Fujii	Jiro (Juro) Fujikawa
Junso Fujii	Mikie Fujikawa
Yoichi Fujii	Shigeo Oshima
Haruno Fujikawa	Tomoichi Oto
Hisao Fujikawa	Shiro Sayegusa
Junichi Fujii	Kiyozo Shintaku

hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and (.)

All other provisions of said Vesting Order Number 3696, and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-11553; Filed, June 29, 1945; 11:03 a. m.]

[Vesting Order 4725]

FUJIMOTO TRADING CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the issued and outstanding capital stock of Fujimoto Trading Company, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 1400 shares of $50 par value capital stock, 700 shares (50%) are registered in the names of and are owned by the persons listed below in the number appearing opposite each name, and are evidence of control of said business enterprise

Name	Number of shares
Isaku Fujimoto	240
Wasuke Motoshige	109
Hiroshi Motoshige	1
Motoi Motoshige	350

2. That Isaku Fujimoto, Wasuke Motoshige, Hiroshi Motoshige and Motoi Motoshige, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

3. That Wasuke Motoshige has a claim against Fujimoto Trading Company, Limited, which is represented on the books and records of Fujimoto Trading Company, Limited, as an account payable in the amount of $1,728.58 as of June 30, 1944, subject to any accruals or deductions thereafter, and which represents an interest in Fujimoto Trading Company, Limited;

and determining:

4. That Fujimoto Trading Company, Limited, is controlled by Isaku Fujimoto, Wasuke Motoshige, Hiroshi Motoshige and Motoi Motoshige, or is acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 700 shares of capital stock of Fujimoto Trading Company, Limited, more fully described in subparagraph 1 above, and the interest of Wasuke Motoshige in Fujimoto Trading Company, Limited, more fully described in subparagraph 3 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-11630; Filed, June 30, 1945; 10:34 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 746]

ABERDEEN AND WATERTOWN, S. DAK.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Hi-Speed Motor Express, Inc., Sioux City, Iowa.

Matt W. Hanten and Roy Wheaton, copartners, doing business as Western Transportation Co., Watertown, S. Dak.

[F. R. Doc. 45-11736; Filed, June 30, 1945; 2:45 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 747]

TEXAS

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Airline Freight Line, Inc., San Antonio, Tex.

Alamo Motor Lines, San Antonio, Tex.

Alma A. Basse, doing business as Basse Express, Fredericksburg, Tex.

F. A. Basse, doing business as Basse Truck Line, Del Rio, Tex.

J. V. Braswell, doing business as Braswell Motor Freight Lines, El Paso, Tex.

H. P. Brown and O. E. Latimer, copartners, doing business as Brown Express, San Antonio, Tex.

Wm. P. Thomson, doing business as Boerne Truck Line, Boerne, Tex.

Central Freight Lines, Inc., Waco, Tex.

[1] Filed as part of the original document.

English Freight Co., Dallas, Tex.
Roy J. Gilbert, doing business as Gilbert Truck Line, Laredo, Tex.
L. E. Hensley, doing business as Hensley Freight Lines, Marion, Tex.
Charles Herder, Jr., doing business as Herder Truck Lines, Weimar, Tex.
N. B. Luker and J. R. Luker, copartners, doing business as Luker Truck Line, Stockdale, Tex.
O. W. Maxey, doing business as Maxey Freight Lines, San Antonio, Tex.
J. L. Querner, doing business as J. L. Querner Truck Line, San Antonio, Tex.
Red Arrow Freight Lines, Inc., Houston, Tex.
J. H. Robinson Truck Lines, Inc., Corpus Christi, Tex.
Southwestern Motor Transport, Inc., Uvalde, Tex.
Sunset Motor Lines, San Angelo, Tex.
O. W. Tondre, doing business as Tondre Freight Line, Hondo, Tex.
Victory Truck Line, Inc., San Antonio, Tex.
Yellow Transit Co., Oklahoma City, Okla.
A. C. Willingham, doing business as Willingham Motor Lines, San Antonio, Tex.
J. L. Walker, L. T. Hunt, Seymour Denike, copartners, doing business as Alamo Express, San Antonio, Tex.

[F. R. Doc. 45-11737; Filed, June 30, 1945; 2:45 p. m.]

[Supp. Order ODT 3, Rev. 748]

CHICAGO AND DE KALB, ILL.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Hayes Freight Lines, Inc., Mattoon, Ill.
Corey & Evans, Inc., De Kalb, Ill.

[F. R. Doc. 45-11738; Filed, June 30, 1945; 2:43 p. m.]

[Supp. Order ODT 3, Rev. 749]

DENVER, COLO. AND RATON, N. MEX.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

George C. Lebeck, doing business as Los Angeles-Albuquerque Express, Los Angeles, Calif.
Joe A. Harris, doing business as Harris Truck Line, Raton, N. Mex.

[F. R. Doc. 45-11739; Filed, June 30, 1945; 2:43 p. m.]

[Supp. Order ODT 3, Rev. 752]

NORTH CAROLINA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

P. B. Beachum, doing business as Beachum's Transfer, Wadesboro, N. C.
S. H. Ratliff and L. S. Ratliff, copartners, doing business as Ratliff & Ratliff Motor Transportation, Wadesboro, N. C.

[F. R. Doc. 45-11740; Filed, June 30, 1945; 2:43 p. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 1342]

JOAQUIN JIMENEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Joaquin Jimenez, 24 East 114th St., New York City, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona	5"	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11585; Filed, June 29, 1945; 11:55 a. m.]

[MPR 260, Order 1343]

SANTOS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Santos Cigar Factory, 1709 15th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Don Santos	Panetelas	50	$141	3 for 55
	Coronas	50	48	6
	Brevas	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11586; Filed, June 29, 1945; 11:55 a. m.]

[MPR 260, Order 1345]

PLYMOUTH CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Plymouth Cigar Co., 31 E. Mill St., Plymouth, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
A Mild Smoke	Especiales	50	$44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or a wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11587; Filed, June 29, 1945; 11:55 a. m.]

[MPR 260, Order 1358]

CARTEL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Cartel Cigar Co., Ltd., 2806 21st Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cartel	Blunts	50	$75.00	10
	Brevas	50	109.00	22
	Victorias	50	97.50	13
	Londres Grande	50	158.00	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11588; Filed, June 29, 1945; 11:54 a. m.]

[MPR 260, Order 1359]

LA PALMA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Palma Cigar Co., 2008 19th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Palma	Panetela	50	$40.00	5
	Aromaticos	50	138.00	18
	Palmas de Luxe	50	192.00	25
	Brevas	50	101.25	2 for 25
	Quevas	50	154.00	20
La Pedrina	do.	60	154.00	20
La Palma	Cazadores	50	123.00	16
	do.	50	123.00	16
	Nacionales	50	161.50	21
Pedrina	do.	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the

ing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11587; Filed, June 29, 1945; 11:55 a. m.]

[MPR 260, Order 1358]

CARTEL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Cartel Cigar Co., Ltd., 2806 21st Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cartel	Blunts	50	$75.00	10
	Brevas	50	169.00	22
	Victorias	50	97.50	13
	Londres Grande	50	138.00	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

[MPR 260, Order 1359]

LA PALMA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Palma Cigar Co., 2008 19th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Palma	Panetela	50	$40.00	5
	Aromaticos	50	138.00	18
	Palmas de Luxe	50	192.00	25
	Brevas	50	101.25	2 for 27
	Queens	50	154.00	20
La Pedrina	do	60	154.00	20
	Cazadores	50	123.00	16
La Palma	do	50	123.00	16
	Nacionales	50	161.50	21
Pedrina	do	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11589; Filed, June 29, 1945; 11:54 a. m.]

[MPR 260, Order 1360]

JOHN CORDOVA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) John Cordova, (Rear) 2012 Davis St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Troy	Cadets	50	$97 50	13
	Judy	50	64 00	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11590; Filed, June 29, 1945; 11:54 a. m.]

[RMPR 528, Order 45]

UNITED STATES RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for the following size and type of new tire manufactured by the United States Rubber Company, New York, New York, shall be:

Size	Type	Maximum retail price (each)
36 x 14...	U. S. solid truck tire.....	{$106.90 (East), {$107.05 (West).

"East" and "West" shall have the meaning given those terms in the manufacturer's price list for industrial tires in effect on February 1, 1944.

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11584; Filed, June 29, 1945; 11:56 a. m.]

[MPR 260, Order 1344]

JUAN M. TOMAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan M. Tomas, 456 E. 175th St., New York 57, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tanina	5"	10	*Per M* $90	*Cents*

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify

purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11605; Filed, June 29, 1945; 4:40 p. m.]

[MPR 260, Order 1346]

JACOBS CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Jacobs Cigar Co., Rear Lancaster Ave., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
[illegible] Smoke...	Perfecto	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11606; Filed, June 29, 1945; 4:40 p. m.]

[MPR 260, Order 1347]

SAMUEL E. BLUE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Samuel E. Blue Cigar Co., 61 N. Broadway, Peru, Ind. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Miss Peru	4"x"	50	*Per M* $90	*Cents* 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11607; Filed, June 29, 1945; 4:41 p. m.]

[MPR 260, Order 1348]

GEORGE A. HILLESHEIM

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) George A. Hillesheim, Freeburg, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Hillesheim	Hand Made	50	$36	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11608; Filed, June 29, 1945; 4:4; p. m.]

[MPR 260, Order 1349]

JAMES E. GIPE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) James E. Gipe, 313 First Ave., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
John Nixon	Perfecto	50	$90	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11609; Filed, June 29, 1945, 4:42 p. m.]

[MPR 260, Order 1350]

CONSOLIDATED CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Consolidated Cigar Co., P. O. Box 4328, 2318 Union St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Fumador of Tampa	Diplomatico	50	$161.50	
	Panetelas Royal	50	131.00	17
	Caletes	50	56.00	
	Cetros	50	60.00	2 for

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and

may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11610; Filed, June 29, 1945; 4:42 p. m.]

[MPR 260, Order 1351]

HENRIQUEZ CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Henriquez Cigar Co., 836 S. W. 4th Avenue, Miami 36, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible]	Havana Special	50	$48.00	6
	Perfecto	50	82.50	11
	Corona	50	32.00	4
	Havana Coronas	50	131.00	17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11611; Filed, June 29, 1945; 4:42 p. m.]

[MPR 260, Order 1352]

PEDRO VALDES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Valdes, 2409 14th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Brevas	Aljiria Valdes	50	$105.00	14
Aljiria Valdes	Panetela	50	105.00	14
	Reinas	50	50.00	7
	Coronas	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11612; Filed, June 29, 1945; 4:43 p. m.]

[MPR 260, Order 1353]

MARY CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mary Cigar Factory, 3722 15th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Mary	Corona A	50	$93.75	2 for 25
	Panetela Ia	50	109.00	22
	Londres Grande	50	154.00	20
	McKays	50	75.00	10
	Panetela 2d	50	109.00	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11613; Filed, June 29, 1945; 4:43 p. m.]

[MPR 260, Order 1354]

VICTOR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) V. C. Eckenrode, d/b/a Victor Cigar Co., 168 E. Cottage Pl., York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Super-Hiway	4½"	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11614; Filed, June 29, 1945; 4:43 p. m.]

[MPR 260, Order 1355]

FLOR AROMA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Flor Aroma Cigar Co., 2916 20th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Flor Aroma	Panatelas	50	*Per M* $130	
	Coronas	50	60	
	Brevas De Luxe	50	160	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11615; Filed, June 29, 1945; 4:43 p. m.]

[MPR 260, Order 1356]

CELESTINO RICO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Celestino Rico Cigar Factory, 1748 Green St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
C. R.	Coronas Chica	50	$97.50	13
	Coronas	50	40.00	5
	Conchitas	50	60.00	2 for 15
	Panetelas	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11616; Filed, June 29, 1945; 4:44 p. m.]

[MPR 260, Order 1357]

D. MARTINEZ Y CA.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) D. Martinez y Ca., 1815 10 Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
O'Halloran y Garcia	Epicures	50	$138.00	18
	Regallas	50	138.00	18
	Elegantes	50	108.75	2 for 29
	Brevas Chica	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11617; Filed, June 29, 1945; 4:44 p. m.]

[MPR 574, Amdt. 5 to Order 1]

LIVE BOVINE ANIMALS (CATTLE AND CALVES)

MAXIMUM PERCENTAGE OF CATTLE SLAUGHTERED WHICH MAY CONSIST OF GOOD AND CHOICE CATTLE

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. 1 under Maximum Price Regulation No. 574 is amended in the following respects:

1. Paragraph (c) (2) is amended to read as follows:

(2) The following percentages shall constitute the maximum percentages applicable in each of the three accounting periods ending on or about July 31, 1945, August 31, 1945, and September 30, 1945, respectively.

Zone	Period ending on or about—		
	July 31, 1945	Aug. 31, 1945	Sept. 30, 1945
(i) Zone A	80	70	60
(ii) Zone B	85	75	65
(iii) Zone C	60	50	40

2. Paragraph (h) is amended to read as follows:

(h) *Exceptions from the provisions of the order.* The provisions of this order shall not apply (1) to any slaughterer at a slaughtering establishment whose slaughter of cattle in such establishment consists exclusively of 4-H or other club cattle as specified in section 1 (b) (2) of Maximum Price Regulation No. 574, or (2) to any governmental institution (slaughterer) where the carcasses or cuts derived from such slaughter are not to be resold in any form.

This amendment shall become effective July 1, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11604; Filed, June 29, 1945; 4:40 p. m.]

[MPR 122, Amdt. 26 to Rev. Order 47]

SOLID FUELS IN WASHINGTON, D. C., AREA

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, *it is ordered*, That Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respect:

1. In paragraph (e) the maximum prices for bagged coal are amended to read as follows:

(e) *Price Schedule III; bagged coal.* Price Schedule III sets forth maximum per bag prices for sales made at or to any point in the Washington, D. C., metropolitan area of coal in paper bags of 15 pounds each. These are prices for the nut size.

YARD SALES

Kind	*Price*
Pennsylvania anthracite	$0.10½
Virginia anthracite	.07½
Bituminous coal	.07
"Direct delivery" sales to persons reselling bagged coal. The prices for direct delivery sales to persons reselling bagged coal shall be reduced by one cent, respectively when sales of the same bagged coals are made at the dealers' yard to persons reselling bagged coal.	
Pennsylvania anthracite	.14½
Virginia anthracite	.12
Bituminous coal	.11½
"Sales to consumers not made at a yard"	
Pennsylvania anthracite	.17½
Virginia anthracite	.15
Bituminous coal	.14½

This amendment to Order No. 47 shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11653; Filed, June 30, 1945; 11:36 a. m.]

[RMPR 136, Order 463]

NOVO ENGINE CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 463 under Revised Maximum Price Regulation 136. Machines Parts and Industrial Equipment. Novo Engine Company. Docket Nos. 6083-136.21-334 and SO-28-8660).

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136: *It is ordered:*

(a) The maximum prices for sales of the CA-33, 1 cylinder and CW-33, 1 cylinder internal combustion engines by Novo Engine Company, Lansing, Michigan, shall be determined as follows:

The Novo Engine Company shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order, the following amount:

Item:	*Amount to be added to maximum net price*
CA-33, 1 cylinder	$8.55
CW-33, 1 cylinder	18.50

(b) The maximum prices for sales of the CA-33, 1 cylinder and CW-33, 1 cylinder internal combustion engines by resellers shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) Novo Engine Company shall notify each person who buys the CA-33, 1 cylinder and CW-33, 1 cylinder internal combustion engines for resale of the dollars-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11654; Filed, June 30, 1945; 11:37 a. m.]

[RMPR 169, Order 80]

FEILER-LEE MEAT PRODUCTS

ESTABLISHMENT OF MAXIMUM PRICES

On June 1, 1945, Feiler-Lee Meat Products, 2433½ Brooklyn Avenue, Los Angeles, California, filed an application for the determination of a maximum selling price for its "Blue Ribbon Brand Steaks."

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinions, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of § 1364.452 (r) of Revised Maximum Price Regulation No. 169, *It is hereby ordered:*

(a) That the maximum selling price for "Blue Ribbon Brand Steaks" produced and sold by Feiler-Lee Meat Products, Los Angeles, California, shall be 40 cents per pound, f. o. b. the seller's place of business. Feiler-Lee Meat Products is permitted to sell this item to purveyors of meals (defined in § 1364.455 (b) (2) of Revised Maximum Price Regulation No. 169) and to intermediate distributors for resale to purveyors of meals. The authorized maximum selling price for the specialty steak product sold under the brand name of "Blue Ribbon Brand Steaks" is applicable only where the meat item is manufactured in accordance with the method described in the application of Feiler-Lee Meat Products, requesting such maximum price.

(b) Feiler-Lee Meat Products shall not sell or deliver to purveyors of meals and/or to intermediate distributors for resale to purveyors of meals during any three month period beginning October 1, January 1, April 1 and July 1 a total volume by weight of "Blue Ribbon Brand Steaks" in excess of 45,000 pounds.

(c) Feiler-Lee Meat Products shall supply each purveyor of meals upon his initial purchase of "Blue Ribbon Brand Steaks" with a written notice in the following form:

NOTICE TO PURVEYORS OF MEALS

The Office of Price Administration has, by order authorized Feiler-Lee Meat Products to sell "Blue Ribbon Brand Steaks" to purveyors of meals for not more than 40 cents per pound f. o. b. our place of business at Los Angeles, California.

(d) The maximum price for sales of "Blue Ribbon Brand Steaks" by any intermediate distributor shall be 40 cents per pound f. o. b. the seller's place of business.

(e) Feiler-Lee Meat Products shall supply each such intermediate distributor (any person who purchases from Feiler-Lee Meat Products for resale purposes) upon his initial purchase of "Blue Ribbon Brand Steaks" with a written notice in the following form:

NOTICE TO DISTRIBUTORS OF "BLUE RIBBON BRAND STEAKS"

The Office of Price Administration has, by order authorized Feiler-Lee Meat Products to sell "Blue Ribbon Brand Steaks" for not more than 40 cents per pound to purveyors of meals and to intermediate distributors who purchase this item for resale to purveyors of meals. Feiler-Lee Meat Products is permitted to sell this item to you at a discount but you must resell it to purveyors of meals and you must observe the same maximum price permitted Feiler-Lee Meat Products, i. e. 40 cents per pound f. o. b. your place of business. You are furthermore required to advise each purveyor of meals making his initial purchase of "Blue Ribbon Brand Steaks" of the maximum price established for sales of this product.

(f) Not later than the tenth day following each three month quota period ending December 31, March 31, June 30 and September 30, Feiler-Lee Meat Products shall submit a statement to the Office of Price Administration at Washington, D. C. showing the total volume of "Blue Ribbon Brand Steaks" sold to purveyors of meals and to intermediate distributors, separately itemized, for each such three month period, setting forth the name and address of each such distributor. In the event that such statement is not filed on or before the date specified, this order shall be subject to revocation. After the 10th day following any such three month quota period Feiler-Lee Meat Products shall not sell or deliver "Blue Ribbon Brand Steaks" until such statement has been submitted to the Office of Price Administration at Washington, D. C.

(g) All prayers of the application not granted herein are denied.

(h) This Order No. 80 may be revoked or amended by the Price Administrator at any time.

This Order No. 80 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11655; Filed, June 30, 1945; 11:37 a. m.]

[MPR 188, Order 99 Under Order A-2]

HALSAM PRODUCTS CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Halsam Products Co., Inc., of 4114 Ravenswood Avenue, Chicago 13, Illinois, may sell and deliver the articles listed below, which it manufactures and which are fully described in its application dated April 11, 1945, at prices no higher than its maximum prices in effect immediately prior to the effective date of this order plus the appropriate one of the following adjustment charges:

Article	Manufacturer's 1942 Catalogue No.	Number of pieces to set	Adjustment charge
			Per gross set
Alphabet blocks	2006	6	$2.09
	2008	8	2.12
	2010	10	2.50
	2015	15	3.97
	2018	18	5.23
	2020	20	6.84
	2030	30	7.56
	2036	36	8.65
	2040	40	6.66
Hi-Lo blocks (with grooves)	2206	6	2.09
	2208	8	2.12
	2210	10	2.50
	2215	15	3.97
	2218	18	5.23
	2220	20	6.84
	2230	30	7.56
	2236	36	8.65
	2240	40	6.66
Picture blocks	2406	6	2.09
	2408	8	2.12
	2410	10	2.50
	2415	15	3.97
	2418	18	5.23
	2420	20	6.84
	2430	30	7.56
	2436	36	8.65
	2440	40	6.66
Character blocks	2706	6	2.09
	2708	8	2.12
	2710	10	2.50
	2715	15	3.97
	2718	18	5.23
	2720	20	6.84
	2730	30	7.56
	2736	36	8.65
	2740	40	6.66
Dominoes (double six)	611	28	3.05
	611A	28	3.05
	611H	28	3.05
	611K	28	3.05
	611W	28	3.05
	622	28	3.05
Dominoes (double nine)	920	55	5.12
Checkers (comet and No. 1 bead)	578/24	24	1.49
Checkers (comet and No. 1 bead)	518	30	3.00
			Per thousand
Bulk checkers			.46

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all sales other than sales to ultimate consumers this additional adjustment charge may be made and collected only if separately stated on each invoice.

The adjusted price is subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of July 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11657; Filed, June 30, 1945; 11:37 a. m.]

[MPR 188, Order 100 Under Order A-2]

THE BROMWELL WIRE GOODS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Bromwell Wire Goods Co. of 312 United Bank Building, Cincinnati 2, Ohio, may sell and deliver the articles set forth below, which it manufactures and which are described in its application dated February 9, 1945, at prices no higher than its maximum prices currently in effect immediately prior to the effective date of this order, plus the appropriate one of the following adjustment charges:

Article, model, and adjustment charge	*Per gross*
Flour sifter: 100	$1.97
Flour sifter: Rex	.81

The adjustment charges provided for herein may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a), in the course of distribution from the manufacturer to the ultimate user, except persons making sales directly to ultimate users, may add to his presently established maximum price for sales of the article, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, providing the amount of such adjustment charge has been separately stated.

The maximum prices as adjusted of purchasers for resale are subject to each seller's customary terms, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery to a purchaser for resale at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 100 under Order No. A-2 under Maximum Price Regulation No. 188 authorizes all sellers of the articles covered by this invoice, except persons making sales to ultimate users to adjust their maximum prices in effect prior to July 2, 1945, by adding no more than the dollar-and-cents amount of the adjustment charge appearing on this invoice, providing that amount is separately stated on an invoice containing this notice.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11669; Filed, June 30, 1945; 11:41 a. m.]

[MPR 188, Rev. Order 3679]

WALD MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Wald Manufacturing Company, 1200 South La Cienega Boulevard, Los Angeles 35, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to		
		Wholesalers	Retailers	Consumers
Cigarette lighter	101	*Each* $1.80	*Each* $2.40	*Each* $4.00

These maximum prices are for the article described in the manufacturer's application dated June 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this Revised Order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 2d day of July 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11656; Filed, June 30, 1945, 11:37 a. m.]

[MPR 188, Order 4025]

NEW ROCHELLE METAL CRAFT

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by New Rochelle Metal Craft, 45 Harrison, New Rochelle, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	None	*Each* $0.70	*Each* $0.93	*Each* $1.55

These maximum prices are for the articles described in the manufacturer's application dated May 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2%, 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.55 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of July 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11670; Filed, June 30, 1945; 11:41 a. m.]

[MPR 188, Order 4026]

LOUIS F. DOW CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Louis F. Dow Company, 2242 University Avenue, St. Paul 4, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	20	*Each* $0.77	*Each* $1.03	*Each* $2.75

These maximum prices are for the articles described in the manufacturer's application dated April 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.75 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of July 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11671; Filed, June 30, 1945; 11:42 a. m.]

[MPR 220, Order 111]

AVIATRIX CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1315.1557 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to the manufacturer's, wholesalers' and retailers' sales of item #900 Aviatrix All American Vinyl Plastic Bathing Cap and item #950 Aviatrix All American Opaque Plastic Shower Cap, which are manufactured by the Aviatrix Company, 168 West 23rd Street, New York 11, New York.

(b) *Sales by the manufacturer.* The maximum net prices for sales by the Aviatrix Company, 168 West 23rd Street, New York 11, New York, of the commodities described in paragraph (a) of this order shall be:

ITEM NUMBER 900

$46.28 per gross for sales to wholesalers.
$48.95 per gross for sales to chains.
$53.40 per gross for sales to retailers.

ITEM NUMBER 950

$39.52 per gross for sales to wholesalers.
$41.80 per gross for sales to chains.
$45.60 per gross for sales to retailers.

(c) *Sales by wholesalers.* The maximum prices for sales at wholesale of the commodities described in paragraph (a) of this order shall be the maximum price for such sales furnished the wholesaler by the manufacturer and computed by the manufacturer according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220.

(d) *Sales at retail.* The maximum prices for sales at retail of the commodities described in paragraph (a) of this order shall be the maximum prices for such sales furnished the retailer by his seller and computed according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220.

(e) *Notification of maximum prices by the manufacturer and wholesalers.* The manufacturer shall compute the maximum prices applicable to sales by wholesalers and retailers of the commodities priced by this order according to the method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220. The notification of maximum price provisions and other provisions of § 1315.1559a are applicable to the commodities priced by this order.

(f) Between sixty and seventy-five days after the effective date of this order, the manufacturer shall recompute its costs based on actual production experience at that time in the manner provided in § 1315.1557 (c) and report them to the Office of Price Administration.

(g) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11658; Filed, June 30, 1945; 11:39 a. m.]

[MPR 220, Order 112]

PARKER, STEARNS & CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to the manufacturer's, wholesalers' and retailers' sales of the plastic vinylite bathing cap made of .006 gauge plastic vinylite sheeting and manufactured by Parker, Stearns & Company, Inc., 288–300 Sheffield Avenue, Brooklyn, New York.

(b) *Sales by the manufacturer.* The maximum price for sales by Parker, Stearns & Company, Inc., of the commodity described in paragraph (a) of this order shall be:

$3.40 per dozen for sales to wholesalers.
$3.92 per dozen for sales to retailers.

(c) *Sales by wholesalers.* The maximum prices for sales at wholesale of the commodity described in paragraph (a) of this order shall be the maximum price for such sales furnished the wholesaler by the manufacturer and computed by the manufacturer according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220.

(d) *Sales at retail.* The maximum prices for sales at retail of the commodity described in paragraph (a) shall be the maximum prices for such sales furnished the retailer by his seller and computed

according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220.

(e) *Notification of maximum prices by the manufacturer and wholesalers.* The manufacturer shall compute the maximum prices applicable to sales by wholesalers and retailers of the commodity priced by this order according to the method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220. The notification of maximum price provisions and other provisions of § 1315.1559a are applicable to the commodity priced by this order.

(f) *Report of recomputed costs.* Between 60 and 75 days after the effective date of this order, the manufacturer shall recompute its costs and report them to the Office of Price Administration. The costs shall be computed in the manner provided in § 1315.1557 (a) except that the actual number of labor hours, March 1942 labor rates, actual quantities of materials, and March 1942 materials prices, shall be used in the recomputations.

(g) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11659; Filed, June 30, 1945; 11:39 a. m.]

[MPR 220, Order 113]

B. B. CHEMICAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to all sales to industrial users and to all sales to wholesalers of the item S2684 Bestik cement manufactured by the B. B. Chemical Company of Cambridge, Massachusetts:

(b) *Sales to industrial users.* The maximum net prices for all sales to industrial users of the commodity described in paragraph (a) of this order shall be:

$2.75 per gallon—one-gallon can—East of the Rocky Mountains.
$2.23 per gallon—five-gallon drum—East of the Rocky Mountains.
$1.95 per gallon—fifty-gallon drum—East of the Rocky Mountains.
$3.136 per gallon—one-gallon can—West of the Rocky Mountains.
$2.60 per gallon—five-gallon drum—West of the Rocky Mountains.
$2.25 per gallon—fifty-gallon drum—West of the Rocky Mountains.

Freight allowances shall be as follows: Freight prepaid and allowed up to $1.00 per 100 pounds East of the Rocky Mountains, and $4.00 per 100 pounds West of the Rocky Mountains.

(c) *Sales to wholesalers.* Maximum net prices for all sales of the commodity described in paragraph (a) of this order to wholesalers, shall be:

$2.052 per gallon—one-gallon can—East of the Rocky Mountains.
$1.784 per gallon—five-gallon drum—East of the Rocky Mountains.
$1.698 per gallon—fifty-gallon drum—East of the Rocky Mountains.
$2.352 per gallon—one-gallon can—West of the Rocky Mountains.
$2.084 per gallon—five-gallon drum—West of the Rocky Mountains.
$1.938 per gallon—fifty-gallon drum—West of the Rocky Mountains.

Freight allowances shall be as follows: Freight prepaid and allowed up to $1.00 per 100 pounds East of the Rocky Mountains, and $4.00 per 100 pounds West of the Rocky Mountains.

(d) *Notification of maximum prices.* With or prior to the first sale to a wholesaler of the commodity priced by this order, the seller shall notify each wholesaler of the maximum prices applicable to the wholesaler's sales to industrial users, as established by paragraph (b) of this order.

(e) Between sixty and seventy-five days after the effective date of this order, the manufacturer shall recompute his costs in the manner provided in § 1315.1557 (c) of Maximum Price Regulation 220 and report them to the Office of Price Administration.

(f) All provisions of Maximum Price Regulation 220 not inconsistent with this order shall apply to the manufacturer's sales of the commodity priced by this order. All provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to wholesalers' sales to industrial users of the commodity priced by this order.

(g) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11668; Filed, June 30, 1945; 11:42 a. m.]

[MPR 478, Order 146]

FABRICO PRODUCTS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation No. 478, *It is ordered:*

(a) The maximum prices for sales of the following coated fabrics converted by the Fabrico Products, 124 Washington Street, Haverhill, Massachusetts, shall be as follows:

	Per linear yard
26/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finished by embossing to simulate leather effects	$1.00
36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finished by embossing and topping to simulate leather effects	1.19
36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finished by spraying to change base color and embossing to simulate leather effects	$1.22
36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finished by spraying to change base color and embossing and topping to simulate leather effects	1.41½
26/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finishing and topping and stencilling to simulate leather effects	1.41½
36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and two-tone finish and embossed by the coater	1.12½

(b) With or prior to the first delivery of fabrics covered by this order, to any person other than a manufacturer the seller shall notify such person in writing of the specific maximum price applicable to his resale of these coated fabrics which is the maximum price set forth in (a) above.

(c) All provisions of Maximum Price Regulation No. 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11667; Filed, June 30, 1945; 11:41 a. m.]

[Order 107 Under 18 (c)]

SEWERAGE COMMISSION OF MILWAUKEE, WIS.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under authority vested in the Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) That the maximum prices that may be charged by the Sewerage Commission of the City of Milwaukee for Milorganite, sold as packaged Specialty fertilizer or Victory Garden fertilizer may be increased 10 per cent, subject to the quantity, cash or delivery differentials and other terms of sale now applicable on this product.

(b) Maximum prices of sellers at wholesale or retail of Milorganite, for which an increase in price has been granted under subparagraph (a) above, shall be their previously established maximum prices for such sales, adjusted to reflect the actual difference in net cost between their original cost of such product and their cost of such product after giving effect to such increase. Such sellers must also allow such quantity, cash or delivery differentials and other such terms of sale as are now applicable on this product.

(c) Order No. L-15 under § 1499.18 (c) of the General Maximum Price Regulation is revoked as of July 1, 1945.

This order shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11731; Filed, June 30, 1945; 4:02 p. m.]

[Gen. R. O. 8, Cancellation Order 1]

WENTWORTH BUS LINES, INC.

CANCELLATION OF RATIONING RIGHTS

Whereas by directive issued June 2, 1945 (10 F.R. 6840) the Director of the Office of Economic Stabilization directed the Office of Defense Transportation and the Office of Price Administration, within thirty days from June 9, 1945, to deny Wentworth Bus Lines, Inc., of Dover, New Hampshire, (hereinafter called the Company) its successors and assigns, all applications for priority assistance or for the allocation of materials which are short in supply and to cancel all outstanding priorities and allocations of that company;

Whereas the Office of Defense Transportation has, by order dated June 26, 1945, cancelled the certificate of war necessity previously issued by it to the company;

Whereas materials which are rationed by the Office of Price Administration are materials in scarce supply; and

Whereas the Administrator of the Office of Price Administration, by section 2.22 of General Ration Order 8, has ordered and authorized me to carry out the directions contained in any such Directive from the Office of Economic Stabilization.

Now, therefore, it is hereby ordered:

SECTION 1. No ration, allotment, provisional allowance, inventory, or other right to acquire or use any rationed commodity shall be issued by the Office of Price Administration to the company or to its successors or assigns after July 9, 1945 (except as may be hereinafter otherwise provided). Nor shall the company receive or use after that date any rationed commodity or any such ration, allotment, provisional allowance, inventory or other such right.

SEC. 2. Every ration, allotment, provisional allowance, inventory or other right, held by the company at 12:01 a. m. July 10, 1945, to acquire or use a rationed commodity is hereby cancelled and rescinded as of that time, except for the purpose of paying, on or before July 15, 1945, all lawfully incurred ration debts of the company. The company shall, on or before July 15, 1945, surrender to the OPA District Office at Concord, New Hampshire (hereinafter called the District Office) all ration evidences in its possession. It shall also on or before that date draw a ration check for the balance in each of its ration bank accounts, if any, payable to the OPA and deliver such check to the District Office, which shall take appropriate action to close each such account.

SEC. 3. Any commodities rationed by OPA remaining in the possession of the company on July 10, 1945, may be disposed of by the company in the manner permitted by the respective orders applicable thereto or as the District Office shall authorize.

SEC. 4. The company shall make to the District Office all reports which it would be required to make to the OPA if it had voluntarily ceased to acquire or use rationed commodities, except as any part of, or attachment to, any such report shall be rendered impossible by compliance with this order.

SEC. 5. All ration documents and records required to be kept by the company pursuant to any ration order shall be kept by it, subject to inspection as provided in such order, until further order of OPA.

SEC. 6. Nothing in this order shall release or extinguish any penalty or liability incurred under any ration order, and such order shall remain in force with respect to the company.

This order shall become effective July 9, 1945.

Issued this 30th day of June 1945.

MAX MCCULLOUGH,
Deputy Administrator for Rationing.

[F. R. Doc. 45-11780; Filed, June 30, 1945; 4:02 p. m.]

[MPR 188, Order 3976]

CASCO PRODUCTS CORP.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-10643, which appeared on page 7366 of the issue for Tuesday, June 19, 1945, the model numbers for the articles listed in the table in paragraph (a) (1) should read 1230 X, 1211 X and 1204 X, respectively.

[MPR 220, Amdt. 1 to Order 105]

M. L. HARVEY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons given in an opinion issued simultaneously with this amendment and filed with the Division of the Federal Register and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered:*

Paragraph (b) of Order No. 105 under Maximum Price Regulation 220 is amended to read as follows:

(b) *Sales by the manufacturer.* The maximum prices for sales by the M. L. Harvey Company, 10 East 23d Street, New York, New York, of the commodities described in paragraph (a) of this order shall be as follows:

Baby pants made of 6 gauge vinyl resin film:
$4.25 per dozen for sales to wholesalers.
$5.25 per dozen for sales to retailers.
Bathing caps made of 6 gauge vinyl resin film:
$4.10 per dozen for sales to wholesalers.
$4.75 per dozen for sales to retailers.

This amendment shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11743; Filed, June 30, 1945; 3:07 p. m.]

[MPR 188, Order 2 Under Rev. Order 2525]

HARDMAN PECK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to paragraph (d) of Revised Order 2525 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices for all sales except at retail.* The Hardman Peck Company, 33 West 57 Street, New York, N. Y., herein called the manufacturer may increase its maximum prices for sales of new pianos of its manufacture, in effect prior to October 7, 1944, to each class of purchaser, for all sales except sales at retail as follows:

(1) Subtract the Federal excise tax and any amount for freight which is included in the price.

(2) To this figure add 18.87% thereof.

(3) The result is the new maximum price to each class of purchaser. The Federal excise tax payable on that maximum price and any freight deducted may be added.

(b) *Maximum prices for sales at retail.* Maximum prices for sales at retail shall be computed by the manufacturer as provided in paragraph (e) of Revised Order 2525, using as his highest maximum price for purposes of this computation, his maximum price prior to October 7, 1944 increased by no more than the 13% permitted by paragraph (b) or (c) of that order.

(c) *Applicability of provisions of Revised Order 2525.* The following paragraphs of Revised Order 2525 are specifically applicable to the pianos for which adjusted maximum prices are established by this order:

(e) *Manufacturers' maximum prices for any or changed models.*
(f) *Tagging.*
(k) *Adjustment, corrections and revocation of maximum prices.*
(i) *Credit charges.*
(j) *Definitions.*
(k) *Relationship between this order, the General Maximum Price Regulation and Maximum Price Regulation No. 188.*

This order shall become effective on the 30th day of June 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11742; Filed, June 30, 1945; 3:07 p. m.]

[RMPR 148, Amdt. 1 to Order 51]

COLORADO

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO DRESSED HOGS AND WHOLESALE PORK CUTS

The designation clause contained in the second paragraph of Order No. 51 under Revised Maximum Price Regulation No. 148 is hereby deleted.

This Amendment 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11660; Filed, June 30, 1945; 11:39 a. m.]

[RMPR 169, Amdt. 1 to Order 60]

TENNESSEE

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

The designation clause contained in the second paragraph of Order No. 60 under Revised Maximum Price Regulation No. 169 is hereby deleted.

This Amendment 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11661; Filed, June 30, 1945; 11:39 a. m.]

[RMPR 169, Amdt. 1 to Order 61]

COLORADO

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

The designation clause contained in the second paragraph of Order No. 61 under Revised Maximum Price Regulation No. 169 is hereby deleted.

This Amendment 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11662; Filed, June 30, 1945; 11:40 a. m.]

[RMPR 239, Amdt. 1 to Order 8]

COLORADO

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS

The designation clause contained in the second paragraph of Order No. 8 under Revised Maximum Price Regulation No. 239 is hereby deleted.

This Amendment 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11663; Filed, June 30, 1945; 11:40 a. m.]

[MPR 336, Amdt. 1 to Order1]

BREMERTON AND PUGET SOUND NAVY YARD, WASH.

DESIGNATION AS DEFICIENCY AREAS WITH RESPECT TO PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

The designation clause contained in the second paragraph of Order No. 1 under Maximum Price Regulation No. 336 is hereby deleted.

This Amendment No. 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11665; Filed, June 30, 1945; 11:40 a. m.]

[MPR 355, Amdt. 1 to Order 1]

BREMERTON AND PUGET SOUND NAVY YARD, WASH.

DESIGNATION AS DEFICIENCY AREA WITH RESPECT TO BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

The designation clause contained in the second paragraph of Order No. 1 under Maximum Price Regulation No. 355 is hereby deleted.

This Amendment No. 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11664; Filed, June 30, 1945; 11:40 a. m.]

[MPR 394, Amdt. 1 to Order 1]

BREMERTON AND PUGET SOUND NAVY YARD, WASH.

DESIGNATION OF DEFICIENCY AREA WITH RESPECT TO BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

The designation clause contained in the second paragraph of Order No. 1 under Maximum Price Regulation No. 394 is hereby deleted.

This Amendment No. 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11666; Filed, June 30, 1945; 11:40 a. m.]

[RMPR 394, Order 2]

SULLIVAN COUNTY, N. Y.

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

Pursuant to section 5 (b) (7) of Maximum Price Regulation No. 394, I find that (i) there exists in the County of Sullivan in the State of New York, total quotas which are substantially below an amount representing current seasonal demands for kosher meats by purveyors of kosher meals located in such area, and (ii) such purveyors of kosher meals are supplied almost exclusively by kosher retail selling establishments or stores located in the same area, and (iii) the condition described in subdivision (i) above is caused by the fact that the kosher retail selling establishments or stores are limited in their sales to purveyors of kosher meals located in the same area to 20% of their total dollar volume of meats sold during any current month.

The County of Sullivan in the State of New York is hereby designated as a deficiency area and the District Director of the Office of Price Administration for the County of Sullivan in the State of New York is hereby authorized to permit any kosher retail selling establishment or store customarily serving such area, which establishment or store is not a hotel supply house or which does not slaughter more than 20 cattle or calves per month, to sell kosher retail meat cuts at the prices specified in section 24 of Maximum Price Regulation No. 394, in whatever volume and subject to such terms and conditions as he may deem necessary, *Provided*, That in no event may such kosher retail selling establishment or store be authorized to sell kosher retail meat cuts to kosher eating places in excess of 70% of its total monthly dollar volume of meat sales.

This order may be revoked or amended at any time.

This order shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11758; Filed, June 30, 1945; 3:12 p. m.]

[FPR 1, Order 26 Under Supp. 7]

PACKED FRUIT, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Processors whose factories are located in Texas and Louisiana who packed diced carrots at the request of the War Food Administration or other government agency for the purpose of filling government procurement orders are authorized to charge and collect from the Army Quartermaster Corps, in addition to the maximum prices otherwise established for such sales, amounts sufficient to compensate for actual freight and icing charges incurred in the shipment of raw carrots from the Rio Grande Valley to processors' factories.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 30th day of June 1945

CHESTER BOWLES,
Administrator.

[F. R. Doc 45 11763; Filed, June 30, 1945, 3:13 p. m.]

[MPR 61, Order 6]

CERTAIN MILITARY ANGLE TAPS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 4 of Maximum Price Regulation 61, *It is ordered:*

(a) On and after July 3, 1945, the maximum price, f. o. b. seller's shipping point, at which any producer may sell or deliver the taps described below shall be:

WAC ANGLE TAPS

Meeting the specifications of the Boston Quartermaster Depot.
Weight 7 to 9½ iron after sanding.

Size	Length	Dimensions in inches		Price in cents (per pair)
		Toe end	Butt end	
Large	6¼	3½	5	31
Medium	6¼	3¼	4¾	29
Small	6¼	3	4½	27

(b) The maximum prices specified in paragraph (a) above for the sale of leather therein described shall supersede and replace any and all maximum prices previously established for such sales.

(c) Terms of sale shall be cash less 1% discount for payment within 30 days, net cash thereafter.

(d) This order may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 6 shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11834; Filed, July 2, 1945; 11:40 a. m.]

Regional and District Office Orders.

[Jacksonville Rev. Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN JACKSONVILLE, FLA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jacksonville District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order No. G-1 under General Order No. 50, issued by the District Director of the Jacksonville District Office of the Office of Price Administration on the 22d day of June, 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order No. 50 is redesignated Revised Order No. G-1 under General Order No. 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on-premise sales, and is for the further purpose of clarifying and strengthening the order. Maximum prices for off-premise sales of domestic malt beverages are controlled by Revised Maximum Price Regulation 259.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of Florida:

Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Citrus, Clay, Columbia, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Lake, Leon, Levy, Liberty, Madison, Marion, Nassau, Okaloosa, Orange, Putnam, St. Johns, Santa Rosa, Seminole, Sumter, Suwannee, Taylor, Volusia, Union, Wakulla, Walton, and Washington in the State of Florida.

SEC. 3. *Ceiling prices.* (a) On and after July 1, 1945, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage ,you may make application to the Jacksonville District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Jacksonville District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof.

You must figure the group to which you belong as follows: (1) *Group 1–B.* Your establishment belongs to Group 1–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1–B establishments.

(2) *Group 2–B.* Your establishment belongs to Group 2–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2–B establishments, but were less than those provided in Appendix A for Group 1–B establishments.

(3) *Group 3–B.* Your establishment belongs to Group 3–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2–B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3–B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1–B or Group 2–B, you may, but not later than the first day of August 1945, file an application with the Jacksonville District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs.

Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3–B seller, and must observe the ceiling prices as provided for that group in the appendices hereof.

All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.
2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.
3. The selling prices by brand name of all beverages sold since the beginning of its operation.
4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

5 Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3-B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1-B or Group 2-B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Jacksonville District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3-B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above, you must, on or before Aug. 1, 1945, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3-B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3-B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the district in which your establishment is located may direct you to charge lower ceiling prices.

(a) If, on the basis of your April 4-10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a nonprofit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised or amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised or amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3-B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1-B", "CPA 2-B", or "OPA 3-B", whichever is applicable. You may use the card or cards furnished for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12 *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell, sale, etc." includes the service of beer for a consideration with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premise sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller or in the immediate vicinity thereof, and include curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Jacksonville District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This revised order under General Order 50 shall become effective July 1, 1945. (Order No. G-1 under General Order 50 was originally issued on June 22, 1944, effective July 1, 1944; amendment number 1 to Order No. G-1 under GO 50 was issued July 25, 1944, effective July 29, 1944; amendment number 2 to Order No. G-I under GO 50 was issued October 1, 1944, effective October 5, 1944; amendment No. 3 to Order No. G-1 under GO 50 was issued November 25, 1944, effective December 1, 1944.)

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566., Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Jacksonville, Florida, this 15th day of June 1945.

ROY M. COFFEY,
District Director.

APPENDIX A

GROUP 1-B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Bottled beer:		
Ballantine	$0.25	$0.50
Blatz Pilsner	.25	.50
Budweiser	.25	.50
Barbarossa	.25	.50
Canadian Ace	.25	.50
Down's Arf and Arf	.25	.50
Embassy Club	.25	.50
Gold Coast	.25	.50
Miller's Hi Life	.25	.50
Pabst Blue Ribbon	.25	.50
Schlitz	.25	.50
Van Merritt	.30	.55
Carta Blanca	.35	
Bottled ale:		
Ballantine	.25	.50
Ballantine Porter	.25	.50
Buckingham Premium	.25	.50
Carling's Red Cap	.25	.50
Ballantine India Pale	.30	.55
Champ Ale	.30	.55
All other brands of bottle beer and ale not listed above, including unlabeled beer and ale	.20	.40

All Unlisted Beer and Ale in Bottles Containing Less than 12 Ounces, 10 cents.

Draft beer and ale

Size of container:	Maximum price (Cents)
6 oz. glass	9
8 oz. glass	10
10 oz. glass	13
12 oz. glass	15

All other quantities—1¼¢ per ounce.

Sellers who are required to pay a federal excise tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945, increase in the Florida beverage tax may add to above prices the following charges if same are separately stated and collected:

Bottled Beer and Ale

12-oz. bottles, 2⅛¢ per bottle.
32-oz. bottles, 4¼¢ per bottle.
Bottles containing less than 12 ozs., 17¢ per gallon prorated to the amount in the bottles.

Draft Beer and Ale

6-oz. glass, $\frac{17}{128}$¢ per glass.
8-oz. glass, $\frac{17}{96}$¢ per glass.
10-oz. glass, $\frac{17}{80}$¢ per glass.
12-oz. glass, $\frac{17}{64}$¢ per glass.

All other quantities, 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction may be reduced to the next lower cent.

All other taxes are included in above prices.

GROUP 2-B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Bottled beer:		
Ballantine	$0.20	$0.42
Barbarossa	.20	.42
Blatz Pilsner	.20	.42
Budweiser	.20	.42
Canadian Ace	.20	.42
Down's Arf and Arf	.20	.42
Embassy Club	.20	.42
Gold Coast	.20	.42
Miller's Hi-Life	.20	.42
Pabst Blue Ribbon	.20	.42
Schlitz	.20	.42
Van Merritt	.25	.50
Carta Blanca	.30	
Bottled ale:		
Ballantine	.20	.42
Ballantine Porter	.20	.42
Buckingham Premium	.20	.42
Carlings Red Cap	.20	.42
Ballantines India Pale	.25	.50
Champ Ale	.25	.50
All other brands of Ale not listed above and not listed in Appendix "B" hereof, including unlabeled beer and ale	.15	.35

All unlisted beer and ale, in bottles containing less than 12 ounces not listed above and not listed in Appendix "B" hereof, 10¢.

Draught Beer and Ale

Size and containers:	Maximum price
6-oz. glass	$0.09
8-oz. glass	.10
10-oz. glass	.11
12-oz. glass	.12

All other quantities 1¢ per ounce.

Sellers who are required to pay a Federal excise tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945, increase in the Florida beverage tax may add to above prices the following charges if same are separately stated and collected:

Bottled Beer and Ale

12-oz. bottles, 2⅛¢ per bottle.
32-oz. bottles, 4¼¢ per bottle.
Bottles containing less than 12 ozs., 17¢ per gallon prorated to the amount in the bottles.

Draft Beer and Ale

6-oz. glass, $\frac{17}{128}$¢ per glass.
8-oz. glass, $\frac{17}{96}$¢ per glass.
10-oz glass, $\frac{17}{80}$¢ per glass.
12-oz. glass, $\frac{17}{64}$¢ per glass.

All other quantities, 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.

All other taxes are included in above prices.

GROUP 3-B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Bottled beer:		
Ballantine	$0.17	$0.37
Barbarossa	.17	.37
Blatz Pilsner	.17	.37
Budweiser	.17	.37
Canadian Ace	.17	.37
Down's Arf and Arf	.17	.37
Embassy Club	.17	.37
Gold Coast	.17	.37
Millers Hi-Life	.17	.37
Pabst Blue Ribbon	.17	.37
Pilsener	.17	.37
Schlitz	.17	.37
Van Merritt	.20	.15
Carta Blanca	.25	
Bay State	.17	.37
Beverwyck	.17	.37
Bohemian Premium	.17	.37
Burger Brau	.17	.37
Crown	.17	.37
Doorschuck	.17	.37
Ems Select	.17	.37
Ehrets Extra	.17	.37
Fells Extra	.17	.37
Gerhard Lang	.17	.37
Hi-Brau	.17	.37
Lion	.17	.37
New England	.17	.37
Oxford	.17	.37
D. R. Premier	.17	.37
Pilser	.17	.37
Pioneer Victory	.17	.37
Rheingold	.17	.37
Schmidt	.17	.37
Silver Fox	.17	.37
Bottled ale		
Ballantine	.17	.37
Ballantine Porter	.17	.37
Buckingham Premium	.17	.37
Carlings Red Cap	.17	.37
Champ Ale	.20	.15
Ballantines India Pale	.20	.45
Bay State	.17	.37
Irish Cream	.17	.37
New England	.17	.37
Oxford	.17	.37
Spearman	.17	.37
All other brands of bottled beer and ale not listed above, including unlabeled beer and ale	.12	.30

All unlisted beer and ale, in bottles containing less than 12 ounces 10¢

Draught Beer and Ale

Size and containers:	Maximum prices
6-oz. glass	$0.09
8-oz. glass	.10
10-oz. glass	.11
12-oz. glass	.12

All other quantities 1¢ per ounce.

Sellers who are required to pay a federal excise tax on cabarets may add same to above prices if such tax is separately stated and collected

Sellers who are required to pay the July 1, 1945, increase in the Florida beverage tax may add to above prices the following charges if same are separately stated and collected:

Bottled Beer and Ale

12-oz. bottles, 2⅛¢ per bottle.
32-oz. bottles, 4¼¢ per bottle.
Bottles containing less than 12 ozs., 17¢ per gallon prorated to the amount in the bottles.

Draft Beer and Ale

6-oz. glass, $\frac{17}{128}$¢ per glass.
8-oz. glass, $\frac{17}{96}$¢ per glass.
10-oz. glass, $\frac{17}{80}$¢ per glass.
12-oz. glass, $\frac{17}{64}$¢ per glass.

All other quantities, 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.

All other taxes are included in above prices.

NOTE: This Appendix B fixes maximum prices for Group 2-B sellers on certain so-called "intermediate priced" beers and ales. A Seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of the prices given for other brands covered by Appendix A.

APPENDIX B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Bottled beer:		
Bay State	$0.18	$0.40
Beverwyck	.18	.40
Bohemian Premium	.18	.40
Burger Brau	.18	.40
Crown	.18	.40
Doerschuck	.18	.40
Dr. Premier	.18	.40
Elms Select	.18	.40
Ehret's Extra	.18	.40
Fell's Extra	.18	.40
Gerhard Lang	.18	.40
Hi-Brau	.18	.40
Lion	.18	.40
New England	.18	.40
Oxford	.18	.40
Pilsener	.18	.40
Polser	.18	.40
Pioneer Victory	.18	.40
Rheingold	.18	.40
Schmidt	.18	.40
Silver Fox DeLuxe	.18	.40
Bottled ale:		
Bay State	.18	.40
Irish Cream	.18	.40
New England	.18	.40
Oxford	.18	.40
Spearman	.18	.40

Sellers who are required to pay a federal excise tax on cabarets may add same to above prices if such tax is separately stated and collected.

"Sellers who are required to pay the July 1, 1945, increase in the Florida beverage tax

may add to above prices the following charges if same are separately stated and collected:

Bottled Beer and Ale

12-oz. bottles, 2⅛¢ per bottle.
32-oz. bottles, 4¼¢ per bottle.
Bottles containing less than 12 ozs., 17¢ per gallon prorated to the amount in the bottles.

Draft Beer and Ale

6-oz glass, $\frac{17}{128}$¢ per glass.
8-oz. glass, $\frac{17}{96}$¢ per glass.
10-oz. glass, $\frac{17}{80}$¢ per glass.
12-oz. glass, $\frac{17}{64}$¢ per glass.

All other quantities, 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.

All other taxes are included in above prices.

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may add to above prices the following charges if same are separately stated and collected:

Bottled Beer and Ale

12-oz. bottles, 2⅛¢ per bottle.
32-oz. bottles 4¼¢ per bottle.
Bottles containing less than 12 ozs. 17¢ per gallon prorated to the amount in the bottles.

Draft Beer and Ale

6-oz glass, 1$^{7}/_{48}$¢ per glass.
8-oz. glass, 1$^{5}/_{96}$¢ per glass.
10-oz. glass, 1$^{7}/_{120}$¢ per glass.
12-oz. glass, 1$^{7}/_{144}$¢ per glass.
All other quantities, 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.

All other taxes are included in the above prices.

[F. R. Doc. 45-11520; Filed, June 28, 1945; 4:04 p. m.]

[Region VII Order G-6 Under Order 1444 of MPR 188]

LLOYD V. WESTBY & SONS ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergeney Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-6 is issued.

(a) *What this order does.* This Order No. G-6 establishes maximum prices for a rocking horse manufactured by Lloyd V. Westby & Sons, 530 South Curtis Street, Littleton, Colorado, when sold by the manufacturer to jobbers or wholesalers, by the manufacturer, jobbers or wholesalers to retailers, and by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-6, maximum prices for the toy item, which is by the manufacturer designated "Rocking Horse, Model No. 101", manufactured by Lloyd V. Westby & Sons of Littleton, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	*Each* $3.82
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point to a retailer	4.77
(3) When sold by any seller to an ultimate consumer or user	7.95

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-5 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-6 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this Rocking Horse, Model No. 101, are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	*Each* $4.77
(2) When sold by any seller to an ultimate consumer or user	7.95

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-6 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The prices authorized by this Order No. G-6 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-6 shall become effective on the 20th day of June 1945.

Issued this 20th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11523; Filed, June 28, 1945; 4:06 p. m.]

[Region VII Order G-20 Under MPR 188]

MERRILL ENGINEERING LABORATORIES ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-20 is issued.

(a) *What this order does.* This Order No. G-20 establishes maximum prices for a gun thong manufactured by Merrill Engineering Laboratories, 1240 Lincoln Street, Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-20, the maximum prices for the gun thong manufactured by Merrill Engineering Laboratories, 1240 Lincoln Street, Denver, Colorado, in accordance with the specifications set forth in the application of said Merrill Engineering Laboratories on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or wholesaler: $1.50 per dozen.

(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer: $2 per dozen.

(3) When sold by any seller to an ultimate consumer or user: 25¢ each.

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within ten days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-20 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-20 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this gun thong are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer: $2 per dozen.

(2) When sold by any seller to an ultimate consumer or used: 25¢ each.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-20 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-20 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who makes sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Ad-

ministrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–20 shall become effective on the 18th day of June 1945.

Issued this 18th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–11524; Filed, June 28, 1945; 4:06 p. m.]

[Portland Order G–21 Under 18 (c)]

FIREWOOD IN KLAMATH FALLS COUNTY, OREG.

For the reasons set forth in the opinion issued simultaneously herewith, and under authority vested in the Portland District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of Region VIII, it is hereby ordered:

(a) The maximum prices for sales and deliveries at retail in Klamath Falls County, Oregon, of the types and kinds of firewood specified in this Order No. G–21 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation issued thereto are hereby adjusted to the maximum prices provided in this Order G–21.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below: (1) "Sale at retail" means a sale to an ultimate consumer, other than an industrial or commercial user.

(2) "City of Klamath Falls Area" means the City of Klamath Falls, Oregon, including the area within 3 miles of the City Hall of said city as measured by road distance by the most direct route.

(3) "Green slabwood" means mill run slabwood, mixed block and slabwood, or mixed slabwood and edgings.

(4) "Dry slabwood" means slabwood which is generally recognized by the trade and by consumers as being dry, and which has been piled and air dried for a period of not less than ninety days.

(c) *Maximum prices.* (1) The maximum prices for sales at retail by any seller of the kind and type of firewood, described in Table I set forth below, which was obtained from a mill located in Klamath County, Oregon, when delivered to the premises of a purchaser located in the "City of Klamath Falls Area" shall be the prices set forth in said Table I:

TABLE I

Type of firewood and maximum price per cord (delivered to the premises of the ultimate consumer in the "City of Klamath Falls Area")

16" green pine slabwood	$5 50
16" green fir slabwood	6 50
12" green pine slabwood	6.00
12" green fir slabwood	7.00
16" dry pine slabwood	8.50
16" dry fir slabwood	9.50
12" dry pine slabwood	9 00
12" dry fir slabwood	10 00

(2) The maximum prices for sales at retail by any seller of the kinds and types of firewood, described in Table I set forth above, which was obtained from a mill located outside Klamath Falls County, Oregon, when delivered to the premises of a purchaser located in the "City of Klamath Falls Area" shall be the prices set forth in said Table I for the kind and type of firewood sold plus $1.00 per cord.

(3) The maximum prices for sales at retail by any seller of the kinds and types of firewood, described in Table I set forth above, delivered to any place other than the premises of the purchaser shall be prices determined under paragraph (c) (1) or (c) (2), depending on the mill location from which the firewood is obtained, less $1.00 per cord.

(4) The maximum prices for sales at retail by any seller of the kinds and types of firewood, described in Table I set forth above, delivered to the premises of a purchaser located outside the "City of Klamath Falls Area" shall be prices determined under paragraphs (c) (1) or (c) (2), depending on the mill location from which the firewood is obtained, plus the seller's March 1942 price differential for sales outside of the "City of Klamath Falls Area."

(d) *Evasions.* No seller subject to this Order No. G–21 shall evade any of the provisions thereof by changing the customary allowances, discounts, or other price differentials unless such change shall result in a lower price.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this Order shall give the purchaser or his agent, at the time of sale, an invoice or other memorandum of sale, which shall show:

(1) The date of sale,
(2) The name and address of the buyer and seller,
(3) The quantity of firewood sold,
(4) A description of the firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e. old or second growth, or hardwood, and the length of the pieces of wood).
(5) Place of sale, and
(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, and such copy shall be made available for inspection by the Office of Price Administration.

(f) *Area covered.* This order shall apply to Klamath Falls County, Oregon.

(g) This order may be revoked, amended, or corrected at any time.

This order shall become effective June 14, 1945.

NOTE: The record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 566, Pub. Law 383, 78th Cong; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1945.

MCDANNELL BROWN,
District Director.

[F. R. Doc. 45-11522; Filed, June 28, 1945; 4:04 p. m.]

[Spokane Order 78B Under MPR 426]

CARROTS IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Spokane, Wash.
(d) Method of transportation: Carlot
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $0.91 per cwt.

	Per unit of sale	
	Per 72 bunches	Per lb. topped
(f) Freight charge by Method (d)	$0.79	.....
(g) Basing point cost	3.00	.....
(h) Protective services	.26	.....
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.05	$0.0[illegible]

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

Issued this 4th day of June 1945.

DAVE S. COLIN,
District Director.

[F. R. Doc. 45-10599; Filed, June 15 1945; 1:28 p. m.]

[Spokane Order 79B Under MPR 426]

CARROTS IN PULLMAN, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Or-

der of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Pullman, Wash.
(d) Method of transportation: Carlot Spokane, $0.91, L.C.L. Pullman $0.41.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $0.91 plus $0.41.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by Method (d)	$1.16	
(g) Basing point cost	3.00	
(h) Protective services	.26	
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.42	$0.0470

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10598; Filed, June 15, 1945; 1:27 p. m.]

[Spokane Order 80B Under MPR 426]

CARROTS IN WALLACE, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Wallace, Idaho.
(d) Method of transportation: Carlot Spokane, L.C.L. Wallace.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $0.91 plus $0.51.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by method (d)	$1.24	
(g) Basing point cost	3.00	
(h) Protective services	.26	
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.50	$0.0479

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10597; Filed, June 15, 1945; 1:27 p. m.]

[Spokane Order 81B Under MPR 426]

CARROTS IN LEWISTON, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Lewiston, Idaho.
(d) Method of transportation: Carlot Portland, L.C.L. Lewiston.
(e) Freight rate by Method (d) from basing point to wholesale receiving point $0.865 plus $0.98.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by Method (d)	$1.41	
(g) Basing point cost	3.00	
(h) Protective services	.26	
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.69	$0.0489

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10596; Filed, June 15, 1945; 1:27 p. m.]

[Spokane Order 82B Under MPR 426]

CARROTS IN WALLA WALLA, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said

basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Walla Walla, Wash.
(d) Method of transportation: Carlot Portland, LCL Walla Walla.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $0.005 plus $0.71.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by Method (d)	$1.17	.....
(g) Basing point cost	3.00	.....
(h) Protective services	.26	.....
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	4.43	$0.0471

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10595; Filed, June 15, 1945; 1:27 p. m.]

[Spokane Order 83B Under MPR 426]

CARROTS IN KENNEWICK, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Kennewick, Wash.
(d) Method of transportation: Carlot Portland, LCL Kennewick.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $0.005 plus $0.51.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by Method (d)	$1.01	.....
(g) Basing point cost	3.00	.....
(h) Protective services	.26	.....
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.27	$0.045

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10594; Filed, June 15, 1945; 1:26 p. m.]

[Spokane Order 85B Under MPR 426]

CANTALOUPE IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Spokane.
(d) Method of transportation: Carlot.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.08.

	Per unit of sale	
	Standard crate, 68 lbs.	Per lb.
(f) Freight charge by Method (d)	$0.73	.....
(g) Basing point cost	3.25	.....
(h) Protective services	.34	.....
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.32	$0.063

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-11521; Filed, June 28, 1945; 4:04 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 23, 1945.

REGION VII

Albuquerque Order 8-F, Amendment 20, covering fresh fruits and vegetables in the Albuquerque Area. Filed 10:30 a. m.

Cheyenne Order 1-C, Amendment 3, covering poultry in certain counties in Wyoming. Filed 10:29 a. m.

Cheyenne Order 2-C, Amendment 3, covering poultry in certain counties in Wyoming. Filed 10:29 a. m.

Cheyenne Order 8-F, Amendment 7, covering fresh fruits and vegetables in the Laramie Area. Filed 10:30 a. m.

Cheyenne Order 48, Amendment 8, covering dry groceries in certain areas in Wyoming. Filed 10:29 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-11515; Filed, June 28, 1945; 4:02 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 23, 1945.

REGION I

Boston Order 11-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:29 a. m.

Rhode Island Order 3-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 10:28 a. m.

REGION II

Pittsburgh Order 6-F, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:31 a. m.

Wilmington Order 2-O, covering eggs in the state of Delaware. Filed 10:31 a. m.

REGION III

Charleston Order 15-F, Amendment 13, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:28 a. m.

Charleston Order 16-F, Amendment 12, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:28 a. m.

Charleston Order 16-F, Amendment 13, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:27 a. m.

Charleston Order 17-F, Amendment 12, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:26 a. m.

Charleston Order 17-F, Amendment 13, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:26 a. m.

Cincinnati Order 4-F, Amendment 24, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 10:21 a. m.

Cincinnati Order 5-F, Amendment 24, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:20 a. m.

Cincinnati Order 7-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:20 a. m.

Cincinnati Order 23, Amendment 2, covering dry groceries. Filed 10:26 a. m.

Grand Rapids Order 14-F, (appendix A) Amendment 78, covering fresh fruits and vegetables. Filed 10:19 a. m.

Grand Rapids Order 14-F, (appendix B), Amendment 78, covering fresh fruits and vegetables. Filed 10:19 a. m.

Grand Rapids Order 14-F, (appendix C) Amendment 53, covering fresh fruits and vegetables. Filed 10:18 a. m.

Lexington Order 5-F, Amendment 12, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 10:25 a. m.

Lexington Order 6-F, Amendment 12, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 10:25 a. m.

Lexington Order 7-F, Amendment 12, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 10:25 a. m.

Louisville Order 12-F, Amendment 23, covering fresh fruits and vegetables in Jefferson County, Ky., and Clark and Floyd Counties, Ind. Filed 10:24 a. m.

Louisville Order 13-F, Amendment 23, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 10:24 a. m.

Louisville Order 14-F, Amendment 23, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 10:23 a. m.

Louisville Order 15-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:23 a. m.

REGION IV

Atlanta Order 7-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:22 a. m.

Birmingham Order 3-F, Amendment 22, covering fresh fruits and vegetables in Jefferson County, Alabama. Filed 10:31 a. m.

Charlotte Order 3-F, Amendment 20, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 10:22 a. m.

Charlotte Order 3-F, Amendment 21, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 10:21 a. m.

Charlotte Order 3-F, Amendment 22, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 10:21 a. m.

Columbia Order 7-F, Amendment 4, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 10:31 a. m.

Roanoke Order 11-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Virginia. Filed 10:18 a. m.

Roanoke Order 11-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Virginia. Filed 10:18 a. m.

Roanoke Order 12-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Virginia. Filed 10:17 a. m.

REGION V

Tulsa Order 7-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 10:30 a. m.

Tulsa Order 8-F, Amendment 17, covering fresh fruits and vegetables in Tulsa and Muskogee, Oklahoma. Filed 10:30 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-11517; Filed, June 28, 1945; 4:03 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 wre filed with the Division of the Federal Register June 25, 1945.

REGION II

Binghamton Order 4-O, covering eggs in certain counties in New York. Filed 9:30 a. m.

Buffalo Order 1-O, covering eggs in certain areas in New York. Filed 9:30 a. m.

Buffalo Order 2-O, covering eggs in certain areas in New York. Filed 9:29 a. m.

Buffalo Order 3-O, covering eggs in certain areas in New York. Filed 9:29 a. m.

Pittsburgh Order 3-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 9:29 a. m.

Pittsburgh Order 4-F, covering fresh fruits and vegetables in Allegheny County, Pennsylvania. Filed 9:28 a. m.

Wilmington Order 4-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Delaware. Filed 9:46 a. m.

REGION III

Saginaw Order 5-W, covering dry groceries in the Saginaw Area. Filed 9:42 a. m.

Saginaw Order 22, combined with Order 24, covering dry groceries in the Saginaw Area. Filed 9:43 a. m.

Saginaw Order 25, covering dry groceries in the Saginaw Area. Filed 9:43 a. m.

REGION VII

Cheyenne Order 3-C, Amendment 3, covering poultry in Fremont County. Filed 9:42 a. m.

Cheyenne Order 4-C, Amendment 3, covering poultry in certain counties in Wyoming. Filed 9:41 a. m.

Cheyenne Order 5-C, Amendment 3, covering poultry in certain counties in Wyoming. Filed 9:41 a. m.

Cheyenne Order 6-C, Amendment 3, covering poultry in Niobrara County. Filed 9:41 a. m.

REGION VIII

Fresno Order 1-F, Amendment 74, covering fresh fruits and vegetables in Fresno. Filed 9:40 a. m.

Fresno Order 2-F, Amendment 62, covering fresh fruits and vegetables in Modesto. Filed 9:40 a. m.

Fresno Order 3-F, Amendment 59, covering fresh fruits and vegetables in certain areas in California. Filed 9:40 a. m.

Fresno Order 4-F, Amendment 34, covering fresh fruits and vegetables in certain areas in California. Filed 9:40 a. m.

Fresno Order 6-F, Amendment 45, covering fresh fruits and vegetables in Bakersfield and Kern County, California. Filed 9:39 a. m.

Fresno Order 7-F, Amendment 24, covering fresh fruits and vegetables in Merced. Filed 9:39 a. m.

Fresno Order B4, Amendment 1, covering dry groceries in the Bakersfield Area. Filed 9:46 a. m.

Portland Order 5-F, Amendment 28, covering fresh fruits and vegetables in Eugene 9:46 a. m.

Portland Order 6-F, Amendment 28, covering fresh fruits and vegetables in Roseburg, Sutherlin and Oakland, Oregon. Filed 9:46 a. m.

Portland Order 7-F, Amendment 27, covering fresh fruits and vegetables in Klamath Falls, Oregon. Filed 9:46 a. m.

Portland Order 8-F, Amendment 27, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:46 a. m.

Portland Order 9-F, Amendment 27, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 10-F, Amendment 26, covering fresh fruits and vegetables in Kelso, W. Kelso and Longview, Washington. Filed 9:45 a. m.

Portland Order 12-F, Amendment 24, covering fresh fruits and vegetables in Salem and West Salem, Oregon. Filed 9:45 a. m.

Portland Order 13-F, Amendment 24, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 16-F, Amendment 17, covering fresh fruits and vegetables in Bend, Oregon. Filed 9:45 a. m.

Portland Order 17-F, Amendment 17, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 19-F, Amendment 15, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:45 a. m.

Portland Order 20-F, Amendment 15, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 27-F, Amendment 13, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 9:44 a. m.

Portland Order 28-F, Amendment 13, covering fresh fruits and vegetables in Hanles, Wallowa, Enterprise, Oregon. Filed 9:44 a. m.

Portland Order 29-F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 30-F, Amendment 4, covering fresh fruits and vegetables in Vancouver, Washington and certain areas in Oregon. Filed 9:44 a. m.

Portland Order 31-F, Amendment 2, covering fresh fruits and vegetables in Hood River - Clatskanie - McMinnville, Oregon - Camas, Wash. Filed 9:43 a. m.

Seattle Order 1-W, Amendment 13, covering dry groceries in certain areas in Washington. Filed 9:32 a. m.

Seattle Order 6-F, Amendment 38, covering fresh fruits and vegetables in Seattle and Bremerton, Washington Area. Filed 9:35 a. m.

Seattle Order 7-F, Amendment 35, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 9:35 a. m.

Seattle Order 8-F, Amendment 33, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 9:35 a. m.

Seattle Order 9-F, Amendment 38, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:35 a. m.

Seattle Order 10-F, Amendment 32, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 9:35 a. m.

Seattle Order 11-F, Amendment 32, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 9:34 a. m.

Seattle Order 12-F, Amendment 32, covering fresh fruits and vegetables in the Aber-

deen and Hoquiam, Washington Area. Filed 9:34 a. m.

Seattle Order 13–F, Amendment 33, covering fresh fruits and vegetables in the Centralia and Chehalis, Washington Area. Filed 9:34 a. m.

Seattle Order 14–F, Amendment 34, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington Area. Filed 9:34 a. m.

Seattle Order 15–F, Amendment 31, covering fresh fruits and vegetables in the Yakima, Washington Area. Filed 9:34 a. m.

Seattle Order 30, Amendment 6, covering fresh fruits and vegetables in certain areas in Washington. Filed 9:33 a. m.

Seattle Order 32, Amendment 6, covering dry groceries in certain counties in Washington. Filed 9:33 a. m.

Seattle Order 33, Amendment 6, covering dry groceries in certain counties in Washington. Filed 9:32 a. m.

Spokane Order 1–F, Amendment 1, covering fresh fish and seafood in certain areas of Spokane County, Washington. Filed 9:42 a. m.

Spokane Order 8–F, Amendment 20, covering fresh fruits and vegetables in Spokane County, Washington. Filed 9:32 a. m.

Spokane Order 9–F, Amendment 20, covering fresh fruits and vegetables in Kootenai County, Idaho. Filed 9:31 a. m.

Spokane Order 10–F, Amendment 19, covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho. Filed 9:31 a. m.

Spokane Order 11–F, Amendment 19, covering fresh fruits and vegetables in Latah County, Idaho, and Whiteman County, Washington. Filed 9:31 a. m.

Spokane Order 12–F, Amendment 20, covering fresh fruits and vegetables in Asotin County, Washington, and Nez Perce County, Idaho. Filed 9:31 a. m.

Spokane Order 13–F, Amendment 21, covering fresh fruits and vegetables in Columbia and Walla Walla Counties, Washington. Filed 9:30 a. m.

Spokane Order 14–F, Amendment 21, covering fresh fruits and vegetables in Benton and Franklin Counties, Washington. Filed 9:30 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–11516; Filed, June 28, 1945; 4:03 p. m.]

[Region VII Order G–19 Under MPR 188]

BONHAM CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.148 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–19 is issued.

(a) *What this order does.* This Order No. G–19 establishes maximum prices for a utility cart manufactured by The Bonham Company, 222 West Seventeenth South, Salt Lake City, Utah, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–19, the maximum prices for the utility cart, which is by the manufacturer designated Utila Cart, Model A, manufactured by The Bonham Company, 222 West Seventeenth South, Salt Lake City, Utah, in accordance with the specifications set forth in the application of said The Bonham Company on file in this Regional Office as a part of the record in this case, shall be as follows:

	Each
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$2.50
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	3.33
(3) When sold by any seller to an ultimate consumer or user	4.95

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within ten days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–19 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–19 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this Utila Cart, Model A, are:

	Each
(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer	$3.33
(2) When sold by any seller to an ultimate consumer or user	4.95

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G–19 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–19 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–19 shall become effective on the 14th day of June 1945.

Issued this 14th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–11343; Filed, June 26, 1945, 4:41 p. m.]

[Spokane Order 86B Under MPR 426]

CANTALOUPES IN PULLMAN, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing point: El Centro, California.
(c) Wholesale receiving point: Pullman, Wash.
(d) Method of transportation: Carlot to Spokane, l. c. l. Pullman.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.08 plus $0.41.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d)	$1.09	.....
(g) Basing point cost	3.25	.....
(h) Protective services	.34	.....
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.68	$0.069

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45–11618; Filed, June 29, 1945, 4:45 p. m.]

[Spokane Order 87B Under MPR 426]

CANTALOUPES IN WALLACE, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Wallace, Idaho.
(d) Method of transportation: Carlot to Spokane, l. c. l. Wallace.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.08 plus $1.56.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d)	$1.09	.....
(g) Basing point cost	3.25	.....
(h) Protective services	.34	.....
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.68	$0.069

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45–11619; Filed, June 29, 1945; 4:45 p. m.]

[Spokane Order 88B Under MPR 426]

CANTALOUPES IN KENNEWICK, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Kennewick, Washington.
(d) Method of transportation: Carlot to Walla Walla, l. c. l. Kennewick.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.08 plus $0.52.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d)	$0.95	.....
(g) Basing point cost	3.25	.....
(h) Protective services	.31	.....
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.51	$0.675

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45–11620; Filed, June 29, 1945; 4:45 p. m.]

[Spokane Order 89B Under MPR 426]

CANTALOUPES IN WALLA WALLA, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Walla Walla, Wash.
(d) Method of transportation: Carlot.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $0.93 cwt.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d)	$0.73	.....
(g) Basing point cost	3.25	.....
(h) Protective services	.34	.....
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	4.32	$0.063

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45–11621; Filed, June 29, 1945; 4:44 p. m.]

[Spokane Order 90B Under MPR 426]

CANTALOUPES IN LEWISTON, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and

generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Lewiston, Idaho.
(d) Method of transportation: Carlot to Portland, U. c. l. Lewiston.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.51 per cwt.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d)...	$1.02	.....
(g) Basing point cost.....	3.25	.....
(h) Protective services.....	.34	.....
(i) Maximum price in wholesale receiving point (sum of "f," "g" and "h").....	4.61	$0.075

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN.
District Director.

[F. R. Doc. 45-11622; Filed, June 29, 1945; 4:44 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 22, 1945.

REGION I

Rhode Island Order 2-O, covering eggs in certain areas in Rhode Island. Filed 4:10 p. m.

REGION II

Baltimore Order 4-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Maryland. Filed 3:52 p. m.

Baltimore Order 6-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Maryland. Filed 3:52 p. m.

Baltimore Order 7-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Maryland. Filed 3:51 p. m.

Baltimore Order 8-F, Amendment 22, covering fresh fruits and vegetables in Allegany County and Cumberland, Maryland. Filed 3:51 p. m.

Baltimore Order 9-F, Amendment 4, covering fresh fruits and vegetables in Garrett County, Maryland. Filed 3:51 p. m.

Baltimore Order 11-W, Amendment 1, covering dry groceries in Baltimore City, Maryland. Filed 3:51 p. m.

Baltimore Order 35, Amendment 2, covering dry groceries in Baltimore City, Maryland. Filed 3:51 p. m.

Baltimore Order 39, Amendment 1, covering dry groceries in Baltimore City, Maryland. Filed 3:51 p. m.

Binghamton Order 6-O, covering eggs in certain counties in New York. Filed 3:53 p. m.

Camden Order 3-F, Amendment 36, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 3:53 p. m.

Camden Order 4-F, Amendment 36, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 3:53 p. m.

Scranton Order 4-F, Amendment 28, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:50 p. m.

Syracuse Order 3-F, Amendment 35, covering fresh fruits and vegetables in certain areas in New York. Filed 3:53 p. m.

Syracuse Order 4-F, Amendment 23, covering fresh fruits and vegetables in certain areas in New York. Filed 3:52 p. m.

Trenton Order 12-F, Amendment 12, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 3:44 p. m.

REGION III

Cincinnati Order 8-W, covering dry groceries in certain areas in Ohio. Filed 3:56 p. m.

Cincinnati Order 8-W, Amendment 1, covering dry groceries in certain areas in Ohio. Filed 3:56 p. m.

Cincinnati Order 22, covering dry groceries in the sixteen counties in the Cincinnati Area. Filed 4:10 p. m.

Cincinnati Order 22, Amendment 1, covering dry groceries in the sixteen counties in the Cincinnati Area. Filed 3:57 p. m.

REGION IV

Nashville Order 2-C, Amendment 3, covering poultry in the Nashville Area. Filed 3:59 p. m.

Nashville Order 11-O, covering eggs in the Nashville Area. Filed 3:59 p. m.

Nashville Order 12-O, covering eggs in the Nashville Area. Filed 3:59 p. m.

Nashville Order 13-O, covering eggs in the Nashville Area. Filed 3:59 p. m.

Nashville Order 14-O, covering eggs in the Nashville Area. Filed 3:58 p. m.

Nashville Order 15-O, covering eggs in the Nashville Area. Filed 3:58 p. m.

Nashville Order 16-O, covering eggs in the Nashville Area. Filed 3:58 p. m.

Nashville Order 17-O, covering eggs in the Nashville Area. Filed 3:57 p. m.

Nashville Order 18-O, covering eggs in the Nashville Area. Filed 3:57 p. m.

REGION V

Dallas Order 1-F, Amendment 69, covering fresh fruits and vegetables in Dallas County, Texas. Filed 3:57 p. m.

Houston Order 1-C, Amendment 7, covering poultry in all counties in the Houston District. Filed 3:56 p. m.

Houston Order 2-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Houston. Filed 3:52 p. m.

Shreveport Order 2-F, Amendment 65, covering fresh fruits and vegetables. Filed 4:10 p. m.

Shreveport Order 3-F, Amendment 54, covering fresh fruits and vegetables. Filed 4:09 p. m.

REGION VI

Chicago Order 2-F, Amendment 66, covering fresh fruits and vegetables in certain counties in Illinois and Lake County, Indiana. Filed 4:09 p. m.

Green Bay Order 4-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 3:55 p. m.

Green Bay Order 5-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 3:55 p. m.

Green Bay Order 6-F, Amendment 17, covering fresh fruits and vegetables in Florence, Forest and Marinette. Filed 3:55 p. m.

Springfield Order 13-F, Amendment 13, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 3:54 p. m.

Springfield Order 13-F, Amendment 14, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 4:07 p. m.

Springfield Order 14-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:54 p. m.

Springfield Order 14-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Illinois. Filed 4:06 p. m.

Springfield Order 15-F, Amendment 14, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 3:54 p. m.

Springfield Order 15-F, Amendment 15, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 4:06 p. m.

Springfield Order 18-F, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 4:06 p. m.

Milwaukee Order 8-F, Amendment 13, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 4:09 p. m.

Milwaukee Order 9-F, Amendment 13, covering fresh fruits and vegetables in Sheboygan and Fond du Lac Counties, Wisconsin. Filed 4:09 p. m.

Milwaukee Order 11-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 4:08 p. m.

Quad-Cities Order 2-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 3:56 p. m.

Quad-Cities Order 2-F, Amendment 40, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 4:08 p. m.

Quad-Cities Order 3-F, Amendment 24 covering fresh fruits and vegetables in certain counties in Iowa, Illinois. Filed 4:08 p. m.

Sioux Falls Order 3-W, Amendment 5, covering dry groceries in certain areas in Iowa, Minnesota, South Dakota. Filed 4:07 p. m.

Sioux Falls Order 15, Amendment 6, covering dry groceries in certain areas in Iowa, Minnesota and South Dakota. Filed 4:09 p. m.

REGION VII

Helena Order 1-C, covering poultry in the Montana Area. Filed 4:00 p. m.

Helena Order 1-O, covering eggs in certain counties in Montana. Filed 4:00 p. m.

Helena Order 2-C, covering poultry in the Montana Area. Filed 4:00 p. m.

Helena Order 43-F, Amendment 3, covering fresh fruits and vegetables in Missoula and Kalispell. Filed 4:05 p. m.

Helena Order 44-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Montana. Filed 4:05 p. m.

Helena Order 45-F, Amendment 3, covering fresh fruits and vegetables in Billings, Great Falls and Butte, Mont. Filed 4:04 p. m.

Helena Order 46-F, Amendment 3, covering fresh fruits and vegetables in Glasgow, Glendive, Miles City and Sidney, Mont. Filed 4:01 p. m.

Helena Order 47-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Montana. Filed 4:01 p. m.

Helena Order 48-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Montana. Filed 4:00 p. m.

Helena Order 49-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Montana. Filed 4:00 p. m.

Helena Order 50-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Montana. Filed 4:00 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK.
Secretary.

[F. R. Doc. 45-11645; Filed, June 30, 1945; 11:35 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 27, 1945.

REGION I

Augusta Order 2-O, covering eggs in the Maine Area. Filed 1:48 p. m.

Rhode Island Order 4-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 1:58 p. m.

REGION II

Altoona Order 1-O, covering eggs in certain areas in Pennsylvania. Filed 1:57 p. m.

Altoona Order 2-F, Amendment 24, covering fresh fruits and vegetables in the entire Altoona Area. Filed 1:51 p. m.

Altoona Order 2-O, covering eggs in certain areas in Pennsylvania. Filed 1:57 p. m.

Baltimore Order 4-F, Amendment 42, covering fresh fruits and vegetables in Baltimore and Suburban Communities. Filed 1:56 p. m.

Baltimore Order 6-F, Amendment 42, covering fresh fruits and vegetables in Hagerstown and surrounding areas. Filed 1:56 p. m.

Baltimore Order 8-F, Amendment 23, covering fresh fruits and vegetables in Allegany County and Cumberland, Maryland. Filed 1:55 p. m.

Binghamton Order 2-F, Amendment 37, covering fresh fruits and vegetables in certain areas in New York. Filed 2:01 p. m.

Binghamton Order 3-O, covering eggs in certain counties in New York. Filed 1:45 p. m.

Binghamton Order 5-O, covering eggs in certain counties in New York. Filed 1:45 p. m.

Buffalo Order 3-F, Amendment 14, covering fresh fruits and vegetables in certain areas in New York. Filed 1:45 p. m.

Buffalo Order 4-F, Amendment 14, covering fresh fruits and vegetables in East Rochester, Rochester, Fairport and Pittsford. Filed 1:44 p. m.

District of Columbia Order 5-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Region II. Filed 1:49 p. m.

Newark Order 7-F, Amendment 9, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 1:55 p. m.

New York Order 3-O, covering eggs in the New York and Newark Area. Filed 2:01 p. m.

New York Order 4-O, covering eggs in parts of New York and Newark. Filed 2:01 p. m.

Philadelphia Order 2-O, covering eggs in Berks and Chester Counties, Pennsylvania. Filed 2:00 p. m.

Philadelphia Order 3-O, covering eggs in certain counties in Pennsylvania. Filed 2:00 p. m.

Philadelphia Order 6-F, Amendment 32, covering fresh fruits and vegetables in the city and county of Philadelphia, Pennsylvania. Filed 1:51 p. m.

Philadelphia Order 11-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 1:51 p. m.

Philadelphia Order 12-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 1:51 p. m.

Scranton Order 1-O, covering eggs in certain counties in Pennsylvania. Filed 1:49 p. m.

Scranton Order 2-O, covering eggs in certain counties in Pennsylvania. Filed 1:48 p. m.

Syracuse Order 2-O, covering eggs in certain counties in New York. Filed 2:00 p. m.

Syracuse Order 4-O, covering eggs in Herkimer and St. Lawrence Counties, New York. Filed 1:55 p. m.

Trenton Order 5-W, Amendment 2, covering dry groceries in the Trenton, New Jersey Area. Filed 1:59 p. m.

Trenton Order 12-F, Amendment 13, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 2:00 p. m.

Trenton Order 37, Amendment 3, covering dry groceries in certain counties in New Jersey. Filed 1:59 p. m.

Williamsport Order 2-F, Amendment 42, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 1:54 p. m.

Williamsport Order 5-O, covering eggs in the entire counties of Elk and McKean, Pennsylvania. Filed 1:59 p. m.

Williamsport Order 6-O, covering eggs in certain counties in Pennsylvania. Filed 1:59 p. m.

Williamsport Order 7-O, covering eggs in certain counties in Pennsylvania. Filed 1:59 p. m.

REGION III

Lexington Order 13, Amendment 1, and Amendment 2 to Order 5-W, covering dry groceries in certain counties in Kentucky. Filed 1:46 p. m.

Toledo Order 10-C under Basic Order 1-B, Amendment 5, covering poultry in certain areas in Ohio. Filed 1:52 p. m.

REGION IV

Jackson Order 1-C, Amendment 5, covering poultry in the Mississippi Area. Filed 1:52 p. m.

Jackson Order 2-C, Amendment 5, covering poultry in the Mississippi Area. Filed 1:52 p. m.

Miami Order 1-f, Amendment 18, covering fresh fruits and vegetables in certain cities in Florida. Filed 1:58 p. m.

Miami Order 2-F, Amendment 17, covering fresh fruits and vegetables in certain cities in Florida. Filed 1:52 p. m.

Montgomery Order 1-C, Amendment 6, covering poultry in certain counties in Alabama. Filed 1:52 p. m.

Nashville Order 1-C, Amendment 3, covering poultry in all counties in the Nashville Area. Filed 1:51 p. m.

Nashville Order 1-C, Amendment 4, covering poultry in all counties in the Nashville Area. Filed 2:02 p. m.

Nashville Order 1-C, Amendment 5, covering poultry in all counties in the Nashville Area. Filed 2:02 p. m.

Nashville Order 2-C Amendment 4, covering poultry in all counties in the Nashville Area. Filed 2:02 p. m.

Nashville Order 2-C, Amendment 5, covering poultry in all counties in the Nashville Area. Filed 2:02 p. m.

Nashville Order 6-W, Amendment 1, covering dry groceries in all counties in the Nashville Area. Filed 2:03 p. m.

Nashville Order 11-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 2:07 p. m.

Nashville Order 11-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 2:05 p. m.

Nashville Order 11-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 2:05 p. m.

Nashville Order 11-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 2:05 p. m.

Nashville Order 12-F, Amendment 27, covering fresh fruits and vegetables in certain counties in Tennessee and Bristol, Virginia. Filed 2:04 p. m.

Nashville Order 12-F, Amendment 29, covering fresh fruits and vegetables in certain counties in Virginia and Tennessee. Filed 2:04 p. m.

Nashville Order 18, Amendment 1, covering dry groceries in all counties in the Nashville Area. Filed 2:04 p. m.

Nashville Order 18, Amendment 2, covering dry groceries in all counties in the Nashville Area. Filed 2:04 p. m.

Nashville Order 19, Amendment 1, covering dry groceries in all counties in the Nashville Area. Filed 2:03 p. m.

Savannah Order 1-C, Amendment 3, covering poultry in all counties in the Savannah, Georgia Area. Filed 1:54 p. m.

Savannah Order 1-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:54 p. m.

Savannah Order 2-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:54 p. m.

Savannah Order 3-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:53 p. m.

Savannah Order 4-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:53 p. m.

Savannah Order 5-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:53 p. m.

Savannah Order 6-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:53 p. m.

Savannah Order 7-F, Amendment 35, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:02 p. m.

Savannah Order 9-F, Amendment 35, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:01 p. m.

Savannah Order 10-F, Amendment 35, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:01 p. m.

REGION V

Fort Worth Order 7-F, Amendment 13, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 1:43 p. m.

Fort Worth Order 8-F, Amendment 13, covering fresh fruits and vegetables in Taylor County, Texas. Filed 1:44 p. m.

Fort Worth Order 9-F, Amendment 13, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 1:44 p. m.

Fort Worth Order 10-F, Amendment 13, covering fresh fruits and vegetables in McLennan County, Texas. Filed 1:44 p. m.

Fort Worth Order 11-F, Amendment 13, covering fresh fruits and vegetables in Wichita County, Texas. Filed 2:06 p. m.

Houston Order 1-F, Amendment 60, covering fresh fruits and vegetables in certain areas in Texas. Filed 2:06 p. m.

Houston Order 3-F, Amendment 48, covering fresh fruits and vegetables in Jefferson and Orange Counties, Texas. Filed 2:06 p. m.

Kansas Order 4-F, Amendment 40, covering fresh fruits and vegetables in Wichita, Planeview, Beechwood and Wichita Heights. Filed 2:06 p. m.

Little Rock Order 2-F, Amendment 62, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 2:05 p. m.

Lubbock Order 3-F, Amendment 60, covering fresh fruits and vegetables in certain counties in Texas. Filed 1:50 p. m.

New Orleans Order 2-F, Amendment 78, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 1:50 p. m.

REGION VI

Des Moines Order 11, Amendment 3, covering poultry in certain counties in Iowa. Filed 1:57 p. m.

Des Moines Order 12, Amendment 3, covering poultry in the 64 counties in Iowa. Filed 1:57 p. m.

Des Moines Order 13, Amendment 3, covering poultry in the 64 counties in Iowa. Filed 1:57 p. m.

Des Moines Order 17, Amendment 6, covering poultry in the 64 counties in Iowa. Filed 1:58 p. m.

Duluth-Superior Order 1-F, Amendment 75, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 1:58 p. m.

Milwaukee Order 5, Amendment 7, covering butter and cheese in Milwaukee County and Racine and Kenosha, Wisconsin. Filed 1:50 p. m.

Milwaukee Order 12, Amendment 9, covering butter and cheese in certain counties in Wisconsin. Filed 1:50 p. m.

Milwaukee Order 31, Amendment 9, covering butter and cheese in certain counties in Wisconsin. Filed 1:49 p. m.

North Platte Order 1-F, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 1:49 p. m.

North Platte Order 44, Amendment 2, covering dry groceries in certain counties and cities in Nebraska. Filed 1:47 p. m.

North Platte Order 45, Amendment 2, covering dry groceries in certain counties in Nebraska. Filed 1:47 p. m.

Sioux City Order 2-F, Amendment 77, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska. Filed 1:49 p. m.

Twin Cities Order 1-F, Amendment 21, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 1:47 p. m.

Twin Cities Order C-2, covering poultry in certain areas in the Twin Cities District. Filed 1:47 p. m.

REGION VIII

Portland Order 1-W, Amendment 2, covering dry groceries in certain areas in the state of Washington. Filed 1:46 p. m.

Portland Order 2-W, and Amendment 8 to Order 20, covering dry groceries in the Portland Area. Filed 1:46 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-11741; Filed, June 30, 1945; 3:07 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 324]

RESTRICTION ON EMPTY CARS FOR SULLIVAN BOX FACTORY, SULLIVAN, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June, A. D. 1945.

It appearing, that there is on hand an accumulation of railroad freight cars held for unloading by Sullivan Box Factory, Sullivan, Illinois, on the Illinois Central Railroad Company; that at the same time this shipper is ordering and the Illinois Central Railroad Company is furnishing and placing empty cars for outbound loading at the plant of Sullivan Box Factory; that the practice of Sullivan Box Factory of ordering empty cars for loading and failing to promptly unload cars on hand under load is contributing to the general shortage of equipment; the Commission is of opinion an emergency requiring immediate action exists at Sullivan, Illinois. It is ordered, that:

(a) *Inbound empty cars for Sullivan Box Factory, Sullivan, Illinois, restricted.* The Illinois Central Railroad Company shall not furnish or supply at Sullivan, Illinois, any empty railroad freight car for loading by or for Sullivan Box Factory on any day when a car or cars are on hand which are held for unloading by or for Sullivan Box Factory.

(b) *Effective date.* This order shall become effective at 12:01 p. m., June 30, 1945.

(c) *Expiration date.* This order shall expire at 11:59 p. m., July 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that copies of this order and direction shall be served upon the Illinois Central Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11807; Filed, July 2, 1945; 11:10 a. m.]

[S. O. 325]

UNLOADING OF LIQUOR AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of June, A. D. 1945.

It appearing, that car C&NW 42568 containing liquor, now at Los Angeles, California, on the Union Pacific Railroad Company, shipped by Stacole Company, Chicago, Illinois, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; the Commission is of opinion an emergency exists requiring immediate action. *It is ordered*, That:

(a) Liquor at Los Angeles, California, be unloaded. The Union Pacific Railroad Company, its agents or employees, shall unload forthwith car C&NW 42568, containing liquor, now on hand at Los Angeles, California, consigned order—notify Norman Hanak, Los Angeles, California.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such car has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Union Pacific Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11808; Filed, July 2, 1945; 11:10 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1084]

PORTLAND GENERAL ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of June 1945.

Portland General Electric Company, a registered holding company, and a public-utility subsidiary of Portland Electric Power Company, also a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, or in the alternative a declaration pursuant to section 7 of the act, regarding the issuance and sale, at competitive bidding pursuant to Rule U-50 promulgated under the act, of $34,000,000 principal amount of First Mortgage Bonds, due 1975, and the issuance and sale to banks of $4,000,000 aggregate face amount of 2% 10-year serial notes, the interest rate and sale price of the bonds to be fixed by competitive bidding (the sale price to be not less than the principal amount nor more than 102.75% of such principal amount), and the proceeds from the sale of the bonds and notes, together with other funds of the company, to be used to redeem applicant's presently outstanding $39,565,000 principal amount of First and Refunding Mortgage Bonds, 4½% Series, due September 1, 1960, at the redemption price of 102% of the principal amount thereof ($40,356,300) plus accrued interest thereon to the date of redemption; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein, in which for reasons set forth therein, the filing was considered as a declaration pursuant to section 7;

It is ordered, That said declaration as amended be and hereby is permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and subject also to the further conditions:

1. That the proposed issuance and sale of the bonds shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, jurisdiction being reserved by the Commission to impose such terms and conditions as may then be appropriate and to consider the price to be paid to Portland General Electric Company, the interest rate and the underwriter's compensation and allocation thereof;

2. That jurisdiction be reserved with respect to the legal fees and the fees of Stone & Webster Service Corporation.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11594; Filed, June 29, 1945; 2:18 p. m.]

[File Nos. 70-1087, 70-1088]

ASSOCIATED ELECTRIC CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of June 1945.

In the matter of Associated Electric Company, Pennsylvania Electric Company, File No. 70-1087; Consolidated Natural Gas Company, The Peoples Natural Gas Company, File No. 70-1088.

Associated Electric Company ("Aelec"), a registered holding company, and Pennsylvania Electric Company ("Penelec"), a subsidiary thereof, having filed a joint declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 ("Act") and Rule U-44 promulgated thereunder, wherein it is proposed that Penelec sell all of its natural gas properties and related assets for a base consideration of $1,194,825.98 in cash, subject to certain adjustments, to The Peoples Natural Gas Company ("Peoples"), a subsidiary of Consolidated Natural Gas Company ("Consolidated"), a registered holding company; and

Peoples having filed an application pursuant to section 6 (b) of the Act for exemption from the provisions of section 6 (a) thereof and section 12 (f) and Rule U-43 promulgated thereunder regarding the proposed issue and sale to Consolidated of 30,000 shares of its common capital stock, of the par value of $100 per share, for a cash consideration of $3,000,000, the proceeds from such sale to be used by Peoples to finance the acquisition of the natural gas properties of Penelec and to augment its working capital and finance its additions, replacements and improvements; and

Consolidated having filed an application-declaration pursuant to sections 9 (a) and 10 of the act with respect to the acquisition by it of the additional common capital stock to be issued by Peoples; and

Said applications and declarations having been consolidated and, after appropriate notice, a hearing having been held on such consolidated matters, the Commission having considered the record in this matter, and having made and filed its findings and opinion herein;

It is hereby ordered, That, pursuant to the applicable provisions of said act, said applications and declarations be, and hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11595; Filed, June 29, 1945; 2:18 p. m.]

[File No. 70-1074]

KINGS COUNTY LIGHTING CO.

NOTICE OF AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of June 1945.

Kings County Lighting Company ("Kings"), a subsidiary of Long Island Lighting Company, a registered holding company, having filed an application-declaration, and amendments thereto, pursuant to sections 6 (a), 6 (b) and 7 of the Public Utility Holding Company Act of 1935, regarding (1) the issue and sale, pursuant to the competitive bidding requirements of Rule U-50, of $4,200,000 principal amount of its ----% First Mortgage Bonds, due 1975, the interest rate and redemption prices to be fixed by competitive bidding; *Provided, however*, If at competitive bidding the cost of money to applicant-declarant would be more than 3 1/10% per annum, applicant-declarant proposes to accept the terms of an extended agreement of purchase entered into with the John Hancock Mutual Life Insurance Company which has agreed to purchase, at the principal amount, and with an interest rate of 3 1/10% per annum, the $4,200,000 principal amount of First Mortgage Bonds due 1975 or applicant-declarant; and (2) as interim financing, to be discharged with the proceeds of the issue and sale of its ----% First Mortgage Bonds, due 1975, the issue and sale, at a cash price of $4,200,000, of its promissory note payable to the John Hancock Mutual Life Insurance Company in the principal amount of $4,200,000, said note to be dated June 26, 1945, to mature not later than November 30, 1945, to bear interest at a rate of 1½% per annum, and the proceeds thereof, together with treasury cash, to be used to redeem, on July 1, 1945, at the redemption price of 105% of principal amount, its outstanding $4,211,000 principal amount of First Refunding Mortgage Gold Bonds, due July 1, 1954, of which $2,389,000 bears interest at 5% and $1,822,000 at 6½%; and

Applicant-declarant having requested that the Commission enter an interim order relating solely to the proposed issue and sale of said promissory note; and

The Commission having on May 31, 1945, granted such request and entered an interim order permitting the declaration with respect to the issue and sale of said promissory note to become effective, and having reserved jurisdiction over (1) the payment of all fees and expenses incurred in connection with the issue and sale of said promissory note, and (2) all aspects of the issue and sale of said $4,200,000 principal amount of the --% First Mortgage Bonds of Kings County Lighting Company, due 1975 (Holding Company Act Release No. 5837); and

It appearing to the Commission that it is appropriate and in the public interest and in the interest of investors and consumers that the hearing be reconvened for the purpose of completing the record with respect to the matters as to which jurisdiction has been reserved:

It is ordered, That the hearing on such matters under the applicable provisions of said Act and the rules of the Commission thereunder be reconvened on the 12th day of July, 1945, at 11 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania and before the trial examiner heretofore designated to preside. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in said proceeding should file with the Secretary of the Commission, on or before July 10, 1945, his application therefor as provided in Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That, without limiting the scope of the issues to be considered at said hearing, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the proposed issue and sale of First Mortgage Bonds are solely for the purpose of financing the business of Kings County Lighting Company, and whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in connection therewith;

2. Whether the fees, commissions, and other expenses to be incurred are for necessary services and reasonable in amount;

3. The propriety of the proposed accounting treatment in respect of the proposed transactions on the books of applicant-declarant; and

4. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors or consumers and consistent with all applicable requirements of the act and of the rules thereunder, or, if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standards.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11596; Filed, June 29, 1945; 2:18 p. m.]

H. L. SCHUH CO.

ORDER DENYING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of June, A. D. 1945.

In the matter of Herman L. Schuh doing business as H. L. Schuh Co., Ashburn, Virginia.

Proceedings having been instituted pursuant to section 15 (b) of the Securities Exchange Act of 1934 to determine whether to deny registration to Herman L. Schuh, doing business as H. L. Schuh Co., and to determine whether pursuant to the said section to postpone the effective date of said registration until final determination upon the question of denial;

A hearing having been held after due notice, the Commission being duly advised in the premises and having this day issued its memorandum findings and opinion herein; on the basis of said findings and opinion,

It is ordered, That the said registration be and it hereby is denied.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11639; Filed, June 30, 1945; 11:22 a. m.]

[File Nos. 54-57, 59-57]

AMERICAN UTILITIES SERVICE CORP. ET AL.

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of June 1945.

In the matter of American Utilities Service Corporation, File No. 54-57; American Utilities Service Corporation and its subsidiary companies, respondents; File No. 59-57.

The Commission having heretofore by its order dated June 21, 1944, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, ordered, among other things, that American Utilities Service Corporation sever its relationship with Minnesota Utilities Company and Wisconsin Southern Gas Company by disposing in an appropriate manner, not in contravention of the applicable provisions of said act or the Rules and Regulations promulgated thereunder, of their ownership, control and holding of securities issued by and interests in such companies;

Notice is hereby given, That American Utilities Service Corporation has filed an application pursuant to section 11 (c) of the Public Utility Holding Company Act of 1935 requesting that the time for compliance with the order of the Commission, pursuant to section 11 (b) (1) of the act, dated June 21, 1944, be extended for an additional year;

All interested persons are referred to said application, which is on file in the offices of the Commission, for full details.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application;

It is ordered, That a hearing on the application under the applicable provisions of the act and the rules of the Commission thereunder be held on the 9th day of July 1945 at 11:00 A. M., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding, shall file with the Secretary of the Commission, on or before July 7, 1945, his request or application therefor as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such application, particular attention be directed at the hearing to the following matters and questions:

(1) Whether American Utilities Service Corporation has exercised due diligence to comply with the Commission's order of June 21, 1944 pursuant to section 11 (b) (1) of the act;

(2) Whether an extension of an additional year for compliance with said order of June 21, 1944 pursuant to section 11 (b) (1) of the act is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof by registered mail to American Utilities Service Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11640; Filed, June 30, 1945; 11:22 a. m.]

[File No. 70-1093]

MIDLAND UTILITIES CO. AND HOBART LIGHT AND WATER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of June, 1945.

In the matter of Clarence A. Southerland and Jay Samuel Hartt, trustees of the estate of Midland Utilities Company, Hobart Light & Water Company; File No. 70-1093.

Clarence A. Southerland and Jay Samuel Hartt, trustees of the Estate of Midland Utilities Company ("Trustees"), a registered holding company, and Hobart Light & Water Company ("Hobart"), a wholly-owned subsidiary thereof, having filed a joint application-declaration pursuant to sections 9 (a), 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder, regarding the following proposed transactions:

The Trustees are the beneficial owners of all of the outstanding capital stock of Hobart which has been an inactive corporation since November 30, 1942 when it conveyed all its utility and other assets (excluding cash on hand) to Northern Indiana Public Service Company ("Northern"), a subsidiary of said Trustees, in consideration for 69,500 shares of the no par common stock of Northern (Holding Company Act Release No. 3888). By order dated October 24, 1944 (Holding Company Act Release No. 5317A), the Commission entered a divestment order, requiring Midland Utilities Company, its Trustees, and Midland Utilities Company as reorganized, to divest themselves of direct and indirect interest in and control over certain properties and businesses, including those of Hobart.

The Trustees now propose to acquire from Hobart all of its assets consisting of said 69,500 shares of the common stock of Northern and cash on hand in the amount of $6,798.57 (less such portion of said cash as may be necessary to pay the tax liabilities, other debts, and the expenses of the liquidation of Hobart, estimated as not exceeding $600 in the aggregate) in full payment and satisfaction of demand notes of Hobart held by the Trustees in the principal amount of $479,153.09, and accrued interest thereon to the date of consummation of the transaction. Accrued interest on said notes to March 31, 1945 amounts to $135,760.96.

The application-declaration states that if the plan of reorganization of Midland Utilities Company is confirmed and finally effective prior to the transfer of the 69,500 shares of common stock of Northern by Hobart to said Trustees, the transfer of such shares will be made direct to Midland Utilities Company.

Applicants-Declarants have requested that the Commission enter an order finding the transfer of the 69,500 shares of common stock of Northern to the Trustees is necessary to effectuate the provisions of section 11 (b) of the act, and that such order conform to the definition of the term "order of the Securities and Exchange Commission" contained in section 373 (a) of the Internal Revenue Code, as amended, and that such order contain the recitals, specifications and itemizations required by section 1808 (f) of the Internal Revenue Code, as amended.

Said application-declaration having been filed on May 29, 1945, and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application under section 9 (a) and 10 of the Act that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) of the act and that the transaction involved has the tendency required by section 10 (c) (2) of the act, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declaration, pursuant to section 12 (f) of the act and Rule U-43 promulgated thereunder, to become effective:

It is hereby ordered, pursuant to said Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, That the aforesaid joint application-declaration be, and hereby is, granted and permitted to become effective forthwith.

It is further ordered, That the transfer by Hobart Light & Water Company of said securities consisting of 69,500 shares of no par common stock of Northern Indiana Public Service Company evidenced by certificate No. C. O. 566 to the Trustees of the Estate of Midland Utilities Company, and/or upon order and direction of said Trustees, such transfer to be made directly to Midland Utilities Company, is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and to make effective the order of the Commission herein authorizing and permitting such transfers, and also the order of October 24, 1944, File Nos. 34-7 and 52-21, Release No. 5317A, Holding Company Act of 1935, in the proceedings for the reorganization of Midland Utilities Company.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11641; Filed, June 30, 1945; 11:22 a. m.]

[File No. 70-942]

CENTRAL NEW YORK POWER CORP.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of June, 1945.

The Commission having by order dated November 7, 1944 (Holding Company Act Release No. 5391) granted the application, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, of Central New York Power Corporation, a public utility subsidiary of Niagara Hudson Power Corporation and of The United Corporation, a registered holding company, for exemption from the provisions of section 6 (a) and 7 of the act with respect to the issue and sale, in accordance with the competitive bidding requirements of Rule U-50 of $48,000,000 principal amount of General Mortgage Bonds, 3% Series, due 1974; and

Central New York Power Corporation having filed a post-effective amendment to said application requesting leave to amend certain sections of the Supplemental Indenture dated as of October 1, 1944, entered into in connection with the aforementioned issue of bonds, in order to eliminate the allowance of cross credits between the Debt Retirement and Improvement Fund and the Maintenance Fund created therein; and

The Commission having examined said post-effective amendment and deeming it appropriate that said Supplemental Indenture be amended as requested by the applicant;

It is ordered, That the aforesaid application as amended by such post-effective amendment be, and hereby is, granted, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11642; Filed, June 30, 1945; 11:22 a. m.]

[File No. 68-51]

AMERICAN UTILITIES SERVICE CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of June 1945.

American Utilities Service Corporation, a registered holding company, having filed, on June 20, 1945, a declaration, and amendments thereto, pursuant to sections 11 (g) and 12 (e) of the Public Utility Holding Company Act of 1935 and Rule U-62 promulgated thereunder, in connection with the solicitation of proxies for the election of directors at a special stockholders' meeting to be held in July 1945; and

The last amendment to said declaration having been filed on June 27, 1945, and declarant having requested that effectiveness of such declaration, as amended, be accelerated; and

The Commission being fully advised in the premises and finding that it is in the public interest and in the interest of investors to permit said declaration, as amended, to become effective and to accelerate the effective date thereof;

It is ordered, That said declaration, as amended, be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11643; Filed, June 30, 1945; 11:22 a. m.]

[File No. 70-1092]

UNITED GAS IMPROVEMENT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June 1945.

The United Gas Improvement Company, a registered holding company and a subsidiary of The United Corporation, also a registered holding company, having filed a declaration, pursuant to section 12 of the Public Utility Holding Company Act of 1935 and Rules U-44 and U-50, regarding the sale of its entire investment in Nashville Gas and Heating Company, consisting of 20,000 shares of common stock, par value $100 per share (this being the total of such securities outstanding) for a base consideration of $1,100,000 to Tennessee Natural Gas Lines, Inc., of Nashville, Tennessee; and

The United Gas Improvement Company having requested the Commission to issue an order exempting the proposed sale of the securities of Nashville Gas and Heating Company, pursuant to Paragraph (a) (5) of Rule U-50, from the competitive bidding requirements of paragraph (b) of said Rule, and having also requested the Commission to issue an appropriate order and findings in connection with said proposed sale of securities conforming to the requirements of Section 1808 of the Internal Revenue Code; and

Public hearings with respect to said declaration having been held after appropriate notice and the Commission having considered the record of the proceedings and having entered its findings and opinion herein; and

The Commission having found that the sale of the securities of Nashville Gas and Heating Company by The United Gas Improvement Company is necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

It is ordered, That the declaration be permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the sale by The United Gas Improvement Company of the securities of Nashville Gas and Heating Company, consisting of 20,000 shares of common stock, par value $100 per share, for a base consideration of $1,100,000, is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935. This paragraph is included in our order at the request of The United Gas Improvement Company in view of section 1808 of the Internal Revenue Code.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11644; Filed, June 30, 1945; 11:23 a. m.]

[File Nos. 54-120, 59-34, 59-56]

NEW ENGLAND GAS & ELECTRIC ASSN., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of June 1945.

In the matters of New England Gas and Electric Association, File No. 54-120; New England Gas and Electric Association, et al., File No. 59-34; New England Gas and Electric Association, File No. 59-56.

New England Gas and Electric Association ("the Association"), a registered holding company, having filed an application under section 11 (e) of the Public Utility Holding Company Act of 1935, and other applicable sections of the act and the rules and regulations promulgated thereunder, for approval of a plan of recapitalization of the Association and of related and incidental transactions; and

The Commission having consolidated the proceeding in respect of said plan with proceedings heretofore instituted by the Commission under section 11 (b) (1) (File No. 59-56) and section 11 (b) (2) (File No. 59-34) of the act, with respect to the Association; and hearings having been held in such consolidated proceedings, and having been continued to June 28, 1945, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

of said securities consisting of 69,500 shares of no par common stock of Northern Indiana Public Service Company evidenced by certificate No. C. O. 566 to the Trustees of the Estate of Midland Utilities Company, and/or upon order and direction of said Trustees, such transfer to be made directly to Midland Utilities Company, is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and to make effective the order of the Commission herein authorizing and permitting such transfers, and also the order of October 24, 1944, File Nos. 34–7 and 52–21, Release No. 5317A, Holding Company Act of 1935, in the proceedings for the reorganization of Midland Utilities Company.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45–11641; Filed, June 30, 1945; 11:22 a. m.]

[File No. 70-942]

CENTRAL NEW YORK POWER CORP.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of June, 1945.

The Commission having by order dated November 7, 1944 (Holding Company Act Release No. 5391) granted the application, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, of Central New York Power Corporation, a public utility subsidiary of Niagara Hudson Power Corporation and of The United Corporation, a registered holding company, for exemption from the provisions of section 6 (a) and 7 of the act with respect to the issue and sale, in accordance with the competitive bidding requirements of Rule U–50 of $48,000,000 principal amount of General Mortgage Bonds, 3% Series, due 1974; and

Central New York Power Corporation having filed a post-effective amendment to said application requesting leave to amend certain sections of the Supplemental Indenture dated as of October 1, 1944, entered into in connection with the aforementioned issue of bonds, in order to eliminate the allowance of cross credits between the Debt Retirement and Improvement Fund and the Maintenance Fund created therein; and

The Commission having examined said post-effective amendment and deeming it appropriate that said Supplemental Indenture be amended as requested by the applicant;

It is ordered, That the aforesaid application as amended by such post-effective amendment be, and hereby is

[File No. 68-51]

AMERICAN UTILITIES SERVICE CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of June 1945.

American Utilities Service Corporation, a registered holding company, having filed, on June 20, 1945, a declaration, and amendments thereto, pursuant to sections 11 (g) and 12 (e) of the Public Utility Holding Company Act of 1935 and Rule U–62 promulgated thereunder, in connection with the solicitation of proxies for the election of directors at a special stockholders' meeting to be held in July 1945; and

The last amendment to said declaration having been filed on June 27, 1945, and declarant having requested that effectiveness of such declaration, as amended, be accelerated; and

The Commission being fully advised in the premises and finding that it is in the public interest and in the interest of investors to permit said declaration, as amended, to become effective and to accelerate the effective date thereof;

It is ordered, That said declaration, as amended, be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45–11643; Filed, June 30, 1945; 11:22 a. m.]

[File No. 70-1092]

UNITED GAS IMPROVEMENT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June 1945.

The United Gas Improvement Company, a registered holding company and a subsidiary of The United Corporation, also a registered holding company, having filed a declaration, pursuant to section 12 of the Public Utility Holding Company Act of 1935 and Rules U–44 and U–50, regarding the sale of its entire investment in Nashville Gas and Heating Company, consisting of 20,000 shares of common stock, par value $100 per share (this being the total of such securities outstanding) for a base consideration of $1,100,000 to Tennessee Natural Gas Lines, Inc., of Nashville, Tennessee; and

The United Gas Improvement Company having requested the Commission to issue an order exempting the proposed sale of the securities of Nashville Gas and Heating Company, pursuant to Par-

Public hearings with respect to said declaration having been held after appropriate notice and the Commission having considered the record of the proceedings and having entered its findings and opinion herein; and

The Commission having found that the sale of the securities of Nashville Gas and Heating Company by The United Gas Improvement Company is necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

It is ordered, That the declaration be permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U–24.

It is further ordered, That the sale by The United Gas Improvement Company of the securities of Nashville Gas and Heating Company, consisting of 20,000 shares of common stock, par value $100 per share, for a base consideration of $1,100,000, is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935. This paragraph is included in our order at the request of The United Gas Improvement Company in view of section 1808 of the Internal Revenue Code.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45–11644; Filed, June 30, 1945; 11:23 a. m.]

[File Nos. 54–120, 59–34, 59–56]

NEW ENGLAND GAS & ELECTRIC ASSN., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of June 1945.

In the matters of New England Gas and Electric Association, File No. 54–120; New England Gas and Electric Association, et al., File No. 59–34; New England Gas and Electric Association, File No. 59–56.

New England Gas and Electric Association ("the Association"), a registered holding company, having filed an application under section 11 (e) of the Public Utility Holding Company Act of 1935, and other applicable sections of the act and the rules and regulations promulgated thereunder, for approval of a plan of recapitalization of the Association and of related and incidental transactions; and

The Commission having consolidated the proceeding in respect of said plan with proceedings heretofore instituted by the Commission under section 11 (b) (1), (File No. 59–56) and section 11 (b)

Certain interested persons having requested that such continued hearing be postponed from June 28, 1945 to July 11, 1945, and the Commission having been advised that the Association, although not joining in such request, does not oppose it; and

The Commission having considered such request and deeming it appropriate that it be granted;

It is ordered, That the hearing in this matter heretofore scheduled to reconvene on June 28, 1945, be, and hereby is, postponed to July 11, 1945, at the same time and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11796; Filed, July 2, 1945; 9:32 a. m.]

[File No. 70-984]

CAPITAL TRANSIT CO.

SUPPLEMENTAL ORDER RELEASING AND RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June 1945.

The Commission having issued its supplemental findings and opinion and supplemental order in the above-captioned proceedings on January 27, 1945, in which jurisdiction was reserved with respect to the payment of all legal fees and the fees of the financial adviser incurred in connection with the issuance and sale by Capital Transit Company of $12,500,000 principal amount of its First and Refunding Mortgage Bonds, Series A, 4%, due December 1, 1964, and its unsecured bank loan in the principal amount of $2,500,000; and

The Commission having examined the record herein, as amended, and finding that the following legal fees are not unreasonable for the services rendered in connection with said financing: Rathbone, Perry, Kelley & Drye, New York City, as attorneys for Capital Transit Company, in the amount of $30,000; G. Thomas Dunlop, Washington, D. C., as attorney for Capital Transit Company, in the amount of $5,000; Cahill, Gordon, Zachry & Reindel, New York City, as attorneys selected by Capital Transit Company for the purchasers, in the amount of $17,500; and George E. Hamilton, Jr., Washington, D. C., as attorney for the indenture trustee, in the amount of $2,500;

It is ordered, That jurisdiction be and the same is hereby released with respect to payment of the aforesaid legal fees in the amounts designated.

It is further ordered, That jurisdiction be and the same is hereby reserved with respect to the payment of the fees of the financial adviser for Capital Transit Company.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11797; Filed, July 2, 1945; 9:32 a. m.]

[File No. 70-1094]

MONTANA POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June, A. D. 1945.

The Montana Power Company, a subsidiary of American Power & Light Company, a registered holding company and a subsidiary of Electric Bond and Share Company, also a registered holding company, having filed a declaration and amendments thereto under the Public Utility Holding Company Act of 1935, particularly sections 6 (a) (2) and 7 thereof, regarding (a) the reduction of the stated value for its common stock from $49,633,300 to $20,700,000 for the purpose of creating capital surplus in the amount of $28,933,300 to be utilized in meeting certain orders of the Public Service Commission of Montana and the Federal Power Commission with respect to the company's accounts and (b) an increase in the stated capital of the preferred stock from $15,869,773 to $15,958,900 for the purpose of stating such capital for the preferred stock at the liquidating value thereof; and

A public hearing on said declaration, as amended, having been duly held and the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

It is ordered, That said declaration, as amended, be and the same hereby is, permitted to become effective, subject to the conditions contained in Rule U-24 and to the following additional term and condition:

The Montana Power Company shall not pay any dividends or make any distribution on, or purchase or otherwise acquire for value, any of its common stock, if after giving effect to any such payment, distribution, purchase or acquisition, the aggregate amount of such dividends, distributions, purchases, and acquisitions paid or made since December 31, 1944, including the amount then proposed to be distributed or expended for any such purpose, together with all other charges to earned surplus since December 31, 1944, exceeds the sum of the aggregate of credits to earned surplus since December 31, 1944.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11798; Filed, July 2, 1945; 9:32 a. m.]

[File No. 70-1096]

NORTHERN STATES POWER CO. (MINN.) AND NORTHERN STATES POWER CO. (DEL.)

ORDER PERMITTING JOINT DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June 1945.

Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company, having filed a joint declaration and amendment thereto pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 of the General Rules and Regulations promulgated thereunder, regarding a proposal to postpone until December 31, 1945 the payment of $1,267,384.00, the balance of the instalments due through 1944 on the principal of an open account indebtedness (now in the amount of $7,530,852.08) owing by Northern States Power Company (Delaware) to Northern States Power Company (Minnesota); and

It appearing from said declaration that a plan, as amended, has been filed by Northern States Power Company (Delaware) pursuant to section 11 (e) of said act for its liquidation and dissolution, which plan, the proceedings on which are still pending, provides for the disposition of said indebtedness primarily by the surrender to Northern States Power Company (Minnesota) of certain shares of the common stock of the last mentioned company (all of which is owned by Northern States Power Company (Delaware)) and for a distribution of the remaining shares of the common stock of Northern States Power Company (Minnesota) among the stockholders of Northern States Power Company (Delaware); and it appearing that a reduction in the indebtedness would necessitate an alteration in the allocations proposed by the said plan and serve no useful purpose; and

Northern States Power Company (Minnesota) having agreed in said declaration that, pending the consumption of the plan, as amended and until December 31, 1945, or the date of such consummation (whichever shall be earlier), it will continue to segregate on its books $1,267,384.00 of its earned surplus as not being available for the declaration of dividends on its common stock; and declarants having further requested that Northern States Power Company (Minnesota) be permitted to waive all interest due on said indebtedness for the period from June 30, 1945 to December 31, 1945; and

Said joint declaration having been duly filed on May 31, 1945 and an amendment thereto having been filed on June 13, 1945, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for a hearing with respect to said declaration within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 and to the agreement with respect to the segregation of earned surplus by Northern States Power Company (Minnesota) set forth in said joint declaration, as amended, be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11799; Filed, July 2, 1945; 9:32 a. m.]

[File No. 70-1099]

MOUNTAIN STATES POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June 1945.

Mountain States Power Company, a subsidiary of Standard Gas and Electric Company, a registered holding company, having filed a declaration and amendments thereto, pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935, and Rule U-50 promulgated thereunder, regarding the issuance and sale, at competitive bidding, of $7,500,000 principal amount of First Mortgage Bonds, Series due July 1, 1975, and the application of the net proceeds from the sale of said bonds together with general funds of declarant to the redemption of $7,500,000 principal amount of its First Mortgage Bonds, 4¼% Series due 1965, presently outstanding, at the redemption price of 104% of the principal amount thereof plus accrued interest to date of redemption; and

A public hearing having been held, after appropriate notice, upon said declaration, as amended, the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the declaration, as amended, be and the same is hereby permitted to become effective, subject to the conditions prescribed by Rule U-24, and subject to the further condition that the issue and sale of the bonds shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been supplied by amendment and a further order shall have been entered, which order may contain such further terms and conditions as may then be deemed appropriate; jurisdiction is hereby reserved for the entry of such order and the imposition of such terms and conditions.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11800; Filed, July 2, 1945; 9:32 a. m.]

WAR FOOD ADMINISTRATION.

ATTORNEYS IN OFFICE OF THE SOLICITOR

DESIGNATION TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

The "Designation of Persons to Hold Hearings, to Sign and Issue Subpenas, and to Administer Oaths or Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F. R. 14592), as amended (8 F.R. 16349; 9 F.R. 2925, 2934, 4965, 9774, 10546, 11247, 11286, 11786, 12995), is amended by amending paragraph (a) thereof to read as follows:

(a) In order to enable the Secretary of Agriculture and the War Food Administrator to discharge their respective duties under any and all statutes, executive orders, or directives, or any regulations, directives, or orders issued pursuant thereto, all persons now or hereafter employed as attorneys in the Office of the Solicitor, are hereby designated and authorized, when assigned by the Solicitor, or by his designated representative, to act as examiners, presiding officers, or referees in connection with any hearings held under the said statutes, orders, or directives: *Provided*, That no such attorney shall be assigned as examiner presiding officer, or referee in any proceeding in connection with which he has acted in an investigative or advocative capacity. As such examiners, presiding officers, or referees they are hereby authorized to conduct hearings under the said acts or orders in accordance with the applicable regulations and to perform all the duties and exercise all the powers including, but not limited to, the powers to administer oaths and affirmations and to issue notices of hearings which, under such regulations, are to be performed or exercised by such examiners, presiding officers, and referees.

Issued this 29th day of June 1945.

GROVER B. HILL,
Acting Secretary of Agriculture.
MARVIN JONES,
War Food Administrator.

[F. R. Doc 45-11770; Filed, June 30, 1945; 3:29 p. m.]

Office of Marketing Services.

MILK IN WASHINGTON, D. C., AREA

NOTICE OF PROPOSED AGREEMENT AND AMENDMENT

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement and to a proposed amended order, regulating the handling of milk in the Washington, D. C., marketing area, including a proposal to include that area in the State of Virginia known as the Arlington-Alexandria sales area.

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp. 900.1 et seq.), notice is hereby given of the filing of this report of the Director of Marketing Services with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Washington, D. C., marketing area, to be made effective under the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.). Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, United States Department of Agriculture, Washington 25, D. C., not later than the close of business of the 20th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceeding was initiated by the Office of Marketing Services through the issuance and publication in the FEDERAL REGISTER, on March 31, 1945, of a notice of hearing. Pursuant to such notice, the hearing was convened in Washington, D. C., on April 16, 1945.

This hearing included proposals affecting most of the major provisions of the order and a proposal to issue certain amendments in the form of an amended order. This report of a proposed amended order contains several provisions which are unchanged from the present order and other revisions which are made only to coordinate the various provisions.

The major issues developed at the hearing were concerned with (1) the expansion of the marketing area, (2) classification on a milk basis instead of on butterfat and skim milk, (3) an increase in the price of Class I milk, a reduction in the price of milk disposed of in cream and cottage cheese and some change in the surplus class price formula, (4) the establishment of a seasonal adjustment fund to encourage fall milk production, (5) clarification of the definition of producer, (6) the basis of allocating emergency milk and producer milk to each class use, (7) the butterfat differential to be used to adjust the basic prices, (8) the differential in price to be allowed at various distances from the market, (9) the definition of "Secretary," the statement of powers of the market administrator, and responsibility of the Secretary with respect to the activities of the Emergency Milk Committee, and (10) the adoption of a market-wide pool of payments to producers to replace the present individual-handler pool.

With respect to these proposals it is concluded that:

1. The Arlington-Alexandria area is a natural part of the Washington metropolitan marketing area and should be included in the definition of the marketing area. Milk received at plants in the District of Columbia is distributed to consumers in Virginia and consumers in the District are supplied from a plant located in the Virginia area.

2. The classification plan which was adopted as an emergency measure in May 1942, and revised somewhat in April 1943, is not suitable for continued use in the market. That plan included in one class all sales of milk, milk drinks, cream, and cottage cheese. The principal change necessary is the exclusion of cream and cottage cheese from the list of Class I products. These products may be purchased at a lower cost to handlers from outside sources under emergency permits. If producer milk which is available during some part of the year is to be used in these products, the price must compare more favorably with the emergency product. The value of milk used in cream and cottage cheese has been recognized as somewhat less

than the value of fluid milk. Under a classified price plan, this difference in value justifies a separate classification.

The method of accounting for milk in each class according to the amount of milk used to produce certain products is considered more suitable for the Washington market than the classification plan based on skim milk classes and a butterfat class. Producers have not enough milk to supply the entire fluid needs of the market. The milk classification plan offers the opportunity to handlers to minimize their unit product costs by utilizing both the butterfat and the skim milk obtained from producers' milk in the higher priced classes.

The classification of milk or cream moved to a dealer handling fluid products in another area should be considered Class I in the case of milk and Class II in the case of cream since the Washington market is so short of milk for Classes I and II use that such milk could, in most instances, be disposed of in those classes within the area. If such milk is actually surplus it can be disposed of to wholesale manufacturers and thus remove all doubt that it might be utilized in Class I or II products.

The proposal to classify plant loss in Class III would place an unwarranted burden upon dealers who have large fluid milk sales and operate their plants more efficiently than handlers who reported 2 percent and 3 percent plant losses. In a market where the use of milk is principally in Class I, any tolerance for plant loss would be compensated for in the over-all price to producers and such adjustment would be made in the Class I price.

3. The price of milk for consumption as fluid milk should be increased 5 cents per hundredweight and the price of milk used for cream and cottage cheese should be reduced 45 cents per hundredweight. The increase in the Class I price is calculated to offset the reduction in price of milk for cream and cottage cheese, with the same total return during 1945 as producers would receive under the one class $4.00 price. The reduction in the price of milk for use in cream and cottage cheese will encourage handlers to use producer milk when it is available in these products.

An additional increase in the Class I price of 49 cents per hundredweight was proposed at the hearing and testimony with respect to the proposal was introduced on the record. No conclusion with respect to this proposal can be reported at this time.

The formula for the surplus class price should be retained with the same butterfat value but a reduction of about 9 cents in the skim value factor. This reduction is derived from the use of average sale price of nonfat dry milk solids for human consumption instead of the unweighted central market quotations. The proposed formula would reflect the price of spray as well as roller process nonfat dry milk solids. The further reduction in the skim milk factor with a compensating increase in the butterfat factor, as proposed in the hearing notice, is not recommended because such a change would result in a surplus cream price higher than the reported cost of emergency cream purchased for fluid use.

4. A seasonal adjustment fund should be established to encourage greater production during the fall and winter months. Payments collected at a rate of 30 cents per hundredweight during April, May, and June would amount to probably about 35 cents per hundredweight in payments to be distributed on October 15, November 15, and December 15. The need for greater production in the fall months is necessary to meet local demand for fluid sales during those months.

During 1944, milk received from producers was sufficient to more than meet the demand for fluid sales within the market during April, May, and June, whereas the local supply was 12 percent short of local demand in September, October, and November.

5. The definition of "producer" should be revised to accomplish more directly the intention to include as producers all persons who hold permits issued by the applicable health departments as a result of a farm inspection. The farm inspection was required on all milk until the emergency shortage in this area led to the importation of milk from farms not inspected by the local health departments. This permission to receive milk in the Washington market from farms not inspected by the local health department was considered by all witnesses to be a temporary measure.

6. Certain sales to the armed services under contract are not a regular part of the Class I business of handlers in this area. Such sales should be considered as emergency and up to the amount that such sales are supplied from emergency milk, such sales should not be allocated to milk received from producers.

Milk received from producers is eligible for the highest class uses of a handler and should be so allocated with the above exception. Although emergency milk is eligible in a technical sense for all class uses, it is clearly understood in the market that the emergency approval of such supplies is only temporary. Increased production of milk by producers qualified for the market is desirable in order to provide an adequate supply of milk which meets the standards promulgated by the health departments for the area. The allocation of producers' milk to the highest price use will encourage greater production than would be obtained if emergency milk were permitted to displace producers' milk in the highest price class.

7. The butterfat differential of 6 cents per one-tenth of 1 percent used in paying producers should reflect the value of differential butterfat disposed of in the market.

8. The differential affecting prices paid at a country plant in the Washington area must be allowed to permit fair competition with the prices paid producers for milk hauled directly to the city market. Producers delivering milk directly to the city market are obliged to bear the entire cost of hauling from the farm to the milk plant and producers delivering milk to a country station are obliged to bear the cost of hauling from the farm to the station. Therefore, in a market where milk is shipped directly to the city plants from considerable distances, the rate of saving to the producer by the reduction of that haul should be allowed the handler who takes over that transportation cost. The milk now delivered to the plant 120 miles from the marketing area was hauled directly to the market for nearly 2 years and, therefore, that distance must be considered within the area from which milk can be satisfactorily shipped directly to the market.

A rate of 20 cents per truck mile would amount to 27 cents per hundredweight for a truck carrying 210 full cans, on a 240-mile trip. During December 1944 the receipts at the Cumberland, Maryland plant, 120 miles from Washington, averaged 210 cans per day. Receipts increased in January and February 1945 and were expected to increase further with a resulting decrease in the unit handling and transportation cost.

Since the question of a differential at a point beyond 35 miles from Washington has been raised, it would be practical to devise a graduated scale of allowances to affect other locations. A graduation of one cent more for every 10 miles over 35 would result in an allowance of 27 cents at a plant 120 miles from the market. This will reduce the price at that location 27 cents below the price which the handler reports that he has been paying at that point.

9. The definition of the "Secretary" should be revised to recognize that the War Food Administrator has been made responsible by Exeutive Order for carrying out the functions of the Agricultural Marketing Agreement Act of 1937. In order to promote uniformity in rule making and to recognize the duty of the market administrator, the statement of his powers should be amplified to include the making of rules and regulations. The procedure with respect to the relationship of the Secretary to the Emergency Milk Committee should be set forth more clearly.

10. The evidence does not support the inauguration of a market-wide pool at this time. Although there was testimony that the proposed classification system would introduce differences in the prices paid by various handlers, it was also stated that the producers' association which controls the sales of a large proportion of the producer milk has adopted an allocation system based upon sales. Such an allocation should reduce the differences in prices paid by handlers buying from the association. The foundation of the individual-handler pool has been the competition of handlers for producer supplies which causes the handler who pays a utilization price less than the market average to lose supplies, whereas the handler who has a higher utilization annexes them. This system has been operating in the Washington market since Order No. 45 became effective in February 1940. No evidence was introduced to show that it had been inequitable or unsatisfactory during this period.

The present proposal for a market-wide pool appears to be predicated, not upon the principle of sharing the surplus, but of sharing the Class I sales of

those handlers who do not have enough producer milk to meet their Class I needs. There is no plan proposed whereby all handlers in the market are to obtain an equal share of producers' milk for their Class I sales. The individual-handler pool operating as it has in the past will iron out these differences.

The following proposed amendments in the form of an amended order are recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agreement is not included in this report because the proposals applicable to it would be the same as those set forth below with respect to the order, as amended and recommended to be amended.

§ 945.3 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Secretary" means the Secretary of Agriculture, or the War Food Administrator, or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(c) "Washington metropolitan marketing area," hereinafter referred to as the "marketing area," means (1) the territory within the boundary lines of the District of Columbia and (2) that territory in the State of Maryland included between the District of Columbia line and the following boundaries: Beginning at the junction of the southeastern boundary of the District of Columbia line and Route 224, thence south on Route 224 to Oxon Hill, thence east on St. Barnby Road to Gordon's Corner, thence northeast on Suitland-Silver Hill Road continuing Suitland to the junction of Route 4, thence northwest on Route 4 to Hillside, thence north on Crystal Spring Road continuing through Capitol Heights to 61st Street, thence north on 61st Street to the District of Columbia line, thence northeasterly and thence northwesterly along said District line to Kenilworth Avenue, thence north on Kenilworth Avenue, to Defense Highway, thence east on Defense Highway, thence north on Edmonston Road to Greenbelt, and around the outside limits of Greenbelt, thence returning on Edmonston Road to Branchville Road, thence west on Branchville Road to Baltimore-Washington Boulevard, thence south on the Baltimore-Washington Boulevard to Metzerott Road, then west on Metzerott Road to Riggs Valley Road, thence to County Road, thence west to Blair Road, thence north to Piney Branch Road, continuing north on Piney Branch Road to White Oak at intersection of Colesville Road, thence continuing north on Colesville Road to Colesville, thence west on Glenmont Road to Brookville Road, thence south on Brookville Road to Wheaton, thence on Lincoln Avenue to Kensington, thence west on Knowles Avenue and continuing west on Strathmore Avenue to Rockville Pike, thence south on Rockville Pike to Grosvenor Lane, thence west on Grosvenor Lane to Old Georgetown Road, thence north on Old Georgetown Road to Bellsmill Road, thence west on Bellsmill Road to the Seven Locks Road, thence south on Seven Locks Road to Bradley Road, thence west on Bradley Road continuing to Conduit Road, thence southeasterly on Conduit Road to the District of Columbia line, and (3) that territory in the Commonwealth of Virginia included within the following boundaries:

Beginning at the junction of the westerly boundary of the Arlington County Line and the Potomac River, thence southwesterly along the said county line to its junction with Road 689, thence westerly on Road 689 to its junction with Road 695, thence southerly along Road 695 crossing Road 694 and Highway 7 to the junction of Road 695 and Road 650, thence southerly on Road 650 crossing Highway 211 and Highway 50 to its junction with Road 709, thence southeasterly on Road 709 to its junction with Road 710, thence southerly on Road 710 to its junction with Highway 236; thence from this point in a straight line southerly to the junction of Roads 617 and 620, thence southerly on Road 617 to its junction with Road 636, thence southerly along Road 636 to Highway 9, thence in a straight line southwesterly from the junction of Road 636 and Highway 9 to the junction of Roads 641 and 642 in Prince William County, thence southeasterly along Road 642 to Road 640, thence northeasterly along Road 640 to Road 639, thence easterly along Road 639 to Highway 9; thence southeasterly along Highway 9 to Highway 1, south of Woodbridge, thence cross Highway 1 and continue southeasterly along Road 637 to Dawson Beach, thence in a straight line due east to the Potomac River, thence up said river to its junction with the western boundary of the Arlington County line.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, whom the applicable health department, as the result of a farm inspection and other applicable health department regulations, has approved as a qualified source of milk for consumption as milk, and who produces milk which is received at a plant disposing of milk for fluid consumption in the marketing area.

(f) "Handler" means any person, irrespective of whether such person is also a producer or a cooperative association of producers, who engages in such handling of milk, skim milk, or cream for fluid consumption in the marketing area as is in the current of interstate commerce, or which directly burdens, obstructs, or affects such commerce in milk and its products: *Provided,* That this definition shall not include producers or cooperative associations of producers with respect to milk or cream not handled through their own receiving or bottling plant.

(g) "Market administrator" means the person designated pursuant to § 945.4 as the agency for the administration hereof.

(h) "Cooperative association" means any cooperative association of producers which the Secretary determines (1) to have its entire activities under the control of its members and (2) to have and to exercise full authority in the sale of milk of its members.

(i) "Delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

(j) "Producer milk plant" means any milk plant currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk delivered by producers, as defined in (e) of this section, for fluid sales or disposition in fluid form in the marketing area.

(k) "Emergency milk plant" means any milk plant other than a "producer milk plant".

(l) "Emergency milk" means all milk, skim milk, cream, cottage cheese, condensed milk, condensed skim milk, whole milk powder, and skim milk powder received at a producer milk plant from an emergency milk plant or from persons who are not producers.

(m) "Producer plant test" means the weighted average butterfat test of all producer milk received at a "producer milk plant" during a delivery period as determined by the market administrator.

(n) "Producer milk" means all milk received either directly or through another plant by a handler from producers as defined in (e) of this section.

§ 945.4 *Market administrator—*(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof;

(2) Report to the Secretary complaints of violations of the provisions hereof; and

(3) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay out of the funds provided by § 945.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by

the Secretary, the name of any person who, within 2 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 945.5, or (ii) made payments pursuant to § 945.10;

(5) Promptly verify the information contained in the reports submitted by handlers; and

(6) Check the weight and butterfat test of milk received from producers by each handler each month and report the results of the butterfat tests to producers or to their cooperative association. The market administrator may designate an independent agency to check the weight and butterfat test of such receipts by handlers.

§ 945.5 *Reports of handlers*—(a) *Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 10th day after the end of each delivery period; (i) the receipts of milk at each producer plant from producers, including milk produced by such handler and the weighted average test thereof; (ii) the receipts and butterfat content of milk, skim milk, cream, and milk products at each producer milk plant for the account of a handler or a cooperative association, from each producer milk plant and each emergency milk plant; (iii) the utilization of all milk, skim milk, cream, and milk products received and the butterfat content of each use or product thereof; (iv) the receipts at each producer milk plant from new producers and the average test thereof; (v) the name and address of each new producer; (vi) the names of handlers from whom or to whom milk, skim milk, cream, and milk products was received or delivered; and (vii) the address of each emergency milk plant from which milk, skim milk, cream, and milk products was received at a producer milk plant.

(2) Within 10 days after the market administrator's request with respect to any producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator; (i) the name and address of such producer; (ii) the total pounds of milk delivered and the average butterfat test thereof; (iii) the farm scores and cattle scores recorded by the respective health departments requiring permits to sell milk to handlers in the marketing area; and (iv) the number of days upon which deliveries were made.

(3) On or before the 19th day after the end of each delivery period, at the request of the market administrator, his producer pay roll which shall show for each producer; (i) the total delivery of milk with the average butterfat test thereof; (ii) the premium rate paid; (iii) the net amount of payment made pursuant to § 945.10; and (iv) the deductions and charges made by the handler with authorizations therefor.

(b) *Verification of reports.* Each handler shall provide the market administrator or his agent with reasonable access to those records and facilities which are necessary for:

(1) The verification of the information contained in the reports submitted in accordance with this section;

(2) The verification of the payments required by § 945.10;

(3) The checking of the weighing and sampling of milk, skim milk, cream, and milk products received by such handlers; and

(4) Determining the utilization of milk, skim milk, cream, and milk products by the handler.

§ 945.6 *Classification of milk*—(a) *Milk to be classified.* All milk, skim milk, cream, and milk products received by each handler in his producer milk plant shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Except as provided in (c) of this section, the classes of utilization shall be as follows:

(1) *Class I.* All milk, skim milk, cream, and milk products which are disposed of for fluid consumption as milk, skim milk, milk drinks, and buttermilk, and all milk not accounted for in Classes II and III.

(2) *Class II.* All milk, skim milk, cream, and milk products which are used in the manufacture of, or disposed of in, cottage cheese, pot cheese, or baker's cheese, and cream for fluid consumption.

(3) *Class III.* All milk, skim milk, cream, and milk products used in a producer milk plant as, or disposed of to a plant engaged in the wholesale manufacture of, ice cream and similar frozen dairy products and mixes therefor, butter, roller or spray nonfat dry milk solids, condensed milk, condensed skim milk, or cheese other than cottage, pot, or baker's cheese, and used as such.

(c) *Transfers of milk, skim milk, and cream.* (1) Milk and skim milk disposed of by a handler to a plant outside the area from which milk was disposed of as milk for fluid use outside the marketing area shall be classified as Class I, and cream disposed of by a handler to a plant outside the area from which milk or cream was disposed of for fluid use outside the marketing area shall be classified as Class II.

(2) Milk, skim milk, and cream transferred from one handler's producer milk plant to another handler's producer milk plant may be classified according to an agreement for use by such handlers: *Provided*, That an equivalent quantity of milk was used by the receiving handler in the class use agreed upon: *And provided further*, If either or both handlers have purchased emergency milk the agreement for classification must return to the producers at both plants the highest class utilization according to the rules for allocation of producer milk and emergency milk in § 945.6 (f) and (g).

(d) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk received at a producer milk plant, the burden rests upon the handler who received the milk directly from producers or from emergency milk plants to prove that it should not be classified as Class I.

(e) *Computation of milk in each class.* For each delivery period the market administrator shall correct for mathematical errors the report submitted by each handler and compute from the corrected report the amount of Class I milk, Class II milk, and Class III milk as follows:

(1) Determine the total pounds of milk to be accounted for as follows: add into one sum (i) the total pounds of milk received from producers and handler's own farm production and (ii) the total pounds of milk, skim milk, and cream received, and the total pounds of milk, skim milk, and cream received in the form of other milk products, (a) from emergency milk plants and (b) from other producer milk plants.

(2) Determine the total pounds of butterfat to be accounted for as follows: (i) multiply by its average butterfat test the weight of the milk received from producers and handler's own farm production, and (ii) multiply by its weighted average butterfat test the weight of the milk, skim milk, cream, and milk products received (a) from emergency milk plants and (b) from other producer milk plants, and (iii) add the resulting amounts into one sum.

(3) Determine the total pounds of Class I as follows: (i) convert to pounds the quantity of milk, skim milk, buttermilk and milk drinks disposed of for fluid consumption and (ii) add to this amount any plus amount computed as follows: (a) Compute the pounds of butterfat contained in the pounds of Class I milk by multiplying the weight of each product by its average butterfat test and adding together the resulting amounts, (b) add to this amount the pounds of butterfat in Class II milk and Class III milk, (c) subtract the total pounds of butterfat thus computed from the total pounds of butterfat received computed pursuant to (2) of this paragraph, and (d) divide the difference in butterfat pounds by the producer plant test.

(4) Determine the total pounds of Class II milk as follows: (i) multiply the weight of the cream disposed of for fluid consumption and the cottage, pot, or baker's cheese each by its average butterfat test, add together the resulting amounts, and divide by the producer plant test; (ii) add to this amount any amount by which the total product pounds of cream disposed of for consumption as fluid cream and the pounds of cream and skim milk disposed of in cottage, not, or baker's cheese exceeds the amount computed pursuant to (i) of this subparagraph; and (iii) subtract from the amount computed pursuant to (ii) of this subparagraph any amount by which that amount when added to the amount of Class I milk determined pursuant to (3) of this paragraph exceeds the total pounds of milk received computed pursuant to (1) of this paragraph.

(5) Determine the total pounds of Class III milk as follows: (i) multiply the weight of each of the products of Class III milk by its average butterfat test, add together the resulting amounts, and divide by the producer plant test; (ii) add to this amount any amount by which the total product pounds of milk, skim milk, and cream disposed of in Class III products exceeds the amount computed pursuant to (i) of this subparagraph; and (iii) subtract from the amount computed pursuant to (ii) any amount by which that amount when added to the amount of Class I milk determined pursuant to (3) of this paragraph and Class II milk determined pursuant to (4) of this paragraph exceeds the total pounds of milk received computed pursuant to (1) of this paragraph.

(f) *Allocation of producer milk.* (1) Producer milk received by a handler shall first be allocated to Class I but not to exceed the Class I pounds as determined, pursuant to (e) (3) of this section, less the pounds of milk allocated to Class I pursuant to the proviso in (g) of this section.

(2) Producer milk received by a handler in excess of such Class I utilization shall be allocated to Class II but not to exceed the Class II pounds as determined pursuant to (e) (4) of this section.

(3) Producer milk received by a handler in excess of such Class I and Class II utilization shall be Class III.

(g) *Allocation of emergency milk.* Emergency milk received at a producer milk plant shall be allocated to Class III milk, except that emergency milk may be allocated to Class II milk to the extent that Class II use exceeds the amount of all producer milk less the amount of producer milk classified as Class I milk, and emergency milk may be allocated to Class I milk only to the extent that the total amount of Class I milk exceeds the total amount of producer milk received: *Provided*, That emergency milk purchased as milk and disposed of to the armed services at delivery points more than 21 miles from the milestone in Washington, D. C., may be allocated to Class I milk, if the quantity of emergency milk allocated to such Class I sales does not exceed 90 percent of all the emergency milk received by such handler.

§ 945.7 *Minimum prices*—(a) *Class prices.* Each handler shall pay not less than the following prices per hundredweight of 4 percent milk, subject to (g), (h), (i), and (j) of § 945.10 for milk received from producers and associations of producers at a producer milk plant:

(1) *Class I.* The price for Class I milk shall be $4.05.

(2) *Class II.* The price for Class II milk shall be $3.55.

(3) *Class III.* The price for Class III milk shall be the sum of the respective values of butterfat and skim milk calculated as follows by the market administrator:

(i) *Butterfat.* Add all weekly quotations (using the midpoint of any weekly range as one quotation) of approved sweet cream approved for "Pennsylvania only" and for "Pennsylvania, Newark, and lower Merion Township" in the Philadelphia, Pennsylvania, market, as reported for each week ending within the month by the United States Department of Agriculture, divide by the number of quotations, subtract $1.00, divide by 33.48, multiply by 4.

(ii) *Skim milk.* The weighted average selling price, wholesale, at manufacturers' plants, of all spray and roller dried nonfat milk solids for human consumption, as published by the United States Department of Agriculture for the previous month shall be used in determining the skim price as follows:

Quotation per pound:	*Class III skim value*
$0.065 or below	0
$0.066 to $0.075	$0.07½
$0.076 to $0.085	.15
$0.086 to $0.095	.22½
$0.096 to $0.105	.30
$0.106 to $0.115	.37½
$0.116 to $0.125	.45
$0.126 to $0.135	.42½
$0.136 to $0.145	.60
$0.146 to $0.155	.67½
$0.156 to $0.165	.75
$0.166 to $0.175	.92½
$0.176 to $0.185	1.00

(b) *Emergency price provision.* Whenever the provisions hereof require the market administrator to use specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment, being made by any federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

§ 945.8 *Application of provisions*—(a) *Handlers who are also producers.* No provision hereof shall apply to a handler whose only sources of milk supply are receipts from his own production or from other handlers, except that such handler shall make reports to the market administrator at such time, to such extent, and in such manner, as the market administrator may request and shall permit the market administrator to verify such reports.

§ 945.9 *Determination and announcement of uniform prices*—(a) *Computation and announcement for each handler of uniform prices to be paid producers.* On or before the 12th day after the end of each delivery period, the market administrator shall announce the Class III price and the uniform price per hundredweight of 4 percent milk to be paid producers by each handler for such delivery period. The market administrator shall compute the uniform prices of milk received from producers as follows: (1) multiply the hundredweight of milk received from producers that were allocated to each class by the prices applicable pursuant to § 945.7 (a); (2) add together the resulting amounts; (3) divide the result obtained by the total hundredweight of milk received from producers; and (4) subtract for each of the delivery periods of April, May, and June, 30 cents per hundredweight and add for each of the delivery periods of September, October, and November the rate per hundredweight computed pursuant to § 945.10 (e).

(b) *Announcement of other market information.* As soon after the 11th day after the end of each delivery period as such information becomes available, the following data shall be announced publicly by the market administrator:

(1) The total pounds of milk and the butterfat contained therein received from producers and the total pounds of such milk allocated to each class.

(2) The total pounds of emergency milk, itemized by products, received at producer milk plants and the butterfat contained therein.

(3) The total sales of handlers of each product named in § 945.6, with the butterfat contained therein.

§ 945.10 *Payments for milk.*—(a) *Time and method of payment.* On or before the 14th day after the end of each delivery period, each handler shall make payments, subject to (b), (f), (g), (h), (i), and (j) of this section and subject to § 945.11 (b), for all milk received from producers, during the delivery period, at the prices announced pursuant to § 945.9 to each producer or association of producers: *Provided*, That payments due under this section to any producers who have given authority to a cooperative association to receive payment for their milk, shall be made to the cooperative association at the uniform price computed pursuant to § 945.9 (a) (1), (2) and (3) without the adjustment provided in (4) of § 945.9 (a), and such cooperative association shall make payments to the seasonal-adjustment fund for milk delivered by such producers during April, May, and June, and such cooperative association shall receive payments due such producers from the seasonal-adjustment fund for milk delivered during September, October, and November.

(b) Any handler may make uniform payments to producers in addition to the minimum payments required by this section: *Provided*, That such additional payments, except payments made to producers supplying special milk to handlers for premium sales, are made to all producers supplying such handler with milk.

(c) *Payments to the seasonal-adjustment fund.* On or before the 15th day after the end of each delivery period for April, May, and June each handler, except handlers who have made payments to a cooperative association pursuant to the proviso in (a) of this section, shall pay to the market administrator for the account of the seasonal-adjustment fund an amount of money equal to $0.30 times the hundredweight of milk received from producers during the delivery period and cooperative associations which receive payments from handlers pursuant to the proviso in (a) of this section shall pay to the market administrator for the account of the seasonal-adjustment fund an amount of money equal to $0.30 times the hundredweight of milk delivered by

the Cooperative association to handlers during the delivery period for producers who have given authority to the cooperative association to receive payment for their milk.

(d) *Seasonal-adjustment fund.* The market administrator shall establish and maintain a separate fund known as the seasonal-adjustment fund into which he shall deposit all payments made by handlers or cooperative associations pursuant to § 945.10 (c) and out of which he shall make all payments pursuant to § 945.10 (e): *Provided*, That payments due any handler or cooperative association shall be offset by payments due from such handler or cooperative association.

(e) *Payment out of the seasonal-adjustment fund.* (1) On or before the 12th day after the end of the delivery periods of September, October, and November, the market administrator shall compute a seasonal adjustment fund rate as follows: divide one-third of the aggregate amount paid to the seasonal-adjustment fund pursuant to § 945.10 (c) by the total hundredweight of producer milk delivered during the delivery period involved (September, October, or November).

(2) On or before the 15th day after the end of the delivery periods of September, October, and November the market administrator shall pay out of the seasonal-adjustment fund to each cooperative association an amount equal to the rate computed pursuant to (1) of this paragraph times the hundredweight of milk delivered to handlers during the delivery period by such association for producers who have given authority to such cooperative association to receive payment for their milk, and to each handler an amount equal to the rate computed pursuant to (1) of this paragraph times the hundredweight of milk received during the delivery period from producers other than those producers for whom a cooperative association receives payments pursuant to the proviso in paragraph (a) of this section.

(f) *Errors in payment.* Errors in making the payment prescribed in this section shall be corrected not later than the date for making payments next following the determination of such errors.

(g) *Butterfat content of milk received from producers.* The butterfat content of milk received from producers shall be determined by taking the average of not less than five separate butterfat tests made from fresh samples during each delivery period. The butterfat content of emergency milk shall be determined at the producer's milk plant where it is received. The market administrator may designate an independent laboratory to make these tests.

(h) *Location adjustments to producers.* In making payments pursuant to (a) of this section handlers may deduct 18 cents per hundredweight with respect to milk received from producers at a plant in which no milk is bottled or finally processed for distribution to consumers and which is located more than 35 miles from District of Columbia and 1 cent additional for each 10 miles in excess of 35 miles from the District of Columbia: *Provided*, That handlers may make such deduction on milk received at such plant by transfer of a truck route to such plant from another producer milk plant during the first four full delivery periods after such transfer, only if such milk was transferred from a plant at which a similar or greater deduction was permitted. If such milk was transferred from a plant at which no deduction or a smaller deduction was permitted, the smaller deduction or no deduction, as the case may be, must be used in computing payments until four full delivery periods have elapsed from the time of transfer.

(i) *Premiums to be paid by handlers.* (1) In making payments pursuant to (a) of this section, handlers shall pay premiums on all milk received from producers at producer milk plants at rates per hundredweight determined by multiplying the applicable premium rates set forth in this paragraph for each producer's deliveries by the percentage of all milk received from producers by such handler which was classified in Class I and Class II. The premium rates referred to in this paragraph shall be determined from the following schedule with respect to the cattle scores and farm scores recorded for each producer by the respective health departments requiring permits to sell milk to handlers in the marketing area:

Farm score	With cattle score under 95	With cattle score 95 or over, but under 98	With cattle score 98 or over
	Per cwt.	*Per cwt.*	*Per cwt.*
Under 80	$0.00	$0.00	$0.00
80.0–84.9	.00	.03	.06
85.0–89.9	.02	.08	.14
90.0–94.9	.08	.14	.20
95.0–97.9	.20	.26	.32
Over 97.9	.31	.37	.43

(2) If more than one score has been recorded during any month, the simple average of the scores so recorded shall be used. Producers who are subject to health department regulations which do not provide for cattle scores in their scoring system shall be considered as having a cattle score of 98 or over and the score given them by the health department shall be considered the farm score for the purpose of applying premiums under the above schedule.

(j) Handlers may distribute the payments they are required to make to producers for milk received by them, on any uniform basis other than that specified above in this section, that is approved by the market administrator.

§ 945.11 *Expense of administration and marketing services*—(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler shall pay to the market administrator on or before the 18th day after the end of each delivery period an amount equal to 2 cents per hundredweight with respect to all milk and cream received by him from all sources except other handlers' producer milk plants, or produced by him, during such delivery period, or such lesser amount, the exact amount to be determined by the market administrator subject to review by the Secretary. Each handler which is a cooperative association shall pay such prorata share of the expense of administration only on such milk and cream actually received at a producer milk plant operated by such cooperative association. If the market administrator designates an independent agency to determine the butterfat content of milk received by handlers from producers as permitted by § 945.10 (g), each handler shall pay to the market administrator an amount equal to one-half the cost of such tests of producer milk and the entire cost of such tests of emergency milk, the exact amount to be determined by the market administrator.

(b) *Marketing services.* If the market administrator designates an independent agency to determine the butterfat content of milk received by handlers from producers, as permitted under § 945.10 (g), each handler shall deduct from his payments to each producer an amount equal to one-half the cost per test, the exact amount to be determined by the market administrator, and shall pay such deduction to the market administrator on or before the 18th day after the end of each delivery period. Such monies shall be used by the market administrator to pay the independent laboratory for the verification of weighing, sampling, and testing of milk received from producers.

(c) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense as set forth in this section.

§ 945.12 *Emergency milk committee.* (a) At the application of handlers of more than 50 percent of the milk received from producers for sale in the marketing area, the Chief of the Dairy and Poultry Branch, Office of Marketing Services, War Food Administration (hereinafter referred to as Chief of Branch) may select a committee to be known as the "Emergency Milk Committee," all of whom may be selected from among the persons nominated in accordance with the procedure established by the Chief of Branch. The market administrator shall be a member of such committee and may act as chairman thereof.

(b) *Duties.* The Emergency Milk Committee may supervise the purchase and allocation of emergency milk and cream among handlers desiring to purchase such milk and cream through one or more importing agencies, and shall make rules and regulations subject to the approval of the Chief of Branch with respect to such allocation of milk and cream and the distribution of the cost thereof.

§ 945.13 *Effective time, suspension or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this amended order or any provision hereof whenever he finds that this amended order or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This amended order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof, there are obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or determination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary; (ii) from time to time account for all receipts and disbursements, and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct; and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 945.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

§ 945.15 *Liability.* The liability of handlers hereunder is several and not joint and no handler shall be liable for the default of any other handler.

This report filed at Washington, D. C., this 30th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-11768; Filed, June 30, 1945; 3:28 p. m.]

WAR PRODUCTION BOARD.

[C-378]

FROZEN FOOD REFRIGERATION CO., ET AL.

CONSENT ORDER

Frozen Food Refrigeration Company and Memphis War Industries, are partnership composed of J. W. P. Fleming and J. C. Woodson and Frozen Food Locker Construction Company, Inc., is a corporation of the State of Tennessee. Both partnerships and the corporation maintain their principal offices at 2165 Lathan Avenue, Memphis, Tennessee. The partnerships are engaged in the business, among other things, of producing insulated panels and parts necessary for the installation of frozen food locker plants, except the necessary refrigeration machinery. The Frozen Food Locker Construction Company, Inc., of which J. W. P. Fleming is president and treasurer and J. C. Woodson is secretary, is engaged in the business of the sale and installation of frozen food locker plants. During the period between July 31, 1944 and January 2, 1945 the two partnerships and the corporation together extended to suppliers the preference rating AA-3, together with allotment symbol V-9, provided for in Preference Rating Order P-43 and Priorities Regulation 23 for persons desiring to obtain materials for experimental purposes, to obtain 43 condensing units (of which they have 40 now on hand) to be used for purposes other than those authorized in said regulation and order. This constituted a violation of Preference Rating Order P-43 and Priorities Regulations No. 3 and No. 23.

J. W. P. Fleming and J. C. Woodson, the members of the two partnerships and the responsible officers of Frozen Food Locker Construction Company, Inc. admit the violation and, although denying wilfulness, do not care to contest this issue, and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of J. W. P. Fleming and J. C. Woodson, partners, doing business as Frozen Food Refrigeration Company and Memphis War Industries and Frozen Food Locker Construction Company, Inc., the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner: *It is hereby ordered*, That.

(a) J. W. P. Fleming and J. C. Woodson, partners, doing business as Frozen Food Refrigeration Company and Memphis War Industries and Frozen Food Locker Construction Company, Inc., shall not sell, deliver or install any one of the 40 condensing units, obtained by the extension of the Preference Rating AA-3, allotment symbol V-9, except upon orders bearing a preference rating of AA-3 or higher, nor shall either of them extend any one of such preference rating orders of AA-3 or higher, upon which any of the 40 condensing units are sold, delivered or installed, for the purpose of replacing in their stock any of said units so sold, unless hereafter specifically authorized in writing by the War Production Board. Nothing contained herein shall prohibit the use of said condensing units for experimental purposes under the provisions of Priorities Regulation No. 23 and Preference Rating Order P-43.

(b) Nothing contained in this order shall be deemed to relieve J. W. P. Fleming and J. C. Woodson, individually or as partners, doing business as Frozen Food Refrigeration Company and Memphis War Industries and Frozen Food Locker Construction Company, Inc., whether doing business under said name or names, or otherwise, their and its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 29th day of June 1945.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11558; Filed, June 29, 1945; 11:11 a. m.]

[C-386]

H. P. HOOD AND SONS, INC.

CONSENT ORDER

H. P. Hood and Sons, Inc., a Massachusetts corporation engaged in the processing and distribution of dairy products in Cambridge, Massachusetts, began construction on January 6, 1945 on the premises at 735-737 Massachusetts Avenue, Cambridge, Massachusetts in excess of an authorization in the amount of $3,000, granted by the War Production Board on August 19, 1944 to convert two adjacent stores into a restaurant involving construction required by the Department of Public Safety and certain remodeling work. The estimated cost for the complete job was approximately $10,000, of which $5,336 has already been spent including therein materials and projects not included in the War Production Board authorization and constituting a violation of War Production Board Conservation Order L-41. H. P. Hood and Sons, Inc. admits the violation of Order L-41 but denies that it was wilful and does not care to contest the issue of wilfulness.

Wherefore, upon the agreement and consent of H. P. Hood and Sons, Inc., the Regional Compliance Manager and the Regional Attorney, and upon the ap-

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proval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither H. P. Wood and Sons, Inc., its successors or assigns, nor any other person, shall do any construction on the premises at 735–737 Massachusetts Avenue, Cambridge, Massachusetts including remodeling, altering or finishing the structure located at said premises unless hereafter specifically authorized in writing by the War Production Board.

(b) The above restrictions shall not apply to maintenance and repair as defined or governed by Conservation Order L–41, as amended from time to time, which involve no alterations, structural or otherwise, no change in design and no change in type or kind of materials.

(c) Nothing contained in this order shall be deemed to relieve H. P. Hood and Sons, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11811; Filed, July 2, 1945; 11:23 a. m.]

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FEDERAL REGISTER

VOLUME 10 NUMBER 132

Washington, Wednesday, July 4, 1945

The President

EXECUTIVE ORDER 9578

APPROVING REGULATIONS OF THE CIVIL SERVICE COMMISSION UNDER THE FEDERAL EMPLOYEES PAY ACT OF 1945

By virtue of the authority vested in me by section 605 of the Federal Employees Pay Act of 1945, I hereby approve the following regulations prescribed by the Civil Service Commission:

REGULATIONS UNDER THE FEDERAL EMPLOYEES PAY ACT OF 1945

By virtue of the authority vested in the U. S. Civil Service Commission by section 605 of the Federal Employees Pay Act of 1945, the Commission hereby promulgates the following regulations for the administration of the provisions of that Act, effective on and after July 1, 1945.

CHAPTER I. OVERTIME PAY REGULATIONS

Part I. Extent of Overtime Pay Regulations

SECTION 101. *Employees to whom these regulations apply.* These regulations apply to all civilian officers and employees in or under the executive branch of the United States Government, including Government-owned or controlled corporations, except those specified in section 102 of these regulations.

SEC. 102. *Employees to whom these regulations do not apply.* These regulations do not apply to:

(a) Elected officials;

(b) Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations; i. e., heads of governmental establishments in the executive branch which are not component parts of any other such establishments.

(c) Officers and employees in or under the field service of the Post Office Department;

(d) Employees whose basic compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose, except that section 404 (d) of these regulations shall be applicable to such employees whose basic rate of compensation is fixed on an annual or monthly basis;

(e) Employees outside the continental limits of the United States, including those in Alaska, who are paid in accordance with local prevailing native wage rates for the area in which employed;

(f) Officers and employees of the Inland Waterways Corporation;

(g) Officers and employees of the Tennessee Valley Authority;

(h) Individuals to whom the provisions of section 1 (a) of the Act entitled "An Act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes," approved March 24, 1943 (Public Law No. 17—78th Congress), are applicable;

(i) Officers and members of the United States Park Police and the White House Police; and

(j) Employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, vessel employees of the Coast and Geodetic Survey, and vessel employees of the Panama Railroad Company.

Part II. Definitions

SEC. 201. *Basic workweek for full-time officers and employees.* "Basic workweek" for full-time officers and employees means the forty-hour workweek established pursuant to section 301 (a) of these regulations.

SEC. 202. *Administrative workweek for full-time officers and employees.* "Administrative workweek" for full-time officers and employees means the administrative workweek established pursuant to section 301 (b) of these regulations.

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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SEC. 203. *Basic rate of compensation.* (a) "Basic rate of compensation" means the rate of compensation fixed by law or administrative regulation for the position held by the officer or employee, exclusive of overtime compensation and extra pay for night or holiday work, but inclusive of (a) any salary differential for duty outside the continental United States, or in Alaska, and (b) the value of quarters, subsistence, and other maintenance allowances under section 3 of the Act of March 5, 1928, 45 Stat. 193, U. S. Code, Title 5, Sec. 75a.

(b) Hereafter for all pay computation purposes basic per annum rates of compensation established by or pursuant to law shall be regarded as payment for employment during fifty-two basic workweeks of forty hours.

SEC. 204. *Irregular or occasional overtime duty.* "Irregular or occasional overtime duty" means hours of employment in excess of the regularly scheduled administrative workweek.

Part III. Regulations To Be Prescribed by Heads of Departments and Agencies

SEC. 301. *Establishment of basic workweek and administrative workweek.* Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations, shall, with respect to each group of full-time employees to whom these regulations apply, establish by general public regulation, to be effective July 1, 1945:

(a) A regularly scheduled basic workweek of forty hours in length which shall not extend over more than six of any seven consecutive days. Such regulation shall specify the names of the calendar days constituting the basic workweek and, for each of such calendar days, the number of hours of employment included within the basic workweek.

(b) (1) A regularly scheduled administrative workweek which shall consist of the forty-hour basic workweek established in accordance with section 301 (a) of these regulations, plus such period of overtime work as will be regularly required of each group of employees. The periods of time included in such administrative workweek which do not constitute a part of the basic workweek shall be identified by names of calendar days and by number of hours per day for purposes of leave and overtime pay administration.

(2) In the case of employees whose work includes periods during which they are required to remain on duty and render "stand-by service" at or within the confines of their stations, the length of the administrative workweek, for the purpose of these regulations, shall be the total number of regularly scheduled hours of duty per week (or in rotating-shift systems, the average number of regularly scheduled hours of duty per week for the cycle), including all such "stand-by" or "on call" time except that allowed by regulation of the department or independent establishment for sleep and meals.

SEC. 302. *Compensatory time off for irregular or occasional overtime duty.* Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations, may, with respect to officers and employees to whom these regulations apply, prescribe regulations effective as of July 1, 1945, for the granting of compensatory time off from duty, in lieu of overtime compensation, for irregular or occasional duty in excess of forty-eight hours in any regularly scheduled administrative workweek, to those per annum employees requesting such compensatory time off from duty.

Part IV. Overtime Work and Overtime Compensation

SEC. 401. *Overtime compensation authorized.* (a) Officers or employees to whom these regulations apply shall be paid overtime compensation, computed as provided in section 404 of these regulations, for all hours of employment officially ordered or approved in excess of

forty hours in any administrative workweek, including irregular or occasional overtime duty.

(b) Any per annum employee may request compensatory time off, in lieu of overtime pay, for irregular or occasional duty in excess of forty-eight hours in any regularly scheduled administrative workweek, in accordance with administrative regulations issued pursuant to section 302 of these regulations. Unless compensatory time off for such irregular or occasional overtime duty is specifically requested by the employee it shall be paid for in money when due.

(c) Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations, may delegate to any officer or employee authority to order or approve overtime in excess of the administrative workweek. No overtime in excess of the administrative workweek shall be ordered or approved except in writing by an officer or employee to whom such authority has been specifically delegated by the head of the department or independent establishment or agency, or Government-owned or controlled corporation.

SEC. 402. *Computation of overtime employment.* The computation of the amount of overtime employment of an officer or employee shall be subject to the following conditions:

(a) *Leave with pay.* Absence from duty on authorized leave with pay during the time when an employee would otherwise have been required to be on duty during the basic workweek (including authorized absence on legal holidays and during the compensatory time off provided for in section 302 and 401 (b) of these regulations) shall be considered to be employment and shall not have the effect of reducing the amount of overtime compensation to which the employee may be entitled during an administrative workweek. Leave of absence with pay shall not be charged for any absence which does not occur during the forty hours prescribed as the basic workweek. If in an administrative workweek, the officer or employee does not actually work during any overtime period in excess of the forty hours prescribed as the basic workweek, no overtime compensation shall be paid.

(b) *Night or holiday duty.* Hours of night or holiday duty shall be considered as employment on the same basis as daytime hours or an ordinary day's duty for the purpose of computing the number of hours of overtime employment under these regulations. Any extra compensation for night or holiday duty shall not, however, be included in any basic rate in computing overtime compensation under these regulations.

(c) *Service subject to other overtime statutes.* Overtime services for which overtime compensation is paid under any of the following statutes shall not form a basis for overtime employment under these regulations: Act of February 13, 1911, as amended (U.S.C., title 19, secs. 261 and 267) involving inspectors, storekeepers, weighers, and other customs officers and employees; Act of July 24, 1919 (41 Stat. 241; U.S.C., title 7, sec. 394) involving employees engaged in enforcement of Meat Inspection Act; Act of June 17, 1930, as amended (U.S.C., title 19, sec. 1450, 1451, and 1452) involving customs officers and employees; Act of March 2, 1931 (46 Stat. 1467; U.S.C., title 8, secs. 109a and 109b) involving inspectors and employees, Immigration and Naturalization Service; Act of May 27, 1936, as amended (52 Stat. 345; U.S.C., title 46, sec. 382b) involving local inspectors of steam vessels and assistants, U. S. shipping commissioners, deputies and assistants, and customs officers and employees; Act of March 23, 1941 (55 Stat. 46; U.S.C., sup. IV, title 47, sec. 154 (f) (2)) involving certain inspectors of the Federal Communications Commission; Act of June 3, 1944 (Public Law 328—78th Congress) involving customs officers and employees.

SEC. 404. *Computation of overtime compensation.* (a) For employees whose basic compensation is at a rate less than $2,980 per annum, the overtime hourly rate shall be one and one-half times the basic hourly rate of compensation: *Provided*, That in computing such overtime compensation for per annum employees, the basic hourly rate of compensation shall be determined by dividing the basic per annum rate by two thousand and eighty (2,080).

(b) For employees whose basic compensation is at a rate of $2,980 per annum or more, the overtime hourly rate shall be in accordance with and in proportion to the following schedule, subject to the limitation contained in subsection (c) of this section.

Basic rate of compensation per annum:	*Overtime rate of compensation per 416 overtime hours*
$2,980	$894.000
$3,090	885.554
$3,200	877.108
$3,310	868.662
$3,420	860.216
$3,530	851.770
$3,640	843.324
$3,750	834.878
$3,860	826.432
$3,970	817.986
$4,080	809.540
$4,190	801.094
$4,300	792.648
$4,410	784.202
$4,520	775.756
$4,630	767.310
$4,740	758.864
$4,960	741.972
$5,180	725.080
$5,390	708.955
$5,600	692.831
$5,810	676.707
$6,020	660.583
$6,230	644.458
$6,440 and over	628.334

NOTE.—In the foregoing schedule the overtime rate for 416 overtime hours for any basic rate of compensation in excess of $2,980 per annum is computed by subtracting from $894, 7.6782 per centum of the amount by which such basic rate is in excess of $2,980 per annum; with the condition that the rate for 416 overtime hours for all salaries of $6,440 or more shall be $628.334.

(c) Notwithstanding the provisions of subsection (b) of this section, the overtime compensation payable to any officer or employee to whom these regulations apply shall, with respect to any pay period, be limited to such rate as will not cause his aggregate compensation for such pay period to exceed a rate of $10,000 per annum: *Provided, however*, That any such officer or employee who was receiving overtime compensation on June 30, 1945, and whose aggregate rate of compensation on such date was in excess of $10,000 per annum may receive overtime compensation at such rate as will not cause his aggregate rate of compensation for any pay period to exceed the aggregate rate of compensation he was receiving on June 30, 1945, until he ceases to occupy the office or position he occupied on such date or until the overtime hours of work in his administrative workweek are reduced by action of the head of his department or independent establishment or agency, or Government-owned or controlled corporation, and when such overtime hours are reduced such rate of overtime compensation shall be reduced proportionately.

(d) Employees whose basic rate of compensation is fixed on an annual or monthly basis and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose shall be entitled to overtime pay in accordance with the provisions of section 23 of the Act of March 28, 1934 (U.S.C., 1940 edition, title 5, sec. 673c). The rate of compensation for each hour of overtime employment of any such employee shall be computed as follows:

(1) If the basic rate of compensation of the employee is fixed on an annual basis, divide such basic rate of compensation by two thousand and eighty (2080) and multiply the quotient by one and one-half; and

(2) If the basic rate of compensation of the employee is fixed on a monthly basis, multiply such basic rate of compensation by twelve to derive a basic annual rate of compensation, divide such basic annual rate of compensation by two thousand eighty (2080), and multiply the quotient by one and one-half.

(e) Whenever, for the purpose of computing overtime pay under these regulations, it is necessary to convert a basic monthly or annual rate to a basic weekly, daily or hourly rate the following rules shall govern:

(1) A monthly rate shall be multiplied by 12 to derive an annual rate;

(2) An annual rate shall be divided by 52 to derive a weekly rate;

(3) A weekly rate shall be divided by 40 to derive an hourly rate; and

(4) A daily rate shall be derived by multiplying an hourly rate by the number of daily hours of service required.

CHAPTER II. PERIODIC WITHIN-GRADE SALARY ADVANCEMENT REGULATIONS

Part I. Extent of Periodic Within-Grade Salary Advancement Regulations

SEC. 101. *Officers and employees to whom these regulations apply.* These regulations apply to all officers and employees, except those who are appointed by the President, by and with the advice and consent of the Senate, who (a) are compensated on a per annum basis, (b) occupy permanent positions within the scope of the compensation schedules fixed by the Classification Act of 1923, as amended, and (c) have not reached the maximum rate of compensation for the grade in which their positions are respectively allocated.

Part II. Definitions

SEC. 201. *Permanent positions.* "Permanent positions" means positions other than those designated as temporary by law and other than those established for definite periods of one year or less. Positions to which appointments are made under the War Service Regulations for the duration of the war and six months thereafter are permanent positions within the scope of this definition.

SEC. 202. *Positions within the scope of the compensation schedules fixed by the Classification Act of 1923, as amended.* "Positions within the scope of the compensation schedules fixed by the Classification Act of 1923, as amended", means positions in the departmental and field services, in the executive, legislative, and judicial branches, in Government-owned or Government-controlled corporations, and in the municipal government of the District of Columbia, the compensation of which has been fixed on a per annum basis, pursuant to the allocation of such positions to the appropriate grade either by the Civil Service Commission or by administrative action of the department, establishment, agency, or corporation concerned, in accordance with the compensation schedules of the Classification Act of 1923, as amended.

SEC. 203. *Equivalent increase in compensation.* (a) "Equivalent increase in compensation" means any increase or increases in basic compensation which in total, at the time such increase or increases are made, are equal to or greater than the compensation increment in the lowest grade in which the employee has served during the time period of twelve or eighteen months, as the case may be.

(b) The following are not "equivalent increases in compensation";

(1) Increases in basic rates of compensation provided by section 405 of the Federal Employees Pay Act of 1945;

(2) Rewards for superior accomplishment as provided in sections 403 and 404 of the Federal Employees Pay Act of 1945; or

(3) Increases as the result of the establishment of a new minimum rate for any class of positions in accordance with section 401 of the Federal Employees Pay Act of 1945.

SEC. 204. *Current efficiency.* "Current efficiency" means the official efficiency rating on record appropriate for within-grade salary advancement purposes, in accordance with the uniform efficiency-rating system.

SEC. 205. *War transfer.* "War transfer" means any transfer authorized by the Civil Service Commission under Executive Order Nos. 8973 of December 12, 1941, or 9067 of February 20, 1942, War Manpower Commission Directive No. X, or War Service Regulation IX, under conditions entitling the employee to reemployment in his former position or a position of like seniority, status, and pay.

SEC. 206. *Satisfactory record on war transfer.* "A satisfactory record on war transfer" means a record or finding that the transferred employee has been involuntarily furloughed or terminated without cause such as would reflect on his suitability for reemployment in the Federal service, from the position to which transferred.

SEC. 207. *Service in the merchant marine.* "Service in the merchant marine" means service as an officer or member of the crew on or in connection with a vessel documented under the laws of the United States or a vessel owned by, chartered to, or operated by or for the account or use of the Administrator, War Shipping Administration, service as an enrollee in the United States Maritime Service on active duty, and, to such extent as said Administrator shall prescribe, any period awaiting assignment to such service and any period of education or training for such service in any school or institution under the jurisdiction of the Administrator.

SEC. 208. *Certificate of satisfactory service in the merchant marine.* "Certificate of satisfactory service in the merchant marine" means the certificate issued by the War Shipping Administrator pursuant to the Act of June 23, 1943, 57 Stat. 162, U. S. Code, 1940 ed., supp. IV, Title 50 app., secs. 1471–1475, providing reemployment rights for persons who leave their positions to serve in the merchant marine.

Part III. Computation of Periods of Service

SEC. 301. *Service to be credited.* In computing the periods of service required for within-grade salary advancements there shall be credited to such service:

(a) Continuous civilian employment in any branch (legislative, executive, or judicial), executive department, independent establishment or agency, or corporation of the Federal Government or in the municipal government of the District of Columbia.

(b) Time elapsing on annual, sick, or other leave with pay.

(c) Time elapsing in a non-pay status (including break in service) not exceeding thirty days within any one time period of twelve or eighteen months, as the case may be.

(d) Service rendered prior to absence on furlough or leave without pay where such absence is in excess of thirty days but not exceeding one year.

(e) Service in the armed forces, in the merchant marine, or on war transfer subject to the following conditions: The employee must have (1) left his position to enter the armed forces or the merchant marine, or to comply with a war transfer, (2) been separated under honorable conditions from active duty in the armed forces, or have received a certificate of satisfactory service in the merchant marine, or have a satisfactory record on war transfer, and (3) been restored, reemployed, or reinstated in any permanent position within the scope of the compensation schedules fixed by the Classification Act of 1923, as amended, under regulations of the Civil Service Commission, or the provisions of any law providing for restoration or reemployment, or any other administrative procedure with respect to employees not subject to civil service rules and regulations. Any employee entitled to be credited with service under this subsection shall also be entitled to credit for civilian employment prior to leaving his position to enter the armed forces or the merchant marine, or to comply with a war transfer, in accordance with subsections (a), (b), (c), and (d) of this section.

Part IV. Conditions of Eligibility for Periodic Within-Grade Salary Advancements

SEC. 401. *Eligibility requirements and effective date.* Officers and employees to whom these regulations apply shall be advanced in compensation successively to the next higher rate within the grade at the beginning of the next pay period (including July 1, 1945) following the completion of (a) each twelve months of service if such officers or employees are in grades in which the compensation increments are less than $200 per annum or (b) each eighteen months of service if such officers or employees are in grades in which the compensation increments are $200 or more, subject to the following conditions:

(1) That no equivalent increase in compensation from any cause was received during such period;

(2) That an officer or employee shall not be advanced unless his current efficiency rating is "Good" or better than "Good."

(3) That the service and conduct of such officer or employee are certified by the head of the department or independent establishment or agency, or Government-owned or controlled corporation, or such official as he may designate, as being otherwise satisfactory.

SEC. 402. *Exceptions to conditions (2) and (3) stated in section 401.* Conditions (2) and (3) of section 401 shall not apply upon the return to duty of any officer or employee (a) who, while serving under permanent, war service, temporary, or any other type of appointment, left his position to enter the armed forces or the merchant marine, or to comply with a war transfer, (b) who has been separated under honorable conditions from active duty in the armed forces, or has received a certificate of satisfactory service in the merchant marine, or has a satisfactory record on war transfer, and (c) who, under regulations of the Commission or the provisions of any law providing for restoration or reemployment, or under any other administrative procedure with respect to officers and employees not subject to civil service rules and regulations, is restored, reemployed, or reinstated in a permanent position within the scope of the compensation schedules fixed by the Classification Act of 1923, as amended, in which he would otherwise be eligible for within-grade salary advancement under these regulations.

Part V. Effect of Efficiency-Rating Changes

SEC. 501. *Effect of efficiency-rating changes.* In the event a change or ad-

justment is made in an officer's or employee's current efficiency rating, either by administrative action or as the result of a review and determination by a board of review in accordance with the provisions of section 9 of the Classification Act of 1923, as amended, the employee's eligibility for salary advancement shall be determined according to the efficiency rating as changed or adjusted and other conditions of the salary advancement plan, and any periodic within-grade salary advancement to which he may be entitled shall be made effective as of the date he would have received the advancement had no error been made in the original rating.

CHAPTER III. NIGHT PAY DIFFERENTIAL REGULATIONS

Part I. Extent of Night Pay Differential Regulations

SEC. 101. *Employees to whom these regulations apply.* These regulations apply to all civilian officers and employees in or under the executive branch of the United States Government, including Government-owned or controlled corporations, except those specified in section 102 of these regulations.

SEC. 102. *Employees to whom these regulations do not apply.* These regulations do not apply to:

(a) Elected officials;

(b) Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations; i. e., heads of governmental establishments in the executive branch which are not component parts of any other such establishments.

(c) Officers and employees in or under the field service of the Post Office Department;

(d) Employees whose basic compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose;

(e) Employees outside the continental limits of the United States, including those in Alaska, who are paid in accordance with local prevailing native wage rates for the area in which employed;

(f) Officers and employees of the Inland Waterways Corporation;

(g) Officers and employees of the Tennessee Valley Authority;

(h) Individuals to whom the provisions of section 1 (a) of the Act entitled "An Act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes", approved March 24, 1943 (Public Law No. 17—78th Cong.), are applicable;

(i) Officers and members of the United States Park Police and the White House Police;

(j) Employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, vessel employees of the Coast and Geodetic Survey, and vessel employees of the Panama Railroad Company;

(k) Employees of the Bureau of Engraving and Printing who are entitled to a night pay differential under the Act of July 1, 1944 (Public Law 394—78th Cong.); and

(l) Employees who are entitled to additional compensation for night work under any provision of law other than section 301 of the Federal Employees Pay Act of 1945.

Part II. Definitions

SEC. 201. *Basic rate of compensation.* "Basic rate of compensation" means the rate of compensation fixed by law or administrative regulation for the position held by the officer or employee, exclusive of overtime compensation and extra pay for night or holiday work but inclusive of (a) any salary differential for duty outside the continental United States, or in Alaska, and (b) the value of quarters, subsistence, and other maintenance allowances under section 3 of the Act of March 5, 1928, 45 Stat. 193, U. S. Code, Title 5, sec. 75a.

SEC. 202. *Regularly scheduled tour of duty.* "Regularly scheduled tour of duty" means the regular administrative workweek prescribed by the general public regulations issued by the head of a department or independent establishment or agency, including Government-owned or controlled corporations, in accordance with section 301 (b) of the Overtime Pay Regulations issued by the Civil Service Commission pursuant to the Federal Employees Pay Act of 1945.

SEC. 203. *Night work.* "Night work" means that part of a regularly scheduled tour of duty which falls between 6 o'clock p. m. and 6 o'clock a. m.

SEC. 204. *Night pay differential.* "Night pay differential" means the ten percent increase over the officer's or employee's basic rate of compensation, authorized by section 301 of the Federal Employees Pay Act of 1945.

Part III. Night Work and Payment of Night Differential

SEC. 301. *Night pay differential authorized.* Any officer or employee to whom these regulations apply shall be entitled to a ten percent increase over his basic rate of compensation for all hours of night work, computed in accordance with section 302 (c) of these regulations.

SEC. 302. *Computation of night pay differential.* (a) *Leave.* Payment of a night pay differential is not authorized during any period when the officer or employee is in a leave status.

(b) *Overtime.* The night pay differential shall not be included in the basic rate of compensation in computing any overtime compensation to which the officer or employee may be entitled.

(c) *Computation of rate of night pay differential.* Whenever it is necessary to convert a basic monthly or annual rate to a basic weekly, daily, or hourly rate for the purpose of computing the amount of the night pay differential, the following rules shall govern:

1. A monthly rate shall be multiplied by 12 to derive an annual rate;

2. An annual rate shall be divided by 52 to derive a weekly rate;

3. A weekly rate shall be divided by 40 to derive an hourly rate; and

4. A daily rate shall be derived by multiplying an hourly rate by the number of daily hours of service required.

U. S. Civil Service Commission.

Approved: June 29, 1945.

H. B. MITCHELL,
LUCILE FOSTER MCMILLIN,
ARTHUR S. FLEMING,
Commissioners.

THE WHITE HOUSE,
June 30, 1945.

Approved: HARRY S. TRUMAN

[F. R. Doc. 45-11902; Filed, July 2, 1945, 5:03 p. m.]

EXECUTIVE ORDER 9579

AMENDMENT OF EXECUTIVE ORDER NO. 8937 OF NOVEMBER 7, 1941, EXTENDING THE PERIOD OF ELIGIBILITY ON CIVIL SERVICE REGISTERS OR LISTS OF PERSONS WHO SERVE IN THE ARMED FORCES OF THE UNITED STATES

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403, 404), and in order to extend the period of time for applying for the benefits of Executive Order No. 8937 of November 7, 1941, entitled "Extending the period of Eligibility on Civil Service Registers or Lists of Persons Who Serve in the Armed Forces of the United States", it is ordered that the proviso contained in the said order be, and it is hereby, amended to read as follows:

"*Provided*, That such persons shall notify the Civil Service Commission within 90 days after termination of their service in the armed forces or of hospitalization continuing after discharge for a period of not more than one year."

This order shall be effective as of December 8, 1944.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 30, 1945.

[F. R. Doc. 45-11899; Filed, July 2, 1945, 5:03 p. m.]

EXECUTIVE ORDER 9580

AMENDMENT OF EXECUTIVE ORDER NO. 1888 OF FEBRUARY 2, 1914, AS AMENDED, RELATING TO CONDITIONS OF EMPLOYMENT IN THE SERVICE OF THE PANAMA CANAL AND THE PANAMA RAILROAD COMPANY ON THE ISTHMUS OF PANAMA

By virtue of the authority vested in me by section 81 of title 2 of the Canal Zone Code, as amended by section 3 of the act approved July 9, 1937, 50 Stat. 487, it is hereby ordered as follows:

SEC. 1. Paragraph 31 of Executive Order No. 1888 of February 2, 1914, as amended by Executive Order No. 2514 of January 15, 1917, is hereby amended to read as follows:

"31. Leave taken shall be paid for at the same rate as that which the employee would have received had he remained on duty during the period of leave."

SEC. 2. Paragraph 34 of the said order, as amended by Executive Order No. 2514 of January 15, 1917, is amended to read as follows:

"34. Employees shall be compensated for travel leave at the rate provided in paragraph 31 of this order."

SEC. 3. Paragraph 36 of the said order, as amended by Executive Order No. 2514 of January 15, 1917, and Executive Order No. 9467 of August 19, 1944, is further amended by adding at the end thereof the following sentence:

"The cash payment in commutation of leave under this paragraph shall equal the compensation that such employee would have received had he remained in the service until the expiration of the period of such leave."

SEC. 4. The provisions of this order shall apply to leave taken or commuted on or after the date of this order and only to such leave: *Provided, however*, That the provisions of this order shall not operate to reduce in any case the rate of payment for leave earned prior to the date of this order.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 30, 1945.

[F. R. Doc. 45-11898; Filed, July 2, 1945; 5:03 p. m.]

EXECUTIVE ORDER 9581

AMENDING EXECUTIVE ORDER NO. 9299 OF FEBRUARY 4, 1943, TO GIVE THE TERRITORIAL WAR LABOR BOARD FOR THE TERRITORY OF HAWAII JURISDICTION OVER VOLUNTARY WAGE AND SALARY ADJUSTMENTS OF EMPLOYEES IN THE TERRITORY OF HAWAII SUBJECT TO THE RAILWAY LABOR ACT

By virtue of the authority vested in me by the Constitution and statutes of the United States, and particularly by section 2 of the act of October 2, 1942 (56 Stat. 765), it is hereby ordered that Executive Order 9299 of February 4, 1943 (8 F.R. 1669) prescribing regulations and procedure with respect to wage and salary adjustments for employees subject to the Railway Labor Act, be, and it is hereby, amended to provide that the Territorial War Labor Board for the Territory of Hawaii shall have jurisdiction over voluntary wage and salary adjustments of those employees in the Territory of Hawaii who are subject to the Railway Labor Act.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 30, 1945.

[F. R. Doc. 45-11900; Filed, July 2, 1945; 5:03 p. m.]

EXECUTIVE ORDER 9582

RESTORING LAND TO THE TERRITORY OF HAWAII FOR AERONAUTICAL PURPOSES, AND RESERVING LAND FOR MILITARY PURPOSES

WHEREAS it is deemed advisable and in the public interest that certain land comprising a part of the Upolu Point Military Reservation, island of Hawaii, Territory of Hawaii, be restored to the Territory of Hawaii for aeronautical purposes, and that certain other public land on the island of Hawaii, Territory of Hawaii, be reserved for military purposes:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

I. The following-described parcel of land comprising a part of the Upolu Point Military Reservation, Territory of Hawaii, is hereby restored to the possession, use, and control of the Government of the Territory of Hawaii for aeronautical purposes: *Provided, however*, That the parcel of land hereby restored shall be available at all times, and without charge therefor, for the taking off and landing of airplanes and airships of the United States, and that this privilege shall include such temporary occupation and maintenance of government airplanes and airships as may be deemed necessary by competent military authority:

Beginning at a pipe on the boundary between the lands of Kealahewa 3 and Opihipau, Hawaii, being also the South corner of Executive Order 556, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Puu o Nale" being 22984.56 feet North and 5922.54 feet West, as shown on Government Survey Registered Map 2366, and running by azimuths measured clockwise from true South:

1. 77°30', 495.80 feet along the remainder of Executive Order 749;
2. 167°30', 97.12 feet along the remainder of Executive Order 922;
3. 257°30', 450.00 feet along same;
4. 252°26'30", 286.75 feet along same;
5. 342°16', 100.00 feet along same;
6. 72°16', 250.00 feet along the remainder of Grant 2774 to Kanelhalau to the point of beginning.

The tract described contains an area of 1.67 acres.

II. The following-described parcel of land is hereby reserved and set apart for military purposes as a part of the Upolu Point Military Reservation, Opihipau lands, District of North Kohala, island of Hawaii, Territory of Hawaii:

Beginning at a point at the northeast corner of this parcel of land and on the boundary between the lands of Kealahewa 3 and Opihipau, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Puu o Nale" being 22850.89 feet North and 5819.04 feet West, as shown on Government Survey Registered Map 2366, and running by azimuths measured clockwise from true South:

1. 322°15', 135.02 feet along the remainder of Grant 2774 to Kanelhalau;
2. 77°30', 625.50 feet along the remainder of Executive Order 922;
3. 167°30', 122.12 feet along same;
4. 257°30', 567.91 feet along Executive Order 924 to the point of beginning.

The tract described contains an area of 1.67 acres.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 30, 1945.

[F. R. Doc. 45-11901; Filed, July 2, 1945; 5:03 p. m.]

EXECUTIVE ORDER 9583

AMENDMENT OF EXECUTIVE ORDER 9356 OF JUNE 24, 1943, PRESCRIBING REGULATIONS GOVERNING THE FURNISHING OF CLOTHING IN KIND OR PAYMENT OF CASH ALLOWANCES IN LIEU THEREOF TO ENLISTED PERSONNEL OF THE NAVY, THE COAST GUARD, THE NAVAL RESERVE, AND THE COAST GUARD RESERVE

By virtue of and pursuant to the authority vested in me by section 10 of the Pay Readjustment Act of June 16, 1942 (56 Stat. 359, 363), it is ordered that sections A1(a), A1(b), A2(a), A2(b), A3(a), and A3(b) of Executive Order 9356[1] of June 24, 1943, prescribing regulations governing the furnishing of clothing in kind or payment of cash allowances in lieu thereof to enlisted personnel of the Navy, the Coast Guard, the Naval Reserve, and the Coast Guard Reserve, be, and they are hereby, amended to read as follows:

A1(a) Chief petty officers, cooks, stewards, members of Navy, Naval Academy, or Coast Guard Academy Bands (band members):

For the fiscal year 1946---- $300.00 $20.00

A1(b) Enlisted men in other ratings:

For the fiscal year 1946---- $143.20 $12.00

A2(a) Subsequent to 30 days from date of enlistment or reporting for active duty:

For the fiscal year 1946---- $250.00 $20.00

A2(b) Within 30 days from date of enlistment or reporting for active duty:

For the fiscal year 1946---- $156.80 $20.00

A3(a) Subsequent to 30 days from date of enlistment or reporting for active duty:

For the fiscal year 1946---- $250.00 $20.00

A3(b) Within 30 days from date of enlistment or reporting for active duty:

For the fiscal year 1946---- $156.80 $20.00

This order shall become effective July 1, 1945.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 2, 1945.

[F. R. Doc. 45-11857; Filed, July 2, 1945; 3:48 p. m.]

[1] 8 F.R. 8777.

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 26—REGULATIONS UNDER THE FEDERAL EMPLOYEES PAY ACT OF 1945

CROSS REFERENCE: For regulations under the Federal Employees Pay Act of 1945 approved by the President, see Executive Order 9578, *supra*.

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 22-8, Amdt. 3]

PART 1425—CANNED AND PROCESSED FOODS

CANNED FRUITS, AND CANNED FRUIT JUICES, REQUIRED TO BE SET ASIDE DURING 1945

War Food Order No. 22–8 (10 F.R. 1257) is hereby amended to read as follows:

§ 1425.12 *Quota restrictions and allocations*—(a) *Definitions.* (1) Each term defined in War Food Order No. 22, as amended, shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 22, as amended.

(2) "Quota period" means, with respect to all products required to be set aside pursuant to this order, the period from January 1, 1945, to December 31, 1945, both inclusive.

(3) "Base period" means, with respect to all products required to be set aside pursuant to this order, the period from January 1, 1943, to December 31, 1944, both inclusive.

(4) "Base pack" means, when applied to each canned food listed in Column A of Table I, which table is attached hereto and is by this reference made a part of this order, one-half the total amount, by net weight, of all types, styles, varieties and grades of such food canned by the respective canner during the base period: *Provided*, That, if the respective canner canned any particular food listed in said Column A of Table I during only one of the two calendar years of the base period, his base pack for that food shall be his total pack, by net weight, of such food during the said calendar year of the base period in which he canned the said food. In the event a canner has no base pack for any product covered under this order, the set-aside percentage prescribed for such product shall be applied against his production thereof for the quota period, in the manner prescribed in paragraph (c) (1) (iii) hereof.

(b) *Applicability of this order.* The terms and conditions of this order shall be applicable to (i) all canned fruits, and all canned fruit juices, listed in said Column A of Table I which are packed during the quota period in any of the 48 States of the United States or the District of Columbia, and (ii) all canned pineapple, and all canned pineapple juice, which are packed during the quota period in the Territory of Hawaii.

(c) *Set-aside requirements*—(1) *Quantity to be set aside.* Each canner who packs, during the quota period, any canned fruit or fruit juice specified in said Column A of Table I shall set aside and hold for sale and delivery to a Government agency out of his quota period pack of each such product a quantity computed as follows:

(i) If he packed such product in the base period, a quantity obtained by (*a*) multiplying his base pack thereof by the applicable percentage set forth in Column D of said Table I, or (*b*) taking his entire quota period pack of such product, whichever amount is the lesser;

(ii) If he packed such product in the base period, and his quota period pack is more than twice as great as his base pack, all that part of his quota period pack which exceeds twice the amount of his base pack shall be set aside in addition to the quantity computed under (i) above;

(iii) If he did not pack such product in the base period, a quantity obtained by multiplying his quota period pack by the applicable percentage set forth in Column D of said Table I. Each such canner shall, prior to packing such product, notify the Director, by letter, of his intention to do so and shall state in such letter how much of each such product he expects to pack in the quota period.

(2) *Exceptional circumstances.* Each canner who, pursuant to the provisions of this order, is required to set aside any product listed in said Column A of Table I shall be deemed to have met the set-aside requirements of this order if he sets aside the entire quantity of the respective product which is in his possession on the effective date of this order, plus the quantity of such product which he packs during the quota period after this order becomes effective, even though such amount is less than the quantity of the respective product required to be set aside by the provisions of this order as set forth hereinabove.

(3) *Preference grades.* Not less than two-thirds of the total quantity of each product set aside hereunder shall be of the first preference grade, as specified in said Table I, unless the canner's quota period pack of the first preference grade is insufficient therefor, in which event his entire quota period pack of the first preference grade shall be set aside. Any balance remaining to be set aside shall be of the second or third preference grades as specified in said Table I: *Provided*, That the canner's full quota period pack of the second preference grade must be set aside before any part of his pack of third preference grade may be applied against the required set-aside. If any balance then remains to be set aside, such balance shall be in such grades packed by the canner as may be specified by the Director.

(4) *Types of containers.* In the event a canner packs a canned product covered hereunder partly in tinplate containers and partly in glass containers, the portion to be set aside for Government agency from the several preference grades of such product in accordance with the provisions of (c) (1), (2), or (3) hereof shall be that which is packed in tinplate to the extent that the respective grades are so packed in tinplate by such canner; and the particular product packed by such canner in glass containers shall be set aside from any such first preference grade only in the event and to the extent necessary to meet any such deficiency when there is not enough of the respective product of that preference grade packed by such canner in tinplate to meet the set-aside requirements for such grade.

(5) *Sizes of containers.* Within the limits of, and subject to the restrictions set forth in (c) (1), (2), (3), and (4) hereof, and to the extent that such quantity is available from the particular canner's pack, a minimum of one-third and a maximum of two-thirds (except with the consent of the particular procuring Government agency) of the quota of any canned product for Government agency shall be set aside in the largest can size specified for that product in Column I of said Table I to the extent that the product is packed by the respective canner in such largest can size in the respective preference grades, and the remainder, if any, of the set-aside quota for such canned product shall be in the other can sizes, if any, specified in Column I of said Table I: *Provided*, That the portion of the set-aside quantity of the canned product represented by the contingency reserve percentage for such product shown in Column C of said Table I may, at the option of the particular canner, be packed and set aside in any can size which he may have available.

(d) *Reports.* The reports required by § 1425.1 (c) of War Food Order No. 22, as amended, shall be submitted on form OMS–140 (formerly FDA–685). The reports shall be submitted to the Director within 15 calendar days after the completion of the pack.

(e) *Purchase, inspection, and specifications.* The Army of the United States is hereby allocated the quotas prescribed herein for Government agency, and the Army may purchase said quotas for its own account or for the account of other Government agencies whenever it has agreed with such agencies to do so. The Army and the Office of Marketing Services, respectively, are authorized to inspect and grade such canned foods pursuant to § 1425.1 (d) of War Food Order No. 22, as amended. The Army is further authorized to issue specifications at any time with regard to the processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to § 1425.1 (b) (5) of War Food Order No. 22, as amended.

(f) *Provisions of War Food Orders No. 22–4, as amended and 22–6, as amended, not affected.* The provisions of this order shall not be considered as rescinding or modifying the provisions of War Food Order No. 22–4, as amended (8 F.R. 6573, 11590; 10 F.R. 103), or the provisions of War Food Order No. 22–6, as amended (9 F.R. 1824, 6497, 10927; 10 F.R. 103).

(g) *Effective date.* This order shall be effective as of 12:01 a.m., e.w.t., June 30, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 22–8, as amended, prior to the effective time of this amendment, all of the provisions of said War Food Order No. 22–8, as amended, in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, appeal, right or liability.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO No. 22, as amended, 8 F.R. 2243, 6397; 9 F.R. 4321, 4319, 9584; 10 F.R. 103)

Issued this 29th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

TABLE I—CANNED FRUITS AND CANNED FRUIT JUICES

A	B	C	D	E	F	G	H	I
Product	Percentage of base pack			Type, style, variety (sequence does not denote preference)	Grade preference			Can size
	Specific reserve	Contingency reserve	Total (cols. B and C)		First	Second	Third	
Apples	72	*8	80	Heavy pack	Standard	Fancy		10.
Applesauce	48	*6	54		Fancy	Standard		10-2.
Apricots	58	*3	61	Halved, unpeeled	Choice	Standard (fancy not desired).	Pie or water pack	10-2½.
Berries [1]	90	*10	100		Water pack	(5)		10.
Blackberries	130	*10	140		Water pack	(5)		10.
Cherries, sweet	22	*3	25		Choice	Fancy	Standard	10-2½-2.
Figs	75	*5	80	Kadota	Choice	Fancy	Standard	10-2½.
Fruit cocktail	44	*10	54		Top choice	Fancy		10-2½.
Peaches	54	*10	64	Yellow clingstone, halved or sliced.	Choice [2]	Top std.[4]		10-2½.
				Yellow freestone, halved or sliced.	Choice	Fancy		10-2½.
Pears	70	*10	80	Bartlett, halved	Choice	Top std.[4]	Fancy	10-2½.
Pineapple	60	*10	70	Sliced, crushed, chunks, tidbits (except cocktail tidbits).	Fancy	Choice	Standard	10-2½-2.
Pineapple juice	38	*10	48		Fancy			10-3 (3)1-2.
Plums and prunes (fresh basis).	22	*3	25		Choice	Fancy		10-2½.

*Indicates that Government intends to purchase all of contingency reserve in addition to the specific reserve.
[1] Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of the four varieties.
[2] Syrup pack not desired.
[3] Not below 15 points for absence of defects. Not below 15 points for character, with a total minimum not below 80 points as defined in terms of U. S. grades.
[4] Top Standard means 70–74 inclusive as defined in terms of U. S. grades.

[F. R. Doc. 45-11624; Filed, June 29, 1945; 4:56 p. m.]

[WFO 22-9, Amdt. 3]

PART 1425—CANNED AND PROCESSED FOODS

CANNED VEGETABLES, AND CANNED VEGETABLE JUICES, REQUIRED TO BE SET ASIDE DURING 1945

War Food Order No. 22–9, as amended (10 F.R. 1260, 5761, 7155), is hereby further amended to read as follows:

§ 1425.11 *Quota restrictions and allocations*—(a) *Definitions.* (1) Each term defined in War Food Order No. 22, as amended, shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 22, as amended.

(2) "Quota period" means, with respect to sauerkraut, the period from September 1, 1945, to August 31, 1946, both inclusive; and, with respect to all other products required to be set aside pursuant to this order, the period from January 1, 1945, to December 31, 1945, both inclusive.

(3) "Base period" means: (i) with respect to sauerkraut, the period from September 1, 1941, to August 31, 1942, both inclusive; (ii) with respect to sweet potatoes, the period from January 1, 1941, to December 31, 1941, both inclusive; and (iii), with respect to all other products required to be set aside pursuant to this order, the period from January 1, 1943, to December 31, 1944, both inclusive.

(4) "Base pack" means: (i) when applied to sauerkraut or sweet potatoes, the total amount, by net weight, of all types, styles, varieties, and grades canned by the respective canner during the base period; and (ii), when applied to each canned food, other than sauerkraut or sweet potatoes, listed in Column A of Table I, which table is attached hereto and is by this reference made a part of this order, one-half the total amount, by net weight, of all types, styles, varieties, and grades of such food canned by the respective canner during the base period: *Provided*, That if the respective canner canned any particular food, other than sauerkraut or sweet potatoes, listed in said Column A of Table I during only one of the two calendar years of the base period, his base pack for that food shall be his total pack, by net weight, of such food during the said calendar year of the base period in which he canned the said food. In the event a canner has no base pack for any product covered under this order, the set-aside percentage prescribed for such product shall be applied against his production thereof for the quota period, in the manner prescribed in paragraph (c) (1) (iii) hereof.

(b) *Applicability of this order.* The terms and conditions of this order shall be applicable to all canned vegetables, and all canned vegetable juices, listed in said Column A of Table I which are packed during the quota period in any of the 48 States of the United States or the District of Columbia.

(c) *Set-aside requirements*—(1) *Quantity to be set aside.* Each canner who packs, during the quota period, any canned vegetable or vegetable juice specified in said Column A of Table I shall set aside and hold for sale and delivery to a Government agency out of his quota period pack of each such product a quantity computed as follows:

(i) If he packed such product in the base period, a quantity obtained by (*a*) multiplying his base pack thereof by the applicable percentage set forth in Column D of said Table I, or (*b*) taking his entire quota period pack of such product, whichever amount is the lesser:

(ii) If he packed such product in the base period, and his quota period pack is more than twice as great as his base pack, all that part of his quota period pack which exceeds twice the amount of his base pack shall be set aside in addition to the quantity computed under (i) above;

(iii) If he did not pack such product in the base period, a quantity obtained by multiplying his quota period pack by the applicable percentage set forth in Column D of said Table I. Each such canner shall, prior to packing such product, notify the Director, by letter, of his intention to do so, and shall state in such letter how much of each such product he expects to pack in the quota period.

(2) *Exceptional circumstances.* Each canner who, pursuant to the provisions of this order, is required to set aside any product listed in said Column A of Table I shall be deemed to have met the set-aside requirements of this order if he sets aside the entire quantity of the

respective product which is in his possession on the effective date of this order, plus the quantity of such product which he packs during the quota period after this order becomes effective, even though such amount is less than the quantity of the respective product required to be set aside by the provisions of this order as set forth hereinabove.

(3) *Preference grades.* Not less than two-thirds of the total quantity of each product set aside hereunder shall be of the first preference grade, as specified in said Table I, unless the canner's quota period pack of the first preference grade is insufficient therefor, in which event his entire quota period pack of the first preference grade shall be set aside. Any balance remaining to be set aside shall be of the second or third preference grades as specified in said Table I: *Provided*, That the canner's full quota period pack of the second preference grade must be set aside before any part of his pack of third preference grade may be applied against the required set-aside. If any balance then remains to be set aside, such balance shall be in such grades packed by the canner as may be specified by the Director.

(4) *Types of containers.* In the event a canner packs a canned product covered hereunder partly in tinplate containers and partly in glass containers, the portion to be set aside for Government agency from the several preference grades of such product in accordance with the provisions of (c) (1), (2) or (3) hereof shall be that which is packed in tinplate to the extent that the respective grades are so packed in tinplate by such canner; and the particular product packed by such canner in glass containers shall be set aside from any such first preference grade only in the event and to the extent necessary to meet any such deficiency when there is not enough of the respective product of that preference grade packed by such canner in tinplate to meet the set-aside requirements for such grade.

(5) *Sizes of containers.* Within the limits of, and subject to the restrictions set forth in (c) (1), (2), (3), and (4) hereof, and to the extent that such quantity is available from the particular canner's pack, a minimum of one-third and a maximum of two-thirds (except with the consent of the particular procuring Government agency) of the quota of any canned product for Government agency shall be set aside in the largest can size specified for that product in Column I of said Table I to the extent that the product is packed by the respective canner in such largest can size in the respective preference grades, and the remainder, if any, of the set-aside quota for such canned product shall be in the other can sizes, if any, specified in Column I of said Table I: *Provided*, That the portion of the set-aside quantity of the canned product represented by the contingency reserve percentage for such product shown in Column C of said Table I may, at the option of the particular canner, be packed and set aside in any can size which he may have available.

(d) *Reports.* The reports required by § 1425.1 (c) of War Food Order No. 22, as amended, shall be submitted on form OMS–140 (formerly FDA–685). The reports shall be submitted to the Director within 15 calendar days after the completion of the pack.

(e) *Purchase, inspection, and specifications.* The Army of the United States is hereby allocated the quotas prescribed herein for Government agency, and the Army may purchase said quotas for its own account or for the account of other Government agencies whenever it has agreed with such agencies to do so. The Army and the Office of Marketing Services, respectively, are authorized to inspect and grade such canned foods pursuant to § 1425.1 (d) of War Food Order No. 22, as amended. The Army is further authorized to issue specifications at any time with regard to the processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to § 1425.1 (b) (5) of War Food Order No. 22, as amended.

(f) *Provisions of War Food Orders No. 22–4, as amended, and 22–6, as amended, not affected.* The provisions of this order shall not be considered as rescinding or modifying the provisions of War Food Order No. 22–4, as amended (8 F.R. 6573, 11590; 10 F.R. 103), or the provisions of War Food Order No. 22–6, as amended (9 F.R. 1824, 6497, 10927; 10 F.R. 103)

(g) *Effective date.* This order shall be effective as of 12:01 a. m., e. w. t., June 30, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 22–9, as amended, prior to the effective time of this amendment, all of the provisions of said War Food Order No. 22–9, as amended, in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, appeal, right or liability.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO No. 22, as amended, 8 F.R. 2243, 6397; 9 F.R. 4321, 4319, 9584; 10 F.R. 103)

Issued this 29th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

TABLE I—CANNED VEGETABLES AND CANNED VEGETABLE JUICES

A	B	C	D	E	F	G	H	I
Product	Percentage of base pack			Type, style variety (sequence does not denote preference)	Grade preference			Can size
	Specific Reserve	Contingency reserve	Total (cols. B and C)		First	Second	Third	
Asparagus	61	*4	65	All green or culturally bleached.	Fancy cut	Fancy spear		10–2½–2.
Beans, lima	33	*3	36	Fresh	Extra std	Top std.[1]	Fancy	10–2.
Beans, snap	43	*7	50	Green, cut; wax, cut	Extra std	Top std.[1]	Fancy	10–2½–2.
Beets	46	*6	52	Cut, quartered, diced, sliced	Fancy	Top std.[1]		10–2½–2.
Carrots	85	*10	95	Diced	Fancy	Top std.[1]		10–2½–2.
Corn, sweet [2]	38	*6	44	White, yellow, cream style, whole kernel	Fancy	Extra std	Top std.[1]	10–2–12 oz.
Peas	38	*5	43	Alaska 3, 4, sieve; sweet 3-sieve and larger, ungraded. Whole pieces and mashed	Extra	Top	Fancy	10–2.
					Standard			2½–2.
Potatoes, sweet	41	*6	47		Fancy	Top std.[1]		2½.
Pumpkin or squash	40	*6	46		Fancy	Top std.[1]		10–2½.
Sauerkraut	63	*7	70		Fancy	Top std.[1]		10–2½–2.
Spinach	70	*7	77		Extra std	Top std.[1]	Fancy	10–2½–2.
Tomatoes	55	*8	63		Fancy 20–35% solids.	Fancy 36% solids or over.	Fancy 25–29% solids.	10–3 cyl.–2½–2, 14 oz. glass or larger.
Tomato catsup	41	*6	47		Fancy			10–3 cyl.–2.
Tomato juice	21	*6	27		Fandy			10.
Tomato puree	19	*3	22	Heavy (minimum specific gravity—1.045).				
Tomato paste	25	*3	28		Fancy			10–2½–2–6 oz.

[1] Top standard means 70–74 inclusive as defined in terms of U. S. grades.
[2] Top standard means 80–84 inclusive as defined in terms of U. S. grades.
[3] Full inside enamel cans required. Number 10 cans to be used for whole kernel only.
* Indicates that Government intends to purchase all of contingency reserve in addition to the specific reserve.

[F. R. Doc. 45–11625; Filed, June 29, 1945; 4:56 p. m.]

[WFO 4–9]

PART 1450—TOBACCO

CIGAR FILLER AND BINDER TYPES OF TOBACCO

Pursuant to War Food Order No. 4 (8 F. R. 335) issued on January 7, 1943, as amended (8 F. R. 828, 11331, 9 F. R. 4321, 4319, 9584; 10 F. R. 103), and to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1450.15 *Restrictions on the purchase of cigar filler and binder types of tobacco*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Tobacco" means tobacco of the 1945 crop of the cigar filler types numbered 41, 42, 43, and 44, and the cigar binder types numbered 51, 52, 53, 54, and 55, as defined in the Service and Regulatory Announcement No. 118 (7 CFR 30.1 et seq.) of the United States Department of Agriculture, promulgated by the Secretary of Agriculture on October 14, 1929.

(b) *Restrictions.* After the effective time hereof, no person shall, in any manner whatsoever, purchase, contract to purchase, or accept an option to purchase tobacco.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4321, 4319, 9584; 10 F.R. 103)

Issued this 29th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–11771; Filed, June 30, 1945; 3:32 p. m.]

[WFO 120–6, Amdt. 2]

PART 1405—FRUITS AND VEGETABLES

IRISH POTATOES

War Food Order No. 120–6, as amended (10 F.R. 6549, 7787), is hereby further amended by deleting therefrom the provisions in § 1405.57 (b) and inserting, in lieu thereof, the following:

(b) *Specifications relative to territorial scope.* The provisions of War Food Order No. 120, as amended, shall be applicable to any shipment of Irish potatoes from the counties of Accomac and Northampton in the State of Virginia.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 4, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 120–6, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 120–6, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 120, as amended, 9 F.R. 14475; 10 F.R. 103, 1823)

Issued this 30th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–11846; Filed, July 2, 1945; 12:24 p. m.]

[WFO 131–1, Amdt. 1]

PART 1430—SUGAR

MISCELLANEOUS AMENDMENTS

War Food Order No. 131–1 (10 F.R. 7132), is hereby amended as follows:

1. By deleting paragraph (a) (3) and substituting in lieu thereof the following:

(3) "Primary distributor" means any person who manufactures direct consumption sugar or who imports or brings direct consumption sugar into the 48 States or the District of Columbia from any place other than Canada or Mexico, for the purpose of sale or transfer.

2. By deleting paragraph (a) (4) and substituting in lieu thereof the following:

(4) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (including United States Army Post Exchanges, United States Navy Ships' Service Departments, United States Marine Corps Post Exchanges, and similar organizations), War Food Administration (including any corporate agency thereof), Veteran's Administration, War Shipping Administration, or any other agency of the United States designated by the Director.

3. By deleting paragraph (a) (5) and substituting in lieu thereof the following:

(5) "Authorized purchaser" means:

(i) Any person other than a primary distributor who delivers sugar, directly or indirectly, to an exempt agency listed in section 16.5 of 2d Rev. RO 3 of the Office of Price Administration, or to Army Exchanges, Post Exchanges, Ships' Service Departments ashore of the Navy or Coast Guard, Commissary Stores, Ships' Service Departments of training organizations of the War Shipping Administration, and similar activities designated by exempt agencies;

(ii) Any person who delivers sugar, directly or indirectly, or products containing sugar to an agency entitled to replacement of sugar in products under General Ration Order 11 of the Office of Price Administration; or

(iii) Any person other than a Governmental agency who obtains sugar for export.

4. By deleting paragraph (a) (6) and substituting in lieu thereof the following:

(6) "Ration evidence" means certificates, checks, coupons, and stamps which authorize the delivery of sugar under the sugar rationing regulations of the Office of Price Administration.

5. By deleting paragraph (d) and substituting in lieu thereof the following:

(d) *Delivery to authorized purchasers.* Effective July 1, 1945, no primary distributor shall deliver direct consumption sugar to any authorized purchaser unless such authorized purchaser endorses and transfers to the primary distributor the ration evidence issued or transferred to such authorized purchaser. No person shall be entitled to rely upon any such ration evidence if he knows or has reasonable cause to believe it to be false.

This amendment shall become effective at 12:01 a. m., e. w. t., July 3, 1945. With respect to violations, rights accrued, liabilities incurred or appeals taken, prior to said date, under War Food Order No. 131–1, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 131, 10 F.R. 7131)

Issued this 30th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–11847; Filed, July 2, 1945, 12:24 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Supplies and Equipment

Subchapter C—Termination of Contracts

[Joint Termination Regulation (PR 15)]

MISCELLANEOUS AMENDMENTS

Correction

In Federal Register Document 45–11544, appearing at page 7981 of the issue for Saturday, June 30, 1945, the signature at the end for the War Department should read "J. A. ULIO, *Major General, The Adjutant General, War Department.*"

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amdt. 60–2]

PART 60—AIR TRAFFIC RULES

REDUCTION OF PRESCRIBED ALTITUDES

Correction

Paragraph 2 of Federal Register document 45–11833, appearing on page 8097 of the issue for Tuesday, July 3, 1945, should read as follows:

2. By striking "1,000" from the "Chart of Visibility and Proximity-to-Cloud Minimums" in § 60.110 and inserting in lieu thereof "700."

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

RETAIL HARDWARE STORES, SAN FRANCISCO AND ALAMEDA COUNTIES, CALIF., AND CLEANING AND DYEING INDUSTRY, SAN JOSE, CALIF.

The National War Labor Board, under this paragraph (d) of § 803.4 has ap-

proved the following exceptions to the exemption provided for in paragraph (a) of this order:

(65) Retail hardware stores in San Francisco and Alameda Counties, California, according to the following definition: retail hardware stores—stores selling at retail any combination of the basic lines of hardware such as tools, builders—hardware and paint and glass, housewares and household appliances, and cutlery. Does not include stores selling paint only, or paint, glass and wallpaper. (Approved June 20, 1945)

(66) Cleaning and dyeing industry within the city of San Jose, California, according to the following definition: establishments engaged in dry cleaning, dyeing and or pressing apparel and household fabrics. (Approved June 20, 1945)

(E.O. 9250, Oct. 2, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-11905; Filed, July 3, 1945; 9:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 6, as Amended June 30, 1945]

RESTRICTIONS ON DELIVERY AND RECEIPT OF CERTAIN SPECIES OF HARDWOOD LUMBER

Direction 6 to Order L-335 is hereby amended to read as follows:

(a) *What this direction does.* This direction controls the delivery by sawmills and distributors and the receipt by consumers of "restricted hardwood lumber." For the purposes of this direction "restricted hardwood lumber" means any #1 common or better grades (or special grades which are equivalent to #1 common or better grades) of white oak (including WHND), red oak, birch, beech, pecan, rock elm, hard maple, and tough ash produced by sawmills which currently manufacture 30,000 or more board feet of hardwood lumber per week of operation or which manufactured an average of 30,000 or more board feet of hardwood lumber per week during the period June 3, 1943 to December 3, 1943 when in operation. This direction applies to deliveries of any of the above grades and species when shipped in combination grades of log run or #2 common and better. It does not apply to deliveries of hardwood lumber between sawmills nor does it restrict the delivery of White Ash to Ash Specialists under Direction 11 to Order L-335. However, White Ash Specialists in delivering tough ash to consumers and distributers must follow the provisions of this direction.

(b) *Deliveries prohibited except on orders bearing special certificate.* No sawmill of the kind described in paragraph (a) above and no distributor may deliver "restricted hardwood lumber" except on orders bearing one of the certificates described in paragraphs (f) and (g) below. These certificates may not be accepted by a sawmill or distributor unless they bear an authorization number.

(c) *Restriction on placement of orders by Class I Consumers.* Except as authorized on Forms WPB-3640 or GA-2425 (or by letter from the War Production Board amending the authorization on such forms) a Class I consumer may not place an order with a lumber supplier to obtain restricted hardwood lumber. If the authorization on Forms WPB-3640 or GA-2425 (or letter from the War Production Board amending the authorization) permits the Class I consumer to receive a specified amount of restricted hardwood lumber, then the Class I consumer may order and receive within the quarter for which the authorization is valid the amount (but no more) stated on the authorization. A class I consumer authorized to receive restricted hardwood lumber must use the certificate described in paragraph (f) below in addition to the regular certificate required by Order L-335. The certificate described in paragraph (f) below will not be valid and cannot be accepted by a distributor or sawmill unless the authorization number assigned to the Class I consumer is inserted in the space provided in the certificate. If the authorization is on Form WPB-3640 for the second quarter, the authorization number appears in the upper right margin of that form, and if the authorization is on Form WPB-3640 for the third quarter, or on GA-2425, the authorization number will be placed in column (c) on the line designated for restricted hardwood lumber. If an authorization to receive restricted hardwood lumber is by letter amending an authorization on Forms WPB-3640 or GA-2425, then the number will be assigned to the Class I consumer in that letter. All applications for authorization to order and receive restricted hardwood lumber, whether filed on Form WPB-3640 or as a request by letter for reconsideration of a former action on Form WPB-3640 or GA-2425, shall include a statement specifying fully the use to which such lumber is to be put, the amount of lumber required for such use, the number of the military contract held by the applicant which requires the use of this type of lumber, and if known, the military contracting officer familiar with the contract. Letters of request should be addressed to the War Production Board, Lumber and Lumber Products Division, Washington 25, D. C., Ref. L-335, Direction 6, and letters requesting reconsideration must indicate the code letters and number appearing on the Form WPB-3640 in the box marked "For WPB Entries Only." Within the available supply authorizations will be granted to consumers for use on military contracts where substitutes cannot be used. Authorizations may also be granted in cases of highly essential civilian items (such as farm machinery) where continued production of those items will be affected because of inadequate inventory of hardwood lumber.

(d) *Placement of orders by consumers other than Class I consumers.* Unless authorized in writing by the War Production Board or by paragraph (e) below, no Class II consumer or farmer may place an order with a lumber supplier to obtain the restricted hardwood lumber. If a Class II consumer or farmer is authorized by the War Production Board in writing or by paragraph (e) below to receive restricted hardwood lumber, he must use the certificate provided for in paragraph (f) below on his orders for such lumber. That certificate will not be valid and may not be accepted unless the authorization number (assigned by the War Production Board) is inserted in the space provided for in the certificate. Requests for authorizations to order and receive restricted lumber shall be made by mailing a letter to the Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref: L-335, Direction 6, stating the quantity required, the use to which such lumber is to be put, the number of the military contract held by the applicant which requires the use of this type of lumber and, if known, the name of the military contracting officer familiar with the contract. Within the available supply, authorizations will be granted to Class II consumers for use on military contracts where substitutes cannot be used. Authorizations may also be granted in case of highly essential civilian items (such as farm machinery) where continued production of those items will be affected because of inadequate inventory of hardwood lumber.

(e) *Class II consumer who received authorization in a previous quarter entitled to same authorization in subsequent quarters.* Any Class II consumer who was authorized to order and accept delivery of restricted hardwood lumber in any specific quarter and who needs the same or smaller amount of restricted hardwood lumber in any subsequent quarter for the same purpose is permitted to use the certificate described in paragraph (f) below to order such amount of restricted hardwood lumber from his supplier for delivery in the subsequent quarter. In using such certificate, a Class II consumer must insert in the space provided in the certificate the authorization number which he was permitted to use in the quarter in which he was granted authorization, and the amount of restricted hardwood lumber which he orders must not exceed his actual requirements for the quarter for which he places the orders. If such a Class II consumer needs more restricted hardwood lumber than he was permitted to order in the quarter in which authorization was granted or needs it for a purpose other than for which he was then permitted to receive it, he must apply under paragraph (d) above for the additional amount or for the new purpose.

(f) *Certificate required of consumers.* Any consumer (including a Class I consumer) who is authorized to receive restricted hardwood lumber must provide his lumber supplier with the following certificate which is in addition to the regular certificate required by Order L-335. This certificate must only be used by a consumer to obtain the amount of restricted hardwood lumber which he is specifically authorized by the War Production Board to receive.

I certify to the supplier and to the War Production Board that this order together with all other orders that I have placed for restricted hardwood lumber does not exceed the amount that I have been specifically authorized by the War Production Board to receive under Direction 6 to Order L-335. My "Authorization" number is _____.

_____
Consumer

By _____
Duly authorized official

Date _____

(g) *Distributors extension of orders.* No distributor may place an order with a sawmill of the kind described in paragraph (a) above to get restricted hardwood lumber except where the restricted hardwood lumber is required for delivery on an order bearing one of the certificates shown in this direction or where the restricted hardwood lumber is required to replace lumber in inventory which the distributor has delivered on an order bearing such a certificate. In extending such an order the distributor shall use the following certificates:

I certify to the supplier and to the War Production Board that the quantity of restricted hardwood lumber covered by this order does not exceed the amount which I have sold on unextended orders certified under Direction 6 to Order L-335. These unextended orders bear the following "authorization" numbers _____.

_____
Distributor

By _____
Duly authorized official

Date _____

This certificate is in addition to the regular certificate required of distributors by Order L-335 and need only be used to get restricted hardwood lumber from sawmills of the kind described in paragraph (a) above.

(h) *Production of small sawmills excepted.* This direction does not apply to restricted hardwood lumber produced by sawmills smaller than the size sawmill referred to in paragraph (a) above. Consumers (including Class I consumers) and distributors may order and receive such lumber from these small sawmills without regard to the provisions of this direction or any restrictions on Form WPB-3640 or GA-2425 against the receipt of restricted hardwood lumber. However, such a small sawmill may not deliver lumber on an uncertified order unless permitted under paragraph (t) to Order L-335 or under Direction 7 to Order L-335.

(i) *Distributors' old inventory may be excepted.* If a distributor wishes to dispose of restricted hardwood lumber which he received before January 7, 1945 without requiring his customer to give him one of the certificates described in paragraphs (f) and (g) above, he may do so but he is not required to deliver any restricted hardwood lumber (even on a rated order) unless such a certificate is supplied by his customer. This applies also to restricted hardwood lumber which the distributor ordered from a sawmill before January 7, 1945, if it was placed in transit by the sawmill before January 7, 1945. The restrictions of this direction and any restrictions on Form WPB-3640 or GA-2425 against receipt of restricted hardwood lumber do not apply to restricted hardwood lumber that a consumer is able to get from this source.

(j) *Provisions of Order L-335 and other directions.* In the event there is any conflict between the provisions of this direction and the provisions of Order L-335 or any other direction, the provisions of this direction shall govern. However, nothing in this direction shall prevent a sawmill from delivering restricted hardwood lumber to a consumer or a distributor on an uncertified order or on an order bearing only the regular certificate described in paragraph (q) of Order L-335, or the receipt of such lumber by a consumer or a distributor when specific authorization for such delivery has been granted under the terms of paragraph (t) of Order L-335.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11717; Filed, June 30, 1945; 12:04 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-250, Revocation]

CYRIL J. DILL

Suspension Order No. S-250 was issued March 9, 1943, effective March 12, 1943, against Cyril J. Dill, New Orleans, Louisiana, for violation of Conservation Order L-41. The Chief Compliance Commissioner has directed that Suspension Order No. S-250 be revoked forthwith, in view of the fact the construction has been determined to be essential.

In view of the foregoing, it is hereby ordered, that: § 1010.250, *Suspension Order No. S-250* be revoked, effective June 30, 1945.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11790; Filed, June 30, 1945; 4:50 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-752, Reinstatement]

CHARLES H. GIMPEL

Correction

In the document appearing on page 8105 of the issue for Tuesday, July 3, 1945, the Federal Register serial number should read "45-11727".

PART 1010—SUSPENSION ORDERS

[Suspension Order S-833]

GARTNER PRINTING AND LITHOGRAPHING CO.

Gartner Printing and Lithographing Company is a corporation having a principal place of business located at 627-629 South San Pedro Street, Los Angeles, California. The business has been operated continuously by Mr. Harold H. Gartner, as sole owner, since 1925, and during the past two years the business has been largely devoted to the production of stationery and envelopes, as well as packet folders for stationery. Between on or about August 1, 1943 and on or about June 30, 1944, the company consumed approximately 7.7 tons of paper in the manufacture of packet folders and during the third quarter of 1944 the company consumed approximately 30 tons of paper in the production of envelopes and packet folders, all in violation of General Conservation Order M-241-a. The violations above mentioned were the result of negligence on the part of Mr. Gartner in not familiarizing himself with Order M-241-a, and, as a consequence, the company has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.833 *Suspension Order No. S-833.* (a) Gartner Printing and Lithographing Company, its successors or assigns, shall reduce its quota allowance of paper below the amount it would otherwise be entitled to consume under War Production Board orders and regulations, by the amount of 5 tons per quarter for 4 consecutive quarters commencing July 1, 1945.

(b) Nothing contained in this order shall be deemed to relieve Gartner Printing and Lithographing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent to the provisions hereof.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11894; Filed, July 2, 1945; 4:57 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-752, Amdt. 1 to Reinstatement]

CHARLES H. GIMPEL

Correction

In the document appearing on page 8105 of the issue for Tuesday, July 3, 1945, the Federal Register serial number should read "45-11726".

PART 1010—SUSPENSION ORDERS

[Suspension Order S-835]

SPRINGFIELD UNION PUBLISHING CO. AND REPUBLICAN PUBLISHING CO.

Springfield Union Publishing Company and Republican Publishing Company, corporations doing business in Springfield, Massachusetts, collectively publish Springfield Republican, Springfield Daily News, Sunday Springfield Union-Springfield Republican, Weekly Republican, Springfield Union, and Springfield Evening Union in Springfield, Massachusetts. For the purposes of establishing a quota of print paper, all of these newspapers are editions of the same newspaper. During the first, third, and fourth quarters of 1943 and the first, third, and fourth quarters of 1944, Springfield Union Publishing Company and Republican Publishing Company used or caused to be used 1,009.45 tons of print paper in excess of the quota of print paper which they were permitted to consume during said quarters under the provisions of Limitation Order L-240 and in violation of that order.

This excessive use of paper has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, It is hereby ordered, that:

§ 1010.835 *Suspension Order No. 835.* (a) Springfield Union Publishing Company and Republican Publishing Company shall reduce their consumption of print paper during the third and fourth quarters of 1945 and the first and second quarters of 1946 by 100 tons per quarter under the consumption quota they would otherwise be entitled to use in each of said quarters under the provisions of Order L-240, unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Springfield Union Publishing Company or Republican Publishing Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Springfield Union Publishing Company and the Republican Publishing Company, their successors or assigns, or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11895; Filed, July 2, 1945, 4:57 p. m.]

PART 3025—FLUID MILK SHIPPING CONTAINERS

[Conservation Order M-200, Revocation]

FLUID MILK SHIPPING CONTAINERS

Section 3025.1 *Conservation Order M-200* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of any actions taken by the War Production Board under the order. The manufacturer of fluid milk shipping containers remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11923; Filed, July 2, 1945; 11:23 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Direction 4, as amended July 2, 1945]

WAREHOUSE STOCK ORDERS OF COPPER WIRE MILL WAREHOUSES

The following amended direction is issued pursuant to CMP Reg. 4:

(a) *Purpose.* This direction explains how copper wire mill warehouses, as defined in paragraph (c) (3) of CMP Regulation 4 may replace, establish, and increase their stocks.

(b) *Replacement of copper wire mill products delivered on authorized controlled material orders.* A warehouse may place "Warehouse Stock Replacement Orders" to replace copper wire mill products (equivalent copper content) previously delivered from warehouse stock on authorized controlled material orders (except "Z" orders) in accordance with CMP Regulation 4 and not previously ordered on "Warehouse Stock Replacement Orders" from producers or other warehouses. If the copper wire mill products were delivered on "Z" orders, the warehouse may replace these products under the same conditions by placing "Warehouse Deferred (ZW) Orders"

Such orders are valid only if marked "Warehouse Stock Replacement Order pursuant to Direction 4 to CMP Regulation 4" or "Warehouse Deferred (ZW) Order pursuant to Direction 4 to CMP Regulation 4". Attention is directed to paragraph (f) (3) of CMP Regulation 4 which provides for direct shipments by producers or other warehouses to fill specific authorized controlled material orders and which prohibits the replacement of such deliveries under the provisions of this paragraph (b).

(c) *Unrated orders.* A warehouse may place unrated orders with controlled material producers or other warehouses. A warehouse desiring to increase its stock or to establish an initial stock may do so only by placing unrated orders. A warehouse need not replace all of its deliveries on authorized controlled material orders from stock by entering "Warehouse Stock Replacement Orders" as permitted under paragraph (b) above, but may do so, in part or in whole, by entering unrated orders. It should be noted that under the provisions of (f) (2) (i) of CMP Regulation 4, this will have the effect of increasing the amount which the warehouse will in the future be permitted to deliver on unrated orders received from its customers.

(d) *Treatment of warehouse orders by controlled material producers and other warehouses.* A controlled material producer must treat a "Warehouse Stock Replacement Order" as an authorized controlled material order and must treat a "Warehouse Deferred (ZW) Order" in accordance with Direction 54 to CMP Regulation 1. A controlled material producer must treat any other deferred warehouse order placed prior to July 1, 1945, as a "Warehouse Deferred (ZW) Order". A warehouse may, but is not required to, accept a "Warehouse Stock Replacement Order" or a "Warehouse Deferred (ZW) Order" received from another warehouse. If it accepts the order, it must treat it as a regular or "deferred" authorized controlled material order, as the case may be, under CMP Regulation 4. Unrated orders placed by a warehouse may be filled by a producer or other warehouse only in accordance with the provisions of CMP Regulations 1 and 4.

(e) *Reports.* Copper wire mill warehouses are no longer required to file Form 3009 except when specifically instructed to do so by the War Production Board.

(f) *Revocations.* All previous instructions and directions dealing with replacement, establishment, or increase of warehouse stocks are revoked.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11892; Filed, July 2, 1945; 4:57 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Direction 18]

LIMITED APPLICATION OF PRIORITIES REGULATION 29 AND MM RATINGS TO TEXTILES AND RELATED ITEMS

The following direction is issued pursuant to Conservation Order M-328:

(a) *What this direction does.* Priorities Regulation 29 describes the revised priorities system, including the new MM rating, which is to supersede the ratings in the AA series. However, as explained in paragraph (c) (5) of the regulation, the AA rating system may be retained for some items where it is not presently practicable to adapt existing controls to the new system. The AA system will be kept for the time being as applied to the items listed in Schedule A of Order M-328 (which are referred to in this direction as "textile and related items"). This direction limits the operation of Priorities Regulation 29 as applied to these items.

(b) *AA ratings retained for textile and related items.* Until further notice, the AA rating system will remain in effect for all textile and related items, and the MM rating may not be used for such items, except as stated in paragraph (c) below. The military agencies will continue to use AA ratings on prime contracts or purchase orders for such items, and the automatic rerating of 1946 military orders from AA ratings to MM under paragraph (f) of Priorities Regulation 29 will not apply to them.

(c) *Use of MM ratings by manufacturers of non-textile products containing textile and related items.* A manufacturer of a product not listed on Schedule A who is permitted by M-328 to use his customer's rating to get textile and related items, may extend his customer's MM rating for this purpose. When a supplier of textile or related items receives such an order, rated MM, he must treat it as if rated AA-1 unless otherwise provided For example, a manufacturer of completed life rafts for the Navy on a contract rated MM may extend the MM rating on his order for cordage. The cordage supplier must treat this order as rated AA-1.

(d) *M-328 restrictions on ratings apply to MM ratings.* The restrictions on the use of ratings in order M-328 apply to the use of the MM ratings as well as ratings in the AA series.

(e) *How manufacturers of textile and related items get non-textiles for incorporation into their products.* A manufacturer of a textile or related item who needs priorities assistance in buying production materials or components which are not on Schedule A, will not be able to use AA ratings for this purpose except as permitted by Priorities Regulation 29. If necessary, further procedures may be announced later for giving such manufacturers priorities assistance under the new system.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11788; Filed, June 30 1945; 4:59 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, as Amended July 3, 1945]

§ 944.23 *Priorities Regulation 3*—(a) *Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB-2613 (formerly PD-870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P-140 and P-146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services*—(1) *Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep

or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.* (1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

By ---
(Signature and Title of Duly Authorized Officer)

(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

NOTE: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (o) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A amended July 3, 1945.

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and codimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Dental burs.

Electric energy

Gas, manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum; restricted products as defined in Order M-201.

Silicon carbide settling tank and dust collector fines.

Steam heating, central.

Track-laying tractor repair parts.

Ice.

Tobaccos.[1]

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).[1]

Sulfated, sulfonated, and sulfurized fats and oils.[1]

Tall oil.[1]

Wool grease.[1]

Soap (other than metallic).[1]

Fatty acids.[1]

Food for human or animal consumption.[1]

Glycerine.[1]

Graphite crucibles.

Pig iron.

Alarm clocks.

Waste paper.

Water.

Containerboard, as defined in Order M-290.

Low and high temperature fractional distillation equipment for gas and gasoline analysis.

Roofing granules.

LIST B

NOTE: List B amended July 3, 1945.

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or for use by a particular person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-158.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Bicycles.

[1] Subject to War Food Order 71 (formerly FD Regulation No. 1) of the War Food Administration.

Blowers, portable electric hand, and industrial vacuum cleaners.

Can, jar and bottle capping, closing and sealing machinery and equipment (other than screw capping machines) having a retail sales value of $25 or more, inclusive of motors.

Cast iron cooking utensils.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.

Chain, welded coil, sizes $\frac{5}{16}$" and under.

Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

a. Air raid warnings or detection of the presence of enemy aircraft; or

b Blackouts or dimouts; or

c. The protection of civilians, either individually or collectively against enemy action or attack.

Clocks, watches and timers, including chronometers, chronographs and electrical timers, but excluding interval timers.

Clock and watch repair materials including mainsprings.[2]

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

a. Closures for glass containers

b Gummed stay and sealing tape paper and cloth.

c. Paper and paperboard bottle caps, closures, and hoods.

Compressors, reciprocating type for compressing air, in any size smaller than 10 horsepower, of the tank mounted design sometimes referred to as the garage or service station type of compressors (new).

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include shipping reels and skids, or any item which is specifically excluded from the following sub-items (such as "shell containers" in subitem f.) It shall, however, include but is not limited to:

a. Bags, all types and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).

b. Baskets and hampers

c Cans, as defined in Order M-81

d. Collapsible tubes

e. Cooperage, tight and slack

f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.

g. Folding and set-up boxes (paperboard)

h. Gas cylinders (including only metal containers as described in Item 1 of Table 17 of Order M-293).

i. Glass containers

j. Ice cream cans (paperboard) and paraffin cartons and pails.

k. Paper cups and paper food containers, except as permitted by Order L-336.

l. Paper milk containers.

m. Steel shipping drums as defined in Order L-197

n. Wooden and fibre inner containers

o. Wooden and fibre shipping containers and parts, as defined in Order P-140.

p. Metal strapping, as covered in Order P-152.

Corrugated and solid fiber sheets, not constituting "fibre shipping containers" as defined in Order P-146.

Cutlery, as defined in any order of the L-140 series.

Domestic and commercial electric fans.

Domestic electric ranges.

Drums, hard rubber.

Electrical appliances as defined in Order L-65.

Electric irons.

Electronic heating generators.

Electronic intercommunicating systems, including public address systems.

Enameled ware, as defined by Limitation Order L-30-b.

Fans (see "Industrial air circulators, new" and "Domestic and commercial electric fans").

Filing cabinets, wooden.

Fire protective equipment, including only:

a. Fire pumps.

b. Fire sprinkler systems.

Flatware.

Frying pans.

Fuel.

Furniture for any use, except furniture specifically designed for schools.

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.

Glass tumblers.

Incandescent photoflash lamps.

Industrial air circulators, new (The term includes any new propeller type fan designed for desk, pedestal, wall bracket, ceiling, or floor mounting, for circulating air within a room or space without the use of ducts, and powered by an electric motor drawing more than 200 watts. Such a fan is sometimes referred to as a "man-cooler" or a "restaurant fan". It does not include propeller type fans designed for exhausting air from inside a building or room to the outside, or for supplying air from the outside to the space within, and normally mounted in a window or over a door or in a wall.)

Kitchenware, heavy duty (except ratings applied by a food processor, which includes any person engaged in the business of preparing, processing, canning, packing or packaging human or animal foods for distribution. It does not include any person who prepares food for consumption on the premises (such as a hotel, restaurant, hospital or educational institution) or distributes it at retail (such as a grocery or retail meat market)):

a. Bakery utensils;

b. Butcher benches;

c. Butcher blocks;

d. Canopies or hoods;

e. Carriers, food;

f. Carriers, tray;

g. Coffee mills and grinders;

h. Counters, cafeteria, lunch and serving;

i. Counter protectors;

j. Cutters, french fry;

k. Cutters, meat, bone and fish;

l. Dispensers, milk and cream;

m. Display racks;

n. Dough dividers;

o. Dough troughs;

p. Knife sharpeners and grinders;

q. Pans, cold;

r. Potato mashers;

s. Potato and vegetable parers or peelers;

t. Racks, bread (bakery);

u. Racks, dump (bakery);

v. Racks, pans (bakery);

w. Sandwich units;

x. Slicers, meat and bread;

y. Tables, bakers;

z. Tables, cooks, chef, salad and work;

aa. Tables, soiled and clean dish;

bb. Toaster stands;

cc. Tray stands;

dd. Trucks, food;

ee. Urn stands;

Insulation blowing machines complete (new only), and the following parts thereof:

(a) Internal combustion engines, or electric motors.

(b) Blowers.

(c) Speed reduction units.

Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-68, P-89 and P-98-b, and ratings assigned pursuant to Order P-56; but those ratings may not be used for items on List A of Order L-144.)

Lawn mowers, including power and gang mowers.

Lockers, wooden, for offices and factories.

Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:

a. Anaesthesia and oxygen equipment and accessories;

b. Atomizers;

c. Clinical thermometers;

d. Crutches;

e. Dental consumable supplies;

f. Dental equipment and appliances (except dental lathes);

g. Diagnostic instruments and apparatus;

h. Electric light bulbs for diagnostic instruments;

i. Hearing aids;

j. Hospital and medical rubber drug sundries, except surgeons' gloves when acquired in accordance with Order R-1

k. Hospital enamelware and stainless steel ware;

l. Hypodermic needles and syringes;

m. Operating and examining room furniture;

n. Operating and examining room lights;

o. Opthalmic goods.

p. Orthopedic appliances including splints, belts and trusses;

q. Physical therapy equipment and supplies;

r. Sterilizers;

s. Surgical dressings;

t. Suture needles;

u. Sutures;

v. X-ray equipment and supplies, including X-ray tubes, X-ray valve tubes, X-ray developing hangers, X-ray timers, and similar supplies and accessories.

Medical, surgical and dental instruments.

Medicinal preparations, including vitamins.

Metal bathtubs

Monorail system and additions thereto, except one complete addition valued at less than $200.00.

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitized paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

Paper charts for recording instruments.

Pencils, mechanical.

Pencils, wood cased.

Pens, fountain.

Pen holders.

Pen nibs, steel.

Photographic film sensitized, as controlled by Order L-233.

Photographic papers, sensitized, except blueprint, whiteprint, ozalid, photostat, rectigraph and other line reproduction papers. (See Direction 24 to CMP Regulation 5.)

[2] It is not contemplated that any preference ratings will be assigned by the War Production Board on Form WPB-541 for clock and watch repair materials including mainsprings.

Pins, common and safety

Printing and publishing:

a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;

b. Processed printing plates;

c. Type metal, stereotyping metal and electrotype backing-metal;

d. Printing paper, paperboard and binders board;

e. Book cloth;

f. Blankbook and loose-leaf binders, metal parts and units;

g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Refrigeration and air conditioning systems and parts, except as permitted in Direction 10 to Priorities Regulation 3.

Screen cloth, metal insect.

Scales and balances

Softwood plywood, as defined in Limitation Order L–150–a.

Tire retreading, recapping and repair equipment, including full circle and sectional air bags.

Venetian blinds.

Wooden shelving.

Woodworking machinery, Class I, as defined in Order L–311.

INTERPRETATION 1

Interpretation 1 of Priorities Regulation 3 [Revoked Nov. 17, 1943.]

INTERPRETATION 2

EFFECT OF LISTS A AND B ON UNFILLED ORDERS

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

The term "Fire protective equipment" on List B of Priorities Regulation 3 includes only the end items listed and does not include materials or parts required for the repair or maintenance of those items.

For example, fire pumps and fire sprinkler systems are listed and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair a pump or sprinkler system may be obtained on blanket MRO ratings. Similarly, blanket MRO ratings may not be used to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. (Issued Oct. 21, 1944.)

INTERPRETATION 4

CMFL–224 AND GA–1456 AUTHORIZATION

Reference is made in various War Production Orders to P–19–h orders or to orders in the P–19 series, and in some of these orders the delivery of material or equipment is not allowed, unless the material or equipment is rated under a P–19–h order or an order in the P–19 series. Order P–19–h has in a large measure been superseded by CMPL–224 authorizations and this last form has in turn been superseded by form GA–1456. Consequently any reference to a P–19–h order or to an order in the P–19 series is also reference to an authorization on form CMPL–224 or GA–1456, and if the delivery of an item is permitted under a P–19–h order or an order in the P–19 series it also may be delivered under a CMPL–224 or GA–1456 authorization. (Issued Apr. 23, 1945.)

INTERPRETATION 5

RESTRICTIONS OF OTHER ORDERS; "MASKING" TAPE

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (e) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d–1) of CMP Regulation No. 8, which assigns a preference rating to steel producers for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k–1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (f) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, these blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings. (Issued Feb 27, 1945.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P–98–b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P–98–b. That schedule provides a way to get a rating for the items which appear on it so that such P–98–b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P–98–b (as evidenced by the symbol MRO–P–3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P–98–b. (Issued Jan. 24, 1944.)

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding $500. This rating can be used to lease a machine if its fair market value is not more than $500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued April 25, 1944.)

INTERPRETATION 11

IDENTIFICATION OF BLANKET MRO RATINGS

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filled before the item was added to List B. (See paragraph (e) (2) of Priorities Regulation 3 for definition of "blanket MRO rating.")

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "P" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned by Preference Rating Order P–68, but the symbol accompanying the rating is "S 8".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB–541 (PD–1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB–541 for a List B item could properly be accompanied by the "MRO" symbol. (Issued April 25, 1944.)

INTERPRETATION 12

RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. (Issued April 25, 1944.)

INTERPRETATION 13

TIME LIMIT ON USE OF RATINGS

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (h) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) A rating assigned to a construction project on a form which says when the rating expires (such as GA–1456 or CMPL 593) may be applied for material going into the project until the expiration date stated, even though more than three months may have elapsed.

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating. (Issued June 23, 1944.)

INTERPRETATION 14: Revoked Apr. 23, 1945.

[F. R. Doc. 45–11940; Filed, July 3, 1945; 11:31 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 15, as Amended July 3, 1945]

REFERENCES IN LISTS A AND B TO ORDERS WHICH HAVE BEEN REVOKED

The following interpretation is issued with respect to Priorities Regulation 3:

In many items on Lists A and B of Priorities Regulation 3 reference is made to specific WPB orders or schedules for a definition of the specific items covered by the lists. Sometimes the order or schedule referred to is revoked without any change in the listing on List A or B. When one of these orders or schedules is revoked, the listing of the item on List A or B, nevertheless, remains in full force and effect, and the item as listed on List A or B has the same meaning as before the revocation of the order.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11941; Filed, July 3, 1945; 11:34 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 28]

RESTRICTED PRIORITIES ASSISTANCE FOR CIVILIAN PRODUCTION

(a) *What this regulation does.* As a result of military cutbacks following victory in Europe, the supply of materials available for civilian production without priorities assistance is expected to increase progressively over the next several months. For this reason the WPB has announced the policy of discontinuing as soon as practicable the granting of priorities assistance for civilian production. This regulation explains the application of this policy to production in the United States and Canada of all products, whether or not they are controlled by L or M orders. It applies only to priorities assistance for production materials. WPB's policy as to construction, machinery, and capital equipment and maintenance, repair, and operating supplies is explained in other orders and regulations.

(b) *"General" priorities assistance for selected programs only.* (1) During the two-front war, the WPB has given "general" priorities assistance for production of selected non-military products at the minimum level required for essential civilian use. "General" assistance includes an allotment of controlled materials where required and a preference rating of AA–3 or higher for substantially all other production materials. Program levels which have been established for the third quarter of 1945 are generally no higher than previous levels authorized during the two-front war and any program that may be established for the fourth quarter will generally be no higher than third quarter levels.

(2) The WPB will not grant "general" priorities assistance for production materials for the manufacture of civilian products which, prior to May 1, 1945, were completely forbidden by L or M orders, and were produced, if at all, only on appeals or spot authorizations. The only specific exceptions which have been made to this policy are for limited amounts of refrigerators, washing machines and commercial aircraft which have been in particularly critical short supply.

(3) In the case of those items for the production of which "general" priorities assistance has already been given for the third quarter, no further "general" priorities assistance will ordinarily be given to individual manufacturers beyond the third quarter level for additional production or for new production except under the following conditions:

(i) A particular L or M order may provide for increased production of the product controlled by the order during

the third or fourth quarter. In such a case, the order will describe who is eligible to apply the time for filing, and the applicable form.

(ii) Where manufacturers of a particular product are being given "general" priorities assistance as described above, the War Production Board will, insofar as the limits of available materials permit, give equitable treatment to newcomers or to former manufacturers of the product as well as to any manufacturer of the item who has been producing it with "general" priorities assistance but below his normal minimum rate because of military orders for other products in his plant and the military orders have been cancelled or reduced.

(iii) Increased assistance may be granted if a manufacturer needs it in order to meet military requirements for his product which he did not contemplate at the time he filed his application for third quarter assistance.

(c) *Priorities assistance in other cases generally unavailable.* Beyond the limits stated above, the policy of the WPB is not to give any priority assistance for production materials except to meet military requirements or in very exceptional cases. In such exceptional cases, limited assistance may be given in the form of a rating, or allotment, which will be applicable only to specified quantities of particular materials. Applications for this assistance will under no circumstances be favorably considered unless the WPB finds: that failure to grant the assistance would cause serious and exceptional hardship, and then only if it is satisfied that the applicant can not get the minimum delivery he needs without priorities assistance, and that giving assistance will not in any way interfere with war or war supporting requirements.

It is obvious that there would be interference with war or war-supporting requirements in a grant of assistance to a whole industry, or to individual manufacturers, for any material which is in such short supply that delivery can be made only to high rated orders, or where the requested assistance would preempt an undue proportion of limited amounts available. The applicant must give on his application the names and addresses of at least two suppliers from whom he has tried to get delivery without priorities assistance and a statement of their reasons for rejecting his orders. Applications for this assistance should be made by filing Form WPB-541 together with WPB-541A with your local WPB office.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11942; Filed, July 3, 1945; 11:35 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, as Amended July 3, 1945]

NEWSPAPERS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Scope

(a) The purpose of this order.

Definitions and Explanations

(b) Newspaper.
(c) Camp papers and free distribution publications.
(d) Publisher.
(e) Print paper.
(f) Use.
(g) Net paid circulation.
(h) Inventory.
(i) Transfer of quotas.

Consumption Quota

(j) Allowable consumption.
(k) Computation of consumption quota.
(l) Carry-over.
(m) Consumption quotas for certain types of newspapers.
(n) Allotment to Army and Navy.

Delivery Quota

(o) Computation of delivery quota.
(p) Exceptions.
(q) Certification.
(r) Inventory reports and copies of orders.
(s) Inter-company transfers.

Miscellaneous Provisions

(t) Loans of print paper.
(u) Applicability of regulations.
(v) Appeals.
(w) Communications to the War Production Board.
(x) Violations.

Scope

§ 3133.6 *Limitation Order L-240*—(a) *The purpose of this order.* This order does two things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis.

Definitions and Explanations

(b) *Newspaper.* "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing his consumption quota a publisher must make separate calculations for morning, evening and Sunday editions, but these figures must be consolidated into a single consumption quota for each newspaper, in accordance with the instructions contained in paragraph (k).

However, morning, evening, Sunday and other editions of the same newspaper shall operate under a single consumption quota and a single delivery quota.

In determining whether a publisher issues separate newspapers or separate editions of the same newspaper, the number and form of the reports filed by the publisher with the Audit Bureau of Circulations in 1941 will be controlling, in the absence of special circumstances. Thus, if a publisher in 1941 filed consolidated statements with the Audit Bureau of Circulations covering morning, evening and Sunday issues, even if these issues had different names, different formats and different staffs, they will ordinarily be considered as a single newspaper for the purposes of this order. If a publisher in 1941 filed separate statements with the Audit Bureau of Circulations covering his morning, evening, Sunday and other publications, they will ordinarily be considered as separate newspapers for the purposes of this order.

If a publisher is uncertain as to whether or not his publication is a newspaper as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination, issued to the publisher in the name of the Recording Secretary of the War Production Board, shall be conclusive for the purposes of this order, unless revoked or modified by the same authority.

(c) *Camp papers and free distribution publications.* Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Order L-241 (commercial printing). Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recognized as newspapers within the meaning of this order and are governed by Order L-241, Schedule II. If a publisher issued a free distribution newspaper in 1941, his consumption quota shall be determined in accordance with Schedule II to Order L-241 and that order shall govern even if the circulation of the publication has subsequently been changed in whole or in part to a net paid basis.

(d) *Publisher.* "Publisher" means a person who publishes a newspaper, including an individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(e) *Print paper.* "Print paper" means any grade, quality, type or basis weight of paper used in publishing a newspaper. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber. It also includes roll wrappers, newsprint used as wrappers, identification sheets and labels for newspapers, and production waste, whether or not this waste is subsequently salvaged for other uses.

(f) *Use.* All production waste shall be included in the tonnage of print paper "used" in printing a newspaper. Transit damage shall not be included in a publisher's "use" of print paper. A publisher may determine the dates on which paper is "used" under this order either on the basis of the dates when the paper is actually printed or the dates appearing on the respective issues of the newspaper, provided he continues to use the same method which he used in computing his 1941 base tonnages.

(g) *Net paid circulation.* "Net paid circulation" means the number of copies of a newspaper which have been sold (exclusive of bulk sales), as audited by the Audit Bureau of Circulations or (in the case of newspapers which are not members of the Audit Bureau of Circulations) as verified in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(h) *Inventory.* "Inventory" means all the print paper which is owned by a publisher or is available for his use. It includes the print paper which he has on hand, in storage, and in transit and paper held for his use by a paper merchant, warehouseman or other person, regardless of its physical location. However, it does not include print paper shipped by water and held in warehouse by a paper manufacturer or merchant as part of the inventory of the manufacturer or merchant; such paper does not become part of a publisher's inventory until it is delivered to him.

(i) *Transfer of quotas*—(1) *Quotas established by different orders.* Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the printing of a newspaper any part of a consumption quota established under Orders L-241 (commercial printing), L-244 (magazines) or L-245 (books) and he may not permit any part of his consumption quota established under this order to be used for commercial printing, magazines or books. If a newspaper publisher also conducts a job printing business, he must keep these two operations separate for quota purposes. The amount of print paper which he is permitted to consume and the amount which he is permitted to order or accept for the publication of his newspaper is limited by this order. The amount of print paper which he is permitted to consume and the amount which he is permitted to accept for his commercial printing business is limited by Order L-241.

(2) *Transfer of quotas to different persons.* The rules governing the assignability of quotas are set forth in Priorities Regulation 7a.

Consumption Quota

(j) *Allowable consumption.* In the third quarter of 1945 and in each calendar quarter after that, no publisher may use or cause to be used, in the publication of a newspaper, print paper in excess of:

(1) His quarterly consumption quota, which shall be computed in accordance with the instructions set forth in paragraph (k) or (m) plus

(2) Any less-than-quota savings carried over from previous calendar quarters, as provided in paragraph (l), plus

(3) Ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(k) *Computation of consumption quota*—(1) *Base tonnages.* Ascertain, separately, the tonnage of print paper comprising the net paid circulation of morning, evening, Sunday or other issues of the newspaper in the corresponding quarter of 1941. Add 3 per cent to each figure. (This 3 per cent is an arbitrary allowance to compensate for production waste and should be added whether the actual production waste in 1941 was greater or less than 3 per cent). These are the "base tonnages" for morning, evening, Sunday or other issues of the newspaper, which shall be adjusted in accordance with instructions 2, 3, and 4.

(2) *Circulation increase.* Ascertain, separately, the percentage increase or decrease in average net paid circulation of morning, evening, Sunday or other issues of the newspaper in the calendar year 1942 as compared with the calendar year 1941. (The average net paid circulation for each year shall be determined by adding together the average net paid circulation for each of the four quarters of the year and dividing by four).

(3) *Tonnage equivalent of circulation increase.* Apply, separately, the respective percentages of circulation increase or decrease determined under instruction number 2 to the respective base tonnages determined under instruction number 1 for morning, evening, Sunday or other issues of the newspaper.

(4) *Adjustment of base tonnages.* Adjust the respective base tonnages determined under instruction number 1 by adding or subtracting the number of tons represented by the percentage circulation gain or loss determined under instruction number 3.

(5) *Total adjusted base tonnage.* Total the respective base tonnages for morning, evening, Sunday or other issues of the newspaper determined under instruction number 1. Total the respective adjusted base tonnages for morning, evening, Sunday, or other issues of the newspaper determined under instruction number 4. The larger of these two totals is the publisher's "total adjusted base tonnage" from which the required reductions shall be applied.

(6) *Sliding scale of reductions.* Reduce the total adjusted base tonnage by the following sliding scale of percentage cuts:

(i) Deduct 3% of the amount over 25 tons but not over 125 tons.
(ii) Deduct 6% of the amount over 125 tons but not over 250 tons.
(iii) Deduct 9% of the amount over 250 tons but not over 500 tons.
(iv) Deduct 15% of the amount over 500 tons but not over 1000 tons.
(v) Deduct 18% of the amount over 1000 tons.

(7) *Consumption quota.* The balance remaining after subtraction of the above reductions from the total adjusted base tonnage determined under instruction number 5 is the publisher's consumption quota for the quarter.

(8) *Adjustment for print paper lighter than 32-pound basis weight.* If a publisher orders print paper lighter than 32-pound basis weight, his consumption quota for the current calendar quarter shall be reduced proportionately as follows: First, determine the percentage by which 32-pound paper exceeds such lighter paper in weight. Second, multiply the tonnage of lighter paper so ordered by this percentage. Third, subtract the result from the publisher's consumption quota. For example, if a publisher has a consumption quota of 200 tons and orders 100 tons of 30-pound basis weight paper, his consumption quota shall be reduced by $6\frac{2}{3}$ tons, since 32-pound paper is $6\frac{2}{3}\%$ heavier than 30-pound paper.

(9) *Fourteenth Sunday in third quarter of 1945.* Inasmuch as there are 14 Sundays and 78 weekdays in the third quarter of 1945, compared with 13 Sundays and 79 weekdays in the third quarter of 1941 and 1944, the publisher of a daily and Sunday newspaper may increase his consumption quota in the third quarter of 1945 by the excess of his average Sunday use of print paper in the third quarter of 1944 over his average weekday use of print paper in the third quarter of 1944. The publisher of a newspaper issued only on Sundays may increase his consumption quota in the third quarter of 1945 by one-thirteenth of his allowable use of print paper in the third quarter of 1944. No publisher may increase his delivery quota because of any additional tonnage he may use for the fourteenth Sunday in the third quarter of 1945.

(l) *Carry-over.* If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, or in any calendar quarter after that, he may add this tonnage to his consumption quota but not to his delivery quota, in any succeeding quarter. This paragraph does not apply to the print paper which a publisher is permitted to use under paragraph (m) (2).

(m) *Consumption quotas for certain types of newspapers.* Excepted from the provisions of paragraph (k) are certain types of newspapers described in this paragraph (m), whose consumption quotas shall be computed as follows:

(1) *Special types of newspapers.* Any newspaper containing the equivalent of 8 standard-size pages or less which is authorized to be admitted to the mails as second-class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39, U. S. C., sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical, and scientific organizations and societies shall have a consumption quota of print paper in any calendar quarter equal to either:

(i) Its quarterly consumption of print paper in any one of the first three calendar quarters of 1944; or

(ii) Its consumption of print paper in the corresponding calendar quarter of 1943. If the publisher selects this latter method in any calendar quarter, he may increase his consumption quota in that quarter by that percentage by which the average number of copies per issue in the third quarter of 1944 exceeds the average number of copies per issue in the corresponding calendar quarter of 1943. For example, if a newspaper's consumption of print paper in the first quarter of 1943 was 5 tons with an average press-run in that quarter of 5,000 copies per issue, and its average press-run in the third quarter of 1944 was 6,250 copies per issue, his consumption quota for the first calendar quarter of 1945 is 6¼ tons.

(2) *Small newspapers.* During the third calendar quarter of 1945 and in each calendar quarter after that, any person may use or cause to be used 5 tons of print paper for a newspaper published weekly or less frequently, 6¼ tons of print paper for a newspaper published semi-weekly, 7½ tons of print paper for a newspaper published tri-weekly, 8¾ tons of print paper for a newspaper published four times a week, 10 tons of print paper for a newspaper published 5 times a week, 11¼ tons of print paper for a newspaper published 6 times a week, or 12½ tons of print paper for a newspaper published 7 times a week. It makes no difference whether he used that much print paper or any print paper in the publication of a newspaper during any previous period.

(3) *Other newspapers using less than 25 tons per quarter.* If, prior to October 1, 1944, a publisher used less than 25 tons of print paper per calendar quarter for civilian readers (whether or not he used additional paper for military readers), his total quarterly consumption quota for all types of readers shall be computed as follows:

(i) Ascertain the total number of copies of all issues printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(ii) Ascertain the average number of pages per issue printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(iii) Multiply the highest quarterly figure determined under subdivision (i) by the highest quarterly figure determined under subdivision (ii). The weight of paper required to produce this number of pages is the publisher's quarterly consumption quota; *Provided, however*, That if this figure is in excess of 25 tons, the publisher shall be limited to 25 tons per quarter plus the tonnage in excess of 25 tons which he used for military circulation in the third quarter of 1944.

(n) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing (i) newspapers acquired in bulk for free distribution by the Army or the Navy which will be furnished to United States Armed Forces personnel in the continental United States and (ii) "servicemen's" "overseas", "pony", or other condensed editions of newspapers acquired in bulk by the Army or the Navy which will be furnished to United States Armed Forces personnel overseas.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in printing such newspapers acquired by the Army and the Navy for distribution as described under paragraph (n) (1). This allotment does not cover purchases of newspapers by military exchanges or service departments as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All newspapers sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

Delivery Quota

(o) *Computation of delivery quota.* In July 1945, and in each calendar month after that, no publisher may order or accept delivery of print paper in excess of his monthly delivery quota, which shall be computed in accordance with the following instructions:

(1) *Monthly base.* Total the publisher's consumption quotas for the third and fourth quarters of 1945 and add the ex-quota tonnage, if any, which may have been granted for the third quarter of 1945. Divide by 6. (Do not add any carry-over from preceding quarters.)

(2) *Inventory ceiling.* The above amount shall be reduced accordingly if a publisher's inventory is, or by virtue of such order or acceptance will become, on December 31, 1945, greater than: (i) 30 days' supply for publishers in the states named in List A, (ii) 50 days' supply for publishers in the States named in List B, or (iii) 60 tons for publishers who would be limited to a smaller amount by subdivision (i) or (ii) above.

List A

Connecticut.	Nebraska.
District of Columbia.	New Hampshire.
Delaware.	New Jersey.
Illinois.	New York.
Indiana.	North Dakota.
Iowa.	Ohio.
Kansas.	Pennsylvania.
Kentucky.	Rhode Island.
Maine.	South Dakota.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia
Minnesota.	Wisconsin.
Missouri.	

List B

Alabama.	Nevada.
Arizona.	New Mexico.
Arkansas.	North Carolina.
California.	Oklahoma.
Colorado.	Oregon.
Florida.	South Carolina.
Georgia.	Tennessee.
Idaho.	Texas.
Louisiana.	Utah.
Montana.	Washington.
Mississippi.	Wyoming.

(3) *Exclusions.* In computing his delivery quota, a publisher shall exclude any less-than-quota savings under his consumption quota carried over from previous quarters. He shall also exclude print paper which he has received by Great Lakes or coastal water-borne shipments; provided on May 1 of any calendar year he shall have on hand or available for use not more than (i) a 30 days' supply if he is located in one of the States named on List A above, or (ii) a 50 days' supply if he is located in one of the States named in List B above and provided further that no publisher may order or accept delivery of a total amount of print paper by water, rail or otherwise in any calendar year (including both the open and closed navigation seasons) in excess of his permitted consumption for that calendar year.

(4) *Computation of rate of consumption.* The number of days' supply shall be computed at the average daily rate of allowable consumption for the last six months of 1945.

(5) *Fractional carloads.* If a publisher's delivery quota for any month is less than one carload, he may nevertheless order and accept, in that month, up to one full carload. If a publisher's delivery quota for any month is a whole number of carloads plus a fraction of another carload, the fraction may be added to his delivery quota for any succeeding month.

(6) *Transit damage.* If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable in publishing his newspaper, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may increase his delivery quota (but not his consumption quota) in the same or any subsequent month by an amount sufficient to replace such paper. It is immaterial whether or not the publisher is reimbursed for the destroyed or damaged paper by the shipper, the carrier, or an insurance company. It is also immaterial whether or not the publisher salvages all or part of the damaged paper for use other than in publishing his newspaper.

(7) *Report on transit damage.* Any publisher who increases his delivery quota to replace destroyed or damaged print paper in accordance with subparagraph 6 above shall, within 15 days after placing the order for such replacement, file a letter with the War Production Board stating the number of tons comprising the publisher's delivery quota for that month, the number of tons destroyed or damaged, the manner in which such print paper was rendered unfit for use in publishing his newspaper, and the number of tons ordered in excess of his delivery quota. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(p) *Exceptions.* Permission to order or accept delivery of print paper in excess of the tonnage allowed under paragraph (o) may be granted by the War Production Board upon a written request for specific authorization stating the number of tons and the number of days' supply of print paper which the publisher has in inventory, the number of tons comprising his delivery quota, the number of additional tons he desires to order and accept, and the reasons why the denial of the request would create undue hardship.

(q) *Certification.* No mill or other supplier may sell or deliver to any person, and no person may accept, any print paper for use under Order L-240 except on a delivery order bearing or accompanied by a certification substantially in the form set forth below. This certification must be signed manually or as provided in Priorities Regulation No. 7 by the purchaser or by an official duly authorized for such purpose:

> The undersigned certifies, subject to the penalties of section 35 (a) of the U. S. Criminal Code, to the seller and to the War Production Board: (a) that he is permitted to place this delivery order and to accept the print paper ordered; (b) that the print paper will be used or delivered, or that it is required to replace in inventory print paper previously used or delivered, under War Production Board Order L-240.

The above certification must be placed on, or must accompany, each delivery order placed by any person for print paper to be used under Order L-240, and the certification provided for in Priorities Regulation No. 7 may not be used in its place.

(r) *Inventory reports and copies of orders.* On and after July 1, 1945, the publisher of every newspaper which consumes 25 tons of print paper or more in any calendar quarter shall file with the War Production Board:

(1) A monthly statement of his inventory of print paper on Form WPB 4292 within three days after the close of each month, beginning with June 1945.

(2) Copies of all orders for the delivery of print paper placed by him or for his account. Such copies of orders must be mailed within three days after the orders are placed.

These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(s) *Intra-company transfers.* The foregoing restrictions apply not only to deliveries from one person to another, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

Miscellaneous Provisions

(t) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported to the War Production Board by letter within 15 days after the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement 1 to the order. Regardless of the provisions of Priorities Regulation 16 no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(w) *Communications to the War Production Board.* All reports required to be filed hereunder, requests for specific authorization, appeals and other communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240.

(x) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Dec. 24, 1943.

INTERPRETATION 2: Revoked Dec. 24, 1943.

INTERPRETATION 3: Revoked Dec. 24, 1943.

INTERPRETATION 4

TRANSIT DAMAGE

Paragraph (f) of Order L-240 states in part: "Transit damage shall not be included in a publisher's 'use' of print paper." This provision which was inserted in the order on December 24, 1943, merely explained, and did not change, the existing rule.

At all times since the issuance of Order L-240 on December 31, 1942, a publisher has been obliged to charge against his consumption quota only the print paper which was actually "used" in publishing his newspaper; print paper which was destroyed or damaged in transit need not be charged against the publisher's consumption quota to the extent that such print paper was rendered unusable in the publication of his newspaper. However, at all times since the issuance of Order L-240 on December 31, 1942, production waste has been included in the tonnage of print paper which is "used" in publishing a newspaper. (Issued Oct. 30, 1944.)

[F. R. Doc. 45-11928; Filed, July 3, 1945; 11:36 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-241, as Amended July 3, 1945]

COMMERCIAL PRINTING AND DUPLICATING

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Scope

(a) The purpose of this order.

Definitions and explanations

(b) Commercial printing.
(c) Printer.
(d) Paper.
(e) Use.
(f) Production waste.
(g) [Deleted July 3, 1945.]
(h) Transfer of quotas.
(i) Exceptions.

Consumption quota

(j) Printing which is covered by other orders.
(k) Printing which is not restricted.
(l) Computation of consumption quota.
(m) Borrowing and carry-over.
(n) Total permitted consumption.
(o) [Deleted July 3, 1945.]
(p) Certification to printer.

Delivery restrictions

(q) Limit on tonnage which may be accepted.
(r) Certification to paper dealer or mill.

Material printed in violation of War Production Board orders

(s) Restrictions on paper suppliers, printers and binders.

Issuance of schedules

(t) Prohibited and restricted uses of paper and paperboard.

Miscellaneous provisions

(u) Records.
(v) Applicability of regulations.
(w) Appeals.
(x) Communications.
(y) Violations.

Schedule I

(a) Limits on basis weights.
(b) Exceptions to limits on basis weights.
(c) Exceptions to Order L-120.

Schedule II

(a) Commercial printing which is charged against the quota of both the printer and the person who causes it to be printed.
(b) Shopping guides, free distribution newspapers, want ad publications, free distribution publications in newspaper format.
(c) Miscellaneous publications.
(d) [Deleted July 3, 1945.]
(e) Certification.

Scope

§ 3133.9 *Limitation Order L-241*—(a) *The purpose of this order.* This order does four things: First it limits the tonnage of paper which a printer may use for commercial printing. This is called his "consumption quota". A printer may not exceed his consumption quota even though the paper is physi-

cally available to him. Second, it limits the tonnage of paper which may be accepted by or on behalf of a printer. It also limits the tonnage of paper which may be accepted by a purchaser of commercial printing for a printer's use. Third, it limits the basis weight of paper which may be used in printing certain items. Fourth, it limits the tonnage of paper which a person may cause to be consumed in printing certain items.

Definitions and Explanations

(b) *Commercial printing.* "Commercial printing" means all printing or duplicating produced by any of the following types of printing or duplicating machines:

Hand and automatic sheet and web-fed platen presses.
Hand and automatic fed plate engraving presses.
Hand and automatic fed flat-bed cylinder presses.
Proof presses.
Sheet and web-fed rotary letterpresses.
Sheet and web-fed offset presses.
Sheet and web-fed rotary gravure presses.
Thermographic presses.
Sheet and web-fed aniline-ink presses.
Duplicating machines, including but not limited to ink ribbon, gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators.

However, this order does not affect printing which is covered by other orders of the War Production Board, as described in paragraph (j). "Printed matter" includes duplicated matter as well as printed matter.

If a person is uncertain as to whether particular printed matter is "commercial printing" as defined in this order, or whether it is covered by Schedules I or II of this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination may be made only by the Washington office of the War Production Board and shall be issued to the printer or publisher in the name of the Recording Secretary of the War Production Board. It shall be conclusive for the purpose of this order, unless revoked or modified by the same authority.

(c) *Printer.* The term "printer" is used throughout this order, for the sake of convenience and brevity, to include printers who operate printing machines and duplicators who operate duplicating machines. The order applies to every printer, including a printer who operates a private or "captive" plant as well as a printer who does work for the trade. The term does not include a publisher or a person who orders printing.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper, gummed paper, paperboard or bristol used in commercial printing. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber.

(e) *Use.* (1) Paper is "used" when ink is first applied to it by a printer. However, paper is not "used" under this order when ink is applied to it by penruling equipment. Sometimes paper is put through a press more than once, either by the same printer or by different printers—for instance, when several colors are used or when the imprint of a particular distributor is added after part of the printing is done. For the purposes of this order the paper is deemed to be "used" when the first application of ink is made by a printer. It makes no difference how many other applications of ink are put on the paper by the same or different printers.

(2) When a job is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the printer's consumption quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a printer uses in commercial printing.

(g) [Deleted July 3, 1945.]

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a printer may not use for commercial printing any part of a consumption quota established under Order L-240 (Newspapers), Order L-244 (Magazines) or Order L-245 (Books and Booklets), and he may not permit any part of his consumption quota established under this order to be used for newspapers, magazines or books.

(2) It sometimes happens that one printer does work for another printer, and there is a question as to which one should deduct the paper from his quota. Printer A may "farm out" certain work by purchasing "press time" from printer B. This may be done, for example, where printer A cannot fill an order for a customer because he does not have available the right equipment, material, personnel, or facilities. In such a case, where the customer looks only to A for the finished product and where B acts merely as a sub-contractor, the paper may be charged against A's quota, even though B actually does the printing provided the order from A to B specifically states these facts. This does not mean that A may assign his quota to B. The rules governing the assignability of quotas are stated in Priorities Regulation 7A.

(i) *Exceptions.* Certain paragraphs of this order contain exceptions to general rules. These exceptions apply only to the provisions to which they specifically refer. They do not apply to any other portions of the order.

Consumption Quota

(j) *Printing which is covered by other orders.* Certain types of printing are not covered by this order. When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into those items. Also, a printer may not use the consumption quota which he gets under this order for the printing of any of those items. They are:

(1) Newspapers (defined in Limitation Order L-240).
(2) Magazines (defined in Limitation Order L-244).
(3) Books (defined in Limitation Order L-245).
(4) Greeting cards and illustrated post cards (defined in Limitation Order L-289).
(5) Displays (defined in Limitation Order L-294).
(6) Wallpaper (defined in Limitation Order L-177).
(7) Commercial printing for governmental units (defined in Limitation Order L-340).
(8) Boxes (defined in Limitation Order L-239).
(9) Converted products named in Lists A, B, C or D of General Conservation Order M-241-a, except gummed paper.
(10) Any other "converted products" defined in General Conservation Order M-241-a except those which must be printed in order to serve the purpose for which they are made.

(k) *Printing which is not restricted.* (1) A printer is not limited in the amount of paper which he may use for printing which is ordered by a contractor who will subsequently deliver the printing to the Army, Navy, Maritime Commission or War Shipping Administration as a part of a contract for an item purchased by one of those agencies. When only part of an order for printing is required for delivery to one of those agencies under such a contract, the printer must charge the paper used in the remaining part against his consumption quota.

(2) A printer is not limited in the amount of paper which he may use for official Army or Navy post, camp, station or unit newspapers if:

(i) They are ordered by the officer in command of the Army or Navy establishment on official War Department or Navy Department purchase orders, requisitions or contracts;

(ii) They contain no paid advertising; and

(iii) They are not owned, edited or operated by civilians but are run entirely by military personnel (although the printing may be done in commercial plants).

(3) A printer is not limited in the amount of paper which he may use for social stationery bearing the printed insignia or identification of an Army or Navy post, camp, station or unit, and sold in packages with envelopes to post exchanges or Ships Service Departments; the manufacture of envelopes, however, is controlled by Order M-241-a.

(4) No person may order commercial printing under paragraph (k) and no person may accept such an order, unless the person placing the order furnishes to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with paragraph (k) of Order L-241 and that this purchase order is for printing governed by paragraph (k) of Order L-241. [If only part of the order is covered by paragraph (k) specify what part.]

(5) When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into the items described in paragraphs (k) (1) and (k) (2) above. Also, a printer may use an unlimited amount of paper for those items from now on.

(l) *Computation of consumption quota.* In the third calendar quarter of 1945 and in each calendar quarter after that, no printer may use for commercial printing any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the printer's "quarterly base tonnage" according to either of the two following methods, depending on his individual needs. Having selected one method, the printer must use that method throughout the year.

First method:

(i) Add up the total pounds of paper used in 1941 for all types of printing;

(ii) Subtract the pounds of paper used in 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used in 1941 for the unrestricted items listed in paragraph (k) above;

(iv) Divide by four. This is the printer's "quarterly base tonnage", from which the required reductions shall be made.

Second method:

(i) Add up the total pounds of paper used during the same calendar quarter of 1941 for all types of printing;

(ii) Subtract the pounds of paper used during that quarter of 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used during that quarter of 1941 for the unrestricted items listed in paragraph (k) above.

(iv) The balance is the printer's "quarterly base tonnage", from which the required reductions shall be made.

(2) If the printer's quarterly base tonnage is not more than 5 tons, his quarterly consumption quota is 5 tons.

(3) If the printer's quarterly base tonnage is more than 5 tons but not more than 10 tons, his quarterly consumption quota is the same as his quarterly base tonnage.

(4) If the printer's quarterly base tonnage is more than 10 tons but less than $12\frac{1}{2}$ tons, his quarterly consumption quota is 10 tons.

(5) If the printer's quarterly base tonnage is more than $12\frac{1}{2}$ tons, his quarterly consumption quota is 80 percent of his quarterly base tonnage.

(6) If a person used no paper for commercial printing in 1941 and now wishes to enter the printing business, he shall have a consumption quota of 5 tons per quarter commencing with the third quarter of 1945 provided he files with the Commercial Printing Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for commercial printing under Order L-241, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (l) (6) of Order L-241.

A consumption quota provided by this paragraph (j) (6) shall be conditioned upon the continued accuracy of the above representations.

(m) *Borrowing and carry-over.* (1) A printer may add, under either method of computation, an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A printer may carry over for future use accumulated savings resulting from under-use of quota (commencing with the fourth quarter of 1943), but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter. For example, if a printer's quarterly consumption quota is 100,000 pounds and his accumulated carry-over is 25,000 pounds, he may use in the current quarter, in addition to his quarterly consumption quota, 15,000 pounds of carry-over (i. e., 15% of 100,000 pounds) or a total of 115,000 pounds. The balance of the carry-over may be used in subsequent quarters, subject to the provisions of this paragraph.

(n) *Total permitted consumption.* A printer may use in any calendar quarter:

(1) His quarterly consumption quota as determined under paragraph (l);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter as provided in paragraph (m) (1);

(3) Plus any less-than-quota savings which may be used in that calendar quarter as provided in paragraph (m) (2); or minus any tonnage which had been borrowed during the preceding calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (m) (1);

(4) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that calendar quarter.

(o) [Deleted July 3, 1945.]

(p) *Certification to printer.* No printer may fill an order for (1) magazines, (2) books, (3) greeting cards or illustrated post cards, (4) commercial printing purchased by a government, or (5) any of the items listed in schedule II of this order, unless he receives, or has previously received, from the person who publishes or issues the item, or causes the item to be printed, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with (insert the relevant provision) (1) Order L-244 (magazines), (2) Order L-245 (books), (3) Order L-289 (greeting cards and illustrated post cards), (4) L-340 (governmental commercial printing and duplicating), (5) Schedule II to Order L-241, and that all orders placed by the undersigned with that printer for items regulated by the relevant order (or schedule), as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(q) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 and each calendar quarter thereafter, no printer may accept, and no person may accept for that printer's use, paper in excess of his permitted consumption during that calendar quarter.

(r) *Certification to paper dealer or mill.* No printer may order or accept delivery of paper, and no person may deliver paper to a printer, unless the printer furnishes, or has previously furnished, to the person making the delivery, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned printer certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-241 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper. A new certification need not be furnished pursuant to the July 3, 1945 amendment of Order L-241 by any printer who has furnished a certification pursuant to paragraph (r) of Order L-241 as amended April 4, 1945.

Material Printed in Violation of War Production Board Orders

(s) *Restrictions on paper suppliers, printers and binders.* (1) No person may sell or deliver any paper which he knows, or has reason to believe, will be accepted or used in violation of this order.

(2) No person may apply ink to any paper if he knows, or has reason to believe, that the printing of such paper will be in excess of the publisher's permitted consumption under Limitation Orders L-240, L-244, L-245, L-289, L-340 or Schedule II of Order L-241.

(3) No person may bind or otherwise process paper if he knows, or has reason to believe, that such paper was used in excess of the printer's permitted consumption under this order.

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with paragraph (k) of Order L–241 and that this purchase order is for printing governed by paragraph (k) of Order L–241. [If only part of the order is covered by paragraph (k) specify what part.]

(5) When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into the items described in paragraphs (k) (1) and (k) (2) above. Also, a printer may use an unlimited amount of paper for those items from now on.

(j) *Computation of consumption quota.* In the third calendar quarter of 1945 and in each calendar quarter after that, no printer may use for commercial printing any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the printer's "quarterly base tonnage" according to either of the two following methods, depending on his individual needs. Having selected one method, the printer must use that method throughout the year.

First method:

(i) Add up the total pounds of paper used in 1941 for all types of printing;

(ii) Subtract the pounds of paper used in 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used in 1941 for the unrestricted items listed in paragraph (k) above;

(iv) Divide by four. This is the printer's "quarterly base tonnage", from which the required reductions shall be made.

Second method:

(i) Add up the total pounds of paper used during the same calendar quarter of 1941 for all types of printing;

(ii) Subtract the pounds of paper used during that quarter of 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used during that quarter of 1941 for the unrestricted items listed in paragraph (k) above.

(iv) The balance is the printer's "quarterly base tonnage", from which the required reductions shall be made.

(2) If the printer's quarterly base tonnage is not more than 5 tons, his quarterly consumption quota is 5 tons.

(3) If the printer's quarterly base tonnage is more than 5 tons but not more

and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for commercial printing under Order L–241, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (j) (6) of Order L–241.

A consumption quota provided by this paragraph (j) (6) shall be conditioned upon the continued accuracy of the above representations.

(m) *Borrowing and carry-over.* (1) A printer may add, under either method of computation, an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A printer may carry over for future use accumulated savings resulting from under-use of quota (commencing with the fourth quarter of 1943), but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter. For example, if a printer's quarterly consumption quota is 100,000 pounds and his accumulated carry-over is 25,000 pounds, he may use in the current quarter, in addition to his quarterly consumption quota, 15,000 pounds of carry-over (i. e., 15% of 100,000 pounds) or a total of 115,000 pounds. The balance of the carry-over may be used in subsequent quarters, subject to the provisions of this paragraph.

(n) *Total permitted consumption.* A printer may use in any calendar quarter:

(1) His quarterly consumption quota as determined under paragraph (j);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter as provided in paragraph (m) (1);

(3) Plus any less-than-quota savings which may be used in that calendar quarter as provided in paragraph (m)

manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with (insert the relevant provision) (1) Order L–244 (magazines), (2) Order L–245 (books), (3) Order L–289 (greeting cards and illustrated post cards), (4) L–340 (governmental commercial printing and duplicating), (5) Schedule II to Order L–241, and that all orders placed by the undersigned with that printer for items regulated by the relevant order (or schedule), as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(q) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 and each calendar quarter thereafter, no printer may accept, and no person may accept for that printer's use, paper in excess of his permitted consumption during that calendar quarter.

(r) *Certification to paper dealer or mill.* No printer may order or accept delivery of paper, and no person may deliver paper to a printer, unless the printer furnishes, or has previously furnished, to the person making the delivery, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned printer certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L–241 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper. A new certification need not be furnished pursuant to the July 3, 1945 amendment of Order L–241 by any printer who has furnished a certification pursuant to paragraph (r) of Order

Issuance of Schedules

(t) *Prohibited and restricted uses of paper and paperboard.* The War Production Board may issue, from time to time, schedules which will prohibit the use of paper in certain items, limit the basis weight of paper which may be used in other items, and limit the tonnage of paper which a person who publishes or issues certain items may cause to be consumed in the printing of those items.

Miscellaneous Provisions

(u) *Records.* In order to assure compliance with this order, every printer must calculate, as accurately as he can, the tonnage of paper which he used during each quarter of 1941 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with January 1, 1943. He must preserve these figures and his work sheets, subject to inspection by War Production Board officials as long as this order remains in force and for 2 years after that.

(v) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(w) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal, or by filling in the pertinent information on Form WPB-3605. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(x) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-241.

(y) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

SCHEDULE I

(a) *Limits on basis weights.* No person may manufacture and no person may cause to be manufactured any of the items listed in this schedule in a basis weight, thickness, area or weight per unit greater than the maximum specified for such use.

(1) Art reproductions, without advertising—basis weight 25 x 38—80 ㎝.

(2) Diaries, date books, desk calendar pads, and advertising memo pads—basis weight 17 x 22—16㎝.

(3) Dodgers and handbills—basis weight 24 x 36—32㎝.

(4) News letters and loose leaf services other than books (as defined in Order L-245)—basis weight 17 x 22—16㎝ if printed one side, or 17 x 22—18㎝ if printed two sides.

(5) Accounting records, books and forms—basis weight 17 x 22—28㎝; or if for loose leaf accounting forms used on an automatic posting machine—basis weight 17 x 22—32㎝.

(6) Corporate securities, checks, domestic and foreign currency—basis weight 17 x 22—24㎝, except counter checks, 17 x 22—16㎝.

(7) Notes, contracts, mortgages, wills, deeds, insurance policies, and legal forms—basis weight 17 x 22—16㎝ if printed one side or 17 x 22—20㎝ if printed two sides.

(8) Letterheads—basis weight 17 x 22—16㎝.

(9) Card indexes and card records—basis weight 25½ x 30½—110㎝.

(10) Time cards—caliper .014 inches.

(11) County record books and other permanent government records—basis weight 17 x 22—36㎝.

(12) Prospectuses for the sale of securities—basis weight 17 x 22—16㎝.

(13) Legal briefs and records on appeal—basis weight 25 x 38—40㎝.

(14) All other office, business and financial forms, except blank books, and except forms produced by a liquid or gelatin process—basis weight 17 x 22—16㎝.

(15) Road and street maps and guides for civilian use—basis weight 17 x 22—16㎝.

(16) Telephone directories—body basis weight 24 x 36—28㎝; cover basis weight 22½ x 28½—110㎝.

(17) Admission tickets—basis weight 22½ x 28½—90㎝, or any coated stock made from raw stock not over 22½ x 28½—90㎝.

(b) *Exceptions to limits on basis weights.* The above restrictions do not apply to paper which has been manufactured before October 21, 1943.

(c) *Exceptions to Order L-120.* Schedules I and III to Order L-120 provide:

Paper or paperboard may be manufactured for a particular use in any basis weight or thickness permitted for such use by this or any other order of the War Production Board, *Provided* the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and *Provided* all other provisions of this or such other orders are fully complied with.

Pursuant to this provision the manufacture of paper in the basis weights specified in this list for items 1, 4, 6, 7, and 16 is hereby permitted.

SCHEDULE II

(a) *Commercial printing which is charged against the quota of both the printer and the person who causes it to be printed.* Certain commercial printing is subject to a "two-sided" limitation. As is the case with all types of commercial printing covered by this order, the paper consumed in such printing must be deducted from the commercial printer's consumption quota; however, in the case of the material covered by this Schedule II, the same paper must also be deducted from the consumption quota of the person who causes it to be printed. In other words, the publisher or issuer of such material must reduce his consumption of paper by the required percentage and he must also have the printing done by a printer who will debit his consumption quota under paragraph (1) of this order.

Any paper which a commercial printer consumed in such printing during 1941 shall be included in computing his consumption quota under paragraph (1) whether or not he prints any of this material after January 1, 1945. The paper which a commercial printer consumes for such printing after January 1, 1945, must be deducted from his consumption quota, whether or not he printed such material in 1941.

(b) *Shopping guides, free distribution newspapers, want ad publications, free distribution publications in newspaper format—(1) Consumption quota.* In the second calendar quarter of 1944, and in each calendar quarter after that, no publisher or other person may cause to be consumed in the printing of any shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper format any paper in excess of his quarterly consumption quota, which shall be determined as follows:

(i) Ascertain the tonnage of paper consumed in printing that particular publication in the corresponding quarter of 1941, including all supplements, inserts and other printed matter physically incorporated into such publication or delivered together with it. This is the publisher's "quarterly base tonnage", from which the required reductions shall be made.

(ii) If a publisher's quarterly base tonnage is 5 tons or less, his quarterly consumption quota is 5 tons. Moreover, any person who used no paper whatever for items covered by this paragraph in 1941 may cause 5 tons per quarter to be used for this purpose beginning with the third quarter of 1945.

(iii) If the publisher's quarterly base tonnage in any calendar quarter is more than 5 tons but less than 25 tons, his consumption quota for that quarter is the same as his base tonnage. He need not use less than he used in the corresponding quarter of 1941, but he may not use more.

(iv) If the publisher's base tonnage in any calendar quarter is 25 tons or more, the following sliding scale of percentage cuts shall be applied:

Deduct 8% of the amount over 25 tons but not over 125 tons.

Deduct 11% of the amount over 125 tons but not over 250 tons.

Deduct 14% of the amount over 250 tons but not over 500 tons.

Deduct 20% of the amount over 500 tons but not over 1000 tons.

Deduct 23% of the amount over 1000 tons.

The balance remaining after subtraction of the above reductions from the publisher's quarterly base tonnage is his consumption quota for that quarter. For example, if the publisher consumed during the third quarter of 1941 340 tons, his consumption quota for the third quarter of 1945 would be determined as follows:

25 tons no cut	25	tons
100 tons 8% cut	92	tons
125 tons 11% cut	111.25	tons
90 tons 14% cut	77.40	tons
340 tons quarterly base tonnage	305.65	tons quarterly consumption quota

(2) *Carry-over.* A publisher or issuer of a shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper format may carry over for future use accumulated savings resulting from under-use of quota, but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter.

(3) *Transfer of quotas.* Where two or more shopping guides, free distribution newspapers, want ad publications, or free distribution publications in newspaper format are published by the same person and are distributed primarily in the same city or trading area, he may combine or distribute his consumption quotas among his publications in that city or trading area. However, after May 24, 1944, no such publisher may transfer any part of his consumption quota to a different city or trading area.

(4) "Servicemen's", "overseas", "pony" or other condensed editions of newspapers which are distributed without charge to United States Armed Forces personnel may be produced from a commercial printer's quota under Order L-241, without regard to paragraph (b) of Schedule II, provided the newspaper publisher makes no charge to a commercial sponsor or any other person for advertising space, for the editorial material appearing in the edition or for any other service connected with it. However, the newspaper publisher may charge a sponsor for the cost of printing if the newspaper publisher operates a commercial printing establishment and deducts the paper from his commercial printing quota under Order L-241. A newspaper publisher may produce such an edition out of his own consumption quota under L-240 if he wishes to.

(c) *Miscellaneous publications—(1) Definition.* A "miscellaneous publication" is any bound or unbound collection of printed pages consisting of reading matter and/or illustrations (except newspapers as defined in Order L-240, magazines as defined in Order L-241, books as defined in Order L-245, the material described in paragraph (b) of the Schedule and sheet music) for which the issuer receives a consideration either from the sale of copies or from the inclusion of advertising or other material therein. However, the term does not include printed matter whose sole purpose is to advertise or promote the issuer's business, provided such printed matter is not offered for sale at a price in excess of the price paid in good faith by the issuer to the printer.

(2) *Consumption quota.* During the year 1945 and each year after that, no person may cause to be consumed in the printing of miscellaneous publications more than 77½% of the weight of paper which he caused to be consumed in the printing of such publications in 1941 or 1944, or 10 tons, whichever is greater.

(3) *New publishers.* If a person used no paper for miscellaneous publications in 1941 or 1944 he shall have a consumption quota of 10 tons for the period between July 1, 1945 and December 31, 1945, provided he files with the Commercial Printing Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for the issuance of miscellaneous publications under paragraph (c) (2) or (c) (3) of Schedule II, Order L-241, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that Schedule, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (c) (3) of Schedule II to Order L-241.

A consumption quota provided by this paragraph (c) (3) shall be conditioned upon the continued accuracy of the above representations.

(d) [Deleted July 3, 1945.]

(e) *Certification.* No person may order any of the items listed in this schedule to be printed unless he furnishes or has previously furnished to the printer, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher or issuer certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Schedule II to Order L-241 and that all orders placed by the publisher or issuer with that printer for items regulated by that schedule, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked May 24, 1944.

[F. R. Doc. 45-11929; Filed, July 3, 1945; 11:36 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-244, as Amended July 3, 1945]

MAGAZINES AND PERIODICALS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Scope

(a) The purpose of this order.

Definitions and Explanations

(b) Magazine.
(c) Publisher.
(d) Paper.
(e) Use.
(f) Production waste.
(g) Determination of consumption quotas.
(h) Transfer of quotas.
(i) Official determinations

Consumption Quota

(j) Computation of consumption quota.
(k) Borrowing and carry-over.
(l) Total permitted consumption.
(m) Allotment to Army and Navy.
(n) Certification to printer.

Delivery Restrictions

(o) Limit on tonnage which may be accepted.
(p) Certification to paper dealer or mill.

Magazines or Parts Thereof Printed in Violation of Order

(q) Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.

Miscellaneous Provisions

(r) Records.
(s) Applicability of regulations.
(t) Appeals.
(u) Communications.
(v) Violations.

Scope

§ 3133.15 *Limitation Order L-244—*(a) *The purpose of this order.* This order does three things: First, it limits the tonnage of paper which a magazine publisher may cause to be used for printing magazines. This is called his "consumption quota." A publisher may not exceed his consumption quota even though the paper is physically available to him or his printer. Second, it limits the tonnage of paper which may be accepted by or on behalf of a magazine publisher. It also limits the tonnage of paper which may be accepted by or on behalf of a printer for a particular publisher's use in the production of magazines. Third, it places certain restrictions on paper suppliers, printers, binders, distributors, wholesalers and others in their dealings with publishers who consume paper in excess of their allowable consumption under this order.

Definitions and Explanations

(b) *Magazine.* (1) A "magazine" is any periodical or "one-shot" generally recognized as a magazine in the magazine industry. The term includes all supplements, inserts and other matter physically incorporated into a magazine or delivered with it, and reprints containing 40 percent or more of the editorial content appearing in any issue of a magazine. The paper consumed in such a reprint must be charged against the quota of the publisher from whose magazine the material was reprinted.

(2) If a publisher is uncertain as to whether or not his publication is a magazine as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion.

(c) *Publisher.* The "publisher" of a magazine is the person who causes it to be printed and undertakes the ultimate risk of the publishing venture. The term includes an individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not. Where a group of magazines is under common control, but each magazine is published by a separate business entity, a separate consumption quota and a separate delivery quota shall be established for each magazine. It makes no difference if several of these operating entities are subsidiaries of the same parent corporation, or are controlled by the same individual or group of individuals. Not more than one person's consumption quota may be used to publish the same magazine or substantially the same magazine. The War Production Board, upon its own motion or upon the request of an interested party, may determine who is the publisher of a particular magazine.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper used in the printing of a magazine. The term includes paper reclaimed wholly or partly from printed or unprinted waste as well as paper made entirely from virgin fiber.

(e) *Use.* (1) Paper is "used" when ink is first applied to it. The date of issuance carried on the magazine is immaterial.

(2) When the printing of an issue is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the publisher's consumption quota for that quarter. The entire printing may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a publisher causes to be used in printing magazines.

(g) *Determination of consumption quotas.* The War Production Board, upon its own motion or upon the request of an interested party, may determine the size of a publisher's consumption quota.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not cause to be used for the printing of a magazine any part of a consumption quota established under Order L–240 (Newspapers), L–241 (Commercial Printing and Duplicating), or L–245 (Books and Booklets), and he may not permit any part of his consumption quota established under this order to be used for newspapers, commercial printing or books.

(2) No publisher may cause to be used in printing magazines any part of a consumption quota arising from the previous publication of another magazine by another publisher. No publisher may permit any part of the consumption quota arising from the publication of a magazine by him to be used in printing another magazine published by another person.

(3) Except under the circumstances stated in Priorities Regulation 7A, the transfer of quotas and the acquisition or use of a publisher's quota by any other person, directly or indirectly, is a violation punishable in accordance with paragraph (v). Quotas established by this order may not be bought or sold under any guise. Thus, if A, a publisher with a quota under this order, places his name in the masthead of a magazine, and otherwise identifies himself as its publisher, but B performs most of the customary publishing functions, this is an unauthorized use by B of A's quota.

(i) *Official determinations.* The official determinations described in paragraphs (b) (2), (c) and (g) may be made only by the Washington office of the War Production Board and shall be issued in the name of the Recording Secretary of the War Production Board. They shall be conclusive for the purpose of this order, unless revoked or modified by the same authority.

Consumption Quota

(j) *Computation of consumption quota.* In the third calendar quarter of 1945, and in each calendar quarter after that, no publisher may cause to be used for the printing of his magazines any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in printing the publisher's magazines in the calendar year 1942, and divide by four. This is the publisher's "quarterly base tonnage" from which the required reductions shall be made.

(2) If the publisher's quarterly base tonnage is 5 tons or less, his quarterly consumption quota is 5 tons.

(3) If the publisher's quarterly base tonnage is more than 5 tons but not more than 27.8 tons, his quarterly consumption quota is 95 percent of his quarterly base tonnage or 5 tons, whichever is larger.

(4) If the publisher's quarterly base tonnage is more than 27.8 tons, his quarterly consumption quota is 80 percent of his quarterly base tonnage or 26.7 tons, whichever is larger.

(5) If a person used no paper for publishing magazines in 1942, he shall have a consumption quota of 5 tons per calendar quarter commencing with the third quarter of 1945, provided he files with the Magazine and Periodical Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of Section 35 (A) of the United States Criminal Code, that I have no consumption quota for the publication of magazines under Order L–244, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (j) (5) of Order L–244.

A consumption quota provided by this paragraph (j) (5) shall be conditional upon the continued accuracy of the above representations.

(k) *Borrowing and carry-over.* (1) A publisher may add an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A publisher may carry over for future use accumulated savings resulting from underuse of quota, but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter.

(3) [Deleted July 3, 1945.]

(l) *Total permitted consumption.* A publisher may use in any calendar quarter:

(1) His quarterly consumption quota, as determined under paragraph (j);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter, as provided in paragraph (k) (1);

(3) Plus any less-than-quota savings which may be used in that calendar quarter as provided in paragraph (k) (2), or minus any tonnage which had been borrowed during the preceding calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (k) (1);

(4) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(m) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing magazines which will be furnished without charge to United States Armed Forces personnel in the continental United States and special "pony editions" of magazines which will be furnished to United States Armed Forces personnel overseas, whether such "pony editions" are sold or not. The overseas allotment may be extended to regular editions where the production of special "pony editions" is impracticable because of the small number of copies involved.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in printing such magazines acquired by the Army and the Navy for distribution as described under paragraph (m) (1). This allotment does not cover purchases of magazines by military exchanges or service departments as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All magazines sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

(n) *Certification to printer.* No publisher may order magazines to be printed, and no person may print such magazines, unless the publisher furnishes, or has previously furnished, to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L–244, and that all orders placed by the publisher with that printer for items regulated by Order L–244, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(o) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 and each calendar quarter thereafter, no publisher may accept, and no person may accept for that publisher's use, paper in excess of his permitted consumption during that calendar quarter.

(p) *Certification to paper dealer or mill.* No publisher may order or accept delivery of paper and no person may deliver paper to a publisher unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L–244 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

A new certification need not be furnished pursuant to the July 3, 1945 amendment of Order L–244 by any publisher who has furnished a certification pursuant to paragraph (p) of Order L–244 as amended April 4, 1945.

Magazines or Parts Thereof Printed in Violation of Order

(q) *Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.* (1) No person may sell or deliver any paper which he knows or has reason to believe will be accepted or used in violation of this order.

(2) No person may apply ink to any paper in the production of magazines if he knows or has reason to believe that the printing of such paper will be in excess of the publisher's allowable consumption under this order.

(3) No person may apply any additional ink to paper, and no person may bind or otherwise process paper, in the production of magazines if he knows or has reason to believe that such paper was printed in excess of the publisher's allowable consumption under this order.

(4) No person may agree to purchase for resale, and no person may accept for resale, any magazines which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

(5) No person may sell, distribute or otherwise dispose of magazines, except for redelivery to his supplier or for use as waste paper scrap, if, before he accepted them, he knew or had reason to believe that they were printed in excess of the publisher's allowable consumption under this order.

(6) No person may export for resale magazines which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

Miscellaneous Provisions

(r) *Records.* Every publisher must keep accurate records, by calendar quarters, of the number of copies of each magazine which he caused to be printed, the tonnage of paper which he caused to be used for each magazine, the tonnage of paper of each grade and item of paper received during the quarter, and the tonnage of paper in inventory at the time of each delivery, subject to inspection by the authorized representatives of the War Production Board. These records must be preserved as long as this order remains in force, and for two years after that.

(s) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(t) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement I to the order. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB–3820 (or letter explaining why that form is not filed) need accompany any appeal.

(u) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L–244.

(v) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–11930; Filed, July 3, 1945; 11:30 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L–245, as Amended July 3, 1945]

BOOKS AND BOOKLETS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Scope

(a) The purpose of this order.

Definitions and Explanations

(b) Book.
(c) Publisher.
(d) Paper.
(e) Put into process.
(f) Production waste.
(g) Determination of consumption quotas.
(h) Transfer of quotas.
(i) Official determinations.

Consumption Quota

(j) Computation of consumption quota.
(k) Carry-over.
(l) Total permitted consumption.
(m) Restriction on paper for reprinting.
(n) Breach of contracts.
(o) Allotment to Army and Navy.
(p) Certification to printer.

Delivery Restrictions

(q) Limit on tonnage which may be accepted.
(r) Certification to paper dealer or mill.

Books or Parts Thereof Printed in Violation of Order

(s) Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.

Miscellaneous Provisions

(t) Records.
(u) Applicability of regulations.
(v) Appeals.
(w) Communications.
(x) Violations.

Scope

§ 3133.17 *Limitation Order L–245*—(a) *The purpose of this order.* This order does three things: First, it limits the tonnage of paper which a book publisher may cause to be put into process in the production of books. This is called his "consumption quota." A publisher may not exceed his consumption quota even though the paper is physically available to him or his printer. Second, it limits the tonnage of paper which may be accepted by or on behalf of a book publisher. It also limits the tonnage of paper which may be accepted by or on behalf of a printer for a particular publisher's use in the production of books. Third, it places certain restrictions on paper suppliers, printers, binders, distributors, wholesalers and others in their dealings with publishers who consume paper in excess of their allowable consumption under this order.

Definitions and Explanations

(b) *Book.* "Book" means any bound or loose-leaf collection of 32 or more pages. It also means any school workbook, educational test, or book intended for juvenile use, irrespective of the number of pages. Advance parts and supplements of books are included. For the sake of convenience the word "book" is used throughout this order, even though the order also covers items which are more commonly referred to as "booklets" or "pamphlets". Excluded from the definition of "book" and hence from the provisions of this order are the following:

(1) Magazines as defined in Order L–244 and newspapers as defined in Order L–240;

(2) Diaries, date books, memorandum books, address books, blank books, accounting books, sales books, business-entry books, ledgers, journals, and other items in book format (except school workbooks and educational tests) whose primary function is to provide space for the entry of data rather than instructional material, reading matter or illustrations;

(3) Albums less than half of whose pages contain reading matter or illustrations;

(4) Catalogs or advertising brochures issued by or for persons who manufacture, distribute, or offer for sale the products, commodities or services listed or illustrated therein, including inserts supplied by manufacturers or distributors to publishers who distribute them collectively in "catalog files," "cooperative files," "condensed catalogs," "catalog yearbooks," or similar reference volumes; *Provided, however,* That the paper used in the production of all editorial material contained in such volumes, such as prefaces, forewords, indices, blank pages, textbook data, classified directory information, condensed and typographically standardized pages of product or

service data, and display and all other advertisements shall be charged to the quota of the publisher under this order;

(5) Directories issued by a person whose primary business is not publishing;

(6) Printed matter of which no copies of any edition are offered for sale, either singly or in bulk, at any level of distribution. Printed matter is "offered for sale" if it is offered either in consideration of a monetary payment, as a premium, bonus or dividend, in connection with a correspondence course, in part consideration of society membership dues, or for any other consideration direct or indirect. Printed matter is "offered for sale" if the publisher receives any compensation for the inclusion of material therein.

(7) Instructional manuals concerned exclusively with the specific brand of products manufactured or distributed by the person issuing the manuals. (Instructional manuals applicable to other brands of the same or similar products are not within this exception.)

(8) School or college annuals and yearbooks;

(9) Cut-out or other game books covered by Order M-241-a, List D.

NOTE: Items (2) to (8) inclusive are "commercial printing" under Order L-241. Schedule II of that order limits the tonnage of paper which a publisher or issuer of certain of these items may cause to be used. Also, Schedule II of Order L-241 limits the tonnage of paper which a publisher or issuer may cause to be used in certain types of printed matter for which the issuer receives a consideration and which are not "books" as defined in this order or "magazines" as defined in Order L-244.

If a publisher is uncertain as to whether or not his publication is a book as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion.

(c) *Publisher.* The "publisher" of a book is the person who performs, with respect to that book, the functions of a publisher as that term is generally understood in the book publishing industry. The War Production Board, upon its own motion or upon the request of an interested party, may determine who is the publisher of a particular book.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper used in the production of a book, including end papers, labels, paper covers and jackets. The term includes paper reclaimed wholly or partly from printed or unprinted waste as well as paper made entirely from virgin fiber.

(e) *Put into process.* All the paper consumed in a single, complete, continuous printing of a book is "put into process" when the press run is commenced. Paper "put into process" includes paper printed by letter-press, offset or any other process.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a publisher causes to be put into process in the production of a book.

(g) *Determination of consumption quotas.* The War Production Board, upon its own motion or upon the request of an interested party, may determine the size of a publisher's consumption quota.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the production of books any part of a consumption quota established under Order L-240 (newspapers), L-241 (commercial printing) or L-244 (magazines) and he may not permit any part of his consumption quota established under this order to be used for newspapers, commercial printing, or magazines.

(2) This order does not prohibit the established practice in the book publishing industry whereby one publisher occasionally undertakes the sale and distribution of an edition or part of an edition of books published by another person. It does not sanction the acquisition by one publisher of another publisher's consumption quota. Quotas established by this order may not be bought or sold under any guise. The transfer of quotas is prohibited, except under the circumstances stated in Priorities Regulation 7A. The use by one publisher, directly or indirectly, of a consumption quota provided for another publisher is a violation, punishable in accordance with paragraph (x).

Except where specific authorization is granted by the War Production Board upon application in writing, paper which is put into process in the production of a book may be charged only against the quota of the person:

(i) Who is the publisher of the book; and

(ii) Who owns the copyright or the publication rights under copyright by assignment from the copyright owner; and

(iii) Whose publishing imprint appears on the title page; spine and jacket of the book to the exclusion of any other imprint or colophon of any kind; and

(iv) Who undertakes the ultimate risk of the publishing venture.

(i) *Official determinations.* The official determinations described in paragraphs (b) (c) and (g) may be made only by the Washington office of the War Production Board and shall be issued in the name of the Recording Secretary of the War Production Board. They shall be conclusive for the purpose of this order unless revoked or modified by the same authority.

Consumption Quota

(j) *Computation of consumption quota.* In the calendar year 1945, and in each calendar year after that, no publisher may cause to be put into process for the production of books any paper in excess of his consumption quota, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in the production of the publisher's books in the calendar year 1942. This is the publisher's "base tonnage" from which the required reductions shall be made.

(2) If the publisher's base tonnage is not more than 20 tons, his consumption quota for the entire year 1945 shall be 10 tons plus one-half of his base tonnage.

(3) If the publisher's base tonnage is more than 20 tons but not more than 100 tons, his consumption quota is 20 tons plus 87½ percent of that part of his base tonnage in excess of 20 tons.

(4) If the publisher's base tonnage is more than 100 tons his consumption quota is 77½ percent of his base tonnage, or 90 tons, whichever is larger.

(5) If a person used no paper for publishing books in 1942, he shall have a consumption quota of 10 tons for the period between July 1, 1945 and December 31, 1945, *Provided*, He files with the Book Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of Section 35 (A) of the United States Criminal Code, that I have no consumption quota for the publication of books under Order L-245, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (j) (5) of Order L-245.

A consumption quota provided by this paragraph (j) (5) shall be conditioned upon the continued accuracy of the above representations.

NOTE: Paragraph (k), formerly paragraph (k) (2), redesignated, and paragraphs (k) (1) and (k) (3) deleted, July 3, 1945.

(k) *Carry-over.* A publisher may carry over for future use accumulated savings resulting from under-use of quota, but he may not use in a calendar year any portion of his carry-over in excess of 15% of his consumption quota. For example, if a publisher's consumption quota in 1945 is 100,000 pounds and his carry-over from 1944 is 20,000 pounds, he may use in 1945 in addition to his consumption quota a maximum carry-over of 15,000 pounds (i. e., 15% of 100,000 pounds). The balance of carry-over from 1944 (i. e., 5,000 pounds) plus any under consumption in 1945 may be carried over and used in 1946 provided the total of such carry-over from 1944 and 1945 does not exceed 15% of his consumption quota for 1946.

(l) *Total permitted consumption.* A publisher may cause to be put into process in any calendar year:

(1) His yearly consumption quota as determined under paragraph (j);

(2) Plus any less-than-quota savings carried over from previous years, as provided in paragraph (k);

(3) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that year.

(m) *Restriction on paper for reprinting.* No publisher may use, in the reprinting of any book, paper of a basis weight heavier than that used in the last printing of the book, except that paper which was in the publisher's inventory on or before June 30, 1945 may be used for reprintings, irrespective of the basis weight. A publisher "reprints" a book if he uses any part of the type or plates used in a previous printing of that book or if he reproduces any part of it by offset or any similar process.

(n) *Breach of contracts.* As provided in Title III of the Second War Powers Act, no person shall be held liable for damages or penalties for any default under any contract which shall result directly or indirectly from compliance with this order.

(o) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing books which will be furnished without charge to United States Armed Forces personnel in the continental United States, and to United States Armed Forces personnel outside the continental limits of the United States whether such books are sold or not.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in such books acquired by the Army and the Navy. This allotment does not cover purchase of books by military exchanges or service departments, as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All books sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

(p) *Certification to printer.* No publisher may order books to be printed, and no person may print such books, unless the publisher furnishes or has previously furnished to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-245 and that all orders placed by the publisher with that printer for items regulated by Order L-245, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(q) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 no publisher may accept, and no person may accept for that publisher's use, paper in excess of 32½% of his permitted consumption for 1945, or 65% of that portion of his permitted consumption for 1945 which remained unused on June 30, 1945, whichever is larger.

(r) *Certification to paper dealer or mill.* No publisher may order or accept delivery of paper, and no person may deliver paper to a publisher, unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-245 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

A new certification need not be furnished pursuant to the July 3, 1945 amendment of Order L-245 by any publisher who has furnished a certification pursuant to paragraph (r) of Order L-245 as amended April 4, 1945.

Books or Parts Thereof Printed in Violation of Order

(s) *Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.* (1) No person may sell or deliver any paper which he knows or has reason to believe will be accepted or used in violation of this order.

(2) No person may apply ink to any paper in the production of books if he knows or has reason to believe that the printing of such paper will be in excess of the publisher's allowable consumption under this order.

(3) No person may apply any additional ink to paper, and no person may bind or otherwise process paper, in the production of books if he knows or has reason to believe that such paper was printed in excess of the publisher's allowable consumption under this order.

(4) No person may agree to purchase for resale, and no person may accept for resale, any books which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

(5) No person may sell, distribute or otherwise dispose of books, except for re-delivery to his supplier or for use as waste paper scrap, if, before he accepted them, he knew or had reason to believe that they were printed in excess of the publisher's allowable consumption under this order.

(6) No person may export for resale books which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

Miscellaneous Provisions

(t) *Records.* Every publisher must keep accurate records of the tonnage of paper which he causes to be put into process for books, the tonnage of each item of paper received by him and the tonnage of paper in inventory at the time of each delivery, subject to inspection by the duly authorized representatives of the War Production Board. These records must be preserved as long as this order remains in force, and for two years after that.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement 1 to the order. Regardless of the provisions of Priorities Regulation 16 no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(w) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-245.

(x) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11931; Filed, July 3, 1945; 11:30 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Dir. 24]

FORTY-FIVE DAY INVENTORY ON STEEL SHEET AND STRIP

The following direction is issued pursuant to CMP Regulation 2:

§ 3175.124 *Inventory Direction 24 to CMP Regulation 2.* (a) Notwithstanding the provisions of CMP Regulation 2, paragraph (b) (1), no user shall accept delivery of any item of steel sheet and strip if his inventory of such item is, or will by virtue of such acceptance become, in excess of the quantity of such item he will be required to put into use during the succeeding 45 days for production or construction in order to carry out his current or scheduled operations.

(b) The exceptions in paragraph (c) of CMP Regulation 2 apply to deliveries

of steel sheet and strip under this direction.

(c) This direction does not apply to:

(1) Any person who will use less than 50,000 pounds of steel sheet and strip in the calendar month in which delivery is accepted. However, the provisions of paragraph (b) of CMP Regulation 2 (specifying a 60-day inventory or a minimum practicable working inventory, whichever is less) do apply.

(2) Steel sheet and strip which, at the effective date of this direction, was in transit or loaded for shipment.

(d) Users must immediately cancel, reduce or defer any order for steel sheet and strip which has been placed where the scheduled delivery would result in an inventory in excess of that permitted by this direction.

(e) No user may place any order for steel sheet and strip requesting delivery which would result in an inventory in excess of that permitted by this direction.

(f) This direction is effective July 9, 1945.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11926; Filed, July 3, 1945; 11:30 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-201, Revocation]

AUTOMOTIVE TIRE CHAINS, TRACTOR TIRE CHAINS, AND CHAIN PARTS

§ 3274.76 *Limitation Order L-201* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of automotive tire chains, tractor tire chains, and chain parts are subject to the restrictions of L-302, as amended simultaneously with this revocation, and all other applicable orders and regulations of the War Production Board.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11927; Filed, July 3, 1945; 11:31 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-302, as Amended July 3, 1945]

CHAIN

The fulfillment of requirements for the defense of the United States has created a shortage of chain for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.77 *Limitation Order L-302*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any person who manufactures chain.

(2) "Chain" means any welded or weldless chain, excluding attachments other than repair links and excluding the following types of chain:

NOTE: The item "Tire Chain" deleted from list July 3, 1945.

Anchor chain (stud link).
Band track chain.
Bead chain.
Buoy chain.
Cast metal chain.
Jewelry chain (for identification tags, costume jewelry, etc.).
Metal pickling chain.
Pocket wheel chain and chain for other wheel mechanisms.
Sprocket wheel, hoist, and conveyor chain, including ladder chain.
Universal chain.
Welded brass chain.
Welded sash chain.

(3) "Chain assembly" means any chain which has been cut by the producer to a fixed length and assembled, with or without attachments, to fulfill a specific purpose.

(4) "Present manufacture" means as regularly manufactured by a producer on June 26, 1943.

(5) [Deleted July 3, 1945.]

(6) [Deleted July 3, 1945.]

(b) *Restrictions on manufacture of chain.* (1) Except as provided in paragraph (b) (2) hereof:

(i) No producer shall commence processing any raw material into any chain or chain assembly which does not conform to the types, sizes, specifications, and finish contained and prescribed in the schedule attached hereto.

(ii) No producer shall sell or make delivery, nor shall any person purchase or accept delivery of any chain or chain assembly which he knows or has reason to believe was not manufactured in accordance with this order

(2) The provisions of paragraph (b) (1) shall not apply

(i) To any chain or chain assembly not permitted by the schedule attached hereto processed from any raw material in a producer's inventory on June 26, 1943, or received within 45 days after June 26, 1943: *Provided*, That such raw material is not suitable for processing into any chain or chain assembly permitted by the schedule attached hereto.

(ii) To any chain or chain assembly the production of which has been commenced prior to June 26, 1943.

(iii) To any completed chain or completed chain assembly which was in any person's inventory in finished form on June 26, 1943.

(iv) To special chain assemblies made up to fulfill specific purposes which cannot be served by the types of chain assemblies permitted to be manufactured by the schedule attached hereto. Such special assemblies may be made only to fill a specific order placed by an ultimate consumer and shall be made only out of those types of chain permitted to be manufactured in the schedule attached hereto.

(v) To any chain required for the repair or maintenance of existing chain or chain assemblies when such repair or maintenance requires chain of special link dimensions not permitted by the schedule attached hereto.

(vi) To the carburizing or nitriding of chain to meet individual specifications.

(vii) To any chain or chain assembly produced with specific permission of the War Production Board.

(3) Wherever on the attached schedule with respect to any type of chain or chain assembly link dimensions are specified as "present manufacture" each producer shall forthwith file with the War Production Board, Tools Division, Reference: L-302, his established link dimensions for such type chain or chain assembly. The producer may thereafter apply to the War Production Board for leave to amend such link dimensions, but unless and until such leave is granted by the War Production Board in writing, such link dimensions in accordance with their present manufacture shall remain binding upon such producer.

(c) [Deleted July 3, 1945]

(d) [Deleted October 30, 1943]

(e) *Reports.* Each producer shall execute and file with the War Production Board Form WPB-2064 and such other reports and questionnaires as said Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Applicability or regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulation of the War Production Board.

(h) *Communications.* All reports, appeals, and other communications concerning this order shall be addressed to: War Production Board, Tools Division, Washington, D. C., Ref.: L-302.

(i) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE

TABLE I—WELDED STEEL COIL CHAIN

Welded steel coil chain shall be made only in the following types. Link design of all types shall be straight link except that Liberty coil chain and Liberty machine chain may be made in both straight and twist link and Liberty truck chain may be made in twist link only.

All types shall be made out of open hearth steel except that proof coil chain may also be made of wrought iron, high test chain shall be made only from carbon steel SAE-1018—SAE 1040, inclusive, and alloy steel chain may be made to individual customers' specifications provided the end use is one for which carbon steel chain or wrought iron chain is unsuitable.

A producer may apply an ovide oh phosphate finish to any welded steel coil chain if required by Army, Navy, Maritime Commission, or War Shipping Administration specifications for a specific order. Otherwise, finishes shall conform to this table.

All sizes specified are trade sizes.

NOTE: Table amended July 3, 1945.

Type	Link dimensions	Finish	Permitted sizes
Proof coil chain	Fed. Spec. RR-C-271	Self-colored or galvanized	3/16", 1/4", 5/16", 3/8", 7/16", 1/2", 9/16", 5/8", 3/4", 7/8", 1", 1 1/8", 1 1/4"
BBB coil chain	Present manufacture	Self-colored or galvanized	3/16", 1/4", 5/16", 3/8", 7/16", 1/2", 9/16", 5/8", 3/4", 7/8", 1", 1 1/8", 1 1/4"
High test chain	Present manufacture	Tumbled only to remove burs.	1/4", 5/16", 3/8", 7/16", 1/2", 9/16", 5/8", 3/4", 7/8", 1", 1 1/8", 1 1/4", 1 3/8", 1 1/2", 1 5/8", 1 3/4", 1 7/8", 2"
Alloy steel chain	Present manufacture	Tumbled only to remove burs.	5/8", 1/2", 9/16", 5/8", 3/4", 7/8", 1", 1 1/8", 1 1/4"
Liberty coil chain	Present manufacture	Self-colored, bright or galvanized.	#1, #3, #2, #1/0, #2/0, #3/0, #5/0, #6/0, #7/0.
Liberty machine chain.	Present manufacture	Self-colored, bright or galvanized.	#1, #3, #2, #1/0, #2/0, #3/0, #5/0, #6/0, #7/0.
Liberty truck chain	Present manufacture	Self-colored or bright	#7/0, #8/0.
Heel coil chain	5/8" x 2" (Pattern No. 130) and 3/4" x 2 1/2" (Pattern No. 131).	Bright	5/16".
Passing link chain	Present manufacture	Self-colored or bright	#2/0, #4/0.
Sale chain	In accordance with table VI.		In accordance with table VI.

TABLE II—WROUGHT IRON DREDGE OR CRANE CHAIN

This chain shall be made only from single or double refined wrought iron bars.

Finish shall be self-colored.

The following permitted link dimensions only are permitted; provided that this chain may also be made with link dimensions conforming to Fed. Spec. RR-C-271 and Navy Specification 42-C-219:

Permitted Link Dimensions (tolerance allowed ±4%)

Trade size (inches)	Outside length (inches)	Outside width (inches)	Inside length (inches)	Inside width (inches)
3/16	15/8	1 3/8	1 3/16	8/16
1/4	2 9/16	1 3/4	1 5/16	1 1/16
5/16	2 29/32	2 1/4	1 19/32	1 5/16
3/8	3 1/2	2 5/8	1 15/16	1 5/16
7/16	3 63/64	3	2 1/8	1 5/16
1/2	4 5/16	3 5/16	2 1/2	1 1/4
9/16	5 1/16	3 15/16	2 3/4	1 5/8
5/8	5 5/16	4 1/8	3	1 3/4
3/4	6 3/16	4 5/8	3 1/2	1 15/16
7/8	6 31/32	5 3/16	3 7/8	2 1/8
1	7 7/16	5 5/16	4 1/4	2 1/8
1 1/8	8 3/16	6 1/16	4 3/4	2 1/4
1 1/4	9 1/16	6 5/16	5 1/4	2 1/2
2	9 31/32	6 15/16	5 3/4	2 3/8
2 1/8	10 7/16	7 1/16	6 1/4	2 3/4
2 1/4	11 1/16	7 5/16	6 3/4	3
2 3/8	11 11/16	7 15/16	6 7/8	3 1/8
2 1/2	12 1/16	8 5/16	7	3 1/4

TABLE III—WELDED STEEL CHAIN AND WELDED IRON CHAIN ASSEMBLY

All welded steel chain and welded iron chain assemblies shall be made only from those types of chain permitted to be manufactured in Tables I and II and shall be further limited in sizes and specifications as stated below.

Sling Chains

Steel sling chains shall be made out of those types of steel chain permitted in Table I.

Wrought iron sling chains shall be made only from wrought iron dredge or crane chain as permitted in Table II.

No special sling chain assemblies shall be made except where these are permitted by paragraph (b) (2) (iv).

Railroad Brake Chains

Shall be made from proof coil chain; trade sizes, 5/16", 1/2", 9/16", 5/8", 3/4".

Finish: Self-colored.

Railroad Safety Chains

Shall be made from proof coil chain; trade sizes: 1/2", 9/16", 5/8", 3/4", 7/8", 1", 1 1/8", 1 1/4".

Finish: Self-colored.

Railroad Switch Chains

Shall be made from proof coil chain; trade sizes: 5/8", 3/4", 7/8", 1".

Finish: Self-colored.

Boom and Rafting Chains

Shall be made from proof coil chain; styles as presently manufactured by the producer; sizes: As the purchaser may require.

Finish: Self-colored.

Style A, plain points.

Finish: Self-colored.

Link size: 5/16".

Blade size: 3/8" x 1 1/4" x 6" to 6 1/2".

NOTE: Chain dogs required for salt water use may be made in any required size and shape.

Ring Dogs

Style C, round ring, plain point.

Finish: Self-colored.

Ring size: 3/8" x 3".

Blade size: 3/8" x 1 1/4" x 6" to 6 1/2".

NOTE: Ring dogs required for salt water use may be made in any required size and shape.

LOG CHAINS

Shall be made from proof coil chain; trade sizes: 1/4", 5/16", 3/8", 1/2".

May be made only in 14-foot lengths in pattern 120 with grab hook on one end, slip hook on other end, no swivel.

Finish: Self-colored.

Towing Chains (excluding Special River Tow Chains)

Shall be made from proof coil, BBB, or high test chain; sizes as presently manufactured by producer.

Wagon Chains

Finish on all wagon chains shall be self-colored.

Wagon end gate chains: shall be made from proof coil chain; sizes: 1/4", 5/16", 3/8", 7/16", 1/2".

Anti-spreader chain: Shall be made from #2/0 straight link Liberty coil chain; lengths 38" and 42".

Wagon stay chains: Straight link, length as required; exact sizes: 5/16", 3/8".

Wagon tongue or pole chain: Regular pattern; exact sizes: 5/16", 3/8".

Wagon stretcher chain: Regular pattern; exact sizes: 5/16", 3/8".

Wagon lock chain: Straight link; exact sizes: 5/16", 3/8".

NOTE: Link dimensions of wagon stay chains, wagon tongue or pole chain, wagon stretcher chain, and wagon lock chain are not required to conform to Table I.

Harness Chains

Finish on all harness chains shall be bright.

The following harness chains only may be made:

Trace chains: Ring and hook patterns without swivel; may be made to the following two specifications only:

(a) Body links shall be made of 15/64" side chain. End links are limited to six, and their dimensions shall be as follows: 1/4" (exact size) x 1/2" x 2 1/2" (inside). Ring dimensions shall be 5/16" (exact size) x 1 3/4" (inside). This size trace chain may be made in the following lengths: 6 1/2', 7', 7 1/2'.

(b) Body links shall be made of 9/32" side chain. End links are limited to six, and their dimensions shall be as follows: 9/32" (exact size) x 1/2" x 2 1/2" (inside). Ring dimensions shall be 11/32" (exact size) x 1 3/4" inside). This size trace chain may be made in the following lengths: 7', 7 1/2', 8'.

Stage traces: Regular pattern, no swivel permitted; may be made only from #5/0 twist link Liberty coil chain in 42" length.

Butt chains: Regular pattern, no swivel permitted; hook or ring permitted on one end; may be made with four end links in the following length chains: 24", 30". Body link, end link, and ring dimensions shall be the same as permitted for trace chains.

Breast chains: Pattern No. 220; trade lengths 28" and 32" permitted.

Single breast chains: Patterns No. 155; trade size No. 2; length 26".

Cart back chains: As presently manufactured.

Hobble chains: Coast pattern; size No. 2; length 10"; Dee size 1 3/4".

Heel chains: May be made in the following trade sizes, with the number of links specified: No. 45—4, 6, and 8 links; No. 52—4, 6 and 8 links; No. 66—6 and 8 links; No. 86—7 and 10 links. Nos. 45 and 86 may have Dees of the following sizes: 1 1/2", 1 3/4", 2".

Animal Tethering Assemblies

Finish on all animal tethering assemblies shall be bright. Patterns, sizes and lengths permitted only as specified.

Cow ties: Ohio pattern and open ring pattern. Ohio pattern sizes #2/0 (length 4 1/2'), #3/0 (length 5'), #5/0 (length 5 1/2'), #7/0 (length 6'). Open ring pattern #2/0 only, in 3', 3 1/2', and 4 1/2' lengths.

Halter chains: Regular pattern, in sizes #1/0 and #3/0; 4 1/2' and 6' lengths permitted.

Choke collar chains: May be made only from #3 twist link Liberty machine chain in such lengths as are required.

Chain Repair Parts

The following repair parts may be made according to the specifications provided:

Repair or lap links: Finish—bright or galvanized; end open pattern—5/16" x 1", 5/32" x 1 1/4" (trade size 10-3), 1/4" x 1 1/4" (trade size 10-2), 5/32" x 1 1/4" (trade size 10-1), 5/16" x 1 1/2", 3/8" x 2", 1/2" x 2 1/2"; side open pattern—5/8" x 2 1/2".

"C" links: Plain pattern, bright finish; size 1/2" x 2 1/2".

Cold shuts: No. 1 and No. 3 patterns, finish self-colored; sizes as required.

TABLE IV—WELDLESS COIL CHAIN

Weldless coil chain shall be made only in the following types and sizes. Material and

finish on such chain may be as specified by the purchaser. Types refer to classification of types in Federal Specification RR-C-271.

(a) Wire Chain

Type	Permitted sizes
Class 1 (single-loop pattern) chain.	#4, #2, #1/0, #2/0, #3/0, #4/0, #5/0, #6/0, #7/0.
Class 2 (double-loop pattern) chain, style 1.	#7, #4, #3, #2, #1, #2/0, #4/0, #6/0, #8/0, #10/0.
Class 2 (double-loop pattern) chain, style 2.	#4, #2, #1/0, #2/0, #3/0, #5/0.
Class 7, single jack chain.	#19, #18, #16, #14, #12, #10, #8, #6, #5.
Class 8, double jack chain.	#19, #18, #16, #14, #12, #10.
Class 10, register chain (safe chain).	#18, #16, #14, #12, #10.
Pump chain	#6.

(b) Flat Metal Chain

Class 3, sash chain	#8, #6B, #25, #30, #35, #40, #45, #50, #60, #65.
Class 4a, flat link (long pitch) and Class 4b, flat link (short pitch) chain.	#31, #33, #35, #12, #9½, #91, #8, #7, #3, #113, #330, #350, #4-0 Special, #210, #280.
Class 6, safety chain (plumbers chain).	#00, #0, #1.

TABLE V—WELDLESS CHAIN ASSEMBLIES

All weldless chain assemblies shall be made only from those types of chain permitted to be manufactured in Table IV and shall be further limited in sizes and specifications as stated below. Weldless chain assemblies may be finished as specified by the purchaser.

Tie out chains: Double-loop pattern chain only may be used; sizes #1 and #2/0 only; permitted lengths 20' and 30' only. Link dimensions on tie out chains may exceed regular dimensions for these sizes in double-loop pattern chain.

Halter chains: Double-loop pattern chain only may be used; sizes #1, #2/0, #4/0, and #6/0, permitted lengths 4½' and 6'.

Cow ties. Ohio pattern; may be made out of double-loop pattern chain only with or without swivel; size #2/0 only; permitted length 4½'.

Anti-spreader chains: Double-loop pattern only may be used; size #2/0; permitted lengths 38" and 42" only.

Kennel chains: Double-loop pattern only may be used; size #2/0; permitted lengths 6' and 9'. Kennel chains may be manufactured only for use with work dogs employed for purposes of training or hauling sledges.

TABLE VI—TIRE CHAINS

(a) *Definitions.* For the purpose of this table.

(1) "Tire chain" means:

(i) A complete chain assembly, whether or not reinforced, made for use on a tire of a passenger auto, commercial vehicle, or farm tractor in order to increase the traction of the tire.

(ii) Any cross chain, lock, hook, plate, or side chain, whether or not reinforced, made for use in repairing a complete tire chain.

(iii) Any chain assembly of the strap-on or single-chain type.

(2) "Passenger auto" means any passenger vehicle propelled by an internal combustion engine and having a seating capacity of less than eleven persons.

(3) "Commercial vehicle" means any light, medium, or heavy motor truck, truck-tractor, truck trailer, off-the-highway motor vehicle, passenger carrier having a seating capacity of eleven or more persons, or tractor other than a farm tractor.

(b) *Restrictions on manufacture of tire chains.* (1) Tire chains shall be made only for use on the following sizes of tires:

(i) Tires for passenger auto: 6.00–16 (in "light car special" type only); 6.50–16; 7.00–16; 7.50–16.

(ii) Tires for commercial vehicles other than farm tractors: 6.00–16, 6.50–20 32 x 6; 7.00–20; 7.50–16; 7.50–17; 7.50–20 34 x 7; 8.25–20; 9.00–20; 9.75–20.

(iii) Tires for farm tractors: as required.

(2) All tire chains produced for passenger autos or commercial vehicles must be of the types called A, C, G, and M in Tire Chain Specifications No 7140, copyrighted by The Chain Institute, Inc., Chicago, Illinois, published July 1, 1940.

(3) Tire chains in types and sizes other than those permitted by paragraphs (b) (1) and (b) (2) may also be made when individually ordered for delivery by the producer directly or indirectly to the consumer.

[F. R. Doc. 45–11932, Filed, July 3, 1945; 11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, as Amended July 3, 1945]

SPECIAL PROGRAMS: TEXTILE, CLOTHING AND RELATED PRODUCTS

Section 3290.120 *Conservation Order M-328B* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textiles, clothing, Leather and related products for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Scope

Par.
(a) Explanation.

Definitions

(b) (1) Special programs.
(b) (2) Priorities assistance.
(b) (3) Manufacturers.
(b) (4) Base period.
(b) (5) Base period manufacturers.
(b) (6) Price.
(b) (7) Item.

Obtaining Priorities Assistance

(c) Rules applicable to obtaining priorities assistance.
(d) Special provisions to assure meeting special programs.
(e) Addition of items to a schedule.

Use of Priorities Assistance

(f) Rules applicable to manufacturers granting priority assistance.
(g) Application and extension of preference ratings.

Miscellaneous Provisions

(h) Special rules for special programs.
(i) Equitable distribution by manufacturers.
(j) Records and reports.
(k) Applicability of regulations.
(l) Appeals.
(m) Violations.
(n) Communications.

§ 3290.120 *Conservation Order M-328B*—(a) *Explanation.* This order (including the schedules and supplements) states the rules under which apparel and other textile end-product manufacturers may get preference ratings to make listed essential items under special programs. Rules are also stated for producers of cotton and wool machine knitting yarns. This Order M-328B states the general rules relating to the obtaining of priorities assistance and the use of such priorities assistance after it has been obtained.

(b) *Definitions.* For the purpose of this order and its schedules,

(1) "Special program" means a program approved by the War Production Board for the production with priorities assistance and the distribution of any item on a schedule of this order.

(2) "Priorities assistance" includes preference ratings, allocations and directions.

(3) "Manufacturer" means any person engaged in the United States in manufacturing for sale any item listed in a schedule of this order from material which has not been supplied directly or indirectly by the person acquiring the item.

A person is also deemed a "manufacturer" for the purpose of using a preference rating under this order, if he is engaged in the business of selling and having manufactured in the United States for his account an item listed in a schedule of this order from material which he owns or material which he directly or indirectly supplies to a contractor or contractors. In no event shall more than one person be deemed a "manufacturer" of the same units which one person fabricates in whole or in part and for which another person supplies the material.

(4) "Base period" means the calendar quarter of 1943 corresponding to the quarter in which the materials are to be delivered for which priorities assistance is requested.

(5) "Base period manufacturer" means a manufacturer who applies for priorities assistance to make an item of which he was a manufacturer in the base period.

(6) "Price", unless otherwise stated, means the list price of the manufacturer to an unaffiliated purchaser. A purchaser is deemed affiliated with a manufacturer if he is an owned or controlled outlet, or is an outlet which owns, controls or is subject to common control with the manufacturer. A manufacturer who sells directly to consumers or to an affiliated purchaser may use two-thirds of the retail selling price as a manufacturer's equivalent selling price in applying for priorities assistance.

(7) "Item", unless otherwise designated, means the article produced for civilian sale, of the type, size and other description listed in a schedule.

(c) *Rules applicable to granting priorities assistance.* The War Production Board will grant priorities assistance to manufacturers to get yarn or fabrics to make items for special programs under schedules of this order. Applications for priorities assistance should be submitted by manufacturers and preference ratings will be granted in accordance with the following rules:

(1) Applications for priorities assistance must be filled out and filed with the Textile, Clothing and Leather Bureau War Production Board, Washington 25, D. C., by manufacturers on Form WPB-3732 (revised) for the production of items listed on a schedule of this order, and postmarked at least forty-five days before the calendar quarter for which assistance is requested. Such applications must be prepared in accordance with the specific instructions issued with respect to the schedule listing the item for which application is made. Copies of Form WPB-3732 (revised) may be obtained from any War Production Board office.

(2) At least fifteen days before the beginning of each quarter, applicants will be notified by the War Production Board of the grant or denial of their applications.

(3) For the third quarter of 1945, applications should be filed and postmarked by July 14, 1945. Base period manufacturers who file their applications by then, are entitled to use preference ratings in advance of the receipt of their authorizations to the extent set forth in each of the schedules.

(4) Where priorities assistance is needed for component parts in order to complete the production of an item or items in a schedule, special provisions for obtaining such priorities assistance are set forth in the schedule.

(5) If the applications are filed for more material than is available for a particular item under any special program, grants of priorities assistance will generally be made on the basis of each applicant's past consumption and inventory of fabrics or yarn and the quantities available. Applications from persons other than base period manufacturers will generally be granted only if the supply of materials is in excess of the amounts needed to permit the continued operation of base period manufacturers at a reasonable economic operating level. Where special criteria are applicable to the granting of priorities assistance for a special program under one of the schedules of this order, such criteria will be set forth in the appropriate schedule.

(6) Applicants who are not base period manufacturers must also conform to the following rules before they will receive consideration under any special program:

(i) They must submit with their application the following certification signed as provided in Priorities Regulation 7:

> The undersigned certifies, subject to the criminal penalties of section 35 (A) of the United States Criminal Code, that he has met all the requirements of the regulations of the Office of Price Administration for establishing the ceiling price for the items for which he is applying for priorities assistance.

The standard certification provided for in Priorities Regulation 7 may not be used instead.

(ii) They must file with their applications the specifications of the item for which application is made. If, from the specifications submitted, the War Production Board is unable to determine the quality standards in the item for which application is made, it may request that a sample be submitted. If application is granted, the applicant must meet the specifications filed. The War Production Board will, if it determines the specifications or samples to be unsatisfactory, deny the application. Once an application is granted on the basis of specifications or samples submitted, such applicant need not file specifications or samples for the same item in succeeding quarters.

(7) An applicant who does not own or control the facilities on which it is proposed to manufacture items applied for, must submit with his application form a signed statement from each person who owns or controls the facilities on which the items are to be produced. This statement must contain the following information:

(i) Each operation to be performed.

(ii) The maximum quantity of each item applied for which he has agreed to produce for the applicant.

(iii) That he in fact owns the facilities or controls them under a rental or lease contract.

(d) *Special provisions to assure meeting special programs.* The War Production Board must be able to rely on the actual production of the items needed to fill all special programs under schedules of this order. When applications are not sufficient to meet the special program for any item, it may be necessary to grant priorities assistance to an applicant for more of certain items than are requested. In general this will be done without granting more assistance for all items than is requested but by reducing the amount granted for some items and increasing others over the amount requested. If the War Production Board finds it necessary to meet a program it may issue production directions requiring a manufacturer to produce items even though he may not have requested assistance for them. If any such direction is issued to a manufacturer, he may appeal in the manner explained in paragraph (g) (4) of Order M-328.

(e) *Addition of items to a schedule.* During any calendar quarter, items may be added to a schedule of this order. Manufacturers wishing to apply for priorities assistance for such items must submit application on Form WPB-3732 (revised) within fifteen days after the date the items are added to the schedule.

(f) *Rules applicable to manufacturers granted priorities assistance.* (1) A manufacturer who is assigned a preference rating under a schedule of this order may use that rating only to get the yarn or fabrics specified and may not use the yarn or fabrics for any purpose except to make the item for which the rating was assigned.

(2) Preference ratings granted under a schedule of this order may be used only to obtain delivery of yarn or fabric in the calendar quarter for which the priorities assistance was granted. In addition, all persons receiving such assistance must, as far as practicable complete in that quarter all the items for which the assistance was given.

(3) All items produced from material obtained with a rating assigned under a special program shall meet the same basic specifications, including standards of quality and workmanship, used by the applicant during the base period in producing such items for sale at the same prices, taking into account any subsequent adjustments by the Office of Price Administration.

(4) No manufacturer who uses a rating assigned under a schedule of this order may accept delivery of any finished material, whether rated or unrated, which together with material already on hand will give him more than a forty-five day inventory of the same material at current rate of operations, or a practicable minimum working inventory, whichever is less. Such material on hand includes material wherever located if title has passed to the manufacturer, except materials in transit to him from his supplier. This rule does not prevent acceptance of the minimum quantity in which such material can be procured or the acceptance in good faith of a delivery which is received before the date requested, if the date actually requested would conform with the rule.

(5) Items produced from material procured with priorities assistance shall, to the extent called for by the customers' orders, be made in the same size ranges and in the same proportion of size ranges and assortment of sizes as the manufacturer produced in 1943. If he did not produce the item in 1943, he must comply with the size ranges and assortments of sizes which the War Production Board may specify for the particular item.

(g) *Application and extension of preference ratings.* The preference ratings assigned in this order shall be applied and extended as provided by Priorities Regulation 3 and Order M-328, but subject to the limitations stated in this order. A manufacturer who applies a rating assigned by this order must use the following certification signed manually, or as provided in Priorities Regulation 7:

> The undersigned purchaser whose War Production Board case number is _____ hereby represents to the seller and to the War Production Board, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that he is entitled to apply or extend the preference rating indicated opposite items shown on this purchase order and that such application or extension is in accordance with Priorities Regulation 3 as Amended, with the terms of which the undersigned is familiar; that the textiles covered by this purchase order and all other purchase orders placed by him under this number do not exceed his assigned quota under Order M-328B, and that the textiles will be incorporated into an item for which this case number is assigned.
>
> _____
> (Name of Purchaser)
>
> _____
> (Address)
>
> By _____
> (Signature and Title of Duly Authorized Officer)
>
> _____
> (Date)

The standard certification provided by Priorities Regulation No. 7 may not be used instead.

For deliveries in third calendar quarter of 1945 authorized by a schedule of this order before issuance of an authorization on form WPB-3732 (revised), the serial or case number may be omitted and this statement added to the certi-

fication: "These textiles will be used to make item No. —— listed in Schedule —— of M-328B."

(h) *Special rules for special programs.* Other rules may be specified for a special program in a schedule of this order. If the rules set forth in a schedule differ from those specified in the order, the provisions of the schedule shall govern.

(i) *Equitable distribution by manufacturers.* (This paragraph does not apply to sales by retailers, inasmuch as the Fair Distribution Policy for retailers is defined in Declaration of Policy of July 15, 1943). Every manufacturer who uses a preference rating assigned under this order to make any item shall distribute his production of the item (including any production of the same item which he may have made without a rating) as follows after June 30, 1945:

(1) Up to 90 percent of civilian sales of each item in each calendar quarter must be made to customers who purchased that item or any other textile product for civilian sale, from the manufacturer during the corresponding quarter of 1943, to the extent that orders are received from such customers. However, the manufacturer need not sell any 1943 customer an amount which will be a greater percentage of the manufacturer's total sales for the period than the percentage of the manufacturer's total sales which were made to the same customer in 1943.

(2) As between such 1943 customers, each customer shall be entitled to a dollar share of the civilian sales referred to in (1) above up to the percentage which the customer's total purchases from the manufacturer in the corresponding quarter of 1943 was of the manufacturer's total sales in that quarter.

(3) Any manufacturer may base his distribution under this paragraph on his style seasons instead of calendar quarters, but must treat all customers on the same basis. A manufacturer shall not be required to sell smaller than commercial quantities. The manufacturer may not discriminate against any of his customers in notifying the trade that he has the items available for sale or in making deliveries or allocating his production. If the manufacturer was not, in 1943, in the business of manufacturing an item for which a preference rating is assigned under this order, he shall not sell to any one purchaser more than 10 percent of his total production of any item he produces with a rating (including any part of his production of the same item which he may have made without the rating). Purchasers who are subject to common control shall be deemed one purchaser. Further specific directions may be issued as to the distribution of items.

(4) The above provisions are in addition to the provisions of paragraph (d) of General Conservation Order M-328.

(j) *Records and reports.* (1) Each person who uses a preference rating assigned under this order shall maintain at his regular place of business, accurate records of the quantities of material for which he is authorized under this order to apply preference ratings, the quantities ordered with the use of such ratings, the quantities received and the quantities put into process. He shall also maintain records of the quantities of each item manufactured from the material obtained with the rating. All these records shall be preserved for a period of not less than two years and shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(2) The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subject to the approval of the Bureau of the Budget under this act, all persons affected by this order shall execute and file with the War Production Board such other reports as the War Production Board shall from time to time require.

(k) *Applicability of regulations.* Except as otherwise provided in this order, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(l) *Appeals.* Any person who considers that compliance with any restriction of this order or its schedules, would work an exceptional and unreasonable hardship, may appeal for relief. The appeal shall be made by filing a letter in triplicate with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(m) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priority assistance.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reference M-328B.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11933; Filed, July 3, 1945; 11:35 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. XIII to Schedule A, as Amended July 3, 1945]

The following Supplement XIII to Schedule A is issued pursuant to Conservation Order M-328B § 3290.120a:

CHILDREN'S SNOW SUIT PROGRAM NO. 2

Item No.		Sizes	Table I prices	Table II prices
1	Snow or Ski Suits—(Toddlers')	1 to 4	$4.75	$7.75
2	Snow or Ski Suits—(Children's)	2 to 6X	6.75	10.75
3	Snow or Ski Suits—(Children's)	3 to 8	6.75	10.75
4	Snow or Ski Suits	7 to 14	8.75	12.75
5	Legging Sets or Coat and Ski Pants Sets—(Toddlers')	1 to 4	6.75	9.75
6	Legging Sets or Coat and Ski Pants Sets—(Children's)	2 to 6X	8.75	12.75
7	Legging Sets or Coat and Ski Pants Sets	3 to 8	8.75	12.75
8	Legging Sets or Coat and Ski Pants Sets	7 to 14	10.00	14.75
9	Separate Ski Pants—(Children's)	2 to 6X	2.50	3.75
10	Separate Ski Pants—(Children's)	3 to 8	2.50	3.75
11	Separate Ski Pants	7 to 14	3.25	4.75

FABRICS AND COMPONENTS FOR CHILDREN'S SNOW SUIT PROGRAM NO. 2

1. Melton type fleeces or napped fabrics (woven), 19 to 26 ounces. (54 inches to 60 inches width), 25 percent or more of wool by weight.
2. Knitted fleeces or knitted napped fabrics. (54 inches to 60 inches width).
3. Rayon taffeta or twill, for coat linings only in legging sets.
4. Broad woven cotton flannel in plaids, stripes and plain shades.
5. Soft filled sheeting for interlining to be used with rayon linings only.
6. Wristlets and anklets for items 1, 2, 3 and 4.
7. Anklets only for Items 5 to 11 inclusive, if needed.
8. Two zippers for each legging set, snow or ski suit. Zippers to be used only at the anklets of the leggings or ski pants. (5 inches through 9 inches inclusive).
9. ¼ yard buckram or canvas for each garment.
10. ¼ inch or 3/16 inch of #17 unbleached tape not more than 2 yards.
11. ¾-inch bias binding for bottoms of coats of legging set or coat and ski pants if made as open bottoms up to 1½ yards per garment.
12. ¼-inch elastic for belt of ski pants or leggings. Not more than 8 inches per garment.

FILING OF APPLICATIONS AND STANDARDS FOR PROCESSING THEM

(a) Application on Form WPB-3732 (set forth separately and identify in column (f) of Form: (1), 1944 production on your facilities for your own account; (2), 1944 production on your facilities for the account of others; (3), 1944 production of others for your account).

All applicants under this program who supply production figures in column (f) of Form WPB-3732 as prescribed in paragraph (a), subparagraph (2) above, "1944 production on your facilities for the account of others", shall be subject to the provisions of paragraphs (i) and (k) of this supplement to the extent of such production and must therefore submit the information required in paragraph (i) in writing on or before May 15, 1945, with respect to such production. This information will be attached to and made a part of the application.

(b) Application must be filed on or before April 15, 1945.

(c) These items will be required to be produced during the second, third and fourth quarters of 1945 in as near equal installments as deliveries of the fabric will permit.

(d) Applications will be considered only for the fabrics and components specified above. Applications calling for other fabrics or components will be denied.

(e) Applicants should base their estimated production on their present labor and machinery. If the quantity applied for is greater than that produced in 1944, a statement must be submitted describing facilities which are available now and were not used for this purpose in 1944.

(f) Priorities assistance will be granted to the extent of 60 percent of the fabric available for this program to persons producing these items at or below prices indicated in Table I above, and the remaining 40 percent will be allocated to those producing these items in prices at or below those indicated in Table II above. This does not, of course, authorize any person to exceed his OPA ceiling price for any item in this program. (For example: Item (1), Snow Suits or Ski Suits (Toddlers'), sizes 1 to 4, at least 60 percent will be allocated to persons producing at $4.75 or below and the remaining 40 percent will be allocated to those producing from $4.76 up to and including $7.75).

(g) Applicants when filing Form WPB-3732 must provide the following information:

(1) The item he wishes to produce, such as snow or ski suit, legging set or coat and ski pants set, or ski pants. Also identify the item by number—for example, snow or ski suit in size range 1 to 4 is #1—leggings set or coat and ski pants set in size range 1 to 4 is #5, etc.

(2) The size range.

(3) Price at which sold.

(4) Quantity in units of each item in each size range and in each price range.

(5) Type of materials used (such as melton type woven fleece or knit back fleeces). In addition to the information enumerated herein all other questions required by Form WPB-3732 must be answered.

(h) Each applicant who produced during the base period (1944) items listed in this program, must in producing such items from materials obtained with a rating under this program, meet the same specifications, including standards of quality, workmanship, inspection, pressing, folding, and all other operations pertinent to the preparation of the completed garments for marketing, used by the applicant in producing such items sold at the same or nearest higher price during the year 1944.

(i) Each applicant who did not, during the base period, produce the items for which he makes application, shall file with his application the specifications (including the proposed sales price) of the item he proposes to manufacture and, if required by the WPB, a sample. If his application is granted, the applicant must meet the specifications filed. These specifications shall include, but not be limited to, specifications as to dimensions, type of fabric, and stitches per inch, as well as such other essential points as may insure a quality garment, and the price at which the applicant proposed to sell each such item.

(j) Each applicant must include a statement under the section entitled "remarks" on Form WPB-3732 that he has complied with the OPA regulations regarding the prices he has included in columns (d) and (e) of the form.

(k) Applicants desiring to participate in the Children's Snow Suit Program No. 2 who did not produce such items during 1944 shall not sell more than 10 percent of the quantity of items produced with priority assistance granted under this program to any purchaser. Purchasers who are subject to common control shall be deemed a single purchaser.

(l) Application of any person able to produce the particular items in this program will be entertained.

(m) If the applications exceed the quantity of production of a particular item required under this program, grants of priority assistance will be apportioned equitably on the basis of production during 1944. However, any person who did not produce the item in 1944 and who wants to make it or whose facilities for the production of the item have increased since 1944 or who wants to increase the production of the item may apply for priorities assistance under the program, but his application will not be entertained unless it is accompanied by a signed statement setting forth the facilities or increased facilities he owns or has under contract for his exclusive use to produce the item(s) applied for within the program period. Where facilities or increased facilities are available because of a change from the production of other items, he must state whether production will be reduced on any other items and specify the items. Such applications will be granted on an equitable basis.

(n) [Deleted July 3, 1945.]

(o) Applications which do not provide completely and accurately the information required may be denied.

(p) Producers who deliver knitted fleeces, knitted napped fabrics, knitted wristlets or knitted anklets on or after July 3, 1945 on orders bearing ratings assigned under this program may extend those ratings to get yarn in the manner explained in Priorities Regulation 3 and Order M-328.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11935; Filed, July 3, 1945; 11:35 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. XV to Schedule A, as Amended July 3, 1945]

KNIT GOODS PROGRAM

The following Supplement XV to Schedule A is issued pursuant to Conservation Order M-328B (§ 3290.120a):

KNIT GOODS PROGRAM NO. 6

Item No.	Items	Sizes	Yarns
	Hosiery		
1	Boys' half socks—Boys' crew socks	7–11½	Cotton.
2	Boys' golf hose	7–11½	Do.
3	Children's ⅞, ⅞, and long ribbed hose	6–10½	Do.
4	Infants' long ribbed hose	3–5½	Do.
5	Infants' half socks	4–6½	Do.
6	Infants' and small children's anklets	4–8½	Do.
7	Men's work socks	Finished wgt. not less than 1½ lbs. per dozen.	Do.
	Underwear		
8	Boys' knitted briefs or shorts (specify which)	6–16	Do.
9	Children's heavyweight union suits	2–12	Do.
10	Children's waist suits	2–12	Do.
11	Children's vests, pants and bloomers	2–16	Do.
12	Children's and infants' sleepers or gowns (specify which)	0–12	Do.
13	Infants' long and short sleeve shirts	0–6	Do.
14	Infants' bands	0–6	Do.
15	Infants' panties	1–6	Do.
16	Men's heavyweight union suits	34–46	Do.
17	Boys' heavyweight union suits	6–16	Do.
18	Men's heavyweight undershirts	34–46	Do.
19	Men's heavyweight drawers	32–44	Do.
	Outerwear (machine knitted)		
20	Infants' sweaters and sacques	0–3	Worsted or worsted and cotton.
21	Children's sweaters	2–8	Do.
22	Boys' sweaters	8–14	Do.
23	Girls' sweaters	8–14	Do.
24	Infants' headwear		Woolen or woolen and cotton.
25	Children's caps, toques and helmets		Do.
26	Infants' and children's mittens		Worsted or worsted and cotton
27	Infants' bootees		Do.
28	Infants' shawls, crib blankets and carriage covers		Worsted or worsted cotton.
29	Infants' separate leggings		Do.
30	Men's utility sweater coats[1]	34 and up, including outsizes.	Do.
31	Women's utility sweater coats[1]	36 and up, including outsizes.	Do.
32	Boys' and girls' knit suits	2–6X	Cotton.
33	Infants' creepers	6, 12, 18 mos.	Do.

[1] These garments are for laborers and workers both in and out of doors who need additional warm clothing in their regular occupation. They are to be of Bradford Worsted Machine Knitting Yarn in quality up to 48's wool or other machine knitting yarn however manufactured, incorporating Bradford Wool Top not finer in quality that 48's wool. Such worsted may be used in combination with cotton, the finished garments to contain not less than 25% wool fibre by weight.

Men's utility sweater coats shall conform to model "D" or "E" only in Schedule A of WPB Order L-310.

Women's utility sweater coats shall conform to model "F" or "G" only in Schedule B of WPB Order L-310.

Application Form WPB-3732.

Filing date (April 12, 1945).

(a) These items are required to be produced on or before July 31, 1945.

(b) Priorities assistance will be given only for the yarn specified above with respect to each item. Assistance for worsted yarn will be limited to yarns spun on the Bradford system.

(c) Where necessary, additional priorities assistance may be given for the procurement of sewing thread, cambric, sateen, twill, jean cloth and similar cotton broad woven fabrics customarily used for facings, bindings and stays, in quantities necessary for the number of garments to be produced under this program. Requests for this additional priorities assistance should be stated on Form WPB-3732.

(d) Each applicant whose application is granted shall produce a portion of his total

above. Applications calling for other fabrics or components will be denied.

(e) Applicants should base their estimated production on their present labor and machinery. If the quantity applied for is greater than that produced in 1944, a statement must be submitted describing facilities which are available now and were not used for this purpose in 1944.

(f) Priorities assistance will be granted to the extent of 60 percent of the fabric available for this program to persons producing these items at or below prices indicated in Table I above, and the remaining 40 percent will be allocated to those producing these items in prices at or below those indicated in Table II above. This does not, of course, authorize any person to exceed his OPA ceiling price for any item in this program. [For example: Item (1), Snow Suits or Ski Suits (Toddlers'), sizes 1 to 4, at least 60 percent will be allocated to persons producing at $4.75 or below and the remaining 40 percent will be allocated to those producing from $4.76 up to and including $7.75).

(g) Applicants when filing Form WPB-3732 must provide the following information:

(1) The item he wishes to produce, such as snow or ski suit, legging set or coat and ski pants set, or ski pants. Also identify the item by number—for example, snow or ski suit in size range 1 to 4 is #1—leggings set or coat and ski pants set in size range 1 to 4 is #5, etc.

(2) The size range.

(3) Price at which sold.

(4) Quantity in units of each item in each size range and in each price range.

(5) Type of materials used (such as melton type woven fleece or knit back fleeces). In addition to the information enumerated herein all other questions required by Form WPB-3732 must be answered.

(h) Each applicant who produced during the base period (1944) items listed in this program, must in producing such items from materials obtained with a rating under this program, meet the same specifications, including standards of quality, workmanship, inspection, pressing, folding, and all other operations pertinent to the preparation of the completed garments for marketing, used by the applicant in producing such items sold at the same or nearest higher price during the year 1944.

(i) Each applicant who did not, during the base period, produce the items for which he makes application, shall file with his application the specifications (including the proposed sales price) of the item he proposes to manufacture and, if required by the WPB, a sample. If his application is granted, the applicant must meet the specifications filed. These specifications shall include, but not be limited to, specifications as to dimensions, type of fabric, and stitches per inch, as well as such other essential points as may insure a quality garment, and the price at which the applicant proposed to sell each such item.

(j) Each applicant must include a statement under the section entitled "remarks" on Form WPB-3732 that he has complied with the OPA regulations regarding the prices he has included in columns (d) and (e) of the form.

(k) Applicants desiring to participate in the Children's Snow Suit Program No. 2 who did not produce such items during 1944 shall not sell more than 10 percent of the quantity of items produced with priority assistance granted under this program to any purchaser. Purchasers who are subject to common control shall be deemed a single purchaser.

(l) Application of any person able to produce the particular items in this program will be entertained.

(m) If the applications exceed the quantity of production of a particular item reon the basis of production during 1944. However, any person who did not produce the item in 1944 and who wants to make it or whose facilities for the production of the item have increased since 1944 or who wants to increase the production of the item may apply for priorities assistance under the program, but his application will not be entertained unless it is accompanied by a signed statement setting forth the facilities or increased facilities he owns or has under contract for his exclusive use to produce the item(s) applied for within the program period. Where facilities or increased facilities are available because of a change from the production of other items, he must state whether production will be reduced on any other items and specify the items. Such applications will be granted on an equitable basis.

(n) [Deleted July 3, 1945.]

(o) Applications which do not provide completely and accurately the information required may be denied.

(p) Producers who deliver knitted fleeces, knitted napped fabrics, knitted wristlets or knitted anklets on or after July 3, 1945 on orders bearing ratings assigned under this program may extend those ratings to get yarn in the manner explained in Priorities Regulation 3 and Order M-328.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11935; Filed, July 3, 1945; 11:35 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. XV to Schedule A, as Amended July 3, 1945]

KNIT GOODS PROGRAM

The following Supplement XV to Schedule A is issued pursuant to Conservation Order M-328B (§ 3290.120a):

KNIT GOODS PROGRAM NO. 6

Item No.	Items	Sizes	Yarns
	Hosiery		
1	Boys' half socks—Boys' crew socks	7–11½	Cotton.
2	Boys' golf hose	7–11½	Do.
3	Children's 7/8, 7/8, and long ribbed hose	6–10½	Do.
4	Infants' long ribbed hose	3–5½	Do.
5	Infants' half socks	4–6½	Do.
6	Infants' and small children's anklets	4–8½	Do.
7	Men's work socks	Finished wgt. not less than 1½ lbs. per dozen.	Do.
	Underwear		
8	Boys' knitted briefs or shorts (specify which)	6–16	Do.
9	Children's heavyweight union suits	2–12	Do.
10	Children's waist suits	2–12	Do.
11	Children's vests, pants and bloomers	2–16	Do.
12	Children's and infants' sleepers or gowns (specify which).	0–12	Do.
13	Infants' long and short sleeve shirts	0–6	Do.
14	Infants' bands	0–6	Do.
15	Infants' panties	1–6	Do.
16	Men's heavyweight union suits	34–46	Do.
17	Boys' heavyweight union suits	6–16	Do.
18	Men's heavyweight undershirts	34–46	Do.
19	Men's heavyweight drawers	32–44	Do.
	Outerwear (machine knitted)		
20	Infants' sweaters and sacques	0–3	Worsted or worsted and cotton.
21	Children's sweaters	2–8	Do.
22	Boys' sweaters	8–14	Do.
23	Girls' sweaters	8–14	Do.
24	Infants' headwear		Woolen or woolen and cotton.
25	Children's caps, toques and helmets		Do.
26	Infants' and children's mittens		Worsted or worsted and cotton
27	Infants' booties		Do.
28	Infants' shawls, crib blankets and carriage covers		Worsted or worsted cotton.
29	Infants' separate leggings		Do.
30	Men's utility sweater coats [1]	34 and up, including outsizes.	Do.
31	Women's utility sweater coats [1]	36 and up, including outsizes.	Do.
32	Boys' and girls' knit suits	2–6X	Cotton.
33	Infants' creepers	6, 12, 18 mos.	Do.

[1] These garments are for laborers and workers both in and out of doors who need additional warm clothing in their regular occupation. They are to be of Bradford Worsted Machine Knitting Yarn in quality up to 48's wool or other machine knitting yarn however manufactured, incorporating Bradford Wool Top not finer in quality that 48's wool. Such worsted may be used in combination with cotton, the finished garments to contain not less than 25% wool fibre by weight.

Men's utility sweater coats shall conform to model "D" or "E" only in Schedule A of WPB Order L-310.

Women's utility sweater coats shall conform to model "F" or "G" only in Schedule B of WPB Order L-310.

Application Form WPB-3732.

Filing date (April 12, 1945).

(a) These items are required to be produced on or before July 31, 1945.

(b) Priorities assistance will be given only be limited to yarns spun on the Bradford system.

(c) Where necessary, additional priorities assistance may be given for the procurement of sewing thread, cambric, sateen, twill, jean cloth and similar cotton broad woven fabrics customarily used for facings, bindings and stays, in quantities necessary for the number of garments to be produced under this program. Requests for this additional priorities assistance should be stated on Form WPB-

production of each item for sale at each of the prices (or any increased prices subsequently granted by the Office of Price Administration for items of the same specifications), at which he sold such item in the corresponding calendar quarter of 1943 (this is called "base period"). The proportion of his production of each item for sale at each such price to his entire production of the item under the program shall be the same as the proportion of his production of the item for sale at each such price, was to his total production of the item in the base period. The whole or part of a quota of each item to be sold at the base period price may be shifted from a higher to a lower price, but not from a lower to a higher price.

(e) All items produced from materials obtained with a rating assigned under this program shall meet the same specifications (including quality and workmanship) used by the applicant in producing the item sold at the same or nearest higher price during the base period.

(f) Any person who did not produce the item in the corresponding calendar quarter of 1943 and who wishes to apply for priorities assistance under this program must certify to the War Production Board that he has complied with the OPA regulations regarding pricing of the items for which he is making application for priorities assistance under this program. He must use substantially the following certification, signed as provided in Priorities Regulation 7:

The undersigned certifies, subject to criminal penalties of section 35 (A) of the United States Criminal Code, that he has complied with the OPA regulations regarding pricing of the items for which he is making application for priorities assistance under this program.

The standard form of certification given in Priorities Regulation 7 may not be used instead. This certification must accompany the applicant's Form WPB-3732.

(g) Each person who applies for priorities assistance under this program must, if he is the owner of the facilities, so state under the section entitled "Remarks" in Form WPB-3732. If he is not the owner of the facilities, he must state, under the "Remarks" section, what facilities he controls to a stated capacity for the production of the particular item and the number of such items the owner of the facilities has contracted to produce for the applicant during April, May and June, 1945.

(h) Each person who applies for priorities assistance under this program for any item from 20 through 33, inclusive, must state under the section entitled "Remarks" the total poundage of machine knitting yarns used by him for all purposes for the year 1943 on knitted outerwear. No person applying for any item from 20 through 33, inclusive, shall apply for a total number of dozens of any single item or combination of items which will require a greater yarn poundage than one-quarter of such 1943 yarn consumption figure. However, any person who did not use machine knitting yarn for knitted outerwear during 1943 may apply for a reasonable amount of yarn, and his application will be considered on an equitable basis.

(i) Any person not owning production facilities or not having control of the owner's production facilities may apply for priorities assistance under this program. Such person must state in detail the reasons why he should be granted priorities assistance under this program.

(j) [Deleted July 3, 1945.]

(k) Applications which are not completely and accurately filled out may be denied.

(l) Effective July 16, 1945, any manufacturer of items covered by this program who has any unfilled orders for yarn bearing an AA-3 rating assigned under this program, must either (1) treat those orders as bearing an AA-3 rating he has been assigned under Schedule B of Order M-328B for the same purpose by furnishing his supplier with the certification described in paragraph (g) of Order M-328B, or, (2) if he is not entitled to place such a rating under Schedule B to M-328B he must cancel the orders or unrate them.

(m) This direction shall expire on July 31, 1945, unless previously extended.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11936; Filed, July 3, 1945; 11:35 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule B]

SPECIAL PROGRAM FOR COTTON AND WOOL MACHINE KNITTED ITEMS

§ 3290.120b *Schedule B to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to these set forth in Order M-328B for manufacturers of cotton and wool machine knitted items to get an AA-3 preference rating for yarn to make the items listed in this schedule.

(b) *Definitions.* For the purpose of this schedule, (1) "Yarns" means all yarns applicable to machine knitting whether oil, grey, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, except yarns made of or containing continuous filament synthetic fiber.

(2) "Cotton yarn" means yarn spun on the cotton system and not containing wool fiber.

(3) "Worsted yarn" means yarn spun on the Bradford or French Systems.

(4) "Woolen yarn" means yarn containing wool fiber, and spun on the woolen system.

(c) *Special requirements for obtaining priorities assistance.* (1) Separate applications must be filed for each section of Preference Rating Schedule I. For example, a manufacturer who makes both underwear and outerwear files one application for all items under section B—Underwear, and another application for all items for which he applies under section C—Outerwear. Four copies of form WPB-3732 (revised) should be filed for each section in accordance with the rules stated in paragraph (c) of Order M-328B.

(2) The quantity of yarn for which a manufacturer may apply for priorities assistance for the production of any item or combination of items under a single section of this schedule is limited to the following amount which is called his "yarn eligibility". He must compute the total poundage of yarns as defined in paragraph (b) (1) he consumed in the base period in the production of all articles in a single class of knit goods (that is, either hosiery, underwear or outerwear), whether or not the articles are included in the relevant section of this schedule. He then must deduct the poundage to be used to fill rated orders for all articles in that class in the quarter for which he requests priorities assistance. The remainder is his "yarn eligibility". The applicant must state under the "Remarks" section of his application form WPB-3732 (revised), the poundage of yarns he consumed in the base period in the production of that class of knit goods, and the total poundage of yarn to be used to fill rated orders in the quarter for which he applies.

(3) In making application on form WPB-3732 (revised), each base period manufacturer must apply with respect to each item for which application is made, as follows:

(i) He must apply for yarn for each price of the item at which he produced it in the base period, irrespective of weight or style (except for heavyweight underwear, where he must apply for each price for each weight he made) unless the facilities utilized for the production of the item at a particular price in the base period are devoted to the production on orders received from Government Procurement Agencies or have been sold or otherwise disposed of. When such facilities are no longer available the applicant must explain it in the "Remarks" section of form WPB-3732 (revised).

(ii) The quantity of an item for which application is made at each price shall be in the same proportion to the total quantity of the item applied for as the quantity produced at each similar price in the base period was to his total production of the item in the base period. For example, if an applicant made in the base period 300 dozen girls' sweaters, of which 100 dozen (or ⅓) were priced at $11.50 per dozen, 100 dozen (or ⅓) at $15.75, and 100 dozen (or ⅓) at $21.00, and he wishes to apply for girls' sweaters under this program, ⅓ of whatever total quantity he applies for must be at each of these base period prices. To base period prices may be added any increase subsequently granted by the Office of Price Administration.

(iii) The whole or any part of an application for an item may be shifted from a higher to a lower price than required under the above rule, but not from a lower to a higher price unless the weighted average price of the total number of units applied for is at or below the weighted average price of the total number of units of that item delivered in the base period.

(iv) In reporting production by price on form WPB-3732 (revised), items sold as seconds or as close-outs shall be reported under the price it was intended they would be sold when produced.

(v) Items in this schedule not included in a category of O. P. A. Supplementary Order 108 are exempt from the provisions of this paragraph (c) (3).

(4) A base period manufacturer who files form WPB-3732 (revised) for the third calendar quarter of 1945 by July 14, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of yarn for delivery in that quarter for incorporation into the items for which application is made. He may do so only for an item he made in the base period and only for 33⅓% of the quantity of yarn applied for with respect to any item. Yarn purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant. Base period manufacturers of heavyweight knit underwear and men's cotton work socks who have applied an AA-3 rating for the purchase of yarn for delivery in the third quarter of 1945 under Directions 14 or 17 to Order M-328 may not also apply that rating under this paragraph for the items covered by those directions.

(5) Manufacturers who did not produce in the base period the items applied for on form WPB-3732 (revised) may not use any preference ratings under this schedule until the War Production Board has assigned them a quota on that form.

(6) Manufacturers who did not produce the item in the base period must state in the "Remarks" section on form WPB-3732 (revised) the assortment of sizes which he proposes to produce for each size range applied for.

(d) *Grants of priorities assistance.* Grants to base period manufacturers will be made pro rata to the extent that yarn is available, based upon the quantity applied for for each item. Persons who are not base period manufacturers for the particular items applied for, but who have yarn eligibility under the rules stated in paragraph (c) (2) for the class in which the items applied for belongs, will also be granted assistance pro rata on the basis of the quantity applied for, if they comply with the provisions of paragraph (c) (6) of Order M-328B and paragraph (e) of this schedule.

(e) *Pricing for other than base period manufacturers.* Applications of persons other than base period manufacturers for priorities assistance under this schedule will be granted only if the price at which the item will be sold is at or below the weighted average price for applicants who are base period manufacturers, unless the facilities are needed to meet the quantitative requirements of the program. In this case such applications will be considered on the basis of next higher price increments above the average price of the base period manufacturer applicants.

(f) *Priorities assistance for component parts.* Persons applying for priorities assistance under this schedule may apply for cotton or rayon fabrics, ribbons, tapes, braids or stays, sewing thread and buttons in quantities needed for incorporation into the number of units for which priorities assistance is requested. Applications for cotton materials shall be made on form WPB-2842 filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., and for rayon materials and buttons on form WPB-541 filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C. Such applications will be approved to the extent of available materials and to the extent that allocations are made for the production of items.

(g) *Provisions in case of governmental cut-backs.* At any time during any calendar quarter a manufacturer who has received cancellations or cut-backs on military contracts or orders placed by an agency of the U. S. Government, or who during the quarter has production facilities made available, may apply to the War Production Board on Form WPB-3732 (revised) for priorities assistance to manufacture items listed in this schedule. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

(h) *Special restrictions on purchase of yarn.* No manufacturer shall purchase or accept delivery of a yarn to make any item for which a rating for that yarn is assigned to him in this schedule, unless he uses that rating. The provisions of this paragraph do not apply to purchases for direct or ultimate delivery to, or for incorporation into any product for ultimate delivery to the U. S. Army or Navy, the Maritime Commission or War Shipping Administration.

(i) *Special rules for integrated mills.* (1) Beginning July 3, 1945, no manufacturer of items on this schedule who operates spinning machines (i. e., roving, ring, mule or converted twister spindles) in the production of yarn shall use or deliver to others any yarn except to fill his own or other persons' rated orders.

(2) Beginning July 3, 1945, no producer of items in this schedule made of knitting yarn produced by him shall fill unrated orders or orders rated AA-3 or lower from others for yarn until he has first produced the yarn required to fill the requirements of his production schedule for items assigned to him by the War Production Board under this schedule.

(3) Grants of priorities assistance to persons subject to the restrictions of this paragraph (i) will be made to conform to their spinning facilities, as far as practicable.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

PREFERENCE RATING SCHEDULE NUMBER 1

Applicants shall submit separate applications for items in each section (A, B, and C) of this schedule. Where more than one category of apparel is included in an item, applications for each category must be listed separately. For example, Item B-15 covers women's vests, pants and bloomers. Vests should be applied for on a separate line from pants, etc.]

SECTION A—HOSIERY

Item No.	Items	Sizes	Yarns	Item No.	Items	Sizes	Yarns
	Infants' and children's hosiery				*Women's hosiery*		
A-1	Infants' long ribbed hose	3-6½	Cotton.	A-18	Women's full fashioned rayon hose, cotton reinforced toe, heel and sole.	8 and above	Cotton.
A-2	Infants' half socks	4-7½	Cotton.				
A-3	Infants' anklets	4-7½	Cotton.	A-19	Women's full fashioned cotton hose.	8 and above	Cotton.
A-4	Boys' half socks—boys' crew socks.	7-12	Cotton.	A-20	Women's full fashioned wool hose.	8 and above	Cotton; worsted (French).
A-5	Boys' golf hose	7-12	Cotton.	A-21	Women's full fashioned rayon hose (white and black only), with cotton welt and cotton reinforced toe, heel and sole.	8 and above	Cotton.
A-6	Children's ⅞ and long ribbed hose.	6-10½	Cotton.				
A-7	Children's and misses' anklets.	6-10½	Cotton.				
	Men's hosiery			A-22	Women's seamless rayon hose.	8 and above	Cotton.
A-8	Men's half hose, all cotton body.	9½ and above	Cotton.	A-23	Women's seamless cotton hose.	8 and above	Cotton.
A-9	Men's half hose, all rayon body.	9½ and above	Cotton.	A-24	Women's seamless cotton ribbed hose.	8 and above	Cotton.
A-10	Men's half hose, cotton and rayon body.	9½ and above	Cotton.	A-25	Women's seamless wool hose.	8 and above	Cotton; worsted (French).
A-11	Men's half hose, wool body	9½ and above	Cotton; woolen.	A-26	Women's seamless rayon hose (white and black only), with cotton welt heel and toe.	8 and above	Cotton.
A-12	Men's slack socks, all cotton body.	9½ and above	Cotton.				
A-13	Men's slack socks, all rayon body.	9½ and above	Cotton.				
A-14	Men's slack socks, cotton and rayon body.	9½ and above	Cotton.	A-27	Women's anklets	8 and above	Cotton.
A-15	Men's slack socks, wool body	9½ and above	Cotton; woolen.	A-28	Women's footlets	8 and above	Cotton.
A-16	Men's cotton work socks	9½ and above	Cotton.				
A-17	Men's wool work socks	9½ and above	Cotton; woolen.				

PREFERENCE RATING SCHEDULE NUMBER 1—Continued

SECTION B—UNDERWEAR

Item No.	Items	Sizes	Yarns
B-1	Men's heavy unionsuits 9 pounds and heavier.	34 and up incl. outsizes.	Cotton; woolen.
B-2	Boys' heavy unionsuits 6 pounds and heavier.	6-16	Cotton; woolen.
B-3	Men's light unionsuits	34 and up incl. outsizes	Cotton.
B-4	Boys' light unionsuits	6-16	Cotton.
B-5	Men's heavy shirts and drawers 7 pounds and heavier as to shirts, drawers and same weight fabrics.	30 and up incl. outsizes.	Cotton; woolen.
B-6	Boys' heavy shirts and drawers.	6-16	Cotton, woolen.
B-7	Men's medium, light and Balbriggan, long and short shirts and drawers.	30 and up incl. outsizes.	Cotton; woolen.
B-8	Boys' medium, light and Balbriggan, long and short shirts and drawers.	6-16	Cotton woolen.
B-9	Men's athletic shirts	34 and up	Cotton.
B-10	Boys' athletic shirts	6-16	Cotton.
B-11	Men's briefs and shorts	28 and up	Cotton.
B-12	Boys' briefs and shorts	18-34	Cotton.
B-13	Women's heavy unionsuits 6 pounds and heavier.	34 and up incl. outsizes.	Cotton.
B-14	Women's light unionsuits	34 and up incl. outsizes.	Cotton.
B-15	Women's vests, pants and bloomers (cotton) except tuckstitch.	34 and up incl. outsizes.	Cotton.
B-16	Women's tuckstitch vests and pants.	34 and up incl. outsizes.	Cotton.
B-17	Women's and Misses' cotton slips.	34 and up incl. outsizes.	Cotton.
B-18	Children's heavy unionsuits	2-16	Cotton; woolen.
B-19	Children's light unionsuits	2-16	Cotton.
B-20	Children's waist suits	2-12	Cotton.
B-21	Children's vests, pants and bloomers tuckstitch and plain stitch.	2-16	Cotton, worsted (Bradford).
B-22	Children's sleepers	8-16	Cotton.
B-23	Children's gowns	8-16	Cotton.
B-24	Infants' long and short sleeve shirts.	1-6	Cotton; worsted (French).
B-25	Infants' bands	1-6	Cotton; worsted (French).
B-26	Infants' pants	1-6	Cotton; worsted (French).
B-27	Infants' diapers		Cotton.
B-28	Infants' sleepers	0-6	Cotton.
B-29	Infants' gowns	0-6	Cotton.
B-30	Corsets and girdles	All sizes	Cotton.

SECTION C—OUTERWEAR (MACHINE KNITTED)

C-1	Men's utility sweaters model "D" or "E" of Sch. A, WPB Order L-310 (finished garment to contain not less than 20% wool by weight).	34 and up incl outsizes.	Worsted (Bradford); woolen, cotton.
C-2	Men's sweaters other than Item C-1 (finished garment to contain not less than 20% wool by weight).	34 and up incl. outsizes.	Worsted (Bradford); woolen; cotton.
C-3	Men's polo, "T" and basque shirts.	34 and up incl. outsizes.	Cotton.
C-4	Men's sweat shirts	34 and up incl outsizes.	Cotton.
C-5	Boys' sweaters, jerseys, jackets and pullovers.	8-14	Worsted (Bradford); woolen; cotton.
C-6	Boys' polo, "T" and basque shirts.	8-14	Cotton.
C-7	Boys' sweat shirts	8-14	Cotton.
C-8	Women's utility sweater coats models "E", "F" or "G" of Sch. B, WPB Order L-310 (finished garment to contain not less than 20% wool by weight).	38-46 (for model "E") 38 and up incl. outsizes (for model "F" or "G").	Worsted (Bradford); woolen; cotton.
C-9	Women's pullover sweaters model "A" of Sch. B, WPB Order L-310.	34-40	Worsted (Bradford); woolen; cotton.
C-10	Women's polo, "T" and basque shirts.	34 and up	Cotton.
C-11	Girls' pullover and coat sweaters and jerseys.	8-14	Worsted (Bradford); woolen, cotton.
C-12	Girls' polo, "T", basque and other knit shirts.	8-14	Cotton.
C-13	Infants' sweaters and sacques.	0-3	Worsted (Bradford); woolen, cotton.
C-14	Infants' creeper sand rompers.	6, 12, 18 mos	Cotton.
C-15	Infants' soakers and pilchers.		Worsted (Bradford); Woolen; cotton.
C-16	Infants' polo shirts	1-3	Cotton.
C-17	Infants' overall suits, pantie suits and dresses.	1-3	Cotton.
C-18	Infants' booties		Cotton; worsted (Bradford).
C-19	Infants' shawls, crib blankets, and carriage covers, knitted or woven when made of knitting yarn.		Worsted (Bradford; woolen; cotton.
C-20	Infants' legging sets		Worsted (Bradford; woolen; cotton
C-21	Infants' and children's mittens.		Worsted (Bradford; woolen; cotton
C-22	Children's sweaters	2-8	Worsted (Bradford; woolen; cotton.
C-23	Children's polo, "T" and basque shirts.	2-8	Cotton.
C-24	Children's overall suits, pantie suits and dresses.	2-8	Cotton.
C-25	Infants' headwear		Worsted (Bradford); woolen; cotton.
C-26	Children's caps, toques and other headwear.		Worsted (Bradford; woolen; cotton
C-27	Shawls, hoods and other headwear.		Worsted (Bradford; woolen; cotton
C-28	Women's and Misses' gloves and mittens (cut and sewed only).		Worsted (Bradford); woolen; cotton.
C-29	Men's and Boys' gloves and mittens (cut and sewed only).		Worsted (Bradford); woolen; cotton.
C-30	Infants' and children's gloves and mittens (cut and sewed only).		Worsted (Bradford); woolen; cotton.
C-31	Replacement wristlets and anklets for over-the-counter sale.		Cotton; worsted Bradford.

NOTE: Items of special colors or insignia intended for restricted distribution to or use by institutions are not within the scope of this program, and no application may be made for such items.

[F. R. Doc. 45-11937; Filed, July 3, 1945; 11:35 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule A, as Amended July 3, 1945]

Section 3290.120a *Schedule A to Conservation Order M-328B* is amended to read as follows:

§ 3290.120a *Conservation Order M-328B, Schedule A.* The following supplements to this schedule remain in effect:

Supplement XI covering Graduate Nurses' Uniforms and Student Nurses' Uniforms (this supplement expires September 30, 1945).

Supplement XII covering Women's Work Clothing (this supplement expires September 30, 1945).

Supplement XIII covering Children's Snow Suit Program No. 2 (this supplement expires December 31, 1945).

Supplement XIV covering Mackinaws, Pea Coats and Cossack Program No. 1 (this supplement expires December 31, 1945).

Supplement XV covering Knit Goods Program No. 6 (this supplement expires July 31, 1945).

All other supplements have expired or have been superseded by the provisions of M-328B as amended or Schedules B, C, D and E of that order.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11934; Filed, July 3, 1945; 11:35 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule C]

SPECIAL PROGRAM FOR COTTON FABRICS FOR CHILDREN'S APPAREL ITEMS

§ 3290.120c *Schedule C to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of children's and infants' apparel made of cotton fabric to get an AA-3 preference rating for fabric to make the items listed in this schedule.

(b) *Definitions.* (1) "Fabric", unless otherwise designated, means a woven fabric twelve inches or more in width.

(2) "Cotton fabric" means any fabric containing less than 25% wool by weight,

but of which the remaining fibers are 50% or more cotton by weight.

(3) "Cotton item" means an item of which more than 50% of the fabric yardage incorporated in it, exclusive of linings, bindings and trimmings, is cotton fabric.

(c) *Requirements for obtaining priorities assistance.* (1) Applications under this schedule may be filed only by manufacturers who have received a serial number under Order M-388A for the manufacture of the cotton items listed in this schedule for which they apply. Two copies of Form WPB-3732 (revised) should be filed in accordance with the rules stated in paragraph (c) of M-328B.

(2) A person who has received a rated quota under Order M-388A pursuant to an application on Form WPB-4200 who files Form WPB-3732 (revised) for the third calendar quarter of 1945 by July 14, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of cotton fabrics for delivery in that quarter for incorporation into the cotton items for which application is made. He may do so only for an item he made in the base period and only for 15% of his rated quota under M-388A with respect to any item. Cotton fabrics purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) A manufacturer receiving an allocation for an item under this schedule for a quarter must subtract from his rated quota for that item under Order M-388A for that quarter, the total yardage of fabrics for which priorities assistance is granted under this schedule to determine the quantity of fabrics which he may purchase with an AA-4 rating under his M-388A rated quota. If the quantity of fabrics for which an AA-3 rating is authorized for an item under this schedule is in excess of his AA-4 rated quota in M-388A, the manufacturer may not use an AA-4 rating under M-388A for that item.

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get the particular cotton fabrics shown in the fabric column of the preference rating schedule to make the cotton items specified.

(2) The fabrics must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices:

(i) The price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration; or

(ii) The price specified in the Maximum Price column.

(3) If applications are received for rated quotas in an amount for any item in excess of the yardage available for that item, the rated quotas will be assigned in proportion to the manufacturers' rated quotas for the particular items under AA-4 preference rating Schedule 1 of M-388A.

(4) A manufacturer who is not a base period manufacturer and was not assigned a quota under AA-4 preference rating schedule pursuant to application on Form WPB-4200 but was given a serial number under M-388 pursuant to application on Form WPB-4201, must comply with the provisions of paragraph (c) (6) of M-328B.

(5) Any manufacturer granted a rated quota for an item under this schedule must meet the following minimum specifications in producing that item:

(i) The yardage limitations (the minimum linear yardage per dozen garments) shall in no event be less than the amount used by him for the production of the same item in the base period, or if his quota was assigned on the basis of an application on Form WPB-4201, not less than the yardage per dozen authorized on Form WPB-3732 (revised).

(ii) *Seams, stitching and construction.* All structural seams shall be made with not less than 10 stitches per inch, except overlock stitch which shall be made with not less than 8 stitches per inch. No raw edges of fabric will be permitted in seams, and all seams must be so constructed as to minimize raveling. For all fabrics, except flannelette, a seam overlap allowance of not less than $\frac{3}{8}$" from the edge of the cut material to the inner stitch shall be provided. The inner stitch is the first line of stitching joining two pieces of fabric. Seams shall be finished at least by pinking. When pinked, a fabric allowance of not less than $\frac{3}{8}$" clear after pinking shall be provided. For flannelette the minimum construction shall be overlock seam, with $\frac{1}{2}$" allowance; plain pinked seams are not permitted in flannelette.

(6) Manufacturers may also file on form WPB-2842 with the Textile, Clothing & Leather Bureau, War Production Board, Washington 25, D. C., to obtain priorities assistance for elastic tape, narrow woven selvage edge tape, sewing thread, linings, pocketings and other necessary component materials in the quantities required for incorporation into the number of units of the items for which application is made on Form WPB-3732 (revised). Such requests will be granted within the limits of materials available and to the extent that priorities assistance is granted for the items requested.

(7) Manufacturers who did not manufacture an item in the base period must produce the item in the size assortments listed opposite each item in the size assortment column. Where normal industry practice appears, the manufacturer should state his proposed sizes in the remarks section of Form WPB-3732 (revised). If his application is granted, he must comply with these size assortments.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA-3 PREFERENCE RATING SCHEDULE NO. 1—COTTON FABRICS FOR CHILDREN'S APPAREL

M-388A Item No.	Description of cotton item	Size range	Size assortment per dozen for other than base period manufacturers [1]	Maximum price column	Fabric column
A-9	Creepers, Rompers	6 mos-2 yrs	6 mo.-1-1½-2 3-3-3-3	$8.50	Carded poplin, sheeting yarn. Print cloth, sley of 60 to 78.
A-10	Pajamas; 2-piece button-on with or without feet.	1-4	1-2-3-4	9.00	Carded broadcloth, 80 sley and less. Chambray, 4.20 yard and lighter. Outing flannel.
[illegible]	Pajamas; 2-piece button-on with extra pants	1-4	1-2-3-4 3-3-3-3	10.50	Print cloth, sley of 56 to 65 (plisse).
A-11	Pajamas; 1-piece with or without feet	2-8	2-4-6-8 3-3-3-3	9.00	Outing flannel.
[illegible]	Pajamas; 2-piece jacket sytle	2-8	2-4-6-8 2-2-4-4	10.50	Print cloth, sley of 56 to 65 (plisse).
A-12	Pajamas; 2-piece jacket style	8-16	8-10-12-14-16 2-2-3-3-2	10.50 12.00 13.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse).
A-13	Night gowns: Infants	0-1	Normal Industry Practice	4.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse).
A-14	Night gowns; Children's	1-4	Normal Industry Practice	4.50	Outing flannel.
A-15	Night gowns; Children's	2-8	Normal Industry Practice	7.50	Outing flannel.
A-16	Night gowns; Children's	8-16	8-10-12-14-16-2-2-3-3-2	10.50	Outing flannel.
A-17	Kimonos; Infants	0-1	Normal Industry Practice	4.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse).
A-18	Gertrudes; Infants	0-1	Normal Industry Practice	4.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse).
A-19	Dresses: Infants	0-1	Even	$9.75	Lawns, 96 x 100. Dimity. Print cloth, sley of 62 to 65. Carded broadcloth, more than 80 sley.
A-20	Dresses: Toddlers	1-3	1-2-3 2-4-6	10.50	Lawns, 96 x 100. Pique. Print cloth, sley of 65 to 78. Carded broadcloth, more than 80 sley.

[1] 1st line indicates size. Second line the number of each size.

AA-3 PREFERENCE RATING SCHEDULE NO. 1—COTTON FABRICS FOR CHILDREN'S APPAREL

M—88-A Item No.	Description of cotton item	Size range	Size assortment per dozen for other than base period manufacturers	Maximum price column	Fabric column
A-21	Dresses: Children's	3-6X	3-4-5-6-6X 1-2-3-3-3	$10.50	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, sley of 88 to 99.
A-22	Dresses: Girls	7-14	Normal Industry Practice	15.75	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, shrieking yarn. Gingham, 4.00 and heavier.
A-23	Slips: Toddlers	1-3	1-2-3 4-4-4	3.75	Lawns, 96 x 100. Lawns, 76 x 72.
A-24	Slips: Girls, gertrude type	2-14	2-4-6-8-10-12-14 1-2-2-3-2-1-1	6.75	Lawns, 96 x 100. Lawns, 76 x 72. Print cloth, sley of 66 to 78. Carded broadcloth, 80 sley or less.
A-25	Slips: Girls, shoulder strap style	10-16	10-12-14-16 1-4-4-3	9.75	Lawns, 96 x 100. Lawns, 76 x 72. Print cloth, sley of 66 to 78. Carded broadcloth, 80 sley or less.
A-27	Blouses: Girls	2-6X	Normal Industry Practice	8.50	Dotted Swiss. Dimity. Carded broadcloth, more than 80 sley.
A-28	Blouses, Girls	7-14	7-8-10-12-14 2-2-3-3-2	9.75	Dotted Swiss Dimity. Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley Carded poplin, sley of 88 to 99.
A-29	Panties: Girls	2-12	2-4-6-8-10-12 1-2-2-3-2-2	3.75	Print cloth, sley of 62 to 65.
A-30	Overalls and Coveralls (includes crawlers)	1-4	1-2-3-4 3-3-3-3	9 (c)	Print cloth, sley of 66 to 78. Carded poplin, sley of 88 to 99. Sport denim. Chambray, 4.20 and lighter. Ticking.
A-32	Overalls and Coveralls	2-8	Normal Industry Practice	10.50	Print cloth, sley of 66 to 78. Carded poplin, sley of 88 to 99. Sport denim. Chambray, 4.20 and lighter Carded poplin, sheeting yarn.
A-33	Wash suits: Boys: Toddlers	1-4	Normal Industry Practice	9.25	Piqué. Carded poplin, sley of 88 to 99.
A-34 (a)	Wash suits: Boys' short pants	2-8	Normal Industry Practice	8.00	Print cloth, sley of 66 to 78. Carded broadcloth more than 80 sley. Carded poplin, sley of 88 to 99. Seersucker.
(b)	Wash suits: Boys' long pants	2-8	Normal Industry Practice	10.50	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley Carded poplin, sley of 88 to 99. Seersucker.
A-35	Shirts and Blouses: Boys	2-10	2-4-6-8-10 2-2-3-3-2	8.50	Print cloth, sley of 66 to 78. Carded poplin, sheeting yarn. Carded poplin, sley of 88 to 99.
A-36	Shirts: Boys	11-14½	Normal Industry Practice	10.50	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley Carded poplin, sheeting yarn. Carded poplin, sley of 88 to 99.
A-37	Pants: Boys, short	4-10	Normal Industry Practice	10.50	Suitings. Carded poplin, sheeting yarn
A-38	Pants: Boys, long	11-12	Normal Industry Practice	15.75	Suitings. Carded poplin, sheeting yarn.
A-39	Under shorts: Boys	6-16	Normal Industry Practice	3.50	Carded poplin, sheeting yarn. Print cloth, sley of 62 to 65.

(First line indicates size. Second line the number of each size.

[F. R. Doc. 45-11938; Filed, July 3, 1945; 11:36 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule E]

SPECIAL PROGRAMS FOR KNITTED FABRICS FOR CIVILIAN ITEMS

§ 3290.120e *Schedule E to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of civilian knitted items manufactured from or incorporating knitted fabric to get an AA-3 preference rating for knitted fabric to make the items listed in this schedule.

(b) *Definitions.* For the purpose of this schedule:

(1) "Knitted fabric" means a fabric produced by a machine knitting process.

(2) "Woolen knitted fabric" means any knitted fabric incorporating 25% or more by weight of new, reprocessed or reused wool fiber, the wool content yarns of which are spun on the woolen system.

(c) *Special requirements for obtaining priorities assistance.* (1) Four copies of Form WPB-3732 (revised) should be filed in accordance with the rules stated in paragraph (c) of Order M-328B.

(2) A base period manufacturer who files form WPB-3732 (revised) for the third calendar quarter of 1945 by July 14, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of knitted fabric for delivery in that quarter for incorporation into the items for which application is made. He may do so only for an item he made in the base period and only for 20% of the yardage of knitted fabric applied for with respect to any item. Knitted fabric purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) In making application on Form WPB-3732 (revised), each base period manufacturer must apply with respect to each item for which application is made, as follows:

(i) He must apply for fabric for each price of the item at which he produced it in the base period, unless the facilities utilized for the production of the item at a particular price in the base period are devoted to production on orders received from Government Procurement Agencies or have been sold or otherwise disposed of. When such facilities are no longer available, the applicant must explain it in the "Remarks" section of Form WPB-3732 (revised).

(ii) The quantity of an item for which application is made at each price shall be in the same proportion to the total quantity of the item applied for as the quantity produced at each similar price in the base period was to his total production of the item in the base period. For example, if an applicant made in the base period 300 dozen girls' coats, of which 100 dozen (or 1/3) were priced at $10.50 each, 100 dozen (or 1/3) at $12.75 each, and 100 dozen (or 1/3) at $15.75 each, and he wishes to apply for girls' coats under this Program, 1/3 of whatever total quantity he applies for must be at each of these base period prices. To base period prices may be added any increase subsequently granted by the Office of Price Administration.

(iii) The whole or any part of an application for an item may be shifted from a higher to a lower price than required under the above rule, but not from a lower to a higher price, unless the weighted average price of the total number of units applied for is at or below the weighted average price of the total number of units of that item delivered in the base period.

(iv) In reporting production by price on Form WPB-3732 (revised), items sold as seconds or as close-outs shall be reported under the prices it was intended they would be sold when produced.

(v) Items in this schedule not included in the category of Office of Price Administration Supplementary Order 108 are exempt from the provisions of this paragraph (c) (3).

(4) Persons applying for priorities assistance on Form WPB-3732 (revised) under this schedule may apply on Form WPB-2842 for cotton fabrics needed for incorporation into linings, facings, stays, tapes and sewing thread, and on Form WPB-541 for rayon and wool components of the items listed in this schedule. The applications should be filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C. Applications may not be for any quantity greater than the amounts required to be incorporated into the quantity of items for which priorities assistance is requested.

(5) Manufacturers who did not produce in the base period the items applied for on Form WPB-3732 (revised) may not use any preference ratings under this schedule until the War Production Board has assigned them a quota on that form.

(d) *General Provisions.* (1) The rating assigned under this schedule may be used only to get the particular knitted fabrics shown in the knitted fabric column of the preference rating schedule to make the item specified. In addition the producer of the knitted fabric may extend the rating for the purchase of the quantities of yarn required to be incorporated into the knitted fabric sold by him on rated orders authorized by this schedule. Such ratings shall be extended as provided in Priorities Regulation 3 and Order M-328.

(2) A person other than a base period manufacturer must show, in the "Remarks" section of Form WPB-3732 (revised) for each size range of each item for which application is made, the size assortments per dozen which he proposes to produce. If his application is granted, he shall produce the item in the assortment of sizes stated on his application unless the War Production Board specifies a different assortment.

(3) No manufacturer shall purchase or accept delivery of knitted fabric to make any item for which a rating for that fabric is assigned to him under this schedule, unless he uses that rating. The provisions of this paragraph do not apply to purchases for direct or ultimate delivery to or for incorporation into any product for ultimate delivery to the United States Army or Navy, the Maritime Commission or the War Shipping Administration.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

PREFERENCE RATING SCHEDULE NO. 1—PRODUCTION OF ITEMS MADE OF OR INCORPORATING KNITTED FABRICS

Item No.	Item column	Size (or equivalent trade designation)	Knitted fabric column
1	Coats, women's, misses' and juniors.	9 to 17... 10 to 20. 36 to 44. 46 and up.	Woolen knitted fabric.
2	Coats, teen age, girls'.	10 to 16..	Woolen knitted fabric.
3	Coats, girls'.....	7 to 14..	Woolen knitted fabric.
4	Coats, children's....	3 to 6x...	Woolen knitted fabric.
5	Coats, toddlers'.....	1 to 4....	Woolen knitted fabric
6	Coats, infants'.....	.....	Woolen knitted fabric.
7	Coats, boys' finger tip.	10 to 20. 12 to 24.	Woolen knitted fabric.
8	Men's overcoats, ulster and double breasted.	34 and up.	Woolen knitted fabric.
9	Overcoats, men's basic model.	34 and up.	Woolen knitted fabric.

[F. R. Doc. 45-11939; Filed, July 3, 1945; 11:36 a. m.]

Chapter XI—Office of Price Administration

PART 1306—ADMINISTRATION

[Supp. Order 110, Amdt. 2]

GREY AND CERTAIN FINISHED RAYON AND OTHER SYNTHETIC WOVEN FABRICS—MANUFACTURERS' MAXIMUM AVERAGE PRICE

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 110 is amended in the following respects:

1. Paragraph (b) of section 1 is amended to read as follows:

(b) This supplementary order requires manufacturers of rayon and other synthetic woven fabrics to maintain or restore their sales of lower priced goods to the extent necessary to keep their weighted average price for such fabrics from being higher than a "maximum average price." A manufacturer's maximum average price will usually be determined by reference to his weighted average price for a "base period" but in certain cases it will be a price established by the Office of Price Administration upon application by the manufacturer. In most instances only grey goods, but in some instances finished goods alone or a combination of both grey and finished goods, will enter into a manufacturer's weighted average price.

2. Paragraph (a) of section 2 is amended to read as follows:

(a) This suplementary order applies in general to all fabrics covered by Revised Price Schedule No. 23, as amended, and to grey, as well as finished, rayon or synthetic fabrics covered by the General Maximum Price Regulation. However, it does not apply:

(1) To fabrics, or to cancellations, over-run or rejects of such fabrics, made pursuant to a contract with a war procurement agency or a sub-contract under such a contract or to any other contract bearing a preference rating of AA-2x or higher. As used in this order:

(i) "War Procurement Agency" means the War Department, Department of the Navy, the United States Maritime Commission, the Training Organization of the War Shipping Administration, or the Lend-Lease Section in the Procurement Division of the Treasury Department;

(ii) "Cancellations" means yardage which would have been delivered pursuant to a contract but for its cancellation and which was produced or in production prior to the cancellation and shall include yardage produced from yarns or fibers which have prior to the cancellation been put in process for the purpose of filling the contract;

(iii) "Overruns" means excess yardage unavoidably produced in the course of fulfilling a contract;

(iv) "Rejects" means yardage submitted to but rejected by the purchaser;

(2) To fabrics which contain no synthetic yarn or fiber;

(3) To fabrics less than 12 inches in width as woven;

(4) To fabrics declared surplus by and purchased from the Office of Surplus Property of the Department of Commerce;

(5) To pieces classed in good faith as remnants and sold at a poundage price of less than cost;

(6) To fabrics which are specially designed for and are such in construction that they are normally used only for industrial purposes;

(7) To fabrics ultimately sold by the manufacturer thereof as finished woven decorative fabrics subject to Maximum Price Regulation No. 39: *Provided*, That in any quarter beginning on or after July 1, 1945, the fabrics exempted hereby shall be limited to the manufacturer's "quota" determined with reference to 1943 or 1944, whichever the manufacturer shall choose as his base year. A manufacturer's "quota" delivered by him in the corresponding quarter of his base year; or (ii) the same percentage of his total deliveries (i. e., fabrics subject to this order and woven decorative fabrics subject to Maximum Price Regulation No. 39, taken together) during the quarter as in the corresponding quarter of his base year his deliveries of such woven decorative fabrics constituted of his total deliveries. If the manufacturer in any such quarter delivers more than his quota, the fabrics exempt from this supplementary order shall be those aggregating his quota which are delivered first in that quarter. Fabrics delivered in

that quarter after the quota is exhausted are subject to this supplementary order and the "total gross dollar amount charged" for those fabrics (see section 4) shall be two-thirds of their value as finished goods, figured at ceiling prices.

3. In paragraph (b) of section 2, the phrase "yarn-dyed" is deleted.

4. Paragraph (d) of section 3 is revoked.

5. Subdivision (ii) of section 4 (a) (1) is amended by substituting the word "commodities" for the phrase "finished goods and manufactured articles" in the second sentence.

6. Inferior subdivision (*a*) of section 4 (a) (1) (ii) is amended to read as follows:

(*a*) The first condition applies when the finished goods or manufactured articles made from fabrics to which the manufacturer has assigned a value lower than ceiling are subject to a ceiling price determined by any formula of the cost-plus type. In this situation, if the manufacturer has assigned to the fabrics "delivered" within his own organization a lower value than ceiling, the maximum price for the resulting finished goods or manufactured articles shall be the price arrived at under the applicable price regulation after reducing the otherwise allowable cost by the actual difference between the ceiling value and the lower assigned value of the fabrics used.

7. In inferior subdivision (b) of section 4 (a) (1) (ii) the first sentence is amended and a footnote added, to read as follows:

The second condition applies when the manufactured articles[1] made from fabrics to which the manufacturer has assigned a value lower than ceiling are subject to a ceiling price determined in any other manner than by a formula of the cost-plus type.

8. Section 4 (a) (2) is amended to read as follows:

(2) (i) "Yard" means "square yard" or "linear yard" as each manufacturer shall for himself elect. While given a choice between the square yard and the linear yard basis, each manufacturer must use one or the other exclusively and may not use both.

(ii) (*a*) In the computation of square yardage of finished fabrics subject to the General Maximum Price Regulation, the finished width must be used.

(*b*) In the computation of square yardage of other fabrics, either grey width or loom (reed) width may be used; however, in calculating current average prices for any given group or type of fabrics he must always use the same width basis, i. e., grey or loom, as he used in computing his base period average price (or, if he delivered no fabrics of that group or type in the base period, the same width basis as he first used for them in computing his current average price).

9. Section 4 (a) (3) (i) is amended to read as follows:

(i) In the case of any fabric which is actually sold by the manufacturer in a state in which it falls within the definition of fabrics in section 2 (b), "delivered" refers to a manufacturer's invoicing of fabrics which, in accordance with the purchaser's order, have been shipped or are being held for him: *Provided*, That fabrics once delivered shall never be deemed to have been delivered a second time by the same manufacturer.

10. Section 4 (a) (3) (ii) is amended to read as follows:

(ii) In the case of fabrics converted or made by or for the account of the manufacturer into manufactured articles or into finished fabrics which do not fall within the definition of fabrics in section 2 (b), "delivered" refers to the transfer of fabrics from the last plant, department, or process in their production as fabrics subject to this order[2] to the first subsequent plant, department, or process in their conversion or manufacture into finished fabrics or manufactured articles. A transfer shall be regarded as taking place at the time of physical delivery to that subsequent plant or department or of the inception of that subsequent process: *Provided*, That, if the manufacturer's record of transfer required by section 9 (e) is systematically based on some other related occurrence (such as completion of work, packaging or notification of subsequent department) the transfer shall be regarded as taking place at the time of that occurrence: *Provided further*, That fabrics once delivered shall never be deemed to have been delivered a second time by the same manufacturer.

11. Section 5 (b) is amended by adding subparagraph (4) to read as follows:

(4) A manufacturer may elect not to treat as fabrics delivered by himself the entire production of any plant operated by him on or after January 1, 1943, but sold or dismantled prior to May 1, 1945.

12. In section 6, paragraphs (a) and (b) are amended to read as follows:

(a) *"Surcharge" and "credit."* (1) If a manufacturer's weighted average price for any quarter exceeds his maximum average price for that quarter, he has incurred a "surcharge"; if it is less than his maximum average price for that quarter[3] he has earned a "credit". The dollar amount of the credit or of the surcharge is computed by first finding the difference between the manufacturer's weighted average price for the quarter and his maximum average price for the quarter,[4] and then multiplying that difference by the number of yards of fabrics subject to this Order delivered during the quarter.

(b) *"Net surcharge".* (1) at the end of each quarter a manufacturer must determine whether he has a "net surcharge", and, if so, the amount of it.

(2) A manufacturer has a "net surcharge" only if and to the extent that the total of his surcharges exceeds the total of his credits, for all quarters since July 1, 1945 taken together.

13. In section 10 (a) (1) the date June 30, 1945 is amended to read July 14, 1945.

13a. In section 10 (a) (2) the date July 21, 1945 is amended to read August 4, 1945.

13b. Section 10 (b) (8) is revoked.

14. In section 11 (a) (1) the date July 22, 1945 is amended to read August 5, 1945.

15. Section 13 is added, to read as follows:

SEC. 13. *Serious emergencies.* (a) This section is designed to protect the manufacturer against contravention of this order as a consequence of a "serious emergency" beyond his control.

(1) The term "emergency" is used to include acts of government agencies, strikes or labor disputes, fires, floods, storms, explosions, civil disturbances, or acts of God or public enemy. However, it does not include change in or failure of adequate raw material supplies due to reasons other than an emergency, or failure of transportation.

(2) A "serious emergency" means one which has disrupted or will disrupt a manufacturer's production or delivery schedule so materially that, under an otherwise binding private contract to arrange deliveries as required by this order, he would in law be excused from delay or default if it contained a clause excusing delay or default in the event of an emergency as defined above.

(b) In the event of a "serious emergency" a manufacturer, on condition of duly filing the report called for below, may have a "time-out" of not to exceed 30 days, renewable upon the further conditions specified below. Deliveries made during any time-out or during any extension of a time-out shall not be included in the manufacturer's computation of any weighted average price. If the Administrator has reason to believe at any time that the claimed emergency is not such as to justify either the initial time-out or any past or prospective extension thereof, he may by order require that the manufacturer shall on 5 days' written notice, show cause why the time-out should not be disallowed or discontinued or further renewal thereof denied. Otherwise, however, any time-out may be extended for additional periods of not to exceed 30 days each but as a condition of each such extension, the manufacturer must duly file the reports called for below.

(c) *Reports to be filed as a condition of initial "time-out" and extensions thereof.* As a condition of availing himself of any initial time-out and of each extension thereof, a manufacturer must duly file the following reports with the Office of Price Administration, Washington 25, D. C., in duplicate:

(1) Within 10 days after the beginning of any initial time-out, and again within 5 days after the beginning of each extension, a manufacturer must file a report giving as of that date:

(i) A concise factual account of the emergency or of its continuance;

(ii) A factual statement of its effect on production and deliveries;

(iii) Such information on resumption of the normal production and deliveries as then available; and

(iv) A statement as to the length of the time-out or extension needed to cover the period of disruption of deliveries.

(2) If the fabrics delivered by the manufacturer during any initial time-out or any extension thereof at prices above his maximum average price exceed in yardage fabrics delivered at prices above his maximum average price in an equivalent number of days immediately prior to the arising of the emergency, he must report within 5 days after the expiration of that time-out or extension (or include in the report called for by subparagraph (1) above) the respective yardages and must show cause why the time-out should not be disallowed as to the excess.

16. Section 14 is added to read as follows:

SEC. 14. *Application for adjustment.* (a) A manufacturer whose maximum average price is such that he cannot utilize his equipment and raw material supply to manufacture the maximum amount of serviceable fabrics may apply for an adjustment of his maximum average price. The following are some of the meritorious situations which might account for his need for adjustment: the raw material supply available to him has changed appreciably since the base period; his production has been or is dislocated as a consequence of military contracts or government restrictions on production; he has added or disposed of equipment; or his base period was abnormal in some respect.

(b) If a manufacturer has a meritorious reason for seeking an adjustment, an adjustment of his maximum average price will be granted to him, upon application to the extent necessary to permit him to make, on his equipment and from the yarn and fibre supply available to him, the maximum amount of serviceable fabrics of standard constructions. In determining the amount of an adjustment the Administrator will apply the following standards:

(1) The adjustment will be limited to the amount necessary to permit the manufacturer to make the maximum yardage of serviceable fabrics of standard constructions of types normally used for men's, women's or children's underwear or outerwear, unless the manufacturer's raw material supply or equipment is such that he cannot make goods of those types.

(2) If the manufacturer's equipment and raw material could be used in making serviceable fabrics of standard constructions in different categories (e. g., satins, taffetas, twills), or for different end uses (e. g., linings, dress goods, underwear fabrics), with different average prices, consideration will be given to the categories and end uses, respectively, for which the manufacturer made fabrics from the same raw material during a recent production period.

(3) For a manufacturer who has jacquard or box looms or other equipment specially designed to make fabrics of a particular type, "standard construction" shall mean a standard construction requiring the use of such looms or equipment.

(4) In the case of goods in which either the filling or both warp and filling are made entirely of spun yarns, due consideration will be given to fabric weight.

(c) Each application shall be filed with the Office of Price Administration, Washington 25, D. C. The application shall be in duplicate and shall conform to the following requirements:

(1) It shall state the reason why the manufacturer has to seek an adjustment.

(2) It shall include a complete list of the constructions (described in the same detail as in Revised Price Schedule No. 23, as amended) which were produced during the last full calendar month or 4- or 5-week producing period prior to the application, with the number of yards produced and the ceiling price of each construction.

(3) If the production schedule or the raw material supply reflected in the list furnished pursuant to subparagraph (2) above is not representative of the applicant's prospective raw material supply or production schedule, the applicant shall furnish such facts as are pertinent to demonstrate what that prospective schedule or supply will be.

(4) If the applicant seeks an adjustment computed in whole or in part on the basis of constructions other than those which can be produced on plain looms, the application shall contain the following information concerning equipment in use and in place during the period to which the information supplied pursuant to subparagraph (2) above relates:

(i) The number of his looms, classified by type, make, and model;

(ii) The number of his spinning spindles, classified by and with a description sufficient to show the range of yarn numbers for which they are designed; and

(iii) The number of his twister spindles.

17. Section 15 is added, to read as follows:

SEC. 15. *Temporary increase in maximum average price.* (a) Notwithstanding any other section of this supplementary order, but subject to paragraphs (c), (d), (e), and (f) below, a manufacturer whose otherwise applicable maximum average price is fixed by section 5 (a) (1) may take as his maximum average price the lower of the following two alternatives:

(1) 110% of his otherwise applicable maximum average price, or

(2) His choice of

(i) 102% of his weighted average price for the first quarter of the calendar year 1945,

(ii) 102% of his weighted average price for the second quarter of the calendar year 1945, or

(iii) 102% of his otherwise applicable maximum price.

(b) Notwithstanding any other section of this supplementary order, but subject to paragraph (c), (d), and (e) below, a manufacturer whose otherwise applicable maximum average price is fixed by section 5 (a) (2) may take as his maximum average price the lower of the following:

(1) 102% of his weighted average price for the first or second quarter of the calendar year 1945, or

(2) 105% of his weighted average price for the first three calendar months following the month in which he first delivered fabrics subject to this order.

(c) Paragraphs (a) and (b) of this section shall not apply to any maximum average price established pursuant to paragraph (c) of section 5 or to any maximum average price which has been adjusted pursuant to section 14.

(d) Any "credit" determined pursuant to paragraph (a) of section 6 shall be computed without regard to the increase provided for in paragraphs (a) or (b) of this section.

(e) The base period report required by section 10 (a) shall be prepared without regard to the increase provided for in paragraphs (a) or (b) of this section. However, any manufacturer who wishes to determine his maximum average price on the basis of 102% of his weighted average price for the second quarter of the calendar year 1945 must as a condition, submit, in addition to the information required in the base period report, the following: the total gross dollar amount charged for fabrics he delivered, the total number of yards delivered, and his weighted average price for the quarter beginning nearest April 1, 1945. This supplementary report must be filed in duplicate with the Office of Price Administration, Washington 25, D. C., on or before July 20, 1945.

(f) The increases in maximum average prices provided for in this section will remain in effect at least for the quarter beginning nearest July 1, 1945 and will not be reduced or withdrawn except by an amendment effective 60 days or more after issuance.

18. Section 16 is added to read as follows:

SEC. 16. *"Consolidated" manufacturers.* (a) If two or more manufacturers are under common production management, as a result of either similarity of ownership or use of the same selling agent, they may be treated upon the following conditions as a consolidated manufacturer who, except as specified below, shall be subject to the provisions of this supplementary order in the same manner as any other manufacturer. The conditions are:

(1) No manufacturer may be treated as a constituent member of a consolidated manufacturer until each member

[1] The second condition mentions only manufactured articles and not finished goods because finished goods subject to a ceiling price determined in any other manner than by a formula of the cost-plus type are governed by the General Maximum Price Regulation and, hence, are subject to this Order in the finished state. See Section 2.

[2] It should be borne in mind that any finished fabric for which the ceiling is established by the General Maximum Price Regulation is subject to this order in the finished state, even if its ceiling in the grey is established by Revised Price Schedule No. 23, as amended.

[3] Section 15 gives almost every manufacturer a temporary increase in his maximum average price. It provides, however, that the increase is to be disregarded in determining whether the manufacturer has earned a credit. In other words, a manufacturer will earn a credit only if his weighted average price is less than his otherwise applicable maximum average price.

has filed or caused to be filed with the Office of Price Administration, Washington 25, D. C.:

(i) An election (signed by an owner, officer, or principal) to be treated as a constituent member of a consolidated manufacturer;

(ii) A list of the other constituent members;

(iii) A designation of a person who will act for all the constituent members as manager of the consolidated manufacturer;

(iv) A statement by that person that he agrees to act as manager.

(2) Each member must file or cause to be filed for himself the report required by paragraph (a) of section 10. In addition, the manager must file for the consolidated manufacturer all the reports required by paragraphs (a), (b), and (c) of section 10.

(3) A manufacturer may become a constituent member of a "consolidated" manufacturer only at or as of the beginning and may withdraw only at or as of the end of a quarter.

(4) As applied to a consolidated manufacturer and its constituent members, the makeup rule set forth in section 6 (c) shall be modified to read as follows: If a consolidated manufacturer incurs a net surcharge at the end of each of two consecutive quarters, a constituent member shall not thereafter deliver fabrics subject to this order at a gross price per yard above the maximum average price of such member until the consolidated manufacturer has "made up" the net surcharge existing at the end of the second such quarter.

(5) In order to withdraw, a manufacturer must file with the Office of Price Administration, Washington 25, D. C., a revocation of his election and, unless such notice is waived by each of the other constituent members, must give them at least a quarter's notice of such withdrawal.

(6) If a constituent member withdraws, a proportionate share of any net surcharge or of any credit balance existing at the end of each of the last two quarters of his membership shall be treated as though it had been earned or incurred by the withdrawing member and not by the consolidated manufacturer. "Proportionate share" means a share apportioned in proportion to "total gross dollar amount charged" by respectively the withdrawing member and the consolidated manufacturer during the last quarter of his participation in the consolidation. The consolidated manufacturer shall adjust its maximum average price by eliminating from the computation thereof the data relating to the member who has withdrawn.

This amendment shall become effective June 30, 1945.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11757; Filed, June 30, 1945; 3:11 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 8,[1] Amdt. 12]

GENERAL PROHIBITIONS, PENALTIES AND CONDITIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 8 is amended by adding a new section 2.22 to read as follows:

SEC. 2.22. *Carrying out Office of Economic Stabilization directions.* Whenever the Director of the Office of Economic Stabilization directs the Office of Price Administration to refuse applications by any person for a rationed commodity or for rationed commodities or to cancel any outstanding allocations to any person, the Deputy Administrator for Rationing shall issue appropriate instructions or orders for carrying out such direction and any modification thereof. If such direction shall subsequently become inoperative, either pursuant to its terms or by rescission, the Deputy Administrator for Rationing shall issue appropriate instructions or orders to enable such person again to acquire and use rationed commodities.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11779; Filed, June 30, 1945; 4:02 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[2] Amdt. 100]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 1A is amended in the following respects:

1. A new § 1315.551 is added to read as follows:

§ 1315.551 *Allotments of tires to veterans for sale or transfer*—(a) *Who may apply.* A person who was in the Army, Navy, Marine Corps or Coast Guard of the United States on or after September 16, 1940, and was discharged or released under conditions other than dishonorable after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty, and who wishes to acquire an allotment of tires as a dealer may apply to the Board serving the area where his establishment will be located.

(b) *Form of application.* The applicant shall apply on OPA Form R-76 and shall state:

(1) His name and address and the name and address of the establishment for which the allotment is sought;

(2) That he was in the Army, Navy, Marine Corps or Coast Guard on or after September 16, 1940, and was discharged or released therefrom under conditions other than dishonorable, after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty;

(3) That he has already obtained premises suitable for operation as a dealer or that he will obtain such premises if he is otherwise entitled to receive an allotment of tires under this section;

(4) That he is not and will not be financed directly or indirectly as a dealer by another dealer or by a manufacturer;

(5) That he meets the requirements of paragraph (d);

(6) That the operation of the establishment covered by the application will be his principal occupation;

(7) If he is a dealer when he applies under this section, the location of his establishment, the number of passenger, truck (by cross-section size groups 7.50 and smaller and 8.25 and larger) and tractor-implement tires in his inventory including replenishment portions of certificates or receipts available to him, and the number of tires, by types, which he seeks to acquire;

(8) If he is not a dealer when he applies under this section, the number of passenger, truck (by cross-section size groups 7.50 and smaller and 8.25 and larger) and tractor-implement tires which he seeks to acquire, but not in excess of the amounts which may be allotted to him under paragraph (e);

(9) That he has not already received the maximum number of tires which he is entitled to receive under this section;

(10) That he does not have any other application pending under this section.

(c) *Proof of veteran status.* The applicant must show his discharge papers or certificate of satisfactory completion of active duty or a photostatic copy thereof, and his application on OPA Form R-76 to the Board.

(d) *Ownership and operation of veterans' establishment.* No person may obtain an allotment of tires under this section unless:

(1) He is the principal owner and active head of the business covered by the application and no other part owner of the business is a dealer or manufacturer; or

(2) He is the joint owner of the business covered by this application and will be actively engaged in the operation of the business, and the financial interests held by himself and by members of his immediate family or persons who would themselves be entitled to allotments under this section aggregate the principal ownership of the business and no other part owner of the business is a dealer or manufacturer.

(e) *Action on the application.* (1) A Board may not act on any application filed under this section. It shall note upon the application that it has seen the applicant's discharge papers or certificate of completion of active duty or a photostatic copy thereof, and the date of discharge or release shown on such papers or certificate. It shall send the application, together with all other information received, to the District Office. It may attach its recommendation as to the action to be taken.

(2) If the District Office finds that the statements made in the application are true and that the application satisfies the requirements of this section it shall issue certificates in the name of the applicant authorizing him to purchase not more than ten passenger tires; four truck tires, 7.50 and smaller; two truck tires 8.25 and larger; and six tractor-implement tires: *Provided, however,* That it shall deduct from the maximum amount which may be allotted to him in any type or cross-section size group, the total of tires of that type or cross-section size group in his inventory and replenishment portions available to him, which call for that type or cross-section size group. If the applicant has not yet obtained premises suitable for operation as a dealer, the District Office shall, instead of issuing him certificates for an allotment of tires, give him a statement in writing that he will be given an allotment when he obtains suitable premises. Whenever a person to whom such a statement has been given by the District Office satisfies that Office that he has obtained premises suitable for operation as a dealer, the District Office shall grant him the allotment for which he is eligible.

(3) If two or more persons eligible for an allotment under this section apply for allotment to be used at the same establishment, the District Office shall grant only one allotment which may not be larger than if only one eligible person had applied.

(f) *Discontinuance of veteran's establishment.* (1) If at any time within a year after an allotment has been granted under this section, the facts stated in paragraph (b) (4), (b) (6) or (d) cease to be true, the establishment for which the allotment was granted shall surrender to the District Office as soon as they are acquired, replenishment portions of certificates or receipts representing the number and type of tires (by cross-section size groups 7.50 and smaller and 8.25 and larger for truck tires) which it had received on certificate under paragraph (e) (2). The establishment may not acquire any tires from a supplier while it owes replenishment portions to the District Office.

(2) Notwithstanding those provisions of § 1315.804 (l) and (m) which allow a dealer who is discontinuing business to transfer his inventory to another dealer, a veteran who has received an allotment under this section within the year prior to the date he wishes to discontinue his business, may transfer his inventory of tires only to a dealer who was his supplier of tires within that same period or to a dealer who would be eligible for an allotment under this section. However, if a veteran dies within a year of receiving an allotment under this section, the transfer provisions of § 1315.804 (l) or (m) are applicable.

(3) An establishment which is prohibited from acquiring tires because the facts stated in paragraph (b) (4), (b) (6) or (d) have ceased to be true, may liquidate its inventory by returning tires to a manufacturer pursuant to § 1315.804 (e) (1).

This amendment shall become effective July 6, 1945.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11943; Filed, July 3, 1945; 11:41 a. m.]

[1] 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1325, 2746, 4196, 4878, 7419; 10 F.R. 660.

[2] 7 F.R. 9160, 9392, 9724.

PART 1340—FUEL

[MPR 120, Amdt. 142]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1340.210 (a) (16) (iv) is amended by deleting the word and numerals "June 30" appearing after the word "until" and before the numerals "1945" and inserting in lieu thereof the word and numerals "July 31".

This Amendment No. 142 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11785; Filed, June 30, 1945; 4:04 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 449,[1] Amdt. 4]

GROUNDWOOD SPECIALTY PAPERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 449 is amended in the following respects:

1. Section 15 (c) entitled "General Use Papers" is amended as follows:

a. The entire lines starting "No. 1 Groundwood Poster" and ending "made in white" are deleted and the entire lines "No. 2 Groundwood Poster" and ending "printing finish" are deleted and in their place the following is substituted:

"Groundwood Poster" contains specialty groundwood fiber and chemical fiber. It contains no filler and is made with medium printing finish. It is made in an assortment of colors, either in the standard assortment consisting of pink, jade, mandarin, sulphur, gold, azure and white or in assortments of other selected colors not deeper than medium.

b. The entire lines starting "No. 1 Railroad manilla" and ending "(17 x 22/500)" are deleted and the entire lines starting "No. 2 Railroad manilla" and ending "(17 x 22/500)" are deleted and in their place the following is substituted:

"Railroad manila" contains specialty groundwood fiber and chemical fiber. It contains no filler and is sized for pen and ink writing. It is made only in the standard colors, sulphur or canary, cream or india and white. Basis weight is at least 13 lb. (17 x 22/500).

2. The table of prices for "General Use Papers" appearing in Appendix A (a) is amended in the following respects:

a. The first four lines beginning "No. 1 Groundwood Poster", "No. 2 Groundwood Poster", "No. 1 Railroad manilla" and "No. 2 Railroad manilla" are deleted and in their place the following is substituted:

Grade	Minimum standard basis weight	Code for light weight differential. (See par. (c) (2))	Maximum base price
Groundwood poster	32 lbs.—24 x 36/500	HLD	$4.85
Railroad manila	14 lbs.—17 x 22/500	GLD	4.75

b. In the table of prices for "Groundwood Hanging Papers" appearing in Appendix A, the maximum base price for No. 2 Groundwood Hanging Paper is amended to read as follows:

Grade	Minimum standard basis weight	Code for light weight differential. (See par. (c) (2))	Maximum base price
No. 2 Groundwood hanging	38 lbs.—24 x 36/480	None	$4.20

This amendment shall become effective July 9, 1945.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11947; Filed, July 3, 1945; 11:41 a. m.]

[1] 8 F.R. 11515, 14985; 9 F.R. 6033, 7504.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 394, Amdt. 16]

RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BYPRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 394 is amended by the addition of subparagraph (b) (7) to section 5 to read as follows:

(7) Notwithstanding any of the foregoing provisions of subparagraphs (b)

(1) through (b) (6) inclusive, upon a finding by the Administrator at Washington, D. C. that (i) There exists within any specified area total quotas which are substantially below an amount representing current seasonal demands for kosher meats by purveyors of kosher meals located in such area, and (ii) Such purveyors of kosher meals are supplied almost exclusively by kosher retail selling establishments or stores located in the same area, and (iii) The condition, described in subdivision (i) above, is caused by the fact that the kosher retail selling establishments or stores are limited in their sales to purveyors of kosher meals located in the same area to 20% of their total dollar volume of meats sold during any current month, the Administrator at Washington,, D. C., may, by order, designate such area as a "deficiency area" for such period as he may prescribe.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area, the District Director of the Office of Price Administration for the district in which such deficiency area is located, may authorize any kosher retail selling establishment or store customarily serving such area, which establishment or store is not a hotel supply house and which does not slaughter more than 20 cattle or calves per month, to sell kosher retail meat cuts to kosher purveyors of meals at the prices specified in Section 24 of Maximum Price Regulation No. 394, in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may such kosher retail selling establishment or store be authorized to sell kosher retail meat cuts to kosher purveyors of meals in excess of 70 percent of its total monthly dollar volume of meat sales.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11759; Filed, June 30, 1945; 3:12 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 1 to Supp. 1]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

Table 1 in Supplement No. 1 to Control Order 1 is amended to read as follows:

TABLE I—QUOTA PERCENTAGES FOR ALL CLASS 2 SLAUGHTERERS (UNDER SECTION 9 OF CONTROL ORDER 1)

(a) For quota periods beginning on or after April 30, 1945:

	Percent
Cattle	75
Calves	75
Sheep and lambs	100
Swine	50

(b) For quota periods beginning on or after July 1, 1945:

	Percent
Cattle	85
Calves	75
Sheep and lambs	110
Swine	50

This amendment shall become effective on July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11778; Filed, June 30, 1945; 4:01 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 1 to Supp. 2]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

Section 1407.309 (a) in Supplement No. 2 to Control Order 1 is amended to read as follows:

(a) There are hereby established and certified to the Defense Supplies Corporation the following percentages to be applied to the total slaughter of livestock of any species during the base periods of 1944, upon which slaughter payments may be made during the corresponding quota periods of 1945, to Class 2 and Class 3 slaughterers:

(1) *Class 2 slaughterers:*

(i) For quota periods beginning on or after April 30, 1945:

	Percent
Cattle	75
Calves	75
Sheep and Lambs	100
Swine	50

(ii) For quota periods beginning on or after July 1, 1945:

	Percent
Cattle	85
Calves	75
Sheep and Lambs	110
Swine	50

(2) *Class 3 slaughterers:*

(i) For quota periods beginning on or after April 30, 1945:

	Percent
All species	100

This amendment shall become effective on July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11777; Filed, June 30, 1945; 4:01 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 24]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 2.2 (g) (1) is amended to read as follows:

(g) (1) Notwithstanding the provision of paragraph (f), a Regional Administrator may in his discretion fix the total quantity of sugar any Board in his region may issue for home canning and preserving for home use during the period from February 23, 1945, through October 31, 1945, inclusive. In addition, he may authorize a District Director in his discretion to fix the amounts of sugar that any Board in his district may issue for such purposes, in which case, he shall also fix the maximum amount of sugar which all Boards in that district may issue for the period from February 23, 1945, through October 31, 1945 inclusive. However, the total amount which all Boards in the region may be authorized to issue under this subparagraph may not exceed 70% of the total amount all Boards in that region issued for these purposes during the period February 29, 1944, through December 9, 1944, inclusive, except under the conditions set forth in (2) below.

This amendment shall become effective July 6, 1945.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11944; Filed, July 3, 1945; 11:42 a. m.]

[1] 9 F.R. 13641, 13992, 14642, 15048; 10 F.R. 201.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 122]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 15 (Maximum Prices for Red Sour Cherries), footnote reference 3 is added to the heading of Column 5 and footnote 3 is added to read as follows:

[3] During the period beginning July 1, 1945, and ending July 20, 1945, the Column 5 prices for red sour cherries grown in Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas and Wyoming shall be ½¢ higher than those named in the table. During that period the Column 5 prices for red sour cherries grown in States east of those named shall be 5¢ higher than those named in the table.

This amendment shall become effective at 12:01 a. m., July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved June 28, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

I find that the foregoing amendment makes an appropriate allowance for reduction in the merchantable crop yield of red sour cherries.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-11767; Filed, June 30, 1945; 3:14 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 121]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

1. Appendix H, paragraph (b) is amended in the following respects:

a. Table 2 is amended to read as follows:

TABLE 2—MAXIMUM PRICES FOR SPINACH

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Texas and Colorado [1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
1	Spinach in bushel containers with a net weight of 18 pounds or more.	Bushel	Sept.-June	$1.15	Col. 5 price plus freight (including 3% transportation tax) from Crystal City, Texas, plus 7 cents protective service allowance.[2]	Column 6 price plus 45 cents.
2	Spinach in ½ crate (1¼ bushel) with a net weight of 22½ pounds or more.	½ crate	July and Aug	$1.50	Col. 5 price plus freight (including 3% transportation tax) from Del Norte, Colorado, plus 10 cents protective service allowance.	Column 6 price plus 56 cents.
3	Spinach in bushel containers with a net weight of less than 18 pounds and in all other containers.[3]	Pound	Sept.-June	6.4 cents	Maximum price above (item 1) divided by 18.	Column 6 price plus 2½ cents per pound.
4	Spinach in ½ crates with a net weight of less than 22½ pounds and in all other containers.[3]	Pound	July and Aug	6.7 cents	Maximum price above (item 2) divided by 22½.	Column 6 price plus 3 cents per pound.

[1] The maximum prices in column 5 for items 1 and 3 apply to sales f. o. b. shipping points in Texas only and those for items 2 and 4 apply to sales f. o. b. shipping points in Colorado.

[2] No protective service allowance shall be added on sales in September through June at wholesale receiving points in that part of Texas south of and including the following counties: Bastrop, Blanco, Edwards, Galveston, Gillespie, Harris, Kerr, Lee, Travis, Val Verde, Waller and Washington.

[3] The maximum price for spinach sold in bulk (loose without containers or in containers furnished by the buyer) shall be 1½ cents per pound less than for items 3 and 4.

[4] For sales covered by column 7 see general provisions of the appendix.

b. In Table 4, Items 5a, 5b, 11a and 11b are inserted to read as follows:

TABLE 4.—MAXIMUM PRICES FOR SNAP BEANS (GREEN OR WAX)

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points [1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
5a	Snap beans in bushel containers with a net weight of 28 pounds or more.	Bushel	July 1-July 15	$2.40	Column 5 price plus freight (including 3% transportation tax) from Faison, North Carolina, for all markets east of and including Chicago, Illinois, or from San Jose, California, for all markets west of Chicago, Illinois; plus 10 cents for protective service.	Column 6 price plus 75 cents.
5b			July 16-Sept. 30	$2.40	Column 5 price plus freight (including 3% transportation tax) from shipping point plus actual cost of protective services not to exceed common carrier's lowest charge for the same services.	Column 6 price plus 75 cents.
11a	Snap beans in bushel containers with a net weight of less than 28 pounds and in all other containers.[3]	Pound	July 1-July 15	8.6 cents per lb	Maximum price above (item 5a) divided by 28.	Column 6 price plus 2.7 cents per pound.
11b			July 16-Sept. 30	8.6 cents per lb	Maximum price above (item 5b) divided by 28.	Column 6 price plus 2.7 cents per pound.

[1] Maximum prices fob shipping point apply only to Florida Nov.-Feb., to Fla. & Calif., Mar.-June, to N. Carolina, July 1-15, to all other areas July 16-Sept. 30, and to Florida and California in October.

[2] For all wholesale receiving points in the State of Florida for the period November 1 to June 30 and in California during the period March 1-June 30 no allowance shall be added for protective services.

[3] The maximum price for snap beans sold in bulk (loose without containers) shall be 1 cent per pound less than the prices per pound listed in Columns 5, 6 or 7.

[4] For sellers covered by Column 7, see general provisions of this Appendix.

[5] During the period beginning June 18 and ending June 30, 1945, the Column 6 price for snap beans grown in Arkansas and Tennessee shall be based on $3.00 rather than $2.70; and the Column 6 price for snap beans grown in Delaware, Maryland, New Jersey and Virginia shall be based on $2.85 rather than $2.70.

c. In table 7, footnote reference 7 is added to Items 4a, 8a, 12a and 16 a in Column 4 and footnote 7 is added to read as follows:

[7] This regulation shall not apply to cucumbers during August and September 1945.

d. In Table 13, footnote reference 6 is added to the title of the table and footnote 6 is added to read as follows:

[6] This regulation shall not apply to cabbage during July, August and September 1945.

e. Table 14 is amended to read as follows:

TABLE 14—MAXIMUM PRICES FOR SWEETPOTATOES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6	Col. 7
Item No.	Area of production	Unit	Season	Maximum prices f. o. b. shipping point		Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer[1]
				For uncured sweetpotatoes	For cured sweetpotatoes		
				Cents	*Cents*		
1	Sweetpotatoes grown in Louisiana and Texas and packed in any container[2]	Per pound	July 1–August 31	6.50	7.22	Column 5 price[3] for items 1–9 plus freight from Sunset, Louisiana.	Column 6 price [illegible]
2			September 1–September 15	5.52	5.91		
3			September 16–October 31	4.06	4.51		
4			November 1–November 15	4.68	5.29		
5			November 16–January 31	5.54	6.16		
6			February	5.76	6.40		
7			March	6.18	6.87		
8			April	6.40	7.11		
9			May and June	6.72	7.47		
10	Sweetpotatoes grown in Alabama, Arkansas, Florida, Georgia, Mississippi, Oklahoma, South Carolina and Tennessee and packed in any container[2]	Per pound	July 1–August 31	6.70	7.44		
11			September 1–September 15	5.52	6.13		
12			September 16–October 31	4.26	4.73		
13			November 1–November 15	4.88	5.42		
14			November 16–January 31	5.74	6.38		
15			February	5.96	6.62		
16			March	6.38	7.09		
17			April	6.60	7.33		
18			May and June	6.92	7.69		
19	Sweetpotatoes grown in Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Missouri, New Jersey, New Mexico, North Carolina, Virginia and packed in any container[2]	Per pound	July 1–August 31	6.90	7.67		
20			September 1–September 15	5.72	6.36		
21			September 16–October 31	4.46	4.96		
22			November 1–November 15	5.08	5.64		
23			November 16–January 31	5.94	6.60		
24			February	6.16	6.84		
25			March	6.58	7.31		
26			April	6.80	7.56		
27			May and June	7.12	7.91		
28	Sweetpotatoes grown in California and packed in any container[2]	Per pound	July 1–August 31	7.30	8.11		
29			September 1–September 15	6.12	6.80		
30			September 16–October 31	4.86	5.40		
31			November 1–November 15	5.48	6.09		
32			November 16–January 31	6.34	7.04		
33			February	6.56	7.29		
34			March	6.98	7.76		
35			April	7.20	8.00		
36			May and June	7.52	8.36		

[1] For sweetpotatoes sold in bulk (loose without containers or in containers furnished by the buyer), the maximum price is 1½ cent less than that for sweetpotatoes sold in containers.

[2] In figuring a price under Column 6, regardless of where the potatoes were grown, use the Column 5 price for Item 1-9 applicable (for uncured or cured potatoes as the case may be) on the date of the sale delivered at wholesale receiving point.

[3] For sales covered by Column 7, see general provisions of this appendix.

2. In Appendix H, paragraph (c), Item 5 of the Table of Maximum Markups is amended to read as follows:

TABLE OF MAXIMUM MARKUPS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE

(See columns 5 and 6 of tables in paragraph (b))

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
			Sales by a grower or country shipper[1]					Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency or institutional buyer within free delivery zone[2]	
Item No.	Commodity	Unit[3]	Through a broker, shipper's sales agent or commission merchant in carlots or truck-lots or through broker, shipper's sales agent at auction in less-than-carlot or less-than-truck-lot	Through a commission merchant in less-than-carlots or less-than-truck-lots	Sales by anyone other than a grower or country shipper who has purchased a carlot or truck-lot, and sells such a carlot or truck-lot unbroken	Sales by carlot receivers in less-than-carlots or less-than-truck-lots. (For sales by carlot receivers through auction the markups named in Column 4 shall be applied.)	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser	Half container or larger or in bulk in any quantity	Less than half container
•	•	•	•	•	•	•	•	•	•
8	Spinach	Bushel	$0.07	$0.25	$0.07	$0.25	$0.45	$0.45	
		½ crate	$0.09	$0.31	$0.09	$0.31	$0.56	$0.56	
		Other containers or in bulk	1/10 cents per lb.	1 5/10 cents per lb.	1/10 cent per lb.	1 5/10 cents per lb.	2½ cents per lb.	2½ cents per lb	3½ cents per lb.
•	•	•	•	•	•	•	•	•	•

[1] Charges determined under MPR 165 shall be used instead of those listed in this table if such charges are lower than the markups listed.

[2] Markups listed in Column 9 are on a full container basis (except where otherwise specified.) Where the total quantity sold is a half-container or larger but less than a full container, the per pound or other unit markup shall be used, whether the goods are sold in a container or in bulk. Where the total quantity sold is in less than a half container the per pound or unit markup in Column 10 shall be used. Column 10 shall not apply to sales made in bulk.

[3] The bushel and crate containers listed in this column must contain the minimum net weights specified in Column 2 of the applicable table in paragraph (b). For bushels and crates containing less than this minimum net weight the per pound markup shall apply.

This amendment shall become effective at 12:01 a. m., June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved June 28, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the increase in maximum prices for sweetpotatoes made by that amendment is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-11602; Filed, June 29, 1945; 4:39 p. m.]

PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445,[1] Amdt. 26]

DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 445 is amended in the following respects:

1. Section 2.3 (c) (1) and (2) is amended by deleting the words "January, 1945" wherever the same appear in the column headings of the tables contained therein and substituting in lieu thereof the word "thereafter".

2. Paragraph (h) of Appendix DD to Article IV is amended by deleting the date "1941" and "1942" appearing therein and substituting in lieu thereof, "1942" and "1943", respectively.

3. The heading of section 5.1 (a) (5) is amended to read as follows:

(5) *Sales to consumers at auction or otherwise.*

4. Subparagraphs (6), (8), and (9) of section 5.1 (a) are amended by adding at the end of each the words "when made to consumers".

5. The introductory text to section 5.1 (b) is amended by deleting therefrom the words "by those persons".

6. Subparagraphs (1), (2), (3), and (4) of section 5.1 (b) are redesignated (2), (3), (4) and (5), respectively, and a new subparagraph (1) is added to section 5.1 (b) to read as follows:

(1) Sales of the type described in section 5.1 (a), (5), (6), (8), and (9) when made to persons other than consumers. Such sales are exempt from price control.

7. Subparagraph (1) is added to section 5.3 (a) to read as follows:

(1) Where a wholesaler, retailer or monopoly state makes a purchase at a sale of the type described in section 5.1 (a) (5), (6), (8), and (9) such purchase shall not be used by the wholesaler, retailer, or monopoly state as a "base purchase" to determine the "net cost" of the item. A wholesaler's, retailer's, or monopoly state's maximum price for a particular sale of an item so purchased shall be the maximum price which such seller established for a corresponding sale of the same item purchased from a customary type of supplier. If the wholesaler, retailer, or monopoly state has not established a maximum price for the same item purchased from a customary supplier, the maximum price for a particular sale of an item purchased at a sale of the type described in section 5.1 (a) (5), (6), (8), and (9) shall be the maximum price which such seller established for a corresponding sale of the most similar item purchased from a customary type of supplier; or if such seller has not established a maximum price for a similar item, the maximum price established for a corresponding sale of the same item by such seller's most closely competitive seller; or if such seller's most closely competitive seller has not established a maximum price for the same item, the maximum price which the most closely competitive seller established for a corresponding sale of a most similar item. If the wholesaler, retailer, or monopoly state is unable to establish a maximum price in accordance with this subparagraph (1), he shall file an application for authority to establish a maximum price pursuant to section 5:10.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11784; Filed, June 30, 1945; 4:04 p. m.]

[1] 10 F.R. 7444.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 487, Amdt. 1]

WHEAT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 487 is amended in the following respects:

1. Section 2.6 (a) (4) is amended by adding the following sentence at the end thereof: "Furthermore, the markups provided in paragraphs (a) (2) and (a) (3) of this section shall not be added on the sale of any lot of wheat originating in the state of Montana."

2. Section 2.6 (b) (4) is amended by adding the following sentence at the end thereof: "Furthermore, the markups provided in paragraphs (b) (2) and (b) (3) of this section shall not be added on the sale of any lot of wheat originating in the state of Montana."

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 30 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-11782; Filed, June 30, 1945; 4:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1[1], Amdt. 103]

DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (1) is added to section 5.2 of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation to read as follows:

(1) Distilled spirits and wines when sold to persons other than consumers either by a court officer pursuant to statute, judicial decree or writ or by governmental bodies or agencies, pursuant to statute, ordinance, or both, not including sales by monopoly states.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11783; Filed, June 30, 1945; 4:04 p. m.]

[1] 10 F.R. 2435, 2479, 2757, 3236, 3947, 4107, 4494, 5458, 7196, 7497.

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 56]

LINEN SUPPLY SERVICE IN THE DETROIT AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 56 has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 56 is hereby issued. The specifications and standards set forth in this supplementary service regulation are those which, prior to the issuance of the regulation, were in general use by the trade in the affected areas.

§ 1499.697 *Linen supply services in the Detroit area*—(a) *Maximum prices.* The maximum prices established by Revised Maximum Price Regulation No. 165 for linen supply services when supplied by sellers located in the geographical area described below are hereby modified and henceforth shall be the prices set forth in Appendix A, except for "large accounts" as herein defined. Lower prices than those established by this regulation may be charged.

(b) *Geographical area.* This regulation applies to the linen supply establishments located in the corporate limits of the following area:

The counties of Wayne, Oakland, and Macomb, in the State of Michigan.

(c) *Nature of accounts*—(1) *Large accounts.* The maximum prices for a "large account" shall remain subject to the provisions of Revised Maximum Price Regulation 165, and any applicable supplementary service regulation.

"Large account" means a volume of $50 or more of linen supply service sold or delivered to a place of business during the calendar week ending June 16, 1945; it also means an account above the $50 weekly minimum which has been designated as a "large account" by an OPA order in accordance with the provisions of paragraph (c) (2) below.

(2) *Change in nature of accounts.* If the weekly volume of an account increases to $50 or more or if a "large account" decreases in volume below such weekly amount, and such increase or decrease continues for four consecutive

weeks, the appropriate OPA office may upon presentation of satisfactory evidence by the supplier or the purchaser issue an order reclassifying such account. Upon such reclassification, the account shall then be subject to the appropriate maximum prices for its size in accordance with the provisions of this regulation.

(d) *Applicability of Revised Maximum Price Regulation 165.* Except as provided to the contrary, all the other provisions of Revised Maximum Price Regulation 165 and any applicable supplementary service regulation shall apply to the linen service suppliers subject to this regulation.

(e) *Definitions.* (1) "Linen supply service" means the providing of clean linens and/or garments which are owned by the supplier to industrial, commercial, or professional users.

(2) "Linens" is not confined to articles made of linen textiles, but includes all articles of whatsoever fabric made, which are commonly embraced by that term.

(3) The designations of items of laundry services used in this regulation shall be given their ordinary trade meanings as used in the affected areas unless indicated to the contrary herein.

(4) "Special" when used in connection with linen supplies means an item made of damask material or other special quality, color or design or specially tailored according to specifications previously ordered by a purchaser.

(f) *Notice requirements.* Within 30 days from the effective date of this regulation, every seller of linen supply service covered by this regulation shall notify each of his customers of the maximum prices established herein.

(g) *Invoices.* Seller's invoices or bills must describe the items of service supplied in the terms used in this regulation.

(h) *Elimination of individual adjustments.* On and after the effective date of this supplementary service regulation, the provisions of section 16 of Revised Maximum Price Regulation 165 shall no longer be available to sellers covered by this regulation as to the services listed herein; furthermore, any adjustment in prices heretofore granted to any establishment is hereby revoked as to the services listed in Appendix A.

(i) *Delegation of authority.* The Cleveland Regional Administrator and the Detroit District Director when authorized by the Cleveland Regional Administrator, may administer the provisions of this supplementary service regulation.

APPENDIX A

1. Aprons—Bib and Bar	$0.10
2. Aprons—Industrial	.15
3. Aprons—Tea	.09
4. Bar Mops or Towels	.045
5. Caps and Headbands	.10
6. Coats (Plain)	.30
7. Coats (Special)	.35
8. Coats Dental (colored)	.35
9. Frocks colored	.40
10. Dress, Smock or Hoover	.40
11. Dress (Special)	.42
12. Frocks, Butcher	.38
13. Gowns, Barber (colored)	.35
14. Gowns or Frocks (Professional)	.365
15. Haircloths, Barber or Beauty	.12
16. Lugrers, Butcher	$0.40
17. Napkins, (Plain or corded)	.0115
18. Napkins, Damask—20"	.0135
19. Napkins, Damask—22"	.0165
20. Nurses' Uniforms	.40
21. Pillow Slips	.05
22. Sheets (Regular)	.11
23. Sheets (Small)	.10
24. Shirts, White	.20
25. Table Tops—36" to 45"	.08
26. Table Cloths—54" to 64"	.10
27. Table Cloths (colored)	.15
28. Towels, Bath (20" x 40" and 22" x 44")	.05
29. Towels, Bath (Small) 18" x 36"	.045
30. Towels, Barber 16" x 27"	.0125
31. Towels, Beauty 16" x 32"	.0175
32. Towels, Barber or Beauty (Steamer) 16" x 27"	.03
33. Towels, Bowling Alley (Hand)	.07
34. Towels, Dental	.025
35. Towels, Glass	.0325
36. Towels, Grommet	.01
37. Towels, Hand or Face (Large) 18" x 36"	.035
38. Towels, Hand or Face (Small) 16" x 32"	.025
39. Towels, Kitchen	.0325
40. Towels, Porter	.015
41. Towels, Roller (2 yard)	.10
42. Towels, Shop	.02
43. Trousers	.40

TOWEL SERVICE

Individual Locked-on Towel, cabinet service:	*Per month*
25 towels per week	$1.75
50 towels per week	3.00
75 towels per week	4.25
100 towels per week	5.25
125 towels per week	6.25
150 towels per week	7.25
	Per hundred
151 towels up to and including 200 per week	$1.00
201 towels up to and including 500 per week	.95
501 towels up to and including 1,000 per week	.65
1,001 towels and over per week	.75
	Per month
Roller towels, including one cabinet:	
3 towels per week	$1.75
Each additional towel up to and including 30 towels per week	.35
Each additional towel over 30 per week	.30
Each additional cabinet	.25
Hand towels, including one cabinet:	
4 towels per week	1.50
6 towels per week	1.75
Each additional towel up to and including 50 towels per week	.25
Each additional towel over 50 per week	.20
Each additional cabinet	.25
Rags:	
2 lb. rags per week	2.50
	Per pound
Rags per pound	$0.25
Continuous towel, cabinet service:	
25 yard rolls	*Each*
1 up to and including 10 rolls per month	$0.50
11 up to and including 25 rolls per month	.45
26 up to and including 100 rolls per month	.40
Over 100 rolls per month	.35
First two cabinets minimum charge each	8.00
Over two cabinets minimum charge each	2.50

TOWEL SERVICE—Continued

Continuous service, cabinet service—Con.	
37½ yard rolls	*Each*
1 up to and including 10 rolls per month	$0.55
11 up to and including 25 rolls per month	.50
26 up to and including 100 rolls per month	.45
Over 100 rolls per month	.40
	Per month
First two cabinets minimum charge each	$3.00
Over two cabinets minimum charge each	2.50
50 yard rolls	*Each*
1 up to and including 25 rolls per month	$0.60
26 up to and including 50 rolls per month	.55
51 up to and including 100 rolls per month	.50
Over 100 rolls per month	.45
	Per month
First two cabinets minimum charge each	$3.00
Over two cabinets minimum charge each	2.50

INDUSTRIAL OVERALL SUPPLY

WEEKLY CHARGE RATES

Overalls and coats:	*Per week*
1 change per person	$0.60
2 changes per person	1.10
3 changes per person	1.50
4 changes per person	1.90
5 changes per person	2.25
6 changes per person	2.50
Shirts and pants:	
1 change per person	.70
2 changes per person	1.25
3 changes per person	1.75
4 changes per person	2.20
5 changes per person	2.65
6 changes per person	3.00

This supplementary service regulation shall become effective July 9, 1945.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11945; Filed, June 3, 1945; 11:41 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 62]

PART 4003—SUPPORT PRICES: SUBSIDIES

DELEGATION OF AUTHORITY TO OFFICE OF PRICE ADMINISTRATION WITH RESPECT TO LIVESTOCK SLAUGHTER PAYMENTS MADE TO INELIGIBLE PERSONS

Pursuant to the authority vested in me as Director of Economic Stabilization by the Act of June 26, 1945 (Public Law 88, 79th Congress, First Session), entitled "An Act to permit the continuation of certain subsidy payments and certain purchase and sale operations by corporations created pursuant to section 5d (3) of the Reconstruction Finance Corporation Act, as amended, and for other purposes", hereinafter referred to as the act; *It is hereby ordered:*

1. The Price Administrator of the Office of Price Administration is authorized and directed to perform all of the functions assigned to the Director of Economic Stabilization by section 2 of the act. Specifically, but without limitation, the Price Administrator is authorized and directed to make all of the determinations provided for in section 2 of the act; to prescribe rules of procedure governing proceedings for relief pursuant to that section; to appear and defend his determinations in the Emergency Court of Appeals; and to take any action necessary and appropriate to the performance of the duties assigned by section 2 of the act to the Director of Economic Stabilization, to the full extent of the authority conferred upon the Director of Economic Stabilization by that section.

2. The authority hereby delegated to the Price Administrator may be exercised through such employees of the Office of Price Administration as the Price Administrator may designate.

3. Defense Supplies Corporation is directed to make available to the Price Administrator, upon request, all information and documents in its possession relating to any application for relief pursuant to section 2 of the act.

4. The Price Administrator is directed to certify to Defense Supplies Corporation, and to report to the Director of Economic Stabilization, his determination in each proceeding brought pursuant to section 2 of the act.

(Pub. Law 88, 79th Cong., E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 2d day of July 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-11920; Filed, July 3, 1945; 11:14 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Appendix A—Waivers of Navigation and Vessel Inspection Laws

VESSELS ENGAGED IN BUSINESS CONNECTED WITH THE CONDUCT OF THE WAR

WAIVER OF COMPLIANCE

The Commandant, United States Coast Guard, having by order dated July 1, 1943 (8 F.R. 9164), amended by order dated January 12, 1945 (10 F.R. 582), pursuant to the authority of the order of the Acting Secretary of the Navy dated 1 October, 1942 (7 F.R. 7979) found necessary in the conduct of the war waiver compliance with the navigation and vessel inspection laws administered by the Coast Guard to the extent and in the manner and upon the terms and conditions therein set forth, and finding the following amendment necessary in the conduct of the war; *It is ordered,* That said order dated 1 July, 1943, as amended by said order dated 12 January, 1945, be and it hereby is further amended in the following respects:

1. The third and fourth sentences of paragraph numbered "1" of said order dated 1 July, 1943, as amended by said order dated 12 January, 1945, are deleted and there is inserted in lieu thereof the following "The application shall be delivered to the District Coast Guard Officer or to his designated representative at the port or place where the vessel is located. In the case of vessels in any port or place of the Canal Zone or in any foreign port or place, the application shall be made to the designated representative of the Commandant at such port or place or if the Coast Guard has not established facilities in such port or place to the nearest designated representative of the Commandant at a port or place where such facilities have been established."

Dated: July 3, 1945.

R. R. WAESCHE,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 45-11948; Filed, July 3, 1945; 11:44 a. m.]

Chapter III—War Shipping Administration

[Gen. Order 34, Supp. 2]

PART 306—GENERAL AGENTS AND AGENTS

COMPENSATION PAYABLE TO GENERAL AGENTS, AGENTS, AND BERTH AGENTS

Section 306.100 *Effective date* is amended by adding the following:

(e) The rates of compensation payable pursuant to §§ 306.71 to 306.100 inclusive (General Order 34 and the supplements thereto) are hereby suspended as of July 1, 1945, at 12:01 a. m. Pending a determination of the rate of compensation payable on and after July 1, 1945, there shall be paid to the agents, on account, the compensation heretofore authorized pursuant to §§ 306.71 to 306.100 inclusive (General Order 34) subject to such adjustment as may be necessary to conform with the new rate schedules hereafter to be issued.

(E.O. 9054, 3 CFR Cum. Supp.)

E. S. LAND,
Administrator.

JULY 2, 1945.

[F. R. Doc. 45-11906; Filed, July 3, 1945; 10:14 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

DEPRECIATION ACCOUNTING FOR ROAD PROPERTY

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 25th day of June A. D. 1945.

In the matter of Uniform System of Accounts to be Kept by Steam Railroads.

The "Uniform System of Accounts for Steam Railroads, Issue of 1945" (Part 10 of Title 49, Code of Federal Regulations), being under consideration by the division:

And it appearing, that depreciation accounting for road property was made optional as to class II and class III steam railroads until January 1, 1946, by our order dated July 28, 1943, as supplemented by our order dated July 11, 1944:

And it further appearing, that circumstances which justified our orders to that effect have not changed as they relate to class III steam railroads;

It is ordered, That the mandatory requirement for accounting for depreciation of road property be, and it is hereby, postponed as to class III steam railroads until January 1, 1947:

And it is further ordered, That effective January 1, 1946, class II steam railroads shall comply with the effective accounting regulations relating to depreciation of road property.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11922; Filed, July 3, 1945; 11:27 a. m.]

[6th Rev. S. O. 259, Amdt. 7]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR SHIPMENT OF IRISH POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of July, A. D. 1945.

Upon further consideration of Sixth Revised Service Order No. 259 (10 F.R. 4266), as amended (10 F.R. 4360, 5603, 5764, 6314, 6598, 7813), and good cause appearing therefor: *It is ordered,* That:

Sixth Revised Service Order No. 259 (10 F.R. 4266), as amended (10 F.R. 4260, 5603, 5764, 6314, 6598, 7813) be, and it is hereby, further amended by substituting the following paragraph (f) and Appendix A for paragraph (f) and Appendix A thereof:

(f) *Expiration date.* This order shall expire at 11:59 p. m., e. w. t., July 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of this commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 40 U.S.C. 1 (10)-(17)).

APPENDIX A

Section No. 8: The County Kern in the State of California.

Section No. 9: Eliminated. Was certain counties in North Carolina.

Section No. 10: The Counties of Accomac and Northampton in the State of Virginia.

It is further ordered, That this amendment shall become effective at 12:01 a. m., July 4, 1945, and shall vacate and set aside Amendment No. 6 to Sixth Revised Service Order No. 259 on the effective date hereof; that copies of this order shall be served upon the State railroad regulatory bodies of the States of California, North Carolina, and Virginia, and upon the Association of American Rail-

roads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-11921; Filed, July 3, 1945; 11:27 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

COLLIER H. BUFFINGTON

ORDER DENYING FUTURE LICENSES

In the matter of licensee Collier H. Buffington, Gold Beach, Oreg. Proceedings for revocation of license.

Based upon the records in this matter, I make the following findings of fact:

1. On May 17, 1945, a specification of charges against you setting forth violations of which you were accused under the Federal Explosives Act (55 Stat. 863), as amended, was mailed to you giving you notice to mail an answer within 15 days from May 17, 1945, answering the charges against you and requesting an oral hearing if you wished.

2. More than 35 days have elapsed since May 17, 1945. The length of time required for mail to be delivered to the Bureau of Mines, Washington 25, D. C., from Gold Beach, Oregon, does not exceed seven days. No answer has been received from you.

3. On or about March 6, 1945, you stored high explosives otherwise than in a magazine complying with the standards set forth in the regulations and you thereby violated sections 24 and 25 of the regulations issued pursuant to the Federal Explosives Act.

4. On or about November 2, 1944, you stored detonators otherwise than in a magazine meeting the standards set forth in the regulations and you thereby violated sections 24 and 27 of the regulations issued pursuant to the Federal Explosives Act.

5. On or about November 2, 1944, you permitted C. J. Fowler, a person not individually licensed under the act, to have access to and possession of detonators in a barn on your farm near Ophir, Oregon, and you thereby violated section 4 (b) (4) of the regulations issued pursuant to the Federal Explosives Act.

6. Purchaser's License No. 54675 issued to you under the Federal Explosives Act expired on May 17, 1945, and you are not now licensed under the act.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act, and the regulations thereto, I hereby order:

That no license hereafter be issued to you under the Federal Explosives Act. Any request for a modification of this order shall be addressed to me.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 26th day of June 1945.

R. R. SAYERS, *Director.*

[F. R. Doc. 45-11948; Filed, July 2, 1945; 2:22 p. m.]

Office of the Secretary.

ADMINISTRATION OF CONNALLY ACT

APPROVAL OF FORMS

Correction

In Federal Register Document 45-11562, appearing at page 8074 of the issue for Saturday, June 30, 1945, the date in the last two lines should read "February 22, 1934."

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 753]

FORT WAYNE, MARION, AND INDIANAPOLIS, IND.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3rd day of July 1945.

GUY A. RICHARDSON, *Director, Highway Transport Department, Office of Defense Transportation.*

APPENDIX 1

Commercial Motor Freight, Inc., of Indiana, Indianapolis, Ind.

The Silver Fleet Motor Express, Inc., Louisville, Ky.

Keeshin Motor Express Co., Inc., Chicago, Ill.

Motor Express Inc. of Indiana, Indianapolis, Ind.

[F. R. Doc. 45-11854; Filed, July 2, 1945; 3:19 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 755]

LOUISVILLE, KY. AND CINCINNATI, OHIO

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3rd day of July 1945.

GUY A. RICHARDSON, *Director, Highway Transport Department, Office of Defense Transportation.*

APPENDIX 1

Mrs. Estelle W. Doyle, doing business as Doyle Transfer Line, Carrollton, Ky.

Huey Motor Express, Inc., Florence, Ky.

Johnson Freight Lines, Inc., Chattanooga, Tenn.

The C & D Motor Delivery Company, Cincinnati, Ohio.

[F. R. Doc. 45-11856; Filed, July 2, 1945; 3:20 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 756]

CINCINNATI, OHIO, AND LEXINGTON, KY.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of serv-

fice by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3rd day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

The C & D Delivery Company, Cincinnati, Ohio.

Raymond Lee Dance, doing business as R. L. Dance Trucking Company, Cincinnati, Ohio.

Ecklar-Moore Express, Inc., Cythania, Ky.

[F. R. Doc. 45-11855; Filed, July 2, 1945; 3:19 p. m.]

[Supp. Order ODT 3, Rev. 757]

INDIANA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Interstate Motor Freight System, Inc., of Indiana, Indianapolis, Ind.
Hayes Freight Lines, Inc., Mattoon, Ill.

[F. R. Doc. 45-11852; Filed, July 2, 1945; 3:19 p .m.]

[Supp. Order ODT 3, Rev. 760]

MINNEAPOLIS-ST. PAUL, MINN., AND FARGO, N. DAK.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,
Director,
High Transport Department,
Office of Defense Transportation.

APPENDIX 1

Dakota Transfer & Storage Company, Minot, N. Dak.
Ace Lines, Inc., Fargo, N. Dak.

[F. R. Doc. 45-11853; Filed, July 2, 1945; 3:19 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 6A-138]

DOVER AND ST. GEORGES, DEL., AND INTERMEDIATE POINTS

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier

subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Victor Lynn Lines, Inc., Salisbury, Md.
Masten Trucking Company, Inc., Milford, Del.

[F. R. Doc. 45-11849; Filed, July 2, 1945; 3:18 p. m.]

[Supp. Order ODT 6A-139]

NEW HAVEN, CONN.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

H. C. Roulston, Inc., New York, N. Y.
Connecticut Transfer, Incorporated, Orange, Conn.

[F. R. Doc. 45-11850; Filed, July 2, 1945; 3:18 p. m.]

[Supp. Order ODT 6A-140]

PORTLAND, OREG.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

[1] Filed as part of original document.

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Inland Motor Freight, Spokane, Wash.
Pacific Highway Transport, Inc., Seattle, Wash.

[F. R. Doc. 45-11851; Filed, July 2, 1945; 3:18 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 1 to Order 3446]

SPECTACLE PROGRAM OF THE NAVY DEPARTMENT

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188; *It is ordered:*

That Order No. 3446 under Maximum Price Regulation No. 188 is amended in the following respect:

The last sentence of paragraph (a) (1) is amended to read as follows: "No sale may be made pursuant to this order after June 30, 1946."

This amendment shall become effective as of the 30th day of June 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11860; Filed, July 2, 1945; 4:33 p. m.]

[MPR 61, Order 7]

13 INCH MILITARY SOLE LEATHER STRIPS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Section 11 of Maximum Price Regulation 61, *It is ordered:*

(a) On and after June 30, 1945, the maximum price, f. o. b. seller's shipping point, at which any person may sell or deliver the leather specified below shall be:

13 INCH MILITARY SOLE LEATHER STRIPS

Meeting the specifications contained in Quartermaster Corps Tentative Specification B. Q. D. No. 240, dated July 31, 1944, Amendment No. 1, June 26, 1945—*Item No. 13—34-L-1125.* Leather, Sole Strips.

Price per pound..... 65 cents.

(b) The maximum price specified in paragraph (a) above for the sale of leather therein described shall supersede and replace any and all maximum prices previously established for such sales.

(c) Terms of sale shall be cash less 1% discount for payment within 30 days, net cash thereafter.

(d) This order may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 7 shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11765; Filed, June 30, 1945; 3:14 p. m.]

[MPR 61, Amdt. 1 to Order 4]

LIMED, PICKLED AND BLUE CHROME SPLITS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation 61, *It is ordered:*

Paragraph (f) is amended to read as follows:

(f) This order shall be valid until August 1, 1945, or until the prices herein established are revised by the Office of Price Administration, whichever event first occurs.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11764; Filed, June 30, 1945; 3:14 p. m.]

[MPR 260, Order 1361]

IRVIN S. GLADFELTER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Irvin S. Gladfelter, Felton, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible]	Special	50	$60	2 for 15
Estima	King size	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11672; Filed, June 30, 1945; 11:42 a. m.]

[MPR 260, Order 1362]

HARRY KISE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Harry Kise, Craley, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cuban	Invincible	50	$45	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11673; Filed, June 30, 1945; 11:45 a. m.]

[MPR 260, Order 1363]

FLORES CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Flores Cigar Factory, 2303 22d St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flores	Sensations	50	$60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11674; Filed, June 30, 1945; 11:45 a. m.]

[MPR 260, Order 1364]

ISMAEL ESCALERA, JUAN P. RODRIGUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ismael Escalera, Juan P. Rodriguez, Coamo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corojita	4½ inch	50	$48	6
Tubano	4⅝ inch	50	40	5
Corona	4¾ inch	50	56	7

ferentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11675; Filed, June 30, 1945; 11:45 a. m.]

[MPR 260, Order 1365]

SHORT AND GARCIA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Short and Garcia Cigar Company, 2407 20th Street, Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corregidors	Brevas	50	$90	12
Batanas	Londres	50	90	12
Manilas	Londres Chicos	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order; but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc 45-11676; Filed, June 30, 1945; 11:46 a. m.]

[MPR 260, Order 1366]

CUESTA SANCHEZ & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cuesta Sanchez & Co., 2103 E. Columbus Drive, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cigar Humidor	Londres	50	$61	8
	Coronas	50	72	9
Cuesta Sanchez	Delights	50	41	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11677; Filed, June 30, 1945; 11:46 a. m.]

[MPR 260, Order 1367]

CHRISTIAN F. TUERMER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Christian F. Tuermer, 10412 Avenue N, Chicago 17, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Blue Ribbon	Brevas	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11678; Filed, June 30, 1945; 11:46 a. m.]

[MPR 260, Order 1368]

HAPPY G. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Happy G. Cigar Co., 1602 9 Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Happy G	Corona Especial	50	$60	2 for 15
	Breva	50	100	22
	Coronas	50	160	22
	Panetela	50	145	17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11679; Filed, June 30, 1945; 11:47 a. m.]

[MPR 260, Order 1369]

EL GUASO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) El Guaso Cigar Factory, 918 11th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Richard the Great	Cafetes	50	*Per M* $105.75	*Cents* 2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11680; Filed, June 30, 1945; 11:47 a. m.]

[MPR 260, Order 1370]

LA AUGUSTA CIGAR MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Augusta Cigar Mfg. Co., 213 South Broadway, Los Angeles 12, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Grandioso	Corona 5 inch	50	$82.50	11
	King de Luxe	50	97.50	13
	Corona de Luxe	50	105.75	2 for 29
	Queens	50	101.25	2 for 27
La Panda	Exceptional	50	90.00	12
Grandioso	Panetelas	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of

the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11681; Filed, June 30, 1945; 11:47 a. m.]

[MPR 260, Order 1371]

ROSELLO BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Roselle Brothers, 2718 Nebraska Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
De Lancy	Coronas	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for sueh brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11682; Filed, June 30, 1945; 11:48 a. m.]

[MPR 260, Order 1372]

EL DORADO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That

(a) El Dorado Cigar Factory, 2602 13th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Wesco	Corona Extras	50	$93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11683; Filed, June 30, 1945, 11:48 a. m.]

[MPR 260, Order 1373]

LUCAS FUENTES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lucas Fuentes, 171 Bonview, San Francisco 10, Calif. (hereinafter called "manufacturer") and wholesalers and

retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lord Benston	Vanderbilts	50	$90.00	12
	Colonials	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11684; Filed, June 30, 1945; 11:48 a. m.]

[MPR 260, Order 1374]

FRANK LUGO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frank Lugo, 905 Freeman St., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Coronas	Coronas	50	$93.75	2 for 25
Park Avenue	Blunts	50	60.00	2 for 15
Panetelas	Panetelas	50	60.00	2 for 15
Park Avenue	Coronita	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11685; Filed, June 30, 1945; 11:49 a. m.]

[MPR 260, Order 1375]

RAMIREZ Y AROCHA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ramirez y Arocha Cigar Factory, 1915 Aremmia Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ramirez y Arocha. Verdi	Panetelas	50	$108.75	2 for 29
	Sublimes	50	101.25	2 for 27
	Corona	50	78.75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a whole-

saler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11686; Filed, June 30, 1945; 11:49 a. m.]

[MPR 260, Order 1376]

TAMPA SENORITA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tampa Senorita Cigar Co., 1906 16th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tampa Senorita	Cabanas	50	$90 00	12
	Kayes	50	101 25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11687; Filed, June 30, 1945; 11:50 a. m.]

[MPR 260, Order 1377]

ANGELO VITAL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Angelo Vital, 367 Fulton Street, Brooklyn 1, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Gonzalo	Favorite De Luxe	50	$177	25
	Corona Chica		154	20
	Petit Palma		177	25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11688; Filed, June 30, 1945; 11:50 a. m.]

[MPR 260, Order 1378]

PHELPS TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Phelps Tobacco Co., First and Denver Streets, Hastings, Nebr. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Credo	Excelentas	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11689; Filed, June 30, 1945; 11:50 a. m.]

[MPR 260, Order 1379]

BORREGO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Borrego Cigar Factory, P. O. Box 5909, Ybor City, Tampa, Fla. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Borrego	Londres 2"	50	$43.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11690; Filed, June 30, 1945; 11:51 a. m.]

[MPR 260, Order 1380]

GUILFORD CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. D. Holderfield, d/b/a Guilford Cigar Co., 600½ So. Ash Street, Greensboro, N. C. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
J. D.'s Quality	4½"	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or front-

mark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11691; Filed, June 30, 1945; 11:51 a. m.]

[MPR 260, Order 1381]

ANITA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Anita Cigar Factory, 2907 Ybor Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Anita	Coronas	50	$56.00	7
	Antlers	50	115.00	15
	Brevas	50	161.50	21
	Kings	50	82.50	11
	Little Kings	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11692; Filed, June 30, 1945; 11:51 a. m.]

[MPR 260, Order 1382]

J. & J. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. & J. Cigar Company, 27 Norwich Avenue, Norwich, Conn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
J. & J. Superior	4inch Londres	50	$55	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11693; Filed, June 30, 1945; 11:52 a. m.]

[MPR 260, Order 1383]

GOLDEN STATE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Golden State Cigar Company, 213 South Broadway, Los Angeles 12, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Castle Gems	Queens	50	$80.00	12
	Panatela	50	75.00	10
	Club House	50	82.50	11
Our Country	Queens	50	75.00	10
	Coronas	50	64.00	9
	Panatela	50	78.75	2 for 21
	Club House	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11694; Filed, June 30, 1945; 11:52 a. m.]

[MPR 260, Order 1384]

B. VEGA & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) B. Vega and Company, 71 Belmont Avenue, Elmont, L. I., N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Vega Rio	Panatela	50	$48	6
Rosa de Elmont	Corona	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc 45-11695; Filed, June 30, 1945; 11:52 a. m.]

[MPR 260, Order 1385]

PHARES J. GOCKLEY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Phares J. Gockley, R. F. D. #3, Ephrata, Pa. (hereinafter called "manu-

facturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Dottie Lue Club House	5½	50	$72	9
John Dickson	5¾	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11696; Filed, June 30, 1945; 11:52 a. m.]

[MPR 260, Order 1386]

FELIX VANDER HAEGEN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Felix Vander Haegen, Main St., Suncook, N. H. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Profile	Londres	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11697; Filed, June 30, 1945; 11:53 a. m.]

[MPR 260, Order 1387]

MARLENA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Marlena Cigar Factory, 2203 Stuart Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Marlena	Londres Grande Especiale	50	$101.25	13
	M. D	50	64.00	8
	Brevas	50	100.00	13
	Londres Grande	50	154.00	20
	Londres Corrientes	50	138.00	18
	Cabos	50	93.75	12
	Cabos Segundo	50	82.50	11
Londres Especiales	Corona	50	72.00	9
Marlena	Marlena Special	50	72.00	9
	Petite Marlena	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Pack-

ing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11698; Filed, June 30, 1945; 11:53 a. m.]

[MPR 260, Order 1388]

MARGARET REACHARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Margaret Reachard, Rear E. Gay Street, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
General Topic	Perfecto	50	$61	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11699; Filed, June 30, 1945; 11:54 a. m.]

[MPR 260, Order 1389]

NORTH & SOUTH CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) North & South Cigar Factory, 1822½ 19th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
North & South Cigar Factory, Flor de Santa	Palmitos	50	$93.75	2 for 25
	Cadets	50	72.00	9
	Tampa Stockers	50	36.00	2 for 9
	Londres	50	72.00	9
	Reyes	50	60.00	2 for 15
	Bocetas	50	151.00	20
	Little Santas	50	32.00	4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maxi-

mum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11700; Filed, June 30, 1945; 11:54 a. m.]

[MPR 260, Order 1390]

GLORIA CUBANA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gloria Cubana Cigar Factory, 2411 10th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Gloria Cubana	Gloritas	50	$72	9
	Brevas	50	169	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11701; Filed, June 30, 1945; 11:54 a. m.]

[MPR 260, Order 1391]

LUCKY TAMPA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lucky Tampa Cigar Factory, 1818 19th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lucky Tampa	Lecturos	50	$123 00	15
	Kings	50	82 50	11
	Little Kings	50	60 00	2 for 15
	Brevas	50	161 50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11702; Filed, June 30, 1945; 11:55 a. m.]

[MPR 260, Order 1392]

H. WEISS CIGAR MFG. CO. INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H. Weiss Cigar Mfg. Co. Inc., 176 East 127th Street, New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the

following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cuban Ambassador	Imperial	50	*Per M* $80	*Cents* 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11703; Filed, June 30, 1945; 11:55 a. m.]

No. 132——10

[MPR 260, Order 1393]

LA DEZ CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Dez Cigar Company, 2542 15th St., Denver 11, Colo. (hereinafter called "manufacturers") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Dez	Club	50	*Per M* $75	*Cents* 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11704; Filed, June 30, 1945; 11:56 a. m.]

[MPR 260, Order 1394]

JACOB E. GERTZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jacob E. Gertz, 4939 Sheridan Road, Chicago 40, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lucio	4¾ inches	50	*Per M* $115	*Cents* 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted,

charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11705; Filed, June 30, 1945; 11:56 a. m.]

[MPR 260, Order 1395]

A. B. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) A. B. Cigar Factory, 1514 26 Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
A. B.	Coronas Especiales.	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11706; Filed, June 30, 1945; 11:56 a. m.]

[MPR 260, Order 1396]

FRANK MUZIK CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frank Muzik Company, 60—16th Avenue, SW, Cedar Rapids, Iowa, (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Sammy's Special	4½".....	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11707; Filed, June 30, 1945; 11:57 a. m.]

[MPR 260, Order 1397]

DARIO SOTO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Dario Soto, 60 E. 106 St., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Milagro.....	5-inch Blunts.	50	*Per M* $78.75	*Cents* 2 for 21
	4¼ inch Coronitas.	50	75.00	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11708; Filed, June 30, 1945; 11:57 a. m.]

[MPR 260, Order 1398]

RAMON VASQUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ramon Vasquez, 1871 Lexington Ave., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
	Corona.....	50	*Per M* $40	*Cents* 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11709; Filed, June 30, 1945; 11:57 a. m.]

[MPR 260, Order 1399]

GONZALEZ & PEREZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Gonzalez & Perez, 1816 19 Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Las Primas.....	Coronas.....	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each

brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11710; Filed, June 30, 1945; 11:58 a. m.]

[RMPR 161,[1] Amdt. 2 to Order 53]

WEST COAST LOGS

APPROVED GRADERS AND SCALERS

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator by § 1381.158 of Revised Maximum Price Regulation 161, Order No. 53 is hereby amended as follows:

1. At the end of paragraph (a), (1), insert the following list of names of approved employees:

Percy Ames, Jr.	Leon C. Munger.
Arvid Backlund.	Orville H. Leyde.
Gordon S. Varrett.	Rene LaRocque.
Lynn Bell.	E. L. Knapp.
Albert O. Benson.	R. A. Kidd.
Francis C. Berry.	Thomas E. Hofto.
Dan M Collins.	Arthur Herold.
Horace A Macintosh.	R. M. Hayes.
R. Van Wingerden.	Arthur P. Hayes.
George Voligny.	W. T. Griffin.
Bernard Wilson.	R. E. Gould.
G. A. Spicer.	Walter L. Gedelman.
J. M Small.	Ted Forseth.
S. S. Rowe.	Ed Fithian.
C. J. Reader.	A. H. Ferguson.
S. E. Ramage.	B. J. Demers.
Jack Plaskett.	M. G. Cookingham.
R. E. Niemeyer.	Clarence H. Cotterell.

[1] 9 F.R. 9668, 10644, 13846, 14059; 10 F.R. 924, 2973, 4712.

2. At the end of paragraph (a) (2), insert the following list of names of approved employees:

K. E. Craig.	Edward S. Evanson.
C. H. Rose.	S. E. Cote.
E. A. Swedblom.	L. W. Taylor.
H. H. Stark.	Louis K. Nold.

3. At the end of paragraph (a) (3), insert the following list of names of approved employees:

Edgar Earl Moar.	Robert H. Blair.
O. I. Knoles.	Merton F. Hayman.
E. L. Smithson.	W. J. Bengtila.
J. Roy McEvoy.	Henry A. Williams.
Howard E. Pike.	Paul Sexton.
Ross Ellicott.	A. W. Parker.
Edgar L. Smith.	Charles G. Herold.
Kenneth W. West.	D. N. Leahy.
Horace W. Caswell.	H. A. DuPuis.
Otis Menear.	R. B. Hartman.
Manly L. Smith.	J. E. Manthe.
Clarence V. Boone.	Lester R. Turner.
Carman J. Eyer.	Charles Beaver.
Ralph W. Horn.	H. C. Whitehouse.
Claude C. Fallin.	Marvin K. Alstott.
Ray C. Beaver.	

4. A new subparagraph (4) is added to paragraph (a), to read as follows:

(4) Northwest Log Checking Bureau, Portland, Oregon, employing the following:

Magnus A. Hill.	J. E. Herley.
William Redmann.	R. A. Smith.

5. In the list of names and addresses of approved individual graders and scalers contained in paragraph (b), the name and address of Mr. C. B. Rhoades, Olympia, Wash. is amended to read

Rhoads, C. B., 1560 Park Drive, Lebanon, Oregon.

and the name and address of Howard Fesum, Cascade Log Scaling Bureau, Sweethome, Oreg. is amended to read

Frum, Howard, Cascade Log Scaling Bureau, Sweethome, Oreg.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11760; Filed, June 30, 1945; 3:12 p. m.]

[MPR 260, Order 1400]

THE TROPICAL CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Armando Bermudez dba The Tropical Cigar Factory, 918 Duval Street, Key West, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Habana Corona	5½".....	50	*Per M* $154	*Cents* 20
Habana Perfectos.	5".....	50	134	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or front mark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11836; Filed, July 2, 1945; 11:40 a. m.]

[MPR 260, Order 1405]

DE LURE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) De Lure Cigar Co., 26 Buckner Blvd., New York City 54, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Aroma.....	Perfecto.....	50	*Per M* $90	*Cents* 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11837; Filed, July 2, 1945; 11:40 a. m.]

[MPR 260, Order 1406]

THE MELBOURNE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) The Melbourne Cigar Factory, 2908 Powell Street, Melbourne, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Melbourne Corona.	2½".....	50	*Per M* $63.75	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11838; Filed, July 2, 1945; 11:41 a. m.]

[MPR 260, Order 1407]

W. H. DIETIKER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) W. H. Dietiker, 6-a-Whitelaw, Wood River, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Dietiker's Pancela.	5".....	50	*Per M* $40	*Cents* 5
Dietiker's Handmade.	5".....	50	44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not

be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11839; Filed, July 2, 1945; 11:41 a. m.]

[MPR 260, Order 1408]

ISABELINO RODRIGUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Isabelino Rodriguez, Juan Cruz Ortiz Street, Maunabo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
42 Cigars	4 inch cigars	50	$24	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11840; Filed, July 2, 1945; 11:41 a. m.]

[MPR 260, Order 1409]

W. S. FOUTS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) W. S. Fouts, 105 So. Wabash St., Wheeling, W. Va. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Blue Points	7 x 5½	50	$18	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11841; Filed, July 2, 1945; 11:41 a. m.]

[MPR 260, Order 1410]

P. B. CIGAR MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) P. B. Cigar Mfg. Co., 1535 Mt. Ephraim Avenue, Camden, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Miracle	Dukes	50	$82.50	11
Rivela	Queens	50	82.50	11
	Princess	50	82.50	11
Prince of All	Perfecto	50	72.00	9
	New-Deal	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11842; Filed, July 2, 1945; 11:42 a. m.]

[MPR 260, Order 1422]

DOMINGO LLERAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Domingo Lleras, 888 Westchester Avenue, Bronx 59, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Rivera	Coronas	50	$72	9
	Queen	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11843; Filed, July 2, 1945; 11:42 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-1020, 68-46]

WESTERN LIGHT & TELEPHONE CO. AND THE KANSAS POWER CO.

ORDER GRANTING APPLICATIONS AND DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June, A. D. 1945.

Western Light & Telephone Company (Western), a registered holding company, and The Kansas Power Company (Kansas), a public utility subsidiary of Western, having filed joint applications and declarations and amendments thereto pursuant to sections 6, 7, 9 (a), 10, 12 (c), 12 (e) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-50 and U-62 thereunder with respect to:

(1) The proposed merger of Western into Kansas (as the surviving corpora-

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tion) under the name Western Light & Telephone Company, Inc. (Western, Inc.);

(2) The issuance by the surviving corporation of $6,200,000 principal amount of first mortgage bonds to be sold at competitive bidding;

(3) The issuance of 151,949 shares of Western, Inc. $25 par value 5% preferred stock (new preferred stock) to be offered on an exchange basis so that for each share of Western preferred stock, holders will be entitled to receive 1 share of new preferred stock plus $1 in cash; for each share of $7 preferred stock of Kansas, holders will be entitled to receive 4 shares of new preferred stock plus $1 in cash; and for each share of $6 preferred stock of Kansas, holders will be entitled to receive 4 shares of new preferred stock;

(4) The issuance of 237,664 shares of Western, Inc. common stock (new common stock) to be offered on an exchange basis so that holders of Western common stock will receive 1 share of new common stock for each 5 shares of Western common stock; and

(5) The solicitation by Western and Kansas of the holders of the Western common stock and the Western and Kansas preferred stocks for proxies approving the merger and the sale of the first mortgage bonds;

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein with certain reservations of jurisdiction therein stated:

It is ordered, That said applications and declarations as amended be and the same hereby are granted and permitted to become effective upon condition that copies of the Commission's findings and opinion herein be sent to security holders together with the proxy solicitation material and except with respect to the terms, conditions, fees, commissions or other remuneration to be paid in respect to the proposed sale of first mortgage bonds at competitive bidding and except with respect to the legal fees and expenses and the financial agent's fees to be paid in connection with the proposed transactions, as to which matters jurisdiction is hereby reserved.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11903; Filed, July 3, 1945; 9:35 a. m.]

[File No. 70-1104]

NEW YORK STATE ELECTRIC & GAS CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of July, 1945.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by New York State Electric & Gas Corporation ("New York State"), a subsidiary of NY PO NJ Utilities Company, a registered holding company. All interested persons are referred to said application-declaration, which is on file in the offices of the Commission, for a statement of the transactions therein proposed which may be summarized as follows:

New York State proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50 of the rules and regulations promulgated under the act, $10,000,000 principal amount of its --% First Mortgage Bonds due 1975 and 150,000 shares of its $100 par value --% Cumulative Preferred Stock, the interest rate and dividend rate, respectively, to be determined by competitive bidding.

The proceeds from the proposed sale of such Mortgage Bonds and Preferred Stock, together with such amounts from the general funds of New York State as may be required, will be applied to the redemption of certain of its outstanding securities, as follows:

Security	Principal amount or shares	Redemption price	Aggregate redemption price
		Percent	
First mortgage gold bonds, 3¾% series due 1964	$13,000,000	106	$13,780,000
Serial preferred stock, 5.10% cumulative preferred	120,000 shares	107	12,840,000

New York State further proposes to change its presently outstanding 46,484 shares of common stock (all held by NY PA NJ Utilities Company), without par value, having an aggregate stated value of $21,294,455.12, into 1,000,000 shares of common stock having a par value of $20 per share. In this connection, and in addition to certain other accounting adjustments, New York State proposes to credit the resulting reduction of $1,294,455.12 in the stated value of its outstanding common stock to its earned surplus account.

Applicant-declarant has designated sections 6 (a), 6 (b), 7 and 12 (c) of the act and Rules U-42 and U-50 as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective nor said application granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on July 16, 1945, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at which time the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Any person desiring to be heard in such proceeding shall file with the Commission, on or before July 11, 1945, his request therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention be directed at such hearing to the following matters and questions:

1. Whether the proposed issue and sale of the First Mortgage Bonds and Cumulative Preferred Stock are solely for the purpose of financing the business of applicant-declarant, and whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in connection therewith.

2. Whether the proposed change of applicant-declarant's common stock from no par value to par value, the accompanying reduction in the stated value thereof, and the issuance of additional shares conform to the applicable standards and requirements of sections 6 and 7 of the act.

3. The propriety of the proposed accounting treatment of the several transactions on the books of applicant-declarant.

4. Whether the fees, commissions, and other expenses to be incurred are for necessary services and reasonable in amount.

5. Generally, whether the proposed transactions comply with all applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, and, if not, whether and what modifications or terms and conditions should be required to be imposed to satisfy the statutory standards.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11904; Filed, July 3, 1945; 9:35 a. m.]

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FEDERAL REGISTER

VOLUME 10 NUMBER 133

Washington, Thursday, July 5, 1945

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 510—RELEASE AND AUTHORIZATION

Whereas, the Alien Property Custodian, under the authority of the Trading with the Enemy Act, as amended (40 Stat. 411, as amended; 50 U. S. C. App., and Sup., 1-31, 616) and Executive Order No. 9095, as amended, has vested in himself, under various vesting orders heretofore issued, and may from time to time vest in himself under vesting orders to be issued hereafter, certain patents, patent applications and certain rights and interests thereunder, including licensing rights thereunder, and has otherwise acquired certain patents and patent applications and licensing rights thereunder, which were property of nationals of designated enemy countries as enumerated or otherwise designated in said vesting orders and elsewhere; and

Whereas, the vesting by the Alien Property Custodian of such patents, patent applications, and rights and interests thereunder, the acquisition of such patents, patent applications and rights thereunder in other ways, and the execution by the Alien Property Custodian of this release and authorization relating thereto, are in the interest of and for the benefit of the United States, pursuant to the authority, and in furtherance of the purposes, of the Trading with the Enemy Act, as amended,

Now, therefore, the Alien Property Custodian issues the following release and authorization to the other executive branches of the Government of the United States of America:

Sec.

510.1 Definitions.
510.2 Release and authorization.
510.3 Term of authorization.
510.4 Identification of subject patents.
510.5 Enforceability, validity or scope of subject patents.
510.6 Defense of Custodian's authority.

AUTHORITY: §§ 510.1 to 510.6, inclusive, issued under the Trading with the Enemy Act, as amended (40 Stat. 411, as amended; 50 U.S.C. App., and Sup., 1-31, 616), and E.O. No. 9095, as amended.

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations affected by documents appearing in this issue, follows the table of contents.

§ 510.1 *Definitions.* (a) The term "subject patents" shall mean all patents, patent applications, and any and all rights and interests thereunder, including the right to grant licenses thereunder, which are now or may hereafter be vested in or otherwise acquired by the Alien Property Custodian (hereinafter called the Custodian) and which were at the time of such vesting or other acquisition entirely owned, either directly or through cloaks, by corporations, or other business organizations, organized under the laws of or having their principal place of business in enemy countries (Germany, Hungary, Italy, Japan, Rumania, and Bulgaria), or by individuals residing in such countries: *Provided*, That "subject patents" shall not be construed to include patents, patent applications or rights thereunder, which are under the Custodian's jurisdiction solely by reason of being owned by domestic corporations which are supervised or controlled by the Custodian, or as to which there is on file with the Custodian, on the effective date of this release and authorization, a pending claim to part or entire ownership thereof, or as to which the Custodian has, or shall have, vested or otherwise acquired less than the entire right, title and interest: *Provided further*, That "subject patents" shall be construed to include patents and patent applications under which there are any subsisting exclusive licenses or claims thereto, but only to the extent that the Custodian has the right to grant licenses outside of the field covered by such licenses: *And provided further*, That "subject patents" shall be construed to include patents and patent applications under which there are any subsisting non-exclusive licenses, but only to the

(Continued on p. 8273)

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

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extent that their inclusion will not cause a reduction in the amount of royalties provided for by any such non-exclusive licenses.

Any patent or patent application which would be a subject patent but for a pending claim to part or entire ownership thereof, shall become a subject patent immediately upon the Custodian's final denial of such claim. Any patent or patent application which to any extent is not a subject patent solely by reason of being subject to a subsisting exclusive license or claim thereto, shall to such extent become a subject patent immediately if and when such exclusive license is terminated or upon the Custodian's final denial of a claim thereto, except that if any claim of the exclusive licensee for past infringement is not released to the Custodian, the provisions of § 510.2 (a) shall not apply. Any patent or patent application which to any extent is not a subject patent solely because its inclusion would cause a reduction in the royalties provided for by any subsisting non-exclusive licenses thereunder, shall to such extent become a subject patent upon termination of such subsisting non-exclusive licenses.

(b) The term "Government" shall mean the executive branches, other than the Office of Alien Property Custodian, of the Government of the United States of America, including all its departments, boards, bureaus, commissions and agencies, and all corporations organized pursuant to any express act of Congress and wholly owned (either directly or through one or more such corporations) by the United States.

§ 510.2 *Release and authorization.* The Custodian, to the full extent that he has or shall have the right so to do,

(a) Hereby agrees to grant and grants to the Government a release from all claims, with respect to the subject patents, for compensation under the acts of June 25, 1910, as amended (35 U.S.C. sec. 68); October 6, 1917, as amended (35 U.S.C sec. 42); and July 2, 1926, as amended (10 U.S.C. sec. 310 (i)); and

(b) Hereby authorizes the Government, on a royalty-free, non-exclusive basis, to make, use, sell or otherwise dispose of, and to cause to be made, used, sold or otherwise disposed of for it, any and all articles and materials covered by the subject patents, and to use and cause to be used for it the processes covered thereby. If, under the provisions of § 510.3 hereof, this authorization is terminated either in its entirety or as to any specific subject patent, any article or material made under any such patent or patents while the provisions of this authorization with respect thereto are in effect shall be covered by a perpetual royalty-free right to be used, sold or otherwise disposed of in accordance with the law.

§ 510.3 *Term of authorization.* The term of authorization granted in § 510.2 (b) hereof with respect to each subject patent is for the life thereof, but the Custodian shall have the right to terminate such authorization in whole or with respect to any specific subject patent if he determines that the national interest so requires, such termination to become effective upon the filing by the Custodian with the FEDERAL REGISTER of a document setting forth the terms thereof: *Provided, however,* That the Custodian may, at his discretion and without giving notice to the Government, declare this authorization terminated, effective as of the date of such declaration, with respect to any specific subject patent.

§ 510.4 *Identification of subject patents.* If any question shall arise as to whether any rights are granted hereunder with respect to any specific patent or patent application, the Custodian will, upon written request of any appropriate official of the Government, notify such official in writing of any adverse interests of other parties therein, which in the opinion of the Custodian might affect such rights, insofar as such interests are known to the Custodian at the time of such request.

§ 510.5 *Enforceability, validity or scope of subject patents.* (a) Notwithstanding the execution of this release and authorization and its acceptance by the Government, the Government shall have the right, at any time its interests require, to contest the enforceability, validity or scope of any or all of the subject patents without in any way forfeiting its rights under this release and authorization. This release and authorization shall not be construed to abridge, curtail or lessen any rights which the Government may have obtained by virtue of prior contracts, licenses, assignments or releases or by operation of law or otherwise.

(b) Nothing contained in this release and authorization shall be construed as a representation or warranty with respect to the validity or scope of any subject patent.

§ 510.6 *Defense of Custodian's authority.* The Custodian will defend to the full extent of his legal power his authority to issue this release and authorization, to vest or otherwise acquire the subject patents, and to cut off the right of the former enemy owners, in any litigation brought against the Government, its officers, agents, servants, employees, contractors or subcontractors, operating under this release and authorization, where the title or authority of the Custodian is drawn into question.

Executed at Washington, D. C., on July 3, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12005; Filed, July 4, 1945; 10:38 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs. Serial 341]

BRANIFF AIRWAYS, INC.

NONCOMPLIANCE WITH REQUIREMENTS FOR FIRST PILOTS

Noncompliance with the requirements of § 40.2611 (b) of the Civil Air regulations with respect to the approved route of Braniff Airways, Inc. between Fort Worth and Amarillo, Texas, via Lubbock, Texas.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 29th day of June, 1945.

The following Special Air Regulation is made and promulgated to become effective July 1, 1945:

Pilots who are listed as first pilots in the Braniff Airways, Inc. air carrier operating certificate as of June 1, 1945, will be deemed competent to pilot aircraft in scheduled air transportation over the Braniff Airways, Inc. approved route between Fort Worth and Amarillo, Texas, via Lubbock, Texas, if in lieu of the 6 one-way trips required by § 40.2611 (b) they complete 4 one-way trips over this route as a first pilot without passengers or as a second pilot with or without passengers and comply in all other respects with the prescribed route requirement qualifications set forth in the Civil Air Regulations.

This regulation shall terminate October 1, 1945.

(52 Stat. 984, 1007, 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-12025; Filed, July 4, 1945; 11:08 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 2092 [1]]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SCIENTIFIC APPARATUS MAKERS OF AMERICA, ET AL.

§ 3.7 *Aiding, assisting or abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* Order—

[1] 6 F.R. 4682, 10 F.R. 3517.

following prior order of March 2, 1945, which (a) modified original order of August 25, 1941, pursuant to four separate court decrees and as to the respondents therein named only (who had filed petitions in the Circuit Court of Appeals for the 7th Circuit and as to whom said court on May 22, 1944 entered said four separate decrees by which the Commission's said order to cease and desist entered on August 25, 1941, was, with respect to said petitioning respondents only, modified, affirmed and enforced), by requiring (1) said respondents, their officers, etc., to cease and desist from entering into or carrying out any understanding, etc., to restrict, restrain, monopolize, hinder or suppress competition in the sale and distribution in commerce of prepared tracing papers, tracing cloths, drawing tools, and various other articles used by surveyors, engineers, builders, the drafting profession and others, as in said order set out, by doing any of the acts or things therein specified; and from doing any of such acts or things pursuant to any such understanding, etc.; including among said acts, etc., thus prohibited, the fixing and maintaining of prices, and terms and conditions of sale, and the exchanging of information among themselves with respect to prices, etc., as therein set out; and (2) respondent association, the Surveying-Drafting-Coaters Section of the Scientific Apparatus Makers of America, its manager, etc., to cease and desist from aiding and assisting the members of respondent association in carrying out or engaging in any of the acts and practices theretofore set forth; and particularly through rules and regulations designed to prevent price deviations and receipt and dissemination of price lists; all as in said order in detail specified; and which, (b) as in original order, dismissed the complaint as to respondent Scientific Apparatus Makers of America and certain others named, for insufficient evidence—similarly modifying said original order, under the provisions of section 5 (b) of the Federal Trade Commission Act as to the other respondents joined therein; dismissing the complaint, as before, as to said Scientific Apparatus Makers of America, etc.; and excusing respondents, upon whom instant modified order is served, from the filing within sixty days of any new compliance reports, in view of the fact that they had previously filed reports of compliance with the broader form of order originally entered on August 25, 1941. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Scientific Apparatus Makers of America et al., Docket 3092, June 28, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of June, A. D. 1945.

In the Matter of Scientific Apparatus Makers of America, a Corporation; Its Officers and Directors and Certain of Its Members, Separately and as Representative of Certain Others of Its Members; Carl S. Hallauer, R. E. Gillmor, John M. Roberts and Karl L. Keller, Individually, as Officers and Directors of, and as Representative of Other Officers and Directors of Scientific Apparatus Makers of America; Surveying-Drafting-Coaters Section of the Scientific Apparatus Makers of America, an Association, Its Officers and Certain Members, Separately and as Representative of the Other Members; Arthur L. Parker, Manager, Paul J. Bruning, Chairman, Executive Committee, Karl L. Keller, Member, Executive Committee, W. A. Berger, Member, Executive Committee, and R. Fred Allin, Individually and as Manager, Chairman, and Members of the Executive Committee of the Surveying-Drafting-Coaters Section of the Scientific Apparatus Makers of America; Charles Bruning Company, Inc., a Corporation; The Huey Company, a Corporation; The Frederick Post Company, a Corporation; Eugene Dietzgen Company, a Corporation; Economy Blue Print Products, Inc., a Corporation; Keuffel & Esser Company, a Corporation; Alphonse A. Brunner, Trading as Keystone Blue Paper Company; The C. F. Pease Company, a Corporation; Charles W. Speidel and Walter A. Kohn, Trading as Chas. W. Speidel & Company; United States Blue Print Paper Company, a Corporation; Jacob H. Weil, Edwin H. Weil and Manfred R. Krauskopf, Trading as J. H. Weil & Company—Separately and as Members and Representatives of Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, the testimony and other evidence taken before duly appointed trial examiners of the Commission theretofore designated by it to serve in this proceeding, the report of the trial examiner thereon and the exceptions to said report, briefs filed herein by the attorney for the Commission and attorneys for the respondents, and the oral arguments by the respective attorneys, and the Commission having made its findings as to the facts and its conclusion that respondents had violated the provisions of the Federal Trade Commission Act, and having entered an order to cease and desist herein on August 25, 1941; and,

Thereafter, the respondents (1) Keuffel & Esser Company and Karl Keller; (2) Charles Bruning Company, Inc., The Frederick Post Company, Chas. W. Speidel & Company, J. H. Weil & Company, Paul J. Bruning, W. A. Berger, Arthur L. Parker; and the Charles Bruning Company, Inc., The Frederick Post Company and J. H. Weil & Company, as members of the Scientific Apparatus Makers of America, a corporate association; (3) The C. F. Pease Company; and (4) Eugene Dietzgen Company, filed in the United States Circuit Court of Appeals for the Seventh Circuit their four separate petitions for a review of the Commission's said order to cease and desist entered on August 25, 1941. Thereafter, the Circuit Court of Appeals for the Seventh Circuit entered four separate decrees by which the Commission's said order to cease and desist entered on August 25, 1941, was, with respect to the petitioning respondents only, modified, affirmed and enforced; and,

It appearing to the Commission that, of the respondents who filed their petitions for review of the Commission's said order to cease and desist with the Circuit Court of Appeals for the Seventh Circuit, only one of said respondents, namely, Eugene Dietzgen Company, filed a petition for certiorari, which said petition was denied by the Supreme Court of the United States on October 9, 1944, and that the time for filing petitions for certiorari as to the remaining said petitioners expired on August 22, 1945; and

Thereafter, on March 2, 1945, the Commission having entered its order modifying its order to cease and desist entered on August 25, 1941, with respect to the petitioning respondents only so as to conform to the decrees entered by the United States Circuit Court of Appeals for the Seventh Circuit; and thereafter on motion of the attorney for the Federal Trade Commission, the Commission, on May 10, 1945, having entered an order directing that a copy of said motion be served upon said respondents and requiring said respondents within twenty days after service upon them of said motion to show cause, if any they could, in writing, why said order to cease and desist heretofore entered herein on August 25, 1941, should not be so modified in accordance with said motion so as to correspond with the language used by the Federal Trade Commission in its order of March 2, 1945, modifying the order to cease and desist heretofore entered on August 25, 1941, as to the respondents Keuffel & Esser Company and Karl L. Keller; Charles Bruning Company, Inc., The Frederick Post Company, Charles W. Speidel and Walter A. Kohn, trading as Chas. W. Speidel & Company, Jacob H. Weil, Edwin H. Weil, and Manfred R. Krauskopf, trading as J. H. Weil & Company, Paul J. Bruning, W. A. Berger, Arthur L. Parker; and the Charles Bruning Company, Inc., The Frederick Post Company, and J. H. Weil & Company, as members of the Scientific Apparatus Makers of America, a corporate association; The C. F. Pease Company; and Eugene Dietzgen Company only, as to all of said respondents, and, thereafter, the said period of twenty days within which said respondents were directed to show cause why said order should not be so modified in accordance with said motion having expired; now, therefore,

It is ordered, That in accordance with the provisions of section 5 (b) of the Federal Trade Commission Act, due notice having been served on said respondents, this matter be, and the same hereby is, reopened for the purpose only of modifying the order to cease and desist heretofore entered herein on August 25, 1941.

It is further ordered, That the respondents, Surveying-Drafting-Coaters Section of the Scientific Apparatus Makers of America, an association, and its officers; R. Fred Allin, individually and as a member of the Executive Committee of the Surveying-Drafting-Coaters Section of the Scientific Apparatus Makers of America; and The Huey Company, a corporation, Economy Blue Print Products, Inc., Alphonse A. Brunner, trading as Keystone Blue Paper Company, and United States Blue Print Paper Company, a corporation, all separately and as members and representatives of Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, a corporate association, and their officers, directors, representatives, agents and employees forthwith cease and desist from:

Directly or indirectly, jointly or severally, entering into or carrying out any understanding, agreement, arrangement, combination or conspiracy, with each other or with any other person or persons, association or corporation, to restrict, restrain, monopolize, or to hinder or suppress, competition in the sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of prepared tracing papers, tracing cloths, blueprint papers and cloths, other reproduction papers and cloths, profile and cross-section papers and cloths in sheets and rolls, coordinate papers—graph sheets (except rolled sheets) for engineering and drafting purposes, field books for engineers, drawing instruments, drawing tools (scales, triangles, T-squares, curves), drawing machines, blueprinting machines and equipment, drawing boards and tables, filing cabinets for drawings and blueprints, lettering devices and lettering pens for the drafting profession, slide rules, planimeters and integrators, surveying instruments, surveying barometers, forestry instruments such as tree calipers, hypsometers, increment borers, current meters and water-stage registers, rods and poles for surveyors' use, tapes, chains and plumb bobs, by doing any of the following acts or things, and from doing any of the following acts or things pursuant to any such understanding, agreement, arrangement, combination or conspiracy:

(1) Fixing and maintaining, or agreeing to fix and maintain the prices at which said products will be sold by them.

(2) Fixing and maintaining, or agreeing to fix and maintain the terms and conditions, including the classification of customers, freight allowances and duration of and optional clauses in contracts, in connection with any sales by them of their said products.

(3) Exchanging information among themselves with regard to the prices, discounts, terms and conditions of sale to be submitted by them when bids for their products are requested, and submitting or agreeing to submit identical or substantially identical, bids on said products when requests for bids have been received.

(4) Filing with respondent Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, price lists including discounts, terms and conditions at which they will sell their products, for dissemination by said respondent Association among its members.

(5) Agreeing not to sell their said products at a price less, or a discount greater, or on terms and conditions more favorable to the purchaser than those contained in any of the price lists filed with respondent Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, or agreeing not to sell said products at a price less or discount greater than or on terms and conditions of sale more favorable to the purchaser than those contained in the price list published by the seller.

It is further ordered, That respondent association, Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, Arthur L. Parker, its manager and his successors, Karl Keller, Paul J. Bruning, R. Fred Allin, and W. A. Berger, members of its executive committee and their successors, forthwith cease and desist from, directly or indirectly, jointly or severally, aiding and assisting the members of said respondent association in carrying out or engaging in any of the acts and practices hereinbefore set forth, and from performing any service or function in the furtherance of said acts and practices, and particularly from:

(1) Adopting any rule or regulation designed or intended to prevent any deviation on the part of the members of said respondent Association from the prices, discounts and terms fixed and agreed upon by them, as hereinbefore set forth.

(2) Receiving from the individual members of said respondent association price lists, including discounts, terms and conditions of sale, and disseminating such information among said respondent association members.

It is further ordered, That the complaint herein be and the same hereby is dismissed as to respondents Scientific Apparatus Makers of America, its officers and directors, the respondents Carl S. Hallauer, R. E. Gillmor and John M. Roberts, the evidence being insufficient to establish the charges of the complaint with respect to these respondents.

It is further ordered, That the respondents upon whom this modified order is served are excused from the filing within sixty days of any new compliance reports, in view of the fact that they have previously filed reports of compliance with the broader form of order originally entered in the case on August 25, 1941.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12022; Filed, July 4, 1945; 11:02 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 54]

PART 1112—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF ARIZONA

WORKERS ENGAGED IN HARVESTING CANTALOUPES AND HONEYDEW MELONS IN MARICOPA COUNTY, ARIZ.

§ 1112.3 *Workers engaged in harvesting cantaloupes and honeydew melons in Maricopa County, State of Arizona.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations," and based upon a certification of the Arizona WFA Wage Board that a majority of producers of cantaloupes and honeydew melons in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Arizona WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting cantaloupes and honeydew melons in Maricopa County, State of Arizona, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Wage rates; maximum rates for harvesting cantaloupes and honeydew melons.*

(1) Picking of cantaloupes—23¢ per packed crate.

(2) Picking of honeydew melons—7¢ per packed crate.

If workers are paid on any other basis, rates of compensation must not exceed the equivalent of the rates specified above.

(c) *Administration.* The Arizona WFA Wage Board, located at 222 South First Avenue, Phoenix, Arizona, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement No. 54 shall become effective at 12:01 a. m., Pacific war time, July 4, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206, 10 F.R. 3177, 7609; E.O. 9577, 10 F.R. 8087)

Issued this 4th day of July 1945.

K. A. BUTLER,
Acting Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-12024; Filed, July 4, 1945; 11:03 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO ALL SHIPPERS AND INDUSTRIAL CONSUMERS OF COAL PRODUCED IN DISTRICT 10

To effectuate a fair distribution of the available production of District 10 coal during the month of July 1945, it is necessary, pursuant to SFAW Regulation No. 1, as amended, to issue the following direction:

(1) Notwithstanding the provisions of § 602.715 (d) of SFAW Regulation No. 27, as amended, no industrial consumer of coal produced in District 10 shall receive during the month of July 1945, from all sources combined, an aggregate amount of District 10 coal in excess of the amount which a shipper is permitted to furnish by paragraph (2) below.

(2) No shipper of District 10 coal, who is the sole supplier of such coal to an industrial consumer, shall, during the month of July 1945, ship to the industrial consumer, whose days' supply exceeds 30 days, coal produced in District 10 in an amount greater than 100 per cent of such coal for the month of July 1945, without first obtaining permission from the SFAW Area Distribution Manager. Where more than one shipper of District 10 coal ships such coal to an industrial consumer, whose days' supply exceeds 30 days, each such shipper should communicate with such industrial consumer and arrange for such reduction in shipments as may be necessary to assure that the consumer does not receive during July 1945, from all sources combined, District 10 coal in an amount greater than 100 per cent of the consumer's requirements of such coal for the month of July 1945, without first obtaining permission from the SFAW Area Distribution Manager.

(3) No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of this direction.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 3d day of July 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-11998; Filed, July 4, 1945; 9:09 a. m.]

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO ALL SHIPPERS AND INDUSTRIAL CONSUMERS OF COAL PRODUCED IN DISTRICT 9 AND DISTRICT 11

To effectuate a fair distribution of the available production of District 9 and District 11 coal during the month of July 1945, it is necessary, pursuant to SFAW Regulation No. 1, as amended, to issue the following direction:

(1) Notwithstanding the provisions of § 602.715 (d) of SFAW Regulation No. 27, as amended, no industrial consumer of coal produced in District 9 or District 11 shall receive during the month of July 1945, from all sources combined, an aggregate amount of District 9 or District 11 coal in excess of the amount which a shipper is permitted to furnish by paragraph (2) below.

(2) No shipper of District 9 or District 11 coal, who is the sole supplier of such coal to an industrial consumer, shall, during the month of July 1945, ship to the industrial consumer, whose days' supply exceeds 60 days, coal produced in District 9 or District 11 in an amount greater than 100 percent of the consumer's requirements of such coal for the month of July 1945, without first obtaining permission from the SFAW Area Distribution Manager. Where more than one shipper of District 9 or District 11 coal ships such coal to an industrial consumer, whose days' supply exceeds 60 days, each such shipper should communicate with such industrial consumer and arrange for such reduction in shipments as may be necessary to assure that the consumer does not receive during July 1945, from all sources combined, District 9 or District 11 coal in an amount greater than 100 percent of the consumer's requirements of such coal for the month of July 1945, without first obtaining permission from the SFAW Area Distribution Manager.

(3) No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of this direction.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 3d day of July 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-11997; Filed, July 4, 1945; 9:09 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-289, as Amended Apr. 16, 1945]

GREETING CARDS AND ILLUSTRATED POST CARDS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

SCOPE

(a) The purpose of this order.

DEFINITIONS AND EXPLANATIONS

(b) Greeting cards and illustrated post cards.
(c) Publisher.
(d) Paper.
(e) Use.
(f) Production waste.
(g) Transfer of quota.

RESTRICTIONS

(h) Dealer helps.

CONSUMPTION QUOTA

(i) Computation of consumption quota, paper.
(j) Borrowing and carry-over.
(k) Total permitted consumption.
(l) Certification to printer.

DELIVERY RESTRICTIONS

(m) Limit on tonnage which may be accepted.
(n) Certification to paper dealer or mill.

CARDS OR PARTS THEREOF PRINTED IN VIOLATION OF ORDER

(o) Restrictions on paper suppliers, printers, processors, distributors, wholesalers and others.

MISCELLANEOUS PROVISIONS

(p) Records.
(q) Applicability of regulations.
(r) Appeals.
(s) Communications.
(t) Violations.

Scope

(a) *The purpose of this order.* This order does four things. First, it limits the tonnage of paper which a publisher may cause to be used in the production of greeting cards and illustrated post cards. A publisher may not exceed his consumption quota even though the paper is physically available to him. Second, the order limits the tonnage of paper which may be accepted by or on behalf of a publisher of greeting cards or illustrated post cards. Third, it prohibits the furnishing of "dealer help" material by a publisher. Fourth, it places certain restrictions on paper suppliers, printers, processors, wholesalers and others in their dealings with publishers who violate the order.

Definitions and Explanations

(b) *Greeting cards and illustrated post cards.* (1) "Greeting card" means any commercial form of card, sheet or folder which conveys a greeting or similar type of message by means of printed reading matter or pictorial matter. The term includes "chromos" which contain pictures but no words, and also cards which contain words but no pictures. The term does not include photographs made without the use of ink, nor does it include cards, sheets or folders of which no copies are offered for sale at any level of distribution.

(2) "Illustrated post card" means any form of card, sheet or folder containing printed pictorial matter and space for the addition of a personal message. The term does not include photographs made without the use of ink, nor does it include cards, sheets or folders of which no copies are offered for sale at any level of distribution.

(3) If a publisher is uncertain as to whether or not particular printed matter is a "greeting card" or an "illustrated post card" as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination may be made only by the Washington office of the War Production Board and shall be issued to the publisher in the name of the Recording Secretary of the War Production Board. It shall be conclusive for the purpose of this order, unless revoked or modified by the same authority.

(c) *Publisher.* (1) A person who was engaged in the greeting card or illustrated post card business in 1942 is the "publisher" of any greeting card or illustrated post card which he caused to be produced in that year, unless exclusive distribution rights in that card for 1942 were transferred to another person engaged primarily in the greeting card or illustrated post card business. In such a case, the person who had the exclusive distribution rights in 1942 is the "publisher" of that card.

(2) A "publisher" may use his consumption quota for the production of greeting cards or illustrated post cards whether he retains for himself or assigns to someone else the exclusive or non-exclusive reproduction rights or distribution rights, either permanently or temporarily.

(3) The term "publisher" includes an individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not. It does not mean the author or designer of the cards or the plate maker, printer, finisher, packager, wholesaler, jobber or retailer, unless one of these persons also performs the functions of a publisher. It is immaterial whether the cards are produced in the publisher's plant or in someone else's plant.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper or paperlike substance used in the manufacture of greeting cards or illustrated post cards. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber.

NOTE: Paragraphs (e) through (t), formerly (f), (g), (i), (k), (l), (n), (o), (q), (s), (t), (u), (v), (w), (x) and (y), redesignated July 4, 1945. Former paragraphs (e), (h), (m), (p), and (r) deleted. In paragraph (t), subparagraph (2), formerly (3), redesignated. Former subparagraph (2) deleted.

(e) *Use.* (1) Paper is "used" in the manufacture of greeting cards and illustrated post cards when ink is first applied to it or, if unprinted, when the paper is first assembled with printed sheets in the manufacture of a card.

(2) When a job is started in one calendar quarter and runs over into the next, the paper or paperboard actually used during each quarter must be charged against the publisher's consumption quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste before, during and after printing and assembling (such as trim and waste sheets) shall be included in determining the tonnage of paper which a publisher uses in the manufacture of greeting cards and illustrated post cards.

(g) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not cause to be used for the manufacture of greeting cards or illustrated post cards any part of a paper consumption quota established under Order L-241 (Commercial Printing and Duplicating), Order L-244 (Magazines), Order L-245 (Books and Booklets), or any other order, and he may not permit any part of his consumption quota for paper established under this order to be used for any purpose other than the manufacture of greeting cards and illustrated post cards.

(2) Similarly, a publisher may not permit any part of his consumption quota for paperboard established under this order to be used for any purpose other than the boxing or packaging of greeting cards or illustrated post cards, and he may not cause any paperboard other than that provided by his consumption quota established under this order to be used for the boxing or packaging of greeting cards and illustrated post cards.

(3) The rules governing the assignability of quotas are stated in Priorities Regulation 7A.

Restrictions

(h) *Prohibition of dealer helps.* No publisher may furnish any "dealer helps" for greeting cards or illustrated post cards. This prohibition applies to items such as date books, advertising cards, banners, merchandise bags, window displays, inserts, etc., and to sample cards. However, it does not apply to mounted samples for the display of cards to the public.

Consumption Quota

(i) *Computation of consumption quota for paper.* In the third calendar quarter of 1945 and in each calendar quarter after that, no publisher may cause to be used for the manufacture of greeting cards and illustrated post cards any paper in excess of his quarterly consumption quota of paper, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in manufacturing the publisher's greeting cards and illustrated post cards during the corresponding calendar quarter of 1942.

(2) Determine the gross tonnage of paper consumed during the corresponding calendar quarter of 1942 in manufacturing the publisher's "dealer helps" as defined in paragraph (h) of this order.

(3) Take 80 percent of the total of these two tonnage figures, or 2 tons, whichever is greater. This is the publisher's consumption quota which he may cause to be used in the manufacture of greeting cards and illustrated post cards in the corresponding calendar quarter of 1945 and succeeding years.

(4) If a person used no paper for publishing greeting cards or illustrated post cards in 1942 and now wishes to enter the greeting card or illustrated post card business, he shall have a consumption quota of 2 tons per quarter commencing with the third quarter of 1945, provided he files with the Commercial Printing Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for publishing greeting cards or illustrated post cards under Order L-289, that I am not associated directly or indirectly with any person, firm or corporation, having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (i) (4) of Order L-289.

A consumption quota provided by this paragraph (i) (4) shall be conditioned upon the continued accuracy of the above representations.

(j) *Borrowing and carry-over.* (1) A publisher may add an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A publisher may carry over for future use accumulated savings resulting from under-use of quota, but he may not use, in a calendar quarter, any portion of his carry-over in excess of 15 percent of his consumption quota for that quarter.

(k) *Total permitted consumption.* A publisher may use in any calendar quarter:

(1) His quarterly consumption quota as determined under paragraph (i).

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter as provided in paragraph (j) (1).

(3) Plus any less-than-quota savings which may be used in that calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (j) (2).

(4) Plus ex quota tonnage of that material, if any, which may have been granted on appeal for consumption in that quarter.

(l) *Certification to printer.* No publisher may order greeting cards or illustrated post cards to be printed or manufactured, and no person may print or manufacture such cards unless the pub-

lisher furnishes, or has previously furnished, to that printer or manufacturer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-289 and that all orders placed by the publisher with that printer for items regulated by Order L-289, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

Delivery restrictions

(m) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 and each calendar quarter thereafter, no publisher may accept, and no person may accept for that publisher's use, paper in excess of his permitted consumption during that calendar quarter.

(n) *Certification to paper dealer or mill.* No publisher or his agent may order or accept delivery of paper or paperboard and no person may deliver paper or paperboard to a published or his agent, unless the published furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned published certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with the provisions of Order L-289 as amended April 16, 1945 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

Cards or Parts Thereof Printed in Violation of Order

(o) *Restrictions on paper suppliers, printers, processors, distributors, wholesalers, and others.* (1) No person may sell or deliver any paper or paperboard (including boxes) which he knows or has reason to believe will be accepted or used in violation of this order.

(2) No person may apply ink to any paper in the production of greeting cards or illustrated post cards if he knows or has reason to believe that the printing of such paper will be in excess of the publisher's permitted consumption under this order.

(3) No person may apply any additional ink to paper, and no person may bind or otherwise process paper, in the production of greeting cards or illustrated post cards if he knows or has reason to believe that such paper was printed in excess of the publisher's permitted consumption under this order.

(4) No person may manufacture boxes which he knows or has reason to believe will be used in violation of this order.

(5) No person may agree to purchase for resale, and no person may accept for resale, any greeting cards or illustrated post cards which he knows or has reason to believe were printed or packaged in excess of the publisher's permitted consumption under this order.

(6) No person may sell, distribute or otherwise dispose of greeting cards or illustrated post cards, except for re-delivery to his supplier or for use as waste paper scrap, if, before he accepted them, he knew or had reason to believe that they were printed or packaged in excess of the publisher's allowable consumption under this order.

Miscellaneous Provisions

(p) *Records.* In order to assure compliance with this order, every publisher must calculate, as accurately as he can, the tonnage of paper and paperboard which he used during each calendar quarter of 1942 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with July 1, 1943. He must preserve these figures and his work sheets subject to inspection by War Production Board officials as long as this order remains in force and for two years after that.

(q) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(r) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provisions appealed from, stating fully the grounds of the appeal. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(s) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-239.

(t) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control, and may be deprived of priorities assistance.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

CARDS WHICH ARE OFFERED "FOR SALE"

Paragraphs (b) (1) and (b) (2) of Order L-289 provides that the order does not apply to "cards, sheets or folders of which no copies are offered for sale at any level of distribution."

Greeting cards or illustrated post cards are "offered for sale" if they are offered either in consideration of a monetary payment, as a premium bonus or dividend, in part consideration of society membership dues, or for any other consideration direct or indirect, or if the published receives any compensation for the inclusion of material therein. (Issued December 21, 1944.)

[F. R. Doc. 45-12032; Filed, July 4, 1945; 11:24 a. m.]

PART 3133—PRINTING AND PUBLISHING

[General Limitation Order L-294, as Amended July 4, 1945]

DISPLAYS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc, paper and paperboard, required for the production of printed matter for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.40 *Limitation Order L-294*—(a) *Definitions.* For the purpose of this order:

(1) "Display" means any laminated combination of printed matter and board or other material, with or without easels or braces, employed to convey a message, display merchandise, or advertise a product or service, including but not limited to point-of-sale advertising, window, counter, floor, wall or shelf displays.

(2) "Printed matter" means any paper or paperlike substance with ink applied to it by the relief, planograph, intaglio, silk screen or other stencil process, or any combination or modification thereof.

(3) "Board" means any grade or quality of chip, laminated chip, or other board employed for the production of displays, easels, braces or plane surfaces.

(4) "Easel" means any form, shape or quality of board employed in the production of displays to provide means of maintaining such displays in position.

(5) "Brace" means any form, shape or quality of board employed in the production of displays to give rigidity and reinforcement.

(6) "Back-lining" means any paper or paperlike substance mounted to the reverse side of board employed in the production of displays.

(7) "Put into process" means (i) the first application of ink to paper or paperlike substance by a printer, or (ii) the lamination of one or more sheets of imprinted paper or printed matter to board, or (iii) the fabrication or processing of any part of a display, or (iv) the assembly of any component parts of a display.

(b) *Limitations.* (1) No person shall put into process for the production of displays:

(i) Board in the manufacture of which any virgin pulp has been employed, except board in the inventory of such person on July 7, 1943.

(ii) Back-lining in the manufacture of which any kraft fiber has been employed, except back-lining in the inventory of such person on July 7, 1943.

(iii) [Deleted Oct. 13, 1944.]

(2) On and after July 1, 1945, no person shall put into process during any calendar quarter for the production of displays:

(i) Paper or paperlike substance in excess of 80 per cent of the gross weight thereof put into process by him for the production of displays during the corresponding calendar quarter of 1941: *Provided*, That such person, in any calendar quarter, may use for the production of displays up to 15 percent more than his quota, the excess to be deducted from his quota for the succeeding calendar quarter: *And provided further*, That such person, in any calendar quarter, may use for the production of displays additional paper or paperlike substance equivalent to his less-than-quota usage in any preceding calendar quarters.

(ii) Board in excess of 80 per cent of the gross weight thereof put into process by him for the production of displays during the corresponding calendar quarter of 1941.

(c) *Certification to paper dealer or mill.* No person may order or accept delivery of paper, or paperboard, and no person may deliver paper, or paperboard, for use in the production of displays, unless he furnishes, or has previously furnished, to the person making the delivery, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-294 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper or paperboard.

(d) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to the War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington, D. C., Ref: L-294.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12033; Filed, July 4, 1945; 11:25 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-340, as Amended July 4, 1945]

GOVERNMENTAL COMMERCIAL PRINTING AND DUPLICATING

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) The purpose of this order.

Definitions and Explanations

(b) Government.
(c) Commercial printing.
(d) Printer.
(e) Paper.
(f) Use.
(g) Production waste.
(h) Inventory.

Consumption Quota

(i) Printing which is covered by other orders
(j) Printing which is not restricted.
(k) Consumption restrictions for governments other than the United States Government.
(l) Consumption restrictions for the United States Government.
(m) Certification to printer.

Delivery Restrictions

(n) Limit on tonnage which may be accepted.
(o) Certification to paper dealer or mill.
(p) Limits on basis weights.

Miscellaneous Provisions

(q) Records.
(r) Applicability of regulations.
(s) Appeals.
(t) Communications.
(u) Violations.

§ 3133.50 *Limitation Order L-340*—(a) *The purpose of this order.* This order does three things. First, it limits the tonnage of paper which a government may cause to be used for commercial printing. Second, it limits the tonnage of paper which may be accepted by or on behalf of a government. It also limits the tonnage of paper which may be accepted by or on behalf of a printer for a particular government's use in the production of governmental commercial printing. Third, it limits the basis weight of paper which a government may cause to be used in printing certain items.

Definitions and Explanations

(b) *Government*—(1) "Government" means the United States Government and the government of any State, county, municipality or local political unit. A State, county, municipality or local political unit may, as a separate government under this order, apportion its consumption quota among its constituent departments, agencies, bureaus and other subdivisions, but such departments, agencies, bureaus and subdivisions may not, collectively, cause more paper to be used in commercial printing than the consumption quota of the government which they comprise.

(2) The Army, Navy, War Shipping Administration and Maritime Commission are exempt from all of the provisions of this order except paragraph (l).

(3) Paragraphs (n) and (o) do not apply to the United States Government as a whole, but only to the Government Printing Office and the Procurement Division of the Treasury Department, and the provisions of those paragraphs apply to each of the above-named agencies separately.

(4) This order does not apply to any government if its consumption of paper is less than 2½ tons per year, or if the total cost of commercial printing it purchases does not exceed $2,500 per year.

(c) *Commercial printing.* "Commercial printing" means all printing or duplicating produced by any of the following types of printing or duplicating machines:

Hand and automatic sheet and web-fed platen presses
Hand and automatic fed plate engraving presses
Hand and automatic fed flat-bed cylinder presses
Proof presses
Sheet and web-fed rotary letterpresses
Sheet and web-fed offset presses
Sheet and web-fed rotary gravure presses
Thermographic presses
Sheet and web-fed aniline-ink presses
Duplicating machines, including but not limited to ink ribbon, gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators

However, this order does not affect printing which is covered by other orders of the War Production Board, as described in paragraph (i), and printing which is unrestricted, as described in paragraph (j). "Printed matter" includes duplicated matter as well as printed matter.

(d) *Printer.* The term "printer" is used throughout this order, for the sake of convenience and brevity, to include printers who operate printing machines and duplicators who operate duplicating machines. This order applies to a government which operates its own printing plant as well as a government which purchases printing.

(e) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper, gummed paper, paperboard or bristol used in commercial printing. The term includes paper reclaimed wholly or partly from printed or un-

printed waste, as well as paper made entirely from virgin fiber.

(f) *Use.* Paper is "used" when ink is first applied to it by a printer. However, paper is not "used" under this order when ink is applied to it by pen-ruling equipment. Sometimes paper is put through a press more than once, either by the same printer or by different printers; for instance, when a sheet is printed on its second side, or when several colors are used. For the purposes of this order the paper is deemed to be "used" when the first application of ink is made by a printer. It makes no difference how many other applications of ink are put on the paper by the same or different printers.

(g) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a government causes to be used in commercial printing.

(h) *Inventory.* A government's "inventory" means the aggregate weight of all kinds, grades, sizes, basis weights and items of paper available for its immediate or possible future use under Order L–340, including paper for use in printing which is unrestricted under paragraph (j) and paper held by a printer or any other person for that government's ultimate use under Order L–340. It is immaterial whether such paper is in the printer's hands or in the hands of the paper dealer, government, or other person. Paper in transit is not included.

Consumption Quota

(i) *Printing which is covered by other orders.* Certain types of printing are which it caused to be used in the base not covered by this order. When a government adds up the weight of paper year, it may not count the paper which went into these items. Also, a government may not use the consumption quota which it gets under this order for the printing of any of these items. They are:

(1) Newspapers (defined in Limitation Order L–240).

(2) Magazines (defined in Limitation Order L–244).

(3) Books and booklets (defined in Limitation Order L–245).

(4) Converted products named in Lists A, B, C or D of General Conservation Order M–241–a, except gummed paper.

(j) *Printing which is not restricted.* A government is not limited in the amount of paper which it may cause to be used in commercial printing required for any official election.

(k) *Consumption restrictions for governments other than the United States government.* In the 12-month period beginning July 1, 1945 and ending June 30, 1946, or in the last fiscal year ending prior to January 1, 1947 and in each corresponding 12-month period after that, no government (other than the United States government) may cause to be used for commercial printing any paper in excess of its annual consumption quota which shall be computed as follows:

(1) (i) Select a base period which shall be either the 12-month period ending June 30, 1942, or the last fiscal year ending prior to June 30, 1942.

(ii) Add up the total pounds of paper used in the base period for all types of printing.

(iii) Subtract the pounds of paper used in the base period for all the items covered by other orders as listed in paragraph (i).

(iv) Subtract the pounds of paper used in the base period for the unrestricted items described in paragraph (j).

(v) This is the government's base tonnage from which the required reductions shall be made.

(2) If the government's base tonnage is more than 2½ tons but less than 3 tons, its annual consumption quota is 2½ tons.

(3) If the government's base tonnage is more than 3 tons, its annual consumption quota is 80 percent of its base tonnage.

(4) A government may cause its annual consumption quota to be used for any type of printing which is not covered by other orders as listed in paragraph (i). Also, it may cause any amount of paper to be used in addition to its annual consumption quota for the unrestricted items described in paragraph (j).

(5) If a government is unable to determine its base period consumption in tons of paper, it may, as an alternative, compute the dollar value of its purchases of commercial printing during the base year using the method described in paragraph (k) (1).

(i) If the government's purchases of commercial printing in the base year were more than $2,500, but less than $2,800, its annual consumption quota is $2,500.

(ii) If the government's purchases of commercial printing in the base year were more than $2,800, its annual consumption quota is 90 percent of the cost of commercial printing purchased in the base year.

(l) *Consumption restrictions for the United States Government.* After July 1, 1944, no department, agency or other subdivision of the United States Government may cause any paper to be used for commercial printing except in accordance with the conservation orders issued by the Director of the Bureau of the Budget.

(m) *Certification to printer.* No person may order commercial printing on behalf of a government (except the United States Government) and no person may accept such an order, unless the person placing the order furnishes or has previously furnished to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose.

> The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L–340, and that all orders placed by the undersigned with that printer for items regulated by Order L–340, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(n) *Limit on tonnage which may be accepted.* No government may accept, and no person may accept for that government's use, delivery of any paper for use under Order L–340 which will cause its inventory on and after June 30, 1945, to be in excess of 50 calendar days' supply. The number of calendar days' supply shall be computed at the average rate of proposed lawful consumption during the succeeding 60 days.

(o) *Certification to paper dealer or mill.* No government may order or accept delivery of paper, and no person may deliver paper to a government, unless the government furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

> The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L–340 and that all purchases by the undersigned of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

Miscellaneous Provisions

(p) *Limits on basis weights.* Schedule I of Order L–241 provides, "No person may manufacture and no person may cause to be manufactured any of the items listed in this schedule in a basis weight or thickness, area or weight per unit greater than the maximum specified for such use." All commercial printing which a government causes to be produced under this order must be in compliance with Schedule I of Order L–241.

(q) *Records.* In order to secure compliance with this order, every government (except the United States Government) must calculate, as accurately as it can, the tonnage of paper which it used during the base period for the items covered by this order. It must also keep accurate records of this type of information for each 12-month period beginning July 1, 1944, or for each fiscal year commencing after June 30, 1944. It must preserve these figures and its work sheets, subject to inspection by War Production Board officials, as long as this order remains in force and for two years after that.

(r) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(s) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular

provision appealed from and stating fully the grounds of the appeal. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB–3820 (or letter explaining why that form is not filed) need accompany any appeal.

(t) *Communications.* All communications concerning this order shall be addressed to the War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L–340.

(u) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12034; Filed, July 4, 1945; 11:25 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Amdt. 1 to Appendix II, as Amended May 30, 1945]

Appendix II, *Manufacturing regulations,* as amended May 30, 1945 is hereby further amended by changing List 8, *Regulations for the manufacture of tires and tire casings (except airplane and bicycle tires)* to read as follows:

LIST 8—REGULATIONS FOR THE MANUFACTURE OF TIRES AND TIRE CASINGS (EXCEPT AIRPLANE AND BICYCLE TIRES)

(a) *General provisions.* (1) The natural rubber content of any tire or tire casing governed by this List 8 shall not include processing losses or natural rubber used in curing bags.

(2) No natural rubber or natural rubber latex shall be consumed in the cord treatment.

(3) The use of rayon in the manufacture of tires and tire casings governed by this List 8 shall conform to the regulations set forth in List 15, Appendix II.

(4) Fewer plies of 2200 denier rayon cord may be used than specified for standard cord provided "ply rating" as defined by current Tire and Rim Association standards is not reduced. The same permitted "maximum content natural rubber" shall remain in effect.

(5) Only one grade of tire may be manufactured in any size, ply and type, and that grade must be consistent with maintaining a quality adequate for the service for which the tire is designed.

(6) Where "Mud-Snow" type tread is designated in this List 8, tires with either directional or non-directional (ND) tread designs may be manufactured.

(7) Single marked high pressure type tires or single marked balloon type tires may be substituted for dual marked type tires.

(b) *Manufacturing regulations.* (1) Pneumatic tires of any size, ply and tread type may be manufactured provided that they conform to the regulations for S–3 synthetic construction tires in List 6, Appendix II.

(2) Solid tires (except bogie, idler and support rollers), including cured-on solid tires, 4" x 1½" up, may be manufactured, *Provided,* That:

Natural rubber is consumed only as follows:

Hard rubber base type. Natural rubber shall be consumed only in cements and or hard base and shall not exceed, by weight, ten percent of the sum of the natural rubber, synthetic rubber and reclaimed rubber hydrocarbon contents.

Tie-gum base (soft base) type. Natural rubber shall be consumed only in cement and/or tie gum and shall not exceed, by weight, eight percent of the sum of the natural rubber, synthetic rubber and reclaimed rubber hydrocarbon contents. Individual sizes may exceed the eight percent maximum, *Provided,* That the average natural rubber content of all sizes does not exceed the eight percent maximum.

(3) The manufacture of tires and tire casings consuming more natural rubber than permitted by paragraph (b) (1) and (b) (2) of this List 8 shall be limited to the sizes, plies and tread types listed in this paragraph (b) (3), subject to the maximum natural rubber contents or construction designated therefor.

TABLE A—TRUCK AND BUS TIRES

Size	Ply	Tread type	Construction		Maximum content natural rubber in pounds			
					Civilian orders		Government orders	
			Civilian orders	Government orders	Rayon	Cotton	Rayon	Cotton
7.00-18	10	Highway		S-4			3.70	
-20/32 x 6	10	do	S-4	S-4	4.05		4.05	
-20/32 x 6	10	Mud-snow	S-4	S-4	4.05		4.05	
-24/36 x 6	10	Highway	S-4	S-4	4.60		4.60	
7.50-16	6	do	S-6	S-6		6.70		6.70
-16	8	do	S-6	S-6		7.40		7.40
-16	8	Mud-snow		S-8				2.60
-17	8	Highway	S-4	S-4		3.85		3.85
-18	8	do	S-4	S-4		4.10		4.10
-20	8	do	S-4	S-4		4.30		4.30
-20	8	Mud-snow		S-8				3.00
-20/34 x 7	10	Highway	S-4	S-4	4.70		4.70	
-20/34 x 7	10	Mud-snow	S-4	S-4	4.70		4.70	
-24/38 x 7	10	Highway	S-4	S-4	5.35		5.35	
8.25-18	10	do	S-6	S-6	10.85		10.85	
-20	10	do	S-6	S-6	11.95		11.95	
-20	10	Mud-snow	S-4	S-4	5.35		5.35	
-20	12	Highway	S-6	S-6	12.60		12.60	
9.00-16	8	Mud-snow		S-8				3.40
-16	10	Highway		S-4			5.50	
-16	10	Mud-snow		S-4			5.50	
-18	10	Highway	S-6	S-6	12.80		12.80	
-20	10	do	S-6	S-6	13.85		13.85	
-20	10	Mud-snow	S-4	S-4	6.75		6.75	
-20/36 x 8	12	Highway	S-6	S-6	14.85		14.85	
-22	10	do	S-6	S-6	14.75		14.75	
-24/40 x 8	12	do	S-6	S-6	17.40		17.40	
-24/40 x 8	12	Mud-snow		S-4			7.70	
10.00-18	12	Highway	S-6	S-6	15.55		15.55	
-20	12	do	S-6	S-6	16.75		16.75	
-20	12	Mud-snow	S-4	S-4	7.50		7.50	
-20/38 x 9	14	do		S-4			8.25	
-20/38 x 9	14	Highway	S-6	S-6	18.50		18.50	
-22	12	do	S-6	S-6	18.15		18.15	
-22	12	Mud-snow		S-4			8.00	
-24	12	Highway	S-6	S-6	19.30		19.30	
-24	12	Mud-snow		S-4			8.50	
10.50-16	12	Highway		S-6			17.50	
-16	12	Mud-snow		S-6			17.50	
-18	10	do		S-6			15.70	16.70

Size	Ply	Tread type	Construction		Maximum content natural rubber in pounds			
					Civilian orders		Government orders	
			Civilian orders	Government orders	Rayon	Cotton	Rayon	Cotton
11.00-18	10	Desert		S-6				17.50
-18	12	Highway	S-6		19.00			
-20	12	do	S-6		20.00			
-20	12	Mud-snow	S-6		20.00			
-20	14	Highway		S-6			20.80	
-20	14	Mud-snow		S-6			20.90	
-22	12	Highway	S-6		21.00			
-22	14	do		S-6			22.50	
-22	14	Mud-snow		S-6			22.40	
-24	12	Highway	S-6		22.00			
-24	14	do		S-6			23.90	
-24	14	Mud-snow		S-6			23.90	
12.00-20	14	Highway	S-6		24.50			
-20	16	do		S-6			25.20	
-20	16	Mud-snow		S-6			25.20	
-24	14	Highway	S-6		27.00			
-24	16	do		S-6			28.70	
-24	16	Mud-snow		S-6			28.70	
13.00-20	16	Highway	S-6	S-6	28.00		28.00	
-24	16	do	S-6	S-6	32.00		32.00	
-24	16	Mud-snow		S-6			32.00	
14.00-20	12	do		S-6			31.20	
-20	18	Highway	S-7		80.00			
-20	20	do		S-7			82.00	
-20	20	Mud-snow		S-7			85.50	
-24	18	Highway	S-7		90.00			
-24	20	do		S-11			141.00	
-24	20	Mud-snow		S-11			148.05	
7.50-15	10	Std. lowplat. tlr	S-6	S-6	7.80		7.80	
-15	12	do		S-6			8.00	
8.25-15	12	do	S-6	S-6	10.50		10.50	
-15	14	do		S-6			12.30	
9.00-15	12	do	S-6	S-6	12.40		12.40	
10.00-15	12	do		S-6			13.50	
-15	14	do	S-6	S-6	15.00		15.00	
7.50 down	All	City bus mileage	S-4		[1]			
8.25 up	All	do	S-6		[2]			
7.50 down	All	Intercity bus mileage	S-6		[3]			
8.25 and 9.00	All	Intercity bus mileage	S-7					
10.00 up	All	Intercity bus mileage	S-11					

[1] 16% of total RHC by weight

[2] 38% of total RHC by weight.

TABLE B—SPECIAL PURPOSE TIRES

Size	Ply [1]	Tread type	Construction: Civilian orders	Construction: Government orders	Maximum content natural rubber in pounds [1]: Civilian orders: Rayon	Civilian orders: Cotton	Government orders: Rayon	Government orders: Cotton
8.25-20	10	Earthmover	S-6	S-6		15.00		15.00
9.00-20	10	do	S-6	S-6		18.00		18.00
10.00-20	12	do	S-6	S-6		21.00		21.00
11.00-20	12	do	S-6	S-6		23.00		23.00
12.00-20	12	do	S-6	S-6		25.00		25.00
-20	16	do	S-6	S-6		29.00		29.00
-20	16	do	S-6	S-6		31.00		31.00
13.00-20	14	do	S-6	S-6		40.00		40.00
14.00-20	16	do	S-6	S-6		52.00		52.00
16.00-20	16	do	S-6	S-6		70.00		70.00
18.00-24	16	do	S-6	S-6		78.00		78.00
-24	20	do	S-6	S-6		314.00		314.00
21.00-24	16	do	S-7	S-7		333.00		333.00
-24	20	do	S-7	S-7		448.00		448.00
24.00-32	24	do	S-7	S-7		516.00		516.00
-32	155	do	S-7	S-7		36.00		36.00
8.25-20	12	Rock service and logger	S-7	S-7		43.00		43.00
9.00-20	12	do	S-7	S-7		51.00		51.00
10.00-20	14	do	S-7	S-7		54.00		54.00
-22	14	do	S-7	S-7		61.00		61.00
11.00-20	14	do	S-7	S-7		61.00		61.00
-22	14	do	S-7	S-7		67.00		67.00
-24	14	do	S-7	S-7		81.00		81.00
12.00-24	16	Rock service	S-7	S-7		105.00		105.00
13.00-24	18	do	S-7	S-7		134.00		134.00
14.00-24	20	do	S-7	S-7		187.00		187.00
16.00-24	20	do	S-7	S-7		237.00		237.00
18.00-24	20	do	S-7	S-7		349.00		349.00
21.00-24	20	do	S-7	S-7		370.00		370.00
-24	24	do	S-7	S-7				
8.25-20	10	Logger	S-7	S-7		30.00		30.00
9.00-20	10	do	S-7	S-7		37.00		37.00
10.00-20	12	do	S-7	S-7		44.00		44.00
-22	12	do	S-7	S-7		49.00		49.00
11.00-20	12	do	S-7	S-7		52.00		52.00
-22	12	do	S-7	S-7		55.00		55.00
18.00-24	16	Mud-snow	S-7	S-7		218.00		218.00
-24	20	do	S-7	S-7		232.00		232.00
21.00-24	16	do	S-7	S-7		300.00		300.00
-24	20	do	S-7	S-7		310.00		310.00
-24	24	do	S-7	S-7		370.00		370.00
-24	28	do	S-7	S-7		448.00		448.00
24.00-32	24	do	S-7	S-7		505.00		505.00
-32	36	Mud-snow	S-7	S-7		2.60		2.60
7.00-20	10	Ribbed (flat base)	S-8	S-8		3.00		3.00
-24	10	do	S-8	S-8		3.40		3.40
7.50-24	10	do	S-8	S-8		5.00		5.00
9.00-24	10	do	S-8	S-8		4.60		4.60
-24	10	Traction (flat base)	S-8	S-8		4.60		4.60
-24	10	Traction (drop center)	S-8	S-8		6.80		6.80
10.00-24	8	Traction (drop center)	S-4	S-4		7.10		7.10
11.00-24	8	do	S-4	S-4		8.10		8.10
12.00-24	8	do	S-4	S-4		9.60		9.60
13.00-20	10	do	S-4	S-4		10.10		10.10
-24	8	do	S-4	S-4		12.30		12.30
14.00-20	12	do	S-4	S-4			4.80	
-24		Combat	S-4	S-4			26.00	
		do	S-5	S-5			50.00	
		do	S-6	S-6			210.00	
		Combat (mud-snow)	S-11	S-11			210.00	
		Combat (highway)	S-11	S-11				

[1] "Maximum content natural rubber" is based on cotton or 2,200 denier rayon construction.

[2] Extra ply 1,100 denier rayon construction is permitted. The "maximum content natural rubber" of standard ply cotton construction shall be effective for such extra ply construction.

[3] 32 ply 2,200 denier rayon construction permitted. The "maximum content natural rubber" for 36 ply shall be permitted.

TABLE C.—BOGIE, IDLER AND SUPPORT ROLLERS

Description of product:	*Maximum percent, by weight, of total hydrocarbon which may be natural rubber*
Bogie wheels:	
26 x 6	8
20½ x 6¼	8
25¼ x 4¼	8
20 x 6 x 16	8
14 x 4⅛	8
12 x 4⅛	8
20 x 3	8
8 x 1¼	8
20 x 9 x 16	As needed
12 x 7¼	do
Idler wheels:	
22 x 6¼	8
19 x 3	8
7 x 7¼	8
Support rollers:	
14 x 3	8
13½ x 3¾	8
10 x 5	8
11 x 3	8
9 x 6	8
7¼ x 1¼	8
24 x 7¼	As needed
All other	do

(c) *Branding of tires.* (1) All synthetic rubber tires or tire casings manufactured to fill either Civilian or Government orders shall have a colored dot, either circular or rectangular (with or without rounded corners or ends) and with an average effective dimension of at least one inch, vulcanized on both sides of the tire, appropriate color to be determined from paragraph (c) (2) of List 6. In addition, all synthetic rubber pneumatic tires or tire casings shall bear, on both sides of the tire and in characters at least five-eighths inch high, a brand showing the appropriate synthetic construction identification. The colored dot and the brand shall be permanent and may be superimposed if desired. The colored dot and synthetic construction identification may be smaller than the designated minimum on sizes of tires for which the designated minimum is unreasonably large.

(d) *Definitions.* (1) Where used in this List 8, "Highway" as applied to tread type means regular skid-depth, "100" level, on-the-road type.

(2) Where used in this List 8, "Mud-snow" as applied to tread type means extra-traction, on-and-off-the-road type.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. I as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12026; Filed, July 4, 1945; 11:24 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-115, as Amended July 4, 1945]

COLLAPSIBLE TUBES

Section 3270.39 *Conservation Order M-115* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials entering into the manufacture of collapsible tubes for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3270.39 *Conservation Order M-115*—(a) *What this order does.* This order limits the amount of tin that may be contained in collapsible tubes for packing various products. It also limits the amount of lead which may be used in the manufacture of collapsible tubes during the third calendar quarter of 1945 and succeeding calendar quarters.

(b) *Definitions.* Wherever used in this order: (1) "Collapsible tube" means any collapsible container in the shape of a tube made in whole or in part of tin or lead. The term also includes all pile pipes made in whole or in part of tin or lead.

(2) "Tin" means any material which contains not less than 1.5% by weight of the element tin.

(3) "Lead" means metallic lead, including scrap lead and any alloy containing 50% or more by weight of metallic lead.

(c) *General restrictions*—(1) *Sales of tin and lead.* No person shall sell or deliver tin or lead to any tube or tube blank manufacturer or tube packer which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(2) *Manufacture or sale of collapsible tubes.* No person shall manufacture, sell or deliver any collapsible tubes or tube blanks which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(d) *Lead quota restrictions on manufacturers.* During the third calendar quarter of 1945 and during each succeeding calendar quarter, unless otherwise directed by the War Production Board, no person shall use in the manufacture of collapsible tubes, more than 20% of the amount of lead (including that contained in blanks which he buys and converts into tubes) which he used for making collapsible tubes during the calendar year 1944. However, no manufacturer is required to charge to his quarterly quota the amount of lead he uses to fill orders for collapsible tubes which a packer was permitted to accept during the second calendar quarter of 1945 under the terms of this order as amended March 31, 1945 (including any additional tubes the packer may have been permitted to accept during that quarter under grants of appeal) and which the manufacturer has not yet delivered. Furthermore, no manufacturer shall use his lead quota to make collapsible tubes for products other than those listed in items 1 through 5 of Schedule A of this order, if this would interfere with his acceptance and fulfillment, during any calendar quarter, of orders for at least 25% as many tubes for such items as he made for the same purposes during the calendar year of 1944.

(e) *Manufacturing preferences to certain orders for collapsible tubes.* In conformance with Priorities Regulations 1 and 3, each manufacturer of collapsible tubes must accept and treat the following unrated orders as if they were rated AA-5: Orders for collapsible tubes for delivery of a product, directly or indirectly, to the United States Army or Navy (exclusive of post exchanges or ship's service departments located within the 48 states and the District of Columbia), Maritime Commission, War Shipping Administration, Veterans Administration, American Red Cross, Office of Scientific Research and Development or the Panama Canal, including the Panama Railroad Company. However, the above orders shall only be treated as rated AA-5 where they bear a certification in substantially the following form, signed manually by the purchaser or as provided in Priorities Regulation 7:

The tubes called for by this purchase order will be used to make deliveries to one of the persons listed in paragraph (e) of Order M-115.

This certification shall constitute a representation to the seller and to the War Production Board (subject to the penalties of section 35 (A) of the U. S. Criminal Code) that the tubes covered by the certification will be used, to the best of the purchaser's knowledge and belief, for delivery of a product, directly or indirectly, to any of above persons. The standard certificate provided for in paragraph (d) of Priorities Regulation 7 may not be used in place of the above certificate; nor may the certificate provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7. No person shall use a tube which he obtained on a purchase order bearing the above certification except for delivery of a product to the person listed in this paragraph (e), or to another person who certifies in writing that the packed tube will be so delivered.

(f) *Restrictions on packing tubes containing tin.* No person shall purchase, accept delivery of or use collapsible tubes containing tin for packing products except as specifically permitted in Schedule A at the end of this order. This schedule specifies the tin content for collapsible tubes for packing each product. These restrictions shall not apply to a lead tube containing not more than 0.5 percent tin derived only from secondary sources.

(g) *Certification for delivery of collapsible tubes.* No manufacturer shall sell or deliver a collapsible tube unless he has received from the purchaser a certificate signed manually, or as provided in Priorities Regulation 7. This certificate shall be in substantially the following form and, once filed by a purchaser with a manufacturer, covers all future deliveries from the manufacturer to that purchaser:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-115 of the War Production Board, and that all purchases from you of items regulated by that order, and the acceptance of the same by the undersigned, will be in compliance with the order, as amended from time to time.

The standard certificate provided for in paragraph (d) of Priorities Regulation 7 may not be used in place of the above certificate; nor may the certificate provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

(h) *Appeals.* Appeals from this order may be filed by addressing a letter in triplicate to the Containers Division, War Production Board, Washington 25, D. C. Ref: M-115. The letter of appeal need not follow any particular form. It should state informally but completely the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in exceptional and unreasonable hardship, and such other statistical and narrative information as may be pertinent.

(i) *Reports.* All collapsible tube manufacturers shall file a monthly report on Form WPB-4136 in accordance with the instructions in that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall execute and file with the War Production Board such other forms and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget.

(j) *Communications.* Communications concerning this order, shall unless otherwise directed, be addressed to the Containers Division, War Production Board, Washington 25, D. C., Ref: M-115.

(k) *Violation.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Product	*Permitted tin content of tubes*
1. Ointments and other preparations for ophthalmic use	Unlimited.
2. Sulfa drugs in ointment or jelly form	Unlimited.
3. Diagnostic extracts (allergens)	Unlimited.
4. Morphine or hypodermic injection	Unlimited.
5. (a) Preparations which are intended for introduction into the body orifices (nasal, vaginal, rectal, surgical jelly, etc.)	Not to exceed 7½ per cent by weight of tube.
(b) Medicinal and pharmaceutical ointments (excluding unmedicated petroleum jelly and lanolin).	Not to exceed 7½ per cent by weight of tube.
6. Dental cleansing preparations	Not to exceed 3 per cent by weight of tube.

[F. R. Doc. 45-12037; Filed, July 4, 1945; 11:25 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P-146, Direction 4]

RATINGS ON FORM WPB-2408 FOR OVERSEAS MAILING CARTONS

The following direction is issued pursuant to Preference Rating Order P-146:

(a) *AA-4 ratings become AA-3.* Any person who has been authorized on Form WPB-2408 to purchase "overseas shippers" (as defined in item f. of Schedule I of Order L-317) with an AA-4 preference rating, may apply an AA-3 preference rating for the purchase of any undelivered portion thereof. Any AA-3 rating applied to such an order to which an AA-4 rating had previously been applied, shall be regarded as a rerating under the provisions of Priorities Regulation 12.

(b) *Expiration of all ratings for "overseas shippers."* All ratings assigned on Form WPB-2408 for "oversees shippers," as above defined, shall become ineffective on October 1, 1945. No AA-3 rating may be applied pursuant to this direction on and after October 1, 1945, and any order for "oversees shippers" to which the AA-3 rating assigned herein had been applied and which still remains undelivered, must be regarded as an unrated order on and after that date.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12039; Filed, July 4, 1945; 11:26 a. m.]

PART 3278—SALVAGE

[Conservation Order M-325, as Amended July 4, 1945]

TINPLATE SCRAP

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3278.1 *Conservation Order M-325*—(a)—*What this order does.* This order restricts deliveries of tinplate scrap for purposes of tin salvage or copper precipitation. Special restrictions with respect to used tin cans are placed on Refuse Collectors. There are other special provisions regarding the inventories of residual tinplate scrap, the preparation and delivery of damaged or rejected cans to detinning plants, and a prohibition against deliveries to producers of iron and steel products of tinplate or terneplate scrap and scrap tin-coated wire. Upon application, WPB authorizations may be issued exempting specific deliveries from the restrictions of the order.

(b) *Definitions.* Whenever used in this order: (1) "Tinplate scrap" means any material or product made in whole or in part of tinplate (except detinned scrap) which is the waste of industrial fabrication or which has been discarded after being put into actual use, excluding used tin plate crowns, screw caps or similar closures for various containers. The term shall also include tinplate sheets recovered from used tin cans or from other articles.

(2) "Tinplate" means steel sheets coated with tin (including primes, seconds, waste-waste and waste).

(3) "Detinned scrap" means tinplate scrap which has been treated by a chemical or electro-chemical detinning process so that it contains not more than 3/10 of one percent of tin by weight.

(4) "Used tin can" means any used container made in whole or in part of tinplate which is not to be reused for packing a product.

(5) "Prepared used tin can" means a used tin can which has been thoroughly cleaned so as to remove all organic matter (including paper labels), the ends removed or sufficiently loosened to be folded within the container, and the sides flattened.

(6) "Tinplate clippings" means tinplate scrap, such as discs or butts, generated in the manufacture of cans, closures or other articles.

(7) "Official salvage committee" means any municipal or county committee within the continental United States, organized to stimulate, supervise and engage in the collection of salvable materials (including tinplate scrap) in accordance with policies and programs established from time to time by the Salvage Division of the War Production Board. Any person may obtain the address of the official salvage committee in any locality by writing to his nearest WPB Regional Office, Ref: Salvage Manager.

(8) "Refuse collector" means any person who is regularly engaged in the collection of refuse (including a municipal department or agency).

(9) "Terneplate scrap" means any material or product made in whole or in part of terneplate which is the waste of industrial fabrication or which has been discarded after being put into actual use. The term shall also include terneplate sheets recovered from used terneplate cans or from other articles.

(10) "Terneplate" means steel sheets coated with ternemetal (including primes, seconds, waste-waste and waste).

(11) "Scrap tincoated wire" means any wire coated with tin or with tin alloys delivered as scrap.

Used tin cans

(c) *Restriction on delivery of used tin cans.* No person shall deliver or accept delivery of used tin cans except where delivery is made to or for the account of one of the following persons: (1) official salvage commitee; (2) detinning plant; (3) smelter engaged in the recovery of tin; (4) shredding plants or those plants engaged in the precipitation of copper; (5) refuse collector. However, any refuse collector who accepts delivery of used tin cans must deliver such cans in accordance with paragraph (d) below.

(d) *Restrictions on refuse collectors*—(1) *General.* A refuse collector who receives unsegregated used tin cans in the counties listed in Schedule A or unsegregated or unprepared used tin cans in any other counties within the continental United States may either deliver them to or for the account of one or more of the first four persons listed in paragraph (c) above, or, failing to make such delivery, must place them in a dump or other established refuse disposal point.

(2) *Prepared used tin cans.* No refuse collector shall, anywhere within the continental limits of the United States, reject any segregated prepared used tin cans offered him in the usual course of his collection of refuse, or mingle any prepared used tin cans which were segregated at the time of their collection with any other refuse. A refuse collector who receives segregated prepared used tin cans anywhere within the continental limits of the United States must not place them in a dump or other established refuse disposal point but must deliver them to or for the account of one, or more of the first four persons listed in paragraph (c) above.

(3) *Used tin cans in Schedule A counties.* No refuse collector shall, in any of the counties listed in Schedule A, reject any segregated used tin cans offered him in the usual course of his collection of refuse or mingle any such cans which were segregated at the time of their collection with any other refuse. A refuse collector who receives segregated used tin cans in any of the counties listed in Schedule A must not place them in a dump or other established refuse disposal point, but must deliver them to or for the the account of one or more of the first four persons listed in paragraph (c) above.

(e) *Required disposal of certain tin cans.* Any person who, in the course of his business, cuts open tin cans for the purpose of using the contents of such cans in his manufacturing operations or for the purpose of repacking their contents in other containers, or who discards tin cans because the cans or their contents were defective, must deliver all such cans to or for the account of a detinning plant, shredding plant or official salvage committee in a form acceptable to such plant or committee. This restriction shall not apply to those cans which a person intends to reuse or deliver to others for reuse.

Special restrictions

(f) *Tinplate scrap deliveries.* No person shall deliver or accept delivery of tinplate scrap (including tinplate clippings but excluding used tin cans) except where delivery is made to or for the account of (1) official salvage committee, or (2) detinning plant.

(g) *Required disposal of residual tinplate scrap.* On and after May 1, 1945, no person who generates tinplate scrap in the course of his manufacturing operations shall keep in his possession for more than 30 days a quantity of tinplate scrap which exceeds 60,000 pounds or any amount constituting a minimum carload quantity accepted by ODT whichever is greater. All deliveries of such tinplate scrap pursuant to this paragraph shall be made in accordance with paragraph (f) above or to a broker or dealer for delivery by him in the same form in which he receives it in accordance with paragraph (f) above.

(h) *Prohibited delivery of tinplate or terneplate scrap or scrap tincoated wire.* No person shall deliver tinplate or terneplate scrap or scrap tincoated wire to any producer of steel or iron products, and no such producer shall accept delivery of such material.

General provisions

(i) *Authorization for exemption from certain restrictions.* (1) Specific authorization to make delivery or accept delivery of tinplate or terneplate scrap, or scrap tincoated wire, as an exception to paragraphs (c), (d), (f) or (h) of this order, may be granted by the War Production Board from time to time. Applications for such authorizations shall be made to the Tin, Lead and Zinc Division, War Production Board, Washington 25, D. C., Ref: M-325. Authorization to make delivery or accept delivery of the requested material will ordinarily be granted only in cases where the requested material will be used in place of better grade material or where a substantial part of the requested material will be delivered to a specified salvage depository in a prescribed form. No authorization issued under this paragraph permitting delivery or acceptance of delivery of any material shall constitute an exception to the provisions of any other regulation or order of the War Production Board.

(j) *Appeals.* Appeals from this order shall be filed by addressing a letter in triplicate to the Tin, Lead and Zinc Division, War Production Board, Washington 25, D. C., Ref: M-325. The letter of appeal need not follow any particular form. It should state informally but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in exceptional and unreasonable hardship and such other statistical and narrative information as may be pertinent.

(k) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(l) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

California: Alameda, Contra Costa, Fresno, Imperial, Kern, Los Angeles, Marin, Merced, Monterey, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Ventura, Yolo, Yuba.

New York: Bronx, Kings, New York, Queens, Richmond.

[F. R. Doc. 45-12038; Filed, July 4, 1945; 11:26 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-11, Revocation]

CHLORINE IN PULP, PAPER AND PAPERBOARD

Section 3281.63 *General Limitation Order L-11* is revoked. This revocation does not affect any liabilities incurred for the violation of the order or of actions taken by the War Production Board under the order. Production and distribution of pulp, paper and paperboard remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12027; Filed, July 4, 1945; 11:24 a. m.]

PART 3281—PULP AND PAPER

[General Preference Order M-93, Direction 1, as Amended July 4, 1945]

PREFERRED STATUS OF CERTAIN DELIVERIES AND USES OF WOOD PULP

The following amended direction is issued pursuant to General Preference Order M-93:

(a) *Reasons for this direction.* A producer's output of wood pulp is allocated by the War Production Board for his own uses and for delivery to other consumers on the basis of the amount which he reports to the War Production Board as his estimated output. If he over-estimates his production, it is necessary and appropriate in the public interest and to promote the national defense to assure that this does not result in cutting off wood pulp from the consumers to whom it was allocated and who have no other source of supply for the continuance of their minimum operations, and to assure that any necessary reductions are made in those grades of paper and paperboard not listed in paragraph (d) below.

(b) *Producers.* If a producer is unable during any calendar quarter to make all deliveries which he has been directed on Form WPB-699 and by telegram and letter to make, he shall reduce his deliveries to consumers with whom he is affiliated to the extent necessary to complete all deliveries to other consumers.

(c) *Consumers.* No consumer may, during any calendar quarter, use any wood pulp in the production of grades of paper and paperboard, other than those listed in paragraph (d) below, unless his total consumption of wood pulp, during that quarter, for the production of the listed grades is equal to the amount of wood pulp which he has been authorized on Form WPB-2973 and by telegram and letter to use for that purpose."

(d) *Grades of paper and paperboard having preferred production status:*

All items in Subschedule F-1, all grades of container board (211000 through 219000)

053100 Asphalting and creping other than towel.

054000 Shipping sack paper.

(e) *Required adjustments on company-wide basis in certain cases.* (1) *Definition.* For the purposes of this paragraph (e) "company" means a group of two or more separately located producers or consumers who are under common ownership or control or are otherwise affiliated with each other.

(2) *Reports.* Each producer or consumer, who is a part of a company, must notify the Pulp Allocation Office of the War Production Board, Ref: M-93, in writing, as soon as he knows or has reason to believe that he will, for any reason, despite observance of paragraphs (b) and (c) of this direction,

(i) Be unable, during any calendar quarter, to complete all deliveries which he has been directed on Form WPB-699 and by telegram and letter to make, during that quarter, to unaffiliated consumers (i. e. those who are not part of the same company as he is) or

(ii) Be unable, during any calendar quarter, to use for the production of items listed in paragraph (d), an amount of wood pulp at least equal to the amount which he has been authorized on Form WPB-2973 and by telegram and letter to use for that purpose during that quarter.

(3) *Action which may be taken by the War Production Board.* Under the circumstances described in subparagraph (2) of this paragraph (e) the War Production Board may adjust previously issued authorizations to deliver or to accept or use wood pulp on a company-wide basis so as to partially or completely compensate for any delivery or consumption deficit reported by any single producer or consumer in the company.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12036; Filed, July 4, 1945; 11:25 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-13-b as Amended July 4, 1945]

USE OF STEEL IN FURNITURE AND FIXTURES

Section 3291.51 *Limitation Order L-13-b* is amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities used in the production of furniture and fixtures for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.51 *Limitation Order L-13-b*—(a) *What this order does.* This order governs your use of steel in making furniture and fixtures for civilian purposes. It no longer restricts the use of any other metal. In addition, certain items formerly controlled by this order are no longer controlled by it. The order has an exemption if you make less than $50,000 worth of furniture and fixtures in any quarter. Thus this order does not prevent you from using the rights granted under Priorities Regulation 27 if you otherwise qualify under its terms. If you want to exceed this amount, you should apply under Priorities Regulation 25.

(b) *Definitions.* For the purposes of this order: (1) "Furniture and fixtures" means all articles shown on List I, and all other articles commonly known as furniture. "Furniture and fixtures" do not include any products on List II.

(2) "Preferred order" means any purchase order or contract calling for delivery to or for the account of the Army or Navy of the United States, the Veterans Administration, the United States Maritime Commission or the War Shipping Administration, including an order for furniture or fixtures which will be incorporated into a product or building to be delivered to one of those agencies.

(c) *How much steel you may use.* You may not make or assemble in any calendar quarter more than $50,000 worth of furniture and fixtures (manufacturer's sales price) which contain any steel except as indicated below:

(1) This does not include any articles of furniture or fixtures containing 5% or less of steel by weight in addition to steel in swivel irons, casters, upholstery springs and joining hardware.

(2) Furniture and fixtures made to fill preferred orders actually on hand may be made in addition to this amount.

(3) If you are currently making furniture subject to Order L-260-a, you may

substitute steel parts for wooden ones within the limits of that order.

(d) *Spot authorizations under Priorities Regulation 25*—(1) *Applications and authorizations under this amended order.* If you want to use more steel in making furniture and fixtures than you are permitted to use under paragraph (c) you may apply for permission to do so as explained in Priorities Regulation 25. If you are authorized on or after July 4, 1945 under that regulation to make furniture and fixtures, you may use steel to make the furniture and fixtures authorized in addition to the amounts permitted under paragraph (c).

(2) *Effect of spot authorizations granted before this order was amended.* If you were authorized before July 4, 1945 under Priorities Regulation 25 to make furniture and fixtures, you may use steel to make the furniture and fixtures authorized instead of, but not in addition to, the amounts permitted under paragraph (c). Thus if your "spot authorization" granted before July 4, 1945 itself permits you to make more furniture and fixtures than this order does, it will be advantageous for you to operate under the "spot authorization". On the other hand, if you may make more furniture and fixtures under paragraph (c) than under your "spot authorization", then that authorization no longer helps you.

(e) *Reuse of steel or steel parts is not restricted.* This order does not restrict the reuse in making or assembling furniture or fixtures of any steel parts which have once been used in any completed article of furniture or fixtures.

(f) *Finished item deliveries.* No person shall deliver, offer for sale, or accept delivery of any furniture or fixtures which he knows or has reason to believe were made or assembled in violation of this order.

(g) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the manufacture of furniture and fixtures to a greater extent than this order does, the other order governs.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-13-b.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

1. Household furniture.
2. Porch and lawn furniture including swings and gliders except juvenile.
3. Camp furniture.
4. Barber shop and beauty shop furniture except barber chairs.
5. Public building furniture, including furniture for schools, theatres, assembly halls, churches, libraries, hospitals.
6. Restaurant furniture.
7. Folding furniture such as chairs, tables.
8. Storage chests and cabinets, including but not limited to broom cabinets, kitchen cabinets and cupboards, medicine cabinets, utility cabinets and undersink cabinets, but not including heavy duty kitchen cabinets specifically designed for commercial or institutional use.
9. Office furniture, including counters.
10. Filing cabinets, except insulated.
11. Lockers, including wire gymnasium baskets.
12. Shelving, including all types of bins and racks except those specifically exempted on List II.
13. Show cases.

LIST II

1. Beds, cots, studio couches, sofa beds, bunks, berths, mattresses and bed springs.
2. Waste paper baskets.
3. Filing cabinets with metal only in essential operating steel hardware and joining hardware.
4. Office chairs with metal only in swivel irons, upholstery springs, casters and joining hardware.
5. Typewriter desks with metal only in typewriter mechanisms and joining hardware.
6. Office machine stands which are integral parts of the machines they support.
7. Time card racks.
8. Hospital, medical and surgical furniture and related equipment.
9. Dental equipment.
10. Laboratory equipment.
11. Refrigerators.
12. Drafting equipment.
13. Engineering drawing units designed primarily for engineering drawings and tracings and sometimes known as plan files.
14. Printing trades machinery.
15. Steel seating equipment designed for use at a switchboard, work bench, production machine or assembly line.
16. Steel work benches.
17. Steel foremen's desks.
18. Shop boxes.
19. Stacking boxes.
20. Cases, racks or shelving inserts specifically designed to store or hold tools.
21. Racks specifically designed to store or hold rods or bars.

[F. R. Doc. 45-12028; Filed, July 4, 1945; 11:24 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-176, as Amended July 4, 1945]

DOMESTIC AND COMMERCIAL ELECTRIC FANS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.135 *Limitation Order L-176*—(a) *What this order does.* Although this order now permits the unlimited production of electric fans as defined below, it restricts their delivery. It also provides a method for granting priorities assistance to manufacturers for the production of a limited number of electric fans within the War Production Board programs. It states the conditions under which that priorities assistance will be extended to manufacturers by the War Production Board.

(b) *Definitions.* For the purposes of this order:

(1) "Electric fan" means any propeller type fan designed for desk, pedestal, wall bracket, ceiling, or portable window mounting, which is powered by a fractional horsepower motor drawing 200 watts or less. It includes such fans whether completely assembled or assembled in knocked down form. It does not include any centrifugal fan or blower, propeller type attic fan, industrial propeller type exhaust fan or any fan which is a functional part of any equipment or device having a primary use other than ventilation.

(2) [Deleted Jan. 17, 1945.]

(3) [Deleted July 4, 1945.]

(4) "Special order" means any purchase order, contract or subcontract for delivery of an electric fan to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration if (i) the fan ordered conforms to applicable specifications for marine fans issued by the Navy or Maritime Commission, and (ii) the order, contract or subcontract states that the fan is for use on a combat or marine vessel.

(c) *Conditions under which priorities assistance will be given.* (1) The War Production Board will give priorities assistance for the production of electric fans in the form of allotments of controlled materials and preference ratings for the purchase of other materials and components. In addition to the production for which priorities assistance is given, any person may produce and assemble electric fans for which he is able to obtain the materials.

(2) Any person who wants priorities assistance to make or assemble electric fans may apply on Form WPB-3700 (and Form WPB-3820 when required by the instructions) with the field office of the War Production Board in which is located the plant or branch of the applicant where the electric fans will be produced or assembled.

(3) The War Production Board will give priorities assistance for the production or assembly of a fixed number of electric fans, according to the approved program making an equitable allocation of the total amount of materials for which it gives this assistance. (Generally this assistance will be given for the production of 12-inch and 16-inch electric fans). Wherever practicable, each applicant will receive a pro rata share of his productive capacity based on his facilities and the availability of manpower. In addition, the War Production Board will give priorities assistance for the production or assembly of any electric fan for which an applicant has a special order actually received and on hand.

(d) [Deleted July 4, 1945.]

(e) [Deleted July 4, 1945.]

(f) *Restrictions on deliveries of electric fans.* No manufacturer shall transfer or deliver any electric fan except:

(1) To fill special orders;

(2) To other manufacturers;

(3) As authorized by the War Production Board on Form WPB-1319 for hospital, institutional or essential industrial purposes in response to an application in quadruplicate filed with the nearest field office of the War Production Board; or

(4) As authorized by the War Production Board on Form WPB-1319 in response to an application filed in quadruplicate with the War Production Board, Washington 25, D. C., Ref.: L-176, (i) to fill Army, Navy, Veterans Administration, Maritime Commission, and War Shipping Administration orders other than special orders; (ii) for export; (iii) in all other cases not covered by paragraph (f) (3).

(g) [Deleted July 4, 1945.]

(h) [Deleted July 4, 1945.]

(i) *Preference ratings for purchase of electric fans prohibited.* No preference rating for electric fans shall be valid for any purpose. All orders bearing preference ratings may be filled as unrated orders. This does not apply to any rating carried by a purchase order or contract calling for delivery (1) to fill special orders, or (2) to or for the account of the Army, Navy, Veterans Administration, Maritime Commission or War Shipping Administration when authorized on Form WPB-1319, pursuant to paragraph (f) (4).

(j) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) [Deleted July 4, 1945.]

(l) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of electric fans, the other order shall govern unless it states otherwise.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-176.

(n) *Reports.* Every manufacturer producing or shipping electric fans shall file Form WPB-1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: Order L-176.

NOTE: The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12029; Filed, July 4, 1945; 11:24 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-260-a, as Amended July 4, 1945]

FURNITURE AND FURNITURE PARTS

The fulfillment of requirements for the defense of the United States, has created a shortage in the supply of wood and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.66 *General Limitation Order L-260-a*—(a) *What this order does.* This order governs the manufacture and distribution of furniture. It restricts the use of wood in the production of furniture both for civilian use, and for all other uses, including Army, Navy or other Governmental orders.

(b) *Definitions.* For the purposes of this order:

(1) The term "manufacturer" means any person who makes, assembles, finishes or upholsters any new furniture.

(2) "Furniture" as used in this order means all articles commonly known as furniture including, but not limited to, products shown on List I, but not including products shown on List II.

(3) "Wood" means wooden furniture parts and all sawed lumber including round edge, of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines. The term does not include veneer and all-veneer constructed plywood, whether produced or purchased by a manufacturer. Neither does it include slabs, edgings, trims and off-falls less than 3 inches wide or less than 4 feet long when purchased in such form.

(4) "Veneer" means, for the purpose of this order and only for the purpose of this order, a layer of wood 3/8 inches or less in thickness whether sawn, sliced or rotary cut.

(5) "Furniture parts" as used in this order means parts, unassembled or assembled, intended for use in the production of furniture, including but not limited to, dimension parts whether or not cut to size, machined or partially machined, carvings, turnings, venetian blind slats, moldings, lumber cores used or purchased as such or in the form of plywood.

(6) [Deleted Jan. 4, 1945.]

(7) [Deleted July 4, 1945.]

(8) [Deleted July 4, 1945.]

(c) *Restrictions on use of wood.* During any calendar quarter, no manufacturer shall use in the manufacture and crating of furniture more than 21% of the amount of wood which he used for these combined purposes in the calendar year 1943. Use of wood shall be measured in board feet, and wood shall be considered used in the quarter in which it is first changed from the form in which it was received or is first assembled, finished or upholstered. In computing the amount of wood used in items such as furniture parts or as assembled furniture, bought otherwise than by gross board-foot measurement, a manufacturer may convert it to board feet by any reasonable and consistent method.

(d) *Substitution of steel for wood.* Any manufacturer who uses wood in the manufacture of furniture in accordance with this order may substitute steel parts for wooden ones in the articles of furniture he is making, subject to the following rules:

(1) He may substitute steel parts for wooden ones in making furniture only to the extent that it does not increase his total production of furniture in any calendar quarter by dollar value over the amount of furniture that he made in the fourth quarter of 1944, unless the increase is authorized under Priorities Regulation 25.

(2) He may not substitute steel parts for wooden ones in any article of furniture which will contain more than 95% of steel by weight after the steel parts have been substituted.

(3) [Deleted July 4, 1945.]

(e) *Restrictions on patterns.* (1) [Deleted Oct. 10, 1944.]

(2) [Deleted Jan. 4, 1945.]

(3) [Deleted Oct. 10, 1944.]

(4) [Deleted Oct. 10, 1944.]

(5) [Deleted Jan. 4, 1945.]

(f) [Deleted July 4, 1945.]

(g) *Exemption for manufacturers making less than $50,000 worth of furniture a quarter.* The provisions of paragraphs (c) and (d) do not apply to a manufacturer in any calendar quarter in which the dollar value of the furniture made and assembled by him is $50,000 or less.

(h) *Equitable distribution to retailers.* It is the policy of the War Production Board that furniture not required to fill rated orders be distributed equitably to retailers giving due regard to established trade connections and also to the needs of dealers whose usual supplies have been cut off and diverted, and to the increased needs of certain areas caused by war conditions. If voluntary compliance with this policy is not found to be sufficient, the War Production Board may issue directions with respect to sales to specified outlets or to outlets in specified areas.

(i) *Finished item deliveries.* No person shall deliver, offer for sale, or accept delivery of any furniture or furniture part which he knows or has reason to believe was made, assembled or delivered in violation of this order.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Spot Authorizations.* Any person who wants to use more wood in making and crating furniture than he is permitted to use under paragraphs (c) or (g), or who wants to substitute steel parts for wooden ones and increase his production of furniture beyond the amount permitted in paragraph (d), may apply for permission to do so under Priorities Regulation 25.

(l) *Applicability of regulations and orders.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time. If any other order of the War Production Board limits the use of any material in the manufacture of furniture to a greater extent than this order does, the other order shall govern.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Communications.* All reports required to be filed hereunder and all communications, other than appeals, concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-260-a, as amended.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

This list includes certain items subject to this order. It is not intended to be all inclusive.

Item No.	Description
1	Household furniture.
2	Porch and lawn furniture including swings and gliders, except juvenile swings.
3	Camp furniture.
4	Juvenile furniture including baby cribs, high chairs, toilet chairs, nursery toilet seats, and juvenile bathinettes, play pens, and porch and stair gates, table and chair sets, desk sets.
5	Office furniture.
6	Restaurant furniture, portable.

LIST I—Continued

Item No.	Description
7	Public building furniture (including furniture for schools, theaters, assembly halls, churches, libraries, hospitals)
8	Office, store fixtures and show cases except refrigerated.
9	Venetian blinds
10	Barber shop and beauty shop furniture except barber chairs.
11	Store display stands and cabinets
12	Furniture frames.
13	Wooden filing cabinets.
14	Telephone booths.
15	Folding furniture such as tables, chairs, luggage racks.
16	Storage chests and utility cabinets other than permanent fixtures.
17	Step stools.
18	Reed and rattan furniture.
19	Cabinets for radios, phonographs or combination radio-phonographs.

LIST II

This list includes certain items not covered by this order.

Item No.	Description
1	Furniture containing more than 95% of metal by weight
2	[Deleted Jan. 4, 1945.]
3	[Deleted July 4, 1945.]
4	Hospital, medical and surgical furniture and related equipment.
5	Laboratory equipment subject to Limitation Order L-144.
6	Refrigerators.
7	Wooden lockers, industrial and institutional.
8	Wooden shelving.
9	Wooden factory and industrial equipment.
10	Fixtures specifically designed to be built in or permanently attached.
11	Cafeteria and lunch counters.
12	Woodenware.
13	Drafting tables.
14	Luggage such as footlockers.

[F. R. Doc. 45-12041; Filed, July 4, 1945; 11:26 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-260-a, Revocation of Interpretation 1]

Interpretation 1 to L-260-a is revoked.

Issued this 4th day of July, 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12042; Filed, July 4, 1945, 11:26 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-260-a, Interpretation 2 as Amended July 4, 1945]

SUBSTITUTION OF STEEL PARTS FOR WOODEN ONES—USE OF METAL SWIVEL IRONS IN REMODELLING OFFICE CHAIRS

The following amended interpretation is issued with respect to Limitation Order L-260-a:

(a) The provisions of paragraph (d) of Order L-260-a state the rules under which manufacturers of furniture may substitute steel parts, such as metal swivel irons, table tops or bed rails, for wooden ones. Thus, under paragraph (d) (1) steel parts may be used for wooden ones only to the extent that the substitution does not cause an increase in the dollar value of furniture made in any quarter over the amount made in the fourth quarter of 1944. If the increase is due to any other cause, paragraph (d) (1) does not apply. Thus, if production in the fourth quarter of 1944 was below his authorized production, a manufacturer may increase his production up to his authorized rate for that quarter. On the other hand, if during the last quarter of 1944 a manufacturer used his whole wood quota under Order L-260-a in making office chairs with wooden swivels, he may not now use steel swivel and also use the extra wood he saves to make additional chairs with an increase in value. If he did so, the substitution would clearly cause the increase.

(b) A person who remodels a completely finished office chair by merely putting in a new metal swivel iron in place of a wooden one is not covered by Order L-260-a since he is not making or assembling new furniture. He is not, however, a repairman or reconditioner under CMP Regulation 9A and may not use a rating assigned under that regulation to get swivel irons. A person, however, who puts a metal swivel iron in an incomplete office chair is a manufacturer under Order L-260-a and is subject to the restrictions in that order.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12043; Filed, July 4, 1945, 11:26 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-270, as Amended July 4, 1945]

AUTOMOTIVE MAINTENANCE EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials entering into the production of automotive maintenance equipment for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Section 3292.56 *Limitation Order L-270* is hereby amended to read as follows:

§ 3292.56 *Limitation Order L-270*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any person who manufactures any automotive maintenance equipment, whether for his own account or for the account of others.

(2) "Automotive maintenance equipment" means the items listed in Schedules A and B of this order.

(b) *Revocation of restrictions on production and distribution of automotive maintenance equipment.* Except as provided in paragraph (c), all restrictions previously imposed by this order on the production and distribution of automotive maintenance equipment are revoked.

(c) *Preference ratings and allotments of material for automotive maintenance equipment listed on Schedule B.* Producers may use preference ratings and firm allotments of material assigned to them for the production of automotive maintenance equipment on Form CMP-4B or other approved form, only to secure materials for the production of automotive maintenance equipment listed on Schedule B of this order. This paragraph shall not apply to automotive maintenance equipment sold to or produced under contracts or orders for delivery to the Army or Navy of the United States, the United States Maritime Commission, Veterans' Administration or the War Shipping Administration.

(d) *Quarterly reports by producers on Form WPB-3614.* Each producer of automotive maintenance equipment shall execute and file with the Automotive Division of the War Production Board within fifteen days after the close of each calendar quarter a report, on Form WPB-3614, of the number of units of each item listed on Schedules A or B produced by him in such calendar quarter. The reporting provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref: L-270.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Alignment gauges (except as listed in Schedule B)
Battery chargers: floor, stand and wall type (except as listed in Schedule B)
Battery chargers: trickle type (except industrial installation)
Battery testers (except as listed in Schedule B)
Distributor setting machines (except as listed in Schedule B)
Electrical testing equipment: automotive vehicle type (except as listed in Schedule B)
Engine reconditioning equipment (except as listed in Schedule B)
Engine repair stands (except as listed in Schedule B)
Frame straightening equipment (except heavy duty—as listed in Schedule B)
Frame straightening racks
Front end equipment (except as listed in Schedule B)
Gasoline mileage testers
Jacks: pit, lift or vibrating; mechanical or hydraulic (except as listed in Schedule B)
Jacks: shop, wheel type; mechanical or hydraulic (except as listed in Schedule B)
Lifts: automotive vehicle type (except as listed in Schedule B)
Master air gauges: tire air gauge testers
Motor analyzing equipment (except as listed in Schedule B)
Motor block test heads: automotive vehicle testing type
Piston expanding machines
Spark plug cleaners: pedestal or stand type
Spark plug testers
Tire air hose reels
Tire air pressure gauges (except as listed in Schedule B)
Tire air service equipment: tower, pedestal or wall type (except as listed in Schedule B)
Tire pumps (except as listed in Schedule B)
Tire scuff checking devices (except as listed in Schedule B)
Tow bars
Wheel spinners

SCHEDULE B

Air chucks
Air pressure gauges: pencil type or truck service type
Alignment gauges: portable (including only caster, camber, king-pin, toe-in, tracking, turning radius, or combinations thereof)
Alignment gauges: stationary, drive-over type
Armature growlers: automotive vehicle testing type
Battery chargers: fast type
Battery chargers: wall type (six or more battery capacity)
Battery jumpers
Battery testers: prong type
Bearing oil leak detectors
Body and fender tools: pneumatic, hydraulic or electric operated
Brake bleeders
Brake drum gauges
Brake drum grinding attachments
Brake drum lathes
Brake fillers
Brake lining appliers: hand type
Brake lining grinders: portable or spindle mounted
Brake relining machines
Brake shoe gauges
Brake testing machines: automotive vehicle type
Bushing grinders
Cam angle meters
Car washers: pressure or nozzle type
Car washing machinery
Chassis dynamometers
Chuck gauges
Circuit testers: automotive vehicle testing type
Cleaners: steam vapor (self-firing or generating)
Clutch pressure plate grinders
Clutch rebuilding equipment
Coil testers: automotive vehicle testing type
Combustion analysers: automotive vehicle type
Compression gauges: automotive vehicle testing type
Condenser testers: automotive vehicle testing type
Connecting rod aligners
Connecting rod boring attachments
Connecting rod boring machines
Connecting rod rebabbitting jigs
Crankshaft regrinders: portable
Cylinder head resurfacers
Cylinder hones
Cylinder leakage testers: automotive vehicle testing type
Cylinder reboring bars
Cylinder sleeve pullers
Degreasing flushers: transmission or differential
Distributor setting machines: bench model
Engine flushing machines: internal
Engine repair stands: engine revolving type
Frame straightening machines: heavy duty
Front end machines: heavy duty
Front end machines: light duty
Fuel pump testers: automotive vehicle testing type
Generator test benches: automotive vehicle testing type
Headlight testers: automotive vehicle type
Horses or trestles: automotive shop type
Jacks: curb wheel type (less than two tons capacity)
Jacks: pit or lift (three tons or over lifting capacity)
Jacks: portable or tool box type (less than 3 tons lifting capacity.
Jacks: shop wheel type (four and ten tons capacity)
Lifts: automotive vehicle twin post type (capacity not less than 10 tons)
Magneto rechargers
Magneto testers
Main bearing boring machines
Piston pin bushing hones: portable
Piston regrinders
Shell bearing boring machines
Spark plug cleaners: bench type
Spark plug or engine operated tire pumps
Speedometer testing machines
Timing lights: automotive vehicle testing type
Tire pumps: foot operated
Tire pumps: hand operated
Tire valve service tools
Transmission jacks
Vacuum gauges: automotive vehicle testing type
Valve refacers
Valve seat grinders
Valve seat insert tools
Wheel balancers: automotive vehicle type
Wheel removing dollies: automotive vehicle type
Wheel straightening equipment
Wrecking cranes: truck mounted type

[F. R. Doc. 45-12031; Filed, July 4, 1945; 11:24 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-54, as Amended July 4, 1945]

MOLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of molasses for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.91 *Conservation Order M-54*—(a) *Definitions.* For the purposes of this order:

(1) "Molasses" means any molasses, sirup, sugar solution, or any form of fermentative sugar (derived from sugar cane or sugar beets) and hydrol (corn sugar molasses). The term does not, however, include sugar as defined in Rationing Order No. 3 or sugar intended for and used for manufacture into sugar as so defined, or edible molasses as defined in Food Distribution Order No. 51. Blackstrap molasses is any final molasses produced in the manufacture of sugar from sugar cane or from the refining of raw sugar and includes all beet molasses produced in the manufacture of sugar from sugar beets. Invert molasses is any molasses made from sugar cane without extraction of sugars. For the purpose of this order one gallon of invert molasses is to be construed as one and a half gallons of blackstrap mo-

lasses and one gallon of hydrol is to be construed as one gallon of blackstrap molasses.

(2) "Producer" means any person engaged in the production of molasses and includes any person who has molasses produced for him pursuant to toll agreement.

(3) "Importer" means any person who transports molasses in any manner into the continental United States. Release from the bonded custody of the United States Bureau of Customs shall be deemed a transportation.

(4) "Primary distributor" means any person, other than an importer or a producer, who sells molasses which he has acquired (other than as broker) from an importer or a producer.

(5) "Secondary distributor" means any person, other than an importer, producer or primary distributor, who sells molasses which he has acquired (other than as broker) from some person other than an importer or producer.

(6) A person may, at the same time, be an importer, a producer, a primary distributor and a secondary distributor. His clasification, in a particular case, will be determined by the source of the molasses involved; i. e., with respect to molasses imported, he will be an importer, with respect to molasses acquired from a producer, he will be a primary distributor, etc.

(7) "Broker" means any person who buys and sells molasses on a fee basis as agent either for the buyer or the seller or both.

(8) "Class 1 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Insecticides (except as provision is made therefor in paragraphs (a) (14) and (d) (3) hereof).
(ii) Lactic acid.
(iii) Graphite paste.
(iv) Printing rollers.
(v) Dye stuffs.
(vi) Ink.
(vii) Ephedrine.
(viii) Sugar for human consumption (produced from beet molasses).
(ix) Denatured rum for flavoring.
(x) Biological and pharmaceutical products for human and veterinary uses.

and any person who requires molasses for any one or more of the following purposes.

(xi) Dust extraction.
(xii) Leather tanning.

(9) "Class 2 purchaser" means any person who requires molasses in the manufacture (including custom grinding) of mixed feeds (including molasses treated beet pulp).

(10) "Class 3 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Yeast.
(ii) Citric acid.

(11) "Class 4 purchaser" means any person who requires molasses in the manufacture of vinegar and any person who requires molasses for foundry purposes.

(12) "Class 5 purchaser" means any person who requires molasses in the manufacture (including blending and/or packaging) of any one or more of the following products:

(i) Molasses (edible).
(ii) Sirup (edible).

(13) "Class 6 purchaser" means any person who requires molasses in the manufacture of other products for human consumption (not specified above).

(14) "Class 7 purchaser" means any person who requires molasses for sale directly (without the intervention of any other handler) to persons who require the same for ensilage direct feed or insect control.

(15) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1, and October 1.

(16) "Calendar quarterly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during a corresponding calendar quarter in the twelve month period ended June 30, 1941. Purchasers shall determine a calendar quarterly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(17) "30 day supply" means a quantity of molasses not in excess of one-twelfth of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a 30 day supply with respect to each use specified in the applicable subparagraphs above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(18) "Fiscal year" means the twelve month period commencing October 1 and ending September 30.

(19) "Yearly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a yearly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(b) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(c) *Restrictions on deliveries.* Anything in Priorities Regulation 1 to the contrary notwithstanding:

(1) No Class 1, 2, 3, 4, 5, 6 or 7 purchaser shall, during any calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser), accept deliveries of molasses in excess of the quantity set forth below less any quantity in excess of a 30 day supply on hand on the first day of the calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser) in which delivery is to be made:

(i) Class 1 purchaser—during any calendar quarter, unlimited if molasses is required for the manufacture of sugar for human consumption (produced from beet molasses); 100% of a calendar quarterly supply if molasses is required by such Class 1 purchaser for the manufacture of any other product.

(ii) Class 2 purchaser—during any calendar quarter, 50% of a calendar quarterly supply.

(iii) Class 3 purchaser—during a fiscal year, 130% of a yearly supply.

(iv) Class 4 purchaser—during any calendar quarter, 130 per cent of a calendar quarterly supply, if molasses is required for the manufacture of vinegar; 110 per cent of a calendar quarterly supply, if molasses is required for foundry purposes.

(v) Class 5 purchaser—during a fiscal year, 100% of a yearly supply.

(vi) Class 6 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(vii) Class 7 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(2) Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 1, 2, 4, 6 or 7 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery, in the calendar quarter ended _____ of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during the same calendar quarter from all sources and inventory on hand on the first day of such calendar quarter, be in excess of _____ per cent of a calendar quarterly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.
Dated:

_____
(Name of purchaser)
By _____
(Duly authorized official)

Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 3 or 5 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during this fiscal year from all sources and inventory on hand on the first day of this fiscal year, be in excess of _____ percent of a yearly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.
Dated:

_____
(Name of purchaser)
By _____
(Duly authorized official)

(3) No person shall knowingly deliver molasses to any Class 1, 2, 3, 4, 5, 6 or 7 purchaser in violation of the terms of paragraphs (c) (1) and (2) hereof.

(4) Except as otherwise provided in paragraph (d) hereof no deliveries of molasses shall be made by any producer, primary distributor, secondary distributor or importer unless the same shall have been specifically authorized by the War Production Board; and no person shall accept delivery of molasses if such delivery would be made in violation of the foregoing clause.

(5) *Restrictions on beet molasses.* No Class 2 purchaser shall use beet molasses for the manufacture of mixed feeds.

(d) *Permissive deliveries.* Subject to the provisions of Priorities Regulation No. 1, amended, (and more particularly the inventory provisions thereof) and paragraphs (f) and (g) hereof, the following deliveries of molasses shall not be subject to the provisions of paragraph (c) (4) hereof:

(1) Within the limitations of paragraphs (c) (1) and (2) hereof, deliveries to purchasers specified in paragraph (a) hereof.

(2) Deliveries to primary distributors and secondary distributors for purposes of resale. All quantities of molasses, delivery of which primary distributors and secondary distributors accept, shall be subject to allocation, re-distribution or re-delivery in accordance with specific directions which the War Production Board may from time to time hereafter issue.

(3) Deliveries by a Class 7 purchaser (of molasses to which he is entitled pursuant to paragraph (c) (1) (vii) hereof) to persons who require molasses for ensilage, direct feed or insect control.

(4) Deliveries of any one of the products specified in paragraph (a) (12) hereof which after manufacture (including blending and/or packaging) fall within the definition of molasses.

(5) Deliveries originating, completed and for use outside of the continental United States.

(6) Deliveries to an importer originating outside of the continental United States.

(7) Deliveries for the production of beverage spirits or industrial alcohol authorized under paragraph (f) hereof.

(e) *Restrictions on consumption.* Unless otherwise authorized by the War Production Board, no purchaser specified in paragraph (a) hereof shall, during any calendar quarter commencing with the month of January, 1942, use or consume more molasses:

(1) Than he would be permitted to receive during such calendar quarter, in the case of a Class 1, 2, 4, 6 or 7 purchaser (assuming that such purchaser had no molasses on hand on the first day of the calendar quarter).

(2) Than 130% of a calendar quarterly supply, in the case of a Class 3 purchaser.

(3) Than a calendar quarterly supply, in the case of a Class 5 purchaser.

(f) *Restrictions on molasses for beverage spirits and industrial alcohol.* No person shall use or accept delivery of molasses for the manufacture of beverage spirits or industrial alcohol except to the extent authorized by the War Production Board.

(g) *Restrictions on export.* No molasses shall be exported by any person except upon express authorization of the War Production Board.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of the same or any other enterprise owned or controlled by the same person.

(i) *Prior authorizations.* Specific mail or telegraphic authorizations heretofore issued by the War Production Board by way of relief from the provisions of this order as it existed prior to March 27, 1942, shall not be prejudiced or in any manner affected hereby.

(j) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Production Board. Importers shall notify the Chemicals Division of the War Production Board of the importation of molasses into the continental United States at least fifteen (15) days prior to movement of the same from the place of origin. The following persons shall fill out and file with the Chemicals Division of the War Production Board the forms set forth below at the times and in the manner prescribed in said forms:

Manufacturers (using molasses) of yeast, citric acid and edible sirup or molasses—Form WPB-891.
Manufacturers (using molasses) of Alcohol—Form WPB-892.
Producers, importers and primary distributors of molasses—Form WPB-890.

(k) *Notification of customers.* Producers, distributors and importers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(l) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priority assistance.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Exemptions.* None of the restrictions, prohibitions or requirements contained in this order shall apply to the delivery, acceptance of delivery or use of molasses outside of the continental United States, except that paragraph (c) (1) (vii) relating to Class 7 purchasers, and paragraph (f) relating to restrictions with reference to beverage cane spirits and industrial alcohol, shall be applicable to Puerto Rico and the Virgin Islands of the United States.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12035; Filed, July 4, 1945; 11:25 a. m.]

PART 3305—PAPERBOARD

[Limitation Order L-239, Direction 1]

GREETING CARDS AND ILLUSTRATED POST CARDS

The following direction is issued pursuant to Limitation Order L-239:

Wherever the term "papeteries", is used in paragraph (b) of Schedule 9 of Order L-239, that term shall be regarded as including greeting cards and illustrated post cards, as defined in paragraph (b) (1) and (b) (2) of Order L-289. Therefore, a person who uses paperboard to manufacture set-up or folding boxes to pack greeting cards or illustrated post cards, as defined above, must manufacture such boxes in conformance with the specifications set forth in paragraph (b) of Schedule 9 of Order L-239.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12030; Filed, July 4, 1945; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 23 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the reissuance of Amendment 23 to Supplement 7 to Food Products Regulation No. 1 has been issued and filed with the Division of the Federal Register.

Amendment 23 to Supplement 7 to Food Products Regulation No. 1 (Packed Fruits, Berries and Vegetables of the 1944 and Later Packs) issued June 28, 1945, and effective July 3, 1945, is hereby reissued without change in effective date.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: July 2, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-11965; Filed, July 3, 1945; 4:27 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supp. 12]

CERTAIN PACKED CITRUS PRODUCTS (1945 AND LATER PACKS)

A statement of the considerations involved in the reissuance of Supplement 12 to Food Products Regulation No. 1 has

molasses shall be made by any producer, primary distributor, secondary distributor or importer unless the same shall have been specifically authorized by the War Production Board; and no person shall accept delivery of molasses if such delivery would be made in violation of the foregoing clause.

(5) *Restrictions on beet molasses.* No Class 2 purchaser shall use beet molasses for the manufacture of mixed feeds.

(d) *Permissive deliveries.* Subject to the provisions of Priorities Regulation No. 1, amended, (and more particularly the inventory provisions thereof) and paragraphs (f) and (g) hereof, the following deliveries of molasses shall not be subject to the provisions of paragraph (c) (4) hereof:

(1) Within the limitations of paragraphs (c) (1) and (2) hereof, deliveries to purchasers specified in paragraph (a) hereof.

(2) Deliveries to primary distributors and secondary distributors for purposes of resale. All quantities of molasses, delivery of which primary distributors and secondary distributors accept, shall be subject to allocation, re-distribution or re-delivery in accordance with specific directions which the War Production Board may from time to time hereafter issue.

(3) Deliveries by a Class 7 purchaser (of molasses to which he is entitled pursuant to paragraph (c) (1) (vii) hereof) to persons who require molasses for ensilage, direct feed or insect control.

(4) Deliveries of any one of the products specified in paragraph (a) (12) hereof which after manufacture (including blending and/or packaging) fall within the definition of molasses.

(5) Deliveries originating, completed and for use outside of the continental United States.

(6) Deliveries to an importer originating outside of the continental United States.

(7) Deliveries for the production of beverage spirits or industrial alcohol authorized under paragraph (f) hereof.

(e) *Restrictions on consumption.* Unless otherwise authorized by the War Production Board, no purchaser specified in paragraph (a) hereof shall, during any calendar quarter commencing with the month of January, 1942, use or consume more molasses:

(1) Than he would be permitted to receive during such calendar quarter, in the case of a Class 1, 2, 4, 6 or 7 purchaser (assuming that such pur-

except upon express authorization of the War Production Board.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of the same or any other enterprise owned or controlled by the same person.

(i) *Prior authorizations.* Specific mail or telegraphic authorizations heretofore issued by the War Production Board by way of relief from the provisions of this order as it existed prior to March 27, 1942, shall not be prejudiced or in any manner affected hereby.

(j) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Production Board. Importers shall notify the Chemicals Division of the War Production Board of the importation of molasses into the continental United States at least fifteen (15) days prior to movement of the same from the place of origin. The following persons shall fill out and file with the Chemicals Division of the War Production Board the forms set forth below at the times and in the manner prescribed in said forms:

Manufacturers (using molasses) of yeast, citric acid and edible sirup or molasses—Form WPB-891.

Manufacturers (using molasses) of Alcohol—Form WPB-892.

Producers, importers and primary distributors of molasses—Form WPB-890.

(k) *Notification of customers.* Producers, distributors and importers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(l) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priority assistance.

to Puerto Rico and the Virgin Islands of the United States.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12035; Filed, July 4, 1945; 11:25 a. m.]

PART 3305—PAPERBOARD

[Limitation Order L-239, Direction 1]

GREETING CARDS AND ILLUSTRATED POST CARDS

The following direction is issued pursuant to Limitation Order L-239:

Wherever the term "papeteries", is used in paragraph (b) of Schedule 9 of Order L-239, that term shall be regarded as including greeting cards and illustrated post cards, as defined in paragraph (b) (1) and (b) (2) of Order L-289. Therefore, a person who uses paperboard to manufacture set-up or folding boxes to pack greeting cards or illustrated post cards, as defined above, must manufacture such boxes in conformance with the specifications set forth in paragraph (b) of Schedule 9 of Order L-239.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12030; Filed, July 4, 1945; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 23 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the reissuance of Amendment 23 to Supplement 7 to Food Products Regulation No. 1 has been issued and filed with the Division of the Federal Register.

Amendment 23 to Supplement 7 to Food Products Regulation No. 1 (Packed Fruits, Berries and Vegetables of the 1944 and Later Packs) issued June 28, 1945, and effective July 3, 1945, is hereby reissued without change in effective date.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

been issued and filed with the Division of the Federal Register.

Supplement 12 to Food Products Regulation No. 1 (Certain Packed Citrus Products (1945 and Later Packs)), issued June 26, 1945, and effective July 2, 1945 is hereby reissued without change in the effective date.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: July 2, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-11066. Filed, July 3, 1945; 4:27 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 116]

SALES OF SPECIFIED SURPLUS APPAREL ITEMS BY DIVISION OF PURCHASING, CENTRAL STORES, STATE OF WASHINGTON TO PROCUREMENT DIVISION OF TREASURY DEPARTMENT OF THE UNITED STATES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

§ 1305.144 *Sales of specified surplus apparel items by the Division of Purchasing, Central Stores, State of Washington to Procurement Division of the Treasury Department of the United States.* (a) Notwithstanding the provisions of any maximum price regulation issued by the Office of Price Administration, or any amendment thereto or order thereunder, maximum prices for sales by the Division of Purchasing, Central Stores, State of Washington, to the Procurement Division of the Treasury Department of the United States of the following specified surplus apparel items, in the approximate quantities mentioned, are established as follows:

Item	Quantity	Maximum price
	Dozen	*Per dozen*
Garments, sleeping:		
Nightgowns, summer, women's	412½	$6.35
Nightgowns, winter, women's	82	6.35
Nightshirts, summer, men's	886½	6.57
Nightshirts, winter, men's	309	6.57
Pajamas, summer, child's	1968½	4.32
Pajamas, winter, child's	1319½	4.32
Pajamas, summer, boys'	1,058½	6.24
Pajamas, winter, boys'	607	6.24
Pajamas, summer, girls'	1,196½	5.58
Pajamas, winter, girls'	543½	6.24
Pajamas, summer, men's	1,210½	6.57
Pajamas, winter, men's	240½	6.57
Pajamas, summer, women's	1,023½	6.57
Pajamas, winter, women's	237½	6.57
Overalls:		
Overalls, waist, boys'	2947½	4.70
Overalls, waist, men's	4273½	6.79
Shirts:		
Shirts, dress, long sleeve, boys'	3541½	4.26
Shirts, dress, short sleeve, boys'	35½	4.18
Shirts, work, chambray, boys'	2134½	4.18
Shirts, dress, men's	357½	5.75
Shirts, work, chambray, men's	280½	5.75
Skirts:		
Skirts, wool, girls'	344½	6.90
Skirts, dirndl, wash, girls'	1113½	5.58
Skirts, wool, women's	155½	8.22
Skirts, dirndl, wash, women's	1804½	6.24
Slips:		
Slips, girls'	1021½	4.26
Slips, women's	690½	5.84
Trousers:		
Pants, cottonade, boys'	283½	5.58
Pants, cottonade, men's	911½	7.12
Pants, cords, boys'	107½	17.70
Pants, cords, men's	542½	26.15
Pants, slacks, boys'	34½	4.70
Pants, slacks, covert, girls'	6½	4.70
Pants, slacks, denim, girls'	141½	4.70
Pants, slacks, men's	70½	6.79
Pants, slacks, covert, women's	31½	6.79
Pants, slacks, denim, women's	14½	6.79
Underwear:		
Panties, girls'	561½	2.28
Panties, women's	331½	4.00
Dancettes, women's	1,040½	4.22
Shorts, boys'	1701½	1.62
Shorts, men's	277½	1.95
	Only	*Each*
Layettes	95	$1.10

(b) The foregoing maximum prices are subject to the terms of payment, delivery requirements and packaging and marking specifications contained in contract No. DA-TPS-8562, Requisition UA-42, between Procurement Division of Treasury Department of the United States and Division of Purchasing, Central Stores, State of Washington.

This Supplementary Order No. 116 shall become effective July 2, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11859; Filed, July 2, 1945; 4:40 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1545—PETROLEUM SUPPLY

[Petroleum Directive 81]

CRUDE PETROLEUM, ASPHALT AND RESIDUAL FUEL OIL

The most effective utilization of available supplies of crude petroleum and certain petroleum products requires that shipments thereof from District Four to District Two be kept at a minimum, in order that the maximum fuel oil of the grades required may be supplied at Pacific Coast destinations, contributing thereby to the best use of available supplies of those products; and the following Directive is deemed necessary and appropriate to promote the national defense, and to provide adequate supplies of petroleum for military and other essential uses.

§ 1545.8 *Petroleum Directive No. 81*—(a) *Definitions.* (1) "Asphalt" means all asphalts of petroleum origin and all asphaltic products of petroleum origin, including road oils.

(2) "Residual fuel oil" means any liquid petroleum products commonly known as residual fuel oil, including grades Nos. 5 and 6, bunker "C", or any other liquid petroleum products used for the same purposes as the above designated grades.

(b) *Limitation on shipment of crude petroleum, asphalts and residual fuel oils to certain areas.* No shipments of crude petroleum, residual fuel oil or asphalt from origins in District Four to destinations in District Two may be made after the effective date of this directive.

(c) *Applications for specific exceptions.* Any person affected by this order who considers that compliance therewith would either (1) work an unreasonable or exceptional hardship upon him or (2) result in a shortage of crude petroleum, residual fuel oil or asphalt in any area affected, may file an application for exception setting forth the pertinent facts and reasons why he considers himself entitled to relief. All such applications shall be filed with the Director of Supply and Transportation, Petroleum Administration for War, the Interior Building, Washington 25, D. C. Ref: Petroleum Directive No. 81. Copies of all such applications shall be furnished by the applicant to Director in Charge, District Two (624 South Michigan Avenue, Chicago 5, Illinois) and District Four (320 First National Bank Building, Denver 2, Colorado).

(d) This directive shall not apply to destinations in the states of Nebraska, South Dakota, and North Dakota, west of a line drawn through Superior, Hastings, and Grand Island, Nebraska, Mitchell, Huron and Aberdeen, South Dakota, LaMoure and Langdon, North Dakota. This Directive shall apply to destinations located on said line.

This directive shall become effective on the 1st day of July 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: July 4, 1945.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 45-11962; Filed, July 3, 1945; 4:10 p. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

CERTAIN CANNED AND DEHYDRATED FRUITS AND VEGETABLES

EXTENSION OF EXCEPTION ORDERS

In the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for certain canned and dehydrated fruits and vegetables.

Whereas, the Secretary of War on June 1, 1945, made written findings that the inclusion of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. 35) in contracts awarded during the period from July 1, 1945, and extending through the termination of the present war and six months thereafter, for the canned and dehydrated fruits and vegetables enumerated in my orders of December 22, 1942 (7 F.R. 10794) and October 16, 1943 (8 F.R. 14353) will seriously impair the conduct of Government business; and

Whereas, the Secretary of War has requested that an exception be granted under section 6 of the act to permit the award of contracts during that period for such canned and dehydrated fruits and vegetables without the inclusion of the representations and stipulations of section 1 of the act; and

Whereas, exceptions have been granted heretofore to permit the award of contracts for such canned and dehydrated fruits and vegetables until June 30, 1945, without including the representations and stipulations of the Public Contracts Act; and

Whereas, it appears on the basis of the facts stated in the findings of the Secretary of War, that justice and public interest will be served by extending the exception orders until December 31, 1945, unless otherwise ordered;

Now, therefore, I do hereby extend the exception orders dated December 22, 1942, and October 16, 1943, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. 35), until December 31, 1945, unless otherwise ordered.

Dated: June 25, 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-11949; Filed, July 3, 1945; 1:11 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Gen. Order ODT L-4, Amdt. 9]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF IRISH POTATOES FROM DESIGNATED AREAS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, War Production Board Directives 21 and 26, as amended, and authorizations and requests contained in certificates of the War Food Administration dated December 8, 1944, January 24, 1945, February 8, 1945, February 26, 1945, March 17, 1945, April 18, 1945, April 20, 1945, May 12, 1945, May 18, 1945, June 1, 1945, June 21, 1945, and June 30, 1945, respectively,

It is hereby ordered, That Appendix A to General Order ODT L-4, as amended (9 F.R. 14502, 10 F.R. 1245, 1705, 2448, 3290, 4505, 5961, 6598, 7814), be, and it hereby is, further amended by amending the paragraph therein captioned "Area No. 8" to read as follows:

Area No. 8: The countries of Accomac and Northampton in the State of Virginia.

This Amendment 9 to General Order ODT L-4 shall become effective July 4, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; WPB Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 3009; Certificates of War Food Administration dated Dec. 8, 1944, Jan. 24, 1945, Feb. 8, 1945, Feb. 26, 1945, Mar. 17, 1945, Apr. 18, 1945, Apr. 20, 1945, May 12, 1945, May 18, 1945, June 1, 1945, June 21, 1945, and June 30, 1945, respectively)

Issued at Washington, D. C., this 3d day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-11961; Filed, July 3, 1945; 2:41 p. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 2057, Amdt. 1]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN PUGET SOUND, WASH., AREA

Pursuant to the authority conferred by Executive Order 9204, dated July 21, 1942 (7 F.R. 5657), Executive Order 9280, dated December 5, 1942 (7 F.R. 10179), War Food Order No. 52, dated February 8, 1943 (8 F.R. 1777), as amended March 16, 1943 (8 F.R. 3280) (formerly known as Food Directive No. 2), Schedule A in paragraph (c) of Order No. 2057 of the Secretary of the Interior (10 F.R. 6598), being Schedule A in § 401.3 (c) of this Part 401, is hereby amended by adding at the end of said Schedule A, the following:

Nucleus plant—Continued	Lines to operate	Name of person
(6) Iwersen Canning Co., Point Roberts, Wash.	1-½ lb...	Iwersen Canning Co.

Issued this 29th day of June 1945.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 45-12004; Filed, July 4, 1945; 9:45 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 355]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT OF CERTAIN MEMBERS

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mrs. Vesta C. Vesoske from Special Industry Committee No. 4 for Puerto Rico and do appoint in her stead as representative for the employers on such Committee, Mr. Ulpiano Casals of Santurce, Puerto Rico.

Signed at Washington, D. C., this 29th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-11950; Filed, July 3, 1945; 1:11 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5176]

NATIONAL OPTICAL STORES CO. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of June, A. D. 1945.

In the matter of Benjamin D. Ritholz, Morris I. Ritholz, Samuel J. Ritholz, Sylvia Ritholz, Fannie Ritholz, Sophie Ritholz, individually and as copartners trading under the names National Optical Stores Company, Dr. Ritholz Optical Company, and Midwest Scientific Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 16, 1945, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immedi-

ately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12021; Filed, July 4, 1945; 11:02 a. m.]

[Docket No. 5280]

ENERGETIC WORSTED CORP. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of June, A. D., 1945.

In the matter of Energetic Worsted Corporation, a corporation, Spinnerin Yarn Company, Inc. a corporation, and John J. Hosey, Jr., Edna M. McManus, Dorothy H. Cassel and Edna J. Hosey, individually and as copartners trading and doing business as Norr-Bridge Yarn Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Andrew B. Duvall, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 9, 1945, at one o'clock in the afternoon of that day (Eastern standard time), in Room 3050, Post Office Building (William Penn Annex), Philadelphia, Pa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12020; Filed, July 4, 1945; 11:03 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 500A-156]

COPYRIGHTS OF VERLAG DES BORSENVEREINS DER DEUTSCHEN BUCHHANDLER ZU LEIPZIG, GERMAN NATIONAL

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown.....	Halbjahrsverzeichnis der neuerscheinungen des deutschen buchhandels.	Unknown (periodical publication)	Verlag des Börsenvereins der deutschen Buchhändler zu Leipzig, Leipzig, Germany (nationality German)	Owner.

[F. R. Doc. 45-11907; Filed, July 3, 1945; 10:46 a. m.]

[Vesting Order 500A-158]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown.....	Die Altchristliche Grabeskunst. Ein versuch der einheitsauffassung, 1927.	Paul Styger (nationality not established).	Josef Kösel and Friedrich Pustet K.-G., München, Germany (nationality German).	Owners.
Unknown.....	Glastechnische Fabrikationsfehler, 1936.	Unknown.....	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown.....	Lampioon küsst Mädchen und kleine Birken, 1928.	Manfred Hausmann (nationality not established).	Carl Schünemann, Bremen, Germany (nationality German).	Owner.
Unknown.....	Brackwasser, Roman. 16. Auflage, 1928.....	Heinrich Hauser (nationality not established).	Philipp Reclam Jr., Leipzig, Germany (nationality German).	Owner.
Unknown.....	Chemischer Bautenschutz. 2 erweit. und verbass. Aufl., 1943 (Technische Fortschritte-berichte. Bd. 46).	A. W. Rick (nationality not established).	T. Steinkopff, Dresden, Germany (nationality German).	Owner.
Unknown.....	Die Oxydkathode, vol. 2, Technik Physik, 1944.	G. Herrmann (nationality not established).	Johann Ambrosius Barth, Leipzig, Germany (nationality German).	Owner.

[F. R. Doc. 45-11906; Filed, July 3, 1945; 10:46 a. m.]

[Vesting Order 500A-159]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatiza-

tion and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A for 11543	Fabikan, 1931	Erich Kästner of Germany (nationality German)	Deutsche Verlags Anstalt, Neckarstrasse 121, Stuttgart, Germany (nationality German)	Author and owner.
A for 37961	Einflüsse auf Beton, 1925	Adolf Kleinlogel of Germany (nationality German).	Wilhelm Ernst Verlag, Wilhelmstrasse 90, Berlin, Germany (nationality German).	Author and owner.

[F. R. Doc. 45-11909; Filed, July 3, 1945; 10:46 a. m.]

[Vesting Order 500A-160]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
K24972	Das Blaue Pferd (No. 1398), 1935	Franz Marc of Germany (nationality German).	Franz Hanfstaengl, Widenmayerstr 18, Munich, Germany (nationality German).	Author and owner.
Unknown	Vitamine in frischen und konservierten Nahrungsmitteln 2. Aufl. bearbeitet von Lars Erlandsen, 1943.	Gulbrand Lunde (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Das Übermikroskop als Forschungsmittel. Vorträge, gehalten anlässlich der Eröffnung des Laboratoriums für Übermikroskopie der Siemens und Halske, A. G., Berlin, 1941.	Unknown	Walter de Gruyter, Berlin, Germany (nationality German).	Owner.
A For. 11134	Die Glasfabrikation. 2. gänzlich umgearb. und verb. Aufl. Hrsg. von Gustav Keppeler. 2 vols. 1926-31.	Robert Dralle (nationality not established).	R. Oldenbourg, München, Germany (nationality German).	Owner.

[F. R. Doc. 45-11910; Filed, July 3, 1945; 10:46 a. m.]

[Vesting Order 500A-161]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 9, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Kapillarchemie. Eine Darstellung der Chemie der Kolloide und verwandter Gebiete. vol. I, 1930.	Herbert Freundlich (nationality not established).	Akademische Verlagsgesellschaft, M. B. H., Leipzig, Germany (nationality German).	Owner.
Unknown	Kapillarchemie. Eine Darstellung der Chemie der Kolloide und verwandter Gebiete. vol. II, 1932.	Herbert Freundlich (nationality not established).	Akademische Verlagsgesellschaft, M. B. H., Leipzig, Germany (nationality German).	Owner.
A for 33649	Warenwörterbuch für alle Industrie-Handels und Erwerbszweige in 4 Sprachen, deutsch, englisch, französisch, russisch, 1928.	Ernst Plokl of Germany (nationality German).	Bibliographisches Institut Leipzig, Germany, (nationality German).	Author and owner.
Unknown	Die Unschuld des Werdens. Der nachlass ausgewahlt und geordnet von Alfred Baeumler. Erster (Zweiter Band) 1931.	Friedrich Nietzsche (nationality not established).	Alfred Kröner, Leipzig, Germany (nationality German).	Owner.
Unknown	Hinterland, 1929, 1-6 Tausend	Alfred Polgar (nationality not established).	Ernst Rowohlt Verlag, KGAA Potsdamerstr. 123b, Berlin W. 50, Germany (nationality German).	Owner.
Unknown	Orchester von oben. 5-9 Tausend, 1926	Alfred Polgar (nationality not established).	Ernst Rowohlt Verlag, KGAA, Potsdamerstr. 123b, Berlin W. 50, Germany (nationality German).	Owner.

EXHIBIT A—Continued

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Ich bin Zeuge, 1927	Alfred Polgar (nationality not established).	Ernst Rowohlt Verlag, KGAA, Potsdamerstr. 1236, Berlin W. 50, Germany (nationality German).	Owner.
Unknown	An den Rand geschrieben, 1925	Alfred Polgar, (nationality not established).	Ernst Rowohlt Verlag, KGAA, Potsdamerstr. 1236, Berlin, W. 50, Germany (nationality) German).	Owner.
A for. 14818	Der Arzt Gideon. Eine Erzählung, 1931	Hans Carossa of Germany (nationality German).	Insel Verlag, G. m. b. H., Kurzestrasse 7, Leipzig, Germany (nationality German).	Author and owner.
A for. 23031	Führung und Geleit. Ein Lebensgedenkuch, 1933	Hans Carossa of Germany (nationality German).	Insel Verlag, G. m. b. H., Kurzestrasse 7, Leipzig, Germany (nationality German).	Author and owner.
A for. 34089	Geheimnisse des reifen Lebens, 1936	Hans Carossa of Germany (nationality German).	Insel Verlag, G. m. b. H., Kurzestrasse 7, Leipzig, Germany (nationality German).	Author and owner.
A for. 13449	Die Träger des deutschen Idealismus, 1919	Rudolf Eucken of Germany (nationality German).	Ullstein Verlag A. G., Kochstrasse 22/26, Berlin, Germany (nationality German).	Author and owner.
A for. 26834	Das geistige Russland von heute, 1924	Franz Jung of Germany (nationality German).	Ullstein Verlag A. G., Kochstrasse 22/26, Berlin, Germany (nationality German).	Author and owner.
A for. 19672	Beim Bau der chinesischen Mauer. Ungedruckte Erzählungen und Prosa aus dem Nachlass, 1931.	Franz Kafka (ed. by Max Brod and Hans Schoeps) (nationality Czech).	Kiepenheuer Verlags A. G., Kantstrasse 10, Berlin, Germany (nationality German).	Owner.
A for. 6210	24 neue deutsche Erzähler, 1929	Hermann Kesten, ed. of Poland (nationality Polish).	Kiepenheuer Verlags A. G., Altonaerstrasse 4, Berlin, Germany (nationality German).	Owner.
A for. 26855	Die Psychoanalyse, 1927	Heinrich Koerber of Germany (nationality German).	Ullstein Verlag A. G., Kochstrasse 22/26, Berlin, Germany (nationality German).	Author and owner.
A for. 21452	Das zweite Gesicht, 1921	Hermann Löns of Germany (nationality German).	Eugen Diederich's Verlag, Carl Zeisplatz 5, Jena, Germany (nationality German).	Author and owner.
A for. 29038	Das Kreuzworträtselbuch 1928	Hans Schickowski of Germany (nationality German).	Dieterichsche Verlagsbuchhandlung, Rudensteinplatz 2, Leipzig, Germany (nationality German).	Author and owner.
A for. 2759	Das Lächeln der Mona Lisa, 1928	Kurt Tucholsky of Germany (nationality German).	Ernst Rowohlt Verlag, KGAA, Potsdamerstr. 1236, Berlin W 50, Germany (nationality German).	Author and owner.
A for. 38104	Mit 5 P.S, 1927	Kurt Tucholsky of Germany (nationality German).	Ernst Rowohlt Verlag, KGAA, Potsdamerstr. 1236, Berlin W 50, Germany (nationality German).	Author and owner.

[F. R. Doc. 45-11911; Filed, July 3, 1945; 10:47 a. m.]

[Vesting Order 500A-162]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 9, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Gärungschemisches Praktikum. 2. Aufl., 1939.	Konrad Bernhauer (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Abwehrfermente (Die Abderhaldensche Renktion). 6., völlig neubearb. Auflage. 1941.	Emil Abderhalden (nationality not established).	T. Steinkopff, Leipzig, Germany (nationality German).	Owner.
Unknown	Handbuch der gesamten Parfumerie und Kosmetik. 2 neubearb. u. erweiterte Aufl. 1932.	Fred Winter (nationality not established).	Julius Springer, Wien, Germany (nationality German).	Owner.
Unknown	Gerbereichemisches Taschenbuch. 5. vollständig umgearb. Aufl., 1942.	A. Küntzel (nationality not established).	T. Steinkopff, Dresden, Germany (nationality German).	Owner.
Unknown	Einführung in die technische Röntgenphotographie. 1942.	John Eggert and Heinz Gajewski (nationalities not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.
Unknown	Grundzüge der darstellenden geometrie. 2. erweit. Aufl., 1943.	E. Salkewski (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
Unknown	Mathematische Instrumente. 2. ergänzte Aufl. 1944 (Mathematik und ihre Anwendungen in Physik und Technik. Reihe B. Bd 1).	W. Meyer zur Capellen (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
Unknown	Schraubenherstellung. 1943 (Stahleisenbücher. Bd. 4).	Ernst Lieknig (nationality not established).	Verlag Stahleisen, Düsseldorf, Germany (nationality German).	Owner.
Unknown	Thermodynamik auf den grundlagen der Quantentheorie, Quantenstatistik und Spektroskopie. 1 Bd., 1944.	Phil. H. Zeise (nationality not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.
Unknown	Schallabwehr in Bau- und Maschinenwesen. 1940.	Ernst Lübcke, ed. (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Die Darstellung der Metalle in Laboratorinm. 1938.	Herbert Funk (nationality not established).	F. Enke, Stuttgart, Germany (nationality German).	Owner.
Unknown	Hochfreqnenz-Keramik. 1939. (Industrielle Keramik. Bd. 2).	Ernst Albers-Schönberg (nationality not established).	T. Steinkopff, Dresden, Germany (nationality German).	Owner.
Unknown	Untersnchungsverfahren für feste Brennstoffe. 1943 (Sonderabdruck aus "Handbuch der Gasindustrie". Bd. 5).	Horst Brückner (nationality not established).	R. Oldenbourg, München, Germany (nationality German).	Owner.
Unknown	Handbuch der Werkstoffprüfung. v. 4 (Papier und Zellstoff-Prüfung). 1944.	Krönke Bauer (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Die Gesamtplanung von Dampfkraftwerken, 1942.	L. Musil (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Kupfer, 1941 (Die Metallischen Rohstoffe. 4. Aufl.).	Georg Berg and Ferdinand Friedensburg (nationality not established).	F. Enke, Stuttgart, Germany (nationality German).	Owner.
Unknown	Sterne und Sternsysteme, 1942	Wilhelm Becker (nationality not established).	T. Steinkopff, Dresden, Germany (nationality German).	Owner.
Unknown	Laboratoriumsbuch für die Zementindustrie. 1943.	Kurt Charisius (nationality not established).	Wilhelm Knapp, Halle, Germany (nationality German.)	Owner.
Unknown	Thermochemie der Legierungen. 1943	Friedrich Weilke and Oswald Kubaschewski (nationalities not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Handbuch der Katalyse. v. 4, 1943	G. M. Schwab (nationality not established).	Julius Springer, Wien, Germany (nationality German).	Owner.
Unknown	Einführung in die technische Thermodynamik. 2. verb. und erweit. Aufl., 1944.	Ernst Schmidt (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Hydro- und Aeromechanik nach Vorlesungen von L. Prandtl. 1944.	O. Tietjens (nationality not established).	Julius Springer, Wien, Germany (nationality German).	Owner.
Unknown	Ortsfeste und Schiffsdieselmotoren. 1943 (Die Verbrennungskraftmaschine, H. 12).	F. Mayr (nationality not established).	Julius Springer, Wien, Germany (nationality German).	Owner.
Unknown	Kunstharzpresstoffe im Maschinenbau. 1942.	Wolfgang Weigel (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Die Bergwirtschaft der Erde. Bodenschätze, Bergbau und Mineralienversorgung der einzelnen Länder. 3. umgearb. Aufl., 1944.	Ferdinand Friedensburg (nationality not established).	F. Enke, Stuttgart, Germany (nationality German).	Owner.
Unknown	Die Technik des Eisenhüttenwesens. 5., überarbeitete Sonderausgabe des technischen Teiles der Gemeinfasslichen Darstellung der Eisenhüttenwesens. (Berichtigte Nachdruck aus der 14. Aufl.) 1941.	Verein Deutscher Ingenieure (VDI) (nationality not established).	Verlag Stahleisen, Düsseldorf, Germany (nationality German).	Owner.

[F. R. Doc. 45-11912; Filed, July 3, 1945; 10:47 a. m.]

[Vesting Order 500A-163]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any

or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 9, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Hütte des Ingenieurs Taschenbuch, 1935, 28th Edition, Bd. 4.	Akademischer Verein Hütte, e. v. Berlin.	Akademischer Verein Hütte, Eingetrasener Verein, Berlin, Germany (nationality German).	Owner.
Unknown	Philosophisches Woerterbuch, 9th edition, 1931.	Schmidt (nationality not established).	Alfred Kroener Verlag, Leipzig, Germany (nationality German).	Owner.
Unknown	Wahrscheinlichkeitsrechnung, 1931	Prof. von Mises (nationality not established).	Franz Deuticke, Vienna, Germany (nationality German).	Owner.
Unknown	Geschichte der Kunst, 1932	Richard Hamann (nationality not established).	Th. Knaur, Nachfolger, Berlin, Germany (nationality German).	Owner.

[F. R. Doc. 45-11913; Filed, July 3, 1945; 10:47 a. m.]

[Vesting Order 500A-164]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 25, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Technik in der Landwirtschaft	Unknown (periodical publication)	V. D. I. Verlag, Berlin, Germany (nationality German).	Owner.
Unknown	Generalregister des chemischen Zentralblattes, 1925-39. 1941 to date. Teil 1-4 in 5 volumes	Deutsche Chemische Gesellschaft (nationality not established).	Verlag Chemie, Berlin, Germany (nationality German.	Owner.
Unknown	Handbuch der Physik, vols. 9 and 11, 1926. Vol. 9: Theorie der Wärme. Vol. 11: Anwendung der Thermodynamik.	Unknown	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Die moderne Parfümerie. Anleitung und Sammlung von Vorschriften zur Herstellung sämtlicher Parfumerien und Kosmetika. 4. Aufl. neu bearb. von Fred Winter.. 1932.	E. Mann (Pseud) (nationality not established).	Julius Springer, Wien, Germany (natnioality German).	Owner.
Unknown	Riechstoffe und Parfümierungstechnik, 1933	Fred Winter (nationality not established).	Julius Springer, Wien, Germany (nationality German).	Owner.
Unknown	Motor und Kraftstoff, 1939	Verein Deutscher Ingenieure (nationality not established).	VDI-Verlag, Berlin, Germany (nationality German).	Owner.
Unknown	Lexikon der Funktechnik; unter besonderer Berücksichtigung der Rundfunktechnik. Ein Hilfsbuch für den Beruf mit besonderer Berücksichtigung der Rundfunk und Fernsehtechnik. 1945.	Hanns Günther and Heinz Richter, eds. (Nationalities not established).	Franckh, Stuttgart, Germany (nationality German).	Owner.
Unknown	Archiv der Pharmazie	Unknown (periodical publication)	Verlag Chemie G. m. b. H., Berlin, Germany (nationality German).	Owner.
Unknown	Ergebnisse der Biologie	Unknown (periodical publication)	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Ergebnisse der Hygiene, Bakteriologie Immunitätsforschung und experimentellen Therapie.	Unknown (periodical publication)	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Ergebnisse der inneren Medizin und Kinderheilkunde.	Unknown (periodical publication)	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Fortschritte der Botanik	Unknown (periodical publication)	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Anglia. Zeitschrift für englische Philologie, and Beiblatt.	Unknown (periodical publication)	Max Niemeyer verlag, Halle, Germany (nationality German).	Owner.
Unknown	Geotektonische forschungen	Unknown (periodical publication)	Gebruder Borntraeger, Berlin, Germany (nationality German).	Owner.
Unknown	Ergebnisse der kosmischen physik	Unknown (periodical publication)	Akademische verlagsgesellschaft M. B. H., Leipzig, Germany (nationality German).	Owner.

[F. R. Doc. 45-11914; Filed, July 3, 1945; 10:47 a. m.]

[Vesting Order 500A-165]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 25, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Korrosionstabellen Metallischer Werkstoffe. Zweite, neubearbeitete und ergänzte Auflage mit 29 Abbildungen, 1944.	Dr.-Ing. Franz Ritter of Germany (nationality German).	Springer-Verlag, Wien, Germany (nationality German).	Owner and author.
Unknown	Wissenschaftliche Abhandlungen. Bd. 1: Hydrodynamische und gas theoretische Arbeiten. Molekularkräfte. 1942.	Philipp Eduard Anton Lenard (nationality not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.
Unknown	Technische Strömungslehre. 1944. 2. verb. Aufl.	Bruno Eck (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Hilfsbuch für praktische Werkstoffabnahme in der Metallindustrie. 3. erweit. und verbest Aufl., 1944.	Ernst Damerow and A. Herr (nationalities not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Die Differentialgleichungen der Technik und Physik; 4. Aufl. des Lehrbuches "Die Differentialgleichungen des Ingenieurs." 1944.	Wilhelm Hort and A. Thoma (nationalities not established).	J. A. Barth, Leipzig, Germany (nationality German).	Owner.
Unknown	Laboratoriumsbuch für die organischen plastischen Kunstmassen (Press und Gussmassen); ihre Roh- und Hilfsstoffe. 1945. 2 Aufl. (Laboratoriumsbücher für die chemische und verwandte Industrien. Bd. 34).	Emil Johannes Fischer (nationality not established).	Wilhelm Knapp, Halle, Germany (nationality German).	Owner.
Unknown	Handbuch der Gerbereichemie und Lederfabrikation. 1931-44. 3 vols. in 5.	Unknown	Julius Springer, Wien, Germany (Nationality German).	Owner
Unknown	Dictionary of Technological Terms used in Electrical Communication. Part 2. German-English, 1926.	O. Sattleberg (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Das Komponieren in der Parfümerie, 1931	Otto Gerhardt (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
A For. 21571	Untersuchungen über Kohlenhydrate und Fermente. vol. 2, 1922.	Emil Fischer (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Die Berechnung der Drehschwingungen und ihre Anwendung im Maschinenbau, 1921.	Heinrich Holzer (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Sulfohalogenierung und Sulfohalogenide bes. für Waschzwecke. 1942.	C. H. Möllering and C. Lüttgen (nationalities not established).	Wissenschaftliche Verlagsgesellschaft, Stuttgart, Germany (nationality German).	Owner.

[F. R. Doc. 45-11915; Filed, July 3, 1945; 10:48 a. m.]

[Vesting Order 500A-166]

COPYRIGHTS OF WALTER DE GRUYTER AND JULIUS SPRINGER, GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 25, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Organische Chemie. 25., vermehrte und verbess. Aufl. 1944. Halleman, A. F., Lehrbuch der Chemie. 2 Teil.	Friedrich Richter, ed. (nationality not established).	Walter de Gruyter, Berlin, Germany (nationality German).	Owner.
Unknown	Hydromyelie, Syringomyelie und Gliose. Antomische Untersuchungen über ihre Histogenese. 1942. (Monographien aus dem Gesamtgebiete der Neurologie und Psychiatrie. Hft. 72).	Martin Staemmler (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.

[F. R. Doc. 45-11916; Filed, July 3, 1945; 10:48 a. m.]

[Vesting Order 500A-167]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on June 12, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Handbuch der Katalyse. 1943. v. 6: Heterogene Katalyse. Teil 3. v. 7. (in 2 parts) Katalyse in der organischen Chemie.	Georg Maria Schwab (nationality not established).	Julius Springer, Wien, Germany (nationality German).	Owner.
Unknown	Technische Thermodynamik. 1. Teil. 2 Aufl., 1944. (Wärmelehre und Wärmewirtschaft in Einzeldarstellungen. Bd. 11.)	Franjo Bosnjakovic (nationality not established).	T. Steinkopff, Dresden, Germany (nationality German).	Owner.
Unknown	Die Differential-gleichungen der Technik und Physik. 4. Aufl. des Lehrbuches: Die Differential-gleichungen des Ingenieurs. 1944.	W. Hort and Alfred Thoma (nationalities not established).	J. A. Barth, Leipzig, Germany (nationality German).	Owner.
Unknown	Antennen; ihre Theorie und Technik. 2. Aufl., 1944 (Physik und Technik der Gegenwart. Abt. Fernmeldetechnik, Bd. 5).	Helmut Brückmann (nationality not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.
Unknown	Gerbereichemisches Taschenbuch. 5. vollständig umgearb. Aufl. 1943.	A. Küntzel (nationality not established).	T. Steinkopff, Dresden, Germany (nationality German).	Owner.
Unknown	Enthärtungs- und Klärmittel. 1943	W. R. Achnelt (nationality not established).	T. Steinkopff, Dresden, Germany (nationality German).	Owner.
Unknown	Managan. 1942. (Die metallischen Rohstoffe, Hft. 5.)	G. Berg and F. Friedensburg (nationalities not established).	F. Enke, Stuttgart, Germany (nationality German).	Owner.
Unknown	Seifen und seifenartige Stoffe, 1939. (Chemie und Technologie der Fette und Fettprodukte. Bd. 4.)	Clemens Bergell, ed. (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.

EXHIBIT A—Continued

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Theoretische Biologie, 1942 v. 1: Allgemeine Theorie, Physikochemie, Aufbau und Entwicklung des Organismus, v. 2: Stoffwechsel, Wachstum	L. von Bertalanffy (nationality not established).	Gebruder Borntraeger, Berlin, Germany (nationality German).	Owner.
Unknown	Der Teer, seine Gewinnung und Verarbeitung. 1940	Werner Borrmann (nationality not established)	Volkt, Leipzig, Germany (nationality German)	Owner
Unknown	Theorie der linearen Wechselstromschaltungen. Bd. 1, 1941.	Wilhelm Cauer (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner
Unknown	Die Fabrikation von Trockenbatterien und Bleiakkumulatoren, 1941.	C. Drotschmann (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
Unknown	Deutsch-Englisches Spezial-Wörterbuch für das Maschinenwesen, 1942.	Henry G. Freeman (nationality not established).	Girardet ,Essen, Germany (nationality German)	Owner.
Unknown	Qualitative Nachweisverfahren. 1943. (Handbuch der analytischen Chemie. 2. Teil) 3 vols. v. 1a: Elemente der ersten Hauptgruppe. v. 2a: Elemente der zweiten Hauptgruppe. v. 3: Elemente der dritten Hauptgruppe.	Remigius Fresenius and Gerhart Jander (nationalities not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Gmelins Handbuch der anorganischen Chemie. 8 Aufl. 1939–1943.	Unknown	Verlag Chemie, Berlin, Germany (nationality German).	Owner.
Unknown	Vergleichende Biologie der Insektenstaaten, 1941.	Wilhelm Goetsch (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
Unknown	Grundlagen und neuere Anwendungen der analytischen Colorimetrie und Photometrie. 1944 (Beihefte in der Zeitschrift des Vereins Deutscher Chemiker. Nr. 48).	Unknown	Verlag Chemie, Berlin, Germany (nationality German).	Owner.
Unknown	Messmittel und Prüfverfahren in der mechanisch-technologischen Metall-Prüfung. 1941 (Verfahrens- und Messkunde der Naturwissenschaft. Hft. 3.)	Günter Hahn (nationality not established).	Vieweg, Braunschweig, Germany (nationality German).	Owner.
Unknown	Hamburg, Universität. Mathematisches Seminar. Abhandlungen aus dem mathematischen Seminar der Hansischen Universität. Bd. 14, 1941.	Hrsg. von Wilhelm Blaschke, Erich Hecke, E. Witt. (nationalities not established).	B. G. Teubner, Leipzig, Germany (nationality German).	Owner.
Unknown	Die Dichte flüssiger und fester Stoffe. 1941. (Verfahrens- und Messkunde der Naturwissenschaft. Hft. 4.)	H. Harns (nationality not established).	Vieweg, Braunschweig, Germany (nationality German).	Owner.
Unknown	Einführung in die Determinantentheorie einschliesslich der Fredholmschen Determinanten. 3 ver. und erw. Aufl., 1942.	Gerhard Kowalewski (nationality not established).	Walter de Gruyter, Berlin, Germany (nationality German).	Owner.
Unknown	Kolloidchemisches Taschenbuch. 2. erweit. Aufl., 1941.	Alfred Kuhn, ed. (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
Unknown	Einführung in die physikalische Chemie. Thermodynamik-Kinetik. 1942.	Jörn Lange (nationality not established).	Julius Springer, Wien, Germany (nationality German).	Owner.
Unknown	Statistische Stabilität bei Dreistrom-Hochleistungsübertragung. 1942. (Sammlung Vieweg. Hft. 119.)	Adolf Leonhardt (nationality not established).	Vieweg, Braunschweig, Germany (nationality German).	Owner.
Unknown	Das Elektrokardiogramm. 1942. (Kreislauf-Bücherei, Bd. 7.).	Eugen Lepeschkin (nationality not established).	T. Steinkopff, Dresden, Germany (nationality German).	Owner.
Unknown	Formeln und Sätze für die speziellen Funktionen der Mathematischen Physik. 1943. (Grundlehren der mathematischen Wissenschaft in Einzeldarstellungen. Bd. 52.)	W. Magnus and F. Oberhettinger (nationalities not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Internationaler Rechtsstoff-Kodex. 2. Aufl. 1942	Arno Muller (nationality not established).	Hüthig Verlag, Heidelberg, Germany (nationality German).	Owner.
Unknown	Die Prüfung elektrischer Maschinen, 1940	Werner Nürnberg (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Doppelbrechung, insbesondere künstliche Doppelbrechung. 1943. (Bucken, Arnold. Hand- und Jahrbuch der chemischen Physik. Bd. 8, Abs. 1B.)	A. Peterlin and H. A. Stuart (nationalities not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
Unknown	Führer durch die Strömungslehre. 2 Aufl. Zugleich. 4. Aflu. von Abriss der Strömungslehre. 1942.	Ludwig Prandtl (nationality not established).	Vieweg, Braunschweig, Germany (nationality German).	Owner.
Unknown	Vorlesungen über Integral- und Differentialrechnung. 1943. Erster Band: Funktionen einer reellen Veränderlichen. Herausgegeben von W. von Ioppenfels.	G. Prange (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Theoretische Grundlagen und Anwendungen der Modulation in der elektrischen Nachrichtentechnik. 1943. (Physik und Technik der Gegenwart. Abt. Fernmeldetechnik. Bd. 11.)	Ernst Prokott (nationality not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.
Unknown	Die Strahlungsverhältnisse der Binnengewässer. 1941. (Probleme der kosmischen Physik. Bd 21.)	Franz Sauberer and Franz Ruttner (nationalities not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner
Unknown	Der industrielle Wärmeübergang. 2. verb. Aufl., 1940	Alfred Schack (nationality not established).	Verlagsges., Stahleisen, Düsseldorf, Germany (nationality German).	Owner.
Unknown	Unterwasserpumpen. Bauarten, Konstruktion und Betrieb der Drehstrom-Tauchpumpensätze. 1944.	Wilhelm Schulz and Franklin Punga (nationalities not established).	VDI-Verlag, Berlin, Germany (nationality German).	Owner.
Unknown	Einführung in den Bau Amerikas. 1941	Hans Stille (nationality not established).	Gebruder Borntraeger, Berlin, Germany (nationality German).	Owner
Unknown	Fettschmierung 2. Aufl., 1941	Fritz Traez (nationality not established).	VDI-Verlag, Berlin, Germany (nationality German).	Owner.
Unknown	Physikalische Grundlagen der Messtechnik in der Wärmewirtschaft, 1940.	Siegfried Valentiner (nationality not established).	Vieweg, Braunschweig, Germany (nationality German).	Owner.
Unknown	Chemische Morphologie der Flüssigkeiten und Kristalle. (Bucken, Arnold. Hand- und Jahrbuch der chemischen Physik. Bd. 2. Abs. III C), 1941.	Conrad Weygand (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
Unknown	Mathematische Instrumente. 1943	Friedrich Willers (nationality not established).	R. Oldenbourg, München, Germany (nationality German).	Owner.
Unknown	Handbuch für Oberflächenschutz und Veredelung durch Lacke und chemische Beizen, 1942	Fritz Zimmer (nationality not established).	Union Deutsche Verlagsges., Berlin, Germany (nationality German).	Owner.
Unknown	Mittelbare Regler und Regelanlagen, 1944	F. V. A. Engel (nationality not established).	VDI-Verlag, Berlin, Germany (nationality German).	Owner.
Unknown	Vorträge uber kosmische Strahlung, 1943	W. Heisenberg (nationality not established).	Julius Springer, Berlin, Germany (nationality German).	Owner.
Unknown	Kohlenschwelung. Zugleich Ergänzungsband zu "Die Schwelung von Braun- und Steinkohle", 1938.	Adolf Thau (nationality not established).	W. Knapp, Halle, Germany (nationality German).	Owner.

[F. R. Doc. 45-11917; Filed, July 3, 1945; 10:48 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. Supp. Order 99,[1] Order 7]

APPALACHIAN MILLS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1305.127 of Revised Supplementary Order 99 and § 1372.101 (c) of Maximum Price Regulation 210, it is ordered:

(a) *Ceiling prices for sales by Appalachian Mills Company.* (1) On and after July 2, 1945, Appalachian Mills Company, Knoxville, Tennessee, may sell and deliver and any person may buy and receive from it, the following designated fall and winter knitted underwear manufactured by Appalachian Mills Company, at prices not in excess of the following adjusted ceiling prices:

Style	Description	Adjusted ceiling price
		Per dozen
121	Men's union suit—Knox V Brand—made of 16/1 carded yarn, gross knitting weight 13.02 pounds per dozen (based on size 41), sizes 36–46, long sleeve—long leg.	$11.14
141	Men's union suit—Knox V Brand—made of 13/1 carded yarn, gross knitting weight 15.25 pounds per dozen (based on size 41), sizes 36–46, long sleeve—long leg.	12.10
161	Men's union suit—Knox V Brand—made of 11/1 carded yarn, gross knitting weight 17.24 pounds per dozen (based on size 41), sizes 36–46, long sleeve—long leg.	12.52
51	Boy's union suit—Knox V Brand—made of 13.5/1 carded yarn, gross knitting weight 9.67 pounds per dozen (base size 29.92), sizes 24–34, long sleeve—long leg.	8.97
101 (drawers)	Men's heavyweight drawers—Knox V Brand—made of 12/1 carded yarn, gross knitting weight 8.47 pounds per dozen (base size 38.50) sizes 32–44, long leg.	7.24
101 (shirt)	Men's heavyweight shirt—Knox V Brand—made of 12/1 carded yarn, gross knitting weight 10.93 pounds per dozen (based on size 38.50) sizes 30–46, high neck—long sleeve.	7.24

(2) The adjusted ceiling prices set forth in paragraph (a) above are subject to terms of net 10/30 days and to all trade practices, including practices relating to shipping and the payment of shipping charges and premiums for extra sizes, customarily used by Appalachian Mills Company during the period from July 15, 1941 to February 10, 1942, both inclusive, on deliveries of comparable types of fall and winter knitted underwear.

(b) *Ceiling prices for sales at wholesale.* (1) On and after July 2, 1945, the ceiling price for a sale at wholesale of any of the garments enumerated in paragraph (a) of this order, shipped to the seller by Appalachian Mills Company on or after that date, shall be determined in the following manner:

(i) The wholesaler shall first find his "cost base" for the garment being priced from the following table:

Style number:	*Cost base (per dozen)*
121	$10.05
141	10.95
161	11.38
51	8.10
101 (drawers)	6.60
101 (shirt)	6.60

(ii) The wholesaler will then apply to the "cost base" for the garment being priced his "initial percentage markup" determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210 (Retail and Wholesale Prices for Fall and Winter Seasonal Commodities).

(iii) The wholesaler will then add to the amount found in (ii), immediately above, the sum specified below for the style of garment being priced. The resulting figure is the wholesaler's new ceiling price for the garment being priced.

Style number:	*Amount of adjustment (per dozen)*
121	$0.81
141	.86
161	.85
51	.65
101 (drawers)	.48
101 (shirt)	.48

(2) The ceiling prices established for sales at wholesale in this paragraph are subject to all discounts, allowances, price differentials and other trade practices, including premiums for extra sizes, which the wholesaler used during 1942 on deliveries of comparable types of fall and winter knitted underwear.

(c) *Statement which Appalachian Mills Company must send to wholesalers.* (1) On and after July 2, 1945, Appalachian Mills Company shall transmit to each wholesaler to whom it makes delivery, on and after that date, of any of the garments listed in paragraph (a) of this order, the following statement:

STATEMENT TO WHOLESALERS OF ADJUSTED CEILING PRICES

The OPA has adjusted our ceiling prices on certain knitted underwear garments pursuant to the provisions of Order No. 7, issued under Revised Supplementary Order 99. In Column A below you will find our adjusted ceiling prices for these garments.

Under this order the OPA has established the method by which you, as a wholesaler, are to determine your ceiling prices for these garments.

You are required by the OPA to determine your ceiling prices for the specified styles by the following method: You first find the "cost base" for the garment being priced from Column B of the following table. You then apply to this "cost base" your "initial percentage markup" (determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210). You then find your new ceiling price by adding to the amount thus determined the amount specified in Column C below for the particular style of garment being priced.

Style No.	Column A Appalachian's adjusted ceiling price	Column B "Cost base" to which wholesaler applies "initial percentage markup"	Column C Amount of adjustment which wholesaler may add
	Per dozen	*Per dozen*	*Per dozen*
121	$11.14	$10.05	$0.81
141	12.10	10.95	.86
161	12.52	11.38	.85
51	8.97	8.10	.65
101 (drawers)	7.24	6.60	.48
101 (shirt)	7.24	6.60	.48

Please note that, as a wholesaler, you are required by the OPA to transmit to each retailer to whom you deliver any of the garments listed above on or after July 2, 1945, a "Wholesaler's Statement to Retailers of OPA Adjustment Charge" in the following form, properly filled in by you with the information applicable to the particular garments being delivered by you to the retailer. You are required to complete this statement as follows: In Column A you shall list the ceiling prices of the particular styles being shipped which were in effect for you under Maximum Price Regulation 210 prior to the date of this order. In Column B you shall list the new ceiling prices which you determine in accordance with the method indicated in this statement to you. In Column C you shall list the difference between the amounts in Column A and Column B below for the respective styles. This notice, when properly completed by you, is to be transmitted with, or annexed to, the invoice, billing or other statement of price accomphnying every shipment made by you to your retailer customers of the styles shipped to you by us.

WHOLESALER'S STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration, pursuant to Order No. ____, issued under Revised Supplementary Order 99, has permitted us to adjust our ceiling prices on the following garments, sold and delivered by us to you on or after July 2, 1945.

Style No.	Column A Our old ceiling price	Column B Our new ceiling price	Column C Our OPA adjustment charge
	Per dozen	*Per dozen*	*Difference between old and new ceiling price (per dozen)*
121			
141			
161			
51			
101 (drawers)			
101 (shirt)			

Please note that the OPA has ruled that you must price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed above). In determining your ceiling prices for these garments the OPA has ruled that you must use as your "net cost" under MPR 580 or your "cost base" under MPR 210 the amount set forth in Column A above. You may not, in any case, include the amount of the OPA adjustment charge set forth in Column C above in determining your ceiling price for these garments under either of these regulations.

[1] 10 F.R. 6786.

(2) The statement required to be sent by Appalachian Mills Company to its wholesalers, as provided in this paragraph (c), and containing the information applicable to the styles of garments included in the particular shipment shall be transmitted with or be annexed to the invoice, billing or other statement of price, accompanying every shipment made by Appalachian Mills Company of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which Appalachian Mills Company is permitted an adjustment of its ceiling price under this order, shall be sent by Appalachian Mills Company in lieu of the statement required under § 1389.304 (as amended) of Maximum Price Regulation 221.

(d) *Statement which Appalachian Mills Company must send to retailers.* (1) On and after July 2, 1945, Appalachian Mills Company shall transmit to each retailer to whom it makes delivery of any of the garments listed in paragraph (a) of this order, the following statement:

STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGES

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the garments listed below:

Style	Old ceiling price	OPA adjustment charge under MPR 221 and RSO 99
	Per dozen	*Per dozen*
121	$10.05	$1.09
141	10.95	1.15
161	11.38	1.14
51	8.10	.57
103 (drawers)	6.60	.64
101 (shirt)	6.60	.64

Please note that the OPA requires you to price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed in this notice). In determining your ceiling prices for these garments OPA has ruled that you must use as your "net cost" under MPR 580, or your "cost base" under MPR 210, the amount set forth in the above table as the "old ceiling price" for the garment being priced and you may not include the above-stated adjustment charge in computing your ceiling price for these garments under either of these regulations.

(e) *Statement which wholesalers must send to their retailers.* Any seller at wholesale, purchasing any of the garments listed in paragraph (a) of this order from Appalachian Mills Company, after July 2, 1945, shall transmit to each of its own customers, at the time of the delivery by it of any of these garments on or after July 2, 1945, the form of "Wholesaler's Statement to Retailers of OPA Adjustment Charge" contained in the form of "Statement to Wholesalers of OPA Adjustment Charge" required to be sent to wholesalers by Appalachian Mills Company under paragraph (c) above. This "Wholesaler's Statement to Retailers of OPA Adjustment Charge" shall contain the information applicable to the styles of garments included in the particular shipment and shall be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by the wholesaler after July 2, 1945 of any of the garments covered by this order. Each seller at wholesale shall complete this "Wholesaler's Statement to Retailers of OPA Adjustment Charge" as follows: In Column A he shall list the ceiling prices in effect for sales by him under Maximum Price Regulation 210 prior to this order. In Column B he shall list his new ceiling prices for the garments, determined in accordance with paragraph (c) of this order. In Column C he shall list the differences between the amounts in Column A and Column B for the respective styles.

(f) *Garments to which the provisions of this order shall apply.* This order shall apply only to those garments of the styles enumerated in paragraph (a) which are shipped by Appalachian Mills Company on or after July 2, 1945 and before November 1, 1945.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

(56 Stat. 23, 765; 57 Stat. 566; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 10 F.R. 1004, 6796)

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11858; Filed, July 2, 1945; 4:43 p. m.]

[MPR 260, Order 1401]

ANGEL PRADO, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Angel Prado, Inc., Mayor No. 61, Ponce, P. R. (hereinafter called manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Prado	Short Corona	50	$45	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11861; Filed, July 2, 1945; 4:33 p. m.]

[MPR 260, Order 1402]

S. B. GRAY CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) S. B. Gray Cigar Factory, Rear, 127 North George Street, York, Pa. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Vendola	Perfecto 5"	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11862; Filed, July 2, 1945; 4:34 p. m.]

[MPR 260, Order 1403]

JOSE ESCALANTE & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose Escalante & Co., 35 W. Jackson Blvd., Chicago, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ten Ten	Sublimes	50	$75	10
La Zarda	do	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11863; Filed, July 2, 1945; 4:34 p. m.]

[MPR 260, Order 1404]

GRAHAM & SHELLENBERGER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Graham & Shellenberger, 385 N. Main Street, Red Lion, Penna. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Glendale	De Luxe	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in

March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11864; Filed, July 2, 1945; 4:34 p. m.]

[MPR 260, Order 1411]

INSPIRATION CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Inspiration Cigar Factory, 2128 Main Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Baby	Flor de Antonio Furro	50	$36	2 for 9
Coronitas	do	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11865; Filed, July 2, 1945; 4:42 p. m.]

[MPR 260, Order 1412]

GIUSEPPE BARBIERI

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Giuseppe Barbieri, 1693 1 Avenue, New York 28, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible]	Coronas	50	$56.00	[illegible]
	Brevas	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11866; Filed, July 2, 1945; 4:42 p. m.]

[MPR 260, Order 1413]

ANTONIO SALINERO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Antonio Salinero, 1215 Garcia Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible]	Coronas	50	$56.00	[illegible]
	Brevas	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11867; Filed, July 2, 1945; 4:37 p. m.]

[MPR 260, Order 1414]

STANLEY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Stanley Cigar Co., 1430½ E. Broadway, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Apropo	Corona Chica[1]	50	$60.00	2 for 15
	Brevas	50	161.50	21
	Coronas	50	60.00	2 for 15
	Epicuros	50	90.00	12

[1] Prices apply to this brand and frontmark using Type 62 Prime Light wrappers only, as specified in application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11868; Filed, July 2, 1945; 4:38 p. m.]

[MPR 260, Order 1415]

TAMPA HAVE IT CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tampa Have It Cigar Co., 1918 9th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tampa Have It	Coronas Extra	50	$101.25	2 for 27
	Senadores	50	101.25	2 for 27
	Lenns	50	93.75	2 for 25
	Queens	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change

therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc 45-11869; Filed, July 2, 1945; 4:38 p. m.]

[MPR 260, Order 1416]

CORONA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Corona Cigar Factory, 2901 21st Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona	Corona	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11870; Filed, July 2, 1945; 4:41 p. m.]

[MPR 260, Order 1417]

G. D. LOMBARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) G. D. Lombard, Ave. Ponce de Leon, Stop 26½, Santruce, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
The Chief	5" Perfectos Sublime	50	$82.50	11
The Super	Corona 4⅞"	50	55.00	7
	Corona 4½"	50	44.00	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11871; Filed, July 2, 1945; 4:41 p. m.]

[MPR 260, Order 1418]

SALUSTIANO MENDOZA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Salustiano Mendoza, Jose de Diego St., Cayey, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Fábrica del Pilar	"Cayey Favoritas"	50	$70	7
	"Cayey Special"	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11872; Filed, July 2, 1945; 4:36 p. m.]

[MPR 260, Order 1419]

JUSTINO FERRER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Justino Ferrer, E. M. de Hostos, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Caribe	5 Puro	50	$75.40	10
Tropicales	5 Pig	50	$2.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11873; Filed, July 2, 1945; 4:40 p. m.]

[MPR 260, Order 1420]

LINCOLN AND ULMER, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lincoln and Ulmer, Inc., 19 West 44th Street, New York 18, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following

domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Modina	5 inch	50	*Per M* $21	*Cents* 3

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11874; Filed, July 2, 1945; 4:40 p. m.]

[MPR 260, Order 1421]

LEIHY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jesse Leihy, d/b/a Leihy Cigar Co., 1430 So. Los Angeles Street, Los Angeles 15, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Leihy's Quality	Concha 50 Leihy's Quality 50 Brevas	50 50	*Per M* $90 75	*Cents* 12 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11875; Filed, July 2, 1945; 4:40 p. m.]

[MPR 260, Order 1423]

JOAQUIN DIAZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Joaquin Diaz, 5841 W. Irving Park Blvd., Chicago 34, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Wabla Dear Selectos	Breva 5 inch do	50 50	*Per M* $75.00 95.00	*Cents* 10 13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and

shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11876; Filed, July 2, 1945; 4:38 p. m.]

[MPR 260, Order 1424]

EDWARD M. FAKE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Edward M. Fake, 280 North Main Street, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
[illegible] by Columbia	Corona	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11877; Filed, July 2, 1945; 4:38 p. m.]

[MPR 260, Order 1425]

B. STONE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) B. Stone Co., 344 6th Street, San Francisco 3, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lord Benston	Colonials	50	*Per M* $60.75	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11878; Filed, July 2, 1945; 4:37 p. m.]

[MPR 260, Order 1426]

VENCE GIARDINO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Vence Giardino, 831 Rivera Street, San Francisco, Calif. (hereinafter called

"manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lord Benston	Colonials	50	*Per M* $66.75	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order; but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11879; Filed, July 2, 1945; 4:37 p. m.]

[MPR 260, Order 1428]

YORKANNA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Yorkanna Cigar Co., Manchester, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Titano	Club House	50	*Per M* $75	*Cents* 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11860; Filed, July 2, 1945; 4:35 p. m.]

[MPR 260, Order 1429]

INSPIRATION CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Inspiration Cigar Factory, 2128 Main Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona	Flor de Antonio Porro	50	*Per M* $82.50	*Cents* 15
Flor de Antono Porro	Londres	50	72.00	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding

sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11881; Filed, July 2, 1945; 4:43 p. m.]

[MPR 260, Order 1430]

LOUIS WOOLF

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Louis Woolf, 29 Pearl Street, Worcester, Mass. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Chief	Londres	50	*Per M* $105	*Cents* 14
2-20-6	20	50	105	14
Louis Smoker	40	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11882; Filed, July 2, 1945; 4:43 p. m.]

[MPR 260, Order 1431]

PAUL C. EYSTER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Paul C. Eyster, York New Salem, Pa. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Quaker Girl	Quaker Girl Perfecto	50	*Per M* $65	*Cents* 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11883; Filed, July 2, 1945; 4:43 p. m.]

[MPR 260, Order 1432]

RAYMOND GANTER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Raymond Ganter, 423 Westside Road, West Reading, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Don Aragon	Londres	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11884; Filed, July 2, 1945; 4:35 p. m.]

[MPR 260, Order 1433]

VICENTE MONTANEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Vicente Montanez, Calle Tuna No. 72, San Lorenzo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Coronas 5" Lango	Coronas 5" Lango	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11885; Filed, July 2, 1945; 4:42 p. m.]

[MPR 260, Order 1434]

AMERICAN EAGLE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) American Eagle Cigar Factory, 1034 9th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
American Eagle	Between Acts	50	$32 (a)	[illegible]
	After-Dinner	50	93.75	[illegible]
	Fumas	50	36 (a)	[illegible]
	Panetela	50	82.50	[illegible]
	Caprichos	50	44 (a)	[illegible]
	Coronas	50	55.00	[illegible]

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11886; Filed, July 2, 1945; 4:35 p. m.]

[MPR 260, Order 1435]

PENINSULAR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Peninsular Cigar Co., 1822½ 19th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Plano	After Dinner	50	$169.00	22
	Gems	50	48.60	6
	Finas	50	60.00	2 for 15
	Mackey	50	64.00	8
	Reinas	50	93.75	2 for 25
	Juans	50	93.75	2 for 25
	Carlos	50	148.00	19
	Londres Finos	50	154.00	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11862; Filed, July 2, 1945, 4:35 p. m.]

[MPR 260, Order 1427]

LA ANDA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Anda Cigar Co., 317 So. Hill St., Los Angeles 13, California (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Chapman	Brevas	50	$40	5
Chapman House	Belvedere	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11844; Filed, July 2, 1945; 11:43 a. m.]

[MPR 188, Amdt. 85 to Order A-1]

GYPSUM LATH

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new paragraph (a) (61) is added to read as follows:

(a) (61) *Modification of maximum prices for gypsum lath.* (i) A manufacturer's maximum price for sales of gypsum lath for shipment to points in the States of Florida, Georgia, Alabama, South Carolina, and that portion of North Carolina south and east of the northern boundaries of the counties of Richmond, Scotland, Robeson, Bladen, Pender, Onslow and Carteret, shall be his existing maximum price f. o. b. mill plus actual freight to destination, providing however, that the total freight charge shall not exceed what it would have been had the shipment originated at Plasterco, Virginia.

(ii) Any reseller in the area described in (i) above purchasing gypsum lath for resale from any manufacturer who has modified his maximum prices in accordance with subdivision (i) above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the modification permitted the manufacturers in subdivision (i) above.

(iii) The maximum prices established herein shall be subject to cash, quantity and other discounts, services and other terms and conditions of sale at least as favorable as the reseller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This amendment shall become effective July 7, 1945 and shall terminate December 31, 1945, unless otherwise extended by amendment.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11946; Filed, July 3, 1945; 11:42 a. m.]

[RMPR 122, Amdt. 27 to Reg. Order 47]

MOREA-NEW BOSTON BREAKER CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respect:

New paragraph (f13) is added to read as follows:

(f13) The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for the sales of "Morea Anthracite", by no more than 15 cents per net ton for the egg, stove, nut, pea, buckwheat and rice sizes; if:

(1) The dealer keeps "Morea Anthracite" separate in storage and delivery from any other kind of solid fuel:

(2) The dealer keeps complete and accurate records of "Morea Anthracite" for such time as this paragraph (f13) is in effect. The records shall show: the date he received the coal; the name and address of the producer, the quantity in net tons of each delivery to him of such anthracite and all invoices sent him by the producer; and:

(3) The "Morea Anthracite" is produced by Morea-New Boston Breaker Corporation, Morea, Pennsylvania, and is sold as "Morea Anthracite" by the dealer.

This Amendment No. 27 shall become effective July 4, 1945.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11964; Filed, July 3, 1945; 4:27 p. m.]

Regional and District Office Orders.

[Region VI Order G-16 Under RMPR 122, Amdt. 13]

SOLID FUELS IN ROCKFORD, ILL., AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 12, which covers the Rockford, Illinois, area, paragraph (b), Price schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for delivered sales in lots of ½ ton and 1 ton or more by dealers of specified kinds and sizes of solid fuels. Service charges are set forth in section (c). Charges for treatment of coal are set forth in section (d) discounts, section (e); and definitions, section (f).

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District Nos. 7, 8, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On coal produced in District No. 10 (Illinois), the prices established for fuel specified in paragraph III, A, 1 to 7 inclusive apply to fuel obtained from deep machine mines only; the prices for fuel specified in paragraph III, B, 1 and 2 apply to coal produced in strip mines only; the prices for fuel specified in paragraph III, C, 1 to 3 inclusive apply to both strip mines and deep machine mines. The prices of briquettes, Pennsylvania Anthracite and by-product coke, are unaffected by the type of mine operation. This price schedule supersedes the prices computed in accordance with the adjustment authorized by Regional Order No. G-19 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

	Delivered 1 ton	Delivered ½ ton
I. Low volatile bituminous coal from District No. 7 (southern West Virginia and northwestern and central Virginia):		
1. Egg, size group No. 2 (all egg coal, top size larger than 3", bottom size no limit) in price classification A:		
A. Forked or screened	$11.91	$7.06
B. Shovelled or run of mine	13.41	7.95
2. Stove, size group No. 3 (all stove coal, top size larger than 1¼" but not exceeding 3", bottom size smaller than 3") in price classification A:		
A. Forked or screened	14.46	7.70
B. Shovelled or run of mine	13.56	7.25
3. Nut, size group No. 4 (top size larger than ¾" but not exceeding 1¼"; bottom size smaller than 1¼") in price classification A	12.41	6.70
4. Pea or dedusted screenings, size group No. 5 (top size not exceeding ¾"; bottom size smaller than ¾") in price classification A	12.05	6.50
II. High volatile bituminous coal from District No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):		
1. Lump, size group No. 1 (all single-screened block, bottom size larger than 5") in price classifications E through K	12.55	6.75
2. Egg, size group No. 3 (all double screened egg coals, top size larger than 5" but not exceeding 6" and bottom size larger than 2" but not exceeding 3", and top size larger than 6" and bottom size 2" and smaller) in price classifications B through K	12.27	6.60
3. Stoker, size group No. 10 (all double screened stoker coals, top size not exceeding 1¼" and bottom size less than 1¼") in price classifications B through E	12.20	6.60

PRICE SCHEDULE—Continued

	Delivered 1 ton	Delivered ½ ton
III. High volatile bituminous coal from District No. 10 (Illinois) deep machine mines:		
A. Southern Subdistrict, price group Nos. 1, 2 and 8:		
1. Lump, size group No. 1 (all lump coals, bottom size larger than 4", washed or raw)		
2. Egg, size group No. 3 (all egg coal, bottom size larger than 2" but not exceeding 3", washed or raw)	$9.79	$5.40
3. Nut and stove, size group Nos. 4, 5, 6 and 8 (all egg and stove coals, bottom size 2" and smaller, washed or raw)	9.49	5.25
4. Nut, washed or raw, size group Nos. 9-12 inc. and 17-20 inc. (all raw, washed or air-cleaned nut and pea coal, bottom size larger than 10 mesh or 3/32" and top size not exceeding 2")	9.14	5.10
5. Special stoker, size group Nos. 21, 22 and 28 (washed or air-cleaned nut and pea coal, bottom size larger than 1 millimeter, top size not exceeding 2", and dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8")	8.69	4.55
6. Dedusted screenings, size group Nos. 26 and 27 (dry dedusted screenings, top size not exceeding 2")	8.59	4.80
7. Raw screenings, size group Nos. 13 and 14 (raw screenings larger than 3/4" x 0 but not exceeding 2" x 0)	7.99	4.80
B. Southern subdistrict price group No. 7 (strip mines):	7.69	4.35
1. Washed nut and pea, size group 17-20 inc. (washed or air-cleaned nut and pea coal, bottom size larger than 10 mesh or 3/32" and top size not exceeding 2")	7.75	4.40
2. Washed screenings, size group No. 23 and 24 (washed or air-cleaned screenings, top size not exceeding 2")	7.60	4.30
C. Belleville and Duquoin subdistricts, price group 10 and 10-22 inc.:		
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump or egg coals, bottom size larger than 2" washed or raw):		
Strip mines	8.60	4.80
Deep machine mines	8.69	4.85
2. Washed nut, size group Nos. 17-20 inc. (washed or air-cleaned nut and pea coals, bottom size larger than 10 mesh or 3/32" and top size not exceeding 2")		
Strip mines	7.70	4.35
Deep machine mines	7.79	4.40
3. Washed screenings, size group No. 23 and 24 (washed or air-cleaned screenings, top size not exceeding 2"):		
Strip mines	7.45	4.25
Deep machine mines	7.54	4.30
IV. High volatile bituminous coal from District No. 11 (Indiana):		
1. Lump, size group No. 1 (all lump coal, bottom size larger than 4", price group Nos. 6, 14, 15 and 16	9.89	5.45
2. Egg, size group Nos. 2 and 3 (all egg coal, bottom size larger than 2" but not larger than 4", price group Nos. 6, 14, 15 and 16	9.44	5.25
3. Egg, size group Nos. 2 and 3 (egg coal, bottom size larger than 2" but not larger than 4", price group Nos. 7, 18 and 19	8.69	4.85
4. Nut, size group No. 5 (all nut coal, top sizes larger than 2" but not larger than 4", bottom size larger than 1¼" but not larger than 2") price group Nos. 7, 18 and 19	8.34	4.70
5. Raw nut and pea, size group 9-12 inc. (raw nut and pea coal, bottom size larger than 10 mesh or 3/32" and top size not exceeding 2") price group Nos. 6 and 14	7.79	4.80

PRICE SCHEDULE—Continued

	Delivered 1 ton	Delivered ½ ton
IV. High volatile bituminous coal from district No. 11—Con.		
6. Washed screenings, size group Nos. 23 and 24 (washed or air-cleaned screenings, top size not exceeding 2")	$7.89	$4.45
V. Briquettes (low volatile from district No. 7 coal):		
1. Berwind	14.90	7.98
2. Glen Rogers	15.11	8.09
VI. Pennsylvania anthracite:		
1. Egg, stove, nut	18.60	9.80
2. Pea	17.05	9.05
VII. By-product coke:		
1. Rockford Koppers	14.10	7.55
2. Solvay or Koppers other than Rockford	15.25	8.15

The above prices include the 2% Illinois Retailer's Occupational Tax.

This Amendment No. 13 to Order No. G-16 shall become effective June 10, 1945.

Issued this 31st day of May 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-11888; Filed, July 2, 1945; 4:45 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 14]

SOLID FUELS IN CLINTON, IOWA, AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 13, which covers the Clinton, Iowa, area, paragraph (b), Price schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for delivered sales by dealers in lots of ½ ton and 1 ton or more of specified kinds and sizes of solid fuels. Service charges are set forth in section (c). Charges for treatment of coal are set forth in section (d). Discounts are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 50¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is $13.40, the price of ½ ton would be $6.70 plus 50¢ or a total of $7.20; the price of ¾ ton would be $10.05 plus 50¢ or a total of $10.55.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is $13.40, the price of 1½ tons would be $20.10; the price of 1¾ tons would be $23.45.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is $11.90, the price of ½ ton would be $5.95; of 1½ tons—$17.85; of ¾ tons—$8.95; of 1¾ tons—$20.85.

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by a means of which it is produced. On sales of coal derived from District Nos. 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On District No. 10 (Illinois) coal, the prices established for the fuel specified in paragraph IV, 1, a to c, inclusive, apply to coal produced by the deep machine mines only; the prices established in paragraph IV, 2, a, apply to coal produced from both strip mines and deep machine mines and on coal specified in paragraph IV, 3, a to d, inclusive, the prices apply to strip mines only. The prices for briquettes and coke are unaffected by the type of mine operation.

Prices established by this amendment supersede those computed as a result of the adjustment authorized by Regional Order No. G-19 to Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

	Delivered per ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump and egg—size group Nos. 1 and 2 (all lump coal bottom size 5", all egg coal top size larger than 3" bottom size no limit). In price classification A	$13.66
2. Stove—size group No. 3 (all stove coal, top size larger than 1¼" but not exceeding 3"; bottom size smaller than 3"). In price classification A	13.11
3. Pea—size group No. 5 (top size not exceeding ¾"; bottom size smaller than ¾"). In price classification A	12.36
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
1. Lump and egg—size group Nos. 1, 2, and 3 (all single screened lump coal bottom size larger than 2" and all double screened egg coal bottom size larger than 3") price classifiction E through H:	
a. From southern Appalachian subdistrict No. 6	12.50
b. Other subdistricts	12.35
2. Lump—size group Nos. 1 and 2 (all single screened lump coal, bottom size larger than 3") in price classification I, through O	11.70
3. Egg—size group No. 6 (all double screened egg coals top size larger than 5" but not exceeding 6", bottom size 2" and smaller; and all egg coals top size 3" and larger but not exceeding 5" and bottom size larger than 2" but not exceeding 2") price classifiestion B through K:	
a. From southern Appalachian subdistrict No. 6	12.45
b. Other subdistricts	12.30
III. High volatile bituminous coal from district No. 9 (western Kentucky):	
1. Lump and egg—size group Nos. 1-6 inc. (all single-screened lump coals and all double screened, raw, washed or air cleaned egg coals top size larger than 2"):	
a. No. 6 seam	9.01
b. No. 14 and stray seams	9.01
c. No. 9 and 11 seams	8.61
2. Raw stoker—size group Nos. 8 to 12 inc. (all raw double screened nut, stoker and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or 3/32") No. 6 seam	9.51
IV. High volatile bituminous coal from district No. 10 (Illinois):	
1. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):	
a. Lump, egg and nut—size group Nos. 1 through 5 inc. (all lump and egg coals bottom size larger than 1½", including 6" lump, 6" x 3" egg and 3" x 2" nut)	9.09
b. Special stoker—size group Nos. 21, 22 and 28 (all washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; and all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8")	8.64
c. Washed and dedusted screenings—size group Nos. 23, 24, 26 and 27. (Washed, air cleaned or dry dedusted screenings, top size not exceeding 2")	8.44

PRICE SCHEDULE—Continued

	Delivered per ton
IV. High volatile bituminous coal from district No. 10 (Illinois)—Con.	
2. Belleville and Duquoin subdistricts, price group Nos. 10 and 16–22 inc.:	
a. Lump and egg—size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" washed or raw) strip mines	$8.40
b. Deep machine mines	8.49
3. Fulton Peoria subdistrict price group Nos. 24 to 28 inc. Strip mines:	
a. Lump, egg and nut—size group Nos. 1–5 inc. (all lump and egg coals bottom size larger than 1¼" including 9" x 5", 6" x 4", 6" x 2", 4" x 2")	7.20
b. Stove—size group No. 8 (all stove coal, bottom size larger than ⅜" and top size larger than 1½" but not exceeding 2" washed or raw)	6.60
c. Stoker—size group Nos. 17–20 inc. (washed or air cleaned nut and pea coal bottom size larger than 10 mesh or 3⅓2" and top size not exceeding 2") price group Nos. 27 and 28 only	7.45
d. Washed screenings—size group Nos. 23 and 24 (washed or air cleaned screenings top size not exceeding 2") price group Nos. 27 and 28 only	6.80
V. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw) price group Nos. 6, 14, 15, 16 and 17	9.44
2. Stoker—size group Nos. 9–12 inc. (raw nut and pea coal bottom size larger than 10 mesh or 3⅓2" and top size not exceeding 2"):	
a. Price group Nos. 6 and 14	9.09
b. Mine index No. 115 only	8.34
VI. Briquettes, made from district No. 7, low volatile coal	13.05
VII. Coke—byproduct—Solvay or Koppers: 1. Stove and nut	15.85

This Amendment No. 14 to Order No. G–16 shall become effective June 10, 1945.

Issued this 31st day of May 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–11889; Filed, July 2, 1945; 4:44 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 15]

SOLID FUELS IN ELGIN, ILL., AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 11, which covers the Elgin, Illinois, area, paragraph (b), Price schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices without discount for "delivered" sales by dealers of specified kinds and sizes of solid fuels in lots of ½ ton or more. Service charges are set forth in section (c). Discounts which must be granted for certain types of sales are set forth in section (d). Charges for treatment of coal are set forth in section (e). Definitions are set forth in section (f). The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District Nos. 7, 8 and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation.

District No. 10 (Illinois) prices for coal described in paragraph III, A and B apply to coal obtained from deep machine mines only. District No. 10 (Illinois) prices for coal described in paragraph III, A and B apply to coal derived from strip mines only.

The provisions of this price schedule supersede those established under Order No. G–19 as applicable to the Elgin, Illinois, Area.

PRICE SCHEDULE

	Delivered 1 ton	Delivered ½ ton
I. Low volatile bituminous coal from district No. 7 (Southern West Virginia and northwestern and central Virginia):		
1. Lump, egg, and stove, size groups 1, 2, and 3 (all lump coal bottom size 3⅛"; all egg coal top size larger than 3"; bottom size no limit; all stove coal, top size larger than 1¼" but not exceeding 3"; bottom size smaller than 3". In price classifications A and B:		
A. Forked	$13.81	$7.18
B. Shovelled	12.81	6.68
2. Pea or dedusted screenings, size group No. 5 (top size not exceeding ¾"; bottom size smaller than ¾". In price classification A	11.06	5.78
3. Screened mine run, size group No. 6 (straight run of mine from which all or part of the ⅜" or ¾" top size has been removed). In price classifications A and B	11.41	5.98
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, West Virginia, part of Tennessee and North Carolina):		
1. Stoker, size group No. 10 (all double screened stoker coals, top size not exceeding 1¼" and bottom size less than 1¼"):		
A. In price classification A	11.10	5.83
B. In price classification B through F	10.85	5.68
III. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):		
1. Lump, egg and nut, size group Nos. 1 through 5 (all lump, egg, or nut coals with a bottom size larger than 1½")	9.11	4.85
2. Special stoker, size group Nos. 21, 22, and 28 (washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter, top size not exceeding 2" and all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding ¾")	8.39	4.45
3. Washed and dedusted screenings, size group Nos. 23, 24, 26, and 27 (all washed, air cleaned, or dry dedusted screenings, top size not exceeding 2")	7.94	4.23
B. Central subdistrict price group Nos. 12 and 13 (deep machine mines):		
1. Lump and egg, size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2", washed or raw)	7.69	4.10
2. Washed nut and pea, size groups Nos. 17–20 inclusive (washed or air cleaned nut and pea coal, bottom size larger than 10 mesh or 3⅓2" and top size not exceeding 2")	7.29	3.90

PRICE SCHEDULE—Continued

	Delivered 1 ton	Delivered ½ ton
III. High volatile bituminous coal from district No. 10—Con.		
C. Northern subdistrict price group No. 29 (strip mines):		
1. Lump and egg, size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2", washed or raw)	$7.80	$4.17
2. Raw or washed nut, pea, and stoker, size group Nos. 9–12 inclusive and 17–20 inclusive (all raw, washed, or air cleaned nut and pea coal, bottom size larger than 10 mesh or 3⅓2", top size not exceeding 2")	7.30	3.90
IV. High volatile bituminous coal from district No. 11 (Indiana):		
1. Lump and egg, size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):		
A. In price group Nos. 6 and 14	9.34	4.95
B. In price group Nos. 15 and 16	8.99	4.75
C. In price group No. 10, mine index No. 115 only	8.49	4.50
2. Raw nut and pea, size group Nos. 9–12 inclusive (all raw nut and pea coal, bottom size larger than 10 mesh or 3⅓2" and top size not exceeding 2") price group Nos. 6 and 14	8.24	4.40
V. Pennsylvania anthracite:		
1. Egg, stove, and nut	18.10	9.65
2. Pea	15.55	8.05
3. Buckwheat	14.70	7.60
VI. Briquettes—low volatile Berwind	13.65	7.05
VII. Coke—byproduct:		
1. Egg, stove, and nut	14.60	7.55

The above prices include the Illinois Retailers Occupation Tax.

This Amendment No. 15 to Order No. G–16 shall become effective June 10, 1945.

Issued this 2d day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–11880; Filed, July 2, 1945; 4:44 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 16]

SOLID FUELS IN CHICAGO REGION

An Opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects: In Appendix No. 10 to Order No. G–16 covering the Peoria, Illinois, area, paragraph (c) is amended to read as follows:

(c) *Price schedule for certain truckers and mines.* The following shall be the maximum price for the named coals when delivered by truck by persons other than equipped rail dealers from mines located in the counties of Tazewell, Peoria, and Fulton, Illinois.

	Domestic delivered cash price 2-ton lots (per ton)
I. District No. 10—Fulton County coal:	
1. No. 5 seam, lump and egg—size group Nos. 1, 2, and 3 (bottom size larger than 2"); in truck price group No. 6–A	$5.15
II. District No. 10—Peoria County coal and Tazewell County coal:	
No. 5 seam, in truck, price group Nos. 6–A and 6–B:	
All mines except mine index No. 766:	
a. Size group Nos. 1, 2, and 3	$4.90
b. Size group Nos. 4 and 5	4.65
c. Size group No. 6	4.55
d. Size group No. 8	4.20
e. Size group Nos. 9–12	4.30
Mine index No. 766 only:	
a. Size group Nos. 1, 2, and 3	5.00
b. Size group Nos. 4 and 5	4.80
c. Size group No. 6	4.70
d. Size group No. 8	4.50
e. Size group Nos. 9–12	4.50

Dealers who sell coal obtained from Mine Index No. 766 shall clearly identify said coal on the invoices.

This Amendment No. 16 to Order No. G–16 shall become effective immediately.

Issued this 22d day of May 1945.

EARL W. CLARK,
Acting Regional Administrator.

[F. R. Doc. 45–11891; Filed, July 2, 1945; 4:44 p. m.]

[Syracuse Order G–1 Under RMPR 259]

CONTAINERS AND CASES OF DOMESTIC MALT BEVERAGES IN ONONDAGA AND OSWEGO COUNTIES, N. Y.

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of Revised Maximum Price Regulation No. 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases, but not to brewers whether or not required to price as wholesalers under section 2.2 (d) of such regulation.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within Onondaga and Oswego Counties, New York.

SEC. 3. *Applicability.* No wholesaler or retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

(a) Bottles of 16 oz. or less capacity—2¢ per bottle.

(b) Bottles of more than 16 oz. but not more than 32 oz. capacity—5¢ per bottle.

(c) Bottle of more than 32 oz. but not more than 64 oz. capacity—10¢ per bottle.

(d) Wooden, steel, fiber, corrugated carton, or other empty cases or containers constructed to contain 24 bottles of 16 oz. or less capacity—27¢ per case. 12 bottles of 16 oz. or more than 32 oz. capacity——15¢ per case. 6 bottles of more than 32 oz. bottles and not more than 64 oz. capacity—15¢ per case.

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in Revised Maximum Price Regulation No. 259, as amended, shall apply to the terms used herein.

This order shall become effective June 9, 1945.

Issued this 4th day of June 1945.

STEPHEN P. TOADVINE,
District Director.

[F. R. Doc. 45–11956; Filed, July 3, 1945; 1:13 p. m.]

[Pittsburgh Order G–1 Under RMPR 285]

IMPORTED FRESH BANANAS IN PITTSBURGH, PA., DISTRICT

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of Region II by section 5 (a) (1) of Revised Maximum Price Regulation No. 285 and by him delegated to the Pittsburgh District Director, this order is issued.

SECTION 1. *What this order does.* This order determines that the cost of hauling "green bananas" between "wholesale receiving points" and buyers' places of business (including their ripening rooms but not retail stores) which are located outside of the "free delivery zones" described in section 4 below, is a part of the "cost of transportation" and determines the amount that shall be included therefor in the "base price."

SEC. 2. *To whom this order applies.* This order applies to all persons who buy "green bananas" in less-than-carlot quantities for hauling to their places of business (including their ripening rooms but not retail stores).

SEC. 3. *Area covered.* This order applies to buyers of green bananas whose places of business are located in the Counties of Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Lawrence, Mercer, Venango, Warren, Washington and Westmoreland, all in the Commonwealth of Pennsylvania.

SEC. 4. *Free delivery zones*—(a) *General.* Except for Pittsburgh and Erie, a "free delivery zone" shall be the corporate boundaries of a municipality in which is located a "wholesale receiving point" where "green bananas" are received in carlot quantities.

(b) *Pittsburgh.* The Pittsburgh "free delivery zone" shall include Pittsburgh, Aspinwall, Avalon, Bellevue, Ben Avon, Braddock, Brentwood, Carnegie Castle Shannon, Crafton, Dormont, Edgewood, Etna, Greentree, Homestead, Ingram, McKees Rocks, Millvale, Mt. Lebanon, Mt. Oliver, Munhall, Rankin, Sharpsburg, Swissvale, and Wilkinsburg.

(c) *Erie.* The Erie "free delivery zone" shall include Wesleyville and Lawrence Park Township.

SEC. 5. *Base price additions.* Persons covered by this order may increase their "base prices" by 25¢ per cwt. if their places of business (including their ripening rooms but not retail stores) are located outside of the "free delivery zone" but within 25 miles of the "wholesale receiving point," and 35¢ per cwt. if such places of business are located outside of the "free delivery zone" and more than 25 miles from the "wholesale receiving point."

SEC. 6. *Definitions.* The terms "green bananas," "wholesale receiving point," "cost of transportation" and "base price," are to be understood as defined in section 2 of Revised Maximum Price Regulation No. 285.

SEC. 7. *Effective date.* This order shall become effective at 12:01 a. m. on June 1, 1945.

Issued: June 1, 1945.

ALVIN J. WILLIAMS,
District Director.

[F. R. Doc. 45–11955; Filed, July 3, 1945; 1:13 p. m.]

[Montgomery Order G–1 Under RMPR 285]

BANANAS IN MONTGOMERY, ALA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Montgomery District, Region IV, of the Office of Price Administration by section 5 (a) (2) of Revised Maximum Price Regulation 285, as amended, and Regional Delegation Order 66, it is hereby ordered:

SECTION 1. *Inbound delivery cost.* Any sub-jobber, whose place of business is located within the Montgomery District, may add to his maximum prices established for processed bananas under section 4 of Revised Maximum Price Regulation 285, the amount paid by him at the lowest rate for available transportation for the delivery of processed bananas from his supplier's place of business to the sub-jobber's place of business, but not including any local hauling.

SEC. 2. *Maximum charges for delivery by sub-jobbers beyond the free delivery zone.* Any sub-jobber, whose place of business is located in the Montgomery District, may add to his maximum prices determined under section 4 of Revised Maximum Price Regulation 285, as amended, an amount not exceeding 35¢ per CWT for delivery to a retailer or institutional user located outside of his free delivery zone as defined in section 3 of this order.

SEC. 3. *Definitions.* (a) "Sub-jobber" means a person other than an importer who buys processed bananas and resells them to persons other than ultimate consumers.

(b) "Processed bananas" means fresh bananas that have been unloaded into and actually stored in rooms or buildings specially equipped for artificially ripening bananas and that are treated by control heating, refrigeration, humidification or other means customarily used to ripen bananas artificially.

(c) "Delivery to a retailer or institutional user" means the delivery of processed bananas to the buyer's premises

and in case of a retailer, delivery to the retail store where sales to ultimate consumers are to be made.

(d) "Retailer" means a person, the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers.

(e) "Institutional user" includes Government Procurement Agencies, hotels and restaurants.

(f) "Free delivery zone" for any subjobber selling bananas to retailers or institutional users shall mean all of the territory within the limits of the county in which the established place of business of such sub-jobber is located.

SEC. 4. *Geographical applicability.* This order shall apply only to sub-jobbers whose places of business are located within the Montgomery District which comprises the following Counties of Sumter, Greene, Hale, Perry, Chilton, Coosa, Tallapoosa and Chambers in the State of Alabama and all of the remaining Counties of the State of Alabama lying and situated south of said counties.

SEC. 5. *Applicability of Revised Maximum Price Regulation 285, as amended.* Except as this order specifically provides for the addition of certain delivery costs and charges in sections 1 and 2, all sales of bananas covered by this order shall remain subject to the provisions of Revised Maximum Price Regulation 285, as amended.

SEC. 6. *Revocation and amendment.* This order may be revoked, amended or corrected at any time by the District Director of the Montgomery District.

SEC. 7. *Effective date.* This order shall become effective 12:01 a. m. on June 5, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1945.

A. H. COLLINS,
District Director.

[F. R. Doc. 45-11958; Filed, July 3, 1945; 1:14 p. m.]

[Region IV Order G-16 Under SR 15, MPR 280 and MPR 329, Amdt. 3]

FLUID MILK IN FLORIDA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (i) of the General Maximum Price Regulation, it is hereby ordered that Order G-16 be amended in the following respects:

A proviso shall be added to section 14 (b), to read as follows: "*Provided*, That the maximum price at which any seller may sell or deliver approved fluid milk in Sarasota County at wholesale and at retail out-of-store in the hereinafter enumerated sizes may not exceed the following: Wholesale: Quart, 16¢, pint, 9¢, half pint, 4½¢, ⅓ quart, 7¢; Retail out-of-store: Quart, 18¢; pint, 10¢, half pint, 6¢, ⅓ quart, 8¢.

This amendment shall become effective May 31, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: June 7, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11954; Filed, July 3, 1945; 1:13 p. m.]

[Region IV Order G-16 Under SR 15, MPR 280 and MPR 329, Amdt. 4]

FLUID MILK IN FLORIDA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1351.408 (b) and (c) of Maximum Price Regulation 329, it is hereby ordered that Order G-16 be amended in the following respects:

Section 17 is amended as follows: The prices in the table opposite the name, "Sarasota", shall read $4.884 in the per cwt. column and $.42 in the per gallon column.

This amendment shall become effective June 1 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: June 7, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11960; Filed, July 3, 1945; 1:14 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 17]

SOLID FUELS IN LINCOLN, NEBR., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects: In Appendix No. 15 to Order No. G-16 covering the Lincoln, Nebraska, area, paragraph (b), price schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Service charges are set forth in section (c). Charges for treatment of coal are set forth in section (d). Discounts are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 25¢, but in no event shall the total price be in excess of that for a sale of 1 ton: for example, if the price of 1 ton is $13.85, the price of ½ ton would be $6.95 plus 25¢ or a total of $7.20; the price of ¾ ton would be $10.40 plus 25¢ or a total of $10.65.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton: for example, if the price of 1 ton is $13.85, the price of 1½ tons would be $20.78.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton: for example, if the price of 1 ton at the yard is $12.10, the price of ½ ton would be $6.05, of 1½ tons—$18.15.

The prices established by the following schedule supersede those established by the adjustment permitted by Regional Order No. G-19 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

I. *High volatile bituminous coal from district No. 10 (Illinois)*

A. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):

	Delivered per ton
1. Lump and Egg—size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2" washed or raw) including 6" lump and 6" x 3" egg	$11.04
2. Egg—size group No. 5 (all egg coals bottom size larger than 1¼" but not exceeding 2" and top size larger than 2" but not exceeding 4" washed or raw. Including 3" x 2")	10.39
3. Stove—size group No. 8 (all stove coal, bottom size larger than ⅜" and top size larger than 1¼" but not exceeding 2". Washed or raw, including 2" x 1¼")	10.14
4. Special stoker—size group Nos. 21, 22 and 28 (washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; and dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding ⅜")	9.44

B. Duquoin Sub-district Price Group No. 8 (deep machine mines):

1. Washed screenings—Size group Nos. 23 and 24 (washed or air cleaned screenings top size not exceeding 2")	8.84

C. Belleville and Duquoin subdistricts price group Nos. 10 and 16-22 inclusive:

1. Lump and egg—Size group Nos. 1, 2 and 3 (for size description see IA1 above):	
Strip mines	9.60
Deep machine mines	9.69

II. *Bituminous coal from District No. 14 (Arkansas, Oklahoma)*

Following is a description of size group numbers referred to in price schedule for this district.

(a) 3A. All solid shot or strip mined single screened lump coals bottom size larger than 2½".

(b) 3. All solid shot or strip mined single screened lump coals bottom size not exceeding 2½".

(c) 4. All machine cut, single screened lump coals bottom size not less than 2½".

(d) 5. All machine cut, single screened lump coals bottom size less than 2½".

(e) 6. All double screened coals bottom size larger than 4".

(f) 7. All double screened coals top size larger than 4" and bottom size larger than 2½" but not exceeding 4".

(g) 8. All double screened coals top size larger than 4" and bottom size not exceeding 2½"; all double screened coals top size larger than 3" but not exceeding 4" and bottom size not exceeding 2"; all double screened coals top size larger than 2½" but not exceeding 3" and bottom size larger than 1½".

(h) 9. All double screened coals top size larger than 3" but not exceeding 4" and bottom size not exceeding 2"; all double screened coals top size larger than 2½" but not exceeding 3" and bottom size larger than 1½".

(i) 10. All double screened coals top size larger than 2½" but not exceeding 3" and bottom size not exceeding 1½"; all double screened coals top size not exceeding 2½" and bottom size larger than 1½".

(j) 11. All double screened coals top size larger than 1½" but not exceeding 2½" and bottom size larger than ⅞" but not exceeding 1½".

II. *Bituminous coal from District No. 14 (Arkansas, Oklahoma)*—Continued

	Delivered per ton
A. Production group No. x 1, 1A and 1B (includes all mines in Pope County, all mines in the "Spadra field" of Johnson County, Ark., and all mines in the Scranton field of Logan County, Ark.):	
1 Nut size group Nos. 9, 10 and 11.:	
a Production group No. 1 (strip mines) mine index Nos. 593, 1014, 1021, 1030, 1040, 1047, 1032 only	$15.35
b Production group No. 1A (underground mines machine cut) mine index Nos. 6, 9, 173, 206, and 1022 only	15.90
B Production group Nos. 2, 2A, and 2B (includes all mines in the Denning-Coal Hill and Altus fields of Franklin and Johnson Counties, and all mines in the Philpott field of Johnson and Franklin Counties, Ark.):	
1 Production group No. 2 (strip mines) mine index Nos. 537, 585 and 1009 only:	
a. Lump size group No. 3A	13.45
b. Lump size group No. 3	13.30
c. Grate Furnace—egg size group Nos. 6, 7, 8	13.45
2. Production Group No. 2B (underground mines solid shot) mine index Nos. 104, 179, 401, 476, 487, 586 and 628 only:	
a. Lump, furnace, grate egg—size group Nos. 3A, 6, 7, 8	14.00
b. Lump—Size group No. 3	13.85
3 Production group No. 2A (underground mines machine cut):	
Mine index Nos. 148, 211, and 562 only:	
a Lump—furnace—grate egg—Size group Nos. 4, 6, 7 and 8	14.35
b. Lump size group No. 5	14.20
Mine Index No. 559 only:	
a Lump furnace, grate and egg—Size groups Nos. 4, 6, 7, 8	15.40
b. Lump size group No. 5	15.25
C. Production group No. 3A (includes all mines in the "Paris field" of Logan County, Ark., and mines in Franklin County located in the Paris Basin):	
1 Production group No. 3A (underground mines machine cut) mine index Nos. 40, 53, 55, 76, 110, 116 and 132 only:	
a. Lump, grate, furnace, and egg size group Nos. 4, 6, 7, and 8	15.05
b Lump size group No. 5	14.90
2. Production group 3A mine index Nos. 52, 117 only:	
a. Lump, grate, furnace and egg size group Nos. 4, 6, 7 and 8	15.30
b Lump size group No. 5	15.15

II. *Bituminous coal from District No. 14 (Arkansas, Oklahoma)*—Continued

	Delivered per ton
D. Production group Nos. 5, 5A and 5B (includes all mines in Sebastian County, Ark.):	
1. Production group No. 5 (strip mines) mine index Nos. 484, 511, 547, 548, 601, 1004, 1010, 1020, 1023, 1026, 1029, 1033, 1043 only:	
a. Lump grate, furnace, and egg size group Nos. 3A, 6, 7 and 8	$13.30
b. Lump size group No. 3	13.15
2. Production group No. 5 (strip mines) mine index No. 1001, 1005 only:	
a. Lump grate, furnace and egg, size group Nos. 3A, 6, 7, 8	13.60
b. Lump size group No. 3	13.45
3. Production group No. 5B (underground mines solid shot) mine index Nos. 56, 79, 80, 170, 182, 198, 329, 336, 340, 349, 603, 611, and 1011 only:	
a. Lump, grate furnace and egg—Size group Nos. 3A, 6, 7, 8	13.80
b. Lump—Size group No. 3	13.65
4. Production group No. 5A (underground mines machine cut) Mine index Nos. 2, 13, 34, 89, 106, 580, 608 and 627 only:	
a. Lump, grate furnace and egg—Size group Nos. 4, 6, 7, and 8	14.55
b. Lump, Size group No. 5	14.40
5. Production group No. 5A (underground mines machine cut):	
a. Lump grate, furnace and egg—Size group Nos. 4, 6, 7, and 8:	
1. Mine index No. 121 only	15.05
b. Lump size group No. 5:	
1. Mine index No. 121 only	14.90
E. Production group No. 6 and 6A (includes all mines in the "Panama field" of Le Flore County, Okla.):	
1. Production group No. 6 (strip mines) mine index Nos. 1024, 1025, and 1041 only:	
a. Lump—Size group No. 3A	13.40
b. Lump—Size group No. 3	13.25
c. Grate, furnace, and egg—Size group Nos. 6, 7 and 8	13.30
2. Production group No. 6A (underground mine machine cut):	
a. Lump, grate furnace and egg—Size group Nos. 4, 6, 7 and 8:	
1. Mine index No. 15 only	14.10
2. Mine index Nos. 48 and 126 only	14.80
b. Lump size group No. 5:	
1. Mine index No. 15 only	13.95
2. Mine index Nos. 48 and 126 only	14.65
F. Production group No. 7A, 7AA, and 7B (includes all mines in the "Bokoshi and Milton field" of Leflore County, Okla., mines in the McCurtain field of Haskell County and all mines in Sequoyah County, Okla.:	
1. Production group No. 7A (underground mines machine cut) mine index Nos. 22, 59, 134, 213, 495, 543, and 581 only:	
a. Lump grate, furnace and egg—Size group Nos. 4, 6, 7 and 8	14.25
b. Lump size group No. 5	14.10
2. Production group No. 7AA (underground mines machine cut) Mine index Nos. 86, 209, 573, and 1045 only:	
a. Lump, grate, furnace and egg—Size group Nos. 4, 6, 7 and 8	13.95
b. Lump size group No. 5	13.80

II. *Bituminous coal from District No. 14 (Arkansas, Oklahoma)*—Continued

	Delivered per ton
F. Production group Nos. 7A, 7AA, and 7B—Continued.	
3. Production group No. 7B (underground mines solid shot) mine index Nos. 8, 177, 436, 521, 531, 542, only:	
a. Lump grate, furnace and egg—Size group Nos. 3A, 6, 7, and 8	$13.60
b. Lump—Size group No. 3	13.45
G. Production grep No. 8, 8A and 8B (includes all mines in the Poteau-Wister field in Leflore County, Okla.):	
1. Production group No. 8 (strip mines) mine index No. 1042 only:	
a. Lump, size group No. 3A	13.30
b. Lump size group No. 3	13.15
c. Grate furnace and egg—Size group Nos. 6, 7, and 8	13.20
2. Production group No. 8A (underground mines machine cut):	
a. Lump, grate furnace egg—Size group Nos. 4, 6, 7, 8:	
1. Mine index Nos. 23, 113, 123, 207, and 1031 only	14.35
2. Mine index No. 87 only	14.60
3. Mine index No. 527 only, (Size group No. 4 only)	14.90
4. Mine index No. 527. Size group Nos. 6, 7, and 8	14.35
b. Lump size group No. 5:	
1. Mine index Nos. 23, 113, 123, 207 and 1031 only	14.20
2. Mine index No. 87 only	14.45
3. Mine index No. 527 only	14.75
3. Production group No. 8B (underground mines solid shot) mine index Nos. 533, 627, and 1044:	
a. Lump—Size group No. 3A	13.85
b. Lump—Size group No. 3	13.70
c. Grate furnace and egg—Size group Nos. 6, 7, and 8	13.75

III. *High volatile bituminous coal from District No. 15 (Kansas, Missouri, and part of Oklahoma)*

	Delivered per ton
A. Production group No. 1 (all mines located in Cherokee, Crawford, Bourbon, Meosho, Labette and Wilson Counties, Kansas; and Barton, Jasper, Dade, Cedar and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Mo.) (strip mines):	
1. Washed egg—size group No. 3 (all washed double screened coals with a top size larger than 3" but not exceeding 10", bottom size larger than 1¼"	$9.39
2. Standard nut—size group No. 6 (double screened coals with a top size larger than 2" but not exceeding 3"; bottom size 1¼" and smaller, including 3" x 1¼")	9.04
3. No. 2 nut—size group No. 7 (double screened coals with a top size larger than 1¼" but not exceeding 2"). Washed coal only	8.49
4. Stoker—size group No. 11 (double screened coals with a top size 1¼" and smaller, bottom size larger than ¼" but not exceeding ⅜")	8.04

III. *High volatile bituminous coal from District No. 15*—Continued

	Delivered per ton
B. Production group No. 2 (all mines in Linn County, Kans.; and Bates, Henry, St. Clair, Miller, Morgan, Pettis, and Johnson Counties; and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri) (strip mines):	
1. Furnace or egg—size group No. 3 (double screened coals with a top size larger than 3" but not exceeding 10", bottom size larger than 1¼")	$8.64
C. Production group No. 3 (all mines located in Boone, Callaway, Audrain, Randolph, Clark, Macon, Moniteau, Linn, Grundy, Harrison, Adair, Charlton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan, and Ralls Counties in Missouri) (strip mines):	
1. Furnace or egg—size group No. 3 (double screened coals with a top size larger than 3" but not exceeding 10", bottom size larger than 1½")	8.69
2. Fancy nut—size group No. 5 (double screened coals with a top size larger than 2" but not exceeding 3", bottom size larger than 1¼")	8.19
3. Special stoker—size group No. 11 (double screened coals with a top size 1¼" and smaller, bottom size larger than ¼" but not exceeding ⅜")	7.64
4. Washed screenings—size group No. 13 (all washed screenings top size not exceeding 1¼" x 0)	7.24
D. Production Group No. 10 (all mines located in McIntosh and in Okmulgee Counties, Okla):	
1. Lump—size group Nos. 1 and 2 (all single screened lump coal with a bottom size 3" and smaller; all double screened coals with a top size larger than 10") from deep shaft mines only	12.10
2. Special stoker—size group No. 11 (double screened coals with a top size 1¼" and smaller, bottom size larger than ¼" but not exceeding ⅜") from deep shaft mines only	9.40
E. Production group No. 11 (all mines located in Tulsa, Wagoner, Roger, Craig and Nowata Counties, Okla., and all that part of Muskogee County, Okla., north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Porum, Okla.) strip mines:	
1. Lump—size group Nos. 1 and 2 (all single screened lump coal with a bottom size 3" and smaller; all double screened coals with a top size larger than 10")	10.49
2. Standard nut—size group No. 6 (double screened coals with a top size larger than 2" but not exceeding 3", bottom size 1¼" and smaller)	9.84
3. Special stoker—size Group No. 11 (double screened coals with a top size 1¼" and smaller, bottom size larger than ¼" but not exceeding ⅜")	8.99

IV. *High volatile bituminous coal from District No. 17 (western and southern Colorado, including Colfax County, N. Mex.)*

	Delivered per ton
A. Subdistrict No. 4—Oak Hills (that part of Routt County, Colo., lying on and adjacent to the main line of the D. & S. L. Railroad, at and adjacent to the town of Oak Creek, and extending north along the line of the D. & S. L. Railroad, Phippsburg to Steamboat Springs, Colo.):	
1. Nut—Size group No. 9 (all double screened coals top size larger than 1½" but not exceeding 3" and bottom size larger than 1" but not exceeding 1½"; including 3" x 1¼")	$13.00

V. *Pennsylvania anthracite*

1 Egg, stove, nut	23.10

This Amendment No. 17 to Order No. G–16 shall be effective retroactively as of May 4, 1945.

Issued this 29th day of May 1945.

EARL W. CLARK,
Acting Regional Administrator.

[F. R. Doc. 45–11953; Filed, July 3, 1945; 1:12 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 18]

SOLID FUELS IN OMAHA, NEBR., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 9, which covers the Omaha, Nebraska, area, paragraph (b), Price schedule, is amended to read as follows:

PRICE SCHEDULE

Description	Domestic delivered per ton	Domestic delivered per ½ ton	Domestic at yard per ton	Commercial delivered per ton
I. High volatile bituminous coal from District No. 9 (western Kentucky):				
A. No. 9 seam				
1. Washed nut and pea—size group Nos. 17–22 inc. including ¾" x ⅛"	$9.26	$5.13	$8.26	$7.71
II. High volatile bituminous coal from district No. 10 (Illinois).				
A. Southern subdistrict (deep machine mines):				
1. Lump and egg—size group Nos. 1, 2 and 3; price groups 1, 2 and 8 (including 6" lump and 6" x 3" egg)	10.79	5.90	9.79	
2. Stove—size group No. 8 (inc. 2" x 1¼") price group Nos. 1, 2 and 8	10.14	5.60	9.14	8.49
3. Special stoker—size group Nos. 21, 22 and 28; price group Nos. 1, 2 and 8 (inc. 1" x 10 mesh and ⅜" x 10 mesh)	9.74	5.40	8.74	8.09
B. Duquoin subdistrict (deep machine mines):				
1. Washed screenings—size group Nos. 23 and 24; price group No. 8 (including 1" x 28 mesh)	9.04	5.05	8.04	
C. Belleville subdistrict				
1. Lump and egg—size group Nos. 1, 2, and 3; price group Nos. 10, and 16–22 inclusive. All lump and egg coals bottom size larger than ½", washed or raw:				
a. Strip mines	9.79	5.40	8.79	
b. Deep machine mines	9.84	5.45	8.84	
2. Stove—size group No. 8 (inc. 2" x 1¼") price group Nos. 10 and 16–22 inc.)				
a. Strip mines	8.95	5.00	7.97	
b. Deep machine mines	9.04	5.05	8.04	
III. High volatile bituminous coal from District No. 12 (Iowa)				
A. Centerville origin group				
1. Lump or chunk—size group Nos. 1 and 2				
a. Strip mines	9.70	5.35	8.70	
b. Deep machine mines	9.97	5.49	8.97	

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets maximum prices for domestic "delivered" sales in lots of ½ ton and 1 ton or more, domestic "at yard" and commercial "delivered" sales in lots of 2 tons or more, by dealers of specified kinds and sizes of solid fuels. Service charges are set forth in section (c). Charges for treatment of coal are set forth in section (d). Discounts for payments made on delivery or within 10 days on domestic sales are set forth in section (e). Definitions are set forth in section (f).

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District Nos. 9 and 19 the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On District No. 10 (Illinois) coal described in paragraph II, A and B, the prices apply to coal produced in deep machine mines only; on the coal described in paragraph II, C, the prices apply to coal produced in both strip mines and deep machine mines. On District No. 12 (Iowa) coal the prices vary with strip mine and deep machine mine types. The prices for District No. 14 (Arkansas, Oklahoma) coal vary with the types of mine production, such as underground mines machine cut, underground mines solid shot, and strip mines. The prices of coal produced in District No. 15 apply to strip mine coal only, except as to coal in Production Group No. 10, which applies to deep shaft mine coal only. The prices of briquettes are unaffected by the type of mine operation.

The prices established by this Schedule supersede those computed in accordance with the adjustment authorized by Regional Order No. G–19 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE—Continued

Description	Domestic delivered per ton	Domestic delivered per ½ ton	Domestic at yard per ton	Commercial delivered per ton
IV. Bituminous coal from District No. 14—Continued.				
(b) Production group Nos. 6 and 6A (includes all mines in the Panama field of Latimer County, Okla.)				
1. Production group No. 6 (underground mines machine cut):				
a. Size group No. 3 only	$11.45	$7.73	$10.45	
b. Mine index Nos. 15 only	15.15	8.08	14.15	
(ii) Mine index Nos. 48 and 126 only		7.65	13.30	
b. Size group No. 5	14.30	7.90	14.00	
(i) Mine index No. 15 only	15.00			
(ii) Mine index Nos. 48 and 126 only				
2. Production group No. 6 (strip mines) mine index Nos. 1024, 1025, and 1031 only:				
a. Size group No. 3A		13.75	12.75	
b. Size group No. 5		13.90	12.90	
c. Size group No. 6, 7 and 8		13.95	12.95	
E. Production group No. 7A, 7AA (includes all mines in the Hackett and Milton field of Le Flore County, Okla., mines in the Mc Curtain field of Haskell County and all mines in Sequoyah County, Okla.):				
1. Production group No. 7A. (Underground mines machine cut.)				
a. Size group Nos. 2, 69, 186, 238, 495, 548 and 581 only:		7.90	13.90	
b. Size group Nos. 4, 6, 7 and 8		13.95	13.95	
2. Production Group No. 7AA. (Underground mines machine cut) Mines index Nos. 36, 299, 553, and 1365 only:				
a. Size group Nos. 4, 6, 7 and 8		7.75	13.50	
b. Size group No. 5		7.90	13.65	
3. Production group No. 7B (underground mines solid shot) (mine index Nos. 127, 196, 521, 531, and 542 only:				
a. Size group Nos. 3A, 4, 7 and 8		7.85	13.85	
b. Size group Nos. 5		7.90	13.90	
V. High volatile bituminous coal from District No. 15 (Kansas, Missouri, and part of Oklahoma):				
A. Production group No. 1 (all mines located in Cherokee, Crawford, Bourbon, Neosho, Labette and that portion of Montgomery County lying south of an east and west line drawn through the town of Nevada, Missouri) (strip mines):				
1. Lump—Size groups Nos. 1 and 2. All lump coal with a bottom size 3" and smaller and all double screened coal with a top size larger than 3"		8.49		
2. Fancy nut—Size group No. 5. (double screened coals with a top size not larger than 3" but larger than 2" and a bottom size larger than 1¼")		8.44		
3. Standard nut—size group No. 6 (washed), double screened coals with a top size not larger than 2" but larger than 1¼" and a bottom size 1¼" and smaller		8.09		$8.94
4. No. 2 nut (washed)—size group No. 7. Double screened coal with a top size not larger than 2" but larger than 1¼"		7.94		8.64
5. Stoker—Size group No. 11 (double screened coals with a top size not larger than 1¼" and a bottom size larger than ¼" but not larger than ⅜")		7.41		8.11
6. Washed screenings—size group No. 13. Washed coal passing through a screen with openings not over 1¼" from which no coal has been removed (commercial only)		6.54		8.74
7. Raw screenings—size group No. 14. Raw coal passing through a screen with openings not over 1¼" from which no coal has been removed (commercial only)				8.11
B. Production group No. 2 (all mines located in Linn County, Kans.; and Bates, Henry, St. Clair, Miller, Morgan, Pettis, and Johnson Counties; and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada, Missouri) (strip mines):				
1. Furnace or egg—size group No. 3 (double screened coals with a top size not larger than 3" but larger than 1¼" and a bottom size not less than 1¼")		7.84		7.74
2. No. 2 nut—size group No. 7 (double screened coal with a top size not larger than 2" but larger than 1¼")		7.39		7.19
C. Production group No. 3 (All mines located in Boone, Callaway, Audrain, Randolph, Clark, Macon, Moniteau, Linn, Grundy, Harrison, Adair, Charlton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan, and Ralls Counties in Missouri) (strip mines):				
1. Furnace or egg—size group #3 (for dimensions see V A 3 above)		8.73		8.73
2. Standard nut—size group #6 (for dimensions see V A 3 above)		8.19		8.19

PRICE SCHEDULE—Continued

Description	Domestic delivered per ton	Domestic delivered per ½ ton	Domestic at yard per ton	Commercial delivered per ton
IV. Bituminous coal from District No. 14 (Arkansas, Oklahoma):				
Following are maximum prices established in this paragraph:				
(a) 1, All solid-shot or strip mined, single screened lump coals, bottom size larger than 2½".				
(b) 3, All solid-shot or strip mined, single screened lump coals, bottom size not exceeding 2½".				
(c) 4, All machine cut, single screened lump coals, bottom size not less than 2½".				
(d) 5, All machine cut, single screened lump coals, bottom size less than 2½".				
(e) 6, All double screened coals, top size larger than 4" and bottom size larger than 2½" but not exceeding 4".				
(f) 7, All double screened coals, top size larger than 4" and bottom size not exceeding 2½", also all double screened coals, top size larger than 3" but not exceeding 4" and bottom size larger than 2½".				
(g) 8, All double screened coals, top size larger than 3" but not exceeding 3" and bottom size not exceeding 2"; also all double screened coals, top size larger than 2" but not exceeding 2½" and bottom size larger than 1½".				
(h) 9, All double screened coals, top size larger than 3" but not exceeding 3" and bottom size not exceeding 1½"; also all double screened coals, top size not exceeding 2½" and bottom size larger than 1½".				
(i) 11, All double screened coals, top size larger than 2½" but not exceeding 3" and bottom size larger than 1½" but not exceeding 1½".				
(j) 12, All double-size mine run coals top size larger than 1½" but not exceeding 2½" and bottom size not exceeding ¾", also all double screened coals, top size larger than 1½" but not exceeding 1½" and bottom size larger than ¾".				
(k) 13, All double screened coals, top size larger than 1½" but not exceeding 1½" and bottom size not exceeding ¾".				
(l) 14, All double screened coals, top size not exceeding 1½" and bottom size larger than ¾", also all double screened coals, top size not exceeding 1½" and bottom size not exceeding ¾".				
(m) 15, All single screened resultant coals, larger than 1¼" x 0 but not exceeding 2½" x 0.				
(n) 17, All double screened coals, top size not exceeding 2½" and bottom size not exceeding ¾".				
A. Production group No. 1A (includes all mines in "Spadra field" of Johnson County, Ark., and all mines in the "Scranton field" of Logan County, Ark.:				
1. Production group No. 1A (underground mines machine cut)				
a. Mine index Nos. 8, 9, 173, 206 and 1022 only:	$15.10	$8.05	$14.10	
b. Size group Nos. 3 and 4	15.35	8.18	14.35	
c. Size group Nos. 9, 10 and 11	14.85	7.93	13.85	
2. Production group No. 1 (strip mines) mine index Nos. 366, 1014, 1021, 1030, 1032, 1040, 1047 only:				
a. Size group Nos. 3, 6, 7 and 8	14.55	7.80	13.55	
b. Size group Nos. 9, 10 and 11	14.70	7.85	13.70	
c. Size group Nos. 12 and 13	14.80	7.95	13.80	
B. Production group No. 3A (includes all mines in the "Paris field" of Logan County, Ark., and mines in Franklin County located in "Spadra field" and all mines in the machine cut)				
1. Size group Nos. 4, 6, 7 and 8:				
a. Mine index Nos. 40, 52, 55, 76, 110, 116 and 132 only	15.30	8.15	14.30	
b. Mine index Nos. 52 and 117	15.55	8.28	14.55	
2. Size group Nos. 9, 10 and 11:				
a. Mine index Nos. 40, 52, 55, 76, 110, 116 and 132 only	15.15	8.05	14.15	
b. Mine index Nos. 52 and 117	15.40	8.20	14.40	
3. Size group No. 12:				
a. Mine index Nos. 40, 52, 55, 76, 110, 116 and 132 only	19.30	5.65	18.30	$9.39
b. Mine index Nos. 52 and 117	19.55	5.78	18.55	9.52
C. Production group No. 5A and 5B (includes all mines in Sebastian County, Ark.):				
1. Production group No. 5A (underground mines machine cut)				
a. Size group Nos. 3, 6, 7 and 8:				
(i) Mine index Nos. 2, 13, 34, 86, 106, 280, 648 and 827 only:		7.80	13.05	
a. Size group Nos. 3, 6, 7 and 8		7.95	13.20	
b. Size group No. 5		5.15	8.35	8.10
b. Size group No. 11				
2. Production group No. 5A (underground mines machines cut) mine index No. 121 only:				
a. Size group Nos. 3, 6, 7 and 8		8.05	13.45	
b. Size group No. 5		8.15	13.30	
3. Production group No. 5A (underground mines solid shot) mine index Nos. 36, 79, 80, 170, 182, 198, 329, 330, 340, 349, 945, 951, 547, 585, 601, 1004, 1010, 1020, 1023, 1026, 1029, 1045 and 1143 only:				
a. Size group Nos. 3A, 6, 7 and 8		7.80	13.30	
b. Size group No. 5		7.95	13.05	
c. Size group No. 11		5.15	8.35	8.10
4. Production Group Nos. 5 (strip mines) mine index Nos. 384, 511, 547, 585, 601, 1004, 1010, 1020, 1023, 1026, 1029, 1045 and 1143 only:				
a. Size group Nos. 3A, 6, 7 and 8		7.85	13.45	
b. Size group No. 5		7.95	13.30	
c. Size group No. 14		5.15	8.35	8.10
5. Production group No. 5 (strip mines) mine index Nos. 1001 and 1005 only:				
a. Size group Nos. 3A, 6, 7 and 8		7.95	13.05	
b. Size group No. 5		8.05	12.90	
c. Size group No. 11		5.25	8.45	8.20

PRICE SCHEDULE—Continued

Description	Domestic delivered per ton	Domestic delivered per ½ ton	Domestic at yard per ton	Commercial delivered per ton
V. High volatile bituminous coal from District No. 15—Con.				
C. Production group No. 8.—Continued.				
3. No. 2 nut—size group No. 7 (for dimensions see V B 2 above)	$8.14	$4.57	$7.14	$6.64
4. Stoker—size group No. 11 (for dimensions see V A 5 above)	8.04	4.52	7.04	5.89
5. Washed screenings—size group No. 13. (For dimensions see V A 6 above)	7.54	4.27	6.80	5.39
D. Production group No. 9. (All mines located in Coal County, Okla.) (strip mines):				
1. Lump and egg—size group Nos. 1, 2, and 3. (All single screened lump coal with a bottom size 3" and smaller and all double screened coals with a top size larger than 3" but not exceeding 10", bottom size larger than 1¼")	12.64	6.82	11.64	.....
2. Chestnut—size group No. 8 (all double screened coals with a top size 1¼" and smaller, bottom size larger than ⅜")	9.24	5.12	8.24	7.61
E. Production group No. 10. (All mines located in McIntosh and in Okmulgee Counties, Okla.):				
1. Lump—size group Nos. 1 and 2. (For dimensions see V A 1 above) from deep shaft mines only	12.05	6.53	11.05	.....
2. Stoker—size group No. 11. (For dimensions see V A 5 above) from deep shaft mines only	9.75	5.38	8.75	.....
F. Production group No. 11. (All mines located in Tulsa, Wagoner, Roger, Craig and Nowata Counties, Okla., and all of that part of Muskogee County, Okla., north of a line drawn straight east and west across Muskogee County along the southern limits of the town of Porum, Oklahoma.) (Strip mines).				
1. Lump—size group 1 and 2; Furnace or Egg—size group No. 3. (All lump coal; also all double screened coals with a top size not larger than 10" but larger than 3" and a bottom size larger than 1¼")	10.40	5.72	9.40	.....
2. Standard nut—size group No. 6. (for dimensions see V A 3 above)	10.14	5.57	9.14	8.20
3. Special stoker—size group No. 11 (for dimensions see V A 5 above)	9.09	5.07	8.09	7.19
VI. High volatile bituminous coal from District No. 19 (Wyoming):				
A. Subdistrict No. 2. (Sweetwater and Sublette Counties)				
1. Nut—size group No. 8. (Including 3" x 1⅜")	12.15	6.60	11.15	.....
2. Slack and stoker screenings size group Nos. 15 and 16. (Including 1⅜" x 0 and 1" x 0)	10.35	5.70	9.35	8.45
VII. Briquettes:				
1. Standard	15.05	8.05	14.05	.....
2. White City	14.20	7.60	13.20	.....

This Amendment No. 18 to Order No. G–16 shall become effective retroactively as of May 4, 1945.

Issued this 29th day of May 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-11952; Filed, July 3, 1945; 1:12 p. m.]

[Region VI Order G–16 Under MPR 122, Appendix 19]

SOLID FUELS IN KENOSHA, WIS., AREA

(a) *Applicability.* This Appendix No. 19 applies to sales of solid fuels delivered within the city of Kenosha, Wisconsin, and all that territory adjacent to the city of Kenosha bounded by Kilbourn Road on the west, McKeon Road on the south, and Berryville Road on the north in the State of Wisconsin.

(b) *Price schedule.* Immediately below and as a part of this section (b) is a Price Schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Charges for treatment of coal are set forth in section (c). Discounts are set forth in section (d). Service charges are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 50¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is $10.15, the price of ½ ton would be $5.08 plus 50¢ or a total of $5.58; the price of ¾ ton would be $7.61 plus 50¢ or a total of $8.11.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is $13.70, the price of 1½ tons would be $20.55.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is $11.90, the price of ½ ton would be $5.95; of 1½ tons—$17.85.

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District Nos. 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On sales of coal from District No. 10 (Illinois), prices for coal described in paragraph IV, A, 1 to 4, inclusive, apply to coal produced by deep machine mines only. District No. 10 (Illinois) prices for the sale of coal described in paragraph IV, B, 1, vary as specified for coal obtained from deep machine mines and strip mines. The prices of by-product coke and briquettes are unaffected by the type of mine operation.

PRICE SCHEDULE

	Delivered per ton
I. Low volatile bituminous coal from District No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump and egg—size group Nos. 1 and 2 (all lump coal bottom size ⅜", all egg coal top size larger than 3", bottom size no limit) in price classification A and B:	
a. Forked or screened	$13.21
b. Shovelled or bin run	12.71
2. Stove—size group No. 3 (top size larger than 1¼" but not exceeding 3"; bottom size smaller than 3") in price classification A:	
a. Forked or screened	13.01
b. Shovelled or bin run	12.51
3. Nut—size group No. 4 (top size larger than ¾" but not exceeding 1¼", bottom size smaller than 1¼") in price classification A	10.86
4. Pea or dedusted screenings—size group No. 5 (top size not exceeding ¾", bottom size smaller than ¾")	10.31
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Egg—size group No. 4 (all double screened egg coals, top size larger than 6" and bottom size larger than 2", but not exceeding 3", including 8" x 3") price classification G through N	10.65
2. Egg—size group No. 6 (all double screened egg coals top size larger than 5" but not exceeding 6" and bottom size 2" and smaller; also top size 3" and larger, but not exceeding 5" and bottom size larger than 2" but not exceeding 3", including 6" x 2" and 5" x 3") price classification B through K	10.15
3. Egg—size group No. 7 (all double screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller including 5" x 2" and 4" x 2"):	
a. In price classification A	10.50
b. In price classification B through D	9.95
4. Stoker—size group No. 10 (all double screened stoker coals, top size not exceeding 1¼" and bottom size less than 1¼"):	
a. In price classification A	10.10
b. In price classification B through E	9.65
III. High volatile bituminous coal from district No. 9 (western Kentucky):	
1. Stoker—size group Nos. 8–12 inc. (all raw double screened nut, stoker and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or 3/32") No. 6 Seam	8.81
IV. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict price group Nos. 1, 2 and 8 (deep machine mines):	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump and egg coal bottom size larger than 2", washed or raw)	9.34
2. Egg and nut—size group No. 4, 5, 6, and 8 (all egg and stove coals bottom size 2" and smaller, washed or raw)	9.14
3. Special stoker—size group Nos. 21, 22 and 28 (washed or air cleaned) nut and pea coal—bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker, bottom size larger than 28 mash and top size not exceeding ¾")	8.39
4. Washed screenings—size group Nos. 23 and 24 (all washed or air cleaned screenings—top size not exceeding 2")	8.09

PRICE SCHEDULE—Continued

	Delivered per ton
I. Low volatile bituminous coal from District No. 7—Continued.	
2. Stove—size group No. 3 (top size larger than 1¼" but not exceeding 3"; bottom size smaller than 3") in price classification A:	
a. Forked or screened	$13.01
b. Shovelled or bin run	12.51
3. Nut—size group No. 4 (top size larger than ¾" but not exceeding 1¼", bottom size smaller than 1¼") in price classification A	10.86
4. Pea or dedusted screenings—size group No. 5 (top size not exceeding ¾", bottom size smaller than ¾")	10.31
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Egg—size group No. 4 (all double screened egg coals, top size larger than 6" and bottom size larger than 2", but not exceeding 3", including 8" x 3") price classification G through N	10.65
2. Egg—size group No. 6 (all double screened egg coals top size larger than 5" but not exceeding 6" and bottom size 2" and smaller; also top size 3" and larger, but not exceeding 5" and bottom size larger than 2" but not exceeding 3", including 6" x 2" and 5" x 3") price classification B through K	10.15
3. Egg—size group No. 7 (all double screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller including 5" x 2" and 4" x 2"):	
a. In price classification A	10.50
b. In price classification B through D	9.95
4. Stoker—size group No. 10 (all double screened stoker coals, top size not exceeding 1¼" and bottom size less than 1¼"):	
a. In price classification A	10.10
b. In price classification B through E	9.65
III. High volatile bituminous coal from district No. 9 (western Kentucky):	
1. Stoker—size group Nos. 8–12 inc. (all raw double screened nut, stoker and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or 3/32") No. 6 Seam	8.81
IV. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict price group Nos. 1, 2 and 8 (deep machine mines):	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump and egg coal bottom size larger than 2", washed or raw)	9.34
2. Egg and nut—size group No. 4, 5, 6, and 8 (all egg and stove coals bottom size 2" and smaller, washed or raw)	9.14
3. Special stoker—size group Nos. 21, 22 and 28 (washed or air cleaned) nut and pea coal—bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker, bottom size larger than 28 mash and top size not exceeding ¾")	8.39
4. Washed screenings—size group Nos. 23 and 24 (all washed or air cleaned screenings—top size not exceeding 2")	8.09

IV. *High volatile bituminous coal from District No. 10*—Continued

	Delivered per ton
B. Belleville and Duquoin—subdistricts—price group Nos. 10 and 16–22 inc.:	
1. Egg and nut—size group Nos. 4, 5, 6, and 8 (all egg and stove coals, bottom size 2" and smaller, washed or raw):	
Strip mines	$8.50
Deep machine mines	8.59
V. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):	
a. Price group Nos. 6 and 14	9.69
b. Price group Nos. 15 and 16	9.49
2. Egg, nut and stove—size group Nos. 4, 5, 6, and 8 (all egg and stove coals bottom size 2" and smaller, washed or raw)	8.59
3. Stoker—size group Nos. 9–12 inc. (Raw nut and pea coal—bottom size larger than 10 mesh or 3/32" and top size not exceeding 2") price group Nos. 6 and 14	8.69
VI. Byproduct coke:	
1. Stove and nut—Solvay or Koppers	14.65
2. Stove and nut—Racine	13.10
3. Pea—Racine	12.10
VII. Briquettes low volatile united	12.90

(c) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this Appendix No. 19; *Provided*, That the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(d) *Discounts.* The maximum prices set forth in section (b) shall be subject to the following discounts:

	Per ton
1. On yard sales of 1 ton or more to purchasers other than dealers	$1.00
2. On yard sales of 1 ton or more to dealers	1.50
3. On a sale or delivery of a lot of 20 tons or more to one bin at one time	.50
4. On a sale or delivery of 50 tons or more annually	.50
5. On District Nos. 7 and 8 coal picked up at local docks by dealers	2.00

(e) Immediately below and as a part of this section (e) is a schedule of service charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated on the dealer's invoice.

SCHEDULE OF SERVICE CHARGES

	Per ton
1. Wheel or carry from curb	$0.75
2. Carry up or down stairs	1.00

(f) *Definitions.* Except as otherwise provided herein or as the context may otherwise require, all terms used in this appendix shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their customary trade meaning.

This Appendix No. 19 to Order No. G–16 shall become effective June 10, 1945.

Issued this 2d day of June 1945.

EARL W. CLARK,
Acting Regional Administrator.

[F. R. Doc. 45-11951; Filed, July 3, 1945; 1:11 p. m.]

[Albuquerque Order G–1 Under Gen. Order 50, Amdt. 6]

MALT AND CEREAL BEVERAGES IN ALBUQUERQUE, N. MEX., DISTRICT

An accompanying opinion has been filed with the Division of the Federal Register.

Order No. G–1 under General Order No. 50 is amended as follows:

1. Section 4 (a) is amended to add the following items:

BOTTLED BEER

Brand	Size	Price
		Cents
Ems	12 ounces	21
Four Crown Special	12 ounces	21
Bohemian	12 ounces	17
Monterey	12 ounces	35

2. The following item is deleted from section 4 (a):

Four Crown
Special 12 oz. .17

3. The following item is amended in section 4 (a):

	Size	*Price*	*Size*	*Price*
Acme	12 oz.	.17	32 oz.	.40

4. Section 4 (b) is amended to add the following items:

BOTTLED BEER

Brand	Size	Price
		Cents
Ems	12 ounces	23
Four Crown Special	12 ounces	23
Bohemian	12 ounces	19
Monterey	12 ounces	35

5. The following item is deleted from section 4 (b):

Four Crown Special.

6. The following item is amended in section 4 (b):

	Size	*Price*	*Size*	*Price*
Acme	12 oz.	.19	32 oz.	.45

Effective: June 13, 1945.

Issued: June 8, 1945.

HUBERT Y. ATHERTON,
Acting District Director.

[F. R. Doc. 45-11957; Filed, July 3, 1945; 1:14 p. m.]

[Region IV Order G–22 Under SR 15, MPR 280 and MPR 329, Amdt. 3]

FLUID MILK IN VIRGINIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation, § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (g) of Maximum Price Regulation 329; *It is hereby ordered*, That the above enumerated order be amended in the following respects:

1. The name, "Culpeper", is deleted from section 14 (b) in the list of counties enumerated as included in Area 2.

2. The name, "Culpeper", is inserted in section 14 (b) between the names, "Craig" and "Dickerson", set forth in the enumeration of counties included within Area 3.

This amendment shall become effective May 19, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: May 31, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-11959; Filed, July 3, 1945; 1:14 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 29, 1945.

REGION I

Concord Order 3–W, Amendment 3, covering dry groceries. Filed 9:54 a. m.

Maine Order 3–F, Amendment 1, covering fresh fruits and vegetables in South Portland, Portland and Westbrook, Maine. Filed 9:36 a. m.

Maine Order 5–F, Amendment 1, covering fresh fruits and vegetables in Bangor and Brewer, Maine. Filed 9:36 a. m.

New Hampshire Order 9–F, Amendment 7, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:54 a. m.

Rhode Island Order 3–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 9:36 a. m.

REGION II

Camden Order 3–F, Amendment 37, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:54 a. m.

Camden Order 3–0, covering eggs in certain counties in New Jersey. Filed 9:55 a. m.

Camden Order 4–F, Amendment 37, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 9:55 a. m.

Camden Order 4–0, covering eggs in certain counties in New Jersey. Filed 9:55 a. m.

Trenton Order 1–0, covering eggs in the Trenton, New Jersey Area. Filed 9:49 a. m.

Trenton Order 2–0, covering eggs in certain areas in the Trenton, New Jersey Area. Filed 9:50 a. m.

REGION III

Cincinnati Order 4–F, Amendment 25, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 9:34 a. m.

Columbus Order 8–F, Amendment 26, covering fresh fruits and vegetables in Franklin County, Ohio. Filed 9:35 a. m.

Indianapolis Order 14–F, Amendment 21, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe Counties, Ohio. Filed 9:35 a. m.

Indianapolis Order 15–F, Amendment 21, covering fresh fruits and vegetables in Wayne,

Delaware and Allen Counties, Ohio, and Indiana. Filed 9:35 a. m.

Indianapolis Order 16–F, Amendment 21, covering fresh fruits and vegetables in St. Joseph, Indiana. Filed 9:35 a. m.

Indianapolis Order 17–F, Amendment 21, covering fresh fruits and vegetables in Vanderburgh County, Indiana. Filed 9:35 a. m.

REGION IV

Jackson Order 4–F, Amendment 36, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 9:34 a. m.

Montgomery Order 20–F, Amendment 30, covering fresh fruits and vegetables in Mobile County, Alabama. Filed 9:55 a. m.

Montgomery Order 21–F, Amendment 35, covering fresh fruits and vegetables in Montgomery County, Alabama. Filed 9:56 a. m.

Montgomery Order 22–F, Amendment 86, covering fresh fruits and vegetables in Houston County, Alabama. Filed 9:56 a. m.

REGION V

Little Rock Order 4F, Amendment 52, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 9:34 a. m.

Little Rock Order 5–F, Amendment 53, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 9:34 a. m.

Little Rock Order 6–F, Amendment 52, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 9:33 a. m.

REGION VI

Des Moines Order 1–F, Amendment 69, covering fresh fruits and vegetables in Des Moines, Polk County, Iowa. Filed 9:37 a. m.

Des Moines Order 2–F, Amendment 24, covering fresh fruits and vegetables in certain areas in Iowa. Filed 9:49 a. m.

Des Moines Order 3–F, Amendment 17, covering fresh fruits and vegetables in certain areas in Iowa. Filed 9:40 a. m.

Fargo-Moorhead Order 29, Amendment 5, covering dry groceries in certain areas in North Dakota and Minnesota. Filed 9:49 a. m.

Green Bay Order 5–F, Amendment 19, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:50 a. m.

Green Bay Order 6–F, Amendment 19, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 9:50 a. m.

La Crosse Order 1–F, Amendment 76, covering fresh fruits and vegetables in La Crosse and Sparta, Wis., and Winona, Minnesota. Filed 9:37 a. m.

La Crosse Order 3–F, Amendment 71, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 9:37 a. m.

La Crosse Order 5–F, Amendment 70, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 9:37 a. m.

Omaha Order 10–F, Amendment 15, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 9:49 a. m.

Omaha Order 11–F, Amendment 16, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 9:49 a. m.

Peoria Order 7–F, Amendment 11, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:54 a. m.

Peoria Order 8–F, Amendment 11, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:54 a. m.

Peoria Order 9–F, Amendment 11, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:53 a. m.

Peoria Order 10–F, Amendment 11, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:53 a. m.

Peoria Order 19, covering dry groceries in certain counties in Illinois. Filed 9:53 a. m.

Springfield Order 13–F, Amendment 15, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 9:52 a. m.

Springfield Order 14–F, Amendment 17, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:52 a. m.

Springfield Order 15–F, Amendment 16, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 9:52 a. m.

Twin Cities Order O–1, covering eggs in the Twin Cities Area. Filed 9:51 a. m.

REGION VIII

Phoenix District Order 3–F, Amendment 78, covering fresh fruits and vegetables in the Phoenix Area. Filed 9:36 a. m.

San Francisco District Order 13–F, Amendment 3, covering fresh fruits and vegetables in certain cities and towns in California. Filed 9:51 a. m.

San Francisco District Order 14–F, Amendment 3, covering fresh fruits and vegetables in certain areas in California. Filed 9:51 a. m.

San Francisco District Order 15–F, Amendment 3, covering fresh fruits and vegetables in certain counties in California. Filed 9:51 a. m.

San Francisco District Order 16–F, Amendment 3, covering fresh fruits and vegetables in certain counties in California. Filed 9:52 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-11967; Filed, July 3, 1945; 4:27 p. m.]

[Region VIII Order G–4 Under Supp. Service Reg. 43 to RMPR 165]

PEPPERMINT OIL IN OREGON AND WASHINGTON

For the reasons set forth in an accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by § 1499.676 of Supplementary Service Regulation 43 to Revised Maximum Price Regulation 165, as amended, the following order is issued:

(a) The maximum prices for custom distilling of oil of peppermint in the States of Oregon and Washington shall be 45¢ per pound of oil distilled, with minimum charge of $10.00 per tank if yield is less than 22½ pounds. Such maximum prices do not include the service of hauling the peppermint hay to the still, but do include the disposing of the residue and the cleaning of the tank.

(b) If any labor or any part of the distillate is furnished to the distiller as partial payment for the service, an amount equal to the value of such labor or distillate shall be deducted from the maximum price for the service of custom distilling of such oil of peppermint.

(c) Oil of peppermint means the volatile oil distilled by steam or processed by any other means from any variety of the peppermint plant including but not being limited to the varieties "Mentha piperita" and "Mentha arvensis".

This order shall become effective August 1, 1945, and expire October 31, 1945.

Issued this 7th day of June, 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-11845; Filed July 2, 1945; 11:43 a. m.]

[Region VII Order G–26 Under RMPR 122, Amdt. 34]

SOLID FUELS IN BOULDER, COLO.

Correction

In Federal Register Document 45-8724, appearing on page 6051 of the issue for Friday, May 25, 1945, the second sentence of footnote 1 to the table should read as follows: "For deliveries of less than 2 tons, add 25 cents to the per ton price."

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2177]

SHAWMUT ASSN.

ORDER FURTHER AMENDING PREVIOUS ORDER GRANTING APPLICATION AND IMPOSING TERMS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of July, A. D. 1945.

Shawmut Association having filed a motion requesting the Commission to amend further its order entered herein under section 12 (d) of the Securities Exchange Act of 1934 on May 12, 1944 (Securities Exchange Act Release No. 3564), as amended July 18, 1944 (Securities Exchange Act Release No. 3589);

The Commission having considered the motion and having this day issued its opinion thereon;

It is ordered, That paragraph 2 of said order of May 12, 1944, as amended, be and hereby is further amended to read as follows:

2. That within 120 days from the date of the first mailing of the solicitations contemplated by paragraph 1 of this order, a majority of the holders of record of the applicant's outstanding stock, and the holders of record of a majority of the shares of such stock, have consented, either by vote (in person or by proxy) at a meeting, or in writing without a meeting, to the withdrawal of such stock from listing and registration.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12000; Filed, July 4, 1945; 9:44 a. m.]

[File Nos. 31-84, 70-952]

INTERNATIONAL UTILITIES CORP., ET AL.

INTERIM ORDERS EXTENDING EXEMPTIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of July, A. D. 1945.

In the matters of International Utilities Corporation, et al., File No. 31-84; International Utilities Corporation, General Water Gas & Electric Company, Rockland Light and Power Company, File No. 70-952.

International Utilities Corporation ("International"), a registered holding company, having filed an application pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935 (File No. 31-84) requesting an extension until December 31, 1945, of exemptions heretofore granted by the Commission under date of November 7, 1944, to the following subsidiaries of International: Canadian Western Natural Gas, Light, Heat & Power Company, Limited, Northwestern Utilities Company, Limited, Canadian Utilities, Limited, and North West Fidelity Trust Company, Limited; and

International and other companies having filed applications and declarations (File No. 70-952) in which, among other things, it is requested that certain exemptions from provisions of the act be granted to the subsidiaries of International operating solely in Canada, in lieu of the limited exemptions previously granted by the Commission; and

The proceeding in File No. 31-84 having been consolidated with the proceeding in File No. 70-952; and

The Commission's order of November 7, 1944, having provided that the exemptions therein granted should expire on June 30, 1945, without prejudice, among other things, to the right of such companies to apply for an extension of the time during which said order should be effective; and

The Commission having considered said application and it appearing that there have been no material changes in the circumstances upon which the order of exemption dated November 7, 1944 was predicated and that an extension of the time during which the order of exemption shall be effective to December 31, 1945, will not be detrimental to the public interest or the interest of investors or consumers;

It is ordered, That the time during which the order of exemption dated November 7, 1944, shall be effective as to Canadian Western Natural Gas, Light, Heat & Power Company, Limited, Northwestern Utilities Company, Limited, Canadian Utilities, Limited, and North West Fidelity Trust Company, Limited, be, and hereby is, extended until December 31, 1945, without prejudice to the right of such companies to apply for a further extension of the time during which said order shall be effective and also without prejudice to the right of such companies to apply at any time for such enlargement of any of the provisions of said order as it may deem appropriate.

By the Commission.

[SEAL] NELLYE A. THORSEN.
Assistant to the Secretary.

[F. R. Doc. 45-12003; Filed, July 4, 1945; 9:45 a. m.]

[File Nos. 59-20, 59-8, 54-75]

COMMONWEALTH & SOUTHERN CORP., ET AL.

ORDER APPROVING PLAN, GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE, SUBJECT TO CONDITIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of June, A. D. 1945.

In the matter of The Commonwealth & Southern Corporation (Delaware), Respondent, File No. 59-20; The Commonwealth & Southern Corporation (Delaware) and its subsidiary companies, Respondents, File No. 59-8; The Commonwealth & Southern Corporation (Delaware), File No. 54-75.

Applications and declarations having been filed herein with respect to a plan of The Commonwealth & Southern Corporation and transactions incident thereto, under various provisions of the Public Utility Holding Company Act of 1935; hearings having been held after appropriate notice; and the Commission having issued its findings and opinion on May 31, 1945, finding that certain modifications would be necessary before said plan could be approved pursuant to section 11 (e) of said act;

The Commonwealth & Southern Corporation having thereafter filed an amended plan dated as of June 14, 1945, and the Commission having this day issued its supplemental findings and opinion thereon;

In accordance with said findings and opinion dated May 31, 1945, and the supplemental findings and opinion this day issued;

It is ordered, Pursuant to the applicable provisions of said act, and subject to the terms and conditions hereinafter set forth, that the amended plan dated as of June 14, 1945, be and it hereby is approved and the applications and declarations covering the issuance, transfer and acquisition of securities and distribution of cash as contemplated by said plan be and hereby are granted and permitted to become effective, respectively: *Provided, however*, That this order shall not be operative to authorize any issuance, transfer or acquisition of securities or distribution of cash contemplated by said plan, nor the consummation of said plan in any respect, until an appropriate District Court of the United States shall have entered an order enforcing said plan pursuant to an application duly made by the Commission for that purpose: *And provided, further*, That this order is issued upon the condition that the Commission retains jurisdiction as follows:

1. To revise the procedure set forth in the plan, as amended, for the nomination and election of directors of Commonwealth, if it becomes impracticable to carry out any of the steps according to the schedule therein outlined;

2. To pass upon Commonwealth's proposals in respect of the restatement of its accounts;

3. To determine the retainability of Commonwealth's remaining subsidiaries and any of the utility operations and other businesses of the system under section 11 (b) (1);

4. To approve or disapprove of any steps proposed in connection with the changes in the voting rights of preferred stockholders of Consumers Power Company and Southern Indiana Gas and Electric Company, and the changes in the common stocks of those companies and of Ohio Edison Company and Central Illinois Light Company;

5. To take such steps as may be necessary to effectuate a fair and equitable distribution of voting power among the security holders of any direct or indirect subsidiary of Commonwealth prior to its ceasing to be a subsidiary of a registered holding company;

6. To take such steps as may be necessary to require compliance with the act by The United Corporation and The United Gas Improvement Company, with respect to securities acquired by them pursuant to the plan;

7. To approve, disapprove, modify, allocate or award by further order or orders all fees or other compensation, and all reimbursement of expenses, now or hereafter claimed by any person in connection with the plan, the transactions incident thereto, and the consummation thereof;

8. To entertain such further proceedings, to make such supplemental findings, and to take such further action, as the Commission may deem appropriate in connection with the plan, the transactions incident thereto, and the consummation thereof; and

9. In the event that the plan as amended June 14, 1945, be not approved by the requisite vote of Commonwealth's stockholders, to take such further proceedings and enter such orders as the Commission may deem necessary and appropriate under sections 11 (b) (1), 11 (b) (2), 11 (d), 15 (f) and 20 (a) of the act.

Commonwealth having requested that the Commission's order contain the recitals required by sections 371 (f) and 1808 (f) of the Internal Revenue Code in order to obtain the ruling or agreement provided for in the amended plan by paragraph (c) under the heading "Conditions to Amended Plan;"

It is ordered and recited, That the distribution of stocks provided for by the amended plan and the issuances and transfers of certificates of stock of Commonwealth and of other corporations as provided for by the amended plan (including, but not in limitation, the sales and transfers required by the provisions thereof relating to fractional shares, scrip certificates and undeposited certificates), including particularly those described, specified and itemized below, are necessary or appropriate to the integration or simplification of the holding company system of which Commonwealth is a member and necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

(1) The change by Commonwealth of its authorized capitalization to 10,000,000 shares of new common stock having a par value of $5 per share and the issuance of 8,979,234 shares of such new common stock;

(2) The reduction in the number of outstanding shares of common stock of Consumers Power Company from 1,811,716 shares to 1,795,847 shares; the increase in the number of outstanding shares of common stock of Central Illinois Light Company from 210,000 shares to 359,170 shares; and the reduction in the number of outstanding shares of common stock of Southern Indiana Gas and Electric Company from 400,000 shares to 359,170 shares;

(3) The surrender by the holders of the outstanding preferred stock and com-

mon stock of Commonwealth, in exchange for the common stocks to be distributed under the amended plan (including Commonwealth's new common stock) and cash, itemized in paragraph (4) below, and the acquisition and cancellation by Commonwealth of 1,482,000 shares of its outstanding preferred stock, $6 Series, and 33,673,328 71/1200 shares of its outstanding common stock (for the purpose of this order and the amended plan, the holders of any outstanding scrip certificates for preferred stock or common stock of Commonwealth or of any outstanding certificates for preferred stock or common stock or of any outstanding option warrants of any of Commonwealth's predecessor companies, Allied Power & Light Corporation, Commonwealth Power Corporation, Penn-Ohio Edison Company and Southeastern Power & Light Company, or of any scrip certificates therefor, are deemed to be, and are treated as, the holders of certificates for the shares of preferred stock or common stock (but not option warrants) issuable in exchange for such outstanding certificates or option warrants as specified therein or as specified in the "Plan of Merger and Consolidation of The Commonwealth & Southern Corporation, Allied Power & Light Corporation, Commonwealth Power Corporation, Penn-Ohio Edison Company and Southeastern Power & Light Company, dated as of January 7, 1930");

(4) The distribution by Commonwealth to the holders of its outstanding preferred stock and common stock, in exchange for its outstanding preferred stock and common stock against the surrender of the certificates therefor, of (a) 1,795,847 shares of the common stock of Consumers Power Company, 1,795,847 shares of the common stock of Ohio Edison Company, 359,170 shares of the common stock of Central Illinois Light Company, 359,170 shares of the common stock of Southern Indiana Gas and Electric Company and 8,979,234 shares of Commonwealth's new common stock, and (b), in the case of the holders of its outstanding preferred stock, of cash, in the following amounts:

PER SHARE OF PREFERRED STOCK

1 3/100 (1.03) shares of common stock of Consumers Power Company.

1 3/100 (1.03) shares of common stock of Ohio Edison Company.

20/1000 (0.206) share of common stock of Central Illinois Light Company.

20/1000 (0.206) share of common stock of Southern Indiana Gas and Electric Company.

5 15/100 (5.15) shares of Commonwealth's new common stock.

$3.50 in cash, provided that said payment of $3.50 per share may be reduced to $2.75 per share if the Board of Directors, prior to the date the Amended Plan becomes effective, determine that it is desirable to make said reduction to preserve adequate working capital for Commonwealth.

An additional amount in cash equal to 1/4 of 75% of the lawfully distributable consolidated net income of Commonwealth and its subsidiary companies from January 1, 1944, to the first day of the calendar month in which the Amended Plan becomes effective, or equal to dividends at the rate of $6.00 per annum from January 1, 1944, to such date, whichever is less, after deducting from said additional amount the amount of dividends declared on each share of Preferred Stock during the period of January 1, 1944, to the effective date of the Amended Plan.

PER SHARE OF COMMON STOCK

1/1000 (0.008) share of common stock of Consumers Power Company.

1/1000 (0.008) share of common stock of Ohio Edison Company.

16/10000 (0.0016) share of common stock of Central Illinois Light Company.

16/10000 (0.0016) share of common stock of Southern Indiana Gas and Electric Company.

4/100 (0.04) share of Commonwealth's new common stock.

(5) The elimination by Commonwealth of its outstanding option warrants presently entitling the holders to purchase, without limit as to time, at $30 per share 17,588,956 173/1200 shares of common stock;

(6) The issuance of scrip certificates in lieu of fractional shares of the common stocks to be distributed under the amended plan (including Commonwealth's new common stock), itemized in paragraph (4) above;

(7) The issuance or delivery by Commonwealth to an exchange agent or agents of certificates for the undistributed shares of the common stocks to be distributed under the amended plan (including Commonwealth's new common stock, itemized in paragraph (4) above, and the delivery by such exchange agent or agents of the shares represented thereby, in proper amounts, against the surrender of certificates representing the outstanding preferred stock and common stock of Commonwealth; the delivery by such exchange agent or agents to a scrip agent or agents of certificates for the stock represented by outstanding scrip certificates, the sale by such exchange agent or agents of the fractional shares in lieu of which scrip certificates are not to be issued and the payment of the proceeds thereof to the holders of shares of preferred stock and common stock of Commonwealth to whom were deliverable the fractions included in the shares so sold; the sale by such exchange agent or agents, after the expiration of the exchange period, of any shares of the common stocks to be distributed under the amended plan (including Commonwealth's new common stock) then held by such agent or agents, the payment of the net proceeds thereof to the holders of the then unexchanged shares of preferred stock and common stock of Commonwealth against the surrender of their certificates during the further period provided for in the amended plan and the payment to Commonwealth, after the expiration of such further period, of any funds then held by such agent or agents;

(8) The delivery by the scrip agent or agents of certificates for the shares of the common stocks to be distributed under the amended plan (including Commonwealth's new common stock), itemized in paragraph (4) above, represented by outstanding scrip certificates upon surrender, during the period provided for in the amended plan, of scrip certificates aggregating one or more full shares, the sale by the scrip agent or agents, after the expiration of such period, of any of such shares then held, the payment of the net proceeds thereof to the holders of outstanding scrip certificates upon surrender thereof during the further period provided for in the amended plan and the payment to Commonwealth, after the expiration of such further period, of any funds then held by such agent or agents.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11999; Filed, July 4, 1945; 9:44 a. m.]

[File No. 70-683]

ASSOCIATED ELECTRIC CO. AND MISSOURI SOUTHERN PUBLIC SERVICE CO.

ORDER MODIFYING CONDITION AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2nd day of July 1945.

Associated Electric Company, a registered holding company, and its wholly-owned subsidiary, Missouri Southern Public Service Company, having filed joint applications-declarations, as amended, pursuant to sections 9 (a), 10, and 12 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, regarding the proposed sale by Missouri Southern Public Service Company of all its physical properties to New-Mac Electric Cooperative, Inc., for a base cash consideration of $170,000; the subsequent transfer by Missouri Southern Public Service Company of 40 shares of capital stock of Atlantic Utility Service Corporation and its other then remaining assets, subject to its liabilities, to Associated Electric Company, and the surrender to Missouri Southern Public Service Company of all its capital stock and indebtedness held by Associated Electric Company; and the dissolution of Missouri Southern Public Service Company; and

The Commission having by order dated September 4, 1944, granted the applications, as amended, and permitted the declarations, as amended, to become effective, subject to the terms and conditions prescribed in Rule U-24; and the Commission having by subsequent orders extended the time within which the transactions may be consummated to July 2, 1945; and

A request having been made that the time within which the transactions as set forth in the applications-declarations, as amended, be further extended; and

The Commission having considered such request and deeming it appropriate that it be granted:

It is ordered, That conditions contained in said order of September 4, 1944, be, and hereby are, modified to the extent necessary to extend the time within which such transactions may be consummated to September 1, 1945.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12001; Filed, July 4, 1945; 9:44 a. m.]

[File No. 70-1085]

OGDEN CORP.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of July, A. D., 1945.

Extension of Credit to Associate Companies. Alteration of tax agreement among associate companies. Declaration filed by registered holding company pursuant to Sections 12 (b) and 12 (f) and Rule U-45 (b) (6) relating to alteration of agreement among the holding company and its subsidiaries in regard to Federal income and excess profits taxes, permitted to become effective, subject to conditions.

Ogden Corporation ("Ogden"), a registered holding company, has filed a declaration pursuant to section 12 (b) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder, respecting a proposal for the allocation of Federal income and excess profits taxes among Ogden and its subsidiary companies which join with it in the filing of consolidated Federal income and excess profits tax returns, upon a basis differing from that authorized by Rule U-45 (b) (6) promulgated under the act. Pursuant to the provisions of Rule U-45 (b) (6), the consolidated Federal income and excess profits tax liability of the Ogden group would be allocated among the several companies therein proportionately to their respective taxes on an individual return basis. The basis of allocation proposed by Ogden would accord with these provisions of the rule, except that capital gains either offset against capital losses of any company in the group, or not recognized in the consolidated returns and therefore not subjected to tax, would be excluded from the computation.

After appropriate notice, a public hearing was held. Having considered the record, the Commission makes the following findings:

It appears from the record that the Ogden group of companies sustained a substantial net capital loss in 1944 and had an even larger capital loss carryover from prior years. Interstate Power Company ("Interstate"), the only remaining subsidiary of Ogden presently conducting a public utility business, realized a capital gain during the year 1944 of approximately $601,000, but did not apply for relief under the provisions of Supplement R of the Internal Revenue Code that might have rendered such gain not taxable, for the reason (according to the company) that losses of the system were available as offsets.

The record indicates that on the basis of its operations, exclusive of capital gain, Interstate had no taxable income in 1944, and therefore, except for such gain, would not have incurred any income tax liability either on an individual return basis or as a member of the Ogden consolidated group. It appears, however, that if Interstate's capital gain were included in the basis for allocation of 1944 taxes within the Ogden group, Interstate's allocated share of the consolidated tax liability would be approximately $25,000, and the allocable tax liability of the other members of the group as a whole would be decreased by the same amount. Interstate's capital gain has had no effect on the 1944 consolidated tax liability of the system, and it is represented by Ogden that the capital loss carry-overs of the system, present and prospective, are so large as to render remote the possibility that the system will be subject to any taxes on whatever capital gains may be realized in the next few years.

Under the proposed agreement, capital gains such as the one Interstate realized in 1944, which have no effect on the consolidated tax liability of the group, would be disregarded in allocating the consolidated liability. In all the circumstances, the proposed method of allocation appears to be equitable to all the companies in the group. We will, therefore, permit the declaration to become effective, but in order that we may have an opportunity to examine the future effects of the proposed method of allocating the consolidated Federal income and excess profits tax liability among the several members of the Ogden group, and take any action which may appear necessary or appropriate following such examination, or order will be subject to the condition that such declaration shall cease to be effective upon order of the Commission after notice and opportunity for hearing.

It is therefore ordered, That said declaration be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations promulgated under the Public Utility Holding Company Act of 1935 and subject further to the condition that such declaration shall cease to be effective upon order of the Commission after notice and opportunity for hearing.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12002; Filed, July 4, 1945; 9:45 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1384, 1544, 54 Stat. 163-167 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 369, 367, 526-526t), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

BUOYANT CUSHION FOR MOTORBOATS

15" x 15" x 2" Typha filled buoyant cushion, Approval No. B-269, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco, California.

DAVIT

Steward mechanical davit, size 2X-7-0 (General Arrangement Dwg. No. 200-D, dated 5 May, 1943) (Working load of 7,500 pounds per arm, 15,000 pounds per set), submitted by the Landley Co. Inc., 15 Park Row, New York, N. Y.

FIRING ATTACHMENT FOR LINE-THROWING GUN

Firing attachment for line-throwing gun, Model A (Dwg. No. F-101, dated 21 April, 1945), submitted by Edward Samara Inc., 37 South Street, New York, N. Y.

FIRE-RETARDANT MATERIALS FOR VESSEL CONSTRUCTION: DECK COVERINGS FOR CLASS A-1 CONSTRUCTION

Kompolite Decking Type II and Kompodek Type CU Deck Covering, for use as a class A-1 deck covering, minimum thickness 1¾ inches, 7.9 pounds per square foot for 1-inch thickness, submitted by Kompolite Co., Inc., 111-115 Clay Street, Greenpoint, Brooklyn, New York.

LIFEBOAT

22' x 7'6" x 3'3" metallic oar-propelled lifeboat, Design K-109 (20-person wartime capacity, 31-person peacetime capacity) (General Arrangement Dwg. No. K-109-2, Alt. 1), submitted by Kargard Boat and Engine Co., Marinette, Wisconsin.

LIFE PRESERVER

Model No. 2 adult kapok life preserver (C G. Dwg. No. F-49-6-1 and Specifications dated 10 June, 1944), Approval No. B-268, manufactured by Waterhouse Company, Webster, Mass. (For general use.)

LIFE RAFT

20-person improved type life raft, Model No. FG-7, plywood construction filled with Foamglas (General Arrangement Dwg. No. 106, Alt. 2), submitted by Craftsman Equipment Co., 41-43 Utica Avenue, Brooklyn, New York.

Dated: July 3, 1945.

R. R. WAESCHE,
Admiral, U. S. C. G., Commandant.

[F. R. Doc. 45-12078; Filed, July 4, 1945; 11:57 a. m.]

WAR PRODUCTION BOARD.

[C-379]

THE MATSON NAVIGATION CO.

CONSENT ORDER

The Matson Navigation Company (Maintenance Division), a California corporation, hereinafter termed "The company", is a ship repair yard, with its principal office located at 500 Beale Street, San Francisco 5, California. On the 18th day of May 1945, by a charging letter issued by the Regional Compliance Manager, it was charged by the War Production Board with having violated War Production Board CMP Regulation No. 2. The charge specified that the company between August 14, 1944 and December 2, 1944, accepted some 37 deliveries of approximately 22 different items of alloy and carbon steel when its inventories in such items were, or by virtue of such acceptances, became greater than a 60-day supply. The company admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of the respondent company, the Acting Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner:

It is hereby ordered, That:

(a) The company, its successors or assigns, shall not accept delivery of any of the items of controlled material listed below if its inventory in any such item is,

or by virtue of such acceptance, shall become greater than the quantity of such item it will be required by its current practice to put into use during the succeeding 60-day period for production, construction, operating supplies or maintenance or repair in order to carry out its current or scheduled operations, unless otherwise specifically authorized in writing by the War Production Board. The specific items of controlled materials referred to above are:

Galv. Sheet (#99539)	*Stainless Steel Sheet*
18 Ga.: 48 x 120	#4–#14—36 x 120
24 Ga.: 30 x 120	#4–#16—36 x 120
10 Ga.: 36 x 120	#4–#18—48 x 96
12 Ga.: 36 x 120	#4–#20—36 x 120
16 Ga.: 48 x 120	#4–#22—30 x 96
(#99537)	#4–#22—48 x 96
18 Ga.: 36 x 120	*Sheet: H. R.*
Carbon Steel Plate	10 Ga.: 36 x 120
¼ x 72	10 Ga.: 48 x 120
¼ x 84	10 Ga.: 66 x 144
¾ x 72	10 Ga.: 72 x 240
½ x 72	14 Ga.: 48 x 144
checkered ¼ x 72	

(*b*) The company shall not accept delivery of any item of controlled material if its inventory in any such item is, or by virtue of such acceptance, shall become greater than the quantity of such item it will be required by its current practice to put into use during the succeeding 60-day period for production construction, operating supplies or maintenance or repair in order to carry out its current or scheduled operations, unless otherwise specifically authorized in writing by the War Production Board.

(c) The company shall not be deemed to be in compliance with paragraphs (a) and (b) of this order if upon its acceptance of delivery of any item of controlled material its inventory in such item becomes, by virtue of such acceptance, greater than the quantity of such item actually used by the company during the 60-day period immediately preceding or immediately succeeding the date of acceptance of any such item, whichever is the greater quantity.

(d) Nothing contained in this order shall be deemed to relieve the company, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with provisions hereof.

(e) This order shall take effect on the first day of July 1945.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11896; Filed, July 2, 1945; 4:58 p. m.]

[C-380]

QUALITY PAPER BOX CO.

CONSENT ORDER

Quality Paper Box Company, a corporation engaged in the business of manufacturing toys, games and paper boxes in Boston, Massachusetts, is charged by the War Production Board with having consumed in the manufacture of games and toys approximately 302 tons of paper and paperboard in excess of the amount authorized by Conservation Order M-241-a during the period from October 1, 1943 to December 31, 1944, and with having used 53 tons and 773,313 square feet of new fiber shipping containers for packing toys and games in excess of the amount permitted by Limitation Order L-317. Quality Paper Box Company admits the violations as charged, does not desire to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Quality Paper Box Company, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During each of the third and fourth quarters of 1945 and the first and second quarters of 1946, Quality Paper Box Company shall reduce in each quarter its use of new fiber shipping containers for packing games and toys by an amount which is 1.68 tons and 24,733 square feet less than its quarterly quota as determined by Limitation Order L-317.

(b) During each of the third and fourth quarters of 1945, Quality Paper Box Company shall reduce in each quarter its use of paper and paperboard for the manufacture of toys and games by an amount which is 20 tons less than its quarterly consumption quota as determined by Conservation Order M-241-a, and shall in each quarter limit its use of paper and paperboard for all other uses to an amount not exceeding 370 tons for each of said quarters.

(c) Nothing contained in this order shall be deemed to relieve Quality Paper Box Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Quality Paper Box Company, its successors or assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11897; Filed, July 2, 1945; 4:57 p. m.]

[C-381]

SIZER LUMBER CO., INC.

CONSENT ORDER

Sizer Lumber Co., Inc., a New York corporation, located at 1790 Broadway, New York, New York, is a lumber distributor selling to furniture manufacturers, box manufacturers and retail lumber yards. The corporation is charged by the War Production Board with wilful violations of Direction 8 of Limitation Order L-335 in that it sold and delivered, on uncertified and unrated orders, 303,762 board feet of lumber in excess of the amount permitted by and in violation of paragraph (d) of Direction 8 of Limitation Order L-335. The violations in question began on July 31, 1944 and continued to November 6, 1944. Sizer Lumber Co., Inc., admits the violations charged and does not desire to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Sizer Lumber Co., Inc., the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Sizer Lumber Co., Inc., its successors and assigns, shall not sell or deliver any lumber to its customers except pursuant to certified orders as defined and governed by Limitation Order L-335 and bearing preference ratings of AA-4 or higher.

(b) Nothing contained in this order shall be deemed to relieve Sizer Lumber Co., Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 9, 1945, and shall expire on October 9, 1945.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11893; Filed, July 2 1945; 4:57 p. m.]

[C-361]

PAW PAW WINE CO.

CONSENT ORDER

Antoni Misuraca doing business as Paw Paw Wine Company at Paw Paw, Michigan, is engaged in the manufacture and sale of wine. He is charged by the War Production Board with having used, during the four quarters of 1944 and the first quarter of 1945, 266,602 square feet of containerboard content in excess, and 46,474 pounds of containerboard content in excess, of his quota for containerboard content for fibre shipping containers, in violation of Limitation Order L-317. Antoni Misuraca admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Antoni Misuraca, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the four calendar quarters beginning July 1, 1945, and ending July 1, 1946, Antoni Misuraca shall reduce his use of containerboard content for fibre shipping containers by using during each of these quarters at least 10,250 square feet of containerboard content for fibre shipping containers less, and at least 5,000 pounds of containerboard content for shipping containers less, than the quota he would otherwise be entitled to use under the provisions of Limitation Order L-317, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Antoni Misuraca from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Antoni Misuraca doing business as Paw Paw Wine Company or otherwise, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11923; Filed, July 3, 1945; 11:31 a. m.]

[C-382]

HAMPDEN BRASS CO. ET AL.

CONSENT ORDER

Hampden Brass Company, a Massachusetts corporation, of Springfield, Massachusetts, began construction in December 1944 on property located on Plainfield Street, Chicopee, Massachusetts, to be occupied as a cold storage warehouse by Pioneer Valley Refrigerated Warehouse, without authorization from the War Production Board in violation of War Production Board Order L-41. Lincoln Park Construction and Equipment Company, a Massachusetts corporation of Springfield, Massachusetts, acted as contractor for the construction and supplied the materials and labor. The work consisted of altering and closing in the building at Chicopee, Massachusetts, at an estimated cost for the complete project of approximately $116,000.00 exclusive of equipment, of which amount $3,414.00 has already been spent. Hampden Brass Company, Lincoln Park Construction and Equipment Company, and Pioneer Valley Refrigerated Warehouse admit the violation of Order L-41 but deny that it was wilful, and do not care to contest the issue of wilfulness.

Wherefore, upon the agreement and consent of Hampden Brass Company, Lincoln Park Construction and Equipment Company, Pioneer Valley Refrigerated Warehouse, the Regional Compliance Manager, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Hampden Brass Company, Lincoln Park Construction and Equipment Company, Pioneer Valley Refrigerated Warehouse, their successors or assigns, shall not do any construction on the premises located on Plainfield Street, Chicopee, Massachusetts, including completing or altering the premises or installing or connecting any equipment or fixtures unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Hampden Brass Company, Lincoln Park Construction and Equipment Company, Pioneer Valley Refrigerated Warehouse, their successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11924; Filed, July 3, 1945; 11:31 a. m.]

[C-383]

BOICE-CRANE CO.

CONSENT ORDER

William B. Boice and John E. Boice, co-partners, doing business as Boice-Crane Company, 930 West Central Avenue, Toledo, Ohio, are engaged in the manufacture of woodworking machinery, metal cutting band saws, and drill presses. The partners are charged by the War Production Board with having used, during the third and fourth quarters of 1944 and the first quarter of 1945, 2,542 pounds of containerboard content in excess, and 21,364 square feet of containerboard content in excess, of their quota for containerboard content for fibre shipping containers, in violation of War Production Board Limitation Order L-317. The partners admit the violation as charged, do not desire to contest the charge, and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of William B. Boice and John E. Boice, co-partners, doing business as Boice-Crane Company, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the third and fourth quarters of 1945, William B. Boice and John E. Boice shall reduce their use of containerboard content for fibre shipping containers by using, during each of these quarters at least 1,271 pounds and at least 10,682 square feet of containerboard content for fibre shipping containers less than the quota they would otherwise be entitled to use during the applicable quarters as specified by the provisions of Limitation Order L-317 unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve William B. Boice and John E. Boice from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to William B. Boice and John E. Boice, co-partners, doing business as Boice-Crane Company, their successors and assigns, or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11925; Filed July 3, 1945; 11:31 a. m.]

[C-387]

CLAIRTON COMMERCIAL CO.

CONSENT ORDER

Arch Lhormer operates a business in Clairton, Pennsylvania as a dealer in lumber and other building material, being the only one in the vicinity, and is also a lumber consumer. In the first quarter of 1945, he sold and delivered at least 25,215 board feet to his customers on uncertified orders, although Direction 8 limited such sales in his case to 20,000 board feet of lumber in the calendar year of 1945 and not to exceed 2,000 feet during any one month. He also received 71,308 board feet of lumber during the first quarter of 1945 from his suppliers pursuant to certified orders issued by him whereas he only had authority to issue certified orders for 48,805 board feet of lumber, an excess of 22,503 board feet of lumber. As a Class I Consumer of lumber producing fabricated wooden products, without authority of the War Production Board he used his customers' ratings to order and accept delivery of 30,407 board feet of lumber during the first quarter of 1945.

Arch Lhormer admits these violations of Limitation Order L-335, but maintains that they were not wilful and were due to gross negligence on his part in not obtaining certified orders from his customers, and failure to obtain authority from the War Production Board to apply a rating as a Class I Consumer to order and receive deliveries of lumber, and contends that he probably could have obtained certified orders from his customers had he required them prior to delivery, and contends further that he probably would have received the aforesaid authority from the War Production Board had he made application in the proper manner.

Wherefore, upon the agreement and consent of Arch Lhormer, the Regional Compliance Manager and the Regional Attorney, with the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the year 1945, Arch Lhormer shall not extend any certified and rated orders, received from his customers prior to April 1, 1945, to his lumber suppliers under the provisions of Limitation Order L-335, as now effective or hereinafter amended, unless authorized in writing by the War Production Board.

(b) During each calendar month in 1945, after the effective date of this order, Arch Lhormer shall not deliver more than 500 board feet of lumber on un-

certified orders from his customers, notwithstanding the provisions of Direction 8 as amended January 5, 1945, paragraph (d), unless otherwise specifically authorized in writing by the War Production Board, provided: that nothing herein shall be construed to prohibit Arch Lhormer from delivering on uncertified orders any lumber which he can deliver in that manner under any other provision of Order L-335 or any Direction or Directive issued pursuant thereto.

(c) During the year 1945, after the effective date of this order, Arch Lhormer shall not issue any order to his lumber supplier under the provisions of Direction 8 as amended January 5, 1945, paragraph (b).

(d) Nothing contained in this order shall be deemed to relieve Arch Lhormer from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) The restrictions and prohibitions contained herein shall apply to Arch Lhormer, doing business as Clairton Commercial Company, or under any other trade name, his successors, assigns, or persons acting in his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 4th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12040; Filed, July 4, 1945, 11:26 a. m.]

FEDERAL REGISTER

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934 LITTERA SCRIPTA MANET

VOLUME 10 NUMBER 134

Washington, Friday, July 6, 1945

The President

EXECUTIVE ORDER 9584

SUSPENDING CERTAIN STATUTORY PROVISIONS RELATING TO EMPLOYMENT IN THE CANAL ZONE

By virtue of the authority vested in me by section 2 of the War Department Civil Appropriation Act, 1946 (Public Law 24, 79th Congress), section 108 of the Naval Appropriation Act, 1946 (Public Law 62, 79th Congress), and section 7 of the Military Appropriation Act, 1946 (Public Law 126, 79th Congress), relating to certain kinds of employment in the Canal Zone, and deeming such course to be in the public interest, I hereby suspend, from and including the effective date of the said Acts, compliance with the provisions of the said sections during the continuance of any of the wars in which the United States is now engaged.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 3, 1945.

[F. R. Doc. 45-12122; Filed, July 5, 1945; 9:58 a. m.]

EXECUTIVE ORDER 9585

AUTHORIZING THE SECRETARY OF THE NAVY TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE GOODYEAR TIRE & RUBBER COMPANY, INC., LOCATED AT AKRON, OHIO

WHEREAS after investigation I find and proclaim that the plants and facilities of The Goodyear Tire & Rubber Company, Inc., located at Akron, Ohio, are equipped for the production, sale and distribution of products and services which are required for the war effort or which are useful in connection therewith; that there are existing interruptions of the operation of such plants and facilities as a result of strikes and other labor disturbances; that the war effort will be unduly impeded or delayed by such interruptions, and that the exercise, as hereinafter specified, of the power and authority vested in me is necessary to insure the operation of such plants and facilities in the interest of the war effort:

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Navy is authorized and directed to take possession of all, or such part or parts as he deems necessary or desirable, of the main office, plants and facilities of The Goodyear Tire & Rubber Company, Inc., Akron, Ohio, and to use and operate or arrange for the use and operation of such plants and facilities and property in any manner that he deems will facilitate the prosecution of the war.

2. In furtherance of the purposes of this order, the Secretary of the Navy is authorized to select and hire such employees and agents as he deems necessary and suitable to carry out the provisions of this order; to exercise any contractual or other rights of the said company incident to the operation of the said plants, facilities, or property or the production, sale, and distribution of the company's products; and to do any and all other things that he may deem necessary or desirable for, or incidental to, the use and operation of the said plants, facilities, and property, or the production, sale, and distribution of the products and services thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

3. The Secretary of the Navy shall operate the plants, facilities, and property mentioned herein pursuant to the provisions of the War Labor Disputes

(Continued on p. 8337)

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Act and under the terms and conditions of employment which are lawfully in effect at the time possession of such plants, facilities, and property is taken under this order, subject to the provisions of Section 5 of the War Labor Disputes Act.

4. The Secretary of the Navy shall permit, upon such terms and conditions as he deems advisable, the management of the plants, facilities, and property taken under this order to continue its managerial functions to the maximum degree possible consistent with the purposes of this order.

5. The Secretary of the Navy is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for, and prevent interference with, the plants, facilities, and property taken under this order and all persons employed or seeking employment therein, their families and homes, and he is further authorized to take such appropriate disciplinary action, not inconsistent with law, as may be necessary to effectuate the purposes of this order. Upon the request of the Secretary of the Navy or his duly authorized representative, the Department of Justice, through the Federal Bureau of Investigation, shall immediately undertake and conduct an investigation of any matter affecting the operation of said plants, facilities, and property or government possession thereof hereunder.

6. In carrying out this order the Secretary of the Navy may act through or with the aid of such public or private instrumentalities, persons, or corporations as he may designate. All Federal agencies, including but not limited to the Department of Justice, the War Manpower Commission, the National Labor Relations Board, the Department of Labor, the National Selective Service System, and the Office of Price Administration, shall cooperate with the Secretary of the Navy to the fullest extent of their authority in carrying out the purposes of this order.

7. Possession, control and operation of any plant, facility, or property, or portion thereof, of which possession is taken under this order shall be terminated by the Secretary of the Navy within sixty days after he determines that the productive efficiency of the plant, facility, or property, or portion thereof, prevailing prior to the existing interruptions referred to in the recitals of this order has been restored.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 4, 1945.

[F. R. Doc. 45-12242; Filed, July 5, 1945; 11:58 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 111, Partial Suspension]

PART 1470—FOOD STORAGE FACILITIES

PARTIAL SUSPENSION OF RESTRICTIONS ON REFRIGERATED FOOD STORAGE FACILITIES

War Food Order No. 111 (9 F.R. 10761), issued on August 31, 1944, is hereby partially suspended as follows:

1. The restrictions contained in § 1470.5 (b) (1), (b) (2), (b) (6), and (b) (7), and § 1470.5 (d) are hereby suspended, for the following states only and with the exceptions indicated below, for a period of ninety days from the effective date of this order: *Provided*, That the Director may, on or before August 15, 1945, reduce the period of suspension to 60 days from the effective date of this order:

Arizona, Arkansas, Indiana, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Vermont, West Virginia, Wisconsin, Wyoming.

Colorado (except within the corporate limits of Denver, Colorado).

Illinois (except within the corporate limits of National City, Illinois).

Missouri (except within the corporate limits of St. Louis, Missouri).

Tennessee (except within the corporate limits of Memphis, Tennessee).

2. The above numbered restrictions are to remain in full force and effect in the specified exeepted localities and in all states other than those specified above, and all other provisions in War Food Order No. 111 are to remain in full force and effect in every state and locality.

This order shall become effective at 12:01 a. m., e. w. t., June 30, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 111 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 111 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 28th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-11593; Filed, June 29, 1945, 1:45 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 60—FIELD SERVICE DISTRICTS AND OFFICERS

GENERAL PROVISIONS REGARDING BONDS

JUNE 25, 1945.

The following section is added to Part 60, Title 8, Chapter I, Code of Federal Regulations:

§ 60.20 *Bonds: violation; authority to cancel.* If any condition of a bond executed in connection with the administration of the immigration laws is violated, the district director shall report the facts to the Central Office. If all the conditions of a bond executed in such connection are complied with, the district director shall cancel the bond. Such authority to cancel shall include any case where none of the conditions of the bond had been violated and all of the conditions ceased to have effect because:

(a) The alien departed, or was deported, from the United States.

(b) The warrant for the arrest or deportation of the alien was canceled.

(c) The alien complied with an order suspending his deportation.

(d) The alien died.

(e) The alien was imprisoned.

(f) The alien was naturalized as a citizen of the United States.

(g) A new bond was furnished to take the place of the existing bond.

If a bond canceled by a district director is of record in the Central Office, the district director shall notify the Central Office of the cancellation.

This order shall become effective at the time of filing with the Division of the Federal Register.

(Sec. 23, 39 Stat. 892; sec. 24, 43 Stat. 166; sec. 37 (a), 54 Stat. 675; 8 U.S.C. 102, 222, 458; sec. 1, Reorg. Plan No. V, 5 F.R. 2223; 8 CFR, 1943 Supp., 90.1)

T. B. SHOEMAKER,
Acting Commissioner of Immigration and Naturalization.

Approved: July 3, 1945.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 45-12083; Filed, July 4, 1945; 2:49 p. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 53]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN HARVESTING APPLES IN SONOMA COUNTY, CALIF.

§ 1102.24 *Workers engaged in harvesting apples in Sonoma County, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations," and based upon a certification of the California WFA Wage Board that a majority of producers of apples in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting apples in Sonoma County, State of California, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Wage rates; maximum wage rates for harvesting apples.*

(1) Tree picking apples—85¢ an hour or 16¢ for 42-lb. box or equivalent measure.

(2) Picking apples from the ground—85¢ an hour, or $3.50 a ton.

(c) *Administration.* The California WFA Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement No. 53 shall become effective at 12:01 a. m., Pacific war time, July 9, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14347; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12007, 14206, 10 F.R. 3177, 7609)

Issued this 4th day of July 1945.

K. A. BUTLER,
Acting Director of Labor, U. S. Department of Agriculture.

[F. R. Doc. 45-12039; Filed, July 4, 1945; 3:23 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

[Amdt. 44]

PART 801—GENERAL REGULATIONS

ALUMINUM AND MANUFACTURERS; PROHIBITED EXPORTATIONS

SECTION 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept. of Comm. Schedule B No.	Commodity	Gen. Lic. country group	GLV dollar value limits country groups		G-Post dollar value limits
			K	G+4	
	Aluminum and manufactures				
[illegible]	Aluminum and alloys in ingots, slabs or other crude forms	K	100	25	25
630301	Sheets, plates and strips, .006 inch in thickness or over	K	100	25	25
630305	Rods and bars (include rolled and extruded)	K	100	25	25
[illegible]	Aluminum foil and leaf	K	100	25	25
[illegible]	Tubes, moldings, castings and other shapes (include forgings other than aircraft)	K	100	25	25
[illegible]	Aluminum and aluminum bronze powders and pastes (aluminum content)	K	100	25	25
[illegible]	Aluminum fuse cable	K	100	25	25
[illegible]	Aluminum rivets	K	100	25	25
[illegible]	Aluminum wire including fuse wire	K	100	25	25

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 23, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12081; Filed, July 4, 1945; 2:19 p. m.]

[Amdt. 45]

PART 801—GENERAL REGULATIONS

MEAT PRODUCTS; PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept. of Comm. Schedule B No.	Commodity	Gen. Lic. country group	GLV dollar value limits country groups		G-Post dollar value limits
			K	G+4	
	Meat products				
[illegible]	Poultry and game, fresh or frozen	None	25	25	25
[illegible]	Kidneys and livers, fresh, frozen, or cured, except canned	None	25	25	25
[illegible]	Tongues, fresh, frozen, pickled or cured, except canned	None	25	25	25
[illegible]	Sausage ingredients, salted or otherwise cured, except canned (include ears, cheeks, jowls, heads, snouts, feet, knuckles, tripe trimmings, testes, cuttings, and tails) (report pig's feet for other purposes, pickled or salted, in 003200, canned in 003700 and fresh in 002700)	None	25	25	25
[illegible]	Other meats, except canned, not including beef hearts and ox tails, fresh or frozen	None	25	25	25

Shipments of any of the above commodities removed from general license or whose GLV dollar value limits have been reduced which were on dock, on lighter, laden aboard the exporting carrier or in transit to ports of exit pursuant to actual orders for export prior to the effective date of change may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of change pursuant to ODT permits issued prior to such date may also be exported under the previous general license.

This amendment shall become effective July 10, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 23, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12082; Filed, July 4, 1945; 2:19 p. m.]

[Amdt. 46]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

INDIVIDUAL LICENSE PROVISIONS

Section 805.3 *Individual license provisions* is hereby amended to read as follows:

§ 805.3 *Individual license provisions.* (a) Individual licenses permitting shipments to selected destinations shall be valid for a period of one year from the date of issuance unless the period of validity is reduced or extended by the Foreign Economic Administration or is otherwise stated on the license.

(b) All applications for licenses to export any commodities to any destination listed in § 805.2 of this part must contain the following information in addition to that required by the prescribed form:

(1) A statement of the calendar quarter year in which the exportation is to be made.

(2) A statement as to whether a navicert, mailcert, aircert or export license has ever been issued to the applicant for exportation of the commodity covered by the application. If such a document has been issued, the reference number thereof must be stated.

(3) A statement as to whether the articles or materials will require transshipment while still subject to control by the epplicant, and, if transshipment is required, full particulars as to the port where transshipment will occur, the reason for the transshipment and the names and addresses of all persons connected with the transaction.

(4) The quantity of the commodity according to the unit of measure prescribed on the application form or in these regulations and, in addition, the weight in metric tons or kilograms.

(5) If the shipment is to be made by parcel post or by air, a statement to that effect.

(c) All applications for licenses to export any commodities to any destination listed in § 805.2 must be made on a calendar quarter basis. The following provisions are applicable thereto:

Applications, except for petroleum and petroleum products and for exports destined to Turkey, should be submitted 45 days prior to the beginning of the calendar quarter in which shipment is intended. Applications covering petroleum and petroleum products, except for exports destined to Turkey, shall not be submitted prior to the first day of the calendar quarter in which shipment is intended. Licenses, except for petroleum and petroleum products and for exports destined to Turkey, will be issued during the 30 day period prior to the beginning of the calendar quarter during which shipment is intended and during the first 60 days of that quarter. In exceptional cases, the applicant may file his application in advance of the time herein specified for the filing of applications, but in such cases the applicant must state the reason for filing the application in advance and must specify the calendar quarter during which shipment is to be made.

(d) All licenses issued for shipment to any of the destinations listed in § 805.2 will receive and bear a number, identified as "Control Number", in addition to the license number assigned by the Foreign Economic Administration. This number will have a letter prefix such as "B", "P", "F", or "S". In case of exportation by ship or plane, the Control Number must be noted on the manifest of the ship or plane carrying the cargo licensed for export. In case of exportation by mail the Control Number and the license number must appear on the outside wrapper of each package.

In case of exportations to any of the destinations set forth in the list in § 805.2

on vessels departing from Canadian ports, the exporter must prepare an extra copy of his export declaration and must note thereon both the license number and the Control Number. This copy of the export declaration shall accompany the shipment for surrender to the Collector of Customs at the Canadian port of departure and must be verified by the Collector of Customs at the port of exit from the United States.

This amendment shall become effective on July 5, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4725; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 28, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12083; Filed, July 4, 1945; 2:19 p. m.]

[Amdt. 47]

PART 804—INDIVIDUAL LICENSES

EXTENSION OF VALIDITY OF CERTAIN LICENSES FOR EXPORTATION TO SELECTED DESTINATIONS

It is hereby ordered, That all individual export licenses issued by the Foreign Economic Administration and authorizing the exportation of any commodity to any of the following destinations:

County:	Country No.
Eire	90
Portugal	83
Portuguese Atlantic Islands (including Principe, Sao Thome, Azores, Madeira and Cape Verde Islands)	93
Portuguese Guinea	94
Spain (including Fernando Po and Balearic Islands)	82
Spanish Atlantic Islands (including Santa Cruz, Grand Canary, and Canary Islands)	97
Spanish Morocco	58
Sweden	84
Switzerland	85
Tangier	121
Turkey	99

which were validated on or after January 1, 1945, and which are valid and outstanding on the date of this order shall remain valid for a period of one year from the date of issuance unless sooner revoked or further extended by the Foreign Economic Administration. *Provided:* That this order shall not apply to licenses authorizing the exportation of commodities classified under the processing code "FOOD" in Section I of Comprehensive Export Schedule No. 18 published by the Foreign Economic Administration and dated June 1, 1945.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 28, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12084; Filed, July 4, 1945; 2:20 p. m.]

[Amdt. 48]

PART 802—GENERAL LICENSES

GENERAL INTRANSIT LICENSES

Section 802.9 *General intransit licenses "GIT"* is hereby amended in the following particulars:

Paragraph (d) is amended to read as follows:

(d) No exportation may be made pursuant to general license GIT-C/MS to "S Countries," except when consigned to the Armed Forces of the United Nations, unless a Canadian Export Permit or British Imperial Export License, specifying the nature of the shipment and ultimate consignee in the country of destination, is surrendered to the United States Collector of Customs at the last port of exit from the United States.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 28, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12085; Filed, July 4, 1945; 2:20 p. m.]

[Amdt. 49]

PART 802—GENERAL LICENSES

GENERAL INTRANSIT LICENSES

Section 802.9 *General intransit licenses "GIT"* is hereby amended in the following particulars:

Paragraph (g) is amended by deleting from the list of commodities therein the following:

Commodity and Schedule B No.
Jute, fibre, yarn, cordage, twine, and empty bags—320509, 321100, 322400, 322401, 322905, 322998.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 3, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12086; Filed, July 4, 1945; 2:20 p. m.]

[Amdt. 50]

PART 802—GENERAL LICENSES

CORSICA, REMOVAL FROM DESTINATION LIST

Section 802.25 *General license "G-Post"* is hereby amended in the following particular:

Subparagraph (2) of paragraph (b) is amended by deleting from the destinations listed in Group II the following destination:

Corsica

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 3, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12087; Filed, July 4, 1945; 2:20 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Direction 7, as Amended July 5, 1945]

REPLACEMENT OF DEFECTIVE MATERIALS OR MATERIALS LOST, STOLEN, DAMAGED OR DESTROYED IN TRANSIT

The following direction is issued pursuant to Priorities Regulation 3:

(a) *Purpose.* This direction explains how a supplier must schedule delivery of material covered by a rated order where the material delivered is defective or where it is not received by the purchaser because lost, stolen, damaged or destroyed in transit. This direction does not apply to controlled materials. Direction No. 16 to CMP Regulation No. 1 covers the replacement of defective controlled materials and Direction No. 28 to CMP Regulation No. 1 covers controlled materials lost or stolen in transit.

(b) *When supplier must replace notice required.* When a person places a rated order for material and the material sent him is damaged or defective, or where he does not receive physical delivery of the material because it is lost, stolen, or destroyed in transit, he may promptly notify his supplier and, if the notice is received by the supplier within fifteen days after the material was delivered in the case of damaged or defective material, or within forty-five days after the material was shipped in the case of material lost, stolen or destroyed in transit, the supplier must schedule delivery of the material on the basis of the date the original order was placed. If the notice is received by the supplier after the fifteen or forty-five day period, he must schedule delivery of the material just as though he had received an order for it on the date on which he receives the notice. If the purchaser prefers, he may, instead of notifying the original supplier, place an order for the material with another supplier using the same rating, but the new supplier must treat the order as a new order.

(c) *Materials spoiled by purchaser.* Materials which are spoiled by the purchaser cannot be replaced under this direction.

(d) *What is meant by "in transit."* For purposes of this direction, loss, damage, destruction or theft is regarded as happening in transit if it happens before the purchaser receives actual physical delivery, regardless of whether he has title or constructive possession. For example, material in the hands of a carrier is in transit although delivery to the carrier may have given the purchaser title or constructive possession. It is not in transit if the buyer has picked it up from the seller's plant or from the carrier, or if it has been unloaded at his plant. It does not make any difference whether the buyer or the seller has to bear the financial loss.

(e) *Class A and Class B products.* Although this direction does not apply to controlled materials, it does apply to all rated orders for other products and materials. In the case of Class A or Class B products under the Controlled Materials Plan, there will be times when the manufacturer will have to get a new allotment of controlled materials to make the product. In the case of a Class B product, the manufacturer has the responsibility for getting the new allotment and in the case of a Class A product, the customer has this responsibility.

(f) *Exports.* This direction applies to deliveries to territories and possessions of the United States or to Canada, but does not apply to materials exported to any foreign country, other than Canada, unless the materials are lost, stolen, damaged or destroyed while in transit within the United States or unless the defect is discovered before the materials leave the United States. Where material is damaged, lost, stolen or destroyed outside of the United States while in transit to a foreign country, other than Canada, or where the defect is not discovered until after the material has left the United States, the buyer's replacement order must be treated like a new rated order.

(g) *Frozen schedules.* Where a supplier's schedule is a "frozen schedule" as described in General Scheduling Order M-293, as amended July 5, 1945, the shipment of materials to replace defective materials or materials lost, damaged, destroyed or stolen must be approved by the War Production Board by an appropriate amendment of the frozen schedule. The supplier must not ship the materials in the absence of such approval, but he has the responsibility for asking the appropriate Industry Division for the approval.

(h) *No effect on private contractual rights.* This direction has nothing to do with the question of whether the buyer or the seller must bear any financial loss involved as a result of materials being defective or being lost, damaged, destroyed or stolen in transit.

(i) *Applications for special assistance.* Where a purchaser cannot give his supplier notice within the time limits mentioned in paragraph (b) above, and postponement of delivery will result in a substantial loss of production or delay in operations, he may apply to his Claimant Agency or Industry Division for special assistance. Special assistance will be granted only in exceptional cases where a clear showing of substantial interference with the war effort is made.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12166; Filed, July 5, 1945; 11:17 a. m.]

PART 3191—AIRCRAFT

[General Scheduling Order M-360 as Amended July 5, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of certain components for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3191.31 *General Scheduling Order M-360*—(a) *Definitions.* For the purpose of this order:

(1) "Aircraft component" means any component, part or sub-assembly to be physically incorporated into heavier than air or lighter than air aircraft.

(2) "Supplier" means any person, to the extent that he makes aircraft components which have been assigned to the Aircraft Resources Control Office by the Office of Product Assignments of the War Production Board.

(b) *Administrative authority.* This order shall be administered by the Aircraft Scheduling Unit acting for and under the direction of the Aircraft Resources Control Office on behalf of the War Production Board.

(c) *Report of requirements and procurements.* Any purchaser of an aircraft component must, when so instructed by the Aircraft Scheduling Unit, file with the Aircraft Scheduling Unit a report on Form WPB-3362, in accordance with the accompanying instructions. The report must give the information called for about requirement and procurement schedules for each aircraft component. The Aircraft Scheduling Unit will adjust these schedules to put them in balance with the requirements of the aircraft program and will send Form WPB-3362 as adjusted to each supplier on whom orders have been placed by the purchaser.

(d) *Supplier's shipping schedules.* (1) Each supplier, upon receiving Form WPB-3362, must indicate on it his schedule of shipment against the stated requirements shown and must file a copy of it as his proposed shipping schedule with the Aircraft Scheduling Unit, in accordance with the accompanying instructions.

(2) When filed by the supplier, the shipping schedule automatically becomes a "Frozen Schedule" as defined in General Scheduling Order M-293 for the number of months stated in the instructions accompanying the form, and the supplier must schedule his production and make his shipments so as to fill it without regard to preference ratings or directions from any government agencies, except that it may be amended by the Aircraft Scheduling Unit (acting for the War Production Board) or under paragraph (e) of this order.

(3) If a supplier is unable to fulfill on time a frozen schedule for any aircraft component, he must make shipments, as far as practicable, in the sequence required by the schedule. In any case where the scheduled dates of shipments will be affected by a delay in or acceleration of production which, in the opinion of the supplier, is appreciable, he must notify the Aircraft Scheduling Unit of the reason for the delay or acceleration and the revised dates on which he expects to be able to make shipments under each purchase order affected. The supplier shall notify the Aircraft Scheduling Unit by either letter or telegram, at his option.

(e) *Other scheduling provisions.* With respect to any purchase orders scheduled under paragraph (d) above, the Aircraft Scheduling Unit may, notwithstanding any other order, preference rating, directive, rule, or regulation of the War Production Board, or any other government agency:

(1) Direct the return or cancellation of any order on the books of a supplier.

(2) Direct changes in the shipping schedule of a supplier.

(3) Cancel orders placed with one supplier and direct that they be placed with another supplier.

(4) Take such other action as it deems necessary with respect to the placing of orders for, or the shipment of, aircraft components.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(g) *Reports and communications.* All reports and forms required by this order and all appeals should be addressed to the Aircraft Scheduling Unit, Dayton, Ohio, Ref: M-360. All reports and forms have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Application of other orders and regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time, except as explained in paragraph (e).

(i) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing, or using

material under priority control, and may be deprived of priorities assistance.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12158; Filed, July 5, 1945; 11:16 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended July 5, 1945]

SPECIAL SALES

Priorities Regulation 13 is amended to read as follows:

Explanation and Scope

Par.
(a) What this regulation does.
(b) Definitions.
(c) Sales not covered by this regulation.

General Rules for All Special Sales

(d) Most special sales may be made freely; general rules.
(e) Use of material acquired with priorities assistance.
(f) Sales through an agent.

Restricted Special Sales

(g) Materials or products on List A.
(h) Materials or products on List B (export)
(i) Sales as scrap of materials or products other than plant-generated scrap.

Provisions Relating to Buyers

(j) Provisions relating to buyers.

Miscellaneous Provisions

(k) Records.
(l) Revisions of Lists A and B.
(m) Letters and questions.

LIST A—RESTRICTIONS ON SPECIAL SALES (DOMESTIC)

A. General rules.
B. Classes of buyers.
C. Exceptions from the restrictions on the list.
D. Buyers' obligations.

LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT

Explanation and Scope

§ 944.34 *Priorities Regulation 13*—(a) *What this regulation does.* This regulation covers special sales, which, in general, are sales of materials or products by persons who acquired or made them for use and not for sale or resale. This is more fully explained in paragraph (b) (1). Special sales may be made freely, except for materials or products on List A (Domestic) or List B (Export), and certain sales as scrap. This is the only WPB regulation on special sales, and a seller who wants to make a special sale need not look at any other WPB regulation or order unless this regulation says he must. However, all buyers must comply with applicable WPB orders on use, inventory, resale, etc., as explained in paragraph (j).

(b) *Definitions.* As used in this regulation:

(1) "Special sale" means a sale of a material or product by any person (including a Government agency) who acquired or made it for use and not for sale or resale. All sales by trustees in bankruptcy, receivers and other kinds of liquidators (in the course of liquidation as distinct from continued operation of a business) are special sales even though neither they nor their beneficiaries bought for use. All sales at public auction by general auctioneers are special sales regardless of the purpose for which the material or product was acquired. All sales of surplus materials or products by Government agencies are special sales. Transfers of materials acquired or made for use, from one plant or operating unit to another which is owned by the same person but which normally buys separately, are special sales.

(2) "Material or product" means any commodity, equipment, accessory, part, assembly or product of any kind in finished, semi-finished or raw material form.

(3) A "used" material or product is one which has been put into actual use.

(4) "Persons buying for use" include, among others, a contractor who buys with intent to incorporate the material in a building or product for a third person.

(c) *Sales not covered by this regulation.* The following types of sales are not considered special sales and are not governed by this regulation, even though they may involve materials or products acquired or made for use:

(1) A sale of a material or product by a person regularly engaged in the business of selling it. He is governed, however, by all WPB orders and regulations which apply to his business and to the material or product he is selling.

(2) Sales of plant-generated scrap, meaning scrap which is generated in the course of manufacture or is the waste of industrial fabrication. Sales of other kinds of scrap are covered by paragraph (i).

(3) Sales of rationed products which are controlled by another Government Agency.

NOTE: The subject matter of the former paragraph (c) (3) of this regulation as it read before July 5, 1945, is now contained in section C. (4) (Special orders) in the introduction to List A. Hence, references in other WPB orders to paragraph (c) (3) of this regulation are considered references to the new section C. (4).

(4) Sales of foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(5) Sales of steel, copper or aluminum in controlled material form (as defined in CMP Regulation 1) acquired or produced by a controlled material producer for the purpose of further conversion into other controlled material forms.

(6) A sale of an entire business which is transferred as a going concern to a new owner who continues to operate it in the same or substantially the same form.

(7) A sale made by a utility producer under Order U-1 or a petroleum operator under Order P-98-c.

General Rules for All Special Sales

(d) *Most special sales may be made freely; general rules.* A seller may make a special sale of most materials or products freely to anyone without WPB authorization and without requiring the buyer to apply or extend a preference rating. The only exceptions are special sales of materials or products on List A (domestic sales) and on List B (export), and certain sales as scrap, as explained in paragraphs (g), (h) and (i). In addition, all sellers are subject to the following general rules and conditions:

(1) If the seller knows that a person who wants to buy the material or product will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale may not be made. The buyers' obligations are stated in paragraph (j).

(2) At special sales, preference ratings have no effect by way of obliging a holder to sell. However, if he sells at all, and the buyer properly gives a rating, the seller must honor it to the extent required by Priorities Regulation 1. For example, if two or more bidders at a public auction offer the same terms for any lot of materials or products, the seller must prefer the bidder who supplies the highest preference rating. Regardless of whether the sale is at auction, a holder need not give preference to a higher rated purchaser if a lower rated or unrated purchaser offers better terms which are not in violation of applicable OPA regulations.

(3) If a person sells a material or product under this regulation to someone who gives him a preference rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material or product he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(4) If the sale relates to surplus Government-owned or Government-involved materials or products (including contractor inventories and sales by owning or disposal agencies), the seller may be subject to regulations of the Surplus Property Board.

(e) *Use of material acquired with priorities assistance.* This regulation does not change the general rule of § 944.11 of Priorities Regulation 1 that material acquired with priorities assistance must, if possible, be used for the purpose for which the assistance was given. Where such material cannot be used for this purpose, then this regulation applies if a special sale is made.

(f) *Sales through an agent.* Where a person sells through an agent, except at public auction sales, the sale is a special sale only if it would be a special sale if made directly by the principal. If it is a special sale, the restrictions of this regulation apply to the principal and also to his agent if the latter knows or has reason to know the facts. In cases of special sales made at public auctions, the restrictions of this regulation are applicable both to the auctioneer and to his principal.

NOTE: The subject matter of the former paragraph (f) of this regulation as it read before July 5, 1945, is now contained in paragraph (j) (Provisions relating to buyers). Hence, references in other WPB orders to paragraph (f) of this regulation are considered references to the new paragraph (j).

Restricted Special Sales

(g) *Materials or products on List A.* A special sale of a material or product on List A attached to this regulation, other than a sale for export, may be made only under the conditions described in the list.

(h) *Materials or products on List B (export).* A special sale of a material or product on List B to a foreign purchaser or to a domestic purchaser who is buying for export or for resale to a foreign purchaser may be made only under the conditions described in the list. Used materials or used products, however, may be sold freely for export unless a notation on List B indicates a restriction on the sale in their used condition. Also, if an exporter, other than a controlled material distributor or warehouse, is unable to export material purchased for export, he may make a special sale of it in the domestic market under the rules of this regulation. Nothing in this regulation relieves any exporter from complying with all applicable regulations of the Foreign Economic Administration or other Government agencies who may have jurisdiction over exports.

(i) *Sales as scrap of materials or products other than plant-generated scrap.* (1) Any material or product (other than those listed below and plant-generated scrap) may be sold as scrap in a special sale if it is obsolete, unusable or not-readily-salable and will be used or consumed principally as scrap although some part of it may possibly be salvaged by the scrap buyer. A person may make such a special sale as scrap without stripping, disassembling or breaking up the material or product before sale. The sale may be made either to any consumer of scrap to be used only as scrap, or to any person regularly engaged in the collection, disassembling, sorting, and disposal of that kind of scrap material, primarily for remelt or other scrap use. Subsequent sales of any salvaged materials or products by such a scrap dealer are not covered by this regulation, but are subject to any WPB orders or regulations which apply to the distribution of the particular material or product. The above does not apply to the following materials and products:

Copper and copper base alloy (new and used) sold as scrap are governed by Order M-9.
Used tin cans sold as scrap are governed by Order M-325.
Domestic mechanical refrigerators (new) may be sold as scrap only on specific WPB authorization. Apply on Form WPB-869.

(2) If the buyer by contract, warranty or otherwise has stated that the particular material or product being sold as scrap will be used or disposed of as scrap, this regulation does not relieve the buyer from compliance with that condition.

(3) The sale at low prices, even as low as scrap prices, of prime or off-grade materials or products for use or resale "as is" does not constitute a sale as scrap and such sales may not be made under this paragraph. Instead such a sale is subject to all the other rules of this regulation which apply to special sales of the particular materials or products.

(4) This paragraph permits special sales as scrap only for use or resale within the 48 States and the District of Columbia.

Provisions Relating to Buyers

(j) *Provisions relating to buyers*—(1) *Use and quantity restrictions still apply.* The buyer at a special sale may not violate any WPB order or regulation controlling the amount of any material or product he may make or the use or disposition that he may make of it. He must also comply with any applicable order which limits the amount of any material or product he may buy (in terms of a specified quantity or quota, as distinguished from a provision requiring WPB permission for all purchases. The latter type of provision does not apply when a special sale is made unless required by this regulation). All the prohibitions in WPB orders or regulations against the use of materials or products for particular purposes remain in effect, and even though a special sale may not be restricted by this regulation, the buyer may have to get permission to use under the applicable order.

(2) *Inventories.* A person buying for use may accept delivery of any item of a material or product bought on a special sale under this regulation if his total inventory of that item is or will by virtue of accepting such delivery be not in excess of his succeeding six months' requirements. This permits a person to exceed applicable inventory limits only if he acquires the excess under this regulation. However, if thereafter he places orders for deliveries of the particular item from producers or distributors, he may not receive such further deliveries until his inventory is reduced to a practicable minimum working inventory or other applicable limit, and such orders may not call for delivery before that time. This paragraph does not apply to persons buying for resale. It also does not permit a person to stockpile in anticipation of starting or resuming civilian production presently prohibited except as permitted by other applicable regulations or orders. However, if any applicable WPB order or regulation permits a larger inventory than six months, this paragraph does not restrict receipts below the larger amount.

(3) *Persons buying for resale.* If a person at a special sale buys a material or product for resale, he may not resell in violation of any WPB regulation or order which applies to persons engaged in the business of selling the particular material or product. Even if the buyer for resale has not previously sold the material or product as part of his regular business, he is subject to the same restrictions in reselling as a regular wholesaler, retailer or other distributor of it under all applicable WPB regulations and orders, unless the particular regulation or order specifically states otherwise. For example, if an order requires specific WPB permission before a regular distributor of a product can sell it, any person who buys it at a special sale for resale must do what the order says.

(4) *Reports.* If any order or regulation provides that a buyer of a material or product must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

Miscellaneous Provisions

(k) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(l) *Revisions of Lists A and B.* Lists A and B attached to this regulation will be revised from time to time. A person wishing to sell a material or product under this regulation should be sure that he has the lists which are in effect at the time of the sale. Copies may be obtained from any field office of the WPB.

(m) *Letters and questions.* Any letters or questions about this regulation should be sent to the War Production Board in Washington 25, D. C., marked "Ref: P.R. 13".

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—RESTRICTIONS ON SPECIAL SALES (DOMESTIC)

A. *General rules.* Special sales in the domestic market of materials or products in Column 1 of List A below are restricted to certain classes of buyers as indicated below in section B, and in accordance with any special rules for a particular material or product as shown on the list. The listings show in some instances the class or group of materials and do not always list all the trade names and related materials. Exceptions to the restrictions are indicated below in section C. Special sales of materials or products not listed may be made freely, but all special sales are subject to the general rules in paragraphs (d), (e) and (f) of the regulation.

B. *Classes of buyers.* Special sales of materials or products on this List A may be made to the following classes of buyers:

(1) To a producer of the same kind of material or product.

(2) To a reprocessor, unless a note in Column 4 of the list indicates to the contrary with respect to a particular material or product. A reprocessor means any person who remakes, repairs or reworks new, rejected or second-grade materials or products of the kind being sold.

(3) To a regular dealer, unless Column 3 or a note in Column 4 of the list indicates to the contrary with respect to a particular material or product. A dealer means any wholesaler or retailer regularly dealing in the materials or products of the kind being sold, and reselling them from stock or inventory to industrial users or to other persons. It also includes persons who recondition or rebuild equipment and machinery of the kind being sold for resale to industrial users. Such persons are not, however, relieved from compliance with any WPB orders or regulations which control the distribution of the material by them.

If this List A shows no restrictions on the special sale of a material or product to a regular dealer, the seller may sell it to any person for resale who gives him the following certification, provided the seller has no reason to believe that it is false.

The undersigned buyer certifies under Priorities Regulation 13 to the seller and to the WPB that he will in good faith offer for sale the material or product covered by this order in substantially the same time and manner as would a person regularly dealing in it, that he will render substantially the same type of service as would such a person, and that he will comply with all WPB regulations and orders applicable to such a person.

(Signature)

Any person giving such a certification must comply with all applicable WPB regulations and orders as he has certified he will. The standard certification provided in Priorities Regulation 7 may not be used in place of this certification.

(4) To persons buying for use subject to the restrictions indicated in Columns 2 and 4 of the list.

C. *Exceptions from the restrictions on the list.* Even if this List A shows a restriction on the special sale of a particular material or product, the sale may still be made if one or more of the following conditions apply:

(1) *Special permission.* If the list requires special authorization from the WPB in order for a sale of a particular material or product to be made, or if other conditions imposed by the list cannot be met, the seller may apply on Form WPB-1161 for special permission to sell unless the list states that some other form must be used. If Form WPB-1161 is applicable, and permission is given, it may be restricted to a specific buyer or class of buyers, or may permit the sale to any buyer for resale who gives the certification described in section B (3) above relating to dealers.

(2) *Used materials or products.* If the material or product is used, it may be sold freely to anyone unless a notation on List A indicates a restriction on its sale.

(3) *Small quantity exemption.* A special sale may be made freely if all the material or product of the same kind or type that the seller has at any one plant, operating unit or location did not cost him more than $100. In the case of any materials or products involved in a Government contract termination, this exemption applies if there is no more than $100 worth of the material or product in the termination inventory at any one location. Similarly, $100 worth (at cost) of any material or product may be sold at any single public auction, regardless of the amount of the material or product the seller has. Also, for the purpose of determining whether a particular lot of material or product is suitable for the prospective customer's use, a person may make a special sale of a sample lot, provided the amount involved (at cost to the seller) of any such sample does not exceed $20.

(4) *Special orders.* If the War Production Board by an order or in any other way has ruled that all persons engaged in a particular business may sell or exchange the materials or products between themselves, they may do so.

(5) *Disposal of contract termination inventories.* For the purpose of making a settlement of a Government contract, surplus materials or products on List A may be transferred freely from any subcontractor or prime contractor to a procuring agency or disposal agency of the Government, providing the procuring agency has so directed. However, if any material or product is later withdrawn from the contract settlement, its disposition is controlled by this List A.

(6) *Sales to Government stockpiling agencies.* A person may sell surplus materials or products on List A freely to one of the following Government Corporations or to anyone buying as agent for one of them: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve or Rubber Reserve Company.

(7) *Transfers of surplus Government-owned materials or products.* Transfers by Government agencies of surplus materials or products, or of idle or excess materials or products not acquired for sale or resale, may be made freely to a Government Disposal Agency acting as such and may be made freely between and within the War Department, Navy Department, Maritime Commission, War Shipping Administration, Veterans' Administration, and the Defense Plant Corporation, and from the Government Disposal Agencies to any of the above.

D. *Buyers obligations.* No matter who the buyer is or how the sale is made or authorized, the buyer is always subject to the conditions and other provisions stated in paragraph (j) of the regulation.

List A—Restrictions on Special Sales (Domestic)

Explanation of terms used

"WPB-1161" (or other designated WPB form number) means that the seller may not sell to the class of buyer listed at the head of the column without special WPB permission pursuant to application on the form specified. A note in the Remarks Column may show limited exceptions to this requirement. Section C (1) in the introduction to this list tells how to get permission.

"PR" followed by a letter and number, like "PR-AA5" means that the seller may sell only to a person in the particular class of buyer who extends to him an AA-5 or higher preference rating. These ratings cannot be used further by the seller, as explained in paragraph (d) (3) of the regulation. This regulation does not in any way assign preference ratings.

"WOP" means that the seller can sell to the class of buyer listed at the head of the column without any preference rating, allocation, allotment or other special permission being necessary.

Provisions in the Remarks Column applicable to the particular material or product must be complied with.

Materials or products (new, unless "used" is specified) (1)	Persons buying for use (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART I—METALS AND METALLIC ORES			
NOTE: Part I amended July 5, 1945.			
Antimony*	WPB-1161	WPB-1161	*No authorization required providing the buyer certifies to the seller that his aggregate purchases from all sources in any month, including the purchase in question, do not exceed 224 pounds (contained antimony).
Bismuth	WPB-1161	WOP	
Cadmium* (new and used)	WPB-1161	WOP**	*Includes metallic cadmium in all forms, residues, dross and other cadmium bearing material. **Includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.
Chromium	WPB-1161	WPB-1161	
Copper raw materials (refinery shapes and copper and copper base alloy ingots).	(*)	(*)	*Only to persons, including producers and reprocessors, authorized to accept delivery pursuant to Copper Order M-9 as amended.
Inconel (see Nickel).			
Monel (see Nickel).			
Nickel (new and used):			
Nickel pig, ingot, cathode, pellet, shot and anode.	WPB-1161	WOP	
Other nickel* (including monel and inconel)	PR-AA5	WOP	*Includes any other alloyed or unalloyed metallic nickel, ferronickel, matte and materials from which nickel is commercially recoverable.
Tin: Pig tin	WPB-1161	WPB-1161	
Uranium	WPB-1161	WOP	
PART II—CHEMICALS			
All chemicals are unlisted in List A but the uses of certain chemicals are restricted by applicable M orders. See paragraph (j).			
PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS			
NOTE: Part III amended July 5, 1945. These restrictions do not apply, if the material was acquired without a priority rating or authorization from the War Production Board.			
Cattlehides, calf and kip skins (raw)*	WPB-1161	WOP	*This includes the whole skins or portions thereof other than splits or glue stocks.

List A—Restrictions on Special Sales (Domestic)—continued

Materials or products (new, unless "used" is specified) (1)	Persons buying for use (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS—continued			
Cordage (see Rope).			
Cotton linters* (chemical grade)	WPB-1161	WOP	*Produced after July 31, 1943.
Equipage: Military luggage and sleeping bags[1]	WPB-1161	WPB-1161	[1] May be sold to Defense Supplies Corporation without authorization.
Fabrics (woven, felted, knitted and braided):			
Burlap	PR-AA5	PR-AA5	
Cotton (except duck)	PR-AA5	PR-AA5	
Cotton duck (width 15" or wider)	(*)	(*)	*May be sold to the Army or Navy. If a particular item is rejected in writing by both the Army and Navy, it may be sold without specific authorization.
Elastic (synthetic rubber)	PR-AA5	PR-AA5	
Nylon	WPB-1161	WPB-1161	
Silk	WPB-1161	WPB-1161	
Wool	PR-AA5	PR-AA5	
Blends of the foregoing	PR-AA5	PR-AA5	
Feathers, waterfowl	(*)	(*)	*May be sold only to persons holding permits issued pursuant to M-102 or to the Philadelphia Quartermaster Depot.
Fibers:			
Cordage fibers:			
Manila, agave, hemp, raffia, jute, coir and other fibers (except istle) suitable for cordage.	PR-AA5	PR-AA5	
Textile fibers:			
Cotton	PR-AA5	PR-AA5	
Jute	PR-AA5	PR-AA5	
Nylon	WPB-1161	WPB-1161	
Silk	WPB-1161	WPB-1161	
Wool	PR-AA5	PR-AA5	
Blends of the foregoing	PR-AA5	PR-AA5	
Fibrous glass textiles, except tape 1½" and less in width, sleeving or tubing, multiple wound yarns (one or more ends wound parallel on tubes).	WPB-1161	WPB-1161	
Kapok[1]	WPB-1161	WPB-1161	[1] May be sold to Defense Supplies Corporation without authorization.
Leather (meeting any military specifications). Includes leather made from cattlehides, calf, kipskins, horse-hide fronts, goat skins, cabretta and deer skins.	WPB-1161	WPB-1161	
Materials obtained under Conservation Orders M-32SB, M-38S, M-317, M-317A, M-317B and orders in the M-388 series.	PR-AA5	PR-AA5	
Rope*	PR-AA5	PR-AA5	*"Rope" means any rope or cable, treated or untreated, composed of three or more strands manufactured from cotton or any cordage fiber each strand composed of two or more yarns. May not be sold to a reprocessor.
Silk: Raw	WPB-1161	WPB-1161	
Sponges, marine and loofa	PR-AA5	PR-AA5	
Tanning material, vegetable	PR-AA5	PR-AA5	
Yarns and thread:			
Cotton	PR-AA5	PR-AA5	
Jute	PR-AA5	PR-AA5	
Nylon	WPB-1161	WPB-1161	
Silk	WPB-1161	WPB-1161	
Synthetic rubber	PR-AA5	PR-AA5	
Wool	PR-AA5	PR-AA5	
Blends of the foregoing	PR-AA5	PR-AA5	
PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS			
NOTE: Part IV amended July 5, 1945.			
Containerboard	WPB-1161	WPB-1161	
Graphite, strategic grades	WPB-1161	WPB-1161	
Logs (see Woods).			
Plywood (see Woods).			
Rubber:			
Natural rubber	WPB-1161	WPB-1161	
Natural rubber latex	WPB-1161	WPB-1161	
Compounded latex	WPB-1161	WPB-1161	
Chlorinated rubber (all types)	WPB-1161	WPB-1161	
Butyl	WPB-1161	WPB-1161	
Polyisobutylene	WPB-1161	WPB-1161	
Rubber Products:			
Elastic thread—see Part III.			
Elastic fabrics—see Part III.			
Yarn—see Part III.			
Screen cloth, insect metal	PR-AA-2X	PR-AA-2X	
Wood pulp	WPB-1161	WPB-1161	
Woods:			
Lumber:			
Hardwoods:			
No. 1 Common and Better or equivalent grade of White Oak (including WHNJD), Red Oak, Birch, Beech, Pecan, Rock Elm, Hard Maple, and Tough Ash.	PR-AA5*	WOP	*Persons buying for use must give the following certification: "The undersigned certifies to the seller and to the WPB that this lumber together with all other lumber for which he has requested delivery does not exceed the amount he has been authorized by the WPB to receive under Order L-335 or any applicable direction thereunder, or holder may sell without rating if buyer gives this certification: "The undersigned certifies to the seller and to the WPB that he is a Class I consumer and that this lumber together with all other lumber for which he has requested delivery does not exceed the amount he has been authorized by the WPB to receive under Order L-335 or any applicable direction thereunder.
Other grades of the above	PR-AA5*	WOP	
Mahogany, wormy grades (pattern stock).	PR-AA1	WOP	
Other hardwoods	PR-AA5*	WOP	
Plywood:			
Softwood	PR-AA2X	WOP	
Softwood lumber (except Western pine)	PR-AA5*	WOP	
Western pine	PR-AA5*	WOP	

LIST A—RESTRICTIONS ON SPECIAL SALES (DOMESTIC)—continued

Materials or products (new, unless "used" is specified) (1)	Persons buying for use (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (2)	Remarks (4)
PART V—MACHINERY, EQUIPMENT AND COMPONENTS			
NOTE: Part V amended July 5, 1945.			
Bearings, anti-friction, including the following component parts: Inner and outer races, alloy steel balls, and balls and rollers assembled in retainers.	(*)	(*)	*Sales of excess bearings are limited to the following: 1. To any producer of bearings, but not to a reprocessor unless the sale is specifically authorized by the War Production Board; or 2. To the original supplier; or 3. On any AAA order; or 4. On any AA-5 or higher rated order placed directly by the Army, the Navy, the Maritime Commission or the War Shipping Administration, or directly by any prime or sub-contractor of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or 5. If the holder has been unable to dispose of the bearings to the producer on a mutually satisfactory basis, the holder may sell them on any order rated AA-5 or higher regardless of order's source. 6. If the quantity to be sold in any month costs less than $250, they may be sold on any order rated AA-5 or higher regardless of order's source; or 7. Specific sales authorized by the War Production Board on Form WPB-1161.
Containers:			
V-boxes (corrugated and solid fiber)	WOP*	WOP	*A holder may only sell to a user who requires V-boxes to fill an order for the military or lend-lease specifying such boxes.
Compressed gas cylinders	PR-AAA*	PR-AAA	*Liquefied Petroleum gas cylinders may be sold only if prior authorization is obtained from PAW for the installation of liq. pet. gas equipment under the terms of General Limitation Order L-86.
Electronic parts and equipment*			*Rejected components. Special sales of components on this list (except test equipment) which have been rejected after inspection for failure to meet military specifications may be made without restriction, provided that before such sales are made, any Army or Navy identifying marks or symbols have been defaced or removed from the components. Any persons making a special sale of such components must secure and retain a written statement of Army or Navy inspectors that the components are military rejects and must maintain records of such sales in accordance with paragraph (k) of this regulation.
Electronic equipments**	PR-AAA	PR-AAA	**Except complete electronic equipments (excluding all test equipment) manufactured on or before Apr. 24, 1945, which is considered obsolete and may be sold freely.
Capacitors:			
Paper dielectric:			
Wax impregnated	PR-AA3	PR-AA3	
Oil impregnated	PR-AA5	PR-AA5	
Oil impregnated power factor type	PR-AA5	PR-AA5	
Molded bakelite	PR-AA5	PR-AA5	
Electrolytic	PR-AA3	PR-AA3	
Tubular ceramic	PR-AA1	PR-AA1	
Mica button	PR-AA1	PR-AA1	
Coaxial cable	PR-AA5	PR-AA5	
Instruments, electrical indicating, combat type*	PR-AA5	PR-AA5	*Except fire control equipment, and navigation instruments.
Relays	PR-AA5	PR-AA5	
Resistors:			
Molded composition insulated:			
Quarter watt	PR-AA1	PR-AA1	
Half watt	PR-AA1	PR-AA1	
Precision wire wound	PR-AA1	PR-AA1	
Wire wound, molded 2 watt	PR-AA3	PR-AA3	
Wire wound (others)	PR-AA5	PR-AA5	
Variable resistors	PR-AA3	PR-AA3	
Shock mounts	PR-AA5	PR-AA5	
Test equipment, commercial, electrical and electronic (new and used)*	WPB-1161	WPB-1161	*Includes all items of commercial, electrical and electronic test equipment.
Transformers and reactors:*			*Radio and radar types including coils and chokes, other than R. F. and I. F.
Hermetically sealed	PR-AA1	PR-AA1	
Others	PR-AA3	PR-AA3	
Tubes (radio and radar):			
Restricted tubes* 1A3, 1L4, 2C40, 2C43, 2D21, 3A5, 3E49, 3QS6T, 3Y6GT/G, 6AC7, 6AG5, 6AU6, 6J4, 6SL7GT, 6SN7GT, 6SN7W, 7F8, 9D7, 931A, 1620	WPB-1161	WPB-1161	*May not be sold to tube reprocessors except on specific authorization in WPB on Form WPB-1161.
Other tubes:			
JAN Inspected	PR-AA1	PR-AA1	
ARMY Inspected	PR-AA3	PR-AA3	
NAVY Inspected	PR-AA3	PR-AA3	
Tubes not inspected	PR-AA5	PR-AA5	
Mining equipment and machinery (new and used)	(*)	(*)	*Any equipment or machinery (whether mining, construction, industrial, or otherwise) acquired by a producer as defined in P-56 or which was in use in, or held in connection with a non-essential mine on the effective date, as defined in L-208, may be transferred only to a producer as defined in P-56, who holds a serial number under P-56, or with the written permission of the War Production Board applied for by letter to the Metals Division, Washington, D. C.
Refrigerators, domestic mechanical	WPB-867*	WPB-609	*May be sold freely to fill contracts or purchase orders for delivery to or for the account of the U. S. Maritime Commission or the War Shipping Administration for shipboard use only.

LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT

Special sales for export of materials and products on this List B are restricted as shown in the list in accordance with paragraph (h) of the regulation. For explanation of terms used, see List A.

Materials or products (new, unless "used" is specified) (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART I—METALS AND METALLIC ORES		
NOTE: Part I amended July 5, 1945.		
Antimony	WPB-1161*	*No authorization required providing the buyer certifies to the seller that his aggregate purchases from all sources in any month, including the purchase in question, do not exceed 224 pounds (contained antimony).
Babbitt and tin bearing alloys:		
Containing 12 percent or less tin by weight	WPB-1161*	*No authorization required if the special sale does not exceed 1,000 pounds for one shipment.
Containing more than 12 percent tin by weight	WPB-1161	
Bismuth	WPB-1161	
Cadmium	WPB-1161	
Chromium	WPB-1161	
Copper:		
Copper raw materials (refinery shapes and copper and copper base alloy ingots and copper and copper base alloy scrap)	WPB-1161	
Inconel metal	WPB-1161	
Monel metal	WPB-1161	
Nickel and its compounds	WPB-1161	
Platinum	WPB-1161	
Solder—		
Containing 30 percent or less tin content by weight	WPB-1161*	*No authorization required if the special sale does not exceed 1,000 pounds for one shipment.
Containing more than 30 percent tin by weight	WPB-1161	
Tin	WPB-1161	
Uranium	WPB-1161	
PART II—CHEMICALS, CHEMICALS LISTED HEREIN WHEN SOLD UNDER TRADE NAMES MAY BE SOLD AS PROVIDED FOR THE PARTICULAR CHEMICAL		
NOTE: Part II amended July 5, 1945.		
CHEMICAL		
Acetaldehyde	(*)	*The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945, or by letter to the Chemicals Bureau, to buy the particular chemical for export, unless the buyer certifies to the seller that his aggregate purchases from all sources, including the purchase in question, do not exceed the small order exemption for the particular chemical as described in the applicable order.
Acetic anhydride**	(*)	**Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acetone	(*)	
Acetylene black	(*)	
Acids:		
Acetic	(*)	
Adipic**	(*)	**Includes all derivatives except nylon.
Arsenious**	(*)	**Also called arsenic trioxide and white arsenic.
Citric	(*)	
Fumaric	(*)	
Maleic	(*)	
Naphthenic	(*)	
Phosphoric (by-product)	(*)	
Sulfuric	(*)	
Alcohols:		
Butyl**	(*)	**Includes isobutyl, secondary butyl and tertiary butyl.
Ethyl	(*)	
Hexanhydric alcohols:		
d-Sorbitol	(*)	
Mannitol-crystalline	(*)	
Higher aliphatic alcohols:		
Capryl**	(*)	**Also called methyl hexyl-carbinol or 2-Octanol.
Normal octanol	(*)	
Normal decanol	(*)	
Lauryl alcohol	(*)	
Mixed aliphatic alcohols	(*)	
Octanol	(*)	
2-ethyl hexanol	(*)	
Isopropyl	(*)	
Methyl (methanol)	(*)	
Alkanolamines	(*)	
Aluminum hydrate	(*)	
Ammonia:		
By-product ammonia**	(*)	**Including salts and solutions.
Sulphate of ammonia**	(*)	**Containing 20.5% nitrogen or less.
Synthetic ammonia**	(*)	**Including salts and solutions.

Materials or products (new, unless "used" is specified) (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART II—CHEMICALS, ETC.—con.		
CHEMICALS—continued		
Ammonium silicofluoride	(*)	
Aniline, aniline oil	(*)	
Aromatic solvents	WPB-1161	
Barbasco root	(*)	
Barium carbonate	(*)	
Barium chloride	(*)	
Bentonite, dessicant grade	(*)	
Benzaldehyde	(*)	
Benzene	(*)	
Benzene containing oils	(*)	
Benzyl benzoate	(*)	
Benzyl chloride	(*)	
Butadiene	(*)	
2-butanol	(*)	
Butyl acetate**	(*)	**Normal secondary and iso.
Butyl phthalyl butyl glycollate	(*)	
Cadmium pigment	WPB-1161	
Calcium carbide	(*)	
Calcium hypochlorite, high test**	(*)	**Available chlorine content 65% or more by weight.
Camphor, synthetic	(*)	
Carbolates, containing 10% or more of phenols (see Phenols).	(*)	
Carbon black	(*)	
Carbon tetrachloride	(*)	
Castor oil phthalate	(*)	
Castor oil phthalate hydrogenated	(*)	
Charcoal	(*)	
Chlorine	(*)	
Chlorinated hydrocarbon solvents	(*)	
Chlorinated paraffins	(*)	
Chlorinated Rubber (see Rubber, Part IV).		
Chrome pigments:		
Class A	(*)	
Class B	(*)	
Chromium chemicals:		
Ammonium bichromate	(*)	*The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945, or by letter to the Chemicals Bureau, to buy the particular chemical for export, unless the buyer certifies to the seller that his aggregate purchases from all sources, including the purchase in question, do not exceed the small order exemption for the particular chemical as described in the applicable order.
Chromic acid	(*)	
Potassium bichromate	(*)	
Potassium chromate	(*)	
Sodium bichromate	(*)	
Sodium chromate	(*)	
Chromium tanning compounds	(*)	
Cobalt oxide	WPB-1161	
Congo copal	WPB-1161	
Copper carbonate	(*)	
Copper chloride	(*)	
Copper cyanide	(*)	
Copper oxide	(*)	
Copper sulphate	(*)	
Cotton pulp, chemical	(*)	
Cresols: ortho, meta and para	(*)	
Cuprous oxide	(*)	
Cyanamid	(*)	
DDT	(*)	
Detergents, synthetic organic:		
Nacconol NRSF	(*)	
Nacconol HG	(*)	
Nacconol NRG	(*)	
Nacconol NR	(*)	
Santomerse No. 1	(*)	
Santomerse No. 55	(*)	
Santomerse No. 3	(*)	
M. P. 189	(*)	
M. P. 189 SX	(*)	
M. P. 646	(*)	
Ultrawet A	(*)	
Ultrawet 40 A	(*)	
Ultrawet 60 A	(*)	
Igepon T	(*)	
Igepon T. D	(*)	
Synthetic detergent 92	(*)	
Neutronyx 33	(*)	
Aztic Syntex M	(*)	
VEL	(*)	
Diacetone	(*)	
Diamyl phthalate	(*)	
Di-butoxy ethyl phthalate	(*)	
Dibutyl phthalate	(*)	
Dicaprayl phthalate	(*)	
Dicarbitol phthalate	(*)	
Dicyandiamide	(*)	
Di-cyclohexyl phthalate	(*)	
Diethanolamine	(*)	
Diethyl ethanolamine	(*)	
Diethyl phthalate	(*)	
Di-2-ethyl hexyl phthalate	(*)	
Di-ethoxy ethyl phthalate	(*)	
Dimethoxy ethyl phthalate	(*)	
Di-methylcyclohexyl phthalate	(*)	
Dimethyl amines	(*)	
Dimethyl phthalate	(*)	
Di(ortho xenyl) monophenyl phosphate.	(*)	
Dipentene	(*)	

LIST B—RESTRICTONS ON SPECIAL SALES FOR EXPORT—continued

Materials or products (new, unless "used" is specified) (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART II—CHEMICALS, ETC.—con.		
CHEMICALS—continued		
Di-phenyl mono (ortho xenyl) phosphate	(*)	
Diphenylamine**	(*)	**Also called phenylaniline.
D-sorbitol crystalline Technical grade (70% aqueous solution)	(*)	
Dyestuffs and organic pigments	(*)	*The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945, or by letter to the Chemicals Bureau, to buy the particular chemical for export, unless the buyer certifies to the seller that his aggregate purchases from all sources, including the purchase in question, do not exceed the small order exemption for the particular chemical as described in the applicable order.
Ethyl acetate	(*)	
Ethyl ether	(*)	
Ethyl phthalyl ethyl glycollate	(*)	
Ferro-ferri-cyanides		
Sodium ferro-cyanide	(*)	
Potassium ferro-cyanide	(*)	
Potassium-sodium-ferri-cyanide	(*)	
Formaldehyde	(*)	
Gasoline gum inhibitors	(*)	
Glycols		
Ethylene glycol	(*)	
Triethylene glycol	(*)	
Mixed glycols	(*)	
Glycol ethers:		
Monobutyl ether of ethylene glycol	(*)	
Monomethyl ether of ethylene glycol	(*)	
Monoethyl ether of ethylene glycol	(*)	
Monoethyl ether of diethylene glycol	(*)	
Guanidine	(*)	
Heat treated rosin	WPB-1161	
Hexamethylenetetramine	(*)	
Hydrogen peroxide	(*)	
Iron oxide, yellow	(*)	
Isobutyl acetate	(*)	
Isobutyl castor oil phthalate	(*)	
Lacquer, lacquer thinners (see protective coatings).		
Lead pigments	WPB-1161	
Maleic anhydride	(*)	
Manitol-crystalline	(*)	
Metal resinates	WPB-1161	
Methanol	(*)	
Methyl ethyl ketones	(*)	
Methyl isobutyl ketone	(*)	
Methyl phthalyl ethyl glycollate	(*)	
Monoethanolamine	(*)	
Monomethyl amines	(*)	
Naphtha, F. W.	WPB-1161	
Naphtha, high flash	WPB-1161	
Naphthalene	(*)	
Naphthenates	(*)	
Nickel chemicals (salts, oxides and carbonates)	WPB-1161	
Nitrogen compounds	(*)	
Oleum	(*)	
Oxidized petrolatum	(*)	
Paraffin wax	(*)	
Paraformaldehyde	(*)	
Pentaerythritol	(*)	
Perchlorethylene	(*)	
Perchloric acid	(*)	
Phenols**	(*)	**Includes: phenols, cresols and xylenols, substituted phenols, tar acid oil, carbolates and mixtures thereof.
Phosphorus (yellow and white)	(*)	
Phthalic anhydride	(*)	
Pine oil	(*)	
Pine tar	(*)	
Plasticizers		
Phosphate	(*)	
Phthalate	(*)	
Polymerized rosin	WPB-1161	
Potash**	(*)	**Includes murinate of potash, sulphate of potash, sulphate of potash-magnesia and run-of-the-mine potash.
Potassium carbonate	(*)	
Potassium chlorate	(*)	
Potassium perchlorate	(*)	
Potassium tantalum fluoride	(*)	
Pyrethrum	(*)	
Pyridine	(*)	
Pyronate	(*)	
Rhodium chemicals	(*)	
Rosin	WPB-1161	
Rotenone	(*)	
Rubber, synthetic (see Rubber, Part IV).		
Silica gel	(*)	
Sodium chlorate	(*)	
Sodium cyanide	(*)	
Sodium metallic	(*)	
Sodium metasilicate	(*)	
Sodium nitrate	(*)	
Sodium perborate	(*)	
Sodium phosphate	(*)	
Stabilized rosin	(*)	
Thallium chemicals	(*)	
Tin chemicals	WPB-1161	
Titanium dioxide pigment	WPB-1161	
Toluene (toluol)	(*)	
Trichlorethylene	(*)	
Tricresyl phosphate	(*)	
Triphenyl phosphate	(*)	
Tungsten chemicals	WPB-1161	
Ultramarine blue	(*)	
Uranium chemicals	WPB-1161	
Vanadium chemicals	WPB-1161	
Xylenols	(*)	
Xylol	(*)	
Zinc sulphide pigment	WPB-1161	
PLASTICS, ADHESIVES AND SYNTHETIC RESINS		
Acrylic Monomers and Acrylic Resins:		
Cast sheet—std. sizes	(*)	*The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945, or by letter to the Chemicals Bureau, to buy the particular plastics, adhesives, or synthetic resins for export, unless the buyer certifies to the seller that his aggregate purchases from all sources, including the purchase in question, do not exceed the small order exemption for the particular plastics, adhesives, or synthetic resins as described in the applicable order. **In primary unfabricated form.
Cast sheet—odd sizes	(*)	
Molding sheet	(*)	
Molding powder	(*)	
Cast shapes	(*)	
Tube	(*)	
Rod	(*)	
Solution	(*)	
Emulsion	(*)	
Monomer**	(*)	
Granular polymers	(*)	
Casein**	(*)	*The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945, or by letter to the Chemicals Bureau, to buy the particular plastics, adhesives, or synthetic resins for export, unless the buyer certifies to the seller that his aggregate purchases from all sources, including the purchase in question, do not exceed the small order exemption for the particular plastics, adhesives, or synthetic resins as described in the applicable order. **In primary unfabricated form.
Cellulose acetate:		
Sheet, rod and tube**	(*)	
Molding powder	(*)	
Cellulose acetate butyrate:		
Sheet, rod and tube**	(*)	
Molding powder	(*)	
Cellulose ester flake	(*)	
Diebhorostyrene	(*)	
Ester gum	WPB-1161	
Ethyl cellulose	(*)	
Glue, hide, and extracted green bone	(*)	
Laminated plastics	(*)	
Maleic, fumaric, carbic and pentaerythritol oils and resins	(*)	
Melamine molding compounds	(*)	
Melamine resins	(*)	
Nitro-cellulose	(*)	
Phenolic molding compounds	(*)	
Phenolic resins	(*)	
Phthalic alkyd resins	(*)	
Polydichlorostyrene	(*)	
Polyethylene	(*)	
Polystyrene	(*)	
Tepixon	(*)	
Terpene hydro-carbon resins	WPB-1161	
Urea molding compounds	(*)	
Urea resins	(*)	
Vinyl polymers	(*)	
Vulcanized fibre, sheet	(*)	
Vulcanized fibre, tube	(*)	
PROTECTIVE COATINGS		
Paint, varnish, enamel, lacquer, dope, lacquer or dope thinner, paint or varnish remover and stain containing any of the ingredients listed in Col. 3**.	(***)	**The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-1161 to buy the particular critical protective coating for export unless the buyer certifies to the seller that his aggregate purchases including the purchase in question, do not exceed 275 gallons monthly. ***Acetone, or diacetone, benzol, butyl alcohols or butyl acetates, cadmium pigments, chromium oxide pigment, cuprous oxide pigment, zinc chromate pigment, ethyl or isopropyl acetates, ethyl cellulose, E. W. naphtha, isopropyl alcohol, methylisobutyl ketone, methyl ethyl ketone, paraphenyl or butyl phenol resins, phosphate plasticizer, phthalate plasticizers, phthalic alkyd resins, toluene, vinyl polymers, and xylene.

LIST B—RESTRICTONS ON SPECIAL SALES FOR EXPORT—continued

Materials or products (new, unless "used" is specified) (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS		
NOTE: Part III amended July 5, 1945.		
These restrictions do not apply if the material was acquired without a priority rating or authorization from the War Production Board.		
Animal bristles and hair	PR-AA5	
Clothing, footwear (including sanry shoes), hats, gloves, and all other outer or undergarments or apparel, if made in whole or part of leather or textile yarn, staple fiber or fabrics.	PR-AA5	
Cordage (see rope).		
Cotton linters* (chemical grade)	WPB-1161	*Produced after July 1, 1943.
Dyestuff (defined in Conservation Order M-300).	PR-AA5	
Equipage, Military luggage and sleeping bags.	WPB-1161	
Fabrics (Woven, felted, knitted and braided)		
Burlap	PR-AA5	
Cotton (except duck)	PR-AA5	
Cotton duck (width 15" or wider)	WPB-1161	
Elastic (synthetic rubber)	PR-AA5	
Nylon	WPB-1161	
Silk	WPB-1161	
Wool	PR-AA5	
Blends of the foregoing	PR-AA5	
Feathers, waterfowl	WPB-1161	
Fibers		
Cordage fiber	WPB-1161	
Manilla, sisal, henequ, raffia, jute, coir, and other fibers (except istle) suitable for cordage.		
Textile fibers.		
Cotton	PR-AA5	
Jute	PR-AA5	
Nylon	WPB-1161	
Silk	WPB-1161	
Wool	PR-AA5	
Blends of the foregoing	PR-AA5	
Fiberglas textiles, except tape ½" and less in width, sleeving or tubing, multiple wound yarns (over 8 ends wound parallel on tubes).	WPB-1161	
Findings, metal shoe:		
Arch supporters	PR-AA5	
Box toes and caps	PR-AA5	
Heel rims and plates	PR-AA5	
Heel washers	PR-AA5	
Shoe shanks	PR-AA5	
Steel wire shoe nails	PR-AA5	
Toe rims and plates	PR-AA5	
Hides, skins, furs and leather and products made primarily therefrom	WPB-1161	
Jutestock	WPB-1161	
Materials obtained under Conservation Orders M-328, M-365, M-317, M-317A, M-317B, and products in the M-328 Series.	PR-AA5	
Rope	PR-AA5	
Sawdust	WPB-1161	
Shoe fasteners	PR-AA5	
Shoepacs, marine and boots	PR-AA5	
Tacks, steel (except thumb tacks)	PR-AA5	
Tanning material, vegetable	PR-AA5	
Yarns and thread:		
Cotton	PR-AA5	
Jute	PR-AA5	
Nylon	WPB-1161	
Silk	WPB-1161	
Synthetic rubber	PR-AA5	
Wool	PR-AA5	
Blends of the foregoing	PR-AA5	
PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS		
NOTE: Part IV amended July 5, 1945.		
Cores—paper, sanitary paper, container board and products therefrom	WPB-1161	
Graphite, strategic grades	WPB-623	
Rubber		
Natural rubber	WPB-1161	
Natural rubber latex	WPB-1161	
Reclaimed	WPB-1161	
Synthetic—all types	WPB-1161	
Rubber products		
Belting and belts—all types	WPB-1161	
Camelback and repair materials—all types	WPB-1161	
Footwear—all types	WPB-1161	
PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS—con.		
Rubber products—Continued.		
Heels and soles—all types	WPB-1161	
Hose—all types	WPB-1161	
Proofed goods and drug sundries—all types.	WPB-1161	
Tires and tubes—all types	WPB-1161	
All other miscellaneous rubber goods.	WPB-1164	
Screen cloth, insect, metal	WPB-1161	
Watches, jeweled and non-jeweled	WPB-1161	
Woods:		
Lumber:		
Hardwoods:		
No. 1 Commonand Better or equivalent grade of White Oak (including WHND), Red Oak, Birch, Beech, Pecan, Rock Elm, Hard Maple and Tough White Ash.	PR-AA5*	*Buyers must give the following certification. "The undersigned certifies to the seller and to the WPB that this lumber together with all other lumber for which he has requested delivery does not exceed the amount he has been authorized by the FEA to receive under Order L-335 or any applicable direction thereunder.
Other grades of the above.	PR-AA5*	
Mahogany, wormy grades, (pattern stock)*.	PR-AA1	
Other Hardwoods	PR-AA5*	
Plywood:		
Softwood	PR-AA2X	
Pressed wood (hardwood)	PR-AA3	
Softwood lumber (except—Western pine)	PR-AA5*	
Western pine	PR-AA5*	
Wood pulp	WPB-1611	
PART V—MACHINERY, EQUIPMENT AND COMPONENTS		
NOTE: Part V amended July 5, 1945.		
Bearings:		
Anti-friction including the following component parts: Inner and outer races, alloy steel balls, and balls and rollers assembled in retainers.	(*)	*Sales of excess bearings for export are limited to the following. 1. On any AA A order, or 2. If the quantity to be sold in any month costs less than $250 they may be sold on any order rated AA-5 or higher regardless of order's source; or 3. Specific sales authorized by the WPB on Form WPB-1161.
Boilers:		
Cast iron heating	PR-AA-3	
Low pressure steel	PR-AA-3	
Steel, high pressure (Table 11, M-290).	PR-AA-3	
Burners, oil, domestic	AA-3	
Clock, alarm	WPB-1161	
Containers:		
Corrugated and solid fibre shipping.	PR-AA5	
Compressed gas cylinders	PR-AA5	
Dishwashing machinery, commercial.	WPB-1319	
Electronic parts and equipment.*		*Rejected components. Special sales of components on this list (except test equipment) which have been rejected after inspection for failure to meet military specifications may be made without restriction provided that before such sales are made, any Army or Navy identifying marks or symbols have been defaced or removed from the components. Any person making a special sale of such components must secure and retain a written statement of Army or Navy inspectors that the components are military rejects and must maintain records of such sales in accordance with par. (k) of this regulation. **Except complete electronic equipments (excluding all test equipment) manufactured on or before Apr. 24, 1943, which is considered unlisted and may be sold freely. *Except fire control equipment, and navigation instrument.
Electronic equipments**	PR-AA5	
Capacitors:		
Paper dielectric:		
Wax impregnated	PR-AA3	
Oil impregnated	PR-AA5	
Oil impregnated power factor type.	PR-AA5	
Molded bakelite	PR-AA5	
Electrolytic	PR-AA3	
Tubular ceramic	PR-AA1	
Mica button	PR-AA1	
Coaxial cable	PR-AA5	
Instruments, electrical indicating, combat type*.	PR-AA5	
Relays	PR-AA5	
Resistors:		
Molded composition, insulated:		
Quarter watt	PR-AA1	
Half watt	PR-AA1	
Precision wire wound	PR-AA1	

LIST B—RESTRICTONS ON SPECIAL SALES FOR EXPORT—continued

Materials or products (new, unless "used" is specified) (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART V—MACHINERY, EQUIPMENT AND COMPONENTS—continued		
Electronic parts and equipment—Continued.		
Resistors—Continued		
Wire wound, molded, 2 watt	PR-AA3	
Wire wound (others)	PR-AA5	
Variable resistors	PR-AA3	
Shock Mounts	PR-AA5	
Test equipment, commercial Electrical and electronic (new and used)*	WPB-1161	*Includes all items of commercial, electrical and electronic test equipment.
Transformers and reactors*:		
Hermetically sealed	PR-AA1	
Others	PR-AA3	
Tubes (radio and radar): Restricted tubes—1A3, 1L4, 2C40, 2C43, 2D21, 2A5, 3E29, 3QS6GT, 5Y3GT/G, 6AC7, 6AG5, 6AG7, 6J4, 6SL7GT, 6SN7GT, 6SN7W, 7F8, 28D7, 9004, 1629.	WPB-1161	*Radio and radar types including coils and chokes, other than R. F. and I. F.
Other tubes:		
JAN inspected	PR-AA1	
ARMY inspected	PR-AA3	
NAVY inspected	PR-AA3	
Tubes not inspected	PR-AA5	

Materials or products (new, unless "used" is specified) (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
PART V—MACHINERY, EQUIPMENT AND COMPONENTS—continued		
Furnaces, cast iron and steel	PR-AA-3	
Laundry machinery, domestic	WPB-1161	
Mining equipment and machinery (new and used)	(*)	*Any equipment or machinery (whether mining, construction, industrial or otherwise) acquired by a producer as defined in L-208 or which was in use in, or held in connection with a non-essential mine on the effective date, as defined in L-208, may be transferred only to a producer as defined in L-56 who holds a serial number under L-56, or with the written permission of the War Production Board applied for by letter to the Metals Division, Washington, D. C.
Radiators, cast iron	WPB-1161	
Ranges, electric	WPB-1161	
Refrigerators		
Commercial mechanical	WPB-1161	
Domestic mechanical	WPB-807*	*May be sold freely only to fill contracts or purchase orders for delivery to or for the account of the U. S. Maritime Commission or the War Shipping Administration for shipboard use only.
Sewing machines	WPB-1161	
Vacuum cleaners (domestic)	WPB-1161	

DIRECTION 1: Expired June 30, 1945.

DIRECTION 2: Revoked May 31, 1945.

DIRECTION 3

SALES OF SURPLUS PROPERTY TO GOVERNMENT AGENCIES AND STATE OR LOCAL GOVERNMENTS

(a) *Purpose.* Government agencies and state or local governments are entitled to certain priorities in getting surplus property from government disposal agencies under the Surplus Property Act of 1944 and Surplus Property Board Regulation No. 2. This direction is issued to provide for these priorities and at the same time to make sure that the needs of the Armed Services, war production and essential civilian activities are met.

(b) *Applicability of WPB orders and regulations to sales under Surplus Property Board Regulation No. 2.* Disposal agencies, in making sales under Surplus Property Board Regulation No. 2, must comply with Priorities Regulation 13 and all other applicable orders, regulations or other action of the WPB, except that the requirements for the filing of rated orders are modified in the following two respects unless the WPB otherwise directs in writing.

(1) In the case of orders for any item received during the first 30 days following notice of availability under Surplus Property Board Regulation No. 2, preference may be given, to the extent indicated in that regulation, to government agencies or state or local governments ahead of other purchasers placing orders bearing the same rating.

(2) In addition, to the extent indicated in that regulation, the filing of rated orders received during the above 30-day period may be postponed within the period, and the sequence in which a disposal agency received rated orders bearing the same rating during the period may be disregarded. (Issued May 16, 1945.)

[F. R. Doc. 45-12167; Filed, July 5, 1945; 11:17 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 18 Revocation]

FROZEN SCHEDULES

Section 944.39 *Priorities Regulation 18* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. This regulation is superseded by General Scheduling Order M-293 as amended simultaneously with this revocation.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12168; Filed, July 5, 1945; 11:17 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-723, Reinstatement and Amendment]

AMLING'S OF CALIFORNIA, INC.

Correction

In the document appearing on page 8110 of the issue for Tuesday, July 3, 1945, the Federal Register serial number should read "45-11789".

PART 1010—SUSPENSION ORDERS

[Suspension Order S-733, Reinstatement and Amdt.]

COLLINS CONCRETE AND STEEL PIPE CO.

Collins Concrete and Steel Pipe Company, an Oregon corporation, of Portland, Oregon, engaged in the business of manufacturing steel septic tanks, range boilers, electric hot water heaters, and in the dip galvanizing of sheet metal products appealed from the provisions of Suspension Order No. S-733, issued March 10, 1945 and effective March 20, 1945. Pending final determination of the appeal the suspension order was stayed on March 23, 1945. Deputy Chief Compliance Commissioner Bok has reviewed the case and has directed that the stay be revoked and the suspension order reinstated and amended.

In view of the foregoing, it is hereby ordered, that: The stay of *Suspension Order No. S-733* be revoked effective July 5, 1945 and that the suspesion order be reinstated effective July 6, 1945 and amended by substituting for the present paragraph (b) the following:

(b) The provisions of paragraph (a) above shall not apply to deliveries of production materials or maintenance, repair and operating supplies required to fill any order of or contract with the Army, Navy or Maritime Commission or any other Governmental agency listed in Priorities Regulation No. 1, § 944.1.

Issued this 26th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12137; Filed, July 5, 1945; 11:12 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-112, Revocation]

INDUSTRIAL POWER TRUCKS

Section 1226.117 *General Limitation Order L-112 is revoked.* This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The scheduling provisions of the order are superseded by General Scheduling Order M-293, industrial power trucks now being listed in Table 6 to that order. The production and delivery of industrial power trucks remain subject to Order M-293 and to all other applicable orders and regulations of the War Production Board.

Issued this 5th day of July 1945

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12162; Filed, July 5, 1945; 11:16 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Supplementary Limitation Order L-112-a, Revocation]

INDUSTRIAL POWER TRUCKS

Section 1226.122 *Supplementary Limitation Order L-112-a* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The production and delivery of industrial power trucks remain subject to General Scheduling Order M-293 and all other applicable orders and regulations of the War Production Board.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12163; Filed, July 5, 1945; 11:17 a. m.]

PART 1260—RUBBER PROCESSING MACHINERY AND EQUIPMENT

[General Limitation Order L-143-a as Amended July 5, 1945]

The fulfillment of requirements of the national defense has created a shortage in the supply of certain critical materials used in the manufacture of rubber processing machinery and equipment for the national defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1260.2 *General Limitation Order L-143-a*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not

(2) "Rubber processing machinery or equipment" means machinery or equipment of the kinds listed in Groups I, II, III, IV and V, of List A, designed for use in the manufacture of products from natural rubber, natural rubber latex, reclaimed rubber, scrap rubber, and all types of synthetic rubber The term also means and includes any such machinery or equipment except "plastics molding machinery" and "fixtures" controlled by General Scheduling Order M-293, Table 15) for experimental use or for use in the manufacture of products from plastics or rubber substitutes. The term does not mean or include "retreading, recapping and repair equipment"

(b) *Production and delivery.* No person shall manufacture or deliver any new rubber processing machinery or equipment except to fill orders in accordance with the following restrictions:

Any order for new rubber processing machinery or equipment may be accepted, but orders which are not specifically rated on Form WPB-1319 or scheduled under paragraph (c) shall be treated as unrated orders.

Orders classified as "unrated" may be filled by a supplier only to the extent that he is able to do so without interfering with, or in any way delaying, his production or shipment of orders specifically rated on Form WPB-1319 or orders scheduled under paragraph (c).

Blanket MRO ratings or other forms of priorities assistance (except as authorized on Form WPB-1319) may not be used to obtain new rubber processing machinery or equipment. MRO ratings may, however, be used to the extent authorized by other War Production Board orders and regulations, for the purpose of obtaining parts for the maintenance and repair of machinery or equipment.

(c) *Scheduling and shipping directions.* (1) The War Production Board may from time to time request all the manufacturers of a particular item of rubber processing machinery or equipment to file operation reports and schedules of unfilled orders. When so requested, each manufacturer shall file forms WPB-3100 and WPB-3101 in accordance with the instructions accompanying them. Form WPB-3101 will be returned to the manufacturer with shipping directions noted thereon and shall be deemed a "frozen" schedule as defined in paragraph (e) of General Scheduling Order M-293, as amended, for the number of calendar months designated by the War Production Board.

(2) Each manufacturer must make shipments in accordance with his frozen schedule, notwithstanding any other preference order, directive or regulation of the War Production Board, but subject to provisions of paragraph (e) of General Scheduling Order M-293, as amended, and must so schedule his production as to meet the shipping dates prescribed in his frozen schedule.

(3) If a manufacturer is unable, for reasons beyond his control, to fulfill his frozen schedule on time, or if he is able to make shipments ahead of schedule, he must in either case make shipments, as far as practicable, in the same sequence as required by the schedule. In any case where the delay or acceleration in shipments will affect dates of shipment by more than 15 days, the manufacturer shall notify the War Production Board of the following facts:

(i) The reason for the delay or acceleration.

(ii) The revised dates on which he expects to make shipments under each purchase order affected.

(4) In the absence of specific shipping directions issued pursuant to this paragraph (c), any manufacturer shall produce rubber processing machinery or equipment, and make shipments thereof in fulfillment of orders authorized pursuant to paragraph (b) of this order, in accordance with applicable preference ratings, allotments, regulations or directions issued by the War Production Board.

(d) *Application for preference rating.* Any person who requires new rubber processing machinery or equipment to fill essential government or civilian orders may apply for a preference rating on Form WPB-1319; current instructions for filing Form WPB-1319 may be obtained from local War Production Board Field Offices.

If a preference rating is granted, the applicant may use the rating only to obtain new rubber processing machinery or equipment specified on the form, by certifying to the supplier named in his application, in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he has been granted a preference rating of ---------- on Form WPB-1319, Case No. ----------, for the acquisition of the particular rubber processing machinery or equipment specified in the attached purchase order or contract.

Date:

Signature and Title of Authorized Official

Orders for rubber processing machinery and equipment rated on Form WPB-1319 must be placed with the supplier within 45 days of the date on which the rating is given; otherwise, they become invalid.

A dealer who accepts an order certified under this paragraph may extend the rating to his supplier by using the general form of certification specified in Priorities Regulation 7.

NOTE: Paragraph (e), formerly paragraph (g), and subparagraphs (1) to (4), inclusive, formerly subparagraphs (2) to (5), inclusive, redesignated July 5, 1945.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable Regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Rubber Bureau, War Production Board, Washington 25, D. C. Ref.: L-143a.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under

priority control and may be deprived of priorities assistance.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

GROUP I—BASIC RUBBER PROCESSING MACHINERY (INCLUDING LABORATORY SIZES)

Bale cutters
Washers
Refiners
Mills
Plasticators
Masticators
Banbury mixers
Calenders
Strainers
Automatic Mill Mixing Devices
Crackers
Grinders
Tubing machines (extruders)
Cement mixers
Dispersion mixers
Aprons for mixing mills
Mill take-off devices

GROUP II—TIRE AND TUBE MAKING EQUIPMENT

Spreaders
Bias cutters
Slitters
Let-on stands
Bead making machines
Bead covering machines
Bead flippers
Bead winders
Bead cutters
Bead piping machines
Stock servicers & turrets
Festooning machines
Tire building machines
Band & pocket building machines
Tire cores & drums
Bead locaters (or setting rings)
Stitchers
Debaggers and extractors
Vactuum expanders
Mechanical baggers & expanders
Molds, tire & tube
Molds, airbag
Matrices
Curing rings
Curing ring presses
Equalizer plates
Tube mandrels
Tread & tube cutters
Tube splicers
Valve applying machines
Tube testing devices
Vulcanizers, all types
Tire cleaners
Tire balancing machines
Tire inspection machines
Buffers, curing bag
Tire wrapping machines
Cord dipping, saturating and drying equipment

GROUP III—INSULATED WIRE & CABLE MACHINERY

Rubber covering machines
Vulcanizers, all types
Strainers
Extruders (tubing machines)

GROUP IV—MECHANICAL GOODS EQUIPMENT

[NOTE: "Brushing machines" and "Dusting machines" deleted Sept. 5, 1944]

Belt making machines
V-Belt covering machines
Belt slitters
Belt stretchers
Belt vulcanizing presses
Coating machines
Cutting machines (all types for rubber products & rubberized fabrics)
Hose covering machines
Hose making machines
Hose wrapping machines
Lining strippers
Spreaders
Hydraulic presses, vulcanizing, all types
Vulcanizers, all types
Rag rollers
Tubers

GROUP V—DRUG & SURGICAL SUNDRIES & RUBBER FOOTWEAR

Dipping machines
Trimmers
Hydraulic presses, vulcanizing
Presses, dieing out or preforming
Rubber outsole cutting machines
Vulcanizers, all types

[F. R. Doc. 45-12164; Filed, July 5, 1945; 11:17 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, as Amended Sept. 28, 1944, Amdt. 5]

Schedule A to CMP Regulation 5 is amended by changing the item "AA–2 Textile machinery" under the general heading "Special industry machinery" to read "AA–1 Textile machinery."

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12169; Filed, July 5, 1945; 11:17 a. m.]

PART 3201—MINING

[Limitation Order L–269, as Amended July 5, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of mining equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3201.1 *Limitation Order L–269*—(a) *Definitions.* For the purposes of this order:

(1) "Mining equipment" means any complete equipment or apparatus of the types, descriptions, and classifications set forth on List A hereto annexed.

(2) "Repair part" means any part manufactured for use in the repair and maintenance of mining equipment.

(3) "Manufacturer" means any person who constructs or manufactures mining equipment to the extent that he is engaged in such construction or manufacture.

(b) *Production and deliveries of mining equipment.* (1) On or before March 25, 1943, and on or before the 15th of each succeeding calendar month, each manufacturer shall file in triplicate on form PD–815 a schedule of proposed production and deliveries and a report of the previous calendar month's shipments and orders.

(2) On and after April 1, 1943, each manufacturer shall produce and deliver mining equipment only in accordince with the schedule filed pursuant to paragraph (b) (1) or as the same may be changed by the War Production Board.

Such schedules are deemed to be "frozen schedules" within the meaning of General Scheduling Order M–293 and are subject to the general provisions of that order relating to frozen schedules.

(3) With respect to mining equipment, the War Production Board may:

(i) Direct the return or cancellation of any order on the books of a manufacturer.

(ii) Direct changes in the production or delivery schedule of a manufacturer.

(iii) Allocate orders placed with one manufacturer to another manufacturer, or

(iv) Take such other action, as it deems necessary, with respect to the placing of orders for, or the production or delivery of, mining equipment.

(4) Beginning February 1, 1944, except as may be otherwise directed in writing by the War Production Board, a manufacturer need not file Form WPB–2406 with respect to any item of mining equipment on List A marked with an asterisk. Further, the War Production Board may from time to time issue written exemptions relieving manufacturers from the requirement of filing Form WPB–2406 with respect to other items of mining equipment in cases where their production records, together with other circumstances, show such uniformity of production or specialization of orders as to indicate no further need for filing such report; and the War Production Board may also, where circumstances change and again show the need for filing such report, revoke any such exemption.

(c) *Repair parts.* The War Production Board may direct the quantity and type of repair parts to be produced or delivered by any manufacturer in any calendar month, and it may direct changes in any manufacturer's production or delivery schedule for mining equipment so as to provide for adequate production or delivery of repair parts.

(d) [Deleted Feb. 8, 1944.]

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Mining Equipment Division, Washington 25, D. C., Reference L–269.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning the manufacture, sale and delivery of and orders for mining equipment and repair parts. All persons affected by this order shall file such reports and questionnaires as may be requested from time to time by the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

1. *Cutting machine, mine type—CPM Code 301*
   - Short wall.
   - Long wall.
   - Wheel and crawler mounted
     - Horizontal kerf.
     - Vertical kerf.
     - Combination horizontal and vertical kerf.
2. *Loaders, mine type—CMP Code 304*
   - Duckbill loading heads only
   - Slusher of scraper
   - Wheel and crawler mounted.
     - Rock loaders
     - Coal loaders
3. *Conveyors, mine type—CMP Code 302*
   - Belt
   - Chain
   - Shaking, with or without duckbill loading head
4. *Locomotives, mine type—CMP Code 300*
   - Storage battery
   - Cable reel, trolley
   - Haulage, trolley
5. *Cars, mine type—CMP Code 300*
6. *Cars, shuttle self propelled—CMP Code 300*
   - Storage battery
   - Cable reel
7. *Drills—CMP Code 315*
   - Hand held, electric coal
   - Post mounted, electric coal
   - Wheel and crawler mounted, electric coal
   - Core drills, all types
8. *Trucks, cutting machine—CMP Code 301*
   - Crawler mounted
9. *Hoists, electric and air, mine type—CMP Code 303*
   - Car spotter
   - Tugger
   - Slope and shaft
10. *Crushers—CMP Code 144*
    - *Bradford breakers
    - *Vertical pick coal
    - Coal and coke sizers
    - Pulverizers
    - *Stamp mills
    - Disc
    - Impact
    - Roll
    - Jaw
    - Cone
    - Gyratory
    - Swing hammer
    - Hammer mill
    - Ring
11. *Grinding machinery—CMP Code 144*
    - Ball mill
    - Rod mill
    - Pebble mill
    - Tube mill
12. *Smelting and refining equipment—CMP Code 306*
    - *Calcining furnaces
    - *Charging machines
    - *Converting machines
    - *Ore roasting furnaces
    - *Melting pots
    - *Sintering machines
    - *Casting machines
    - *Clay pug mills
    - *Cottrell precipitators
    - *Kettles, smelting
    - *Retorts
    - *Zinc condenser machines
13. *Ore dressing and coal preparation equipment—CMP Code 305*
    - Agitators
    - Clarifiers
    - Concentrating tables
    - Cone washers
    - *Evaporators
    - Filters
    - Hydraulic separators
    - Jigs, ore and coal
    - Magnetic pulleys
    - Mineral driers
    - Ore scrubbers
    - Thickeners
    - Flotation cells
    - Classifiers
    - Conditioners
    - *Density controllers
    - *Feeders, ore and reagent
    - *Gravity separators
    - *Pan conveyor feeders
    - *Log washers
    - Magnetic separators
    - *Automatic samplers
    - *Sink float machines
    - *Coal driers
14. *Mining, equipment, specialized—CMP Code 307*
    - *Lamps, miners, carbide
    - Lamps, miners, electric
    - *Lamps, miners, trip
    - Lamps, miners, safety
    - *Grizzlies, mine
    - *Giants, hydraulic
    - *Ties, steel mine
    - *Doors, mine, automatic
    - *Splitters
    - *Props, adjustable mine
    - Tramways, aerial
    - *Buckets, ore
    - *Skips, ore
    - *Cages
    - *Dredges, mine
    - *Rock dust distributing machines
    - *Changing panels, wet cell lamp
    - *Cardox coal blasting equipment
    - *Airduct, flexible and sheet metal

[F. R. Doc. 45-12165; Filed, July 5, 1945; 11:17 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M–293, as Amended July 5, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of certain products for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote national defense.

General Explanation of the Order

§3208.1 *General Scheduling Order M–293*—(a) *Purpose and scope of the order.* This order provides the general framework for scheduling by the War Production Board. Its purpose is to establish scheduling as a means of insuring that shipments of certain products are made in the sequence best suited to fulfill the requirements of war production. At times, it may also be used to schedule the distribution of some products or portions of production, in ways best suited to care for the civilian economy in areas where there are still critical shortages during the continuance of the war. Its provisions are applicable only to those products, and manufacturers of those products listed on the several tables which accompany this order. Such listed products are referred to as "M–293 products."

(b) *Principal changes contained in this amendment and effect of previous actions.* (1) This revision of Order M–293 is primarily a consolidation of Order M–293 and Priorities Regulation 18. While it incorporates substantially all the provisions of each, the order should be studied carefully. Attention is particularly called to the change in the provisions freezing X product schedules of manufacturers excused from filing. Such schedules are not frozen unless the manufacturer chooses to file them with the War Production Board.

(2) Any actions taken by the War Production Board before this or any other amendment of the order, or any table of the order, remain fully effective until or unless changed by order or direction relating specifically to the action in question. Thus, if a product is removed from the order, or its classification changed, all frozen schedules, specific authorizations or directions relating to the product while it was listed, or by virtue of its previous classification, remain effective and must be observed until they expire by their terms or are modified by later specific direction.

(3) Old orders which have been previously reported to the War Production Board on the form required by the appropriate table of M–293 at the time the report was filed need not be included on a new form specified for the product by an amendment to the table. The manufacturer may report old orders on the form he used before but must report all new orders on the form shown in the appropriate table.

(c) *Definitions.* For the purpose of this order:

(1) "M–293 product" means any item listed in the tables to this order except Table 1. These items are identified in the tables as Class X, Class Y, and Undesignated. The same products may be designated X and Y and, if so, are subject to the provisions applying to each class. Class X, Class Y, and Undesignated products are subject to all other provisions of this order.

(2) "Manufacturer" means any person engaged in making an M–293 product.

General Operations Reports

(d) *Operations reports.* Each manufacturer of an M–293 product must file operations reports on the applicable form shown in Column 1 of the appropriate table. These reports must be filed at the times and in the manner pre-

scribed in the instructions which accompany the form. If no form is shown in Column 1, no operations report need be filed. A manufacturer may be excused by the War Production Board from filing these reports. Manufacturers may be required to report unrated orders in operations reports (see instructions which accompany the form).

Frozen Schedules

(e) *Definition and effect of frozen schedules.* Any production or shipping schedule which is established or prescribed under the terms of this order or under the terms of any other order of the War Production Board which states expressly that schedules thereunder are to be deemed frozen schedules within the meaning of M-293, is known as a "frozen schedule." The sequence of orders or shipments on a frozen schedule may not be changed or interfered with by any person, or in any way, except by an order or direction of the War Production Board which identifies the frozen schedule, and which states specifically that it is an amendment of that schedule.

(f) *Automatic freezing of component schedules.* Whenever any product of a manufacturer is subject to a frozen schedule, all components of that product which the same manufacturer makes in any plant are automatically subject to and a part of the same frozen schedule, to the extent that he must so schedule his supply of those components as to meet and fulfill his frozen schedule according to its terms, regardless of the effect of this scheduling on other orders for those components. There is one exception to this rule. If the other orders for those components are already a part of a frozen schedule which has been filed with the War Production Board, the part of the schedule which has been filed and frozen can only be amended as provided in paragraph (e). This paragraph applies only to components which are incorporated in, or attached to, the scheduled product by the scheduled manufacturer. When any component schedule is automatically frozen under this paragraph, a notation to that effect must be made on the schedule of the M-293 product which is filed. A component schedule which has been automatically frozen under this paragraph shall enjoy the same protection as any other frozen schedule, except that an amendment to the schedule pursuant to paragraph (e) need not identify the frozen schedule if the schedule has not been filed with the War Production Board.

(g) *Deviations from a frozen schedule.* If a manufacturer is unable to fulfill any frozen schedule on time or in exact accordance with its terms, because of some such unexpected difficulty as a production break-down in his plant or a failure to receive required production materials, he must still make his shipments, so far as practicable, in the sequence required by the schedule. Similarly whenever an order is removed from a frozen schedule, a manufacturer must make his shipments under later scheduled orders as nearly as practicable in the prescribed sequence, moving up the shipping dates of other orders. However, no manufacturer need ship any order in advance of its required delivery date. In any case where a manufacturer foresees an appreciable delay in or acceleration of production and shipments, he must notify the War Production Board in writing, stating the causes of such delay or acceleration and the revised dates on which he expects to be able to make shipments on each purchase order affected.

(h) *Effect of changes in purchase orders.* (1) A cancelled order must be removed from a frozen schedule. An order on which the customer has instructed the manufacturer to hold up work must also be removed from a frozen schedule. If the person who instructed that work be held up requests within ten days thereafter that the manufacturer reinstate his order, the manufacturer must do so, giving the order as nearly as possible its former place in the frozen schedule, *Provided*, That doing so will not cause loss of production or delay in previously scheduled shipments on other orders in the schedule.

(2) Any substantial change in a purchase order removes it from a frozen schedule; for example, a change is substantial if it involves an alteration of the manufacturer's production schedule so as to interfere with production, or if it involves an alteration in the product classification of the item.

(3) Any order which has been cancelled and renewed, or which has been substantially changed, or on which the customer has instructed that work be held up without requesting reinstatement within ten days, must be treated as an entirely new order received as of the date of the change or the date of a later request for reinstatement. Its acceptance or rejection and its place in the manufacturer's schedule must be determined by conditions existing at that date.

(i) *Requests for schedule changes.* Requests for changes in frozen schedules must be made in writing to the appropriate industry division of the War Production Board, and may be made by the manufacturer, the customer, or by any interested claimant agency. Such requests may be made by letter or on the form required for shipping schedules and relate to one or more orders, or may constitute a proposed revision of an entire frozen schedule.

(j) *Preparation and fulfillment of shipping schedules.* Unless he is specifically directed otherwise by the War Production Board, a manufacturer in preparing and arranging a shipping schedule under this order must arrange the sequence of orders and shipments according to the rules of Priorities Regulation No. 1 and any other applicable regulations or orders of the War Production Board. He must never rearrange, however, the sequence of any orders or shipments which have once been frozen in his schedules, except pursuant to an order or direction of the War Production Board amending and changing a frozen schedule. When a shipping schedule has become frozen, a manufacturer must schedule his production and make his shipments so as to meet that schedule.

(k) *Inclusion of unrated orders in frozen schedules.* Unrated orders shall not be included in any shipping schedule filed or frozen under this order. There are only two exceptions to this rule: (1) unrated orders which are accompanied by specific approval of the War Production Board authorizing them to be placed shall be included in such schedules; (2) a manufacturer shall also include unrated orders in such schedules if he is specifically directed by the War Production Board to do so, in which case the War Production Board will also specify the manner and sequence in which they shall be included and arranged.

Special Provisions Applicable to Class X Products

(l) *Filing shipping schedules.* Each manufacturer of a Class X product must file with the War Production Board each month his shipping schedule, beginning with shipments to be made on and after the first of the following month, except when he is excused from filing by the War Production Board. These schedules must be filed on the form shown in Column 2 of the appropriate table, at the times specified and in accordance with the instructions accompanying the form. In preparing the form for filing each month, the manufacturer shall include all purchase orders received up to the close of business on a date which is as near as practicable to the date the form is due to be filed. Orders received after the close of business on that date shall not be included on the form for that month. A manufacturer who is excused from filing may, if he wishes, still file just as if he had not been excused, and, in that case, his schedule is frozen on the date it is filed as explained in the next paragraph.

(m) *Freezing of filed shipping schedules.* A shipping schedule of a Class X product is automatically frozen on the date it is filed, for shipments to be made during the applicable period specified in column 4 of the appropriate table. This period begins on the first day of the month after the schedule is filed, but previously frozen schedules covering shipments to be made before the beginning of the period remain frozen.

SPECIAL PROVISIONS APPLICABLE TO CLASS Y PRODUCTS

(n) *Authorization of orders required.* No person shall place an order with a manufacturer and no manufacturer shall accept an order for a Class Y product, unless the order is accompanied by specific authorization of the War Production Board obtained on the form shown in Column 3 of the appropriate table. A distributor who wants to buy for immediate resale must supply the information requested on the application for authorization about his customer rather than about himself, and such an application may be filled out and filed either by the distributor or the customer. If the distributor is buying for stock, he must so state and give all information called for by the application form in terms of the types of customers to whom he expects to sell. The term "distributor" includes wholesalers, retailers, jobbers, sales agencies and consignees for sale. As explained in paragraph (u), a manufacturer must obtain authorization for the transfer of a Y product to a distribution outlet owned or controlled by himself; and must also obtain authorization for shop orders for his own Y products for his own in-plant use.

(o) *Acceptance and freezing of authorized orders.* All authorized purchase orders for Y prodcts which the manufacturer accepts automatically become frozen in his schedules at the time he accepts the order for shipment on the agreed date. If a time for shipment is specified in the authorization of the order, the manufacturer must not accept a purchase order specifying any other shipping time. Also, he must not accept an order which will interfere with a previously frozen schedule, or on which delivery cannot be made on the specified date because of the requirements of Priorities Regulation No. 1 or any other applicable regulation or order of the War Production Board, unless the War Production Board specifically directs him to accept it.

Special Provisions Applicable to Undesignated M-293 Products

(p) A manufacturer of an undesignated M-293 product need not file the form shown in Column 2 of the appropriate table unless specifically directed to do so by the War Production Board or unless he chooses to do so. If he is directed to file, the shipping schedule shown on the form becomes frozen in accordance with the direction. If he is not directed, but chooses to file the form, the shipping schedule shown on it does not become a frozen schedule until the War Production Board specifically directs the manufacturer that it is frozen.

Special Reporting Provisions Covering Certain M-293 Products

(q) *Reports of requirements by purchasers of M-293 products.* Any claimant agency listed on Table 1 may instruct its prime contractor (or the prime contractor of a procuring agency which the claimant agency represents) who is purchasing M-293 products required in his prime contracts, or any other person purchasing M-293 products except for incorporation into other M-293 products manufactured by himself, to file with the claimant agency a report on Form WPB-3003 or other form approved for the purpose by the Bureau of the Budget. In such a case the person must file the form giving the information called for concerning the purchase orders which he has placed or will place for each specified M-293 product required under the Table 1 programs, except those which are indicated on the tables as being exempt from this paragraph. The report must state how many of each M-293 product will be used as spares.

(r) *Reports of shipping schedules.* A claimant agency listed on Table 1 may send to a manufacturer a Form WPB-3003, or other form approved for the purpose by the Bureau of the Budget, which shows the requirements of purchasers described in paragraph (q) above, covering all M-293 products for Table 1 programs, except those indicated on the tables as being exempt from the provisions of this paragraph. If a manufacturer receives such a form filled out and certified by the claimant agency in accordance with the accompanying instructions, he must fill in only the proposed shipping dates determined in accordance with Priorities Regulation No. 1 and other applicable orders and regulations of the War Production Board. The shipping dates of purchase orders which already are part of a frozen schedule must not be changed. He must file copies of the form with the claimant agency in accordance with the accompanying instructions and also with the War Production Board when requested to do so by the appropriate industry division. This schedule does not become a frozen schedule unless the War Production Board specifically directs the manufacturer that it is one.

Other Scheduling Actions

(s) *Other scheduling provisions and actions which may be taken by the War Production Board.* With respect to any M-293 product, the War Production Board may, from time to time, take any of the following actions:

(1) Excuse any manufacturer of an M-293 product from filing the operations reports required by paragraph (d) of this order, or excuse any manufacturer of Class X products from filing shipping schedules under paragraph (1) of this order.

(2) Direct the filing or freezing of shipping schedules by any manufacturer and direct changes in the shipping schedule of any manufacturer.

(3) Authorize the placing or acceptance of purchase orders for any Class Y product, or revoke any authorization issued by it for the placing or acceptance of any purchase order for a Class Y product.

(4) Direct the return or cancellation of any purchase order on the books of a manufacturer, or cancel orders placed with one manufacturer and direct that they be placed with another manufacturer.

(5) Take such other actions as it deems necessary with respect to the production of, the placing of purchase orders for, or the shipment of M-293 products.

Miscellaneous Provisions

(t) *Persons excused from compliance.* A person who is excused by the War Production Board from compliance with any specific provision of this order is not thereby excused from compliance with other applicable provisions of the order.

(u) *Intra-company deliveries.* This order applies not only to shipments by manufacturers to other persons, including affiliates and subsidiaries, but also to shipments from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(v) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(w) *Reports and communications.* The list of M-293 products is arranged so that the name of the industry division appears at the top of the table covering the M-293 products for which it is primarily responsible. All reports and forms required by the order and all appeals should be addressed to the War Production Board, Washington 25, D. C., attention of the appropriate industry division so listed. All reports and forms required in this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(x) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12140; Filed, July 5, 1945; 11:13 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Revocation of Direction 1]

Direction 1 to General Scheduling Order M-293 is revoked. This direction is superseded by paragraph (b) (2) of General Scheduling Order M-293 as amended simultaneously with this revocation.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12141; Filed, July 5, 1945; 11:13 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Revocation of Direction 2]

Direction 2 to General Scheduling Order M-293 is revoked. This direction is superseded by paragraph (b) (3) of General Scheduling Order M-293 as amended simultaneously with this revocation.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12136; Filed, July 5, 1945; 11:12 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 1, as Amended July 5, 1945]

PROGRAMS

§ 3208.2 *Table of programs.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

Paragraphs (q) and (r) for M-293 products apply only to order for the programs and claimant agencies shown in the following list:

Ships as programmed by the Navy Department, the Maritime Commission and the War Department.

Advanced and Overseas Bases as programmed by the Navy Department.

Tanks, Combat Vehicles and motor transport vehicles as programmed by the War Department.

Power generating plants as programmed by the Office of War Utilities.

Plants designed for the production of high octane gasoline as programmed by the Petroleum Administration for War.

Programs corresponding to the above as programmed by the Canadian Department of Munitions and Supply and approved by the Canadian Division; War Production Board; or, in the case of plants designed for the production of high octane gasoline, approved by the Petroleum Administration for War.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12142; Filed, July 5, 1945; 11:13 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 4, as Amended July 5, 1945]

AUTOMOTIVE DIVISION

Section 3208.5 *Table for Automotive Division*, is hereby amended to read as follows:

§ 3208.5 *Table for Automotive Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule[2]	3 Application and authorization	4 Calendar months frozen[2]
1. Diesel and gas (not gasoline engines (non-marine only); (a) Over 750 revolutions per minute	X	878	3809.1		3
2 Gasoline engines (except aircraft propulsion):					
(a) Air-cooled for use in end products not built by the engine manufacturer and commonly known in the trade as "industrial engines."	X	878	3809.1		3
(b) Air-cooled, other than those defined under item 2 (a)	Undesignated	878	3809.1		3
(c) Liquid-cooled for use in end products not built by the engine manufacturer and commonly known in the trade as "industrial engines."	X	878	3809.1		3
(d) Liquid-cooled other than those defined under item 2 (c)	Undesignated	878	3809.1		3
3. Internal combustion engine components for all engines, except those used on aircraft propulsion engines and except those components built by the engine manufacturer for incorporation into his own end product:					
(a) Camshafts; (finished)	Undesignated	3002.78	3809.2		
(b) Carburetors	Undesignated	3002.78	3809.2		
(c) Crankshafts; (finished droptorged and cast)	Undesignated	3002.78	3809.2		
(d) Flywheel ring gears	Undesignated	3002.78	3309		
(e) Fuel injection equipment for Diesel engines	Undesignated	3002.78	3809.2		
(f) Generators; (electric, engine mounted only)	Undesignated	3002.78	3809.2		
(g) Governors, automotive type mechanical	Undesignated	3002.78	3809.2		
(h) Magnetos	Undesignated	3002.78	3809.2		
(i) Motors; (electric starting, engine mounted automotive type only)	Undesignated	3002.78	3809.2		
(j) Pistons	Undesignated	3002.78	3809.2		
(k) Piston rings	Undesignated	3002.78	3809.2		
(l) Radiators	Undesignated	3002.78	3809.2		
(m) Sleeves; (cylinder)	Undesignated	3002.78	3809.2		
(n) Valves and seats; (exhaust, intake)	Undesignated		3539		
4. Bearings lined, journal, common, sleeve; thrust friction; not water lubricated ship stern, tube, strut, rudder shaft bearings.	Undesignated	3002.78	3809.2		
5. Batteries; storage, automotive dry charged, wet and charged, moist uncharged storage, not automotive; storage, wet primary.	Undesignated	3002.78	3809.2		
(a) Battery containers (hard rubber)	Undesignated	3002.78	3809.2		
(b) Cell covers and vents for battery containers (rubber)					
6. Automotive type components (other than Internal Combustion Engine) except those components built by the manufacturer for incorporation into his own end product:					
(a) Axles	Undesignated		3809.6		
(b) Cranes	Undesignated		3809.6		
(c) Trailer Landing Gear	Undesignated		3809.6		
(d) Transfer Cases	Undesignated		3809.6		
(e) Transmissions	Undesignated		3809.6		
(f) Wheels	Undesignated		3809.6		
(g) Winches	Undesignated		3809.6		

[1] Forms WPB 3401 or WPB-3003 may be used in lieu of the forms indicated.
[2] For explanation of time during which shipping schedule is frozen, see paragraph (m) of M-293 as amended.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12143; Filed, July 5, 1945; 11:13 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Direction 1 to Table 4, as amended July 5, 1945]

PURCHASERS OF INTERNAL COMBUSTION ENGINES AND CERTAIN AUTOMOTIVE CHASSES COMPONENTS TO FURNISH MANUFACTURERS INFORMATION REGARDING END USE

Direction 1 to Table 4 of General Scheduling Order M-293 is hereby amended to read as follows:

The demand for internal combustion engines and for certain automotive chassis components, provision for the scheduling of which is made respectively in paragraphs 3 and 6 of Table 4 to General Scheduling Order M-293, is so large that it is necessary for the War Production Board to determine the relative urgency of shipments to be made by manufacturers of these products. This requires that information be furnished as to the end use of the engines and the chassis components being scheduled. This information is frequently known only to the purchaser, and not to the manufacturer and sometimes only to the customer of the purchaser.

Unless purchase orders already placed and future orders which come through manufacturers are properly identified, the Board may be compelled to postpone delivery by the manufacturer or to remove the orders entirely from the manufacturer's shipping schedule.

Consequently, in order that each manufacturer of internal combustion engines and of chassis components listed in Table 4 to Order M-293 may be in a position to furnish the requisite information to the War Production Board, all purchasers of such engines and chassis components are directed to furnish immediately to the manufacturer of the engine or of the chassis component, the following information in respect to the items he has ordered:

1. The specific use the purchaser will make of the engine or of the chassis component: for example—tractor, generator, pump, truck combine, truck replacement, etc.

2. The program or project for which the engine or chassis component is required: for example—farm machinery, advanced Naval base, heavy truck, truck replacement, etc.

3. Government contract number (if any) identifying the prime contract placed by the claimant agency for such program or project: for example—W-04-353-Eng. 339 (this indicates Army Engineer Corps—Contract No 339). NOBs-1161 (this indicates Navy Bureau of Ships—Contract No. 1161).

4. The claimant agency sponsoring the program or project: for example—the Army, Navy, War Food Administration, Office of Defense Transportation, etc.

The foregoing information must also be furnished by purchasers in respect to all future orders for any engines or of chassis components listed on Order M-293, Table 4, at the time the orders are given the manufacturer. In giving the information, purchasers should furnish a separate statement for purchase orders involving different programs or covered by more than one government contract number.

If the purchaser of the engine or of the chassis component does not have any part of the foregoing information, he may get it from his customer and the customer, if he does not have the information, may get it from his customer.

NOTE: The reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12144; Filed, July 5, 1945; 11:13 a. m.]

Type of M-293 product	Designation	Applicable forms 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen
3. Small air circuit breakers:					
a. Types, AK, FH, or similar, except Navy high shock type, 3,000 amp.		3000.04	3003		
b. Navy high shock type, 3,000 amp.		3000.04	3003		
4. Aircraft switches and circuit breakers		3000.05	3003		
5. Panelboards, 600 volts or less, for lighting and power distribution, wall mounted type for shipboard use			3003		
6. Compressors, air, and vacuum pumps, (except those designed to compress air for refrigerating type or portable compressors, dry vacuum pumps, steam reciprocating pumps, stationary compressors and circulators.					
a. Stationary types up to 200 HP		3000.09	3001.09		
b. Stationary types 201 HP and over		3000.09	3001.09		
c. Portable types, rated at displacement of 50 cubic feet and over, driven by an internal combustion engine, 750 rpm or more	X	3000.09	3001.09		
Excluded from (a), (b), and (c) above are:					
i. Gas compressors designed and constructed specifically for use as parts of air braking systems, refrigerating systems, food and beverage cooling systems, and preservative systems or ice making systems when fabricated by manufacturers who currently produce any of the systems specified in this paragraph.			#3003		3
ii. Air compressors designed and constructed specifically for use as parts of air braking systems when fabricated by manufacturers who currently produce any of the systems specified in this paragraph.			#3003		3
7. Pumps: Industrial, designed to raise, circulate or otherwise move any liquid.					
a. Reciprocating types			#3003		3
b. Centrifugal types			#3003		3
c. Rotary type (cam, screw, lobe or gear)			#3003		3
d. Fluid type (turbine, propeller, etc.)			#3003		3
Excluded from (a), (b) and (c) are:					
i. Pumps specially designed and fabricated solely for incorporation into or repair of other machinery (unless produced by the same manufacturer, and pumps for use as parts of internal combustion engines, or parts of motor vehicles of the types covered by Order L-15).			#3003		3
ii. Pumps for use as parts of fire fighting equipment of the types covered by Order L-48.			#3003		3
iii. Pumps for use as parts of machinery and equipment as defined in Order L-265.			#3003		3
iv. Service station type measuring and dispensing pumps.			#3003		3
v. The following pumps when designed and used solely for handling fuel, lubricating oil, condensate return pumps and hot water circulating pumps:			#3003		3
vi. Pumps of the sanitary type for milk or cream handling.			#3003		3
vii. Pumps originally used for construction contractors' purposes, or by construction contractors for development work, as specified in Order L-192			#3003		3
8. Fans, blowers and exhausters: Air circulating and ventilating devices which move, compresses or exhausts air or other gas by centrifugal, rotary or axial means.					
a. All fan and propeller fans (including drivers)		3000.20	3001.20		
Excluded from (a) and (b) are:					
i. Ceiling, air circulator, desk, wall bracket and portable window fans and pedestal type fans of a portable nature.					
ii. Fans and blowers manufactured by a person solely for incorporation into products manufactured by him (including pulverizers, stokers and boilers) also manufactured by him.					
iii. Propeller type fans for use as parts of internal combustion engine mounted accessories.					
iv. High pressure blowers included in Item 9 of this table.					

[1] For explanation of time during which shipping schedule is frozen see paragraph (m) of M-293.
[2] Form WPB-3401 may be used in place of WPB-3003.

Type of M-293 product	Designation	Applicable forms 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen
11. Pressure vessels: Any seale l carbon steel or alloy steel vessel (shell, designed to withstand internal or external pressure for the purpose of retaining one or more fluids (liquids, gases or vapors):					6
a. All sizes when used to retain air, sizes having a liquid capacity of 5 cubic feet or more when used to retain liquids:					
Excluded from (a) are:		3,000.07	3.001.07		
i. Direct fired vessels, such as boilers.					
ii. Vessels designed to contain water under pressure for domestic supply.					
iii. Vessels designed as fire extinguishers.					
iv. Vessels designed as heat exchangers or enclosures therefor (included in item 10 of this table).					
v. Vessels designed for cooking or preparing foodstuffs.					
vi. Field assembled storage vessels such as spheres and tanks.					
12. Conveying Machinery and Mechanical Power Transmission Equipment, including Flexible Couplings.					3
a. All types.		3000.12	3001.12		
Except:					
i. Underground mine equipment.					
ii. Slope conveyors.					
iii. Speed changer units and unmounted gears, as listed in Item 12-b.					
b. Speed changer units and unmounted gears:		3000.83	3001.12		3
i. Marine marine propulsion gears.					
ii. Ship engine room auxiliary equipment gears.					
iii. Aircraft engine gears					
iv. Automotive gears.					
v. Gears manufactured by a person for incorporation into other machinery also produced by him.					
13. Woodworking Machinery (new):					6
a. Vertical and horizontal, single and twin hand resaws, all types (including tandem) up to 72 inches wheel diameter:	X	3130	3001.64	(1)	2
Excluded from (a) above are:					
i. Combination band rip and resaws.					
ii. Combination band scroll and resaws.	X	3130	3001.64	(1)	2
b. Chain type power driven timber falling saws driven by internal combustion or electric motor:					
Excluded from (b) above are saws designed for forming wire staples or brad nails from a coil of wire.	X	3130	3001.64	(1)	3
d. Wood box printers:					
Any machine designed for printing upon wood, either in shook form or assembled into a box:	X	3130	3001.64	(1)	3
e. Planers and matchers:					
Any planers and planers and matcher weighing 12,000 lbs. or more.	X	3130	3001.64	(1)	3
Excluded from (e) above are drop bed and "pony" types.					
f. Surfacers:					
Any surfacer type double surfacer weighing over 10,000 lbs. and any drop bed heavy duty roughing type planer of the 4 roll type weighing over 9,000 lbs.	X	3130	3001.64	(1)	3
Excluded from (f) above are cabinet or "wedge bed" type surfacers.					
14. Resistance welding equipment: (a) Any purchase order totaling over $200 for any resistance welding machine, new, reconditioned, rebuilt, or modernized) for use in the operation of joining metals by the resistance welding process (that is, by localized consolidation or joining under pressure and heat, the heat being generated by the resistance of the metal parts to the flow of electric current), including resistance welding machines and controls, but not electrodes (Purchase orders shall not be subdivided for the purpose of coming under the $200 limit):		2830	3001.83		2

[1] For explanation as to the orders and deliveries which must be rated, and those which must be authorized on Form WPB-2131, see Order L-341.

Type of M-293 product	Designation	Applicable forms 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen
9. High pressure blowers: Blowers, compressors, exhausters and vacuum pumps of the rotative type designed for a pressure differential of more than 2 pounds per square inch, including diesel engine supercharges and scavengers and ballast unloading blowers):					7
a. Centrifugal type (single-stage, multi-stage, axial flow and blast furnace):					
i. Single-stage.		3000.52	3001.13		
ii. Multi-stage including blast furnace and axial flow.					
b. Rotary type (lobe, sliding vane and liquid piston).					
c. Repairs and spare parts for (a) and (b):					
Excluded from (a) and (b) are:					
i. Repairs or spare parts for any vessel built for the direct use of the Navy or Maritime Commission aboard ship (included in Item 8 of this table).					
ii. Centrifugal refrigeration compressors.					
iii. Aircraft engine superchargers.					
iv. Blowers and exhausters for laboratory use only.					
10. Heat Exchangers: Any new equipment or apparatus consisting of an assembly, bundle, or nest of one or more bare or finned tubes (metallic or non-metallic) or metal plates and including any shell or pressure vessel to contain the same, designed for the purpose of transferring heat between two separate fluids (liquids, gases or vapors).		3000.08	6503		
a. All sizes.					
Excluded from (a) are:					
i. Any equipment or apparatus which is directly attached to and forms an integral part of a prime mover.					
ii. Any equipment or apparatus which permits direct contact involving physical mixing of the fluids (other than direct contact boiler feed water heaters).					
iii. Any steam surface condenser designed to condense exhaust steam from a prime mover to maintain a minimum exhaust pressure.					
iv. Any heat exchanger for use on aircraft.					
v. Any radiator type coolers.					
vi. Any inter cooler, coil when any such item is for space heating or cooling or industrial space heating or drying.					
vii. Any indirect water heater, commonly referred to as storage tank type water heaters, in which heat is transferred from a steam coil to water for the heating and storing of hot water for any purpose.					
viii. Any individual water heater consisting of a coil or a bank of tubes, the inside diameter of which is 12 inches or less (if other than circular in cross section and having an internal cross sectional area of 113 square inches or less) used for supplying hot water for any purpose.					
ix. Any heat exchanger of non-metallic construction for use in a chemical experimental laboratory.					
x. Any heat exchanger designed and constructed specifically for use as an integral part of equipment (not heat exchanger) when such equipment (for example, a heat exchanger which serves as an intercooler for a compressor when both intercooler and compressor are produced by the same manufacturer).					
xi. Distilling plants, (as covered by paragraph (b) below).					
b. Distilling plants, also known as distillation units or evaporators, used in the conversion of sea water or brackish water to sweet water for fresh water or potable purposes.					

Type of M-293 product	Designation	Applicable forms 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen
15. Wire working machinery (new): Any purchase order totaling over $200 for any machine or equipment designed for fabricating or forming any product from wire. (Purchase orders shall not be subdivided for the purpose of coming under the $200 limit.) This includes the following:					2
(a) stranders, cablers, bunchers, twiners, and braiders			3001.87		2
(b) coil and armature winders			3001.87		2
(c) coil spring winders			3001.87		2
(d) equipment for spooling, reeling, forming, insulating, armouring, taping, weaving, and stripping			3001.87		2
Excluded from (a), (b), (c) and (d) above are extruders, lead presses, vulcanizers, and wire tying machines.					
16. Baling presses (new): Any purchase order totaling over $350 for any machine or equipment (whether power or hand operated) designed for compressing metallic or fibrous materials into packages of less bulk for economy in storage or transportation. (Purchase orders shall not be subdivided for the purpose of coming under the $350 limit)			3001.89		2
Excluded are agricultural balers and coal briquetting machines.					
17. Refrigeration and air conditioning systems. Any new assembly or combination of machinery, equipment, or other apparatus designed primarily to lower temperature or remove water vapor, directly or indirectly, by mechanical means.					
(a) Systems (including parts therefor purchased concurrently) using dichlorodifluoromethane as the refrigerant, designed or specified for 1-2 horsepower to 50 horsepower drive, inclusive, for Shipboard use			3003		2
(b) Systems (including parts therefor purchased concurrently) using dichlorodifluoromethane as the refrigerant, designed or specified for ½ horsepower to 50 horsepower drive, inclusive, for U. S. Army or U. S. Navy owned or operated shore-based installation outside continental United States limits			3003		8
(c) Parts (new), including any assemblies, accessories, implements or devices designed or intended for incorporation, installation, or use in or with systems of the kinds referred to in (a) or (b) above, in causing them to perform their functions			3003		3
18. Industrial power trucks: Any new self-power propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors of paved surfaces in and around industrial plants, warehouses, docks, airports or depots			1202		3
Included are automotive tractors, trucks or wheel type industrial tractors designed for use on tax built highways or in such operations as construction, earth moving, mining, logging, industrial yard work or petroleum development.					

NOTE: Items under this subdivision 17, are exempt from paragraphs (q) and (r) of Order M-293.

For the information of manufacturers who are required to file standard forms (such as WPB-3000, 3001, 3003 and 3401) the forms themselves are standardized and a supply is available in any WPB field office. However, the distribution of the instructions, except those for WPB-3003 (shown in Column 2) and WPB-3401 for the use of these forms is restricted: copies may be obtained from the respective industry section of General Industrial Equipment Division.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12145; Filed, July 5, 1945; 11:14 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Direction 1 to Table 6, as Amended July 5, 1945]

IDENTIFICATION OF ELECTRIC MOTORS AND CONTROLS, AND EQUIPMENT CONTAINING THEM

The following direction is issued pursuant to General Scheduling Order M-293:

(a) *Purpose.* This direction applies to the identification of new items of electric motors and controls, or equipment containing them, when needed for the prosecution of the war. This will be accomplished by the claimant agency or other ultimate user initiating the identification and giving it to the supplier; if the supplier can make the shipment without having to obtain any of such items from his suppliers, the identification goes no further. If he must obtain some electric motors or controls or equipment containing them, in order to make the shipment, he must then extend the identification to his supplier (but only as to the items specifically needed to enable him to ship the items identified by his customer). The details of this procedure are specified in the remainder of this direction. The identification itself does not affect any of the priority rules in Priorities Regulation 1 or Order M-293 or any other applicable WPB order or regulation.

(b) *Items subject to this direction.* (1) This direction applies to certain purchases of fractional and integral horsepower motors and generators (except specifically designed airborne types), electric motor control equipment, small air circuit breakers, aircraft switches and circuit breakers, and panel boards rated 600 volts or less for lighting and power distribution of the wall mounted type for shipboard use, as covered by subdivisions 1 (except airborne type motors and generators) to 5, inclusive, of Table 6. Items of these kinds are referred to below as "electric motors or controls".

(2) This direction also applies to certain purchases of items of other equipment containing electric motors or controls.

(c) *Items needed for the prosecution of the war should be identified by ultimate user.* (1) Any person (including the Army, Navy, Maritime Commission, and their prime contractors) who has placed or hereafter places a rated order covering electric motors or controls, or equipment containing electric motors or controls, should furnish his suppliers of such items with information sufficient to identify the purpose for which the items are required, if needed for either of the following purposes:

(i) For incorporation into products to be used directly by any military agency of the United States or any such agency of any other country under the "Lend-Lease Act" (including maintenance and repair parts for such products); or

(ii) For use as plant facilities (including new and enlarged plant facilities necessary for increased production, or essential repair of existing plant facilities) for making products to be used directly by any military agency, or component materials or parts for such products. (The words "plant facilities", as used here, do not include electric power, gas, water, telegraph, telephone and similar service facilities not owned by the plant owner or operator). The ultimate purchaser should give this information whether he uses a preference rating assigned on Form WPB-542 or under WPB Directives 23 or 31, or on Forms WPB-617 or WPB-541 or other preference rating certificate, or a blanket MRO rating.

(2) The War Production Board may find it necessary to postpone shipments of any unidentified items in favor of those which are identified, as well as to make adjustments in shipments of identified items.

(d) *When identification must be extended by suppliers of electric motors or controls, or by suppliers of equipment containing electric motors or controls*—(1) *By supplier of motors or controls.* Any person (other than the producer of the electric motors or controls) who accepts or has accepted a rated order covering shipments of any electric motors or controls, that have been identified by his customer as being required for either of the purposes referred to in paragraphs (c) (1) (i) or (ii) above, must extend the identification to his supplier of such items if he must obtain them from the supplier in order to ship the items identified by his customer, by the required delivery date.

(2) *By suppliers of equipment containing electric motors or controls.* Any person (including manufacturers and distributors of any equipment containing electric motors or controls) who accepts or has accepted a rated order covering shipments of any equipment containing electric motors or controls, that have been identified by his customer as being required for either of the purposes referred to in paragraphs (c) (1) (i) or (ii) above, must extend the identification to his supplier of the electric motors or controls, or the equipment containing them, if he must obtain any of such items in order to ship the equipment identified by his customer, by the required delivery date.

(3) *When not to be extended.* Any supplier referred to in paragraphs (d) (1) or (d) (2) above shall not extend any identification, however, under either of the following conditions:

(i) It shall not be extended when he expects to be able to ship the identified items by the required delivery dates, in accordance with applicable WPB regulations and orders, and without having to get the required motors or controls (or equipment containing them) before he can make the shipment. Items being purchased as production material or to round out a line or for inventory (for general production or distribution), and not needed specifically for making an identified shipment, may not be identified (by extension of the identification) as being required for the identified purpose. If any unfilled purchase order covers a number of such items, and only a part of them are needed specifically to make an identified shipment, the identification may be extended only to that part of them which are needed solely for that purpose.

(ii) It shall not be extended if he knows or has reasonable cause to believe the identification to be false or inaccurate.

(4) *When extension is required later.* If a supplier has not extended the identification (under the conditions stated in paragraph (d) (3) (i) above), he must extend it as promptly as practicable whenever he later finds that he will be unable to make the shipment identified by his customer unless he obtains the required electric motors or controls or equipment containing them (or some of such items) from his supplier. In such a case he shall extend the identification only as to the items so required.

(e) *Information necessary for identification.* (1) The following identification should be given by an ultimate user and must be extended by a supplier: (i) the specific items which are being identified (if all of them under his purchase order are not), (ii) the application or use to be made of the items, (iii) the program or name of the project (both, if available) in which the items are to be used (including the class and hull number, if available, of the vessel, when for use aboard ship), and (iv) the Government contract number (if any) identifying the prime contract placed by the claimant agency for the purchase of the programmed requirement item or project. If the Government contract number covers several items, show the item numbers as shown on the order placed by the Government agency or office. (In the case of government-furnished equipment, the government contract and item numbers identify the prime contract placed by the Government agency or office for the equipment in question, and not for the program or project). Examples of identification: "For lathes, U. S. Navy Rocket Program, Naval Ordnance Plant, Louisville, Ky., contract No. ——", or "For ventilating fans, for VC-2-S-AP5 vessels, contract No. MC- ——, Hull Nos. ——"

(2) In the case of orders previously placed without the above identification, the following will also be necessary: (i) the name under which his purchase order was placed, (ii) his order number, (iii) any further description necessary to show the size or type of the items.

(3) In the identification extended by a supplier, the facts referred to in (1) (i), (2) (i), (ii) and (iii) above must relate to his own purchase order, and not his customer's.

(f) *When and how given.*—(1) *By ultimate users.* The identification must be given in writing, signed by the purchaser or a responsible official duly authorized to sign for him. It should be furnished with each order for items hereafter placed by any ultimate user; and as quickly as practicable under each order already placed.

(2) *Extension by suppliers.* When a supplier is required by this direction to extend an identification, he must do this in writing, signed by him or a responsible official duly authorized to sign for him. He must extend it as promptly as practicable and in any event within 30 days after he has accepted the order, received the identification and found that he needs to obtain items to make the shipment.

(3) In any case where the identification has been given, under the procedure in paragraphs (q) and (r) of Order M-293 or otherwise, it need not be given again.

(4) If it is impossible to furnish complete and definite specifications along with the purchase order or identification, this should not delay the giving of the identification.

(g) *Purpose and effect of identification.* (1) The identification is needed so that WPB can take appropriate priority action under Order M-293, to assure delivery of identified items on the dates required; and also so that the supplier may have more definite information as to the required delivery or performance dates, for his use in accordance with § 944.8 of Priorities Regulation 1. However, no person may reject a rated order merely because no identification is given by the purchaser.

(2) While the WPB may find it necessary to postpone shipment of any unidentified items, this direction does not in any way affect the priority or the delivery date to which a purchase order is entitled, nor does it permit any person to request earlier delivery dates or greater quantities than are truly necessary, no matter how important any delivery may be; some other important delivery may be delayed if this is done. No one may assume that a purchase order will be uprated or given any special priorities assistance after it is placed, merely because it is identified under this direction. Urgent orders should, of course, be placed and complete and definite specifications should be furnished as far in advance of the required delivery date as practicable.

(3) If any supplier identifies to his supplier any items as being needed for making a specific identified shipment, and after receiving them finds that he is required to use them for filling some other order because of the rules in Priorities Regulation 1, or Order M-293, the identification itself does not relieve him from following those rules; and where identified items have been diverted to some other order in this way, the identification must again be extended for any additional quantity actually needed to make the uncompleted identified shipment.

(h) *True identification required.* No person shall furnish any false identification. An intermediate supplier receiving such identification may rely upon it, and must pass it on to his supplier when required to do so by this direction, unless he knows or has reason to believe it to be false or inaccurate.

(i) *Other cases.* It is recognized that many persons who purchase electric motors or controls or equipment containing them, for general distribution or to round out a line or as production material for other equipment which they make, may have what they feel to be an important need for such items, particularly if many of their deliveries are currently being made for uses which may be considered essential to the prosecution of the war. This direction does not prohibit any person from informing his supplier as to why he needs or expects to need any items, as long as he does not furnish his supplier any inaccurate or false identification. The giving of such information does not affect in any way the priority or delivery dates required by Priorities Regulation 1 or other applicable WPB orders or regulations.

(j) *Violations.* Any person who wilfully violates any provisions of this direction, or who in connection with this direction wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

NOTE: The reporting requirements in this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary

[F. R. Doc. 45-12146; Filed, July 5, 1945; 11:14 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 11, as Amended July 5, 1945]

SHIPBUILDING DIVISION

§ 3208.12 *Table for Shipbuilding Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Desig-nation	Applicable forms columns 1 Operations report	2 Shipping schedule[1]	3 Application and authorization	4 Cal. mos. (type)[2]
1. Diesel engines, marine:					
a. Main propulsion, Diesel-generator sets and auxiliaries	X	878	3003	.....	4
2. Gears (marine):					
a. Main reduction gears (turbine propulsion)	X	.....	1826	.....	12
b. Main reduction and reverse gear units (Diesel and gasoline propulsion engine)		3002.33	3003	.....	2
3. Turbines, main marine propulsion	X	.....	1825	.....	12
4. Valves, piping systems, including all valves such as industrial, marine, hydrant, sluice gate, drilling, flow line, cocks, etc., except refrigeration, aircraft, automotive, instrument, regulating and control valves, air brake equipment, plumbing fixture fittings and trim:					
a. Steel valves:					
(1) Safety and relief	.....	3000.15	.....	.....	3
(2) Turbine (including astern, cross-over, maneuvering, manifold and throttle)	.....	3000.15	.....	.....	3
(3) Other steel valves	.....	3000.15	.....	.....	3
b. Iron valves:					
(1) Safety and relief	.....	3000.15	.....	.....	3
(2) Other iron body valves	.....	3000.15	.....	.....	3
c. Bronze valves:					
(1) Safety and relief	.....	3000.15	.....	.....	3
(2) Compressed gas cylinder	.....	3000.15	.....	.....	3
(3) Other bronze valves bolt. S. W. P. and over	.....	3000.15	.....	.....	3
5. Pipe fittings, except compression, flared, Parker type, bell and spigot:					
a. All steel fittings	.....	3000.15	.....	.....	3

[1] For explanation of time during which shipping schedule is frozen see Paragraph (m) of M-293.
[2] Form WPB-3401 may be used instead of WPB-3003.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12151; Filed, July 5, 1945; 11:15 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 9, as Amended July 5, 1945]

RADIO AND RADAR DIVISION

§ 3208.10 *Table for Radio and Radar Division.* The following amended table is issued pursuant to the provisions of General Scheduling Order M-293. Paragraphs (q) and (r) of General Scheduling Order M-293 do not apply to products on this Table 9. Wherever the designation "Y" on this table applies to purchase orders for more than a certain amount or more than a certain number of units, no person shall avoid the provisions of the order which relate to "Y" products by subdividing his purchase orders.

Type of scheduled products M-293	Desig-nation	Applicable forms column 1	2	3	4*
1. Capacitors (fixed):					
a. Ceramic capacitors	.....	3002.17	3401	.....	2 mos.
b. Electrolytic capacitors	.....	3002.17	3401	.....	2 mos.
c. Mica capacitors	.....	3002.17	3401	.....	2 mos.
d. Paper capacitors	.....	3002.17	3401	.....	2 mos.
e. Capacitor, power factor correction (rated in K.V.A.)	.....	3002.17	3401	.....	2 mos.
2. Connectors, radio frequency	.....	3002.16	3401	.....	2 mos.
a. Solid-dielectric synthetic-insulation	.....	3002.16	3401	.....	2 mos.
b. Gas- or air-filled rigid lines	.....	3002.16	3401	.....	2 mos.
c. Coaxial cable—radio frequency	.....	3002.18	3501	.....	2 mos.
3. Resistors, fixed and variable	.....				
4. Transformers, reactors, inductors and chokes. Transformers. Any electrical device having two or more coil windings on an iron alloy laminated core, having mutual inductance between windings, and used to transfer electrical energy from one circuit called the primary (to one or more other circuits called secondaries. Reactors and chokes. Any electrical device having one coil winding on an iron alloy laminated core which has self-inductance.	.....				
a. Transformers, industrial: all transformers, reactors and chokes as defined above, including dry type, primary 600 volts and below, and continuously variable voltage (Transtat, Variac, etc.) transformers, except those specifically described in 4b, below, and transformers for power distribution as defined in CMP Code 403.	.....	3002 31	3401	.....	2 mos.
(i) [Deleted July 5, 1945.]					
(ii) All purchase orders for more than $250 (net at the factory)	Y	.....	.....	1782	
b. Transformers, domestic: This includes fluorescent light ballasts; transformers used for the energizing of a gaseous discharge tube, such as neon light transformers; doorbell transformers; rectifier type battery chargers; oil burner ignition transformers; and electric fence controllers. It does not include transformers for power distribution as defined in CMP Code 403.	.....	3002 86	3401	.....	2 mos.
5. Vibrapacks & vibrators, electronic	.....	3002 75	3401	.....	2 mos.
6. [Deleted May 5, 1945.]					
7. Switches, radio frequency:					
a. High frequency circuit switches (1 Ampere minimum)	.....	3002 74	3401	.....	2 mos.
b. Jack switches	.....	3002 74	3401	.....	2 mos.
c. Anti-capacity switches	.....	3002 74	3401	.....	2 mos.
8. Electrical instruments (including test instruments and test equipment): Any instrument which measures, indicates or records any change in an electrical quantity. This shall not include: (1) Any polarized vane instrument made with metal bearings and normally used in automotive vehicles and mobile construction machinery; or (2) any electrical overall self-synchronous indicator or transmitter; or (3) any electrical instrument or test equipment which does not offer a similar type of test equipment for sale commercially.					

*Where a product is designated "XY" on this table, the freeze interval in Column 4 does in no way change or limit freeze intervals which have been established for longer periods on purchase orders approved under the "Y" procedure on Forms 3513, 3513a, or 3513b.

**All purchase orders for panel indicating instruments, except for the calendar of the kind stated in items 8a, (i) and 8a, (ii), may now be placed without prior approval on Form WPB-1852.

Type of scheduled products M-293	Desig-nation	Applicable forms column 1	2	3	4
8. Electrical instruments—Continued.					
d. Electrical test instruments—Continued.					
(i) Testers—Continued.					
(d) Low sensitivity (below 5,000 ohms per volt sensitivity) Volt-Ohmmeter, Volt-Ohm-Milliammeter, including instruments with decibel and capacity ranges.	.....	3002. 21	3001. 21	.....	3 mos
Precision Apparatus Company: Model 841	XY	3002. 21	3001. 21	3243	3 mos.
Simpson Electric Company:					
Model 260	XY	3002. 21	3001. 21	3243	3 mos.
Model 270	XY	3002. 21	3001. 21	3243	3 mos.
Model 443	XY	3002. 21	3001. 21	3243	3 mos.
Model 324	XY	3002. 21	3001. 21	3243	3 mos.
Supreme Instruments Corp.:					
Model 507	XY	3002. 21	3001. 21	3243	3 mos.
Model 543	XY	3002. 21	3001. 21	3243	3 mos.
Model 543-S (TE-50)	XY	3002. 21	3001. 21	3243	3 mos.
Triplett Elect. Instr. Co.:					
Model 666	XY	3002. 21	3001. 21	3243	3 mos.
Model 666-H	XY	3002. 21	3001. 21	3243	3 mos.
Model 1200-A	XY	3002. 21	3001. 21	3243	3 mos.
Weston Elect. Instr. Corp.:					
Model 564	XY	3002. 21	3001. 21	3243	3 mos.
Model 665	XY	3002. 21	3001. 21	3243	3 mos.
Model 697	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 5 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	.....
(ii) Electronic tube checkers (all types including combination tube checkers and set testers):	.....	3002. 21	3001. 21	.....	3 mos.
General Communications Co.: Electronic Tube Tester	XY	3002. 21	3001. 21	3243	3 mos.
Hickok Elect. Instr. Co.:					
Model 510-X	XY	3002. 21	3001. 21	3243	3 mos.
Model 530	XY	3002. 21	3001. 21	3243	3 mos.
Model 534	XY	3002. 21	3001. 21	3243	3 mos.
Model 540	XY	3002. 21	3001. 21	3243	3 mos.
Model 545 (I-177)	XY	3002. 21	3001. 21	3243	3 mos.
Model 550-X (Navy OZ)	XY	3002. 21	3001. 21	3243	3 mos.
Model 560	XY	3002. 21	3001. 21	3243	3 mos.
Precision Apparatus Co.:					
Model 910	XY	3002. 21	3001. 21	3243	3 mos.
Model 912	XY	3002. 21	3001. 21	3243	3 mos.
Model 920	XY	3002. 21	3001. 21	3243	3 mos.
Supreme Instruments Corp.: Model 508-A	XY	3002. 21	3001. 21	3243	3 mos.
Triplett Elect. Instr. Co.:					
Model 1213	XY	3002. 21	3001. 21	3243	3 mos.
Model 1612	XY	3002. 21	3001. 21	3243	3 mos.
Model 1613	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 5 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	.....
(iii) Output meters	.....	3002. 21	001. 21	.....	3 mos
Daven Company:					
Model D-180	XY	3002. 21	3001. 21	3243	3 mos.
Model I-61	XY	3002. 21	3001. 21	3243	3 mos.
Model I-83	XY	3002. 21	3001. 21	3243	3 mos.
General Radio Company:					
Model 483-F	XY	3002. 21	3001. 21	3243	3 mos.
Model 583-A	XY	3002. 21	3001. 21	3243	3 mos.
Simpson Electric Company: Model 427	XY	3002. 21	3001. 21	3243	3 mos.
Triplett Elect. Instr. Co.: Model 650-SC	XY	3002. 21	3001. 21	3243	3 mos.
Weston Elect. Instr. Corp.:					
Model 571	XY	3002. 21	3001. 21	3243	3 mos.
Model 695 (all types)	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 5 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	.....
(iv) Ohmmeters, Megohmmeters, and Megger Testers	.....	3002. 21	3001. 21	.....	3 mos.
Purchase orders for 5 or more units of all models of all manufacturers.	Y	.....	.....	3243	.....
(v) Portable electrical indicating instruments	.....	3002. 21	3001. 21	.....	3 mos.
Rawson Elect. Instr. Co.: All Models	XY	3002. 21	3001. 21	3243	3 mos.
Sensitive Research Instr. Co.: All Models	XY	3002. 21	3001. 21	3243	3 mos.
Weston Elect. Instr. Corp.: Model 622	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 100 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	.....
(vi) "Q" meters and "QX" checkers: All Models	XY	3002. 21	3001. 21	3243	3 mos.
(vii) Bridges:					
(a) Wheatstone bridges	XY	3002. 21	3001. 21	3243	3 mos.
(b) Megohm bridges		3002. 21	3001. 21		3 mos.
General Radio Company: Model 544-B	XY	3002. 21	3001. 21	3243	3 mos.
(c) Kelvin bridges		3002. 21	3001. 21	.....	3 mos
(d) Resistance limit bridges	.....	3002. 21	3001. 21	.....	3 mos
(e) Impedance bridges	.....	3002. 21	3001. 21	.....	3 mos.
General Radio Co.:					
Model 650-A	XY	3002. 21	3001. 21	3243	3 mos.
Model 821	XY	3002. 21	3001. 21	3243	3 mos.
Brown Engineering All Models	XY	3002. 21	3001. 21	3243	3 mos
(f) Capacitance bridges	.....	3002. 21	3001. 21	.....	3 mos.
Clough-Brengle Co.:					
Model 250	XY	3002. 21	3001. 21	3243	3 mos.
Model CLB-60007	XY	3002. 21	3001. 21	3243	3 mos
General Radio Company:					
Model 716-B	XY	3002. 21	3001. 21	3243	3 mos.
Model 740-B	XY	3002. 21	3001. 21	3243	3 mos.
Model 740-D	XY	3002. 21	3001. 21	3243	3 mos
(g) Capacitance limit bridges	XY	3002. 21	3001. 21	3243	3 mos.
(h) Inductance bridges	.....	3002. 21	3001. 21	.....	3 mos.
General Radio Company: Model 667-A	XY	3002. 21	3001. 21	3243	3 mos.
(i) Vacuum tube bridges	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 2 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	.....
e. Electrical test equipment	.....	3002. 21	3001. 21	.....	3 mos.
(i) Radio frequency generators					
(a) Standard laboratory type (below 50 MC)	XY	3002. 21	3001. 21	3243	3 mos.
(b) FM standard laboratory type (below 50 MC)	XY	3002. 21	3001. 21	3243	3 mos.
(c) Ultra high frequency type (below 500 MC)	XY	3002. 21	3001. 21	3243	3 mos.
(d) FM ultra high frequency type (below 500 MC)	XY	3002. 21	3001. 21	3243	3 mos.
(e) Very high frequency type	XY	3002. 21	3001. 21	3243	3 mos.
(f) Test oscillator type	XY	3002. 21	3001. 21	3243	3 mos.
(ii) Audio frequency generators	.....	3002. 21	3001. 21	.....	3 mos.
(a) Variable frequency type	XY	3002. 21	3001. 21	3243	3 mos.
(b) Square wave type	.....	3002. 21	3001. 21	.....	3 mos.
(c) Fixed frequency type	.....	3002. 21	3001. 21	.....	3 mos.
(iii) Radio frequency measuring equipment	.....	3002. 21	3001. 21	.....	3 mos.
(a) Wave-meter-absorption type	XY	3002. 21	3001. 21	3243	3 mos.
(b) Wave-meter-heterodyne type	XY	3002. 21	3001. 21	3243	3 mos.
(c) RF noise meter	XY	3002. 21	3001. 21	3243	3 mos.
(d) Field strength meter	XY	3002. 21	3001. 21	3243	3 mos.
(e) Calibrator	.....	3002. 21	3001. 21	.....	3 mos.
(f) Modulation monitor	.....	3002. 21	3001. 21	3243	3 mos.
(g) Interpolation oscillator	XY	3002. 21	3001. 21	3243	3 mos.
(iv) Audio frequency measuring equipment	.....	3002. 21	3001. 21	.....	3 mos.
(a) Audio frequency meters, electronic	XY	3002. 21	3001. 21	3243	3 mos.
(b) Analyzer, wave or harmonic	XY	3002. 21	3001. 21	3243	3 mos.
(v) Universal measuring equipment	.....	3002. 21	3001. 21	.....	3 mos.
(a) Laboratory oscilloscope	XY	3002. 21	3001. 21	3243	3 mos.
(b) Service oscilloscope	XY	3002. 21	3001. 21	3243	3 mos.
(c) Signal tracer	.....	3002. 21	3001. 21	.....	3 mos.
(vi) Recording oscillographs	.....	3002. 21	3001. 21	.....	3 mos.
(vii) Miscellaneous electronic equipment:					
(a) Stroboscopes	XY	3002. 21	3001. 21	3243	3 mos.
(b) Laboratory audio frequency amplifiers		3002. 21	3001. 21		3 mos.
(c) Sound and vibration meters	XY	3002. 21	3001. 21	3243	3 mos.
(d) Direct current amplifiers		3002. 21	3001. 21		3 mos.
(e) Precision variable condensers	XY	3002. 21	3001. 21	3243	3 mos.
(f) Primary frequency standards	XY	3002. 21	3001. 21	3243	3 mos.
9. Vacuum tubes, electronic (excluding X-ray tubes and tungar type rectifiers).	.....	1093	(***)	.....	
10. Vacuum tube production machinery (all types)	.....	.....	3401	.....	3 mos.
a. Glass lathes	X	.....	3401	.....	3 mos.
b. Grid winding lathes	X	.....	3401	.....	3 mos.
c. Stem machines	X	.....	3401	.....	3 mos.
d. Exhaust machines	X	.....	3401	.....	3 mos.
e. Sealing machines	X	.....	3401	.....	3 mos.
f. Any combination of sealing and exhaust machines	X	.....	3401	.....	3 mos.
g. Filament tabbing machines	X	.....	3401	.....	3 mos.

***Order boards are not required on any tube types and, therefore, no form is indicated in this column.

Type of scheduled products M-293	Desig-nation	Applicable forms column 1	2	3	4
11. Industrial and mechanical instruments	.....	3002. 40	3607	.....	4 mos
a. Pyrometers:					
(i) Potentiometer pyrometers	.....	3002. 40	3607	.....	4 mos.
(ii) Millivoltmeter pyrometers	.....	3002. 40	3607	.....	4 mos
(a) Diesel engine type pyrometers	.....	3002. 40	3607	.....	4 mos.
b. Pressure instruments	.....	3002. 41	3607	.....	4 mos.
(i) Dial pressure gauges	.....	3002. 41	3607	.....	4 mos.
(a) Drawn case gauges, bourdon tube	.....	3002. 41	3607	.....	4 mos.
(b) Drawn case gauges, diaphragm element	.....	3002. 41	3607	.....	4 mos.
(c) Approved navy gauge, Spec. 45G1, bronze tube element	.....	3002. 41	3607	.....	4 mos.
(d) Approved navy gauge, Spec. 45G1, steel tube element	.....	3002. 41	3607	.....	4 mos.
(e) Approved navy gauge, Spec. 45GI, duplex type	.....	3002. 41	3607	.....	4 mos.
(f) Heavy duty and refinery type industrial gauges, bronze tube element.	.....	3002. 41	3607	.....	4 mos
(g) Heavy duty and refinery type industrial gauge, steel tube element.	.....	3002. 41	3607	.....	4 mos.
(h) Airborne oxygen gauges	.....	3002. 41	3607	.....	4 mos.
(i) Railroad type gauges	.....	3002. 41	3607	.....	4 mos.
(ii) Recording and/or controlling pressure instruments	.....	3002. 40	3607	.....	4 mos.
c. Temperature tube system instruments	.....	3002. 40	3607	.....	4 mos.
(i) Recording temperature controllers, air operated	.....	3002. 40	3607	.....	4 mos.
(ii) Recording thermometers	.....	3002. 40	3607	.....	4 mos.
(iii) Dial thermometers, 4" and over	.....	3002. 40	3607	.....	4 mos.
d. Flow metering instruments	.....	3002. 40	3607	.....	4 mos.
(i) Differential type flow (including differential liquid level)	.....	3002. 40	3607	.....	4 mos.
(ii) Area flow instruments (rotameters)	.....	3002. 40	3607	.....	4 mos.
e. Industrial thermometers	.....	3002. 40	3607	.....	4 mos.
(i) 7" and 9" scales	.....	3002. 40	3607	.....	4 mos.
(ii) 5" scale	.....	3002. 40	3607	.....	4 mos.
f. Complete combustion control systems	.....	3002. 40	3607	.....	5 mos.
g. Metallic bellows and bellows assemblies (Manufacturers who file order boards on this product are required to list only those purchase orders which are identifiable as for the account of the Army, Navy, Maritime Commission, or Petroleum Administration for War.	.....	3002. 40	3607	.....	4 mos.
12. Regulation equipment	.....	3002. 70	3607	.....	4 mos.
a. Control valves	.....	3002. 70	3607	.....	4 mos.
b. Liquid level mechanisms	.....	3002. 70	3607	.....	4 mos.
c. Regulators	.....	3002. 70	3607	.....	4 mos.
(i) Self-operated temperature regulators	.....	3002. 70	3607	.....	4 mos.
(ii) Pilot operated pressure regulators (employing the controlled fluid as a valve positioning medium).	.....	3002. 70	3607	.....	4 mos.
(iii) Pilot operated pressure regulators (employing external fluid; compressed air, oil or water as valve operating medium).	.....	3002. 70	3607	.....	4 mos.
(iv) Weight loaded pressure regulators, balanced pressure regulators, differential regulators.	.....	3002. 70	3607	.....	4 mos.
13. Radomes (a protective shell for radio antenna)	.....	3002. 84	3401	.....	2 mos.

NOTES: For explanation of period for which schedule is frozen, see paragraph (m) of M-293.

WPB-3003 may be used in place of WPB-3401.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12149; Filed, July 5, 1945; 11:14 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 10, as Amended July 5, 1945]

SAFETY AND TECHNICAL EQUIPMENT DIVISION

§ 3208.11 *Table for Safety and Technical Equipment Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen [1]
1. Carbon dioxide fire extinguishers: (b) High pressure fixed systems. (The term "fixed system" means any carbon dioxide fire fighting installation, connected to a permanently located reservoir of carbon dioxide.) [2]	X	3000. 30	3003	.....	2

[1] For explanation of time during which shipping schedule is frozen see paragraph (m) of M-293.

[2] Form WPB 3401 may be used in place of WPB 3003.

[2] The term "high pressure" refers to equipment using as a carbon dioxide reservoir cylinders which comply with I. C. C. 3A specifications for compressed gas cylinders and in which the gas pressure is 500 pounds or more per square inch.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12150; Filed, July 5, 1945; 11:14 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 12, as Amended July 5, 1945]

TOOLS DIVISION

§ 3208.13 *Table for Tools Division.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen
1. Bearings, anti-friction: (NOTE: Anti-friction bearings are exempt from the special reporting provisions of paragraph (f) of Order M-293. Users of Miniature Precision Bearings numbers 2, 2½, 3, 4, 5, NM 4 or NM 5 are subject to the provisions of Direction 2 to Table 12.)		1314	.....	.....	.....
2. Chain, excluding stud link, anchor and power transmission:					
(a) 2⅛" (purchase orders for 2000 pounds or more)	X	2064	3001.57	.....	1
(b) ⅝" (purchase orders for 2000 pounds or more)	X	2064	3001.57	.....	1
(c) ¾" (purchase orders for 2000 pounds or more)	X	2064	3001.57	.....	1
(d) Military truck tire chains and parts	.....	2064	3809.5	.....	2
3 [Deleted July 5, 1945.]					

NOTE: For explanation of period for which schedule is frozen, see paragraph (m) of M-293. Form WPB-3003 or WPB-3401 may be used in place of the shipping schedule forms indicated in column 2.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHALEN,
Recording Secretary.

[F. R. Doc. 45-12152; Filed, July 5, 1945; 11:15 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 15, as Amended July 5, 1945]

CHEMICALS BUREAU

Section 3208.16 Table for Chemicals Bureau is amended to read as follows:

§ 3208.16 *Table for Chemicals Bureau.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable form column: Operations	Applicable form column: Shipping schedule	Applicable form column: Application and authorization [2]	Calendar months frozen
1. Crushers:					
(a) Swing hammer, jaw, rolling ring, hammermill, all types of roll crushers, for fertilizer, bone, animal, fish or oil bearing seeds (CMP Code 241 and 247) [1]	X		3001.71		3
(b) Crushing rolls three or more high in all widths, equipped with plain or roller bearings, all styles of drive, for animal, fish, oil bearing seed (CMP Code 247) [1]	X		3001.71		4
(c) Flaking rolls all types for soya bean, vegetable oil, flaxseed, copra, peanut, sunflower, sesame, mustard seed, coquitta, cotton seed, babassu and other oil bearing seeds, or for soap and chemical processing (CMP Code 241 and 247) [1]	X		3001.71		4
2. Driers: centrifugal, drum, rotary conveyor, shelf, vacuum, atmospheric, hot air, truck, steam or direct heat, for processing chemicals, blood, oilseed, copra, citrus products, rice, fertilizer, animal waste or fishmeal (CMP Code 241, 243 and 247) [1]	X		3001.71		4
3. Evaporators: single and multiple effect, film type, vertical, inclined, for chemicals and solvent extraction (CMP Code 241 and 247) [1]	X		3001.71		4
4. Presses: cage, cracking, curb, expeller, hydraulic, mechanical, screw, filter, drum, rotary, plate and frame, for processing chemicals, edible and inedible oils and greases (CMP Code 241 and 247) [1]	X		3001.71		6
5. Processing equipment:					
(a) Cookers and melters, all sizes and type drive, for animal, fish or vegetable oil processing (CMP Code 247) [1]	X		3001.71		6
(b) Glass lined equipment of all types (except pipe, valves and fittings) used for chemical processing ($500 cost or more) (CMP Code 241) [1]	X		3001.71		6
(c) Votators, crystallizers for chemical products or for edible or inedible oils and greases (CMP Code 241 and 247) [1]	X		3001.71		3
(d) Vapor scrubbers for vegetable oil solvent extraction (CMP Code 247) [1]	X		3001.71		6
(e) "Karbate" products (any purchase order totaling $1000 or more) (CMP Code 241) [1]	X		3001.71		6
6. Centrifuges, concentrators, extractors, separators, dewaxers, clarifiers, dehydrators, crystallizers, regenerators, reclaimers, purifiers, of all types and sizes except laboratory models having a dollar value of $500 or less. (CMP Code 241, 242, & 247) [1]	X		3001.71		4
7. Columns: Hydrogen, oxygen, alcohol, nitrogen, argon, neon. (CMP Code 241) [1]	X		3001.71		6
8. Degreasing machines: Vapor solvent type, all sizes (not anodizing or electroplating) ($250 cost or more) (CMP Code 241) [1]	X		3001.71		4
9. Plastic molding machinery:					
(a) Compression, toggle, hydraulic, mechanical, transfer, extruder, injection, laminator, preformer, tablet, rotary, record (CMP Code 244) [1]	X		3001.71		6
(b) High frequency induction heating units for plastic preforms (CMP Code 244) [1]	X		3001.71		3
10. Paint, varnish and lacquer or ink machinery:					
(a) Grinding machinery, including but not limited to ball mills and pebble mills ($1,000 cost or more), roller mills of all types, stone mills, colloid mills (CMP Code 242) [1]	X		3001.71		6
11. Tablet and pellet compressing machines, (multiple punch and rotary types only) for drugs and pharmaceuticals (CMP Code 243) [1]	X		3001.71		4

[1] Exempt from paragraph (l) of M-293.
[2] Persons using this table should note the direction to the table.

(b) This table does not control equipment after it has been sold by the manufacturer and used by any person, regardless of whether the equipment is subsequently reconditioned by the manufacturer.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12138; Filed, July 5, 1945; 11:12 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Direction 1 to Table 15]

CHEMICAL PROCESSING MACHINERY

The purpose of this direction is to assure that manufacturers of products included in Table 15 produce and deliver essential machinery before filling other orders. Its further purpose is to assure that manufacturers with available capacity for a particular period over and above that required to take care of essential orders, which are to be treated as a frozen schedule, are able to use their spare capacity to the fullest extent without interference with more essential orders and that all customers desiring machinery for less essential purposes have an equal opportunity.

(a) No person may apply or extend any preference rating to obtain any product listed on Table 15 except ratings assigned on Form WPB-1319. All preference ratings for products listed on Table 15 other than those assigned on Form WPB-1319 are void. Applications for preference ratings may be made on Form WPB-1319 in accordance with the instructions accompanying the form. In general preference ratings for products listed on Table 15 will only be assigned if the products are required by the military services or for use in the fulfillment of war orders or to meet an extreme emergency or in accordance with the criteria outlined in Priorities Regulation 24.

(b) In addition to listing rated orders, pursuant to paragraph (k) of Order M-293 each manufacturer required to file Form WPB-3001.71 under Table 15 is specifically directed to include on the form the aggregate by types of machinery of all unrated orders which he expects to ship during the period covered by the schedule. However, no part of the schedule is automatically frozen except orders rated on Form WPB-1319. In preparing his schedule under this direction each manufacturer must arrange the sequence of his shipments of orders rated on Form WPB-1319 in accordance with paragraph (j) of Order M-293.

(c) A manufacturer may accept and fill unrated orders for products listed on Table 15 if to do so will not interfere with his filling the frozen part of his shipping schedule in accordance with Order M-293.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12156; Filed, July 5, 1945; 11:15 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 13, as Amended July 5, 1945]

CORK, ASBESTOS AND FIBROUS GLASS DIVISION

§ 3208.14 *Table for Cork, Asbestos and Fibrous Glass Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns: 1 Operations report	2 Shipping schedule [1]	3 Application and authorization	4 Calendar month frozen
(1) Fibrous glass textiles, including cloth, tape, cord, sleeving, thread, yarn, sliver, M. Q. webbing and other products fabricated wholly from textile type glass fibers		3624	3401		3
(2) Clutch facings (flat, asbestos; moulded and textile types)—all purchase orders in excess of 1000 facings		3002	3401		1

[1] Form WPB-3003 may be used instead of Form WPB-3401.
[2] For an explanation of the calendar months frozen see paragraph (m) of M-293.

(b) Any manufacturer whose production of fibrous glass textiles is less than 20,000 lbs. per month need not file an operations report on fibrous glass textiles on Form WPB-3624.

(c) A manufacturer's intra-company deliveries of fibrous glass textiles shall

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12153; Filed, July 5, 1945; 11:14 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Direction 1 to Table 14, as Amended July 5, 1945]

PRODUCTION OF BOILERS FOR STOCK

In order to conserve materials and

believe, will be held in the stock of any manufacturer, wholesaler, dealer or any other person rather than shipped directly for installation.

(2) Application for such specific authorization should be made by letter addressed to

11. Tablet and pellet compressing machines, (multiple punch and rotary types only) for drugs and pharmaceuticals (CMP Code 243) [1]	X		3001.71		4
(2) Clutch facings (flat, asbestos; moulded and textile types)—all purchase orders in excess of 1000 facings			3002	3401	1

[1] Exempt from paragraph (l) of M-293.
[2] Persons using this table should note the direction to the table.

[1] Form WPB-3003 may be used instead of Form WPB-3401.
[2] For an explanation of the calendar months frozen see paragraph (m) of M-293.

(b) Any manufacturer whose production of fibrous glass textiles is less than 20,000 lbs. per month need not file an operations report on fibrous glass textiles on Form WPB-3624.

(c) A manufacturer's intra-company deliveries of fibrous glass textiles shall be treated in the same way as shipments to his customers. Company requisitions must be treated and scheduled as purchase orders. In reporting company requisitions on Forms WPB-3401 and 3003 the applicable preference rating is the rating assigned to the purchase order for the products into which the fibrous glass textiles will go.

(d) This table took effect April 1, 1944, with respect to fibrous glass textiles, and shall take effect May 22, 1944, with respect to clutch facings.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12153; Filed, July 5, 1945; 11:15 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 14, as Amended July 5, 1945]

PLUMBING AND HEATING DIVISION

§ 3208.15 *Table for Plumbing and Heating Division.* The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen [1]
1. Metal pipe fabricated beyond rolling mill shapes for resale to installers for incorporation into a piping system including but not limited to pipe which has been subjected to the following processes: bending, flanging, van stoning, welding, coiling, and beveling but not including pipe which has been threaded only or cut to a specific length only or which has been beveled by the manufacturer or welding fittings sold as such			3401 or 3003		(1)
Boilers and boiler units, exclusive of those for marine shipment or locomotive use, as follows:					
(a) Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch, all types			3002.82	1790	(1)
(b) Steel boilers designed for steam pressure over 15 pounds per square inch, having less than 500 square feet of boiler heating surface, of the following types: [2]					
(i) Water tube (ii) Scotch marine (iii) Horizontal return tubular (iv) Refractory lined firebox (v) Oil country			3002.82	1790	(2)
(c) Steel boilers designed for steam pressure over 15 pounds per square inch all sizes, of the following types:					
(i) Steel Fire box (ii) Vertical (iii) Miniature			3002.82	1790	(2)

[1] For explanation of time during which shipping schedule is frozen see paragraph (m) of M-293.
[2] For all boilers of types listed above under (2b) having 500 square feet of boiler heating surface and more and boilers of Dowtherm, Mercury, Waste Heat and Electric types—see table #8 of this order.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12154; Filed, July 5, 1945; 11:15 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Direction 1 to Table 14, as Amended July 5, 1945]

PRODUCTION OF BOILERS FOR STOCK

In order to conserve materials and manufacturing facilities for the production of high pressure steel boilers listed on Table 14 of General Scheduling Order M-293 and to prevent the accumulation of duplicate stocks of such high pressure steel boilers in the hands of manufacturers, dealers and warehouses, the following direction under Table 14 of M-293 is issued:

(1) Notwithstanding the provisions of Priorities Regulation 1, or General Scheduling Order M-293, no manufacturer shall, without specific authorization from the War Production Board, begin production of any high pressure steel boilers listed on Table 14 of General Scheduling Order M-293, which the manufacturer knows or has reason to believe, will be held in the stock of any manufacturer, wholesaler, dealer or any other person rather than shipped directly for installation.

(2) Application for such specific authorization should be made by letter addressed to War Production Board, Washington 25, D. C., Reference M-293, Table 14.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12155; Filed, July 5, 1945; 11:15 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 17, as Amended July 5, 1945]

CONTAINERS DIVISION

§ 3208.18 *Table for Containers Division.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms column 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen [1]
1. Metal containers suitable for transportation of gas under pressure having an internal capacity of less than 21,000 cubic inches, excluding low pressure oxygen cylinders (see item 2 below) steel drums and the container referred to as a "one-ton container." This includes all other gas cylinders, gas cylinder shells which are partially closed and unfinished metal shells to be used in the manufacture of gas cylinders, whether or not they have been rejected by the purchaser for whom they were manufactured.	X	3002	1490		2
2. Low pressure oxygen cylinders, designed to carry breathing oxygen for airplanes at pressures not exceeding 700 lbs. per square inch.	Undesignated	3002	1490		2
3. Metal containers suitable for transportation of liquid air and liquid oxygen having a maximum capacity of approximately 100 liters.	Undesignated	3002	1490		2
4. Ton containers designed for use in the transportation or storage of compressed liquefied gases, of cylindrical shape, having a minimum water weight capacity of 1,600 lbs., maximum capacity of 2,500 lbs., and conforming to ICC Specification 106A500; included are ton containers produced on direct military contracts which are exempt from the aforementioned specification.	Undesignated	3002	1490		1

[1] For explanation of time during which shipping is frozen see paragraph (m) of M-293.

[1] See Table 14 of this order for Ratings of land boilers not included in this Table 8.

[2] A manufacturer of these products may file an application for preference under Priorities Regulation 3 (Form WPB-2304) may be used instead of Form WPB-2002.

[3] For explanation of time during which shipping schedule is frozen see paragraph (m) of M-293.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12147; Filed, July 6, 1945; 11:14 a. m.]

PART 3208—SCHEDULED PRODUCTS

[M-293, Revocation of Direction 1 to Table 8]

PRODUCTION OF BOILERS FOR STOCK

Direction 1 to Table 8, M-293, is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The manufacture, use and delivery of boilers remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12148; Filed, July 5, 1945; 11:14 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-73, Direction 3, as Amended July 5, 1945]

PRODUCTION AND USE OF WOOL TOP AND YARN

The following direction is issued pursuant to General Conservation Order M-73:

1. [Deleted July 5, 1945.]

(2) Between July 6, 1945, and August 18, 1945, inclusive, each person producing yarn containing any wool top, whether for his own account or the account of others, shall put into process to fill orders rated AA-3 or higher, at least 65 percent of all the wool top he puts into process in that period.

3. [Deleted July 5, 1945.]

4 In this direction "wool top" means combed sliver containing wool from the fleece of the sheep or lamb, or wool waste, commonly known as wool top or worsted top, and includes combed wool backing and open, broken or cut wool top. Wool top does not include top containing more than 40% carpet wool or more than 40% adult mohair. "Yarn" means yarn containing any wool top; calculations shall be in pounds.

5. If in a particular case an applicant establishes that his facilities cannot be used to fill available AA-3 or higher rated orders, the War Production Board will authorize the applicant to fill lower rated or unrated orders.

The full restrictions of Direction 3 shall be applicable except to the extent they are modified by a written authorization.

Applications should be filed in duplicate by letter with the War Production Board, Wool, Cordage and Textile Machinery Division, Washington 25, D. C., Ref: M-73, Direction 3.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12139; Filed, July 5, 1945; 11:12 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-1-E, as Amended July 5, 1945]

MOTOR TRUCKS AND TRUCK-TRAILERS

Section 3292.1 *Limitation Order L-1-E*, as amended March 27, 1945, is hereby further amended to read as follows:

The fulfilment of requirements for the defense of the United States having created a shortage in the supply of rubber, steel and other materials entering into the production of motor trucks and truck-trailers for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§3292.1 *Limitation Order L-1-E*—(a) *Definitions.* For the purposes of this order.

(1) "Motor truck" means a complete motor vehicle, or the chassis thereof, designed for operating entirely or in part on rubber tires for use either on or off the public highways in the military or commercial transportation of materials or persons. The term "Motor truck" does not include integral motorized fire equipment, integral buses or automobiles as defined in Limitation Order L-2-G, paragraph (a) (1).

(2) "Truck-trailer" means a complete full-trailer or semi-trailer, or the chassis thereof, having a load-carrying capacity of 10,000 pounds or more, designed for military or commercial transportation of materials or persons. The term "truck-trailer" does not include integral trailer buses.

(3) "Person" means any individual, partnership, association, business trust, corporation or any organized group of persons whether incorporated or not.

(b) *Limitation on production of motor trucks or truck-trailers.* No person shall produce any motor trucks or truck-trailers except as specifically authorized in writing by the War Production Board.

(c) *Production with priorities assistance.* Priorities assistance, in the form of allotments of controlled materials and preference ratings for the purchase of other materials and components, will be given for the production of a definite number of motor trucks or truck-trailers according to approved War Production Board programs. In determining the number of nonmilitary vehicles which each producer will be authorized to make with priorities assistance an equitable assignment of quotas will be made. The assignment of quotas for the production of motor trucks or truck-trailers with priorities assistance will not be dependent upon any applicant having been engaged in the production of trucks or truck-trailers at some previous time.

(1) Any person wishing an authorization to produce non-military motor trucks or truck-trailers with priorities assistance shall apply by letter to the Automotive Division, War Production Board, stating (i) the number of trucks by weight class or the number of trailers by type, as the case may be, and (ii) the period within which such vehicles are to be produced.

(d) *Production without priorities assistance.* In addition, any person wishing to produce non-military motor trucks or truck-trailers without priorities assistance may apply for authority to do so as explained in Priorities Regulation 25.

(e) *Changes in authorizations.* The War Production Board may revoke or modify any authorization provided for in paragraph (b), notwithstanding any other order, preference rating, directive or regulation of the War Production Board or other governmental agency.

(f) *No duplication of orders for materials.* No person authorized to produce trucks or truck-trailers shall place any order with one or more suppliers for a total quantity of any material or components in excess of his actual requirements to fill his production schedule.

(g) *Vehicles for civilian use to be subject to General Order ODT-44, effective July 1, 1944.* All motor trucks and truck-trailers produced under the terms of this order, except those produced on orders for the United States Army or Navy, will be subject to the provisions of the Office of Defense Transportation Order ODT-44, effective July 1, 1944, and amendments thereto.

(h) *Reports.* Any person receiving an authorization to produce motor trucks or truck-trailers shall file on or before the third day of each month Form WPB-4291 (formerly GA-1188) in accordance with instructions accompanying that form, and such other reports as may be required from time to time subject to the approval of the Bureau of the Budget. The reporting requirements in this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(j) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: Automotive Division, War Production Board, Washington 25, D. C., Ref: Order L-1-E.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12159; Filed, July 5, 1945; 11:16 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-1-E, Revocation of Direction 1]

Direction 1, issued August 31, 1944 to *Limitation Order L-1-E* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction itself or of actions taken by the War Production Board under the direction. The provisions of Direction 1 to Order L-1-E have been superseded by Direction 1 as amended July 5, 1945, to Table 4 of General Scheduling Order M-293 as amended July 5, 1945.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12160; Filed, July 5, 1945; 11:16 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-1-E, Revocation of Direction 2]

Direction 2, issued December 28, 1944 to *Limitation Order L-1-E*, and dealing with the carry-over of unfinished 1944 commercial trailer production is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction itself or of actions taken by the War Production Board under that direction. The manufacture of truck-trailers remains subject to Limitation Order L-1-E as amended, and other applicable orders and regulations of the War Production Board.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12161; Filed, July 5, 1945; 11:16 a. m.]

Designation	Type of M-293 product	Applicable forms columns 1	2	3	4
		Operations report	Shipping schedule [2]	Application and authorization	Calendar months reserve
	1. Steam turbines unless designed for ship propulsion or aircraft use	732	3003		8
	2. Hydraulic turbines	732	3003		12
	3. [Revoked Jan. 2, 1945.]				
	4. Steam turbine generator sets for land use unless designed for locomotive headlight service	732	3003		12
	5. Steam turbine generator sets for shipboard use unless designed for ship propulsion	732	3003		12
	6. [Revoked July 5, 1945]				
	7. [Revoked July 5, 1945]				
	8. [Revoked July 5, 1945]				
	9. Diesel and natural gas engines, 750 r. p. m. and less, excluding those for marine use	732	3003		10
	10. Boilers and boiler units, exclusive of those for marine shipboard or locomotive use:				
	a. Boilers and boiler units (including such auxiliaries as superheaters, economizers, air heaters and water walls or superheater headers when such auxiliaries are fabricated by the manufacturer who reports and fabricates the related boiler) of any type listed below if such boilers and boiler units are (i) designed for a steam pressure of more than 400 pounds per square inch gage, or (ii) have a boiler heating surface of 500 square feet or more:				10
	(1) Water tube				
	(2) Scotch marine				
	(3) Horizontal return tubular				
	(4) Locomotive and fireless				
	(5) Cast iron				
	(6) Oil country				
	(7) Waste heat				
	b. Boiler auxiliaries, such as superheaters, desuperheaters, economizers, air heaters and water walls or superheater headers, for a new boiler installation if fabricated by a manufacturer other than the manufacturer reporting and fabricating the related new boiler, or (ii) for a boiler unit already in use				12
	11. Pulverizers and related combustion equipment installed for firing any type of furnace, excluding those for marine shipboard and locomotive use	732	1760		12
	12. Automatic stokers designed for burning solid fuel, with an active projected grate surface in excess of 4 square feet, or with a projected grate surface means grate surface through which air is supplied to the fuel bed, either continuously or intermittently	732	1760		12
	13. [Revoked July 5, 1945]				
	14. Steam condensers, and air electors, jet and barometric, inter and after condensers, and air electors, or any combination thereof, including marine condensers and air electors other than those produced for the United States Navy for use on ships	732	3003		8
	15. [Revoked Jan. 2, 1945]				
	16. [Revoked Jan. 2, 1945]		1760		5
XX	17. Oil circuit breakers of 2,500 volts or higher		1760		5
X	18. Air circuit breakers except types AH, ET, or similar				6
	19. Metal clad switchgear containing oil or air circuit breakers	732	1760		6
X	20. Liquid-filled and dry-type power or distribution transformers, 250 KVA and larger; unit substations and unit load centers containing such transformers	732	3003		6
	21. Liquid-filled and dry-type power or distribution transformers, 250 KVA and larger, of special features, characteristics or accessories as defined in "NEMA Transformer Standards" Publication No. 42-73, Eighth Edition, May 1942	732	3003		6
	22. [Revoked Jan. 2, 1945]				
	23. [Revoked Jan. 2, 1945]				
	24. Hydraulic governors except for aircraft application	732	3003		3
	25. [Revoked July 5, 1945]				
	26. [Revoked July 5, 1945]				

(b) In filling out his schedule in accordance with the terms of paragraph (c) of Order M-293, no manufacturer may schedule any purchase order placed after July 25, 1944 unless it bears a preference rating accompanied by a certification as provided in Priorities Regulation No. 3.

(c) Ratings for metal containers described above may be assigned on Form WPB 541 (formerly PD-1A), WPB 542 (formerly PD-3A) or any other applicable form. No preference rating for maintenance, repair and operating supplies (MRO) may be used to obtain metal containers suitable for transportation of gas under pressure covered by item 1 of the above table.

(d) If a manufacturer delivers metal containers of the types referred to in item 1 of the above table more than 10 days before or 10 days after the month in which they actually were made. This provision supplements the provisions of paragraph (g) of Order M-293 concerning notice of change in shipping schedules.

(e) Manufacturers shall continue to observe any frozen schedule or specific direction which they have received under Order M-233 until they expire by their terms.

Issued this 5th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12157; Filed, July 5, 1945; 11:16 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 8, as Amended July 5, 1945]

POWER DIVISION OFFICE OF WAR UTILITIES

§ 3208.9 *Table for Power Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

NOTE: This table amended July 5, 1945.

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 108,[1] Amdt. 3]

MANUFACTURERS' MAXIMUM AVERAGE PRICES FOR CERTAIN ITEMS OF APPAREL AND APPAREL ACCESSORIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 108 is amended in the following respects:

1. Section 9 (a) is amended by amending the first two paragraphs thereof to read as follows:

(a) *Persons who are unable to establish base periods under section 2.* Except in the case of transfers of business as provided in section 10, if you made no deliveries at all in a particular category between January 1, 1943 and December 31, 1944, you may not deliver any items in that category after August 15, 1945 until you have received an order from the OPA establishing a maximum average price for that category.

However, if you made your first delivery of any item in that category between December 31, 1944, and April 28, 1945, and if you file your application under this section and receive an acknowledgment from the OPA dated on or before June 20, 1945 you may deliver items in that category at ceiling prices established under the appropriate regulation without regard to the requirements of this order, until an order has been issued to you under this section: Except that, until an order is issued, you must not deliver any item in that category at a price higher than the highest maximum price you have already established for any item in that category which you delivered before April 28, 1945. If you have not received an acknowledgment of the receipt of your application dated before June 21, 1945, you may not deliver any items in the category after August 15, 1945, until an order has been issued to you under this section.

This amendment shall become effective as of July 2, 1945.

Issued this 3d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11963; Filed, July 3, 1945; 4:27 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 117]

PROVISION FOR ADDITION OF INCREASED POSTAL RATES AND CHARGE ON CERTAIN COLLECT-ON-DELIVERY SALES

A statement of the considerations involved in the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.

§ 1305.145 *Provision for addition of increased postal rates and charge on certain collect-on-delivery sales.* (a) Notwithstanding the provisions of any price regulation heretofore or hereafter issued by the Office of Price Administration, in the case of collect-on-delivery sales of any commodity where the seller's established practice is to add a uniform charge to the price to cover mailing costs, any established maximum price for such sales may be increased by an amount equivalent to any increase, not already included in such price, heretofore or hereafter made in postal rates or charges.

(b) "Price Regulation" as used in this Supplementary Order No. 117 means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

This order shall become effective as of July 1, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12091; Filed, July 4, 1945; 4:06 p. m.]

PART 1340—FUEL

[RMPR 137, Amdt. 10]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS AND CERTAIN OTHER RETAIL SALES OF LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 137 is amended in the following respects:

1. Section 1 (a) is amended by adding the words "including pressure appliance fuel" after the words "cleaners or other naphthas."

2. Section 4 (e) is added to read as follows:

(e) *Failure to keep records.* If a seller shall fail to keep the records provided by this section 4, or if such records are incorrect, or if a seller fails to file for establishment of a maximum price under section 11 if he is required to do so, the Office of Price Administration may issue an order establishing maximum prices in line with maximum prices established by this regulation for any commodity subject to this regulation sold by such seller. This will not relieve the seller of his obligations to comply with the requirements of this section 4 or any other sections of the regulation or of the various penalties for any failure to do so. Orders under this section may be issued by the Price Administrator, any Regional Administrator, or any District Director authorized to do so by written order of his Regional Administrator.

3. Section 5 (d) is added to read as follows:

(d) *Orders for adjustment where seller determined his maximum prices under former section 9 (b) (2).* If a seller's maximum price for any grade of motor fuel has been lowered by the revocation of the October 1–15, 1941 margin provision (former section 9 (b) (2)) he may file an application with the District Office of the Office of Price Administration for an order which will either establish his maximum price in line with the prevailing prices in his area, or which will re-establish for such seller his October 1–15, 1941 margin. In the latter case, no order will be granted unless the seller can prove by satisfactory written proof of his October, 1941 sales prices (for example, by records of his own Station, and/or of his customers, and/or of his supplier, and/or of a nearby and traditionally competitive seller) and purchase prices, that his margin has been decreased by the revocation of such October 1–15, 1941 margin provision (former section 9 (b) (2)).

Any such applications must be in writing and must be filed on or before September 1, 1945 with the District Office of the Office of Price Administration for the area in which the seller has his retail establishment. Orders upon such applications may be issued by the Price Administrator, any Regional Administrator, or any District Director authorized to do so by written order of his Regional Administrator.

Any seller who determined his maximum price prior to the effective date of this amendment by use of the October 1–15, 1941, margin provision (former section 9 (b) (2)) and files an application, as set forth above, with the District Office of the Office of Price Administration, may continue to sell motor fuel at the maximum prices determined under former section 9 (b) (2) until otherwise ordered by the Price Administrator, Regional Administrator or District Director.

The Price Administrator, any Regional Administrator or any District Director authorized to do so by written order of his Regional Administrator, may by an order re-establish the October 1–15, 1941 margin provision within any State or part thereof where the Administrator or Director finds that a majority of sellers are adversely affected by its revocation.

4. Section 7 (b) is amended to read as follows:

(b) "Motor fuel" means any liquid fuel including Diesel fuel, used for the propulsion of motor vehicles, aircraft, or motorboats, and shall include any liquid fuel to which Federal gasoline taxes apply, except: (i) Aviation gasoline of 87 Octane rating or higher (ASTM method), and (ii) all grades of liquefied petroleum gas.

5. Section 7 (c) entitled "Retail establishments", is amended by adding the following sentence at the end of such paragraph: "On all deliveries of motor fuel into fuel tanks of aircraft at an airport, such airport shall for the purposes of this regulation be deemed to be a retail establishment."

6. Section 9 (b) (2) is revoked.

This amendment shall become effective the 10th day of July 1945.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12176; Filed, July 5, 1945; 11:42 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 463, Corr. to Amdt. 3]

SPECIALTY PAPER BAGS & SPECIALTY PAPER ENVELOPES

The amendment to Maximum Price Regulation 463 issued June 27, 1945, was erroneously designated as amendment 3. This amendment is hereby corrected to read Amendment 2.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12181; Filed, July 5, 1945; 11:44 a. m.]

PART 1358—TOBACCO

[RMPR 494,[2] Amdt. 3]

DOMESTIC CIGAR FILLER AND BINDER TOBACCO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 494 is amended in the following respect:

In Table I, Fillers in section 3, the maximum price for wrappers and fillers of Type 43, Ohio-Zimmer and Spanish (Havana type), is amended by deleting "18 cents" and substituting therefor "20 cents."

This amendment shall become effective July 10, 1945.

Issued this 5th day of July 1945.

IVAN D. CARSON,
Acting Administrator.

Approved: June 19, 1945.

GROVER B. HILL,
First Assistant
War Food Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the level of the maximum prices established by this amendment is necessary to aid in the effective prosecution of the war, and hereby authorize its issuance.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12183; Filed, July 5, 1945; 11:44 a. m.]

[1] 10 F.R. 4836, 5935, 6404.

[2] 9 F.R. 14725; 10 F.R. 1334, 4236.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 11]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.7853 (d) (1) and (2) are revoked, and a new subparagraph (1) is added to read as follows:

(1) The Board shall issue the ration in the form of appropriate coupons accompanied by an identifying folder, or gasoline purchase permits, or both.

2. Section 1394.7854 (d) (1) and (2) are revoked and a new subparagraph (1) is added to read as follows:

(1) The Board shall issue the ration in the form of appropriate coupons accompanied by an identifying folder, or gasoline purchase permits, or both.

This amendment shall become effective July 5, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12336, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12175; Filed, July 5, 1945; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 13, Amdt. 3]

LARD RESTRICTION ORDER FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Restriction Order No. 13 is amended in the following respects:

1. Section 1.1 (a) is amended by deleting the figures "1/10 (40%)" and inserting in lieu thereof the figures "3/10 (60%)".

2. Section 1.1 (b) is amended to read as follows:

(b) No retailer shall transfer or offer to transfer to any customer, and no customer shall accept a transfer from any retailer of more than 3/10 (60%) of the average weekly transfers of lard made to that customer during the months of November and December, 1944, and January 1945. *Provided*, That such transfer made by a retailer to a customer shall not exceed five (5) ounces of lard a week per customer. A customer may act as an agent of a family or other unit in the purchase of a quantity of lard not to exceed the allotment for all members of such unit who customarily eat the majority of the meals as member of such unit.

3. Section 1.2 (e) is amended to read as follows:

(e) *The local Boards may grant authorization for the acquisition of lard and may assign clients to wholesalers and retailers.* (1) An institutional or industrial user who must use lard in the performance of services essential to the health or welfare of the community who prior to February 24, 1945 was not a lard customer, or who cannot perform its services with the quantities of lard to which it is entitled under the provisions of this order, may be issued a certificate for the acquisition of lard by the Board having jurisdiction over the area where such establishment is located. The Director shall instruct the Boards as to the amount of lard which may be allotted by them to the different classes of institutional or industrial users, and may, if circumstances so require eliminate from the eligible list any class of institutional or industrial user for such period of time as he may deem proper.

(2) A retailer who during the basic period transferred to his clients a quantity of lard larger than the quantity obtained by him from his supplier during such basic period may be issued a cerificate for the acquisition of lard by the Board having jurisdiction over the area where such establishment is located, or a retailer may be authorized by the Board to obtain lard from a wholesaler who during the basic period obtained from his supplier a quantity of lard larger than the amount transferred by him to his clients during said period. The quantity of lard which a retailer may be authorized to obtain under the provisions of this paragraph shall not exceed an amount which when added to his allowable quota will permit him to transfer to each of his customers more than five (5) ounces of lard a week. The Boards shall issue certificates for the acquisition of lard to retailers only after having taken care of all eligible applications for lard filed by institutional and industrial users.

The certificates for the acquisition of lard shall be issued by the Boards on form OPA PR–R 206, shall not exceed the quota of lard assigned to such Board, shall be honored by any wholesaler or importer, and shall be valid for the transfer of lard in the quantities specified. The importer or wholesaler shall return the corresponding part of the certificate to the Office of Price Administration, at San Juan, Puerto Rico, within ten (10) days after receipt of same.

(3) A new consumer may be authorized by his local Board to obtain lard from a retailer who during the basic period obtained from his suppliers a quantity of lard larger than the amount transferred by him to his clients. The quantity of lard which a new consumer may be authorized to obtain from the retailer shall not exceed five (5) ounces of lard a week per person.

4. Section 1.2 (f) is amended to read as follows:

(f) *How applications are made to local Boards.* Applications made by institutional or industrial users, or retailers,

shall be made in writing to the local Board having jurisdiction over the area where such establishment is located, setting forth all pertinent facts.

5. Section 2.2 is amended to read as follows:

SEC. 2.2 *Importer's, wholesaler's, and retailer's monthly reports.* Every importer and wholesaler shall prepare in triplicate a monthly report on form OPA PR-R 205, indicating the name of its customers and the transfers of lard made to each one of them during the month. The original of said report must be filed with the Office of Price Administration at San Juan, Puerto Rico; the duplicate shall be filed with the local Board having jurisdiction over the area where such importer's or wholesaler's establishment is located, and the triplicate shall be kept in such importer's or wholesaler's establishment for at least six (6) months after this order has been revoked. Every retailer shall prepare in duplicate a monthly report on form OPA PR-R 205 indicating the names of his suppliers and the quantities of lard obtained from each of them during the month. The original of said report shall be filed with the local Board having jurisdiction over the area where such retailer's establishment is located, and the duplicate shall be kept in his establishment for at least six months after this order has been revoked. These monthly reports must be filed not later than the 5th day of the month immediately succeeding the period reported.

6. Section 2.5 is added to read as follows:

SEC. 2.5 *A retailer may not acquire or transfer lard if he does not file his monthly report.* A retailer who does not file his monthly reports on the dates specified in this order shall not thereafter transfer or accept the transfer of lard.

This amendment shall become effective as of June 18, 1945.

Issued this 5th day of July 1945.

SAM GILSTRAP,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-12184; Filed, July 5, 1945; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Territorial Consumer Goods Reg. 1, Amdt. 2 to Supp. 1]

MAXIMUM PRICES FOR JEWELRY AND CERTAIN OTHER ITEMS IMPORTED INTO THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. Supplement 1 to Territorial Consumer Goods Regulation is amended in the following respects:

Article I, Section 3 (a) (8) is amended to read as follows:

(8) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o. b. factory, less all discounts and allowances except discounts for prompt payment up to 2% and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation. However, a special commission allowed a wholesaler off the manufacturer's customary price to wholesalers paid by reason of services performed as a factory representative need not be deducted from the manufacturer's selling price provided the wholesaler presents to the Office of Price Administration, Honolulu 2, T. H., as evidence of such services (and secures the Office of Price Administration's approval of the same) a letter or signed statement of the manufacturer setting forth the following data:

1. Amount of the commission.
2. That the commission is paid for service as a factory representative and is deducted from the manufacturer's customary price to wholesalers.
3. That it was customary for the manufacturer to pay such a commission during March, 1942, or prior thereto.

2. Article III, Section 16 is amended as follows:

In the item "all watch bands" insert the word "metal" between "all" and "watch" so that the item reads "all metal watch bands."

This amendment shall become effective as of June 1, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12185; Filed, July 5, 1945; 11:45 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 288,[1] Amdt. 3]

PACKAGED DISTILLED SPIRITS AND WINE IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 32 is amended to read as follows:

SEC. 32. *Maximum prices for packaged distilled spirits and wine*—(a) *What this section does.* This section fixes the maximum prices at which retailers may sell any item of domestic or imported packaged distilled spirits and wine specified in Table 1 below.

(b) *How maximum prices are fixed.* Turn to Table 1 at the end of this section. The first column in this table shows a range of net cost prices per case. For each net cost price there is a corresponding dollar-and-cent retail price per container in columns 2, 3 and 4, according to the type and class and container size of the item. When the retailer has found the corresponding retail price, he turns to Table 2 following Table 1. Table 2 shows the transportation allowance for purchases from United States suppliers which may be added to the Table 1 price, according to container size and the zone in which the retailer's establishment is situated. The sum of the appropriate price in Table 1 and the appropriate transportation allowance in Table 2 shall be the retailer's ceiling price.

(c) *Determination of net cost per case.* The net cost to be used by a retailer to determine a maximum price is the total of the following elements of cost actually paid by him:

(1) *Purchase price.* The supplier's selling price per case (not in excess of his maximum price under applicable regulations or orders of the OPA) less all discounts,

(i) Excepting any discount for prompt payment (cash discount) or interest on an advance payment; but

(ii) Including any amount subtracted from the supplier's maximum price to compensate for discontinuance of a discount for prompt payment.

(2) *Taxes.* United States customs duties and excise taxes if not included in the supplier's selling price and territorial excise taxes. (License, income, franchise, receipts, gross receipts, sales, use or other similar Federal, State, territorial or local taxes cannot be included in the net cost.)

Example: X, a retailer in Juneau, buys a case of Scotch whiskey in fifths from a wholesaler for which he pays $45.50, which is the wholesaler's ceiling price. X pays a Federal excise tax of $7.20 and a territorial excise tax of $2.40. His net cost per case is therefore $55.10. This amount falls in the $55-$55.99 price range. Since Scotch whiskey is an imported product, the corresponding retail price per container will be found in column 4-A. This price is $6.34. To this price X adds the transportation allowance, which is 9 cents for fifths for retailers in the First Judicial Division (Zone 1). X's ceiling price is $6.43.

(d) *Determination of maximum prices for certain transactions.*—(1) *For purchases from another retailer in the United States.* If the supplier is another retailer in the United States, his selling price may not be figured as the retailer's purchase price under paragraph (c) (1) above unless the supplier certifies on his invoice that the price charged does not exceed his net cost determined under MPR 445.

(2) *For sales to another retailer of packaged liquors.* A retailer's maximum price per case to another retailer shall be his net cost per case (figured according to paragraph (c) (1)). A retailer's maximum price to another retailer for individual containers of an item shall be an amount determined by dividing his net cost per case (figured according to paragraph (c) (1)) by the number of individual containers customarily packaged in the case by his supplier. No markups may be added for such sales.

(3) *For purchases from a supplier in Alaska.* A retailer's maximum price for packaged distilled spirits and wine acquired by him from a supplier in Alaska shall be the appropriate Table 1 price plus the freight expense actually incurred in acquiring the goods. As used

[1] 10 F.R. 5909, 6802, 7794.

herein, the term "freight expense" means expense incurred for railroad or vessel freight. Except as provided in paragraph (h) below, any retailer who receives deliveries by air transportation must absorb the difference between the air freight charges and the freight expense he would have incurred if the goods had been shipped by rail or vessel at lowest current common carrier rates.

(4) *Purchases of less than a case.* Where a retailer purchases less than a case of an item, his maximum price to consumers and other retailers shall be the price he would be permitted to charge under this section if he purchased a case of that item from the same supplier. In such case, the retailer will, of course, have to ascertain his supplier's ceiling price for a case and determine his net cost in accordance with paragraph (c) above.

(e) *Treatment of fractional parts of a nickel.* Notwithstanding the provisions of section 6 (a) (3) of this regulation, when the charging of the exact maximum price established under this section requires the use of a fractional part of a nickel, that maximum price may be increased to the next higher full nickel if the fraction is 2½ cents or more, and shall be reduced to the next lower full nickel if the fraction is less than 2½ cents. A price adjusted under this paragraph shall be posted as the retailer's ceiling price.

(f) *Sales slips and receipts.* The sales slip or receipt given to the purchaser in accordance with section 9 (c) of this regulation shall show, in addition, the brand name, container size, type and proof of each item sold.

(g) *Definitions.* As used in this section, the term:

(1) "Domestic" means produced within the continental United States, Puerto Rico or the Virgin Islands.

(2) "Imported" means produced outside of the continental United States and its Territories.

(3) Unless the context otherwise requires, the definitions of the commodities and terms descriptive thereof used in this section shall be those set forth in Regulation No. 4 Relating to the Labeling and Advertising of Wine, and to Regulation No. 5 Relating to the Labeling and Advertising of Distilled Spirits, issued under the provisions of the Federal Alcohol Administration Act, as amended.

(h) *Transportation allowance for retailers in Bethel, Alaska.* (1) Licensed retailers of packaged distilled spirits and wine in Bethel may add as a further transportation allowance to the appropriate table allowance established for retailers in Zone 4, the applicable amount set forth below:

Container size:	*Additional allowance*
Tenth	$0.60
Pint	.70
Fifth	1.05
Quart	1.25

(2) This paragraph (h) shall apply only to those items of packaged distilled spirits and wine for which air transportation costs from Anchorage to Bethel are actually incurred during the period in which the ban on vessel shipments of liquor cargo to Bethel is in effect.

(3) This paragraph (h) supersedes Region IX Order AG-12 under MPR 288.

TABLE 1—TABLE OF MAXIMUM PRICES FOR SALES AT RETAIL OF PACKAGED DISTILLED SPIRITS AND WINE

Column 1	Column 2		Column 3		Column 4	
Net cost per case	Wines, liqueurs, cordials, prepared cocktails—domestic or imported		Whiskeys, rums, brandies and gins, including vodka and tequila—domestic		Whiskeys, rums, brandies and gins, including vodka and tequila—imported	
	A	B	A	B	A	B
	Per quart or fifth	Per pint or tenth	Per quart or fifth	Per pint or tenth	Per quart or fifth	Per pint or tenth
$7.00– $7.99	$0.92	$0.48	$0.83	$0.42	$0.86	$0.43
8.00– 8.99	1.04	.52	.94	.48	.97	.49
9.00– 9.99	1.16	.58	1.05	.53	1.08	.54
10.00– 10.99	1.29	.64	1.17	.58	1.20	.60
11.00– 11.99	1.41	.70	1.28	.64	1.31	.66
12.00– 12.99	1.53	.77	1.39	.70	1.43	.71
13.00– 13.99	1.65	.83	1.50	.76	1.54	.77
14.00– 14.99	1.78	.89	1.60	.81	1.66	.83
15.00– 15.99	1.90	.95	1.72	.87	1.77	.89
16.00– 16.99	2.02	1.01	1.83	.92	1.88	.94
17.00– 17.99	2.14	1.07	1.94	.98	2.00	1.00
18.00– 18.99	2.27	1.13	2.05	1.04	2.11	1.06
19.00– 19.99	2.39	1.20	2.17	1.09	2.23	1.11
20.00– 20.99	2.51	1.26	2.28	1.15	2.34	1.17
21.00– 21.99	2.63	1.32	2.39	1.20	2.46	1.23
22.00– 22.99	2.76	1.38	2.50	1.26	2.57	1.28
23.00– 23.99	2.88	1.44	2.61	1.32	2.69	1.34
24.00– 24.99	3.00	1.50	2.72	1.37	2.80	1.40
25.00– 25.99	3.12	1.56	2.83	1.43	2.91	1.46
26.00– 26.99	3.25	1.62	2.94	1.48	3.03	1.51
27.00– 27.99	3.37	1.69	3.05	1.54	3.14	1.57
28.00– 28.99	3.49	1.75	3.16	1.60	3.25	1.63
29.00– 29.99	3.61	1.81	3.27	1.65	3.37	1.68
30.00– 30.99	3.73	1.87	3.38	1.70	3.48	1.74
31.00– 31.99	3.86	1.93	3.50	1.76	3.60	1.80
32.00– 32.99	3.98	2.00	3.61	1.82	3.71	1.86
33.00– 33.99	4.10	2.05	3.72	1.88	3.83	1.91
34.00– 34.99	4.23	2.11	3.83	1.93	3.94	1.97
35.00– 35.99	4.35	2.18	3.94	1.99	4.05	2.03
36.00– 36.99	4.47	2.24	4.05	2.04	4.17	2.08
37.00– 37.99	4.59	2.30	4.16	2.10	4.28	2.14
38.00– 38.99	4.72	2.36	4.27	2.16	4.40	2.20
39.00– 39.99	4.84	2.42	4.38	2.21	4.51	2.26
40.00– 40.99	4.96	2.49	4.50	2.27	4.63	2.31
41.00– 41.99	5.08	2.54	4.61	2.32	4.74	2.37
42.00– 42.99	5.21	2.61	4.72	2.38	4.85	2.43
43.00– 43.99	5.33	2.67	4.83	2.44	4.97	2.48
44.00– 44.99	5.45	2.73	4.94	2.49	5.08	2.54
45.00– 45.99	5.57	2.79	5.05	2.55	5.20	2.60
46.00– 46.99	5.70	2.85	5.16	2.60	5.31	2.66
47.00– 47.99	5.82	2.91	5.27	2.66	5.42	2.71
48.00– 48.99	5.94	2.97	5.38	2.72	5.54	2.77
49.00– 49.99	6.06	3.03	5.49	2.77	5.65	2.83
50.00– 50.99	6.19	3.10	5.61	2.83	5.77	2.88
51.00– 51.99	6.31	3.16	5.72	2.89	5.88	2.94
52.00– 52.99	6.43	3.22	5.83	2.94	6.00	3.00
53.00– 53.99	6.55	3.28	5.94	3.00	6.11	3.05
54.00– 54.99	6.68	3.34	6.05	3.05	6.22	3.11
55.00– 55.99	6.80	3.40	6.16	3.11	6.34	3.17
56.00– 56.99	6.92	3.46	6.27	3.16	6.45	3.23
57.00– 57.99	7.04	3.52	6.38	3.22	6.57	3.28
58.00– 58.99	7.17	3.59	6.49	3.28	6.68	3.34
59.00– 59.99	7.29	3.65	6.60	3.33	6.79	3.40
60.00– 60.99	7.41	3.71	6.72	3.39	6.91	3.45
61.00– 61.99	7.53	3.77	6.83	3.44	7.02	3.51
62.00– 62.99	7.66	3.83	6.94	3.50	7.14	3.57
63.00– 63.99	7.79	3.90	7.06	3.56	7.26	3.63
64.00– 64.99	7.90	3.95	7.16	3.61	7.37	3.68
65.00– 65.99	8.02	4.02	7.27	3.67	7.48	3.74
66.00– 66.99	8.15	4.08	7.38	3.72	7.59	3.80
67.00– 67.99	8.27	4.14	7.49	3.78	7.71	3.85
68.00– 68.99	8.39	4.20	7.60	3.84	7.82	3.91
69.00– 69.99	8.51	4.26	7.71	3.89	7.94	3.97
70.00– 70.99	8.64	4.32	7.83	3.95	8.05	4.03
71.00– 71.99	8.76	4.38	7.94	4.00	8.17	4.08
72.00– 72.99	8.88	4.44	8.05	4.06	8.28	4.14
73.00– 73.99	9.00	4.51	8.16	4.12	8.39	4.20
74.00– 74.99	9.13	4.57	8.27	3.07	8.51	4.25
75.00– 75.99	9.25	4.63	8.38	4.23	8.62	4.31
76.00– 76.99	9.37	4.69	8.49	4.28	8.74	4.37

TABLE 2—TABLE OF MAXIMUM FREIGHT ALLOWANCES[1]

Zone[2]	Container size	
	Quarts and fifths	Pints and tenths
1	$0.09	$0.04
2	.11	.05
3	.18	.08
4	.14	.07
5	.16	.08
6	.23	.11

[1] These freight allowances apply only to sales of spirits or wines procured from a supplier in the United States.

[2] Zone 1 includes the area lying within the boundaries of the 1st Judicial Division, more particularly designated as all that part of the Territory of Alaska lying east of the one hundred and forty-first meridian of west longitude.

Zone 2 includes all points on the Gulf of Alaska west of Zone 1, all of Kodiak Island, all points on the west coasts of Shelikoff Strait and Kamishak Bay, and all points on Cook Inlet with the exception of Anchorage (including Cordova, Valdez, Seward, Seldovia, Iliamna and Hope).

Zone 3 includes all points on the northern coast of the Alaska Peninsula, on Bristol Bay, on Kuskokwim Bay, on the Kuskokwim River north to Akiak, on the Bering Sea, on Norton Sound, on Bering Strait and on Kotzebue Sound (including Eegik, Naknek, Dillingham, Togiak, Quinkagak, Bethel, Fort St. Michael, St. Michael, Nome, Shishmaref, Deering, and Kotzebue).

Zone 4 includes all points on the Alaska Railroad north of Seward to and including Anchorage.

Zone 5 includes all points on the Alaska Railroad north of Anchorage and south of Curry.

Zone 6 includes Curry, Nenana, Fairbanks, and all points on the Alaska Railroad north of Curry.

This amendment shall become effective as of June 28, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12178; Filed, July 5, 1945; 11:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 6]

POTATOES AND CITRUS FRUITS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

Section 21 is amended as follows:

1. The Table following paragraph (c) (1) is amended by deleting the item "Potatoes, white" and adding two items, "Potatoes, white, size A, large", $5.15 per 100 lb. bag at wholesale and $0.07 per lb. at retail and "Potatoes, white, size B, small", $4.40 per 100 lb. bag at wholesale and $0.06 per lb. at retail.

2. The Table following paragraph (d) (1) is amended by changing the prices of three items:

Item	Wholesale maximum prices	Retail maximum prices
	Per box	*Per lb.*
Grapefruit, all sizes	$5.40	$0.12
Lemons, all sizes	7.85	.15
Oranges, all sizes	6.30	.12

This amendment shall become effective as of June 26, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12180, Filed, July 5, 1945; 11:43 a. m.]

PART 1429—POULTRY AND EGGS

[RMPR 333, Amdt. 7]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 333 is amended in the following respects:

1. Section 1.12 is amended by deleting the word "ungraded" from the sentence in Table A-1 that reads as follows: "Small—Small sizes of all grades, ungraded, checks, and dirties may sell at no more than the price of grade C large."

2. Section 1.13 is amended by adding at the end of paragraph (a) a sentence to read as follows:

These prices are to be figured on Table A maximum prices for the week preceding the week in which the sales are made to household consumers.

3. Section 1.14 is amended by deleting Table A-3 from paragraph (b) and by adding new paragraphs to read as follows:

(c) *"Purchased from a U. S. Government agency."* If a licensed ship supplier buys eggs from a civilian seller at the direction, or through the intervention, of War Shipping Administration or the United States Army, such eggs shall be considered to have been purchased from a U. S. Government agency.

(d) *"Cost of acquisition."* As to all eggs purchased from a U. S. Government agency for sale to a ship operated under the jurisdiction of War Shipping Administration, or for sale to a ship chandler, a licensed ship supplier shall compute his "cost of acquisition" by taking the amount of the purchase price paid by him and adding to it either or both of the following charges: cost of transportation into his store or warehouse, and actual public cold storage warehouse costs accrued and paid by him. Such added costs must however be approved in writing by War Shipping Administration.

(e) *Maximum prices for sales by licensed ship suppliers, and Groups I and II ship chandlers.* Maximum prices for eggs delivered shipside the vessel by licensed ship suppliers and Group I or II ship chandlers are set out in Table A-3 below. Additions to or deductions from these maximum prices are set out in footnotes (1), (2) and (3) to the table. "Licensed ship supplier" as used in this paragraph does not include ship chandlers.

[TABLE A-3 OTHER TYPES OF SALES—LICENSED SHIP SUPPLIERS, SHIP CHANDLERS]

Grade	If purchased from—	Maximum price for delivery shipside the vessel on sales by—		
		Any licensed ship supplier	Group II Ship chandler	Group I Ship chandler
Consumer or procurement	Producer, shipper prior purchaser, first receiver, jobber.	Price for the grade and size in Tables A, A-1, plus 2¢ per dozen.	Price for the grade and size in Tables A, A-1 plus 2.0¢ per dozen.	Price for the grade and size in Tables A, A-1 plus 3.0¢ per dozen.
Procurement	U. S. Government agency.	2¢ per dozen over cost of acquisition	2.0¢ per dozen over purchase price paid.	3.0¢ per dozen over purchase price paid.

(1) If eggs purchased from a U. S. Government agency are sold by a licensed ship supplier to a ship chandler f. o. b. the licensed ship supplier's store or warehouse, the maximum price is ½ cent per dozen above the seller's cost of acquisition.

(2) If eggs purchased from a U. S. Government agency are sold by a licensed ship supplier to a ship chandler and delivered by the seller shipside a vessel, for the chandler's account, the licensed ship supplier's maximum price is one cent over his cost of acquisition and the ship chandler's mark-up is reduced by one cent. On the same kind of transaction, if the eggs were not originally purchased from a U. S. Government agency, the licensed ship supplier's price is one cent above Tables A, A-1 prices, and the ship chandler's markup is reduced one cent.

4. Section 2.3 is amended by adding a footnote immediately below Table B (Western Area) to read as follows:

The basing point city of New York shall include the New York Metropolitan Area:

consisting of the following: the City of New York, and the Counties of Nassau, Suffolk, and Westchester in the State of New York; and the Counties of Essex, Hudson, Union, and Passaic in the State of New Jersey.

5. Section 2.6a is added to read as follows:

SEC. 2.6a. *Sales for use by a U. S. Government agency.* (a) Sales of frozen or liquid egg products to a United States Government agency may be made f. o. b. the seller's shipping point and the maximum price is the price for that place in which the seller's shipping point is located, as determined by the provisions of section 2.3.

(b) A manufacturer or processor of food products for the United States Army may purchase liquid or frozen egg products f. o. b. the seller's shipping point under the conditions listed following, and the maximum price is the price for that place in which the seller's shipping point is located, as determined by the provisions of section 2.3. In buying such egg products the buyer must at the time of purchase furnish to the seller a certificate stating that the frozen or liquid egg products being purchased will be used in the preparation of dried eggs or other food products ordered by the U. S. Army under its purchase order (describing the order by number, date, quantity and type of products). One copy of such certificate is to be sent to the Office of Price Administration, Washington, D. C., and one copy each is to be retained by the buyer and seller for so long as the Emergency Price Control Act remains in effect.

6. Section 3.9 is amended by deleting the last paragraph in the section and substituting an undesignated paragraph to read as follows:

Invoice. At the time of delivery of shell eggs sold by any first receiver or jobber to any buyer, except an ultimate consumer, the seller shall furnish to the buyer a written statement, setting forth the names and addresses of the buyer and seller, the date of delivery, the quantities, grades, sizes or weights of the eggs sold, and the prices charged and received. If the eggs are sold in cartons, the number of cartons and the amount charged for cartons shall be stated separately.

This amendment shall become effective July 5, 1945.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: June 30, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-12179; Filed, July 5, 1945; 11:43 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 471, Amdt. 7]

LEGUME AND GRASS SEED

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 471 is amended in the following respects:

1. The first paragraph of section 1 (a) is amended to read as follows:

SECTION 1. *Applicability.* (a) Except as provided in paragraph (b) of this section, this regulation shall apply to all sales within the 48 states and the District of Columbia of the following domestic and imported legume and grass seeds, viz: alfalfa, medium red and mammoth red clover, alsike clover, sweetclover and timothy; and certain quality cleaned and processed seed mixtures.

2. Paragraph (9) of section 8 (a) is amended to read as follows:

(9) "Quality cleaned or processed seed mixture" means any mixture of quality cleaned or processed seeds in which at least two kinds of seeds (exclusive of weed seeds and noxious weed seeds) are present each in excess of 5 percent of the whole.

3. Paragraphs (b) (2) and (f) (2), of section 13 are amended to read as follows:

(b) (2) *For noxious weed seed content.*

Number of noxious weed seeds per pound of seed	Amount to be deducted per 100 pounds of seed			
	Northern	Central	Arizona and California	Southern
Less than 9 per pound	None	None	None	None
9-36 per pound	$0.50	$0.50	$0.50	$0.50
37-63 per pound	1.00	1.00	1.00	1.00
64-100 per pound	1.50	1.50	1.50	1.50
101-150 per pound	2.00	2.00	2.00	2.00
151-500 per pound	2.50	2.50	2.50	2.50
501-1,000 per pound	3.00	3.00	3.00	3.00
For each additional 500 or fraction thereof per pound	.50	.50	.50	.50

(f) (2) *For noxious weed seed content.*

Number of noxious weed seeds per pound of seed	Amount to be deducted per 100 pounds of seed			
	Red clover	Alsike clover	Sweetclover	Timothy
Less than 9 per pound	None	None	None	None
9-36 per pound	$0.50	$0.50	0.25	$0.20
37-63 per pound	1.00	1.00	.50	.40
64-100 per pound	1.50	1.50	.75	.60
101-150 per pound	2.00	2.00	1.00	.80
151-500 per pound	2.50	2.50	1.25	1.00
501-1,000 per pound	3.00	3.00	1.50	1.20
For each additional 500 or fraction thereof per pound	.50	.50	.25	.20

4. Section 13 (h) is amended to read as follows:

(h) *Quality cleaned and processed seed mixtures.* (1) This paragraph establishes base prices for quality cleaned and processed seed mixtures composed of alsike clover and white Dutch clover seeds. Subparagraphs (2) and (3) below shall have no application to this mixture. The base price per 100 pounds for the sale of a quality cleaned or processed seed mixture composed of alsike clover and white Dutch clover seeds shall be the base price per 100 pounds of alsike clover seed, figuring the purity according to the combined purities of the two kinds of seeds and the germination and hard seed according to the weighted average of the percentages of germination and hard seed in said two kinds of seeds, plus an addition at the rate of 35 cents per pound for each one pound or fraction thereof over 5 pounds of white Dutch clover seed per 100 pounds of the lot. This base price shall be reduced per 100 pounds of seed as follows:

(i) For weed seed content, by the same discount provided for alsike clover seed under paragraph (f) (1) of this section;

(ii) For noxious weed seed content, by the same discount provided for alsike clover seed under paragraph (f) (2) of this section.

(2) This paragraph establishes base prices for two classes of mixtures: quality cleaned and processed seed mixtures in which all of the seeds are subject to the regulation, and quality cleaned and processed seed mixtures composed of two or more seeds subject to the regulation when present in excess of 75% of the whole and one or more seeds not subject to the regulation.

The base prices for such mixtures shall be determined by multiplying the percentage of each seed subject to the regulation in 100 pounds of the mixtures by its base price per 100 pounds as shown in paragraphs (a), (d) and (e), whichever is applicable of this section, taking the highest possible purity and the particular percentage of germination and hard seed for each kind of seed subject to the regulation in the mixture, and adding the results. This base price shall be reduced per 100 pounds of seed as follows:

(i) *For weed seed content.*

Weed seed content:	*Amount to be deducted per 100 pounds of seed*
Less than 0.50 percent	None
0.50–1.00 percent	$0.50
1.01–1.50 percent	1.00
1.51–2.00 percent	1.50
Above 2.00 percent	[1] .50

[1] For each additional one-half of one percent or fraction thereof above 2%.

(ii) *For noxious weed seed content.*

Number of noxious weed seeds per pound of seed:	*Amount to be deducted per 100 pounds of seed*
Less than 9 per pound	None
9–36 per pound	$0.50
37–63 per pound	1.00
64–100 per pound	1.50
101–150 per pound	2.00
151–500 per pound	2.50
501–1000 per pound	3.00
For each additional 500 or fraction thereof per pound	.50

(iii) *For sweetclover seed content:* In quality cleaned or processed seed mixtures of alfalfa and sweetclover or red clover and sweetclover or alsike clover and sweetclover, the base price for such mixtures shall be reduced for sweetclover seed content as follows:

Sweetclover seed content:	*Amount to be deducted per 100 pounds of seed*
5.00% and over	$5.00

(3) This paragraph establishes base prices for quality cleaned or processed seed mixtures composed of one seed subject to the regulation and seeds not subject to the regulation, when the former is in excess of 75% of the whole.

The base price for the sale of any quality cleaned or processed seed mixture, in which one of the seeds subject to the regulation is mixed with seeds not subject to the regulation and the former is present in excess of 75% of the whole, shall be determined by multiplying the percentage of the principal component in 100 pounds of the mixture by its base price per 100 pounds, figured on the basis of its highest possible purity and its actual percentage of germination and hard seeds in the mixture, and the result shall be the base price for such mixture. This base price shall be reduced per 100 pounds of seed as follows:

(i) For weed seed content, by the same discounts for weed seeds that are provided for the principal component under paragraphs (b) (1) and (f) (1) of this section;

(ii) For noxious weed seed content, by the same discounts for noxious weed seeds that are provided for the principal component under paragraphs (b) (2) and (f) (2) of this section;

(iii) For sweetclover seed content, by the same discounts that are provided for the principal component under paragraphs (b) (3) and (f) (3) of this section.

This amendment shall become effective July 10, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: June 27, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45-12182; Filed, July 5, 1945; 11:44 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 425,[1] Amdt. 15]

FRESH FRUITS, BERRIES AND VEGETABLES FOR PROCESSING

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 6a, an undesignated paragraph is added preceding the paragraph commencing with the words "However, in no event . . .", to read as follows:

In all other cases the grower's maximum price for the fresh product shall be the processor's lawful sale price for the processed food product less (1) 7% and (2) the costs of labor, processing, selling, financing, handling, supplies and taxes.

This amendment shall become effective July 4, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: June 30, 1945.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 45-12092; Filed, July 4, 1945; 4:06 p. m.]

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[1] 8 F.R. 9309, 9879, 12632, 12952, 14154, 15674, 16293; 9 F.R. 7505, 7330, 7658, 8188, 10264, 12173, 13857, 14437; 10 F.R. 5045.

[1] 9 F.R. 11514, 12216, 10 F.R. 1609, 2025, 3221, 5523.

[1] 9 F.R. 6340, 10427, 12812, 13138, 14853; 10 F.R. 1569, 4208.

Chapter XXIII—Surplus Property Board

[SPB Reg. 6,[1] Order 2]

PART 8306—SALE OF GOVERNMENT-OWNED PLANT EQUIPMENT IN CONTRACTORS' PLANTS

FORMS FOR REPORTING INVENTORIES AND SALES

Pursuant to the authority of the Surplus Property Act of 1944 (Pub. Law 457, 78th Cong., 2d Sess.; 58 Stat. 765), and in accordance with §§ 8306.9 and 8306.10, *It is hereby ordered*, That:

1. The owning agencies shall report inventories and monthly sales to the Reconstruction Finance Corporation on Form SPB–8, "Government-owned plant equipment: Report of inventory of owning agency", and Form SPB–9, "Government-owned plant equipment: Monthly report to Reconstruction Finance Corporation of sales by owning agencies".

2. The Reconstruction Finance Corporation shall make reports of inventories and sales to the Surplus Property Board on Forms SPB–8, "Government-owned plant equipment: Report of inventory of owning agency", SPB–10, "Monthly analysis of sales of Government-owned plant equipment by class of sale", and SPB–11, "Monthly report of sales of Government-owned plant equipment by class of price policy." In summarizing the sales report Form SPB–9 the Reconstruction Finance Corporation shall use Forms SPB–10 and SPB–11 in accordance with instructions for the use of these forms. In summarizing the inventory report SPB–8, the Reconstruction Finance Corporation shall use Form SPB–8 in accordance with the following instructions: One summary SPB–8 shall be prepared for each of the categories in Block 2 with the check mark entered in the appropriate space to indicate which category is covered. An additional SPB–8 totalling the three categories shall also be prepared. At the top of the report, the Reconstruction Finance Corporation shall indicate that it is a summary report with the following words: "Total all owning agencies." Attached to the summary report should be one copy of each SPB–8 submitted by the owning agencies.

3. Government-owned plant equipment to be reported on in inventory and sales reports under this order shall include all Government-owned plant equipment in privately-owned plants and Government-owned plants including emergency plant facilities, excluding only (a) plant equipment in permanent industrial installations of the Army and Navy, such as arsenals, proving grounds, shore establishments, and similar permanent installations, (b) plant equipment in Army and Navy installations used or useful for activities of the Army and Navy other than the production of materiel, munitions, and supplies, (c) plant equipment declared surplus, (d) plant equipment outside the continental limits of the United States, and (e) plant equipment classified as scrap or salvage. It should be noted from the foregoing that the term "plant equipment" is used in this order in a broader sense than in § 8306.1 (d), since it is not confined to Government-owned plant equipment in privately-owned plants.

This order shall become effective immediately.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 24, 1945.

[1] 10 F.R. 6309, 6981.

FORM SPB-8
(6-29-45)

UNITED STATES OF AMERICA
SURPLUS PROPERTY BOARD

GOVERNMENT-OWNED PLANT EQUIPMENT
REPORT OF INVENTORY OF OWNING AGENCY

BUDGET BUREAU NO. 16-R024
APPROVAL EXPIRES MAY 1, 1946

Important: *See instructions for completing this form on reverse side.*

3. Inventory as of

4. Date filed

5. ☐ In contractors' plants
☐ EPEC
☐ Other Government-owned plant equipment

1. To:

2. From: Name and address of reporting agency

6.

Signature of reporting official

Name (*please type*)

Item No.	Standard commodity class: Description	Standard commodity class: Code number	Number of units	Total cost
(a)	(b)	(c)	(d)	(e)

INSTRUCTIONS FOR FORM SPB-8

GENERAL INSTRUCTIONS

Form SPB-8 will be used by the owning agencies (the War Department, Navy Department, United States Maritime Commission, and Defense Plant Corporation) to submit their report of inventory of Government-owned plant equipment costing $50 or more. This form shall be submitted, in *triplicate* (3), by the owning agency to the Reconstruction Finance Corporation.

The classes of Government-owned equipment to be reported are those standard commodity classification groups indicated in Schedule B to SPB Reg. 6.

These forms may be reproduced by the owning agencies provided that the format is identical with that prescribed by the Board. If machine-tabulated listings are used, columnar arrangement shall comply with that in Form SPB-8.

If additional sheets are necessary for the listing of inventory items, continuation sheets may be used provided the columnar arrangement follows that in Form SPB-8 and that the continuation sheets are properly identified by page numbering.

INSTRUCTIONS FOR FILLING IN FORM SPB-8

Block 1—State the name and address of the reporting agency.

Block 2—Enter the date of inventory. Under Regulation 6 the first inventory report is due on or before July 1 as of the most recent date possible. This inventory report shall conform as far as feasible with the instructions in this order. Subsequent inventories shall be reported as of September 30, 1945, date on or before November 1945, and quarterly thereafter, and shall conform as far as feasible with the instructions contained in this order.

Block 4—Enter the date filed.

Block 5—Government-owned plant equipment in privately-owned plants, emergency plant facilities, and other Government-owned plant equipment are to be reported separately on Form SPB-8. Check one of the boxes in this block to indicate which category is reported.

Block 6—The name of the reporting official should be typed in this block in addition to his signature. If continuation sheets are used, it is necessary to sign only the top sheet or the covering letter transmitting the sheets to the Reconstruction Finance Corporation.

Column (a)—Item Number. Assign each entry a consecutive item number.

Columns (b) and (c)—Description and Standard Commodity Classification. Enter a short description, such as one key word or an abbreviation of one or more words, and the code number of the commodity classification as shown in Exhibit B to SPB Reg. 6. The classification should be listed consecutively in order of the Standard Commodity Classification code numbers as shown in Exhibit B to SPB Reg. 6.

At the close of each of the Standard Commodity Classification major groups 31, 32, 33, and 34, the word "total" should be entered in Column (b) and the total number of units and total costs entered on this line in Columns (d) and (e).

Column (d)—Enter the number of units of each class of Government-owned plant equipment.

Column (e)—Insert the total reported procurement cost in dollars (estimate if not known) for the units covered in Column (d). For machine tools and other metalworking machinery and production equipment, costs should be reported f. o. b. manufacturer or vendor to owning agency.

Form SPB-9
(6-29-45)

UNITED STATES OF AMERICA
SURPLUS PROPERTY BOARD

GOVERNMENT-OWNED PLANT EQUIPMENT MONTHLY REPORT TO RECONSTRUCTION FINANCE CORPORATION OF SALES BY OWNING AGENCY

Budget Bureau No. 16-R025
Approval expires May 1, 1946

IMPORTANT.—*See instructions for completing this form on reverse side.*

3. Report for the month of

4. Date filed

1. To: Reconstruction Finance Corporation
Washington 25, D. C.

2. From: Name and address of reporting agency

5. Name and address of purchaser

6.
Signature of reporting official

Name (*Please type*)

Item No.	Relative facilities contract number	Waiver of option	Class of sales	Standard commodity class: Description	Standard commodity class: Code number	Number of units	Total cost	Total sales price	Price policy code
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)

INSTRUCTIONS TO FORM SPB-9

GENERAL INSTRUCTIONS

Form SPB-9 will be used by the owning agencies (the War Department, Navy Department, United States Maritime Commission, and Defense Plant Corporation) to submit monthly reports of sales of Government-owned plant equipment. This form shall be submitted, in *triplicate* (3), by the owning agency to the Reconstruction Finance Corporation.

Sales of items of Government-owned plant equipment, costing $350 or more, falling in the classes in Schedule B to SPB Reg. 6, shall be reported separately for each such class. In addition, a line entry shall be made for each sale of other Government-owned plant equipment, including Schedule B items costing less than $350. These sales will be identified as "other sales" and will not be classified by commodity classification. For this class of sale, therefore, fill in only Columns (a), (b), (c), (d), (h), and (i) on Form SPB-9.

These forms may be reproduced by the owning agencies provided that the format is identical with that prescribed by the Board. If machine tabulated listings are used, columnar arrangement shall comply with that in Form SPB-9.

If additional sheets are necessary for the listing of inventory items, continuation sheets may be used, provided columnar arrangement follows that in Form SPB-9, and that the continuation sheets are properly identified by page numbering.

INSTRUCTIONS FOR FILLING IN FORM SPB-9

Block 2—State the name and address of the reporting agency.

Block 3—Indicate the month covered by the report. The first report should cover the month of July and should be filed with the Reconstruction Finance Corporation on or before September 1, 1945. Sales covering succeeding months should be reported monthly thereafter.

Block 4—Indicate the date filed.

Block 5—Enter the complete name and address of purchaser. Reports of sales in the month to a single purchaser should be assembled consecutively.

Block 6—The name of the reporting officer should be typed in this block in addition to his signature. If continuation sheets are used, it is necessary to sign only the top sheet or the covering letter transmitting the sheets to the Reconstruction Finance Corporation.

Column (a)—Item Number. Assign each entry a consecutive item number. Where consecutive items on a single page repeat information identical with the stub information of a preceding item, repetition of such stub information is not necessary.

Column (b)—Enter the number of the relative facilities contract. Write "none" if there is no relative facilities contract number. The facilities contract number need be given only in the case of Class 1 and Class 2 sales described in the instructions for Column (d) below.

Column (c)—Indicate "yes" if a waiver of options was obtained. Indicate "no" if a waiver of options was not obtained. If a facilities contract does not contain an option provision, state "no option". This information is necessary only in the case of Class 1 sales described in the instructions for Column (d) below.

Column (d)—Enter the code number for the class of purchaser or sale as follows. (The prime or sub-contractor referred to in class of sales 1 and 2 is the holder of the prime or sub-facilities contract):

Code number and class of sale or purchaser

1—Government-owned plant equipment in contractors' plants sold to prime contractors in possession.
2—Government-owned plant equipment in contractors' plants sold to sub-contractors in possession.
3—Government-owned plant equipment in contractors' plants sold to others.
4—Sales of plant equipment in emergency plant facilities.
5—All other sales by owning agencies of Government-owned plant equipment (as defined in Section 3 of Order 2 to Regulation 6).

Columns (e) and (f)—Description and Standard Commodity Classification. Enter a short description, such as one key word or an abbreviation of one or more words, and the code number of the commodity classification as shown in Exhibit B to SPB Reg. 6 where the item sold is within these classifications. Sales of other classes of plant equipment are to be reported as "other sales". In these cases, do not enter a Standard Commodity Classification code number, but fill in Columns (a), (b), (c), (d), (h), and (i).

Column (g)—Enter the number of units sold.

Column (h)—Enter the total cost of the number of units sold. The cost of units sold should be the procurement cost in dollars (estimate if not known) for the units entered in Column (g). For machine tools and other metalworking machinery and production equipment, costs should be reported f. o. b. manufacturer or vendor to owning agency.

Column (i)—Enter the sales price for the units reported on each line. It will be necessary in some cases to estimate the sales price since there may be lump or bulk sales.

Column (j)—Indicate by code the price policy under which the sale was made as follows:

Code number and price policy

1—Priced under a fixed-price schedule under paragraphs a and b, Section 8306.5 of SPB Reg. 6 (to be coded only in the case of Classes 1 and 2 sales as described in the instructions for Column (d) above).
2—Priced as readily severable plant equipment under paragraph c, Section 8306.5, SPB Reg. 6 (to be coded only in the case of classes 1 and 2 sales as described in the instructions for Column (d) above).
3—Priced as non-severable plant equipment under paragraph d, Section 8306.5, SPB Reg. 6 (to be coded only in the case of classes 1 and 2 sales as described in the instructions for Column (d) above).
4—Priced in accordance with option provisions in a facilities contract.
5—All class 3, 4 and 5 sales described in the instructions for Column (d) above.

FORM SPB-10 (6-27-45) UNITED STATES OF AMERICA SURPLUS PROPERTY BOARD

BUDGET BUREAU NO. 16-R02.8 APPROVAL EXPIRES MAY 1, 1946

MONTHLY ANALYSIS OF SALES OF GOVERNMENT-OWNED PLANT EQUIPMENT BY CLASS OF SALE

3. Report for month of

4. Date filed

5.

Signature of reporting official

Name (please type)

1. To:
Surplus Property Board
Washington 25, D. C.

2. From:
Reconstruction Finance Corporation
Washington 25, D. C.

Item No.	Standard commodity class		In contractors' plants						Emergency plant facilities			Other			Total		
	Description	Code number	Sold to prime			Sold to subs			Sold to others								
			Number	Cost	Price	Number	Cost	Price	Number	Cost	Price	Number	Cost	Price	Number	Cost	Price
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)	(t)

Fold here for insertion in standard typewriter

INSTRUCTIONS FOR FORM SPB-10

GENERAL INSTRUCTIONS

The Reconstruction Finance Corporation will summarize the monthly sales report of Government-owned plant equipment as submitted by the owning agencies on Form SPB-9 in accordance with Form SPB-10. Attached to SPB-10 should be one copy of each SPB-9 submitted by the owning agencies.

These forms may be reproduced by the licensee or prepared on typewriting equipment that the format is identical with that on Form SPB-10. If machine tabulated listings are used, columnar arrangement shall comply with that on Form SPB-10.

INSTRUCTIONS FOR FILLING IN FORM SPB-10

Block 3.—Enter the name of the month covered by the report.
Block 4.—Enter the date of filing.
Block 5.—The name of the reporting official should be typed in this block in addition to his signature.
Columns (a)—Item Number. Assign each entry a consecutive item number.
Columns (b) and (c)—Description and Standard Commodity Classification Code Number. Enter a short description and the classification code number as shown in Exhibit B to SPB Reg. 6.
The classifications should be listed consecutively in order of the Standard Commodity Classification code numbers as shown in Exhibit B to SPB Reg. 6. At the close of each of the Standard Commodity Classification major groups 31, 32, 33, and 34, the word "total" should be entered in Column (b) and the total number of units and total costs entered on this line in Columns (d) through (s).
Sales of Plant equipment shall be summarized in Schedule B in accordance with the Standard Commodity Classification code number as shown in Exhibit B to SPB Reg. 6, except that sales of "other plant equipment" in Column (b), and enter the cost and price in the appropriate columns under the types of sales classes.
Columns (d) through (s)—Enter in these columns, as indicated, the number, cost, and sales price of Government-owned plant equipment sold during the month classified according to the class of sale or purchaser as reported on Form SPB-9.
Columns (t) through (v)—Enter the total number, total cost, and total sales price, respectively, of all sales reported in Columns (d) through (s).

FORM SPB-11 (6-14-45) UNITED STATES OF AMERICA SURPLUS PROPERTY BOARD

BUDGET BUREAU NO. 16-R0 28 APPROVAL EXPIRES MAY 1, 1946

MONTHLY ANALYSIS OF SALES OF GOVERNMENT-OWNED PLANT EQUIPMENT BY PRICE POLICY CLASSES

Important: *See instructions for completing this form on reverse side.*

4. Report for month of

5. Date filed

1. To:
Surplus Property Board
Washington 25, D. C.

2. From:
Reconstruction Finance Corporation
Washington 25, D. C.

3.
Signature of reporting official
Name (please type)

Item number (a)	Price policy (b)	In contractors' plants sold to prime contractors in possession (c)	In contractors' plants sold to subcontractors in possession (d)	In contractors' plants sold to others (e)	In emergency plant facilities (f)	All other sales by owning agencies (g)	Total (h)
1	Under fixed price schedules Number						
2	Cost						
3	Price						
4	Priced as readily severable Number						
5	Cost						
6	Price						
7	Priced as nonseverable Number						
8	Cost						
9	Price						
10	Priced under option provisions Number						
11	Cost						
12	Price						
13	Other Number						
14	Cost						
15	Price						
16	Total Number						
17	Cost						
18	Price						

INSTRUCTIONS FOR FORM SPB-11

GENERAL INSTRUCTIONS

The Reconstruction Finance Corporation will summarize the monthly sales report of Government-owned plant equipment as submitted by the owning agencies on Form SPB-9 in accordance with Form SPB-11.

INSTRUCTIONS FOR FILLING IN FORM SPB-11

Block 3.—The name of the reporting official should be typed in this block in addition to his signature.
Block 4.—Enter the name of the month covered by the report.
Block 5.—Enter the date of filing.
Column (a).—Items are numbered consecutively for reference.
Column (b).—Price policy. Five classes of price policy are indicated and are the same as those reported by the owning agencies in their report SPB-9. Under each price policy are lines provided for entering the summary of the number, cost, and sales price of Government-owned plant equipment sold for each class of price policy for each class of sale, Columns (c) through (g).
Columns (c) through (g).—These represent the class of sales reported on Form SPB-9. The totals of these columns on items 16, 17, and 18 should be identical with the totals for these same classes reported on Form SPB-10.
Column (h).—Enter the totals of Columns (c) through (g).

[F. R. Doc. 45-12174; Filed, July 5, 1945; 11:23 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 8—GRANTS TO STATES FOR FISCAL YEAR 1945 FOR ACTIVITIES RELATING TO THE PREVENTION, TREATMENT, AND CONTROL OF TUBERCULOSIS

CROSS-REFERENCE: Subject matter of Part 8 is incorporated in the revision of Part 9 appearing in this issue. See note to § 9.16, *infra*.

PART 9—GRANTS TO STATES FOR PUBLIC HEALTH SERVICES

Sec.
9.1 Definitions.
9.2 Allotments; size of health problems.
9.3 Basis of allotments.
9.4 Allotments; estimates; time of making; duration.
9.5 State plans; submission and amendments.
9.6 State plans; contents.
9.7 State plans; time of submission and approval.
9.8 Payment to States.
9.9 Required expenditure of State and local funds.
9.10 Required administrative standard; State plans; expenditures.
9.11 Required administrative standard; State plans; health services.
9.12 Required administrative standard; State plans; personnel administration on a merit basis.
9.13 Required administrative standard; State plans; training of personnel.
9.14 Required administrative standard; fiscal affairs.

Sec.
9.15 Required administrative standard; required information; reports when due; audits.
9.16 Effective date; prior regulations superseded.

AUTHORITY: §§ 9.1 to 9.16, inclusive, issued under secs. 215, 314, 58 Stat. 690, 693, 42 U.S.C., Sup., 216, 246.

§ 9.1 *Definitions.* As used in this part:

(a) "Act" means the Public Health Service Act approved July 1, 1944, 58 Stat. 682.

(b) "Exception" means the amount of Federal funds expended contrary to this part or the State plan.

(c) "Federal funds" means funds appropriated by Congress for carrying out the purposes of section 314 of the act.

(d) "Financial need" as applied to any State means the relative per capita income as shown by data, supplied by the Bureau of Foreign and Domestic Commerce for the most recent five-year period, available on January 1, preceding the fiscal year for which Federal funds are appropriated.

(e) "General health purposes" means the establishment and maintenance of public health services within the meaning of subsection (c) of section 314 of the act.

(f) "Official forms" means forms and instructions supplied by the Public Health Service to the State health authority for use in the submittal of State plans or information required with respect to the operation of such plans.

(g) "Political subdivision" includes counties, health districts, municipalities, and other subdivisions of the State established for governmental purposes.

(h) "Population" as applied to any State or political subdivision, means the civilian population thereof according to the most recent Federal Census for which figures are available on January 1, preceding the fiscal year for which Federal funds are appropriated.

(i) "Public Health Service" means the Public Health Service in the Federal Security Agency.

(j) "State" includes any State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands.

(k) "State health authority" means the highest State official whose principal duties are the administration of State health activities.

(l) "State plan" refers to the information and proposals, including budgets, submitted by the State health authority pursuant to those regulations for activities of the State and political subdivisions thereof for (1) the prevention, treatment and control of venereal disease, (2) the prevention, treatment and control of tuberculosis, or (3) establishing and maintaining adequate public health services.

§ 9.2 *Allotments; size of health problems.* For the purpose of making allotments to the several States:

(a) The size of the venereal disease problem shall be determined by the Surgeon General taking into consideration such factors as:

(1) The varying composite and racial prevalence rates for syphilis;

(2) The extent to which treatment facilities have been provided as evidenced by the population under treatment for syphilis;

(3) The total number of syphilis patients brought to treatment in the primary or secondary stages during the previous year;

(4) The varying costs of providing equal services as determined by the inverse function of the syphilitic density, and the direct function of the size of the population of each State;

(5) The need for training centers and demonstrations in selected areas;

(6) The need for facilities for the prevention and control of venereal diseases in localities where there is an unusual concentration of population.

(b) The size of the tuberculosis problem shall be determined by the Surgeon General taking into consideration such factors as:

(1) The morbidity of the disease;

(2) The mortality attributed to the disease;

(3) The relative need among the States of facilities for diagnosis and treatment of tuberculous persons;

(4) The potential increased incidence of the disease occasioned by war congestion; and

(5) The number of non-resident tuberculous persons within the State.

(c) The size of special health problems shall be determined by the Surgeon General taking into consideration such factors as:

(1) The ratio which the mean annual number of deaths in each State from pneumonia, cancer, and other infectious and parasitic diseases, except influenza, tuberculosis and the venereal diseases, bears to the total mortality from these causes in the United States as shown by the most recent mortality statistics of the Bureau of the Census;

(2) Special conditions which create unequal burdens in the administration of equal public health services among the States indicated by the relative population density as shown by the most recent Bureau of Census population census;

(3) The need for regional training centers;

(4) The health needs occasioned by war activities, including the environments of military posts, cantonments, maneuver areas, and war industries.

§ 9.3 *Basis of allotments.* Of the total sum determined to be available for each fiscal year for allotment to the several States for the purposes of subsections (a), (b), and (c) of section 314 of the act, allotments to the several States shall be made as follows:

(a) Of the amount available for allotment for venereal disease control programs:

From 10 per cent to 20 percent, on the basis of population;

From 60 per cent to 80 per cent, on the basis of the size of the venereal disease problem;

From 10 per cent to 20 percent, on the basis of financial need.

(b) Of the amount available for allotment for tuberculosis control program:

From 5 per cent to 15 per cent, on the basis of population;

From 70 per cent to 90 percent, on the basis of the size of the tuberculosis problem;

From 5 per cent to 15 per cent, on the basis of financial need.

(c) Of the amount available for allotment for general health purposes:

From 20 per cent to 30 percent, on the basis of population;

From 40 per cent to 60 per cent, on the basis of special health problems;

From 20 per cent to 30 percent, on the basis of financial need.

§ 9.4 *Allotments; estimates; time of making; duration.* (a) For each fiscal year, the Surgeon General shall, with the approval of the Administrator, determine the amount of the appropriation for each program which shall be available for allotment among the several States.

(b) Four months prior to the beginning of each fiscal year, the Surgeon General shall prepare and make available to the States an estimated schedule of the amounts which it is expected will be allotted to each State during the fiscal year.

(c) Allotments to States shall be made, for each fiscal quarter, prior to the beginning of such quarter or as soon thereafter as practicable. At the end of each quarter, except the last quarter of each fiscal year, the amounts of such allotments which have not been certified for payment to the respective States pursuant to § 9.8 shall become available for allotment among the States in the same manner as moneys which had not previously been allotted.

(d) Allotments for the first quarter of the fiscal year for each program shall equal in amount not less than 30 per cent nor more than 40 per cent of the total sum determined to be available for allotment during that fiscal year. All funds available for allotment shall be allotted in the course of the year.

(e) The Secretary of the Treasury and the respective State heath authorities shall be notified of the amounts of allotments, and of the period for which they are made.

§ 9.5 *State plans; submission and amendments.* (a) Each State making application for grants under section 314 of the act shall submit plans through its State health authority for each fiscal year for carrying out the purposes of such section. A State making application for Federal funds for more than one of the purposes authorized by section 314 of the act may consolidate its plan provided that the information specifically required for a State plan is distinguished with respect to each purpose.

(b) The State plan and amendments thereto shall be prepared in accordance with official forms supplied by the Public Health Service for the purpose.

(c) The State plan may be amended with the approval of the Surgeon General. Amendments shall state the period they are to be in effect.

§ 9.6 *State plans; contents.* A State plan with respect to any program shall consist of two parts.

(a) Part I shall describe the current organization and functions of health services for the program and the proposals of the State health authority for extending, improving, and otherwise modifying such organization and functions. It shall include a description of the services and source of all funds available or expected to be available for the operation of the plan, and a statement that the plan if approved will be carried out as described and in accordance with the regulations prescribed under section 314 of the act.

(b) Part II shall consist of proposed budgets for carrying out the activities described in Part I, and shall specify the period for which such budgets are submitted.

§ 9.7 *State plans; time of submission and approval.* (a) Parts I and II of a plan (the former in duplicate, the latter in quadruplicate) shall be submitted at least 45 days prior to the beginning of the Federal fiscal year to which the plan relates, except that with respect to the fiscal year 1946 such parts shall be submitted prior to August 1, 1945.

(b) Review and approval of Part I shall precede review and approval of Part II. Part II of a plan shall not be approved unless each item thereof relates to activities specifically described in Part I.

Part II of a plan submitted prior to August 1, 1945 may be approved for the entire fiscal year. Thereafter, Part II of a plan shall not be approved for any period antedating receipt of such part by the Public Health Service, except that in the event of epidemics or similar emergency, involving expenditures not capable of prediction, telegraphic requests for approval of emergency expenditures may be tentatively approved pending submission of necessary amendments to Parts I and II (and justification thereof) at a later date prescribed at the time of such tentative approval.

§ 9.8 *Payments to States.* Payments made to a State having an approved plan from the allotment to such State shall not exceed the allotment to such State or the total estimated expenditure necessary for carrying out the State plan, whichever is less.

Subject to the foregoing limitations, payments shall be made as follows:

(a) Payments shall be made once in each quarter from the allotment for that quarter except that with respect to an allotment for the first quarter in a fiscal year, two payments shall be made.

(b) The first payment from the allotment for the first quarter shall be made to a State in an amount equalling 50 percent of the amount allotted to that State for that quarter.

(c) Payment for the fourth quarter shall be that part of the allotment for that quarter which, together with the unencumbered cash balance adjusted for exceptions, will equal the estimated required expenditure necessary to carry to completion the State plan for the fiscal year.

(d) All other payments shall be the amount of the difference between the unpaid balance of the current allotment of the respective State and the unencumbered cash balance of the respective fund in the State treasury at the beginning of the quarter for which payment is to be made, adjusted for exceptions.

(e) For purposes of the venereal disease control and general health programs, the term "unencumbered cash balance" in (c) and (d) above, includes unencumbered cash balances remaining from grants for venereal disease control and general health purposes made pursuant to sections 4a–4e of the act of July 9, 1918, as amended (52 Stat. 439, 42 U.S.C. 25a–25e), and Title VI of the act of August 14, 1935, as amended (49 Stat. 634, 42 U. S. C. 801–803); and the term "exceptions" as used therein includes exceptions to expenditures from such grant moneys.

Except with respect to the first payment in the first fiscal quarter, payments from allotments shall not be certified unless all reports and documents, prescribed by these regulations to be due, have been received. Payments subsequent to the above first payment shall not be made until an application for the payment has been received.

§ 9.9 *Required expenditure of State and local funds.* (a) Moneys paid to any State pursuant to section 314 of the act shall be paid upon the condition that there be expended in such State, during the fiscal year for which such payment is made and for purposes specified in the State plan with respect to which the payment is made, public funds of such State and its political subdivisions (excluding any funds derived by loan or grant from the United States) in amounts determined as follows:

(1) With respect to payments for a venereal disease control program, an amount equal to 50 per cent of the amount of Federal funds to be expended pursuant to the State plan.

(2) With respect to payments for a tuberculosis control program, an amount equal to the amount of Federal funds to be expended pursuant to the State plan.

(3) With respect to payments for a general health program, an amount equal to 50 per cent of the amount of Federal funds to be expended pursuant to the State plan.

The expenditures required for any one of the above programs shall be additional to the expenditures required for other programs.

(b) Federal funds paid to a State shall not be used to conserve State and local funds. The ratio of amounts expended to amounts certified as available for operation of the State plan shall be used for evaluating compliance with this requirement.

§ 9.10 *Required administrative standard; State plans; expenditures.* (a) Federal funds paid to a State, including unencumbered balances remaining from grants for venereal disease control and general health purposes made pursuant to sections 4a–4e of the act of July 9, 1918, as amended (52 Stat. 439, 42 U. S. C. 25a–25e), and Title VI of the Act of August 14, 1935, as amended (49 Stat. 634, 42 U. S. C. 801–803), shall be expended solely for the purposes specified in plans approved by the Surgeon General, and in accordance with the regulations in this part.

(b) State laws and regulations governing the custody and disbursement of State funds shall govern the custody and disbursement of Federal funds paid to the State, subject to such modification as may be determined by the Surgeon General.

§ 9.11 *Required administrative standard; State plans; health services.* (a) The State plan shall provide for health services in substantial accordance with nationally accepted standards.

(b) The following standards are prescribed for evaluating compliance of venereal disease control programs with this requirement:

(1) The State laboratory and any other serologic laboratory receiving funds under subsection (a) of section 314 of the act shall demonstrate by a suitable method that the tests for syphilis performed therein have a satisfactory sensitivity and specificity rating. Such rating shall be determined in the case of the State laboratory by the Public Health Service.

(2) The State laboratory, and any laboratory of political subdivisions thereof, receiving funds under subsection (a) of section 314 of the act shall provide laboratory services for the venereal diseases on the same basis as such service is provided for other communicable diseases. No State department of health shall be entitled to receive such funds unless such laboratory services are provided within that State.

(3) Free diagnostic and treatment facilities for both syphilis and gonorrhea shall be provided by all health departments receiving funds under subsection (a) of section 314 of the act. In order to provide complete clinical service, funds may be reallotted in the discretion of the State health authority independently to the gonorrhea or syphilis departments of polyclinics. All health departments or clinics receiving funds shall provide facilities for (i) diagnosis and emergency treatment of all patients who apply; (ii) continued treatment, consultative advice or opinion for all patients referred by private physicians; and (iii) continued treatment for all patients unable to afford private medical care. The determination of the ability of patients to pay for private medical care shall be the responsibility of the State or local health department or constituted welfare agencies within these areas. Clinics collecting fees from semi-indigent patients shall not receive assistance under subsection (a) of section 314 of the act unless such fees are used solely by the venereal disease clinics for improvement of diagnostic and therapeutic services rendered therein.

(4) Free distribution of drugs, except as modified in the approved State plan, for the treatment of syphilis and gonorrhea shall be made on the request of any physician authorized by the law of his State to administer such drugs for the treatment of his patients. Health departments may furnish such drugs upon the condition that the physician

furnish a morbidity report on the case to be treated.

(5) To receive funds under subsection (a) of section 314 of the act, diagnostic and treatment services shall be as freely available to infected residents of other States and counties as to people who reside in the State or political subdivision thereof providing the services. Clinics shall be so located as to be easy of access and of maximum convenience to the population, and shall be held in well-lighted and well-ventilated rooms. The number of clinic sessions shall be adequate to meet local needs, and shall be held at such times as to avoid economic loss to employed patients; the physical arrangements shall be such as to insure privacy for the patients when receiving medical attention, and the minimum equipment shall include all apparatus and reagents necessary for the proper examination and treatments of patients infected with syphilis and gonorrhea. Such equipment will also include apparatus for darkfield examination, ophthalmologic examination, and for lumbar punctures, unless there is immediate access to such examinations by some other means. The minimal data included on the morbidity, clinical, and epidemiological records shall be those presented in the reprint of the United States Public Health Service on "A Mechanical System for Reporting Morbidity, Treatment-Programs, and Control of Venereal Diseases," or such minimal data as may be later approved by the members of the Conference of State and Territorial Health Officers. Efficient case-finding and case-holding work shall be conducted in all clinics by qualified personnel.

(c) The following standards are prescribed for evaluating compliance of tuberculosis control programs with this requirement:

(1) The State laboratory and any other laboratory receiving funds under subsection (b) of section 314 of the act shall demonstrate by a suitable method that the tests for tubercle bacilli performed therein have a satisfactory sensitivity rating. Such rating shall be determined in the case of the State laboratory by the Public Health Service.

(2) All health departments or clinics receiving funds shall provide facilities for (i) diagnosis and follow-up supervision of all patients who apply; (ii) continued medical supervision, consultative advice or opinion for all patients referred by private physicians; and (iii) continued medical supervision for all patients unable to provide medical care.

(3) The minimal data included in the morbidity, clinical and epidemiological records shall be those presented in the reprint of the United States Public Health Service on "Record and Filing Systems for Mass Radiography". Efficient case-finding and case-holding work shall be conducted in all clinics and mass radiography units by qualified personnel.

§ 9.12 *Required administrative standard: State plans; personnel administration on a merit basis.* A system of personnel administration on a merit basis shall be established and maintained with respect to services and programs described in the State plan. Standards for evaluating compliance with this requirement shall be contained in "Merit System Policies of the Public Health Service," in effect at the time of the expenditure.

§ 9.13 *Required administrative standard; State plans; training of personnel.* (a) When Federal funds are utilized for the training of personnel for State or local health work, such training shall be conducted in accordance with "Training Policies of the Public Health Service" in effect at the time of expenditure.

(b) Approval for expenditure of Federal funds shall not be given for stipend, tuition, travel or salary of a trainee incident to accredited field experience or to intramural study for any period prior to receipt by the Public Health Service of a trainee application on an official form.

§ 9.14 *Required administrative standard; fiscal affairs.* (a) A separate and distinct fund account shall be maintained for each fund of Federal moneys by the principal State accounting officer.

(b) An efficient method for the conduct of fiscal affairs (including financial and property controls) shall be established and maintained with respect to State and local public health agencies receiving financial assistance through grants pursuant to the regulations in this part. Standards for evaluating compliance with this requirement shall be prescribed by the Surgeon General."

§ 9.15 *Required administrative standard; required information; reports when due; audits.* (a) The Surgeon General may require the submission of information pertinent to the operation of the State plans and to the purpose of the grants, including the following:

(1) A certification on an official form as to the amount of State and local funds available for carrying out the State plan shall be due in duplicate on August 1, 1945, for the fiscal year 1946, and on July 1 of each fiscal year thereafter.

(2) A statement on an official form showing the distribution of all funds by functional activities for the then current fiscal year and the year following shall be due in duplicate on August 1, 1945, and on July 1 of each fiscal year thereafter.

(3) A report on an official form of personnel sent to training centers shall be due in duplicate one month following the close of each quarter.

(4) Quarterly reports on an official form showing total receipts, expenditures, unliquidated encumbrances and balances of Federal funds shall be due in duplicate when an application for payment from the respective current allotment is received.

(5) Quarterly reports on an official form showing total quarterly expenditures of moneys from both grant and other sources, for each budget shall be due in duplicate at the close of the succeeding quarter.

(6) A detailed annual report on an official form showing expenditures for each budget and item for the preceding fiscal year shall be due in duplicate on October 1 of each year.

(7) A report on an official form showing personnel facilities and services for each local health organization included in the current State plan shall be due in duplicate on August 15 of each year, beginning August 15, 1946.

(8) The following reports on official forms shall be submitted with respect to venereal disease activities within 30 days after the close of the period to which they pertain:

(i) A semiannual report on the status of venereal disease control activities.

(ii) A monthly clinic report for each clinic in the State treating venereal diseases.

(iii) A monthly morbidity report.

(iv) A monthly city morbidity report for each city in which the population is 200,000 or over.

(9) The following reports on official forms shall be submitted with respect to tuberculosis control activities within 30 days after the close of the period to which they pertain:

(i) A quarterly report on mass chest surveys.

(ii) A quarterly report on tuberculosis morbidity, with separate report for cities of 500,000 population or over.

(iii) A quarterly report on clinic and nursing services.

(b) Audit of the activities and programs described in the State plan may be made after prior consultation with the State health authority. Records, documents, and information available to the State health authority pertinent to the audit shall be accessible for purposes of audit.

§ 9.16 *Effective date; prior regulations superseded.* The regulations in this part shall become effective upon the date of their publication in the FEDERAL REGISTER, and shall supersede the regulations issued pursuant to sections 4a–4e of the act of July 9, 1918,[1] as amended (52 Stat. 439, 42 U.S.C. 25a–25e), and Title VI of the act of August 14, 1935,[2] as amended (49 Stat. 634, 42 U.S.C. 801–803).

NOTE: The subject matter of Part 8 relating to grants to States for fiscal year 1945 for activities relating to the prevention, treatment, and control of tuberculosis (10 F.R. 3404) is incorporated in this revision of Part 9.

Dated: June 30, 1945.

[SEAL] THOMAS PARRAN,
Surgeon General

Approved: July 4, 1945.

PAUL V. MCNUTT,
Federal Security Administrator.

[F. R. Doc. 45-12241; Filed, July 5, 1945; 10:57 a. m.]

[1] 42 CFR, Cum. Supp. and 1943 Supp., p. 10.

[2] 42 CFR, Cum. Supp. and 1943 Supp., p. 9.

PART 10—GRANTS TO STATES FOR VENEREAL DISEASE CONTROL

CROSS REFERENCE: Part 10 is superseded by the revision of Part 9 appearing in this issue. See § 9.16, *supra*.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

MECHANICAL RECORDS

The Commission on July 3, 1945, effective immediately, amended § 3.407 *Mechanical records* to read:

§ 3.407 *Mechanical records.* Each program broadcast which consists in whole or in part of one or more mechanical reproductions shall be announced in the manner and to the extent set out below.

(a) Each such program of longer duration than 30 minutes, consisting in whole or in part of one or more mechanical reproductions, shall be identified by appropriate announcement at the beginning of the program, at each 30-minute interval and at the conclusion of the program: *Provided, however,* That the identifying announcement at each 30-minute interval is not required in case of a mechanical record consisting of a continuous uninterrupted speech, play, religious service, symphony concert or operatic production of longer than 30 minutes.

(b) Each such program of a longer duration than 5 minutes and not in excess of 30 minutes, consisting in whole or in part of one or more mechanical reproductions, shall be identified by an appropriate announcement at the beginning and end of the program.

(c) Each such program of five minutes or less, consisting in whole or in part of mechanical reproductions, shall be identified by appropriate announcement immediately preceding the use thereof.

(d) In case a mechanical record is used for background music, sound effects, station identification, program identification (theme music of short duration) or identification of the sponsorship of the program proper, no announcement of the mechanical record is required.

(e) The exact form of identifying announcement is not prescribed, but the language shall be clear and in terms commonly used and understood. A licensee shall not attempt affirmatively to create the impression that any program being broadcast by mechanical reproduction consists of live talent.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i).)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-12080; Filed, July 4, 1945; 1:59 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PARTS 71–85—TRANSPORTATION OF EXPLOSIVES[1]

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June A. D. 1945.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921, (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Part 1A—War Emergency Regulations (CFR 74)

Superseding and amending paragraph (b) (1), section *N*, order June 24, 1944, as follows (second paragraph):

In metal drums, spec. ICC 5A or WD 5A, in box cars, gondola cars, or stock cars in carload lots.

Amending section *N*, order June 24, 1944, as follows (add):

(c) "Explosives", "Poison Gas" or "Dangerous" placards as required must be securely applied to both sides and both ends of box cars, gondola cars or stock cars.

Amending section *N*, order June 24, 1944 as follows (add):

NOTE. Because of the present emergency and until further order of the Commission, only the applicable parts of sec. 525 will apply for the certification of gondola cars and stock cars.

Part 2—List of Explosives and Other Dangerous Articles (CFR 73)

Superseding and amending list, section 4, order Aug. 16, 1940, as follows:

Article	Classed as	Exemptions and packing (sec.)	Label	Maximum quantity, express
(Change) Acids, liquids, n. o. s.	Cor. L	244, 246	White	5 pints.
(Add) *Ammunition for cannon with illuminating projectiles.	Expl. A	No exemption 55		Not accepted
(Add) *Anti-freeze preparations proprietary, liquid.	Inf. L	103, 110	Red	10 gallons.
(Change) *Cement, rubber	Inf. L	103, 117	Red	75 gallons.
(Cancel) Dichlorodiphenyltrichloroethane	Pois. B	352, 501	Poison	200 pounds.
(Change) Dinitrobenzol, solid	Pois. B	352, 758	Poison	200 pounds.
(Cancel) *Igniters.* See Fuse lighters, Fuse igniters, Black powder igniters, Delay electric igniters, Safety squibs, or electric squibs.				
(Add) Igniters	Expl. C	No exemption 70		150 pounds.
(Add) Illuminating projectiles fuzed and with expelling charges. See explosive projectiles.				
(Add) Illuminating projectiles not fuzed and without expelling charges. See Fireworks.				
(Cancel) Illuminating projectiles. See Fireworks.				
(Change) Monofluorophosphoric acid, *anhydrous*	Cor. L	No exemption 275	White	1 gallon.
(Add) *Plastic solvent, n. o. s.	Inf. L	103, 110	Red	10 gallons.
(Change) *Solvents, n. o. s.	Inf. L	103, 110	Red	15 gallons.
(Add) Titanium metal powder, wet, with not less than 20% water.	Inf. S	No exemption 211A	Yellow	150 pounds.

*See section 4.

Superseding and amending note in section 16, order March 26, 1945, as follows (Change):

NOTE. Because of the present emergency and until further order of the Commission the containers authorized in sec. 16 may be shipped by or consigned to an agency of the United States Government or of the United Nations.

Part 3—Regulations Applying to Shippers (CFR 75)

Superseding and amending section 55, (a) (b) (c), order Aug. 16, 1940, as follows:

(a) Ammunition for cannon with explosive projectiles, gas projectiles, smoke projectiles, incendiary projectiles, illuminating projectiles, or shell is fixed ammunition assembled in a unit consisting of the cartridge case containing the propelling charge and primer, and the projectiles, or shell, fuzed or unfuzed. Detonating fuzes, tracer fuzes, explosive or ignition devices, or fuze parts with explosives contained therein must not be assembled in ammunition or included in the same outside package unless shipped by, for, or to the War or Navy Department of the United States Government or unless of a type approved by the Bureau of Explosives.

(b) *Packing.* Ammunition for cannon with explosive projectiles, gas projectiles, smoke projectiles, incendiary projectiles, illuminating projectiles, or shell must be well packed and properly secured in strong wooden or metal containers.

(c) *Marking.* Each outside package must be plainly marked "Ammunition for cannon with explosive projectiles," "Ammunition for cannon with gas projectiles" (see section 402 (g) for required label), "Ammunition for cannon with smoke projectiles," "Ammunition for cannon with incendiary projectiles," or "Ammu-

[1] Parts 1A, 2, 3, and 4 of this order appear in CFR as Parts 74, 73, 75, 72, and 80.

nition for cannon with illuminating projectiles," as the case may be.

Superseding and amending paragraph (a), section 64, order Aug. 16, 1940, as follows:

64 FIREWORKS

(a) Fireworks are all manufactured articles designed primarily for the purpose of producing visible or audible pyrotechnic effects by combustion or explosion. Examples are firecrackers, firecracker salutes, Roman candles, pin wheels, colored fires, rockets, serpents, railway fusees, railway torpedoes, aeroplane flares, sparklers, smoke pots, smoke candles, illuminating projectiles not fuzed and without expelling charges, Very signal cartridges, fireworks bombs and salutes (not high explosives), toy torpedoes, ammunition pellets fired in a special holder, flash powders in inner units not exceeding 2 ounces each, flash sheets in interior packages, and flash powder or spreader cartridges containing not over 72 grains of flash powder each (see section 60 for shipments made as low explosives) and flash cartridges, consisting of a paper cartridge shell, small-arms primer, and flash composition, not exceeding 180 grains, all assembled in one piece. Fireworks must be in a finished state, exclusive of mere ornamentation, as supplied to the retail trade.

Amending section 70, order Aug. 16, 1940, as follows (add):

(a) (1) Igniters consist of fiberboard, paper or metal tubes containing a small quantity of igniting compound which is ignited by the action of a primer, pull wire or scratch composition.

Superseding and amending paragraph (f), section 70, order Aug. 16, 1940, as follows (change):

(f) Packing, description, and marking. Cartridge bags, empty, with black powder igniters, igniters, safety squibs, electric squibs, delay electric igniters, and fuse lighters or fuse igniters must be packed in strong fiberboard or wooden boxes or wooden or metal barrels or drums properly described and properly marked with the name of the article packed therein.

Amending paragraph (b) (4), section 110, order Aug. 16, 1940, as follows:

Cancel Note added to section 110 (b) (4), order May 12, 1943, as amended March 29, 1944.

Amending paragraph (b) (8) Spec. 21B, section 110, order Feb. 10, 1943, as follows:

Cancel paragraph (b) (8) Spec. 21B, section 110.

Superseding and amending paragraph (d) (5), section 110, order Aug. 16, 1940, to read as follows:

(d) (5) Viscous inflammable liquids having a vapor pressure which does not exceed 16 pounds per square inch, absolute, at 100° F. (See section 110 (c) for higher pressure liquids) must be prepared for shipment in containers as follows:

Amending section 110, order Aug. 16, 1940, as follows (Add):

(d) (9) Viscous inflammable liquids with flash point above 20° F. to 80° F. and having a vapor pressure which does not exceed 18 pounds per square inch, absolute, at 100° F. must be prepared for shipment in containers as follows:

(d) (10) As prescribed in section 110 (c).

(d) (11) *Spec. 17E.* Metal drums (single-trip).

Superseding and amending paragraph (g), section 113, order Feb. 10, 1943, as amended June 30, 1943, as follows: (Cancel) section 113 (g).

Amending section 154, order Aug. 16, 1940, as follows (Add):

(rr) Titanium metal powder, wet.

Superseding and amending paragraph (a), section 170, order Aug. 16, 1940, to read as follows:

(a) Fibers or fabrics impregnated, saturated or coated with animal or vegetable oils which are liable to spontaneous heating or combustion in transit must be placed in hermetically sealed metal-lined wooden boxes or air-tight metal containers.

Superseding and amending paragraph (b), section 182, order Aug. 16, 1940, to read as follows:

(b) In bags in tight cars or motor vehicles. Motor vehicles should be of closed type, or lading consisting of bags should be covered.

Amending order Aug. 16, 1940, as follows (Add):

211A (a) Titanium metal powder, wet, with not less than 20% water, must be packed in specification containers as follows:

(b) *Spec. 15A or 15B.* Wooden boxes with inside metal can of not less than 22-gage, not to exceed 10 gallons capacity, tightly and securely closed. Not more than one such inside container may be packed in one outside container.

Superseding and amending paragraphs (r) and (s), section 245, order Aug. 14, 1940, as amended Sept. 7, 1944, to read as follows:

(r) Difluorophosphoric acid, anhydrous.

(s) Monofluorophosphoric acid, anhydrous.

Amending paragraph (b) (4), section 260, order Aug. 16, 1940, as follows (cancel) Paragraph (b) (4), section 260.

Amending section 263 (a) (6), order Aug. 16, 1940, as follows (add):

(a) (6) (b) *Spec. 1D.* Boxed glass carboys of not over 6.5 gallons nominal capacity. Means shall be provided so that accumulated total pressure in bottle shall not exceed 10 p. s. i. gage at 130° F. or shall vent at a pressure not to exceed 10 p. s. i. gage.

Amending section 268 (d), order Aug. 16, 1940, as follows (add):

(d) (2) *Spec. 1D.* Boxed glass carboys of not over 6.5 gallons nominal capacity; authorized only for acid not over 1.43 specific gravity (43.61° Baumé). Means shall be provided so that accumulated pressure in bottle shall not exceed 10 p. s. i. gage at 130° F. or shall vent at a pressure not to exceed 10 p. s. i. gage. Cushioning must be incombustible mineral material, elastic wood-strip packing, or large elastic cushions such as cork, fastened securely in position. The use of hay, excelsior, ground cork, or similar material, whether treated or untreated, is prohibited.

Amending section 272 (e), order Aug. 16, 1940, as follows (add):

(e) (2) *Spec. 1D.* Boxed glass carboys of not over 6.5 gallons nominal capacity; authorized only for acid of not over 100.5 percent H_2SO_4.

Superseding and amending paragraph (a) (3), section 332, order Aug. 16, 1940, to read as follows:

Change present section 332 (a) (3) to read (a) (4); and add new paragraph (a) (3) to read as follows (add):

(a) (3) *Spec. 3A480.* Metal cylinders of not over 125 pounds water capacity (nominal), minimum wall thickness 0.147 inch, and in no case shall the wall stress exceed 24,000 pounds per square inch when calculated by the formula in par. 9 (b) of Spec. 3A; valve protection cap must be used and be at least $\frac{3}{16}$ inch thick, gastight, with $\frac{7}{16}$ inch faced seat for gasket and with United States standard form thread; the cap must be capable of preventing injury or distortion of the valve when it is subjected to an impact caused by allowing cylinder, prepared as for shipment, to fall from an upright position with side of cap striking a solid steel object projecting not more than 6 inches above floor level.

Amending order Aug. 16, 1940, as follows (add):

358 (a) Dinitrobenzol must be packed in specification containers as follows:

(b) As prescribed in section 361.

(c) *Spec. 11A.* Wooden barrels, gross weight 300 pounds must be shipped in carload or truck shipments only and must not be offered for transportation by carriers by rail express or water.

Amending paragraph (e), section 400, order Aug. 16, 1940, as follows (add):

Each shipment of smokeless powder for small arms and each shipment of smokeless powder for cannon when offered for transportation by carriers by rail express must bear the label prescribed by section 404 (o).

Superseding and amending paragraph (p), section 402, order Aug. 16, 1940 as amended March 29, 1944, as follows

(p) Labels and marking name of contents are not required on shipments of dangerous articles forwarded in carload or truckload quantities by rail freight, rail express or highway, when such shipments are unloaded by the consignee or his duly authorized agent from the car or truck in which originally loaded. This exception does not apply to class A or class C poisons.

Amending order Aug. 16, 1940 as follows (add):

404 (o) Labels for smokeless powder for small arms and labels for smokeless powder for cannon must be square measuring 4 inches on each side and bright red in color. Printing must be in black letters inside of a black line border measuring $3\frac{1}{2}$ inches on each side and as shown below:

RED LABELS FOR SMOKELESS POWDER
(Reduced size)
(Black printing on red)

Smokeless Powder for Small Arms
For Express Shipment

HANDLE CAREFULLY
KEEP FIRE AWAY

This is to certify that the above articles are properly described by name and are packed and marked and are in proper condition for transportation, according to the regulations prescribed by the Interstate Commerce Commission.

(Shipper's name)

Smokeless Powder for Cannon
For Express Shipment

HANDLE CAREFULLY
KEEP FIRE AWAY

This is to certify that the above articles are properly described by name and are packed and marked and are in proper condition for transportation, according to the regulations prescribed by the Interstate Commerce Commission.

(Shipper's name)

Amending order Aug. 16, 1940, as follows: Add Specification 1D to read as follows:

SPECIFICATION 1D—BOXED GLASS CARBOYS

GENERAL

Containers must comply with Specification 1A except as follows (paragraph references are to Specification 1A):

3. *Closure.* (a) Threaded screw cap which shall be constructed of a suitable plastic or other material resistant to lading.

(b) Gasket or lining for cap must be used and shall be resistant to lading and;

(1) Must be liquid tight or

(2) Must be liquid tight up to venting pressure when such venting is prescribed for the material which is to be shipped.

(c) At least one complete continuous thread must be engaged with gasket in place.

Manufacture

4 *Capacity and marking of carboy:*

(a) 6.5 U. S. gallons nominal capacity, 7.0 U. S. gallons overflow, tolerance plus or minus 10 fluid ounces.

(b) Marking. Each carboy bottle must be permanently marked in bottom as follows:

Marker's mark (to be registered with Bureau of Explosives) Year of manufacture ICC–1D

5. *Glass carboy bottle.* Must be machine-blown, thoroughly and properly annealed, with screw thread finish having at least one continuous thread to accommodate closure; top of lip smooth and even; must contain 14 pounds of glass, tolerance minus 8 ounces plus 16 ounces. Minimum thickness to be .075 inch. Defective carboys not authorized.

6. Does not apply.

7. (a) Outside Containers. Wooden boxes completely enclosing body and neck of carboy, with 4 vertical corner posts, two cleats for shoes and two carrying cleats. An opening not exceeding 3 inches in width may be provided directly above the neck of bottle, if the top of the box is made up of not more than two pieces of lumber of 25/32 inch thickness. Bottom board of the two ends of the box must be constructed of lumber at least one inch thick, must be flush with the carrying cleats and be at least 2¾ inches in width. Cleats or other fasteners used to secure cover must not extend beyond carrying cleats.

(c) Assemble sides and ends with grain of wood horizontal and nail as specified. Nail bottom to sides and ends; fasten top by any efficient means. Cleats for shoes to be along edges of bottom parallel to carrying cleats and at right angle to the direction of bottom board or boards.

(d) Parts and dimensions as follows:

Carboy capacity, nominal not over (gallons)	Minimum dimensions			Nails—sides and bottom [1]	
	Thickness—sides, top, bottom, and ends	Vertical corner posts	Carrying cleats and shoes	Size	Spacing, average [2]
	Inch [3]	*Square inches* [4]	*Inches*	*Penny*	*Inches*
6.5	⅞	2.0	1½ x 2¾	6	2

[1] Screws of equal efficiency authorized.

[2] Spacing 6 inches acceptable along edge grain of bottoms.

[3] Except as prescribed or permitted under paragraph 7 (a).

[4] Cross sectional area.

[5] Other dimensions with equal cross section acceptable. In lieu of separate carrying cleats, side board, at point where cleat should be located, may be constructed of lumber not less than one inch thick so that overhang will be at least ½ inch.

(e) Does not apply.

(f) Does not apply.

Marking of Outside Container

8. (a) ICC–1D. This mark shall be understood to certify that the complete package complies with all specification requirements.

9. (g) Bottles shall be capable of withstanding a sustained internal pressure of 20 p. s. i. gauge for a 15-day period. Bottle manufacturer shall demonstrate to Bureau of Explosives that bottles of a proposed design will meet this test prior to start of production.

Tests

(h) One bottle selected at random from each 200 produced on each mold shall be subjected to an instantaneous hydrostatic pressure test to bursting. Pressure at which bottle bursts must be not less than 40 p. s. i. gauge. If bottle so tested fails at a pressure less than 40 p. s. i., 12 additional samples must be selected from the same lot of 200 bottles and tested in the same manner. All 12 samples must pass required test otherwise entire lot shall be rejected.

10. Does not apply.

Appendix to Part 3—Shipping Container Specifications (CFR 72)

Superseding and amending paragraph 22 (2) spec. 3A, order Aug. 16, 1940, as follows:

(2) Heat treatment shall consist of quenching in oil at approximately 1550° F., and drawing back at approximately 1250° F., or heat treatment shall consist of normalizing at a temperature not to exceed 1650° F. (Note to remain in effect.)

Superseding and amending Spec. 21B Fiber Drums, order Aug. 16, 1940, as amended Feb. 10, 1943. (Cancel) Specification 21B.

Part 4—Regulations Applying Particularly to Carriers by Rail Freight (CFR 80)

Superseding and amending paragraph (e), section 526, order Aug. 16, 1940, as follows:

(e) Explosives packed in metal kegs, except when boxed, must be loaded on their sides with ends towards ends of the car; packages of explosives must not be placed in the space opposite the doors unless the doorways are boarded on the inside as high as the lading. *(This does not apply to palletized packages provided they are braced so that they cannot fall or slide into the doorways during transit)*

Amending section 548 (h), order Aug. 16, 1940, as follows (Add):

NOTE. Because of the present emergency and until further order of the Commission, gondola cars used for the shipment of bombs or poison gas, may be placarded on both sides and both ends of car.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after June 29, 1945, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-12023; Filed, July 4, 1945; 11:01 a. m.]

[S.O. 327]

PART 95—CAR SERVICE

SHIPMENTS TO MEXICO ON STRAIGHT BILLS OF LADING

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of July A. D. 1945.

It appearing, that carload shipments by railroad from the United States to points in Mexico covered by order bills of lading have been, and are being, unduly delayed at ports of entry, thereby contributing to the shortage of equipment and causing congestion of traffic; the Commission is of opinion an emergency requiring immediate action to prevent shortage of railroad equipment and congestion of traffic exists at the Mexican border ports of entry. It is ordered, that:

(a) *Shipments to Mexico on straight bills of lading.* No common carrier by railroad subject to the Interstate Commerce Act, shall accept for transporta-

tion or transport commodities, in carloads, originating in the United States and destined points in Mexico, unless such shipments are covered by straight bills of lading as defined in U. S. Code, Title 49, Chapter 4—Bills of Lading.

(b) *Effective date.* This order shall become effective at 12:01 a. m., July 10, 1945.

(c) *Expiration date.* This order shall expire at 11:59 p. m., February 28, 1946, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12170; Filed, July 5, 1945; 11:34 a. m.]

[S. O. 323]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON COVERED HOPPER CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of July, A. D. 1945.

It appearing, that covered hopper cars are being delayed unduly in loading and unloading, causing a shortage of such equipment and impeding and diminishing the use, control, supply, movement, distribution, exchange, interchange, and return of covered hopper cars; in the opinion of the Commission an emergency requiring immediate action exists in all sections of the country; it is ordered, that:

Demurrage charges on covered hopper cars—(a) *Covered hopper cars not subject to an average agreement.* After the expiration of the free time allowed by tariffs lawfully on file with this Commission, the demurrage charges on a covered hopper car, not included in an average agreement, held for loading or unloading which is not loaded or unloaded within the free time shall be $2.20 per car per day or a fraction thereof for the first two (2) days; $5.50 per car per day or a fraction thereof for the third day; $11 per car per day or a fraction thereof for the fourth day; and $16.50 per car per day or a fraction thereof for each succeeding day.

(b) *Covered hopper cars subject to an average agreement.* After the expiration of the free time allowed by tariffs lawfully on file with this Commission, the demurrage charges on a covered hopper car, included in an average agreement, held for loading or unloading which is not loaded or unloaded within the free time shall be $2.20 per car per day or a fraction thereof for the first two (2) days; $5.50 per car per day or a fraction thereof for the third day; $11 per car per day or a fraction thereof for the fourth day; and $16.50 per car per day or a fraction thereof for each succeeding day. The $2.20 per day debit charges may be offset or reduced by accrued credits as provided in applicable demurrage tariffs: *Provided, however,* That the $5.50 per day, $11 per day, and $16.50 per day charges may not be offset or reduced by credits earned on other cars.

(c) *Application.* (1) The provisions of this order shall apply to intrastate as well as interstate traffic.

(2) *Designation of covered hopper cars.* Except as shown below this order shall apply to covered hopper cars having mechanical designation "LO" in the current Official Railway Equipment Register.

Exception. This order shall not apply to such covered hopper cars when loaded, or to be loaded, with carbon black.

(3) *Service orders.* The provisions of this order shall not be construed to affect the provisions of Service Order No. 135 (8 F.R. 9569) as amended (8 F.R. 10941).

(4) *Exemption of transshipments.* This order shall not apply to traffic, consigned or reconsigned for export, coastwise or intercoastal movement, which is held at or short of ports for transshipment.

(5) *Computation of demurrage on effective date of order.* The number of days a covered hopper car has been held prior to the effective date of this order, counted according to demurrage tariff rules, shall determine the charges applicable on that covered hopper car on the first full demurrage day and all subsequent demurrage days occurring after the effective date of this order.

(d) *Effective date.* This order shall become effective at 7:00 a. m., July 10, 1945.

(e) *Expiration date.* This order shall expire at 7:00 a. m., September 30, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission.

(f) *Tariff provisions suspended.* (1) Except as provided in section (2) of this paragraph the operation of all tariff rules, regulations or charges insofar as they conflict with the provisions of this order is hereby suspended.

(2) This order shall not affect Demurrage Rule 8 of Agent B. T. Jones' Tariff I. C. C. No. 3963 or similar rules in other tariffs, relating to the cancelation or refunding of demurrage charges arising from the unusual conditions or circumstances described in the said Rule 8 or similar rules in other tariffs.

(g) *Announcement of suspension.* Each railroad, or its agent, shall publish, file and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the conflicting provisions therein, and establishing the substituted provisions set forth herein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon each State railroad regulatory body and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12171; Filed, July 5, 1945; 11:34 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Raincoat, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

DuQuoin Manufacturing Company, DuQuoin, Illinois; dresses; 45 learners (E), effective June 26, 1945, expiring December 25, 1945.

Elder Manufacturing Company, 7025 Pennsylvania Avenue, St. Louis, Missouri; men's dress shirts, cotton and khaki shirts; 10 percent (T); effective June 23, 1945, expiring June 22, 1946.

R. Lowenbaum Manufacturing Company, E. Broadway, Sparta, Illinois; junior dresses; 25 learners (AT); effective June 26, 1945, expiring December 25, 1945.

Morgan Shirt Company, Inc., Martinstown, West Virginia; cotton dress shirts, cotton pajamas and O. D. flannels; 75 learners (AT); effective June 23, 1945, expiring December 22, 1945.

Simplicity Frocks, Inc., Kincaid, Illinois; women's, misses' and children's dresses; 25 learners (AT); effective June 23, 1945 expiring December 22, 1945.

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Gulfstream Products Company, Green Cove Springs, Florida; full-fashioned hosiery; 5 learners (T); effective June 22, 1945, expiring June 21, 1946.

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Central Iowa Telephone Company, Toledo, Iowa; to employ learners as commercial switchboard operators at its Toledo, Iowa exchange, located at Toledo, Iowa; effective June 27, 1945, expiring June 26, 1946.

Commonwealth Telephone Company, Dallas, Pennsylvania; to employ learners as commercial switchboard operators at its Dallas, Pennsylvania exchange, located at 15 Church Street, Dallas, Pennsylvania; effective June 25, 1945, expiring June 24, 1946.

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Rhyne-Houser Manufacturing Company, Cherryville, North Carolina; combed cotton yarns; 3 percent (T); effective June 27, 1945, expiring June 26, 1946.

Cigar Industry Learner Regulations, April 22, 1944 (9 F.R. 4330).

Gay Cigar Company, 135 S. Adams Street, Quincy, Florida; cigars; 10 percent (T); hand rolling and hand bunch making for a learning period of 960 hours at 30 cents per hour for first 480 hours, and 35 cents per hour for remaining 480 hours; hand stripping for a learning period of 160 hours at 30 cents per hour; packing for a learning period of 320 hours at 30 cents per hour; effective June 23, 1945, expiring June 22, 1946.

Signed at New York, N. Y., this 29th day of June 1945.

PAULINE C. GILBERT, *Authorized Representative of the Administrator.*

[F. R. Doc. 45-12121; Filed, July 4, 1945; 4:39 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 1020]

RECONSIGNMENT OF WATERMELLONS AT HARRISBURG, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Harrisburg, Pennsylvania, not later than July 2, 1945, by Harrisburg Daily Market, of car MP 53102, watermelons, now on the Pennsylvania Railroad, to Cressler Fruit Market, Shippensburg, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of June 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-12173; Filed, July 5, 1945; 11:34 a. m.]

[S. O. 329]

UNLOADING OF BOX MATERIAL (SHOOKS) AT DECATUR, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of July, A. D. 1945.

It appearing, that cars EJ&E 60410, CB&Q 33745, Sou 21838, Wab. 46724 and IC 37921, containing box material (Shooks), now at Decatur, Illinois, on the Wabash Railroad Company, the first car shipped by Prineville Box Company, Prineville Junction, Oregon, the other four (4) cars shipped by Mission Warehouse Company, Spokane, Washington, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; the Commission is of opinion an emergency requiring immediate action exists at Decatur, Illinois. It is ordered, that:

(a) *Box material (shooks) at Decatur, Illinois, be unloaded.* The Wabash Railroad Company, its agents or employees, shall unload forthwith cars EJ&E 60410, CB&Q 33745, Sou 21838, Wab. 46724 and IC 37921, containing box material (shooks), now on hand at Decatur, Illinois, consigned order-notify Woodworking Incorporated, Decatur, Illinois.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such cars have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Wabash Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12172; Filed, July 5, 1945; 11:34 a. m.]

WAR MANPOWER COMMISSION.

CHICAGO, ILL., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Chicago War Manpower Commission is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Objectives.
2. Geographic content of the area.
3. Definitions of terms used in this plan.
4. Control of hiring and solicitation of workers.
5. Provisions governing the orderly transfer of workers.
6. Authority and responsibility of the Area Labor-Management War Manpower Committees.
7. Posting pertinent provisions of this plan.
8. Revocation of existing stabilization plan.
9. Effective date.

SECTION 1. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

(e) The establishment of procedures for the orderly transfer of essential workers.

SEC. 2. *Geographic content of the area.* Area No. 2 has been designated by the Regional Director of the War Manpower Commission to consist of Cook and DuPage Counties. The area is divided into two Administrative Divisions each with a full-functioning Labor-Management War Manpower Committee, as follows:

(a) *Chicago Division.* DuPage County and Cook County except for that portion within the Chicago Heights-Harvey Division as described below, and the city of Elgin.

(b) *Chicago Heights-Harvey Division.* That portion of Cook County from 123d Street and Chicago City limits (Ashland Avenue) west on 123d Street to east line of Lemont Township, excluding towns of Alsip, Palos Park and Palos Heights; south on the Lemont Township line to the Will County line; south and east on Will County line to the Indiana State line; north on the Indiana State line to the intersection with the Grand Trunk R. R.; north and west on the Grand Trunk to the intersection with alternate U. S. Highway 30; north on alternate U. S. Highway 30 to the Pa. R. R., excluding the city of Lansing; north and west on the Pa. R. R. to the intersection with the I. C. R. R. to the intersection with the Calumet River; north and west

on the Chicago City limits to the point of beginning at 123d Street.

SEC. 3. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (10 F.R. 4846).

(e) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(g) "Full time employee" is any employee regularly scheduled to work thirty hours or more per week.

(h) "The War Manpower Commission" is the commission established by Executive Order No. 9139 hereafter referred to as WMC.

(i) "The Area Labor-Management War Manpower Committees" referred to herein as the Area Committee, are those two bodies composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Area Labor-Management War Manpower Committee for their respective Division.

(j) "The United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) "The Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following states: Illinois, Indiana, Wisconsin.

(l) "The State Director" is the chief administrative officer of the War Manpower Commission for the State of Illinois.

(m) "The Area Director" is the administrative officer of the War Manpower Commission responsible to the State Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in Section 2 of this plan.

SEC. 4. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, Area No. 2, shall be conducted in accordance with this plan.

SEC. 5. *Provisions governing the orderly transfer of workers.*—(a) *General.* (1) A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(i) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(ii) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(2) *Issuance of statements of availability by employers or USES.* A female worker whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from her employer or the USES if:

(i) She has been discharged, or her employment has been otherwise terminated by her employer, or

(ii) She has been laid off for an indefinite period, or for a period of seven or more days, or

(iii) Continuance of her employment would involve undue personal hardship, or

(iv) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(v) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustments, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(3) *Issuance of statements of availability by USES.* At the discretion of the USES, a male worker whose last employment is or was in an essential or locally needed activity may receive a statement of availability from the USES in lieu of a referral card if:

(i) He has been discharged, or his employment has been otherwise terminated by his employer, or

(ii) He has been laid off for an indefinite period, or for a period of seven or more days, or

(iii) Continuance of his employment would involve undue personal hardship, or

(iv) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(v) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(vi) He is in the employ of an employer whom the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding. In addition, such employer may not hire any new employee, whether or not such new employee presents a statement of availability.

(4) *Limited referral.* In order to facilitate the employment of individuals during off-season or other short periods, in essential or locally needed activities, the United States Employment Service may issue referral cards containing limitations as to the length of time for which the worker is available for employment. At the expiration of such time, or sooner, if requested by the United States Employment Service, the hiring employer shall promptly release the worker for return to his customary employment.

(5) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(6) *Workers who may be hired only upon referral by the USES.* (i) A new employee may not be hired solely upon presentation of a statement of availability but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(a) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period. However, such a referral must be subject to the condition communicated to both worker and new employer that if, after his case is called to the attention of the United States Employment Service in the area from which he has migrated, it is determined that he should not be so referred, his employment will be terminated.

(b) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration. *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(c) The new employee is of the male sex and is scheduled for thirty hours or more per week, without regard to the duration of the employment. Arrangements may be made for the use of certain existing hiring channels upon written delegation by the Area Director setting forth the conditions under which such hiring or referral is conducted.

(7) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(8) *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(i) The hiring of a new employee for agricultural employment.

(ii) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(iii) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii.

(iv) The hiring by a foreign, State, county or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(v) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(vi) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(9) *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

(10) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer or WMC officer and office, and the date of issuance.

(11) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(12) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of, or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(13) *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

(14) *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

(15) *Protection of seniority rights of workers.* A referral card shall be issued promptly to an individual when the individual has received from a former employer, with whom the worker has reemployment rights under an existing collective bargaining agreement, a notice that he must return to work for such employer in order to preserve his seniority rights.

(16) *Establishment of employment ceilings.* No employer of eight (8) or more full time employees may hire any full time male worker if the hire of such worker shall bring the employer's total full time male workers above the level established for that employer by the Area Director, except for the following exceptions:

(i) Veterans of World War II may be hired regardless of employment ceiling limitations: *Provided, however*, That subsequent separations are not to be replaced until such time as separations have brought total male employment to the ceiling limitations.

(ii) The Area Director may approve the hiring of a limited number of key employees requiring specialized training or experience even though current employment is at or above the assigned ceiling; *Provided, however*, That subsequent separations are not to be replaced until such time as separations have brought employment to the ceiling limitations.

SEC. 6. *Authority and responsibility of the Area Labor-Management War Manpower Committees.* The Area Labor-Management War Manpower Committees for Area No. 2 are authorized to consider questions of policy, standards, and safeguards in connection with the employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 7. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director.

SEC. 8. *Revocation of existing stabilization plan.* Area No. 2 (Metropolitan Chicago) Employment Stabilization Plan, Revised February 5, 1945, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of June 20, 1945.

SEC. 9. *Effective date.* This plan shall become effective at 12:01 A. M. on June 20, 1945.

Dated: June 15, 1945.

LESTER BROWN,
Area Director.

Approved: June 20, 1945.

W. H. SPENCER,
Regional Director.

[F. R. Doc. 45-12079; Filed, July 4, 1945; 12:19 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5046]

FREDERICK EISCHOFF

In re: Estate of Frederick Bischoff, also known as Fred Bishoff and Fred Bischoff, deceased; File No. D-28-8773: E. T. sec. 10707.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marie Roos in and to the estate of Frederick Bischoff, also known as Fred Bishoff and Fred Bischoff, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Marie Roos, Germany.

That such property is in the process of administration by Katherine Lindenmann, as Administratrix c. t. a. of the Estate of Frederick Bischoff, also known as Fred Bishoff and Fred Bischoff, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12008; Filed, July 4, 1945; 10:38 a. m.]

[Vesting Order 5047]

GERD BUSCH

In re: Estate of Gerd Busch, deceased. File D–28–9185; E. T. sec. 11864.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind of character whatsoever of Adelheid Jens, Elsa Simonett, Margareta Tiede, Hermann Buck, Johann Buck and Katherina Bruer, also known as Katharina Breuer, and each of them, in and to the estate of Gerd Busch, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Adelheid Jens, Germany.
Elsa Simonett, Germany.
Margareta Tiede, Germany.
Hermann Buck, Germany.
Johann Buck, Germany.
Katherina Bruer, also known as Katharina Breuer, Germany.

That such property is in the process of administration by Helen Major and Gerd H. Busch, Co-executors of the estate of Henry Busch, deceased, Executor of the estate of Gerd Busch, deceased, acting under the judicial supervision of the Union County Surrogate's Court, Elizabeth, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12009; Filed, July 4, 1945; 10:38 a. m.]

[Vesting Order 5048]

SARA CONCHA VIUDA DE GASTELU

In re: Estate of Sara Concha Viuda de Gastelu, deceased; File No. D–66–2000; E. T. sec. 11361.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Eugenia Gastelu in and to the Estate of Sara Concha Viuda de Gastelu, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Eugenia Gastelu, Hamburg, Germany.

That such property is in the process of administration by Albert P. Calvet, as Ancillary Administrator of the Estate of Sara Concha Viuda de Gastelu, deceased, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12010; Filed, July 4, 1945; 10:39 a. m.]

[Vesting Order 5049]

LOUIS J. EGDORF

In re: Estate of Louis J. Egdorf, deceased; File D–28–8511; E. T. sec. 10033.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Fred Egdorf and the issue, names unknown, of Fred Egdorf, and each of them, in and to the estate of Louis J. Egdorf, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Fred Egdorf, Germany.
The issue, names unknown, of Fred Egdorf, Germany.

That such property is in the process of administration by J. J. Coleman, Fairmount, Indiana, as Administrator of the estate of Louis J. Egdorf, deceased, acting under the judicial supervision of the Circuit Court of Grant County, Indiana;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12011; Filed, July 4, 1945; 10:39 a. m.]

[Vesting Order 5050]

SONIA GOLDSTEIN

In re: Estate of Sonia Goldstein, deceased; File No. D–57–388; E. T. sec. 12715.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Fannie Silverman in and to the estate of Sonia Goldstein, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely,

National and Last Known Address

Fannie Silverman, Rumania.

That such property is in the process of administration by Rose Grober and Sol Bernsky, as Administrators of the Estate of Sonia Goldstein, acting under the judicial supervision of the Cumberland County Orphans' Court, Bridgeton, New Jersey;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12012; Filed, July 4, 1945; 10:39 a. m.]

[Vesting Order 5051]

HENRY L. GRIESEDIECK

In re: Estate of Henry L. Griesedieck, deceased; File D–28–9494; E. T. sec. 12828.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Bertha Griesedieck in and to the estate of Henry L. Griesedieck, Deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Bertha Griesedieck, Germany.

That such property is in the process of administration by Henry L. Griesedieck, Jr., 219 Woodbourne Drive, St. Louis, Missouri, Anna K. Griesedieck, 2915 Russell Blvd., St. Louis, Missouri and Edward D. Jones, 300 N. Fourth Street, St. Louis, Missouri, as Executors and Executrix of the estate of Henry L. Griesedieck, deceased, acting under the judicial supervision of the St. Louis Probate Court, St. Louis, Missouri;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12013; Filed, July 4, 1945; 10:39 a. m.]

[Vesting Order 5052]

HERMINE HERTEL

In re: Guaranteed Mortgage Participation Certificate No. 46, Series 17, issued and guaranteed by Citizens Title Insurance and Mortgage Company and Prospect Securities Company to Hermine Hertel; File D–28–9241; E.T. sec. 12102.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate No. 46, Series 17, issued and guaranteed by Citizens Title Insurance and Mortgage Company and Prospect Securities Company, and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Hermine Hertel, Germany.

That such property is in the process of administration by Eugene E. Agger, Commissioner of Banking and Insurance of the State of New Jersey, Trustee in Liquidation, acting under the judicial supervision of the Court

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

of Chancery of New Jersey, Trenton, New Jersey;

And determining that to the extent that such a national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12014; Filed, July 4, 1945; 10:40 a. m.]

[Vesting Order 5053]

SOPHIE JEHLE

In re: Estate of Sophie Jehle, deceased; File D-28-8406; E. T. sec. 9808.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Helene Bossert, Richard Bossert, child or children, names unknown, of Robert Bossert, deceased, Emilie Blödner, and the child or children, names unknown, of Emilie Blödner, and each of them, in and to the estate of Sophie Jehle, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helene Bossert, Germany.
Richard Bossert, Germany.
Child or children, names unknown, of Robert Bossert, deceased, Germany.
Emilie Blödner, Germany
Child or children, names unknown, of Emilie Blödner, Germany.

That such property is in the process of administration by Ranstead S. Lehmann, 167 DuPage Street, Elgin, Illinois, as Executor of the estate of Sophie Jehle, deceased, acting under the judicial supervision of the Probate Court of Kane County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12015; Filed, July 4, 1945; 10:40 a. m.]

[Vesting Order 5054]

CHARLES A. KOEFFLER, JR.

In re: Estate of Charles A. Koeffler, Jr., deceased; File D-28-2249; E. T. sec. 3243.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Clara Berlet, Hans Theodore Eymess and Curt Eymess, and each of them, in and to the estate of Charles A. Koeffler, Jr., deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Clara Berlet, Germany.
Hans Theodore Eymess, Germany.
Curt Eymess, Germany.

That such property is in the process of administration by First Wisconsin Trust Company, 735 North Water Street, Milwaukee, Wisconsin, as Executor of the estate of Charles A. Koeffler, Jr., deceased, acting under the judicial supervision of the Milwaukee County Court, Milwaukee, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12016; Filed, July 4, 1945; 10:40 a. m.]

[Supplemental Vesting Order 5055]

BRUNO KOHLSTOCK

In re: Estate of Bruno Kohlstock, also known as Bruno Kohlstork and Bruno Kohlstuk, deceased; File D-66-1048; E sec. 10155.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the heirs, next of kin and distributees, names unknown, of Bruno Kohlstock, also known as Bruno Kohlstork and Bruno Kolstuk, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

The heirs, next of kin and distributees, names unknown, of Bruno Kohlstock, also known as Bruno Kohlstork and Bruno Kohlstuk, deceased, Germany.

That such property is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12017; Filed, July 4, 1945; 10:40 a. m.]

[Vesting Order 5056]

ANNA KULL

In re: Estate of Anna Kull, deceased; File D-28-9063; E. T. sec. 11586.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $11,000 in the possession and custody of John J. Kozaren, County Treasurer, in and for the County of Wayne, Michigan, deposited for the benefit of Rudolph Borchel, Mary Heise, Lena Voland, Heinrich Holtzhauer and Andreas Holtzhauer, pursuant to the order of the Probate Court for the County of Wayne, dated October 16, 1944, in the Estate of Anna Kull, deceased, subject however to any lawful commission and disbursements of the Treasurer in and for the County of Wayne, Michigan,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Rudolph Borchel, Germany.
Mary Heise, Germany.
Lena Voland, Germany.
Heinrich Holtzhauer, Germany.
Andreas Holtzhauer, Germany.

That such property is in the process of administration by the Treasurer of Wayne County, Michigan, as Depositary, acting under the judicial supervision of the Probate Court for the County of Wayne, Detroit, Michigan;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12018; Filed, July 4, 1945; 10:40 a. m.]

[Vesting Order 5057]

SOPHIA KUNDE ET AL.

In re: Sophia Kunde et al. vs. Karolien Runkel et al.; File No. D-28-7911; E. T. sec. 8708.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $3,401 deposited with the Clerk of the District Court of Marshall County, Kansas, Depositary, pursuant to the order of the District Court of Marshall County, Kansas, entered on the 7th day of January 1944, in a partition suit entitled "Sophia Kunde et al. vs. Karolien Runkel et al.", Case No. 10047,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karolien Runkel, Germany.
Erna Petrig, Germany.
Paula Ecker, Germany.
Emma Limberg, Germany.

That such property is in the process of administration by W. J. Koppes, Clerk of the District Court of Marshall County, Marysville, Kansas, as Depositary, acting under the judicial supervision of the District Court of Marshall County, Marysville, Kansas;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12019; Filed, July 4, 1945; 10:40 a. m.]

[Vesting Order 500A-168]

COPYRIGHTS OF DEUTSCHER VERLAG FÜR JUGEND UND VOLK AND ULLSTEIN A. G., GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on June 12, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Mit Herz Und Mund, 1931	Hans Enders, Gustav Moissl, & Dr. Curt Royter (nationalities not established).	Deutscher Verlag fur Jugend und Volk, Vienna-Liepzig, Germany (nationality German).	Owner.
Unknown	Die Mechanik in Grundzugen Im Verlag Ullstein, Berlin, 1928.	Dipl. Ing. Arnold Meyer (nationality not established).	Ullstein A. G., Berlin, Germany (nationality German).	Owner.
Unknown	Physik Im Alltag Im Verlag Ullstein, Berlin, 1928.	Ing. Fritz Grunewald (nationality not established).	Ullstein A. G., Berlin, Germany (nationality German).	Owner.
Unknown	Der Siegeszug der Elektrizität im Verlag Ullstein, Berlin, 1928.	Dr. Alfred Nippoldt (nationality not established).	Ullstein A. G., Berlin, Germany (nationality German).	Owner.

[F. R. Doc. 45-11918; Filed, July 3, 1945; 10:49 a. m.]

[Vesting Order 500A-169]

COPYRIGHTS OF CERTAIN AUSTRIAN AND GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on June 12, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Trachten der Alpenlaender 1937	Hans von Hammerstein (nationality not established).	Herbert Reichner Verlag, Wien, Leipzig, Germany (nationality Austrian).	Owner.
A [illegible] 1932	Langenscheidts taschenwoerterbuch der russischen und deutschen sprache. 2. t. Deutsch-russisch, 1929.	Karl Blattner of Switzerland (nationality Swiss).	Langenscheidtsch Verlagsbuchhandlung (Prof. G. Langenscheidt, g. m. b. h.), Halnstr. 29/30, Berlin-Schoneberg, Germany (nationality Germany).	Owner.
Unknown	Philosophisches Woerterbuch, 8th edition, 1931.	Schmidt (nationality not established).	A. Kroener, Leipzig, Germany (nationality German).	Owner.
Unknown	Auszewählte Untersuchungsverfahren für das chemische Laboratorium. 1931 and 1936. 2 vols. (Die chemische Analyse. Bd. 29 and 35).	L. W. Winkler (nationality not established).	F. Enke, Stuttgart, Germany (nationality Germany)	Owner.
Unknown	Vitamine und Hormone und ihre technische Darstellung, 1936, 1938, 1939. Pt. 1: Ergebnisse der Vitamin- und Harmonforschung. Pt. 2: Darstellung von Vitaminpraparaten. Pt. 3: Darstellung von Hormonpräparaten (ausser Sexualhormonpräparaten) (Chemie und Technik der Gegenwart. Bd. 15, 19, 20).	Hellmut Broderick, Franz Seitz and Erich Vincke (nationalities not established).	S. Hirzel, Leipzig, Germany (nationality German).	Owner.

[F. R. Doc. 45-11919; Filed, July 3, 1945; 10:49 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 68 Under 3 (e)]

PARK AND TILFORD

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Maximum prices for sales of "Tintex" a household dye in 3-ounce packages, are established as follows:

By the manufacturer—$19.94 net per gross.
By wholesalers—$24.69 per gross.
At retail—25¢ per package.

The above prices are subject to the same arrangements for payment of freight charges as prevail on sales of Tintex, 1½ oz.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a wholesaler, the manufacturer shall furnish each wholesaler with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of Tintex, 3-oz., after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum retail price 25 cents.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12044; Filed, July 4, 1945; 11:31 a. m.]

[Order 679 Under 3 (b), Amdt. 1]

S. C. JOHNSON & SON, INC.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to §§ 1499.3 (b) (2) and 1499.3 (e) of the General Maximum Price Regulation, Order No. 679, issued September 12, 1944, is amended in the following respects:

1. Paragraph (a) is amended by substituting, in the introductory sentence for the phrase "8, 16 and 21¾," the phrase "8, 16, 21¾, 63¼ and 32", and by adding to the table therein the following:

	Sales to wholesalers (Carton of 12 units)	Sales to dealers (carton of 12 units)	Sales at retail, delivered
			Each
63¼-ounce	$2.73	$3.12	$0.11
32-ounce	1.42	1.62	1.20

2. Paragraph (d) is amended by adding to the table therein the following:

	Dyes	
	63¼-ounce	32-ounce
(1) My maximum price (s) is (are) f. o. b. ..... (insert applicable point) per carton of 12 units each	$2.73	$1.42
(2) Your maximum prices) is (are) f. o. b. ..... (insert applicable point) per carton of 12 units each	3.42	1.62
(3) Maximum prices for sales at retail are: (each)	.11	1.20

3. Paragraph (e) is amended by adding to the table therein the following:

NOTICE

	Drax	
	6¾ oz.	32 oz.
(1) My maximum price(s) is (are) f. o. b. (insert applicable point) per carton of 12 units	$3.42	$10.17
(2) Maximum prices for sales at retail are (each)	.41	1.20

4. Paragraph (f) is amended by adding to the table therein the following items:

(4) 6¾ ounce containers "Retail Ceiling Price 41 cents."

(5) 32 ounce containers "Retail Ceiling Price $1.20"

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12015; Filed, July 4, 1945; 11:31 a. m.]

[RMPR 136, Order 457]

HYTRON RADIO AND ELECTRIC CORP.

AUTHORIZATION OF MAXIMUM PRICES

Correction

In Federal Register Document 45-10697, appearing on page 7371 of the issue for Tuesday, June 19, 1945, the third paragraph should be designated "(a)" instead of "(e)".

[MPR 188, Order 108 Under 2d Rev. Order A-3]

EMPIRE BRUSH WORKS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188; it is ordered:

(a) *Manufacturer's maximum prices.* Empire Brush Works of Port Chester, New York, may add the following adjustment charges to its maximum prices for sales and deliveries to the purchasers indicated in this order of the articles listed below, which it manufactures, and which are fully described in its application dated December 21, 1944, resulting in the following adjusted maximum prices:

Article	Model No.	Purchaser	Adjustment charge permitted by this order	Adjusted maximum price
				Per dozen
Cement-faced brush	5	McCrory Stores Corp. Sterling Stores Co., Inc. T. G. & Y. Stores Co. Rose's 5-10-25¢ Stores. Neisner Brothers, Inc.	$0.10	$1.75
	6	McCrory Stores Corp. Sterling Stores Co., Inc. Cornet 5-10-25¢ Store. T. G. & Y. Stores Co. Kuhn Bros. Co. Rose's 5-10-25¢ Stores. Duke & Ayres, Inc. McLellan's.	.10	1.75
	7	F. W. Woolworth Co. H. L. Green Co., Inc. McLellan's. McCrory Stores Corp. G. C. Murphy Co. W. T. Grant Co. Neisner Brothers, Inc.	.10	1.75
	8	McCrory Stores Corp.	.10	1.75
	11	H. L. Green Co., Inc. McLellan's McCrory Stores Corp. M. H. Daniels & Co. Ross Products. Williams Brush Co. G. C. Murphy Co. Universal Merchandise Co. Manhattan Bootblack Supply Co. S. H. Kress & Co. W. T. Grant Co.	.10	1.75
	B-536	H. L. Green Co., Inc. J. J. Newberry Co. Cornet 5-10-25¢ Store	.12	1.80

The adjustment charges authorized herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942, on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Purchasers for resale, listed in paragraph (a) of an article covered by this order may not increase their properly established maximum prices in effect immediately before the issuance of this order by any amount. If any such purchaser for resale did not have a maximum price in effect for the article when this order was issued, it may not add any adjustment charge to the maximum price which it hereafter establishes for its sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find its maximum resale price by using as costs its invoice cost less any adjustment charge stated on the invoice as a separate amount.

(c) *Notification.* On each sale and delivery at an adjusted price permitted by this order, Empire Brush Works shall furnish any purchaser listed in paragraph (a) with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

We are permitted to make the adjustment charge appearing on this invoice by Order No. 108 under 2d Rev. Order A-3 under MPR 188. You may not increase your established resale prices nor include any part of that separately stated adjustment charge in your cost in determining your resale price.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12047; Filed, July 4, 1945; 11:32 a. m.]

[MPR 188, Order 4027]

WILSON METAL MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum price, f. o. b. point of shipment, for sales by any person of the steel covered fire proof tank jacket galvanized finished manufactured by the Wilson Metal Manufacturing Company of Lincoln Park, Michigan, shall be:

	1-49, inclusive	50 or more
1. On sales to consumer	$3.95	
2. On sales to retailer	3.55	$3.55
3. On sales to nonstocking jobbers	3.30	3.10
4. On sales to stocking jobbers	3.20	3.00

(b) The maximum prices set forth in (a) above shall be subject to such discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices for sales on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(d) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for his sales to such purchasers and the maximum prices established for such purchaser's resale.

(e) The Wilson Metal Manufacturing Company shall stencil in a conspicuous place on its tank jacket the maximum price to consumers established by this order and shall identify such price as the maximum price to consumer.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12048; Filed, July 4, 1945; 11:32 a. m.]

[MPR 188, Order 4028]

SINCLAIR INDUSTRIES, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum list prices, f. o. b. point of shipment for sales by any person except retailers, of the following commodities manufactured by the Sinclair Industries, Inc., shall be:

	Per dozen
No. 99 hot air filter shield, floor model with walnut finish	$18.20
No. 69 hot air filter shield, wall model with walnut finish	11.90
No. 25 separate filter shield, with walnut finish	5.90

(b) The list prices specified in (a) above shall be subject to the following discounts:

	Percent
On sales to jobbers	50
On sales to retailers	33⅓

(c) The maximum net prices for sales by retailers of the following commodities manufactured by the Sinclair Industries, Inc., shall be:

	Each
No. 99 hot air filter shield, floor model with walnut finish	$1.50
No. 69 hot air filter shield, wall model with walnut finish	.99
No. 25 separate filter shield, with walnut finish	.49

(d) The maximum prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) Each seller, except a retailer, shall, at or before the time the first invoice is issued, notify each purchaser, in writing, of the seller's maximum price established under this order as well as the maximum price of each such purchaser upon resale.

(f) The Sinclair Industries, Inc., shall print in a conspicuous place on the box containing the filter shields and the separate filter priced in this order, the maximum retail prices as established in (c) above.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12049; Filed, July 4, 1945; 11:32 a. m.]

[RMPR 136, Order 458]

INDIAN MOTOCYCLE CO.

AUTHORIZATION OF MAXIMUM PRICES

Correction

In the table in paragraph (b) (1) of Federal Register Document 45-10698, appearing at page 7371 of the issue for Tuesday, June 19, 1945, the price should read "$510".

[MPR 188, Order 4029]

FORREST MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment, for sales by any person of the following brass anti-syphon ballcocks manufactured by the Forrest Manufacturing Company, of San Gabriel, California, shall be:

(1) On sales to consumers: Model X-2 brass anti-syphon ballcock with copper hush tube	$1.95
(2) On sales to plumbing and heating contractors, installers, commercial and industrial users: Model X-2 brass anti-syphon ballcock with copper hush tube	1.45
(3) On sales to plumbing and heating jobbers: Model X-2 brass anti-syphon ballcock with copper hush tube	1.08

(b) The maximum price specified in (a) (3) above on sales to plumbing and heating jobbers are subject to the following discounts and allowances:

	Percent
Broken lots (less than 50 pieces)	None
Lots of 50 and 100 pieces	None
Lots of 150 and 200 pieces (with freight prepaid to any destination in the United States)	less 2½
Lots of 250 to 1000 pieces, in multiples of 50 pieces (with freight prepaid to any destination in the United States)	less 10-2½
Lots of 1050 pieces up to carload lots in multiples of 50 pieces (with freight prepaid to any destination in the United States)	less 10-2½-3
Carload lots or more (with freight prepaid to any destination in the United States)	less 10-2½-3-2

(c) In addition to the discounts and allowances enumerated in (b) above, the maximum prices established by this order shall be subject to such further discounts, allowances including transportation alowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) The maximum prices for sales on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller, except on sales to a consumer, shall notify in writing, at or before the time of the first invoice, after the effective date of this order of the maximum prices established by this order for his sales to each purchaser and the purchasers maximum price on resale.

(f) The Forrest Manufacturing Company shall attach a tag to the commodity covered by this order and shall print in a conspicuous place on the tag the maximum price to consumers established by this order and shall identify such price as the maximum price to the consumer.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 12050; Filed, July 4, 1945; 11:33 a. m.]

[MPR 188, Order 4030]

AMERICAN GAS MACHINE CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is ordered:*

(a) The maximum prices, excluding federal excise taxes, for sales by any person to consumers of the following gas-fired water heaters manufactured by The American Gas Machine Company, Inc., of Albert Lea, Minnesota, shall be:

	Each
Model No. 6482—20 gallon gas fired water heater	$49.50
Model No. 6482-B—20 gallon bottled gas-fired water heater	57.00
Model No. 6483—30 gallon gas-fired water heater	54.20
Model No. 6483-B—30 gallon bottled gas-fired water heater	61.80

(b) The maximum net prices, excluding federal excise taxes, f. o. b. point of shipment for sales by any person to dealers of the following gas-fired water heaters manufactured by The American Gas Machine Company, Inc., of Albert Lea, Minnesota, shall be:

	Each
Model No. 6482—20 gallon gas fired water heater	$34.65
Model No. 6482-B—20 gallon bottled gas-fired water heater	39.90
Model No. 6483—30 gallon gas-fired water heater	37.94

	Each
Model No. 6483–B—30 gallon bottled gas-fired water heater	$43.26

(c) The maximum net prices, excluding federal excise taxes, for sales by The American Gas Machine Company, Inc. to jobbers of the following gas-fired water heaters manufactured by The American Gas Machine Company, Inc. of Albert Lea, Minnesota, shall be:

	Zone A	Zone B	Zone C	Zone D
Model No. 6482 20-gallon gas-fired water heater	$25.95	$26.50	$26.95	$27.95
Model No. 6482–B 20-gallon bottled gas-fired water heater	28.45	29.00	29.45	30.45
Model No. 6483 30-gallon gas-fired water heater	29.95	31.00	31.95	32.95
Model No. 6483–B 30-gallon bottled gas-fired water heater	32.45	33.50	34.45	35.45

(d) The maximum net prices specified in (c) above are f. o. b. point of manufacture with the following freight allowance:

	Cwt.
Zone A	$0.50
Zone B	1.00
Zone C	1.50
Zone D	2.00

The boundaries of the various zones referred to above shall be those set forth on a map filed by the American Gas Machine Company, Inc. as part of its application for maximum prices for the commodities covered by this order.

(e) In addition to the allowances provided for in (d) above, each seller shall extend such discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered, or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) The maximum prices for sales on the installed basis for the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(g) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for his sales to such purchasers and the maximum prices established for such purchasers' resale.

(h) The American Gas Machine Company of Albert Lea, Minnesota, shall stencil in a conspicuous place on each of the gas-fired water heaters covered by this order the maximum prices to consumer established by this order, and shall identify such price as the maximum price to consumer, excluding federal excise tax.

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12051; Filed, July 4, 1945; 11:33 a. m.]

[MPR 132, Order 4]

WATERPROOF AND CANVAS RUBBER FOOTWEAR

AUTHORIZATION OF MAXIMUM PRICES

Correction

In the table in Federal Register Document 45–10695, appearing at page 7370 of the issue for Tuesday, June 19, 1945, the next to the last price, now reading "1.50," should read "2.50."

[MPR 188, Order 4031]

COLLINS CONCRETE AND STEEL PIPE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment, for sales by any person of the trash burning hot water heater, painted finish, manufactured by the Collins Concrete and Steel Pipe Company of Portland, Oregon, and as described in its application of April 2, 1945, shall be:

1. On sales to consumers	$18.75
2. On sales to dealers	15.60
3. On sales to jobbers	12.75

(b) The maximum prices specified in (a) above shall be subject to a discount of 10 percent on quantities of 500 or more, and all other discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended, or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(d) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order, of the maximum prices established by this order for his sales to such purchasers and the maximum prices established for such purchaser's resale.

(e) The Collins Concrete and Steel Pipe Company shall stencil in a conspicuous place on its trash burning hot water heater the maximum consumer's price established by this order and shall identify such price as the maximum price to consumers.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12052; Filed, July 4, 1945; 11:34 a. m.]

[MPR 188, Order 4032]

PACIFIC ELECTRONICS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Pacific Electronics, 1130 West Sprague Avenue, Spokane, Wash.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices to— U. S. Government agencies and to jobbers	Retailers	Consumers
Record player	P–345	$12.28	$15.35	$27.95
	RP–45	10.73	13.40	24.50
	P–344	15.07	18.85	34.25
Radio receiver	610 C	20.65	25.80	47.85
	610 B	16.72	22.29	37.15

These prices are f. o. b. factory, are subject to a cash discount of 2 percent 10 days and are exclusive of Federal excise tax.

These maximum prices are for the articles described in the manufacturer's application dated April 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price
Model No.:
P–345 $27.95
RP–45 24.50
P–344 34.25
610 C 45.85
610 B 37.15
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 5th day of July 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12053; Filed, July 4, 1945; 11:34 a. m.]

[MPR 188, Order 4033]

D. L. TRUEHEART

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by D. L. Trueheart, 1276 Shakespeare Avenue, Bronx 52, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to— Jobbers	Retailers	For sales by any person to consumers
		Each	*Each*	*Each*
Bronze plated pin-up lamp (no shade)	100	$1.09	$1.25	$2.25
20½" bronze plated table lamp with paper parchment shade	200	3.40	4.00	7.20
Brass plated pin-up lamp with glass rosette trim (no shade)	300	1.09	1.25	2.25
21" glazed china table lamp base (no shade)	400	2.97	3.50	6.30

These maximum prices are for the articles described in the manufacturer's application dated June 5, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 5th day of July 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12054; Filed, July 4, 1945; 11:34 a. m.]

[MPR 188, Order 4034]

ELSTU LAMP REPAIRS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Elstu Lamp Repairs, 3434 West Roosevelt Road, Chicago 24, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to— Jobbers	Retailers	For sales by any person to consumers
		Each	*Each*	*Each*
Large pottery lamp	200	$7.23	$8.50	$15.30
Gold plated metal lamp	300	4.68	5.50	9.90
Pottery lamp	400	6.38	7.50	13.50
Metal lamp	500	4.68	5.50	9.90
Pottery lamp	600	5.95	7.00	12.60

These maximum prices are for the articles described in the manufacturer's application dated March 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 5th day of July 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12055; Filed, July 4, 1945; 11:34 a. m.]

[MPR 120, Order 1391]

ARCADIA CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In the table for Dallas Miller, appearing in Federal Register Document 45–9684, page 6789, issued for Wednesday, June 6, 1945, the first figure in Size Group No. 2, now reading "356", should read "358".

[MPR 189, Order 4035]

THE RUBY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Ruby Company, 773 Broadway, New York 3, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
Hurricane lamp	25/1000-R	$2.80	$3.30	$5.94
	26/1000-R	2.80	3.30	5.94
	25/401-C	1.98	2.34	4.21
	25/1000-C	2.43	2.87	5.17
	26/501-R	2.55	3.00	5.40
	25/1000-R	2.55	3.00	5.40
	25/401-R	2.34	2.76	4.97
	40/1000-C	2.43	2.87	5.17
	40/1000-R	2.55	3.00	5.40
	25/1000-C	2.55	3.00	5.40
	40/401-C	1.62	1.91	3.44
	40/1000-R	2.52	2.97	5.35
	40/1000-C	1.98	2.34	4.21
	40/401-R	1.98	2.34	4.21
	26/1000-R	3.40	4.00	7.20
	75-C	4.25	5.00	9.00
	75-R	5.01	5.94	10.69
Lamphase	85-R	3.82	4.50	8.10
	85-C	3.40	4.00	7.20
	50-C	5.01	5.94	10.69
	50-R	5.29	6.24	11.23

These maximum prices are for the articles described in the manufacturer's application dated April 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

CPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 5th day of July 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12056; Filed, July 4, 1945; 11:35 a. m.]

[MPR 260, Order 1436]

HARRY BEAVERSON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Harry Beaverson, R. D. #1, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Fabico	Perfecto	50	*Per M* $75	*Cents* 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12058; Filed, July 4, 1945; 11:36 a. m.]

[MPR 260, Order 1437]

JOAQUIN FLORES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Joaquin Flores, 1017 Intervale Avenue, Bronx 59, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Carranie	Coronas	50	*Per M* $72	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12059; Filed, July 4, 1945; 11:36 a. m.]

[MPR 260, Order 1438]

TAMPA VANA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Tampa Vana Cigar Co., 2007 11 St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Irh	Fancy Tales	50	*Per M* $120.00	*Cents* 3 for 50
El Romance	Blunts	50	72.00	9
Palm Tree	Belvederes	50	78.75	2 for 21

of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12060; Filed, July 4, 1945; 11:36 a. m.]

[MPR 260, Order 1439]

ARSULA F. SNYDER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Arsula F. Snyder, R. D. No. 1, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Honor Beater	Perfecto	50	*Per M* $40	*Cents* 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12061; Filed, July 4, 1945; 11:37 a. m.]

[MPR 260, Order 1440]

GALAN AND CASTILLO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Galan and Castillo, Betances Street, No. 5, Bayamon, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Galan Inveneible	5 inches	20	$61.00	8
Castillo Perfecto	5 inches	20	90.00	12
Galan Brevas Coronas	5½ inches	50	82.50	11
Galan Panatela	5½ inches	20	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12062; Filed, July 4, 1945; 11:38 a. m.]

[MPR 260, Order 1441]

BERNARD B. GARCIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Bernard B. Garcia, 1655 Tyler Street, Gary, Ind. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor de BBC Garcia	Jefferson	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12063; Filed, July 4, 1945; 11:38 a. m.]

[MPR 260, Order 1442]

CASTILLO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Castillo Cigar Factory, 1938 Main Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Joe Gamez	Corona De Luxe	50	$120	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12064 Filed, July 4, 1945; 11:38 a. m.]

[MPR 260, Order 1443]

FLORES CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Flores Cigar Factory, 1318½ 9th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flores Cigar	Reinas	50	$154	20
	Delicioso	50	138	18
	Cazador	50	154	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or front mark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12065, Filed, July 4, 1945; 11:39 a. m.]

[MPR 260, Order 1446]

CLAIR A. SHELLY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Clair A. Shelly, Chaley, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Governor Chase	2 for 11¢ Smokers	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by th-

order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12066; Filed, July 4, 1945; 11:39 a. m.]

[MPR 250, Order 1449]

ECHEVARRIA-BONACHEA Y CIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Echevarria-Bonachea y Cia, 2011 Eighth Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Schirmar	Coronas De Luxe	50	$82.50	11
	Reginas	50	109.00	22
	Corona Chica	50	141.00	3 for 55
	Queens	50	161.50	21
	Londres	50	165.00	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12067; Filed, July 4, 1945; 11:39 a. m.]

[MPR 260, Order 1450]

I. LEWIS CIGAR MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) I. Lewis Cigar Manufacturing Co., 165 Morris Ave, Newark 3, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Florida Melba	Selectos	50	$60	2 for 15
	Specials	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12068; Filed, July 4, 1945; 11:39 a. m.]

[MPR 260, Order 1452]

VALENTIN VINA & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1258.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Valentin Vina & Co., 2908 10 St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Valentin Vina	Cadetes	50	$60.00	2 for 15
Valentin	Rompecolas	50	101.50	21
La Normal	Gems	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12069; Filed, July 4, 1945; 11:40 a. m.]

[MPR 188, Order 3869]

EAST BIRMINGHAM BRONZE FOUNDRY CO.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-8909, appearing in the issue for Saturday, May 26, 1945, page 6142, the bracketed headnote should read as set forth above.

[MPR 260, Order 1453]

SALERNO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Salerno Cigar Factory, 2907 11th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
"Salerno"	Captain	50	$82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12070; Filed, July 4, 1945; 11:40 a. m.]

[MPR 260, Order 1454]

G. D. LOMBARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) G. D. Lombard, Ponce de Leon Stop 26½, San Juan, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La India	Coronas	50	$75.00	11
The Chief	do	50	82.50	11
Lord Rochester	Corona Superior	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales

of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same class shall be allowed on corresponding sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12071; Filed, July 4, 1945; 11:40 a. m.]

[MPR 260, Order 1455]

JOSE R. HERNANDEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose R. Hernandez Cigar Factory, 2418 Stuart Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Arigmahalo	Coronas	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12072; Filed, July 4, 1945; 11:41 a. m.]

[MPR 260, Order 1456]

FRANCISCO GALAN LOPEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Francisco Galan Lopez, Bo Galateo, Toa Alta, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Naguila	Corona [illegible]	50	$21	[illegible]

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12073; Filed, July 4, 1945; 11:41 a. m.]

[MPR 260, Order 1457]

JOAQUIN MENDEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Joaquin Mendez, 1807 17th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Linda Amelia	Coronas	50	$82.50	11
	Coronitas	50	82.50	11
	Baby	50	40.00	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same class shall be allowed on corresponding sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12074; Filed, July 4, 1945; 11:41 a. m.]

[MPR 260, Order 1458]

MANUEL DIAZ MORA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Manuel Diaz Mora, Montana, San Antonio, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
$4.00 per 1,000	4½ inches long; ½ inch diameter.	50	$32	4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12075; Filed, July 4, 1945; 11:42 a. m.]

[2d RMPR 213, Order 22]

BANNER BED CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 9 (b) (1) of Second Revised Maximum Price Regulation No. 213, it is ordered:

(a) *Maximum prices.* The maximum prices for all sales and deliveries to the classes of purchasers specified of the Airest Spring Steel Bed Spring manu-

factured by Banner Bed Company, of 3622 South Morgan Street, Chicago 9, Illinois, which is described in the application of the manufacturer dated May 10, 1945, are those set forth below:

For sales to retailers	$10.50
For sales to ultimate consumers	19.95

Sales by the manufacturer are f. o. b. Chicago, Illinois, and they are subject to a cash discount of 2%, 10th Prox. Sales by retailers are subject to the seller's customary terms, discounts, allowances and other price differentials to each class of purchaser.

(b) *Notification.* Banner Bed Company shall notify, in writing, all retailers who purchase the bedspring, described above, of the maximum price established by this order for sales at retail. This notice may be given in any convenient form, and shall be given at the time of or prior to the first invoice to each retailer covering a sale of the bedspring described above.

(c) *Tagging.* Before delivering the bedspring described above, Banner Bed Company must attach securely to each bedspring a durable tag containing in easily readable lettering the following:

OPA has established a retail ceiling of $19.95 for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(d) Unless the context otherwise requires, the definitions set forth in Second Revised Maximum Price Regulation No. 213 shall apply to the terms used in this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 5th day of July 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12057; Filed, July 4, 1945; 11:36 a. m.]

[MPR 580, Amdt. 1 to Order 21]

ROBERT REIS & CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Order No. 21, Amendment 1. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-105.

For the reasons set forth in an opinion issued simultaneously herewith, Order No. 21 under section 13 of Maximum Price Regulation 580 is amended as follows:

Paragraph (a) is amended by adding the following ceiling prices at retail for the articles described below:

Article	Style No.	Manufacturer's ceiling price	Ceiling price at retail
		Per doz	*Each*
Seamless: Athletic short 50% cotton 50% rayon	Model M	$7.20	$1.00
Brief short 50% cotton 50% rayon	Model B	7.25	1.00

This amendment shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12076; Filed, July 4, 1945; 11:42 a. m.]

[MPR 580, Amdt. 1 to Order 25]

A. STEIN & CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Order No. 25, Amendment 1. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-202.

For the reasons set forth in an opinion issued simultaneously herewith, Order No. 25 under section 13 of Maximum Price Regulation 580 is amended as follows:

Paragraph (a) is amended by adding to the application filed by A. Stein & Company, dated April 6, 1945, the following articles and ceiling prices at retail as stated below:

Article	Manufacturer's price line (per dozen)	Ceiling price at retail (per unit)
Hickory girdles	$18.00 to $18.50, inclusive	$3.95
	$19.00 to $19.20, inclusive	4.50
Paris belts	$7.20	1.00
	$33.00	5.00

This amendment shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12077; Filed, July 4, 1945; 11:42 a. m.]

[MPR 260, Order 1444]

CACCIOLA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cacciola Cigar Co., 700 South Queen St., York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Rocco's Corona	Corona	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12094; Filed, July 4, 1945; 4:07 p. m.]

[MPR 260, Order 1445]

M. S. CIGAR MANUFACTURER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. S. Cigar Manufacturer, 213 S. Broadway, Los Angeles 12, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Mako	Queen	50	$90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12095; Filed, July 4, 1945; 4:07 p. m.]

[MPR 260, Order 1447]

WHITMAN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Whitman Cigar Co., 1050 So. Los Angeles St., Los Angeles, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Whitman	Whitman	50	$75	10
L. A. Jr.	L. A. Jr.	50	44	2 for 11
El Stato	Club House	50	72	9
Iago	do	50	105	14
L. A.	L. A.	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12096; Filed, July 4, 1945; 4:07 p. m.]

[MPR 260, Order 1448]

ALBERT H. KLOTZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Albert H. Klotz, 1115 W. Scott St., Milwaukee 4, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Lunda	5-inch Straight	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the

same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12097; Filed, July 4, 1945; 4:07 p. m.]

[MPR 260, Order 1451]

JOSE M. BAERGA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose M. Baerga, Bo Guardanuya, Patillas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
	(1) Bulk	50	*Per M* $32	*Cents* 4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12098; Filed, July 4, 1945; 4:08 p. m.]

Regional and District Office Orders.

[Region VI Order G-22 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN CHICAGO REGION

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in an Opinion issued herewith, it is ordered:

(a) *What this order does.* This order adjusts the maximum prices for the sale of Pennsylvania Anthracite of all dealers whose coal is obtained from all rail or dock facilities and whose maximum prices for the sale of such solid fuels are now established under area pricing orders of Region VI of the Office of Price Administration.

(b) *Geographical applicability.* This order applies to all sales where the buyer receives physical delivery within the areas covered by each area pricing order in Region VI, which includes the State of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Lake County, Indiana.

(c) *Price adjustments.* On Pennsylvania Anthracite obtained from mines by all rail or from dock facilities, the sale of which is governed by maximum prices established by Region VI Orders G-1 to G-16 under Revised Maximum Price Regulation No. 122 inclusive, and appendices thereto, and any other Region VI area pricing orders issued under that regulation, dealers are hereby permitted to increase their maximum prices in accordance with the schedule below:

Description	Increase per Ton
Egg, stove, and nut	$1.00
Pea	.85
Buckwheat	.50
Rice	.50
Barley and smaller	.25

(d) This Order No. G-22 shall remain in effect in each area covered by a Region VI area pricing order until such area order is amended to reflect the price increase permitted herein and to supersede this Order No. G-22.

(e) *Effect of order on Revised Maximum Price Regulation No. 122.* In so far as any provision of this order may be inconsistent with any provision of Revised Maximum Price Regulation No. 122, as amended, the provisions contained in this order shall be controlling. Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

(f) This order may be revoked, amended, or modified at any time.

This order shall become effective retroactively as of June 18, 1945.

Issued this 22d day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-11996; Filed, July 3, 1945; 4:36 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 2, 1945.

REGION I

New England Order 7-F, Amendment 5, covering fresh fruits and vegetables in certain areas in New England Area. Filed 2:44 p. m.

REGION II

Baltimore Order 41, covering dry groceries. Filed 1:56 p. m.

REGION III

Cincinnati Order 5-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Ohio. Filed 3:00 p. m.

Cincinnati Order 7-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Ohio. Filed 3:00 p. m.

Detroit Order 5-F, Amendment 20, covering fresh fruits and vegetables in Wayne and Macomb Counties, Michigan. Filed 3:00 p. m.

REGION IV

Atlanta Order 8-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:51 p. m.

Atlanta Order 8-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:51 p. m.

Atlanta Order 9-F, Amendment 10, covering fresh fruits and vegetables in Bibb and Muscogee, Georgia and Phenix City, Alabama. Filed 2:51 p. m.

Atlanta Order 9-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:50 p. m.

Atlanta Order 16, Amendment 5, covering eggs in certain areas in Georgia. Filed 2:50 p. m.

Memphis Order 6-F, Amendment 36, covering fresh fruits and vegetables in Memphis and Shelby County, Tennessee. Filed 2:59 p. m.

Montgomery Order 24-F, Amendment 33, covering fresh fruits and vegetables in Dallas County, Alabama. Filed 2:58 p. m.

Roanoke Order 11-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Virginia. Filed 2:59 p. m.

Savannah Order 7-F, Amendment 36, covering fresh fruits and vegetables in certain areas in Georgia. Filed 2:59 p. m.

Savannah Order 9-F, Amendment 36, covering fresh fruits and vegetables in certain areas in Georgia. Filed 2:59 p. m.

Savannah Order 10-F, Amendment 36, covering fresh fruits and vegetables in certain areas in Georgia. Filed 2:59 p. m.

REGION VI

Milwaukee Order 8-F, Amendment 14, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 2:54 p. m.

Milwaukee Order 9-F, Amendment 14, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties, Wisconsin. Filed 2:54 p. m.

Milwaukee Order 11-F, Amendment 6, covering fresh fruits and vegetables in Milwaukee, Racine and Kenosha, Wisconsin. Filed 2:54 p. m.

Omaha Order 24, Amendment 9, covering dry groceries in certain areas in Nebraska and Iowa. Filed 2:53 p. m.

REGION VII

Albuquerque Order 8-F, Amendment 21, covering fresh fruits and vegetables in Albuquerque, New Mexico. Filed 2:50 p. m.

Albuquerque Order 9-F, Amendment 8, covering fresh fruits and vegetables in the Albuquerque Area. Filed 2:58 p. m.

Albuquerque Order 10-F, Amendment 9, covering fresh fruits and vegetables. Filed 2:58 p. m.

Albuquerque Order 11-F, Amendment 10, covering fresh fruits and vegetables. Filed 2:58 p. m.

Albuquerque Order 12-F, Amendment 9, covering fresh fruits and vegetables. Filed 2:58 p. m.

Helena Order 92, Amendment 3, covering dry groceries in certain counties in Montana. Filed 2:55 p. m.

Helena Order 93, Amendment 4, and Amendment 4 to Order 8-W, covering dry groceries in Billings, Butte and Great Falls. Filed 2:55 p. m.

Helena Order 94, Amendment 4, covering dry groceries in certain areas in Montana. Filed 2:55 p. m.

Helena Order 95, Amendment 4, and Amendment 4 to Order 9-W, covering dry groceries in Havre, Kalispell and Missoula. Filed 2:55 p. m.

Helena Order 96, Amendment 4, covering dry groceries in certain areas in Montana. Filed 2:56 p. m.

Helena Order 97, Amendment 4, covering dry groceries in the state of Montana. Filed 2:56 p. m.

REGION VIII

Fresno Order 1-F, Amendment 75, covering fresh fruits and vegetables in Fresno, California. Filed 2:49 p. m.

Fresno Order 2-F, Amendment 63, covering fresh fruits and vegetables in Modesta. Filed 2:49 p. m.

Fresno Order 3-F, Amendment 60, covering fresh fruits and vegetables in certain areas in California. Filed 2:49 p. m.

Fresno Order 4-F, Amendment 35, covering fresh fruits and vegetable in certain counties in California. Filed 2:49 p. m.

Fresno Order 5-F, Amendment 16, covering fresh fruits and vegetable in certain counties in California. Filed 2:49 p. m.

Fresno Order 6-F, Amendment 46, covering fresh fruits and vegetables in certain areas in California. Filed 2:50 p. m.

Fresno Order 7-F, Amendment 25, covering fresh fruits and vegetables in certain areas in California. Filed 2:50 p. m.

Nevada Order 6-F, Amendment 18, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 2:56 p. m.

Nevada Order 7-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Nevada. Filed 2:56 p. m.

Nevada Order 8-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Nevada. Filed 2:57 p. m.

Nevada Order 9-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Nevada. Filed 2:57 p. m.

Nevada Order 10-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Nevada. Filed 2:57 p. m.

Portland Order 1-B, Amendment 2, covering cheese. Filed 2:47 p. m.

Portland Order 1-D, covering butter and cheese in the Portland Area. Filed 2:47 p. m.

Portland Order 1-D, Amendment 1, covering butter and cheese in the Portland Area. Filed 2:47 p. m.

Portland Order 2-P, Amendment 7, covering fresh fish and seafood in Vanport, and Portland, Oregon, and Vancouver, Washington. Filed 2:48 p. m.

Portland Order 2-W, Amendment 1, covering dry groceries in certain areas in Oregon. Filed 2:48 p. m.

Portland Order 2-W, Amendment 2, covering dry groceries in certain areas in Oregon. Filed 2:48 p. m.

Portland Order 3-W, covering dry groceries in the Klamath Falls Area. Filed 2:48 p. m.

Portland Order 11-C, Amendment 5, covering poultry in the Portland Area. Filed 2:47 p. m.

Portland Order 20, Amendment 9, covering dry groceries in certain areas in Oregon. Filed 2:44 p. m.

Portland Order 20, Amendment 10, covering dry groceries in certain areas in Oregon. Filed 2:44 p. m.

Portland Order 20, Amendment 11, covering poultry in certain areas in Oregon. Filed 2:45 p. m.

Portland Order 27, Amendment 5, covering dry groceries in certain areas in Oregon. Filed 2:45 p. m.

Portland Order 27, Amendment 6, covering dry groceries in certain areas in Oregon. Filed 2:45 p. m.

Portland Order 27, Amendment 7, covering dry groceries in certain areas in Oregon. Filed 2:45 p. m.

Portland Order 27, Amendment 8, covering dry groceries in certain areas in Oregon. Filed 2:45 p. m.

Portland Order 28, Amendment 6, covering dry groceries in certain areas in Oregon. Filed 2:45 p. m.

Portland Order 28, Amendment 7, covering dry groceries in certain areas in Oregon. Filed 2:46 p. m.

Portland Order 28, Amendment 8, covering dry groceries in certain areas in Oregon. Filed 2:46 p. m.

Portland Order 29, Amendment 4, covering dry groceries in certain areas in Oregon. Filed 2:46 p. m.

Portland Order 30, Amendment 6, covering dry groceries in certain areas in Oregon. Filed 2:46 p. m.

Portland Order 30, Amendment 7, covering dry groceries in certain areas in Oregon. Filed 2:47 p. m.

Phoenix Adopting Order 1-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:57 p. m.

Phoenix Adopting Order 8-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:58 p. m.

Seattle Order 6-F, Amendment 39, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 2:53 p. m.

Seattle Order 7-F, Amendment 36, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 2:53 p. m.

Seattle Order 7-F, Amendment 37, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 2:53 p. m.

Seattle Order 8-F, Amendment 34, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 2:53 p. m.

Seattle Order 9-F, Amendment 39, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 2:52 p. m.

Seattle Order 10-F, Amendment 33, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 2:52 p. m.

Seattle Order 11-F, Amendment 33, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 2:52 p. m.

Seattle Order 11-F, Amendment 34, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 2:52 p. m.

Seattle Order 12-F, Amendment 33, covering fresh fruits and vegetables in the Aberdeen and Hoquiam, Washington Area. Filed 2:52 p. m.

Seattle Order 13-F, Amendment 34, covering fresh fruits and vegetables in the Centralia and Chehalis, Washington Area. Filed 2:52 p. m.

Seattle Order 14-F, Amendment 35, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington Area. Filed 2:52 p. m.

Seattle Order 15-F, Amendment 32, covering fresh fruits and vegetables in the Yakima, Washington Area. Filed 2:51 p. m.

Spokane Order 10-F, Amendment 20, covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho. Filed 2:51 p. m.

Spokane Order 11-F, Amendment 20, covering fresh fruits and vegetables in Latah County, Idaho and Whitman, Washington. Filed 2:51 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-12090; Filed, July 4, 1945; 4:06 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 52]

SOLID FUELS IN BOSTON AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

In the provision for "Orange Disc" in subparagraph (2) of paragraph (e), the "Note" relating to the expiration date for said provision is hereby deleted.

This Amendment No. 52 shall become effective as of June 4, 1945.

Issued this 12th day of June 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-11969; Filed, July 3, 1945; 4:28 p. m.]

[Region I Rev. Supp. Order 2 Under RMPR 122, Amdt. 19]

NAMED PENNSYLVANIA ANTHRACITES IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. The following is added to the table in paragraph (a):

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Gowen:				
Broken, egg, stove, chestnut, and pea	$0.50	$0.25	$0.15	None
Buckwheat	.35	.20	.10	None
Rice	.15	.10	None	None

2. The words "Gowen" is inserted in subparagraph (2) of paragraph (e).

3. Subparagraph (28) is added to paragraph (e) to read as follows:

(28) "Gowen" means that Pennsylvania Anthracite produced by the Morrellville Coal Mining Company and prepared at its Gowen Breaker and which meets the quality and preparation standards established by Order No. L-18 under Maximum Price Regulation No. 112.

This Amendment No. 19 to Revised Supplementary Order No. 2 shall become effective as of June 12, 1945.

Issued this 12th day of June 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-11970; Filed, July 3, 1945; 4:28 p. m.]

[Fargo-Moorhead Order G-1 Under RMPR 259]

MALT BEVERAGES IN FARGO-MOORHEAD, N. DAK.-MINN., DISTRICT

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What the order does.* In accordance with the provisions of section 4.1 (c) of RMPR 259, as amended, this order establishes a base delivery zone for wholesalers, and brewers required to price as wholesalers, of bottled and canned domestic malt beverages by establishing the geographical limits of such a zone.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers, and brewers required to price as wholesalers, of bottled and canned domestic malt beverages whose shipping points are located within the Counties of Kittson, Roseau, Marshall, Pennington, Red Lake, Polk, Clearwater, Norman, Mahnomen, Clay, Becker, Hubbard, Wilkin, Ottertail, Wadena, Traverse, Grant and Douglas, all in the State of Minnesota. The provisions of this order shall not apply to distributors of bottled and canned domestic malt beverages whose shipping points are located within the cities of East Grand Forks in Polk County and Moorhead in Clay County, both in Minnesota.

SEC. 3. *Applicability*—(a) *Within the base delivery zone.* Sellers located within the base delivery zone described in section 2 of this order may not charge for delivery within the area described above and such sellers' ceiling prices shall not exceed those prescribed by RMPR 259, as amended.

(b) *Outside the base delivery zone.* Sellers located in the base delivery zone defined in section 2 of this order may add for deliveries made beyond the area described in section 2 the charges prescribed by Table 5, section 4.2 (b) (4) of RMPR 259, as amended.

(c) *Wholesalers located outside the base delivery zone.* This order shall not apply to wholesalers located outside the area described in section 2 of this order.

SEC. 4. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective immediately.

Issued this eighteenth day of June 1945.

JAMES S. ERIKSSON,
Acting District Director.

[F. R. Doc. 45-11968; Filed, July 3, 1945; 4:28 p. m.]

[Region III Order G-1 Under RMPR 251]

INSTALLED SIDING IN THE DETROIT, MICH., AREA

An opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

In the judgment of the Regional Administrator of Region III of the Office of Price Administration, the maximum prices established by this order are generally fair and equitable and are necessary to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

Therefore, under the authority vested in the Regional Administrator by section 9 of Revised Maximum Price Regulation No. 251, and by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Order No. G-1 is hereby issued.

ARTICLE I—TRANSACTIONS COVERED BY THIS ORDER; ITS RELATIONSHIP TO REVISED MAXIMUM PRICE REGULATION NO. 251; AND GEOGRAPHICAL APPLICABILITY

SECTION 1. *Transactions covered by this order.* (a) This order covers (1) sales of composition siding on an installed basis, (2) construction services preparatory to such installations, and (3) additional services unrelated to such installations.

"Composition siding" means types of siding used in new and re-siding jobs such as asbestos-cement and insulated brick or stone but not wood shingles or wood siding.

"Installed basis" means a transaction in which the seller furnishes composition siding and related materials or services required to incorporate such siding into a building or structure.

"Related materials or services" means the furnishing and installation of leveling strips, felt, felt strips, corner beads, calking, mouldings, nails, and other materials, labor cost, other job costs, commissions or brokerage directly related to and necessary to such installations.

"Construction services preparatory to such installations" means all services which are necessary to place a structure in repair prior to installation. (Example—boxing in of concrete, cement block, natural stone, or brick basement walls, construction of new dormer, etc.)

"Additional services unrelated to such installations" means separate work or services which may be performed apart from siding installations (for example, roof repairs, painting, etc.), and not necessary for direct siding installation.

(b) The kinds of siding installation covered by this order are: (1) Asbestos-cement siding of standard surface hardness; (2) Insulated brick or insulated stone siding.

SEC. 2. *Relationship of this Order No. G-1 to Revised Maximum Price Regulation No. 251.* (a) The provisions of this order supersede sections 6, 7 and 8 of Revised Maximum Price Regulation No. 251, except as otherwise provided in this order, with respect to sales of siding on an installed basis.

(b) An employer paying labor rates higher than those in effect for him on the effective date of this order, by reason of a predetermination of wage rates by the Secretary of Labor under the Davis-Bacon Act or an order or authorization of the Wage Adjustment Board, National War Labor Board or Economic Stabilization Director, may add his increased labor cost to his maximum price as determined under this order. For the purpose of this paragraph "increased labor cost" means the difference in amount between the employer's labor cost based upon labor rates in effect on the effective date of this order, and his labor cost based upon such legally approved rates, plus his additional payments for Federal old-age benefits, unemployment compensation taxes, and public liability insurance. It should be noted that the increased labor cost is to be added to the maximum price determined by this order.

An application need not be made to the Office of Price Administration nor its prior approval obtained in order to put into effect the maximum price increases described in this paragraph (b).

(c) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all provisions of Revised Maximum Price Regulation No. 251, together with all amendments that have been or hereafter may be issued.

SEC. 3. *Geographical applicability.* This order shall apply in the Detroit, Michigan, area, more particularly defined as the counties of Clinton, Eaton, Ingham, Jackson, Hillsdale, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne, all in the State of Michigan.

ARTICLE II—MAXIMUM PRICES FOR INSTALLED SIDING

SEC. 4. *Maximum prices for sales of siding on an installed basis including related materials and services.* The maximum prices for sales of siding on an installed basis shall be as shown in the following Table I of this section, and shall be upon a price per square basis for the kinds and sizes described. Such prices include:

(a) The cost of siding materials delivered to the site where the installation is to be performed.

(b) The cost of accessories used in the insulation of the siding, which means, but is not limited to, leveling material, backer board, felt and or felt strips, corner beads, calking, mouldings, nails or other necessary material.

(c) Labor costs, including Federal old-age benefits, unemployment compensation taxes and workmen's compensation and public liability insurance.

(d) Other job costs, including trucking, removal of rubbish, rental of scaffold or other equipment (if any).

(e) Markup, which includes commission or brokerage.

TABLE I

The maximum prices are as follows:

	Per square
Asbestos-cement siding of standard surface hardness:	
Installed over backer board	$28.00
Installed without backer board	27.00
Sizes 12" x 24" or 12" x 27" insulated brick or insulated stone siding (fiber insulation board base)	28.50

SEC. 5. *Measurements.* It shall be the seller's responsibility to ascertain that all measurements of the area to be covered are accurate; such measurements including allowance for wastage and overlap shall be made as follows:

(a) On installation jobs of ten squares or less, sellers shall compute the over-all area to be covered with siding without allowance for doors or windows. On installation jobs of more than ten squares, the seller must deduct one-half of the area of doors and windows from the overall area, *or*

(b) Sellers may use the following alternative method of determining the net area on which the contract price shall be based: deduct the full area of all windows and door openings from the overall area; to the net area so determined, add 8 percent, bringing the resulting figure up to the nearest larger half or full square.

A tolerance of 3 percent of the net area may be allowed in either of the computations under paragraphs (a) and (b) above; if in excess of 3 percent, an adjustment will be required to the area established by paragraphs (a) and (b) above.

SEC. 6. *Maximum prices for certain services*—(a) *Construction services preparatory to installations.* The maximum prices that may be charged by sellers of preparatory construction services which are necessary to place a structure in repair prior to installation shall be the maximum prices established in accordance with Revised Maximum Price Regulation No. 251.

(b) *Additional services unrelated to installations.* The maximum prices that may be charged by sellers of additional services unrelated to installations shall be the maximum prices established in accordance with Revised Maximum Price Regulation No. 251.

SEC. 7. *Quoting a "guaranteed price."* The seller may offer to sell a siding job covered by this order on the basis of a "guaranteed price" wherein the seller agrees to charge a fixed amount: *Provided, however,* That the so-called "guaranteed price" must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order. Upon completion of the contract, if requested by the purchaser, the seller is required to furnish the purchaser with an itemized statement showing the number of squares, the net area and the maximum price per square for the material used as shown in Table I above, and an itemization of the amount for incidental work.

SEC. 8. *Notification to purchasers of existence of order and Revised Maximum Price Regulation No. 251.* Every person making sales subject to this order shall, if requested by the purchaser, show the purchaser a copy of this Order and Revised Maximum Price Regulation No. 251.

ARTICLE III—MISCELLANEOUS

SEC. 9. *Revocation.* This order may be revised, amended, or revoked at any time by the Office of Price Administration.

This Order No. G-1 shall become effective June 11, 1945.

Issued: June 11, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-11974; Filed, July 3, 1945; 4:30 p. m.]

[Region III Order G-4 Under RMPR 333]

EGGS IN CLEVELAND REGION

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administration by section 3.3 (f) of Revised Maximum Price Regulation No. 333, as amended, it is hereby ordered:

(a) *What this order does.* This order permits the sale and delivery within Region III of "light dirty" eggs to United States Government Agencies under certain conditions hereinafter set forth.

(b) Any person may sell "light dirty" eggs to Government Agencies under the following conditions:

(1) The "light dirty" eggs to be sold at the maximum prices provided herein must, as to interior quality, meet the specifications for one of the following grades: Procurement Grades I or II or Consumer Grade A, or better;

(2) The eggs must be inspected and certified as being of the required interior quality to meet the specifications for the grade by an authorized inspector of either the United States Department of Agriculture or the United States Army Veterinarian Corps;

(3) The eggs may be sold in any suitable container, either sealed or unsealed;

(4) The maximum price for "light dirty" eggs shall be one cent less per dozen than the maximum price for the equivalent grade and size of clean eggs, but in no event higher than one cent less than the maximum price for Consumer Grade A large.

(c) *Geographically applicability.* The provisions of this order shall be applicable to all sales pursuant to which delivery is made at any point within the states of Indiana (except the County of Lake), Kentucky, Michigan, Ohio and West Virginia.

(d) *Definitions.* (1) "Light dirty" eggs means that the individual egg has not more than one eighth (⅛) of the shell surface slightly stained, slightly soiled, or slightly dirty, but without loose adhering dirt.

(2) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in Revised Maximum Price Regulation No. 333, as amended, shall apply to all other terms used herein.

This order shall become effective June 13, 1945.

Issued: June 13, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-11973; Filed, July 3, 1945; 4:29 p. m.]

[Region III Rev. Order G-5 Under RMPR 122, Amdt. 7]

SOLID FUELS IN AKRON, BARBERTON, CUYAHOGA FALLS, AND SILVER LAKE VILLAGE, OHIO

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.-

260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That the title of Revised Order No. G–5 under Revised Maximum Price Regulation No. 122 and paragraphs (a) and (e) of such order be amended to read as follows:

(a) *What this order does.* This order establishes prices for sales of specified solid fuels made within the corporate limits of Akron, Barberton, Cuyahoga Falls and Silver Lake Village in the State of Ohio. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

* * * * *

(e) *Schedule of service charges.* The maximum price for any service rendered by a dealer in connection with a sale or handling of solid fuel shall be the highest price charged by the dealer during December 1941 for the same service. If, during December, 1941, the dealer rendered any service without charge, he shall continue to do so. Although a dealer may have, during December 1941, rendered other services than those here enumerated, dealers customarily render these services subject to this order: carry, wheel, trimming and storing in the bin, bagging, shovel and dust treatment of coal.

For delivery beyond the limits of the area order but within two miles of the area, a charge of 25¢ a ton may be made.

For delivery over two miles beyond the limits of the area order a charge of 50¢ per ton may be made.

This Amendment No. 7 to Revised Order No. G–5 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11992; Filed, July 3, 1945; 4:35 p. m.]

[Region III Order G–9 Under RMPR 122, Amdt. 11]

SOLID FUELS IN MARION COUNTY, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part V of paragraph (c) of Order No. G–9 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
V. Anthracite (Pennsylvania) egg, stove and chestnut sizes	$17.40

This Amendment No. 11 to Order No. G–9 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11991; Filed, July 3, 1945; 4:34 p. m.]

[Region III Order G–10 Under RMPR 122, Amdt. 3]

SOLID FUELS IN ST. JOSEPH COUNTY, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part VI of paragraph (c) (1) of Order No. G–10 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III
VI. Anthracite (Pennsylvania) egg, stove, and nut sizes	$16.60	$15.60

This amendment No. 3 to Order No. G–10 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11990; Filed, July 3, 1945; 4:34 p. m.]

[Region III Order G–13 Under RMPR 122, Amdt. 9]

SOLID FUELS IN TOLEDO, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part IV of paragraph (c) (1) of Order No. G–13 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III
IV. Anthracite (Pennsylvania) egg, stove, and chestnut sizes	$15.55	$15.10

This Amendment No. 9 to Order No. G–13 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11989; Filed, July 3, 1945; 4:34 p. m.]

[Region III Order G–14 Under RMPR 122, Amdt. 8]

SOLID FUELS IN SAGINAW, CASEOLLTON ZILWAUKEE AND BRIDGEPORT, AND TOWNSHIPS OF KOCHVILLE, BUENA VISTA AND SAGINAW, MICH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part IV of paragraph (c) of Order No. G–14 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III
IV. Anthracite (Pennsylvania) N. River H. Egg, stove, and nut	$16.05 15.55	$15.60 15.10

This Amendment No. 8 to Order No. G–14 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11988; Filed, July 3, 1945; 4:34 p. m.]

[Region III Order G–20 Under RMPR 122, Amdt. 5]

SOLID FUELS IN LANSING, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part V of paragraph c of Order No. G–20 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III	Column IV
V. Pennsylvania anthracite egg, stove, and chestnut	$16.65	$16.20	$15.75

This amendment No. 5 to Order No. G–20 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11987; Filed, July 3, 1945; 4:34 p. m.]

[Region III Order G–25 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ANDERSON, IND.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part III of paragraph (c) of Order No. G–25 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III
III. Anthracite (Pennsylvania) egg, stove, and chestnut sizes	$16.50	$15.80

This Amendment No. 2 to Order No. G–25 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11986; Filed, July 3, 1945; 4:33 p. m.]

[Region III Order G–27 Under RMPR 122, Amdt. 4]

SOLID FUELS IN MUNCIE, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part VI of paragraph (c) be amended to read as follows:

Column I	Column II	Column III	Column IV
VI. Anthracite (Pennsylvania) egg, stove, and chestnut sizes	$16.15	$15.60	$15.05

This Amendment No. 4 to Order No. G–27 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11985; Filed, July 3, 1945; 4:33 p. m.]

[Region III Order G–48 Under RMPR 122, Amdt. 1]

SOLID FUELS IN OWOSSO, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part III of paragraph (c) (1) of Order No. G–36 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
III Pennsylvania anthracite: egg, stove, and chestnut sizes	$16.10

This Amendment No. 1 Order No. G–36 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11984; Filed, July 3, 1945; 4:33 p. m.]

[Region III Order G–41 Under RMPR 122, Amdt. 2]

SOLID FUELS IN PORT HURON, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part IV of paragraph (c) (1) of Order No. G–41 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III
IV. Pennsylvania anthracite egg, stove, and nut sizes	$15.55	$14.60

This Amendment No. 2 to Order No. G–41 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11983; Filed, July 3, 1945; 4:33 p. m.]

[Region III Order G–44 Under RMPR 122, Amdt. 1]

SOLID FUELS IN BAY CITY, MICH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part IV of paragraph (c) be amended to read as follows:

Column I	Column II	Column III
IV. Pennsylvania anthracite egg, stove and chestnut sizes	$16.10	$15.60

This Amendment No. 1 to Order No. G–44 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11982; Filed, July 3, 1945; 4:32 p. m.]

[Region III Order G–48 Under RMPR 122, Amdt. 5]

SOLID FUELS IN DETROIT, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part VII of paragraph (c) (1) of Order No. G–48 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
IV. Pennsylvania anthracite (egg stove, and nut sizes)	$15.60

This Amendment No. 5 to Order No. G–48 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45–11981; Filed, July 3, 1945; 4:32 p. m.]

[Region III Order G–49 Under RMPR 122, Amdt. 5]

SOLID FUELS IN CLEVELAND, CHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Parts I and VIII of paragraph (c) (1) of Order No. G–49 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III	Column IV
I. High volatile bituminous coals from producing district Nos. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, western Kentucky and northeastern Tennessee) excluding Mine Index Nos. 25, 481, 499 and 557			
VIII. Coke:			
A. Beehive oven coke:			
1. Egg and stove sizes	$13.63	$13.38	$12.63
2. Nut size	14.05	13.80	13.05
B. By-product coke: egg, stove and nut sizes			
1.			
2.			

This Amendment No. 5 to Order No. G–49 under Revised Maximum Price Regulation No. 122 shall become effective June 18, 1945.

Issued: June 18, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45–11975; Filed, July 8, 1945; 4:30 p. m.]

[Region III Order G–49 Under RMPR 122, Amdt. 6]

SOLID FUELS IN CLEVELAND, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part VII

of paragraph (c) (1) of Order No. G-49 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III	Column IV
VII. Anthracite (Pennsylvania egg, stove, and chestnut sizes	$16.25	$16.10	$15.35

This Amendment No. 6 to Order No. G-49 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-11993; Filed, July 3, 1945; 4:35 p. m.]

[Region III Order G-53 Under RMPR 122, Amdt. 2]

SOLID FUELS IN KOKOMO, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part VII of paragraph (c) (1) of Order No. G-53 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
VII Anthracite (Pennsylvania): egg, stove, and chestnut sizes	$15.35

This Amendment No. 2 to Order No. G-53 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-11980; Filed, July 3, 1945; 4:32 p. m.]

[Region III Order G-54 Under RMPR 122, Amdt. 3]

SOLID FUELS IN MIDLAND, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part V of paragraph (c) (1) of Order No. G-54 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
V Pennsylvania anthracite: egg, stove and chestnut sizes	$16.55

This Amendment No. 3 to Order No. G-54 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-11979; Filed, July 3, 1945; 4:32 p. m.]

[Region III Order G-55 Under RMPR 122, Amdt. 1]

SOLID FUELS IN ANN ARBOR, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That paragraph (e) of Order No. G-55 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel in from curb	$0.75
Carry in from curb	.75
Carry up or down stairs—each flight	.50
Service charge for deliveries in quantities of one-half ton	.50
	Per mile per load
Extra cartage beyond the city limits and within the area defined in the order	$0.10

This Amendment No. 1 to Order No. G-55 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-11978; Filed, July 3, 1945; 4:32 p. m.]

[Region III Order G-55 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ANN ARBOR, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part III of paragraph (c) (1) of Order No. G-55 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III
III. Anthracite (Pennsylvania) egg, stove, and chestnut sizes	$14.95	$15.45

This Amendment No. 2 to Order No. G-55 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-11977; Filed, July 3, 1945; 4:30 p. m.]

[Region III Order G-56 Under 18 (c)]

BREAD IN BREATHITT AND PERRY COUNTIES, KY.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.18 (c) of General Maximum Price Regulation, it is hereby ordered that:

(a) *What this order does.* This order establishes maximum prices for sales of bread in Breathitt and Perry Counties in the State of Kentucky which may be used by sellers thereof in lieu of the prices established for them by the General Maximum Price Regulation.

(b) (1) *Maximum prices.* The maximum prices for sales of bread in the area hereinafter described in section (c) hereof shall be those established for the seller under § 1499.2 of the General Maximum Price Regulation, or the following prices, whichever are greater:

Size of loaf	Type of [illegible]	
	All sales except retail	Re[illegible]
16 ounce	9c	1[illegible]
20 ounce	11c	2[illegible]

(2) *Discounts.* All sellers covered hereby shall maintain all customary discounts, price differentials and terms of sale in effect during March 1942.

(c) *Notification.* At the time of or prior to the first sale and or for delivery made hereunder, all sellers, except on sales made at retail, shall notify each purchaser in writing of the adjustment of maximum prices granted hereby.

(d) *Geographical applicability.* This order shall be applicable to sales of bread pursuant to which delivery is made in Breathitt and Perry Counties in the State of Kentucky.

(e) *Relation to other regulations.* Except as herein provided, the provisions of General Maximum Price Regulation and Revised Supplementary Regulation No. 14B shall be applicable to all sales of bread covered hereby.

(f) *Definitions.* Except as otherwise required by the context, the definitions contained in General Maximum Price Regulation, Supplementary Regulation No. 14B and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to all terms used herein.

(g) *Amendment and revocation.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-11995; Filed, July 3, 1945; 4:36 p. m.]

[Region III Order G-56 Under RMPR 122, Amdt. 1]

SOLID FUELS IN PONTIAC, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part IV of paragraph (c) (1) of Order No. G-56 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III
IV. Anthracite (Pennsylvania) egg, stove, and nut sizes	$16.25	$15.75

This Amendment No. 1 to Order No. G-56 under Revised Maximum Price Regulation No. 122 shall become effective June 26, 1945.

Issued: June 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-11976; Filed, July 3, 1945; 4:30 p. m.]

[Region IV Orders G-16 to G-22, Amdt. 2; G-15, Amdt. 3, Under SR 15, MPR 280, MPR 329]

FLUID MILK IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (g) of Maximum Price Regulation 329, *It is hereby ordered*, That the above enumerated orders be amended in the following respects:

1. Section 3 (g) is amended to read as follows:

(g) "Special fluid whole milk" means a particular seller's Grade A fluid milk which in addition conforms to at least one of the following: (1) quality or production standards established by governmental authorities or non-governmental medical, farm or trade organizations, e. g., "certified", "Golden Guernsey", "Jersey Creamline"; or (2) high butterfat content equal to or in excess of standards established by any federal, state or local government agency; or (3) additional processing other than by cooling, weighing, testing, reconstituting, bottling, standardizing or separating, e. g., homogenization and/or "fortification" with Vitamin D.

2. Section 3 (i) is amended to read as follows:

(i) "Premium fluid milk" means special fluid whole milk (or special buttermilk) for which a price differential above standard or regular fluid milk (or buttermilk) has been established for a particular seller in accordance with the provisions of this order.

3. Section 3 (o) is rewritten to read as follows:

(o) "Sale at wholesale" means any sale of "bottled" fluid milk to a person other than the Army and Navy and the ultimate consumer, and any sale of "bulk" fluid milk to stores, hotels, restaurants and institutions other than the Army and Navy, excepting a purchase by any person governed by Part II of this order.

4. The date in section 3 (q) is changed to April 30, 1945.

5. Section 6 is amended as follows:

a. The date in section 6 (a) is changed to April 30, 1945.

b. Section 6 (b) is amended to read as follows:

(b) Any person desiring to continue selling at a uniform maximum price in communities for which this order provides different (and lower) maximum prices must make application in writing prior to August 1, 1945, to the Atlanta Regional Office, Candler Building, Atlanta, Georgia, for written permission to continue such sales. The application shall be in duplicate on Revised Form ASF-72, copies of which are furnished on request, or shall contain the following information: (1) the name and address of the applicant and the exact location of all his processing plants involved in the application; (2) the length of time he has been engaged in distributing milk at a uniform price in all markets served; (3) the names of all communities served prior to April 30, 1945; (4) the uniform price at wholesale and retail charged for each size and container during April, 1945; (5) the volume (in terms of quarts) sold and delivered in each community during April, 1945; and (6) the names and addresses of retailers who purchase at wholesale for resale in a community for which this order establishes a lower maximum retail price. The Atlanta Regional Office of the Office of Price Administration may by written order grant permission to the applicant to function as a one-price distributor selling at a uniform price in the particular markets served.

c. The date in section 6 (d) is changed to August 1, 1945.

6. Section 7 is amended to read as follows:

SEC. 7 (a) Each seller named in section 16 is authorized to sell premium milk of the type there specified at the maximum prices set forth in part opposite his respective name, subject to the quantity limitations provided in this section. These maximum prices have been established by filings under Supplementary Regulation 14A or by orders issued by the Atlanta Regional Office pursuant to Supplementary Regulation 14A to the General Maximum Price Regulation.

(b) Except for the named milks authorized to the specific sellers named in section 16, no person shall sell a "special" fluid whole milk or buttermilk at a premium price on or after August 1, 1945, unless he applies in writing to the Atlanta Regional Office, Candler Building, Atlanta, Georgia, for permission to sell such special milk at a premium price and is granted such permission by a written order from that office. The application shall be in duplicate either on Form ASF-71 (Revised), copies of which will be supplied on request, or by a statement containing the following information: (1) the total quantity, expressed in quarts, of standard milk (or buttermilk) the applicant sold during the months of March 1942, and April 1945; (2) the quantity of each type of special fluid whole milk (or special buttermilk) the applicant sold at a premium price during the months of March 1942, and April 1945; (3) the established price for each size and container the applicant charged for each type of special fluid whole milk (or special buttermilk) during March 1942, and the prevailing price of standard approved milk (or buttermilk) during March 1942, in the particular market for each specific size; and (4) the names of all communities where the applicant sold special whole milk (or buttermilk) at a premium price over standard milk (or buttermilk) in March 1942, and April 1945.

(c) Unless the applicant is able to present evidence that he had an established premium price during March, 1942, or that another seller has established a premium price for a special milk in the same particular market, which belongs in the same category of special milks as defined in section 3 (g), the Atlanta Regional Office shall not grant the applicant permission to sell a special fluid whole milk (or buttermilk) at a premium price.

(d) Orders issued by the Atlanta Regional Office authorizing the sale of a special fluid whole milk (or special buttermilk) according to the provisions of this section shall contain limitations upon each authorized seller's total monthly sales of such special milk at a premium price, not in excess of the highest of the following quantity limitations: (1) the seller's total sales (expressed in quarts) of special milk (or buttermilk) at premium prices during the month of April, 1945, plus 5 per cent of such sales by quantity; or (2) a percentage of the seller's monthly total sales (expressed in quarts) of standard milk (or buttermilk) represented by his sales at premium prices during any month which is equal to the corresponding percentage for the month of April 1945; or (3) 10 per cent of the total quantity, expressed in terms of quarts, of his monthly sales of standard milk (or buttermilk).

Provided, That the quantity limitations of this section are inapplicable to the following: (1) any special fluid whole milk meeting the qualifications set forth in section 3 (g) (1) sold by any person; and (2) any special fluid whole milk coming within the classification of section 3 (g) (2) and sold by the producer.

(e) Every authorized seller of "special fluid whole milk" subject to the quantity limitations on monthly volume of sales provided in paragraph (d) of this section shall file a report with the Atlanta Regional Office on or before October 15 and April 15 of each year. The report shall give the monthly sales (expressed in quarts) of each type of "special fluid whole milk" sold at authorized premium prices, and the monthly sales (expressed in quarts) of standard fluid milk for each

calendar month during the preceding six months.

Every authorized seller of "special buttermilk" (including lactic acid milk) shall file a report with the Atlanta Regional Office on or before October 15 and April 15 of each year. The report shall give the monthly sales (expressed in quarts) of each type of "special buttermilk" sold at authorized premium prices and the monthly sales (expressed in quartz) of plain buttermilk for each calendar month during the preceding six months.

(This filing requirement is subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(f) Penalties for the sale of special fluid whole milk (or buttermilk) in excess of the maximum quantity established by order. If the monthly sales of special fluid milk (or buttermilk) at premium prices by any authorized seller exceed the maximum quantity established for him by order for any calendar month, such seller's maximum wholesale and retail prices for all of the excess quantity sold shall be the same as the established maximum wholesale and retail prices for approved standard fluid milk (or buttermilk) established by this order.

The provisions of this paragraph are in no way a substitution for the penalties and remedies provided by law for a violation of any of the provisions of this order.

(g) A retail store which purchases special milk at wholesale from a distributor or producer-distributor who has been granted permission by a written order to charge a premium wholesale price on such special milk may add a markup not exceeding two cents per quart or one cent per smaller container to the maximum wholesale price as established in the written order to the distributor or producer-distributor.

(h) The Atlanta Regional Office may correct or revise any maximum prices established for any type of special milk, with regard to the differentials prevailing in adjoining areas.

(i) Any seller who is authorized to sell a special fluid whole milk (or buttermilk) at a premium price according to the terms of this section may apply to the Atlanta Regional Office for permission to increase the maximum monthly quantity of such special milk (or special buttermilk) which he is permitted to sell according to the terms of this Section or under a written order issued by the Atlanta Regional Office pursuant hereto. In filing such an application, the seller must supply data showing the latest monthly quantity, expressed in quarts, of his sales of standard fluid milk (or buttermilk) and the requested maximum monthly quantity of special fluid whole milk (or special buttermilk); and in addition, he shall demonstrate that a serious deficiency, actual or impending, exists with respect to the supply of this milk in his community, which deficiency is directly associated with the war program, e. g., the establishment of a military hospital.

7. A new section is added to Part I, to read as follows:

SEC. 8a *Adjustments.* The Regional Administrator may make adjustments or act upon applications for the adjustment of maximum prices established by this Part I only in accordance with the authority set forth for "bottled" milk in § 1499.75 (a) (9) (Supplementary Regulation 15) to the General Maximum Price Regulation, and for "bulk" milk in § 1351.807 of Maximum Price Regulation 280.

Applications for adjustments shall be filed in accordance with Revised Procedural Regulation 1.

8. The descriptive title of section 10 is changed to read: "*Exempt Purchases*".

9. Section 11 (g) is revised to read as follows:

(g) "Producer" means a farmer or other person or representative who owns, superintends, manages or otherwise controls the operations of a farm on which milk is produced and who sold milk during January 1943, and/or September 1944, or has sold or delivered milk according to the provisions of a regional order which establishes a maximum price for the purchaser of that milk. The term includes a farmers' cooperative with respect to all its sales of milk except milk processed by or for it in a milk receiving or processing plant owned, leased or contracted for by it.

NOTE: This order does not prohibit the payment of patronage dividends by a farmers' cooperative in accordance with the provisions of Supplementary Order 84 issued by the Office of Price Administration.

10. Section 11 (h) is rewritten to read as follows: "New Producer" means a producer as defined above, except that he did not sell milk in January 1943, and/or September 1944, to whom no "purchaser" has obtained an order establishing a maximum buyer's price under Section 13 (d) (2) of this order.

11. Section 11 (j) is deleted.

12. Section 11 (k) is deleted.

13. Section 11 (m) shall be redesignated section 11 (j) and section 11 (l) shall be redesignated section 11 (k).

14. Section 13 is rewritten to read as follows:

SEC. 13. *Maximum prices.* (a) The following provisions, in conjunction with the tables set forth in sections 17, 18 and 19 (sections 17 and 18 of Order G–16) and regional orders issued hereunder, establish maximum prices for all purchasers covered by this Part II.

(b) Pricing method applicable to purchases from a "producer" who sold milk during January 1943.

(1) The maximum price which a purchaser may pay to any producer from whom he purchased milk in January 1943, shall be the highest of the following:

(i) The maximum price, subject to the applicable butterfat differential, set forth in section 17 for the county, city or town in which the purchaser has his bottling plant if such county, city or town is listed in the table in that Section; or if it is not listed,

(ii) The maximum price, subject to the applicable butterfat differential, set forth in section 18 (except in Order G–16[1]) as corresponding with a figure which he shall select in accordance with the following rules:

(*a*) His retail home-delivered price for approved fluid milk sold in quart containers, if he has any such price established as of August 31, 1944, in the market where he has the bottling plant at which he receives the milk to be priced; or if he himself had no such price established, then

(*b*) The retail home-delivered price as of August 31, 1944, for such milk so sold, established by and common to the numerical majority of those purchasers who have established such a price in the county or (if the prices there are different) in the city or town in that county in which he has the bottling plant at which he receives the milk to be priced; or at the purchaser's option,

(iii) The highest price paid by the purchaser himself to that producer for milk of the same grade and butterfat content during January 1943, or the maximum price, subject to the applicable butterfat differential, named for such purchaser as payable to the particular producer under the provisions of a regional adjustment order.

Provided, That every purchaser who bought milk from a particular producer in January 1943, may on any particular purchase from that producer pay the highest maximum price any other purchaser might have paid on that purchase. This proviso applies only where two or more purchasers received milk from the same producer in January 1943, at different prices.

(2) The maximum price which a purchaser may pay for milk to a particular producer who sold his milk to another purchaser (or purchasers) during January 1943, shall be the highest price for milk of the same grade and butterfat content which any such other purchaser (or purchasers) is now permitted to pay that particular producer. For the purposes of this section 13 (b) (2), "Purchaser" means any purchaser of milk whose bottling plant is located in Region IV of the Office of Price Administration (Alabama, Florida, Georgia, Mississippi, South Carolina, North Carolina, Tennessee and Virginia).

(c) Pricing method applicable to purchases from a "Producer" who sold milk during September 1944, but not during January 1943.

(1) The maximum price which a purchaser may pay to a producer from whom he purchased milk in September 1944 but who did not sell milk to any purchaser in January 1943, for milk used in a bottling plant located in any county, city or town listed in the table in section 17 shall be the maximum price fixed for such county, city or town in the table in section 17 opposite the name of the county, city or town where the purchaser's bottling plant is located, subject to the applicable "butterfat differential", or the maximum price established in any regional order applicable to purchases from that producer, whichever is higher.

[1] All counties in Florida are named in section 17 of Order G–16.

Provided, That any purchaser who in September 1944, bought milk from a producer who did not sell milk in January 1943, may on any particular purchase from that producer pay the highest maximum price any other such purchaser might have paid on that purchase.

(2) The maximum price which a purchaser may pay to such a producer for milk for use in a bottling plant in any county, city or town in the state covered by this order which is not named in the table in section 17 shall be the price, subject to the applicable butterfat differential, set forth in the table in section 18 (except in Order G–16[1]) opposite the retail home-delivered price established as of August 31, 1944, for approved fluid milk sold in quart glass containers in the market where the purchaser's plant is located, determined in accordance with the rules set forth in section 13 (b) (1) (ii) of this order, or the maximum price established in a regional order applicable to purchases from such producer, whichever is higher.

Provided, That any purchaser who in September, 1944, bought milk from a producer who did not sell milk in January, 1943, may on any particular purchase from that producer pay the highest maximum price any other such purchaser might have paid on that purchase.

(3) The maximum price which a purchaser may pay to such a producer who sold milk to another purchaser (or purchasers) in September, 1944, shall be the maximum price for purchases from that producer established for the purchaser or purchasers who bought from that producer in September, 1944. For the purposes of this section 13 (c) (3), "purchaser" means any purchaser whose bottling plant is located in Region IV of the Office of Price Administration (Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee and Virginia).

(d) Pricing method applicable to purchases from a producer who sold milk neither during January 1943, nor September 1944.

(1) The maximum price which any purchaser may pay to a producer who has sold and delivered milk to a purchaser for whom a maximum price, payable to such producer, has been established by a regional order issued under section 13 (d) (2) of this order, is the maximum price set forth in such purchaser order.

(2) The maximum price which a purchaser may pay to a "new producer" shall be the maximum price authorized by the Regional Administrator, Region IV of the Office of Price Administration upon application by the prospective purchaser. This application shall be filed in duplicate and shall contain all the facts which are required by Revised Form RO–IV–5–ASF–42, including a statement of the requested maximum price. The applicant must also furnish any additional information required by the Office of Price Administration.

For the purposes of this section, the requested maximum price shall be deemed to have been authorized thirty days after the mailing of the application (or any requested additional information, amended application, or change in application), unless within that time the Regional Office has disapproved the proposed maximum price.

NOTE: The applicant should remember to allow sufficient time after the expiration of the 30-day period to permit notification by mail to reach him before he assumes that no action has been taken by the Regional Office during such period.

(3) The maximum prices approved, authorized, or proposed under any of the preceding subparagraphs of this paragraph remain subject to disapproval or revision by the Regional Administrator, Region IV, at any time.

(e) *New purchasers.* A new purchaser who was not engaged in the business of purchasing milk during January 1943, and subsequently engaged in such business without purchasing an existing business or establishment shall determine his maximum price to producers except new producers in accordance with the provisions of section 13 (b), (c) or (d) (1), whichever is applicable. Regional or district offices of the Office of Price Administration will assist such purchaser in ascertaining the correct maximum price. If such a purchaser desires to purchase milk from a "new producer", his maximum price shall be determined upon application in accordance with the provisions of section 13 (d) (2).

(f) *Butterfat standards.* (1) Any purchaser whose maximum price to an individual producer has been established without reference to a butterfat test shall employ such maximum price to that producer as if it referred to 4 percent milk, if and when a butterfat test is instituted. Any purchaser whose maximum price to an individual producer has been established on a butterfat base standard other than 4 percent shall employ such maximum base price in purchasing milk testing 4 percent. This maximum price may be increased 5¢ per cwt. for each 1/10 of 1 percent by which the butterfat content exceeds 4 percent, and this maximum price must be reduced by 5¢ per cwt. for each 1/10 of 1 percent by which the butterfat content is lower than 4 percent. Any purchaser who purchased milk from a producer without reference to a butterfat test during January 1943, and continues to do so, may pay such producer a maximum price which is the higher of the following: (1) The maximum price so established to such producer in January 1943; or (2) The maximum price per cwt. or per gallon established by section 13 for purchases of milk from such producer on a 4 percent butterfat basis.

(2) No purchaser may pay a maximum price for milk to a particular producer in terms of the pound of butterfat in such milk unless that purchaser, or another purchaser, purchased milk from that producer according to the pound of butterfat in January, 1943, and/or September, 1944.

Provided, That a purchaser who paid for milk according to the pound of butterfat in January, 1943, and/or September, 1944, may propose a price per pound of butterfat in an application to be filed pursuant to section 13 (d).

Provided, further, That a purchaser who paid his producers according to the pound of butterfat in January, 1943, may adopt the maximum price per cwt. or per gallon of milk at 4 per cent butterfat content, with the applicable butterfat differential established for purchases from those producers under the provisions of section 13.

(g) *Changes in place of delivery.* The maximum f. o. b. bottling plant price of a purchaser who buys from a producer to whom another purchaser has a maximum price but for delivery at a bottling plant located elsewhere, is the maximum price which such other purchaser may pay f. o. b. that bottling plant.

15. A new section is added to Part II which shall read as follows:

SEC. 13a. *Adjustments.* The Regional Administrator may adjust or act upon applications for the adjustment of maximum prices established pursuant to this Part II only in accordance with the authority set forth in § 1351.408 of Maximum Price Regulation 329 as amended. Applications for adjustment of maximum prices payable to producers shall be filed in accordance with the provisions of Revised Procedural Regulation 1.

This amendment shall become effective June 15, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: June 20, 1945.

J. F. ARMSTRONG,
Acting Regional Administrator.

Approved as to producer prices:

LOUIS T. WELLES,
In Charge Southern Field Office, Dairy and Poultry Branch, Office of Marketing Services, War Food Administration.

[F. R. Doc. 45–11994; Filed, July 3, 1945; 4:35 p. m.]

[Region IV Rev. Order G–29 Under RMPR 122]

SOLID FUELS IN BRISTOL, TENN.-VA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the Cities of Bristol, Tennessee, and Bristol, Virginia, and within the area lying within 15 miles of said corporate limits of said cities by the most direct highway route.

(c) *Applicability of Basic Order No. G–37.* All the provisions of Order No. G–37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G–37 is amended in any respect all the provisions of such order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G–37.

(d) *Relationship between this order and previous orders.* This revised order No. G–29 supersedes Order No. G–29 under Revised Maximum Price Regulation No. 122 and Supplementary Order No. 1, thereunder, and as a result, said order and supplementary order are hereby revoked as of the effective date of this order. This revised order is issued as an adopting order pursuant to the provisions of Order No. G–37 under Revised Maximum Price Regulation No. 122, and since the additions permitted by Supplementary Order No. 1 under said Order No. G–37 are incorporated in the price list contained herein, said Supplementary Order No. 1 under said Order No. G–37 shall not be applicable to this Revised Order No. G–29.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Lump, chunk or block	$7.20	$3.85	$2.18
Lump, size group 2, price classification A, from Blue Diamond Coal Co., Mine Index No. 339; and Chunk, size group 1, price classification A, from Kemmerer Gem Coal Co., mine index No. 275	6.05	4.28	2.39
Egg	7.10	3.80	2.15
Stove	6.85	3.68	2.09
Stoker	7.45	3.98	2.24
Run-of-mine	6.20	3.35	1.93
Yard slack	5.15	2.83	1.66

(f) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Sacked coal.* For egg coal sold in sacks at the yard, the dealer may charge at the rate of not more than 31¢ per 60 lbs., and for egg coal sold in sacks, delivered, the dealer may charge at the rate of not more than 36¢ per 60 lbs.

(3) *Yard sales.* When a buyer picks up coal at the dealer's yard, the domestic price must be reduced at least 50¢ per ton.

(4) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated, but it is not necessary that this charge be separately stated thereon.

(5) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of the Cities of Bristol, Tennessee and Bristol, Virginia. For deliveries beyond such corporate limits and within fifteen miles thereof, the dealer may add not more than 10¢ per ton per mile and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the corporate limits to the point of delivery by the most direct highway route. Such delivery charge, if added, must be separately stated from all other charges on the invoice.

(6) *Credit.* No additional charge over the prices established by this order may be made for extension of credit.

Effective date. This order shall become effective June 12, 1945.

Issued: June 7, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-11972; Filed, July 3, 1945; 4:29 p. m.]

[Region V Rev. Order G–1 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ST. LOUIS COUNTY, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended and the authority vested in the Regional Administrator of Region V, by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered*, That Revised Order G–1 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended in the following respects:

Items 1, 2 and 3 under Price Schedule (c) (1) IV are amended to read as follows:

IV. Pennsylvania anthracite:	
1. Egg, stove, and nut	$16.35
2. Pea	14.65
3. Buckwheat No. 1	13.00

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this the 23d day of June 1945.

W. W. ORTH,
Regional Administrator.

[F. R. Doc. 45-11971; Filed, July 3, 1945; 4:29 p. m.]

JUL 13

FEDERAL REGISTER

VOLUME 10 NUMBER 135

Washington, Saturday, July 7, 1945

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of Secretary of Agriculture

TEMPORARY APPROVAL OF CERTAIN ACTIONS TAKEN BY THE OFFICE OF PRICE ADMINISTRATION

Actions taken on or after July 5 and before July 31, 1945 by the national office of the Office of Price Administration or by regional or district offices of the Office of Price Administration, pursuant to authority delegated by regulations of that office, to establish only individual maximum prices applicable to any processor with respect to any food or feed product processed or manufactured in whole or substantial part from an agricultural commodity, are hereby approved. This approval may be withdrawn at any time in whole or in part or with respect to any individual maximum price.

CLINTON P. ANDERSON,
Secretary of Agriculture.

JULY 4, 1945.

[F. R. Doc. 45-12288; Filed, July 6, 1945; 11:14 a. m.]

TEMPORARY APPROVAL OF CERTAIN ACTIONS TAKEN BY THE OFFICE OF PRICE ADMINISTRATION

Approval is hereby given to the community ceiling price orders issued by any regional or District Office of the Office of Price Administration under the authority of Revised General Order 51, insofar as such orders establish maximum prices for any agricultural commodity or for any processor with respect to any food product processed or manufactured in whole or substantial part from any agricultural commodity. This approval is effective as to all such orders issued or effective on or after July 5, 1945 and before July 31, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

JULY 4, 1945.

[F. R. Doc. 45-12289; Filed, July 6, 1945; 11:14 a. m.]

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 540]

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE REGULATIONS MODIFIED

Introductory note. Section 301.52–4 (c) (2) of the current regulations under the pink bollworm quarantine prescribes conditions for certification of cottonseed for movement to points outside the heavily infested area of the lower Rio Grande Valley for crushing. Recent experimental work has developed information which makes it possible to provide another procedure for treating cottonseed which has been given the required initial heat treatment as part of the continuous process of ginning that will provide safeguards adequate to permit movement to designated oil mills outside the heavily infested regulated area for crushing, when consigned to mills in either lightly infested areas or nonregulated areas. This method of treatment, the use of which is hereby authorized as a basis for movement under limited permit, must be carried out in properly designed equipment and under exacting controls. Its use is conditioned on meeting these requirements to the satisfaction of the inspector under whose supervision the treatment must be carried out.

§ 301.52–4c *Administrative instructions authorizing additional method of treating cottonseed originating in heavily infested area for movement to points outside such area.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52 [Notice of Quarantine No. 52], and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the re-

(Continued on p. 8421)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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strictions contained in paragraph (b) (2) of § 301.52–4, notice is hereby given that cottonseed located within heavily infested areas may be moved interstate under limited permits to designated oil mills under the following conditions:

When the seed has been treated as a part of the continuous process of ginning and subsequently protected from contamination as provided for in § 301.52–4 (c) (1) and when given the following second heat treatment with steam as the heating medium under the supervision of an inspector in an apparatus separate and apart from the gin or gins which applied the initial heat treatment. In the second heat treatment the mass temperature of the seed must be raised to at least 155° F. during an exposure period of 2 minutes. The exposure period is defined as the length of time required for the seed to travel from point of entrance into the heater to the point where the temperature reading of the seed is taken beyond the exit of the heater. The heating apparatus must be so constructed as to apply an adquate amount of live steam to the seed promptly upon entrance into the apparatus, and radiated heat for the full length of the heating unit. The apparatus shall be so constructed as to assure a constant and uniform flow of cottonseed through the machine when in operation and equipped with devices which will stir the seed so as to expose each seed to both the introduced steam and radiated heat during the entire exposure period. This treatment may be given only under the supervision of an inspector at approved plants located within the heavily infested area as defined in § 301.52–2.

These instructions shall become effective July 5, 1945, and remain in effect until further notice.

(Sec. 8, 37 Stat. 318, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.52, as amended, 9 F.R. 13276)

Done at Washington, D. C., this 30th day of June 1945.

P. N. ANNAND,
Chief.

[F. R. Doc. 45–12287; Filed, July 6, 1945; 11:14 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 503—GENERAL ORDERS

EXTENSION OF TIME FOR FILING NOTICES OF CLAIM UNDER VESTING ORDERS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, determining that it is in the national interest to extend the time for filing notices of claim under vesting orders as hereinafter set forth, and that adherence to a period of limitation expiring prior to December 1, 1945, may cause undue hardship or inequity to claimants, hereby further amends General Order No. 21 to read as follows:

§ 503.21 *General Order No. 21.* (a) Without limitation by reason of any provision as to a specified claim period in any vesting order heretofore issued, any person, except a national of a designated enemy country, asserting any claim arising as a result of a vesting order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, Form APC–16 or Form APC–17, as may be appropriate, at any time up to and including December 1, 1945, or within such further time as may be provided in any such order or on application or otherwise.

(b) The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 56 U.S.C. App. and Sup.; E.O. 9193, 3 CFR Cum. Supp.; E.O. 9567, 10 F.R. 6917)

Executed at Washington, D. C., on July 5, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12305; Filed, July 6, 1945; 11:23 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Office of Marketing Services[1]

Subchapter B—Meat Inspection Regulations

PART 257—FACILITIES FOR INSPECTION

OVERTIME WORK OF MEAT INSPECTION EMPLOYEES

Pursuant to the authority conferred upon the Secretary of Agriculture by Act of Congress approved July 24, 1919 (7 U.S.C. 394), and the act of Congress approved March 4, 1907, as amended and extended (21 U.S.C. 71–91, 96; 21 U.S.C. Sup. III, 71), § 257.4, Subchapter B, Chapter II, Title 9 (10 F.R. 3316, 3319), Code of Federal Regulations, is hereby amended to read as follows:

§ 257.4 *Overtime work of Meat Inspection employees.* The management of an official establishment desiring to work under conditions which will require the services of an employee of the

[1] Formerly "War Food Administration (Packers & Stockyards)."

division on Sunday or a holiday, or for more than 8 working hours of any day including Monday through Friday, or for more than 4 working hours of any Saturday, shall, sufficiently in advance of the period of overtime, request the inspector in charge or his assistant to provide inspection service during such overtime period, and shall reimburse the Secretary of Agriculture for the cost of such overtime upon receipt of notice from an authorized official of the department. It will be administratively determined from time to time which days constitute holidays.

Done at Washington, D. C., this 5th day of July 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12286; Filed, July 6, 1945; 11:13 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 220—EXTENSION AND MAINTENANCE OF CREDIT BY BROKERS, DEALERS, AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

MISCELLANEOUS AMENDMENTS

Part 220 (Regulation T) is hereby amended in the following respects, the changes in § 220.8 (Supplement to Regulation T) and the new § 220.4 (g) to become effective July 5, 1945, and the other changes to become effective July 16, 1945.

1. Section 220.3 (b) is amended so that the second paragraph will read as follows:

If a creditor effects for or with any customer any transactions consisting of purchases of securities in a general account, other than purchases of exempted securities or purchases to reduce or close out short positions, the creditor must obtain a deposit as specified in the previous paragraph at least as large as would be required by that paragraph if such purchases were the only transactions in the account on that day (except that such deposit need be no larger than that which would be sufficient to eliminate any excess of the adjusted debit balance over the maximum loan value of the securities in the account). No withdrawal of cash or registered or exempted securities shall be permissible if the account, after such withdrawal, would have an adjusted debit balance exceeding the maximum loan value of the securities in the account, except that exempted securities may be withdrawn upon the deposit in the account of exempted securities having maximum loan value equal to or in excess of the maximum loan value of the exempted securities withdrawn or upon the deposit of cash equal to or in excess of such maximum loan value.

2. Section 220.3 (d) is amended so that the last paragraph will read as follows:

In case the general account is the account of a partner of the creditor or the account of a joint adventure in which the creditor participates, the adjusted debit balance shall be computed according to the foregoing rule and the supplementary rules prescribed in §§ 220.6 (a) and 220.6 (b).

3. Section 220.4 (b) is amended to read as follows:

(b) *Special omnibus account.* In a special omnibus account, a member of a national securities exchange may effect and finance transactions for a broker or dealer from whom the member accepts in good faith a signed statement to the effect that he is subject to the provisions of this part (or that he does not extend or maintain credit to or for customers except in accordance therewith as if he were subject thereto) and from whom the member receives (1) written notice, pursuant to a rule of the Securities and Exchange Commission concerning the hypothecation of customers' securities by brokers or dealers (Rule X-8C-1 or Rule X-15C2-1), to the effect that all securities carried in the account will be carried for the account of the customers of the broker or dealer and (2) written notice that any short sales effected in the account will be short sales made in behalf of the customers of the broker or dealer other than his partners.

4. Section 220.4 (c) is amended by striking out both provisos in paragraph (5) and by adding the following new paragraph (8):

(8) Unless funds sufficient for the purpose are already in the account, no security other than an exempted security shall be purchased for, or sold to, any customer in a special cash account with the creditor if any security other than an exempted security has been purchased by such customer in such an account during the preceding 90 days, and then, for any reason whatever, without having been previously paid for in full by the customer, the security has been sold in the account or delivered out to any broker or dealer: *Provided*, That an appropriate committee of a national securities exchange or a national securities association, on application of the creditor, may authorize the creditor to disregard for the purposes of this § 220.4 (c) (8) any given instance of the type therein described if the committee is satisfied that both creditor and customer are acting in good faith and that circumstances warrant such authorization.

5. Section 220.4 (c) (6) is amended by inserting the words "or a national securities association" following the words "a national securities exchange."

6. Section 220.4 is amended by adding the following new paragraph (g):

(g) *Specialists account.* In a special account designated as a specialist's account, a creditor may effect and finance, for any member of a national securities exchange who is registered and acts as a specialist in securities on the exchange, such member's transactions as a specialist in such securities, or effect and finance, for any joint adventure in which the creditor participates, any transactions in any securities of an issue with respect to which all participants, or all participants other than the creditor, are registered and act on a national securities exchange as specialists; and such specialist's account shall be subject to all the conditions to which it would be subject if it were a general account except that:

(1) At any time when the Board in § 220.8 shall have prescribed for specialists' accounts a special maximum loan value or special margin for short sales, the maximum loan value of a registered security (other than an exempted security) having loan value in such specialist's account shall be such special maximum loan value, and the amount to be included in the adjusted debit balance of such account as the margin required for short sales shall be such special margin for short sales.

(2) A specialist's account shall not be subject to the restrictions specified in the second paragraph of § 220.3 (b) but a transaction consisting of a withdrawal of cash or registered or exempted securities from the account shall be permissible only on condition that the transactions (including such withdrawal) on the day of such withdrawal would not create an excess of the adjusted debit balance of the account over the maximum loan value of the securities in the account or increase any such excess.

7. Section 220.6 (c) is amended to read as follows:

(c) No guarantee of a customer's account shall be given any effect for purposes of this part.

8. Section 220.8 is amended to read as follows:

§ 220.8 *Supplement*—(a) *Maximum loan value for general accounts.* The maximum loan value of a registered security (other than an exempted security) in a general account, subject to § 220.3, shall be 25 per cent of its current market value.

(b) *Maximum loan value for specialists' accounts.* The maximum loan value of a registered security (other than an exempted security) in a specialist's account, subject to § 220.4 (g), shall be 50 per cent of its current market value.

(c) *Margin required for short sales in general accounts.* The amount to be included in the adjusted debit balance of a general account, pursuant to § 220.3 (d) (3), as margin required for short sales of securities (other than exempted securities) shall be 75 per cent of the current market value of each such security.

(d) *Margin required for short sales in specialists' accounts.* The amount to be included in the adjusted debit balance of a specialist's account, subject to § 220.4 (g), as margin required for short sales of securities (other than exempted securities) shall be 50 per cent of the current market value of each such security.

(Sec. 3 (a) and (b), sec. 7 (a), (b), (c) and (d), sec. 8 (a), sec. 17 (b) and sec. 23 (a), 48 Stat. 881, 886, 888, 897, and 901; sec. 8, 49 Stat. 1379; 15 U.S.C. 78c-(a) and (b), 78g-(a), (b), (c) and (d), 78h-(a), 78q-(b), 78w-(a))

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Secretary.

[F. R. Doc. 45-12248; Filed, July 5, 1945; 2:52 p. m.]

PART 221—LOANS BY BANKS FOR PURPOSE OF PURCHASING OR CARRYING STOCKS REGISTERED ON A NATIONAL SECURITIES EXCHANGE

MISCELLANEOUS AMENDMENTS

Part 221 (Regulation U) is hereby amended in the following respects, the changes in § 221.4 (Supplement to Regulation U and the new § 221.3 (o) to become effective July 5, 1945, and the other changes to become effective July 16, 1945.

1. Section 221.1 is amended so that the third paragraph will read as follows:

While a bank maintains any such loan, whenever made, the bank shall not at any time permit any withdrawal or substitution of collateral if, after such withdrawal or substitution, the loan exceeds the maximum loan value of the collateral, unless:

(1) In the case of a withdrawal, the loan is reduced by an amount equal to the current market value of the collateral withdrawn; or

(2) In the case of a substitution, the loan is reduced by an amount equal to any excess of the current market value of the collateral withdrawn over the maximum loan value of the collateral deposited.

If the maximum loan value of the collateral has become less than the amount of the loan, such amount may nevertheless be increased if there is provided additional collateral having maximum loan value at least equal to the amount of the increase.

2. Section 221.2 (b) is amended so that it will read as follows:

(b) Any loan made prior to July 16, 1945, to any person whose total indebtedness to the bank at the date of and including such loan does not exceed $1,000.

3. Section 221.2 is amended by deleting paragraph (e) and substituting in lieu thereof the following new paragraph (e):

(e) Any loan to a broker or dealer secured by any securities which, according to written notice received by the bank from the broker or dealer pursuant to a rule of the Securities and Exchange Commission concerning the hypothecation of customers' securities (Rule X-8C-1 or Rule X-15C2-1), are securities carried for the account of one or more customers, *Provided*, The bank accepts in good faith from the broker or dealer a signed statement to the effect that he is subject to the provisions of Part 220 of this chapter (or that he does not extend or maintain credit to or for customers except in accordance therewith as if he were subject thereto).

4. Section 221.3 is amended by deleting paragraph (o) and substituting in lieu thereof the following new paragraph (o):

(o) A loan to a member of a national securities exchange who is registered and acts as a specialist in securities on the exchange for the purpose of financing such member's transactions as a specialist in such securities shall not be subject to the provisions of the third paragraph of § 221.1, but the bank shall not at any time permit withdrawals or substitutions of collateral for such a loan that would create or increase a deficiency in the maximum loan value of the collateral below the amount of the loan, nor shall the bank increase the amount of a loan if the collateral is deficient unless additional collateral is provided having maximum loan value at least equal to the amount of the increase.

5. Section 221.4 (Supplement to Regulation U) is amended so that it will read as follows:

§ 221.4 *Supplement*—(a) *Maximum loan value of stock.* For the purpose of § 221.1, the maximum loan value of any stock, whether or not registered on a national securities exchange, shall be 25 per cent of its current market value, as determined by any reasonable method.

(b) *Loans to specialists.* Notwithstanding the foregoing, a stock, if registered on a national securities exchange, shall have a maximum loan value of 50 per cent of its current market value, as determined by any reasonable method, in the case of a loan to a member of a national securities exchange who is registered and acts as a specialist in securities on the exchange for the purpose of financing such member's transactions as a specialist in securities.

(Secs. 3 (a) and (b), 7, 17 (b), 48 Stat., 882, 886, 897, sec. 23 (a) as amended by sec. 8, 49 Stat. 1379; 15 U.S.C. 78c, 78g, 78q (b), 15 U.S.C., Supp. 78w (a))

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Secretary.

[F. R. Doc. 45-12247; Filed, July 5, 1945; 2:53 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

[Amdt. 79]

PART 600—DESIGNATION OF CIVIL AIRWAYS

JOPLIN TO SPRINGFIELD, MO.

JUNE 22, 1945.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

Designation of Civil Airways:
Red Civil Airway No. 53

1. By adding § 600.10252 to read as follows:

§ 600.10252 *Red civil airway No. 53 (Joplin, Mo., to Springfield, Mo.)* From the Joplin, Mo., radio range station to the intersection of the center lines of the on course signals of the east leg of the Joplin, Mo., radio range and the southwest leg of the Springfield, Mo., radio range.

This amendment shall become effective 0001 e. w. t., July 15, 1945.

C. I. STANTON,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 45-12245; Filed, July 5, 1945; 2:53 p. m.]

[Amdt. 110]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

JOPLIN TO SPRINGFIELD, MO.

JUNE 22, 1945.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

Designation of Airway Traffic Control Areas:
Red Civil Airway No. 53.
Designation of Radio Fixes:
Red Civil Airway No. 53.

1. By adding § 601.10253 to read as follows:

§ 601.10253 *Red civil airway No. 53 airway traffic control areas (Joplin, Mo., to Springfield, Mo.).* All of Red civil airway No. 53.

2. By adding § 601.40253 to read as follows:

§ 601.40253 *Red civil airway No. 53 (Joplin, Mo., to Springfield, Mo.).* Joplin, Mo., radio range station.

This amendment shall become effective 0001 e. w. t., July 15. 1945.

C. I. STANTON,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 45-12246; Filed, July 5, 1945; 2:53 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51264]

PART 6—AIR COMMERCE REGULATIONS

REDESIGNATION OF FORT YUKON AIRFIELD, FORT YUKON, ALASKA, AS AIRPORT OF ENTRY

JULY 4, 1945.

The Fort Yukon Airfield, Fort Yukon, Alaska, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of 1 year from July 6, 1945.

The list of temporary airports of entry in section 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13) is hereby amended by changing the date of designation opposite the name of this airport to "July 6, 1945."

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12243; Filed, July 5, 1945; 12:32 p. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletins 361, 362, 364, 366, 368, 370]

PARTIAL REVISION OF CHAPTER

Chapter IV, Title 24 of the Code of Federal Regulations (with the exception of §§ 401.49, 401.50, 401.51, 401.52, 401.53, 401.54, 401.55, 401.56, 401.57, 401.58, 401.59, 401.60, 401.61, and 401.62, being portions of Part 401, and with the exception of all of Parts 411 and 414) is revised in its entirety, and is amended to consist of the following parts:

Part
401 General.
402 Loans and properties.
403 Comptroller.
404 Treasury, Home Office.
406 Legal Department.

and to read as follows:

[Bulletins 361, 370]

PART 401—GENERAL [1]

FIELD OFFICES

Sec.[2]
401.01–1 Jurisdiction.
401.01–2 Authority to establish and close.

OFFICE SPACE AND UTILITIES

401.02–1 Authority to approve.
401.02–3 Cancellation.
401.02–4a Telephone service.
401.02–5 Repairs and alterations.
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DEPUTATIONS

401.04–1 For regional offices.
401.04–2 Authority to approve.
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FEE ASSIGNMENTS TO SALARIED EMPLOYEES

401.07–1 To salaried employees of the U. S., etc.
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TRAVEL AND PER DIEM

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401.09–1 Basis of reimbursement.
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GOVERNMENT REQUESTS FOR TRANSPORTATION

401.10–20 Charges, how paid.

PURCHASE AND SUPPLY

401.12–1 Authority.
401.12–4 Variations in quantity.
401.12–5a Nonexpendable property.
401.12–7 Sale of property.
401.12–8 Government bills of lading.

[1] This is a consolidation and revision of former Parts 401, 410, 412 and 413.

[2] The numbers obtained by deleting the first two digits (40) and the decimal correspond with respective section numbers in the Consolidated Manual of Rules and Regulations of Home Owners' Loan Corporation as herein revised.

Sec.
401.12–11 Purchases not exceeding $25.00.
401.12–12 Expenditures in excess of $100.00; bids.

INTEREST

401.13–1 Interest rate on home owners' indebtedness.

AUTHORITY: §§ 401.01–1 to 401.13–1, inclusive, issued under secs. 4 (a) and 4 (k), 48 Stat. 129, 132, 643, 647; 12 U.S.C. and Sup. 1463; E.O. 9070, 3 CFR, Cum. Supp.

NOTE: §§ 401.01–1 to 401.12–12, inclusive, are contained in Bulletin No. 361, and § 401.13–1 is contained in Bulletin No. 370, all effective July 1, 1945

FIELD OFFICES

§ 401.01–1 *Jurisdiction.* Field offices of the Corporation shall exercise functions prescribed by the regulations and shall be designated and defined as follows:

Regional office: An office having jurisdiction of an area comprising more than one State.

Field station: A subsidiary office in rent-free or rented space without administrative jurisdiction, to which there may be assigned one or more Corporation employees.

§ 401.01–2 *Authority to establish and close.* When authorized or approved by the General Manager, the Regional Manager may establish or close a field station and may establish or discontinue facilities therein.

OFFICE SPACE AND UTILITIES

§ 401.02–1 *Authority to approve.* (a) All leases or contracts for the rental of office space shall be approved by the General Manager, with the advice of the General Counsel.

(b) In the leasing of rented space, HOLC Form 74, Standard Form of Home Owners' Loan Corporation Lease (Real Estate), shall be signed by the lessor, approved by the Regional Manager and Regional Counsel, and forwarded to the General Manager. Upon approval, the General Manager shall notify the Regional Manager, who, thereupon, shall execute the lease on behalf of the Corporation.

§ 401.02–3 *Cancellation.* (a) When cancellation of a lease for rented office space prior to expiration has been approved by the General Manager, the Regional Manager shall give written notice by the use of HOLC Form 74–A to the lessor or his agent, as required under the terms of the lease, designating therein the effective date of such release.

Where the release of a portion only of the space is desired, an appropriate notice to the lessor shall be prepared by the Regional Counsel, which shall be in compliance with the terms of the lease and shall specify the space to be released and the space to be retained. Where the Corporation's lease does not provide for a partial release of space, the written consent of the lessor therefor must be obtained and forwarded with the other related papers for the General Manager's approval.

(b) On the effective date for the release of office space in whole or in part, the appropriate HOLC Form 147, 147–A, 147–B or 147–C shall be executed by the lessor, approved by the Regional Manager and Regional Counsel, and forwarded to the Treasurer in the Home Office.

§ 401.02–4a *Telephone service.* Contracts for telephone service may be executed by the General Manager, with the advice of the General Counsel; or, for a Regional Office or any field station within the region, by the Regional Manager, with the advice of the Regional Counsel. Such contracts shall be processed on HOLC Form 706.

§ 401.02–5 *Repairs and alterations.* In the event the Regional Manager deems it necessary to make repairs or alterations, to erect or remove partitions, or to make other changes in the office space occupied by the Corporation, he shall submit for the approval of the General Manager a detailed description thereof, together with plans and specifications where necessary, and bids prepared on HOLC Form R–26 or such other approved form as the General Manager may authorize. Evidence of compliance with the terms of the lease under which the Corporation occupies the space, including the written consent of the lessor where required, shall be attached to the papers submitted.

(b) If such changes are approved by the General Manager, the Regional Manager thereupon shall execute the contract and cause the work to be performed. A certificate of completion and acceptance, together with other pertinent papers, shall be attached in duplicate to the voucher. No work hereunder shall be commenced without the prior approval of the General Manager.

§ 401.02–6 *Electric service.* (a) Prior to the execution of any contract for electric service, except when payment for such service is included in the monthly rental under the lease or is to be made to the lessor based on meter readings (at approved rates of the Public Utilities Commission of the State), the approval of the General Manager, with the advice of the General Counsel, is required.

(b) Contracts for electric service shall be executed in quadruplicate on U. S. Standard Form 33, and forwarded to the Treasurer in the Home Office.

DEPUTATIONS

§ 401.04–1 *For regional offices.* (a) deputies may be authorized for regional Managers, and for regional office employees under the jurisdiction of the Regional Manager, to approve and execute forms on behalf of such principals or to exercise any authority and to perform any duties vested in or required of said principals, as hereinafter provided, except that deputies may not be appointed to act as disbursing officers.

(b) Authorization of deputies to perform duties or functions vested in or required of the Regional Manager with respect to the operations of the Loans and Properties Division shall be limited to employees of such division, and with respect to the operations of the Comptroller's Division shall be limited to the employees of that division: *Provided, however,* That no such deputy shall exercise any power now or hereafter conferred upon the Regional Manager to direct advances of Corporation funds

for, or to approve extensions for the accounts of, salaried employees, irrespective of whether such employees or mortgagors, vendees or their successors in interest. The foregoing limitations with respect to the appointment of deputies shall not apply to the appointment of deputies to approve, on behalf of the Regional Manager, vouchers for reimbursement of travel or transportation expense.

§ 401.04–2 *Authority to approve.* (a) Requests for deputy appointments for Regional Managers, or for employees under the jurisdiction of the General Manager in the New York regional office, shall be approved by the General Manager.

(b) The Regional Manager shall approve requests for deputy appointments for principals under his jurisdiction.

(c) All deputies shall sign in the name of their principals by themselves as deputies; and each such principal shall be bound by and responsible for the deputy's acts on his behalf.

§ 401.04–3 *Revocations.* (a) A deputy authorization shall be automatically revoked:

(1) In its entirety, upon the separation of either the principal or the deputy;

(2) As to particular forms, upon discontinuance of a form which has not been superseded by another approved Corporation form, or where the revision of a form eliminates the principal as a required signatory.

(b) Other deputy revocations shall be effected by the use of HOLC Form 104–A, executed by the principal or by the approving official.

§ 401.04–4 *Effect on by discontinuance of forms.* Upon discontinuance of an approved Corporation form which is superseded by another approved Corporation form, deputy authorizations shall continue in full force and effect for the superseding form, unless otherwise directed by the General Manager, with the advice of the General Counsel.

§ 401.04–5 *The General Manager.* The General Manager may appoint deputies to sign or approve on his behalf any or all forms or formal documents.

CREDIT REPORTS

§ 401.05–1 *Who may order; cost limits.* Credit reports may be ordered from established and approved credit agencies by the Regional Manager or Regional Counsel, or by brokers when such credit reports are permitted or required by the regulations or are necessary in the business of the Corporation. The cost of such reports shall not exceed one dollar per report, except as is otherwise provided herein. Credit agencies must be approved by the General Manager or the Regional Manager, and notice of such approval shall be filed with the Auditor.

§ 401.05–2 *Additional costs.* The General Manager may authorize compensation not exceeding two dollars per report to approved credit agencies in localities where such reports cannot be obtained at a lower cost, and shall file with the Auditor a schedule of fees in excess of one dollar per report which are authorized generally for any locality; and such reports may be ordered within the limits of such schedules by the officers or brokers mentioned in § 401.05–1.

§ 401.05–3 *Special service.* The General Manager also may authorize Regional Managers to incur and approve expenses for special service in obtaining credit reports, in addition to the above limitations, where they determine that special service is required because of emergency; *Provided,* That the cost to the Corporation of any credit report ordered by a broker shall in no event exceed two dollars.

§ 401.05–4 *Authority; without limit.* The General Manager, the Auditor, or the General Counsel may order from approved credit agencies such credit reports, and approve the amount and payment thereof without limitation as to amounts.

FEE ASSIGNMENTS TO SALARIED EMPLOYEES

§ 401.07–1 *To salaried employees of the U. S. etc.* Assignments for services to be performed on a fee basis shall not be made to a person who is a full-time or part-time salaried employee of the United States, or any department or agency thereof, or any corporate agency or instrumentality of the United States having no capital stock, or all of whose capital stock (except any qualifying shares of directors or similar officers which may be otherwise owned) is beneficially owned, directly or indirectly, by the United States. Where, however, such an assignment is made in due course of business, without knowledge of the salaried status referred to, and the service is performed in good faith, the Corporation may pay for such service when approved by the General Manager or, in the case of legal expense, by the General Counsel.

§ 401.07–2 *To WAE employees of the U. S., etc.* Assignments for services to be performed on a fee basis may be made to a person who is a WAE employee of the United States, or any department or agency thereof, or of any such corporate agency or instrumentality of the United States; *Provided,* That fee service shall not be performed by such an employee of the Corporation on the same day as WAE employment by the Corporation.

TRAVEL AND PER DIEM

§ 401.08–1a *Policy.* Standardized Government Travel Regulations will be applied with respect to per diem allowances and reimbursement for expenses incurred in connection with properly authorized travel on official business. Pursuant to these regulations, the Corporation will reimburse officials and employees required to travel on official business for necessary reasonable travel expense incurred, and per diem in lieu of subsistence expense.

§ 401.08–2 *Authorization for travel.* (a) Travel of all officers and employees within the Continental United States and its possessions may be authorized: by the General Manager for those officers and employees under his supervision; by the General Counsel for those in the Legal Department; by the Auditor for those in the Auditing Department; by the Director of Personnel for those in the Personnel Department; and by the Secretary for those not under the supervision of the General Manager, the General Counsel, the Auditor, or the Director of Personnel.

(b) Travel of all officers and employees within a Region may be authorized: by the Regional Manager for those officers and employees under his supervision; by the Regional Counsel for those in the Legal Department; and by the Director of Personnel for those in the Personnel Department.

TRANSPORTATION

§ 401.09–1 *Basis of reimbursement.* Transportation necessary to the official business of the Corporation of officials or employees within their official stations may be made in privately-owned automobiles for which they may be reimbursed on a rental basis of five cents per mile.

§ 401.09–3 *Transportation defined.* These regulations will apply to transportation within the official station as defined in paragraph 3 of the Standardized Government Travel Regulations, as amended, and incidental trips outside of such station. Incidental trips connected with transportation within the boundaries of the official station may consist of one or more trips outside the boundaries of the official station to points nearby. (Points nearby generally will be construed as points within approximately twenty-five miles of the boundaries of the official station.) Vouchers for such transportation shall be submitted on Standard Form No. 1012, indicating the total number of miles traveled on official business for each day, and, also, rental at five cents per mile for privately-owned automobiles; and such officer or employee will be paid such rental (five cents per mile) as the actual cost of such transportation. Where an employee is directed in connection with his official duties to take photographs of any property or properties, he may incur any expense incident to the photographs, and upon payment of the cost thereof may be reimbursed by including the same on Standard Form No. 1012 with his other expense for transportation, attaching receipts to cover such expense.

§ 401.09–4 *Authorization.* When deemed necessary for official business, officials empowered to authorize standardized government travel on official business may authorize in advance, for a period not exceeding six months, transportation within the official station and incidental trips without such official station on a rental basis of five cents per mile; however, in no event shall a blanket authorization for transportation within an official station be issued for a period longer than the next ending fiscal period, namely, June 30 or December 31 of each year, as the case may be.

GOVERNMENT REQUESTS FOR TRANSPORTATION

§ 401.10–20 *Charges, how paid.* All charges for service obtained on Government Transportation Requests will be paid only on bills to be rendered by the

carrier to the Corporation. The carbon copies of the Transportation Requests shall be attached to Standard Form No. 1012 and, upon approval of the proper authority in accordance with the instructions herein contained, shall be forwarded to the Auditor in the Home Office.

PURCHASE AND SUPPLY

§ 401.12–1 *Authority.* (a) The General Manager shall conduct the purchase and supply operations of the Corporation, which shall include but not be limited to the authority to purchase, sell, exchange, lend, rent, supply, transfer, or otherwise dispose of furniture, fixtures, equipment, forms, stationery, supplies, and other personal property required in the operations of the Corporation, and the issuance of bills of lading. Purchase orders may be approved by such persons as the General Manager from time to time shall designate in writing.

(b) The General Manager on behalf of the Corporation may enter into any contract and may incur any expense incident to the performance of any duty or function of the General Manager's Department, and may approve the amount and payment thereof.

(c) Except as to purchase orders based upon requisitions approved by the General Counsel, the provisions herein shall not include or relate to the purchase, maintenance or disposition of law books, law periodicals, law publications, and like material for law libraries; and nothing herein contained is intended to modify, restrict, or affect in any way the authority, duties or responsibility of the General Counsel as expressed in the pertinent provisions of Part 406 of this chapter with respect to such property.

§ 401.12–4 *Variations in quantity.* (a) The usual and customary variation in quantity due to processes of manufacture may be allowed in certifying as to receipt of, and administratively approving vouchers for, purchases and services.

(b) Except as otherwise provided herein, the Regional Manager or the Secretary may certify as to receipt of, and administratively approve vouchers for, supplies, equipment, or services performed under contracts for recurring services, where such purchases and contracts have been authorized previously by the General Manager. Such vouchers shall be transmitted directly to the Auditor.

§ 401.12–5a *Nonexpendable property.* Nonexpendable property shall not be purchased, exchanged, loaned, rented, nor transferred outside the Region to which it has been assigned, without prior approval of the General Manager. Such property shall not be sold without prior approval of the General Manager, except for sales to other Government agencies in accordance with the provisions of § 401.12–7.

§ 401.12–7 *Sale of property.* (a) Nonexpendable and expendable property which is available for disposition may be sold by the Regional Manager to any other Government agency without prior approval from the General Manager, provided that such property shall be sold at prices established by the General Manager and in accordance with instructions issued by the General Manager. HOLC Form 229 shall be executed in connection with each such sale, and the transaction shall be given an appropriate Regional Office equipment sale number.

(b) When sale of such property to another Government agency is not consumated within such period of time as the General Manager shall designate, the Regional Manager shall obtain competitive bids for public sale on HOLC Forms 629, and shall post notice thereof in a public place.

(c) The General Manager may waive the securing of competitive bids in connection with any sale of such property under the same conditions as they may be waived in purchases, as provided in § 401.12–12 (a).

§ 401.12–8 *Government bills of lading.* (a) All Corporation-owned property shipped by common carrier must be shipped on Government Bills of Lading.

(b) The Regional Manager shall issue bills of lading for transfers of property within the region or, when directed by the General Manager, for shipment outside the region.

(c) Upon receipt of any shipment of supplies or equipment, the receiving office shall examine the contents and, if found in good condition, shall execute the consignee's certificate of delivery on the original bill of lading and present it to the agent of the delivering carrier.

(d) If shipment is received in a damaged condition, the agent of the delivering carrier shall be notified and a full report of damage made on the reverse of the bill of lading.

§ 401.12–11 *Purchases not exceeding $25, limitations.* (a) The Regional Manager or the Secretary may purchase expendable property not exceeding $25 in any one instance, subject to the limitations herein prescribed and to instructions issued by the General Manager.

(b) The authority granted to the Regional Manager and to the Secretary to make purchases of expendable property not exceeding $25 in any one instance shall not include any printing or any item listed in the Home Office Stock Catalog, or typewriter repairs exceeding $10.

§ 401.12–12 *Expenditures in excess of $100; bids.* (a) Every purchase involving an estimated expenditure in excess of $100 shall be made after advertising for bids, except:

(1) Where the exigency of the service requires the immediate delivery of the articles that will not admit of the delay incident to advertising;

(2) Where there is only one source of supply; or

(3) Where for any other reason it is impracticable to secure competition.

(b) The necessity for making purchases under the foregoing exceptions shall be determined by the General Manager. The reason for not advertising for bids must be clearly explained in each instance by the requisitioning office.

INTEREST

§ 401.13–1 *Interest rate on home owners' indebtedness.* Interest at the rate of 4½%, as heretofore accepted on payments becoming due after October 16, 1939, shall continue until further notice to be accepted on the indebtedness of a home owner to Home Owners' Loan Corporation, arising from a loan, advance or sale of property, which carries an interest rate of 5% or 6%.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 45-11526; Filed, June 28, 1945; 4:13 p. m.]

[Bulletin 362]

PART 402—LOANS AND PROPERTIES [1]

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[1] This is a consolidation and revision of former Parts 402, 403, 404, and 405.

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ASSIGNMENT OF INDEBTEDNESS

402.31–1 Policy re assignment of indebtedness and authority of Regional Manager.
402.31–2 Execution and conditions of assignments.

AUTHORITY: §§ 402.01–1 to 402.31–2, inclusive, issued under secs. 4 (a) and 4 (k), 48 Stat. 129, 132, 643, 647; 12 U. S. C. and Sup. 1463. E.O. 9070, 3 CFR Cum. Supp.

NOTE: §§ 402.01–1 to 402.31–2, inclusive, are contained in Bulletin No. 362, effective July 1, 1945.

REGIONAL OFFICE ORGANIZATION OF THE LOANS AND PROPERTIES DIVISION

§ 402.01–1 *Responsibility of the Loans & Properties Division.* The Loans and Properties Division shall be responsible for the protection of the Home Owners' Loan Corporation's interest in the loans and purchase money contracts it holds in its portfolio until liquidated. This responsibility includes the servicing and collecting of accounts, extensions of loans, authorizations of foreclosures or the acceptance of deeds in lieu of foreclosure, property inspections, maintenance of fire prevention service, repair and reconditioning of properties securing indebtedness, granting partial releases, subordinations, the payment of taxes, the maintenance of proper insurance coverage, appraisal of properties, and the sale, rental, collection of rents, maintenance, repairs, reconditioning, rehabilitation, rebuilding, enlargement, and demolition of properties acquired.

§ 402.01–2 *Responsibility of the Regional Manager.* The activities of the Loans and Properties Division within a region shall be directed in accordance with the regulations of the Corporation by the Regional Manager. The immediate supervision shall be vested in a Manager of Loans and Properties, who shall report to and take direction from the Regional Manager.

§ 402.01–3 *Authority to pay expenses in connection with servicing.* The Regional Manager may incur and approve the amount and payment of any expenses, not exceeding $50.00, incident to the servicing of home owners' accounts. The Regional Manager may determine, with the advice of the Regional Counsel, whether any expenses not paid by the home owner shall be charged to the home owner's account or to Corporation expense.

§ 402.01–5 *Cases beyond the authority of the Regional Manager.* Cases beyond the authority of the Regional Manager to act, cases of an unusual nature involving interpretations of policy, and such cases or classes of cases as the General Manager may from time to time direct, shall be referred to the General Manager for consideration and further direction. Cases so referred shall contain the recommendation of the Regional Manager and, where necessary, the opinion of the Regional Counsel.

§ 402.01–6 *Definition of "home owner."* The term "home owner", wherever used in this part, shall include all persons obligated to the Corporation upon loan or sales instruments or owning property securing indebtedness to the Corporation.

SERVICING TREATMENT OF ACCOUNTS

§ 402.02–1 *Policy and objectives of servicing program.* The necessity of treating each case of delinquency as an individual problem is recognized, as is the Corporation's duty to collect indebtedness from home owners and, where clearly established that the default is wilful, steps are to be taken immediately to protect the Corporation's interest.

In the consideration of cases where such default is not wilful, it will endeavor to determine whether the economic status of the home owner, which causes the default, is reasonably to be regarded as temporary or permanent. In the case where it appears to be temporary, it will consider the effect upon its own interest and, where justified, may defer exercising its legal rights.

Home owners in default should be dealt with as considerately as the facts warrant, provided such consideration does not prejudice the Corporation's legal rights nor prevent it from discharging its responsibility to collect indebtedness due from home owners.

The objectives of the Corporation's servicing program are to protect the Corporation's investment in the securities it holds in its portfolio; to maintain the maximum possible number of loan accounts in good standing; to deal speedily, effectively, and sympathetically with those that are, or become, in default; to secure the facts in each case and promptly take such action as the circumstances may warrant.

§ 402.02–20 *Collections by service representatives.* It is the policy of the Corporation to discourage the personal collection of home owners' payments by its service representatives. However, where the home owner will not be encouraged to expect personal collection of payments to the Corporation, service representatives may receive checks, money orders, and bank drafts when tendered as payment to the Corporation in connection with the servicing of accounts or management, rental, or sale of owned properties, provided the HOLC is the named payee in such items. The service representative shall transmit any such items collected in connection with loan accounts to the control supervisor; and any such items received in connection with the sale or rental of Corporation owned property to the Analysis and Real Estate Section for transmittal to the Comptroller's Division.

The service representative shall not receive payments in cash under any circumstances, unless specifically authorized by the Regional Manager on Form 454. Revocation of such authority shall be made on Form 454–A.

EXTENSIONS AND AMORTIZATIONS

§ 402.04–1 *Policy and purpose of extension of time for making payments.* It is the policy of the Corporation to grant extensions of time for the payment of indebtedness on an individual case basis and to make every effort to place the home owner in position to maintain his taxes, insurance premiums, and loan or vendee account on a current basis.

It shall be the objective of the Corporation to deal primarily with cases that are seriously delinquent and to give preferred attention to such cases. While it is not a requirement that precedent to the granting of an extension, the home owner be delinquent in any of his obligations to the Corporation, it is not contemplated ordinarily that the extension program be applied to home owners who are current in their obligations or to those who are not seriously delinquent, unless a permanent change in the home owner's circumstances requires such action.

§ 402.04–2 *Authority to grant extension.* Where the circumstances of the home owner, condition of the security, and best interests of the Corporation justify it, the Regional Manager, with the advice of the Regional Counsel, may grant extensions of time for the payment of any amount, including principal, interest, and advances, or the unpaid balance of the account, and change the payment plan contained in the loan or sales instrument, whether the account is delinquent or not, and in connection with any such transactions, may accept an extension or other agreement or new obligation and security instrument and execute any such instrument or cause the same to be executed by a duly authorized officer of the Corporation; *Provided, however,* That in no case shall the term of repayment exceed 25 years from the date of the original loan or 20 years from the date of the sales instrument; *And provided further,* That the home owner, in connection with the granting of an extension, execute an agreement with the Corporation for a Tax and Insurance Account.

§ 402.04–3 *Items included in extensions.* In connection with the granting of an extension, the Regional Manager may authorize advances for the payment of taxes, assessments, other levies or charges, or ground rents. Any extension granted shall embrace all present indebtedness, including delinquent principal, interest, and unless otherwise provided, all advances previously made or made in connection therewith, whether due or not. Payments shall be required in equal monthly instalments over a period commensurate with the home owner's circumstances, but in no event shall the term of payment exceed the period authorized in § 402.04–2.

It is required, where an extension is granted, that the home owner, in connection therewith, agree to accumulate with the Corporation, in addition to his regular payments, funds to provide for a tax and insurance account. Where practicable to do so, arrangements may be made with the home owner at the time the extension application is executed, for a lump sum payment to the tax and insurance account to avoid the necessity of subsequent advances resulting from such shortages.

§ 402.04–6 *Rate of interest and monthly billing of extension.* The instruments used in granting an extension shall provide for monthly instalments based upon the rate of interest applicable to the original obligation. In all instances, however, the actual monthly payment to be billed shall be based on the rate of interest provided in Part 403 of this chapter, regardless of the rate of interest stipulated in the extension instrument. Therefore, the monthly instalment stiplated in the extension instrument will be greater than the amount of the actual billing, except in those instances where the payment proposed by the home owner is equal to or in excess of the minimum monthly payment required for insertion in the extension instrument, in which cases the actual monthly billings and the monthly instalment stipulated in the extension instrument will be the same.

§ 402.04–7 *Co-makers, endorsers and signature on application for extension.* Neither the application nor the extension need be signed by former home owners who are not in title. Regardless of the number of persons in title to the property the signature of the applicant may be that of any one person in title. Whether or not the spouse of the applicant is a co-maker, either with or without title interest, the signature of such spouse is not required on the application. Other co-makers and endorsers of the present home owner shall sign the consent contained in the application for extension unless the Regional Manager determines that by reason of the good credit risk of the present owner, the high security value of the property, or other reason, the signature of any such endorser or co-maker may be waived without detriment to the Corporation's interest, or that to require such signatures would work a hardship on the home owner, disproportionate to the benefits to be derived therefrom, or unless the Regional Counsel advises that the granting of the extension will not release their liability.

Except in jurisdictions where the consent of co-makers and endorsers is not required, the names of any co-makers or endorsers of the present home owner, whose signatures are to be waived, shall be furnished to the Legal Department.

§ 402.04–11 *Reamortization of accounts.* Where miscellaneous or other credits are or have previously been so applied as to reduce materially the unmatured principal indebtedness, resulting in a curtailment of the time required for the payment of the account on the basis of its present billing, the home owner may request and the Regional Manager may direct a reamortization of the loan balance, including any unpaid interest, within the original or extended period of the loan or sales instrument. Such reamortization will be limited to cases where the monthly accrual will not be increased but will remain the same or be reduced; and it shall not apply to cases where the original or extended time for repayment of the indebtedness would be extended. Such reamortizations shall not be considered as extensions but the provisions hereof shall not be interpreted to prevent the granting of extensions in proper cases.

TAX AND INSURANCE ACCOUNTS

§ 402.05–1 *Authority for establishment of tax and insurance account.* The establishment of a tax and insurance account is mandatory in certain instances as indicated in other sections of this part. The Regional Manager may also require the establishment of a tax and insurance account in connection with the granting of partial releases, subordinations, waivers, substitutions of security, consents for removal, improvements, alterations, transfers of title, or in other cases involving similar requests by the home owners. Arrangements for a tax and insurance account may also be made available to home owners desiring such facilities.

In cases where the establishment of a tax and insurance account is a requirement of the Corporation and in other cases where home owners have requested the establishment of such account, arrangements may be made with home owners on an approved form for a tax and insurance account for the accumulation of funds for the payment of the following items or for such of them as the Corporation may in its sole discretion and from time to time desire to pay:

(1) Any taxes, assessments, and ground rents which, in the judgment of the Corporation, may affect the property which secures payment of any indebtedness owing to the Corporation or which may affect such indebtedness or the instruments evidencing or securing it;

(2) The premiums and cost of such fire or other insurance as the Corporation may from time to time obtain; and

(3) Such other levies, charges, or items as the Corporation in its sole discretion may deem it necessary or proper to pay.

§ 402.05–4 *Re-establishment of tax and insurance accruals.* Accruals for taxes which have been suspended may be re-established upon direction of the Regional Manager. If the insurance accrual is suspended, it shall be re-established upon the home owner's failure at any time to deliver insurance policies to the Corporation in accordance with its regulations. The Control Supervisor shall notify the home owner of the re-establishment of tax and insurance accruals on a form of the 521 series.

§ 402.05–7 *Payments from tax and insurance account.* Unless otherwise directed, funds accumulated in the home owner's tax and insurance account shall be used for the payment of the home owner's taxes and insurance premiums. No funds accumulated in the tax and insurance account for insurance premiums shall be paid direct to agents or insurance companies for insurance ordered by the home owner.

§ 402.05–8 *Advances due to insufficiency in tax and insurance account.* Advances to home owners for the payment of taxes, assessments, other levies or charges, ground rents, or insurance premiums, arising from deficiency in the tax and insurance account, shall be charged to the home owner's account and billed on demand. Notices of such charges shall be sent to the home owner with the monthly billing on a form of the 521 series.

In unusual cases, advances billed on demand may be subsequently amortized by direction of the Control Supervisor. In these cases, payments shall begin with the next instalment due date for which the home owner is billed following receipt of direction by the Comptroller's Division, unless otherwise directed by the Control Supervisor in individual cases. The period of amortization shall not exceed the unexpired term of the loan or other contract.

§ 402.05–9 *Continuation of tax and insurance account.* In cases where a tax and insurance account has been established and notice of transfer of the property, death of the home owner, or notice of other similar matters affecting the account is received, it is assumed that the present tax and insurance account will continue in effect unless the Regional Manager, with the advice of the Regional Counsel, shall otherwise direct.

In foreclosure cases, the regular monthly accruals will be continued and the balance in the tax and insurance account will not be transferred to the loan account until judgment or sale, if such sale is not preceded by judgment unless otherwise directed by the Regional Counsel or the Loans and Properties Division.

FORECLOSURES

§ 402.06–1 *Authority to direct foreclosure and acceptance of deed in lieu of foreclosure.* After all efforts to collect the debt owing the Corporation have been made, as is provided by the rules and regulations, and all efforts to assist the home owner have been exhausted and it becomes necessary to protect the taxpayers, the Regional Manager may

authorize foreclosure or the acceptance of a deed in lieu thereof. When deeds in lieu of foreclosure are accepted from owners of mortgaged properties in settlement of the indebtedness owing to the Corporation, no sum shall be paid to the owner of the property but as a part of the consideration for such deed, an owner may be permitted to continue in possession of the premises for a limited time within the discretion of the Regional Manager under advice of the Regional Counsel. When foreclosure is authorized, it shall be determined whether or not a deficiency claim shall be retained on the books of the Corporation if the value of the security is less than the amount of the debt.

§ 402.06–4 *Action on foreclosure recommendation and notice to home owner.* The Regional Manager shall approve or disapprove the recommendation of the Analysis and Real Estate Section and if legal action is contemplated, shall, where proper, instruct that section to notify the home owner and all other parties primarily or secondarily liable for the debt, on Form 520 or other approved form, thus affording a final period to make satisfactory arrangements for placing the account in good standing.

§ 402.06–6 *Direction to foreclose.* If no acceptable proposal is made by the home owner within the prescribed period, the recommendation of the Analysis and Real Estate Section shall be referred to the Regional Manager. If it appears to the Regional Manager, after consideration of such recommendation and the evidence in the case, that foreclosure or the acceptance of a deed in lieu of foreclosure is necessary, he is authorized to so direct the Regional Counsel by appropriate notice to foreclose, provided it can be legally accomplished. The Regional Manager shall also simultaneously send "Notice of Foreclosure" to all other interested departments and sections.

§ 402.06–7 *Authority for suspension and withdrawal of foreclosure.* At any time prior to the acquisition of absolute title by the Corporation, the Regional Manager, with the advice of the Regional Council, may direct that foreclosure proceedings or negotiations for a deed in lieu of foreclosure be suspended or withdrawn and the loan or sales account reinstated on such terms and conditions as he may determine to be for the best interest of the Corporation. In connection with such withdrawal and reinstatement, he may effect the cancelation of the old indebtedness and the taking of new loan or sales instruments. In connection therewith, he may also direct the acquisition of title by the Corporation and the execution of instalment contracts or other like sales instruments or deeds to home owners or to third parties accepting appropriate security instruments. No suspension, withdrawal, or reinstatement in such cases shall be made which would involve a loss to the Corporation. The authority herein granted may be exercised in any case where a notice of withdrawal has been issued but on account of the lack of time or for other cause, the reinstatement has not been accomplished prior to the acquisition of absolute title. All cases handled under such authority shall be classified as withdrawn foreclosures and not as sales.

§ 402.06–9 *Payment required for withdrawal; notices of suspension, withdrawal, and resumption.* When withdrawal is requested, the Regional Manager should generally require a payment equivalent to the total of all costs and expenses, all delinquency existing when foreclosure was commenced, the amount which would have matured up to the date of withdrawal had foreclosure not been commenced, and all costs of reinstatement before directing withdrawal. However, cases will arise in which, by reason of the legal factors involved or the circumstances of the case, it appears in the best interests of the Corporation to withdraw such proceedings without requiring the present payment of a sum equivalent to the total of such items. In these cases and in cases where suspension is recommended, the Regional Manager, if he considers it to be in the best interests of the Corporation, may, with the advice of the Regional Counsel, direct withdrawal or suspension by the issuance of "Notice of Suspension" or "Notice of Withdrawal" to all interested departments, divisions, and sections. If, following suspension, the Regional Manager directs the resumption of foreclosure proceedings, he shall issue "Notice of Resumption" to all interested departments, divisions, and sections. If, following withdrawal, the Regional Manager determines to foreclose, he shall direct that a new foreclosure be instituted by issuing a new Form 191–B and "Notice of Foreclosure".

§ 402.06–12 *Terms of repayment on withdrawals and suspensions.* The Regional Manager should forward to the Regional Counsel with the "Notice of Withdrawal" a statement of the outstanding indebtedness and the terms upon which it is to be repaid, and information concerning the tax and insurance account. Any new instruments used to consummate the withdrawal shall prescribe the same rate of interest called for in the instruments foreclosed. The Regional Manager should generally prescribe the same maturity of the indebtedness which would have existed had foreclosure not been commenced. Where the Regional Manager makes an exception to this general rule, he shall not fix more liberal terms of payment than he is now or may be hereafter authorized to grant in the case of an extension if no foreclosure were involved.

No proposal of the home owner should be accepted unless, in the opinion of the Regional Counsel, the Corporation will maintain or secure a lien or rights equal to that held before withdrawal. Other persons liable for the payment of the indebtedness should not be released except upon the approval of the Regional Manager. The right of the Corporation to resume or recommence foreclosure upon failure of the home owner to carry out his proposal shall be preserved during all suspensions.

§ 402.06–13 *Reinstatement on sales instruments.* In cases withdrawn from foreclosure, it is the policy of the Corporation generally to re-establish the security on the same basis as existed prior to foreclosure. However, exceptions may be made where the proposal does not justify the reinstatement of a long period of redemption or where, for legal or other reasons, the Regional Manager considers it in the best interests of the Corporation to arrange for the acquisition of title by the Corporation and sale to the home owner or a third party on sales instrument, in which event, the Regional Manager, prior to the acquisition of title by the Corporation, shall forward to the Regional Counsel and other appropriate sections and divisions a "Notice of Withdrawal" containing a direction that the reinstatement is to be effected through the acquisition of title by the Corporation and the execution of an instalment contract or other sales instruments. In the event that reinstatement is not consummated after acquisition of title in such cases, the Regional Manager shall issue "Notice of Resumption" but shall not issue a new Form 191–B. Upon receipt of such "Notice of Resumption", the Regional Counsel shall issue "Notice of Acquisition" to all appropriate sections and divisions.

In instances where sales instruments are substituted for lien instruments, the period of payment shall not exceed that prescribed for the extension of an original loan. In such cases, the forms approved for use in the sale of Corporation owned property shall be employed to close the transaction, and the present loan number shall be retained and amended by inclusion of "R" at the end thereof.

INSPECTION OF SECURITY PROPERTIES

§ 402.07–3 *Vacant, unoccupied, or abandoned properties; authority to make emergency repairs.* When property is determined to be vacant, unoccupied, or abandoned, the service representative shall notify the Control Supervisor immediately. The service representative shall be responsible for the protection of the property against vandalism and the elements and is authorized:

(a) To contract with a local contractor on Form R–26A, to perform the necessary protection work; and

(b) Where it is found necessary, to contract with and instruct a caretaker for the property and to determine the compensation therefor;

Provided, however, That in neither case the cost shall exceed $25.00.

In the event emergency repairs in excess of $25.00 are necessary to protect vacant or abandoned properties, the service representative shall secure the approval of the Regional Manager and the advice of the Legal Department as to the right of entry upon a property before taking any further action.

In the event the home owner or other party is uncooperative or unavailable or there are other disabilities, legal or otherwise, the Regional Manager may cause a contract to be awarded on behalf of the Corporation under emergency conditions.

The control supervisor shall inform the Insurance Section of the existence of fire hazards and of any vacant, unoccupied, or abandoned property and the reoccupancy thereof. He shall request follow up inspection reports at such intervals as the circumstances of the individual case may indicate to be necessary and usually not less often than ninety days.

REPAIRS AND RECONDITIONING OF SECURITY PROPERTIES

§ 402.08–1 *Authority to make advances for reconditioning.* The Regional Manager may authorize advances for the account of home owners to accomplish reconditioning of any nature whatsoever, including advances for reconditioning which has been partially or fully performed by home owners, not in conformance with established regulations, provided such reconditioning is determined to be in the best interests of the Corporation in order to protect its security, to facilitate the collection of the indebtedness owing to the Corporation, or to promote the orderly liquidation of the assets of the Corporation; and may incur and approve the amount and payment of fees and expenses in connection with such advances, provided that the prior approval of the General Manager shall be obtained:

(a) When advances are made to protect the orderly liquidation of the assets of the Corporation; or

(b) The amount to be authorized, exclusive of legal and inspection fees, exceeds $1,000.00.

§ 402.08–2 *Selection of procedure to be used for advances for reconditioning of security properties.* Reconditioning of security properties may be performed:

(a) By the home owner, dealing directly with the contractor, or

(b) Under the supervision of the Corporation.

When advances are requested for reconditioning, the service representative or control supervisor, if the request is made through correspondence, shall consider all the circumstances of the case and, subject to the final determination of the Regional Manager, shall process the request on the basis of paragraph (a) or (b) of this section. When appropriate, the recommendation of the Analysis and Real Estate Section may be obtained before the method of processing is determined. Selection of the method to be used requires full consideration of the status of the home owner's account; the relationship of the debt to the value of the security; the responsibility of the home owner and his contractor; the type of repairs needed, whether necessary, emergency, or other; whether repairs are of a structural nature or require drawing of plans and preparation of detailed specifications; the amount of the advance requested; the location of the property; the availability of contractors and inspectors; seasonal conditions; and the effect of delay.

Method (a) will generally be adopted in cases where the advance does not exceed $300. However, the Regional Manager may direct that method (a) be followed in any case or class of cases where the proposed advance exceeds $300, and may direct that method (b) be followed in any case or class of cases where the proposed advance does not exceed $300.

Applications for advances of Corporation funds for reconditioning shall be made on Form 529–A.

§ 402.08–3 *Processing advances for reconditioning under method (a).* When cases are to be processed under method (a), the home owner shall be expected to obtain specifications and bids, in duplicate, for the required reconditioning from contractors of his choice. While it is not required that more than one bid be obtained, it is desirable, wherever practicable, that bids be obtained on a competitive basis from several contractors. It is not required that these bids be submitted on Form R–4A. The service representative may assist the home owner in obtaining bids where necessary. The home owner shall indicate on the bid of his choice his approval thereof and forward duplicate copies of bids received to the control supervisor for processing with the application to the Analysis and Real Estate Section.

That section shall review all factors relating to the application, including the bids and specifications received. Where it is deemed advisable, that section may direct that the application be processed under a method other than that being used, may require changes to be made in specifications and additional bids obtained. If necessary, an appraisal of the property, also, may be obtained. The Analysis and Real Estate Section shall prepare a recommendation to the Regional Manager covering:

(a) The approval or disapproval of the advance,

(b) The terms of repayment, and

(c) Where necessary, the advisability of waiver of lien instruments.

If the advance is approved by the Regional Manager, the home owner shall be required to execute appropriate debt and lien instruments. When these are received, the Analysis and Real Estate Section shall prepare Form R–17–A, based upon the approved bid, and advise the home owner that the contract may be awarded. One copy of the approved bid shall be retained by the Analysis and Real Estate Section and one copy returned to the home owner. Forms R–17–B, R–17–C, and R–107–A shall also be furnished to the home owner with instructions for their use, when the work is completed.

The Comptroller's Division shall be informed of the amount of the advance on Form 646–A and shall enter the proper charge on the accounting records.

Where necessary, an inspection of the reconditioning shall be requested by the Analysis and Real Estate Section.

When the home owner informs the Corporation of the satisfactory completion of the work and furnishes the necessary forms, properly executed, the Analysis and Real Estate Section shall prepare and process a voucher for payment of the work performed by the contractor: *Provided,* That the amount of such voucher shall not exceed the amount of the advance, assemble all papers, and transmit with Form R–18 to the Auditing Department for certification and disbursement. Any unexpended portion of the advance shall be credited to the home owner's account. With the advice of the Regional Counsel, the Regional Manager may direct that the funds advanced by the Corporation be made payable to both the contractor and the home owner.

§ 402.08–4 *Processing advances for reconditioning under method (b).* When cases are to be processed under method (b), the service representative or fee inspector shall prepare Form R–4–D indicating thereon the extent, necessity, estimated cost, including incidental expenses, and other technical or pertinent information regarding the reconditioning. He shall obtain from the home owner, if available, the names of the contractors to be used for bidding purposes. The Analysis and Real Estate Section shall review the application and Form R–4–D in the manner outlined under method (a) and prepare a recommendation for the Regional Manager. If the recommendation for the advance is approved by the Regional Manager, the Analysis and Real Estate Section shall prepare specifications on Form R–4–A, or authorize their preparation, solicit bids from qualified contractors preferably selected by the home owner.

Before the reconditioning contract is awarded, the home owner shall be required to execute appropriate debt and lien instruments and the home owner and contractor shall be required to execute Form R–4–A. Form R–4–B. Contractor-Corporation Agreement, and Form R–4–C, Owner-Corporation Agreement, shall also be executed. Upon execution of all required forms, the Regional Manager shall authorize the home owner to award the contract on Form R–17–A, B, C and shall inform the Comptroller's Division of such authorization on Form 646–A and make assignment of the case to a service representative or fee inspector for such inspections as are deemed necessary.

Upon completion of the reconditioning and its acceptance by the home owner and by the Corporation, and after review by the Legal Department, if required, the Analysis and Real Estate Section shall prepare the proper vouchers for payment of the work and services performed, assemble all papers and transmit with Form R–18 to the Auditing Department for certification and disbursement. Any unexpended portion of the advance shall be credited to the home owner's account.

§ 402.08–5 *Repayment of advances for reconditioning.* An advance to a home owner for reconditioning shall be repaid "on demand" or "in monthly instalments" as may be determined by the Regional Manager, who shall notify the Comptroller's Division of the time and manner of the repayment plan. When the advance is to be repayable "in monthly instalments", the total period of repayment shall not exceed the unexpired term of the Corporation's loan or as extended, nor the statutory period of limitations, and shall be fixed with reference to the estimated life of the reconditioning and the home owner's ability to repay.

§ 402.08–6 *Reconditioning advance lien instruments and title examination.* All funds advanced by the Corporation

to the home owner for expenses shall be included in the accepted and approved form of the debt or lien instrument. Forms R–60 or R–61 shall be used generally when advances are in the amount of $500 or less. However, the Regional Counsel shall indicate the proper type of instrument to be used in each case or class of cases.

Title examination is not required when the estimated cost of reconditioning is $500 or less. Title examination is required when the estimated cost of reconditioning is greater than $500, unless the Regional Counsel waives title examination and certifies as his opinion that the advance will be secured as a lien under the Corporation's loan instrument and such lien will be prior to encumbrances, except taxes and assessments, which intervened or may intervene between the date of the Corporation's loan and the date of the additional lien to be obtained.

Where title examination is required and intervening liens are disclosed, the home owner shall effect subordination or discharge of all such liens, except liens for taxes and assessments, without expense to the Corporation. If the home owner is unable to effect subordination or release of such liens, the Regional Manager shall be notified.

§ 402.08–7 *Security property reconditioning cases requiring Home Office approval.* In any cases wherein it appears that an advance may not be authorized due to any of the following circumstances, and the Regional Manager is of the opinion that it is to the best interest of the Corporation to grant an advance notwithstanding, the case may be submitted to the Home Office for the advice of the Legal Department and the review and approval of the General Manager:

(a) Where the home owner cannot effect subordination or release of liens, except taxes and assessments, which are prior to the lien obtained for the advance;

(b) Where it is impracticable to require the home owner to effect subordination or release of intervening liens;

(c) Where, because of emergency or for other reasons, it is impracticable to require title examinations;

(d) Where it is impracticable or impossible to obtain the execution of the required security instrument by any or all parties in interest or title and the advance would not be secured as a lien under the Corporation's loan instrument. (In each such case, the file shall contain the opinion of the Regional Counsel as to the legal rights and remedies of the Corporation to establish and enforce a lien for such reconditioning as against any or all parties in interest or title);

(e) Where the amount of the advance is in excess of $1,000.00;

(f) Where the advance is to be made to promote the orderly liquidation of the assets of the Corporation.

§ 402.08–8 *Reconditioning where home owner provides labor.* When an advance for necessary repairs or other reconditioning has been approved in accordance with the regulations of the Corporation and the home owner requests permission to provide the labor in connection therewith, the qualifications and reliability of the person who is to perform the labor shall be investigated and recommendations made to the Regional Manager. If the Regional Manager determines to permit the home owner to provide the labor, a contingency allowance shall be included in the advance to assure the Corporation of satisfactory performance of the reconditioning by the home owner and the Regional Manager, on behalf of the Corporation, may enter into a contract with the home owner on Form R5. The home owner, where practicable, should be required to submit bids for all materials in accordance with the bid requirements of the regulations.

The reconditioning work shall be performed under the supervision of the Analysis and Real Estate Section. When the work has been completed satisfactorily and the home owner has satisfactorily complied with the provisions and covenants contained in the contract, vouchers for the bills for materials and all costs other than labor shall be prepared by the Analysis and Real Estate Section and the Comptroller's Division notified of the amount of the unexpended portion of the advance, which shall be credited to the home owner's account. The total cost of labor and materials shall not exceed the advance authorized. The Regional Manager, with the advice of the Regional Counsel, at his discretion, may authorize payment of material bills prior to the final completion of the work when the circumstances justify.

In the event the home owner fails or refuses to provide the labor to complete the reconditioning, he may contract with persons acceptable to the Corporation to perform the remainder of the labor, which shall be paid for by the home owner from his personal funds or, when approved by the Regional Manager, from funds available in the advance; or the Regional Manager may contract with suitable persons to complete the work under such terms and conditions as the Regional Manager, with the advice of the Regional Counsel, shall deem to be for the best interest of the Corporation. When any funds from the advance are used to pay for any portion of the labor, only the unexpended portion of the advance shall be credited to the home owner's account.

§ 402.08–9 *Reconditioning not approved.* In any case where the home owner refused to approve the reconditioning after completion, the Corporation, except as otherwise provided, shall make payment to the contractor only in the event the contractor has reduced his claim to judgment. In any case where it is impractical or impossible to obtain the home owner's approval of the reconditioning after completion because of death, incompetency, or other disability, legal or otherwise, and the cost of such reconditioning is included in and secured by the Corporation's lien instrument, the Regional Manager, upon the advice of the Regional Counsel, may authorize payment to the contractor or direct any other appropriate action.

§ 402.08–11 *Advances for reconditioning partially or fully completed.* The Regional Manager may grant an advance, within the limitations of his authority, for reconditioning which has been partially or fully performed by a home owner not in conformance with the standard regulations or for equipment installed in a security property. The Analysis and Real Estate Section shall review the case and prepare a recommendation for the Regional Manager.

CHANGES IN OWNERSHIP OF SECURITY PROPERTIES

§ 402.09–3 *Property purchase by Corporation employee.* When an officer or employee of the Corporation desires to enter into a contract with a home owner to purchase any property on which the Corporation holds a loan or sales instrument, such officer or employee shall submit a statement of the proposed sale contract, with a statement by the home owner or other satisfactory evidence that said home owner has been informed of the purchaser's relationship to the Corporation and that the proposed sale agreement is voluntarily entered into.

All statements and other information relating to the transaction shall be forwarded through the control supervisor to the Regional Manager. If the Regional Manager recommends approval of the transaction, he shall forward all information with respect to the proposed sale, together with the loan docket and his recommendations, to the Home Office Property Committee.

§ 402.09–6 *Filing of claims against estate of deceased borrower.* In cases where the home owner or other obligor has died, the Regional Manager may direct that a claim be filed against the estate of the deceased. Such claims shall be filed where the Regional Counsel advises that it is necessary in order to protect the Corporation. Ordinarily probate claims will not be filed where it appears that any of the following circumstances obtain:

(a) That the account will be maintained in good standing or satisfactory payments made;

(b) That the assets of the estate are insufficient or of such nature that they cannot be reached by a claim; or

(c) That the satisfaction of the claim from assets other than the security of the Corporation will deprive the family of its only means of livelihood or otherwise result in extreme hardship.

Except in cases where notice of death of borrower is referred to the Legal Department, the control supervisor shall review the account and where the circumstances referred to in the preceding paragraph do not obtain, he shall refer the case to the Analysis and Real Estate Section. This section shall review the circumstances of the case and, where the filing of a claim is recommended, shall refer the case to the Regional Manager for his consideration. If he approves, he shall refer the case to the Regional Counsel who shall file the claim unless there are legal reasons which would make such action inadvisable. Where no claim is to be filed, the case should be returned to the Control Supervisor.

CHANGES IN LIENS OR PROPERTIES SECURING INDEBTEDNESS

§ 402.10–3 *Authority for granting partial release.* The Regional Manager, with advice of the Regional Counsel, and subject to such terms, conditions, and consideration therefor as the Regional Manager determines to be in the best interests of the Corporation, may grant the partial release of any lien or security instrument, including the property covered thereby, and the total or partial release of any lien acquired subsequent to the closing of a loan solely as additional security or by virtue of the entry of judgment, on the home owner's evidence of indebtedness to this Corporation before foreclosure.

§ 402.10–4 *Information needed in partial release cases.* Sufficient information regarding identification and description of the entire property covered by the Corporation's lien instrument and the portion to be released, including the location of any and all improvements thereon, in the form of a plat or survey or such other form as may be acceptable to the Regional Manager and Regional Counsel, shall be furnished by the applicant and made part of the original application.

§ 402.10–5 *Payment of taxes in connection with partial releases.* Where it is necessary to pay all or part of the taxes, assessments, ground rents, or other levies or charges on the entire property to effect the partial release and the owner is not financially able to pay same, and if the sum received as consideration for the release is insufficient to pay all or part of such items, then the Regional Manager may direct that the pro rata part of any such items on the part to be retained be advanced by the Corporation.

§ 402.10–7 *Authority for granting waivers or subordination or consent to easement.* The Regional Manager, with advice of the Regional Counsel and subject to such terms and conditions and consideration therefor as the Regional Manager determines to be in the best interests of the Corporation, may grant:

(a) Subordination of any lien or security instrument and the property covered thereby, including the granting of easements;

(b) The waiver of any right under any security instrument, instalment sales contract, deed or evidence of indebtedness secured thereby, or of any additional or supplemental agreements held by the Corporation in connection with such instruments, whether arising by contract or by operation of law, including the right for deficiency judgment, but excluding discharges based upon payment in full.

Any request for waiver or subordination of any right or interest shall be reviewed by the Analysis and Real Estate Section, and the written opinion of the Regional Counsel as to the effect of such waiver or subordination obtained. If approved, the Regional Manager shall request the Regional Counsel to prepare a form of instrument for use in the particular case and, with the advice of Regional Counsel, shall direct the manner in which the instrument is to be delivered.

§ 402.10–9 *Authority for division of security and indebtedness; purpose.* The Regional Manager, with the advice of the Regional Counsel, may authorize and direct a division of the property covered by the Corporation's mortgage, other security instrument or sales instrument, the allocation of the indebtedness to each parcel, the reamortization of each indebtedness over a period not to exceed 25 years from the date of the original loan or 20 years from the date of the sales instrument; the execution or acceptance of appropriate releases, reamortization agreements, mortgages, and other instruments by any official authorized to execute releases of the mortgage liens of the Corporation, and such further action as may be necessary to effect the division of the indebtedness and property: *Provided, however,* That if either indebtedness is reamortized or extended, the debtor must be eligible for an extension or reamortization under the provisions of this part.

The purpose of the division of indebtedness and security is to assist a home owner, presently unable to make payments according to his note or bond and mortgage, to place himself in a better position to retain his home and keep his account current by selling a portion of the property to a financially responsible purchaser who will assume the indebtedness allocated thereto.

§ 402.10–11 *Instruments used in division of security and indebtedness.* The Regional Manager, with the advice of the Regional Counsel, shall decide whether the present mortgage shall be released in full and two or more new mortgages taken in lieu thereof, or whether the present mortgage shall be released in part and a new mortgage taken for the part released. Whether released in whole or in part, any new mortgage must be executed by the present home owner and the new mortgage on the property purchased must be assumed by the purchaser in the conveyance or otherwise. When the foregoing procedure pertaining to instruments to be taken cannot be followed under the laws and practices in any particular state, such procedure may be followed as shall be in conformity with such laws and practices. The total indebtedness secured by said mortgages shall equal the balance due the Corporation less any credits to the loan arising from the transaction. The Regional Manager, with the advice of the Regional Counsel, shall fix the amortization rate on any new mortgages and the terms of any supplemental agreement with the home owner providing for revised amortization of the indebtedness not assumed by the purchaser, in conformity with the provisions of this part relating to extensions and reamortizations. No instrument shall be executed the effect of which will be to release or modify the rights of the Corporation against sureties or other parties secondarily liable without the express approval of the Regional Manager with the advice of the Regional Counsel. When the transaction is consummated, the indebtedness to the Corporation shall be secured by liens valid in the opinion of the Regional Counsel. When the division proposed involves properties upon which the Corporation holds a sales instrument, the transaction shall be completed upon such instruments as the Regional Counsel shall approve.

§ 402.10–12 *Authority for substitution of security; advances authorized; instruments to be used.* Where an account of condemnation proceedings, which have been commenced or are in contemplation; or on account of fire, windstorm, flood, other similar casualty losses, sale, transfer, or other matter affecting the security for the loan, conditions arise which make it for the interest of the Corporation to accept an offer from the home owner to substitute other real estate as security in lieu of that held by the Corporation under its mortgage or other lien instrument, or in addition to that to be held after the condemnation, casualty loss, sale, transfer, or other matter, the Regional Manager, with the advice of the Regional Counsel, may, after appraisal and pursuant to established regulations, authorize the acceptance of such other real estate and may consent to the removal and relocation of improvements and the repair, alteration, or reconditioning thereof, and may permit the home owner to use all or a portion of the award, insurance loss settlement, or other consideration for the purpose of acquiring the new or additional property, including additional improvements, of removing and relocating the improvements, making the repairs, alterations, or reconditioning, and of paying other proper expenses in connection with the transaction.

The Regional Manager may also authorize the making of an additional advance for expenses in connection with the removal and relocation of the improvements in such cases and for the expenses of appraisal, title search, recording fees, and other necessary charges in connection with the substitution of the new or additional security, provided that the borrower is unable to pay such expenses and it affirmatively appears that such advance is necessary to prevent a material loss to the Corporation in the particular loan.

Upon the taking of any new or additional property as security, such instruments shall be taken to evidence and secure the total unpaid indebtedness as will adequately protect the Corporation, and such as will preserve a valid first lien on the old property retained, if any, and create a valid first lien on the new security. If a first lien is not obtainable, such cases shall be submitted to the General Manager, who, with the advice of the General Counsel, shall direct the action to be taken in regard to the same. A release, in whole or in part, of the original security, where appropriate, may be made by any official authorized by the Regulations to execute releases of the mortgage lien of the Corporation; and releases may be made for such consideration as may be determined by the

Regional Manager, subject to the provisions hereof.

§ 402.10–13 *Requirements for approval of substitution of security; appraisals.* No substitution of security involving the removal of the improvements to, or the rebuilding of such improvements on, substituted security shall be entered into without the consent of junior lienors. The requirements of similar consents from co-makers, endorsers, or other sureties shall be within the discretion of the Regional Manager and Regional Counsel.

Appraisals ordered in connection with processing of substitutions of security shall cover the valuation of the entire property to be held as security by the Corporation after substitution is consummated, as well as the value of the portion to be released.

When an application for substitution of security involves construction work, the Regional Manager may consent to the alterations, improvement, removal, or demolition under regulations provided therefor in this part.

§ 402.10–14 *Instruments used in substitution of security.* In cases involving a partial release, where the Regional Manager and Regional Counsel decide that it is advisable to retain in force the original note or bond and mortgage in so far as it is not released, a new mortgage securing the original note or bond shall be taken on the new security, which shall be so written as to afford security for the mortgagor's entire indebtedness to the Corporation, including unpaid balance of all advances which have been made in connection with the loan and any advances made in connection with the substitution. Appropriate recitations and provisions shall be made to show the consideration and occasion for the execution of said mortgage; and the provisions for its enforcement shall be in harmony with the provisions of the original mortgage.

In cases involving a full release of the original security or in which the Regional Manager and Regional Counsel deem it advisable to take a new mortgage covering both the new security and the portion of the old security to be retained, releasing the old mortgage in full, a new note or bond and a new mortgage shall be taken bearing the date of the transaction. The new note or bond shall represent the amount of the unpaid balance of principal and interest of the original loan and also the unpaid balance of any advances, including advances made in connection with the substitution. It shall be in the discretion of the Regional Manager and Regional Counsel whether amounts that are delinquent at the time may be included in the principal of the note or bond and amortized with that portion of the indebtedness not due, or whether the note or bond shall be in terms payable as the original note or bond, leaving the amounts previously delinquent as payable on demand. The indebtedness evidenced by said note or bond or the unmatured portion thereof may be amortized over a period not to exceed that authorized in the case of an extension, provided that the home owner is eligible therefor under the provisions of this part relating to extensions. However, in the event the foregoing procedure cannot be followed under the laws and practices in any particular state, such procedure may be followed as will be in conformity with such laws and practices.

Unless specifically approved by the General Manager, a valid first lien shall be maintained on any portion of the original security retained and shall be acquired on any new security taken. Such instruments shall contain the same general covenants and conditions as are contained in the approved form of note or bond and mortgage provided for use in the particular state. When the substitution proposed involves properties upon which the Corporation holds a sales instrument, the transaction shall be completed upon such instruments as the Regional Counsel shall approve.

§ 402.10–15 *Authority for consents to alterations, improvements, removal or demolition of security property.* The Regional Manager, with the advice of the Regional Counsel, and subject to such terms, conditions, and consideration therefor as the Regional Manager determines to be in the best interests of the Corporation, may grant the written consent of the Corporation to the making of alerations or improvements to, or the removal or demolition of, property covered by any security instrument, contract, or other obligation.

§ 402.10–16 *Bond required with consent to alterations, demolition, etc.* In cases where the granting of consent may result in a lien superior to the Corporation's lien, the Analysis and Real Estate Section may recommend and the Regional Manager may direct that an indemnity bond or other form of protection should be required in order to protect the Corporation. When the possibility of such liens arising from the granting of the consent is remote, indemnity bonds or other forms of protection need not be required. The Regional Manager shall consider the recommendation and unless he determines it will have an adverse effect on the Corporation's security or the enforcement of its rights, or interfere with the home owner's ability to discharge his obligation to the Corporation properly, he may approve the request.

The consent which may be given in any case shall be in writing and, where necessary, shall, by its terms, be upon the express condition that the priority, validity, and enforceability of any instrument held by the Corporation shall not be affected or impaired. The Regional Manager, with the advice of the Regional Counsel, may include in the written consent such other conditions as he determines to be necessary to protect the Corporation's interest adequately.

§ 402.10–17 *Consents to improvements by other Federal agencies.* When any department, establishment, agency, instrumentality or corporation of the United States contemplates making an advance to any owner, lessee or occupant of any property securing a loan due HOLC for the purpose of improving such property or providing any fixtures, equipment or facilities to be attached to or used on such property, and finds it necessary to have a lien upon such improvement, fixtures, equipment or facilities, the Regional Manager, with the advice of the Regional Counsel, shall refer the case to the General Manager for approval and further direction.

§ 402.10–18 *Authority for conversion of instalment contracts into mortgage accounts.* The Regional Manager, with the advice of the Regional Counsel, may authorize the delivery of a deed or other conveyance and the taking of a note or other obligation and a mortgage or other security instrument for the unpaid balance:

(a) In cases where he determines that the purchaser or his successor in interest under an instalment contract, lease with option to purchase, or similar instrument has fulfilled the requirements thereof to such extent that he is entitled by the provisions thereof to such deed or other conveyance; and

(b) In other cases where he determines that it is in the best interests of the Corporation to do so.

In cases where the instalment contract was assigned prior to the application for conversion, the Regional Manager, with the advice of the Regional Counsel, may, if he considers it in the best interests of the Corporation, authorize conversion to the present assignee notwithstanding that such conversion will operate to release the liability of the original purchaser or any intervening purchaser.

MISCELLANEOUS CREDITS

§ 402.11–1 *Authority to direct application of miscellaneous credits; general direction; excess to home owners.* Upon the written request of the home owner, where necessary, the Regional Manager, with the advice of the Regional Counsel, may permit the payment of taxes, assessments, other governmental levies and charges, ground rents, attorneys' fees, insurance adjusters' fees, appraisal fees, and the cost of reconditioning from or make such other disposition as he deems proper of, funds received by the home owner or by the Corporation as mortgagee or assignee, in connection with transactions involving partial releases, grants of easements and flowage rights, insurance losses, mineral deeds, oil, gas, or mineral interests, sales of timber, condemnation awards under decrees or judgment of a court or by agreement substitution of security, additional security, other transactions which otherwise reduce or diminish the security held by the Corporation or the property sold by it, and from funds received as other credits to home owners' accounts, except repayments, before directing that the net amount received by the Corporation be applied to the appropriate account, as provided in Part 403 of this chapter.

When the home owner's written direction for the application of funds to taxes or other items is required and has not already been given, such written direction shall be obtained.

All miscellaneous credits of $25.00 or less shall be applied as repayments unless, in individual cases, the Regional Manager or the control supervisor specifically directs other application. The Regional Manager, with the advice of the Regional Counsel, when necessary, shall direct the application of all other miscellaneous credits. Generally, these shall apply to the principal of a home owner's account in proportion to the reduction of security. However, it is recognized that the source of miscellaneous credits, the condition of the home owner's account, and other circumstances of each case may warrant other application of these funds. Although it is not generally contemplated to use miscellaneous credits as prepayments of any account, such application may be warranted in unusual cases.

In cases where the consideration (whether land, interest therein, enhancement of value thereof, or funds) exceeds the amount by which the value of the Corporation's security is reduced or diminished, and the home owner has requested that any such excess consideration which is represented by cash or part thereof be retained by him or turned over to him for his own use, the Regional Manager may grant the request. In addition to any excess, the home owner may request that all or part of the remaining consideration be retained by him or turned over to him; and the Regional Manager may grant the request in an amount not exceeding $500 of the remaining consideration, provided he determines that the remaining security is ample for the protection of the Corporation's interest. Where the circumstances are exceptional, and the amount requested by the home owner is in excess of that which the Regional Manager is authorized to grant, and the Regional Manager recommends that the request of the home owner be allowed, he shall forward the file, together with a summary of the case and his recommendation, with the opinion of the Regional Counsel, to the General Manager for direction.

ADDITIONAL SECURITY

§ 402.12–1 *Authority to accept additional security.* Additional security may be a factor in the solution of some delinquent cases. It is not desirable to take physical possession of personal property nor an absolute conveyance of real property because of the difficulties and expense of custody and servicing of such property. Therefore, additional security must be in the form of a mortgage or other lien on personal or real property, which property will be converted into cash by the home owner or his agent at some reasonably certain future date.

The Regional Manager, with the advice of the Regional Counsel, may authorize and direct the acceptance of additional security for the Corporation's loans in such form and by such method as he may deem advisable, when it appears that the best interests of the Corporation will be served thereby.

When additional security is offered, a memorandum shall be prepared describing the additional security available, the arrangements for its liquidation, the date when cash will be available, and any other pertinent information, for consideration of the Analysis and Real Estate Section. If considered acceptable, this section shall submit its recommendation to the Regional Manager. If approved, the Regional Manager shall refer the offer to the Regional Counsel for consideration of the legal phase of the case, the preparation of an agreement, and such lien instruments as may be required to consummate the transaction, and specific instructions as to the manner of execution, recordation, and other similar details. When such papers and instructions have been prepared, they shall be forwarded to the field for execution by the home owner and recordation if necessary. Completed instruments shall be filed in the loan docket and, where appropriate, the additional security delivered to the custody of the Comptroller's Division.

JUNIOR LIENS

§ 402.13–1 *Procedure when junior liens exist.* When the interest of the Corporation is affected by the claims of a junior lienholder, if the record indicates that a junior lien came into existence at or about the time the Corporation's loan was made, the case may be referred to the Regional Counsel for investigation and report.

Except as specifically provided elsewhere in this chapter, the Regional Manager may not authorize advances for the payment of junior liens. In cases where the collection of an indebtedness due the Corporation is affected materially by the existence of a junior lien or liens, or where there is danger of foreclosure of a junior lien, the Analysis and Real Estate Section may recommend and the Regional Manager may authorize:

(a) The suspension of servicing for a reasonable period, during which time the home owner will use payments, ordinarily made to the Corporation, to effect the payment in full of the junior lien; provided that the delinquency in the home owner's account will then be liquidated within a reasonable period. In authorizing the suspension of servicing in these cases, the Regional Manager shall consider the amount of loan reduction, the security position of the Corporation, and the payment record of the home owner.

(b) The granting of an extension for payment of the Corporation's indebtedness under the provisions of this part, provided the junior lienor has agreed with the home owner to make such adjustment for the collection of the junior lien indebtedness as will permit the home owner to retain his home and meet his obligations to the Corporation; or

(c) The foreclosure of the Corporation's mortgage or other security instrument in cases where foreclosure of a junior lien has been commenced or is imminent and the Corporation is entitled to foreclosure its lien under the circumstances existing and under the terms of its lien instrument.

TAXES

§ 402.14–3 *Obtaining tax information; tax searches.* Information regarding the payment of taxes, assessments, or other governmental levies or charges, as may be necessary to maintain approved records and to protect the Corporation from loss, shall be obtained annually, unless otherwise directed by the General Manager, by search of the public record, information received from tax collectors, examination of tax receipts, or other evidence of payment furnished by home owners or other persons paying such items, or by such other method as the General Manager may determine.

The Regional Manager, with the advice of the Regional Counsel, shall prepare a schedule of dates when information regarding payment of taxes should be obtained. If the Regional Manager recommends that tax searches be made in any state or taxing jurisdiction on other than an annual basis, he shall forward his recommendation, with full details as to penalties, sale dates, tax deferments for persons in military service, and the possibility of loss of security if taxes are not paid, to the General Manager for direction.

The Regional Manager shall determine how the public records shall be searched and shall make or cause arrangements to be made for such searches. Ordinarily, searches of the public records will not be made in the instances of properties owned by the Corporation, properties in foreclosure, or properties of home owners where a tax and insurance account has been established, or other cases where payment of taxes is made by the Corporation and receipts or other evidence of payment obtained, unless the Regional Manager determines that such searches are necessary to protect the Corporation from loss.

Searches may be made by an employee of the Corporation or, when authorized by the Regional Manager with advice of the Regional Counsel, by competent agencies or individuals on the basis of a reasonable cost per property, to obtain information to protect the Corporation from loss of title or security. The Regional Manager may incur expenses for such searches and approve the amount and payment thereof within his authority to incur expense.

§ 402.14–4 *Authority to direct payment of taxes.* The Regional Manager is authorized to direct the payment of any taxes, assessments, ground rents, or other levies or charges, or the repayment to effect redemption or recovery from any levy, sale, loss, or forfeiture resulting from non-payment thereof, when, in his opinion, it is necessary or advisable. With the approval of the General Manager and advice of the General Counsel, he is authorized to direct the purchase of bonds or other evidences of indebtedness and to direct the transfer or surrender of same in payment of taxes, assessments, or other levies or charges when payment in such manner is allowed by law and when he deems such procedure in the interests of the Corporation.

§ 402.14–7 *Terms of repayment of tax advances.* Advances to home own-

ers not having tax and insurance accounts for the payment of taxes, assessments, other levies or charges, ground rents, or insurance premiums will be billed on demand unless the control supervisor directs that they be amortized. Any advances billed on demand may be subsequently amortized by direction of the control supervisor. In cases where the advance is to be amortized, payment shall begin with the next installment due date for which the home owner is billed following receipt of direction by the Comptroller's Division, unless otherwise directed by the control supervisor in individual cases. The period of amortization shall not exceed the remaining life of the loan or other contract.

§ 402.14–8 *Advances for stock or rights in improvement companies.* Any advances for stock or rights in ditch, water, artesian well, or local improvement companies shall first be referred to the Regional Counsel for advice as to whether they would be secured under the mortgage or other security instrument held by the Corporation. Such advice may be furnished by the Regional Counsel to the Loans and Properties Division in an opinion as to whether the form of mortgage or other security instrument used in each of the several states in the Region will secure advances for stock or rights in ditch, artesian well, water, or local improvement companies. If in the opinion of the Regional Counsel, such advances are not secured by the instruments held by the Corporation; the Regional Counsel shall furnish the Loans and Properties Division with whatever instruments are required to evidence and secure such advances, together with instructions for the execution thereof. Repayment of such advances shall be secured by pledge of stock, if not already pledged, or by pledge of the water rights or interests therein, or shall be secured in such manner as the Regional Manager, with the advice of the Regional Counsel, may determine.

§ 402.14–12 *Consents to moratoria or assessments.* The Regional Manager, with the advice of the Regional Counsel, may grant consents to home owners to enable them to comply with the necessary requirements to obtain the benefit of moratoria established or declared by proper legislative authority or legal action, relating to taxes, assessments, or other governmental levies or charges.

Consents relating to moratoria affecting taxes, assessments, or other governmental levies or charges shall not be executed unless, in the opinion of the Regional Counsel, such moratoria are valid and such consents will not affect the enforceability or priority of the Corporation's lien and will not render the Corporation liable for any taxes, assessments, or other governmental levies or charges, or for any interest or penalties, and the home owner requesting such consent has executed an agreement for a tax and insurance account.

INSURANCE

§ 402.15–1 *Insuring properties.* All properties owned by the Corporation or securing indebtedness to the Corporation must be insured against loss by fire and, in certain localities, against loss by windstorm or other hazards as provided herein.

§ 402.15–3 *Acceptable insurance.* The Regional Manager may accept insurance policies furnished by home owners on properties securing indebtedness to the Corporation or sold by the Corporation on sales contract when the following provisions are complied with:

(a) The insurance is written by an insurance company, association, or organization licensed to do business in a particular state or territory, or specifically authorized by state law to transact business within the state or territory where the property is located, and whose policy contract and forms are acceptable to the General Manager.

(b) The amount of fire insurance furnished for the account of the home owner is at least equal to the following:

(1) If the amount of the present indebtedness is more than the depreciated replacement value, full insurance to the depreciated replacement value shall be maintained on all buildings valued at $200 and over.

(2) If the amount of the present indebtedness is more than the depreciated replacement value of the main dwelling, but less than the depreciated replacement value of all insurable improvements, insurance in the amount of 100% shall be maintained on the main dwelling and, in addition, sufficient insurance shall be maintained on the remaining buildings in an amount necessary to bring the total amount of insurance to the present indebtedness.

(3) If the amount of the present indebtedness is equal to or less than the depreciated replacement value of the main dwelling, insurance shall be maintained on the main dwelling in an amount equal to the present indebtedness. If the other buildings or improvements are essential economically as a means of liquidating the loan or sales account and produce a reasonable portion or all of the home owner's income, either as a rental property or commercial interest of the home owner, then, upon the recommendation of the Insurance Section, the Regional Manager, in his discretion, also may require on the said other buildings such amounts of insurance as circumstances warrant.

(c) The amount of windstorm or other insurance is not less than that specified in this part for the locality in which the insured property is located.

(d) Co-insurance or similar clauses, when applicable, are complied with and the amount of insurance necessary to avoid penalty is furnished.

(e) If "extended coverage" or "supplemental contract" is submitted by the home owner, all insurance coverage is made concurrent.

§ 402.15–4 *Insurance required by the Corporation.* Fire and extended coverage (supplemental contract) insurance is required on properties owned by the Corporation in the full amount of the depreciated replacement value on all insurable improvements, as shown by appraisals of the property, except where a percentage of the insurance on the main or principal building covers other miscellaneous insurable improvements, such as smaller buildings, etc., in an amount sufficient for the protection of the Corporation.

When no insurance on properties securing liens or sold by the Corporation on sales contract is held by the Corporation for the account of the home owner, fire and other insurance coverage is required in the minimum amounts and kinds acceptable to the Corporation as defined in this part.

When the Corporation is holding insurance on properties securing liens or sold by the Corporation on sales contract, whether such insurance has been furnished by or for the home owner or ordered by the Corporation, the Corporation in its best interest requires the renewal or replacement of insurance in amounts and kinds of coverage (not to exceed fire and those hazards covered by extended coverage or supplemental contract) equal to that which is held by the Corporation for the account of the home owner: *Provided, however,* The Regional Manager may increase or decrease the amounts and kinds of coverage when the amounts and kinds of insurance coverage held by the Corporation for the account of the home owner:

(a) Are in excess of the amounts which the Corporation requires under the specific terms of a mortgage or lien instrument or sales contract:

(b) Are, in the opinion of the Regional Manager, in excess of the depreciated replacement value of the permanent insurable improvements;

(c) Cover hazards other than those hazards included in fire and extended coverage (supplemental contract) insurance;

(d) Cover items other than buildings and permanent insurable improvements on the property securing the Corporation loan or sold by the Corporation on contract;

(e) Are less than the amount or kinds of coverage requested by the home owner and such increase is not inconsistent with other provisions of this section;

(f) Are in excess of the amounts or kinds of coverage requested by the home owner and such decrease or termination does not result in less insurance coverage than the minimum amount and kinds of coverage acceptable to the Corporation;

(g) Are less than the minimum amount and kinds of coverage acceptable to the Corporation; and

(h) Are not necessary for the protection of the Corporation's investment and the Regional Manager has waived the amount or kinds of insurance coverage which are acceptable to the Corporation on any specific property in whole or in part.

§ 402.15–5 *Windstorm and other insurance requirements.* Windstorm or other necessary coverage is required in certain states and territories as follows:

Group I. Windstorm insurance is required on the main buildings and on other buildings and improvements in an amount equal to the fire insurance required to be carried on such buildings by the provision of the regulations in the following States:

3—Arkansas	12—Indiana
11—Illinois exception: Cook County solid masonry construction—50% of fire requirement.	13—Iowa
	23—Missouri
	25—Nebraska
	32—North Dakota
	39—South Dakota

Group II. Windstorm insurance is required up to one-half the depreciation replacement value of the main dwelling and, if fire insurance has been required on other buildings and improvements, then windstorm insurance shall likewise be required on these same other buildings and improvements in an amount equal to one-half of their respective depreciated replacement values:

1—Alabama	31—North Carolina
7—Delaware	32—South Carolina
8—Florida	40—Tennessee
9—Georgia	41—Texas
15—Kentucky	46—West Virginia
16—Louisiana	49—District of Columbia
21—Minnesota	
22—Mississippi	51—Puerto Rico

In States where the windstorm insurance to be carried on any one building is required to be "at least one-half the amount of the replacement value", the insurance submitted is acceptable if the amount is at least equal to the loan, even though it is not equal to one-half the amount of the replacement value; but if windstorm insurance is written with a co-insurance or a similar clause applicable, the necessary amount of insurance to meet this requirement shall be carried so that there will be no penalty in event of loss.

Group III. Windstorm insurance is required up to one-third of the depreciated replacement value of the main dwelling and, if fire insurance has been required on other buildings and improvements, then windstorm insurance shall likewise be required in an amount equal to one-third the depreciated replacement value of all such other buildings and improvements having an individual value of $600 and over.

20—Michigan (in the following counties, but none required in the remainder of the State):

Allegan, Barry, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Hillsdale, Ingham, Ionia, Jackson, Kalamazoo, Kent, Livingston, Lapeer, Lenawee, McComb, Monroe, Muskegon, Oakland, Ottawa, St. Clair, St. Joseph, Shiawassee, Van Buren, and Washtenaw.

Group IV. Windstorm insurance is required on the main building in an amount equal to one-half of the current loan balance or to the value of the main building, whichever is the smaller, in the following States:

33—Ohio 47—Wisconsin

Group V. Windstorm insurance not required. Windstorm insurance is not required on improvements in the following States and Territories:

2—Arizona	29—New Mexico
4—California	30—New York
5—Colorado	35—Oregon
6—Connecticut	36—Pennsylvania
10—Idaho	37—Rhode Island
17—Maine	42—Utah
18—Maryland	43—Vermont
19—Massachusetts	44—Virginia
24—Montana	45—Washington
26—Nevada	48—Wyoming
27—New Hampshire	52—Alaska
28—New Jersey	

Group VI. Waiver of fallen building clause. The waiver of fallen building clause shall be included in all policies on dwelling in the following States:

4—California	26—Nevada
10—Idaho	42—Utah

Group VII. Hail insurance. Hail insurance is required in the same amount as windstorm insurance in the following States:

11—Illinois	25—Nebraska
13—Iowa	40—Tennessee
14—Kansas	41—Texas
15—Kentucky	47—Wisconsin

Group VIII. Explosion insurance. Inherent explosion insurance shall be carried on the main dwellings in the following State:

46—West Virginia

Group IX. Extended coverage insurance required. "Extended coverage" or "supplemental contract" is required on the main buildings and on other buildings and improvements in an amount equal to the fire insurance required to be carried on such buildings by the provision of this part in the following States (effective on expiration of policies already accepted):

14—Kansas 24—Montana 34—Oklahoma

§ 402.15–6 *Extended coverage.* Windstorm insurance will not be required if extended coverage or supplemental contract is included under the fire policy and such coverage complies with the apportionment clause. Extended or supplemental contract may be ordered when requested by the home owner and may be accepted when furnished by or for the home owner.

The Regional Manager may require extended coverage or supplemental contract in an amount equal to the fire requirement in connection with sales of Corporation owned properties on terms.

§ 402.15–7 *Mortgage clause required; contracts of sale cases.* The New York, New Jersey, or Pennsylvania standard mortgage clause (without contribution) or HOLC Form 12, Insurance Mortgage Clause, shall be attached to all policies securing mortgages or other security instruments where such forms are permissible. If a mortgage clause has been approved and its use made mandatory by the laws of any state, such form shall be used in that state. In those jurisdictions where under local laws or conditions neither of the forms above referred to may be used, then that form of mortgage clause or loss payable clause used shall be acceptable to the Regional Manager with the advice of the Regional Counsel.

If demand is made of the Corporation for any premium other than that covering increased hazard under a policy to which a standard mortgage clause (without contribution) has been attached, which the mortgagor or owner has neglected to pay, the Corporation shall surrender the policy. In those cases, insurance equal to the surrendered policy but not in excess of the Corporation's requirements shall be ordered.

In all cases where a property is sold under contract of sale, HOLC Form 12–A shall be attached to all policies covering the affected property. If the agent or insurance company refuses to execute said Form 12–A, the policies will not be acceptable.

Where required, the mortgage clause or loss payable clause shall be as "Trustee for the Home Owners' Loan Corporation". No trustee or Corporation employee shall be designated as mortgagee personally, but only as "Trustee for the Home Owners' Loan Corporation" and only in states where this is the practice.

In cases where another mortgage exists, it is permissible that such other mortgagee also be named in the mortgage clause, as an inferior mortgagee.

§ 402.15–10 *Establishing tax and insurance accounts for insurance.* In any case where a tax and insurance account is to be established for insurance, whether through the medium of an extension, a sale, or otherwise, the Insurance Section shall prepare Form 198–A.

The amount of insurance to be entered on this form shall be as follows:

(a) When the Corporation is not holding any insurance for the account of the home owner, the minimum amounts which are acceptable shall be entered. If the home owner either furnishes or requests additional coverage, a new Form 198–A shall be prepared to include the same, unless the total amount is in excess of the Corporation's requirements.

(b) When the Corporation is holding insurance for the account of the home owner, insurance required by the Corporation shall be entered unless the Regional Manager shall otherwise direct in any case.

The monthly accrual for insurance shall be 1/36 of the cost of a three-year premium for the insurance entered on Form 198–A. Exceptions may be made in unusual cases where insurance is to be ordered for other than a three-year term.

Adjustments of the insurance accrual may be made from time to time:

(1) When changes in premium rates warrant such action,

(2) When changes are made in the amounts and kinds of the insurance required by the Corporation, and

(3) When required by other provisions of this part.

Form 197 shall be used when insurance accruals are changed. Form 198–A shall be used when changes are made in the amounts and kinds of insurance required by the Corporation.

§ 402.15–11 *Insurance expiration notices.* All home owners who have not established a tax and insurance account, or who have a tax and insurance account on which accruals have been suspended, are expected to renew their insurance on or before the expiration date and to furnish the Corporation with an acceptable original insurance policy.

Form RO–1–10 shall be reviewed 15 days prior to expiration date. Expiration Notice, Form 536, shall be forwarded to home owners:

(a) Upon expiration of all insurance, whether direct policies or certificates, when the home owner does not have a tax and insurance account, or when insurance accruals in the home owner's tax and insurance account have been suspended.

(b) Upon expiration of direct policies when the home owner has established a tax and insurance account and the accruals for insurance have not been suspended.

§ 402.15–12 *Review of insurance policies forwarded by home owner.* All insurance received from or for the home owner shall be examined to determine its acceptability. When such insurance is not acceptable, the home owner or his agent or company, where appropriate, shall be requested, on Form RO–I–212, to make such additions or changes as will warrant its acceptance by the Corporation.

§ 402.15–12a *Policies not acceptable.* Policies are not to be accepted if, under the terms of the carrier's by-laws, the contract or the local laws, contributions or assessments may be made against this Corporation as mortgagee or owner; nor where contributions or assessments against the home owner would become a lien on the property superior to the lien of the Corporation; nor where, by the terms of the carrier's by-laws or policy or other conditions, loss payments are contingent upon action by the Board of Directors or the policy holders or members; nor where such policies include any limiting clauses that would prevent the Corporation or home owner from collecting insurance at time of loss.

§ 402.15–12b *Excess insurance coverage.* If any home owner secures insurance in excess of that which is acceptable to the Corporation, all such policies forwarded to the Corporation shall be made concurrent with existing coverage.

§ 402.15–12c *Insurance containing three-fourths value clause.* Any insurance contract having a three-fourths value clause, or other restrictive clause limiting the amount of collectible insurance to less than that which is acceptable to the Corporation, must have such clause eliminated or modified to afford the required protection; otherwise, the policy is not acceptable.

§ 402.15–12d *When less than acceptable insurance is furnished.* When a home owner, who has not established a tax and insurance account, submits renewal or other insurance which is less than that which is acceptable to the Corporation, the same shall be accepted and the home owner requested to provide the additional insurance. If he refuses or fails to do so and the mortgage covenant permits, the additional required coverage shall be ordered through the carrier under contract.

In any case where it is necessary to order insurance coverage to equal that which is acceptable to the Corporation and the premium covering any insurance in addition to the amount originally furnished by the home owner cannot be charged to the home owner's account for the reason that the mortgage contains a covenant which specifically states the amount of insurance to be furnished and which has not been modified by a subsequent agreement or for some other reason, the consent of the home owner shall be obtained authorizing the Corporation to secure such additional insurance and to charge the premium to his account. In any such case, the Regional Manager, within his discretion, may direct the taking of additional instruments in legal form, approved by the Regional Counsel, to secure the advance.

If the home owner refuses to consent, additional insurance will not be ordered until a full statement of the facts and the Regional Manager's recommendation have been submitted to the General Manager for determination. The General Manager may authorize the payment of such premiums at Corporation expense.

§ 402.15–12e *Financed premium on direct policies.* When an insurance policy is submitted by a company financing the premium with request for a receipt in acknowledgment thereof, the Insurance Section shall execute, without deviation, receipt Form 723, or a receipt in form identical therewith. Upon receipt of request from the financing company for return of the policy covered under the executed receipt, the Insurance Section shall immediately return the policy to the financing company and so advise the home owner, requesting the submission of replacing insurance in line with the customary cancelation procedure.

§ 402.15–12f *Direct insurance coverage in tax and insurance account cases.* Direct coverage submitted by home owners having a tax and insurance account must be acceptable to the Corporation. In such cases, if the insurance, including the new policy, equals the then loan balance but is less than the amount which the Corporation agreed to maintain, Form 198–A, listing revised coverage, shall be prepared and forwarded to the home owner.

If such insurance is not acceptable to the Corporation, the home owner will be so advised and, if he fails or refuses to submit acceptable coverage, all policies submitted by the home owner for the particular expiration shall be returned as unacceptable and the necessary amount of coverage shall be ordered through the carrier under contract.

§ 402.15–12g *Suspension of tax and insurance accruals.* Upon the acceptance of the policy, the Insurance Section shall notify the Control Supervisor on Form 197 of any suspension or modification of accruals for insurance and the Control Supervisor shall notify the Comptroller's Division. The Control Supervisor shall notify the home owner of the suspension or adjustment of his insurance accrual on one of the Form 521 series.

§ 402.15–12h *Insurance furnished at time of sale of owned property.* Upon receipt of a closed sales file from the Comptroller's Division, the Insurance Section shall immediately remove all insurance policies from the file along with pertinent insurance data, complete Form 198–A and transmit the file containing Form 198–A and the other forms to the Control Supervisor. The Insurance Section shall review insurance for sufficiency and make proper notation of necessary information on the policy jacket. If such insurance is not acceptable to the Corporation, the purchaser shall be so advised; and, if he fails or refuses to submit acceptable coverage, all policies shall be returned to the purchaser as unacceptable and the required amount of coverage shall be ordered through the carrier under contract. Upon receipt of the sales file, in cases where the Regional Manager authorized the closing of the sale without the purchaser providing the required insurance, the Insurance Section shall order the required amount through the carrier under contract, to be effective as of the date of sale.

§ 402.15–12i *Disposition of renewal policies.* Policies which are acceptable are to be posted to the appropriate insurance jacket (or insert) and filed therein with simultaneous entries on and disposition of Form RO–I–10.

§ 402.15–13 *Insurance on properties owned.* Upon receipt of notice of acquisition of real property by the Corporation, the Insurance Section shall:

(a) Arrange for the immediate cancelation of all existing insurance written through the carrier under contract;

(b) Review all remaining insurance and, where necessary, order endorsements to provide coverage equal to the Corporation's requirements; and

(c) Order insurance in amounts equal to the Corporation's requirements on all improved owned properties on which insurance has been canceled under paragraph (a) of this section or which are uninsured. The contract management broker with whom the owned property is listed will be requested to act as agent if he is qualified to issue insurance.

All orders for insurance on owned properties will be subject to and have the 100% co-insurance clause attached and applied where such clause will produce a reduction in rate.

Ten days prior to the expiration of insurance on owned properties, the Insurance Section shall order renewal insurance in an amount sufficient to provide coverage equal to the Corporation's requirements.

§ 402.15–14 *Insurance ordered by Corporation on security properties.* All insurance contracts protecting the loan or property sold by the Corporation on sales contract shall be reviewed, immediately upon a cancellation, demand for payment of premium due to the insured's failure to make such payment, notification of lapse or voidance of any insurance policies, and/or forty days after the expiration date. If replacement or renewal insurance has not been furnished by or for the home owner or where the home owner has furnished less insurance than that required by the Corporation, insurance shall be ordered from the carrier under contract in the kinds and amounts required by the Corporation, unless otherwise directed by the Regional Manager. Such insurance shall be ordered upon the special forms furnished by the Corporation's insurer under contract and shall be effective as of the termination of the insurance to be replaced.

When insurance is ordered for a home owner having a tax and insurance account on which accruals for insurance are not suspended and the amount of the insurance held by the Corporation, including the insurance ordered, is greater or less than that which the Corporation had previously agreed to maintain for the home owner, Form 198–A containing the new amount and kinds of insurance coverage shall be prepared and forwarded to the home owner through the Control Supervisor. Adjustments in the insurance accrual shall be requested on Form 197.

All insurance ordered by the Corporation shall be for a term of three years, except in cases where no savings in premium cost would result from payment in advance for a term of three years or unless otherwise directed by the Regional Manager.

§ 402.15–14a *Minimum premium cases.* When the minimum premium imposed by insurance regulations will purchase more insurance than the Corporation requires, insurance in an amount or term sufficient to absorb the minimum premium will be procured provided the value of the improvements so warrants.

§ 402.15–14b *Re-establishing insurance accruals.* Where insurance is ordered for a home owner having a tax and insurance account on which insurance accruals were suspended, the Insurance Section shall prepare a Form 198–A, based upon the amount of insurance held by the Corporation for the account of the home owner at the time of ordering insurance, and shall prepare Form 197, indicating the amount of accrual to be re-established, and shall forward both forms to the control supervisor. The control supervisor shall advise the home owner of the re-establishment of the insurance accrual on a Form of the 521 series.

§ 402.15–14c *Insurance ordered in foreclosure cases.* Insurance shall be ordered through the contract carrier in the regular manner on expiring policies in all cases wherein foreclosure has been authorized, and the order shall be plainly marked "Foreclosure Authorized", giving the date thereof. The Legal Department shall be advised of such orders. If, subsequent to the ordering of the certificate, foreclosure is withdrawn, the contract carrier shall be notified and requested to issue its regular certificate. If, prior to acquisition, the property is redeemed or sold to a third party, the carrier shall be requested to cancel the certificate and furnish the Corporation with a certified bill for the earned premium, which shall be forwarded to the Legal Department.

§ 402.15–15 *Canceling insurance orders.* Whenever a home owner submits a new or renewal insurance policy, subsequent to the issuance of the order to the insurer but prior to the expiration of 45 days following the termination of the insurance being replaced, the order for coverage shall be cancelled without charge unless a loss has occurred. Unless submitted as excess coverage, no new or renewal policy shall be accepted from a home owner after the expiration of the 45-day period, unless in the opinion of the Insurance Section, special circumstances justify the acceptance of the policy and the home owner agrees to pay the earned premium, if any, incurred in the cancelation of the insurance procured from the insurer.

§ 402.15–16 *Foreclosure subsequent to order for insurance.* If, subsequent to the time an order for insurance has been issued for which a certificate has not been received, foreclosure proceedings are instituted, the insurer shall be requested to issue the certificate immediately and to provide a receipted bill for the premium on the coverage in those instances where the Regional Counsel advises a receipted bill is necessary. The receipted bill, when required, shall be delivered to the Legal Department.

§ 402.15–17 *Routing of certificate and notice of insurance placed.* The insurer under contract shall issue a certificate or policy of insurance in accordance with the order. The insurer under contract will prepare a Daily Transmittal, Form 764, of debits and credits listing thereon each and every insurance transaction. No entries shall be included on such form prior to the inception date of insurance. The certificate, home owner's notice of insurance placed, and Comptroller's copy of notice of insurance placed (insurance invoices) shall be sent to the Insurance Section where the certificate shall be filed in the policy jacket; home owner's notice of insurance procured shall be attached to the Daily Transmittal, Form 764, prepared by the insurer under contract, and forwarded to the Comptroller's Division. When received by the Comptroller's Division, the home owner's notice shall be held and attached to the home owner's monthly billing showing the charge for the premium. The Comptroller's copy shall be attached to the Daily Transmittal, Form 764, and retained in the Comptroller's files. Charges for insurance on properties owned shall be debited to the individual property accounts.

§ 402.15–18 *Authority for payment of insurance.* No funds accumulated in the tax and insurance accounts shall be used to pay any agent or insurance company for policies ordered by the home owner direct, unless approved by the General Manager.

§ 402.15–20 *Terms of repayment of advances for insurance.* Advances to home owners for the payment of insurance premiums will be billed on demand unless the control supervisor directs that they be amortized.

§ 402.15–23 *Foreclosure insurance endorsements; receivership cases.* Immediately upon notice from the Legal Department that foreclosure proceedings have been instituted, Form 12–B shall be attached to all policies covering the affected property, except in those instances where the insurer, by an existing agreement, has included the provisions of this form in the policy. When the insurer has so agreed, Form 12–B need not be executed. In the event the insurance company, when requested, refuses to execute Form 12–B, the policies will no longer be acceptable and shall be canceled; and coverage shall be secured through the insurer under contract.

When the property is in the process of foreclosure and a receiver is appointed, such receiver may have policies that are in force transferred or endorsed to him; or, where desirable and possible, he may secure the required amount and kinds of insurance through Corporation facilities. Notice of the expiration of policies shall be furnished in such form and manner as approved by the Regional Counsel.

§ 402.15–24 *Vacancy or increased hazard endorsements.* Upon receipt of notification of vacancy, unoccupancy, tenant occupancy, change of name or ownership, foreclosure withdrawal, acquisition of absolute title (not subject to right of redemption), partial release, increased hazards, or other changes, the Insurance Section shall ascertain the date such change occurred and shall immediately notify the insurance company concerned. The necessary or appropriate endorsement, as required, shall be obtained and attached to the insurance policy, and the necessary changes made on the insurance records. Where the information reveals that the property is occupied for purposes more hazardous than those heretofore intended, unless full facts have been given, an immediate inspection of the premises is required. The inspector should report the date the increase in hazard occurred, the type of occupancy, and the financial condition of the home owner.

§ 402.15–25 *Additional premium due to endorsements.* In any case involving an endorsement, where there is an additional premium due to the carrier under contract, the amount of the additional premium shall be entered on the Daily Transmittal Form, included in the monthly account of the insurer under contract, and charged to the proper account.

In any case involving an endorsement on a direct agency policy, it is presumed that the home owner will pay the additional premium, if any, to the agent direct. However, when the home owner cannot pay the additional premium, it may be paid by the Corporation, providing the agent writing the policy provides the Insurance Section with a certified invoice for the additional premium required. This invoice shall be attached to a properly executed voucher which, when approved by the Regional Manager, shall be paid from the Regional Working Fund and charged to the home owner's account.

§ 402.15–26 *Lost or misplaced policies.* In cases where an existing insurance policy has become lost or misplaced, it shall be necessary to obtain a replacing policy. The replacing policy can be obtained only by all interested parties signing a Lost Policy Release.

When it becomes necessary to execute a Lost Policy Release, the Insurance Section shall execute such release for the Corporation. In the event the original policy is found after the issuance of a replacing policy, the original policy shall be returned to the issuing agent.

§ 402.15–28 *Disposition of insurance loans paid in full.* When the home owner advises that it is his intention to pay his loan in full, the Insurance Section shall

be notified immediately. Insurance shall be ordered from the insurer under contract for that which has expired and not been replaced and the cost thereof included in the home owner's statement.

If a loan is to be paid in full through an escrow agent, the Insurance Section shall deliver any direct policies being held for the account of the home owner to the Comptroller's Division with Forms RO–I–386–A and RO–I–386–B. Pending orders for insurance shall be listed on Line 1 of Form RO–I–386–C.

Upon receipt of a "Paid in Full" notice from the Comptroller's Division, the appropriate Forms RO–I–386 shall be prepared when necessary and the following action shall be taken:

(a) Direct policies on which the mortgage clause has been canceled as to the interest of the HOLC shall be delivered to the Comptroller's Division for return to the home owner.

(b) Certificates covering insurance ordered by the Corporation for the home owner, canceled as to the interest of the HOLC, shall be returned to the insurer under contract, which will advise the home owner of the disposition of the insurance coverage.

(c) Pending unfilled orders shall be canceled as of a future date sufficient to permit notice of such cancelation to reach the home owner prior to such future date. Notice to home owner of short term certificate shall be delivered to the Comptroller's Division to be forwarded to the home owner.

(d) Any refunds due the home owner, resulting from the cancelation of pending unfilled orders, shall be returned to the home owner by the Comptroller's Division.

§ 402.15–30 *Fee attorneys and appraisers acting as insurance agents.* Fee attorneys and fee appraisers are not employees of the Corporation. If they are engaged in the insurance business, they may be allowed to rewrite policies which they have previously written on risks which are covered by loans from the Corporation. Fee appraisers and fee attorneys are prohibited from writing insurance on risks covered by loans of the Corporation which have not been heretofore written by them, and from making memoranda or notes of expirations of any kind for future solicitation. Information secured in this manner is not in keeping with good ethics of the profession and will not be tolerated.

§ 402.15–31 *Authority of Regional Manager to adjust insurance losses; proofs of loss.* The Regional Manager is authorized to adjust and settle all insurance losses sustained on any property owned by the Corporation or securing indebtedness held by the Corporation, except that, in the event an amicable settlement cannot be reached, the matter shall be referred to the General Manager for appropriate action. The Regional Manager may direct that insurance loss funds be applied to the proper account, used for restoration, repair or improvement of the properties damaged, or released directly to home owners when the condition of the account warrants.

The Regional Manager is authorized to sign proofs of loss for the Corporation to insurance companies when home owners will not, or through legal incapacity, cannot execute such proofs of loss; and to execute for the Corporation proofs of loss and such other forms as may be required in connection therewith.

§ 402.15–32 *Definition of insurance terms "loss" and "amount of loss."* The terms "loss" and "amount of loss" as used in this part for the purpose of establishing procedure or otherwise, shall be deemed to mean the amount paid by the insurance company or companies for the damage.

§ 402.15–34 *Emergency insurance loss cases.* It is the obligation of the home owner and a condition of his insurance contract that he take such immediate steps as may be required to protect the property temporarily from further damage from any cause whatsoever after a loss, regardless of the estimated amount of such loss. It is customary practice of the insurance agents or company adjusters to assist the home owner in providing this protection.

In unusual cases, when emergency repairs are necessary and the home owner cannot arrange adequate protection for the property immediately, the Regional Manager, upon request, may give telegraphic or telephonic approval to effect the necessary emergency repairs.

§ 402.15–35 *Insurance loss adjustments; home owner cases; employment of adjusters.* Representatives of the Corporation shall not confer or negotiate with insurance adjusters or insurance company representatives relative to the adjustment or settlement of losses on home owner properties unless directed to do so by the Regional Manager in cases where negotiations or conferences are necessary for emergency action or to expedite the settlement of cases in controversy. In any case where it is necessary for a representative of the Corporation to participate in adjustments, it is to be definitely understood that the Corporation will in no way waive any right it may have against the insurer.

If evidence is presented indicating that an adjustment has been made with a home owner in an amount insufficient to repair or replace properly the actual damage, the Regional Manager may request the insurance company to reopen the adjustment if he considers it in the Corporation's interest to do so.

When home owners employ adjusters or attorneys to represent them in the adjustments of losses with the insurance company or companies, it must be understood that the fees or charges of such representatives are ordinarily not to be paid from loss proceeds. However, in unusual cases where the loss proceeds exceed all costs in connection with the restoration of the property to a condition satisfactory to the Corporation, such payments may be made in accordance with § 402.11–1.

§ 402.15–37 *Insurance losses of $100 or less; home owner cases.* The Corporation need not be made a payee or one of the payees on drafts covering losses on property mortgaged to, or sold under instalment contract by, the Corporation where the amount of the individual loss totals $100 or less, and the insurer may be instructed to deliver such drafts direct to the home owner, except in those cases where the insurer denies liability to the insured or notice of foreclosure proceedings has been given to the insurer.

In cases where the total amount of the loss is $100 or less, the Corporation will not require notice of the loss, and restoration may be arranged for and carried out by the home owner, who may receive the insurance loss draft direct from the insurance carrier. Exceptions are made in those cases wherein the insurer denies liability to the home owner or notice of foreclosure proceedings has been given to the insurance carrier.

In cases where the total amount of the loss is $100 or less and the Corporation is made the payee or one of the payees in the insurance loss draft, such draft should be referred to the Comptroller's Division for endorsement without recourse and transmittal to the home owners.

§ 402.15–38 *Insurance losses over $100; home owner cases.* When the Insurance Section receives notice of the amount of a satisfactory adjustment of a loss in excess of $100, Form 115 shall be prepared and the Corporation's decision regarding the restoration of the property and disposition of loss proceeds established.

The Control Supervisor shall consult the Analysis and Real Estate Section before recommending the action to be taken regarding the loss where the endorsement and return to the home owner of the loss proceeds is not considered advisable. The recommendation of the Control Supervisor shall be based upon the status of the account, the relationship of the Corporation's loan to the value of the security, the amount and extent of the loss, the responsibility of the home owner, the location of the property, the effect of delay, and other pertinent factors. The Regional Manager may direct the action to be taken by the Corporation in any special case or may direct that one of the following actions be taken:

(a) That the loss draft or drafts be endorsed without recourse and forwarded to the home owner by the Comptroller's Division with Form 115–D or delivered to the home owner by a Service Representative.

(b) That the loss draft or drafts be deposited for credit to the Suspended Credits Account and disbursed upon vouchers prepared by the Analysis and Real Estate Section.

This section shall inform the home owner of the disposition of his loss proceeds on Form 115–E.

Upon receipt by the Corporation of Form 115–E, properly completed by the home owner, disbursement may be made direct to the home owner for the items set forth in such form, provided that where the home owner lists a creditor whose bill is in excess of $100, disbursement shall be made direct to such creditor, and provided further that where

the Analysis and Real Estate Section believes that it would not be advisable to make disbursement direct to the home owner, disbursement may be made direct to the creditors listed on Form 115–E.

Inspection of the property may be requested by the Analysis and Real Estate Section on Form 115–C when it is deemed advisable.

(c) That the loss draft or drafts be deposited for credit to the suspended credits account and used for restoration of the property under the supervision of the Analysis and Real Estate Section. This section shall inform the home owner of the disposition of his loss proceeds and shall request an inspection of the property. The inspector shall make a complete and detailed report of necessary repairs to effect restoration, estimate the cost thereof, and submit same to the Analysis and Real Estate Section.

Where it appears that the restoration is being performed satisfactorily or has been completed, the Analysis and Real Estate Section may recommend and the Regional Manager may direct that the restoration be completed under paragraph (b) of this section instead of paragraph (c). If processed under paragraph (c), upon the receipt of appropriate forms executed by the home owner and contractor, lien waivers or releases, as required, shall be obtained by the Analysis and Real Estate Section, who shall cause to be prepared appropriate vouchers and other final papers.

Where restoration has not been undertaken or completed by the home owner previously, the Analysis and Real Estate Section shall approve the award of the contract and conduct of the work, within the amount of insurance funds available, to a contractor of the home owner's choice, acceptable to the Corporation, and otherwise shall handle the case in accordance with reconditioning procedure. Upon completion of the work and execution of an approval by the home owner, such form, together with receipts, releases, and waivers, as required, and the inspector's final report and acceptance of the work, shall be sent to the Analysis and Real Estate Section for preparation of vouchers and other final papers.

Modifications of this procedure by the Regional Manager are permitted when home owners desire to undertake restoration themselves with contractors and contracts of their own choice: *Provided*, The Analysis and Real Estate Section reviews and approves the specifications and contracts presented by the home owner: *And provided*, That such deviation from procedure does not jeopardize the interests of the Corporation.

In the event there should be a balance left over from the loss proceeds after disbursement has been made for restoration under paragraph (b) or paragraph (c) of this section, such residue shall be handled as a miscellaneous credit.

(d) That the proceeds of the loss draft or drafts be applied to the loan account. In these cases, the Insurance Section or the control supervisor shall inform the home owner of the manner of application of the loss proceeds.

§ 402.15–39 *Supplementing insurance loss proceeds.* If the restoration contract is in an amount in excess of the insurance funds available, the home owner will be required to place an amount equal to the difference between the amount of the restoration contract and the insurance funds available in escrow for disbursement by the Analysis and Real Estate Section. A reconditioning advance, however, may be made to the home owner to supplement insurance loss proceeds for the restoration of the security property, in accordance with regulations contained in this part.

§ 402.15–40 *Losses on properties owned or under foreclosure.* Losses on properties in process of foreclosure shall be handled as the Regional Manager, with the advice of the Regional Counsel, may direct. If, in any case, the necessary cooperation of the home owner cannot be secured, the Regional Manager, on advice of Counsel, shall direct the method of participation in the particular loss adjustment, and the Regional Manager shall render his decision as to what application is to be made of the proceeds of the loss settlement. The opinion of the Regional Counsel shall be secured as to the right of the Corporation to make entry on the premises.

§ 402.15–41 *Subrogation agreements.* Where an insurance company claims non-liability to the home owner and also claims subrogation under its contract to the extent of the payment made to the Corporation as mortgagee, vendor, or trustee, the Regional Manager shall forward to the General Manager a full report of the facts, with an accompanying report on the legal aspects of the case, prepared by the Regional Counsel. The General Manager, with the advice of the General Counsel, shall determine the disposition of the case and instruct the Regional Manager accordingly; but no separate subrogation agreement shall be executed on behalf of the Corporation unless required by the specific terms of the insurance contract or unless the General Counsel advises that, under the particular circumstances, a special subrogation agreement would be advisable. Where payment of the loss is made by the insurance company, subject to its claim of subrogation, the Regional Manager shall so notify the home owner and any other parties liable for the indebtedness, as well as the Auditing Department, the Comptroller's Division, and any other interested department, division, or section.

§ 402.15–43 *Reinstatement after loss.* Reinstatement of insurance is required as follows:

(a) In cases where the loss is partially or entirely covered by direct policies, the home owner shall be requested to furnish reinstatement of that part of the loss covered by direct policies, if such part of the loss is in excess of $200; however, if the home owner does not furnish such reinstatement insurance, no reinstatement will be required if the remaining insurance in force is acceptable to the Corporation.

(b) Where necessary, reinstatement of insurance on owned properties is required in cases of loss in excess of $200.

(c) In cases where the loss is partially or entirely covered by certificates, the insurer under contract will reinstate insurance for that part of the loss covered by certificates up to the amount of the certificates, without order from the Corporation.

§ 402.15–44 *Insurance canceled at time of sale.* Upon receipt of notice of the sale of Corporation owned property, the Insurance Section shall:

(a) Arrange for the immediate cancelation of existing insurance, purchased by the Corporation, after settlement of any pending loss. Returned premiums resulting from such cancelation shall be credited to the individual property accounts.

(b) Return through the agent to the former mortgagor for his disposition, direct policies purchased by the former mortgagor, which are in force on properties owned by the Corporation, after settlement of any pending loss.

Such policies, when returned, shall bear an endorsement executed by the Insurance Section, as follows:

> The Corporation hereby relinquishes the right to collect for any loss occurring subsequent to this date and payable hereunder, and this policy may be canceled without further release by the Corporation.
>
> HOME OWNERS' LOAN CORPORATION,
> By ----------
> Insurance Section
> Date ----------

APPRAISALS

§ 402.16–4 *Fees for appraisal service.* A general schedule of appraisal fees shall be established by the General Manager. Such fees shall include all pertinent costs, such as mileage, photographs, and all other expenses incidental to the service to be rendered under any particular assignment.

When, in the Regional Manager's opinion, the established schedule of fees is inadequate compensation in any case, recommendation of a higher fee, accompanied by a statement of the specific conditions involved, may be submitted to the General Manager who, if he concurs, may approve the same. Fees less than the scheduled rates may be applied at the Regional Manager's discretion when he determines that they are adequate compensation for the reports rendered. Fees claimed for appraisal services shall be submitted on Voucher Forms 21 and 21–A, prepared by fee appraisers.

Fee appraisal assignments to one appraiser shall not exceed $500 in any one calendar month, exclusive of expert witness fees, compensation received from legal proceedings, or other special services performed for other departments. The General Manager, where circumstances justify, may temporarily remove the limitation of $500 upon the recommendation of the Regional Manager.

§ 402.16–6 *Brokers as appraisers.* Fee property appraisers, who are contract sales or management brokers, are ineligible to receive assignments for appraisals of Corporation owned property. Appraisal reports may be submitted by approved property appraisers who also operate as approved sales brokers, provided the valuation certificate contains a statement declaring the appraiser's identity as an approved sales broker and any present or prospective personal interest

in the subject property. Appraisal reports received with certifications indicating personal interest shall, at the Regional Manager's discretion, be field-inspected by Service Representatives to insure technical sufficiency and protection of Corporation interests. The results of the reviews shall be recorded on Form 608 or Form 618.

RECONDITIONING

§ 402.17–3 *Fee personnel and contractors.* Fee reconditioning personnel and contractors, whether an individual, partnership, or corporation, shall be appointed or their services terminated upon the approval of the Regional Manager, subject to the veto of the General Manager. Each applicant for fee assignments must execute an approved application form.

A fee inspector, fee architect, or fee engineer is not an agent or an employee of the Corporation.

§ 402.17–4 *Fees for reconditioning, architectural and engineering services.* The Regional Manager shall recommend and the General Manager shall approve the fees to be established for fee reconditioning service. The fees shall include all incidental costs, such as mileage, photographs, plans, and all expenses incidental to the service to be rendered on each type of case. The approved schedule of fees, established in accordance with the procedure, shall be used by the Analysis and Real Estate Section in determining the fees to be paid to the inspector, except when such section determines a lower fee adequate for the service to be performed.

An individual fee employee shall not receive assignments for inspection services, the compensation for which would exceed $500, in any given month. Under exceptional circumstances where the best interests of the Corporation require it, the General Manager may remove the limit of $500 temporarily, upon the recommendation of the Regional Manager. Individual contracts for architectural or engineering services for plans or supervision, or both, will not be included in the computation of the $500 limit of fees for inspection services.

When the scope of the reconditioning work requires the preparation of sketches or working drawings, together with special specifications, if any, in order to visualize the work properly before the case can be advanced for further consideration, approved architects or engineers may be employed on a fee basis. Fees for architectural and engineering services, including the preparation of sketches, working drawings, specifications, and supervision, shall be established by the Regional Manager and in no instances shall be in excess of the prevailing fee or fees fixed and established by local professional societies. In cases involving advances to home owners, such fees shall be included in the advance and charged to the home owner's account. In the event the reconditioning work is not executed after preliminary approval by the Regional Manager and an advance for reconditioning is not made to the home owner, the Corporation, upon approval by the Regional Manager, may advance the fee, not to exceed 2½% of the estimated cost of the work, provided the amount so advanced shall not exceed the sum of $75 and, further, that the sketches or working drawings and specifications submitted shall have been approved by the Analysis and Real Estate Section. In all cases of acquired properties or properties in the process of being acquired, payments of fees shall be in accordance with the amount and terms of the fee contract approved by the Regional Manager, both for partial and fully completed cases.

§ 402.17–7 *Special reconditioning assignments.* In certain instances it may be necessary to obtain a mechanical test of the plumbing, heating, or electrical systems. In any case in which the Regional Manager deems it advisable, he may order a mechanical test on an approved form from a contractor, inspector, or other qualified person. Wherever feasible, such test should be made prior to the award of contract.

In certain cases, it may be necessary to perform services of a special character, such as termite or pest control, roofing examinations, mechanical tests, orchard pruning, sanitation, and similar inspections or services. In such cases, the fees applicable for such service shall be negotiated, based upon the approved schedule of fees and expense.

§ 402.17–9 *Securing bids for reconditioning.* It is the general policy of the Corporation to solicit bids only from qualified and approved contractors. In the event such contractors are not available in the locality, the Regional Manager may solicit bids and award contract to a contractor other than an approved one. The Regional Manager may require sealed bids in specific cases or areas.

In all cases where the Corporation engages the contractor, the invitation to bid shall be in rotation as to class or type of contractor so as to provide an equitable distribution of reconditioning cases among all contractors; *Provided, however,* That this practice may be waived by the Regional Manager in those localities where the number of contractors is limited or where an emergency condition exists where contractors are not available or refuse or are unwilling to submit bids. Where the Corporation engages the contractor in mortgagor cases, the invitation to bid, Form R–200, shall be sent to any qualified contractors designated by the home owner. The Corporation reserves the right to reject any or all bids and, in cases where the bid submitted appears unreasonable or excessive, the Regional Manager, where he deems it to the best interests of the Corporation, may solicit additional bids after rejecting former bid or bids. A statement shall accompany the voucher, disclosing the reason for soliciting the additional bids thus obtained.

On jobs in excess of $50, competitive bids shall be solicited from two or more contractors, except in cases of emergency repairs or where it is impossible or impracticable to obtain bids or where necessary to effect an immediate sale or tenancy, or in any other cases authorized by the regulations. A statement shall accompany the voucher, disclosing the reason and justification for waiver of competitive bids.

§ 402.17–10 *Award of reconditioning contracts.* The Regional Manager is authorized to execute on behalf of the Corporation, all reconditioning contracts, Forms R–26 and R–26–A, and reconditioning forms in all cases where the expenditure or advance has been authorized in accordance with the regulations in this part.

It is the general policy of the Corporation to award reconditioning contracts to the lowest acceptable bidder. In cases where the Corporation engages the contractor, a contract may be awarded to a higher bidder when authorized under the regulations or when, upon the written recommendation of the Analysis and Real Estate Section, the Regional Manager determines that it is advantageous for the Corporation to accept a higher bid.

Due to climatic and other justifiable conditions, a separate contract may be awarded for that portion of the reconditioning which can be performed immediately and an additional contract may be awarded later for the remainder. Where it is to the Corporation's interest, the Regional Manager may award a separate contract for work of a particular trade or for the purchase and installation of refrigerators, ranges, shades, linoleum, and other fixtures or equipment.

§ 402.17–11 *Reconditioning extras and credits.* Where the need for extra reconditioning arises subsequent to the award of contract and during the progress of the reconditioning, the Regional Manager may authorize, generally or specially, the Analysis and Real Estate Section, service representatives, contract brokers, or fee reconditioning inspectors to award supplementary contracts for extras or credits on Form R–104–E, providing the total amount of the original and supplementary contracts shall not exceed the sum authorized for reconditioning in any case unless a greater amount than originally authorized is approved.

When authorized, the Analysis and Real Estate Section, service representative, or inspector may direct the contractor to begin the performance of the extra reconditioning immediately after obtaining a supplemental contract, executed by the contractor. Such extra reconditioning shall be evidenced on the supplemental contract form or approved substitute and shall be transmitted to the Regional Manager for execution. Competitive bids are not required in the award of extra contracts.

Where the need arises for the omission from the contract of certain reconditioning in connection with properties securing liens of the Corporation or properties acquired or sold by the Corporation, the Regional Manager may authorize the Analysis and Real Estate Section, either generally in writing or verbally in specific cases, to effect a credit in a fair and reasonable amount. The agreement for the omission of reconditioning shall be evidenced on an approved supplemental contract form and shall be signed by the home owner and contractor.

§ 402.17–12 *Partial payments to contractors.* Where the amount of a reconditioning contract is substantial or where full performance of the contract is delayed or prevented because of conditions beyond the control of the contractor, such as weather, strikes, or other exceptional circumstances, the Regional Manager is authorized to effect partial payment to the contractor in an amount not to exceed 85% of the fair and reasonable cost of the completed reconditioning. In any such case, the Regional Manager may require a performance and payment bond or other acceptable indemnity, at the contractor's expense, in such form as prescribed by the Legal Department. In the event such indemnity is not required, the prescribed evidence for avoidance of mechanics' liens shall be obtained.

§ 402.17–14 *Contractor's and materialmen's lien releases.* Generally, evidence of the release or waiver of liens for labor and material shall be required by the Regional Manager with the advice of Regional Counsel in cases where the amount of the contract with any one individual contractor or materialman is in excess of $300. The Regional Manager, with the advice of Regional Counsel, may require evidence of the release or waiver of liens for labor and material in cases where payment to an individual contractor or materialman is $300 or less, where, in his opinion, the circumstances justify obtaining such release or waiver; and he may waive the requirement that a release or waiver of liens for labor and material be obtained in cases in excess of $300 when he determines that the circumstances of a case or class of cases are such that the Corporation may assume the business risk involved.

Where the amount of the contract is not in excess of $300 and lien waivers are required, Form R–17–B or R–107 shall be used. Such forms may also be used in cases above $300 where lien waivers are required when the Regional Manager so authorizes or when the Regional Counsel is of the opinion that such forms provide the necessary protection to the Corporation. Where the Regional Manager has not authorized the use of Form R–17–B or R–107 and when the Regional Counsel is of the opinion that such forms will not provide adequate protection, Form R–117–B or such other form as the Regional Counsel may prescribe, shall be used.

§ 402.17–16 *Public liability and workmen's compensation.* Approved contractors must show evidence of carrying public liability insurance when the Legal Department advises that the state law imposes upon the owner of a property legal liability to the public for the negligent acts of an independent contractor, his employees, assignees, or agents. In the absence of such legal liability, the Regional Manager may require the contractor to provide public liability insurance if it is determined that appreciable hazards exist in a particular case.

The requirements of this section may be waived in any case in which the Regional Manager determines it is necessary or advisable in the interests of the Corporation.

Approved contractors must show evidence of compliance with the State Workmen's Compensation Law when the Legal Department advises that the compensation law is compulsory and that the contractor is subject to the operation of such law.

§ 402.17–17 *Emergency repairs.* Emergency repairs are defined as those necessary repairs to properties required immediately in order to prevent impairment of health or to protect the property from damage, which repairs are of such imperative urgency that time will not permit the following of routine procedure. When the Regional Manager is advised of the necessity for emergency repairs to security properties or properties owned, he shall direct the procedure which shall be followed.

INSPECTION AND CARE OF FORECLOSED PROPERTIES PRIOR TO ACQUISITION

§ 402.18–1 *Authority to contract management broker to make emergency repairs.* It shall be the responsibility of the contract management broker to protect the property against vandalism or the elements. When any vacant property develops the necessity for immediate protective repairs against vandalism or the elements, the contract management broker may order the performance of such protective repairs, provided the cost thereof shall not exceed $100.00. All other cases involving emergency repairs shall be reported to the Regional Manager.

§ 402.18–2 *Emergency repairs authorized in foreclosure cases.* In authorizing the making of emergency or necessary repairs, due regard must be given to the facts of the particular case, including:

(a) The probability of redemption;

(b) Any legal right of the Corporation to be reimbursed in the event of redemption and the legal expenses incident to effecting reimbursement;

(c) The probability of resultant loss to the Corporation if repairs are not made and the extent thereof;

(d) The justification of expenditures to provide a rental revenue accruing to the Corporation;

(e) The strict adherence to the provisions of any insurance policies where the damage is covered by insurance so as not to impair the Corporation's right to collect under such policies; and

(f) Any other factors which may have a bearing upon the exercise of sound management judgment.

§ 402.18–3 *Advice of Legal Department on repairs in foreclosure cases.* Advice will be obtained from the Legal Department as to the Corporation's right, in any particular state, to be reimbursed out of any income from the property or at redemption for any sums advanced by it for emergency or necessary repairs and an opinion as to the necessity or advisability of obtaining a proper court order before having such repairs made in order to effect such reimbursement. In those states where the Legal Department has advised that a court order is necessary or advisable in order to insure the Corporation's right of reimbursement, the Legal Department shall be requested to obtain the necessary court authority before incurring any charges for emergency repairs or before authorizing the broker to incur charges therefor, unless the interests of the Corporation require such repairs to be made irrespective of reimbursement. Such repairs may be accomplished by brokers without prior court authority where the cost thereof does not exceed the limitations on their authority to incur charges, without the prior approval of the Corporation.

§ 402.18–4 *Procedure for making repairs in foreclosure cases.* Repairs prior to acquisition of absolute title shall be performed in accordance with the procedure in this part relating to maintenance, repairs, and reconditioning of acquired properties insofar as same are applicable.

§ 402.18–5 *Repairs during receivership.* Where there is a receiver for the property, the Regional Manager shall, if he deems it practicable to do so, first request the receiver to make the necessary or emergency repairs and in the event of the refusal of the receiver to proceed without the assurance of the Corporation that it will advance funds for the same, the Regional Manager is authorized in his discretion to give such assurance and to take such other steps as he may deem necessary to the end that the repairs may be completed promptly and properly.

§ 402.18–6 *Procedure where receiver requests advances for repairs.* In cases where the receiver requests the Corporation to make an advance for such repairs, he should make such request on Form R–100–A or on such other approved form or forms as may be satisfactory to the Regional Counsel. If the Regional Manager approves the advance, he shall request the Legal Department to obtain appropriate court authority where necessary or desirable.

After the work has been completed in accordance with the contract and to the satisfaction of the receiver, the Regional Manager may, within his authority, authorize payment to or for the account of the receiver upon the obtaining of such evidence of debt owing by the receiver to the Corporation as may be required by the court order, if any, or such as the Regional Counsel may prescribe or approve, and upon obtaining such evidence as to the release or satisfaction of all liens as required by the regulations.

ANALYSIS OF PROPERTIES OWNED

§ 402.20–8 *Settlement of claims for items of equipment.* Where real property under foreclosure or owned by the Corporation is improved with an oil burner, refrigerator, kitchen range, or other similar chattel and the Regional Counsel determines that any adverse lien upon, or

interest claimed in, such chattel is superior to the Corporation's rights therein, or that it is inadvisable to resist the threatened removal of any such chattel, the Regional Manager shall determine whether it would be to the Corporation's interest to permit such removal or to advance funds to settle or acquire any such lien or interest. The Regional Counsel with the approval of the Regional Manager may settle, compromise, or acquire any such lien or interest and may authorize funds to be disbursed for such purpose.

§ 402.20–9 *Granting easements, rights of way on owned property.* The Regional Property Committee shall review and, with the advice of the Regional Counsel, render decisions in all cases where it is proposed that the Corporation:

(a) Grant or consent to the grant of any estate in fee to any municipality or other governmental or political subdivision or authority for highway purposes or other public use; or

(b) Grant, create, modify, or release, or consent to the grant, creation, modification, or release of any restriction, reservation, easement, condition, right, or right of way, when such action by the Corporation will in any way affect any property in which the Corporation has an interest or any property in the vicinity thereof or the use or occupancy of any such property; or

(c) Release, relinquish, or waive any right, claim, action, cause of action or demand which may or could accrue to the Corporation by reason of any future damage or injury to any property in which the Corporation has an interest as a result of any improvement or other work to be performed by or under the supervision of any municipality or other governmental or political subdivision: *Provided*, That the authority of the Regional Property Committee hereunder shall not be exercised in any case which is within the purview of the Regional Manager or the Legal Department, nor shall it be exercised as to any property on which the Corporation has executed an agreement of sale.

In any case in which any right, title, or interest of the Corporation in the property is the subject matter of any pending litigation, no action herein authorized shall be taken unless the Regional Counsel advises that the interest of the Corporation would be protected. All pertinent data on the case shall be furnished to the Committee. The Committee may direct that the Corporation take any action within the purview of this section with or without pecuniary consideration or upon such consideration as it may require. In any such event, consideration shall be given to the effect of such action on the value of the property and to the advisability of revising the minimum sales price.

All deeds and other instruments necessary or proper to effect any decision of the Committee hereunder shall be approved by the Regional Counsel as to form and legal sufficiency and may be executed and delivered on behalf of the Corporation by any officer of the Corporation who is authorized to execute deeds of real property on its behalf. A copy of each such instrument so executed shall be filed in the property docket.

§ 402.20–11 *Consent to public improvements.* The Regional Manager, with the advice of the Regional Counsel, may in his discretion:

(a) Consent to proposed improvements out of which assessments or levies will arise;

(b) Bind the Corporation to expend such sums for sidewalks, street improvements, or other local improvements effecting the property in foreclosure or owned by the Corporation, or for the general improvement of the neighborhood in which any such property is located,

as he may deem to be for the interest of the Corporation, and may, on behalf of the Corporation, join in and sign petitions or requests therefor, subject to limitation prescribed in this part.

§ 402.20–12 *Acquisition of parcels of real property.* The Regional Manager may, with the advice of the Regional Counsel, effect the acquisition by the Corporation of parcels of real property or of any interest therein, adjacent, contiguous, or related to properties owned by the Corporation, at such price and on such terms and conditions as he may determine to be proper and provided the acquisition is approved by the General Manager, whenever such acquisition, in his opinion, is in the best interests of the Corporation in the liquidation of its acquired properties; and to approve the payment of the purchase price and to incur and approve the payment of any incidental expenses in connection with the transaction, except legal expenses. The purchase price and all such expenses shall be charged against the related Corporation owned property and shall be capitalized.

PROPERTY COMMITTEE

§ 402.21–3 *Membership of Home Office Property Committee.* The Home Office Property Committee is a part of the Home Office organization of the Corporation. It shall consist of not less than three (3) and not more than five (5) members, appointed by the General Manager. The General Manager shall be a member of the Property Committee.

All cases submitted to that Committee shall be reviewed by at least two of its members. The concurrence of a majority of the members reviewing a case shall be sufficient to decide any question that may be presented, except in cases which are required by the Manual to be submitted to the General Manager.

§ 402.21–4 *Authority and functions of Home office Property Committee.* Subject to the foregoing limitations on the authority of the Home Office Property Committee, its functions shall be:

(a) To review all cases where it is recommended by the Regional Manager or the Regional Property Committee that the property be sold at an amount which represents a loss to the Corporation in excess of 35% based on ledger value plus accrued and unpaid charges against the property and the commission of the broker, provided the minimum sales price recommended exceeds $1,000, and to render a decision as to whether the property is to be offered for immediate sale or rental and set a minimum sales price for each such property. Once a minimum sales price has been fixed, the Regional Manager shall revise such price when required by regulations to do so, unless the Regional Property Committee or the Home Office Property Committee has directed otherwise when it established the minimum sales price.

(b) To review and render decisions with regard to all cases which the Regional Manager or Regional Property Committee may deem it advisable to submit or which may be submitted by the Regional Manager as an appeal from the decision of the Regional Property Committee.

(c) To review and render decisions in all cases where the amount to be authorized for reconditioning, repairs, or purchases of equipment and supplies exceeds the limitations on the authority of the Regional Manager.

(d) To review and render decisions with regard to all leases other than:

(1) Month to month tenancies;

(2) Leases on Corporation owned properties for not longer than one year which by their terms permit their cancellation by the Corporation upon not more than one month's notice in event of sale of any of the property leased; and

(3) Leases for periods not exceeding two years where the General Manager has generally or specially authorized the Regional Manager to effect such leases in behalf of the Corporation.

(e) To review and render decisions in cases where the Regional Manager or the Regional Property Committee recommends demolition in whole or in part.

(f) To review and render decisions in all cases where it is recommended by the Regional Manager that an offer be accepted from the owner of a property on which the Corporation holds a mortgage or other approved security instrument to exchange such property for property acquired by the Corporation.

(g) To review and render decisions with regard to any other matters which the Manual requires to be submitted to the Home Office Property Committee.

(h) To review and render decisions with regard to any other matters which the General Manager may deem advisable to submit.

(i) To review all cases:

(1) Where the Regional Manager recommends the approval of the purchase by any officer or employee of the Corporation from a home owner of property on which the Corporation holds a mortgage or other security instrument;

(2) Where the Regional Manager recommends the sale of a property owned by the Corporation, directly or indirectly, to:

(i) Any officer or employee of the Corporation or to any individual approved by the Corporation to perform services on a fee basis, or to the spouse or close relative of any such person;

(ii) Any contract sales broker, contract management broker, or approved sales broker or to the partner, office, or employee of any such broker;

(iii) The spouse or close relative of any such broker operating as an individual or of the partner of any such broker;

and to submit all such cases with its recommendations to the General Manager for final action. Where any purchaser from the Corporation, referred to in this paragraph, is also a former borrower as defined in this part, the sales price requirements for sales to former borrowers shall apply.

BROKERS

§ 402.22–1 *Agreements with sales and management brokers.* The Corporation shall endeavor to sell, rent, and manage its properties through brokers in all localities where satisfactory arrangements can be made and maintained for such facilities and where it appears to the best interests of the Corporation to conduct those activities in such manner. Agreements with brokers for the sale, rental, and management of such properties may be executed and canceled on behalf of the Corporation by the Regional Manager. Such brokers' agreements shall be on approved forms and notice of cancellation of any such brokers' agreements shall be in such form as the Regional Counsel shall prescribe.

§ 402.22–2 *Selection of contract sales and contract management brokers.* The selection of contract sales and contract management brokers is of far-reaching importance. Impartial selections shall be made with a view of obtaining the maximum results for the Corporation. Only those brokers shall be selected who are competent, honest, and qualified to represent the Corporation in its sales and management activities.

A thorough investigation shall be conducted of all persons, firms, and corporations considered for appointment as contract sales brokers and contract management brokers with regard to experience, equipment, industry, credit rating, and reputation for honesty and fair dealing. The names which shall be placed upon the list of contract brokers shall represent the best qualified brokers available in the territory. The individuals, firms, and corporations shall be selected upon the basis of the best interests of the Corporation.

When an applicant is being considered for designation on such list, he shall be required to submit an application on Form 410.

Upon receipt of the properly completed application, the investigation as to the broker's acceptability shall be completed and an application file shall be prepared. A report from an approved credit reporting agency and references as to financial standing, professional qualifications and all of the other data specified on the application form shall be obtained and placed in the file. The Regional Manager shall thereupon approve or disapprove the application. The application file shall be retained intact as a permanent record.

§ 402.22–3 *Contract Sales Broker's Agreement.* Upon approval of a broker as a contract sales broker, he shall execute the Sales Broker's Agreement, Form 430. The Regional Manager is authorized to execute Form 430 on behalf of the Corporation. The contract sales broker shall perform such service in selling such properties as may be listed with him and such other duties in connection therewith as are required by the terms of the Sales Broker's Agreement. The listing shall be subject to prior sale and also subject to change at any time, and to the right of withdrawal upon written notice.

§ 402.22–4 *Contract Management Broker's Agreement.* After a broker has been approved as a contract management broker, he shall execute the Management Broker's Agreement, Form 432. The Regional Manager is authorized to execute Form 432 on behalf of the Corporation. The contract management broker shall perform such service in connection with the rental and management of properties listed with him and such other duties as are required by the terms of the Management Broker's Agreement.

§ 402.22–5 *Selection of approved sales brokers.* In addition to the list of contract sales brokers in each locality, a list of approved sales brokers shall be prepared and maintained. The list shall include the names of those active real estate brokers who, in the opinion of the Regional Manager, are reputable and qualified to negotiate for the sale of the Corporation's properties and who have indicated their willingness to act as a broker on forms furnished by the Corporation for such purpose.

§ 402.22–5a *Board of Arbitrators.* As a condition precedent to being placed upon the approved list, approved sales brokers may be required to agree to submit any and all disputes and controversies arising out of sales commissions to a Board of Arbitrators. The Board of Arbitrators shall consist of three members; one to be selected by the broker whose claim of commission is in dispute, one to be selected by the Corporation, and the two members thus selected shall select a third member. The concurrence of two members of the Board shall be sufficient to decide any dispute or controversy submitted to them.

§ 402.22–5b *Listing with approved brokers.* The listing with approved sales brokers shall not be exclusive and the listing price shall be subject to change and withdrawal or prior sale of the property, all without notice. Approved sales brokers shall conduct all of their negotiations with the Corporation through the contract sales broker designated in the listing.

§ 402.22–6 *Number of properties to be listed with a broker.* It is not the policy of the Corporation to assign all properties in a city to one contract broker for sale or management. It is desired that properties available for sale or management in a given community shall be fairly apportioned among the contract brokers in the locality. Whenever possible, a sufficient number of properties should be assigned to a contract broker to stimulate interest and active effort on his part. In no event should a greater number of properties be assigned to a contract broker than the broker may reasonably be expected to handle efficiently, having in mind his facilities and capacity.

§ 402.22–7 *Property listing procedure.* A specific listing of the property shall be prepared either for sale or rent, or jointly for sale and rent, and forwarded to the contract broker designated by the Analysis and Real Estate Section.

When the property is listed with a contract sales broker, he shall distribute listings of any such property to approved sales brokers within a reasonably effective area of the property.

COMPENSATION OF BROKERS

§ 402.23–1 *Schedule of broker's fees.* The schedule of fees or compensation to be paid to brokers for the sale, rental, and management of properties shall be fixed by the General Manager and, in specific cases, he may direct the payment of fees in amounts in excess of, or less than, those provided in any such schedule. Approved schedules of fees shall be filed with the Auditor.

§ 402.23–2 *Sales broker's commissions.* Where the sale is effected by an approved sales broker or outside broker, the broker making the sale shall be entitled to receive the sales commission, in accordance with the prescribed rate, which shall be the same as that authorized for payment to contract sales brokers in cases where sales are made by the contract sales broker's own organization.

In all cases where a sale is made by an approved sales broker or outside broker, the Corporation shall pay the contract sales broker a 2% over-ride commission with a minimum over-ride of $25.00, and the payment of the 2% over-ride commission to the contract sales broker shall constitute compensation in full to such broker.

Notwithstanding any other provision of this section, the Home Office Property Committee, the Regional Property Committee, or the Regional Manager, when authorizing the acceptance of a specific offer to purchase, may issue such authorization upon the condition that the broker effecting the sale shall agree to a commission below the rate established by the Corporation for the particular locality, or that the contract sales broker shall agree to accept as his over-ride commission, an amount smaller than provided in this section.

Sales commissions to the contract sales broker, including the over-ride commission provided for above, and to the approved sales broker or outside broker, shall be payable as follows: Upon receipt of 10% of more of the sales pirce in cash, all sales commissions shall be paid in full; in those cases where less than 10% of the sales price is paid in cash, one-half of the commission shall be paid and the last half, or the balance, shall be paid when an amount equal to 10% of the sales price has been received by the

Corporation in cash for application to the vendee account, exclusive of interest.

§ 402.23–3 *Compensation of contract management broker.* The General Manager shall fix the rate of compensation to brokers and determine whether the compensation in each particular locality shall be on a percentage basis or on a unit basis, provided the basis of compensation adopted for a particular locality shall be uniformly followed as the basis of compensation for all brokers in such locality.

§ 402.23–4 *Surety bonds of sales and management brokers.* Each contract management broker shall furnish to the Corporation a surety bond, unless the Regional Manager directs in writing that such bond be waived or unless the broker, in compliance with law, has filed with a public official a surety bond which, in the opinion of the Regional Manager and Regional Counsel, adequately protects the Corporation against loss. The Regional Manager may also require any contract sales broker to furnish to the Corporation a surety bond. Surety bonds furnished by contract management brokers and contract sales brokers shall be in such amount as the Regional Manager may, in his discretion, prescribe.

Each such broker's bond shall conform to the requirement of Part 406 of this chapter and shall be conditioned upon the due performance by the broker of his obligations under his contract with the Corporation. The amount of each such bond may be increased or decreased at any time in the discretion of the Regional Manager. The Regional Manager shall cause the amounts of such bonds to be reviewed at such intervals as he may deem appropriate for the purpose of determining whether the coverage should be increased or decreased. All premiums and other charges in connection with the issuance and maintenance of each bond shall be paid by the broker executing the same as principal.

§ 402.23–4a *Cancelation of broker's bonds.* When the Regional Manager determines that it is no longer necessary to require continuation of bonds, he may, with the approval of the Regional Counsel, consent to their discontinuance or termination. Thereupon, such discontinuance or cancelation may be effected by the Regional Manager, under advice of the Regional Counsel, *Provided*, That no action shall be taken which would release the principal or surety from any liability then accrued.

§ 402.23–4b *Claims against surety.* The Regional Manager shall give prompt notice of any claim to be filed against the surety under any such broker's bond to the General Counsel and to the Auditor in the Home Office, and to the Regional Counsel. The General Counsel shall notify the Regional Manager of the final disposition made of such claim.

§ 402.23–5 *Procedure when broker is not available.* In areas where the services of a satisfactory broker are not available, the Regional Manager may arrange for a representative citizen of the community to perform such duties in connection with the sale, rental, or management of properties as are required by the terms of the Management Broker's Agreement or Sales Broker's Agreement, and regulations pertaining to brokers shall apply to such representative citizens.

In any territory or locality where the General Manager deems it to the best interests of the Corporation to set up its own organization for the sale, rental, and management of properties, and for the carrying out of any other property management functions, additional personnel may be employed or existing personnel utilized for such purposes.

RECONDITIONING AND MAINTENANCE OF OWNED PROPERTIES

§ 402.24–2 *Authority for reconditioning, repairs, or maintenance of owned properties.* The Regional Manager may authorize repairs, recondition, rehabilitation, modernization and maintenance repairs on properties owned by the Corporation, and may incur and approve charges or expenses therefor, *Provided:*

(a) That the approval of the Home Office Property Committee shall first be obtained if the amount to be expended exceeds $1,500;

(b) That the prior approval of the Home Office Property Committee shall first be obtained in any case involving reconditioning, repairs, or purchases of equipment and supplies in excess of $100, provided the expenditure is to be capitalized and is not due to an insurance loss or loss otherwise covered; and that it appears from the Property Ledger Card, maintained by the Comptroller's Division, that the cumulative amount of disbursements capitalized for repairs, reconditioning and the purchase of equipment and supplies on the property, subsequent to the effective date of the transfer of the account from loan or vendee status, when added to the amount to be authorized, exceeds either $1,500 or 50% of the difference between:

(1) The current minimum sales price of the property in its then condition, and

(2) The cumulative amount of such disbursements.

In the event no current minimum sales price has been established for the property in its condition at the time the additional amount is to be authorized, the current market price of the property in its then condition shall be used in lieu of such minimum sales price for the purpose of applying the provisions of this section.

When, subsequent to the award of a reconditioning contract, the need for unforeseen items or extras arises during the progress of the work, the Regional Manager may authorize such items or extras: *Provided*, That the cost thereof shall not exceed $100 in those cases where the amount originally authorized for the job was $500 or less: *And provided*, That the cost of such items of extras shall not exceed $200 in those cases where the amount originally authorized for the job exceeded $500. The authority granted hereunder is in addition to the authority otherwise granted to the Regional Manager.

§ 402.24–3 *Authority of contract broker to incur and pay expense.* When property has been listed with a contract management broker, he shall be responsible for the proper maintenance and preservation thereof, pursuant to the terms of the agreement entered into between the contract broker and the Corporation.

The contract broker is authorized to incur charges in the performance of any of the functions or duties which he is required or authorized to perform by this part, including charges for reconditioning, maintenance, repairs, and for the purchase of supplies and of items of new equipment costing not in excess of $25, and for coal or other fuel, water, gas, electricity, or janitor service, provided the total cost of such charges does not exceed $25 during any monthly accounting period on any particular property listed with him containing not more than one unit, or $50 on any property containing more than one unit. Where the cost of such items, other than for emergency repairs, exceeds these limitations on any particular property during any monthly accounting period, or in any case where the purchase of items of new equipment or in replacement of old equipment costing more than $25 is required, the broker shall not incur such charges without the approval of the Regional Manager.

The Regional Manager may authorize the broker in writing, either generally or with respect to any specific property, to incur charges of a recurring nature, such as expenditures for fuel, water, gas, electricity, or janitor service, in which event future expenditures for any such items shall not be taken into consideration in computing the limitations of $25 or $50, provided for in this Section. Copies of such authorizations shall be maintained by the Analysis and Real Estate Section and shall be furnished to the Auditing Department.

Notwithstanding the above limitations, where repairs are required immediately in order to prevent impairment of health or to protect the property from imminent damage as a result of breakage, storm, fire, or other casualty, the Contract Broker is authorized to award a contract or contracts to effect such emergency repairs in a sum not to exceed $100, without first receiving authorization from the Regional Manager. However, in each such case, where the cost of such emergency repairs exceeds $25 on any property containing more than one unit, the Contract Broker shall submit promptly to the Regional Manager a detailed explanation of the necessity for such expenditure.

§ 402.24–3a *Payment of charges or expenses by brokers.* Charges or expenses duly incurred or approved under authority of this part with respect to any individual Corporation property listed with the contract broker, may be paid by such contract broker out of any revenues received by him from any Corporation properties listed with him for management: *Provided*, That if the amounts of such charges or expenses exceed $300 in any individual case, the same shall be paid by voucher submitted by such broker to the Corporation in accordance with the regular procedure provided therefor.

Unless the payee signs Voucher Form 21, any bill to be paid by voucher shall bear the following certification by the contractor:

I hereby certify that this bill is correct and just and that payment therefor has not been received.

Such certification shall be signed by the contractor in the manner provided for his signature on HOLC Form 21. The customary bills of public utility companies may be accepted without such certification.

§ 402.24–4 *Supervision of reconditioning and repairs.* If the cost of the reconditioning or repairs does not exceed the amount of the expenditure which the broker is authorized to incur without the prior approval of the Regional Manager, the work shall be performed under the supervision of the broker with whom the property is listed. If the cost of the reconditioning or repairs is in excess of such amount, the work shall be accomplished by the broker with whom the property is listed or by the Analysis and Real Estate Section, at the discretion of the Regional Manager. In exercising this discretion, due regard shall be given to the amount involved, the technical nature of the work, and the experience and facilities of the broker.

§ 402.24–5 *Maintenance repairs by contract broker's own organization.* Contract brokers who maintain organizations to perform maintenance repairs on real properties may be authorized generally or individually in writing by the Regional Manager to perform maintenance repairs on real properties listed with them, in lieu of having such repairs performed by outside contractors, when the Regional Manager determines that it is in the best interest of the Corporation to do so. The charges for such maintenance repairs by such contract brokers shall not exceed charges normally made by other local contractors for like services, and in the performance of such work, such brokers shall comply with all applicable laws, ordinances, and municipal regulations; and it shall be the responsibility of the Regional Manager to require compliance on the part of such brokers with the provisions of this section. Any disbursement for such maintenance repairs shall be supported by itemized bills, receipted by the contract brokers, which conform to the regulations relating to receipted bills. Contract brokers shall not be entitled to any commission for supervising maintenance repairs performed by their own organizations. Any charges incurred, pursuant to the provisions of this section, are subject to the limitations on the authority of brokers prescribed by this part; *Provided, however*, That maintenance repairs performed by the broker's own organization, under the authority contained herein, may not exceed $25 in any one case on any particular property, whether containing one or more units.

§ 402.24–6 *Competitive Bids.* Before incurring any charges for reconditioning or repairs, the purchase of materials necessary to effect such reconditioning or repairs, or the purchase of equipment, the broker shall prepare suitable specifications on Form R–26 and shall obtain the prior approval of the Regional Manager, unless the cost of such charges does not exceed the limitations on the broker's authority provided by this part. The broker shall be responsible for the completion of such reconditioning or repairs in a good and workmanlike manner, for the selection of appropriate equipment, and for the proper installation of such equipment. Competitive bids are not required if the cost of the repairs or purchases does not exceed $50. If the cost exceeds $50, the broker shall obtain competitive bids, unless such bids are waived as hereinafter provided. In any case where the reconditioning or repairs cost in excess of $50 and the broker is required to obtain the approval of the Regional Manager before incurring any charges therefor, he shall forward to the Regional Manager for approval, the bids, if any, secured by him, together with his recommendations.

§ 402.24–7 *Waiver of bids.* The Regional Manager may waive competitive bids for reconditioning, repairs, or purchases of equipment where it is not feasible to obtain bids because of the urgency of the situation, the limited number of contractors or vendors willing or able to submit bids, or if there is a reasonable possibility that the loss of time resulting from obtaining bids might cause the loss of a prospective sale or tenancy. Competitive bids in connection with reconditioning or repairs may also be waived by the contract broker for the same reasons in any case where, under the provisions of this part, he is authorized to incur charges without the prior approval of the Regional Manager.

In all cases where the contract broker, pursuant to the provisions of the next preceding paragraph, has waived the obtaining of competitive bids in connection with reconditioning or repairs costing in excess of $50, he shall forward a written statement to the Corporation, justifying the awarding of the contract without bids and said statement shall accompany vouchers to secure payment, or shall be transmitted with the copy of the Broker's Monthly Operating Report, forwarded to the Analysis and Real Estate Section, in the event payment has been made by the broker out of funds collected by him from the properties listed with him for management. In any case where the Regional Manager has authorized reconditioning or repairs or the purchase of equipment without competitive bids, he shall state the reason for waiving bids on the voucher submitted to secure payment to the contractor or vendor.

§ 402.24–9 *Equipment purchases.* With respect to the installation of items of new equipment or in replacement of old equipment costing in excess of $50, such as gas stoves, refrigerators, heating plants, incinerators, or other similar items, the contract broker shall obtain such bids in the number and manner as the Corporation may prescribe, and shall forward such bids, accompanied by his recommendations, to the Regional Manager. The Corporation reserves the right to specify to the contract broker what products and materials shall be used in making repairs. In the purchase of supplies and any authorized equipment, the contract broker shall follow such procedure as the Corporation may prescribe.

The Regional Manager may further authorize the purchase of standard equipment costing in excess of $50 at standard prices without competitive bids where, in his opinion, the obtaining of such bids would serve no useful purpose. In communities where it is feasible, the Regional Manager may obtain price lists, ratalogs, or offers for periodic purchases from competitive concerns containing prices at which standard equipment may be purchased during a stipulated time. Purchases of equipment may be made on the basis of such price lists without other bids from such concerns.

§ 402.24–10 *Discounts and cash payments by brokers.* All purchases shall be made on a cash basis. Quotations should show the cash discount saving. Contract management brokers shall pay all bills promptly in order to secure the best possible discount. All cash discounts shall accrue to the benefit of the Corporation. No contract broker shall accept any rebate, secret rebate, discount, or commission for his own account, but all savings shall be passed on to the Corporation. The acceptance by the broker of any rebate, discount, or commission, accompanied by his withholding the same from the Corporation, is punishable as provided in the Home Owners' Loan Act of 1933, as amended.

MANAGEMENT AND RENTAL OF PROPERTIES OWNED

§ 402.26–2 *Authority to execute instruments.* In addition to those officers and employees of the Corporation who are now or may be hereafter authorized to execute, acknowledge on behalf of the Corporation, seal with the corporate seal, attest, deliver, or accept on behalf of the Corporation deeds and other instruments in connection with the sale or rental of real property by the Corporation, all contracts and other instruments incident to the management of property of the Corporation may be executed on behalf of the Corporation by such other officers and employees of the Corporation and by brokers or such other persons as may be authorized by the General Manager in procedure and under limitations prescribed by the General Manager with the approval of the General Counsel.

§ 402.26–3 *Rental procedure; authority to rent.* Rental prices and schedules shall be established by the Regional Manager. The Regional Manager and the contract management broker shall have authority to effect any month-to-month rental agreement and, in connection with properties owned by the Corporation, any lease for not longer than one year which, by its terms, permits its cancelation by the Corporation upon not more than one month's notice in event of sale of any of the property leased, and to execute on behalf of the Corporation, leases and rental agreements therefor on authorized forms. All other leases recommended for

approval by the Regional Manager shall be submitted to the Home Office Property Committee, except that the General Manager may authorize the Regional Manager to effect such leases for periods not exceeding two years. When the Regional Manager is so authorized, or when leases have been approved by the Home Office Property Committee, such leases shall be executed by such officers as are authorized by the Regulations of the Corporation.

The Regional Manager is authorized to direct the cancelation of rental agreements on such terms and conditions and for such consideration, moving either to the Corporation or to the tenant, as in his opinion, may be in the best interests of the Corporation, and thereupon any instruments necessary to effect such cancelation may be executed and delivered on behalf of the Corporation by any officer or employee of the Corporation who is authorized to execute on its behalf the rental agreement which is to be canceled.

§ 402.26–4 *Terms on which properties are rented.* All rents should be due and payable on the first of each month in advance. In those cases where tenants take possession on dates other than the first of the month and pay a full month's rent in advance, the rent shall be adjusted at the beginning of the period of occupancy so that on the first succeeding regular billing, the tenant shall be billed for the balance of the calendar month remaining after the expiration of the first month's occupancy by the tenant, and that monthly rent thereafter shall be due and payable in advance on the first of each month. Where possible, rent should be computed on the basis of thirty days to the calendar month. The Analysis and Real Estate Section shall specifically advise the Comptroller's Division in all cases of the amount of rent which is applicable to the month in which the tenancy begins and the amount, if any, applicable to a future period.

§ 402.26–10 *Authority to contract for property service and compromise of charges for service.* The Regional Manager, with the advice of the Regional Counsel, is authorized to approve and execute on behalf of the Corporation any contracts or agreements with municipalities, public utility companies or private companies for water, gas, electricity, and other property services, and to compromise charges for property services in connection with any particular property or properties in any state or locality. A copy of all agreements affecting more than one property shall be forwarded to the General Manager.

The provisions of this section, however, do not relate to the compromise of any cases where such charges are in litigation or in the hands of the Legal Department as claims and which shall be disposed of as provided in Part 406 of this chapter.

§ 402.26–11 *Authority to pay property service charges.* In connection with Corporation properties, the Regional Manager is vested with the authority to direct payment of bills for water rents, sewerage disposal charges, and similar property service charges where required to assure continuance of such services or to avoid penalties or loss of title resulting from the non-payment of such bills.

§ 402.26–16 *Payment of fuel, water, gas, electricity and janitor service by broker.* The contract management broker shall have authority to purchase coal and other fuel, gas and electricity in those cases where it is not practicable to have the lease provide that such items shall be furnished by the tenant, and to incur expense for water service where it is the local custom for landlords to furnish water to tenants.

The contract management broker is authorized to execute in behalf of the Corporation, contracts for water, gas, electricity and other services furnished by public utilities where, in his opinion, such services are necessary or desirable in the management of properties, and where it is established local custom that such services be furnished at the expense of the landlord.

When the premises are designed for occupancy by two or more tenants and the contract management broker is of opinion that janitorial services are essential to the proper care and efficient management of the property, he shall have authority to incur expense for such services and shall select and employ a proper person to perform such services as janitor at such compensation as he may determine, but such person by reason of such janitor service shall not be or become an employee of the Corporation. A tenant of the Corporation may be employed as janitor by the contract management broker but such janitor's contract by employment shall not constitute a part of any lease or rental agreement executed on behalf of the Corporation. The authority of the contract broker to incur charges under the provisions of this section is subject to the limitations imposed upon brokers by this part.

§ 402.26–18 *Authority to execute waivers of liens to remove fixtures.* The Regional Manager may execute waivers of liens or consents to the removal of any fixtures which tenants may be purchasing on a deferred payment plan. The authority to execute waivers or consents shall not be exercised by contract management brokers.

COLLECTIONS AND REMITTANCES BY CONTRACT MANAGEMENT BROKER

§ 402.27–1 *Brokers' deposits in special accounts.* The contract management broker shall deposit all funds collected in the management of properties assigned to him in a local bank approved by the Regional Manager. The terms of deposit shall be such in all cases that the funds shall be held in a special account for the Corporation so as to prevent, as far as it is legally possible, garnishment or attachment by creditors of the contract management broker. No funds shall be deposited in this special account except those collected by the broker in the performance of his duties for the Corporation. The Regional Manager may, in his discretion, waive the requirement that funds be deposited in such special account and authorize the contract management broker to make deposits of funds in the regular account of the broker, provided that the bank is first approved by the Regional Manager. The waiver of such special account may be made only in cases where, in the opinion of the Regional Manager, the average daily balance in such special account would be too small to justify maintaining such special account.

The Regional Manager may furthermore waive the use of a bank account by any broker whose monthly collections on behalf of the Corporation normally do not exceed $100 during any monthly accounting period, or if the facilities of a bank acceptable to the Regional Manager are not available. Any such broker shall remit to the Corporation by money order or check, the cost of which shall be borne by him.

§ 402.27–2 *Broker's remittances.* After the 15th day of each month and not later than the 17th day thereof, the contract management broker shall remit direct to the Comptroller's Division all unexpended income derived from properties referred to him by the Corporation for management. In case the broker, prior to the 15th day of the month, has collected all rentals due during the month, he may make his remittance and submit his monthly operating report prior to that date. The broker may make remittances prior to the submission of his monthly operating report, in which event he shall show on said report the amounts and dates of previous remittances and the amount of the remittance accompanying such report. If the income received by the broker during the monthly accounting period from any particular property is insufficient to pay the charges regularly incurred by him with reference to that property during that period, such charges may be paid by the broker from any income received by him from any Corporation property under his management or by voucher under the regular procedure provided therefor.

The remittance shall be accompanied by the original of a monthly operating report by contract management broker on Form 416–G or other approved form supplied by the Corporation. Such report shall be prepared by the broker in triplicate as of the close of business, not later than the 15th of each month. The Comptroller's Division shall receive the Form 416–G, the remittance and any original leases and shall promptly advise the Analysis and Real Estate Section on Form 416–C of all errors in mathematical accuracy on the broker's report.

SALES OF PROPERTIES

§ 402.28–2 *Authority to sell corporation owned property.* The Regional Manager shall have authority to effect sales of the Corporation's real properties and of any leasehold or other interests therein at or above the minimum sales price which shall be fixed in accordance with established procedure.

§ 402.28–3 *Sales by auction.* The Regional Manager, with the advice of the Regional Counsel, is authorized to direct

the disposition of real property and of any leasehold or other interests therein, owned by the Corporation, at public auction at such price and on such terms and conditions as, in his opinion, are to the best interests of the Corporation, and may incur or approve any expenses in connection therewith except legal expense, provided the approval of the General Manager has been obtained.

§ 402.28–5 *Plans of sale of Corporation owned properties.* The Corporation's properties and any leasehold or other interests therein shall be sold under sale plans as follows:

Plan A: When the full sale price is paid to the Corporation in cash, title to the property sold shall be conveyed to the purchaser by the Corporation at the closing of the sale.

Plan B: When less than the full sale price is paid to the Corporation in cash, then irrespective of the amount of such cash payment, either:

(a) At the closing of the sale, title to the property sold shall be conveyed to the purchaser by the Corporation and the Corporation shall accept a note or bond for the unpaid balance of the sale price which shall be secured by a mortgage or other security instrument upon the property sold, or

(b) At the closing of the sale, the Corporation and the purchaser shall enter into an instalment contract or like instrument. Such instalment contract or like instrument shall provide for delivery of deed upon payment of the full sale price; *Provided*, That in localities where it is customary, provision may be made for delivery of deed at an earlier date but in no event before 25% of the sale price has been paid to the Corporation. The Regional Manager, with the approval of the Regional Counsel, shall determine the method or methods of making Plan B sales in each jurisdiction.

§ 402.28–7 *Plan B terms sales for 10% cash or more.* Plan B sales shall be made on terms as follows: In Plan B sales in which at least 10% of the sale price is paid in cash at, or prior to, the closing, the unpaid balance of the sale price, with interest, shall be payable in equal monthly instalments over a term not longer than 15 years from the date of delivery of the deed or of the instalment contract or like instrument: *Provided*, That if at least 33⅓% of the sale price is paid in cash at or prior to such closing, interest on the principal debt owing from the purchaser to the Corporation at such closing may be payable either quarterly or semi-annually for a period of 5 years from the date of delivery of the deed or of the instalment contract or like instrument, and at the end of such 5-year period, either:

(a) Such principal debt may be payable in a lump sum, or

(b) Such principal debt, with interest, may be payable in equal monthly instalments over a period not longer than the next succeeding 10 years.

§ 402.28–7a *Sales for less than 10% cash.* In Plan B sales in which less than 10% of the sale price is paid in cash at or prior to the closing, the unpaid balance of the sale price, with interest, shall be payable in equal monthly instalments, beginning not later than one month after the date of delivery of the deed or of the instalment contract or like instrument, and continuing until such unpaid balance of the sale price and interest are paid, and each such monthly instalment shall be in an amount not less than 1% of the balance of the sale price which remains unpaid at the time the sale is closed.

§ 402.28–7b *Determination of Plan B sale terms; interest rate.* Subject to the limitations in this section expressed, the Regional Manager shall determine the terms of payment of Plan B sales, irrespective of the types of instruments used to close such sales. All sums payable to the Corporation under any note, bond, mortgage, trust deed, instalment contract or like instrument accepted by it at the closing of a Plan B sale, shall bear interest at the rate of 4½% per annum.

The date when interest begins to run as specified in the note or other evidence of indebtedness shall be construed to be the date of delivery of the deed, instalment or like contract.

§ 402.28–7c *Provisions for taxes and insurance.* In Plan B sales, the agreement for sale shall require the purchaser to furnish insurance and to establish and maintain a tax and insurance account. In Plan B sales, such agreement shall further require the purchaser to pay a lump sum for credit to such account in such amount, if any, as the Corporation may deem necessary to avoid deficiencies in such account during the 12 months next succeeding the sale closing, and shall provide that any net adjustment due at the closing of the sale from the Corporation to the purchaser in excess of any amounts to be credited to the tax and insurance account, shall not be applied in reduction of the cash down payment or of the principal amount of his note, bond, or instalment contract, but shall be applied subsequent to the sale closing either in reduction of the principal balance of the vendee account or as a prepayment, as the purchaser may direct.

§ 402.28–9 *Preparation and execution of agreement for sale of real estate.* The Corporation's approved form of agreement for the sale of real estate shall be prepared in the Regional Office or the contract sales broker may cause such agreement to be prepared. Form 412, the agreement for the sale of real estate, a credit report on the prospective purchaser, and his deposit shall then be transmitted by the broker to the Regional Office.

Any agreement for the sale of real estate, signed by a purchaser whose credit standing is satisfactory to the Regional Manager, may be executed on behalf of the Corporation when the amount of the offer is not less than the minimum sales price and the terms thereof conform to the regulations. Such agreement may be referred to the Regional Counsel for advice as to its legal sufficiency and the time therein provided for closing. Upon the execution of such agreement on behalf of the Corporation, one executed copy thereof shall be transmitted promptly to the purchaser, either directly or through the Contract Sales Broker, and the contract sales broker shall be advised of the execution of the agreement by the Corporation. When the executed agreement for sale provides that the Corporation shall furnish title evidence in addition to that then held by it, the Analysis and Real Estate Section shall, at the same time, transmit or cause to be transmitted, direct to the Regional Counsel, title evidence in the case which is available in the Regional Office and the original executed agreement of sale.

§ 402.28–10 *Funds deposited in connection with sales.* When the Corporation has contracted to sell real estate and the contract purchaser has deposited funds with the Corporation in connection with such contract and the sale fails of consummation, or prior to the time for closing of the sale, the purchaser requests to be relieved of his obligations under the agreement for sale and requests the return of his deposit or of a portion thereof, then the Regional Manager, after obtaining the advice of the Regional Counsel as to the legal rights or obligations of the Corporation in the matter, may authorize the retention or the refund by the Corporation of such deposit or any portion thereof and may also authorize reimbursement of the contract purchaser for any expenses incurred by him in connection with the transaction, as he may determine to be in the best interests of the Corporation. The Corporation shall, in any event, retain an amount sufficient to cover any expense incurred by it in connection with the transaction, unless the Regional Counsel advises that, in his opinion, the Corporation does not have the legal right to retain any portion of such deposit. The direction that the Corporation retain any such deposit or any portion thereof shall not prevent the Regional Manager from later directing a refund thereof where additional facts are disclosed or changed conditions are shown which, in the opinion of the Regional Manager, justify the refund as being in the best interests of the Corporation.

§ 402.28–15 *Exchange of real estate.* The Corporation will not exchange properties or accept other properties in part or in full payment for any of the real estate which it holds, except where an offer is received from the owner of a property on which the Corporation holds a mortgage or other approved security instrument to exchange such property for property acquired by the Corporation. Where the Regional Manager deems it to the best interests of the Corporation to accept such offer, the case shall be referred by him to the Home Office Property Committee for final decision.

§ 402.28–16 *Financing sales through other lending agencies.* In all proposed Plan B sales, the broker or sales representative is charged with the duty of ascertaining whether the financing of the balance of the purchase price can be accomplished through other agencies on terms acceptable to the purchaser. The Corporation should only take back a purchase money mortgage or other ap-

proved security instrument for the balance of the purchase price in those cases where the contract sales broker has stated in writing to the Corporation that, in his opinion, funds for financing through other agencies are not available in the community on terms acceptable to the purchaser, and where the Regional Manager is of the opinion that financing on terms acceptable to the purchaser can only be arranged through the Corporation.

§ 402.28–17 *Sales to former borrowers.* The procedure contained in this part, applying generally to the fixing of a minimum or other sales price, shall not apply to the sale of properties, directly or indirectly, to former borrowers or their spouses. The words "former borrower," as used herein, mean and include any person who at any time was legally obligated to pay the mortgage indebtedness owing to the Corporation and any owner of the property at the time foreclosure of the Corporation's loan thereon was authorized, excepting the owner or owners of a fee simple title to such property where the Corporation's loan was secured by a leasehold interest only. A written statement of the status of the prospective purchasers as former borrowers, in form prescribed by the Corporation and signed by one or more of such purchasers, may be relied upon in determining whether any of such purchasers are former borrowers, as defined in this section, unless information to the contrary is contained in the property docket or is known to any Corporation official who determines that the offer to purchase should be accepted or who executes the agreement for sale on behalf of the Corporation.

Sales to any such persons may be made without the necessity of an analysis on Form 400 or of any of the other procedural steps required by the provisions of this part leading to the establishment of the minimum sales price, and in such sales, any minimum sales price which may have been established for the property shall not be a factor; but, unless an exception is authorized by the General Manager in a particular case, sales to any such persons may be made by the Regional Manager only when the purchase price is equal to ledger value computed in accordance with the requirement of section 228–17 of the Home Owners' Loan Corporation Consolidated Manual.

In sales to former borrowers, the agreement for sale shall obligate the purchaser to consent to the adjustment of his vendee account and to the method of closing prescribed by this section, and may contain such other provisions as the Regional Manager, with the advice of the Regional Counsel, may prescribe, either generally or in a particular case, for the purpose of securing compliance with the provisions of this section.

§ 402.28–18 *Options to purchase Corporation property.* Options to purchase Corporation property, other than leases with option to purchase, on forms duly approved by the Home Office, shall not be executed or delivered on behalf of the Corporation unless and until the Home Office Property Committee shall, in writing, authorize the execution and delivery thereof, in which event, any such option may be executed and delivered on behalf of the Corporation in such form as conforms to the decision of said committee and as the Regional Counsel may approve, by any officer authorized to execute deeds on its behalf. Any proposal that the Corporation grant any option within the purview of this Section shall be transmitted promptly to the Regional Manager and, if recommended by him, the case shall be transmitted to the Home Office Property Committee for review and decision. If said Committee approve such proposal, it shall determine the sale price and the plan, terms, and conditions of sale which are to be expressed in such option, and it may waive any pecuniary consideration for the execution of any such option in favor of any other governmental department or instrumentality; *Provided*, That the plan and terms of such sale shall not be inconsistent with approved plans of sale and terms of payment.

§ 402.28–22 *Application of cash proceeds of sale.* All amounts paid by the purchaser in cash at, or prior to, sales closing shall be applied as provided in Part 403 of this chapter. The amounts required to be collected at time of sales closing for credit to the tax and insurance account shall be the amount of the lump sum, if any, computed by the Analysis and Real Estate Section, plus the premiums of any insurance to be ordered by the Corporation upon receipt by the Insurance Section of the closed sale file, as hereinafter provided.

§ 402.28–26 *Reconditioning by Corporation in connection with sales.* In connection with the sale of its properties, the Corporation may agree to perform, at its expense, reconditioning of the property sold. Such reconditioning by the Corporation shall be authorized by the Regional Manager, subject to the limitations contained in this part.

The agreement for such reconditioning by the Corporation shall be contained in the agreement for sale and may also be covered by a supplemental agreement accompanying the agreement for sale if the Regional Manager, with the advice of the Regional Counsel, shall generally or specially so direct; or if the purchaser shall so require. In any event, such agreement shall be in writing and in such form as the Regional Counsel shall prescribe, executed by the prospective purchaser and executed on behalf of the Corporation by any person authorized to execute agreements for sale on its behalf.

ASSIGNMENT OF INDEBTEDNESS

§ 402.31–1 *Policy re assignment of indebtedness and authority of Regional Manager.* While the Corporation prefers not to make assignments of indebtedness, the Regional Manager, with advice of Regional Counsel, may make such assignments when requested to do so by the mortgagor or by someone acting in behalf of the mortgagor, provided such requests for assignment fall into one of the following groups:

(a) Where the law requires assignment.

(b) Where the assignment must be made to protect the interests of the Corporation, such as assignment to insurance companies in certain insurance loss cases and instances where loss to the Corporation could be avoided by assignment to a junior lienor.

(c) Where the assignment is made at the request of the owner to assist in correcting title defects or in the settlement or estates.

When the Regional Manager recommends an assignment of indebtedness under circumstances other than those above, he shall forward the case to the General Manager for further direction.

§ 402.31–2 *Execution and conditions of assignments.* Assignments of indebtedness shall be executed by a duly authorized official of the Corporation. All assignments of indebtedness, including the evidences of indebtedness and of the lien instruments held by the Corporation, shall be made expressly without recourse and subject to the right to discharge the indebtedness with bonds of the Corporation at their face value.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 45–11527; Filed, June 28, 1945; 4:13 p. m.]

[Bulletin 364]

PART 403—COMPTROLLER[1]

ORGANIZATION AND AUTHORITY

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ACCRUAL AND BILLING

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403.08–7 Posting regular collections.
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403.08–9 Curtailment of principal.
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[1] This is a consolidation and revision of former Part 408 and a portion of former Part 407.

APPLICATION OF ADVANCES TO HOME OWNER ACCOUNTS

Sec.
403.09–1 Advances defined.

PAID IN FULL LOANS

403.16–1 Remittances identified as intended paid-in-full.
403.16–4 Insufficiencies and overpayments.
403.16–5 Small balances; incorrect remittance.
403.16–11 Escrow agents.

MORTGAGE DOCUMENTS AND FILES

403.23–12 Request to review abstracts and other documents.
403.28–13 Transmittal of abstracts.

AUTHORITY: §§ 403.01–7 to 403.28–13, inclusive, issued under secs. 4 (a) and 4 (k), 48 Stat. 129, 132, 643, 647; 12 U. S. C. and Sup. 1463; E. O. 9070, 3 CFR Cum. Supp.

NOTE: §§ 403.01–7 to 403.28–13, inclusive, contained in Bulletin No. 364, effective July 1, 1945.

ORGANIZATION AND AUTHORITY

§ 403.01–7 *Authority to sign checks.* The Regional Comptroller and the Regional Cashier in each Regional Office, except the New York Region, are authorized individually to sign checks drawn on the regional working fund maintained with the Treasurer of the United States for their respective regions. In the New York Region the Assistant Comptroller and the Assistant Regional Treasurer are authorized individually to sign checks either in person or by facsimile signature drawn on the regional working fund maintained with the Treasurer of the United States for the New York Region.

All checks in excess of $5000 drawn on such accounts shall be countersigned, in all regions except New York, by the Regional Manager, by the Manager of Loans and Properties, or by an Administrative Assistant. In the New York Region such checks shall be countersigned by the General Manager, by the Assistant to the General Manager, or by a Deputy General Manager.

Employees authorized to sign or countersign checks drawn on an account of the Corporation maintained with the United States Treasury, are hereby authorized and directed to endorse for the Corporation, without recourse, insurance loss drafts and tax refund checks which are not to be deposited by the Corporation.

§ 403.01–8 *Authority to affix corporate seal to statements.* The Regional Comptroller, or his deputy authorized to sign statements of account, is vested with the authority to affix the official seal of the Corporation whenever required upon statements of account in connection with his authentications thereof, and is authorized to have access to the seal of the Corporation for that purpose.

§ 403.01–9 *Authority to execute satisfactions.* Upon receipt of any satisfaction, release or other appropriate instruments (in connection with a loan paid in full, a loan to be recast under a new set of collateral instruments, a substitution of collateral, or a partial release) from the Regional Counsel, accompanied by his certificate that such instruments are in proper legal form for execution, and provided that the instructions of this part are conformed to in paid-in-full cases, such satisfaction, release or other appropriate instruments shall be executed individually by the Treasurer, Assistant Treasurer, Regional Manager, Assistant Regional Treasurer or other authorized officials.

§ 403.01–10 *Claims against the Corporation.* Whenever a claim is made against the Home Owners' Loan Corporation for an amount due a deceased or incompetent employee or creditor of the Corporation, whether same be represented by a check already issued or by an amount for which disbursement has not been effected, U .S. Government Standard Form 1055 shall be executed by the claimant. Execution of this form shall be obtained by the office having immediate jurisdiction and shall be forwarded with any attachments (including the check, if issued) to the Treasurer in the Home Office. If disbursement had not been effected prior to receipt of the claim, no check shall be issued until authorized by the Treasurer in the Home Office.

§ 403.01–12 *Lost checks.* Where it appears that a check drawn payable jointly to Home Owners' Loan Corporation and a named individual or individuals has been lost or destroyed before payment by the drawee bank and it is for the interest of the Corporation that a replacement check be obtained, the Regional Manager and the Regional Comptroller, with the approval of the Regional Counsel of the region having jurisdiction, are each individually authorized to execute on behalf of the Home Owners' Loan Corporation a notice to stop payment, and also any affidavits and bonds of indemnity which may be required to obtain the issuance of a replacement check. In the event any expense is attached to the execution of an indemnity bond, the approval of the General Manager shall first be obtained; and any such expense when so approved shall be paid out of the imprest cash fund.

§ 403.01–13 *Other Government bonds.* In those cases where borrowers from this Corporation have made application to some other governmental agency or instrumentality for loans on properties on which this Corporation has a lien, the Corporation will accept from the interested governmental agency or instrumentality, bonds issued by it, at their face value, with accrued interest to date of settlement, for a full and final payment of all moneys due: *Provided*, That such bonds are guaranteed by the United States Government, both as to principal and interest. Such requests shall be submitted to the Home Office for such instructions and procedure as the General Manager or a Deputy General Manager, and General Counsel or an Associate General Counsel, shall prescribe. When approved by the Home Office consents to accept bonds of other governmental agencies or instrumentalities, and all other instruments necessary to consummate such transaction shall be executed by the Treasurer, Assistant Treasurer, or an Assistant Regional Treasurer.

§ 403.01–15 *Shipment of valuables.* No shipment of valuables shall be insured in any manner either by postal insurance, registered mail or otherwise. This does not prohibit the use of registered mail with a payment of a minimum registry fee and required surcharges where no additional charge is made for insurance coverage. Each office of the Corporation making shipments of valuables shall make a record and report of such shipments on approved forms.

§ 403.01–16 *Losses in shipment.* As soon as it shall come to the attention of the Regional Comptroller that loss or destruction of, or damage to valuables shipped in accordance with the Government Losses in Shipment Act has occurred, an immediate report thereof shall be forwarded in writing to the Secretary of the Treasury, for attention of the Division of Deposits, with copies to the Treasurer in the Home Office and the Regional Counsel. If the loss, destruction or damage represents a value equal to or in excess of $10,000.00, or if delay is likely to retard the Government in its effort to recover such valuables, such report shall be transmitted by wire and promptly confirmed in writing.

ACCRUAL AND BILLING

§ 403.05–1 *Interest rate.* The loan accounts of the Corporation shall be kept on a basis of simple interest, and such interest shall be calculated on the basis of three hundred and sixty (360) days to the year.

In cases of payments becoming due on and after October 16, 1939, interest shall be accrued at the rate of 4½% per annum on the indebtedness of the home owner, except in those cases in which, in the opinion of the Regional Counsel, the waiving of a higher rate of interest in any particular state or jurisdiction might involve the Corporation in legal complications.

§ 403.05–2 *Interest convenience period.* An interest convenience period of not less than ten (10) days and not more than nineteen (19) days after instalment date (to be determined by the Regional Comptroller at time of establishing the billing schedule) shall be allowed. Upon receipt of loan payments, including any excess payment, curtailment or miscellaneous credit within the convenience period, interest shall be calculated as though such payments were received on instalment date, but, upon receipt of payments after the convenience period, interest shall be calculated as though such payments were received at the next instalment date.

§ 402.06–26 *Returned checks.* A debit ticket shall be prepared for any item returned by the depositary as uncollectible and the check itself shall be returned to the debtor, except as outlined in section 306–28 of the Consolidated Manual with advice that his account has been charged with the amount of the returned check and the reason therefor. If any returned check applies to a property account, and if no cash in change was advanced thereon, it shall be transmitted to the Loans and Properties Division for disposition and receipt obtained therefor.

§ 403.06–27 *Checks returned on which change was given.* If change was given on any check returned as uncollectible, a debit ticket shall be prepared for that part of the check with which the borrower was credited and another for the balance which is to be set up as an account receivable against the employee who endorsed the check.

Complete explanation shall be made on each debit ticket and the two debit tickets cross-referred. The check shall not be returned to the debtor but shall be delivered to the Legal Department for collection or other such action as may be determined to be appropriate by that Department for the protection of the Corporation or the employee endorser. If collection cannot be effected the employee who endorsed the check shall refund the amount of change given by the Corporation and the Corporation shall dispose of the check in such manner and at such time as Legal Department may advise to be proper under the circumstances. If the amount of the check cannot be collected because of improper identification of the person who presented it, the endorser may look for restitution to the teller who accepted the check but is nevertheless responsible to the Corporation for the amount given in change.

§ 403.06–29 *Reports from collection offices.* In those instances where a collection office receives a returned check from the depositary, the transmittal from that collection office will contain Treasury Form 5504, and a copy of the letter sent to the debtor or a receipted copy of the memo transmitting the check to the Loans and Properties Division. Debit ticket shall be prepared and transmitted.

§ 403.06–30 *Lost checks.* Upon receipt of advice from a depositary that an item deposited by the Corporation has been lost, charges shall be processed as provided for returned checks and the debtor notified and requested to replace the item.

§ 403.06–38 *Receipting for payments.* Collection offices and tellers cages shall report every remittance received and furnish a receipt to the person making the payment.

When moneys are received in connection with the sale of nonexpendable property, (including waste paper) a receipt shall be prepared showing the name of the purchaser, the sale number, and a notation as to the type of material sold and processed as other payments.

§ 403.06–42 *Making change.* If a person making a payment tenders a check in excess of the payment, change may be given for the excess amount, provided the supervisor in direct charge of the collection cage endorses the check, and thereby assumes responsibility for the amount given the payer in change. Such employee in charge may in his discretion authorize tellers to accept Government checks or checks of any firms he may specify, and any portion of the face amount of a check so accepted which is not to be applied as a payment to the Corporation may be returned to the person presenting the check, provided that prior to deposit the check shall be endorsed by the employee who authorized its acceptance. The teller shall be responsible to the employee in charge for identification of the person presenting the check and for the sufficiency of the endorsement thereon.

Change shall not be given on items which cannot be handled as straight deposits.

§ 403.06–43 *Cashing of checks prohibited.* Tellers are not permitted to cash any check except where such check is tendered in payment of amounts owing the Corporation.

§ 403.06–44 *Counterfeit money.* Great care shall be exercised to avoid the acceptance of counterfeit money, and, in the event of the acceptance of counterfeit money the following procedure shall be followed:

In all cases where any counterfeit money is accepted and the person from whom same was received can be identified, he shall be contacted and notified that the amount will be charged to his account.

§ 403.06–47 *Specific direction for application of funds.* If a debtor submits a remittance in excess of his regular payment and indicates such excess be applied in a given manner other than a direct reduction of principal, notation to such effect shall be made on the credit ticket.

§ 403.06–48 *Paid in full remittances.* A remittance paying an account in full shall be handled as a regular payment and, in addition thereto, the mailing date as shown by the postmark on the envelope, or other settlement date indicated by the debtor in writing, shall be noted on the credit ticket or receipt form.

§ 403.06–53 *Amount variation on receipt form; relief from shortage.* In the event any teller has a shortage due to a variation between the written and figure amounts shown on a receipt form, debit tickets shall be prepared for the amount of the shortage with complete explanation thereon.

The teller may obtain relief for this type of shortage by obtaining an affidavit from the debtor to the effect that the debtor is entitled only to the smaller amount shown on the receipt form in question. Where an affidavit is obtained, it should be transmitted to the Regional Comptroller in order that he may adjust the accounts involved.

If the teller does not promptly obtain an affidavit as above from the debtor, he shall make good the amount of the shortage.

§ 403.06–62 *Giving change.* Under no circumstances shall change be given by field collectors on checks, drafts or money orders.

§ 403.06–63 *Payment by bonds.* Receipts for H. O. L. C. bonds tendered as payments by debtors shall be for the par value of such bonds, less the value of any detached unmatured coupons, the date of the first attached maturing or matured coupon, with "Subsequent coupons attached", if attached, being noted on the receipt form. Accrued interest will be computed and credited by the Regional Office. Group payments by bonds for application to more than one account shall not be accepted by a collection office of the Corporation. Such payments must be made direct to the Regional Office.

§ 403.06–65 *Interest on bonds.* When bonds are accepted as repayments, interest shall be computed to the call date of such bond.

DISBURSEMENTS

§ 403.07–19 *Stop payment on checks.* When it is desired to stop payment on any check of the Corporation drawn on the Treasurer of the United States, for any reason, the Regional Comptroller shall promptly notify the Treasurer of the Corporation stating the name of the officer or employee of the Home Owners' Loan Corporation by whom the check was drawn, the reason for requesting that payment be stopped, whether the check was endorsed, and if so, a description of the endorsements and whether or not a duplicate check is desired. A complete transcript of the check must be furnished, this transcript to include the name and address of the payee, the date, check number, symbol number of the account, and the amount of the check.

Upon receipt of a request that payment be stopped on any check, the Treasurer of the Corporation will immediately notify the United States Treasury Department and when the reason for such action is such that a duplicate check be issued and it has been established that the check in question has not been paid, the Secretary of the Treasury will have transmitted to the claimant, for execution, a form of affidavit and, in appropriate cases, a bond of indemnity.

The bond and affidavit or the affidavit when duly executed by the claimant must be delivered to the Treasurer of the Corporation and if it is found to be in order, a duplicate check will be prepared and sent with the executed form or forms to the United States Treasury Department for examination and approval. If acceptable to the Secretary of the Treasury, the duplicate check will be certified by direction of the Secretary of the Treasury and returned to the Treasurer of the Corporation for transmission to the claimant.

In the event of recovery of the original check after issuance of the duplicate, it must be surrendered to the Treasurer of the Corporation in the Home Office. If the original check has been recovered before issuance of a duplicate, the Treasurer of the Corporation should be notified immediately and removal of the stop payment order requested. No duplicate check will be issued after the close of the fiscal year following the fiscal year in which the original check was issued.

APPLICATIONS OF CREDITS

§ 403.08–6 *Unlocated payments.* If a home owner submits evidence to the effect that a payment or payments have been made which have not been credited to his account, and such evidence of payment is confirmed by the records in the regional office (or by the records of the Treasurer where payment is purported to have been made prior to the opening of the regional office), a duplicate coupon shall be prepared reflecting full details of the case and the amount of the payment shall be credited to the particular account involved, with a contra debit to unlocated payments (211–4). Before the entry is made, all evidence with respect to any debit to Account No. 211–4 shall be submitted to the Regional Comptroller for his written approval.

§ 403.08–7 *Posting regular collections.* In the posting of payments, home owners shall be allowed an interest convenience period of not less than 10 days nor more than 19 days (to be determined by the Regional Comptroller at time of establishing the billing schedule) after the due date of the instalment, and any payment received in the regional office within such period shall be credited without penalty or interest charge for the delinquency. Collection offices outside the regional office are merely for the convenience of the home owners and payments made at such offices are subject to acceptance and credit in the regional office. Therefore, the effective date of receipt is the date stamp of the regional office. Regular payments shall be credited in the following sequence:

(a) Accrued and unpaid balance of tax and insurance account;

(b) Accrued and unpaid interest on the loan or vendee account; and

(c) Unpaid principal balance of loan or vendee account.

If payments or rents under assignments are received, which are applicable to accounts recommended for foreclosure and prior to judgment, the approval of the Legal Department must be obtained before such credits can be posted to the individual accounts.

After postings have been made, the coupons shall be filed by date posted and thereunder in loan number order as posted.

§ 403.08–8 *Miscellaneous credits.* Funds received by the Corporation from partial releases, grants of easements and flowage rights, insurance losses, mineral deeds, transactions affecting oil, gas or mineral interests, sales of timber, condemnation awards under decree or judgment of a court or by agreement, substitution of security, additional security, other transactions which otherwise reduce or diminish the security held by the Corporation or the property sold by it, and any other credits to borrowers' or vendees' accounts other than repayments, are defined as "miscellaneous credits", and the net amount thereof shall be applied to the appropriate account (interest, principal or other sums owing to the Corporation) in such manner, as the Regional Manager shall direct: *Provided, however,* That miscellaneous credits which do not exceed $25.00 shall be applied to the home owner's account in the same manner as regular repayments unless otherwise directed by the Regional Manager or the Control Supervisor.

§ 403.08–9 *Curtailment of principal.* Unless designated as a prepayment, any payment applied to a home owner's account in excess of the unpaid balance in the tax and insurance account, plus the unpaid maturity balance shall be posted as a curtailment of principal. No interest adjustment shall be required.

§ 403.08–11 *Prepayments.* If a home owner expressly requests (including Form 526 programs), or the Loans and Properties Division advises, that an overpayment be held by the Corporation to be applied later to future maturing instalments, including any tax and insurance account accruals, it shall be designated as a prepayment.

§ 403.08–12 *Prepayments of principal only.* If a home owner requests that he be permitted to pay in advance the principal of future maturing instalments, such permission may be granted if the amount is sufficiently large to justify the special handling (equivalent to approximately one year's principal maturities). The prepayment of principal shall be applied as a curtailment. Thereafter monthly accruals on such account shall be for tax and insurance accumulations, if any, and for interest on the reduced principal balance for such period as the principal has been prepaid; the accrual on the loan or vendee accounts shall then revert to the proper monthly instalment amount. Appropriate records shall be maintained in order to assure prompt readjustment of the instalment billing. In such cases, the Regional Comptroller shall inform the Regional Manager who will notify the home owner that the application of the prepayment in this manner shall not be construed as a waiver of the Corporation's right to collect instalment payments as specified in the instrument evidencing and securing the debt.

APPLICATION OF ADVANCES TO HOME OWNER ACCOUNTS

§ 403.09–1 *Advances defined.* Any amount chargeable to the account of the home owner in addition to his primary obligation is known as an advance and shall be posted immediately in accordance with the interest convenience rule to the appropriate individual account as indicated below.

Unless otherwise directed the effective date of an advance shall be as follows:

(a) The date of disbursement for those items immediately chargeable to the home owner's account.

(b) The date of transfer from a suspense account for those items not immediately chargeable to the home owner's account.

(c) The date Form 764 is received in the Comptroller's Division for insurance.

(d) The date Notice of Award of Contract (Form 646–A) is received in the Comptroller's Division for reconditioning.

PAID IN FULL ACCOUNTS

§ 403.16–1 *Remittances identified as intended paid-in-full.* Upon receipt of validated cash coupons and correspondence indicating the remittance as intending to pay a loan in full, an entry shall be made on the statement control card, Form RO–TR–95–B, and, at the same time, Form RO–TR–374 shall be circulated if necessary. The account shall be treated in accordance with the paid-in-full procedure outlined hereinafter if a credit balance, a zero balance, or a balance less than one monthly instalment is produced after application of such payment together with the tax and insurance credit balance and after giving consideration to any pending disbursement as shown on Form RO–A–374.

In such cases, the mailing date (as evidenced by the postmark on the envelope transmitting such payment to an office of the Corporation) shall be accepted as the date on which the payment was received by the Corporation, except where the home owner indicates in writing or by implication from the amount of the remittance or otherwise that the payment was intended to be made on some other predetermined date subsequent to the date of such postmark. When such implication is lacking and the postmark date is not known, the payment shall be entered as of the date of the validation.

In calculating interest on paid in full loans the daily interest adjustment shall be 1/30th of the current monthly interest accrual and shall be expressed in the nearest full cent. This factor is to be applied for the actual number of days from the cycle date preceding payment to the effective date of payment, except where payment occurs on the 30th day (or 31st day in a 31-day cycle month) after the cycle date the monthly accrual shall remain as posted on the account.

§ 403.16–4 *Insufficiencies and overpayments.* Where the remittance is insufficient in the amount of one dollar or less, no effort shall be made to collect the difference between the amount due and the amount received. The appropriate individual account shall be credited with the amount of such insufficiency, with a contra debit to such accounts as the Comptroller shall prescribe.

When the application of a remittance produces a credit balance after final adjustment, such excess shall be cleared as follows:

(a) When the application of a remittance produces a credit balance after final adjustment, and where such excess or portion thereof represents a known charge which is to be processed at a later date, the credit balance or portion thereof equivalent to such known charge shall be credited to Accounts Payable—Miscellaneous (209–4). Where an excess, which is to be refunded, exists over and above the known charge or there are no further charges, the balance shall also be transferred to Account No. 209–4.

(b) Overpayments of one dollar or less shall be credited to such accounts as the Comptroller shall prescribe: *Provided, however,* That the Regional Manager, when he is advised by the Regional Counsel that it is legally necessary to do so, may direct that the same be refunded.

§ 403.16–5 *Small balances; incorrect remittances.* When a remittance has been identified as a payment in full, but the application of the remittance produces a balance in excess of one dollar and less than one instalment, a statement shall be prepared and forwarded to the

home owner. Such statements shall be known as "small balance" statements. The expiration date of the period covered by the last circularized Form RO–A–374 shall be indicated in the lower left-hand corner of the statement. If the payment is insufficient in an amount in excess of one monthly instalment, the remitter shall be advised through the medium of a statement or memorandum.

§ 403.16–11 *Escrow agents* When the debtor who intends to pay a loan in full does not desire to transmit the necessary moneys to the Corporation in advance of obtaining a release, the settlement may be handled through an escrow agent, provided that the agent selected by the debtor is acceptable to the Corporation. No expense incurred by or fees due such escrow agent shall be paid by the Corporation.

Subject to approval by the Regional Manager, with the advice of Legal Department, any institution of known responsibility, such as a National Bank, a member of the Federal Reserve System, a member of the Federal Home Loan Bank System, or a title company, shall be acceptable to act as an escrow agent. Attorneys, also, may be used for such purpose in special cases upon the recommendation of the Legal Department, or when no institution is available. The release and other papers to which the debtor is entitled shall be transmitted by registered mail to the designated escrow agent accompanied by Escrow Transmittal and Agreement, Form RO–TR–351, in duplicate.

When the transaction pertains to a property located in a State, or political subdivision thereof, in which it is unnecessary to formally execute a release or satisfaction on either the mortgage (or other instrument in lieu thereof) or the note (or other instrument evidencing indebtedness) and the simple notation thereon of "Paid", "Canceled" or "Released" will suffice when satisfaction is by a separate instrument, the cancelation of such instruments need not be effected in the Regional Office and such instruments may be transmitted unmarked, accompanied by a separate instrument of release or satisfaction to the escrow agent with instructions to mark such instruments "Paid", "Released" or "Canceled" upon receipt of full payment of the indebtedness.

MORTGAGE DOCUMENTS

§ 403.28–12 *Request to review abstracts and other documents.* The owner or his duly authorized agent, or any other interested party, may be permitted to examine the abstract of title or other documents in the file in the regional office.

Upon the written request of such mortgagor or owner, the abstract, survey or plat, may be delivered for examination to him, a responsible bank, building and loan association, insurance company, abstract or title company, trust or mortgage company, attorney or other responsible person, firm or corporation, without any deposit upon the execution of a receipt therefor: *Provided*, That such institution or person has been approved by the Regional Manager to receive such instruments without deposit. Persons, firms, or corporations whose responsibility is not known or is not satisfactory, and who have not been approved by the Regional Manager, shall be required to make a deposit in an amount equal to the replacement value of the instrument or instruments released. In any case, the person, firm or corporation receiving the abstract, survey or plat shall, in addition to the receipt executed therefor, enter into an agreement to be responsible for all expenses of transmittal and to return such abstract, survey or plat upon request of the Regional Comptroller, or in any event, within sixty days; and a further agreement to pay the replacement value of such abstract, survey or plat if not returned within such time, or within any additional time that may be granted in writing by the Regional Comptroller. The Regional Comptroller may, in his discretion, require the payment of transmittal expenses in advance.

Where the Legal Department determines that it is necessary or desirable in connection with a contract of sale of the Corporation's property to deliver for examination or continuation any abstract, title policy or other evidence of title, survey, plat or other documents in the file to the contract purchaser or his attorney, title company or abstract company, he shall obtain such documents from the Regional Comptroller and may deliver the same or forward by mail or express to the contract purchaser or his attorney, title company or abstract company. Such transmittal may be through a fee attorney, title or abstract company representing the Corporation. Such documents may likewise be forwarded by the Legal Department to a fee attorney, title or abstract company representing or acting for the Corporation for the purpose of examination, continuation or any other purpose in connection with a sale of property. The expenses of any such transmittal and return expenses may be paid by the Corporation as a Corporation expense. Receipts containing an agreement to return as and when required shall be taken.

§ 403.28–13 *Transmittal of abstracts.* When the expense of transmitting an abstract, survey or plat is to be paid by the person, firm or corporation to whom the abstract is to be delivered, such abstract survey or plat shall be transmitted by means of express, collect, if possible.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 45–11528; Filed, June 28, 1945; 4:14 p. m.]

[Bulletin 366]

PART 404—TREASURY, HOME OFFICE[1]

RECEIPTS AND DISBURSEMENTS

Sec.
404.02–2 Signatories and counter-signatories.
404.02–6 Employee death and other claims.

HOME OWNERS' LOAN CORPORATION BONDS

404.04–3 Lost or stolen bonds.
404.04–4 Bonds received as repayments.

[1] This contains the portion of former Part 407 which relates to the Home Office.

AUTHORITY: §§ 404.02–2 to 404.04–4, inclusive, issued under secs. 4 (a) and 4 (k), 48 Stat. 129, 132, 643, 647; 12 U.S.C. and Sup. 1463, E.O. 9070, 3 CFR Cum. Supp.

NOTE: §§ 404.02–2 to 404.04–4, inclusive, contained in Bulletin No. 366, effective July 1, 1945.

RECEIPTS AND DISBURSEMENTS

§ 404.02–2 *Signatories and counter-signatories.* The Treasurer and the Assistant Treasurer of the Home Owners' Loan Corporation are authorized individually to disburse funds from and sign checks either in person or by facsimile signature drawn on the accounts which are maintained by the Home Office. All checks drawn on such accounts, except Account 899–763, for amounts in excess of $10,000 shall be signed personally by the Treasurer or Assistant Treasurer and countersigned by the General Manager, Assistant to the General Manager or Deputy General Manager.

§ 404.02–6 *Employee death and other claims.* It is the responsibility of the Treasurer to submit to the General Accounting Office for settlement claims properly supported by an administrative report and certified by the Auditor, which are classified in one of the following categories:

(a) Claims on behalf of deceased or incompetent employees and creditors.

(b) Claims for proceeds of checks erroneously issued and covered by United States Treasury into "Outstanding Liabilities Account," or

(c) Claims for amounts of checks requiring special endorsement by General Accounting Office to insure negotiability by other than payee.

HOME OWNERS' LOAN CORPORATION BONDS

§ 404.04–3 *Lost or stolen bonds.* The Statutes of the United States, now or hereafter in force, governing relief on account of the loss, theft, destruction, mutilation or defacement of United States securities, and the regulations of the Treasury Department, now or hereafter in force, governing the issuance of substitute securities or the payment of lost, stolen, destroyed, mutilated or defaced securities and mutilated or defaced coupons of the United States, so far as applicable and as necessarily modified to relate to securities and coupons of the Home Owners' Loan Corporation, are hereby adopted as the regulations of the Corporation for the issuance of substitute securities or the payment of lost, stolen, destroyed, mutilated or defaced securities and mutilated or defaced coupons of the Corporation.

The Secretary of the Treasury, or the Acting Secretary of the Treasury, is authorized and empowered, on behalf of the Corporation, to approve applications for relief and bonds of indemnity, and to issue substitute securities or make payment of securities and coupons of the Corporation, in accordance with provisions hereof. The Secretary, the Under Secretary, and any Assistant Secretary of the Treasury are hereby severally authorized to waive in his discretion on behalf of the Corporation such regulations of the Corporation in any particular case where a similar waiver would be allowed with respect to the United States securities; and the Secretary of the Treasury or the Acting Secretary of the Treasury is hereby authorized and empowered, as agent of the Corporation, to administer the foregoing provisions for relief and the regulations with respect thereto, and to delegate such authority at his discretion to other officers and employees of the United States Treasury Department.

The term "securities of the Home Owners' Loan Corporation" shall be construed to mean all direct obligations of the Corporation issued pursuant to law for valuable consideration and which by their terms bear interest or are issued on a discount basis and includes, but is not limited to, bonds and interim receipts issued for any such security.

§ 404.04–4 *Bonds received as repayments.* The Treasurer is responsible for the disposition of Home Owners' Loan Corporation bonds received as payment on debtor accounts. In those cases where bonds have been called in for redemption, the bonds shall be forwarded to the Federal Reserve Bank of New York for conversion to cash, and the check received in payment thereof shall be deposited to the general working fund.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 45–11529; Filed, June 28, 1945; 4:14 p. m.]

[Bulletin 368]

PART 406—LEGAL DEPARTMENT

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AUTHORITY: §§ 406.01c to 406.10, inclusive, issued under secs. 4 (a) and 4 (k), 48 Stat. 129, 132, 643, 647; 12 U.S.C. and Sup. 1463. E.O. 9070, 3 CFR Cum. Supp.

NOTE: §§ 406.01c to 406.10, inclusive, contained in Bulletin No. 368, effective July 1, 1945.

ORGANIZATION; FEE ATTORNEYS AND TITLE COMPANIES

§ 406.01c *Associates, assistants, attorneys.* The General Counsel and the Regional Counsel shall be assisted by associates, assistants, and attorneys who shall be appointed upon the recommendation of the General Counsel. The authority vested in the General Counsel may be exercised by an Associate General Counsel, an Assistant General Counsel or an Assistant to the General Counsel. The authority vested in the Regional Counsel may be exercised by an Assistant Regional Counsel. The authority vested in the General Counsel and the Regional Counsel may be exercised also by an attorney designated in writing, respectively, by such Counsel.

§ 406.01d *Authorization of substitute counsel.* The General Counsel is authorized to designate in writing any attorney to act as, and perform the functions and duties of, any official in the Legal Department of the Home or any Regional Office in the event of vacancy, disability or absence of any such official until such time as such vacancy shall be filled, such disability removed or such absence terminated; and the attorney so designated by the General Counsel shall have full authority to perform all the duties and functions and sign all papers and documents required or appropriate to be performed or signed by such official under the regulations. The authority herein vested in the General Counsel may be exercised also by the Regional Counsel as to legal personnel in his region when expressly so directed by the General Counsel. When the Legal Department of a regional office is consolidated with the Legal Department of the home office, the General Counsel, an Associate General Counsel, or an Assistant General Counsel shall have full authority to perform the duties and functions, and to sign all papers and documents which Regional Counsel is authorized to perform or sign under this chapter.

§ 406.01–2 *Approved attorneys and title companies.* Any work of the Legal Department may be conducted in the discretion of the General Counsel either by salaried personnel or on a fee basis. He may approve attorneys and title companies available for services on a fee basis.

LEGAL DEPARTMENT EXPENSE

§ 406.02a *Authority to incur expense.* The General Counsel is authorized to incur any fees or expenses incident to the performance of any duty or function of the Legal Department and approve the amount and payment thereof.

§ 406.02c *Reimbursement.* Where the the payment of any such fees or expenses is made by a salaried attorney, fee attorney, title company or trustee, an itemized statement covering such disbursements, certified to by any such attorney, title company or trustee, shall, when approved by the General Counsel, be accepted by the Auditor as sufficient evidence of the disbursement for the purpose of reimbursing the attorney, title company or trustee by whom the moneys were paid or as settlement for funds advanced. Where the payment of any such fees or expenses is made by other than an attorney, title company or trustee, a properly certified voucher, or approval by the General Counsel, supported by receipts for all funds actually expended, shall be accepted by the Auditor either as sufficient evidence of the disbursement for the purpose of reimbursing the individual payer or a settlement for funds advanced. The statement of the General Counsel as to the reason for the absence of any receipts, exclusive of tax receipts, shall be accepted by the Auditor in lieu thereof.

§ 406.02d *Regional Counsel's authority.* The authority vested in the General Counsel in this section may be exercised also by the Regional Counsel when authorized by the Regulations or by the General Counsel.

§ 406.02–1 *Regional Counsel's authority to incur expense.* The Regional Counsel, except as otherwise provided in this part, is authorized to incur and approve the amount and payment of any fees or expenses incident to the performance of any duty or function of the Legal Department; including, without limiting the generality of the foregoing, fees or expenses to be paid for title searches, title examinations, abstracts, title certificates, title policies, surveys, closing transactions, escrowing funds, recording, and the taking and certification of acknowledgment, *Provided:*

(a) The Regional Counsel shall not incur fees for services of attorneys or title companies who have not been approved, unless authorized by the General Counsel.

(b) Where schedules of fees or expenses have been approved by the Gen-

eral Counsel and filed with the Auditor, fees and expenses in excess of those authorized by such schedules shall be paid only when authorized or approved by the General Counsel.

(c) Where no such schedule has been approved and filed covering attorneys' fees relating to statutory or judicial proceedings or deed in lieu of foreclosure, such fees shall be incurred only on authority of the General Counsel.

§ 406.02–3 *Advances for expenses.* The Regional Counsel may request and is authorized to approve the advance of funds from which any estimated expense incident to the performance of any duty or function of the Legal Department may be paid as it accrues; *Provided*, That such expense is one that the approving officer is authorized to incur under the provisions of this part. Such advances shall be made from the regional working fund.

§ 406.02–4a *Receipts for actual expenditures.* Where funds of the Corporation are advanced to a salaried or fee attorney, title company, or trustee, it shall not be required that the voucher upon which such advance is disbursed be certified by the payee. However, an accounting for such advances shall be made, except as elsewhere provided in this part, by the presentation of receipts for funds actually expended or, in lieu thereof, a certified statement of the funds actually expended. Certified statements, where permitted to be accepted in lieu of receipts, shall bear a certificate in substantially the following form:

I/we hereby certify that funds were actually expended as indicated in the foregoing statement.

Where advances are made to other than a salaried or fee attorney, title company, or trustee, the above-outlined procedure shall be followed except that an accounting therefor shall be made, except as elsewhere provided in this part, by the presentation of receipts for the funds actually expended.

§ 406.02–4b *Reimbursement of personal expenditures.* Where personal funds are expended by a salaried or fee attorney, title company, or trustee, reimbursement therefor shall be made upon a voucher approved by the Regional Counsel, when supported by a certified itemized statement of the funds actually expended. When such voucher contains an itemized statement of the funds actually expended and has been certified to by such salaried or fee attorney, title company, or trustee, receipts or, in lieu thereof, certified itemized statements shall not be required, and reimbursement shall be made upon the approval of the Regional Counsel. When personal funds are expended by other than a salaried or fee attorney, title company, or trustee, reimbursement shall be made upon the presentation of receipts for funds actually expended.

§ 406.02–4d *When receipts dispensed with.* In cases where receipts are required in accounting for funds expended, the Regional Counsel may qualify any item or class of items of fees or expenses without receipts, either by assigning a reason for their absence on the voucher or by filing with the Auditor a memorandum stating the reasons why it is not practical or possible to obtain receipts covering items within the particular class. But, in accounting for funds expended, all disbursements made in payment of real estate taxes or assessments must be supported by receipts, anything in this part to the contrary notwithstanding.

CLAIMS AND LITIGATION

§ 406.03a *Authority to institute or defend suits.* The General Counsel may cause the Corporation to institute, defend or participate in any legal, equitable, or statutory proceeding where, in his opinion, such action appears to be necessary or advisable. The authority herein contained shall extend to include any steps which the proper handling of any case or proceeding to a conclusion may entail. Such authority may be exercised also by Regional Counsel under procedure and limitations prescribed by the General Counsel.

§ 406.03c *Settlement or adjustment.* The General Counsel, with the approval of the General Manager, may settle, adjust, or compromise any claim or matter affecting the Corporation, whether in litigation or not; and may incur any expense necessary to dispose of any outstanding interest prior lien or equity affecting the title to any property taken as security or acquired by the Corporation. Under procedure elsewhere prescribed in this chapter, such authority may be exercised also by the Regional Counsel, with the approval of the Regional Manager.

§ 406.03d *Claim or suit against employee acting as fiduciary.* If, at the instance of the Corporation, an employee is appointed by a court to act as a fiduciary, any claim or suit against the employee based upon duties or responsibilities devolving upon him within the proper scope of his office shall be reported and handled as if it were a claim or suit against the Corporation, and any expense or liability resulting therefrom which he is required to pay or discharge shall be assumed and paid by the Corporation, provided no wilful malfeasance is involved.

§ 406.03e *Enforcement of judgments.* The General Manager is authorized to determine when any judgment in favor of the Corporation shall be enforced and what property of the judgment debtor shall be proceeded against in order to obtain satisfaction in whole or in part of any such judgment, and to determine the amount which shall be bid or paid for any such property; and in such connection may, with the advice of the General Counsel, expend Corporation funds to purchase, remove or carry prior rights or liens in any property on which a levy may be made or which may otherwise be subject to the Corporation's judgment lien or for other purposes connected with such transactions, and to approve the amount and payment of such expenditures; *Provided, however*, That any legal expense in connection with such enforcement shall be incurred, approved and paid as provided in this part. The General Manager is further authorized, with the advice of the General Counsel, to govern the management and disposition of all property so acquired, whether real or personal.

The authority herein conferred upon the General Manager may be exercised also by the Regional Manager (with the advice of Regional Counsel, where required as to expenditures) under procedure and limitations elsewhere prescribed in this chapter.

§ 406.03–3 *Suits for eviction or collection of rents.* Suits or proceedings against tenants or others for eviction, distraint, or for the collection of rents may be authorized by the Regional Counsel when requested by the Regional Manager. Such suits or proceedings, whether contemplated or brought by the Corporation, may be settled, adjusted, or compromised, either before or after judgment, by the Regional Counsel with the approval of the Regional Manager when such Regional Counsel and Regional Manager determine that such settlement, adjustment, or compromise is to the best interest of the Corporation; *Provided, however*, That no such suit or proceeding shall be settled, adjusted or compromised by Regional Counsel hereunder if such settlement, adjustment, or compromise involves a claim based upon personal injury. The institution and disposition of all such cases shall be reported to the Loans and Properties Division. Such other reports shall be made as the General Counsel may direct.

The Regional Counsel, under the general supervision of the General Counsel, may, upon the recommendation of the Regional Manager, institute or cause to be instituted actions or proceedings involving the reduction of taxes, levies or any assessed valuations on properties under the jurisdiction of the Loans and Properties Division. The Regional Counsel shall report to the Loans and Properties Division and to the Tax Section the result of any such action or proceeding and shall make such other reports as the General Counsel may direct.

§ 406.03–4 *Duty of Regional Counsel.* Whenever the Corporation is served with process or named defendant in or has notice that it may be affected by any proceeding or claim, the Regional Counsel is authorized to take whatever immediate action he may think necessary or advisable pending receipt of instructions from the General Counsel *Provided*, That, where authorized by the provisions of this Part, the Regional Counsel may proceed with the handling and disposition of claims, and where the Corporation is made a party to or is affected by suits or proceedings to collect taxes or to enforce or foreclose tax liens, the Regional Counsel may proceed to defend or take such other action as he may determine to be in the Corporation's interest without referring the matter to the General Counsel for instructions. Except as otherwise provided in this part or unless the General Counsel shall otherwise direct, further defense or prosecution in any proceeding and the handling of any claim shall be under the direction of the Regional Counsel, subject to the supervision of the General Counsel. Such reports shall be made and copies of such procedural papers forwarded to the General Counsel as he may direct.

§ 406.03–5 *Correction of errors or defects in security.* Whenever an error or defect is discovered affecting the Corporation's security, the Regional Counsel may, in his discretion, cause such steps to be taken as may be necessary to correct such error or defect and to ascertain, perfect, and protect the Corporation's interests. *Provided*, That no suit or proceeding shall be instituted for such purposes without the approval of the General Counsel. The authority conferred by this paragraph shall not extend to the advancement of funds for the disposition of any outstanding interest or to the purchase or paying off of any prior lien or equity, except any adverse lien upon or interest claimed in any chattel, as hereinafter provided.

§ 406.03–6 *Clearance of liens and objections; Corporation property; chattels.* When liens or claims upon, defects or outstanding interests in, or objections to the title to property acquired by the Corporation (and to properties where the period of redemption is running and has not expired) are discovered, the Regional Counsel may take or cause such steps to be taken as he may determine to acquire or dispose of any such lien, claim, interest, or to clear any such defect or objection; *Provided, however*, That such steps shall be taken only upon the request or with the approval of the Regional Manager where such matters are discovered before the Corporation has executed an agreement for the sale of the property. The Regional Counsel, with the approval of the Regional Manager, may settle or compromise any such lien, claim, equity or interest, or cause same to be acquired by the Corporation, and may authorize funds to be disbursed for any of the above purposes. No suits or proceedings shall be instituted for the purpose of perfecting title or clearing liens, defects or objections without the approval of the General Counsel; *Provided, however*, That suits or proceedings for eviction, distraint, or the collection of rents, may be brought without such approval, as provided in this part.

When the Regional Counsel determines that any adverse lien upon or interest claimed in any chattel used in connection with any property acquired by the Corporation, or upon which it holds a mortgage is superior to the Corporation's rights therein, or that it is inadvisable to resist the threatened removal of any such chattel, he may, with the approval of the Regional Manager, settle, compromise or acquire any such lien or interest and may authorize funds to be disbursed for such purpose.

§ 406.03–6a *Regional Counsel's authority to settle claims.* The Regional Counsel, with the approval of the Regional Manager, may settle, adjust or compromise claims or matters affecting the Corporation (other than claims based upon personal injury or defalcation) upon such terms and conditions and for such consideration as they may determine to be for the best interests of the Corporation; *Provided*, That no such claim or matter shall be settled, adjusted or compromised hereunder (a) if it is against the Corporation and cannot be settled within a limit of $100.00, exclusive of costs and expenses, or (b) if it is held or asserted by the Corporation and involves more than $100.00. The original authorization settling, compromising, adjusting, or disposing of a claim shall be furnished to the Regional Comptroller and a copy to the General Counsel. If employee responsibility is involved, such authorization shall show that this question has been considered and its disposition, or that the question will have consideration and a memorandum showing the disposition made will be subsequently furnished the Regional Comptroller with copy to the General Counsel. If such responsibility is not involved, the authorization shall so state. The authority granted by this section is in addition to, and is not intended to limit, the authority granted in other sections of this part. Such report shall be furnished to the General Counsel as he may direct.

§ 406.03–9 *Corporation employees acting as fiduciaries.* Each Regional Manager, with the approval of Regional Counsel, may permit the appointment of qualified employees of the Corporation as receivers, administrators, guardians, or in other fiduciary capacities, in any cases in which it may be proper and desirable to do so. Waiver shall be sought of any bond ordinarily required by the court of appointment, subject to such exceptions as the Regional Counsel may order.

No employee acting in such fiduciary capacity shall be permitted to receive any compensation in addition to his ordinary salary. It shall be the duty of the Regional Counsel to take from each employee so appointed a waiver of any and all rights he might have otherwise to deduct or receive other compensation in any form.

BONDS

§ 406.04a *Bonds in legal proceedings.* Upon direction of the General Counsel or the Regional Counsel, any Regional Manager, any Regional Comptroller, or any Assistant Regional Treasurer is authorized to execute, authenticate or verify on behalf of the Corporation any appeal, attachment, injunction or cost bond or other bond, pleading or instrument appropriate to be executed in the course of any statutory or judicial proceeding or other matter affecting the Corporation, and may acknowledge the execution thereof on behalf of the Corporation and attach thereto the corporate seal; save that any power of attorney, release, or deed required in the course of any proceedings or matter shall be executed by such official as may be now or hereafter duly authorized.

§ 406.04b *Indemnity to third parties.* When any agreement or bond of indemnity, letter of assurance or other writing is required of the Corporation, incident to payment to it by a third party or the execution of an instrument in its favor or the consummation of any sale of Corporation property or incident to any other matter affecting the Corporation, the General Manager, with the approval of the General Counsel, is authorized on behalf of the Corporation to execute and deliver such agreement, bond, letter or other writing or to approve the obtainment of such bond from a surety company. Such authority may be exercised also by the Regional Manager, with the approval of the Regional Counsel, under procedure and limitations contained in this part.

§ 406.04c *Indemnity to the Corporation.* The General Manager with the approval of the General Counsel is authorized to approve and accept bonds of indemnity offered to the Corporation for the purpose of protecting it against loss, and, with like approval, may effect their cancelation. Such authority may be exercised also by the Regional Manager with the approval of the Regional Counsel, under procedure and limitations contained in this part.

§ 406.04–1 *Surety bonds.* Individuals or corporations, including brokers, who may be required to furnish surety bonds payable to the Corporation shall provide such bonds in such an amount and containing such terms as shall be accepted and approved by the General Manager or the Regional Manager with the approval of the General Counsel or the Regional Counsel under the provisions hereinabove contained in § 406.04c. Such bonds must be on the Corporation's approved forms, if a form has been approved which is appropriate for the particular case; and if there is no approved form, then on a form approved by the Regional Counsel. The surety on these bonds must be one of the surety companies approved by the Secretary of the Treasury for and on behalf of the United States Government and shown on the approved list published by the Treasury Department; *Provided, however*, That the provisions of this Section shall not apply to bonds covering the issuance of replacement checks or bonds under the provisions of Parts 403 and 404, or under any other applicable provisions of this chapter.

§ 406.04–2 *Indemnity to third parties; specific cases.* When the title to any Corporation property is encumbered or affected by any judgment, decree, attachment or other process, writ or determination of any court, or when there is any irregularity or defect in the title to any Corporation property, and any prospective purchaser of such property raises objection to such title and it is impracticable to clear such irregularity or defect, and when, in the opinion of the Regional Manager and the Regional Counsel, it is in the interest of the Corporation that the Corporation convey such property with warranty or furnish to such purchaser, or to an approved title or abstract company or an officer of such court or other public official, its bond or agreement of indemnity or a surety bond of indemnity or its letter of assurance, then the Regional Manager, with the approval of the Regional Counsel, may direct that

such conveyance with warranty or agreement, bond or letter be executed and delivered on behalf of the Corporation or that such surety bond be obtained for the Corporation, and may incur and approve the amount and payment of all charges and expenses necessary or proper in connection therewith (except legal fees, charges and expenses, which shall be incurred and the amount and payment thereof approved as is provided in this part), and such conveyance, agreement, bond or letter may be so executed and delivered by any officer of the Corporation who is authorized to execute conveyances of Corporation property on its behalf: *Provided, always,* That a duplicate original copy of any such agreement, bond or letter so executed and delivered shall be forwarded by the Regional Counsel to the Regional Comptroller and a copy shall also be forwarded to the General Counsel and Comptroller.

FORECLOSURE

§ 406.05a *When foreclosure ordered.* After all efforts to collect the debt owing to the Corporation have been made, as is provided by this chapter, and all efforts to assist the borrower have been exhausted and it becomes necessary to protect the taxpayers, foreclosure shall be ordered. A foreclosure may also be ordered where foreclosure of a junior lien has been commenced or is imminent, and the Corporation is entitled to foreclose its lien under the circumstances existing and under the terms of its lien instrument. When foreclosure is ordered, it shall be determined whether or not a deficiency claim shall be retained on the books of the Corporation if the value of the security is less than the amount of the debt. Upon making such determination, the Corporation will proceed on the following basis:

(a) If it is found that there is not a wilful default and that there is no reasonable prospect of realizing on a judgment against the maker or makers and the expenses incident to obtaining judgment and servicing it is not justified, it shall be directed that after the security is subjected to the lien and after the expiration of any redemption period the remainder of the claim shall be written off the books as a bad debt.

(b) If it is found that there is wilful default or that there is a reasonable prospect of realizing on a deficiency claim and, in either case, the expense incident to obtaining judgment and servicing it is justified, the property shall be appraised, if practicable, and after the security is subjected to the lien, and if there is any redemption period, after such redemption period has expired, the deficiency claim, if any, shall be reduced to the difference between such appraised value and the debt owing to the Corporation on account of such loan (if it exceeds such amount) and any excess over such amount shall be written off as a bad debt. If appraisal is impracticable before foreclosure, then such appraisal shall be made after foreclosure, and after foreclosure and if there is any redemption period, after the expiration of such period, the deficiency claim or judgment shall be reduced to the difference between such appraisal and the debt foreclosed.

(c) In the event the maker or makers have any credits with the Corporation the same shall be applied before claims are written off as bad debts as herein provided.

§ 406.05b *Bidding instructions.* At the time of foreclosure, specific instructions shall be given as to bidding, and, where required, a representative of the Corporation shall attend the sale. The amount of the minimum bid shall be fixed in conformity with the practice, custom and law of the jurisdiction where the foreclosure is held. The maximum bid shall not be more than the amount owing to the Corporation and costs, *Provided,* That in any case the property may be appraised and the Corporation may bid up to such appraisal but not in excess of the debt owing to the Corporation and costs.

§ 406.05c *When Corporation purchaser.* If the Corporation is the final bidder at the foreclosure sale, title to the property shall be conveyed to the Corporation.

§ 406.05d *Judgments taken.* In cases where judgments are taken before sale, the same shall be taken in the usual course, as is herein provided, but shall be written off as bad debts or reduced as herein provided after the sale and the expiration of any redemption period. In cases where judgments are taken in the usual course after foreclosure sale but before the expiration of any redemption period, the same shall be written off as bad debts, as herein provided, or reduced, as herein provided, after the expiration of the redemption period. In cases where judgments are taken after foreclosure sale where there is no redemption period, the claim shall be written off, as herein provided, as a bad debt, or written down, or judgment shall be taken as herein provided. In all such cases and in cases where judgments are not taken as a matter of course in foreclosure proceedings or in the usual process of such proceedings, diligent efforts to collect deficiency claims and judgments on the basis herein provided shall be made.

§ 406.05i *Settlement of deficiency claim or judgment.* The General Manager, with the approval of the General Counsel, is authorized to compromise and settle, after foreclosure is completed, any deficiency claim or judgment held by the Corporation growing out of the mortgage debt, or to write off such claim or judgment as a bad debt and, if in judgment form, to take such action as may be necessary to cancel the same on the record if, in his judgment, such course is to the best interests of the Corporation. Such authority may be exercised also by the Regional Manager, with the approval of the Regional Counsel, subject to procedure and limitations contained in this part.

§ 406.05j *Deeds in lieu of foreclosure.* Deeds in lieu of foreclosure may be accepted from owners of mortgaged properties in settlement of the indebtedness owing to the Corporation, and in connection with such acceptance each Regional Manager is authorized, in his discretion and with the approval of the Regional Counsel, to expend funds to satisfy, remove, release or acquire intervening liens or rights. No sum shall be paid to any owner of the property, but as a part of the consideration for such deed an owner may be permitted to continue in possession of the premises for a limited time within the discretion of the Regional Manager under advice of the Regional Counsel. The authority herein granted shall be exercised under procedure and limitations contained in this part.

§ 406.051 *Suspension or withdrawal of foreclosure.* At any time prior to the acquisition of absolute title by the Corporation, the General Manager, with the advice of the General Counsel, may direct that foreclosure proceedings or negotiations for a deed in lieu of foreclosure be suspended or withdrawn and the loan or sales account reinstated on such terms and conditions as he may determine to be for the best interest of the Corporation. In connection with such withdrawal and reinstatement he may effect the cancelation of the old indebtedness and the taking of new loan or sales instruments. In connection therewith he may also direct the acquisition of title by the Corporation and the execution of installment contracts or other like sales instruments or deeds to home owners or to third parties, accepting appropriate security instruments. No suspension, withdrawal or reinstatement in such cases shall be made which would involve a loss to the Corporation. The authority herein granted may be exercised in any case where a notice of withdrawal has been issued, but on account of the lack of time or for other cause, the reinstatement has not been accomplished prior to the acquisition of absolute title. All cases handled under the authority of this section shall be classified as withdrawn foreclosures and not as sales. The authority herein vested in the General Manager may be exercised also by the Regional Manager, with the advice of the Regional Counsel, under procedure and limitations contained in this part.

§ 406.05–6 *Procedure when deficiency judgment not enforced.* The Regional Manager, with the advice of the Regional Counsel, shall give the Regional Comptroller such instructions as may be required to insure the timely application of all available credits, including proceeds of any collateral or additional security, to the deficiency balances set up by the Regional Comptroller under the advices furnished him as outlined above. Where a prospective credit in the nature of collateral security requires some additional action or proceeding to perfect the Corporation's right to apply it to the indebtedness, the direction to foreclose shall be deemed to include direction to initiate such action or proceedings as may be necessary to reach and apply such security. But if the expense of such proceeding is prohibitive in relation to the value to be gained, the Regional Manager may release such collateral security on advice of the Regional Counsel. The same authority may be exercised with respect to any other credit where costs outweigh prospective gain. Credit against a deficiency for collateral or additional security retained or bid in by the Corporation shall be allowed at its fair value to the Corporation as determined by the Regional Manager; applying the standards set forth for appraisals in Part 403 where practicable. If sold to a third party, credit will be allowed for the net proceeds received by the Corporation.

§ 406.05–9 *Intervening liens or rights.* If intervening liens or rights bar the taking of an otherwise acceptable deed, and such liens can be removed or satisfied at a figure advantageous to the Corporation in the light of all factors related to foreclosure proceedings, each Regional Manager, in his discretion and with the approval of the Regional Counsel, may cause payment to be made to remove or acquire such intervening liens or rights, but the total of such payments in any one case shall not exceed the sum of $100.00 unless previously approved by the General Counsel.

Each Regional Manager, with the advice of the Regional Counsel, may also, in consideration for a deed in lieu of foreclosure, stipulate that an owner shall be permitted to retain possession of the premises for a period of time; *Provided,* That, if such period is to exceed six months, the approval of the General Manager and General Counsel shall first be obtained.

In his exercise of the powers contained in this section, no Regional official shall authorize payment of any amount whatsoever to any borrower or owner of the property, but retention of possession, rent free, by such individuals may be authorized within the limits provided in this section.

§ 406.05–11 *Voluntary deed rights of owner.* The deed in lieu of foreclosure should be offered voluntarily by the owner of the mortgaged property, and before acceptance the Regional Counsel shall cause such owner to be informed in writing as to the true nature of the transaction and that the effect of such deed will be to vest in the Corporation the absolute title and possession of the property without right of redemption, reconveyance, or any other legal rights which he might have, should the Corporation foreclose its mortgage or other security instrument.

EMINENT DOMAIN

§ 406.06 *Authority.* The General Counsel with the approval of the General Manager is authorized to accept or decline any offer of settlement or award of condemnation made in the course of eminent domain proceedings commenced or contemplated affecting the security of the Corporation or its properties, and to direct the distribution or application of the proceeds thereof. Such authority may be exercised also by the Regional Counsel with the approval of the Regional Manager under procedure and limitations contained in this part.

§ 406.06–3 *Deductions; application of remainder.* The Regional Manager and the Regional Counsel may permit the payment of taxes, assessments, other governmental levies and charges, ground rents, attorneys' fees (including fees to the attorney representing the home owner), cost of reconditioning or restoration, and such other items as they may deem proper from the award or settlement and shall direct the application of the remainder of the award or settlement to the proper account.

EXTENSIONS

§ 406.08 *Execution of extension agreements.* Extension agrements shall be executed under the control and general supervision of the General Counsel, who is authorized to issue all necessary instructions relating thereto and to permit or approve such deviations in and from approved forms or procedure promulgated hereunder as he may deem proper with respect to specific cases and/or particular localities. Other departments, divisions and sections shall, when requested, furnish to the Legal Department any information available in connection with the preparation and execution of extension agreements, and shall render any reasonable assistance to the Legal Department in securing their execution, acknowledgment, attestation or recording.

The priority of the Corporation's lien securing payment of the mortgage debt and performance of the mortgage covenants must be preserved.

The extension agreements shall be executed by all of the present owners of the property as disclosed by the title search, or if no title search is made, as named in the statement of ownership and/or the application; unless the General Counsel determines that execution by any or all of such owners is not necessary to preserve the priority of the Corporation's lien securing payment of the mortgage debt and performance of the mortgage covenants, and waives execution by any or all such owners.

Legal or other expenses incidental to the closing of extensions advanced by the Corporation shall be charged to the home owner's account to be repaid on demand unless otherwise directed by the Regional Manager. Collections are not to be made for such items at closing except where the closing is made in an office of the Corporation.

SALES CLOSING

§ 406.09–7 *Disposal of defects.* The Regional Manager with the advice of the Regional Counsel may determine whether the interests of the Corporation will be best served by not attempting to dispose of any objections, defects or liens or to consummate the sale. Title defects, liens and objections may be disposed of under §§ 406.03c, 406.03–6 and the related sections. Where liens, defects, objections or other matters affecting the title or use of the property are discovered which were not made a matter of exception in the fee attorney's certificate of title, insurance policy or certificate issued by the title company, either in connection with the Corporation's loan or at a later date, or were not shown in abstracts used in connection with the closing of the Corporation's loan or subsequent thereto, the Regional Counsel shall give immediate notice of such matters to the attorney, abstracter, abstract company, title company or title insurance company responsible, and shall take such other steps as may be necessary to protect and preserve the Corporation's rights and claims against any such party, whether or not the Corporation clears the lien, defect or objection in order to consummate the sales transacted: *Provided, however,* That suits or other court proceedings shall not be instituted without being authorized by the General Counsel. If legal action is necessary to obtain possession of the property prior to the closing, then such sale shall not be deemed to be under the jurisdiction of the Legal Department for closing unless and until the Regional Counsel has advised the Regional Manager that possession of the property has been so obtained.

§ 406.09–8 *Sale closing.* The approved fee attorney or title company shall effect the closing and settlement of the sale transaction and shall prepare and sign a report, on an approved form, showing such settlement and the adjustments actually made at the closing.

The Regional Counsel may authorize the approved fee attorney or title company to make minor adjustments either way, not exceeding $25 in total amount, occasioned by new matters arising at the closing or where there is a variance in computations occasioned by the purchaser's applying a different method of calculation which is not inconsistent with the provisions of the agreement for the sale of real estate. In case of a serious dispute as to adjustments or where the amount exceeds $25 or the purchaser objects to the form of the closing instruments or any provision thereof, or to the title, the approved fee attorney or title company should not proceed, but should arrange for an adjournment for a sufficient time to enable the matter in dispute or the objections to be submitted to the Regional Counsel for disposition or instructions. If the approved fee attorney or title company cannot obtain such an adjournment, the Regional Counsel should be immediately contacted for instructions.

At the settlement, the approved fee attorney or title company may accept a certified or cashier's check or the check of the contract broker of the Corporation for the approximate amount then due from the purchaser to the Corporation, and the residue of the settlement may be made in lawful money of the United States.

When the agreement for sale provides that the purchaser shall pay recordation, transaction, transfer, conveyance or other taxes or for any revenue, documentary or other stamps or for any recording or other fees in connection with the sale transaction, the purchaser shall at the time of sale closing deposit with the approved fee attorney or title company an amount sufficient to pay such expenses, in which event the purchaser shall receive a receipt therefor on Form 750–A. Such deposit shall not in any event be reflected on the settlement re-

port. In Plan A sales, the purchaser may record the deed and pay direct the fees and taxes in this paragraph mentioned, unless the Regional Counsel otherwise direct.

LAW LIBRARIES

§ 406.10 *Authority to purchase, sell, exchange, and maintain law books.* The General Counsel is authorized to incur expense incident to the purchase, maintenance and repair of law books, law periodicals, law publications, and other books and like material for law libraries in the Home Office and in the field offices; and the General Counsel shall approve the amount to be paid by the Corporation in such transactions. Such property shall be treated as expendable property, and the General Counsel shall at least once a year cause to be prepared an inventory of all law books, law periodicals, law publications, and other books and like material for law libraries. The General Counsel is also authorized to sell or exchange such of the above items as he may determine to be in excess of the needs of the Corporation, for such consideration as he may determine, and he may incur any necessary expense incident thereto; and may issue such instructions and procedure as will be required to give effect to the provisions of this section.

[SEAL] J. FRANCIS MOORE.
Secretary.

[F. D Doc. 45-11530; Filed, June 28, 1945; 4:14 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5084]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

COOKWARE ASSOCIATES

§ 3.24 (b) *Coercing and intimidating—Customers or prospective customers—To purchase or support product or service:* § 3.41 *Delaying or withholding corrections, adjustments or returns:* § 3.51 *Enforcing dealings or payments wrongfully:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Sample, offer or order conformance:* § 3.72 (m10) *offering deceptive inducements to purchase or deal—Sample, offer or order conformance:* § 3.805 *Securing orders falsely or misleadingly.* In connection with the offering for sale, sale, and distribution of cooking utensils and other merchandise in commerce, (1) soliciting sales or accepting orders and deposits for cooking utensils or other merchandise of a kind and quality which the respondents are not capable of delivering at the time of the sale or within the time specified in the order; (2) representing directly or by implication that respondents are offering for sale sets of cooking utensils or other merchandise when respondents cannot or do not deliver all the pieces of the set specified or when the pieces or sets actually delivered are not of the kind and quality represented by the respondents; (3) using any sales plan or method which involves the taking of orders for merchandise which the respondents cannot or do not supply, together with a deposit or down payment upon such order, to induce the purchaser to accept merchandise of a kind or quality different from that ordered, under penalty of forfeiture of deposit or down payment; (4) using any sales plan or method which involves a sales demonstration or display with merchandise of a kind or quality different from that which respondents actually deliver; (5) refusing to cancel orders or refund deposits or down payments made thereon for merchandise of a kind or quality which respondents cannot deliver within the time specified in the order or within a reasonable time thereafter; or (6) coercing or attempting to coerce purchasers to accept merchandise of a kind or quality different from that ordered by refusing to refund down payment or deposit made at the time the order was placed; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Cookware Associates, Docket 5084, June 25, 1945.]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of June, A. D. 1945.

In the Matter of Robert W. Hailey, G. P. Hubble, and H. F. Hall, Individually and as Copartners Trading as Cookware Associates

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it in support of the allegations of said complaint and in opposition thereto, report of the trial examiner upon the evidence, and brief filed in support of the complaint (respondents not having filed brief or requested oral argument); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Robert W. Hailey, G. P. Hubble, and H. F. Hall, individually and as copartners trading as Cookware Associates, and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of cooking utensils and other merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Soliciting sales or accepting orders and deposits for cooking utensils or other merchandise of a kind and quality which the respondents are not capable of delivering at the time of the sale or within the time specified in the order.

2. Representing directly or by implication that respondents are offering for sale sets of cooking utensils or other merchandise when respondents cannot or do not deliver all the pieces of the set specified or when the pieces or sets actually delivered are not of the kind and quality represented by the respondents.

3. The use of any sales plan or method which involves the taking of orders for merchandise which the respondents cannot or do not supply, together with a deposit or down payment upon such order, to induce the purchaser to accept merchandise of a kind or quality different from that ordered, under penalty of forfeiture of deposit or down payment.

4. The use of any sales plan or method which involves a sales demonstration or display with merchandise of a kind or quality different from that which respondents actually deliver.

5. Refusing to cancel orders or refund deposits or down payments made thereon for merchandise of a kind or quality which respondents cannot deliver within the time specified in the order or within a reasonable time thereafter.

6. Coercing or attempting to coerce purchasers to accept merchandise of a kind or quality different from that ordered by refusing to refund down payment or deposit made at the time the order was placed.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON.
Secretary.

[F. R. Doc. 45-12308; Filed, July 6, 1945; 11:24 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3270—CONTAINERS

[Conservation Order M-81, as Amended Apr. 6, 1945, Amdt. 2]

CANS

Section 3270.31 *Conservation Order M-81* is amended in the following respect:

(1) Item 128 of Schedule A is amended and a new item shall be inserted after Item 128 to read as follows:

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
128. Paint products only as follows:	60% of 1941 products are interchangeable			
a. Pigmented oil paint		Any	SCMT	CTB
b. Varnishes		Any	SCMT	CTB
c. Aluminum paint		Any	SCMT	CTB
d. Lacquers, clear and pigmented		Any	SCMT	SCMT
128a. Paste water paints, including resin emulsion	100% of 1941	Any	SCMT	SCMT

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12297; Filed, July 6, 1945; 11:21 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, as amended Apr. 30, 1945, Amdt. 4]

FIBRE SHIPPING CONTAINERS: MANUFACTURE, DELIVERY AND USE

Section 3270.6 *Limitation Order L-317* is amended in the following respects:

1. The Classes of Products under the general heading of "Food products . . ." appearing in Schedule III shall be amended to read as follows:

(*) Food products of every description, including, as one Class of Products, all foods (whether or not they were specifically listed as separate Classes of Products in the April 30, 1945 edition of Order L-317), excluding only meat and meat products (which are controlled by Schedule IV), fishery products, dairy products, poultry, eggs, unprocessed fresh fruits and vegetables and processed fresh fruits and vegetables (that is, fruits and vegetables not previously preserved which are packed in a container and are preserved by the medium of heat or freezing)."

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12303; Filed, July 6, 1945; 11:22 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, as Amended June 13, 1945, Amdt. 1]

Section 3175.1 *CMP Regulation 1* is hereby amended in the following respects:

1. A center heading is inserted preceding paragraph (t) (9) as follows: "*Deferment of Unrated Orders.*"

2. Paragraph (t) (9) of CMP Regulation 1 is amended by striking all the last sentence beginning with "if deferring" in the 18th line and inserting "unless specifically directed by WPB."

3. Schedule III to CMP Regulation 1 is amended by adding the word "Lead" as the initial word of the title of Schedule III, which would then read: "Lead Time for Placing Authorized Controlled Material Orders;" and changing the figures in the column headed "Number of Days in Advance of the First Day of the Month in which Shipment is Required," to "30", for each steel product other than Cold Drawn Tubing and Wire Rope, in which instances the figures are changed to "60". Balance of lead times for copper wire mills, brass mills, copper foundries, and aluminum products unchanged.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12293; Filed, July 6, 1945; 11:21 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 48, as Amended July 6, 1945]

PURCHASES AND SALES OF CONTROLLED MATERIALS BY AN INTERMEDIARY

The following direction is issued pursuant to CMP Regulation 1:

(a) *What this direction does.* This direction explains how a person (who is called an "intermediary" in this direction), acting for either a seller or purchaser, can place authorized controlled material orders for steel, copper, or aluminum with a supplier for direct delivery to his customer. The terms of this direction do not apply to unrated orders.

(b) *Orders by an intermediary for direct delivery to a customer—(1) How to place orders.* An intermediary receiving an order for controlled materials may order from a supplier the same quantity of material for delivery as directed by the customer, but he must furnish with his own purchase order a copy of the endorsement received from the customer, including the customer's name and CMP allotment number or symbol, or a copy of the specific permission for the purchase or sale of the material granted by the War Production Board. A purchase order so placed may, but need not, be accepted by the supplier. If accepted, it shall have the same status under War Production Board orders and regulations as if placed directly by the customer. If the supplier rejects such an order when he has material (or open space on his production schedule) available to fill it, he must immediately notify the intermediary in writing that he is prepared to fill the order direct from the intermediary's customer or through another person. If the order is accepted, the intermediary may pay the supplier for the material and, in turn, invoice his customer.

(2) *Copper producers or warehouses excluded.* This direction does not apply to copper controlled material producers or warehouses when purchasing copper as intermediaries. The procedure to be followed by a copper controlled material producer or warehouse when purchasing copper as an intermediary is described in paragraph (f) (3) of CMP Regulation No. 4 and in Direction 9 to CMP Regulation No. 1.

(c) [Deleted July 6, 1945.]

(d) [Deleted July 6, 1945.]

(e) [Deleted July 6, 1945.]

(f) *Complete records required.* As required by Priorities Regulation No. 1, an intermediary must retain in his files for at least two years adequate records of all transactions under this direction, including all purchase orders received from his customer, all authorizations received from the War Production Board, etc.

NOTE: The record keeping and reporting provisions of this direction have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12294; Filed, July 6, 1945; 11:21 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 54, as Amended, July 6, 1945.]

DEFERRED ALLOTMENTS

The following direction is issued pursuant to CMP Regulation 1:

(a) *General.* This direction describes the operation of deferred allotments. These allotments and authorized controlled material orders based on them are identified by CMP allotment symbols which include the letter "Z." In most cases, this symbol will be "Z-3." Deferred allotments and authorized controlled material orders based on them are exactly the same as regular allotments and authorized controlled material orders, except as provided in this direction or as may be provided under other regulations.

(b) *Treatment by a controlled material producer of authorized controlled material orders identified by CMP allotment symbols including the letter "Z".* (1) A controlled material producer must accept or reject an authorized controlled material order identified by the symbol "Z" in the same way that he must accept or reject any other authorized controlled material order. However, if after accepting orders identified by a "Z" symbol, he receives orders (other than "Z" orders), which he is otherwise required to accept but would be unable to accept because of the provision of paragraph (t) (2) (iii) or Direction 23 of CMP Regulation 1 (relating to the amount of orders that can be accepted) after first deferring unrated orders, he must defer his most recently accepted "Z" orders to the extent necessary and accept the other order.

(2) A controlled material producer must defer production of his most recently accepted "Z" order to the extent necessary to make deliveries on time on other authorized controlled material orders or other orders which he is required to fill. However, in case of steel, the production of "Z" orders for delivery within the month for which they were accepted must be scheduled in accordance with the provisions of Direction 66 of CMP Regulation 1. Once so scheduled, a "Z" order need not be deferred except as specifically directed by WPB.

(3) If at the time a "Z" order is required to be deferred by paragraph (b) (1) or (b) (2) it is scheduled for delivery within less time than the "lead times" of Schedule III to CMP Regulation No. 1, the producer need not defer such order unless specifically directed by WPB.

(4) If a "Z" order is deferred because of the provisions of paragraph (b) (1) or (b) (2) of this direction, it may be scheduled for delivery in a later month only if a new "Z" order could be accepted for delivery in such a month under the provisions of this direction and paragraph (t) of CMP Regulation No. 1. However, if the order is scheduled for delivery in a later month and that month is in a later quarter, it is not necessary for the customer to make any change in his order or have an allotment valid for the later quarter. The provisions of paragraph (t) (4) of CMP Regulation 1 and paragraph (g) of Direction 23 to that regulation, relating to prior scheduling of past due orders, do not apply to "Z" orders.

(5) Whenever a controlled material producer finds that he will be unable to fill a "Z" order within the month promised he must promptly notify the customer, stating approximately when he expects to make delivery.

(c) *Deliveries from mill stock.* A controlled material producer must not fill from mill stock, including mill accumulations of rejected material, any "Z" order until he has filled all other orders which he has received calling for similar items which he is required to fill under CMP regulations.

(d) *Deliveries of steel for further conversion to fill "Z" orders.* If a steel producer orders controlled material from another controlled material producer which he will convert into another controlled material form for delivery on a "Z" order, he should obtain his material in the way provided by Direction 71 to CMP Regulation 1.

(e) *Reports to the War Production Board.* Producers shall treat "Z" orders separately on all reports required to be filed with the War Production Board which requires segregation of shipments, orders, or production by major program symbol.

(f) [Deleted July 6, 1945.]

(g) [Deleted July 6, 1945.]

(h) [Deleted July 6, 1945.]

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12295; Filed, July 6, 1945; 11:21 a. m.]

PART 3191—CIVILIAN AIRCRAFT

[Preference Rating Order P-47-a, Direction 1]

FOREIGN FLAG AIR CARRIERS

The following direction is issued pursuant to Preference Rating P-47-a:

A producer of civil transport aircraft or of products to be incorporated into civil transport aircraft may use surplus material and may apply for priorities assistance to get new material under the provisions of Order P-47-a, for the manufacture of commercial transport type aircraft for use by foreign flag air carriers. In granting priorities assistance, however, the War Production Board will give consideration only to the material needed to fill orders for commercial transport type aircraft for foreign flag air carriers required for war supporting activities, reconstruction, relief, and rehabilitation, and for which export licenses have been approved and issued. In submitting CMP-4B applications requesting priorities assistance for the procurement of materials to be used in the production of aircraft for foreign flag carriers, manufacturers should attach a list of the types of aircraft to be produced and the applicable export license numbers.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12292; Filed, July 6, 1945; 11:21 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-6, as Amended July 6, 1945]

HAND SERVICE TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hand service tools for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.51 *General Preference Order E-6*—(a) *Definitions.* For the purposes of this order:

(1) "Mechanic's hand service tool" means any tool listed on Exhibit A attached hereto.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Producer" means any person engaged in the production of mechanics' hand service tools.

(4) "WPB-547 order" means any order for mechanics' hand service tools now or hereafter placed with a producer by any person acquiring such tools for his own inventory or shelf stock pursuant to a rating assigned on Form WPB-547 (formerly PD-1X).

(5) "Other order" means any purchase order for mechanics' hand service tools except WPB-547 orders.

(6) "Total monthly production" means either.

(i) The total dollar value of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer, including both special and standard tools of that kind; or

(ii) The total number of units of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer.

(b) [Revoked July 6, 1945.]

(c) *Allocation of production between WPB-547 orders and other orders until August 1, 1945.* Until August 1, 1945, each producer shall schedule his total monthly production and the delivery thereof as follows:

(1) To the extent that he has WPB-547 orders on hand, he shall schedule between 20 and 25 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against WPB-547 orders requiring delivery in such month. No producer shall schedule any order pursuant to this paragraph (c) (1) unless it clearly appears from such order that the rating applied thereto was assigned on Form WPB-547 (formerly PD-1X).

The sequence of deliveries on WPB-547 orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(2) To the extent that he has other orders on hand, he shall schedule between 75 and 80 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against other orders requiring delivery in such month.

The sequence of deliveries on other orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(3) Any portion of the percentage allocated to WPB-547 orders which has not been taken up by such orders on or before the fifteenth day of the month preceding the month being scheduled, shall be scheduled for delivery against other orders, and vice versa.

(d) *Scheduling of production and deliveries for unrated orders after August 1, 1945.* Beginning with the month of August, 1945 and in each month thereafter, notwithstanding the provisions of § 944.7 of Priorities Regulation 1, any producer may produce and deliver for unrated orders up to 25 percent of his total monthly production of each kind of mechanics hand service tool. Of course, if the producer does not have enough rated orders for a given kind of mechanics hand service tool calling for delivery in a particular month to take up 75 percent of his production, he may produce and deliver more than 25 percent of his total monthly production for unrated orders in that month.

(e) *Cancellation of preference ratings assigned on Form WPB-547 and Canadian Form PB-1010 after August 1, 1945.* In view of the provisions of the preceding paragraph which permit producers to set aside a portion of their production for unrated orders, the War Production Board will no longer assign preference ratings on Form WPB-547 or Canadian Form PB-1010 to the delivery of mechanics hand service tools for distributors' stocks.

All ratings assigned on Form WPB-547 or Canadian Form PB-1010 for mechanics hand service tools are cancelled on August 1, 1945. Every person to whom such a rating has been assigned must on or before that date, in the case of each order to which he has applied the rating, either cancel the order or inform his supplier that it is no longer to be treated as rated if it is not delivered by August 1, 1945. After August 1, 1945 no person shall give any effect to any preference rating for mechanics hand service tools which he knows or has reason to believe was assigned on Form WPB-547 or Canadian Form PB-1010.

(f) *Cancellation of preference ratings for export after August 1, 1945.* Preference ratings assigned on or before August 1, 1945 for mechanics hand service tools to be delivered outside the United States, its territories or possessions or the Dominion of Canada, are cancelled on that date. After August 1, 1945 no person shall give any effect to such ratings if he knows or has reason to believe they were assigned before August 1, 1945 and that the mechanics hand service tools will be delivered outside the United States, its territories or possessions or the Dominion of Canada. However, the rules stated in this paragraph do not apply to procurement of mechanics hand service tools by a United States Government Agency, or to any ratings assigned after August 1, 1945 by the War Production Board. These ratings are valid.

(g) *Repair parts.* Nothing in this order shall be construed to prevent the sale and delivery of repair parts for mechanics hand service tools in accordance with applicable regulations and orders of the War Production Board concerning repair parts.

(h) Revoked July 6, 1945.

(i) *Reports.* Each producer shall execute and file with the War Production Board Form WPB-2057 and such other reports and questionnaires as said Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Appeals.* Any appeal from the provisions of this order shall be made on Form WPB-1477 (formerly PD-500) or by letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

All appeals should be filed with the War Production Board, Tools Division, Washington 25, D. C., Ref: E-6.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(l) *Communications.* All reports, appeals, and other communications concerning this order shall be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: E-6.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

Metal cutting snips and shears.
Pliers, slip joint.
Pliers, solid joint.
Screw drivers, all types.
Wrenches, adjustable auto.
Wrenches, adjustable 22½° angle.
Wrenches, box.
Wrenches, monkey.
Wrenches, open end and combination box.
Wrenches, pipe.
Wrenches, socket and driving units.

NOTE: Exhibit B revoked July 6, 1945.

[F. R. Doc. 45-12291; Filed, July 6, 1945; 11:21 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241, as Amended July 6, 1945]

PAPER AND PAPERBOARD

§ 3281.63 *General Conservation Order M-241*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except to the extent of any inconsistency, in which event the provisions of this order shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Produce" and "manufacture" mean and include all making and finishing operations prior to packing or packaging.

(3) "Finished production" means paper or paperboard ready for packing or packaging.

(4) "Grade" means any kind of paper or paperboard for which a caption or subcaption is provided in Form WPB-514 or any particular grade even though not specifically mentioned within such kind, except those grades listed below which are covered by other WPB orders as specified. Also included are all the coated papers not mentioned by captions but for which any captioned grade or item thereunder is used as a base stock.

Paper and paperboard under the following WPB-514 Captions in the table immediately following are specifically excluded from this order and are subject to and should be reported under the appropriate controlling order indicated therein.

TABLE I

NOTE: Table I amended in its entirety July 6, 1945.

Type	WPB-514 caption	Controlling order
Container board	210000 through 219000	M-299
Paperboard	220000 through 269000 (except 240000 through 249000, 253000 and "Sanitary food container" 224001 through 224005, 224008 and 261200, 261300, 262000).	M-378
Building boards	261200, 261300 and 262000	
Asbestos and asbestos filled paper.	123000	M-79

(5) "Paper merchant" means a person principally engaged in the business of buying and reselling paper and paperboard.

(c) *Restrictions on production of paper and paperboard.* Unless specifically authorized by the War Production Board, no person shall produce paper or paperboard on any paper machine (Yankee, Harper, Fourdrinier, Cylinder or Wet Machine) which did not produce paper or paperboard in the period May 1, 1943 to July 15, 1943 inclusive.

(d) *Reserve production.* (1) (i) Each manufacturer shall reserve in his total overall production of paper and paperboard for the month of October, 1944, and for each calendar month thereafter time and supplies sufficient to produce and deliver within such month the following percentage applied either to his total production or to his production of a stated "grade" or "class" as indicated in Table 2:

TABLE II

NOTE: Table II amended in its entirety July 6, 1945.

Type	WPB-514 caption	Percent
(Grade) Condenser tissue	047200	100
(Grades) "Sanitary food containers stock"	224001 through 224005 and 224008	95
(Class) Groundwood printing, book, writing, coarse wrapping and shipping sack.	020000 through 049000 inc., except 047200 and 051100 to 054900 inc.	35
(Class) All other papers and paperboards	All other captions except those excluded under paragraph (b) (4).	20

The War Production Board may from time to time change such percentage or percentages and apply percentages to other grades or combinations, by notice in writing to each manufacturer or by publication in the FEDERAL REGISTER at least ten days prior to the first of the month to the production of which such change is applicable.

(ii) When production is reserved by applying a percentage to a "class", "classes", "grade" or "grades", (see Table 2) the production of such "class", "classes", "grade" or "grades" for which a manufacturer is obligated shall be determined by applying the percentage to the monthly production of the "class", "classes", "grade" or "grades", which the manufacturer can produce subject to his authorized use of pulp under Order M-93.

NOTE: The words in quotations refer to listed types in Table 2.

(iii) On or before the 15th day of any month, the War Production Board may direct any manufacturer to employ his reserve production for any month to produce any grade of paper or paperboard which such manufacturer is qualified to produce and in any quantity not exceeding the percentage of his production designated for such month by the War Production Board less his tonnage credit current at the time against such month's reserve production under the provisions of paragraph (d) (4). Similar directions may be issued by the War Production Board after the 15th day of any month under paragraph (d) (2) (ii). The War Production Board may require the manufacturer to sell and deliver such tonnage to any person it may name. The manufacturer may refuse to so produce, sell, or deliver such reserve production only for the reasons specified for the refusal of rated orders in § 944.2 of Priorities Regulation No. 1.

(2) (i) If, on or before the 15th day of any month in which production is reserved, the manufacturer does not receive from the War Production Board directions as to the disposition of all production reserved in such month, he may employ, subject to the provisions of paragraph (d) (2) (ii) below, the production for which no directions have been received as he may desire consistent with the provisions of this and other orders of the War Production Board.

(ii) If, as of record with the War Production Board on the 15th day of any month, a manufacturer of paper or paperboard has not been credited with accepting voluntarily or by directive from the War Production Board an order or orders for paper and paperboard to be delivered directly or through another person to the Armed Forces (i. e., the first six procurement activities listed in paragraph (d) (5)) from his production in such month in a total amount equal to 30% of his reserve production by type, the manufacturer shall continue to be obligated for such month until the close of the fourth calendar day prior to the first day of the next succeeding month, for that portion of such percentage of his reserve production for which he has accepted no orders for delivery to the Armed Forces.

(3) The War Production Board may establish in an appendix or appendices to this Order M-241 additional controls over the production, distribution, delivery and use of any grade or combination of grades of paper or paperboard for which 100 percent production is reserved. The reserve of such grade or combination of grades shall then be subject to direction for the entire month and continuously for so long as 100 percent of such production is reserved. When 100 percent of the production of any grade or combination of grades is reserved, the use of reporting Form WPB-3270 is not required for such grade or combination since the full control will be specified in the proper appendix.

(4) (i) *Credit for directed tonnage.* Should the War Production Board direct a manufacturer of paper or paperboard to accept an order to be shipped from his reserve production, the reserve production for which such manufacturer is obligated shall be reduced (except as provided in the paragraph immediately following) by the tonnage specified in such directive, and such reduction concurrently recorded to such manufacturer's credit on the records of the War Production Board.

(ii) *When directed tonnage is not credited.* Credit against the reserve production obligations of a manfacturer is not given for the tonnage specified in a directive when the following conditions prevail:

(*a*) Any one of the first six procurement activities (the Armed Forces) requests a qualified manufacturer to bid on a contract or accept a purchase order from such activity, and

(*b*) The manufacturer fails to bid on the contract or refuses to voluntarily accept the purchase order, and

(*c*) The War Production Board records on the acceptance of contracts and purchase orders by such manufacturer against his reserve production show that the acceptance of such contract or part thereof or such purchase order at the time the request was issued would not have caused him to produce more tonnage in any month than his reserve production obligations for such month, and

(*d*) Because of such failure to bid on the contract or refusal to accept the purchase order, a directive is issued to the manufacturer by the War Production Board.

(iii) Any manufacturer who has accepted, directly or through another person, an order or orders for paper or paperboard to be produced for the account of any activity or use listed in paragraph (d) (5), shall immediately report such acceptance in triplicate on Form WPB-3270 and thereafter shall immediately report to the War Production Board on such form any change requested by the purchaser in any previously reported order or orders, if such change involves cancellation, or a change in quantity or in the month of manufacture. When the proper order or orders or requested changes reported on Form WPB-3270 have been correctly reported to the War Production Board, the manufacturer will be notified accordingly and credit against the manufacturer's reserve production will be recorded, subject to the provisions of paragraph (d) (2) (ii). Thereafter the manufacturer shall produce such orders according to his schedule as so reported to the War Production Board. (The reporting requirements of this paragraph have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.)

(5) Procurement activities:

1. United States Army.
2. United States Army Map Service
3. United States Army Air Forces.
4. United States Navy.
5. The United States Marine Corps.
6. The United States Coast Guard.
7. United States Maritime Commission and War Shipping Administration.
8. Lend-Lease Administration — Foreign Economic Administration.
9. Panama Canal.
10. Bureau of Public Debt.
11. United States Government Printing Office.
12. United States Bureau of Engraving and Printing.
13. Procurement Division of the United States Treasury and the Veterans Administration.
14. Office of Economic Warfare—Foreign Economic Administration (orders with an F. E. A. approved export license).
15. United States Post Office.
16. Rubber Reserve Corporation.
17. Producers of products, or parts thereof, for any of the sixteen procurement activities listed above to the extent that the primary paper or paperboard is to be used exclusively as a component part of the product or part thereof, or is to be used exclusively for the necessary packaging of the product or part thereof, to be delivered on a contract or purchase order issued by such activity. (Report Government Department, Order Number and Name of Convertor or user. If the use of the paper cannot be identified directly with a Government Order Number by a producer of a product of indirect military or Governmental nature, then the CMP Allotment Symbol, if available, and the name of the product may be supplied for identification.)

(e) *Restrictions on inventory.* Unless specifically authorized by the War Production Board or excepted by paragraph (e) (5):

(1) *Consumers inventories except those covered by M-241-a, L-240, L-241, L-244, L-245, L-289, L-336, and L-340.* (i) No person shall knowingly deliver to any person except a paper merchant, and no person except a paper merchant shall accept delivery of, any quantity of paper or paperboard if such person's total inventory is, or will by virtue of such delivery become, in excess of the greater of (a) thirty tons or (b) thirty calendar days' supply on the basis of his average rate of consuming such paper and paper board for the latest preceding three full calendar months.

(ii) Regardless of the provisions of (1) (i) above no person shall knowingly deliver to a manufacturer of folding boxes, setup boxes, or paper shipping sacks and no manufacturer of folding boxes, setup boxes, or paper shipping sacks shall accept delivery of any quantity of paper or paperboard if the manufacturer's total inventory of paper and paperboard is, or will by virtue of such delivery become, in excess of the greater of (a) forty tons or (b) sixty calendar days' supply on the basis of his average rate of consuming such paper and paperboard during the latest preceding three full calendar months.

(2) *Merchant inventories.* No paper merchant shall accept delivery of, and no person shall knowingly deliver to a paper merchant, any paper or paperboard for his warehouse stock if the dollar inventory value, as determined by customary accounting practice, of all paper and paperboard (excluding that which has been sold to and paid for by another person) in the merchant's store and warehouses exceeds or by virtue of such delivery will exceed fifty percent (50%) of the total merchant cost price of the merchant's total dollar sales from his store and warehouse inventory during the first six months of 1944. Each affiliate, subsidiary or branch is to be considered individually in applying the provisions of this paragraph.

(3) *Mill inventories.* "Mill inventory" means all paper and paperboard other than that produced or being produced for prompt shipment against a definite order.

No person shall produce at any mill any quantity of paper or paperboard, if his total inventory at such mill is, or will by virtue of such production become, in excess of the greater of (a) thirty tons, or (b) thirty calendar days' supply on the basis of the average rate of shipment of paper or paperboard from such mill during the latest preceding three full calendar months.

(4) (i) *Restrictions on delivery of all paper except newsprint: certification requirements.* No mill or other supplier shall sell or deliver to a paper merchant any paper, except newsprint, unless the paper merchant has previously furnished the mill with a certification in substantially the following form signed manually or as provided in Priorities Regulation No. 7 by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the U. S. Criminal Code, to the seller and to the War Production Board that he is familiar with Order M-241 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

No paper merchant and no person on behalf of a paper merchant may order or accept delivery of any paper (except newsprint), from a paper mill or other supplier unless he furnishes, or has previously furnished to the person making the delivery the certification described above. The above certification must be used and the certification provided for in Priorities Regulation No. 7 may not be used in its place. This is a one-time certification and need not accompany each individual order for paper.

(ii) *Certification requirements for newsprint deliveries.* No mill or other supplier may sell or deliver to any person, and no person may accept, any newsprint except on a delivery order bearing or accompanied by a certification substantially in the form set forth below. This certification must be signed manually or as provided in Priorities Regulation No. 7 by the purchaser or by an official duly authorized for such purpose.

The undersigned certifies, subject to the penalties of section 35 (A) of the U. S. Criminal Code, to the seller and to the War Production Board; (a) that he is permitted to place this delivery order and to accept the newsprint ordered; (b) that the newsprint will be used or delivered, or that it is required to replace in inventory newsprint previously used or delivered, under one or more of the following War Production Board Orders: L-177, L-240, L-241, L-244, L-245, L-289, L-294, L-340, M-241-a.

This certification must contain a breakdown of the delivery order by setting forth, opposite each War Production Board order listed above, the tonnage of newsprint which will be used or delivered, or which is required to replace in inventory newsprint previously used or delivered, under that specific order. The above certification must be placed on, or must accompany, each delivery order for newsprint placed by any person, and the certification provided for in Priorities Regulation No. 7 may not be used in its place. Paper mills have orders for more newsprint than the mills are capable of filling. It is the intention of the War Production Board that previous users of newsprint who purchase through dealers shall receive the same consideration as those who purchase directly from the mills. These certifications will provide the mills with the information necessary to enable them to deliver newsprint to direct purchasers and (through dealers) to indirect purchasers on the basis of previous usage of newsprint.

(iii) No manufacturer, paper merchant or other person shall sell or deliver paper or paperboard to any other person whose inventory or use of paper or paperboard is controlled by one or more of the orders in List I below unless and until he has received such certificates (if any) as may be called for under the order governing delivery and use of the paper and paperboard by the purchaser:

LIST I

L-177	Wallpaper manufacturers
L-240	Newspaper publishers
L-241	Commercial printers
L-244	Magazine publishers
L-245	Book publishers
L-289	Greeting card and picture postcard producers
L-294	Display
L-340	Government commercial printing
M-241-a	Certain converters
M-241	Paper and paperboard

(5) *Item inventories.* The restrictions of paragraph (e) apply equally to paper and paperboard of foreign and domestic origin, and apply to intra company deliveries as defined in § 944.12 of Priorities Regulation No. 1. They do not, however, apply to those papers commonly reported on United States Department of Commerce (Census) Form WPB-514, as revised, under the captions "Blueprint and similar base stock (043110 and 043210); photographic and other sensitizing stock (043130, 043220 and 043230); and Cigarette (047300)"; or to any paper or paperboard after it is printed or to paper or paperboard converted otherwise than by coating.

(f) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(4) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of or from processing or using materials under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All communications concerning this order shall unless otherwise directed be addressed to War Production Board, Paper Division, Washington 25, D. C., Ref.: M-241.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—CONDENSER TISSUE

(a) *Definitions:* For the purpose of this appendix:

"Condenser tissue" includes the following mill grades: Kraft Condenser Tissue, Linen Condenser Tissue; Tan Condenser Tissue; Kraft Electrolytic; Manila Electrolytic; Kraft Coil; Rag Coil; and Cream and Grey Special Tissue, and any other similar grade which may be produced from time to time.

Restriction on delivery and receipt of condenser tissue:

(b) *Restrictions on acceptance of delivery.* On and after July 1, 1944, no consumer shall accept delivery from a producer of condenser tissue except as authorized by the War Production Board on Form WPB-3680.

(c) *Delivery restrictions.* On and after July 1, 1944 no producer shall deliver condenser tissue except on an order accompanied by a written statement, manually signed by the consumer or an authorized official of the consumer in the following form:

Authorized under M-241 Appendix A.
Date of authorization ——————, authorization number ——————.

This written statement shall constitute a representation (subject to the penalties of section 35A of the United States Criminal Code) that the consumer is authorized under

this and other applicable War Production Board regulations and orders to place the delivery order and receive the items ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (c).

(d) *Ratings.* Ratings shall be used in connection with condenser tissue only as may be directed by the War Production Board on form WPB-3680. No consumer shall apply any other rating to any order for condenser tissue or use a rating in any other way to procure condenser tissue from a producer.

(e) The War Production Board may at any time by wire or letter revise a previously issued authorization so as to make any of the paper covered by such authorization available for another use, and, for the purpose of fulfilling a time requirement of the armed forces, may direct a producer to produce and deliver condenser tissue for such requirement prior to the production and delivery of any other condenser tissue.

(f) *Applications and reports.* (1) Each person who desires to receive a delivery or deliveries of condenser tissue in any calendar month shall file his application in triplicate on Form WPB-3680 with the War Production Board on or before the fifth day of the month immediately preceding such month, or at any other time currently required in such form, and shall furnish the information provided for on such form.

(2) The reporting requirements set forth in paragraph (f) (1) of this appendix have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) This Appendix A of M-241 is subject to all the provisions of M-241 not inconsistent with the provisions of this appendix.

NOTE: Appendix B deleted July 6, 1945.

[F. R. Doc. 45-12299; Filed, July 6, 1945; 11:22 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[General Conservation Order M-181, Revocation]

DIAMOND DIES

Section 3286.46 *General Conservation Order M-181* is revoked. This revocation does not affect any liabilities incurred for a violation of the order or of actions taken by the War Production Board under the order. The use and delivery of diamond dies remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12298; Filed, July 6, 1945; 11:22 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-73, Revocation of Direction 4]

FREEZING PRODUCTION OF WOOL BLANKETS

Direction 4 to Conservation Order M-73 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12296; Filed, July 6, 1945; 11:21 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule D]

SPECIAL PROGRAM FOR COTTON FABRICS FOR NURSES' UNIFORMS

§ 3290.120d *Schedule D to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of student and graduate nurses' uniforms made of cotton fabrics to get an AA-2X and an AA-3 preference rating for fabrics to make the items listed in this Schedule. Priorities assistance granted under this schedule will be in addition to any granted under Supplement XI of Schedule A of M-328B. Therefore manufacturers who have received authorizations under that supplement must file applications under this Schedule for whatever additional fabrics they need to participate in this Program in the third quarter of 1945.

(b) *Definitions.* (1) "Fabrics," unless otherwise designated, means a woven fabric 12 inches or more in width.

(2) "Cotton fabric" means any fabric containing less than 25 percent wool by weight but of which the remaining fibers are 50 percent or more cotton by weight.

(3) "Cotton item" means an item of which more than 50 percent of the fabric yardage incorporated in it, exclusive of linings, binding and trimmings, is cotton fabric.

(c) *Special requirements for obtaining priorities assistance.* (1) Three copies of Form WPB-3732 Revised must be filed in making application for priorities assistance under this schedule, in accordance with the rules stated in paragraph (c) of Order M-328B.

(2) A base period manufacturer who files Form WPB-3732 Revised for the third calendar quarter of 1945 by July 21, 1945, may, as soon as he files his application, apply an AA-2X rating for the purchase of Class A sheeting, and an AA-3 rating for the purchase of other cotton fabrics for delivery in that quarter for incorporation into the cotton items for which application is made. He may do so only for an item he made in the base period and only for 25% of the yardage of fabrics he used in the base period with respect to any item. Cotton fabrics purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 Revised. If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) Applicants desiring to participate in the production of student nurses' uniforms under this schedule must submit a signed statement listing the name and address of each hospital or nurses' training school with which the applicant at the time of his application has contracts to sell student nurses' uniforms. Such statement must show the number contracted to be sold to each institution during the quarter for which application is made.

(4) A manufacturer receiving an allocation for Item No. 1 of section (A) or Item Nos. 1 or 2 of section (B) of the preference rating schedule for any quarter must subtract from his rated quota for Item A-56 under Order M-388A the total yardage of fabrics for which priorities assistance is granted under this schedule to determine the quantity of fabrics which he may purchase with an AA-4 rating under his M-388A rated quota in that quarter. In the event that the quantity of fabrics for which an AA-2X or an AA-3 rating authorized under this schedule is in excess of his AA-4 rated quota in M-388A, the manufacturer may not, during that quarter, use an AA-4 rating under the provisions of M-388A for Item A-56.

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get the particular fabrics shown in the Fabric Column of the preference rating schedule to make the cotton items specified.

(2) If applications are received for rated quotas in an amount for any item in excess of the yardage allotted for that item, the rated quotas will be assigned in proportion to the manufacturer's production of the particular items during the base period.

(3) If the manufacturer did not produce or have produced for his own account in the base period the item for which application is made, he must comply with the provisions of paragraph (c) (6) of M-328B.

(4) The minimum linear yardage which shall be incorporated in each dozen of the item for which a grant is made, shall in the case of a base period manufacturer, be no less than the amount used by him for the production of the same item in the base period. In the case of persons who did not manufacture the item in the base period the minimum linear yardage of fabric per dozen shall be the product of the total yards of each fabric authorized, divided by the number of units authorized in the grant by the War Production Board.

(5) Manufacturers may file with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., Form WPB-2842 to obtain priorities assistance for sewing thread, narrow selvage edge tape, and Form WPB-541 for metal fasteners in the quantities required for incorporation into the numbers of each item for which application is made on Form WPB-3732 Revised. Such requests will be granted to the extent that materials are available and to the extent that priorities assistance is granted for the production of the items applied for.

(6) Manufacturers who did not produce the item applied for in the base period and cannot, therefore, comply with paragraph (f) (5) of M-328B, shall specify in the "Remarks" section of form WPB-3732 Revised the assortment of sizes per dozen for each size range for which application is made. He must comply with the size ranges and assortments of sizes which the War Production Board specifies in its grant of priorities assistance.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

PREFERENCE RATING SCHEDULE—SECTION (A)
GRADUATE NURSES' UNIFORMS

Item No.	Items	Fabric
A-1	Uniforms	Poplin, combed—88 sley or higher. Poplin, carded—90 sley or higher. Broadcloth, combed—96 sley or higher. Broadcloth, carded—100 sley or higher.
A-2	Caps	Lawns and Organdy—76 x 72, 9.00 yard. Poplin, carded—90 sley or higher. Broadcloth, carded—100 sley or higher.

PREFERENCE RATING SCHEDULE—SECTION (B)
STUDENT NURSES' UNIFORMS

Item No.	Items	Fabric
B-1	Uniforms, colored.	Chambray—4.20-4.30 yard. Class "A" Sheeting—40 x 40 or higher. Jeans. Broadcloth, combed—96 sley or higher. Poplin, combed—88 sley or higher.
B-2	Uniforms, white.	Class "A" Sheeting—40 x 40 or higher. Jeans. Chambray, 4.20-4.30 yard. Poplin, combed—88 sley or higher. Broadcloth, combed—96 sley or higher.
B-3	Caps	Lawn and Organdy—76 x 72 9.00 yard or higher. Poplin, combed—88 sley or higher. Broadcloth, combed—96 sley or higher.
B-4	Collars	Print cloth, 68 x 64—4.85 yard 39" or higher. Jeans. Class "C" Sheeting.
B-5	Cuffs	Print cloth, 68 x 64—4.85 yard 39" or higher. Jeans. Class "C" Sheeting.
B-6	Aprons	Class "A" Sheeting, 40 x 40 or higher. Class "C" Sheeting.
B-7	Bibs	Class "A" Sheeting, 40 x 40 or higher. Class "C" Sheeting.

[F. R. Doc. 45-12302; Filed, July 6, 1945; 11:22 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 113]

CASEIN

§ 3293.1113 *Schedule 113 to General Allocation Order M-300*—(a) *Definition.* "Casein" means the protein components of skimmed milk which have been precipitated by the action of rennet, acid or sweet or sour whey and which have been washed, dried and ground. Precipitated components which have been washed or dried, but not ground, are not "casein" within the terms hereof, but the term does include "casein" as above defined where blended with other precipitated components, whether or not such other components are washed, dried or ground.

(b) *General provisions.* Casein is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is May 1, 1943, when casein was first put under allocation by Order M-307 (revoked). The allocation period is the calendar quarter and the small order exemption is 30,000 lbs. per person per quarter.

(c) *Transition from M-307.* Regular and interim allocations heretofore issued under Order M-307 are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refiled.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation quarter. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-113. The unit of measure is pounds. In Columns 3 and 8 specify grade as "rennet", "acid", etc. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II. Substitute "Quarter" for "Month" in the headings throughout the form.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation quarter. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-113, and one copy (reverse side blank) to the supplier. Substitute "quarter" for "month" in the heading. The unit of measure is pounds. In Columns 1 and 11 specify grade as "rennet", "acid", etc. Fill in Column 3 in terms of the following:

Adhesives
Coated paper (except wallpaper)
Gypsum
Insecticides
Leather finishes
Paint
Rubber
Wallpaper
Other products (specify)
Resale (as casein)
Inventory (as casein)
Plastics

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300.

In Table II substitute "current quarter (estimated)" for "last month" in headings of Columns 13, 14 and 15 and fill in accordingly; leave Columns 15-a-b-c and 16 blank.

Fill in Table III (substituting "quarter" for "month" in heading), and leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-113.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12300; Filed, July 6, 1945; 11:22 a. m.]

PART 3293—CHEMICALS

[General Preference Order M-307, Revocation]

CASEIN

Section 3293.421 *General Preference Order M-307* is revoked. This revocation does not affect any liabilities incurred for violations of the order or of actions taken by the War Production Board under the order.

Casein is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 113, issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-307 are effective under the schedule, but are limited in duration as if originally issued under the schedule. Pending applications need not be refiled.

Issued this 6th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12301; Filed, July 6, 1945; 11:22 a. m.]

Chapter XI—Office of Price Administration

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 124]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 4, Maximum Prices for Snap Beans, footnote reference 5 is deleted from items 3, 4, 9 and 10 and added to the heading of Column 5 and footnote 5 is amended to read as follows:

"During the period beginning July 5, 1945 and ending July 15, 1945, for snap beans for sale f. o. b. shipping points in North Carolina and for snap beans for sale in markets east of and including Chicago, the Column 5 price per bushel for sales in bushel containers with a net weight of 28 pounds or more (Item 5a) shall be $2.50 and the Column

5 price per pound for sales in bushel containers with a net weight of less than 28 pounds and in all other containers (Item 11a) shall be 8.9¢.

This amendment shall become effective at 12:01 a. m., July 5, 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: July 3, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12093; Filed, July 4, 1945; 4:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Amdt. 2 to Rev. Supp. Service Reg. 18]

LOWER PRICED SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The first sentence of paragraph (a) is amended to read as follows:

(a) A seller who is subject to RMPR 165 and who discontinues or fails to supply a service for which a maximum price is established under that regulation and sells or offers to sell in its place a higher priced service is evading the Emergency Price Control Act of 1942, as amended, and is violating RMPR 165.

This amendment shall become effective July 10, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12177; Filed, July 5, 1945; 11:43 a. m.]

PART 1340—FUEL

[RMPR 122,[2] Incl. Amdts. 1-34]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

This compilation of Revised Maximum Price Regulation 122 includes Amendment 34, effective July 11, 1945. Text added and amended by Amendment 34 is underscored. Deletions are indicated by notes.

The Price Administrator has ascertained and given due consideration to the prices prevailing on sales of such solid fuels between October 1 and October 15, 1941 and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this revised regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[1] 10 F.R. 2097, 2250, 3925.
[2] 9 F.R. 2128.

A statement of the considerations involved in the issuance of Revised Maximum Price Regulation No. 122, issued simultaneously herewith, has been filed with the Division of the Federal Register.[3]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, issued October 2, 1942, and in accordance with Revised Procedural Regulation No. 1,[4] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 122 is hereby issued.

Sec.
1340.251 Where this regulation applies.
1340.252 What this regulation prohibits.
1340.253 Less than maximum prices may be charged.
1340.254 How maximum prices are calculated under this regulation.
1340.255 The meanings of certain terms used in the maximum price rules.
1340.256 Maximum prices required for certain special sales.
1340.257 How the railroad freight rate increase is treated.
1340.258 Adjustable pricing.
1340.259 Petitions for amendment and applications for adjustment.
1340.260 Provision for specific ceiling prices.
1340.261 Applicability of other regulations.
1340.262 Records and reports.
1340.263 Posting of maximum prices; sales slips and receipts.
1340.264 Enforcement.
1340.264a Licensing.
1340.265 Federal and State taxes.
1340.266 Definitions.
1340.267 Effective date.

AUTHORITY: §§ 1340.251 to 1340.267, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1340.251 *Where this regulation applies.* (a) This regulation shall apply to all sales and deliveries of solid fuel from or to any point in the forty-eight states, the District of Columbia, and the territories of Alaska and Hawaii, unless:

(1) Made at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or briquette plant, or

[Subparagraph (1) amended by Am. 10, 8 F.R. 11143, effective 8-14-43]

(2) Subject to Maximum Price Regulation No. 189[5]—Bituminous Coal Sold for Direct Use as Bunker Fuel.

(b) Where the dealer has more than one business establishment, each establishment shall be considered a separate dealer. (Under Supplementary Order No. 13[6] retail sellers operating more than one establishment and having had a uniform pricing practice as to two or more of them may apply for authorization to determine and use uniform maximum prices.)

(c) If a dealer's business, assets or stock in trade are sold or otherwise transferred subsequent to April 1, 1943, and the transferee continues to operate such business, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor was or would have been subject if no such sale or transfer had taken place. The transferee shall have the same obligation as his transferor to keep books and records sufficient to verify such prices. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of § 1340.262 of this regulation.

[Paragraph (c) added by Am. 3, 8 F.R. 4510, effective 4-12-43]

§ 1340.252 *What this regulation prohibits.* Regardless of any contract or other obligation, no person shall:

(a) Sell, or, in the course of trade or business, buy solid fuel at prices higher than the maximum prices fixed by this regulation, or

(b) Obtain a higher than ceiling price by:

(1) Changing his customary allowances, discounts, or other price differentials, or

(2) Increasing any service charge or any interest rate on debts over that charged in December 1941.

[Subparagraph (2) amended, by Am. 11 8 F.R. 11690, effective 8-21-43]

(3) Using any other device by which a higher than ceiling price is obtained, or

(c) Use any tying agreement or make any requirement that anything other than the fuel requested by the buyer be purchased by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States government.

[Paragraph (c) amended by Am. 8, 8 F.R. 8754, effective 6-30-43]

§ 1340.253 *Less than maximum prices may be charged.* Less than maximum prices may be charged, paid, or offered.

[§ 1340.253 amended by Am. 11, 8 F.R. 11690, effective 8-21-43]

§ 1340.254 *How maximum prices are calculated under this regulation*—(a) *How to use the maximum price rules in paragraphs (b) and (c).* Rule 1 is intended to be used generally, but a dealer, if he wishes, may instead calculate his maximum price by optional Rule 1A or Rule 1B. If a dealer cannot calculate his price by using Rule 1 and does not wish to use Rule 1A or 1B, he must use Rule 3. If he cannot use Rule 3, he must use Rule 4. Rule 2 which permitted a dealer to establish a maximum price with reference to competitor's price if he could not use Rule 1 was revoked on July 11, 1945. Any dealer who established a maximum price under former Rule 2 shall retain such maximum price. If his suppliers' maximum price is subsequently increased such dealer may establish a

[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.
[4] 9 F.R. 10476, 13715.
[5] 8 F.R. 15317, 16520; 9 F.R. 2692, 5216, 6231, 6451, 9718, 11064; 10 F.R. 3361, 5408, 5905.
[6] Revised 9 F.R. 1521.

new maximum price under Rule 3 and report the same in the manner set forth in § 1340.262 (d) of this regulation. If he cannot use Rule 3 he must use Rule 4, but in no event may a dealer, after July 11, 1945, increase a Rule 2 price. Supplemental rules covering four special situations (dock sales for railroad fuel use; sales by bid; sales of lake cargo coal; dealers granted adjustments of maximum prices by order under Maximum Price Regulation No. 122) are stated in § 1340.256. Rules 5, 6 and 7 are to be used for calculating the maximum prices for services rendered by the dealer in connection with his sales of fuels. The meaning of certain terms used in this section are given in § 1340.255.

[Paragraph (a) amended by Am. 10, 8 F.R. 11143, effective 8-14-43; and Am. 34, effective 7-11-45]

(b) *The maximum price rules for fuels.*

Rule 1. The maximum price for any solid fuel shall be:

(1) The highest price charged by the dealer in December 1941 for the same fuel, plus

(2) Any increase in his supplier's maximum price for the same fuel over the highest of all prices charged the dealer on the same fuel supplied to him during the last calendar month of 1941 in which the dealer took deliveries of such fuel from a supplier.

The maximum price of a solid fuel received from a supplier who is the same person as the dealer shall be: The highest price charged by the dealer in December 1941 for the same fuel; plus the difference between the highest price charged by the supplier during the same month to an independent dealer and the same supplier's maximum price for sales of the same fuel to the same independent dealer or any other of the same class.

If the dealer did not deliver a solid fuel to a certain class of purchasers during December 1941, his maximum price for sales to that class shall be based upon the maximum price for sales of the same solid fuel to other classes of purchasers, adjusted to reflect his customary price differentials between or among the classes of purchasers.

If the dealer did not deliver a certain size of a kind of fuel to any class of purchasers during December 1941, his maximum price for sales of that size shall be based upon his maximum price for a like sale of that kind of fuel adjusted to reflect his customary price differential between that size and the size of the same kind of fuel most nearly similar thereto.

[Above paragraph added by Am. 10, 8 F.R. 11143, effective 8-14-43]

The maximum price for Pennsylvania anthracite yard screenings shall be the highest price charged by the dealer in December 1941 for the same fuel plus $1.75 per net ton.

[Above paragraph added by Am. 4, 8 F.R. 5632, effective 4-28-43; amended by Am. 16, 8 F.R. 17184, effective 12-27-43; and Am. 88, 10 F.R. 7405, effective 6-18-45]

Rule 1A. The maximum price of a dealer who chooses to set his maximum price by his highest offering price for delivery during December 15-31, 1941, inclusive, shall be such highest offering price for a like sale if, either advertised by him after October 1, 1941 in a medium of general circulation, such as a newspaper, in his locality, or listed in the last price circular, list or schedule he issued and made available to the purchasing public in 1941.

Rule 1B. The maximum prices of any dealer who chooses to use the maximum prices which he has calculated by using the weighted average price formula (§ 1340.261 (o)) of Maximum Price Regulation No. 122 and which he has posted as it requires (§ 1340.261 (j)) before the effective date of this revised regulation are the maximum prices so calculated and posted for a like sale.

Unless calculated by Rule 1A or Rule 1B, a dealer's maximum price shall precisely reflect any decrease in his supplier's maximum price occurring on or after January 9, 1943.

[Above paragraph added by Am. 7, 8 F.R. 8179, effective 6-19-43]

Rule 2 [Revoked]

[Rule 2 amended by Am. 7 and Am. 26, 9 F.R. 10961, effective 9-11-44; and revoked by Am. 34, effective 7-11-45]

Rule 3. The maximum price shall be the sum of: First, the per net ton cost to the dealer, f. o. b. supplier's shipping point; Second, the actual transportation cost to the dealer's yard, dock or other terminal facility, except that a dealer eligible for compensatory adjustment under Revised Compensatory Adjustment Regulation No. 1 shall use, in place of the actual transportation cost, his net transportation cost after deducting compensatory adjustment payments; and Third, the margin over delivered cost on the dealer's similar sale of solid fuel for which a maximum price is calculated under this Rule 3, taking into account similarity in size, kind, quality, use and quantity of fuel, class of purchasers, method of delivery (e. g., by truck, etc.) and terms of delivery (e. g., delivered price, f. o. b. dealer's yard, etc.). Similarity in kind may be determined in accordance with the following:

If the dealer has sold only anthracite and buys bituminous coal, he shall add the margin obtained on his anthracite sale most nearly like the sale he will make of bituminous coal.

If the dealer has sold only low volatile bituminous coal and buys high volatile bituminous coal, he shall add the margin obtained on his sale of low volatile bituminous coal most nearly like the sale he will make of high volatile bituminous coal.

If the dealer has sold both high and low volatile bituminous coals and buys a new high volatile bituminous coal he shall add the margin obtained on his sale of the similar high volatile bituminous coal most nearly like the sale he will make of the new high volatile bituminous coal.

If the dealer has sold coke but buys a new kind of coke, he shall add the margin on his coke sale most nearly like the sale he will make of the new kind of coke.

If the dealer has sold anthracite and buys coke he shall add the margin obtained on his anthracite sale most nearly like the sale he will make of coke.

If the dealer has sold only bituminous coal and buys coke he shall add the margin obtained on his bituminous sale most nearly like the sale he will make of coke.

In all other situations the dealer shall add the margin on his sale of the fuel customarily handled which is most nearly like the sale he will make of the new fuel.

The dealer's maximum price shall exactly reflect any subsequent increase or decrease in his cost per net ton f. o. b. supplier's facilities or in cost of transportation to his terminal facility (except where he is determining his transportation cost under Revised Compensatory Adjustment Regulation No. 1).

[Rule 3 amended by Am. 10, 8 F.R. 11143, effective 8-14-43; Am. 22, 9 F.R. 6257, effective 6-12-44; and Am. 34, effective 7-11-45]

Rule 4. If Rule 3 cannot be applied because the dealer made no similar sale, his maximum price shall be the price set by the regional office of the Office of Price Administration in line with the level of maximum prices set by this regulation. The dealer shall apply to the regional office, stating in writing:

First: the size, kind, quality and possible use or uses of the solid fuel to be priced;

Second: the name of its producer and its origin and, for bituminous coal, its price classification and group, size group, and mine index number in the minimum price schedules of the Bituminous Coal Division, as in effect midnight August 23, 1943.

[Above paragraph amended by Am. 11, 8 F.R. 11690, effective 8-21-43]

Third: the per net ton price, f. o. b. supplier's shipping point;

Fourth: the actual transportation cost to the dealer's yard, dock, or other terminal facility;

Fifth: a proposed schedule of prices for each class of purchaser involved, stating price variations for different quantities, methods and terms of delivery;

Sixth: his margin over delivered cost on sales of solid fuel serving the same purpose;

Seventh: any other pertinent information which the regional office may request.

The dealer shall reflect in his maximum price set under this Rule 4 the exact amount of any increase or decrease in his supplier's maximum price as established by any amendment or order issued by the Office of Price Administration after November 23, 1943, unless the dealer's price under this Rule 4 is changed by the Regional Office to reflect such increase or decrease.

[Above paragraph added by Am. 15, 8 F.R. 16427, effective 12-4-43; and amended by Am. 18, 9 F.R. 2128, effective 2-28-44]

(c) *The maximum price rules for services.*

Rule 5. The maximum price for any service rendered by a dealer in connection with a sale or handling of solid fuel shall be the highest price charged by the dealer during December 1941 for the same service. If, during December 1941, the dealer rendered any service without charge, he shall continue to do so. Although a dealer may have, during December 1941, rendered other services than those here enumerated, dealers customarily render these services subject to this regulation: carry, wheel, trimming and storing in the bin, bagging, shovel and dust treatment of coal.

Rule 6. If a dealer did not render a service during December 1941, his maximum price for such a service shall be the price set by the regional office of the Office of Price Administration. The dealer shall apply to the regional office stating in writing:

First: a description of the services to be rendered;

Second: the classes of purchasers to whom it will be rendered;

Third: a proposed price for the service which shall be shown to the satisfaction of the Regional Administrator to be reasonably computed in relation to charges for similar services by other dealers in the locality and to be reasonable in relation to the actual costs the dealer will incur in rendering the service.

Fourth: any other pertinent information the regional office may request.

Rule 7. Notwithstanding other provisions of this regulation, if a dealer is charged a price for oil or chemical treatment of coal, the dealer, on his sales of such treated coal, may charge a maximum price equal to his maximum price for the same coal untreated plus the treatment charge made of him by his supplier: *Provided*, That this Rule 7 shall not apply unless the treated coal is kept separate and is not mixed with untreated coal.

[Rule 7 added by Am. 25, 9 F.R. 7419, effective 7-1-44; and amended by Am. 34, effective 7-11-45]

[Paragraph (c) added by Am. 10, 8 F.R. 11143, effective 8-14-43]

(d) *The maximum price of a dealer that has been determined by reference to a competitor's price pursuant to former Rule 2 of paragraph (b) of this section.* The price shall remain as so established, and in no event may a dealer increase such maximum price because of a subsequent increase in his supplier's maximum price. He may, however, establish a new maximum price under Rule 3 or Rule 4 of paragraph (b) of this section, as the case may be, in lieu of such Rule 2 price if his supplier's maximum price is subsequently increased.

[Paragraph (d) added by Am. 28, 10 F.R. 1542, effective 2-3-45; and amended by Am. 34, effective 7-11-45]

(e) [Revoked]

Rule 9: [Revoked]

[Rule 9 revoked by Am. 32, 10 F.R. 6590, effective 6-9-45]

[Paragraph (e) added by Am. 29, 10 F.R. 1668, effective 2-8-45; and revoked by Am. 34, effective 7-11-45]

§ 1340.255 *The meanings of certain terms used in the maximum price rules.* (a) The following quoted words, when used in this regulation, have the meanings given below:

(1) "A like sale" means one sale of solid fuel is like another if the same solid fuel is delivered under the same terms and by the same method to a purchaser of the same class as in the sale to which comparison is made.

(2) "The highest price charged by the dealer" means the highest price he charged for a like sale of fuel delivered during December 1941 and, in the case of a service, means the highest price he charged for the same service he rendered during the same month.

[Subparagraph (2) amended by Am. 10, 8 F.R. 11143, effective 8-14-43]

(3) "Same fuel" or "same solid fuel" means one solid fuel shall be deemed to be the same as another if the first is the same size and kind as the second, is of the same quality, has the same use, affords the purchaser equivalent serviceability, and is interchangeable with the second. In the case of bituminous coal, if the two coals compared are in the same or equivalent price classification and group and size group number as set forth in Maximum Price Regulation No. 120 [9]—Bituminous Coal Delivered from Mine or Preparation Plant, they are the same; this is the basic test although it is possible bituminous coals may be the same if they do not meet this test. In the case of Pennsylvania anthracite, size need not be a consideration if the maximum prices f. o. b. the mine are the same for both coals. Furthermore, if the maximum price of any size of any producer's anthracite is higher than any other producer's maximum price for the same size, the first producer's size of anthracite shall not be deemed by the dealer, in calculating his maximum price, to be the same fuel as the other producer's.

[Subparagraph (3) amended by Am. 2, 8 F.R. 3524, effective 3-19-43; and Am. 18, 9 F.R. 2128, effective 2-28-44]

(4) "A supplier" means any person who in 1941 or 1942 sold the dealer solid fuels for resale. Any person who sells to the dealer after 1942 is also a supplier if he performs the same functions in the selling of the same solid fuels at the same level of distribution and sells to dealers of the same class as did the suppliers who sold to the dealer in 1941 or 1942.

(5) "A supplier's maximum price" means the maximum price of an independent or affiliated supplier for deliveries to the dealer (before deducting any allowance or discount or adding any special service charge), f. o. b. supplier's shipping point. Maximum prices of suppliers are established by one or more of these regulations: Maximum Price Regulation No. 112 [8]—Pennsylvania Anthracite, Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Regulation No. 121 [10]—Miscellaneous Solid Fuels Delivered from Mine or Preparation Plant; and this regulation.

[Subparagraph (5) amended by Am. 19, 9 F.R. 2477, effective 3-1-44; Am. 21, 9 F.R. 5985, effective 5-31-44; and Am. 34, effective 7-11-45]

(6) "The highest of all prices charged the dealer on the same fuel supplied to him" means the highest of all prices charged the dealer before the deduction of any discount or allowance or the addition of any special service charge.

(7) "The margin over delivered cost" means the difference between (i) the maximum price of the solid fuel under this Regulation, and (ii) the sum of (*a*) its most recent cost per ton to the dealer, f. o. b. supplier's shipping point, and (*b*) the actual transportation cost to the dealer's yard, dock, or other terminal facility.

(8) "Dealer of same class" means (i) a dealer performing the same function (trucking from a mine, yard or dock, a yard or dock operator), (ii) dealing in the same solid fuels, and (iii) selling to purchasers of the same class.

(9) "Most closely competitive dealer of the same class" shall be a dealer of the same class who (i) is selling the same solid fuel, (ii) is closely competitive in the sale of solid fuel, and (iii) is located nearest to the dealer.

(10) "Purchaser of the same class" refers to the practice adopted by the dealer in setting different prices for sales to different purchasers or kinds of purchasers or for purchasers located in different areas or for different quantities or under different conditions of sale, including methods and terms of delivery.

(b) *Other definitions.* Meanings of the following words and phrases are given in § 1340.265: "person", "producer", "distributor", "solid fuel", "f. o. b.", "sell", "dealer", "affiliated supplier", "Bituminous Coal Division."

§ 1340.256 *Maximum prices required for certain special sales.* The dealer's maximum price for the sales covered by this section shall be a price calculated as required in the paragraphs following:

(a) *Maximum dock prices for railroad fuel.* (1) If solid fuel is sold for railroad fuel use at or from a dock on the west bank of Lake Michigan or the United States side of Lake Superior, its maximum prices shall be the sum of (i) the purchase price per ton, f. o. b. the mine for sales to the dealer, (ii) the dealer's actual transportation cost to the same dock, and (iii) fifty-five (55) cents per net ton.

[Subparagraph (1) amended by Am. 2, 8 F.R. 3524, effective 3-19-43]

(b) *Maximum prices for sales by competitive bidding.* If solid fuel is sold under contract awarded the dealer in public competitive bidding, the maximum price shall be the dealer's maximum price calculated by the rules in § 1340.254 for like sales to business purchasers.

(c) *Certain lake cargo coal.* Notwithstanding the provisions of Rule 1 of § 1340.254 of this regulation, the maximum price of solid fuel received via water transportation facilities at, and sold from, a dock on the United States bank of Lake Superior or on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois shall be a price for like sales calculated by Rule 1A of § 1340.254, plus:

(1) In the case of bituminous coal prepared at the dock as double-screened or lump sizes, the amount per net ton specified for the solid fuels following:

From mines in Districts Nos. 1, 2, 4, or 6	$1.00
From mines in District No. 3 (except medium volatile in Price Classification A)	1.00
From mines in District No. 3 and in Price Classification A: medium volatile	1.25
From mines in Districts Nos. 7 or 8: low volatile	1.55
From mines in Districts Nos. 7 or 8: medium or high volatile	1.25

The maximum price for each size and kind of dock-run bituminous coal shall be 50 cents per net ton lower than the maximum price for the same size and kind of coal when rescreened at the dock.

(2) In the case of bituminous coal in all other sizes, the amount per net ton specified for the solid fuels following:

From mines in Districts Nos. 7 or 8: low volatile screenings and run-of-mine	$0.95
From mines in Districts Nos. 1, 2, 3, 4, 6, 7, or 8: high volatile screenings and run-of-mine	.85
From mines in Districts Nos. 1, 2, 3, 4, or 6: high volatile stoker size	.85
From mines in Districts Nos. 7 or 8: high volatile stoker size	1.15
From mines in Districts Nos. 7 or 8: low volatile stoker size	.95

[Subparagraphs (1) and (2) amended by Am. 20, 9 F.R. 3966, effective 4-15-44; Am. 25, 9 F.R. 7419, effective 7-1-44 and Am. 31, 10 F.R. 6307, effective 5-28-45]

(3) In the case of Pennsylvania anthracite the amount per net ton for the respective sizes, as follows:

Size	Amount per net ton
Egg, stove and nut	$2.10
Pea	1.90
Buckwheat	1.40
Rice	1.35
Barley	.85
Smaller than barley	.75

[Subparagraph (3) amended by Am. 20, 9 F.R. 3966, 4438, effective 4-15-44; Am. 21, 9 F.R. 5985, effective 5-31-44; Am. 23, 9 F.R. 6151; effective 6-5-44; Am. 25, 9 F.R. 7419, effective 7-1-44 and Am. 33, 10 F.R. 7405, effective 6-18-45]

[Paragraph (c) amended by Am. 2, 8 F.R. 3524, effective 3-19-43, Am. 4, 8 F.R. 5632, effective 4-28-43 and as otherwise noted]

(d) *Dealers previously granted adjustments of maximum prices.* The maximum price of a dealer granted an adjustment of his maximum prices by order of adjustment issued under Maximum Price Regulation No. 122 shall be the higher of the following prices:

(1) The maximum price for a like sale established by this regulation, or

(2) The dealer's maximum price for a like sale as adjusted by order plus the difference between (i) the current delivered cost to him of the same fuel and (ii) the cost of the last delivery of such fuel to him prior to the effective date of the order of adjustment of his maximum price.

(e) The maximum price for a sale of coal by a person operating a dock on the United States bank of Lake Superior or on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois, when the sale is made f. o. b. rail transportation facilities at another dock shall be the maximum price applicable to a similar sale made by the operator of the dock from which the said sale is made.

[Paragraph (e) added by Am. 31, 10 F.R. 6307, effective 5-28-45]

§ 1340.257 *How the railroad freight rate increase is treated.* The Ex Parte 148 freight rate increase, effective March 18, 1942, was rescinded as of May 15, 1943 by the Interstate Commerce Commission. Dealers in solid fuel received in whole or in part by rail shall treat the amount thereof as follows:

(a) It shall not be added to maximum prices computed under § 1340.254 (b).

(b) It shall be deducted from maximum prices computed under Rule 2 or Rule 3 of § 1340.254 (b) or under § 1340.256 (d) (2).

[§ 1340.257 amended by Am. 5, 8 F.R. 6543, effective 6-1-43]

§ 1340.258 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[§ 1340.258 amended by Am. 6, 8 F.R. 7198, effective 6-2-43]

§ 1340.259 *Petitions for amendment and applications for adjustment.* (a) The Price Administrator or each Regional Administrator may adjust any maximum price set by this regulation or act upon any application for adjustment under this section in the following cases:

[Above paragraph amended by Am. 24, 9 F.R. 6825, effective 6-24-44]

(1) *Local shortages.* In the case of any dealer or group of dealers when it appears:

(i) That there exists or threatens to exist in a particular locality a shortage in the supply of a solid fuel which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(ii) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such dealer and of like dealers for such solid fuel; and

(iii) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[Undesignated paragraph revoked by Am. 24]

(2) *Transportation increases.* In the case of any dealer or group of dealers when it appears that:

(i) The rates paid by them for the transportation of fuels from the supplier's facilities by common or contract carrier to their facilities have increased over the rates paid by them during December 1941. In such case, the dealer or dealers should submit the following information:

(*a*) The name and address of the supplier and his shipping point during December 1941 and at present;

(*b*) The name and address of the common or contract carrier transporting the coal during December 1941 and at present;

(*c*) The rates paid during December 1941 and now being paid. This information should be substantiated by copies of contracts or citations of the tariffs in which the rates appear. If the carriers' rates have been increased by order of OPA, the order number should be given; and

(*d*) A description of the coals being transported at the higher rates and the dealer's maximum prices for those coals. If the dealer has filed a schedule of maximum prices with his District Office on OPA Form 653-40, he shall name the District Office.

(ii) The per ton cost of transporting fuels from the supplier's facilities by common or contract carrier has increased over the December 1941 per ton cost for reasons other than rate increases. In such a case, the dealer or dealers should submit the information required by subparagraph (2) (i) above, and:

(*a*) A per ton statement of the December 1941 and present cost of transportation; and,

(*b*) A statement of the cause of the increase with all available supporting documentary evidence.

An adjustment granted under this subparagraph may restore to the dealer or dealers their December 1941 margins over delivered cost. No adjustment will be granted to the extent that compensatory adjustment is available to the dealer or group of dealers under Revised Compensatory Adjustment Regulation No. 1.

[Subparagraph (2) added by Am. 24, 9 F.R. 6825, effective 6-24-44, former (2) revoked by Am. 18, 9 F.R. 2128, effective 2-28-44]

(3) [Revoked]

(4) [Revoked]

[Subparagraphs (3) and (4) revoked by Am. 18, 9 F.R. 2128, effective 2-28-44]

(5) [Revoked]

[Subparagraph (5) revoked by Am. 2, 8 F.R. 3524, effective 3-19-43]

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

(b) Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 122 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1340.260 *Provision for specific ceiling prices.* The Office of Price Administration, or any regional office thereof after clearance with the Solid Fuels Branch in Washington, D. C., may by order establish specific maximum prices in line with those established by this regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved.

[Above paragraph amended by Am. 8, 8 F.R. 8754, effective 6-30-43]

However, in particular cases, the specific maximum prices established under this section may be such as to restore the December 1941 margins over de-

[9] 10 F.R. 4303, 4910, 5097, 5723.

[8] 8 F.R. 3367, 8065, 15706, 16037; 9 F.R. 573, 1324, 5914.

[10] 9 F.R. 5069.

livered cost generally prevailing in the area or locality.

If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the Office of Price Administration or the regional office which issued the order may, after clearance with the Solid Fuels Branch in Washington, D. C., adjust the specific maximum prices so established to correspond generally with such increase or decrease.

[Above paragraph added by Am. 9, 8 F.R. 10353, effective 7-28-43]

[§ 1340.260 amended by Am. 1, 8 F.R. 1200, effective 1-25-43 and as otherwise noted]

§ 1340.261 *Applicability of other regulations.* (a) No provision of the General Maximum Price Regulation [1] shall apply to this regulation.

[Paragraph (a) amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

(b) [Revoked]

[Paragraph (b) amended by Am. 11, 8 F.R. 11690, effective 8-21-43 Am. 13, 8 F.R. 15317, effective 11-10-43 and revoked by Am. 34, effective 7-11-45]

§ 1340.262 *Records and reports*—(a) *Base period records.* Each dealer in solid fuels shall preserve for examination by the Office of Price Administration all his existing records relating to:

(1) The prices he charged on deliveries made by him during December 1941;

(2) His offering prices (as defined in Rule 1A of § 1340.254 of this regulation) for delivery during the period December 15-31, 1941;

(3) His customary allowances, discounts and other price differentials;

(4) His charges for all special services and rates of interest on all forms of debts during December 1941;

(5) The prices charged to him by all of his suppliers during the last month of 1941 in which he received each different size, kind and quality of solid fuel.

(b) *Current records.* Every dealer in solid fuels for whom a maximum price is established by this Regulation shall keep and make available for examination by the Office of Price Administration records of his sales and purchases of the same type as he has customarily kept.

(c) *Reports.* Each dealer in solid fuels shall report to his District Office of the Office of Price Administration his maximum prices for sales of solid fuel within ten days after he determines or redetermines his maximum prices under any pricing rule of this revised regulation. It will not, however, be necessary for a dealer whose price for a solid fuel is established by an area ceiling order issued under § 1340.260 of this regulation to file his maximum price for that solid fuel. When any dealer reports maximum prices determined under Rule 1 of § 1340.254 of this regulation, he shall report by filling out the following form in detail:

OPA FORM 653-40 (Rev. 1-45)

Budget Bureau No. 08-R610.3
Approval Expires Sept. 30, 1945

Name of company .....

Address—number and street .....

City, postal zone number, State .....

NOTE: Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

DETERMINATION OF MAXIMUM PRICES FOR SOLID FUELS SOLD BY DEALERS

This form must be filed each time maximum prices are determined or redetermined under Rule 1 of Section 1340.254 of Revised Maximum Price Regulation No. 122.

TO BE MAILED TO YOUR DISTRICT OFFICE

INSTRUCTIONS

Column 1. Define by type of customer and method of sales, i. e., "Domestic Delivered to Bin," "Commercial Delivered," "Industrial Delivered," etc. (Your discounts for yard sales, if any, should be reported as Item 4 on Page 2.)

Column 2. Give the name under which the coal was sold to you, for example, "Pocahontas Egg," "East Kentucky Lump," "Penn Anthracite Stove and Nut," "By product Coke," etc.

Columns 3, 4, 5 and 6. These items will be found on the invoice from your supplier. For Column 3, specify the size group number or the screen size dimensions.

Column 7. Enter for each kind and size of solid fuel the highest cost to you during December 1941 before discounts, allowances, or service or treatment charges, and excluding freight costs. Do not include any oil or chemical treatment charge. If no such solid fuels were purchased in December 1941 use the first preceding month in which the solid fuel was purchased.

Column 8. Enter your supplier's present maximum price before discounts, allowances, or service or treatment charges. *Supplier* means the person from whom you purchase your coal.

Column 9. State the freight rate per net ton (2,000 lbs.) followed by "R" if the coal is obtained via railroad, "T" if via truck, "V" if via vessel or "B" if via barge.

Column 10. Enter your highest selling price in December 1941 for this type of sale before discounts, allowances, or service or treatment charges.

Column 11. Enter present maximum selling price for this type of sale before discounts, allowances, or service or treatment charges.

Type of sale (1)	Name and kind of solid fuel (2)	Size and origin of coal: Size (3)	Name of producer or distributor (4)	Producing district number (5)	Mine index number (6)	F. o. b. supplier's shipping point: Highest purchase cost Dec. 1941 (7)	Supplier's current maximum price (8)	Present freight rate per net ton (2,000 lbs.) (9)	Dealer's highest selling price per ton: December 1941 (10)	New maximum selling price (11)
1										
2										
3										
4										
5										

If more space is necessary attach additional sheets using the above column headings.

[1] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

Enter in the appropriate spaces below the **charges and discounts made in December 1941, if any were made.** Indicate by reference to line number to which of the sales described on the other side of this form these discounts and charges apply. If "All," so indicate. (If these have been modified since the base period by OPA order, enter only your present charges and discounts and state the OPA order number in the space labelled "additional information.")

1 a Are the prices listed on the other side of the report based on one-ton sales? YES ☐ NO ☐

b If "No," state on what size sale they are based

Line No. (page 1)	Size of sale (i. e., 3, 5, etc. tons, load lots, carload lots)

2 a Indicate how prices for sales in fractions of a ton are computed (i. e., one-half ton price equals one half the ton price plus 25 cents). If the standard unit is more than one ton, indicate how prices for sales in quantities of less than the standard unit are computed.

Line No. (page 1)	One-fourth ton	One-half ton	Other (specify)

b List prices for coal sold by the pound in bulk or bagged.

BULK

Line No. (page 1)	Per Lbs.	Per Lbs.

BAGGED (specify weight of bag)

Line No. (page 1)	Yard price to consumer	Yard price to reseller	Delivered price to reseller

3 Specify discounts per ton for sales in larger quantities than the standard unit

Line No. (page 1)	Discount per ton (specify size of sale)

4 Discounts per ton for yard sales to:

Domestic consumers	Resellers

5 Specify the cash discounts per ton allowed

Line No. (page 1)	Time of payment	Discount

6 Charges for special services (if charges are made on hourly basis, specify rates per hour)

Service	Per ton	Other quantities
Carrying from curb to bin		
Carrying up or down stairs		
Wheeling from curb to bin		
Trimming		
Other		

7 Other special charges

Oil or chemical treatment	
Extra long haul (if you have a regular schedule of hauling charges for deliveries to other localities, attach a copy to this form)	
Other (Specify)	

ADDITIONAL INFORMATION

I certify that the information contained herein is true and correct.

Sign here .....
(Name of company official)

.....
(Title) (Date)

STABLE WARTIME PRICES PROTECT YOU AND YOUR CUSTOMER

[Paragraph (c) amended by Am. 14, 8 F.R. 16063, effective 11-19-43 and Am. 30, 10 F.R. 1935, effective 2-20-45]

(d) When any dealer reports his maximum prices determined under Rule 3 of § 1340.254 of this regulation, he shall report by filling out OPA Form 653-40 as set forth in paragraph (c) above, except that:

(1) Such dealers shall not be required to submit the information concerning the base period as requested by Columns (7) and (10) of OPA Form 653-40, but in lieu thereof shall insert the word and numeral "Rule 3" in Column (10) on the same and appropriate line;

(2) Such a dealer shall specify the date on which he last filed a maximum price for the fuel being used as a basis for the Rule 3 maximum selling price and the line number of the form on which it was reported;

(3) For any subsequent redetermination of maximum price under Rule 3 to reflect an increase of decrease in a supplier's maximum price or in freight rates (except where the increase in freight rates will be offset by compensatory adjustment payments), the dealer shall report the same information required by subparagraph (1) above and shall specify the date of his last filing of the maximum price for the same fuel and the line number of the form on which it was reported; and,

(4) The space for "Additional Information" in OPA Form 653-40 may be used for reporting the information required by subparagraphs (2) and (3) above.

[Paragraph (d) added by Am. 34, effective 7-11-45]

§ 1340.263 *Posting of maximum prices; sales slips and receipts.* (a) Every dealer of solid fuels shall post all his maximum prices in dollars and cents per net or gross ton or fraction thereof, (or other unit of weight or measurement customarily used by him in his business) in a manner plainly visible to and understandable by the purchasing public for all cash and other sales under all methods and terms of delivery to all classes of purchasers of the purchasing public.

(b) Every person selling solid fuels subject to this regulation shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this regulation, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this regulation is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size, and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; *And further provided*, That provisions of this paragraph (b) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

[Paragraph (b) amended by Am. 27, 9 F.R. 13206, effective 11-11-44]

§ 1340.264 *Enforcement.* (a) Persons violating any provision of this revised regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have any evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration are urged to communicate with the nearest regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1340.264a *Licensing.* The provisions of Licensing Order No. 1,[12] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1340.264a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1340.265 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, transportation, process, or use of solid fuel imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the dealer's maximum price for solid fuel and in preparing his records with respect thereto:

(a) As to a tax in effect during December 1941:

[12] 8 F.R. 13240.

(1) If the dealer paid such tax, or if the tax was paid by any of his prior suppliers, irrespective of whether the amount thereof was separately stated and collected from the dealer, but the dealer did not customarily state and collect separately from the purchase price during December 1941 the amount of the tax paid by him or tax reimbursement collected from him by his supplier, the dealer may not collect such amount in addition to his maximum price, and in such case shall include such amount in determining the maximum price under this revised regulation.

(2) In all other cases if, at the time the dealer determines his maximum price, the statute or ordinance imposing such tax does not prohibit the dealer from stating and collecting the tax separately from the purchase price, and the dealer does state it separately, he may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any of his prior suppliers and separately stated and collected from the dealer by the supplier from whom he purchased, and the dealer shall not include such amount in determining the maximum price under this regulation.

(b) As to a tax or increase in a tax which becomes effective after December 1941, if the statute or ordinance imposing such tax or increase does not prohibit the dealer from stating or collecting the tax separately from his selling price and the dealer does separately state, the dealer may collect, in addition to his maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any of his prior suppliers and separately stated and collected from the dealer by the supplier from whom he purchased. However, the dealer need not state separately from his selling price the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 on a sale to the United States or any agency thereof, the District of Columbia, any State government or any political subdivision thereof.

[Paragraph (b) amended by Am. 12, 8 F.R. 12659, effective 9-20-43 and Am. 17, 9 F.R. 573, effective 1-18-44]

§ 1340.266 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 122, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Producer" means (i) a person engaged in the business of mining solid fuel or preparing solid fuel at a mine or preparation plant operated as an adjunct of any mine, a coke oven or briquette plant, and (ii) any person acting as an agent of a producer in the sale of solid fuel.

(3) "Distributor" means (i) in the case of bituminous coal, a person who purchases bituminous coal at a mine or preparation plant operated as an adjunct of any mine for resale, and resells the same in not less than cargo or railroad carload lots, all as more fully defined in the Bituminous Coal Act of 1937, as amended, and rules and regulations issued thereunder and in effect midnight August 23, 1943, and any person acting as an agent of such distributor in the sale of bituminous coal; and (ii) in the case of any other solid fuel, a person who purchases it at or for delivery from a mine or a preparation plant operated as an adjunct of any mine, a coke oven or briquette plant, for resale and resells the same in not less than cargo or railroad carload lots, without physically handling such solid fuel, and any person acting as an agent of such distributor in the sale of solid fuel.

[Subparagraph (3) amended by Am. 11, 8 F.R. 11690, effective 8-21-43]

(4) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous, sub-bituminous and cannel coal; lignite; all coke, including low temperature coke (except coke sold subject to Maximum Price Regulation No. 29—By-Product and Retort Gas Coke, and to Maximum Price Regulation No. 77—Beehive Oven Coke); briquettes made from coke or coal; and sea coal used for foundry facings.

[Subparagraph (4) amended by Am. 18, 9 F.R. 2128, effective 2-28-44]

(5) "F. o. b." means free on board whatever facilities may be used for transportation at the shipping point indicated by the words following f. o. b. where it appears in this regulation.

(6) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

(7) "Dealer" means a person selling solid fuels subject to this revised regulation or a person who sold solid fuels subject to Maximum Price Regulation No. 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

(8) "Bituminous Coal Division" means the Bituminous Coal Division of the United States Department of the Interior, as established pursuant to the Bituminous Coal Act of 1937 as amended, and the President's Second Reorganization Plan of 1939, and in effect midnight August 23, 1943. "District Nos. 1-20 inclusive, 22 and 23," mean the geographical bituminous coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they were modified up to midnight August 23, 1943.

[Subparagraph (8), formerly (9), amended by Am. 11, 8 F.R. 11690, effective 8-21-43. Former subparagraph (8) revoked, and former subparagraphs (9), (10) and (11) redesignated (8), (9) and (10) by Am. 18, 9 F.R. 2128, effective 2-28-44]

(9) "Weighted average price" is that price obtained by dividing the total amount charged for a size, kind and quality of solid fuel by the total tonnage of the same fuel received or delivered, as the case may be, during the applicable period specified by this regulation.

(10) "District No." refers to the producing districts delineated and numbered by the Bituminous Coal Act of 1937, as amended.

[Subparagraphs (9) and (10), formerly (10) and (11), added by Am. 2, 8 F.R. 3524, effective 3-19-43]

§ 1340.267 *Effective date.* This Revised Maximum Price Regulation No. 122 (§§ 1340.251 to 1340.267, inclusive) shall become effective January 9, 1943. [Issued January 9, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12258; Filed, July 6, 1945; 11:01 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[1] Amdt. 41]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 26 (g) is added, to read as follows:

(g) The prices in Table IV of section 24 applicable to Kansas, Missouri, Arkansas, Oklahoma and Texas are suspended from July 6, 1945 through July 21, 1945, and the following prices are substituted during that period:

Kansas and Missouri	$2.80
Arkansas, Oklahoma, Texas	3.05

This amendment shall become effective at 12:01 a. m., July 6, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: July 4, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12254; Filed, July 5, 1945; 4:13 p. m.]

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 561, Amdt. 6]

FOUNTAIN PENS AND MECHANICAL PENCILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 564 is amended in the following respects:

1. Section 23 is amended by including the following manufacturers and adding retail ceiling prices for their fountain pens and mechanical pencils as set forth below:

Name	Brand	Article	Model	Retail ceiling price
Ayell Pen Co.	Standard	Fountain pen	984	$1.75
		do	886	.98
		do	884	.85
	Desk	do	987	1.75
		do	880	1.00
	Favorite	do	986	1.95
Novelty Pen and Pencil Co.		Fountain pen		.85
		Mechanical pencil		.50
Rite Craft Co.		Fountain pen	505	3.00
William A. Welty Pen Co.	Custom made	Fountain pen	24	3.50
		do	24	4.00
		do	24-A	4.00
		do	25-A	5.00
		do	25-SA	5.00
		do	68-A	7.00
		do	69-A	10.00
		do	45	5.00
		do	45-S	5.00
		do	68	7.00
		do	69	10.00
		do	46-W	5.00
		do	23-3F	3.50
		do	23-33F	3.50
		do	23-SR3F	3.50
William A. Welty Pen Co.		do	24-3F	4.00
		do	24-S3F	4.00
		do	24-SR3F	4.00
		do	25-3F	5.00
		do	25-S3F	5.00
		do	25-SR3F	5.00
		do	45-3F	5.00
		do	65-3F	7.00
		do	68-3F	10.00
		Pen and pencil set	22	5.00
		do	24	7.00
		do	46-W	7.50
		do	44	7.50
		do	45	5.00
		do	68	10.00
		do	69	12.50
		Desk pen	23	3.50
		do	45	5.00
		do	45	5.00
		do	45-3F	5.00
		do	65-3F	7.00
Hudson Pen Co.	Pearl lever	Fountain pen	HH65	.95

2. Section 23 is amended by adding the following retail ceiling prices for fountain pens and mechanical pencils to the lists of manufacturers already included in the regulation.

Name	Brand	Article	Model	Retail ceiling price
Eversharp, Inc.		Mechanical pencil	102	$1.50
		do	103	1.50
King, Larson, McMahon		Pen and leather case	328	1.80
Lola Pen Co.	Custom made	Desk pen		4.00
	Executive	do		3.50
	President	do		2.50
Lola Pen Co.	Executive	Desk pen		2.00
Rite-Rite Mfg. Co.		Mechanical pencil	50	.53
		do	50	.53
Joseph Lipic Pen Co.		do	L-300	.65
		do	L-400	1.07

3. Section 23 is amended by changing the listing of mechanical pencils produced by Guth, Stern & Company to read as follows:

Name	Brand	Article	Model	Retail ceiling price
Guth, Stern & Co.	.....	Fountain Pen.	(L-1000, M-1000)	$3.00

4. Section 23 is amended by inserting the name "Commander" in the column headed "Brand" before the article manufactured by New Diamond Point Pen Company and listed as follows:

Name	Brand	Article	Model	Retail ceiling price
New Diamond Point Pen Co.	Commander	Fountain pen.	4	$1.13

This amendment shall become effective on the 11th day of July 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12259; Filed, July 6, 1945; 11:01 a. m.]

[1] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7594, 7771, 7852, 8931, 9356, 9783, 10089, 10199, 10581, 10778, 12270, 12475, 13262; 10 F.R. 1334, 2248, 2969, 3764, 4035, 4154, 4357, 4660, 5457, 6589.

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 102]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2.3 (f) is added to read as follows:

(f) Each establishment shall file the fourth inventory with the Inventory and Control Branch of the Office of Price Administration, 350 Fifth Avenue, New York 1, New York, on or before August 10, 1945. (An inventory shall be deemed "filed" on time if the envelope in which it is enclosed is postmarked not later than midnight, August 10, 1945.) The inventory shall be taken as of the close of business on July 31, 1945, and all information required by the form must be furnished. Manufacturers shall use OPA Form R-1701D and all other establishments shall use OPA Form R-1701C.

This amendment shall become effective July 10, 1945.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12261; Filed, July 6, 1945; 11:01 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[2] Amdt. 63 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (c) (21) is added to read as follows:

(21) For the reporting period beginning July 29, 1945 and ending September 1, 1945—4.5

This amendment shall become effective July 10, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12260; Filed, July 6, 1945; 11:01 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 56, Amdt. 1]

PART 4003—SUPPORT PRICES; SUBSIDIES

LIVESTOCK SLAUGHTER PAYMENTS

Pursuant to the authority vested in me by the Act of October 2, 1942 entitled "an Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation and Other Purposes," and by Executive Order No. 9250 of October 3, 1943, and Executive Order No. 9328 of April 8, 1943: *It is ordered:*

Directive No. 56, Livestock Slaughter Payments, issued June 9, 1945 (10 F.R. 7117) is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. The following slaughterers shall be eligible to receive the extra subsidy payment on cattle originally authorized under paragraph 5 of the directive on Livestock Slaughter Payments, issued October 26, 1943, and currently authorized under section 4 of Directive 48, issued May 21, 1945: slaughterers who during the period beginning January 1, 1941 and ending October 1, 1943, or a representative portion thereof, sold and who currently sell 98 percent or more of the total dressed carcass weight of cattle slaughtered by them in the form of carcasses, wholesale cuts, frozen boneless beef (Army specifications) (carcass equivalent) or ground beef.

2. A new section 3 is added to read as follows:

SEC. 3. For the purposes of section 2, a "representative portion" means any six consecutive months within the period beginning January 1, 1941 and ending October 1, 1943, or such other portion of that period as the Economic Stabilization Director may determine in a particular case to be representative.

3. Section 3 is redesignated section 4.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 5th day of July 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12244; Filed, July 5, 1945; 1:29 p. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter 11—Division of Public Contracts

PART 202—MINIMUM WAGE DETERMINATIONS

UNIFORM AND CLOTHING INDUSTRY

This matter is before me pursuant to section 1 (b) of the act of June 30, 1936 (49 Stat. 2036; 41 U. S. C. Supp. III, sec. 35), entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On October 18, 1944, the Administrator of the Division of Public Contracts of the United States Department of Labor issued a notice of opportunity to show cause on or before November 18, 1944, why I should not amend the prevailing minimum wage determination for the uniform and clothing industry, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act, by eliminating the restriction on the number of auxiliary workers that may be employed in the suit and coat branch of the industry, and clarifying the term "auxiliary workers" as applied to the suit and coat branch of the industry in accordance with the definition of such term as set forth in said notice of opportunity to show cause.

The notice set forth that: (1) The prevailing minimum wage determination for the uniform and clothing industry, issued by me on January 25, 1941, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U. S. C., Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of Government contracts subject to the provisions of said act, for the manufacture or supply of products of the suit and coat branch of the uniform and clothing industry, shall be 60 cents an hour or $24 per week of 40 hours, arrived at upon a time or piecework basis, and that there shall be a 20 percent tolerance for auxiliary workers: *Provided*, That such auxiliary workers be paid not less than 40 cents per hour or $16 a week of 40 hours, and (2) administrative difficulties arising in the enforcement of the determination as it relates to auxiliary workers, have made it advisable to amend the uniform and clothing wage determination by permitting the employment of auxiliary workers in the suit and coat branch of the industry without limitation as to number, and clarifying the definition of the term "auxiliary workers" as applied to the suit and coat branch of the industry.

This notice was sent to trade unions, trade associations, and publications and was duly published in the FEDERAL REGISTER on October 24, 1944 (9 F.R. 12749). Two briefs were submitted in opposition to the proposed amendment. One was filed on behalf of a group of four New England manufacturers who objected to the non-inclusion of boxers, stampers, labelers and canvas trimmers in the category of auxiliary workers. A letter was subsequently received from this group indicating that with the termination of hostilities in Europe the question had become academic and that it did not wish to pursue its objections further. The other brief was filed by the Amalgamated Clothing Workers of America which contended that all auxiliary classifications should be eliminated from the determination, or, in the alternative, if auxiliary classification is retained, that "hand felling" and "bushelling" should be eliminated from the category of auxiliary occupations, as defined in the notice of opportunity to show cause.

Since the information submitted indicated a reasonable basis for the alternative contention of the Amalgamated Clothing Workers of America, the Administrator of the Division of Public Contracts on March 12, 1945 issued a further notice of opportunity to show cause on or before April 28, 1945, why the auxiliary occupations in the suit and coat branch of the uniform and clothing industry, as defined in the notice of opportunity to show cause, dated October 18, 1944, should not be changed by eliminating the occupations of "hand felling" and "bushelling."

The notice set forth: (1) The facts relative to the issuance of the prevailing minimum wage determination for the uniform and clothing industry as set forth in the prior notice of opportunity to show cause, dated October 18, 1944; (2) that under date of October 18, 1944, the Administrator of the Division of Public Contracts issued the afore-mentioned notice of opportunity to show cause which was published in the FEDERAL REGISTER on October 24, 1944, wherein it was proposed, as a result of administrative difficulties arising in the enforcement of the determination as it relates to auxiliary workers, that the uniform and clothing wage determination be amended by permitting the employment of auxiliary workers in the suit and coat branch of the industry without limitation as to number, and clarifying the definition of the term "auxiliary workers" as applied to the suit and coat branch of the industry; (3) that such prior notice gave to all parties opportunity to show cause on or before November 18, 1944, why I should not amend the uniform and clothing wage determination pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the amended determination would eliminate the restriction on the number of auxiliary workers that may be employed in the suit and coat branch of the industry and would clarify the term "auxiliary workers" as applied to the suit and coat branch of the industry in accordance with the definition of such term as set forth in said notice of opportunity to show cause; (4) that the Amalgamated Clothing Workers of America has filed a brief protesting the inclusion of the occupations of "hand felling" and "bushelling" in the proposed list of auxiliary workers; and (5) that information submitted indicates that the occupations of "hand felling" and "bushelling" are considered throughout the country to be skilled occupations, that the prevailing wages paid to employees engaged in these occupations are equal to or in excess of 60 cents an hour, and that such occupations of "hand felling" and "bushelling" should no longer be classified as auxiliary.

This notice was sent to trade unions, trade associations and publications and was duly published in the FEDERAL REGISTER on March 20, 1945 (10 F.R. 2976). No objections, protests, or any statements in opposition to the modification of the proposed amendment to the uniform and clothing industry wage determination, by eliminating the occupations of "hand felling" and "bushelling" from the category of auxiliary occupations in the suit and coat branch of the Industry, have been received. A statement in support of the proposed modification was filed by the Amalgamated Clothing Workers of America who presented additional evidence in support of their contention respecting the elimination of "hand fellers" and "bushellers" from the category of auxiliary workers.

§ 202.37 *Uniform and clothing.* • • •

(b) *Minimum wages.* (1) Upon consideration of all the facts and circumstances, I hereby determine that: The prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35) for the manufacture or supply of products of the suit and coat branch of the uniform and clothing industry is 60 cents an hour or $24 per week of 40 hours, arrived at either upon a time or piecework basis; and that auxiliary workers, as hereinafter defined, in the suit and coat branch of the industry shall be paid not less than 40 cents an hour or $16 per week of 40 hours, arrived at either upon a time or piecework basis. The term "auxiliary workers" as applied to the employees in the suit and coat branch of the industry shall include only those employees engaged in the following auxiliary occupations:

(i) *Position marking.* The operation, by hand, of marking with a punch, thread, or chalk, the position of buttons, pleats, darts, pockets, buttonholes, etc., by the use of a template, rule or similar device.

(ii) *Shade and size numbering.* The operation (except when done by sobar or other power-driven machine) of identifying a garment part by marking or stamping the size, shade, or lot number with chalk or stamp, or by sewing, pinning, or stapling a ticket to the garment part.

(iii) *Bundle tying.* The operation of tying together into bundles piles of garment parts, or partially finished garments.

(iv) *Bundle ticketing.* The operation, by hand, of preparing and attaching an identifying ticket to a bundle of work.

(v) *Matching and pairing.* The operation of pairing or matching garment parts.

(vi) *Basting pulling.* The operation of pulling out basting stitches.

(vii) *Hand trimming.* The operation of cutting away with scissors, excess piping, loops or tape.

(viii) *Cleaning.* The operation of clipping the waste ends of threads resulting from "black" or permanent stitchings.

(ix) *Turning.* The operation of turning inside out or outside in, parts of, or complete garments. Does not, however, include turning of lapels or collars.

(x) *Floor boys and girls.* Workers who carry bundles or materials from department to department or to workers.

(xi) *Porter.* Performs the janitorial work of sweeping and cleaning the shop.

(xii) *Examiner's helper.* Performs minor preliminary checking for rips, tears and other imperfections in the garment, but is not responsible for the final determination as to the acceptability of the work. Also performs the operation of brushing the garment and removing loose lint or thread.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after August 6, 1945.

Nothing in this determination shall affect any obligations for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this determination; nor shall it affect my determination on January 25, 1941 with reference to the outdoor jackets branch and the wool trousers branch of the uniform and clothing industry, which determination shall remain in full force and effect except as above modified.

Until this amended determination becomes effective, my original determination of January 25, 1941 shall remain in full force and effect.

Dated: June 28, 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-12255; Filed, July 5, 1945; 12:33 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 330]

PART 95—CAR SERVICE

PREICING AND PRECOOLING POTATOES PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of July, A. D. 1945.

It appearing, that refrigerator cars, to be loaded with shipments of potatoes originating in the States of Colorado, Kansas, Nebraska, Texas, and Wyoming, are being preiced or precooled, and that such cars when so loaded are being precooled, thus causing additional switching and delay to such cars and thereby diminishing the supply and control of refrigerator cars; the Commission is of opinion an emergency requiring immediate action exists in those states; it is ordered, that:

(a) *Preicing potatoes prohibited in certain states.* No common carrier by railroad subject to the Interstate Commerce Act shall ice a refrigerator car, intended to be loaded with potatoes at any point in the states of Colorado, Kansas, Nebraska, Texas, and Wyoming, prior to the actual complete loading of the refrigerator car with such potatoes. In the event such cars are preiced and loaded, in violation of this provision, those preiced cars shall not be transported.

(b) *Precooling potatoes originating in certain States prohibited.* No common carrier by railroad subject to the Interstate Commerce Act shall accord, allow or permit, the precooling of a refrigerator car intended to be loaded with potatoes at, or loaded with potatoes shipped from, any point in the States of Colorado, Kansas, Nebraska, Texas, or Wyoming. In the event such cars are precooled in vio-

[1] 10 F.R. 6960, 7537.

[2] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3560, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9268, 9778, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12667, 14061, 14643, 15002, 15054; 10 F.R. 48, 776, 924.

lation of this provision those precooled cars shall not be transported.

(c) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(d) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(e) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(g) *Effective date.* This order shall become effective at 12:01 a. m., July 9, 1945.

(h) *Expiration date.* This order shall expire at 11:59 p. m., August 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of the States of Colorado, Kansas, Nebraska, Texas, and Wyoming; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12256; Filed, July 6, 1945; 10:45 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

JENNINGS COUNTY, IND.

FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrators delegation of authority issued August 2, 1944, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION III

INDIANA

Jennings County

Locality I: Consisting of the Townships of Geneva, Lovett, Spencer and Vernon	$3,577
Locality II: Consisting of the Townships of Marion and Montgomery	2,353
Locality III: Consisting of the Townships of Campbell, Center, Columbia, Bigger and Sand Creek	2,841

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved July 5, 1945.

FRANK HANCOCK, *Administrator.*

[F. R. Doc. 45-12290; Filed, July 6, 1945; 11:14 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5288]

FRANK L. SINGER FUR CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of July, A. D., 1945.

In the matter of Frank L. Singer, an individual trading as Frank L. Singer Fur Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, July 18, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-12307; Filed, July 6, 1945; 11:24 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 288, Special Permit 28]

REFRIGERATION EGGS IN USED FIBREBOARD CASES FROM SAN ANTONIO, TEXAS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of subparagraph (1) (i) of paragraph (a) of Service Order No. 288 insofar as it applies to the furnishing or supplying of twenty (20) refrigerator cars, for loading with shell eggs packed in used fibreboard egg cases to be shipped in straight carloads, or in mixed carloads with eggs packed in wooden containers, not later than July 20, 1945, by Dancher Brothers, from Scobie Cold Storage and Warehouse Company, San Antonio, Texas, (via Mo. Pac. as initial carrier), ten (10) consigned to Dancher Brothers, St. Louis, Missouri, (on the Frisco) and ten (10) consigned to Dancher Brothers, Highland, Illinois, (on the P. R. R.), at the rate of one (1) car per day to each destination, for cracking and freezing for the U. S. Army; provided the used fibreboard cases in which the eggs are packed comply with requirements of the Consolidated Freight Classification No. 16.

The car order, bill of lading, other shipping papers and the waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of July 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-12257; Filed, July 6, 1945; 10:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5004]

YOSHIYUKI YAMASHITA

In re: Estate of Yoshiyuki Yamashita, deceased; File D-39-18362; E. T. sec. 13263; H-253.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Nobuyuki Yamashita in and to the Estate of Yoshiyuki Yamashita, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Nobuyuki Yamashita, Japan.

That such property is in the process of administration by Robert K. Murakami, as Administrator of the Estate of Yoshiyuki Yamashita, acting under the judicial supervision of the Circuit Court, First Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 45-12123; Filed, July 5, 1945; 10:51 a. m.]

[Vesting Order 5059]

BARBARA WERNER

In re: Estate of Barbara Werner, deceased; File D-28-9490; E. T. sec. 12805.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Wilhelm Werner and Ludwig Werner, and each of them, in and to the Estate of Barbara Werner, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelm Werner, Germany.
Ludwig Werner, Germany.

That such property is in the process of administration by Vincent Mayer, as Administrator, acting under the judicial supervision of the Surrogate's Court, County of Onondaga, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA, *Deputy Alien Property Custodian.*

[F. R. Doc. 45-12124; Filed, July 5, 1945; 10:51 a. m.]

[Vesting Order 5060]

JOSEPHA WINGENDER

In re Estate of Josepha Wingender, deceased; File D-28-9478; E. T. sec. 12774.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Peter Wingender in and to the estate of Josepha Wingender, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Peter Wingender, Germany.

That such property is in the process of administration by Rutherford Trust Company, 14 Park Avenue, Rutherford, New Jersey, Administrator c. t. a., acting under the judicial supervision of the Bergen County Surrogate's Court, Hackensack, New Jersey;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA, *Deputy Alien Property Custodian.*

[F. R. Doc. 45-12125; Filed, July 5, 1945; 10:52 a. m.]

[Vesting Order 5061]

SOPHIE BROCKMANN

In re: Estate of Sophie Brockmann, deceased; File D-28-3614; E. T. sec. 5840.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind

or character whatsoever of Mrs. Emma Hulshoff, Miss Sophie Brockmann, Miss Frieda Brockmann, Mrs. Alma Beyerle, Mrs. Amalie Wachtendorf, Children of Marie Cordes (Eerben), Hans Schmidt, Paul Schmidt, Heinrich Haje, Ernst Haje, Gerhard Haje, Sophie Kunst and Mrs. Katharine Ahlers, and each of them, in and to the estate of Sophie Brockmann, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Emma Hulshoff, Germany.
Miss Sophie Brockmann, Germany.
Miss Frieda Brockmann, Germany.
Mrs. Alma Beyerle, Germany.
Mrs. Amalie Wachtendorf, Germany.
Children of Marie Cordes (Eerben), Germany.
Hans Schmidt, Germany.
Paul Schmidt, Germany.
Heinrich Haje, Germany.
Ernst Haje, Germany.
Gerhard Haje, Germany.
Sophie Kunst, Germany.
Mrs. Katharine Ahlers, Germany.

That such property is in the process of administration by Catrines De Haan, 9400 South Champlain Avenue, Chicago, Illinois, and Henry Koopman, 613 East 90th Street, Chicago, Illinois, as Executors of the estate of Sophie Brockmann, deceased, and the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12126; Filed, July 5, 1945; 10:52 a. m.]

[Vesting Order 5062]

CARL E. FALBE

In re: Estate of Carl E. Falbe, deceased; File D–28–7657; E. T. sec. 8206.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Richard Falbe, Paul Falbe, Agnes Bolt, issue, names unknown, of Richard Falbe, issue, names unknown, of Paul Falbe, and issue, names unknown, of Agnes Bolt, City of Woldenberg (Neumark), Germany, and each of them, in and to the estate of Carl E. Falbe, deceased,

is property payable or deliverable to, or claimed by, nationals and a political subdivision of a designated enemy country, Germany, namely,

Nationals and Political Subdivision, and Last Known Address

Richard Falbe, Germany.
Paul Falbe, Germany.
Agnes Bolt, Germany.
Issue, names unknown, of Richard Falbe, Germany.
Issue, names unknown, of Paul Falbe, Germany.
Issue, names unknown, of Agnes Bolt, Germany.
City of Woldenberg (Neumark), Germany.

That such property is in the process of administration by the First Wisconsin Trust Company, 735 North Water Street, Milwaukee, Wisconsin, as Executor of the estate of Carl E. Falbe, deceased, acting under the judicial supervision of the County Court of Milwaukee County, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12127; Filed, July 5, 1945; 10:52 a. m.]

[Vesting Order 5063]

ANTON FIEGL

In re: Trust under the will of Anton Fiegl, deceased; File D–28–7617; E. T. sec. 8022.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ottilie (O'ttilie) Gaensler in and to the trust created by the Will of Anton Fiegl, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ottilie (O'ttilie) Gaensler, Germany.

That such property is in the process of administration by Allenton State Bank, Allenton, Wisconsin, as Trustee of the Trust under the Will of Anton Fiegl, deceased, acting under the judicial supervision of the County Court of Washington County, Wisconsin;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12128; Filed, July 5, 1945; 10:52 a. m.]

[Vesting Order No. 5064]

PAULA MUELLER ET AL.

In re: Paula Mueller, vs. John Gruebmeyer, et al.: File D–28–8888; E. T. Sec. 11066.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right title interest and claim of any kind or character whatsoever of Henretta Rothe, Marie Eckert, Frieda Rothe and Helena Rothe and each of them, in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled "Paula Mueller vs. John Gruebmeyer et al." No. 1192-C in Chancery, in the Circuit Court of Jackson County, Illinois,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Henretta Rothe, Germany.
Marie Eckert, Germany.
Frieda Rothe, Germany.
Helena Rothe, Germany.

That such property is in the process of administration by W. F. Ellis, Murphysboro, Illinois, as Master in Chancery, acting under the judicial supervision of the Circuit Court of Jackson County, Illinois, In Chancery;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12129; Filed, July 5, 1945; 10:52 a. m.]

[Vesting Order 5065]

DAN MURZA

In re: Estate of Dan Murza, deceased; File D–57–353; E. T. sec. 10427.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Trian Murza, George Murza and Pascoe Murza, and each of them, in and to the estate of Dan Murza, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Trian Murza, Rumania.
George Murza, Rumania.
Pascoe Murza, Rumania.

That such property is in the process of administration by Virginia Golvach, 1730 Wyoming Avenue, Dearborn, Michigan, as Executrix of the estate of Dan Murza, deceased, acting under the judicial supervision of the Probate Court for the County of Wayne, Detroit, Michigan;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12130; Filed, July 5, 1945; 10:53 a. m.]

[Vesting Order 5066]

HENRY W. STERNBERG

In re: Estate of Henry W. Sternberg, deceased; File D–28–8820; E. T. sec. 10824.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Wilhelm Sternberg and Gertrude Klaus, and each of them, in and to the Estate of Henry W. Sternberg, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelm Sternberg, Germany.
Gertrude Klaus, Germany.

That such property is in the process of administration by the Security First National Bank of Los Angeles, as Executor of the Estate of Henry W. Sternberg, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification,

and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12131; Filed, July 5, 1945; 10:53 a. m.]

[Vesting Order 5067]

IGNATZ ZAHRADA

In re: Estate of Ignatz Zahrada, also known as Fred Zahrada, Fritz Zahrada, Fritz T. Zahrada, Ignaz Zahrada, and Fritz Zarada, deceased; File F–28–12599; E. T. sec. 3990.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

(a) All right, title, interest and claim of any kind or character whatsoever of Anna Pohl, Maria Zahrada, Johann Zahrada, Anna (Guschal) Guschall, and Marie (Maria) Eberl, and each of them, in and to the estate of Ignatz Zahrada, also known as Fred Zahrada, Fritz Zahrada, Fritz T. Zahrada, Ignaz Zahrada, and Fritz Zarada, deceased.

(b) Also an undivided 3/4ths interest in all that certain real property particularly described as follows:

Lot number Forty-two (42) of Eloisa P. Kayser's Subdivision, and in city block number Fifteen Hundred and Fifty-six (1556) of the City of St. Louis, having a front of twenty-five (25) feet on the western line of Illinois Avenue, by a depth westwardly of One Hundred and twenty-four feet and one inch (124' 1") more or less to an alley, together with the improvements thereon known as No. 3533 Illinois Avenue, St. Louis, Missouri,

Lot 14 of Eloisa P. Kayser's Subdivision in Block 1556 of the City of St. Louis, said lot fronting 25 feet on the east line of Missouri Avenue by a depth eastwardly, between parallel lines of 124 feet 1 inch, more or less, to an alley 20 feet wide, together with all improvements thereon known and numbered as 3534 Missouri Avenue, St. Louis, Missouri,

All of Lots numbered Twenty-seven (#27), and Twenty-eight (#28) of Block numbered Seven (#7) of Gillick Longwood Subdivision in the County of Saint Louis, State of Missouri, as shown on Plat recorded in Plat Book numbered Eleven (#11), Page One (1) of the Recorder's Office of said Saint Louis County, Missouri, said Lots having an aggregate frontage of Sixty Feet and No Inches (60' 0") on the South Line of Hancock Avenue, by a depth Southwardly between parallel lines of One Hundred Twenty Feet and No Inches (120' 0"), more or less, to an alley running East and West and Fifteen Feet and No Inches (15' 0") wide, and said Lots being bounded on the North by the South Line of said Hancock Avenue, on the East by the West Line of Lot numbered Twenty-six (#26), of said Block numbered Seven (#7), on the South by the North Line of said East and West alley, and on the West by the East Line of Lot numbered Twenty-nine (#29) of said Block numbered Seven (#7).

All of Lots numbered Five (#5), Six (#6), and Seven (#7) of Block numbered Twelve (#12) of Gillick Longwood Subdivision in the County of Saint Louis, and State of Missouri, as shown on Plat recorded in the Plat Book numbered Eleven (#11), Page One (1) of the Recorder's Office of said Saint Louis County, Missouri, said Lots having an aggregate frontage of Ninety Feet and No Inches (90' 0") on the West Line of St. Joseph Avenue, by a depth Westwardly between parallel lines of One Hundred Twenty Feet and No Inches (120' 0"), more or less, to an alley running North and South and Fifteen Feet and No Inches (15' 0") wide; and said Lots being bounded on the North by the South Line of Lot numbered Eight (#8) of said block numbered Twelve (#12), on the East by the West Line of said St. Joseph Avenue, on the South by the North Line of Lot numbered Four (#4) of the said Block numbered Twelve (#12), and on the West by the East Line of the said North and South alley,

All of Lots numbered Forty (#40) and Forty-one (#41) of Block numbered Seven (#7) of Gillick Longwood Subdivision in the County of Saint Louis, State of Missouri, as shown on Plat recorded in Plat Book numbered Eleven (#11), Page One (1) of the Recorder's Office of said Saint Louis County, Missouri, said Lots having an aggregate frontage of Sixty Feet and No Inches (60' 0") on the North Line of Louis Avenue, by a depth Northwardly between parallel lines of One Hundred Twenty Feet and No Inches (120' 0"), more or less, to an alley running East and West and Fifteen Feet and No Inches (15' 0") wide; and said Lots being bounded on the North by the South Line of said East and West alley, on the East by the West Line of Lot numbered Forty-two (#42) of said Block numbered Seven (#7), on the South by the North Line of said Louis Avenue, and on the West by the East Line of Lot numbered Thirty-nine (#39) of said Block numbered Seven (#7).

together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Pohl, Germany (Austria).
Maria Zahrada, Germany (Austria).
Johann Zahrada, Germany (Austria).
Anna (Guschal) Guschall, Germany (Austria).
Marie (Maria) Eberl, Germany (Austria).

That such property is in the process of administration by Thomas R. Malden, 722 Chestnut Street, St. Louis, Missouri, as Administrator of the estate of Ignatz Zahrada also known as Fred Zahrada, Fritz Zahrada, Fritz T. Zahrada, Ignaz Zahrada, and Fritz Zarada, deceased, acting under the judicial supervision of the Probate Court of the City of St. Louis, Missouri;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12132; Filed, July 5, 1945; 10:54 a. m.]

[Vesting Order 5068]

HELEN CZARNECKE

In re: Estate of Helen Czarnecke, deceased; File D–28–9003; E. T. Sec. 11383.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Radesch, also known as Anna Raedish, Martin Radesch, also known as Martin Raedish, Emma Radesch, also known as Emma Raedish, Ida Radesch, also known as Ida Raedish, also known as Ida Ludwig, Johann Richter, and children, names unknown, of deceased brother, name unknown, of Helen Czarnecke, deceased, and each of them, in and to the estate of Helen Czarnecke, deceased, and in and to the trust created under the will of Helen Czarnecke, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Radesch, also known as Anna Raedish, Germany.
Martin Radesch, also known as Martin Raedish, Germany.
Emma Radesch, also known as Emma Raedish, Germany.
Ida Radesch, also known as Ida Ludwig, Germany.
Johann Richter, Germany.
Children, names unknown, of deceased brother, name unknown, of Helen Czarnecke, Germany.

That such property is in the process of administration by Sadie G. Moore, as Executrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12133; Filed, July 5, 1945; 10:54 a. m.]

[Vesting Order 5069]

HENRY DANIEL MARQUARD

In re: Henry Daniel Marquard, deceased; File D–28–9794; E. T. Sec. 13775.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margaret M. Pippenbrink, in and to the Estate of Henry Daniel Marquard, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Margaret M. Pippenbrink, Germany.

That such property is in the process of administration by Albertina Klentz, as Administratrix, acting under the judicial supervision of the District Court of the United States for the District of Columbia, Holding Probate Court;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 3, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12134; Filed, July 5, 1945; 10:54 a. m.]

[Vesting Order CE 20]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN PENNSYLVANIA AND MARYLAND COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 3, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Susanna Dalfreso	Italy	Anibale Caumo and Severino Caumo, Administrators of the Estate of Louis Caumo, deceased, versus Pennsylvania Railroad Company, No. 118, February Term, 1944, Court of Common Pleas of Washington County, Pa.	$386 60	The Prothonotary of Washington County, Washington, Pa.	$2 05
		Item 2			
Anna Colla	Italy	Same	200 60	Same	1 02
		Item 3			
Fima Sharr	Russia	Estate of Zigmund Sharr, deceased, in the Orphans' Court of Baltimore City, Md.	1,707 01	Registry of the Orphans' Court of Baltimore City, Baltimore, Md.	9 04
		Item 4			
Denin Burson	Russia	Same	1,707 01	Same	9 04
		Item 5			
Rosa Sharr	Russia	Same	1,707 03	Same	9 04
		Item 6			
Leda Sharr	Russia	Same	1,707 03	Same	9 04
		Item 7			
Sarantkin Mentzas	Greece	Estate of Christos Z. Mentzas, deceased, in the Orphans' Court of Elk County, Pa.	527 91	George S. Rupprecht, Administrator, for the Estate of Christos Z. Mentzas, 345 South St. Marys Street, St. Marys, Pa.	2 79
		Item 8			
George Mentzas	Greece	Same	527 91	Same	2 79
		Item 9			
Vasili Yeofemov Potapchuk	Russia	Estate of Frank Potapchuk, deceased, in the Orphans' Court of Philadelphia County, Pennsylvania, No. 189 of 1944.	60 00	Michael Stulpin, Executor of the Estate of Frank Potapchuk, deceased, 8505 Tinicum Avenue, Philadelphia, Pennsylvania	10 19
		Item 10			
Michael Yeofemov Potapchuk	Russia	Same	60 00	Same	10 19
		Item 11			
Agrafena Yeofemov Potapchuck	Russia	Same	60 00	Same	10 19
		Item 12			
Gregory Lukeanu Muranchuk	Russia	Same	60 00	Same	10 19
		Item 13			
Anna Yeofemov Tkalinka	Russia	Same	60 00	Same	10 19

[F. R. Doc. 45-12135; Filed, July 5, 1945; 10:54 a. m.]

[Vesting Order 5044]

PAULINE C. DUEMLER

In re: Estate of Pauline C. Duemler, deceased; File D-28-3849; E. T. sec. 12309.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Christian Kuch, Louise Werheim, Pauline Semmler, Wilhelmine Dietewich, Fritz Werheim, Louise Kohlheb, Wilhelm Best, Elise Klein, Johanna Tielmann, Johann Best, Wilhelm Kuch and Karl Kunz, and each of them, in and to the Estate of Pauline C. Duemler, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Christian Kuch, Germany.
Louise Werheim, Germany.
Pauline Semmler, Germany.
Wilhelmine Dietewich, Germany
Fritz Werheim, Germany.
Louise Kohlheb, Germany.
Wilhelm Best, Germany.
Elise Klein, Germany.
Johanna Tielmann, Germany.
Johann Best, Germany
Wilhelm Kuch, Germany.
Karl Kunz, Germany.

That such property is in the process of administration by Harry A. Suplee, Jr., as Executor, acting under the judicial supervision of the Orphans' Court of Delaware County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12006; Filed, July 4, 1945; 10:38 a. m.]

[Vesting Order 5045]

CHILTON ATKINSON ET AL.

In re: C. F. Blanke Tea & Coffee Company, a corporation, by Chilton Atkinson, its Receiver, vs. Albert G. Blanke et al.; File D-28-9032; E. T. sec. 11508.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: The sum of $1,455.22 which is in the possession and custody of the Trinity Rice Disposal Company, a corporation, St. Louis, Missouri, depositary, pursuant to an order of the Circuit Court of the City of St. Louis, Missouri, dated August 23, 1944, in the matter of C. F. Blanke Tea & Coffee Company, a corporation, by Chilton Atkinson, its Receiver, vs. Albert G. Blanke et al., No. 3034-C, Division Number 3,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Johanna Koenitzer, Germany.

That such property is in the process of administration by the Trinity Rice Disposal Company, 1501 Locust Street, St. Louis, Missouri, as Trustee, acting under the judicial supervision of the Circuit Court of the City of St. Louis, Missouri.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12007; Filed, July 4, 1945; 10:38 a. m.]

[Vesting Order 5043]

DOROTHEA THORMAEHLEN

In re: Real property, property insurance policies and claim owned by Dorothea Thormaehlen, and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Dorothea Thormaehlen, Georg Knudsen, Martha Raether and other children, names unknown, of Wilhelm Heinrich Johannes Knudsen, whose last known addresses are Hamburg, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the persons named in subparagraph 1 are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City of Chicago, County of Cook, State of Illinois, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of the persons named in subparagraph 1, in and to the fire insurance policies particularly described in Exhibit B, attached hereto and by reference made a part hereof, insuring the property described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever of the persons named in subparagraph 1, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to them by Hermann Nohl, including particularly but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 3-a hereof, and any and all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or owing to nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Real property situated in the City of Chicago, County of Cook, State of Illinois, particularly described as follows:

Lot Ten (10) in the Subdivision of Lots Twenty-nine (29) to Forty-five (45) both inclusive in Block Seven (7) in W. B. Walker's Addition to Chicago in the South West quarter of Section Fourteen (14) Township Forty (40) North, Range Thirteen (13) East of the Third Principal Meridian, with all buildings and improvements thereon.

EXHIBIT B

a. Policy Number 721585 issued by the American Insurance Company, Newark, New Jersey, in the amount of $2,200. This policy expires February 21, 1946, and provides for fire and extended coverage.

b. Policy Number 721595 issued by the American Insurance Company, Newark, New Jersey, in the amount of $2,000. This policy expires July 15, 1946, and provides for fire and extended coverage.

[F. R. Doc. 45-12304; Filed, July 6, 1945; 11:23 a. m.]

[Subordination Order 9]

M. HENSOLDT & SONS, INC.

Whereas, all of the issued and outstanding shares of the capital stock of M. Hensoldt & Sons, Inc., a New York corporation, were owned by M. Hensoldt & Soehne, Optische Werke, A. G., a German corporation, and were vested by the Alien Property Custodian by Vesting Order No. 426, dated December 1, 1942 (8 F.R. 34, January 1, 1943), as amended by amendment to Vesting Order No. 426, dated February 27, 1943 (8 F.R. 2792, March 6, 1943), as amended by amendment to Vesting Order No. 426, dated March 22, 1943 (8 F.R. 4937, April 16, 1943); and

Whereas, all right, title, interest and claim of any name or nature whatsoever of the said German corporation against the said New York corporation was also vested by the Alien Property

Custodian by the above vesting order, as amended; and

Whereas, the said New York corporation has been dissolved and is at present being liquidated;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(1) Finding that the said New York corporation was wholly owned by, was under the complete domination of, and acted as marketing agent in the United States for, the said German corporation and both said corporations were in fact parts of a single organization; and

(2) Finding that a claim, in the amount of $22,106.39, appears as owing on the books of the said New York corporation to the said German corporation, which indebtedness resulted from contributions of capital and merchandise; and

(3) Finding that the assets of M. Hensoldt & Sons, Inc., are insufficient to pay all claims against it in full; and

(4) Determining that it is equitable and in the national interest of the United States to subordinate the said claim of the said German corporation to the claims of the other creditors of the said New York corporation;

hereby directs the said New York corporation and its duly authorized officers and directors (to wit: G. F. Coleman, President and Director, and E. W. Hardy, Secretary and Director, and Robert Kramer, Treasurer and Director and their successors, or any of them) to subordinate the vested claim of the said German corporation to the claims of other creditors of, and claimants against, the said New York corporation; and further directs the said New York corporation to pay all its other creditors in full, and to deliver and pay over to the Alien Property Custodian, all assets remaining after such payments, the same to be applied on account of the said claim hereby directed to be subordinated; and further directs that all actions taken and acts done by the said officers and directors of the said New York corporation, pursuant to this order and the directions contained herein, shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., July 3, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12306; Filed, July 6, 1945; 11:23 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 758]

PEORIA AND BLOOMINGTON, ILL.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 11, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Keeshin Motor Express Co., Inc., Chicago, Ill.
William Oesch, doing business as Oesch Transfer Company, Bloomington, Ill.

[F. R. Doc. 45-12249; Filed, July 5, 1945; 3:27 p. m.]

[Supp. Order ODT 3, Rev. 759]

CHICAGO AND ROCKFORD, ILL.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

[1] Filed as part of the original document.

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation,

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 11, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Belvidere Transfer Inc., Belvidere, Ill.
Freeport Fast Freight Inc., Freeport, Ill.
Liberty Trucking Company, Chicago, Ill.

[F. R. Doc. 45-12250; Filed, July 5, 1945; 3:27 p. m.]

[Supp. Order ODT 3, Rev. 760]

MUNCIE AND CONNERSVILLE, IND.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in

[1] Filed as part of the original document.

this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 11, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Interstate Motor Freight System, Grand Rapids, Mich.
Wagner Trucking Co., Inc., Muncie, Ind.

[F. R. Doc. 45-12251; Filed, July 5, 1945; 3:27 p. m.]

[Supp. Order ODT 6A-141]

YOUNGSTOWN AND WARREN, OHIO

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 11, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Yankee Lines, Inc., Akron, Ohio.
Akron-Chicago Transportation Co., Inc., Akron, Ohio.

[F. R. Doc. 45-12252; Filed, July 5, 1945; 3:27 p. m.]

[Supp. Order ODT 20A-216]

MARTINSBURG, W. VA.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Martinsburg, West Virginia, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Charleston, West Virginia, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-216" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Charleston, West Virginia.

8. This order shall become effective July 13, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

George M. Bowers, doing business as Central Taxi Service, Martinsburg, W. Va.
Hammond Johnson, doing business as Lee Taxi Company, Martinsburg, W. Va.
Buss Devenshire, doing business as Charles Wilson Taxi Company, Martinsburg, W. Va.
John W. Basey, doing business as John Basey Taxi Company, Martinsburg, W. Va.

[F. R. Doc. 45-12253; Filed, July 5, 1945; 3:28 p. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Amdt. 1 to Order 1066]

FRANK V. ROSSI

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

The maximum prices for the "Ranger–5′′", "Wellington–5′′", and "Bob White–#51 Special" cigars set forth in paragraph (a) of Order No. 1066 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Wellington	5′′[1]	50	$64.00	8
Ranger	5′′[1]	50	64.00	8
Bob White	No. 51 Special	50	78.75	2 for 21

[1] Prices apply only to this brand and frontmark or size of tobacco composition specified in amended application dated 6-15-45.

This amendment shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12213; Filed, July 5, 1945; 11:55 a. m.]

[MPR 260, Order 1459]

ARCURY-MICHELLE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Arcury-Michelle Cigar Factory, 1702 Michigan Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
A-M Cigars	Conchas	50	$78.75	2 for 21
	Panetelas	50	134.00	2 for 35
	Bostons	50	105.00	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12214; Filed, July 5, 1945; 11:55 a. m.]

[Order 60 under 3 (e)]

FLASH-O-PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the manufacturer's, wholesalers' and retailers' sales of an all rubber machine cushion seat made by the Flash-O-Products Company of Columbus, Nebraska and used on machines and tractors.

(b) *Maximum prices.*—(1) *For all sales other than sales at retail.* The maximum price for all sales other than sales at retail of the all rubber machine cushion seat described in paragraph (a) shall be $2.20 each.

(2) *Retail sales.* The maximum price for sales at retail of the all rubber machine cushion seat described in paragraph (a) shall be $3.30 each.

(c) *Notification of maximum prices.* With or prior to the first delivery of the commodity covered by this order to any person who purchases for resale, the seller shall notify such person in writing of the maximum retail price applicable to sales at retail as established by paragraph (b) (2) of this order. If such purchaser is a wholesaler, the notification shall also give the maximum prices for sales at wholesale as established by paragraph (b) (1) of this order and shall include a statement that the wholesaler is required to notify any retailer to whom he sells of the maximum prices for sales at retail as established by paragraph (b) (2) of this order.

(d) All provisions of the General Maximum Price Regulation that are not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Administrator at any time.

This order shall become effective July 6, 1945.

Issued this 5th day of July, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12187; Filed, July 5, 1945; 11:46 a. m.]

[Order 61 Under 3 (e)]

S. C. JOHNSON & SON, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) Maximum prices for sales of a 6¾-ounce size of certain wax products, manufactured by S. C. Johnson & Son, Inc., Racine, Wisconsin, are established as follows:

Product	Price to wholesaler	Price to retailer on sales of 100 pounds or more	Price to retailer on sales of 100 pounds or less	Price to consumer
				Each
Paste wax	$1.80	$1.896	$2.088	$0.25
Liquid wax	1.80	1.896	2.088	25
Glo-Coat	1.80	1.896	2.088	25
Car-Nu	1.665	1.896	2.088	25
Black rubber dressing	1.80	1.896	2.088	25

The above prices are subject to the same discounts, allowances, and freight practices as prevail on each seller's sales of said products in the 16-ounce size.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of any of the aforesaid commodities to a wholesaler, the manufacturer shall furnish such wholesaler with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of any of such commodities, after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum retail price—25 cents.

This order shall become effective July 6, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12188; Filed, July 5, 1945; 11:46 a. m.]

[Order 62 Under 3 (e)]

SOLDINE CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.3 (e) of the General Maximum Price Regulation, It is ordered:

(a) *Applicability of this order.* This order applies to all sales of portable bath tubs manufactured by the Soldine Corporation, 9224 Ewing Avenue, Evanston, Illinois, from butryl vinyl resin coating material.

(b) *Maximum prices.* The maximum net prices for sales of the commodity described in paragraph (a) of this order, are as follows:

	Each
To jobbers and wholesalers	$12.00
To retailers	14.75
At retail	24.00

(c) *Notification of maximum prices.* With or prior to the first delivery of the portable bath tub described in paragraph (a) to a jobber, a wholesaler, or a retailer, the seller shall give the purchaser a written notice of the maximum retail price applicable thereto. If the purchaser is a jobber or a wholesaler, the notification shall include the maximum wholesale price as established by paragraph (b) of this order and a statement that such purchaser is required by this order to notify any retailer to whom he sells of the maximum retail price.

(d) *Recomputation of maximum prices.* On or before October 31, 1945, the manufacturer of the portable bath tub described in paragraph (a) above is required to submit a detailed statement to the Office of Price Administration of the actual unit cost for the production and distribution of this commodity based upon actual experience incurred during this period of time.

(e) All provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to sales covered by this order.

(f) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 6, 1945.

Issued this 5th day of July, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12189; Filed, July 5, 1945; 11:46 a. m.]

[MPR 116, Rev. Order 12]

BUFFALO POTTERY, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of § 1362.59c of Maximum Price Regulation No. 116, *It is ordered*, That Order No. 12 issued under § 1362.59c of Maximum Price Regulation No. 116 is amended and revised to read as follows:

(a) *Manufacturer's maximum prices.* Buffalo Pottery, Inc., Buffalo 10, N. Y., may sell its lines of decalcomania decorated chinaware set forth below to purchasers for resale at prices no higher than its maximum prices for such sales in effect immediately prior to the effective date of this order plus the adjustment charges in the amounts indicated in percentages opposite each article.

Lines of Decalcomania Decorated Chinaware and Permitted Percent Adjustment of Maximum Prices for Sales to Purchasers for Resales

	Percent
D-409. Atlantic Coast Line Railroad	10 2
D-414. Rock Island Railroad	26 1
D-413. Rock Island Railroad	20 6
D-421. Federal Reserve Bank System	3 4
D-423. Mayflower Hotel	5 9
D-455. Astor Hotel of New York	7 5
D-456. Mandalay-Park Central Hotel	7 0
D-490. Biltmore Hotel	1 6
D-496. Commodore Hotel of New York	28 0

These adjustment charges may be made and collected only when the amounts of the adjustments are separately stated on each invoice. Adjusted prices are subject to the manufacturer's customary terms, discounts, packaging and allowance in effect during March 1942 on sales to each purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form,

may collect from his customer, in addition to his properly established maximum price in effect prior to the issuance of this order, an adjustment charge in the same amount as the adjustment charge herein authorized for and which he pays to his supplier. If such a purchaser did not have an established maximum price for sales of the article prior to the issuance of this order, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable price regulation. If the applicable regulation requires maximum resale prices to be computed on the basis of costs, the reseller must find his maximum prices (without the adjustment charge) by using as costs his invoice costs not including any adjustment charges stated on the invoice. On all sales except sales to ultimate consumers those additional adjustment charges may be made and collected only if they are separately stated on each invoice. The adjusted maximum prices are subject to each seller's customary terms, discounts and allowances on sales of the same or similar articles, to each class of purchaser.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this revised order are hereby denied.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 6th day of July, 1945.

Issued this 5th day of July, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12190; Filed, July 5, 1945; 11:46 a. m.]

[MPR 132, Order 5]

PERRY RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1315.70 (b) of Maximum Price Regulation 132 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to sales at all levels of the neoprene dipped footwear item bearing the brand name "Shower Toes" which is manufactured by the Perry Rubber Company, Massillon, Ohio.

(b) *Maximum prices.* The maximum prices for sales to distributors, to jobbers, chain stores, and large department stores, to retailers and at retail of the footwear item described in paragraph (a) of this order shall be as follows:

Class of purchaser and maximum price

To distributors: $3.15 per dozen pairs in pouch and box.
To jobbers, chain stores, and large department stores: $3.36 per dozen pairs in pouch and box.
To other retail stores: $4.20 per dozen pairs in pouch and box.
At retail: $0.70 per pair in pouch.

For the manufacturer's (Perry Rubber Company) sales the above prices are f. o. b., Massillon, Ohio.

From the above list prices the manufacturer shall deduct all discounts, allowances, and other deductions that he had in effect to a purchaser of the same class on December 3, 1941.

From the above list prices the wholesaler who sold rubber footwear between April 1, and October 25, 1941, shall deduct all discounts and allowances that he had in effect to each class of purchaser between April 1, and October 25, 1941.

The discounts, allowances and other deductions off the above list prices that shall apply to wholesalers who did not sell rubber footwear between April 1, and October 25, 1941, shall be established under section 6 (b) of Revised Maximum Price Regulation No. 229.

(c) *Notification of maximum prices.* With or prior to the first delivery to a wholesaler or a retailer of any of the footwear covered by this order, the seller shall notify the purchaser in writing of the maximum price for sales at retail as established by paragraph (b) of this order. If the purchaser is a wholesaler (distributor or jobber) the notification shall also give the maximum prices applicable to the purchaser's sales at wholesale as established by paragraph (b) of this order and shall state that the wholesaler (distributor or jobber) is required to notify each retailer to whom he sells of the maximum price for sales at retail as established by paragraph (b) of this order.

(d) All provisions of Maximum Price Regulation 132 that are not inconsistent with this order shall apply to the manufacturer's sales of the footwear covered by this order.

All provisions of Revised Maximum Price Regulation 229 that are applicable to the wholesalers' and retailers' sales of the footwear covered by that regulation and that are not inconsistent with this order shall apply to wholesalers' (distributors' and jobbers') and retailers' sales of the footwear covered by this order.

(e) This order may be revoked or amended by the Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12192; Filed, July 5, 1945; 11:48 a. m.]

[MPR 120, Order 1508]

JOHN BALOG COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

JOHN BALOG COAL CO., C/O S. H. MERRIGAM, WEST VIRGINIA FUEL AND IRON CO., WHEELING, W. VA., BALOG MINE, NO. 8 SEAM, MINE INDEX NO. 4160, BELMONT COUNTY, OHIO, SUBDISTRICT 1 FOR RAIL AND TRUCK SHIPMENTS STRIP MINE, RAIL SHIPPING POINT: CRESCENT, OHIO

	Size group Nos.												
	1	2	3	3-A	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	305	305	285	285	285	285	270	235	225	270	210	------	270
Truck shipment	350	350	350	310	310	290	280	255	245	280	------	------	280

BEAVER CREEK COAL CO. C/O PAUL E. KENDALL 1340 CRAWFORD ROAD, CLEVELAND 6, OHIO, DELLEY MINE, NO. 5 SEAM, MINE INDEX NO. 4156, CARROLL COUNTY, OHIO, SUBDISTRICT 4 FOR RAIL SHIPMENT, 4-A FOR TRUCK SHIPMENT, STRIP MINE, RAIL SHIPPING POINT: MINERAL CITY, OHIO

Rail shipments and railroad fuel	325	325	310	310	310	310	290	250	240	280	235	------	290
Truck shipment	375	375	375	355	355	305	305	300	290	305	------	------	305

JOHN A. COX, 336 WEST 4TH ST., URICHSVILLE, OHIO, COX MINE, NO. 7 SEAM, MINE INDEX NO. 4157, TUSCARAWAS COUNTY, OHIO, SUBDISTRICT 4-A FOR TRUCK SHIPMENTS, DEEP MINE, ALL BY TRUCK

	Size group Nos.					
	1, 2, 3	3-A, 4	5, 6	7	8	9 and 12
Truck shipment	376	346	316	281	271	316

WESTERN COAL CO., c/o ROSS MICHENER CILLES BLDG., BRIDGEPORT, OHIO, NO. 1 MINE, MEIGS CREEK SEAM, MINE INDEX NO. 4155, BELMONT COUNTY, OHIO, SUBDISTRICT 1 FOR ALL METHODS OF SHIPMENTS, STRIP MINE, RAIL SHIPPING POINT LAFFERTY, OHIO

	Size group Nos.												
	1	2	3	3-A	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	305	305	285	285	285	285	270	235	225	260	210	-----	270
Truck shipment	350	350	350	310	310	280	260	255	245	280	-----	-----	280

This order shall become effective July 6th, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12191; Filed, July 5, 1945; 11:47 a. m.]

[RMPR 136, Order 465]

FARRAR AND TREFTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 465 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Farrar and Trefts, Inc. Docket No. 6083-136.21-356.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales by all persons of 150 horse power, 350 pounds working pressure, Oil Country Boilers, manufactured by Farrar and Trefts, Incorporated, Buffalo, New York, shall be determined as follows: The seller (manufacturer or reseller) shall add the following amounts to the maximum net prices he had in effect to a purchaser of the same class just prior to the issuance of this order:

Item	*Increase*
Boiler with fittings and standard stack	$299.30
Boiler with fittings and special short stack	295.90

(b) Farrar and Trefts, Incorporated, shall notify each purchaser to whom it sells 150 horse power, 350 pounds working pressure, Oil Country Boilers, for resale of the dollar-and-cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12193; Filed, July 5, 1945; 11:49 a. m.]

[MPR 188, Order 43 Under Order 1052]

FREWSBURG FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (g) of Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Frewsburg Furniture Company, Frewsburg, N. Y., may add the following additional adjustment charges to its maximum prices for sales and deliveries to retailers of the articles of wood household furniture listed below which it manufactures, resulting in the following maximum prices:

Article	Model No.	Maximum price	Adjustment permitted by paragraph (d) of order No. 1052	Additional adjustment charge permitted by this order	Total Adjusted maximum prices
Dresser base	505	$31.75	$1.39	$1.63	$34.97
Mirror	505	8.25	.41	.42	9.08
Chest	505	33.75	1.69	1.74	37.18
Chest on chest	506	39.00	1.95	2.01	42.96
Vanity base	506	32.75	1.64	1.69	36.08
Bed 4/6	505	26.25	1.31	1.35	28.91
Night table	506	13.50	.68	.69	14.87

The adjustment charges listed above may be made and collected only when each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customers, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he does not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all sales other than sales to ultimate consumers this additional adjustment charge may be made and collected only if it is separately stated on each invoice.

The adjusted maximum prices are subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles. The adjustment charge authorized in this paragraph (b) is in addition to any adjustment charge permitted for wholesalers by Order No. 1052 under Maximum Price Regulation No. 188.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 6th day of July, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12196; Filed, July 5, 1945; 11:50 a. m.]

[MPR 188, Amdt. 1 to Order 92 Under 2d Rev. Order A-3]

HOSPITAL LIQUIDS, INC

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to the provisions of Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, Order No. 92 under Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respect:

Paragraph (a) is amended to read as follows:

(a) *Manufacturer's maximum prices.* Hospital Liquids, Inc., 843 West Adams Street, Chicago 7, Illinois may add an adjustment charge of $0.05 per unit to its maximum prices in effect immediately prior to the issuance of this order for sales and deliveries to distributors and institutional users of the Compliter Administration Unit which it manufactures. This adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942.

This amendment shall become effective on the 6th day of July 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12194; Filed, July 5, 1945; 11:49 a. m.]

[MPR 188, Order 107 Under 2d Rev. Order A-3]

WOTTRING INSTRUMENT CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3, under § 1499.159b of Maximum Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Wottring Instrument Co., 405-12 Huntington Nat'l Bank Bldg., Columbus 15, Ohio, for sales of the Royal Rotoscope which it manufactures, may add an adjustment charge of $45.13 per unit to its maximum price to each class of purchaser, in effect immediately prior to the issuance of this order. This adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, allowances, discounts, and other price differentials in effect during March 1942, on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect prior to the issuance of this order, an adjustment charge in the same amount as the adjustment charge herein authorized for and which he pays to his supplier. If such a purchaser did not have an established maximum price for sales of the article prior to the issuance of this order, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable price regulation. If the applicable regulation requires maximum resale prices to be computed on the basis of costs, the reseller must find his maximum prices (without the permitted adjustment charge) by using as costs his invoice costs not including any adjustment charges stated on the invoice. On all sales except sales to ultimate consumers these additional adjustment charges may be made and collected only if they are separately stated on each invoice. The adjusted maximum prices are subject to each seller's customary terms, discounts and allowances on sales of the same or similar articles, to each class of purchaser.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 6th day of July 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12195; Filed, July 5, 1945; 11:50 a. m.]

[MPR 188, Amdt. 1 to Rev. Order 1986]

D AND G MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered*, That Revised Order No. 1986 under MPR 188 be amended in the following respect:

The last sentence of paragraph (a) (1) (i) is amended to read as follows:

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 26, 1944.

This amendment shall become effective on the 5th day of July 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12286; Filed, July 5, 1945; 11:46 a. m.]

[MPR 188, Corr. to Order 3825]

JAMISON MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, Order No. 3825 under MPR 188 is corrected as follows:

The last sentence of paragraph (a) (1) is corrected to read "These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated March 25, 1945".

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12197; Filed, July 5, 1945; 11:50 a. m.]

[MPR 188, Order 4036]

ABEST EQUIPMENT CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Abest Equipment Company of 366 Third Avenue, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to			
		Wholesalers (to jobbers)	Retailers (5 or more units)	Retailers (less than 5 units)	Consumers
Two burner electric hot plate 20 gauge metal baked wrinkle enamel finish, spot welded, two switches 4 foot cord and plug	711	*Each* $2.50	*Each* $3.00	*Each* $3.25	*Each* $5.00

These maximum prices are for the articles described in the manufacturer's application dated May 7, 1945, these prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That

tag or label shall contain the following statements with the correct model number and price filled in:

Either

Abest Equipment Company
366 Third Avenue
New York City, New York
Model No. 711
OPA Retail Ceiling Price $5.00 each
Price Includes Federal Excise Tax
Do Not Detach

Or

Order No. --------
Model No. 711
OPA Retail Ceiling Price $5.00 each
Price Includes Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of July 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12198; Filed, July 5, 1945; 11:50 a. m.]

[MPR 188, Order 4037]

MAJESTIC CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Majestic Company of Huntington, Ind.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Department and chain (stores)	Other retailers	Consumers
Aluminum dutch oven.	10¾ x 5"	*Each* $1.98	*Each* $2.37	*Each* $2.64	*Each* $3.95

These maximum prices are for the articles described in the manufacturer's application dated April 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method. § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$3.95
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of July 1945.

Issued this 5th day of July, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12199; Filed, July 5, 1945; 11:51 a. m.]

[MPR 188, Order 4038]

PAUL BOVING

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Paul Boving, P. O. Box 207, Lawndale, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer		For sales by any person to consumers
		To jobbers	To retailers	
12 inch glazed pottery table lamp base (no shade).	#300..	*Each* $2.97	*Each* $3.50	*Each* $6.30
13½ inch glazed pottery table lamp base (no shade).	#300..	3.40	4.00	7.20
18¼ inch glazed pottery table lamp base (no shade).	#400..	4.04	4.75	8.55

These maximum prices are for the articles described in the manufacturer's application dated April 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ----------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 6th day of July 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12200; Filed, July 5, 1945; 11:51 a. m.]

[MPR 188, Order 4039]

ECONOMY LIGHTING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Economy Lighting Company, 70 Newark Avenue, Jersey City, New Jersey.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer		For sales by any person to consumers
		To jobbers	To retailers	
Metal floorescent desk lamp with sprayed and baked enamel shade and marble-tone base or the same lamp with flock shade.	1	*Each* $5.52	*Each* $6.90	*Each* $11.70

These maximum prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ----------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 6th day of July 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12201; Filed, July 5, 1945; 11:51 a. m.]

[MPR 188, Order 4040]

DEHAAN & CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by DeHaan & Company, 1011 Diamond Street, Philadelphia 22, Pennsylvania.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hand made celanese lamp shades with triple ruching top and bottom.	3903-8"...	*Each* $3.10	*Each* $3.65	*Each* $6.57
	3903-10"...	3.53	4.15	7.47
	3903-16"...	4.97	5.85	10.53

These maximum prices are for the articles described in the manufacturer's application dated April 13, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ----------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 6th day of July 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12202; Filed, July 5, 1945; 11:52 a. m.]

[MPR 188, Order 4041]

PRIOR MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Prior Manufacturing Company, 4456 Germantown Avenue, Philadelphia 44, Pennsylvania.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
11½" Lacquered plaster table lamp with decal decoration and rayon shade.	101	*Each* $5.10	*Each* $6.00	*Each* $10.80
12" China table lamp with flower decal front and back—cloth fold handles and striping with ruffling trim rayon shade.	302	6.37	7.50	13.50
12½" Domestic china base with ceramic flower trim with ruching top and bottom trim rayon shade.	1050	12.30	14.74	26.17

These prices are for the articles described in the manufacturer's application dated February 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales

and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 6th day of July, 1945.

Issued this 5th day of July, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12203; Filed, July 5, 1945; 11:52 a. m.]

[MPR 188, Order 4042]

BED LIGHTS DE LUXE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bed Lights De Luxe, 243 West 55th Street, New York 19, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Dozen	*Dozen*	*Each*
Satin and taffeta bed light over taped wire frame with lace, braid and decorative doll trim.	1, 2, and 3.	$12.05	$14.18	$2.13

These maximum prices are for the articles described in the manufacturer's application dated March 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of July 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12204; Filed, July 5, 1945; 11:52 a. m.]

[MPR 188, Order 4043]

BILT-RITE LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bilt-Rite Lamp Company, 142 Graham Avenue, Brooklyn, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
Torchier lamp, bronze plated throughout with mogul socket and highlighted but without glass reflector; the weighted base to be so constructed as to eliminate the possibility of exposed edges of metal or other material cutting wires	100	$6.50	$7.75	$13.95
Junior floor lamp with 20" glass diffusing bowl, bronze plated and highlighted	200	5.95	7.00	12.60

These maximum prices are for the articles described in the manufacturer's application dated March 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ----
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 6th day of July, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12205; Filed, July 5, 1945; 11:52 a. m.]

[MPR 260, Amdt. 1 to Order 196]

H. F. SMELTZER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

The maximum prices for the "Nat Gray - Perfectos" and "Smeltzer's Smoker-Perfecto" cigars set forth in paragraph (a) of Order No. 196 under Maximum Price Regulation No. 260, are amended to read as follows: The frontmark "Perfecto" of "Nat Gray-Perfecto" is amended to "Londres".

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Nat Gray ... Smeltzer's Smoker.	Londres	50	$60	2 for 15
	Perfecto	50	60	2 for 15

This amendment shall become effective July 6th 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12206; Filed, July 5, 1945; 11:53 a. m.]

[MPR 260, Amdt. 1 to Order 263]

P. E. R.'s MFG. CO-OPERATIVE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1353.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

The maximum prices for the "King Carlos-Supreme" cigars set forth in paragraph (a) of Order No. 263 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
King Carlos	Supreme	50	$64	8

This amendment shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12207; Filed, July 5, 1945; 11:53 a. m.]

[MPR 260, Amdt. 1 to Order 350]

C. D. MYERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

The maximum prices for the "King V–Queens" and "Gov't Seal-Perfectos" cigars set forth in paragraph (a) of Order No. 350 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
King V	Queens	50	$60	2 for 15
Gov't Seal	Perfectos	50	60	2 for 15

This amendment shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12208; Filed, July 5, 1945; 11:53 a. m.]

[MPR. 260. Amdt. 1 to Order 366]

PENN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102(b) of Maximum Price Regulation No. 260, *It is ordered,* That

The maximum prices for the "Solita-Perfecto" cigars set forth in paragraph (a) of Order No. 366 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Solita	Perfecto	50	$48	6

This amendment shall become effective July 6th, 1945.

Issued this 5th day of July, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12209; Filed, July 5, 1945; 11:54 a. m.]

[MPR 260, Amdt. 1 to Order 535]

DEMETRIO MARTINEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

The maximum prices for the "O'Halloran & Garcia-Nacionales," "Denez-Reinas," "Denez-Cadets," "O'Halloran & Garcia-Queens," "O'Halloran & Garcia-Brevas Grande" cigars set forth in paragraph (a) of Order No. 535 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
O'Halloran & Garcia.	Nacionales [1]	50	$162.00	25
Denez	Reinas [1]	50	75.00	10
	Cadets [1]	50	93.75	2 for 25
O'Halloran & Garcia.	Queens [1]	50	169.00	22
	Brevas Grande [1]	50	169.00	22

[1] Prices apply to this brand and frontmark of tobacco composition specified in amended application only.

This amendment shall become effective July 6, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12210; Filed, July 5, 1945; 11:54 a. m.]

[MPR 260, Amdt. 1 to Order 774]

DIXIE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinon accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulaion No. 260; *It is ordered,* That:

The maximum prices for the "Dixie-de-Luxe" and "Ca-fel" cigars set forth in paragraph (a) of Order No. 774 under Maximum Price Regulation No. 260, are amended to read as follows. Frontmarks are also added to these brands of cigars.

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Dixie De Luxe	Corona [1]	50	$72	9
	Perfecto [1]	50	72	9
Ca-Fel	Corona [1]	50	72	9
	Perfecto [1]	50	72	9

[1] Prices apply to this brand and frontmark using tyipe 62 prime light wrappers only.

This amendment shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12212; Filed, July 5, 1945; 11:55 a. m.]

[MPR 260, Order 1462]

RAMON ORTIZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ramon Ortiz, 822 E. 149 Street, New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ray Cigar	Panetella	50	$72	9
	Corona 5"	50	64	8
	Corona 4¼"	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12217; Filed, July 5, 1945; 11:56 a. m.]

[MPR 260, Order 1463]

PEREZ-LOPEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Perez-Lopez Cigar Factory, 2903 12th Street, Tampa, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Rosalia	Victory	50	$101.25	2 for 27
	Idels	50	90.00	12
	Lon Gde	50	115.00	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12218; Filed, July 5, 1945; 11:57 a. m.]

[MPR 260, Order 1464]

EL CUBANO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) El Cubano Cigar Factory, 1308 10th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Paloma	Sylvia	50	$97.50	13
	Little Kings	50	64.00	8
	Pinos	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12219; Filed, July 5, 1945; 11:57 a. m.]

[MPR 260, Order 1465]

THERESA V. ACOSTA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Theresa V. Acosta, 1346 Green Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12220; Filed, July 5, 1945; 11:57 a. m.]

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
T. V. A. Cigar	T. V. A. 5½"	50	$56	7
	T. V. A. 5"	50	56	7
	T. V. A. 4"	50	44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12221; Filed, July 5, 1945; 11:57 a. m.]

[MPR 260, Order 1466]

ALEJO BURGOS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Alejo Burgos, Nueva St. #11, Cayey, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Brevas	Brevas 5 inches	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order; but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12221; Filed, July 5, 1945; 11:57 a. m.]

[MPR 260, Order 1467]

DADE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Dade Cigar Factory, 72 North West 5th Street, Miami, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cavalier	Panetela	50	$123.00	16
	Perfecto	50	93.75	2 for 25
Dade	Panetela	50	123.00	16
	Perfecto	50	93.75	2 for 25
	Reinas	50	90.00	12
Cavalier	Sublime	50	115.00	15
	Kings	50	115.00	15
	Corona & Corona.	50	192.00	25
Cavalier	do	50	192.00	25
Dade	Smokers	50	56.00	7
	Regals	50	169.00	22
Cavalier	do	50	169.00	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12222; Filed, July 5, 1945; 11:58 a. m.]

[MPR 260, Order 1468]

ANSELMO FALERO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Anselmo Falero, Post Office Box 223, Cayey, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Torito	Breva Especial	50	$48	6
	Washington	50	131	17
	Corona Especial	50	90	12
	Special Little Corona	50	72	9
	Little Corona	50	75	10
	Perfecto	50	90	12
	Breva Corriente	50	44	2 for 11
	Breva Corriente-Open Head	50	44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12223; Filed, July 5, 1945; 11:58 a. m.]

[MPR 260, Order 1469]

TAVANA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tavana Cigar Factory, 3308 16th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Tavana	Kings	50	*Per M* $101.25	*Cents* 2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12224; Filed, July 5, 1945; 11:59 a. m.]

[MPR 260, Order 1470]

JAIME E. CURET

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jaime E. Curet, Allen St., #77 San Juan 15, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Try-A-Rico Corona	5¼ inches	50	$97.50	13
Panetela Selecta	5¼ inches	50	97.50	13
San Rico Corona	4½ inches	50	90.00	12
Try-A-Rico Petit Corona	4¾ inches	50	56.00	7
Try-A-Rico Comodoro	4½ inches	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12225; Filed, July 5, 1945; 11:59 a. m.]

[MPR 260, Order 1471]

LYRA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lyra Cigar Company, 5813 Jonquil Avenue, Baltimore, Md. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lyra	Private Stock	50	$185	24

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the

same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12226; Filed, July 5, 1945; 11:59 a. m.]

[MPR 260, Order 1472]

JOSEPHINE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Josephine Cigar Factory, 1520 13th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Josephine	Gilda	50	$93.75	2 for 25
	Especiales	50	75.00	10
	Cadet	50	108.75	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12227; Filed, July 5, 1945; 11:59 a. m.]

[MPR 260, Order 1473]

PABLO CARCEL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pablo Carcel, 1987 Arthur Avenue, Bronx 57, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Anadora Cigar	Corona C	50	$64	8
	Queen Size	50	131	17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12228; Filed, July 5, 1945; 12:00 m.]

[MPR 260, Order 1474]

MARCELINO AND DELIA LEARA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Marcelino and Delia Leara, 154 East 106th Street, New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
	Corona 5¼"	50	$108.75	2 for 29
	Corona 4½"	50	48.00	6
	Corona 5"	50	82.50	11
	Half Corona 4½"	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12229; Filed, July 5, 1945; 12:00 m.]

[MPR 260, Order 1475]

E & J CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) The E & J Cigar Co., 23 Main St., Northampton, Mass. (hereinafter called "manufacturer,") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
John Pynchon	Londres	50	$75.75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12230; Filed, July 5, 1945; 12:01 p. m.]

[MPR 260, Order 1476]

H. C. DIAZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H. C. Diaz Cigar Factory, 1809 14th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
C–K	Conchitas	50	$75	10
	Londres	50	90	12
	Bostons	50	90	12
Garcia Montes	Trabadores	50	123	16
	Perfectos, Jr.	50	138	18
	Gloritas	50	184	50
	Panetelas	50	138	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12231; Filed, July 5, 1945; 12:01 p. m.]

[MPR 260, Order 1477]

PALMER KREIDLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Palmer Kreidler, Yoe, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Harding Highway	Invincible	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12232; Filed, July 5, 1945; 12:01 p. m.]

[MPR 260, Order 1478]

MARY URPESS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mary Urpess, 11240 Mack Avenue, Detroit 14, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Gold Band	Perfecto	50	$82.50	11
	Corona 5¾"	50	115.00	15
	Panetila	50	75.00	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12233; Filed, July 5, 1945; 12:02 p. m.]

[MPR 260, Order 1479]

DEFIANCE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Defiance Cigar Co., 252 E. High Street, Hicksville, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
C. O. D.	Invincibles	50	$66	7
Armstrong	do	50	$72	9
General Maunder-son	do	50	$72	9
Moss	do	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12234; Filed, July 5, 1945; 12:02 p. m.]

[MPR 260, Order 1480]

ALBERT & INDELACIO NIEVES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Albert & Indelacio Nieves, 7 West 113th Street, New York City, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
None	Corona 5¾"	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12235; Filed, July 5, 1945; 12:02 p. m.]

[MPR 260, Order 1481]

CARMEN AMERICA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Carmen America Cigar Factory, 2101 N. Armenia Avenue, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Alva De America	Reinas	50	$108.00	18
	Cabetes	50	97.50	13
	Smoky's	50	72.00	9
	Coronitas	50	97.50	13
	Panetellas	50	97.50	13
	Blunts	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12236; Filed, July 5, 1945; 12:03 p. m.]

[MPR 260, Order 1482]

FILOMENO TORRES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Filomeno Torres, Baldorioty Street, Cidra, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tops	6⅞ Corona	50	$48	6
Commando	4⅞ Corona	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12237; Filed, July 5, 1945; 12:03 p. m.]

[MPR 260, Order 1483]

RAFAEL C. FELICIANO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rafael C. Feliciano, Rivas No. 3, Ponce, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tropical	5¼ inches	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12238; Filed, July 5, 1945; 12:03 p. m.]

[MPR 260, Order 1484]

CENTROSA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Centrosa Cigar Company, 10 Betances Street, Box 551, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
St. Rosa	Pichulin	50	$26.65	3 for 10
	Twins	50	36.00	2 for 9
Centrosa	Kings	50	82.50	11
	Favorito	50	82.50	11
	Queens	50	82.50	11
	Sublimes	50	97.50	13
	Master	50	123.00	16
	Coronas	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12239; Filed, July 5, 1945; 12:03 p. m.]

[MPR 260, Order 1485]

ERNESTO SERRANO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ernesto Serrano Bo. Palmarejo Corozal, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tutano	4½ inch	50	$28	2 for 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the

[Supp. Order 94, Rev. Order 59]

U. S. DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR WOODEN VICTORY TRAINER RIFLES AND RIFLE SLINGS

Order 59 under Supplementary Order 94 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, *it is ordered:*

(a) *What this order does.* This order establishes maximum prices for resellers of certain Army wooden victory trainer rifles and rifle slings hereinafter described which have been or may be purchased from the United States Department of Commerce.

(b) *Maximum prices.* Maximum prices per new or used rifle and rifle sling described herein shall be:

Article and description	Price for all sales at wholesale, f. o. b. shipping point	Price for all sales at retail
Army wooden victory trainer rifle without regulation leather or web sling, butt-metal, 37" to 39" overall length, muzzle metal bolt, 3 swivels, front sight, trigger and trigger guard	$2.70	$4.50
New or used regulation leather or web rifle sling	.30	.50

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the rifles or rifle slings described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum prices, and stating that the retailer is required by this order to attach to each rifle or rifle sling before sale a tag or label stating the appropriate retail ceiling price.

(e) *Tagging.* Any person who sells the rifles or rifle slings described in paragraph (b) at retail shall attach to each rifle or rifle sling before sale a tag or label which plainly states the appropriate retail ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Sale at wholesale" is a sale by any person to any other person who is not a user or ultimate consumer.

(2) "Sale at retail" is a sale by any person to a user or ultimate consumer.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 9, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12263; Filed, July 6, 1945; 11:02 a. m.]

[Supp. Order 94, Revocation of Order 44]

U. S. DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR CERTAIN CHINA SAUCERS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, *It is ordered:*

(a) Order No. 44 under Supplementary Order 94 issued March 31, 1945 establishing maximum prices for resellers of white vitrified china saucers is hereby revoked.

This order of revocation shall become effective July 9, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12262; Filed, July 6, 1945; 11:01 a. m.]

[Supp. Order 94, Order 57]

U. S. DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR CERTAIN VITRIFIED CHINAWARE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94 it is ordered:

(a) *What this order does.* This order establishes maximum prices at which new and used vitrified chinaware hereinafter described may be sold by the Department of Commerce and by any subsequent reseller.

(b) *Maximum prices.* (1) Maximum prices per unit for the new vitrified chinaware, with or without insignia, in heavy (thickware) and hotel weights more particularly described herein shall be:

(i) For sales by the Department of Commerce to dealers, the prices set forth in Column I.

(ii) For sales by the Department of Commerce to retailers, the prices set forth in Column II.

(iii) For sales by all persons other than the Department of Commerce to industrial or institutional users and retailers, the prices set forth in Column III.

(iv) For all sales by retailers, the prices set forth in Column IV.

Item	Description	I	II	III	IV
Boat	Gravy—11 oz	0.55	0.73½	0.79	1.45
Boat	Sauce	.41	.54⅝	.58¾	1.07
Bowl	General Use—Thickware—5¾"—C. M. G	.15	.20	.21½	.39
Bowl	Salad—Hotel weight—9½"—C. M. G	.64	.85½	.91¾	1.67
Bowl	Sugar, individual—5 oz	.22	.29½	.31¾	.57
Bowl	Sugar—Thickware—17 oz—C. M. G	.30	.40	.42¾	.78
Cup	After dinner—Hotel weight—3½ oz, handled—C. M. G	.10	.13½	.14½	.26
Cup	Bouillon—Hotel weight—7½ oz.—C. M. G	.18	.24	.25¾	.47
Cup	Coffee—Thickware—9¾ oz, handled—C. P. O	.15	.20	.21½	.39
Cup	Coffee—Thickware—13-oz, 3¾" unhandled—C. M. G	.14	.18½	.20	.36
Cup	Coffee or Tea—Hotel weight—7½ oz	.13	.17⅜	.18¾	.34
Mug	Coffee with handle—8 oz	.16	.21½	.23	.42
Cup	Egg—Hotel weight—6½ oz.—O. M. G	.12	.16	.17¼	.32
Dish	Butter—Hotel weight—individual3½" hospital	.035	.04⅝	.05	.09
Dish	Butter—Thickware—individual3½" C. M. G	.035	.04⅝	.05	.09
Dish	Fruit or sauce—Hotel weight 5⅜" O. M. G	.08	.10⅝	.11½	.21
Dish	Oatmeal—6½"	.17	.22½	.24½	.44
Dish	Pickle or Celery—Hotel weight—7½" O. M. G	.30	.40	.42¾	.77
Dish	Pickle—9¼"	.36	.48	.51¾	.94
Dish	Vegetable, individual—5¾"	.13	.17⅜	.18¾	.34
Dish	Vegetable, round or oval type	.37	.50⅜	.53	.97
Pitcher	1½ oz	.10	.13½	.14¾	.26
Pitcher	4½ oz	.14	.18½	.20	.36
Pitcher	General use—Thickware 1½ pts.—C. M. G	.36	.48	.51¾	.94
Pitcher	1½ pts	.42	.56	.60	1.09
Pitcher	General use—Thickware—3 pts.—C. M. G	1.50	2.00	2.15	3.89
Plate	Bread and Butter—Hotel weight 6½" O. M. G	.09	.12	.13	.24
Plate	Breakfast—Hotel weight—9"—O. M. G	.17	.24	.25¾	.47
Plate	Dessert or Salad—Hotel weight—7⅝"—O. M. G	.11	.14⅝	.15¾	.29
Plate	Dinner—Hotel weight—9⅝"—O. M. G	.21	.28	.30	.55
Plate	Dinner—Thickware—9"—C. M. G	.17	.22⅝	.24⅝	.44
Plate	Soup, cereal and fruit—Hotel weight—7"—O. M. G	.16	.21½	.23	.42
Plate	Soup—Hotel weight—8"—O. M. G	.19	.25⅜	.27¼	.49
Platter	Meat—Thickware—13½"—C. M. G	.41	.54⅝	.58¾	1.06
Pot	Mustard, 4 oz	.17	.22⅝	.24⅝	.44
Pot	Mustard with cover, 6½"	.21	.28	.30	.55
Saucer	After-dinner coffee—Hotel weight—4⅞"—O. M. G	.075	.10	.10¾	.20
Saucer	5¾"	.08	.10⅝	.11½	.21
Saucer	Coffee, tea, bouillon—Hotel weight—6⅛"	.09	.12	.13	.24
Saucer	Coffee—7"	.09	.12	.13	.24
Saucer	Fruit—6"	.09	.12	.13	.24
Saucer	Tea—Thickware—6¼"—C. M. G	.07	.09½	.10	.18

Abbreviations:
C. M. G.—Crew's Mess Gear.
C. P. O.—Chief Petty officers.
O. M. G.—Officer's Mess Gear.

(2) Maximum prices for used vitrified chinaware described herein shall be:

(i) 75% of the above maximum prices if the article is not chipped, and has the serviceability of a new article.

(ii) 33⅓% of the above maximum prices if the article is chipped or does not have the serviceability of a new article.

(3) All the aforesaid maximum prices, except in the case of sales at retail, are f. o. b. shipping point.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the chinaware described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the maximum prices for sales at retail, and stating that the retailer is required by this order to conspicuously display at the place where the chinaware is offered for sale a suitable sign which plainly states the retail ceiling prices.

(e) *Tagging.* Any person who sells the chinaware described in paragraph (b) at retail shall conspicuously display at the place where it is offered for sale a suitable sign which plainly states the retail ceiling prices.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Retailer" means any person who sells to a user or ultimate consumer, except industrial or institutional users.

(2) "Dealer" means any person who sells to purchasers for resale and to industrial and institutional users.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 9, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12264; Filed, July 5, 1945; 11:02 a. m.]

[Supp. Order 94, Rev. Order 59]

U. S. DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR WOODEN VICTORY TRAINER RIFLES AND RIFLE SLINGS

Order 59 under Supplementary Order 94 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, *it is ordered:*

(a) *What this order does.* This order establishes maximum prices for resellers of certain Army wooden victory trainer rifles and rifle slings hereinafter described which have been or may be purchased from the United States Department of Commerce.

(b) *Maximum prices.* Maximum prices per new or used rifle and rifle sling described herein shall be:

Article and description	Price for all sales at wholesale, f. o. b. shipping point	Price for all sales at retail
Army wooden victory trainer rifle without regulation leather or web sling, butt-metal, 37" to 39" overall length, muzzle metal bolt, 3 swivels, front sight, trigger and trigger guard	$2.70	$4.50
New or used regulation leather or web rifle sling	.30	.50

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the rifles or rifle slings described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum prices, and stating that the retailer is required by this order to attach to each rifle or rifle sling before sale a tag or label which plainly states the appropriate retail ceiling price.

(e) *Tagging.* Any person who sells the rifles or rifle slings described in paragraph (b) at retail shall attach to each rifle or rifle sling before sale a tag or label which plainly states the appropriate retail ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Sale at wholesale" is a sale by any person to any other person who is not a user or ultimate consumer.

(2) "Sale at retail" is a sale by any person to a user or ultimate consumer.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 9, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12263; Filed, July 6, 1945; 11:02 a. m.]

[Supp. Order 94, Order 58]

U. S. DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR WISCONSIN AMERICAN CHEESE, CHEESE BOXES AND CHEESE HOOPS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 7a of 2d Revised Maximum Price Regulation 195, it is ordered:

(a) *What this order does.* This order establishes maximum prices for Wisconsin American Cheese, Cheese Boxes and Cheese Hoops issued by the State Department of Agriculture at Madison, Wisconsin.

(b) *Maximum prices.* The maximum prices for cheese boxes shall be as follows:

Cheese box	Maximum price per box	
	F. o. b. plant	Delivered
	Cents	Cents
Single Daisy	20½	
Double Daisy	20½	
Long Horn	20½	
Cheddar (with cover)	20½	
Cheddar (without cover)	20½	
Cheddar cover	20½	
Young American	20½	
Square Prints	20½	
Flat Boxes	20½	
Single Midget	20½	
Twin Midget	20½	
Single Long Horn	20½	
Twin Long Horn	20½	
Type A-1 Export (with cover)	20½	
Type A-2 Export (with cover)	20½	
Type A-3 Export (with cover)	20½	
Type A-3 Export cover	20½	
Sandwich Loaf	20½	
5# Block	20½	

(c) *Maximum prices.* The maximum prices per new or used rifle and rifle sling described herein shall be:

Article and description	Price for all sales at wholesale, f. o. b. shipping point	Price for all sales at retail
Army wooden victory trainer rifle without regulation leather or web sling, butt-metal, 37" to 39" overall length, muzzle metal bolt, 3 swivels, front sight, trigger and trigger guard	$2.70	$4.50
New or used regulation leather or web rifle sling	.30	.50

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the rifles or rifle slings described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum prices, and stating that the retailer is required by this order to attach to each rifle or rifle sling before sale a tag or label which plainly states the appropriate retail ceiling price.

(e) *Tagging.* Any person who sells the rifles or rifle slings described in paragraph (b) at retail shall attach to each rifle or rifle sling before sale a tag or label which plainly states the appropriate retail ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Sale at wholesale" is a sale by any person to any other person who is not a user or ultimate consumer.

(2) "Sale at retail" is a sale by any person to a user or ultimate consumer.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 9, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12265; Filed, July 6, 1945; 11:02 a. m.]

[MPR 260, Amdt. 1 to Order 1039]

FLORIDA CIGAR MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

The maximum prices for the "Cuba Libres" cigars set forth in paragraph (a) of Order No. 1039 under Maximum Price Regulation No. 260, are amended to read as follows. A frontmark "Straight" is also added.

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cuba Libres	Straight	50	$75	10

This amendment shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12211; Filed, July 5, 1945; 11:54 a. m.]

[MPR 260, Order 1460]

GEORGE W. FOREMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) George W. Foreman, R. D. #3, York, Penna. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Truno	Kings	50	$134	2 for 35

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not

be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12215; Filed, July 5, 1945; 11:56 a. m.]

[MPR 260, Order 1461]

JOSÉ ORTEGA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) José Ortega, Goergetty St., Naranjito, Puerto Rico (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Breva	4.75"*	80	844	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 6th, 1945.

Issued this 5th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12216; Filed, July 5, 1945; 11:56 a. m.]

[MPR 260, Order 1435]

PENINSULAR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

Correction

In the document appearing on page 8317 of the issue for Thursday, July 5, 1945, the Federal Register serial number should read "45-11887".

Regional and District Office Orders.

[Region VIII Order G-20 Under RMPR 333, Amdt. 2]

EGGS AND EGG PRODUCTS IN CALIFORNIA

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-20 under Revised Maximum Price Regulation No. 333 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) *Applicability.* This order adjusts maximum prices of clean shell eggs containing no visible checks produced in the counties of Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Mariposa, Merced, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tulare and Ventura, in the State of California, and sold by producers, producer cooperatives, producer associations, prior purchasers, or any agent of any of the foregoing, to any person other than a household consumer. It does not apply, however, to sales of consumer grade shell eggs which have been received, handled, individually candled, graded into consumer grades, and packaged in a plant owned or controlled by the seller when (1) such eggs are delivered to the premises of retailers (including retail route sellers), wagon wholesalers, purveyors of meals, or United States government agencies in facilities owned or controlled by the seller, or when (2) such eggs are sold to such buyers f. o. b. the seller's plant by a seller who, for a period of two years prior to the issuance of this order, has made a substantial portion of his sales in such manner f. o. b. his plant, and who has applied to and received from the District Office of the Office of Price Administration having jurisdiction over his selling establishment permission to make such undelivered sales; applications made under this paragraph shall show and be supported by records showing substantial sales of shell eggs in the manner indicated.

This amendment to Order No. G-20 shall become effective June 27, 1945.

Issued this 22d day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-12105; Filed, July 4, 1945; 4:14 p. m.]

[Region I Supp. Order 8 Under RMPR 122, Amdt. 9]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 8 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Paragraph (c) is amended by adding the following to the Table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Coarse:				
Broken, egg, stove, chestnut, and pea	*Cents* 50	*Cents* 25	*Cents* 15	None
Buckwheat	35	20	10	None
Rice	15	10	None	None

This Amendment No. 9 shall become effective June 12, 1945.

Issued this 12th day of June, 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-11116; Filed, July 4, 1945; 4:18 p. m.]

[Region I Supp. Order 13 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That:

(a) The specific maximum prices in effect on June 17, 1945, for Pennsylvania Anthracite under the Region I orders under Revised Maximum Price Regulation No. 122, listed in paragraph (b) of this order, (including, where applicable, the specific maximum prices listed in said orders as reduced by Region I, Supplementary Orders #7 and #8, under Revised Maximum Price Regulation No. 122) shall, on and after June 18, 1945, be increased as follows:

Size	Unit	Increase
Broken, egg, stove, and chestnut	Net ton	$1.00
Pea	do	.85
Buckwheat and rice	do	.50
Barley and smaller	do	.25
All sizes	Upton and ¼ ton	(1)
Broken, egg, stove, and chestnut	100 pounds	.05
Pea	do	.05
Buckwheat and rice	do	None
Barley and smaller	do	None
Yard screenings	Ton	.75

[1] Amounts arrived at by application of formulas originally used in the order for half and quarter-ton prices to the new increased net ton price.

The foregoing shall apply to all schedules of specific dollars-and-cents prices for Pennsylvania Anthracite (including any named anthracites) in said orders.

(b) *Orders affected.* The provisions of paragraph (a) above shall apply to Region I Orders under Revised Maximum Price Regulation No. 122, as follows:

Order Number:	*Area*
G-11	Lawrence, Mass.
G-12	Haverhill, Mass.
G-13	Lynn-Salem, Mass.
G-14	Lowell, Mass.
G-15	Manchester, N. H.
G-16	Brockton, Mass.
G-17	Taunton, Mass.
G-18	New London, Conn.
G-19	Concord, N. H.
G-21	Nashua, N. H.
G-22	Worcester, Mass.
G-23	Stoughton, Mass.
G-24	Bridgeport, Conn.
G-25	Portland, Maine.
G-26	Portsmouth-Kittery, N. H.
G-28	Bangor, Maine.
G-29	Lewiston-Auburn, Maine.
G-30	Augusta, Maine.
G-31	Brunswick, Maine.
G-32	Rockland, Maine.
G-33	Biddeford-Saco, Maine.
G-34	Bath, Maine.
G-35	Hampton-Seabrook, N. H.
G-36	Dover-Exeter, N. H.
G-38	Milford-Hopedale, Mass.
G-39	Providence, R. I.
G-40	Rutland, Vt.
G-41	Adams, Mass.
G-42	Bennington, Vt.
G-43	Manchester, Vt.
G-44	Danbury, Conn.
G-45	White River Junction, Vt.
G-46	Hartford, Conn.
G-47	New Haven, Conn.
G-48	Brattleboro-Keene, Vt.
G-49	Middletown, Conn.
G-50	St. Albans, Vt.
G-51	Waterbury, Conn.
G-52	Putnam, Conn.
G-53	Bellows Falls, N. H.-Vt.
G-54	Burlington, Vt.
G-55	Willimantic, Conn.
G-56	Montpelier, Vt.
G-57	Norwich, Conn.
G-58	St. Johnsbury, Vt.
G-59	Winsted, Conn.
G-60	Springfield, Vt.; Claremont, N. H.
G-61	New Britain, Conn.
G-62	Torrington, Conn.
G-63	Woonsocket, R. I.
G-64	New Bedford, Mass.
G-65	Attleboro, Mass.
G-66	Fitchburg, Mass.
G-67	Gardner, Mass.
G-68	Fall River, Mass.
G-69	Southbridge, Mass.
Amendment 1 to G-70	Plymouth, N. H.
Amendment 2 to G-70	Greenfield, Mass.
Amendment 3 to G-70	Pittsfield, Mass.
Amendment 4 to G-70	Springfield, Mass.
Amendment 5 to G-70	Holyoke, Mass.
Amendment 8 to G-70	Amherst, Mass.
Amendment 9 to G-70	Metropolitan Boston.
Amendment 10 to G-70.	Berlin, N. H.
Amendment 17 to G-70.	Southern Berkshire.
Amendment 23 to Order G-70.	Stamford-Norwalk, Conn.
Amendment 25 to Order G-70	North Country, N. H.
Amendment 33 to Order G-70	Laconia-Franklin, N. H.

This Supplementary Order No. 13 shall become effective as of 12:01 a. m., June 18, 1945.

Issued this 18th day of June, 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-12115; Filed, July 4, 1945; 4:18 p. m.]

[Region II Order G-1 Under RMPR 251]

INSTALLED RE-SIDING AND RE-ROOFING AND RELATED AND INCIDENTAL CONSTRUCTION WORK IN NEWARK, N. J., AREA

An opinion accompanying this order issued simultaneously herewith, has been filed with the Division of the Federal Register.

In the judgment of the Regional Administrator of Region II of the Office of Price Administration, the maximum prices established and the Regulations prescribed by this order are generally fair and equitable, are necessary to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and do not exceed the general level of prices fixed by Revised Maximum Price Regulation No. 251.

Therefore, under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by section 9 of Revised Maximum Price Regulation No. 251, this order is hereby issued.

SECTION 1. *Transactions covered by this order.* This order covers all sales of composition re-siding and re-roofing on an installed basis, together with accessories on residential structures in the area hereinafter described. It also includes related and incidental construction work when sold by installers of re-siding and re-roofing, where such sale is made as a part of a general contract or not.

The term "composition re-siding" includes asphalt shingle re-siding, asbestos cement re-siding, insulated brick or stone re-siding and roll brick re-siding but shall not include wood shingles or wood re-siding.

The term "re-roofing" includes composition re-roofing such as asphalt shingles and mineral surface roll re-roofing and smooth surface roll re-roofing but does not include wood, metal or slate re-roofing.

The term "related" and "incidental" construction work means any installation of building materials or construction work other than installed re-roofing and re-siding, when sold by installers of re-roofing and re-siding.

SEC. 2. *Relationship of this order to Revised Maximum Price Regulation No. 251.* (a) The provisions of this order supersede sections 6, 7 and 8 of Revised Maximum Price Regulation No. 251 with respect to sales of re-roofing and composition re-siding on an installed basis on residential structures and with respect to related and incidental construction work sold by installers of composition re-siding and re-roofing on an installed basis. All other provisions of Revised

Maximum Price Regulation No. 251 are applicable to transactions subject to this order unless otherwise provided in this order.

(b) On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell, offer to sell or deliver composition re-siding and re-roofing on residential structures on an installed basis or related and incidental construction work as herein defined at prices higher than the maximum prices established by this order, *Provided*, That deliveries made not more than thirty days after the effective date of this order on bona fide contracts executed prior to the effective date of this order shall not be considered to be violations of this order.

(c) An employer paying or about to pay labor rates higher than those in effect for him on the effective date of this order by reason of the predetermination of wage rates by the Secretary of Labor under the Davis-Bacon Act or any order or authorization of the Wage Adjustment Board, National War Labor Board or Economic Stabilization Director, may file an application for an amendment of this order to reflect such increased labor rates. Such a petition for amendment shall conform in all respects to the provisions of Revised Procedural Regulation No. 1, except that it shall be filed with the New York Regional Office of the Office of Price Administration.

SEC. 3. *Applicability.* This order shall apply in the Newark, N. J., area which includes the counties of Essex, Hudson, Bergen, Passaic, Union, Morris and Sussex, all in the State of New Jersey.

SEC. 4. *Maximum prices for sales of composition re-siding and re-roofing on an installed basis.* The maximum prices for sales of composition re-siding and re-roofing on an installed basis on residential structures shall be as shown in the following tables, known as Table I and II, and shall be upon a price per square basis. Table I covers prices for composition re-siding and accessories, and Table II covers prices for re-roofing and accessories.

TABLE I—COMPOSITION RE-SIDING PRICES

	Per square
Asbestos cement re-siding, standard surface hardness 12 x 24" or 12 x 27"	$26.00
Asbestos cement re-siding of extra hard surface 12 x 24" or 12 x 27"	30.00
Insulated brick or stone re-siding—14⅛ x 43⅞", 13⅞ x 43⅛" and 14 x 43"	32.00
Asphalt strip type re-siding—167 lbs.	16.00
Giant individual shingle re-siding, laid wide space method 7½" exposure—(when this shingle is laid in wide space other than 7½" exposure, American method, Dutch lap method or other methods, the price varies from the above in proportion to the quantity of material used)	17.00
Roll brick re-siding	16.00

The above prices include nails, caulking, joint strips, and lath strips when used to prevent tipping and for nailing purposes. Approximately one bundle of lath required for ordinary house.

TABLE I—COMPOSITION RE-SIDING PRICES—Continued

RE-SIDING ACCESSORIES FOR WHICH EXTRA CHARGES MAY BE MADE AS STATED BELOW

Corner pieces for asphalt brick residing.	40¢ per ft.
Rolled corners on roll brick residing.	25¢ per ft.
Soldier course on insulated brick.	15¢ per ft.
Soldier course on roll brick.	10¢ per ft.
Zinc corner bead	15¢ per ft.
Lath (400 ft. per bundle) after 1st bundle.	$4.00 per bundle.
15 lb. felt	$1.50 per square.
30 lb. felt and smooth surface rolls.	$2.50 per square.
35 lb. felt smooth surface rolls in 12" widths.	$3.00 per square.
Building paper	$1.00 per square.
Moulding (quarter round to ¾" and band up to 1½").	5¢ per ft.
Rabbitted moulding	14¢ per ft.
Backer board	$5.00 per square.
Removing stucco	$5.00 per square.
All shingles above the second floor ceiling, extra charge.	$3.00 per square.
Applying shingles to the second floor when the first floor is not covered, extra charge.	$2.00 per square.

TABLE II—REROOFING PRICES

	Per square
12" (3 in line) strip shingle—210 lbs.	$17.50
11½ hexagon strip shingle—167 lbs.	15.00
Reroofer type shingle standard weight—135 to 140 lbs	15.00
Reroofer type heavy weight—160 to 162 lbs	16.00
Giant individual Dutch lap method 160 to 162 lbs. with clips (when this shingle is laid in American method or other methods, the price varies from above in proportion to the quantity of material used)	16.50
Slate surface roll reroofing—90 lbs. (apply to roofs having a pitch of 1–5")	10.00
Slate surface roll reroofing—90 lbs. (apply to roofs having a pitch greater than 1–5")	12.00
Smooth surface roll reroofing—55 lbs.	9.00
Smooth surface roll reroofing—65 lbs.	10.00
Smooth surface roll reroofing in plastic slate—55 lbs.	13.00
Smooth surface roll reroofing in plastic slate—65 lbs.	14.00
Double coverage smooth surface roll re-roofing in plastic slate or other cold adhesive—55 lbs	22.00
Double coverage smooth surface roll re-roofing in plastic slate or other cold adhesive—65 lbs	23.00
Double coverage smooth surface roll re-roofing in plastic slate or other cold adhesive—45 lbs	21.00
Cap sheet double coverage smooth surface roll re-roofing in plastic slate or other cold adhesive—34 lbs.	18.50

The above prices include nails, mastic and flashing around chimneys and vents.

REROOFING ACCESSORIES FOR WHICH EXTRA CHARGES MAY BE MADE AS STATED BELOW

Hip and ridge shingles	15¢ per ft.
Slate surface rolls—90 lbs. (used on valleys, ridges or other sections of roofs).	$10.00 per square.
15 lbs. felt	$1.50 per square.
30 lb. felt	$2.50 per square.
35 lb. smooth surface rolls (when cut in 12" widths).	$3.00 per square.

TABLE II—REROOFING PRICES—Continued

REROOFING ACCESSORIES FOR WHICH EXTRA CHARGES MAY BE MADE AS STATED BELOW—continued.

Lath (400 ft. per bundle) after 1st bundle.	$4.00 per bundle.
Bevel boards (per 100 lineal ft.).	$1.70.
Backer board	$5.00 per square.
Single drip course of wood shingles.	25¢ per ft.
Double drip course of wood shingles.	45¢ per ft.
Rake strip for drip course of wood 5/4 x 3" (wider boards priced proportionately).	25¢ per ft.
Yankee gutters relined	25¢ per ft.
Box gutters relined	35¢ per ft.
Replaced boards on Yankee gutters.	30¢ per ft.
Galvanized tubes without flange.	$1.50 per tube
Galvanized tubes with flange.	$2.00 per tube
Galvanized eave strip or rake strip.	15¢ per ft.
To remove wooden, asphalt, asbestos or slate shingles.	$5.00 per sq

On all sales of composition re-siding and re-roofing on an installed basis covered by this order, where the maximum price of the entire job figured in accordance with Tables I and II of this Order is less than $50.00, the seller may make a minimum charge of $50.00.

On all sales of composition re-siding and re-roofing on an installed basis covered by this order, an additional charge of 50% of the maximum price per square may be made for the actual areas only which consist of the following on re-siding jobs; bay windows, towers, eye brows, dormer gables and dormer checks, porch columns, bulkheads and arches; on re-roofing jobs—towers, eye brows, bay windows, overhangs and shelves.

SEC. 5. *Guaranteed price.* A seller may sell a composition re-siding or re-roofing job covered by this order on the basis of a guaranteed price, but such guaranteed price must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order.

SEC. 6. *Related and incidental construction work.* If on any job, any installed building materials are furnished or any construction service performed by the seller, other than composition re-siding and re-roofing, the cost of such work shall not be included in the cost of installed composition re-siding and re-roofing, but shall be separately priced and billed on all invoices. The maximum price of any such related and incidental work shall be determined under Revised Maximum Price Regulation No. 251.

SEC. 7. *Measurements.* It shall be the seller's responsibility to measure with reasonable accuracy the area or footage to be covered. A "measurement with reasonable accuracy" shall be considered to have been made if the price based on such estimate does not vary by more than 10% from the maximum price computed under the terms of this order.

making sales subject to this order shall.

SEC. 8. *Notification.* Every person if requested by the purchaser, make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251. Upon completion of any contract for installed re-siding and/or re-roofing, and/or related and incidental construction work, the seller, if requested by the purchaser, must furnish to him an itemized statement showing the number of squares, the maximum price per square of re-siding and re-roofing installed, a list of all extras and the quantities and price of each and a separate statement of any related and incidental construction work other than installed re-siding and re-roofing giving a description of such work and an itemized statement of the prices thereof. The seller shall also include in such statement the date on which the installation was completed, the names and addresses of the sellers and buyers and the terms of sale.

SEC. 9. *Evasion.* Any practice or device which results in a higher price to the purchaser of composition re-siding and re-roofing on an installed basis and/or related and incidental construction work than is permitted by this order is as much a violation as an outright over-ceiling charge and subjects the seller to all the penalties provided by Revised Maximum Price Regulation No. 251.

SEC. 10. *Records.* All sellers of installed composition re-siding and re-roofing and/or related and incidental construction work covered by the terms of this order must keep records concerning each sale subject to this order, including the name and address of the purchaser, the location of the job, the date of the transaction, a description of the materials and services involved, the number of squares and price per square of re-siding and re-roofing, a list of all extras permitted under Tables I and II of this order with the quantity and price of each, and a separate statement of any related and incidental construction work. All such records shall be made available for inspection by representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 11. *Revocation or amendment.* This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective June 26, 1945.

Issued this 26th day of June 1945.

DANIEL P WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-12114; Filed, July 4, 1945; 4:17 p. m.]

[Region II Order G-21 Under RMPR 165]

LAUNDRY SERVICE IN NEW YORK METROPOLITAN AREA

Applications for permission to increase their maximum prices for family laundry, dry cleaning and related services, as established under Revised Maximum Price Regulation No. 165, as amended—

Services, have been filed with the New York Regional Office of the Office of Price Administration by a large number of the power laundry establishments located in the greater metropolitan area of New York City. After due consideration of these applications and other available information, it has been decided to deny the applications of the laundries hereinafter named, for the reasons set forth in the opinion attached hereto.

Accordingly, pursuant to the Emergency Price Control Act of 1942, Supplementary Order No. 28, and section 16 (a) of Revised Maximum Price Regulation No. 165, as amended—Services, *It is hereby ordered:*

(1) The applications of the following named laundries to increase their maximum prices for all their family laundry, dry cleaning and related retail services, are denied in full:

Name and Address

Blue Moon Wet Wash Laundry Co. Inc., 1883 Strauss St., Brooklyn, N. Y.

Blue Sky Wet Wash Laundry Inc., 498 Ralph Ave., Brooklyn, N. Y.

Bon Laundry Service Inc., 465 East 175th St., New York, N. Y.

Canarsie Delivery Co., Inc., 2118 Rockaway Ave., Brooklyn, N. Y.

Consolidated Laundries Corp. (National Laundry Division), 1471 Wilkins Ave., New York, N. Y.

Consolidated Laundries Corp. (Gold Seal Laundry Division), 2020 Atlantic Ave., Brooklyn, N. Y.

Consolidated Laundries Corp. (Stancourt Division), 770 Garrison Ave., New York, N. Y.

Correct Laundry, 1801 Ave. Z, Brooklyn, N. Y.

Crown Laundry Service, Inc., 119–10 14th Rd., College Point, N. Y.

Dyckman Laundry Corp., Davis Ave., Glencove, 66 Herb Hill Rd., L. I.

Hostess Laundry Corp., Davis Ave., Port Washington, N. Y.

Hudson Laundry Inc., 106 Bank St., New York, N. Y.

Humboldt Laundry, 47–49 Humboldt St., Brooklyn, N. Y.

Inwood Eureka Laundry Inc., Sheridan Blvd., Inwood, Long Island.

New Freeman Cash & Carry Corp., 950 Freeman St., Bronx, New York.

Nu Erasmus Laundry Inc., 46 Crown St., Brooklyn, N. Y.

Orange Blossom Laundry Service, Inc., 4626–28 Bronx Blvd., Bronx, N. Y.

Pilgrim Laundry Inc., 1102 Prospect Ave., Brooklyn, New York.

Prime Laundry Corp., 74–03 71st Ave., Middle Village, Long Island.

Rockville Center Laundry, 39 Hastings Pl., Hempstead, N. Y.

67th Street Laundry, 152 Columbus Ave., New York, N. Y.

Stadium Wet Wash Laundry, 181 Chester St., Brooklyn, N. Y.

U. S. Laundry Co., 1735 St. Peters Ave., New York, N. Y.

(2) Any laundry named herein, may, within sixty days after the date of this order of denial, request a review thereof in the manner provided by Revised Procedural Regulation No. 1.

Issued this 12th day of June 1945.

DANIEL P. WOOLEY,
Regional Administrator.

[F. R. Doc. 45-12099; Filed, July 4, 1945; 4:12 p. m.]

[Detroit Rev. Order G-4 Under MPR 426, Amdt. 2]

FRUITS AND VEGETABLES IN DETROIT, MICH.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Article 1, section 2b of Maximum Price Regulation No. 426, as amended, and by him delegated to the Detroit District Director by Second Revised Delegation Order No. 1–A, this Revised Order No. G–4 under Maximum Price Regulation No. 426, as amended, *It is hereby ordered:*

(1) That commodities listed in Appendix A under "Commodities to which purveyor's markup may be applied" with reference to the City Fruit & Produce Company, 1301 Winder Street, Detroit, Michigan, is hereby deleted and the following substituted:

APPENDIX A

Name of seller and commodities to which purveyor's markup may be applied

1. City Fruit & Produce Co., 1301 Winder St., Detroit, Wayne County, Mich.: Items covered are of the commodities now or hereafter listed in Appendices H, I, J and K of section 15 of Article III of Maximum Price Regulation No. 426, as amended.

This order shall become effective as of June 6, 1945.

Issued this 6th day of June 1945.

P. V. MCNAMARA,
Acting District Director.

Approved:

DONALD E. SMITH,
Acting Regional Director of Distribution, War Food Administration.

[F. R. Doc. 45-12113; Filed, July 4, 1945; 4:17 p. m.]

[Jackson Order G-1 Under RMPR 259]

CONTAINERS AND CASES OF DOMESTIC MALT BEVERAGES IN JACKSON, MISS., AREA

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of Revised Maximum Price Regulation No. 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within the State of Mississippi.

SEC. 3. *Applicability.* No wholesaler or retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

for ordinary house.

2¢ per bottle for 12 ounce and under in size.

4¢ per bottle for over 12 ounces in size.

27¢ per case, for either paper, fiber or wood (not including containers or bottles).

75¢ Total deposit charge for case and containers.

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in Revised Maximum Price Regulation No. 259, as amended, shall apply to the terms used herein.

This order shall become effective July 1, 1945.

Issued this 27th day of June 1945.

WILLIAM E. HOLCOMB,
District Director.

[F. R. Doc. 45-12103; Filed, July 4, 1945; 4:13 p. m.]

[Region VII Order G-3 Under RMPR 333]

EGGS IN COLORADO

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and section 3.3 (f) of Revised Maximum Price Regulation No. 333, and for the reasons set forth in the accompanying opinion, this Order No. G-3 is issued.

(a) *What this order does.* This order permits the sale and delivery of "light dirty" eggs to United States Government Agencies within the State of Colorado.

(b) *Maximum prices.* On and after the effective date of this Order No. G-3, the maximum prices for "light dirty" eggs sold to United States Government Agencies at any place within the State of Colorado pursuant to the permission hereby granted shall be 1¢ less per dozen than the maximum price for the equivalent grade and size of clean eggs, but in no event higher than 1¢ less than the maximum price for Consumer Grade A large eggs as established by Revised Maximum Price Regulation No. 333.

(c) *Geographical applicability.* This order shall apply only to sales of "light dirty" eggs made to a United States Government Agency within the geographical boundaries of the State of Colorado.

(d) *Quality of eggs.* The "light dirty" eggs to be sold at prices not to exceed the maximum prices provided in this Order No. G-3 must as to interior quality meet specifications for one of the following grades: Procurement Grades I and II, or Consumer Grade A, or better.

(e) *Inspection required.* All "light dirty" eggs sold upon the authority of this Order No. G-3 must be inspected and certified as being of the required interior quality to meet the specifications for the grade by an authorized inspector of either the United States Department of Agriculture or the United States Army Veterinarian Corps.

(f) *Type of container.* Any suitable type of container, either sealed or unsealed, may be used for the sale of "light dirty" eggs pursuant to the permission granted by this Order No. G-3.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-3 shall become effective on the 21st day of June 1945.

Issued this 21st day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12109; Filed, July 4, 1945; 4:16 p. m.]

[Region VII Order G-21 Under MPR 188]

WESTERN LEATHER PRODUCTS CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-21 is issued.

(a) *What this order does.* This Order No. G-21 establishes maximum prices for three different models numbered 10, 13, and 16, respectively, of leather utility kits manufactured by Western Leather Products Company of 1731 Arapahoe Street, Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-21, the maximum prices for leather utility kits, which are by the manufacturer designated Model No. 10, Model No. 13, and Model No. 16, respectively, manufactured by Western Leather Products Company of 1731 Arapahoe Street, Denver, Colorado, in accordance with the specifications set forth in the application of said Western Leather Products Company on file in this Regional Office as a part of the record in this case, shall be as follows:

	Model No. 10	Model No. 13	Model No. 16
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	*Each* $2.51	*Each* $2.64	*Each* $4.37
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	3.35	3.25	5.80
(3) When sold by any seller to an ultimate consumer or user	5.75	5.50	10.00

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-21 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-21 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for Leather Utility Kits, Model No. 10, Model No. 13, and Model No. 16, respectively, are:

	Model No. 10	Model No. 13	Model No. 16
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	*Each* $3.35	*Each* $3.25	
(2) When sold by any seller to an ultimate consumer or user	5.75	5.50	

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-21 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-21 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-21 shall become effective on the 20th day of June 1945.

Issued this 20th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12111; Filed, July 4, 1945; 4:16 p. m.]

[Region VII Order G-22 Under MPR 188]

SANITARY GAS MASK CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-22 is issued.

(a) *What this order does.* This Order No. G-22 establishes maximum prices for a respirator manufactured by Sanitary Gas Mask Company of 1484 South Main Street, Salt Lake City, Utah, when sold by the manufacturer to jobbers or wholesalers, by the manufacturer, jobbers or wholesalers to retailers, and by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-22, the maximum prices for the respirator, which is by the manufacturer designated "Sanitary Hay Fever Mask", manufactured by Sanitary Gas Mask Company of 1484 South Main Street, Salt Lake City, Utah, in accordance with the specifications set forth in the application of said Sanitary Gas Mask Company on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$3.20
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	4.00
	Each
(3) When sold by any seller to an ultimate consumer or user	$0.50

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-22 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-22 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this respirator (Sanitary Hay Fever Mask) are:

	Per dozen
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	$4.00
	Each
(2) When sold by any seller to an ultimate consumer or user	$0.50

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-22 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-22 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-22 shall become effective on the 20th day of June 1945.

Issued this 20th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12110; Filed, July 4, 1945; 4:16 p. m.]

[Region VII Order G-23 Under MPR 188]

MONROE PRODUCTS CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-23 is issued.

(a) *What this order does.* This Order No. G-23 establishes maximum prices for a bag handle and hasp manufactured by E. G. Monroe, doing business as Monroe Products Company, 3149 Race Street, Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, by the manufacturer, jobbers or wholesalers to retailers, and by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-23, the maximum prices for the bag handle and hasp, which are by the manufacturer said to be for use on barracks or sea bags, when manufactured by E. G. Monroe, doing business as Monroe Products Company, 3149 Race Street, Denver, Colorado, in accordance with the specifications set forth in the application of said E. G. Monroe on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler, $3.00 per dozen;

(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer, $4.00 per dozen;

(3) When sold by any seller to an ultimate consumer or user, 50¢ per handle and hasp.

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-23 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-23 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this Handle and Hasp are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer, $4.00 per dozen.

(2) When sold by any seller to an ultimate consumer or user, 50¢ per handle and hasp.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-23 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-23 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-23 shall become effective on the 25th day of June 1945.

Issued this 25th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12102; Filed, July 4, 1945; 4:13 p. m.]

[Region VII 3d Rev. Order G-24 Under RMPR 122]

SOLID FUELS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, Second Revised Order No. G-24 under

Revised Maximum Price Regulation No. 122 is hereby redesignated Third Revised Order No. G–24 under Revised Maximum Price Regulation No. 122, and this compilation thereof, including Amendments Nos. 1 to 3, is issued.

(a) *What this order does.* This Third Revised Order No. G–24 permits dealers in Region VII for whom specific maximum prices have heretofore been established by this Regional Office in any specified trade area by an adjustment order issued under § 1340.259 (a) or by a community pricing order under § 1340.260 of Revised Maximum Price Regulation No. 122, as set forth in paragraph (q) of Order No. G–26, to add to their specific maximum prices so established the amounts set forth in the applicable part or parts of paragraph (d) hereof as to coal purchased by them from any one or more of the high-cost mines named in said paragraph (d), when shipment is made from the mine to such dealer by rail. Such price increase cannot be taken by any dealer when transportation from the mine is by truck or otherwise than by rail.

(b) *When dealers may increase their specific maximum prices to cover an increase in the maximum prices of a high-cost producer.* If you are a dealer selling any kind, class, or grade of coal for which your maximum price has been established by an adjustment order issued under § 1340.259 (a) or a community pricing order under § 1340.260 of Revised Maximum Price Regulation No. 122 by this Region VII of the Office of Price Administration for the trade area in which your place of business is located and you buy coal from any one or more of the high-cost mines listed in paragraph (d) hereof and shipment from the mine is made to you by rail, you may add to your specific maximum price, as established by such area adjustment order or such community pricing order, the amount of such increase allowed your supplier as is set forth in the applicable part of paragraph (d) hereof, from and after the effective date specified therein.

(c) *Limitations.* This order permits you to add to your specific maximum prices the amounts shown in the applicable part of paragraph (d) only as to coal actually purchased by you from one or more of the high-cost mines listed therein, when shipment from the mine is made to you by rail, and you are not permitted to add such increase to your specific maximum prices for such coal when shipment is made to you otherwise than by rail or when the coal is purchased from any other supplier or when purchased prior to December 3, 1943.

(d) *Classification of producing districts.* The mines which have been by the Washington Office of the Office of Price Administration designated high-cost mines and given an increase in their respective f. o. b. mine prices for coal shipped by rail are hereby classified by producing districts, and the authorized price increases for Districts 17, 19, and 20 are set forth in Part I, Part II, and Part III hereof, respectively, as follows:

PART I—MINES IN DISTRICT 17

Operator	Sub-district	Index No.	Size groups	Amount	Effective date
(1) Huerfano Coal Co.: Ludlow	7	47	10 and 13	$0.10	11-20-44
(2) Moffat Coal Co.: Moffat Nos. 1 and 2	4	51	All	.15	11-28-44
(3) The Victor American Fuel Co.:					
Pinnacle	4	82	All	.15	1-27-45
Wadge	5	82	All	.10	1-24-44
(4) Butte Valley Coal Co.: Butte Valley	4	17	1 through 12	.10	7-31-44
			13 through 16	.90	7-31-44
			17 and 18	.25	7-31-44
			19	.10	7-31-44
(5) Ramsey Coal Co.:					
Ramsey No. 1	5	210	All	.20	8-20-44
Ramsey No. 2	5	24	All	.20	8-20-44
(6) Garfield Coal Co.: Garfield	15	33	5	.15	7-31-44
			7	.20	7-31-44
			10 and 11	.90	7-31-44
(7) Colowyo Coal Co.: Mt. Streeter (Red Wing coal)	5	502	All	.20	8-8-44
(8) Domestic Coal Co.: Streeter	5	75	All	.20	8-8-44
(9) Dry Creek Coal Co.: Crow Bar mine	5	442	All	.20	8-8-44
(10) Cribbs-Goodman Coal Co.: Rex Carbon	3	349	1 through 4	.50	6-14-45
			5 through 7	.20	6-14-45
			9	.60	6-14-45
			10 through 12	.20	6-14-45
			13	.70	6-14-45
			15 through 19	.20	6-14-45

PART II—MINES IN DISTRICT 19

(1) Colony Coal Co.: Peacock	2	18	1 through 7	$0.20	4-17-45
			8	.35	4-17-45
			9 and 13	.25	4-17-45
			10	.10	4-17-45
			11	.20	4-17-45
			12	.15	4-17-45
			14 through 16	.45	4-17-45
(2) Lion Coal Corp.: Star	2	24	1 through 7	.45	5-31-45
			8	.95	5-31-45
			9 through 11	.80	5-31-45
			12	.75	5-31-45
			13	1.05	5-31-45
			14 through 16	1.20	5-31-45
(3) Rock Springs Fuel Co.: Kleen Eyre No. 1	2	13	1 through 4	.05	5-22-45
			5 through 7	.75	5-22-45
			8	1.20	5-22-45
			9 through 11	1.15	5-22-45
			12	.45	5-22-45
			13	.55	5-22-45
			14 through 16	1.20	5-22-45
			17	.95	5-22-45
(4) Gunn Quealy Coal Co.: Sweetwater No. 2	2	29	1 through 7	.60	5-22-45
			8	.65	5-22-45
			9 through 11	.55	5-22-45
			12	.45	5-22-45
			13	.55	5-22-45
			14 through 16	.65	5-22-45
			17	.90	5-22-45
(5) Kemmerer Coal Co.: Gomer, 5-S, O	1	8	All	.30	5-24-45

PART III—MINES IN DISTRICT 20

(1) Pacific Supply Cooperative: MacLean	1	11	3 through 9	$0.10	2-5-45
			10 through 12	.35	2-5-45
			13	.05	2-5-45
			14 and 15	.40	2-5-45
(2) Hi-Heat Coal Co.: Rains No. 2	1	17	3 through 9	.30	2-5-45
			10 through 12	.20	2-5-45
			13 through 15	.25	2-5-45
(3) Utah Fuel Co.: Sunnyside No. 1	1	22	7	.10	2-5-45
			8 and 9	.60	2-5-45
			10 and 11	.70	2-5-45
			12	.50	2-5-45
			13	.10	2-5-45
			14	.45	2-5-45
			15	.55	2-5-45
(4) Hudson Coal Co.: Sweet	1	26	3 through 6	.15	2-5-45
			7 through 9	.40	2-5-45
			10 through 12	.05	2-5-45
			13 through 15	.40	2-5-45
(5) Hardscrabble Coal Co.: Hardscrabble	1	130	1 and 2	.10	2-5-45
			7	.45	2-5-45
			10 and 11	.20	2-5-45
(6) Deer Creek Coal Co.	1	131	1 and 2	.10	2-5-45
			3 through 6	.05	2-5-45
			7 through 9	.70	2-5-45
			10 through 12	.05	2-5-45
			13 through 15	.70	2-5-45
(7) American Fuel Co.: American Fuel	1	147	1 and 2	.10	2-5-45
			3 through 6	.05	2-5-45
			7 through 9	.70	2-5-45
			10 through 12	.05	2-5-45
			13 through 15	.70	2-5-45
(8) Utah Blue Diamond Coal Co.: Utah Blue Diamond	1	178	3 through 6	.20	2-5-45
(9) N. B. Knight: Crescent	1	1004	1 and 2	.05	2-5-45
			3 through 6	.35	2-5-45
			8 and 9	.15	2-5-45
			10 and 11	.35	2-5-45

(e) *Relation to other regulations.* This compilation of Third Revised Order No. G–24 under Revised Maximum Price Regulation No. 122, including Amendments Nos. 1 to 3, supersedes said Third Revised Order No. G–24 and Amendments Nos. 1 and 2 as of the effective date thereof, and embodies all changes made by Amendment No. 3 promulgated herewith, thereby comprising in this one document a full, complete and up-to-date statement of the additions which dealers operating under Order No. G–26 are permitted to make to their dollars-and-cents maximum prices as fixed by that order to compensate for increases in the f. o. b. mine prices of their supplier that have been authorized by the Washington Office of the Office of Price Administration for shipments made by rail, on the ground that the mines named in paragraph (d) hereof are high-cost producers.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This compilation of Third Revised Order No. G–24, including Amendments No. 1 and No. 2 and embodying Amendment No. 3 promulgated simultaneously herewith, shall become effective retroactively as of May 22, 1945.

Issued this 20th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12112; Filed, July 4, 1945; 4:17 p. m.]

[Region VII Order G–24 Under MPR 188]

KRIMMEL SALES CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–24 is issued.

(a) *What this order does.* This Order No. G–24 establishes maximum prices for a leader holder manufactured by A. H. Krimmel, doing business as Krimmel Sales Company, 1685 Cook Street, Denver, Colo., used for holding leaders to fishing tackle, when sold by the manufacturer to jobbers or wholesalers, by the manufacturer, jobbers or wholesalers to retailers, and by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–24, the maximum prices for the leader holder manufactured by A. H. Krimmel, doing business as Krimmel Sales Company, 1685 Cook Street, Denver, Colo., in accordance with the specifications set forth in the application of Said A. H. Krimmel on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler, $1.50 per dozen.

(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer, $1.80 per dozen.

(3) When sold by any seller to an ultimate consumer or user, 25¢ each.

NOTES

(i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–24 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–24 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this Leader Holder are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer, $1.80 per dozen.

(2) When sold by any seller to an ultimate consumer or user, 25¢ each.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G–24 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–24 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G–24 shall become effective on the 26th day of June 1945.

Issued this 26th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12101; Filed, July 4, 1945; 4:13 p. m.]

[Region VII Order G–25 Under MPR 188]

WOOD PRODUCTS CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–25 is issued.

(a) *What this order does.* This Order No. G–25 establishes maximum prices for an indoor ball bat and a baseball bat manufactured by Frank Edgren, doing business as Wood Products Company, 17 West Thirteenth Avenue, Denver, Colo., when sold by the manufacturer to jobbers or wholesalers, by the manufacturer, jobbers or wholesalers to retailers, and by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–25, the maximum prices for the indoor ball bat and baseball bat manufactured by Frank Edgren, doing business as Wood Products Company, 17 West Thirteenth Avenue, Denver, Colo., in accordance with the specifications set forth in the application of said Frank Edgren on file in this Regional Office as a part of the record in this case, shall be as follows:

	Indoor ball bat	Baseball bat
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	*Per dozen* $2.90	*Per dozen* $1.86
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	3.60	2.32
(3) When sold by any seller to an ultimate consumer or user	*Each* .45	*Each* .29

NOTES

(i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–25 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–25 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this indoor ball bat and baseball bat are:

	Indoor ball bat	Baseball bat
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	*Per dozen* $3.60	*Per dozen* $2.32
(2) When sold by any seller to an ultimate consumer or user	*Each* .45	*Each* .29

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G–25 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–25 are applicable only to sales made within this Region VII which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G–25 shall become effective on the 25th day of June 1945.

Issued this 25th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–12100; Filed, July 4, 1945; 4:12 p. m.]

[Region VIII Rev. Order G–1 Under MPR 2]

WINE IN WASHINGTON

For the reasons set forth in the accompanying opinion and pursuant to authority conferred upon the Regional Administrator by Order No. 4 under Restaurant Maximum Price Regulation No. 2, *It is hereby ordered:*

(a) The maximum prices for wines sold by eating and drinking establishments for consumption on the premises in the State of Washington shall be as set forth in Table A or the maximum price established under Restaurant Maximum Price Regulation No. 2, whichever is higher.

TABLE A

(I) Non-Washington Wine—All brands and types:
Size of serving:
2-ounce glass or container $0.15
4-ounce glass or container ..... .30
All other sizes, glass or container ..... [1].07

(II) Washington Wine—all brands and types:
Size of serving:
2-ounce glass or container $0.10
4-ounce glass or container ..... .20
All other sizes, glass or container ..... [1].05

[1] Per net ounce of wine.

(b) *Definitions.* "Non-Washington" wine means wine which is not produced in the State of Washington. "Washington" wine means all wine produced in the State of Washington.

(c) This order shall become effective June 19, 1945.

Issued this 16th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45–12104; Filed, July 4, 1945; 4:14 p. m.]

[Region VIII Order G–1 Under RMPR 165, Amdt. 1]

HAULING AND PILING SERVICES IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and pursuant to authority conferred upon the Regional Administrator by § 1499.676 (b) 2 of Revised Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation No. 165, as amended, order No. G–1 under Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation No. 165 is amended as follows:

(a) Paragraph (a) is amended by striking out "hauling" and "piling" and sub-paragraphs (a) and (b) thereunder and substituting instead the following:

Hauling and piling:	*Per ton*
(a) Not to exceed 9 bales high	$1.28
(b) Over 9 bales high	1.44

(b) Paragraph (c) is amended to read as follows:

This order shall become effective March 15, 1945 and shall expire December 31, 1945.

This amendment shall become effective June 21, 1945.

Issued this 21st day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45–12117; Filed July 4, 1945; 4:18 p. m.]

[Region VIII Order G–1 Under RMPR 165, Amdt 1]

CESSPOOL AND SEPTIC TANK CLEANING SERVICE IN CALIFORNIA AND NEVADA

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by § 1499.648 (a) of Supplementary Service Regulation No. 50 to Revised Maximum Price Regulation No. 165, Services, Order No. G–1 is amended as follows:

(A) Paragraph (a) is amended to read as follows:

(a) *Maximum price.* (1) The maximum price any person may charge for the service of cleaning cesspools or septic tanks in Nevada and California, except the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lassen, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, Yolo and Yuba, shall be determined at the rate of $5.00 per ton or at the rate previously established by Revised Maximum Price Regulation No. 165, whichever is lower. This service includes: (i) digging into tanks; (2) pumping out contents; (3) washing down walls of tanks or pools after cleaning, if necessary; (4) replacing dirt over tanks upon completion; (5) disposal of contents.

This amendment to Order No. G–1 shall become effective June 21, 1945.

Issued this 21st day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45–12118; Filed, July 4, 1945; 4:19 p. m.]

[Region VIII Order G–2 Under RMPR 165]

REPAIR OF HOUSEHOLD APPLIANCES IN SAN FRANCISCO COUNTY, CALIF.

For the reasons set forth in the accompanying opinion and under authority vested in the Regional Administrator by § 1499.681 (a) of Supplementary Service Regulation No. 48 to Revised Maximum Price Regulation No. 165, as amended, it is hereby ordered:

(a) *Services covered.* This order applies to all establishments engaged in the repair of household refrigerators, washing machines and vacuum cleaners and who use a customer's hourly rate in pricing any of the services which they supply.

(b) *Area covered.* This order applies to all establishments supplying the services enumerated in paragraph (a), located in the City and County of San Francisco, California.

(c) *Invoices and records.* Every establishment subject to this order shall furnish invoices and keep such copies of invoices and records as provided by paragraphs (c) and (d) of § 1499.681 of Supplementary Service Regulation No. 48 to Revised Mexamum Price Regulation No. 165.

(d) *Right to revoke or amend.* This order may be revoked, amended or corrected at any time.

This order shall become effective July 1, 1945.

Issued this 21st day of June 1945.

CHAS R. BAIRD,
Regional Administrator.

[F. R. Doc. 45–12120; Filed, July 4, 1945; 4:19 p. m.]

[Region VIII Order G–3 RMPR 165]

CUSTOM PROCESSING AND GRADING OF EGGS IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and under authority conferred upon the Regional Administrator of the Office of Price Administration by § 1499.676 (b) of Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation No. 165; *It is hereby ordered:*

(a) The maximum prices in Region VIII for the services of custom processing and custom candling of shell eggs are as follows:

Type of service:	*Price (per case)*
Processing	$.30
Grading	.60
Grading and processing	.75

The above prices include all incidental services such as handling, repairing cases, providing fillers, and repacking in cases.

(b) *Definitions.* (1) "Processing" means treating shell eggs with a protective oil coating.

(2) "Grading" means individually candling shell eggs and determining the interior quality and consumer grade thereof.

(3) "Region VIII" means the States of California, Arizona (except those portions of Coconino and Mohave Counties lying north of the Colorado River), Nevada, Oregon (except Malheur County), Washington, and the Counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone in the State of Idaho.

(c) This order may be modified or revoked at any time.

This order shall become effective June 10, 1945 and shall remain effective for a period of ninety days thereafter.

Issued this 2d day of June 1945.

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 45–12119; Filed, July 4, 1945; 4:19 p. m.]

[Region VIII Rev. Order G–3 Under RMPR 271]

POTATOES AND ONIONS IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 11 (c) (3) of Revised Maximum Price Regulation No. 271; *It is hereby ordered,* That Order No. G–3 under that regulation be amended and revised in its entirety to read as follows:

(a) *Maximum prices at which intermediate sellers may sell potatoes and onions to various types of purchasers.* The maximum price at which any intermediate seller may sell potatoes or onions in less than carlot or less than trucklot quantities to a purchaser described in Appendix A, attached to this order, shall be the "base price", as determined under section 11 (a) of Revised Maximum Price Regulation No. 271, plus the appropriate mark-up set forth in such Appendix A.

(b) *Definitions.* (1) "First intermediate seller" means an intermediate seller selling, in less than carlot or less than trucklot quantities, potatoes or onions purchased in unbroken carlots or trucklots or purchased in any quantity from a grower, a country shipper, or a grower's or country shipper's sales agent. However, a hotel and restaurant supply house shall not use the mark-ups provided by Appendix A for intermediate sellers as to sales made to hotels, restaurants, or to commercial, industrial or institutional users, but shall use the mark-up specially provided in that appendix for such sales by a hotel or restaurant supply house.

(2) "Wagon wholesaler" means an intermediate seller who does not maintain a warehouse but who stocks his entire inventory on trucks and who customarily makes deliveries to retailers or to industrial, institutional, or commercial users from such trucks at the time and point of sale. For the purpose of this order, a wagon wholesaler shall determine his maximum price as if the commodity being priced by him had been warehoused.

(3) Other terms used in this order shall have the meaning set forth in Revised Maximum Price Regulation No. 271 and section 302 of the Emergency Price Control Act of 1942, as amended, unless the context clearly requires otherwise.

(c) This order shall apply to the San Francisco District, which comprises the following California Counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective June 27, 1945.

Issued this 22d day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

APPENDIX A—MAXIMUM MARKUPS FOR SALES OF POTATOES AND ONIONS BY INTERMEDIATE SELLERS

POTATOES (MARKUPS IN CENTS PER HUNDREDWEIGHT)

Buyer	Not warehoused—Sales by any intermediate seller		Warehoused: Sales by "first intermediate seller"		Warehoused: Sales by other than "first intermediate seller"		Sales by hotel and restaurant supply houses (whether or not warehoused)	
	Not delivered	Delivered to purchaser's premises	Not delivered	Delivered to purchaser's premises	Not delivered	Delivered to purchaser's premises	Not delivered	Delivered to purchaser's premises
Chain store warehouses and intermediate sellers, including hotel and restaurant supply houses	23	30	33	40	43	50	.....	.....
Retailers	23	30	33	40	43	50	.....	.....
Hotels, restaurants, and commercial, industrial and institutional users	23	30	33	40	43	50	40	50

ONIONS (MARKUPS IN CENTS PER 50 POUND)

Chain store warehouses and intermediate sellers, including hotel and restaurant supply houses	16	20	22	26	26	30	.....	.....
Retailers	16	20	26	30	26	30	.....	.....
Hotels, restaurants, and commercial, industrial and institutional users	16	20	26	30	26	30	30	35

[F. R. Doc. 45–12106; Filed, July 4, 1945; 4:15 p. m.]

[Region VIII Order G–7 Under RMPR 251]

PLUMBING SERVICES IN OREGON AND CERTAIN ADJACENT AREAS

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, it is hereby ordered:

(a) *Geographical applicability.* This order shall apply to sellers located in the following areas:

The State of Oregon (except Malheur County), and the counties of Clark, Cowlitz, Klickitat, Skamania, and Wahkiakum, in the State of Washington.

(b) *Maximum prices.* The maximum price of plumbing services shall be the sum of a charge for labor and the maximum price for the materials used. The maximum charge for labor shall be determined by multiplying the maximum hourly rate for each category of labor by the number of hours of labor performed in that category, as provided by subparagraph (b) (1). The maximum price of the materials used shall be determined as is provided by subparagraph (b) (2). No fees, commissions, or charges for rental or use of equipment may be charged except as may be otherwise specified in this order.

(1) *Maximum labor charge.* (i) The maximum hourly rate shall be either the customers' hourly rate as specified below or the legal labor cost per hour multiplied by 150 percent, whichever is lower.

(ii) *Customers' hourly rate.*

	Maximum hourly rates	
	Journeyman	Helper or laborer
For sales in— Multnomah County, Oreg. and Clark County, Wash.	$2.65	$2
Remainder of above described area	$2.50	$2

(iii) *Measurement of hours.* The number of hours to be charged against any job is to be counted from the time the workman leaves the shop or the previous job (whichever is later) until he completes the job, if he proceeds to another job, or until he returns to the shop, if he proceeds there directly. For any job extending into more than one day, time in transit to or from the job may be charged only once. The hours for which charges are made shall not exceed those shown in the seller's payroll records nor those shown in records which paragraph (f) of this order requires the seller to keep.

(iv) Overtime may be charged for at the rate of one and one-half times the rate provided above for the particular class of labor.

(v) *Minimum charge.* If a job requires less than one man-hour, there may be collected a minimum charge equal to the rate for one hour.

(vi) A journeyman plumber doing his own work shall take as his labor cost the labor cost applicable to journeyman plumbers.

(2) *Materials.* The maximum price of any new materials shall be the highest price charged for such materials by the seller during March 1942, or the price published as of the date of issuance of this order in the "Price Guide for Oregon Territory," published by Moore Price Services, Inc., Lloyd Building, Seattle 1, Washington, whichever is lower. The maximum price of any used material shall be the price provided by Maximum Price Regulations No. 465 or No. 546. For new or used materials for which a maximum price cannot be so established such price shall be the seller's cost (not in excess of the maximum wholesale price therefor) plus 33⅓ percent.

(c) *Definitions.* (a) "Plumbing services" means plumbing repair, maintenance, and installation services, and includes the sale of installed plumbing materials and the installation of oil burners and feed lines.

"Plumbing" means gas, water, and steam distribution or waste removal systems, including installation of oil burners and feed lines.

(b) "Overtime" refers to hours of work performed at customer's request on Saturday or Sunday or between the hours of 5:00 PM and 8:00 AM Monday to Saturday.

(c) "Labor cost" means the wage rates in effect on October 3, 1942, or wage rates which have been established by proper governmental agencies.

(d) *Jobs selling for more than $200.* For jobs sold for more than $200.00 the maximum price shall be calculated under Section 7 of Revised Maximum Price Regulation No. 251, using the sum of labor costs, direct costs, and a margin not exceeding the margin used on the most comparable job in the period January 1, 1939, to March 31, 1942, or, for sellers not in business in March 1942, a margin not exceeding 30 percent of the sum of labor and material and other direct costs. This price may not exceed the maximum price provided in this order.

(e) *Guaranteed price.* A seller may offer to supply a plumbing service covered by this order on the basis of a guaranteed price, the seller agreeing to charge a fixed amount: *Provided, however,* That such guaranteed price may not exceed the maximum price established by this order.

(f) *Records and invoices.* Every person making sales subject to this order must keep a record showing the time spent by his employees on each job involving plumbing services and of the wage rate for each such employee. Such records shall be kept by the seller at his place of business and shall be available for inspection by the Office of Price Administration. In addition, every person making sales subject to this order shall furnish to the customer an invoice or sales slip on which he has itemized labor and materials and on which he has certified that the price charged does not exceed the prices permitted by this Order No. G-7 under Revised Maximum Price Regulation No. 251. Duplicates of such invoices or such sales slips shall be kept by the seller at his place of business and shall be available for inspection by the Office of Price Administration.

(g) This order supersedes sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251, with respect to plumbing services supplied in the described areas, except where it is otherwise provided herein.

(h) This order may be amended or revoked at any time.

(i) This order shall become effective June 20, 1945, except that it shall not apply to sales made pursuant to contracts entered into prior to such date.

Issued this 15th day of June 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45-12107; Filed, July 4, 1945; 4:15 p. m.]

[Region VIII Order G-30 Under 3 (e)]

HOLGA METAL PRODUCTION CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) (2) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The maximum prices for sales at retail of insulated filing cabinets No. HSM-12 manufactured by Holga Manufacturing Company of Los Angeles, Calif., by sellers subject to the General Maximum Price Regulation, who cannot determine their maximum prices under Section 1499.2 of the General Maximum Price Regulation, shall be as follows:

Item	Southern California	Nevada, Arizona, and northern California
Insulated filing cabinet No. HSM-12	$70.08	$70

(b) Sales at retail shall include Federal Excise Tax less discounts, allowances and price differentials no less favorable than those customarily granted by the seller. This price includes all services customarily furnished by the seller on sales of similar commodities during March, 1942.

(c) "Southern California" refers to that part of the State of California lying south of a line starting at Goleta, Calif., and running generally eastward south of the Grapevine highway and ending north of Needles, California.

(d) "Northern California" refers to the remainder of the State of California. Arizona and Nevada refers to the State of Arizona with the exception of those portions of Coconino County and Mohave County lying north of the Colorado River, and to the entire State of Nevada.

(e) This order may be amended, corrected or revoked at any time.

(f) This order shall become effective June 25, 1945.

Issued this 19th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-12108; Filed, July 4, 1945; 4:15 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 55-88]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of July, A. D. 1945.

The Commission, on August 12, 1943, having applied to the United States District Court for the District of Massachusetts (Civil Action No. 2430), pursuant to sections 11 (d) and 18 (f) of the Public Utility Holding Company Act of 1935, to enforce compliance with an order of the Commission dated July 21, 1942 (Holding Company Act Release No. 3679) issued pursuant to section 11 (b) (2) of the act and directing that International Hydro-Electric System, a registered holding company, be liquidated and dissolved; and

The United States District Court for the District of Massachusetts having on October 11, 1943, after hearing, entered its interlocutory decree which, inter alia, appointed Bartholomew A. Brickley of Boston, Massachusetts, as Special Counsel, to investigate certain transactions alleged to give causes of action on behalf of International Hyro-Electric System against International Paper Company; and on November 13, 1944, the Court having appointed Bartholomew A. Brickley as Trustee for International Hydro-Electric Systems; and

During the period from August 3, 1943 through November 13, 1944, the law firm of Ropes, Gray, Best, Coolidge & Rugg having performed certain services as General Counsel for International Hydro-Electric System in connection with the proceedings in the Federal Court for enforcement of the order of the Commission directing liquidation of the System and also having performed other services as General Counsel for the System, not directly related with the Court proceedings:

Notice is hereby given that Ropes, Gray, Best, Coolidge & Rugg have filed with this Commission an application pursuant to the provisions of sections 11 (d) and 11 (f) of the act and Rule U-63 promulgated thereunder for approval by the Commission of the maximum amount which may be paid to them for their services and expenses incurred as General Counsel. The application requests approval for a fee of $12,500 for Ropes, Gray, Best, Coolidge & Rugg, as General Counsel, $8,000 of which is allocated to services rendered in connection with the proceedings in the Federal Court for enforcement of the order of the Commission directing liquidation of the System and $4,500 of which is allocated to services rendered in connection with all matters other than the proceeding in the Federal Court, and for reimbursement of $285.32 expenses, $154.59 of which are expenses incurred in connection with the proceedings in the Federal Court, and $130.77 of which are expenses incurred in connection with all matters other than the proceeding in the Federal Court; and

The Commission deeming it appropriate in the public interest and in the interest of investors that a hearing be held to determine whether or not the application of Ropes, Gray Best, Coolidge & Rugg should be approved;

It is ordered, That a hearing be held on such matters under the applicable provisions of the act and the rules of the Commission thereunder on July 24, 1945 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate at said hearing should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before July 21, 1945:

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice; and

It is further ordered, That notice of this hearing be given to Ropes, Gray, Best, Coolidge & Rugg, to Bartholomew A. Brickley, Trustee of International Hydro-Electric System, by registered mail, and to all other interested persons by publication in the FEDERAL REGISTER, and that Ropes, Gray, Best, Coolidge & Rugg shall mail a copy of this notice of filing and order for hearing to all persons granted intervention or participation in Civil Action No. 2430 in the United States District Court for the District of Massachusetts.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12284; Filed, July 6, 1945; 11:10 a. m.]

[File No. 59-5]

MIDDLE WEST CORP. ET AL.

ORDER REQUIRING DISPOSITION AND MODIFYING PRIOR ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of July A. D. 1945.

The Commission having, on February 16, 1945, ordered Central and South West Utilities Company, a registered public utility holding company under the Public Utility Holding Company Act of 1935, to cease to own or control, directly or indirectly, and to dispose of its direct or indirect interest in the securities of Peoples Ice Company and the properties of Southwestern Gas and Electric Company used in the manufacture and distribution of ice; having provided, respecting said securities and properties, that the order shall become effective on the thirtieth day following the date of said order; and having afforded an opportunity to adduce further evidence respecting the retainability of said securities and properties under section 11 (b) (1) of said act; additional evidence having been introduced, the Commission having considered said evidence and having this day issued its memorandum findings and opinion herein,

It is ordered, That the order of February 16, 1945 be, and it is hereby, amended so that, and only so that, the effective date thereof respecting disposition of the securities of Peoples Ice Company and the ice manufacturing and distributing properties of Southwestern Gas and Electric Company be changed to the date of this order.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12282; Filed, July 6, 1945; 11:10 a. m.]

[File Nos. 59-53, 54-88]

CITIES SERVICE CO., ET AL.

ORDER RELEASING JURISDICTION IN PART OVER SPECIAL FUND

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of July, A. D. 1945.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, respondents, File No. 59-53; Cities Service Power & Light Company, File No. 54-88.

The Commission on March 14, 1944, having approved subject to conditions, a plan filed by Cities Service Power & Light Company;

The Commission having reserved jurisdiction over the disposition of a special fund held by said company, representing the aggregate amount that would be distributable under the plan to certain officers and directors of Cities Service Power & Light Company and Cities Service Company in respect of debentures and shares of preferred stock which were held directly or indirectly by or for any of them on March 13, 1944, and which had been acquired by them since February 24, 1938;

Request having been made to the Commission that it immediately release jurisdiction as to such amounts as the Commission may now consider appropriate;

Hearings having been held, the Commission having considered the record and not having reached its final determination but deeming it fair and equitable and not inconsistent with the public interest or the protection of investors to release jurisdiction as to the amounts shown below before final disposition of this matter;

It is ordered, That jurisdiction be and is hereby released to permit immediate payments by Cities Service Power & Light Company from said special fund in the following amounts to the persons indicated:

W. A. Jones	$156,174
B. S. Watson	2,913
R. E. Burger	19,930
C. L. Proctor	1,833

together with an amount to each of said persons which shall equal such proportion of the income, if any, received by Cities Service Power & Light Company in respect of said special fund, as the amount hereby released to him bears to the total of said special fund.

It is further ordered, That jurisdiction be and hereby is reserved over the balance of said special fund pending the further order of the Commission.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12283; Filed, July 6, 1945; 11:10 a. m.]

JUL 13

FEDERAL REGISTER

VOLUME 10 NUMBER 136

Washington, Tuesday, July 10, 1945

The President

EXECUTIVE ORDER 9586

THE MEDAL OF FREEDOM

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

There is hereby established a medal to be known as the Medal of Freedom with accompanying ribbons and appurtenances for award to any person, not hereinafter specifically excluded, who, on or after December 7, 1941, has performed a meritorious act or service which has aided the United States in the prosecution of a war against an enemy or enemies and for which an award of another United States medal or decoration is considered inappropriate. The Medal of Freedom may also be awarded to any person, not hereinafter specifically excluded, who, on or after December 7, 1941, has similarly aided any nation engaged with the United States in the prosecution of a war against a common enemy or enemies.

The Medal of Freedom shall not be awarded to a citizen of the United States for any act or service performed within the continental limits of the United States or to a member of the armed forces of the United States.

The Medal of Freedom and appurtenances thereto shall be of appropriate design, approved by the Secretary of State, the Secretary of War, and the Secretary of the Navy, and may be awarded by the Secretary of State, the Secretary of War, or the Secretary of the Navy, or by such officers as the said Secretaries may respectively designate. Awards shall be made under such regulations as the said Secretaries shall severally prescribe and such regulations shall, insofar as practicable, be of uniform application.

No more than one Medal of Freedom shall be awarded to any one person, but for a subsequent act or service justifying such an award a suitable device may be awarded to be worn with the medal.

The Medal of Freedom may be awarded posthumously.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 6, 1945.

[F. R. Doc. 45-12370; Filed, July 7, 1945; 10:37 a. m.]

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

EXECUTIVE ORDER 9587

AMENDING EXECUTIVE ORDER 8588 ENTITLED "PRESCRIBING REGULATIONS GOVERNING THE PAYMENT OF EXPENSES OF TRANSPORTATION OF HOUSEHOLD GOODS AND PERSONAL EFFECTS OF CERTAIN CIVILIAN OFFICERS AND EMPLOYEES OF THE UNITED STATES" AND PRESCRIBING REGULATIONS GOVERNING THE PAYMENT OF EXPENSES OF TRANSPORTATION OF THE IMMEDIATE FAMILY OF CIVILIAN OFFICERS AND EMPLOYEES OF THE GOVERNMENT

By virtue of and pursuant to the authority vested in me by the act of October 10, 1940, 54 Stat. 1105, and section 201 (a) of the Independent Offices Appropriation Act, 1946, approved May 3, 1945, it is hereby ordered as follows:

PART I

Sections 5 and 12 of Executive Order 8588 of November 7, 1940, as amended by sections 1 and 4 of Executive Order 9122 of April 6, 1942, are hereby further amended to read as follows:

"SECTION 5. *Means of shipment.* For the duration of the present war and six months thereafter transportation services, including services specified in sections 3 and 4 hereof, may be procured by the agency concerned, with due regard to means ordinarily required for such transportation, from any avail-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

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Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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able common carrier: *Provided, however,* That the employee may have his effects moved by some means other than that selected by the Government, by paying the difference between the charges under the means selected by the Government and the charges by the preferred means: *And provided further,* That when the head of the department or agency determines it to be in the interest of the Government, he may specifically authorize the shipment by express of articles required for immediate use at the new official station (such as professional books, wearing apparel, bedding or kitchen utensils, but not furniture or jewelry), which shall in no case exceed a weight of 500 pounds for employees having dependents living with them or 250 pounds for employees having no dependents living with them."

"SECTION 12. *Time Limit.* All shipments allowable under these regulations shall begin within one year of the effective date of the transfer of the employee unless an extension is specifically granted by the head of the department or establishment. Such an extension shall be approved by the head of the department or establishment within the one-year period during which shipment would otherwise begin and shall in no case be for a period exceeding two years from the effective date of the transfer, except that, for employees who enter upon active military, naval, or Coast Guard duty at any time prior to the expiration of the period within which transportation of their effects is authorized and who are furloughed for the duration of such duty, the extension may be made effective until a date not more than six months following the date of termination of the furlough."

PART II

The following regulations are hereby prescribed to govern the payment of expenses of transportation, authorized by section 201 (a) of the Independent Offices Appropriation Act, 1946, of the immediate family of any civilian officer or employee of the executive departments and independent establishments who is transferred from one official station to another for permanent duty, when authorized by the head of the department or establishment concerned in the order directing such transfer:

SECTION 1. The term *immediate family* shall mean any of the following members of the officer's or employee's household: spouse, children (including stepchildren and adopted children) unmarried and under twenty-one years of age or physically or mentally incapable of self-support regardless of age, and dependent parents.

SECTION 2. The transportation of the immediate family of an officer or employee shall be subject to those provisions of the Standardized Government Travel Regulations which relate to transportation. The cost to the Government shall not exceed the cost of transportation by the most economical route between the last official station and the new official station. No payments shall be authorized hereunder in the event transportation of the immediate family does not begin within six months of the effective date of the transfer of the officer or employee, unless an extension of time is specifically granted by the head of the agency concerned.

This order shall be effective as of July 1, 1945, and shall be published in the FEDERAL REGISTER.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 6, 1945.

[F. R. Doc. 45-12369; Filed, July 7, 1945; 10:37 a. m.]

Potatoes, preicing and precooling prohibited ---------- 8560
Robbins & Burke, Inc. ---------- 8576
amendments ---------- 8[illegible]
tied air carrier operations outside continental U. S. 8528
wearing apparel, bedding or kitchen utensils, but not furniture or jewelry), [F. R. Doc. 45-12369; Filed, July 7, 1945; 10:37 a. m.] 8528

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Department of Agriculture, Commodity Credit Corporation[1]

[1945 C C C Oats Bulletin 1, as Amended]

PART 268—OATS LOANS AND PURCHASES

1945 OATS LOAN AND PURCHASE PROGRAM BULLETIN

Commodity Credit Corporation has authorized the making of oats loans and purchases in accordance with this bulletin. Loans will be made on oats stored on farms or in approved public grain warehouses. Purchases will be made only of oats loaded f. o. b. track in carload lots. Loans will be made any time prior to January 1, 1946, and purchases will also be made any time prior to January 1, 1946, unless notice is otherwise given.

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268.2 Eligible oats.
268.3 Areas in which loans and purchases will be made.
268.4 Liens.
268.5 County agricultural conservation committees.
268.6 Amount of loan or purchase price.
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SPECIAL INSTRUCTIONS CONCERNING PURCHASES OF 1945 OATS

268.28 Delivery.
268.29 Basis of settlement.
268.30 Shipping instructions.
268.31 Purchase payments.
268.32 Delivery of ineligible oats.

AUTHORITY: §§ 268.1 to 268.32, inclusive, issued under sec. 302 of Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1302).

GENERAL INSTRUCTIONS

§ 268.1 *Eligible producer.* Any person, partnership, association, or corporation, producing oats in 1945 as landowner, landlord, or tenant, shall be eligible for such loans and/or purchases.

§ 268.2 *Eligible oats.* Oats grading No. 3 or better, in accordance with the Official Grain Standards of the United States, or grading No. 4 if the oats grade No. 4 solely because they are materially weathered (not sour or musty) and otherwise grade No. 3, which were produced in 1945, the beneficial interest in which is now in the producer, and has always been in him, or has been in him and a former producer whom he succeeded before the oats were harvested, shall be eligible under the program. Oats grading weevily, smutty, ergotty, garlicky, or oats containing in excess of 14½ percent moisture, shall not be eligible for loan or purchase.

§ 268.3 *Areas in which loans and purchases will be made.* Loans and purchases will be made in the following States: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

§ 268.4 *Liens.* Oats purchased or tendered as security for a loan must be free and clear of all liens, or proper waivers must be secured from each lienholder.

§ 268.5 *County agricultural conservation committees.* Forms may be obtained from county agricultural conservation committees or from the regional offices of Commodity Credit Corporation. Pursuant to instructions, the State committee and county committee will administer the program in the county. All loan documents will be completed and approved by the county committee and all arrangements for the purchase of oats will be made by the county committee. County committees will collect a service fee for all loans, but no fee will be collected on oats purchased.

§ 268.6 *Amount of loan or purchase price.* The amount of the loan or purchase price per bushel on eligible oats for the various States and counties is shown below, except that there shall be a discount of one cent per bushel for eligible oats grading No. 4. The county loan rate at point of storage will apply. No adjustment will be made in the loan rate for freight paid in case of rail movement. The purchase price will be the county purchase price at the point of delivery on track.

Alabama: All counties, 60 cents.
Arkansas: All counties, 53 cents.
Florida: All counties, 60 cents.
Georgia: All counties, 60 cents.
Louisiana: All counties, 60 cents.
Mississippi: All counties, 60 cents
Oklahoma: Beaver, Cimarron, Harper, and Texas counties, 50 cents.

Alfalfa, Craig, Delaware, Dewey, Ellis, Grant, Kay, Mayes, Nowata, Osage, Ottawa, Roger Mills, Rogers, Washington, Woods, and Woodward counties, 51 cents.

All other counties, 52 cents.
South Carolina: All counties, 60 cents.
Texas: Dallam and Sherman counties, 50 cents.

Andrews, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Martin, Moore, Ochiltree, Roberts, and Sterling counties, 51 cents.

Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Callahan, Carson, Castro, Childress, Clay, Cochran, Coke, Coleman, Collingsworth, Concho, Cooke, Cottle, Crosby, Dawson, Deaf Smith, Dickens, Donley, Eastland, Fisher, Floyd, Foard, Gaines, Garza, Gray, Hale, Hall, Hardeman, Haskell, Hockley, Howard, Jack, Jones, Kent, King, Knox, Lamb, Lubbock, Lynn, McCulloch, Mitchell, Montague, Motley, Nolan, Oldham, Palo Pinto, Parmer, Potter, Randall, Runnels, Scurry, Shackelford, Stephens, Stonewall, Swisher, Taylor, Terry, Throckmorton, Tom Greene, Wheeler, Wichita, Wilbarger, Yoakum, and Young counties, 52 cents.

Bowie, Brown, Comanche, Delta, Erath, Fannin, Gillespie, Grayson, Hopkins, Kendall, Kerr, Kimble, Lamar, Llano, Mason, Menard, Parker, Red River, and Wise counties, 53 cents.

Bandera, Bexar, Blanco, Boscue, Burnet, Camp, Cass, Collin, Comal, Dallas, Denton, Ellis, Franklin, Hamilton, Hayes, Hood, Hunt, Johnson, Kaufman, Lampasas, Marion, Medina, Mills, Morris, Rains, Rockwall, San Saba, Somervell, Tarrant, Titus, Upshur, Van Zandt, and Wood counties, 54 cents.

Anderson, Bee, Bell, Caldwell, Cherokee, Coryell, Falls, Freestone, Gonzales, Guadalupe, Harrison, Henderson, Hill, Jim Wells, Karnes, Kleberg, Leon, Limestone, Live Oak, McLennan, Milan, Navarro, Nueces, Panola, Robertson, Rusk, San Patricio, Smith, Travis, Williamson, and Wilson counties, 55 cents.

Angelina, Aransas, Bastrop, Brazos, Burleson, Calhoun, De Witt, Fayette, Goliad, Grimes, Houston, Lavaca, Lee, Madison, Nacogdoches, Refugio, Sabine, San Augustine, Shelby, Trinity, Victoria, Walker, and Washington counties, 56 cents.

Austin, Colorado, Jackson, Jasper, Newton, Polk, San Jacinto, and Tyler counties, 57 cents.

Brazoria, Chambers, Fort Bend, Harris, Jefferson, Liberty, Matagorda, Montgomery, Orange, Waller, and Wharton counties, 58 cents.

Galveston and Harris counties, 60 cents.

§ 268.7 *Offices of the regional directors of Commodity Credit Corporation.* The offices of the regional directors previously referred to herein and the areas served by them under these instructions are shown below:

Address and Area

208 South LaSalle Street, Chicago 4, Ill.: Delaware, Illinois (except East St. Louis), Indiana, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Southern Wisconsin, and States not otherwise listed.

Dwight Building, 1004 Baltimore Avenue, Kansas City 13, Mo.: Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.

326 McKnight Building, Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, and Northern Wisconsin.

Artisans Building, 225 Southwest Broadway, Portland 5, Oreg.: Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

SPECIAL INSTRUCTIONS CONCERNING LOANS ON 1945 OATS

§ 268.11 *Eligible storage.* Eligible storage shall include (a) farm storage structures meeting the requirements for safe storage as prescribed by the Agricultural Adjustment Agency, and (b) public grain warehouses which meet the requirements of Commodity Credit Corporation and which have executed the Uniform Grain Storage Agreement. Such warehouses may be situated either at terminal, subterminal, or country points.

§ 268.12 *Lending agency.* Any bank, cooperative marketing association, or other corporation, partnership, or person, making loans in accordance with these instructions, which has executed the Contract to Purchase, on 1940 C. C. C. Form E, may act as a lending agency in connection with loans on 1945 oats.

§ 268.13 *Eligible paper.* Eligible paper shall consist of notes of the producer on C. C. C. Grain Form A (Revised) secured by chattel mortgages on C. C. C. Grain Form AA (Revised), or notes on C. C. C. Commodity Form A secured by chattel mortgages on C. C. C. Commodity Form AA, or notes and loan agreements on C. C. C. Grain Form B, or C. C. C. Commodity Form B, secured by warehouse receipts representing oats in existence and undamaged, executed in accordance with these instructions and approved by a member of the county agricultural conservation committee, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee, will be acceptable only where legally valid. All notes must be dated on or prior to December 31, 1945.

[1] Formerly Chapter II—War Food Administration (Commodity Credit Corporation).

§ 268.14 *Determination of quantity of oats.* Loans shall be made at values expressed in cents per bushel. A bushel will be 32 pounds of oats when determined by weight, or 1.25 cubic feet of oats testing 32 pounds per bushel, when determined by measurement. A deduction of three-quarters of a pound for each sack will be made in determining the net quantity of the collateral when stored as sacked grain. In determining the quantity of oats in farm storage by measurement, fractional pounds of the test weight per bushel will be disregarded and the quantity determined by measurement will be the following percentages of the quantity determined for 32-pound oats:

	Percent
For oats testing 40 pounds or over	125
For oats testing 39 pounds or over	121
For oats testing 38 pounds or over	118
For oats testing 37 pounds or over	115
For oats testing 36 pounds or over	112
For oats testing 35 pounds or over	109
For oats testing 34 pounds or over	106
For oats testing 33 pounds or over	103
For oats testing 32 pounds or over	100
For oats testing 31 pounds or over	96
For oats testing 30 pounds or over	93
For oats testing 29 pounds or over	90
For oats testing 28 pounds or over	87
For oats testing 27 pounds or over	84

§ 268.15 *Farm storage.* Oats stored on the farm must have been stored in the granary at least 30 days prior to their inspection for measurement, sampling, and sealing, unless otherwise approved by the State committee and the regional director of the Agricultural Adjustment Agency. Chattel mortgages covering farm-stored oats must be executed and filed in accordance with the applicable State law. Each producer must designate in section 1 (b) of the chattel mortgage a rail shipping point reasonably convenient for the delivery of the oats as determined by the county agricultural conservation committees. A separate note and chattel mortgage must be submitted for oats stored on each quarter section of land.

Commodity Credit Corporation will accept delivery of all the producer's oats in the bin or bins in which all or a portion of the grain therein is under loan. The producer will be given credit for the number of bushels so delivered at the loan rate. If the oats delivered are of a lower grade than No. 3, the actual delivery value will be as determined by the regional director of Commodity Credit Corporation serving the area.

§ 268.16 *Storage payment.* There shall be no storage payments for oats in farm storage. On oats stored in public warehouses, 7 cents per bushel shall be deducted from the applicable loan rate unless evidence of prepaid storage is submitted in substantially the following form:

Storage charges through April 30, 1946, on the oats represented by this warehouse receipt have been paid or otherwise provided for, and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.

---------- ----------
Address Warehouseman

§ 268.17 *Warehouse storage.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts covering oats pledged as collateral to notes on C. C. C. Grain Form B, or C. C. C. Commodity Form B, issued by a public grain warehouse which has executed the Uniform Grain Storage Agreement as amended, and has been approved by Commodity Credit Corporation. Warehousemen desiring approval should communicate with the regional director of Commodity Credit Corporation serving the area in which the warehouse is located. A list of approved warehouses for the area and their locations is available at the office of the regional director. A list of approved warehouses for the area may also be obtained at any State or county agricultural conservation office. All oats pledged as security for a particular loan must be stored in the same warehouse.

§ 268.18 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer, must be dated on or prior to the date of the related note, must be properly assigned by an endorsement in blank so as to vest title in the holder, and must be issued by an approved warehouseman. Unless the warehouse receipts are stamped or printed "insured" there must be attached and included in the certificate of the warehouseman a statement that the oats are insured for not less than the market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for handling and storage charges will be recognized only from May 15, 1945, or the date of the warehouse receipt, whichever is later. Such receipts must set out in their written or printed terms the gross weight, the grade, class, test weight, and all other factors and statements required to be stated in the written or printed terms of negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Act, or be accompanied by a certificate of the warehouseman, identified with such warehouse receipt, setting out such information, and shall be based on the inbound movement or delivery of the oats to the warehouse.

§ 268.19 *Maturity and interest rate.* Oats loans will mature on demand but not later than April 30, 1946. All loans will bear interest at the rate of 3 percent per annum.

§ 268.20 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, eligible paper, as defined above, from lending agencies which have executed and delivered, to the regional office of Commodity Credit Corporation to which notes are submitted, Contract to Purchase, 1940 C. C. C. Form E, forms of which contract are obtainable from such offices. Notes held by lending agencies must be tendered to Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request and, in the absence of such request, at least 10 days prior to maturity. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes plus accrued interest, at the rate of 1½ percent per annum, from the respective dates of the disbursements of the loans to the date of payment of the purchase price. Under the terms of the Contract to Purchase, lending agencies are required to report weekly, on C. C. C. Commodity Form F, all payments or collections on producer's notes held by them, and to remit with such report to Commodity Credit Corporation an amount equivalent to 1½ percent interest per annum on the principal amount collected from the date of the note to the date of payment.

§ 268.21 *Insurance*—(a) *Oats stored on farms.* Commodity Credit Corporation will not require producers to insure their 1945 farm-stored oats placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion by the producer, or his negligence, or caused by vermin, the producer will not be held personally liable on the note. In case of partial physical loss of collateral resulting from an external cause, with the exceptions aforesaid, the producer will not be held liable for that part of the indebtedness secured by the oats lost. No loss will be assumed by the Corporation if it is determined that there is a fraudulent representation on the part of the borrower in connection with the loan.

(b) *Oats stored in approved warehouses.* Warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, windstorm, cyclone, and tornado, for the full market value of oats stored in their warehouses, as long as receipts are outstanding.

§ 268.22 *Release of collateral.* A producer may obtain release of the oats by paying to the lending agency or Commodity Credit Corporation, whichever holds the note, the principal amount due thereon plus interest. If the note is held by an out-of-town lending agency or by Commodity Credit Corporation, the producer may request that the note be forwarded to a local bank for collection. In such case the local bank will be instructed to return the note to the sender if payment is not effected within 15 days.

All charges in connection with the collection of the note shall be paid by the producer. Upon payment of the farm storage loan, the county agricultural conservation committees are authorized to release the mortgage by filing an instrument of release with the county recorder or by a marginal release on the county recorder's records. Producers may obtain partial releases of the oats by paying to the holder of the note the loan value and accrued interest for the oats released. In the case of warehouse-stored oats, each partial release must cover all the oats under one warehouse receipt.

SPECIAL INSTRUCTIONS CONCERNING PURCHASES OF 1945 OATS

§ 268.28 *Delivery.* Commodity Credit Corporation will accept only oats which are loaded f. o. b. track in carload lots.

Where the oats of two or more persons are loaded into a single car, prior to loading the oats into the car the net bulk weight of the oats of each producer must be determined as a basis for prorating the sales proceeds, as provided below.

§ 268.29 *Basis of settlement.* Settlement will be made on the weight determined at destination after movement by rail. If the weight at destination is different from the total weight of all the oats delivered into a railway boxcar by two or more producers, the destination weight shall be allocated to the two or more producers on a basis proportionate to the loading weight of oats delivered by each producer.

§ 268.30 *Shipping instructions.* Shipping instructions will be furnished by the regional directors of Commodity Credit Corporation for oats originating in their respective areas. Requests for shipping instructions should be made by wire at least two full business days prior to loading the cars. (Under no circumstances will Commodity Credit Corporation assume demurrage charges resulting from delays in loading.)

§ 268.31 *Purchase payments.* Payments for oats purchased will be made by the regional director of Commodity Credit Corporation serving the area from which the oats were purchased.

§ 268.32 *Delivery of ineligible oats.* When oats, upon delivery, are found to be lower than No. 3 grade, the purchase price will be the market price for the grade of oats delivered but not higher than the purchase price for eligible oats grading No. 4.

NOTE: The foregoing document covers 1945 C. C. C. Oats Bulletin 1, issued by Commodity Credit Corporation on May 31, 1945, and Amendment No. 1 to said Bulletin issued on June 29, 1945.

Dated: May 31, 1945.

C. C. FARRINGTON,
Vice President.

[F. R. Doc. 45-12318; Filed, July 6 1945; 3:15 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amdt. 26-1]

PART 26—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

MISCELLANEOUS AMENDMENTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 6th day of July, 1945.

Effective August 1, 1945, Part 26 of the Civil Air Regulations is amended as follows:

1. By striking the second sentence of § 26.3 reading: "The passing grade in any subject shall be at least 70 per cent."

2. By amending § 26.4 to read as follows:

§ 26.4 *Duration.* An air-traffic control-tower operator certificate will continue in effect until suspended or revoked or a termination date is set by the Board.

3. By repealing §§ 26.41, 26.42, and 26.43.

4. By amending § 26.50 to to read as follows:

§ 26.50 *Exercise of authority.* A control tower operator at an airport in a control area must not issue a traffic clearance for flight under contact flight rules when weather minimums are less than those prescribed in Part 60 of the Civil Air Regulations unless he receives the approval of the appropriate control center. In addition, an operator with a junior rating must not exercise this authority without the consent of an operator with a senior rating on duty and present in the tower when the clearance is given.

5. By amending § 26.51 to read as follows:

§ 26.51 *Emergency authority.* An operator with a junior rating must not serve as such except under the supervision of an operator with a senior rating. However, in an emergency the operator in charge of the control tower may authorize an operator with a junior rating to serve during the emergency, if either operator immediately notifies the regional administrator of the Civil Aeronautics Administration of the existence of the emergency and the facts and circumstances surrounding it. Whenever the Administrator finds, in the interest of safety, that this authority should not be continued, it shall terminate upon notification by the Administrator.

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-12425; Filed, July 9, 1945; 11:40 a. m.]

[Amdt. 41-0, Civil Air Regs.]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 27th day of June, 1945.

Effective August 1, 1945, the Civil Air Regulations are amended by adding a new Part 41 to read as follows:

CERTIFICATE

Sec.
41.0 Certificate.
41.00 Issuance.
41.01 Compliance.
41.02 Duration.
41.03 Display.
41.04 Inspection.

PASSENGER OPERATION RULES

41.1 Route requirements.
41.10 Airport spacing.
41.11 Communications facilities.
41.12 Weather reporting services.
41.13 Navigational facilities.
41.14 Airport lighting facilities.
41.2 Aircraft requirements.
41.20 General.
41.21 Radio equipment.
41.22 First-aid and emergency equipment.
41.23 Oxygen apparatus.
41.25 Instruments and equipment required for continuance of flight.
41.26 Airplane certification limitations.
41.27 Operating limitations on airplanes certificated under transport category requirements.
41.28 Maintenance.
41.3 Airman rules.
41.30 Pilot.
41.300 Certificate.
41.301 Number of pilots required.
41.302 Pilot route competency.
41.303 Maintenance of pilot technique.
41.304 Flight time limitations for pilots.
41.305 Logging flight time.
41.306 Pilots at controls.
41.307 First pilot rules.
41.308 Compliance with foreign air traffic rules and local airport rules.
41.31 Flight radio operator.
41.32 Flight engineer.
41.33 Flight navigator.
41.34 Dispatcher.
41.4 Flight operation rules.
41.40 Dispatching rules.
41.41 Flight preparation and take-off rules.
41.42 Flight course and en route rules.
41.43 Instrument approach and landing rules.
41.5 Miscellaneous operation rules.

CARGO OPERATION RULES

41.6-41.9 (In preparation).
41.99 Definitions.

AUTHORITY: §§ 41.0 to 41.99, inclusive, issued under 52 Stat. 984, 1007, 49 U.S.C. 425, 551.

The following regulations are prescribed for scheduled air transportation operations conducted by air carriers between a place in any State of the United States, or the District of Columbia, and any place in a Territory or possession of the United States; or between any place in a Territory or possession and a place in any other Territory or possession of the United States; or between places within a Territory or possession, except the Philippine Islands; or between any place in the United States and any place outside thereof; or between any two places outside the United States.

CERTIFICATE

§ 41.0 *Certificate.*

§ 41.00 *Issuance.* An air carrier operating certificate prescribing the type of operation, the routes over which such operation may be conducted, the airports which may be used, and such other specifications and restrictions as may be reasonably required in the interest of safety shall be issued by the Administrator to an applicant who demonstrates that he is capable of conducting the proposed operations in accordance with the applicable regulations hereinafter specified.

§ 41.01 *Compliance.* All operations shall be conducted in accordance with the specifications of the air carrier operating certificate and the rules contained in this part.

§ 41.02 *Duration.* An air carrier operating certificate will continue in effect until canceled, suspended, or revoked, after which it shall be surrendered to any officer or employee of the Administrator upon request.

§ 41.03 *Display.* The air carrier operating certificate shall be available at the appropriate operations office for inspection by any authorized representative of the Administrator or Board.

§ 41.04 *Inspection.* An authorized representative of the Administrator shall be permitted at any time and place to make inspections or examinations to determine the operator's compliance with the appropriate requirements of the Civil Air Regulations and the Civil Aeronautics Act of 1938.

PASSENGER OPERATION RULES

§ 41.1 *Route requirements.*

§ 41.10 *Airport spacing.* In the case of operations employing aircraft having two engines, airports adequate for the aircraft used shall be located so that the aircraft, when flying along the route, will at no time be at a greater distance therefrom than 45 minutes flying at normal cruising speed, except where the Administrator finds that because of the character of the terrain, the type of operation, and the performance of aircraft used adequate safety will be provided with airports spaced at greater distances.

§ 41.11 *Communications facilities.* A two-way ground-to-aircraft radio communications system shall be available at such points as are necessary to insure adequate communication between plane and ground over the entire route.

§ 41.12 *Weather reporting services.* Weather reporting services shall be available at such points along the route as are necessary to insure sufficient weather reports prepared from observations made and released by a source acceptable to the Administrator.

§ 41.13 *Navigational facilities*—(a) *Short distance operation.* Except in the case of a day contact operation where the characteristics of the terrain are such that navigation can be accomplished by reference to landmarks, each route shall be equipped with radio navigational facilities so located as to permit navigation by such facilities over the entire route. For instrument operation a facility shall be so located with respect to each scheduled stop and required alternate airport as to provide adequate means for making an instrument approach. In day instrument operation such a facility is not required at an alternate used only when the weather conditions are as good as or better than: broken clouds, ceiling 1,000 feet, visibility 2 miles, with conditions stable or improving.

(b) *Long distance operation.* Each route shall be equipped with radio navigational facilities so located as to permit the obtaining of reliable radio bearings when within 200 miles of any regular or approved alternate airport and a facility shall be so located with respect to each such airport as to provide adequate means for making an instrument approach: *Provided*, That the Administrator, at particular airports, may approve facilities which provide less coverage than that required herein if he finds that adequate safety is provided.

§ 41.14 *Airport lighting facilities.* For night operation each scheduled stop and required alternate airport shall be equipped with adequate lighting facilities.

§ 41.2 *Aircraft requirements.*

§ 41.20 *General.* (a) Aircraft shall be certificated and equipped in accordance with the airworthiness requirements of the Civil Air Regulations applicable to the type of operation conducted.

(b) Airplanes not certificated under the transport category requirements shall have such characteristics as to permit safe operation over the routes on which such airplanes will be operated.

(c) Land aircraft operated over water beyond gliding distance from shore without the aid of power shall be equipped with retractable landing gear.

(d) Multiengine airplanes shall be so equipped that engine rotation may be promptly stopped during flight.

(e) Operations which do not comply with the requirements of this part will be permitted to continue for the duration of the war and 12 months thereafter if the Administrator finds that such continuation is necessary to the maintenance of an established service and that it will create no undue hazard under the particular conditions existing.

§ 41.21 *Radio equipment.*

§ 41.210 *Short distance operation.* (a) For day contact operations over routes on which navigation can be accomplished by visual reference to landmarks, each aircraft shall be equipped with such radio facilities as are necessary to accomplish the following:

(1) Transmit communications and meteorological information to at least one ground station from any point on the route and transmit, from a distance of not less than 25 miles, to airport traffic control towers located at airports approved for the route;

(2) Receive communications at any point on the route;

(3) By either of two independent means, receive meteorological information at any point on the route and receive instructions from airport traffic control towers located at airports approved for the route.

If appropriate, one of the means provided for compliance with paragraph (a) (3) of this section may be employed for compliance with paragraph (a) (2).

(b) For day contact operations over routes on which navigation cannot be accomplished by visual reference to landmarks and for night contact, day or night instrument operations, each aircraft shall be equipped with such radio facilities as are necessary to accomplish the following:

(1) Transmit communications and meteorological information to at least one ground station from any point on the route and transmit, from a distance of not less than 25 miles, to airport traffic control towers located at airports approved for the route;

(2) Receive communications at any point on the route;

(3) By either of two independent means, receive meteorological information at any point on the route and receive instructions from airport traffic control towers located at airports approved for the route;

(4) By either of two independent means, satisfactorily receive radio navigational signals from any radio aid to navigation required by § 41.13 (a).

If appropriate, one of the means provided for compliance with paragraph (b) (3) of this section may be employed for compliance with paragraph (b) (2) or the means provided for compliance with paragraph (b) (4) may be employed for compliance with paragraph (b) (3).

§ 41.211 *Long distance operation.* Each aircraft shall be equipped with such radio facilities as are necessary to accomplish the following:

(a) By either of two independent means, transmit communications and meteorological information to at least one ground station from any point on the route and transmit, from a distance of not less than 25 miles, to airport traffic control towers located at airports approved for the route;

(b) By either of two independent means, receive communications at any point on the route;

(c) By either of two independent means, receive meteorological information at any point on the route and receive instructions from airport traffic control towers located at airports approved for the route;

(d) By either of two independent means, satisfactorily receive radio navigational signals from any radio aid to navigation required by § 41.13 (b).

If appropriate, equipment provided for compliance with paragraph (c) of this section may be employed for compliance with either paragraph (b) or paragraph (d).

§ 41.22 *First-aid and emergency equipment.* Each aircraft shall be equipped with a conveniently accessible first-aid kit adequate for the type of operation involved. Aircraft scheduled over routes requiring flights for long distances over uninhabited terrain must carry such additional emergency equipment as the Administrator designates for the particular operation involved. All aircraft operated over water shall be

equipped with life preservers or flotation devices readily available for each person aboard and with a Very pistol or equivalent signal equipment, except that this requirement will not apply when such operations consist only of landings, take-offs, or flights for short distances over water and the Administrator finds in each case that such equipment is not necessary. In addition, all aircraft operated for long distances over water shall be equipped with a sufficient number of life rafts to accommodate adequately all occupants and such additional emergency equipment as may be required by the Administrator.

§ 41.23 *Oxygen apparatus.* (a) Aircraft not having pressurized cabins and operated at an altitude exceeding 10,000 feet above sea level continuously for more than 30 minutes or at an altitude exceeding 12,000 feet above sea level for any length of time shall be equipped with effective oxygen apparatus and an adequate supply of oxygen available for the use of the operating crew. Such aircraft shall also be equipped with an adequate separate supply of oxygen available for the use of passengers when operated at an altitude exceeding 12,000 feet above sea level.

(b) Unless oxygen is supplied in accordance with paragraph (a), aircraft having pressurized cabins shall not be operated with a pressure within the cabin less than that corresponding to a pressure altitude of 10,000 feet. Aircraft having pressurized cabins and operated at altitudes in excess of 18,000 feet above sea level shall be equipped with an adequate emergency supply of oxygen available for the use of the flight crew.

§ 41.25 *Instruments and equipment required for continuance of flight.* If any required instrument or item of equipment in an aircraft becomes unserviceable in flight, a landing must be made at either the nearest suitable landing area or at the next point of intended landing whichever, in the opinion of the pilot, is the safer procedure, unless the equipment specified below for the type of operation indicated is in serviceable condition, in which case the flight may continue as scheduled to the nearest point where repairs or replacements can be made.

The items listed below are required for all types of operation unless otherwise specified:

(a) One air-speed indicator and one sensitive type altimeter (contact operation); two air-speed indicators and two sensitive type altimeters (instrument operation).

(b) One approved compass.

(c) A tachometer for one engine, one fuel pressure gauge with warning indicator, one oil pressure gauge with warning indicator, and one oil temperature or cylinder temperature gauge for each engine.

(d) A manifold pressure gauge for one engine.

(e) Two approved type portable fire extinguishers and a fire extinguishing system to serve each engine compartment,

(f) One landing gear position indicator or equivalent facility, if equipment includes a retractable landing gear,

(g) One or more storage batteries or other source of electrical supply sufficient to operate all radio and electrical equipment necessary for the flight,

(h) Two of the following three units of radio equipment:

(1) One transmitter for two-way communication,

(2) One receiver for two-way communication,

(3) One receiver capable of receiving navigational signals.

In addition to the above, one of the radio navigational systems required by § 41.210 (b), if navigational facilities on the route are required by § 41.13,

(i) All radio equipment required by these regulations (night and instrument operation),

(j) Forward position and tail lights, two landing lights, one set of instrument lights, and two landing flares each rated for at least 3-minute duration (night operation),

(k) Fuel quantity indicators indicating the amount of fuel in each tank to be used for the remainder of the flight (night and instrument operation),

(l) An electrically heated pilot tube serving each pilot's air-speed indicator (night and instrument operation),

(m) One gyro rate-of-turn indicator combined with a bank indicator, one artificial horizon indicator, and one gyro direction indicator (night and instrument operation),

(n) One outside air temperature gauge with indicating dial in the pilot compartment and one carburetor air temperature indicator or equivalent approved device (night and instrument operation),

(o) If vacuum system is used, one vacuum gauge with warning indicator on the instrument panel installed in lines leading to the rate-of-turn and artificial horizon indicators and the gyro direction indicator (night and instrument operation),

(p) One clock with sweep-second hand (night and instrument operation),

(q) Three spare fuses of each capacity, or 25 per cent of the number of each capacity, whichever is the greater.

§ 41.26 *Airplane certification limitations.* (a) Airplanes certificated as a basic type after June 30, 1942, must be certificated in accordance with the transport category requirements of Part 04 of this chapter and meet the requirements of § 41.27 over each route to be flown.

(b) Airplanes used after December 31, 1947, must have been certificated in accordance with the transport category requirements of Part 04 of this chapter and meet the requirements of § 41.27 over each route to be flown.

§ 41.27 *Operating limitations on airplanes certificated under transport category requirements.* In operating any airplane certificated in accordance with the provisions of § 04.75–T of this chapter, the restrictions of §§ 41.270 to 41.2731, inclusive shall be observed unless deviations therefrom are specifically authorized by the Administrator on the ground that a peculiarity of the particular circumstances of a particular case makes a literal observation of the restrictions unnecessary for safety in that case.

In determining compliance with these provisions the data obtained in testing the airplane for type certification may be applied, by interpolation or by computation of the effects of changes in specific variables, to conditions differing from those for which specific tests were made, where such interpolations or computations will give results substantially equalling in accuracy the results of a direct test.

§ 41.270 *General limitations.* (a) Airplanes shall be operated only from airports at altitudes within the altitude range for which maximum take-off weights have been determined and set forth in the airplane operating manual and shall be dispatched only to airports of intended destination, or to airports specified as alternates, which are at altitudes within the range for which maximum landing weights have been determined and set forth in the airplane operating manual.

(b) The weight of an airplane at take-off shall not exceed the certificated maximum take-off weight for the altitude of the airport from which the take-off is made.

(c) The gross weight at take-off shall be such that, allowing for the consumption of the amount of fuel which would normally be consumed in flight to the intended destination, the weight on arrival at the destination will not exceed the certificated maximum landing weight for the altitude of the field of intended destination.

§ 41.271 *Take-off limitations to provide for engine failure.* Take-off shall be made only from such fields, in such directions, and under such gross weight limitations that the following conditions are fulfilled as shown by the performance data determined under § 04.7532–T of this chapter and set forth in the airplane operating manual:

(a) From any point on the take-off up to the time of attaining the critical-engine-failure speed set forth in the airplane operating manual it shall be possible to bring the airplane to a safe stop within the landing area, as shown by the accelerate-and-stop distance data.

(b) If the critical engine should fail at any instant after the airplane attains the critical-engine-failure speed, it shall be possible to proceed with the take-off and attain a height of 50 feet, as indicated by the take-off path data, before passing over the end of the take-off area. Thereafter it must be possible to clear all obstacles either by at least 50 feet vertically, as shown by the take-off path data, or by at least 200 feet horizontally within the airport boundaries and 300 feet horizontally after passing beyond such boundaries.

In determining the allowable deviation of the flight path in order to avoid obstacles, it is assumed that the airplane is not banked before reaching a height of 50 feet, as shown by the take-off path data, and that the maximum bank thereafter does not exceed 15°.

(c) In applying the requirements of paragraphs (a) and (b) of this section correction shall be made for any appreciable gradient of the take-off surface. Take-off data based on still air may be corrected to allow for the effect of a favorable wind which is equal to not more than 50 per cent of the component along the take-off runway due to the reported wind condition.

§ 41.272 *En route limitations.* An airplane shall be dispatched only under such conditions that in progressing along the intended route, with the weight of the airplane progressively reduced by the anticipated consumption of fuel and oil, the maximum one-engine-inoperative operating altitude, as defined in §04.7513–T of this chapter and as set forth in the airplane operating manual, will at all times exceed by at least 1,000 feet the altitude of the highest ground or obstruction within 10 miles on either side of the intended route. Where special air navigational facilities provide for close and specific identification of an obstruction or of high ground extending for less than 20 miles along the route, the maximum lateral distance from the intended route up to which such obstruction or high ground must be taken into account may be reduced to 5 miles.

§ 41.273 *Landing distance limitations.* (a) An airplane shall be dispatched only under such conditions that it would be possible, as shown by the still-air landing data obtained in § 04.7533–T of this chapter and set forth in the airplane operating manual, at a weight corresponding to the maximum weight expected to exist at the time of arrival at the airport of intended destination, and under standard air conditions for the altitude of such airport, to bring the airplane to rest from a point 50 feet directly above the intersection of the obstruction clearance line (as defined in § 41.2731) and the landing surface, within a total distance not in excess of 60 per cent of the effective length of the landing area (as defined in § 41.2731) most suitable for landing in still air.

(b) For every anticipated condition of wind velocity and direction and the corresponding landing direction required at the airport of intended destination by the ground handling characteristics of the airplane type involved, the ratio of landing distance to effective length of landing area shall not be greater than that as specified in paragraph (a) of this section, after allowing for the effect on the landing path and roll of not more than 50 per cent of the favorable wind component due to a particular wind condition.

(c) If the requirement of paragraph (a) of this section can be met, but the requirement of paragraph (b) cannot be fully met, at an airport of intended destination, a flight to such airport may be dispatched if at least one approved alternate airport is designated in the flight plan at which the requirements of paragraphs (a) and (b) of this section, as modified by § 41.2730, are met.

§ 41.2730 *Landing distance at alternate fields.* The conditions of § 41.2731 will apply with respect to alternate airports specified in the flight plan, except that in the case of alternate airports the landing distance as defined in that section shall not exceed 70 per cent of the effective length of the landing area.

§ 41.2731 *Definition of effective length of landing area.* The effective length of the landing area is the distance from the point where the obstruction clearance line, as defined below, intersects the landing surface to the far end of the landing area.

The obstruction clearance line is a line drawn tangent to or clearing all obstructions showing in a profile of the approach area as defined below. The obstruction clearance line is further limited by having a slope to the horizontal of 1/20 as it approaches the landing area.

The approach area, as used in this section, shall be an area symmetrical about a center line coinciding with and prolonging the center line of the runway, except that where there is a multiplicity of parallel runways or a large area continuously available for landing, the center line of the approach area shall coincide with the most probable landing path for instrument approaches. The approach area shall be considered as extending longitudinally from the landing area out to the most remote obstacle touched by the obstruction clearance line, assuming the center line of the approach area in plain view to be straight for at least 1,500 feet from the intersection of the obstruction clearance line with the landing surface and thereafter continuing in a path consistent with the instrument approach procedures for the airport in question, or, where such procedures are not specified, consistent with turns of at least 4,000 feet in radius; and as extending laterally to a distance of 200 feet on either side of its center line at the point of intersection of the obstruction clearance line with the landing surface, with this distance increasing uniformly to 500 feet on either side of the center line of the area at a longitudinal distance of 1,500 feet from the intersection of the obstruction clearance line with the landing surface, and maintaining a distance of 500 feet from the center line thereafter.

§ 41.28 *Maintenance.*

§ 41.280 *Maintenance organization.* The air carrier is responsible for the continuous airworthiness of all aircraft, engines, propellers, and appliances. Unless maintenance is performed by another agency under a contract approved by the Administrator, it is responsible for maintaining adequate maintenance facilities, the adequacy and competence of maintenance personnel, and for the preparation of such maintenance reports as are required by the Administrator.

§ 41.281 *Alterations and repairs.* Aircraft, engines, propellers, and appliances must be altered or repaired only in conformity with the procedures and, in so far as they apply, the methods provided for in Part 18. Reports of such alterations or repairs must be submitted promptly to the Administrator.

§ 41.282 *Inspection.* The air carrier shall maintain an inspection organization which is responsible for determining that all maintenance conforms to at least the minimum standards prescribed by the Administrator as to workmanship, methods employed, and materials used. Each inspector must hold a valid mechanic certificate and rating for the type of inspection involved.

§ 41.283 *Maintenance manual.* The air carrier shall prepare and maintain a manual for the use and guidance of maintenance personnel which contains full information pertaining to the repair and service of flight equipment and clearly outlines the responsibilities of maintenance personnel. It must be in a form approved by the Administrator and copies furnished to all persons designated by the Administrator or Board. All copies in the hands of designated company personnel must be kept up to date.

§ 41.2830 *Changes.* The extension of any overhaul, check, or inspection period must have the written approval of the Administrator. Other changes in the maintenance manual may be made without the prior approval of the Administrator, if such changes are not inconsistent with any Federal regulation, the air carrier operating certificate, or safe maintenance practice.

§ 41.284 *Training program.* The air carrier must provide for the proper and periodic instruction of all maintenance personnel, particularly in connection with the introduction into service of new or unfamiliar equipment.

§ 41.285 *Records.* Current records shall be kept of the total time in service, the time since last overhaul, and the time since last inspection on all aircraft components, engines, propellers and, where practicable, on instruments, equipment, and accessories.

§ 41.3 *Airman rules.*

§ 41.30 *Pilot.*

§ 41.300 *Certificate.* (a) Any pilot serving as first pilot shall hold a valid airline transport pilot certificate and a rating for the aircraft in which he is to serve.

(b) Any pilot serving as second pilot in an aircraft requiring two pilots shall hold at least a commercial pilot certificate and instrument rating and must have demonstrated to an air carrier inspector of the Administrator, or to an authorized check pilot of the air carrier, his ability to take off and land aircraft in which he is to serve.

(c) Any pilot serving as second pilot in an aircraft requiring three or more pilots shall meet the requirements of paragraph (a) of this section.

(d) Any pilot serving in a pilot capacity other than as first or second pilot shall meet the requirements of paragraph (b) of this section.

§ 41.301 *Number of pilots required.* The number of pilots required shall be sufficient to provide adequate safety. The type of aircraft used, the type of operation involved, and the duration of flights between points where flight crews

are changed shall be the basis for making this determination.

§ 41.302 *Pilot route competency.*

§ 41.3020 *Requirements for pilot route qualification.* A pilot qualifying on any route must be certified by a check pilot as qualified for the route and shall have accomplished at least the applicable procedures prescribed below:

(a) A pilot who has served as first pilot for less than 1,000 hours shall have made, within the preceding 12 calendar months, 4 one-way trips over the route as pilot without passengers or as copilot with or without passengers. One of the above trips must have been completed within the preceding 60 days, and the pilot qualifying must have been accompanied on this trip by a check pilot.

(b) A first pilot who has served as such on any route or routes for at least 1,000 hours, in order to qualify for any other route, shall have made, within the preceding 12 calendar months, 2 one-way trips as pilot without passengers or as copilot with or without passengers. One of the above trips must have been completed within the preceding 60 days, and the pilot qualifying must have been accompanied on this trip by a check pilot.

(c) In complying with the requirements of paragraph (a) and (b) of this section, the qualifying pilot shall have performed in flight, under actual or simulated instrument conditions, all of the approved instrument approach procedures at each regular, provisional, and refueling and holding airport approved for the route. In the case of airports used only as alternates, the pilot may demonstrate his ability by other means approved by the Administrator.

(d) In the case of minor extensions or modifications of existing routes the provisions of paragraphs (a) and (b) of this section will not apply, unless found necessary by the Administrator in the interest of safety.

(e) In the case of new regular, provisional, or refueling and holding airports approved for a route, a first pilot currently qualified for the route need not be required to perform the approach procedures specified in paragraph (c) of this section if the Administrator finds in each case that such procedure is unnecessary in the interest of safety.

§ 41.3021 *Maintenance of pilot route qualification.* A first pilot shall not serve as such over a particular route unless he has either:

(a) Made at least one one-way trip over the route as first or second pilot within the preceding 12 calendar months, or

(b) After an absence from the route of more than 12 consecutive months, requalified in accordance with the appropriate provisions of § 41.3020.

§ 41.303 *Maintenance of pilot technique.* If within any 90-day period a first or second pilot has not made at least three take-offs and landings in aircraft of a particular make and model, such person shall not thereafter serve as a first or second pilot in aircraft of that make and model in scheduled air transportation without having made at least three take-offs and landing in such aircraft with not less than one-half the maximum useful load. If he is to serve in air transportation at night at least one of the three take-offs and landings specified above must have been made at night.

§ 41.3030 *Periodic flight checks and instruction.* Each air carrier must provide a sufficient number of check pilots to insure that each first pilot employed continues to meet the minimum requirements both with regard to route competency and technique. Each of these checks must be accomplished twice each year at intervals of not less than four months. Periodic instruction must be given all pilots. In the case of first pilots, instruction must include the obtaining of optimum performance under simulated maximum authorized weight conditions with one engine inoperative and instrument approach procedures and landings under the same conditions in the make and model aircraft in which such pilots serve in scheduled air transportation. In the case of all pilots other than first pilots, instruction must include familiarization with the operations manual, with the types of equipment used, and with the duties of a second pilot.

§ 41.304 *Flight time limitations for pilots.*

§ 41.3040 *Aircraft having a crew of one or two pilots.* (a) A pilot may be scheduled to fly 8 hours or less during any 24 consecutive hours without a rest period during such 8 hours. If a pilot is scheduled to fly in excess of 8 hours during any 24 consecutive hours, he shall be given an intervening rest period at or before the termination of 8 scheduled hours of flight duty. Such rest period must equal at least twice the number of hours flown since the last preceding rest period and in no case will such rest period be less than 8 hours. During such rest period the pilot must be relieved of all duty with the air carrier.

(b) When a pilot has flown in excess of 8 hours during any 24 consecutive hours he must receive at least 18 hours of rest before being assigned any duty with the air carrier.

(c) A pilot shall not fly in excess of 32 hours during any 7 consecutive days. Relief from all duty for not less than 24 consecutive hours must be provided for and given to a pilot at least once during any 7 consecutive days.

(d) A pilot shall not fly as a member of the crew more than 100 hours during any one month: *Provided*, That the Administrator is authorized, during the present war and until 6 months after the termination thereof, to permit the maximum of 100 hours to be exceeded to the extent necessary to complete a particular flight for military purposes.

(e) A pilot shall not fly as a member of the crew more than 1,000 hours in any 12-month period: *Provided*, That this limitation will not be effective during the present war and until 6 months after the termination thereof, and that during this period the maximum flying hours permitted in any 12-month period will be controlled by the provisions of paragraph (d) of this section.

§ 41.3041 *Aircraft having two pilots and one additional flight crew member.*

(a) A pilot may not be scheduled to fly a total of more than 12 hours during any 24 consecutive hours.

(b) When a pilot has flown 20 hours or more during any 48 consecutive hours, or 24 hours or more during any 72 consecutive hours, he must receive at least 18 hours of rest before being assigned to any duty with the air carrier. In any case each pilot shall be relieved from all duty for not less than 24 consecutive hours during any 7 consecutive days.

(c) A pilot shall not fly as a member of the flight crew more than 120 hours in any 30 consecutive days or 300 hours in any 90 consecutive days: *Provided*, That the Administrator is authorized, during the present war and until 6 months after the termination thereof, to permit the above maximums of 120 or 300 hours to be exceeded to the extent necessary to complete a particular flight for military purposes.

(d) A pilot shall not fly as a member of the flight crew more than 1,000 hours in any 12-month period: *Provided*, That this limitation will not be effective during the present war and until 6 months after the termination thereof and that during this period a maximum of 1,200 flying hours will be permitted.

§ 41.3042 *Aircraft having three or more pilots and an additional flight crew member.* (a) Flight hours shall be scheduled in such a manner as to provide for adequate rest periods on the ground while the pilot is away from his base. Adequate sleeping quarters on the aircraft must be provided in all cases where a pilot is scheduled to fly more than 12 hours during any 24 consecutive hours.

(b) A pilot, upon return to his base from any flight or series of flights, shall receive a rest period of not less than twice the total number of hours flown since the last rest period at his base and during such period will not be required to perform any duty for the company. When the required rest period exceeds 7 days, that portion of the rest period in excess of 7 days may be given at any time before the pilot is again scheduled for flight duty on any route.

(c) A pilot shall not fly as a member of the flight crew more than 350 hours in any 90 consecutive days.

(d) A pilot shall not fly as a member of the flight crew more than 1,000 hours in any 12-month period: *Provided*, That this limitation will not be effective during the present war and until 6 months after the termination thereof, and that during this period a maximum of 1,200 flying hours will be permitted.

§ 41.3043 *Pilots not regularly assigned.* A pilot not regularly assigned as a flight crew member for an entire month under the provisions of § 41.3041 or § 41.3042 must not fly in excess of 100 hours in any 30 consecutive days.

§ 41.3044 *Deadhead transportation.* The time spent in deadhead transportation to or from duty assignment will not be considered a part of any rest period.

§ 41.3045 *Other commercial flying.* A pilot shall not do other commercial flying while employed by an air carrier when such flying, in addition to that in scheduled air transportation service, will exceed any flight time limitations specified herein.

§ 41.305 *Logging flight time.* (a) A first pilot may log the total flight time elapsing during his command of the aircraft.

(b) A second pilot holding an airline transport pilot certificate and rating for the aircraft flown may log the total time during which he serves as second pilot.

(c) A second pilot not holding an airline transport pilot certificate and rating for the aircraft flown may log 50 per cent of the total flight time.

(d) Additional pilots when required, and serving as such, may log 50 percent of the total flight time.

§ 41.3050 *Logging instrument flight time.* Instrument flight time may be logged as such by the pilot actually manipulating the controls only when the aircraft is flown solely by reference to instruments either under actual or properly simulated flight conditions.

§ 41.306 *Pilots at controls.* In the case of aircraft requiring two or more pilots, two pilots shall remain at the controls at all times while the aircraft is taking off, landing, and while en route, except when the absence of one is necessary in connection with his regular duties or when he is replaced by a person authorized under the provisions of § 41.501.

§ 41.307 *First pilot rules*—(a) *Pilot in command.* The first pilot is in command of the aircraft at all times during flight and is responsible for the safety of persons and goods carried and for the conduct and safety of members of the crew.

(b) *Emergency decisions.* (1) The first pilot is authorized to follow any course of action which appears necessary in emergency situations which, in the interest of safety, require immediate decision and action. He may, in such situations, deviate from prescribed methods, procedures, or minimums to the extent required by considerations of safety. When such emergency authority is exercised the pilot shall keep the proper control station fully informed regarding the progress of the flight. He shall submit a written report of any such deviation to the Administrator of Civil Aeronautics within 7 days after the completion of the trip.

(2) In an emergency requiring either the dumping of fuel or a landing at a weight in excess of the authorized landing weight the first pilot may elect to follow whichever procedure he considers safer.

(c) *Flight equipment.* Before any flight is started the first pilot shall have readily available in the aircraft appropriate and current flight and navigational facility maps, including instrument procedures when instrument flight is authorized, and such other equipment as may be necessary to properly conduct the proposed flight.

§ 41.308 *Compliance with foreign air traffic rules and local airport rules.* Pilots flying in the airspace of any foreign country shall, at all times, comply with the air traffic rules of the foreign government and with local airport rules, except where any rule prescribed herein is more restrictive and may be followed without violating the laws or rules of such country.

§ 41.31 *Flight radio operator.*

§ 41.310 *When required.* A flight radio operator will be required when radio telegraphy is used for communication with ground stations during flight. One or more additional flight radio operators will be required when the type of operation is such as to require additional personnel.

§ 41.311 *Certificate.* Each flight radio operator shall hold a valid flight radio operator certificate issued in accordance with the provisions of Part —. (In preparation.)

§ 41.312 *Flight time limitations.* When one flight radio operator is required the flight time limitations prescribed in § 41.3041 apply. When two or more flight radio operators are required the flight time limitations of § 41.3042 apply.

§ 41.313 *Other flight crew members to be qualified.* In all flights requiring only one flight radio operator, one other flight crew member must be capable of operating the equipment in an emergency.

§ 41.32 *Flight engineer.*

§ 41.320 *When required.* One flight engineer, and such assistants as are necessary, will be required when the design of the aircraft used or the type of operation is such as to require engineer personnel.

§ 41.321 *Certificate.* Each flight engineer shall hold a valid flight engineer certificate issued in accordance with the provisions of Part —. (In preparation.)

§ 41.322 *Qualification for operation.* Each flight engineer must be familiar with the model aircraft to which he is assigned and must be competent to repair or to supervise repairs of all of the major components of the aircraft, engines, propellers, and accessories.

§ 41.323 *Flight time limitations.* When one flight engineer is required, the flight time limitations prescribed in § 41.3041 apply. When two or more flight engineers are required, the flight time limitations prescribed in § 41.3042 apply.

§ 41.324 *Other flight crew members to be qualified.* In all flights requiring the use of only one flight engineer, one other flight crew member must be capable of performing the duties of such engineer in an emergency during flight.

§ 41.33 *Flight navigator.*

§ 41.330 *When required.* In all operations where celestial navigation is necessary either as a primary or secondary means of navigation, at least one member of the flight crew must hold a flight navigator certificate issued in accordance with the provisions of Part —. (In preparation.)

§ 41.331 *Flight time limitations.* The flight time limitations prescribed in § 41.3042 apply.

§ 41.34 *Dispatcher.*

§ 41.340 *Number and location.* The air carrier shall provide an adequate number of certificated aircraft dispatchers located at such points as may be necessary to insure safe operations.

§ 41.341 *Certificate.* Each dispatcher shall hold a valid aircraft dispatcher certificate issued in accordance with the provisions of Part 27.

§ 41.342 *Qualification for route.* Each dispatcher within 6 months immediately preceding his qualification for a route, or part thereof, shall have made at least one trip over the route on which he is to serve prior to dispatching any aircraft. In addition he must be familiar with:

(a) The contents of the air carrier operations manual;

(b) The radio facilities in the aircraft used; and

(c) With respect to the route, the following:

(1) The prevailing weather phenomena.

(2) The sources of weather information available.

(3) All phases of the air carrier operation.

(4) The maximum authorized loads for the air craft used.

(5) The peculiarities and limitations of each radio navigational facility and similar information with regard to such additional facilities located off the route as are approved for use in obtaining fixes by means of cross bearings, and

(6) The effect of weather conditions on the radio reception of the aircraft used.

§ 41.343 *Maintenance of qualification.* Each dispatcher shall maintain his familiarity with the route or routes on which he dispatches aircraft.

§ 41.344 *Route qualification expiration.* After 24 consecutive months of absence from dispatching duty over a route or part thereof, a dispatcher will no longer be considered qualified to dispatch aircraft over such route.

§ 41.4 *Flight operation rules.*

§ 41.40 *Dispatching rules*—(a) *Short distance operation.* Flights may be dispatched over any approved route between two terminal points.

(b) *Long distance operation.* Flights may be dispatched over any track between two terminal points within the route approved by the Administrator for the operation.

§ 41.400 *Dispatching authorization.* Flights shall be started only on the authority of an aircraft dispatcher qualified for the route. In short distance operation this authority is not required at intermediate points specified in the original clearance unless the flight is delayed more than 30 minutes at any such point. In long distance operation redispatch is not required unless the flight is delayed more than 6 hours.

§ 41.401 *Dispatcher duty period.* A dispatcher may clear a flight only when

he has been on duty at the station from which the clearance is effected for a period of time sufficient to become familiar with existing conditions. He must continue on duty until the aircraft has landed in completion of a trip, or has proceeded beyond his jurisdiction, or until he has been properly relieved by another qualified dispatcher.

§ 41.402 *Use of weather reports and forecasts in dispatch.* (a) Weather reports used to control flight movements shall be prepared from observations made and released by a source acceptable to the Administrator.

(b) Weather reports used shall be the latest reports available. Weather reports, other than off-course or on-call reports made a part of the clearance form, shall not be more than one hour and 30 minutes old at the time the aircraft departs.

(c) Weather forecasts made by the United States Weather Bureau, in the case of dispatch from points within the United States, or other sources acceptable to the Administrator, in the case of dispatch from points outside of the United States, shall be taken into account.

§ 41.403 *Weather minimums.*

§ 41.4030 *Dispatch under contact flight rules, short distance operations.* Aircraft may be dispatched only if current weather reports and forecasts show a trend indicating that the ceilings and visibilities along the route to be flown are, and will remain, at or above the minimums required for flight under contact flight rules until the flight arrives at the next point of intended landing specified in the clearance.

§ 41.4031 *Instrument or over-the-top dispatch, short distance operations.* Aircraft may be dispatched only if the observed weather information and current weather forecasts pertaining to the next point of intended landing specified in the clearance show a trend indicating that the ceiling and visibility will be at or above the minimums specified when the flight is scheduled to arrive; and at least one alternate airport, meeting the minimum weather requirements for the airport when used as an alternate, is designated in the clearance.

§ 41.4032 *Dispatch, long distance operation.* Aircraft may be dispatched only in compliance with the following conditions:

(a) The current weather forecasts must indicate that the ceiling and visibility either at the next point of intended landing or at any required alternate therefor will be at or above the approved minimums at the time the flight is estimated to arrive.

(b) In the case of overwater flights or any other flight where the point of intended landing has no available alternate, the current weather forecasts must also indicate that the ceiling and visibility either at the point of departure or at any required alternate therefor will be above the approved minimums at the time of arrival back to such point from any point along the route closer than the point-of-no-return.

§ 41.404 *Icing conditions.* Aircraft shall not be dispatched or flown into known heavy icing conditions and may be dispatched or flown into any less serious icing condition only if the aircraft is equipped for deicing wings, propellers, and such other parts of the aircraft as are essential to safety.

§ 41.405 *Fuel supply*—(a) *Short distance contact operation.* An aircraft may be dispatched or take off only if it carries sufficient fuel, considering the wind and other weather conditions expected, to fly to the next point of landing specified in the clearance and thereafter for a period of at least 45 minutes at normal cruising consumption.

(b) *Short distance instrument or over-the-top operation.* An aircraft may be dispatched or take off only if it carries sufficient fuel, considering the wind and other weather conditions expected, to fly to the next point of landing specified in the clearance; and thereafter (1) to fly to and land at the most distant alternate airport designated for that point in the clearance; and thereafter (2) to fly for a period of at least 45 minutes at normal cruising consumption.

(c) *Long distance operation.* An aircraft may be dispatched or take off only if it carries sufficient fuel, considering the wind and other weather conditions expected, to fly to the next point of landing specified in the clearance; and thereafter (1) to fly to and land at the most distant alternate airport designated for that point in the clearance; and thereafter (2) to fly for a period of at least two hours at normal cruising consumption. An aircraft may be redispatched to return to the point of departure or to an alternate airport for that point only when such redispatch is accomplished while the aircraft has sufficient fuel to return to such point and thereafter to fly for a period of at least two hours at normal cruising consumption. In the case of a route approved without an available alternate for a particular stop, an aircraft dispatched to that point must carry sufficient fuel, considering wind and other weather conditions expected, to fly to that point and thereafter for at least 3 hours at normal cruising consumption. The Administrator may require fuel in excess of any of the minimums specified in this paragraph when he finds that additional fuel is necessary on a particular route in the interest of safety and, in the case of an overland operation where adequate intermediate airports and navigational facilities are available, may permit the operation to be conducted with the fuel reserves specified in paragraph (b) of this section.

§ 41.406 *Maintenance release, load manifest, and clearance forms.* All maintenance release, load manifest, and clearance forms used must be approved by the Administrator.

§ 41.4060 *Preparation of maintenance release, load manifest, and clearance forms.* A maintenance release form must be prepared for each aircraft delivered by the maintenance department to the operations department. This form must be signed by personnel of the air carrier charged with the duty of supervising the maintenance of the aircraft. A load manifest form must be prepared and signed for each flight by the personnel of the air carrier charged with the duty of supervising the loading of the aircraft and the preparation of the load manifest forms. A clearance form must be prepared for each flight between specified clearance points. This form must be signed by the first pilot and by the authorized aircraft dispatcher, or by duly authorized station personnel after receiving current authority from the authorized aircraft dispatcher. The original copies of all forms will be given to the first pilot and duplicate copies kept in the station file for a period of at least 90 days.

§ 41.407 *Traffic conditions.* Immediately prior to departure it is the responsibility of the dispatcher, dispatching an instrument flight outside of an airway traffic control area, to ascertain from the best available information what other flights affecting the proposed flight are in progress over the route and to report this information to the first pilot.

§ 41.408 *Dispatcher emergency procedure.* In the event of inability to maintain two-way communication with the aircraft while it is in flight the dispatcher is responsible for notifying all other known traffic in the area of such failure, giving the last approved flight plan and the expected time of arrival at the destination.

§ 41.409 *Redispatch from alternate airports.* Aircraft may be redispatched from any alternate airport. In the case of an off-route alternate, the return to the authorized route must be made in accordance with conditions specified by the Administrator.

§ 41.41 *Flight preparation and take-off rules.*

§ 41.410 *Tests and checks.* Before departure the first pilot is responsible for the testing or checking of each item in the check list approved by the Administrator, at the time and to the extent specified.

§ 41.411 *View of traffic.* The pilot shall maneuver the aircraft to a position from which incoming and outgoing aircraft can be observed until immediately prior to take-off.

§ 41.42 *Flight course and en route rules.*

§ 41.420 *Continuance of flight, short distance operation.* No flight shall be continued toward any point to which it is cleared unless the weather conditions at alternate airports specified in the clearance remain at or above the minimums specified for each such airport when used as an alternate.

§ 41.421 *Change in clearance en route.* The clearance may be amended en route by the substitution of another alternate airport within the fuel range of the aircraft, as outlined in § 41.405 (b), where weather conditions are at or above the minimums for such airport when used as an alternate. If a change in clearance is made while an aircraft is in flight, the two-way conversation shall be entered in the ground station radio log. After

clearance for contact flight no aircraft shall be recleared en route for instrument flight, unless all instruments and items of equipment required by § 41.25 for the type of operation are in serviceable condition.

§ 41.422 *Deviation from route.* No aircraft may deviate from the route over which it is dispatched except when circumstances render such deviation necessary as a safety measure. Any deviation from the route must be explained by the pilot in a written report dispatched to the Administrator within 7 days after return to his base.

§ 41.423 *Reporting unusual conditions.* When an icing or other unusual meteorological condition is encountered in flight the pilot shall notify his company radio ground station as soon as practicable and such information shall be relayed to all flights which may be affected.

§ 41.424 *Flight altitude rules.*

§ 41.4240 *Day contact operation.* Except during take-offs and landings no aircraft shall be flown at an altitude less than 500 feet above the ground or water, or within 500 feet of any mountain, hill, or other obstruction to flight, except in such cases as may be specifically approved.

§ 41.4241 *Night and instrument operation.* Except during take-offs and landings or when operating in accordance with specific procedures for definite localities approved by the Administrator, no aircraft shall be flown at an altitude of less than 1,000 feet above the highest obstacle located within a horizontal distance of 5 miles from the center of the course intended to be flown.

§ 41.425 *Communication failure.* In the event of inability to maintain two-way radio communication, the pilot in command shall observe one of the following procedures in the order listed:

(a) Proceed according to current flight plan, maintaining the minimum instrument altitude or the last acknowledged assigned altitude, whichever is higher, to the airport of intended landing and commence descent at approach time last authorized or, if not received and acknowledged, at the estimated time of arrival specified in the flight plan; or

(b) If weather conditions permit, proceed in accordance with contact flight rules; or

(c) Land as soon as practicable.

§ 41.43 *Instrument approach and landing rules.*

§ 41.430 *Altitude on initial approach.* When making an initial approach to a radio station on instruments or on top of overcast, an aircraft shall not be operated below the initial approach altitude specified for such station until arrival over the station has been definitely established, except where a marker facility is available and a procedure for a straight-in approach is authorized.

§ 41.431 *Letting-down-through procedure.* When instrument operation is authorized the standard instrument approach procedure or the one authorized by the control tower if more than one procedure is specified for the airport, must be used for letting-down-through. The procedures and minimum altitudes of flight specified shall be strictly observed.

§ 41.432 *Approach limitations.* No pilot, at any airport within the continental limits of the United States, may let down below his last approved cruising altitude or continue descent when he has received United States Weather Bureau information that the measured ceiling is below, or the visibility is less than, the authorized minimums prescribed for landing at that airport.

§41.5 *Miscellaneous operations rules.*

§ 41.500 *Operations manual.* (a) The air carrier shall prepare and maintain a manual for the use and guidance of operations personnel which contains full information necessary to guide flight and ground personnel in the conduct of flight operations and to inform such personnel regarding their duties and responsibilities. It must be in a form approved by the Administrator and furnished to all persons designated by the Administrator or Board. All copies in the hands of company personnel must be kept up to date.

(b) Any changes issued by the Administrator shall be promptly incorporated in the manual. Other changes not inconsistent with any Federal regulation, the air carrier operating certificate, or safe operating practice may be made without the prior approval of the Administrator.

§ 41.501 *Admission to pilot compartment.* (a) No person except a member of the operating crew or an air carrier inspector of the Administrator may be admitted to the pilot compartment during flight unless his admission is approved by the first pilot after he has identified himself as one of the following:

(1) An employee of the Federal Government, of an air carrier, or other aeronautical enterprise whose duties are such that his presence in the compartment is necessary or advantageous to the conduct of safe air carrier operations or the improvement of the safety of such operations;

NOTE: Federal employees who deal responsibly with matters relating to air carrier safety and such air carrier employees as pilots, dispatchers, meteorologists, communication operators, and mechanics whose efficiency would be increased by familiarity with flight conditions in the pilot compartment may be considered eligible for admission to the pilot compartment under this requirement. Employees of traffic, sales, and other air carrier departments not directly related to flight operations cannot be considered eligible unless authorized under § 41.501 (a) (2).

(2) A person whose presence in such compartment has been specifically authorized by the management of the air carrier operating the aircraft and by the Administrator.

(b) No person may occupy a seat in the pilot compartment or the companionway thereto unless such seat is securely attached to the structure of the aircraft and is provided with a safety belt which shall be kept fastened by the occupant throughout his occupancy of such seat.

(c) Unless a seat is also available for his use in the passenger compartment, no person may be admitted to the pilot compartment during flight except:

(1) Air carrier inspectors engaged in checking flight operations; and

(2) Certificated airmen of the air carrier and certificated airmen of another air carrier who have been authorized by the air carrier concerned and the Administrator to make specific trips over the route.

(d) An air carrier inspector of the Administrator must be admitted to the pilot compartment of an air carrier aircraft at any time while performing his official duty.

§ 41.502 *Manipulation of controls.* No person other than a qualified pilot of the air carrier may manipulate the flight controls of an air carrier aircraft while in scheduled flight, except that at the discretion of the first pilot such restriction will not apply to other pilots as follows:

(a) Authorized air carrier inspectors of the Administrator, or

(b) Properly qualified pilot personnel of another air carrier, if the first pilot is at one set of controls.

§ 41.503 *Smoking rules.* No smoking will be permitted in an aircraft:

(a) While on the ground or water,

(b) During take-offs and landings,

(c) In the berths of sleeper planes, or

(d) Elsewhere, unless suitable ash containers are provided.

§ 41.504 *Passenger information signs.* Aircraft shall be equipped with the following signs so located as to be plainly visible to passengers:

(a) "No smoking" signs located in the cabin and in individual berths,

(b) "Fasten seat belt" signs located in cabin,

(c) "Use oxygen equipment" signs located in the cabin of aircraft not having pressurized cabins when operated at altitudes in excess of 12,000 feet above sea level for any period of time, unless a competent cabin attendant is provided to care for passengers.

§ 41.505 *Marking door handles.* The latched and unlatched positions of door handles shall be plainly marked.

§ 41.506 *Marking emergency exits.* Emergency exits shall be clearly marked as such with luminous paint in letters not less than three-fourths of an inch high, such markings to be located either on or immediately adjacent to the pertinent exits and readily visible to passengers. The location and method of operation of the handles shall be marked with luminous paint.

§ 41.507 *Use of emergency equipment.* The emergency equipment required by § 41.22 must be periodically inspected and tested in accordance with specifications issued by the Administrator. The crew of aircraft used in overwater flights shall be drilled periodically in "abandon ship" procedures. Passengers shall be ac-

quainted with the location of emergency exits, with emergency equipment provided for individual use, and with the procedure to be followed in the case of an emergency landing on the water.

§ 41.508 *Route operation proving flights.* Before passengers are carried on any new route or any extension of over 100 miles of a route previously authorized, the air carrier shall demonstrate ability to conduct a safe operation by making such flights over the route as the Administrator may require in the interest of safety.

§ 41.509 *Aircraft proving tests.* (a) A new make or model of air carrier aircraft shall have at least 100 hours of proving tests under the supervision of an authorized representative of the Administrator before authority for carrying passengers is issued. At least 50 hours of such tests shall be flown over authorized routes and shall include at least 10 hours of night operation.

(b) In a case of major changes on aircraft previously proved, or the use of the same aircraft on a substantially different operation, 50 hours of tests similar to those outlined in the preceding paragraph shall be required, of which at least 25 hours shall be flown over authorized routes.

(c) During the tests specified in paragraphs (a) and (b) of this section no person shall be carried other than those essential to the tests. Mail, express, and cargo may be carried at the discretion of the Administrator.

§ 41.510 *Reports.* Each air carrier shall furnish the Administrator the following reports:

(a) A monthly operations report shall be submitted on and in accordance with the form supplied or approved by the Administrator for the purpose not later than the 20th day of the next succeeding month.

(b) A mechanical interruption report shall be submitted on the form supplied for the purpose not later than 10 days after the return of the aircraft to its operating base. Any partial or complete instrument or equipment mechanical failure which occurs during flight shall be reported. The records of such mechanical failure must be made available to any authorized representative of the Administrator or Board on request.

§ 41.511 *Irregularity report.* All airmen, including flight and ground personnel, shall immediately report to the operations manager any irregularity or hazard which in their opinion makes for unsafe operation. If such report is found to be justified, notice of the irregularity or hazard must be submitted to the Administrator at once.

§ 41.512 *Communication priority.* Where a communications channel serves point-to-point contacts in addition to ground-to-plane, priority shall be given to plane-to-ground and ground-to-plane communications.

§ 41.513 *Flight records.* The air carrier shall maintain and make available to any authorized representative of the Administrator or Board, for not less than one year from the date of flight, the records pertaining to any flight which was interrupted because of weather conditions and failed to land at the point to which it was originally cleared. Such records shall include the flight plan, flight log, clearance, and any other data necessary to complete the record of the operation.

CARGO OPERATION RULES

§§ 41.6–41.9 (In preparation).

§ 41.99 *Definitions*—(a) *Route.* A route is a path through the navigable airspace identified by an area on the surface of the earth, the boundaries of which are designated or approved by the Administrator.

(b) *Short distance operation.* A short distance operation is one which involves intermediate stops of sufficient frequency to permit the dispatch from each such stop to be based on spot weather reports or a combination of spot weather reports and forecasts.

(c) *Long distance operation.* A long distance operation is one in which the time interval between stops is of sufficient duration to require that the dispatch be based entirely on forecasts of weather expected at the intended destination and alternates.

(d) *Regular airport.* A regular airport is an airport used as a regular stop on a route.

(e) *Provisional airport.* A provisional airport is an airport approved for the purpose of providing adequate service to a community when the regular airport serving that community is not available.

(f) *Alternate airport.* An alternate airport is one listed in the clearance as a point to which a flight may be directed if, subsequent to departure, a landing at the point to which the flight is cleared becomes undesirable.

(g) *Refueling and holding airport.* A refueling and holding airport is an airport approved as a point to which flights may be cleared for refueling or holding and from which a reclearance is required.

(h) *Check pilot.* A check pilot is a pilot authorized by the Administrator to check pilots of the air carrier for familiarity with route procedures and for piloting technique.

(i) *Flight crew member.* The term "flight crew member" means a pilot, flight radio operator, flight engineer, or flight navigator assigned to duty on the aircraft.

(j) *Crew member.* The term "crew member" means any company employee assigned to duty on the aircraft.

(k) *Contact operation.* A contact operation is an operation conducted under contact flight rules as prescribed in Part 60.

(l) *Instrument operation.* An instrument operation is an operation conducted under instrument flight rules as prescribed in Part 60 of this chapter.

(m) *Point-of-no-return.* The term "point-of-no-return" means that point at which the aircraft no longer has sufficient fuel, under existing conditions, to return to the point of departure or any alternate for that point.

(n) *Pilot compartment.* The term "pilot compartment" means that part of the aircraft designed for the use of the flight crew.

(o) *Ceiling.* The term "ceiling", as used in this Part, means the height of the base of the lowest cloud layer reported as "broken clouds" or "overcast."

(p) *Broken clouds.* The term "broken clouds" means a condition where more than 50 but less than 90 percent of the sky is covered by clouds.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-12387; Filed, July 7, 1945; 11:46 a. m.]

[Amdt. 97-2]

PART 97—RULES OF PRACTICE GOVERNING SUSPENSION AND REVOCATION PROCEEDINGS BEFORE THE BOARD UNDER SECTION 609 OF THE CIVIL AERONAUTICS ACT OF 1938, AS AMENDED

SAVING CLAUSE PROVIDING FOR ACTION BASED ON PROVISIONS OF AMENDED OR REPEALED REGULATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 6th day of July 1945.

Effective July 6, 1945, Part 97 of the Civil Air Regulations is amended by adding a new section to read as follows:

§ 97.21 *Saving clause.* The repeal or amendment of any Civil Air Regulation shall not affect any pending proceeding or any proceeding thereafter commenced to alter, amend, modify, suspend, or revoke any certificate issued by the Administrator for causes arising or acts committed prior to said repeal or amendment, unless the act of repeal or amendment specifically so provides.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-12426; Filed, July 9, 1945; 11:40 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4883]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BOOTH FISHERIES CORP.

§ 3.45 (c) *Discriminating in price—Direct discrimination—Charges and prices.* In connection with the sale of respondent's fish products in commerce, discriminating, directly or indirectly, in the price of such fish products of like grade and quality as among purchasers when the differences in price are not justified by differences in the cost of manufacture, sale, or delivery resulting from differing methods or quantities in which such fish products are sold or delivered and when the differences in price are not made in response to changing conditions affecting the market for, or the marketability of, the fish products concerned, such as, but not limited to, actual or imminent deterioration of perishable fish products, by selling such fish products to some customers at prices different from the prices charged other customers who in fact compete in the sale and distribution of such fish products when the effect of such differences in price may be substantially to lessen competition or to injure, destroy, or prevent competition among such customers.

It is ordered, That the respondent, Booth Fisheries Corporation, a corporation, its officers, directors, representatives, agents, and employees, directly or through any corporate or other device in connection with the sale of its fish products in commerce as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, in the price of such fish products of like grade and quality as among purchasers when the differences in prices are not justified by differences in the cost of manufacture, sale, or delivery resulting from differing methods or quantities in which such fish products are sold or delivered and when the differences in price are not made in response to changing conditions affecting the market for, or the marketability of, the fish products concerned, such as, but not limited to, actual or imminent deterioration of perishable fish products:

1. By selling such fish products to some customers at prices different from the prices charged other customers who in fact compete in the sale and distribution of such fish products when the effect of such differences in price may be substantially to lessen competition or to injure, destroy, or prevent competition among such customers.

It is further ordered, That the respondent, Booth Fisheries Corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist hereinbefore set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12373; Filed, July 7, 1945; 10:57 a. m.]

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the marketability of, the fish products concerned, such as, but not limited to, actual or imminent deterioration of perishable fish products, by selling such fish products to some customers at prices different from the prices charged other customers who in fact compete in the sale and distribution of such fish products when the effect of such differences in price may be substantially to lessen competition or to injure, destroy, or prevent competition among such customers; prohibited. (Sec. 2 (a), 49 Stat. 1526; 15 U. S. C., sec. 13 (a)) [Cease and desist order, Both Fisheries Corporation, Docket 4883, June 29, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of June, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of the respondent, in which answer respondent admits all of the material allegations of said complaint and in which it states that it waives all intervening procedure and further hearing as to said facts; and the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of subsection (a) of section 2 of an act of Congress entitled, "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (Clayton Act), as amended by act approved June 19, 1936 (Robinson-Patman Act):

It is ordered, That the respondent, Booth Fisheries Corporation, a corporation, its officers, directors, representatives, agents, and employees, directly or through any corporate or other device in connection with the sale of its fish products in commerce as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, in the price of such fish products of like grade and quality as among purchasers when the differences in prices are not justified by differences in the cost of manufacture, sale, or delivery resulting from differing methods or quantities in which such fish products are sold or delivered and when the differences in price are not made in response to changing conditions affecting the market for, or the marketability of, the fish products concerned, such as, but not limited to, actual or imminent deterioration of perishable fish products:

1. By selling such fish products to some customers at prices different from the prices charged other customers who in fact compete in the sale and distribution of such fish products when the effect of such differences in price may be substantially to lessen competition or to injure, destroy, or prevent competition among such customers.

It is further ordered, That the respondent, Booth Fisheries Corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist hereinbefore set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12373; Filed, July 7, 1945; 10:57 a. m.]

[Docket No. 5023]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ACME AND ACME MAIL ORDER HOUSE

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Stock:* § 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (c5) *Advertising falsely or misleadingly—Condition of goods:* § 3.6 (j10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (m10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (o) *Advertising falsely or misleadingly—Old or reclaimed as new:* § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure—Old, used, or reclaimed as unused or new:* § 3.96 (a) *Using misleading name—Goods—Composition.* In connection with the offering for sale, sale and distribution of clothing or other merchandise in commerce, (1) using the words "wool" or "all wool", or any simulation thereof, either alone or in connection with any other word or words, to designate, described, or refer to any garment not composed entirely of wool; (2) using the word "silk", or any simulation thereof, either alone or in connection with any other word or words, to designate, describe, or refer to any garment not composed entirely of silk, the product of the cocoon of the silkworm; (3) representing that the proportion of new and unused merchandise offered by respondent is greater than it is in fact, or that the proportion of respondent's merchandise obtained from bankrupt or close-out sales is greater than it is in fact; (4) representing that garments in an advanced state of wear are only slightly used or that the condition of used or second-hand garments is materially better than it is in fact; (5) representing that used or second-hand garments have been cleaned, pressed, or repaired, unless such garments have in fact been cleaned, pressed, or repaired; or (6) representing that any used or second-hand garment is new or unused by failing to disclose, clearly and unequivocally, that it is used or second-hand, or by failing to attach securely to such garment a tag or label or place thereon a stamp, which tag, label, or stamp clearly and conspicuously reveals that said garment is used or second-hand; prohibited, subject to the provisions, however, as respects said first two prohibitions, that in the case of a garment composed in part of wool and in part of fibers or materials other than wool, the word "Wool" may be used as descriptive of the wool content if there are used in immediate connection therewith, in letters of at least equal size and conspicuousness, words truthfully describing the constituent fibers or materials of such garment; and that in the case of a garment composed in part of silk and in part of other fibers or materials, such word may be used as descriptive of the silk content if there are used in immediate connection therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45 (b) [Cease and desist order, Acme, etc., Docket 5023, June 27, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of June A. D. 1945.

In the Matter of Louis Goldberg, an Individual Trading in the Names of Acme and Acme Mail Order House

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, certain testimony and other evidence taken before an examiner of the Commission theretofore duly designated by it, and a stipulation as to the facts entered into between the respondent and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon respondent findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Louis Goldberg, trading as "Acme" or "Acme Mail Order House," or under any other name, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of clothing or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Wool" or "All Wool," or any simulation thereof, either alone or in connection with any other word or words, to designate, describe, or refer to any garment not composed entirely of wool: *Provided*, In the case of a garment composed in part of wool and in part of fibers or materials other than wool, the word "Wool" may be used as descriptive of the wool content if there are used in immediate connection therewith, in letters of at least equal size and conspicuousness, words truthfully describing the constituent fibers or materials of such garment.

2. Using the word "Silk," or any simulation thereof, either alone or in connection with any other word or words, to designate, describe, or refer to any garment not composed entirely of silk, the product of the cocoon of the silkworm: *Provided*, That in the case of a garment composed in part of silk and in part of other fibers or materials, such word may be used as descriptive of the silk content if there are used in immediate connection therewith, in letters of

at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials.

3. Representing that the proportion of new and unused merchandise offered by respondent is greater than it is in fact, or that the proportion of respondent's merchandise obtained from bankrupt or close-out sales is greater than it is in fact.

4. Representing that garments in an advanced state of wear are only slightly used or that the condition of used or second-hand garments is materially better than it is in fact.

5. Representing that used or second-hand garments have been cleaned, pressed, or repaired, unless such garments have in fact been cleaned, pressed, or repaired.

6. Representing that any used or second-hand garment is new or unused by failing to disclose, clearly and unequivocally, that it is used or second-hand, or by failing to attach securely to such garment a tag or label or place thereon a stamp, which tag, label, or stamp clearly and conspicuously reveals that said garment is used or second-hand.

It is further ordered, That respondent shall, within sixty (60) days after the service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12375; Filed, July 7, 1945; 10:53 a. m.]

[Docket No. 5227]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JOSEPH TRINER CORP.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with the offering for sale, sale, and distribution of its medicinal preparation variously designated as "Triner's Bitter Wine," "Triner's Bitter Wine with Vitamin B," and "Triner's American Elixer of Bitter Wine," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same names or any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly purchase in commerce, etc., of said preparation, which advertisements represent, directly or by implication, (a) that said preparation is a cure or remedy for stomach disorders, poor appetite, faulty digestion, headache, nervousness, fatigue, or insomnia, or that it has any therapeutic value in the treatment of such conditions in excess of providing temporary relief from headaches when due to constipation; (b) that said preparation cleanses the stomach or intestines or keeps the intestines clean; or (c) that the use of said preparation will raise the general vitallty of the body, increase the resistance of the body to germs, or prevent or aid in the prevention of colds; or which advertisements (d) fail to reveal that said preparation should not be used in the presence of nausea, vomiting, abdominal pains, or other symptoms of appendicitis; prohibited, subject to the provision, however, as respects said last prohibition, that such advertisements need contain only the statement, "Caution: Use Only as Directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect. (Sec. 5, 38 Stat. 719 as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Joseph Triner Corporation, Docket 5227, June 27, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admitted all the material allegations of fact set forth in said complaint and waived all intervening procedure and further hearings as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Joseph Triner Corporation, a corporation, its officers, directors, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of its medicinal preparation variously designated as "Triner's Bitter Wine," "Triner's Bitter Wine with Vitamin B," and "Triner's American Elixer of Bitter Wine," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same names or any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "Commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by implication:

(a) That said preparation is a cure or remedy for stomach disorders, poor appetite, faulty digestion, headache, nervousness, fatigue, or insomnia, or that it has any therapeutic value in the treatment of such conditions in excess of providing temporary relief from headaches when due to constipation.

(b) That said preparation cleanses the stomach or intestines or keeps the intestines clean.

(c) That the use of said preparation will raise the general vitality of the body, increase the resistance of the body to germs, or prevent or aid in the prevention of colds.

2. Disseminating or causing to be disseminated by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which fails to reveal that said preparation should not be used in the presence of nausea, vomiting, abdominal pains, or other symptoms of appendicitis: *Provided, however*, That such advertisement need contain only the statement, "Caution: Use Only as Directed," if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect.

3. Disseminating or causing to be disseminated, by any means, any advertisement, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said preparation, which advertisement contains any of the representations prohibited in paragraph 1 hereof, and the respective subdivisions thereof, or which fails to comply with the requirements set forth in paragraph 2 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12374; Filed, July 7, 1945; 10:58 a. m.]

TITLE 39—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 31]

PART 602—GENERAL ORDERS AND DIRECTIVES

RESTRICTIONS ON EXPORT OF SOLID FUELS

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of solid fuel for defense, for private account and for export; and this regulation is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 602.850 *Definitions.* (a) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or organized group of persons.

(b) "Solid fuel" means any form of bituminous, subbituminous, or lignitic coal; anthracite and semi-anthracite; processed fuel, briquettes and packaged fuel.

(c) "Export overseas" means movement off shore from a port or place in the continental United States to a port or place outside the continental United States.

§ 602.851 *Restrictions on export.* No person shall export overseas, or make available for export overseas any solid fuel in cargo unless the Solid Fuels Administration for War has approved the export of such solid fuel as evidenced by an SFAW approval number issued pursuant to this regulation.

§ 602.852 *Procedure for obtaining SFAW approval.*—(a) *Applications for approval.* Any person desiring to export overseas any solid fuel in cargo may make application for SFAW approval by filing four copies of Form SFA No. 428 with the Solid Fuels Administration for War, Washington 25, D. C. A separate application shall be made for each cargo of solid fuels for export overseas. Application forms may be obtained from any SFAW Area Distribution Manager, or from the Solid Fuels Administration for War, Washington 25, D. C.

(b) *Limitations on approval.* An SFAW approval number will be assigned to each application on which favorable action has been taken, and two copies of the approved application, bearing the SFAW approval number, will be returned to the applicant. Such approval shall be effective for a period of 30 days from the date of issuance, and shall be limited to the tonnages, source (mine or mines), and port of exportation specified in the application. Approvals for export overseas of solid fuels are not transferable, and are for use only by the person to whom approval has been issued.

(c) *Export to be reported.* Each person to whom SFAW approval has been issued pursuant to this section, shall, within five days after the cargo covered by the approval has been loaded, file with the Solid Fuels Administration for War, Washington 25, D. C., one copy of the approved application, together with the cargo manifest, consist report or dumping sheet, and other information required to be filed by SFAW Order No. 3, as amended.

§ 602.853 *Exemptions from this regulation.* This regulation does not apply to the export overseas of any solid fuel purchased by the United States Army or the United States Navy for its own account.

§ 602.854 *Records to be maintained.* All persons shall, on behalf of SFAW, keep and preserve for a period of not less than two years accurate and complete records of any transaction to which this regulation applies. All such records shall, upon request, be submitted for inspection by the duly authorized representatives of SFAW.

§ 602.855 *Damages for breach of contract.* No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of this regulation.

§ 602.856 *Violations.* Any person who violates any provision of this regulation or who, by any statement or omission, falsifies any records which he is required to keep, or who certifies false or misleading information to the Solid Fuels Administrator for War, or any person who obtains a delivery of solid fuel by means of a false or misleading statement, may be prohibited from delivering or receiving any material under priority control. The SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. sec. 80) or under the Second War Powers Act (Public No. 507, 77th Cong., March 27, 1942).

§ 602.857 *Official interpretations.* No interpretation of this regulation is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator or the General Counsel of SFAW.

This regulation shall become effective at 12:01 a. m., July 20, 1945.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 6th day of July 1945.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 45-12319; Filed, July 7, 1945; 9:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 316]

PART 603—SELECTIVE SERVICE OFFICERS

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend § 603.54 to read as follows:

§ 603.54 *Jurisdiction.* The jurisdiction of each local board shall extend to all persons registered in, or subject to registration in, the area for which it was appointed and to all persons whose Registration Cards (Form 1) are duly transferred to it. Each local board is charged with the responsibility of organizing and administering the Veterans' Assistance Program within the local board area. It shall have full authority to do and perform all acts authorized by the selective service law.

2. Amend § 603.61 to read as follows:

§ 603.61 *Examining physicians.* The President shall, from qualified persons recommended by the Governor, appoint at least one examining physician for each local board and may, from qualified persons recommended by the Governor, appoint such additional examining physicians for each local board as he deems necessary for the examination of the registrants of such local board. The local board examining physician shall make such examinations in connection with the Veterans' Assistance Program as the local board shall request. The State Director of Selective Service may authorize any duly appointed examining physician to examine registrants for any local board within the State.

3. Amend § 603.62 to read as follows:

§ 603.62 *Examining dentists.* The President may, from qualified persons recommended by the Governor, appoint one or more examining dentists for each local board as he deems necessary for the dental examination of the registrants of such local board. The local board examining dentist shall make such dental examinations in connection with the Veterans' Assistance Program as the local board shall request. The State Director of Selective Service may authorize any duly appointed examining dentist to examine registrants for any local board within the State.

4. Amend paragraph (a) of § 603.71 to read as follows:

§ 603.71 *Appointment and duties.* (a) For each local board, a government appeal agent shall be appointed by the President, upon recommendation of the Governor. The duties of the person so designated are: To appeal from any classification by a local board which, in his opinion, should be reviewed by the board of appeal; to care for the interests of ignorant registrants and their dependents with respect to appeals and, where the decision of the local board is against the interests of such persons and where it appears that such persons may not take appeals, due to their own nonculpable ignorance, to inform them of their rights and assist them to enter appeals to the board of appeal; and, after classification, to investigate and report upon matters which are submitted for his investigation by the local board. It shall also be the duty of such government appeal agent, where the interests of justice may require, to suggest to the local board a reopening of any case and to impart to the local board any information which in his opinion ought to be investigated. The government appeal agent should expedite the examination of the records of registrants as soon as they have been classified by the local board in order that appeals to the board of appeal, where found necessary, may be filed within the time limit specified in the regulations. The government appeal agent shall render such assistance in connection with matters of a legal nature of the Veterans' Assistance Program as the local board shall request.

5. Amend § 603.81 to read as follows:

§ 603.81 *Appointment and duties.* (a) For each local board area, one or more reemployment committeemen shall be appointed by the Director of Selective Service, upon recommendation of the State Director of Selective Service.

(b) It is the responsibility of the reemployment committeeman to render all necessary assistance required by the local board to carry out its responsibility in connection with the Veterans' Assistance Program.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside

the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 5, 1945.

[F. R. Doc. 45-12309; Filed, July 6, 1945; 3:25 p. m.]

[Amdt. 317]

PART 612—REGISTRATION DUTIES

DISPOSITION OF REGISTRATION CARD OF REGISTRANT WHOSE PLACE OF RESIDENCE IS NOT WITHIN LOCAL BOARD AREA

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend paragraph (b) and add paragraph (c) to § 612.17 to read as follows:

§ 612.17 *Disposition of Registration Card of registrant whose place of residence is not within local board area.* • • •

(b) If the place of residence shown on line 2 of any Registration Card (Form 1) is outside of the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands of the United States, the local board in whose area the registrant registered shall retain such card.

(c) If the place of residence shown on line 2 of any Registration Card (Form 1) cannot be identified and located within a particular local board area, the Director of Selective Service shall designate a local board, which may be either the local board in whose area the registrant registered or any local board in the county in which the place of residence is located, and the Registration Card (Form 1) shall be retained by or forwarded to the local board so designated.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 5, 1945.

[F. R. Doc. 45-12310; Filed, July 6, 1945; 3:25 p. m.]

[Amdt. 318]

PART 621—QUESTIONNAIRE AND OTHER INFORMATION TO BE USED IN CLASSIFYING REGISTRANTS

QUESTIONNAIRE AND GENERAL INFORMATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend paragraph (a) and add a new paragraph (d) to § 621.1 to read as follows:

§ 621.1 *Mailing questionnaires.* (a) Except as provided in paragraph (d) of this section, the local board shall mail a Selective Service Questionnaire (Form 40) to each registrant in strict accordance with the order numbers, from the smallest to the largest. Selective Service Questionnaires (Form 40) shall be mailed as rapidly as possible, consistent with the ability of the local board to give them prompt consideration upon their return.

• • • • • •

(d) The local board need not mail a Selective Service Questionnaire (Form 40) to a registrant who was registered after separation from the land or naval forces of the United States if the local board determines that such registrant may be classified properly without such form.

2. Delete paragraph (e) and amend paragraph (b) of § 621.4 to read as follows:

§ 621.4 *Claims for, or information relating to, deferment.* • • •

(b) Any person other than the registrant who desires to request the deferment of a registrant may file with the local board an official form of the Selective Service System provided for that purpose. Any such person shall be entitled to present information in support of his request. Such information should be included in or attached to the official form of the Selective Service System and may include any documents, affidavits, or depositions supporting the request.

3. Amend the regulations by deleting § 621.6 in its entirety.

4. Amend § 621.9 to read as follows:

§ 621.9 *Permit to leave the United States.* Local boards are authorized to issue to a registrant a Permit of the Local Board for Registrant to Depart from the United States (Form 351) and should issue the permit unless it is found that the registrant's induction or assignment is likely to occur prior to the expiration of the period for which the permit has been requested.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LOUIS B. HERSHEY,
Director.

JULY 5, 1945.

[F. R. Doc. 45-12311; Filed, July 6, 1945; 3:25 p. m.]

[Amdt. 319]

PART 622—CLASSIFICATION

SEQUENCE FOR CONSIDERATION OF CLASSES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Amend the regulations by adding a new section under the heading "General" to be known as § 622.5 to read as follows:

§ 622.5 *Sequence in which classes shall be considered.* When classifying or reclassifying a registrant, consideration shall be given to the various classes in the sequence listed in § 623.21, and the registrant shall be placed in the first class listed in such sequence for which he is eligible.

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 5, 1945.

[F. R. Doc. 45-12312; Filed, July 6, 1945; 3:25 p. m.]

[Amdt. 320]

PART 622—CLASSIFICATION

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend § 622.17 to read as follows:

§ 622.17 *Class I-G: Registrants who are members of or are honorably separated from land or naval forces of cobelligerent nations.* (a) In Class I-G shall be placed any registrant who is a member of and on active duty with the land or naval forces of a cobelligerent nation.

(b) In Class I-G may be placed any registrant who, on or after September 16, 1940, has been separated from active duty with the land or naval forces of a cobelligerent nation (1) by a discharge equivalent to an Honorable Discharge or a Discharge Under Honorable Conditions from the land or naval forces of the United States, or (2) by transfer to a reserve status, provided it is found that such registrant should be relieved from any future consideration for classification into a class available for service because the registrant has already made a sufficient contribution to the war effort as a member of the land or naval forces of a cobelligerent nation.

2. Amend § 622.41 to read as follows:

§ 622.41 *Class IV-A: Man deferred by reason of age.* In Class IV-A shall be placed or retained every registrant who has attained the thirty-eighth anniversary of the day of his birth, other than (1) a registrant who is eligible for classification in Class I-C, Class IV-D, or Class IV-B; or (2) a registrant who, after being classified in Class IV-E, either has been assigned to and has reported for work of national importance under civilian direction, or has been separated from work of national importance under civilian direction and retained in Class IV-E as required by § 622.51.

3. Amend § 622.43 to read as follows:

§ 622.43 *Class IV-C: Registrants not acceptable for training and service because of nationality or ancestry, neutral aliens requesting relief from training and service, aliens not acceptable to the armed forces or to the Director of Selective Service, and aliens who have departed and are not residing in the United States.* In Class IV-C shall be placed any registrant:

(a) Who is an alien and, because of his nationality or ancestry, is within a class of persons not acceptable under any circumstances to the land or naval forces for training and service or to the Director of Selective Service for work of national importance under civilian direction. The Director of Selective Service will advise local boards which classes of registrants are not acceptable under any circumstances.

(b) Who is an alien and who is a citizen or subject of a neutral country (see § 601.2) and who, at any time prior to (1) his induction into the land or naval forces of the United States, or (2) his assignment to work of national importance under civilian direction, files with his local board an Application by Alien for Relief from Military Service (Form 301) executed in duplicate. The local board shall forward the original of such form to the Director of Selective Service through the State Director of Selective Service and shall retain the duplicate in the registrant's Cover Sheet (Form 53).

(c) Who because he is an alien or because of his ancestry is, under procedure prescribed by the Director of Selective Service, found by the land or naval forces to be unacceptable for training and service or by the Director of Selective Service to be unacceptable for work of national importance under civilian direction.

(d) Who is an alien and has departed from and is no longer residing in the United States. Such alien shall be classified in Class IV-C even though he is a delinquent, but this classification shall in no way relieve him from liability for prosecution for violation of the selective service law. If any registrant so classified under this paragraph returns to the United States to reside therein, his classification shall be reopened and he shall be classified anew.

4. Amend § 622.61 to read as follows:

§ 622.61 *Class IV-F: Morally unfit.* In Class IV-F shall be placed or retained:

(a) Every registrant who has been separated from the land or naval forces by discharge other than an Honorable Discharge or a Discharge Under Honorable Conditions, or an equivalent type of release from service if the registrant was an officer or a warrant officer, and for whom the local board has not received a statement from the land or naval forces that the registrant is morally acceptable notwithstanding such discharge or separation.

(b) Every registrant who under the procedures and standards prescribed by the land and naval forces is found to be morally unacceptable for training and service or under the procedures and standards prescribed by the Director of Selective Service is found to be morally unacceptable for assignment to work of national importance.

5. Amend § 622.62 to read as follows:

§ 622.62 *Class IV-F: Physically or mentally unfit.* In Class IV-F shall be placed every registrant who is found to be physically or mentally unfit for general military service or who is found to be physically and mentally fit for limited service only.

6. Amend the regulations by deleting § 622.82 in its entirety.

7. Delete paragraphs (c) and (d) and amend paragraph (b) of § 622.87 to read as follows:

§ 622.87 *Classes discontinued.* • • •

(b) The classification of all registrants who are in classes which have been or are hereafter discontinued shall be immediately reopened, and such registrants shall be classified anew.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 5, 1945.

[F. R. Doc. 45-12313; Filed, July 6, 1945; 3:25 p. m.]

[Amdt. 321]

PART 622—CLASSIFICATION

LENGTH OF DEFERMENTS IN CLASS II-A AND CLASS II-B

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend paragraph (f) of § 622.22-2 to read as follows:

§ 622.22-2 *Length of deferments in Class II-A and Class II-B.* • • •

(f) The provisions of paragraphs (c), (d), and (e) of this section shall not apply to any registrant (1) who has been separated from the land or naval forces on or after September 16, 1940, under conditions other than dishonorable, or (2) who qualifies for classification in Class IV-B under the provisions of § 622.42, or (3) who qualifies for classification in Class IV-D under the provisions of § 622.44.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 26, 1945.

[F. R. Doc. 45-12314; Filed, July 6, 1945; 3:26 p. m.]

[Amdt. 322]

PART 623—CLASSIFICATION PROCEDURE

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 623.1 to read as follows:

§ 623.1 *General principles of classification.* (a) Each registrant shall be classified as soon as practicable after his Selective Service Questionnaire (Form 40) is received by the local board or as soon as practicable after the time allowed for him to return his Selective Service Questionnaire (Form 40) has expired; except that in the case of a registrant who was registered after separation from the land or naval forces of the United States, the local board need not require or await the return of such form if the local board determines that the registrant may be classified properly without such form.

2. Amend § 623.2 to read as follows:

§ 623.2 *Information considered for classification.* The registrant's classification shall be made solely on the basis of the official forms of the Selective Service System and such other written information as may be contained in his file: *Provided*, That the local board shall proceed with the registrant's classification and classify him whenever (1) he has failed or hereafter fails to return his Selective Service Questionnaire (Form 40) within the time allowed by § 621.2, or (2) he has been separated from the land or naval forces of the United States and the local board determines that he may be classified properly without requiring him to complete and return a Selective Service Questionnaire (Form 40), or (3) he has failed or hereafter fails to provide the local board with any other information concerning his status which he is requested or required to furnish. Oral information should not be considered unless it is summarized in writing and the summary placed in the registrant's file. Under no circumstances should the local board rely upon information received by a member personally unless such information is reduced to writing and placed in the registrant's file.

3. Amend § 623.13 by changing the title to read as follows:

§ 623.13 *Classification jurisdiction—transferred registrants.*

4. Amend paragraph (c) of § 623.21 to read as follows:

§ 623.21 *Consideration of classes.*

* * *

(c) Whenever any registrant is found to be physically or mentally unfit for general military service or is found to be physically and mentally fit for limited service only, he shall be placed in the first class listed in paragraph (a) of this section for which grounds are established. If no grounds are established for placing the registrant in any of the classes listed in paragraph (a) of this section, the registrant shall be placed in Class IV–F.

4. Amend the heading immediately prior to § 623.53 to read as follows: "Separated or Disqualified Men."

5. Amend the regulations by deleting § 623.52 in its entirety.

6. Amend § 623.53 to read as follows:

§ 623.53 *Man separated from land or naval forces of the United States.* (a) Immediately upon receipt by the local board of information that a registrant has been separated from the land or naval forces of the United States, the local board shall review the registrant's classification to determine whether he should be placed or retained in Class I–C.

(b) If, upon such review, the local board places or retains the registrant in Class I–C but does not find that the registrant has "completed his service," it shall immediately mail a Notice of Classification (Form 57) to the registrant on which will be entered the notation "Class I–C—Disc." If, upon such review, the local board places or retains the registrant in Class I–C and finds that he has "completed his service," it shall immediately (1) enter the notation "Completed service" under "Minutes of other actions" on the back of the registrant's Selective Service Questionnaire (Form 40), (2) file the registrant's Cover Sheet (Form 53) separately from those of other registrants, and (3) mail to the registrant a Notice of Classification (Form 57) on which shall be entered the notation "Class I–C—Disc.—Completed Service."

7. Amend the regulations by adding a new section to be known as § 623.54 to read as follows:

§ 623.54 *Man relieved from active duty with land or naval forces of cobelligerent nation.* (a) Immediately upon receipt by the local board of information that a registrant has been relieved from active duty as a member of the land or naval forces of a cobelligerent nation, the local board shall review the registrant's classification to determine whether he should be placed or retained in Class I–G.

(b) If, upon such review, the local board places or retains the registrant in Class I–G, it shall immediately mail a Notice of Classification (Form 57) to the registrant on which shall be entered the notation "Class I–G."

8. Amend § 623.55 to read as follows:

§ 623.55 *Disqualified men.* Unless and until the local board has first complied with procedures which the Director of Selective Service may prescribe, the local board shall not place into a class available for service any registrant (a) who has been found to be physically or mentally unfit for general military service or to be physically or mentally fit for limited service only, or (b) who has been separated from the land or naval forces of the United States by reason of physical or mental disability.

9. Add § 623.56 to read as follows:

§ 623.56 *Compliance with order.* It shall be the duty of the registrant (a) to comply with any directions given by the local board in carrying out the instructions of the Director of Selective Service concerning the registrant's examination, or reexamination, (b) to report to and be examined by a member or members of the medical advisory board when directed to do so by the local board, and (c) to report to and be examined by the local board or the local board examining physician when directed to do so by the local board and to comply with such directions and to submit to such examinations as the member or members of the medical advisory board, the local board examining physician, the local board, or representatives of the armed forces shall deem necessary to make a complete determination or redetermination of the registrant's proper classification.

10. Amend paragraphs (a) and (b) of § 623.61 to read as follows:

§ 623.61 *Classification and reclassification.* (a) As soon as practicable after the local board has classified or reclassified a registrant, it shall mail a notice thereof on a Notice of Classification (Form 57) to the registrant. When a registrant is classified in Class II–A, Class II–B, or Class II–C until a specific date, the date of the termination of the deferment will be entered on the Notice of Classification (Form 57); and when a registrant is classified in one of such classes for an indefinite period, the word "Indefinite" will be entered on the Notice of Classification (Form 57).

(b) As soon as practicable after the local board has classified or reclassified a registrant, it shall mail a notice thereof on a Classification Advice (Form 59) to every person who has on file an official form of the Selective Service System or other document requesting the current deferment of the registrant. When a registrant is classified in Class II–A, Class II–B, or Class II–C until a specific date, the date of the termination of the deferment will be entered on the Classification Advice (Form 59); and when a registrant is classified in one of such classes for an indefinite period, the word "Indefinitely" will be entered on the Classification Advice (Form 59).

11. Amend the regulations by deleting § 623.85 in its entirety.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 5, 1945.

[F. R. Doc. 45-12315; Filed, July 6, 1945; 3:26 p. m.]

[Amdt. 323]

PART 642—DELINQUENCY

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend § 642.12 to read as follows:

§ 642.12 *Classification of registrant delinquent.* Any delinquent registrant between the ages of 18 and 38 may be classified in or reclassified into Class I–A, Class I–A–O, or Class IV–E, whichever is applicable regardless of other circumstances: *Provided*, That a delinquent registrant in Class I–C who has "completed his service" in the land or naval forces of the United States and a delinquent registrant in Class IV–E who has been separated from work of national importance under civilian direction may not be classified in or reclassified into Class I–A, Class I–A–O, or Class IV–E under this section, unless his class fication out of Class I–C or Class IV–E is specifically authorized by the Director of Selective Service.

2. Amend paragraph (a) of § 642.13 to read as follows:

§ 642.13 *Certain delinquents to be ordered to report for induction or for work of national importance.* (a) The local board shall order each delinquent registrant between the ages of 18 and 38 to report for induction in the manner provided in §§ 632.4 or in 632.4–1, as the case may be, who is classified in or reclassified into Class I–A or Class I–A–O unless (1) it has already done so, or (2) pursuant to a written request of the United States Attorney, the local board determines not to order such registrant to report for induction. If such delinquent registrant executes an Application for Voluntary Induction (Form 165) and a Request for Immediate Induction (Form 219), he shall be inducted immediately.

3. Amend paragraphs (b) and (c) of § 642.14 to read as follows:

§ 642.14 *Personal appearance, reopening, and appeal.* * * *

(b) The classification of a delinquent registrant who is classified in or reclassified into Class I–A, Class I–A–O, or Class IV–E under the provisions of this part may be reopened at any time before induction in the discretion of the local board without reference to the restrictions against reopening, provided for in paragraph (a) of § 626.2.

(c) When a delinquent registrant is classified in or reclassified into Class I–A, Class I–A–O, or Class IV–E under the provisions of this part, an appeal may be taken under the same circumstances and by the same persons and in the same manner as in any other case.

4. Amend subparagraph (1) of paragraph (a) of § 642.31 to read as follows:

§ 642.31 *Completing records of man liable for training and service.* * * *

(a) * * *

(1) He shall be registered, provided that any law-enforcement official or any other authorized person may act as a registrar.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-12316; Filed, July 6, 1945; 3:26 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 52]

PART 809—BLANKET LICENSE "BLT"

SPECIAL PROVISIONS

Section 809.3 *Special provisions* is hereby amended to read as follows:

§ 809.3 *Special provisions.* (a) The provisions of § 801.7 of this subchapter shall not apply to exportations of the following commodities, when authorized for export pursuant to any blanket license. In lieu of the presentation of an original blanket license for clearance of the exportation with the United States Collector of Customs or the United States Postmaster, the exporter may present a Shipper's Export Declaration bearing the certification prescribed in paragraph (d) of this section:

Commodity	*Schedule B No.*
GROUP I	
Radio receiving tubes	7078.00
Parts and accessories for track-laying tractors	7089.01
Alarm clocks, spring driven	9571.00
GROUP II	
Automotive replacement parts	7092.00, 7921.00, 7923.05, 7926.00, 7927.00
GROUP III	
Tools: metal-cutting:	
Bits: cemented carbide; hard alloy	6177.20, 7443.81
Bits; router, tool, metal-cutting	6177.20, 7443.81
Blades; hand saw: metal-cutting	6154.20
Blades, cutoff, finning, gear generator, saw (except diamond) metal-cutting	7443.81
Blades; hand and power hacksaw: metal-cutting	6154.20, 7443.81
Broaches; machine, flat spline	7443.15
Burrs; rotary; metal-cutting	7443.19
Chasers; threading	7443.81
Counterbores; metal-cutting	6170.00, 7443.81
Countersinks, ship plate, metal-cutting	6170.00, 7443.81
Cutters; cemented carbide (hard alloy tipped) form relieved, gear shaper (spur, helical, herringbone) inserted blade, milling rack (gear cutting) metal-cutting	6170.00, 7411.00, 7443.81.
Dies; button, cemented carbide drawing, threading (metal-cutting), wire drawing cemented carbide.	6168.20, 6169.20, 7443.81, 7455.03, 7455.09
Drills; carbon steel; bit stock, blacksmith, straight shank	6177.20, 7443.81, 7457.00, 7458.98
Drills; countersinks, twist; metal-cutting	6170.00, 7443.81
Edger burrs; rotary, metal-cutting	7443.81
Heads, die; threading; metal-cutting	6168.20, 6169.20, 7443.81, 7455.03, 7455.09.
Reamers align, bearing (main), bushing (piston pin), connecting rod, conduit, metal working (hand, machine), piston pin, pipe, valve guide.	6170.00, 7443.19, 7443.81
Saws; solid circular slitting, metal-cutting	6155.15, 7443.81
Taps; collapsible, metal threading	6168.20, 7443.81
Tips; carbide, hard alloy	7443.81
Tips; cemented carbide; hard alloy	7403.09, 7404.07, 7404.09, 7443.05, 7443.13, 7443.81, 7455.98
Tools; boring, metal-cutting	6170.00, 7411.00, 7443.19, 7443.81
Tools; cutting; carbide tipped, tungsten carbide tipped	7443.17
Tools; gear finishing	7056.98, 7457.00
Metalworking machines and Tools; portable; power driven	6158.10, 6158.50
Files and rasps	
Tools; hand; metalworking, general purpose, ball peen hammers, but not other hammers:	
Boxes; tool; not machine tool	4299.00, 6209.98
Brakes; hand bending; mechanics hand service tools	6178.95
Chisels; metalworking including rivet busters	6170.00
Compressors; piston ring, valve spring, automotive maintenance type	6178.95
Cutters; bolt, pipe	6170.00
Diestocks; hand	6169.20
Drills; drift; mechanics	6177.20
Drills; ratchet metalworking	6178.95
Drivers; piston pin	6178.98
Drivers; screw; hand, spiral	6178.98
Extractors; screw	6156.98
Frames; hacksaw	6173.00
Nippers	6178.95
Pliers; mechanics	6170.00
Pullers; connecting rod, gear	6178.95
Punches; metalworking; mechanics hand service	6170.00
Reamers; cylinder ridge; automotive maintenance type	6178.95
Removers; piston pin	6178.95
Scribers	6170.00
Shippers and snips	6178.95
Testers; valve springs; automotive	6119.00, 6170.00, 6173.00, 6178.95, 6178.98
Tools; hand; brazing (hand saw), carburetor, clutch pilot, jewel and jewelers, metal-working, plumbers, specialized automotive, tinsmiths, tube flaring, valve stem lock, watchmakers	6163.00
Vises; bench (mechanics), cable splicing, jewelers	6164.00, 6165.00, 6178.95
Wrenches and wrench sets; adjustable, automotive, box, box end, die, machinists, monkey, open end, pipe, socket attachment, spanner, tap	6168.20
Gauges and machinists' precision measuring tools:	
Analyzers; surface	6179.90, 7038.20
Balancing machines; machinists'; machine tools, metalworking	6197.00, 7455.01
Bars; sine; machinists'	6178.98
Bevels; machinists'	6178.95
Blocks and rolls; angle	6178.98
Blocks; bench, gauge, zinc; machinists'	6178.90
Bullet machines; inspecting	7750.12
Buttons; die, toolmakers'	6169.20
Calipers; gear tooth, pocket slide, vernier, not dial equipped	6178.95
Centers; bench; machinists'	6178.90, 7443.98
Chamfs; key seat, parallel, rule, toolmakers'; hand tools	6178.98

GROUP III—continued

Commodity	Schedule B No.
Gauges and machinists' precision measuring tools—Continued.	
Comparators: metalworking	7750.12
Demagnetizers	7099.98
Detectors: leak, seam testers	9190.98
Discs: setting: master, machinists'	6178.98
Dividers: machinists'	6178.95
Edgers: lawn, turf: not wheel type	6178.95
Electrical and mechanical testing equipment: metallurgical	7038.20, 7740.20, 9190.98
Extensometers	7038.20, 7740.20, 9190.98
Fixtures: gauging: alignment, built up, simple: machinists'	6178.90, 7750.12
Fixtures, sine	6178.90, 7750.12
Flats: toolmakers'	6178.95
Gauge block sets and accessories	6178.90, 6178.98
Gauges: air (precision), electric: metalworking	7038.10
Gauge: angle, ball, button, center, circumference, cutter clearance, cylinder, depth, dial indicating (linear measurement), drill, drill point, fillet, height, hole, planer, radius, screw pitch, screw and wire, surface taper, telescope, thickness, thread, wire or rolling mill: machinists'.	6178.90, 7038.20, 7740.20, 7750.12, 9190.98
Gauges: camber (not automotive), chamber, concentricity, flush pin, inspection, length, pin, plug, production, profile, ring, snap, terneplate: machinists.	6178.90, 7750.12
Gauges: electric: metalworking	7036.20, 7038.20, 6178.90
Gauges: flush	7036.20, 7038.20, 7740.20, 7750.12
Gauging machines: precision	6178.98
Hold downs: toolmakers	6178.90, 7750.12
Indicators: alignment	6178.90, 7750.12
Indicators: dial: linear measurement	6178.90, 7038.20, 7740.20, 9190.98
Indicators: dial test: precision	6178.90, 9190.01
Inspection equipment: magnetic	7750.12
Inspection machines: precision: metalworking	6178.90, 7099.98
Irons: angle: magnetic, plain	6178.98
Knees: toolmakers	6178.98
Levels: machinists	7099.98
Magnetizers	7750.12
Measuring instruments: light wave machinists' precision, surface	7750.12
Measuring machines: gear, metalworking	6178.95, 7750.12
Micrometers: internal, external, super	9149.50
Microscopes: Brinell, toolmakers	6178.98
Parallels: box, ground, precision: machinists'	7740.20
Points: penetrators: hardness testing	7750.12
Profilometers: surface measuring	7750.12
Projectors: contour measuring	6178.95, 9190.96
Protractors: aircraft propeller	6178.95, 9190.96
Protractors, machinists' precision measuring	7037.00, 9190.98
Recorders: stress, strain	6178.98, 9190.98
Rods: end measuring: machinists'	6178.98
Rules: steel: machinists'	6197.00
Scales: steel: machinists'	7740.20
Scleroscopes	6178.95
Sets: square: combination, machinists'	7038.20
Stands: aircraft propeller balancing	7038.20, 7740.20, 9190.98
Testers: center: hardness: seams: leak detectors: tensile: impact, physical, small (for welding).	7038.20, 9190.98
Testing equipment: aircraft propeller governor	7038.20, 9190.98
Testing equipment: photoelectric: aircraft crankshaft strain	7038.20, 7740.20, 9190.98
Testing machines: gear, gear checking, physical property, metal fatigue, torsion, metalworking	6178.98
Testing units: aircraft propeller slip ring mounting	6178.90, 6178.95, 6178.98, 7036.20, 7037.00, 7038.20, 7099.98, 7740.20, 7750.12, 9190.98
Tools: precision measuring, including hand	6178.95, 7750.12
Tools: vernier	9160.29
Trammels: machinists'	6178.98
Wigglers: machinists'	6178.90
Wires: thread measuring	6160.00
Tools: edge:	
Adzes	6157.10
Augers: hand tools: woodworking	6153.00
Axes and hatchets	6157.10
Bits: auger, gimlet, rim guide: spoke shaving, woodworking: hand tools: not metalworking or rock drilling.	6178.10
Blades: floor scraper	6155.17, 6155.20
Blades: saw, hand, circular, power: woodworking	6155.17, 6155.20, 6156.98
Blades: saw, not metalworking	6119.00
Cheese sampling tools, triers	6178.10
Chisel and punch sets, woodworking	6119.00
Clippers: animal: hand: not fetlock	6157.10
Countersinks: woodworking	6178.10, 6178.91
Cutters: gasket, glass, tile: hand tools	6118.20, 7639.00
Cutters and knives: machines	6119.00
Cutters: weed: hand	6178.98
Hooks: bush	6118.20, 6119.00, 7639.00
Knives: brush cutters, cane, dado draw, farriers, jointers, mortising, planer, scoring, siding, sugar cane, tobacco machine, veneer, woodworking	6119.00
Machetes	6178.10
Planes: carpenters, jack, jointer hand type	6119.00, 6156.98
Pruners, tree	6178.98
Pullers: weed: hand	6178.10
Routers: woodworking: hand	6155.17, 6155.20, 6156.98
Saws: back, buck, butchers, circular woodcutting, cabinet, cord wood, compass, coping, crosscut, dehorning drag (not logging, sawmill), hand (not metalworking), ice, keyhole, manually operated wood (not logging, sawmill), miter box, nest, pulpwood, pruning, rip, special purpose wood.	6178.10
Scrapers: floor, ship, wood	6119.00
Scythes	6119.00
Shears: hand: animal: grass, hedge, tree	6119.00
Sickles	7639.00, 6178.98
Swages: saw, woodworking	
Tools: hand, including hammers other than ball peen, not metalworking or general purpose tools:	6178.98
Anvils	6162.00, 7899.98
Augers: hand: closet, earth, posthole, sewer cleaning	6178.98
Awls	6178.95, 6178.98
Bars, claw, crew, digging, ripping, tamping, wrecking	6178.98
Blowers: hand	9160.29
Bobs: plumb	6178.98
Box: miter	6177.20
Braces: bit	6178.10
Burrs: rotary: not metal cutting	6173.00, 6178.98
Clamps: bar "C", handscrew: hand tools	6178.98
Compasses: carpenters	7859.00
Cradles: grain cutting	7839.00
Cultivators: hand, not wheel type	6185.00
Currycombs	

GROUP III—continued

Commodity	Schedule B No.
Tools: hand, including hammers other than ball peen, not metalworking or general purpose tools—Continued.	
Darbies: plasterers	6178.98
Dividers: carpenters	6178.95
Drills: brest, hand operating, woodworking	6177.20
Drills: star	6178.10
Drivers, glazier's point	6178.98
Drivers: post: hand	6178.98
Edgers, groovers: cementers	6178.98
Edgers: lawn, turf: not wheel type	6178.98
Extensions: bit brace	6177.20
Forges: hand, portable	6178.98
Forks: hand: ballast, coal, coke, farm fish, garden, hay, industrial, manure, rail, spading, stone, tamping, vegetable.	6159.00, 6161.00, 6178.98.
Frames: hand wood saw	6156.93
Gauges: bit, carpenters	6178.98
Grabs: log	6178.98
Grinders: hand, spike, tool sharpening	6178.96
Guides: kit: handtools	6178.98
Guides: paint brush	6178.98
Guns, caulking, glazing, plaster, stucco	6178.98
Hammers: hand: not jack, tamping	6160.09
Handles: tool: wooden	4285.00, 4286.00, 4288.00, 4299.00
Hawks: plasterers	4299.00, 6209.98
Hods: brick, mortar	4299.00, 6209.98
Hoes: hand: ash pit, farm, grubbing, mortar	6161.00
Holders: sheet metal	6178.95
Hookerooms	6173.98
Hooks: bush, cant, clam, husking, manure, nurserymen's, phosphate, potato, stone.	6178.98
Irons, climbing	6209.98
Irons, soldering	6178.98, 7074.90
Jaws: bit brace	6177.20
Jointers: brick masons: saw	6178.98
Ladders: wooden	4299.00
Levels: carpenters	6178.98
Lifters: can: handle type: sod	6178.98
Mallets: wool and steel	4299.00, 6160.00
Mattocks	6178.98
Mauls	4299.00, 6160.00
Molds: bullet: home use	6176.98
Nail sets	6178.98
Paddles: plasterers	4299.00
Peavies	6178.98
Picks: heavy forged	6178.98
Pincers	6173.00
Pins: drift	6178.95
Poles: pike	6178.98
Positioners: welding: hand tools	6178.93
Pots: fire	6209.98
Pullers: pole, post	7899.98
Pullers: radio tube	6178.98
Pumps: hand operated: not farm, fire, industrial, measuring and dispensing.	7365.00, 7369.00
Rakes: hand: asphalt, farm, garden, industrial, lawn, stone	4299.00, 6161.00
Reachers: can	6178.98
Removers: wall paper: steam	7750.98
Rods: flexible sewer cleaning	6162.00
Rollers: linoleum, paperhanging, including brassed wood	4299.00, 6179.98
Rules: not drafting, machinists precision, office, school, sounding (ship)	4299.00, 6178.10, 6178.98
Scoops: hand: shovel type	6162.00
Scrapers: barn, sidewalk, snow	6188.00
Shovels: hand including snow: not shorthandled bucket type	6162.00, 6188.00
Sieves and sifters: hand: not household, kitchen and restaurant	6091.98, 6691.98
Sledges	6160.00
Snakes: closet, drain, sewer cleaning: hand	6162.00
Snaths: scythe	4285.00
Soapstone: block: hand sharpener	5409.98, 5419.00
Spades: hand tools	6162.00
Squares: carpenters	6178.98
Squeegees: floor, window	6178.98
Stands: soldering iron	6209.98
Stretchers: carpetlayer's: fence	6178.98
Tape: steel measuring	6178.98
Tips: soldering	6178.98
Tongs: blacksmiths, clinker ice, rail, tie, heavy forged	6178.98
Tools: caulking	6178.93
Tools: hand: anvil, blacksmiths, mine blasting, railway track	6178.95, 6178.98
Tools: hand: cabinetmakers, carpenters, cement, concrete finishing, fiberboard, glaziers, leatherworking, masons, plasterers, pottery making, shell reloading.	4299.00, 6161.00, 6177.20, 6178.10, 6178.95, 6178.98, 6209.98, 9160.29
Tools: hand: farm, garden, planting: not wheel-type	4299.00, 6161.00, 6162.00, 6178.98, 7839.00
Tools: hand: farriers, fence, furnace, hog ring, hot line maintenance, linemans, logging, lumbering, mining, pole line construction, road building, roofing, sewer cleaning, stonecutters, turpentine.	6162.00, 6178.95, 6178.98, 6209.98
Tools: paperhangers: not knives, scrapers, shears	4299.00, 6178.98, 6479.98
Torches: alcohol, blow, gas, gasoline, kerosene, thawing, not cutting and welding.	6209.98, 6479.98
Trowels: bricklayers, cement, garden, margin, masons, plasterers, pointing	6178.98
Vises: household and woodworkers	6163.00
Wedges: hand: steel	6178.98
Weeders: hand	6178.98
Wheelbarrows	7991.00
Wool: aluminum, bronze steel	5413.00, 5419.00
Abrasive products: made from manufactured or natural abrasives—	
Abrasives: aluminum oxide: crude: regular, special, white	5411.98
Abrasives: coated, compound finishing, reclaimed	5418.00, 5419.00
Abrasives: silicon carbide	5411.98
Aluminum oxide: fused	5411.98
Belts: abrasive	5419.00
Blades: diamond: abrasive	6155.15, 6156.05, 6178.91
Brick abrasives	5419.00
Cake: polishing: emery	5409.98
Carriers: aluminum oxide: catalytic: abrasive grain	5411.98
Chucks: segmental: abrasive	7443.71
Cloth: abrasive	5418.00
Discs: abrasive: cloth, nut inserted, paper, sanding, steel backed mounted (vitrified, resinoid).	5413.00
Discs; points: dental: diamond	9150.00, 9155.90
Dressers: emery wheel, grinding wheel: abrasive	5405.00
Finishing compound: abrasive	5419.00
Fine sand	5411.98
Flours: abrasive	5411.98
Grinders: knive	5405.00, 5406.00, 5412.00
Grinding compounds: valves	5419.00

GROUP III—continued

Commodity	*Schedule B No.*
Abrasive products: made from manufactured or natural abrasives—Con.	
Grindstones	5405.00, 5406.00, 5412.00
Hones: not automotive cylinder, piston pin	5409.98, 5419.00
Hones: diamond	6178.91
Lapping compounds: finishing (include diamond)	5419.00
Millstones, manufactured	5406.00, 5412.00
Pads: abrasive: sander	5418.00
Paper: abrasive sand	5418.00
Points: abrasive: dental including diamond	9150.00
Porous media: abrasive	5409.98, 5411.98
Powders: abrasive optical	5409.98
Saws: diamond	6155.15, 6156.05
Segments: abrasive	5409.98, 5419.00
Sharpeners: knife: abrasive	5405.00, 5406.00, 5409.98, 5419.00
Sticks: abrasive, dressing, honing, lapping	5409.98, 5419.00
Stones: jointer, manufactured mill, oil, pulp, reamer, scythe, sharpening, superfinishing	5406.00, 5409.98, 5419.00
Tools: diamonds: boring, cutting (pointed) dressing, drilling, hardness testing	5409.05, 6178.91, 7311.00, 7339.00, 7455.03, 7750.98
Wheels: abrasive: arbor center mounted (vitrified: silicate: high speed), bonded (resinoid, rubber, shellac), centerless control, coping, cylinder, metal bonded (diamond), mounted (dental industrial) resinoid cut off, resinoid (diamond: metal center), resinoid (high speed), steel center, superfinishing, valve seat (not automotive, vitrified)	5405.00, 5406.00, 5409.05, 5412.00
Wheels: buffing, polishing: metalworking	5405.00, 5406.00, 5409.05, 5412.00
Whetstones	5409.98, 5419.00

In determining whether any of the above listed commodities are included within the special provisions of this section, the description of the commodity and not the Schedule B number shall govern.

(b) The provisions of § 804.1 (g) of this subchapter shall not apply to applications for blanket license for the commodities listed in Group I and Group II of paragraph (a) of this section.

(c) Applications for blanket licenses for the commodities listed in Group I and Group III of paragraph (a) of this section shall bear the following legend in lieu of the legend prescribed in § 809.2:

Application is hereby made to permit the applicant named above to export from the United States to the purchasers and consignees designated on the attached list the articles and materials described, in the quantity given: *Provided*, That the aggregate quantity of all such exports to the purchasers and consignees named therein does not exceed the total quantity for which the license is granted.

Applications for blanket licenses for the commodities listed in Group II of paragraph (a) of this section shall bear the following legend in lieu of the legend prescribed in § 809.2:

Application is hereby made to permit the applicant named above to export from the United States to the purchasers and consignees designated on the attached list the articles and materials described, in the dollar value given: *Provided*, That the aggregate value of all such exports to the purchasers and consignees named therein does not exceed the total value for which the license is granted.

(d) A person exporting any commodities listed in Group I of paragraph (a) of this section pursuant to any blanket license shall endorse each Shipper's Export Declaration filed with the United States Collector of Customs at the port of exit or with the United States Postmaster at the place of mailing at the time of each exportation under such license with the following certification:

The undersigned represents to the Foreign Economic Administration that the commodities described herein are being exported under the provisions of BLT (Blanket) License No. — approved by FEA — (date of validation), and this shipment is made in conformity with the terms of this license with respect to kind of material, quantity, value, foreign consignees and purchasers and all other conditions thereof.

A person exporting any commodities listed in Group II of paragraph (a) of this section pursuant to any blanket license shall endorse each Shipper's Export Declaration filed with the United States Collector of Customs at the port of exit or with the United States Postmaster at the place of mailing at the time of each exportation under such license with the following certification:

The undersigned represents to the Foreign Economic Administration that the commodities described herein are being exported under the provisions of BLT (Blanket) License No. ---- approved by FEA ---------- (date of validation) and this shipment is made in conformity with the terms of this license with respect to kind of material, value, foreign consignees and purchasers and all other commodities thereof.

A person exporting any commodity listed in Group III of paragraph (a) of this section pursuant to any blanket license shall endorse each Shipper's Export Declaration filed with the United States Collector of Customs at the port of exit or with the United States Postmaster at the place of mailing at the time of each exportation under such license with the following certification:

The undersigned represents to the Foreign Economic Administration that the commodities prescribed herein are being exported under the provisions of BLT (Blanket) License No. ---- approved by FEA ---------- (date of validation).

(e) When clearance of a shipment has been made in accordance with provisions of paragraph (a) of this section, the holder of the blanket license authorizing such shipment shall endorse on the back of the license in the space reserved for entries by Collectors of Customs and Postmasters the following information:

1. Quantity
2. Description
3. Value
4. Consignee (this shall be placed in the space labeled "name of vessel if export is made by water")
5. Port of exit or post office of mailing
6. Date (this date shall be the date of filing of the Shipper's Export Declaration).
7. Initials of the endorsing official

Such license shall be held available for inspection at any time by the Foreign Economic Administration. Upon completion of shipment against such blanket license, or upon the expiration of the validity of the license, such license with the endorsements thereon as provided in this paragraph and with attachments, if any, shall be returned to the Foreign Economic Administration.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 23, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-11109; Filed, July 9, 1945; 11:13 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1029—FARM MACHINERY

[Limitation Order L-257-c as Amended July 7, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of farm machinery and equipment and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Introduction and Definitions

§ 1029.20 *Limitation Order L-257-c*—(a) *What this order does.* This order describes the rules governing the manufacture of farm machinery and equipment for domestic use and export for the year starting July 1, 1945. Previous controls by quota weight are removed and, instead, large producers must get approved production schedules for all items which are listed on Appendix I to this order. The volume of production by small producers is not controlled by this order. This order supersedes Orders L-257 and L-257-a on July 1, 1945.

(b) *Definitions.* As used in this order: (1) "Producer" means any person engaged in the manufacture (in the United States) of farm machinery and equipment or repair parts for farm machinery and equipment. However, the term does not include any person engaged in the manufacture (for sale to a producer in the United States) of materials, parts, assemblies or subassemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by that producer, or to be resold by that producer as repair parts.

(2) "Large producer" means any producer whose total net sales (including exports were sales by affiliates) of all products were $500,000 or more in the calendar year 1941; and includes any other producer who is directed in writing by the War Production Board to file a production schedule on Form WPB-4249.

(3) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements of the types ordinarily manufactured for farm use and listed on Appendix I to this order. The term includes attachments and also industrial models of wheel-type tractors. It does not include track-laying type tractors, mechanically refrigerated milk coolers, fencing, poultry netting and wire, wire fencing, bale ties or straps, oil well casing and water pipe, grain bins and corn cribs, hog or poultry houses and similar buildings, water storage tanks, nails (all kinds), and sundry hardware (including hand tools, chain, barn door track, pulleys and scales).

(4) "Farm use" means use for the production or care of crops, livestock, livestock products, bees or poultry on a farm (or elsewhere in the case of poultry).

(5) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of it.

(6) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use in the repair and maintenance of farm machinery and equipment, and includes plow shares and shapes, and water pump cylinders.

General Provisions Relating to Production

(c) *Large producers are bound by approved schedules.* A large producer may not make any item of farm machinery and equipment for domestic use or export during the period July 1, 1945, through June 30, 1946, except in accordance with his schedule as approved on Form WPB-4249.

(d) *How to get an approved schedule.* To get an approved schedule, a large producer should file Form WPB-4249 before June 1, 1945, in accordance with the instructions on the form. A separate schedule must be filed for each item listed on Appendix I which he wants to make during the twelve-month period starting July 1, 1945, listing the quantities in units (or other specified unit of measure) he plans to have available for shipment by quarters to the various classes of customers indicated on the form.

(e) *Approval of schedules.* Proposed schedules filed as explained above in paragraph (d), will be approved or modified by the War Production Board, or notice given that the schedule is not approved, before June 30, 1945. Approval or modification will be indicated on an approved copy of the Form WPB-4249 returned to the producer. Until a producer gets his approved schedule under this paragraph, he may plan his production, order materials and start initial fabrication in accordance with his schedule filed on Form WPB-4249.

(f) *Changes in approved schedules.* (1) If a large producer wants to make more of any item than is shown on his approved schedule, or wants to change his over-all distribution pattern for the item, or for any other reason wants to revise his approved schedule, he should file a revised schedule on Form WPB-4249 in accordance with the instructions on the form. Approval, modification or disapproval of this schedule will be indicated as explained above in paragraph (e), usually within 15 days of the date of filing. If the proposed revision is not approved, the schedule previously approved will remain in effect.

(2) The War Production Board may require such changes in the overall distribution pattern of any item (by revisions in approved schedules or by specific direction) as may be necessary in view of the requirements of the various Claimant Agencies.

(g) *Repair parts.* This order places no restriction on the manufacture of repair parts. However, a large producer must file a schedule on Form WPB-4249 for all repair parts in terms of total dollar value for information purposes. This schedule does not need approval.

(h) *Most ratings have no effect on deliveries; scheduling production.* Producers, dealers and other distributors must disregard preference ratings in delivering items of farm machinery and equipment and repair parts, except to fill rated orders placed directly by the Army, Navy, Maritime Commission, War Shipping Administration or Veterans' Administration, or by farmers pursuant to Direction 2 to this order. (Note: Dealers are subject to War Food Order No. 135 in delivering these items to veterans who have "preference certificates"). Producers may schedule their production of these items as if the orders for them bore a rating of AA-2.

Special Restrictions and Exceptions

(i) *Restrictions on rubber-tired equipment.* No producer may manufacture any item of farm machinery and equipment requiring rubber tires except the following items:

Wheel-type tractors including garden type.
Combines.
Pick-up hay balers and field hay harvesters.
Corn pickers.
Power sprayers over 10 gal. per min.
Manure spreaders.
Beet, cotton or vegetable thinners.
Dusters.
Rice binders.
Field ensilage harvesters—row type.
Potato diggers.
Beet harvesters.
Beet loaders.
Cane harvesters.
Cane loaders.
Cotton pickers.
Hop pickers.
Mowers.
Threshers.
Cylinder corn shellers.
Corn huskers and shredders.
Stationary hay balers.
Wagon and truck gears.
Cane wagons and carts.
Windrowers or swathers.
Portable milking machines requiring tires which are not allocated under Order R-1 and which are less than 2¼" cross section.
Any item requiring tires to be mounted on wheel rims of the following sizes (diameter): 15", 16", 18", 20" and 21".

However, no producer may acquire automotive-type tires for the purpose of mounting on any of these items (except the first five listed above), nor may he use automotive-type tires for this purpose, unless they were in his inventory or in transit to him on or before May 17, 1945.

(j) *Exceptions and appeals*—(1) *Production under Priorities Regulation No. 25.* A large producer who wants to make more of any item of farm machinery and equipment than is shown on his approved schedule on Form WPB-4249 may apply for permission to do so as explained in Priorities Regulation No. 25. This is in addition to his right to apply for a revised schedule in accordance with paragraph (f) of this order.

(2) *Appeals.* Any appeal from this order should be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, referring to the particular provision appealed from and stating fully the grounds of the appeal.

Miscellaneous Provisions

(k) *Reports.* Each large producer must file by the 10th day of each month a report on Form WPB-1768 of his production of items listed on Appendix I during the previous month in accordance with the instructions on the form.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, unless this order states otherwise.

(n) *Communications.* All communications concerning this order shall, unless

otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref: L-257-c.

NOTE: The reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX I

Large producers must get an approved schedule on Form WPB-4249 in order to make the following items after July 1, 1945, and must report their production monthly on Form WPB-1768:

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Division 1: Planters (horse and tractor drawn):

Item No.
1 One row, one horse, corn
2 One row, one horse, corn and cotton, peanut and other
3 One row, two horse, corn and cotton
4 Two row, cern
5 Two row, corn and cotton
6 Three row and over, corn
7 Three row and over, corn and cotton

Division 2: Planters (tractor mounted):
8 One row, corn
9 One row, corn and cotton
10 Two row, corn
11 Two row, corn and cotton
12 Three row and over, corn
13 Three row and over, corn and cotton

Division 3: Potato Planters (horse and tractor drawn):
14 One row
14a Two row and larger

Division 4: Transplanters:
15 Horse or tractor drawn, tractor mounted or self-propelled
16 Hand, wheel type

Division 5: Listers with Planting Attachments (horse or tractor drawn):
17 One row—combined with item 64
18 Two row—combined with item 65
19 Three row and over—combined with item 66

Division 6: Listers with Planting Attachments (tractor mounted):
20 One row—combined with item 67
21 Two row—combined with item 68
22 Three row and over—combined with item 69

Division 7: Beet and Bean Drills or Planters:
23 Horse or tractor drawn or tractor mounted

Division 8: Grain Drills:
24 One horse, plain or fertilizer, three to seven disc or run
25 Fertilizer drills, horse or tractor drawn
26 Plain drills, horse or tractor drawn

Division 9: Broadcast Seeders:
27 Wheeled, horse or tractor drawn
28 Endgate
29 Hand (wheelbarrow and other)

Division 10: Garden Planters:
30 Hand, wheel type
31 Horse or tractor drawn, one row or multiple row (one row is a unit)

Division 11: Fertilizer Distributors:
32 Horse or tractor drawn or tractor mounted
32d Hand propelled

Division 12: Lime Spreaders (sowers):
33 Wheeled hopper type sewer, horse or tractor drawn
34 End-gate type
34a Trailer type
35 Truck body type

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—continued

Item No.

Division 13: Manure Spreaders and Loaders:
36 Four wheel, horse or tractor drawn
37 Two wheel, tractor drawn
37a Manure loaders

Division 14: Other Planting, Seeding and Fertilizing Machines:
38 Limestone pulverizers (farm size, under 14")
39 Uni-carrier, chassis or rear tool bar (short and long) for mounting tools, pull type
39a Tool frame, attached or rear tool bar (short and long) for mounting tools on tractor
40 Potato cutter
40a Misc. planting, seeding and fertilizing equipment
40b ———

Division 15: Attachments:
41 Attachments consolidated into a single Item 313

GROUP 2: FARM PLOWS AND LISTERS

Division 1: Moldboard Plows (horse drawn):
42 Walking, one horse, steel bottom
43 Walking, one horse, chilled bottom—combined with item 42
44 Walking, two horse and larger—combined with item 42
45 Sulky
46 Gang, two bottom and larger

Division 2: Moldboard Plows (tractor drawn or mounted):
47 One bottom, tractor drawn
47a One bottom, two-way (one furrow) tractor drawn
48 Two bottom, tractor drawn
48a Two bottom, two-way (two furrow) tractor drawn
49 Three bottom, tractor drawn
50 Four bottom, tractor drawn
51 Five bottom and larger, tractor drawn
52 One bottom, tractor mounted
52a One bottom, two-way (one furrow) tractor mounted
53 Two bottom, tractor mounted

Division 3: Disc Plows (horse drawn):
54 Single disc and larger

Division 4: Disc Plows (tractor drawn):
55 One disc
56 Two disc
57 Three disc
58 One disc—direct connected (1 wheel type)—combined with item 55
59 Two disc—direct connected (1 wheel type)—combined with item 56
59a Three disc—direct connected (1 wheel type) combined with item 57
59b Three disc, tool bar type—combined with item 57
60 Four disc, tractor drawn
61 Five disc, tractor drawn
62 Six disc and larger, tractor drawn

Division 5: One-Way Disc Plows or Tillers:
63 Under five feet
63a Five foot and over

Division 6: Listers and Middlebusters (horse or tractor drawn) (with or without planting attachments):
64 One row, horse or tractor drawn
65 Two row, horse or tractor drawn
66 Three row and larger, horse or tractor drawn

Division 7: Listers and Middlebusters (tractor mounted) (with or without planting attachments):
67 One row, tractor mounted
68 Two row, tractor mounted
69 Three row and larger, tractor mounted
69a Three row ridgers

Division 8: Sub-Soil Plows:
70 Horse drawn
71 Tractor drawn
72 Tractor mounted

Division 9: Plow Stocks:
73 Single or double stocks

GROUP 2: FARM PLOWS AND LISTERS—continued

Item No.

Division 10: Other Plows and Listers:
74 Basin tiller
75 Cane row plows
76 Misc. plows and listers

Division 11: Attachments:
77 Attachments consolidated into a single Item 313

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

Division 1: Farm Type Harrows:
78 Spike tooth harrow sections, horse or tractor drawn
79 Spring tooth harrow sections, horse or tractor drawn
80 Disc harrows, horse drawn
80e Disc harrows, tractor drawn or tractor mounted
80h Disc harrow, offset—tractor drawn
81 Disc harrows, tractor mounted and tool bar type, combined with 80e
81a Cane disc harrows, tractor mounted and tool bar type

Division 2: Smooth Land Rollers:
82 Smooth land rollers, not including lawn rollers

Division 3: Soil Pulverizers and Packers:
83 Soil pulverizers and packers

Division 4: Stalk Cutters:
84 Stalk cutters, horse or tractor drawn
84b Weed cutters (rotary blade type, not hand type)
84c Cane stubble shavers.

Division 5: Ridge Busters:
85 Ridge busters, horse or tractor drawn
86 Ridge busters, tractor mounted

Division 6: Other Harrows and Rollers:
87 Combination harrow and rollers
87a Seed-bed row rollers
88 Field markers
89 Misc. harrows and rollers

Division 7: Attachments:
90 Attachments consolidated into a single Item 313

GROUP 4: CULTIVATORS AND WEEDERS

Division 1: Cultivators (horse and tractor drawn):

Item No.
91 One horse (all types, including hillers, disc hoes, shovel plows, little joes, and similar type harrows and rotary harrows)
92 One row, walking, two horse
93 One row, riding, two horse
93b Two row, riding, horse drawn
94 One and two row, riding, horse drawn, listed corn type
94b Two row and over, tractor drawn, listed corn type
95 Beet and bean cultivators
95b Two row wing and disc hoes and hillers, potato, horse or tractor drawn or tractor mounted
96 Field cultivators, including chisels and orchard cultivators
97 Hand cultivators, wheel type, including hand plows

Division 2: Cultivators (tractor mounted):
98 One row
99 Two row, shovel or disc type
99a Two row, listed corn type
100 Three row and over, all types
101 Narrow row, four and six row (beet, bean and vegetable cultivators)—combined with item 100
101a Combination cultivators and planters, two row, corn and cotton
101b Cane cultivators
101d Field cultivator, mounted and tool bar type, including chisel and orchard cultivators

Division 3: Rotary Hoes:
102 Rotary hoes, horse or tractor drawn

GROUP 4: CULTIVATORS AND WEEDERS—con.

Item No.

Division 4: Weeders, drawn or mounted:
103 Rod weeders
104 Tooth weeders, one horse, walking
104a Tooth weeders, two horse, riding
104b Tooth weeders, tractor drawn or tractor mounted

Division 5: Other cultivators and weeders:
105 Beet, cotton, or vegetable thinners
105b Cyclone weeder
106 Misc. cultivators and weeders

Division 6: Attachments:
107 Attachments consolidated into a single Item 313

GROUP 5: FARM SPRAYERS, DUSTERS, AND ORCHARD HEATERS

Division 1: Power Sprayers:
108 Market garden type, under six G. P. M.
108a Orchard type, auxiliary engine
108b Orchard type, power take-off
108g Field or row crop type, auxiliary engine
108h Field or row crop type, power take-off
108m Field or row crop type, tractor mounted
108n Propeller blast type
109 Traction sprayers

Division 2: Hand Sprayers with Tank, Barrel, Knapsack, Etc. with Complete Equipment (Cap. 1 Qt. or over but less than 6 Gal.):
110 All types other than atomizing
111 Knapsack, self contained, combined with item 110
112 Trombone pump type, combined with item 110
113 Bucket pump type, single cylinder, combined with item 110
114 Bucket pump type, double cylinder, combined with item 110
115 Atomizing, single action (1 qt. and larger capacity)
116 Atomizing, continuous (1 qt. and larger capacity) combined with item 115

Division 3: Hand Pump Sprayers (capacity six gal. or more):
117 Barrel pump sprayer
118 Wheelbarrow sprayer

Division 4: Spray Pumps, Power:
119 Spray pumps, power

Division 5: Weed and Pear Burners:
120 Weed and pear burners

Division 6: Dusters:
121 Power duster, auxiliary engines
121a Power duster, power take-off
122 Traction dusters
123 Hand dusters, all types

Division 7: Orchard Heaters:
124 Orchard heaters and smudge pots
124a Wind frost protection machines

Division 8: Attachments:
125 Attachments consolidated into a single Item 313

GROUP 6: HARVESTING MACHINERY

Division 1: Combines (harvester-threshers):
126 Width of cut, 6 ft. and under, auxiliary engines
126a Width of cut, 6 ft. and under, power take-off
127 Width of cut, over 6 ft., including 10 ft.
128 Width of cut, over 10 ft., including 15 ft.
128a Windrowers or swathers
128b Combines, width of cut, over 15 ft.

Division 2: Grain and Rice Binders:
129 Grain binders (ground drive)
130 Grain binders (power take-off)
131 Rice binders

Division 3: Corn Binders:
132 Corn binders, ground drive
132a Corn binders, power take-off
132b Corn harvester, sled and wheel type

GROUP 6: HARVESTING MACHINERY—con.

Item No.

Division 4: Corn Pickers:
133 One row, mounted type
134 Two row, mounted type
135 One row, pull type
136 Two row, pull type

Division 5: Field Ensilage Harvesters—Row Type:
137 Field ensilage harvesters (row type)

Division 6: Potato Diggers and Pickers:
138 Walking plow type
139 One row, ground drive
139a One row, power take-off
139b Two row, power take-off
139c Potato pickers

Division 7: Bean Cutters or Pullers:
140 Horse or tractor drawn

Division 8: Sugar Beet and Cane Harvesting Equipment:
141 Beet lifters, horse or tractor drawn or tractor mounted
141b Beet harvesters
141c Beet loaders
141d Cane harvesters
141e Cane loaders

Division 9: Other Harvesting Equipment:
142 Cotton harvesters, stripper type
142a Cotton pickers
143 Vegetable pullers and pickers
143a Green pea harvesters
143b Spinach harvesters
144 One row soybean harvesters
144a Grass seed harvesters or strippers
144b Flax pullers
144c Hop pickers
144d Peanut diggers
144e Misc. harvesting equipment

Division 10: Attachments:
145 Attachments consolidated into a single Item 313

GROUP 7: FARM HAYING MACHINERY

Division 1: Mowers:
146 Horse or tractor drawn (ground drive)
147 Tractor mounted or semi-mounted (power take-off drive)

NOTE: Production of Items 146 and 147 for non-farm use is governed by this Order L-257-c only if the particular item is a sickle bar mower having bars more than 4 ft. in length. All other mowers for non-farm use are governed by Order L-67.

Division 2: Rakes:
148 Sulky (dump)
149 Side delivery (including comb. side rakes and tedders)
150 Sweep

Division 3: Hay Loaders:
151 Hay loaders

Division 4: Stackers
152 Stationary
152a Combination stacker-loaders

Division 5: Pick-Up Hay Balers and Bale Loaders:
153 Pick-up hay balers—power take-off
153a Pick-up hay balers—auxiliary engine
153b Field bale loader

Division 6: Other Haying Machinery:
154 Field hay choppers and harvesters
155 Misc. haying machinery

Division 7: Attachments:
157 Attachments consolidated into a single Item 313

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Division 1: Stationary Threshers — Grain, Rice and Alfalfa:
158 Threshers, width of cylinder under 28 ins.
159 Threshers, width of cylinder 28 ins. and over

Division 2: Stationary Pea and Bean Threshers:
160 Stationary pea and bean threshers

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—con.

Item No.

Division 3: Peanut Pickers:
161 Peanut pickers

Division 4: Ensilage Cutters—Silo Fillers:
162 Ensilage cutters (silo fillers)

Division 5: Feed Cutters—Hand and Power:
163 Feed cutters, hand and power

Division 6: Corn Shellers:
164 Corn shellers (hand)
165 Spring (2, 4, 6 and 8 hole)
166 Cylinder (150 bu. and under)
167 Cylinder (Over 150 bushels)

Division 7: Corn Huskers and Shredders:
168 Combination corn huskers—shredders
169 Corn huskers
170 Corn shredders

Division 8: Stationary Hay and Straw Balers:
171 Horse
172 Auxiliary engine
172a Belt-driven or power take-off
172c Broom corn balers
172d Peanut hay balers

Division 9: Feed Grinders and Crushers (farm):
173 Hand
174 Power, burr type
175 Hammer type
175a Roughage mills, combination type with cutter head and grinders
175b Feed mixers (not concrete mixers)

Division 10: Grain Cleaners and Graders:
176 Cleaners and graders — farm type (small grain and seed)

Division 11: Sorters and Graders:
177 Potato sorters and graders
177a Fruit and vegetable graders, washers, sackers and conveyors
177b Vegetable toppers
177c Nut hullers, graders, sackers, conveyors

Division 12: Maple Syrup Evaporators:
178 Complete sets of pans, not including furnaces
179 Furnaces

Division 13: Cane Syrup Evaporators:
180 Complete sets of pans, not including furnaces
181 Furnaces

Division 14: Cane Mills—Farm Size:
182 Cane mills (farm size)

Division 15: Cider Mills and Fruit Presses:
183 Cider mills and fruit presses

Division 16: Other Machines for Preparing Crops for Market or Use:
184 Tobacco curers
185 Broom corn de-seeders
186 Miscellaneous

Division 17: Attachments:
187 Attachments consolidated into a single Item 313

GROUP 9: FARM ELEVATORS AND BLOWERS

Division 1: Elevators—Portable:
188 Elevators, portable

Division 2: Elevators—Stationary:
189 Elevators, stationary

Division 3: Blowers—Grain and Forage:
190 Blowers (grain)
190a Blowers (forage)

Division 4: Attachments:
191 Attachments consolidated into a single Item 313

GROUP 10: TRACTORS

Division 1: Farm Tractors, Wheel Type by Rated Belt H. P.:
192 Special purpose, under 30 h. p.
193 Special purpose, 30 and over
194 All purpose, under 30 h. p.
195 All purpose, 30 and over

Division 2: Garden Tractors:
196 Garden tractors (including motor tillers)

Division 3: Attachments:
197 Attachments consolidated into a single Item 313

GROUP 11: ENGINES

(Items 198, 199, 200, 201, 202 and 203 cancelled—scheduled by Automotive Division.)

Item No.
Division 5: Attachments:
204 Attachments consolidated into a single Item 313

GROUP 12: FARM WAGONS, GEARS AND TRUCKS (NOT MOTOR)

Division 1: Wagons and Trucks:
205 Wagon gears (less box)
206 Truck gears (less box)
206a One horse wagon (less box)
Division 2: Wagon Bodies:
207 Wagon and truck boxes, farm
Division 3: Farm Sleighs:
208 Sleighs and bob-sleds, farm
Division 4: Trailers—Farm:
209 Trailers, farm
Division 5: Other Transporting Equipment (not motor trucks):
210 Tobacco trucks
210a Buggies and spring wagons, farm
211 Cane wagons and carts
211a Misc.
Division 6: Attachments:
212 Attachments consolidated into a single Item 313

GROUP 13: DOMESTIC WATER SYSTEMS (FARM TYPE)

Division 1: Deep and Shallow Well Systems:
213 Deep well, reciprocal
214 Deep or shallow well, jet type
215 Shallow well, 250–499 gals. per hour
216 Shallow well, 500 gals. per hour and over
Division 2: Power Pumps:
217 Horizontal type, up to and including 75 gal. P. M. 100 lbs. pressure
Division 3: Water Well Casing:
218 Water well casing (fabricated by other than pipe mills)
Division 4: Attachments:
219 Attachments consolidated into a single Item 313

GROUP 14: FARM PUMPS AND WINDMILLS

Division 1: Pumps, Water:
220 Pitcher pumps
221 Hand and windmill pumps
Division 2: Windmills:
222 Windmill heads
223 Windmill towers
Division 3: Pump Jacks:
224 Pump jacks
Division 4: Attachments:
226 Attachments consolidated into a single Item 313

GROUP 15: IRRIGATION EQUIPMENT

Division 1: Irrigation Pumps:
227 Turbine pumps (farm use only)
228 Combined with Item 227
229 Centrifugal pumps (excluding self-priming type)
230 Hydraulic rams
231 Land levelers
231a Blade ditchers and terracers
231b One disc terracers
231c Corrugators
231d Scrapers

NOTE: Items 231 to 231d are exclusive of Power Ditchers, Draglines, and other self-powered machines

232 Portable pipe and extensions, sprinklers (excluding lawn sprinklers), valves and gates, expressed in terms of net shipping weight in lbs.
Division 3: Other Farm Irrigation Equipment:
233, 234 and 235 Misc. (List Each Item Separately.)
Division 4: Attachments:
236 Attachments consolidated into a single Item 313

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

Item No.
Division 1: Milking Machines:
237 Milking machines (complete outfits)
Division 2: Farm Cream Separators:
238 Capacity 250 lbs. per hour or less
239 Capacity 251 lbs. to 800 lbs. per hour
240 Capacity 801 lbs. to 1500 lbs. per hour
Division 3: Farm Milk Coolers:
241 Immersion type (except mechanically refrigerated)
242 Surface or tubular type (except mechanically refrigerated)
Division 4: Farm Butter Making Equipment:
243 Butter churns
244 Butter molds
Division 5: Other Dairy Farm Equipment:
245 Milk pails
246 Milk strainers
247 Stirrers
248 Cream setter cans
248a Sterilizing tanks
248b Dairy washing tanks
248c Dairy water heaters (excluding boiler-type and pressure type heaters)
248d Can racks
248e Misc. dairy farm equipment (list additional items separately)
Division 6: Attachments:
249 Attachments consolidated into a single Item 313

GROUP 17: BARN AND BARNYARD EQUIPMENT

Division 1: Feed Carriers, Litter Carriers and Feed Trucks:
250 Feed Carrier systems
251 Litter carrier systems
252 Deleted
253 Feed trucks
Division 2: Hay Unloading Equipment:
254 Hay unloading systems
255 Deleted
256 Deleted
Division 3: Cattle Stalls, Pen Equipment and Stanchions:
258 Cattle stalls (complete)
259 Livestock pens
260 Deleted
Division 4: Livestock Drinking Cups and Watering Bowl:
261 Livestock drinking cup systems
262 Outside livestock watering bowls
Division 5: Barnyard Stock Tanks:
263 Barnyard stock tanks
264 Hog troughs
265 Livestock dipping tanks
Division 6: Feeders, Feed Cookers and Tank Heaters:
265a Livestock feeders
266 Feed cookers
267 Tank heaters
Division 7: Barn Door Track and Hangers (Removed from this Order).
Division 8: Other Barn and Barnyard Equipment:
270 Hog waterers
270a Hog oilers
271 Hog rings
271a Hog ringers
272a Cattle dehorning equipment
272f Anti-cow kickers
272h Hay hoists
272i Bull staffs
272j Bull rings
272k Misc. barn and barnyard equipment
Division 9: Attachments:
273 Attachments consolidated into a single Item 313

GROUP 18: FARM POULTRY EQUIPMENT

Division 1: Incubators:
274 Incubators, 1,000 egg capacity and smaller
275 Incubators, over 1,000 egg capacity

GROUP 18: FARM POULTRY EQUIPMENT—Con.

Item No.
Division 2: Floor Brooders:
276 Oil (over 100 chick capacity)
277 Coal (over 100 chick capacity)
278 Gas (over 100 chick capacity)
279 Wood (over 100 chick capacity)
280 Electric (over 100 chick capacity)
280a All types 100 chick capacity and smaller
Division 3: Battery Brooders (Heated):
281 Three deck and smaller (heated)
282 Four deck (heated)
283 Five deck (heated)
Division 4: Growing and Laying Batteries:
284 Growing
285 Laying
Division 5: Poultry Feeders:
286 Poultry feeders
Division 6: Poultry Waterers and Water Heaters:
287 Poultry waterers
287a Automatic float valves
287b Fountain heaters
Division 7: Laying Nests and Grit Boxes:
288 Laying nests
289 Egg baskets
289b Grit boxes
Division 8: Other Farm Poultry Equipment:
290 Leg bands
290a Wing bands
291 Egg graders
292 Egg candlers
292a Poultry punches
292b Roof saddles
292c Draft equalizers
292d Chimney caps
292g Killing cones
292h Fowl catchers
292i Miscellaneous farm poultry equipment
Division 9: Attachments:
293 Attachments consolidated into a single Item 313

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

Division 1: Beekeepers' Supplies:
294 Beekeepers' supplies (except bee hives)
295 Bee hives
Division 2: Silos:
296 Silos
Division 3: Horse Shoes—Including Mule and Oxen Shoes:
297 Horse shoes (including mule and oxen shoes)
Division 4: Harness Hardware:
298 Harness hardware
Division 5: Power Sheep-Shearing Machines:
299 Power sheep-shearing machines
299a Power cattle and horse clippers
Division 6: Electric Fence Controllers:
300 Electric fence controllers
301 Electric fence accessories
Division 8: Farm Wood-Sawing Machines:
309 Farm wood-sawing machines incl. self-powered cross-cut and drag 5 H. P. and less
Division 9: Farm Gates:
310 Farm gates
Division 10: Farm Electric Plants (Wind-Driven):
311 Farm electric plants (wind-driven) electric generating plants only—does not include batteries or towers
311a Towers for wind-driven electric generating plants (engine driven farm lighting plants and batteries transferred to Automotive Division)
Division 11: Attachments:
312 Attachments consolidated into a single Item 313

GROUP 20: ATTACHMENTS

313 Attachments for all items in Groups 1–19.

[F. R. Doc. 45–12384; Filed, July 7, 1945; 11:13 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L–257–c, Direction 2]

PRIORITY TO REPLACE OR REPAIR MACHINES DAMAGED BY FLOODS, ETC.

The following direction is issued pursuant to Limitation Order L–257–c:

(a) *What this direction does.* This direction tells how farmers in areas affected by floods in 1944 and 1945 can get a priority to replace and repair their farm machinery and equipment which was destroyed or damaged by such floods, or windstorms, or fire caused by lightning. This is in accordance with Pub. Law 75, 79th Congress, 1st Session, approved June 5, 1945.

(b) *How to get the priority.* If a farmer needs farm machinery and equipment or repair parts under the circumstances described above and cannot get what he needs without a priority, he may apply for a preference rating on Form WPB–541. He must file this form with his County Agricultural Conservation Committee which has copies of the form and will tell him how to fill it out. The Committee will make its recommendation and then send it on to the nearest WPB field office for action.

(c) *Other priorities.* WPB priorities assistance is not available to farmers to obtain farm machinery or equipment or repair parts for any other purpose except that stated above.

Issued this 7th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12385; Filed, July 7, 1945; 11:13 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–738, Reinstatement and Amdt.]

REPUBLIC INDUSTRIES, INC.

Republic Industries, Inc., located at 740 East 51st Street, Chicago, Illinois, engaged in the business of manufacturing and selling fluorescent lighting fixtures, was suspended March 20, 1945, by Suspension Order No. S–738. It appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on March 20, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Bok who has dismissed the appeal and directed that the stay be terminated, the suspension order be reinstated and that the suspension order be amended by substituting in paragraph (b) the words "third quarter of 1945" for "second quarter of 1945."

In view of the foregoing, it is hereby ordered that § 1010.738 *Suspension Order No. S–738* issued March 13, 1945, and effective March 20, 1945, be and hereby is reinstated as of July 9, 1945; the stay of execution directed by the Chief Compliance Commissioner on March 20, 1945 be and hereby is revoked as of July 8, 1945; and the suspension order be and hereby is amended by substituting in paragraph (b) the words "third quarter of 1945" for "second quarter of 1945."

Issued this 29th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12414; Filed, July 9, 1945; 11:32 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–749, Reinstatement]

NORTH AMERICAN MANUFACTURING CO.

North American Manufacturing Company, a partnership composed of Samuel A. Ward, Ida Ward, Henry Bernstein and Frances Bernstein, with its principal place of business at 5042 South Cottage Grove Avenue, Chicago, Illinois was suspended on April 9, 1945 by Suspension Order No. S–749. It appealed from the provisions of the suspension order and pending final determination of the appeal the Chief Compliance Commissioner stayed the Suspension Order effective April 9, 1945. The case has been reviewed by Deputy Chief Compliance Commissioner Bok who has dismissed the appeal and directed that the stay be terminated and the suspension order reinstated.

In view of the foregoing, it is hereby ordered, that § 1010.749 *Suspension Order No. S–749* issued April 2, 1945 and effective April 9, 1945 be reinstated effective July 9, 1945 to remain in force for three months from the effective date of this reinstatement, and the stay of execution directed by the Chief Compliance Commissioner on April 9, 1945 be revoked as of July 8, 1945.

Issued this 29th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12420; Filed, July 9, 1945; 11:33 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–821]

OHIO CHINA WHOLESALE CO.

The Ohio China Wholesale Company is a corporation located in Canton, Ohio engaged in business as a distributor at wholesale of equipment and supplies for restaurants, institutions, hotels and bars. During the period from March 1, 1944 to December 30, 1944, it accepted deliveries of 123 new exhaust fans without having orders for the same bearing a preference rating of AA–5 or better, and accepted orders for and delivered 61 new exhaust fans without receiving thereon preference ratings of AA–5 or better, in violation of Limitation Order L–123. In addition, during the period from March 1, 1944 to December 30, 1944, it accepted delivery of 32 new condensing units without having orders for the same bearing a preference rating of AA–5 or better; delivered during that period 22 of these condensing units without having received orders for the same bearing a preference rating of AA–5 or higher; delivered 9 new reach-in-refrigerators on unrated orders; and used preference ratings AA–3 MRO or AA–5 MRO without authority of the War Production Board on its orders to its suppliers by which it procured delivery of the new exhaust fans and at least 29 of the new condensing units referred to, all in violation of Limitation Order L–38 and Priorities Regulation No. 3. The corporation also failed to keep records of orders which it issued and received for exhaust fans and condensing units, of preference ratings on orders so issued and received, or names of customers and details of transactions, in violation of Priorities Regulation No. 1.

The company was grossly negligent in its commission of the foregoing violations by its failure to ascertain the full requirements of, and to conform with orders and regulations of the War Production Board herein referred to, after it knew of the existence of such orders and regulations. These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.821 *Suspension Order No. S–821.* (a) For a period of three months from the effective date of this order, the Ohio China Wholesale Company, its successors or assigns, shall not apply or extend preference ratings nor use any CMP allotment symbols for the purchase or procurement of fans, blowers, or exhausters as defined in List A of Order L–123 as amended October 6, 1944 unless specifically authorized in writing by the War Production Board, or upon orders of the Army, Navy, Maritime Commission or any other governmental department or agency of the United States.

(b) For a period of three months from the effective date of this order, the Ohio China Wholesale Company, its successors or assigns, shall not apply or extend preference ratings nor use any CMP allotment symbols for purchase or procurement of condensing units or reach-in-refrigerators of types which were controlled by Limitation Order L–38 as amended August 31, 1944, unless specifically authorized in writing by the War Production Board, or upon orders of the Army, Navy, Maritime Commission or any other governmental department or agency of the United States.

(c) Nothing contained in this order shall be deemed to relieve Ohio Wholesale Company, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the 9th day of July 1945.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12411; Filed, July 9, 1945; 11:32 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–825]

WASHINGTON DAILY NEWS CO.

The Washington Daily News Company, a corporation located in Washington, D. C. is engaged in publishing the Washington Daily News. During the second, third and fourth quarters of 1943 the corporation used or caused to be used in the publishing of that newspaper 350.24 tons of print paper in excess of its quota, in violation of Limitation Order L–240. This over-consumption was the result of an error in calculation of its quota which was discovered by the respondent and disclosed to the War Production Board by it.

This excessive use of paper has diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.825 *Suspension Order No. S–825.* (a) Washington Daily News Company, its successors or assigns, shall reduce its consumption of print paper during each of the third and fourth quarters of 1945 and each of the four quarters of 1946 by 58.3 tons per quarter under the quota it would otherwise be entitled to use pursuant to the provisions of Limitation Order L–240, unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve the Washington Daily News Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12418; Filed, July 9, 1945; 11:33 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–832]

OREGON CASKET CO.

California Casket Company, a California corporation, does business at 1633 N. W. 21st Avenue, Portland, Oregon, under the name Oregon Casket Company. As of September 1, 1944, Oregon Casket Company was merged with California Casket Company; the latter corporation has, however, continued to do business in Oregon under the fictitious name Oregon Casket Company. California Casket Company has plants in California and Washington, as well as the one in Oregon, engaged in the manufacture of casket shells and caskets. The primary material used is lumber. In making application to the War Production Board for authorization to purchase lumber, Oregon Casket Company misrepresented that its inventories of lumber were 282,000, 216,000 and 186,000 board feet on March 31, June 30, and September 30, 1944 respectively, whereas its inventories were approximately 485,000, 478,000 and 619,000 board feet on those dates, thus violating Priorities Regulation No. 1. During the period from August 5 to October 27, 1944, Oregon Casket Company purported to use AA–1 and AA–3 ratings on purchase orders for 28 carloads of spruce, cedar, fir and hemlock lumber when it was not authorized to use any ratings. Also, during May and June, 1944, it purported to use AA–1 ratings when only authorized to use AA–2 ratings to purchase six carloads of lumber and again in November and December, 1944, ratings of AA–1 were used when only authorized to use AA–3 ratings on purchase orders for six carloads of lumber. The use of these unauthorized ratings was in wilful violation of Priorities Regulation No. 3. Oregon Casket Company also violated Priorities No. 1 by failing to maintain adequate records of its transactions and inventories of lumber. These actions constituted grossly negligent and wilful violations and has interfered with controls established by the War Production Board for the distribution of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.832 *Suspension Order No. S–832.* (a) California Casket Company conducting business in Oregon as Oregon Casket Company shall not for three months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, for the purpose of obtaining delivery of materials for use in its Oregon operations, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) California Casket Company, doing business as Oregon Casket Company, shall not for three months from the effective date of this order receive or accept delivery of any lumber in its operations in the State of Oregon.

(c) Nothing contained in this order shall be deemed to relieve California Casket Company or Oregon Casket Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and provisions contained herein shall apply to California Casket Company in the State of Oregon, under the name Oregon Casket Company, or under whatever name operations may be conducted in Oregon, its successors and assigns, or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) This order shall take effect on July 9, 1945.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12410; Filed, July 9, 1945; 11:32 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–834]

CALVERT ANILINE AND CHEMICAL CO.

Kitty Calvert Smith, doing business as Calvert Aniline and Chemical Company at 225 Walnut Street, Cincinnati, Ohio, is a wholesaler and manufacturers' representative dealing in chemicals and pharmaceuticals. At various times throughout 1944, her managing agent placed purchase orders with U. S. Industrial Chemicals, Inc., Louisville, Kentucky, for fusel oil using a preference rating of AA–1 USA 50%, USN 50%, certifying that he was entitled to extend such ratings, whereas in fact he was only entitled to extend a rating of AA–1 30%, AA–3 70% on some orders, and was not entitled to extend any rating on other orders. As a result of this improper extension of ratings, at least 519,675 pounds of fusel oil were secured without authorization from the War Production Board. This unauthorized extension of preference ratings constitutes a grossly negligent violation of Priorities Regulation No. 3.

This violation of Priorities Regulation No. 3 diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.834 *Suspension Order No. S–834.* (a) For a period of four months from the effective date of this order unless otherwise specifically authorized in writing by the War Production Board, Kitty Calvert Smith shall not apply or extend any preference ratings for the purchase of fusel oil regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) Nothing contained in this order shall be deemed to relieve Kitty Calvert Smith from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Kitty Calvert Smith, doing business as Calvert Aniline and Chemical Company or otherwise, her successors and assigns, or persons acting on her behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on July 9, 1945.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12412; Filed, July 9, 1945; 11:32 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–839]

LIBERTY SHOW PRINTING CO.

The Liberty Show Printing Company is a corporation engaged in the printing and lithographing business at 632 Duquesne Way, Pittsburgh, Pennsylvania.

During 1944, the company put into process for production of displays 50 tons of paper, or paperlike substance, in excess of its consumption quota of 50 tons, in violation of Limitation Order L–294. This violation was due to the gross negligence of the officials of the company in not becoming familiar with the order and its terms, and has resulted in the diversion of critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.839 *Suspension Order No. S–839.* (a) The Liberty Show Printing Company shall, during each of the third and fourth quarters of 1945 and the first and second quarters of 1946, reduce its usage of paper or paperlike substance for the production of displays by 2½ tons per quarter less than it would otherwise be permitted to use under the provisions of Limitation Order L–294, unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve The Liberty Show Printing Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to The Liberty Show Printing Company, its successors or assigns, or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12417; Filed, July 9, 1945; 11:33 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–840]

WALLACE WHOLESALE CO.

Oscar Rivenbark, doing business as Wallace Wholesale Company, Wallace, North Carolina, is a wholesale dealer in seed, feeds and groceries. Between September 6, 1944 and January 17, 1945, without authorization from the War Production Board, he did construction on a two-story warehouse on his property on Railroad Street in Wallace, North Carolina. The building was estimated to cost $10,000, which amount exceeded the limit permitted by Conservation Order L–41 for such construction and was in violation of that Order. Oscar Rivenbark was aware of the provisions of Conservation Order L–41 and his doing this construction without authorization constituted a grossly negligent violation of that order.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.840 *Suspension Order No. S–840.* (a) Neither Oscar Rivenbark, his successors and assigns, nor any other person shall do any construction on the warehouse building located on his property on Railroad Street in Wallace, North Carolina, including the putting up or altering said structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Oscar Rivenbark, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12415; Filed, July 9, 1945; 11:32 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–842]

PLASTIFORM MANUFACTURING CO., INC.

Plastiform Manufacturing Company, Incorporated, is a corporation with its principal office in Los Angeles, California. This corporation is engaged in the manufacture of magnetic chucks, fast battery chargers, and other specialties including piston pins.

During the period from October 1, 1944, to and including December 31, 1944, the corporation manufactured 46 fast battery chargers in excess of its quota in violation of Limitation Order L–270. This violation was the result of negligence amounting to wilfulness. Further, during the period from July 31, 1944 to January 8, 1945, the corporation delivered 285 fast battery chargers against orders which did not bear a preference rating of AA–5 or higher, in violation of Order L–270. This violation was the result of negligence amounting to wilfulness.

The aforementioned excessive production of fast battery chargers has diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.842 *Suspension Order No. S–842.* (a) Plastiform Manufacturing Company, Incorporated, its successors or assigns, unless otherwise specifically authorized in writing by the War Production Board shall reduce its production of fast battery chargers below the quota they would otherwise be entitled to produce, as provided in Limitation Order L–270, as follows: During the third quarter of 1945, 46 units below its allowable quota for the third quarter of 1945.

(b) Nothing contained in this order shall be deemed to relieve Plastiform Manufacturing Company, Incorporated, its successors or assigns from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12416; Filed, July 9, 1945; 11:32 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–843]

WHITE-PARKS MILLS CO.

White-Parks Mills Company of Concord, North Carolina is a corporation engaged in the manufacture of carded cotton weaving and knitting yarns. During the third and fourth quarters of 1944 White-Parks Mills Company failed to meet the Distribution Schedules of Conservation Orders M–317 and M–317B and diverted at least 256,571 pounds of such yarns to unrated orders in violation of these orders. The responsible officers of the Company were aware of the provisions of Conservation Orders M–317 and M–317B and their actions constituted wilful violations thereof.

These violations have diverted critical material to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.843 *Suspension Order No. S–843.* (a) During the balance of the third quarter of 1945 White-Parks Mills Company, its successors or assigns, shall deliver or set aside for later delivery on rated orders its entire production of yarn, and shall not deliver any yarn on unrated orders, unless specifically authorized in writing to do so by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve White-Parks Mills Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12419; Filed, July 9, 1945; 11:33 a. m.]

PART 1044—CADMIUM

[General Preference Order M–65, as Amended July 9, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cadmium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1044.1 *General Preference Order M–65.*—(a) *Scope of this order.* This order controls deliveries of cadmium from a producer or distributor. No producer or distributor shall deliver cadmium to any person, and no person shall accept delivery of cadmium from any

producer or distributor, except as provided in this order. The order also restricts the use which may be made of cadmium, cadmium containing items and cadmium plated products. The permitted uses will be found listed below in paragraphs (d), (e) and (f).

(b) *Definitions.* For the purposes of this order:

(1) "Cadmium" means all grades of metallic cadmium, oxide, or plating salts produced directly from ores, concentrates or other primary materials, or redistilled or remelted from cadmium scrap or any secondary cadmium-bearing material; or cadmium-bearing materials suitable for the manufacture of pigments.

(2) [Deleted Apr. 13, 1945.]

(3) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating. It also includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.

(c) *Deliveries of cadmium.* Producers and distributors may deliver cadmium, and persons may accept delivery of cadmium from a producer or distributor in the following cases only:

(1) *Small order delivery.* (i) Deliveries of cadmium from a producer or distributor may be made and accepted without the necessity of obtaining any specific allocation from the War Production Board if (a) The delivery in question, combined with all other deliveries of cadmium to the purchaser during that calendar month, from whatever source, will not aggregate more than 100 pounds of contained cadmium; (b) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of cadmium in any quantity—see paragraph (c) (5) below (a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied); (c) The cadmium purchased will be used only as permitted in paragraph (d) of this order and not for resale; (d) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a 30-day supply on the basis of his current method and rate of operation.

(ii) A producer or distributor may not make a small order delivery if he has reason to believe that it will be in violation of paragraph (c) (1) (i) and unless the purchaser shall have certified on his order to him as follows:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that the cadmium covered by this order will be used for purposes permitted in General Preference Order M-65, and that such use is not prohibited by other applicable orders and regulations of the War Production Board, and that the cadmium containing item or cadmium plated product resulting from this cadmium will not be sold or delivered without the certification called for in paragraph (g) of Order M-65 from the purchaser or the person who will receive delivery.

(2) *Deliveries to distributors.* Deliveries of cadmium may be made to and accepted by distributors.

(3) *Deliveries to Metals Reserve Company.* Deliveries of cadmium may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(4) *Deliveries to laboratories.* Deliveries of cadmium may be made to and accepted by laboratories.

(5) *WPB allocation.* Other deliveries of cadmium may be made only on specific allocation of the War Production Board and in accordance with an allocation certificate issued by the War Production Board on Form WPB-945. Deliveries so specifically allocated shall take precedence over any preference rating which may be assigned to deliveries on other contract or orders. Allocation certificates will be issued on or about the first of each month for this purpose. An allocation certificate will authorize the holder to accept from a producer or distributor deliveries of specified amounts of cadmium shipped during the month for which the certificate is issued. The producer or distributor may ship on notification from the purchaser of the date and serial number of the allocation certificate. Any person wishing to apply for an allocation certificate should file an application on Form WPB-945 not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired.

(d) *Restrictions on the use of cadmium.* No person may use in any fashion any cadmium except to produce the cadmium containing items listed in paragraph (e) or to produce an electroplated coating on the products listed in paragraph (f), and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product, and to maintain a thirty-day supply of the cadmium containing item or cadmium plated product on the basis of current rate of delivery for permitted uses. A person may, however, use cadmium in laboratories for research, control, analysis, assaying or educational work.

(e) *Restrictions on the production of cadmium containing items.* No person shall produce any cadmium containing item except those listed in subparagraphs (1) through (15) and then only for the purposes and subject to the qualifications set forth in said subparagraphs (1) through (15):

(1) Pigments for the following:

Luminescent paint for military uses
Luminescent printing ink for military uses
Luminescent paper for military uses
Luminescent plastic for military uses
Signal and illuminating glass ware for safety, religious, military and industrial uses only
Thermometer tubing
Rubber sea buoys
Dental rubber
Artist's colors
X-ray fluoroscopic screens for medical purposes
Luminescent coatings for cathode ray tubes, except tubes to be used in signs, lighting fixtures or lamps.

(2) Silver brazing alloys containing no more than 11% by weight of cadmium to be used for military and industrial purposes except that silver brazing alloys containing up to 19% may be manufactured for application specifically required by the Armed Services.

(3) Copper base alloys containing no more than 1¼% by weight of cadmium for the following:

(i) Current carrying parts of electrical current interruption devices to the extent that sufficient contact pressure cannot be maintained in service with other less critical materials.

(ii) Parts inside electronic tubes.

(iii) Resistance welding electrodes.

(iv) Overhead electrical contact wire in railroad, street car and trolley bus systems.

(v) Multistrand railroad signal bond wire.

(vi) Shunt wire leads for motors and generators.

(vii) Flexible terminals of resistors, condensers and field coils.

(4) Bearings for the following:

(i) Internal combustion engines for the propulsion of naval vessels when specifically required by the U. S. Navy.

(ii) In radio and radar equipment.

(5) Low melting point alloys for the following:

(i) On dry type rectifier elements.

(ii) In fire protective systems, safety devices and electrical fuses.

(iii) Plugs for screwless fasteners in rimless metal spectacles.

(iv) Dental use.

(6) Low melting point alloys containing no more than 10% by weight of cadmium for the following:

(i) In plastic fire control instruments for the mounting of optics.

(ii) Seals between brass and glass parts of liquid high voltage fuses.

(iii) In the manufacture of inspection gauges.

(iv) Bending of thin wall tubes.

(v) Bending of finished roll-formed and extruded shapes.

(7) Low melting point alloys containing no more than 6.5% by weight of cadmium for the following:

(i) Anchorage of punch press dies and bushings in drill jigs.

(ii) Location of control points and surfaces (except floor grouting) in construction of fixtures.

(8) Zinc base alloy, containing no more than .5% by weight of cadmium, for rolling.

(9) Type metal containing no more than .5% by weight of cadmium

(10) A lead base alloy containing no more than 3% by weight of cadmium for the coating of copper wire;

(11) Items classified as secret, to the extent that certification of engineering necessity issued by the Armed Services has been filed with the first request for allocation for this use on Form WPB-945.

(12) Standard cells.

(13) Electrolytic testers for storage batteries.

(14) Cadmium impregnated carbon or cadmium-silver alloys for use as contacts in electric current interruption devices.

(15) Cadmium chemicals:

(i) For any use other than the manufacture of pigments or (ii) for use in the manufacture of pigments permitted under paragraph (e) (1). The manufacturer of cadmium chemicals may sell them without requiring the certificate called for in paragraph (g); however, he may not sell them if he knows or has reason to know that they will be used in the manufacture of pigments not permitted by paragraph (e) (1).

(f) *Restrictions on the production of cadmium plated products.* No person shall produce any cadmium plated product except those listed in subparagraphs (1) through (23) and then only for the purposes and subject to the qualifications set forth in said subparagraphs (1) through (23):

(1) Functional parts which in service are subjected to frequent and extended periods of alternate immersion in sea water or wet spray of sea water to the extent that other finishes cannot be used for reasons of close tolerance or performance;

(2) Heddles and pin boards used in textile plants to the extent that corrosive action makes the use of other materials impracticable;

(3) Ferrous hardware parts in direct contact with fabric or leather to be used on the following:

Aircraft parachutes.
Aircraft safety belts.
Aircraft shoulder harnesses.
Aircraft bomb slings.

(4) Moving parts which require close tolerances for proper functioning and on parts adjacent to such moving parts, to the extent that the tolerances cannot be maintained in service with other finishes because of mechanical or electrical interference by the products of corrosion or wear.

(5) Electric controllers and switches for incorporation into underground mining machinery as required by the safety regulations of the Bureau of Mines.

(6) The following ferrous parts which in service reach a temperature of 500° F. or higher and on parts in contact with such ferrous parts:

(i) Aircraft parts requiring corrosion protection;

(ii) Functional parts subject to the combined effect of corrosion and stress.

(7) Parts which serve to maintain an electrical contact for the suppression of radio interference to the extent that one of the contacted surfaces is aluminum, magnesium or their alloys;

(8) Electrical contact parts of aircraft ignition harnesses and propeller hubs;

(9) Parts of electrical equipment to the extent that they, for performance reasons, must be soldered with the use of noncorrosive fluxes and other finishes do not provide required corrosion protection.

(10) The following parts of electronic equipment when required by the Armed Services, the Maritime Commission and War Shipping Administration:

(i) Surfaces involved in unsoldered butt joints which must remain constant in electrical and radio frequency resistance or both.

(ii) Surfaces which require good conductivity for radio frequency current.

(iii) Non-ferrous parts in contact with aluminum parts for prevention of electrolytic corrosion.

(11) Ferrous nuts, bolts, machine screws and washers for use in aircraft except for self-locking nuts designed for application below 250° F.;

(12) Nuts, bolts, machine screws and studs having threads ⅜ inch diameter and smaller and/or having sixteen or more threads per inch for use by the United States Navy, Maritime Commission or War Shipping Administration and for use by the United States Army in ship construction.

(13) Parts subject to frictional contact at least one of which is a moving part, to the extent that other finishes of required thickness and corrosion protective value cause gouging, seizure or binding.

(14) Parts which in service are subjected to the corrosive action of chlorine except on items which contact chlorine only during laundry operations.

(15) Parts of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Service has been filed with the first request for Allocation for this use on Form WPB-945.

(16) High carbon steel springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to both alternating stresses of a magnitude approaching the fatigue limit of the steel and to corrosive influences requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Flat springs of a thickness of 3/32 inch or less;

(ii) Springs made of wire of a diameter of ⅛ inch or less;

(iii) Valve springs for marine Diesel engines; or

(iv) Springs for aircraft landing gear.

(17) Ferrous springs and parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to corrosive influence requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Detent springs of fuses when cadmium is specifically required by the cognizant Armed Service;

(ii) Spring parts of cowl fasteners for aircraft use;

(iii) Snap rings of a wire diameter of ⅛ inch or less for military and industrial uses; or

(iv) Lock washers and lock clips of a thickness of 3/32 inch or less for military and industrial uses.

(18) Carburetor and magneto parts for aircraft engines.

(19) External parts of engines for combat aircraft, excluding attachments which are not integral parts of the engine proper, such as clips, clamps, and lugs, and further excluding such parts on which alternative finishes have proven satisfactory in service and newly designed parts performing similar functions.

(20) Hydraulic fitting coupling sleeves made of copper alloys for use in aircraft.

(21) Electrical contact parts which touch parts of aluminum, magnesium or their alloys.

(22) Torpedo parts.

(23) Threaded fittings of gray and malleable iron having a nominal size of ½" or less.

(g) *Restrictions on delivery of cadmium containing items and cadmium plated products.* No person may place an order for any cadmium containing item described in paragraph (e), any cadmium plated product described in paragraph (f) or cadmium plating, or accept delivery of any such cadmium containing item or cadmium plated product unless (1) such item or product will be used to fill an order bearing a preference rating or to replace such an item or product withdrawn from inventory to fill an order bearing a preference rating, and (2) he executes the certification called for below. No person may deliver any such cadmium containing item or such cadmium plated product unless he gets directly or through a dealer from the person who will receive delivery thereof a certification reading as follows:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that (1) the cadmium containing item or the cadmium plated product covered by this order will be used for a purpose or purposes shown in paragraph (e), subparagraph (s) (--), or as permitted by paragraph (f), subparagraph (s) (--) of General Preference Order M-65, and (2) will be used to fill an order bearing a preference rating or to replace such an item or product withdrawn from inventory to fill an order bearing a preference rating, and (3) that such use is not prohibited by other applicable orders and regulations of the War Production Board.

(h) *Appeals.* Any person may appeal from the provisions of paragraphs (d), (e) and (f) of this order. Only prohibited items should be included in an appeal. Appeals should be made in letter form, in duplicate, setting forth essentially the following information:

(1) Period of time, not exceeding six months, for which relief is requested;

(2) Monthly schedule of the amount of contained cadmium required;

(3) Description (and for cadmium containing alloys also the alloy composition), function, number, and cadmium requirement of each part or of each group of parts fulfilling related functions;

(4) Prime contract number, including symbol, if the item on appeal is covered by an Army, Navy, Maritime Commission or War Shipping Administration contract;

(5) Justification, including the reasons why substitutes are unsatisfactory because of performance, lack of facilities or manpower. An unsupported opinion is seldom sufficient justification.

(j) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, special kinds and amounts of cadmium, to be delivered or acquired.

(k) *Reports.* All producers, distributors and consumers of cadmium shall file reports with the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, at such time and in such manner and form as it may prescribe, showing inventory, production, purchases, sales and consumption and such other information that the War Production Board may require.

(l) *Communications.* All applications, appeals, statements or other communications filed pursuant to this order or concerning the subject matter hereof, shall be addressed to: War Production Board, Tin, Lead and Zinc Division WPB Dept. 7512, Washington 25, D. C.; Ref.: M-65.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12422; Filed, July 9, 1945; 11:34 a. m.]

PART 3218—FERROCOLUMBIUM

[General Preference Order M-296, Revocation]

FERROCOLUMBIUM

Section 3218.1 *General Preference Order M-296* is hereby revoked. Transactions relating to ferrocolumbium remain subject to the provisions of Direction 5 to General Preference Order M-21 and all other applicable rules and regulations of the War Production Board. This revocation does not affect any liabilities incurred under the order.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12423; Filed, July 9, 1945; 11:34 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-79, as Amended July 9, 1945]

DISTRIBUTION OF PLUMBING, HEATING AND COOKING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of plumbing, heating and cooking equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3288.31 *Limitation Order L-79*—(a) *What this order does.* The purpose of this order is to conserve the supply and direct the distribution of plumbing, cooking and heating equipment by preventing the sale of certain essential items on List A except for necessary replacements, or on rated orders. These are items which can be made available to essential users only. The order provides a rating to enable sellers to get these items for necessary replacement. It permits other items of plumbing and heating equipment to be bought by sellers on unrated orders without restriction but provides a preference rating to enable sellers to buy these non-restricted items when a rating is needed. No preference ratings are assigned to consumers and deliveries to consumers for replacement and repair do not have to be on rated orders. It must be noted, however, that deliveries of certain parts for plumbing and heating equipment are also subject to applicable provisions of other limitation orders.[1] The order supersedes the previous version of L-79, as well as General Preference Order P-84.

(b) *Assignment of preference ratings.* Preference rating AA-3 is assigned to any seller to enable him to get the following:

(1) Equipment shown in List A, including repair parts.

(2) Repair parts only for items on List B.

(3) All other equipment, material and parts which are used to supply, store and heat water, to cook food (except as excluded below), to remove waste matter and water borne waste, to treat waste matter chemically, and to heat buildings (except as excluded below), including electric heat controls.

Any rating under this paragraph (b) cannot be used, however, to get equipment specifically designed for industrial processing, fire protection, the production or transmission of power, or for use by a public utility; equipment, other than water heaters, using electricity as fuel; heat exchangers; domestic water systems as covered by L-257; domestic cooking appliances and domestic heating stoves as defined in L-23-c; liquefied petroleum gas equipment as defined in L-86; fans, blowers and exhausters; steel or wrought iron pipe or steel sheets or other controlled materials; industrial and domestic sump pumps; equipment specifically designed for refrigerating or dehumidifying; metal bathtubs; or portable items such as pans, domestic stove lid lifters and domestic stove pokers which are not designed to be built into or fastened to the building in which they are used. Directions will from time to time be issued specifying items which are subject to this paragraph (b) and items which are excluded.

(c) *Exception.* No rating is assigned to any delivery to which a rating is assigned by CMP Regulation 9A.

(d) *Inventory restrictions on sellers.* (1) A seller who is a repair man as defined in CMP Regulation 9A may not accept delivery of any item of parts or materials obtained by applying a rating under this order if his inventory of that item of parts or materials is or would by accepting delivery become larger than he needs to continue his repair and maintenance services for a 60-day period, according to his current method of operation. However, if the supply of any item which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item which his distributor normally sells, even if that will increase his supply beyond the amount specified.

(2) A seller who is not a repair man as defined in CMP Regulation 9A is subject to the limitation of inventory prescribed in Order L-63.

(e) [Deleted June 29, 1945.]

(f) *Restrictions on deliveries of items on List A.* No seller may sell or deliver to a consumer any equipment included on List A except:

(1) [Deleted July 26, 1944.]

(2) Equipment which is delivered to fill a rated order.

(3) When the delivery is to a consumer for installation to replace existing equipment which is worn out, damaged beyond repair or destroyed, but not to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the part or parts worn out, damaged or destroyed.

(g) *Restrictions on sale and delivery of equipment using gas as fuel.* In those areas where the use of gas is restricted by War Production Board orders, no seller may sell or deliver to a consumer any equipment using gas as fuel when the installation of such equipment will increase the potential demand for gas (manufacturer's hourly input rating) unless a letter has first been obtained from the Utility Company which will deliver the gas to the consumer stating that it is authorized to provide the gas necessary to operate the equipment. However, the restrictions of this paragraph do not apply to gas fired domestic water heating equipment for a residence.

(h) *When a consumer needs a preference rating and how he gets it.* Consumers are not assigned ratings by this order and will not need ratings unless they want to buy items on List A for purposes other than replacement. When a rating is needed, application may be made as follows:

(1) *For residential use.* If the equipment is to be used for residential purposes, construction or otherwise, Form WPB-2896 should be filed with the nearest Federal Housing Administration field office.

(2) *For commercial and industrial use.* If the equipment is to be used for commercial or industrial purposes and is construction of a type which is restricted under Limitation Order L-41, Form WPB-617 should be filed with the nearest War Production Board field office. If not restricted under Limitation Order L-41, then Form WPB-1319 should be filed with the nearest War Production Board field office.

(3) *For farm use.* If the equipment is to be used for farm purposes (including farm dwellings), and is construction of a type which is restricted under Limitation Order L-41, Form WPB-617 should be filed with the County Agricultural Conservation Committee. If not restricted under Limitation Order L-41, then Form WPB-1319 should be filed with the nearest War Production Board field office.

(4) *For utilities use.* If the equipment is to be used by a utility furnishing telephone, telegraph, electric, gas, water or central steam heating service for use by the public, Form WPB-2774 should be filed with the War Production Board, Washington 25, D. C. (For utility MRO and minor plant additions applicable utilities orders should be followed).

(i) *Consumer's certificates.* No seller may deliver an item on List A to fill a consumer's unrated order unless he obtains a certificate in substantially the following form:

I need the item included in this purchase to replace equipment worn out, damaged beyond repair, or destroyed. I will not use it to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the parts which are worn out, damaged, or destroyed.

Address of installation _____
Consumer's signature _____
Address _____

Any certification is a representation to the War Production Board as well as to the seller. No one may deliver relying on a certification being true if he knows or should know it is false, but anyone who reasonably relies on the truth of a certificate is not to be held responsible if it turns out to be false. No one shall make a false statement in a certification. Sellers shall retain certificates in their files for two years for inspection by WPB representatives.

(j) *Salvage.* No person may install equipment on List A for replacement unless he takes any replaced metal parts or equipment, not coated with a fused or nonmetallic surface, and arranges for its further use, or turns it in for salvage to any authorized scrap metal dealer within thirty days after the replacement. This requirement does not mean that the installer is entitled to take old equipment without the owner's consent or without crediting him with its value.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(o) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the production, delivery or use of any plumbing, heating or cooking equipment to a greater extent than the restrictions imposed by this order, the restrictions of such other orders shall govern.

(p) *Appeals.* Any person affected by this order may appeal from its provisions by filing Form WPB 1477 with a field office of the War Production Board.

(q) *Communications.* All reports to be filed and other communications concerning this order, except appeals, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-79.

(r) *Definitions.* For the purposes of this order:

(1) "Seller" means any person who buys plumbing, heating, or cooking equipment for resale, whether or not he makes the installation. A manufacturer who sells directly to the consumer is to be considered a seller with respect to those sales.

(2) "Consumer" means any person who buys plumbing, heating, or cooking equipment for installation or use on premises owned or occupied by him.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items of plumbing and heating equipment, when new:

1. Furnaces, heating, excluding those designed specifically for industrial applications or heat processing; and cast iron boilers, heating; excluding furnace burners and boiler burner units in which the boiler or furnace is designed for use of gas or oil only as a fuel.

(2) Water heaters, direct fired and indirect types, but excluding indirect water heaters having a coil or a nest of tubes installed in a shell or pressure vessel having a diameter larger than 12 inches (or if other than circular in cross section, having an internal cross sectional area larger than 113 sq. in.); and also excluding industrial and direct hand-fired solid fuel hot water heaters of the following types: bucket-a-day stoves, dome-type water heaters, and service water tank heaters.

3. [Deleted July 26, 1944.]

4. Cast iron radiators and cast iron convectors.

5. Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch. All types exclusive of those for marine, shipboard, or locomotive use, and also excluding boiler burner units in which the boiler is designed for use of oil or gas only as a fuel.

6. [Deleted June 29, 1945.]

7. [Deleted June 29, 1945.]

LIST B

1. Commercial cooking and food and plate warming equipment: all not electric.

Bakers.
Broilers.
Fryers.
Food warmers.
Griddles: commercial cooking.
Grills.
Hot plates: commercial.
Ovens: bake, except industrial type.
Ranges.
Roasters: commercial.
Steamers: oven.
Toasters: commercial.
Urns.
Warmers: food-plate.

2. Commercial dishwashing machines: not domestic: as defined in Limitation Order L-248 as amended.

3. Coal Stokers: grate area 36 square feet or less.

4. Oil burners, not designed specifically for shipboard use or heat processing.

5. Extended surface heating equipment.
Unit heaters: steam or hot water.
Unit ventilators, heating: steam or hot water.
Convectors.
Blast heating coils: steam or hot water.
Special heating coils: steam or hot water.
Heat transfer element: metal: fin tube: for transferring heat from steam or water to air.

6. Steel boilers of types listed in Order M-293, Table 14, excluding low pressure boilers on List A of this order.

INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

INTERPRETATION 2

Office of Price Administration requirements not affected. Question has been raised as to whether this order dispenses with the necessity of conforming to the requirements of O. P. A. Ration Order 9-A.

The words "without restriction" as used in L-79 refer only to restrictions placed by the War Production Board, and Order L-79 is not intended in any way to affect rationing or other requirements of the Office of Price Administration or any other agency. (Issued Feb. 29, 1944.)

INTERPRETATION 3

SUBSTITUTION REQUIRING CHANGE OF DISTRIBUTION SYSTEM PROHIBITED

The restrictions of paragraph (f) (3) of Limitation Order L-79 prohibit the substitution of one type of heating system for another (e. g. cast iron heating boiler for heating furnace) if it will require the change of a useable distribution system. (Issued Apr. 13, 1944.)

[F. R. Doc. 45-12424; Filed, July 9, 1945; 11:34 a. m.]

[1] Other orders of the War Production Board and of the Petroleum Administration for War restrict deliveries of gas and fuel oil for newly installed equipment using those fuels. These orders should be consulted before any installation of equipment is made.

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21, Direction 5]

FERROCOLUMBIUM

The following direction is issued pursuant to General Preference Order M-21:

(a) *Definition.* For the purpose of this direction: "Ferrocolumbium" means any alloy containing 45 percent or more by weight of the element columbium.

(b) *Restrictions on use of ferrocolumbium.* No person shall melt or otherwise process ferrocolumbium except as specifically authorized by the War Production Board.

(c) *Restrictions on deliveries.* No person shall deliver or accept delivery of ferrocolumbium without specific authorization of the War Production Board. The War Production Board will allocate the supply of ferrocolumbium and specifically direct the quantities in which deliveries thereof to particular persons or for particular uses shall be made or withheld. Such allocations and directions will be made primarily to insure the satisfaction of all war requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(d) *Application for specific authorization.* Application for specific authorization to melt or otherwise process ferrocolumbium shall be made on Form WPB-2933 or Form WPB-1770 or such other form as may be prescribed for the purpose, by the War Production Board. Application for specific authorization to acquire ferrocolumbium shall be made on Form WPB-2362 or such other form as may be prescribed for the purpose, by the War Production Board. Applications and reports shall be filed at such time and in such manner as may be required by the instructions accompanying the appropriate forms prescribed by the War Production Board.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12421; Filed, July 9, 1945; 11:33 a. m.]

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Corr. to Amdt. 10]

MILEAGE RATIONING: GASOLINE REGULATIONS

In item 1 of Amendment No. 10 to Revised Ration Order 5C the reference "1394.7903 (b)" is corrected to read "1394.7902 (b)".

This correction shall become effective as of June 20, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12324; Filed, July 7, 1945; 10:04 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 61]

FUEL OIL

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.3363 (b) is amended to read as follows:

(b) *Only necessary space may be counted.* In figuring the floor area to be heated for the purpose of paragraph (a) of this section, only necessary living and sleeping quarters and space used for occupational purposes shall be counted. (The word "necessary" limits the amount of space within premises that may be included in the floor area but does not affect the applicant's eligibility for a ration for the premises. Thus, an application for a ration for residential premises shall not be denied because the occupant also has another residence. However, in figuring the ration, only living and sleeping quarters necessary to the occupancy shall be counted.)

2. Section 1394.5424 (b) is amended to read as follows:

(b) *Only necessary space may be counted.* In figuring the floor area to be heated for the purpose of paragraph (a) of this section, only necessary living and sleeping quarters and space used for occupational purposes shall be counted. (The word "necessary" limits the amount of space within premises that may be included in the floor area but does not affect the applicant's eligibility for a ration for the premises. Thus, an application for a ration for residential premises shall not be denied because the occupant also has another residence. However, in figuring the ration, only living and sleeping quarters necessary to the occupancy shall be counted.)

3. In Appendix A the text of paragraph 5 (b) is amended to read as follows:

(b) In computing the floor area of the premises for the purposes of paragraph (a) of this section, only necessary living and sleeping quarters and space used for occupational purposes shall be included (The word "necessary" limits the amount of space within premises that may be included in the floor area but does not affect the applicant's eligibility for a ration for the premises. Thus an application for a ration for residential premises shall not be denied because the occupant also has another residence. However, in figuring the ration, only living and sleeping quarters necessary to the occupancy shall be counted): *Provided*, That in no event shall a total area in excess of 2,000 square feet for the first person, plus 600 square feet for the second person and 300 square feet for each additional person, regularly occupying the premises covered by the application, be included in determining the range: *Provided further*, That in no event shall a total area in excess of 550 square feet be included in determining the range where application is made for a ration for heating premises by a space heater unless:

This amendment shall become effective on July 13, 1945.

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12427; Filed, July 9, 1945; 11:42 a. m.]

[1] 9 F.R. 2357.

Chapter XVIII—Office of Economic Stabilization

[Directive 64]

PART 4003—SUBSIDIES: SUPPORT PRICES

TRANSPORTATION ASSISTANCE WITH RESPECT TO REFINED SUGAR SHIPPED TO DEFICIT AREAS

The War Food Administrator having, by letter and enclosures dated June 29, 1945, submitted certain information and recommended certain measures designed to assist, so far as practicable, in meeting demands for refined sugar in so-called deficit areas, including, among others, the absorption by Commodity Credit Corporation of a portion of the cost of transporting refined sugar into areas relatively distant from cane sugar refining and beet sugar processing plants.

I hereby find that the measures so proposed are necessary to effectuate the policy established by Executive Orders 9250 and 9328 and specifically to insure the necessary and equitable distribution of refined sugar to meet essential civilian requirements.

Accordingly, the Secretary of Agriculture is hereby authorized and directed to carry out through the Commodity Credit Corporation the measures described in the War Food Administrator's letter and the memorandum enclosed therewith.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 5th day of July 1945.

WILLIAM H. DAVIS,
Director.

[F. R. Doc. 45-12379; Filed, July 7, 1945; 11:05 a. m.]

[Directive 65]

PART 4003—SUBSIDIES: SUPPORT PRICES

ASSISTANCE FOR IMPORTERS OF CUBAN AND PUERTO RICAN DIRECT-CONSUMPTION SUGAR

The War Food Administrator has, by letter dated June 29, 1945, recommended that certain measures, designed to assure the importation and distribution of Cuban and Puerto Rican direct-consumption sugar under Office of Price Administration direction, be extended through June 30, 1946, with certain modifications. These measures include, among others, reimbursement to importers for excess costs of ocean freight and marine and war risk insurance due to wartime conditions; for excess costs of demurrage, handling, and storage at ports of entry; for certain excess internal transportation costs resulting from the movement of sugar under Office of Price Administration direction to sugar deficit areas in the continental United States; and for certain excess costs of raw sugar.

I hereby find that the measures so proposed with respect to the importation of Cuban and Puerto Rican direct-consumption sugar are necessary to effectuate the policy established by Executive Orders 9250 and 9328 and, specifically, to insure the necessary importation and distribution of direct consumption sugar to meet military and civilian requirements.

Accordingly, the Secretary of Agriculture is hereby authorized and directed to carry out through the Commodity Credit Corporation the measures described in the War Food Administrator's letter and the memorandum enclosed therewith.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 6th day of July 1945.

WILLIAM H. DAVIS,
Director.

[F. R. Doc. 45-12380; Filed, July 7, 1945; 11:05 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 286]

NORTH DAKOTA

ESTABLISHING THE TEWAUKON NATIONAL WILDLIFE REFUGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, *It is ordered*, As follows:

Subject to valid existing rights, the public land within the following-described area in Sargent County, North Dakota, is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, but not the mineral leasing laws; and such land, and all other lands and waters owned or controlled by the United States within the said area, are hereby reserved and set apart for the use of the Department of the Interior as a refuge and breeding ground for migratory birds and other wildlife, the reservation to be known as the Tewaukon National Wildlife Refuge:

FIFTH PRINCIPAL MERIDIAN

(South of North Boundary Sisseton and Wahpeton Indian Reservation)

T. 129 N., R. 53 W.,
Sec. 5, lots 2, 3, and 4;
Sec. 6, lots 1 to 4, inclusive.
T. 130 N., R. 53 W.,
Sec. 31, lots 4, 5, and 8;
Sec. 32, lot 6, SW¼NW¼, SE¼SW¼, and NW¼SE¼.
T. 129 N., R. 54 W.,
Sec. 1, lots 1 to 4, inclusive.

T. 130 N., R. 54 W.,
Sec. 25;
Sec. 26, S½S½SE¼ and S½S½SW¼;
Sec. 32, W½NE¼, SE¼NE¼, and W½, N½SE¼, and SW¼SE¼.
Sec. 33;
Sec. 34, lots 1, 2, 3, E½NE¼, NW¼, N½SW¼, and NW¼SE¼;
Secs. 35 and 36.

And the unsurveyed areas returned as lake beds and shown segregated upon the plats of the above-named townships approved April 12, 1870 as Skunk Lake (now Lake Tewaukon) and Lake (now White Lake), in front of the lands described in this order.

The surveyed areas described aggregate 3,074.38 acres, including 1.48 acres of public land, and 3,072.90 acres of land owned or controlled by the United States.

It is unlawful for any person to pursue, hunt, trap, capture, willfully disturb, or kill any bird or wild animal of any kind whatsoever within the limits of the refuge, or to enter thereon, except under such rules and regulations as may be prescribed by the Secretary of the Interior.

This order shall supersede, as to any of the lands affected thereby, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended.

ABE FORTAS,
Acting Secretary of the Interior.

JUNE 26, 1945.

[F. R. Doc. 45-12322; Filed, July 7, 1945; 9:54 a. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

[G. O. 58]

PART 221—DOCUMENTATION, TRANSFER OR CHARTER OF VESSELS

SALE, LEASE, CHARTER, DELIVERY, OR TRANSFER OF VESSELS TO ALIENS AND AGREEMENTS THEREFOR

§ 221.6 *Approval of certain sales, leases, charters, deliveries, or transfers of vessels to aliens or agreements therefor.* (a) The United States Maritime Commission hereby approves, under section 37 of the Shipping Act, 1916, as amended (40 Stat. 901; 46 U. S. C. 835), the sale, lease, charter, delivery, or transfer, or agreement for the sale, lease, charter, delivery or transfer, during the remainder of the national emergency proclaimed by the President on May 27, 1941, of any vessel owned in whole or in part by a citizen of the United States or by a corporation organized under the laws of the United States or of any State, Territory, District, or possession thereof, or any interest in such vessel, to a person not a citizen of the United States, without further action by the Commission, where:

(1) Such vessel is of less than 5 net tons;

(2) Such vessel is to be used exclusively in navigable waters of the Atlantic Coast, the Gulf Coast, the Great Lakes, inland lakes, their connecting or tributary waters, or the Red River of the North but, in no event, in navigable waters of the Pacific Coast or its connecting or tributary waters; and

(3) The non-citizen acquiring such vessel, interest therein, or possession thereof, is a resident of the United States and is not an enemy alien (national of Germany, Italy, Japan, Hungary, Bulgaria, or Roumania).

The Commission reserves the right to revoke or modify this section at any time.

This section shall become effective 12:01 a. m., e. w. t., June 27, 1945.

(52 Stat. 964; 40 Stat. 901)

By order of the United States Maritime Commission.

JUNE 26, 1945.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 45-12376; Filed, July 7, 1945; 10:54 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S.O. 160-C]

PART 95—CAR SERVICE

RESTRICTION ON HOLDING GRAIN OR SEEDS FOR ORDERS AT MINNESOTA POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of July A. D. 1945.

Upon further consideration of Service Order No. 160 (8 F.R. 14223-24) of October 13, 1943, and good cause appearing therefor, it is ordered that:

(a) *Service Order No. 160 suspended.* Section 95.34 prohibiting the holding for orders of carloads of grain or seeds at Glenwood, St. Cloud, Staples, Thief River Falls, or Willmar, Minnesota, Service Order No. 160 (8 F.R. 14223-24) of October 13, 1943, be, and it is hereby, suspended until 12:01 a. m., July 17, 1945.

(b) *Announcement of suspension.* Each of the railroads affected by this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of Service Order No. 160 and the reestablishment during the effectiveness of this order of the tariff provisions affected hereby. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., July 7, 1945; that a copy of this order and direction shall be served upon the association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem

agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12378; Filed, July 7, 1945; 11:01 a. m.]

[S. O. 330, Amdt. 1]

PART 95—CAR SERVICE

PREICING AND PRECOOLING POTATOES PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of July, A. D. 1945.

Upon further consideration of Service Order No. 330, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 330 be, and it is hereby, amended by substituting the following paragraphs (a) and (b) for paragraphs (a) and (b) thereof:

(a) *Preicing potatoes prohibited in certain States.* No common carrier by railroad subject to the Interstate Commerce Act shall ice a refrigerator car, intended to be loaded with potatoes at any point in the States of Colorado, Kansas, Missouri, Nebraska, Texas, and Wyoming, prior to the actual complete loading of the refrigerator car with such potatoes. In the event such cars are preiced and loaded, in violation of this provision, those preiced cars shall not be transported.

(b) *Precooling potatoes originating in certain States prohibited.* No common carrier by railroad subject to the Interstate Commerce Act shall accord, allow or permit, the precooling of a refrigerator car intended to be loaded with potatoes at, or loaded with potatoes shipped from, any point in the States of Colorado, Kansas, Missouri, Nebraska, Texas, or Wyoming. In the event such cars are precooled in violation of this provision those precooled cars shall not be transported.

It is further ordered, That this amendment shall become effective at 12:01 a. m., July 9, 1945; that copies of this order shall be served upon the State railroad regulatory bodies of the States of Colorado, Kansas, Missouri, Nebraska, Texas, and Wyoming, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12377; Filed, July 7, 1945; 11:01 a. m.]

[S. O 331]

PART 95—CAR SERVICE

EXPRESS SERVICE FOR GRAPES FROM CALIFORNIA AND ARIZONA PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of July, A. D. 1945.

It appearing, that railroads are according fast express service on passenger train schedules for the transportation of grapes, in carloads, from Arizona and California by railway express to the East; that such operation is interfering with the movement of military trains and contributing to congestion; in the opinion of the Commission an emergency requiring immediate action exists in the western section of the country. It is ordered, that:

(a) *Cars not be furnished for grapes.* No common carrier by railroad or express, subject to Part I of the Interstate Commerce Act, shall supply or furnish an express car or a railroad freight car intended to be loaded, in Arizona or California, with grapes in an amount exceeding twenty-five (25) percent of that carload when such car is to be transported in railway express service.

(b) *Cars loaded with grapes not to be transported.* No common carrier by railroad or express, subject to Part I of the Interstate Commerce Act; shall accept for transportation or transport in railway express service or passenger train service an express car or a railroad freight car loaded, in Arizona or California, with grapes in an amount exceeding twenty-five (25) percent of such carload.

(c) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each of such railway express companies or railroads, or its agent, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs for exceptional circumstances.

(f) *Effective date.* This order shall become effective at 12:01 A. M., July 8, 1945 and shall apply to cars loaded on and after that date.

(g) *Expiration date.* This order shall expire at 11:59 P. M., September 1, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that a copy of this order and direction shall be served upon the Railway Express Agency Incorporated and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12408; Filed, July 9, 1945; 11:29 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 53]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SLEEPING CAR SERVICE RESTRICTED

General outline. This General Order ODT 53 prohibits the operation of sleeping cars to points of destination 450 miles or less from point of origin of any such car. The distance is to be measured by the shortest distance by railroad over which sleeping cars operate between the points involved. The purpose of the order is to make more sleeping cars available for military service.

The order requires that there shall be delivered to the Pullman Company for assignment by it to military service the same number of cars as are taken out of service by reason of the order. The Pullman Company is to select the particular cars which are to be delivered to it.

Withdrawal of these cars from civilian service will result in considerable inconvenience to many people but, on the other hand, people must travel less frequently if our troops are to be redeployed to the Pacific theater of war with dispatch. Any delay in transporting our troops will prolong the war with Japan. The order is designed to forestall any possibility of such delay.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

Pursuant to Title III of the Second War Powers Act, 1942, as amended, and Executive Order 8989, as amended, in order to make railway cars and other transportation facilities available for the preferential transportation of troops and material of war; to prevent shortages of equipment necessary for such transportation; to assure the orderly and expeditious movement of troops and materials of war; and to expedite the movement of necessary domestic passenger traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

Sec.
502.255 Sleeping car service restricted.
502.256 Sleeping cars to be made available for armed services.
502.257 Future assignment of sleeping cars for regular service restricted.
502.258 Reservations to be cancelled.
502.259 Exemptions.
502.260 Communications.

AUTHORITY: §§ 502.255 to 502.260, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183.

§ 502.255 *Sleeping car service restricted.* On and after 12:00 o'clock noon on July 15, 1945, no common carrier by railroad or sleeping car company shall operate or transport any railway car containing sleeping space or sleeping accommodations to a point of destination 450 miles or less from the point of origin of such car, such distance being measured by the shortest distance by railroad over which sleeping cars operate between such points. This section shall not apply to the deadheading of equipment.

§ 502.256 *Sleeping cars to be made available for armed services.* Each common carrier by railroad upon compliance with § 502.255 of this order shall forthwith cause to be delivered to the Pullman Company such number of railway sleeping cars as equals the number of such cars of American ownership as were taken out of service by such carrier in compliance with this order. The Pullman Company shall select the particular cars which shall be made available to it. The Pullman Company shall operate such cars in a pool for the benefit of the military and shall assign them in such manner as in its judgment best meets the needs of the armed forces or as the Office of Defense Transportation shall direct.

§ 502.257 *Future assignment of sleeping cars for regular service restricted.* Unless first authorized by the Office of Defense Transportation, the Pullman Company shall not assign to any common carrier by railroad for regular service any sleeping cars in addition to those regularly assigned on the date of this order.

§ 502.258 *Reservations to be cancelled.* Each common carrier by railroad shall forthwith cancel all reservations for space after 12:00 o'clock noon on July 15, 1945, on sleeping cars which are to be discontinued by reason of this order.

§ 502.259 *Exemptions.* This order shall not apply to sleeping cars operated in accordance with any general or special permit issued by the Office of Defense Transportation.

§ 502.260 *Communications.* Communications concerning this order should refer to "General Order ODT 53" and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 53 shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 7th day of July, 1945.

J. M. JOHNSON,
Director of the Office of Defense Transportation.

[F. R. Doc. 45-12386; Filed, July 7, 1945; 11:28 a. m.]

[Administrative Order ODT 6B, Amdt. 7]

PART 503—ADMINISTRATION

ESTABLISHMENT OF REGIONS, DISTRICTS, AND FIELD OFFICES OF HIGHWAY TRANSPORT DEPARTMENT

Pursuant to Executive Orders 8989, as amended, and 9156,

It is hereby ordered, That Appendix 2 of Administrative Order ODT 6B, as amended (9 F.R. 12289, 13069, 10 F.R. 525, 1940, 3139, 5119, 7197), be, and it hereby is, further amended in the following particulars:

(1) Under the subtitle "Region 3" thereof the matter opposite "*Indiana*" is amended to read as follows:

Indiana:
District Office: Indianapolis.

(2) Under the subtitle "Region 5" thereof the matter opposite "*Louisiana*" is amended to read as follows:

Louisiana:
District Offices: New Orleans and Shreveport.

and the matter opposite "*Texas*" is amended to read as follows:

Texas:
District Offices: Dallas, Fort Worth, Houston, Lubbock, and San Antonio.
Field Office: El Paso.

(3) Under the subtitle "Region 2" thereof the matter opposite "*Pennsylvania*" is amended to read as follows:

Pennsylvania:
District Offices: Altoona, Erie, Harrisburg, Philadelphia, Pittsburgh, Scranton, and Williamsport.

Paragraphs (1) and (2) of this Amendment 7 to Administrative Order ODT 6B shall become effective July 15, 1945. Paragraph (3) of this Amendment 7 to Administrative Order ODT 6B shall become effective July 20, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 9th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-12397; Filed, July 9, 1945; 10:13 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 2046, Amdt. 1]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN ALASKA

Pursuant to the authority conferred by Executive Order No. 9204, dated July 21, 1942 (7 F.R. 5657), Executive Order No. 9280, dated December 5, 1942 (7 F.R. 10179), and War Food Order No. 52, dated February 8, 1943 (8 F.R. 1777), as amended March 16, 1943 (8 F.R. 3280) (formerly known as Food Directive No. 2), Order No. 2046 of the Secretary of the Interior, dated April 19, 1945, (10 F.R. 4506), being § 401.1 of this Part 401, is hereby amended as follows:

1. Paragraph (a) is amended to read as follows:

§ 401.1 *Salmon canning industry in the Territory of Alaska*—(a) *Jurisdiction.* Complete control and authority over the salmon canning industry in the Territory of Alaska solely for the purpose of facilitating the production of an adequate supply of canned salmon in the Territory of Alaska with a minimum utilization of critical material, manpower and shipping facilities is vested in the Fishery Coordinator, and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

2. Paragraph (c) is amended by adding at the end thereof the following sentence: "Manpower ceilings authorized by the War Manpower Commission as stated in Schedule A may be modified by the War Manpower Commission and such modifications will become a part of this order."

3. Paragraph (c) is further amended by adding to the end of Schedule A in said paragraph the following:

Company	Plant location		Canning lines			WMC labor ceilings	
	Closed	Operating [1]	On hand	Closed	To operate	Residents	Nonres.
Baranof Canneries, Inc.		Port Conclusion	1	0	1	46	0
Parks Canning Co.		Cordova	½	0	½	18	7
Win-Ra Fisheries		(2)	½	0	½	20	11
King Crab Fisheries		Raspberry Straits	½	0	½	(3)	(3)

[1] Operating plants are referred to in this order as the "nucleus plants."
[2] See paragraph (d) (3) below.
[3] See paragraph (d) (4) below.

4. Paragraph (d) is amended by adding subparagraphs (3), (4) and (5) as follows:

(3) Win-Ra Fisheries is a floating cannery licensed primarily as an experimental crab operation. The operation is not restricted to a definite location.

(4) King Crab Fisheries' operation at Raspberry Straits is authorized to be conducted only with labor assigned to the Apex Fish Company for Apex Fish Company's herring operation.

(5) Baranof Canneries, Inc., Parks Canning Company and Win-Ra Fisheries shall not recruit labor for their operations until quotas previously assigned to other operations shall have been filled.

Issued this 5th day of July 1945.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 45-12320; Filed, July 7, 1945; 9:53 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 1676465]

CASS COUNTY

NOTICE OF FILING OF PLAT OF RESURVEY AND EXTENSION SURVEYS

JULY 1, 1945.

Notice is given that the plat of dependent resurvey and extension surveys in T. 144 N., R. 27 W., 5th P. M., Cass County, Minnesota, will be officially filed in this office at 10:00 a. m. on August 14, 1945.

This plat delineates a retracement and reestablishment of the lines of the original survey as shown upon the plat approved July 25, 1874, and reference will be made to the original plat for areas and descriptions, except where new designations and areas are shown upon the plat of resurvey.

The plat also represents the survey of certain lands in secs. 17, 18, and 19 which were erroneously omitted from the original survey. These newly surveyed lands now are designated as lot 8, containing 38.85 acres, and lot 9, 52 acres, sec. 17; lot 7, 20.60 acres, and lot 8, 39.25 acres, sec. 18; and lot 5, 1.84 acres, sec. 19.

It appears from the field notes of survey that the lots just described in secs. 18 and 19 are swamp and overflowed within the meaning of the act of September 28, 1850 (9 Stat. 519), extended to the State of Minnesota by the act of March 12, 1860 (12 Stat. 3). Should these lands finally be determined to be swamp and overflowed within the meaning of the grant, they must be held to have inured to the State as of the date thereof.

Lots 8 and 9, sec. 17, and other lands in the township, are within the limits of the Chippewa National Forest, created by the act of May 23, 1908 (35 Stat. 268). The public lands in the township first were withdrawn for forest purposes by the Secretary of the Interior on April 23, 1903.

Any applications based on claims or rights as to the lands in lots 8 and 9, sec. 17, or adverse to the State as to lots 7 and 8, sec. 18, and lot 5, sec. 19, should be asserted within such period after the filing of the plat as may be required by law. This includes the following classes of applications: (1) applications by settlers based on rights initiated prior to the withdrawal of April 23, 1903, and (2) applications under any applicable public land law by any other persons who wish to contest the right of the State to the land just described in secs. 18 and 19 as swamp land. Applications under (2) must be accompanied by a showing that the land in those two sections is nonswamp in character, in accordance with the provisions of 43 CFR 271.2 (b).

Except to the extent hereinbefore indicated, this notice shall not become effective to change the status of the newly surveyed lands involved in secs. 17, 18, and 19 until 10:00 a. m. of the 90th day from the date of the filing of the plat, whereupon the portions of those lands not disposed of, if any, will become part of the Chippewa National Forest in view of the act of May 23, 1908, cited above.

All inquiries relating to these lands should be addressed to the Commissioner, General Land Office, Washington (25), D. C.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-12321; Filed, July 7, 1945; 9:53 a. m.]

[Misc. 1894289]

CALIFORNIA

NOTICE OF FILING OF PLAT OF SURVEY

JUNE 29, 1945.

Notice is given that the plat of extension survey embracing the SE¼ sec. 34, and S½ of secs. 35 and 36, T. 1 N., R. 8 E., San Bernardino Meridian, California, will be officially filed in the district land office at Los Angeles, California, effective at 10:00 a. m. on the 63d day from the date on which this notice is signed. At the time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938, 52 Stat. 609 (43 U. S. C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (Public Law 434—78th Congress), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as herein above provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the district land office at Los Angeles, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L.D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

All inquiries relating to these lands should be addressed to the Register, District Land Office.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-12323; Filed, July 7, 1945; 9:54 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 86]

SILVER BOW EMPLOYERS ASSN.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Silver Bow Employers Association, Butte, Montana. Case No. S-2152.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the members of the Silver Bow Employers Association, Butte, Montana, employing members of Local No. 2 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America;

I find that motor vehicle transportation of goods and commodities by members of the Silver Bow Employers Association, employing members of the Butte Teamsters Union, Local No. 2, pursuant to contract, whether oral or written, to or from any plant, mine or facility equipped for manufacturing, producing or mining any articles or materials which may be required or useful in connection with the prosecution of the war, or to or from any establishment engaged in wholesaling or storing any such articles or materials, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 7th day of July 1945.

L. B. SCHWELLENBACH,
Secretary.

[F. R. Doc. 45-12406; Filed, July 9, 1945; 11:35 a. m.]

[WLD 87]

GREATER NEW YORK WHOLESALE GROCERS' ASSN.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Greater New York Wholesale Grocers' Association, New York, New York; Case No. S-2229.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, and published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Local No. 138 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America and members of the Greater New York Wholesale Grocers' Association, New York, New York;

I find that the storage and transportation of food, groceries and other commodities, other than as an incident to retail sales thereof, by any members of the Greater New York Wholesale Grocers' Association, pursuant to any contract, oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 7th day of July, 1945.

L. B. SCHWELLENBACH,
Secretary.

[F. R. Doc. 45-12407; Filed, July 9, 1945; 10:21 a. m.]

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890):

Elder Manufacturing Company, Dexter, Missouri; men's and boys' sport and dress shirts; 10 percent (T); effective June 30, 1945 expiring June 29, 1946.

W. Kotkes & Son, 1400 Kemper Street, Lynchburg, Virginia; nurses' and maid's uniforms, WAC shirts; 10 percent (T); effective July 1, 1945, expiring June 30, 1946.

Joseph Reisner, 122 Pine Street, Archbald, Pennsylvania; children's cotton dresses; 10 learners (T); effective June 30, 1945, expiring June 29, 1946.

Rice-Stix Factory #25, First & South A Street, Farmington, Missouri; men's and boys' shirts; 10 percent (AT); effective June 30, 1945, expiring April 22, 1946.

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940, (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943, (8 F.R. 3079):

The Trion Company, Trion, Georgia; work gloves; 10 percent (AT); effective July 5, 1945, expiring January 4, 1946.

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079):

Excel Hosiery Mills, Inc., 33 Hart Street, Union, South Carolina; seamless hosiery; 10 percent (AT); effective July 6, 1945, expiring January 5, 1946.

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125):

Commonwealth Telephone Company, Montrose, Pennsylvania; to employ learners as commercial switchboard operators at its Montrose, Pennsylvania exchange, located at 10 Public Avenue, Montrose, Pennsylvania; effective July 4, 1945, expiring July 3, 1946.

Commonwealth Telephone Company, Clarks Summit, Pennsylvania; to employ learners as commercial switchboard operators at its Clarks Summit, Pennsylvania exchange, located at 108 N. State Street, Clarks Summit, Pennsylvania; effective July 4, 1945, expiring July 3, 1946.

Cigar Industry Learner Regulations, April 22, 1944 (9 F.R. 4330):

Florida Cigar Company, E. Jefferson Street, Quincy, Florida; cigars; 20 percent (AT); cigar packing for a learning period of 160 hours at 30 cents per hour; hand cigar rolling for a learning period of 960 hours at 30 cents per hour for the first 480 hours, and 35 cents per hour for remaining 480 hours; effective July 4, 1945, expiring January 3, 1946.

Signed at New York, New York, this 6th day of July 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-12403; Filed, July 9, 1945; 11:20 a. m.]

FEDERAL DEPOSIT INSURANCE CORPORATION.

INSURED BANKS

ORDER FOR FILING OF CERTIFIED STATEMENT

Pursuant to the provisions of paragraph (1) of subsection (h) of section 12B of the Federal Reserve Act, as amended (U. S. C., Title 12, sec. 264 (h) (1)), *It is ordered*, That each insured bank file with the Corporation on or before July 15, 1945, the following described certified statement forms[1]: (1) Certified Statement—Part One, Based on Deposits for the Six Months Ending June 30, 1945, Form 545-T, in quadruplicate; and (2) Recapitulation of the Monthly Totals of Certified Statement—Part Two, for the Six Months Ending June 30, 1945, Form 555-T, in duplicate.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION.
By E. F. DOWNEY, *Secretary.*

[F. R. Doc. 45-12390; Filed, July 7, 1945; 11:44 a. m.]

CERTAIN INSURED NONMEMBER STATE BANKS

CALL FOR REPORT OF CONDITION

Resolution of Board of Directors adopted June 30, 1945, authorizing call for report of condition on insured State banks not members of the Federal Reserve System except banks in the District of Columbia and mutual savings banks.

Pursuant to the provisions of paragraph (3) of subsection (k) of Section 12B of the Federal Reserve Act, as amended, be it resolved that each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Saturday, June 30, 1945, on Form 64 (Short form)—Call No. 23.[1] Said report of condition shall be prepared in accordance with, "Instructions for the Preparation of Reports of Condition on Form 64," issued December 1938, and supplements of June 25 and December 21, 1942.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION.
By E. F. DOWNEY, *Secretary.*

[F. R. Doc. 45-12388; Filed, July 7, 1945; 11:45 a. m.]

INSURED NONMEMBER MUTUAL SAVINGS BANKS

CALL FOR REPORT ON CONDITION

Resolution of Board of Directors adopted June 30, 1945, Authorizing Call for Report of Condition on Insured Mutual Savings Banks not Members of the Federal Reserve System.

Pursuant to the provisions of paragraph (3) of subsection (k) of Section 12B of the Federal Reserve Act, as

[1] Filed as part of the original document.

amended, be it resolved that each insured mutual savings bank not a member of the Federal Reserve System be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Saturday, June 30, 1945, on Form 64 (Savings).[1] Said report of condition shall be prepared in accordance with, "Instructions for the Preparation of Reports of Condition on Form 64 (Savings) and Reports of Earnings and Dividends on Form 73 (Savings) by Insured Mutual Savings Banks," issued December, 1940.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY, *Secretary.*

[F. R. Doc. 45-12389; Filed, July 7, 1945; 11:45 a. m.]

FOREIGN ECONOMIC ADMINISTRATION.

[Case No. 27]

REDIKER BROS., INC., ET AL.

ORDER FOR DENIAL OF LICENSING PRIVILEGES

In the matter of Rediker Bros., Inc., Rediker Bros. Shipping Co., Inc., Solomon J. Rediker, Moe J. Rediker, Harry Rediker, H. George Rediker, d. b. a. Rediker Bros. Shipping Co., 377 Broadway, New York, New York.

Pursuant to Part 807 of the regulations, adopted under section 6 of the act of July 2, 1940, as amended, the Chief of the Domestic Compliance Section of the Operations Division, Requirements and Supply Branch, Foreign Economic Administration, by registered letter dated December 12, 1944, charged Rediker Bros. Inc., Rediker Bros. Shipping Co., Inc., Solomon J. Rediker, Moe J. Rediker, Harry Rediker and H. George Rediker, individually and as copartners doing business under the firm name and style of Rediker Bros. Shipping Co., with having violated the provisions of section 6 of the act of July 2, 1940 (54 Stat. 714) as amended, and the regulations promulgated thereunder.

The charging letter alleged that, on divers occasions during the period between April 1, 1944 and the date thereof, the respondents had violated the export control regulations in a number of respects which may be generally summarized as follows:

(1) By obtaining numerous export licenses for cotton and rayon remnants, 1–10 yards in length, which were used by the respondents in an attempt to effect the exportation of textiles other than rayon fabrics and rayon fabrics longer than 10 yards in length and to effect the exportation of such commodities for the account of persons not named in the licenses.

(2) By representing that the applications executed and filed with this Administration were supported by a firm order in each case from the purchaser named in the application for the commodities described therein when the respondents knew, or had reason to believe, that no firm order had been placed by the purchaser in the foreign country with the applicant or with any other person.

(3) By filing with Collectors of Customs Shipper's Export Declarations which did not truthfully describe the merchandise presented for export.

(4) By representing to Collectors of Customs that commodities contained in packages presented for export were the same as described on such export declarations and in the export licenses submitted for the purpose of clearing such shipments through Customs when the respondents knew, or had reason to believe, that such commodities were not the commodities licensed and not the commodities which could be exported under such licenses.

The matter came on for oral hearing on January 3, 1945, and on February 14, 1945, before Lester C. Dibble, Compliance Commissioner for the Administration. H. George Rediker appeared for the respondents and interposed an oral answer wherein he denied the charges made against the respondents. The Compliance Commissioner received the evidence presented and, after due consideration of the record, on the 11th day of June, 1945, filed his Findings of Fact and Recommendations in this matter. The Compliance Commissioner found that Rediker Bros. Shipping Co. Inc., one of the respondents, has violated Section 6 of the Act of July 2, 1940 (54 Stat. 714) as amended, and the regulations promulgated thereunder, and recommended that the respondent Rediker Bros. Shipping Co., Inc. be denied export license privileges until December 31, 1945. He further recommended that the charges against the respondents, Rediker Bros. Inc. and Solomon J. Rediker, Moe J. Rediker, Harry Rediker, and H. George Rediker, doing business as Rediker Bros. Shipping Co., be dismissed but with a reprimand to Solomon J. Rediker, Moe J. Rediker, Harry Rediker and H. George Rediker as officers and agents of Rediker Bros. Shipping Co. Inc., for permitting the business of Rediker Bros. Shipping Co. Inc. to be so conducted as to permit the illegal acts found by the Compliance Commissioner to have been done by that corporation.

It was found by the Compliance Commissioner, upon satisfactory evidence, that the respondent Rediker Bros. Shipping Co. Inc. is the incorporated successor to respondent Rediker Bros. Shipping Co. which was an unincorporated organization composed of respondents Solomon J. Rediker, Moe J. Rediker and Harry Rediker; that respondent Rediker Bros. Inc. is a corporate entity separate and distinct from Rediker Bros. Shipping Co. Inc. and that respondent H. George Rediker is an employee of respondent Rediker Bros. Shipping Co. Inc.

The facts found by the Compliance Commissioner show that in the offices of Rediker Bros. Shipping Co. Inc. applications for export licenses were prepared in a routine manner with little or no supervision. Many were signed by respondent H. George Rediker, a lawyer, often without reading the paper. The signature was sometimes in the name of Rediker Bros. Inc. and sometimes in the name of Rediker Bros. Shipping Co. Inc., and the course of conduct by the latter corporation was one by which it intended to and did make a business of trafficking in export licenses for the convenience of its clients and in furtherance of its own interests. Specifically, Rediker Bros. Shipping Co. Inc. caused export licenses to be delivered to it by the Foreign Economic Administration, whether applications therefor had been made in its own name, in its name as agent, or in the name of some other person, firm or corporation, to the end that export licenses might be immediately available for a client's use; licenses were requested by it for the export of large round number quantities of material, and Rediker Bros. Shipping Co. Inc. made application for, received and used, export licenses for which neither it nor those for whom it purported to act as agent had firm orders from the purchasers named therein and permitted such export licenses to be used as export authority for persons other than those named therein, all of which was and is illegal in violation of export license rules and regulations.

It was further found upon satisfactory evidence that examination by officials of the Bureau of Customs of various shipments of materials designated as rayon remnants, Schedule B No. 384990, in Shipper's Export Declarations prepared and executed by Rediker Bros. Shipping Co. Inc. and supported by export licenses for the export of rayon remnants 1–10 yards in length, which Rediker Bros. Shipping Co. Inc. had caused to be issued and delivered to it, disclosed that of such shipments various shipments contained a great number of pieces in lengths greatly in excess of 10 yards, and that in one instance piece goods of lengths in excess of 10 yards had been deliberately cut into lengths of less than 10 yards in order that the same might qualify for export under the licenses authorizing such shipments.

The Commissioner concluded, from the evidence presented at the hearing, that respondent Rediker Bros. Shipping Co. Inc. made applications for export licenses for itself and others when it knew that firm orders for the merchandise for which export licenses were sought did not exist; that said respondent made various false statements and representations in its various applications to the Foreign Economic Administration for export licenses; that said respondent breached the obligation it assumed that no export licenses accepted by it would be used for any purpose contrary to the export control regulations; and that said respondent knowingly and illegally aided and abetted deceptive and fraudulent practices in connection with attempted exportation of merchandise contrary to § 801.7 of the export control rules and regulations.

The Compliance Commissioner has found that the charges should be dismissed against all respondents except Rediker Bros. Shipping Co. Inc. I am, therefore, bound under the regulations by his conclusions, but from a reading of the record and had I any discretion in the matter, my conclusions would have been otherwise and I would not have been satisfied with a mere reprimand but would have ordered other action.

With respect to the findings and recommendations of the Compliance Commission in so far as respondents Rediker Bros. Shipping Co. Inc. is concerned, I find them supported by the record and, therefore, adopt those conclusions and recommendations.

It needs to be said, however, that the course of conduct of Rediker Bros. Shipping Co. Inc., its officers and agents and employees, shows a preconceived plan to evade the export control regulations in a most flagrant manner. The extreme shortage of textiles in this country is well known. The acts of this respondent, and its officers and employees, if permitted to continue, would result in depriving our domestic market of urgently needed textiles; would weaken the carefully constructed system of allocations for domestic and foreign needs established by the War Production Board and other agencies of our government; and it would place at a competitive disadvantage those exporters who have followed the prescribed export regulations.

Now, therefore, it is determined and ordered, That Rediker Bros. Shipping Co. Inc. and any person, association or organization acting in its behalf or for its account, be and each of them is hereby denied the privilege of obtaining individual or any other type of export license and is denied the use of any general or other type of export license authorizing any exportation whatsoever from the United States until and including December 31, 1945, and that all presently outstanding export licenses issued to the said Rediker Bros. Shipping Co. Inc. be and the same are hereby revoked:

And it is further ordered, That the charges against the respondents Rediker Bros. Inc. and Solomon J. Rediker, Moe J. Rediker, Harry Rediker and H. George Rediker doing business as Rediker Bros. Shipping Co. be and the same are dismissed.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638; 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 6, 1945.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12404; Filed, July 9, 1945; 11:13 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-595]

REYNOSA PIPE LINE CO.

ORDER GRANTING REHEARING

JULY 5, 1945.

Upon consideration of the application filed on June 6, 1945, by the Reynosa Pipe Line Company, requesting rehearing and reconsideration of the Commission's order of May 8, 1945, dismissing, without prejudice, the application of Reynosa Pipe Line Company for authorization under section 3 of the Natural Gas Act, to export natural gas from the State of Texas to the Republic of Mexico; and

It appearing to the Commission that: The Reynosa Pipe Line Company desires to offer new and additional evidence in support of its application filed under section 3 of the Natural Gas Act;

The Commission finds that: It is appropriate and in the public interest to grant a rehearing in this matter for the purpose of receiving further evidence with respect to the application of Reynosa Pipe Line Company for an order under section 3 of the Natural Gas Act to authorize the exportation of gas from the State of Texas to the Republic of Mexico.

The Commission orders that:

(a) The application of Reynosa Pipe Line Company for rehearing and reconsideration of the Commission's order of May 8, 1945, in this matter be and the same is hereby granted, such rehearing to be held at a time and place to be hereafter fixed by the Commission.

(b) Intervener, Railroad Commission of Texas, may participate in this proceeding on rehearing in accordance with leave heretofore granted by the Commission.

(c) Other interested State commissions may also participate in the rehearing as provided by § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-12392; Filed, July 9, 1945; 9:48 a. m.]

[Docket No. IT-5519]

BONNEVILLE PROJECT, COLUMBIA RIVER, OREG.-WASH.

ORDER FOR REHEARING

JULY 6, 1945.

It appearing to the Commission that:

(a) On January 16, 1945, the Administrator of the Bonneville Project filed with the Commission for confirmation and approval, pursuant to the provisions of the Bonneville Act (50 Stat. 731), as amended, (1) certain schedules of rates and charges for electric energy produced at the Bonneville Project; (2) certain modifications of the existing filed general rate schedule provisions; and (3) a proposed revised Administrative interpretation entitled "Principles and Procedures To Be Followed in the Calculation of Computed Demand."

(b) The schedules of rates and charges submitted were: Rate Schedule A-4 for "At Site" Firm Power, embodying modifications in existing Schedule A-3; Rate Schedule C-4 for "Transmission System" Firm Power, embodying modifications in existing Schedule C-3; Rate Schedule E-3 for "At Site" and "Transmission System" Firm Power, embodying modifications in existing Schedule E-2; Rate Schedule F-3 for "At Site" and "Transmission System" Firm Power, embodying modifications in existing Schedule F-2; and Rate Schedule H-3 for Dump Energy, embodying modifications in existing Schedule H-2.

(c) On February 6, 1945, notice of the above filings was published in the FEDERAL REGISTER by the Commission which stated that any person desiring to make representations with respect thereto should, on or before February 26, 1945, file with the Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

(d) Protests and complaints respecting the proposed rate schedule E-3 were filed on February 22, 1945, by Pacific Power and Light Company, Northwestern Electric Company, and The Washington Water Power Company, and by Mountain States Power Company on February 24, 1945. Protests and complaints respecting proposed rates C-4, E-3, and F-3, proposed modifications of the general rate schedule provisions, and the proposed revised Administrative interpretation entitled "Principles and Procedures To Be Followed in the Calculation of Computed Demand," were filed by Puget Sound Power and Light Company on February 24, 1945.

The Commission finds that: It is desirable and in the public interest, in carrying out its responsibilities pursuant to the Bonneville Act, to hold a hearing in this matter.

The Commission orders that: A public hearing be held in the above matter commencing on the 24th day of July, 1945, at 10:00 a. m. (p. w. t.) in Spokane, Washington, at a place to be hereafter designated, at which the above-named complainants, the Bonneville Power Administrator, and other interested parties may present testimony and information relevant to the Commission's consideration of the proposed rate schedules C-4, E-3, and F-3, to the extent that they modify existing schedules, the proposed modifications of the general rate schedule provisions, and the proposed revised Administrative interpretation entitled "Principles and Procedures To Be Followed in the Calculation of Computed Demand."

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-12393; Filed, July 9, 1945; 9:48 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5313]

FADA RADIO AND ELECTRIC CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of July, A. D. 1945

In the matter of Fada Radio and Electric Company, Inc., a corporation, and Jacob M. Marks, an individual and president of Fada Radio and Electric Company, Inc.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, July 24, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-12371; Filed, July 7, 1945; 10:56 a. m.]

[Docket No. 5327]

WILLIAM J. ELLISON, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of July A. D. 1945.

In the matter of William J. Ellison, Inc., a corporation, and Albert A. Chapman, an individual and president of William J. Ellison, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That Andrew B. Duvall, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, July 19, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-12372; Filed, July 7, 1945; 10:56 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 323, General Permit 1]

REFRIGERATION OF ORANGES IN ARIZONA AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 323, (10 F.R. 8143), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 323 insofar as it applies to the preicing of a refrigerator car to be loaded with oranges at any point in the States of Arizona or California, when the oranges to be loaded in such preiced car have been precooled by the shipper before loading at a regularly established precooling plant where car icing facilities are not available; and the transportation of such precooled cars when loaded.

This general permit shall become effective at 12:01 a. m., July 7, 1945.

The car order and the waybill shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of July, 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-12409; Filed, July 9, 1945; 11:29 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination]

SCRANTON TRANSIT CO.

POSSESSION AND OPERATION OF PLANTS, FACILITIES, AND TRANSPORTATION SYSTEM

Pursuant to Executive Order 9570 (10 F.R. 7235), I hereby determine that possession and control of the transportation system of Scranton Transit Company by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the transportation system of Scranton Transit Company, Scranton, Pennsylvania, including all real and personal property, plants, facilities, and other assets of said company, taken and assumed pursuant to Executive Order 9570 and the notice and order of the Director of the Office of Defense Transportation issued June 15, 1945, is hereby terminated and relinquished as of 12:01 o'clock a. m., July 8, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed the Office of Defense Transportation, Washington 25, D. C.

Issued at Washington, D. C., this 7th day of July 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-12366; Filed, July 7, 1945; 10:29 a. m.]

[Supp. Order ODT 7, Rev. 1, Revocation]

SHIPPERS AND CARRIERS TO MAKE CERTAIN TANK CAR REPORTS

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That:

Supplementary Order ODT 7, Revised 1 (10 F.R. 803), be, and it is hereby, revoked effective July 7, 1945.

(E.O. 8989, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 7th day of July 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-12368; Filed, July 7, 1945; 10:30 a. m.]

[Supp. Order ODT 15, Rev. 1, Revocation]

MARTIN MARINE TRANSPORTATION CO.

OPERATIONS WITH THE TUG "P. F. MARTIN"

Pursuant to Executive Order 8989, as amended; *It is hereby ordered*, That:

Supplementary Order ODT 15, Revised 1 (9 F.R. 4495), be, and it is hereby, revoked effective July 7, 1945.

(E.O. 8989, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 7th day of July 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-12367; Filed, July 7, 1945; 10:30 a. m.]

WENTWORTH BUS LINES, INC.

POSTPONEMENT OF CANCELLATION ORDER

Pursuant to a directive issued by the Director of the Office of Economic Stabilization July 6, 1945,

It is hereby ordered, That the effective date of the cancellation order issued June 26, 1945, In the matter of Wentworth Bus Lines, Inc., Dover, New Hampshire (10 F.R. 7945), shall be, and it hereby is, postponed to August 15, 1945.

Issued at Washington, D. C., this 7th day of July 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-12396; Filed, July 9, 1945; 10:13 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Rev. Order 3178]

SHELLITE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:* Order 3178 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Shellite Company, 3513 Woodward Avenue, Detroit, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
20-mm. shell cigarette lighter	1	*Each* $0.77	*Each* $1.03	*Each* $2.75

These maximum prices are for the article described in the manufacturer's application dated December 27, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.75 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 7th day of July 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES, *Administrator.*

[F. R. Doc. 45-12267; Filed, July 6, 1945; 11:03 a. m.]

[MPR 188, Rev. Order 3675]

HARRY M. RIGHTER

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

Order 3675 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein:

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Harry M. Righter, 10111 Nanford Road, Cleveland 2, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette maker	1	*Each* $1.00	*Each* $1.11	*Each* $1.50

These maximum prices are for the article described in the manufacturer's application dated April 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.59 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 7th day of July 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES, *Administrator.*

[F. R. Doc. 45-12266; Filed, July 6, 1945; 11:03 a. m.]

[MPR 188, Rev. Order 3918]

CHICAGO CABINET CO., INC.

APPROVAL OF MAXIMUM PRICES

Order No. 3918 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Chicago Cabinet Co., Inc., 6100 West Grand Avenue, Chicago, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article and model No.	For sales by the manufacturer to the exclusive distributor	For sales by the exclusive distributor to other wholesalers	For sales by any person to retailers	For sales by any person to ultimate consumers
Utility cabinet: RC-1	*Each* $7.00	*Each* $8.14	*Each* $10.17	*Each* $16.95

These prices are for the articles described in the manufacturer's application dated February 5, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, net ten days, except that in case of sales to ultimate consumers the price is net on delivery.

(3) For sales by persons, other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order, and are f. o. b. the seller's city. The prices for sales to other wholesalers and retailers are net ten days.

(4) Persons making sales to retailers and ultimate consumers in the area west of the Mississippi River and south of the Mason and Dixon Line may add to the

prices set forth above for such sales the actual incoming freight charges which he has paid together with any amount he has paid his supplier for freight charges, but this charge may not exceed $1.00 per cabinet.

(5) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 7th day of July, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12268; Filed, July 6, 1945; 11:03 a. m.]

[MPR 188, Order 4044]

JOHN N. COSGROVE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by John N. Cosgrove Company, of 7319 New Utrecht Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for any seller to— Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
		Each	*Each*	*Each*	*Each*
Electric hot plate 2-burner, 2 switches 6' cord attached with plug, brown cracked finish	A	$2.50	$3.10	$3.25	$5.00
Electric hot plate 2-burner, 2 switches 6' iron cord and plug, brown cracked finish	B	2.85	3.41	3.67	5.50
Electric hot plate 1-burner, pan type, brown cracked finish	C	1.10	1.30	1.40	2.1

These maximum prices are for the articles described in the manufacturer's application dated May 26, 1945, and include the Federal excise tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries. These prices are f. o. b. factory, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statements with the correct model number and price filled in:

Either
Order No. ------
Model No. ------
OPA Retail Ceiling Price—$ ---
Do Not Detach
Federal Excise Tax Included
or
John N. Cosgrove
7319 New Utrecht Avenue
Brooklyn, N. Y.
Model No. ------
OPA Retail Ceiling Price—$----
Do Not Detach
Federal Excise Tax Included

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 7th day of July, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12269; Filed, July 6, 1945; 11:03 a. m.]

[MPR 188, Order 4045]

GENERAL SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of the clothes hampers manufactured by the General Sales Company, 222 Colorado National Bank Building, Denver, Colo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for any seller to— Jobbers	Retailers
		Each	*Each*
Clothes hamper	Denver Zephyr Century Zephyr	$2.[illegible]	$3.[illegible]

These maximum prices are for the articles described in the manufacturer's application dated February 28, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct price filled in:

OPA Retail Ceiling Price—$----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 7th day of July 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12270; Filed, July 6, 1945; 11:04 a. m.]

[MPR 188, Order 4046]

NATHAN L. COHEN

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Nathan L. Cohen, 605 East Wyoming Avenue, Philadelphia 20, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to— Jobbers	Retailers	For sales by any person to consumers
		Each	*Each*	*Each*
20" glazed pottery table lamp base (no shade)	1-C	$3.82	$4.50	$8.10
24½" enameled plaster table lamp base (no shade)	P1-X	2.76	3.25	5.85

These maximum prices are for the articles described in the manufacturer's application dated February 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14-J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 7th day of July 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12271; Filed, July 6, 1945; 11:04 a. m.]

[MPR 188, Order 4047]

B. & L. LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by B. & L. Lamp Company, 358 Broome Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to— Jobbers	Retailers	For sales by any person to consumers
		Each	*Each*	*Each*
Portable glass lamp	22	$4.01	$4.75	$8.55
	57	5.31	6.25	11.25
	220	3.40	4.00	7.20
	227	3.83	4.50	8.10
	230	2.21	2.60	4.68
	237	4.64	4.75	8.55
	253	3.40	4.00	7.20
	262	5.10	6.00	10.80
	500	5.31	6.25	11.25
	600	4.89	5.75	10.35

These maximum prices are for the articles described in the manufacturer's application dated April 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14-J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 7th day of July 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12272; Filed, July 6, 1945; 11:05 a. m.]

[MPR 260, Order 1486]

JOSE FLORIDO GONZALEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose Florido Gonzalez, Baldorioty St., Manati, P. R. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Coronas Cortinetes	4⅝	50	$66	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with re-

spect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12273; Filed, July 6, 1945; 11:05 a. m.]

[MPR 260, Order 1487]

ELEUTERIO ANDINO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Eleuterio Andino, General Delivery, Ceame, P. R. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Electrica Ceame	Ceame Favoritas	50	*Per M* $48	*Cents* 6
	Ceame Queens	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12274; Filed, July 6, 1945; 11:05 a. m.]

[MPR 260, Order 1488]

ANNA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Anna Cigar Factory, 3410 15th Street, Tampa 5, Fla. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Anna Cigar	Brevas Long Filler	50	*Per M* $125.00	*Cents* 15
	Coronas	50	85.00	11
	Corona Gs"	50	70.00	9
	Corona 5"	50	56.00	7
	Cadets	50	48.00	6
	Corona Special	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12275; Filed, July 6, 1945; 11:05 a. m.]

[MPR 260, Order 1489]

F. FERNANDEZ JR. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) F. Fernandez Jr. Cigar Factory, 2206 N. Boulevard, Tampa 3, Fla. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Fl Boulevard	Corona	50	*Per M* $97.50	*Cents* 13
	Reinas	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12276; Filed, July 6, 1945; 11:06 a. m.]

[MPR 260, Order 1490]

JUAN CARRION

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan Carrion, M. G. G. St., Gurabo, P. R. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Granas Grande "Queen"	514	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12277; Filed, July 6, 1945; 11:06 a. m.]

[MPR 260, Order 1491]

PEDRO BERRIOS ORTIZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Berrios Ortiz #20 Vallejo St., Rio Piedros, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Escudo	Corona	50	*Per M* $58.00	*Cents* 8
Escudo Brand	Little Palm Special	50	90.00	12
	Perfectos	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12275; Filed, July 6, 1945; 11:05 a. m.]

[MPR 260, Order 1489]

F. FERNANDEZ JR. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) F. Fernandez Jr. Cigar Factory, 2206 N. Boulevard, Tampa 3, Fla. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Fl Boulevard	Corona	50	*Per M* $97.50	*Cents* 13
	Reinas	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12276; Filed, July 6, 1945; 11:06 a. m.]

[MPR 260, Order 1490]

JUAN CARRION

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan Carrion, M. G. G. St., Gurabo, P. R. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Granas Grande "Queen"	514	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12277; Filed, July 6, 1945; 11:06 a. m.]

[MPR 260, Order 1491]

PEDRO BERRIOS ORTIZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Berrios Ortiz #20 Vallejo St., Rio Piedros, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Escudo	Corona	50	*Per M* $58.00	*Cents* 8
Escudo Brand	Little Palm Special	50	90.00	12
	Perfectos	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices

are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12278; Filed, July 6, 1945; 11:07 a. m.]

[MPR 260, Order 1492]

TOMAS RIVERA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tomas Rivera, 29 Jabas Street, Ponce, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Mirna	Perfectos	50	*Per M* $75	*Cents* 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12279; Filed, July 6, 1945; 11:07 a. m.]

[MPR 260, Order 1493]

WEBER E. IVINS TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Weber E. Ivins Tobacco Co., Post Office Box 132, Fernandez Juncos (Opp. Pier #2) San Juan, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ivins Specials	Coronas	50	*Per M* $60.75	*Cents* [illegible]
Ivins Exquisitos	Perfectos	50	99.00	[illegible]
Ivins Elegante	Selectos	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12280; Filed, July 6, 1945; 11:07 a. m.]

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12280; Filed, July 6, 1945; 11:07 a. m.]

[MPR 260, Order 1494]

A. B. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) A. B. Cigar Factory, 1514 26th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
A. B.	Panatela	50	*Per M* $138	*Cents* 18
	Coronas	50	169	22
	Breva	50	169	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 7th, 1945.

Issued this 6th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12281; Filed, July 6, 1945; 11:07 a. m.]

[MPR 260, Order 1495]

ANTONIO ARROYO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Antonio Arroyo, Munoz Rivera Street, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
"Mi Trinchera"	Tacas	50	*Per M* $48	*Cents* 6
	Queen	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark

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[MPR 120, Order 1409]

CENTRAL EXCAVATORS, INC. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 14. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment

mum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.222 and all other provisions of Maximum Price Regulation No. 120.

CEDAR VALLEY MINING CORP., GO THOMAS HILL, TERRE HAUTE, IND., CEDAR VALLEY MINE, UNNAMED SEAM, MINE INDEX NO. 3010, GIBSON COUNTY, IND., RAIL SHIPPING POINT, MACKEY, IND., STRIP MINE, MAXIMUM RAIL PRICE GROUP 19, MAXIMUM TRUCK PRICE GROUP 2

	Size group Nos.					
	1, 2, 3	4, 5, 6, 8	7	9, 10, 11, 12	13, 14	15	16
Rail Shipment	374	349	299	221	189	149	139
Shipment	329	314	294	254	234	199	139

MARIAH HILL SUPER BLOCK COAL CO., WILLIAM FRY TURNER, S. S. MICHIGAN AVENUE, CHICAGO 3, ILL., MARIAH HILL NO. 2 MINE, HAZEL CREEK MINE INDEX NO. 3312, SPENCER COUNTY, IND., RAIL SHIPPING POINT, DALE, IND., STRIP MINE, MAXIMUM RAIL PRICE GROUP NO. 17, MAXIMUM TRUCK PRICE GROUP NO. 1

	Size group Nos.												
	1, 2, 3	4, 5, 6, 8	7	9, 10, 11, 12	13, 14	25, 26	27, 30, 31	15	28, 29	32	16	33	34
Rail shipment	394	374	364	359	299	284	229	199	204	189	139		
Truck shipment	394	354	299		289	284	259	194	199	184	134		

SHASTA COAL CORP., 230 N. MICHIGAN AVE., CHICAGO, ILL., SHASTA MINE, SIXTH VEIN SEAM, MINE INDEX NO. 2014, KNOX COUNTY, IND., RAIL SHIPPING POINT, BICKNELL, IND., STRIP MINE, MAXIMUM RAIL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP 2

	Size group Nos.												
	1, 2, 3	4, 5, 6, 8	7	9, 10, 11, 12	17 to 22, incl.	13, 14	23, 24, 25, 26, 27, 30, 31	15	28, 29	32	16	33	34
Rail shipment	374	349	299	254	189	214	209	149	174	154	119	199	259
Truck shipment	329	314	294	254	209	259	254	179	184	164	139	199	259

Railroad locomotive fuel:
Mine run, modified mine run and all lump and all double screened coals 249
Screenings—Top Size not exceeding 2" 194

This order shall become effective July 9, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12327, Filed, July 7, 1945; 10:01 a. m.]

[MPR 120, Order 1411]

ACUP COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.222 and all other provisions of Maximum Price Regulation No. 120.

CEDAR VALLEY MINING CORP., GO THOMAS HILL, TERRE HAUTE, IND., CEDAR VALLEY MINE, UNNAMED SEAM, MINE INDEX NO. 3010, GIBSON COUNTY, IND., RAIL SHIPPING POINT, MACKEY, IND., STRIP MINE, MAXIMUM RAIL PRICE GROUP 19, MAXIMUM TRUCK PRICE GROUP 2

	Size group Nos.					
	1, 2, 3	4, 5, 6, 8	7	9, 10, 11, 12	13, 14	15	16
Rail Shipment	374	349	299	221	189	149	139
Shipment	329	314	294	254	234	199	139

MARIAH HILL SUPER BLOCK COAL CO., WILLIAM FRY TURNER, S. S. MICHIGAN AVENUE, CHICAGO 3, ILL., MARIAH HILL NO. 2 MINE, HAZEL CREEK MINE INDEX NO. 3312, SPENCER COUNTY, IND., RAIL SHIPPING POINT, DALE, IND., STRIP MINE, MAXIMUM RAIL PRICE GROUP NO. 17, MAXIMUM TRUCK PRICE GROUP NO. 1

	Size group Nos.												
	1, 2, 3	4, 5, 6, 8	7	9, 10, 11, 12	17 to 22, incl.	13, 14	25, 26	27, 30, 31	15	28, 29	32	16	33	34
Rail shipment	394	374	364	359	299	284	224	229	199	204	189	139		
Truck shipment	394	354	299		289	284	254	259	194	199	184	134		

SHASTA COAL CORP., 230 N. MICHIGAN AVE., CHICAGO, ILL., SHASTA MINE, SIXTH VEIN SEAM, MINE INDEX NO. 2014, KNOX COUNTY, IND., RAIL SHIPPING POINT, BICKNELL, IND., STRIP MINE, MAXIMUM RAIL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP 2

	Size group Nos.												
	1, 2, 3	4, 5, 6, 8	7	9, 10, 11, 12	17 to 22, incl.	13, 14	23, 24, 25, 26, 27, 30, 31	15	28, 29	32	16	33	34
Rail shipment	374	349	299	254	189	214	209	149	174	154	119	199	259
Truck shipment	329	314	294	254	209	259	254	179	184	164	139	199	259

Railroad locomotive fuel:
Mine run, modified mine run and all lump and all double screened coals 249
Screenings—Top Size not exceeding 2" 194

This order shall become effective July 9, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12327, Filed, July 7, 1945; 10:01 a. m.]

[MPR 120, Order 1410]

CEDAR VALLEY MINING CORP. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

CENTRAL EXCAVATORS INC., BOX 105, PANAMA (OKLA.) No. 1 MINE, UPPER AND LOWER HARTSHORNE SEAM, MINE INDEX NO. 1049, LE FLORE COUNTY, OKLA., RAIL SHIPPING POINT, HEAVENER, OKLA., STRIP MINE, PRODUCTION GROUP NO. 6

	Size group Nos.												
	1, 2, 3	4	5	6, 7, 8	9, 10, 11	12, 13	14, 15, 16	17	18	19	20	21	22	23
All methods of transportation for all uses	565	550	.....	555	540	445	220	325	405	455	375	335	255	...

ARKANSAS STRIPPING CO., GO PERCY UPTON, PYRAMID BLDG., LITTLE ROCK, ARK., RUBBAT MINE, SEBASTIAN SEAM, MINE INDEX NO. 1051, JOHNSON COUNTY, ARK., RAIL SHIPPING POINT, MONTANA, ARK., STRIP MINE, PRODUCTION GROUP NO. 1

	Size group Nos.												
	1, 2, 3	4	5	6, 7, 8	9, 10, 11	12, 13	14, 15, 16	17	18	19	20	21	22	23
All methods of transportation for all uses	590	575	.....	625	610	590	325	425	490	560	470	335	255	...

HARRIS AND MCDONALD, ROUTE 3, FORT SMITH, ARK., HARRIS & MCDONALD NO. 6 MINE, UPPER AND LOWER HARTSHORNE SEAM, MINE INDEX NO. 1055, SEBASTIAN COUNTY, ARK., RAIL SHIPPING POINT, JENNY LIND, ARK., DEEP MINE, PRODUCTION GROUP NO. 5B.

	Size group Nos.												
	1, 2, 3	4	5	6, 7, 8	9, 10, 11	12, 13	14, 15, 16	17	18	19	20	21	22	23
All methods of transportation for all uses	600	585	.....	600	585	565	395	380	450	540	430	390	310	670

MAGNANI AND DORMAN COAL CO., GO G. MAGNANI, HARTFORD, ARK., MAGNANI & DORMAN MINE, LOWER HARTSHORNE SEAM, MINE INDEX NO. 1017, SEBASTIAN COUNTY, ARK., RAIL SHIPPING POINT, HARTFORD, ARK., DEEP MINE, PRODUCTION GROUP NO. 5B.

	Size group Nos.												
	1, 2, 3	4	5	6, 7, 8	9, 10, 11	12, 13	14, 15, 16	17	18	19	20	21	22	23
All methods of transportation for all uses	600	585	.....	600	585	565	395	380	450	540	430	390	310	670

This order shall become effective July 9, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12326; Filed, July 7, 1945; 10:04 a. m.]

[MPR 120, Order 1410]

CEDAR VALLEY MINING CORP. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance

tive date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

ACUP COAL CO., GO DAVE SPEAKS, LOTHAIR, KY., ACUP MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7410, PERRY COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: JEFF, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.												
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	K	K	K	K	J	J	H	G	E	G	D	K	K	K
Rail shipments and railroad fuel	380	375	365	365	360	350	330	325	325	360	315	300	295	295
Truck shipment	395	375	350	350	335	310	275	270	.....	.....	.....	.....	.....	.....

BANNER-SLASH DAM COAL COR., WAKENYA, VA., OPEN FORK MINE, UPPER BANNER SEAM, MINE INDEX NO. 7411, DICKENSON COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: NORA, VA., F. O. G. 10, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.												
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	M	M	M	M	K	K	J	G	E	E	D	G	G	G
Rail shipments and railroad fuel	365	365	360	360	360	350	330	325	325	385	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	.....	.....	.....	.....	.....	.....

GATENS COAL CO., QUICK, W. VA., GATENS MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7395, KANAWHA COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: QUICK, W. VA., F. O. G. 127, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group Nos.												
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	Q	Q	Q	Q	P	P	O	M	K	M	F	M	M	M
Rail shipments	345	340	335	335	320	315	310	310	305	355	310	280	275	270
Railroad fuel	345	340	335	335	325	325	325	325	325	355	310	280	275	270
Truck shipment	405	385	355	365	335	320	275	270	.....	.....	.....	.....	.....	.....

LAR MINING CO., P. O. BOX 2107, CHARLESTON 28, W. VA., DARK RIDGE MINE, UPPER BANNER SEAM, MINE INDEX NO. 7405, WISE COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT, TOMS CREEK, VA., F. O. G. 30, DEEP MINE, MAXIMUM TRUCK PRICE NO. 5

	Size group Nos.												
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	M	M	M	M	K	K	J	H	F	C	E	C	C	C
Rail shipments and railroad fuel	365	365	360	360	360	350	330	330	330	330	385	315	315	315
Truck shipment	395	375	350	350	335	310	275	270	.....	.....	.....	.....	.....	.....

LOGAN F. HIBBITTS, CLINTWOOD, VA., NO. 1 MINE, ELKHORN NO. 3 SEAM, MINE INDEX NO. 7036, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, JENKINS, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.												
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	H	H	H	H	F	F	E	E	E	C	E	C	C	C
Rail shipments and railroad fuel	395	390	375	375	370	355	335	330	330	330	385	320	315	315
Truck shipment	430	410	365	380	345	320	275	270	.....	.....	.....	.....	.....	.....

IRA POTTER, JENKINS, KY., IRA POTTER MINE, ELKHORN NO. 3 SEAM, MINE INDEX NO. 7419, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT JENKINS, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.												
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	H	H	H	H	F	F	E	E	E	C	E	C	C	C
Rail shipments and railroad fuel	395	390	375	375	370	355	335	330	330	330	385	320	315	315
Truck shipment	430	410	365	380	345	320	275	270	.....	.....	.....	.....	.....	.....

This order shall become effective July 9, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12328; Filed, July 7, 1945; 10:05 a. m.]

[RMPR 136, Order 464]

BORG-WARNER CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Revised Maximum Price Regulation No. 136 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) The Norge Division, Borg-Warner Corporation, 88 West Broadway, Muskegon Heights 61, Michigan is authorized to sell to distributors the models of refrigerator replacement units listed below which it manufactures or rebuilds at prices no higher than those set forth below opposite each model number:

Model:	*Maximum price for each unit*
RH-3385S	$40.70
RH-3386S	40.70
RH-2386S	41.80
RH-3633S	41.80
OO-0187S	41.80
RH-2818S	42.90
RH-3388S	42.90
OO-0500S	42.90
RH-2821S	45.10
EH-3412S	45.10
OO-0550S	45.10

These prices include the Federal excise tax and a four year replacement warranty. They are f. o. b. factory but are subject to a transportation allowance equal to the cost of shipping the replacement unit by the most economical route from the factory through the distributor to dealer and of returning the inoperative unit to the factory via the same route. This allowance shall be credited to the distributor upon receipt of the inoperative unit at the factory accompanied by paid and receipted transportation bills covering the transportation of the replacement unit and of the inoperative unit between the dealer and distributor.

(b) Distributors of Norge refrigerator replacement units are authorized to sell such units to dealers at prices no higher than those set forth below opposite each model number.

Model:	*Maximum price for each unit*
RH-3385S	$48.84
RH-3386S	48.84
RH-2386S	50.16
RH-3633S	50.16
OO-0187S	50.16
RH-2818S	51.48
RH-3388S	51.48
OO-0500S	51.48
RH-2821S	54.12
EH-3412S	54.12
OO-0550S	54.12

These prices include the Federal excise tax, a four year replacement warranty, and delivery.

(c) Dealers may sell Norge refrigerator replacement units to consumers at prices no higher than those set forth below opposite each model number.

Model:	*Maximum price for each unit*
RH-3385S	$62.52
RH-3386S	62.52
RH-2386S	64.20
RH-3633S	64.20
OO-0187S	64.20
RH-2818S	65.89
RH-3388S	65.89
OO-0500S	65.89
RH-2821S	69.27
EH-3412S	69.27
OO-0550S	69.27

These prices include the Federal excise tax, installation of the unit in the refrigerator of the consumer, and a four year replacement warranty.

(d) Any seller subject to this order may require, in connection with sales under this order, the surrender by the buyer of an inoperative unit which the rebuilt or new unit is intended to replace.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

(f) This order shall become effective on the 5th day of July 1945.

Issued this 4th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12046; Filed, July 4, 1945; 11:31 a. m.]

[RMPR 136, Order 466]

BEAVER PIPE TOOLS, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 466 under Revised Maximum Price Regulation 136. Machines, parts, and industrial equipment. Beaver Pipe Tools, Inc. Docket No. 6083–136.21–404.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 (b) of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum list prices of Beaver Pipe Tools, Inc., Warren, Ohio, for its sales of the following pipe tools shall be as follows:

Item:	*Maximum list price*
No. 7–R die	$0 85
No. 9–R die	85
No. 10–R pipe threader	14 18

The foregoing list prices shall be subject to all discounts, allowances, and terms of delivery had in effect by Beaver Pipe Tools, Inc., just prior to the issuance of this order.

(b) The maximum price of any reseller of the pipe tools described in paragraph (a) hereof to any class of his purchasers shall be determined by increasing or decreasing the maximum prices which such reseller had in effect just prior to the issuance of this order to such class of purchasers by the dollars and cents amount in which his cost of such pipe tools has been increased pursuant to this order.

(c) Beaver Pipe Tools, Inc. shall notify its customers who purchase the subject pipe tools for resale of the amount by which such resellers' maximum prices may be increased or decreased pursuant to this order. A copy of each such notice shall be filed with the Office of Price Administration, Washington 25, D. C.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 9, 1945.

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12329; Filed, July 7, 1945; 10:05 a. m.]

[RMPR 136, Order 467]

WAGNER MALLEABLE PRODUCT CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 467 under Revised Maximum Price Regulation 136. Machines, Parts and Industrial Equipment. Wagner Malleable Product Co. Docket No. 6083–136.21–377.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales by Wagner Malleable Product Co., Decatur, Illinois, of its electrical conduit fittings and service cable fittings, shall be determined as follows: The manufacturer shall multiply by 106.2% the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order.

(b) The maximum prices for sales by resellers of electrical conduit fittings, and service cable fittings manufactured by Wagner Malleable Product Co., shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order, the amount, in dollars and cents, by which his net invoiced cost has increased due to the adjustment granted by this order.

(c) Wagner Malleable Co. shall notify each purchaser who purchases electrical conduit fittings and service cable fittings for resale of the dollars-and-cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 9, 1945.

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12330; Filed, July 7, 1945; 10:05 a. m.]

[MPR 188, Order 4048]

ROBBINS & BURKE, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the Robbins & Burke, Inc. and as described in its application dated May 15, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington, D. C., shall be:

Item	Size	On sales to—		
		Distributors	Dealers	Consumers
Model No. 15	15.3 cu. ft. with ½ hp. condensing unit.	$310	$372	$620
Model No. 20	19 cu. ft. with ¾ hp. condensing unit.	350	420	700

(b) On sales by the Robbins & Burke, Inc. the maximum net price established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Robbins & Burke, Inc. shall stencil on the inside of the lid or cover of the farm and home freezers covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $_____

Plus freight and crating as provided in Order No. 4048 under Maximum Price Regulation No. 188.

(g) Order No. 3533 issued March 30, 1945, and made effective March 31, 1945, is revoked.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 9, 1945.

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12331; Filed, July 7, 1945; 10:06 a. m.]

[MPR 188, Order 4049]

EMPIRE TOY AND MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices for sales by any person of the number 2222 black rubber sink stopper manufactured by the Empire Toy Manufacturing Company of Chicago, Illinois and described in that company's application dated February 26, 1945 shall be:

Per gross

On sales to wholesalers and jobbers	$8.45
On sales to dealers	11.25
Each	
On sales to consumers	$0.10

(b) The maximum net prices established by this order shall be subject to discounts and allowances, including transportation allowances, price differentials and rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) Maximum net prices established by this order for the Empire Toy and Manufacturing Company shall be f. o. b. point of factory.

(d) Every person selling the commodity covered by this order, except retailers, shall notify each of its purchasers in writing at or before the issuance of the first invoice, of the maximum prices established by this order for each such seller as well as the maximum prices established for each purchaser on resale.

(e) The Empire Toy and Manufacturing Company shall print in a conspicuous place on the box containing the Model No. 2222 black rubber sink stopper the following:

Maximum retail price $0.10 each.

(f) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective July 9, 1945.

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12332; Filed, July 7, 1945; 10:06 a. m.]

[MPR 188, Order 4050]

OLDE DOMINION MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezer manufactured by the Olde Dominion Manufacturing Company and as described in its application dated June 25, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	Size	On sales to—		
		Distributors	Dealers	Consumers
No. 1[1]	5 cu. ft. with ⅓ hp. condensing unit.	$310	$372	$620

(b) On sales by the Olde Dominion Manufacturing Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Olde Dominion Manufacturing Company shall stencil on the inside of the lid or cover of the farm and home freezer covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price—$620 Plus freight and crating as provided in Order No. 4050 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 9, 1945.

Issued this 7th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–12333; Filed, July 7, 1945; 10:06 a. m.]

[Gen. RO 8,[2] Amdt. 1 to Cancellation Order 1[3]]

WENTWORTH BUS LINES, INC.

CANCELLATION OF RATIONING RIGHTS

The Director of the Office of Economic Stabilization has by Directive issued July 6, 1945, directed that the effective date of Cancellation Order No. 1 under General Ration Order No. 8 be changed to August 15, 1945.

Therefore, Cancellation Order No. 1 under General Ration Order No. 8 is amended in the following respects:

1. Section 1 is amended by striking out "July 9, 1945" and inserting "August 15, 1945" in place thereof.

2. Section 2 is amended by deleting "July 10, 1945" and inserting in place thereof "August 16, 1945" and by deleting "July 15, 1945" in both places in which it appears in said section and inserting in place thereof "August 21, 1945".

3. Section 3 is amended by deleting "July 10, 1945" and inserting "August 16, 1945" in place thereof.

4. The effective date of said Cancellation Order No. 1 is changed to August 15, 1945.

This order shall become effective July 9, 1945.

Issued this 7th day of July 1945.

MAX MCCULLOUGH,
Deputy Administrator For Rationing.

[F. R. Doc. 45–12325; Filed, July 7, 1945; 10:04 a. m.]

[1] 10 F.R. 8163.

[2] 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1325, 2746, 4186, 4878, 7419; 10 F.R. 860, 8226.

Regional and District Office Orders.

[Region I Order G-3 Under Supp. Order 94]

USED U. S. NAVY IMPREGNATED BEDDING BAGS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration, the Emergency Price Control Act, as amended, Executive Orders No. 9250 and 9328, and in accordance with sections 11 and 13 of Supplementary Order No. 94, as amended, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales at wholesale and retail of used United States Navy impregnated bedding bags size when opened 93 inches by 79 inches with two center flaps centered on 79 inch ends measuring 17 inches by 45 inches, three rope ties on one side, three grau-met holes on other.

(b) *Maximum prices.* Maximum prices for such used Navy bedding bags having the serviceability of new, good appearance, free from rips and tears and fully useful by the consumer for its intended purpose without further repair shall be:

(1) Price for all sales at wholesale (f. o. b. seller's place of business)	*Each* $1.50
(2) Price for all sales at retail	2.50

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the used bedding bags described in paragraph (a) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price, and stating that the retailer is required by this order to attach to each used bedding bag before sale a tag or label containing the following:

OPA Ceiling Price—$2.50

(e) *Tagging.* Any person who sells the used bedding bags described in paragraph (a) at retail shall attach to each used bedding bag before sale a tag or label which plainly states the retail ceiling price.

(f) *Definitions.* (1) "Sales at Retail" means sales to purchasers for use.

(2) "Sales at Wholesale" means sales other than to purchasers for use.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 25, 1945.

Issued this 25th day of June 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-12348; Filed, July 7, 1945; 10:12 a. m.]

[Region I Order G-49 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MIDDLETOWN, CONN., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-49 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In paragraphs (b), (c) and (e), the provisions, prices and references relating to "Jeddo Highland" are hereby deleted.

2. Paragraph (f) is amended to read as follows:

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold; provided the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed.

AMOUNT OF ADDITION

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland: Broken, egg, stove, chestnut, pea, and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Raven Run: Broken, egg, stove, chestnut, pea, buckwheat and rice	.30	.15	.10	None

3. Subparagraph (4) of paragraph (g) is hereby renumbered (4) (a).

4. Subparagraph (4) (b) is added to paragraph (g) to read as follows:

(4) (b) "Raven Run" means that Pennsylvania Anthracite produced by the Hazle Brook Coal Company, and Raven Run Coal Company and prepared at its Mid Valley Breaker and which meets the quality and preparation standards established by Order No. L-12 under Maximum Price Regulation No. 112.

This Amendment No. 1 to Order No. G-49 shall become effective June 28, 1945.

Issued this 25th day of June 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-12358; Filed, July 7, 1945; 10:16 a. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 53]

SOLID FUELS IN SPECIFIED AREAS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. Subparagraph (2) of paragraph (e) is amended by adding the following to the table set forth therein:

AMOUNT OF ADDITION

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Gilberton: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.40	$0.20	$0.10	None

2. Subparagraph (9) of paragraph (1) is amended by adding the word "Gilberton".

3. Subparagraph (50) is added to paragraph (1) to read as follows:

(50) "Gilberton" means that Pennsylvania anthracite produced by the Gilberton Coal Company and prepared at its Gilberton Breaker at Gilberton, Pennsylvania, and which meets the quality and preparation standards established by Order No. L-25 under Maximum Price Regulation No. 112.

This Amendment No. 53 shall become effective June 22, 1945.

Issued this 22d day of June 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-12359; Filed, July 7, 1945; 10:16 a. m.]

[Region I, Order G-70 Under RMPR 127, Amdt. 54]

SOLID FUELS IN SPECIFIED AREAS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (7) (Appendix 7—Bituminous Coal—Metropolitan Boston area) of paragraph (o) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is hereby amended in the following respects:

1. In paragraph (b) (1), in the Table of Prices the provision for "Premier nut or pea" is amended to read as follows:

CLASSES OF PURCHASERS

Kind of coal	Classes AA & A	Class B	Class C
Premier nut or pea	$8.65	$8.87	[illegible]

2. In paragraph (c) (1), in the Table of Prices the provision for "Premier nut or pea" is amended to read as follows:

CLASSES OF PURCHASERS

Kind of coal	Class I	Class II	Class III	Class IV	Class V
Premier nut or pea	$11.05	$10.80	$10.55	$10.[illegible]	$8.80

This Amendment No. 54 shall become effective July 3, 1945.

Issued this 3d day of July 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-12360; Filed, July 7, 1945; 10:16 a. m.]

[Region II Order G-2 Under RMPR 285]

IMPORTED FRESH BANANAS IN NEW YORK REGION

For the reasons stated in the accompanying opinion, this order is issued.

SECTION 1. *What this order does.* This order adjusts upward the maximum prices for "processor's" sales of bananas: *Provided*, That the bananas have been (a) produced in, and imported from Costa Rica, Guatemala, Honduras, and Panama, (b) unloaded from a rail car at a rail terminal, loaded onto a motor vehicle and transported to the processor's warehouse or ripening room, and (c) "processed." No adjustment is provided for bananas which do not meet all of these conditions.

SEC. 2. *Where this order applies.* This order applies to all "processors" of bananas whose warehouses or ripening rooms are located within a radius of 30 truck-miles of 42nd Street and 7th Avenue, New York, New York.

SEC. 3. *Adjustment.* The maximum price for sales by "processors" of bananas shall, if sections 1 and 2 above have been satisfied, be increased by 30¢ per cwt. The maximum prices otherwise applicable to all subsequent sales of such bananas shall be increased in each case by the same amount.

SEC. 4. *Definitions.* The terms "processed bananas" and "processor" are to be understood as defined in section 2 of Revised Maximum Price Regulation No. 285.

SEC. 5. *Effective date.* This order shall become effective on July 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 285, 10 F.R. 1493)

Issued: June 29, 1945.

CHARLES T. ABERNETHY,
Acting Regional Administrator in the Absence of the Regional Administrator.

[F. R. Doc. 45-12345; Filed, July 7, 1945; 10:11 a. m.]

[Region II Rev. G-4 Under MPR 426, Amdt. 2]

FRESH FRUITS AND VEGETABLES IN NEW YORK REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Maximum Price Regulation No. 426, and for the reasons stated in the accompanying opinion, Revised Order No. G-4 under Maximum Price Regulation No. 426 is amended to read as follows:

1. Section 4 (b) is amended as follows:

(b) *Markups for certain deciduous tree fruits.* The markups for less-than-carlot or less-than-truckiot sales by "primary receivers" ex-Pittsburgh Produce Terminal Building of all of the deciduous tree fruits specified in Table B of paragraph (e) of Appendix J of Maximum Price Regulation No. 426 shall be the markups specified in Column 5 of that Table plus one-half the difference between the markups specified in Columns 6 and 5 of that Table. No additions for unloading or otherwise may be made to these markups whether the sale is direct or through auction.

2. The heading of section 4 (c) is amended as follows:

(c) *Markups for certain other fruits except peaches.*

3. Section 4 (d) is added as follows:

(d) *Markups for certain other fruits including peaches.* The markups for less-than-carlot or less-than-truckiot sales by "primary receivers" ex-Pittsburgh Produce Terminal Building of all of the units of peaches specified in Column 3 of Table B of paragraph (g) of Appendix K of Maximum Price Regulation No. 426 shall be the markups specified in Column 5 of that Table plus one-half the difference between the markups specified in Columns 6 and 5 of that Table. No additions for unloading or otherwise may be made to these markups whether the sale is direct or through auction.

4. This amendment becomes effective June 4, 1945.

Issued June 2, 1945.

Approved: F. D. CRONIN,
Regional Director of Food Distribution.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-12370; Filed, July 7, 1945; 10:12 a. m.]

[District of Columbia Order G-1 Under MPR 426, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN DISTRICT OF COLUMBIA

Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables in the District of Columbia.

For the reasons stated in an opinion issued simultaneously herewith, the Appendix to Order No. G-1 under Maximum Price Regulation No. 426, is hereby amended to read as follows:

FREIGHT FROM BASING POINT TO WASHINGTON, D. C.

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance (including price for service)	Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance (including price for service)
Beans, snap	Bushel, 28 lbs.	Pompano, Fla	All year	$0.46	Lettuce, iceberg	LA or Salinas crate, 60 lbs. and 48 heads.	Salinas, Calif	May	$1.60
Carrots, bunched	LA Crate, 72 bunches each bunch 1 lb.	El Centro, Calif.	Jan. 16-Mar. 31	1.50			do	June-Oct. 16	1.70
		do	Apr. 1-May 31	1.60			Los Angeles, Calif	Nov. 16-Apr. 30	1.82
		Salinas, Calif	June 1-Nov. 30	1.68				May 1-Nov. 15	1.99
		do	Dec. 1-Jan. 15	1.58	Oranges, California and Arizona	1⅘ bushel	Homestead, Fla	All year	.79
Cranberries	¼ bbl. box	Wareham, Mass	All year	.17	Oranges, all including "Indian River", except California and Arizona	1⅗ bushel			
Cucumbers (except hothouse)	Bushel, 48 lbs	Ponchatoula, La	June 1-June 30	.70					
Eggplant	Bushel, 48 lbs	Wachula, Fla	Jan. 1-May 31	.68					
	1½ bu. crate, 45 lbs.	Ft. Myers, Fla	All year	.77			Sacramento, Calif. or Yakima, Wash.	do	.91
	Bushel, 30 lbs	do	do	.54	Pears	Pear box, 44-48 lbs.; 46-50 lbs.			
	Lug, 20 lbs	do	do	.39			Calipatria, Calif	Sept. 1-Mar. 30	.74
Grapefruit, pink: California and Arizona	1⅗ bushel	Los Angeles, Calif	May 1-Oct. 31	1.28	Peas, green	Bushel, 28 lbs	Santa Barbara, Calif.	Apr. 1-Aug. 31	.84
			Nov. 16 Apr. 30	1.21			Pompano, Fla	All year	.77
Grapefruit, pink: all except California and Arizona	1⅘ bushel	Weslaco, Tex	All year	1.21	Peppers, sweet	1½-bu. crate, 37 lbs.	do	do	.44
						Bushel, 25 lbs			.69
Grapefruit, white: California and Arizona	1⅘ bushel	Los Angeles, Calif	Nov. 16-Apr. 30	1.21	Plums, 4 basket, Crate.	3 x 4 ... [29 to 33			.68
			May 1-Oct. 31	1.28		3 x 4 x 4½ lbs.			
Grapefruit, white: from all States including "Indian River," except California and Arizona	1⅗ bushel	Homestead, Fla	All year	.71		4 x 4, 28 to 32 lbs.	Sacramento, Calif	All year	.84
						3 x 4 x 5 [26 to 30			.61
						4 x 5 ... ½ lbs.			
						5 x 5, 24 to 28 lbs			.59
						5 x 6 ... [23 to 27			
						6 x 6 ... ½ lbs.	Sunset, La	All year	.47
Lemons, from all States	1⅘ bushel	Los Angeles, Calif	Nov. 1-Apr. 30	1.24	Potatoes, sweet	Bushel, 50 lbs	Yakima, Wash	do	.68
			May 1-Oct. 31	1.38	Prunes, Italian	Basket, 28 lbs	Crystal City, Tex	do	.49
Lettuce, iceberg	LA or Salinas crate, 60 lbs. and 48 heads.	El Centro, Calif.	Dec. and March	1.56	Spinach	Bushel, 18 lbs	Homestead, Fla	do	.84
		do	Jan 1-Feb. 28	1.52	Tangerines: All States except California and Arizona	1⅘ bushel			
		Salinas, Calif	Apr. and Oct. 16-31.	1.64					

This amendment shall become effective immediately.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued this 18th day of April 1945.

ROBERT K. THOMPSON,
District Director.

[F. R. Doc. 45-12349; Filed, July 7, 1945; 10:12 a. m.]

[Region II, Order G-63 Under RMPR 122]

SOLID FUELS IN MARYLAND

Bituminous coal delivered by dealers in Washington and Frederick Counties and all of Montgomery County, except Chevy Chase, Bethesda, Sligo, Silver Springs, Kensington, and Takoma Park, State of Maryland, Coal Area III.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does. (1) Dealers' maximum prices; area covered.* If you are a dealer in "bituminous coal," this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "bituminous coal" (hereinafter called simply "bituminous")

delivered to or at any point in the State of Maryland—Coal Order III. That area comprises three counties in the State of Maryland, falling into three zones as follows:

Zone 1. Zone 1 includes all of Frederick County in the State of Maryland.

Zone 2. Zone 2 includes all of Montgomery County except Chevy Chase, Bethesda, Sligo, Silver Springs, Kensington and Takoma Park.

Zone 3. Zone 3 includes all of Washington County in the State of Maryland.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges and required discounts from which you shall determine the maximum prices for designated sizes and quantities of bituminous delivered within Zones 1, 2 and 3 are set forth in Schedules, I, II and III, respectively.

(3) *To what sales this order applies.* If you are a dealer in bitumnous, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2 and 3.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the three zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the bituminous.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not:

(1) Sell, or in the course of trade or business, buy bituminous of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.*—You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I contains a separate table of prices for "direct-delivery" sales and "yard" sales within Zone 1. You will find Schedule I in paragraph (d). In like manner Schedules II and III contain separate tables of prices for similar sales in Zones 2 and 3, respectively. You will find Schedule I in paragraph (e) and Schedule III in paragraph (f).

(2) Take the dollars-and-cents figure given in the applicable table of the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of bituminous, in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard" sales.

(1) *Sales on a "direct-delivery" basis.* For sales of bituminous coal of the kinds and sizes, and in quantities specified:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Low volatile bituminous coal from district No. 1 (underground mines)			
Lump or egg (size group 1, price classification "A" to "E," inclusive)	$9.42	$4.97	$0.60
Run-of-mine (size group 3, price classification "D" to "H" inclusive)	8.84	4.67	.55
Nut and slack (size groups 4 or 5)	8.84	4.67	.55
High volatile bituminous coal from district No. 6			
Run-of-mine (size group 3)	8.28	4.39	.55
Low volatile bituminous coal from district No. 7			
Stove (size group 3, price classification "A" "D")	10.81	5.65	.65
Nut (size group 4, price classification "A" "E")	9.81	5.15	.60
Pea (size group 5, price classification "A")	9.36	4.93	.60

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "wheel":
50¢ per net ton.
25¢ per net ½ ton.
"Carrying upstairs or downstairs" (for each full flight above or below the ground floor). This charge shall be in addition to any charge for "carry" or "wheel":
50¢ per net ton.
25¢ per net ½ ton.
For deliveries involving hauling from yards located in Zone 1: 50¢ per net ton for each five miles or fraction thereof beyond five miles from the dealer's yards.

(2) *"Yard" sales.* For sales of bituminous coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Low volatile bituminous coal from district No. 1 (underground mines)		
Lump or egg (size group 1, price classification "A" to "E" inclusive)	$8.68	$0.55
Run-of-mine (size group 3, price classification "D" to "H" inclusive)	8.08	.50
Nut and slack (size groups 4 or 5)	8.08	.50
High volatile bituminous coal from district No. 6		
Run-of-mine (size group 3)	7.53	.50
Low volatile bituminous coal from district No. 7		
Stove (size group 3, price classification "A" "D")	10.06	.60
Nut (size group 4, price classification "A" "E")	9.06	.55
Pea (size group 5, price classification "A")	8.61	.55

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of bituminous coal, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard" sales.

(1) *Sales on a "direct-delivery" basis.* For sales of bituminous coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Low volatile bituminous coal from district No. 1 (underground mines)			
Lump or egg (size group 1, price classification "D" to "E" inclusive)	28.93	$4.97	$0.60
Run-of-mine (size group 3, price classification "D")	8.48	4.71	.55
Low volatile bituminous coal from district No. 7			
Stove (size group 3, price classification "A")	10.31	5.66	.65
Pea (size group 5, price classification "A")	9.01	5.00	.60

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "wheel" (except for sales amounting to less than ¼ ton or on sales of bagged coal in any quantity): 75¢ per net ton.

(2) *"Yard" sales.* For sales of bituminous coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Low volatile bituminous coal from district No. 1 (underground mines)		
Lump or egg (size group 1, price classification D to E inclusive)	$7.93	$0.55
Run-of-mine (size group 3, price classification D)	7.48	.50
High volatile bituminous coal from district No. 6		
Stoker (size group 3, price classification "D" to "H" inclusive)	9.31	.60
Egg (size group 5, price classification "A")	8.61	.55

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of bituminous coal, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard" sales.

(1) *Sales on a "direct-delivery" basis.* For sales of bituminous coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Low volatile bituminous coal from district No. 1 (underground mines)			
Lump or egg (size group 1, price classification "A" to "E" inclusive)	$8.41	$4.97	$0.60
Run-of-mine (size group 3, price classification "D")	7.66	4.71	.55
Low volatile bituminous coal from district No. 7			
Stove (size group 3, price classification "A")	9.76	5.66	.65
Nut (size group 4)	8.66	5.00	.60
Pea (size group 5)	8.21	4.74	.55
Run-of-mine (size group 6)	7.46	4.31	.50

For deliveries involving hauling from yards located in Zone 3: 50¢ per net ton for each five miles or fraction thereof beyond five miles from the dealer's yard.

(2) *"Yard" sales.* For sales of bituminous coal of the kinds and sizes, and in the quantities specified: to dealers and consumers.

Kind and size of coal	Per net ton for sales of ½ ton or more to—		Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
	Dealers for resale	Consumers	
Low volatile bituminous coal from district No. 1 (underground mines)			
Lump or egg (size group 1, price classification "E" to "H" inclusive)	$7.23	$7.48	$0.50
Run-of-mine (size group 3, price classification "D" to "H" inclusive)	6.43	6.68	.45
High volatile bituminous coal from district No. 6			
Stoker (size group 4, price classification "D" to "F" inclusive)	6.43	6.68	.50
Low volatile bituminous coal from district No. 7			
Egg (size group 2)	8.76	9.01	.55
Stove (size group 3)	8.41	8.66	.55
Nut (size group 4)	7.66	7.91	.50
Pea (size group 5)	7.31	7.56	.50
Run-of-mine (size group 6)	7.46	7.71	.50

(g) *Addition by dealers of charges for oil or chemical treatment of bituminous coal.* Notwithstanding other provisions of this order, if you are a dealer charged a price for oil or chemical treatment of bituminous coal from Districts 3 and 7, you may, on sales of such treated coal, add to the maximum prices set by this order the treatment charge made by your supplier: *Provided*, That it does not exceed 10¢ per net ton. This treatment charge may be added only if the treated coal is kept separate and is not mixed with other untreated coal. You shall state the treatment charge separately from all other items on your invoice.

(h) *Commingling.* If one size or kind of coal is sold commingled with another size or kind of coal, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or for the least expensive kind of coal so commingled, whichever is lower, whether the sale be a "Delivered Sale" or "Yard Sale", except in the following situation: Where a purchaser requests that two or more sizes or kinds of fuels be commingled in one delivery, then, and in that event, if these sizes and kinds are separately weighted at the point of loading, the dealer may commingle those sizes and kinds in the truck or other vehicle, in which the delivery is made. The price for coal so commingled shall be calculated on the basis of the applicable per net ton price for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(i) *Ex Parte 148—Freight Rate Increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(j) *Addition of increase in supplier's maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(k) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by Section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of Maryland or any political subdivision thereof, you need not state this tax separately.

(l) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the bituminous has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(n) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(o) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such

your sale. (Schedule I contains a sep-

25¢ per net ½ ton.

commodity during the period of suspension.

(p) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of solid fuel hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(q) *Posting of maximum prices: sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of coal sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser.

(r) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Maryland District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(s) *Definitions and Explanations.* When used in this Order No. G-63, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling bituminous coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Direct Delivery" means delivery to the buyer's bin or other storage space designated by the buyer.

(5) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space, in baskets or other containers, or by wheelbarrow or barrel, from the seller's truck or other vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which coal is discharged from the seller's truck in the course of "direct delivery".

(6) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(7) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(8) "Low volatile bituminous coal" is produced in the low volatile sections of the producing districts specified herein.

(9) "High volatile bituminous coal" is produced in the high volatile section of the producing districts specified herein.

(10) "Underground Mine Coal" means coal that is taken entirely from underground seams from which the overburden is not removed, and does not include coal from a mine which takes coal from the ground by the stripping method.

(11) All designations in this order of sizes, classifications, etc., applicable to bituminous coal, refer to the sizes, classifications, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division of the United States Department of Interior, as in effect midnight, August 23, 1943. (See appendix for definitions of pertinent size groups.)

(12) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(t) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-63 shall become effective May 24, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong. E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of May 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-12347; Filed, July 7, 1945; 10:11 a. m.]

[Region II Order G-65 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122; *It is ordered:*

(a) Dealers making sales of Pennsylvania anthracite subject to the area dollars-and-cents orders listed in paragraph (b) of this order, may increase the maximum per net ton price by the following amounts for the sizes specified. Where sales are made in fractions of a net ton, the increase shall be proportionate.

Size:	Per net ton increase
Broken, egg, stove, nut	$1.00
Pea	.85
Buckwheat	.50
Rice	.50
Barley	.25

(b) *Area dollars-and-cents orders subject to increases set out in paragraph (a) herein.* The following orders under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122 and any subsequent revisions thereof:

Order No. G-4.
Order No. G-60.

The following orders under § 1340.260 of Revised Maximum Price Regulation No. 122 and any subsequent revisions thereof:

Revised Order No. G-3.
Revised Order No. G-7.
Revised Order No. G-16.
Revised Order No. G-17.
Revised Order No. G-19.
Order No. G-20.

The following order under Revised Maximum Price Regulation No. 122 and any subsequent revision thereof (issued by National Office):

Order No. 50.

The following orders under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and any subsequent revisions thereof:

Second Revised Order No. G-1.
Revised Order No. G-8.
Order No. G-9.
Revised Order No. G-11.
Revised Order No. G-12.
Revised Order No. G-13.
Revised Order No. G-14.
Revised Order No. G-15.
Revised Order No. G-18.
Order No. G-22.
Order No. G-24.
Order No. G-27.
Order No. G-29.
Order No. G-32.
Order No. G-35.
Order No. G-36.
Order No. G-37.
Order No. G-38.
Order No. G-39.
Order No. G-40.
Order No. G-41.
Order No. G-42.
Order No. G-44.
Order No. G-45.
Order No. G-46.
Order No. G-49.
Order No. G-51.
Order No. G-52.
Order No. G-59.
Order No. G-60.
Order No. G-61.

(c) This order may be revoked, amended, or corrected at any time.

This Order No. G-65 shall become effective June 18, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 79th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-12346; Filed, July 7, 1945; 10:11 a. m.]

[Region III Order G-36 Under RMPR 122, Amdt. 1]

SOLID FUELS IN OWOSSO, MICH., AREA

Correction

In Federal Register Documant 45-11984 appearing on page 8413 of the issue for Friday, July 6, 1945, the bracketed headnote should read as set forth above.

[Region III Order G-1 Under MPR 425]

FRUIT DELIVERED IN MICHIGAN

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in Regional Administrator of Region III of the Office of Price Administration by section 15 of Article III of Maximum Price Regulation No. 425, it is hereby ordered that:

(a) *What this order does.* This order embodies the declaration of the Regional Administrator of Region III of the Office of Price Administration, that in certain areas in Region III there is an established custom for processors to buy the commodities covered by this order through brokers or other agents, and this order permits the payment of brokers' fees in addition to the maximum prices as established by Maximum Price Regulation No. 425.

(b) *Declaration of Regional Administrator.* It is hereby determined that in the areas hereinafter described in section (d) hereof, there has been a well established custom for a substantial number of processors of the commodities listed in section (e) hereof (hereinafter referred to as "listed commodities") to employ brokers or other agents to secure raw materials for processing.

(c) *Payment of brokers' fees.* Any processor who, through a broker or other agent, purchases any of the listed commodities from a producer in said areas, may pay to such broker or agent, the commission or fee of said broker or agent established by Revised Maximum Price Regulation No. 165 or any other applicable regulation or order, in addition to paying to such producer the maximum prices for such commodities established by Maximum Price Regulation No. 425.

(d) *Geographical applicability.* The provisions of this order shall be applicable to sales of the listed commodities pursuant to which delivery is made in the following counties of Michigan:

Allen, Antrim, Barry, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Emmet, Grand Traverse, Ionia, Kalamazoo, Kent, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Kalkaska, Montcalm, Muskegon, Newaygo, Oceana, Osceola, Ottawa, St. Joseph, Van Buren, Wexford.

(e) *Listed commodities.* This order shall be applicable to the following commodities (herein referred to as "listed commodities"):

Grapes, Concord; Apples, (except grades of apples, better than U. S. No. 1 Cannery Grade, 2¼" size and up, and "C" grade as established under Washington and Oregon State grades; Strawberries (Ettersburg) stemmed; Strawberries (other) stemmed; Red Raspberries; Black Raspberries; Youngberries; Boysenberries; Loganberries; Blackberries; Gooseberries; Horse Radish Root.

(f) *Relation to Maximum Price Regulation No. 425 and other regulations.* Except as expressly herein provided all of the provisions of Maximum Price Regulation No. 425 and any other applicable price regulation or order, shall be applicable to sales covered by this order of any of the listed commodities.

(g) This order may be modified, amended or revoked at any time.

This order shall become effective October 11, 1944.

(56 Stat. 23, 765, Pub. Laws 383, 57 Stat. 566, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 11, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-12354; Filed, July 7, 1945; 10:14 a. m.]

[Region III, 2d Rev. Order G-18 Under 18 (c), Amdt. 2]

FLUID MILK IN HENDERSON COUNTY, KY.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, and notwithstanding the provisions of § 1499.2 of the General Maximum Price Regulation and § 1351.803 of Maximum Price Regulation No. 280, *It is hereby ordered*, That:

(a) Section (a) (3) of Second Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation (order adjusting the maximum prices of fluid milk and special milk sold at retail and wholesale in the State of Kentucky) be, and the same is hereby amended by deleting from the list of counties set forth therein, the County of Henderson in the State of Kentucky.

(b) A new paragraph be added to section (a) (3) of said order to be designated as paragraph (i) to read as follows:

(i) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the County of Henderson in the State of Kentucky shall be: (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass, paper or other	1 gallon or multiples thereof	32¢ per gallon.
		½ gallon or multiples thereof	18¢ per half-gallon.
		1 quart or multiples thereof	11½¢ per quart.
		1 pint	8½¢ per pint.
		½ pint	5¢ per half-pint.
Wholesale	do	One gallon or multiples thereof	18½ per gallon.
		One-half gallon or multiples thereof.	10¢ per half-gallon.
		One quart or multiples thereof	7½ per quart.
		One pint	5¢ per pint.
		One-half pint	4½¢ per half-pint.

This amendment shall become effective September 29, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued: September 29, 1944.

C. J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-12357; Filed, July 7, 1945; 10:16 a. m.]

[Region III 2d Rev. Order G-18 Under 18 (c), Amdt. 3]

FLUID MILK IN WASHINGTON COUNTY, KY.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration under the provisions of § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and § 1351.807 of Maximum Price Regulation No. 230, and notwithstanding the provisions of § 1351.803 of Maximum Price Regulation No. 280; *It is hereby ordered*, That Second Revised Order No. G-18 as amended, under § 1499.18 (c) of the General Maximum Price Regulation (order adjusting maximum prices of fluid milk in the State of Kentucky) be and the same is hereby amended in the following respects:

(a) Section (a) (1) is hereby amended by deleting from the list of counties set forth therein, the County of Washington, in the State of Kentucky.

(b) Section (a) (2) as amended, is amended by adding to the list of counties set forth therein, the County of Washington in the State of Kentucky.

This amendment shall become effective May 4, 1945.

Issued: May 4, 1945.

C. J. HOUSER,
Acting Regional Price Executive.

[F. R. Doc. 45-12356; Filed, July 7, 1945; 10:15 a. m.]

[Region III 2d Rev. Order G-18 Under 18 (c) Amdt. 4]

FLUID MILK IN KENTUCKY

For the reasons set forth in an opinion attached hereto, and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, and notwithstanding the provisions of § 1499.2 of the General Maximum Price Regulation and § 1351.803 of Maximum Price Regulation No. 280, *It is hereby ordered*, That:

(a) Section (a) (4) of Second Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation (order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky) be and the same is hereby amended to read as follows:

(4) (i) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the following counties of Boone, Campbell, Clay, Kenton, Knox, Laurel, Leslie, McCreary, Martin, Mason and Whitley in the State of Kentucky, shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass, paper or other	1 gallon or multiples thereof	55¢ per gallon.
		½ gallon or multiples thereof	29¢ per half-gallon.
		1 quart or multiples thereof	15¢ per quart.
		1 pint	8¢ per pint.
		½ pint	7¢ per half-pint.
Wholesale	do	1 gallon or multiples thereof	49¢ per gallon.
		½ gallon or multiples thereof	27½¢ per half-gallon.
		1 quart or multiples thereof	13½¢ per quart.
		1 pint	8½¢ per pint
		½ pint	4½¢ per half-pint.

(ii) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the County of Carter in the State of Kentucky shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass, paper or other	1 gallon or multiples thereof	53¢ per gallon.
		½ gallon or multiples thereof	29¢ per half-gallon.
		1 quart or multiples thereof	15¢ per quart.
		1 pint	9¢ per pint.
		½ pint	7¢ per half-pint.
Wholesale	do	1 gallon or multiples thereof	49¢ per gallon.
	Glass or paper	½ gallon or multiples thereof	27½¢ per half-gallon.
		1 quart or multiples thereof	13½¢ per quart.
		1 pint	8½¢ per pint
		½ pint	4½¢ per half-pint.

(b) Subsection (1) of section (b) of said order is hereby amended to read as follows:

(1) (i) Except as hereinafter provided in this section (b), any person selling special milk, as hereinafter defined, at retail or wholesale in any County in the State of Kentucky, who is permitted under the provisions of this order or has been permitted under the provisions of any previous order issued by the Regional Administrator of Region III to increase the price of approved fluid milk (raw or pasteurized regular, standard milk) sold by him, may add an amount equal to such increase and/or the sum of such increases to the retail and wholesale prices of special milk established for him under the provisions of § 1499.2 of the General Maximum Price Regulation or under the provisions of any previous order issued by the Regional Administrator of Region III.

(ii) Any person selling buttermilk at wholesale or retail in the Counties of Muhlenberg, McLean, Ohio, Butler, Grayson, Hancock, Breckenridge, Union, Webster and Daviess in the State of Kentucky may increase the maximum retail and wholesale price of such buttermilk established for him under the provisions of subdivision (i) of this subparagraph (1) by the amount of 1¢ per quart: *Provided*, That the increase permitted by this paragraph (ii) shall not be applicable to sales of buttermilk in units other than one quart.

(iii) Any person selling buttermilk at retail in the County of Henderson in the State of Kentucky may increase the maximum retail price of such buttermilk established for him under the provisions of subdivision (i) of this subparagraph (1) by the amount of ½¢ per quart; *Provided*, That the increase permitted by this paragraph (iii) shall not be applicable to sales of buttermilk in units other than one quart.

This order shall become effective May 14, 1945.

Issued: May 14, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-12355; Filed, July 7, 1945; 10:14 a. m.]

[Region III Order G-34 Under MPR 329, Amdt. 2]

FLUID MILK IN WEST VIRGINIA

For the reasons set forth in an opinion accompanying this order and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration, by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Section (d) of Order No. G-34 under Maximum Price Regulation No. 329, (purchases of milk from producers for resale as fluid milk—adjustment of the maximum prices milk distributors may pay producers in certain designated areas in the State of West Virginia) is hereby amended to read as follows:

(d) (1) Any milk distributor in the Counties of Boone, Fayette, Kanawha, Logan, McDowell, Mercer, Mingo, Raleigh and Wyoming in the State of West Virginia may pay to producers for "milk" an amount not to exceed $4.05 for "milk" of 4% butterfat content, plus 5 cents for each one tenth of 1% butterfat variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%: *Provided, however*, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e), and (f) of Maximum Price Regulation No. 329 except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329 and in subparagraph (2) of this paragraph (d).

(2) The limitations of § 1351.402 (b) shall not apply to purchases of "milk" by distributors in Kanawha County from producers of "milk" located in the District of Lubeck, Harris, Tigert, Steel, and Slate in Wood County, West Virginia.

This amendment shall become effective May 21, 1945.

Issued: May 21, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-12351; Filed, July 7, 1945; 10:12 a. m.]

[Region III Order G-62 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MARIETTA, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered* That part I of paragraph (c) (1) of Order No. G-62 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
I. High volatile bituminous coals from producing district No. 4 (Ohio):	
A. Lump and egg from subdistrict No. 5 (Hocking):	
1. Size group No. 2 (lump: larger than 2" but not exceeding 5"; egg: bottom size larger than 2").	$6.15
2. Size group Nos. 3 and 3A (bottom size larger than 1¼" but not exceeding 2")	5.70
B. Stoker—size group No. 5 (double screened, top size 2" and smaller) from subdistrict No. 5 (Hocking)-	6.15

This Amendment No. 1 to Order No. G-62 under Revised Maximum Price Regulation No. 122 shall become effective March 8, 1945.

Issued: March 8, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-12352; Filed, July 7, 1945; 10:13 a. m.]

[Region III Order G-62 Under RMPR 122]

SOLID FUELS IN MARIETTA, OHIO, AREA

For the reasons stated in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.259 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Marietta, in the State of Ohio. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in Marietta, Ohio; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-62; but less than maximum prices may at any time be charged, paid or offered:

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order.

(ii) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established, and Column II lists the maximum prices for sales by direct delivery to consumers at any point in the City of Marietta, Ohio. All prices are for cash or credit sales on a net ton basis.

SCHEDULE I—MARIETTA, OHIO

	Maximum price per net ton
I. High volatile bituminous coals from producing District No. 4 (Ohio):	
A. Lump, Size Group No. 2 (larger than 2" but not exceeding 5") from the Hocking Freight Origin District	$5.95
B. Egg, Size Group No. 3 (bottom size larger than 1¼" but not exceeding 2") from the Hocking Freight Origin District	$5.50
C. Stoker, size No. 5 (double screened, top size 2" and smaller) from the Hocking Freight Origin District	5.95
II. High volatile bituminous coals from producing District No. 3 (Northwestern West Virginia excluding Panhandle:[1]	
A. Lump or Egg, Size Group No. 1 (lump or double-screened coals with bottom size larger than 2") Mine Price Classifications D and E	5.90
B. Stoker, Size Group No. 2 (lump and double-screened coals with bottom size 2" and smaller) Mine Price Classifications D and E	5.35

[1] $0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) *Sales not covered by Order No. G-62.* The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-62 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Carry from curb	$0.50 per ton.
½ ton deliveries	½ ton price plus $0.25.
Sales per bushel	$0.25 per bushel.

(f) *The transportation tax.* The transportation tax imposed by section No. 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order: *Provided*, The dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers' prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices; *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; *And further provided*, That the provisions of this paragraph (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

Grayson, Hancock, Breckenridge, Union, Webster and Daviess in the State of

[F. R. Doc. 45-12355; Filed, July 7, 1945; 10:14 a. m.]

screened, top size 2" and smaller) from subdistrict No. 5 (Hocking) - 6.15

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Columbus District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "Sale", "Selling", "Sold", "Seller", "buy", "purchase", and "purchaser", shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.226 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(e) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order No. G-62 under Revised Maximum Price Regulation No. 122 shall become effective January 25, 1945.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: January 15, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-12353; Filed, July 7, 1945; 10:14 a. m.]

[Columbia Rev. Order 1-B Under Gen. Order 50, Amdt. 4]

MALT BEVERAGES IN COLUMBIA, S. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Columbia (South Carolina) District Office, of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, this Amendment No. 4 to Revised Order No. 1-B under General Order No. 50 is hereby issued.

Revised Order No. 1-B under General Order No. 50 is amended in the following respects:

1. The following items are hereby added to Appendix A:

	12-ounce	32-ounce
Maltebran beer and ale	*Cents*	*Cents*
Group 1-B	20	45
Group 2-B	17	42
Group 3-B	17	42
Nectar beer		
Group 1-B	25	50
Group 2-B	20	45
Group 3-B	17	42

This amendment shall become effective on the 2d day of July 1945.

Issued this 30th day of June 1945.

EDWARD H. TALBERT,
District Director.

[F. R. Doc. 45-12343; Filed, July 7, 1945; 10:10 a. m.]

[Montgomery Order G-1 Under RMPR 259]

CONTAINERS AND CASES OF MALT BEVERAGES IN MONTGOMERY, ALA., DISTRICT

For the reasons set forth in the accompanying opinion it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of Revised Maximum Price Regulation 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within the Montgomery District.

SEC. 3. *Applicability.* No wholesaler or retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

	Each
Paper, fiber, or wood cases only	$0.27
12 ounce bottle and under in size	.02
Over 12 ounce bottle in size	.04

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as Amended, and in Revised Maximum Price Regulation 259, as Amended, shall apply to the terms used herein.

This order shall become effective July 1, 1945.

Issued this 26th day of June 1945.

IRBY A. JONES,
Acting District Director.

[F. R. Doc. 45-12340; Filed, July 7, 1945; 10:08 a. m.]

[Nashville Order G-1 Under RMPR 259]

CONTAINERS AND CASES OF MALT BEVERAGES IN NASHVILLE, TENN., DISTRICT AND BRISTOL, VA.

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of RMPR 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within the Nashville District and the municipality of Bristol, Virginia.

SEC. 3. *Applicability.* No wholesaler or retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

2¢ per bottle for 12 ounce and under in size.

4¢ per bottle for over 12 ounces in size.

27¢ per case, for either paper, fibre or wood.

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used herein.

SEC. 6. *Protest.* Your attention is called to your right to protest this order under the provisions of Article V of Revised Procedural Regulation No. 1.

This order shall become effective July 1, 1945.

Issued this 27th day of June 1945.

CARSON VAUGHAN,
District Director.

[F. R. Doc. 45-12341; Filed, July 7, 1945; 10:09 a. m.]

[Jacksonville Order G-1 Under RMPR 259]

MALT BEVERAGES IN JACKSONVILLE FLA., DISTRICT

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of RMPR 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Citrus, Clay, Columbia, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Lake, Leon, Levy, Liberty, Madison, Marion, Nassau, Okaloosa, Orange, Putnam, St. Johns, Santa Rosa, Seminole, Sumter, Suwanee, Taylor, Volusia, Union, Wakulla, Walton, and Washington Counties in Florida. Brewers, whether selling to retailers or not, shall not be subject to this order.

SEC. 3. *Applicability.* No wholesaler or retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

Cases	Containers
Wooden ..... 27 cents	12-oz. bottle ..... 2 cents.
Fibre ..... 27 cents	Over 12-oz. bottle... 4 cents.
Carton ..... 27 cents.	

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective July 1, 1945.

Issued this 28th day of June 1945.

ROY M. COFFEY,
District Director.

[F. R. Doc. 45-12342; Filed, July 7, 1945; 10:10 a. m.]

[Region IV Rev. Order G-7 Under RMPR 122]

SOLID FUELS IN WILLMAR, MINN.

Order No. G-7 under Revised Maximum Price Regulation No. 122 is redesignated Revised Order No. G-7 and is revised and amended to read as follows:

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.259 and by § 1340.260 of Revised Maximum Regulation No. 122, and for reasons stated in the opinion issued herewith, it is ordered:

(a) *What this order does.* This order establishes maximum dollars-and-cents prices for sales of specified solid fuels made within the corporate city limits of Willmar, Minnesota. These are the highest prices that any dealer may charge when he delivers any of such fuel at or to a point in Willmar, Minnesota, or from a coal yard within such city; they are also the highest prices that any buyer in the course of trade or business may pay for such solid fuels.

(b) *What this order prohibits.* Regardless of any obligation, no person in Willmar, Minnesota, shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Revised Order No. G-7; but less than the maximum prices may at any time be charged, paid, or offered.

(2) Obtain a higher than maximum price by

(i) Charging for a service unless expressly requested by the buyer and unless specifically authorized to do so by this order.

(ii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Maximum dollars-and-cents prices.* (1) The maximum prices for the solid fuels specified below when made by any dealer when he delivers any of such fuels at or to a point in Willmar, Minnesota, or from a coal yard within such city, determined on a net ton basis, shall be as follows:

Description	Direct delivery	Price at yard
I. Low volatile bituminous from district No. 7 (West Virginia):		
1. Egg 8" x 2" and smaller	$14.40	$13.65
2. Stove 3" x 5" and larger	14.40	13.65
II. High volatile bituminous coal from District No. 8 (W. Va. and E. Ky.):		
1. Lump 5" and larger		
2. Lump 4" and larger	13.55	12.80
3. Egg 5" x 2" and larger	12.55	11.80
4. Stove 2" x 1¼" and larger	13.55	12.80
5. Stoker 5" x 1¼" and larger	13.55	12.80
6. Screenings 1¼"	12.55	11.80
III. High volatile bituminous from district No. 10 (Southern Subdistrict):	11.80	11.05
1. Egg 5" x 2" and larger price group Nos. 1, 2, and 8	11.09	10.34
IV. Pennsylvania anthracite:		
1. Egg, stove, nut	19.05	18.30
V. By product coke:		
1. Egg, stove, nut	14.85	14.10
VI. Briquettes made from low volatile bituminous coal or a mixture of bituminous coal and anthracite—all types	13.85	13.10

(2) The maximum prices for all sales by dealers of solid fuel not specifically herein provided for shall be the maximum prices applicable for such sales under Revised Maximum Price Regulation No. 122, as amended, plus $1.00 per ton.

(d) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this Order No. G-7: *Provided*, That the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(e) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, *Provided*, The dealer states it separately from the price on his invoice or statement.

(f) *Addition of increases in supplier's price prohibited.* Notwithstanding the provisions of Revised Maximum Price Regulation No. 122, the maximum prices set by this order may not be increased and need not be decreased by a dealer to reflect increases or decreases in purchase costs or in his supplier's maximum prices occurring after the effective date hereof; but increases or decreases in the maximum prices set hereby, to reflect such changes, are within the discretion of the Regional Administrator.

(g) *Petitions for amendments.* This order may be revoked, amended or modified at any time. Any dealer may at any time file with the Twin Cities District Office of the Office of Price Administration a petition for amendment to this order in accordance with the provisions of Revised Procedural Regulation No. 1.

(h) *Records.* Every dealer subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration; the same records he was required to preserve and keep under § 1340.262 (a) and (b) of Revised Maximum Price Regulation No. 122.

(i) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of sale or delivery of solid fuels governed by this order give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated: *And, further provided*, That provisions of this paragraph (i) (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(3) In the case of all other sales, every dealer who, during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. Every dealer must, on request of a purchaser, provide a receipt containing the information required in the preceding paragraph (2).

(j) *Definitions and explanations.* (1) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(2) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard or any place other than by his truck.

(3) "Pennsylvania anthracite" means only coal produced in the Lehigh, Schylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Egg, stove, nut," etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Committee, effective December 15, 1941.

(5) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended.

(6) "Low volatile bituminous coal" refers to coal produced in the low volatile sections of the producing districts specified herein.

(7) "Hi volatile bituminous coal" refers to coal produced in the high volatile sections of the producing districts specified herein.

(8) "Egg, stove, nut," etc., sizes of bituminous coal received entirely by rail refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior.

(9) "Egg, stove, nut," etc., sizes of bituminous coal received via the Great Lakes refer to the sizes of coal sold at the docks under such designations during December, 1941.

(10) Whenever in this order, any reference is made of "minimum price schedules," "Price classifications," "sizes," "district no." or "coal producing districts," etc., those terms shall be construed to have the same meaning, definition, force and effect which they had under the Bituminous Coal Act of 1937, or under any order, schedule, rule or regulation issued by the Bituminous Coal Division of the United States Department of the Interior, and which was established or in effect as of midnight August 23, 1943.

(11) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122, as amended, or the Emergency Price Control Act of 1942; or if not therein defined, they shall be given their ordinary and regular trade meaning.

(k) *Effect of order on Revised Maximum Price Regulation No. 122 and Regional Order Nos. G–19, G–20 and G–22.* Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect. This order supersedes Regional Order Nos. G–19, G–20 and G–22 as to dealers covered hereby.

This Revised Order No. G–7 shall become effective immediately.

Issued this 27th day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–12335; Filed, July 7, 1945; 10:07 a. m.]

[Montgomery 2d Rev. Order G–1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN MONTGOMERY, ALA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Montgomery District Office, Region 4, Office of Price Administration, under General Order No. 50 issued by the Administrator of the Office of Price Administration in Region 4, Revised Delegation Order No. 17 issued May 5, 1945, *It is hereby ordered*, That subparagraph A of section 8 of 2d Revised Order G–1 under General Order No. 50 be corrected and amended to read as follows:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven day period from April 4–10, 1943, or

This amendment is effective as of June 18, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

IRBY A. JONES,
Acting District Director.

[F. R. Doc. 45–12339; Filed, July 7, 1945; 10:08 a. m.]

[Region V Order G–4 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WICHITA, KANS., AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith; *It is ordered:*

That Order No. G–4 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended as follows:

1. Section (c) (1) I is hereby amended to read as follows:

(c) *Price schedule.* (1) Below and a part of this section is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels.

MAXIMUM PRICE SCHEDULE

[*Maximum price per ton*]

Description of fuel	Produced at—		
	Strip mines	Underground mines	
		Machine cut	Shot off
I. *Low volatile bituminous coal from district 14 (Arkansas and Oklahoma)*			
(A) *Production Group 1.* "Arkansas Anthracite" from mines in Pope County and the "Spadra Field" of Johnson County, Ark.:			
(1) Egg (top size larger than 4"—bottom size 2½" and smaller—double screened	$12.35	$12.90	.....
(2) Nut (topsize 2½" to largest than 1½" bottom size larger than ⅝" but not larger than 1½")	12.60	13.15	.....
(B) *Production Groups 2 and 3.* From mines in the Paris Basin and Altus and Denning Coal Hill Fields of Logan, Franklin and Johnson Counties, Ark., excepting that produced at the "A & M" and "New Union" mines, indexes "40" and "77" respectively, both located in the Paris Basin.			
(1) Lump (bottom size 2½" and larger)	.....	13.10	.....
(2) Small egg (top size 4" to larger than 3", bottom size 2" and smaller, or top size 3" to larger than 2½", bottom size 3" to larger than 1½")	.....	11.90	.....
Produced at the "A & M" and "New Union" mines, indexes "40" and "77" respectively:			
(3) Lump (bottom size 2½" and larger)	.....	13.60	.....
(C) *Production Group 5* (Sebastian County, Ark.):			
From mines in the Excelsior Field: (1) Lump, (bottom size 2½" and larger)	10.85	12.30	.....
From all other mines in Sebastian County excepting the "Clark" mine, (Index #1005): (2) Lump (bottom size 2½" and larger)	10.95	.....	11.10
From the "Clark" mine, (Index #1005): (3) Lump (bottom size larger than 2½")	11.30	.....	.....
(D) *Production Group 6:* From mines in the Panama Field of LeFlore County, Okla.: (1) Lump (bottom size 2½" and larger)	.....	11.90	.....
(E) *Production Group 7:* From mines in the Hokoshe and Milton Fields of LeFlore County, and the McCurtain Field of Haskell County, Okla.: (1) Lump (bottom size 2½" and larger)	.....	.....	11.40
(F) *Production Group 8:* From mines in the Potean-Wister Field of LeFlore County, Okla.: (1) Lump, (bottom size 2½" and larger)	.....	12.35	.....

2. Section (c) (1) II is hereby amended to read as follows:

Description of fuel	Maximum price per ton produced at—	
	Strip mines	Underground mines
II *High volatile bituminous coal from district 15 (Missouri, Kansas, and Oklahoma)*		
(A *Production Group 1.* From strip mines located in Cherokee, Crawford, Bourbon, Neosho, Labette and Wilson Counties, Kans.; and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Mo.		
(1 Lump and egg (bottom sizes larger than 1¼", the egg coal top size larger than 3")	$8.31	.....
(2 Fancy nut (top size 3" to larger than 2", bottom size larger than 1¼"	8.34	.....
(No. 2 nut (top size 2" to larger than 1¼")	8.04	.....
(B) *Production group 2.* From strip mines located in Linn County, Kans.; Bates, Henry, St. Clair, Miller, Morgan, Pettis, and Johnson Counties, and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada, Mo.:		
(1 Lump and egg (bottom sizes larger than 1¼", the egg coal top size larger than 3")	7.84	.....
(2 Standard nut (top size 3" to larger than 2", bottom size 1¼" and smaller)	7.89	.....
(C *Production group 3.* From mines operating on the Wilburton-Hartshorne Seams in Pittsburg and Latimer Counties, Okla		
(1 Lump and egg (bottom sizes larger than 1¼", the egg coal top size larger than 3")	10.84	$11.75
(2 Standard nut (top size 3" to larger than 2", bottom size 1¼" and smaller	8.79	9.70
(D *Production group 10.* From underground mines located in McIntosh and Okmulgee Counties, Okla.:		
(1 Lump and egg (bottom sizes larger than 1¼", the egg coal top size larger than 3")	.....	10.15
(2 Standard nut (top size 3" to larger than 2", bottom size 1¼" and smaller	.....	9.10
(3 Stoker (top size 1¼" and smaller, bottom size ⅜" to larger than ¼")	.....	7.95
(E *Production group 11.* From strip mines located in Tulsa, Wagoner, Rogers, Craig and Nowata Counties, and that part of Muskogee County, north of a line drawn straight east and west across Muskogee County along the southern limits of the town of Porum, all in Oklahoma		
(1 Lump and egg (bottom sizes larger than 1¼", the egg coal top size larger than 3")	8.34	.....
(2 Standard nut (top size 3" to larger than 2", bottom size 1¼" and smaller	8.04	.....
(3 Stoker (top size 1¼" and smaller, bottom size ⅜" to larger than ¼")	7.04	.....

3. Section (c) (1) III is hereby amended to read as follows:

III High volatile bituminous coal from district 17 (Colorado)

(A) Subdistrict No. 1:	
(1) Lump (bottom size 3" to larger than 1½")	$12.50
(2) Nut (top size 3" to larger than 1½", bottom size 1½" to larger than 1")	11.65
(B) Subdistrict No. 2:	
(1) Lump (bottom size 3" to larger than 1½")	13.00

4. Section (c) (3) is hereby amended to read as follows:

(3) The prices set forth in the foregoing schedule are for untreated coal. The dealer may charge an amount not to exceed 10¢ per ton in addition to the scheduled price when the coal is thoroughly and adequately treated chemically or with oil to allay dust or prevent freezing. (See section (j)).

5. Section (d) (1) is hereby amended to read as follows:

(d) *Service charges.* (1) Below and as a part of this paragraph (d) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under preceding section (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service.

6. Section (e) is hereby amended to read as follows:

(e) *Transportation tax, Kansas State sales tax.* (1) Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order, *Provided*, The dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State government or any political subdivision thereof. (See § 1340.265 (a) of Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(2) *The Kansas State sales tax.* The seller may add to the prices listed in the schedule in section (c) the sales tax required to be collected by the laws of the State of Kansas. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

7. Section (j) is hereby amended to read as follows:

(j) *Sales slips and receipts; records.* (1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing the following information: the name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated. This section shall not apply to sales of solid fuel in less than quarter ton lots unless requested by the purchaser.

8. Section (k) is hereby amended to read as follows:

(k) *Posting of maximum prices.* (1) Each dealer subject to this order shall post all of the maximum prices set by it for all types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

9. Section (m) is hereby amended to read as follows:

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "purchase," "buy," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "Production groups" as used in this order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups" as used in this order refers to the price groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this Order.

(9) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified herein.

(10) "Solid fuel" (or "solid fuels") means all solid fuel except wood and

wood products, including all kinds of anthracite and semi-anthracite; bituminuous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this Order during December, 1941.

(12) "Deep mine" or "under-ground" mine means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(13) "A strip mine" means a mine producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(14) "Machine-cut coal" is coal produced from an underground mine which is cut mechanically by the use of a "Cutting machine" before the coal is dislodged for loading either by hand or by mechanical means.

(15) "Solid-shot coal" is coal produced from an underground mine which is shot from the solid and is not cut mechanically by the use of a "Cutting machine" before the coal is dislodged for loading.

(16) "Arkansas anthracite" as used in this order, is coal whose analysis and non-coking characteristics are similar to Anthracite produced in the Pennsylvania Field.

(17) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

10. Supplementary Order No. 1 issued May 4, 1945, and all amendments thereto insofar as said order and amendments affect Order No. G–4, are hereby revoked.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Tex., and effective this 28th day of June 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45–12338; Filed, July 7, 1945; 10:08 a. m.]

[Region VI Rev. Order G–8 Under RMPR 122]

SOLID FUELS IN MADISON, WIS.

Order No. G–8 under Revised Maximum Price Regulation No. 122 is redesignated Revised Order No. G–8 and is revised and amended to read as follows:

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued herewith, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified fuels made in Madison, Wisconsin. These are the highest prices that any dealer may charge when he delivers any of such fuel at or to a point in the Madison, Wisconsin, area or from a coal yard within Madison, Wisconsin; they are also the highest prices that any buyer in the course of trade or business may pay for such solid fuels.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G–8; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain a higher than maximum price by:

(i) Charging for a service unless expressly requested by the buyer and unless specifically authorized to do so by this order.

(ii) Charging a price higher than the schedule price for a service.

(iii) Making a charge higher than the schedule charge authorized for the extension of credit.

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(v) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) (1) is a schedule which sets forth maximum prices per net ton for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2 and 3 show maximum gross and net prices, respectively, for sales of coal delivered in quantities less than 3 tons; columns 4 and 5 show maximum prices for deliveries in quantities of 3 tons or more. Gross prices may be charged if payment is not received within ten days after delivery. No more than net prices may be charged if payment is received within ten days after delivery.

SCHEDULE

	Less than 3 tons delivered		3 tons or more delivered	
	Gross	Net	Gross	Net
I. Low volatile bituminous coal from District No. 7 (West Virginia): 1. Egg and stove (size groups Nos. 2 and 3)	$14.36	$13.71	$14.36	$13.71
II. High volatile bituminous coal from District No. 8 (West Virginia and east Kentucky): 1. Domestic stoker 1¼" and smaller size group No. 10	12.20	11.65	11.70	11.20
III. High volatile bituminous coal from District No. 9 (west Kentucky): 1. No. 6 seam stoker, size group 8–12	$9.41	$8.96	$8.91	$8.47
IV. High volatile bituminous coal from District No. 10 (Illinois):				
A. Southern subdistrict (deep machine mines):				
1. Lump 3" and larger, and egg 6" x 3" and 3" x 2", price group Nos. 1, 2 and 8	9.89	9.44	9.39	9.11
2. Prepared stoker, size group Nos. 22 and 28, price group Nos. 1, 2 and 8	8.99	8.59	8.49	8.19
3. Washed and deducted screenings, size group Nos. 24 and 27, price group Nos. 1, 2 and 8	8.55	8.19	8.09	7.69
V. High volatile bituminous coal from District No. 11 (Indiana):				
1. Lump and egg, size group Nos. 1, 2 and 3, price group Nos. 6 and 14	9.54	9.09	9.54	9.09
2. Lump and egg, size group Nos. 1, 2 and 3, price groups 8–12, inc., and egg, size group Nos. 4 and 5, price group No. 13	9.14	8.69	9.14	8.69
3. Stoker, size group 9 through 12, price group Nos. 6 and 14	8.59	8.19	8.09	7.69
4. Washed screenings, size group Nos. 23, 24, price group Nos. 7 and 13 and washed nut and pea, size group Nos. 17–22, inc., price group 9 to 12, inc.	8.19	7.79	7.69	7.34
VI. Briquettes—United and Berwind	14.85	14.15	14.85	14.15
VII Pennsylvania anthracite:				
1. Egg, stove and nut	19.10	18.25	19.10	18.25
2. Pea	17.15	16.40	17.15	16.40
3. Buckwheat	14.85	14.20	14.85	14.20
VIII Byproduct coke: 1. Egg, stove and nut	15.05	14.35	15.05	14

(2) The prices provided for in the above schedule shall apply to all sales of all-rail coal and to the dock coal therein described which has been rescreened at the dock. The maximum prices for all sales by dealers for each size and kind of dock-run coal, except stoker size coal, shall be 50¢ per net ton lower than the maximum prices set forth in the above schedule for the same size and kind of coal which has been rescreened at the dock.

(3) The maximum prices for all sales by dealers of solid fuel not provided for by the above schedule shall be the maximum prices applicable for such sales under Revised Maximum Price Regulation No. 122, as amended.

(4) When a dealer purchases coal from a producer who has added a charge for the chemical or oil treatment thereof, that dealer, in selling that coal, may add to the applicable maximum prices set by this order a treatment charge in an amount not in excess of 10¢ per ton.

(d) *Service charges.* The following maximum charges may be made for special services if requested by buyers and if separately stated in seller's invoice:

Carrying from curb, coal, per ton	$0.75
Carrying up or downstairs	.75
Carrying from curb, coke, per ton	1.00

(e) *Transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order: *Provided*, The dealer states it separately from the price on his invoice or statement.

(f) *Addition of increases in supplier's price prohibited.* Notwithstanding the provisions of Revised Maximum Price Regulation No. 122, the maximum prices set by this order may not be increased and need not be decreased by a dealer to reflect increases or decreases in purchase costs or in his supplier's maximum prices occurring after the effective date hereof; but increases or decreases in the maximum prices set hereby, to reflect such changes, are within the discretion of the Regional Administrator.

(g) *Posting of maximum prices—Sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every person selling solid fuels subject to this order shall either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for as long as this order is in effect or for so long as the Emergency Price Control Act, of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size, and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicated on the invoice that such coal is so treated; *And further provided*, That provisions of this paragraph (g) (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(h) *Definitions and explanations.* When used in this Order No. G–8 the term,

(1) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(2) "Yard sales" shall mean deliveries made by the dealer at his yard.

(3) "Pennsylvania anthracite" means only coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Egg, stove, nut", etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Committee, effective December 15, 1941.

(5) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, or by the Bituminous Coal Division of the U. S. Department of the Interior pursuant to said act, or both, and as in effect midnight August 23, 1943.

(6) "Low volatile bituminous coal" refers to coal produced in the low volatile sections of the producing districts specified herein.

(7) "High volatile bituminous coal" refers to coal produced in the high volatile sections of the producing district specified herein.

(8) "Egg, stove, nut", etc., sizes of bituminous coal received entirely by rail refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, except that "domestic run-of-mine" shall be that size sold as such by the dealer and which he customarily purchased at the mine as lump size.

(9) "Egg, stove, nut", etc. sizes of bituminous coal received via the Great Lakes refer to the sizes of coal sold at the docks under such designations during December 1941.

(10) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; or if not therein defined, they shall be given their ordinary and popular trade meaning.

(i) *Effect of order on Revised Maximum Price Regulation No. 122 and Regional Order Nos. G–19 and G–20.* Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122 shall remain in full force and effect. This revised order supersedes Regional Order Nos. G–19 and G–20 as to dealers covered hereby.

(j) *Revocation and amendment.* This order may be revoked, amended or modified at any time, either upon the petition of any person subject to the order or upon the motion of the Office of Price Administration.

(k) *Effective date.* This revised order shall be effective immediately.

Issued this 27th day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–12334; Filed, July 7, 1945; 10:07 a. m.]

[Region VII Order G–7 Under Order 1444 to MPR 188]

D. C. ALLRED CABINET AND FIXTURE CO. ET AL.

AUTHORIZED MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–7 is issued.

(a) *What this order does.* This Order No. G–7 establishes maximum prices for a child's cupboard manufactured by D. C. Allred Cabinet and Fixture Company, 3142 South Fourth East Street, Salt Lake City, Utah, when sold, finished and unfinished, by the manufacturer to retailers, and by any seller to ultimate consumers or users. As to all sales made by any person in this Region VII, this Order No. G–7 supersedes Order No. 3454 under Maximum Price Regulation No. 188, issued by the Washington Office of the Office of Price Administration on March 22, 1945 (10 F.R. 3146).

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–7, the maximum prices for the child's cupboard manufactured by D. C. Allred Cabinet and Fixture Company, 3142 South Fourth East Street, Salt Lake City, Utah, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Finished	Unfinished
(1) When sold by the manufacturer, f. o. b. shipping point, to a retailer	*Each* $9.00	*Each* $8.00
(2) When sold by any seller to an ultimate consumer or user	14.25	12.75

NOTE: (i) The maximum prices authorized by the above paragraph (1) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer makes a first sale under this Order No. G–7 to a retailer, he must show upon the invoice or on a separate slip or rider attached thereto the following:

By virtue of Order No. G–7 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this Child's Cupboard are:

When sold by any seller to an ultimate consumer or user:
$14.25 each, finished.
$12.75 each, unfinished.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G–7 for sales by the manufacturer or any person selling to an ultimate consumer or user; and as to all sales made in Region VII as defined in

paragraph (e) below, this Order No. G-7 supersedes Order No. 3454 under Maximum Price Regulation No. 188, issued by the Washington Office of the Office of Price Administration on March 22, 1945 (10 F.R. 3146).

(e) *Geographical applicability.* The prices authorized by this Order No. G-7 are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-7 shall become effective on the 26th day of June 1945.

Issued this 26th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12337; Filed, July 7, 1945; 10:08 a. m.]

[Region VII Order G-8 Under Order 1444 to MPR 188]

BRAUER CO. ET AL.

AUTHORIZED MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-8 is issued.

(a) *What this order does.* This Order No. G-8 establishes maximum prices for two toy items designated "Danny Duck Pull Toy, Model No. C-100," and "Merry Mill Windmill, Model No. C-200," manufactured by The Brauer Company of 3474 South Twenty-third East Street, Salt Lake City, Utah, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-8, the maximum prices for the two toy items in question manufactured by The Brauer Company of Salt Lake City, Utah, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Danny duck pull toy No. C-100	Merry mill wind-mill No. C-200
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber, a wholesaler, a mail order establishment, or a chain store	*Per dozen* $2.25	*Per dozen* $1.50
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	2.90	1.85
(3) When sold by any seller to an ultimate consumer or user	*Each* $0.39	*Each* $0.23

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-8 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-8 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this Danny Duck Pull Toy No. C-100 and Merry Mill Windmill No. C-200 are:

	Danny duck pull toy No. C-100	Merry mill wind-mill No. C-200
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	*Per dozen* $2.90	*Per dozen* $1.85
(2) When sold by any seller to an ultimate consumer or user	*Each* $0.39	*Each* $0.23

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-8 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The prices authorized by this Order No. G-8 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-8 shall become effective on the 26th day of June 1945.

Issued this 26th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12361; Filed, July 7, 1945; 10:17 a. m.]

[Region VII Order G-9 Under Order 1444 to MPR 188]

TOBY TYKES

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-9 is issued.

(a) *What this order does.* This Order No. G-9 establishes maximum prices for four stuffed animal toys manufactured by Toby Tykes, 214 Colorado Building, Denver, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-9, the maximum prices for the four toy items, by the manufacturer designated "Lamb", "Elephant", "Horse", and "Goose", manufactured by Toby Tykes, of Denver, Colorado, in accordance with the specifications in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping joint, to a jobber or a wholesaler:

Lamb	Elephant	Horse	Goose
Per dozen $27.00	*Per dozen* $27.00	*Per dozen* $48.00	*Per dozen* $48.00

(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer:

Lamb	Elephant	Horse	Goose
Per dozen $30.00	*Per dozen* $30.00	*Per dozen* $54.00	*Per dozen* $54.00

(3) When sold by any seller to an ultimate consumer or user:

Lamb	Elephant	Horse	Goose
Each $4.25	*Each* $4.25	*Each* $7.50	*Each* $7.50

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-9 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-9 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this Lamb, Elephant, Horse, and Goose are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer:

Lamb	Elephant	Horse	Goose
Per dozen $30.00	*Per dozen* $30.00	*Per dozen* $54.00	*Per dozen* $54.00

(2) When sold by any seller to an ultimate consumer or user:

Lamb	Elephant	Horse	Goose
Each $4.25	*Each* $4.25	*Each* $7.50	*Each* $7.50

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-9 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The prices authorized by this Order No. G-9 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-9 shall become effective on the 28th day of June 1945.

Issued this 28th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12362; Filed, July 7, 1945; 10:18 a. m.]

[Region VII Order G-10 Under Order 1444 to MPR 188]

CLEMENT WOOD NOVELTE SHOP

AUTHORIZED MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-10 is issued.

(a) *What this order does.* This Order No. G-10 establishes maximum prices for a toy item manufactured by Merrill O. Clement, doing business as The Clement Wood Novelte Shop, of 2545 Kentucky Avenue, Salt Lake City, Utah, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-10, maximum prices for the toy item, which is by the manufacturer designated "Little Boy Blue Rabbit", manufactured by Merrill O. Clement, doing business as The Clement Wood Novelte Shop, of Salt Lake City, Utah, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$2.30
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	2.90
	Each
(3) When sold by any seller to an ultimate consumer or user	.40

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-10 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-10 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this Little Boy Blue Rabbit are:

	Per dozen
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	$2.90
	Each
(2) When sold by any seller to an ultimate consumer or user	$0.40

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-10 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The prices authorized by this Order No. G-10 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-10 shall become effective on the 27th day of June 1945.

Issued this 27th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12363; Filed, July 7, 1945; 10:18 a. m.]

[Region VII Order G-26 Under MPR 188]

CLEMENT WOOD NOVELTE SHOP, ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-26 is issued.

(a) *What this order does.* This Order No. G-26 establishes maximum prices for a child's chair manufactured by Merrill O. Clement, doing business as The Clement Wood Novelte Shop, 2545 Kentucky Avenue, Salt Lake City, Utah, when sold by the manufacturer to jobbers or wholesalers, by the manufacturer, jobbers or wholesalers to retailers, and by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-26, the maximum prices for the child's chair manufactured by Merrill O. Clement, doing business as The Clement Wood Novelte Shop, 2545 Kentucky Avenue, Salt Lake City, Utah, in accordance with the specifications set forth in the application of said Merrill O. Clement on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$10.60
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer	13.20
	Each
(3) When sold by any seller to an ultimate consumer or user	$1.80

for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-26 shall become effective on the 28th day of June 1945.

Issued this 28th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12364; Filed, July 7, 1945; 10:18 a. m.]

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-26 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-26 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this Child's Chair are:

	Per dozen
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point to a retailer	$13.20
	Each
(2) When sold by any seller to an ultimate consumer or user	1.80

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-26 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-26 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-26 shall become effective on the 26th day of June, 1945.

Issued this 26th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12364; Filed, July 7, 1945; 10:18 a. m.]

[Seattle Order G-1 Under RMPR 285]

IMPORTED FRESH BANANAS IN SEATTLE, WASH.

For the reasons set forth in the accompanying opinion and under the authority vested in the Seattle District Director of the Office of Price Administration by section 5 (a) (2) of Revised Maximum Price Regulation No. 285 and by Order of Delegation No. 68, issued by the Regional Administrator of Region VIII, *It is hereby ordered:*

(a) The adjusted maximum price at which a seller other than an importer may sell imported fresh bananas delivered to the premises of a retailer or institutional user located beyond the seller's free delivery zone shall be his maximum price established by section 4 of Revised Maximum Price Regulation No. 285 plus the cost of transportation beyond the free delivery zone, figured at the lowest common or contract carrier rate for available transportation from the seller's place of business to the premises of the purchaser: *Provided,* That the amount added for transportation shall not exceed 25 cents per cwt. for the first 25 miles beyond the free delivery zone, and five cents per cwt. for each successive 25 miles, and the total amount may not exceed 35 cents per cwt.

(b) This order shall be applicable to sales of imported fresh bananas delivered in the Counties of Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom and Yakima, in the State of Washington.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective June 26, 1945.

Issued this 22d day of June 1945.

ARTHUR J. KRUSS,
District Director.

[F. R. Doc. 45-12365; Filed, July 7, 1945; 10:18 a. m.]

[Spokane Order 91B Under MPR 426, Admt. 426]

SWEET PEPPERS IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maxmum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Sweet peppers.
(b) Basing Point: Nogales, Ariz.
(c) Wholesale receiving point: Spokane.
(d) Method of transportation: Carlot Portland, l. c. l. Portland to Spokane.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.19 plus $1.01=$2.20.

	Per unit sales: Per crate of 25 lbs.	Per [illegible]
(f) Freight charge by Method (d)	$0.70	[illegible]
(g) Basing point cost	3.05	[illegible]
(h) Protective services	.10	[illegible]
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	3.85	$0.154

This order shall become effective June 21, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-12336; Filed, July 7, 1945, 10:07 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 2, 1945.

REGION I

Boston Order 9-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 2:43 p. m.

Boston Order 10-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 2:44 p. m.

Boston Order 11-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Massachussets. Filed 2:44 p. m.

Connecticut Order 1-O, Amendment 3, covering eggs in the state of Connecticut. Filed 1:58 p. m.

Connecticut Order 5-F, Amendment 7, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 1:42 p. m.

Connecticut Order 6-F, Amendment 7, covering fresh fruits and vegetables in the Hartford Area. Filed 1:42 p. m.

Connecticut Order 7-F, Amendment 6, covering fresh fruits and vegetables in the New Haven Area. Filed 1:42 p. m.

Connecticut Order 8-F, Amendment 7, covering fresh fruits and vegetables in the Bridgeport Area. Filed 1:42 p. m.

REGION II

Altoona Order 2-F, Amendment 25, covering fresh fruits and vegetables in the entire Altoona Area. Filed 2:00 p. m.

Baltimore Order 1-D, covering butter and cheese in all of the state of Maryland. Filed 1:57 p. m.

Baltimore Order 4-F, Amendment 43, covering fresh fruits and vegetables in certain areas in and around Baltimore. Filed 1:57 p. m.

Baltimore Order 5-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Baltimore, and Delaware. Filed 1:57 p. m.

Baltimore Order 6-F, Amendment 43, covering fresh fruits and vegetables in certain areas in Maryland. Filed 1:57 p. m.

Baltimore Order 8-F, Amendment 24, covering fresh fruits and vegetables in Allegany County and Cumberland, Maryland. Filed 1:57 p. m.

Baltimore Order 13-W and Order 41, covering dry groceries in Allegany, Garrett and Washington Counties, Maryland. Filed 1:56 p. m.

Binghamton Order 2-F, Amendment 38, covering fresh fruits and vegetables in certain areas in New York. Filed 2:41 p. m.

Camden Order 3-F, Amendment 38, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 2:41 p. m.

Camden Order 4-F, Amendment 38, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 2:41 p. m.

Erie Order 7-W, Amendment 2, covering dry groceries in certain areas in Pennsylvania. Filed 2:42 p. m.

Erie Order 22, Amendment 2, covering dry groceries in certain areas in Pennsylvania. Filed 2:42 p. m.

Newark Order 7-F, Amendment 10, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 2:00 p. m.

Philadelphia Order 6-F, Amendment 33, covering fresh fruits and vegetables in the city and county of Philadelphia, Pennsylvania. Filed 2:41 p. m.

Philadelphia Order 11-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 2:40 p. m.

Philadelphia Order 12-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 2:40 p. m.

Pittsburgh Order 3-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 2:39 p. m.

Pittsburgh Order 4-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 2:39 p. m.

Pittsburgh Order 4-W, Amendment 2, covering dry groceries in certain areas in Pennsylvania. Filed 2:42 p. m.

Pittsburgh Order 6-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 2:39 p. m.

Pittsburgh Order 15, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 2:42 p. m.

Scranton Order 4-F, Amendment 29, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 2:00 p. m.

Syracuse Order 1-O, covering eggs in certain counties in New York. Filed 1:43 p. m.

Syracuse Order 3-O, covering eggs in certain counties in New York. Filed 1:43 p. m.

Trenton Order 12-F, Amendment 14, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 2:39 p. m.

Wilmington Order 4-F, Amendment 40, covering fresh fruits and vegetables in certain areas in Delaware. Filed 2:00 p. m.

Wilmington Order 5-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Delaware. Filed 1:56 p. m.

Williamsport Order 2-F, Amendment 43, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 2:39 p. m.

REGION III

Charleston Order 7-F, Amendment 18, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:03 p. m.

Charleston Order 9-F, Amendment 18, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:04 p. m.

Charleston Order 10-F, Amendment 18, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:04 p. m.

Charleston Order 11-F, Amendment 18, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:04 p. m.

Charleston Order 15-F, Amendment 14, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:04 p. m.

Charleston Order 15-F, Amendment 15, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:05 p. m.

Charleston Order 16-F, Amendment 14, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:05 p. m.

Charleston Order 17-F, Amendment 14, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:05 p. m.

Cleveland Order F-1, Amendment 43, covering fresh fruits and vegetables in Cuyahoga, Ohio. Filed 1:59 p. m.

Cleveland Order 1-O, covering eggs within the boundaries of the Cleveland Area. Filed 1:44 p. m.

Cleveland Order 3-F, Amendment 43, covering fresh fruits and vegetables in Mahoning and Trumbull, Ohio. Filed 1:59 p. m.

Cleveland Order 4-F, Amendment 43, covering fresh fruits and vegetables in Stark and Summit Counties, Ohio. Filed 1:59 p. m.

Cleveland Order 5-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Ohio. Filed 1:59 p. m.

Columbus Order 8-F, Amendment 27, covering fresh fruits and vegetables in Franklin County, Ohio. Filed 1:59 p. m.

Detroit Order 5-F, Amendment 21, covering fresh fruits and vegetables in Wayne and Macomb Counties, Michigan. Filed 2:43 p. m.

Detroit Order 14, Amendment 4, covering dry groceries in the Detroit Area. Filed 1:44 p. m.

Indianapolis Order 14-F, Amendment 22, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe. Filed 1:44 p. m.

Indianapolis Order 15-F, Amendment 22, covering fresh fruits and vegetables in Wayne, Delaware and Allen. Filed 1:44 p. m.

Indianapolis Order 16-F, Amendment 22, covering fresh fruits and vegetables in St. Joseph. Filed 1:44 p. m.

Indianapolis Order 17-F, Amendment 22, covering fresh fruits and vegetables in Vanderburgh. Filed 1:45 p. m.

Louisville Order 12-F, Amendment 24, covering fresh fruits and vegetables in certain counties in Indiana and Jefferson County, Kentucky. Filed 1:56 p. m.

Louisville Order 13-F, Amendment 24, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 1:55 p. m.

Louisville Order 14-F, Amendment 24, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 1:55 p. m.

Louisville Order 15-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 1:56 p. m.

Toledo Order 1-F, Amendment 80, covering fresh fruits and vegetables. Filed 1:54 p. m.

Toledo Order 2-F, Amendment 74, covering fresh fruits and vegetables in certain counties in Ohio. Filed 1:54 p. m.

REGION IV

Atlanta Order 6-F, Amendment 38, covering fresh fruits and vegetables in the Atlanta-Decatur Area. Filed 1:54 p. m.

Atlanta Order 6-F, Amendment 39, covering fresh fruits and vegetables in the Atlanta-Decatur Area. Filed 1:54 p. m.

Atlanta Order 7-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Georgia. Filed 1:54 p. m.

Atlanta Order 7-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Georgia. Filed 1:54 p. m.

Atlanta Order 17, Amendment 5, covering eggs in certain areas in Georgia. Filed 1:45 p. m.

Atlanta Order 18, Amendment 5, covering eggs in certain areas in Alabama and Georgia. Filed 1:45 p. m.

Atlanta Order 19, Amendment 5, covering eggs in certain areas in Alabama and Georgia. Filed 1:46 p. m.

Atlanta Order 20, Amendment 5, covering eggs in certain counties in Georgia. Filed 1:46 p. m.

Atlanta Order 21, Amendment 5, covering eggs in certain counties in Georgia. Filed 1:46 p. m.

Birmingham Order 3-F, Amendment 23, covering fresh fruits and vegetables in Jefferson County. Filed 1:47 p. m.

Columbia Order 7-F, Amendment 5, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 1:41 p. m.

Jacksonville Order 9-F, Amendment 28, covering fresh fruits and vegetables in the city of Jacksonville, Florida. Filed 1:47 p. m.

Montgomery Order 5-W, Amendment 3, covering dry groceries in the Montgomery Area. Filed 1:48 p. m.

Montgomery Order 20, Amendment 3, covering dry groceries in the Montgomery Area. Filed 1:48 p. m.

Montgomery Order 21, Amendment 3, covering dry groceries in the Montgomery Area. Filed 1:48 p. m.

Miami Order 1-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Florida. Filed 1:47 p. m.

Miami Order 2-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Florida. Filed 1:47 p. m.

Miami Order 3-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Florida. Filed 1:47 p. m.

Miami Order 4-F, Amendment 7, covering fresh fruits and vegetables in Monroe County, Florida. Filed 1:48 p. m.

Raleigh Order 1-C, Amendment 1, covering poultry in certain counties in North Carolina. Filed 1:49 p. m.

Raleigh Order 1-C, Amendment 4, covering poultry in certain counties in North Carolina. Filed 1:50 p. m.

Raleigh Order 2-C, Amendment 1, covering poultry in certain counties in North Carolina. Filed 1:50 p. m.

Raleigh Order 2-C, Amendment 4, covering poultry in certain counties in North Carolina. Filed 1:50 p. m.

Raleigh Order 10-F, Amendment 22, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 1:48 p. m.

Raleigh Order 10-F, Amendment 23, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 1:49 p. m.

Raleigh Order 11-F, Amendment 22, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 1:49 p. m.

Raleigh Order 11-F, Amendment 23, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 1:49 p. m.

Roanoke Order 11-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Virginia. Filed 2:43 p. m.

REGION V

Dallas Order 1-F, Amendment 70, covering fresh fruits and vegetables in Dallas County, Texas. Filed 1:50 p. m.

Dallas Order 3-F, Amendment 48, covering fresh fruits and vegetables. Filed 1:51 p. m.

Kansas City Order 1-O, Amendment 5, covering eggs in certain counties in Missouri. Filed 2:43 p. m.

Kansas City Order 2-O, Amendment 5, covering eggs in certain counties in Missouri. Filed 2:42 p. m.

Kansas Order 2-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Kansas. Filed 1:51 p. m.

Kansas City Order 2-F, Amendment 43, covering fresh fruits and vegetables in certain counties in Missouri. Filed 2:43 p. m.

Kansas City Order 2-F, Amendment 44, covering fresh fruits and vegetables in certain counties in Kansas and Missouri. Filed 2:43 p. m.

Kansas Order 4-F, Amendment 41, covering fresh fruits and vegetables in Wichita, Planeview, Beechwood and Wichita Heights. Filed 1:51 p. m.

Shreveport Order 3-F, Amendment 55, covering fresh fruits and vegetables in certain areas in Louisina. Filed 1:58 p. m.

Tulsa Order 7-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 1:51 p. m.

Tulsa Order 8-F, Amendment 18, covering fresh fruits and vegetables in Tulsa, and Muskogee, Oklahoma. Filed 1:51 p. m.

Wichita Order 1-C, Amendment 6, covering poultry in certain areas in Kansas. Filed 1:52 p. m.

REGION VI

Chicago Order 1-O, Amendment 1, covering eggs in the Chicago Area. Filed 1:52 p. m.

Chicago Order 2-F, Amendment 67, covering fresh fruits and vegetables in certain areas in Illinois and Lake County, Indiana. Filed 2:38 p. m.

Chicago Order 2-O, Amendment 1, covering eggs in the Chicago Area. Filed 1:52 p. m.

North Platte Order 2-F, covering fresh fruits and vegetables in certain areas in Nebraska. Filed 1:58 p. m.

Quad-Cities Order 2-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 1:52 p. m.

Sioux City Order 2-F, Amendment 78, covering fresh fruits and vegetables in Sioux City, Iowa and S. Sioux City, Nebraska. Filed 1:59 p. m.

Sioux Falls Order 2-F, Amendment 6, covering fresh fruits and vegetables in Sioux Falls, South Dakota. Filed 2:38 p. m.

Sioux Falls Order 3-F, Amendment 6, covering fresh fruits and vegetables in Sioux Falls, South Dakota. Filed 2:38 p. m.

Sioux Falls Order 4-F, Amendment 6, covering fresh fruits and vegetables in certain areas in South Dakota. Filed 2:38 p. m.

Twin Cities Order 1-F, Amendment 22, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 2:37 p. m.

Twin Cities Order 2-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Minnesota and Wisconsin. Filed 2:37 p. m.

REGION VII

Helena Order 89, Amendment 4, and Order 6-W, Amendment 4, covering dry groceries in certain areas in Montana. Filed 1:53 p. m.

Helena Order 90, Amendment 4, covering dry groceries in certain areas in Montana. Filed 1:53 p. m.

Helena Order 91, Amendment 3, and Order 7-W, Amendment 3, covering dry groceries in certain areas in Montana. Filed 1:53 p. m.

REGION VIII

Phoenix Adopting Order 12 under Basic Order 1-B, Amendment 3, covering dry groceries in the Southern Arizona Area. Filed 2:00 p. m.

Phoenix Adopting Order 13 under Basic Order 1-B, Amendment 3, covering dry groceries in the Phoenix-South Central Area. Filed 2:01 p. m.

Phoenix Adopting Order 14 under Basic Order 1-B, Amendment 2, covering dry groceries in the Tucson Area. Filed 2:01 p. m.

Phoenix Order 19-O, covering dry groceries in the Arizona Area. Filed 2:03 p. m.

Phoenix Order 18-O, covering dry groceries in the Arizona Area. Filed 2:03 p. m.

Phoenix Adopting Order 18-W under Basic Order 2-B, Amendment 2, covering dry groceries in the Phoenix-South Central Area. Filed 2:01 p. m.

Phoenix Adopting Order 19-W under Basic Order 2-B, Amendment 1, covering dry groceries in the Tucson Area. Filed 2:02 p. m.

San Diego Order 1-F, Amendment 35, covering fresh fruits and vegetables in the San Diego Area. Filed 1:49 p. m.

San Diego Order 1-F, Amendment 36, covering fresh fruits and vegetables in the San Diego Area. Filed 2:06 p. m.

San Francisco Revised Order G-8, Amendment 5, covering installed building materials in certain areas in California. Filed 1:40 p. m.

San Francisco District Order 13-F, Amendment 4, covering fresh fruits and vegetables in certain areas in California. Filed 1:41 p. m.

San Francisco District Order 14-F, Amendment 4, covering fresh fruits and vegetables in certain areas in California. Filed 1:41 p. m.

San Francisco District Order 15-F, Amendment 4, covering fresh fruits and vegetables in certain areas in California. Filed 1:41 p. m.

San Francisco District Order 16-F, Amendment 4, covering fresh fruits and vegetables in certain counties in California. Filed 1:40 p. m.

Spokane Order 8-F, Amendment 21, covering fresh fruits and vegetables in Spokane County, Washington. Filed 2:06 p. m.

Spokane Order 9-F, Amendment 21, covering fresh fruits and vegetables in Kootenai County, Idaho. Filed 2:06 p. m.

Spokane Order 12-F, Amendment 21, covering fresh fruits and vegetables in Asotin County, Washington and Nez Perce County, Idaho. Filed 2:06 p. m.

Spokane Order 13-F, Amendment 22, covering fresh fruits and vegetables in Walla Walla and Columbia Counties, Washington. Filed 2:06 p. m.

Spokane Order 14-F, Amendment 22, covering fresh fruits and vegetables in Benton and Franklin Counties, Washington. Filed 2:06 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-12391; Filed, July 7, 1945; 12:09 p. m.]

[Region I Supp. Order 8 Under RMPR 122, Amdt. 9]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Correction

In the document appearing on page 8511 of the issue for Saturday, July 7, 1945, the Federal Register serial number should read "45-12116".

OFFICE OF ECONOMIC STABILIZATION.

WENTWORTH BUS LINES, INC. AND AMALGAMATED ASSN. OF STREET, ELECTRIC RAILWAY AND MOTOR COACH EMPLOYEES OF AMERICA

DIRECTIVE TO OFFICE OF DEFENSE TRANSPORTATION AND OFFICE OF PRICE ADMINISTRATION

In the matter of: Wentworth Bus Lines, Inc., Dover, N. H., and Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, Local 1340, AFL; WLB Case No. 111-4667-D.

By virtue of and pursuant to the authority vested in me by Executive Order 9370, I hereby direct:

1. That the effective date of the cancellation order issued by the Office of Defense Transportation in this case under date of June 26, 1945 (10 F.R. 7945), be postponed to August 15, 1945.

2. That the effective date of Cancellation Order No. 1, under General Ration Order #8, issued by the Office of Price Administration in this case under date of June 30, 1945 (10 F.R. 8163), be postponed to August 15, 1945.

(E.O. 9370, Aug. 16, 1943, 8 F.R. 11463)

Issued this 6th day of July, 1945.

WILLIAM H. DAVIS,
Director.

[F. R. Doc. 45-12317; Filed, July 6, 1945; 3:36 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 43-198]

OKLAHOMA POWER AND WATER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of July, A. D., 1945.

Notice is hereby given that a supplemental declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Oklahoma Power and Water Company; and

Notice is further given that any interested person may, not later than July 21, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such supplemental declaration, as filed or as amended, may become effective, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All interested persons are referred to said supplemental declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Oklahoma Power and Water Company proposes to issue to Harris Trust and Savings Bank, The Chase National Bank of the City of New York, City National Bank and Trust Company of Chicago, American National Bank and Trust Company of Chicago, National Bank of Tulsa, First National Bank and Trust Company (Tulsa) and First National Bank and Trust Company (Oklahoma City). Notes in the aggregate principal amount of $550,000 to be dated July 27, 1945, to bear interest prior to maturity at the rate of 2% per annum and payable $100,000 on November 27, 1945, $100,000 on March 27, 1946 and $350,000 on July 27, 1946. The Notes will be secured by $750,000 principal amount of the company's First Mortgage Five Per Cent Gold Bonds and are to be issued in exchange for $550,000 principal amount of Notes now held by the banks secured by $1,200,000 principal amount of said bonds. The Notes now held by the banks were issued pursuant to order of this Commission dated June 30, 1944.

Declarant has requested that the effective date of such supplemental declaration be advanced.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12383; Filed, July 7, 1945; 11:07 a. m.]

[File No. 70-1082]

EASTERN UTILITIES ASSOCIATES

ORDER DENYING EFFECTIVENESS TO DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of July 1945.

Eastern Utilities Associates, a registered holding company, having filed a declaration pursuant to Rule U-65 promulgated under the Public Utility Holding Company Act of 1935 regarding the payment by it to Georgeson & Co. of a sum in excess of $1,000, but not to exceed the additional sum of $4,000, in connection with the services of Georgeson & Co. in soliciting proxies for the annual shareholders' meeting of Eastern Utilities Associates; and

A hearing having been held after appropriate notice, oral argument having been had and the Commission having considered the record and the arguments of counsel, and having made its findings herein:

It is ordered, That said declaration regarding the payment of a sum in excess of $1,000 be, and the same hereby is, denied effectiveness. Nothing herein contained shall be construed as a finding by the Commission that the proxies heretofore obtained are invalid.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12382; Filed, July 7, 1945; 11:06 a. m.]

[File No. 70-1098]

BIRMINGHAM ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of July, A. D. 1945.

Birmingham Electric Company, a subsidiary of National Power & Light Company, a registered holding company which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding company having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder, with respect to the redemption, by the use of cash in its treasury and proceeds from the sale of United States Treasury certificates, of 12,515 shares of its $7 preferred stock at the call price of $110 per share accrued dividends to the date of redemption, and

A public hearing having been held upon such declaration after appropriate notice, and the Commission having considered the record and having made and filed its Findings and Opinion herein:

It is ordered, That said declaration be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12381; Filed, July 7, 1945; 11:06 a. m.]

[File No. 54-87]

FEDERAL LIGHT & TRACTION CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of July, A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, regarding the proposed sale by Federal Light & Traction Company (Federal), a subsidiary of Cities Service Power & Light Company, both registered holding companies, to Gerald L. Schlessman, an individual, of Denver, Colorado, of the common stock interest of Federal in its subsidiary, Sheridan County Electric Company (Sheridan), an electric utility company, operating in Sheridan, Wyoming.

All interested persons are referred to the aforesaid declaration on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized as follows:

Federal proposes to sell and Schlessman to buy, pursuant to an agreement dated June 13, 1945, 6,500 shares of $100 par value each consisting of all of the outstanding capital stock of Sheridan, for $641,015 in cash, subject to closing adjustments.

At the present time the declarant proposes to add the proceeds from the foregoing transaction to its general funds and contemplates ultimately to use such proceeds to retire outstanding securities of Federal.

The declarant has designated section 12 (d) and Rules U-44 and U-50 as applicable to the proposed transaction.

The declarant requests the Commission to issue an appropriate order and findings in connection with the proposed transaction, conforming to the requirements of sections 371 (b), 371 (f), 372 (a) and 1808 (f) of the Internal Revenue Code, as amended.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matter and that said declaration shall not be permitted to become effective except pursuant to further order of the Commission.

It is ordered, That a hearing on said matter under the applicable provisions of the act and the rules of the Commission thereunder be held on August 8, 1945, at 10:00 a. m., e. w. t., at the office of the Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. Any person proposing to be heard or otherwise to participate in these proceedings shall file with the Secretary of the Commission on or before August 6, 1945, a written request relative thereto as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Allen MacCullen, or any other officer or officers of this Commission designated by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transaction meets the requirements of section 12 (d) of the act and the applicable rules thereunder.

2. Whether the proposed transaction is necessary to effectuate the provisions of section 11 (b) (1) of the act.

3. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in respect of the proposed transaction and, if so, what terms and conditions should be imposed.

4. Generally, whether, in any respect, the proposed transaction is detrimental to the public interest or the interest of investors or consumers or will tend to circumvent any provisions of the act or the rules, regulations or orders promulgated thereunder.

It is further ordered, That notice of said hearing is hereby given to the declarant and all other persons; said notice to be given to the declarant, Cities Service Power & Light Company and Gerald L. Schlessman by registered mail, and to all other persons by general release of this Commission, distributed to the press and mailed to the mailing list for

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releases issued under the Act and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12394; Filed, July 9, 1945; 9:48 a. m.]

[File No. 70-998]

ARKANSAS-MISSOURI POWER CORP.

ORDER GRANTING DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of July, A. D. 1945.

Arkansas-Missouri Power Corporation, a public utility subsidiary of The Middle West Corporation, both registered holding companies, has filed a declaration and amendments thereto pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 and Rule U-50 thereunder regarding the issue and sale of $2,000,000 principal amount of First Mortgage Bonds, dated December 1, 1944 and maturing December 1, 1974, for the purpose of redeeming $2,000,000 principal amount of outstanding 4% First Mortgage Bonds due June 1, 1965 at the redemption price of 104¾% of the principal amount thereof plus accrued interest to the date of redemption; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That said declaration be and the same hereby is permitted to become effective subject, however, to the terms and conditions contained in Rule U-24 and subject to the following terms and conditions:

(1) That the proposed issue and sale of First Mortgage Bonds shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms or conditions which may then be deemed appropriate, jurisdiction being reserved for this purpose and to pass upon the price to be paid for said bonds, the underwriters' spread and its allocation.

(2) That $664,660 of the earned surplus account of Arkansas-Missouri Power Corporation shall be restricted against the payment of dividends on common stock, other than dividends payable in shares of such stock, *Provided, however*, That this restriction shall terminate if the par value of the outstanding common stock is increased by $664,660 through a transfer from earned surplus account.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-12395; Filed, July 9, 1945; 9:48 a. m.]

SURPLUS PROPERTY BOARD.

[Special Order 13]

SPECIAL ACCOUNTS FOR REFUNDS TO PURCHASERS

Pursuant to the authority of section 30 (c) of the Surplus Property Act of 1944 (Pub. Law 457, 78th Cong., 2d Sess.; 58 Stat. 765), it is hereby ordered, that:

1. *Department of Commerce.* The Department of Commerce, as successor disposal agency to the Treasury Department, is hereby authorized to deposit in a special account with the Treasurer of the United States amounts from proceeds of dispositions of surplus property and to withdraw from such account the amounts necessary to make appropriate refunds to purchasers of such property when any disposition is rescinded or does not become final, or payments for breach of any warranty, provided, however, that the amounts on deposit in such account shall at no time exceed $750,000.

2. *Maritime Commission.* The Maritime Commission, as a disposal agency, is hereby authorized to deposit in a special account with the Treasurer of the United States amounts from proceeds of dispositions of surplus property and to withdraw from such account the amounts necessary to make appropriate refunds to purchasers of such property when any disposition is rescinded or does not become final, or payments for breach of any warranty: *Provided, however*, That the amounts on deposit in such account shall at no time exceed $500,000.

3. *Repeal.* Surplus Property Board Temporary Order No. 2 (10 F.R. 1581) is hereby superseded and rescinded.

This order shall become effective on July 10, 1945.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 3, 1945.

[F. R. Doc. 45-12405; Filed, July 9, 1945; 11:16 a. m.]

WAR PRODUCTION BOARD.

[C-388]

JANET ROSE CORP.

CONSENT ORDER

Janet Rose Corporation with its principal place of business at 215 Asbury Avenue, Asbury Park, New Jersey, is engaged in the operation of the Ocean Hotel located at Asbury Park, New Jersey. The corporation is charged with having violated War Production Board Order L-41 in that during the period from December 21, 1944 to February 28, 1945, it began and engaged in construction on the foregoing Ocean Hotel at a cost in excess of the amount authorized, pursuant to Order L-41. Janet Rose Corporation admits the violation as charged but does not desire to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Janet Rose Corporation, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Janet Rose Corporation, its successors or assigns, shall not do any construction on the premises located at 215 Asbury Avenue, Asbury Park, New Jersey, including the erection or altering of the structure, unless specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Janet Rose Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board.

(c) This order shall take effect on the 16th day of July 1945.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12413; Filed, July 9, 1945; 11:32 a. m.]

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FEDERAL REGISTER

VOLUME 10 NUMBER 137

Washington, Wednesday, July 11, 1945

The President

EXECUTIVE ORDER 9588

CREATING AN EMERGENCY BOARD TO INVESTIGATE THE DISPUTES BETWEEN THE CHICAGO, NORTH SHORE & MILWAUKEE RAILROAD COMPANY AND THE CHICAGO, AURORA & ELGIN RAILROAD COMPANY AND THEIR EMPLOYEES

WHEREAS disputes exist between the Chicago, North Shore & Milwaukee Railroad Company and the Chicago, Aurora & Elgin Railroad Company, the carriers, and certain of their employees represented by the Brotherhood of Locomotive Firemen and Enginemen and the Brotherhood of Railroad Trainmen, labor organizations; and

WHEREAS these disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS these disputes, in the judgment of the National Mediation Board, threaten substantially to interrupt interstate commerce within the states of Illinois and Wisconsin to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate said disputes. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said disputes within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Chicago, North Shore & Milwaukee Railroad Company and the Chicago, Aurora & Elgin Railroad Company or their employees in the conditions out of which the said disputes arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 6, 1945.

[F. R. Doc. 45-12462; Filed, July 9, 1945; 4:15 p. m.]

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders [1]

[WFO 72, Amdt. 5]

PART 1465—FISH AND SHELLFISH

ALLOCATION OF IMPORTED SALTED FISH

War Food Order No. 72, as amended (8 F.R. 10970; 9 F.R. 4321, 4319, 7363, 9584; 10 F.R. 103), is further amended to read as follows:

§ 1465.23 *Regulations relative to the importation of salted fish into the United States*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Salted fish" means any one or more of the following species of fish if cured or preserved in any manner with the use of salt, but does not mean the following species of fish if smoked or

[1] Formerly Chapter XI—War Food Administration (Distribution Orders).

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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packed in air-tight containers: Cod (Gadus macrocephalus and Gadus callarias), haddock (Melanogrammus aeglefinus), hake (Urophycis species and Merluccius productus), pollock (Pollachius virens), cusk (Brosmius brosme), ling (Molva molva), and salthe (Gadus virens).

(3) "Dry" means to arrange salted fish in a single layer only and to reduce the moisture content of such salted fish to a desired percentage, by weight, by exposing such salted fish (i) to the sun and air or (ii) to artificially created currents of air in specially constructed dryers.

(4) "Green-salted fish," "wet-salted fish," "pickle-cured fish," or "kench-cured fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has not been dried, and (iii) contains more than 43 percent of moisture, by weight.

(5) "Semi-dried fish" or "soft-cured fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has been dried, and (iii) contains more than 43 percent of moisture, by weight.

(6) "Dried fish" or "dry-salted fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has been dried, and (iii) contains not more than 43 percent of moisture, by weight.

(7) "Boneless fish" means salted fish, whether or not dried, which is skinned or boned, wholly or partially.

(8) "1945 pack" means the salted fish produced from the fish caught during the calendar year of 1945.

(9) "Import" means, except as used in (e) hereof, (i) to enter for consumption in the continental United States from any foreign country, including, but not being limited to, the Treaty Coasts defined in the Treaty of October 20, 1818, between the United States and Great Britain, entitled "Convention Respecting Fisheries, Boundary, and the Restoration of Slaves," proclaimed on January 30, 1819, or (ii) to withdraw from the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, for consumption in the continental United States.

(10) "Import" as used in (e) hereof means (i) to enter for consumption in Puerto Rico or the Virgin Islands from any foreign country, including, but not being limited to, the Treaty Coasts defined in the aforesaid Treaty of October 20, 1818, between the United States and Great Britain, or (ii) to withdraw (*a*) from the bonded custody of the United States Bureau of Customs (bonded warehouse) in Puerto Rico for consumption in Puerto Rico or (*b*) from the bonded custody of the United States Bureau of Customs (bonded warehouse) in the Virgin Islands for consumption in the Virgin Islands.

(11) "Importer" means any person who is the first owner, in the continental United States, of imported salted fish; and it is immaterial, in determining whether a person is an importer, whether or not the United States import duty, if any, or any other payment was made through or by a customs broker, nominal consignee, or other agent.

(12) "Director" means the Director of Marketing Services, United States Department of Agriculture.

(13) "Government agency" means (i) the Armed Services of the United States (excluding, for the purpose of this order, United States Army Post Exchanges, United States Navy Ships' Service Departments, and United States Marine Corps Post Exchanges; (ii) the United States Department of Agriculture (including, but not being limited to, any corporate agency thereof); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the Secretary of Agriculture.

(14) "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(b) *Allocations.* (1) No person shall import, or have imported for his account, into the continental United States, for consumption in the continental United States, any salted fish except in accordance with an allocation hereunder and pursuant to the provisions of this order.

(2) Unless otherwise ordered by the Director, each person is (subject to the limitation of the quota determined hereunder, the other provisions hereof, and to the import authorization under War Food Order No. 63 (9 F.R. 13280), as amended), hereby authorized to import, or have imported for his account, from the 1945 pack for consumption in the continental United States (i) from the Dominion of Canada, not more than 60 percent, net weight, of the quantity of salted fish imported therefrom in 1942 of which such person was the importer; and (ii) from Newfoundland, not more than 65 percent, net weight, of the total quantity of salted fish imported therefrom, and from Iceland, in 1942 of which such person was the importer. Each quantity of salted fish imported in 1942 by, or for the account of, any such person for the use of any government agency or sold in 1942 to any government agency by such person subsequent to the importation of such salted fish shall be excluded from the aforesaid computation of such person's quota. The quota of salted fish which may be imported pursuant hereto shall be computed on the basis of dry-salted fish and may be imported as any one or more of the kinds of salted fish specified, respectively, in (a) (4), (5), (6), and (7) hereof: *Provided*, That the following conversion factors shall be applied in determining such quota and the quantity of salted fish to be imported pursuant to such quota: 1 pound of dried fish or dry-salted fish equals: (i) 1.75 pounds of green-salted fish, wet-salted fish, pickle-cured fish, or kench-cured fish; (ii) 1.5 pounds of semi-dried fish or soft-cured fish; (iii) 1 pound of boneless fish.

(3) Unless otherwise required pursuant to the provisions of this subparagraph (3), each person shall, prior to importing salted fish, submit to the Director, not later than July 20, 1945, a statement with respect to each lot of imported salted fish of which such person was the importer in the calendar years 1942, 1943, and 1944, respectively, and in 1945 prior to the effective date hereof, showing: (i) the country of origin; (ii) the name of shipper; (iii) the net weight; (iv) the date and port of entry (including the entry number, if available); (v) the rate of duty paid; (vi) the name of the person making the United States Customs entry or withdrawal from the bonded custody of the United States Bureau of Customs; and (vii) the quantity of salted fish sold, in the calendar years 1942, 1943, and 1944, respectively, and in 1945 prior to the effective date hereof, by such person to government agencies and the names of such government agencies. Each such person who, for the purpose of the determination by the Director of such person's 1944 quota of salted fish, had previously submitted, to the Director, a statement pursuant to the provisions of War Food Order No. 72, as amended on June 29, 1944, with respect to each lot of imported salted fish of which such person was the importer in the calendar years 1942 and 1943, respectively, and the quantity of salted fish sold to government agencies by such person in such calendar years, may omit from his submission of the statement required pursuant to the provisions of this subparagraph (3) the information applicable to the calendar years 1942 and 1943: *Provided*, That such person shall submit a statement to the Director with respect to the corrections, if any, which should be made in the statement previously submitted, as aforesaid. The Director shall, from the information submitted to him and from such other information as may be available to him, determine, in accordance with the provisions of this order, each person's quota of salted fish which may be imported by, or for the account of, such person from the 1945 pack of salted fish: *Provided*, That the quantity of salted fish from the 1945 pack which was imported in 1945 prior to the effective date of this order by, or for the account of, any such person, shall be deducted in computing the respective person's quota, except that any such quantity of such salted fish which was imported by, or for the account of, such person for the use of any government agency or was sold in 1945 by such person, subsequent to the importation of such salted fish and prior to the effective date hereof, to any government agency shall not be deducted in computing such person's quota. The Director shall notify each person who complies with the provisions hereof relative to the respective person's quota determined pursuant hereto; and no such person shall import, or have imported for his account, any salted fish in excess of his quota. No quota shall be allocated, except under (i) hereof with respect to petitions for relief from hardship, to any person who fails to submit to the Director the aforesaid information on or before July 20, 1945, as required by this order.

(4) Each person's quota pursuant hereto is on condition that he shall (i) contract, on or before July 31, 1945, for the purchase of the entire quota of salted fish allocated hereunder to such person and (ii) submit to the Director, on or before August 10, 1945, a copy of each such contract: *Provided*, That no such contract need be submitted with respect to salted fish which are the product of the Dominion of Canada or which are

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through or by a customs broker, nominal consignee, or other agent.

and in 1945 prior to the effective date hereof, showing: (1) the country of ori-

to salted fish which are the product of the Dominion of Canada or which are

the product of American fisheries and are from the Treaty Coasts or regions described in the aforesaid Treaty of October 20, 1818, between the United States and Great Britain.

(c) *Additional allocations.* The Director may hereafter allocate among other persons, as well as to the United States Department of Agriculture (including, but not being limited to, any corporate agency thereof), (1) any portion of a person's quota which such person notifies the Director will not be used by such person; (2) any person's quota which is not allocated to such person because of his failure to comply with the provisions of (b) (3) and (4) hereof; (3) any portion of any person's quota which is revoked in accordance with the applicable procedure as specified in (j) hereof; and (4) all other quantities of salted fish which, from time to time, the Director may determine to be available for importation. The Director may prescribe such methods and conditions of such subsequent allocations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order; and each person who receives an allocation pursuant to the provisions of this paragraph (c) may import, or have imported for his account, the salted fish covered by such allocation.

(d) *Exemption from quota restrictions.* The provisions of this order shall not be construed as restricting the importation of salted fish of the 1945 pack by or for a government agency: *Provided*, That any such importation of salted fish by or for a government agency shall be free from regulation hereunder only if, with respect to each such importation, a certificate is issued prior to the importation of the salted fish of the 1945 pack, by the Quartermaster General of the Army, the Chief of the Bureau of Supplies and Accounts or the Chief of the Bureau of Naval Personnel of the Navy, the Commandant of the United States Coast Guard, the Quartermaster of the United States Marine Corps, the Administrator of the War Shipping Administration, the Director of the Veterans' Administration, the Director, or the duly authorized representative of any of the foregoing, and such certificate (1) is issued to the person having the prime contract with a government agency, and (2) specifies the following: the name of the importer supplying such salted fish and that such salted fish are for direct Army, Navy, Coast Guard or Marine Corps issue or for contract feeding of the Army, the Navy, the Coast Guard, or the Marine Corps personnel, or for consumption on ships operating under the War Shipping Administration. Each person who asserts that a particular importation and delivery of salted fish is for a government agency and is, therefore, exempt from quota restriction under this order, shall promptly submit to the Director a copy of each such certificate, and certify to the Director that such is a true and correct copy of the certificate issued, as aforesaid.

(e) *Restrictions relative to Puerto Rico and the Virgin Islands.* No person other than the United States Department of Agriculture (including, but not being limited to, any corporate agency thereof) may import any salted fish of the 1945 pack into Puerto Rico or the Virgin Islands.

(f) *Audits and inspections.* The Director shall be entitled to make such audit and inspection of the books, records and other writings, premises or stocks of salted fish of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(g) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in salted fish.

(h) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of salted fish which any person is required to offer or deliver pursuant to contracts heretofore or hereafter entered into with any government agency.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 72, Office of Marketing Services, United States Department of Agriculture, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (i) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(j) *Violations.* Any person who violates any provision of this order, may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using salted fish. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 72, Office of Marketing Services, United States Department of Agriculture, Washington 25, D. C.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 10, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 72, as amended, prior to the effective time of the provisions hereof, the provisions of War Food Order No. 72, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 9th day of July 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12452; Filed, July 9, 1945; 12:34 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51265]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

WAIVER OF COASTWISE LAWS

JULY 9, 1945.

Coastwise laws waived to extent necessary to permit transportation merchandise between ports in the United States by any foreign flag vessel allocated by the Government of any nation which is party to United Maritime Authority for operation at direction of War Shipping Administration.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of

section 501 of the Second War Powers Act, 1942 (50 U.S.C. Sup. App. 635), as extended by the act of December 20, 1944 (Public Law 509, 78th Congress), I hereby waive compliance with the provisions of section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), to the extent necessary to permit the transportation of merchandise between ports in the United States embraced within the coastwise laws by any foreign flag vessel allocated by the Government of any nation which is a party to the United Maritime Authority for operation at the direction of the War Shipping Administration; *Provided*, That the collector of customs at the port of lading is notified of such allocation by the War Shipping Administration prior to the departure of the vessel from such port of lading. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12463; Filed, July 9, 1945; 4:16 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO SUPPLIERS OF SOLID FUELS TO WAR DEPARTMENT, NAVY DEPARTMENT (INCLUDING THE MARINE CORPS AND COAST GUARD), MARITIME COMMISSION AND VETERANS' ADMINISTRATION

Pursuant to Executive Order No. 9332 and Solid Fuels Administration for War Regulation No. 1, as amended, you are hereby directed to ship such solid fuels (anthracite, semi-anthracite, bituminous, sub-bituminous or lignitic coals or coke, including packaged and processed fuels such as briquettes) as may be required during the period commencing on the effective date of this notice and ending July 1, 1946 under any contract which has been or may hereafter be entered into between you and the War Department, Navy Department (including the Marine Corps and the Coast Guard), the Maritime Commission, and the Veterans Administration, subject to such modifications or cut-backs as the Solid Fuels Administration may hereafter require.

Any direction which may hereafter be issued by the Solid Fuels Administration for War requiring the shipment of solid fuels to any person or group of persons does not authorize you to divert such solid fuels from shipments required by your contracts with the War Department, Navy Department (including the Marine Corps and the Coast Guard), the Maritime Commission, and the Veterans Administration, unless such direction specifically permits or requires such diversions.

This direction has been issued at the request of the War Department, Navy Department and other agencies of the Federal Government, each of which has expressed its willingness to do all it can to cooperate with SFAW in its program with respect to such matters as conservation, purchasing of the less scarce solid fuels and making purchases at such time and in such manner as will give assurance of maximum running time to the mines.

The notice of direction to all persons who supply solid fuels to the War Department, Navy Department or other agency of the Federal Government, dated April 13, 1944, is hereby revoked.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, as amended, 9 F.R. 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 9th day of July 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-12465; Filed, July 10, 1945; 9:58 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 332]

PART 95—CAR SERVICE

PROHIBITION ON LOADING OF FREIGHT IN ARIZONA AND CALIFORNIA ON SUNDAYS AND HOLIDAYS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of July, A. D. 1945.

It appearing, that the loading of freight cars at points in the states of Arizona and California on Sundays and holidays has resulted in the accumulation of an excessive number of such cars so loaded and in a congestion of traffic; the Commission is of opinion an emergency exists requiring immediate action at points in those states. It is ordered that:

(a) *Loading of freight prohibited.* Except as shown in paragraph (c), herein, no common carrier by railroad subject to the Interstate Commerce Act operating in the states of Arizona or California shall accept orders for a railroad freight car to be loaded with, shall furnish or supply a railroad freight car for loading with, or allow or permit a railroad freight car to be loaded with, freight of any kind at any point in the states of Arizona or California, on any Sunday or on any legal holiday (national or state only). In the event such cars are so loaded in violation of this provision, they shall not be transported.

(b) *Billing on freight of all kinds not to be accepted.* Except as shown in paragraph (c) herein, no common carrier by railroad subject to the Interstate Commerce Act shall accept billing on a railroad freight car loaded with any kind of freight to be shipped from any point located in the states of Arizona or California, at any time between the hours of 10:00 p. m., on Saturday of any week and 12:01 p. m. on Monday of the next succeeding week.

(c) *Application.* The provisions of this order shall apply to interstate and foreign traffic as well as intrastate traffic.

Exception. This order shall not apply on freight consigned, or to be consigned to the U. S. Army or the U. S. Navy, nor to cars loaded at shipside docks at ocean ports.

(d) *Effective date.* This order shall become effective at 12:01 a. m., July 8, 1945.

(e) *Expiration date.* This order shall expire at 11:59 p. m., August 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-12473; Filed, July 10, 1945; 10:56 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[1945 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

THIRD QUARTER, 1945

JULY 1, 1945.

§ 129.8 *Calendar year 1945.* * * *

(c) *Quarter beginning July 1, 1945.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning July 1, 1945, expressed in any such foreign monetary units: *Provided, however*, That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

Rico and the Virgin Islands. No person other than the United States Department

In addition, any person who willfully violates any provision of this order is guilty

thority vested in me by the provisions of

time and in such manner as will give

traffic.

IV, of the Tariff Act of 1930.

VALUES OF FOREIGN MONETARY UNITS (AT PAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD)

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentine Republic	Peso	$1.6335	Given valuation is of gold peso. Paper nominally convertible at 44% of face value. Conversion suspended Dec. 16, 1929.
Australia	Pound	3.2207	Control of gold stocks and exports authorized Dec. 17, 1939.
Belgium	Belga	.1695	By decree of Mar. 31, 1936, One Belga equals 5 Belgian francs. The Anglo-Belgian financial agreement of June 7, 1940, fixed the rate of exchange of the Belgian franc and the franc of the Belgian Congo at 176.625 francs for £1 sterling.
Bolivia	Boliviano	.0183	Conversion of notes into gold suspended Sept. 29, 1931.
Brazil	Cruzeiro (Milreis)	.0905	Decree law of October 6, 1942, established the cruzeiro as the unit of currency, replacing the milreis. Official rate for cruzeiro in terms of the dollar, announced by the Bank of Brazil, is 50 cents. Conversion of stabilization-Office notes into gold suspended Nov. 22, 1930.
British Honduras	Dollar	1.0631	Conversion of notes suspended.
Bulgaria	Lev	.0122	Exchange control established Oct. 15, 1931.
Canada	Dollar	1.0631	Embargo on export of gold, Oct. 19, 1931; redemption of Dominion notes in gold suspended Apr. 10, 1940.
Chile	Peso	.2000	Given valuation is of gold peso. Gold pesos are received for conversion at the rate of 4 paper pesos for 1 gold peso. Conversion of notes suspended July 30, 1931.
China	Yuan	.5714	Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control, exchange rate for yuan fixed at 29.16 the U. S. dollar by Stabilization Board of China, July 10, 1942.
Colombia	Peso	.5879	Obligation to sell gold suspended Sept. 24, 1931. New gold content of .56424 grams of gold 9/10 fine established by monetary law of Nov. 19, 1938, effective Nov. 30, 1938.
Costa Rica	Colon	1.0000	Conversion of notes into gold suspended Sept. 18, 1914; exchange control established Jan. 16, 1942.
Cuba	Peso		By law of May 25, 1934.
Czechoslovakia	Koruna	.4537	Conversion of notes into gold suspended Sept. 26, 1931.
Denmark	Krone	1.6681	U. S. money is principal circulating medium.
Dominican Republic	Dollar	1.0000	Conversion of notes into gold suspended Feb. 9, 1932.
Ecuador	Sucre	.0736	Conversion of notes into gold suspended Sept. 21, 1931.
Egypt	Pound; (100 piasters)	3.9692	Conversion of notes into gold suspended June 5, 1933.
Estonia	Kroon	.4537	Conversion of notes into gold suspended Oct. 12, 1931.
Finland	Markka	.0126	Provisions of monetary law of Oct. 1, 1936 providing for gold content of franc, superseded by decree of June 30, 1937, which stated that the gold content of the franc shall be fixed ultimately by a decree adopted by the Council of Ministers. Until issuance of such decree a stabilization fund shall regulate the relationship between the franc and foreign currencies.
France	Franc		
Germany	Reichsmark	.4003	Exchange control established July 13, 1931.
Great Britain	Pound sterling	4.0467	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Greece	Drachma	.0220	Conversion of notes into gold suspended Apr. 28, 1932.
Guatemala	Quetzal	1.0000	Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	Conversion of notes into gold suspended Dec. 27, 1933; issuing circulates as equivalent of half of U. S. dollar.
Honduras	Lempira	.5056	National bank notes redeemable on demand in U. S. dollars.
Hong Kong	Dollar		Gold exports prohibited Mar. 27, 1933; issuing circulates as equivalent of half of U. S. dollar.
Hungary	Pengö	.2501	Treasury notes and notes of the three banks of issue made legal tender by silver nationalization ordinance of Dec. 5, 1935, exchange fund created to control exchange rate
India (British)	Rupee	.4160	Exchange control established July 17, 1931.
Indo-China	Piaster		Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Ireland	Pound	4.0467	Piaster pegged to French franc at the rate of 1 piaster—10 French francs; conversion of notes into gold suspended Oct. 2, 1936.
Italy	Lira	.0526	Conversion of notes into gold suspended Sept. 21, 1931.
Japan	Yen	.2440	New gold content of 46.77 milligrams of fine gold per lira established by monetary law of Oct. 5, 1936.
Latvia	Lat		Embargo on gold exports Dec. 13, 1931.
Liberia	Dollar	1.0631	Currency pegged to sterling Sept. 28, 1936, at 2.522 lats=£1/0; on Sept. 13, 1939, a law was passed providing that if the pound sterling should depreciate by more than 5 percent with respect to the United States dollar, or the Swedish krona, the Bank of Latvia shall take steps to keep the rate of exchange of the lat stable by basing it on gold or some other monetary unit.
Lithuania	Litas	.1666	U. S. money is principal circulating medium.
Mexico	Peso	.4985	Free export of gold suspended Oct. 1, 1935.
Netherlands and colonies	Guilder (florin)		Decree of Aug. 28, 1936, left the monetary unit, the peso, to be later defined by law.
Newfoundland	Dollar	1.0631	Suspension of convertibility of notes into gold and restrictions placed on free gold exports—Sept. 28, 1936; gold export prohibition repealed by decree June 28, 1938; prohibition restored by Act of Nov. 25, 1938. The Anglo-Netherlands financial agreement of June 14, 1940, established the official rate of exchange between the Netherlands Indies guilder and the pound sterling at 7.60 guilders for £1 sterling.
New Zealand	Pound	4.0467	Newfoundland and Canadian notes legal tender.
Nicaragua	Cordaba	.4537	Conversion of notes into gold suspended and export of gold restricted, Aug. 5, 1914; exchange regulations Dec. 1931.
Norway	Krone	1.0000	Embargo on gold exports Nov. 13, 1931.
Panama	Balboa		Conversion of notes into gold suspended Sept. 29, 1931.
Paraguay	Guarani		U. S. money is principal circulating medium.
Persia (Iran)	Kiad	.0824	New unit established by decree law Oct. 5, 1943, effective 30 days later; not tied to gold. Certain prior dated obligations, etc., expressed in the gold peso fuerte (oro sella do) are converted as equivalent to 13½ guaranis. Latter exchange rate fixed by Bank of the Republic of Paraguay at 1 guarani equals U. S. $0.3255. Exchange control established June 28, 1932.
Peru	Sol	.4749	Obligation to pay out gold deferred Mar. 13, 1932; exchange control established Mar. 1, 1936.
Philippine Islands	Peso	.5000	Conversion of notes into gold suspended May 18, 1932, exchange control established Jan. 29, 1944.
Poland	Zloty	.1860	By act approved Mar. 16, 1935.
Portugal	Escudo	.0749	Exchange control established Apr. 27, 1936.
Rumania	Leu	.0101	Gold exchange standard suspended Dec. 31, 1931.
Salvador	Colon	.8995	Exchange control established May 18, 1932.
Spain	Peseta	.0514	Conversion of notes into gold suspended Oct. 7, 1931.
Straits Settlements	Dollar	.4537	
Sweden	Krona		British pound sterling and Straits dollar and half dollar legal tender.
Switzerland	Franc		Conversion of notes into gold suspended Sept. 29, 1931.
Thailand (Siam)	Baht (Tical)	.7491	Order of Federal Council created Sept. 27, 1936, instructed the Swiss National Bank to maintain the gold parity of the franc at a value ranging between 190 and 215 milligrams of fine gold.
Turkey	Piaster	.0744	Conversion of notes into gold suspended May 11, 1932.
Union of South Africa	Pound	4.0467	100 piasters equal to the Turkish £, conversion of notes into gold suspended 1916; exchange control established Feb. 26, 1930.
Union of Soviet Socialist Republics	Chervonetz	5.7123	Conversion of notes into gold suspended Dec. 28, 1932.
Uruguay	Peso	.6583	One chervonetz equals 10 rubles. Notes not convertible into gold.
Venezuela	Bolivar	.2967	Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931. New gold content of .185048 grams of pure gold per peso established by monetary law of Jan. 12, 1938.
Yugoslavia	Dinar	.0208	Exchange control established Dec. 12, 1936. Exchange control established Oct. 7, 1931.

(Sec. 25, 28 Stat. 552, sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U.S.C. 372)

Certified to be a true copy of the original.

[SEAL]

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12464; Filed, July 9, 1945; 4:16 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

CONSTITUTION OF REGIONS AND REGIONAL BOARDS

The National War Labor Board has added a new paragraph to paragraph (d) of § 802.51 of its rules of organization and procedure to read as follows:

§ 802.51 *Constitution of regions and Regional War Labor Boards.* • • •

(d) • • •

Whenever a Regional War Labor Board or Industry Commission or the New Case Committee of any such Board agent determines that a particular dispute case can be more effectively handled if the industry member of the Panel is selected from the same industry as the company involved in the dispute and the labor member of the panel is selected from the same international which is involved in the dispute, the Board Agency shall have authority to designate such members. The industry member shall not have any primary or other interest in the company involved in the dispute and the labor member shall not be a member of the local union involved in the dispute nor shall he have participated in any of the negotiations in connection with the dispute.

(E.O. 9017, 7 F.R. 7871)

Approved July 4, 1945.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-12469; Filed, July 10, 1945; 10:03 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 324]

PART 622—CLASSIFICATION

LENGTH OF DEFERMENT

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Amend paragraphs (c) and (e) of § 622.22-2 to read as follows:

§ 622.22-2 *Length of deferments in Class II-A and Class II-B.* • • •

(c) When a registrant in Class II-A or Class II-B voluntarily leaves the employment for which he was deferred, he shall be reclassified into Class I-A, Class I-A-O, or Class IV-E, unless before leaving such employment he requests a determination and a determination is made (1) that it is in the best interest of the war effort for him to leave such employment for other work, or (2) that there are adequate reasons involving the registrant or his immediate family which justify the registrant in leaving such employment.

• • • • • •

(e) Any registrant in Class II-A or Class II-B may file with his local board a written request for a determination under paragraph (c) or (d) of this section. When the registrant's local board has made a determination upon such request, it shall advise him thereof in writing.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 9, 1945.

[F. R. Doc. 45-12454; Filed, July 9, 1945; 2:54 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 11-B, Direction 2]

STATEMENT OF MANPOWER REQUIREMENTS (FORM WPB-3820)

The following direction is issued pursuant to Priorities Reg. 11-B:

(a) It is no longer necessary to file Form WPB-3820 (Statement of Manpower Requirements) when filing an application on Form WPB-2613 in either of the following two cases:

(1) Where the proposed production will be carried on in plants located in Groups III, IV, or unclassified labor areas,

(2) Where, regardless of plant location, the total number of production workers in the plant will not exceed 100 after application is approved without modification.

(b) If either of these two conditions apply when the application is filed, a statement must be attached to that effect.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12506; Filed, July 10, 1945; 11:46 a. m.]

PART 1284—BALSA

[Conservation Order M-177, Revocation]

BALSA

Section 1284.1 *General Conservation Order M-177* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The distribution and use of Balsa lumber remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12504; Filed, July 10, 1945; 11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 64, as Amended July 10, 1945]

DIRECT ALLOTMENT TO FORGERS OF SHELL STEEL FORGINGS

The following amended direction is issued pursuant to CMP Reg. 1:

(a) Beginning with the second quarter of 1945, the Army and Navy may make direct allotments to persons making shell steel forgings on Army or Navy sub-contracts. In most cases, no allotments of steel for forgings will be made to the prime contractor who machines the forgings and furnishes it to the Army or Navy. Forgers should immediately contact the appropriate claimant agency for allotments of steel billets during the second quarter and thereafter. If a forger receives an allotment for shell steel forgings directly from the Army or Navy, he may not thereafter accept allotments for shell steel forgings from his customers identified by an allotment symbol whose initial letter is "N" if his direct allotment was from the Navy, or whose initial letter is "W" or "O", if his initial allotment was from the Army, unless otherwise specifically directed by the Army or Navy, as the case may be.

(b) This direction expires December 31, 1945.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12499; Filed, July 10, 1945; 11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 66, as Amended July 10, 1945]

SEQUENCE IN SCHEDULING ORDERS FOR STEEL

The following amended direction is issued pursuant to CMP Reg. 1:

(a) Orders for steel should be given the following preference in being placed on schedule.

NOTE: In paragraph (b) items (2), (3) and (4), formerly (3), (4) and (5) redesignated July 10, 1945.

(b) Where a producer of steel in controlled material form is unable to schedule all orders which he has accepted in the month for which he accepted them, he should select the orders to be placed on the production schedule according to the following preference:

(1) Carried over and current orders required to be filled by specific direction of the War Production Board, (2) Orders bearing symbol "FC-1" and CMP orders carried over from previous months except orders with a CMP allotment symbol including the letter "Z", (3) Current CMP orders excepting those carrying the allotment symbol "Z", (4) CMP orders carrying the allotment symbol "Z", except stainless, (5) Unrated orders (including orders bearing the symbol FCN).

(c) If a producer finds it impossible to schedule all orders carried over from a previous month, plus orders covered by directives and those bearing the symbol FC, whether carry-over or otherwise, he must immediately advise the appropriate Product

Branch of the Steel Division, War Production Board.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12500; Filed, July 10, 1945; 11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 70, as Amended July 10, 1945]

MILITARY CANCELLATIONS OF CONSTRUCTION MACHINERY AND DIESEL ENGINES

The following amended direction is issued pursuant to CMP Reg. 1:

(a) *What this direction does.* This direction provides a way for manufacturers of construction machinery and Diesel engines to continue using military allotments and preference ratings that they have received from their customers for the production of such products for civilian use, after the customer cancelled the related order. This direction is intended to minimize the re-scheduling and re-ordering necessary in connection with the change from military to civilian production.

(b) Any person manufacturing the kinds of construction machinery and Diesel engines listed in paragraph (i) who is obtaining production materials by use of a rating and allotment received from his customer identified by the CMP allotment symbol whose initial letter is W, O, N, M, or C, need not cancel any use that he has made of the rating or allotment when the related order is cancelled unless the rating and allotment is specifically cancelled by his customer. Also, unless the rating and allotment is specifically cancelled by his customer, he may continue to use any unused balance of the military allotment to place further orders for civilian production of such product. He may also continue manufacturing such product, subject to the provisions of any other WPB order or regulation, at the same rate as previously authorized.

(c) Although he need not change any rating or allotment symbol on outstanding orders, any further orders that he places against the unused military allotment must be identified with the CMP allotment symbol assigned to him for the civilian proportion of his production by the WPB. The same symbol must be used on rated orders, and further ratings must be assigned within the "rating pattern" on his authorized production schedule received from the WPB.

(d) Separate records must be kept of his use of the military allotment. To do this, he may either set up an entirely separate account, indicating the amount already used against outstanding orders at the time of cancellation and separately the amount unused against which new orders are placed; or else he may transfer the unused allotment to the allotment received from WPB.

(e) Any manufacturer who continues to use military allotments under this direction must notify WPB, Washington 25, D. C., Ref: Appropriate Industry Division, by letter, within ten days from the date the military purchase order was cancelled, giving the following facts: (1) The product and the CMP product code number for which the allotment was used and will be used; (2) the amount of allotment (in tons or pounds) of each controlled material shape represented by the military cancellation which he would be otherwise required to return under paragraph (w) of CMP Regulation 1; (3) the amount of military allotment (including outstanding orders and unallotted balances) which he proposes to use in production for civilian purposes; and (4) the amount (by number, unit, or dollar value, as the case may be) of each product he proposes to make from the military allotment during each succeeding month.

(f) If a particular manufacturer wishes to make more of the product for civilian purposes than the amount allotted to him by the WPB for that purpose, *plus* the number made with military allotments under this direction, then he can apply on Form CMP-4B for the excess. This application should not include any amount which he proposes to make for civilian purposes from military allotments. The WPB will make adjustments in manufacturer's authorizations based on the letter required by paragraph (e), so that all manufacturers in the industry will be given equitable treatment.

(g) The WPB will notify the manufacturer within 10 days of the date it receives the letter required by paragraph (e), of the amount of military allotment the manufacturer may use and the adjusted total production for civilian purposes. If the WPB determines that the proposed production will result in the exceeding of the amount of civilian production of such product that the WPB proposes to give priorities assistance during the third and fourth quarter, the WPB will reduce the amount of military allotments the particular manufacturer can use for civilian purposes. In such a case, the manufacturer must cancel or reduce authorized controlled material orders, allotments, and rated orders to the extent that they exceed the amount determined by WPB.

(h) Nothing in this direction shall be construed to affect the liability of any person or agency for claims on contract settlement.

(i) This direction applies only to the following specific kinds of Class A Civilian Type End Products. (Class A Civilian Type End Products are a limited list of products for which both the claimant agencies and WPB allot controlled materials. They are identified in the WPB publication "Products and Priorities" by an asterisk (*). Formerly this direction applied to all of this limited list of products. This amendment confines the direction to the following list of Class A Civilian Type End Products). This direction applies only to the manufacturer of the complete product listed below and not to the manufacturer of any component of such product:

CMP Code	
308	Construction equipment, tractor mounted
309	Construction machinery, specialized
310	Construction material mixers, pavers, spreaders, related equipment
311	Construction material processing equipment
312	Power cranes, derricks, draglines, dredges, shovels and related equipment
313	Scrapers, maintainers, and graders
316	Drilling, boring machinery: earth, rock; including water well drilling
470	Tractors: track laying
750	Diesel electric or Diesel mechanical locomotives, under 600 horsepower

A detailed description of the above products is contained in the WPB publication "Products and Priorities."

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12501; Filed, July 10, 1945; 11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 74]

STATEMENT OF MANPOWER REQUIREMENTS (FORM WPB-3820)

The following direction is issued pursuant to CMP Reg. 1:

(a) It is no longer necessary to file Form WPB-3820 (Statement of Manpower Requirements) when filing an application on Form CMP-4B in either of the following two cases:

(1) Where the proposed production will be carried on in plants located in Groups III, IV or unclassified labor areas.

(2) Where, regardless of plant location, the total number of production workers in the plant will not exceed 100 after application is approved without modification.

(b) If either of these two conditions apply when the application is filed, a statement must be attached to that effect.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12502; Filed, July 10, 1945; 11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended July 10, 1945]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4*—(a) *Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by Direction 3 to Order M-21.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer, retailer, or scrap dealer) who is engaged in the business of receiving steel into one or more warehouse stocks regularly maintained by him for sale or resale in the form received, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) [Deleted July 10, 1945.]

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not accept an authorized controlled material order bearing an allotment number which requires a quarterly identification after the end of the quarter for which the allotment was issued. A distributor must not deliver any steel on an authorized controlled material order which requires a quarterly identification earlier than 15 days preceding the beginning or later than 60 days after the end of the calendar quarter for which the allotment was issued. Orders bearing symbols which do not have to bear any quarterly identification such as MRO (see Interpretation 25 to CMP Regulation 1) are not subject to this provision. Such orders may be accepted and delivered at any time.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which can be filled.* A distributor must fill orders of the kinds described in paragraphs (d) (1), (2) and (3) unless he is required or permitted to reject them under paragraph (c), (Rejection of Orders) and he may fill orders of the kind described in paragraph (d) (4). Paragraph (p) explains the preference that must be given in filling various classes of orders:

(1) A distributor must fill all authorized controlled material orders except "Z" orders for stainless steel.

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill any other order except orders for stainless steel. No endorsement is required on orders which a distributor is permitted to fill under this paragraph (d) (4). Deliveries made pursuant to this paragraph (d) (4) shall not be used to support a WH—Authorized Stock Replacement Order.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable for electrical conduction made from copper or copper base alloy or copper-clad steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where differences in temper will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products*—(1) *Delivery from warehouse stock.* (i) A warehouse must fill authorized controlled material orders for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) No person shall place orders calling for delivery from warehouse stock during any one calendar month to any one destination of more than 3,000 pounds gross weight of any item of brass mill product (except condenser tubes) or 3,000 pounds copper content of any item of copper wire mill product. This paragraph does not apply to the resale of brass mill and wire mill products obtained by warehouses under Priorities Regulation 13 or WPB Directive 16.

(iii) [Deleted May 10, 1945.]

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Delivery from warehouse stock on other than authorized controlled material orders.* Effective immediately, a brass mill warehouse, and effective July 1, 1945, a copper wire mill warehouse may but need not fill any order other than those which it is required or permitted to fill under paragraph (f) (1) or (f) (3) as follows:

(i) A warehouse may sell a quantity of each product group of controlled materials (except condenser tubes) as described below equal to the amount of such product group purchased by him on "ZW" orders and unrated orders from producers or warehouses.

(ii) In addition, a warehouse may sell a quantity of such product group of controlled materials (except condenser tubes) equal to 10% of the amount of each brass mill product that is in his inventory at the close of business on May 26, 1945, and each copper wire mill product group that is in his inventory at the close of business on June 30, 1945.

(iii) A warehouse may sell any quantity of condenser tubes. "Quantity" as used in the last three paragraphs means the gross weight of brass mill products or the copper content of wire mill products.

(iv) If a warehouse has in its stock a particular lot of controlled materials which it cannot deliver on unrated orders because of the restrictions contained in this paragraph (f) (2), the warehouse may apply by letter to the Copper Division, War Production Board, Washington 25, D. C., attention Wire Mill Branch or Brass Mill Branch for specific authorization to do so. Such application should describe the materials and state how long they have been in stock. Generally, the War Production Board will authorize the delivery of these materials on unrated orders only if the materials have been in stock 60 days or more and the warehouse has been unable to deliver them on authorized controlled material orders.

(v) Effective immediately, a warehouse may resell on unrated orders any brass mill products or wire mill products obtained by warehouses under the provisions of Priorities Regulation 13 or WPB Directive 16.

(vi) Purchasers of brass mill and wire mill products on orders other than authorized controlled material orders are subject to the quantity limitations of paragraph (f) (1) (ii).

(vii) Effective July 1, 1945, a warehouse may deliver brass mill and copper wire mill products on authorized controlled material orders identified with a

CMP allotment symbol whose initial letter is "Z" only under the conditions provided for delivery of orders other than authorized controlled material orders by this paragraph (f) (2). "Z" orders must, however, continue to be accepted if they can be filled within these limits.

(viii) The following product groups are to be used as a basis for permitted deliveries on unrated orders under this paragraph (f) (2).

(a) Brass mill alloy Plate, Sheet and Strip.
(b) Brass mill alloy Rods, Bars and Wire.
(c) Brass mill alloy tube and pipe.
(d) Brass mill unalloyed copper products.
(e) Copper wire mill products.

(3) *Shipments direct to customer or to fill specific orders.* If a warehouse wants to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(4) *Rejection of orders.*

(i) [Deleted May 10, 1945]

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

(v) If delivery of an order would deplete a warehouse stock to a point where its function in the distribution of brass mill products or copper wire mill products would be seriously impaired, the warehouse may apply to the War Production Board for authority to reject the order and may delay filling the order until its application is acted upon.

(vi) A warehouse may reject any order other than those it is required to fill by paragraph (f) (1).

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(h) (1) *Deliveries of aluminum by distributors.* Each distributor must, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM (except orders bearing symbols from AM 9500 through AM 9699) and orders which he has been specifically directed in writing by the War Production Board to fill. Orders bearing symbols from AM 9500 through AM 9599 need not be accepted, but if accepted, must be treated as authorized controlled material orders. Orders bearing symbols from AM 9600 through AM 9699 must be treated as deferred ("Z") orders before July 1, 1945, and as unrated orders on and after that date.

(2) Effective immediately, an aluminum warehouse may, but need not deliver aluminum (except extrusions, CMP Code Numbers 4301 and 4311), and effective July 1, 1945, a warehouse may but need not deliver extrusions on orders other than those he is required to fill under paragraph (h) (1).

(3) The restrictions of this regulation do not apply to aluminum powder, flake, pigment, or paste delivered for the purpose of making paint, ink, or other coating or liquid welding compound. Such aluminum powder, flake, pigment or paste may be delivered by a distributor on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

(4) No person shall place "deferred" ("Z") orders or unrated orders for delivery from warehouses which aggregate more than 10,000 pounds of sheet, strip or plate; 4,500 pounds of wire, rod and bar or more than 3,000 pounds of tubing, extrusions, or structural shapes for delivery in one month.

A warehouse may reject any order which it is otherwise required or permitted to accept if the order is for delivery at one time to one destination of more than 2,000 pounds of any gauge, alloy and sizes of aluminum sheet, strip or plate, or more than 900 pounds of any alloy shape and size of aluminum wire, rod and bar, or more than 600 pounds of any alloy, size and shape of aluminum tubing, extrusions or structural shapes.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (s) (3) of CMP Regulation No 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order which a distributor is required to fill requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation. *Provided*, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, which he is required to fill shall notify the appropriate Regional Compliance Office of the War Production Board of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) [Deleted July 10, 1945.]

(n) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

(o) *Processing customer's material.* A warehouse or distributor that has facilities for slitting, trimming, bending, etc., may accept controlled material from his customer and re-deliver to him without requiring an authorized controlled material order or other authority as required by this regulation, as long as such work does not interfere with filling authorized controlled material orders.

(p) *Preference in filling orders.* Irrespective of the time the order is received a distributor or warehouse must not fill an order if filling it would prevent filling another order on hand which calls for delivery of the same item within the next 30 days and which is in a prior class in the following series:

(1) Orders rated AAA.

(2) Authorized controlled material orders, other than orders bearing a CMP allotment symbol including the letter Z, orders specifically authorized by the WPB and orders for steel described in subparagraph (d) (2) of this regulation.

(3) Orders bearing a CMP allotment symbol including the letter Z.

(4) Unrated orders.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (e) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L–158 and other applicable regulations or orders. (Issued Feb. 27, 1943).

[F. R. Doc. 45-12503; Filed, July 10, 1945, 11:46 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended July 10, 1945]

TEXTILE BAGS

The fulfillment of requirements for the defense of the United States, has created a shortage in the supply of new and used textile bags for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3270.23 *Conservation Order M–221—*(a) *What this order does.* This order places limitations on the manufacture, delivery and use of textile bags. There are various restrictions on bag makers, such as the requirement of standard bag sizes for packing certain commodities (paragraph (e)). The bag makers' inventories of cotton textiles are also restricted (paragraph (c)). There are also various general restrictions on the delivery and use of new and used textile bags, such as the prohibition against converting and delivery of new and used textile bags (paragraphs (j) (1) and (j) (2)), and the requirement on the users' inventories of such bags (paragraphs (k) (1) and (k) (2)). There are also special restrictions on the use of new textile bags such as requirements that only certain products may be packed in such bags (paragraphs (n) and (o)). There are also certain special restrictions covering used textile bags, such as requirements on commercial emptiers with respect to the time limit on holding empty bags (paragraph (s)).

(b) *Definitions.* Wherever used in this order: (1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and manufactured of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton or twisted paper yarns, but excepting bags made from flannel, shopping bags, carry-out bags and combination textile paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or fabric has been previously used.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) "Commercial emptier" means any person who, in the preceding three months, acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the United States (the 48 states, the District of Columbia, the territories, the island possessions of the United States and the Panama Canal Zone).

(9) "Agricultural products" includes, but is not limited to, beans; chocolate; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

(10) "Wool bags" mean any new or used textile bag made of burlap between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a "wool bag" when it is no longer capable of carrying any of the following: Fleece wools, grease wools, pulled wools, scoured wools, noils, wool wastes or mohair.

RESTRICTIONS ON BAG MAKERS

(c) *Inventories of cotton textiles.* In addition to the restriction on the inventories of cotton textiles in Order M–317, no bag maker shall accept delivery of any cotton textiles as defined in Order M–317 which will increase his inventory of such cotton textiles to more than his reasonable requirements for the next 60 days, except that whenever such inventory is less than a 60-day supply, he may accept the minimum delivery customarily required by his supplier. For the purpose of this paragraph, a bag maker shall be deemed to "accept delivery" of such cotton textiles when he either takes legal title to such textiles or physical possession or control of them (whichever event occurs first) except that he may exclude from his inventory those textiles which are in transit to him or in transit to the finisher for his account. However, in addition to the above inventory restrictions, a bag maker's inventory as defined above plus such cotton textiles in transit to him or in transit to the finisher for his account must not exceed at any time his reasonable requirements for the next 90 days.

(d) *Rules applicable to inventory restrictions.* All bag makers owned or controlled directly or indirectly by the same person shall be deemed to be a single bag maker for the purpose of applying the inventory restrictions of this order. Any bag maker who accepts cotton textiles at more than one plant must apply the inventory restrictions of this order to the collective operations of all its plants. In the case where a bag maker is also engaged in the business of manufacturing cotton textiles, the inventory restrictions of this order shall apply to such a bag maker as if his operations as a bag maker are done by a separate person.

(e) *Bag sizes for certain commodities.* Except for bags to be exported, empty or filled, no bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs., or in any of the sizes specified below for that commodity.

Commodity	Bag size (net weight capacity unless otherwise specified)
Beans	2–5–10–25–50–100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat)[1]	2–5–10–25–50–100 lbs.
Meal	2–5–10–25–50–100 lbs.
Plaster (gypsum)	2–5–10–25–50–100 lbs. (gross weight)
Potatoes[2]	2–5–10–15–25–50–100 lbs.
Processed feed (mixed, mill)	2–5–10–25–50–100 lbs.
Rice	2–3–5–10–15–25–50–100 lbs.
Salt	2–4–10–25–50–60–100 lbs.
Seeds	2–5–10–25–50–100 lbs.
	1 2 bu
Starch (corn)	2–5–10–25–50–100 lbs.
Sugar (refined cane, beet)	2–5–10–25–50–100 lbs

[1] "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, promated, enriched, phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

[2] These restrictions do not apply to open mesh bags used for packing potatoes.

[3] Additional sizes are permitted as follows: 8 lb. or ½ bu. of hybrid seed corn; 3 bu for cotton seed.

(f) *Other prohibitions on bag makers—*(1) *Jeans.* No bag maker shall use cotton fabrics known as "Jeans" (CPRB Class 16A) for any other purpose than for making bags to pack silica jel or other desiccants.

(2) *False seams.* No bag maker shall manufacture any new textile bag in a manner that wastes materials, as for example, with a false seam that enables the bag to be packed with a lesser amount of any commodity than the bag would hold if there were no false seams.

(3) *Overstitching.* No bag maker shall overstitch the raw edges or selvage edge of any new cotton textile bag.

(4) *Dress prints.* The total linear yards of "dress prints" cut up by a bag maker in any calendar quarter to make textile bags must be limited to one or the other of the following quotas. One of these quotas must be chosen and may not be changed during any calendar year: (i) 25 per cent of the bag maker's "total cut-up" of "dress prints" in the calendar year 1944 to make textile bags; (ii) 100 per cent of the bag maker's "total cut-up" of "dress prints" in the corresponding quarter of 1944 to make textile bags. For the purpose of this subparagraph, the term "total cut-up" means the total linear yardage of "dress prints" converted into textile bags, and the term "dress prints" means those cotton fabrics dyed in solid colors or printed or woven with patterns or designs in the piece goods.

RESTRICTIONS ON DELIVERY OR USE OF NEW OR USED TEXTILE BAGS

(g) *Joint responsibility.* No person shall sell or deliver cotton textiles or new or used textile bags which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(h) *Use of preference rating*—(1) *Bag makers.* A bag maker obtains his burlap for the manufacture of textile bags under the provisions of Order M-47 which allocates certain quantities of burlap to him, and no preference ratings are needed by him for such purchases. A bag maker's use of preference ratings for purchasing cotton textiles for the manufacture of textile bags is controlled by the provisions of Orders M-317 and M-317A.

(2) *Users of textile bags.* No preference rating shall be applied or extended to obtain delivery of new or used textile bags, except a rating which has been specifically assigned for textile bags by the Army, Navy, Maritime Commission or War Shipping Administration (including persons who have been specifically assigned ratings by the Maritime Commission on Form WPB-646) for the direct or ultimate delivery of such bags either filled or empty to them.

(i) *Bags to be fully packed.* No user (excluding the Army and the Navy) shall use a new or used textile bag that is larger in size than the bag customarily used by the trade for packing the number of pounds of the commodity that he is packing.

(j) *Converting or delivery of textile bags.* Except as stated below, no person shall commercially convert any new or used jute, burlap or cotton textile bag into an article for any other use than as a bag, and no person shall commercially deliver any new or used jute, burlap or cotton textile bag, if he knows or has reason to believe that such bag will be used for any purpose other than as a bag. These restrictions shall not apply to (1) used cotton liners; (2) used cotton textile bags which are commonly known in the trade as "No. 2 quality bags", that is, bags which are caked, badly stained, badly torn (including ragged tops or large hand-sewn holes), or double-marked (printed on both inside and outside of bag); (3) used jute or burlap textile bags which have no commercial use as bags, with or without mending.

(k) *Users' inventories*—(1) *New textile bags.* No user shall accept delivery of or have set aside for his account, any new textile bags which will increase his inventory of new textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for packing the commodities which are permitted to be packed in such bags by this order. Except in the case of bags required by a user for packing a seasonal commodity, (whether or not produced by him) (see Interpretation 1A to Priorities Regulation 1) such inventory shall not exceed the aggregate number of new empty textile bags which will be required to carry on his business during the next sixty days.

(2) *Used textile bags.* No user shall accept delivery of, or have set aside for his account, any used textile bags which will increase his inventory of used textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal commodity (whether or not produced by him) (see Interpretation 1A to Priorities Regulation 1) such inventory shall not exceed the aggregate number of used empty textile bags which will be required to carry on his business during the next sixty days.

(l) *Use of wool bags.* Wool bags shall be used only for packing or wrapping wool or wool products.

(m) *Mohair bags.* No user shall use any new or used textile bags for packing mohair, unless the word "mohair" appears in legible type on both sides of the bag.

SPECIAL RESTRICTIONS ON NEW TEXTILE BAGS

(n) *Products permitted for new burlap bags.* No person shall use any new textile bag made of burlap for packing fish meal, fish scrap, tankage, meat scraps or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; crushed oyster shells; fertilizer; meat; mohair; petroleum waxes; stearic acid; wool or wool products; or chemicals for export. These restrictions do not apply to surplus new military sand bags which may be used to pack any product.

(o) *Products permitted for new cotton bags and open mesh bags made of cotton or twisted paper yarn*—(1) *Permitted products.* No user shall use any new textile bag made of cotton or open mesh bag made of cotton or twisted paper yarn for packing fish meal, fish scrap, tankage, meat scraps, or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; chemicals; cements; coins; currency; fertilizer; glue; gypsum; malt; meat; paste; plaster; samples; sand; securities; shell fish; small parts; tire chains; or such other uses as may be authorized by the War Production Board in writing pursuant to paragraph (o) (2) below.

(2) *Applications.* Applications for such authorizations should be made on Form WPB-1319, which is to be filed in accordance with the instructions for its use. Applications will be considered only on the basis of the essential need for new bags, the availability of the supply, and the availability of used bags or substitute containers. The application form and the instructions may be obtained at all War Production Board offices.

(p) *Certification.* No person shall sell or deliver any new textile bags in quantities of over 1,000 unless he has received from the purchaser a certificate signed manually or as provided in Priorities Regulation 7. This certificate shall be in substantially the following form, and once filed by a purchaser with a supplier covers all future deliveries from the supplier to that purchaser:

> The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-221 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order as amended from time to time.

The standard certificate provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the above certificate nor may the certificate be waived in accordance with paragraph (f) of that regulation.

SPECIAL RESTRICTIONS ON USED TEXTILE BAGS

(q) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person for his own use unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or for delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further reuse.

(r) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(s) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal amount of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal reuse.* If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restrictions of paragraph (k) (2) above.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

GENERAL EXCEPTIONS

(t) *Bags for certain Government agencies.* The provisions of this order (except paragraphs (c), (d), and (h) (2)) shall not apply to (1) textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of the Government agencies or persons listed below, or (2) textile bags for delivery of a product for the account of any of the agencies or persons listed below, provided the packing specifications call for textile bags, or (3) the purchase, acceptance, use or export of textile bags by these agencies or persons: Army, Navy, United States Post Office, Federal Reserve System, United States Treasury Department, any agency procuring for delivery pursuant to the act of Congress of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), Veterans' Administration and Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon and other persons whose purchase orders bear a preference rating for textile bags assigned by the Maritime Commission under Form WPB-646 (formerly PD-300)).

(u) *Export of empty bags.* No permission from the War Production Board is necessary to export empty new or used textile bags. The War Production Board has assigned an export quota to the Foreign Economic Administration and no person is permitted to export such bags to any destination other than Canada unless authorized by the Foreign Economic Administration. Application for export licenses should be sent to the Foreign Economic Administration, Bureau of Supplies, Requirements & Supply Branch, Washington 25, D. C. General information and instructions for export are contained in the Comprehensive Export Schedule issued by the Foreign Economic Administration.

(v) *Exception for mailing bags.* The provisions of this order (except paragraphs (c), (d), (h) (2)) shall not apply to any textile bag which is purchased or used for commercial shipment of articles in the United States mails. In any case where a textile bag which was purchased for such mailing purposes is not used for these purposes, then the use of the bag is subject to the provisions of this order.

MISCELLANEOUS PROVISIONS

(w) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref: M-221.

NOTE: Paragraphs (x), (y), (z), and (aa), formerly (aa), (bb), (cc) and (dd), redesignated July 10, 1945.

(x) *Appeals.* Appeals from Order M-221 shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: M-221. The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in excessive and individual hardship, and such other statistical and narrative information as may be pertinent.

(y) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(z) *Budget approval.* The application and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(aa) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction, may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12505; Filed, July 10, 1945; 11:46 a. m.]

Chapter XI—Office of Price Administration

PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg., Amdt. 18]

TEXTILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The proviso appended as a footnote to section 8.2 of the Second Revised Maximum Export Price Regulation is amended to read as follows:

Provided, however, That shipments may be made at contract prices, against firm contracts made in conformity with this regulation prior to June 4, 1945, if the exporter then had in his possession a valid export license for the textiles described in the contract or if an export rating for such textiles had theretofore been extended to him by the holder of such license, provided that delivery is made to the carrier prior to October 4, 1945.

This Amendment No. 18 shall become effective July 10, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12476; Filed, July 10, 1945; 11:31 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Corr. to Amdt. 119]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

In Appendix K, Table 3 (Maximum Prices for Apples), footnote 4, the Column 5 price through July 20, 1945, for Item 12 (barrel) is changed from "$13.80" to "$10.35".

This correction shall be effective as of June 25, 1945.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12480; Filed, July 10, 1945; 11:32 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 111]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 5 is amended in the following respects:

1. Section 13.7 (a) (3) is amended to read as follows:

(3) Application may be made at any time between March 1, 1945 and March 15, 1945, on OPA Form R-315, and must state:

(i) The date after March 3, 1944 on which he started to use lard, and the date after April 16, 1944, on which he started to use shortening, cooking or salad oils; and

(ii) His best estimate of the amount of such foods used between the date reported in (i) and January 19, 1945.

2. Section 13.7 (a) (5) is amended to read as follows:

(5) If the District Office finds that the facts stated in the application are true, it shall register the applicant and grant him a base in the following way:

(i) The quantity of lard, shortening, cooking and salad oils of which he made an institutional use for refreshment services between March 3, 1944 (in the case of lard) or April 16, 1944 (in the case of shortening, cooking or salad oils) and January 19, 1945 is divided by the

[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5919, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121, 12449, 13919.

number of days from the earliest date reported in (3) (i) to January 19, 1945;

(ii) The figure obtained in (i) is multiplied by 30;

(iii) The result in (ii) is converted into points by multiplying by 6 (the conversion factor); and

(iv) His refreshment base for foods covered by Revised Ration Order 16 is then determined in accordance with section 7.1 (c).

3. A new section 13.7 (c) is added to read as follows:

(c) The Board shall, for each institutional user who was granted a base under this section, recompute that base in accordance with paragraph (a) (5), as amended. That base, as recomputed, shall be used as his base for determining his refreshment allotments for foods covered by Revised Ration Order 16 for the July-August 1945 and subsequent allotment periods.

4. A new section 13.7 (d) is added to read as follows:

(d) The District Office may permit a person, otherwise eligible to register and obtain a refreshment base and allotment under this section, and who failed to apply at the time required, to register and apply for an allotment at a later date. His allotment is computed in the same way as that of an institutional user who registered on time. However, the amount of the allotment shall be reduced in proportion to the part of the allotment period which has elapsed at the time he registers. In addition, he may not receive any allotments for expired allotment periods.

This amendment shall become effective July 9, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12456; Filed, July 9, 1945; 4:11 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 344,[1] Amdt. 4]

NEW COTTON, LINEN AND UNDERWEAR CUTTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 344 is amended in the following respects:

1. Paragraph 1347.751 (b) is amended to read as follows:

(b) This regulation shall not apply to sales or deliveries of unsorted or mixed new cotton, linen or underwear cuttings to a purchaser who is not a consumer and who sorts the cuttings in the course of a regular rag packing operation. In connection with every such sale however, the purchaser must warrant in writing to the seller that he will not use the material as a consumer thereof nor resell it as unsorted or mixed cuttings to a consumer; these warranties must be kept in the seller's records in the manner provided in § 1347.757 of this regulation. Where unsorted or mixed new cotton, linen or underwear cuttings are bought, at any level, for other than sorting in the course of a regular rag packing operation the maximum price shall not exceed the maximum price prescribed by this regulation for the lowest grade contained in the assortment. No new cotton, linen or underwear cuttings which conform with the specifications of any grade listed in Appendix A shall be considered to be unsorted or mixed.

2. The heading of Appendix A is revised to read as follows: "APPENDIX A—MAXIMUM PRICES FOR NEW COTTON, LINEN AND UNDERWEAR CUTTINGS FOR ALL SALES OTHER THAN FROM ARMY, NAVY AND MARINE DEPOTS."

3. A new Appendix B is added to read as follows:

APPENDIX B—MAXIMUM PRICES FOR NEW COTTON, LINEN AND UNDERWEAR CUTTINGS FROM ARMY, NAVY AND MARINE DEPOTS.

Sales from Army, Navy and Marine Depots shall be priced f. o. b. depot and maximum prices for the respective grades, f. o. b. depot, shall be 0.25 cents per pound less than the corresponding delivered prices specified in Appendix A. All other provisions of Appendix A shall apply to sales under Appendix B except that brokerage may be accepted or paid on such sales, such brokerage not to exceed 5% of the applicable Appendix B maximum prices.

This amendment shall become effective July 14, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12458; Filed, July 9, 1945; 4:12 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 123]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 15, Appendix J, paragraph (a) the phrase "Apricots (all varieties)" is changed to read "Apricots (all varieties except Yakimenes, also called Shensi or Acme apricots)".

This amendment shall become effective July 14, 1945.

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: June 27, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the exemptions of Yakimenes from price control is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12459; Filed, July 9, 1945; 4:12 p. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[RMPR 125,[1] Amdt. 9]

NONFERROUS CASTINGS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 125 is amended in the following respects:

1. A new § 1395.2a (b) is added to read as follows:

(b) *Aluminum and magnesium airframe sand castings*—(1) *Election to determine maximum prices under this paragraph (b).* The maximum prices provided by this paragraph for aluminum and magnesium airframe sand castings are applicable only to sellers who wish to price by this paragraph rather than by §§ 1395.3 and 1395.4. This paragraph (b) shall be applicable to all sales of aluminum and magnesium airframe sand castings by a seller who elects to price under it. Thus, a seller who wishes to sell any aluminum and magnesium airframe sand castings under this paragraph must sell all such castings under it. Such a seller may, however, exclude outstanding orders from his election or may elect to price under this paragraph beginning at some date in the future.

An election to price under this paragraph shall be made by letter addressed to the Non-Ferrous Metals Branch, Office of Price Administration, Washington 25, D. C. Such election by letter shall be effective upon acknowledgement in writing by the Office of Price Administration.

Any seller who has elected to price under this paragraph will be relieved of such election and may resume pricing under §§ 1395.3 and 1395.4 ten (10) days after sending notice to that effect by registered mail to the office of Price Administration, Washington 25, D. C.

(2) *Specific maximum prices for airframe castings meeting certain specifications*—(i) *Base prices for airframe sand castings.*

NOTE: The prices set out in the following table are in cents per pound, except those in Columns 1 and 2 which apply to castings weighing ¼ pound or less. Per piece prices are set out in Columns 1 and 2 for castings weighing ¼ pound or less. Weight on delivery is controlling. In the columns below, the range in each case is inclusive of the greater weight but not of the smaller weight. This table applies to magnesium as well as aluminum castings but a special addition is provided below for magnesium castings.

TABLE OF DOLLARS AND CENTS BASE PRICES

[F. o. b. seller's plant]

Group classification	Weight ranges in pounds per casting						
	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
	0 to ⅛ pound—Price per piece	⅛ to ¼ pound—Price per piece	¼ to ½ pound—Price per pound	½ to 1 pound—Price per pound	1 to 3 pounds—Price per pound	3 to 5 pounds—Price per pound	5 to 10 pounds—Price per pound
"A"—No cores	$0.25	$0.35	$0.90	$0.80	$0.70	$0.60	$0.50
"B"—1 cores	.25	.35	1.10	1.00	.85	.75	.65
"C"—2 cores	.25	.35	1.25	1.15	1.05	.90	.80
"D"—3 or 4 cores			1.50	1.35	1.20	1.10	.95
"E"—5 or 6 cores				1.60	1.45	1.30	1.15

(ii) *Extras.* The following extras or premiums may be added to the base price when applicable. These extras are cumulative and as many as are applicable may be added. However, where stated as a percentage, such extras are to be figured as a percentage of the base price only.

(a) Heat treating	5¢ per lb.
(b) X-ray	10% of base price.
(c) Hydrostatic pressure testing	25% of base price.
(d) Casting made from alloys included in Group 7, aluminum base alloys, § 1395.3 (c)	60% of base price.

(iii) *Addition for magnesium castings.* To the applicable base price and extras set out above add 100% to determine the maximum price of a magnesium casting.

(iv) *Addition for machining.* The maximum price of a machined casting shall be figured by adding to the price of the rough casting as determined above an amount equal to the cost of machining as determined by the seller's pricing formula plus his formula markup on such cost.

(3) *Maximum prices for air frame sand castings which cannot be priced under subparagraph (2) above.* The maximum price of any aluminum or magnesium air frame sand casting of such specifications that it cannot be priced by reference to the table and extras above, shall be determined by the seller's pricing formula established and applied as required by § 1395.4. If the seller has such a formula on file with the Office of Price Administration in Washington, D. C., he shall continue to use it. If the seller has no such formula on file he should submit one to the Office of Price Administration, Washington 25, D. C., for approval. Any seller whose formula makes no provision for machining should supplement his filing if he proposes to sell any machined airframe sand castings and make the addition permitted by subparagraph (2) (iv) above.

Only a pricing formula which bases prices on cost estimates shall be considered a pricing formula for the purpose of this provision. No seller who elects to price under this paragraph (b) will be either required or permitted to price on a flat price basis those castings which cannot be priced by reference to the table and extras above.

(4) *Small order exemption.* The small order exemption set out in § 1395.1 (b1) is not applicable to sales of airframe sand castings by any seller who elects to determine his maximum prices for such castings under this paragraph (b). However, the following exemption is applicable to such a seller.

Sales of airframe sand castings by a seller who elects to price under this paragraph (b) shall be exempt from this regulation and the General Maximum Price Regulation if the following three conditions are met:

(i) The particular order does not exceed 25 castings from the same design of pattern or 100 pounds in weight;

(ii) The particular order, plus all other exempt orders from the same buyer within the past 30 days, does not exceed 50 castings from the same design of pattern or 300 pounds in weight; and

(iii) The seller indicates on his invoice that the particular order is exempt from price control as a small order.

(5) *Definitions.* (i) "Airframe sand casting" means a casting made in a sand mold and used in the construction of the framework of an aircraft or in the attachment of any unit to the aircraft. By way of illustration but not of limitation, it includes parts of the fuselage, wings, tail-plane, landing gear, operating mechanisms, gun mounts, rocket launching devices and the like. It does not include integral parts of the power plants, instruments, firearms and the like.

(ii) "Aluminum" means aluminum and aluminum base alloy.

(iii) "Magnesium" means magnesium or magnesium base alloy.

This amendment shall become effective July 14, 1945.

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12457; Filed, July 9, 1945; 4:11 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Restaurant MPR 9-2]

FOOD AND DRINKS SOLD BY EATING AND DRINKING ESTABLISHMENTS IN THE TERRITORY OF PUERTO RICO

In the judgment of the Price Administrator the prices of food and drinks sold in the Territory of Puerto Rico have risen and are threatening further to rise to an extent and in a manner inconsistent with the purpose of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Price Administrator the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Act. This regulation establishes as maximum prices for food and drinks sold in the Territory of Puerto Rico, those prevailing during the seven day period beginning October 15, 1944, and ending October 21, 1944.

Sec.
1. Prohibitions.
2. Evasion.
3. Permitted practice.
4. Records.
5. Filing of menus.
6. Definitions and explanations.
7. Ceiling prices for "eating and drinking establishments."
8. Posting.
9. Transfers of business.
10. Rules for operation of several establishments.
11. Rules when moving your establishment or changing type of operation.
12. Petitions for adjustment.
13. Petitions for amendment.
14. Exemptions.
15. Violations.
16. Special orders.
17. Geographical application.

AUTHORITY: § 1418.165 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

SECTION 1. *Prohibitions.* Sales at higher than ceiling prices prohibited. If you own or operate an eating or drinking establishment, you must not sell or offer any meal, food item or drink at a price higher than the ceiling price (maximum price) established by this regulation. You may, of course, sell at lower than ceiling prices.

SEC. 2. *Evasion.* (a) You must not evade the provisions of this regulation by any scheme or device whatsoever, including, but not limited to the following practices which will be regarded as evasive:

(1) You may not drop food items from meals, or reduce the quality or quantity of any meal, food item or beverage, unless you reduce your price accordingly.

(2) You may not increase your price for a meal, food item, or beverage because of an improvement in the quality or increases in the quantity of the food, or beverage served or the addition or substitution of side dishes.

(3) You may not withdraw the offer, or increase the price of any meal ticket, weekly rate, or other arrangement, by

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[1] 7 F.R. 9732, 8 F.R. 3845, 6109, 7350, 7821, 7199, 13049, 17483; 9 F.R. 6107, 8056, 11108; 10 F.R. 1787.

[1] 8 F.R. 1271, 2597, 2721; 9 F.R. 576, 1664, 5590, 12266; 10 F.R. 1976, 4100, 5041.

which customers may buy food for less than when they buy it by item or meal.

(4) You may not increase any cover, minimum, bread-and-butter, service, corkage, entertainment, checking, parking, or other special charges, or increase any extra charge for the sale of a food item or meal to be eaten off the premises, or make any of these charges that were not in effect on October 15 to 21, 1944. However, a cover or minimum charge in effect October 15 to 21, 1944, may be increased where it was your practice to vary the charge in accordance with the type of entertainment offered, and the increase does not cause the charge to go above the highest charge made in 1944 under the same conditions. If during October 15 to 21, 1944, you had any of the above charges on one of several days of the week or at certain times of the day, you may not make the charge on other days of the week or other times of the day.

(5) You may not drop a "no tipping" practice, unless you reduce your price accordingly.

(6) You may not require, as a condition of selling a meal, food item, or beverage, the purchase of other meals, food items or beverages.

(7) You may not reduce the selection of meals offered at table d'hote prices when the food items you customarily offered in such meals are being offered at a la carte prices which, when added together, total more than the table d'hote prices for the complete meals or give your customers less value for their money.

(8) You may not make merely a token offering of meals, food items, or beverages in required price ranges or price groups at or below your middle price group (see section 7 (h)) that is, not prepare and offer enough to meet expected demands.

SEC. 3. *Permitted practice.* (a) You may do the following when necessary because of rationing or allocation restrictions or scarcity even though you did not do it during October 15 to 21, 1944.

(1) You may limit your customers to one pat of butter per meal, or eliminate it entirely. If you drop it altogether, you must serve with each meal a substitute, such as jam, jelly, marmalade, peanut butter, etc.

SEC. 4. *Records.* (a) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the OPA.

(b) *Records of the base period.* You must keep available for examination by any person during business hours a copy of each menu used by you during the period from October 15 to 21, 1944. If you did not use menus, or no longer have previous menus available, you must prepare in duplicate and make available for such examination a list of the highest prices you charged in the period from October 15 to 21, 1944.

(c) *Future records.* Beginning with the effective date of this regulation, and for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, you must keep for examination by the Office of Price Administration the following:

(1) One of each of the menus used by you each day. If you do not use menus you must prepare and preserve for such examination a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals.

(2) Copy of the invoices of purchases made from wholesalers.

SEC. 5. *Filing of menus.* (a) If you open for business after July 14, 1945 you must file with your War Price and Rationing Board, within one week after the first day of operation a copy of each menu bill of fare, or other price list of meals, food items, and beverages, as well as a copy of any special charges, such as cover, minimum, service, corkage, entertainment, checkroom, and parking in use during the seven day period beginning with the first day that your place was open for business. If you did not use menus, bills of fare, or price lists in that period, or if you did not list all meals, food items or beverages then offered, you must file with the Board a list in menu form showing the prices which you charged during the seven-day period for meals, food items or beverages which are not shown on any menus, bill of fare or price lists, which you may file hereunder. Each menu or list so filed must be signed by you, and must also have upon it the name and address of your establishment. You must keep a copy of each such menu or list.

SEC. 6. *Definitions and explanations.* (a) "Eating or drinking establishment" means any place, establishment, or location, whether temporary or permanent, where meals, food items or beverages are sold or served primarily for consumption on or about the premises. The term eating and drinking establishment includes, but is not limited to, establishments such as restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, luncheon wagons, and hot dog carts.

(b) "Food item" means an article or portion of food sold or served by an eating or drinking establishment to be eaten on or off the premises. It may include two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, rice and beans.

(c) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food prepared or served to be eaten together as one dish are not a "meal."

(d) "Offer" means offer for sale and includes the listing or posting of prices for meals, food items, or beverages, even though such meals, food items and beverages so offered were not actually on hand to be sold.

(e) "Beverage" means all alcoholic or non-alcoholic prepared or unprepared drinks sold or served by an eating or drinking establishment for consumption on the premises.

(f) "War Price and Rationing Board" means the Price Panel of each War Price and Rationing Board of the Office of Price Administration for the area in which your establishment is located.

SEC. 7. *Ceiling prices for "eating and drinking establishment."* (a) Your ceiling price for any "meal", "food item", or "beverage", is the highest price at which you sold or offered to sell the same meal, food item or beverage during the seven-day period from October 15 to 21, 1944.

(b) Your ceiling prices for any "meal", "food item", or "beverage" not sold or offered for sale during the seven-day period from October 15 to 21, 1944, shall be determined as follows:

(1) If you sold or offered to sell at any time during September 17 to October 14, 1944, and you have and retain menus or other records of the prices you charged then, your ceiling price is the highest price at which you sold or offered to sell that particular meal, food item, or beverage during that period.

(2) Your ceiling price for all other meals, food items, or beverages is a price "in line" with your other ceiling prices. A price for a meal, food item, or beverage is "in line" with the price of another meal, food item, or beverage if the customer gets the same value for his money in terms of quality and size of portion and if the margin over current raw food or beverage costs is approximately the same. Any ceiling price figured under this subparagraph (2) cannot be more than the highest price at which you offered a meal, food item, or beverage of the same class during the seven-day period, from October 15 to 21, 1944 (see paragraph (g) below). If you did not sell or offer to sell a meal, food item or beverage of the same class during October 15 to 21, 1944, figure your price under paragraph (c) below.

(c) Your ceiling prices for an establishment not in operation during October 15 to 21, 1944, inclusive, but in operation before the effective date of this regulation are the ceiling prices properly filed pursuant to Registration Order No. 2, issued by the Director of the Territorial Office for Puerto Rico on October 20, 1944. You must also observe all the applicable rules stated in this section (7). In applying these rules substitute the dates of your first week of operation for the period of October 15 to 21, 1944.

(d) Your ceiling prices for new establishments which may open after the effective date of this regulation and for any establishment which has not complied with Registration Order No. 2 are the ceiling prices of your closest competitor of the same type in the same locality.

If there is no competitor of the same type in the same locality, you must file an application thru your Local War Price and Rationing Board with the Office of Price Administration of San Juan, Puerto Rico, for approval of the ceiling prices. The prices so established shall

be in line with the level of ceiling prices otherwise established by this regulation. The application must contain the following information:

(1) Your name and address and the name and address of your establishment.

(2) A brief description of the business you operate or plan to operate, giving such information as seating capacity, estimated number of people to be served, type of equipment, and type of establishment; a copy of your proposed menu if you have one.

(3) Your ceiling prices or proposed ceiling prices and classes of meals, food items, or beverages you serve or plan to serve. In preparing the list use the classes of food items listed in Appendix A.

(4) The date you opened or plan to open.

(5) The names and addresses of the two nearest establishments most like yours.

(e) Your ceiling prices for new classes of meals, food items, or beverages which cannot be determined under any one of the above paragraphs are the ceiling prices of your closest competitor of the same type in the same locality.

If there is no competitor of the same type in the same locality offering that class of meals, food items, or beverages, you must file an application thru your Local War Price and Rationing Board with the Office of Price Administration for approval of ceiling prices in line with the level of ceiling prices otherwise established by this regulation. The application must contain the following information and any other information which the Office of Price Administration may request:

(1) Your name and address and the name and address of your establishment.

(2) A brief description of the business you operate, giving such information as seating capacity, number of people served per day, gross sales for the last thirty days, type of equipment, and type of establishment; a copy of your present menu.

(3) The additional Meals you plan to serve and the proposed ceiling prices with the raw food costs.

(4) The names and addresses of the two nearest establishments most like yours, offering the same type of menu you plan to serve.

You may not sell the meals, food items, or beverages for which maximum prices are requested under paragraph (d) or (e) until those prices have been approved by the Office of Price Administration, but the proposed prices shall be considered approved twenty days after mailing the application (or all additional information which may have been requested), unless within that time, the Office of Price Administration advises you that your prices have been disapproved.

The Office of Price Administration may at any time disapprove or revise ceiling prices proposed or established under paragraph (d) or (e) so as to bring them into line with the level of ceiling prices otherwise established by this regulation for eating and drinking places in the same area.

(f) *Substitution of food items or beverages.* You may substitute for any food item or beverage in a meal any other food item or beverage not offered during October 15 to 21, 1944, without refiguring your ceiling price only if the substitute food item or beverage costs you at least as much and also gives customers at least the same value as the food item or beverage substituted and is in the same class. Otherwise, you must refigure your ceiling price for the meal in accordance with paragraph (b) above.

(g) *Classes of meals, food items, and beverages; basic rules.* Meals, food items and beverages are divided into classes (see paragraph below for a description of these classes). With the exceptions listed under this section 7, you may not charge more for any meal, food item, or beverage than (1) the highest price at which you sold or offered to sell a meal, food item, or beverage of the same class during the base period, October 15 to 21, 1944, or (2) during September 17 to October 14, 1944, for particular meals, food items, or beverages sold or offered for sale during that period but not during October 15 to 21, 1944, as stated in paragraph (b) above.

The "Class" in which any meal, food item, or beverage belongs depends on the following tests:

(1) Whether the food item falls into one of the groups listed in Appendix A. For example, steak dinners are in a different class than fish dinners and steak dinners are in a different class than steak served "a la carte".

(2) What it is usually called, for example: breakfast, lunch, dinner, supper.

(3) The nature of the service you give, if that was a customary basis for charging different prices during the base period; for example, banquets, special group luncheons, hotel room service are separate classes of meals, food items, or beverages if you customarily charged different prices for them during the base period.

The class into which a meal, food item, or beverage belongs may depend on more than one of the tests listed above. To decide the proper class you must use all the tests which apply. For example, if you charged the same price for a particular meal, food item, or beverage, whenever you served it during the base period, you must use only the first test. On the other hand, if you charged different prices at different times of the day during the base period you must use at least the first and third and any other test which applies.

(h) *Price ranges of meals, food items and beverages.* (1) Your customers must be given a choice of meals, food items, and beverages in the same price ranges as they had during October 15 to 21, 1944, or your first week of operation if you were not open then.

(2) You must offer at least as many meals, food items or beverages in each price group at and below your middle price group as you did during October 15 to 21, 1944, or during your first week of operation if you were not open then. Your middle price is the price nearest the middle of your price range. For example, if you had two breakfasts at 25 cents, three at 30 cents and two at 35 cents, 30 cents is your middle price group, and you must continue to offer at least two breakfasts at 25 cents and at least three at 30 cents.

SEC. 8. *Posting—*(a) *Statement on menus.* Beginning July 14, 1945 each menu used by you must have clearly and plainly written on it, or attached to it, the following statement:

> All prices are our ceiling prices or below. The ceilings are based on prices charged by us from October 15 to 21, 1944. Our menus (or price lists) for that week are here for your inspection.

If your prices are established under section 7 (d) substitute the following statement:

> All prices are our ceiling prices or below. By OPA regulation, our ceiling prices must be in line with competitive prices charged from October 15 to 21, 1944. Our menus (or price lists) for our first week of operation are here for your inspection.

(b) *Establishments that do not use menus.* If you do not use menus, you must post the appropriate statement quoted above at a place or places where it can easily be read by your customers, and you must also post your prices for meals and food items and beverages currently offered by you at a place or places where they can easily be read by your customers.

SEC. 9. *Transfers of business.* If you lease or acquire another's business, assets, or stock in trade, your ceiling prices and your duties under this regulation are the same as those of the previous proprietor. He must turn over to you all records which are necessary to enable you to comply with the records and filing provisions of this regulation. You must notify your local War Price and Rationing Board of any change of ownership or locality.

SEC. 10. *Rules for operation of several establishments.* (a) If you own or operate more than one establishment, you must do everything required by this regulation for each place separately.

(b) If you own or operate more than one establishment and close one and open another in the same neighborhood, which upon judgment of the Office of Price Administration is of the same category as the closed one, your ceiling prices and duties for the new establishment under this regulation are the same as the one you closed.

(c) If you own or operate more than one establishment located in two or more War Price and Rationing Boards districts and have established or want to establish the practice of charging uniform prices in all or certain of your establishments, you may apply for a uniform pricing order to the Territorial Office of the Office of Price Administration in San Juan, Puerto Rico.

SEC. 11. *Rules when moving your establishment or changing type of operation.* If you move your establishment or change your type of operation, you must keep the same prices and observe the same requirements as before.

SEC. 12. *Petitions for adjustment.* (a) The Office of Price Administration

may adjust the ceiling prices for any eating or drinking establishment under the following circumstances:

(1) The establishment is operating under such financial hardship as to cause a substantial threat to the continuance of its operation; and

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all eating or drinking services or will have to turn to other establishments which present substantial difficulties as to distance, hours of service, selection of meals, food items or beverages offered, capacity, or transportation; and

(3) By reasons of such discontinuance, the same meals, food items, or beverages will cost the customers of the eating or drinking establishment as much as or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating or drinking establishment which satisfies the above requirements you may apply for an adjustment of your maximum prices by submitting in duplicate to your OPA Local Board a statement setting forth:

(1) Your name and address and the name and address of your establishment.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch, and dinner), number of persons served per day during the most recent thirty-day period, and any other information which is necessary to describe your establishment and the nature and extent of your operation.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours. (If in your locality there are less than three or no eating places of the same type as yours, give the names of those nearest and if none so indicate).

(5) A list showing your present maximum prices and your requested adjusted prices.

(6) Detailed profit and loss statements for the establishment for:

(i) The most recent three-month accounting period,

(ii) The preceding fiscal or calendar year prior to the date of your application, and

(iii) The fiscal or calendar year approximating the year 1942.

(7) Such other information as your OPA Territorial Director may require.

(c) Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

SEC. 13. *Petitions for amendment.* If you seek a change in this regulation affecting eating and drinking establishments generally, you may file a petition for amendment in accordance with Revised Procedural Regulation No. 1.

SEC. 14. *Exemptions.* The provisions of this regulation shall not apply to the following:

(a) Sales by the following eating or drinking establishments or persons, are specifically exempt from the provisions of this regulation:

(1) Hospitals.

(2) Eating and drinking places operated by a school, college, university, or other educational institution or a student fraternity or other students' organization or association primarily for the convenience or accommodation of students and faculty and not for profit as a commercial business enterprise or undertaking.

(3) Eating and drinking places owned or operated by charitable, religious, or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholder or individual, and the net profits, if any, are devoted to religious, charitable, or cultural purposes.

(4) Eating cooperatives formed by officers in the Armed Forces (as, for example, Officer's Mess) operated without profit.

(5) Bona fide clubs which file with their OPA Local Board a statement setting forth that:

(i) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(ii) It sells food items and meals only to members and bona fide guests of members;

(iii) Its members pay dues of more than merely nominal amounts (the amount of dues paid by each class of members and the period covered by such dues should be indicated), and are elected to membership by a governing board, membership committee or other body;

(iv) It is otherwise operated as a club and not primarily as an eating or drinking establishment.

If the Office of Price Administration finds that the establishment does not satisfy the above requirements of a bona fide club, it will notify it in writing that it is not exempt from this regulation.

No club organized after the effective date of this regulation shall be exempt unless and until it has filed a request for exemption with its Local Board, furnishing the above information, as may be required, and has been exempted in writing by the Territorial Office of Price Administration in San Juan, Puerto Rico.

(b) Sales of beverages in the container in which it was originally bottled or packed by other than the eating or drinking establishment making the sale. However, these sales continued to be covered by the provisions of the General Maximum Price Regulation and Revised Maximum Price Regulation 183.

SEC. 15. *Violations*—(a) *License suspension.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control apply to you. Your license may be suspended for violation of the provisions of any applicable price regulation. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

(b) *Civil and criminal action.* If you violate any provisions of the regulation, you are subject to the criminal penalties, civil enforcement actions, licensing suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942 as amended.

SEC. 16. *Special orders.* The Director of the Territorial Office of Puerto Rico may from time to time issue special orders establishing specific ceiling prices for meals, food items and beverages, which when issued will supersede and take the place of this regulation with respect to the prices established by such orders.

SEC. 17. *Geographical application.* This regulation applies to the Territory of Puerto Rico.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective July 14, 1945.

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

APPENDIX A—GROUPS OF FOOD ITEMS

The groups of food items are as follows:

I. *Food items:*

1. Fruit juices, vegetable juices and similar items.
2. Appetizers, all types except alcoholic fruit juices, vegetable juices, etc.
3. Cereals.
4. Eggs and combination egg dishes.
5. Bread, rolls, buns, toast, doughnuts, and similar items.
6. Jam, jellies, preserves, condiments, and similar items.
7. Griddle cakes, waffles and similar items.
8. Soups, including jellied soups.
9. Steaks; T-bone, sirloin, porterhouse, tenderloin, and prime rib of beef.
10. Beef, steaks other than class 9, roasts, pot roasts, hamburgers, ground beef items, and similar items.
11. Veal; Steaks, cutlets, chops, roasts, and similar items.
12. Pork; steaks, chops, ham, roasts, and similar items, except when served with eggs.
13. Lamb or mutton; chops, roasts, and similar items.
14. Prepared dishes such as stews, casseroles, meat pies, ragouts, curries, and similar items.
15. Miscellaneous and variety meats, such as livers and kidneys, and similar items.
16. Chicken: including broiled, fried, fricassee, creamed, chicken rice, chicken "asopao" and similar items.
17. All other poultry, including roast chicken.
18. Game.
19. Fish.
20. Shell fish, including seafood platters and related stews.
21. All other prepared dishes, such as spaghetti and combinations, vegetable platter, baked beans and combinations, Welsh rarebit, rice and beans, etc.
22. Chop suey, chow mein, and other Chinese foods.
23. Vegetable and salads, served as side dishes.
24. Salads served as main course in meal.
25. Cake, cookies, pies, pastries, and other baked goods.
26. Ice cream, sherbets, water ices, including combination with syrup, cream, sodas, sundaes, milk shakes, and other soda fountain items including ice cream.
27. Seasonal specialties; including but not limited to watermelons, cantaloupes, fresh fruits and fresh berries.
28. Fruits, puddings, cheese, and other dessert items.
29. Cold sandwiches with or without garnishings, salads, and vegetables.
30. Cold cut platters with or without garnishings, salads, and vegetables.
31. Hot sandwiches.

[F. R. Doc. 45-12460; Filed, July 9, 1945; 4:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Rev. Supp. Service Reg. 24 [1]]

MAXIMUM PRICES FOR CERTAIN SCALING AND INSPECTION SERVICES; LOGS AND LUMBER

Supplementary Service Regulation 24 is redesignated Revised Supplementary Regulation 24 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of Revised Supplementary Service Regulation 24, issued simultaneously herewith, has been filed with the Division of the Federal Register.

§ 1499.2255 *Maximum prices for certain scaling and inspection services; logs and lumber.* The maximum prices for the service of inspecting, grading and scaling logs and lumber established by Revised Maximum Price Regulation 165 are modified in the following respects:

(a) *Hardwood lumber inspections for OPA.* The maximum price for the service of inspecting hardwood lumber, performed by the National Hardwood Lumber Association for the Office of Price Administration shall be, for the services of one inspector at one place $25.00 per day, with no allowance for hotel expenses, meals, travel or other items of expense. In calculating the amount of time spent, travel time to and from the inspector's headquarters shall not be included.

(b) *Southern pine inspections for OPA.* The maximum price for the service of inspecting Southern Pine lumber performed by the Southern Pine Inspection Bureau for the Office of Price Administration shall be, for the services of one inspector at one place, $25.00 per day with no allowance for hotel expenses, meals, travel or other items of expense, except that the Southern Pine Inspection Bureau may be reimbursed for any extra labor or material expense incurred in connection with inspection service so performed. In calculating the amount of time spent, travel time to and from the inspector's headquarters shall not be included.

This Revised Supplementary Service Regulation 24 shall become effective July 16, 1945.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12479; Filed, July 10, 1945; 11:31 a. m.]

[1] 9 F.R. 453.

PART 1499—COMMODITIES AND SERVICES

[RMPR 539,[1] Amdt. 1]

CUSTOM MILLING AND KILN DRYING OF WESTERN SOFTWOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 539 is amended in the following respects:

1. Paragraph (c) in section 3 is amended to read as follows:

(c) Except as may be authorized on application under section 4 (b) below, the following services are not subject to the maximum prices applicable to "custom milling services" even though performed by a "custom mill" as defined in section 4 below.

(1) Milling or kiln drying services performed upon lumber in which the mill performing the service has or had any financial interest, direct or indirect, other than such interest as arises from the performance of the services.

(2) Milling or kiln drying services performed on lumber which was produced by a sawmill, or sold by or handled through a wholesaler or commission merchant, or processed by a concentration yard, any one of which has a financial interest in the mill performing the services.

(3) Milling or kiln drying services performed on lumber which the seller has arranged to have milled or kiln dried in transit and which he sells and ships from the point of origin in any manner other than as a sale f. o. b. sawmill or other point of origin under the appropriate mill regulation.

In any of such cases, the maximum prices which the seller may charge the purchaser for both the lumber and for milling or kiln drying are the ceiling prices fixed in the appropriate mill regulation for the end product reaching the purchaser after milling or kiln drying. In any of such cases, the person performing the milling or kiln drying of the lumber may not invoice the purchaser for custom milling at the maximum prices fixed in this regulation.

Nothing in this section, however, shall prevent the person performing the milling and/or kiln drying services from charging the maximum prices in this regulation to any wholesaler or mill which ships lumber to be custom milled in the manner decribed in subparagraph (3) above: *Provided*, That the shipper agrees to bear the custom milling charges when the same are not permitted to be passed on to the purchaser under this section.

2. Section 4 is amended to read as follows:

SEC. 4. *What is a custom mill.* A custom mill is an establishment, whether known as a planing mill, distribution yard, or anything else, which performs custom milling services or kiln drying upon softwood or hardwood lumber in which it has or had no financial interest, other than such interest as arises from the performance of the services, and which either:

(a) Meets the following test:

It does not operate, or have a financial interest in a mill which produces lumber, a wholesaler or commission merchant of lumber, or a concentration yard which processes lumber; or

(b) If it cannot meet the above test, applies for and obtains authority to operate as a custom mill under the following rules:

(1) Application must be filed with the Regional Office of the Office of Price Administration for the region in which the applicant's mill is located, specifying

(i) The location of the plant, with a description of the layout of operations in relation to any other activities relating to lumber carried on by the applicant, wherever located.

(ii) The extent of the financial interest in or by any other operations relating to lumber, giving name, location and nature of such other operations.

(iii) If the applicant has any financial interest in a sawmill, or concentration yard, wherever located, a statement of their milling facilities and their capacity in MBM per day, together with the total footage in rough or surfaced boards, dimension, plank, and timbers, and of green or partially dry lumber in the sizes sold during the six month period preceding date of application.

(iv) If the applicant has any financial interest in a wholesaler, a list of the sawmills from which such wholesaler has purchased lumber during the year preceding date of application, a statement of the number of MBM sold by such wholesaler which was custom milled or kiln dried in transit during such period in any custom mill and the number of MBM custom milled or kiln dried in transit during such period at the applicant's mill.

(v) Any other information the applicant may wish to submit which will assist the Regional Office in making the findings set forth below.

(2) Special written authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber green, partially dry, rough, or in thicknesses over 1".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

The Regional Administrator may grant the authority sought, in whole or in part, and may make such limitations and conditions as to its duration and extent as may be appropriate and consistent with the above findings.

3. After section 4, a new section 4a is added, to read as follows:

[1] 10 F.R. 3224.

SEC. 4a. *Meaning of "financial interest".* The term financial interest as used in sections 3 and 4 of this regulation means any ownership or control of the plant which performed milling or kiln drying services by a sawmill, concentration yard, planing mill, wholesaler or commission merchant, or ownership or control of the sawmill, concentration yard, planing mill, wholesaler or commission merchant by a plant which performs milling or kiln drying services, or any common ownership, or control of such plant with one of the other types of operations listed, or any financial interest, direct or indirect, no matter how small, which such plant may have in one of the other types of operations listed, or which such other type of operation may have in the plant performing the services. Financial interest or control within the meaning of this section and of sections 3 and 4 shall be presumed where there is any continuing arrangement between the plant performing the milling or kiln drying services and one of the other listed types of operations for the former to rework lumber produced, handled or sold by the latter. Financial interest within the meaning of these sections shall also be presumed where a family relationship, by blood or marriage, exists between the persons owning or operating the plant which performs milling or kiln drying services and one of the other listed types of operations.

The existence of a financial interest, as defined above, between the milling plant and the other listed types of operations effect a financial interest on the part of the plant performing the milling or kiln drying services in lumber sold or handled by such other operations prior to their movement into such plant. As a result, where such financial interest exists, the plant performing milling or kiln drying services which seeks to operate at the maximum prices in this regulation must make application for authority to operate as a custom mill under section 4 (b).

This amendment shall become effective July 16, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12481; Filed, July 10, 1945; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 539B,[1] Amdt. 2]

CUSTOM MILLING AND KILN DRYING OF SOFT WOODS AND HARD WOODS IN SOUTHERN AREA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

[1] 10 F.R. 3227, 5045.

Maximum Price Regulation 539 is amended in the following respects:

1. Paragraph (c) in section 3 is amended to read as follows:

(c) Except as may be authorized on application under section 4 (b) below, the following services are not subject to the maximum prices applicable to "custom milling services" even though performed by a "custom mill" as defined in section 4 below.

(1) Milling or kiln drying services performed upon lumber in which the mill performing the service has or had any financial interest, direct or indirect, other than such interest as arises from the performance of the services.

(2) Milling or kiln drying services performed on lumber which was produced by a sawmill, or sold by or handled through a wholesaler or commission merchant, or processed by a concentration yard, any one of which has a financial interest in the mill performing the services.

(3) Milling or kiln drying services performed on lumber which the seller has arranged to have milled or kiln dried in transit and which he sells and ships from the point of origin in any manner other than as a sale f. o. b. sawmill or other point of origin under the appropriate mill regulation.

In any of such cases, the maximum prices which the seller may charge the purchaser for both the lumber and for milling or kiln drying are the ceiling prices fixed in the appropriate mill regulation for the end product reaching the purchaser after milling or kiln drying. In any of such cases, the person performing the milling or kiln drying of the lumber may not invoice the purchaser for custom milling at the maximum prices fixed in this regulation.

Nothing in this section, however, shall prevent the person performing the milling and/or kiln drying services from charging the maximum prices in this regulation to any wholesaler or mill which ships lumber to be custom milled in the manner described in subparagraph (3) above, *Provided*, That the shipper agrees to bear the custom milling charges when the same are not permitted to be passed on to the purchaser under this section.

2. Section 4 is amended to read as follows:

SEC. 4. *What is a custom mill.* A custom mill is an establishment, whether known as a planing mill, distribution yard, or anything else, which performs custom milling services or kiln drying upon softwood or hardwood lumber in which it has or had no financial interest, other than such interest as arises from the performance of the services, and which either:

(a) Meets the following test:

It does not operate, or have a financial interest in a mill which produces lumber, a wholesaler or commission merchant of lumber, or a concentration yard which processes lumber; or

(b) If it cannot meet the above test, applies for and obtains authority to operate as a custom mill under the following rules:

(1) Application must be filed with the Regional Office of the Office of Price Administration for the region in which the applicant's mill is located, specifying

(i) The location of the plant, with a description of the layout of operations in relation to any other activities relating to lumber carried on by the applicant, wherever located.

(ii) The extent of the financial interest in or by any other operations relating to lumber, giving name, location and nature of such other operations.

(iii) If the applicant has any financial interest in a sawmill, or concentration yard, wherever located, a statement of their milling facilities and their capacity in MBM per day, together with the total footage in rough or surfaced boards, dimension, plank, and timbers, and of green or partially dry lumber in the sizes sold during the six month period preceding date of application.

(iv) If the applicant has any financial interest in a wholesaler, a list of the sawmills from which such wholesaler has purchased lumber during the year preceding date of application, a statement of the number of MBM sold by such wholesaler which was custom milled or kiln dried in transit during such period in any custom mill and the number of MBM custom milled or kiln dried in transit during such period at the applicant's mill.

(v) Any other information the applicant may wish to submit which will assist the Regional Office in making the findings set forth below.

(2) Special written authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber green, partially dry, rough, or in thickness over 1".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

The Regional Administrator may grant the authority sought, in whole or in part, and may make such limitations and conditions as to its duration and extent as may be appropriate and consistent with the above findings.

3. After section 4, a new section 4a is added, to read as follows:

SEC. 4a. *Meaning of "financial interest".* The term financial interest as used in sections 3 and 4 of this regulation means any ownership or control of the plant which performed milling or kiln drying services by a sawmill, concentration yard, planing mill, wholesaler or commission merchant, or ownership or control of the sawmill, concentration yard, planing mill, wholesaler or commission merchant by a plant which performs milling or kiln drying services, or any common ownership, or control of such plant with one of the other types of operations listed, or any financial interest, direct or indirect, no matter how small, which such plant may have in one of the other types of operations listed, or which such other type of operation may have in the plant performing the services. Financial interest or control within the meaning of this section and of sections 3 and 4 shall be presumed where there is any continuing arrangement between the plant performing the milling or kiln drying services and one of the other listed types of operations for the former to rework lumber produced, handled or sold by the latter. Financial interest within the meaning of these sections shall also be presumed where a family relationship, by blood or marriage, exists between the persons owning or operating the plant which performs milling or kiln drying services and one of the other listed types of operations.

The existence of a financial interest, as defined above, between the milling plant and the other listed types of operations effect a financial interest on the part of the plant performing the milling or kiln drying services in lumber sold or handled by such other operations prior to their movement into such plant. As a result, where such financial interest exists, the plant performing milling or kiln drying services which seeks to operate at the maximum prices in this regulation must make application for authority to operate as a custom mill under section 4 (b).

This amendment shall become effective July 16, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12482; Filed, July 10, 1945; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 539C[1], Amdt. 2]

CUSTOM MILLING AND KILN DRYING OF SOFTWOODS AND HARDWOODS IN MIDWEST AND GREAT LAKES STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 539C is amended in the following respects:

1. Paragraph (c) in section 8 is amended to read as follows:

(c) Except as may be authorized on application under section 4 (b) below, the following services are not subject to the maximum prices applicable to "custom milling services" even though performed by a "custom mill" as defined in section 4 below.

(1) Milling or kiln drying services performed upon lumber in which the mill performing the service has or had any financial interest, direct or indirect, other than such interest as arises from the performance of the services.

(2) Milling or kiln drying services performed on lumber which was produced by a sawmill, or sold by or handled through a wholesaler or commission merchant, or processed by a concentration yard, any one of which has a financial interest in the mill performing the services.

(3) Milling or kiln drying services performed on lumber which the seller has arranged to have milled or kiln dried in transit and which he sells and ships from the point of origin in any manner other than as a sale f. o. b. sawmill or other point of origin under the appropriate mill regulation.

In any of such cases, the maximum prices which the seller may charge the purchaser for both the lumber and for milling or kiln drying are the ceiling prices fixed in the appropriate mill regulation for the end product reaching the purchaser after milling or kiln drying. In any of such cases, the person performing the milling or kiln drying of the lumber may not invoice the purchaser for custom milling at the maximum prices fixed in this regulation.

Nothing in this section, however, shall prevent the person performing the milling and/or kiln drying services from charging the maximum prices in this regulation to any wholesaler or mill which ships lumber to be custom milled in the manner described in subparagraph (3) above, *Provided*, That the shipper agrees to bear the custom milling charges when the same are not permitted to be passed on to the purchaser under this section.

2. Section 4 is amended to read as follows:

SEC. 4. *What is a custom mill.* A custom mill is an establishment, whether known as a planing mill, distribution yard, or anything else, which performs custom milling services or kiln drying upon softwood or hardwood lumber in which it has or had no financial interest, other than such interest as arises from the performance of the services, and which either:

(a) Meets the following test:

It does not operate, or have a financial interest in a mill which produces lumber, a wholesaler or commission merchant of lumber, or a concentration yard which processes lumber; or

(b) If it cannot meet the above test, applies for and obtains authority to operate as a custom mill under the following rules:

(1) Application must be filed with the Regional Office of the Office of Price Administration for the region in which the applicant's mill is located, specifying

(i) The location of the plant, with a description of the layout of operations in relation to any other activities relating to lumber carried on by the applicant, wherever located.

(ii) The extent of the financial interest in or by any other operations relating to lumber, giving name, location and nature of such other operations.

(iii) If the applicant has any financial interest in a sawmill, or concentration yard, wherever located, a statement of their milling facilities and their capacity in M'BM per day, together with the total footage in rough or surfaced boards, dimension, plank, and timbers, and of green or partially dry lumber in the sizes sold during the six month period preceding date of application.

(iv) If the applicant has any financial interest in a wholesaler, a list of the sawmills from which such wholesaler has purchased lumber during the year preceding date of application, a statement of the number of M'BM sold by such wholesaler which was custom milled or kiln dried in transit during such period in any custom mill and the number of M'BM custom milled or kiln dried in transit during such period at the applicant's mill.

(v) Any other information the applicant may wish to submit which will assist the Regional Office in making the findings set forth below.

(2) Special written authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber green, partially dry, rough, or in thicknesses over 1".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

The Regional Administrator may grant the authority sought, in whole or in part, and may make such limitations and conditions as to its duration and extent as may be appropriate and consistent with the above findings.

3. After section 4, a new section 4a is added, to read as follows:

SEC. 4a. *Meaning of "financial interest."* The term financial interest as used in sections 3 and 4 of this regulation means any ownership or control of the plant which performs milling or kiln drying services by a sawmill, concentration yard, planing mfil, wholesaler or commission merchant; or ownership or control of the sawmill, concentration yard, planing mill, wholesaler or commission merchant by a plant which performs milling or kiln drying services, or any common ownership, or control of such plant with one of the other types of operations listed, or any financial interest, direct or indirect, no matter how small, which such plant may have in one of the other types of operations listed, or which such other type of operation may have in the plant performing the services. Financial interest or

[1] 10 F.R. 3229, 5045.

control within the meaning of this section and of sections 3 and 4 shall be presumed where there is any continuing arrangement between the plant performing the milling or kiln drying services and one of the other listed types of operations for the former to rework lumber produced, handled or sold by the latter. Financial interest within the meaning of these sections shall also be presumed where a family relationship, by blood or marriage, exists between the persons owning or operating the plant which performs milling or kiln drying services and one of the other listed types of operations.

The existence of a financial interest, as defined above, between the milling plant and the other listed types of operations effect a financial interest on the part of the plant performing the milling or kiln drying services in lumber sold or handled by such other operations prior to their movement into such plant. As a result, where such financial interest exists, the plant performing milling or kiln drying services which seeks to operate at the maximum prices in this regulation must make application for authority to operate as a custom mill under section 4 (b).

This amendment shall become effective July 16, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12483; Filed, July 10, 1945; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[2d Rev. SR 14,[1] Amdt. 8]

BATTERY SEPARATORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation is amended as follows:

In Article III, a new section 3.9 is added to read as follows:

SEC. 3.9 *Battery separators*—(a) *Maximum prices.* The maximum price f. o. b. the mill for sales by any manufacturer of Port Orford Cedar or Douglas Fir battery separators produced in the United States shall be an amount equal to that manufacturer's maximum price for the quantity sold computed in accordance with the provisions of the General Maximum Price Regulation, plus 13% of such maximum price so computed.

(b) *Reports.* On or before August 15, 1945, the following manufacturers of Port Orford Cedar or Douglas Fir battery separators shall file with the Lumber Branch, Office of Price Administration, Washington 25, D. C., such data as are required to determine what increase, if any, in prices over those provided under the General Maximum Price Regulation is required by law for the sale by manufacturers of Port Orford Cedar or Douglas Fir battery separators:

Standard Battery Separator Co., Los Angeles, Calif.
Evans Products Co., Coos Bay, Oreg.
Arrow Mill Co., Chicago, Ill.
West Coast Separator Co., Los Angeles, Calif.
Smith Wood Products Co., Coquille, Oreg.
Pacific Wood Products Co., Grant's Pass, Oreg.

The required data shall be submitted on the forms and according to the procedure, provided by the Office of Price Administration.

(c) *Duration of prices.* The prices established in paragraph (a) of this section are effective until such time as the Office of Price Administration may revise said prices as a result of the findings from the study of the reports submitted in accordance with paragraph (b) of this section.

This amendment shall become effective July 16, 1945.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12477; Filed, July 10, 1945; 11:31 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15,[1] Amdt. 41]

BATTERY SEPARATORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Regulation 15 to the General Maximum Price Regulation is amended by deleting subparagraph (20) to § 1499.75 (a).

This amendment shall become effective July 16, 1945.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12478; Filed, July 10, 1945; 11:31 a. m.]

Chapter XVIII—Office of Economic Stabilization

[OES Reg. 1, Amdt. 3]

PART 4002—REGULATIONS ON GRADING AND GRADE LABELING

GRADING AND GRADE LABELING OF MEATS

The amendment to Office of Economic Stabilization Regulation No. 1, issued and effective June 28, 1945 (10 F.R. 8070) and designated Amendment No. 1, is hereby redesignated Amendment No. 3.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 7th day of July 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12455; Filed, July 9, 1945; 3:30 p. m.]

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[1] 10 F.R. 1154, 2026, 2161, 2432, 2618, 3551, 4107.

[1] 7 F.R. 8959, 9819, 10584, 11006; 8 F.R. 1201, 6443, 8614, 9026, 11873, 13255, 13395, 13724, 15197, 16298, 16796, 17228; 9 F.R. 755, 908, 1581, 1948, 2569, 3460, 3653, 3858, 3953, 5806, 6451, 7425, 7775, 8256, 9107, 9271, 10305, 11908, 13961, 15004; 10 F.R. 1668, 3870, 5955, 6232.

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 88]

BUILDING TRADES EMPLOYERS' ASSN. ET AL.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Building Trades Employers' Association, et al., Milwaukee, Wisconsin. Case No. S-2237.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER, August 14, 1943, and

Having been advised of the existence of a labor dispute involving members of the Building Trades Employers' Association, Milwaukee, Wisconsin and other building and construction contractors in and around Milwaukee, Wisconsin employing members of the Carpenters' District Council of Milwaukee County and vicinity,

I find that the construction, reconstruction or repair of buildings or other works or facilities, other than construction for ordinary residential purposes, by any of the above concerns, pursuant to contract, oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Dated at Washington, D. C., this 9th day of July 1945.

L. B. SCHWELLENBACH,
Secretary.

[F. R. Doc. 45-12498; Filed, July 10, 1945; 11:43 a. m.]

Wage and Hour Division.

[Administrative Order 356]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Ulpiano Casals from Special Industry Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. Santiago Diaz-Pacheco of San Juan, Puerto Rico.

Signed at New York, New York this 2d day of July, 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-12453; Filed, July 9, 1945; 12:34 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-649]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

JULY 7, 1945.

Notice is hereby given that on July 4, 1945, an application was filed with the Federal Power Commission by Cities Service Gas Company, a Delaware corporation having its principal place of business at First National Building, Oklahoma City, Oklahoma, for (1) a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the applicant's construction and operation of the following-described facilities:

(i) Thirty-two miles of 20-inch gas loop line from applicant's North Welda compressing station, near Welda, Anderson County, Kansas, to applicant's Ottawa compressing station, near Ottawa, Franklin County, Kansas;

(ii) One dust scrubber at applicant's North Welda compressing station, Anderson County, Kansas, and two dust scrubbers at applicant's Ottawa compressing station, Franklin County, Kansas;

(iii) Installation at applicant's North Welda station of two used 485 H. P. Cooper-Bessemer, type 22, compressor units; an extension to the main compressor building and additions to gas and water cooling equipment; and

(2) An order authorizing applicant's abandonment and removal of its Caney-American compressor station located in Sec. 7, T. 35 S., R. 14 E., in Montgomery County, Kansas.

The application states that the facilities proposed to be constructed are required to increase by 70 to 85 million cubic feet per day the deliveries from applicant's Welda storage fields to its Ottawa compressor station. The additional capacity which would be made available by such facilities is said to be required to meet increased peak requirements in the Kansas City, Topeka, St. Joseph, and Sedalia areas. The estimated cost of the proposed facilities is $868,225. The two additional compressor units proposed to be installed at applicant's North Welda station will be taken from applicant's Caney-American compressor station located in Montgomery County, Kansas, which is proposed to be abandoned.

The application states that because of the changed operating conditions on its system, the Caney-American station is no longer useful at its present location because of its small capacity. All gas compressed in the Caney area is presently routed through applicant's larger Caney steam station.

Any person desiring to be heard or to make any protest with respect to said application should, on or before the 20th day of July, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-12466; Filed, July 10, 1945; 9:58 a. m.]

FEDERAL SECURITY AGENCY.

Social Security Board.

DIVISION OF EMPLOYMENT AND SECURITY, MINNESOTA

CERTIFICATION WITH RESPECT TO REDUCED RATES OF CONTRIBUTIONS

Certification to the Division of Employment and Security in the Department of Social Security of the State of Minnesota pursuant to section 1602 of the Internal Revenue Code.

The Director of the Division of Employment and Security of the State of Minnesota, having duly submitted to the Social Security Board, pursuant to the provisions of Section 1602 (b) (3) of the Internal Revenue Code, as amended, the Minnesota Employment and Security Law, as amended by Chapter 376 of the Laws of 1945, effective July 1, 1945; and

The Social Security Board, having considered the provisions of said law to determine whether or not reduced rates of contributions are allowable thereunder under conditions fulfilling the requirements of Section 1602 of the Internal Revenue Code;

The Board hereby finds that:

(1) Said law provides for a pooled fund as defined in section 1602 (c) (2) of the Internal Revenue Code; and

(2) Reduced rates of contributions under said law to such pooled fund are allowable only in accordance with the provisions of section 1602 (a) (1) of the Internal Revenue Code.

Pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, the Board hereby directs that the foregoing findings be certified to the Director of the Division of Employment and Security of the State of Minnesota.

[SEAL] SOCIAL SECURITY BOARD,
A. J. ALTMEYER,
Chairman.

JULY 3, 1945.

Approved: July 9, 1945.

WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 45-12475; Filed, July 10, 1945; 11:07 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5352]

SHIRBEE HAT CO., INC.

NOTICE OF HEARING

Complaint. The Federal Trade Commission having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (A) of section 2 of the Clayton Act, as amended by the Robinson-Patman Act, approved June 19, 1936 (U. S. C., Title 15, section 13), hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1: The respondent, Shirbee Hat Company, Inc., is a corporation, organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business located at 42 West 38th Street, New York City, N. Y.

PAR. 2: The respondent, Shirbee Hat Company, Inc., is engaged in the business of manufacturing, distributing and selling various types, styles and grades of millinery.

The respondent has sold, and sells, its millinery in general to jobbers, retail chain stores and to independent retailers. Such millinery is sold by the respondent at prices which range from approximately twelve dollars per dozen to approximately thirty nine dollars per dozen wholesale.

PAR. 3: The respondent, for a substantial period of time since June 19, 1936, in the course and conduct of its business has sold and shipped, and does now sell and ship, such millinery in commerce between and among the various states of the United States from the state in which the respondent's factory or manufacturing plant is located across state lines to various purchasers thereof located in states other than the State in which respondent's factory or manufacturing plant is located.

PAR. 4: The respondent, for a substantial period of time since June 19, 1936, while engaged in commerce as aforesaid among the several states of the United States has been, and is now, in the course of such commerce, directly and indirectly discriminating in prices between different purchasers of millinery of like grade and quality, which products are sold for use, consumption and resale within the several states of the United States. In that the respondent has been, and is now, selling such millinery to some purchasers at a higher price than the price at which such millinery of like grade and quality is sold to other purchasers who are competitively engaged with the favored purchasers.

The extent of said discrimination in prices varies from differentials of approximately five percent to differentials of approximately thirty percent, depending on the type, style and quality of the millinery sold and the customer, or either.

PAR. 5: The effect of the discriminations in prices as hereinbefore set forth may be substantially to lessen competition in the sale and distribution of the said millinery in the respective lines of commerce in which respondent and its customers are engaged, and has been, and may be, to injure, destroy or prevent competition in the sale and distribution of said products with the respondent and with its customers who receive the benefits of such discriminatory prices.

PAR. 6: The respondent's discriminations in prices between different purchasers of millinery of like grade and quality in interstate commerce in the manner and form aforesaid are in violation of the provisions of section 2 (A) of the Robinson-Patman Act further described in the preamble hereof.

Wherefore, the premises considered, the Federal Trade Commission on this 6th day of July A. D. 1945 issues its complaint against said respondent.

Notice: Notice is hereby given you, Shirbee Hat Company, Inc., a corporation, respondent herein, that the 10th day of August, A. D., 1945, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its secretary, and its official seal to be hereto affixed, at Washington, D. C., this 6th day of July A. D. 1945.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12470; Filed, July 10, 1945; 10:50 a. m.]

[Docket No. 5225]

WILLIAM A. HERMAN

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of July A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, July 20, 1945, at two o'clock in the afternoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12471; Filed, July 10, 1945; 10:50 a. m.]

[Docket No. 5231]

CURTIS-ELLIOTT, INC., AND LEROY H. HUTTNER

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of July, A. D., 1945.

In the matter of Curtis-Elliott, Inc., a corporation, and Leroy H. Huttner, an individual, and officer of Curtis-Elliott, Inc.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, July 20, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12472; Filed, July 10, 1945; 10:50 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5058]

ERICH MERTON

In re: Estate of Erich Merton, also known as Eric Merton, deceased; File No. D-28-3373; E. T. sec. 1183.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Suzanne Merton and Barbara Merton, and each of them, in and to the Estate of Erich Merton, also known as Eric Merton, deceased,

is property payable or deliverable to, or claimd by, neationals of a dsignated enemy country, Germany, namely,

Nationals and Last Known Address

Suzanne Merton, Germany.
Barbara Merton, Germany.

That such property is in the process of administration by the Treasurer of the City of New York as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12398; Filed, July 9, 1945; 11:00 a. m.]

[Vesting Order CE 21]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 4, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Chane Mindel Roth	Poland	Estate of Lipa Dim, also known as Lippe Dym, Surrogate's Court, County of New York, State of New York, P-1979-1943.	$2,803.86	Arie Roth, executor of the Estate of Lipa Dim, deceased, 565 Grand St., New York City, N. Y.	$137.29
		Item 2			
Anna Ratajska	Poland	Estate of Joseph F. Okleyewicz, deceased, Surrogate's Court, Queens County, New York, No. 2127-1941.	615.65	Regina Okleyewicz, 592 East Main St., Meriden, Conn., and Wanda Okleyewicz Rutkowski, 107 Price St., Bridgeport 8, Conn., executrices under the Last Will and Testament of Joseph F. Okleyewicz, deceased.	37.68
		Item 3			
Wojciech Okleyewicz	Poland	Same	181.70	Same	11.31
		Item 4			
Stanislawa Pajkzinska	Poland	Same	92.35	Same	5.65
		Item 5			
Marya Gut	Poland	Same	92.35	Same	5.65
		Item 6			
Marcela Gut	Poland	Same	92.35	Same	5.65
		Item 7			
Elsa G. Kuller	Holland	Estate of Paula Pickhardt, deceased, Surrogate's Court, County of New York, N. Y., File No. P-563-1944.	14,738.95	Dorothy P. Kuhle, 941 Park Ave., New York, N. Y., Otto C. Pickhardt, 161 East 79th St., New York, N. Y., and Edith P. Colman, 58 Memorial Drive, Cambridge, Mass., as executors (costs and expenses only).	88.37
		Item 8			
Demetrios Michael	Greece	Estate of George Michel, also known as George Michel, George Michaels, George Pappas, George M. Pappas, deceased, Surrogate's Court, New York County, N. Y., File No. A 2867/1943.	$13.22	Kyriakos Miliael, administrator of the Estate of George Michel, deceased, 130 Wadsworth Ave., New York, N. Y.	35.28
		Item 9			
Theodore Dardjis	Greece	Same	106.61	Same	17.64
		Item 10			
Despina Dardjis	Greece	Same	106.61	Same	17.64
		Item 11			
Ernest A. Labourchere	France	Estate of John Jacob Hoff, deceased, Surrogate's Court, New York County, N. Y. No. P-1186/1940.	21,334.03	Frederic R. Coudert and United States Trust Co. New York, executors of the Last Will and Testament of John Jacob Hoff, deceased, 2 Rector St., New York, N. Y.	$112.56

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 12			
Harriet Jackson Baldiris	France	Trust under the Will of Harriet Hartmann, deceased, Surrogate's Court, New York County.	$69.62	Guaranty Trust Company of New York, trustee under the Will of Harriet Hartmann, deceased, 140 Broadway, New York, N. Y.	$[illegible]
		Item 13			
Cesare Valletta	Italy	Estate of Patsy Valletta, also known as Pasquale Valletto deceased, Surrogate's Court, Erie County, Buffalo, N. Y.	2,310.07	Samuel Sapewitch, Public Administrator, administrator of the Estate of Patsy Valletta, deceased, 1101 Liberty Bank Building, Buffalo, N. Y.	[illegible]

[F. R. Doc. 45-12399; Filed, July 9, 1945; 11:00 a. m.]

[Vesting Order CE 22]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CONNECTICUT COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 4, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Marguerite Mazeret	France	Estate of Peter Marcus, deceased Trust for benefit of Marguerite Mazeret, Court of Probate, District of Stonington, State of Connecticut.	$887.16	The Guaranty Trust Co. of New York, trustee under the will of Peter Marcus, deceased, 140 Broadway, New York 15, N. Y.	$[illegible]
		Item 2			
Ustinia Andreevna Homenko	U. S. S. R.	Trust under the Will of Samuel Homenko, deceased, Probate Court, District of Waterbury, Conn.	(1)	Frank A. Sederenko, 42 Hill St., Waterbury, Conn.; Adam Sunick, 10 Violet St., Waterbury, Conn.; Joseph Churson, 64 Brewster St., Waterbury, Conn.; and John Kleseh, 9 Wood St., Waterbury, Conn., trustees under the Will of Samuel Homenko, deceased.	[illegible]
		Item 3			
Nicholas Homenko	U. S. S. R.	Same	(1)	Same	[illegible]
		Item 4			
Peter Homenko	U. S. S. R.	Same	(1)	Same	[illegible]
		Item 5			
Lidia Januarievna Homenko Adashkevich	U. S. S. R.	Same	(1)	Same	[illegible]
		Item 6			
Adela Homenko Wasilosky	U. S. S. R.	Same	(1)	Same	[illegible]
		Item 7			
Anna Pilot	Poland	Estate of Andrew Pilot, deceased, Court of Probate, District of Hartford, State of Connecticut.	160.97	Joseph F. Ryter, Esq., administrator of the Estate of Andrew Pilot, deceased, 983 Main St., Hartford, Conn.	[illegible]
		Item 8			
Edward Pilot	Poland	Same	307.32	Same	[illegible]
		Item 9			
Helen Pilot	Poland	Same	307.32	Same	[illegible]
		Item 10			
Nellie Pilot	Poland	Same	307.31	Same	[illegible]
		Item 11			
Mary van Lien Bosman	Belgium	Estate of Julia E. T. Daniell, deceased, Court of Probate, District of Stamford, State of Connecticut.	784.00	Frederick T. Lockwood, administrator of the Estate of Julia E. T. Daniell, c/o Cummings & Lockwood, 1 Atlantic St., Stamford, Conn.	[illegible]

[1] A one-sixth (1/6) interest in a trust established under Article VII of the will of Samuel Homenko, deceased.

[F. R. Doc. 45-12400; Filed, July 9, 1945; 11:00 a. m.]

[Dissolution Order 18]

ROYAL BAYREUTH-THARAUD CORP.

Whereas, by Vesting Order No. 631, dated January 6, 1943 (8 F.R. 1765, February 9, 1943) the Alien Property Custodian vested all of the issued and outstanding shares of the capital stock of Royal Bayreuth-Tharaud Corporation, a New York Corporation; and

Whereas, by said Vesting Order No. 631, the Alien Property Custodian vested all right, title, interest and claim of Porzellanfabrik Tettau, A. G. in and to all obligations, owing to it by Royal Bayreuth-Tharaud Corporation and by virtue thereof a certain claim against Royal Bayreuth-Tharaud Corporation in the amount of $14,717.99 owed to Porzellanfabrik Tettau, A. G. of Oberfranken, Tettau, Germany, vested in the Custodian; and

Whereas, Royal Bayreuth-Tharaud Corporation has been substantially liquidated under the supervision of the Alien Property Custodian;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation;

1. Finding that the claims of all known creditors have been paid, except such claim if any as the Alien Property Custodian may have for monies advanced or services rendered to or on behalf of the corporation; and except a claim of Porzellanfabrik Tettau, A. G. in the sum of $14,717.99, which has been vested by the Alien Property Custodian as aforesaid; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved and its assets be distributed, and a certificate of dissolution having accordingly been filed with the Secretary of State of the State of New York;

hereby orders, that the officers and directors of Royal Bayreuth-Tharaud Corporation (to wit: L. M. Reed, President and Director, E. W. Hardy, Treasurer and Director, and Robert Kramer, Secretary and Director, and their successors, or any of them) continue the proceedings for the dissolution of Royal Bayreuth-Tharaud Corporation, in accordance with the Statutes of the State of New York in such cases made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

a. They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

b. They shall then pay all known Federal, State and local taxes and fees owed by or accruing against said corporation;

c. They shall then pay over, transfer, assign and deliver to the Alien Property Custodian all of the funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied in satisfaction of claim of the undersigned as the owner of the claim in the amount of $14,717.99 against the subject corporation as hereinbefore described;

d. They shall then pay over, transfer, assign and deliver to the Alien Property Custodian all other funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any persons who may claim against said corporation: *Provided, however,* That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the Alien Property Custodian against any funds or property received by the Alien Property Custodian and applied by him as a liquidating distribution of assets of the Alien Property Custodian as stockholder as above set forth: *Provided, however,* That any such claim shall be filed with or presented to the Alien Property Custodian within the time prescribed for such claims by the statutes of New York; and further orders, that all actions taken and acts done by the said officers and directors of Royal Bayreuth-Tharaud Corporation, pursuant to this Order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph (2) of subdivision (b) of section 5 of the Trading with the Enemy As, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., July 3, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12401; Filed, July 9, 1945; 11:00 a. m.]

[Dissolution Order 19]

LANSEC CORP.

Whereas, by Vesting Order No. 2784, dated December 15, 1943 (8 F.R. 17285, December 23, 1943), as amended November 6, 1944 (9 F.R. 13.535, Nov. 11, 1945), the undersigned vested all of the issued and outstanding shares of the capital stock of Lansec Corporation, a New York corporation, and undertook the direction, management, supervision and control of said corporation; and

Whereas, Lansec Corporation has been substantially liquidated under the supervision of the undersigned;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except such claim if any as the undersigned may have for monies advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that the said corporation be dissolved and its assets distributed, and a certificate of dissolution having accordingly been filed with the Secretary of State of the State of New York;

hereby orders, that the officers and directors of Lansec Corporation, (to wit: Charles W. Jablon, President and Director, and Mollie Strum, Secretary and Director, and Frank E. Hostetter, Treasurer and Director, and their successors, or any of them), continue the proceedings for the dissolution of Lansec Corporation in accordance with the statutes of the State of New York in such cases made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State and local taxes and fees owed by or accruing against said corporation; and

(c) They shall then pay over, transfer, assign and deliver to the undersigned all other funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any persons who may claim against said corporation; *Provided, however,* That nothing herein contained shall be construed as creating additional rights in such persons, and such person or any of them may file claims with the undersigned against any funds or property received by the undersigned and applied by him as a liquidating distribution of assets to the undersigned as stockholder as above set forth: *Provided, however,* That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the statutes of the State of New York; and further orders, that all actions taken and acts done by the said officers and Directors of Lansec Corporation, pursuant to this order and the directions contained therein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section B of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., July 3, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12402; Filed, July 9, 1945; 11:00 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 4051]

FAIRHAVEN BOAT CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

[A one-sixth (1/6) interest in a trust established under Article VII of the will of Samuel Homenko, deceased.

[F. R. Doc. 45-12400; Filed, July 9, 1945; 11:00 a. m.]

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Fairhaven Boat Company, 919 24th Street, Bellingham, Wash.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by any person to—	
	Retailer	Consumer
Flat bottom skiff	*Per foot* $2.80	*Per foot* $4.00

These maximum prices are for the articles described in the manufacturer's application dated May 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.00 per foot
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12428; Filed, July 9, 1945; 11:42 a. m.]

[MPR 188, Order 4052]

FRANK L. POLLARD CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Frank L. Pollard Company, 24th Street at Union, Oakland 7, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE: TOWEL RACK—MODEL NO. 315

Maximum prices for sales by any seller to:	*Per dozen*
Distributors	$2.70
Jobbers	3.00
Chain stores, syndicate stores, and buying groups	3.18
Other retailers:	
6 dozen or more	3.53
Less than 6 dozen	3.92
	Each
Consumers	$0.49

These maximum prices are for the articles described in the manufacturer's application dated May 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.49 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12429; Filed, July 9, 1945; 11:42 a. m.]

[MPR 188, Order 4053]

GEM FOUNDRY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Gem Foundry Company, 2421 Eufaula Avenue, Birmingham 3, Ala.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Jobbers	Dept. Stores	Other retailers	[illegible]	[illegible]
Cornstick pan, 13" x 6" x 1⅝"	None	*Each* $0.41	*Each* $0.41	*Each* $0.47	[illegible]	[illegible]

These maximum prices are for the articles described in the manufacturer's application dated May 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.85 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12430; Filed, July 9, 1945; 11:43 a. m.]

[MPR 188, Order 4054]

GOLDIE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Goldie Manufacturing Company, Rear 441 K Street NW., Washington 1, D. C.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—				
		Jobbers	Dealers	Dept. stores	Other retailers	Consumers
Pressure cooker	190-1	*Each* $1.70	*Each* $1.17	*Each* $1.38	*Each* $1.53	*Each* $2.30

These maximum prices are for the articles described in the manufacturer's application dated April 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.30 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12431; Filed, July 9, 1945; 11:43 a. m.]

[MPR 188, Order 4055]

DAVID BRETTLER, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by David Brettler, Incorporated, 430 Bryant Avenue, Bronx 59, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—		
		Jobbers	Retailers	Consumers
Hunting knife, 6½" blade	None	*Each* $1.80	*Each* $2.25	*Each* $3.75

These maximum prices are for the articles described in the manufacturer's application dated May 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$3.75 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12432; Filed, July 9, 1945; 11:43 a. m.]

[MPR 188, Order 4056]

BAY SHORE SPEC. MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bay Shore Spec. Mfg. Company, 1219 West Meinecke Avenue, Milwaukee 6, Wis.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter (24 kt. gold plated).	"Bay Shore"...	*Each* $2.68	*Each* $3.57	*Each* $5.95
Cigarette lighter (silver plated).	1.....	2.68	3.57	5.95

These maximum prices are for the articles described in the manufacturer's application dated April 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model No. ------
OPA Retail Ceiling Price—$5.95 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12433; Filed, July 9, 1945; 11:44 a. m.]

[MPR 183, Order 4057]

BAYSHORE SPECIALTIES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by C. F. Piehl, Bayshore Specialties Company, of 69 North Clinton Avenue, Bayshore, Long Island.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Department chain and syndicate stores	Other retailers	Consumers
Strainer, half moon shape 9⅜" long and 4¾" at widest part, overall length 15", enameled wood handle with wire running around entire handle and spot welded to main part of strainer, 2 cars 2½" in depth on each side of strainer.	None	*Each* $0.65	*Each* $0.81	*Each* $0.90	*Each* $1.35

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945.

(2) For sales by the manufacurer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.35 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12434; Filed, July 9, 1945; 11:44 a. m.]

[MPR 188, Order 4058]

FLORENCE LAMP CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Florence Lamp Company, Inc., 49 West 27th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model Nos.	For sales by the manufacturer to—		For sales by [illegible] to consumers
		Jobbers	Retailers	
Polished crystal vanity lamp (base only).	105, 106, 108, and 111.	*Each* $1.19	*Each* $1.30	*Each* $2.[illegible]

These maximum prices are for the articles described in the manufacturer's application dated June 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or

label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12435; Filed, July 9, 1945; 11:44 a. m.]

[MPR 188, Order 4059]

A. H. EQUIPMENT & APPLIANCE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by A. H. Equipment & Appliance Company, 339 Rockaway Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum price for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric hot plate, round, 6" x 6" x 5", no cord, no switch, wood handle, enamel finish.	AAA	*Each* $0.77	*Each* $0.87	*Each* $0.94	*Each* $1.45
Electric hot plate round, 6" x 6" x 5", 6' cord, switch, wood handle, enamel finish.	AAA 1	.89	1.05	1.14	1.80

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the retail prices properly filled in:

A. H. Equipment & Appliance Co.
339 Rockaway Avenue, Brooklyn, New York
Model No. ------
OPA Retail Ceiling Price—$------
Price Includes Federal Excise Tax
Do Not Detach

Order No. --------
Model No. ------
OPA Retail Ceiling Price—$------
Price Includes Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12436; Filed, July 9, 1945; 11:44 a. m.]

[MPR 188, Order 4060]

THE MELBUN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Melbun Company, 168 Atlantic Street, Stamford, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter...	"Little Bu"...	*Each* $0.90	*Each* $1.20	*Each* $2.00

These maximum prices are for the articles described in the manufacturer's application dated June 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model No. ------
OPA Retail Ceiling Price—$2.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12437; Filed, July 9, 1945; 11:45 a. m.]

[MPR 188, Order 4061]

INVENTORPRISES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Inventorprises, of 111 West 7th Street, Los Angeles, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (Jobbers)	Retailers	Retailers	Consumers
Painters Mixers	1A	*Dozen* $0.67	*Dozen* $0.89	*Dozen* $0.89	*Each* $0.11

These maximum prices are for the articles described in the manufacturer's application dated May 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.11
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12438; Filed, July 9, 1945; 11:45 a. m.]

[MPR 188, Order 4062]

C. H. GILMORE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by C. H. Gilmore, 7817 St. Lawrence Avenue, Swissvale 18, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter (not electric)	1	*Each* $2.02	*Each* $2.70	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12439; Filed, July 9, 1945; 11:45 a. m.]

[MPR 188, Order 4063]

LIBERTY METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Liberty Metal Products Company of 174 Wooster Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers (jobbers)	Retailers (a) or (b)	Consumers
Electric hot plate Two burner open element 6" coil, two switches, black crackle finish.	7	*Each* $2.88	*Each* $3.41	*Each* $4.[illegible]
Electric hot plate One burner, open element 6" coil and switch, black crackle finish.	8	1.13	1.39	1.[illegible]
Electric hot plate One burner closed element pin-type connection.	9	.99	1.19	1.[illegible]

These maximum prices are for the articles described in the manufacturer's application dated May 29, 1945. These prices include the Federal Excise T[illegible]

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.80
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12440; Filed, July 9, 1945; 11:45 a. m.]

[MPR 188, Order 4064]

PORTLAND FOUNDRY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Portland Foundry Company of 2420 S. E. Umatilla Street, Portland 2, Oreg.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES BY ANY SELLER TO:

Article	Model No.	Wholesalers (jobbers)	Chain and department (stores)	Other retailers	Consumers
Aluminum skillet	108	*Each* $1.30	*Each* $1.62	*Each* $1.90	*Each* $2.70

These maximum prices are for the articles described in the manufacturer's application dated October 24, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Liberty Metal Products Company
174 Wooster Street
New York, New York
Model No. ------
OPA Retail Ceiling Price $------
Price Includes Federal Excise Tax
Do Not Detach or Obliterate
Or
Order No. ------ under MPR 188
Model No. ------
OPA Retail Ceiling Price $------
Price Includes Federal Excise Tax
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12441; Filed, July 9, 1945; 11:46 a. m.]

[MPR 188, Order 4065]

INDUSTRIAL TOOL & DIE WORKS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Industrial Tool & Die Works, Inc., 2824 University Avenue SE., Minneapolis 14, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	1	*Each* $0.32	*Each* $0.42	*Each* $0.69

These maximum prices are for the articles described in the manufacturer's application dated June 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $0.69 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12442; Filed, July 9, 1945; 11:47 a. m.]

[MPR 188, Order 4066]

METAL WARES OF CALIFORNIA

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Metal Wares of California, of 639 South Spring Street, Los Angeles, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for any seller to—			
		Wholesalers (to jobbers) surgical and hospital supply houses	Department and chain stores	Other retailers and commercial, industrial, or institutional users	Users other than commercial, industrial, or institutional
Pressure 18" x 12" x 14" oven cast aluminum	44	*Each* $14.35	*Each* $17.22	*Each* $19.14	*Each* $28.70

These maximum prices are for the articles described in the manufacturer's application dated April 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% payment in 10 days net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $20.70 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12443; Filed, July 9, 1945; 11:47 a. m.]

[MPR 188, Order 4067]

SALLY WOLBERG

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Sally Wolberg, 1657 South Drake Avenue, Chicago 23, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sale by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
14" Wrap around rayon shade with braid trim	1	*Each* $1.23	*Each* $1.45	*Each* $2.61

These maximum prices are for the articles described in the manufacturer's application dated March 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12444; Filed, July 9, 1945; 11:47 a. m.]

[MPR 188, Order 4070]

G. F. C. Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by G. F. C. Company, 89 Atlantic Avenue, Brooklyn 2, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sale by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
A standard torchiere with mogul 3-way socket and translucent reflector to fit chrome plated on aluminum holder on top of four sections of crystal mirror glass made up by cementing uniform beveled mirrors to wood blocks which are held rigid with specially designed brass, chrome plated, square checks and ornamental crystal balls on top of large hard wood square base properly weighted and decorated with plate glass mirrors individually set and fitted	500	*Each* $18.50	*Each* $21.70	*Each* $30.15

These maximum prices are for the articles described in the manufacturer's application dated May 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 9th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12461; Filed, July 9, 1945; 4:13 p. m.]

[RMPR 136, Order 468]

INTERNATIONAL HARVESTER CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 468 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. International Harvester Company; Docket No. 6083-136.21-349.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The International Harvester Company, 180 Michigan Avenue, Chicago, Illinois, is authorized to sell each International motor truck, containing a chassis described in subparagraph (1), produced under the War Production Board's allocation to the International Harvester Company for 1945 production of 4,000 units of K-6 truck chassis, at a price not to exceed the applicable list price in subparagraph (1), adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2):

(1) *List price.* The following applicable list price, f. o. b. factory, to which shall be applied the seller's discount in effect on March 31, 1942, to the applicable class of purchaser:

Chassis model number	Wheelbase (inches)	List price f. o. b. factory
K-6	134	$1,315
	146	1,335
	158	1,355
	176	1,375
	194	1,410
	212	1,450

(2) *Allowances.* (i) A charge for extra, special and optional equipment which shall not exceed the list price, or established price in effect on March 31, 1942 (less the discount in effect on that date) for such equipment when sold as original equipment (except that for cab, Model HF, the charge shall not exceed the list price of $120, less the discount in effect on March 31, 1942).

(ii) Allowance to cover handling and delivery expense computed in accordance with the seller's method in effect on March 31, 1942.

(iii) Allowance to cover freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942.

(iv) Allowance to cover federal excise taxes on tires and tubes and other federal excise taxes, and state or local taxes on the truck being sold, computed in accordance with the method the seller had in effect on March 31, 1942.

(b) A reseller of International motor trucks may sell, delivered at place of business, each International truck containing a chassis described in subparagraph (1), produced under the War Production Board's allocation to the International Harvester Company for 1945 production of 4,000 units of K-6 truck chassis, at a price not to exceed the list price in that subparagraph and applicable allowances in subparagraph (2) below, less the discounts the reseller had in effect on March 31, 1942:

(1) *List price.*

Chassis model number	Wheelbase (inches)	List price f. o. b. factory
K-6	134	$1,315
	146	1,335
	158	1,355
	176	1,375
	194	1,410
	212	1,450

(2) *Allowances.* (i) An allowance for extra, special and optional equipment which shall not exceed the allowance the reseller had in effect on March 31, 1942 for such equipment (except that the allowance for cab, Model HF, shall not exceed the list price of $120 less the discount in effect on March 31, 1942);

(ii) A charge for transportation which shall not exceed the charge the International Harvester Company would make for the transportation of the truck to the place of business of the reseller;

(iii) Allowance to include federal, state and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942;

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery;

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942.

(c) A reseller of International motor trucks that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942, shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (b) the following applicable charges:

(1) *Charges.* (i) The original equipment retail charge that the International Harvester Company suggested on March 31, 1942, be made by resellers for the extra, special or optional equipment attached to the truck as original equipment (except that for cab, Model HF, the charge shall not exceed the list price of $120, less the discount in effect on March 31, 1942);

(ii) A charge for transportation which shall not exceed the charge the International Harvester Company would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by the International Harvester Company, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover federal excise taxes on tires and tubes and other federal excise taxes;

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the truck;

(v) A charge equal to the reseller's actual expense for handling and delivery of the truck.

(d) A reseller of International trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (b) at a price not to exceed the maximum price established in paragraph (b) or (c), whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance and landing, wharfage and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) because of substantial changes in design, specifications or equipment of the truck, the reseller may add to its price under paragraph (b), (c) or (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) the reseller must reduce its price under paragraph (b), (c) or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-12484; Filed, July 10, 1945; 11:33 a. m.]

[MPR 188, Amdt. 86 to Order A-1]

GYPSUM LATH

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new paragraph (a) (62) is added to read as follows:

(a) (62) *Modification of maximum prices for gypsum lath.* (i) The manufacturers' maximum prices for sales of $^3/_8$" gypsum lath for shipment to points in the States of Oregon and Washington, when shipment is made from mills located in the States of California, Nevada and Montana, shall be $13.95 per thousand square feet, f. o. b. mill plus actual freight to destination.

(ii) Any reseller located in the States of Oregon and Washington, purchasing gypsum lath for resale from any manufacturer who has modified his maximum prices in accordance with subparagraph (i) above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the modification permitted the manufacturers in subparagraph (i) above.

(iii) On or before the first delivery to any reseller of $^3/_8$" gypsum lath for which the maximum price has been modified pursuant to (i) above, the manufacturer shall notify the reseller of the manufacturer's maximum price and the pricing method established by this Amendment.

(iv) Any reseller who has purchased $^3/_8$" gypsum lath from any manufacturer whose maximum prices have been modified pursuant to (i) above, shall conspicuously display at his place of business a poster listing his maximum selling prices opposite the various brands of $^3/_8$" gypsum lath sold by him, together with the address of the mill from which the manufacturer made the shipment of the particular brand of lath to him.

(v) The maximum prices established herein shall be subject to cash, quantity, and other discounts, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This Amendment No. 86 shall become effective July 13, 1945, and shall terminate December 31, 1945, unless otherwise extended by amendment.

Issued this 10th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-12485; Filed, July 10, 1945; 11:33 a. m.]

Regional and District Office Orders.

[Region II Order G-20 Under RMPR 165, Amdt. 1]

LAUNDRY SERVICES IN NEW YORK METROPOLITAN AREA

Application for permission to increase its maximum price for family laundry, dry cleaning and related services, as established under Revised Maximum Price Regulation No. 165, as amended—Services, was filed by the power laundry hereinafter named. After due consideration of this application and other available information, it has been decided to adjust the maximum prices of the said laundry to the extent indicated, for the reasons set forth in the opinion attached hereto.

Accordingly, pursuant to the Emergency Price Control Act of 1942, Supplementary Order No. 28, and section 16 (a) of Revised Maximum Price Regulation No. 165, as amended—Services, *It is hereby ordered:*

1. Paragraph (1) of Order No. G-20 is hereby amended to include the following named laundry and permitted increase:

Hacks Laundry Inc	3%

2. All the other provisions of Order No. G-20 shall remain in effect and shall be applicable to the above named applicant.

This order shall be effective immediately.

Issued this 21st day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-12451; Filed, July 9, 1945; 12:10 p. m.]

[Nashville Rev. Order G-1 Under Gen. Order 50, Corrected Amdt. 5]

MALT BEVERAGES IN NASHVILLE, TENN., DISTRICT

For reasons set forth in the opinion issued simultaneously herewith, Appendix A to Revised District Order No. G-1 under General Order No. 50, is amended to read as follows:

APPENDIX A (AMENDED)

GROUP 1B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Beer:		
Barbarossa	20	[illegible]
Birk's Trophy	15	[illegible]
Budweiser	20	[illegible]
Burger Brau	15	[illegible]
Down's Arf & Arf	20	[illegible]
Esslinger	15	[illegible]
Keller's Topaz	15	[illegible]
Lambic	15	[illegible]
Miller's High Life	20	[illegible]
Pabst Blue Ribbon	20	[illegible]
Schlitz	20	[illegible]
Ale:		
Ballentine's XXX	20	[illegible]
Buckingham	20	[illegible]
Carling's Red Cap	20	[illegible]
Red Top	20	[illegible]
All other beer and ale not listed above including unlabeled beer and ale	20	[illegible]
Draught beer:	Cents	
6-ounce glass	8	
8-ounce glass	10	
10-ounce glass	12	
12-ounce glass	14	
14-ounce glass	16	
16-ounce glass	18	

Any other ounce than listed shall be 1½¢ per ounce except Michelob Beer, which shall have a maximum price of 1.6¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

GROUP 2B

Brand or trade name	Maximum price per bottle	
	12-ounce	[illegible]
Beer:		
Barbarossa	20	[illegible]
Birk's Trophy	15	[illegible]
Budweiser	20	[illegible]
Burger Brau	15	[illegible]
Down's Arf & Arf	20	[illegible]
Esslinger	15	[illegible]
Keller's Topaz	15	[illegible]
Lambic	15	[illegible]
Miller's High Life	20	[illegible]
Pabst Blue Ribbon	20	[illegible]
Pioneer Victory	15	[illegible]
Red Fox	15	[illegible]
Ruby	15	[illegible]
Schlitz	20	[illegible]
Ale:		
Ballentine's XXX	20	[illegible]
Buckingham	20	[illegible]
Brick's Pale	15	[illegible]
Carling's Red Cap	20	[illegible]
Esslinger's Little Man	15	[illegible]
Red Top	20	[illegible]
All other brands not listed above including unlabeled beer and ale	15	[illegible]
Draught beer:	Cents	
6-ounce glass	06	
8-ounce glass	08	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Any other ounce than listed shall be 1¢ per ounce except Michelob Beer, which shall have a maximum price of 1.4¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

APPENDIX A (AMENDED)—Continued

GROUP 3B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:		
Barbarossa	17	
Birk's Trophy	15	35
Budweiser	17	40
Burger Brau	15	35
Down's Arf & Arf	17	40
Esslinger	15	35
Keller's Topaz	15	
Lambic	15	35
Miller's High Life	17	40
Pabst Blue Ribbon	17	40
Pioneer Victory	15	
Red Fox	15	35
Ruby	15	
Schlitz	17	40
Ale:		
Ballentine's XXX	17	40
Buckingham	17	40
Brick's Pale	15	35
Carling's Red Cap	17	40
Esslinger's Little Man	15	35
Red Top	17	40
All other brands not listed above including unlabeled beer and ale	13	30
Draught beer:	Cents	
6-ounce glass	06	
8-ounce glass	08	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Any other ounce than listed shall be 1¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

This amendment shall become effective May 7, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 9 F.R. 4808)

Issued this 5th day of May 1945.

CARSON VAUGHAN,
District Director.

[F. R. Doc. 45-12448; Filed, July 9, 1945; 12:09 p. m.]

[Region IV 2d Rev. Order G-7 Under RMPR 122, Amdt. 1]

SOLID FUELS IN KNOXVILLE, TENN., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) of Second Revised Order No. G-7 under Revised Maximum Price Regulation No. 122, issued by this office on June 1, 1945, is hereby amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct delivery or domestic" basis:

(1) High volatile bituminous coal from District No. 8.

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Lump, chunk, and Block:		
Mayflower—from Blue Diamond Coal Co.—mine index 488, and Rex—from Francis Rex Coal Co., Inc.—mine index 404	$7.90	$4.08
From Fox Ridge Mining Co., Inc.—mine index 228	7.75	4.00
From Pioneer Coal Co.—mine index 368, and		
From Kentucky Straight Creek Coal Co.—mine index 2 and 38	7.65	3.95
From other district 8 mines	7.40	3.83
Egg:		
Mayflower—from Blue Diamond Coal Co.—mine index 488, and		
Rex—from Francis Rex Coal Co., Inc.—mine index 404	7.60	3.93
From Fox Ridge Mining Co., Inc.—mine index 228	7.45	3.85
From Pioneer Coal Co.—mine index 368, and		
From Kentucky Straight Creek Coal Co.—mine index 2 and 38	7.35	3.80
From other district 8 mines	7.10	3.68
Stove and junior egg	6.60	3.43
Stoker:		
Blue Rose—from New Jellico Coal Co., Inc.—mine index 61	7.45	3.85
From other district 8 mines	7.15	3.70
Run-of-mine	6.60	3.43
Nut and slack	5.30	2.78

Effective date. This amendment shall become effective June 27, 1945.

Issued: June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-12446; Filed, July 9, 1945; 12:08 p. m.]

[Region IV Rev. Order G-10 Under RMPR 122, Amdt. 1]

SOLID FUELS IN DES MOINES, IOWA, AREA

An opinion accompanying this amendment to Revised Order No. G-10 has been issued simultaneously herewith.

Paragraph (c), VII, in the price schedule, is amended to read as follows:

	2 tons or more, per ton	1 ton or more, per ton	½ ton, per ½ ton	50 tons or more to 1 bin, per ton
VII, Pennsylvania Anthracite: Chestnut	$21.85	$22.10	$11.45	

Issued this 2d day of July 1945.

This Amendment No. 1 to Revised Order No. G-10 supersedes Regional Order No. G-22 as to dealers covered hereby and shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-12447; Filed, July 9, 1945; 12:08 p. m.]

[Region IV Order G-12 Under MPR 188]

ALPHONS CUSTODIS CHIMNEY CONSTRUCTION CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-12 under Maximum Price Regulation No. 188 Alphons Custodis Chimney Construction Company, New York, New York. (Ragland, Alabama Plant), Docket Number: IV-188-161 (a) (2)-90.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) That on and after the effective date of this order the Alphons Custodis Chimney Construction Company of New York, New York, hereinafter referred to as the applicant, may sell and deliver building brick, common and unglazed face, manufactured by it at its Ragland, Alabama plant at a price no higher than a price reflecting its properly established maximum price under Maximum Price Regulation No. 188, plus a sum not in excess of $1.00 per thousand.

(b) That all allowances, discounts, differentiations in classes of purchases and other differentials customarily made by applicant, as well as its legal current pricing practices, shall be maintained.

(c) That any reseller in Region IV purchasing building brick, common and unglazed face, from the above named applicant for resale is hereby permitted to increase his present maximum price by an amount not to exceed the increase in his cost resulting from this order.

(d) Except as otherwise provided herein, all transactions of applicant subject to this order remain subject to the provisions of Maximum Price Regulation No. 188, together with all amendments which heretofore have been or hereafter may be issued.

(e) All requests made by applicant and not specifically herein granted are hereby denied, subject to applicant's right to have further administrative consideration of its application in accordance with the provisions of Revised Procedural Regulation No. 1, as amended, a copy of which will be sent upon request.

This order may be revoked, corrected or amended by the Office of Price Administration at any time.

This order shall become effective June 26, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong; E.O. 9250, 7 F.R. 7871; E.O. 9328. 8 F.R. 4681)

Issued this June 23, 1945.

J. F. ARMSTRONG,
Acting Regional Administrator.

[F. R. Doc. 45-12450; Filed, July 9, 1945; 12:09 p. m.]

[Roanoke Order 1 Under RMPR 259]

CONTAINERS AND CASES OF MALT BEVERAGES IN ROANOKE, VA., DISTRICT

For reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of Revised Maximum Price Regulation 259, this order establishes uniform

maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within the Roanoke (Virginia) District.

SEC. 3. *Applicability.* No wholesaler or retailer within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

2¢ per bottle for 12 ounce and under in size.
4¢ per bottle for over 12 ounces in size.
27¢ per case for either paper, fiber or wood.

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective July 1, 1945.

Issued this 16th day of June 1945.

BERNARD C. GOODWIN,
District Director.

[F. R. Doc. 45-12445; Filed, July 9, 1945; 12:08 p. m.]

[Region IV Order G-3 Under 2d RMPR 269]

POULTRY IN NORTH GEORGIA AREA

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the Regional Administrator, Region IV by section 2.3 (a), 2d Revised Maximum Price Regulation 269 as amended, it is ordered:

(a) *Adjustment of maximum base prices.* (1) Additions to the applicable maximum base prices for live poultry items except ducks, stags, old roosters and turkeys. For the period beginning March 26, 1945, and ending March 31, 1945, inclusive, any authorized poultry buyer who purchases such live poultry items produced and delivered from the Georgia "poultry area" designated in War Food Administration Order 119 as amended may add 1 8/10¢ per pound to the applicable base price for the poultry item in question in making payment to the seller, and may charge any "authorized processor" 1 8/10¢ per pound over the applicable maximum base price for the poultry item in question. Any "authorized processor" may pay any "authorized poultry buyer" 1 8/10¢ per pound over the applicable base price for the live poultry items mentioned above.

(b) *Definitions.* "Authorized poultry buyer" means any person other than an authorized processor who holds authorization from the Director of Distribution, War Food Administration to purchase, contract to purchase, and accept delivery of poultry for purposes of resale and delivery to an "authorized processor".

"Authorized processor" means any person who holds a letter of authority issued to him by the "Order Administrator" designated by the Director of Distribution, War Food Administration, to receive and process poultry to be set aside pursuant to the provisions thereof.

"Poultry Area" means the territory included within the counties of the State of Georgia named in War Food Administration Order 119, as amended, § 1414.7 (a) (12) (iii). This area includes Cherokee, Dawson, Forsyth, Lumpkin, Hall, White and Habersham Counties at the the time of issuance of this order. It shall always include the Georgia counties named in War Food Administration Order 119, regardless of the subsequent alteration in the list of the Georgia counties contained therein.

(c) *Applicability of 2d Revised Maximum Price Regulation 269.* (1) Except as provided in paragraph (a) above, all the provisions of 2d Revised Maximum Price Regulation 269 continue in effect.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective March 26, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: June 14, 1945.

J. F. ARMSTRONG,
Acting Regional Administrator.

[F. R. Doc. 45-12449; Filed, July 9, 1945; 12:09 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-986]

NEW ENGLAND PUBLIC SERVICE CO.

NOTICE OF FILING OF AMENDMENT TO DECLARATION AND ORDER FOR RECONVENING HEARING

At a regular meeting of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 9th day of July, 1945.

New England Public Service Company (NEPSCO), a registered holding company, having filed a declaration with the Commission on October 30, 1944 with respect to the sale of the entire gas properties and business of Public Service Company of New Hampshire (New Hampshire), its subsidiary, to James A. Pierce or his nominees; the Commission in its notice of filing and order for hearing issued November 1, 1944 (Holding Company Act Release No. 5405) having summarized the terms of said sale and having ordered a hearing thereon; and hearings having been held pursuant to said notice, testimony having been taken and the hearing having been closed; and

Subsequent to the closing of said hearing the Commission having been notified that the parties were unable to effectuate the proposed transaction; and due to such failure to consummate the sale no findings, opinion or order of the Commission having ever been issued; and

New Hampshire having in April 1945 made further efforts to sell its gas properties and business; seven bids having been submitted to it for said gas properties and business; New Hampshire having accepted the bid of Charles R. Prichard, Jr., and others, and entered into a contract of sale for said gas properties and business on June 8, 1945 with the said Prichard; and declarant having now filed an amendment to its declaration praying that the above-entitled matter be reopened for further consideration and final disposition:

Notice is hereby given that declarant has, on July 2, 1945, filed an amendment to its declaration, which amendment, in effect, substitutes a new purchaser for the New Hampshire gas properties and business.

All interested persons are referred to said amendment, which is on file in the offices of the Commission, for a full statement of the transactions therein proposed and which may be summarized as follows:

NEPSCO proposes that New Hampshire sell to Charles R. Prichard, Jr., and others, such subsidiary's entire gas business, including all of its franchises, works and system used in the manufacture, transmission and distribution of artificial gas, real estate, and personal properties used by it in said gas business, and certain current assets. The proposed consideration to be received for such interest is $200,000 in cash. Included in the business proposed to be sold are all the plants for the manufacture of artificial gas in the Cities of Nashua, Keene, Laconia, and Dover and all the properties for the distribution of artificial gas in the Cities of Nashua, Keene, Laconia, Franklin and Dover and in the towns of Hudson, Belmont, Northfield, Sanbornton and Tilton, all in the State of New Hampshire.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearings in this matter be reopened with respect to said amended declaration and that said amended declaration should not be permitted to become effective except pursuant to further order of this Commission.

It is ordered. That the proceedings herein be, and the same is hereby, reopened, and that the hearing herein be, and the same is hereby, reconvened on July 24, 1945 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, before Charles S. Lobingier, the trial examiner heretofore designated. At such hearing cause shall be shown why such amended declaration should be permitted to become effective. Notice is hereby given of said reconvened hearing to the above-named declarant and to all interested parties, said notice to be given to said declarant and Public Service Company of New Hampshire by mailing copies hereof by registered mail, and to all other persons by publication of a copy hereof in the FEDERAL REGISTER.

It is further ordered. That without limiting the scope of the issues presented by the said amended declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be received is fair and reasonable.

2. The propriety of the accounting entries to be made on the records of the declarant in connection with the proposed transaction.

3. The identity of the purchaser, and his interest, if any, in any other public-utility or holding company.

4. Whether competitive conditions have been maintained.

5. Whether the fees and expenses in connection with the proposed transactions are reasonable.

6. What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers, to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules or regulations or orders promulgated thereunder and

7. Generally, whether the proposed transaction is in the public interest and in the interest of investors or consumers and will not tend to contravene or circumvent any provisions of the Act or the Rules, Regulations, or Orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-12467; Filed, July 10, 1945; 9:59 a. m.]

[File No. 1-2236]

UNION CONSOLIDATED MINING CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of July, A. D., 1945.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Union Consolidated Mining Company Assessable Common Stock, $1 par value should be suspended or withdrawn.

I. It appearing to the Commission:

That Union Consolidated Mining Company, a corporation organized under the laws of the State of California, is the issuer of Assessable Common Stock, $1 Par Value; and that said Union Consolidated Mining Company registered such security on the San Francisco Mining Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about November 13, 1935, an application on Form 10, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on June 1, 1936, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2 promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for the said Union Consolidated Mining Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the Instruction Book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period, unless the registrant files with the Commission a request for an extension of time to a specific date within six months after the close of the fiscal year; and

That said Union Consolidated Mining Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1944, was due to be filed not later than April 30, 1945; that registrant made no request for extension of time within which to file said report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1944, was not filed within the time prescribed for filing said report or at any later date; and

II. The Commission having reasonable cause to believe that:

The said Union Consolidated Mining Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1944, within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, pursuant to section 19 (a) (2) of said act, that a public hearing be held to determine whether Union Consolidated Mining Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the rules, regulations and forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Assessable Common Stock, $1 Par Value, of said Union Consolidated Mining Company on said San Francisco Mining Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John T. Kenward, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 25th day of July, 1945, at 10:00 a. m., Pacific war time, at the Regional Office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-12469; Filed, July 10, 1945; 9:59 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 138

Washington, Thursday, July 12, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency[1]

PART 802—SUGAR DETERMINATIONS

MAINLAND SUGARCANE FARMING PRACTICES FOR THE 1945 AND SUBSEQUENT CROP YEARS

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.23g *Farming practices in connection with the production of sugarcane during the 1945 and subsequent crop years*—(a) *Conservation requirements.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been fulfilled with respect to any sugarcane farm in the Mainland cane sugar area for the 1945 and each subsequent crop if there is carried out during the calendar year in which the harvesting of the crop begins, on land on the farm which is adapted to the production of sugarcane for sugar, an acreage of approved conservation practices equal to not less than 15 percent of the acreage of sugarcane for sugar growing on the farm for harvest during such calendar year.

(b) *Approved practices.* Each of the following shall be counted as one acre of conservation practices:

(1) Seeding one acre of winter legumes in the fall.

(2) Turning or disking under one acre of a satisfactory growth of summer legumes grown alone.

(3) Turning or disking under one acre of a satisfactory growth of winter legumes seeded in the fall of the preceding year.

(4) Turning or disking under one acre of a satisfactory growth of sorghum as a green manure crop.

(5) Turning or disking under two acres of a good stand and good growth of summer legumes (excluding peanuts, lespedeza, and summer legumes used as truck crops) interplanted or grown in combination with row crops, such as corn; *Provided,* The summer legumes occupy at least one-third of the land.

(6) Turning or disking under two acres of a good cover and growth (except seed or seed heads) of summer legumes or sorghum.

(7) Applying 48 pounds of available phosphoric acid (P_2O_5) to, or in connection with, a full seeding of winter legumes.

(8) Applying 500 pounds of basic slag (rock phosphate or colloidal phosphate in Florida) to, or in connection with, a full seeding of winter legumes.

(9) Removing 25 cubic yards of earth in the construction, enlargement, or cleaning out of lateral ditches and lead canals. (Applicable in Louisiana only.)

(10) Carrying out on one and one-half acres of land in Florida, the top soil of which is combustible (determined as such by the State AAA Committee) and from which no crop classified as soil-depleting in ACP–1941, 1941 Agricultural Conservation Program Bulletin, as amended, is harvested and on which adequate facilities (ditches, pumps, and necessary equipment) have been maintained (whether constructed in the current calendar year or earlier) for flooding the land during the fire hazard season as a protection against the destruction of such top soil by fire, the practices specified in paragraphs B, C, D, and E of Amendment 3 to Southern Region Bulletin 101, issued June 11, 1937, for protecting the soil against fire, assuring adequate drainage and preventing soil oxidation and subsidence; *Provided, however,* That there shall be carried out on such land on the farm such other practices as are recommended for the farm by the County AAA Committee, and approved by the State AAA Committee, for protecting the soil against fire, assuring adequate drain-

(Continued on p. 8641)

[1] Formerly War Food Administration (Sugar Determinations).

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938-June 1, 1943) is still available in ten units at $3.00 each.

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age, preventing soil oxidation and subsidence, and otherwise preserving and improving the fertility of the soil and preventing soil erosion, such practices to be consistent with reasonable standards of the farming community in which the land is located.

(c) *Standards of performance.* The conservation practices shall be carried out in accordance with farming methods commonly used in the community in which the farm is located and in accordance with specifications approved by the Director of the Southern Division of the Agricultural Adjustment Agency.

(Sec. 301, 50 Stat. 910; 7 U.S.C. 1131 (e))

Issued this 10th day of July 1945.

[SEAL] CLINTON C. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12565; Filed, July 11, 1945; 11:20 a. m.]

PART 802—SUGAR DETERMINATIONS

HAWAIIAN SUGARCANE FARMING PRACTICES FOR THE 1945 AND SUBSEQUENT CROP YEARS

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.33g *Farming practices in connection with the production of the 1945 and subsequent crops of sugarcane.* (a) The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in the Territory of Hawaii for the 1945 and each subsequent crop year if fertilizer is applied as follows:

(1) *Amount.* There shall be applied to land on which sugarcane is growing during the applicable calendar year sufficient chemical fertilizer to provide an average quantity of plant food per acre fertilized equal to not less than 100 pounds.

(2) *Acreage requirement.* The number of acres on which fertilizer is applied during the applicable calendar year shall be not less than 80 percent of the number of acres on the farm on which sugarcane is planted, or a ratoon crop of sugarcane is started at any time during the applicable calendar year.

(b) *Definitions.* The term "applicable calendar year" means the calendar year in which the crop of sugarcane is harvested with respect to which payment is applied for. "Chemical fertilizer" means commercial chemical fertilizer of which not less than 15 percent of the gross weight consists of plant food. "Plant food" means the aggregate amount of nitrogen, available phosphoric acid and water-soluble potash. (Sec. 301, 50 Stat. 910; 7 U.S.C. 1131 (e))

Issued this 10th day of July 1945.

[SEAL] CLINTON C. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12564; Filed, July 11, 1945; 11:20 a. m.]

PART 802—SUGAR DETERMINATIONS

PUERTO RICAN SUGARCANE FARMING PRACTICES FOR THE 1945-46 AND SUBSEQUENT CROP YEARS

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.43h *Farming practices in connection with the production of sugarcane during the 1945-46 and subsequent crop years*—(a) *For farms in Puerto Rico, except in the Island of Vieques.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to a farm in Puerto Rico, except in the Island of Vieques, for the 1945-46 and each subsequent crop year if the practices hereinafter set forth are carried out during the calendar year preceding the year in which the major portion of the crop is harvested, with respect to which application for payment is made, except that on land where sugarcane is planted for sugar or harvested for seed between August 1 and December 31 of any year, the practices may be carried out at any time during such calendar year and the first four months of the next calendar year:

(1) *Farms containing more than 400 acres of sugarcane.* For farms on which more than 400 acres of sugarcane are growing at any time during the calendar year.

(i) The application to land on which sugarcane is planted during the calendar year of sufficient chemical fertilizer to provide an average quantity of plant food per acre fertilized of not less than 150 pounds.

(ii) The application to land on which a ratoon crop of sugarcane is started during the calendar year of sufficient chemical fertilizer to provide an average of not less than 100 pounds of plant food per acre fertilized.

(2) *Farms containing more than 100, but not more than 400, acres of sugarcane.* For farms on which more than 100, but not more than 400, acres of sugarcane are growing at any time during the calendar year:

(i) The application to land on which sugarcane is planted during the calendar year of chemical fertilizer in an amount averaging not less than 400 pounds per acre fertilized.

(ii) The application to land on which a ratoon crop of sugarcane is started during the calendar year of chemical fertilizer in an amount averaging not less than 265 pounds per acre fertilized.

(3) *Farms containing more than 20, but not more than 100, acres of sugarcane.* For farms on which more than 20, but not more than 100, acres of sugarcane are growing at any time during the calendar year:

(i) The application to land on which sugarcane is planted during the calendar year of chemical fertilizer in an amount averaging not less than 250 pounds per acre fertilized.

(ii) The application to land on which a ratoon crop of sugarcane is started during the calendar year of chemical fertilizer in an amount averaging not less than 165 pounds per acre fertilized.

(iii) In lieu of the provisions of subdivisions (i) and (ii) of this subparagraph, the carrying out on the farm in connection with the production of sugarcane any of the soil-building or soil-conserving practices specified under the Agricultural Conservation Program for Puerto Rico for the applicable calendar year, for which payment would be made in an amount equal to at least $1.00 per acre of land on which sugarcane is planted or a ratoon crop of sugarcane is started during the calendar year, except that credits received under paragraph (d) hereinafter may be added to the amount of such payments for purposes of compliance with this subdivision.

(4) *Farms containing not more than 20 acres of sugarcane.* For farms on which not more than 20 acres of sugarcane are growing at any time during the calendar year:

(i) The application during the harvest season to the land from which sugarcane is harvested of the tops and trash cut from such sugarcane; or

(ii) The application of fertilizer in the amounts, and to the types of land, set forth in subparagraphs (3) (i) and (ii) above; or

(iii) The carrying out on the farm in connection with the production of sugar-

cane any of the soil-building or soil-conserving practices required under the Agricultural Conservation Program for Puerto Rico for the applicable calendar year, for which payment would be made in an amount equal to at least $.50 per acre of land on which sugarcane is planted or a ratoon crop of sugarcane is started during the calendar year, except that credits received under paragraph (d) hereinafter may be added to the amount of such payments for purposes of compliance with this subdivision.

(b) *For farms in the Island of Vieques.* The requirements of section 301 (e) of the said act, shall be deemed to have been met with respect to a farm in the Island of Vieques for the 1945–46 and each subsequent crop year, if the practices hereinafter set forth are carried out during the calendar year preceding the year in which the major portion of the crop is harvested, with respect to which application for payment is made, except that on land where sugarcane is planted for sugar or harvested for seed between August 1 and December 31 of any year the practices may be carried out at any time during such calendar year and the first four months of the next calendar year.

(1) *Farms containing more than 400 acres of sugarcane.* For farms on which more than 400 acres of sugarcane are growing at any time during the calendar year:

(i) The application to land on which sugarcane is planted during the calendar year of sufficient chemical fertilizer to provide an average quantity of plant food per acre fertilized equal to not less than 75 pounds.

(ii) The application to land on which a ratoon crop of sugarcane is started during the calendar year of sufficient chemical fertilizer to provide an average of not less than 50 pounds of plant food per acre fertilized.

(2) *Farms containing more than 100, but not more than 400, acres of sugarcane.* For farms on which more than 100, but not more than 400, acres of sugarcane are growing at any time during the calendar year:

(i) The application to land on which sugarcane is planted during the calendar year of chemical fertilizer in an amount averaging not less than 200 pounds per acre fertilized.

(ii) The application to land on which a ratoon crop of sugarcane is started during the calendar year of chemical fertilizer in an amount averaging not less than 135 pounds per acre fertilized.

(3) *Farms containing not more than 100 acres of sugarcane.* For farms on which not more than 100 acres of sugarcane are growing at any time during the calendar year:

(i) The application to land on which sugarcane is planted during the calendar year of chemical fertilizer in an amount averaging not less than 125 pounds per acre fertilized.

(ii) The application to land on which a ratoon crop of sugarcane is started during the calendar year of chemical fertilizer in an amount averaging not less than 85 pounds per acre fertilized.

(iii) In lieu of the provisions of subdivisions (i) and (ii) of this subparagraph, the carrying out on the farm in connection with the production of sugarcane any of the soil-building or soil-conserving practices specified under the Agricultural Conservation Program for Puerto Rico for the applicable calendar year for which payment would be made in an amount equal to at least $0.50 per acre of land on which sugarcane is planted or a ratoon crop of sugarcane is started during the calendar year, except that credits received under paragraph (d) hereinafter may be added to the amount of such payments for purposes of compliance with this subdivision; or

(iv) The application during the harvest season to the land from which sugarcane is harvested of the tops and trash cut from such sugarcane.

(c) *Minimum acreage requirements for the application of fertilizer.* In every case in which the application of fertilizer is required as aforesaid, the number of acres on which fertilizer is to be applied as aforesaid shall be not less than 100 percent of the number of acres on which sugarcane is planted during the calendar year, and not less than 80 percent of the number of acres on which a ratoon crop of sugarcane is started during the calendar year.

(d) *Additional credit in connection with Agricultural Conservation Program.* Where there is reference to payments which will be made under the terms of the 1945 and each subsequent calendar year Agricultural Conservation Program for Puerto Rico, in subparagraphs (3) (ii) and (4) (iii) of paragraph (a) and in subparagraph (3) (iii) of paragraph (b), credit is to be allowed for chemical fertilizer applied, if any, at the rate of $0.50 per 100 pounds gross weight.

(e) *Standards of performance.* The foregoing practices shall be carried out on the farm in accordance with farming methods commonly used in the community in which the farm is located.

(f) *Definitions.* Wherever used in this section, except in paragraph (d), chemical fertilizer and plant food are to be defined as follows: "Chemical fertilizer" means commercial chemical fertilizer of which not less than 15 percent of the gross weight consists of plant food. "Plant food" means the aggregate amount of nitrogen, available phosphoric acid, and water-soluble potash. (Sec. 301, 50 Stat. 910, 7 U.S.C. 1131 (e).)

Issued this 10th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc 45-12566; Filed, July 11, 1945, 11:21 a. m.]

PART 802—SUGAR DETERMINATIONS

VIRGIN ISLANDS SUGARCANE FARMING PRACTICES FOR THE 1946 AND SUBSEQUENT CROP YEARS

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.55d *Farming practices in connection with the production of sugarcane during the 1946 and subsequent crop years.* (a) The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in the Virgin Islands for the 1946 and each subsequent crop year if there is applied during the harvest season to the land from which sugarcane is harvested the tops and trash cut from such sugarcane.

(Sec. 301, 50 Stat. 910, 7 U.S.C. 1131 (e).)

Issued this 10th day of July, 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12567; Filed, July 11, 1945, 11:19 a. m.]

Chapter IX—Marketing Agreements and Orders[1]

PART 972—MILK IN THE TRI-STATE MARKETING AREA

HANDLING OF MILK IN KENTUCKY, WEST VIRGINIA AND OHIO

SEC.

972.0 Findings and determinations.
972.1 Definitions.
972.2 Market administrator.
972.3 Reports, records, and facilities.
972.4 Classification of milk.
972.5 Minimum class prices.
972.6 Application of provisions.
972.7 Determination of uniform prices.
972.8 Payment for milk.
972.9 Expense of administration.
972.10 Marketing services deductions.
972.11 Effective time, suspension, or termination.
972.12 Agents.
972.13 Separability of provisions.

AUTHORITY: §§ 972.0 to 972.13, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 750, 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783.

§ 972.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., 900.1 et seq.) a public hearing was held upon a proposed marketing agreement and proposed order regulating the handling of milk in the Tri-State marketing area. Upon the basis of the evidence introduced in such hearing and the record thereof, it is hereby found that:

(1) The issuance of this order regulating the handling of milk in the said marketing area, and all of the terms and conditions of this order, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to

[1] Submitted as War Food Administrator.

the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk and the minimum prices specified in the said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a tentatively approved marketing agreement, upon which a hearing has been held; and

(4) All milk and milk products handled by handlers, as defined herein, is in the current of interstate commerce, or directly burdens, obstructs, or affects interstate commerce in milk or its products.

(b) *Additional findings.* (1) It is hereby found and proclaimed in connection with the execution of a tentatively approved marketing agreement and the issuance of this order, regulating the handling of milk in the said marketing area, that the purchasing power of such milk during the pre-war period August 1909–July 1914 cannot be satisfactorily determined from available statistics of the Department of Agriculture, but that the purchasing power of such milk for the period August 1919–July 1929 can be satisfactorily determined from available statistics of the Department of Agriculture and the period August 1919–July 1929 is the base period to be used in connection with the said marketing agreement and this order in determining the purchasing power of such milk.

(2) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will amount to approximately $20,000 per year; and the pro rata share of such expenses to be paid by each handler is hereby approved in the maximum amount of 4 cents per hundredweight on all milk, skim milk, and cream received by such handler during each delivery period.

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order) of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order is the only practical means pursuant to the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of the issuance of the order and who, during the month of March 1945 (which month has been determined to be a representative period), were engaged in the production of milk for sale in the said marketing area.

It is hereby ordered, That such handling of milk and milk products by handlers operating in the Tri-State marketing area as is in the current of interstate commerce, or as directly burdens, obstructs, or affects interstate commerce, in milk or its products, shall from the effective time hereof be in compliance with the following terms and conditions.

§ 972.1 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act. No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed 601 et seq.).

(b) "Secretary" means the Secretary of Agriculture, or the War Food Administrator, or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(c) "Tri-State marketing area," hereinafter called the "marketing area," means the territory lying within the corporate limits of the cities of Ashland, Kentucky; Huntington and Parkersburg, West Virginia; Marietta, Ironton, and Gallipolis, Ohio; and all territory lying within Athens and Scioto Counties, Ohio, including but not limited to all municipal corporations in said counties.

(d) "Huntington district" means that portion of the marketing area lying within the corporate limits of the cities of Ashland, Kentucky; Huntington, West Virginia; and Ironton and Gallipolis, Ohio.

(e) "Huntington district plant" means a plant (1) located within the Huntington district from which milk is disposed of in such district for human consumption as fluid milk or (2) located outside the marketing area from which 50 percent or more of the plant's disposition of milk for human consumption as fluid milk in the marketing area during the delivery period is in the Huntington district.

(f) "Person" means any individual, partnership, corporation, association, or any other business unit.

(g) "Producer" means any person who produces, under a dairy farm inspection permit or other equivalent certification issued by the appropriate health authority in the marketing area, milk which is (1) received at a plant from which milk is disposed of in the marketing area for human consumption as fluid milk, or (2) customarily received at a plant described in (1) of this paragraph but which is diverted by an association of producers to any other milk distributing or milk manufacturing plant, wherever located.

(h) "Handler" means (1) any person, except a person who receives emergency milk only, with respect to milk (including any milk from his own farm production (received by him at a plant from which milk is disposed of in the marketing area for human consumption as fluid milk, or (2) any association of producers with respect to any milk produced under a dairy farm inspection permit or other equivalent certification issued by the appropriate health authority in the marketing area which is customarily received at a plant described in (1) of this paragraph but which it diverts to any other milk distributing or milk manufacturing plant, wherever located, for the account of such association.

(i) "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers.

(j) "Delivery period" means the period from the effective date hereof to the end of the calendar month in which such effective date occurs, and thereafter "delivery period" shall mean the calendar month.

(k) "Emergency milk" means milk, skim milk, unsweetened condensed skim or whole milk, or cream received by a hander under a permit for its receipt as an emergency supply issued to him by the appropriate heath authority in the marketing area.

(l) "Department of Agriculture" means the United States Department of Agriculture or any other Federal agency as may be authorized to perform the price reporting functions specified in § 972.5 hereof.

§ 972.2 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have the power:

(1) To administer this order in accordance with its terms and provisions;

(2) To receive, investigate, and report to the Secretary complaints of violations of the provisions hereof; and

(3) To make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator in addition to the duties hereinafter described, shall:

(1) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary.

(2) Keep such books and records as will clearly reflect the transactions provided for herein, and upon request by the Secretary, surrender the same to his successor or to such other person as the Secretary may designate.

(3) Submit his books and records to examination and furnish such information and such verified reports, as may be requested by the Secretary.

(4) Require a surety bond from each employee who handles funds entrusted to the market administrator in an

amount reasonably commensurate with the amount of the funds handled by such employee.

(5) Publicly disclose, unless otherwise directed by the Secretary, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not made (i) reports pursuant to § 972.3 or (ii) payments pursuant to § 972.8.

(6) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof.

(7) Pay, out of the funds provided by § 972.9, (i) the cost of his bond and of the bonds of those of his employees who handle funds entrusted to the market administrator, (ii) his own compensation, and (iii) all other expenses, except those incurred under § 972.10, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties.

(8) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any person upon whose utilization the classification of milk depends.

(9) Publicly announce prices for each delivery period, as follows:

(i) On or before the 5th day after the end of each delivery period the class prices and butterfat differentials computed pursuant to § 972.5, and

(ii) On or before the 10th day after the end of each delivery period, the uniform prices computed pursuant to § 972.7 (b) and (c) and the butterfat differential to be paid pursuant to § 972.8 (g).

§ 972.3 *Reports, record, and facilities*—(a) *Monthly reports of receipts and utilization.* On or before the 5th day after the end of each delivery period each handler, except as otherwise provided in (b) (2) of this section, shall report to the market administrator for each plant, with respect to all milk and milk products received during such delivery period, in the detail and on forms prescribed by the latter, (1) the butterfat tests, quantities, and sources of all milk, skim milk, cream, and other milk products received; (2) the utilization thereof; and (3) such other information with respect to such receipts and utilization as the market administrator may request.

(b) *Other reports.* (1) On or before the day a handler receives emergency milk, he shall report his intention to receive such milk.

(2) Each handler who receives at his plant only milk from his own farm production or from other handlers shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(3) On or before the 20th day after the end of each delivery period each handler shall submit to the market administrator such handler's producer payroll for the delivery period, which shall show (i) the total pounds of milk received from each producer and association of producers and the total pounds of butterfat contained in such milk, (ii) the amount of payment to each producer and association of producers, and (iii) the nature and amount of the deductions and charges involved in the payments referred to in (ii) of this subparagraph.

(c) *Records and facilities.* Each handler shall maintain, and make available to the market administrator or to his representative during the usual hours of business, such accounts and records of his operations and such facilities as, in the opinion of the market administrator, are necessary to verify or to establish the correct data with respect to (1) the utilization, in whatever form, of all milk and milk products received; (2) the weights, samples, and tests for butterfat content of all milk and milk products previously received or utilized or currently being received or utilized; and (3) payments to producers and associations of producers.

§ 972.4 *Classification of milk*—(a) *Basis of classification.* All milk and milk products received at a plant described in § 972.1 (b) (1) and milk of producers caused to be delivered in the manner described in § 972.1 (b) (2) shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (c) and (d) of this section, the classes of utilization shall be as follows:

(1) Class I milk shall be all milk and milk products (i) disposed of in fluid form (except that which has been dumped or disposed of for livestock feeding) as (a) milk, including reconstituted milk; (b) skim milk; and (c) flavored milk or milk drinks; and (ii) not specifically accounted for as Class II milk or Class III milk.

(2) Class II milk shall be all milk and milk products disposed of in fluid form (except buttermilk dumped or disposed of for livestock feeding) as: (i) cream; (ii) any mixture of cream and milk (or skim milk); and (iii) buttermilk.

(3) Class III milk shall be all milk and milk products specifically accounted for as (i) used to produce, or disposed of as, a milk product other than any of those specified in (1) (i) or in (2) of this paragraph, (ii) having been dumped or disposed of for livestock feeding, and (iii) plant shrinkage, but not in excess of 2 percent of total receipts, not including receipts from other handlers.

(c) *Responsibility of handlers and reclassification of milk.* (1) In establishing the classification as required in (b) and (d) of this section, the burden rests upon the handler to account for all milk and milk products received by him and to prove to the market administrator that such milk, or products, should not be classified as Class I milk.

(2) Any milk or milk product classified in one class shall be reclassified if such milk or milk product (or product thereof) is later used or disposed of by any handler in another class, in accordance with such later use or disposition.

(d) *Transfers.* (1) Milk of producers or of associations of producers, or any skim milk, flavored milk, or flavored milk drinks made therefrom, shall be classified as Class I milk when transferred in fluid form by a handler (i) to another handler: *Provided*, That if it is represented in written reports signed by both handlers and submitted to the market administrator on or before the 5th day after the end of the delivery period, that such milk or milk product was utilized in another class, it shall be classified accordingly, subject to verification by the market administrator; (ii) to a producer-handler; (iii) to a person who is not a handler but who distributes milk in fluid form, to the extent of such distribution; and (iv) to any other person not specifically described in subparagraph (3) of this paragraph.

(2) Milk of producers or of associations of producers shall be classified as Class II milk when transferred in fluid form as cream, as milk (or skim milk) and cream mixture, or buttermilk by a handler (i) to another handler: *Provided*, That if it is represented in written reports signed by both handlers and submitted to the market administrator on or before the 5th day after the end of the delivery period, that such transferred product was utilized in another class, it shall be classified accordingly, subject to verification by the market administrator; (ii) to a producer-handler; (iii) to a person who is not a handler but who distributes milk or cream in fluid form, to the extent of such distribution; and (iv) to any other person not specifically described in subparagraph (3) of this paragraph.

(3) Milk or milk products shall be classified as Class III milk when transferred in fluid form or otherwise (i) to the milk manufacturing plant of a person who is not a handler and who does not distribute milk or cream in fluid form; and (ii) to a person who is not a handler but who distributes milk or cream in fluid form, to the extent that the quantity of such transfer exceeds the amount of milk or cream distributed by such person in fluid form, subject to verification by the market administrator.

(e) *Computation of the milk in each class.* For each delivery period, the market administrator shall correct for mathematical and for other obvious errors the delivery period report submitted by each handler and compute the respective amounts of milk of producers and of associations of producers in Class I milk, Class II milk, and Class III milk, as follows:

(1) Determine the handler's total receipts by adding together the total pounds of milk, skim milk, and cream received, and the pounds of butterfat and skim milk used to produce all other milk products received;

(2) Determine the total pounds of butterfat contained in the receipts computed pursuant to (1) of this paragraph;

(3) Determine the total pounds of Class I milk by: (i) computing the sum of the pounds (not including flavoring materials) disposed of as each of the several items of Class I milk; and (ii) adding all other milk and milk products not specifically accounted for as Class II or Class III milk;

(4) Determine the total pounds of butterfat in Class I milk by: (i) computing the sum of the pounds of butterfat in each of the several items of Class I milk; and (ii) adding all other butterfat not specifically accounted for as Class II or Class III butterfat;

(5) Determine the total pounds of Class II milk by: computing the sum of the pounds disposed of as each of the items of Class II milk;

(6) Determine the total pounds of butterfat in Class II milk by: computing the sum of the pounds of butterfat in each of the items of Class II milk;

(7) Determine the total pounds of Class III milk by: (i) computing the sum of the pounds used or disposed of as each of the several items of Class III milk, and (ii) adding the plant shrinkage of milk computed pursuant to (b) (3) (iii) of this section;

(8) Determine the total pounds of butterfat in Class III milk by: (i) computing the sum of the pounds of butterfat in each of the several items of Class III milk; and (ii) adding the butterfat in plant shrinkage computed pursuant to (b) (3) (iii) of this section;

(9) Determine the classification of milk producers and of associations of producers, as follows: (i) subtract, in series beginning with Class III milk, the pounds of milk and milk products, except emergency milk, received from sources other than producers, associations of producers, or other handlers; (ii) subtract from the remaining pounds of Class III milk the pounds received from producer-handlers, and any excess of such receipts over the remaining Class III milk, in series from Class II milk and Class I milk; (iii) subtract from the remaining pounds in each class, the pounds received from other handlers and allocated to such class in accordance with (d) of this section; (iv) subtract pro rata from the remaining pounds in each class, the total pounds of emergency milk received; and (v) if the remaining quantity is greater than that which the handler reported having received from producers and from associations of producers, subtract pro rata from the remaining pounds of milk in each class an amount equal to the difference;

(10) Determine the classification of butterfat in milk of producers and of associations of producers in a manner similar to that prescribed in (9) of this paragraph for milk; and

(11) Determine the weighted average butterfat content of the resulting milk in each class computed under (9) of this paragraph.

§ 972.5 *Minimum class prices*—(a) *Class I milk prices.* Subject to the provisions of (d), (e), (f), and (g) of this section and of § 972.8, each handler shall pay for all milk received at his plant during the delivery period from producers or from an association of producers, which is classified as Class I milk, the appropriate Class I price set forth below for such plant:

When the class III price effective pursuant to (e) of this section is—	The prices per hundredweight of class I milk of 4 percent butterfat content shall be—	
	Huntington district plants	Other plants
Under $2.35	$3.15	$2.95
$2.35 or over but under $2.50	3.30	3.10
$2.50 or over but under $2.85	3.65	3.45
$2.85 or over but under $3.10	3.90	3.70
$3.10 or over but under $3.35	4.15	3.95
$3.35 or over but under $3.60	4.40	4.20
$3.60 or over	4.65	4.45

(b) *Class II milk prices.* Subject to the provisions of (d), (e), (f), and (g) of this section and of § 972.8, each handler shall pay for all milk received at his plant during the delivery period from producers or from an association of producers, which is classified as Class II milk, the appropriate Class II price set forth below for such plant:

When the Class I prices effective pursuant to (a) of this section are—		The prices per hundredweight of Class II milk of 4 percent butterfat content shall be—	
Huntington district plants	Other plants	Huntington district plants	Other plants
$3.15	$2.95	$2.85	$2.65
3.30	3.10	3.00	2.80
3.65	3.45	3.35	3.15
3.90	3.70	3.60	3.40
4.15	3.95	3.85	3.65
4.40	4.20	4.10	3.90
4.65	4.45	4.35	4.15

(c) *Class III milk price.* Subject to the provisions of (d), (e), and (f) of this section and of § 972.8, each handler shall pay per hundredweight for all milk received at his plant during the delivery period from producers or from an association of producers, which is classified as Class III milk, the higher of the following prices determined by the market administrator:

(1) Divide by 35 the arithmetical average of the basic (field) prices for milk of 3.5 per cent butterfat content which are reported to the Department of Agriculture for payment to farmers for milk received during such delivery period by the following companies, at the locations listed, and multiply the result by 40:

Companies and Locations

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mt. Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Provided, That if the price so determined is less than the price computed in accordance with the following formula, such formula price shall be the price for Class III milk for the delivery period: multiply by 4 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the Department of Agriculture for the delivery period during which such milk was received, add 20 percent thereof, and add 3½ cents per hundredweight for each full one-half cent that the price of nonfat dry milk solids for human consumption is above 5½ cents per pound. The price per pound of nonfat dry milk solids to be used in this proviso shall be the arithmetical average of the carlot prices for both spray and roller process nonfat dry milk solids for human consumption, f. o. b. manufacturing plant, as published by such agency for the Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period. In the event such agency does not publish such carlot prices f. o. b. manufacturing plant, the arithmetical average of the carlot prices for both spray and roller process nonfat dry milk solids for human consumption, delivered at Chicago, shall be used, and the figure "7½" shall be substituted for "5½" in the formula set forth above in this proviso.

(d) *Butterfat differential to handlers.* (1) If the weighted average butterfat content of that portion of the milk received from producers and from associations of producers which is classified as Class I milk for any handler is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the Class I price, for each one-tenth of 1 percent that such weighted average butterfat content is above or below, respectively, 4.0 percent, an amount computed by the market administrator by: adding 20 percent to the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, dividing the sum obtained by 10, and then adding 1.0 cent.

(2) If the weighted average butterfat content of that portion of the milk received from producers and from associations of producers which is classified as Class II milk for any handler is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the Class II price, for each one-tenth of 1 percent that such weighted average butterfat content is above or below, respectively, 4.0 percent, an amount computed by the market administrator by: adding 20 percent to the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, dividing the sum obtained by 10, and then adding .5 cent.

(3) If the weighted average butterfat content of that portion of the milk received from producers and from associations of producers which is classified as Class III milk for any handler is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the Class III price, for each one-

tenth of 1 percent that such weighted average butterfat content is above or below, respectively, 4.0 percent, an amount computed by the market administrator by: adding 20 percent to the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, and dividing the sum obtained by 10.

(e) *Emergency price provisions.* (1) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the prices specified.

(2) Whenever the Secretary finds and announces that the Class I or Class II price, computed for any delivery period pursuant to (a) and (b) of this section, is above a level which is in the public interest, the Class I or Class II price for such delivery period shall be the same as the Class I or Class II price effective for the delivery period immediately preceding.

(f) *Prices for Class I, Class II, and Class III milk disposed of outside the marketing area.* The prices for Class I, Class II, and Class III milk disposed of outside the marketing area by a handler shall be those applicable, respectively, pursuant to (a), (b), and (c) of this section, to Class I, Class II, and Class III milk disposed of by such handler in the marketing area.

(g) *Price of Class I or Class II milk transferred by one handler to another handler.* The price of Class I or Class II milk transferred by a handler to another handler shall be that applicable to Class I or Class II milk at the selling handler's plant, pursuant to (a) and (b) of this section: *Provided*, That any hauling charge with respect thereto chargeable to producers or to associations of producers shall not exceed that customarily applied to deliveries of such producers from their farms to the selling handler's plant.

§ 972.6 *Application of provisions*—(a) *Producer-handlers.* Sections 972.4, 972.5, 972.7, 972.8, 972.9, and 972.10 shall not apply to a producer-handler.

(b) *Verification.* Any handler who desires to qualify as a producer-handler shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence of his qualifications satisfactory to the market administrator, and he shall furnish similar evidence of subsequent changes in his operations that affect his qualifications. Verification by the market administrator shall be made within 5 days after the date of receipt of such evidence, and shall be effective retroactively to the date on which the applicant became so eligible, but not earlier than the first day of the delivery period during which verification of such eligibility is made.

§ 972.7 *Determination of uniform prices*—(a) *Computation of value of milk.* The value of milk received from producers and from associations of producers during each delivery period by each handler shall be a sum of money computed by the market administrator by (1) multiplying the pounds of such milk in each class for the delivery period, computed pursuant to § 972.4 (e) (9), by the applicable class prices computed pursuant to § 972.5, and (2) adding together the resulting amounts: *Provided*, That if a handler, after subtracting receipts from his own farm production, from other handlers, and from sources determined as other than producers, associations of producers, or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to producers or associations of producers as having been received from them, there shall be added an amount equal to its value in accordance with its classification determined pursuant to § 972.4 (e) (9) (v).

(b) *Computation of uniform price for plants other than Huntington district plants.* For each delivery period the market administrator shall compute the uniform price per hundredweight to be paid to producers and to associations of producers for milk received at plants other than Huntington district plants, as follows:

(1) Combine into one total the values computed pursuant to (a) of this section for all handlers who made the reports prescribed by § 972.3, and who made the payments prescribed by § 972.8 for the preceding delivery period;

(2) Add an amount equal to one-half of the cash balance in the producer-settlement fund, less the amount due handlers pursuant to § 972.8 (e);

(3) Subtract, if the weighted average butterfat content of the milk of producers and associations of producers represented by the values included under (1) of this paragraph (pooled milk) is greater than 3.5 percent, or add, if such butterfat content is less than 3.5 percent, an amount computed by: multiplying the amount by which its weighted average butterfat content varies from 3.5 percent by the butterfat differential computed pursuant to § 972.8 (g), and multiplying the resulting figure by the total hundredweight of such milk;

(4) Subtract an amount computed by multipying by 20 cents the total hundredweight of Class I and Class II milk of producers and associations of producers at all Huntington district plants;

(5) Divide the resulting amount by the total hundredweight of pooled milk; and

(6) Subtract not less than 4 cents nor more than 5 cents (adjusting to the even cent) from the amount per hundredweight computed under (5) of this paragraph, for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers. The result shall be known as the "uniform price" per hundredweight for milk of 3.5 percent butterfat received at plants other than Huntington district plants.

(c) *Computation of uniform price for Huntington district plants.* For each delivery period, the market administrator shall compute the uniform price per hundredweight to be paid to producers and to associations of producers for milk received at Huntington district plants, as follows:

(1) Add to the amount per hundredweight resulting under (b) (5) of this section, an amount per hundredweight computed by dividing the amount subtracted under (b) (4) of this section by the milk received from producers and associations of producers at all Huntington district plants and represented in the values included under (b) (1) of this section; and

(2) Subtract not less than 4 cents nor more than 5 cents (adjusting to the even cent) from the amount per hundredweight computed under (1) of this paragraph, for the purpose as indicated in (b) (6) of this section. The result shall be known as the "uniform price" per hundredweight for milk of 3.5 percent butterfat received at Huntington district plants.

(d) *Notification of handlers.* On or before the 10th day after the end of each delivery period, the market administrator shall notify each handler of (1) the amount and value of his milk in each class as computed pursuant to § 972.4 (e) (9) and (a) of this section, respectively, and the totals of such amounts and values; (2) the applicable uniform price computed pursuant to (b) or (c) of this section; (3) the amount due such handler from the producer-settlement fund or the amount to be paid by such handler to the producer-settlement fund, as the case may be; and (4) the amounts to be paid by such handler pursuant to § 972.8.

§ 972.8 *Payment for milk*—(a) *Time and method of final payment.* Each handler shall make payment, subject to the butterfat differential provided by (c) of this section and less the payments made pursuant to (b) of this section and the deductions required by § 972.10 for all milk received from producers or from an association of producers during each delivery period, as follows:

(1) Except as set forth in (2) of this paragraph, to each producer, on or before the 15th day after such delivery period, at not less than the applicable uniform price for milk of 3.5 percent butterfat.

(2) To an association of producers for milk of producers from whom such association has received written authorization to collect payment, on or before the 14th day after such delivery period, of a total amount equal to not less than the sum of the individual amounts otherwise payable to such producers under (1) of this paragraph.

(b) *Partial payments.* (1) On or before the 25th day of each delivery period, each handler shall make payment, except as set forth in (2) of this paragraph, to each producer at not less than the applicable uniform price of the preceding delivery period for the milk of such producer which was received by such handler during the first 15 days of the current delivery period.

(2) On or before the 24th day of each delivery period, each handler shall make payment to an association of producers for milk of producers from whom such association has received written authorization to collect payment, at not less than the applicable uniform price of the preceding delivery period for all such milk which was received by such handler during the first 15 days of the current delivery period.

(c) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (d) of this section and out of which he shall make all payments to handlers pursuant to (e) of this section: *Provided*, That the market administrator shall offset any such payment due any handler against payments due from such handler.

(d) *Payments to the producer-settlement fund.* On or before the 13th day after each delivery period, each handler shall pay to the market administrator the amount by which the total value computed for him pursuant to § 972.7 (a) for such delivery period is greater than the sum required to be paid by such handler pursuant to (a) of this section.

(e) *Payments out of the producer-settlement fund.* On or before the 14th day after each delivery period the market administrator shall pay to each handler the amount by which the sum required to be paid pursuant to (a) of this section is greater than the total value computed for him pursuant to § 972.7 (a) for such delivery period: *Provided*, That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available, and no handler who, on the 14th day after the delivery period, has not received full payment for such delivery period from the market administrator pursuant to this paragraph shall be deemed to be in violation of (a) of this section if he reduces his payments thereunder by not more than the amount of the reduction in payment from the producer-settlement fund.

(f) *Adjustment of errors.* Whenever audit by the market administrator of the payment by a handler to a producer or to an association of producers, pursuant to (a) or (b) of this section, discloses payment of less than is required the handler shall make up such payment not later than the time for making payment pursuant to (a) of this section next following such disclosure.

(g) *Butterfat differential.* If, during the delivery period, any handler has received from any producer or from an association of producers milk having a weighted average butterfat content other than 3.5 percent, such handler, in making the payments prescribed in (a) of this section, shall add to, or subtract from, the applicable uniform price per hundredweight, for each one-tenth of 1 percent of such butterfat content in milk above or below, as the case may be, 3.5 percent, an amount computed by the market administrator as follows: add 20 percent to the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, and divide the resulting amount by 10.

§ 972.9 *Expense of administration.* As his pro rata share of the expense which necessarily will be incurred in the maintenance and functioning of the office of the market administrator, and in the performance of the duties of the market administrator, each handler, with respect to all milk, skim milk, and cream (except receipts from other handlers) received by him during each delivery period, shall pay to the market administrator, on or before the 13th day after the end of such delivery period, that amount per hundredweight not to exceed 4 cents, which is determined (subject to review by the Secretary) and announced by the market administrator on or before the 10th day after the end of such delivery period: *Provided*, That an association of producers shall pay such pro rata share of expense of administration on only that milk with respect to which it is a handler.

§ 972.10 *Marketing services deductions*—(a) *Payments to market administrator.* Except as set forth in (b) of this section, each handler shall deduct an amount not exceeding 6 cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the Secretary) from the payments due pursuant to § 972.8 (a), with respect to all milk received by such handler during each delivery period from producers and associations of producers, and shall pay such deductions to the market administrator on or before the 13th day after such delivery period. Such moneys shall be used by the market administrator to make, or check, weights, samples, and tests of milk received by handlers from producers or from associations of producers and to provide them with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Payments to cooperative associations.* In the case of producers for whom a cooperative association which, as determined by the Secretary, (1) is engaged in the collective sale or marketing of their milk, (2) has its entire activities under the control of its members, (3) meets the standards set forth in the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and (4) is actually performing the services set forth in (a) of this section, each handler shall make, in lieu of the deductions specified in (a) of this section, such deductions from the payments to be made to such producers as have been authorized by such producers and, on or before the 14th day after each delivery period, pay over such deductions to the cooperative association rendering such services.

§ 972.11 *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this order or any provision hereof, whenever he finds that this order or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order shall terminate in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until discharged by the Secretary, (ii) from time to time account for all receipts and disbursements, and, when so directed by the Secretary, deliver all funds or property on hand, together with the books and records of the market administrator, to such person as the Secretary may direct, and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing

handlers and producers in an equitable manner.

§ 972.12 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

§ 972.13 *Separability of provisions.* If any provision of this part, or the application thereof to any person or circumstances, is held invalid, the remainder of the part, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Issued at Washington, D. C., this 29th day of June 1945, to be effective on and after the 1st day of August 1945.

MARVIN JONES,
War Food Administrator.

Approved:

WILLIAM H. DAVIS,
Director of Economic Stabilization.

[F. R. Doc. 45-12549; Filed, July 10, 1945; 8:17 p. m.]

Chapter X—War Food Production Orders

[WFO 104, Revocation]

PART 1202—FARM MACHINERY AND EQUIPMENT

DISTRIBUTION OF NEW METAL MILK CANS AND COVERS

Effective at 12:01 a. m., e. w. t., July 1, 1945, War Food Order No. 104 (9 F.R. 7249), issued June 29, 1944, is hereby revoked. However, with respect to violations of said War Food Order No. 104, or rights accrued, or liabilities incurred thereunder, prior to this revocation, said War Food Order No. 104 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or proceeding with respect to any such violation, right, or liability.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 10th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12571; Filed, July 11, 1945; 11:20 a. m.]

[WFO 138]

PART 1220—FEED

RESTRICTIONS ON USE OF GRAIN

The fulfillment of requirements for defense of the United States will result in a shortage in the supply of livestock feed for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1220.23 *Restrictions on the use of grain*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(2) "Distiller" means any person engaged in the business of manufacturing alcohol or alcoholic beverages or spirits by any process which includes distillation.

(3) "Feed recovery plant" means any facility of a distiller which may be used to recover livestock feed from the by-products of the manufacture of alcohol or alcoholic beverages or spirits.

(4) "Grain" means corn, wheat, grain sorghums, barley, rye, or any other grain used by a distiller in the manufacture of alcohol or alcoholic beverage or spirits.

(5) "Order Administrator" means the Chief of the Agricultural Adjustment Agency, Department of Agriculture.

(b) *Restrictions on use.* On and after the effective date of this section, no distiller with a feed recovery plant or plants shall use any grain in the manufacture of alcohol or alcoholic beverages or spirits by any process which includes distillation, unless all feed by-products from grain so processed be recovered up to the maximum capacity of such plant or plants.

(c) *Contracts.* The restrictions of this section shall be observed without regard to contracts heretofore or hereafter made or any rights accrued or payments made thereunder.

(d) *Records and reports.* (1) The Order Administrator shall be entitled to obtain such information from and require such reports and the keeping of such records by any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this section, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this section shall, for at least one year (or for such period of time as the Order Administrator may designate), maintain an accurate record of his transactions in grain.

(e) *Audits and inspections.* The Order Administrator shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of grain of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this section.

(f) *Request for relief from hardship.* Any person affected by this section who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the Order Administrator. All requests shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such requests shall be acted upon by the Order Administrator or any employee of the Agricultural Adjustment Agency designated by him.

(g) *Violations.* Any person who violates any provision of this section may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using grain. Any person who wilfully violates any provision of this section is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this section.

(h) *Delegation of authority.* The administration of this section and the powers vested in the Secretary of Agriculture, insofar as such powers relate to the administration of this section, are hereby delegated to the Order Administrator. The Order Administrator is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this section.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this section shall, unless otherwise provided, be addressed to the Order Administrator, Food Order No. 138, Agricultural Adjustment Agency, Department of Agriculture, Washington 25, D. C.

Effective date. This section shall become effective at 12:01 a. m., e. w. t., July 10, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 10th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12568; Filed, July 11, 1945; 11:20 a. m.]

Chapter XI—War Food Distribution Orders

[WFO 48, Termination]

PART 1410—LIVESTOCK AND MEATS

RESTRICTIONS ON INVENTORIES

War Food Order No. 48, as amended and temporarily suspended (8 F.R. 7820, 12255, 9 F.R. 4319), is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., July 12, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 48, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 10th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12569; Filed, July 11, 1945; 11:19 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4741]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AUTOMATIC ELECTRICAL DEVICES CO.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety:* § 3.71 (e 5) *Neglecting, unfairly or deceptively, to make material disclosure—Scientific or relevant facts.* I. In connection with the offering for sale, sale or distribution of respondent's devices designated "Homozone" or any other devices of substantially similar character, whether sold under the same name or under any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., the purchase in commerce, etc., of said devices, which advertisements represent directly or by implication, (a) that the use of respondent's Homozone devices, designed for the treatment of air, in connection with humans, constitutes a competent, adequate or effective treatment for sinus trouble, heart ailments, and diseases or ailments of the respiratory system, including asthma, bronchitis and hay fever; will avert headaches or colds; will lessen fatigue, destroy bacteria, or improve and promote the general health; (b) that the use of said devices, designed for the treatment of air, in connection with poultry, will reduce deaths, prevent disease or its effects; will have any effect upon the organisms causing infectious diseases or will prevent the spread of infectious diseases; will be beneficial in the treatment of respiratory ailments; will cure roup or have any beneficial therapeutic value in the treatment of any disease or ailment in poultry; or, (c) that the use of said devices, designed for the treatment of air, in connection with animals, will be beneficial in the treatment of respiratory diseases or will have any beneficial therapeutic value in the treatment of any disease or ailment in animals; or which advertisements fail to reveal that changes from the conditions prevailing at the time of installation may render the atmosphere in which respondent's devices for the treatment of air are operated, irritant to the respiratory organs; that the concentration of ozone in any case should not be allowed to exceed one half part of ozone to one million parts of air; that breathing near the devices should be avoided, and that the inhalation of excessive amounts of ozone may result in irritation of the respiratory organs; and, II, in connection with the offering for sale, sale and distribution of respondent's devices designated "Homozone", or any other devices of substantially similar character, whether sold under the same name or under any other name, in commerce, representing, directly or by implication, (a) that the use of said Homozone devices, designed for the treatment of air, will destroy odors unless limited to such odors which, by reason of their composition or degree of concentration, may be oxidized by ozone, and as to these odors that the deodorizing effect is limited by the amount of ozone generated and available for oxidation; (b) that said devices, designed for the treatment of air, have any effect upon the perceptibility of odors that cannot be oxidized in excess of a masking effect or the fatigue of the sensory organs caused by ozone; or (c) that the amount of ozone generated by said devices, designed for the treatment of water, will deodorize water or render it free from bacteria except in cases of slight pollution, or will render water palatable, sterile or free from objectionable odors, regardless of its condition; or will render cloudy water clear or sparkling; prohibited, subject to the provision, however, as respects the disclosures required in Part I of the order, that any such advertisements need contain only the statement "Caution: Use and operate only as directed", if and when the directions for use and operation are attached to the device and contain the required revelations. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45 (b)) [Cease and desist order, Automatic Electrical Devices Co., Docket 4741, June 29, 1945]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 29th day of June, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent and a stipulation as to the facts entered into between the respondent herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which stipulation provides, among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon, and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent Automatic Electrical Devices Co., its officers, representatives, agents and employees directly or through any corporate or other device in connection with the offering for sale, sale or distribution of respondent's devices designated "Homozone" or any other devices of substantially similar character, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

(1) Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or by implication:

(a) That the use of respondent's Homozone devices, designed for the treatment of air, in connection with humans, constitutes a competent, adequate or effective treatment for sinus trouble, heart ailments, and diseases or ailments of the respiratory system, including asthma, bronchitis and hay fever; will avert headaches or colds; will lessen fatigue, destroy bacteria, or improve and promote the general health;

(b) That the use of said devices, designed for the treatment of air, in connection with poultry, will reduce deaths, prevent disease or its effects; will have any effect upon the organisms causing infectious diseases or will prevent the spread of infectious diseases; will be beneficial in the treatment of respiratory ailments; will cure roup or have any beneficial therapeutic value in the treatment of any disease or ailment in poultry;

(c) That the use of said devices, designed for the treatment of air, in connection with animals, will be beneficial in the treatment of respiratory diseases or will have any beneficial therapeutic value in the treatment of any disease or ailment in animals.

(2) Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement fails to reveal that changes from the conditions prevailing at the time of installation may render the atmosphere in which respondent's devices for the treatment of air are operated, irritant to the respiratory organs; that the concentration of ozone in any case should not be allowed to exceed one half part of ozone to one million parts of air; that breathing near the devices should be avoided, and that the inhalation of excessive amounts of ozone may result in irritation of the respiratory organs: *Provided, however*, That any such advertisement need contain only the statement "Caution: Use and operate only as directed", if and when the directions for use and operation are attached to the device and contain the revelations required by this paragraph.

(3) Disseminating or egusing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce directly or indirectly the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act of respondent's devices, which advertisement contains any representation prohibited in paragraph (1) hereof; or which fails to contain the warning set forth in paragraph (2) unless the conditions of the proviso set forth therein are observed.

It is further ordered, That the respondent Automatic Electrical Devices Co., its officers, representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of respondent's devices designated "Homozone", or any other devices of substantially similar character, whether sold under the same name or under any other name, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

(a) That the use of said Homozone devices, designed for the treatment of air, will destroy odors unless limited to such odors which, by reason of their

composition or degree of concentration, may be oxidized by ozone, and as to these odors that the deodorizing effect is limited by the amount of ozone generated and available for oxidation;

(b) That said devices, designed for the treatment of air, have any effect upon the perceptibility of odors that cannot be oxidized in excess of a masking effect or the fatigue of the sensory organs caused by ozone;

(c) That the amount of ozone generated by said devices, designed for the treatment of water, will deodorize water or render it free from bacteria except in cases of slight pollution, or will render water palatable, sterile or free from objectionable odors, regardless of its condition; or will render cloudy water clear or sparkling.

It is further ordered, That the respondent shall within sixty (60) days after the service upon it of this order file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-12562; Filed, July 11, 1945; 11:09 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5461]

PART 3—INCOME TAX UNDER THE REVENUE ACT OF 1936

PART 9—INCOME TAX UNDER THE REVENUE ACT OF 1938

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

COMPUTATION OF NONTAXABLE INCOME FROM EXEMPT EXCESS OUTPUT AND NONTAXABLE BONUS INCOME IN RELATION TO COMPUTATION OF DEPLETION OF CERTAIN NATURAL DEPOSITS

Regulations 112 and 109, insofar as they relate to the computation of nontaxable income from exempt excess output and of nontaxable bonus income, and Regulations 111, 103, 101, 94, 86, and 77, insofar as they relate to the computation of depletion of certain natural deposits, amended.

Regulations 112 (26 CFR, Cum. Supp., Part 35), Regulations 109 (26 CFR 1941 Supp., Part 30), Regulations 111 (26 CFR, Cum. Supp., Part 29), Regulations 103 (26 CFR, 1940 Supp., Part 19), Regulations 101 (26 CFR, 1939 Supp., Part 9), Regulations 94 (26 CFR, Part 3), Regulations 86, and Regulations 77 are amended as follows:

Regulations 112

PARAGRAPH 1. Section 35.735-2 (i) (2), as amended by Treasury Decision 5404, approved September 15, 1944, is further amended as follows:

(A) By inserting at the end of the second paragraph the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the property, then such gross income shall be computed by the use of such other method."

(B) By inserting at the end of the fourth paragraph beginning with the words "In case any of the ordinary treatment processes" the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the property, then such gross income shall be computed by the use of such other method."

PAR. 2. Section 35.735-2 (i) (2), as amended by Treasury Decision 5404, is further amended as follows:

(A) By inserting at the end of the first paragraph the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the timber block, then such gross income shall be computed by the use of such other method."

(B) By inserting at the end of the fifth paragraph the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the natural gas property, then such gross income shall be computed by the use of such other method."

PAR. 3. Section 35.735-3 (a), as amended by Treasury Decision 5404, is further amended by striking from example (2) that portion immediately preceding the headings of the numbered columnar computation and inserting in lieu thereof the following:

Example (2). Corporation A, which is on a calendar year basis, owns a mineral property from which it extracts minerals containing gold and silver. The output of silver for each of its four base period years was 2,500,000 ounces, and of gold was 12,500 ounces. The "gross income from the property" for each base period year was the sum of the net smelter returns of $1,500,000 received for silver and $437,500 for gold, a total of $1,937,500. Allowable deductions, excluding the allowance for depletion, amounted to $1,000,000. Of the amount of such deductions, $774,193.55 represented the amount allocable to silver production

$$\left(\frac{1,500,000}{1,937,500} \text{ times } \$1,000,000\right)$$

and $225,806.45 represented the amount allocable to gold production

$$\left(\frac{437,500}{1,937,500} \text{ times } \$1,000,000\right).$$

The net income from the mineral property (computed without the allowance for depletion) was $725,806.45 attributable to silver and $211,693.55 attributable to gold. The allowance for percentage depletion computed with respect to silver mining was $225,000 (15 percent of $1,500,000 but not in excess of 50 percent of $725,806.45); the allowance for such depletion computed with respect to gold mining was $65,625 (15 percent of $437,500 but not in excess of 50 percent of $211,693.55). For 1942, the total output of silver was 4,800,000 ounces and of gold was 8,000 ounces. The "gross income from the property" for 1942 was the sum of the net smelter returns of $3,360,000 received for silver and $280,000 received for gold, a total of $3,640,000. Allowable deductions, excluding the allowance for depletion, amounted to $1,280,000. Of the amount of such deductions, $1,181,538.46 represented the amount allocable to silver production

$$\left(\frac{3,360,000}{3,640,000} \text{ times } \$1,280,000\right)$$

and $98,461.54 represented the amount allocable to gold production

$$\left(\frac{280,000}{3,640,000} \text{ times } \$1,280,000\right).$$

The net income from the mineral property (computed without the allowance for depletion) was $2,178,461.54 attributable to silver and $181,538.46 attributable to gold. The allowance for percentage depletion computed with respect to silver mining was $504,000 (15 percent of $3,360,000 but not in excess of 50 percent of $2,178,461.54); the allowance for such depletion computed with respect to gold mining was $42,000 (15 percent of $280,000 but not in excess of 50 percent of $181,538.46). It is estimated that as of December 31, 1942, there were 19,200,000 units of silver and 32,000 units of gold remaining in the mineral property. There is no nontaxable income from exempt excess output of gold, since the normal output exceeds the 1942 output of that metal. The nontaxable income from exempt excess output of silver is $138,220.80, computed as follows:

PAR. 4. Section 35.735-6, as amended by Treasury Decision 5404, is further amended as follows:

(A) By adding immediately preceding the third sentence from the end of the portion designated (a) the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation clearly reflects the net income attributable to the output in excess of the quota, the net income so attributable shall be computed by the use of such other method."

(B) By adding immediately at the end of the portion designated (a) the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation clearly reflects the net income attributable to the output in excess of the quota established for such type, then the net income so attributable shall be computed by the use of such other methods."

(C) By adding immediately preceding the last sentence of the portion designated (b), which sentence begins with the words "Net income computed", the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation clearly reflects the net income attributable to the output in excess of the quota, then the net income so attributable shall be computed by the use of such other method."

(D) By striking from the example that portion immediately preceding the numbered columnar computation and inserting in lieu thereof the following:

Example. Corporation C, which is on a calendar year basis, owns a mineral property from which it extracts copper ore. The output of copper for each of the four base period years was 4,380,000 pounds. The 1942 output of copper was 5,500,000 pounds. With respect to Corporation C, a 1942 quota of 4,000,000 pounds of copper was established and a bonus of $0.05 per pound was paid for above quota production. The "gross income from the property" for 1942 was the sum of the net smelter returns, $660,000, and the bonus payments of $75,000, a total of $735,000. Allowable deductions, excluding the allowance for depletion, amounted to $579,700. Net income from the property, without regard to the allowance for depletion, was $155,300. Percentage depletion amounted to $77,650 (15 percent of $735,000 but not in excess of 50 percent of $155,300). As of December 31, 1942, it was estimated that 35,000,000 pounds of copper remained in the mineral property. Since the excess output for 1942 did not exceed five percent of the estimated recoverable units for 1942, nontaxable income from exempt excess output is not authorized by section 735 (b) (1). The amount of nontaxable bonus income for 1942 is $21,177 computed as follows:

PAR. 5. Section 35.735-7, as amended by Treasury Decision 5404, is further amended by striking out the first paragraph of the example and inserting in lieu thereof the following:

Example. Corporation P, which is on a calendar year basis, owns a mineral property from which it extracts minerals containing lead and silver. For each of the four taxable years in the base period the output of lead was 1,000,000 pounds and of silver was 100,000 ounces. The "gross income from the property" for each year in the base period was the sum of the net smelter returns of $50,000 received for lead and $70,000 for silver, a total of $120,000. Allowable deductions for each year, excluding the allowance for depletion, amounted to $40,000. Of the amount of such deductions, $16,666.67 represented the amount allocable to lead production

$$\left(\frac{50,000}{120,000} \text{ times } \$40,000\right)$$

and $23,333.33 represented the amount allocable to silver production

$$\left(\frac{70,000}{120,000} \text{ times } \$40,000\right).$$

The net income from the mineral property (computed without the allowance for depletion) was $33,333.33 attributable to lead and $46,666.67 attributable to silver. The allowance for percentage depletion computed with respect to lead mining was $7,500 (15 percent of $50,000 but not in excess of 50 percent of $33,333.33); the allowance for such depletion computed with respect to silver mining was $10,500 (15 percent of $70,000 but not in excess of 50 percent of $46,666.67). For 1942, the output of lead was 1,600,000 pounds and of silver was 160,000 ounces. A quota of 900,000 pounds of lead was established by the War Production Board and the Office of Price Administration with respect to the taxpayer and a bonus of $0.02¾ per pound was paid to the taxpayer with respect to production in excess of such quota. The "gross income from the property" for the year 1942 was $235,250 consisting of $123,250 attributable to lead (the sum of the net smelter returns of $104,000 received for lead and the bonus payment of $19,250 for above-quota production of lead) and $112,000 attributable to silver. Allowable deductions for the year excluding allowance for depletion amounted to $80,000. Of the amount of such deductions, $41,912.86 represented the amount allocable to lead production

$$\left(\frac{123,250}{235,250} \text{ times } \$80,000\right)$$

and $38,087.14 represented the amount allocable to silver production

$$\left(\frac{112,000}{235,250} \text{ times } \$80,000\right).$$

The net income from the mineral property (computed without the allowance for depletion) was $81,337.14 attributable to lead and $73,912.86 attributable to silver. The allowance for percentage depletion computed with respect to lead mining was $18,487.50 (15 percent of $123,250 but not in excess of 50 percent of $81,337.14); the allowance for such depletion computed with respect to silver mining was $16,800 (15 percent of $112,000 but not in excess of 50 percent of $73,912.86). It is estimated that as of December 31, 1942, there were 6,500,000 pounds of lead and 510,000 ounces of silver remaining in the mineral property. For 1942, the amount of nontaxable income from exempt excess output of lead was $3,099.60, the amount of nontaxable bonus income from lead was $19,250, and the amount of nontaxable income from exempt excess output of silver was $6,510.06.

Regulations 109

PAR. 6. Section 30.735-2 (i) (2), as added by Treasury Decision 5286, approved July 22, 1943, is amended as follows:

(A) By striking out the first two paragraphs and inserting in lieu thereof the following:

For the purposes of section 735, the term "gross income from the property" for any year in the base period means the gross income from mining. The term "mining" as used herein includes not only the extraction of ores or minerals from the ground but also the ordinary treatment processes which are normally applied by the mine owners or operators to the crude mineral product after extraction in order to obtain the commercially marketable mineral product or products.

If the taxpayer sells the crude mineral product of the property in the immediate vicinity of the mine, "gross income from the property" means the amount for which such product was sold, but, if the product is transported or processed (other than by the ordinary treatment processes described below) before sale, "gross income from the property" means the representative market or field price (as of the date of sale) of a mineral product of like kind and grade as beneficiated by the ordinary treatment processes actually applied, before transportation of such product. If there is no such representative market or field price (as of the date of sale), then there shall be used in lieu thereof the representative market or field price of the first marketable product resulting from any process or processes (or, if the product in its crude mineral state is merely transported, the price for which sold) minus the costs and proportionate profits attributable to the transportation and the processes beyond the ordinary treatment processes. If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the property, then such gross income shall be computed by the use of such other method.

The term "ordinary treatment processes", as used herein, shall include the following:

(i) In the case of coal—cleaning, breaking, sizing and loading for shipment;

(ii) In the case of sulphur—pumping to vats, cooling, breaking, and loading for shipment;

(iii) In the case of iron ore and ores which are customarily sold in the form of a crude mineral product—sorting, concentrating, and sintering to bring to shipping grade and form, and loading for shipment;

(iv) In the case of lead, zinc, copper, gold, or silver ores, and ores which are not customarily sold in the form of the crude mineral product—crushing, grinding, and beneficiation by concentration (gravity, flotation, amalgamation, electrostatic, or magnetic), cyanidation, leaching, crystallization, precipitation, or by substantially equivalent processes or combination of processes used in the separation or extraction of the product or products from the ore. The furnacing of quicksilver ores is included in the term "ordinary treatment processes." The following processes are not included in the term "ordinary treatment processes": electrolytic deposition, roasting, termal or electric smelting, refining, or substantially equivalent processes.

In case any of the ordinary treatment processes are not applied in the immediate vicinity of the mining district in which the mine is located, costs incurred for transportation to the processing location and, if transported by the taxpayer, the proportionate profits attributable to transportation, should be subtracted from the sale price of the product to determine "gross income from the property." If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the property, then such gross income shall be computed by the use of such other method.

(B) By changing the last sentence in the last paragraph to read as follows: "If the gross income from the property is determined by excluding the costs and proportionate profits attributable to transportation and to processes other than the ordinary treatment processes listed above, or if such gross income is an amount different from the gross proceeds received from the sale of the minerals, the gross income attributable to each type of metal, coal, or nonmetallic substance shall be an amount which bears the same ratio to the gross income from the property which the gross proceeds received from the sale of such type of metal, coal, or nonmetallic substance in the minerals bears to the total gross proceeds received from the sales of all such types."

PAR. 7. Section 30.735-4, as amended by Treasury Decision 5311, approved December 14, 1943, is further amended as follows:

(A) By adding immediately preceding the third sentence from the end of the

portion designated (a) the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation clearly reflects the net income attributable to the output in excess of the quota, then the net income so attributable shall be computed by the use of such other method."

(B) By adding immediately at the end of the portion designated (a) the following:

"If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation clearly reflects the net income attributable to the output in excess of the quota established for such type, then the net income so attributable shall be computed by the use of such other method."

(C) By adding immediately preceding the last sentence of the portion designated (b) the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation clearly reflects the net income attributable to the output in excess of the quota, then the net income so attributable shall be computed by the use of such other method."

Regulations 111

PAR. 8. Section 29.23 (m)-1 (f), as amended by Treasury Decision 5413, approved October 31, 1944, is further amended as follows:

(A) By inserting at the end of the fourth paragraph, which begins with the words "If the taxpayer" the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the property, then such gross income shall be computed by the use of such other method."

(B) By inserting at the end of the next to the last paragraph the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the property, then such gross income shall be computed by the use of such other method."

Regulations 103, 101, 94, 86, and 77

PAR. 9. Section 19.23 (m)-1 (f) of Regulations 103, article 23 (m)-1 (f) of Regulations 101, article 23 (m)-1 (g) of Regulations 94 and 86, and article 221 (f) of Regulations 77, as amended by Treasury Decision 5413, are further amended as follows:

(A) By inserting immediately after the fourth paragraph, which begins with the words "If the taxpayer" the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the property, then such gross income shall be computed by the use of such other method."

(B) By inserting at the end of the sixth paragraph beginning with the words "In case any of the ordinary treatment processes" the following: "If the taxpayer establishes to the satisfaction of the Commissioner that another method of computation, other than the computation of profits proportionate to costs, clearly reflects the gross income from the property, then such gross income shall be computed by the use of such other method."

(Sec. 62, I.R.C. and Revenue Acts of 1938, 1936, 1934, and 1932, respectively (53 Stat. 32; 52 Stat. 480; 49 Stat. 1673; 48 Stat. 700; 47 Stat. 191; 26 U.S.C. 62) and sec. 62 of I.R.C. as made applicable by sec. 729 (a) of I.R.C. (54 Stat. 989; 26 U. S. C. 729 (a)))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved July 9, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12559; Filed, July 11, 1945; 10:08 a. m.]

TITLE 29—LABOR

Chapter VIII—Commissioner of Internal Revenue

[T. D. 5462]

PART 1002—STABILIZATION OF SALARIES

BONUS LIMITATIONS

Treasury Decision 5295 (29 CFR, Part 1002), relating to the stabilization of salaries under the act of October 2, 1942, is amended, for fiscal and calendar years ending subsequent to December 31, 1943, as follows:

Subparagraph (4) of the third paragraph of § 1002.14, as added by the second paragraph of paragraph 4 of Treasury Decision 5406 (9 F.R. 11837), is amended to read as follows:

(4) (a) If the employer has, prior to October 3, 1942, customarily paid bonuses on a fixed percentage basis or had entered into a contractual agreement prior to that date to pay bonuses on a fixed percentage basis, the employer may pay a bonus determined in accordance with such custom or agreement, provided no change has been made in either the percentage or method of determining the bonus fund, and no change has been made in the percentage or method of determining the amount payable to each employee.

(b) If the employer had, prior to October 3, 1942, customarily paid bonuses out of a fund based on a fixed percentage of profits, sales or the like, the employer may, without prior approval, pay a bonus determined in accordance with such custom provided no change has been made in either the percentage or method of determining the bonus fund, and no change has been made in the basis of determining the amount payable to each employee.

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: July 9, 1945.

JOSEPH J. O'CONNELL, Jr.,
Secretary of the Treasury.

[F. R. Doc. 45-12558; Filed, July 11, 1945; 10:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; WPB. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as amended July 5, 1945, Amdt. 1]

Section 944.34 *Priorities Regulation 13* is amended in the following respects:

I. In paragraph (j) (2), next to last sentence, delete the words "presently prohibited."

II. List A is amended in the following respects:

PART I

1. Delete "Chromium," and the references to it in columns 2 and 3.
2. Delete "Copper raw materials (refinery shapes and copper and copper base alloy ingots)," and the references to them in columns 2, 3 and 4.
3. Delete "Inconel (see Nickel)."
4. Delete "Monel (see Nickel)."
5. Delete "Nickel (new and used)," "Nickel pig, ingot, cathode, pellet, shot and anode," and "Other nickel (including monel and inconel)," and all references to these items in columns 2, 3 and 4.

PART III

6. Delete "Fabrics (woven, felted, knitted and braided)," all sub-listings under it and references to them in columns 2, 3 and 4.
7. Amend "Cordage fibers" in column 1 to read: "Cordage fibers (Manila and agave only)," and delete the sub-listings.
8. Delete "Textile fibers," all sub-listings under it, and references to them in columns 2 and 3.
9. In the listing "Materials obtained under Conservation Orders M-328B, M-385, M-317, M-317A, M-317B and Orders in the M-388 series," delete: "M-385," "M-317," "M-317A" and "M-317B."
10. Insert before "Rope," the following new listing:

(1)	(2)	(3)
Nylon (Fabrics, Fibers, Yarns and Thread)	WPB-1161	WPB-1161

11. Amend "Rope" in column 1 to read: "Rope (Manila or agave only)*".
12. Amend not in column 4 relating to "Rope" by deleting the words "manufactured from cotton or any cordage fiber".
13. Delete "Silk: Raw" and corresponding references in columns 2 and 3.
14. Delete "Yarns and thread", all sub-listings under it and references to them in columns 2 and 3.

PART IV

15. Opposite "Containerboard", insert an asterisk after "WPB-1161" in column 2 and insert the following note in column 4:

*No WPB-1161 authorization required providing the buyer gives the following certification and that the letter "X" does not appear in it as part of the authorization number: "Authorized under Order M-290. Date of authorization _____, authorization number _____."

PART V

16. Amend subparagraph 5, in column 4 relating to "Bearings, anti-friction," to read: "If the holder has been unable within 15 days to dispose of the bearings to the producer on a mutually satisfactory basis or to any of the outlets in (1), (2), (3) or (4) above, the holder may sell them freely; or"

17. Amend subparagraph 6, in column 4 relating to "Bearings, anti-friction", to read as follows: "If the quantity to be sold in any month costs less than $250, they may be sold freely; or"

18. Amend the listings under "Electronic Parts and Equipment" in the following respects:

a. Delete "Electronic Equipments" and the corresponding references in columns 2, 3 and 4.

b. Under "Capacitors: Paper dielectric":

1. Opposite "Oil impregnated" change columns 2 and 3 to read "PR-AA3".

ii. Delete "Oil impregnated power factor type" and corresponding references in columns 2 and 3.

Delete "Molded bakelite" and corresponding references in columns 2 and 3.

c. Delete "Coaxial cable" and the corresponding references in columns 2 and 3.

d. Opposite "Instruments, electrical indicating, combat type" change columns 2 and 3 to read "PR-AA3".

e. Opposite "Relays" change columns 2 and 3 to read "PR-AA3".

f. Under "Resistors" delete "Wire wound (others)" and corresponding references in columns 2 and 3.

g. Opposite "Shock mounts" change columns 2 and 3 to read "PR-AA3."

h. Delete "Transformers and Reactors", the sub-listings under it and references to them in columns 2 and 3.

i. Amend the sub-listings under "Tubes (radio and radar)" to read as follows:

(1)	(2)	(3)	(4)
Restricted Tubes* 1A3, 1L4, 2C38, 2C39, 2C40, 2C43, 2D21, 3A5, 3E29, 3Q4, 5Y3GT/G, 5C22, 6AC7W, 6AG5, 6AG7, 6J4, 6SL7GT, 6SN7GT, 6SN7W, 7F8, 28D7, 931A, 1620.	WPB-1161	WPB-1161	*May not be sold to tube reprocessors except on specific authorization from WPB.
Other tubes:			
JAN inspected	PR-AA1		PR-AA1.
All others	PR-AA3		PR-AA3.

III. List B is amended in the following respects:

PART V

1. Amend subparagraph 2 in column 3 relating to "Bearings: Anti-friction . . ." to read as follows: "If the quantity to be sold in any month costs less than $250, they may be sold freely."

2. Amend the listings under "Electronic Parts and Equipment" in the following respects:

a. Delete "Electronic Equipments" and the corresponding references in columns 2 and 3.

b. Under "Capacitors: Paper dielectric":

i. Opposite "Oil impregnated" change column 2 to read "PR-AA3".

ii. Delete "Oil impregnated power factor type" and corresponding reference in column 2.

iii. Delete "Molded bakelite" and corresponding reference in column 2.

c. Delete "Coaxial cable" and the corresponding reference in column 2.

d. Opposite "Instruments, electrical indicating, combat type" change column 2 to read "PR-AA3".

e. Opposite "Relays" change column 2 to read "PR-AA3".

f. Under "Resistors" delete "Wire wound (others)" and corresponding reference in column 2.

g. Opposite "Shock mounts" change column 2 to read "PR-AA3".

h. Delete "Transformers and Reactors", the sub-listings under it and references to them in column 2.

i. Amend the sub-listings under "Tubes (radio and radar)" to read as follows:

(1)	(2)
Restricted Tubes—1A3, 1L4, 2C38, 2C39, 2C40, 2C43, 2D21, 3A5, 3E29, 3Q4, 5Y3GT/G, 5C22, 6AC7W, 6AG5, 6AG7, 6J4, 6SL7GT, 6SN7GT, 6SN7W, 7F8, 28D7, 931A, 1620.	WPB-1161.
Other tubes:	
JAN inspected	PR-AA1.
All others	PR-AA3.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12575; Filed, July 11, 1945; 11:31 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-638, Revocation]

ZION'S COOPERATIVE MERCANTILE INSTITUTION

Suspension Order No. S-638 was issued October 9, 1944, against Zion's Cooperative Mercantile Institution of Salt Lake City, Utah, for violation of Conservation Order L-41. In view of the recent amendment to Conservation Order L-41, Deputy Chief Compliance Commissioner Flood has directed that Suspension Order No. S-638 be revoked forthwith.

In view of the foregoing it is hereby ordered, that: § 1010.638 *Suspension Order No. S-638* be revoked.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12548; Filed, July 10, 1945; 4:38 p. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, Direction 4, as Amended July 11, 1945]

PAPER CUPS EXEMPT FROM PARAGRAPH (G) QUOTA RESTRICTIONS

Direction 4 to Limitation Order L-317 is amended to read as follows:

Those "cups" that are exempt from the Schedule III Class of Products entitled "Paper or paper products" shall be regarded as including only such cups that are made from the grade of paper which must be reported under the caption number 224.004 on WPB-Form 814, referred to in Order M-241. Therefore, except for such cups, the use of new fibre shipping containers to store, pack or ship paper cups is subject to the quota restrictions of paragraph (g) of Order L-317.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12577; Filed, July 11, 1945; 11:31 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-349]

OIL BURNING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of fuel oil used for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3288.86 *Limitation Order L-349*—(a) *Definitions.* For the purposes of this order:

(1) "Oil burning equipment" means any device which is designed for burning fuel oil for furnishing heat. It includes but is not limited to the following types:

(i) Mechanical, steam or air atomizer oil burner.

(ii) Vertical or horizontal rotary oil burner.

(iii) Mechanical vaporizing oil burner.

(iv) Pot type and sleeve type vaporizing oil burner.

It shall include any oil burner for any boiler burner unit or for any furnace burner unit, any oil burner used as part of any water heater and any combination oil and gas burner, but does not include any oil burner used as a part of any domestic cooking appliance or of any domestic heating stove as defined in Limitation Order L-23-c or any oil burner used in connection with any locomotive scheduled under L-97, or any oil burner used as a part of any commercial cooking and food and plate warming equipment designed for cooking or baking of food or heating of kitchen utensils or plates (Commercial cooking and food and plate warming equipment does not include appliances for household use).

(b) *Restrictions on sale and installation.* No person shall sell to, or install for, an ultimate consumer any oil burning equipment except:

(1) To replace oil burning equipment which is worn out, damaged beyond practical repair or destroyed; or

(2) To make any other installation where the use of oil for that particular installation has been approved by either the Petroleum Administration for War or the Office of Price Administration depending on which agency has jurisdiction over the use of fuel oil for the installation in question.

(c) *Exceptions.* The provisions of this order shall not apply:

(1) To the sale or installation of oil burning equipment procured for use outside the United States, Alaska, or Hawaii; or

(2) To any oil burning equipment specifically designed or manufactured for shipboard use when obtained by or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration.

(d) *Communications.* All communications with reference to applications for approval of the use of oil under the provisions of paragraph (b) (2) should be addressed to the local War Price and Rationing Board or to the nearest district office of the Petroleum Administration for War. All other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-349.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12576; Filed, July 11, 1945; 11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-70, as Amended July 11, 1945]

JUTE AND JUTE PRODUCTS

§ 3290.271 *Conservation Order M-70*—(a) *Control and allocation.* No processor shall make or accept delivery of, or use or put into process raw or scrap jute, jute products or scrap jute manufactured products in violation of directions of the War Production Board issued pursuant to this paragraph. The War Production Board may from time to time allocate the supply of raw and scrap jute, jute products and scrap jute manufactured products, and specifically direct the time, manner and quantities in which deliveries to or by particular processors shall be made or withheld. Raw jute will not be allocated from government stockpile to any processor in any amount that will result in the processor, at the time of receipt of the raw jute so allocated, having in excess of 9 months' supply of raw jute in Group I or equivalent grades or in excess of 4 months' supply of raw jute in Group III or equivalent grades. Persons who have not previously consumed raw jute and who therefore cannot calculate a months' supply on the basis of previous consumption, may, nevertheless, apply for an allocation of raw jute to be consumed by them within a stated period following allocation. Likewise, processors who have not consumed raw jute in the 4 months preceding the date of application, in the particular Group required, in a quantity sufficient to justify allocation of the amount requested under the foregoing rule, may apply for an allocation of jute in that Group to be consumed by them within a stated period following allocation. The War Production Board may also direct or prohibit particular uses of raw and scrap jute, jute products and scrap jute manufactured products. For the purpose of this paragraph: "Supply of raw jute" means raw jute on hand or which has arrived in the continental United States for the account of a processor; "Group" means classifications or grades of raw jute established by the War Production Board; a "month's supply" shall be calculated by taking the average monthly consumption of the particular Group by the processor in the 4 months preceding the date of application for an allocation.

(b) *Restrictions on processing, sale and use.* (1) (i) No person shall use or put into process any raw jute, except for the manufacture of the products listed in List A.

(ii) No person shall use any domestically made product listed in List A, except for the uses there specified.

(iii) No person shall use any imported jute product listed in List C, except for the uses there specified.

(iv) Where restrictions on sale are listed in List A or C, no person shall sell any product covered by such restrictions, except in conformity with those restrictions.

(2) No processor shall put into process in any calendar month more raw jute than is necessary to meet his required deliveries of jute products and to maintain a practicable minimum working inventory. The term "practicable minimum working inventory" is to be strictly construed as meaning the minimum inventory which will permit of economical operation of plant and will depend, in each case, upon the practicability of changing a spinning system from the manufacture of one product to another.

(3) Whether he uses jute or any other fiber, no person shall use any soft fiber carding, drawing, roving or spinning machinery in the manufacture of any products other than products specifically permitted in this order, or in any other conservation order of the War Production Board specifically regulating the end uses for which fiber may be processed. This subparagraph does not apply to machinery normally used for processing scrap jute or jute butts.

(c) *Restrictions on delivery.* No person shall sell or deliver any product controlled by this order if he knows or has reason to believe that the person who is buying or accepting delivery of the product will use it in a manner which this order, including Lists A and C, does not permit. He should satisfy himself as to this in some reasonable manner before making delivery. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(d) *Importations.* The importation of jute and jute products shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(e) *Restrictions on the use of damaged jute and damaged jute products.* Any processor, person or dealer who has in his possession damaged jute defined in paragraph (f) (13), or jute products defined in paragraph (f) (3) that are damaged, shall report to the War Production Board the nature of the damage and the quantity not suitable for the manufacture of the products, or for the end uses, permitted by this order. The report shall be by letter setting forth all pertinent facts, including a statement of the portion of each bale or package actually damaged. After making that report and receiving from the War Production Board an acknowledgement which does not object to his claim of damage, he may then use or dispose of the portion of each bale or package, actually damaged and so reported, free from the restrictions of this order excepting the restrictions in paragraph (b) (3).

(f) *Definitions.* For the purposes of this order:

(1) "Raw jute" means unprocessed jute, meshta, urena lobata (commonly called congo jute) and punga, in each case excluding butts.

(2) "Scrap jute" means the material commonly called scrap jute, including millrun bagging, and sugar cloth; and burlap, excepting roofing bagging, which has been used as a container or cover, but which cannot be reclaimed for use as a container or cover by mending or other means.

(3) "Jute product" means any product processed from raw jute, either alone or in combination with other material, including but not limited to yarn, roving, rope, twine, scrim, webbing, brattice cloth, linoleum burlap, woven jute fabric, imported jute bags, sacking cloth, interlinings, and new or rewoven bale covering containing raw jute for covering raw cotton. The term shall not include burlap as defined in Conservation Order M-47, as amended, or sugar sacking for sugar areas in the Western Hemisphere.

(4) "Scrap jute manufactured product" means any end product manufactured from scrap jute either alone or in combination with other material including, but not limited to, new or rewoven jute bale covering for covering raw cotton, carded or garnetted jute felt or jute sliver, oakum and twisted jute packing and punched jute felts.

(5) "Domestic jute product" means any jute product processed in the continental United States.

(6) "Imported jute product" means any jute product, excepting burlap as defined in Order M-47, imported into the continental United States in the processed form.

(7) "Woven jute fabric" means fabric woven from jute and weighing not more than 6 ounces per yard, basis forty inches wide, excepting scrim.

(8) "Scrim" means a woven fabric composed of single yarns, not exceeding 10 threads per inch, counting the warp and filling, and weighing not more than 3.6 ounces per yard, basis forty inches wide.

(9) "Webbing" means a woven fabric, with fast edges, not exceeding 12 inches in width.

(10) "Processor", as applied to raw jute, means any person who puts into process in the continental United States raw jute, by performing any operation up to or through the manufacture of roving or yarn; as applied to scrap jute, it means any person who puts into process in the continental United States scrap jute for any purpose.

(11) "Put into process", as applied to raw jute, means placing it upon a processing machine; as applied to scrap jute, it means reclamation either by mending, by converting into fiber, or by placing scrap jute or the fiber resulting from such conversion upon a processing machine.

(12) "Dealer" means any person who purchases jute or jute products for resale but does not include a person who sells only at retail.

(13) "Damaged jute" means jute that has been rejected by Defense Supplies Corporation, or jute upon which an adjustment has been made by an insurance adjuster as a result of any kind of damage making a given bale or bales unsuitable, wholly or in part, for use in the manufacture of products permitted by this order.

(14) "Continental United States" means the forty-eight states and the District of Columbia.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(h) *Reports.* Each person classified below must within the period specified in the reporting form, file with the War Production Board each form applicable to his operations, giving the information required, as follows:

Who shall file	*Form number*
A person in the business of receiving, processing, owning or controlling raw jute.	WPB-914 (Formerly PD-469); WPB-2901, Part III.
A person in the business of processing scrap jute.	WPB-3712.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference M-70.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with The Federal Reports Act of 1942.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

(1) Single or plied yarn or roving for use in, or as:

(i) Fuses.

(ii) Electric cable or electric appliances, whether such yarn or roving is treated or untreated.

(iii) Packing material, braided or twisted, to fill orders bearing a preference rating of AA-5 or higher.

NOTE: Items (iv), (v), (vi), (vii) and (viii) formerly (v), (vi), (vii), (viii) and (ix), redesignated; former item (iv) deleted, July 11, 1945.

(iv) Jute centers for wire rope and wire cable.

(v) Webbing, to fill orders bearing a preference rating of AA-5 or higher.

(vi) Webbing, for purposes other than those specified in subparagraph (1) (vi) of this List A in an amount in any calendar month not in excess of 20% of his average monthly shipments during the calendar year 1941.

(vii) Twine.

(viii) Rope.

(2) Single yarn or scrim for use in reinforced paper.

NOTE: Items (3) and (4), formerly (5) and (6), redesignated, July 19, 1945.

(3) Jute sliver for use in the manufacture of tinned copper or copper alloy products.

(4) Any other products not specifically elsewhere provided for in this order to fill orders of and to the extent approved under the specifications of the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration.

LIST B: Deleted May 9, 1944.

LIST C

(1) Brattice cloth, treated or untreated, for use in the control of air flow in mines.

(2) Bale covering, for covering raw cotton.

(3) Scrim, for the manufacture of reinforced paper.

(4) Linoleum burlap, for supplying to or for physical incorporation into products to fill orders for the Army or Navy of the United States, the Veterans Administration, the United States Maritime Commission or the War Shipping Administration, but only to the extent that the use of such linoleum burlap is specifically required by the terms of the prime contract involved, or to accumulate stocks of linoleum, within the limits permitted by § 944.14 of Priorities Regulation No. 1 for sale exclusively to any of the agencies mentioned herein.

(5) Woven jute fabric, to fill orders bearing a preference rating of AA-5 or higher.

(6) Webbing and sacking cloth to fill orders bearing a preference rating of AA-5 or higher.

(7) Webbing and sacking cloth for purposes other than those specified in paragraph (6) of this List C, in an amount in any calendar month not in excess of 20% of his average monthly sales or use during the calendar year 1941.

(8) Jute bags for purposes permitted under Conservation Order M-221, as it may be amended from time to time.

(9) Single or plied jute yarn or roving for use in manufacture of rope.

(10) Hop cloth, for baling hops.

[F. R. Doc. 45-12580; Filed, July 11, 1945; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-84, as Amended Apr. 12, 1945, Amdt. 1]

CORDAGE FIBER, CORDAGE YARN, CORDAGE, AND HEMP FIBER

Section 3290.221 *Conservation Order M-84* is amended as follows:

1. In paragraph (a) (2), after "(ii) Agave" delete "583⅓" and insert in its place "614⅓".

2. Delete paragraph (d) (4).

3. In paragraph (f) (4), delete the words "including butts (often called cuttings), also", change the period after the word "waste" to a comma, and add "or butts of any type."

4. In paragraph (b) (1) (iii) change the word "bailer" to "baler".

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12572; Filed, July 11, 1945; 11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Amdt. 1 to Schedule B]

SPECIAL PROGRAM FOR COTTON AND WOOL MACHINE KNITTED ITEMS

Section 3290.120b *Schedule B to Conservation Order M-328B* is hereby amended in the following respect:

In the third and fourth lines of paragraph (c) (4), change the date "July 14, 1945" to "July 21, 1945."

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12585; Filed, July 11, 1945; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Amdt. 1 to Schedule C]

SPECIAL PROGRAM FOR COTTON FABRICS FOR CHILDREN'S APPAREL ITEMS

Section 3290.120c *Schedule C to Conservation Order M-328B* is hereby amended in the following respects:

1. In the fifth and sixth lines of paragraph (c) (2), change the date "July 14, 1945" to "July 21, 1945."

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12578; Filed, July 11, 1945; 11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Amdt. 1 to Schedule E]

SPECIAL PROGRAMS FOR KNITTED FABRICS FOR CIVILIAN ITEMS

Section 3290.120e *Schedule E to Conservation Order M-328B* is hereby amended in the following respect:

1. In the third and fourth lines of paragraph (c) (2), change the date "July 14, 1945" to "July 21, 1945."

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12573; Filed, July 11, 1945; 11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, as Amended July 3, 1945, Amdt. 1]

SPECIAL PROGRAMS—TEXTILE, CLOTHING AND RELATED PRODUCTS

Section 3290.120 *Conservation Order M-328B* is hereby amended in the following respect:

1. In the third line of paragraph (c) (3), change the date "July 14, 1945" to "July 21, 1945."

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12586; Filed, July 11, 1945; 11:32 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 113, Amdt. 1]

MANUFACTURERS' MAXIMUM AVERAGE PRICE FOR WOOL CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order No. 113 is amended in the following respect:

1. Section 15 is added to read as follows:

SEC. 15. *Special categories for low-end goods.* (a) The following shall be known as special categories:

(1) Category A–I shall consist of woven and Category A–II shall consist of knitted, snow suitings, ski suitings, and children's legging fabrics.

(2) Category B–I shall consist of 31- to 34-oz. manipulated all-wool meltons priced pursuant to § 1410.102 (b) of Maximum Price Regulation No. 163.

(3) Category C–I shall consist of all other woven, and Category C–II shall consist of all other knitted, meltons, melton type or fleece fabrics for mackinaws of all widths weighing 26 oz. per yard or more on a 56-inch width basis.

(b) A manufacturer may elect to exclude one or more of the above categories from Class I or Class II on condition that he observes for each category so excluded taken separately a maximum average price determined in accordance with paragraph (c) below.

(c) The maximum average price for the above special categories shall be:

(1) For special categories A–I, A–II, and B–I, the lower of the following two alternatives:

(i) The manufacturer's weighted average price for that category for either the first or second quarter of the calendar year 1945, or

(ii) The applicable figure below:

Class A–I	$1.50
Class A–II	1.50
Class B–I	1.85

(2) For category C–I or C–II, the manufacturer's weighted average price for either the first or second quarter of the calendar year 1945.

(d) If for any quarter a manufacturer's weighted average price for a category differs from his maximum average price for that category, his credit or surcharge for the corresponding class shall be increased or decreased, as the case may be, by the amount of the difference multiplied by the number of yards (less returns and allowances) of goods in the category delivered during the quarter.

This amendment shall become effective as of July 1, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12513; Filed, July 10, 1945; 4:27 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 268,[1] Amdt. 13]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 268 is amended in the following respects:

1. In Appendix A, a footnote reference 3 is added after the item "Snap beans" under Food Commodity No. 12 (e).

2. In Appendix A, a new footnote 3 is added to read as follows:

[3] The mark-ups for snap beans are suspended from July 1, 1945, to October 4, 1945, and shall be automatically reinstated on October 4, 1945.

This amendment shall become effective as of July 1, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 9, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12515; Filed, July 10, 1945; 4:27 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 49]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 422 is amended in the following respects:

1. In section 39 (a) a footnote reference 1 is added after the item "Beans, green and wax" in list (3) of Table B–II.

2. In section 39 (a), a new footnote 1 is added to Table B–II to read as follows:

[1] The mark-ups for green and wax beans are suspended from July 1, 1945, to October 4, 1945, and shall be automatically reinstated on October 4, 1945.

This amendment shall become effective as of July 1, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 9, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12516; Filed, July 10, 1945; 4:27 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 47]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amend-

[1] 8 F.R. 6129, 7116, 7681, 7592, 8682, 9365, 9299, 9460, 10568; 9 F.R. 14600, 14676; 10 F.R. 3554.

[1] 10 F.R. 1505, 2024, 2297, 3814.

[1] 10 F.R. 1523, 2025, 2298, 3814.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 423 is amended in the following respects:

1. In section 28 (a), a footnote reference 1 is added after the item "Beans, green and wax" in list (3) of Table B–II.

2. In section 28 (a), a new footnote 1 is added to Table B–II to read as follows:

[1] The mark-ups for green and wax beans are suspended from July 1, 1945 to October 4, 1945, and shall be automatically reinstated on October 4, 1945.

This amendment shall become effective July 1, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 9, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12517; Filed, July 10, 1945; 4:28 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 125]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 4, Maximum Prices for Snap Beans, footnote 5 is amended to read as follows:

[5] During the period beginning July 1 and ending September 30, 1945, this regulation shall not apply to snap beans.

This amendment shall become effective as of July 1, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 9, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12518; Filed, July 10, 1945; 4:28 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 588,[1] Amdt. 1]

CEILING PRICES FOR SALES OF CERTAIN FOOD ITEMS BY GREAT LAKES MARINE SUPPLIERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 588 is amended in the following respects:

1. In section 14 (a) a footnote reference 1 is added after the item "Beans, green and wax" in list 7 of Table A.

2. In section 14 (a), a new footnote 1 is added to Table A to read as follows:

[1] The mark-up for green and wax beans is suspended from July 1, 1945, to October 4, 1945, and shall be automatically reinstated on October 4, 1945.

This amendment shall become effective as of July 1, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12519; Filed, July 10, 1945; 4:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Amdt. 2 to Supp. Service Reg. 49]

AUTOMOTIVE REPAIR SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The effective date of SSR 49 is amended to read September 1, 1945.

This amendment shall become effective July 10, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12514; Filed, July 10, 1945; 4:27 p. m.]

PART 1305—ADMINISTRATION

[Rev. Supp. Order 99,[1] Amdt. 1]

ADJUSTMENT OF MAXIMUM PRICES FOR SPECIFIED KNITTED UNDERWEAR GARMENTS MANUFACTURED PURSUANT TO DIRECTION OF WAR PRODUCTION BOARD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Order 99 is amended in the following respects:

1. Paragraph (c) of § 1305.127 is hereby amended to read as follows:

(c) *Filing of applications.* Applications must be filed by registered mail with the Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C., and in accordance with Article III of Revised Procedural Regulation No. 1, and must contain, unless the information is already on file with the Office of Price Administration, Washington, D. C.:

(1) Balance sheets and profit and loss statements for the years (fiscal or calendar) 1936 to 1939, inclusive, the most recent calendar or fiscal year and the most recent quarter—or half-year period.

(2) A statement in detail, on OPA Form 665–2467,[2] of the applicant's total current unit cost for the garment for which an adjustment is being sought, applicant's present ceiling price for the garment, the amount of the adjustment requested by applicant and his proposed maximum price for the garment, in accordance with the standards set forth in paragraph (b) above.

2. Paragraph (e) of § 1305.127 is hereby amended to read as follows:

(e) *Granting of application by automatic approval.* (1) In the case of any application properly filed by a manufacturer as required by paragraph (c) above, the adjustment requested by the manufacturer in his application shall be deemed to be granted on and after the twentieth day following the date of the mailing of the application (or on and after the twentieth day following the date of mailing of all additional information which may have been requested by the OPA) unless within that time the OPA issues an order disapproving the requested adjustment or granting an adjustment under paragraph (d) of this order.

(2) A manufacturer whose application for adjustment is deemed to be granted under subparagraph (1) of this paragraph may thereafter (but only with respect to garments produced as required by the War Production Board, pursuant to General Direction 14 to Conservation Order M–328) make deliveries at the adjusted ceiling prices requested in this application provided that he transmits to each purchaser the statement set forth in paragraph (1) or (2) of Appendix A, whichever is appropriate. This statement, properly completed, shall be transmitted with, or annexed to the invoice, billing or other statement of price accompanying every shipment of garments for which adjustment charges are made under this order. If these garments have also had an adjustment in ceiling price under § 1389.304 (as amended) of Maximum Price Regulation 221 the statement required by this section may be sent in lieu of the statement required by Maximum Price Regulation 221.

3. Appendix A is added to read as follows:

APPENDIX A—STATEMENT OF OPA ADJUSTMENT CHARGE TO BE SENT BY MANUFACTURERS UNDER PARAGRAPH (E) (2)

(1) *On sales to wholesalers.* Where the garment, for which an adjustment in ceiling price is made under this order, is delivered to a wholesaler, the following statement must be sent to the wholesaler by the manufacturer:

STATEMENT TO WHOLESALERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the garments listed below. In Column A below you will find our old ceiling price. In Column B you will find the OPA adjustment charge made under Amendment 6 to Maximum Price Regulation 221. In Column C you will find

[1] 10 F.R. 6235.

[1] 10 F.R. 6796.

[2] Copies may be obtained from the Office of Price Administration, Consumer Goods Price Division, Washington 25, D. C.

the OPA adjustment charge made under Revised Supplementary Order 99.

Style	Column A Old ceiling price	Column B OPA adjustment charge—under MPR 221	Column C OPA adjustment charge—under RSO 99

Please note that the OPA requires you to sell these garments subject to the ceiling prices established in MPR 210. In determining your ceiling prices for these garments OPA has ruled that you may not in any case include the above-stated adjustment charges in the cost base upon which your ceiling price is computed. However, the OPA has ruled that after you have properly computed your ceiling prices for any of the styles set forth above in accordance with MPR 210, you may add to that ceiling price an amount equal to 75% of the sum of the adjustment charges for that style set forth in Columns B and C above, *Provided*, That you send to your retailer customers the Wholesalers' Statement of OPA Adjustment Charge set forth below, properly completed and appearing separately on, or annexed to your invoice, billing or other statement of price accompanying every shipment of any of the garments listed above:

WHOLESALER'S STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the following items:

Style	Old ceiling	OPA adjustment charge

Please note that the OPA requires you to sell these garments subject to the ceiling prices established by you under Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed above). The OPA has not permitted you to increase your ceiling prices for these garments. In determining your ceiling prices for these garments OPA has ruled that you may not in any case include the above-stated adjustment charges in your "net cost" under MPR 580 or in the cost base on which your ceiling price is computed under MPR 210.

(2) *On sales to retailers.* Where the garment for which an adjustment in ceiling price is made under this order is delivered to a retailer, the following statement must be sent to the retailer by the manufacturer:

STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the garments listed below:

Style	Old ceiling price	OPA adjustment charge—under MPR 221	OPA adjustment charge under RSO 99

Please note that the OPA requires you to sell these garments subject to the ceiling prices established in Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed in this notice). The OPA has not permitted you to increase your ceiling prices for these garments. In determining your ceiling prices for these garments OPA has ruled that you must not in any case include any of the above-stated adjustment charges in your "net cost" under MPR 580 or the cost base on which your ceiling price is computed under MPR 210.

This amendment shall become effective July 18, 1945.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12591; Filed, July 11, 1945; 11:35 a. m.]

PART 1364—FRESH, FROZEN AND CURED MEAT AND FISH PRODUCTS

[RMPR 156,[1] Amdt. 6]

CANNED MEAT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 156 is amended in the following respects:

1. Paragraph (a) of section 12 is amended by changing the words preceding the schedule of prices contained therein to read as follows:

(a) *Table of base prices.* All prices are on a dollar per hundredweight net weight basis and, except on sales of canned whole hams to war procurement agencies for overseas shipment, include all packaging or boxing costs.

2. Paragraph (c) of section 12 is added to read as follows:

(c) *Boxing additions only on sales of canned whole hams to war procurement agencies for overseas shipment.* All additions are for packing in nailed solid wood boxes and are on a dollar per hundredweight net weight basis.

Size of box:	Addition per cwt.
40 pounds or less	$1 20
More than 40 lbs., less than 70 lbs.	0 95
70 lbs., or more	0 70

This amendment shall become effective July 16, 1945.

Issued this 11th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: July 6, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12593; Filed, July 11, 1945; 11:36 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 579, Amdt. 7]

CERTAIN SPECIES OF FRESH AND FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 579 is amended in the following respects:

1. In section 10.1 (a), Table IA, Schedule No. 17 is amended to read as follows:

Sched. No.	Species	Item No.	Style of dressing	Size	Season	A	B	C	D	E	F	G
17	Sole, lemon [1]	1	Round	All	Apr.-Sept.	10	113½	127½	15	13	14	15½
		2	Fillets [1]	All	Apr.-Sept.		433½	475½	490¼	464¼	485½	506¼
		3	Dressed	All	Apr.-Sept.		133½	17	19¼	17	18½	20¼
		1	Round	All	Oct.-Mar.	16	18	19¼	21¾	19½	21¼	23¼
		2	Fillets [1]	All	Oct.-Mar.		63	63½	69½	67	69	72
		3	Dressed	All	Oct.-Mar.		24	26½	28¾	26	27½	29¾

2. In section 10.1 (b), Table IB, Schedules Nos. 13 and 17 are amended to read as follows:

Sched. No.	Species	Item No.	Style of dressing	Size	I	II	III	IV	V
13	Rosefish:								
	(Apr.-Sept.) [1]	1	Fillets	All	221½	24	241½	26¾	28¾
	(Oct.-Mar.) [1]	2	Fillets	All	334¾	351¼	359¼	371½	384¼
	All year	3	Round	All	64¾	71½	73¾	83¼	104¾
17	Sole, lemon	1	Round	All	111½	123½	125½	133¾	159¼
		2	Fillets [1]	All	389¾	404¾	413¾	433¼	494¼
		3	Dressed	All	171½	183¾	19	203¼	232¾

This amendment shall become effective July 16, 1945.

Issued this 11th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12596; Filed, July 11, 1945; 11:37 a. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 210,[1] Amdt. 18]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER KNITTED UNDERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 210 is amended in the following respect:

Section 1372.113 is amended by adding thereto a new paragraph, designated paragraph (d) to read as follows:

(d) *Adjustment of maximum prices for sellers at wholesale of certain articles of fall and winter knitted underwear.* In the case of any seller at wholesale who has purchased from the manufacturer thereof any article of knitted fall and winter underwear or any sleeping garment listed in paragraph (i) of § 1372.112 the maximum price for such article, determined in accordance with §§ 1372.102 or 1372.103 above, may be adjusted by adding thereto an amount equal to 75% of any OPA adjustment charge made by the manufacturer pursuant to § 1389.304 (as amended) of Maximum Price Regulation 221 (Manufacturers' Prices for Fall and Winter Knitted Underwear) or Revised Supplementary Order 99. A seller at wholesale may make this adjustment of his maximum price only if he sends to each customer to whom he makes delivery of any of the specified garments, a copy of the statement set forth below. This statement, properly completed with the information applicable to the garments included in the particular shipment, must appear separately on, or be annexed to, the wholesaler's invoice, billing or other statement of price accompanying every shipment of any garments on which the adjusted charge is made.

WHOLESALER'S STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the following items:

Style	Old ceiling	OPA adjustment charge

Please note that the OPA requires you to sell these garments subject to the ceiling prices established by you under Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed above). The OPA has not permitted you to increase your ceiling prices for these garments. In determining your ceiling prices for these garments OPA has ruled that you must not in any case include the above stated adjustment charges in your "net cost" under Maximum Price Regulation 580 or in the cost base on which your ceiling price is computed under Maximum Price Regulation 210.

(2) *On sales to wholesalers.* The following statement must be sent by the manufacturer when the garments on which the adjustment charge is made are sold to wholesalers:

[1] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 6359, 16170; 9 F.R. 11177, 11758, 14126; 10 F.R. 1608.

Issued this 11th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12594; Filed, July 11, 1945; 11:36 a. m.]

PART 1389—APPAREL

[MPR 221,[1] Amdt. 7]

MANUFACTURERS' PRICES FOR FALL AND WINTER KNITTED UNDERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 221 is amended in the following respects:

1. Section 1389.304 (b) is amended to read as follows:

(b) *Adjustment charge must be separately stated by manufacturer.* The adjustment charge mentioned in paragraph (a) above, may be made only if the manufacturer sends to each purchaser to whom he makes shipment of any garments on which an adjustment charge is made the statement set forth in subparagraph (1) or (2) below, whichever is appropriate. This statement, properly completed, must appear separately on, or be annexed to, the manufacturer's invoice, billing or other statement of price accompanying every shipment of any garments on which the adjustment charge is made.

(1) *On sales to retailers.* The following statement must be sent by the manufacturer when the garments on which the adjustment charge is made are sold to retailers:

STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the following items:

Style	Old ceiling	OPA adjustment charge

Please note that the OPA requires you to sell these garments subject to the ceiling prices established in Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed in this notice). The OPA has not permitted you to increase your ceiling prices for these garments. In determining your ceiling prices for these garments OPA has ruled that you must not in any case include the above stated adjustment charges in your "net cost" under Maximum Price Regulation 580 or in the cost base on which your ceiling price is computed under MPR 210.

[1] 7 F.R. 7318, 9615, 10719; 8 F.R. 13847, 4514; 9 F.R. 5174, 11758.

STATEMENT TO WHOLESALERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the following items:

Style	Old ceiling	OPA adjustment charge

Please note that the OPA requires you to sell these garments subject to the ceiling prices established in Maximum Price Regulation 210. In determining your ceiling prices for these garments OPA has ruled that you must not in any case include the above-stated adjustment charges in the cost base on which your ceiling price is computed. The OPA has ruled, however, that after you have properly computed your ceiling price for any of the styles set forth above in accordance with Maximum Price Regulation 210, you may add to that ceiling price an amount equal to 75% of the adjustment charge for that style set forth above, *Provided*, That you send to your retailer customers the "Wholesaler's Statement of OPA Adjustment Charge" set forth below, properly completed, and appearing separately on, or annexed to, your invoice, billing or other statement of price accompanying every shipment of any of the garments listed above.

WHOLESALER'S STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following charges to our ceiling prices on the following items:

Style	Old ceiling	OPA adjustment charge

Please note that the OPA requires you to sell these garments subject to the ceiling prices established by you under Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed above). The OPA has not permitted you to increase your ceiling prices for these garments. In determining your ceiling prices for these garments OPA has ruled that you may not in any case include the above-stated adjustment charges in your "net cost" under MPR 580 or in the cost base on which your ceiling price is computed under MPR 210.

(3) If the garments on which an adjustment charge is being made under this section have also had an adjustment in price pursuant to § 1305.127 of Revised Supplementary Order 99 the Statement of OPA Adjustment Charge required by that section may be sent in lieu of the statements required in subparagraphs (1) and (2) above.

This amendment shall become effective July 18, 1945.

Issued this 11th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12595; Filed, July 11, 1945; 11:37 a. m.]

PART 1393—ICE

[MPR 154, as Amended,[1] Amdt. 11]

ICE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

In § 1393.12 (f), subparagraph (1) is amended to read as follows:

(1) *Generally.* (i) Maximum prices for sales of natural ice (other than excepted harvesters' car-icing sales) shall be determined by the seller under the applicable provisions of paragraphs (a), (b) or (f) (2) of this § 1393.12.

(ii) Natural ice sold by its harvesters to railroads, railway express companies and other qualified purchasers in "car-icing" sales as defined under "Definitions" in Appendix B hereof, and delivered prior to October 1, 1945, is excepted from the pricing provisions of this regulation. This exception does not apply to sales of natural ice by persons other than harvesters, nor to harvesters' sales other than "car-icing" sales.

This amendment shall become effective July 16, 1945.

Issued this 11th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12592; Filed, July 11, 1945; 11:36 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 29]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Ration Order 3 is amended in the following respects:

1. Section 19.10 (d) is amended to read as follows:

(d) *Restriction on use.* An industrial user who obtains a provisional allowance under this order may use the sugar during a packing season only to pack the fruit for which it was granted and only in the quantities allowed. Moreover, he may not use sugar for any packing season beginning after June 15, or for any part of a packing season beginning after that date at an average rate higher than is provided in computing the allowance in paragraph (c) of this section. In addition, for any packing season for that fruit which began before but was not ended by June 15, 1945, his average use of sugar per case in the canning or bottling of that fruit must not, in any event, exceed 90% of the average amount he used per case in 1941. Moreover, after June 15, the maximum Brix Cut in which the following fruits may be packed is as follows:

	Degrees
Plums	29.9
Figs	29.9
Raspberries and all other berries excluding cranberries)	27.9
Prunes	25.9
Cherries (sweet)	24.9
Blackberries	23.9
Peaches (Elberta)	23.9
Apricots	20.9
Peaches (all other)	18.9
Fruit Cocktails	17.9
Pears	17.9

Sugar granted under this section may not be used to produce "home processed foods" as defined in section 26.1 of Revised Ration Order 13.

2. Section 19.10 (e) is amended by changing the last sentence to read as follows: "In addition, he must keep records of all the Brix Cut tests as customarily made, but for each lot of each grade packed with sugar these tests shall not be less than one can per thousand cases on can sizes No. 2½ or smaller, and one can per six hundred cases on can sizes larger than No. 2½."

This amendment shall become effective July 11, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12588; Filed, July 11, 1945; 11:35 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 54]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 13.1 is amended to read as follows:

SEC. 13.1 *New retail and wholesale establishments may be opened*— (a) *How stocks are obtained.* A person who plans to open a "retail establishment" or a "wholesale establishment", after July 14, 1945, may apply for ration evidences to get stocks of "foods covered by this order". The application must be made on OPA Form R-315 to the "Board" for the place where the establishment will be located. The application must state:

(1) The proposed name and address of the establishment;

(2) The amount he has invested or expected to invest in it;

(3) Whether the establishment is a retail or a wholesale establishment;

(4) The number of points he needs in order to get adequate stocks;

(5) The point value of any stocks of foods covered by this order which he may have for that establishment;

(b) *Issuance of ration evidences.* The Board will issue to him ration evidences for the number of points he needs to get an adequate working inventory.

(c) *Registration.* (1) A wholesaler or retailer who, after July 14, 1945, began dealing at his establishment in foods covered by this order having a point value other than zero, must, at the end of the first thirty days after he began dealing in those foods, register that establishment on OPA Form R-1601 (Revised) or OPA Form R-1602 (Revised), whichever is applicable, by filing one copy of that form in person or by mail. He must give all the information called for by that form. A retailer's allowable inventory is computed by multiplying the total point value of his sales and transfers during the first 30 days by 0.7. A wholesaler's allowable inventory is computed by multiplying the total point value of his sales and transfers during the first 30 days, separately for each class of foods, by the factor fixed for that class in § 1407.3027 (f) of the supplement. The total of the results is his allowable inventory.

(2) A person who opens a retail or wholesale establishment need not register that establishment while all the foods covered by this order, in which he deals at that establishment, have a zero point value. However, a wholesale establishment at which canned fish is acquired for sale or transfer must be registered under this section as soon as canned fish is acquired there for sale or transfer, even if it is at zero point value.

(3) A person who becomes a wholesaler or retailer within the meaning of this order because an item has been added to the foods covered by this order is not required to register.

(d) *Registration of two or more establishments.* If a retailer or wholesaler has two or more establishments and has operated them separately under this order, just as if they were owned by different persons, he must either register each establishment separately or all of them together on a single form. (Such separately registered establishments are treated for all the purposes of this order just as if they were owned by different persons.) If a retailer or wholesaler, who has two or more establishments, registers them together, he must file with the Board for the place where his principal business office is located, a single copy of OPA Form R-1601 (Revised) or OPA Form R-1602 (Revised), giving all the information called for by the form for all establishments without listing such information, separately, for each establishment.

(e) *Reports of inventories.* (1) As part of his registration, a retailer must report on OPA Form R-1601 (Revised) the point value of his inventory of foods covered by this order at the end of the first 30 days. (An explanation of what constitutes a retailer's inventory is contained in section 6.4 (b)).

(2) As part of his registration, a wholesaler must report on OPA Form R-1602 (Revised) the point value of his inventory of food covered by this order at the end of the first 30 days. (An explanation of what constitutes a wholesaler's inventory is contained in section 5.4 (b)).

(f) *Reports of sales and transfers and points on hand.* As part of his registration, a retailer or wholesaler must include the point value of all foods covered by this order which were transferred by him during the first 30 days and the total number of points which he has at the end of that period.

(g) *Issuance of ration evidences and excess inventory.* If a retailer's or wholesaler's point inventory at the end of the first 30 days is less than his allowable inventory, the Board shall issue to him ration evidences for the difference. He may not, however, be given ration evidences for more than the amount by which his allowable inventory exceeds the amount of the ration evidences given when he applied on OPA Form R-315. If his point inventory is greater than his allowable inventory, the difference is excess inventory. He must, when he registers give up to the Office of Price Administration, for cancellation, points equal to the amount of his excess inventory. (The way in which this is done is explained in section 6.6 (e) and 5.6 (e), respectively.)

(h) *Procedure where no additional stocks are needed.* Where the person who wishes to open the retail or wholesale establishment has enough stocks, he need not apply on OPA Form R-315. He may begin operation with the stocks he has. However, before making any sales or transfers of food covered by this order from the establishment after July 14, 1945 he must notify the Board for the place where the establishment is located. The notice must be in writing and must give the name and adress of the establishment and the point value of its inventory. At the end of the first thirty days, he must register the establishment and follow the procedure described in paragraph (c) above.

This amendment shall become effective July 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12590; Filed, July 11, 1945; 11:35 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 48 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (f) is amended to read as follows:

(f) The wholesale allowable inventory factors and the classes of foods (referred to in section 13.1 (c) of Revised Ration Order 16) are as follows:

Class of foods:	*Factors*
(1) Lard, shortening, cooking and salad oil, canned meats and canned fish, canned milk	1.0
(2) Fresh and frozen beef, fresh and frozen veal, fresh and frozen pork and fresh and frozen lamb and mutton	0.4
(3) Rationed cheeses, butter, margarine and meats other than fresh, frozen or canned	0.7

This amendment shall become effective July 15, 1945.

Issued this 11th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12589; Filed, July 11, 1945; 11:35 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 60 Under 3 (b), Amdt. 1[1]]

WEYERHAEUSER SALES CO.

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. 60 under the General Maximum Price Regulation is amended to read as follows:

§ 1499.274 *Approval of maximum prices for Weyerhaeuser Sales Company of treated wood fence posts.* (a) The maximum price, f. o. b. mill, at which Weyerhaeuser Sales Company, of St. Paul, Minnesota, may sell treated wood fence posts constructed according to specifications set forth below shall be as follows:

(b) Length:

	Price per post
5'4"	$0.28
5'6"	.28875
6'0"	.315
6'6"	.34125
6'8"	.35
7'0"	.3675
7'6"	.39375
8'0"	.42
9'0"	.4725

Customary discounts for cash to be maintained.

(c) *Grade description.* Posts to be manufactured from Douglas Fir lumber of Select Merchantable grade; tapering from Nominal thickness and width of 3" x 4" at top to nominal thickness and width of 2" x 3" at bottom; headed at top and pointed at bottom, incised at grade line and given toxic and water repellent treatment.

(d) Sales by retail yards are governed by Section 3 (d) of Maximum Price Regulation 536.

(e) This order may be revoked or amended at any time.

This amendment shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12598; Filed, July 11, 1945; 11:38 a. m.]

Chapter XIV—War Contracts Price Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1602, 1603, 1604, 1606, 1607 and 1608 set forth below are also contained in Revision 19 of the Renegotiation Regulations dated June 22, 1945.

MAURICE HIRSCH,
Colonel, General Staff Corps,
Chairman.

PART 1602—PROCEDURE FOR RENEGOTIATION

SUBPART A—ASSIGNMENTS FOR RENEGOTIATION AND CANCELLATIONS

1. Section 1602.206-2 is amended to read as follows:

§ 1602.206-2 *Form for submission of request.* The Department or Service submitting to the War Contracts Board a request for cancellation will accompany such request with a statement in substantially the following form:

The information submitted herewith has been obtained from the subject contractor. It has been considered and it is believed by this office to be substantially representative of the operations of the contractor for the fiscal period referred to. This office is of the opinion that [1] (excessive profits within the sense of the Renegotiation Act and the principles applicable thereto have not been realized by the contractor during the said period) [1] (receipts or accruals by the contractor, and by all persons under the control of or controlling or under common control with the contractor, under contracts with the Department (as defined in the Renegotiation Act) and subcontracts thereunder, did not exceed the statutory minimum).[1] (Other Reason:) Cancellation of the assignment of the contractor for renegotiation is recommended and requested.

The Contractor's fiscal year ended .....

[RR 206.2]

2. The introductory text of § 1602.206-3 is amended to read as follows:

§ 1602.206-3 *When not subject to act; evidence required.* When cancellation of assignment is sought on the ground that the receipts or accruals of the contractor for the fiscal year did not exceed the statutory minimum prescribed by subsection (c) (6) of the 1943 Act, the Department or Service requesting the cancellation may:

PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

1. Section 1603.382-3 is amended to read as follows:

§ 1603.382-3 *Wage and salary stabilization requirements.* (a) As used herein, the term "Stabilization Act" refers to the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Public Law 729, 77th Congress, 2d Session), as amended by the Public Debt Act of 1943, entitled "An Act to increase the debt limit of the United States, and for other purposes"

[1] Insert applicable clause.

[1] 10 F.R. 7048

[1] 9 F.R. 13992, 14642, 15048; 10 F.R. 201, 412, 1143, 1537, 2144, 2581, 2875, 2874, 3223, 4105, 4715.

[1] 10 F.R. 2521, 2876, 3223, 3556.

[1] 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278, 9785, 9896, 10425, 10876, 10777, 11426, 11513, 11906, 11955, 11961, 12814, 12867, 14287, 14645, 15056; 10 F.R. 48, 531, 857, 293, 294.

[1] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

(Public Law 34, 78th Congress, 1st Session) and by the Stabilization Extension Act of 1944 (Public Law 383, 78th Congress, 2d Session).

(b) The National War Labor Board, the Commissioner of Internal Revenue (who has delegated his authority to the Salary Stabilization Unit) and the War Food Administrator have authority under the Stabilization Act, Executive Orders 9250 and 9328 and the regulations of the Economic Stabilization Director, to make determinations that wage and salary payments are in contravention of the Stabilization Act and regulations thereunder. They have the authority to require that the full amount (or, in their discretion, less than the full amount) of such payments shall be disregarded by all the Executive departments and other agencies of the Government (or, in their discretion, by specified departments or agencies) in determining costs or expenses under any contract or in calculating deductions under the Internal Revenue Laws. Such determinations of contravention, of the amounts to be disregarded and by what departments or agencies to be disregarded, are made by the issuance of certificates by the National War Labor Board, the Commissioner of Internal Revenue, or the War Food Administrator. The applicable regulation of the Office of Economic Stabilization (§ 4001.15) appears at § 1608.851.

(c) Certificates of contravention which expressly require renegotiating agencies to disregard specified wage or salary payments as costs will be conclusive upon renegotiating agencies except as stated in paragraph (e).

(d) Certificates of contravention requiring the Bureau of Internal Revenue to disregard any wage or salary payments in calculating deductions under the Revenue Laws of the United States shall not have the effect of requiring such payments to be disregarded for the purposes of determining costs and expenses in statutory renegotiation unless such certificates expressly so provide.

(e) The completion of renegotiation proceedings need not be deferred or suspended pending the disposition of any proceedings against the contractor for the determination of an alleged contravention under the Stabilization Act. Renegotiation proceedings concluded prior to the receipt of certificates of contravention will not be reopened on account thereof in the absence of fraud, malfeasance or wilful misrepresentation.

(f) Arrangements have been established by the War Contracts Price Adjustment Board by which certificates of contravention affecting renegotiation proceedings will be forwarded promptly through the medium of the Assignments and Statistics Branch to the agency conducting the renegotiation proceedings of the employer involved.

(g) Full compliance with the Stabilization Act does not preclude the disallowance as a deduction under the Internal Revenue Code of wage and salary payments in excess of "a reasonable allowance". Except as provided in § 1603.381–6, no part of any amount estimated to be not allowable under the Internal Revenue Code will be allowed as a cost against renegotiable business. [RR 382.3]

2. Section 1603.382–4 is revoked, as follows:

§ 1603.382–4 *Application of stabilization orders in renegotiation.* [Revoked]

PART 1604—DETERMINATION AND ELIMINATION OF EXCESSIVE PROFITS

SUBPART A—PRINCIPLES AND FACTORS IN DETERMINING EXCESSIVE PROFITS

1. Section 1604.403–7 is added, as follows:

§ 1604.403–7 *Customer furnished materials.* A contractor who does not purchase the materials used by him in performing a contract or subcontract but uses customer furnished materials is not entitled generally to as large a profit in dollars as that to which he would have been entitled had he furnished the materials used, in which event he would have expended effort in finding or acquiring the materials, would have had capital invested in the materials and would have assumed the risks of obsolescence, spoilage or other loss inherent in owning such materials. These circumstances must be recognized in the application of the statutory factors (see § 1604.410). Although the aggregate dollar profit allowed the contractor in such a case should not be as great as it would have been had he furnished his own materials, nevertheless, the dollar profit allowed will usually result in a larger percentage of his sales than the dollar profit which would have been allowed if the materials had been acquired by him, and, therefore, included in his sales and costs. [RR 403.7]

2. In § 1604.413–2, paragraph (b) is amended, paragraph (f) is redesignated (g), and a new paragraph (f) is added, as follows:

§ 1604.413–2 *Comment.* • • •

(b) Particular consideration should be given to the risks assumed incident to reasonable pricing policies. The pricing policy of the contractor is more clearly indicated by the reasonableness of his billing prices and the reasonableness of the profit margin included in billing prices than by his final profit position. The contractor whose pricing policy results in comparatively reasonable original profit margins on renegotiable business from original billing prices should receive more favorable consideration than a contractor whose pricing policy results in substantially excessive profits. The contractor who maintains low cost and only a reasonable margin of profit is subjected to the risks normally incident to the performance of a fixed-price contract secured under competitive conditions, while the contractor who overprices usually has taken few, if any, of such risks. In the latter case, the profit margin of the contractor should be adjusted in the direction of the fee that might have been allowed under a cost-plus-a-fixed-fee contract for the production of similar articles. Since many contractors have now had sufficient experience in production of contracted materials to eliminate or reduce the risks that may have justified liberal prices earlier, renegotiation agencies are to emphasize pricing policy by giving less favorable consideration to contractors who have not followed a reasonably close pricing policy. (See paragraph (e) of this section.)

• • • • •

(f) Consideration of the pricing policy of the contractor frequently involves the question of refunds made prior to renegotiation. As stated in §§ 1604.450 to 1604.452, inclusive, such refunds may be made as integral parts of the repricing policy of the contractor or as prepayments of excessive profits. In either event, the effect upon the risk assumed by the particular contractor depends entirely upon the facts of each particular case, excluding the manner in which the refund is made. For example, a contractor who executes a legally binding agreement to pay the Government a rebate on articles delivered during a particular period of time has incurred a greater risk than the contractor who gives the Government a non-binding "statement of intention" or "statement of policy" indicating that he will make refunds, even though the final profit position of the two contractors at the end of the fiscal year is the same. On the other hand, a contractor who makes a refund pursuant to such a statement of intention or statement of policy may have incurred a greater risk than one who simply makes a refund. Likewise, a contractor who makes a refund near the beginning of his current fiscal year has incurred a greater risk than one who simply makes a refund near the end of his fiscal year. The renegotiating agency must therefore weigh the refund in the light of all pertinent facts.

SUBPART E—INTERIM PREPAYMENT OF EXCESSIVE PROFITS

Subpart E is added, as follows:

Sec.
1604.450 Scope of subpart.
1604.451 Acceptance of prepayments by renegotiating agencies
1604.451–1 Repricing of specific contracts.
1604.451–2 Over-all or company pricing.
1604.451–3 Voluntary refunds.
1604.452 Procedure for acceptance of prepayments of excessive profits
1604.453 Treatment of prepayment for federal income tax purposes.

§ 1604.450 *Scope of subpart.* Excessive profits are determined under the Renegotiation Act only pursuant to a renegotiation proceeding commenced and conducted in the manner prescribed by the act. Profits refunded prior to renegotiation will be deemed to be "excessive profits determined" within the meaning of the Renegotiation Act only if such refund is made in the manner prescribed in § 1604.452 as an interim prepayment of excessive profits to be determined by the War Contracts Board in a subsequent renegotiation and only to the extent that the amount of such prepayment is determined in such renegotiation to constitute excessive profits within the meaning of the Renegotiation Act. It is the purpose of this subpart to discuss: (a) The circumstances under which renegotiating agencies will accept such interim prepayment; and (b) the method by which prepayments may be made. Reference is made to § 1604.413–2 for a discussion of the effect of refunds made prior to renegotiation upon the statutory factor of "risk". [RR 450]

§ 1604.451 *Acceptance of prepayments by renegotiating agencies.* [RR 451]

§ 1604.451–1 *Repricing of specific contracts.* In any case in which a specific contract is amended to reduce the price charged to the Government, any refund paid as a result of such amendment will not be treated as a payment or prepayment of excessive profits. Such refund will not be accepted by any renegotiating agency acting as such. [RR 451–1]

§ 1604.451–2 *Over-all or company pricing.* In some cases, repricing is accomplished by so-called "company pricing" arrangements made between the procurement agencies and contractors. Under this procedure, a contractor may make reductions of price on all articles sold to the Government, or a subcontractor may reduce prices on all articles sold to a prime contractor or to a higher-tier subcontractor. The following situations, among others, may arise:

(a) If such pricing takes the form of price reductions or discounts on future deliveries only, the contractor or subcontractor makes no refund to the Government and there is no problem of prepayment of excessive profits.

(b) If the contractor enters into a legally binding pricing agreement, any refund to the Government made pursuant to such agreement is considered to be the equivalent of a price reduction and will not be treated as a prepayment of excessive profits.

(c) If the contractor executes a non-binding "statement of policy" or "statement of intention" to make refunds to the Government, a refund made by the contractor pursuant to such a statement will, subject to the conditions set forth in the following paragraphs, be accepted by a renegotiating agency as a prepayment of excessive profits. [RR 451.2]

§ 1604.451–3 *Voluntary refunds.* A contractor or subcontractor may wish to refund a portion of his profits to the Government prior to renegotiation without making any prior binding agreement or prior non-binding statement of policy such as is described in the preceding paragraph. Such a refund will, subject to the conditions hereinafter set forth, be accepted by a renegotiating agency, as a prepayment of excessive profits. [RR 451.3]

§ 1604.452 *Procedure for acceptance of prepayments of excessive profits.* Any renegotiating agency is authorized to accept a refund made under the circumstances set forth in §§ 1604.451–2 (c) and 1604.451–3, subject to the following conditions:

(a) Each prepayment must be made pursuant to a letter agreement in the form set forth in § 1607.743.

(b) Payment of the refund must be made in accordance with the regulations prescribed for the payment of refunds received as a result of statutory renegotiation. (See § 1605.502–5.)

(c) If the contractor who makes a prepayment is thereafter renegotiated for the particular fiscal year and excessive profits are determined, the prepayment will be included in the renegotiable receipts or accruals, excessive profits, if any, will be determined upon such basis, and the prepayment will be applied in elimination of the excessive profits so determined.

(d) If the contractor, for any reason, is not renegotiated for the particular fiscal year, the prepayment will not be refunded to the contractor, but it will not be deemed to be "excessive profits determined" within the meaning of the Renegotiation Act.

(e) If the contractor is renegotiated for the particular fiscal year but if the amount of excessive profits determined is less than the prepayment, the prepayment will be applied in elimination of the excessive profits determined, but the excess of the prepayment over the amount of excessive profits determined will not be deemed to be "excessive profits determined" within the meaning of the Renegotiation Act. [RR 452]

§ 1604.453 *Treatment of prepayment for federal income tax purposes.* Any prepayment, if made pursuant to the letter agreement set forth in § 1607.743 is intended to constitute an elimination of excessive profits within the meaning of section 3806 of the Internal Revenue Code, and to be treated as a reduction of taxable income for the year to which the prepayment relates. This is true whether or not, under § 1604.452, the prepayment is ultimately deemed to be "excessive profits determined" within the meaning of the Renegotiation Act. [RR 453]

PART 1606—IMPASSE PROCEDURE

SUBPART B—FAILURE TO AGREE

1. Section 1606.624–1 is amended to read as follows:

§ 1606.624–1 *Review on request by the contractor.* A contractor who desires review by the War Contracts Board of a unilateral determination made under delegated authority should, promptly after notice of the order, and in any event within sixty days from the date of such determination, make a request in writing for such review. Such request shall be deemed to have been made (a) when mailed by registered mail, postage prepaid, to the Secretary of the War Contracts Price Adjustment Board at the address specified in § 1607.791–5 or (b) when received by such Secretary at such address, whichever is earlier. Such request need not be in any particular form but should set forth:

(1) The name of the contractor.

(2) The fiscal period with respect to which the renegotiation has been conducted (or in the case of a renegotiation on a contract-by-contract basis, a description of such contracts and subcontracts).

(3) A brief statement of the nature of the contractor's business (i. e., the articles made or services performed by the contractor).

(4) A brief summary of the issues involved. [RR 624.1]

2. Sections 1606.625–1 and 1606.625–2 are amended to read as follows:

§ 1606.625–1 *Orders made by delegated authority.* The War Contracts Board has reserved the right to review any order entered pursuant to any delegated authority determining excessive profits. Accordingly, no such order becomes final (that is, is deemed the determination of the War Contracts Board) until the earlier of the following:

(a) Sixty days after the order has been entered, if review is neither requested by the contractor concerned nor initiated by the War Contracts Board within that period; or

(b) Sixty days after the filing of a timely request for review, if such review is not granted by the War Contracts Board within that period.

After entry by delegated authority and until it has become final, as above described, such order is subject to the exclusive power of the War Contracts Board to review, and cannot be modified, rescinded or superseded other than by an order entered or agreement made by the War Contracts Board on such review. After such order is deemed the determination of the War Contracts Board, it will not be modified or rescinded by the War Contracts Board except upon a showing of fraud or malfeasance or a willful misrepresentation on the part of the contractor, and in the absence of the filing of a petition with the Tax Court of the United States as provided in subsection (e) (1) of the 1943 Act, such order will be final and conclusive. [RR 625.1]

§ 1606.625–2 *Orders entered by the War Contracts Board.* Upon any review by the War Contracts Board whether pursuant to request by the contractor or initiated by the Board on its own motion, the Board will either make an agreement with the contractor or enter an order determining as excessive profits an amount either less than, equal to, or greater than that determined by the order which has been reviewed. An agreement made or order entered by the War Contracts Board upon review of an order entered by a delegatee of authority supersedes the order of such delegatee of authority. Except upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact on the part of the contractor an order entered by the War Contracts Board will not be modified or rescinded by the War Contracts Board, and, in the absence of the filing of a petition with the Tax Court of the United States as provided in subsection (e) (1) of the 1943 Act, is final and conclusive. A form which may be used for such order is set out in § 1607.747–1. [RR 625.2]

PART 1607—FORMS FOR RENEGOTIATION

SUBPART B—FORMS RELATING TO OPERATION OF RENEGOTIATION

In the form in § 1607.722, the note is amended to read as follows:

§ 1607.722 *Contractor's Information and Work Sheet for Renegotiation.*

* * * * *

NOTE: Construction contractors, architects and engineers should not use this form, but should obtain the forms designed for their specific use by writing to: War Contracts Price Adjustment Board, Assignments and Statistics Branch, Room 3D-573, The Pentagon Building, Washington 25, D. C.

SUBPART D—FORMS RELATING TO AGREEMENTS AND UNILATERAL DETERMINATIONS

Section 1607.743 is added, as follows:

§ 1607.743 *Letter agreement transmitting interim prepayment of excessive profits prior to close of fiscal year.*

_____
(Date)

_____
_____
_____
(Departmental Price Adjustment Board and Address)

GENTLEMEN:

There is herewith (or has been) transmitted to you a check in the amount of $_____ representing profits received or accrued in our fiscal year ending _____ (hereinafter referred to as "such fiscal year") derived from contracts and/or subcontracts subject to the provisions of the Renegotiation Act.[1]

This prepayment is made on the understanding (1) that such amount shall be deemed to be a payment in elimination of "excessive profits" within the meaning of such term as defined in section 3806 of the Internal Revenue Code; and (2) that such amount will not be included in income in the computation of taxable income for such fiscal year under the Internal Revenue Code and, accordingly, no tax credit is allowable against such amount. The undersigned represents that this payment is not made in satisfaction or discharge, in whole or in part, of any legally binding obligation heretofore existing.

It is agreed that acceptance of this prepayment does not constitute a commencement of renegotiation pursuant to the Renegotiation Act and that, except as provided herein, renegotiation may be conducted in all respects as though this prepayment had not been made. It is further agreed that if renegotiation pursuant to the Renegotiation Act shall hereafter be concluded with respect to such fiscal year, (1) the amount of this prepayment will, for the purpose of such renegotiation, be included in renegotiable receipts or accruals, (2) upon such basis, excessive profits, if any, will be determined under the Renegotiation Act and the regulations promulgated thereunder, and (3) upon such determination of excessive profits, this prepayment will be applied in elimination of the excessive profits so determined, and, to the extent so applied, this prepayment will be deemed to be "excessive profits determined" within the meaning of the Renegotiation Act. It is intended that, if any amount of excessive profits so determined is less than the amount of this prepayment, or if for any reason renegotiation pursuant to the Renegotiation Act shall not be concluded with respect to such fiscal year, then the excess of this prepayment, or the full amount thereof, as the case may be, shall constitute a payment in elimination of "excessive profits" as such term is defined in section 3806 of th Internal Revenue Code even though not constituting an elimination of "excessive profits determined" within the meaning of the Renegotiation Act.

It is further agreed that no part of this prepayment shall be refunded to the undersigned: *Provided, however,* That if this prepayment, or a portion thereof, shall be deemed to be "excessive profits determined" within the meaning of the Renegotiation Act, nothing herein contained shall prejudice any right which the undersigned may have to receive any refund or rebate provided for in the Renegotiation Act with respect to the excessive profits so determined.

If this prepayment is acceptable on the foregoing terms, please so indicate by indorsement of one of the three (3) copies inclosed and return such copy to us.

Yours very truly,

_____
(Name of Contractor)

By _____
(Title)

Accepted:

By _____
Acting on behalf of the War Contracts Price Adjustment Board.

If a corporation add (Corporate seal)

ATTEST:

_____
(Secretary)

[1] In determining whether the check should be made payable to the Treasurer of the United States or to the Reconstruction Finance Corporation Price Adjustment Board, see §§ 1603.323 and 1605.502-5.

[RR 743]

SUBPART I—ADDRESSES

1. In § 1607.793-1, the addresses of the Quartermaster General and the Chief Signal Officer are amended to read as follows:

§ 1607.793-1 *Headquarters.*

* * * * *

The Quartermaster General, Attention: Lt. Col. Albert W. Tolman, Jr., Price Adjustment Section, Room 2025, Tempo. B, 2nd and Q Streets, SW., Washington 25, D. C.; Tel. Republic 6700, Ext. 3744.

The Chief Signal Officer, Attention: Mr. Wilfred Goodwyn, Price Adjustment Section, Room 2C 289, The Pentagon, Washington 25, D. C.; Tel. Republic 6700, Ext. 6462.

2. In § 1607.793-2, paragraphs (a) and (e) are amended to read as follows:

§ 1607.793-2 *Field Offices of Price Adjustment Sections*—(a) *Army Air Forces.*

39 South La Salle Street, Chicago 3, Illinois; Tel. Randolph 9720.

Enquirer Building, 617 Vine Street, Cincinnati, Ohio; Tel. Cherry 8320.

4614 Prospect Avenue, Cleveland 3, Ohio; Tel. Endicott 7200.

8505 West Warren Avenue, Detroit 32, Michigan; Tel. Hogarth 8730.

3636 Beverly Boulevard, Los Angeles 54, California; Tel. Drexel 7081.

67 Broad Street, New York 4, New York; Tel. Whitehall 4-1600.

Municipal Airport, Wichita 1, Kansas; Tel. Wichita 6-6661.

(e) *Signal Corps.*

1 North La Salle Street, Chicago 2, Illinois; Tel. State 9150.

17th and Sansom Streets, Architects Building, Philadelphia 3, Pennsylvania; Tel. Rittenhouse 5950.

Signal Corps Cost Analysis Agency, 169 Eleventh Street, San Francisco 3, California; Tel. Underhill 3761.

3. Section 1607.795-2 is amended to read as follows:

§ 1607.795-2 *Miscellaneous.*

General Accounting Office, Washington 25, D. C.; Tel. Executive 4621.

Chief, Contract Review Branch, Procurement Policy Division, War Production Board, Department 1430, 4th & Independence Avenue SW., Washington 25, D. C.; Tel. Republic 7100 Ext. 6261.

[RR 795.2]

PART 1608—TEXT OF STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES

SUBPART A—STATUTES AND EXECUTIVE ORDERS

Section 1608.801-15 is added, as follows:

§ 1608.801-15 *First Deficiency Appropriation Act, 1945.* Title 1 of the First Deficiency Appropriation Act, 1945, states as follows:

Refunds under Renegotiation Act: There is hereby appropriated, to remain available until June 30, 1946, such amount not exceeding $15,000,000 as may be necessary to make the refunds, including refunds for prior years, required by section 403 (a) (4) (D) (relating to the recomputation of the amortization deduction) and by the last sentence of section 403 (i) (3) (relating to excess inventories) of the Renegotiation Act, and to refund any amount finally adjudged or determined to have been erroneously collected by the United States pursuant to a unilateral determination of excessive profits with such interest thereon (at a rate not to exceed 4 per centum per annum) as may be adjudged or determined to be owing in law or equity: *Provided*, That to the extent refunds are made from this appropriation of excessive profits collected under the Renegotiation Act and retained by the Reconstruction Finance Corporation or any of its subsidiaries the Reconstruction Finance Corporation or the appropriate subsidiary shall reimburse this appropriation: *Provided further*, That the War Contracts Price Adjustment Board or its duly authorized representative shall certify the amount of any refund to be made in pursuance hereof to the Secretary of the Treasury who shall make payment upon such certificate in lieu of any voucher which might otherwise be required.

[RR 801.15]

SUBPART D—EXEMPTIONS

In § 1608.841 (a), the item "Lithium bearing ores and concentrates" is added to the list.

SUBPART E—OTHER ORDERS AND DIRECTIVES

Section 1608.851 is amended by adding § 4001.15 of the regulations of the Office of Economic Stabilization, as follows:

§ 1608.851 *Salary stabilization regulations.*

* * * * *

§ 4001.15. *Effect of unlawful payments.* (a) If any wage or salary payment is determined by the Board, the Commissioner, or the War Food Administrator, as the case may be, to have been made by an employer in contravention of the act or the regulations, rulings, or orders promulgated thereunder, the entire amount of such payment (except as provided in (b) and (c) below) shall be disregarded by the Executive Departments and all other agencies of the Government in determining costs or expenses of any such employer for the purpose of any law or regulation whether heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942, or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses of any contract made by or on behalf of the United States. Except as provided in (b) below, the Board, the Commissioner, or the War Food Administrator, as the case may be, shall certify to such departments and agencies, to be disregarded by them, the amount of the wage or salary paid or accrued, and not merely an amount representing the increase or decrease made in such wage or salary in contravention of the act or regulations, rulings, or orders promulgated thereunder.

(b) The Board, the Commissioner, or the War Food Administrator, as the case may be, is authorized, in any case in which it has been found that an employer has made wage or salary payments in contravention of the act, to determine, in the light of such extenuating circumstances as are found to be present in each case and all other pertinent considerations: (1) An amount, less than the full amount prescribed in (a) above, which shall be disregarded by the Executive Departments and other agencies of the government, and (2) the particular departments or other agencies of the government by which the amount shall be disregarded, and to certify such amounts to such agencies.

(c) Any such determination by the Board, the Commissioner, or the War Food Administrator shall be conclusive and the Executive Departments and the other agencies of the government which receive such certifications shall disregard the amount thus certified in determining the employer's costs or expenses for the purpose of any law or regulation including the Emergency Price Control Act of 1942 or any maximum price regulation thereunder; or for the purpose of calculating deductions under the revenue laws of the United States; or for the purpose of determining costs or expenses of any contract made by or on behalf of the United States.

(d) Payments made or received in violation of any regulations, rulings, or orders promulgated under the authority of the act are subject to the penal provisions of the act.

[RR 851]

[F. R. Doc. 45-12563; Filed, July 11, 1945; 11:04 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 6, Amdt. 2]

PART 8306—SALE OF GOVERNMENT-OWNED EQUIPMENT IN CONTRACTORS' PLANTS

SCOPE

Surplus Property Board Regulation 6, May 21, 1945, entitled "Sale of Government-owned Plant Equipment in Contractors' Plants" (10 F.R. 6309) is hereby amended by striking the final paragraph of § 8306.2 (added by Amendment 1, 10 F.R. 6981) and substituting therefor the following:

In view of the holding of the United States Circuit Court of Appeals for the Second Circuit, in the case of United States v. Aluminum Company of America, et al., decided March 12, 1945, that as of 1940 the Aluminum Company of America had a monopoly of primary aluminum in violation of law, and in view of the objectives of the Act, no plant equipment shall be disposed of under this part to the Aluminum Company of America or to any of its subsidiaries, unless such disposal is first approved in writing by the Board.

This amendment shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 6, 1945.

[F. R. Doc. 45-12550; Filed, July 11, 1945; 9:46 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 261—TRESPASS

NEVADA NATIONAL FOREST; REMOVAL OF TRESPASSING HORSES, MULES, AND BURROS

Whereas a number of horses, mules, and burros are trespassing and grazing on land in the Mount Moriah, Shell Creek, Ward Mountain, Snake, White Pine, and Charleston Divisions in the Nevada National Forest in the State of Nevada; and

Whereas these horses, mules, and burros are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), the following order for the occupancy, use, protection, and administration of land in the Nevada National Forest is issued:

Temporary closure from livestock grazing.[1] (a) The Mount Moriah, Shell Creek, Ward Mountain, Snake, White Pine, and Charleston Divisions of the Nevada National Forest are hereby closed to the grazing of horses, mules, and burros, excepting those that are lawfully grazing on or crossing land pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land, for the period August 1, 1945 to July 31, 1947.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses, mules, and burros found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses, mules, and burros shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Nevada National Forest is located.

Done at Washington, D. C., this 10th day of July 1945.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12570; Filed, July 11, 1945; 11:20 a. m.]

[1] This affects tabulation contained in 36 CFR 261.50.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Rev. S. O. 151]

PART 95—CAR SERVICE

SPECIAL FREIGHT TRAIN SERVICE PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of July, A. D. 1945.

It appearing, that (1) existing contracts, agreements, or arrangements between common carriers by railroad, or their agents, subject to the Interstate Commerce Act and certain consignors or consignees according expedited transportation to freight trains in consideration of a charge in addition to the applicable tariff rates and (2) common carriers operating freight trains on expedited schedules under tariffs or tariff provisions at a charge in addition to the applicable class or commodity rates or are operating freight trains which are assembled in accordance with instructions given to such carriers by consignors or consignees, which impede the use, control, supply, movement, and distribution of cars and equipment and the supply of trains necessary to a full utilization of the transportation facilities, and result in a wasteful use of cars and locomotives and interfere with the free flow of intrastate and interstate traffic necessary for the present emergency; and upon petition of the Office of Defense Transportation that the Commission take appropriate action to prohibit the operation of such freight trains during the present emergency, except under permits to be issued by the Interstate Commerce Commission or its agents; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, that:

(a) *Definition of special freight train.* A special freight train as used in paragraph (c) of this section means a freight train which is operated on an expedited schedule at a charge in addition to the applicable class or commodity rates, or a freight train which is assembled in accordance with instructions given to a rail carrier by a consignor, consignee, or any agent of a consignor or consignee.

(b) *Contracts, agreements, or arrangements between carriers and consignors or consignees providing for special freight trains suspended.* The operation of all contracts, agreements, or arrangements between common carriers by railroad, or their agents, subject to the Interstate Commerce Act and certain consignees or consignors according expedited transportation to freight trains in consideration of a charge in addition to the applicable tariff rates is hereby suspended.

(c) *Special freight train movements prohibited.* No common carrier by railroad subject to the Interstate Commerce Act shall operate or participate in the operation of any special freight train except a freight train operated for the

purpose of transporting impedimenta correlated to a movement of troops or except as provided for in paragraph (f) of this section.

(d) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended, except as provided in paragraph (f) hereof.

(e) *Announcement of suspension.* Each of such railroads, or its agents, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(f) *Special permits.* The provisions of this order shall be subject to any special permits issued to meet specific needs or exceptional circumstances by the agent designated in paragraph (g) of this section.

(g) *Appointment of agents.* (1) Except as provided in paragraph (2) hereof the Director of the Bureau of Service, Washington, D. C., is hereby appointed agent of the Interstate Commerce Commission to issue all permits provided for in paragraph (f) hereof.

(2) J. J. Kelly, Jr., Manager, Military Transportation Section, War Department, Pentagon Building, is hereby appointed agent of the Interstate Commerce Commission subject to the direction of the Director of the Bureau of Service to issue permits at the request of the United States War Department or Navy Department, including the United States Marine Corps and the United States Coast Guard.

(h) *Effective date.* This order shall become effective 12:01 a. m., July 11, 1945.

(i) *Expiration date.* This order shall expire at 11:59 p. m., July 15, 1946, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12606; Filed, July 11, 1945; 11:50 a. m.]

[S. O. 334]

PART 95—CAR SERVICE

TRANSPORTATION OF RACE HORSES AND SHOW ANIMALS RESTRICTED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of July A. D. 1945.

It appearing, that the Director of the Office of Defense Transportation has requested that this Commission take such action as it deems appropriate and necessary to restrict the transportation of race horses and show animals by railroad in order to expedite the movement of troops, material of war, and civilian supplies urgently needed for the successful prosecution of the war; and

It further appearing, that the use of equipment for the transportation of such traffic by railroad is contributing to congestion, and delaying the movement of troops, material of war and civilian supplies; the Commission is of opinion an emergency requiring immediate action exists in all sections of the United States. It is ordered, that:

(a) *Definitions.* As used in this order the terms:

(1) "Race horses and show animals" means horses and animals, other than ordinary livestock, chiefly valuable for racing, show or breeding purposes and which are tendered for transportation or are transported in express service or in privately owned equipment but does not include circus animals moving pursuant to circus contracts.

(2) "Freight car" means either a railroad owned, leased or controlled freight or express car or a privately owned, leased or controlled freight or express car used in the transportation of property.

(3) "Carrier" means a common carrier by railroad or express company subject to the Interstate Commerce Act.

(b) *Transportation of race horses and show animals prohibited.* No carrier shall furnish or supply a freight car for loading with either a carload, less-than-carload, or any quantity shipment of race horses or show animals and no carrier shall transport or move any such shipment of race horses or show animals unless or until the shipper thereof or party contracting for transportation surrenders to the carrier originating the shipment prior to tender thereof a special permit issued by the Director of the Bureau of Service, pursuant to paragraph (c) hereof.

(c) *Appointment of agent to issue permits.* The Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., is hereby designated and appointed as agent of the Interstate Commerce Commission to issue permits to shippers or parties contracting for transportation authorizing the transportation of race horses or show animals. The Director may issue a permit only when he is satisfied that the shipment may be made without adversely affecting the transportation of war traffic.

(d) *Application.* (1) The provisions of this order shall apply to intrastate and foreign commerce, as well as interstate commerce.

(2) This order shall apply only to cars billed on and after the effective date hereof.

(e) *Exemptions.* The provisions of this order shall not apply to the transportation in other than express service of race horses or show animals which are not to be entered in any race or show or are not to be raced or exhibited during the period that this order is in effect: *Provided,* That the shipper or party contracting for such transportation files with the originating carrier before actual shipment an affidavit setting forth the name and address of the person owning the race horses or show animals to be shipped, a description of the race horses or show animals to be shipped, giving names if possible, the place if any at which they were last raced or exhibited, a statement that such race horses or show animals will not be raced or exhibited during the period this order is in effect, and a statement as to why it is necessary to make the shipment.

(f) *Effective date.* The provisions of this order shall become effective at 6:00 p. m., e. w. t., July 11, 1945.

(g) *Expiration date.* The provisions of this order shall expire at 12:01 a. m., e. w. t., July 1, 1946, unless otherwise modified, changed, suspended, or annuled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 176, 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That a copy of this order and direction shall be served upon the State railroad regulatory bodies of all States and the District of Columbia; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; that a copy of this order and direction shall be served upon the Railway Express Agency; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12608; Filed, July 11, 1945, 11:50 a. m.]

PART 110—DESTRUCTION OF RECORDS

CROSS REFERENCE: Subpart F of Part 110 is superseded by Part 325 appearing in this issue.

PART 116—CARRIERS BY WATER; LIST OF RECORDS

CROSS REFERENCE: Part 116 is superseded by Part 325 appearing in this issue.

Subchapter G—Carriers by Water

PART 325—PRESERVATION AND DESTRUCTION OF RECORDS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 2d day of July A. D. 1945.

The matter of regulations to govern the destruction of records of carriers by water being under consideration by the Division, pursuant to the authority of sections 20 and 313 of the Interstate Commerce Act, and the Division having found that the "Regulations to Govern the Destruction of Records of Carriers by Water, Issue of 1945," hereto attached and made a part hereof, are necessary for purposes of administration of the provisions of Part I and Part III of the act; it is ordered:

1. *Regulations prescribed.* Every carrier by water and every lessor thereof subject to the provisions of the Interstate Commerce Act, and every trustee, receiver, executor, administrator, or assignee of any such carrier by water or lessor, is hereby required to comply with the "Regulations to Govern the Destruction of Records of Carriers by Water, Issue of 1945," in the destruction and retention of their operating, accounting, financial papers, records, books, blanks, tickets, stubs, and documents of carriers by water.

2. *Effective date.* The "Regulations to Govern the Destruction of Records of Carriers by Water, Issue of 1945," shall become effective on August 1, 1945.

3. A copy of this order and of the "Regulations to Govern the Destruction of Records of Carriers by Water, Issue of 1945," herein prescribed, shall be served upon every carrier by water and every lessor subject to the act, and upon every trustee, receiver, executor, administrator, or assignee of any such carrier by water or lessor, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Section 317 (d) and section 313 (g) of the Interstate Commerce Act read as follows:

SECTION 317 (d). Any water carrier or other person, or any officer, agent, employee, or representative thereof, who shall willfully fail or refuse to make a report to the Commission as required by this part, or to make specific and full, true, and correct answer to any question within thirty days from the time it is lawfully required by the Commission so to do, or to keep accounts, records, and memoranda in the form and manner prescribed by the Commission, or shall willfully falsify, destroy, mutilate, or alter any report, account, record, memorandum, book, correspondence, or other document, required under this part to be kept, or who shall willfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions as required under this part, or shall willfully keep any accounts, records, or memoranda contrary to the rules, regulations, or orders of the Commission with respect thereto, or shall knowingly and willfully file with the Commission any false report, account, record, or memorandum, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of the United States of competent jurisdiction within the district in which such offense was in whole or in part committed, be subject for each offense to a fine of not more than $5,000. As used in this subsection the word "keep" shall be construed to mean made, prepared, or compiled, as well as retained.

SECTION 313 (g). The Commission may issue orders specifying such operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents of water carriers or lessors as may, after a reasonable time, be destroyed, and prescribing the length of time the same shall be preserved.

Comparable provisions are contained in Part I, section 20 (7) (b) and section 20 (8).

The regulations set forth in this order pertain only to the accounts, records, and memoranda named or described herein. Destruction of all accounts, records, and memoranda except as specifically provided in the regulations is subject to penalties contained in section 20 and section 317 of the act.

It is not intended that these regulations shall be interpreted as requiring that the records herein named shall be installed, when such records are not already kept by a carrier.

The following regulations to govern the destruction of records of carriers by water subject to Part I or Part III of the Interstate Commerce Act are in lieu of Part 110, Subpart F, and Part 116 of Title 49, Code of Federal Regulations.

Sec.

325.1 Authority to destroy certain records.
325.2 Preservation of other records.
325.3 Officer having supervision of destruction.
325.4 Written authority of officer having supervision of destruction.
325.5 Certificates of destruction.
325.6 Committee for destruction of certain records.
325.7 Joint bureaus and agencies.
325.8 Nonoperating companies.
325.9 Method of destruction.
325.10 Accidental destruction of accounts, records, and memoranda.
325.11 Duplicate accounts, records, and memoranda.
325.12 List of accounts, records, and memoranda, and periods of retention.

AUTHORITY: §§ 325.1 to 325.12, inclusive, issued under 34 Stat. 594, 35 Stat. 648–649, 54 Stat. 918 and 945; 49 U. S. C. 20 (7), (8), 913 (g).

§ 325.1 *Authority to destroy certain records.* Each and every carrier by water subject to Part I or Part III of the Interstate Commerce Act and each and every trustee, receiver, executor, administrator, or assignee of any such carrier, is permitted to destroy the accounts, records, and memoranda named or described in this part, after preserving the same for the periods of time respectively specified and upon complying with the requirements of this part. This part does not exempt carriers by water from compliance with any other statutory requirements for the preservation of accounts, records, and memoranda for longer periods than those herein specified.

§ 325.2 *Preservation of other records*—(a) *Special permission to destroy.* (1) The destruction of all accounts, records, and memoranda of such carriers, except as specifically provided in this part, is prohibited under penalties contained in section 20 and section 317 of the Interstate Commerce Act. (2) However, in case any such carrier desires to destroy any accounts, records, or memoranda other than those hereinafter named it may petition the Commission to that effect, stating a full and detailed description of the accounts, records, or memoranda in question, clearly explaining their character, their use, and their purpose; it being understood that any order entered by the Commission on any such petition shall, unless otherwise provided, be limited in its force and effect to the particular carrier presenting such petition.

(b) *Photographic copies.* Carriers by water may be granted authority to preserve photographic copies of certain records in lieu of original records or copies thereof. Application for authority shall be filed in the form of a letter which shall describe the particular records intended to be preserved by this method and the process to be used.

§ 325.3 *Officer having supervision of destruction.*[1] (a) An officer, or, where necessities require, two officers, shall be appointed by the board of directors of the carrier to have supervision of the destruction of accounts, records, and memoranda. Carriers operated as sole proprietorships or partnerships shall appoint one or two persons to supervise the destruction of accounts, records, and memoranda. Such officer or officers, or such other person or persons, may be given (1) general supervision of the destruction of all accounts, records, and memoranda the destruction of which is permitted by this part, or (2) authority over the destruction of such of these accounts, records, and memoranda as may be specified by the board of directors, the sole proprietor, or the partners. Pending action by the board of directors, a temporary appointment by an executive committee or by a similarly authorized committee of the board of directors, shall have the same effect as if made by the board of directors. A copy of the resolution or certificate of appointment shall be filed promptly with the Commission before the accounts, records, and memoranda are destroyed.

(b) If the property of a carrier is in the hands of a trustee, receiver, executor, administrator, or assignee, the officer or officers to have supervision of the destruction of accounts, records, and memoranda shall be designated by the trustee, receiver, executor, administrator, or assignee. A copy of the order designating such officer or officers shall be filed with the Commission before the accounts, records, and memoranda are destroyed.

(c) In designating an officer or officers, or other person or persons, to have general supervision of the destruction of accounts, records, and memoranda it is preferable to designate by title only, rather than by name and title, to obviate the necessity of designation each time a successor in the office is appointed.

§ 325.4 *Written authority of officer having supervision of destruction.* (a) When any accounts, records, or memoranda are to be destroyed, an officer

[1] In all respects, references in this part to an officer or to officers having supervision over the destruction of records, shall be understood to include any person or persons acting in that capacity for a carrier other than a corporation.

having supervision of the destruction of accounts, records, or memoranda (as designated in compliance with § 325.3 (a) and (b) shall issue a written authority naming the person or persons by whom the accounts, records or memoranda are to be destroyed (except as provided in § 325.11).

(b) The written authority (1) may be confined to certain accounts, records, and memoranda which have been retained for the periods of time specified in these regulations and which the carrier then desires to destroy, in which case it shall indicate:

First. A list of the accounts, records, or memoranda to be destroyed, expressed either in form numbers or by descriptive titles; and,

Second. The period or periods covered by the accounts, records, or memoranda the destruction of which is authorized;

or (2) may be of continuing effect, applying to any or all of the accounts, records, and memoranda named herein as the periods of retention of such accounts, records, or memoranda attain the limits specified herein.

(c) Such written authority, or a certified copy thereof, shall be filed in the office of the issuing officer as a permanent part of the carrier's records. It is not required that copies of these specific written authorities be filed with the Commission.

§ 325.5 *Certificates of destruction.* (a) The person or persons upon whom devolves the duty of the direct supervision of the destruction of the accounts, records, or memoranda under the authority referred to in § 325.4 (a) and (b) (1) shall make certificate (except as provided in §§ 325.5 (d) and 325.11) setting forth that the accounts, records, or memoranda listed in the said authority have been destroyed and that no accounts, records, or memoranda other than those so listed have been destroyed therewith.

(b) If an authority as referred to in § 325.4 (b) (2) is given, a certificate of destruction shall be made listing by form numbers and descriptive titles the accounts, records, and memoranda destroyed, naming the period or periods covered by the accounts, records, or memoranda, and stating that no accounts, records, or memoranda other than those so listed have been destroyed therewith. Either (1) a separate certificate shall be made each time any accounts, records, or memoranda are destroyed, or (2) cumulative certificates shall be made with entries each time any accounts, records, or memoranda are destroyed.

(c) Certificates of destruction shall be forwarded promptly to the officer having supervision of the destruction of accounts, records, and memoranda who issued the written authority and shall be retained in his office as a permanent part of the carrier's records. In case cumulative certificates are made they shall be forwarded to such officer periodically, but at least once every six months. It is not required that copies of these specific certificates of destruction be filed with the Commission.

(d) Certificates of destruction need not be made for accounts, records, and memoranda, the destruction of which, in the list in § 325.12 hereof, is made optional with the carrier, but a written authority, either for specific records or of continuing effect (except as provided in § 325.11), shall be issued by the officer having supervision of the destruction of such accounts, records, and memoranda.

§ 325.6 *Committee for destruction of certain records.* At the option of the carrier a committee may be designated to destroy by conversion into pulp or by cremation, canceled stock certificates, bonds, or other records covered by Item 6 of § 325.12, in lieu of delegating the authority for the destruction to an officer as provided in § 325.3 (a). A copy of the resolution of the board of directors naming such committee, or if the carrier is not a corporation a copy of the designating order, shall be filed promptly with the Commission. A certificate of destruction giving full descriptive reference to the documents destroyed shall be made by this committee and it shall be permanently retained by the carrier. (See § 325.5 (c).) When documents represent debt secured by mortgage, the certificates of destruction shall also be authenticated by or for the trustees under the mortgage acting in conjunction with this committee or shall have the trustees' acceptance thereon.

§ 325.7 *Joint bureaus and agencies.* This part applies also to the destruction of accounts, records, and memoranda of traffic associations, demurrage bureaus, and other joint agencies maintained by or on behalf of carriers by water. The manager, chairman, or other officer in charge of the association, bureau, etc., may be delegated by the designated officer of each of the carriers to have supervision of the destruction of accounts, records, and memoranda of the association, etc., and in that event he shall issue all authorities for such destruction, and certificates of destruction shall be filed with him. Otherwise a written authority shall be obtained from the proper officer of the member carriers concerned each time any of the accounts, records, or memoranda are to be destroyed, and a certificate of destruction shall be filed with each such officer.

§ 325.8 *Nonoperating companies.* A company owning or controlling water line property which it does not operate but which it leases to others for operating purposes shall observe this part in case it desires to destroy any of its corporate or financial accounts, records, or memoranda.

§ 325.9 *Method of destruction.* (a) The precise method of the destruction of accounts, records, or memoranda is not prescribed. The Commission is not concerned with the method of destruction, whether by fire, sale, conversion into pulp, or otherwise, so long as the destruction is authorized and a certificate of destruction is filed as required by this part.

(b) If the accounts, records, and memoranda are not actually destroyed by the carrier, but are disposed of by sale or otherwise, the certificate of destruction shall so state. Attention is directed to section 15 and section 317 of the Interstate Commerce Act, which provide that a carrier shall not divulge to any person information concerning the business of a shipper or consignee which may be used to the detriment of such shipper or consignee. Responsibility for possible infringement of this provision of the law by disposing of its records by other than actual destruction would rest with the carrier.

§ 325.10 *Accidental destruction of accounts, records, and memoranda.* If any accounts, records, or memoranda are destroyed accidentally by fire, flood, or other casualty, a statement shall be prepared listing so far as may be possible, the records destroyed and detailing the circumstances in connection with the fire or other casualty. This statement shall be authenticated by an officer or some responsible employee of the carrier and shall be filed with the officer having supervision of the destruction of accounts, records, and memoranda. A copy of the statement certifying such destruction shall be filed promptly with the Commission.

§ 325.11 *Duplicate accounts, records, and memoranda.* (a) Provision is made in Item 99 of § 325.12 for the destruction of agency copies of certain accounts, records, and memoranda after such documents have been retained for the periods assigned to the originals. In destroying these copies the certificates of destruction may be dispensed with, but a written authority as provided for in § 325.4 (a) and (b) shall be issued and appropriately filed with the officer having jurisdiction over the destruction of records.

(b) Provision is made in Item 112 of § 325.12 for the optional destruction of duplicate copies of accounts, records, and memoranda when such copies are not specifically provided for elsewhere in this part and when they contain no information not shown on the originals. In destroying such copies carriers may dispense with the written authorities and the certificates of destruction. The originals (or one true copy) shall be retained for the respective periods named for such records in this part.

§ 325.12 *List of accounts, records, and memoranda, and periods of retention.* The following list is indicative of accounts, records, and memoranda of carriers by water specifically referred to in § 325.1. The description of the accounts, records, and memoranda enumerated below under the various general headings is merely for convenient reference and identification. This part is intended to apply to the items as named or described, regardless of where they are filed and regardless of departmental organization. Of the accounts, records, and memoranda which are to be retained permanently only the more important are stated in the list, this specific mention being made so that they may not be confused with any accounts, records, or memoranda for which permission to destroy is given herein.

Item	Description of accounts, etc.	Period to be retained
	GENERAL AND FINANCIAL—continued	
19	Treasurer's records:	
	(a) Statements from depositaries of funds received, disbursed, and transferred	3 years.
	(b) Daily or other periodical statements of the receipt and disbursement of funds, and of balances	3 years.
	(c) Cash register books, file copies of	6 years.
	(d) Ledgers, journals, and other records of outstanding vouchers, checks, drafts, etc., issued and not presented	6 years.
	(e) Bank deposit books, and stubs, ledgers, or records of checks	3 years.
	(f) Copies of deposit slips	
	NOTE: If the information shown on the slips is recorded in permanent records, the slips are required to be retained only for a period of three years.	
20	Mineral rights, records relating to agents' accounts:	
	(a) Statements, and supporting papers	Permanent.
	(b) Memoranda, subscription notices and requests for allotment	2 years.
	(c) Canceled capital stock certificates. (See item 6.)	1 year.
21	Long-term debt records:	
	(a) Register of bonds and certificates	Permanent.
	(b) Records of stubs of bonds and certificates	Permanent.
	NOTE: If the information shown on the stubs is recorded in permanent records, the stubs are required to be retained only for a period of three years.	
22	Records pertaining to verification of treasurer's cash or securities:	
	(a) Memoranda and bills of sale or of transfer of registered bonds and certificates	2 years.
	(b) Records of interest coupons paid and unpaid	3 years.
	(c) Funded debt subscription notices and requests for allotment	1 year.
	(d) Canceled or unissued bonds, and certificates, and paid interest coupons. (See item 6.)	
30	Corporate records:	
	(a) Proxies of holders of voting securities	2 years.
	(b) List of holders of voting securities presented at meetings	6 years.
	(c) Qualification oaths of judges of election	Optional.
	(d) Ballots cast and tabulations of vote	6 years.
	(e) Lists of stock and stockholders of vote	6 years.
	(f) Judges' reports of election results	Optional.
31	Retired stock certificates, bonds, notes, interest coupons, receipt and transfers certificates, and temporary certificates, taken up and canceled. (See § 325.6.)	Permanent.
32	Ledgers:	
	(a) General and auxiliary ledgers and indexes thereto, except as provided for elsewhere in this part:	
	(b) Balance sheets of general ledgers	Permanent.
	(c) Trial balance sheets of general and auxiliary ledgers	Permanent.
33	Record of assets and liabilities, and of owners' equity, of wholly owned or controlled companies	Permanent.
53	General and auxiliary journals	Permanent.
	General and auxiliary cash books, except cash books at agencies provided for in item 97:	
	NOTE: If any receipts or payments are entered in the aggregate in the general cash book and are detailed only on loose sheets, such loose sheets constitute an auxiliary cash book when no other permanent record of the items thereon is made.	
40	Labor distributions and summaries:	
	(a) Original detailed distribution of labor expenditures charged to all accounts, including memoranda and memorandum reapplication sheets, except as provided in Item 45:	4 years.
	(b) Work orders, job tickets, and other papers covering the application of labor, the details of which have been transcribed into other records for distribution	2 years.
41	Pay roll records:	
	(a) Pay rolls and summaries	Permanent.
	(b) Records and memoranda pertaining to deductions from pay rolls	Optional.
	(c) Receipted pay checks, certificates issued for wages, discharged pay envelopes, except as provided in Item 45	3 years.
	(d) Canceled pay checks drawn in favor of "Payee" in payment of wages for which receipt is shown on payrolls or other records retained by carrier	Optional.
12	Material distributions and summaries:	
	(a) Original detailed distribution of materials and memoranda showing the detailed distribution of expenditures for materials and supplies chargeable to all accounts, including memorandum reapplication sheets	4 years.
	(b) Work orders, job tickets, and other papers covering the application of labor and of materials and supplies, the details of which have been transcribed into other records for retention	2 years.
45	Vouchers:	
	(a) Register of audited vouchers payable and indexes thereto	15 years.
	(b) Paid drafts, paid checks, and receipts for cash paid out, except as provided in item 45	10 years.
	(c) Invoices and accounts payable and supporting papers. (See item 45.)	10 years.
	(d) Stubs of bank check books	6 years.
	(e) Lists containing authorities for payments of specific vouchers	2 years.
	(f) Reports of drafts issued by chain agents, terminal and station agents, and others	1 year.
	(g) Record or index of vouchers to be made, with notations of dates of issue	Optional.
17	Bills collectible:	
	(a) Register of bills collectible (or accounts receivable bills) and indexes thereto	15 years.
	(b) Copies of bills issued for collection, and supporting papers which do not support any other original bills	4 years.
	(c) Copies of detailed receipts for rental of vessels to others under charter, contract, or oral agreement	2 years after expiration of agreement.
	(d) Periodical statements of unsettled accounts, except trial balance sheets	Optional.
	(e) Record or index of bills to be posted, with notations of dates of issue	Optional.

Item	Description of accounts, etc.	Period to be retained
	GENERAL AND FINANCIAL	
1	Minute books of directors', executive committee's, stockholders', and other meetings	Permanent.
2	Certificate books, file copies of	Permanent.
3	Capital stock records:	
	(a) Capital stock ledger	Permanent.
	(b) Capital stock certificates, records of or stubs of	Permanent.
	NOTE: If the information shown on the stubs is recorded in permanent records, the stubs are required to be retained only for a period of three years.	
20	Mineral rights, records relating to agents' accounts:	
	(a) Statements, and supporting papers	Permanent.
	(b) Memoranda, subscription notices and requests for allotment	2 years.
	(c) Canceled capital stock certificates. (See item 6.)	1 year.
4	Long-term debt records:	
	(a) Register of bonds and certificates	Permanent.
	(b) Records of stubs of bonds and certificates	Permanent.
	NOTE: If the information shown on the stubs is recorded in permanent records, the stubs are required to be retained only for a period of three years.	
	(c) Memoranda and bills of sale or of transfer of registered bonds and certificates	2 years.
	(d) Records of interest coupons paid and unpaid	3 years.
	(e) Funded debt subscription notices and requests for allotment	1 year.
	(f) Canceled or unissued bonds, and certificates, and paid interest coupons. (See item 6.)	
5	Corporate records:	
	(a) Proxies of holders of voting securities	2 years.
	(b) List of holders of voting securities presented at meetings	6 years.
	(c) Qualification oaths of judges of election	Optional.
	(d) Ballots cast and tabulations of vote	6 years.
	(e) Lists of stock and stockholders of vote	6 years.
	(f) Judges' reports of election results	Optional.
6	Retired stock certificates, bonds, notes, interest coupons, receipt and transfers certificates, and temporary certificates, taken up and canceled. (See § 325.6.)	Permanent.
7	Ledgers:	
	(a) General and auxiliary ledgers and indexes thereto, except as provided for elsewhere in this part:	
	(b) Balance sheets of general ledgers	Permanent.
	(c) Trial balance sheets of general and auxiliary ledgers	Permanent.
8	Record of assets and liabilities, and of owners' equity, of wholly owned or controlled companies	Permanent.
9	General and auxiliary journals	Permanent.
10	General and auxiliary cash books, except cash books at agencies provided for in item 97:	Permanent.
	NOTE: If any receipts or payments are entered in the aggregate in the general cash book and are detailed only on loose sheets, such loose sheets constitute an auxiliary cash book when no other permanent record of the items thereon is made.	
11	General journal entries and supporting papers (except as provided for elsewhere in this part)	Permanent.
12	Records summarizing the results of auxiliary (outside) or holding company operations for entry in general books:	
	NOTE: Ledgers, journals, abstracts, reports, vouchers, tickets, etc., shall be retained for the same periods as are provided for similar documents elsewhere in this part.	
13	Deeds, charters, franchises, and other title papers	Until finally required to relase.
14	Contracts and agreements:	
	(a) Chief or book records of contracts, leases, and agreements made, and of expirations and of renewals	Permanent.
	(b) Original contracts, leases, and agreements, except those provided for in item 45	Permanent.
15	Tax records: Copies of schedules and returns to taxing authorities for tax purposes; records of appeals, tax bills, and statements	Permanent.
16	Copies of applications to and authorities from regulating bodies for the issuance of stocks, bonds, and other securities	Permanent.
17	Fidelity bonds of employees, records and files of	3 years after expiration of coverage.
18	Insurance records:	
	(a) Records pertaining to the payment of insurance premiums and to insurance reserves	4 years.
	(b) Insurance policy records of cessation of insured property	2 years.
	(c) Insurance policies	Optional.
	(d) Schedules of risks covered by self-insurance	3 years.

Item	Description of accounts, etc.	Period to be retained
	PURCHASES AND STORES	3 years.
70	Bids, offers, copies of orders and correspondence pertaining to the purchase or sale of material and supplies.	
71	Material and supplies: (a) Records of material and supplies on hand and detail papers of inventories.	6 years.
	(b) Records and memoranda showing in detail all the items pertaining to expenditures for real property and equipment.	6 years.
	(c) Records and memoranda pertaining to depreciation, retirements, and replacements of equipment and other property, also historical records of equipment and other property.	5 years.
	(d) Receipted pay checks, certificates issued for wages, time tickets, and other evidences of payment for services rendered by employees in connection with real property and equipment. (Such records pertaining to work performed by employees whose time is shown on payrolls or other records retained according to item 69).	1 year.
72	**TRANSPORTATION**	
73	Passes and free tickets: (a) Copies of orders on printing houses for pass stock	1 year.
	(b) Record of pass stock received, distributed, and destroyed	1 year.
	(c) Requests for passes, copies or stubs of requests for passes, and receipts for passes.	3 years.
	(d) Records of passes issued	3 years.
	(e) Records of passes received from other carriers	3 years.
	(f) Stubs of trip passes	1 year.
	(g) Pass identification slips	1 year.
	(h) Records of annual or term passes honored	1 year.
	(i) Records of mileage tickets issued and collected	1 year.
	(j) Void, unused, and unissued passes	3 years.
	(k) Records of free passenger-fare tickets issued	3 years.
	(l) Pursers' and stewards' reports of passes collected or honored	1 year.
	(m) Reports of trip passes issued	2 years.
74	Passenger-fare tickets: (a) Records and reports of tickets if transcribed to records covered by item 34	1 year.
	(b) Reports of cash collections if not transcribed to records covered by item 34	2 years.
	(c) Reports of tickets collected or honored and of passengers carried	2 years.
	(d) Reports of passes collected or honored. (See item 80)	2 years.
	(e) Reports of freight and other traffic handled	2 years.
	(f) Records of freight and other traffic handled	2 years.
	(g) Balance sheets and supporting papers	3 years.
75	Operating department records pertaining to the movement of ships, lighters, and barges.	
76	**AGENCIES**	
77	Freight records: (a) Reports of freight forwarded and received	3 years.
	(b) Transfer records of freight received from and delivered to connecting carriers.	3 years.
	(c) Records of freight received and freight delivered	3 years.
78	Freight bills and freight bills—paid: (a) Original local waybills and freight bills, and audited copies thereof	2 years.
	(b) Original interline waybills and freight bills received from other carriers	2 years.
	(c) Copies of all interline waybills and freight bills made to other carriers	2 years.
	(d) Copies of interline waybills showing between points on other lines to which divisions are allowed	2 years.
	(e) Reports of undercharges and overcharges (correction notices)	2 years.
	(f) Company freight waybills	2 years.
	(g) Copies of waybills and freight bills furnished to joint traffic associations, bureaus, and similar agencies, or attorney filed with the Interstate Commission, all appearing on the original waybills and freight bills or in other records.	Optional.
	(h) Memoranda or slips on which are listed waybills and freight bills sent to the audit office, if such memoranda or slips are not used in auditing the accounts.	Optional.
79	Bills, receipted and canceled: (a) Copies of bills of lading	2 years.
	(b) Shippers' order-notify bills of lading taken up and canceled	2 years.
	(c) Contracts covering transportation and storage rates of carriers	2 years.
	(d) Shipping leaflets	2 years.
	(e) Prepay tickets	2 years.
80	Baggage records: (a) Baggage waybills and manifests	2 years.
	(b) Records of baggage handled	2 years.
	(c) Used and canceled baggage-room checks (not excess baggage)	2 years.
	(d) Excess baggage permits (duplicates of which have been audited)	Optional.
	(e) Record of baggage check stock received, issued or destroyed	2 years.
	(f) Unused baggage checks, if record is kept in accordance with item 69a	Optional
	(g) Receipts from agents, pursers, stewards, baggage masters, and others for transferable letters and packages.	
81	Agents' reports: (a) Reports of ticket sales	2 years.
	(b) Baggage reports	2 years.
	(c) Reports of miscellaneous collections	2 years.
82	Identification of pursers', and stewards' remittance slips, bank deposit slips, and supporting papers, not provided for elsewhere.	2 years.

Item	Description of accounts, etc.	Period to be retained
	EXPENDITURES—continued	
55	Real property and equipment records: (a) Records and memoranda of the cost or the inventory value of real property	Permanent.
	(b) Records and memoranda showing in detail all the items pertaining to expenditures for real property and equipment.	Permanent, but only 3 years if transferred to permanent records.
	(c) Records and memoranda pertaining to depreciation, retirements, and replacements of equipment and other property, also historical records of equipment and other property.	Permanent.
	(d) Receipted pay checks, certificates issued for wages, time tickets, and other evidences of payment for services rendered by employees in connection with real property and equipment. (Such records pertaining to work performed by employees whose time is shown on payrolls or other records retained according to item 69).	2 years.
56	Special authorities for expenditures: (a) Estimates and special authorities for expenditures for maintenance and improvements.	Permanent.
	(b) Those letters and memoranda pertaining to such estimates, if summarized in records covered by item 56a.	Optional.
57	**CLAIMS**	
58	Claim records: (a) Daily registers, cost or book indexes, and other records in connection with overcharges, loss and damage, personal injury, fire, and other claims.	6 years.
	(b) Records showing the details of authorities issued to agents, carriers, and others for participation in freight claims.	6 years.
	(c) All papers substantiating overcharge, loss and damage, personal injury, fire, and other claims, except such papers are filed separately or attached to vouchers. (See item 47b).	4 years after settlement or rejection.
	(d) Claim jackets if all information thereon appears in records covered by item 58c.	Optional.
59	Claim investigation records: (a) Reports of investigations regarding personal injuries, when not necessary to support claims or vouchers.	3 years.
	(b) Tracers, reports, and other records pertaining to unclaimed, over, short, damaged, and refused freight, when not necessary to support claims or vouchers.	1 year.
60	Sales orders incident to disposal of damaged, refused, and unclaimed freight.	3 years.
61	**TRAFFIC**	
62	Tariffs and other rate authorities: (a) Tariffs, schedules, division sheets, and related circulars affecting the establishment of rates or charges, or the classification of persons or property, in the general files of the traffic or other department in which the complete official file is maintained.	2 years after expiration or cancelation.
	(b) Tariffs, classifications division sheets, and related circulars in other departments and at agencies, if copies of the same issues are preserved in the general file referred to in item 62a	Optional after expiration or cancelation.
	(c) Authorities for reduced rates, orders, and supporting papers, covering the movement of passengers.	2 years after expiration or cancelation.
	(d) Requests and receipts from agents and others for tariffs, classifications, division sheets, and related circulars	Optional.
	(e) Copies of powers of attorney filed with the Interstate Commerce Commission and with other regulating bodies.	2 years after cancelation.
	(f) Written requests on carrier from persons and companies for quotations of rates and copies of carrier's quotations.	Optional.
	(g) Authorities for the transportation of property, free or at reduced rates.	3 years.
	(h) Correspondence and working papers in connection with the making of rates and compilation of tariffs, classifications, division sheets, and related circulars affecting the transportation of persons or property.	3 years after cancelation of tariff, etc.
63	Diversion of freight: (a) Records pertaining to the diversion or reconsignment of freight	2 years.
	(b) Inquiries, orders, and correspondence in connection with diversions or reconsignments.	2 years.
64	Ticket records: (a) Copies of orders on printing houses for ticket stock	2 years.
	(b) Record of ticket stock received, issued, and destroyed	2 years.
	(c) Used and canceled tickets (except mileage book coupons, and excess baggage permits the reports of which have been audited.	2 years.
	(d) Used or canceled passenger-fare tickets, chair tickets, stateroom tickets, meal tickets or checks, prepaid orders, exchange checks, and storage checks; the reports of which show the total sales or issues, have been audited.	Optional.
	(e) Unissued or unused tickets if a complete record is kept in accordance with item 62b.	Optional.
	(f) Inventories of tickets in hands of agents	2 years.
	(g) Records and reports of tickets redeemed	2 years.

Item	Description of accounts, etc.	Period to be retained
	AGENCIES—continued	
66	Agents' balance sheets and supporting papers	6 years.
67	Other records at stations, wharf offices, pursers' and stewards' offices, and other agencies; not provided for elsewhere.	6 years.
68	Instructions to agents and others: (a) Books and circulars of instructions to agents and others in the general file of the department in which the complete official file is maintained.	3 years after expiration or cancelation.
	(b) Surplus copies of books and circulars of instructions and copies in other departments and at agencies, if copies of the same issues are preserved in the general file referred to in item 68a.	Optional.
69	Duplicate copies of accounts, records, and memoranda, retained in agency files, the retention of which is not provided for elsewhere. (See § 325.11a.)	Period assigned to originals.
	STATISTICS	
100	Reports to Interstate Commerce Commission and other regulating bodies: (a) Annual financial, operating, and statistical reports, file copies of, and supporting records and papers.	Permanent.
	NOTE: If the figures for the above-mentioned reports are assembled on memorandum sheets, such sheets constitute a part of the supporting papers and should be retained accordingly.	
	(b) Periodical reports of operating revenues, expenses, and income, file copies of, and supporting records and papers.	3 years.
	(c) Accident reports, file copies of, and supporting records and papers	3 years.
101	Annual reports or statements to stockholders, file copies of	Permanent.
102	Statistical statements, statistical records, and supporting papers showing tonnage, revenues, and expenses not covered by item 100.	3 years.
103	Reports of tonnage, revenue, and receipts used only for preparing statements of estimated revenues or expenses or the movement of traffic.	Optional.
104	Tabulating cards used in the compilation of statistics and other data, when the results are transcribed to other records covered by these regulations.	1 year.
105	Ship records: (a) Ship's log	3 years.
	(b) Ship's articles	6 years.
	(c) Passenger and room list	6 years.
	(d) Correspondence in connection with reservations	1 year.
	(e) Accident reports	3 years.
	(f) Pursers' and stewards' berth and chair checks	Optional.
	MISCELLANEOUS	
110	Incorporation and historical records of carrier	Permanent.
111	Audit reports of public accountants	3 years.
112	Duplicate copies of accounts, records, and memoranda listed in these regulations, if all information on such duplicates is contained on the originals or other copies retained, and if such duplicates are not specifically provided for in this part. (See § 325.11b.)	Optional.
113	Records of employees, including applications for employment, reports and certificates of examinations, service records, efficiency tests, employees' rosters, and other similar records.	1 year.
114	Provident department records, such as employees' relief, hospital, insurance and savings departments, other than records pertaining to the receipt and disbursement of funds. NOTE: The records pertaining to the receipt and disbursement of funds must be retained for the same periods as are provided for similar records in item 99b.	1 year.
115	Destruction certificates and written authorities, with supporting data required by this part. (See §§ 325.4, 325.5, and 325.6.)	Permanent.
116	Correspondence and records thereof relating to the subjects listed in this part, not otherwise provided for.	For the period prescribed for the record to which the correspondence relates.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

APPENDIX

The following forms are suggested for the use of carriers but any other forms may be used provided they show the information required by this part:

(a) Form of resolution of Board of Directors designating an officer to have general supervision of the destruction of accounts, records, and memoranda. (See § 325.3 (a) (1).)

Excerpt from minutes of the meeting of the Board of Directors of _____ Company, held at its office in _____ on _____, 19__:

Resolved, That _____ be, (Title of officer or name and title)

and he is hereby, designated as the officer of this company, to have general supervision of the destruction of accounts, records, and memoranda in accordance with this part to govern the destruction of records of carriers by water issued by the Interstate Commerce Commission, effective on August 1, 1945.

I hereby certify that the above is a true and correct copy.

_____ (Name)

_____ (Title)

_____, 19__.

(b) Form of resolution of Board of Directors designating an officer to have supervision of the destruction of certain accounts, records, and memoranda. (See § 325–3 (a) (2).)

Excerpt from minutes of the meeting of the Board of Directors of the _____ Company, held at its office in _____ on _____, 19__:

Resolved, That _____ be, (Title of officer or name and title)

and he is hereby, designated as the officer having supervision of the destruction of the accounts, records, and memoranda named below, the destruction of which is permitted by this part to govern the destruction of records of carriers by water issued by the Interstate Commerce Commission, effective on August 1, 1945.

Form No.	Description	Period	Item No. in I. C. C. regulations

I hereby certify that the above is a true and correct copy.

_____ (Name)

_____ (Title)

_____, 19__.

(c) Form of resolution of Board of Directors naming a committee for the destruction of canceled bonds, interest coupons, etc. (See § 325.6)

Excerpt from minutes of the meeting of the Board of Directors of the _____ Company, held at its office in _____ on _____, 19__:

Resolved, That pursuant to the regulations to govern the destruction of records of carriers by water issued by the Interstate Commerce Commission, effective on August 1, 1945, the Board designates _____ (Titles of such persons, or names and titles)

to be a committee to act in conjunction with the representatives of the trustees in the destruction of _____ (List of and description of documents to be destroyed)

I hereby certify that the above is a true and correct copy.

_____ (Name)

_____ (Title)

_____, 19__.

(d) Form of written authority for the destruction of certain accounts, records, and memoranda. (See § 325.4 (a) and (b) (1).)

The _____ Company,
Office of _____,
_____, 19____.

In conformity with the authority conferred upon me by the Board of Directors, I hereby authorize and direct _____

_____ (Name and title or occupation)

to destroy the accounts, records, and memoranda of this company described below, in accordance with the provisions of § 325.4 (b) (1) of this part:

Form No.	Description	Period	Item No. in I. C. C. regulations

_____ (Name)

_____ (Title)

(e) Form of written authority of continuing effect for the destruction of accounts, records, and memoranda. (See § 325.4 (a) and (b) (2).)

The _____ Company,
Office of _____,
_____, 19____.

In conformity with the authority conferred upon me by the Board of Directors, I hereby authorize and direct _____

_____ (Name and title or occupation)

to destroy from time to time the accounts, records, and memoranda of this company in his custody, the destruction of which is permitted by this part to govern the destruction of records of carriers by water, issued by the

Interstate Commerce Commission, effective on August 1, 1945.

(Name)

(Title)

(f) Form of certificate of destruction. (See § 325.5 (a) and (b) (1).)

The ---------- Company,
Office of ----------,
----------, 19----.

I hereby certify that I have this day destroyed the accounts, records, and memoranda listed below, in accordance with the provisions of § 325.9 of this part, pursuant to authority dated ----------, 19----. I further certify that no accounts, records, or memoranda other than those named have been destroyed therewith.

Form No.	Description	Period	Item No. in I. C. C. regulations

(Name)

(Title or occupation)

(g) Form of cumulative certificate of destruction. (See §325.5 (a) and (b) (2).)

The ---------- Company,
Office of ----------,
----------, 19----.

I hereby certify that I have this day destroyed the accounts, records, and memoranda listed below, in accordance with the provisions of § 325.9 of this part, pursuant to your authority dated ----------, 19----. I further certify that no accounts, records, or memoranda other than those named have been destroyed therewith.

Form No.	Description	Period	Item No. in I. C. C. regulations	Date of destruction

---
(Name)

(Title or occupation)

[F. R. Doc. 45-12474; Filed July 10, 1945; 10:56 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 2054031]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 5, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

SIXTH PRINCIPAL MERIDIAN

T. 13 S., R. 97 W.,
Sec. 6, E½SW¼, W½SE¼, and SW¼NE¼;
Sec. 7, lots 1, 2, E½NW¼, NE¼, N½SE¼, and NE¼SW¼;
Sec. 8, W½NW¼, SE¼NW¼, and NW¼SW¼.
The area described aggregates 799.62 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-12557; Filed, July 11, 1945; 9:51 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 89]

CONTRACTING PLASTERERS' ASSN. ET AL.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the Matter of Contracting Plasterers' Association, et al., San Diego, California; Cases Nos. S-2177, S-2178, S-2179.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving members of the Contracting Plasterers' Association, San Diego, California and other building and construction contractors in and around San Diego, California, employing members of Local Union No. 260, Wood, Wire and Metal Lathers International Union, Local Union No. 89, International Hod Carriers, Building and Construction Laborers' Union of America, and Local 346, Operative Plasterers' and Cement Finishers International Association,

I find that the construction, reconstruction or repair of buildings or other works or facilities, other than construction for ordinary residential purposes, by any of the above concerns, pursuant to contract, oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 10th day of July 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

[F. R. Doc. 45-12605; Filed, July 11, 1945; 11:48 a. m.]

[WLD 91]

SINTON TRANSFER

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Sinton Transfer, Keokuk, Iowa; Case No. S-2273.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Sinton Transfer, Keokuk, Iowa,

I find that the local pick-up and delivery activities of Sinton Transfer, Keokuk, Iowa, pursuant to contract, oral or written, for transportation of goods, articles and commodities for manufacturing and meat-packing concerns and railroad or long-distance trucking companies in Keokuk, Iowa, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 10th day of July, 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

[F. R. Doc. 45-12604; Filed, July 11, 1945; 11:48 a. m.]

Wage and Hour Division.

BEET SUGAR INDUSTRY

NOTICE OF OPPORTUNITY TO PETITION FOR REVIEW OF DETERMINATION

Notice of opportunity to petition for review of the determination granting the application for exemption of the beet sugar industry from the maximum hours proviisons of the Fair Labor Standards Act of 1938 pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder.

Whereas, the determination made by the Administrator on August 24, 1940 (5 F.R. 3167) granting an exemption under section 7 (b) (3) of the Fair Labor Standards Act of 1938 for the first processing of perishable or seasonal fresh fruits and vegetables does not apply to all operations performed in the beet sugar industry but is limited to the first processing of sugar beets; and

Whereas, upon consideration of an application for the exemption of the beet sugar industry from the maximum hours provisions of the Fair Labor Standards Act of 1938 as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the act and Part 526, as amended, of the regulations issued thereunder, a preliminary determination was made that a prima facie case had been shown for the granting of the aforesaid exemption to the beet sugar industry and notice thereof was published in the FEDERAL REGISTER on July 14, 1944 (9 F.R. 7860) in accordance with the provisions of § 526.5 (b) (ii) of the regulations; and

Whereas, within 15 days following the publication of the said preliminary determination, the Administrator received objections and requests for hearing; and

Whereas, pursuant to notice in accordance with §§ 526.5 and 526.6 of regulations Part 526, as amended, a public hearing was held in Denver, Colorado, on September 22, 1944 before Nathan Rubinstein, an authorized representative of the Administrator, who was authorized to receive evidence and hear argument for the purpose of determining:

Whether the beet sugar industry is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the act and Part 526, as amended, of the regulations issued thereunder, and if so, the appropriate limits of the industry and the extent to which any determination made pursuant to these proceedings shall supersede the determination made by the Administrator on August 24, 1940 (5 F.R. 3167) granting an exemption under section 7 (b) (3) of the act for the first processing of perishable or seasonal fresh fruits and vegetables insofar as that determination is applicable to the first processing of sugar beets; and

Whereas, following such hearing the said Nathan Rubinstein made his findings of fact and determined as follows:

(1) Sugar beets mature and are harvested during a regularly recurring season each year beginning in most beet producing areas about the middle of September and ending before freezing weather sets in. Although sugar beets are frequently stored for limited periods, deterioration sets in within a short time after they have been harvested and the beets must therefore be processed as quickly as possible to prevent substantial deterioration and loss of sugar;

(2) Sugar beets are processed into sugar during a regular recurring season each year from about October through January, a period of about four months, except in California, where the season may be as long as six months each year;

(3) Sugar beet processing establishments cease production during the remainder of the year except for such work as maintenance, repair, clerical and sales work, because sugar beets are no longer available for processing as a result of natural conditions;

(4) The beet sugar industry as defined in this determination is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526 of the regulations, as amended, issued thereunder;

(5) As used in this determination, the term "beet sugar industry" includes: Receiving the sugar beets at the factory site or at receiving stations operated by the beet sugar factory; the transporting of the beets from such receiving stations to the factory when performed by employees of the sugar beet processor; the production of sugar from the beets and the further extraction of sugar from sugar beet molasses by mixing and concurrently processing the molasses with the beet juice obtained directly from the sugar beets; and the following operations when performed by employees of the sugar beet processor on or near the premises of the beet sugar plant while the sugar beets are being received at the factory or are being processed into sugar: the powdering of sugar; the compressing and artificial drying of wet beet pulp; the weighing, handling, packaging, bagging and storing of sugar, wet beet pulp, dried beet pulp and molasses; the removal of these products from the premises and placing them in transportation facilities; and any operations or services necessary or incident to the foregoing, such as the testing of the equipment, maintenance, repairs, clerical work or sales work. The term "beet sugar industry" does not include the quarrying of lime, the manufacture of bags or other sugar containers, or the manufacture of yeast, citric acid, or any other by-products not specifically included in this definition.

The application is granted in accordance with the above findings and determination, and if and when made final and effective will supersede the determination made by the Administrator on August 24, 1940 (5 F.R. 3167) granting an exemption under section 7 (b) (3) for the first processing of perishable or seasonal fresh fruits and vegetables insofar as that determination is applicable to the first processing of sugar beets; and

Whereas, said findings and determination were duly filed with the Administrator on June 23, 1945, at the National Office of the Wage and Hour Division, 165 West 46th Street, New York 19, New York, and are available for examination by all interested parties;

Now, therefore, pursuant to the provisions of § 526.7 of the aforesaid regulations, notice is hereby given that any person aggrieved by the said determination may, within 15 days after the date this notice appears in the FEDERAL REGISTER, file a petition with the Administrator at the National Office of the Wage and Hour Division requesting that he review the action of the said representative upon the record of the hearing. Such petition shall set forth the grounds upon which the petition for review is based. If no petition for review is filed within the 15 days, the findings and determination of the presiding officer will become final and the exemption for the beet sugar industry as defined in the findings and determination will become effective upon publication of notice to that effect in the FEDERAL REGISTER.

Signed at New York, New York this 5th day of July 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-12509; Filed, July 10, 1945; 4:24 p. m.]

[Administrative Order 357]

SPECIAL INDUSTRY COMMITTEE 4, PUERTO RICO

ACCEPTANCE OF RESIGNATIONS AND APPOINTMENTS OF CERTAIN MEMBERS

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

Do hereby accept the resignations of Mr. Filipo L. de Hostos and Mr. Santiago Diaz-Pacheco from Special Industry Committee No. 4 for Puerto Rico and do appoint in their stead as representatives for the employers on such Committee, Mr. Francisco Pons of San Juan, Puerto

Rico and Mr. Vicente Leon of San Juan, Puerto Rico.

Signed at New York, New York this 3d day of July 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-12510; Filed, July 10, 1945; 4:23 p. m.]

[Administrative Order 358]

SPECIAL INDUSTRY, COMMITTEE 4, PUERTO RICO

ACCEPTANCE OF RESIGNATIONS AND APPOINTMENTS OF CERTAIN MEMBERS

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignations of Mr. Francisco Pons and Mr. Vicente Leon from Special Industry Committee No. 4 for Puerto Rico and do appoint in their stead as representatives for the employers on such Committee, Mr. Filipo L. de Hostos of San Juan, Puerto Rico and Mr. Carlos Garcia de Quevedo of San Juan, Puerto Rico.

Signed at New York, New York this 5th day of July 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-12511; Filed, July 10, 1945; 4:24 p. m.]

[Administrative Order 359]

SPECIAL INDUSTRY COMMITTEE 4, PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT OF CERTAIN MEMBERS

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Carlos Garcia de Quevedo from Special Industry Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mrs. Gloria E. Domenech of Mayaguez, Puerto Rico.

Signed at New York, New York, this 7th day of July, 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-12512; Filed, July 10, 1945; 4:24 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 333]

REROUTING OF TRAFFIC; FLOODS IN EASTERN PENNSYLVANIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of July, A. D. 1945.

It appearing, that flood conditions in an area in the vicinity of Phillipsburg, Allentown and Catasauqua, Pennsylvania, are interfering with operation of rail carriers operating in that area, and that these carriers are unable to transport the traffic offered to them for movement over routes through that area; the Commission is of opinion an emergency exists requiring immediate action in that section of the country to avoid congestion of traffic, and to best promote the service in the interest of the public and the commerce of the people: it is ordered, that:

Flood conditions in the vicinity of Phillipsburg, Allentown and Catasauqua, Pennsylvania—(a) *Rerouting of freight traffic.* All common carriers by railroad, subject to the Interstate Commerce Act, serving the flood area in the vicinity of Phillipsburg, Allentown and Catasauqua, Pennsylvania, with tracks affected by flood conditions, are hereby directed to forward freight traffic having origin or destination in, or ordinarily moving through that flood area, via routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars: *Provided*, That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting. All rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded insofar only as conflicting with the directions hereby made.

(b) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carriers' disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, pursuant to this order, shall be the rates which were applicable at date of shipment over the routes so designated.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(d) *Effective date.* This order shall become effective at 5:00 p. m., July 10, 1945.

(e) *Expiration date.* This order shall expire at 11:59 p. m., July 25, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U. S. C. 1 (10)–(17), 15 (4))

It is further ordered, that copies of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary

[F. R. Doc. 45-12607; Filed, July 11, 1945; 11:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 4068]

LEMARC PRODUCTS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lemarc Products, Incorporated, 209 Chrystie Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Mode	Maximum price for sales by any seller to—			
		Wholesaler (jobber)	Retailer (dealer or more)	Retailer (less than dealer)	Consumer
Single-burner hot plate, covered element, black wrinkle finish, 4' cord and plug	1W	*Each* $1.18	*Each* $1.39	*Each* $1.50	*Each* $1.75
Two-burner hot plate, covered elements, black wrinkle finish, 4' cord and plug	2W	2.88	3.41	3.67	4.25

These maximum prices are for the articles described in the manufacturer's application dated June 13, 1945. They include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and price filled in:

Order No. ------
Model No. ------
OPA Retail Ceiling Price—$----
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Lemarc Products, Incorporated
209 Chrystie Street
New York, N. Y.
Model No. ------
OPA Retail Ceiling Price—$----
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 11th day of July 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12486; Filed, July 10, 1945; 11:33 a. m.]

[MPR 188, Order 4069]

SOUTHWEST QUICK FREEZE DISTRIBUTORS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the 7' frozen food display cabinet, 26 cu. ft., ⅓ hp. condensing unit manufactured by the Southwest Quick Freeze Distributors and as described in its application dated May 31, 1945, shall be:

(1) On sales to jobbers	$387.50
(2) On sales to retailers	465.00
(3) On sales to consumers	775.00

(b) On sales by the Southwest Quick Freeze Distributors the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Southwest Quick Freeze Distributors shall stencil on the inside of the lid or cover of the frozen food display cabinet covered by this order the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA maximum retail price $775.00

Plus freight and crating as provided for in Order No. 4069 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12487; Filed, July 10, 1945; 11:33 a. m.]

[MPR 254, Rev. Order 4]

O. F. MOSSBERG & SONS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1379.4 of Maximum Price Regulation No. 254; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of Model 83 D Shotgun and Model 85 D Shotgun, manufactured by O. F. Mossberg and Sons, Inc., 131 St. John Street, New Haven 5, Conn.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Model	Zone	Maximum prices for sales by all persons to—		
			Distributors (exclusive of Federal excise tax)	Retailers (inclusive of Federal excise tax)	Consumers (inclusive of Federal excise tax)
Shotgun	83D	Eastern	$9.14	$12.56	$15.30
Shotgun	85D	Eastern	10.34	14.10	17.25
Shotgun	83D	Western	9.14	12.96	15.80
Shotgun	85D	Western	10.34	14.50	17.80

These maximum prices are for the articles described in the manufacturer's applications dated January 30, 1945 and May 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 254 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries on and after the effective date of this revised order.

(4) The prices established by this revised order are subject to each seller's customary terms and conditions of sale on sales of similar articles to each class of purchaser. They include the adjustment of maximum prices permitted by § 1379.4a of Maximum Price Regulation No. 254.

(b) At the time of, or prior to, the first invoice to a purchaser for resale, each seller shall notify the purchaser in writing of the maximum price and conditions established by this revised order for resales by the purchaser. This notice may be given in any convenient form.

(c) When used in this revised order, "western zone" means all states lying west of the Rocky Mountains. The rest of the United States is in the eastern zone.

(d) All provisions of Maximum Price Regulation No. 254 not inconsistent with the provisions of this order are applicable to the sales of the article for which maximum prices are established by this revised order.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 11th day of July 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12488; Filed, July 10, 1945; 11:34 a. m.]

[RMPR 300, Order 14]

K. & W. RUBBER CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 8 of Revised Maximum Price Regulation 300 and

section 6.4 of Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation; it is ordered:

(a) *Applicability.* This order applies to all sales of balata air mattresses size 34" x 72" and size 34" x 48" and air pillows size 11" x 14" that are manufactured by the K. & W. Rubber Corporation, Delaware, Ohio.

(b) *Maximum prices.* The maximum net prices for sales of the commodities described in paragraph (a) of this order, shall be:

	Size	For sales to post exchanges, all other retailers and to wholesalers	For sales at retail by post exchanges
Large Air Mattresses	34" x 72"	$15.45	$20.60
Small Air Mattresses	34" x 48"	10.50	14.00
Air Pillows	11" x 14"	1.24	1.65

The maximum prices for sales at retail by all retailers other than post exchanges of the commodities priced by this order shall be 166⅔ percent of the net purchase price, excluding cash discounts.

The above maximum prices for sales to post exchanges, all other retailers and to wholesalers shall be subject to cash discount of 2 percent, ten days, net thirty days. The above prices for the manufacturer's sales to wholesalers, post exchanges and to other retailers are subject to freight terms—f. o. b. Delaware, Ohio.

(c) *Notification of maximum prices.* With or prior to the first delivery of any of the commodities described in paragraph (a) to any reseller, the seller shall give such reseller a written notice of the maximum retail price applicable thereto as established by paragraph (b) of this order. If such reseller is a wholesaler, the notification shall include the maximum price applicable to the wholesaler's resales as established by paragraph (b) of this order and a statement that such wholesaler is required by this order to notify any retailer to whom he sells of the maximum retail price as established by paragraph (b) of this order.

(d) *Recomputation of maximum prices.* Between ninety and one hundred five days after the effective date of this order, the manufacturer shall recompute his costs for each commodity described in paragraph (b) of this order and submit a detailed statement to the Office of Price Administration of the actual unit cost for the production and distribution of each of the commodities based upon actual experience incurred during this period of time.

(e) All provisions of Revised Maximum Price Regulation 300 not inconsistent with this order shall apply to the manufacturer's sales of the commodities priced by this order. All provisions of Revised Maximum Price Regulation 301 that are applicable to the commodities priced under that regulation and that are not inconsistent with this order shall apply to sales by wholesalers and retailers of the commodities priced by this order.

(f) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12489; Filed, July 10, 1945; 11:35 a. m.]

[MPR 478, Order 147]

HOOD RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered:*

(a) The maximum price for sales of the following coated fabric manufactured by the Hood Rubber Company, Watertown 72, Massachusetts, shall be as follows:

37½" 1.32 tent twill, dyed with 20¼ ozs. dry weight of vinyl resin coating embossed: $2.21 per linear yard.

(b) With or prior to the first delivery of the fabric covered by this order, to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12490; Filed, July 10, 1945; 11:35 a. m.]

[MPR 478, Order 148]

HOOD RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478; *It is ordered:*

(a) The maxmum price for sales of the following coated fabric manufactured by the Hood Rubber Company, Watertown 72, Massachusetts, shall be as follows:

40" 60 x 56 3.60 sheeting, dyed and coated with 5.13 oz. dry weight of vinyl resin per square yard, 37½" finished width, $0.73 per linear yard.

(b) With or prior to the first delivery of the coated fabric covered by this order, to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric, which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12491; Filed, July 10, 1945; 11:35 a. m.]

[MPR 478, Order 149]

PLYMOUTH RUBBER CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation No. 478; *It is ordered:*

(a) The maximum prices for sales of the following coated fabrics manufactured by the Plymouth Rubber Company, Inc., Canton, Massachusetts, shall be as follows:

40" 56 x 48 4.30 sheeting with 4 to 4½ oz. dry weight of pyroxylin coating embossed: $0.38 per linear yard.

40" 56 x 48 4.30 sheeting with 6 to 6½ oz dry weight of pyroxylin coating embossed: $0.46 per linear yard.

(b) With or prior to the first delivery of fabrics covered by this order, any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of these coated fabrics which is the maximum price set forth in (a) above.

(c) All provisions of Maximum Price Regulation No. 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12492; Filed, July 10, 1945; 11:35 a. m.]

[MPR 580, Order 81]

BALI BRASSIERE CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 81 to Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-207.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Bali Brassiere Co., Inc., Eight West Thirtieth Street, New York, N. Y., and described in the manufacturer's application dated May 17, 1945.

Article	Brand name	Style No.	Manufacturer's price line (per dozen)	Ceiling price at retail (per unit)
Bandeau	Bali Bra	101-c	$10.51	$1.50
	do	101-a	9.15	1.25
	do	7404-A	13.50	2.00
	do	9401-A	10.69	1.50
	do	105-B	9.33	1.25
	do	7405-B	15.00	2.50
	do	9405-B	12.00	1.75
	do	106-C	11.95	1.50
	do	7406-C	18.00	3.00
	do	9406-C	15.00	2.25
	do	107-D	13.12	2.00
	do	7407-D	21.00	3.50
	do	9407-D	13.76	2.50
Bandeau	do	108-B	10.47	1.50
Brassiere	do	283-D	16.54	2.50
	do	284-B	13.23	2.00
	do	285-C	13.23	2.00
	do	2855-C	18.00	3.00
	do	286-C	14.82	2.25
	do	287-C	19.53	3.00
	do	288-A	12.24	2.00
	do	240-B	14.96	2.25
	do	7808-B	30.00	5.00
	do	244-C	18.00	3.00
	do	7891-C	30.00	5.00
	do	295-C	16.57	2.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Bali Brassiere Co., Inc. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12493; Filed, July 10, 1945; 11:36 a. m.]

[MPR 580, Order 82]

BEAU BRUMMELL TIES, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 82 to Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-15.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Beau Brummell Ties, Inc., Cincinnati, Ohio, and described in the manufacturer's application dated March 31, 1945:

Article	Brand name	Manufacturer's price line	Ceiling price at retail
Bow ties	Beau Brummell Palm Beach.	*Per dozen* $4.75	*Per unit* $0.75

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Beau Brummell Ties, Inc. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price—$------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12494; Filed, July 10, 1945; 11:36 a. m.]

[MPR 580, Order 83]

F. C. HUYCK & SONS

ESTABLISHMENT OF MAXIMUM PRICES

Order 83 to Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-213.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by F. C. Huyck & Sons, Albany 1, N. Y., and described in the manufacturer's application dated May 18, 1945.

Article	Brand name	Manufacturer's selling price	Ceiling price at retail in States enumerated below	Ceiling price at retail, except in States enumerated below
Blanket No. 43 Famous, 72 x 90.	Kenwood	$9.60	$10.50	$15.95

Arizona, California, New Mexico, Oklahoma, Texas, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, North Dakota, and South Dakota.

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, F. C. Huyck & Sons, must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12495; Filed, July 10, 1945; 11:36 a. m.]

[MPR 580, Order 84]

FRANK H. LEE CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order 84 to Maximum Price Regulation 580. Establishing ceiling prices at retail

for branded articles. Docket No. 6063–580–13–209.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by The Frank H. Lee Company, Danbury, Conn. and described in the manufacturer's application dated May 21, 1945:

Article	Brand name	Style name	Manufacturer's price line (per dozen)	Ceiling price at retail per unit
Hats	Lee	Sportweight	$36 00	$5 00
		Water Bloc	45 00	6 50
		Pants Pocket Water Bloc	54 00	7 50
		Lee Water Block Ten	72 00	10 00
		Water Bloc Hunter	84 00	12 50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, The Frank H. Lee Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price—$------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–12466; Filed, July 10, 1945; 11:37 a. m.]

[MPR 580, Order 85]

SIMMONS CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order 85 to Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063–580–13–166.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Simmons Company, 230 Park Avenue, New York 17, N. Y., and described in the manufacturer's application dated May 1, 1945:

Article	Brand name	Style name	Manufacturer's price line	Ceiling price at retail
Mattress	Simmons	White Knight	$21	$39 50
Do	do	Luxyoury	21	39 50
Box spring	do	Beautyrest	21	39 50
Do	do	White Haven	16	29 95
Mattress	do	do	16	29 95

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Simmons Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11th, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–12467; Filed, July 10, 1945; 11:37 a. m.]

[Max. Import Price Reg., Order 98]

BALSA LUMBER

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which importers and intermediate distributors may sell, and maximum prices at which any person may buy from such sellers, imported balsa lumber. The balsa lumber to which this order applies is identified by grades, as indicated in paragraph (b), which are generally recognized and used in the trade. Sales of other grades of balsa lumber by importers and intermediate distributors remain subject to the Maximum Import Price Regulation.

(b) *Maximum prices.* Notwithstanding the provisions of the Maximum Import Price Regulation, on and after July 12, 1945, regardless of any contract, agreement, or other obligation, no importer or intermediate distributor may sell or deliver, and no person may buy or receive from such sellers, imported balsa lumber at prices per thousand feet board measure, exceeding the following:

(1) *Sales by importers*—(i) *Random lengths (36" and longer).*

	Kiln dried		Air dried	
	Bundled dressed	Bundled or loose rough	Bundled dressed	Bundled or loose rough
Atlantic and Gulf ports				
Grade:				
AA and A	$160 00	$161 00	$158 50	$[illegible]
B	150 75	145 75	143 25	[illegible]
C	135 75	130 75	128 25	[illegible]
California ports				
Grade:				
AA and A	158 75	153 25	150 50	145 [illegible]
B	143 00	138 00	135 50	130 [illegible]
C	127 75	122 75	120 25	115 [illegible]

(ii) *Shorts.* Deduct $10.00 per thousand feet board measure from prices established for "random lengths."

These prices are "free-of-ships-tackle" and include excise tax and entry fees. They also include any expenses of protecting the upper and lower surfaces of bundled dressed lumber against damage during shipment, by the use of slabs of native lumber. Costs actually incurred in effecting deliveries of balsa lumber, other than on the basis of "free-of-ships-tackle", may be added. Services rendered in making delivery in accordance with the buyer's specification may be charged in addition to the above. *Provided*, That such charges may not exceed the maximum permitted by the applicable maximum price regulation.

(2) *Sales by intermediate distributors.* The maximum price an intermediate distributor may charge may not exceed the sum of the following:

(i) Net cost, which may not be higher than the maximum price of his supplier.

(ii) Transportation expenses incurred to his warehouse or yard.

(iii) Handling charges as follows:

(*a*) On balsa lumber received from the importer in bundles and reshipped in the same bundles, the maximum handling charge may not exceed $10.00 per thousand feet board measure for all grades and thicknesses.

(*b*) On balsa lumber received and/or shipped in any other manner than that specified in subparagraph (*a*) above, the maximum handling charges per thousand feet board measure may not exceed

(*1*) $30.00 on lumber less than 1¾" sales thickness.

(*2*) $25.00 on lumber in sales thicknesses of 1¾" to 2½" inclusive.

(*3*) $20.00 on lumber in sales thicknesses of 2¾" or more.

(iv) A markup, on the sum of items (i), (ii) and (iii), of 30% on sales of 1,000 feet or less, 20% on sales of 1,000 feet to 5,000 feet, inclusive, 15% on sales of 5,000 feet to 15,000 feet, inclusive, and 10% on all sales over 15,000 feet.

NOTE: The size of the sale is determined on the basis of the total amount involved in the transaction, regardless of size of particular orders or shipments.

(c) *Definitions.* (1) "Grades" shall mean the grades of balsa lumber, as set forth in the grading rules of FEA, revised May 1, 1944, in effect under the FEA purchase program of balsa lumber, and which are generally recognized as such in the trade.

(2) "Shorts" means pieces of balsa lumber under 36" in length.

(d) *Brokers or agents commissions.* The maximum prices established by this order include, and may not be increased by, any commission paid to any broker or to any buying or selling agent.

(e) *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid or offered.

(f) *Application of the Maximum Import Price Regulation.* Unless the context otherwise requires, the provisions of the Maximum Import Price Regulation, as amended, shall apply to sales for which maximum prices are established by this order.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–12597; Filed, July 11, 1945; 11:37 a. m.]

[RPS 49, Order 18]

RESALE OF IRON OR STEEL PRODUCTS

ESTABLISHMENT OF MAXIMUM PRICES ON COILED HAY BALING WIRE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1306.159 (c) (3) of Revised Price Schedule No. 49, *It is ordered:*

(a) Any person may sell and deliver and any person may buy and receive hay baling wire in continuous length even-weight coils, manufactured for use in automatic or semi-automatic hay baling machines, at prices not in excess of the maximum delivered prices set forth herein as applicable to the type of shipment made.

(1) For direct mill shipments of any quantity or for shipments of any quantity which has not been put through the "operations commonly known as the warehousing or iron or steel products" as defined in § 1306.157 (s) of Revised Price Schedule No. 49, the maximum delivered price shall be the same price that a mill would be permitted to charge for an identical shipment under the provisions of Revised Price Schedule No. 6, Iron and Steel Products.

(2) For out-of-stock shipments of material which has been put through the "operations commonly known as the warehousing of iron or steel products" as defined in § 1306.157 (s) of Revised Price Schedule No. 49, when sold to persons buying for resale in substantially the same form as received; to contractors; industrial, commercial, or institutional buyers; or the Federal or any State Government, or political subdivisions thereof:

(i) In quantities of iron or steel products totaling less than 40,000 pounds, the aggregate of:

(*a*) The direct mill shipment 40,000 pound price f. o. b. the city in which the warehouse or store is located, computed in accordance with the provisions of Revised Price Schedule No. 6, Iron or Steel Products, by using the carload rate of freight from governing basing point to the city in which the warehouse or store is located, (provided that if the material is shipped direct to such warehouse or store by the producing mill and that mill is permitted to use and uses the emergency basing point provisions set forth in Revised Price Schedule No. 6) the carload rate of freight actually charged may be used; plus

(*b*) A markup of 20 percent of such price; plus

(*c*) The actual transportation charges paid from the location of stock to destination of customer.

(ii) In quantities of iron or steel products totaling 40,000 pounds or more, the aggregate:

(*a*) The maximum delivered price set forth in section (2) (i) above for shipments in quantities less than 40,000 pounds; minus

(*b*) Fifteen cents per 100 pounds.

(3) For out-of-stock shipments of material which has been put through the "operations commonly known as the warehousing of iron or steel products" as defined in § 1306.157 (s) of Revised Price Schedule No. 49 when sold to persons buying for use, other than those named in (2) above.

(i) In quantities greater than 2500 pounds, the applicable maximum delivered price set forth in (2) above.

(ii) In quantities of 2500 pounds or less, the aggregate of:

(*a*) The permissible maximum price that the seller may pay his source of supply under this Order or under Revised Price Schedule No. 6, whichever governed the transaction; plus

(*b*) A markup of 33⅓ percent of such price; plus

(*c*) The actual transportation charges paid from the location of the stock to destination.

(b) Definitions. (1) "Carload rate of freight" means the lowest filed rail rate of freight (for the wire covered by this order) between the points indicated, increased by 3 percent.

(2) All other terms used herein shall have the meaning given them in Revised Price Schedule No. 49.

(c) All orders for iron or steel products, other than pipe or tubular products, received from one customer in one day for shipment to one destination at one time or at seller's convenience, shall be combined for quantity.

(d) Except as set forth herein, all provisions of Revised Price Schedule No. 49 shall be applicable to sellers and buyers of this material.

(e) This order may be modified, amended or revoked by the Administrator at any time.

This order shall become effective on the 14th day of July 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–12609; Filed, July 11, 1945; 11:38 a. m.]

SURPLUS PROPERTY BOARD.

[SPB Reg. 3,[1] Order 3]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN SUFFOLK AND NASSAU COUNTIES, LONG ISLAND, N. Y.

Pursuant to § 8303.4 and in reliance upon the certificate of the War Food Administrator to the Surplus Property Board that farm production is impaired or threatened to be impaired in Suffolk and Nassau Counties, Long Island, New York, by a shortage of pickup and one-and-one-half-ton trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Suffolk and Nassau Counties, Long Island, New York and holding certificates of the Agricultural Adjustment Agency, 12 one-and-one-half-ton trucks, 1 pickup truck, and 2 reconnaissance trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

[1] 10 F.R. 5825.
[2] SPB Reg. 2, 10 F.R. 5104.

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 6, 1945.

[F. R. Doc. 45-12551; Filed, July 11, 1945; 9:47 a. m.]

[SPB Reg. 3,[1] Order 4]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN DELAWARE, MARYLAND, AND VIRGINIA

Pursuant to § 8303.4 and in reliance upon the certificate of the War Food Administrator to the Surplus Property Board that farm production is impaired or threatened to be impaired in New Castle, Kent, and Sussex Counties, Delaware; in Cecil, Queen Annes, Kent, Caroline, Talbot, Dorchester, Wicomico, Somerset and Worcester Counties, Maryland; and in Accomac and Northampton Counties, Virginia; by a shortage of one-half-ton pickup and one-and-one-half-ton trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in New Castle, Kent and Sussex Counties, Delaware; in Cecil, Queen Annes, Kent, Caroline, Talbot, Dorchester, Wicomico, Somerset and Worcester Counties, Maryland; and in Accomac and Northampton Counties, Virginia, and holding certificates of the Agricultural Adjustment Agency, 24 one-half-ton pickup trucks, 2 one-and-one-half-ton panel trucks, 8 one-and-one-half-ton stake body trucks, and 6 one-and-one-half-ton cargo trucks, and shall without regard to the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 6, 1945.

[F. R. Doc. 45-12552; Filed, July 11, 1945; 9:47 a. m.]

[SPB Reg. 3,[1] Order 5]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN MAINE

Pursuant to § 8303.4 and in reliance upon the certificate of the War Food Administrator to the Surplus Property Board that farm production is impaired or threatened to be impaired in Aroostook, Piscataquis, Somerset, Penobscot and Waldo Counties, Maine, by a shortage of pickup trucks, one-and-one-half-ton trucks and heavier trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Aroostook, Piscataquis, Somerset, Penobscot and Waldo Counties, Maine, and holding certificates of the Agricultural Adjustment Agency, 20 one-half-ton pickup trucks, 10 reconnaissance trucks, 16 one-and-one-half-ton trucks, and 1 one-and-one-half-ton panel truck, and to farmers and farmers' cooperative associations located in Aroostook County, Maine, and holding certificates of the Agricultural Adjustment Agency, 2 one-and-one-half-ton trucks, 2 one-and-one-half-ton to three-ton trucks, and 3 two-ton to three-and-one-half-ton trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 6, 1945.

[F. R. Doc. 45-12553; Filed, July 11, 1945; 9:47 a. m.]

[SPB Reg. 3,[1] Order 6]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN WISCONSIN

Pursuant to § 8303.4 and in reliance upon the certificates of the War Food Administrator to the Surplus Property Board that farm production is impaired or threatened to be impaired in Outagamie, Calumet, Winnebago, Manitowoc, Fond du Lac, Green Lake, Sheboygan, Washington, Dodge, Columbia, Sauk, Dane, Green, Rock, Walworth, and Jefferson Counties, Wisconsin, by a shortage of one-and-one-half-ton dump, cargo-stake-and-platform, and cargo trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Outagamie, Calumet, Winnebago, Manitowoc, Fond du Lac, Green Lake, Sheboygan, Washington, Dodge, Columbia, Sauk, Dane, Green, Rock, Walworth, and Jefferson Counties, Wisconsin, and holding certificates of the Agricultural Adjustment Agency, 59 one-and-one-half-ton dump, cargo-stake-and-platform, and cargo trucks, and shall without regard to the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 6, 1945.

[F. R. Doc. 45-12554; Filed, July 11, 1945; 9:47 a. m.]

[SPB Reg. 3,[1] Order 7]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN OREGON

Pursuant to § 8303.4 and in reliance upon the certificate of the War Food Administrator to the Surplus Property Board that farm production is impaired or threatened to be impaired in the Counties of Jefferson, Wasco, Sherman, Gilliam, Morrow, and Umatilla, Oregon, by a shortage of one-and-one-half-ton and two-ton cargo and flat-bed trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in the Counties of Jefferson, Wasco, Sherman, Gilliam, Morrow, and Umatilla, Oregon, and holding certificates of the Agricultural Adjustment Agency, 36 one-and-one-half-ton cargo trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 6, 1945.

[F. R. Doc. 45-12555; Filed, July 11, 1945; 9:47 a. m.]

[SPB Reg. 3,[1] Order 8]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN BERRIEN AND VAN BUREN COUNTIES, MICH.

Pursuant to § 8303.4 and in reliance upon the certificate of the War Food Administrator to the Surplus Property Board that farm production is impaired or threatened to be impaired in Berrien and Van Buren Counties, Michigan, by a shortage of one-and-one-half-ton and two-ton cargo, dump, stake, and cab and chassis trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Berrien and Van Buren Counties, Michigan, and holding certificates of the Agricultural Adjustment Agency, 15 one-and-one-half-ton and two-ton cargo, dump, stake, and cab and chassis trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 6, 1945.

[F. R. Doc. 45-12556; Filed, July 11, 1945; 9:48 a. m.]

[1] 10 F.R. 5325.
[2] SPB Reg. 2, 10 F.R. 5104.

WAR MANPOWER COMMISSION.

WILMINGTON, DEL., AREA

MINIMUM WARTIME WORKWEEK

Amendment to the designation of the Wilmington, Delaware, area, as subject to the provisions of Executive Order No. 9301.

The designation of the Wilmington, Delaware, Area (9 F.R. 2064) as subject to the provisions of Executive Order No. 9301 is hereby revoked as it applies to activities and establishments not designated as essential or locally-needed by the War Manpower Commission, effective July 9, 1945.

The application of Executive Order No. 9301 to essential and locally-needed activities in the designated area shall be made in accordance with policies and procedures established by the War Manpower Commission.

The geographical area affected by this amendment shall be the same as specified in the original designation.

Dated: July 5, 1945.

PAUL C. LEWIS,
Regional Director.

[F. R. Doc. 45-12507; Filed, July 10, 1945; 2:38 p. m.]

NEWARK, N. J., AREA

MINIMUM WARTIME WORKWEEK

Amendment to the designation of the Newark, New Jersey, area as subject to the provisions of Executive Order No. 9301.

The designation of the Newark, New Jersey, Area (9 F.R. 2430) as subject to the provisions of Executive Order No. 9301 is hereby revoked as it applies to activities and establishments not designated as essential or locally needed by the War Manpower Commission, effective July 10, 1945.

The application of Executive Order No. 9301 to essential and locally needed activities in the designated area shall be made in accordance with policies and procedures established by the War Manpower Commission.

The geographical area affected by this amendment to Region III General Order No. 2 shall be the same as specified in the original order.

Dated: July 6, 1945.

PAUL C. LEWIS,
Regional Director.

[F. R. Doc. 45-12508; Filed, July 10, 1945; 2:38 p. m.]

WAR PRODUCTION BOARD.

[C-213, Revocation]

MASSACHUSETTS APARTMENTS, INC. AND WALLACE R. MARDEN

CONSENT ORDER

Consent Order C-213 was issued September 19, 1944 against Massachusetts Apartments, Inc. and Wallace R. Marden for violation of Conservation Order L-41 upon the consent of Massachusetts Apartments, Inc. and Wallace R. Marden, the Regional Compliance Manager and the Regional Attorney, and with the approval of a Compliance Commissioner. Massachusetts Apartments, Inc. and Wallace R. Marden have made application with the Federal Housing Administration for authorization to complete the construction of the premises located at #9 Lantern Lane, Hingham, Massachusetts. The Federal Housing Administration is prepared to authorize the construction requested in the application and the Regional Compliance Manager and the Regional Attorney have consented to the revocation of this consent order.

In view of the foregoing, the Director of the Compliance Division and the Office of General Counsel have directed that Consent Order C-213 be revoked.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12582; Filed, July 11, 1945; 11:32 a. m.]

[C-226, Revocation]

MOLLY MOSKOWITZ

CONSENT ORDER

Molly Moskowitz, 7807 Broadway Avenue, Cleveland, Ohio, was charged by the War Production Board with having done construction in August 1945, without permission of the War Production Board of a cafe and residence located at the above address, at an estimated cost in excess of $200, in violation of Conservation Order L-41. Consent Order No. C-226 was entered into by Molly Moskowitz, the Regional Compliance Chief and the Regional Attorney with the approval of the Compliance Commissioner. In view of the fact that Conservation Order L-41, as amended May 29, 1945, raises the limit on this type of construction to $5,000 the Director of the Compliance Division and the Office of General Counsel have directed that Consent Order C-226 be revoked.

In view of the foregoing, it is hereby ordered that *Consent Order C-226* be revoked.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12579; Filed, July 11, 1945; 11:31 a. m.]

[C-269, Revocation]

THEODORE W. FOSTER & BROTHER CO., INC.

CONSENT ORDER

Consent Order C-269 was issued February 20, 1945 against Theodore W. Foster & Brother Company, Inc. for violation of Conservation Order M-199 upon the consent of Theodore W. Foster & Brother Company, Inc., the Regional Compliance Chief and the Regional Attorney, and with the approval of the Compliance Commissioner. In view of the fact that Conservation Order M-199, as amended May 25, 1945, removes the quota restrictions on the use of domestic silver, the Director of the Compliance Division and the Office of General Counsel have directed that the consent order be revoked.

In view of the foregoing, it is hereby ordered that *Consent Order C-269* be revoked.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12583; Filed, July 11, 1945; 11:32 a. m.]

[C-340, Revocation]

UNIVERSITY PARK LUMBER YARD

CONSENT ORDER

A Consent Order No. C-340 was entered into by University Park Lumber Yard, a partnership, the Regional Compliance Chief and the Regional Attorney, with the approval of the Compliance Commissioner on March 7, 1945. The University Park Lumber Yard began complying with the terms of the consent order on that date although it was not issued and did not become effective until May 18, 1945. Since the respondent has complied with the terms of the consent order for more than three months, the Director of the Compliance Division and the Office of General Counsel have directed that Consent Order C-340 be revoked.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12587; Filed, July 11, 1945; 11:32 a. m.]

[C-385]

WEISBERG-BAER CO.

CONSENT ORDER

The Weisberg-Baer Company, a corporation with its principal office and place of business at 403 26th Avenue, Astoria, New York, is engaged in the manufacture of millwork products, unpainted furniture, and in the distribution of lumber. It is charged with having violated War Production Board Order M-208 in that during the period from April 19, 1943 through March 31, 1944, it used and consumed 1,372,016 board feet of softwood lumber for the manufacture of furniture. The Weisberg-Baer Company admits the violation as charged, does not desire to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of The Weisberg-Baer Company, the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) For a period of four months from the effective date of this order, The Weisberg-Baer Company, its successors or as-

signs, shall not fill any orders or contracts requiring the use of lumber as defined in or controlled by Order L–335 as amended from time to time and shall not deliver any lumber as defined in or controlled by Order L–335 as amended from time to time except on orders or contracts bearing a preference rating of AA–3 or higher.

(b) Nothing contained in this order shall be deemed to relieve The Weisberg-Baer Company, its successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as they may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 18, 1945.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12581; Filed, July 11, 1945; 11:32 a. m.]

[C–389]

CHILDHOOD INTERESTS, INC.

CONSENT ORDER

Childhood Interests, Inc., a corporation of the State of New Jersey, with its principal office and place of business at 180 Westfield Avenue, Roselle Park, New Jersey, engaged in the business of manufacturing toys, is charged with having violated War Production Board Order L–81, in that during that period January 1, 1944, to and including November 30, 1944, said corporation exceeded its quota on joining hardware by 3,895 lbs. and with violating Order L–317 in that the said corporation exceeded its quota under said order by 750,417 square feet. Childhood Interests, Inc. admits the violations as charged but does not desire to contest the aspect of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Childhood Interest, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Childhood Interests, Inc., its successors and assigns, for the third and fourth calendar quarters of the year 1945, shall reduce it quota of container-board content of its fibre shipping containers as provided by Order L–317 by 50% of what it would be entitled to under the provisions of that order during each of those quarters.

(b) Nothing contained in this order shall be deemed to relieve Childhood Interests, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12584; Filed, July 11, 1945; 11:32 a. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 10 NUMBER 139

Washington, Friday, July 13, 1945

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 502—REGULATIONS AFFECTING MILITARY RESERVATIONS

CIVILIAN PERSONNEL

Section 502.18 (b) is rescinded and the following substituted in lieu thereof:

§ 502.18 *General duties.* • • •

(b) *Mess personnel and janitors.* (1) The employment of civilians as cooks, bakers, butchers, and mess attendants in enlisted messes operated on the field or garrison ration is authorized except in messes of units organized under tables of organization and equipment in which this personnel is provided.

(2) Where required, the employment of civilians as janitors in enlisted barracks and office buildings is authorized.

(3) Civilian personnel employed under the provisions of (1) and (2) above will be paid from appropriated funds. The use of nonappropriated funds for this purpose is unauthorized. (R.S. 161; 5 U.S.C. 22) [AR 210–10, 20 Dec. 1940 as amended by W.D. Cir. 179, 16 June 1945]

[SEAL] EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 45–12663; Filed, July 12, 1945; 10:53 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51269]

PART 14—APPRAISEMENT

EXAMINATION OF MERCHANDISE

Examination of less than 1 package of every 10 packages of certain commodities authorized; § 14.1 (b), Customs Regulations of 1943, as amended by T. Ds. 50959 and 51090, further amended.

It is my opinion that the examination of less than 1 package of every 10 packages, but not less than 1 package of every invoice, of the merchandise hereinafter described, if such merchandise is (1) imported in packages the contents and values of which are uniform, or (2) imported in packages the contents of which are identical as to character although differing as to quantity and value per package, will amply protect the revenue:

Brooms.
Chrom-X.
Life preservers.
Riser-X.
Sil-X.
Tobacco, unstemmed leaf.

Therefore, by virtue of the authority contained in sections 499 and 624 of the Tariff Act of 1930, as amended (19 U.S.C. secs. 1499 and 1624), I do by this special regulation permit and authorize a less number of packages than 1 package of every 10 packages, but not less than 1 package of every invoice, of the above-described merchandise to be examined.

This special regulation shall not be construed to preclude the examination of packages in addition to the minimum number hereby permitted to be examined if the collector or the appraiser shall deem it necessary that a greater number of packages be examined.

In view of the foregoing, § 14.1 (b), Customs Regulations of 1943 (19 CFR, Cum. Supp., 14.1 (b)), as amended by T.D. 50959 (8 F.R. 15361) and T.D. 51090 (9 F.R. 7743), containing a list of merchandise as to which collectors are especially authorized to designate for examination less than 1 package of every 10 packages, is hereby amended by inserting in said list in proper alphabetical position the following:

Brooms.
Chrom-X.
Life preservers.
Riser-X.
Sil-X.
Tobacco, unstemmed leaf.

The number of this Treasury decision shall be added as a marginal notation to § 14.1 (b).

(Continued on p. 8685)

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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(Sec. 499, 46 Stat. 728; secs. 15, 16 (a), 52 Stat. 1084; sec. 624, 46 Stat. 759; 19 U.S.C. 1499, 1624)

[SEAL] W. R. JOHNSON, *Commissioner of Customs.*

Approved: July 9, 1945.

HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 45-12623; Filed, July 11, 1945; 4:17 p. m.]

TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter B—Marketing of Perishable Agricultural Products

PART 47—RULES OF PRACTICE UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

Correction

In Federal Register Document 45-3047, appearing at page 2209 of the issue for Tuesday, February 27, 1945, the following changes should be made:

In § 47.2 (a) the word "mandatory" should read "amendatory".

In § 47.5 the reference to "§ 47.44" should read "§ 47.43".

The first sentence of § 47.41 (a) should read "As soon as practicable after the receipt of the record from the hearing clerk, or, in case oral argument was had before the Administrator, as soon as practicable thereafter, the Administrator, upon the basis of the record, shall begin his consideration of the final order to be issued in the proceeding."

Chapter XI—War Food Distribution Orders

[WFO 131, Amdt. 1]

PART 1430—SUGAR

PRIMARY DISTRIBUTOR DEFINITION

War Food Order No. 131 (10 F.R. 7131), is hereby amended by deleting paragraph (a) (3) and substituting in lieu thereof the following:

(3) "Primary distributor" means any person who manufactures direct consumption sugar or who imports or brings direct consumption sugar into the 48 States or the District of Columbia from any place other than Canada or Mexico, for the purpose of sale or transfer.

This amendment shall become effective at 12:01 a. m., e. w. t., July 3, 1945. With respect to violations, rights accrued, liabilities incurred or appeals taken, prior to said date, under War Food Order No. 131, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 10th day of July 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

[F. R. Doc. 45-12611; Filed, July 11, 1945; 12:45 p. m.]

[WFO 42, Amdt. 17]

PART 1460—FATS AND OILS

DEFINITION OF EDIBLE FAT OR OIL PRODUCT

War Food Order No. 42, as amended (9 F.R. 12075, 10 F.R. 2679, 3315, 5060, 7961), is further amended by deleting paragraph (a) (3) (v) and substituting in lieu thereof the following:

(v) Oil used to can tuna, bonito, yellowtail, or sardines.

This amendment shall become effective at 12:01 a. m., e. w. t., July 12, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 42, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 10th day of July 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

[F. R. Doc. 45-12610; Filed, July 11, 1945; 12:45 p. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-14]

PART 701—PRIVATE AND PUBLIC WAR HOUSING

HOUSING FOR DISTRESSED FAMILIES OF VETERANS AND SERVICEMEN

Sec.
701.10 Purpose.
701.11 Definition of distressed families.
701.12 Finding under Title V of the Lanham Act.
701.13 Occupancy in public housing under jurisdiction of the Administrator.
701.14 Occupancy in private war housing.
701.15 Application of other NHA public regulations.

AUTHORITY: §§ 701.10 to 701.15, inclusive, issued under 55 Stat. 838; E.O. 9070, 7 F.R. 1529; 54 Stat. 676 as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329 as amended by E.O. 9040, 7 F.R. 527, and E.O. 9125, 7 F.R. 2719; and 54 Stat. 1125, as amended.

§ 701.10 *Purpose.* (a) Public Law 87, 79th Congress, approved by the President June 23, 1945, amended the Lanham Act by adding Title V which authorizes the National Housing Administrator to exercise all the powers specified in Titles I and III of the Lanham Act (which relate to housing for war workers) to provide housing for distressed families of servicemen and for veterans and their families who are affected by evictions or other unusual hardships. Such housing may be provided only where the needs of such families cannot be met through utilization of the existing housing supply, including housing under the jurisdiction of the Administrator, in those areas where he finds a need therefor in accordance with the provisions of Title V. It is the purpose of §§ 701.10 to 701.15, inclusive, to make distressed families of servicemen and veterans (as hereinafter defined) eligible in the same manner as in-migrant civilian war workers for occupancy in vacancies (1) in certain Federally-owned public housing projects under the jurisdiction of the Administrator, in accordance with Title V of the Lanham Act, and (2) in any private war housing subject to occupancy restrictions or controls of the National Housing Agency where such families are not otherwise eligible because of priority restrictions on occupancy, in order that owners of private war housing may, if they wish, make it available to such distressed families, subject to any other applicable priority restrictions.

§ 701.11 *Definition of distressed families.* (a) As used in §§ 701.10 to 701.15, inclusive, "distressed families" means families of servicemen or veterans which are without housing, by reason of eviction, low income or otherwise, and are unable to find in the area adequate housing within their financial reach, and constitutes families affected by unusual hardships within the meaning of §§ 701.10 to 701.15, inclusive. This includes a family of a returning veteran who is unable to find a dwelling in the area within his financial reach in which he can re-establish his family. Distressed families, otherwise eligible, include families of deceased servicemen or veterans. A family of a serviceman or veteran consisting of only one occupant is only eligible for appropriate dwelling accommodations for single persons. An eligible veteran must be a person who has served in the military or naval forces of the United States during the present war and who has been discharged or released therefrom under conditions other than dishonorable.

§ 701.12 *Finding under Title V of the Lanham Act.* (a) In accordance with Title V (section 501) of the Lanham Act (Public 849, 76th Congress, as amended) and subject to subsequent determinations, it is hereby found that in those localities in which war housing has been programmed or built and where distressed families are without adequate housing accommodations and are unable to find such accommodations within their financial reach, an acute shortage of housing exists within the meaning of said section 501 and that, because of war restrictions, permanent housing cannot be provided in sufficient quantities when needed.

§ 701.13 *Occupancy in public housing under jurisdiction of the Administrator.* (a) In all active Public Law 849 (Lanham Act), Public Law 9 (Temporary Shelter Acts) and Public Law 781 (Naval Appropriation Act, 1941) public housing projects under the jurisdiction of the

National Housing Administrator, distressed families are eligible and shall be admitted to vacancies in the same manner and on a parity with in-migrant civilian war workers, except in those housing projects, or parts thereof, now or hereafter reserved by the National Housing Agency for the exclusive use of war workers of a specific industry, plant or installation or employees or military personnel of the Army, Navy, Coast Guard or Marine Corps.

(b) The Commissioner of the Federal Public Housing Authority is hereby authorized and directed to fix fair rentals for housing constructed or made available under Title V of the Lanham Act which shall be within the financial reach of families of servicemen and veterans with families.

§ 701.14 *Occupancy in private war housing.* (a) Distressed families are hereby made eligible and may be admitted to vacancies in any priority-assisted private war housing which is subject to occupancy restrictions or controls of the National Housing Agency, to the same extent and on a parity with in-migrant civilian war workers. *Provided*, That no owner of such housing shall force or demand possession thereof or evict an occupant for the purpose of occupancy by a distressed family unless otherwise entitled to such possession. The authority conferred by this section is permissive only and shall not impose any additional obligation or restriction upon an owner of priority-assisted private war housing nor otherwise waive, relax or suspend any applicable WPB or NHA regulation or other priority restriction.

(b) The owner of any housing made available to distressed families under §§ 701.10 to 701.15, inclusive, shall file the "Compliance Report on Occupancy of Private War Housing" (Form NHA 60-8) or use the Housing Referral Card (Form NHA 30-34), which have been revised to provide for the eligibility of such families, in the same manner as required for housing made available to in-migrant war workers.

§ 701.15 *Application of other NHA public regulations.* (a) Except as otherwise provided in §§ 701.10 to 701.15, inclusive, all of the provisions in the public regulations of the National Housing Agency (Title 24, Chapter VII) applicable to in-migrant civilian war workers shall be applicable in the same manner and to the same extent to distressed families, and for this purpose the words "indispensable in-migrant civilian war workers", "eligible war workers", or similar terms used in such regulations shall be extended to include distressed families, and housing for these families shall be "war housing" within the meaning of such regulations, unless a different meaning clearly appears from the context: *Provided*, That §§ 701.10 to 701.15, inclusive, shall not affect or apply to the rights of distressed families to obtain priority assistance and authorization to construct housing for their occupancy.

This regulation shall be effective immediately.

[SEAL] JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 45-12613; Filed, July 11, 1945; 2:26 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter III—The Tax Court of the United States

PART 701—RULES OF PRACTICE

RENEGOTIATION OF WAR CONTRACTS CASES

Amendment to the Rules of Practice, edition of July 1, 1944.

Section 701.64 (b) (9) (9 F.R. 3286) is amended to read as follows:

§ 701.64 *Renegotiation of war contracts cases.* • • •

(b) • • •

(9) A copy of the notice by the Board, and a copy of the order of the Board, or of its delegates, as the case may be, determining the amount of excessive profits, which notice and order form the basis for the initiation of the proceeding under section 403 (e) (1) of the act, or a copy of the order by the Secretary determining the amount of excessive profits, which order forms the basis for the initiation of the proceeding under section 403 (e) (2) of the act, shall be appended to the petition. If a statement has been furnished to the petitioner by the Board or the Secretary setting forth the facts upon which the determination of excessive profits was based and the reasons for such determination, a copy of such statement shall also be appended to the petition.

(Sec. 1111, Internal Revenue Code of 1939)

Dated: July 10, 1945.

By the Court.

[SEAL] BOLON B. TURNER,
Presiding Judge.

[F. R. Doc. 45-12658; Filed, July 12, 1945; 10:49 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Rev. Reg. 22]

PART 602—GENERAL ORDERS AND DIRECTIVES

RESTRICTIONS ON SHIPMENTS OF RECLAIMED COKE

The over-all shortage of solid fuels has created a demand for reclaimed coke but since such fuel is generally less acceptable than other fuels, this regulation is deemed appropriate and necessary to protect the public interest.

Sec.
602.550 Definitions.
602.551 Restrictions on shipments by producers, wholesalers and retail dealers.
602.552 Designation of fuel by retail dealers.
602.553 Damages for breach of contract.
602.554 Violations.
602.555 Applications for modifications or exceptions; inquiries and communications.
602.556 Official interpretations.

AUTHORITY: §§ 602.550 to 602.556, inclusive, issued under E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827; WPB Directive 33, as amended, 9 F.R. 64, 9 F.R. 4580.

§ 602.550 *Definitions.* (a) "Coke" means all coke which is produced from bituminous coal.

(b) "Reclaimed coke" means beehive coke which has been reclaimed from waste banks adjacent to beehive ovens. It also means by-product coke having a top size of not more than 1⅛" which has been reclaimed from a breeze pile or waste bank.

(c) "Producer" means any person who reclaims beehive or by-product coke.

(d) "Wholesaler" means any producer to the extent that he ships, distributes or sells reclaimed coke to retail dealers or wholesalers and any person to the extent that he receives or purchases reclaimed coke for shipment, distribution or resale to retail dealers or other wholesalers.

(e) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or commercial dock operator) to the extent that he distributes reclaimed coke in any transaction, except a wholesale transaction, involving the disposal of reclaimed coke physically handled in a truck, wagon or other less than carload facility without regard to quantity or frequency of delivery.

(f) "Domestic consumer" means any person who acquires reclaimed coke for space heating, domestic hot water, or domestic cooking, except to the extent that he acquires such solid fuels for space heating incidental to an industrial process or the production of power.

(g) "Person" means any individual, partnership, association, business trust, governmental corporation or agency, or any organized group of persons.

(h) "SFAW" means Solid Fuels Administration for War.

§ 602.551 *Restrictions on shipments by producers, wholesalers and retail dealers.* (a) No producer or wholesaler shall ship any reclaimed coke intended for use by any domestic consumer, and no retail dealer shall deliver any reclaimed coke to a domestic consumer if such reclaimed coke has an ash content, on a dry basis, in excess of 20 per cent by weight in sizes over one inch, or an ash content of 25 per cent by weight in sizes ½" x 1" or smaller.

(b) Each producer or wholesaler who ships reclaimed coke shall show or cause to be shown on each shipping notice and each invoice, the name and address of each operating company producing such reclaimed coke and the name and location of the operation where such coke is reclaimed.

§ 602.552 *Designation of fuel by retail dealers.* (a) Each retail dealer who deliveries reclaimed coke to any domestic consumer shall designate on the weigh slip, delivery ticket, statement or other evidence of such delivery that the fuel is reclaimed coke.

(b) Each retail dealer who delivers to any domestic consumer a mixture of solid fuels containing reclaimed coke and any other solid fuel shall designate on the weigh slip, delivery ticket, statement or other evidence of such delivery that the fuel contains reclaimed coke and the weight of the reclaimed coke in the mixture.

§ 602.553 *Damages for breach of contract.* No person shall be held liable under any contract for damages or penalties for any default which shall result directly or indirectly for any default which shall result directly or indirectly from compliance with §§ 602.550 to 602.556 inclusive.

§ 602.554 *Violations.* Any person who violates any provision of §§ 602.550 to 602.556, inclusive, may be precluded in whole or in part from shipping, delivering or receiving solid fuels and may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. sec. 80) or under the Second War Powers Act (50 U.S.C. 633).

§ 602.555 *Applications for modification or exception; inquiries and communications.* (a) Any application for modification of or exception from any provisions of §§ 602.550 to 602.556, inclusive, shall be filed in triplicate with the Solid Fuels Administration for War, Washington 25, D. C. The application shall set forth, in detail, the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

(b) All inquiries and communications with reference to the administration of §§ 602.550 to 602.556, inclusive, shall be addressed to the Solid Fuels Administration for War, Washington 25, D. C.

§ 602.556 *Official interpretations.* No interpretation of §§ 602.550 to 602.556, inclusive, is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator, or the General Counsel of SFAW.

Regulation revoked hereby. SFAW Regulation No. 22 is hereby revoked, *Provided, however*, That civil or criminal liabilities resulting from violations of that regulation shall not be affected by this regulation.

This regulation may be cited as SFAW Revised Regulation No. 22.

This regulation shall take effect at 12:01 a. m. on July 15, 1945.

Issued this 10th day of July 1945.

ABE FORTAS,
Acting Solid Fuels Administrator for War.

[F. R. Doc. 45-12659; Filed, July 12, 1945; 10:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-844]

MRS. J. G. MCDONALD CHOCOLATE CO.

J. E. McDonald and R. Neal McDonald, partners doing business as Mrs. J. G. McDonald Chocolate Company at 143 South State Street, Salt Lake City, Utah, are engaged in the manufacturing and distributing of confectionery products consisting of one and two pound boxed chocolate candies. During the year 1944, the partners used new fibre shipping containers, amounting to 11,322 pounds and 76,227 square feet in excess of its quota, in violation of Limitation Order L-317.

This violation has diverted critical materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, That:

§ 1010.844 *Suspension Order No. S-844.* (a) In each of the third and fourth quarters of 1945 and the first and second quarters of 1946, J. G. McDonald and R. Neal McDonald shall reduce their use of new fibre shipping containers, as defined in Limitation Order L-317, by 2,830 pounds and 19,056 square feet per quarter less than they would otherwise be entitled to use under the provisions of Limitation Order L-317, unless otherwise authorized in writing by War Production Board.

(b) Nothing contained in this order shall be deemed to relieve J. G. McDonald and R. Neal McDonald from any restriction, prohibition or provision contained in any other order or regulation of War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and provisions contained herein shall apply to J. G. McDonald and R. Neal McDonald, doing business as Mrs. J. G. McDonald Chocolate Company or otherwise, their successors and assigns, or persons acting on their behalf. The prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12647; Filed, July 11, 1945; 4:45 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 17]

STOCKPILING IN ANTICIPATION OF CIVILIAN PRODUCTION

The following interpretation is issued with respect to Priorities Reg. 1:

(a) One of the exceptions to the general inventory restrictions of § 944.14 of Priorities Regulation 1 is in paragraph (b) (4) of that section which permits the advance receipt of the "minimum amount of material" to be needed during the first thirty days of civilian production, providing no priorities assistance is used to get such material. A similar rule is stated in paragraph (c) (6) of CMP Regulation 2.

(b) The purpose of this exception was to permit the stockpiling of a minimum supply of material in anticipation of starting or resuming civilian production, not to exceed the initial 30 days' requirements. In other words, the 30-day amount is a ceiling as far as advance stockpiling is concerned, and may not be considered as a "bonus" to be added to the amount of any material which the producer expects to have available for making his civilian product. For example, the exception will not apply to a producer who is already making his regular product for the military and expects to have a continuing supply of materials within the general inventory provisions, since he would usually have at least a "minimum" 30-day supply for making the product for civilian purposes whenever his military contract should be terminated.

(c) This means that in order to take advantage of the exception, a producer is required to calculate to the best of his ability, in advance, how much material he will need as a minimum for the first 30 days of his civilian production. Whatever he reasonably thinks he will have on hand suitable for such production must be deducted, and any remainder can be received under the exception if acquired without priorities assistance.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12674; Filed, July 12, 1945; 11:22 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 8]

USE OF PREFERENCE RATINGS AFTER ORDERS HAVE BEEN CANCELLED

The following direction is issued pursuant to Priorities Reg. 1:

(a) This direction permits a contractor who is using his customer's military ratings to get production material to delay cancelling those ratings if necessary to permit an orderly transfer of production from one customer to another.

(b) Any person manufacturing a product on orders from the Army, Navy, or Maritime Commission, or who is using ratings identified by the CMP allotment symbols W, O, N, M or O to obtain production materials may delay for 10 days cancelling any use of such preference ratings when the contract or purchase order is cancelled or cut back. If he receives a rated order for the same product, he must promptly re-rate all his outstanding purchase orders to the rating applicable to the new order, if the new rating is lower.

He may, during such 10-day period, continue manufacturing the product covered by the cancelled contract as though still having the original rating. However, if at the expiration of 10 days he has not received a rated order for the same product, he must promptly cancel all use of the preference rating, and re-schedule his own production in accordance with Priorities Regulation No. 1.

(c) Nothing in this direction shall be construed to constitute an assumption of

liability by any person or agency for any production pursuant to this direction.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12676; Filed, July 12, 1945; 11:22 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 11B, as Amended July 12, 1945]

PREFERENCE RATINGS FOR MANUFACTURERS NOT OBTAINING PRODUCTION MATERIALS UNDER THE CONTROLLED MATERIALS PLAN

§ 944.32b *Priorities Regulation 11B*—(a) *Purpose and scope.* The purpose of this regulation is to provide priorities assistance in obtaining production materials for the manufacture of products other than Class A or Class B products. The use of this regulation in obtaining priorities assistance is optional. Persons who can get production materials without ratings should not apply for priorities assistance. A manufacturer of a Class A or a Class B product cannot use this regulation to get priorities assistance to buy production materials needed for the manufacture of a Class A or a Class B product.

(b) *Definitions.* For purposes of this regulation:

(1) "Unclassified product" means any product which is neither a controlled material, a Class A product, nor a Class B product, as those terms are defined in CMP Regulation No. 1.

(2) "Production material" means, with respect to any person, material or products (including fabricated parts and subassemblies) which will be physically incorporated in his unclassified product, and includes the portion of such material normally consumed or converted into scrap in the course of processing. It also includes items purchased by a manufacturer for resale to round out his line if such items do not represent more than 10 percent of his total sales. The term "production material" does not include manufacturing equipment or maintenance, repair or operating supplies as defined in CMP Regulation No. 5.

(c) *Applications for priorities assistance for production of unclassified products*—(1) *Application on Form WPB-2613.* Any person who produces unclassified products and needs priorities assistance to obtain production materials may file an application on Form WPB-2613. The application must not be based on a rate of production greater than that permitted under the restrictions of existing Limitation Orders or other applicable orders or regulations of the War Production Board.

The application must show all production materials (including products to round out a line) for which priorities assistance is requested. If an applicant desires priority assistance for materials where under an order or regulation of the War Production Board specification of quality and quantity must be shown, (for example, M-328—"Textiles, Clothing, Leather and Related Products"), the applicant must describe the material on the application form in sufficient detail to meet the requirements of the order or regulations before priorities assistance will be granted.

(2) [Deleted July 12, 1945.]

(d) *Holders of Form WPB-2613 prohibited from extending customers' ratings.* A person who has received a rating or ratings on Form WPB-2613 for production materials for a specified product shall not extend ratings received from his customers to purchase production materials for the same product during the quarters covered by the form except that:

(1) Orders calling for delivery in the same quarter which have already been rated in accordance with applicable regulations or orders of the War Production Board need not be rerated, and

(2) A rating of AAA may be extended where necessary to obtain production material actually required to fill an order rated AAA, if such material is not actually on hand, but the rating may not be extended to replace inventories, and

(3) A rating may be extended to get cotton textiles as defined in Order M-317 required for direct or ultimate delivery or for incorporation into any material for ultimate delivery to the Army or Navy of the United States, the Maritime Commission, or the War Shipping Administration.

(4) A rating of MM may be extended for delivery after December 31, 1945. *Provided*, That no orders carrying the AA ratings assigned to the authorized production schedule are outstanding for 1946 deliveries. If any such orders are outstanding, the AA ratings must be cancelled before extending the customer's MM ratings.

(e) *Authorized production schedules.* (1) Every assignment of rating on Form WPB-2613 will include authorization of a production schedule for the product for which the production materials are required. The authorization will set a maximum limit of production for the quarter.

(2) No producer who has received any rating on Form WPB-2613 shall produce the product covered by the form in an amount exceeding his authorized production schedule except where the producer obtains all of the material that he requires for the products which are produced in excess of the schedule without the use of the preference ratings assigned to the schedule, or where the material was obtained for another purpose and can no longer be used for that purpose. (The rules explaining when material obtained with priorities assistance for one purpose may be used for another are explained in § 944.11 of Priorities Regulation 1.)

(3) A producer shall be deemed to exceed an authorized production schedule if his completion of finished products exceeds the limits authorized, or if his rate of fabricating, assembling or otherwise processing, or acquiring raw materials or parts exceeds the practicable working minimum required to meet the authorized production schedule.

(e-1) *Restrictions on use of ratings.* No rating assigned on form WPB-2613 may be used to buy any production material not listed on the form, nor may it be used to buy any item shown on List A of Priorities Regulation No. 3.

(f) *Miscellaneous provisions*—(1) *Applicability of other regulations and orders.* This order and all transactions affected hereby are subject to all applicable regulations and orders of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this regulation, or who, in connection with this regulation, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine up to $10,000, or by imprisonment or both. In addition, such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All applications filed hereunder, and all communications concerning this regulation, shall, unless otherwise directed, be addressed to the War Production Board, Washington 25, D. C., Ref.: Priorities Regulation No. 11B.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

The term "production material" in paragraph (b) (1) includes material which, at any stage of production, enters into the chemical reaction necessary to the manufacture of an unclassified product. It also includes any material which is used as a solvent, wash or extractant at any stage of the production of chemicals. (Issued June 16, 1943.)

[F. R. Doc. 45-12673; Filed, July 12, 1945; 11:22 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Order M-317A, Supplement 1]

PRIORITIES ASSISTANCE FOR COTTON FABRICS FOR COATING

§ 3290.116A *Supplement 1 to Order M-317A.* (a) *What this supplement does.* This supplement provides for the assignment of preference ratings for cotton fabrics to be coated with certain listed coatings for the uses specified in Group CHEM-1 of the Preference Rating Schedule in M-317A. Coaters will get preference ratings by applying for them. Others will get them from their coaters who will be assigned ratings to be used by their customers. This supplement does not prohibit anyone from using cotton fabrics which he may be able to get without ratings.

(b) *Definitions.* (1) "Listed coatings" means the following:

Clay filled coatings
Lacquers
Ethylcellulose
Nitrocellulose
Oil coatings
Oleoresinous coatings
Paints
Pyroxylin
Starch filled coatings
Varnishes
Resins, natural and synthetic

(2) "Cotton fabrics" means all woven cotton fabrics of more than 12" width, except "duck" as defined in Order M-91.

(3) "Coated fabrics" means cotton fabrics coated, impregnated or otherwise treated with listed coatings continuous from selvage to selvage, provided that such treatment is not merely part of the normal operation of bleaching, dyeing, printing or other finishing. The term includes but is not limited to such products as oil cloth, artificial leather, window shade cloth, bookbinding cloth, Holland cloth and varnished cambric.

(4) "To coat" means to process cotton fabrics into coated fabrics.

(5) "Coater" means any person engaged in the United States in the business of coating cotton fabrics on coating machinery owned or operated by him.

(c) *How ratings may be obtained by coaters*—(1) *Who may apply.* Preference ratings for cotton fabrics for coating with listed coatings will be assigned by the War Production Board only to persons who are in the business of coating cotton fabrics on coating machinery owned or operated by them. The War Production Board will assign ratings to coaters not only for quantities of cotton fabrics which they will buy themselves but also for quantities of cotton fabrics which they expect to coat on a job coating basis.

(2) *How application must be made.* Applications for preference ratings for cotton fabrics for coating with listed coatings shall be made on Form WPB-2842 in accordance with the instructions on the form. Applications must be filed on a quarterly basis with the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-317A, Supplement 1 not later than 60 days before the beginning of each calendar quarter (or for application for the third quarter of 1945 as soon as possible and on or before July 20, 1945). In the application state the quantity of each type of cotton fabric that will be required during the quarter for each end use to meet your proposed production schedule. The quantities of fabric stated in the application should include amounts requested for job coating to be done by the applicant for his customers as well as amounts requested for purchase by the coater for coating for his own account. However, if a coater does job coating on cotton fabrics owned by the Army, Navy, or other agencies specified in paragraph (a) (2) of Order M-328, he must not include requests for any quantities of such fabric in his application, but coaters should request quantities of fabrics which, although not to be purchased directly by such agencies, are to be coated and incorporated into products to be delivered to them.

(3) *Basis on which applications will be processed.* The quantity of cotton fabrics available for the program is limited. Within the available supply, authorizations will be granted according to essentiality of end use, the past volume of the applicant's business and his inventory of fabrics. Applications for new processors will be processed on an equitable basis.

(d) *How ratings may be obtained by persons other than coaters*—(1) *From whom ratings may be obtained.* The War Production Board will assign ratings to coaters not only for cotton fabrics which they will buy themselves but also for cotton fabrics which they expect to coat on a job coating basis. If a person other than a coater wants a rating to get cotton fabrics to be job coated with listed coatings, he should first place his orders for job coating with his coaters accompanied by a certificate of the end use in the form shown in paragraph (h) below. The ratings which he may use to get the fabrics will then be certified to him by his coaters in the following form:

You may use under Supplement 1 to Order M-317A an _____ preference rating to obtain _____ yards of _____ to be
(Type of Fabric)
coated for _____ under your purchase
(End Use)
order No. _____ accepted by us. The undersigned coater certifies to you and to the War Production Board that the War Production Board assigned this rating to him on Form GA-2543, Serial No. _____ (Insert WBP case number) and that he has charged this quantity against the total quantity of this fabric for which he may use this rating for this end use.

_____
(Name of Coater)
_____
(Address)
By _____
(Signature and title of duly authorized officer)
_____
(Date)

A customer who receives such a certificate from a coater may use the rating to get the amount of the fabric specified for the end use specified.

(2) *Rules governing job coaters certifying to their customers authority for their customers to use preference ratings.* A job coater may certify to his customer authority for the customer to use preference ratings assigned to the coater, but he may do so only subject to the following restrictions: He must use the form of certificate shown in paragraph (d) (1) above. He may not certify authority for his customer to use a rating unless he first gets from his customer a certificate in the form provided in paragraph (h) below that he will use or sell the fabrics for the end use for which the rating was assigned to the coater. In certifying authority for his customers to use ratings assigned under this supplement he must do so in such a manner as to fulfill his obligations under Priorities Regulation 1 to fill rated orders. A coater may only certify authority for his customer to use a rating to get fabrics which he has already contracted to coat for the customer. Furthermore, it is the policy of the War Production Board that after giving effect to rated orders received by him no job coater to whom preference ratings are assigned shall use the ratings to deprive his customers of the opportunity of buying uncoated cotton fabrics direct for coating according to the normal conduct of their businesses. Preference ratings will be assigned to coaters so that they and their customers may get cotton fabrics in their normal manner for the normal requirements of their businesses. If this policy is not voluntarily carried out by coaters, the War Production Board may issue specific directives to named concerns.

(e) *One time report.* Each coater must file with his first application on Form WPB-2842 a one time report on Form WPB-4296. Fill in the form as indicated on the form.

(f) *Application and extension of ratings.* Preference ratings assigned under this supplement must be applied or extended in the manner provided in Priorities Regulation 3 and Order M-317.

(g) *Use and effect of ratings.*—(1) *Restrictions on the use of ratings to get cotton fabrics.* Although under Order M-328 a person may use other ratings than the ones assigned under this supplement to get cotton fabrics to be coated with the coatings listed in this supplement, such as ratings on contracts from the armed services, he must charge the yardage so obtained after July 1, 1945 to the amounts authorized under this supplement and may not use these ratings to get more than this yardage. Thus if a coater is assigned an AA-2X rating for 2500 yards of 44/40 sheeting to be made into electrical insulation varnished cambric and he has an AA-1 rating extended to him on a military contract requiring 500 yards for the same purpose, he may use the AA-1 to get the 500 yards, but then he may use the AA-2X only for the remaining 2000 yards of his authorization.

(2) *Purchases of cotton fabrics by the Army and Navy.* The restrictions in paragraph (g) (1) do not apply to the Army, Navy or other agencies specified in paragraph (a) (2) of Order M-328. However, if fabrics are to be purchased by others to be coated and incorporated into products for delivery to such agencies, ratings not assigned under this supplement may be used under Order M-328 only if charged under paragraph (g) (1) above against the amount for which ratings are assigned under this supplement.

(h) *Delivery and use of fabrics obtained with preference ratings.* Where coated fabrics have been made with cotton fabrics obtained with a preference rating assigned under this supplement for an end use, no person may deliver the coated fabrics unless he first obtains a certificate from the purchaser that they will be used or sold for that end use.

Certification shall be made in substantially the following form:

(Statement of type and quantity of cotton fabric and end use.)
Use certified-Ref: M-317A Supplement 1.

_____
(Name of purchaser)
By _____
(Signature and title of duly authorized officer)

A customer obtaining fabrics on such a certification for resale should state his end use as "Resale on certificate for _____ and may sell only to a (end use) person certifying to him in the above form that he will use or sell it for the end use for which the rating was assigned by the War Production Board. A coater who has obtained a certificate under paragraph (d) (2) above before permitting his customer to use a rating to get fabrics for job coating need not get another certificate at the time of delivering the coated fabrics to him. No person receiving coated fabrics on the certificate above may use or sell them for any purpose other than the end use certified.

(i) *Advance authorizations for the third quarter of 1945.* Any coater who was assigned a preference rating on Form WPB-2842 for the second quarter of 1945 may use the same ratings to get the same quantities of each type of fabrics in the third quarter for each end use. If he does so, however, he must file Form WPB-2842 for the third quarter together with a one-time report under this supplement. He may use the ratings as if assigned under this supplement on Form GA-2543. No advance authorization is given under this paragraph to persons other than coaters. As soon as the coater receives an authorization on Form GA-2543 for the third quarter, the coater must promptly withdraw enough of the preference ratings which he has used under this advance authorization to reduce the total quantity of each type of fabric for which he has used each rating for each end use to the amount authorized for the third quarter. If any person to whom a rating has been passed on under this supplement receives notice that the rating has been withdrawn, he must immediately withdraw any extensions of the rating which he has made on any orders placed by him. If any person to whom a rating has been passed on knows or has reason to know that the rating should be withdrawn, he may not give effect to the rating and he must also immediately withdraw any extensions that he has made of that rating.

(j) *Special directions.* The War Production Board may at any time issue special directions with respect to the use, delivery, or acceptance of delivery of any cotton fabrics for coating with listed coatings.

(k) *Applicability of orders and regulations in the M-317 series.* Provisions of orders and regulations of the M-317 series apply to ratings assigned under this supplement unless inconsistent with it.

(l) *Budget Bureau approval.* The application and reporting requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Communications to War Production Board.* Reports and communications concerning this supplement shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-317A, Supplement 1.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12672; Filed, July 12, 1945; 11:21 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-310, as Amended July 11, 1945]

HIDES, SKINS AND LEATHER

The fulfillment of requirements for the defense of the United States has created shortages in hides, skins and leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) General definitions.
(b) Provisions applying to all hides, skins and leather.
(c) Untanned cattlehides, calfskins and kips.
(d) Cattlehides, calfskins and kips, and leather therefrom.
(e) Sole leather and sole leather cut stock.
(f) Horsehides.
(g) Pickled sheepskins.
(h) Goatskins and cabrettas.
(i) Deerskins.
(j) Effect on prior orders.
(k) Reports.
(l) Appeals.
(m) Communications to the War Production Board.
(n) Violations. Schedule A. Schedule B.

§ 3290.196 *Conservation Order M-310*—(a) *General definitions.* (1) "Tanner" means a person in the business of tanning, dressing, or similarly processing hides or skins, who in any calendar month after April 1, 1940, processed or processes more than 100 hides or skins.

(2) "Contractor" or "converter" means a person in the business of causing hides or skins to be tanned or dressed for his account in any tannery not owned or controlled by him.

(3) "Collector" means a person, including a dealer or importer, engaged in the business of acquiring from others untanned hides or skins for resale, or removing hides or skins from animals not slaughtered by him.

(4) "Producer" means a person in the business of slaughtering animals.

(5) "Military order" means an order for hides, skins or leather for delivery against a specific contract placed by any of the following, or for incorporation in any product to be delivered against such a contract:

The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or any extension or renewal thereof. Regardless of the provisions of Priorities Regulation 17, no orders for military exchanges and service departments shall be regarded as military orders except rated orders of United States Navy Ship's Service Departments and War Shipping Administration Training Organization Ship's Service activities for cut sole leather for repair purposes which are endorsed as follows:

The within order has been approved in accordance with instructions of the Army and Navy Munitions Board.

By _____
Authorized Official.

(6) "Military specifications" or "military quality" means, except as herein otherwise specifically provided, the specifications applicable to military orders or the quality of material meeting such specifications.

(7) "Sole leather" means vegetable tanned sole leather unless otherwise specified.

(8) "Scrap leather" means small leather pieces which are unavoidably produced from processing or cutting operations, but in no case shall include bellies or shoulders.

(9) "Rawhide" means a hide or skin which after the hair has been removed is used in that state or fabricated without further tanning.

(10) All trade terms shall have their usual trade significance unless otherwise specified.

(b) *Provisions applying to all hides, skins and leather.* (1) No person shall process any hides, skins or leather contrary to any specific direction issued from time to time by the War Production Board relating to the processing or production of specific types of leather to meet military or designated civilian requirements.

(2) No producer, collector, tanner, contractor, converter or cutter shall sell, deliver, accept delivery of, cut, use or incorporate in any product any hides skins or leather contrary to any specific direction issued from time to time by the War Production Board deemed necessary in order to fill military or designated civilian requirements.

(3) No person shall commercially incorporate any leather or rawhide into any product except as permitted by Schedule A at the end of this order, and no person shall sell any leather or rawhide unless the same is to be incorporated into a product permitted by Schedule A. This restriction shall not, however, apply to:

(i) The filling of military orders;

(ii) The delivery or use of vegetable tanned cattlehide leather available after accepting and filling all military orders and all orders for items permitted under Schedule A, and after complying with all specific directions. However, the restrictions of paragraph (b) (3) do apply to calfskins and kipskins and to sole leather, innersole leather, side upper leather, lining leather, belting leather, mechanical leather and welting leather.

(iii) The delivery or use of scrap leather, *Provided*, That any tanner selling any such scrap leather shall report his sales on his monthly form prescribed in paragraph (k).

(iv) [Deleted Aug. 25, 1944.]

(v) [Deleted Aug. 25, 1944.]

(4) The War Production Board may authorize the reprocessing, sale and use of rejected leather, or leather which can be made available consistently with program requirements, for purposes not otherwise permitted by this order or § 944.11 of Priorities Regulation 1. Any person may request such authorization by letter on his own behalf to use leather he owns or his supplier may request authorization to sell, and on behalf of his customer to use, stating the proposed uses of the leather and the quantity, quality, weight and type involved, and in the case of rejected leather, facts substantiating its qualification as such.

"Rejected leather" as used in this paragraph means any leather made to fill a military order or for production of items listed on Schedule A which (i) is so defective that it will be refused if tendered, (ii) the purchaser has refused, or (iii) the purchaser has notified the seller will be refused because of defects.

No person shall process or order any leather which he knows will be rejected. This paragraph does not prohibit the production of rejects to the extent that they are unavoidable in the manufacturers' or tanners' operations.

(5) The War Production Board may authorize the reprocessing or use of leather not used for the purposes for which it was purchased because of termination of procurement by the United States Government or any of its agencies for which the production was ordered. Any person may request such authorization on his own behalf, or on behalf of his customer, stating the proposed use of the leather, the quantity, quality, weight, type involved, the number of the cancelled contract, branch of service, date of purchase, intended end use and why it cannot be used for the purpose for which it was intended.

Any leather held by a person who does not in the regular course of his business sell leather in that form may only be sold in accordance with Priorities Regulation 13.

(6) Notwithstanding the provisions of any priorities or other regulations of the War Production Board, no preference ratings shall be applied or extended for the delivery of hides, skins or leather, except:

(i) Leather for military orders (excluding sole leather whole stock as defined in paragraph (e) (1) (vii) and cattlehide splits in the blue, pickled, or lime state); or

(ii) When specifically authorized in writing by the War Production Board pursuant to this subparagraph (b) (6) (ii).

(7) In making sales or deliveries of hides, skins or leather (including sole leather cut stock) not required to fill military orders, no person shall make discriminatory cuts in quality or quantity between customers who meet such person's established prices, terms and credit requirements, or between customers and his own consumption of said materials.

(8) No tanner, contractor, converter, finisher, jobber or cutter shall deliver any leather (except shearlings) for footwear purposes, unless he has received the footwear manufacturers' quota number of the purchaser. This paragraph shall not prevent deliveries to persons regularly in business as leather contractors, leather converters, leather finishers, leather jobbers, leather cutters, finders or shoe repairers or to persons outside the continental United States.

(c) *Untanned cattlehides, calfskins and kips*—(1) *Definition.* "Cattlehide", "calfskin" and "kip" mean the hide or skin of a bull, steer, cow or buffalo, foreign or domestic (excluding slunks).

(2) No tanner shall put into process, and no contractor shall cause to be put into process, any cattlehide, calfskin or kip in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No person shall sell, deliver, purchase or accept delivery of any untanned cattlehide, calfskin or kip, or portion thereof, other than splits and glue stock, except to the extent that the purchaser is specifically authorized by the War Production Board on Form WPB-1323 or Form WPB-3507. Applications may be made on Form WPB-1325 (formerly PD-569) for the purchase of domestic cattlehides, and on Form WPB-1322 (formerly PD-569-a) for the purchase of domestic calfskins and kips: *Provided*, That the following may be made without such authorization:

(i) Transactions between collectors and between producers and collectors for purposes of resale or delivery within the continental United States.

(ii) The sale and delivery to and the purchase and acceptance of delivery by any person other than a tanner of less than 100 hides or skins in any calendar month.

(4) In acting under paragraph (c) (3), it will be the policy of the War Production Board, so far as is practicable, to grant authorizations so that:

(i) The contractor or tanner may obtain cattlehides, calfskins, or kips in the proportions that the wettings in 1942 of the contractor or tanner, respectively, of cattlehides, calfskins, or kips, computed separately, bore to all wettings thereof in that year by all contractors and tanners producing the same type of leather, except that authorizations to tanners or contractors having more than a practicable minimum working inventory may be reduced or omitted: and

(ii) [Deleted Aug. 25, 1944.]

(5) No producer or collector shall cut off bellies or shoulders of untanned cattlehides, except for a purchaser specifically authorized in writing by the War Production Board to purchase hides with portions cut off.

(6) [Deleted Jan. 24, 1944.]

(d) *Cattlehides, calfskins and kips, and leather therefrom*—(1) *Definition.* (i) "Cattlehide, calfskin or kip leather" means leather produced from such hides or skins whether grain or split, including leather (whether tanned with or without the hair) produced from slunks, and rawhide.

(ii) "Rough sole leather" means vegetable-tanned sides, crops, backs, bends, shoulders, and bellies which have not been rolled.

(iii) "Rough belting butts and butt bends" means vegetable, chrome, or combination tanned belting butts and butt bends which have not been curried.

(iv) "Rough shoulders" means vegetable-tanned sole leather shoulders or shoulders cut from vegetable, chrome or combination tanned belting butts, which have not been either curried or rolled.

(2) [Deleted May 25, 1944.]

(3) No tanner shall produce any harness leather in any color other than russet, except to fill military orders.

(4) Unless otherwise specifically ordered in writing by the War Production Board, no person shall curry or finish the following leathers and no manufacturer shall use the same, either before or after such currying or finishing, except in accordance with the following requirements:

(i) Rough sole leather shall be finished as sole leather (which thereupon becomes subject to paragraph (e) hereof) except that rough sole leather 12 iron and up may be curried and used for round belting or V belting;

(ii) Rough belting butts or butt bends shall be curried and thereafter used only for transmission belts, hydraulic, packing, mechanical and textile leathers, or fillet leather; *Provided*, That this restriction shall not apply to straightenings cut from the portion of the belting butt or butt bend beginning at the edge from which the belly was removed, if the straightening is less than two inches in width at the widest point;

(iii) Rough shoulders cut from sole leather hides if not finished for sole leather, and rough shoulders cut from any belting butts, shall be curried and used only for welting, hydraulic, packing, mechanical and textile leathers, except that double rough shoulders 11 iron and up may be curried and used for round belting.

The War Production Board may on written application authorize the substitution of any of the types of leather mentioned in subparagraphs (i), (ii), and (iii) of this paragraph (d) (4) for any of the end uses therein specified, and when consistent with meeting requirements for approved programs, the War Production Board may authorize the finishing and use of any of these types of leather for any products listed on Schedule A.

(5) Vegetable tanned sole leather shall be processed so as to meet the requirements of Federal Specification KK-L-261B, including any emergency alternate specifications or amendments thereto.

(6) Bellies cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in accordance with standard practice, but bellies weighing 3 pounds or more when finished shall not be cut to measure less than 6 inches across the navel when finished.

(7) Shoulders cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in a line running perpendicular to line of backbone at a point within the limits of the break in the foreflank.

(8) No tanner, currier, finisher, jobber or dealer shall accept any order for cattlehide leather in the form of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap or upholstery leather, rated or otherwise, or transfer any such leather to his own fabricating plant, unless such order or the request for such transfer states the specific end use of such leather.

(9) No tanner shall process any cattlehide to make grain garment leather.

(10) [Deleted Jan. 24, 1944.]

(11) [Deleted Jan. 24, 1944.]

(e) *Sole leather and sole leather cut stock*—(1) *Definitions.* (i) "Military quality outersole" means a bend sole 9 to 11 iron inclusive of good fiber and of a grade not lower than imperfect fine grade, except 9 iron sole shall be of a grade not lower than semi-fine grade.

(ii) "Military quality midsole" means any bend sole of good fiber within one of the following three classifications:

7 to 8½ iron, inclusive, all grades down to No. 1 scratch, inclusive;
9 iron, imperfect fine and No. 1 scratch grades only;
9½ to 10 iron, inclusive, No. 1 scratch grade only.

(iii) "Military quality innersole" means a sole of 5½ to 7½ iron inclusive after being properly fleshed, first quality full grain leather of a quality and fiber adapted to the purpose.

(iv) "Military quality strip" means a strip 8½ iron to 13 iron, inclusive, and "military quality tap" means a tap of 9 iron to 14 iron, inclusive, both cut from sole leather bends, commercially described as finders' leather, and a good fiber of a grade not lower than No. 1 scratch.

(v) "Butt piece" means a piece cut from the butt portion of a sole leather bend by a straight cut perpendicular to line of backbone not more than three inches from root of tail.

(vi) "Cutter for the repair trade" means a sole leather cutter who is equipped to cut repair taps, and who during the year ending July 31, 1942, cut repair taps as a regular part of his business.

(vii) "Whole stock" means sides, crops, backs, bends, shoulders with heads on, shoulders with heads off, bellies, and belly centers.

(2) Every tanner and contractor shall set aside each month for cutting as required by paragraph (e) (4) the percentage of the manufacturers' bends produced by him for his own account, or produced for his account by others, fixed by the War Production Board by directions issued under this order. Such bends are hereinafter referred to as "manufacturers' bends-for-repair," and the weight and the quality of the bends set aside shall be equal, as nearly as possible, to those of the manufacturers' bends not so set aside, unless other directions in writing are issued by the War Production Board. No manufacturers' bends-for-repair shall be sold to any finder or shoe repairer as a whole bend.

(3) No person shall cut military quality outersoles, midsoles or innersoles, except on patterns to fit the United States Munson last in sizes and widths to fit the sizes of shoes specified in military orders, or on other patterns approved or in sizes prescribed by the War Production Board from time to time.

(4) Sole leather whole-stock shall be cut and the resulting cut stock disposed of only in accordance with the provisions of Schedule B hereof, and military quality cut stock produced in accordance with such schedule may be sold, delivered or used only to fill military orders unless otherwise permitted by General Direction 12 to this order. Upon written application, however, the War Production Board may authorize the cutting and use of sole leather and sole leather cut stock to meet military orders or orders for products on Schedule A, but not mentioned in Schedule B, when sole leather can be diverted to these uses consistent with meeting programmed military and civilian footwear requirements.

No soles cut before January 30, 1945 and meeting the requirements for military quality outersoles as defined in this order before the amendment of January 30, 1945 shall be sold or used except to meet military orders. This does not apply to soles cut pursuant to General Direction 8 to this order or to soles released, sold or delivered pursuant to General Direction 9 to this order.

(5) No person except a shoe-repairer repairing shoes for the general public or any person repairing his own shoes shall hereafter use any non-military quality repair stock (except as provided in Block IIIB of Schedule B hereof) cut from finders' bends, from manufacturers' bends-for-repair or from parts of such bends.

(f) *Horsehides*—(1) *Definitions.* (i) "Horsehide" means the hide or skin of a horse, colt, mule, ass or pony, except dry pony hides to be processed for furs.

(ii) "Horsehide front", "horsehide butt" and "horsehide shank" means those horsehide parts commercially so known whether or not attached to other parts of the horsehide.

(2) No tanner shall put into process, and no converter shall cause to be put into process, any horsehide fronts, butts or shanks in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No tanner shall put into process, or continue to process, any horsehide front, except into leather meeting military specifications in force at the time, unless such horsehide is not capable of being so processed.

(4) No person shall sell, deliver, accept delivery of or commercially incorporate into any product any horsehide front leather meeting any military specification, except for unfilled military orders.

(g) *Pickled sheepskins*—(1) *Definitions.* "Pickled sheepskin" means the de-wooled, unsplit skin of a sheep or a lamb (other than a cabretta or hair-sheep) or the flesh split of such a skin which has been immersed in a chemical solution to preserve and condition it for tanning.

(2) No person shall sell, deliver, purchase or accept delivery of any pickled sheepskins of the following commercial designations except for resale in the pickled state or for processing into chamois leather meeting military specifications:

(i) New Zealand North Island pickled sheep pelts, (usual grades averaging 45 pounds per dozen or heavier);

(ii) Argentine pickled heavy sheepskins (usual grades averaging 45 pounds per dozen or heavier);

(iii) All imported pickled fleshers.

(h) *Goatskins and cabrettas*—(1) *Definitions.* (i) "Goatskin" means the skin of a goat or leather made from such skin, including kidskin, but excluding India tanned goatskin, and domestic angora goatskin.

(ii) "Cabretta" means the skin of a hair sheep or leather made from such skin.

(iii) "India tanned goatskin" means an imported goatskin tanned in Asia.

(2) No tanner shall put into process in the respective three months' period, commencing May 1, 1943, and on the first days of each August, November, February and May thereafter, more than 220% of his average monthly wettings of raw goatskins and cabrettas in 1941 (which average shall be known as "basic monthly wettings"), or more than such other percentages for such periods as may be fixed in writing by the War Production Board from time to time, with respect to any or all skins referred to in subparagraph (1) (i) and (ii) above: *Provided*, That kidskins and Calcutta Smalls purchased separately and described as such in Government purchase contracts dated later than August 1, 1943, may be put into process in addition to the percentages specified in this paragraph.

(3) [Deleted Jan. 24, 1944]

(4) The restrictions of paragraph (h) (2) shall not apply to persons who put into process less than 200 domestic goatskins in any calendar month and who process no foreign goatskins.

(5) No tanner shall sell or deliver goatskin garment leather for other than military purposes, except leather failing to meet military specifications: *Provided*, That such failure has resulted unavoidably in the course of producing military leather; *Provided further*, That such leather permitted hereby to be sold or delivered for other than military purposes may not exceed 12½% of his production of military goatskin garment leather subsequent to the date of this order.

(6) [Deleted Jan 24, 1944]

(i) *Deerskins*—(1) *Definition.* "Deerskin" means the skin of any North American, South American, New Zealand or French Oceanian deer, except elk, moose, caribou skins and Alaska deerskins.

(2) No person shall process any deerskin or deerskin leather except:

(i) To produce suitable leather meeting Army Air Forces or Army Service Forces specifications as revised from time to time; or

(ii) To fill a specific military order.

(3) No person shall sell or deliver any deerskin leather, or incorporate or manufacture any deerskin leather into any product, except to fill a specific military order.

(4) *Exceptions.* The restrictions of the preceding paragraphs (2) and (3) shall not apply to:

(i) Any deerskin or deerskin leather which does not meet and cannot be made to meet military specifications referred to in paragraph (i) (2) (i).

(ii) Deerskin leather rejected in writing by the Inspection Sections of the Army Air Forces or the Quartermaster.

(iii) [Deleted Jan. 24, 1944]

(iv) Any person who at no time puts into process, splits, shaves, skives, sells, delivers or uses more than 25 deerskins during any calendar month beginning with March 1943 or causes more than 25 deerskins to be processed, split, shaved, skived, sold, delivered or used for his account during any such month.

(v) A skin taken off a deer after September 20, 1943 and owned by the person causing it to be processed or incorporated into a product for his personal use or for a gift.

(j) *Effect on prior orders.* Authorizations to buy hides issued prior to June 23, 1943, under Conservation Order M-194, shall continue in effect until the expiration date therein provided or until expressly revoked.

Authorizations and directions issued and appeals granted prior to June 23, 1943, under the following orders, shall continue in effect until the expiration date therein provided or until expressly revoked:

General Preference Order M-80
General Conservation Order M-94
Conservation Order M-114
General Conservation Order M-141
Conservation Order M-273
General Preference Order M-301

(k) *Reports.* Every person described below shall, on or before the 10th day of each month execute and file reports with the War Production Board, as directed on the respective forms mentioned below:

Tanners and converters of cattlehides ---------- WPB-1325
formerly PD-569
Tanners and converters of calfskins and kips ---------- WPB-1322
formerly PD-569A
and WPB-3822
Tanners and converters of cattlehide side upper leather ---------- WPB-3822
Tanners, converters, curriers, finishers, jobbers and dealers of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather ---------- WPB-3822
Tanners and converters of sole leather ---------- WPB-3822
Tanners and converters of horsehides ---------- WPB-1001
formerly PD-475
Tanners and converters of goatskins, kidskins, cabretta or rough tanned goatskins and sheepskins ---------- WPB-1437
formerly PD-373
Sole cutters ---------- WPB-1303
formerly PD-598A
Non-sole cutting shoe manufacturers ---------- WPB-2209
formerly PD-598C
Finishers and converters of cattlehide splits ---------- WPB-2351
Tanners and converters of glove and garment cattlehide grain leather ---------- WPB-3822

Failure to file any of the reports mentioned above or any other reports requested pursuant to approval by the Bureau of the Budget shall constitute a violation of this order.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

No direction issued under this order shall be deemed to require the furnishing of materials or facilities to the War Production Board. If a direction requires the furnishing of materials or facilities to a contracting agency or to a war contractor, or the production of a specified amount of a material or product, or restricts all or a part of a person's production or inventory to specified purposes, and if the person affected cannot get firm orders to cover the materials, facilities, production or inventory involved, he may appeal and the War Production Board will grant appropriate relief.

(m) *Communications to the War Production Board.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref. M-310.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 11th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A amended July 11, 1945.

Column I	Column II	Column III	Column IV	Column V
Items	Cattlehide, calfskin and kip leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	Horsehide shank or non-military quality horsehide front leather may be incorporated in any product marked "Permitted" in this column	Goatskin leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	All other leather may be incorporated in any product marked "Permitted" in this column
1. Footwear, except as prohibited by Conservation Order M-217.	Permitted except harness leather.	Permitted	Permitted	Permitted.
2. Transmission belts	Permitted	Not permitted.	Not permitted	Permitted.
3. Hydraulic, packing, and mechanical leather products.	Permitted	Not permitted.	Not permitted	Permitted.
4. Leather products for textile equipment.	Permitted	Not permitted.	Not permitted	Permitted.
5. Harness, horse collars, and saddlery for police, farm and industrial use.	Permitted	Not permitted.	Not permitted	Permitted.
6. Trusses	Permitted	Permitted	Permitted	Permitted.
7. Surgical supports	Permitted	Permitted	Permitted	Permitted.
8. Artificial limbs	Permitted	Permitted	Permitted	Permitted.
9. Orthopedic products including arch supports.	Permitted	Permitted	Permitted	Permitted.
10. [Deleted July 11, 1945].				
11. Laces and thongs	Permitted	Not permitted.	Not permitted	Permitted.
12. Cap visors for military personnel.	Permitted	Not permitted.	Not permitted	Permitted.
13. Divers' equipment	Permitted	Not permitted.	Not permitted	Permitted.
14. Motorcycle and bicycle saddles	Permitted	Not permitted.	Not permitted	Permitted.
15. Work chaps	Permitted	Not permitted.	Not permitted	Permitted.
16. Work gloves	Permitted	Permitted	Permitted	Permitted.
17. Work aprons	Permitted	Permitted	Permitted	Permitted.
18. Garments for heavy duty workers.	Not permitted	Permitted	Permitted	Permitted.
19. Industrial safety clothing and equipment (exclusive of linesmen's belts) only to the extent essential for safety and protection in the performance of the workers' duties.	Permitted	Permitted	Permitted	Permitted.
20. [Deleted July 11, 1945].				
21. Athletic goods (except golf bags)	Permitted	Permitted	Not permitted	Permitted.
22. [Deleted July 11, 1945].				
23. [Deleted July 11, 1945].				
24. [Deleted July 11, 1945].				
25. Rawhide hammers and hammer faces.	Permitted	Not permitted	Not permitted	Permitted.
26. Functional parts of musical instruments (excluding straps, cases or containers).	Permitted	Not permitted	Permitted	Permitted.
27. Craft work products—certified to be for occupational therapy and rehabilitative purposes by any of the following: hospitals, institutions for the blind, the Red Cross, the Veterans Administration and by individuals invalided and incapable of doing any other type of manual work.	Permitted	Not permitted.	Permitted for lacing only.	Permitted.
28. Other products	Not permitted	Not permitted	Not permitted	Permitted.

SCHEDULE B

Column I	Column II	Column III	Column IV	Column V	Column VI
	Type of sole leather whole stock				
	Finders' bends	Manufacturers-bends-for-repair	Manufacturers' crops, backs and bends	Shoulders, bellies, and shanks	Manufacturers' leather or manufacturers'-bends-for-repair butt pieces
Block I. Persons permitted to cut each type subject to the provisions of Block II and III below.	Cutters for the repair trade only, except that any sole cutter may cut to obtain outersoles, midsoles and topliftsonly in accordance with block IIB below.	Cutter for the repair trade only.	Any sole leather cutter.	Any sole leather cutter.	Any sole leather cutter
Method of Cutting					
Block IIA. Each type shall be cut to yield maximum quantity of of military quality cut stock shown in this block (notwithstanding the additional requirements in General Direction 12 to this order), except as otherwise permitted in Block IIB.	Must be cut as shown in Block IIB.	Outersoles	Outersoles	Innersoles	Outersoles, midsoles, and innersoles.
Block IIB. Each type may be cut to produce the military quality cut stock shown in this block but only— 1. So as to yield the maximum quantity of such military quality cut stock, and 2. To the extent required to meet unfilled military orders of the kinds indicated.	Strips and tape to meet any unfilled military order. Toplifts cut from bends or other bend portions to meet any unfilled military orders. Outersoles and midsoles to meet military orders under Lend-Lease Act only.	May not be cut except under Block IIA.	Counters and toplifts to meet any unfilled military order. Outersoles and midsoles to meet military orders under Lend - Lease Act only.	Counters, box toes and midsoles to meet any unfilled military order.	Counters and box toes to meet any unfilled military order.
Cutting and disposition of remainder of each type after military quality cut stock has been obtained as provided in Block II.					
Block IIA. Except as provided in Block IIB below, remainder of each type shall be cut and disposed of only as shown in this block.	To produce repair cut stock, other than outer soles and midsoles, for sale only to finders for ultimate use by shoe-repairers or persons repairing their own shoes. Finders toplifts and finders pieces from which no tap can be obtained—unrestricted. Non-military outer soles and midsoles produced unavoidably in the course of cutting military outersoles and midsoles—for sale only to shoe manufacturers.	To produce repair cut stock, other than outer soles, midsoles and innersoles, for sale only to finders for ultimate use by shoe repairers or persons repairing their own shoes. Butt pieces, finders toplifts and finders pieces from which no tap can be obtained—unrestricted. Non-military outersoles, midsoles and innersoles, produced unavoidably in the course of cutting military outersoles, midsoles, and innersoles,—for sale only to shoe manufacturers.	To produce cut stock for use by shoe manufacturers only.	To produce cut stock or use by shoe manufacturers only.	To produce cut stock for use by shoe manufacturers only.
Block IIB. Exceptions shall be only as shown in this block.	No exceptions	No exceptions	No exceptions	No exceptions	No exceptions.

INTERPRETATION 1

EFFECT OF RATINGS ON EQUITABLE DISTRIBUTION

Paragraph (b) (7) of this order, the so-called equitable distribution clause, does not excuse filling of rated orders. This clause prohibits discrimination between customers who meet established prices, terms and credit requirements but it does not override Priorities Regulation No. 1, which requires, subject to the conditions set forth, that all rated orders be accepted and that preference be given to orders carrying higher ratings over those with lower ratings.

The particular types of leather specified by preference rated orders must be delivered unless the leather cannot be produced from the hides or skins available to the tanner or the tanner is excused or prevented from filling the order by a regulation, order or direction of the War Production Board. If a rated order is placed for military quality leather, this order may not be filled with civilian quality leather. (Issued Apr. 11, 1944.)

INTERPRETATION 2

OFRA AND UNRRA ORDERS NOT WITHIN DEFINITION OF "MILITARY ORDER"

"Military order" as defined in paragraph (a) (5) does not include orders for delivery against contracts placed by the Office of Foreign Relief Administration or the United Nations Rehabilitation and Relief Administration, or orders for hides, skins or leather for incorporation in products to be delivered against such contracts. (Issued April 15, 1944.)

[F. R. Doc. 45-12574; Filed, July 11, 1945; 11:31 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 15, as Amended July 12, 1945]

GLYCOLS

§ 3293.1015 *Schedule 15 to General Allocation Order M-300*—(a) *Definition.* (1) "Glycols" means ethylene glycol, triethylene glycol, and physical mixtures containing ethylene glycol or triethylene glycol mixed with each other or mixed with propylene glycol or diethylene glycol, except mixtures containing less than 2% of ethylene glycol and triethylene glycol. Special provisions for straight propylene and diethylene glycols are contained in paragraph (h) below.

(2) "Anti-freeze" means any mixture containing ethylene glycol, which mixture is designed and intended for use, without further processing, to depress the freezing point of coolant water in internal combustion engines.

(b) *General provisions.* Glycols are subject to the provisions of General Allocation Order M-300 as Appendix C materials. The initial allocation date is October 1, 1942, when glycols were first put under allocation by Order M-215 (revoked). The allocation period is the calendar month. The small order exemption per person per month is each and all of the following:

	Pounds
Ethylene glycol	5,000
Triethylene glycol	600
Mixed glycols	1,000

Customers must furnish use certificates when ordering glycols in amounts described in paragraph (g) and must file on Form WPB-2945 when ordering glycols in amounts described in paragraph (f).

(c) [Revoked Aug. 7, 1944.]

(d) *Special anti-freeze provisions.* (1) Effective midnight, December 31, 1944, Order L-51 will be revoked. All authorizations issued on Form WPB-1069 pursuant to Order L-51 to manufacture anti-freeze remain effective until March 31, 1945. All directives to deliver anti-freeze issued pursuant to Order L-51 remain effective until March 31, 1945, unless otherwise directed pursuant to paragraph (d) (2) of this schedule.

(2) War Production Board may from time to time issue special directives concerning the distribution or delivery of anti-freeze. It will be the policy of the War Production Board to obtain an equitable distribution of the available supply of anti-freeze. In issuing these special directives, the War Production Board will take into account vehicle registrations and weather conditions throughout the United States.

(e) *Supplier's applications on Form WPB-2947.* Each supplier seeking authorization to deliver glycols shall file application on Form WPB-2947. The filing date is the 19th of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-15. The unit of measure is pounds. File a separate set of forms for each kind of glycol. A consolidated set of forms for each kind of glycol may be filed for all plants. In Table I, first list in Column 1 the names of customers who have filed WPB-2945 forms with the applicant and in Column 1a specify "WPB-2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in such certificates; third, specify in Column 1 "aggregate small deliveries" and leave Column 1a blank; fill in other columns as indicated. Leave columns blank relating to rolling stock requirements. Fill in Table II as indicated. Inventory of glycol previously allocated for the supplier's own manufacturing use should not be reported on Form WPB-2947 (but should be reported in Table II of Form WPB-2945).

(f) *Customers' applications for authorization on WPB-2945.* Each person seeking delivery of glycols in excess of the following amounts shall file application for authorization on Form WPB-2945:

	Pounds
Ethylene glycol	75,000
Triethylene glycol	2,600
Mixed glycols	5,000

The filing date is the 12th of the month preceding the month for which allocation is requested. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-15, one copy (reverse side blank) to the supplier and retain one copy. The unit of measure is pounds. File a separate set of forms for each kind of glycol. In Column 3 specify primary product according to the following classifications:

Anti-freeze (specify military in Column 4)
Anti-freeze by states (list opposite in Column 4 the quantity proposed to be delivered in each state for civilian use)
Air for gas dehydration
Brake, hydraulic and de-icer fluids
Cellophane plasticizer
Coolant (specify in Col. 4 military or industrial)
Cosmetics
Cutting oils
Dentifrices and mouth washes
Drugs
Dynamite
Foods and flavors
General plasticizer (specify in Col. 4: cork crowns, cork gaskets, adhesives, coatings, glue or other)
General textile manufacture (specify in Col. 4: coupling agent, soluble oil, dye solvent, softener, rayon yarn processing, or other)
Molding and binder
Radio condenser fluid
Synthetic resin or chemical manufacture (identify product in Col. 3 and use in Col. 4)
Tobacco humectant
Wood stain
Export (as glycol)
Inventory (as glycol)
Miscellaneous (describe briefly in Col 4)
Resale (as glycol)

Leave Column 4 blank except as noted above.

Fill in Table II as indicated, specifying inventory on a physical basis regardless of authorizations or exemptions. However, a supplier who keeps separate inventories of glycol, both physically and on his books, for the purpose of sale and for his own manufacturing use, shall report in Table II only his inventory for his own use. Leave Tables III, IV and V blank.

(g) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of glycols between the following amounts per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use in the form prescribed in Appendix D of General Allocation Order M-300, and describing proposed use as shown in paragraph (f) above:

	Pounds
Ethylene glycol	5,000–75,000
Triethylene glycol	600– 2,600
Mixed glycols	1,000– 5,000

(h) *Production reports and directions regarding diethylene and propylene glycols.* (1) Each producer of diethylene glycol or propylene glycol shall file a report in triplicate on Form WPB-2947 with the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-15, on or before the 19th day of each month, commencing with August 19, 1944. The heading of the form shall be filled in, Table I shall be left blank, and in Table II the producer shall specify diethylene glycol and propylene glycol and shall fill in Columns 9 through 14 accordingly. This report may be filed separately or may be included in any report filed under paragraph (e) above.

(2) The War Production Board may from time to time issue special directions with respect to production of diethylene or propylene glycol.

(i) *Approval of reporting requirements.* The above reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-15.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12675; Filed, July 12, 1945; 11:22 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Direction 16]

RATINGS FOR WORK GLOVES AND MEN'S AND BOYS' WORK CLOTHING

The following direction is issued pursuant to General Conservation Order M-317:

(a) *What this direction does.* This direction provides for the continued use of the preference rating provisions of Order M-317A, as amended May 10, 1945, for work gloves and men's and boys' work clothing until further notice.

(b) *Assignment of preference ratings.*—(1) *Group A.* Preference Rating AA-3 is assigned to the persons listed in Column I to obtain deliveries of the cotton textiles in Column II to be used only as set forth in Column III.

Group	Column I	Column II	Column III
A	Processor. User (nonprofit public institutions only).	Blanket lining. Bedford cord. Chambray. Colored yarn shirting 36" 3.50 yd. and heavier. Corduroy. Cotton and wool mixtures, containing less than 25% wool. Cottonade. Covert. Denim, as restricted in Direction 1 of Conservation Order M-379. Denim stripes. Drill. Flannel, woven shirting, for work shirts only. Gabardine. Hickory stripe. Jean. Moleskin. Osnaburg. Pin check. Poplin. Sheetings: Bed. Class A. Class B. Class C. Soft-filled for napping. Sateen. Suede. Tobacco cloth. Twill (other than three leaf). Whipcord.	Men's work clothing and boys' (sizes 6-16 yrs. only) work clothing meaning any garments designed for male workers" wear while engaged in their occupations but expressly limited to one of the types customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits. Work pants Work breeches. Cossack jackets. Work shirts (this means a work shirt made in accordance with the restrictions of Limitation Order L-1-81 and OPA Orders MPR 298 and 369). Work aprons. Lined work coats. Doctors', dentists', internes', or orderlies' gowns, suits or coats. Druggists' coats. Slaughter house workers' coats. Bakers', butchers', fish-handlers' or dairy workers' coats or apron sets. Cooks' coats. Shop and work caps. Oilskin and rubberized raincoats.

(2) *Group B.* Preference Rating AA-2X is assigned to persons listed in Column I to obtain deliveries of the cotton textiles in Column II to be used only as set forth in Column III.

Group	Column I	Column II	Column III
B.....	Processor, but only one who performs at least one of the processes of cutting, sewing or finishing work gloves or at the time of using this rating has contracts with glove manufacturers for the production of work gloves in accordance with all provisions of Conservation Order M-328.	Flannel, mitten. Flannel, colored stripe mitten. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class C. Tubing. Twill, other than three leaf. Knit jersey, 8, 9, 10½ and 13 oz. weights.	Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.

(c) *Use of ratings assigned by this direction.* Preference Ratings assigned by this direction shall be applied and extended as provided by Order M-317, except that these words "M-317, Direction ——, Group ——" shall be inserted instead of "M-317, Group(s) No. ——" in the certification required in that order.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12670; Filed, July 12, 1945; 11:21 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-804, Amdt. 1]

GULF STATES PLYWOOD CO.

Gulf States Plywood Company, a partnership composed of Ralph C. Clark, Thos. B. Skiff and Carey A. Watkins, with its principal place of business located at 2400 Walnut Street, Jacksonville, Florida, has appealed from the Suspension Order as it affects its New Orleans Branch. Deputy Chief Compliance Commissioner Curtis Bok has reviewed the case and on July 9, 1945, directed that the Suspension Order be amended by the addition of another paragraph.

In view of the foregoing, it is hereby ordered, that: § 1010.804 *Suspension Order S-804* issued June 7, 1945, and effective June 14, 1945, be, and hereby is, amended by the addition of the following paragraph (e):

(e) The provisions of this order are directed solely against respondents' office in Jacksonville, Florida, and shall not apply to their office in New Orleans, Louisiana.

Issued this 11th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12346; Filed, July 11, 1945; 4:45 p. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120, Amdt. 143]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 120 is hereby amended in the following respects:

1. In the first paragraph of § 1340.201 the words "who is a producer or a distributor" appearing after the words "no person" and before the words "shall sell" are deleted, and the words "by a producer or distributor" appearing after the words, "so delivered" and before the words "at prices higher" are deleted.

2. Section 1340.207 (b) is amended to read as follows:

(b) The Administrator may by order grant an adjustment of the maximum prices for truck shipment of any mine for which it can be shown that any of the applicable maximum prices for truck shipment is below the sum of, (1) the corresponding circular, list, posted or standard price of October 1941 for truck or wagon shipments of the same size and quality of bituminous coal to the same class of customers plus (2) the amounts of increases granted to the district in which the mine is located for the same size and quality of coal, and that such price was actually in effect in that month for a significant tonnage. A maximum price as adjusted pursuant to this paragraph will generally approximate the said circular, list, posted or standard price plus general price increases but may in localities where area ceilings for local deliveries are in effect be related to those area ceiling prices.

This amendment shall become effective July 16, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment to Maximum Price Regulation No. 120 is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS.
Economic Stabilization Director.

[F. R. Doc. 45-12612; Filed, July 11, 1945; 11:36 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 120]

SPECIAL PROVISIONS FOR WHOLESALERS OF FOOTWEAR

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Sec.
1. Nature and scope of this order.
2. Applications for OPA Shoe Wholesaler Numbers.
3. Action by the Office of Price Administration on applications for OPA Shoe Wholesaler Numbers.
4. Amendments to applications.
5. Use of OPA Shoe Wholesaler Numbers.
6. Modifications of maximum prices
7. Definitions

Appendix A—List of categories of footwear

AUTHORITY: § 1305.148 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7971, E.O. 9328, Pub. Law 108, 79th Cong.; 8 F.R. 4681.

NOTE: Certain of the terms used in this order are further explained and defined in section 7. These terms are underlined the first time they appear in the text.

SECTION 1. *Nature and scope of this order*—(a) *What this order does.* This order provides for the issuance, upon application and proper showing, of "OPA Shoe Wholesaler Numbers" to persons regularly engaged in the business of selling footwear at wholesale prior to April 1, 1945. It requires the use of such numbers on invoices. It also modifies maximum prices otherwise established for the following sales and deliveries of footwear at wholesale on and after September 1, 1945:

(1) All sales and deliveries by wholesalers who do not have an OPA Shoe Wholesaler Number;

(2) Sales and deliveries of footwear purchased from affiliated suppliers or footwear sold to affiliated purchasers even though the wholesaler has an OPA Shoe Wholesaler Number; and (3) Sales and deliveries of footwear in a category which the wholesaler did not sell and deliver in the regular course of business prior to April 1, 1945, even though he has an OPA Shoe Wholesaler Number.

(b) *What commodities are covered.* This order applies to footwear of the categories enumerated in Appendix A. It does not apply to athletic footwear or to used footwear.

(c) *What sellers are covered.* This order applies to all wholesalers of footwear. A wholesaler is any person who buys footwear and sells it to purchasers for resale, and who is not, with respect to such sales, subject to Maximum Price Regulation 580.

(d) *Where this order applies.* This order applies to the continental United States, but not to the territories and possessions of the United States.

SEC. 2. *Applications for OPA Shoe Wholesaler Numbers.* Any seller who operated a business which regularly sold footwear at wholesale at any time during the 5 years prior to April 1, 1945 may apply for the issuance of an OPA Shoe Wholesaler Number to such business. Application shall be made by filing with the appropriate OPA District Office[1] two copies of a statement containing certain information and establishing certain facts. This statement, which must be signed by an officer or owner, shall contain the following:

(a) The wholesaler's business name and the address of his principal office and of each selling office.

(b) A list of the names and addresses of all persons having an ownership interest in the wholesaler in the amount of 10%, or more, on the date of the application, and a separate list of all other persons who have, at any time subsequent to April 7, 1943, had such an ownership interest, indicating the percentage of ownership of each person on each list.

(c) A list of the categories of footwear (as enumerated in Appendix A) which the wholesaler sold and delivered at wholesale in the regular course of business prior to April 8, 1943.

(d) A list of the categories of footwear (as enumerated in Appendix A) which the wholesaler sold and delivered at wholesale in the regular course of business for the first time between April 8, 1943 and March 31, 1945, inclusive, indicating the date of the first sale or delivery of footwear in each such category.

(e) A list of all the wholesaler's affiliated suppliers and affiliated purchasers (each as defined in section 7) of footwear, with respect to each such supplier or purchaser, the name and address of the affiliate and the nature of the affiliation in detail.

(f) In the case of any wholesaler who commenced business as a wholesaler of footwear subsequent to April 7, 1943, a statement certifying to each of the following facts:

(1) That he buys (and at all times subsequent to April 1, 1945, has bought) substantially all his footwear in wholesale quantities, as understood in the trade, from manufacturers or importers other than affiliated suppliers, purchases being made on a make-up basis in advance of the time of his offering the footwear for sale;

(2) That he carries (and at all times subsequent to April 1, 1945, has carried) a representative stock of footwear at his place of business, making substantially all of his deliveries from stock carried at his place of business;

(3) That he takes title to the footwear handled by him and bears the risk of loss or damage while it is in his possession, and has done so at all times subsequent to April 1, 1945;

(4) That he bears the credit risks and mark down losses on the footwear handled by him, and has done so at all times subsequent to April 1, 1945;

(5) That he sells (and at all times subsequent to April 1, 1945, has sold) footwear to independent retail stores generally and not primarily to a single retailer or a group of retailers under common ownership or to a buying syndicate or group;

(6) That he is not (and has not been at any time subsequent to April 1, 1945) a buying office or other agency representing retailers, a stock-carrying affiliate of retailers, or a central office or warehouse for commonly owned or controlled retail stores.

(g) In the case of any seller who commenced business as a wholesaler of footwear subsequent to April 7, 1943, the following information with respect to each supplier from whom he has purchased or received footwear for sale at wholesale:

(1) The supplier's name and address,

(2) The nature of the supplier's business (shoe manufacturer, importer, wholesaler, retailer, etc.).

(3) The total dollar amount of footwear purchased from such supplier between April 8, 1943 and date of the application.

The Office of Price Administration may require an applicant to submit information necessary to establish that he conducts a business which renders a recognized distributive function in the sale of footwear at wholesale including information verifying the accuracy of the statements made in response to paragraphs (a) through (g) of this section.

NOTE: Any person who makes any false statement or false representation in this application is liable for criminal prosecution under the laws of the United States.

SEC. 3. *Action by the Office of Price Administration on applications for OPA Shoe Wholesaler Numbers.* Each Regional Administrator, and each District Director so authorized by the appropriate Regional Administrator, may exercise the functions, duties, powers and authority conferred upon the Price Administrator for the purpose of acting upon applications for OPA Shoe Wholesaler Numbers and revocation of OPA Shoe Wholesaler Numbers.

(a) *Original action.* Within a reasonable time after the filing of an application for an OPA Shoe Wholesaler Number, the Regional Administrator or the District Director, as the case may be, shall, by order, either

(1) Dismiss any application which is incomplete or improperly filed; or

(2) Issue an OPA Shoe Wholesaler Number to the applicant; or

(3) Deny any application filed by an applicant who does not establish that he qualifies for the issuance of an OPA Shoe Wholesaler Number.

(b) *Revocation of OPA Shoe Wholesaler Numbers.* The Office of Price Administration may revoke an OPA Shoe Wholesaler Number where it appears that the wholesaler was not, at the time of the issuance thereof, qualified under this order for the issuance of such number. It may also revoke any such number where it appears that, because of a change in the wholesaler's manner of operations subsequent to the issuance thereof, he would no longer qualify under this order for the issuance of an OPA Shoe Wholesaler Number.

(c) *Requests for review.* Any wholesaler whose application for an OPA Shoe Wholesaler Number has been denied or whose OPA Shoe Wholesaler Number has been revoked by the Regional Administrator or District Director may, within 60 days after the date on which notice of denial or revocation was mailed to him, file with the office which took such action a request for review thereof by the Regional Administrator for the region, if the action was taken by the District Director, or review by the Administrator, if the action was taken by the Regional Administrator in the first instance. After due consideration, the Regional Administrator or the Administrator, as the case may be, shall grant or deny, by order, any case as to which a proper request for review has been filed.

(d) *Protest of denial of application or of revocation of OPA Shoe Wholesaler Number.* The denial of an application for an OPA Shoe Wholesaler Number or the revocation of an OPA Shoe Wholesaler Number is subject to protest in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 4. *Amendments to applications.* Amendments to applications for OPA Shoe Wholesaler Numbers shall be signed by an officer or owner of the business and filed in duplicate with the OPA District Office at which the original application was filed. Amendments to applications shall be filed by wholesalers to whom an OPA Shoe Wholesaler Number has been issued in any of the following circumstances:

(a) *Incorrect applications.* If any wholesaler finds that the application previously filed by him was incorrect at the time of filing, he must immediately file an amendment to such application. Such amendment must show all the changes which are necessary in the original application and explain the circumstances necessitating the changes.

(b) *Changed circumstances*—(1) *Affiliations.* In the event that a wholesaler becomes affiliated (as defined in section 7) with any of his suppliers or purchasers of footwear at a time subsequent to the filing of his original application, he must, within 10 days after the date of such affiliation, file an amendment stating the name and address of the affiliate and the nature of the affiliation in detail.

(2) *Changes in manner of operations.* In the event that a wholesaler who commenced the business of selling footwear at wholesale subsequent to April 7, 1943, changes his manner of operation with respect to any of the items certified to under paragraph (f) of section 2, above, he must immediately file an amendment to his application showing all of the changes necessary in the original application in order to reflect the changes in manner of operation.

(3) *New sources of supply.* In the event that a wholesaler who commenced the business of selling footwear at wholesale subsequent to April 7, 1943 purchases footwear for sale at wholesale from a supplier who was not listed in his application (or any previous amendment thereto) he must, within 10 days after the first purchase from such supplier, file an amendment to his original application stating the name and address of the supplier, the category or categories of footwear (as listed in Appendix A) furnished by the supplier, and the date of his first purchase of footwear from such supplier.

(4) *Changes in ownership.* In the event that there is any change in the ownership of the wholesaler subsequent to the filing of the application which results in an ownership interest in the wholesaler in the amount of 10% or more on the part of any person not required to be listed as an owner at the time of the original application, the wholesaler must, within 10 days after the date of

[1] The "appropriate OPA District Office" is the district office having jurisdiction over the area in which the wholesaler's principal office is located.

any such ownership change, file an amendment which shall state the name and address of such person, the percentage of ownership in the wholesaler held by him, and the effect of the change in ownership upon the ownership interest of any person reported as an owner at the time of the original application.

SEC. 5. *Use of OPA Shoe Wholesaler Numbers*—(a) *Invoicing.* On and after September 1, 1945, every wholesaler to whom an OPA Shoe Wholesaler Number has been issued shall, in connection with every delivery at wholesale of footwear covered by this order, furnish the purchaser with an invoice or similar document which shall contain, in addition to any other information required by the provisions of the applicable maximum price regulation, the following:

(1) The name and address of the seller and the purchaser.

(2) The OPA Shoe Wholesaler Number of the seller, which shall be shown as "OPA Shoe Wholesaler No. ."

(3) A description of the footwear (sufficient to identify it on the seller's maximum price records) together with the quantity and the price charged therefor and the terms of sale applicable to the transaction.

(4) The date of the invoice.

The seller shall preserve a copy of each such invoice or similar document for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) *Representations.* The use of a number which purports to be an OPA Shoe Wholesaler Number, either on an invoice or other similar document or in any other manner, constitutes a representation to the public and to the Office of Price Administration that the seller is properly entitled to the use thereof. False representation is a criminal offense punishable by law.

SEC. 6. *Modifications of maximum prices.* (a) On and after September 1, 1945, regardless of the provisions of the maximum price regulation otherwise applicable to such sales and deliveries, the maximum prices established below shall apply to the following sales and deliveries of footwear at wholesale:

(1) All sales and deliveries of footwear by a wholesaler who does not have an OPA Shoe Wholesaler Number.

(2) All sales and deliveries of footwear purchased from an affiliated supplier or sold to an affiliated purchaser, even though the wholesaler has an OPA Shoe Wholesaler Number.

(3) All sales and deliveries of footwear within any category (listed in Appendix A) which the wholesaler did not sell and deliver at wholesale in the regular course of business prior to April 1, 1945, even though the wholesaler has an OPA Shoe Wholesaler Number.

The maximum price applicable to any such sale or delivery of footwear shall be the net invoice cost of the footwear to the wholesaler but not to exceed the properly established maximum price applicable to a sale by the manufacturer or importer thereof to the same class of purchaser to whom the wholesaler is selling: *Provided*, That, if the wholesaler has complied with the provisions of paragraph (b), below, the maximum price shall be the properly established maximum price applicable to a sale by the manufacturer or importer of the footwear to the same class of purchaser to whom the wholesaler is selling: *Provided further*, That in no event may the maximum price established pursuant to this section 6 exceed the highest price at which the manufacturer is permitted to sell the footwear under the provisions of War Production Board Order M-217.

(b) In order to comply with the provisions of this paragraph a wholesaler must do the following:

(1) Secure a signed statement from the manufacturer or importer of the footwear showing (i) the properly established maximum price applicable to a sale by the manufacturer or importer to the same class of purchaser to whom the wholesaler is selling; (ii) the section and paragraph numbers of the maximum price regulation pursuant to which such maximum price was established; and (iii) the highest price at which the manufacturer is permitted to sell the footwear under the provisions of War Production Board Order M-217.

(2) Preserve such statement as a part of his maximum price records, and make it available for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 7. *Definitions.* (a) As used in this order, the term:

(1) "Footwear" means any type of outside covering for the human foot, but does not include hosiery, footwear made entirely of wood, or footwear in which vulcanization is used in the process of manufacture for the purpose of attaching the sole to the upper material. The term does not include used footwear.

(2) "Athletic footwear" means footwear especially designed for wear by participants in athletics, including baseball shoes, basketball shoes, football shoes, soccer shoes, track shoes, tennis shoes, gym shoes, spiked golf shoes, bowling shoes, skating shoes, boxing shoes, ski boots, riding boots and jodhpur boots.

(3) "Category" means each of the groupings of footwear enumerated in Appendix A.

(4) "Affiliated supplier" means any supplier of footwear with whom the wholesaler is, or has been, connected or associated in any of the following ways:

(i) By a common ownership (direct or indirect) of the wholesaler and the supplier, to the extent of 10%, or more, which became effective subsequent to April 7, 1943; or

(ii) By any profit sharing arrangement between the wholesaler and the supplier which became effective subsequent to April 7, 1943; or

(iii) In any case in which either the supplier or the wholesaler commenced business subsequent to April 7, 1943, where

(*a*) The wholesaler (or any person having a 10%, or greater, ownership interest or any profit sharing interest in the wholesaler) has been, at any time subsequent to April 7, 1943, an officer or employee of the supplier in a managerial, supervisory or selling capacity; or where

(*b*) The supplier (or any person having a 10%, or greater, ownership interest or any profit sharing interest in the supplier) has been at any time subsequent to April 7, 1943, an officer or employee of the wholesaler in a managerial, supervisory, purchasing or selling capacity; or where

(*c*) There exists a close family relationship between persons one of whom has, at any time subsequent to April 7, 1943, had a 10%, or greater, ownership interest or any profit sharing interest in the supplier and the other of whom has, at any time subsequent to April 7, 1943, had a 10%, or greater, ownership interest or any profit sharing interest in the wholesaler (close family relationship shall include husband and wife, parent and child, grandparent and grandchild, brothers-in-law, sisters-in-law, father-in-law or mother-in-law and son-in-law or daughter-in-law relationships).

(5) "Affiliated purchaser" means any purchaser of footwear with whom the wholesaler is, or has been, connected or associated in any of the following ways:

(i) By a common ownership (direct or indirect) of the wholesaler and the purchaser, to the extent of 10% or more, which became effective subsequent to April 7, 1943; or

(ii) By any profit sharing arrangement between the wholesaler and the purchaser which became effective subsequent to April 7, 1943; or

(iii) In any case in which either the wholesaler or the purchaser commenced business subsequent to April 7, 1943, where

(*a*) The wholesaler (or any person having a 10%, or greater, ownership interest or any profit sharing interest in the wholesaler) has been, at any time subsequent to April 7, 1943, an officer or employee of the purchaser in a managerial, supervisory or purchasing capacity; or where

(*b*) The purchaser (or any person having a 10%, or greater, ownership interest or any profit sharing interest in the supplier) has been, at any time subsequent to April 7, 1943, an officer or employee of the wholesaler in a managerial, supervisory, purchasing or selling capacity.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and § 1499.20 of the General Maximum Price Regulation shall apply to the terms used in this regulation.

APPENDIX A—CATEGORIES OF FOOTWEAR

1. Men's dress
2. Men's work
3. Little gents', youths' and boys'
4. Women's and growing girls'
5. Misses', children's and infants'
6. House slippers

This order shall become effective July 12, 1945.

NOTE: The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 54-12678; Filed, July 12, 1945; 11:32 a. m.]

PART 1340—FUEL

[RMPR 436, Amdt. 16]

CRUDE PETROLEUM, AND NATURAL AND PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 436 is amended in the following respects:

1. Section 10 (n) is amended adding subparagraph (21) to read as follows:

(21) On and after July 1, 1945, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Apco-Warner (Ordovician) field, Pecos County, Texas, shall be $1.25 per barrel with a $0.02 per degree differential for lower gravities down to $0.93 for below 25°.

2. Section 10 (n) is amended by adding subparagraph (22) to read as follows:

(22) On and after July 1, 1945, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Todd Deep pool, Crockett County, Texas, shall be $1.25 per barrel with a $0.02 per degree differential for lower gravities down to $0.93 for below 25°.

3. Section 10 (o) (5) is amended to read as follows:

(5) *Badger Basin, Bailey Dome, Cole Creek, Crooks Gap, Elk Basin, Grass Creek, Lost Soldier and Rock Creek.* On and after June 1, 1945, the maximum price at the receiving tank for sweet crude petroleum of 40° API gravity and above produced in the Bailey Dome and Rock Creek fields, Carbon County, the Badger Basin field, Park County, Wyoming, the Grass Creek field, Hot Springs County, the Cole Creek field, Natrona County, the Crooks Gap field, Fremont County, Lost Soldier field, Sweetwater County, Wyoming, and the Elk Basin field, Park County, Wyoming and Carbon County, Montana, shall be $1.25 per barrel with a $.02 per degree differential for lower gravity crudes.

This amendment shall become effective July 17, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12681; Filed, July 12, 1945; 11:32 a. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[MPR 382, Amdt. 8]

WIDE MOUTH GLASS CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 328 is amended in the following respect:

Section 3.5 (c) is amended to read as follows:

(c) *Applicable period of this section.* The provisions of this section 3.5 shall be applicable only on shipments made during the period May 1, 1945 to August 1, 1945, inclusive.

This amendment shall become effective July 17, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12680; Filed, July 12, 1945; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 63]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respect:

The third undesignated paragraph of § 1499.158 (b) is amended to read as follows:

The manufacturer shall also submit a sample of the article being priced, if practicable. The sample should not be forwarded, however, until the manufacturer has been advised where to send it. If it is not practicable to submit a sample, the manufacturer shall submit with his application in lieu of a sample, a photograph, blueprint, or other illustration of the article being priced. In addition, the manufacturer shall submit such other relevant information to supplement his report as the Office of Price Administration may require.

Upon issuance of the order by the Price Administrator or his duly authorized representative, the manufacturer may offer the article for sale in accordance with the terms of the order.

This amendment shall become effective on the 17th day of July 1945.

Issued this 12th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12679; Filed, July 12, 1945; 11:32 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—RULES OF PRACTICE AND PROCEDURE

OFFICES; HOURS

The Commission on July 6, 1945, effective immediately, amended § 1.1 *Offices; hours* to read:

§ 1.1 *Offices; hours.* The principal office of the Commission shall be located at Washington, D. C., and all communications to it shall be addressed to the Secretary, Washington 25, D. C., unless otherwise specifically directed. The hours of the Commission are from 9:15 a. m. to 5:45 p. m., Monday through Friday, and on Saturday from 9:15 a. m. to 1:15 p. m., inclusive, except on legal holidays.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)).

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-12648; Filed, July 12, 1945; 9:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Amdt. 1]

PART 203—PRESERVATION OF RECORDS

DRIVERS' REPORTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 28th day of June, A. D. 1945.

The matter of the "Regulations to Govern the Preservation of Records of Class I Motor Carriers," issue of 1942, effective on July 1, 1942, being under consideration by the Division, pursuant to the authority of section 220 (d) of the Interstate Commerce Act. It is ordered, that:

Section 203.311 *List of accounts, records, and memoranda, and period of retention*, is amended by substituting the following in lieu of Item 80 thereof:

Description and period to be retained

Item 80. Drivers' Reports: Original copies of reports from drivers showing: cash collections; tickets and passes honored or collected; number of passengers carried; baggage, express and mail handled; amount of freight carried; and the movement of busses, trucks, tractors, trailers and other equipment (49 Stat. 563; 54 Stat. 927; 49 U.S.C. 320 (d)), 3 years.

The effective date of this order shall be August 1, 1945.

A copy of this order shall be served upon every Class I motor carrier subject to the Act and upon every trustee, executor, administrator, or assignee of any such motor carrier, and notice of this order shall be given to the general public by depositing a copy thereof in the office

of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12666; Filed, July 12, 1945; 10:59 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 54]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

MOTOR TRANSPORTATION OF RACE HORSES AND SHOW ANIMALS

General outline. This General Order ODT 54 relates to the transportation of race horses or show animals by motor vehicle by common carriers or contract carriers.

The order provides that no person shall offer for transportation and no common carrier or contract carrier shall accept for transporation, or transport, any race horse or show animal by motor vehicle. The term "race horse or show animal" is defined to mean any horse or other animal, other than ordinary livestock, chiefly valuable for racing, exhibition, or breeding purposes.

The order permits the transportation by motor vehicle by common carrier or contract carrier of any race horse or show animal which is not to be entered in any race, show, or exhibition, or is not to be raced or exhibited, during the period that this order is in effect, provided an affidavit is furnished the motor carrier prior to the actual shipment showing certain specified information.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of General Order ODT 54 follows:

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 9389, as amended, and 9156, War Production Board Directives 21 and 36, as amended, and in order to conserve and providently utilize vital transportation equipment, material, and supplies; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and it being deemed necessary in the public interest to restrict the transportation of race horses and show animals by common carriers and contract carriers by motor vehicle, it is hereby ordered, that:

Sec.
501.520 Definitions.
501.521 Restriction upon transportation by motor vehicle of any race horse or show animal.
501.522 Exemption.
501.523 Applicability.
501.524 Communications.

AUTHORITY: §§ 501.520 to 501.524, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. § 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 3009.

§ 501.520 *Definitions.* As used in §§ 501.520 to 501.524, inclusive, and unless otherwise indicated by the context, the term:

(a) "Race horse or show animal" means any horse, or other animal, other than ordinary livestock, chiefly valuable for racing, exhibition, or breeding purposes.

(b) "Motor vehicle" means any rubber-tired vehicle propelled or drawn by mechanical power.

(c) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(d) "Common carrier" means any person that holds itself out to the general public to engage in transportation of property by motor vehicle for compensation.

(e) "Contract carrier" means any person that, under individual contracts or agreements, engages in the transportation of property by motor vehicle for compensation.

(f) "Continental United States" means the forty-eight States and the District of Columbia.

§ 501.521 *Restriction upon transportation by motor vehicle of any race horse or show animal.* No person shall offer for transportation, and no common carrier or contract carrier shall accept for transportation, or transport, any race horse or show animal by motor vehicle.

§ 501.522 *Exemption.* The provisions of §§ 501.520 to 501.524, inclusive, shall not apply to the transportation by motor vehicle by a common carrier or a contract carrier of any race horse or show animal which is not to be entered in any race, show or exhibition, or is not to be raced or exhibited during the period that §§ 501.520 to 501.524, inclusive, are in effect: *Provided*, That the shipper or party contracting for such transportation files with the common carrier or contract carrier who is to perform the transportation, before actual shipment, an affidavit setting forth:

(a) The name and address of the owner of the race horse or show animal to be shipped;

(b) The name, if known, and a description of the race horse or show animal to be shipped;

(c) The place, if any, at which the race horse or show animal was last raced or exhibited;

(d) The purpose for which the race horse or show animal is to be shipped; and

(e) A statement that such race horse or show animal will not be raced or exhibited during the period §§ 501.520 to 501.524, inclusive, is in effect.

§ 501.523 *Applicability.* The provisions of §§ 501.520 to 501.524, inclusive, shall be applicable within the continental United States.

§ 501.524 *Communications.* Communications concerning §§ 501.520 to 501.524, inclusive, should refer to General Order ODT 54, and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., or to the nearest district office of the Office of Defense Transportation.

This General Order ODT 54 shall become effective July 11, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of July 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-12614; Filed, July 11 1945; 3:23 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Office of Marketing Services.

[Docket No. AO 173-A1]

WICHITA, KANS., MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement and order regulating the handling of milk in the Wichita, Kansas, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of a hearing to be held in the United States District Court Room, Federal Building, 401 North Market Street, Wichita, Kansas, beginning at 10 a. m., c. w. t., July 17, 1945, with respect to proposed amendments to the tentatively approved marketing agreement and order regulating the handling of milk in the Wichita, Kansas, marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth. The amendments which have been proposed are set forth below.

1. Delete § 968.1 (b) and substitute therefor the following:

(b) "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

2. Delete the term "War Food Administrator" wherever appearing and substitute therefor the term "Secretary."

3. Delete § 968.1 (e) and substitute therefor the following:

(e) "Producer" means any person, irrespective of whether such person is also a handler, who, in conformity with the applicable health regulations of the city of Wichita, Kansas, produces milk which is received at a plant from which skim milk or butterfat is disposed of in the marketing area as Class I milk or as Class II milk. This definition shall include any person who produces milk which a cooperative association causes to be delivered to a plant from which no milk is disposed of as Class I milk or as Class II milk in the marketing area.

4. Delete § 968.1 (f), and substitute therefor the following:

(f) "Handler" means any person, irrespective of whether such person is also a producer, who, on his own behalf or on behalf of others, disposes of as Class I milk or as Class II milk in the marketing area all, or a portion of the skim milk and butterfat contained in the milk purchased or received by him from (1) producers, (2) his own production, and (3) other handlers. This definition shall include a cooperative association with respect to milk which it causes to be delivered from a producer to a plant from which no skim milk or butterfat is disposed of as Class I milk or as Class II milk in the marketing area.

5. Delete § 968.3 and substitute therefor the following:

§ 968.3 *Classification of milk*—(a) *Basis of classification.* All skim milk and butterfat contained in milk, skim milk, cream and milk products purchased or received by a handler shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) and (d) of this section, the classes of utilization shall be as follows:

(1) Class I milk shall be all skim milk and butterfat disposed of for consumption in the form of milk and buttermilk or in the form of flavored milk drinks containing more than 1 percent butterfat and all skim milk and butterfat not specifically accounted for as Class II milk or Class III milk.

(2) Class II milk shall be all skim milk and butterfat used to produce cream (for consumption as cream, including any cream product in fluid form which contains 6 percent or more butterfat), creamed cottage cheese, aerated cream, eggnog, and flavored milk drinks containing not more than 1 percent butterfat.

(3) Class III milk shall be all skim milk and butterfat specifically accounted for (i) as used to produce a milk product other than those specified in Class II milk and (ii) as actual plant shrinkage but not to exceed 3 percent of the total receipts of milk from producers.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the skim milk and butterfat contained in such milk and to prove to the market administrator that such skim milk or butterfat should not be classified as Class I.

(d) *Transfers of milk and cream.* (1) Skim milk and butterfat shall be classified as Class I when moved in the form of milk or skim milk from the plant of a handler (i) to the plant of another handler who receives milk from producers: *Provided*, That if such milk or skim milk is utilized in a lower class, it shall be classified accordingly subject to verification by the market administrator; (ii) to the plant of a handler who receives no milk from producers other than milk of his own production; and (iii) to the plant of a person, other than a handler, who disposes of milk or skim milk in fluid form for consumption as such.

(2) Skim milk and butterfat shall be classified as Class II when moved in the form of cream from the plant of a handler (i) to the plant of another handler who receives milk from producers: *Provided*, That if such cream is utilized other than in the production of a Class II product, it shall be classified accordingly subject to verification by the market administrator (ii) to the plant of a handler who receives no milk from producers other than milk of his own production and (iii) to the plant of a person other than a handler, who disposes of cream in fluid form for consumption as such.

(3) Skim milk and butterfat disposed of by a handler in the form of milk, skim milk, or cream to the plant of a person, other than a handler, who does not dispose of milk, skim milk, or cream for consumption in fluid form shall be classified as Class III.

(e) *Computation of the milk in each class.* For each delivery period the market administrator shall correct for mathematical and for other obvious errors the report submitted by each handler and shall compute, on the basis of such corrected report, the amount of skim milk and butterfat in each class as defined in (b) of this section as follows:

(1) Determine the total pounds of milk received by adding into one sum the total pounds of skim milk and butterfat contained in the milk, skim milk, cream, and milk products received.

(2) Determine the total pounds of milk in Class I by adding into one sum the total pounds of skim milk and butterfat disposed of in each of the several products of Class I, and the total pounds of skim milk and butterfat unaccounted for or acounted for as plant shrinkage in excess of 3 percent of the total receipts of skim milk and butterfat from producers.

(3) Determine the total pounds of milk in Class II by adding into one sum the pounds of skim milk and butterfat used to produce each of the several products of Class II.

(4) Determine the total pounds of milk in Class III by adding into one sum the pounds of skim milk and butterfat used to produce each of the several products of Class III and the pounds of skim milk and butterfat accounted for as actual plant shrinkage not in excess of 3 percent of the total receipts of skim milk and butterfat from producers.

(5) Determine the classification of milk of producers as follows: (i) Subtract from the pounds of skim milk and butterfat in each class the pounds of skim milk and butterfat which were received from sources other than producers, own farm production, and other handlers in series beginning with the lowest class; (ii) subtract from the remaining pounds of skim milk and butterfat in each class the pounds of skim milk and butterfat which were received from other handlers and allocated to each class in accordance with (d) of this section; (iii) subtract pro rata from the remaining pounds of skim milk and butterfat in each class, the pounds of skim milk and butterfat which were received from such handler's own farm production; (iv) if the remaining quantity of skim milk or butterfat than the handler reported having received from producers, an amount equal to the difference shall be subtracted pro rata from the remaining pounds of skim milk or butterfat in each class; and (v) the result shall be known as the "net pooled milk" in each class.

6. Delete § 968.4 and substitute therefor the following:

§ 968.4 *Minimum prices*—(a) *Class prices.* Each handler shall, subject to the provisions of (c) of this section, pay at the time and in the manner set forth in § 968.8 not less than the prices set forth in this section per hundredweight of milk received during each delivery period from producers:

(1) *Class I milk.* The price per hundredweight shall be the price determined pursuant to (b) of this section, plus 75 cents.

(2) *Class II milk.* The price per hundredweight shall be the price determined pursuant to (b) of this section, plus 50 cents.

(3) *Class III milk.* The price per hundredweight shall be the highest price paid during each delivery period for ungraded milk containing 3.8 percent butterfat by any one of the following: DeCoursey Cream Company at its plants at Wichita or Anthony, Kansas; the Central Kansas Cooperative Creamery Association at its plant at Hillsboro, Kansas; or the Arkansas City Cooperative Milk Association at its plant at Arkansas City, Kansas.

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the Class I and Class II prices set forth in (e) of this section, shall be the average of the basic or field prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the immediately preceding delivery period at the following places for which prices are reported to the market administrator by the listed companies or by the United States Department of Agriculture (or by such other Federal agency as may be authorized to perform this price reporting function):

Borden Company, Mt. Pleasant Mich.
Carnation Company, Sparta, Mich.
Pet Milk Company, Hudson, Mich.

establishing the classification of milk as

milk and butterfat accounted for as ac-

Pet Milk Company, Hudson, Mich.

Pet Milk Company, Wayland, Mich.
Pet Milk Company, Coopersville, Mich.
Borden Company, Greenville, Wis.
Borden Company, Black Creek, Wis.
Borden Company, Orfordville, Wis.
Carnation Company, Chilton, Wis.
Carnation Company, Berlin, Wis.
Carnation Company, Richland Center, Wis.
Carnation Company, Oconomowoc, Wis.
Carnation Company, Jefferson, Wis.
Pet Milk Company, New Glarus, Wis.
Pet Milk Company, Belleville, Wis.
Borden Company, New London, Wis.
White House Milk Company, Manitowoc, Wis.
White House Milk Company, West Bend, Wis.

divided by 3.5 and multiplied by 3.8, but in no event shall such basic price be less than the following: multiply by 3.8 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the immediately preceding delivery period, and add 20 percent: *Provided*, That such price shall be subject to the following adjustments: (i) add 3½ cents per hundredweight for each full one-half cent that the price of non-fat dry milk solids for human consumption is above 5½ cents per pound or (ii) subtract 3½ cents per hundredweight for each full one-half cent that the price of such non-fat dry milk solids is below 5½ cents per pound. For purposes of determining this adjustment the price of non-fat dry milk solids to be used shall be the average of the carlot prices for non-fat dry milk solids for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the Chicago area during the immediately preceding delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such non-fat dry milk solids for the previous delivery period. In the event the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) does not publish carlot prices for non-fat dry milk solids for human consumption, f. o. b. manufacturing plants, the average of the carlot prices for non-fat dry milk solids for human consumption, delivered at Chicago, shall be used. In the latter event such price shall be subject to the following adjustments: (i) Add 3½ cents per hundredweight for each full one-half cent that the price of non-fat dry milk solids for human consumption, delivered at Chicago, is above 7½ cents per pound, or (ii) subtract 3½ cents per hundredweight for each full one-half cent that such price of non-fat dry milk solids is below 7½ cents per pound.

(c) *Butterfat differentials to handlers.* (1) If the average butterfat content of the milk disposed of by any handler as net pooled Class I milk is more or less than 3.8 percent, such handler shall add to the Class I price per hundredweight computed pursuant to (a) (1) of this section for each one-tenth of 1 percent that the average butterfat content of such Class I milk is above 3.8 percent or shall subtract from such Class I price for each one-tenth of 1 percent that the average butterfat content of such Class I milk is below 3.5 percent, an amount computed by the market administrator as follows: To the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the immediately preceding delivery period, add — percent and divide the sum obtained by 10.

(2) If the average butterfat content of the milk disposed of as net pooled Class II milk by any handler is more or less than 3.8 percent, such handler shall add to the Class II price per hundredweight computed pursuant to (a) (2) of this section for each one-tenth of 1 percent that the average butterfat content of such Class II milk is above 3.8 percent, or shall subtract from such Class II price for each one-tenth of 1 percent that the average butterfat content of such Class II milk is below 3.8 percent an amount computed by the market administrator as follows: To the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the immediately preceding delivery period, add percent and divide the sum obtained by 10.

(3) If the average butterfat content of the milk disposed of as net pooled Class III milk by any handler is more or less than 3.8 percent, such handler shall add to the Class III price computed pursuant to (a) (3) of this section for each one-tenth of 1 percent that the average butterfat content of such Class III milk is above 3.8 percent, or shall subtract for each one-tenth of 1 percent that the average butterfat content of such Class III milk is below 3.8 percent, an amount computed by the market administrator as follows: To the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the immediately preceding delivery period, add 20 percent and divide the sum obtained by 10.

(d) *Emergency price provision.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payments being made in connection with the milk or product associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

7. Delete § 968.5 (a) and substitute therefor the following:

(a) *Periodic reports.* On or before the 5th day after the end of each delivery period each handler, who purchases or receives milk from producers with respect to all skim milk and butterfat contained in milk, skim milk, cream and milk products which were during such delivery period received from (1) producers; (2) other handlers; (3) such handler's own farm production; or (4) from any other source; shall report to the market administrator in the detail and on forms prescribed by him as follows:

(i) The receipts at each plant from producers who are not handlers;

(ii) The receipts at each plant from any other handler, including any handler who is also a producer;

(iii) The receipts at each plant from such handler's own farm production;

(iv) The receipts at each plant from any other source;

(v) The utilization of all skim milk and butterfat disposed of including sales to other handlers;

(vi) The quantity of skim milk and butterfat on hand; and

(vii) Such other information with respect to the use of the skim milk and butterfat as the market administrator may require.

8. Delete § 968.7 and substitute therefor the following:

§ 968.7 *Determination of uniform price to producers*—(a) *Net pool obligations of handlers.* The net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the pounds of net pooled milk in each class computed pursuant to § 968.3 (e) by the class prices computed pursuant to § 968.4 (a), subject to the differentials computed pursuant to § 968.4 (c), add together the resulting values, and add the value of any payments required to be made pursuant to § 968.6.

(b) *Computation and announcement of the uniform price.* For each delivery period the market administrator shall compute the uniform price per hundredweight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers computed pursuant to (a) of this section who made the reports prescribed by § 968.5 and who made the payments prescribed by § 968.8.

(2) Add an amount equal to not less than one-half of the cash balance in the producer-settlement fund, less the amount due handlers pursuant to § 968.8 (g).

(3) Subtract, if the average butterfat content of the net pooled milk of all handlers whose reports are included in this computation is greater than 3.8 percent, or add, if such average butterfat content is less than 3.8 percent, an amount computed as follows: multiply the amount by which the average butterfat content of such milk varies from 3.8 percent by the butterfat differential computed pursuant to § 968.8 (c) and multiply the result by the total hundredweight of net pooled milk of all handlers whose reports are included in this computation.

(4) Subtract an amount computed as follows: multiply the total hundredweight of milk of producers in excess of their delivered bases and which is included in the computation pursuant to (a) of this section, by the Class III price computed pursuant to § 968.4 (a) (3).

(5) Divide the resulting amount by the total hundredweight of milk represented by the delivered basis of producers and which is included in the computation pursuant to (a) of this section.

(6) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments, or delinquencies in payments by handlers. This result shall be known as the uniform price per hundredweight for such delivery period for base milk of producers containing 3.8 percent butterfat.

(c) *Announcement of prices.* On or before the 8th day after the end of each delivery period, the market administrator shall notify all handlers and make public announcement of the computations pursuant to (b) of this section, of the uniform price per hundredweight of base milk, of the class prices computed pursuant to § 968.4 (a), of the butterfat differential to handlers computed pursuant to § 968.4 (c), and of the butterfat differential to producers computed pursuant to § 968.8 (c).

(d) *Notification of handlers.* On or before the 8th day after the end of each delivery period, the market administrator shall notify each handler of the amount of his net pool obligation and of the amount by which such handler's net pool obligation is greater or less than the sum required to be paid producers by such handler pursuant to § 968.8 (a).

9 Reconsider § 968.9 *Base rating* especially with respect to paragraph (b) thereof.

10. Make such other changes as are necessary to make the remaining sections conform to the methods of classification and pricing as proposed above.

Copies of this notice of hearing, of the tentatively approved marketing agreement and order, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: July 11, 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-12667; Filed, July 12, 1945; 11:13 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-648]

CABOT GAS CORPORATION

ORDER SUSPENDING PROPOSED INCREASED RATES AND PROVIDING FOR A PUBLIC HEARING

JULY 10, 1945.

It appearing to the Commission that:

(a) On June 18, 1945, Cabot Gas Corporation submitted to the Commission for filing a new rate schedule designated as Cabot Gas Corporation Rate Schedule FPC No. 4, providing for increased rates for the sale of natural gas to The Pavilion Natural Gas Company from 40¢ per Mcf (Cabot Gas Corporation Rate Schedule FPC No. 1 and supplements No. 1, 3 and 7 thereto), to 56¢ per Mcf;

(b) By letter of June 29, 1945, the Public Service Commission of the State of New York requested that the increase in rates proposed by Cabot Gas Corporation be suspended pending a determination by this Commission whether the proposed increased rates are just and reasonable; that on July 2, 1945, the Administrator of the Office of Price Administration on his own behalf and on behalf of the Economic Stabilization Director filed a petition for leave to intervene in this matter and requested that the proposed increased rates be suspended and that a hearing be held at which time Cabot Gas Corporation should be required to demonstrate its right to increased rates under the provisions of the Natural Gas Act and the wartime stabilization program of the National Government; that on June 29, 1945, The Pavilion Natural Gas Company filed a petition and motion requesting that the proposed increased rates be suspended pending hearing and determination as to the reasonableness of such rates; that the Villages of Mount Morris, Geneseo, Warsaw, Avon and Perry have objected to the proposed increase in rates and have asked that such rates be suspended;

(c) Unless suspended by Commission order, the aforesaid Cabot Gas Corporation Rate Schedule FPC No. 4 will become effective July 19, 1945, pursuant to the provisions of the Natural Gas Act and the amended Provisional Rules of Practice and Regulations thereunder;

(d) The proposed increased rates provided for in Cabot Gas Corporation Rate Schedule FPC No. 4 may result in excessive rates to The Pavilion Natural Gas Company and may place an undue burden upon ultimate consumers of natural gas;

The Commission finds that:

It is necessary, desirable and in the public interest that a public hearing be held concerning the lawfulness of the proposed increased rates and that such increased rates be suspended pending hearing and decision thereon;

The Commission orders that:

(A) A public hearing be held on a date to be hereafter fixed by the Commission in the Main Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., concerning the lawfulness of the proposed increased rates subject to the jurisdiction of the Commission as contained in Cabot Gas Corporation Rate Schedule FPC No. 4;

(B) Pending such hearing and decision thereon, Cabot Gas Corporation Rate Schedule FPC No. 4, in so far as that schedule provides for increased rates other than for resale for industrial use only, be and it is hereby suspended until December 19, 1945, or until such time thereafter as such increased rates shall be made effective in the manner prescribed by the Natural Gas Act;

(C) During the period of such suspension, the rates of Cabot Gas Corporation contained in Cabot Gas Corporation Rate Schedule FPC No. 1, as amended by supplements No. 1, 3, and 7, shall remain in full force and effect, except in so far as such schedules, as supplemented, may provide for the sale of natural gas for resale for industrial use only;

(D) At the hearing in this matter, the burden of proof to show that the proposed increased rates are just and reasonable shall be upon Cabot Gas Corporation, as provided in section 4 (e) of the Natural Gas Act;

(E) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-12705; Filed, July 12, 1945; 11:45 a. m.]

[Docket Nos. G-594 and G-595]

REYNOSA PIPE LINE CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

JULY 10, 1945.

It appearing to the Commission that:

(a) On May 8, 1945, an order was entered by the Commission dismissing without prejudice the application filed by Reynosa Pipe Line Company (Applicant) in Docket No. G-595 for authorization, under section 3 of the Natural Gas Act, to export natural gas from the State of Texas to the Republic of Mexico.

(b) By order of July 5, 1945, the application of Applicant, filed June 6, 1945, for rehearing of the Commission's order of May 8, 1945, was granted, such rehearing to be held at a time and place to be thereafter fixed by the Commission.

(c) On November 13, 1944, Applicant filed an application in Docket No. G-594 for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of approximately 30 miles of 12¾-inch O. D. transmission pipeline extending southerly from a point in the La Blanca field, Hidalgo County, Texas, through the north and south Weslaco fields in said county, and thence westerly to the American shore of the Rio Grande at which point approximately 3,000 feet of 8⅝-inch O. D. parallel pipelines will be connected therewith and extended across and underneath the Rio Grande to the International border be-

tween the United States and the Republic of Mexico, near the city of Reynosa, State of Tamaulipas, Mexico. Such facilities will connect with a proposed 14-inch transmision pipeline of Gas Industrial de Monterrey, S. A. to whom Applicant has agreed to sell and deliver up to 60,000 mcf of gas per day for distribution in Monterrey, Mexico, principally for industrial purposes.

(d) The above-docketed proceedings may involve substantially similar issues and facts:

The Commission finds that:

Good cause exists for consolidating the above-docketed proceedings for purposes of hearing, as hereinafter ordered.

The Commission orders that:

(A) The proceedings in Docket Nos. G-594 and G-595 be and the same are hereby consolidated for purposes of hearing.

(B) A public hearing be held commencing on October 3, 1945, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in these proceedings.

(C) Intervener, Railroad Commission of Texas, may participate in these proceedings in accordance with leave heretofore granted by the Commission.

(D) Other interested State commissions may participate in these proceedings as provided in § 57.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-12706; Filed, July 12, 1945; 11:45 a. m.]

[Docket No. G-639]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

ORDER FIXING DATE OF HEARING

JULY 10, 1945.

Upon consideration of the application filed May 19, 1945, by Kansas-Nebraska Natural Gas Company, Inc. (Applicant) for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

(1) Approximately 20 miles of 12¾-inch O. D. transmission pipe line to reinforce its present natural-gas pipe-line system in Phillips and Rooks Counties, Kansas;

(2) Two 1,000 H. P. compressor units and auxiliary equipment which are to be installed at applicant's compressor station near Scott City, Kansas;

(3) A 250 H. P. compressor station now located at Elm Creek, Nebraska, which is to be removed and reconstructed at or near Holdrege, Nebraska.

The Commission orders that:

(A) A public hearing be held commencing the 15th day of August 1945, at 10 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding;

(B) Interested State commissions may participate in this hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-12707; Filed, July 12, 1945; 11:45 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 288, Special Permit 29]

LOADING OF SHELL EGGS AT MENTONE, IND.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of paragraph (a) (2) of Service Order No. 288 insofar as it applies to the loading of car NP 93037 with not less than four (4) full tiers of cases containing shell eggs, properly braced, by Northern Indiana Cooperative Association, Mentone, Indiana, not later than July 15, 1945, consigned to McGinness Trucking Company, New York, New York (Winona Railroad to Akron, Indiana, Erie Railroad beyond), and the transportation of such car when so loaded.

The car order, bill of lading, other shipping papers and the waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-12664; Filed, July 12, 1945; 10:59 a. m.]

[2d Rev. S. O. 300, Special Permit 12]

ICING OF POTATOES AT POINTS ON LONG ISLAND, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 4359), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing only on not to exceed eighteen (18) refrigerator cars, loaded with potatoes, 9 cars to be shipped July 9, 1945, and 9 cars to be shipped July 10, 1945, from points on the Long Island Railroad, consigned to Quarter Master Market Center, New Orleans, Louisiana, for export.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of July, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-12665; Filed, July 12, 1945; 11:00 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE 23]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN ILLINOIS COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 9, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Mary Cigan	Yugoslavia	Estate of Martin Cigan, deceased, Probate Court of Cook County, Ill., File 42-P-3488, Docket 412, page 432.	$475.29	The County Treasurer of Cook County, Chicago, Ill.	$59.82
		Item 2			
Mary Cigan (daughter)	Yugoslavia	Same	237.64	Same	9.92
		Item 3			
Martin Cigan	Yugoslavia	Same	237.64	Same	9.92
		Item 4			
Anna Cigan	Yugoslavia	Same	237.65	Same	9.91
		Item 5			
Steve Cigan	Yugoslavia	Same	237.65	Same	9.91
		Item 6			
Steve Mendegaja	Yugoslavia	Estate of Drago Mendegaja, deceased, Probate Court of Cook County, Ill., File 42-P-3897, Docket 413, page 84.	337.50	The County Treasurer of Cook County, Chicago, Ill.	15.31
		Item 7			
Millen Mendegaja	Yugoslavia	Same	337.90	Same	15.31
		Item 8			
Mare Mendegaja	Yugoslavia	Same	337.80	Same	15.30
		Item 9			
Andje Mendegaja	Yugoslavia	Same	337.80	Same	15.30
		Item 10			
Two nephews and one niece of decedent, names unknown.	Jugoslavia	Estate of Marie Kostec, also known as Marija Kosece, deceased, Probate Court of Cook County, Ill., File 42-P-3864, Book 415, page 89.	548.80	The County Treasurer of Cook County, Chicago, Ill.	40.92
		Item 11			
Zofia Kosint	Czechoslovakia	Estate of Victoria Gliwa, deceased, Probate Court of Cook County, Ill., File 43-P-2647, Docket 421, page 6.	572.03	The County Treasurer of Cook County, Chicago, Ill.	14.23
		Item 12			
Stefan Kosint	Czechoslovakia	Same	572.03	Same	14.23
		Item 13			
Marion Piotrowiez	Poland	Same	572.03	Same	14.23
		Item 14			
Zofia Piotrowiez	Poland	Same	572.03	Same	14.23
		Item 15			
Andrzej Zwijacz	Poland	Same	1,144.06	Same	28.48
		Item 16			
Jan Zwijacz	Poland	Same	1,144.06	Same	28.47
		Item 17			
Antonia Steiner	Czechoslovakia	Estate of Marie Pekarek, deceased, Probate Court of Cook County, Ill., File 41-P-3760, Docket 403, page 461.	697.54	The County Treasurer of Cook County, Chicago, Ill.	52.21
		Item 18			
Frantizeka Trublar	Czechoslovakia	Same	697.55	Same	52.21
		Item 19			
Lola Rachel Bloch	Poland	Estate of Max Davis, deceased, Probate Court of Cook County, Ill., File 42-P-3709, Docket 41, page 503.	500.00	The County Treasurer of Cook County, Chicago, Ill.	19.56
		Item 20			
Toby Fagel Zaldotsky	Lithuania	Same	500.00	Same	19.56
		Item 21			
Cesar Rossi	Italy	Estate of Richard Rossi, deceased, Probate Court of Cook County, Ill., File 43-P-3229, Docket 423, page 530.	706.52	The County Treasurer of Cook County, Chicago, Ill.	38.59
		Item 22			
Elosa (Isola) Rossi	Italy	Same	706.52	Same	38.59
		Item 23			
Dario Rossi	Italy	Same	706.52	Same	38.59
		Item 24			
Julio (Giulio) Rossi	Italy	Same	706.52	Same	38.59
		Item 25			
Nello Rossi	Italy	Same	706.52	Same	38.58

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 86			
Helena Hick	Poland	Estate of Herman Hook, deceased, Probate Court of Cook County, Ill., File 42-P-1810, Document 411, page 6.	$2,000.13	The County Treasurer of Cook County, Chicago, Ill.	$12.69
		Item 87			
Emma Speichert	Poland	Same	1,000.06	Same	6.34
		Item 88			
Johanna Hick	Poland	Same	1,000.06	Same	6.34
		Item 89			
Wanda Hick	Poland	Same	1,000.06	Same	6.34
		Item 90			
Rudolf Hick	Poland	Same	1,000.06	Same	6.34
		Item 91			
Edward Hick	Poland	Same	1,000.06	Same	6.34
		Item 92			
Albert Hick	Poland	Same	1,000.07	Same	6.35
		Item 93			
Fiore Arnone	Italy	Estate of Antonio Arnone, deceased, Probate Court of Cook County, Ill., File 44-P-2027, Docket 429, page 469.	2,035.54	The County Treasurer of Cook County, Chicago, Ill.	76.86
		Item 94			
Filomena Arnone	Italy	Estate of Antonio Arnone, deceased, Probate Court of Cook County, Ill., File 44-P-2027, Docket 429, page 469.	2,035.54	The County Treasurer of Cook County, Chicago, Ill.	76.86
		Item 95			
Joseph Zeldenrust	Holland	Estate of Elizabeth Bartels, deceased, Probate Court of Cook County, Ill., File 42-P-2388, Docket 411, page 584.	2,515.02	The County Treasurer of Cook County, Chicago, Ill.	26.91
		Item 96			
Henry Zeldenrust	Holland	Same	2,515.02	Same	26.91
		Item 97			
Louis Zeldenrust	Holland	Same	2,515.02	Same	26.91
		Item 98			
Mrs. Rozette Wolff	Holland	Same	2,515.02	Same	26.91
		Item 99			
Marianna Biraga	Poland	Estate of Jan Kaczmarski, deceased, Probate Court, of Cook County, Ill., File 44-P-1834, Docket 429, page 334.	1,062.80	The County Treasurer of Cook County, Chicago, Ill.	50.41
		Item 100			
Ona Kazlavskas	Lithuania	Estate of Joseph Kazlauskas, deceased, Probate Court of Cook County, Ill., File 43-P-4513, Docket 423, page 31.	1,000.00	The County Treasurer of Cook County, Chicago, Ill.	35.00
		Item 101			
Elizabeth Kazlavskas	Lithuania	Same	1,000.00	Same	35.00
		Item 102			
Katherina Kazlavskas	Lithuania	Same	1,000.00	Same	35.00
		Item 103			
Thadusius Kamarauskas	Lithuania	Peter P. Kamarauskas versus Thadusius Kamarauskas, et al, Superior Court, of the State of Illinois, in and for the County of Cook, File 42-S-13450.	1,630.39	The County Treasurer of Cook County, Chicago, Ill.	61.24
		Item 104			
Andrew Kamarauskas	Lithuania	Same	1,630.39	Same	34.23
		Item 105			
Anna Kamarauskas	Lithuania	Same	1,630.39	Same	34.23
		Item 106			
Julius Valentinavicius	Lithuania	Same	148.21	Same	3.12
		Item 107			
John Valentinavicias	Lithuania	Same	148.22	Same	3.11
		Item 108			
Stanley Valentinavicias	Lithuania	Same	148.22	Same	3.11
		Item 109			
Elizabeth Valentinavicias	Lithuania	Same	148.22	Same	3.11
		Item 110			
Anna Valentinavicias	Lithuania	Same	148.22	Same	3.11
		Item 111			
Josephine Valentinavicias	Lithuania	Same	148.22	Same	3.11
		Item 112			
Agatha Valentinavicias	Lithuania	Same	148.22	Same	3.11
		Item 113			
Julia Valentinavicias	Lithuania	Same	148.22	Same	3.11
		Item 114			
Amela Valentinavicias	Lithuania	Same	148.22	Same	3.11
		Item 115			
Jacob Federmann	Czechoslovakia	Estate of Annie Federmann, deceased, Probate Court of Cook County, Ill., File 41-P-9256, Docket 409, page 30.	2622.20	The County Treasurer of Cook County, Chicago, Ill.	43.34

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 56			
Fanny Reinisch	Czechoslovakia	Estate of Annie Federmann, deceased, Probate Court of Cook County, Ill., File 41-P-9256, Docket 409, page 30.	$1,466.31	The County Treasurer of Cook County, Chicago, Ill.	$24.24
		Item 57			
Helen Federmann	Czechoslovakia	Same	2,622.20	Same	43.34

[F. R. Doc. 45-12560; Filed, July 11, 1945; 11:03 a. m.]

[Vesting Order CE 24]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN ILLINOIS COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 9, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Bertha Harlisch also known as Bertha Stock.	Czechoslovakia	Estate of Wilhelm Stock, also known as William Stock, deceased, in Probate Court, Cook County, Ill., File 43-P-436, Docket 418, page 355.	$11,643.56	The County Treasurer of Cook County, Chicago, Ill.	$471.50
		Item 2			
Joseph Veranuc	Czechoslovakia	Estate of John Veranuc, deceased, in Probate Court, Cook County, Ill., File 42-P-6154, Docket No. 411, page 198.	2,400.00	The County Treasurer of Cook County, Chicago, Ill.	45.15
		Item 3			
Evdoxia Moucas	Albania	Estate of Stavros Moucas, deceased, in Probate Court, Cook County, Ill.; File 43-P-1174, Docket No. 419, page 238.	1,454.78	The County Treasurer of Cook County, Chicago, Ill.	61.11
		Item 4			
Cleopatra Moucas	Albania	Same	2,909.56	Same	122.22
		Item 5			
Vladas Peleckas	Lithuania	Estate of Mike Peliakis, deceased, in Probate Court, Cook County, Ill.; File 42-P-1750, Docket No. 410, page 601.	1,288.03	The County Treasurer of Cook County, Chicago, Ill.	21.77
		Item 6			
Petronelle Peleckas	Lithuania	Same	1,288.03	Same	21.76
		Item 7			
Chief Benjamin Hammer	Poland	Estate of Clara Hammer, deceased, in Probate Court, Cook County, Ill.; File 42-P-7425, Docket No. 416, page 350.	460.00	The County Treasurer of Cook County, Chicago, Ill.	46.43
		Item 8			
Shea Abronick	Russia	Estate of Clara Hammer, deceased, in Probate Court, Cook County, Ill.; File 42-P-7425, Docket No. 416, page No. 350.	900.11	The County Treasurer of Cook County, Chicago, Ill.	90.87
		Item 9			
Peche Abronick	Russia	Same	900.11	Same	90.87
		Item 10			
Stella Domeracka	Poland	Estate of Michael Drobiniak, deceased, in Probate Court, Cook County, Ill.; File 43-P-6264, Docket No. 424, page 587.	2,459.61	The County Treasurer of Cook County, Chicago, Ill.	131.47

[F. R. Doc. 45-12561; Filed, July 11, 1945; 11:03 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 223, Amdt. 1]

KANSAS AND MISSOURI

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a petition for the amendment of Supplementary Order ODT 3, Revised-223 (9 F.R. 4259), filed with the Office of Defense Transportation by the carriers subject thereto, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-223, be, and it hereby is, amended by amending Articles 2, 3, 6, 7, 9, and 12 of Appendix 2 thereto to read as shown in the petition, a copy of which is attached hereto.[1]

This amendment shall become effective July 17, 1945.

Issued at Washington, D. C., this 12th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-12620; Filed, July 11, 1945; 3:25 p. m.]

[Supp. Order ODT 3, Rev. 745]

IOWA, NEBRASKA, AND MISSOURI

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 17, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

W. D. Cross, doing business as W. D. Cross Transfer, Sidney, Iowa.

Merchants Motor Freight, Inc., St. Paul, Minn.

Matthew Leo McKeone, Sr., Matthew Leo McKeone, Jr., Joseph James McKeone and Albert Joseph McKeone, copartners, doing business as Red Ball Transfer Company, Omaha, Nebr.

Watson Bros. Transportation Co., Inc., Omaha, Nebr.

[F. R. Doc. 45-12617; Filed, July 11, 1945; 3:24 p. m.]

[Supp. Order ODT 3, Rev. 751]

CHICAGO, ILL., AND DELAVAN, WIS.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 17, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Liberty Trucking Company, Chicago, Ill.
Yellow Truck Lines, Inc., Madison, Wis.

[F. R. Doc. 45-12616; Filed, July 11, 1945; 3:24 p. m.]

[Supp. Order ODT 3, Rev. 754]

INDIANA AND OHIO

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 17, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

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[1] Filed as part of the original document.

APPENDIX 1

Security Cartage Co., Inc., Fort Wayne, Ind.
D. G. & U. Truck Lines, Inc., Greenville, Ohio.
David H. Teeple, Leo A. Teeple, Julius F. Teeple, Anthony E. Teeple, and Mark C. Braden, copartners, doing business as Fort Wayne-Portland Truck Line, Decatur, Ind.

[F. R. Doc. 45-12615; Filed, July 11, 1945; 3:23 p. m.]

[Supp. Order ODT 3, Rev. 761]

MEMPHIS, TENN., AND INDIANAPOLIS, IND.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 17, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Viking Freight Co., St. Louis, Mo.
William S. Ellis and Fay O. Ellis, copartners, doing business as Ellis Trucking Co., Indianapolis, Ind.

[F. R. Doc. 45-12619; Filed, July 11, 1945; 3:25 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 762]

MICHIGAN

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 17, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Maurice R. Davis and Lyle P. Davis, copartners, doing business as W. A. Muehlenbeck, Saginaw, Mich.
P. Van Haaren & Sons Storage Co., Inc., Bay City, Mich.
Turner Cartage & Storage Co., Detroit, Mich.
Leonard C. Robinson, doing business as Robinson Cartage, Grand Rapids, Mich.
Morris Laramie & Sons, Detroit, Mich.
Emmerson Truck & Storage Co., Battle Creek, Mich.
Albert E. Erickson, doing business as Erickson Trucking Service, Muskegon, Michigan.
General Cartage Company, Detroit, Mich.
Alger E. Nelson, doing business as Boulevard Transfer Co., Detroit, Mich.

[F. R. Doc. 45-12621; Filed, July 11, 1945; 3:26 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 763]

NEW JERSEY

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 17, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Rodgers Motor Lines, Inc., Scranton, Pa.
New Jersey Forwarding Co., Newark, N. J.

[F. R. Doc. 45-12622; Filed, July 11, 1945; 3:26 p. m.]

[Supp. Order ODT 3, Rev. 764]

COLUMBUS, OHIO, AND INDIANAPOLIS, IND.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense

[1] Filed as part of the original document.

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 17, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

American Transportation, Inc., Columbus, Ohio.
Hayes Freight Lines, Inc., Mattoon, Ill.
Interstate Motor Freight System, Grand Rapids, Mich.
Lecrone Benedict Ways, Inc., Detroit, Mich.
Security Cartage Company, Inc., Fort Wayne, Ind.
The Silver Fleet Motor Express, Inc., Louisville, Ky.
Suburban Motor Freight, Inc., Columbus, Ohio.

[F. R. Doc. 45-12618; Filed, July 11, 1945; 3:25 p. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 478, Order 150]

COHN-MILLER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered:*

(a) The maximum price for sales other than sales at retail, of the following coated fabric converted by the Cohn-Miller Company, 237 Church Street, New York 13, N. Y., shall be as follows:

45" 60 x 44 5.35 print cloth, backfilled finished, bleached, with 4 to 5 ounces dry weight of pyroxylin colored pigment coating, glossed and embossed skiver grain, 38-40" finished width: $0.41231 per linear yard.

(b) With or prior to the first delivery to any person, other than a manufacturer or retailer of the fabric covered by this order, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric which is the maximum price set forth in (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12602; Filed, July 11, 1945; 11:39 a. m.]

[MPR 43, Order 19]

NEW JERSEY ZINC CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and section 10 of Maximum Price Regulation No. 43, *It is ordered:*

(a) Any person may sell and deliver to the New Jersey Zinc Co. of New York, New York, and said New Jersey Zinc Co. of New York, New York may buy and receive from any person the 3½ gallon used pails, at a price not in excess of 15 cents per pail, f. o. b. location, which were originally received by said sellers from the New Jersey Zinc Co. in connection with the purchase of zinc dust.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12683; Filed, July 12, 1945; 11:33 a. m.]

[MPR 260, Amdt. 1 to Order 651]

WEBSTER EISENLOHR, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (a) (8) of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "Websterette," "Henrietta Populares," "Tom Moore Monarch," "Webster Eisenlohr Smoker Perfecto," "Girard Bankers" and "Schulte Special" set forth in paragraph (a) of Order No. 651, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Websterette		50	$82.50	11
Henrietta	Populares	50	78.75	2 for 21
Tom Moore	Monarch	50	82.50	11
Webster Eisenlohr Smoker	Perfecto	50	82.50	11
Girard	Bankers	50	82.50	11
Schulte	Special	50	78.75	2 for 21

This amendment shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12546; Filed, July 10, 1945; 4:37 p. m.]

[MPR 260, Amdt. 1 to Order 656]

GRABOSKY BROS., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (a) (8) of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "Amerada Panatela", the "Amerada Perfecto Special" and the "Amerada Square" cigars set forth in Paragraph (a) of Order No. 656, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Amerada	Panatela	50	$75.00	10
	Perfecto special	50	82.50	11
	Square	50	82.50	11

This amendment shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12547; Filed, July 10, 1945; 4:37 p. m.]

[MPR 260, Order 1496]

J. F. PEELER & SON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. F. Peeler & Son, 240 S. Pleasant Avenue, Dallastown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Robert Peel	Robert Peel	50	$72	9
Golden Hour Crooks	Crooks	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12520; Filed, July 10, 1945; 4:29 p. m.]

[MPR 260, Order 1497]

JUAN ROSADO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan Rosado, Calle Progresso, Comorio, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
The Chief	Perfecto Sublime	50	$90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold

by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12521; Filed, July 10, 1945; 4:29 p. m.]

[MPR 260, Order 1498]

TAMPURE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tampure Cigar Factory, 1822—12th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Alma	Palmitas	50	$97.50	10
	Colonels	50	101.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12522; Filed, July 10, 1945; 4:29 p. m.]

[MPR 260, Order 1499]

VALDES CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Valdes Cigar Factory, 2401 14th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Flor de Roman	Queen	50	$97.50	10
	Panetela Extra	50	82.50	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12523; Filed, July 10, 1945; 4:30 p. m.]

[MPR 260, Order 1500]

JUAN MENDEZ RODRIGUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan Mendez Rodriguez, La Plante St., Adjuntas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Bocha Corriente	4½"	50	$32	4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12524; Filed, July 10, 1945; 4:30 p. m.]

[MPR 260, Order 1501]

DOMINGO CIGAR FACTORY & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Domingo Cigar Factory & Co., 1708 14th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Dolorina	Panetel	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12525; Filed, July 10, 1945; 4:30 p. m.]

[MPR 260, Order 1502]

H. F. SMELTZER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H. F. Smeltzer, 219 W. Broadway, Red Lion, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Seidel's Handmade	Perfecto	50	$64	8
H. F. S	do	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed

by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F R Doc. 45-12526; Filed, July 10, 1945; 4:31 p. m.]

[MPR 260, Order 1503]

DOLORES LOPEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Dolores Lopez, Munoz Rivers Street, Guayanilla, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona	5 inch	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12527; Filed, July 10, 1945; 4:31 p. m.]

[MPR 260, Order 1504]

STEWART F. LA MOTTE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Stewart F. La Motte, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	
Hav-A-Dandy	Club House	50	$72	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12528; Filed, July 10, 1945; 4:31 p. m.]

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12528; Filed, July 10, 1945; 4:31 p. m.]

[MPR 260, Order 1505]

ZITOS & EVA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Zitos & Eva Cigar Factory, 2505 27th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tampa Bride	Zitos	50	$48.00	6
	Coronitas	50	82.50	11
	Corona Extra	50	97.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12529; Filed, July 10, 1945; 4:32 p. m.]

[MPR 260, Order 1506]

GALLO & BAER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gallo & Baer Cigar Co., 2202 N. Howard Avenue, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Oxford Arms	Joyce	50	$97.50	13
Adrian Block	do	50	97.50	13
West Pointer	do	50	97.50	13
Oxford Arms	Captain	50	90.00	12
Adrian Block	do	50	90.00	12
West Pointer	do	50	90.00	12
Oxford Arms	Judith	50	90.00	12
Adrian Block	do	50	90.00	12
West Pointer	do	50	90.00	12
Oxford Arms	Duke	50	82.50	11
Adrian Block	do	50	82.50	11
West Pointer	do	50	82.50	11
Oxford Arms	Victoria	50	82.50	11
Adrian Block	do	50	82.50	11
West Pointer	do	50	82.50	11
Oxford Arms	Lorraine	50	90.00	12
Adrian Block	do	50	90.00	12
West Pointer	do	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12530; Filed, July 10, 1945; 4:32 p. m.]

[MPR 260, Order 1507]

DOLORES GARCIA FERNANDEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Dolores Garcia Fernandez, Dr. Vene Calzada, San Lorenzo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Smoker	Rough Neck	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12532; Filed, July 10, 1945; 4:32 p. m.]

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
"La Sanlorenzana"	Coronas	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12531; Filed, July 10, 1945; 4:32 p. m.]

[MPR 260, Order 1508]

VICENTE DURAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Vicente Duran, #66 Barbosa Street, Aguadilla, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
"Boricuas"	"Boricuas"	50	$75.75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12532; Filed, July 10, 1945; 4:32 p. m.]

[MPR 260, Order 1509]

M. FERNANDEZ & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. Fernandez & Co., 3430 Chestnut Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Smoker	Rough Neck	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or front mark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12533; Filed, July 10, 1945; 4:32 p. m.]

March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12531; Filed, July 10, 1945; 4:32 p. m.]

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tamp-Ello	Colnels	50	*Per M* $82.50	*Cents*
	Blunts	50	66.00	
	Captain	50	41.00	2 for 9
	Generals	50	93.75	2 for 19
	Majors	50	56.00	
Darling Tampa	Kings	50	82.50	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the

[MPR 260, Order 1510]

JOSE DEL COSTILLO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose Del Costillo, 1561 Lexington Avenue, New York 29, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Flor de Cuba	Corona	50	*Per M* $80	*Cents* 12
	Victoria	50	40	5
	Londres [1]	50	75	10
	Panatela	50	75	10

[1] Prices apply to this brand and frontmark using only all imported Havana (Type 81) short filler as specified in application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12534; Filed, July 10, 1945; 4:33 p. m.]

[MPR 260, Order 1511]

B. VEGA & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) B. Vega & Co., 71 Belmont Ave., Elmont, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Try-A-Rico Commodore	4½"	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12535; Filed, July 10, 1945; 4:33 p. m.]

[MPR 260, Order 1512]

PEDRO ROSA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Rosa, Allen St., #77, San Juan 15, Puerto Rico (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Try-A-Rico Commodore	4½"	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12536; Filed, July 10, 1945; 4:34 p. m.]

[MPR 260, Order 1513]

HYMAN PLOTKIN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Hyman Plotkin, Kimberly Ave., West Haven 16, Conn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
East Rock	4¼	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12537; Filed, July 10, 1945; 4:34 p. m.]

[MPR 260, Order 1514]

WHITE EAGLE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) White Eagle Cigar Factory, 3111 W. 25th St., Chicago 23, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
White Eagle	Selectos	50	*Per M* $96.00	*Cents* 2 for 9
Miss Chicago	do	50	96.00	2 for 9
Evzone	do	50	40.00	5
Gen. MacArthur	Perfecto	50	56.00	7
White Eagle	Standard	50	56.00	7
Miss Chicago	Brevas	50	72.00	9
	Perfecto	50	97.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12538; Filed, July 10, 1945; 4:35 p. m.]

[MPR 260, Order 1515]

M. LIVERANT

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. Liverant, 135 N. Beaver Street, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Irvin S. Cobb	Invincible	50	*Per M* $134	*Cents* 2 for 35

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12539; Filed, July 10, 1945; 4:35 p. m.]

[MPR 260, Order 1516]

FRANK A. STEVENS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frank A. Stevens, 8 E. Hudson St., Columbus 2, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Stevens Hand Made	Londres	50	*Per M* $56	*Cents* 2 for 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12540; Filed, July 10, 1945; 4:36 p. m.]

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12540; Filed, July 10, 1945; 4:35 p. m.]

[MPR 260, Order 1517]

JUAN LAUREANO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan Laureano, Taus Soto Street, San Lorenzo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
McArthur	Corona	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12541; Filed, July 10, 1945; 4:35 p. m.]

[MPR 260, Order 1518]

ORSINI CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Orsini Cigar Factory, 1612 14th Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Orsini	Breva	50	*Per M* $146.60	*Cents* 19
Orsini	Cadetes	50	$2.50	11
Orsini	Londres	50	$2.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12542; Filed, July 10, 1945; 4:36 p. m.]

[MPR 260, Order 1519]

JULIUS J. CZEDIK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Julius J. Czedik, 13 Patten St., Watertown 72, Mass. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Town Club	5"	20	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12543; Filed, July 10, 1945; 4:36 p. m.]

[MPR 260, Order 1520]

BLAINE D. STEWART

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Blaine D. Stewart, 112 East High Street, Hicksville, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Bellanola	Londres	50	*Per M* $56	*Cents* 7
Existo	do	50	56	7
Spinning Maid	Perfecto	50	56	7
Monmouth Belle	do	50	56	7
	Panatella	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12544; Filed, July 10, 1945; 4:36 p. m.]

[MPR 260, Order 1521]

S. & S. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) S. & S. Cigar Co., 205½ North Hill Street, Griffin, Ga. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
S & S Shape	4¾ S & S Cigar.	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and

every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12545; Filed, July 10, 1945; 4:37 p. m.]

[Order 64 Under 3 (e)]

O'SULLIVAN'S RUBBER CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

(a) *What this order does.* This order establishes the manufacturer's, wholesalers', and shoe repairmen's maximum prices for sales in the shoe repair trade of the black and brown plastic non-marking thin heels bearing the brand name O'Sullivan Aristocrat and of the black, brown, and leather-colored plastic non-marking thin heels bearing the brand name O'Sullivan, which are manufactured by the O'Sullivan Rubber Company, Inc., Winchester, Virginia and which at least equal in quality the samples submitted by the company on April 18, 1945. This order also establishes the shoe repairmen's maximum prices for sales of these heels attached.

(b) *Maximum prices.* The manufacturer's, wholesalers', and shoe repairmen's maximum prices for sales in the shoe repair trade of the heels described in paragraph (a) are as follows:

	Sales to wholesalers (per dozen pairs)	Sales to shoe repairmen (per dozen pairs)	Sales by shoe repairmen to consumers	
			Attached per pair	Unattached per pair
O'Sullivan Aristocrat Brand nonmarking thin heels, black and brown:				
1 dozen pairs per package, with nails	$0.94	$1.25	$0.40	$0.16
6 dozen pairs per package, with nails	.90	1.20	.40	.16
O'Sullivan Brand nonmarking thin heels, black, brown leather-colored:				
1 dozen pairs per package, with nails	.94	1.25	.40	.16
6 dozen pairs per package, with nails	.90	1.20	.40	.16

The above maximum prices for sales to shoe repairmen shall be reduced by any cash discounts given by the seller to shoe repairmen of the same class during March 1942.

The above maximum prices for sales to wholesalers shall be decreased by 5 percent if the purchaser pays cash within thirty days after delivery.

All other discounts, allowances, and trade practices of sellers which were in effect during March 1942 shall apply to sales covered by this order.

(c) *Notification of maximum prices.* With or prior to the first delivery to a wholesaler or a shoe repairman of any of the heels covered by this order, the seller shall notify the purchaser in writing of the maximum prices for sales by shoe repairmen of the heel attached and the maximum prices for sales by shoe repairmen of the unattached heels as established by paragraph (b) of this order. If the purchaser is a wholesaler, the notification shall include the maximum prices applicable to the wholesaler's resales to wholesalers and to shoe repairmen and a statement that such purchaser is required by this order to notify any shoe repairman to whom he sells of the maximum prices for the sales of the heels by the shoe repairman attached and unattached, as established by paragraph (b) of this order.

(d) All provisions of the General Maximum Price Regulation that are not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12599; Filed, July 11, 1945; 11:38 a. m.]

[MPR 149, Order 51]

RAYBESTOS-MANHATTAN, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1315.90a of Maximum Price Regulation 149, it is ordered:

(a) ***Applicability.*** This order applies to all sales by the manufacturer and by wholesalers of the hose manufactured by the Manhattan Rubber Mfg. Division of Raybestos-Manhattan, Inc., Passaic, New Jersey, which is described in paragraph (b) below.

(b) *Maximum manufacturers prices.* The maximum prices for sales to wholesalers by the Manhattan Rubber Mfg. Division of Raybestos-Manhattan, Inc., Passaic, New Jersey, of the following types and sizes of straight automotive radiator hose which it manufactures shall be as follows:

Size:	*Per foot*
1½"	$0.1656
1¾"	.1797
2"	.1942

less all discounts, allowances and other deductions it had in effect to each class of purchaser on October 1, 1941.

(c) *Maximum wholesale prices.* The maximum price for any sale by a wholesaler of the hose described in paragraphs (a) and (b) shall be the wholesaler's base period selling price (or the maximum price of such wholesaler in effect to a purchaser of the same class immediately prior to the effective date of this order) increased by the following amounts for the following types of hose:

Size:	*Amount to be added by wholesaler (per foot)*
1½"	$0.0671
1¾"	.0438
2"	.0416

(d) Before or with the delivery of any of the commodities covered by this order the manufacturer and each wholesaler shall give each wholesaler to whom he sells a written notification of the provisions of paragraph (c) of this order dealing with the maximum prices for the wholesaler's resales of the hose.

(e) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 12th 1945.

Issued this 11th day of July 1945

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12600; Filed, July 11, 1945; 11:38 a. m.]

[MPR 188, Order 4071]

STRAUS INDUSTRIES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment, for sales by any person of a portable shower, 7 feet long, painted finish, complete with galvanized tee, brass home nipple, and metal showerhead manufactured by the Straus Industries of Richmond, Virginia, and described in its application of June 22, 1945, shall be:

(1) On sales to jobbers	$2.50
(2) On sales to retailers	3.15
(3) On sales to consumers	4.25

(b) The maximum prices specified in (a) above shall be subject to all discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum price for sales on an installed basis of the commodity covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(d) Each seller, except on sales to consumers, shall notify, in writing, each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for sales to such purchasers of the maximum prices established for such purchasers resale.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12601; Filed, July 11, 1945; 11:39 a. m.]

[RMPR 506, Order 76]

WARLONG GLOVE MFG. CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 76 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Warlong Glove Manufacturing Company and other sellers; Docket No. 6062-4b-20.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after July 12, 1945, the ceiling prices under Revised Maximum Price Regulation 506 at which the Warlong Glove Manufacturing Company (Conover, North Carolina) may sell or deliver to any purchaser, and such purchaser may buy from it, the "army reject and second" staple work glove number enumerated in the table below, are the prices set forth in this table. These ceiling prices, however, are subject to the provisions of Supplementary Order 96—Maximum prices of certain goods rejected or not delivered under a war procurement contract.

Glove description	Manufacturer's prices	
	Group I ceiling	Group II ceiling
Men's extra large, 10½ ounce natural grey, single thickness back and palm, 6" knit wrist—"Army rejects and seconds"	*Per dozen* $1.65	*Per dozen* $1.80

(b) The ceiling price for "regular sales" at wholesale of the glove described in paragraph (a) shall be determined by dividing the lower of the Group I ceiling price listed above for that glove or its "adjusted contract price" (as that term is defined in paragraph (d) of Supplementary Order 96), by .839 (round the result to the nearest 2½ cents). Ceiling prices for "special sales" at wholesale shall be determined in accordance with Section 3 (b) of Revised Maximum Price Regulation 506.

(c) The ceiling prices authorized under this order are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of Revised Maximum Price Regulation 506;

(2) The provisions in section 4 (a) of Revised Maximum Price Regulation 506 with respect to a manufacturer's "wholesale percentage", and the quota of deliveries which must be made of Group I prices;

(3) The marking and informational requirements of Section 6 of Revised Maximum Price Regulation 506. In addition to these requirements, the Warlong Glove Manufacturing Company, on all deliveries of the glove described in paragraph (a), made pursuant to this order, on and after July 12, 1945, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(4) The definitions in Revised Maximum Price Regulation 506.

(d) The Warlong Glove Manufacturing Company must furnish each of its customers, who, on or after July 12, 1945, purchases the number listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 76 under Section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA, pursuant to Revised Maximum Price Regulation 506 and Supplementary Order 96—Maximum Prices for Certain Goods Rejected or Not Delivered Under a War Procurement Contract, for the "army reject and second" work glove number enumerated in the table below, manufactured by Warlong Glove Manufacturing Company.

OPA has ruled that the Warlong Glove Manufacturing Company may sell this number at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of Revised Maximum Price Regulation 506 with respect to the quota of deliveries which must be made at Group I prices: Wholesalers in turn are authorized to make regular sales at wholesale of this number at or below the price listed in Column B. Retailers will determine their ceiling price on this number in accordance with Section 2 of Revised Maximum Price Regulation 506.

Style No.	Column A—Manufacturers' prices	Column B—Wholesalers' prices
	[List the prices authorized under paragraph (a), or the "adjusted contract price" (defined in Supplementary Order 96), whichever is lower.]	[List the quotient obtained by dividing the lower of the Group I ceiling authorized under paragraph (a), or the "adjusted contract price", by 0.839.]

You will note that the letter "S" follows the manufacturer's lot number or brand name. This letter indicates that the gloves have been specifically priced by OPA under section 4 (b).

(e) This Order No. 76 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12603; Filed, July 11, 1945; 11:39 a. m.]

[MPR 188, Amdt. 87 to Order A-1]

NARROW MOUTH GLASS CONTAINERS

ADJUSTMENT OF MAXIMUM PRICES

An opinion involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (58) (iv) is amended to read as follows:

(iv) *Applicable period of this paragraph.* The provisions of this paragraph should be applicable only on shipments made during the period May 1, 1945 to August 1, 1945, inclusive.

This amendment shall become effective July 17, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12682; Filed, July 12, 1945; 11:32 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER CO. ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 11th day of July, A. D. 1945.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, Respondents, File No. 59-17; The United Light and Power Company and Its Subsidiary Companies, Respondents, File No. 59-11; The United Light and Power Company, Applicant, File No. 54-25. Application No. 21.

The United Light and Railways Company ("Railways") and American Light & Traction Company ("American Light") having heretofore filed applications and declarations designated as "Application No. 21" pursuant to sections 11 (b) (1), 11 (b) (2) and 11 (e) of the Public Utility Holding Company Act of 1935 with respect to the discharge of the claims of American Light's outstanding preferred stock as the first step in a plan to effectuate the liquidation and dissolution of American Light;

The Commission having in its Memorandum Opinion issued on June 2, 1945, described the most appropriate plan for accomplishing compliance with the Commission's order of August 5, 1941 requiring that, among other things, Railways dispose of all its interest in the subsidiaries of American Light, and the Commission having stated in such Memorandum Opinion that unless Railways and American Light amend the pending plan for the liquidation and dissolution of American Light to provide, among other things, for the immediate disposition by Railways of its proportionate interest in the securities of the subsidiaries of American Light, attended by the application of such securities or the proceeds from

♦dozen pairs per package, with nails	.90	1.20	.40	.15

1¾	.1797	
2	.1942	

vised Maximum Price Regulation No. 251.

tables in Appendix A of Revised Maximum Price Regulation 506;

[F. R. Doc. 45-12603; Filed, July 11, 1945; 11:39 a. m.]

the sale thereof to reduce senior securities of the companies in the Railways system, the Commission would propose a plan under section 11 (d) of the act at the end of a 30-day period or of such extended period as may be granted by subsequent order;

Railways and American Light having on July 2, 1945 filed an amended plan for the liquidation and dissolution of American Light which is stated to conform to the Commission's Memorandum Opinion of June 2, 1945 and which provides, among other things, for the discharge of the claims of the outstanding American Light preferred stock by the payment of cash equivalent to the par or liquidating value of such stock, with a deposit of cash in escrow for the payment of any balance which may be determined to be payable to preferred stockholders, the sale for cash of such number of shares of common stock of Detroit Edison Company as shall be necessary to enable American Light to pay its debts, liabilities and expenses and to make the payment to preferred stockholders and the deposit of cash in escrow referred to above, the pro rata distribution of the remaining common stock of Detroit Edison Company and of the common stock of Michigan Consolidated Gas Company, Milwaukee Gas Light Company and Madison Gas and Electric Company to the common stockholders of American Light, and the immediate disposition by Railways of the securities received by Railways in such distribution and the application of such securities or the proceeds from the sale thereof to reduce senior securities of the companies in the Railways system;

Railways having stated in its application that a detailed and comprehensive plan providing for the disposition by Railways of the securities it will receive from American Light and for the reduction of the senior securities of the system is in the course of preparation and will be filed with the Commission as soon as possible; and Railways having requested that the Commission grant a period of 30 additional days within which to file such detailed plan; and

The Commission having considered such request and it appearing to the Commission to be appropriate that such extension of time be granted and that the scheduling of further hearings in the proceedings be postponed until the expiration of the time as extended:

It is ordered, That Railways be and hereby is granted an additional period of 30 days from and after July 2, 1945 within which to file a plan for the disposition by Railways of the securities it will receive from American Light and for the reduction of senior securities of the system in connection therewith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12657; Filed, July 12, 1945; 10:34 a. m.]

[File No. 70-736]

FEDERAL WATER AND GAS CORP. AND ALABAMA WATER SERVICE CO.

SUPPLEMENTAL ORDER AUTHORIZING SALE OF PROPERTIES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of July, A. D. 1945.

The Commission on February 10, 1943, having issued an order pursuant to sections 11 (b) and 11 (e) of the Public Utility Holding Company Act of 1935 directing, among other things, that Federal Water and Gas Corporation ("Federal"), a registered holding company, dispose of its interests in Alabama Water Service Company ("Alabama"), a direct subsidiary of Federal, and approving a plan filed by Federal providing, among other things, that Federal would dispose of its interests in Alabama; Federal and Alabama subsequently from time to time having filed certain applications and declarations concerned with the divestment by Alabama of certain of its properties and the use by Alabama of the proceeds derived from such sales for the satisfaction and discharge of certain of the security obligations of Alabama; said applications and declarations bearing the above set forth caption heretofore having been granted and permitted to become effective; Federal and Alabama now having filed joint amendments to these latter-mentioned proceedings concerned, among other things, with the following transactions:

(a) The divestment by Alabama of the water distribution system of Alabama serving the City of Geneva, Alabama, and territory contiguous thereto in Geneva County, Alabama, to the City of Geneva, Alabama, or to The Water Works Board of the City of Geneva, Alabama, for the sum of $40,000 in cash plus adjustments at the date of closing for additions and betterments, materials and supplies, and accounts receivable pertaining to said system; and

(b) The employment of the proceeds to be received from the sale above-described in the redemption of 6% Cumulative Preferred Stock of Alabama, all the capital stocks of Alabama being owned at the present time by Federal;

It appearing that these transactions are steps in the consummation by Federal of its program for the divestment of its interests in Alabama and are necessary and appropriate to the integration or simplification of the holding company system of which Federal and Alabama are members, and to effectuate the provisions of section 11 (b) of the act; and

Federal and Alabama having requested that such order or orders as we shall issue in this matter conform with the requirements of sections 371 (b), 371 (d), 371 (f) and 1808 (f) of the Internal Revenue Code, as amended, and contain the recitals and specifications described therein;

It is ordered and recited, That the sale by Alabama Water Service Company to the City of Geneva, Alabama, or to The Water Works Board of the City of Geneva, Alabama, of the water distribution system of the Company serving the City of Geneva, Alabama, and territory contiguous thereto in Geneva County, Alabama, said properties being more completely specified, itemized and described in a certain document entitled "Specification and Itemization of Property of Alabama Water Service Company To Be Sold" marked Exhibit H-3 to Amendment No. 9A and filed with the Securities and Exchange Commission as a part of the record in this proceeding, which document is hereby incorporated by reference in this order and made a part hereof with the same force and effect as if fully set forth herein, for the sum of $40,000 in cash plus adjustments at the date of closing, and the employment of the proceeds to be received from the sale of these properties in the redemption of the 6% Cumulative Preferred Stock of Alabama Water Service Company, are necessary and appropriate to the integration or simplification of the Federal Water and Gas Corporation holding company system, of which Alabama Water Service Company is a member, and are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

It is further ordered, That the sale of said properties be completed within six months from the date of this order and that the proceeds to be received from the sale thereof be applied to the redemption of 6% Cumulative Preferred Stock of Alabama Water Service Company not later than March 1, 1946.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12651; Filed, July 12, 1945; 10:33 a. m.]

[File No. 70-838]

THE LAKE SHORE GAS CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of July 1945.

Associated Electric Company ("Aelec"), a registered holding company, and its subsidiary, The Lake Shore Gas Company ("Lake Shore"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, regarding the proposed sale of Aelec's entire interest in Lake Shore, the proposed acquisition by Aelec of certain assets of Lake Shore, and related matters; and

The Commission having, on September 15, 1944, after notice and hearing, filed its supplemental order granting and permitting the amended application-declaration to become effective and releasing the jurisdiction theretofore reserved (Holding Company Act Release No. 5293); and

The Commission having, on November 15, 1944, January 15, March 14, and May 9, 1945, upon the request of applicants-declarants, extended the time for consummating said transactions to and including July 15, 1945; and

The applicants-declarants having, on July 6, 1945, advised the Commission that the parties have been unable to consummate the transactions proposed in said application-declaration within such time, and having requested that the time for such consummation be extended to and including September 15, 1945; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors to grant said request:

It is ordered, That the time for consummating said transactions be, and hereby is, extended to and including September 15, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12653; Filed, July 12, 1945; 10:33 a. m.]

[File No. 70-1077]

APPALACHIAN ELECTRIC POWER CO.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of July, A. D. 1945.

Appalachian Electric Company ("Appalachian"), an electric utility subsidiary of American Gas and Electric Company, a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding company, has filed a declaration and amendment thereto pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder, with respect to the following transaction:

Appalachian proposes to utilize $750,000 of excess treasury cash to acquire for cancellation a portion of its 6% Gold Debentures outstanding in the principal amount of $3,965,000, Series A due July 1, 2024, which are non-callable until July 1, 1949. To carry out this program, Appalachian proposes to invite tenders to be made to it for the purchase of as many of these debentures as may be purchased with the sum of $750,000, exclusive of accrued interest, at the lowest prices tendered except that no debentures will be purchased at less than 126% nor more than 130% of principal amount plus accrued interest and Appalachian reserves the right to reject tenders in whole or in part.[1] No debentures directly or indirectly owned or controlled by any affiliate of Appalachian or by any officer or director of Appalachian or of such affiliate will be purchased.

Appalachian also proposes to invite at its discretion during the period between the issuance of our order permitting the declaration herein to become effective and December 31, 1946, similar tenders at not less than 126% and not more than 130% of principal amount for the purchase of additional amounts of debentures as further amounts of excess free cash may become available to it.

A public hearing on said declaration, as amended, was duly held and, having considered the record, we make the following findings:

Appalachian is an electric utility company organized under the laws of the State of Virginia engaged in the generation, transmission, distribution and sale of electric energy in the cities of Roanoke and Pulaski in Virginia and Charleston, Bluefield and Huntington in West Virginia and adjacent communities. American Gas and Electric Company is the corporate parent of Appalachian, owning all of the common stock which represents 66.55% of the total voting power vested in outstanding securities.[2]

A condensed balance sheet of Appalachian as of February 28, 1945, is set forth in Table I below:

TABLE I—APPALACHIAN ELECTRIC POWER COMPANY

BALANCE SHEET—AS OF FEBRUARY 28, 1945

Assets and other debits	
Utility plant	$189,677,708
Investment and fund accounts	2,039,942
Cash and U. S. Treasury obligations	7,850,506
other current and accrued assets	6,241,527
Deferred debits	[1] 2,003,084
Total assets and other debits	207,812,767
Liabilities and other credits	
Preferred, 4½% cumulative, $100 par value	$30,000,000
Premium on 4½% cumulative preferred stock	1,286,333
Common, no par value, 5,969,977 shares	20,207,188
First mortgage bonds, 3¼% Series, due 1970	70,000,000
Appalachian Power Co. 6% debentures, due 2024	[2] 4,000,000
Taxes accrued	11,499,758
Other current and accrued liabilities	3,229,736
Total deferred credits	2,878,147
Contributions for construction	120,141
Property retirement reserve	21,192,864
Possible adjustment of utility plant and/or depreciation reserve	22,500,000
Other reserves	1,376,960
Capital surplus	14,557,021
Earned surplus	4,964,599
Total liabilities and other credits	207,812,767

[1] Includes unamortized debt discount and expense applicable to the 6% Debentures in the sum of $605,491.

[2] Reduced to $3,965,000 by acquisitions subsequent to February 28, 1945.

Total fixed charges were earned 2.23, 3.59, 3.15, 2.61 and 3.23 times during the years 1940, 1941, 1942, 1943 and 1944, respectively.

No fees or commissions are to be paid in connection with the transaction and it is estimated that expenses will be limited to nominal amounts. The record shows that the utilization of declarant's cash to effectuate this debenture purchase program will not impair its working capital position. The proposed transaction will result in improving the asset coverage and the interest coverage of the remaining debt securities of Appalachian.

The proposed acquisition of the debentures by Appalachian requires our approval under section 12 (c) and our Rule U-42. No adverse findings are required under section 12 (c) and the declaration under that section and the cited rule will be permitted to become effective.

It is therefore ordered, That said declaration, as amended, is granted and permitted to become effective, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12655; Filed, July 12, 1945; 10:34 a. m.]

[File No. 70-1078]

OHIO POWER CO.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of July, A. D., 1945.

The Ohio Power Company ("Ohio"), an electric utility subsidiary of American Gas and Electric Company, a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding company, has filed a declaration and amendment thereto pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder, with respect to the following transaction:

Ohio proposes to utilize excess treasury cash to acquire for cancellation its Gold Debentures outstanding in the principal amount of $2,000,000, 6% Series, due June 1, 2024, which are noncallable until June 1, 1949. To carry out this program, Ohio proposes to invite tenders of such debentures from time to time until December 31, 1946. Ohio will purchase debentures at the lowest prices tendered except that no debentures will be purchased at less than 126% nor more than 130%[1] of principal amount plus accrued interest and Ohio reserves the right to reject tenders in whole or in part. No debentures directly or indirectly owned or controlled by any affiliate of Ohio or by any officer or director of Ohio or of such affiliate, will be purchased.

A public hearing on said declaration, as amended, was duly held, and, having considered the record, we make the following findings:

Ohio is an electric utility company organized under the laws of the State of Ohio engaged in the generation, transmission, distribution and sale of electric

[1] The debentures are presently admitted to unlisted trading privileges on the New York Curb Exchange and during recent months prices have varied from 123% to 129% of the principal amount plus accrued interest.

[2] Each share of preferred stock, of which there are 300,000 shares outstanding in the hands of the public, is entitled to one vote per share and each share of common stock, of which there are 5,969,977 shares outstanding all held by American Gas, is entitled to 1/10 of one vote per share.

[1] The debentures are traded in the "over-the-counter" market and recent quotations have been approximately 129% of the principal amount thereof plus accrued interest.

energy in the cities of Canton, Lima, and Steubenville and adjacent communities. American Gas and Electric Company is the corporate parent of Ohio owning all of the common stock which represents 70.31% of the total voting power vested in outstanding securities.[2]

A condensed balance sheet of Ohio as of March 31, 1945 is set forth in Table I below:

TABLE I—THE OHIO POWER COMPANY

BALANCE SHEET—AS OF MARCH 31, 1945

Assets and other debits	
Utility plant	$151,518,459
Investment and fund account	10,619,022
Cash and U. S. Treasury obligations	9,459,015
Other current and accrued assets	6,020,297
Deferred debits	[1] 2,970,862
Total assets and other debits	180,587,655
Liabilities and other credits	
Preferred, 4½% cumulative, $100 par value	$20,240,300
Premium on 4½% cumulative preferred stock	1,392,488
Common stock, no par value, 4,792,952 shares	26,464,760
First mortgage bonds, 3¼% series, due 1968	55,000,000
First mortgage bonds, 3% series, due 1971	15,000,000
6% debentures, due 2024	2,000,000
Notes payable to banks, 2% due 1948 ($1,400,000 due 10 1/45)	6,150,000
Taxes accrued	10,243,646
Other current and accrued liabilities	4,561,063
Contractual liability	196,000
Deferred credits	983,977
Contributions for construction	296,023
Property retirement reserve	32,046,166
Other reserves	761,793
Earned surplus	5,251,440
Total liabilities and other credits	180,587,655

[1] Includes unamortized debt discount and expense in the amount of $2,235,047, of which $261,716 is applicable to the 6% debentures.

Total fixed charges were earned 3.94, 3.25, 3.06, 2.99, and 3.06 times during the years 1940, 1941, 1942, 1943 and 1944, respectively.

No fees or commissions are to be paid in connection with the transaction and it is estimated that expenses will be limited to nominal amounts. The record shows that the utilization of declarant's cash to effectuate this debenture program will not impair its working capital. The proposed transaction will result in improving the asset coverage and the interest coverage of the remaining debt securities of Ohio.

The proposed acquisition of the debentures by Ohio requires our approval under section 12 (c) and our Rule U-42. No adverse findings are required under section 12 (c) and the declaration under that section and the cited rule will be permitted to become effective.

[2] Each share of preferred stock, of which there are 202,403 shares outstanding in the hands of the public, is entitled to one vote per share and each share of common, of which there are 4,792,952 shares outstanding, all held by American Gas, is entitled to 1/10 of one vote per share.

It is therefore ordered, That said declaration, as amended, is granted and permitted to become effective, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12656; Filed, July 12, 1945; 10:34 a. m.]

[File No. 70-1084]

PORTLAND GENERAL ELECTRIC CO.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of July, 1945.

Portland General Electric Company, a registered holding company, and a public-utility subsidiary of Portland Electric Power Company, also a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, or in the alternative a declaration pursuant to section 7 of the act, and amendments thereto, regarding the issuance and sale, at competitive bidding pursuant to Rule U-50 promulgated under the act, of $34,000,000 principal amount of First Mortgage Bonds, due 1975, and the issuance and sale to banks of $4,000,000 aggregate face amount of 2% 10-year serial notes, the interest rate and sale price of the bonds to be fixed by competitive bidding (the sale price to be not less than the principal amount nor more than 102.75% of such principal amount), and the proceeds from the sale of the bonds and notes, together with other funds of the company, to be used to redeem applicant's presently outstanding $39,565,000 principal amount of First and Refunding Mortgage Bonds, 4½% Series, due September 1, 1960, at the redemption price of 102% of the principal amount thereof ($40,356,300) plus accrued interest thereon at the date of redemption; and

The Commission having, by order dated June 27, 1945, permitted the filing, as amended, of Portland General Electric Company to become effective as a declaration pursuant to section 7 of the act, subject to the condition, among others, that the proposed issuance and sale of the bonds not be consummated until the results of the competitive bidding pursuant to Rule U-50 had been made a matter of record in the proceeding and a further order had been entered by this Commission in the light of the record so completed, and having reserved jurisdiction over the price to be paid to the company for such bonds, the interest rate and the underwriters' spread and its allocation and

Portland General Electric Company having filed a further amendment to its declaration herein, setting forth the action taken to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation for competitive bids, three bids were received as follows:

Underwriting groups	Coupon rate	Price to company [1] (% of principal amount)	Annual cost to company
	Percent		*Percent*
Halsey, Stuart & Co., Inc.	3¼	101.1770	[illegible]
The First Boston Corporation	3¼	101.1259	3.[illegible]
Harriman Ripley & Co., Inc.	3¼	101.0299	3.[illegible]

[1] Plus accrued interest.

The said amendment having further stated that Portland General Electric Company had accepted the bid of the group headed by Halsey, Stuart & Co., Inc. for the bonds, as set out above, and that the bonds will be offered for sale to the public at a price of 102.410% of the principal amount thereof plus accrued interest, resulting in an underwriters' spread of 1.233% of the principal amount of the bonds; and

A further hearing having been held, and the Commission having examined the record in the light of said amendment and finding no basis for imposing terms and conditions with respect to the price to be paid to the company for the bonds, the interest rate on the bonds and the underwriters' spread and its allocation;

It is ordered, That said declaration, as amended, be, and the same is hereby permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24 and that the jurisdiction heretofore reserved over the price to be paid for the bonds, the interest rate and the underwriters' spread and its allocation be, and the same hereby is released; and

The Commission having also by said order of June 27, 1945 reserved jurisdiction over the legal fees and the fees of Stone & Webster Service Corporation; and

The Commission having examined the statements filed in this proceeding with respect to the legal services performed for Portland General Electric Company, for the trustee and for the underwriters, and the services performed for Portland General Electric Company by Stone & Webster Service Corporation, for which the following fees are requested:

Cahill, Gordon, Zachry & Reindel, counsel for the company	$25,000
Dwight, Harris, Koegel & Caskey, counsel for the trustee	3,000
Beekman & Bogue, counsel for the underwriters	15,000
Stone & Webster Service Corporation	18,000

and

It appearing to the Commission that the above fees are not unreasonable and that jurisdiction over them should now be released:

It is further ordered, That the jurisdiction heretofore reserved over said fees be, and the same hereby is released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12652; Filed, July 12, 1945; 10:33 a. m.]

[File No. 70-1099]

MOUNTAIN STATES POWER CO.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of July, 1945.

Mountain States Power Company, a public utility subsidiary of Standard Gas and Electric Company, a registered holding company, having filed a declaration and amendments thereto pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935, and Rule U-50 promulgated thereunder, regarding the issuance and sale, at competitive bidding, of $7,500,000 principal amount of First Mortgage Bonds, Series due July 1, 1975, and the application of the net proceeds from the sale of said bonds together with general funds of declarant to the redemption of $7,500,000 principal amount of its First Mortgage Bonds, 4¼% Series due 1965, presently outstanding at the redemption price of 104% of the principal amount thereof plus accrued interest to date of redemption; and

The Commission having by order entered herein under date of June 29, 1945, permitted said amended declaration to become effective subject to the condition that the proposed issuance and sale of securities should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order entered in the light of the record so completed; and

Mountain States Power Company having filed a further amendment to the declaration, setting forth the action taken to comply with the requirements of Rule U-50 and showing that, pursuant to the invitation for competitive bids, three bids on said bonds by three groups of underwriters headed by the firms set forth below were received:

Underwriting groups	Coupon rate	Price to Company [1] (% of principal amount)	Annual cost to company
	Percent		*Percent*
Kidder, Peabody & Co.	3	101.260	2.9365
Blyth & Co., Inc.	3	100.269	2.9712
Harsey, Stuart & Co., Inc.	3¼	102.125	3.0165

[1] Plus accrued interest.

The said amendment having further stated that the Mountain States Power Company has accepted the bid of the group headed by Kidder, Peabody & Co., as set out above and that the bonds will be offered for sale to the public at a price of 101.95% of the principal amount thereof plus accrued interest from July 1, 1945, resulting in an underwriters' spread of 0.69% of the principal amount of said bonds; and

A further hearing having been held, and the Commission having examined the record in the light of said amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid to the company for said bonds, the underwriters' spread and its allocation;

It is ordered, That, subject to the terms and conditions contained in Rule U-24, said declaration, as amended, be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12649; Filed, July 12, 1945; 10:32 a. m.]

[File No. 70-1100]

SOUTHERN NATURAL GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of July, A. D. 1945.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Southern Natural Gas Company ("Southern"), a registered holding company and subsidiary of Federal Water and Gas Corporation ("Federal"), also a registered holding company.

Notice is further given that any interested person may, not later than the 25th day of July, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on said application, stating the reasons for his request and the nature of his interest, or require that he be notified if the Commission should order a hearing thereon; at any time thereafter said application, as filed or as amended, may be granted as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said act, or the Commission may exempt the proposed transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Southern at the present time owns 192,176 shares of the outstanding 227,548 shares of common stock, par value $2 per share, of Birmingham Gas Company ("Birmingham"). These shares have all been acquired by Southern pursuant to the Commission's order dated January 17, 1945 (Holding Company Act Release No. 5558) approving the proposed acquisition by Southern from American Gas and Power Company of 142,955 shares of the common stock of Birmingham at a price of $9.50 per share and a proposed offer by Southern to purchase all or any part of Birmingham's publicly held common stock at 9.50 per share. This offer, resulting in the acquisition by Southern of an additional 49,221 shares of common stock of Birmingham, expired on February 23, 1945.

Southern is now proposing to purchase in the open market, from time to time but prior to December 31, 1945, at prices current at the time of purchases, but not in excess of $9.50 per share, any or all of the remaining 35,372 shares of common stock outstanding at the present time and held by others than Southern.

In connection with these proposed acquisitions, Southern proposes to acquire from C. van den Berg, Jr., a director of Southern and Chairman of the Board of Birmingham, 489 shares of the common stock of Birmingham which he owns indirectly as a result of a purchase on May 11, 1945 at a price of $9.125 per share. This acquisition from van den Berg is to be at the price paid by him, provided the price of such stock in the open market at the time of this proposed purchase is not less than $9.125 per share.

Southern is to charge to earned surplus on its books an amount equal to the difference between the cost to it of all stock of Birmingham purchased pursuant to said application and the book value of such stock as indicated by the balance sheet of Birmingham as of the end of the month preceding the month in which the stock is purchased.

The filing has indicated section 10 of the act as being applicable to the proposed purchase.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12650; Filed, July 12, 1945; 10:32 a. m.]

[File Nos. 70-1101, 70-1102]

PUBLIC SERVICE CO. OF INDIANA, INC.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of July, A. D. 1945.

Public Service Company of Indiana, Inc., a public utility subsidiary of The Middle West Corporation, a registered holding company, having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935, regarding, among other things, the organization of a corporation to be named Indiana Gas & Water Company, Inc., the acquisition of that company's no par common stock in the amount of $1,200 and the sale by Public Service Company of Indiana, Inc. to Indiana Gas & Water Company, Inc. of all its gas and water properties (and its Sheridan ice properties); and

Public Service Company of Indiana, Inc. having requested that the declaration in respect of the organization of Indiana Gas & Water Company, Inc. and the acquisition of its stock be considered and disposed of independently of the principal transactions and that the Commission enter its separate order permitting said declaration as to such matters to become effective;

It appearing that the organization of, and acquisition of stock of Indiana Gas & Water Company, Inc., does not make it necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the act or the rules and regulations thereunder, that

the Commission issue any order with respect thereto other than an order permitting the declaration as to such transactions to become effective pursuant to the provisions of section 10:

It is therefore ordered, That, without passing upon the merits of the applications or declarations filed with respect to the principal transactions, including the sale of the gas, water and ice properties, the declaration as to the organization of, and acquisition of the no par common stock of Indiana Gas & Water Company, Inc. in the amount of $1,200 be and it is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc. 45-12654; Filed, July 12, 1945; 10:33 a. m.]

WAR PRODUCTION BOARD.

[C-390]

CHESTER L. FIELD

CONSENT ORDER

Chester L. Field, 130 Overlook Road, Arlington, Massachusetts, is charged by the War Production Board with having carried on construction of a residential building at an estimated cost of $5,000 between the dates of November 1, 1944 and June 1, 1945 without authorization from the War Production Board and in violation of War Production Board Conservation Order L-41. Chester L. Field admits the violation as charged, does not desire to contest the charge as made, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Chester L. Field, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Chester L. Field shall do no construction on the premises at Ocean Avenue, Brant Rock Section, Marshfield, Massachusetts, including putting up, altering, or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Chester L. Field, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Chester L. Field, his successors or assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly, of any such action.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R Doc. 45-12669; Filed, July 12, 1945; 11:21 a. m.]

[C-391]

ALLYN APPLIANCES

CONSENT ORDER

I. Sharenow, doing business as Allyn Appliances, at 32 Allyn Street, Hartford, Connecticut, engaged in selling and repairing electrical appliances is charged by the War Production Board in a letter dated November 27, 1944 with having accepted delivery of 250 new fractional horse power motors on March 10, 1943 not pursuant to an approved order or as permitted by War Production Board Order L-123, with having accepted delivery of 124 new electrical fractional horse power motors on June 26, 1943 not pursuant to an approved order or as otherwise permitted by War Production Board Order L-123, with having installed in July 1944 new electrical fractional horse power motors on domestic sewing machines not previously electrified in violation of War Production Board Order L-98 and with having failed to submit records required to be kept in accordance with War Production Board Priorities Regulation No. 1 for inspection by duly authorized representatives of the War Production Board. I. Sharenow, doing business as Allyn Appliances, admits the violations, as charged, does not care to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of I. Sharenow, doing business as Allyn Appliances, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) I. Sharenow, doing business as Allyn Appliances shall not for four months from the effective date of the order apply or extend any preference ratings or use any CMP allotments regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) I. Sharenow, doing business as Allyn Appliances, shall cancel immediately all preference ratings which he has applied or extended to orders which have not yet been filled, except that if he has extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory) he need not cancel the rating, provided the item when received is promptly delivered to the customer whose rating was extended.

(c) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery of materials to I. Sharenow, doing business as Allyn Appliances, or placed prior to a date four months from the effective date hereof are void and shall not be given any effect by suppliers of I. Sharenow, doing business as Allyn Appliances or by any other person. This does not apply to material already delivered or in transit for delivery to him on the effective date of this order.

(d) I. Sharenow, doing business as Allyn Appliances, shall not purchase or receive any new electrical motors of any type and shall not convert any non-electrical sewing machines whether new or used so as to make them operate by electricity.

(e) I. Sharenow, doing business as Allyn Appliances, shall immediately set up and maintain complete records of all transactions affected by any rule, regulation or order of the War Production Board.

(f) The restrictions and prohibitions contained herein shall apply to I. Sharenow, doing business as Allyn Appliances, its successors or assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking directly as well as indirectly of any such action.

(g) Nothing contained in this order shall be deemed to relieve I. Sharenow, doing business as Allyn Appliances, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12671; Filed, July 12, 1945, 11:21 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 140

Washington, Saturday, July 14, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders

[WFO 120-6, as amended, Termination]

PART 1405—FRUITS AND VEGETABLES

IRISH POTATOES

War Food Order No. 120-6, as amended (10 F.R. 6549, 7787), is terminated as of 12:01 a. m., e. w. t., July 13, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 120-6, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 120-6, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087, WFO 120, as amended, 9 F.R. 14475, 10 F.R. 103, 1823)

Issued this 12th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F R Doc. 45-12750; Filed, July 12, 1945; 3:36 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amdt. 41-0]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

Correction

In Federal Register Document 45-12387, appearing at page 8528 of the issue for Tuesday, July 10, 1945, the following changes should be made:

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

1. Paragraph (l) of § 41.25 should read as follows:

(l) An electrically heated pitot tube serving each pilot's air-speed indicator (night and instrument operation).

2. In § 41.2731 the sixteenth line of the third paragraph should read: "proach area in plan view to be straight".

3. The tenth line of § 41.303 should read: "three take-offs and landings in such air-".

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

SUPPLEMENTAL STATEMENTS TO APPLICATIONS FOR REGISTRATION OF BROKERS AND DEALERS

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, hereby takes the following action pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly sections 15 (b) and 23 (a) thereof, hereby amends § 240.15b-2 [Rule X-15B-2] by adding thereto the following new paragraph (e):

§ 240.15b-2 *Supplemental statements to applications for registration of brokers and dealers.* • • •

(e) Within 90 days after the effective date of any amendment to form 3-M which requires additional information, or within such further period as the Commission, having due regard for the

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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public interest and the protection of investors, may by order specify, such information shall be reported on form 6–M by each registrant who has filed an application on form 1–M, 3–M, or 4–M.

Effective July 7, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12791; Filed, July 13, 1945; 10:55 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[Regs. 17]

PART 173—DISPOSITION OF SUBSTANCES USED IN THE MANUFACTURE OF DISTILLED SPIRITS

APPLICABLE SECTIONS OF THE INTERNAL REVENUE CODE, OTHER LAWS, AND REGULATIONS

SEC. 2811. RETURN OF MATERIALS USED IN THE MANUFACTURE OF DISTILLED SPIRITS.

Every person disposing of any substance of the character used in the manufacture of distilled spirits shall, when required by the Commissioner, render a correct return in such form and manner as the Commissioner, with the approval of the Secretary, may by rules and regulations prescribe, showing the names and addresses of the persons to whom such disposition was made, with such details, as to the quantity so disposed of or other information which the Commissioner may require as to each such disposition, as will enable the Commissioner to determine whether all taxes due with respect to any distilled spirits manufactured from such substances have been paid. Any person who willfully violates any provision hereof, or of any such rules or regulations, and any officer, director, or agent of any such person who knowingly participates in such violation, shall upon conviction be fined not more than $500 or be imprisoned for not more than one year, or both. As used in this section, (a) the term "distilled spirits" has the same meaning as that in which it is used in section 2803; (b) the term "person" includes individuals, corporations, partnerships, associations, trusts, and other incorporated and unincorporated organizations; and (c) the term "substance of the character used in the manufacture of distilled spirits" includes, but not by way of limitation, molasses, corn sugar, cane sugar, and malt sugar.

SEC. 2809. DEFINITIONS. • • •

(b) *Distilled spirits.*—(1) *General definition.* Distilled spirits, spirits, alcohol, and alcoholic spirits within the true intent and meaning of this chapter, is that substance known as ethyl alcohol, hydrated oxide of ethyl or spirit of wine, which is commonly produced by the fermentation of grain, starch, molasses, or sugar, including all dilutions and mixtures of this substance.

(2) *Products of rectification.* As used in section 2803, the term "distilled spirits" includes products produced in such manner that the person producing them is a rectifier within the meaning of section 3254 (g).

• • • • • •

SEC. 2800. TAX.

(c) *Time of attachment.* The tax shall attach to distilled spirits, spirits, alcohol or alcoholic spirit, within the meaning of subsection (b) of section 2809 as soon as this substance is in existence as such, whether it be subsequently separated as pure or impure spirit, or be immediately, or at any subsequent time, transferred into any other substance, either in the process of original production or by any subsequent process.

• • • • • •

SEC. 3254. DEFINITIONS. • • •

(g) *Rectifier.* Every person who rectifies, purifies, or refines distilled spirits or wines by any process other than by original and continuous distillation from mash, wort, or wash, through continuous closed vessels and pipes, until the manufacture thereof is complete, and every wholesale or retail liquor dealer who has in his possession any still or leach tub, or who keeps any other apparatus for the purpose of refining in any manner distilled spirits, and every person who, without rectifying, purifying, or refining distilled spirits, shall, by mixing such spirits, wine, or other liquor with any material, manufacture

any spurious, imitation, or compound liquors for sale, under the name of whisky, brandy, gin, rum, wine, spirits, cordials, or wine bitters, or any other name, shall be regarded as a rectifier, and as being engaged in the business of rectifying: *Provided*, That nothing in this subsection or section 3250 (f) (1) shall be held to prohibit the purifying or refining of spirits in the course of original and continuous distillation through any material which will not remain incorporated with such spirits when the manufacture thereof is complete.

* * * * *

SEC. 3170. TRANSFERS AND DELEGATION OF POWERS.

The Secretary is authorized to confer and impose upon the Commissioner and any of his assistants, agents, or employees, and upon any other officer, employee, or agent of the Treasury Department, any of the rights, privileges, powers, duties, and protection conferred or imposed upon the Secretary, or any officer or employee of the Treasury Department, by any law now or hereafter in force relating to the taxation, exportation, transportation, manufacture, possession, or use of, or traffic in, distilled spirits, wine, fermented liquors, or denatured alcohol.

SEC. 5. ACT JULY 26, 1935

There shall be published in the FEDERAL REGISTER * * * (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; * * *. (U.S.C., 1940 Ed., title 44, sec. 305 (a).)

SEC. 7. ACT JULY 26, 1935

* * * The contents of the FEDERAL REGISTER shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number. (U.S.C., 1940 Ed., title 44, sec. 307.)

SEC. 2.3, 1 CFR, CUM. SUPP.

Documents determined pursuant to section 5 (a) (2) of the act to have general applicability and legal effect. There shall be filed in the office of the Director and published in the FEDERAL REGISTER the documents or classes of documents itemized in Appendix A attached hereto and made a part hereof, which are hereby determined pursuant to section 5 (a) (2) of the Act to have general applicability and legal effect.

TREASURY DEPARTMENT

BUREAU OF INTERNAL REVENUE

Regulations and Treasury Decisions, so entitled, prescribed or approved by the Secretary of the Treasury, with respect to internal revenue, issued under authority of any law or laws or Executive Orders relating to internal revenue. (Pages 2 and 27, 1, CFR, Cum. Supp.)

APPLICABLE TREASURY DECISIONS

(T D 4907)

DESIGNATION OF ACTING DISTRICT SUPERVISOR

Section 22, title 5, U.S.C., 1934 edition, provides as follows:

22. *Departmental regulations.* The head of each department is authorized to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it.

Pursuant to the above-quoted provision of law the following regulations are prescribed:

An Assistant Supervisor or other qualified employee shall be designated by the District Supervisor to act as District Supervisor during the temporary absence or disability of the District Supervisor: *Provided, however,* That the Deputy Commissioner of Internal Revenue in charge of the Alcohol Tax Unit may designate the person who shall act as District Supervisor, in which event his designation shall be in lieu of, or shall supersede, that of the District Supervisor. In the event there is no District Supervisor for the district the Deputy Commissioner of Internal Revenue in charge of the Alcohol Tax Unit shall designate an Acting District Supervisor.

The designation of an Acting District Supervisor shall be in writing over the signature of the District Supervisor or the Deputy Commissioner of Internal Revenue, as the case may be, addressed to the person so designated, and shall show the effective date thereof and the period such person is authorized to act as District Supervisor. Upon completion of duty as Acting District Supervisor, the person so designated shall be relieved in writing over the signature of the District Supervisor or the Deputy Commissioner of Internal Revenue, as the case may be, the effective date of relief from further duty as Acting District Supervisor being shown. Signed copies of letters of designation and relief shall be filed in the office of the District Supervisor and the office of the Deputy Commissioner of Internal Revenue in charge of the Alcohol Tax Unit as a permanent record.

All regulations, orders or instructions inconsistent herewith are hereby revoked.

HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: June 26, 1939.

JOHN W. HANES,
Acting Secretary of the Treasury.

(T. D. 4662)

DUTIES TO BE PERFORMED BY THE ALCOHOL TAX UNIT, BUREAU OF INTERNAL REVENUE

1. Pursuant to Section 161, R. S. (U. S. C., Title 5, Sec. 22), the Alcohol Tax Unit is charged with the administration, under the direction of the Commissioner of Internal Revenue, of the laws and regulations concerning the following subjects:

* * * * *

(l) The filing of correct returns by every person disposing of any substance of the character used in the manufacture of distilled spirits; the filing of correct returns by every person disposing of any denatured alcohol, denature rum, or articles containing denatured alcohol or denatured rum; and the keeping of records of the disposition of such substances, denatured alcohol, denatured rum, and articles containing denatured alcohol or denatured rum.

* * * * *

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: July 3, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

(T. D. 4885)

PRESCRIBING REGULATIONS UNDER THE INTERNAL REVENUE CODE

All regulations (including all Treasury Decisions), prescribed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury, applicable under any provision of law on the date of the enactment of the Internal Revenue Code, to the extent such provision of law is superseded by the Code, are hereby prescribed under, and made applicable to, the provisions of the Code corresponding to the provision of law so superseded, insofar as any such regulation is not inconsistent with the Code.

These regulations are issued under authority of the provisions of section 3791 of the Internal Revenue Code and under such other provisions of the Code as correspond with the several provisions of law under which any regulation or Treasury Decision hereby prescribed and made applicable was issued.

GUY T. HELVERING,
Commissioner.

Approved: February 11, 1939.

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

Sec.
173.1 Regulations prescribed.
173.2 Effective date.
173.3 Definitions.
173.4 Requirement of returns.
173.5 Records to be maintained.
173.6 Delegation of authority.

AUTHORITY: §§ 173.1 to 173.6, inclusive issued under sec. 2611 I.R.C., 53 Stat. 308, 26 U.S.C. 2611.

§ 173.1 *Regulations prescribed.* This part is prescribed pursuant to the provisions of section 2611 of the Internal Revenue Code.

§ 173.2 *Effective date.* This part shall on and after the sixtieth day following the date of approval thereof, supersede Regulations No. 17, amended April 1937, approved April 27, 1937, and all amendments and modifications thereof. But this part shall not affect or limit any act done or any liability incurred under any regulations superseded hereby, or any suit, action, or proceeding had or commenced in any civil, administrative, or criminal cause or proceeding prior to the effective date of this part, nor shall this part release, acquit, affect, or limit any offense committed in violation of previously existing regulations, or any penalty, liability, or forfeiture incurred prior to such date.

§ 173.3 *Definitions.* As used in this part the following words and phrases shall have the meanings as herein defined:

(a) "Commissioner" shall mean the Commissioner of Internal Revenue.

(b) "Substance" shall mean and include, but not by way of limitation, any of the following which are used in the manufacture of distilled spirits: Any grade or type of sugar, syrup or molasses derived from sugar cane, sugar beets, corn, sorghum or any other source; starch; potatoes; grain, or corn meal, corn chops, cracked corn, rye chops, middlings, shorts, bran, or any other grain derivative; malt; malt sugar, or malt syrup; oak chips, charred or not charred; yeast; cider; honey; fruits; grapes; berries; fruit, grape or berry juices or concentrates; wine; caramel; burnt sugar; gin flavor; Chinese bean cake or Chinese wine cake; urea, ammonium phosphate, ammonium carbonate, ammonium sulphate, or any other yeast food; or any other fermentable material of the character used in the manufacture of distilled spirits, or any chemical or other material suitable for promoting or accelerating fermentation; or any combination of such materials or chemicals.

(c) "Distilled spirits" shall have the meaning ascribed to that term by sections 2811, 2809 (b) (1), (2) and 2800 (c) of the Internal Revenue Code; shall have the meaning imputed by section 2809 (b) (2), Internal Revenue Code, to the use of the term in section 2803, Internal Revenue Code; and shall include products produced in such manner that the person producing them is a rectifier within the meaning of section 3254 (g) of the Internal Revenue Code.

(d) "United States" shall mean the continental United States and its outlying possessions to which the internal revenue laws apply.

(e) "Filed" shall be the delivery of the return or returns to the person designated in the requirement of returns, at the place stated in such requirement.

(f) Words in the singular shall include the plural.

(g) "Dispose," and all forms of the word, shall mean and include, but not by way of limitation, consign, sell, transfer, deliver, destroy, and lose, and all forms of those words.

§ 173.4 *Requirement of returns*—(a) *Returns required.* Every person in the United States who disposes of any substance, as defined in § 173.3 (b), shall, when required in writing by the Commissioner of Internal Revenue, the Deputy Commissioner in charge of the Alcohol Tax Unit, or a District Supervisor or Acting District Supervisor of the Alcohol Tax Unit, and until notified to the contrary in writing by such an officer, for the purpose of enabling the determination, in accordance with law, as to whether all taxes due with respect to any distilled spirits manufactured from such substances have been paid, render in writing correct returns showing (1) the date of each disposition of such substances, and in such quantities, as may be specified in the formal notice requiring such returns; (2) the quantity and kind of each substance disposed of; (3) the name and complete address of each purchaser, consignee, and other person actually receiving such substances, and of any other person for, by or through whom the substances were ordered or disposed of; (4) the date and method of shipment or delivery, and (5), if delivered or shipped by truck or similar conveyance, the state or city registration number of such truck or conveyance, and the name and complete address of the operator of such truck or conveyance as shown by his operator's license, giving the number of such operator's license and the date of its issuance. Where shipment is made by a common carrier, such as a railroad, trucking company, steamboat line, etc., the information required by subparagraph (5) of this paragraph need not be reported, but in lieu thereof there shall be furnished the complete routing of the shipment, full name and address of first carrier, and railroad car number or name of ship.

(b) *Filing returns.* Returns shall be filed with the officer or employee of the Bureau of Internal Revenue designated by the officer requiring returns. The first return shall be filed not later than ten days after the receipt of the notice requiring the same to be submitted, unless that notice shall specify the date upon which the first return is to be filed.

§ 173.5 *Records to be maintained.* Every person in the United States who disposes of any substance, as defined in § 173.3 (b), and who has been required to render returns under the provisions of § 173.4 (a), shall keep at his place of business such books, records, documents, papers, invoices, bills of lading, etc., relating to or connected with any such disposition, as will enable such person to make the return provided for by § 173.4 (a): *Provided*, That, unless the Commissioner, Deputy Commissioner, District Supervisor, or Acting District Supervisor shall, in writing, notify any such person so to do, he shall not be required to keep such books, records, documents, papers, invoices, bills of lading, etc., when the disposition of any such substances at the same time does not exceed the following: (a) 300 pounds of cane, corn, or beet sugar; (b) 250 gallons of syrup or molasses; (c) 5 pounds of yeast when packaged or cartoned in quarter pound, half pound, pound, or larger packages; (d) 100 gallons of cider; (e) 250 pounds of malt; (f) 300 pounds of dehydrated molasses; (g) 250 gallons of hydrol or sugar syrup; (h) 100 pounds of urea, ammonium phosphate, ammonium carbonate, ammonium sulphate, or other yeast foods; or (i) 300 pounds of corn meal, corn chops, cracked corn, rye chops, middlings, bran or other grain derivatives. Such books, records, documents, papers, invoices, bills of lading, etc., shall be kept readily available for, and open to, inspection by any officer or employee of the Alcohol Tax Unit of the Bureau of Internal Revenue during the hours of business of such person.

§ 173.6 *Delegation of authority*—(a) *Authority of Deputy Commissioner.* Paragraph (l) of section 1 of Treasury Decision 4662, approved July 3, 1936, in force when this part, amended, was approved on April 27, 1937 and filed with the Division of the Federal Register on April 29, 1937, shall be and continue in force.

(b) *Authority of District Supervisor.* Under authority of section 3170, Internal Revenue Code, District Supervisors and Acting District Supervisors of the Alcohol Tax Unit are authorized to require returns under this part.

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: July 11, 1945.

JOSEPH J. O'CONNELL, Jr.,
Secretary of the Treasury.

[F. R. Doc. 45-12752; Filed, July 12, 1945; 4:19 p. m.]

[T. D. 5466]

PART 186—GAUGING MANUAL

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of sections 2808 and 3176, Internal Revenue Code, the Gauging Manual, approved November 21, 1938 (26 CFR, Part 186), is hereby amended as follows:

1. Section 186.13 (a) is amended to read as follows:

§ 186.13 *Wine and proof gallon contents.* (a) The proof of alcohol in receiving cisterns of industrial alcohol plants and the proof of spirits in cisterns of distilleries shall be adjusted to a whole or complete degree of proof before being removed therefrom. The proof of alcohol or other spirits at industrial alcohol bonded warehouses, bottling-in-bond departments of internal revenue bonded warehouses, rectifying plants, and tax-paid bottling houses shall be adjusted to a whole degree of proof preparatory to filling containers such as tank cars, barrels, drums, or bottles. Adjusting the proof to tenths of a degree, either above or below the whole or complete degree, will not be permitted: *Provided*, That when tax-paid spirits at rectifying plants and tax-paid bottling houses and untax-paid spirits for bottling in bond for export at bottling-in-bond departments of internal revenue bonded warehouses are being prepared for bottling and are to be bottled and labeled in tenths of a degree of proof, such as 86.6, the proof of the spirits shall be adjusted to such tenths of a degree of proof. The restoration to the original proof and volume of rectified spirits upon which the rectification tax has been paid, by the addition of water, preparatory to bottling, shall not be deemed a reduction in proof or an increase in volume within the meaning of section 2801 (b) of the Internal Revenue Code.

2. Section 186.60 is amended by the addition of a new paragraph, lettered (k), reading as follows:

§ 186.60 *Kind of spirits branded on barrel.* * * *

(k) Where spirits are quick-aged, by any process, in packages at any time prior to tax-payment, the letters "Q. A." will be burned, cut or stenciled upon the head of the package when such quick-aging is completed.

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: July 11, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12755; Filed, July 12, 1945; 4:19 p. m.]

[T. D. 5464]

PART 188—BOTTLING OF DISTILLED SPIRITS IN BOND

MISCELLANEOUS AMENDMENTS

Pursuant to sections 2871, 2903, 2904, 2905, and 3176, Internal Revenue Code, Regulations 6 (26 CFR, Part 188) is hereby amended as follows:

1. Section 188.56 is amended to read as follows:

§ 188.56 *Bottling conducted under supervision of storekeeper-gauger.* The entire operation of bottling spirits in bond, including the withdrawal of the spirits from the packages, the effacement and obliteration of every mark, brand, and stamp on the packages emptied, the straining of the spirits and their reduction by the addition of pure water to the proof required by law, the filling and stamping of the bottles and the casing of the bottles, and the immediate removal of the cases from the bottling-in-bond department upon the completion of bottling

That the Deputy Commissioner of Internal the several provisions of law under which any the person producing them is a rectifier

of each lot will be performed by the proprietor of the warehouse under the immediate supervision of the storekeeper-gauger: *Provided*, That the storekeeper-gauger shall determine the proof of the spirits in the tank after reduction and prior to release for bottling, and make appropriate entries on Form 1515. The proof of the spirits shall be adjusted to a whole degree of proof in accordance with the provisions of Part 186 of this chapter preparatory to filling bottles. Adjusting the proof to tenths of a degree, either above or below the whole or completed degree, will not be permitted: *Provided*, That when spirits are being prepared for bottling in bond for export and are to be bottled and labeled in tenths of a degree of proof, such as 86.6, the proof of the spirits shall be adjusted to such tenths of a degree of proof. The proof in each instance shall be verified as to accuracy by the Government officer. The proof will be determined in accordance with Part 186 of this chapter. While the storekeeper-gauger is charged with the duty of requiring compliance with the provisions of the law and regulations by the persons engaged in the various operations of bottling the spirits, his failure in any instance will not relieve the proprietor of the warehouse from responsibility. (Secs. 2903, 2904 and 3176, I.R.C.)

2. Section 188.70 is amended to read as follows:

§ 188.70 *Liquor bottles.* The proprietor must comply with the provisions of Part 175 of this chapter, respecting the use of properly marked liquor bottles. Spirits may be bottled in bond for domestic purposes in the following-sized bottles and no others: 1 quart, $\frac{4}{5}$ quart, 1 pint, $\frac{1}{2}$ pint, $\frac{1}{8}$ pint, $\frac{1}{10}$ pint, and, in the case of brandy, $\frac{1}{5}$ pint. Bottles must be filled as nearly as possible to conform to the amount stated on the stamp, label or bottle, to be contained therein, but in no event may the amount of spirits contained in any bottle, due to the lack of uniformity of the bottles, vary more than 2 per cent from the amount stated to be contained therein and, further, in such case there shall be substantially as many bottles overfilled as there are bottles underfilled for each lot of spirits bottled as reported on Form 1515. (Secs. 2903, 2904 and 3176, I.R.C.; Sec. 2871, I.R.C.)

(a) *Bottles for export.* Distilled spirits may be bottled in bond for export in the following-sized bottles and no others: 1 quart, $\frac{4}{5}$ quart, 1 pint, $\frac{1}{2}$ pint, and less than $\frac{1}{2}$ pint. Bottles of less than one-half pint capacity may be of the size desired. Liquor bottles as defined in Part 175 of this chapter may be used but will not be required in bottling distilled spirits in bond for export. (Secs. 2903, 2904 and 3176, I.R.C.; secs. 2871, 2905, I.R.C.)

3. Paragraphs (b), (c), (d), and (e) of § 188.72 are amended to read as follows:

§ 188.72 *Labels for distilled spirits for domestic consumption.* • • •

(b) *Comparison of labels with contents of bottling tank.* Before releasing spirits from bottling tanks for bottling, the Government officer will require the proprietor to submit to him the label he proposes to use for the spirits in the bottling tank, together with the certificate of label approval or the certificate of label exemption, as the case may be, and he will compare such label with the label affixed to such certificate to see that they agree in every respect except for the differences allowed by the certificate. He will then compare such label with Form 1515 to determine whether the label to be used corresponds in every respect with the spirits in the bottling tank, including age, class and type, and proof. In making this determination he will take into consideration the kind of spirits, the proof of distillation, the kind of cooperage in which the spirits were stored, and whether the spirits were treated with oak chips, etc., as disclosed by the marks and brands on the packages and entered on Form 1515. If the label and spirits agree in every respect, the Government officer will attach the label securely to the copy of Form 1515 to be attached to the bottling tank and release the spirits for bottling. If the label and spirits do not agree in every respect, the Government officer will withhold the release of the spirits for bottling until the proprietor submits to him a label and a certificate of label approval or exemption, as the case may be, correctly describing the spirits to be bottled.

(c) *Additional label requirements.* Officers assigned to bottling-in-bond departments of internal revenue bonded warehouses will also see that all labels affixed to containers of distilled spirits subject to the provisions of Part 175 of this chapter conform to the requirements of such regulations. The methods prescribed in paragraph (b) of this section will be followed in making such determinations.

(d) *Tests of bottled spirits.* Officers assigned to bottling-in-bond departments will, at frequent, irregular intervals during the process of bottling, test and examine the bottled spirits to determine (1) whether the label attached is identical with the label verified by the Government officer under paragraph (b) of this section; (2) whether the bottled spirits agree in proof with the data on the label, stamp or bottle, subject to the limitation prescribed by § 188.70. The test as to proof will be made by the use of standard gauging instruments in accordance with the provisions of Part 186 of this chapter. The test as to quantity will be made (1) by the utilization of a glass graduate standardized at sixty degrees Fahrenheit to be provided by the proprietor or (2) by weighing a given number of empty bottles and reweighing the same bottles after filling. The net contents will be computed in accordance with the provisions of Part 186 of this chapter. If the contents do not agree as to quantity (subject to the limitation of § 188.70) or as to proof (subject to a normal drop in proof occurring during bottling operations not to exceed three-tenths of a degree) with the respective data on the label, stamp or bottle, the Government officer will withhold release of the bottled spirits and require the proprietor to rebottle, recondition (where permissible), or relabel the spirits in such manner that the label will correctly describe the contents. However, the proof at the beginning of the bottling operations shall always be set exactly as provided in § 188.56.

(e) *Proprietor's responsibility.* Notwithstanding that Government officers assigned to bottling-in-bond departments of internal revenue bonded warehouses are required to verify labeling data, full responsibility rests upon the proprietor to see that the labeling of all spirits bottled at his plant is in conformity with the requirements of the Federal Alcohol Administration Act and regulations issued thereunder, and Part 175 of the chapter. (Sec. 2903, 2904, and 3176, I.R.C.; Sec. 2871, I.R.C.; sec. 505, 49 Stat., 1965; 27 U.S.C., Sup., 205)

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: July 11, 1945.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12754; Filed, July 12, 1945; 4:19 p. m.]

[T. D. 5465]

PART 189—BOTTLING OF TAX-PAID DISTILLED SPIRITS

MISCELLANEOUS AMENDMENTS

Pursuant to sections 2801 (b), 2803, 2871, and 3176, Internal Revenue Code, (U.S.C., Title 26, Secs. 2801 (b), 2803, 2871, and 3176) Regulations 11 (26 CFR, Part 189) is hereby amended as follows:

ARTICLE XIX—DUMPING AND BOTTLING

1. Section 189.65 is amended to read as follows:

§ 189.65 *Application, Form 230.* Proprietors of tax-paid bottling houses desiring to bottle tax-paid spirits will execute application on Form 230, in duplicate, giving all of the data called for by the form as indicated by the headings of the columns and lines and the instructions printed thereon. The proprietor will enter on Form 230 the details of the withdrawal gauge for tax-payment when packages of spirits are to be dumped for bottling, or when liqueurs or cordials are authorized to be bottled from the original packages as provided in § 189.78. An actual gauge of the spirits will, however, be made in either case before the bottling begins. The proof of spirits shall be adjusted to a whole degree of proof in accordance with the provisions of Part 186 of this chapter, preparatory to bottling. Adjusting the proof to tenths of a degree, either above or below the whole or complete degree, will not be permitted: *Provided*, That when spirits are being prepared for bottling and are to be bottled and labeled in tenths of a degree of proof, such as 86.6, the proof of the spirits shall be adjusted to such tenths of a degree of proof. The proof in each instance shall be verified as to accuracy by the Government officer.

The proprietor will enter the details of his gauge on Form 230, as provided in §§ 189.77 and 189.78. Each Form 230 will be given a serial number beginning with "1" for the 1st day of January of each year and running consecutively thereafter to December 31, inclusive. A separate application on Form 230 must be prepared for each lot of tax-paid spirits to be bottled. (Secs. 2803, 2871 and 3176, I.R.C.)

2. Section 189.79 is amended to read as follows:

§ 189.79 *Reduction of tax-paid rectified spirits prohibited.* The reduction in proof or the increasing in volume, at a tax-paid bottling house, of rectified spirits on which the rectification tax has been paid is prohibited by law. However, the restoration to the original proof and volume of rectified spirits upon which the rectification tax has been paid, by the addition of water, preparatory to bottling, shall not be deemed a reduction in proof or an increase in volume within the meaning of section 2801 (b) of the Internal Revenue Code. Liqueurs and cordials upon which the tax imposed by section 3030 (a) of the Internal Revenue Code has been paid, may not be reduced in proof or increased in volume, nor may wines be increased in volume or in taxable grade, at a tax-paid bottling house. Section 2801 (b) of the Internal Revenue Code is not applicable to the reduction of imported spirits rectified abroad, or of spirits rectified in Puerto Rico, the Virgin Islands, or the Philippine Islands, or of domestically rectified spirits exempt from rectification tax. (Secs. 2803, 2871 and 3176, I.R.C.; sec. 2801 (b), I.R.C.)

3. Section 189.91 is amended to read as follows:

§ 189.91 *Liquor bottles.* The proprietor of a tax-paid bottling house must comply with the provisions of Part 175 of this chapter, respecting the use of liquor bottles and other containers for rectified and unrectified products. Marked liquor bottles may not be used for packaging wines containing 24 per cent or less of alcohol by volume, or products manufactured with such wines, unless such products contain distilled spirits other than those used in fortifying the wine. Bottles must be filled as nearly as possible to conform to the amount stated on the stamp, label or bottle, to be contained therein, but in no event may the amount of spirits contained in any bottle, due to the lack of uniformity of the bottles, vary more than 2 per cent from the amount stated to be contained therein and, further, in such case there shall be substantially as many bottles overfilled as there are bottles underfilled for each lot of spirits bottled as reported on Form 1515. (Secs. 2803, 2781 and 3176, I.R.C.)

ARTICLE XXI—LABELS ON BOTTLES OF DISTILLED SPIRITS

1. Section 189.116 is amended to read as follows:

§ 189.116 *Comparison of labels with contents of bottling tank.* Before releasing spirits from bottling tanks for bottling, the Government officer will require the proprietor of the tax-paid bottling house to submit to him the label he proposes to use for the spirits in the bottling tank, together with the certificate of label approval or the certificate of label exemption, as the case may be, and in the case of imported spirits the certificate of origin, age, and class and type referred to in § 189.115, and he will compare such label with the label affixed to such certificate to see that they agree in every respect except for the differences allowed by the certificate. He will then compare such label with Form 230 to determine whether the label to be used corresponds in every respect with the spirits in the bottling tank, including age, class and type, and proof. In making this determination he will take into consideration the kind of spirits, the proof of distillation, the kind of cooperage in which the spirits were stored, and whether the spirits were treated with oak chips, etc., as disclosed by the marks and brands on the packages and entered on Form 230. If the label and spirits agree in every respect, the Government officer will attach the label securely to the copy of Form 230 to be attached to the bottling tank and release the spirits for bottling. If the label and spirits do not agree in every respect, the Government officer will withhold the release of the spirits for bottling until the proprietor submits to him a label and a certificate of label approval or exemption, as the case may be, correctly describing the spirits to be bottled. (Secs. 2803, 2871 and 3176, I.R.C.; Sec. 505, 49 Stat. 1965; 27 U.S.C. Supp., 205)

2. Section 189.117 is amended to read as follows:

§ 189.117 *Additional label requirements.* Officers assigned to tax-paid bottling houses will also see that all labels affixed to containers of distilled spirits subject to the provisions of Part 175 of this chapter conform to the requirements of such regulations. The methods prescribed in § 189.116 will be followed in making such determinations. (Secs. 2803, 2871 and 3176, I.R.C.)

3. Section 189.118 is amended to read as follows:

§ 189.118 *Tests of bottled spirits.* Officers assigned to tax-paid bottling houses will, at frequent, irregular intervals during the process of bottling, test and examine the bottled spirits to determine (a) whether the label attached is identical with the label verified by the Government officer under § 189.116; (b) whether the bottled spirits agree in proof with the data on the label; and (c) whether the quantity agrees with the data on the label, stamp or bottle, subject to the limitation prescribed by § 189.91. The test as to proof will be made by the use of standard gauging instruments in accordance with the provisions of Part 186 of this chapter. The test as to quantity will be made (a) by the utilization of a glass graduate standardized at sixty degrees Fahrenheit to be provided by the proprietor or (b) by weighing a given number of empty bottles and reweighing the same bottles after filling. The net contents will be computed in accordance with the provisions of Part 186 of this chapter. If the contents do not agree as to quantity (subject to the limitation of § 189.91) or as to proof (subject to a normal drop in proof occurring during bottling operations not to exceed three-tenths of a degree) with the respective data on the label, stamp or bottle, the Government officer will withhold the release of the bottled spirits and require the proprietor to rebottle, recondition (where permissible), or relabel the spirits in such manner that the label will correctly describe the contents. However, the proof at the beginning of the bottling operations shall always be set exactly as provided in § 189.65. (Secs. 2803, 2871 and 3176, I.R.C.)

4. Section 189.119 is amended to read as follows:

§ 189.119 *Proprietor's responsibility.* Notwithstanding that Government officers assigned to tax-paid bottling houses are required to verify labeling data, full responsibility rests upon the proprietor to see that the labeling of all spirits bottled at his plant is in conformity with the requirements of the Federal Alcohol Administration Act and regulations issued thereunder, and Part 175 of this chapter. (Secs. 2803, 2871 and 3176, I.R.C.)

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: July 11, 1945.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12756; Filed, July 12, 1945; 4:20 p. m.]

[T. D. 5463]

PART 190—RECTIFICATION OF SPIRITS AND WINES

MISCELLANEOUS AMENDMENTS

Pursuant to sections 2801, 2813, 2861, 2871, and 3176, Internal Revenue Code, (26 U.S.C. 2801, 2813, 2861, 2871, and 3176) Regulations 15 (26 CFR, Part 190) is hereby amended as follows:

ARTICLE XXVI—GAUGING AND DUMPING SPIRITS FOR RECTIFICATION

1. Section 190.177 is amended to read as follows:

§ 190.177 *Application, Form 122.* When the rectifier desires to dump spirits for rectification he will carefully gauge each package and prepare Form 122, in duplicate, giving a complete description of the packages and making application for permission to dump the same, except that where spirits are transferred to the rectifying plant, directly upon tax-payment, from a contiguous distillery or internal revenue bonded warehouse and dumped for rectification within three days after receipt, the withdrawal gauge will be considered as satisfying the requirement that the spirits shall be gauged when dumped for rectification. Where the spirits are so dumped on the withdrawal gauge, the details of such gauge will be copied on Form 122, and, in addition thereto, if the rectifying plant is

equipped with processing tanks mounted on scales, the spirits may be dumped and gauged by weight in such processing tanks. In such case, the composite proof and proof gallons determined by such gauge shall also be reported on Form 122. The difference in proof gallons between the withdrawal (tax-payment regauge) and such gauge shall also be reported on Form 122. If the spirits are to be drawn from a storage tank the rectifier will likewise execute Form 122, giving all the information applicable. Each Form 122 will be given a serial number beginning with "1" for the 1st day of January of each year and running consecutive thereafter to December 31, inclusive. (Sec. 2801 (e) (1) and 3176, I.R.C.; sec. 2313, I.R.C.)

2. Section 190.190 is amended to read as follows:

§ 190.190 *Entire package to be dumped.* A portion of a package may not be dumped for rectification. Where it is desired to rectify a quantity of spirits less than a full package, the entire package must be dumped into a processing tank or receptacle and the quantity which it is desired to rectify at that time must be removed from such tank or receptacle to another processing tank for rectification. The first processing tank or receptacle into which the full package was dumped will be labeled to show the kind of spirits and the serial number and date of the Form 122 pursuant to which such spirits were dumped. Where small quantities of rum, sherry wine, or other liquors are to be used for flavoring purposes from time to time, a statement to that effect shall be made on Form 122 covering the gauge and dumping of the packages, unless the entire quantity is to be used within 10 days from the date of dumping. No larger quantities of liquor to be used for flavoring purposes shall be dumped than necessary for a reasonable period, except that not less than an entire original package (barrel or keg) may be dumped. No liquors except small quantities of those used for flavoring and similar purposes shall be retained in processing tanks or receptacles for an indefinite period. (Secs. 2801 (e) (1) and 3176, I.R.C.)

ARTICLE XXX—GAUGE, RETURN, AND TAX-PAYMENT OF RECTIFIED SPIRITS

Section 190.276 is amended, by adding a new paragraph designated (a), to read as follows:

§ 190.276 *Transfer to packages or bottling tank.* * * * (a) *Adjustment of proof.* The proof of rectified spirits shall be adjusted to a whole degree of proof in accordance with the provisions of part 186 of this chapter preparatory to filling barrels or bottles. Adjusting the proof to tenths of a degree, either above or below the whole or complete degree, will not be permitted: *Provided,* That when spirits are being prepared for bottling and are to be bottled and labeled in tenths of a degree of proof, such as 86.6, the proof of the spirits shall be adjusted to such tenths of a degree of proof. The proof in each instance shall be verified as to accuracy by the Government officer. (Secs. 2801 (e) (1) and 3176, I.R.C.; sec. 2861, I.R.C.)

ARTICLE XXXI—BOTTLING OF RECTIFIED SPIRITS AND PRODUCTS

Section 190.326 is amended to read as follows:

§ 190.326 *Liquor bottles.* The proprietor of a rectifying plant must comply with the provisions of Part 175 of this chapter, respecting the use of liquor bottles and other containers for rectified and unrectified products. Marked liquor bottles may not be used for packaging wines containing 24 per cent or less of alcohol by volume, or products manufactured with such wines, unless such products contain distilled spirits other than those used in fortifying the wine. Bottles must be filled as nearly as possible to conform to the amount stated on the stamp, label or bottle, to be contained therein, but in no event may the amount of spirits contained in any bottle due to the lack of uniformity of the bottles, vary more than 2 per cent from the amount stated to be contained therein and, further, in such case there shall be substantially as many bottles overfilled as there are bottles underfilled for each lot of spirits bottled as reported on Form 230 or 237. (Secs. 2801 (e) (1) and 3176, I.R.C.; sec. 2871, I.R.C.)

ARTICLE XXXIV—BOTTLING OF UNRECTIFIED SPIRITS AND WINES

1. Section 190.341 is amended to read as follows:

§ 190.341 *Gauge.* When preparing application for the dumping of spirits for bottling without rectification, the rectifier will enter in the space provided therefor on Form 230 the details of the withdrawal gauge for tax-payment. An actual gauge of the spirits dumped will, however, be made in the bottling tank after they have been reduced to bottling proof, where such reduction is permissible, and before they are released by the Government officer for bottling, and the details of such gauge will be entered in the space provided therefor on the form. Where spirits are to be bottled from the original package, as provided in § 190.347, the details of the withdrawal gauge for tax-payment will likewise be entered on Form 230 at the time the application is prepared, but an actual gauge will be made before the bottling begins and the details of such gauge will also be entered on the form. The proof of spirits shall be adjusted to a whole degree of proof in accordance with the provisions of Part 186 of this chapter preparatory to filling bottles. Adjusting the proof to tenths of a degree, either above or below the whole or complete degree, will not be permitted: *Provided,* That when spirits are being prepared for bottling and are to be bottled and labeled in tenths of a degree of proof, such as 86.6, the proof of the spirits shall be adjusted to such tenths of a degree of proof. The restoration to the original proof and volume of rectified spirits upon which the rectification tax has been paid, by the addition of water, preparatory to bottling, shall not be deemed a reduction in proof or an increase in volume within the meaning of section 2801 (b) of the Internal Revenue Code. The proof in each instance shall be verified as to accuracy by the Government officer. (Secs. 2801 (e) (1) and 3176, I.R.C.; sec. 2801 (b), I.R.C.)

2. Section 190.353 is amended to read as follows:

§ 190.353 *Reduction of spirits.* Processing tanks may not be used for the dumping and reducing of spirits to be bottled without rectification. Spirits may be reduced to bottling proof in dumping and reducing tanks provided for the purpose or in the bottling tanks prior to the commencement of bottling. The reduction in proof or the increasing in volume of rectified spirits on which the rectification tax has been paid is, however, prohibited by law, unless the spirits are again rectified and the rectification tax again paid thereon. However, the restoration to the original proof and volume of rectified spirits upon which the rectification tax has been paid, by the addition of water, preparatory to bottling, shall not be deemed a reduction in proof or an increase in volume within the meaning of section 2801 (b) of the Internal Revenue Code. Section 2801 (b) of the Internal Revenue Code is not applicable to the reduction of imported spirits rectified abroad, or spirits rectified in Puerto Rico, the Virgin Islands, or the Philippine Islands, or of domestically rectified spirits exempt from rectification tax. (Secs. 2801 (c) (1) and 3176, I.R.C.; Sec. 2801 (b), I.R.C.)

ARTICLE XXXVI—LABELS ON BOTTLES OF DISTILLED SPIRITS

1. Section 190.408 is amended to read as follows:

§ 190.408 *Comparison of labels with contents of bottling tank.* Before releasing spirits from bottling tanks for bottling, the Government officer will require the rectifier to submit to him the label he proposes to use for the spirits in the bottling tank, together with the certificate of label approval or the certificate of label exemption, as the case may be, and in the case of imported spirits the certificate of origin, age, and class and type referred to in § 190.407, and he will compare such label with the label affixed to such certificate to see that they agree in every respect except for the differences allowed by the certificate. He will then compare such label with Forms 122 and 237, and Form 27B—Supplemental describing the formula, for rectified products, and with Form 230 as to products being bottled without rectification, to determine whether the label to be used corresponds in every respect with the spirits in the bottling tank, including age, class and type, and proof. In making this determination he will take into consideration the kind of spirits, the proof of distillation, the kind of cooperage in which the spirits were stored, and whether the spirits were treated with oak chips, etc., as disclosed by the marks and brands on the packages and entered on Form 122 or Form 230, as the case may be. If the label and spirits agree in every respect, the Government officer will attach the label securely to the copy of Form 237 or Form 230 to be attached to the bottling tank and release the spirits for bottling. If the label and spirits do not agree in every respect, the Government officer will withhold the release of the spirits for bottling until the rectifier submits to him a label and a certificate of label approval or exemption, as the case may be, correctly describing the spirits to be bottled. (Secs. 2801 (e) (1) and 3176, I. R. C.; sec. 505, 49 Stat., 1965; 27 U.S.C., Sup., 205)

2. Section 190.409 is amended to read as follows:

§ 190.409 *Additional label requirements.* Officers assigned to rectifying plants will also see that all labels affixed to containers of distilled spirits subject to the provisions of Part 175 of this chapter conform to the requirements of such regulations. The methods prescribed in § 190.408 will be followed in making such determinations. (Secs. 2801 (e) (1) and 3176, I.R.C.; sec. 2871, I.R.C.)

3. Section 190.410 is amended to read as follows:

§ 190.410 *Tests of bottled spirits.* Officers assigned to rectifying plants will, at frequent, irregular intervals during the process of bottling, test and examine the bottled spirits to determine (a) whether the label attached is identical with the label verified by the Government officer under § 190.408; (b) whether the bottled spirits agree in proof with the data on the label; and (c) whether the quantity agrees with the data on the label, stamp or bottle, subject to the limitation prescribed by § 190.326. The test as to proof will be made by the use of standard gauging instruments in accordance with the provisions of Part 186 of this chapter. The test as to quantity will be made (a) by the utilization of a glass graduate standardized at sixty degrees Fahrenheit to be provided by the rectifier, or (b) by weighing a given number of empty bottles and reweighing the same bottles after filling. The net contents will be computed in accordance with the provisions of Part 186 of this chapter. If the contents do not agree as to quantity (subject to the limitation of § 190.326) or as to proof (subject to a normal drop in proof occurring during bottling operations not to exceed three-tenths of a degree), with the respective data on the label, stamp or bottle, the Government officer will withhold release of the bottled spirits and require the rectifier to rebottle, recondition, or relabel the spirits in such manner that the labels will correctly describe the contents. However, the proof at the beginning of the bottling operations shall always be set exactly as provided in §§ 190.276 (a) and 190.341. (Secs. 2801 (e) (1) and 3176, I.R.C.)

4. Section 190.411 is amended to read as follows:

§ 190.411 *Rectifier's responsibility.* Notwithstanding that Government officers assigned to rectifying plants are required to verify labeling data, full responsibility rests upon the rectifier to see that the labeling of all spirits and wines bottled or packaged at his plant is in conformity with the requirements of the Federal Alcohol Administration Act and regulations issued thereunder, and Part 175 of this chapter. (Secs. 2801 (e) (1) and 3176, I.R.C.)

ARTICLE XXXVII—MARKING AND BRANDING

Section 190.414 is amended to read as follows:

§ 190.414 *Packages of distilled spirits.* The gross weight, tare, and net weight shall be cut upon the stave to the left of the bung stave of each barrel or similar container of distilled spirits in the order named, beginning in the middle of such stave and extending toward the Government head. In addition to the serial number, each such container shall also have marked on the Government head thereof the kind of spirits, the wine gallons, proof, and proof gallons, the date of filling, the number of the approved formula under which rectified, and the name (or trade name or style), location (city or town and State), and the number of the rectifier's basic permit issued under the Federal Alcohol Administration Act: *Provided,* That if the spirits were rectified by such rectifier, or if the spirits are unrectified spirits which were produced by such rectifier at a distillery, he may use in connection with his name the designation "Rectifier" or "Distiller," respectively. (Secs. 2801 (e) (1) and 3176, I.R.C.; sec. 2861, I.R.C.)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: July 11, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12753; Filed, July 12, 1945; 4:19 p. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

PART 901—TRANSPORTATION OF WORKERS

CROSS REFERENCE: For revocation of §§ 901.1 to 901.8, inclusive, see War Manpower Commission under Notices, *infra.*

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

VILLAGE OF ALANSON BRIDGE, CROOKED RIVER, MICH.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the following regulations are prescribed to govern the operation of the drawspan of the bridge of the Village of Alanson across Crooked River in Alanson, Michigan.

§ 203.692 *Crooked River Mich.; Village of Alanson bridge in Alanson, Mich.* (a) The owner of or agency controlling the above-named bridge shall provide the appliances and personnel necessary for the safe, prompt, and efficient operation of the draw during the period May 16 to October 31, inclusive, or leave the bridge in an open position when unattended.

(b) Whenever a vessel, unable to pass under the closed bridge, desires to pass through the draw during the period November 1 to May 15, inclusive, at least eight hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner of or agency controlling the bridge.

(c) Upon receipt of such advance notice, the authorized representative of the owner of or agency controlling the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can easily be read at any time, a copy of these regulations together with a notice stating exactly how the representative specified in paragraph (b) may be reached.

(e) Whenever a vessel, unable to pass under the closed bridge, approaches it, the signal for the draw to be opened shall be three blasts of a whistle or horn blown on the vessel. This signal shall be repeated at intervals until it is answered from the bridge. Upon receiving the signal from the vessel, the tender or operator of the bridge, in case the draw will be opened immediately, shall reply by one long blast of a whistle or horn. In case the opening of the draw will be delayed on account of accident to the machinery or other contingency, the signal from the vessel shall be answered by the tender or operator of the bridge by five short blasts of a whistle or horn, to be followed by one long blast when the draw is to be opened.

(f) The operating machinery of the draw shall be maintained in a serviceable condition, and the draw shall be opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation. (28 Stat. 362; 33 U.S.C. 499) [Regs. 3 July 1945 (CE 823 (Crooked River, Mich.—Village of Alanson Bridge in Alanson, Mich.)—SPEWR)]

[SEAL] EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 45-12757; Filed, July 12, 1945; 4:32 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 53]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

suant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

This amendment shall become effective immediately upon publication except that with respect to commodities removed from general license or whose GLV or G-Post dollar value limits have been reduced, it shall become effective on July 18, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 11, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12720; Filed, July 12, 1945; 3:10 p. m.]

[Amdt. 54]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Department of Commerce Schedule B. No.	Commodity	General license country group	GLV dollar value limits country groups		G-Post dollar value limits
			K	G+4	
	Vegetables and preparations, edible				
121500	Vegetables, canned:				
124500	Soups, baby food	None	15	15	
124600	Soups other than baby food	None			
124900	Canned vegetables and juices, n. e. s.	None	10	10	
124910	Baby food	None			
124960	Hominy	None			
124965	Rhubarb	None	10	10	
124969	Other canned vegetables and juices, n. e. s.	None			
	Fruits and preparations				
124200	Canned fruits:				
124300	Prunes and plums, baby food	None	15	15	
124400	Other prunes and plums, canned	None			

Shipments of any of the above commodities removed from general license, or whose GLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Department of Commerce Schedule B. No.	Commodity	General license country group	GLV dollar value limits country groups		G-Post dollar value limits
			K	G+4	
	MEAT PRODUCTS				
013250	Other pork, packed or salted (not including fresh or frozen pork, hams or shoulders, cured, bacon or cumberland and Wiltshire sides)	None	25	25	
013400	Miscellaneous lamb (report canned in 013650)	None	25	25	
013500	Beef, canned:				
013510	Beef hash and hamburger steak	None	25	25	
013520	Roast and boiled beef	None	25	25	
013530	Other canned beef (except corned beef)	None	25	25	
013540	Chili con carne	None	25	25	
013547	Frankfurts, canned	None	25	25	
013550	Other canned meat:				
013560	Ration B, C (beef, pork, vegetable) canned, dehydrated	None	25	25	
013570	Ration C (meat and cereals, meat and vegetable hash, meat and vegetable stew)	None	25	25	
013580	Other canned meat	None	25	25	
	OTHER EDIBLE ANIMAL PRODUCTS				
090000	Eggs, in shell	K	10	10	
090200	Other eggs in the shell	None	10	10	
	OFFICE APPLIANCES				
775500	Parts for assembly of office appliances, n. e. s. (not including parts for assembly of date stamping machines; file punches; imprinters; numbering machines; automatic ticket punches; automatic ticket registers, not coin operated; and typographic numbering machines)	None	100	25	
775600	Parts for repair of office appliances, n. e. s. (not including repair parts for date stamping machines; file punches; imprinters; numbering machines; automatic ticket punches; automatic ticket registers, not coin operated; and typographic numbering machines)	K	100	25	
	CHEMICAL SPECIALTIES				
852503	Detergents, penetrative, wetting, and scouring agents, and dyeing assistants containing 10% or more of any fat or oil as defined in paragraph (a) (1) of War Food Order 42-1 or the sulfonate of lauryl alcohol (not including Aerosol OT, Alkanol XC, Duponol C, Nacconol 40, Nacconol 40F, Santomerse 1, 3 and 66, Synthrapol Detergent 92, Tinowet 4A, and 10 A)	None	25	25	
852800	Other (in the specialty compounds containing 10% or more of any fat or oil as defined in paragraph (a) (1) of War Foods Order 42-1 or the sulfonate of lauryl alcohol (not including Aerosol OT, Alkanol XC, Duponol C, Nacconol 40, Nacconol 40F, Santomerse 1, 3 and 66, Synthrapol Detergent 92, Tinowet 4A, and 10 A)	K	100	25	
852809	Other—	None	25	25	
852905	Tanning specialty compounds, n. e. s., containing 10% or more of any fat or oil as defined in paragraph (a) (1) of War Food Order 42-1 or the sulfonate of lauryl alcohol (not including the fat liquor) (Give percentage content of each oil)	None	25	25	
852906	Other	K	100	25	
852907	Leather dressings, oils, pastes and stains containing 10% or more of any fat or oil as defined in paragraph (a) (1) of War Food Order 42-1 or the sulfonate of lauryl alcohol (not including the fat liquor) (Give percentage of each oil) (not including Tannate)	None	25	25	
852907	Other	K	100	25	

Shipments of any of the above commodities removed from general license, or whose GLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

This amendment shall become effective on July 18, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub Law 638, 77th Cong. Pub Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361; 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 11, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12721; Filed, July 12, 1945; 3:10 p. m.]

[Amdt. 55]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Department of Commerce Schedule B. No.	Commodity	General license country group	GLV dollar value limits country groups		G-Post dollar value limits
			K	G+4	
	Other inedible animals and animal products				
099095	Other shells, unmanufactured	K	100	[1] 100	25
	Miscellaneous vegetable products, inedible				
269903	Vegetable ivory or tagua nuts	K	100	[1] 100	25
	Wood manufactures				
423100	Venetian blinds	K	100	[1] 100	25
	Clay and clay products:				
596300	Silica brick: Standard 9-inch series	None	100	25	25
596400	Other shapes (reduced to 9-inch equivalent)	None	100	25	25
596600	Fire-clay bricks: Standard 9-inch series	None	100	25	25
596700	Other shapes (reduced to 9-inch equivalent)	None	100	25	25
596800	Firebrick, n. e. s. (include refractory bricks and shapes)	None	100	25	25
597698	Other high-temperature or refractory cement, n. e. s. (except high-temperature or refractory cement containing silica carbide or aluminum oxide)	None	100	25	25
	Steel mill products				
699198	Steel belt lacing and fasteners of wire	K	100	25	25
	Iron and steel manufactures				
611200	Plastic safety razors	K	100	[1] 100	25
618450	Furniture casters	K	100	25	25
	Other vehicles and parts				
795300	Bicycle parts and accessories (except tires) (report tires and inner tubes in 795400)	K	100	[1] 100	25
	Watercraft, other than naval				
795691	Watercraft, pleasure, not over 16 gross tons	K	100	[1] 100	None
795695	Watercraft, pleasure, over 16 gross tons	K	100	None	None
799500	Casters, except furniture casters	K	100	25	25
	Miscellaneous office supplies				
931600	Gold pen points	K	100	[1] 100	25
936600	Other office supplies, n. e. s. (except glass paper weights, check protector ribbons, paper clips, clamps, and fasteners, pencil sharpeners, desk pitches and perforators, staple removers, and thumb tacks)	K	100	[1] 100	25
	Miscellaneous commodities, n. e. s.				
970660	Other lighting devices and parts (except lamp burners; miner's lamp parts, oil and carbide and other carbide and acetylene lamp parts)	K	100	[1] 100	25
999950	Ice	K	100	25	25

[1] GLV value limit for shipments to Argentina—$25.00.

Shipments of any of the above commodities removed from general license or whose GLV dollar value limits have been reduced which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

This amendment shall become effective immediately upon publication except that with respect to commodities removed from general license or whose GLV or G-Post dollar value limits have been reduced, it shall become effective on July 18, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 11, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-12722; Filed, July 12, 1945; 3:10 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-192, as Amended July 13, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain items of construction machinery and repair parts for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.10 *Limitation Order L-192*—(a) *What this order does.* This order states the rules on deliveries of those construction machinery items and repair parts which are expected to continue in short supply after the defeat of Germany. The items covered are those on Lists 1 and 2 (including track-laying tractors formerly under Order L-53). In general, the order reserves for military agencies up to 75% of each producer's monthly output of each model of these construction machinery items; the remaining 25% plus any quantities not needed by those agencies may be sold to other persons without restriction if on List 1, but only upon specific authorization of the War Production Board if on List 2. Critical repair parts are apportioned on a similar, but not monthly, basis.

(b) *Definitions.* For the purpose of this order:

(1) "Producer" means any person engaged in the manufacture of construction machinery or repair parts.

(2) "New construction machinery" means any item listed on Lists 1 and 2 to this order which has never been delivered to and put into regular use by a person acquiring it for use. It does not include any surplus construction machinery which has been purchased from a disposal agency of the United States Government.

(3) "Model" means any one size or type of construction machinery which is identified by the producer with a separate model number or size designation.

(4) "Repair part" means any part manufactured or sold by a producer for use in the repair and maintenance of construction machinery. It does not in-

clude components or attachments which change the functional operations of the machinery as originally shipped.

(5) "Military agency" means the Army, Navy, Maritime Commission, War Shipping Administration and Veterans' Administration.

(c) *Procedure for placing and receiving orders for List 2 construction machinery.* No person shall sell or deliver any new construction machinery listed in List 2 except to a military agency, unless the purchase or delivery order is accompanied by authorization on Form WPB–1319 or by a certification as explained below. Application for such authorization and for a preference rating must be made by filing the required number of copies of Form WPB–1319 with the nearest War Production Board field office in accordance with the current instructions for the form. When a person receives authorization on Form WPB–1319 to purchase List 2 construction machinery he may give his supplier the authorization along with his purchase order, or, if he prefers, he may give the supplier a certification in substantially the following form: "Authorized under Order L–192 on Form WPB–1319, Case No. ————————." This certification shall constitute a representation to the War Production Board that the purchase or delivery of the List 2 construction machinery ordered has been specifically authorized by the War Production Board on Form WPB–1319.

(d) *Restrictions on deliveries*—(1) *New construction machinery.* If required by orders from military agencies, a producer must deliver to those agencies in any calendar month up to 75% of his total deliveries of each model of new construction machinery during that month. This means that he may deliver to persons other than military agencies at least 25% of his total monthly deliveries of any model, and more than 25% to the extent that deliveries of the particular model directly to military agencies are not required during the month. The producer may also deliver more than 75% of any model to military agencies during the month, but need not do so unless a greater percentage is required by the terms of any purchase contract entered into between himself and military agencies before May 17, 1945.

(2) *Repair parts.* The rule on apportioning of repair parts is somewhat different and applies only when unfilled orders in a producer's hands calling for immediate delivery of a particular repair part exceed his inventory of that part. As long as that condition exists for any repair part, the producer may not deliver more than 75% of his total deliveries of that part to military agencies if there are unshipped orders for the part on hand from other persons, and may not deliver more than 25% of his total deliveries of that part to other persons if there are unshipped orders on hand from military agencies.

(3) *Special directives.* The War Production Board may direct any producer in writing to deliver a greater proportion of his deliveries of any model or repair part than above specified to either military agencies or persons other than military agencies.

(e) *Reports.* On or before the 15th day of each month, every producer must file on Form WPB–1689 in accordance with the instructions on the form, a statement of his production and shipments of new construction machinery for the previous month and a statement of his unfilled orders as of the last day of that month.

(f) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time, unless the order states otherwise.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provision of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter should be filed with the field office of the War Production Board in the district in which is located the plant or branch to which the appeal relates.

(i) *Communications.* All communications concerning the order should, unless otherwise directed, be addressed to the War Production Board, Construction Machinery Division, Washington 25, D. C., Ref: Order L–192.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST 1

Angledozers, bulldozers and modifications thereof.
Cranes, attachments for tractor mounting.
Crushing plants, portable type.
Ditchers, ladder and wheel types.
Distributors, bituminous.
Finishers, paving, bituminous.
Loaders, portable bucket (other than drag, flight or scraper type coal conveyors).
Plants, asphalt, including travel mix type.
Power control units, attachments for tractor mounting (both cable and hydraulic).
Pumps (portable engine or electric-motor-driven pumping units, mounted on skids, with or without handles, or trailer mounted): self-priming centrifugal pumps, horizontal or vertical triplex piston road pumps, ordinarily used for contractor's purposes or by contractors for dewatering and supply.
Rollers, road, portable, tandem and three-wheeled types.
Scrapers, carrying and hauling, self-propelled.
Shovels, attachments for tractor mounting.
Winches, attachments for tractor mounting.

LIST 2

Cranes, crawler and rubber-tired mounted power and modifications thereof, except freight handling lift trucks.
Draglines, walking type (other types—see Cranes).
Graders, self-propelled, earth moving type (14,000 pounds gross weight, and over).
Shovels, crawler and rubber-tired mounted power, and modifications thereof.
Tractors, tracklaying type (22 drawbar H. P. and over).

[F. R. Doc. 45–12811; Filed, July 13, 1945; 11:23 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 75]

FREEZING OF ORDERS AND REPORTS OF CANCELLATIONS FOR CERTAIN SHEET AND STRIP STEEL

The following direction is issued pursuant to CMP Reg. 1:

(a) Steel producers must not accept any production orders calling for delivery in September 1945 of the types of sheet and strip steel listed below, except authorized controlled material orders identified by a CMP allotment symbol containing the letter "Z" or orders that they are specifically directed to accept by the War Production Board.

(b) Each steel producer must report weekly cancellations of all orders for the types of steel listed below to be produced or calling for delivery in the third quarter. Such weekly report of cancellations must cover the prior seven day period, must show the month in which the orders were to be produced and the product and gage classification shown below. This report must be made by telegram each Wednesday, starting July 11, 1945, and must be addressed to the War Production Board, Reference: Sheet and Strip Branch, Steel Division.

(c) This direction applies to the following kinds of sheet and strip:

Plain hot rolled sheet and strip 16 gauge and lighter.
Hot rolled pickled sheet and strip all gauges.
Cold rolled sheet and strip all gauges.
Galvanized sheet all gauges.
Silicon sheet and strip all gauges.

(d) This direction supersedes instructions previously issued by telegram directly to steel producers.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12751; Filed, July 12, 1945; 4:32 p. m.]

PART 3270—CONTAINERS

[Limitation Order L–336, Revocation of Direction 1]

POSTPONEMENT OF THE CUT-OFF DATE FOR ARMY AND NAVY ORDERS

Direction 1 to Limitation Order L–336 is revoked. This revocation does not affect any liabilities incurred for a violation of this direction or of actions taken by the War Production Board under the direction.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12815; Filed, July 13, 1945; 11:24 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–310, Revocation of Direction 3]

MANDATORY PROCESSING, SALE, DELIVERY AND USE OF CABRETTAS FOR MILITARY PURPOSES

Direction 3 to Conservation Order M–310 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The processing, use, or delivery of cabrettas shall remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12806; Filed, July 13, 1945; 11:23 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M–388B, as Amended July 13, 1945]

SYNTHETIC FIBER TEXTILES FOR CIVILIAN ITEMS

§ 3290.353 *General Preference Order M–388B*—(a) *Explanation.* This order is supplemental to M–388. It states the special rules applicable to civilian items made from synthetic fiber materials and lists the items for which ratings are assigned.

(b) *Delivery quotas*—(1) *General rule.* (Orders rated AA–3 or higher, and AA–5, must be filled as required by Priorities Regulation 1, in addition to the quotas under this paragraph.) Each producer of colored yarn fabrics, intermediate processor and importer must deliver to fill AA–4 orders in the calendar quarter beginning July 1, 1945, and in each subsequent calendar quarter, at least 86 percent of the total linear yards of synthetic fiber fabrics he delivers during the same period on both AA–4 and unrated orders. Stated another way, he must not deliver on unrated orders in any of these periods more than 20 linear yards of synthetic fiber fabrics for each 80 linear yards he delivers to fill AA–4 orders in the same period. He must not discriminate against rated orders in distributing widths as between rated and unrated deliveries.

(2) *Exception for 6 percent of total deliveries.* An exception to the above rule is that each producer of colored yarn fabrics, intermediate processor or importer may deliver up to 6 percent of his total deliveries in the period without regard to AA–4 ratings as long as he fills all other rated orders and complies with all other applicable orders, regulations and directions of the War Production Board.

(3) *Examples.* If an intermediate processor delivers a total of 1,000,000 yards in a calendar quarter, and half of this yardage is delivered to fill orders rated AA–3 or higher, or AA–5, he has available a total of 500,000 yards for both AA–4 and unrated deliveries. Eighty percent of this total, or at least 400,000 yards would have to be delivered on AA–4 orders and not more than 20 percent or 100,000 yards could be delivered on unrated orders. However, if he delivers in the period 750,000 yards on orders rated AA–3 or higher or AA–5, leaving 250,000 yards for unrated and AA–4 orders, he may still deliver 60,000 yards on unrated orders to the extent that these 60,000 yards are not needed to fill orders other than AA–4 or to comply with regulations, orders or directions of the War Production Board.

(4) *Rejects.* Rejects, including remnants over one yard and seconds, must be included in calculating required deliveries for rated delivery quotas under this order.

(5) *Military and other cancellations.* Material resulting from cancellations of customers' orders must also be included in calculating rated delivery quotas. However, unless otherwise ordered by the War Production Board, a producer of colored yarn fabrics, intermediate processor or importer who has a contract or subcontract with the United States Army, Navy, Maritime Commission, War Shipping Administration or the Procurement Division of the Treasury Department which is cancelled after April 30, 1945, and for which synthetic fiber fabric or yarn is already completed or in process either in his plant or that of one of his subcontractors, may deliver the completed finished fabric, or the finished fabric made from the material in process, free of his rated delivery quota.

(c) *Finishing, sale, and delivery of materials under delivery quotas.* No intermediate processor or importer shall bleach, dye, print or otherwise finish, or permit to be bleached, dyed, printed or otherwise finished, any fabric, title to which passes to him, or which he completes as gray goods, on or after May 1, 1945, except to fill rated orders which he has accepted, or to make unrated deliveries within the limits allowed by this order. Material must not be finished in a manner which will make it unsuitable to fill the required amounts of rated orders.

(d) *Unfinished fabric deliveries and finishing by integrated producers*—(1) *Producer deliveries of unfinished synthetic fiber fabrics.* Effective May 1, 1945, a producer shall deliver unfinished synthetic fiber fabrics only if the delivery is in one of the following classes:

(i) Deliveries to fill rated orders.

(ii) Deliveries of unfinished fabric less than 10 yards in length unavoidably produced in normal production operations.

(iii) Deliveries to persons who have serial numbers from the War Production Board pursuant to applications on Form WPB–4202 and have on file with the producer certification substantially as follows: (The certification once filed remains in effect until withdrawn. The standard certification in Priorities Regulation 7 may not be used instead.)

The undersigned certifies subject to the Criminal Penalties of section 35 (A) of the U. S. Criminal Code that he holds WPB serial number ——, that the textiles covered by this and all subsequent unrated purchase orders placed with you will be used or disposed of as required by the set-asides, delivery quotas, and other applicable rules of M–388, or other orders in the M–388 series. This certification is a continuing representation to the War Production Board and to you until you are otherwise notified in writing.

(iv) Deliveries authorized in writing pursuant to letter of application to the War Production Board. Deliveries will be authorized when needed for essential though unrated items if the deliveries will not substantially reduce production of rated items.

(2) *Finishing of fabrics by integrated producers.* A producer of synthetic fiber fabrics, who is also an intermediate processor shall not finish any synthetic fiber fabrics after June 1, 1945, unless he has obtained a serial number from the War Production Board pursuant to application on Form WPB–4202.

(e) *Preference rating schedules.* Preference ratings are assigned in the Preference rating schedules of this order. The conditions under which the ratings can be used are explained in these schedules.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA–4 PREFERENCE RATING SCHEDULE I—SYNTHETIC FIBER CIVILIAN ITEMS

Assignment of AA–4 rating to manufacturers of listed synthetic fiber apparel and other items. Preference rating AA–4 for synthetic fiber fabric is assigned to manufacturers of the items shown in this Schedule who qualify under M–388 and M–388B, and also comply with the following:

(1) This rating may not be used to get delivery of other than colored yarn fabric from a producer.

(2) The fabric must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices: (i) the price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration, or (ii) the price specified in the Maximum Price Column in this Schedule.

(3) The Rated Quota Column in this Schedule shows for each item a quota of units of the item. This quota is a percentage of the total number of units (in all price lines) of the same item which the manufacturer made in the corresponding quarter of 1943. He may not get more fabric with the rating in any calendar quarter than the yardage necessary to fill this quota. This is the yardage which he must show in Form WPB–4200 before using the rating, as explained in paragraph (i) (2) of M–388.

(4) The rated quotas shown below, as amended July 13, 1945, supersede the previous rated quotas of this schedule for deliveries in the third calendar quarter of 1945 and thereafter. AA–4 ratings previously accepted by a supplier for deliveries within the 75 percent of previous quotas authorized by Direction 3 to Order M–388 remain valid, but the yardages covered by such ratings must be charged to the rated quotas shown below.

NOTE: Table amended July 13, 1945.

AA-4 PREFERENCE RATING SCHEDULE I—SYNTHETIC FIBER CIVILIAN ITEMS—Continued

(The applicable provisions of each column are indicated for each numbered item opposite the item number)

Item column			Maximum price column	Rated quota column
Item No.	Name of synthetic fiber item	Size (or equivalent trade designation)	At or below the manufacturer's price permitted by OPA Regulations or at or below the price indicated opposite the item, whichever is lower	Percentage of production (in units) in corresponding quarter of 1941
	Dresses (street only):		*Each*	
B-1	Women's, extra sizes	46 and up	$12.75*	100
B-2	Women's, misses' and juniors'	38 to 44 16½ and up 10 to 20 9 to 17	12.75	75
B-3	Deleted April 14, 1945—Item included in B-2.)			
B-4	Deleted April 14, 1945—Item included in B-2.)			
B-5	Deleted April 14, 1945—Item included in B-2.)			
B-6	Maternity dresses	All sizes	12.75*	100
B-7	Teen age—girls'	10 to 16	4.75	100
B-8	Girls'	7 to 14	3.75	100
B-9	Children's	2 to 6X	2.50	110
	Suits (two-piece, lined jacket or jacket with bound or completely finished seams):			
B-10	Women's, misses' and juniors'	32 and up 16½ and up 10 to 20 9 to 17	16.75*	75
B-11	(Deleted April 14, 1945—Item included in B-10).			
B-12	(Deleted April 14, 1945—Item included in B-10.)			
	Skirts:			
B-13	Women's, misses' and juniors'	32 and up 10 to 20 9 to 17	3.00*	80
B-14	(Deleted April 14, 1945—Item included in B-13)			
B-15	(Deleted April 14, 1945—Item included in B-14.)			
B-16	Teen age—girls'	10 to 16	3.00	110
B-17	Girls'	7 to 14	2.50	110
B-17A	Children's	2 to 6X	2.00	110
	Blouses, shirts and waists:		*Per Dozen*	
B-18	Extra sizes	42 and up	56.00*	100
B-19	Women's, misses' and juniors'	32 to 40 10 to 20 9 to 17	36.00	80
B-20	Teen age—girls'	14 to 16	30.00	110
B-21	Girls'	7 to 14	22.50	110
B-22	Children's	2 to 6X	15.75	110
B-23	Dickies (only those types that can be worn with a suit as a substitute for a blouse).		14.50	90
B-24	Brassieres and bandeaux	32 and up	15.75*	100
B-25	Corselets and foundation garments—one piece	All sizes	63.00*	100
B-26	Girdles and corsets	All sizes	45.00*	100
	Pajamas:			
B-27	Women's	32 and up	36.00*	75
B-28	Teen age—girls'	10 to 16	22.50	100
	Nightgowns:			
B-29	Women's extra sizes	46 and up	36.00*	100
B-30	Women's	32 to 44	36.00	75
B-31	Teen age—girls'	10 to 16	22.50	100
	Slips:			
B-32	Women's extra sizes	46 and up	24.00*	100
B-33	Women's, misses' and juniors'	32 to 44 16½ and up 10 to 20 5 to 17	24.00	80
B-34	Teen age, shoulder strap, girls'	10 to 16	15.75	110
B-35	Girls'—Gertrude style	2 to 14	12.00	110
B-36	Nurses' uniforms	All sizes	45.00*	100
B-37	Religious garments: clothing, vestments, robes and burial garments as required by rules of religious sects.		OPA maximum	100
	Slacks:		*Each*	
B-38	Women's, misses' and juniors' (spun rayon fabric only).	38 and up 10 to 20 9 to 17	3.75*	75
B-39	Slack suits, women's, misses' and juniors' (spun rayon fabric only).	38 and up 10 to 20 9 to 17	6.75*	75
B-40	Men's Separate trousers	30 and up	4.50*	80
B-41	Men's suits	34 and up	14.75*	80
			Per dozen	
B-42	Men's shirts, short sleeves	13 and up	30.00*	80
B-43	Men's shirts, long sleeves	13 and up	36.00*	80
			Each	
B-44	Separate trousers, long, students'	25 to 32	3.75	80
B-45	Footwear as defined in M-217	All sizes	OPA maximum	100

The prices designated by a single asterisk may be 10% higher for the following extra-sizes:

Men's and women's apparel, except men's shirts and women's skirts, blouses, girdles and corsets	46 and up.
Women's skirts, girdles and corsets (except corsets and girdles designated for maternity use which are to be treated as extra-sizes)	36 and up.
Women's blouses	42 and up.
Men's shirts (measured by neckband sizes)	17½ and up.

[F. R. Doc. 45-12810; Filed July 13, 1945; 11:23 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-310, Revocation of Gen. Direction 14]

PRODUCTION AND DELIVERIES OF UPHOLSTERY LEATHER, ACCOUTREMENT LEATHER AND LUGGAGE LEATHER

Direction 14 to *Conservation Order M-310* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of action taken by the War Production Board under the order. The processing and delivery of cattlehide leather remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12807; Filed, July 13, 1945, 11:23 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-310, Gen. Direction 15, as Amended July 13, 1945]

DELIVERIES OF CATTLE HIDE ATHLETIC GOODS LEATHER

General Direction 15 to Conservation Order M-310 is hereby amended to read as follows:

No tanner shall deliver for military or civilian purposes during any calendar quarter more athletic goods leathers made of cattle hides (excluding vegetable tanned cattlehide athletic goods leather and leather made from kipskin and calfskin) than 300% of the quantity he delivered during August 1944.

Nothing in this direction authorizes the delivery of any of the foregoing types of leather except as permitted by paragraph (b) (3) and Schedule A of Conservation Order M-310.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12808; Filed, July 13, 1945; 11:23 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, Revocation of Gen. Direction 19]

DELIVERY OF GOATSKIN LEATHER FOR CHILDREN'S SHOES

General Direction 19 to General Conservation Order M-310 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The manufacture, sale, delivery and use of goatskin leather for children's shoes remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12809; Filed, July 13, 1945; 11:23 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-336, as Amended July 13, 1945]

SANITARY FOOD CONTAINERS

Section 3270.61 *Limitation Order L-336* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain sanitary food containers for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3270.61 *Limitation Order L-336*—(a) *What this order does.* This order places limitations on the manufacture, delivery and use of certain types of sanitary food containers. Among other restrictions, the use of hot drink cups is permitted for only certain purposes, and a monthly production set-aside for certain paper cups is required. A certificate is required on each purchase order for delivery of hot drink cups.

(b) *Definitions.* Wherever used in this order: (1) "Sanitary food containers" mean paper food containers and paper cups.

(2) "Paper food containers" mean all empty round nested containers, with or without lids, made of paper or paperboard but excluding wedge-shaped food pails and nested paper plates.

(3) "Paper cups" mean all empty open nested cups, with or without lids, made of paper, including but not limited to hot drink cups, cold drink cups, hot food cups, dishes (including flat-bottom dishes), water cups, and portion control cups. The term shall not include cups of the flat envelope type.

(4) "Hot drink cups" mean all cups made directly from moulded pulp, or all untreated tall cups, double-wrapped or single-wrapped of comparable weight, which are suitable for dispensing hot beverages. The term shall include all cups which at any stage of their manufacture fall within this definition of "hot drink cups".

(5) "Cold drink cups" means all one or two-piece cups, treated or untreated, of 6-ounce size or larger, which are not suitable for dispensing hot beverages.

(6) "Hot food cups" mean all untreated squat cups, 8 to 16 ounces inclusive, double-wrapped or single-wrapped of comparable weight, which are suitable for dispensing hot foods. The term shall include all cups which at any stage of their manufacture fall within the definition of "hot food cups".

(7) "Flat-bottom paper dishes" mean all four to seven ounce shallow, flat-bottom cups, pleated or two-piece nested, having a minimum taper of fifteen degrees.

(8) "Primary feeding" means the feeding of either food or hot beverages to persons, except feeding at gatherings of a purely social nature as at teas, parties or dances.

Restrictions on Manufacturers

(c) *General restriction on manufacture, sale or delivery.* No person shall manufacture, sell or deliver any sanitary food containers which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(d) *Maintenance of production of certain paper cups.* Each manufacturer of hot drink cups, flat-bottom cold drink cups or flat-bottom dishes, shall maintain during each calendar quarter, a production of each of these items equivalent to the highest quarterly production of that item attained during any calendar quarter beginning on or after October 1, 1943, to the extent permitted by this order and all other War Production Board regulations and orders, and subject to contingencies beyond his control.

(e) *Distribution of production of paper cups between military and civilian requirements.* (1) Regardless of preference ratings on other orders, each manufacturer of paper cups must set aside the following percentages of his production of paper cups in each month for delivery to the Army and the Navy (excluding domestic post exchanges and ship's service stores, but including those located outside of continental United States) in the sizes ordered by them: 35 percent of his monthly production of 6-9 ounce hot drink cups inclusive (not more than 60 percent of the total production of any one size to be produced need be included in the set-aside); 50 percent of his monthly production of 10 to 12-ounce hot drink cups inclusive; 70 percent of his monthly production of 6 to 9-ounce flat-bottom cold drink cups inclusive; 100 percent of his monthly production of 10 to 24-ounce flat-bottom cold drink cups inclusive; 75 percent of his monthly production of all flat-bottom dishes. He must make this set-aside in the following proportion to the Army and the Navy. 70 percent of each of the above specified five classes of cups to be set aside shall be reserved exclusively to fill Army orders received on or before the 15th day of the preceding month, and the remaining 30 percent shall be similarly reserved for the Navy. Any unordered portion of the Army set-aside shall be further reserved exclusively to fill Navy orders received on or before the 22d day of the preceding month, and any unordered portion of the Navy set-aside shall be similarly reserved for the Army. In the event that on the 23d day of any month, any portion of either the Army's or the Navy's set-aside remains unordered, such portion must be sold as provided in paragraph (e) (2). Set-aside under this paragraph shall be computed on the basis of number of cups.

(2) The balance of each manufacturer's production of hot drink cups, flat-bottomed cold drink cups and flat-bottom dishes shall be used exclusively to fill orders other than Army and Navy orders (excluding domestic post exchanges and ship's service stores, but including those located outside the continental United States) in accordance with Priorities Regulation 1 and the provisions of this order.

(3) The above set-aside provisions shall not apply to the July 1945 production of 10 to 12-ounce hot drink cups.

(f) *Prohibited manufacture, sale or delivery.* No person shall manufacture, sell or deliver the following types of paper cups if he knows or has reason to believe that they will be used for the purposes stated: (1) Packages of paper cups for retail sales, except that this restriction shall not apply to stocks of cups made up for retail sales which were on hand January 29, 1944; (2) Portion control or souffle cups for retail sales or for party favors.

Restrictions on Delivery and Use of Paper Cups

(g) *Certificate for delivery of hot drink cups.* No manufacturer, wholesaler, or jobber shall sell or deliver any hot drink cups to any person after July 31, 1945, unless he receives from such person with each purchase order (including each shipment order based on a long term requirements contract), a certificate in substantially the following form, signed manually or as provided in Priorities Regulation 7.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L-336 of the War Production Board and that this order for hot drink cups and the use of the same by the undersigned is and will be in compliance with the order, as amended from time to time.

Furthermore, no manufacturer may sell or deliver any hot drink cups to any wholesaler or jobber unless he receives from such wholesaler or jobber, in addition to the above certificate, a copy of the applicable purchase order received by that wholesaler or jobber from the ultimate purchaser. The standard certificate provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the above certificate; nor may the certificate provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

(h) *Restrictions on use of MRO preference ratings.* In purchasing paper cups other than hot drink cups, any person may use the blanket MRO rating assigned to him by any regulation or order of the War Production Board (including CMP Regulation 5, CMP Regulation 5A and orders in the P or U series). To purchase hot drink cups, only the persons described in paragraph (i) below may use blanket MRO ratings and then only for the purposes indicated in that paragraph. No person may use his MRO rating to buy paper food containers. Caterers or concessionnaires as described in paragraph (i) (4) below may also use their customer's MRO ratings to buy paper cups (including hot drink cups): *Provided*, That such cups are only used for the purposes for which they may use cups purchased on their own MRO rating. Furthermore, such customer may distribute to such caterer or concessionnaire for feeding the customer's employees, any paper cups obtained by the customer upon his MRO rating. Except as permitted for caterers and concessionnaires, blanket MRO ratings may not be used by any person to get paper cups for commercially packaging food or other products for shipment or delivery. No person may use his blanket MRO rating to buy paper cups which are to be sent to a commercial food packer to

Women's blouses	17½ and up.
Men's shirts (measured by neckband sizes)	17½ and up.

[F. R. Doc. 45-12810; Filed July 13, 1945; 11:23 a. m.]

Recording Secretary.

[F. R. Doc. 45-12809; Filed, July 13, 1945; 11:23 a. m.]

be filled and returned to him for use in feeding.

(i) *Restrictions on use of hot drink cups.* No person shall use hot drink cups except the following persons for the purposes indicated:

(1) Army and Navy (excluding domestic post exchanges and ship's service stores but including those located outside of continental United States) for any purpose.

(2) Army post exchanges and Navy ship's service stores, located within the Continental United States, for a primary feeding purpose only.

(3) Industrial establishments for primary feeding of their employees on their premises.

(4) Caterers or concessionnaires for primary feeding of employees of one of the persons described in (3) above, on such person's premises, and pursuant to a written agreement with such person.

(5) Veterans' Administration hospitals and all other hospitals for any purpose.

(6) Red Cross for serving food or hot beverages at blood banks or for primary feeding purposes only.

(7) USO for primary feeding purposes only.

(8) Persons when engaged in serving food or drink in planes and trains.

(9) Educational institutions for primary feeding only of their students and personnel.

(10) Any individual for his personal use.

General Provisions

(j) *Inventory.* No person shall accept, have set aside or held for his account, any quantity of sanitary food containers which will increase his inventory of such containers to more than his reasonably anticipated requirements for the next 45 days, except that, whenever his inventory is less than a 45-days' supply, he may accept the minimum delivery required by his supplier under a published price list or sales policy in effect on October 29, 1943. No person shall order any quantity of sanitary food containers for delivery to him or for his account on any date, if receipt thereof on that date would increase his inventory of such containers to more than the amount permitted in the first sentence of this paragraph. This provision does not apply to the Armed Forces, Post Exchanges, Ship's Service Stores and individuals who accept sanitary food containers for their personal use.

(k) *Appeals.* Appeals from Order L-336 shall be filed by addressing a letter, in triplicate, to the appropriate field office of the War Production Board. The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provisions appealed from, the precise relief desired, the reasons why denial of the appeal would result in exceptional and unreasonable hardship, and such other statistical and narrative information as may be pertinent.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(m) *Reports.* All paper food container or paper cup manufacturers shall file Form WPB-3366 in accordance with the instructions in that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall file such other reports and questionnaires as the War Production Board may request from time to time subject to the approval of the Bureau of the Budget.

(n) *Communications.* All inquiries relating to this order other than appeals shall be addressed to the War Production Board, Containers Division, Washington 25, D. C., reference: Order L-336.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12812; Filed, July 13, 1945; 11:23 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-336, Interpretation 1, as Amended July 13, 1945]

PAPER CUPS FOR INDIVIDUALS FOR THEIR PERSONAL USE

Limitation Order L-336, Interpretation 1, is amended to read as follows:

One of the persons entitled to use hot drink cups as prescribed in paragraph (i) is "any individual for his personal use." This provision does not permit any business establishment to furnish hot drink cups for the use of individuals who come to its establishment for food or drink. Such use of cups must be regarded as a commercial use by the establishment for the attraction of its customers for which it will receive either directly or indirectly some business gain. Unless such establishment qualifies as one of the other persons permitted to use hot drink cups described in paragraph (i), the above-described use is prohibited by Order L-336.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12813; Filed, July 13, 1945; 11:23 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-336, Revocation of Interpretation 2]

GOVERNMENT AGENCIES AND INSTITUTIONS

Interpretation 2 to Order L-336 is hereby revoked for the reason that such interpretation has now become obsolete by the issuance on July 13, 1945, of an amendment to Order L-336.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12814; Filed, July 13, 1945; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 285,[1] Amdt. 4]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 285 is amended in the following respects:

1. The table in section 3 (a) is amended in the following respects:

a. The item reading "Mexico, states of Chiapas and Tabasco------ $4.50" is deleted;

b. The item reading "Mexico, all other states---------- $3.25" is amended to read "Mexico---- $3.50"

c. Footnote 1 is deleted.

2. In section 9, paragraphs (b) and (c) are deleted.

This amendment shall become effective July 18, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-12797; Filed, July 13, 1945; 11:13 a. m.]

PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg., Amdt. 17]

STATEMENTS, CERTIFICATES, MARKS, TAGS OR LABELS ON EXPORTS TO TERRITORIES AND POSSESSIONS OF UNITED STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The Second Revised Maximum Export Price Regulation is amended by adding thereto a new section 10a to read as follows:

SEC. 10a *Statements, certificates, marks, tags or labels required on exports to the Territories or Possessions of the United States.* Any person making an export sale of any commodity to a purchaser in any Territory or Possession of the United States, or making a domestic sale to a purchaser in Continental United States for shipment to any such Territory or Possession, shall furnish therewith or attach or leave attached thereto any statement, certificate, mark, tag or label required by any regulation or order issued by the Office of Price Administration to be furnished, attached or left attached when such commodity

[1] 10 F.R. 1493, 1935.

is sold domestically otherwise than for export. This provision supersedes any contrary provision in any regulation or order issued by the Office of Price Administration.

This Amendment No. 17 shall become effective July 18, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12795; Filed, July 13, 1945; 11:13 a. m.]

PART 1377—LUMBER DISTRIBUTION

[2d Rev. MPR 215, Amdt. 10]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 215 is amended in the following respects:

1. Section 7 (a) is amended so that the paragraph entitled "Exception" shall read as follows:

Exception: The foregoing shall not apply to mixed species, log run lumber priced in section 30 (a) of Revised Maximum Price Regulation 94, for which special provision is made under subparagraph (3) below.

2. Section 7 (a) (3) is amended to read as follows:

(3) *Ponderosa pine, sugar pine and secondary species—Revised Maximum Price Regulation 94.* (i) All shipments (except "mixed species, log run", section 30 (a)): Klamath Falls, Oregon (except: in Texas, Arizona, and New Mexico, use Susanville, California; and for Ponderosa Pine and Secondary species, in Idaho, Montana, Iowa, North Dakota, South Dakota, Washington and Wyoming, use Spokane, Washington).

(ii) Mixed species log run (Section 30 (a)): an addition of $6.00 per M'BM for inbound transportation shall be used.

3. Section 7 (d) is amended to read as follows:

(d) *Trucking from railhead to yard site in certain areas.* The provisions of this paragraph apply only to the Mountain States, Northwest, Texas and California areas. Where the distribution yard is located at a distance greater than 10 miles from the nearest railhead it may add to its transportation charges, figured in accordance with paragraphs (b) and (d) of this section, for the cost of trucking from the railhead to the yard's site, an amount not to exceed the following: $2.00 per M'BM for any distance over 10 miles and less than 20 miles; $2.50 per M'BM for any distance 20 miles or greater. Distance is to be determined by the speedometer reading for the shortest route between the railhead and yard site, or as indicated on the official state highway road map.

4. Section 10 (b) is amended to read as follows:

(b) Where a yard has in stock an item for which the mill regulation establishes a special price only for certain classes of purchasers, it may compute its selling price for that item using the special price in the mill regulation as its f. o. b. mill maximum price on the following conditions: (1) It must have received special permission from the Office of Price Administration to purchase that item at the special price or it must have developed that item in the process of remanufacturing lumber; (2) It must sell the item only to the classes of purchasers to whom the sale of that item could have been made by a mill at the special price under the mill regulation or to the classes of purchasers specifically designated in the special permission issued by the Office of Price Administration.

5. Section 23 is amended to read as follows:

SEC. 23. *Approval of yard operations—(a) New yards.* In order to prevent violations of this regulation, by unnecessary routing of lumber through distribution yards, the Office of Price Administration will not recognize any distribution yard set up after December 31, 1942 (or the date set in the section on this subject in the applicable mill regulation, if different), unless the person establishing such yard writes to the Office of Price Administration, Building Materials Branch, Washington 25, D. C., and offers proof that such yard satisfies the requirements of the definition "distribution yard" and that the purpose is not to get around the mill regulations or to get the benefit of the mark-ups provided for herein by means of unnecessary distribution yard business. Pending written approval of the application, sales may not be made at the maximum prices permitted by this regulation.

(b) *Combination mill and retail operation.* Where a mill carries on a retail yard business at or adjacent to the mill and does not qualify as a distribution yard under this regulation, the mill may apply to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., for permission to use the mark-ups in the regulation. The use of mark-ups in the regulation will be authorized only on sales of grades and sizes of the species of the lumber not produced by the applicant's mill within the 12-month period preceding the date of sale. Pending written approval of the application sales may not be made at the maximum prices permitted by this regulation.

(c) Any wholesale yard as defined in section 16 (e) which prior to June 23, 1943, separately operated a retail department under conditions conforming to the definition of a retail yard as set forth in section 16 (f) may apply to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., for approval to continue the operations of its retail yard department and to use the mark-ups for retail yards in this regulation.

Pending written approval, sales may not be made at the maximum prices permitted to retail distribution yards under this regulation.

Any wholesale yard which prior to July 13, 1945 has received written approval of the Office of Price Administration classifying its retail department as a retail distribution yard, may continue to use the mark-ups for retail distribution yards without further application.

(d) Where a distribution yard in the years 1941 and 1942 operated in conjunction with a mill producing hardwood flooring at or adjacent to the yard property and customarily sold through its yard flooring produced by its mill, it may apply to the Building Materials Price Branch of the Office of Price Administration, Washington 25, D. C., for permission to sell through the distribution yard hardwood flooring produced by the mill. Pending written approval sales of hardwood flooring may not be made at the maximum prices permitted by this regulation.

(e) The Price Administrator may approve or disapprove applications under this section in whole or in part, subject to restrictions and limitations to prevent violations of this and the several lumber regulations and to effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

This Amendment shall become effective July 18, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12796; Filed, July 13, 1945; 11:13 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 103]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 17 is amended in the following respect:

1. Section 2.11 (a) (24) is added to read as follows:

(24) Shoes shipped from a factory in the United States after July 17, 1945 which are made without platforms or platform effects, which have heels of not more than one inch in height, and which contain no leather except one or more of the following: leather used for welting; leather insoles of not more than 3 iron; pigskin leather used for straight or short shield tips; pigskin leather used for backstays. (If pigskin leather is used for backstays, the backstay may not be more than 2½ inches at the widest end of the flare.)

2. Section 2.18 (a) (3) is amended to read as follows:

(3) A manufacturing establishment shall mark on one shoe of each pair of the type specified in section 2.11 (a) (21), (22) and (24) the words "non-rationed" and the War Production Board quota

[1] 10 F.R. 6960, 7235.

for the purchase of leather, before the shoes are shipped from the factory.

3. Section 2.18 (d) is amended to read as follows:

(d) This section does not apply to shoes which are non-rationed under the provisions of section 2.11 other than section 2.11 (a) (1), (2), (3), (15), (21), (22), and (24).

This amendment shall become effective July 17, 1945.

Issued this 13th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12799; Filed, July 13, 1945; 11:14 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 104]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1.16 is amended to read as follows:

SEC. 1.16 *What war ration stamps are for shoes.* The following schedule shows what stamps are evidence of a right to acquire shoes and the time they are valid.

War ration book No.	Stamp No.	Valid period (for men's, women's and children's shoes)
One	17	First Tuesday after effective date of order to June 15, 1943, inclusive.
One	18	June 16, 1943, to April 30, 1944, inclusive.
Three	Airplane #1	Nov. 1, 1943 to date to be announced by the Office of Price Administration.
Three	Airplane #2	May 1, 1944 to date to be announced by the Office of Price Administration.
Three	Airplane #3	Nov. 1, 1944 to date to be announced by the Office of Price Administration.
Three	Airplane #4	Aug. 1, 1945 to date to be announced by the Office of Price Administration.

This amendment shall become effective July 17, 1945.

Issued this 13th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12800; Filed, July 13, 1945; 11:14 a. m.]

PART 1441—TANNING MATERIALS

[RMPR 531, Amdt. 1]

IMPORTED VEGETABLE TANNING MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 531 is amended by adding the following sentence to the parenthetical note at

[1] 10 F.R. 6960, 7235.

Provided, however, That the date prior to which an importer (who diverted quebracho extract to a low-inventory buyer) must make delivery of an equivalent amount of material to the buyer from whom the extract was diverted at the maximum price in effect prior to January 1, 1945 is extended to September 30, 1945, and the date of filing the report thereof with the Office of Price Administration is extended to October 15, 1945.

This amendment shall become effective July 15, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12798; Filed, July 13, 1945; 11:14 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14D,[1] Amdt. 4]

TOBACCO PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2 of Supplementary Regulation 14D is amended in the following respects:

1. The following paragraph is added to subparagraph (3) of paragraph (b) to read as follows:

A manufacturer may adjust his maximum list price to a level which, less the customary discounts and allowances which he actually allows, will reflect no more than the above permitted increases in his maximum net selling price.

2. Subparagraph (2) of paragraph (e) is amended to read as follows:

(2) Upon receipt of notification pursuant to paragraph (d) (3), above, from the wholesaler or jobber of an adjustment of the manufacturer's maximum net selling price for an item of twist chewing tobacco, pursuant to paragraph (b) (3), a retailer may adjust his maximum price by adding the amount of the increase per twist to his March, 1942 price established under the General Maximum Price Regulation, in accordance with such notification. Such adjustment shall be applicable to floor stocks. Where the addition of the allowed price increase results in a price containing a fraction of a cent the retailer shall round such price to the nearest one-half cent or whole cent. If such price contains the fraction, one-half cent, the purchaser shall be given the option of buying two twists at a multiple unit price, or one twist at a maximum price rounded to the next lowest full cent.

This amendment shall become effective July 12, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12724; Filed, July 12, 1945; 3:38 p. m.]

[1] 10 F.R. 1120, 5103, 7855, 7932.

[PAO 11, as Amended July 1, 1944, Amdt. 2]

PART 1515—PETROLEUM PRODUCTION AND NATURAL GASOLINE RECOVERY OPERATIONS

AUTHORIZED USES OF MATERIAL

Section 1515.6 (Petroleum Administrative Order No. 11, as amended July 1, 1944) is amended as follows:

1. By changing paragraph (j)* to read as follows:

(j) *Authorized uses of material for gas gathering lines.* Material may be used for the construction, installation, or extension of a field gas gathering line; if

(1) The cost of material obtained by the operator with priorities assistance does not exceed $25,000 for any one complete operations; and,

(2) The well or wells to which the line is to be connected were spudded prior to December 23, 1941, or were drilled and completed in conformity with Conservation Order M-68, Petroleum Administrative Order No. 11, or any amendment, supplement, or exception to either of such orders.

Where priorities assistance is necessary to obtain more than $500 worth of material for any one complete operation authorized in this paragraph (j), all additional priorities assistance must be obtained through the procedure established in the section of P-98-b covering "Material for Use in Production."

2. By changing paragraph (k) to read as follows:

(k) *Authorized uses of material for natural gasoline recovery, gas treating, pressure maintenance, or gas-lift and booster plants.* Material may be used for construction, installation, expansion, extension, improvement, reconstruction, remodeling, or other similar operation in connection with any natural gasoline recovery operation, gas desulphurization operation, gas dehydration operation, gas cycling operation for condensate recovery, pressure maintenance operation, or in connection with any gas-lift compression plant or field gas booster plant; if

(1) The cost of material obtained by the operator with priorities assistance does not exceed $25,000 for any one complete operation; and,

(2) The cost of material to be used in the construction of a building does not exceed $25,000.

Where a person needs priorities assistance to obtain material to be used in connection with the operations covered by this paragraph (k), but cannot do so because of the limitations imposed, he must make application both for authorization to use the material and for necessary priorities assistance by completing and filing PAW Form 30 in accordance with the instructions on 3. By deleting from the order Exhibit A.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended

Issued: July 14, 1945.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 45-12758; Filed, July 13, 1945; 10:11 a. m.]

[PAO 12, as Amended July 14, 1945]

PART 1528—NATIONAL CONSERVATION; MARKETING

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of material for the marketing of petroleum for defense, for private account and for export; and the following order is deemed necessary in the public interest to promote the national defense and provide adequate supplies of petroleum for military and other essential uses.

§ 1528.1 *Petroleum Administrative Order No. 12, as amended July 14, 1945—*(a) *Scope of order.* The provisions of this order shall be applicable to petroleum marketing operations in the United States, its territories or possessions and to the use of material for such operations.

(b) *Definitions.* (1) "Marketing" means the operation of all facilities (other than petroleum terminal or terminal storage facilities or marine, rail, pipe line or truck facilities used to transport petroleum) for distributing or dispensing petroleum (excluding natural or liquefied petroleum gas), including without limitation the operation of service stations, substations, bulk plants, warehouses, wholesale depots, or facilities operated by "consumer accounts".

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Structure" means any building, physical construction or portion thereof, used in marketing, but not including equipment used therein.

(4) "Equipment" means dispensing pumps, other than "drum" or "barrel" pumps as these terms are known to the trade, and storage tanks (including but not limited to skid tanks) having a capacity of more than 65 gallons used in marketing.

(5) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment or material in a sound working condition or the restoration or fixing of any structure, equipment or other material which has broken down or is worn out, damaged or destroyed.

(ii) Any other use of material not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

(c) *Use of material and equipment in petroleum marketing operations.* No material or equipment may be used in petroleum marketing operations except:

(1) For maintenance and repair purposes.

(2) For the official requirements of the armed forces of the United States.

tion of any equipment or any other use of material, where the combined material and equipment cost for any one complete operation:

(i) In the case of marketing other than consumer accounts, service stations, and other retail outlets, does not exceed $40,000; provided that the cost of material to be used in the construction of a building does not exceed $25,000.

(ii) In the case of consumer accounts, service stations, and other retail outlets does not exceed $10,000.

(d) *Applications for exceptions.* Any person affected by this order who considers that compliance herewith would work exceptional and unreasonable hardship upon him may file an application for an exception to this order and for necessary priorities assistance on PAW Form 30. Six copies of this form shall be prepared. The applicant shall forward the original and three copies, together with supporting attachments, to the Petroleum Administration for War, Interior Building, Washington 25, D. C. One copy shall be retained by the applicant. One copy, together with supporting attachments, shall be forwarded to the District Director of Distribution and Marketing, Petroleum Administration for War, at:

(1) 122 East 42nd Street, New York 17, New York, if the equipment or material is to be used in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia.

(2) 1200 Blum Building, 624 South Michigan Avenue, Chicago 5, Illinois, if the equipment or material is to be used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(3) 245 Mellie Esperson Building, Houston 1, Texas, if the equipment or material is to be used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(4) 320 First National Bank Building, Denver 2, Colorado, if the equipment or material is to be used in the States of Montana, Wyoming, Colorado, Utah, or Idaho.

(5) 855 Subway Terminal Building, 417 South Hill Street, Los Angeles 13, California, if the equipment or material is to be used in the States of Arizona, California, Nevada, Oregon, or Washington, or the Territories of Alaska or Hawaii.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omissions, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687, WPD Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong. as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 509, 78th Cong.)

Issued: July 14, 1945.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 45-12759; Filed, July 13, 1945; 10:11 a. m.]

[PAO 15, as Amended July 14, 1945]

PART 1570—MATERIAL CONSERVATION; PIPE LINES, TERMINALS AND REFINING

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary for the transportation and refining of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes.

§ 1570.1 *Petroleum Administrative Order No. 15, as amended July 14, 1945—*(a) *Scope of this order.* The provisions of this order shall be applicable to the use of material in "Petroleum Gathering and Movement" and "Refining" operations in the United States, its territories or possessions. This order does not apply to tank cars, tank trucks or railroad rolling stock, to tankers, barges or other mobile marine equipment.

(b) *Definitions.* (1) "Petroleum gathering and movement" (defined as "Transportation" in Preference Rating Order P-98-b) means any operation directly incident to the transportation, movement, loading or unloading of petroleum other than natural gas.

(2) "Refining" means any operation directly incident to the processing, reprocessing, or alteration of petroleum, including but not limited to compounding or blending, but not including the extraction or recovery of natural gasoline or associated hydrocarbons.

(3) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment or material in a sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down or is worn out, damaged or destroyed.

(ii) Any other use of material not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

(4) "Operating supplies" means any material other than material used for maintenance and repair which is essential to and consumed in "petroleum gathering and movement" or "refining" and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense, including among other items chemicals, additives, or blending agents.

(5) "Laboratory equipment" means material or equipment used exclusively for the purpose of controlling, or investigating more effective methods of conducting, petroleum industry operations by means of research, technical, or control laboratories. This material or equipment shall not, however, include material for use in the construction of laboratory buildings or other structures.

(6) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(c) *Restrictions on use of material.* No material may be used in "petroleum gathering and movement" or in "refining" unless permission to use material is granted by provisions of this order which follow below.

(d) *Permitted uses of material.* Material may be used in "petroleum gathering and movement" or in "refining":

(1) For maintenance and repair purposes, as operating supplies or for laboratory equipment or its installation, notwithstanding any other provision of this paragraph (d).

(2) For the construction, expansion, extension, improvement, installation, reconstruction, remodeling or other similar operation in "petroleum gathering and movement" (including use of material in connection with a crude oil gathering line) or in "refining,"

(i) If the cost of material obtained by the operator with priorities assistance does not exceed $25,000 for any one complete operation; and

(ii) The cost of material to be used in the construction of a building does not exceed $25,000.

(e) *Special restrictions on use of material in crude oil gathering lines.* In no instance may material be used to connect a crude oil gathering line to any well or wells directly or indirectly unless such well or wells were spudded prior to December 23, 1941, or were drilled and completed in conformity with Conservation Order M-68, Petroleum Administrative Order No. 11, or any amendment, supplement or exception to either of such orders.

(f) *Application for authorization to use material.* Where a person needs priorities assistance to obtain material to be used in "petroleum gathering and movement" or "refining" but cannot do so because of the preceding provisions of this order, he must make application for both authorization to use the material and for necessary priorities assistance by filing PAW Form 30.

Six copies of this form should be prepared. One copy should be retained by the applicant and the original and three copies together with supporting attachments should be sent to the Petroleum Administration for War, Interior Building, Washingtong 25, D. C. The other copy with attachments should be sent to the District Office of the Petroleum Administration for War for the District in which the work will be done (see Schedule A).

Any communications in connection with PAW Form 30 for "petroleum gathering and movement" or for "refining" should be submitted in accordance with these instructions, Ref: PAO-15.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who willfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; E.O. 9125, 7 F.R. 2719; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Public Law 671, 76th Cong.; Pub. Laws 89 and 507, 77th Cong.; Pub. Law 509, 78th Cong.)

Issued: July 14, 1945.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 45-12760; Filed, July 13, 1945; 10:11 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 66]

PART 4003—SUPPORT PRICES: SUBSIDIES

SURPLUS PEACHES, 1945

The War Food Administrator having submitted certain information and recommendations to me on June 29, 1945 with reference to a program for the payment of subsidies in 1945 on surplus peaches, I hereby find that the policy established by Executive Orders 9250 and 9328 will be effectuated by the payment of a subsidy to equalize, to the extent necessary, the excess cost incurred by processors through the shipment of peaches from areas of surplus production to areas in which unused processing facilities exist.

The Secretary of Agriculture is, therefore, hereby authorized to absorb, by the use of Commodity Credit Corporation funds, the aforesaid excess cost incurred by processors through the shipment of peaches from areas of surplus production to the areas in which unused processing facilities exist.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp., pp. 1213, 1267)

Issued and effective this 12th day of July, 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12763; Filed, July 13, 1945; 10:32 a. m.]

[Directive 67]

PART 4003—SUPPORT PRICES; SUBSIDIES

DRY EDIBLE BEANS, 1945 CROP

The Secretary of Agriculture having submitted certain information and recommendations to me on July 6, 1945, with reference to the initiation of a subsidy program with respect to certain dry edible beans for which the support prices exceed the applicable Office of Price Administration maximum prices, it is hereby found and determined that the policy established by Executive Orders 9250 and 9328 will be effectuated by such a program.

The Secretary of Agriculture is, therefore, hereby authorized and directed to formulate and carry out, in accordance with his letter of July 6, 1945 and the memorandum enclosed therewith, a subsidy program which will permit dealers to pay producers of certain dry edible beans produced in 1945 the support prices announced for such beans. The subsidy payments shall be in amounts by which the announced support prices for such dry edible beans exceed the applicable Office of Price Administration maximum prices on such beans sold into civilian trade channels.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp., pp. 1213, 1267)

Issued and effective this 12th day of July 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12764; Filed, July 13, 1945; 10:32 a. m.]

Chapter XX—Office of Contract Settlement

[Reg. 19]

PART 8076—PRESERVATION OF RECORDS

RETENTION OF RECORDS BY CONTRACTING AGENCIES

Pursuant to sections 4 (b) and 18 (a) of the Contract Settlement Act of 1944, the following procedures concerning records in connection with termination settlements and interim financing are prescribed.

Sec.
8076.1 Records to be prepared and retained.
8076.2 Period of retention.
8076.3 Records to be transmitted to General Accounting Office.

AUTHORITY: §§ 8076.1 to 8076.3, inclusive, issued under 58 Stat. 649.

§ 8076.1 *Records to be prepared and retained.* For the purpose of substantiating termination settlements, to facilitate review, and to prevent and detect fraud,

(a) The contracting agency making the settlement shall prepare and retain:

(1) A short report, upon the conclusion of any settlement by agreement, other than a settlement without cost to the Government, indicating the major considerations which led to the conclusion that the amount provided for in the settlement agreement was fair and reasonable.

(2) Any other records which the contracting agency deems necessary in a particular case.

(b) The contracting agency making the settlement shall also retain in its files, in convenient and readily accessible form, the records and information listed below, to the extent applicable in a particular case. Insofar as any such records and information relate to subcontract settlements not made directly by the contracting agency, they are intended to be included only if they originated in the contracting agency or were obtained and reviewed by it in connection with the settlement made by it.

(1) The contract settled by the contracting agency, partial and final settlement agreements, and any other supplemental agreements material to the termination settlement.

(2) Notices of termination, and termination instructions.

(3) Settlement proposals submitted to the contracting agency in connection with the settlement, including all supporting statements, schedules and certificates.

(4) Records of partial payments, guaranties of loans, or other interim financing, including applications in support thereof.

(5) Authorizations to war contractors for final settlement of their subcontractors' claims and for the disposition of termination inventory; any revocation thereof.

(6) Records of disposal of termination inventory, and of any credits arising therefrom; storage agreements.

(7) Recommendations or decisions by settlement review boards, property disposal boards and appeal boards.

(8) Determinations and findings made pursuant to section 13 (a) of the act as to the amount due on termination.

(9) Any final reports, reviews or written recommendations of legal, accounting, property disposition and other technical personnel with respect to the settlement or the negotiation thereof.

(10) Delegations of authority by the contracting officer to any representative with respect to the settlement; revocations thereof.

(11) Any other records which the contracting agency deems necessary in a particular case.

Where any of this information is included in the Standard Settlement Proposal Forms filed by the contractor, or in other retained records, separate records of such information are not required. Unnecessarily voluminous files should not be accumulated, particularly in the case of small settlements. Where the original record is not available, a copy should be retained.

§ 8076.2 *Period of retention.* (a) Such records will be retained for at least (1) five years after final settlement of the terminated contract, or (2) five years after disposition by the contracting agency of termination inventory relating to such contract, or (3) five years after termination of hostilities in the present war, as proclaimed by the President or by a concurrent resolution of the two Houses of Congress, whichever applicable period is longer.

(b) The standards for retention and disposition of Government records are governed by the provisions of laws other than the Contract Settlement Act. Nothing herein shall be construed as authorizing the destruction of any records which are required to be preserved or retained under other provisions of law, or as affecting any other provisions of law or of regulations of any contracting agency or other competent authority regarding the retention, indexing or storage of records other than those dealt with herein. Nothing herein shall affect any privilege conferred by law or regulation of any competent authority to dispose of records upon substitution of photographs or microphotographs made in accordance with applicable standards.

§ 8076.3 *Records to be transmitted to General Accounting Office.* In connection with any termination settlement made by it, each contracting agency the accounts of which are settled in the General Accounting Office shall transmit through appropriate channels to the General Accounting Office an executed copy of the settlement agreement, or in the case of a determination of the amount due without agreement a copy of the determination or a certificate of the amount thereof, and vouchers covering payment of any amounts under the agreement or determination.

E. H. FOLEY, Jr.,
Acting Director.

JULY 9, 1945.

[F. R. Doc. 45-12761; Filed, July 13, 1945; 10:15 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS

By virtue of the authority vested in me by R.S. 4405, 4417, 4417a, 4418, 4426, 4429, 4433, as amended, 49 Stat. 1544 (46 U.S.C. 367, 375, 391, 391a, 392, 404, 407, 411), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following amendments to the regulations are prescribed:

Subchapter F—Marine Engineering

PART 56—FUSION WELDING

Paragraphs (n) and (o) of § 56.20-3 *Qualification tests for welders* are deleted.

Part 56 is amended by adding a new § 56.20-3a to follow § 56.20-3, reading as follows:

§ 56.20-3a *Approval of electrodes or welding rods.* (a) Prior to using electrodes or welding rods in the fabrication of pressure containers, pipes, fittings and appurtenances subject to inspection by the Coast Guard they shall be approved as to type and characteristics by the Commandant.

(b) Manufacturers desiring to secure approval of electrodes or welding rods shall make a formal request to the Commandant furnishing American Welding Society Classification Number, manufacturer's designation, current recommended, position for which recommended, spot or secondary color, and size for which approval is desired. Upon receipt of the foregoing information, the manufacturer will be advised of the procedure to follow in submitting the electrodes or welding rods.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.66 *Storm oil* is deleted.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.59 *Storm oil* is deleted.

Subchapter H—Great Lakes: General Rules and Regulations

PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 76.59 *Storm oil* is deleted.

Dated: July 12, 1945.

R. R. WAESCHE,
Admiral, U. S. C. G.,
Commandant.

[F. R. Doc. 45-12793; Filed, July 13, 1945; 11:04 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[6th Rev. S.O. 259, Amdt. 8]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR SHIPMENT OF IRISH POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of July A. D. 1945.

Upon further consideration of Sixth Revised Service Order No. 259 (10 F.R. 4266), as amended (10 F.R. 4360, 5603, 5764, 6314, 6598, 7813, 8243), and good cause appearing therefor:

It is ordered, That:

Sixth Revised Service Order No. 259 (10 F.R. 4266), as amended, 10 F.R. 4360, 5603, 5764, 6314, 6598, 7813, 8243) be, and it is hereby, further amended by substituting the following paragraph (f) and Appendix A for paragraph (f) and Appendix A thereof:

(f) *Expiration date.* This order shall expire at 11:59 p. m., e. w. t., July 14, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

APPENDIX A

SEC. NO. 8. The County Kern in the State of California.

SEC. NO. 9. Eliminated. Was certain counties in North Carolina.

SEC. NO. 10. Eliminated. Was certain counties in Virginia.

It is further ordered, That this amendment shall become effective at 12:01 a. m., July 13, 1945, and shall vacate and set aside Amendment No. 7 to Sixth Revised Service Order No. 259 on the effective date hereof; that copies of this order shall be served upon the State railroad regulatory bodies of the States of California and Virginia, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and

per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12779; Filed, July 13, 1945; 11:02 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT L-4, Amdt. 10]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF IRISH POTATOES FROM DESIGNATED AREAS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, War Production Board Directives 21 and 36, as amended, and authorizations and requests contained in certificates of the War Food Administration dated December 8, 1944, January 24, 1945, February 8, 1945, February 26, 1945, March 17, 1945, April 18, 1945, April 20, 1945, May 12, 1945, May 18, 1945, June 1, 1945, June 21, 1945, June 30, 1945, and July 11, 1945, respectively,

It is hereby ordered, That Appendix A to General Order ODT L-4, as amended (9 F.R. 14502, 10 F.R. 1245, 1705, 2448, 3290, 4505, 5961, 6598, 7814, 8293), be, and it hereby is, further amended by eliminating therefrom the paragraphs reading as follows:

Area No. 7. The county of Kern in the State of California.

Area No. 8. The counties of Accomac and Northampton in the State of Virginia.

This Amendment 10 to General Order ODT L-4 shall become effective in respect of Area No. 8 on July 13, 1945, and in respect of Area No. 7 on July 15, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 3009; Certificates of War Food Administration dated December 8, 1944, January 24, 1945, February 8, 1945, February 26, 1945, March 17, 1945, April 18, 1945, April 20, 1945, May 12, 1945, May 18, 1945, June 1, 1945, June 21, 1945, June 30, 1945, and July 11, 1945, respectively)

Issued at Washington, D. C., this 12th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-12765; Filed, July 13, 1945; 10:42 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

FARM SECURITY ADMINISTRATION

AUTHORIZATION TO MAKE LOANS AND GRANTS FOR FLOOD RELIEF

Pursuant to the authority vested in me under the Act of June 12, 1945 (Pub. Law 82, 79th Congress), I hereby authorize and direct the Farm Security Administration to make loans and grants in such areas as the Administrator of Farm Security Administration may designate, to provide assistance to farmers whose property was destroyed or damaged, in whole or in part, by floods in 1945 where necessary to enable such farmers to resume or continue agricultural production in 1945, or to make arrangements for such production in 1946 in order to produce for the war effort.

1. Loans may be made for the purpose of aiding any farmer, who is unable to obtain credit elsewhere at reasonable terms, to replace or repair any property so destroyed or damaged, and to finance the purchase of feed, seed, livestock, equipment and other farming supplies, materials, and operating costs and expenses necessary to carry on such farming operations.

2. No loan shall be made for an amount in excess of $15,000, or for a longer period than 20 years. The interest rate on production restoration loans shall be 5 per centum per annum and on real estate restoration loans shall be 4 per centum per annum.

3. Grants may be made to eligible applicants only where necessary to carry out the purposes of this program. As a general rule, such grants should be limited to cases where necessary in real emergency to alleviate human suffering.

4. Grants may not be made under this appropriation in an aggregate amount in excess of $1,000 to any individual recipient.

5. The Farm Security Administration shall have authority to do all acts necessary and incidental to the making, servicing, renewing, and collecting of such loans and the making of grants. Reasonably adequate security shall be taken for all loans made pursuant to this delegation of authority and for this purpose authority is hereby granted to accept, record, release and satisfy instruments of security of all kinds.

6. The Administrator of the Farm Security Administration may from time to time prescribe such rules and regulations consistent with law as appear to him to be necessary or appropriate in carrying out the authority delegated hereby.

7. The Administrator of the Farm Security Administration or, in his absence, the Acting Administrator, shall exercise the authority contained herein and may delegate and authorize redelegation of this authority to subordinate officers and employees of the Farm Security Administration.

(Pub. Law 82, 79th Cong.)

Done at Washington, D. C., this 12th day of July, 1945.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12723; Filed, July 12, 1945; 3:29 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 288, 3d Amended Special Permit 9]

REFRIGERATION OF SHELLED EGGS SHIPPED TO BREAKING AND DRYING PLANTS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 only insofar as it applies to the furnishing of privately-owned refrigerator cars to any shipper owning the refrigerator cars so furnished, for loading by said shipper with shell eggs in used fibreboard egg cases provided said cars are shipped to breaking and drying plants only, and provided further that the fibreboard cases in which the eggs are packed comply with the provisions of Consolidated Freight Classification No. 16.

This special permit shall become effective at 6:00 p. m., July 10, 1945, and it shall expire at 11:59 p. m., August 10, 1945.

The car order, bill of lading, other shipping papers and the waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-12781; Filed, July 13, 1945; 11:02 a. m.]

[S.O. 335]

RESTRICTION ON EMPTY FREIGHT CARS AT DECATUR, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of July, A. D. 1945.

It appearing, that Woodworking, Incorporated, Decatur, Illinois, has consistently delayed unloading railroad freight cars; that at the same time this corporation is ordering and the Wabash Railway Company is furnishing and placing empty cars for outbound loading at the plant of Woodworking, Incorporated; that the practice of Woodworking, Incorporated, of ordering empty cars for loading and failing to promptly unload cars on hand under load is contributing to the general shortage of equipment; the Commission is of opinion an emergency requiring immediate action exists at Decatur, Illinois. It is ordered, that:

(a) *Inbound empty cars for Woodworking, Incorporated, Decatur, Illinois, restricted.* No common carrier by railroad subject to the Interstate Commerce Act, shall furnish or supply at Decatur, Illinois, any empty railroad freight car for loading by or for Woodworking, Incorporated, on any day when a car or cars are on hand on any railroad at Decatur, Illinois, which are held for unloading by or for Woodworking, Incorporated.

(b) *Effective date.* This order shall become effective at 12:01 a. m., July 13, 1945.

(c) *Expiration date.* This order shall expire at 11:59 p.m., September 20, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12780; Filed July 13, 1945; 11:02 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE 25]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN PENNSYLVANIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on July 10, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Elvira Ercole	Italy	Estate of Anthony Ercole, deceased, in the Orphans' Court of Westmoreland County, Greensburg, Pa., No. 7 March Sessions, 1945.	$736.64	Miles C. McWherter, Clerk of the Orphans' Court of Westmoreland County, Greensburg, Pa.	$7.33
		Item 2			
Dominic Ercole	Italy	Same	491.09	Same	5.02
		Item 3			
Mary Ercole	Italy	Same	491.09	Same	5.02
		Item 4			
Rose Ercole	Italy	Same	491.09	Same	5.01
		Item 5			
Palmira Cordisco	Italy	Estate of Nicholas Cordisco, deceased, in the Orphans' Court of Philadelphia County, Pa., No. 2247 of 1943.	445.35	M. Macchiaroli, Administrator of the Estate of Nicholas Cordisco, deceased, 1013 Edgemore Road, Philadelphia, Pa.	24.06
		Item 6			
Emanuela Cordisco	Italy	Same	445.36	Same	24.05
		Item 7			
Carmela Cordisco	Italy	Same	445.36	Same	24.05
		Item 8			
Petronela Matyszik	Poland	Estate of Franciszek Matyszik, deceased, in the Orphans' Court of Philadelphia County, Pa., No. 1492 of 1943.	50.00	Ralph R. Stearly, Executor, 4700 Frankford Avenue, Philadelphia, Pa.	50.00
		Item 9			
Marja Czestochowska	Poland	Same	50.00	Same	50.00

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 10			
Joseph Majewski	Poland	Estate of Henry Majewski, deceased, in the Orphans' Court of Wayne County.	$485.98	Scranton Lackawanna Trust Company, Administrator of the Estate of Henry Majewski, deceased, 266 Spruce Street, Scranton, Pa.	$1.80
		Item 11			
Walter Majewski	Poland	Same	485.98	Same	1.80
		Item 12			
John Majewski	Poland	Same	485.98	Same	1.80
		Item 13			
Isobel Lisicki	Poland	Same	485.98	Same	1.80
		Item 14			
Anatolia Simbaldi	Italy	Estate of John Simbaldi, deceased, in the Orphans' Court of Luzerne County, Pa., No. 1188 of 1944.	2,032.19	Angelo Volpicelli, Administrator of the Estate of John Simbaldi, deceased, 159 East Church Street, Nanticoke, Pa.	7.56
		Item 15			
Jiva Stanojev, also known as Ziva Lazich.	Jugoslavia	Estate of Jiva Stanojev, also known as Ziva Lazich, in the Orphans' Court of Philadelphia County, Pa., No. 1736 of April 1928.	1,142.66	The Pennsylvania Company for Insurances on Lives and Granting Annuities, Guardian of the Estate of Jiva Stanojev, deceased, Philadelphia, Pa.	62.65
		Item 16			
Marie Faust	France	Estate of Peter Decker, deceased, in the Orphans' Court of Philadelphia County, Pa.	3,651.19	Charles F. Eichler, Executor, 1714 North Hollywood Street, Philadelphia, Pa.	91.30
		Item 17			
Edward Decker	France	Estate of Peter Decker, deceased, in the Orphans' Court of Philadelphia County, Pa.	1,825.59	Charles F. Eichler, Executor of the Estate of Peter Decker, deceased, 1714 North Hollywood Street, Philadelphia, Pa.	45.64
		Item 18			
Emilie Sindolf	France	Same	1,825.59	Same	45.64
		Item 19			
The children of the deceased Justine Faust (nee Decker).	France	Same	1,825.60	Same	45.64
		Item 20			
The children of the deceased Marguerite Pierre (nee Decker).	France	Same	1,825.60	Same	45.64

[F. R. Doc. 45-12660; Filed, July 12, 1945; 10:52 a. m.]

[Vesting Order CE 26]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on July 10, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Hans M. Nielsen	Denmark	Estate of Niels Christian Nielsen, deceased, in the Superior Court of the State of California, in and for the County of Placer, No. 5568.	$2,911.37	Wells-Fargo Bank and Union Trust Company, Market and Montgomery Streets, San Francisco, Calif., in the name of the Consul General of Denmark in trust for Hans M. Nielsen.	$68.28
		Item 2			
Sara M. Nielsen	Denmark	Same	2,911.37	Wells-Fargo Bank and Union Trust Company, Market and Montgomery Streets, San Francisco, Calif., in the name of the Consul General of Denmark in trust for Sara M. Nielsen.	68.28
		Item 3			
Laurine Nielsen	Denmark	Same	2,911.37	Wells-Fargo Bank and Union Trust Company, Market and Montgomery Streets, San Francisco, Calif., in the name of the Consul General of Denmark in trust for Laurine Nielsen.	68.28
		Item 4			
Marie Hansen	Denmark	Same	2,911.37	Wells-Fargo Bank and Union Trust Company, Market and Montgomery Streets, San Francisco, Calif., in the name of the Consul General of Denmark in trust for Marie Hansen.	68.28
		Item 5			
Christian Hansen	Denmark	Estate of Niels Christian Nielsen, deceased, in the Superior Court of the State of California, in and for the County of Placer, No. 5568.	2,911.37	Wells-Fargo Bank and Union Trust Company, Market and Montgomery Streets, San Francisco, Calif., account in the name of the Consul General of Denmark in trust for Christian Hansen.	68.27
		Item 6			
Niels Waldemar Nielsen	Denmark	Same	2,911.36	Wells-Fargo Bank and Union Trust Company, Market and Montgomery Streets, San Francisco, Calif., account in the name of the Consul General of Denmark in trust for Niels Waldemar Nielsen.	68.27
		Item 7			
Abegael Grads	Denmark	Estate of Pauline Larsen, also known as Paulina Larsen, deceased, in the Superior Court of the State of California, in and for the County of Stanislaus, No. 26137.	176.49	Wells-Fargo Bank and Union Trust Company, Market and Montgomery Streets, San Francisco, California, account in the name of Consulate of Denmark, at San Francisco, Calif., in trust for Abegael Grads.	14.31
		Item 8			
Magnus P. Morch	Denmark	Same	176.49	Wells-Fargo Bank and Union Trust Company, Market and Montgomery Streets, San Francisco, Calif., account in the name of Consulate of Denmark, at San Francisco, Calif., in trust for Magnus P. Morch.	14.31
		Item 9			
Anna Hildebrandt Sorensen	Denmark	Estate of Pauline Larsen, also known as Paulina Larsen, deceased, in the Superior Court of the State of California, in and for the County of Stanislaus, No. 26137.	529.46	Wells-Fargo Bank and Union Trust Company, Market and Montgomery Streets, San Francisco, Calif., account in the name of Consulate of Denmark, at San Francisco, Calif., in trust for Anna Hildebrandt Sorensen.	42.94
		Item 10			
Edmondo Onorato	Italy	Estate of Annibale Onorato, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 191098	747.63	Security-First National Bank of Los Angeles, First and Spring Branch, Los Angeles, California, account in the name of Edmondo Onorato.	57.49
		Item 11			
Ferdinando Onorato	Italy	Same	747.64	Security-First National Bank of Los Angeles, First and Spring Branch, Los Angeles, California, account in the name of Ferdinando Onorato.	57.49
		Item 12			
Sister of Peter G. Dalakas, deceased, name unknown.	Greece	Estate of Peter G. Dalakas, also known as Peter Dalakas, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco, No. 93102.	894.77	Treasurer of the City and County of San Francisco, Calif.	154.19
		Item 13			
Lum Shee	China	Estate of Chow Sing, deceased, in the Superior Court of the State of California, in and for the County of Alameda, No. 78473.	1,709.60	Bank of Canton, 555 Montgomery Street, San Francisco, Calif., account in the name of the Consul General of China, San Francisco, Trustee for Lum Shee. Account No. 4054.	55.44
		Item 14			
Marcel Armand Boullault	France	Estate of Charles Boullault, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 209113.	4,421.18	Security-First National Bank of Los Angeles, First and Spring Branch, Los Angeles, Calif. Account No. 397727.	29.76
		Item 15			
Marie Louise DuPouey	France	Same	4,421.18	Security-First National Bank of Los Angeles, First and Spring Branch, Los Angeles, Calif. Account No. 397728.	29.76
		Item 16			
Valentin Auguste Boullault	France	Same	2,260.59	Security-First National Bank of Los Angeles, First and Spring Branch, Los Angeles, Calif. Account No. 397729.	15.21
		Item 17			
Madeleine Armentine Boullault	France	Same	2260.59	Security-First National Bank of Los Angeles, First and Spring Branch, Los Angeles, Calif. Account 397730.	15.21

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 18			
Mrs. Pierre Nomholot	France	Estate of Marie Soulie, deceased, in the Superior Court of the State of California, in and for the County of San Francisco, No. 94293, Dept. 9.	$1,000.00	Phil C. Katz, Administrator of the Estate of Marie Soulie, deceased, 463 City Hall, San Francisco, Calif.	$88.43
		Item 19			
Ivo Demovich	Jugoslavia	Estate of Vlaho Demovich, deceased, in the Superior Court of the State of California, in and for the County of Amador, No. 2794.	230.00	Steve P. Kusely, Administrator of the Estate of Vlaho Demovich, deceased, 5850 Estrella Avenue, Los Angeles, Calif.	27.70
		Item 20			
Hendrika Doest	Holland	Estate of John Blak, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 207627.	17,311.21	Ben H. Brown, Administrator of the Estate of John Blak, deceased, 137 North Broadway, Los Angeles, Calif.	200.00
		Item 21			
Kitty Engebretsen formerly Kitty Hagen.	Norway	Estate of Carl M. Hagen, deceased, in the Superior Court of the State of California, in and for the County of Orange, No. PA-86.	28,329.54	Union Bank and Trust Company, Los Angeles, Calif. Term Savings Account No. 84893.	37.70

[F. R. Doc. 45-12661; Filed, July 12, 1945; 10:52 a. m.]

[Vesting Order CE 27]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN IOWA, ET AL. COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on July 10, 1945.

[SEAL] FRANCIS J. MCNAMARA, *Deputy Alien Property Custodian.*

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Andreas Nielsen	Denmark	Estate of Niels P. Nielsen, deceased, in the District Court of Audubon County, Iowa, Cause No. 2883.	$155.65	Clerk of the District Court of Audubon County, Audubon, Iowa.	$15.01
		Item 2			
Joseph Depauw	Belgium	Estate of Leon Depauw, deceased, in Probate Court of Wayne County, Mich., File No. 322860.	703.04	Oscar Depauw, Administrator of the Estate of Leon Depauw, deceased, c/o Remi Lowagie, Esquire, 14346 Mack Avenue, Detroit 15, Mich.	14.37
		Item 3			
Elodie Depauw	Belgium	Same	703.03	Same	14.37
		Item 4			
Rosalie Depauw	Belgium	Same	703.03	Same	14.36
		Item 5			
Guiseppe (Joe) Marinelli	Italy	Estate of Salvatore Marinelli, also known as Sam Marinelli, deceased, in Probate Court of St. Louis County, Minn.	1,067.85	The County Treasurer of St. Louis County, Duluth, Minn.	21.09
		Item 6			
Antonio Marinelli	Italy	Same	1,067.84	Same	21.09
		Item 7			
Francisco (Frank) Marinelli	Italy	Same	1,067.84	Same	21.08

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 8			
Mathilda Karp	Finland	Estate of Johanna Sbjal, deceased, in Probate Court of St. Louis County, Minn.	$1,694.97	The County Treasurer of St. Louis County, Duluth, Minn.	$71.61
		Item 8			
Christian P. Bonde	Denmark	Estate of Christ Bonde, also known as Krist Bonde, also known as Christian Bonde, deceased, in Probate Court of Benson County, N. Dak.	1,560.22	George Dickinson, Public Administrator of the Estate of Christ Bonde, deceased, Benson County, Minnewaukon, N. Dak.	20.67
		Item 10			
Leokadya Lengosz	Poland	Estate of Konstanty Kucharski, deceased, in County Court of Milwaukee County, Wis.	4,644.84	The City Bank and Trust Company, 735 Second Street, Milwaukee, Wis.	20.14

[F. R. Doc. 45-12662; Filed, July 12, 1945; 10:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

FILING OF CERTAIN INFORMATION

EXTENSION OF TIME

Order extending period for filing information on form 3-M pursuant to Rule X-15B-2 (e) (§ 240.15b-2 (e)).

The Securities and Exchange Commission, having adopted on April 9, 1945, under the Securities Exchange Act of 1934, certain amendments to Form 3-M requiring additional information; and

The Commission, with due regard for the public interest and the protection of investors, deeming it appropriate to extend the period within which such additional information is required to be filed pursuant to Rule X-15B-2 (e);

It is ordered, That the period within which such information shall be filed be, and it hereby is, extended until the close of business on August 8, 1945.

Effective July 7, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12792; Filed, July 13, 1945; 10:56 a. m.]

[File No. 1-2809]

NAVARRO OIL CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of July, A. D. 1945.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, No Par Value, of Navarro Oil Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on July 23, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc 45-12785; Filed, July 13, 1945; 10:55 a. m.]

[File Nos. 54-74, 59-69]

NORTH CONTINENT UTILITIES CORP. ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of July, A. D. 1945.

The Commission having by order dated November 16, 1943, entered pursuant to section 11 (b) of the Public Utility Holding Company Act of 1935, directed that North Continent Utilities Corporation, a registered holding company, shall take such action as may be necessary to cause its liquidation and dissolution; and

The Commission, pursuant to an application previously filed under section 11 (e) of the act by North Continent Utilities Corporation, having on February 6, 1945, granted an extension of six months from November 16, 1944, within which to comply with the provisions of said order of November 16, 1943; and

North Continent Utilities Corporation having filed an application pursuant to section 11 (e) of the act requesting an additional extension of six months within which to comply with said order of November 16, 1943; and

A public hearing having been held after appropriate notice and the Commission having examined the record and having made and filed its findings and opinion herein; and

The Commission having found that North Continent Utilities Corporation has been unable in the exercise of due diligence to comply with said order of November 16, 1943, within the initial statutory period of one year from the date of its entry and the six months' extension period previously granted; and that an additional extension of six months is necessary and appropriate in the public interest and for the protection of investors and consumers;

It is ordered, That North Continent Utilities Corporation be, and hereby is, granted an additional period of six months from May 16, 1945, within which to comply with the provisions of said order of November 16, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12784; Filed, July 13, 1945; 10:55 a. m.]

[File No. 54-101]

MINNESOTA POWER & LIGHT CO. AND AMERICAN POWER & LIGHT CO.

SUPPLEMENTAL ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of July, A. D. 1945.

Minnesota Power & Light Company ("Minnesota") a public utility subsidiary of American Power & Light Company, having filed a plan with amendments thereto under section 11 (e) of the Public Utility Holding Company Act of 1935 for the stated purpose of complying with section 11 (b) (2) of said act; and

Said amended plan having provided, inter alia, that: "The effective date of the plan shall be such date as may be fixed by the court order, which date shall be the earliest practicable date after the expiration of the time within which an appeal may be taken from such court order, or if any appeal is taken, after such court order shall be affirmed"; and

The Commission on June 6, 1945 having issued its order approving said amended plan and directing that application be made to an appropriate District Court of the United States for enforcement thereof and said application for enforcement having been filed with

the District Court of the United States for the District of Minnesota on June 8, 1945 and hearing on said application having been directed by said Court to be held on July 16, 1945; and

Minnesota having on July 6, 1945 filed a further amendment to said amended plan which amendment provides that "The effective date of the plan shall be such date as may be fixed by the court order"; and having requested approval of said amendment:

The Commission finding that the said plan as amended by the amendment dated July 6, 1945 is necessary to effectuate section 11 (b) of the act and is fair and equitable to the persons affected thereby;

It is ordered, Subject to the terms and conditions and orders enumerated and contained in the Commission's order dated June 6, 1945, that the amended Plan of Minnesota as amended by the amendment dated July 6, 1945 be, and the same hereby is, approved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12786; Filed, July 13, 1945; 10:55 a. m.]

[File Nos. 70-952, 31-84]

INTERNATIONAL UTILITIES CORP., ET AL.

NOTICE OF FILING OF AMENDMENTS, ORDER PERMITTING WITHDRAWAL OF FILING, AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of July, A. D. 1945.

In the matters of International Utilities Corporation, General Water Gas & Electric Company, Rockland Light and Power Company, File No. 70-952, International Utilities Corporation, et al., File No. 31-84.

Applications and declarations have heretofore been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by International Utilities Corporation ("International"), General Water Gas & Electric Company ("General Water"), and Rockland Light and Power Company ("Rockland Light") regarding the sale of General Water's interest, consisting of all the outstanding common stock, in its subsidiary, Rockland Gas Company, Inc. ("Rockland Gas"), and the acquisition of said common stock by Rockland Light. Rockland Light has requested permission to withdraw its application stating that the Public Service Commission of New York has denied its application to that regulatory body regarding the proposed acquisition of Rockland Gas.

Notice is hereby given that International and General Water have filed amendments to their pending applications and declarations regarding the sale of General Water's interest in Rockland Gas together with other proposed transactions.

All interested persons are referred to said amendments, which are on file in the office of the Commission, for a statement of the transactions now proposed, which may be summarized as follows:

General Water proposes to cause Rockland Gas to reclassify its authorized common stock from 7,500 shares, without par value, of which 6,100 shares are presently issued and outstanding, to 37,500 shares, without par value, of which 30,500 shares will be issued and outstanding upon such reclassification.

General Water further proposes to sell to Butcher and Sherrerd of Philadelphia, Pennsylvania, as underwriters, all the outstanding common stock of Rockland Gas as reclassified, namely 30,500 shares, for a base price of $24 per share or an aggregate price of $732,000. Butcher and Sherrerd have stated that they contemplate offering said shares of common stock to the public at not more than $26 per share, but have agreed that if all or any part of said shares are sold by them at more than $26 per share, such additional amount shall be payable to General Water. General Water states that its assets, after consummation of the proposed transactions, will consist substantially in their entirety of cash.

International proposes to donate to General Water its holdings of 4,255 shares of the $3 preferred stock, without par value, of General Water (being all of such preferred stock now outstanding) for cancellation. Following such donation, and concurrently with consummation of the proposed reclassification and sale of the common stock of Rockland Gas, General Water proposes to invite tenders from the holders of the common stock of General Water, other than International, at a price equal to the book value of such common stock based upon a balance sheet giving effect to the final price realized by General Water upon the sale of its investment in Rockland Gas, with due allowance for all liabilities of General Water, known or estimated at the date of such balance sheet.

It appearing that the Commission has heretofore consolidated the proceedings herein (Holding Company Act Release No. 5722) and that a public hearing has been held with respect thereto and continued subject to the call of the trial examiner; and

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearing continued as aforesaid be reconvened with respect to the applications and declarations as amended of International and General Water and that said applications and declarations as amended shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That said hearing be reconvened on July 26, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held. Any person desiring to be heard in the proceedings should file with the Commission on or before July 23, 1945, his application therefor, as provided in Rule XVII of the Commission's Rules of Practice.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said applications and declarations as amended particular attention will be directed at the hearing to the following matters and questions:

1. Whether the terms of the proposed sale, including the consideration to be received by General Water, the compensation to underwriters and any other remunerations to be paid, directly or indirectly, in connection with the proposed transactions, are reasonable;

2. Whether, in connection with the proposed sale, there has been maintenance of competitive conditions;

3. Whether the proposed donation by International and the proposed invitation for tenders by General Water are fair and equitable to the persons affected thereby and satisfy the applicable requirements of the act;

4. Whether the accounting entries to be made in connection with the proposed transactions are proper;

5. Whether it is necessary or appropriate to impose terms and conditions in the public interest or for the protection of investors or consumers, if so, what terms and conditions should be imposed;

6. Whether the proposed transactions comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

It is further ordered, That notice of said hearing is hereby given to International Utilities Corporation, General Water Gas & Electric Company and all interested persons, said notice to be given to International Utilities Corporation, General Water Gas & Electric Company, and to the Public Service Commission of New York by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the persons on our mailing list for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That Rockland Light and Power Company be, and hereby is, permitted to withdraw its pending application herein.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12789; Filed, July 13, 1945; 10:56 a. m.]

[File Nos. 7-788 to 7-798]

CHICAGO GREAT WESTERN RAILWAY CO. ET AL.

FINDINGS AND ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of July, A. D. 1945.

In the matter of applications by the Philadelphia Stock Exchange to extend unlisted trading privileges to: Chicago Great Western Railway Company, 5% Cumulative to 15% Preferred Stock, $50 Par Value, File No. 7-788; Chicago Great Western Railway Company, Common Stock, $50 Par Value, File No. 7-789; Minneapolis, St. Paul & Sault Ste. Marie Railway Company, V. T. C. for Common Stock, No Par Value, Series B, File No. 7-790; Chicago & Eastern Illinois Railroad Company, Common Stock, No Par Value, File No. 7-791; Chicago & Eastern Illinois Railroad Company, $2 Non-Cumulative Class A Stock, $40 Par Value, File No. 7-792; Western Pacific Railroad Company, 5% Participating Preferred Stock, Series A, $100 Par Value, File No. 7-793; Carrier Corporation, Common Stock, $10 Par Value, File No. 7-794; Solar Aircraft Company, Common Stock, $1 Par Value, File No. 7-795; Minneapolis, St. Paul & Sault Ste. Marie Railway Company, V. T. C. for Common Stock, No Par Value, Series A, File No. 7-796; Grumman Aircraft Engineering Corp., Common Stock, $1 Par Value, File No. 7-797; Western Pacific Railroad Company, Common Stock, No Par Value, File No. 7-798.

The Philadelphia Stock Exchange having made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the above-mentioned securities;

A public hearing having been held after appropriate notice;

The Commission, being duly advised, finds:

(1) That all of the subject securities are listed and registered on the New York Stock Exchange with the exception of Solar Aircraft Company common stock which is listed and registered on the New York Curb Exchange and the Los Angeles Stock Exchange. In addition Western Pacific Railroad Company preferred and common stocks are listed and registered on the San Francisco Stock Exchange;

(2) That sufficient public distribution of and sufficient public trading activity in these securities exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the applications of the Philadelphia Stock Exchange for permission to extend unlisted trading privileges to:

Chicago Great Western Railway Company, 5% Cumulative to 15% Preferred Stock, $50 Par Value.

Chicago Great Western Railway Company, Common Stock, $50 Par Value.

Minneapolis, St. Paul & Sault Ste. Marie Railway Company, V. T. C. for Common Stock, No Par Value, Series B.

Chicago & Eastern Illinois Railroad Company, Common Stock, No Par Value.

Chicago & Eastern Illinois Railroad Company, $2 Non-Cumulative Class A Stock, $40 Par Value.

Western Pacific Railroad Company, 5% Participating Preferred Stock, Series A, $100 Par Value.

Carrier Corporation, Common Stock, $10 Par Value.

Solar Aircraft Company, Common Stock, $1 Par Value.

Minneapolis, St. Paul & Sault Ste. Marie Railway Company, V. T. C. for Common Stock, No Par Value, Series A.

Grumman Aircraft Engineering Corp., Common Stock, $1 Par Value.

Western Pacific Railroad Company, Common Stock, No Par Value.

be and the same are hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12790; Filed, July 13, 1945; 10:57 a. m.]

[File No. 70-1097]

FEDERAL WATER AND GAS CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of July A. D. 1945.

Notice is hereby given that Federal Water and Gas Corporation ("Federal"), a registered holding company, has filed with this Commission a declaration under the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Federal is proposing to sell its entire security interest in Peoples Water and Gas Company ("Peoples Water"), an operating utility subsidiary of Federal, to R. M. Sherritt of Chicago, Illinois for $1,111,835 in cash, it being represented that Sherritt is not affiliated with Federal. Federal's security interests in Peoples Water consist of 2,427 shares of $6 Cumulative Preferred Stock, without par value (approximately 35% of the total of said securities outstanding), and 42,500 shares of common stock, without par value (the total of said securities outstanding).

The contract of sale is subject to the prior consummation of a proposed sale by Peoples Water to Mississippi Public Service Company, an affiliate company, of the gas distribution systems of Peoples Water serving Columbus and Meridian, Mississippi, leaving Peoples Water with manufactured gas facilities in Miami Beach, Florida and nearby communities, and water properties in Marshfield and North Bend, Oregon, a joint application-declaration regarding this sale having heretofore been filed by Federal, Peoples Water and Mississippi Public Service Company (File No. 70-1080) and a hearing thereon having heretofore been scheduled (Holding Company Act Release No. 5856).

Federal requests that the Commission find that the proposed divestment of its securities in Peoples Water to Sherritt is appropriate to effectuate the provisions of section 11 (b) of the act and Federal asks that any order or orders approving the proposed transactions contain the recitals and specifications prescribed by sections 371 (b), 371 (f) and 1808 (f) of the Internal Revenue Code, as amended.

The filing has designated sections 11 and 12 of the act and Rule U-44 as being applicable to the proposed transactions and seeks an exception from Rule U-50.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on these matters under the applicable sections of the act and rules of the Commission promulgated thereunder be held at 10:00 a. m., e. w. t., on the 30th day of July 1945, at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On that day, the hearing room clerk in Room 318 will advise as to the room in which said hearing is to be held. Any person desiring leave to be heard in the proceeding should file with the Secretary of the Commission on or before July 28, 1945, his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in these matters. The officer designated to preside at said hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That notice of said hearing is hereby given to Federal, Peoples Water, Sherritt and all interested persons, said notice to be given to Federal, Peoples Water and Sherritt by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the persons on our mailing list for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention be directed at said hearing to the following matters and questions:

1. Whether the Commission should except the proposed sale from competitive bidding requirements of Rule U-50;

2. Whether competitive conditions have been maintained in connection with the proposed sale by Federal;

3. Whether the consideration to be received by Federal is reasonable;

4. Whether the accounting entries to be made in connection with the proposed transactions are proper;

5. Whether the fees, commissions or other remunerations to be paid directly or indirectly in connection with the proposed transactions are reasonable;

6. Generally, whether the proposed transactions comply with all the applicable provisions and requirements of the act and rules and regulations promulgated thereunder and whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions in respect thereof.

By the Commission.

[SEAL] ORVAL L DUBOIS.
Secretary.

[F. R. Doc. 45-12788; Filed, July 13, 1945; 10:56 a. m.]

[File No. 70-1103]

INTERNATIONAL UTILITIES CORP. AND NORTHWESTERN UTILITIES, LTD.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of July, A. D., 1945.

Notice is hereby given, that a joint application and declaration has been filed with this Commission pursuant to sections 9, 10, 6 (a) and 7 of the Public Utility Holding Company Act of 1935, by International Utilities Corporation ("International"), a registered holding company, and its subsidiary, Northwestern Utilities, Limited ("Northwestern"), a public utility company engaged in the production and distribution of natural gas in central Alberta, Canada.

Notice is further given that any interested party may, not later than July 24, 1945, at 10:00 a. m., e. w. t. request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint application and declaration, as filed or as amended, may be granted and permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint application and declaration, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

International presently owns all the outstanding common stock consisting of 80,000 shares, $25 (Canadian) par value per share, and 1,052 shares of the outstanding 15,000 shares of 6% preferred stock, $100 (Canadian) par value per share of Northwestern. Northwestern proposes to issue and sell to International, and International proposes to acquire, at par, 20,000 shares of common stock, $25 (Canadian) par value per share, for an aggregate price of $500,000 (Canadian), which at the present official rate of exchange will approximate $454,-545 in United States currency.

International and Northwestern state that the expenses of the proposed transactions are not expected to exceed $1,000, that the Board of Public Utility Commissioners of the Province of Alberta has jurisdiction over the issuance of securities of Northwestern, and that the purpose of the proposed transactions is to assist Northwestern in the financing of certain extensions to its system.

By the Commission.

[SEAL] ORVAL L. DUBOIS.
Secretary.

[F. R. Doc. 45-12787; Filed, July 13, 1945; 10:56 a. m.]

[File No. 70-1105]

MONONGAHELA POWER CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of July A. D. 1945.

In the matter of Monongahela Power Company, The West Penn Electric Company, American Water Works and Electric Company, Incorporated, File No. 70-1105.

Notice is hereby given that Monongahela Power Company ("Monongahela"), formerly known as Monongahela West Penn Public Service Company, The West Penn Electric Company ("Electric"), and American Water Works and Electric Company, Incorporated ("American") have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935. American and Electric are registered holding companies. Electric is a subsidiary of American. Monongahela, a public utility company and an exempt holding company, is a subsidiary of American and Electric, and of West Penn Power Company and West Penn Railways Company, registered holding companies and subsidiaries of American and Electric.

All interested persons are referred to said document, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Monongahela proposes a general refinancing program for the redemption and retirement of its 4½% First Mortgage Bonds, due 1960 (outstanding in the aggregate principal amount of $22,000,000), 6% Debentures, due 1956 (outstanding in the aggregate principal amount of $7,500,000), and 7% preferred stock (outstanding in the aggregate par value of $7,297,550 in the form of 291,902 shares, par value $25 per share). Electric holds 23,376 shares of this preferred stock and American holds 574 shares of said stock. None of the other securities to be redeemed are held by American or subsidiaries of American. Monongahela proposes to redeem its publicly held securities at redemption prices, including premiums of 5% on the bonds, 10% on the debentures, and $3.75 per share on the preferred stock.

It is proposed that Monongahela obtain the funds to effectuate the redemption of the above described securities by the issue and sale at competitive bidding, pursuant to the requirements of Rule U-50, of $22,000,000 principal amount of 30-Year Bonds and 90,000 shares of preferred stock having a par value of $100 per share (the interest rate on the bonds and the dividend rate on the preferred stock as well as the prices to Monongahela for these securities to be determined at competitive bidding); by the issuance and sale to certain unspecified banks of 2% 10-Year Serial Notes in the aggregate face amount of $4,000,000; and by the issuance and sale at the rate of $15 per share of 82,500 shares of additional common stock, having a par value of $6 50 per share, to Electric.

By the terms of the filing, American will receive only the par value of its preferred stock holdings in Monongahela and Electric in acquiring the above described common stock will pay cash to the extent of $653,100 and exchange its holdings of preferred stock of Monongahela for their aggregate par value, namely $584,400.

The filing has designated sections 6, 7, 9, 10, 12 (c) and 12 (d) of the act and Rules U-42, U-43, U-44, and U-50 as being applicable to the proposed transactions. It is stated in the filing that the serial notes and additional common stock proposed to be issued by Monongahela are exempt from the competitive bidding requirements of Rule U-50.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that the application-declaration may not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on these matters under the applicable sections of the act and rules of the Commission promulgated thereunder be held at 10:00 a. m., e. w. t., on the 23d day of July, 1945, at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On that day, the hearing room clerk in Room 318 will advise as to the room in which said hearing is to be held. Any person desiring leave to be heard in the proceeding should file with the Secretary of the Commission on or before July 21, 1945, his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in these matters. The officer designated to preside at said hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That notice of said hearing is hereby given to Monongahela, Electric and American and all interested persons, said notice to be given to Monongahela, Electric and American by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the persons on our mailing list for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention be directed at said hearing to the following matters and questions:

1. Whether the securities proposed to be issued and sold by Monongahela are reasonably adapted to the earning power of Monongahela and to the security structure of Monongahela and other companies in the American holding company system, and whether financing by the issue and sale of such securities in the respective amounts proposed is necessary or appropriate to the economical and efficient operation of the businesses in which Monongahela is engaged;

2. Whether the proposed acquisition by Electric of shares of the common stock of Monongahela will serve the public interest by tending towards the economical and efficient development of an integrated public utility system, and whether said proposed acquisition will be detrimental to the carrying out of the provisions of section 11, or will unduly complicate the capital structure of the American holding company system;

3. Whether the terms and conditions of the proposed transactions between Monongahela and affiliated companies including the considerations to be paid and received are detrimental to the public interest or to the interest of investors or consumers;

4. Whether the accounting entries to be made in connection with the proposed transactions are proper;

5. Whether the fees, commissions, or other remunerations to be paid directly or indirectly in connection with the proposed transactions are reasonable;

6. Generally, whether the proposed transactions comply with all the applicable provisions and requirements of the Act and rules and regulations promulgated thereunder and whether it is necessary or appropriate in the public interest or for the protection of investors and consumers or to prevent the circumvention of any provisions of the act or rules, regulations or orders thereunder to impose terms and conditions in connection with any of the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-12783; Filed, July 13, 1945; 10:55 a. m.]

[File Nos. 70-1107, 70-1109]

NEW YORK POWER AND LIGHT CORP. AND NEW YORK STATE ELECTRIC & GAS CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of July, 1945.

Notice is hereby given that an application and declaration (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New York Power and Light Corporation, a subsidiary of Niagara Hudson Power Corporation and The United Corporation, a registered holding company, and by New York State Electric & Gas Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company.

Notice is further given that any interested person may not later than July 23, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application and declaration, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided for in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application and declaration, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

New York Power and Light Corporation proposes to sell and New York State Electric & Gas Corporation proposes to acquire certain electric utility assets consisting of a substation, known as the Carmel Substation, located in the Town of Carmel, Putnam County, New York, together with certain appurtenant equipment for a cash consideration not to exceed $200,000 plus actual expenditures for additions and less the original cost of retirements made by New York Power and Light Corporation between January 1, 1945 and the date of the transfer of the property, less accrued depreciation in the amount of $830 per month from January 1, 1945 to the date of the transfer.

By the Commission.

[SEAL] ORVAL L. DUBOIS.
Secretary.

[F. R. Doc. 45-12782; Filed, July 13, 1945; 10:55 a. m.]

WAR SHIPPING ADMINISTRATION.

"BORENNA II"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (o) of the act approved March 24, 1943, (Public Law 17—78th Congress).

Whereas on December 9, 1941, title to the vessel "Borenna II" (227065) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. • • •

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 12, 1945.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 45-12778; Filed, July 13 1945; 10:51 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 1524]

BORREGO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Borrego Cigar Factory, 1310 9th Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cigars in 1 pkg	Club Panetela "Club"	20	*Per M* $67.50	*Cents* 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12624; Filed, July 11, 1945; 4:21 p. m.]

[MPR 260, Order 1525]

MODESTO RODRIGUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Modesto Rodriguez, Santiago Iglesias, Coamo, P. R. (hereinafter called "manufacturer") and wholesolers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona	4⅛"	50	*Per M* $40	*Cents* 2 for 15
Tubano	4½"	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12625; Filed, July 11, 1945; 4:21 p. m.]

[MPR 260, Order 1526]

JUAN PINERO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Juan Pinero, Allen St., #77, San Juan 15, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Balaguer Petit Corona	4¾"	50	*Per M* $56	*Cents* 7
Balaguer Corona	4¾"	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12626; Filed, July 11, 1945; 4:21 p. m.]

[MPR 260, Order 1527]

GARFIELD CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Garfield Cigar Company, 556 Commercial Street, San Francisco 11, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garfield	Frisco	80	*Per M* $72	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12627; Filed, July 11, 1945; 4:22 p. m.]

[MPR 260, Order 1528]

M. & L. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. & L. Cigar Factory, 1409 25th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
M. & L. Cigars	Mary & Lily	50	*Per M* $93.75	*Cents* 2 for 25
	Panetela Sa	50	138.00	3s
	Cadetes	50	108.75	2 for 29
	Uncle Sam	50	75.00	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12628; Filed, July 11, 1945; 4:22 p. m.]

[MPR 260, Order 1529]

COMONDO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Comondo Cigar Co., 1514 8th Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Mariano Morales	Alicias	50	*Per M* $123	*Cents* 15
	Comondos	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12629; Filed, July 11, 1945; 4:22 p. m.]

[MPR 260, Order 1530]

JOE MANISCALIO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Joe Maniscalio, 1705 18th St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
J. M.	Breva	50	*Per M* $169	*Cents* 22
	Londres Chic O	50	56	7
	Panetelas	50	169	22
	Panetele Fina	50	141	3 for 55

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12630; Filed, July 11, 1945; 4:23 p. m.]

[MPR 260, Order 1531]

FLORES CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Flores Cigar Factory (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Flores	Blunts	50	*Per M* $56	*Cents* 7
	Amores	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12631; Filed, July 11, 1945; 4:23 p. m.]

[MPR 260, Order 1532]

UTUADO LEAF TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Utuado Leaf Tobacco Co., Subida Hospital, Utuado, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ulteo	Londres-Ulteo	50	*Per M* $101.25	*Cents* 2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12632; Filed, July 11, 1945; 4:23 p. m.]

[MPR 260, Order 1533]

G. D. LOMBARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) G. D. Lombard, P. O. Box 3484, San Juan 17, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lord Sterling	Corona Superior	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

counts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case

same class may be charged on corresponding sales of each brand and size or

	Amores	50		6¼

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12633; Filed, July 11, 1945; 4:24 p. m.]

[MPR 260, Order 1534]

CARLOS DAVILA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Carlos Davila, Forastieri St. 19, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tobacco Plant	6½" Tubanos	50	*Per M* $50	*Cents* 5
	Corona Superior Sly	50	90	12
	4¾" Baby	50	48	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12634; Filed, July 11, 1945; 4:24 p. m.]

[MPR 260, Order 1535]

JULIA BARBOSA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Julia Barbosa, 564 Ninth Avenue, New York City (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Palma	Deliciosos	50	*Per M* $72	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12635; Filed, July 11, 1945; 4:24 p. m.]

[MPR 260, Order 1536]

WEST END CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Samuel D. Shoff trading as West End Cigar Co. Rear 137 W. Main Street, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tobacco Leaf	Invincible	50	*Per M* $64	*Cents* 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12636; Filed, July 11, 1945; 4:24 p. m.]

[MPR 260, Order 1537]

LUIS ACOSTA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Luis Acosta, 2921 12 Street, Tampa, Fla. (hereinafter called "manufacurer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Landres	Horizon 5"	50	*Per M* $93.75	*Cents* 2 for 25
Petitestros	Horizon 4¾	50	56.00	7
Especiales	Horizon 5"	50	60.00	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12637; Filed, July 11, 1945; 4:25 p. m.]

[MPR 260, Order 1538]

BERNARD B. GARCIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Bernard B. Garcia, 1055 Tyler St., Gary, Ind. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Nuda	Breva	50	*Per M* $97.50	*Cents* 13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maxi-

mum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12638; Filed, July 11, 1945; 4:25 p. m.]

[MPR 260, Order 1539]

GEORGE W. SECHRIST

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) George W. Sechrist, 88 E. Main St., Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
GeorgiaQueen Sr.	Perfecto	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12639; Filed, July 11, 1945; 4:25 p. m.]

[MPR 260, Order 1540]

EDWARD TYHURST

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Edward Tyhurst, 135 S. 4th, Newark, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
San Toria	8½"x	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12640; Filed, July 11, 1945; 4:26 p. m.]

[MPR 260, Order 1541]

CARLOS BAEZA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Carlos Baeza, 986 E. 165 St., Bronx 59, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
C. B	Coronitas	50	*Per M* $72	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12641; Filed, July 11, 1945; 4:26 p. m.]

[MPR 260, Order 1542]

CLARENCE W. MITZEL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Clarence W. Mitzel, 201 S. Pine St., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Mitzel's	Princess	50	*Per M* $36	*Cents* 2 for 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12642; Filed, July 11, 1945; 4:26 p. m.]

[MPR 260, Order 1543]

LEOPOLDO TORIBIO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Leopoldo Toribio, 2909-12th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garcia's Choice	Corona	50	*Per M* $97.50	*Cents* 13
	Petite	50	44.00	2 for 11
	Brevas	50	169.00	22
	Queen	50	169.00	22
	Blunts	50	75.00	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March

1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12643; Filed, July 11, 1945; 4:27 p. m.]

[MPR 260, Order 1544]

EL GUASO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) El Guaso Cigar Factory, 918 11th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Richard the Great.	McKays	50	*Per M* $93.75	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12644; Filed, July 11, 1945; 4:27 p. m.]

[MPR 260, Order 1545]

JOSE DE SOTO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Jose De Soto, 121 Union St., Newark 5, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Havana Hand Made.	5".....	50	*Per M* $102	*Cents* 14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12645; Filed, July 11, 1945; 4:27 p. m.]

[MPR 64, Amdt. 1 to Order 174]

LOCKE STOVE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 3 and 11 of Maximum Price Regulation No. 64, *It is ordered:*

Order No. 174 under Maximum Price Regulation No. 64 is amended in the following respect:

Subparagraph (a) (3) is amended to read as follows:

(3) For sales in each zone by retailers to ultimate consumers the maximum prices are those set forth below:

Zone 1	Zone 2	Zone 3
$100.50	$104.95	$102.95

Each retailer may add to those prices his customary charges for installation and for the extension of credit: *Provided*, That such additional charges are separately stated and billed by him at the time of sale. No retailer may as a condition of sale require that the purchaser must buy on credit or on an installed basis. In other respects these prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

This amendment shall become effective on the 13th day of July 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-12684; Filed, July 12, 1945; 11:33 a. m.]

[MPR 120, Order 1412]

ELLIOT COAL MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

ELLIOT COAL MINING CO., 8 N. FRONT ST., PHILIPSBURG, PA., NORTHWOOD NO. 1 MINE, D SEAM, MINE INDEX NO. 5429, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT, IRVONA, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

F. C. & M. COAL CO., PHILIPSBURG, PA., F. C. & M. NO. 1 MINE, B SEAM, MINE INDEX NO. 5432, CLEARFIELD COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT, BIGLER, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	355	355	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

L. E. FLEMING, 310 CHERRY ST., CLEARFIELD, PA., LAWRENCE NO. 1 MINE, D SEAM, MINE INDEX NO. 5430, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, FAUNCE AND CURWENSVILLE, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

L. E. FLEMING, 310 CHERRY ST., CLEARFIELD, PA., LAWRENCE NO. 2 MINE, F SEAM, MINE INDEX NO. 5431, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, FAUNCE AND CURWENSVILLE, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

GOODTOWN SMOKELESS COAL CO., C/O WM. O. DWYER, 217 BROADWAY, BERLIN, PA., BITTNER NO. 2 MINE, SEWICKLEY SEAM, MINE INDEX NO. 5438, SOMERSET COUNTY, PA., SUBDISTRICT 41, RAIL SHIPPING POINTS, PINE HILL, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	373	353	353	333	333
R. R locomotive fuel	338	338	323	313	313
Truck shipment	383	358	358	348	338

STEPHEN R. HANSEL, R. D. HOUTZDALE, PA., JOFLING MINE, C SEAM, MINE INDEX NO. 5412, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT, MADERA, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
R. R locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

STEPHEN R. HANSEL, R. D. HOUTZDALE, PA., VULCAN MINE, C SEAM, MINE INDEX NO. 5411, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT, MADERA, PA., STRIP MINE

Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
R. R locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

HILLTOP LOADING CO., C/O LYLE W. HOFFMASTER HOTEL PHILIPS, PHILIPSBURG, PA., HILLTOP NO. 1 MINE, D SEAM, MINE INDEX NO. 5428, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT, COALPORT, PA., STRIP MINE,

Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

This order shall become effective July 13, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12685; Filed, July 12, 1945; 11:33 a. m.]

[MPR 120, Order 1413]

VICTOR ANDERSON, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net

ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

VICTOR ANDERSON, ANITA, PA., ANDERSON MINE, D SEAM, MINE INDEX NO. 5425, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, ANITA, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	373	353	353	333	333
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	383	358	358	348	338

THE ARCADIA CO., BOX 43, INDIANA, PA., BIGAN MINE, E SEAM, MINE INDEX NO. 5429, INDIANA COUNTY, PA., SUBDISTRICT 12, RAIL SHIPPING POINT, HOOVERHURST, PA., STRIP MINE

Price classification	G	G	G	G	G
Rail shipment	330	330	315	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	355	330	330	320	310

B. & M. COAL CO., C/O WILLIAM BELL, 508 GRAHAM AVE., WINDBER, PA., B. & M. MINE, B SEAM, MINE INDEX NO. 5396, SOMERSET COUNTY, PA., SUBDISTRICT 38, RAIL SHIPPING POINT, CAIRNBROOK, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	373	353	353	333	333
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	383	358	358	348	338

BARONIC BARON, RIDDLESBURG, PA., HELEN MINE, BARNETT SEAM, MINE INDEX NO. 5437, BEDFORD COUNTY, PA., SUBDISTRICT 39, RAIL SHIPPING POINT, RIDDLESBURG, PA., DEEP MINE

	Size group Nos.					
	1	2	3	4	5	Smithing
Price classification	B	B	B	B	C	.....
For all methods of shipments and all uses	443	443	408	383	368	493

R. S. CARLIN, CLARENCE, PA., NO. 4 MINE, D SEAM, MINE INDEX NO. 5433, CENTRE COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, SNOW SHOE, PA., STRIP MINE

	Size group Nos.				
	1	2	3	3	5
Price classification	D	D	D	D	D
Rail shipment	360	360	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

COMFORT RUN COAL CO., OSCEOLA MILLS, PA., HARMAN MINE, E SEAM, MINE INDEX NO. 5419, CAMBRIA COUNTY, PA., SUBDISTRICT 18, RAIL SHIPPING POINT, COALPORT, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

THE COUNTY CLUB COAL CO., DONALD E. CARL, 425 LAKE ST., SOUTH FORK, PA., COUNTY CLUB MINE, C SEAM, MINE INDEX NO. 5418, SOMERSET COUNTY, PA., SUBDISTRICT 29, RAIL SHIPPING POINT, JOHNSTOWN, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	373	353	353	333	333
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	383	358	358	348	338

EARL G. CROSS, 203 QUEEN ST., KITTANNING, PA., CROSS MINE, E SEAM, MINE INDEX NO. 5417, ARMSTRONG COUNTY, PA., SUBDISTRICT 10, RAIL SHIPPING POINT, KITTANNING, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	H	H	H	J	J
Rail shipment	348	348	328	303	303
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	368	348	348	328	318

E. & E. COAL CO., ROOM 9, CITIZEN'S BANK BLDG., INDIANA, PA., WOODCHUCK MINE, CLERMONT SEAM, MINE INDEX NO. 5219, MCKEAN COUNTY, PA., SUBDISTRICT 2, RAIL SHIPPING POINT, WETMORE, PA., STRIP MINE

Price classification	H	H	H	H	H
Rail shipment	330	330	310	285	285
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	350	325	325	315	305

This order shall become effective July 13, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12686; Filed, July 12, 1945; 11:33 a. m.]

[MPR 120, Order 1414]

PEABODY COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) "DeLuxe Superior Processed Stoker Coals," a mixture of not less than 80% of size group No. 20 coal and the remainder of size group No. 25 coal produced by Peabody Coal Company, Chicago, Illinois, at its Majestic No. 14 Mine, mine index No. 91, located in Perry County, Illinois in the DuQuoin Subdistrict of District No. 10 may be purchased and sold for rail shipment at prices not exceeding 304 cents per net ton f. o. b. the rail shipping point.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(d) The maximum prices established herein may be changed by order or amendment.

This Order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12687; Filed, July 12, 1945; 11:34 a. m.]

[MPR 120, Order 1415]

SCHUBERT COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced for rail shipment at the Schubert No. 1 Mine, Mine Index No. 1080, of Schubert Coal Company are hereby classified in Maximum Rail Price Group No. 20E.

(b) Coals produced by Schubert Coal Company from the No. 6 Seam at its Schubert No. 1 Mine, Mine Index No. 1080, a truck-rail deep, hand loaded mine, located in St. Clair County, Illinois in the Belleville Subdistrict of District No. 10 may be purchased and sold for the indicated uses and movements at cents per net ton prices not exceeding the following:

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	
All methods of transportation (except truck or wagon) and for all uses	285	285	285	265	265	265	(1)	265	255	255	255	
Truck or wagon shipments [2]	370	365	365	350	350	340	290	270	280	280	280	

	Size group Nos.										
	12	13	14	15	16	17	18	19	20	21	22
All methods of transportation (except truck or wagon) and for all uses	255	215	215	155	135	265	265	265	265	255	255
Truck or wagon shipments [2]	280	250	230	175	.....	315	315	315	315	310	310

	Size group Nos.					
	23	24	25	26	27	28
All methods of transportation (except truck or wagon) and for all uses	245	245	210	235	235	215
Truck or wagon shipments [2]	285	285	240	245	245	310

[1] Previously established.
[2] Size group No. 7—Rail shipped coal:
Railroad locomotive fuel—260.
For other use—290.

(c) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments and f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel, all uses.

(d) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(f) The price classifications assigned herein is permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective July 13, 1945.

Issued this 12th day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12688; Filed, July 12, 1945; 11:34 a. m.]

[MPR 120, Order 1416]

PITTSBURGH COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Price classifications and maximum prices for 1,000 tons of prepared coal produced at the Mountour No. 4 Mine, mine index No. 151 in District No. 2, by Pittsburgh Coal Company, as described below, are hereby established in cents per net ton, for the indicated uses and movements, as follows:

	Size group Nos.								
	1, 2	3, 4, 5	6	7, 8	9	10	12		
All methods of transportation (except truck or wagon) and for all uses	$3.34	$3.09	$3.04	$2.69	$3.09	$2.39	$3.04		
Truck or wagon shipments	3.79	3.61	3.09	2.84	.....	.....	.....		

(b) The prices established herein are f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel for all uses.

(c) All prayers of applicant not granted herein are hereby denied.

(d) This order may be revoked or amended at any time.

(e) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 shall remain in effect.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12689; Filed, July 12, 1945; 11:34 a. m.]

[MPR 120, Order 1417]

JEROME ANDERSON COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1340.210 (a) (10) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Jerome Anderson Mine, a strip mine of the Jerome Anderson Coal Company is hereby assigned mine index No. 1007.

(b) Coals produced by Jerome Anderson Coal Company from the Pittsburgh No. 8 Seam at its Jerome Anderson Mine, mine index No. 1007, located in Brooke County, West Virginia, in District No. 6, may be purchased and sold for the indicated uses and movements at per net maximum prices not exceeding the following:

	Size group Nos.	
	3	7
Price classifications	A	C
Maximum price for all methods of transportation (except truck or wagon) and for all uses	349	319

(c) The maximum prices, which are identical to those provided by § 1340.217 of Maximum Price Regulation No. 120, established hereby are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel, all uses.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(f) The mine index number assigned herein is permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12690; Filed, July 12, 1945; 11:34 a. m.]

[MPR 120, Order 1418]

WAYNE C. FLETCHER AND HOBBS COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 14. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.225 and all other provisions of Maximum Price Regulation No. 120.

WAYNE C. FLETCHER, CLARKSVILLE, ARK., VALLEY NO. 1 MINE, UPPER & LOWER HARTSHORNE SEAM, MINE INDEX NO. 1051, JOHNSON COUNTY, ARK., PROD. GP. 1, RAIL SHIPPING POINT, HARTMAN, ARK., STRIP MINE

	Size group Nos.														
	1, 3A	2, 3	4	5	6, 7, 8	9, 10, 11	12, 13	14, 15, 16	17	18	19	20	21	22	23
All methods of transportation for all uses	590	575	.....	.....	625	640	560	325	325	460	500	375	335	255	.....

HOBBS COAL CO., C/O A. M. HOBBS, HARTFORD, ARK., HOBBS NO. 5 MINE, LOWER HARTSHORNE SEAM, MINE INDEX NO. 1019, SEBASTIAN COUNTY, ARK., PROD. GP. 5, RAIL SHIPPING POINT, RED FEATHER, ARK., STRIP MINE

	Size group Nos.														
	1, 3A	2, 3	4	5	6, 7, 8	9, 10, 11	12, 13	14, 15, 16	17	18	19	20	21	22	23
All methods of transportation for all uses	545	530	.....	.....	545	510	445	220	325	395	445	375	335	255	.....

HOBBS COAL CO., C/O A. M. HOBBS, HARTFORD, ARK., HOBBS NO. 6 MINE, UPPER AND LOWER HARTSHORNE SEAM MINE INDEX NO. 1027, SEBASTIAN COUNTY, ARK., PROD. GP. 5-B, RAIL SHIPPING POINT, MIDLAND, ARK., DEEP MINE

	Size group Nos.														
	1, 3A	2, 3	4	5	6, 7, 8	9, 10, 11	12, 13	14, 15, 16	17	18	19	20	21	22	23
All methods of transportation for all uses	600	585	.....	.....	600	565	500	325	380	470	500	430	390	310	670

This order shall become effective July 13, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12691; Filed, July 12, 1945; 11:34 a. m.]

[MPR 120, Order 1419]

M. H. CAIN CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

M. H. CAIN CO., BOX 182, GRAFTON, W. VA., CAIN NO. 4 MINE, FITTSBURGH SEAM, MINE INDEX NO. 2111, TAYLOR COUNTY, W. VA., RAIL SHIPPING POINT, WEBSTER, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment and R. R. fuel	268	268	283	273	293
Truck shipment	333	333	308	298	288

KOVAL WALKER & HALTERBACK COAL CO., C/O J. E. WALKER, 34 HARRISON AVENUE, MORGANTOWN, W. VA., PEERTE MINE, FITTSBURGH SEAM, MINE INDEX NO. 2112, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT, MORGANTOWN, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment and R. R. fuel	268	268	283	273	293
Truck shipment	333	333	308	298	288

OLIVER STARTON COAL CO., MASONTOWN, W. VA., STARTON MINE, BAKERSTOWN SEAM, MINE INDEX NO. 2110, PRESTON COUNTY, W. VA., RAIL SHIPPING POINT, MASONTOWN, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	G	G
Rail shipment and R. R. fuel	323	323	313	308	308
Truck shipment	333	333	308	298	288

THEODOR BLACK, KINGWOOD, W. VA., BLACK MINE, M. V. FREEPORT SEAM, MINE INDEX NO. 2140, PRESTON COUNTY, W. VA., RAIL SHIPPING POINT, SNYDER CROSSING, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	J	J	J	J	J
Rail shipment and R. R. fuel	323	323	313	308	308
Truck shipment	333	333	308	298	288

This order shall become effective July 13, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12692; Filed, July 12, 1945; 11:35 a. m.]

[MPR 136, Order 469]

A. T. FERRELL AND CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 469 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. A. T. Ferrell and Company; Docket No. 6083-136.21-392.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by A. T. Ferrell and Company, Saginaw, Michigan, of food processing machinery and repair and replacement parts shall be determined as follows: The manufacturer shall multiply by 104.5 the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order.

(b) The maximum prices for sales by resellers of food processing machinery and repair and replacement parts manufactured by A. T. Ferrell and Company shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order the amount, in dollars and cents, by which his net invoiced cost has been increased due to the adjustment granted by this order.

(c) A. T. Ferrell and Company shall notify each purchaser who purchases food processing machinery and repair and replacement parts for resale of the dollar and cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12693; Filed, July 12, 1945; 11:35 a. m.]

[MPR 188, Rev. Order 3622]

COLEMAN INSTRUMENT & MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3622 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model No. 1020, 10" x 20" Aluminum Griddle, manufactured by Coleman Instrument & Manufacturing Co., of 716 South Troost, Tulsa 5, Oklahoma.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

For sales by the manufacturer:	Each
To jobbers	$3 05
To department and chain stores	3 63
To retailers other than department and chain stores	4 04
For sales by persons other than the manufacturer:	
To department and chain stores	3 63
To retailers other than department and chain stores	4 03
To consumers	6 05

These maximum prices are for the articles described in the manufacturer's application dated February 8, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for these sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$6.05
Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 13th day of July, 1945.

Issued this 12th day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12694; Filed, July 12, 1945; 11:36 a. m.]

[MPR 188, Rev. Order 3655]

KELLER TOOL AND SUPPLY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3655 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Keller Tool and Supply Company, of 1364 Poplar Avenue, Memphis 4, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Maximum prices for sales to—		
	Jobbers	Retailers	Consumers
Insert pin and punch	*Each* $0.24	*Each* $0.32	*Each* $0.48
Insert pin (only)	.04	.05	.08

These maximum prices are for the articles described in the manufacturer's application dated December 8, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days, except that sales to consumers are net.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for these sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement, with the amount properly filled in:

OPA Retail Ceiling Price—$____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 13th day of July 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12695; Filed, July 12, 1945; 11:36 a. m.]

[MPR 188, Order 4072]

EVERGREEN PRODUCTS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Evergreen Products, Incorporated, Evergreen, Ala.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—				
		Distributors	Wholesalers (jobbers)	Chain stores	Other retailers	Consumers
Vegetable bin	2A-2	*Each* $0.96	*Each* $1.20	*Each* $1.35	*Each* $1.50	*Each* $2.50

These maximum prices are for the articles described in the manufacturer's application dated May 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.50
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of July 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12696; Filed, July 12, 1945; 11:36 a. m.]

[MPR 188, Order 4073]

PYCO ENTERPRISES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Pyco Enterprises Company, 2034 N. Argyle Street, Hollywood 28, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Jobbers	Dropship jobbers	Department and chain stores	Retailers	Consumers
Aluminum cake pan	1	*Dozen* $5.10	*Dozen* $5.78	*Dozen* $6.37	*Dozen* $7.12	*Each* $0.89

These maximum prices are for the articles described in the manufacturer's application dated April 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.89 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of July 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12697; Filed, July 12, 1945; 11:36 a. m.]

[MPR 188, Order 4074]

POLLOCK TOOL & MACHINE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Pollock Tool and Machine Company, Follansbee, W. Va.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Distributors	Jobbers	Department and chain stores	Retailers	Consumers
Vegetable bin	101-5	*Each* $1.08	*Each* $1.20	*Each* $1.50	*Each* $1.67	*Each* $2.50

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$2.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of July 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12698; Filed, July 12, 1945; 11:37 a. m.]

[MPR 188, Order 4075]

LAUTS AND BRADY

APPROVAL OF MAXIMUM PRICES

For the seasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of aluminum cooking utensils manufactured by Lauts and Brady, 1242 South Camden Drive, Los Angeles 35, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Wholesalers (jobbers)	Department and chain stores	Other retailers	Consumers
Aluminum fry pan	F10	*Each* $2.18	*Each* $2.62	[illegible]	[illegible]

These maximum prices are for the articles described in the manufacturer's application dated June 27, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum prices for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail price properly filled in:

OPA Retail Ceiling Price $4.35
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of July 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12699; Filed, July 12, 1945; 11:37 a. m.]

[MPR 188, Order 4076]

CHARLES D. WOOD AND EMELINE WEISE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Charles D. Wood & Emeline Weise of Box 2035, Route #1, Foster Road, Portland, Oreg.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller— Wholesalers (jobbers)	Retailers	Consumers
Cornmeal hopper 10"	.....	*Each* $0.38	*Each* $0.48	*Each* $0.80

These maximum prices are for the articles described in the manufacturer's application dated January 8, 1945.

(2) For sales by the manufacurer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $0.80 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of July 1945.

Issued this 12th day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12700; Filed, July 12, 1945; 11:37 a. m.]

[MPR 188, Order 4077]

ACTIVE VACUUM EXCHANGE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Active Vacuum Exchange of 921 Penn Street, Reading, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Wholesalers (jobbers)	Retailers (6 or more units)	Retailers (less than 6 units)	Consumers
Two burner, hot plate, cracklefinish, single heat, burner steel welded, covered elements	A150	$2.80	$3.36	$3.61	$5.60

These maximum prices are for the articles described in the manufacturer's application dated May 26, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to these sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Active Vacuum Exchange, 921 Penn Street, Reading, Pa., Model No. A 450—OPA Retail Ceiling Price—$5.60. Federal Excise Tax Included.
Do Not Detach or Obliterate
or
Order No. 4077 under M. P. R. 188, Model No. A450—OPA Retail Ceiling Price—$5.60. Federal Excise Tax Included.
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of July 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12701; Filed, July 12, 1945; 11:37 a. m.]

[MPR 188, Order 4078]

ARMSTRONG ALUMINUM FOUNDRY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Armstrong Aluminum Foundry Company, 1738 Winchester, Kansas City 3, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Wholesalers	Department and chain stores	Retailers	Consumers
Chicken fryer and cover	EA1	*Each* $1.88	*Each* $2.25	*Each* $2.50	*Each* $3.75

These maximum prices are for the articles described in the manufacturer's application dated June 5, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices

issued simultaneously herewith and filed

11:37 a. m.]

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are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$3.75 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of July 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12702; Filed, July 12, 1945, 11:38 a. m.]

[MPR 138, Order 4079]

FLAT TOP COOKING UTENSILS INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Flat Top Cooking Utensils Incorporated, 9 Mechanica Street, Norwalk, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Jobber	Department and chain store	Retailers	Consumers
Cast aluminum 4 piece cooking set polished finish	.....	*Each* $3.98	*Each* $4.77	*Each* $5.30	*Each* $7.95

These maximum prices are for the articles described in the manufacturer's application dated June 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$7.95
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 13th day of July 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12703; Filed, July 12, 1945; 11:38 a. m.]

[MPR 188, Order 4080]

HEIL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment, for sales by any person of the Model V-30 gas fired steel boiler-burner unit complete with metal jacket and necessary trimmings manufactured by the Heil Company of Milwaukee, Wisconsin, shall be:

(1) On sales to consumers: $278.00.

(2) On sales to dealers, the maximum price shall be that specified above in (a) (1) less a discount of 20 percent.

(3) On sales to jobbers, the maximum price shall be that specified in (a) (1) above less successive discounts of 20-20 percent.

(b) In addition to the discounts enumerated above in (a) (2) and (3) the maximum prices established by this order shall be subject to such further discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices for sales on an installed basis of the commodity covered by this Order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(d) Each seller, except on sales to consumers, shall notify, in writing, each of his purchasers at or before the date of the first invoice after the effective date of this Order of the maximum prices established by this order for sales to such purchasers and the maximum prices established by such purchasers on resale.

(e) The Heil Company shall stencil in a conspicuous place on the boiler-burner unit the maximum price to consumers established by this order and shall identify such price as the maximum price to consumers.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12704; Filed, July 12, 1945; 11:38 a. m.]

[MPR 260, Order 1522]

PAUL H. WEILER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Paul H. Weiler, 103 W. Gay St., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Belmont	Perfecto	(a)	*Per M* $	*Cents*

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12726; Filed, July 12, 1945; 8:39 p. m.]

[MPR 260, Order 1523]

PUERTO RICO TOBACCO CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Puerto Rico Tobacco Corp., #109 Dr. Veve St., Bayamon, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Savarona	Babies	50	*Per M* $28	*Cents* 2 for 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 12, 1945.

Issued this 11th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12727; Filed, July 12, 1945; 8:39 p. m.]

[MPR 260, Order 1546]

G. SUAREZ & SON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) G. Suarez & Son, 1814½ 9th Avenue, Tampa 5, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
G. Suarez & Son	Regalia 5".....	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12728; Filed, July 12, 1945; 3:40 p. m.]

[MPR 260, Order 1547]

LA PLASA DE ORO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Plasa de Oro Cigar Factory, 2015 Stuart Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Plasa de Oro	Robus Especiales	50	$75.00	10
	Londres	50	93.75	2 for 25
	Tampa Rico	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class, shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12729; Filed, July 12, 1945; 3:40 p. m.]

[MPR 260, Order 1548]

PENN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Penn Cigar Co., 113 McConaughy Street, Johnstown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cuban Gold	Perfecto	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12730; Filed, July 12, 1945; 3:40 p. m.]

[MPR 260, Order 1549]

WILLIAM S. EAST

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) William S. East, 119½ Babcock Street, Hartford, Conn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
My Habit	Perfecto	50	$115	15
"W. E."	Londres	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12731; Filed, July 12, 1945; 3:40 p. m.]

[MPR 260, Order 1550]

ANTONIO JIMENEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Antonio Jimenez Cigar Factory, 2013 26th Avenue, Tampa 5, Florida, (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Co Ello	Corona (Cadets)	50	$60	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12732; Filed, July 12, 1945; 3:41 p. m.]

[MPR 260, Order 1551]

GREAT KILLS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mildred Esselborn dba Great Kills Cigar Factory, 3991 Amboy Road, Great Kills, Staten Island 8, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
"R. E."	4⅞"	50	$115	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall al-

low the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12733; Filed, July 12, 1945; 3:41 p. m.]

[MPR 260, Order 1552]

CIGAR MAKERS CO-OPERATIVE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cigar Makers Co-Operative Co. 1929 Race Street, Cincinnati 10, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Three C	5".....	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12734; Filed, July 12, 1945; 3:41 p. m.]

[MPR 260, Order 1553]

FRANCISCO RIVERA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Francisco Rivera, Jose C Barbosa St., Las Piedras, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tubanitos	4¾".....	50	*Per M* $32	*Cents* 4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12734; Filed, July 12, 1945; 3:42 p. m.]

[MPR 260, Order 1554]

A. A. YOUNG & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Claude P. Young t/a A. A. Young & Co., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Purple Ribbon	Kings.....	50	*Per M* $72	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12735; Filed, July 12, 1945; 3:42 p. m.]

"manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ray-Vern	Londres.....	50	*Per M* $65	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12736; Filed, July 12, 1945; 3:42 p. m.]

[MPR 260, Order 1555]

RAYMOND C. SHOFF

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Raymond C. Shoff, 150 W. Main, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ray-Vern	Londres.....	50	*Per M* $65	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12737; Filed, July 12, 1945; 3:43 p. m.]

[MPR 260, Order 1556]

JOSE V. LOPEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose V. Lopez, Ba. Brooklyn, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Perilla	Breva.....	50	*Per M* $40	*Cents* 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer

or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12738; Filed, July 12, 1945; 3:43 p. m.]

[MPR 260, Order 1557]

CHARLES VAN HOOF

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Charles Van Hoof, 488 High Street, Clinton, Mass. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Big Ten	Londres	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12739; Filed, July 12, 1945; 3:43 p. m.]

[MPR 260, Order 1558]

WESTERN VALLEY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Western Valley Cigar Co., 7 South First St., Alhambra, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Habana Creme	Panatela Special	50	$75.00	10
	Coronitas	50	82.50	11
	Panatelas	50	97.50	13
	Queens	50	115.00	15
	Queen de Luxe	50	101.25	2 for 27
	Favoritas	50	75.00	10
	Blunts	50	101.25	2 for 27
	Club House	50	108.75	2 for 29
	Biltmore	50	113.00	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12740; Filed, July 12, 1945; 3:44 p. m.]

[MPR 260, Order 1559]

HERMINIO SUAREZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Herminio Suarez, 320 Fifth Ave., New York 1, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Naran	Petit Cetros	80	$154	3 for 55

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12741; Filed, July 12, 1945; 3:44 p. m.]

[MPR 260, Order 1560]

COSMO RE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cosmo Re Cigar Factory, 1713 Columbus Drive, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
C. R.	Polos	50	$75.00	10
	Londres	50	90.00	12
	Populares	50	56.00	7
	Coronas	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12742; Filed, July 12, 1945; 3:44 p. m.]

[MPR 260, Order 1561]

PREP CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Prep Cigar Factory, 2130 South 61st Avenue, Cicero 50, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark (inches)	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Prep-De Luxe [1]	5¾	50	$105.00	14
La Sarno [1]		50	72.00	9
Prep Special [1]	5¾	50	93.75	2 for 25

[1] No deviation from brand names is permissible because of difficulties of securing boxes.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12743; Filed, July 12, 1945; 3:44 p. m.]

[MPR 260, Order 1562]

ADELPHIA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Adelphia Cigar Co., 825 Walnut St., Phila. 5, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark (inches)	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
"Adelphia"	5½	50	$55.75	2 for 21
Private Stock	5½	50	78.75	2 for 21
"Adelphia"	Perfecto 5	50	72.00	9
	5	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12744; Filed, July 12, 1945; 3:45 p. m.]

[MPR 260, Order 1563]

D. VALENTI CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) D. Valenti Cigar Factory, 2922 22d Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
"La Torre"	Brevas	50	$90	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and

the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12745; Filed, July 12, 1945; 3:45 p. m.]

[MPR 260, Order 1564]

L. GULLO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) L. Gullo Cigar Factory, 1701½ 8th Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
L. Gullo	Londres	50	$75	10
	Corrientes	50	75	10
	Culebr	50	105	14
	Special Breva	50	154	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12746; Filed, July 12, 1945; 3:45 p. m.]

[MPR 260, Order 1565]

ARNOLDO GUADALUPE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Arnoldo Guadalupe, 139 De Lancy St., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Don Guada	Queen Grande	50	$115	15
	Coronados	50	138	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12747; Filed, July 12, 1945; 3:46 p. m.]

[MPR 260, Order 1566]

GARCIA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Garcia Cigar Co., Cristobal Colon #23 St. Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Rienzoma	Corona (No. 4) 4⅞ in.	50	$48	6
	Corona (No. 5) 4⅞.	50	48	6
	Corona (No. 6) 4¾.	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc 45-12748; Filed, July 12, 1945; 3:46 p. m.]

[MPR 260, Order 1567]

GRAHAM & SUMMERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Graham & Summers, R. D. No. 1, Wrightsville, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Rosa Nita	Invincible	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 13, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12749; Filed, July 12, 1945; 3:46 p. m.]

[Supp. Order 94, Order 69]

U. S. DEPARTMENT OF COMMERCE

MAXIMUM PRICES FOR SALES OF USED AIRPLANE TIRES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales by the United States Department of Commerce of the following used airplane tires which are usable on such ground types of vehicles as farm implements and equipment, passenger cars, trucks, farm wagons and the like:

Item No.	Quantity in units	Description
4-0438802	6,135	Usable airplane casings requiring but one sectional repair
10-04220-3	2,849	Usable airplane casings requiring but one sectional repair
10-04220-3	1,667	Usable airplane casings requiring but one sectional repair
10-04220-3	266	Usable airplane casings requiring but one sectional repair

(b) *Maximum prices.* The maximum prices for sales by the United States Department of Commerce of the following used tires described in paragraph (a) shall be:

Smooth contour:	
24"	$2.81
27"	3.75
30"	5.81
33"	8.63
36"	8.03
51"	14.06
56"	25.10
12.50 x 6½	1.09
14.50 x 5	1.09
17.00"	2.33
17.50"	1.09
30.00"	4.58
High pressure:	
26 x 6	3.08
30 x 7	4.65
32 x 8	6.68
34 x 9	8.63
36 x 8	5.83
40 x 10	7.28
8.50 x 12½	2.81
Low pressure:	
8.00-5	1.09
6.00-9	5.25
6.50-10	5.85
7.50-10	5.85
8.50-10	5.44
11.00-12	2.81
12.50-14	4.80
15.00-16	4.88
16.00-16	8.63
17.00-16	8.63
18.00-16	8.63
15.50-20	18.98
17.00-20	18.98
27.50 x 8.90-12.50	2.44
Extra high pressure:	
22 x 7.25-11.50	5.85
Low profile:	
19 x 6.80-10	5.44

The above prices are f. o. b. point of shipment.

(c) *Relationship to other regulations and orders.* This order with respect to the airplane tires it covers, supersedes any other regulation or order previously issued by the Office of Price Administration.

(d) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 12, 1945.

Issued this 12th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12725; Filed, July 12, 1945; 3:38 p. m.]

[Supp. Order 94, Amdt. 1 to Order 63]

UNITED STATES DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR CERTAIN FIRST AID DRESSINGS

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. 63 under Supplementary Order 94 is amended in the following respect:

1. Paragraph (g) is amended to read as follows:

(g) *Definitions.* (1) "Sale at retail" means a sale to an ultimate consumer except as provided in (2) herein.

(2) "Sale at wholesale" means a sale by a person to any person other than an ultimate consumer; and includes a sale to an industrial, commercial or institutional user when made by a wholesaler.

(3) "Wholesaler" means any person whose sales to resellers constitute the major part of his total sales.

This amendment shall become effective immediately.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12801; Filed, July 13, 1945; 11:14 a. m.]

Regional and District Office Orders.

[Region I Order G-11 Under MPR 426]

PEACHES IN BOSTON, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix K (r) (3) and (r) (4) of Maximum Price Regulation No. 426; *It is hereby ordered:*

1. The maximum prices for sales of peaches as established by Article III, section 15, Appendix K of Maximum Price Regulation No. 426 are modified by increasing certain of the maximum markups appearing in Table A in Appendix K so that they will read as follows:

Column 1	Column 2	Column 3	Column 12
No. Item	Commodity	Unit	Sales by any person (including grower-packers) through a grower's sales agent and sales-by-shipping point distributors. Through a commission merchant in less-than-carlots or less-than-truckslots. Ex-terminal sales platform.
1	Peaches	Fruit box (WPB L-232 No. 35) with a net weight of 16-19 pounds, (items 1, 5, 10 and 11, table 1).	$0.19
		Fruit box (WPB L-232 No. 36) with a net weight of 19-21 pounds, (item 6, table 1).	.21
		Sanger lug box (WPB L-232 No. 46) with a net weight of 22-26 pounds, (items 7, 12, and 13, table 1).	.26
		Standard bushel baskets (items 2, 18 and 19, table 1).	.48
		Standard ½ bushel baskets (items 20 and 21, table 1).	.24
		Box (WPB L-232 Nos. 35, 36 or 46 with a net weight of less than or more than that specified above for the particular box; bushel baskets and ½ bushel baskets, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3) (i); all other containers or bulk (loose without containers)—per pound (items 3, 4, 5, 9, 14-17 and 22-25).	.01⅓

2. The maximum prices for sales of peaches as established by Article III, section 15, Appendix K of Maximum Price Regulation No. 426 are modified by increasing certain of the maximum markups appearing in Table B in Appendix K so that they will read as follows:

Column 1	Column 2	Column 3	Column 5
Item No.	Commodity	Unit	Sales by primary receivers in less-than-carlots or less-than-truckslots. Through an auction or terminal sales platform
1	Peaches	Fruit box (WPB L-232 No. 35) with a net weight of 16-19 pounds (items 1, 5, 10 and 11, table 1).	$0.21
		Fruit box (WPB L-232 No. 36) with a net weight of 19-21 pounds (item 6, table 1).	.24
		Sanger lug box (WPB L-232 No. 46) with a net weight of 22-26 pounds (items 7, 12 and 13, table 1).	.29
		Standard bushel baskets (items 2, 18 and 19, table 1).	.54
		Standard ½ bushel baskets (items 20 and 21, table 1).	.27
		Box (WPB L-232 Nos. 35, 36 or 46) with a net weight of less than or more than that specified above for the particular box; bushel baskets and ½ bushel baskets, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3) (i); all other containers or bulk (loose without containers)—per pound (items 3, 4, 5, 9 14-17 and 22-25).	.01⅞

3. This order applies to sales or deliveries in the City of Boston, Commonwealth of Massachusetts.

4. Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time.

This order shall become effective on June 28, 1945.

Issued this 25th day of June 1945.

ELDON C. SHOUP,
Regional Administrator.

Approved:

FRANCIS D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 45-12719; Filed, July 12, 1945; 1:28 p. m.]

[Region II Order G-53 Under RMPR 122, Amdt. 18]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respects:

1. Appendix A is amended by adding new designated items (32) and (33) immediately after item (31) to read as follows:

Kind	Permitted per net ton increase above applicable area ceiling price for anthracite, pursuant to paragraph (b). (For sales of fractions of a net ton, the increase shall be proportionate)							
	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(32) "Gilberton Coal". (This applies only to anthracite produced and prepared by Gilberton Coal Company, Gilberton, Pa.)	$0.40	$0.40	$0.40	$0.40	$0.40	$0.40	$0.40	-------
(33) "Frackville Coal." (This applies only to anthracite produced and prepared by Frackville Coal Company, Inc. at its Lucaima Colliery located at Cumbola, Pa.)	.20	.20	.20	.20	.20	.20	.20	-------

This Amendment No. 18 to Order No. G–53 with respect to Gilberton Coal Company shall become effective as of June 14, 1945 and with respect to Frackville Coal Company, Inc.; it shall become effective as of June 28, 1945, except that for purposes of an application under paragraph (c) of Order No. G–53, it shall not become effective until July 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of June 1945.

CHARLES T. ABERNETHY,
Acting Regional Administrator.

[F. R. Doc. 45-12708; Filed, July 12, 1945; 1:22 p. m.]

[Region II Order G-64 Under RMPR 122 and MPR 120]

SOLID FUELS IN ALLEGHENY COUNTY, PA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and under § 1340.209 of Maximum Price Regulation No. 120, it is ordered:

(a) *What this order does*—(1) *Maximum prices; area covered.* If you are a dealer, or producer of bituminous coal making "direct-delivery" sales at retail, this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of bituminous coal, delivered to or at any point in Commonwealth of Pennsylvania—Coal Area XII. That area consists of all of Allegheny County in the Commonwealth of Pennsylvania.

(2) *Schedules of prices and charges.* The applicable prices and authorized charges from which you shall determine the maximum prices for designated kinds, sizes and quantities of bituminous coal delivered within Allegheny County are set forth in Schedule I hereafter.

(3) *To what sales this order applies.* If you are a dealer, or producer of bituminous coal, making "direct-delivery sales at retail", you are bound by the prices and charges, and by all other provisions of this order for all deliveries within Allegheny County, whether or not you are located in Allegheny County. If you are a dealer making "yard sales", you are likewise bound by all provisions of this order for all such sales within Allegheny County.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy bituminous coal of the kinds, sizes, and in the quantities set forth in the schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, if any, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government, or

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum prices as follows:

(1) Refer to Schedule I which contains separate tables of prices for "direct-delivery" sales and "yard sales" of bituminous coal. You will find Schedule I in paragraph (d).

(2) Take the dollars-and-cents figure given in the applicable table of the schedule, for the kind, size and quantity of bituminous coal you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified herein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedule.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain kinds, sizes and quantities of bituminous coal, delivered to or at any point within Area XII. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis by dealers and bituminous coal producers—for sales of underground mine bituminous coal from District 2, of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton
All single-screened lump coals larger than 2" and all double-screened Egg coals with bottom size larger than 2", including 4" lump and 4" x 6" egg	$6.44
All Lump coal larger than 1¼" but not exceeding 2" bottom size, including 2" lump	6.29
All double-screened coal with a bottom size larger than 1¼" but not over 2", and a top size larger than 2", including 4" x 2" egg	6.09
All double-screened coal with a top size 2" and smaller, including stoker and stove	6.09
Mine Run (straight mine run, all mine run resultants larger than 2" and any mine run altered by the removal of any intermediate size)	5.64
Nut and Slack (screenings larger than 1¼" but not exceeding 2" top size)	5.04
Slack (screenings top size not exceeding 1¼")	4.89

Required discounts. There shall be deducted from the prices set forth above the following discounts on sales and deliveries to consumers purchasing from one dealer, for delivery at one point, the quantities of coal specified, within a period of twelve months:

Quantity (net tons):	Discount (per net ton, cents)
1–50	0
51–500	15
501–2500	25
2501–5000	35
5001–10,000	40
10,001 and up	50

You must grant this discount whether the purchaser has received the designated quantity pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of specified quantities for delivery at one point.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:	Per net ton
Shoveling	$0.75
Wheeling	.75
Carrying (15 steps or less)	1.00
Carrying (16 steps or more)	1.25
Single chute	.75
Double chute or multiple chute	1.00

Not more than one of the foregoing charges may be imposed in the course of a single delivery.

For deliveries in units of less than 2 tons: $0.25 per net ton.

(2) *"Yard sales" by dealers*[1]*—for sales of underground mine bituminous coal from District 2, of the kinds and sizes, and in the quantities specified:*

Kind and size of coal	Per net ton
All single-screened lump coals larger than 2" and all double-screened egg coals with bottom size larger than 2", including 4" lump and 4" x 6" egg	$5.44

[1] Producers' "yard sales" not governed by this order.

Kind and size of coal	Per net ton
All lump coal larger than 1¼" but not exceeding 2" bottom size, including 2" lump	$5.29
All double-screened coal with a bottom size larger than 1¼" but not over 2", and a top size larger than 2", including 4" x 2" egg	5.09
All double-screened coal with a top size 2" and smaller, including stoker and stove	5.09
Mine run, (straight mine run, all mine run resultants larger than 2" and any mine run altered by the removal of any intermediate size)	4.74
Nut and slack (screenings larger than 1¼" but not exceeding 2" top size)	4.29
Slack (screenings top size not exceeding 1¼")	4.14

(3) *Addition for oil or chemical treatment of bituminous coal.* Notwithstanding other provisions of this order, if you are a dealer charged a price for oil or chemical treatment of bituminous coal, or if you are a producer authorized to make a charge for oil or chemical treatment under Maximum Price Regulation No. 120, you may, on sales of such treated coal, add to the maximum prices set by this order, the treatment charge made by your supplier, or, if you are a producer, your authorized treatment charge: *Provided*, That this charge does not exceed 10¢ per net ton. This treatment charge may be added only if the treated coal is kept separate and not mixed with other untreated coal. You must state the treatment charge separately from all other items on your invoice.

(e) *Commingling.* If one size or kind of bituminous coal is sold commingled with another size or kind of bituminous coal, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or for the least expensive kind so commingled, whichever is lower, except in the following situation: Where a purchaser requests that two or more sizes or kinds of bituminous coal be commingled in one delivery, then, and in that event, if these sizes and kinds are separately weighed at the point of loading, the dealer may commingle those sizes and kinds in the truck or other vehicle, in which the delivery is made. The price for solid fuel so commingled shall be calculated on the basis of the applicable per net ton price for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(f) *Ex Parte 148 freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(g) *Addition of increase in producer's or supplier's maximum price prohibited.* The specific maximum prices established by this order already reflect increases in maximum prices of bituminous coal producers affected and, in the case of dealers, in their supplier's maximum prices, which occurred up to the effective date of this order. You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increases in your maximum mine price, if you are a bituminous coal producer, nor in your supplier's maximum prices, if you are a dealer. The Regional Administrator will, if he deems it to be warranted, take appropriate action to amend this order to reflect such subsequent increases that may occur.

(h) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the Commonwealth of Pennsylvania or any political subdivision thereof, you need not state this tax separately.

(i) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the bituminous coal has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(j) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(k) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(l) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(m) *Records.* If you are a dealer or producer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of bituminous coal hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(n) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer or producer subject to this order, you shall post all your maximum prices (as set forth in Schedule I of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer or producer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of solid fuel sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser.

(o) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Pittsburgh District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(p) *Definitions and explanations.* When used in this Order No. G–64, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy" "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Bituminous coal producer" means a person engaged in the business of mining bituminous coal or preparing bituminous coal at a preparation plant which is an adjunct of a mine or mines, and any person acting as agent of a producer in the sale of bituminous coal.

(5) "Direct delivery" means delivery to buyer's bin or other storage space designated by buyer.

(6) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(7) "Shoveling" refers to housing of solid fuel by dumping it near the consumer's coal window, at the curb or on the sidewalk or driveway, and manually

shoveling it through the window into the bin or storage space.

(8) "Wheeling" refers to housing of solid fuel by dumping it at the curb or on the sidewalk or driveway, shoveling it into wheelbarrow, and then wheeling it into the bin or storage space, or wheeling it to the coal window and dumping or shoveling through the window into the bin or storage space.

(9) "Carrying" refers to housing of solid fuel by dumping it at the curb, or on the sidewalk or driveway, as near as possible to the consumer's coal window but at a distance and on a level which will not permit "chuting", "shoveling", or "wheeling", then shoveling it into baskets and carrying (including carrying up steps) to and dumping into the bin or storage space, usually through consumer's coal window.

(10) "Single chute" refers to housing of solid fuel by placing a single chute on the side of the truck, extending it into the coal window, then manually shoveling the fuel from the bed of the truck into the chute through which it is moved or moves, largely by gravity, into the bin or storage space. (This service is not to be confused with "dumping by way of chute". There the truck is backed up to the coal window, a chute is fastened to a door in the end-gate of the truck and extended through the coal window, the front body of the truck is mechanically raised, and the fuel is kept manually flowing through the chute and into the bin or storage space.)

(11) "Double chute" or "multiple chute" refers to housing of solid fuel in the same manner as by "single chute" except that two or more chutes are attached together for the purpose. The solid fuel is shoveled from the bed of the truck into the chutes and forced through the chutes into the bin or storage space.

(12) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(13) All designations in this order of sizes, classifications, etc., applicable to bituminous coal, refer to the sizes, classifications, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division of the United States Department of Interior, as in effect midnight, August 23, 1943.

(14) "Underground mine coal" means coal that is taken entirely from underground seams from which the overburden is not removed, and does not include coal from a mine which takes coal from the ground by the stripping method, except that, for purposes of this order, underground mine coal shall include coal from strip mines that has been especially prepared and for which the producer has been authorized to charge the maximum prices for underground mine coal.

(15) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(q) *Effect of order on Revised Maximum Price Regulation No. 122 and Maximum Price Regulation No. 120.* To the extent applicable, this order supersedes Revised Maximum Price Regulation No. 122 and Maximum Price Regulation No. 120.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–64 shall become effective June 18, 1945.

(56 Stat. 23, 765, 57 Stat. 566., Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8. F. R. 4681)

Issued this 12th day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-12716; Filed, July 12, 1945; 1:26 p. m.]

[Region V Order G-3 Under RMPR 122, Amdt. 4]

SOLID FUELS IN TOPEKA, KANS., AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V, by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith; *It is ordered:* That Order No. G-3 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended as follows:

1. Section (c), Price Schedule (1), is amended to read as follows:

(c) *Price schedule.* (1) Below and a part of this section is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels.

Description of fuel	Maximum price per ton	
	Produced at—	
	Strip mines	Underground mines, machine cut
I. *High volatile bituminous coal from district 10 (Illinois)*		
(A) Coals from machine loading mines in the Southern Subdistrict (price groups 1, 2, and 3):		
(1) Lump and egg; (bottom size larger than 2"), size groups 1, 2, and 3	$9.59	
(2) Egg or nut, (top size 4" to larger than 2", bottom size 2" to larger than 1½")	9.29	
II. *Low volatile coal from district 14 (Arkansas and Oklahoma)*		
(A) Production group 1. "Arkansas Anthracite" from mines in Pope County and the Spadra Field of Johnson County, Arkansas:		
(1) Grate (double screened coal—bottom size larger than 4")		$10.37
(2) Nut (top size 2½" to larger than 1½"; bottom size larger than ⅝" but not larger than 1½")		12.60
(B) Production groups 2 and 3. From mines in the Paris Basin and the Denning Coal Hill and Altus Fields of Franklin, Johnson, and Logan Counties, Arkansas:		
(1) Lump (bottom size 2½" and larger)		11.60
(2) Egg (top size 4" to larger than 3", bottom size not exceeding 2")		12.07
(3) Nut (top size 2½" to larger than 1½"; bottom size 1½" to larger than ⅝")		11.80
(4) Stoker-run (top size not larger than 1¼"; bottom size ⅝" and smaller)		9.20
(C) Production group 5. From mines in Sebastian County, Arkansas: (1) Lump (bottom size 2½" and larger)	$11.55	12.45
(D) Production Group 6. From mines in the Panama Field of LeFlore County, Oklahoma: (1) Lump (bottom size 2½" and larger)		12.47
(E) Production Group 7. From mines in the Hokosho-Milton Fields of LeFlore County and McCurtain Field of Haskell County, Oklahoma:		
Lower Hartshorne seam coal—Classification 7A:		
(1) Lump (bottom size 2½" and larger)		12.78
Upper, or upper and lower Hartshorne seam coal mixed—classification 7AA:		
(2) Lump (bottom size 2½" and larger)		12.47
III. *High volatile bituminous coal from district 15 (Missouri, Kansas, and Oklahoma)*		
(A) Production group 1. From mines in Cherokee, Crawford, Bourbon, and Labette Counties, Kansas; and Barton, Jasper, Dade, Cedar and that portion of Vernon County lying South of an east and west line drawn through the town of Nevada, Missouri.		
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")	7.91	8.75
(2) Fancy nut (top size 3" to larger than 2"; bottom size larger than 1¼")	7.64	8.45
(3) Standard nut (top size 3" to larger than 2"; bottom size 1¼" and smaller)	7.29	7.99
(4) No. 2 nut (double screened coal—top size 2" to larger than 1¼"):		
Washed	7.24	7.70
Raw	6.29	6.85
(5) Stoker (top size 1½" and smaller; bottom size ⅜" to larger than ¼")	5.74	
(6) Screenings, washed (1¼" x 0)		
(B) Production group 2. From mines in Linn County, Kansas; Bates, Henry, St. Clair, and that portion of Vernon County lying North of an east and west line drawn through the town of Nevada, Missouri		
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")	7.39	
(2) Fancy nut (top size 3" to larger than 2"; bottom size larger than 1¼")	7.04	
(C) Production group 3. From mines in Macon and Randolph Counties, Missouri:		
(1) Stoker (top size 1½" and smaller; bottom size ⅜" to larger than ¼")	6.14	
(2) Screenings (1¼" x 0)	5.64	
(D) Production group 6. From mines in Osage, Franklin, Lyon and Coffey Counties, Kansas:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1¼")	6.89	8.35
(E) Production Group 7. Genuine McAlester Seam coal from mines in Latimer and Pittsburg Counties, Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1¼")	12.14	13.40
(2) Standard nut (top size 3" to larger than 2"; bottom size 1¼" and smaller)	9.99	10.70
(F) Production group 9. From mines in Coal County, Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1¼")	11.39	12.60
(2) Standard nut (top size 3" to larger than 2"; bottom size 1¼" and smaller)	9.49	10.40
(3) Chestnut (top size 1¼" and smaller; bottom size larger than ⅜")	8.09	9.35

Description of fuel	Maximum price per ton	
	Produced at—	
	Strip mines	Underground mines, machine cut
III. *High volatile bituminous coal from district 15 (Missouri, Kansas, and Oklahoma)*—Continued		
(G) Production group 10. From mines in McIntosh and Okmulgee Counties, Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1¼")		$11.10
(2) Standard nut (top size 3" to larger than 2"; bottom size 1¼" and smaller)		9.30
(3) Stoker-run (top size 1¼" and smaller, bottom size ⅜" to larger than ¼")		7.80
(H) Production group 11. From mines in Craig, Roger, Tulsa, and Wagoner Counties, Oklahoma, and that part of Muskogee County Oklahoma lying north of a line drawn straight east and west across Muskogee County along the Southern limits of the Town of Porum, Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1¼")	$8.69	
(2) Standard nut (top size 3" to larger than 2"; bottom size 1¼" and smaller)	8.04	
(3) Stoker-run (top size 1¼" and smaller; bottom size ⅜" to larger than ¼")	6.94	
IV. *High Volatile Bituminous Coal from District 17 (Colorado)*		
(A) Subdistrict No. 2:		
(1) Lump (bottom size 3" to larger than 1¼")		14.70
(2) Nut (top size 3" to larger than 1¼", bottom size 1¼" to larger than 1")		13.40
V. *Briquettes*		
(I) Standard briquettes produced in Kansas City, Missouri, manufactured from District 14 coal	$13.35	

2. Section (e) is amended to read as follows:

(e) *Transportation tax: Kansas State sales tax*—(1) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order provided the dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State government or any political subdivision thereof (see § 1340.265 (b) of Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(2) *The Kansas State sales tax.* The seller may add to the prices listed in the schedule in section (c) the sales tax required to be collected by the laws of the State of Kansas. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

3. Section (j) is amended to read as follows:

(j) *Sales slips and receipts, records.* (1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing the following information: the name and address of the seller and the purchaser, the kind, size and quantity of the solid fuels sold, the date of the sale or delivery, and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges, and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated: *And further provided*, That provisions of this section shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

4. Section (m) is amended to read as follows:

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political sub-divisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" or "production groups", as used in this Order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups", as used in this Order refers to the price groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified in this order.

(9) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(10) "Solid fuel" (or "solid fuels") means all solid fuel (except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this order during December 1941.

(12) "Machine-cut coal" is coal produced from an underground mine which is cut mechanically by the use of a "cutting machine" before the coal is dislodged for loading either by hand or by mechanical means.

(13) "Deep mine" or "underground mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(14) A "strip mine" means a mine producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(15) "Arkansas anthracite," as used in this order, is coal whose analysis and

non-coking characteristics are similar to anthracite produced in the Pennsylvania fields.

(16) Except as otherwise specifically provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

5. Supplementary Order No. 1 issued May 4, 1945, as amended, insofar as such Supplementary Order and Amendment affect Order No. G–3, is hereby revoked.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this 5th day of July 1945.

W. A. ORTH.
Regional Administrator.

[F. R. Doc. 45–12717; Filed, July 12, 1945; 1:26 p. m.]

[Region V Order G–7 Under RMPR 122, Amdt. 4]

SOLID FUELS IN SPRINGFIELD, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:* That Order No. G–7 under Revised Maximum Price Regulation No. 122, maximum prices for solid fuels sold in the city of Springfield, Missouri, be, and the same is hereby amended as follows:

1. Section (c), Price Schedule (1), is amended to read as follows:

(c) *Price schedule.* (1) Below and a part of this section is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels.

SPRINGFIELD, MISSOURI MAXIMUM PRICE SCHEDULE

Description of fuel	Maximum price per ton
I. *High volatile bituminous coal from District 10 (Illinois)*	
(A) Production groups 1, 2 and 8. Coals from machine loading mines in the Southern and Duquoin Sub-Districts:	
(1) Lump and egg (bottom size larger than 2")	$8.70
(2) Small egg (bottom size 2" and smaller)	8.20
Stove (bottom size larger than 3/4", top size larger than 1 1/4" but not exceeding 2")	8.20
(3) Household stoker (bottom size larger than 1 millimeter, top size 2" or less	7.70

Description of fuel	Produced at— Strip mines	Underground mines: Machine cut	Underground mines: Solid shot
II. *Low volatile bituminous coal from district 14 (Arkansas and Oklahoma)*			
(A) Production groups 2 and 3. From mines in the Denning-Coal Hill, Altus and Philpott Fields and the Paris Basin of Franklin, Logan and Johnson Counties, Arkansas:			
(1) Lump (bottom size 2 1/2" or larger)		$12.60	$11.80
(2) Household stoker, washed (top size 1 1/2", bottom size 3/8" or smaller)		9.60	
(B) Production groups 4, 5, 7 and 8. From mines in the Bokoshe, Milton, Peterni, Wister, and Howe-Heavener fields of LeFlore County, the McCurtain field of Haskell County and all mines in Sequoyah County, Oklahoma; mines in the Bates field in Scott County, in the Charleston field of Franklin County, and mines in Sebastian County, Arkansas:			
(1) Lump (bottom size 2 1/2" or larger)		12.60	
(C) Production group 6. From mines in the Panama Field of LeFlore County, Oklahoma:			
(1) Lump (bottom size 2 1/2" or larger)	$10.90	11.50	

Description of fuel	Produced at— Strip mines	Underground mines
III. *High volatile bituminous coal from district 15 (Missouri, Kansas and Oklahoma)*		
(A) Production group 1. From mines in Cherokee, Crawford, Bourbon and Labette Counties, Kansas, and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying South of an east and west line drawn through the town of Nevada, Missouri:		
(1) Lump; egg (top size larger than 3", bottom size larger than 1 1/4")	$6.89	$7.70
(2) Nut (top size 3" to larger than 2", bottom size 1 1/4")	6.09	7.65
(3) Household stoker (top size 1 1/4", bottom size 3/16")	5.19	
(4) Mill (1 1/4" x 0)		
(B) Production group 2. From mines in Linn County, Kansas; Bates, Henry, St. Clair, and that portion of Vernon County lying North of an east and west line drawn through the town of Nevada in Missouri:		
(1) Lump; egg (top size larger than 3", bottom size larger than 1 1/4")	6.84	
(2) Nut (top size 3" to larger than 2", bottom size 1 1/4")	6.84	
(C) Production group 10. From mines in Okmulgee County, Oklahoma:		10.00
(1) Lump; egg (top size larger than 3", bottom size larger than 1 1/4")		7.00
(2) Household stoker (top size 1 1/4", bottom size 3/4")		
(D) Production group 11. From mines in Craig, Roger, Tulsa and Wagoner Counties, Oklahoma, and that part of Muskogee County, Oklahoma lying north of a line drawn straight east and west across Muskogee County along the southern limits of the town of Porum, Oklahoma:		
(1) Lump; egg (top size larger than 3", bottom size larger than 1 1/4")	6.19	
(2) Nut (top size 3" to larger than 2", bottom size 1 1/4")	6.04	

2. Section (j) is amended to read as follows:

(j) *Sales slips and receipts; records.* (1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing the following information: the name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated. This section shall not apply to sales of solid fuel in less than quarter ton lots unless requested by the purchaser.

3. Section (e) is amended to read as follows:

(e) *Transportation tax: Missouri State sales tax.*—(1) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order provided the dealer states it separately from the price of fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State government or any political subdivision thereof (See § 1340.265 (b) of Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(2) *The Missouri State sales tax.* The seller may add to the prices listed in the schedule in paragraph (c) the sales tax required to be collected by the laws of the State of Missouri. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

4. Section (m) is amended to read as follows:

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sell" includes, sell, supply, dispose, barter, exchange, lease, transfer, and deliver and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "production groups", as used in this Order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups", as used in this order refers to the price groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "High volatile bituminous coal" means coal produced in high volatile sections of the producing districts specified in this order.

(9) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(10) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite, all coke, including low temperature coke (except by-products, foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect, (or established) as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this order during December 1941.

(12) "Deep mine" or "under-ground mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(13) "Strip mine" means a mine producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(14) "Machine-cut coal" is coal produced from an underground mine which is cut mechanically by the use of a "cutting machine" before the coal is dislodged for loading either by hand or by mechanical means.

(15) "Solid-shot coal" is coal produced from an underground mine which is shot from the solid and is not cut mechanically by use of a "cutting machine" before the coal is dislodged for loading.

(16) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

5. Supplementary Order No. 1 issued by the Regional Administrator, May 4, 1945, as amended, May 18, 1945, insofar as said supplementary order and amendment affects Order No. G–7 is hereby revoked.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this 5th day of July 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45–12718; Filed, July 12, 1945; 1.28 p. m.]

[Region VII Order G–11 Under Order 1444 to MPR 188]

SISLER BROS. AND CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–11 is issued.

(a) *What this order does.* This Order No. G–11 establishes maximum prices for two toy items manufactured by Sisler Brothers and Company, 2944 Wyandot Street, Denver, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–11, maximum prices for the two toy items manufactured by Sisler Brothers and Company of Denver, Colorado, and by it designated "Duck Pull Toy, Model No. PDB 100" and "Wooden Toy Boat, Model No. PDB 103", when made in accordance with the specifications set forth in the applications of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Duck pull toy model No. PDB 100	Wooden toy, boat Model No. PBD 103
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	*Per dozen* $3.20	*Per dozen* $1.90
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	4.00	2.10
(3) When sold by any seller to an ultimate consumer or user	*Each* $0.55	*Each* $0.29

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–11 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–11 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this Duck Pull Toy, Model No. PDB 100, and Wooden Toy Boat, Model No. PDB 103 are:

	Duck pull toy model No. PDB 100	Wooden toy boat model No. PDB 103
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	*Per dozen* $4.00	*Per dozen* $2.10
(2) When sold by any seller to an ultimate consumer or user	*Each* $0.55	*Each* $0.29

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G–11 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The prices authorized by this Order No. G–11 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Ad-

ministrator or the Regional Administrator.

Effective date. This Order No. G-11 shall become effective on the 29th day of June 1945.

Issued this 29th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12710; Filed, July 12, 1945; 1:23 p. m.]

[Region VII Order G-27 Under MPR 188]

DENVER MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-27 under Maximum Price Regulation No. 188. Authorized maximum prices for a lawn sprinkler manufactured by Denver Manufacturing Company, Denver, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-76.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-27 is issued.

(a) *What this order does.* This Order No. G-27 establishes maximum prices for a lawn sprinkler manufactured by Denver Manufacturing Company of 808 Twentieth Street, Denver, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-27, the maximum prices for the Lawn Sprinkler, Model No. 1-A, manufactured by Denver Manufacturing Company, 808 Twentieth Street, Denver, Colorado, in accordance with the specifications set forth in the application of said manufacturer on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler: $6.00 per dozen.
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer: $8.00 per dozen.
(3) When sold by any seller to an ultimate consumer or user: $1.00 each.

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-27 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-27 under Maximum Price Regulation No. 188, the OPA authorized maximum resale prices for this Lawn Sprinkler, Model No. 1-A, are:

(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer; $8.00 per dozen.
(2) When sold by any seller to an ultimate consumer or user; $1.00 each.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-27 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-27 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-27 shall become effective on the 30th day of June 1945.

Issued this 30th day of June 1945.

RICHARD Y. BATTERTON.
Regional Administrator.

[F. R. Doc. 45-12709; Filed, July 12, 1945; 1:23 p. m.]

[Region VII Order G-28 Under MPR 188]

WESTWOOD MACHINE SHOP, ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-28 Under Maximum Price Regulation No. 188. Authorized maximum prices for a lawn sprinkler manufactured by C. G. Peters, doing business as Westwood Machine Shop, of Denver, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-82.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-28 is issued.

(a) *What this order does.* This Order No. G-28 establishes maximum prices for a lawn sprinkler manufactured by C. G. Peters, doing business as Westwood Machine Shop, of 3005 West Dakota Avenue, Denver, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-28, the maximum prices for the lawn sprinkler manufactured by C. G. Peters, doing business as Westwood Machine Shop, Denver, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler: $1.95 each.
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer: $2.60 each.
(3) When sold by any seller to an ultimate consumer or user: $3.90 each.

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting; and on sales made to jobbers or wholesalers the manufacturer must allow full freight if the shipment weighs 100 pounds or more.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-28 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-28 under Maximum Price Regulation No. 188, the OPA authorized maximum resale prices for this Lawn Sprinkler are:

(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer: $2.60 each.
(2) When sold by any seller to an ultimate consumer or user: $3.90 each.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-28 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-28 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-28 shall become effective on the 30th day of June 1945.

Issued this 30th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12715; Filed, July 12, 1945; 1:26 p. m.]

[Region VII Order G-29 Under MPR 188]

CYCLONE MFG. CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-29 under Maximum Price Regulation No. 188. Authorized maximum prices for a lawn sprinkler manufactured by Phillip Kalmbach, Jr., doing business as Cyclone Manufacturing Company, Wheatridge, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-80.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-29 is issued.

(a) *What this order does.* This Order No. G-29 establishes maximum prices for a lawn sprinkler manufactured by Phillip Kalmbach, Jr., doing business as Cyclone Manufacturing Company, 3299 Wadsworth Avenue, Wheatridge, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-29, the maximum prices for the lawn sprinkler manufactured by Phillip Kalmbach, Jr., doing business as Cyclone Manufacturing Company, 3299 Wadsworth Avenue, Wheatridge, Colorado, in accordance with the specifications set forth in the application of said manufacturer on file in this Regional Office as a part of the record in this case, which said article he designates "Cyclone Sprinkler, Model No. AA-1", shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a retailer: $24.00 per dozen.
(2) When sold by any seller to an ultimate consumer or user: $3.25 each.

NOTE: The maximum price authorized by the above paragraph (1) is subject to a discount of 2% for payment within 10 days from date of invoice, and includes all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer makes a first sale under this Order No. G-29 to a retailer, he must show upon the invoice or on a separate slip or rider attached thereto the following:

By virtue of Order No. G-29 under Maximum Price Regulation No. 188, the OPA authorized maximum resale price for this Cyclone Sprinkler when sold by any seller to an ultimate consumer or user is $3.25 each.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-29 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-29 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-29 shall become effective on the 30th day of June 1945.

Issued this 30th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12714; Filed, July 12, 1945; 1:25 p. m.]

[Region VII Order G-30 Under MPR 188]

SISLER BROS. & CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-30 Under Maximum Price Regulation No. 188. Authorized maximum prices for specified articles manufactured by Sisler Brothers & Company of Denver, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-64.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-30 is issued.

(a) *What this order does.* This Order No. G-30 establishes maximum prices for a Bread Board, Model No. PDA 101; a Bread Board, Model No. PDA 102, and a Broom Holder, Model No. PDB 102, manufactured by Sisler Brothers & Company, 2944 Wyandot Street, Denver, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-30, the maximum prices for the Bread Board, Model No. PDA 101; the Bread Board, Model No. PDA 102, and the Broom Holder, Model No. PDB 102, manufactured by Sisler Brothers & Company, of 2499 Wyandot Street, Denver, Colorado, in accordance with the specifications set forth in the respective applications of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler:

	Per dozen
Bread Board, Model No. PDA 101	$2.80
Bread Board, Model No. PDA 102	2.80
Broom Holder, Model No. PDB 102	1.20

(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer:

	Per dozen
Bread Board, Model No. PDA 101	$3.50
Bread Board, Model No. PDA 102	3.50
Broom Holder, Model No. PDB 102	1.50

(3) When sold by any seller to an ultimate consumer or user:

	Each
Bread Board, Model No. PDA 101	$0.49
Bread Board, Model No. PDA 102	.49
Broom Holder, Model No. PDB 102	.19

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-30 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-30 under Maximum Price Regulation No. 188, the OPA authorized maximum resale prices for this Bread Board, Model No. PDA 101; Bread Board, Model No. PDA 102, and Broom Holder, Model No. PDB 102, are:

(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer:

	Per dozen
Bread Board, Model No. PDA 101	$3.50
Bread Board, Model No. PDA 102	3.50
Broom Holder, Model No. PDB 102	1.50

(2) When sold by any seller to an ultimate consumer or user:

	Each
Bread Board, Model No. PDA 101	$0.49
Bread Board, Model No. PDA 102	.49
Broom Holder, Model No. PDB 102	.19

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-30 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-30 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-30 shall become effective on the 30th day of June 1945.

Issued this 30th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12713; Filed, July 12, 1945; 1:25 p. m.]

[Region VII Order G-31 Under MPR 188]

RANKIN MFG. CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-31 Under Maximum Price Regulation No. 188. Authorized maximum prices for a lawn mower grass catcher manufactured by Rankin Manufacturing Company of Denver, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-77.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-31 is issued.

(a) *What this order does.* This Order No. G-31 establishes maximum prices for a lawn mower grass catcher manufactured by Rankin Manufacturing Company, 725 South Broadway, Denver, Colorado, when sold at specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this order No. G-31, the maximum prices for the lawn mower grass catcher by the manufacturer designated "Canvas Grass Catcher for Lawn Mower", manufactured by Rankin Manufacturing Company, 725 South Broadway, Denver, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler: $8.25 per dozen.
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer: $11.00 per dozen.
(3) When sold by any seller to an ultimate consumer or user: $1.49 each.

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-31 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-31 under Maximum Price Regulation No. 188, the OPA authorized maximum resale prices for this Canvas Grass Catcher for Lawn Mower are:

(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer: $11.00 per dozen.
(2) When sold by any seller to an ultimate consumer or user: $1.49 each.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-31 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-31 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-32 shall become effective on the 30th day of June 1945.

Issued this 30th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12712; Filed July 12, 1945; 1:24 p. m.]

[Region VII Order G-32 Under MPR 188]

MIDWEST COLLEGE OF COMMERCE ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-32 under Maximum Price Regulation No. 188. Authorized maximum prices for a spring clamp manufactured by Midwest College of Commerce, Pueblo, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-52.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-32 is issued.

(a) *What this order does.* This Order No. G-32 establishes maximum prices for a spring clamp, by the manufacturer designated "Handy Clamp, Model No. 1", manufactured by Midwest College of Commerce, Pope Block, Pueblo, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-32, the maximum prices for the spring clamp designated "Handy Clamp, Model No. 1", manufactured by Midwest College of Commerce, Pope Block, Pueblo, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler: $1.20 per gross.
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer: $1.50 per gross.
(3) When sold by any seller to an ultimate consumer or user: $0.19 per dozen

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-32 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-32 under Maximum Price Regulation No. 188, the OPA authorized maximum resale prices for this Handy Clamp, Model No. 1, are:

(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer: $1.50 per gross.
(2) When sold by any seller to an ultimate consumer or user: 19¢ per dozen.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-32 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-32 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-31 shall become effective on the 30th day of June 1945.

Issued this 30th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-12711; Filed, July 12, 1945; 1:24 p. m.]

[Region II Rev. Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN NEW YORK

Amount of freight allowance from basing point to wholesale receiving point to determine maximum prices for certain fresh fruits and vegetables in certain counties of New York.

For the reasons stated in an accompanying opinion, this order is issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from "basing point" to "wholesale receiving point" which may be added to the maximum f. o. b. shipping point price to determine the maximum selling prices for certain fresh fruits and vegetables at all "wholesale receiving points" in the area described in section 2 below.

SEC. 2. *Area covered.* This order applies in the Counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk and Westchester in the State of New York.

SEC. 3. *Amount of freight allowance.*—(a) *Bronx, Kings, New York, Queens and Richmond Counties.* The freight allowance from "basing point" to any "Wholesale receiving point" in these counties for any commodity listed in Appendix A shall be the coresponding amount listed in the annexed Appendix A. Such amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

(b) *Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester Counties.* The freight allowance from "basing point" to any "wholesale receiving point" in these counties for any commodity listed in Appendix A shall be the sum of the corresponding amounts listed in Appendices A and B. Such sum includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs. However, for a carlot or trucklot sold direct to any "wholesale receiving point" in these counties, the freight allowance shall be that prescribed in subdivision (a) of this section.

SEC. 4. *Meaning of terms.* The terms "basing point," and "wholesale receiving point" are to be understood as defined in Maximum Price Regulation No. 426.

SEC. 5. *Effective date.* This revised order shall become effective on June 30, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued: June 28, 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved:

FRANCIS D. CRONIN,
Regional Director of Food Distribution.

APPENDIX A—FREIGHT ALLOWANCE FROM "BASING POINT" TO NEW YORK CITY

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance
Apricots	Brentwood lug, 24-26 lbs	Sacramento, Calif., or Yakima, Wash.	All season	$0.56
Apricots	Northwest lug, 13-15 lbs	Sacramento, Calif., or Yakima, Wash.	All season	.39
Carrots, bunched	L. A. crate, 72 bunches, each bunch 1 lb.	El Centro, Calif	Jan 16-Mar. 31	1.40
		El Centro, Calif	Apr. 1-May 31	1.59
		Salinas, Calif	June 1-Nov. 30	1.68
		Salinas, Calif	Dec. 1-Jan. 15	1.58
Cucumbers (except hothouse)	Bushel, 48 lbs	Ponchatoula, La	Oct. 1-31	.76
		Wachula, Fla	Nov. 1-May 31	.74
	Lug Box, 28 lbs	Ponchatoula, La	June 1-30	.76
		Ponchatoula, La	Oct. 1-31	.44
		Wachula, Fla	Nov. 1-May 31	.42
		Ponchatoula, La	June 1-30	.44
Cucumbers, hothouse	1 lb	Davenport, Iowa	All year	.025
Eggplant	1⅑ bu. crate, 45 lbs	Fort Myers, Fla	Jan. 1-July 15	.76
	Bushel, 30 lbs	Fort Myers, Fla	Jan. 1-July 15	.72
Grapefruit, pink, California and Arizona	1⅗ bushel	Los Angeles, Calif	Nov. 1-Apr. 30	1.20
			May 1-Oct. 31	1.27
Grapefruit, pink, all other states	1⅗ bushel	Weslaco, Tex	All year	1.14
Grapefruit, white, California and Arizona	1⅗ bushel	Los Angeles, Calif	Nov. 1-Apr. 30	1.20
			May 1-Oct. 31	1.27
Grapefruit, white, all other states, including "Indian River"	1⅗ bushel	Homestead, Fla	All year	.90
Grapes, table	Lug, 28 lbs	Bakersfield, Calif	All season	.60
Green peas	Bushel, 28 lbs	Calipatria, Calif	Sept. 1-Mar. 31	.73
		Santa Barbara, Calif	Apr. 1-Aug. 31	.81
Lemons, all states	1⅗ bushel	Los Angeles, Calif	Nov. 1-Apr. 30	1.24
			May 1-Oct. 31	1.38
Melons, cantaloups, and honeyball melons	Jumbo crate, 83 lbs	El Centro, Calif	Beginning of season to July 25.	1.84
	Jumbo crate, 83 lbs	Mendota, Calif	July 26 to end of season	1.92
	Standard crate, 68 lbs	El Centro, Calif	Beginning of season to July 25.	1.60
	Standard crate, 68 lbs	Mendota, Calif	July 26 to end of season	1.67
	Pony crate, 57 lbs	El Centro, Calif	All season	1.34
Casaba melons	Jumbo or standard crate, 42 lbs.	Mendota, Calif	All year	1.10
Cranshaw melons	Jumbo or standard crate, 40 lbs.	Mendota, Calif	All year	1.10
Honeydew melons	Jumbo or standard honeydew crate, 39 lbs.	El Centro, Calif	Beginning of season to July 25.	1.06
	Jumbo or standard honeydew crate, 39 lbs.	Mendota, Calif	July 26 to end of season	1.10
	Jumbo cantaloup crate, 58 lbs.	El Centro, Calif	Beginning of season to July 25.	1.60
	Jumbo cantaloup crate, 58 lbs.	Mendota, Calif	July 26 to end of season	1.67
Persian melons	Jumbo persian crate, 43 lbs.	Mendota, Calif	All year	1.10
	Standard persian crate, 37 lbs.	Mendota, Calif	All year	1.01
	Pony persian crate, 35 lbs.	Mendota, Calif	All year	.80
Oranges, California and Arizona	1⅗ bushel	Los Angeles, Calif	Nov. 16-Apr. 30	1.34
			May 1-Nov. 15	1.40
Oranges, all other States, including "Indian River"	1⅗ bushel	Homestead, Fla	All year	.90
Pears	Western pear box, 44-48 lbs.	Sacramento, Calif	All year	.91
	Western pear box, 46-50 lbs.	Yakima, Wash	All year	.91
Plums	4-basket crate, size:			
	3 x 4, 29-33 lbs	Sacramento, Calif	All season	.69
	3 x 4 x 4, 29-33 lbs	Sacramento, Calif	All season	.69
	4 x 4, 28-32 lbs	Sacramento, Calif	All season	.66
	3 x 4 x 5, 26-30 lbs	Sacramento, Calif	All season	.60
	4 x 5, 26-30 lbs	Sacramento, Calif	All season	.58
	5 x 5, 24-28 lbs	Sacramento, Calif	All season	.58
	5 x 6, 23-27 lbs	Sacramento, Calif	All season	.58
	6 x 6, 23-27 lbs	Sacramento, Calif	All season	.58
Prunes, fresh Italian	½ bushel, 28-32 lbs	Yakima, Wash	All year	.54
	Prune box, 15-17 lbs	Yakima, Wash	All year	.39
Snap beans (green or wax)	Bushel, 28 lbs	Pompano, Fla	All year	.51
Spinach	Bushel, 18 lbs	Crystal City, Tex	All year	.42
Sweet peppers	1⅑ bushel crate, 37 lbs	Pompano, Fla	Jan. 1-July 15	.63
	Bushel, 25 lbs	Pompano, Fla	Jan. 1-July 15	.42
Sweet potatoes:				
Green	50 lbs	Sunset, La	All year	.51
Cured	45 lbs	Sunset, La	All year	.51
Tangerines, all States except California and Arizona	1-⅘ bushel	Homestead, Fla	All year	.90

[1] Between May 5-July 31 (inclusive) 1945, the basing point for Texas white grapefruit in 1⅗ bushel containers is Weslaco, Tex., and the freight allowance is $1.14.

APPENDIX B—FREIGHT ALLOWANCE TO ALL WHOLESALE RECEIVING POINTS IN THE COUNTIES OF DUTCHESS, NASSAU, ORANGE, PUTNAM, ROCKLAND, SUFFOLK AND WESTCHESTER

Commodity in standard containers and minimum contents as in Appendix A	To any wholesale receiving point	
	Nassau, Putnam, Rockland and Westchester Counties	Dutchess, Orange and Suffolk Counties
Carrots, bunched	$0.25	$0.10
Citrus fruits, all (1⅗ or 1⅗ bushel)	.25	.40
Cucumbers (except hothouse)	.15	.20
Deciduous fruits, all (⅗ bushel box, crate or lug)	.15	.20
Eggplant (bushel or 1⅑ bushel crate)	.15	.20
Green peas	.15	.20

Commodity in standard containers and minimum contents as in Appendix A	To any wholesale receiving point	
	Nassau, Putnam, Rockland and Westchester Counties	Dutchess, Orange and Suffolk Counties
Lettuce, leaf	$0.25	$0.10
Melons		
Jumbo cantaloup crate	.25	.40
All others	.15	.20
Snap beans (green or wax)	.15	.20
Spinach	.15	.20
Sweet peppers (bushel or 1⅑ bushel crate)	.15	.20
Sweet potatoes	.15	.20

[F. R. Doc. 45-12344; Filed, July 7, 1945; 10:10 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 10, 1945.

REGION IV

Roanoke Order 12-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Virginia. Filed 3:25 p. m.

REGION V

Dallas Order 1-F, Amendment 71, covering fresh fruits and vegetables in Dallas County, Texas. Filed 3:30 p. m.

Ferth Worth Order 7-F, Amendment 14, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 3:42 p. m.

Fort Worth Order 8-F, Amendment 14, covering fresh fruits and vegetables in Taylor County, Texas. Filed 3:41 p. m.

Fort Worth Order 9-F, Amendment 14, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 3:41 p. m.

Fort Worth Order 10-F, Amendment 14, covering fresh fruits and vegetables in McLennan County, Texas. Filed 3:41 p. m.

Forth Worth Order 11-F, Amendment 14, covering fresh fruits and vegetables in Wichita County, Texas. Filed 3:41 p. m.

Houston Order 1-F, Amendment 61, covering fresh fruits and vegetables in certain areas in Texas. Filed 3:30 p. m.

Houston Order 1-O, Amendment 2, covering eggs in certain counties in Texas. Filed 3:40 p. m.

Houston Order 3-F, Amendment 49, covering fresh fruits and vegetables in Orange and Jefferson Counties, Texas. Filed 3:30 p. m.

REGION VI

Chicago Order 1-C, Amendment 10, covering poultry in certain counties in Illinois and Lake County, Indiana. Filed 3:25 p. m.

Chicago Order 1-C, Amendment 11, covering poultry in certain counties in Illinois and Lake County, Indiana. Filed 3:25 p. m.

Green Bay Order 5-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 3:40 p. m.

Milwaukee Order 8-F, Amendment 15, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 3:40 p. m.

Milwaukee Order 9-F, Amendment 15, covering fresh fruits and vegetables in Fond Du Lac and Sheboygan Counties, Wisconsin. Filed 3:39 p. m.

Milwaukee Order 11-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 3:39 p. m.

North Platte Order 1-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Nebraska. Filed 3:35 p. m.

North Platte Supp. Order 1 to Amendment 1 to Order 1-F, covering fresh fruits and vegetables in certain cities in Nebraska. Filed 3:35 p. m.

North Platte Order 2-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 3:34 p. m.

North Platte Order 44, Amendment 3, covering dry groceries in Scottsbluff County and the city of Crawford, Nebraska. Filed 3:34 p. m.

North Platte Order 45, Amendment 3, covering dry groceries in certain counties in Nebraska. Filed 3:34 p. m.

Peoria Order 7-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:34 p. m.

Peoria Order 8-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:33 p. m.

Peoria Order 9-F, Amendment 12, covering fresh fruits and vegetables in Normal, Bloomington in the county of McLean, Illinois. Filed 3:33 p. m.

Peoria Order 10-F, Amendment 12, covering fresh fruits and vegetables in Knoxville and Galesburg in the county of Knox, Illinois. Filed 3:33 p. m.

REGION VII

Albuquerque Order 8-F, Amendment 22, covering fresh fruits and vegetables in the Albuquerque Area. Filed 3:27 p. m.

Albuquerque Order 12-F, Amendment 10, covering fresh fruits and vegetables. Filed 3:18 p. m.

Albuquerque Order 28-C, covering poultry in the state of New Mexico. Filed 3:33 p. m.

Albuquerque Order 29-C, covering poultry in the state of New Mexico. Filed 3:32 p. m.

Albuquerque Order 30-C, covering poultry in the state of New Mexico. Filed 3:32 p. m.

Albuquerque Order 31-C, covering poultry in the state of New Mexico. Filed 3:32 p. m.

Albuquerque Order 32-C, covering poultry in the state of New Mexico. Filed 3:32 p. m.

Albuquerque Order 33-C, covering poultry in the state of New Mexico. Filed 3:31 p. m.

Denver Order F-1, Amendment 19, covering fresh fruits and vegetables in the Denver Area. Filed 3:19 p. m.

Denver Order F-1, Amendment 57, covering fresh fruits and vegetables in the Denver Area. Filed 3:29 p. m.

Denver Order F-1, Amendment 58, covering fresh fruits and vegetables in the Denver Area. Filed 3:29 p. m.

Denver Order F-1, Amendment 59, covering fresh fruits and vegetables in the Denver Area. Filed 3:29 p. m.

Denver Order F-1, Amendment 60, covering fresh fruits and vegetables in the Denver Area. Filed 3:19 p. m.

Denver Order F-1, Amendment 61, covering fresh fruits and vegetables in the Denver Area. Filed 3:19 p. m.

Denver Order F-1, Amendment 62, covering fresh fruits and vegetables in the Denver Area. Filed 3:20 p. m.

Denver Order F-1, Amendment 63, covering fresh fruits and vegetables in the Denver Area. Filed 3:20 p. m.

Denver Order F-1, Amendment 64, covering fresh fruits and vegetables in the Denver Area. Filed 3:20 p. m.

Denver Order F-1, Amendment 65, covering fresh fruits and vegetables in the Denver Area. Filed 3:20 p. m.

Denver Order F-1, Amendment 66, covering fresh fruits and vegetables in the Denver Area. Filed 3:21 p. m.

Denver Order F-1, Amendment 67, covering fresh fruits and vegetables in the Denver Area. Filed 3:21 p. m.

Denver Order F-1, Amendment 68, covering fresh fruits and vegetables in the Denver Area. Filed 3:21 p. m.

Denver Order F-1, Amendment 69, covering fresh fruits and vegetables in the Denver Area. Filed 3:22 p. m.

Denver Order F-1, Amendment 70, covering fresh fruits and vegetables in the Denver Area. Filed 3:22 p. m.

Denver Order F-1, Amendment 71, covering fresh fruits and vegetables in the Denver Area. Filed 3:23 p. m.

Denver Order F-1, Amendment 72, covering fresh fruits and vegetables in the Denver Area. Filed 3:23 p. m.

Denver Order F-1, Amendment 73, covering fresh fruits and vegetables in the Denver Area. Filed 3:23 p. m.

Denver Order F-1, Amendment 74, covering fresh fruits and vegetables in the Denver Area. Filed 3:23 p. m.

Denver Order F-1, Amendment 75, covering fresh fruits and vegetables in the Denver Area. Filed 3:23 p. m.

Denver Order F-1, Amendment 76, covering fresh fruits and vegetables in the Denver Area. Filed 3:25 p. m.

Denver Order F-1, Amendment 77, covering fresh fruits and vegetables in the Denver Area. Filed 3:24 p. m.

Denver Order F-1, Amendment 78, covering fresh fruits and vegetables in the Denver Area. Filed 3:24 p. m.

Denver Order F-1, Amendment 79, covering fresh fruits and vegetables in the Denver Area. Filed 3:24 p. m.

Denver Order F-1, Amendment 80, covering fresh fruits and vegetables in the Denver Area. Filed 3:24 p. m.

Denver Order F-2, Amendment 47, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:27 p. m.

Denver Order F-2, Amendment 48, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:27 p. m.

Denver Order F-2, Amendment 49, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:28 p. m.

Denver Order F-2, Amendment 50, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:28 p. m.

Denver Order F-2, Amendment 51, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:28 p. m.

Denver Order F-2, Amendment 52, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:29 p. m.

Denver Order F-2, Amendment 53, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:28 p. m.

Denver Order F-2, Amendment 54, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:29 p. m.

Denver Order F-2, Amendment 55, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:35 p. m.

Denver Order F-2, Amendment 56, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:36 p. m.

Denver Order F-2, Amendment 57, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:36 p. m.

Denver Order F-2, Amendment 58, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:36 p. m.

Denver Order F-2, Amendment 59, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:36 p. m.

Denver Order F-2, Amendment 60, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:37 p. m.

Denver Order F-2, Amendment 61, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:37 p. m.

Denver Order F-2, Amendment 62, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:37 p. m.

Denver Order F-2, Amendment 63, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:37 p. m.

Denver Order F-2, Amendment 64, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:37 p. m.

Denver Order F-2, Amendment 65, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:38 p. m.

Denver Order F-2, Amendment 66, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:38 p. m.

Denver Order F-2, Amendment 67, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:38 p. m.

Denver Order F-2, Amendment 68, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:28 p. m.

Denver Order F-2, Amendment 69, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:38 p. m.

Denver Order F-3, Amendment 59, covering fresh fruits and vegetables in the Colorado Spring-Manitou Area. Filed 3:43 p. m.

Denver Order F-3, Amendment 60, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:44 p. m.

Denver Order F-3, Amendment 61, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:44 p. m.

Denver Order F-3, Amendment 62, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:44 p. m.

Denver Order F-3, Amendment 63, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:44 p. m.

Denver Order F-3, Amendment 64, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:45 p. m.

Denver Order F-3, Amendment 65, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:45 p. m.

Denver Order F-3, Amendment 66, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:46 p. m.

Denver Order F-3, Amendment 67, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:45 p. m.

Denver Order F-3, Amendment 68, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:46 p. m.

Denver Order F-3, Amendment 69, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:46 p. m.

Denver Order 4-F, covering fresh fruits and vegetables in the Denver Area. Filed 3:25 p. m.

Denver Order 5-F, covering fresh fruits and vegetables in the Pueblo Area. Filed 3:46 p. m.

Denver Order 5-F, Amendment 1, covering fresh fruits and vegetables in the Pueblo Area, including the city of Pueblo. Filed 3:47 p. m.

Denver Order 5-F, Amendment 2, covering fresh fruits and vegetables in the Pueblo Area, including the city of Pueblo. Filed 3:47 p. m.

Denver Order 5-F, Amendment 3, covering fresh fruits and vegetables in the Pueblo Area, including the city of Pueblo. Filed 3:47 p. m.

Denver Order 6-F, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:47 p. m.

Denver Order 6-F, Amendment 1, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:47 p. m.

Denver Order 6-F, Amendmant 2, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:48 p. m.

Denver Order 6-F, Amendment 3, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 3:48 p. m.

Denver Order 7-F, covering fresh fruits and vegetables in the Boulder-Fort Collins-Greeley Area. Filed 3:47 p. m.

Denver Order 7-F, Amendment 1, covering fresh fruits and vegetables in the Boulder-Fort Collins-Greeley Area. Filed 3:48 p. m.

Denver Order 7-F, Amendment 2, covering fresh fruits and vegetables in the Boulder-Fort Collins-Greeley Area. Filed 3:48 p. m.

Denver Order 7-F, Amendment 3, covering fresh fruits and vegetables in the Boulder-Fort Collins-Greeley Area. Filed 3:43 p. m.

REGION VIII

Fresno District Order 1-C, Amendment 7, covering poultry in certain counties in California. Filed 3.38 p. m.

Fresno Order 1-F, Amendment 76, covering fresh fruits and vegetables in Fresno, California. Filed 3:31 p. m.

Fresno Order 2-F, Amendment 64, covering fresh fruits and vegetables in Modesto, California. Filed 3:31 p. m.

Fresno Order 3-F, Amendment 61, covering fresh fruits and vegetables in certain areas in California. Filed 3:31 p. m.

Fresno Order 4-F, Amendment 36, covering fresh fruits and vegetables in certain areas in California. Filed 3:31 p. m.

Fresno Order 6-F, Amendment 47, covering fruits and vegetables in Bakersfield in the county of Kern. Filed 3:30 p. m.

Fresno Order 7-F, Amendment 26, covering fresh fruits and vegetables in Merced, California. Filed 3:30 p. m.

Nevada Order 1-C, covering poultry in Elko, Eureka, White Pine, Lincoln and Clark Counties. Filed 3:26 p. m.

Nevada Order 2-C, covering poultry in Elko, Eureka, White Pine, Lincoln and Clark Counties. Filed 3:26 p. m.

Nevada Order 3-C, covering poultry in Elko, Eureka, White Pine, Lincoln and Clark Counties, Nevada. Filed 3:26 p. m.

Nevada Order 4-C, covering poultry in Elko, Eureka, White Pine, Lincoln and Clark Counties, Nevada. Filed 3:26 p. m.

Portland Order 30-F, covering fresh fruits and vegetables in Vancouver-Portland-Oregon City Area. Filed 3:25 p. m.

Sacramento Order 23-C, Amendment 2, covering poultry in certain counties in California. Filed 3:27 p. m.

Sacramento Order 23-C, Amendment 3, covering poultry in certain counties in California. Filed 3:43 p. m.

Sacramento Order 23-C, Amendment 4, covering poultry in certain counties in California. Filed 3:42 p. m.

Sacramento Order 24-C, Amendment 2, covering poultry in certain counties in California. Filed 3:42 p. m.

Sacramento Order 24-C, Amendment 3, covering poultry in certain counties in California. Filed 3:42 p. m.

Sacramento Order 24-C, Amendment 4, covering poultry in certain counties in California. Filed 3:42 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45—12794; Filed July 13, 1945; 11:13 a. m.]

WAR MANPOWER COMMISSION.

RESCISSION OF VARIOUS REGULATIONS, GENERAL ORDERS AND DIRECTIVES

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139, 9279 and 9301 (7 F.R. 2919, 10177, 8 F.R. 1825), the following War Manpower Commission regulations, general orders and directives are hereby rescinded:

Part 901, §§ 901.1 to 901.8, inclusive, effective October 17, 1942, originally entitled "General Order No. 1 (7 F.R. 8457)—Transportation of Workers to Non-Ferrous Metal Producing Areas," as amended.

Directive No. I, entitled "List of Essential Activities and Occupations," issued June 22, 1942 (7 F.R. 4748).

Directive No. II, entitled "Information as to Relative Importance of Critical War Products," issued June 22, 1942 (7 F.R. 4748).

Directive No. III, entitled "Certain Placement Priorities," issued June 22, 1942 (7 F.R. 4748).

Directive No. IV, entitled "Transfers to Essential Activities," issued June 22, 1942 (7 F.R. 4749).

Directive No. V, entitled "Occupational Deferments for Individuals Needed for Essential Occupations in Essential Activities," issued June 22, 1942 (7 F.R. 4749).

Directive No. VI, entitled "Recruitment and Placement of Essential Agricultural Workers," issued June 22, 1942 (7 F.R. 4749).

Directive No. VII, entitled "Adequate Housing for Transient Essential Agricultural Workers," issued June 22, 1942 (7 F.R. 4750).

Directive No. VIII, entitled "Adequate Transportation for Workers in Essential Activities," issued June 22, 1942 (7 F.R. 4750).

Directive No. IX, entitled "Day-Care of Children of Working Mothers," issued August 12, 1942 (7 F.R. 6453).

Directive No. XIII, entitled "Employment of Workers Previously Employed as Production or Maintenance Workers in Gold Mines," issued October 7, 1942 (7 F.R. 8242).

Directive No. XIV, entitled "Employment Stabilization on Dairy, Livestock, and Poultry Farms," issued November 6, 1942 (7 F.R. 9218).

Directive No. XVII, entitled "Farm Labor Mobilization Responsibilities in Department of Agriculture," issued January 23, 1943 (8 F.R. 1426).

Directive No. XVIII, entitled "Occupational Deferment of Active Ocean Going Seamen," issued February 10, 1943 (8 F.R. 1908).

PAUL V. MCNUTT,
Chairman.

JUNE 13, 1945.

[F. R. Doc. 45-12766; Filed, July 13, 1945; 10:31 a. m.]

WAR PRODUCTION BOARD.

[C-392]

WORCESTER WOOLEN MILLS

CONSENT ORDER

Myer G. Jasper, doing business as Worcester Woolen Mills, at Leicester, Massachusetts, began construction on a new industrial building at an estimated cost of $41,000 including machinery between the dates of September 28, 1944 and April 1, 1945 without authorization from the War Production Board and in violation of War Production Board Conservation Order L-41, and in the course of said construction improperly applied Preference Ratings to orders for materials without authorization from the War Production

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Board and in violation of War Production Board Priorities Regulation 3. The construction has not yet been completed. Said Myer G. Jasper admits the violations as charged but denies that they were wilful, does not care to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Myer G. Jasper, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Myer G. Jasper shall do no further construction on the premises at the corner of Chapel and Main Streets, Cherry Valley, Leicester, Massachusetts, including putting up, altering, or finishing the structure unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Myer G. Jasper, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Myer G. Jasper, his successors or assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly, of any such action.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12668; Filed, July 12, 1945; 11:21 a. m.]

[Certificate 19, Revocation]

PROGRAM FOR VEGETABLE OIL SEEDS

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated October 6, 1942, concerning a price-support, processing, and distribution program to be carried out by the Commodity Credit Corporation with respect to domestic vegetable oil seeds and products thereof.

J. A. KRUG,
Chairman.

JUNE 26, 1945.

[F. R. Doc. 45-12762; Filed, July 13, 1945; 10:30 a. m.]

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FEDERAL REGISTER

VOLUME 10 NUMBER 141

Washington, Tuesday, July 17, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Department of Agriculture, Distribution Orders

[WFO 92, Amdt. 4]

PART 1401—DAIRY PRODUCTS

CHEESE AND CHEESE FOODS

War Food Order No. 92 (9 F.R. 1082), issued by the Assistant War Food Administrator on January 27, 1944, as amended (9 F.R. 4321, 4319, 9584; 10 F.R. 103, 7155), is hereby further amended by deleting therefrom the provisions in § 1401.9 (b) (1) and substituting, in lieu thereof, the following:

(b) *Restrictions.* (1) No person shall, during any quota period, produce a total quantity of cheese and cheese food which is in excess of the total quantity of cheese and cheese food produced by such person in the corresponding period of the calendar year 1942: *Provided*, That during the quota period beginning on July 15, 1945, any person may produce a total quantity of cheese and cheese food which is not in excess of 90 percent, by net weight, of the total quantity of cheese and cheese food produced by such person during the period beginning July 1, 1942, and ending September 30, 1942, both dates inclusive: *Provided further*, That each person who produces any cheese or cheese food during July 1945 shall correctly complete Form "Special Cheese Products Report" for the period July 15 to July 31, 1945, both dates inclusive, and shall mail such completed form to United States Department of Agriculture, Box 6910-A, Chicago, Illinois, on or before August 10, 1945. The "Special Cheese Products Report" shall be submitted in addition to all other reports required pursuant to War Food Order No. 92, as amended.

The provisions hereof shall become effective as of 12:01 a. m., e. w. t., July 15, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 92, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 92, as amended, in effect prior to the effective time hereof shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 12th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12820; Filed, July 13, 1945; 3:12 p. m.]

[WFO 120-5, Termination]

PART 1405—FRUITS AND VEGETABLES

IRISH POTATOES

War Food Order No. 120-5 (10 F.R. 4285) is terminated as of 12:01 a. m., p. w. t., July 15, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 120-5 prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 120-5 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322; 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087;

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Issued this 14th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–12860; Filed, July 14, 1945; 11:12 a. m.]

[WFO 75–2, Amdt. 26]

PART 1410—LIVESTOCK AND MEATS

BEEF SET ASIDE REDUCTION

War Food Order No. 75–2, as amended (10 F.R. 6496, 7787), is further amended as follows:

1. By deleting the table at the end of paragraph (b) and substituting in lieu thereof the following:

Army-style		Utility (Grade C) federally inspected slaughterers only	Cutter and canner (Grade 1)) federally inspected slaughterers only
Zone 9 kosher slaughterers	Slaughterers other than Zone 9 kosher slaughterers		
20%	25%	65%	65%

2. By deleting the table which appears at the end of Appendix A and substituting in lieu thereof the following:

Current rate of slaughter (percent of July 1944 weekly average)	Percentage of beef production (dressed weight of slaughter)		
	Army-style		Utility and canner and cutter grades
	Regular	Kosher	
Less than 60.1	11.4	5.5	58.7
60.1–65.0	14.3	8.6	60.0
65.1–70.0	16.7	11.2	61.1
70.1–75.0	18.8	13.4	62.1
75.1–80.0	20.7	15.4	63.0
80.1–85.0	22.3	17.1	63.7
85.1–90.0	25.7	18.7	64.4
90.1–110.0	25.0	20.0	65.0
110.1–115.0	26.0	21.1	65.5
115.1–120.0	26.9	22.0	65.9
120.1–125.0	27.7	22.9	66.3
125.1–130.0	28.5	23.8	66.6
130.1–135.0	29.2	24.5	67.0
135.1–140.0	29.9	25.2	67.3
140.1–145.0	30.5	25.9	67.6
145.1–150.0	31.1	26.5	67.8
150.1–175.0	32.6	28.1	68.5
175.1–200.0	34.6	30.2	69.5
Over 200.0	36.1	31.8	70.2
Slaughterers without July 1944 slaughter history	36.1	31.8	70.2

This amendment shall become effective at 12:01 a. m., e. w. t., July 15, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of maintaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8067; WFO 75, 10 F.R. 4649)

Issued this 12th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–12816; Filed, July 13, 1945; 12:12 p. m.]

[WFO 75–5, Amdt. 3]

PART 1410—LIVESTOCK AND MEATS

LAMB SET ASIDE REDUCTION

War Food Order No. 75–5, as amended (10 F.R. 4655, 6869, 7843), is further amended by deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity; quality; specifications.* No Federally inspected slaughterer shall deliver meat unless he shall set aside, reserve, and hold the total amount of each week's production of lamb graded "U. S. Choice", "U. S. Good", and "U. S. Commercial" (not including yearlings or mutton), obtained from lambs whose carcasses weigh from 30 to 70 pounds dressed, both inclusive: *Provided, however,* That governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers may select and purchase not to exceed 10 percent of each grade of lamb so set aside, and upon the delivery or execution of contracts to deliver, to such persons or agencies, not less than 10 percent of any grade of lamb so set aside, such slaughterer may deliver to any other person not in excess of 90 percent of such grade of lamb.

This amendment shall become effective at 12:01 a. m., e. w. t., July 15, 1945. With respect to violations, rights ac-

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crued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–5, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 12th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-12817; Filed, July 13, 1945; 12:11 p. m.]

[WFO 139]

PART 1410—LIVESTOCK AND MEATS

CERTIFICATION UNDER PUBLIC LAW 108, 79TH CONGRESS

The fulfillment of requirements for war and essential civilian needs has created a shortage in the supply of meat for war needs, for private account, and for export. Pursuant to the authority conferred upon me by Executive Order No. 9280 (7 F.R. 10179) and Executive Order No. 9577 (10 F.R. 8087), and by section 3A of the Stabilization Act of 1942, as amended, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1410.28 *Certification under Public Law 108, 79th Congress, approved June 30, 1945*—(a) *Definitions.* (1) "Meat" means the carcasses of livestock, including beef, veal, lamb, mutton, or pork derived therefrom, and any processed or unprocessed edible part, cut, or trimming, regardless of how prepared or packaged; excluding, however, scrapple, souse, and other similar products, offal, oils, rendering fats, raw leaf, casings, byproducts not ordinarily used for human consumption, and skins of swine when prepared for use in leather, glue, or gelatin.

(2) "Certification" means certification by the Secretary of Agriculture pursuant to section 3A of the Stabilization Act of 1942, as amended, to the effect (i) that a slaughtering plant is operated under sanitary conditions as herein defined, and (ii) that the meat, meat products and animal fats produced therein have been inspected and found to be clean, wholesome, and suitable for human consumption.

(3) "Federal inspection" means inspection pursuant to the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U. S. C. 71, and as extended by Public Law 602, 77th Congress, approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(4) "Sanitary condition", with respect to the certification of a slaughtering plant, means that such plant:

(i) Has a well-constructed building in a good state of repair, with an adequate drainage system and a supply of clean hot and cold water sufficient to maintain the facilities, plant and products produced therein in a sanitary condition;

(ii) Has lighting and ventilation sufficient for all slaughtering and processing operations;

(iii) Is protected against flies and rodents and is located a reasonable distance from any stable, barnyard, hog lot, refuse heap, privy or other source of fly breeding or contamination;

(iv) Has all necessary equipment and facilities, so arranged as to permit the handling of animals and carcasses in a clean and sanitary manner;

(v) Has adequate facilities, apart and separate from slaughtering and processing operations, for the segregation and disposal of condemned carcasses and for the handling and disposal of inedible byproducts and offal.

(vi) Has adequate facilities for cooling, chilling, and holding carcasses and edible byproducts until moved into distribution channels or adequate facilities for cooling, chilling, and holding are available in the immediate vicinity.

(5) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding, for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), United States Department of Agriculture (including any corporate agency thereof), the War Shipping Administration, and the Veterans Administration.

(6) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(7) "Director" means the Director of Marketing Services, United States Department of Agriculture.

(b) *Exemptions from slaughtering quota restrictions.* Subject to the provisions of this order, no quota or other slaughtering limitation shall be imposed upon or shall be operative against any slaughtering operations conducted in accordance with the requirements for certification contained herein.

(c) *Eligibility for certification.* All slaughtering plants shall be eligible for certification except the following:

(1) Any slaughtering plant which, on the effective date of this order, is operating under Federal inspection with respect to all of its slaughtering operations; or

(2) Any slaughtering plant which was operating under Federal inspection prior to the effective date of this order and which, in the judgment of the Secretary of Agriculture, withdrew from such inspection for the purpose of applying for certification under this order.

(d) *Applications for certification.* Any eligible owner or operator of a slaughtering plant who desires to obtain certification under this order may file an application with the Secretary of Agriculture. Application forms will be furnished upon request to the Livestock and Meats Branch, Office of Marketing Services, United States Department of Agriculture, Washington 25, D. C. Upon receipt of such application properly executed and containing all the information therein requested, an investigation of the slaughtering plant and facilities of the applicant and of the facts disclosed in the application, including facts concerning compliance with Office of Price Administration regulations and War Food Orders, will be made to determine whether the certification is justified. All applications shall contain a statement by the applicant that he agrees to comply with the provisions of this order and with any rules, regulations, orders that may be issued thereunder. The applicant shall also agree that any certification issued to him shall be contingent upon compliance with such provisions.

(e) *Certification of designated parts of slaughtering plants.* Certification may be had with respect to a designated part only of any slaughtering plant. The provisions of this order shall apply only to meat, meat products or animal fats produced in such designated part of such plant.

(f) *Compliance with set aside requirements.* (1) Any certification granted pursuant to this order is expressly conditioned upon compliance, by the owner or operator concerned, with all applicable orders requiring the setting aside, reserving, holding, processing, and packaging of meat, meat products and animal fats for procurement by the armed services of the United States or other governmental agencies, and with any requirement of the Director, addressed to such owner or operator, with respect to the making available of meat, meat products or animal fats to the armed services of the United States or to other governmental agencies. Any violation of such orders or requirements shall be cause for refusal to grant certification or for the termination or revocation of any certification theretofore granted.

(2) Procurement officers of the armed services of the United States or of other governmental agencies may require additional inspection of animals or of the carcasses, meat, meat products or animal fats derived therefrom which are required to be set aside.

(g) *Inspection of slaughtering plants and meat.* Certification with respect to any slaughtering plant, and with respect to any meat, meat products or animal fats produced therein shall be based upon an inspection of such slaughtering plant to determine whether the same is operated under sanitary conditions as defined herein, and an inspection of the meat, meat products or animal fats produced therein to determine whether the same are clean, wholesome, and suitable for human consumption. Inspection of meat, meat products and animal fats shall be made by inspectors under the supervision of veterinarians, both duly qualified under the laws of the State, city, or county in which the affected plant is located, or by inspectors approved by the Director. Inspection of the meat, meat products or animal fats produced in any slaughtering plant shall include ante mortem inspection immediately prior to slaughter, and post mortem inspection immediately after slaughter and during the processing of the carcasses or meat.

(h) *Supervision of inspection.* All slaughtering operations and all inspections authorized hereunder shall be subject to approval by the Director and to supervision by authorized representatives of the Department of Agriculture, and shall be conducted in accordance with such instructions and requirements as the Director may prescribe.

(i) *Markings required.* Each accessible wholesale cut of meat which has been inspected and passed pursuant to this order, whether in the entire carcass or detached therefrom, shall be stamped by the inspector with the legend "Certificate No.", followed by the certificate number assigned to such plant by the Secretary of Agriculture. Such legend shall be contained in a rectangular design. Such marking shall be in addition to any mark or number assigned by the State, city, or local authorities and commonly used by such plant.

(j) *Movement in interstate or foreign commerce.* Meat produced in accordance with the requirements for certification as specified in this order, including any rules, regulations, or orders issued pursuant thereto, and which is properly marked as required in paragraph (i) hereof shall have the same status for purposes of transportation in interstate or foreign commerce as meat produced in plants operated under Federal inspection

(k) *Refusal, suspension, termination, and revocation of certifications.* The Director may refuse to grant certification or may suspend, terminate, or revoke any certification theretofore granted if he determines that:

(1) The slaughtering plant concerned does not have or has failed to maintain sanitary conditions as herein defined.

(2) The meat, meat products or animal fats produced in such slaughtering plant will not be or are not being disposed of in legitimate trade channels in accordance with law.

(3) The owner or operator of such slaughtering plant has failed to comply in full with orders requiring the setting aside, reserving, holding, processing, and packaging of meat, meat products, and animal fats for procurement by the armed services of the United States or other governmental agencies.

(4) The owner or operator of such slaughtering plant has failed to comply with any other provision of this order, or with the requirements of any other War Food Order with respect to meat.

(5) Certification has been erroneously granted or is based upon false or erroneous information.

(l) *Records and reports.* (1) Every owner or operator of slaughtering facilities to whom certification is granted under this order shall keep accurate records showing the number of all animals purchased, slaughtered, and condemned, together with the reason for condemnation in each case, the quantity of meat, meat products or animal fats sold in interstate commerce and the quantity of such products sold in intrastate commerce. Such records shall be kept separate for each species of livestock slaughtered.

(2) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records, and other writings, premises, livestock, meat, meat products or animal fats of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by a request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(o) *Violations.* (1) If the Director has reason to believe that any owner or operator of a slaughtering plant is violating any provision of this order which deals with sanitary or inspection requirements, and the Director is accordingly unable to certify that the meat, meat products or animal fats produced in such plant are clean, wholesome, and suitable for human consumption, he may, without prior notice or hearing, suspend the certification theretofore granted to the owner or operator of such plant: *Provided, however,* That such owner or operator shall, within 10 days, be given an opportunity to appear and be heard on the question of whether such suspension shall be vacated or shall be made permanent by way of termination or revocation of the certification. Such appearance and hearing shall be before an authorized representative of the Department of Agriculture and in accordance with the procedure established by the Director. Any owner or operator of a slaughtering plant who violates any other provision of this order shall likewise be liable to suspension, termination or revocation of any certification theretofore granted: *Provided, however,* That suspension, termination or revocation of any certification for the violation of any provision of this order other than sanitary or inspection requirements shall be subject to the procedural regulations set forth in War Food Order No. 78.1, as amended (9 F. R. 6202, 9943).

(2) Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(p) *Delegation of authority.* (1) The administration of this order and the powers vested in the Secretary of Agriculture, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(2) The Director is authorized to establish such rules and regulations as he may deem necessary or appropriate in order to provide for the inspection of slaughtering plants seeking certification hereunder, and of meat, meat products or animal fats produced therein.

(q) *Communications.* All reports required to be filed hereunder, all applications for certification under this order, and all communications concerning this order shall, unless otherwise provided, be addressed to the Livestock and Meats Branch, Office of Marketing Services, Department of Agriculture, Washington 25, D. C.

(r) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(s) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 16, 1945.

NOTE: All record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 5087; Pub. Law 105, 79th Cong.)

Issued this 13th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12846; Filed, July 13, 1945; 4:37 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 104—RELATIONS WITH AGENCIES OF PUBLIC CONTACT

PUBLIC RELATIONS

Sections 104.1 to 104.5 inclusive are hereby rescinded and the following substituted in lieu thereof.

The regulations contained in §§104.1 to 104.6, inclusive, are also contained in AR 600-700, 24 May 1945, the particular paragraphs being shown in brackets at the end of sections.

Sec.
104.1 General.
104.2 Responsibility for public relations.
104.3 Contact with information media.
104.4 Visits to military installations and related points.
104.5 Employment of aircraft and Signal Corps assistance.
104.6 Public activities by military personnel.

AUTHORITY: §§ 104.1 to 104.6, inclusive, issued under R. S. 161; 5 U.S.C. 22

§ 104.1 *General.* (a) Because of the importance of the military establishment in the defense and welfare of the nation, it is the responsibility of the War Department to insure that all information concerning its objective and activities, not of a classified nature, is made available to the public through the established media of expression. This

responsibility extends through all echelons.

(b) The broad mission of public relations is to inform the public continuously on the state of the military establishment and its activities. [Par. 1]

§ 104.2 *Responsibility for public relations.* (a) The War Department Bureau of Public Relations is the agency designated to deal with the public in disseminating information for publication in informational media, or through other informational channels, which concerns the War Department or the Army as a whole. Subject to established policies and regulations relating to the security of military information, this agency initiates public relations policies which, after approval by the Secretary of War, guide the conduct of public relations in the field. Direct communication is authorized between the Bureau of Public Relations and commanders of posts, camps, stations, installations, units, field, and oversea commands on matters of public relations, as defined herein. From time to time the Bureau of Public Relations issues bulletins and other publications for the information and guidance of all concerned.

(b) Each commanding officer of separate battalions, regiments, or higher commands will designate a member of his staff to be the public relations officer.

(c) Public relations policies for theaters of operations and all other commands outside the continental United States will be promulgated by commanding officers in accordance with policies of the War Department. The accreditation of correspondents to oversea theaters of operations will be carried out by the War Department Bureau of Public Relations with the approval of the Secretary of War.

(d) The Bureau of Public Relations, consisting of the Director, Bureau of Public Relations, and suitable assigned personnel, will function directly under the supervision of the Secretary of War. All agencies of the War Department dealing in public relations or related activities will be subject to the policy coordination of the Bureau of Public Relations. [Par. 2]

§ 104.3 *Contact with information media.* It is the policy of the War Department that impartial relations will be maintained with all informational media. [Par. 5]

§ 104.4 *Visits to military installations and related points.* (a) Representatives of information media, in visiting or obtaining informaton at Army installations, in theaters of operations, or in manufacturing establishments engaged in production for the War Department, either in the United States or in oversea areas, will conform to regulations and procedure established by the War Department. One print of all photographs or film productions, as released, obtained by representatives of informational media or motion picture companies through assistance or cooperation of the Army at military installations or related points, either in the United States or overseas, will be furnished upon proper request for official use only for the War Department or the Federal Government. The request for copies will be made through the War Department Bureau of Public Relations.

(b) Foreign nationals who are representatives of domestic information media, and all representatives of foreign information media, will be admitted to posts, camps, stations, and manufacturing establishments engaged on work for the War Department only upon the authorization of the Assistant Chief of Staff, G-2, War Department General Staff. This authorization will be sought through the War Department Bureau of Public Relations. [Par. 6]

§ 104.5 *Employment of aircraft and Signal Corps assistance.* (a) Photographic personnel and equipment of the Signal Corps and Army Air Forces may be used for the development of photographic projects for public relations purposes.

(b) The Signal Corps and the Army Air Forces will maintain the official pictorial files of the War Department appriate to their respective activities.

(c) Representatives of information media in the continental United States may be permitted to ride as passengers in Army aircraft only by authority of the War Department. This authorization will be sought through the War Department Bureau of Public Relations. In oversea theaters, the theater commander will exercise jurisdiction. [Par. 7]

§ 104.6 *Public activities by military personnel.* Newspaper and magazine articles will not be written; radio talks will not be given; stage or motion-picture appearances will not be made; comics and cartoons will not be drawn; and similar activity will not be engaged in by any military personnel located within the continental United States on a regular basis, for commercial enterprise, without the specific approval of the Director, War Department Bureau of Public Relations. Individuals contemplating such activity on an occasional basis, during free time, should consult with the appropriate public relations officer for guidance and information on pertinent War Department policies. [Par. 9]

[SEAL] EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 45-12906; Filed, July 16, 1945; 9:33 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 342]

PART 61—FUEL DUMP VALVES

PARTIAL WAIVER OF WEIGHT REQUIREMENTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 12th day of July, 1945.

The following Special Civil Air Regulation is made and promulgated to become effective July 12, 1945:

Notwithstanding the provisions of Parts 04 and 61 of the Civil Air Regulations, Douglas DC-3 type airplanes not equipped with means for dumping fuel may, until February 1, 1946, be used in scheduled air transportation at provisional weights currently authorized for such airplanes equipped with means for dumping fuel.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-12920; Filed, July 16, 1945; 11:27 a. m.]

TITLE 15—COMMERCE

Chapter I—Bureau of the Census, Department of Commerce

[Order 377, Foreign Commerce Statistical Decision 56]

PART 30—FOREIGN TRADE STATISTICS

IMPORT ENTRIES OR WITHDRAWALS AND EXPORT DECLARATIONS

JULY 14, 1945.

Section 30.25 is amended to read as follows:

§ 30.25 *Corrections, amendments or cancellations of import entries or withdrawals and export declarations—*(a) *Import entries or withdrawals.* Changes in classification and changes in quantities or values amounting to $100 made in liquidating entries or withdrawals must be reported to the Customs Statistics Section of the Foreign Trade Division, Bureau of the Census, Customhouse, New York 4, New York, on Customs Form 7401, correction report of import entry or withdrawal. In order to minimize correction reports, Collectors may hold entries until after examination and weighing of the goods, making any changes on the statistical copies forwarded to the New York statistical office, if that practice will not result in great delay in transmitting statistical copies of entries.

(b) *Export declarations.* The Collector of Customs at the port from which merchandise was exported will require the shipper or his agent to prepare and file in duplicate a Shipper's Export Declaration Correction Form (Commerce Form FT 7403) for all corrections, amendments or cancellations of Shipper's Export Declarations (Commerce Forms 7525-V, 7525-DA-V) and In-Transit Shipper's Export Declarations (Commerce Forms 7513, 7513-DA), which are reported after the statistical copies of the declarations have been forwarded to the Customs Statistics Section, Foreign Trade Division, Customhouse, New York 4, New York. Corrections, amendments or cancellations reported while the statistical copies of the declarations are still in the office of the Collector shall be noted directly thereon. Statistical copies of cancelled export declarations shall not be transmitted to the Customs Statistics Section in New York. In particular instances where the Collector of Customs deems a documented record of a change necessary, even though the statistical copy of the declaration is still in his office, the correction form may be required. Exporters may obtain copies of the correction form free of charge from the Collectors of Customs. The provisions of this paragraph relating to the filing of a Shipper's Export Declaration Correction Form (Commerce Form FT 7403) shall not be construed as a relaxation of the requirements of the laws and regulations pertaining to the preparation and filing of Shipper's Export Declarations.

This decision supersedes Foreign Commerce Statistical Decision 51.

(R.S. 161, sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

[SEAL] H. A. WALLACE,
Secretary of Commerce.

[F. R. Doc. 45-12907; Filed, July 16, 1945; 10:08 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51271]

PART 22—DRAWBACK

EVIDENCE ACCEPTABLE IN LIEU OF BILLS OF LADING COVERING DRAWBACK SHIPMENTS FROM BORDER PORTS OF EXIT

Section 22.20 (e), Customs Regulations of 1943 (19 CFR, Cum. Supp., 22.20 (e)), is hereby amended to read as follows:

§ 22.20 *Bills of lading.* * * *

(e) When a shipment is exported to Canada or Mexico from a border port of exit and no bill of lading is issued to cover the exportation, the collector shall accept a drawback entry supported by a copy of any inland bill of lading covering the transportation of the merchandise to the border port, and an affidavit of the forwarder at the border port showing the name of the person for whose account the merchandise was exported, describing the merchandise, identifying it by its notice of intent number, and certifying that he was the forwarder of the merchandise, that exportation was made by a specified conveyance, and that no bill of lading was issued to cover such exportation. The drawback entry shall be filed by the person for whose account the merchandise was exported or by one authorized by such person in writing on the beforementioned affidavit to file the entry and receive the drawback. This procedure may also be followed when articles such as aircraft, automobiles, and other vehicles are exported under their own power. (Sec. 313, 46 Stat. 693, secs. 402, 403, 49 Stat. 1960, sec. 624, 46 Stat. 759; 19 U.S.C. 1313, 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: July 12, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12821; Filed, July 13, 1945; 3:29 p. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 70-1A]

PART 702—PRIVATE WAR HOUSING

PRIVATE H-2 HOUSING

Sec.
702.50 Purpose and general policy.
702.51 Definitions.
702.52 Application for authority to begin construction.
702.53 Sale and rental of private H-2 housing.
702.54 Increase of rent or sales price.
702.55 Interpretation and compliance.
702.56 Applicability and duration.

AUTHORITY: §§ 702.50 to 702.56, inclusive, issued under 55 Stat. 838; E.O. 9070, 7 F.R. 1529; 54 Stat 676 as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329 as amended by E.O. 9040, 7 F.R. 527, and E.O. 9125, 7 F.R. 2719.

§ 702.50 *Purpose and general policy.* (a) Private H-2 housing, to which Regulation No. 70-1 has been applicable, has included only new construction which received priorities assistance and authority to begin construction pursuant to an H-2 locality quota for the purpose of relieving situations of extreme general hardship in communities resulting from a lack of housing accommodations. Hereafter, private H-2 housing will also include certain additional new construction as herein defined. It is the purpose of this revision of Regulation No. 70-1 to make it applicable to this additional construction. The principal changes in Regulation No. 70-1 are contained in § 702.51 (a) (1), which defines private H-2 housing to include this additional construction, and in § 702.52 (a), which permits application to be made for authority to begin construction of any authorized private H-2 housing.

(b) Sections 702.50 to 702.56, inclusive, establishes rules and procedures for undertaking the construction of private H-2 housing (as herein defined), and the rental or sale thereof, in accordance with the responsibilities of the National Housing Agency.

(c) No other public regulations of the National Housing Agency covering occupancy, rental or disposition of private housing (i. e., Regulations (General Orders) 60-1B, 60-2, 60-2C, 60-3C, 60-7, 60-8A, and 60-9A) shall apply to private H-2 housing and the provisions of such regulations are hereby restricted accordingly.

§ 702.51 *Definitions.* (a) As used in §§ 702.50 to 702.56, inclusive, the following terms shall have the meaning ascribed to them below:

(1) "Private H-2 housing" includes all new construction hereunder which received authority to begin construction (i) pursuant to an H-2 locality quota established by the National Housing Agency, or (ii) for the purpose of relieving present or impending acute personal hardship in areas for which H-2 locality quotas have not been established, or (iii) for the purpose of relieving congestion in such areas where construction may be accomplished without the use of a preference rating or allotment symbol.

(2) "Held for rental" includes only an ordinary landlord-tenant relationship, and does not include a tenancy coupled with an option to purchase or other form of lease-option or agreement, whether entered into before or during the tenancy, relating to a purchase of the housing at any time.

(3) The "approved rental" shall be the total monthly rental stated for the unit in the application Form WPB 2896, as approved, or the amount thereafter approved by the National Housing Agency, pursuant to a written request for the establishment of rental (see § 702.53 (b) hereof) or an increase in rental (see § 702.54 hereof).

(4) The "approved sales price" shall be the sales price stated for the unit in the application Form WPB 2896, as approved (or the amount thereafter approved pursuant to § 702.53 (b) or § 702.54 hereof), which shall be the total consideration paid by a purchaser for such unit, *Provided*, That, in any event, there shall be excluded from the approved sales price those incidental charges which a purchaser of real estate customarily assumes in the community where the real estate is located.

(5) "Shelter rent" shall be the approved rental, less charges for tenant services and additional charges.

(6) "Charges for tenant services" shall include charges for only the following services and items, which are enumerated in Form WPB 2896 and approved, and none other: (i) heating and air conditioning, including heat and air conditioning supplied direct to tenants, pro rata charges for heating and air conditioning common hallways, stairways and rooms, and heating hot water for tenant use; (ii) janitor or maid service to tenants, including cleaning of common hallways and rooms; (iii) project lighting, including lighting of common hallways and rooms, common recreation areas and driveways, exclusive of tenant gas and electricity; (iv) elevator service, maintenance and operating expenses, but not depreciations; (v) water, including cost of water supplied direct for tenant use and for use in common rooms such as laundries; (vi) garbage and rubbish removal; (vii) insect and rodent extermination; (viii) extra equipment, including venetian blinds, telephone and buzzer equipment in tenant units; furniture, carpets, mats, stair treads, draperies, and recreation equipment in common areas, but not including project office furniture and similar management overhead; (ix) cooking ranges and refrigerators or iceboxes; and (x) ground maintenance. "Charges for tenant services" does not include charges for household furniture and furnishings supplied for tenant use in dwelling units (as distinguished from furniture supplied in common hallways and common rooms), as such charges are determined not by the National Housing Agency but by the Office of Price Administration.

(7) "Additional charges" shall include only the following: (i) a reasonable charge, which is specified in Form WPB 2896 and approved, for garage space which need not be supplied as an essential part of the dwelling unit and in-

official use only for the War Department will be furnished upon proper request for

Parts 04 and 61 of the Civil Air Regula-

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eregice rating or allotment symbol.

tial part of the dwelling unit and in-

cluded in the shelter rent; and (ii) an equitable pro rata amount of the actual cost to the landlord of tenant gas and electricity, which need not be specified in Form WPB 2896 or approved.

(8) "Room" shall include only a living room, dining room, sleeping room, or kitchen, except that a kitchenette or dinette shall be considered as one-half room each.

§ 702.52 *Application for authority to begin construction.* (a) Any person desiring to construct private H–2 housing authorized by the National Housing Agency may make application on Form WPB 2896 for authority to begin such construction for one of these purposes: rental, sale, or occupancy by the original owner. Such application shall be filed with the local office of the Federal Housing Administration having jurisdiction, in accordance with instructions issued by the Federal Housing Administration.

(b) The local office of the Federal Housing Administration may approve the application pursuant to §§ 702.50 to 702.56, inclusive, but only if that office determines that (1) if approved for rental or for sale, the proposed rental or proposed sales price is within the range of currently authorized rental levels or current replacement cost levels for similar accommodations in the area; or (2) if approved for occupancy by the applicant such person has submitted satisfactory evidence of his intention to occupy the property.

(c) Upon approval of such application and the issuance, if any, of an appropriate preference rating and allotment symbol the applicant and all successors in interest to the approved application, rating or symbol, or to any property constructed with the assistance thereof, shall be bound by the terms of such application and preference rating and of all applicable rules, orders, and regulations of the War Production Board and the National Housing Agency.

§ 702.53 *Sale and rental of private H–2 housing.* (a) For the duration of the national emergency declared by the President on September 8, 1939, all private H–2 housing may be rented or disposed of, by the original or any subsequent owner, only as provided in §§ 702.50 to 702.56, inclusive.

(1) In the event that the application provides for sale, the housing may be sold (or resold by a purchaser) at an amount not exceeding the approved sales price, or may be held for rental as provided in § 702.53 (a) (2) and § 702.53 (b) (1). In the event the housing is to be sold, the "approved sales price" shall be approved within the limits of the H–2 locality ceiling established by the National Housing Agency and shall not exceed $8,000.

(2) In the event that the housing is rented under §§ 702.50 to 702.56, inclusive, it shall be "held for rental" as defined in § 702.51 (a), and no rent payment exceeding the approved rental shall be required of the tenant for the housing as an unfurnished dwelling unit. The "approved rental" shall be approved within the limits of the H–2 locality ceiling established by the National Housing Agency and shall not exceed $65.00 per month shelter rent per unfurnished dwelling unit, plus charges for tenant services (not exceeding $3 per month per room) and additional charges (as defined in § 702.51 (a)). The owner is required, in return for the approved rental, to supply and suitably to maintain the unfurnished dwelling unit and appurtenances described in the application: *Provided*, That none of the provisions of §§ 702.50 to 702.56, inclusive, shall be interpreted as relieving the tenant from legal liability for waste.

(b) The owner of any private H–2 housing may dispose of such housing in a manner other than that stated in the approved application (or pursuant to § 702.54) only in the following manner and by complying with the following prescribed procedure:

(1) Private H–2 housing which has been approved for sale (provided for in the application or under § 702.53 (b) (3)) may be held for rental by the owner: *Provided*, That the owner shall, prior to initial occupancy by the tenant, submit to the local office of the Federal Housing Administration for approval, a written request for authority to hold for rental and the establishment of an approved rental, setting forth a schedule and justification of the rentals which the owner desires to charge, and obtain such approval. The Federal Housing Administration, in passing upon the request, shall be governed by the same considerations and restrictions as though the request were made upon an original application for authority to begin construction. If the approval is granted, the Federal Housing Administration shall notify the owner in writing, and shall advise that the rental so established constitutes the "approved rental" under this regulation, in excess of which the housing may not be rented. The establishment of an approved rental under this paragraph shall not otherwise affect the approval of sale of such housing.

(2) Private H-2 housing which has been approved for rental may be sold to a purchaser who shall hold such housing for rental in the same manner and under the same terms, conditions and restrictions as applied to his vendor.

(3) Private H-2 housing which has been approved for occupancy by the original owner, may be sold or held for rental, provided that the original owner shall have first submitted to the local office of the Federal Housing Administration for approval, a written request for authority to hold for rental or to sell such housing and for the establishment of an approved rental or an approved sales price, and obtained such approval. The Federal Housing Administration, in passing upon the request, shall be governed by the same considerations and restrictions as though the request were made upon an original application for authority to begin construction. If the approval is granted, the Federal Housing Administration shall notify the owner in writing and shall advise that the rental or sales price so established constitutes the "approved rental" or "approved sales price" under §§ 702.50 to 702.56, inclusive, in excess of which the housing may not be rented or sold, as the case may be.

§ 702.54 *Increase of rent or sales price.* (a) Notwithstanding any other provision of §§ 702.50 to 702.56, inclusive, the initial rent charge prior to tenant occupancy or the sales price for any private H–2 housing may be increased over the amount theretofore approved, if such increase is authorized by this section and approved by the National Housing Agency. The owner of any such housing may petition on Form NHA 60–4 for such increase in rental or sales price and submit such petition to the NHA Regional Representative, through the local office of the Federal Housing Administration, provided that the petition must be submitted prior to initial occupancy or, if the petition is for increase in rent charge, then prior to an initial occupancy by a tenant. Each NHA Regional Representative is authorized to approve such increase as he deems appropriate in the particular case, *Provided*, That the petition shows clearly (1) that the owner has incurred, or will incur, costs in the construction of such housing over which the owner had or has no control, in excess of the costs originally estimated or (2) if the petition is for an increase in rent charge, that the owner will incur costs in the operation of such housing over which the owner has no control, in excess of the costs originally estimated, or that the owner will provide tenant services in addition to those specified in Form WPB 2896; and that if the petition is approved in accordance with (2) the petition must be approved prior to an initial occupancy by a tenant. Any increase in rental or sales price approved hereunder may be added to an "approved rental" or "approved sales price" within the meaning of §§ 702.50 to 702.56, inclusive.

(b) Any request for permission to increase the rent charge for any private H–2 housing submitted after such housing has been initially occupied by a tenant, or other rent matters relating to such housing and not covered by §§ 702.50 to 702.56, inclusive, must be submitted to the Office of Price Administration.

§ 702.55 *Interpretation and compliance.* (a) When any local office of the Federal Housing Administration is unable to determine any question arising under §§ 702.50 to 702.56, inclusive, it shall refer such question to the NHA Regional Representative. Such referral shall be accompanied by a full statement of the facts and circumstances relevant to the problem, and may include recommendations for its disposition. In the event that the Regional Representative desires assistance in disposing of the question, he shall refer it to the Office of the General Counsel of NHA.

(b) All matters involving the enforcement of the terms of §§ 702.50 to 702.56, inclusive, where compliance cannot be obtained voluntarily at the local level shall be referred to the Office of the General Counsel of NHA.

§ 702.56 *Applicability and duration.* (a) The provisions of §§ 702.50 to 702.56, inclusive, shall be binding upon any person in addition to the original owner, who shall hold any right, title, or interest in or to any private H–2 housing.

(b) Any reference herein to a "regulation" relates to the regulation and any amendments thereto, revision thereof, or superseding or modifying regulation.

(c) The provisions of §§ 702.50 to 702.56, inclusive, except as otherwise amended or revoked, shall continue in force and effect for the duration of the national emergency declared by the President on September 8, 1939.

This regulation shall be effective immediately.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 45–12861; Filed, July 14, 1945; 11:22 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

AUTHORIZATION TO WAR DEPARTMENT TO PASS ON WAGE AND SALARY ADJUSTMENTS FOR DESIGNATED EMPLOYEES

The National War Labor Board hereby amends General Order No. 14 to read as follows:

§ 803.14 *Authorization to the War Department to pass on wage and salary adjustments for designated and civilian employees.* (a) The National War Labor Board hereby delegates to the Secretary of War, to be exercised on his behalf by the Wage Administration Section within the Industrial Personnel Division, Headquarters, Army Service Forces (hereinafter referred to as the "War Department Agency"), the power to rule upon all applications for voluntary wage and salary adjustments (insofar as approval thereof has been made a function of the National War Labor Board) covering civilian employees within the continental limits of the United States, employed by

(1) The War Department

(2) The Army Exchange Service, and

(3) Government-owned, privately-operated facilities of the War Department all in accordance with the further provisions of this order.

(b) In the performance of its respective duties the War Department Agency shall comply with the terms of Executive Order No. 9250, dated October 3, 1942, Executive Order 9328, dated April 8, 1943, the Directives of the Director of Economic Stabilization, and all general orders and policies of the National War Labor Board announced thereunder.

Any wage or salary adjustment approved by the Agency "which may increase production costs above the level prevailing in comparable plants or establishments" shall become effective only if also approved by the Director of Economic Stabilization. Notice to this effect shall be contained in all rulings and orders issued by the War Department Agency in wage cases.

Applications for approval of voluntary wage adjustments within the jurisdiction of the War Department Agency shall state whether or not the adjustment if granted may increase production costs above the level prevailing in comparable plants or establishments. If the answer is in the affirmative, the War Department Agency shall send to the War Labor Board for processing to the Office of the Director of Economic Stabilization a copy of the application and a copy of its ruling at the time of issuance thereof, for approval as mentioned above.

The War Department Agency, without making an initial ruling thereon, may refer to the Board for decision by the Board any case which, in the opinion of the Agency, presents doubtful questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The War Department Agency shall transmit to the Wage Stabilization Division of the National War Labor Board copies of its rulings and rules of procedure as they are issued. In administering the provisions of this order the Agency shall also transmit monthly reports of its rulings to the Wage Stabilization Director of the National War Labor Board, and such additional data as said Division or the Board from time to time deem necessary.

(d) Any ruling by the War Department Agency hereunder shall be final, subject

(1) To the National War Labor Board's ultimate power to review rulings on its own initiative, and

(2) In cases under category (a) (3) above, to the right of any aggrieved party, within a period of fourteen days after the mailing of the ruling denying, in whole or in part, the application for approval of a voluntary wage or salary adjustment, to mail to the National War Labor Board an original and six copies of a petition, including supporting documents, seeking review by the National War Labor Board of such ruling on the merits. Also, the party or parties seeking review shall mail a copy of the petition and supporting documents thereto to the Commanding Officer of the facility at the time of mailing the original and copies thereof to the National War Labor Board. The petition shall (i) set forth fully and in detail the contentions of the petitioner with respect to the merits of each issue raised by the petition, with specific reference to any pertinent portions of the record in the case, and (ii) state that a copy of the petition, together with any supporting documents, has been served upon the other parties to the case, and the date of such service.

Within fourteen days after a copy of such a petition for review is mailed by the petitioning party to any other party to the case, such other party may mail an answer to the petition to the National War Labor Board. An original and six copies of the answer shall be transmitted to the National War Labor Board and a copy shall at the same time be served upon the other parties to the case, including a copy thereof to the Commanding Officer of the facility. Such an answer shall include a statement that a copy thereof has been served as required above, and shall show the date of such service. The National War Labor Board shall notify and send to the War Department Agency two copies of the petition and answer, together with two copies of the supporting documents. Upon notification by the National War Labor Board the War Department Agency shall transmit to the National War Labor Board the entire record of the case. The War Department Agency, within fourteen days after notification of the petition and answer, may file its brief with the National War Labor Board and shall mail a copy thereof to each of the interested parties. The National War Labor Board will process the petition and answer thereto in accordance with its regular appeals procedure.

(e) Any ruling by the War Department Agency hereunder shall be deemed to be the act of the National War Labor Board unless and until reversed or modified by the Board.

(f) The term "government-owned, privately-operated facilities of the War Department" shall include for the purpose of this order only those facilities (1) in which the War Department has contractual responsibility for the approval of payroll costs, and (2) which are designated in lists furnished from time to time, to the Board by the War Department Agency. The Board may at any time upon at least seven days' notice to the War Department Agency, strike from the list any facility if the Board believes that the policies of Executive Order No. 9017, Executive Order No. 9250, Executive Order No. 9328 or the Supplementary Directive of May 12, 1943 will be furthered by the Board's action directly upon the wage and salary adjustments of such facility.

(g) Where disputes about wages and salaries arise between the private operators of said facilities and their employees, the following procedure shall be followed. The dispute shall first be referred for negotiation to the U. S. Conciliation Service. If an agreement is reached, that portion of the agreement pertaining to wages shall be submitted to the War Department Agency for approval. If no agreement is reached, the dispute shall be referred for decision to the appropriate Regional Board, subject to the regular rules of procedure of the National War Labor Board. At the same time, the War Department Agency shall be notified of the dispute and the nature of the case. On its own initiative the agency may request the Regional Board for any further information concerning the case. When a decision has been reached by the Regional Board, copies of the Board's decision shall be sent to the War Department Agency and the Wage Stabilization Director of the National War Labor Board at the same time that copies are sent to the parties in the dispute. Within the fourteen day period allowed for filing a petition for review, the War Department Agency may request a review of the case according to the rules of procedure, as amended, of the National War Labor Board.

Approved by Board July 9, 1945.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-12818; Filed, July 13, 1945; 12:17 p. m.]

ing established by the National Housing

be rented or sold, as the case may be.

terest in or to any private H–2 housing.

Chapter IX—Department of Agriculture (Agricultural Labor)

[Supp. 27, Amdt. 1]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN HARVESTING APPLES, PEARS AND CHERRIES IN HOOD RIVER COUNTY, OREG.

Supplement 27 (10 F.R. 8098) is amended as follows:

Subparagraph (b) (6) of § 1110.3 is amended to read as follows:

(6) Other harvest labor consisting of truck driver, tractor driver and crew foreman—$1 per hour.

This Amendment 1 to Supplement 27 shall be effective at 12:01 a. m., Pacific war time, July 17, 1945.

Issued this 12th day of July, 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45–12857; Filed, July 14, 1945; 11:12 a. m.]

[Supp. 47, Amdt. 2]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PERFORMING GENERAL FARM LABOR THROUGHOUT THE YEAR ON WHEAT, PEA AND HAY FARMS AND IN SUMMER FALLOW TRACTOR DRIVING DURING WHEAT AND DRY PEA HARVESTING SEASON, AND IN HARVESTING DRY PEAS IN NON-IRRIGATED AREAS IN CERTAIN COUNTIES IN OREGON.

Supplement 47 (10 F.R. 7239, 7393) is amended as follows:

Subparagraph (c) (3) (v) of § 1110.5 is amended to read as follows:

(v) Truck drivers, header tenders, sack jiggers and all other wheat and dry pea harvest labor—$10 per day and board.

This Amendment 2 to Supplement 47 shall be effective at 12:01 a. m., Pacific war time, July 17, 1945.

Issued this 12th day of July 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45–12858; Filed, July 14, 1945; 11:12 a. m.]

[Supp. 52, Amdt. 1]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN HARVESTING WHEAT AND DRY PEAS AND IN PERFORMING GENERAL FARM LABOR ON WHEAT AND PEA FARMS DURING HARVEST SEASON IN CERTAIN WASHINGTON COUNTIES

Supplement 52 (10 F.R. 7336) is amended by adding a rate for truck drivers in subparagraph (c) (2) of § 1111.12 as follows:

(f) Truck driver—$10 per day plus board.

This Amendment 1 to Supplement 52 shall be effective at 12:01 a. m., Pacific war time, July 17, 1945.

Issued this 12th day of July 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45–12856; Filed, July 14, 1945; 11:12 a. m.]

[Supp. 55]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN HARVESTING WHEAT IN CERTAIN WASHINGTON COUNTIES

§ 1111.13 *Wages of workers engaged in harvesting wheat and in performing general farm labor on wheat farms during the harvest season in Franklin, Adams, Lincoln, Benton, and in a portion of Yakima County, State of Washington.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Washington WFA Wage Board that a majority of the producers of wheat in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting wheat and in performing general farm work on wheat farms during the harvest season in Franklin, Adams, Lincoln, Benton, and in that portion of Yakima County located in the Southeast corner of the county, east of U.S. Highway 97, in the State of Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Definitions.* When used in this section:

(1) The term "general farm labor" shall include all services performed in connection with the production and harvesting of wheat during the wheat harvest season, except those services set out in paragraph (c) (2) below.

(2) The term "board" means customary meals and housing, but does not include other perquisites.

(c) *Maximum wage rates.*

(1) General farm labor—$10 per day plus board.

(2) Wheat harvest labor:

(a) Combine operator—$20 per day plus board.

(b) Tractor driver—$12 per day plus board.

(c) Header tender—$10 per day plus board.

(d) Sack sewer—$12 per day plus board.

(e) Sack jigger—$10 per day plus board.

(f) Truck driver—$10 per day plus board.

If workers are paid on any other basis, the rate of compensation shall not exceed the equivalent of the rates herein provided. No perquisites may be paid in addition to the maximum wage rates specified above unless otherwise specifically provided herein. This section shall not be construed as establishing maximum salary or wage rates for services performed by farm managers or farm superintendents.

(d) *Administration.* The Washington WFA Wage Board, located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(e) *Applicability of specific wage ceiling regulations.* This section shall be deemed a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violations of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Supplement No. 55 shall become effective at 12:01 a. m., Pacific war time, July 17, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655; 12117, 12611, 10 F.R. 7609; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 12th day of July 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45–12859; Filed, July 14, 1945; 11:12 a. m.]

[Supp. 56]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN HARVESTING POTATOES IN CERTAIN IDAHO COUNTIES

§ 1108.7 *Wages of workers engaged in harvesting potatoes in Ada, Adams, Boise, Canyon, Elmore, Gem, Payette, Owyhee, Valley and Washington Counties, Idaho.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Idaho USDA Wage Board that a majority of the producers of potatoes in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Idaho USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting potatoes in Ada, Adams, Boise, Canyon, Elmore, Gem, Payette, Owyhee, Valley and Washington Counties, State of Idaho, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Wage rates; maximum wage rates for harvesting potatoes.* (1) Picking of potatoes:

(i) 10¢ per 100-pound sack for yields of 200 or more sacks per acre.

(ii) 11¢ per 100-pound sack for yields of 175–199 inclusive sacks per acre.

(iii) 12¢ per 100-pound sack for yields of 150–174 inclusive sacks per acre.

(iv) 13¢ per 100-pound sack for yields of 125–149 inclusive sacks per acre.

(v) 14¢ per 100-pound sack for yields of 100–124 inclusive sacks per acre.

(vi) 15¢ per 100-pound sack for yields of 85–99 inclusive sacks per acre.

(vii) 18¢ per 100-pound sack for yields of 70–84 inclusive sacks per acre.

(viii) 22¢ per 100-pound sack for yields of 69 or less sacks per acre or individually adjusted ceiling rates approved by the Idaho USDA Wage Board.

(2) Loading potatoes, consisting of loading in field from ground to carrier, 2¢ per 100-pound sack.

(3) Bucking potatoes, consisting of loading in field from ground to carrier, transporting to point of unloading and return to field for reloading, 4¢ per 100-pound sack.

(c) *Administration.* The Idaho USDA Wage Board, located in Room 521, Idaho Building, Boise, Idaho, will have charge of the administration of this Supplement 56 in accordance with the provisions of the Specific Wage Ceiling Regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This Supplement 56 shall be deemed to be a part of the Specific Wage Ceiling Regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this Supplement 56 and any violation of this Supplement 56 shall constitute a violation of such Specific Wage Ceiling Regulations.

Effective date. This Supplement 56 shall become effective at 12:01 a. m., Mountain War Time, July 14, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 14th day of July 1945.

[SEAL] K. A. BUTLER,
Acting Director of Labor,
Department of Agriculture.

[F. R. Doc. 45–12908; Filed, July 14, 1945; 12:30 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–586, Revocation]

JOSEPH VITTORIO

Joseph Vittorio of 10 Swiss Street, Providence, Rhode Island, began construction of a single-family dwelling on Lots 34 and 35, Plat Card No. 51, on the southeasterly side of Hope Street in North Providence, Rhode Island, without authorization from the War Production Board. On July 15, 1944, Suspension Order No. S–588 was issued against the respondent. Because of the fact that the FHA is prepared to authorize completion of this dwelling under its H–2 program now in existence, Deputy Chief Compliance Commissioner Flood has directed that the suspension order be revoked.

In view of the foregoing, it is hereby ordered, that: § 1010.588, *Suspension Order No. S–588* be revoked forthwith.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12844; Filed, July 13, 1945; 4:42 p. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P–98–b, as Amended July 14, 1945]

§ 1041.2 *Preference Rating Order P–98–b—(a) Definitions.* (1) "Operator" means any person to the extent that he is engaged in the petroleum industry in the United States, its territories (except Hawaii) or possessions.

(2) "Petroleum" means crude oil, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(3) "Petroleum industry" includes any of the following activities and any operation directly incident to these activities:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline recovery);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, reprocessing or alteration of petroleum, including but not limited to compounding or blending (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing);

and includes for each of the above listed branches of the industry, to the extent applicable, the control of, or the investigation into more effective methods of conducting petroleum industry operations by means of research, technical or control laboratories.

(4) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment, or material in a sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down or is worn out, damaged or destroyed;

(ii) Any other use of material not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

Maintenance and repair shall not include (a) the drilling, redrilling, deepening, plugging back, or multiple completion of any well or the initial installation on any well of pumping or other artificial lifting equipment, or (b) the extension or the initial construction or installation of a field gas gathering line, or (c) the installation or replacement in marketing of any "equipment" defined as such in Petroleum Administrative Order 12.

(5) "Operating supplies" means material, other than material used for maintenance and repair, which is consumed in petroleum operations and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense.

(6) "Laboratory equipment" means instruments and equipment for use in a petroleum research, technical or control laboratory. This does not include material for use in the construction of a laboratory, pilot plant or other structure.

(b) *Purpose of order.* This order will be used to secure priorities assistance for all material required to conduct petroleum operations. In addition, an MRO rating assigned by this order may be used to secure the services of repairmen and the like to the extent consistent with Priorities Regulation 3. However, under this order priorities assistance may not be used to obtain any of the following material:

(1) Material listed on Schedule A of this order.

(2) Material or equipment to be used by a consumer account for or in the storage or dispensing of petroleum, including liquefied petroleum gas. (See Order P–98–e.)

(3) Tank trucks and trailers, railroad rolling stock or marine equipment, other

than parts necessary for containing and moving petroleum by tank truck or trailer; parts for railroad rolling stock not under the jurisdiction of the I. C. C.; and parts for marine equipment where other ways of getting priorities assistance are not available.

How To Obtain Material

(c) *Assignment of ratings and symbols.* (1) An operator may use the appropriate preference ratings and allotment symbols in the table below to secure the material specified (for exceptions see paragraph (d)):

Preference rating and allotment symbol	Material which may be secured with the indicated rating and symbol
AA-1; MRO-P-3	Material for maintenance and repair, operating supplies or laboratory equipment (all known as MRO material) and other material not exceeding in material cost $500 for use in each single operation. This provision applies to any use of material in the petroleum industry, other than in a service station or retail outlet.
AA-2X; P-1	Material (other than MRO material) for use in production, except in connection with a "special production operation," as defined in paragraph (e).
AA-2X; F-5	Material (other than MRO material) for use in connection with a crude oil gathering line, but only in those cases where the operation may be undertaken without specific authorization under Petroleum Administrative Order 15.
AA-3; F-5	Material (other than MRO material) for use in a special production operation or in natural gasoline recovery, transportation or refining, but only in those cases where the operation may be undertaken without specific authorization under Petroleum Administrative Order 11 or Petroleum Administrative Order 15.
AA-5; MRO-P-3	MRO material for use in connection with a service station or retail outlet. (See Direction 2 to P-98-b for another rating available.)

(2) *Information on delivery orders.* The following information must be shown by an operator on each delivery order for controlled material using the priorities assistance of this paragraph (c):

Allotment symbol.
PAW District in which the material will be used.
Use to which the material will be put.
Weight of the material by item.
Month in which delivery of the material is promised.
Certification of paragraph (g) of this order.

(3) *Filing of delivery orders with PAW.* Where required by the provisions of this paragraph, delivery orders must be submitted to the PAW District Office for the District in which the material will be used, or, if so desired by an operator in any branch of the industry other than production, for the District in which the purchasing office of the operator is located. They should be marked "Ref: Materials Division."

Delivery orders for controlled materials using the priorities assistance of this paragraph (c) must be submitted to the Petroleum Administration for War as follows:

(i) Delivery orders with a total cost of more than $100 but not more than $2,500 and with no item of more than $500—one copy for accounting purposes.

(ii) Delivery orders with a total cost of more than $2,500 or with any item of more than $500—the original and two copies for approval, and the operator may not place that order with a supplier until the approved original and one copy have been returned to him.

It is no longer necessary for operators to submit delivery orders for materials other than controlled materials to the Petroleum Administration for War.

In preparing or placing a delivery order an operator shall not alter the customary designation of any item or items for the purpose of making it appear that an item costs $500 or less or that the total cost of all items on the delivery order is $100 or less or $2,500 or less, as the case may be.

(d) *Exceptions to use of assigned ratings and symbols.* (1) The preference ratings and allotment symbols assigned in paragraph (c) may not be used to secure material covered by Schedule B or C of this order. Instead the procedures described in this paragraph will be used.

(2) *Material on Schedule B—special MRO symbol and rating.* An operator must in each case request a rating and symbol for material on Schedule B. The request will be made by submitting the original and two copies of the delivery order, regardless of cost, for approval to the PAW District Office for the District in which the material will be used (or, if so desired by an operator in any branch of the industry other than production, for the District in which the purchasing office of the operator is located), Ref: Materials Division. The operator should show on each delivery order the certification of paragraph (g), and include on the order (or in an accompanying statement) information on the specific use to which the material will be put and why the particular item is required. The operator may not place the order with a supplier until the approved original and one copy have been returned to him.

(3) *Material on Schedule C.* To secure material covered by Schedule C, an operator must apply on the appropriate form in that schedule.

(e) *Application for ratings and symbol for operations not covered by paragraph (c).* (1) Apply on PAW Form 30. It is necessary to apply on PAW Form 30 for priorities assistance for material to be used in a special production operation or in natural gasoline recovery, transportation, refining or marketing where a specific authorization is required by Petroleum Administrative Order 11, Petroleum Administrative Order 12 or Petroleum Administrative Order 15. This, of course, means that it is not necessary to apply on PAW Form 30 for priorities assistance for material to be used in an operation covered by paragraph (c) of this order.

"Special production operations" are:

Gas cycling operations for condensate recovery.
Gas desulphurization operations.
Gas dehydration operations.
Pressure maintenance operations.
A gas lift compression plant or a field gas booster plant.

Form WPB-541 should be used instead of PAW Form 30 in marketing to request a preference rating for machinery or equipment, if the machinery or equipment will be installed with the use of no more than $500 worth of material obtained with the MRO rating of this order.

Form WPB-541, or such other form as may be specified by any WPB order, should be used instead of this form to request a preference rating for material (such as construction machinery or equipment) which will not be incorporated into the proposed plant or facility.

Form WPB-541 applications should be filed with the nearest War Production Board Field Office.

(2) *Special requirements for certain material and equipment.* Schedule D of this order lists, as part of the "Construction Standards," certain material and equipment which in general may be acquired or used in an operation covered by a PAW Form 30 application only in accordance with certain limitations, or which may not be acquired or used without specific permission. If it is necessary to use such material or equipment in a manner other than as permitted by Part 2 of the schedule or to use the products listed in Part 3 of the schedule, the operator must specifically identify such use in accordance with the instructions to PAW Form 30. If an operator is authorized on Form GA-1456 Petroleum to get and use any equipment listed in Part 3 of Schedule D, he may do so without further special authorization, notwithstanding the provisions of any other order of the War Production Board which requires authorization on a special form or letter.

(3) *How to use allotment symbol and preference rating—(i) Placing on delivery orders.* Each delivery order for controlled material must bear the allotment symbol assigned. Each delivery order for material other than controlled material must bear the preference rating assigned, and the applicable allotment symbol. Each delivery order must also bear the standard certification of paragraph (g), and in addition the following certification, if for equipment listed in Part 3 of Schedule D and authorized by a Form GA-1456 Petroleum:

Delivery approved on Form GA-1456 under Order P-98-b (approval equivalent to that under Direction 1 to CMP Regulation 6).

(ii) *Use of any allotment symbol.* Any allotment symbol assigned on a Form GA-1456 Petroleum may be used by the following persons in addition to the operator to order controlled materials and Class A products:

(a) By manufacturers of Class A products or Class A components of Class A products to be incorporated in the operation.

(b) By contractors and sub-contractors doing all or any part of the construction work.

Such allotment symbol may be used only where the manufacturer, contractor, or sub-contractor, as the case may be, has received a statement in substantially the following form endorsed on the order or contract by the person placing it:

Serial Number ..... (identifying project) You are authorized to use allotment symbol ..... to order controlled materials and Class A products needed to fill this order or contract.

It is not necessary to show the quantities of controlled materials in this statement. Its use shall constitute a representation by the person signing it to the person with whom the order or contract is placed, and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code, that he has the right to authorize the person with whom the order or contract is placed to use the allotment symbol to fill the order or contract. The standard certification in paragraph (g) of this order may not be used instead of the above statement (but both will be used to order a Class A product.)

(iii) *Purchase order filing not required.* Any rating or allotment symbol assigned pursuant to an application on PAW Form 20, Form WPB-541 or other appropriate form may be used without submitting purchase orders to the Petroleum Administration for War, unless the operator receives special instructions to the contrary.

General Provisions

(f) *How to obtain authority to use material.* An operator may use material for maintenance or repair or as operating supplies, or in any other operation only in accordance with the provisions of Order L-86 or other applicable Petroleum Administrative Orders, listed in this paragraph. Unless a desired use of material is permitted by the terms of the appropriate order, the operator must secure an authorization under or an exception to that order, as the case may be.

(1) Use of material in production (including "special production operations") or in natural gasoline recovery is governed by Petroleum Administrative Order 11, as amended and supplemented from time to time.

(2) Use of material in transportation or refining is governed by Petroleum Administrative Order 15, as amended and supplemented from time to time.

(3) Use of material (other than liquefied petroleum gas equipment covered by Order L-86) in marketing is governed by Petroleum Administrative Order 12, as amended and supplemented from time to time.

(g) *Certification for delivery orders.* The certification required to be placed on delivery orders is as follows:

The undersigned purchaser certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

This certification may be used as provided in Priorities Regulation 7.

(h) *Placement of delivery orders for controlled materials.* Under many War Production Board orders and regulations, a delivery order for controlled materials which is an authorized controlled material order is given special treatment. Any delivery order for controlled materials placed pursuant to this order and bearing the certification of paragraph (g) of this order is an authorized controlled material order if the delivery order is in sufficient detail to be placed on a mill schedule and if it specifies the month in which delivery is requested or promised.

(i) *Restoration of inventories.* An operator may use an allotment number or symbol or preference rating authorized under this order to restore his inventory to a practicable working minimum. However, an operator may not secure replacements which would result in surplus material as defined in Order P-98-c as amended.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order should, unless other directions are given, be addressed to the Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: P-98-b.

(k) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Petroleum Administration for War or the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(l) *Applicability of other orders and regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all orders and regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations 2, 5, 5A and 6 (or the limitations incorporated in any CMP Regulation which otherwise would subject an operator to the provisions of CMP Regulation 2, 5, 5A or 6) shall apply to an operator, and no operator shall obtain any material under or be limited by the provisions of such regulations or limitations. The provisions of paragraphs (i), (s), (s-1) and (u) of CMP Regulation 1 shall not apply to an operator who secures material in accordance with the provisions of this order.

(3) Any preference rating, other than a rating for MRO material, assigned pursuant to the provisions of this order is assigned in lieu of a preference rating under an order in the P-19 series or on Form CMPL-224 or GA-1456 Petroleum. Any reference in any order of the War Production Board to an order in the P-19 series or to Form CMPL-224 or GA-1456 Petroleum shall constitute a reference to a preference rating assigned pursuant to this order.

(4) Privileges granted by other orders and regulations of the War Production Board to persons on Schedule I of CMP Regulation 5 shall be considered as applicable to petroleum operators. For example, Order E-5-a on gauges and precision measuring hand tools classifies a person on Schedule I or II of CMP Regulation 5 as an "approved user." An operator covered by P-98-b is in identically the same position: *Provided*, That certification clauses in and all other provisions of such other orders are complied with.

(5) The War Housing Construction Standards, contained in Schedule II of Order P-55-c, apply to any housing undertaken with the priorities assistance of this order. Rules for petroleum industry housing are covered by Direction 1 to P-98-b.

(m) *Further limitations on use of priorities assistance.* The Petroleum Administration for War may issue in its own name further restrictions or limitations on the use of priorities assistance by operators in the petroleum industry.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The items listed on this schedule may be delivered to operators without regard to preference ratings. No operator shall apply or extend any rating to get any of these items, and no person selling any such item shall require a rating as a condition of sale.

Items on List A of Priorities Regulation 3.
Rock bits and core bits (rotary bits).
Tool joints.
Low and high temperature fractional distillation equipment for gas and gasoline analysis.

SCHEDULE B

The following materials are covered by this schedule:

(a) Those items currently identified on (and more completely described in) List B of Priorities Regulation 3, as follows, and any equivalent items replacing them on revisions of that List B, when included on a purchase order which bears allotment symbol MRO-P-3:

Civilian defense devices.
Filing cabinets, wooden.
Fire protective equipment.
Furniture for any use, except furniture specifically designed for schools.
Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment).
Medical, surgical and dental instruments.
Slide rules, precision engineering, having a list price of $7.50 or more.
Venetian blinds.

(b) Construction machinery and equipment (on Schedule B of Order L-192) costing in excess of $500, when to be acquired with a rating and symbol assigned in paragraph (c) of this order.

in paragraph (c) may not be used to

Gas desulphurization apparatus

(c) Complete units of the following items of equipment needed for maintenance and repair purposes in production operations. Delivery of these items may be obtained without regard to this schedule if an operator uses the authorized preference rating AA-2X.

Crown blocks
Traveling blocks
Hooks or connectors
Elevators
Swivels
Grief stems (kellys)
Rotary tables
Drawworks
Tongs
Master gates
Blowout preventors
Drill collars
Slush pumps (power or steam driven)
Boilers
Weight indicators
Steam drilling engines

SCHEDULE C

Many of the materials on List B of Priorities Regulation 8 (other than those on Schedule B of this order) may be secured without a preference rating, and every attempt should be made to do so. If a rating is required for any of these materials it should be applied for on Form WPB-541, filed with the nearest WPB Field Office.

There are two general exceptions to this rule. In the first place, a rating for laboratory instruments and equipment and chemicals may be obtained under the procedure of paragraph (c) of this order. And secondly, the forms indicated below will be used for the items there listed.

Item	Preference rating form	Release or scheduling form	Filing instructions
(a) Steel shipping drums (as defined in L-197).	.....	WPB-3770.....	File 4 copies with PAW, Washington, Ref: P-98-b. File this form for relief from the provisions of L-197.
(b) Wooden shipping containers (as defined in L-272, P-140).	WPB-2408.....	.....	File WPB-2408 with PAW, Washington, Ref: P-98-b. File this form only if the preference ratings of P-140 are not sufficiently high to obtain delivery at the time the material is needed.

SCHEDULE D. CONSTRUCTION STANDARDS

NOTE: Schedule D amended July 14, 1945.

PART 1—GENERAL

A. *What these Construction Standards are and what they do.* Under these Construction Standards an operator is informed in Part 2 of the principles governing wartime construction and of the specific limitations to be followed in undertaking construction covered by PAW Form 30. In Part 3 certain products are listed which may be requested through the PAW Form 30 procedure and which otherwise would require the filing of supplemental application forms.

In preparing PAW Form 30 applications the Construction Standards should be consulted closely, since they apply to the use of material in operations covered by that form and authorized on Form GA-1456 Petroleum. The Construction Standards have not been included in the Instructions to PAW Form 30 because of the likelihood of their frequent revision, and because additional products may in the future be added to Part 3 of the Standards, thus eliminating the need for supplemental authorization forms for such products. These Construction Standards do *not* apply to petroleum industry operations which are *not* covered by PAW Form 30; nor do they apply to the use of used material and equipment except where specifically stated. For a separate set of Construction Standards applicable to housing covered by Direction 1 to P-98-b, see Order P-55-c and schedules to that order.

Operators should request any exceptions from the limitations contained in Part 2 of this Schedule which they consider essential. Each authorization granted on Form GA-1456 Petroleum will provide that the limitations of Part 2, except as modified by any exception granted in the particular authorization, shall apply to material for use in the proposed operation.

B. *Amendments to Construction Standards.* These Construction Standards may be amended from time to time by the issuance of an amended Schedule D to P-98-b. After any such amendment, use of material covered by an authorization on Form GA-1456 Petroleum may be made in accordance with that authorization, or in accordance with any revised Standards.

PART 2—LIMITATIONS ON CONSTRUCTION

(Unless required under the provisions of a WPB order or regulation, none of the limitations of Part 2 of this Schedule applies to use of material in the fabrication or assembly of Class A or Class B products by suppliers regularly engaged in the business of fabricating or assembling such products for sale.)

A. *Principles governing wartime construction.* The principles governing wartime construction are defined in a directive adopted by the WPB and the Army-Navy Munitions Board, May 20, 1942. These principles are interpreted as limiting all construction to a design of the simplest type consistent with structural stability and sufficient only to meet the immediate minimum functional requirements.

The guiding principle should always be to utilize those materials which are most plentiful and which, in the ultimate analysis, will cause the least interference with the production of combat material and the utilization of transportation and power.

B. *Structural design.* All building construction using any stress grade lumber shall be designed in accordance with the applicable provisions of the War Production Board Directive No. 29 "Design, Fabrication and Erection of Stress Grade Lumber and its Fastenings for Buildings", as amended.

C. *Tin.* The use of tin and tin products is prohibited except as follows:

1. Solder:

a. Not over 40% tin in solder (i) for wiping water service pipe, connecting the piping of a structure with the outside water main, (ii) for assembly and repair of galvanized iron or zinc tanks.

b. Not over 35% tin in solder (i) for assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron", (ii) for wiping lead sheathed cable joints or lead pipe joints.

c. Solder for electrical connections may be used only to the extent that solderless connectors, not containing copper or copper-base alloys, will not serve, and then not over 35% tin content.

d. Not over 30% tin in solder for all other uses not covered above, and then only to the extent that substitution of either a less critical material or use of less tin content is impracticable.

2. Fuses, fuse plugs, and sprinkler head fuses.

D. *Zinc.* 1. The use of zinc and zinc products is prohibited:

a. For ornamental and decorative work.

b. In the form of sheet, strip and rod except:

(i) Where essential for processing.

(ii) Where the use of chemicals requires it.

E. *Lumber and lumber products.* Every effort should be made to employ in construction non-critical materials as substitutes for lumber less than 3" nominal thickness.

1. The use of lumber 2" nominal thickness less than 8" nominal width and all lumber less than 2" nominal thickness is prohibited for the following:

a. Sheathing of walls and roofs.
b. Facing of partitions and ceilings.
c. Siding.
d. Fencing.
e. Sub-floors.
f. Framing of exterior walls.
g. Framing of interior partitions supported on other than wood-framed floors.

2. The use of lumber is prohibited for the framing of first or ground floors without basement or cellar beneath.

3. The use of lumber other than used lumber or used plywood for forms for concrete construction is prohibited, except that where neither used lumber nor used plywood is available, new lumber or new plywood may be used, provided that:

a. Maximum reuse is made of forms.

b. New plywood for forms is limited to the highly water-resistant type. Plywood form liners prohibited.

4. The use of common grades of any kind of lumber is prohibited for mill work and trim.

5. The use of Hardboard is prohibited.

6. The use of plywood is prohibited, except as permitted in paragraph E-3-b.

7. The use of western pine is prohibited for all uses except such mill work as sash, doors, windows, and door and window frames, window and door screens, trim and moulding.

The salvage of all reusable lumber, not specifically incorporated in a structure, is mandatory and its destruction is prohibited. Such lumber shall be made immediately available for reuse.

F. Mechanical ventilation. 1. The use of mechanical ventilation is prohibited except for:

a. Areas without natural ventilation.
b. Hospital spaces.
c. Spaces where industrial processes make its use mandatory.
d. Interior toilet rooms and kitchens where gravity ventilation will not suffice.

2. Ventilation systems for winter operation in locations as outlined above shall be of the re-circulatory type, with quantity of make-up and exhaust air reduced to the minimum required to meet health requirements.

G. Lead. The use of lead and products is prohibited except where List 1 of Order M-38 permits it (applications for waivers should be filed on the WPB-617 application and if approved permission to deviate from M-38 will be given automatically).

PART 3—PRODUCTS AVAILABLE WITHOUT SUPPLEMENTAL APPLICATION

A. Explanation. To secure any item listed in this Part 3, the operator must list and justify the use of the item in Section C of PAW Form 30. An operator is not required to submit for any such item a separate application form (even if otherwise required by the provisions of a WPB order).

B. Items available without supplemental application:

Air conditioning and refrigerating equipment.
Blowers, electric hand portable.
Boilers, power.
Laundry equipment, dry cleaning equipment, tailors pressing equipment.
Compressors.
Conveyors and conveying systems.
Cranes and hoists, overhead.
Dust collecting equipment, industrial.
Electric power generators, turbines, transformers and switchgear.
Elevators, new.
Engines, diesel and gas.
Fire protective signal and alarm equipment.
Floor machines, finishing and maintenance.
Heat treating equipment.

Industrial instruments.
Machine tools.
Motion picture projection and sound reproducing equipment, 35 mm.
Office machines.
Oil-fired equipment and natural gas-fired equipment, whether new or used regardless of whether or not a rating is requested (specify on the application which items are to be oil fired and which natural gas fired).
Pneumatic tube delivery systems.
Power generating and distribution equipment.
Pumps.
Rug scrubbing machines (portable).
Sanding machines, floor.
Scales, balances and weights.
Turbo blowers and turbo exhausters.
Typewriters.
Vacuum cleaners, industrial.
Vault doors of iron or steel.
Water conditioning equipment.
Welding equipment.
Other industrial machinery and equipment which is to be used directly in processing.

SCHEDULE E—INSTRUCTIONS FOR DIRECTING COMMUNICATIONS TO PAW DISTRICT OFFICES

District 1: (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, District of Columbia). Direct communications to Petroleum Administration for War, 1104 Chanin Building, 122 East 42nd New York 17, New York. Ref: P-98-b.

District 2: (Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota). Direct communications to Petroleum Administration for War, 1200 Blum Building, 624 South Michigan Avenue, Chicago 5, Illinois (or) 410 Beacon Building, 406 South Boulder Avenue, Tulsa 3, Oklahoma. Ref: P-98-b.

District 3: (Alabama, Mississippi, Louisiana, Arkansas, Texas, New Mexico). Direct communications to Petroleum Administration for War, 245 Mellie Esperson Building, Houston 1, Texas. Ref: P-98-b.

District 4: (Montana, Wyoming, Colorado, Utah, Idaho). Direct communications to Petroleum Administration for War, 320 First National Bank Building, Denver 2, Colorado. Ref: P-98-b.

District 5: (Arizona, California, Nevada, Oregon, Washington, Territory of Alaska). Direct communications to Petroleum Administration for War, 855 Subway Terminal Building, Los Angeles 13, California. Ref: P-98-b.

[F. R. Doc. 45-12868; Filed, July 14, 1945; 11:49 a. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Limitation Order L-86, as Amended July 14, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of liquefied petroleum gas and liquefied petroleum gas equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1167.1 *General Limitation Order L-86*—(a) *Applicability of other orders.* This order and all transactions are subject to all applicable orders and regulations of the War Production Board.

(b) *Definitions.* (1) "Liquefied petroleum gas equipment" means equipment (other than marine, rail, pipeline or truck facilities used in transportation of liquefied petroleum gas and other than equipment used in natural gasoline recovery or refining as these terms are defined in Order P-98-b), or parts thereof, used to contain, distribute or dispense propane, propylene, butanes, butenes, or any combination or dilution thereof commonly known as liquefied petroleum gas.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Structure" means any building, physical construction or portion thereof, used in marketing or distributing liquefied petroleum gas, but not including equipment or operating supplies used therein.

(4) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure or liquefied petroleum gas equipment in a sound working condition or the restoration or fixing of any structure or liquefied petroleum gas equipment which has broken down or is worn out, damaged or destroyed.

(ii) Any other use of material not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

"Maintenance and repair" shall not include either of the following: (a) any use of material in connection with a service station or retail outlet other than for upkeep or restoration purposes; or (b) the use of material for new installations of or additions to or expansions of liquefied petroleum gas equipment.

(c) *Conservation of liquefied petroleum gas equipment.* Unless permitted by paragraph (d), no person shall use material for or in a structure, or shall install liquefied petroleum gas equipment or deliver or otherwise supply any such equipment for installation purposes.

(d) *Exceptions.* Material and liquefied petroleum gas equipment or parts may be used or installed:

(1) Where material is to be used for the maintenance and repair of any structure or liquefied petroleum gas equipment;

(2) Where containers of equal capacity are exchanged (or a container replaced by one of lesser capacity) on the premises of any person in the normal course of distribution of liquefied petroleum gas;

(3) Where the liquefied petroleum gas equipment or parts to be used or installed were lawfully installed and in actual use on or prior to February 15, 1945 and were withdrawn from such use subsequent to that date: *Provided*, That only household appliances which had formerly been used with liquefied petroleum gas equipment shall be connected to such equipment.

(4) Where the War Production Board or the Petroleum Administration for War has determined that the use of liquefied petroleum gas equipment is necessary and appropriate in the public interest and to promote the war effort. Application for such a determination shall be made on Form WPB-809 (Revised) and filed with the Petroleum Administration for War, 855 Subway Terminal Building, Los Angeles 13, California or Petroleum Administration for War, Interior Building, Washington 25, D. C., whichever is appropriate, Ref. L-86. Only those persons who wish to install liquefied petroleum gas equipment for use in PAW District Five may file an application in Los Angeles, California:

(5) Where material is to be used for the construction, reconstruction, expansion, alteration, or remodeling of any structure, other than in connection with a consumer account, if the cost of material does not exceed $40,000: *Provided*, That the cost of material to be used in the construction of a building does not exceed $25,000.

Where a person wants to use material but cannot do so because of the limitations imposed by this subparagraph, he must make application both for authorization to use the material and for all necessary priorities assistance on PAW Form 30, filed in accordance with the instructions on that form.

(e) *Required certification.* Any person acquiring liquefied petroleum gas equipment (but not material for use in a structure) shall endorse on all copies of each purchase order or contract for such equipment which are placed with any person, a statement in substantially the following form:

The liquefied petroleum gas equipment which is ordered in this purchase order (or contract) is to be used in conformity with the provisions of General Limitation Order L-86, with the terms of which order the undersigned is familiar.

This certification, or any other applicable certification made available by Priorities Regulation No. 7, must be used in accordance with the provisions of that regulation. The regulation provides specifically that the certification must be signed manually or, under certain conditions, by use of a facsimile signature.

Where liquefied petroleum gas equipment is to be acquired for maintenance and repair purposes the one-time certification prescribed by Priorities Regulation No. 7 may be used.

No certification of any kind need be made where containers are replaced or exchanged as permitted by paragraph (d) (2) above.

(f) *Violations.* Any person who willfully violates any provision of this order or who willfully furnishes false information to the Petroleum Administration for War or the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12871; Filed, July 14, 1945; 11:49 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-341, Revocation]

COMMERCIAL TYPE ELECTRIC MOTORS

Section 1226.140 *Limitation Order L-341* and all outstanding authorizations issued under it, are revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of commercial type electric motors remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12865; Filed, July 14, 1945; 11:48 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 11, as Amended July 14, 1945]

SHIPBUILDING DIVISION

§ 3208.12 *Table for Shipbuilding Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Cal. mo. frozen
1. Diesel engines: marine: a. Main propulsion, Diesel-generator sets and auxiliaries		878	3003		8
2. Gears (marine): a. Main reduction gears (turbine propulsion)			1826		12
b. Main reduction and reverse gear units (Diesel and gasoline propulsion engine)		3002.33	3003		2
			1826		12
3. Turbines, main marine propulsion					
4. Valves, piping systems, including all valves such as industrial, marine, hydrant, sluice gate, drilling, flow line, cocks, etc. except refrigeration, aircraft, automotive, instrument, regulating and control valves, air brake equipment, plumbing fixture fittings and trim.					
a. Steel valves: (1) Safety and relief		3000.15			3
(2) Turbine (including astern, crossover, maneuvering, manifold and throttle)		3000.15			3
(3) Other steel valves		3000.15			3
b. Iron valves (1) Safety and relief		3000.15			3
(2) Other iron body valves		3000.15			3
c. Bronze valves (1) Safety and relief		3000.15			3
(2) Compressed gas cylinder		3000.15			3
(3) Other bronze valves 150 lbs. S. W. P. and over		3000.15			3
5. Pipe fittings, except compression, flared, Parker-type, bell and spigot					
a. All steel fittings		3000.15			3

[1] Form WPB-3401 may be used instead of WPB-3003.
[2] For explanation of time during which shipping schedule is frozen see paragraph (m) of M-293.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12875; Filed, July 14, 1945; 11:50 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-103, Interpretation 1]

EXPERIMENTAL MOLDS FOR NON-STANDARD GLASS CONTAINERS

The following interpretation is issued with respect to Limitation Order L-103:

(a) The schedules of Order L-103 prohibit the making of molds for glass containers for various products that do not conform to the specifications of the standard glass containers prescribed in these schedules for those products. Priorities Regulation 23 permits, within certain specific limitations, the making of experimental models of an article that is prohibited from being made by a WPB order. This regulation overrides the prohibitions in Order L-103 against the making of molds to the extent of permitting any person to make molds that do not conform with the specifications of any standard glass container, provided they are made as part of an experiment to determine whether containers made from them will be superior to or cheaper to make than present containers and whether they can be reproduced on a commercial basis.

(b) These experimental molds must be made in conformance with all of the restrictions of paragraph (e) of the regulation. For example, the experimental model may be made "only in the minimum number and the minimum size required to determine the suitability of the article for commercial production," as distinct from promoting sales; and trial production runs are not permitted. However, in order to determine the suitability of a new type of glass container, a person may have to set up the molds on one of his glass container making machines which are usually designed to carry a complete set of molds and cannot be satisfactorily operated unless they are supplied with the whole set. In such cases, where a whole set of molds is needed to conduct the experiment, this regulation permits a manufacturer to make a complete set of molds, but not more than the number required for one of his machines. If he owns or controls, directly or indirectly, any other plant, he may not make a duplicate set of molds at the other plant.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12872; Filed, July 14, 1945; 11:49 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241-a, as Amended July 14, 1945]

CONSERVATION OF PAPER AND PAPERBOARD

§ 3281.64 *General Conservation Order M-241-a*—(a) *Definitions.* For the purpose of this order:

(1) A "converted product" means any article or type of converted paper resulting from the processing of pulp, paper, or paperboard which alters the original form or characteristics of the pulp, paper, or paperboard. The term includes all articles on any of the lists to this order, but shall not include:

(i) Paper or paperboard manufactured in the first instance by a paper or paperboard mill.

(ii) A "newspaper" as defined in General Limitation Order L-240.

(iii) "Wall paper" as defined in General Limitation Order L-177.

(iv) A "box" as defined in General Limitation Order L-239.

(v) A "magazine" as defined in General Limitation Order L-244.

(vi) A "book" as defined in General Limitation Order L-245.

(vii) A "greeting card" as defined in General Limitation Order L-289.

(viii) A "book match" as defined in General Limitation Order L-263.

(ix) A "paper shipping sack" as defined in General Limitation Order L-279.

(x) Fibre shipping containers, cans, drums, tubs, barrels, dividers, partitions and separators.

(xi) Cups, pails and nested food containers.

(xii) A "display" as defined in General Limitation Order L-294.

(xiii) A "grocery", "variety" and "notion bag" as defined in General Limitation Order L-261.

(xiv) Looseleaf binders.

(xv) Specialty bags.

(xvi) [Deleted July 14, 1945]

(2) A "converter" is any person who, regardless of the identity or nature of his business, manufactures any converted product.

(3) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Computation of quotas for a portion of a calendar quarter.* Each converter whose quota provisions for a current calendar quarter are affected by this or any subsequent amendment to this order shall compute his permitted quota on a pro rata basis from the effective date of the order for the balance of the current calendar quarter.

(c) *Unrestricted consumption of pulp, paper and paperboard in the manufacture of certain converted products.* Any converter may consume any quantity of pulp, paper and paperboard in the manufacture of any converted product shown on List A of this order.

(d) *Restriction on consumption of pulp, paper and paperboard in the manufacture of certain named converted products.* (1) No converter shall consume in the manufacture of any converted product on List B, List C or List D of this order any quantity, in tons, of pulp, paper and paperboard greater than the quantity ascertained:

For the final quarter of 1943, and for each calendar quarter thereafter, by applying the entire percentage figure for each such converted product, as shown in paragraph (d) (2) of this order, to the quantity, in tons, of pulp, paper and paperboard consumed by such person in the manufacture of such product during the corresponding calendar quarter of 1942.

(2) The following percentage figures shall be used for the calculations described in the preceding paragraph (d) (1):

	Percent
(i) List B products	110
(ii) List C products	100
(iii) List D products	80

(3) [Deleted Oct. 5, 1943]

(4) If a converter's consumption of pulp, paper and paperboard for any calendar quarter of 1942 was less than 5 tons, or if a converter did not consume any pulp, paper of paperboard during the calendar year 1942, such converter may consume in the manufacture of any converted products on List B, List C or List D of this order, an aggregate of 5 tons of pulp, paper and paperboard in each calendar quarter.

(e) *Restrictions on consumption of pulp, paper and paperboard in the manufacture of converted products not specifically listed.* (1) No converter shall during the final calendar quarter of 1943 or during any calendar quarter thereafter consume in the manufacture of any converted product not named on List A, List B, List C or List D of this order, any quantity, in tons, of pulp, and paperboard greater than 65 percent of the tonnage consumed in the manufacture of such converted product during the corresponding calendar quarter of 1942.

(2) No converter shall during the third calendar quarter of 1945, or during any calendar quarter thereafter, consume in the manufacture of any converted product not named on List A, List B, List C or List D of the order, any quantity, in tons, of paper greater than 80 percent of the tonnage consumed in the manufacture of such product during the corresponding calendar quarter of 1942.

(3) If a converter's consumption of pulp, paper and paperboard for any calendar quarter of 1942 was less than 5 tons or if a converter did not consume any pulp, paper and paperboard during the calendar year 1942, such converter may consume in the manufacture of any converted products not named in List A, List B, List C or List D of this order, an aggregate of 5 tons of pulp, paper and paperboard in each calendar quarter.

NOTE: Subparagraph (4), formerly subparagraph (2), redesignated July 14, 1945.

(4) In the instance of any converted products not named on any of the lists of this order, the following processes and operations shall not be considered as processing:

(i) Cutting, trimming or rewinding to a different size when such is performed as part of any established finishing room procedure and provided the paper or paperboard so processed is not intended for a use which serves to defeat the purpose of the order. (*Example:* the cutting of plain paper to a given size for use as a tray cover, the manufacture of which is curtailed by this order).

(ii) Punching or corner cutting.

(iii) Super-calendering.

(iv) Laminating.

(v) Coating, friction calendering, flint glazing, plating and embossing.

(vi) Collating and binding.

(vii) Printing, when such contributes to the functional value of the product to such a degree that the product would be incapable of performing the use intended if not printed, (*Examples:* advertising streamers, posters, menus, programs, timetables, sheet music, patterns, decalcomania transfers, checks), or when such printing is an intermediate process in the manufacture of an article or type of converted paper.

(viii) Printing wrappers (excluding gift wrappings) when printing is the only conversion operation other than cutting or trimming.

(ix) Embossing, corrugating, creping and crinkling for industrial and non-decorative uses.

(f) *Alternate method of calculating quotas.* As an alternate method of calculating quarterly quotas for any converted product, any person may, after the filing of a notice in writing with the War Production Board, elect to apply the percentages established by paragraphs (d) and (e) (1) of this order to one fourth of his total yearly consumption of pulp, paper and paperboard in such product during 1942. When such election has been made and the required notice in writing has been given to the War Production Board, the method of determining quotas may not thereafter be changed.

(g) *Converter's responsibility in determining coverage of this order.* It shall be the duty of each converter to determine in the first instance which of his products are included among the converted products referred to in this order. In case of doubt he may apply to the War Production Board in writing describing the product in question, for a specific ruling determining whether or not the same is so included. The War Production Board may of its own motion in any case, by telegram or letter, issue a specific ruling determining whether or not a particular product of a particular converter is so included.

(h) *Inventory restrictions.* No converter shall accept delivery of, and no person shall knowingly deliver to a converter, any quantity of pulp, paper or paperboard if the total inventory of pulp, paper and paperboard in the possession of the converter is, or will by virtue of such delivery become, in excess of the greater of the following: (1) thirty tons, or (2) a thirty days supply, based on the converter's average rate of consuming pulp, paper and paperboard during the latest preceding full calendar month.

(i) *Certification to paper dealer or mill.* No converter of paper, and no person on behalf of a converter of paper, may order or accept delivery, from a paper merchant, mill operator, or other supplier of any paper for use in converting paper, unless the buyer furnishes, or has previously furnished, to the person making delivery, certificate in substantially the following form, signed manually, or as provided in Priority Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned converter certifies, subject to the penalties of section 35 (A) of the U. S. Criminal Code, to the seller and to the War Production Board that he is familiar with Order M-241-a and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

The above certificate must be used and the certification provided for in Priority Regulation No. 7 may not be used in its place or stead.

This is a one-time certification and need not accompany each individual order for paper.

(j) *Allocations.* The War Production Board may from time to time direct the production and delivery of specific quantities of any converted product included in this order. Such directions will be made to insure the satisfaction of war requirements both direct and indirect and essential civilian requirements and shall take precedence over any preference rating to the extent indicated by the War Production Board.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully why the particular provision imposes exceptional and unreasonable hardship which is not suffered generally by others in the same industry or activity or why improper discrimination is claimed.

(m) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paper Division, Washington 25, D. C. Ref: M-241-a.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—UNRESTRICTED PRODUCTION

Abrasive papers
Adding machine and business machine rolls
Air force emergency packs
Army ration containers

(b) *Definitions.* (1) "Liquefied petroleum gas equipment" means equipment for such a determination shall be made on Form WPB-809 (Revised) and

[F. R. Doc. 45-12871; Filed, July 14, 1945; 11:49 a. m.]

or cheaper to make than present containers and whether they can be reproduced on a commercial basis.

(d) These experimental molds must be made in conformance with all of the restric-

CONSERVATION OF PAPER AND PAPERBOARD

§ 3281.64 *General Conservation Order M-241-a*—(a) *Definitions.* For the purpose of this order:

For the final quarter of 1943, and for each calendar quarter thereafter, by applying the entire percentage figure for quantity ascertained.

Automotive oil cartridges
Balloons (direct military only)
Blankets
Blueprints and direct line papers
Bomb fins
Bomb rings
Bombs
Building boards
Cable insulation
Calender rolls (for paper and other finishing machinery)
Camouflage paper
Caps for glass bottles and jars
Caps, pads, cushions and guards for fruit and vegetable packing
Carbon paper
Cases for battery operated electric lights
Charts, rolls and tape for communication and recording instruments and machines
Cigarette paper books
Clock backs and cases
Clothing
Condensers—component parts thereof
Control knobs and dials
Cores and core plugs
Crepe cellulose wadding
Dental mouth wadding
Diaper linings
Diaphragms—pump and carburetor
Dust and dirt covers and seals for motors, journals, etc.
Dust masks
Egg case fillers and flats
Electrical insulation, components and fittings
Embalming, surgical and obstetrical sheets
Faces for gauges, clocks and weighing equipment.
Fibre conduit and fittings
Filters
Flare spacers
Friction pulleys and wheels
Fruit and vegetable wrappers for apples, lemons, peaches, pears, and tomatoes, in the instance of original shipment.
Fuses and component parts thereof
Garbage and utility cans
Gas detection armbands and similar products
Gas mask canisters and mask parts
Gas protection capes, tarpaulins & similar products
Gaskets
Gears
Grenades and grenade containers
Gummed sealing and corrugated tape.
Gummed stay tape
Gun & rifle protection sleeves
Helmets and helmet accessories
Hospital wadding
Industrial receptacles such as tote boxes, cans, barrels and trucks
Instrument panels
Insulation boards
Impervious papers and specialty containers made therefrom, including waxed, for direct war use but limited to those grades covered by specifications issued by the U. S. Army, U. S. Navy, U. S. Marine Corps, or the Federal Standard Stock Catalog
Jettison tanks
Lens tissue
Lithomat and photomat paper
Milk bottles, milk bottle hoods and milk bottle caps
Mimeograph stencils
Nuts and screws
Paper base plastics
Parachutes and parachute spreaders
Photographic and photo copying papers
Plant protectors
Plates and mats—printing, lithographic, duplicating and reproduction
Poultry incubators, brooders and feeders
Prepared tracing
Pressure sensitive adhesive tape.
Ration bags
Roofing, shingles and building papers (treated)
Sanitary napkins
Seed packets for use by original growers or packers of seed
Shell containers
Shoes and component parts thereof
Shotshell and ignition cartridges
Surgical bandages
Surgical masks and caps
Tabulating cards
Tags, commercial and industrial only (unprinted)
Tank and transformer liners
Targets
Tea ball bags, but limited to bags for small broken leaf, fannings, siftings and dust
Telephones, component parts of
Textile cores, tubes and spools
Toilet seat covers
Twisted paper including but not limited to yarn, twine, cord, rope and strapping
Valves
Vegetable parchment
Veneer tape
V-mail blanks
Vulcanized fibre
Wall boards
Waterproof and moistureproof packaging papers (asphalt and resin impregnated and laminated)

LIST B—PRODUCTS PERMITTED AT 110% OF 1942

NOTE: "Paper stationery • • •" deleted Dec. 19, 1944.

Envelopes, in all styles except expansion type
Fillers, looseleaf (except accounting)
Household waxed paper, all styles
Index cards, plain and ruled
Straws (soda and drinking)
Tablets, pads and notebooks
Toilet tissue, other than facial type of two ply or more
Towels for industrial use
Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A.

LIST C—PRODUCTS PERMITTED AT 100% OF 1942

Artificial leather
Buttons
Cake boards
Concrete forms
Dental pinafores
Dishes and plates
Facial tissue
File cabinets
Forks and spoons
Gummed flat paper
Hat and cap visors
Headrest rolls
Jacquard cards
Light shades and reflectors
Lunch boxes
Napkins, for industrial and institutional use (bulk and dispenser type)
Napkins for home use (retail packages)
Permanent wave pads
Photo mailers
Photo mounts
Sales tax tokens
Shirt bands
Stereotype mats
Tympan paper

LIST D—PRODUCTS PERMITTED AT 80% OF 1942

Barber's neck bands
Carpets and rugs
Expanding envelopes or pockets
File dividers and indexes
Fly paper
Fly ribbons
Folders (file)
Games and toys of all types (except playing cards)
Music and player piano rolls
Slippers
Snap, button, hook and eye and zipper cards
Soap wraps, including all component parts thereof except wax paper
Textile boards, excluding shirt boards
Toilet tissue, facial type of two or more ply
Towels for home use (Retail package)
Venetian blinds
Vertical file pockets
Window shades

LIST E [Deleted Oct. 5, 1943]

INTERPRETATION 1—WAXED PAPER CONVERSION

"Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A," as that caption appears in List B of General Conservation Order M-241-a, applies to all the kinds of paper so described regardless of whether produced as a result of a separate converting operation, as is commonly the case, or produced as a result of having been oiled or waxed on the paper machine. For the purpose of this order control has been placed on the end product. The method employed in consuming paper in the manufacture of the end product is not a factor of consideration in determining the applicability of the order. (Issued Feb. 15, 1944.)

INTERPRETATION 2—RETAIL UNITS

This interpretation of General Conservation Order M-241-a applies to the consumption of paper in the manufacture of retail units of wrapping and other papers as dispensed through the variety chain stores the department stores, the stationery stores and all other retail outlets. These retail units are regarded as within the definition of a "converted product" in Order M-241-a and therefore subject to the restrictions contained in paragraphs (d) or (e) of the order.

All grades and kinds of paper, plain or printed, when converted into retail units for wrapping purposes are subject to the order, although the percentage restriction on consumption need not be separately applied to each of the grades and kinds of paper consumed during the base period. It is permitted to calculate an aggregate quota and to consume any grade or kind of paper, plain or printed, within the quota without regard to the maintenance of the same relationship of grade and kind that prevailed during the base period.

Any person who did not consume paper during the base period of the order in the conversion of such retail units of wrapping and other papers has no basis from which to calculate a quota and, therefore, cannot become a converter.

There is a distinction in the instance of printed wrapping paper as follows:

1. When printed wrapping paper is delivered by the printer in bulk form (not packaged) for further sale or further distribution the printer is the "converter" as defined in the order, and, therefore, subject to the restrictions of paragraph (e); but,

2. If the printer delivers the printed wrapping paper to a person for subsequent conversion into retail units, the final converter is the one subject to the restrictions of paragraph (e) and not the printer.

Since retail units are regarded as a separate and distinct type of "converted product," it is obvious that tonnage from other products cannot be included when calculating a quota for retail units.

Plain wrapping tissue purchased in quires, or flat, when subsequently folded and labeled or otherwise packaged, is deemed to be a retail unit and therefore restricted by paragraph (e).

Quota tonnage which has not been consumed at the end of a calendar quarter may not be carried over to the succeeding calendar quarter. (Issued Feb. 15, 1944.)

INTERPRETATION 3—PUNCH BOARDS, PULL BOARDS AND SIMILAR ARTICLES

This interpretation of General Conservation Order M-241-a applies to punch boards, pull boards and similar articles. Punch boards, pull boards and similar articles are not included in "Games and Toys" on List D of the order. They are to be considered as coming within the provision of paragraph (e) (1) of the order. (Issued May 26, 1944.)

[F. R. Doc. 45-12876; Filed, July 14, 1945; 11:50 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L-265, Direction 2]

INSTRUCTIONS FOR FILING WPB-4000 APPLICATIONS FOR SPOT AUTHORIZATION TO PRODUCE ELECTRONIC EQUIPMENT UNDER PRIORITIES REGULATION 25

The following direction is issued pursuant to General Limitation Order L-265:

The purpose of this direction is to give instructions for filling out and filing Form WPB-4000 for authority to produce electronic equipment under Priorities Regulation 25.

Applicants for spot authorization to produce electronic equipment must give on the WPB-4000 a description of each type and model of the product and the quantity (by quarters) to be produced. In addition, for each type and model to be produced, they must show in a letter attached to the application, the proposed net unit factory billing value of the equipment and a statement of the quantity of each of the following types of components which will be used in the manufacture of the equipment:

1. Tubes.
2. Transformers and Reactors (excluding i. f. and r. f. coils).
3. Capacitors, fixed and variable.
4. Resistors, fixed and variable.
5. Loud speakers.
6. Switches.
7. Sockets.

Identifying specifications for each of the components must be given.

If some or all of the components are to be obtained from idle and excess inventories of either the applicant or some other holder, the applicant must state that fact, indicating separately the quantities to be obtained from his own idle and excess inventory, and the quantities he expects to obtain from idle and excess inventories in the hands of other holders. If he expects to obtain the components from idle and excess inventories in the hands of other holders, the applicant should give the names of such holders (but the provisions of Priorities Regulation 13 must in any event be complied with before the components can be transferred to him). However, if the components are to be obtained from the applicant's own idle and excess inventory, it will not be necessary for him to file a separate letter with the War Production Board field office as outlined in Direction 4 to Priorities Regulation 1 asking for permission to use the components. The War Production Board in acting on the WPB-4000 will grant or deny permission to use in the proposed production any of the components which the applicant reports as available from his own inventory.

Applications for production during the third and fourth quarters of this year and supporting data, should be filed on or before July 31, 1945 with the WPB field office for the district in which is located the plant in which the applicant proposes to produce.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12864; Filed, July 14, 1945; 11:48 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Direction 11, As Amended July 14, 1945]

COMBED COTTON YARN FABRICS FOR THE ARMED SERVICES

Direction 11 to General Conservation Order M-317 is amended to read as follows:

(a) *Purpose.* The purpose of this direction is to enable the armed services to obtain additional quantities of certain combed cotton yarn fabrics to meet their programmed requirements.

(b) *Definitions.* "Combed Yarn Fabric Mill" means any person who produces any combed cotton yarn fabric over 12 inches wide.

(c) *Production and other directions.* The following directions must be observed by each combed yarn fabric mill which on December 30, 1944, produced or had looms assigned to produce any combed cotton yarn fabric:

(1) Each combed yarn fabric mill shall produce in the calendar quarter beginning July 1, 1945, and in each calendar quarter thereafter not less than three times as many yards of each of the fabrics listed in Schedule A as it produced in the month of June, 1945.

(2) No combed yarn fabric mill shall use any loom which in the period from March 17, 1945 to July 14, 1945, was producing or was assigned to produce any fabric on Schedule A except to produce such fabric.

(3) Each combed yarn fabric mill shall use such other and additional looms to produce Schedule A fabrics as may be required to meet the mill's production requirements as fixed pursuant to this Direction.

(d) *Use, production and sale restrictions.* (1) No combed fabric mill shall sell or deliver any fabric on Schedule A produced as required by paragraph (c) except: (i) To fill a direct order of the Army, Navy, Maritime Commission, or War Shipping Administration; or (ii) To fill a rated order bearing the purchaser's certification, substantially as follows:

This material will be used to fill Contract No.---------- (insert number) of the ----------(Army, Navy, Maritime Commission or War Shipping Administration).

(2) If the War Production Board finds it is necessary to make changes in the production directions, it will direct the mill in writing to make such changes and each mill must comply with the directions it receives. Changes will be ordered in a mill's production directions when necessary to meet the programmed requirements of the armed services for Schedule A fabrics, taking into account the relative abilities of the various mills to produce these fabrics and the effect on over-all production of the Schedule A fabrics and other fabrics for civilian use. The War Production Board may relieve any mill from other requirements of this Direction upon its meeting a specific production schedule order by the War Production Board in accordance with this paragraph.

(e) *Rejects.* This direction does not apply to sale and delivery of rejects unavoidably produced in normal manufacturing and finishing operations.

(f) *Appeals.* Any person may appeal from this direction by filing a letter, in triplicate, with the Textile, Clothing & Leather Bureau, War Production Board, Washington 25, D. C. An appeal for suspension of a production direction may be made on the ground that compliance with the action will result in production at a loss; provided that an application for price relief is first filed with the Secretary of the Office of Price Administration, Washington 25, D. C., and a copy is filed with the War Production Board appeal. If the WPB appeal is granted, requirements of a direction for increases above current production will be suspended until the decision of the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Reference No.	Line number in Form WPB-658C (12/20/44)	Name of fabric	Specification No.
1	1	Cloth, mercerized cotton airplane	AN-C-121.
2	3	Cloth, glider	AAF 16128.
3	5	Cloth, balloon, finished, type HH	U. S. Army 6-39-G.
4		Deleted July 14, 1945	
5		Deleted July 14, 1945	
6		Deleted July 14, 1945	
7	22	Lawn, high count (down proof)	AAF 16151 U. S. Army 6-320-Type IV.
8		Deleted July 14, 1945	
9		Deleted July 14, 1945	
10	32	Netting: Cotton, insect, marquisette	PQD 260A.
11	33	Cloth, cotton, wind-resistant oxford, Type I-IV, combed and carded	PQD 444.
12		Deleted July 14, 1945	
13	37	Cloth, cotton, wind-resistant poplin, type II	U. S. Army 6-321A.
14		Deleted July 14, 1945	
15	40	Cloth, cotton, wind-resistant sateen	U. S. Army 6-337.
16	41	Cloth, cotton, sateen	AAF 16150.
17		Deleted July 14, 1945	
18	46	Cloth, cotton, uniform twill, 6 oz	U. S. Army 6-311.
19	47	Cloth, cotton, uniform twill, 8.2 oz., type I-V	U. S. Army 6-201B.
20	51, 52, 53	Cloth, cotton, twill, navy types A & B	U. S. Navy 27-T-25A.
21	54	Cloth, cotton, twill, Albert	U. S. Army 6-100B.
22	56	Cloth, cotton, wind-resistant twill, 5 oz	U. S. Army 6-321A and AN-C-103A.
23	56	Fabric, cotton, twill	U. S. Army 6-315.
24	56	Cloth, cotton, twill, suiting 7.7-8.4 oz. sq. yd	U. S. M. C.
25		Deleted July 14, 1945	
26		Deleted July 14, 1945	
27	63	Cloth, cotton, fine, plain Type VI	U. S. Army 6-320.
28		Deleted July 14, 1945	
29	63	Cloth, cotton, jungle	U. S. Navy 27-C-22.
30	34	Cloth, cotton oxford, 5 oz., Type I	U. S. Army 6-341.
31	18	Cloth, cotton uniform twill, 5 oz	PQD 509.
			Description or construction
32	33/1, 33/4, 40	Alternate utility A	40" 112 x 46-16K-12K.
33	33/1, 33/4, 40	Alternate utility B	40" 120 x 48-16C-12C.
34	33/1, 33/4, 40	Alternate utility C	40" 118 x 48-18K-12K.
35	56	Cloth, cotton twill	40" 118 x 64-50/2C-20/1C.
36	26, 30, 30, 31	Marquisette, not less than 44 x 28 construction	Moisture proof wrapper.

[F. R. Doc. 45-12877; Filed, July 14, 1945; 11:50 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317A, as Amended July 12, 1945]

COTTON FABRIC PREFERENCE RATINGS AND RESTRICTIONS

Section 3290.116 *Supplementary Order M-317A* is amended to read as follows:

§ 3290.116 *Supplementary Order M-317A*—(a) *Contents of this order.* This Order M-317A is supplementary to Order M-317 and contains preference rating schedules and distribution schedules referred to in that order. These schedules apply only to woven cotton fabrics of more than 12" in width, but do not apply to "duck" as defined in Order M-91. Restrictions on the production of cotton fabrics appear in Order L-99.

(b) *Assignment of preference ratings for small amounts of cotton fabrics.* The preference ratings in Column IV are assigned for each Group to the persons named in Column I to get the cotton fabrics listed in Column II for the uses listed in Column III in accordance with the following rules. This preference rating may not be used to get delivery of more cotton fabrics in any calendar quarter than the amount shown in Column I, nor may the rating be used to get any fabric other than those listed in Column II. To illustrate: In Group CDGS-2 a processor is assigned an AA-2X rating to get a total of 1000 yards of fabrics to make photographic equipment, but in using the rating he is restricted to combed broadcloth, corduroy, and velveteen and cord. He may purchase equal amounts of each of the three fabrics or divide the 1000 yards among the fabrics in any way he chooses. If he needs a rating for more than 1000 yards of these fabrics, he has two alternatives:

(1) He may purchase the additional fabrics without a rating, or

(2) He may file Form WPB-2842 for his total yardage as described below.

(c) *Preference ratings for greater amounts of cotton fabrics than specified in Column I.* Preference ratings will be assigned on Form GA-2543 for more cotton fabrics than the yardage listed in Column I in accordance with the following rules:

(1) Any person named in Column I who wants to use the preference ratings to get, in any calendar quarter for any Group, more of the cotton fabrics shown in Column II than the amount shown in Column I, for the uses listed in Column III, should apply to the War Production Board on Form WPB-2842. Fabrics applied for on Form WPB-2842 shall be described in the same terms as they are listed in Column II of the Preference Rating Schedules of this order. A separate application shall be filed for materials for each Group listed in the schedules. For example, a person who wants to make "Baby baths", (Group CDGS-7) and needs sheeting, would insert in Column (a) of Form WPB-2842: "(13b) Sheeting, coarse, Class B".

(2) Applications on Form WPB-2842 for preference ratings for cotton fabrics to be delivered in the 3d quarter of 1945, must be filed by July 20, 1945, with the Industry Division or Bureau of the War Production Board or the agency specified. Ref: M317A. Applications for preference ratings for cotton fabrics to be delivered in the 4th quarter of 1945, and in each subsequent quarter, must be filed at least 60 days before the beginning of the quarter in which the cotton fabrics are to be received by the applicant.

(3) Priorities assistance will generally be granted on the basis of each applicant's past consumption and inventories of cotton fabrics as shown on his application, the yardage of cotton fabrics available for the particular purpose, and the supply and availability of other materials for the specified uses. Applications from persons who have not previously used cotton fabrics for the specified purposes, will be granted if the supply is in excess of the amounts needed to permit applicants who previously consumed cotton fabrics to continue their operations at a reasonable economic operating level. They will be granted, as far as possible, on an equitable basis.

(4) Under extraordinary conditions, Form WPB-2842 may be filed as an interim application for additional cotton fabrics. In such cases the application must cover only the additional quantities of cotton fabrics for which preference ratings are requested and not for the total requirements for the quarter. The War Production Board will assign ratings on Form GA-2544 in such cases to the extent that the cotton fabrics applied for are available for the proposed uses.

(d) *Advance authorizations*—(1) *3d quarter of 1945.* A person named in Column I who files his application for the 3d quarter of 1945 in accordance with paragraph (c), may, as soon as he files his application, use the preference rating in Column IV to get the cotton fabrics listed in Column II for the uses listed in Column III of the applicable Group. He may not use the rating for a greater yardage of these cotton fabrics than requested in his application.

(2) *4th quarter of 1945.* When a person is assigned a preference rating on Form GA-2543 for cotton fabrics for the 3d quarter of 1945, he may use the same rating to order cotton fabrics for delivery in the 4th quarter of 1945, for the same uses, in an amount up to 70% of the yardage of cotton fabrics he has been authorized for each Group. If he does so, however, he must file Form WPB-2842 for the 4th quarter of 1945 by August 1, 1945, in accordance with paragraph (c) (2).

(3) *GA-2543 authorizations supersede advance authorizations.* As soon as a person receives authorization for a particular quarter on Form GA-2543, he must promptly adjust his orders carrying preference ratings, cancelling or withdrawing preference ratings where necessary, so that his rated orders do not call for more or different cotton fabrics than authorized for that quarter.

(e) *Compulsory notice to the War Production Board of unused authorizations.* A person who finds that, for any reason, he will not place rated orders to the extent authorized on Form GA-2543 for a particular quarter or will cancel rated orders he has placed, must promptly write a letter giving notice to the Industry Division or Bureau of the War Production Board, or the agency specified in the preference rating schedules, showing the reference number on his authorization. The letter must specify the quantity and kind of fabric in the same terms in which authorization was made, but for which rated orders will not be placed. When necessary, the War Production Board will reduce authorizations given previously by using Form GA-2544.

(f) *Early and late deliveries.* (1) Deliveries of cotton fabrics on orders bearing ratings assigned under this order for a particular quarter may be received before the quarter begins, if the delivery date actually requested was in accordance with the authorization, and they must be charged to that quarter's quota only.

(2) Deliveries of cotton fabrics on orders bearing ratings assigned under this order may be accepted after the quarter for which the deliveries were authorized and charged to that quarter's quota, only if the fabric was produced and billed to the purchaser before the end of the quarter. Otherwise, they must be charged to the next quarter's quota.

(g) *Restrictions on use of all ratings.* (1) Ratings assigned under this order may be used only to get the particular cotton fabrics shown for the particular uses in the Group for which they were assigned, and cotton fabrics obtained with such ratings may be used only for the uses specified in that Group.

(2) Beginning with the 3rd quarter of 1945, no person may use any preference ratings to get delivery, in any quarter, of more of the cotton fabrics listed in Column II for the uses listed in Column III than:

(i) The amount shown in Column I; or

(ii) The amount he has been authorized on Form GA-2543 or GA-2544 to purchase; or

(iii) The amount he is authorized to purchase under paragraph (d) above.

(3) Under Order M-328, a person may use preference ratings other than the ones assigned under this order, such as ratings on contracts from the armed services, to get cotton fabrics. These ratings may be used by a person who has received an authorization under this order only if he charges the yardages so obtained to the amounts authorized under this order. He may not use these ratings to get more than those yardages. To illustrate: A processor of photographic equipment under Group 10 has received an authorization on Form GA-2543 to buy 5000 yards of fabrics with a rating of AA-2X. He then receives a rating of AA-1 from the Army covering photographic equipment requiring 2000 yards of fabrics. The processor may then apply the AA-1 rating to his order for 2000 yards, but the remaining 3000 yards must be rated AA-2X, and his total authorization is still 5000 yards.

(h) *Effect of amendment to preference ratino schedules.* (1) This paragraph states special rules that apply only to ratings assigned by this order. Whenever any change is made in this order or any action is taken under this order, (including the schedules) which has the effect of revoking a preference rating or limiting its use, each person who has applied such a rating, in a manner no longer allowed, to an order which has not yet been filled, must immediately cancel the order or withdraw the rating. If any person to whom a rating has been applied or extended receives notice that his customer's rating has been withdrawn or that his customer's order has been cancelled, he must immediately withdraw any extensions of the rating which he has made to any orders placed by him.

If any person to whom a rating has been applied or extended knows or has reason to know that his customer's rating should be withdrawn and he has on his books this customer's unfilled order bearing such a rating, he must treat it as unrated and must also immediately withdraw any extensions that he has made of that rating.

(2) In order to allow time for the filing of applications under this order as amended July 12, 1945, ratings assigned by Order M-317A as amended May 10, 1945 are not revoked until July 19, 1945, and remain valid until that date. All cotton fabrics delivered on rated orders after June 30, 1945 to a person named in Column I of the Preference Rating Schedules must be charged to the yardage authorized for the third quarter of 1945 under those schedules or by Form GA-2543 or GA-2544. Therefore, applicants must include all such yardage in their applications for that quarter.

(i) *Reports and applications.* The reporting and application requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

PREFERENCE RATING SCHEDULES

Group	Column I	Column II	Column III	Column IV
		AIRCRAFT DIVISION		
CAIR-1.....	Processor (500 yards). User (500 yards).	(1a) Airplane fabric. (1b) Balloon cloth. (29) Blanketing, less than 25% wool. (4a) Broadcloth, combed. (32b) Bunting, flag. (20) Chambray and shirting covert. (18a) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36). (19) Denim, cottonade and pants covert. (31a) Drapery, upholstery and tapestry fabric, excluding cotton, velveteen, cord and corduroy (limited to items 150, 151, and 152, WPB-658B). (21a) Flannelette, outing. (2) Marquisette. (4b) Poplin, combed and part combed. (15a) Sheeting, bed, muslin, carded. (13a) Sheeting, coarse, Class A. (14a) Sheeting, medium, Class C, except Mead's cloth. (6a) Sheeting, percale, combed. (5a) Shirting, fancy, and oxford, combed. (28) Ticking. (30a) Toweling, turkish and terry. (16c) Twill, carded, except filter twill, as defined in M-91. (3a) Twill, combed, part combed and fine carded (average yarn finer than 35s').	Maintenance, repair and operation of commercial aircraft and airlines.	AA-2.
		ALUMINUM AND MAGNESIUM DIVISION		
ALUM-1.....	User (500 yards).	(23) Flannel, canton.	Maintenance, repair and operating supplies of producers of aluminum.	AA-2X.
		AUTOMOTIVE DIVISION		
AUTO-1.....	Processor (1,000 yards).	(15a) Drill. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth. (18a) Cheesecloth, tobacco cloth, and bandage cloth, (except 44 x 36).	1. Trucks and trailers which are authorized under Order L-1-E with priorities assistance. 2. Replacement parts for trucks, trailers and automobiles as defined in Order L-1-E.	AA-2X.
		BUILDING MATERIALS DIVISION		
BLDG-1.....	Processor (5,000 yards).	(12) Osnaburg. (17c) Print cloth, less than 64 sley. (14a) Sheeting, medium, Class C, except Mead's cloth.	Membrane water-proofing (asphalt saturated fabric).	AA-3.
		CHEMICALS BUREAU		
CHEM-1.....		Applications for cotton fabrics to be chemically coated (other than with rubber) are governed by Supplement I to M-317A. Applications will be considered only for the fabric listed in Column II for the uses shown in Column III except under the most extraordinary circumstances: (16a) Drill. (21a) Flannelette, outing. (1c) Lawn. (32g) Leno cloth (not marquisette). (32f) Luggage fabric. (12) Osnaburg. (17b) Print cloth, 64 and higher but less than 80 sley. (17c) Print cloth less than 64 sley. (16e) Sateen. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C except Mead's cloth. (14c) Sheeting, soft-filled. (28) Ticking. (15b) Tubing, industrial. (16c) Twill, carded, except filter twill as defined in M-91. (3a) Twill, combed, part combed and fine carded (average yarn finer than 35s'). (17f) Window shade cloth.	Baby baths. Baby carriages. Book cloths. Crib mattresses. Crib sheeting. Dress shields, including sanitary napkin shields. Footwear. Fuel pump diaphragms. High-chair pads. Hospital sheetings. Industrial safety clothing. Infants' pants. Instrument and optical cases. Military. Non-allergic mattress and pillow cases. Oilcloth. Oilskin raincoats. Play pen pads. Railroad equipment. Rain capes. Rubber hollands. Trucks: new and replacement. Upholstery repair. Varnished cambric (electrical insulation). Varnished cambric (rubber separator). Window shades.	

PREFERENCE RATING SCHEDULES—Continued

Group	Column I	Column II	Column III	Column IV
		CHEMICALS BUREAU—continued		
CHEM-2	Processor (5,000 yards).	(16a) Drill. (1c) Lawn. (17a) Print cloth, 80 sley and higher. (17b) Print cloth, 64 and higher but less than 80 sley. (13a) Sheeting, coarse, Class A. (14a) Sheeting, medium, Class C, except Mead's cloth.	Fabric reinforced laminated plastics, except products containing synthetic rubber as defined in Rubber Order R-1.	AA-2X.
CHEM-3	User (2,500 yards).	(18a) Cheesecloth, tobacco cloth, bandage fabric (except 44 x 36). (16a) Drill. (23) Flannel, canton. (16d) Jean. (1c) Lawn. (17b) Print cloth, 64 and higher but less than 80 sley. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, efcept Mead's cloth. (14c) Sheeting, soft-filled. (16c) Twill, carded, except filter twill, as defined in M-91. (3a) Twill, combed, part combed and fine carded (average yarn finer than 35s).	Filter and wrapping cloths used in the manufacture of chemicals and chemical products.	AA-2X.
CHEM-4	Processor (2,500 yards).	(17b) Print cloth, 64 but less than 80 sley.	Blasting caps fuses.	AA-2X.
		CONSUMER DURABLE GOODS DIVISION		
CDGS-1	Processor (1,000 yards).	(1e) Typewriter ribbon cloth.	Inked ribbons.	AA-3.
CDGS-2	Processor (1,000 yards).	(4a) Broadcloth, combed. (26) Corduroy (lighter than 12 ounces). (27) Velveteen and cord.	Photographic equipment.	AA-2X.
CDGS-3	Processor (25 yards).	(21a) Flannelette, outing. (17b) Print cloth, 64 and higher but less than 80 sley. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth.	Coffee urn bags and coffee filter cloths.	AA-3.
CDGS-4	Processor [zero (0) yards].	(31a) Drapery, upholstery, and tapestry fabric, except velveteen, cord and corduroy (limited to items 150, 151 and 152, WPB-658II). (17c) Print cloth, less than 64 sley. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth.	Upholstered furniture (in accordance with the restrictions of Order L-260a). Items (17c), (13b) and (14a) may not be used on finished exterior portions.	AA-3.
CDGS-5	Processor [zero (0) yards].	(31a) Drapery, upholstery and tapestry fabric, except cotton velveteen, cord and corduroy (limited to items 150, 151 and 152 WPB-658II). (17c) Print cloth, less than 64 sley. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth.	Dual sleeping and seating equipment. Items (17c), (13b) and (14a) may not be used on finished exterior portions.	AA-3.
CDGS-6	Processor (100 yards).	(16a) Drill. (13b) Sheeting, coarse, Class B.	Repair parts for used vacuum cleaners.	AA-3.
CDGS-7	Processor (100 yards).	(13b) Sheeting, coarse, Class B.	Baby baths. (Not for coating.)	AA-3.
CDGS-8	Processor (500 yards).	(1a) Airplane fabrics. (16a) Drill. (21a) Flannelette, outing. (17b) Print cloth, 64 and higher but less than 80 sley. (14a) Sheeting, medium, Class C, except Mead's cloth. (28) Ticking.	Athletic equipment. (Does not include clothing.)	AA-3.
CDGS-9	Processor (500 yards).	(13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B.	Repair parts for used ironing machines.	AA-3.
		CONTAINERS DIVISION		
CONT-1	Processor (5,000 yards).	(32a) Bag and baling fabrics special types. (16a) Drill. (16d) Jean. (32c) Leno cloth (not marquisette). (12) Osnaburg. (17b) Print cloth, 64 and higher but less than 80 sley. (17c) Print cloth, less than 64 sley. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium Class C except Mead's cloth.	New textile bags as defined in Conservation Order M-221. (Attention is called to the restrictions of that order.) Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.	AA2X.
CONT-2	Processor (5,000 yards).	(18b) Bandage cloth, 38½" 44 x 36, 8.60 yard and pro rata widths. (16d) Jean.	Silica gel bags only.	AA2X.
		CORK, ASBESTOS AND FIBROUS GLASS DIVISION		
CORK-1	Processor (1,000 yards).	(18) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36). (12) Osnaburg. (32c) Pipe covering fabrics special types 38" 54 x 30 4.38; 37" 72 x 20 4.80. (17b) Print cloth, 64 and higher but less than 80 sley. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth.	Magnesia, asbestos fibrous glass and other pipe covering.	AA2X.
		GENERAL INDUSTRIAL EQUIPMENT DIVISION		
GIEQ-1	Processor (100 yards).	(16a) Drill. (16c) Sateen, carded. (14a) Sheeting, medium, Class C, except Mead's cloth. (16c) Twill, carded except filter twill as defined in M-91.	Dust arrestors used in manufacturing plants.	AA2X.

PREFERENCE RATING SCHEDULES—Continued

Group	Column I	Column II	Column III	Column IV
		GOVERNMENT BUREAU, OFFICE OF CIVILIAN REQUIREMENTS		
GOVR-1	User: Hospitals (2,500 yards). Other institutions of a charitable, governmental or welfare type who feed, clothe or house their occupants (1,000 yards).	(31c) Bedspread fabric (including bedspreads). (29) Blanketing, less than 25% wool (including blankets). (17d) Broadcloth, carded. (18a) Cheesecloth, tobacco cloth, and bandage cloth (except 44 x 36). (32c) Diaper cloth, birdseye (including diapers). (17c) Diaper cloth, gauze (including diapers). (21a) Flannelette, outing. (17c) Print cloth, less than 64 sley. (17b) Print cloth, 64 sley and higher but less than 80 sley. (15a) Sheeting, bed, muslin carded (including sheets and pillow cases). (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C except Mead's cloth. (28) Ticking. (30b) Toweling, except turkish and terry (including towels and wash cloths). (30a) Toweling, turkish and terry (including towels and wash cloths).	Operating supplies.	AA-3.
		MINING DIVISION		
MINE-1	User (500 yards).	(18a) Cheesecloth, tobacco cloth, and bandage cloth (except 44 x 36). (16a) Drill. (13a) Sheeting, coarse, Class A.	Mining, smelting and refining.	AA-2X.
MINE-2	Processor (100 yards).	(12) Osnaburg.	Brattice cloth.	AA-2X.
		NATIONAL HOUSING AGENCY		
NHA-1	Contractors holding Federal Public Housing Authority contracts (100 yards).	(29) Blanketing, less than 25% wool. (31a) Drapery upholstery and tapestry fabric except cotton velveteen, cord and corduroy. (15a) Sheeting, bed, muslin, carded. (30b) Toweling, except turkish and terry (including towels and wash cloths). (30a) Toweling, turkish and terry (including towels and wash cloths).	Initial installation in, and maintenance, repair and operating supplies for dormitories, family units and community facility buildings owned and operated by a government agency or government corporation.	AA-3.
		PAPER DIVISION		
PAPR-1	Processor (5,000 yards).	(12) Osnaburg. (14a) Sheeting, medium Class C, except Mead's cloth.	Non-selvage tape designed for industrial uses but limited to the following kinds: Carton tape. Corrugated or fiberboard box stay tape.	AA-2X.
PAPR-2	Processor (5,000 yards).	(18a) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36). (2) Marquisette. (17c) Print cloth, less than 64 sley. (14a) Sheeting, medium Class C, except Mead's cloth. (18b) Bandage cloth, 38½", 44 x 36, 8.60 yard and pro rata widths. (17f) Window shade cloth.	Moisture-vapor proof wrapping materials (non-oxidizing materials made from impregnated and laminated fabrics).	AA-2X.
		PRINTING AND PUBLISHING DIVISION		
PRIN-1	Processor (500 yards).	(16a) Drill.	Bookbinding and textbook reinforcing cloth only (not coated).	AA-3.
PRIN-2	Processor (500 yards).	(17c) Print cloth, less than 64 sley. (1d) Tracing cloth.	Map making or backing.	AA-3.
		RUBBER BUREAU		
RUBR-1	Processor (500 yards).	(23) Flannel canton. (12) Osnaburg. (17c) Print cloth, less than 64 sley. (15a) Sheeting, bed, muslin, carded. (14a) Sheeting, medium, Class C, except Mead's cloth. (16c) Twill, carded, exc. filter twill as defined in M-91.	Rubber gloves as defined and limited in Rubber Order R-1, as amended May 30, 1945, Appendix I, Table "B" Code 18-E.	AA-2X.
RUBR-2	Processor (5,000 yards),	(1a) Airplane fabric. (1b) Balloon cloth. (18a) Cheesecloth, tobacco cloth, and bandage cloth (except 44 x 36). (26) Corduroy. (16a) Drill. (23) Flannel, canton. (21a) Flannelette, outing. (1c) Lawn. (2) Marquisette. (12) Osnaburg. (32) Other carded yarn fabrics. (6c) Other combed and fine carded fabrics. (17a) Print cloth, 80 sley and higher. (17b) Print cloth 64 and higher, but less than 80 sley. (17c) Print cloth less than 64 sley. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth. (14b) Sheeting, Mead's cloth, 40½"–41", 74 x 86, 2.80–2.90 yard. (15a) Sheeting, Bed, muslin, carded. (28) Ticking. (16c) Twill, carded, except filter twill, as defined in M-91. (3a) Twill, combed, part combed and fine carded (average yarn finer than 35's).	Pneumatic tires, tire tubes, tire valves, tire flaps, tire retreading, and tire and tube repair materials, belts, and belting, hose and tubing, packing and gaskets, other mechanical rubber goods, wire and cable, and other rubber products as defined under Rubber Order R-1 as amended May 30, 1945 Appendix I, Table B, Codes groups Nos. 1, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, (except 13c) 17 (except 17o nonmilitary), 18 (except 18a, 18d, 18e & 18f) 21, and 22 (except 22f).	AA-2X.

PREFERENCE RATING SCHEDULES—Continued

Group	Column I	Column II	Column III	Column IV
		RUBBER BUREAU—continued		
RUBR-3	Processor (100 yards).	(18a) Cheesecloth, tobacco cloth, and bandage (except 44 x 36). (23) Flannel, canton. (17a) Print cloth, 80 sley and higher. (17c) Print cloth less than 64 sley. (14b) Sheeting, Mead's cloth. (16c) Twill, carded, except filter twill as defined in M-91.	Surgical tape and plasters as defined in Rubber Order R-1 as amended May 30, 1945, Appendix I, Table B, Group 18A.	AA-2X.
RUBR-4	Processor (100 yards).	(17a) Print cloth, 80 sley and higher. (17b) Print cloth, 64 and higher but less than 80 sley. (17c) Print cloth less than 64 sley. (13a) Sheeting, coarse, Class A. (14a) Sheeting, medium, Class C, except Mead's cloth.	Pressure sensitive, friction and other tape as defined in Rubber Order R-1 as amended May 30, 1945, Appendix I, Table B, Groups 13C and 22F.	AA-2X.
RUBR-5	User (1,000 yards).	(18a) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36). (16a) Drill. (12) Osnaburg. (17b) Print cloth, 64 and higher but less than 80 sley. (17c) Print cloth, less than 64 sley. (15a) Sheeting, bed, muslin, carded. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth. (16c) Twill, carded, except filter cloth as defined in M-91.	Liners, wrapper fabrics, book leaves, and other operating supplies used in the manufacture of tires, tubes, mechanical rubber goods and other rubber products.	AA-2X.
RUBR-6	Processor (1,000 yards).	(16a) Drill. (12) Osnaburg. (17b) Print cloth, 64 and higher but less than 80 sley. (17c) Print cloth, less than 64 sley. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth.	Rubber footwear as defined in Rubber Order R-1 as amended May 30, 1945, Appendix I, Table B, Code 14.	AA-2X.
RUBR-7	Processor (500 yards).	(16a) Drill. (23) Flannel, canton. (12) Osnaburg. (17c) Print cloth, less than 64 sley. (15a) Sheeting, bed, muslin, carded. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth.	1. Proofed fabrics (civilian uses only) not elsewhere listed in Rubber Order R-1. 2. Flat goods and infants' goods, as defined in Rubber Order R-1, as amended May 30, 1945, Appendix I, Table B, Codes 17C, 18D, and 18F.	AA-3.
		SAFETY AND TECHNICAL EQUIPMENT DIVISION		
SATE-1	Processor (500 yards).	(18a) Cheesecloth, tobacco cloth, and bandage cloth (except 44 x 36). (23) Flannel, canton. (21a) Flannelette, outing. (17b) Print cloth, 64 and higher but less than 80 sley. (14a) Sheeting, medium, Class C, except Mead's cloth. (16c) Twill..	Safety equipment. This term means equipment and devices designed specifically to promote safety or to prevent or reduce accidents, injuries or occupational hazards, and is expressly limited to the following articles: 1. Industrial respiratory protective equipment. 2. The following kinds of safety clothing: (a) Safety hats and caps, impact-resistant. (b) Dust, heat, acid and paint spray hoods. (c) Safety sleeves, arm protectors, armlets, gloves, mittens, hand pads and finger guards. (d) Safety shin guards, spats, leggings, chaps and kneepads. (e) Safety sweat pads. (f) Powder suits specifically designed for use by workers directly engaged in the manufacture and loading of explosives for sale only to government owned-contractor operated explosive and loading plants. 3. Industrial safety belts, life lines, straps and nets.	AA-2X.
SATE-2	Processor (zero (0) yards).	(4a) Broadcloth, combed. (18a) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36). (26) Corduroy. (6b) Cotton and rayon mixtures, combed or carded. (21a) Flannelette, outing. (17b) Print cloth, 64 and higher but less than 80 sley. (14a) Sheeting, medium, Class C except Mead's cloth. (16c) Twill, carded, except filter twill as defined in M-91. (27) Velveteen and cord.	Surgical and medical supports and orthopedic appliances requiring nonelastic fabrics.	AA-2X.
SATE-3	Processor (500 yards).	(21a) Flannelette, outing. (27) Velveteen and cord.	Corrective spectacle cases.	AA-3.
SATE-4	Processor (500 yards).	(27) Velveteen and cord.	Engineering and laboratory instrument cases.	AA-3.
SATE-5	Processor (500 yards).	(1d) Tracing cloth.	Engineers' tracing cloth.	AA-2X.
		SERVICE TRADES DIVISION, OFFICE OF CIVILIAN REQUIREMENTS		
STRA-1	User (500 yards).	(16a) Drill. (21b) Napped fabrics, except outing and canton flannel, moleskin and suede. (16c) Sateen. (15a) Sheeting, bed, muslin, carded (54" gray width only). (13a) Sheeting, coarse, Class A. (14a) Sheeting, medium, Class C, except Mead's cloth.	Laundry and dry cleaners operating supplies (not including clothing).	AA-3.
STRA-2	Merchant, limited to wholesalers (zero (0) yards).	(31a) Drapery, upholstery and tapestry fabric, except cotton velveteen, cord and corduroy (limited to Items 150, 151 and 152, WPB-658B).	Reupholstering and repairing of furniture.	AA-3.
STRA-3	Processor (500 yards).....	(17b) Print cloth, 64 and higher but less than 80 sley—..... (17c) Print cloth, less than 64 sley.	Laundry and dry cleaning tags and tags and labels required by law.	AA-3.

PREFERENCE RATING SCHEDULES—Continued

Group	Column I	Column II	Column III	Column IV
		TEXTILE, CLOTHING AND LEATHER BUREAU		
TEXT-1	Processor (5,000 yards).	(18a) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36). (16a) Drill. (23) Flannel, canton. (21a) Flannelette, outing, supply. (25) Moleskin and suede. (21b) Napped fabric except outing and canton flannel and moleskin and suede. (17c) Print cloth, less than 64 sley. (17b) Print cloth, 64 and higher but less than 80 sley. (14a) Sheeting, medium Class C, except Mead's cloth. (14c) Sheeting, soft filled. (18b) Bandage cloth, 38½", 44 x 36, 8.60 yard and pro rata widths. (16c) Twill, carded, except filter twill as defined in M-91. (27) Velveteen and cord.	Surgical gauze bandage and dressings, except fabrics to be coated.	AA-2X
TEXT-2	Processor (10,000 yards).	(26 Corduroy lighter than 12 ounces). (16a) Drill. (12) Osnaburg. (14a) Sheeting, medium, Class C, except Mead's cloth. (14c) Sheeting, soft filled. (16c) Twill, carded, except filter twill as defined in M-91. (27) Velveteen and cord.	Footwear as defined and limited in Conservation Order M-217, but excluding rubber footwear as defined in Rubber Order R-1.	AA-2X for rationed footwear only; AA-3 for nonrationed footwear.
TEXT-3	Processor (500 yards). Merchant (1,000 yards).	(18a) Cheesecloth, tobacco cloth, and bandage cloth (except 44 x 36). (32c) Diaper cloth, birdseye. (17c) Diaper cloth, gauze. (21a) Flannelette, outing. (14c) Sheeting, soft filled.	Diapers or finished diaper cloth packaged for consumer distribution.	AA-3.
TEXT-4	Processor (5,000 yards).	(18a) Cheesecloth, tobacco cloth, and bandage cloth (except 44 x 36).	Sanitary napkins.	AA-3.
TEXT-5	Processor (1,000 yards).	(16a) Drill. (32f) Leno cloth (not marquisette). (13b) Sheeting, coarse, Class B. (28) Ticking.	Horse Collars and pads.	AA-3.
TEXT-6	Processor (1,000 yards).	(16a) Drill. (12) Osnaburg. (17c) Print cloth less than 64 sley. (14a) Sheeting, medium, Class C, except Mead's cloth.	Horse and cow blankets.	AA-3.
		TOOLS DIVISION		
TOOL-1	Processor (5,000 yards).	(23) Flannel, canton. (17c) Print cloth, less than 64 sley. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth. (14c) Sheeting, soft filled.	Buffing wheels or buffs.	AA-2X.
TOOL-2	Processor (5,000 yards).	(16a) Drill. (16d) Jean. (16c) Twill, carded, except filter twill as defined in M-91.	Abrasive coated products.	AA-2X.
		TRANSPORTATION EQUIPMENT DIVISION		
TRAN-1	Processor (1,000 yards) User (1,000 yards)	(29) Blankets, less than 25% wool. (32b) Bunting, flag. (18a) Cheesecloth, tobacco cloth, and bandage, cloth (except 44 x 36). (16a) Drill. (12) Osnaburg. (17c) Print cloth, less than 64 sley. (15a) Sheeting, bed, muslin, carded. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth. (31b) Table damask. (28) Ticking. (30b) Toweling, except Turkish and Terry (including towels and wash cloths). (16c) Twill, carded, except filter twill as defined in M-91.	1. Maintenance, repair and operating supplies for railroads, busines and transit companies (not including clothing). 2. Manufacture and repair of transit vehicles, railroad cars and other railroad equipment.	AA-2X.
		WAR FOOD ADMINISTRATION		
WFA-1	Processor (500 yards). Merchant (1,000 yards) but only when he buys fabric in the gray state for resale in the gray state.	(32a) Bag and baling fabrics, special types. (18a) Cheesecloth, tobacco cloth, and bandage cloth (except 44 x 36). (16a) Drill. (21a) Flannelette, outing and higher. (12) Osnaburg. (17b) Print cloth, 64 but less than 80 sley. (17c) Print cloth, less than 64 sley. (15a) Sheeting, bed, muslin, carded. (13a) Sheeting, coarse, Class A. (13b) Sheeting, coarse, Class B. (14a) Sheeting, medium, Class C, except Mead's cloth. (16c) Twill, carded except filter twill as defined in M-91.	Agricultural and food processing articles but expressly limited to the following. 1. Brooders for poultry. 2. Cheese bandages and circles. 3. Collector sheets for milk drying. 4. Crop pick sacks. 5. Filter and press cloths essential to the processing of milk, vegetables, vegetable oils and grains, fruits, essential oils, sugar, honey and animal serums. 6. Horticulture and Apiculture supplies. 7. Incubators for poultry. 8. Meat packers' supplies. 9. Pick sheets. 10. Seed bed cloth. 11. Tobacco shade cloth. (NOTE: No rating may be used under this group to get a fabric to be made into wearing apparel or household furnishing or for any agricultural or food processing use other than one listed above.)	AA-2X.
WFA-2	Processor (500 yards). Merchant (1,000 yards) but only when he buys fabric in the gray state for resale in the gray state.	(18b) Bandage cloth, 38½" 44 x 36, 8.60 yard and pro rata widths.	1. Seed bed cloth. 2. Cheese bandages and circles.	AA-2X.

	yards).	152, WPB-6581B).		
STRA-8	Processor (500 yards)	(17b) Print cloth, 64 and higher but less than 80 sley (17c) Print cloth, less than 64 sley.	Laundry and dry cleaning tags and tags and labels required by law.	AA-8.

No. 141——4

DISTRIBUTION SCHEDULES 1 AND 2

The obligations in Columns III, IV and V of Distribution Schedules 1 and 2 are to be calculated from the first day of July, 1945, and from the first day of each later quarter.

(a) Column I indicates the corresponding item numbers of the various cotton fabrics in these schedules as each appears on Form WPB-658-C (6-27-45) for Fine Cotton Goods and Form WPB-658-B (6-27-45) for Carded Gray Goods, Colored Yarn and Napped Fabrics and Specialties.

(b) Column II shows the cotton fabrics covered by these schedules.

(c) Column III shows the percentage of the producer's current calendar quarterly production which must be delivered by him to fill rated export orders for cotton fabrics placed by the Treasury Department, Procurement Division. Deliveries of cotton fabrics, however, may be made to garment manufacturers holding rated Treasury Department Procurement contracts for incorporation only into clothing for delivery on Treasury Procurement export orders, in which cases the fabrics so delivered may be credited to the Column III obligation. Such deliveries must be reported promptly to the Treasury Department, Procurement Division, 50 Church Street, New York, N. Y. Offerings of cotton fabrics to the extent of this Column III obligation should be made directly to the Treasury Department, Procurement Division, at the above address, as early as possible. If Treasury Procurement rejects an offering or does not accept it within 45 days from the date it is made, the producer must add to his Column IV obligation (other rated export orders) as much of his Column III obligation as is unfilled because of rejection or nonacceptance of offerings made to Treasury Procurement.

(d) Column IV shows the percentage of the producer's current calendar quarterly production which must be delivered by him to fill rated export orders for cotton fabrics placed by persons other than Treasury Procurement. Deliveries of cotton fabrics, however, may be made on rated orders of garment manufacturers for incorporation into clothing only for delivery on rated export orders placed by persons other than Treasury Procurement, and fabrics so delivered may be credited to the Column IV obligation. Except for clothing in the above case, exports of cotton fabrics in piece goods form only may be credited to this obligation. For example, delivery of cotton fabrics to a coater to fill a rated export order for coated fabrics may not be credited to the Column III or Column IV obligation. This Column IV obligation may be increased by Treasury Procurement's rejections or nonacceptance of offerings, as explained above in paragraph (c) of this caption.

(e) (1) Only deliveries on purchase orders placed in accordance with paragraph (d) (1) of Order M-317 may be credited toward the obligations of Column III and Column IV. Until the obligations of Columns III and IV are fulfilled, all AA-5 purchase orders given in conformity with such procedures must be treated by the producer as if they were rated AA-3. When these obligations are fulfilled (the obligation of Column IV being subject to increase as explained above in paragraph (c) of this caption), the producer is not required to accept any additional export orders from Treasury Procurement or anyone else, regardless of the provisions of Priorities Regulation 1.

(2) Export by or for the United States Army, Navy, Maritime Commission, War Shipping Administration (including U. S. Army and Marine Corps Post Exchanges, U. S. Navy and Coast Guard Ships' Service Departments, and War Shipping Administration Training Organizations Ships' Service Activities), and the American Red Cross may not be credited toward these obligations.

(3) In calculating the export obligation contained in Distribution Schedule 1 (Fine Cotton Goods) the producer shall eliminate his production of cotton fabrics wider than 42½". However, if he receives a rated export order for these goods, he must treat it as a rated order to the extent of his obligation and the delivery shall be credited toward his export obligation relating to narrow goods within the same reference number.

(f) Column V shows the percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders (including those specified in Columns III and IV). The producer, however, is not relieved from the necessity of accepting and filling additional rated orders in accordance with Priorities Regulation 1, except to the extent provided in paragraph (e) (1) above for export orders. However, where the percentage in Column V amounts to 100, unless otherwise specified, seconds, shorts, remnants and rags, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(g) (1) Column VI contains special provisions concerning the use and delivery of particular fabrics. Unless otherwise specified, the provisions of this Column apply to cotton fabrics in piece goods form only, not including seconds, shorts, remnants or rags.

(2) Unless otherwise specified, the provisions of Column VI apply only to producers as defined in Order M-317. Where a provision in Column VI requires a purchaser to furnish a certificate, no person giving such a certificate may use or deliver the cotton fabrics he buys contrary to his certificate.

DISTRIBUTION SCHEDULE 1—FINE COTTON GOODS

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Broadcloths, combed:				
1	10, 11	37" 128 x 68 and 136 x 60	3	5	65	5% of total quarterly production must be delivered to fill rated export orders to Canada. This is included in the percentage obligation in Column IV.
2	12	All other constructions	0	8	45	
			0	5	55	
3	13	Dimities	0	0	0	All fabrics not used or delivered to fill rated orders may be delivered only to a person who certifies in writing that they will be used to make pocket handkerchiefs, or that they will be delivered only to a person who makes this same certification.
4	16, 17	Fancy handkerchief fabrics				
			2	4	75	
5	19 through 21, 23, 25	Lawns				
6	22	Lawns: 40" 96 x 100, 4.00-4.15	0	0	100	Not more than 2% of total quarterly production may be delivered for export.
			0	15	30	
7	26	All other combed and part combed lawns.				
8	27	All carded lawns	0	11	30	
		Marquisettes:				
9	28, 29, 30	Combed and part combed	2	11	55	
9a	31	All carded	5	10	20	
10	35	Oxfords (except U. S. Army 6-341)	1	2	45	
11	36	Piques	0	5	10	
12	37	Ponzees	0	0	5	
13	39, 40	Poplins, combed (except wind resistant, Type II, U. S. Army 6-321A).	0	10	60	
14	42	Sateens:				
		Combed and part combed (except wind resistant 9 oz., U. S. Army 6-357).	0	5	65	
		Carded (average yarn finer than 35's):				
15	43	Narrow (under 42")	0	6	20	
16	44	Wide (42" and wider)	0	0	20	
17	45	Sheetings, combed, including bed sheetings.	2	9	20	
18	46	Shirtings, combed, jacquard stay dobby and colored yarn.	0	0	100	May not be delivered for export.
19	54	Albert twills	0	10	50	
20	55	Gabardines, combed	2	2	80	
21	56	All other combed twills except those specified in Reference No. 28.	0	5	30	
22	57	Twill, carded (average yarn finer than 35's).	0	0	60	
23	58	Tracing cloth	0	0	100	May not be delivered for export.
24	59	Typewriter ribbon cloth	0	10	30	
25	60	Voiles	1	4	25	
26	61, 62, and 101 on Form WPB-658 B.	Cotton and rayon fabrics, 50% or more cotton.				
27	63	All other combed, part combed and fine carded fabrics (average yarn finer than 38's).	0	4	70	

DISTRIBUTION SCHEDULE 1—FINE COTTON GOODS—Continued

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
28	1 through 9, 14, 15, 32, 33, 34, 35, 38, 41, 47, 48, 49, 51 through 53, 56.	Airplane fabrics and balloon cloth; combed duck; escape boat cloth; insect netting (PQD-260); flat utility fabric, types 1 and 4 (PQD-444); oxfords (U. S. Army 6-341); wind resistant poplin, type II (U. S. Army 321A); wind resistant sateen, 6 oz. (U. S. Army 6-337); Army 6 oz. shirting twill (U. S. Army 6-311); Army 8.2 oz. uniform twill (U. S. Army 6-261b); Navy twills (U. S. Navy 27T25a, types A & B), and Marine Corps twills (Marine Corps Specifications).	0	0	100	May not be delivered for export, except airplane fabrics and balloon cloth delivered to fill orders bearing ratings assigned by this order for Group CAIR-1, or on GA-2543 or 2544 with a serial number having a prefix "CAIR" or on form PEA-479.

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Sheeting and Allied Coarse and Medium Yarn Fabrics (approximately 6s to 27s)				
29	1, 6	Osnaburgs	1	4	100	1. 60% of total quarterly production must be delivered to fill orders rated AA-2X or higher.
30	2, 5	Osnaburgs	1	1	100	2. 3% of total quarterly production for Reference No. 29 and 1% for Reference No. 30 must be delivered to fill rated export orders for Canada. These are included in the percentage obligations in Column IV.
30a	7, 8	Osnaburgs	1	2	100	
31	3, 4	Osnaburgs	0	0	100	
32	9	Leno bag fabrics	0	0	100	
33	10	Special bag fabrics	0	0	100	
34	11	Bale coverings (for cotton cloth, etc.)	0	0	0	
		Class B Sheetings:				
35	22	40", 48 x 40, 3.75 yd	0	3	100	1. 60% of total quarterly production must be delivered to fill orders rated AA-2X or higher.
36	23	37", 48 x 44, 4.00 yd	0	5	100	2. May be exported only to Canada, except for prison made 31" 5 yd sheeting.
37	26	36", 48 x 44, 4.11 yd	0	0	100	
38	25	31", 48 x 44, 5.00 yd	0	2	100	
39	28	32", 38 to 40 x 38 to 40, 6.25 yd	0	0	100	
40	24	10", 44 x 40, 4.25 yard	21	19	100	1. 50% of total quarterly production may be delivered only to fill orders rated AA-2X or higher. 2. 6% of total quarterly production must be delivered to fill rated export orders for Canada. This is included in the percentage obligation in Column IV. 3. 10% and not more than 15% of total quarterly production may be delivered only to fill orders bearing ratings assigned by this order for Group CHEM-4 or on Form GA-2543 or 2544 with a serial number having a prefix "CHEM".
41	14 through 21, 26 through 29.	All other Class A and all other Class B sheetings, except from 26, 72", 81" and 90" widths.	10	13	100	1. At least 65% of total quarterly production may be delivered only to fill orders rated AA-2X or higher. 2. 3% of total quarterly production may be delivered to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
		Class B Sheetings:				
41a	20	72", 81" and 90" widths	0	0	100	
		Class C Sheetings:				
42	36	40", 56 x 48, 4.30 yd	0	0	100	May be delivered only to fill orders bearing ratings assigned by this order for Group RUBR-4 or on Form GA-2543 or 2544 with a serial number having prefix "RUBR".
43	44	40", 64 x 64, 3.15 yd	0	0	100	
44	35	40", 60 x 52, 56 x 56, 3.60 yd	0	0	100	
45	30, 34 and 37 through 39.	36", 64 x 64, 3.50 yd.; 36" 44 x 40, 40 x 40, 6.05 to 6.15 yd.; 40", 44 x 40 5.50 yd.; 40", 36 x 40, 5.55 yd.; and pro rata widths to items 30 through 38 under 42".	15	27	85	1. 35% of total quarterly production of items 33 may be delivered only to fill orders bearing ratings assigned by this order for Group PAPR-2 or on Form GA-2543 or 2544 with a serial number having a prefix "PAPR". 2. 9% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
46	40	Pro rata widths to items 30 thru 38, 42" and wider.	0	0	75	
47	31, 32, and 41	36" 60 x 52, 56 x 56, 4.00 yd.; 36" 48 x 40, 44 x 40, 5.50 yd., all other Class C constructions under 42".	14	29	85	1. 75% of total quarterly production of 40½"-41", 74 x 86, 2.80-2.80 yd. construction may be delivered only to fill orders bearing ratings assigned by this order for Group RUBR-3 or on Form GA-2543 or 2544 with a serial number having prefix "RUBR." 2. 6% of total quarterly production remaining after requirements in (1) above have been filled, may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
48	42	All other Class C constructions 42" and wider.	8	8	75	
49	43, 14, 45	Bandoleer and Navy mattress cover fabrics and wide sheetings (PQD-347A).	0	0	100	
		Bed sheetings and allied fabrics				
50	46	Carded percale bed sheeting	0	0	100	
		Muslin bed sheetings:				
50a	47	Sley of more than 64	2	6	70	1. 3% of total quarterly production for Reference No. 50a and 1% of Reference No. 51 may be delivered only to fill rated export orders for Canada. These are included in the percentage obligations in Column IV. 2. All fabrics covered by Reference Nos. 50, 50a, and 51 not used or delivered to fill rated orders, may be used by the producer only to make sheets or pillow cases, or may be delivered only to a person who certifies in writing that they will be used to make sheets or pillow cases, or that they will be delivered only to a person who makes this same certification. 3. Each producer of sheets and pillow cases made from sheeting of his own manufacture, must set aside from each month's production 10% of that part of his production not delivered to fill rated orders and deliver such 10% only to hotels or to persons who certify in writing that the items will be sold to hotels only.
51	48, 49	64 sley and sley of less than 64	3	5	70	
52	50	Pillow tubings	0	0	0	
53	50	Industrial tubings	0	0	75	
54	51	Carded poplins (sheeting yarns)	0	8	50	3% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in percentage obligation in Column IV.

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Drills, Twills and Sateens				
		Herringbone twills:				
55	52	Army, 8.5 oz. (U. S. Army 6-260)	0	0	100	
56	53	Marine Corps, 9 oz. (Marine Corps Specification).	0	0	100	May not be delivered for export.
56a	54	Other 3-leaf herringbone twills	0	0	100	
		Drills:				
57	55 thru 58	36" high and low count, 2.50 yard	0	0	100	
		37½" 2 yard (U. S. Army 6-247B, Class A)	0	0	100	
		38½" 7.60 2.00 yard	0	0	100	
57a	59, 60	32" 72-76 x 48, 2.58 yd. and pro rata widths.	0	0	100	May be delivered only to fill orders bearing ratings assigned by this order for Group TOOL 2 or on Form GA 2-43 or 2544 with a serial number having prefix "TOOL".
58	59, 60	All other drills, except 32" 72-76 x 48, 2.58 yd. and pro rata widths.	7	14	80	3½% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligations of Column IV.
59	61	Jeans	0	0	100	Not more than 3% of total quarterly production may be delivered for export.
60	62	3-leaf pocketing twills, 36", 2.58 or 3.00 yard (Sheeting yarn).	0	0	60	
61	63	3-leaf sateen twills (Sheeting yarn)	0	0	80	1. Not more than 2% of total quarterly production may be delivered for export. 2. All fabrics, including rejects, seconds, shorts and remnants not used or delivered to fill rated orders may be delivered only to a person who certifies in writing that they will be used to make pocketings for men's, boys' and children's clothing or that they will be delivered only to a person who makes this same certification.
62	64	4-leaf Army 8.2 oz. carded uniform twill, Type IV.	0	0	100	May not be delivered for export.
63	65	4-leaf tent twill (U. S. Army specifications)	0	0	100	May not be delivered for export.
64	66	Navy twills carded (Spec. 27T25a, Type CX.	0	0	100	
		All other 4-leaf twills:				
65	67	32" in width and narrower	3	12	80	
65a	68	Over 32" but less than 42"	8	12	80	
66	69 and 70	42" and wider	0	0	80	
		Sateens, warp and filling:				
67	71	Narrow, under 42"	0	10	60	5% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
68	72	Wide, 42" and wider	0	0	80	
69	73	All other carded twills and sateens	5	15	40	
70	74	Gabardine carded	0	10	80	
71	75	Birdseye diaper cloth	0	0	100	1. May be delivered only to a person who certifies in writing that these fabrics will not be used for industrial purposes or that they will be delivered only to a person who makes this same certification. 2. Not more than 5% of total quarterly production may be delivered for export.
		Print Cloth Yarn Fabrics (approx. 28s to 42s)				
72	76	Window shade cloth, except 38½", 56 x 44, 6.85 yard.	0	0	60	
72a	76	Window shade cloth, 38½", 56 x 44, 6.85 yard.	0	0	100	May be delivered only to fill orders bearing ratings assigned by this order for Group PAPE 2 or on Form GA 2-43 or 2544 with a serial number having prefix "PAPE".
		Plain print cloths:				
73	77, 83, 84	80 sley and higher	0	0	100	
74	78	39", 68 x 72, 4.75 yard and pro rata widths.	0	0	80	
75	78	36", 68 x 64, 4.85 yard and pro rata widths.	4	6	70	4% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
76	79, 81	38½", 64 x 56, 5.50 yard and pro rata widths, 36" and wider.	4	7	75	4% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
77	80	38½", 64 x 60, 5.35 yard	4	8	80	4% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
78	81	Pro rata widths to 5.50 yard under 36"	0	0	100	May be delivered only to fill orders bearing ratings assigned by this order for Group CONT 1 or on Form GA 2-43 or 2544 with a serial number having prefix "CONT".
79	82	38½", 60 x 48, 5.25 yard and pro rata widths	4	11	65	4% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
80	83	All other plain print cloths less than 80 sley, under 36".	4	8	80	
81	85	All other plain print cloths less than 80 sley, 36" and wider.	6	14	80	Total quarterly production of 38½" (a) x 36 construction may be delivered only to fill orders bearing ratings assigned by this order for Group PAPE 2 or on Form GA 2-43 or 2544 with a serial number having prefix "PAPE".
		Fancy print cloths:				
82	86	Paisleys checks	0	0	100	May be delivered only to fill orders rated AA 2X or higher.
83	87	Gauze diaper cloth	0	0	100	1. May not be used for industrial purposes. 2. Not more than 2% of total quarterly production may be delivered for export.
84	88	All other fancy print cloths	6	14	50	
		Bandage cloth, tobacco cloth and cheesecloth:				
85	89	38½", 44 x 36, 8.50-8.60 and pro rata widths under 42".	0	0	100	1. May not be delivered for export. 2. May be delivered only to fill orders rated AA 2X or higher.
86	89, 90	38½", 44 x 36, 8.50-8.60 yard and pro rata widths, 42" and wider.	0	0	100	
87	91	20 x 12 all widths	2	8	100	
88	92	17 to 18 sley x 12 to 14 pick, all widths	0	0	100	May be delivered only to a person who certifies in writing that these fabrics will be used to make sanitary bags or milk filters or that they will be delivered only to a person who makes this same certification.
89	93	All other constructions	2	8	55	
90	94 through 97	Broadcloth, carded, plain and fancy	4	9	70	3% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Print Cloth Yarn Fabrics (approx. 28s to 42s)—Continued				
91	98	Poplin, carded, plain and fancy (print cloth yarns).	4	8	65	3% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
92	99	3-leaf twills (print cloth yarns)	4	6	20	All fabrics, including rejects, seconds, shorts and remnants, not used or delivered to fill rated orders, may be delivered only to a person who certifies in writing that they will be used to make pocketings, waist bands and fly linings for men's, boys', and children's clothing (including work clothing) or to a person who makes this same certification.
		Colored yarn fabrics				
		Denims, clothing (basis 28" width):				
93	100 through 103	2.45 yard and heavier	1	2	100	Not more than 5% of total quarterly production may be delivered for export.
94	104 through 106	3.00 yard and lighter	2	8	75	All fabrics not used or delivered to fill rated order may be delivered only to a person who certifies in writing that they will be used to make children's and infants' overalls, coveralls, and boys' pants up to size 12 or that they will be delivered only to a person who makes this same certification.
95	108	Pinstripes, pinchecks, hickory stripes, etc.	10	14	90	
96	109 through 112	Cottonade and suiting coverts	5	15	90	
97	113	Whipcords and bedford cords	0	20	75	
98	114	Ginghams	4	26	40	
99	115, 116	Seersuckers	4	26	40	
		Suitings woven with colored yarn:				
100	117, 118	All cotton	0	25	40	
		Cotton and rayon (51% or more cotton) checks and plaids.	0	25	25	
102	120	Cotton and rayon (51% or more cotton) all other.	0	30	25	
103	121 through 123	Shirting coverts	5	25	9	
		Chambrays and colored yarn shirtings:				
104	124	36" 3.90 yard	0	0	100	Except prison made, not more than 3% of total quarterly production may be delivered for export.
105	125	All other chambrays and shirtings	5	17	40	All fabrics lighter than 36" 3.90 yard and pro rata widths, not used or delivered to fill rated orders may be delivered only to a person who certifies in writing that they will be used only to make infants' and children's overalls, coveralls, dresses, rompers, creepers and crawlers, or that they will be delivered only to a person who makes this same certification.
106	126	Bed ticking	6	15	21	All fabrics not used or delivered to fill rated orders may be delivered only to a person who certifies in writing that they will be used to make mattresses, bed pillows or box springs or that they will be delivered only to a person who makes this same certification.
		Towels, toweling and dishcloths				
107	127	Turkish and terry woven	0	0	55	1. Not more than 5% of total quarterly production may be delivered in the form of towels, bathmats, washcloths or piece goods for export. 2. 10% of total quarterly production not used or delivered to fill rated orders may be delivered only in the form of towels, bathmats and washcloths to hotels or to a person who certifies in writing that they will be delivered only to hotels.
108	128	Huck, damask and Jacquard woven, other than terry.	2	8	30	10% of total quarterly production not delivered to fill rated orders may be delivered only in the form of towels, bathmats and washcloths to hotels or to a person who certifies in writing that they will be delivered only to hotels.
109	129	Dishtowels and other twill and plain woven towels (including all cotton, part linen and part rayon).	1	4	15	
110	130	Dishcloths	0	0	5	
		Napped fabrics				
111	131	Outing flannels	5	10	45	3% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
112	132, 133	Work shirt flannels	4	21	90	
113	134	Canton flannels	0	0	100	85% of total quarterly production may be delivered only to a person who certifies in writing that these fabrics will be used to make work gloves or that they will be delivered only to a person who makes this same certification.
114	136	Interlining flannels	0	0	0	
115	137	Moleskins and suedes	0	16	90	12% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
116	135	Gunpatch flannel	0	0	100	
117	138	All other napped fabrics except blankets	5	10	75	4% of total quarterly production may be delivered only to fill rated export orders for Canada. This is included in the percentage obligation in Column IV.
		Soft-filled sheetings for napping:				
118	12	Under 42"	9	16	75	
119	13	42" and wider	0	0	75	
		Blankets and blanketing:				
120	139	Crib	0	0	0	
121	140	Other than crib, all cotton	10	15	30	3% of total quarterly production may be delivered only to fill rated export order for Canada. This is included in the percentage obligation in Column IV.
122	141, 142	Other than crib, part cotton (less than 25% wool).	4	6	15	
		Other woven cotton fabrics and specialties				
123	156	Corduroys (including combed):				
		Men's wear weights, 36" 12 to 18 oz. thicksets.	0	4	100	90% of total quarterly production may be delivered only to a person who certifies in writing that these fabrics will be used to make men's and boys' work clothing or that they will be delivered only to a person who makes this same certification.

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Other woven cotton fabrics and specialties—Continued				
124	146, 157	All other corduroys	0	4	26	1. 90% of total quarterly production of women's wear weights (reported on Line 155 of Form WPB-658-B) not used or delivered to fill rated orders may be delivered only to a person who certifies in writing that these fabrics will be used only to make: (a) Crawlers, sizes 6 mos. to 3 yrs., (b) Overalls, sizes 1-8 yrs., (c) Separate jackets, sizes 6 mos-8 yrs., (d) Ski pants, sizes 2-8 yrs., (e) Dresses and jumpers, sizes 2-6 yrs. and 7-14 yrs., (f) Bonnets, helmets, or caps, small, medium and large sizes, (g) Boys' short pants and short overalls sizes 4-12 yrs., (h) Boys' long pants sizes 6-16 yrs., or that they will be delivered only to a person who makes this same certification. 2. 90% of total quarterly production of men's wear weights (reported on Line 157 of Form WPB-658-B) not used or delivered to fill rated orders may be delivered only to a person who certifies in writing that these fabrics will be used to make men's and boys' work clothing or that they will be delivered only to a person who makes this same certification.
125	145, 146	Bedspread fabrics, woven style	0	0	0	90% of total quarterly production of crinkle bedspread fabrics (including crinkle bedspreads) may be sold only on rated orders.
126	147, 148	Curtain fabrics, other than marquisettes	0	0	0	
127	149	Flag bunting	0	0	100	
128	150 through 152	Drapery, upholstery and tapestry fabrics	0	0	90	
129	154	Automobile seatcover fabrics	0	0	0	
130	153	Luggage fabrics	0	0	0	90% of total quarterly production not delivered to fill rated orders may be delivered only to a person who certifies in writing that these fabrics will be used to make luggage as authorized in Order L-284 or that they will be delivered only to a person who makes this same certification.
131	158, 159	Velvets, velveteens, plushes and other pile fabric	0	4	4	
132	160	Table damask, covers, cloths and napkins	0	0	0	
132a	161	Combination carded cotton and rayon fabrics, 50% or more cotton	1	4	25	
133	162	Industrial wiping fabrics and cloths	0	0	0	May not be delivered for export.
134	163	All other carded woven fabrics	4	11	30	

[F. R. Doc. 45-12677; Filed, July 12, 1945; 11:22 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-284, Revocation]

LUGGAGE

Section 3290.186 *General Limitation Order L-284* is revoked. This revocation does not affect any liabilities incurred for violation of the order or for actions taken by the War Production Board under the order. Production and distribution of luggage remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12866; Filed, July 14, 1945; 11:48 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER BUREAU

[Conservation Order M-379, Revocation]

WORK CLOTHING PRODUCTION ORDER

Section 3290.341 *Conservation Order M-379* is hereby revoked.

This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The order is superseded by Schedule G to Order M-328B.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12841; Filed, July 13, 1945; 4:42 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule G]

SPECIAL PROGRAM FOR MEN'S AND BOYS' WORK CLOTHING

§ 3290.120g *Schedule G to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of men's and boys' work clothing to get an AA-3 preference rating for fabric to make the items listed in this schedule.

(b) *Definitions.* For the purpose of this schedule:

(1) "Men's and boys' work clothing" means any garment designed for male workers' wear while engaged in their occupations and expressly limited to the types customarily sold under the names specified in the list of items in the Preference Rating Schedule, and made in accordance with War Production Board Limitation Order L-181.

(2) "Base period" means the third calendar quarter of 1942.

(c) *Special requirements for priorities assistance.* (1) Three copies of Form WPB-4302 (and not Form WPB-3732 revised) should be filed in accordance with the rules stated in paragraph (c) of Order M-328B, except that for the third quarter of 1945 the applications must be postmarked by July 31, 1945.

(2) The base period manufacturer who files Form WPB-4302 for the third quarter of 1945 by July 31, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of fabrics for deliveries in that quarter for incorporation into the items for which application is made. He may do so only for an item that he made in the base period and only for 70% of the quantity of fabric applied for with respect to any item. Fabric purchased under this provision shall be deducted by the manufacturer from the total yardage for which priorities assistance is ultimately granted on Form WPB-4302. If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant. In addition, a base period manufacturer must reduce the yardage of fabric he makes with ratings under this paragraph by whatever amount he gets in the third quarter of 1945 for men's and boys' work clothing with an AA-3 rating assigned under Order M-317A as amended May 10, 1945, or under Direction 16 to M-317, and must charge that amount to the yardage for which he is assigned an AA-3 rating on Form WPB-4302 for that quarter.

(3) A manufacturer who did not make in the base period the items applied for on Form WPB-4302 may not use any preference rating assigned under this order until the War Production Board has assigned him a rating on that form.

(4) A manufacturer who made items listed in the Preference Rating Schedule in the base period may not apply on Form WPB-4302 for priorities assistance to get more fabrics in any quarter than the following amount: The total yardage consumed in the base period for all items less the yardage he expects to use in the quarter for which application is made, in making men's and boys' work clothing and similar garments (such as shirts, other than white dress shirts, dungarees, battle dress, fatigues, etc.) for delivery to an agency of the U. S. Government.

(d) *Provisions in case of governmental cut-backs.* At any time during any calendar quarter, a manufacturer who has received cancellations or cut-backs on military contracts or orders placed by an agency of the United States Government or who has production facilities made available, may apply to the War Production Board on form WPB-4302 for priorities assistance to manufacture items listed in the preference rating schedule. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

(e) *Special inventory rule.* Manufacturers who use ratings assigned under this schedule are subject to the inventory provisions of paragraph (f) (4) of Order M-328B except that a 60-day inventory limit applies instead of a 45-day one.

(f) *Notification of unused allocations.* A person who finds that for any reason (such as increases in Army or Navy contracts) he will not place rated orders to the extent authorized on form WPB-4302 for a particular calendar quarter, or will cancel rated orders he has placed, must promptly write a letter giving notice to the Textile, Clothing and Leather Bureau of the War Production Board showing the reference number on his authorization. Letters must specify the quantity and kind of fabric in the same terms in which the authorization was made.

(g) *Priorities assistance for component parts.* Persons applying for priorities assistance under this schedule may apply for sewing thread in quantities needed for incorporation into the number of units for which priorities assistance is requested. Applications shall be made on form WPB-2842 filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C. Such applications will be approved to the extent of available materials and to the extent that such allocations are made for the production of items.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

PREFERENCE RATING SCHEDULE

Item No.	Item column	Fabric column: Body fabric	Fabric column: Linings, pocketings, etc.
1	Men's Bib Overalls	(19) Denim (28" basis) 2.45 and heavier.	(16a) Drill Sheetings.
2	Boys' (Size 6 and up) Bib Overalls.	(19) Hickory Stripe.	(15a) Bed.
3	Men's and Boys' (size 6 and up) overall jumpers or coats and blanket-lined overall jumpers or coats.	(19) Pinstripe and pincheck. (19) Express stripe. (16a) Drill.	(13) Class A. (13) B. (14a) C. (14c) Soft-filled for napping. (19) Denim lighter than 2.45. *Blanket-lining* (29) Cotton. Wool. (21a) Flannelette, outing.
4	Men's Dungarees and Waistband Overalls.	(19) Denim (28" basis) 2.45 and heavier.	Same as Item 1, 2, 3.
5	Boys' (size 6 and up) Dungarees and Waistband Overalls.	(19) Hickory stripe. (19) Pinstripe and pincheck. (19) Express Stripe.	
6	Coveralls (One-piece)	(19) Denim (28" basis) 2.45 & heavier. (19) Covert. (19) Hickory stripe. (19) Pinstripe and pincheck. (19) Express stripe. (16a) Drill. (16f) Herringbone Twill. (16c) Twill (4-leaf).	Same as Items 1, 2, 3.
7	Cossack Jackets	(19) Denim.	No pocketing.
8	Work Coats	(19) Covert. (19) Whipcord. (25) Moleskin.	Linings. (14c) Sheetings, soft-filled for napping. *Blanket-lining* (29) Cotton. Wool. (21a) Flannelette, Outing. Slide Fasteners (for Cossack Jackets only).
9	Work Aprons	(19) Denim. (19) Hickory stripe. (19) Pinstripe and pincheck. (19) Express stripe. (12) Osnaburg.	None.
10	Work and Shop Caps	(16c) Sateen. (26) Corduroy. (16a) Drill. (16f) Herringbone Twill. (16c) Twill (4-leaf). (19) Denim. (19) Hickory stripe. (19) Pincheck, pinstripe. (19) Express stripe. (25) Moleskin. (19) Covert.	(16a) Drill Sheeting. (13) Class B. (14a) C. (14c) Soft-filled for napping. (16e) Sateen. (21a) Outing flannelette.
11	Men's work pants and breeches.	(19) Cottonade. (19) Covert. (16a) Drill. (16f) Twill, herringbone. (16c) Twill (4-leaf). (19) Whipcord and cavalry twill. (19) Bedford cord. (25) Moleskin. (26) Corduroy. (19) Denim (28" basis) 2.45 and heavier. (19) Pincheck, pinstripe. (19) Hickory stripe. (32) Cotton and wool mixture containing less than 25% wool.	(16a) Drill. *Sheeting* (15a) Bed. (13) Class A. (13) B. (14a) C. (12) Osnaburg. (17) Print cloth. (16e) Sateen. (18) Tobacco cloth. (16h) Silesia. (17l) 3-leaf twills made of print cloth yarn (may be used only for waistband and fly lining).
12	Boys' work pants (in sizes 6 and up).	(19) Denim (28" basis) 2.45 and heavier. (19) Covert. (26) Corduroy (thick-set only).	*Sheeting* (15a) Bed. (13) Class A. (13) B. (14a) C. (17) Print cloth. (16e) Sateen. (18) Tobacco cloth.
13	Men's work shirts, meaning work shirts made in accordance with both WPB Limitation Order L-181 and OPA Orders MPR 208 and 304.	(22) Flannel, woven shirting. (21a) Flannelette, outing. (20) Chambray. (20) Covert. (16d) Jean, plain and herringbone. (24) Suede. (17h) Poplin. *Sheeting* (13) Class A. (13) B. (14a) C. (14c) Soft-filled for napping. (32) Cotton and wool mixtures less than 25% wool. (16f) Twill, herringbone. (16c) Twills, 4-leaf.	None.

PREFERENCE RATING SCHEDULE—Continued

Item No.	Item column	Fabric column: Body fabric	Fabric column: Linings, pocketings, etc.
14	Boys' work shirts meaning a work shirt made in accordance with WPB Limitations Order L–181 and OPA Orders MPR 298 and 304, in sizes 6 and up.	(22) Flannel, woven shirting. (21a) Flannelette, outing. (20) Chambray. *Sheeting* (13) Class B. (14a) Class C. (14c) Soft-filled for napping.	None.
15	Washable service apparel.... (a) Gowns, suits or coats for doctors, dentists, internes, orderlies, druggists. (b) Coats or apron sets for bakers, butchers, fish-handlers, dairyworkers, cooks, slaughterhouse workers.	(16a) Drill. (17h) Poplin. *Sheetings* (13) Class A. (13) B. (14a) C. (15a) Bed. (12) Osnaburg. (16a) Drill. (16f) Twill, herringbone. (16c) Twill, 4-leaf. *Sheeting* (15a) Bed. (13) Class A. (13) B. (14a) C.	None.

[F. R. Doc. 45–12843; Filed, July 13, 1945; 4:42 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–379, Revocation of Direction 1]

WORK CLOTHING PRODUCTION ORDER

Direction 1 to General Conservation Order M–379 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or for actions taken by the War Production Board under the direction. Production and distribution of men's and boys' work clothing remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12842; Filed, July 13, 1945; 4:42 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–176, as Amended July 14, 1945]

DOMESTIC AND COMMERCIAL ELECTRIC FANS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.135 *Limitation Order L–176*—(a) *What this order does.* Although this order now permits the unlimited production of electric fans as defined below, it restricts their delivery. It also provides a method for granting priorities assistance to manufacturers for the production of a limited number of electric fans within the War Production Board programs. It states the conditions under which that priorities assistance will be extended to manufacturers by the War Production Board.

(b) *Definitions.* For the purposes of this order:

(1) "Electric fan" means any propeller type fan designed for desk, pedestal, wall bracket, ceiling, or portable window mounting, which is powered by a fractional horsepower motor drawing 200 watts or less. It includes such fans whether completely assembled or assembled in knocked down form. It does not include any centrifugal fan or blower, propeller type attic fan, industrial propeller type exhaust fan or any fan which is a functional part of any equipment or device having a primary use other than ventilation.

(2) [Deleted Jan. 17, 1945.]

(3) [Deleted July 4, 1945.]

(4) "Special order" means any purchase order, contract or subcontract for delivery of an electric fan to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration if (i) the fan ordered conforms to applicable specifications for marine fans issued by the Navy or Maritime Commission, and (ii) the order, contract or subcontract states that the fan is for use on a combat or marine vessel.

(c) *Conditions under which priorities assistance will be given.* (1) The War Production Board will give priorities assistance for the production of electric fans in the form of allotments of controlled materials and preference ratings for the purchase of other materials and components. In addition to the production for which priorities assistance is given, any person may produce and assemble electric fans for which he is able to obtain the materials.

(2) Any person who wants priorities assistance to make or assemble electric fans may apply on Form WPB–3700 (and Form WPB–3820 when required by the instructions) with the field office of the War Production Board in which is located the plant or branch of the applicant where the electric fans will be produced or assembled.

(3) The War Production Board will give priorities assistance for the production or assembly of a fixed number of electric fans, according to the approved program making an equitable allocation of the total amount of materials for which it gives this assistance. (Generally this assistance will be given for the production of 12-inch and 16-inch electric fans). Wherever practicable, each applicant will receive a pro rata share of his productive capacity based on his facilities and the availability of manpower. In addition, the War Production Board will give priorities assistance for the production or assembly of any electric fan for which an applicant has a special order actually received and on hand.

(d) [Deleted July 4, 1945.]

(e) [Deleted July 4, 1945.]

(f) *Restrictions on deliveries of electric fans.* No manufacturer of electric fans shall transfer or deliver any new electric fan except:

(1) To fill special orders;

(2) [Deleted July 14, 1945];

(3) As authorized by the War Production Board on Form WPB–1319 for hospital, institutional or essential industrial purposes in response to an application in quadruplicate filed with the nearest field office of the War Production Board; or

(4) As authorized by the War Production Board on Form WPB–1319 in response to an application filed in quadruplicate with the War Production Board, Washington 25, D. C., Ref.: L–176, (i) to fill Army, Navy, Veterans Administration, Maritime Commission, and War Shipping Administration orders other than special orders; (ii) for export; (iii) in all other cases not covered by paragraph (f) (3).

(g) [Deleted July 4, 1945.]

(h) [Deleted July 4, 1945.]

(i) *Preference ratings for purchase of electric fans prohibited.* No preference rating for electric fans shall be valid for any purpose. All orders bearing preference ratings may be filled as unrated orders. This does not apply to any rating carried by a purchase order or contract calling for delivery (1) to fill special orders, or (2) to or for the account of the Army, Navy, Veterans Administration, Maritime Commission or War Shipping Administration when authorized on Form WPB–1319, pursuant to paragraph (f) (4).

(j) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) [Deleted July 4, 1945.]

(l) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of electric fans, the other order shall govern unless it states otherwise.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–176.

(n) *Reports.* Every manufacturer producing or shipping electric fans shall file Form WPB–1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: Order L–176.

NOTE: The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12873; Filed, July 14, 1945; 11:49 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M–21, Revocation of Direction 1]

DISTRIBUTORS' ORDERS FOR HOT ROLLED OR COLD REDUCED CARBON STEEL SHEETS OR STRIP

Direction 1 to Order M–21 is revoked. This revocation does not affect any liabilities incurred for violation of the direction, or the status of any distributors' orders already accepted for production in accordance with the terms of the direction. The acceptance of distributors' orders for hot rolled or cold reduced carbon steel sheets and strip for delivery after the effective date of this revocation remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12874; Filed, July 14, 1945; 11:49 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R–1, Appendix II as Amended May 30, 1945, Amdt. 2]

Appendix II, *Manufacturing Regulations*, as amended May 30, 1945, is hereby further amended by changing List 9, Regulations for the Manufacture of Tire Tubes (Except Airplane and Bicycle Tire Tubes) to read as follows:

LIST 9—REGULATIONS FOR THE MANUFACTURE OF TIRE TUBES (EXCEPT AIRPLANE AND BICYCLE TIRE TUBES)

(a) *General provisions.* The natural rubber content of any tube governed by this List 9 shall not include processing losses or natural rubber used in valves.

(b) *Manufacturing regulations.* (1) Tubes of any size and type may be manufactured to fill both Government and Civilian orders (subject, for Government orders, to the approval of the procuring agency): *Provided, That:*

(i) Natural rubber and natural rubber latex may be consumed only in valves (where permitted in List 16), valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(ii) Passenger car tubes of all types shall contain not more than .02 pounds of natural rubber per tube.

(2) The manufacture of tubes consuming more natural rubber than permitted by paragraph (b) (1) of this List 9 is prohibited.

(3) The manufacture of tubes from GR–I shall be limited to the sizes and types listed in Tables A and B. No restriction is placed on maximum tube volume or maximum content GR–I.

TABLE A—GOVERNMENT ORDERS ONLY

Size:	Type
6.00–16	Passenger.
6.00–16	Truck.
6.50–16	Do.
6.00–16	Combat (U. S.).
6.00–20	Do.
8.00–16	Do.
8.25–20	Do.
9.00–20	Do.
14.00–20	Do.
14.00–24	Do.
10.50/11.00–18	Truck and bus (desert).
14.00–20	Do.

TABLE B—GOVERNMENT AND CIVILIAN ORDERS

Size:	Type
6.00–17	Truck and bus.
6.00–20	Do.
6.50–17	Do.
6.50–20	Do.
7.00 and larger, all rim diameters.	Do.
All	Motorcycle.
All	Pneumatic Industrial.
All	Tractor and Implement; except 5.50–16, 6.00–16 and 6.50–16.

(c) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (c) (2) of List 6, Appendix II.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12870; Filed, July 14, 1945; 11:49 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R–1, Appendix II, as Amended May 30, 1945, Amdt. 3]

Appendix II, *Manufacturing Regulations*, as amended May 30, 1945, is hereby further amended by changing List 12, Regulations for the Manufacture of Airplane Tires and Tire Casings to read as follows:

LIST 12—REGULATIONS FOR THE MANUFACTURE OF AIRPLANE TIRES AND TIRE CASINGS

(a) *General provisions.* (1) The natural rubber content of any tire or tire casing governed by this List 12 shall not include processing losses, natural rubber used in curing bags or natural rubber latex used in the cord treatment. Natural rubber latex, however, may be consumed only in the treatment of nylon cord.

(b) *Manufacturing regulations.* The manufacture of airplane tires and tire casings shall be limited to the sizes, plies and tread types listed in this paragraph (b) subject to the maximum natural rubber contents designated therefor.

TABLES A—AIRPLANE TIRES

Size	Ply	Type	Construction and maximum content natural rubber in pounds: Rayon	Nylon
27	8	I (Smooth contour landing)	5–4 1.80	8–6 3.40
30	8	do	5–4 2.30	8–6 3.60
33	8	do	5–4 2.50	8–6 4.20
36	10	do	5–6 8.65	8–6 8.65
39	10	do	5–6 10.25	8–6 10.25
44	10	do	5–6 12.80	8–6 12.80
47	12	do	5–6 18.75	8–6 18.75
51	14	do	5–6 24.00	8–6 24.00
56	16	do	5–6 32.00	8–6 32.00
56	18	do	5–6 35.00	8–6 35.00
62	20	do	5–6 58.00	8–6 58.00
65	22	do	5–6 60.00	8–6 60.00
8.00	4	I (Smooth contour auxiliary)	5–4 .45	8–6 .45
10.00	6	do	5–4 .75	8–6 .75
12.50	6	do	5–4 1.35	8–6 1.35
14.50	6	do	5–4 1.50	8–6 1.50
17.00	8	do	5–4 1.60	8–6 1.60
19.00	8	do	5–4 1.80	8–6 2.60
20.00	8	do	5–4 1.75	8–6 3.10
26.00	10	do	5–4 3.75	8–6 4.75
30.00	10	do	5–4 6.00	8–6 6.00
26 x 6	8	II (High pressure landing)	5–4 1.50	8–6 2.50
26 x 6	8	II (High pressure landing) (Channel)	5–4 1.80	8–6 3.60
30 x 7	8	II (High pressure landing)	5–4 1.95	8–6 3.50
32 x 8	8	do	5–4 2.70	8–6 4.25
54 x 9	10	do	5–6 7.30	8–6 7.30
10 x 3	4	II (High pressure auxiliary)	5–4 .30	8–6 .30
6.00–4	4	III (Low pressure landing)	5–4 .80	8–6 .85
6.50–10	6	do	5–4 .90	8–6 1.10
7.00–4	4	do	5–4 1.20	
7.00–6	4	do	5–4 .60	8–6 .60
7.50–10	6	do	5–4 1.10	8–6 1.65
8.00–4	4	do	5–4 1.40	
8.50–10	6	do	5–4 1.30	8–6 2.00
8.00–12.50	4	do	5–4 1.35	8–6 2.15
15.00–16	8	do	5–4 5.30	8–6 8.50
15.00–16	10	do	5–6 12.60	8–6 12.60
15.50–16	12	do	5–6 14.00	8–6 14.00
18.50–20	12	do	5–6 18.50	8–6 18.50
16.00–16	12	do	5–6 16.80	8–6 16.80

within the War Production Board programs. It states the conditions under which that priorities assistance will be

where the electric fans will be produced or assembled.

War Production Board. If any other order of the War Production Board lim-

Lug Stock, Base Stock, Padding Stock, Stripping Stock, Filler Strip and Full Circle Curing Tubes, to read as follows:

LIST 13—REGULATIONS FOR THE MANUFACTURE OF RETREADING MATERIALS INCLUDING CAMELBACK (WING-DIE), CAPPING STOCK (BEVEL-DIE), LUG STOCK, BASE STOCK, PADDING STOCK, STRIPPING STOCK, FILLER STRIP AND FULL CIRCLE CURING TUBES

(a) *General prohibitions.* Natural rubber may be consumed in camelback for application of cushion gum and in inks or cements for identification purposes.

(b) *Manufacturing regulations.* (1) The manufacture of retreading materials to fill both Government and civilian orders shall be limited to camelback (wing-die), capping stock (bevel-die), lug stock, base stock, padding stock, stripping stock, filler strip and curing stock; stripping stock for application by the manufacturer to camelback, capping stock, lug stock and base stock and full circle curing tubes.

(2) The compounds used in manufacturing the items permitted by paragraph (b) (1) of this List 13 shall conform to the regulations shown in the following table:

RETREADING MATERIALS

Description of product	Percent by volume in compound					Restrictions
	Natural rubber	GR-S	Total new rubber	Total reclaim		
	(maximum)	(maximum)	(maximum)	(minimum)		
A—Camelback, capping stock, lug stock and tapering stock, (C capping stock, lug stock, base stock and base stock.)	0.0	60.0	60.0	40.0		No restrictions on use for treading purposes.
B—Camelback and capping stock.[2]	0.0	40.0	50.0	40.0		No restrictions on use for treading purposes.
Padding stock	0.0	0.0	0.0	50.0		Fabricated only.
Stripping stock	40.0	.....	.....	.....		Maximum thickness 1/64".
Filler strip	50.0	.....	.....	.....		Maximum width 1", 2½" and 3½". Maximum thickness ⅛".
Full circle curing tubes	0.0	.....	.....	.....		Natural rubber permitted only in valves, valve adhesion pads, splicing gum strips and repairs, and plastic flow control tubes. Synthetic rubber tubes shall be marked in accordance with List 16(c).

[1] Natural rubber may be consumed in cushion gum to be applied to treads A and C tread materials, but the natural rubber so consumed shall not exceed, by weight, 20 percent of the total weight of treading material.

[2] Natural rubber may be consumed in camelback, capping stock, lug stock and base stock, but the natural rubber so consumed shall not exceed, by weight, 1.6 percent of the total weight of Camelback.

[3] Grade C camelback and capping stock shall not be manufactured in the sizes with crown widths wider than 6".

PART 1010—SUSPENSION ORDERS

[Suspension Order S-832, Stay of Execution]

OREGON CASKET CO.

California Casket Company, a California corporation, does business at 1633 N. W. 21st Avenue, Portland, Oregon, under the name Oregon Casket Company. On July 2, 1945, Suspension Order No. S-832 was issued against them. They are now appealing from the provisions of the suspension order and have requested a stay pending final determination of the appeal. Deputy Chief Compliance Commissioner Flood has directed that the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

In view of the foregoing, it is hereby ordered, that: § 1010.832 *Suspension Order No. S-832* be stayed.

Issued this 13th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12845; Filed, July 13, 1945; 4:42 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-849]

COURTESY WHOLESALE ELECTRIC CO.

Courtesy Wholesale Electric Company is a trade name under which Ruben Brown conducts a business dealing in wholesale electrical supplies at Alhambra, California. During the period between June 30, 1944 and November 21, 1944, the Courtesy Wholesale Electric Company applied the V-3 allotment symbol and a preference rating of AA-3 to its purchase orders to acquire 325 fluorescent lighting fixtures without specific authorization from the War Production Board in violation of CMP Regulation No. 9-A. Further, Courtesy Wholesale Electric Company, between April 15, 1944 and November 22, 1944 sold approximately 1,118 new fluorescent lighting fixtures against orders other than those permitted by paragraph (f) of Limitation Order L-78, and in violation thereof. The violations in each instance were willful.

The aforementioned violations have diverted scarce material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.849 *Suspension Order No. S-849.* (a) Courtesy Wholesale Electric Company, its successors or assigns, unless otherwise specifically authorized in writing by the War Production Board, shall not, for a period of sixty days, be accorded priority over deliveries under any other contract or order for deliveries of material, finished items of merchandise or equipment to them and no allotment or preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificate, general preference order, or any other order or regulation of the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Courtesy Wholesale Electric Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12873; Filed, July 14, 1945; 11:48 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-841]

HERMAN GITTIS

Herman Gittis is engaged in the manufacture of luggage and maintains a factory and place of business at 324 North Ninth Street, Philadelphia, Pennsylvania. During the period from April 8, 1944 to December 17, 1944, he produced luggage having a net dollar volume of approximately $54,000., in violation of Limitation Order L-284, as he was not entitled to produce any luggage inasmuch as he was not a producer of luggage during 1941, nor had he established a quota. Between April 17, 1944 and December 26, 1944, he accepted or used, in violation of Limitation Order L-317, approximately 1500 new fibre shipping containers, containing and weighing approximately 39,280 square feet and 5,490 pounds, when he had no quota for such acceptance or use under that order. These acts constituted wilful violations of Limitation Order L-284 and Limitation Order L-317.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.841 *Suspension Order No. S-841.* (a) Herman Gittis shall not, for a period of four months from the effective date of this order, produce any luggage as defined in Limitation Order L-284, except to fill military, Post Exchanges and Ship's Service Stores orders.

(b) The restrictions and prohibitions contained herein shall apply to Herman Gittis, his successors and assigns, or persons acting in his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve Herman Gittis, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 16, 1945.

Issued this 9th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12918; Filed, July 16, 1945; 11:05 a. m.]

PART 1188—RAILROAD EQUIPMENT

[General Limitation Order L-97, Revocation]

NEW LOCOMOTIVES

Section 1188.1 *General Limitation Order L-97* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. Steam locomotives and Diesel Electric locomotives of 600 H. P. or more have been annexed to Table 18 of General Scheduling Order M-293. The production and delivery of new locomotives remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 16th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12913; Filed, July 16, 1945; 11:05 a. m.]

PART 1188—RAILROAD EQUIPMENT

[Limitation Order L-97-a, Revocation]

NEW RAILROAD TYPE CARS

Section 1188.2 *Limitation Order L-97-a* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. Railroad freight train cars having a capacity of more than ten tons and railroad passenger train cars, have been annexed to Table 18 of General Scheduling Order M-293. The production and delivery of new railroad-type cars remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 16th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12914; Filed, July 16, 1945; 11:06 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 71, as Amended July 16, 1945]

OPERATIONS OF STEEL PRODUCERS AFTER JULY 1, 1945

The following amended direction is issued pursuant to CMP Reg. 1:

(a) *General.* The amendment to CMP Regulation 1, dated May 10, 1945, defines unrated orders and authorizes their acceptance by producers for delivery of steel July 1 and later. Priorities Regulation No. 27, also dated May 10, 1945, tells how a small manufacturer may purchase steel by the use of the Z-3 allotment symbol. Orders placed with the Z-3 allotment symbol are authorized controlled material orders and are handled in accordance with Direction 54 to CMP Regulation 1. These changes in War Production Board regulations necessitate certain changes in the rules applicable to operations of producers, which are outlined below.

(b) *Steel for further conversion.* (1) Effective July 1, 1945, a producer may use the symbol FC-1 only to replace steel of the same product group listed in Schedule 1 that was used as conversion material to fill authorized controlled material orders, excluding orders bearing the Z-3 allotment symbol. A producer may use the allotment symbol FCZ to obtain conversion material of the same product group listed in Schedule 1 needed to fill orders bearing the Z-3 allotment symbol. Orders placed with the allotment symbol FCZ are deferrable authorized controlled material orders and must be handled in accordance with Direction 54 to CMP Regulation No. 1. A producer must use the allotment symbol FCN to order steel on an unrated basis as conversion material to fill unrated orders.

(2) *Cancellation of FC allotments.* The War Production Board will no longer issue FC allotments to steel producers not operating under production directives for steel for further conversion as the result of applications received on Form CMP-4B under CMP Regulation 8 and all such allotments for the third calendar quarter of 1945 and thereafter are hereby cancelled. Orders placed against such previously granted allotments and accepted for delivery in July, August and September, 1945, shall be considered as bearing the symbol FC-1. Orders placed against such previously granted allotments

TABLES A—TIRE AND TUBE TYPES—Continued

Size	Ply	Type	Continuous and maximum content, natural rubber in pounds	
			Rayon	Nylon
17.00-16	12	Do	12.00	12.00
17.00-20	12	Do	12.00	12.00
18.00-20	12	Do	12.00	12.00
19.00-24	12	Do	25	25
20.00-15	8	III (Low pressure auxiliary)	9.00	9.00
7.00-5	4	Do	2.00	
8.00-5	4	Do	2.00	
9.00-5	4	Do	2.00	
10.00-7	4	Do	3.00	
5.50-12	6	III (Low pressure heading gear)	4.00	
6.00-12	6	Do	4.00	
11.00-12	12	Do	9.00	
12.00-12	12	Do	11.00	
24 x 13-6	8	IV (Extra low pressure tubeless)	6.00	
26 x 13-6	8	Do	6.00	
28 x 15-6	8	Do	7.00	
40 x 24-10	12	Do	11.00	
18 x 8-8	4	IV (Extra low pressure auxiliary)	2.00	
12 x 7-3	4	Do	2.00	
18 x 8-8	4	Do	2.00	
15 x 5.50-6	4	Do	2.00	
12 x 6.00-10	4	Do	2.00	
15 x 6.00-10	4	Do	2.00	
26 x 9.00-13	4	Do	2.00	
30 x 10.00-15	4	Do	2.00	
33 x 11.00-16.50	4	Do	2.00	
36 x 12.00-18	4	Do	2.00	
12 x 4.50-8	4	VI (Low profile auxiliary)	2.00	
15 x 6.00-10	4	Do	2.00	
18 x 7.00-12	4	Do	2.00	
20 x 8.00-14	4	Do	2.00	
22 x 9.00-15	4	Do	2.00	
24 x 10.00-16.50	4	Do	2.00	
26 x 12.00-18	4	Do	2.00	
12 x 5	4	VII (High pressure auxiliary)	2.00	
14 x 5	4	Do	2.00	
16 x 6	4	Do	2.00	
18 x 7	4	Do	2.00	
20 x 8	4	Do	2.00	
22 x 8.5	4	Do	2.00	
24 x 9.5	4	Do	2.00	
26 x 11	4	Do	2.00	
28 x 11	4	Do	2.00	
40 x 11	4	Do	2.00	
42 x 13	4	Do	2.00	
44 x 13	4	Do	2.00	
46 x 14	4	Do	2.00	
All	16	Low Gth.	16.00	
All	4	Solid Auxiliary	2.00	

[1] Carcass fabrics for low G tires shall be identical to those used in like sizes for regular tires in above table. Natural rubber and synthetic rubber may be used in treads without limitation.

WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12867; Filed, July 14, 1945; 11:48 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II, as Amended May 30, 1945, Amdt. 4]

Appendix II, Manufacturing Recommendations, as amended May 30, 1945, is hereby further amended by changing List 13, Regulations for the Manufacture of Retreading Materials Including Camelback (Wing-Die), Capping Stock (Bevel-Die),

and accepted for delivery after September 30, 1945 (but not beyond December 1945) must be maintained in the producer's CMP order acceptance up to 45 days prior to the first of the month for which delivery is specified, at which time they shall be cancelled unless they have been revalidated with an FC–1 or FC–2 symbol in accordance with paragraph (b) (3) of this direction.

(3) *Producers not under production directives.* A producer not operating under production directives may use the FC–1 allotment symbol to replace conversion material used in filling authorized controlled material orders as follows:

For delivery during the month of July, 1945, a producer may use the FC–1 allotment symbol to place orders for carbon and alloy steel interchangeably for further conversion equal to the tonnage procured from other producers by extension of the FC symbol and used by him in filling authorized controlled material orders shipped by him in April. Similarly, August purchase authorizations may be equal to the tonnage used in filling authorized controlled material orders shipped in May. The same sequence shall be followed for future months; that is, conversion material used for filling authorized controlled material orders for the third Prior month constitute purchase authority to place "FC–1" orders in any one month. In determining the tonnage to be replaced by the use of the FC–1 allotment, orders bearing allotment symbol Z–3 shall not be considered as authorized controlled material orders. Conversion steel needed to fill orders bearing the allotment symbol Z–3 may be obtained through the use of the allotment symbol FCZ.

(4) *Producers under production directives.* The production directives under which certain producers operate will be adjusted to reflect only the order load of authorized controlled material orders. To the extent required to meet their order book pattern of authorized controlled material orders (excluding orders bearing the Z–3 allotment symbol) producers will be given specific allocations of steel for further conversion on Series B allocations, Form GA–193, which authorizes the use of symbol FC–1. Since Z–3 allotments are deferrable, FC–1 allocations will not include tonnage to fill such orders. Producers will receive instructions how to show in report form WPB–2848 the extent to which Z–3 orders are included in their order acceptance records. (FC–1 allocations will accordingly be adjusted by that amount.) A producer may use the allotment symbol FCZ to obtain conversion material needed to fill an order bearing a Z–3 allotment symbol. All orders now placed against effective Series B allocations for delivery after June 30, 1945, bearing the symbol FC plus a Series B allocation number shall be considered as bearing the symbol FC–1. Orders placed hereafter against all Series B allocations must be identified with the symbol FC–1 and the allocation number.

When the supply-demand situation indicates production directives on a specific product may be eliminated, FC–1 Allocations for conversion material for that product will be cancelled and a producer now obtaining conversion steel through allocations will thereafter operate in the same manner as other producers under paragraph (b) (3) above. However, in the case of FC–1 allocations which are cancelled because the production directive for the product into which the allocated material would be converted has been cancelled, orders previously placed against such FC–1 allocations and accepted for delivery in the first and second months succeeding the cancellation of such production directive, shall be considered as bearing the symbol FC–1. Space reservations established by such FC–1 allocations for the third and later months (not beyond December 1945) succeeding the cancellation of the Production Direction, must be maintained in the producer's CMP orders acceptance up to 45 days prior to the first of the month for which delivery is specified, at which time the space reservations will be cancelled unless orders have been applied against them in accordance with paragraph (b) (3) above.

(5) An order with the FC–1 symbol is an authorized controlled material order and must be accepted as required by CMP Regulation 1. A producer receiving any "Further conversion" order must report it under the appropriate FC symbol on his WPB–2633 report of shipments. When resold by the purchasing producer, the material must be recorded on his WPB–2633 reports of shipments under the appropriate allotment symbol furnished by his customer. The material will be considered as part of the production of both producers. An order placed pursuant to an allocation on Form GA–193 must be endorsed in accordance with instructions on that form.

(c) *Warehouse load directives.* Most warehouses load directives will continue in effect at least until September 30, and producers may, pursuant to Direction 3 to Order M–21, accept unrated orders as well as authorized stock replacement orders within the load directive. However, the producer must remove unrated orders to make space available for authorized stock replacement orders as received. After the expiration date of the space reservation, unrated orders accepted from distributors within the load directive have the same status as unrated orders accepted from users of steel and must be set back when it is necessary to accept authorized controlled material orders either from warehouses or from users of steel.

(d) *Acceptance of orders.* (1) All steel producers may accept unrated orders without limit, but authorized controlled material orders, including Z–3 and FCZ orders, must be accepted in accordance with CMP Regulation 1. A producer will continue to accept orders by month of delivery and fill them in accordance with CMP Regulations.

(2) Production directives will be related to the available capacity in the case of tight items. Should a producer desire to accept additional authorized controlled material orders which can be filled in the month required, he may request the War Production Board to increase his production directive.

(3) It is not permissible for a producer to fill unrated orders at the expense of authorized controlled material orders. When the demand is heavy for a specific steel product a producer must fill authorized controlled material orders to the extent of his available capacity and in the case of a producer who has a production directive the excess demand must be handled on the basis of increases in production directives rather than by over-acceptance of orders.

(e) *Orders superseded.* This direction supersedes paragraph (a) (2) of Direction 6 to CMP Regulation 1.

Issued this 16th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12915; Filed, July 16, 1945; 11:06 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 76]

CHANGE IN ALLOTMENT SYMBOL CONSTITUTES PLACING A NEW ORDER

The following direction is issued pursuant to CMP Reg 1:

(a) Interpretation 10 to CMP Regulation 1 explains when a change in an authorized controlled material order must be treated as a new order. Normally, as explained in that Interpretation, a change in allotment symbol does not constitute a new order. However, until further notice, a change in an allotment symbol on any order calling for delivery of the types of steel sheet and strip described in Direction 75 to CMP Regulation 1 in the third quarter will constitute a new order, and a producer may accept such a change and keep the order in his schedule only when he is permitted to accept a new order by that Direction.

Issued this 16th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12917; Filed, July 16, 1945; 11:06 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M–293, Table 18]

TRANSPORTATION EQUIPMENT DIVISION

§ 3208.19 *Table for transportation equipment division.* The following table is issued pursuant to the provisions of General Scheduling Order M–293.

Type of M–293 product	Designation	Operations report	Applicable forms column		Calendar months frozen[1]
			Shipping schedule	Application and authorization	
1. Steam locomotives			3899.7		9
2. Diesel Electric locomotives of 600 H. P. or more			3899.7		6
3. Railroad freight train cars having a capacity of more than 10 tons			3899.7		6
4. Railroad passenger train cars			3899.7		6

[1] For explanation of time during which shipping schedule is frozen, see paragraph (m) of M–293.

Issued this 16th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12916; Filed, July 16, 1945; 11:06 a. m.]

Herman Gittis is engaged in the manufacture of luggage and maintains a fac-

[F. R. Doc. 45–12913; Filed, July 16, 1945; 11:05 a. m.]

bearing the symbol FC–1. Orders placed against such previously granted allotments

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335, Direction 8, as Amended July 16, 1945]

DISTRIBUTORS RECEIPTS OF LUMBER ON CERTIFIED UNRATED ORDERS AND ITS SALE ON UNCERTIFIED ORDERS AND CERTIFIED EMERGENCY REPAIR ORDERS

Direction 8 to Order L–335 is hereby amended to read as follows:

(a) *What this direction does.* This direction tells distributors how they can get lumber other than by extending their customers' certified orders, and explains what lumber may be sold by sawmills and distributors on uncertified and unrated orders and on certified emergency repair orders.

(b) *Lumber that a distributor may receive for sale on certified unrated orders.* Every distributor is permitted to place certified unrated orders with his lumber supplier and receive in each calendar year either 20,000 board feet of lumber or 10 percent of the amount of lumber he sold out of his yard on retail sales in the calendar year 1944, whichever is the greater amount. Orders that a distributor places with his lumber supplier to get this amount of lumber must bear the certificate described in paragraph (q) (4) of Order L–335. A distributor is not authorized to apply a preference rating to such order. Lumber that a distributor receives under this provision is in addition to any lumber that he is authorized to receive on Form WPB–3813 or any lumber he is authorized to receive through the extension of his customers' certified orders as provided in paragraph (o) (1) of Order L–335 or on uncertified orders under paragraph (i) below. A distributor who has two or more distinct and separate retail yards and who keeps separate books for each yard must for the purposes of this paragraph and paragraph (e) below consider each such yard as a "distributor". The amount of lumber available to each yard must be computed on the basis of the yard's sales and no portion of this amount is transferable from one yard to another even though they have a common ownership.

(c) *Distribution yard of sawmill included.* If a person operates both a sawmill and a distribution yard and the distribution yard was engaged in selling lumber at retail prior to May 1, 1944, and had a lumber inventory at that date, the distribution yard may receive the same amount of lumber from the sawmill as it would be entitled to receive from any other supplier, and sell it on uncertified orders to the same extent as a distributor is authorized to sell lumber on such orders under this direction. In addition the distribution yard may deliver lumber on certified emergency repair orders and replace the lumber delivered on such orders in its distributor stock by transfer of lumber from its sawmill stock to the same extent that a distributor is authorized to replace in inventory lumber delivered on certified emergency repair orders under paragraph (g) below. A transfer of lumber from the person's sawmill stock to his distributor stock must be treated the same way as if the transfer were from another lumber supplier and he must keep a record of the transfer in his sawmill files and endorse on the record the certificate described in paragraph (q) (4) of Order L–335 or in paragraph (h) (2) below, whichever is applicable.

(d) *Sawmills that also sell at retail but do not have a distribution yard.* Sawmills that were engaged in selling lumber at retail on May 1, 1944, but do not maintain a separate retail distribution yard are authorized to withdraw lumber from sawmill stock and sell it on uncertified orders to the same extent that a distributor is authorized to sell lumber on such orders under this direction. The sawmill must compute the amount of lumber that it is authorized to sell on uncertified orders in the same way that a distributor computes the amount of lumber that he is authorized to receive on certified but unrated orders under the provisions of paragraph (b) above. In addition a sawmill may deliver on certified emergency repair orders during the balance of the year 1945 a maximum amount of lumber to be computed in the same way a distributor computes the amount of lumber which he is authorized to replace in inventory under paragraph (g) below.

(e) *Distributor sales on uncertified orders.* (1) In the calendar year 1945 a lumber distributor may deliver on uncertified orders either 20,000 feet of lumber or 10 percent of the amount of lumber he sold out of his yard on retail sales in the calendar year 1944, whichever is the greater amount, provided he does not deliver more than 1/10 of his 20,000 feet or 1/10 of his 10 percent in any one calendar month.

(2) In addition a distributor may sell on uncertified orders, lumber obtained from sawmills on uncertified orders (unless the sale by the distributor is specifically restricted by the WPB) and also lumber obtained from sawmills that produce less than 100,000 board feet of lumber per year, if this does not interfere with the filling of a certified order.

(f) *Homeowners purchases on certified emergency repair orders.* Any homeowner except a farmer who needs lumber for emergency repair of damage to a dwelling caused directly by fire, flood, tornado, earthquake, storm, or similar disaster or in any other case where the dwelling would be unfit for continued occupancy if not repaired immediately, may place an order with a distributor for lumber to be used to make repairs necessary to restore the dwelling to a habitable condition. An order of this kind need not be accepted by the distributor unless it is certified in substantially the form described in paragraph (h) (1) below. This certificate may be used only to obtain the minimum amount of lumber needed for emergency repair of the kind described above.

As used in this direction, a "homeowner" is a person who owns and occupies a single family dwelling unit. It does not include a landlord or a tenant.

(g) *Distributor may apply rating to replace lumber sold on certified emergency repair orders.* In order to replace in his inventory the lumber which he has delivered on certified emergency repair orders, a distributor is authorized to apply the preference rating AA–3 to orders to his suppliers and shall accompany or endorse the orders with the certificate provided in paragraph (h) (2) below. Such rating may not be applied during the balance of the calendar year 1945 to orders for an amount of lumber in excess of either 10,000 board feet of lumber or 5% of the amount of lumber he sold out of his yard on retail sales in the calendar year 1944, whichever is the greater amount.

(h) *Certification under Direction 8*—(1) *Certificate required of a homeowner.* The following is the certificate to be used by a homeowner to get lumber for emergency repairs described in paragraph (f) above.

I certify to the supplier and to the War Production Board that this lumber is needed for emergency repair of damage to my dwelling caused directly by fire, flood, tornado, earthquake, storm or similar disaster or which is of such a nature as to make my dwelling unfit for continued occupancy if not repaired immediately.

Homeowner (Signature)

Date

(2) *Distributor's application of rating certificate.* Any distributor who is authorized to use preference rating AA–3 on an order to his supplier to replace lumber sold on certified emergency repair orders under paragraph (g) above shall accompany or endorse the order with a certification in substantially the following form:

I certify to the supplier and to the War Production Board that I am authorized under Direction 8 to Order L–335 to apply this AA–3 preference rating for the delivery of the lumber covered by this order and that the quantities covered by this order together with all other orders I have placed for replacement of lumber in inventory sold on certified emergency repair orders do not exceed the amount I am authorized to receive under paragraph (g) of that direction.

Distributor

By ---
Duly authorized official

Date

This certification is to be used in place of the standard form of certification described in Priorities Regulations 3 and 7.

(i) *Uncertified orders.* A distributor may place uncertified orders with and accept delivery of lumber from, (1) lumber mills that produce less than 100,000 board feet of lumber per year; (2) sawmills that are permitted to deliver lumber on uncertified orders under paragraph (i) of Order L–335; and (3) sawmills that have lumber that can be delivered on uncertified orders under Direction 7. Acceptance of delivery on such orders is authorized.

Issued this 16th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12910; Filed, July 16, 1945; 11:05 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–98, Revocation]

DOMESTIC SEWING MACHINES

Section 3291.280 *Limitation Order L–98* and all authorizations issued under it are revoked. Manufacturers may now produce and deliver domestic sewing machines and parts for domestic sewing machines without regard to the provisions of Order L–98, or any grant of appeal or authorization relaxing its restrictions. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of domestic sewing machines and parts for them remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 16th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12912; Filed, July 16, 1945; 11:05 a. m.]

PART 3304—SERVICE TRADES

[Preference Rating Order P–150, Revocation]

RESTORATION OF SERVICE ESTABLISHMENTS RELEASED BY THE ARMY AND NAVY

Section 3304.1 *Preference Rating Order P–150* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order.

Issued this 16th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12911; Filed, July 16, 1945; 11:05 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 141]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 141 to Maximum Price Regulation No. 120 is hereby corrected as follows:

The citation "§ 1340.220 (h) (2)" is corrected to read "§ 1340.220 (b) (2)".

This correction to Amendment No. 141 shall be effective as of July 5, 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-12883; Filed, July 14, 1945; 11:55 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 585,[1] Incl. Amdts. 1–4]

MIXED FEEDS FOR ANIMALS AND POULTRY

This compilation of Maximum Price Regulation 585 includes amendment 4, effective July 19, 1945. The portions amended by amendment 4 are indicated by underscoring.

Maximum Price Regulation 378, as amended, is superseded insofar as it establishes maximum prices for the sale and delivery of mixed feeds as defined herein.

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.[2]

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AUTHORITY: § 1351.1803—Issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—INTRODUCTION

SECTION 1.1 *Introduction.* The key to pricing under this regulation is the "control price" of the manufacturer. It "controls" the maximum price at which the manufacturer may sell and the price that he may show on his price list. His price list, in turn, determines the maximum prices at which wholesalers and retailers may sell.

The "control price" consists of (1) the maximum cost of ingredients and containers, which are called "base ingredient prices" and "base container prices," plus (2) the historical "margin" of the manufacturer.

The regulation spells out in detail how "base ingredient prices," "base container prices" and "margins" are determined, and how they may be filed with, and approved by, the Office of Price Administration. Once they are determined, they do not change except in unusual circumstances under which they may be adjusted.

Thus the "control price" is easily determined at any time. It adjusts itself from week to week to the formula used by the manufacturer in computing his list prices for the week. During the week it remains constant.

ARTICLE II—DEFINITIONS

SEC. 2.1 *Definitions.* (a) When used in this regulation the following terms shall have the following meanings:

(1) *Person.* "Person" means an individual, corporation, partnership, association, any other organized group of persons and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions, and their agencies.

(2) *United States.* "United States," when it refers to an area, means the 48 states and the District of Columbia.

(3) *Manufacturer.* "Manufacturer" means, with respect to any lot of mixed feed, a person who manufactured the same other than a custom mixer. A "manufacturer" is a Class A manufacturer with respect to his operation of a Class A plant, for which margins are determined on the basis of sales to retailers or deliveries to retail outlets or sales to other manufacturers of mixed feeds for use in further processing or mixing under section 4.1 (c) and a Class B manufacturer with respect to his operation of a Class B plant, for which margins are determined on the basis of sales to feeders under section 4.1 (d). A manufacturer is a Class C manufacturer with respect to his operation of a Class C plant, for which the price of mixed feeds is determined by adding a differential to or subtracting it from the price of a related plant as provided in section 4.1 (e).

[Subparagraph (3) amended by Am. 2, 10 F.R. 7334, effective 6-21-45]

(4) *Custom mixer.* "Custom mixer" means, with respect to any lot of mixed feed, a person who manufactures such mixed feed as a service rather than as a sale of a commodity. A custom mixer may furnish all or part of the ingredients contained in the mixed feed. Any ingredients furnished by the custom mixer must be sold and charged for separately to the customer.

(5) *Wholesaler.* "Wholesaler" means, with respect to any lot of mixed feed, a person, including a private brand dealer and an importer who buys such lot and sells it to any person other than a feeder.

(6) *Retailer.* "Retailer" means, with respect to any lot of mixed feed, a person, including a private brand dealer and an importer, who buys such lot and sells it to a feeder.

(7) *Importer.* "Importer" means, with respect to any lot of mixed feed manufactured outside of the United States, the first person who owns such lot after entry into the United States and who sells it in the United States or uses it as an ingredient in a mixed feed. He may be a manufacturer, wholesaler or retailer.

[Subparagraph (7) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(8) *Feeder.* "Feeder" means, with respect to any lot of mixed feed, a person who uses such lot for feeding animals or poultry.

(9) *Mixed feed.* "Mixed feed" is a mixture or blend of more than one ingredient for the purpose of feeding to animals or poultry either in the same form or in combinations with other ingredients (including scratch-chick or growing grains consisting entirely of recleaned grains, seeds, grit and shell containing no more than 10 percent of grain flour or screenings that will pass through a No. 20 standard tinned mill wire) except that the following commodities shall not be considered mixed feed under this regulation.

(i) A mixture resulting from the blending or mixing of offals or by-products from a single vegetable, plant or other agricultural product.

(ii) Screenings consisting of a mixture of mill or elevator run materials or a combination of varying amounts of ground or unground materials obtained in the process of cleaning grain or seed, either or both, such as inferior, light or broken grain or seed, weed seeds, hulls, chaff, joints, straw, elevator dust and floor sweepings. For maximum prices see Maximum Price Regulation 417.[4]

[Subdivision (ii) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(iii) Pet foods for which maximum prices are provided under the provisions of Maximum Price Regulation No. 552[5] or Maximum Price Regulation No. 367.[6]

(iv) Mineral mixed feeds as defined in Maximum Price Regulation No. 378.[7] For maximum prices see Maximum Price Regulation No. 378.

(v) Mixed feeds containing 50% or more of milk solids. For maximum prices see Maximum Price Regulation No. 289.[8]

(vi) Animal and poultry tonics, condiments and medicants, in which the nutritive value is not substantial.

(vii) Vitamin products which are sold and used for further mixing primarily for their vitamin content and which are required to be labeled with a guaranteed vitamin content in accordance with any Federal or State law or regulation.

(viii) Mixtures of grains for which maximum prices are provided in Supplement No. 5[9] to Food Products Regulation No. 2.

[Subparagraph (viii) amended by Am. 8, 10 F.R. 8125, effective 6-30-45]

(ix) Mixtures consisting entirely of various unprocessed grains for which maximum prices are provided in Food Products Regulation No. 2[9] and its supplements, and Revised Maximum Price Regulation No. 487.[10]

(10) *Private brand feeds*—(i) *Private brand dealer.* "Private brand dealer" means, with respect to any lot of mixed feed, a person who resells mixed feed bought by him from a manufacturer who produced and packed it in containers bearing the dealer's private brand. He may be either a wholesaler or a retailer.

(ii) *Feeder's private brand.* "Feeder's private brand" means a mixed feed manufactured for a feeder, not for resale, from either a formula or a list of ingredients furnished by the feeder and packed in containers bearing a tag identifying such mixed feed.

[Subparagraph (10) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(11) *Imported mixed feeds.* "Imported mixed feed" means any lot of mixed feed manufactured outside of the United States and imported into the United States.

(12) *Pelleted mixed feeds.* "Pelleted mixed feed" is a mixed feed in pellet form.

(13) *Plant.* "Plant" means the facility at which the manufacturer or custom mixer manufactures mixed feed. A Class A plant is a plant with respect to which the manufacturer calculates margins on the basis of sales to retailers (or deliveries to retail outlets) under section 4.1 (c). A Class B plant is a plant with respect to which the manufacturer calculates margins on the basis of sales to feeders under section 4.1 (d). A Class C plant is a plant with respect to which the manufacturer determines the price for mixed feeds by adding a differential to or subtracting it from the price of a related plant as provided in section 4.1 (e).

(14) *1942 base months.* "1942 base months" means the months of January, March, May, October, November and December of 1942.

(15) *Control price.* "Control price" means the price computed by a manufacturer as provided in section 4.4. One of its purposes is to provide a price above which a list price to retailers may not be issued and by which each price list is "controlled" in that sense.

(16) *List price.* "List price" means, with respect to any particular mixed feed, the price for that mixed feed appearing on the manufacturer's price list.

(17) *Price list.* "Price list" means a weekly price statement, issued by a manufacturer in accordance with the provisions of section 4.6.

(18) *Maximum price.* "Maximum price" means, with respect to any sale of any lot of mixed feed, the highest price the seller may charge. It is sometimes known as the "ceiling price" for such sale. For maximum prices for sales by the following persons, see the following sections: Class A manufacturers, section 4.8; Class B manufacturers, section 4.9; Class C manufacturers, sections 4.8 and 4.9; wholesalers, section 5.2; retailers, section 5.3. For maximum prices for custom mixing, see section 5.6.

(19) *Carload lot.* "Carload lot" means any lot of 60,000 pounds or more not delivered by or into a truck, or any carload shipment. The lot may consist of one mixed feed or of any group of mixed feeds and other commodities delivered at one time to one customer.

(20) *Carload shipment.* "Carload shipment" means any quantity which moves as a rail carload shipment (including pool cars and mixed cars) under the Office of Defense Transportation or tariff requirements. The shipment may consist of one mixed feed or any combination of mixed feeds and other commodities which move at the rail carload rate.

(21) *Less than carload lot.* "Less than carload lot" means any lot other than a carload lot. It includes any delivery by or into a truck.

(22) *Transportation cost.* "Transportation cost" means:

(i) When a common carrier, contract carrier or other carrier for hire or compensation is used, the charges actually incurred;

(ii) When the person does his own hauling, the reasonable value of the transportation service, not in excess of the maximum price he could lawfully charge for a like service if he performed it as a contract or common carrier;

(iii) When any movement involves a combination of the types of transportation included in (i) and (ii) above, the sum of the amounts computed separately for each portion of the movement;

(iv) In lieu of any of the foregoing a system of differentials to the extent permitted in section 3.7.

ARTICLE III—GENERAL PROVISIONS

SEC. 3.1 *Relationship of this regulation to Maximum Price Regulation No. 378*—(a) *Manufacturers.* Each manufacturer subject to this regulation shall remain subject to Maximum Price Regulation No. 378 with respect to each of his mixed feeds until he has filed margin and base ingredient prices for such mixed feed under the provisions of section 4.1 (f) and 4.2 (c) of this regulation, or until 90 days after the effective date of this regulation, whichever is earlier, whereupon this regulation shall supersede Maximum Price Regulation No. 378 with respect to such mixed feed.

[Paragraph (a) amended by Am. 4, effective 7-19-45]

(b) *Wholesalers, retailers, private brand dealers and custom mixers.* With respect to sales of mixed feeds by wholesalers, retailers, private brand dealers and custom mixers, this regulation, upon its effective date, shall supersede Maximum Price Regulation No. 378. Until such time as the manufacturer becomes subject to this regulation, the manufacturer's price lists issued under Maximum Price Regulation No. 378 shall be deemed to be his "price list" under this regulation.

[Paragraph (b) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(c) *Mineral mixed feeds remain subject to Maximum Price Regulation No. 378.* Mineral mixed feeds as defined in Maximum Price Regulation No. 378 are not subject to this regulation but remain subject to Maximum Price Regulation No. 378.

SEC. 3.2 *Applicability.* Except as provided in paragraph (a) below, this regulation applies to all sales and deliveries of "mixed feed" as the term is defined herein.

(a) (1) *Export sales.* Maximum prices for export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation[11] as amended.

(2) *Emergency purchases.* The provisions of this regulation shall have no application to any purchase by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1[12] to the General Maximum Price Regulation, as amended: *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of

[1] 10 F.R. 5077.

[2] Statements of the considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[4] 8 F.R. 9135, 16130.

[5] 9 F.R. 10642, 12970; 10 F.R. 2517.

[6] 8 F.R. 4918, 5341, 6048, 10660; 9 F.R. 2299, 14356.

[7] 8 F.R. 5810, 5648, 9530, 10435, 14281, 15489; 9 F.R. 5828, 6565, 4208.

[8] 10 F.R. 2352, 2658, 2928, 8554, 3948, 3950, 5772, 5792, 6232, 7340.

[9] 10 F.R. 4539, 7339.

[10] 9 F.R. 8304; 10 F.R. 702, 708, 2082, 2517, 3980, 5723.

[11] 2d Revision: 10 F.R. 6454.

[12] 8 F.R. 4132, 5987, 7662, 9968, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9835, 11273, 12919, 14436; 10 F.R. 863, 923, 2432.

[3] Statements of the considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

means, with respect to any lot of mixed feed, a person who manufactured the same other than a custom mixer. A

either or both, such as inferior, light or broken grain or seed, weed seeds, hulls, chaff, joints, straw, elevator dust and

[9] F.R. 8304; 10 F.R. 702, 708, 2082, 2617, 3980, 5723.

[10] 2d Revision: 10 F.R. 6454.

sum of the amounts computed separately for each portion of the movement;

[11] 10 F.R. 2435, 2479, 2757, 3236, 3947, 4107, 4494, 5458, 7196, 7497, 8241.

[12] 10 F.R. 863, 923, 2432.

purchases upon determining that such information may not reasonably be required under all the circumstances and may, in lieu thereof, require the reporting of other information more suited to the circumstances, subject to the approval of the Bureau of the Budget.

SEC. 3.3 *What maximum price applies*—(a) *General rule.* Except as provided in paragraphs (b) and (c) the maximum price for any sale or delivery of mixed feed under this regulation shall be the maximum price in effect on the date of the seller's receipt of the buyers order. If delivery is made more than 90 days after the date of the receipt of the order, the maximum price of the seller at the date of delivery shall apply.

(b) *Exception.* The seller may agree with the buyer to sell mixed feeds at a price not exceeding the maximum price of the seller in effect on any particular day which is not prior to the date of the seller's receipt of the buyers order or later than the date of the delivery of the mixed feed: *Provided*, That such agreement is evidenced by a record. Such date may be determinable with reference to an event such as the date of the order, acceptance or delivery, but may not be variable at the option of either party. If delivery is made more than 90 days after the date of the receipt of the order, the maximum price of the seller at the date of delivery shall apply.

(c) *Time of delivery.* For the purpose of determining the time of delivery under this section, delivery means the transfer of possession from the seller to the buyer, except that, if shipment to the buyer is made by a carrier not owned or operated by the seller, delivery means the transfer of possession from the seller to such carrier.

SEC. 3.4 *Prohibition against selling mixed feeds until guaranteed analysis is filed.* No manufacturer or importer shall sell any mixed feed in a state until the guaranteed minimum of protein and fat and the guaranteed maximum of fibre of such mixed feed is filed either pursuant to the requirements of a statute in that state or with a district office of the Office of Price Administration in that state. This requirement is included in this regulation for the purpose of identifying mixed feeds.

[Above paragraph amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

A mixed feed shall, for the purposes of this regulation be considered to remain the same mixed feed as long as its name is unchanged and its guaranteed minimum of protein and fat is not reduced and its guaranteed maximum of fibre is not increased, regardless of changes in ingredients.

SEC. 3.5 *Effect of sale or transfer of business.* If the business, assets, or stock in trade of any business subject to this regulation, have been or are sold or otherwise transferred after May 8, 1943, and the transferee carries on the business, the maximum prices of the transferee may, at his option, be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with the provisions of this regulation shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 3.6 *General rule as to computations.* Whenever a computation is required to be made on the basis of a formula, and the trade custom is to use a method other than that specified but which reaches the same result mathematically, the customary method may be used. For example, if it is customary to use a batch method of dealing with formulas such method may be used if the result is the same except for the disposition of fractions.

SEC. 3.7. *Differentials in lieu of actual transportation cost*—(a) *Base period system.* Any seller who, during the whole of the months of January, March, May, October, November and December of 1942, made charges for rail shipment of his mixed feeds on the basis of a system of differentials, rather than on the basis of actual transportation costs, may at his option continue to use such system. If he does so, he may use differentials not exceeding those he would have applied in January 1942 consistent with his system, plus 3% to compensate for the tax provided for in section 620 of the Revenue Act of 1942, on all shipments of each mixed feed to all areas with respect to which such system was in effect on such mixed feed during the 1942 base months. On shipments to a destination in an area which is not included in his 1942 system of differentials, he may, if he desires, use the differential in effect on shipments to the point nearest such destination that takes the same or a lower flat freight rate, from shipping point, increased by the difference, if any, between the flat rate from shipping point to such point and the flat rate from shipping point to the destination. The applicable differential, plus 3% shall be deemed to be the "transportation cost" for purposes of this regulation.

(b) *System based on weighted average of actual costs.* Any seller may apply to the district or regional office of the Office of Price Administration for the district or region in which his principal place of business is located, for permission to establish a system of differentials for any area for which he did not use such a system during the whole of the months of January, March, May, October, November and December of 1942. Such application shall contain the following information with respect to the shipments for which the seller desires to establish the system:

(1) With respect to ingredients for which transit rates are available, the estimated average transit balance from the seller's place of business to the destination area on the basis of the purchase of such ingredients from normal sources of supply.

(2) With respect to ingredients for which transit rates are not available, the estimated average local rate from the seller's place of business to the destination area.

(3) The estimated weighted average of the amounts determined under 1 and 2 above, for each mixed feed or group of mixed feeds for which differentials are desired.

In addition the applicant may furnish other relevant information to the Office of Price Administration in support of his application.

(c) *Truck delivery system.* Any seller may apply to the district or regional office for the district or region in which his principal place of business is located for permission to establish uniform truck delivery charges for any one or more geographical zones selected by him by filing a weighted average of the actual costs of transportation on all truck sales and deliveries of the mixed feed or feeds for which a uniform delivery charge is desired for any two consecutive months preceding the effective date of this regulation, or by filing such other relevant information, in lieu thereof, as may seem to him desirable.

(d) *Authorization.* Upon authorization by the Office of Price Administration the applicant may use the authorized differentials or uniform delivery charges provided for in (b) and (c) above, as his "transportation cost" on such shipments under this regulation. Within sixty days after such authorized differentials, or uniform delivery charges have been in effect for six months, the applicant shall report to the office of the Office of Price Administration with which he filed his application, the actual average cost of shipments made under such system of differentials or uniform delivery charges, or such information in lieu thereof as may be requested by such district or regional office. At any time thereafter the seller may apply for, or the Office of Price Administration may require, adjustment of the system to reflect the actual experience of the seller.

[Sec. 3.7 amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

SEC. 3.8 *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive, any mixed feed at a price above the maximum price established by this regulation, nor shall any person agree, solicit, offer or attempt to do any of the foregoing.

(b) Prices lower than the maximum prices established by this regulation may, of course, be charged or paid.

SEC. 3.9 *Evasion.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to mixed feed, alone or in conjunction with any other commodity, or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tying agreement, or other trade understanding or by any other means.

SEC. 3.10 *Enforcement.* Persons violating any provisions of this regulation are subject to the license revocation and suspension provisions, civil enforcement

actions, suits for damages, and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 3.11 *Licensing.* The provisions of Licensing Order No. 1,[13] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

SEC. 3.12 *Records and reports.* (a) Every person subject to this regulation shall keep, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a record of all sales of mixed feeds sold by him, showing the date thereof, the quantity and kinds of mixed feeds sold by him, the agreed price and, with respect to all sales in excess of one ton, the name of the buyer, whose address shall be supplied upon request made by a duly authorized representative of the Office of Price Administration except that if a person posts his maximum prices for sales to feeders conspicuously in his place of business, he need not keep a record of sales to feeders in quantities of less than one ton made at such place of business. Every seller who, prior to May 3, 1943, customarily gave invoices to his customers, must continue to do so.

[Paragraph (a) amended by Am. 1, 10 F.R. 6797, effective 6-6-45; Am. 2, 10 F.R. 7584, effective 6-21-45 and Am. 3, 10 F.R. 8125, effective 6-30-45]

(b) Every manufacturer shall, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, preserve in his place of business and shall supply to all of his current wholesalers and retailers and make available to others upon request a copy of his current price list and every manufacturer shall supply each of his private brand dealers with a notice of his current price list as to him, all as computed hereunder.

Every manufacturer shall file the mixed feed guarantees required by section 3.4, the information on margins required by section 4.1 (f) and the information on base ingredient prices required by section 4.2 (c). In addition, he shall for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, keep a record of (1) all mixed feeds manufactured by him showing their names, their guaranteed minimums of protein and fat, and their guaranteed maximums of fibre, (2) all margins and the computations by which they were determined and (3) all base ingredient prices and the computations by which they were determined. He shall also keep a record of all adjusted base ingredient prices as provided in section 4.3.

(c) Every wholesaler and every retailer shall for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, keep in his place of business a record of his maximum prices as computed hereunder.

(d) Every custom mixer shall, prior to the production of the mixed feed in each transaction, determine, and before delivery, advise the person procuring the service of his maximum price for the service thereon calculated as provided in section 5.6 and shall retain a record of such computation.

(e) Every seller and every purchaser, in the course of trade or business, subject to this regulation shall submit such records to examination by a duly authorized representative of the Office of Price Administration.

SEC. 3.13 *Interpretations, protests and petitions for amendment.* Any person seeking an interpretation or an amendment of, or desiring to file a protest against, any provision of this regulation may do so in accordance with Revised Procedural Regulation No. 1,[14] issued by the Office of Price Administration.

SEC. 3.14 *Delegation of authority to determine import purchases prices, differentials and uniform delivery charges, margins, differentials for Class C plants and base prices for ingredients and containers.* The administrator, any regional administrator or any district director authorized by the appropriate regional administrator, may establish maximum import purchase prices pursuant to the provisions of section 5.5, systems of differentials and uniform delivery charges pursuant to the provisions of section 3.7, and may approve, disapprove and allow margins and differentials for Class C plants pursuant to the provisions of section 4.1 and base prices for ingredients and containers pursuant to the provisions of section 4.2.

[Sec. 3.14 amended by Am. 1, 10 F.R. 6797, effective 6-6-45 and Am. 3, 10 F.R. 8125, effective 6-30-45]

ARTICLE IV—PRICING PROVISIONS FOR MANUFACTURERS

SEC. 4.1 *Margins and differentials*—(a) *General instructions*—(1) *Classification of plants.* A manufacturer shall continue to operate as a Class A plant any plant he operated as a Class A plant under Maximum Price Regulation 378 and he shall continue to operate as a Class B plant any plant that he operated as a Class B plant under Maximum Price Regulation No. 378: *Provided*, That he may elect to operate any plant as a Class C plant rather than as a Class A or Class B plant if such plant can qualify as a Class C plant under the provisions of subparagraph (e) of this section, and *Provided further*, That a manufacturer who elected to determine margins as a Class B manufacturer under the provisions of Maximum Price Regulation No. 378 on the basis of his less than carload sales to retailers shall determine his margins as a Class A manufacturer under this regulation unless he can determine margins as a Class B manufacturer under this regulation on the basis of sales to feeders.

(2) *Margin must be determined for each mixed feed at each plant.* Each manufacturer shall determine margins separately for each mixed feed for each Class A and Class B plant that he operates. For Class A plants, he shall determine the margins on sales he made to retailers, or in the absence thereof on deliveries he made to his retail outlets, or, in the case of mixed feeds sold only to other manufacturers of mixed feeds on sales made to such manufacturers, in the manner provided in paragraph (c) of this section. For Class B plants he shall determine the margins on sales he made to feeders in the manner provided in paragraph (d) (2) of this section and if he also sells to persons other than feeders he shall determine margins for sales to retailers in the manner provided in paragraph (d) (3) of this section. Each Class C manufacturer shall determine separately, pursuant to subsection (e) of this section, a differential for each feed for each of his Class C plants.

[Above paragraph amended by Am. 2, 10 F.R. 7584, effective 6-21-45]

This section does not require a manufacturer to repeat step by step the determination of a margin for which he has already made such a determination under the provisions of Maximum Price Regulation No. 378. In such case he need only check his record of the margin determination to make certain that it complies with the requirements of the method that he selects under this section.

(b) *Definition of and rules for determining margins*—(1) *Definition of margin.* A margin is that portion of the price of a mixed feed, in dollars and cents, which is not attributable to either ingredients or containers. It includes such factors as labor and other manufacturing expense, research and laboratory expense, feeder service, overhead expense, taxes, sales expense, advertising and profit.

(2) *Treatment of shrinkage, cleaning loss and processing cost.* The manufacturer shall treat any items of shrinkage, cleaning loss, and cost of processing of ingredients prior to mixing, either as part of his margin or as part of his ingredient cost according to the following rules, but such treatment must be consistent in the determination of margins under this section and in the determination of base ingredient prices under section 4.2.

(i) If during the 1942 base months of January, March, May, October, November and December, he absorbed any such item in his margin by failing to set it out as an item in his price calculations, his margin as calculated under this section shall be deemed to include such item without any special addition of it and he shall, therefore, exclude it from his base ingredient prices determined under section 4.2. He shall do this in all cases where he does not have records of his computations during the 1942 base months showing the amounts that he allocated to shrinkage, cleaning loss and processing costs or from which they can be determined.

(ii) If during the 1942 base months he set out any such item as an item in his price calculations he may elect either (*a*) to include it in his margin determined under this section and to exclude it from the base ingredient prices determined under section 4.2, or (*b*) to exclude it from his margin and to include it in his base ingredient prices determined under section 4.2.

[Subparagraphs (1) and (2) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

[13] 8 F.R. 13210.

[14] 9 F.R. 10476, 13715.

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tion area.

8 F.R. 13240.

No. 141——6

9 F.R. 10476, 13715.

1, 10 F.R. 6797, effective 6-6-45]

(3) *Conversion of prices to basis of 100 pound containers, unpelleted.* When the method that is used for determining margins under this section requires reference to the manufacturer's selling prices, or list prices, during the 1942 base months, such prices shall be adjusted to the basis of the mixed feed in unpelleted form packed in 100 pound containers, by use of the differentials used by the manufacturer in the 1942 base months. Such prices shall include twenty 100-pound containers per ton of mixed feed, if containers were furnished by the manufacturer.

(4) *Ingredient costs include container cost (only in determination of margins).* In determining margins under this section the manufacturer shall include as a part of his ingredient cost, or replacement costs, the cost of twenty 100-pound containers per ton of the mixed feed, if containers were furnished by him, at the rate charged by him during the 1942 base months or the reasonable replacement value during the 1942 base months.

(5) *Allowance for containers received with ingredients.* In determining margins under this section the manufacturer shall give reasonable allowance against ingredient costs, or replacement costs, for containers received in the purchase of the ingredients or, at his option, $1.25 per ton.

(6) *Pricing of ingredients at rate points other than plant.* Several of the methods for determining margins under this section indicate that ingredient costs, or replacement costs, should be determined on the basis of delivery to the manufacturer's plant. In lieu of determining such costs delivered to his plant, a manufacturer shall determine them for any ingredient on the basis of delivery to a rate point other than his plant if he did so during the base months: *Provided*, That in that event he must use the same rate point at which to determine his base ingredient price, and adjusted base ingredient price, for such ingredient under sections 4.2 and 4.3.

(7) *Pricing of mixed feeds at rate points other than at plant.* Several of the methods for determining margins under this section indicate that the selling price or list price of a mixed feed should be determined f. o. b. the manufacturer's plant. If, during the 1942 base months, a manufacturer determined such prices at f. o. b. points other than his plant, he shall determine his margins for the mixed feeds delivered to such points and shall also determine his maximum prices under this regulation for the mixed feeds delivered to such points.

(8) *Determination of averages.* When the method of determining a margin or differential requires the computation of averages such averages may be either simple or weighted: *Provided*, That the selection of the kind of averaging used under a particular method shall be used consistently for the determination of all margins under that method.

[Subparagraph (8) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(c) *Margins for Class A plants*—(1) *General.* If you are a Class A manufacturer you shall choose one of the methods set out in subparagraph (2) below, for which you can qualify to determine your margin per ton on sales to retailers for each of your Class A plants. You must use the Fifth Method to determine your margins for private brand mixed feeds.

(i) *Conversion to carload prices.* When the method you use as a Class A manufacturer for determining margins requires you to determine your 1942 base months sales price or list price on the basis of sales in carload quantities you may, if you made 75 percent of your sales in less than carload quantities during the base months, determine such price on the basis of less than carload quantities and subtract $1.00 per ton from the margin you so determine.

(ii) *When 1942 base months records required.* In order to qualify for any of the first three methods you must have records to support the determination of the margins under the method selected.

(iii) *Use of retail outlets and sales to other manufacturers.* If during the 1942 base months you made no sales to retailers but made deliveries to your retail outlets or sales to other manufacturers of mixed feeds, you may consider such deliveries to your retail outlets or such sales to other manufacturers as sales to retailers for the purpose of determining margins.

For the purposes of this section the term "retail outlet" means a department, branch or unit of a concern or an affiliated group of concerns or organizations performing like functions as a retailer and which concern or affiliated group of concerns or organizations also handles commodities subject to this regulation at other levels of distribution: *Provided*, That said retail outlet must be a place of business separate from any producing plant of such concern, affiliated group of concerns or organizations.

[Subdivision (iii) amended by Am. 2, 10 F.R. 7534, effective 6-21-45]

(2) *Methods for determining margins for Class A plants.* The method below chosen by you for a plant shall be used on all mixed feeds manufactured at that plant, except that if you choose to use one of the first three methods, you may instead, at your election, with respect to any particular mixed feed, use the fourth method, or the fifth method, if you qualify. The methods are as follows:

[Above subparagraph amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

First method. If you followed the practice of issuing regularly price lists for carload sales to retailers during the 1942 base months you may determine your margin for each mixed feed for each such regular price list by deducting from the list price either

(i) Your ingredient cost at the value appearing on the computation from which such price list was prepared, or

(ii) The ingredient replacement cost at reasonable market value at your plant determined as of the date of calculation of your price list, or an average of such ingredient replacement costs during the effective period of your price list.

You shall determine the margin separately for each regular list issued or applicable for such plant during the base months and the average of such margins for each mixed feed shall be the margin which you shall file under this regulation for that mixed feed.

Second method. You may determine your margin on each carload sale of the mixed feed to retailers during the 1942 base months by deducting from the price of each such sale your ingredient replacement cost at reasonable market value at your plant, either by making all of such deductions as of the date of contract of sale or as of the date of delivery. The average of such margins for each mixed feed shall be the margin which you shall file under this regulation for that mixed feed.

Third method. You may select periods of not less than one day or more than one month occurring regularly and uniformly throughout the 1942 base months. For example, you may select the 15th of each month, or the first Tuesday in each month, or the first and third weeks in each month, or the whole of each month. You shall compute a margin for the mixed feed for each period so selected by deducting your ingredient cost from your price in accordance with the following rules:

You shall use as the price either the going price, if unchanged, for all carload sales to retailers during such period, as evidenced by invoices or price lists or otherwise, or, if such going price changed during the period, the average of such going prices.

You shall use as your ingredient cost either

(i) The reasonable market value at your plant during each period selected, if uniform, or, if not uniform, the average of such reasonable market values during the period, or

(ii) The average reasonable market value of the ingredient during the month in which each period occurs.

The average of such margins for each mixed feed shall be the margin which you may file under this regulation for that mixed feed.

Fourth method. If you determined a margin under section 17 of Maximum Price Regulation No. 378 by using the margin of your closest competitive seller of the same or a similar product and were entitled to use such margin under Maximum Price Regulation No. 378, such margin shall be the margin which you shall file under this regulation for that mixed feed.

Fifth method. If (1) you are determining a margin for a private brand mixed feed or for a feeder's private brand or (2) you cannot determine a margin by any of the foregoing methods, or (3) you want to determine a margin for a mixed feed which you did not sell during the 1942 base months, determine such margin in accordance with either of the following methods:

(i) You may select the margin determined under any of the first three methods for a mixed feed manufactured at any of your Class A plants having the same or most similar feeding purpose: *Provided*, That it does not belong to a higher price line, except that in the case of a private brand feed or of a feeder's private brand, you may select the margin on sales of such same or most similar mixed feed to others than private brand dealers or feeders having private brands. Such margin shall be the margin which you shall file for the mixed feed under this regulation; or

[Above two paragraphs amended by Am 1, 10 F.R. 6797, effective 6-6-45]

(ii) You may apply to the office of the Office of Price Administration with which you file your margins under paragraph (f) of this section for a margin for such mixed feed. Such application shall contain the following information:

(a) Name and address of applicant.

(b) Location of plant where mixed feed will be manufactured.

(c) Name of feed and feeding purpose.

(d) Minimum guarantee of protein and fat and maximum guarantee of fibre.

(e) Proposed ingredients for the feed.

(f) Proposed margin.

(g) Your margins on similar feeds.

(h) Names and addresses of closely competitive sellers of similar mixed feeds.

(i) Information and scope of activity, if you operate a laboratory, do advertising or supply farm services.

[Subdivisions (h) and (i) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

At any time after the filing of your application and before the Office of Price Administration has provided you with a margin you may use the margin you propose in your application.

(d) *Margin for Class B plants*—(1) *General*—(i) *On sales to feeders.* If you are a Class B manufacturer, you shall determine your margins per ton for sales to feeders for each of your Class B plants on the basis of lots of one to five 100-pound containers in accordance with the provisions of subparagraph (2) following.

(ii) *On sales to retailers.* If you also sell to persons other than feeders, you shall, in addition, determine your margins per ton for sales to retailers on the basis of carload lots in accordance with subparagraph (3) following.

(iii) *When 1942 base months records required.* In order to qualify for the second, third, and fourth methods of determining margins for sales to feeders you must have records to support the determination of the margin under the method selected.

(2) *Methods for Class B plants for sales to feeders.* The method below chosen by you shall be used on all mixed feeds manufactured at the Class B plant for which you are determining margins for sales to feeders, except that if you choose the second, third or fourth method, you may instead, at your election, with respect to any particular mixed feed use the first, fifth or sixth method, if you qualify. The methods are as follows:

First method. You may use this method only for a plant operated by you during the year 1944 at which you produced for your own account less than 3500 tons of mixed feed during that year. If you use this method you shall calculate your margins for a mixed feed on the basis of its current formula on the effective date of this regulation as follows:

[Above two paragraphs amended by Am. 1, 10 F.R. 6797, effective 6-6-45 and Am. 3, 10 F.R. 8125, effective 6-30-45]

Step one. Compute your processing cost at the rate of $3.50 per ton on ingredients you process prior to mixing. For example, if 600 pounds of the ingredients in a ton of the mixed feed are ground in your plant, your processing cost for such grinding would be $1.05.

Step two. Add a mixing and sacking cost at the rate of $3.00 per ton of the mixed feed.

Step three. Add the applicable markup set forth in section 5.3 for sales of that mixed feed in 100 pound containers by retailers.

The total of the above amounts per ton shall be the margin per ton of the mixed feed and shall be the margin which you shall file under this regulation for that mixed feed.

NOTE: An example of the calculation of a margin under this first method is shown in Appendix A of this regulation. Calculate a margin in the same manner for each mixed feed for which you elect to file your margin under the first method. For the determination of your control price see section 4.4. For the requirements relating to price lists see section 4.6.

[Note amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

Second method. You may select periods of not less than one day or more than one month occurring regularly and uniformly throughout the 1942 base months. For example, you may select the 15th of each month, or the first Tuesday in each month, or the first and third weeks in each month, or the whole of each month. You shall compute a margin for the mixed feed for each period so selected by deducting your ingredient cost from your selling price in accordance with the following rules:

You shall use as the selling price either the going price, if unchanged, on the basis of sales of one to five 100-pound containers to feeders during such period, as evidenced by invoices or price lists or otherwise, or, if such going price changed during the period, the average of such going price during the period.

You shall use as your ingredient cost either

(i) The reasonable market value at your plant during each period selected, if uniform, or, if not uniform, the average of such reasonable market values during such period; or

(ii) The average reasonable market value of the ingredient during the month in which each period occurs.

The average of such margins for each mixed feed shall be the margin which you shall file under this regulation for that mixed feed.

Third method. You may determine your margin on each sale of the mixed feed to feeders in lots of one to five 100-pound containers during the 1942 base months by deducting from the selling price of each such sale your ingredient cost at reasonable market value at your plant, either as of the date of contract of sale or as of the date of delivery. The average of such margins for each mixed feed shall be the margin which you shall file under this regulation for that mixed feed.

Fourth method. If you followed the practice of issuing regularly price lists to feeders during the 1942 base months, you may determine your margin on the basis of sales in one to five 100-pound containers for each mixed feed for each such regular price list by deducting from the list price on the basis of such sales either

(i) Your ingredient cost at the value appearing on the computation from which such price list was prepared; or

(ii) The ingredient replacement cost at reasonable market value at your plant determined as of the date of calculation of your price list, or an average of such ingredient replacement costs during the effective period of your price list.

You shall determine the margin separately for each regular price list issued or applicable for such plant during the base months and the average of such margins for each mixed feed shall be the margin which you shall file under this regulation for that mixed feed.

Fifth method. If you determined a margin under Section 17 of Maximum Price Regulation No. 378, by using the margin of your closest competitive seller of the same or a similar product and were entitled to use such margin under Maximum Price Regulation No. 378, such margin shall be the margin that you shall file under this regulation for that mixed feed.

Sixth method. If (1) you are determining a margin for a feeder's private brand or (2) you cannot determine a margin by any of the foregoing methods, or (3) you want to determine a margin for a mixed feed you did not sell during the 1942 base months, determine such margin in accordance with either of the following methods:

(i) You may select the margin determined under the second, third or fourth methods for a mixed feed manufactured at any of your Class B plants for the mixed feed having the same or most similar feeding purpose: *Provided*, That it does not belong to a higher price line except that, in the case of a feeder's private brand, you may select the margin on sales of such same or most similar mixed feed to others than feeders having private brands. Such margin shall be the margin which you shall file for the mixed feed under this regulation; or

[Above two paragraphs amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(ii) You may apply to the office of the Office of Price Administration with which you file your margins under paragraph (f) of this section for a margin for such mixed feed. Such application shall contain the following information:

(a) Name and address of applicant.

(b) Location of plant where mixed feed will be manufactured.

(c) Name of feed and feeding purpose.

(d) Minimum guarantee of protein and fat and maximum guarantee of fibre.

(e) Proposed ingredients for the feed.

(f) Proposed margin.

(g) Your margins on similar feeds.

(h) Names and addresses of closely competitive sellers of similar mixed feed.

(i) Information and scope of activity if you operate a laboratory, do advertising or supply farm services.

[Subdivisions (h) and (i) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

At any time after the filing of your application and before the Office of Price Administration has provided you with a margin you may use the margin in your application.

(3) *Methods for Class B plants for sales to retailers.* For each Class B plant whose feeds are sold to other than feeders, you shall determine your margins per ton for each mixed feed on the basis of carload sales to retailers by the use of one of the following methods, except that in the case of private brand mixed feeds you must use the fourth method.

[Above subparagraph amended by Am. 2, 10 F.R. 7534, effective 6-21-45]

First method. If you followed the practice of issuing regularly price lists for sales to retailers during the 1942 base months, and have records to support your determination of margins under this method, you may use this method. Your margin shall be determined on the basis of carload sales to retailers. If your price lists show list prices for sales to retailers in less than carload lots only, and do not show the basis for conversion of those prices to prices for carload sales, you shall make such conversion by subtracting $1.00 per ton for such list prices.

You shall determine your margin for each feed for each regular price list issued during the 1942 base months by deducting from the list price either

(i) Your ingredient cost at the value appearing on the computation from which price list was prepared, or

(ii) The ingredient replacement cost at reasonable market value at your plant, determined as of the date of calculation of your price list, or an average of such ingredient replacement costs during the effective period of your price list.

You shall determine the margin separately for each regular price list issued or applicable for such plant during the base months and

the average of such margins for each mixed feed shall be the margin for that mixed feed for sales to retailers in carload lots which you may file under this regulation for that mixed feed.

[Above paragraph amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

Second method. Your margin for carload sales to retailers shall be your margin on sales to feeders of the mixed feed in one to five 100-pound containers determined under subparagraph (2) above, less either

(i) One-half such margin for sales to feeders, or

(ii) An amount equal to the applicable markup set forth in section 5.3 for sales of that feed in 100-pound containers by retailers,

whichever makes the lesser deduction.

Your margin so determined shall be the margin for that mixed feed which you may file under this regulation.

[Above paragraph amended by Am 1, 10 F.R. 6797, effective 6-6-45]

Third method. (i) In order to use this method you must have records showing that you made sales to retailers during the 1942 base months and showing the discounts, if any, from your selling price to feeders that you gave to such retailers.

(ii) (*a*) If you use this method your margin for sales to retailers in carload quantities, shall be the amount, in dollars and cents, determined by deducting from your margin for sales to feeders the largest regular discount, if any, from your margin for sales to feeders that you gave on sales to retailers in carload quantities during the 1942 base months.

(*b*) If you made sales to retailers during the 1942 base months only in less than carload quantities, your margin for sales to retailers in carload quantities shall be the amount, in dollars and cents, determined by deducting from your margin for sales to feeders the largest regular discount, if any, from your margin for sales to feeders that you gave on sales to retailers in less than carload quantities during the 1942 base months, less an additional sum of $1.00.

(*c*) For the purposes of this method a "regular discount" shall be a discount given continuously during the 1942 base months and an occasional sale at a greater or lesser discount shall be disregarded.

[Third method amended by Am. 1, 10 F.R. 6797, effective 6-6-45; and Am. 2, 10 F.R. 7534, effective 6-21-45]

Fourth method. If (1) you are determining a margin for a private brand feed or (2) you cannot determine a margin by any of the foregoing methods or (3) you want to determine a margin for a mixed feed which you did not sell to retailers during the 1942 base months, such margin shall be determined in accordance with the following methods:

(i) You may select the margin for sales to retailers determined under any of the first three methods for a mixed feed manufactured at any of your Class B plants having the same or most similar feeding purpose. Such margin shall be the margin for sales to retailers which you shall file for the mixed feed under this regulation; or

(ii) You may apply to the office of the Office of Price Administration with which you file your margins under paragraph (f) of this section for a margin for such mixed feed. Your application should contain the following information:

(*a*) Name and address of applicant.

(*b*) Location of plant where mixed feed will be manufactured.

(*c*) Name of feed and feeding purpose.

(*d*) Minimum guarantee of protein and fat and maximum guarantee of fibre.

(*e*) Proposed ingredients for the feed.

(*f*) Proposed margin.

(*g*) Your margins on similar feeds.

(*h*) Name and addresses of closely competitive sellers for similar mixed feeds (if known).

(i) Information and scope of activity, if you operate a laboratory, do advertising or supply farm services.

At any time after the filing of your application and before the Office of Price Administration has provided you with a margin, you may use the margin you propose in your application.

[Fourth method added by Am. 2, 10 F.R. 7534, effective 6-21-45]

(e) *Differentials for Class C plants.* (1) A Class C plant is (i) one for which during the 1942 base months you customarily determined selling prices on mixed feeds by adding to, or deducting from, the selling price at another related plant operated by you, differentials which may or may not have been zero and may or may not have been constant during such 1942 base months or (ii) a plant classified as a Class C plant pursuant to the provisions of subparagraph (3) below.

(2) For each plant qualifying as a Class C plant under subparagraph (1) (i) above, you shall determine, on a per ton basis, the average of such differentials during the 1942 base months for each mixed feed. The results will be the differentials for such plant which you shall file under this regulation for such mixed feeds.

(3) Any manufacturer may apply to the district or regional office of the Office of Price Administration with which he files his margins and differentials for permission to treat any plant or plants operated by him as a Class C plant or plants and to establish differentials therefor. Any such application shall contain, in addition to the information required by paragraph (f) of this section, (i) a statement as to whether or not such differential had been customarily used though not in the 1942 base months and (ii) a statement of the reasons and bases for the establishment of the differential requested, such as varying costs of ingredients, transportation costs or desirability of establishing uniform prices.

[Paragraph (e) amended by Am. 2, 10 F.R. 7534, effective 6-21-45]

(f) *Filing of margins for Class A and Class B plants and filing of differentials for Class C plants.* (1) Within ninety days of the effective date of this regulation, each Class A manufacturer shall file margins for sales to retailers, each Class B manufacturer shall file margins for sales to feeders, and each Class C manufacturer shall file differentials, all computed as provided above, for each mixed feed he is then manufacturing. He may at any time file such margins or differentials for other mixed feeds. After ninety days from the effective date of this regulation he shall not sell a mixed feed until he has filed such a margin or differential for it. A Class B manufacturer may at any time also file his margins for sales to retailers, but such filing is not required.

[Subparagraph (1) amended by Am. 4, effective 7-19-45]

(2) In filing margins under this section you shall supply the information required by the suggested form set forth below, except that if you determine a margin for a Class B plant under the first method for sales to feeders you may in lieu thereof supply the information required by the suggested form in Appendix A. In filing differentials under this section each manufacturer shall supply the applicable information required by the form set forth below and shall in addition show (i) the location of the related plant and (ii) the amount of the differential and whether it is added to or subtracted from the price of the related plant.

INFORMATION REQUIRED TO BE FILED FOR MARGINS UNDER SECTION 4.1 (f) OF MAXIMUM PRICE REGULATION 585

(1) Name of manufacturer.....
(2) Address to which communications shall be addressed.....
(3) Class of plant.....
(4) Address of plant to which margins apply.....

Name of mixed feed	Feeding purposes	Rate point or location of plant	Specific method in section 4.1 under which margin is calculated	Margin			Prior approval by OPA		For OPA use only
				Per ton in dollars and cents	Place check (x) in appropriate column		Yes	No	
					For sales to retailers	For sales to feeders			

1 If answer is yes, attach separate statement of facts on any approval of your margin prior to this filing.

(Signed).....

(Title).....

(3) Each manufacturer shall file his margins or differentials for each plant with the district office of the Office of Price Administration for the district in which his plant is located: *Provided*, That he may, at his option, in lieu thereof, file his margins or differentials for any plant with the district office or regional office of the Office of Price Administration for the district or region in which his principal place of business is located, in which case he shall so notify the district office of the Office of Price Administration for the district in which such plant is located.

(4) A manufacturer may make an amended filing of a margin or differential at any time to correct a filed margin or differential.

(g) *Approval or disapproval of filed margins and differentials.* (1) The Office of Price Administration shall approve and allow a filed margin or differential upon finding that it was correctly determined under the applicable provisions of this regulation. It may disapprove a margin upon finding that it was incorrectly determined and is in excess of the margin as correctly determined.

(2) The Office of Price Administration may disapprove a differential upon finding either: (i) that the plant does not qualify as a Class C plant, or (ii) that the differential was incorrectly determined.

(3) In case any margin or differential is disapproved, the Office of Price Administration shall give the manufacturer a notice of disapproval, which shall specify an allowed margin or differential which may be used in lieu of the claimed margin or differential. The allowed margin or differential shall be used by the manufacturer, unless his records would establish that his filed margin or differential was correctly determined under the provisions of this regulation and he elects to rely on the correctness of such determination pending the final disposition of his petition filed pursuant to subparagraph (5) below.

[Subparagraph (3) amended by Am. 2, 10 F.R. 7534, effective 6-21-45]

(4) If the manufacturer demonstrates to the Office of Price Administration that his margin or differential, as correctly computed, is different than his allowed margin or differential, he is entitled to an amended approval which will allow such correctly computed margin or differential.

(5) A petition for an amended approval may be filed with the district or regional office of the Office of Price Administration with which the margin or differential was filed. It shall be supported by affidavits or other substantial evidence showing that adequate records are available and will be produced by the manufacturer to substantiate his claimed margin. Upon denial of such a petition the district or regional office with which the margin was filed shall by order notify the manufacturer of the particulars in which his showing is defective. If the manufacturer requests that the order denying his petition be reviewed, the file shall be transmitted to the appropriate regional office for review (if the petition was denied by a district office) and to the national office (if the petition was denied by a regional office) and the regional office or the national office, as the case may be, shall review and by order notify the manufacturer of its determination.

The denial of a manufacturer's petition either in whole or in part is subject to protest pursuant to the provisions of Revised Procedural Regulation No. 1.

(h) *Effect of approval.* Any filed margin or differential determined in good faith pursuant to the provisions of this regulation, which has not been disapproved within sixty days after the manufacturer has received an acknowledgment of such filing, shall thereafter be deemed to be approved. A margin or differential approved either expressly or by failure to act may be used by the manufacturer in all calculations without further proof of its correctness: *Provided*, That if it is subsequently disapproved it shall thereafter be treated as disapproved for the purpose of pricing sales or deliveries made subsequent to its disapproval.

[Paragraph (h) amended by Am. 2, 10 F.R. 7543, effective 6-21-45]

SEC. 4.2 *Base ingredient prices and base container prices*—(a) *General instructions.* Each manufacturer shall determine for each Class A and Class B plant his base ingredient price for each ingredient used by him in the manufacture of mixed feeds at that plant and base container prices for containers in which he packs mixed feed at such plant, except that a Class B manufacturer, who determines his margin under the first method for sales to feeders, may, instead of determining a base ingredient price for a mixed feed purchased by him, price such mixed feed in the manufacture of his own mixed feed at the maximum price at which he could resell such mixed feed under section 5.3 hereof, less the markups provided in Schedule II of that section. This section sets forth the rules for determining and filing such base ingredient and container prices. The base ingredient or container price established hereunder for any ingredient or container will be the base ingredient or container price for that ingredient or container in all mixed feeds manufactured at the plant which contain such ingredient or are packed in that container.

[Above paragraph amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(1) *Treatment of shrinkage, cleaning loss, and processing cost.* In determining base ingredient prices under this section and adjusted base ingredient prices under section 4.3, the manufacturer shall treat the factors of shrinkage, cleaning loss, and cost of processing of ingredients prior to mixing, consistently with his treatment of such factors in his determination of margins as stated in section 4.1 (b) (2). If any such factor is included in or absorbed by the margin determined under section 4.1, the base ingredient price shall not include it. If, on the other hand, it is excluded from the margin, it shall be included in the base ingredient price. When a factor of shrinkage or cleaning loss is included in the base ingredient price, it shall be reflected by a reasonable adjustment of such base ingredient price to compensate for such factor. When the factor of processing is included in the base ingredient price of a commodity, such factor shall be reflected by treatment of such commodity as an ingredient in its processed form rather than in its unprocessed form.

For example, if a manufacturer includes the cost of grinding corn as part of his ingredient cost, rather than in his margin, the ingredient for which he will determine a base ingredient price under this section is ground corn rather than whole corn.

If in determining a base ingredient price or adjusted base ingredient price a manufacturer finds it necessary to convert the cost, or value, or maximum price of an ingredient in processed form to that of the ingredient in unprocessed form, he shall do so by application of the differential between the maximum prices of such commodities in the two different forms. If the commodity is not subject to a maximum price in one form or the other, the adjustment shall be made by application of a differential which will reasonably reflect the full cost of processing from one form to the other and the resultant shrinkage if any.

[Above paragraph amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(2) *Lot sizes to use in determining base ingredient prices.* Base ingredient prices and adjusted base ingredient prices shall be determined on the basis of lot sizes usually received by the manufacturer (e. g. barge loads, carloads, less-than-carloads, single drums, etc.) except that (i) where, in the method used, reference is made to particular receipts he shall use the lot sizes of those receipts and (ii) where the ingredient is in processed form and he did the processing at his mixed feed plant he shall determine lot sizes in accordance with the provisions of subparagraph (4) below.

(3) *Meaning of "receipts".* The term "receipts at your plant" means unloadings into facilities operated as part of, or as an adjunct to, your plant, or in the case of shipments by rail the lot has arrived at the point at which physical delivery is to be made to the buyer and is ready for unloading, except that where the ingredient is in processed form and you did the processing at your mixed feed plant you shall determine your "receipts" in accordance with the provisions of subparagraph (4) below.

(4) *Ingredient in processed form when processed by mixed feed manufacturer.* When a manufacturer processes an ingredient himself, and treats it as an ingredient in its processed form in accordance with the provisions of section 4.2 (a) (1), he shall determine its base ingredient price as follows:

(i) Its base ingredient price shall be determined on the basis of lot sizes equal to the lot sizes of his usual receipts of the commodity from which it is processed.

(ii) Its maximum price to him shall be the maximum price that another person

could lawfully pay him, as a processor, for it.

(iii) If the ingredient is processed at his mixed feed plant, or at facilities connected therewith, and he is required to determine the maximum price to him of particular receipts of it, he shall consider his use of the ingredient in his mixed feed operation as his "receipt" of the ingredient at his plant. Such "receipts" shall be measured in lot sizes equal to the lot sizes of his normal receipts of the commodity from which it is processed.

(5) *Pricing of ingredients at rate points other than plant.* The methods set forth below in this section, and section 4.3, indicate that base ingredient prices (and adjusted base ingredient prices) shall be determined for ingredients on the basis of delivery to the manufacturer's plant. If, however, a manufacturer, in determining his margins, elects under section 4.1 (b) (6) to determine ingredient cost or replacement cost for any ingredient on the basis of delivery to a rate point other than his plant, he must determine his base ingredient price (or adjusted base ingredient price) for that ingredient on the basis of delivery to that rate point rather than to his plant.

(6) *Pricing of ingredients having different maximum prices for different qualities and dates.* When an ingredient has different maximum prices for different qualities and dates, a manufacturer may determine its base ingredient price and adjusted base ingredient price on the basis of any quality or date he chooses. If he determines its base ingredient price or adjusted base ingredient price by reference to certain receipts, he shall adjust the price of those receipts to the price of the quality and date he has chosen by use of the differentials in the price regulation covering such ingredient. In determining his control price at any time under section 4.4 he shall adjust his price for such ingredient to the quality and date he is using in his current formula as defined in that section.

[Subparagraph (6) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(7) *Allowances for containers received with ingredients.* In determining base ingredient prices under this section, and adjusted base ingredient prices under section 4.3, a manufacturer shall allow $1.25 per ton or may at his option make reasonable allowance for containers received in the purchase of the ingredients.

(8) In the case of wheat, a manufacturer may treat different varieties as different ingredients or may treat several varieties as the same ingredient. In the latter case he shall determine the base ingredient price or adjusted base ingredient price for such several varieties on the basis of any variety he chooses. In such case he may determine his base ingredient price or adjusted base ingredient price in reference to certain receipts. He shall adjust the price of those receipts to the variety he has chosen by use of the differential in Revised Maximum Price Regulation 487 for the terminal city nearest his plant which has a differential between the two varieties in question, and in determining his control price at any time under section 4.4 he shall in the same manner adjust his price for such ingredient to the variety he is using in his current formula that is found in that section.

[Subparagraph (8) added by Am. 1, 10 F.R. 6797, effective 6-6-45]

(b) *Rules for determining base ingredient prices and base container prices.* The purpose of the methods set forth below is to provide each manufacturer with a method for the determination of an average maximum price for each ingredient that he uses which, when determined, becomes his base ingredient price for that ingredient, and may thereafter be used instead of the maximum price for each specific receipt of that ingredient, subject however, to the conditions set forth in this regulation. As a manufacturer you may use any applicable one of the following methods for the determination of a base ingredient price for each ingredient being priced and for the determination of base container prices. You may use different methods for different ingredients. For the purposes of subparagraphs 4.2 (b) (1) and (2), the term "customary maximum prices" refers to a maximum price which either (i) uniformly applies to a major portion of the receipts of the ingredient in question at the manufacturer's plant during the twelve-month period ending April 30, 1945 or (ii) is a price not higher than the average of the maximum prices of the receipts of the ingredient in question at your plant during the twelve-month period ending April 30, 1945.

[Above paragraph amended by Am. 2, 10 F.R. 7534, effective 6-21-45]

(1) *Grains subject to price control.* "Base Price" as used in this subparagraph (1) means, with respect to wheat, oats, barley, corn and grain sorghums, the "base price" therefor as defined, respectively, in 2nd Revised Maximum Price Regulation 487 and Supplements 2,[13] 3,[14] 4[15] and 6[16] to Food Products Regulation No. 2. The maximum prices referred to in this paragraph (b) shall not include any carrying charges, drying charges or charges of a similar nature even though such charges have been lawfully paid by the manufacturer.

[Above paragraph amended by Am. 1, 10 F.R. 6797, effective 6-6-45 and Am. 3, 10 F.R. 8125, effective 6-30-45]

For any grain subject to price control you may determine your base ingredient price by any of the following methods:

First method. You may use the "base price" at the point where the plant is located.

[First method amended by Am. 3, 10 F.R. 8125, effective 6-30-45]

Second method. You may use as a base ingredient price the maximum price which reflects a relationship to a terminal base point (or terminal city) which is customary to the trade or customary to your buying practice, provided your records show such a relationship.

Third method. You may use the simple average of the maximum prices you could have lawfully paid to your supplier delivered at your plant for either.

(i) Those of your receipts during the last thirty days prior to the effective date of this regulation which reflect your customary maximum prices, or

(ii) Your last twenty receipts prior to the effective date of this regulation which reflect your customary maximum prices, or

(iii) Your receipts during the last year preceding the effective date of this regulation.

[First method amended by Am. 2, 10 F.R. 7534, effective 6-21-45]

Second method. You may use as a base ingredient price the maximum price which reflects a relationship to a rate point or source which is customary to the trade or customary to your buying practices, provided your records show such a relationship.

Third method. If you cannot calculate under the first or second method use the maximum price you could lawfully pay for receipts from the origin so located with respect to your plant as to produce the lowest maximum price on receipts at your plant.

(3) *Ingredients not subject to price control.* For any ingredient not subject to price control you may use either

(i) The reasonable market value of such ingredient at your plant on the effective date of this regulation, or

(ii) If the ingredient is used for the first time after the effective date of this regulation, the reasonable market value at your plant at the time of your first calculation of a base ingredient price for it, or

(iii) The simple average of the prices you paid delivered at your plant for either

(a) Your receipts during the last thirty days prior to the effective date of this regulation, or

(b) Your last twenty receipts prior to the effective date of this regulation, or

(c) Your receipts during the last year preceding the effective date of this regulation.

[Subdivision (iii) amended by Am. 3, 10 F.R. 8125, effective 6-30-45]

NOTE: If the ingredient is in processed form and you did the processing yourself, you may determine the prices you paid delivered at your plant for the above described receipts of the commodity you process into the ingredient, and add full processing costs. The results will be deemed to be the "prices you paid" for the above described receipts of the ingredient under this subdivision (iii).

[Note added by Am. 1, 10 F.R. 6797, effective 6-6-45]

(4) *Containers*—(i) *Paper and cotton (100 pound bags only).* For paper and cotton bags you shall determine your base container prices only in 100 pound sizes. You may have several such base container prices; for example, you may have one price for standard cotton bags and another for "print" cotton bags.

[Subdivision (i) amended by Am. 3, 10 F.R. 8125, effective 6-30-45]

(ii) *Other materials (all sizes).* For containers other than paper or cotton bags you shall determine your base container prices for every size that you use.

(iii) *Purpose of determination of base container prices.* The reason for the determination of base prices for containers in the manner provided in subdivisions (i) and (ii) above, is to make it possible for you to use the differentials in section 4.10 (b) to determine your maximum prices for the sale of mixed feed in containers of any size.

(iv) *Methods.* Your base container price for any containers shall be the maximum price you could lawfully pay, if subject to price control, or the reasonable market value, if not subject to price control, delivered to your plant from your normal suppliers of such containers. Such prices shall be on the basis of normal quantities of such containers (as evidenced by receipts) that you purchase either in the 100 pound size or in smaller sizes.

[Subdivision (iv) amended by Am. 3, 10 F.R. 8125, effective 6-30-45]

(c) *Filing of base ingredient prices and base container prices.*

(1) For each of the ingredients listed below that he uses in any form as a base ingredient, each manufacturer shall, within 90 days of the effective date of this regulation, file his base ingredient prices for each of his Class A and Class B plants at which more than 3500 tons of mixed feeds were manufactured in the year 1944, and he may also file for any of his other Class A or Class B plants. After a period of 90 days from the effective date of this regulation, no manufacturer shall sell any mixed feed containing such ingredients until he has filed such base ingredient prices: *Provided*, That this sentence shall have no application to ingredients used at a plant which was in operation in 1944 and at which not more than 3500 tons of mixed feeds were manufactured during that year.

Corn.	Hominy feed.
Oats.	Fish scraps.
Wheat.	Wheat mill feeds.
Barley.	Meat scraps.
Grain sorghums.	Digester tankage.
Alfalfa meal.	Gluten feed.
Linseed meal.	Gluten meal.
Soybean meal.	Brewers grain.
Cottonseed meal.	Distillers grain.

A base ingredient price shall be filed for each of the above commodities in its form as listed if the manufacturer uses it as an ingredient in that form consistent with the provisions of section 4.2 (a) (1). If he does not so use it as an ingredient in that form but uses it in other forms (processed to a lesser or greater degree) he shall file for it in at least one of such other forms in which he uses it as an ingredient. If a manufacturer uses a mixed feed as an ingredient he may, but he need not, file a base ingredient price for such ingredient.

[Subparagraph (1) amended by Am. 1, 10 F.R. 6797, effective 6-6-45 and Am. 4, effective 7-19-45]

(2) In addition a manufacturer may, if he wishes, file base ingredient prices for any other ingredients he uses in the manufacturer of mixed feeds. He may also file his base container prices. He shall keep a record of his base container prices and of his base ingredient prices for each ingredient that he uses, whether or not he files it.

(3) In filing base ingredient and base container prices under this section each manufacturer shall supply the information required by the following suggested form:

INFORMATION REQUIRED TO BE FILED FOR BASE INGREDIENT PRICES UNDER SECTION 4.2(c) OF MAXIMUM PRICE REGULATION NO. 585

Name of manufacturer.....
Address to which communication shall be addressed.....
Address of plant to which base ingredient prices apply.....

Ingredient or container	If subject to price control give Reg. No.	Specific method under section 4.2 under which base ingredient price was determined	Rate point used	Unit (bushel, ton, etc.)	Grade or Quality	Base ingredient or container price	For OPA use only
(Example) Oats	XXX	(1) 2nd	Chicago	Bushel	2 tough	$1.38	

(Signed).....
(Title).....

(4) Base ingredient and container prices shall be filed with the office of the Office of Price Administration with which the manufacturer files his margins for the plant.

(d) *Prohibition against selling until base ingredient prices are filed.* No manufacturer subject to this regulation shall sell any mixed feeds, after 90 days from the effective date of this regulation, until he has filed base ingredient prices for each of the ingredients listed in paragraph (c) of this section that he uses in the manufacture of such mixed feeds: *Provided*, That this sentence shall have no application to ingredients used at a plant which was in operation in 1944 and at which not more than 3,500 tons of mixed feeds were manufactured during that year.

[Paragraph (d) amended by Am. 1, 10 F.R. 6797, effective 6-6-45; and Am. 4, effective 7-19-45]

(e) *Refiling.* (1) If the maximum price of any ingredient or container for which a base ingredient price has been filed is reduced by the Office of Price Administration a new base ingredient or container price, to reflect such reduction in maximum price, shall be filed within 30 days from the date when the reduction in maximum price became effective.

(2) If such maximum price is increased a new base ingredient or container price reflecting such increase may be filed.

(3) A manufacturer may make an amended filing of a base ingredient or container price at any time to correct a filed base ingredient or container price.

(f) *Approval or disapproval of filed base ingredient and container prices.* (1) Upon request the Office of Price Administration may approve any base ingredient or container price before filing and all filings pursuant to such approval will be deemed approved when filed.

(2) At any time following the filing of any base ingredient or container price, the office of the Office of Price Administration with which the base ingredient or container price is filed may approve and allow such filing upon finding that such price is correctly determined under this regulation, or may disapprove it upon finding that it is not correctly determined and is in excess of the base ingredient or container price as correctly determined.

(3) In case any base ingredient or container price is disapproved, the Office of Price Administration shall give the manufacturer a notice of disapproval, which shall specify an allowed base ingredient or container price which may be used in lieu of the claimed price. The allowed price shall be used by the manufacturer, unless his records would establish that his filed price was correctly determined under the provisions of this regulation and he elects to rely on the correctness of such determination pending the final disposition of his petition filed pursuant to subparagraph (5) below.

[Subparagraph (3) amended by Am. 2, 10 F.R. 7534, effective 6-21-45]

(4) If the manufacturer demonstrates to the Office of Price Administration that his base ingredient or container price, as correctly computed, is different than his allowed price, he is entitled to an amended approval which will allow such correctly computed base ingredient or container price.

(5) A petition for an amended approval may be filed with the office of the Office of Price Administration with which the manufacturer has filed his base ingredient or container price and shall be supported by affidavits or other substantial evidence showing that adequate records are available and will be produced by the manufacturer to substantiate his claimed price. Upon denial of such a petition the district or regional office with which the price was filed shall by order notify the manufacturer of the

[13] Revised: 10 F.R. 5998.
[14] Revised: 10 F.R. 5409.
[15] 10 F.R. 2083, 2513, 4910.
[16] 10 F.R. 7673.

particulars in which his showing is defective. If the manufacturer requests that the order denying his petition be reviewed, the file shall be transmitted to the appropriate regional office for review (if the petition was denied by a district office) and to the national office (if the petition was denied by a regional office) and the regional office or the national office, as the case may be, shall review and by order notify the manufacturer of its determination.

The denial of a manufacturer's petition either in whole or in part is subject to protest pursuant to the provisions of Revised Procedural Regulation No. 1.

(g) *Adjustment when incorrectly calculated.* If the base ingredient or container price, as filed, is insufficient because of failure to calculate correctly, the Office of Price Administration may specify the base ingredient or container price which is found to result from a correct calculation under the provisions of this regulation. No manufacturer is required to use a higher base ingredient or container price than he desires in calculating the maximum price of his mixed feeds.

(h) *Effect of approval of base ingredient and container prices.* Any filed ingredient or container price determined in good faith pursuant to the provisions of this regulation, which has not been disapproved within sixty days after the manufacturer has received an acknowledgment of such filing, shall thereafter be deemed to be approved. A base ingredient or container price, approved either expressly or by failure to act, may be used by the manufacturer in all calculations without further proof of its correctness: *Provided*, That if it is subsequently disapproved, it shall thereafter, be treated as disapproved for the purpose of pricing of sales or deliveries subsequent to its disapproval.

[Paragraph (h) amended by Am. 2, 10 F.R. 7534, effective 6-21-45]

SEC. 4.3 *Adjusted base ingredient prices.* A manufacturer may calculate an adjusted base ingredient price for any ingredient and use it in place of the base ingredient price in accordance with the rules set forth below. Adjusted base ingredient prices need not be filed but a record of their calculation must be kept.

A manufacturer need not calculate an adjusted base ingredient price unless he desires to do so, but he cannot take an ingredient into his mixed feed at a price higher than the base ingredient price (whether or not such base ingredient price has been filed) in determining his control price, unless he determines an adjusted base ingredient price as herein provided.

[Above paragraph amended by Am. 3, 10 F.R. 8125, effective 6-30-45]

(a) A manufacturer shall make his first calculation of an adjusted base ingredient price as to any ingredient by determining a weighted average price for the receipts of such ingredient at his plant for any immediately preceding period not exceeding one month, determined on the basis of actual prices (not exceeding the lawful maximum prices he could have paid to his supplier delivered at his plant, exclusive of carrying charges, drying charges and charges of a similar nature) for such receipts. If the ingredient is in processed form and he did the processing himself, he shall determine his price for it at its full manufactured cost on the basis of such receipts of the commodity in its form prior to such processing. If a receipt of processed grain is being priced as an ingredient under this section by a manufacturer whose margin was filed on a basis of the whole grain unprocessed and (1) the margin included grinding costs, the adjusted price of the processed ingredient shall be reduced by $2.50 per ton, or (2) the margin did not include grinding costs and such processing costs were set up as a separate factor, the adjusted price shall be reduced by the amount of this separate factor. He shall begin to use such adjusted base ingredient price on his next pricing day and shall continue using it until the pricing day following the time when he has sold mixed feeds requiring the amount of such ingredient equivalent to the amount used in such average, except that, if he elects to calculate a new adjusted base ingredient price before he has sold mixed feeds requiring such equivalent amount of the ingredient, he shall treat the excess portion as a receipt in determining a new weighted average of prices of that ingredient received at his plant since he last calculated an adjusted base ingredient price.

(b) On the first pricing day after he has sold mixed feeds requiring the amount so averaged, he shall, at his option, either resume the use of his base ingredient price for such ingredient or calculate another adjusted base ingredient price for such ingredient on the basis of the weighted average of the actual prices (not exceeding the lawful maximum prices he could have paid to his supplier delivered at his plant exclusive of carrying charges, drying charges and charges of a similar nature) he has paid for the receipts of such ingredient at his plant since he last calculated an adjusted base ingredient price. If he resumes the use of his base ingredient price instead of recalculating, he shall, on his next recalculation, use his receipts for the period selected as though he were calculating an adjusted base ingredient price for the first time, but he shall not include receipts used in any previous average.

[Paragraphs (a) and (b) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

SEC. 4.4 *Control prices—*(a) *Control prices for Class A and Class B plants—*(1) *Computation of control price.* The control price for any Class A or Class B plant for any mixed feed at any time is determinable by multiplying (i) the weight in the current formula of each ingredient in a ton of such mixed feed by (ii) the base ingredient price or adjusted base ingredient price (whichever is applicable), per ton of ingredient, adjusted to the quality of the ingredient in the current formula where such adjustment is necessary under section 4.2 (a) (6), and adding (iii) the margin for such feed for the applicable sale, plus (iv) the base container price for twenty 100-pound containers per ton of mixed feed, if containers are furnished by the manufacturer, (v) rounded out to the nearest 20 cents per ton.

(2) *Meaning of "current formula."* A manufacturer's current formula, for the purpose of determining his control price, shall be deemed to be the formula used in calculating his selling prices for the week in which the price list will be current. A control price becomes effective on the weekly pricing day and remains effective, and "current," for one week. It changes only on a pricing day, and changes then only to reflect formula changes or adjustments in ingredient prices. Formula changes during the period between pricing days do not affect the control price for that period.

[Subparagraph (2) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(3) *Class B plants may have two types of control prices.* A Class A plant has only one type of margin, which is its margin on carload sales to retailers determined under section 4.1 (c) (2). It will therefore have only one type of control price. Likewise a Class B plant which sells only to feeders has only one type of margin and only one type of control price, which is its control price on sales to feeders in one to five 100-pound containers. However, since a Class B plant which sells to retailers as well as to feeders has two types of margins, one for sales to retailers in carload lots determined under section 4.1 (d) (3) and one for sales to feeders in lots of one to five 100-pound containers, determined under section 4.1 (d) (2), it will have two corresponding types of control prices. The control price to retailers will include the margins for sales to retailers; the control price to feeders will include the margins for sales to feeders.

(b) *Control prices for Class C plants.* The control price for a Class C plant will be the control price of the plant to which it is related, adjusted by the filed differential.

SEC. 4.5 *Pricing day.* Within 90 days of the effective date of this regulation each manufacturer shall select one day of the week as his pricing day for each of his plants. The pricing day is the day the manufacturer selects upon which to have his control prices and his price lists become effective. It may, but it need not be, the same day as the day upon which he computes his list prices or issues his price lists. Once the pricing day is selected it shall be the same day in each subsequent week except that if a pricing day falls on a holiday the manufacturer may select the day immediately preceding or following such holiday as his pricing day for that week. The control prices and price lists for the plant on such pricing day remain in effect for one week until the following pricing day.

[Sec. 4.5 amended by Am. 2, 10 F.R. 7534, effective 6-21-45; and Am. 4, effective 7-19-45]

SEC. 4.6 *Price lists—*(a) *Issued weekly.* A price list shall be issued each week for each plant whose mixed feeds are sold to others than feeders. Each price list shall become effective on the pricing day on which it is issued, or, if it is not issued on a pricing day, on the pricing day next following the day it is issued. It shall remain in effect for one week.

(b) *Price list must show list prices.* Each price list must show a list price for each mixed feed for the f. o. b. point or points the price list covers for which margins are determined consistent with section 4.1 (b) (7). It shall be the list price for carload sales to retailers at that point or points. It shall be any price selected by the manufacturer which does not exceed the control price for such sales for that point.

(c) *What information price lists must show in addition to list prices.* In addition to list prices, each price list must show the following information, but not in any particular form:

(1) Name of manufacturer and address of plant.

(2) Effective date of price list.

(3) That prices quoted are for carload sales to retailers, except that the prices quoted may be for less than carload sales to retailers provided the price list also shows the price for carload sales to retailers.

[Subparagraph (3) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(4) That prices quoted are f. o. b. a specified point or points.

(d) *Short form price lists.* Notwithstanding any other provisions of this section, whenever a manufacturer has issued a price list in accordance with the provisions of this section, he may, for the succeeding week or weeks, issue, as his price list, a notice indicating either that he has made no change in his list prices, or indicating specifically what price changes have been made: *Provided*, That the last complete price list issued, together with a notice, must give the purchaser the same information he would receive if a regular complete price list were issued.

(e) *Price lists for sales to private brand dealers.* Separate price lists shall be issued for mixed feeds manufactured for private brand dealers.

SEC. 4.7 *General rules for determination of maximum prices by manufacturers—*(a) *Computation of transportation cost for shipment to point from which you sell.* For the purpose of determining your maximum price on sales of mixed feeds at a point separate from your plant, you may, if you desire, determine your transportation cost to such point by dividing the total amount of the transportation cost for your last shipment of usual quantity to such point by the total number of tons of mixed feeds of all kinds in such last shipment. The resulting figure will be your transportation cost per ton for each kind of mixed feed to that point.

[Paragraph (a) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(b) *Rounding out maximum prices—*(1) *On sales to feeders.* If the calculation of your maximum price per 100 pounds on a sale of any mixed feed to a feeder results in a figure which is not a multiple of 5 you determine your maximum price for such sale by adjusting such figure to the nearest even 5 cents per 100 pounds, except that if the figure to be adjusted is a multiple of 2½ you determine your maximum price by adjusting it to the next higher even 5 cents. Such rounding out may be either before or after inclusion of outbound transportation cost.

(2) *On sales to persons other than feeders.* If the calculation of your maximum price per ton on a sale of any mixed feed to a person other than a feeder results in a figure which is not a multiple of 20 you determine your maximum price for such sale by adjusting such figure to the nearest even 20 cents per ton, except that if the figure to be adjusted is a multiple of 10 you determine your maximum price by adjusting it to the next higher even 20 cents. Such rounding out may be either before or after inclusion of outbound transportation cost.

SEC. 4.8 *Maximum prices for sales by Class A plants and related Class C plants—*(a) *Sales to feeders.* For sales to feeders of mixed feed manufactured by you at a Class A plant or a Class C plant related thereto, your maximum price shall be as follows:

(1) Your list price; plus

(2) Your transportation cost from your plant or other f. o. b. point as of which you compute your margins; plus

(3) The appropriate differentials at the rate set forth in section 4.10 for mixed feeds in pelleted form and for mixed feeds in containers of less than 100 pounds; plus

(4) The applicable retail markup as set forth in Schedule II in section 5.3.

[Subparagraph (4) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(5) If your nearest customer regularly selling your mixed feed at retail is located within 50 miles of your plant or wholesale warehouse, you may, with respect to deliveries to feeders at such plant or wholesale warehouse, add such an amount as will make your price equal to his maximum prices. (This is permitted to protect him from the possibility of underselling.)

(b) *Sales other than sales to feeders.* For all sales, other than sales to feeders, of mixed feed manufactured by you at a Class A plant, or Class C plant related thereto, your maximum price shall be as follows:

(1) Your list price; plus

(2) Your transportation cost from your plant or other f. o. b. point as of which you compute your margins; plus

(3) The appropriate differentials at the rate set forth in section 4.10 for mixed feeds in pelleted form and for mixed feeds in containers of less than 100 pounds; and

(4) On lots you deliver from a warehouse into which you have unloaded after shipment from your plant, a handling charge in addition of $2.50 per ton for mixed feeds in 100-pound containers and $4.00 per ton for mixed feeds in containers of less than 100 pounds; plus

(5) $1.00 per ton on less than carload sales, except on lots with respect to which you have added the handling charge permitted under subparagraph (4) above; and less

(6) Such discounts as are consistent with your regular discount policy, if any, on such sales during the 1942 base months, except that, in the case of private brand mixed feeds, you must allow at least as great a discount as your largest discount to a wholesaler during the 1942 base months on sales of the same or most nearly similar mixed feed produced by you, which is not a private brand mixed feed.

[Subparagraph (6) amended by Am. 3, 10 F.R. 8125, effective 6-30-45]

SEC. 4.9 *Maximum prices for sales by Class B plants and related Class C plants—*(a) *Sales to feeders.* For sales to feeders of mixed feed manufactured by you at a Class B plant, or Class C plant related thereto, your maximum price shall be as follows:

(1) Your control price for sales to feeders in lots of one to five 100-pound containers; plus

(2) Your transportation cost from your plant or other f. o. b. point as of which you compute your margins; plus

(3) The appropriate differentials at the rate set forth in section 4.10 for mixed feeds in pelleted form and for mixed feeds in containers of less than 100 pounds; plus

(4) A handling charge of $1.50 per ton for mixed feeds in containers of less than 100 pounds; and

(5) On lots you have unloaded into a warehouse after shipment from your plant and from which you sell to feeders, a handling charge in addition to $2.50 per ton.

(6) On sales in larger lots than one to five 100-pound containers, you shall allow such discounts as are consistent with your regular discount policy on such sales during the 1942 base months.

[Paragraph (a) amended by Am. 1, 10 F.R. 6797, effective 6-6-45 and Am. 2, 10 F.R. 7534, effective 6-21-45]

(b) *Sales other than sales to feeders.* For all sales, other than sales to feeders, of mixed feed manufactured by you at a Class B plant, or Class C plant related thereto, your maximum price shall be as follows:

(1) Your list price for sales to retailers in carload lots; plus

(2) Your transportation cost from your plant or other f. o. b. point as of which you compute your margins; plus

(3) The appropriate differentials at the rate set forth in section 4.10 for mixed feeds in pelleted form and for mixed feeds in containers of less than 100 pounds; and

(4) On lots you deliver from an establishment into which you have unloaded after shipment from your plant, a handling charge in addition of $2.50 per ton for mixed feeds in 100-pound containers and $4.00 per ton for mixed feeds in containers of less than 100 pounds; plus

(5) $1.00 per ton on less-than-carload sales, except on lots with respect to which you have added the handling charge permitted under subparagraph (4) above; and less

(6) Such discounts as are consistent with your regular discount policy, if any, on such sales during the 1942 base months.

SEC. 4.10 *Differentials for pelleting and packing—*(a) *Pelleting.* The maximum

price for a mixed feed in pellet form shall be $1.50 per ton higher than the maximum price for such mixed feed in unpelleted form.

(b) *Packing*—(1) *In seller's new paper and cotton bags other than 100 pounds.* The maximum price for sales of a mixed feed in seller's new paper or cotton bags other than 100 pound bags, shall be the maximum price for like sales in 100 pound bags of the same material, plus the appropriate differential at the rate set forth per ton in the following schedule:

SCHEDULE I

Column 1	Column 2	Column 3	Column 4
Container size	Seller's new paper bags	Seller's new cotton bags	Packing (used only in subparagraphs (2)(ii), (3) and (4) below)
Over 100 lbs.	Basis	Basis	Basis
50 to 50 lbs. inc.	$1.00	$1.25	$.40
11 to 25 lbs. inc.	1.50	2.70	.80
6 to 10 lbs. inc.	5.00	5.00	2.00
1 to 5 lbs. inc.	6.00	7.00	3.00

(2) *In seller's containers other than new paper or cotton bags.* The maximum price for sales of a mixed feed in seller's containers other than new paper or cotton bags shall be the maximum price for like sales in seller's new 100-pound bags, less the base container price for such bags, plus the base container price of the containers used, and plus the appropriate differential set forth in Column 4 of Schedule I in subparagraph (1), above.

(3) *In outside containers.* If the seller packs the containers of a mixed feed in bales or other outside containers furnished by him, he may add the base container price to him of the bales or outside containers furnished.

(4) *In buyer's containers.* The maximum price for sales of a mixed feed in buyer's containers of any material shall be the maximum price for like sales in seller's 100-pound bags, less the base container price for such bags, and plus the appropriate differential at the rate per ton set forth in Column 4 of Schedule I in subparagraph (1) above.

(5) *Returned containers.* The seller must give due credit for containers from former sales accepted from his buyer.

[Subparagraph (5) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(6) *In bulk.* The maximum price for sales of a mixed feed in bulk shall be the maximum price for like sales in seller's new 100-pound bags, less the base container price for such bags, and less 25 cents per ton, in which case the guaranteed minimum of protein and fat and the guaranteed maximum of fibre must appear on the invoice.

ARTICLE V—PRICING PROVISIONS FOR PERSONS OTHER THAN MANUFACTURERS

SEC. 5.1 *General rules for determination of maximum prices by persons other than manufacturers*—(a) *Computation of transportation cost to your place of business.* You may, if you desire, determine your transportation cost for shipment from your supplier by dividing the total amount of the transportation cost for the last shipment of usual size from such supplier by the total number of tons of mixed feeds of all kinds in such shipment. The resulting figure will be your transportation cost per ton for each kind of mixed feed of such supplier.

[Paragraph (a) amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

(b) *Rounding out maximum prices*—(1) *On sales to feeders.* If the calculation of your maximum price per 100 pounds on a sale of any mixed feed to a feeder results in a figure which is not a multiple of 5 you determine your maximum price for such sales by adjusting such figure to the nearest even 5 cents, per 100 pounds, except that if the figure to be adjusted is a multiple of 2½ you determine your maximum price by adjusting it to the next higher even 5 cents. Such rounding out may be either before or after inclusion of outbound transportation cost.

(2) *On sales to persons other than feeders.* If the calculation of your maximum price, per ton, on a sale of any mixed feed to a person other than a feeder results in a figure which is not a multiple of 20 you determine your maximum price for such sales by adjusting such figure to the nearest even 20 cents, per ton, except that if the figure to be adjusted is a multiple of 10 you determine your maximum price by adjusting it to the next higher even 20 cents. Such rounding out may be either before or after inclusion of outbound transportation cost.

SEC. 5.2 *Maximum prices for sales by wholesalers, including private brand dealers and importers selling at wholesale.* For each sale of mixed feed by you as a wholesaler, your maximum price shall be as follows:

(a) If you bought the mixed feed from its manufacturer, the list price shown by the manufacturer, for the applicable rate point, on either (1) the price list on the basis of which you bought the mixed feed, or (2) the current price list (note: section 5.4 explains what price list is "current" as to you.); plus, in either case such additions to the list price as the manufacturer could lawfully have charged you on your purchase of such mixed feed, or

(b) If you bought the mixed feed from an importer the maximum purchase price of the importer plus any transportation cost to your place of business charged by him, or

(c) If you are an importer your maximum purchase price; or

[Paragraph (c) amended and (d) added by Am. 2, 10 F.R. 7534, effective 6-21-45]

(d) If you bought the mixed feed from another wholesaler, the maximum price he could lawfully have charged you for such mixed feed; plus

(e) In addition to (a) or (b) or (c) or (d) above:

(1) Any transportation cost that you incur to your place of business, and from your place of business to the buyer's receiving point; plus

(2) A handling charge of $2.50 per ton for mixed feeds in containers of 100 pounds, and $4.00 per ton for mixed feeds in containers of less than 100 pounds: *Provided*, That no maximum price shall include more than one of the above handling charges on any one lot of mixed feed, plus

(3) If you replace damaged containers in a lot sold, a sum not exceeding the maximum price you could lawfully have paid your supplier for the containers substituted by you;

(4) If your nearest customer regularly selling your mixed feed at retail is located within 50 miles of your warehouse you may, with respect to deliveries to feeders at such warehouse, add such an amount as will make your price equal to his maximum price. (This is permitted to protect him from the possibility of underselling.)

[Paragraph (e), formerly (d), amended by Am. 1, 10 F.R. 6797, effective 6-6-45, amended and redesignated by Am. 2, 10 F.R. 7534, effective 6-21-45]

SEC. 5.3 *Maximum prices for sales by retailers, including private brand dealers and importers selling at retail.* You may determine your maximum price by either of the following methods.

(a) *List price method.* Under this method you shall determine your maximum price for each sale of mixed feed by you as a retailer as follows:

(1) If you bought the mixed feed from its manufacturer, the list price shown by the manufacturer, for the applicable rate point, on either (i) the price list on the basis of which you bought such mixed feed, or (ii) the current price list (Note: Section 5.4 explains what price list is "current" as to you), plus, in either case, such additions to the list price as the manufacturer could lawfully have charged you on your purchase of such mixed feed; or

(2) If you bought the mixed feed from a wholesaler or importer, the maximum price he could lawfully have charged you at the time you bought it, or the maximum price he could lawfully charge you at the time of your sale, whichever maximum price is higher; or

(3) If you are an importer your maximum purchase price, plus

(4) In addition to (1), (2) or (3) above:

(i) Any transportation costs that you incur to your place of business and from your place of business to the buyer's receiving point; and

(ii) On lots you have unloaded into a wholesale warehouse before reloading, shipping to, and unloading into your retail place of business from which you sell to feeders, a handling charge in addition of $2.50 per ton for mixed feeds in 100-pound containers, and $4.00 per ton for mixed feeds in containers of less than 100 pounds: *Provided*, That you shall not add such charges on lots with respect to which such charges have been made by a prior seller; plus

(iii) The applicable of the following markups:

SCHEDULE II—MARKUPS

(1) *For sales in 100-pound containers.*

Commodity	Maximum markup: Per ton	Maximum markup: Per 100-pound bag
1 All dairy and cattle feed except calf feeds, all horse and mule feeds and all poultry, duck and turkey feeds except as set forth below	$5.50	$0.27½
2 All rabbit feeds, all pig and hog feeds, all sheep and goat feeds, all laying, growing, and broiler mashes and pellets for poultry, ducks and turkeys, except (a) finishing mashes, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain and (b) starting mashes and pellets for poultry, ducks and turkeys	7.00	.35
3 All pigeon and squab feeds, all calf feeds, all poultry, duck and turkey mashes and pellets designed for starting poultry, ducks and turkeys and finishing mashes, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain	10.00	.50
4 Fox, mink and similar fur-bearing animal feeds except rabbits, and all feeds for game birds and feeds for animals raised in laboratories	15.00	.75

(2) *For sales in containers of less than 100 pounds.*

Sizes of container	Maximum markup per bag
Up to and including 5 pounds	$0.06
Over 5 pounds and up to and including 10 pounds	.10
Over 10 pounds and up to and including 25 pounds	.20
Over 25 pounds and up to and including 50 pounds	.30
Over 50 pounds and up to and including 99 pounds, same prices as for 100-pound containers.	

(3) For sales in containers of less than 100 pounds packed by you as a retailer in containers furnished by you, the maximum markup per container specified in subparagraph (2) of this schedule, plus the appropriate differential for small containers as set forth in Schedule I in section 4.10 hereof.

(4) For sales in containers of 100 pounds packed by you as a retailer in containers furnished by you less the reasonable market value of the containers furnished by you less the manufacturer's base container price for new 100-pound containers.

(b) *Base price method.* Under this method you shall determine your maximum price for each sale of mixed feed by you as a retailer as follows:

(1) *Determining the base price.* If you use this method, your base price f. o. b. your place of business for any mixed feed shall be determined by reference to your last receipt of the mixed feed from your normal supplier and shall be the sum of

(i) Your transportation cost to your place of business, plus

(ii) Any addition you are permitted to add under section 5.3 (4) (ii) for handling through a separate warehouse prior to receipt at such place of business, plus

(iii) The invoice price for the mixed feed on such shipment, plus

(iv) All transportation cost of prior sellers in delivering that shipment of mixed feed if charged to you separately from the invoice price.

You may use this price as your base price f. o. b. your place of business until the receipt of another shipment of the same mixed feed from your normal supplier.

(2) *Use of base price.* Having determined your base price under the provisions of subparagraph (1) above, your maximum price for the period in which you are permitted to use such base price consistently with the provisions of such paragraph shall be the sum of

(i) Your base price for the mixed feed, plus

(ii) Your transportation cost from your place of business, plus

(iii) The applicable of the markups specified in section 5.3 (c)

[Sec. 5.3 amended by Am. 1, 10 F.R. 6797, effective 6-6-45]

SEC. 5.4 *What manufacturer's price list is "current" as to wholesalers and retailers.* If you are a wholesaler or retailer who buys a mixed feed directly from its manufacturer, the "current" price list of the manufacturer may be an important factor in the determination of your maximum price for the mixed feed in accordance with section 5.2 or 5.3. The following paragraphs will explain what price list is "current" as to you.

(a) *General rules.* The manufacturer's price list will be "current" as to you during the week it is effective, unless you qualify to use a different "current week" under the following paragraph.

(b) *Elective "current week".* (1) Because a manufacturer's price list may not reach you until it has been in effect for a time, you may elect under this subparagraph to use, as your "current week," a week different than the effective week of the manufacturer's price list. If you so elect, you shall select a day of the week as the first day of your "current week" for the mixed feeds of each manufacturer. The price list in effect on the day you select, will be "current" as to you for that day and the following six days, which will be your "current week." You may select a different "current week" for the mixed feeds of each manufacturer whose mixed feeds you handle, but once you make a selection, you may not change it unless the manufacturer changes his price list day in accordance with this regulation.

(2) In order to take advantage of this subparagraph (b), you must make your selection within 105 days from the effective date of this regulation, with respect to the mixed feeds of each manufacturer whose mixed feeds you are then handling and with respect to which you wish to make a selection. If, after such 105 days, you begin to handle the mixed feeds of another manufacturer, or if a manufacturer changes his price list day, you must select your "current week" for the mixed feeds of such manufacturer before you sell any of them.

[Subparagraph (2) amended by Am. 4, effective 7-19-45]

(3) From the time of your selection of a "current week" as to the mixed feeds of any manufacturer, you shall keep a notice of your selection posted conspicuously in your place of business. Failure to make a timely selection or to keep it posted will deprive you of the election granted by this paragraph (b).

SEC. 5.5 *Maximum prices for imported mixed feeds*—(a) *How maximum prices for sale of imported mixed feeds are determined.* If you are an importer of mixed feeds you determine your maximum price for the sale of any such mixed feed under the provisions of section 5.3 for sales to feeders and under the provisions of section 5.2 for sales to any person other than a feeder. You determine your maximum price under these sections by adding the appropriate transportation costs, differentials and markups to your maximum purchase price as an importer as determined under the provisions of paragraph (b) of this section.

[Paragraph (a) amended by Am. 2, 10 F.R. 7534, effective 6-21-45]

(b) *How maximum prices for purchase of imported mixed feeds are determined.* If you are an importer of mixed feeds the maximum price that you shall pay for any mixed feed imported by you, f. o. b. point of entry, shall be a price no higher than the maximum price you could lawfully have paid the manufacturer of a similar domestic mixed feed whose plant is located at or nearest to the port of entry of the imported mixed feed being priced. This price shall be known as your "maximum purchase price." For the purposes of this section one mixed feed shall be deemed similar to another mixed feed if it has the same feeding purpose as the second, affords the purchaser fairly equivalent serviceability and belongs to a type which would ordinarily be sold in the same price line.

(c) *Application for approval may be filed.* Although you are not required to do so, you may, if you desire to secure approval of any maximum purchase price determined by you under paragraph (b) of this section, secure such approval by filing an application containing the following information with the district or regional office of the Office of Price Administration for the region or district in which your place of business is located:

1. Your name.
2. Address to which communications shall be addressed.
3. Port of entry.
4. Name of the imported mixed feed being priced, the proposed maximum price, its feeding purpose and the guaranteed minimum of protein and fat and the guaranteed maximum of fibre.
5. Name of the similar domestic mixed feed, name of its manufacturer and location of the plant where it is manufactured.

(d) *Approval or disapproval.* The Office of Price Administration shall approve the proposed maximum purchase price upon finding that it is correctly determined under the provisions of this

section. Upon finding that the proposed maximum purchase price is not correctly determined the Office of Price Administration shall disapprove the proposed maximum purchase price and shall provide the applicant with a maximum purchase price determined in accordance with the provisions of this section.

A petition for an amended approval, supported by affidavits or other substantial evidence to substantiate the applicant's claim, may be filed with the district or regional office of the Office of Price Administration in which the application was filed. Upon denial of such a petition the district office shall notify the manufacturer of the particulars in which his showing is defective and shall promptly refer the file for review to the Cereals, Feeds and Agricultural Chemicals Branch of the Office of Price Administration in Washington, D. C., through the appropriate regional office.

SEC. 5.6 *Maximum prices for custom mixing.* For all custom mixing by you, your maximum price shall be:

(a) The maximum retail price for the quantity of the ingredient bulk or sacked, as the case may be, for all ingredients subject to price control which are furnished by you; plus

(b) The reasonable retail market value of all ingredients not subject to price control which are furnished by you; plus

(c) A charge for processing any ingredients at the rate of $3.50 per ton; plus

(d) A mixing and sacking charge of $3.00 per ton; plus

(e) The maximum price for any bags furnished by you.

Revised Maximum Price Regulation No. 165, as amended," is superseded insofar as it establishes maximum prices for custom mixers as defined in this regulation.

[Above paragraph added by Am. 2, 10 F.R. 7534, effective 6-21-45]

APPENDIX A—SUGGESTED FORM FOR USE IN DETERMINING MARGINS UNDER FIRST METHOD FOR CLASS B PLANTS

Explanation. This form is supplied for your convenience in determining your margins for any mixed feed calculated under the first method in section 4.1 (d). In the third column you will find an example, illustrating how this form is to be used. Read this carefully and then select any one of your mixed feeds and supply similar information for it in Column 2. When you have done this, follow the same procedure for each of your mixed feeds for which you calculate a margin under this first method. You must then, within 90 days of the effective date of this regulation, file your margin for each mixed feed with the Office of Price Administration in the manner provided in section 4.1 (f). You must also keep a record of this same information in your files for inspection by a representative of the Office of Price Administration at any time.

Date calculated ----------

[Above paragraph amended by Am. 4, effective 7-19-45]

Column 1	Column 2	Column 3
Name and address of manufacturer.	.....	Example: John Doe Co., 115 6th St., Anytown, USA.
Type of feed	.....	18% dairy feed.
Brand name	.....	Doe's Best.
Number of lbs. in ton of feed which are processed other than by mixing.	.....	600 Lbs.
Total processing charge—multiply no. of lbs. listed as processed above at rate of $3.50 per ton.	.....	$1.05.
Mixing and sacking charge at rate of $3.00 per ton.	.....	$3.00.
Retail margin for this type of feed as listed in Sec. 5.3 (d) of this regulation.	.....	$5.50.
Total of costs listed as above is your margin.	.....	$9.55.

Important—Keep this record in your files for inspection by OPA

This regulation shall become effective on the 19th day of May 1945. [Maximum Price Regulation 585 originally issued May 4, 1945]

[Effective dates of amendments are shown in notes following the parts affected]

[Amendment 4 approved by Clinton P Anderson, Secretary of Agriculture, July 3, 1945]

NOTE: The reporting and record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12885; Filed, July 14, 1945; 11:56 a. m.]

PART 1399—CONSTRUCTION, OIL FIELD, MINING AND RELATED MACHINERY

[MPR 134,[1] Amdt. 19]

CONSTRUCTION AND ROAD MAINTENANCE EQUIPMENT RENTAL PRICES AND CHARGES FOR OPERATING AND MAINTENANCE OR REPAIR AND REBUILDING SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 134 is amended in the following respects:

1. Section 5 (b) (4) is added to read as follows:

(4) On and after July 19, 1945, the maximum charges for operating and maintenance services supplied together with the rental of crawler tractors and allied equipment, cranes, draglines, shovels and backhoes, motor graders, road rollers and trenching machines, shall be the applicable charges listed in Appendix A of this regulation.

2. Section 5 (b) (5) is added to read as follows:

(5) The term "operating and maintenance service rate" means the rate which covers the supplying of all operating and maintenance services, including operator, insurance, fuel, lubrication, repairs (except those due to normal wear and tear), overhead and markup. (Repairs due to normal wear and tear are compensated for in the bare rental). This rate is based on straight time wages. When the lessor is required to pay overtime wages, he may make an additional charge not exceeding the difference between overtime and straight time wages, plus the additional payroll taxes and insurance incurred on account of such overtime premium. The operating service rate cannot be applied to reporting or stand-by time. However, when labor agreements require wage payments to operating personnel for reporting or stand-by time, only the payroll expense so incurred may be invoiced, and no overhead or profit may be added.

3. Section 6 is amended to read as follows:

SEC. 6. *Hourly combination charges.* Maximum single flat hourly combination rates, to cover both the bare rental of equipment and the services supplied in operating and maintaining such equipment, may be determined only as provided in paragraphs (a) and (b) of this section. With the consent of the lessee, such a rate or charge may be used instead of separate charges for bare rental and for operating services.

(a) Add 1/200 of the maximum monthly bare rental price to the maximum hourly operating and maintenance service charge listed in Appendix A for the same equipment. The total shall be the highest hourly charge which may be made for the combination fully-operated rental of that equipment.

(b) Where no operating service charge is listed in Appendix A, use the hourly operating and maintenance service charge which has been approved in writing by the Office of Price Administration pursuant to section 5 (b), plus 1/200 of the maximum monthly bare rental of the equipment for which such service charge was approved.

Example: To determine the maximum combination charge for the fully operated rental of a Caterpillar D-8 tractor with double drum power control unit and bulldozer—

Maximum monthly bare rental rates (Appendix A)

Tractor	$775
Power control unit	75
Bulldozer	145
Total	$995
1/200 of $995	4.975
Operating service rate (Appendix A)	4.40
Maximum hourly fully operated combination rate	9.375

(c) A flat hourly combination fully operated rate established pursuant to this section shall be the entire compensation for both the bare rental of the equipment and the operating services supplied therewith, including necessary operating crew, payroll taxes and insurance, fuel, lubrication, all repairs, overhead and markup. This rate may be charged only for actual operating hours and shall remain constant regardless of the number of hours that the equipment is operated. It may not be increased by reason of overtime operation. This rate may not be applied to stand-by time. Where labor agreements require wage payment to operating personnel for reporting or stand-by time, only the payroll expense so incurred may be invoiced, but no overhead or profit may be added thereto.

4. Section 14 is amended to read as follows:

SEC. 14 *Rental rates; general provisions*—(a) *Bare rental.* Rental rates as set forth in the following Tables of Rates (sections 15 and 16) are for "bare" equipment, unless otherwise specifically provided, and do not include charges for operator, mechanic, oiler, fuel, oil, lubricants, repairs, or maintenance (except repairs or maintenance due to normal wear and tear), or any other charge which is properly a part of any "operating and maintenance service", as defined herein. The rental rates set forth in these tables do include allowance for the cost of all repairs and overhaul required as a result of normal wear and tear of equipment. This means that: (1) When equipment is on bare rental and breaks down as a result of normal wear and tear, lessor cannot charge lessee with the cost of repairs, or any rental for time lost while repairs are being made. (2) Where equipment is on bare rental and breaks down as a result of any cause other than normal wear and tear, lessor can charge lessee with the cost of repairs and with rental for possession of equipment during time while repairs are being made. (3) However, where equipment is on bare rental, the lessee may at his own expense always make minor repairs, regardless of the cause of breakdown, where such repairs are necessary to keep the job going, but he may not charge the cost of such repairs to the lessor, or deduct the time lost for making repairs from the rental period, without the lessor's consent. (4) In any instance where there is a breakdown of equipment on bare rental, the cause of such breakdown is a question of fact that must be determined between the lessor and the lessee. (5) In any instance where there is a breakdown of equipment rented on a fully operated basis, the lessor cannot charge the lessee with any rental, or for any operating and maintenance service, for the time lost during the breakdown, or with the costs of any repairs occasioned thereby.

(b) *Modified bare rental*—(1) *Applicability.* This paragraph shall apply to any contract entered into on and after July 19, 1945, in which the lessee assumes any part of the obligations to make repairs and replacements due to normal wear and tear which a lessor is required to make in a bare rental as defined in paragraph (a) of this section. Such additional obligation of the lessee shall not, however, exceed the obligation to make all repairs and replacements at his own cost and expense in the degree to which such lessee's use and possession of the equipment contribute to the necessity for such repairs and replacements. By way of illustration but not limitation, such a lessee may be required to pay the entire cost of a repair or replacement necessitated by climatic conditions, fire, flood, tornado, etc., while the equipment is or was in his possession, and the normal wear and tear resulting from his use, and may be required to pay rental during the repair period. He may be required to pay a proportion of the cost of tractor tracks, for example, based upon his operating-hour use as compared with the normal operating-hour life of the tracks. However, he shall not be required to pay for repair or replacement due to pre-existing or hidden defects, as for example, a break in the bull-gear of a power shovel where the fracture is clearly an old one attributable to a previous use, or to defective material, nor would he be required to pay rental during the repair period.

This paragraph is applicable to any contract entered into on and after November 30, 1943, to which any war procurement agency, or a prime contractor in his operation under fixed fee contract with such agency, is a party.

(2) *Maximum price.* The maximum price applicable to such a contract for the rental of bare equipment shall be 85% of the applicable maximum rental rate set forth in sections 15 and 16 of this regulation.

5. In Appendix A, the note following the title "*Appendix A: Table of Rates for Construction and Road Maintenance Equipment*" is amended to read as follows:

NOTE: Unless otherwise specified, manufacturers' published ratings shall be used to classify equipment listed in this Appendix for determining applicable rental rates. For rentals of construction and road maintenance equipment of types, sizes and capacities not listed in this Appendix A, refer to Revised Maximum Price Regulation 136, section 14.

6. Appendix A is amended by inserting under the appropriate headings, to follow the schedules of bare rental rates listed under such headings, the following schedules of maximum hourly rates for operating and maintenance services:

MAXIMUM HOURLY RATES FOR OPERATING AND MAINTENANCE SERVICES

CRAWLER TRACTORS, GASOLINE

From and not including (drawbar horsepower)	To and including (drawbar horsepower)	Hourly rate for tractor	For tractor with dozer, rooter or tamping roller
20	33	$2.80	$2.95
33	41	3.00	3.15
41	52	3.25	3.40
52	66	3.60	3.80
66	85	3.85	4.05
85	105	4.20	4.40

See "Scrapers" for table of hourly charges which may be added to "Tractor" rate when scraper is used.

CRAWLER TRACTORS, DIESEL

From and not including (drawbar horsepower)	To and including (drawbar horsepower)	Hourly rate for tractor	For tractor with dozer, rooter or tamping roller
20	33	$2.55	$2.70
33	41	2.70	2.85
41	46	2.90	3.05
46	52	3.10	3.25
52	62	3.25	3.40
62	72	3.55	3.75
72	89	3.70	3.90
89	135	4.20	4.40

See "Scrapers" for table of hourly charges which may be added to "Tractor" rate when scraper is used.

SCRAPERS

When a scraper is used with a crawler tractor the following hourly rates may be added to the bare tractor rates listed above:

From and not including cubic yards (struck)	To and including cubic yards (struck)	Hourly rate to be added to tractor rate
2	5	$0.30
5	10	.45
10	15	.60
15	20	.70
20 and up	.....	.90

The above rates cover the power control unit and therefore no additional charge may be made for operating this equipment.

SHOVELS AND BACKHOES

(Also, draglines and cranes for which the manufacturer publishes a shovel capacity rating)

Capacity of machine when used as a power shovel (cubic yards)	Gasoline engine driven	Diesel engine driven
¾	$3.70	$3.50
¾	3.90	3.65
⅞	4.10	3.85
1	4.35	4.05
1¼	4.65	4.25
1½	5.00	4.55
1¾	5.40	4.90
1¾	5.75	5.20
2	6.10	5.50
2½	6.65	6.00

The above rates do not cover the services of an oiler. When an oiler is used on the machine, an additional charge may be made not exceeding 135% of the hourly wage rate for the oiler in effect on March 31, 1942.

DRAGLINES

See table of rates under "Shovels and Backhoes". Where manufacturer does not publish a shovel rating for a machine, the operating service rate must be established by individual application pursuant to section 5 (b).

CRANES

See table of rates under "Shovels and Backhoes". Where manufacturer does not publish a shovel rating for a machine, the operating service rate must be established by individual application pursuant to section 5 (b).

TRENCHING MACHINES, GASOLINE

From and not including depth (feet)	To and including depth (feet)	Operating service rate
Wheel type:		
3	5½	$3.60
5½	8½	4.00
Ladder type:		
0	10	3.75
10	14	4.10
14	17	4.60
17	21	5.00
21	26	5.35

The above rates do not cover the services of an oiler. When an oiler is used on the machine, an additional charge may be made not exceeding 135% of the hourly wage rate for the oiler in effect on March 31, 1942.

[1] 10 F.R. 2097, 2250, 3925, 6231.

[1] 10 F.R. 597, 2188.

[8] 10 F.R. 2097, 2250, 3925, 6231.

[9] 10 F.R. 597, 2188.

ROAD ROLLERS, GASOLINE POWERED

From and not including (tons)	To and including (tons)	Hourly rate
	3½	$2.15
3½	5½	2.25
5½	7½	2.40
7½	9½	2.55
9½	13½	2.75
13½	17½	2.95
17½ and over		3.10

MOTOR GRADERS

		With scarifier
Diesel		
Lightweight (1–16,500 lbs.)	$3.25	$3.35
Medium weight (16,501–25,500 lbs.)	3.50	3.60
Extra heavy duty (25,501–29,500 lbs.)	3.75	3.85
All wheel drive and steer	3.50	3.60
Gasoline		
Lightweight, single drive (5,000–14,000 lbs.)	3.50	3.6
Tandem drive, medium weight (15,000 lbs. and under)	3.75	3.85
Tandem drive, heavy duty (19,000–21,000 lbs.)	4.00	4.10
All wheel drive and steer	3.75	3.85

7. In Appendix A, in the headings under "Air Compressors, Portable" and "Air Compressors, Stationary" the parenthesized phrase "(cu. ft.)" is amended to read "(cu. ft. per minute)".

8. In Appendix A, the table under "Air Compressors, Portable—High-Pressure, Gasoline" is amended by inserting on the first blank line the figure "40."

9. In Appendix A, the table under "Air Compressors, Stationary—High Pressure, With Electric Motor . . ." is amended by inserting on the first blank line the figure "30."

10. In Appendix A, the table under "Air Compressors, Stationary—High Pressure, With Gasoline Engine . . ." is amended by inserting on the first blank line the figure "20."

This amendment shall become effective July 19, 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc 45-12864; Filed, July 14, 1945; 11:56 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A Amd. 101[7]]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 1A is amended in the following respects:

1. Section 1315.503 (b) is amended to read as follows:

(b) *Eligibility for tires.* A certificate for a Grade I passenger tire, or for a Grade I tractor-implement tire (if the vehicle is now operated on tractor-implement tires and under conditions which make a passenger tire unsuitable), or for a truck tire (if a suitable passenger tire is not available in the community or if a passenger tire would not be suitable for use on the vehicle) may be issued for a passenger automobile:

(1) Which has a supplemental gasoline ration; or

(2) Which is operated on an official or fleet ration or a ration issued pursuant to §§ 1394.7757 or 1394.7758 of Revised Ration Order 5C; or

(3) Which is operated on gasoline obtained against a Military Receipt for Delivery of Gasoline (OPA Form R-593) pursuant to § 1394.8154 of Revised Ration Order 5C; or

(4) Which is not propelled by gasoline or is operated on a non-highway gasoline ration, if it is used for an occupational purpose as defined in § 1394.7551 (a) (27) of Revised Ration Order 5C; or

(5) Which is operated on a special gasoline ration issued to effect a bona-fide change of residence; or

(6) In the case of a motorcycle, if any of the purposes for which it is used constitute occupational mileage as defined in § 1394.7551 (a) (27) of Revised Ration Order 5C.

2. Sections 1315.516 and 1315.602 (j) are revoked.

This amendment shall become effective July 16, 1945.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12928; Filed, July 16, 1945; 11:39 a. m.]

PART 1377—WOODEN CONTAINERS

[RMPR 342, Amdt. 4]

NAIL KEGS, STAVES AND HEADING

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 342 is hereby amended in the following respects:

1. In section 2, paragraphs (a) and (b) are amended to read as follows:

(a) *Staves.* This regulation covers all bilge sawn southern pine staves $\frac{3}{8}$" to $\frac{5}{8}$" thick inclusive, and in lengths from 15" through 23".

(b) *Heading.* This regulation covers all circled southern pine heading ½" to $\frac{5}{8}$" thick inclusive, and in diameters from 9" through 12½".

2. In section 2, a new paragraph, paragraph (d), is added to read as follows:

(d) *Cleats.* This regulation covers all types of wood cleats used to reinforce kegs covered by this regulation.

3. In section 3, the first sentence of paragraph (a) is amended to read as follows:

(a) *Staves.* The maximum f. o. b. mill prices for bilge sawn staves, $\frac{3}{8}$" thick, shall be as follows:

4. In section 3, the first sentence of paragraph (b) is amended to read as follows:

(b) *Heading.* The maximum f. o. b. mill prices for heading, ½" thick, shall be as follows:

5. In section 3, the first sentence of paragraph (c) is amended to read as follows:

(c) *Nail kegs.* The maximum prices f. o. b. cooper shop, for nail kegs made of staves $\frac{3}{8}$" thick and heading ½" thick shall be as follows:

This Amendment No. 4 shall become effective July 21, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12931; Filed, July 16, 1945; 11:40 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Restriction Order 7, Amdt. 2]

KEROSENE IN PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Restriction Order 7 is amended in the following respect:

Section 2.4 is amended to read as follows:

SEC. 2.4 *Wholesaler's monthly report.* Every wholesaler must prepare in triplicate a monthly report on Form OPA PR-R 199, indicating the name of his supplier, the quantity of kerosene obtained by him during said month, the name of his customers, and the quantity of kerosene transferred to each one of them during said month. The original of said report must be filed with the Office of Price Administration, at San Juan, Puerto Rico, the duplicate shall be filed with the Local Board having jurisdiction over the area where such wholesaler's establishment is located, and the triplicate shall be kept by the wholesaler in his establishment for at least six (6) months after this restriction order has been revoked. This monthly report must be filed not later than the 5th day of the month immediately succeeding the period reported.

This amendment shall become effective as of July 2, 1945.

Issued this 16th day of July 1945.

SAM GILSTRAP,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-12933; Filed, July 16, 1945; 11:40 a. m.]

[7] 7 F.R. 9160, 9392, 9724.

PART 1389—APPAREL

[MPR 178,[1] Amdt. 8]

WOMEN'S FUR GARMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. Section 1389.168 (a) (1) is amended to read as follows:

(1) For the purposes of determining highest price line limitations each of the garments listed below constitutes a separate category of women's fur garment. The price enumerated in Column IV is, except as modified by subparagraphs (2) and (3) of this section, the highest price line limitation for manufacturers' sales to wholesalers and retailers for the corresponding category of garment listed and described in Columns I, II and III. For purposes of the highest price line limitation, wherever the term "coat" or "coats" is used in this section it shall include all garments 28 inches in length or longer, trimmed or untrimmed. The phrase "skin-to-skin" shall include all methods of manufacture other than full let-out.

Column I Category number	Column II Kind of skin	Column III Description	Column IV Manufacturer's highest price line limitation (all prices less 8 percent)
1	South American Spotted Cat	Coat, skin-to-skin	$225.00
2	African Kid (Eritrean)	Coat, dyed gray, skin-to-skin	105.00
3	do	Coat, Moire, dyed other than gray, skin-to-skin.	85.00
4	do	Coat, other than Moire, dyed other than gray, skin-to-skin.	49.50
5	Indian Kid	Coat, dyed gray, skin-to-skin	105.00
6	do	Coat, Moire, dyed other than gray, skin-to-skin.	85.00
7	do	Coat, other than Moire, dyed other than gray, skin-to-skin.	49.50
8	Indian "Bombay" Lamb (not including Indian Moire Lamb, also known as Indian Broadtail.[1]	Coat, dyed, skin-to-skin	200.00
9	Lincoln Lamb, South American, completely sheared (American Broadtail).	Coat, dressed and dyed or dressed white, skin-to-skin.	225.00
10	Two-tone Lincoln Lamb (South American).	Coat, skin-to-skin	132.50
11	Marmot	do	125.00
12	Mouton (dyed and sheared lamb or sheep).	do	89.50
13	Northern Muskrat	Coat, blended, skin-to-skin	165.00
14	do	Coat, full skin, mink or sable blends, full let-out.	225.00
15	do	Coat, full skin, fancy blends, full let-out.	365.00
16	Hudson Seal (dyed Northern Muskrat).	Coat, full skin, head and tongue method, skin-to-skin.	250.00
17	do	Coat, full skin, no-head, no-tongue method, skin-to-skin.	275.00
18	Southern Muskrat	Coat, blended, skin-to-skin	165.00
19	Southern Muskrat, Ombre	Coat, natural, pieced, skin-to-skin	185.00
20	North American Opossum	Coat, skin-to-skin	160.00
21	do	Coat, rare natural or fancy blends, full let-out.	89.50
22	Pony	Coat, natural or dyed, skin-to-skin	112.50
23	Raccoon	Coat, full let-out	185.50
24	Skunk, North American	do	200.00
25	Squirrel, North American	Coat, skin-to-skin	195.00
26	Squirrel, Russian and Siberian	Coat, natural or dyed, plate, skin-to-skin.	270.00
27	do	Coat, natural or dyed, skin-to-skin	295.00

[1] Indian Moire Lamb (also known as Indian Broadtail) garments shall mean those garments made from skins which customarily have been recognized by the trade as Indian Moire Lamb (or Indian Broadtail) and which have been purchased as "Indian Moire Lamb" (or "Indian Broadtail"). It shall not include garments made from Nazukcate Gubbar Indian Lambskin.

2. Section 1389.168 (a) (3) is added to read as follows:

(3) A manufacturer's highest price line limitation for any category of garments listed and described in subparagraph (1), above, in sizes 46 and larger, is the gross price listed therefor in Column IV plus 10% of such gross price, less 8%. However, any manufacturer who has established a higher highest price line limitation for a category of garments under subparagraph (2), above, may use it as his highest price line limitation for garments in that category, in sizes 46 and larger, in lieu of the price determined under this paragraph.

3. Section 1389.168 (b) (1) is amended to read as follows:

(1) Except as provided in subparagraphs (2) and (3), below, the highest price line limitation for wholesalers for any category of women's fur garments listed and described in Column I, II and III of subparagraph (a) (1), above, shall be the gross price listed therefor in Column IV plus the wholesaler's initial percentage markup over cost established under § 1389.152a, or under authority granted pursuant to § 1389.154 (b) or (d), for a garment of the same category, less 8%.

4. Section 1389.168 (b) (3) is added to read as follows:

(3) A wholesaler's highest price line limitation for any category of garments listed and described in Columns I, II and III of subparagraph (a) (1), above, in sizes 46 and larger, shall be the gross price listed in Column IV, plus 10% of such gross price, plus the wholesaler's initial percentage markup over cost established under § 1389.152a, or under authority granted pursuant to § 1389.154 (b) or (d), for a garment of the same category, less 8%. However, any wholesaler who has established a higher highest price line limitation for a category of garments under subparagraph (2), above, may use it as his highest price line limitation for garments in that category, in sizes 46 and larger, in lieu of the price determined under this paragraph.

This amendment shall become effective July 18, 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12882; Filed, July 14, 1945; 11:55 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETIC AND ADMIXTURES

[MPR 127,[1] Amdt. 32]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 127 is amended in the following respects:

1. Section 1400.78 (d) is amended to read as follows:

(d) Sales of finished piece goods to manufacturers, repairers and alterers of fur garments by a furrier supplier who, on or before August 31, 1942, filed his name and address with the Office of Price Administration, Washington, D. C., certifying that he fell within the definition of furrier supplier as set forth in § 1400.81 (a) (15) of this Maximum Price Regulation No. 127.

2. Section 1400.78 (f) is amended to read as follows:

(f) Sales of finished piece goods to shoe manufacturers and shoe ornament manufacturers by a woman's shoe fabric supplier who, on or before August 31, 1942, filed his name and address with the Office of Price Administration, Washington, D. C., certifying that he was a woman's shoe fabric supplier as defined in § 1400.81 (a) (11) of this Maximum Price Regulation No. 127.

3. Section 1400.78 (g) is amended to read as follows:

(g) Sales of finished piece goods to persons engaged in the production, repair or alteration of millinery by a milliners' supply house who, on or before August 31, 1942 filed his name and address with the Office of Price Administration, Washington, D. C.

4. Section 1400.78 (h) is amended to read as follows:

(h) Sales of finished piece goods to a tailor engaged in the production of individually ordered items of apparel or in the repair and alteration thereof by a tailor trimming store who, on or before

[1] The ceiling price of grey goods wider than 42" shall be reduced proportionately for the purpose of determining whether such grey goods fall within this restriction.

[1] 7 F.R. 5277, 6771, 8017, 8046, 8948; 8 F.R. 7601, 9 F.R. 754, 10358; 10 F.R. 3728.

[7 F.R. 9160, 9092, 9724.]

types of wood cleats used to reinforce kegs covered by this regulation.

[F. R. Doc. 45-12933; Filed, July 16, 1945; 11:40 a. m.]

[7 F. R. 5277, 6771, 8017, 8046, 8948; 8 F.R. 7801, 9 F.R. 754, 10358; 10 F.R. 3728.]

lished under § 1389.152a, or under authority granted pursuant to § 1389.154 purpose of determining whether such grey goods fall within this restriction.

August 15, 1945, files his name and address with the Office of Price Administration, Washington, D. C., certifying that he is a tailor trimming store as defined in § 1400.81 (a) (17) of this Maximum Price Regulation No. 127, and receives written acknowledgement of such filing.

5. Section 1400.78 (i) is amended to read as follows:

(i) Sales of finished piece goods to dressmakers engaged in the production of individually ordered items of apparel or in the repair or alteration thereof by a jobber who is a dressmakers' supply house who, on or before August 31, 1942, filed his name and address with the Office of Price Administration, Washington, D. C.

6. Section 1400.78 (k) is amended to read as follows:

(k) Sales of finished piece goods to manufacturers of artificial flowers by an artificial flower manufacturers' supplier who, on or before August 31, 1942, filed his name and address with the Office of Price Administration, Washington, D. C., certifying that he was an artificial flower manufacturers' supplier as defined in § 1400.81 (a) (20) of this Maximum Price Regulation No. 127.

7. Section 1400.78 (L) is revoked.

8. Section 1400.81 (a) (17) is amended to read as follows:

(17) "Tailor trimming store" includes a tailor supply house, and means a person 60% of whose sales of finished piece goods during the year 1941 were in cut lengths of specified yardage, and who sold such finished piece goods and other supplies to tailors engaged in the production of individually ordered items of apparel or in the repair or alteration thereof.

9. Section 1400.81 (a) (25) is added to read as follows:

(25) "Better rayon fabrics" means finished piece goods which

(i) Consist to the extent of 75% or more of rayon or synthetic fiber; and

(ii) If white or plain dyed are made from grey goods having a ceiling price in the grey of more than 40¢ per yard on a grey width basis of 42 inches;[1] and (iii) (a) are sold to dress manufacturers whose minimum price line for rayon or synthetic fiber dresses is $16.75 at the time of the sale, or

(b) Are of the same construction and finish as such goods but are sold to retailers for resale to the ultimate consumer, or

(c) Are sold to retailers for resale to the ultimate consumer and are of a plain-dyed type or of a printed type which sold for not less than, respectively, 85¢ or $1.00 per yard during 1941.

10. In § 1400.82 (g) (1) subdivisions (vi) and (vii) are added to read as follows:

(vi) (a) Table IIa set forth below may be used for sales of better rayon fabrics by those converters, who, prior to February 17, 1944, had certified to the Office of Price Administration that they came within the terms of § 1400.78 (1) as it read between July 5, 1943, and February 22, 1944, or who, prior to May 31, 1945 established that their failure to so certify was due solely to the preemption of their facilities by contracts with War Procurement Agencies.

(b) Table IIa may also be used by those converters who, on or before August 31, 1942 filed their name and address with the Office of Price Administration pursuant to § 1400.78 (i) as it read on June 1, 1945, for sales of better rayon fabrics and for sales of finished piece goods in cut lengths of specified yardage to dressmakers engaged in the production of individually ordered items of apparel or in the repair and alteration thereof.

(c) Notwithstanding any other provision of this Maximum Price Regulation No. 127, so long as a converter of better rayon fabrics is required by any government agency to sell a portion of his production to dress manufacturers whose minimum price line for rayon or synthetic fibre dresses, at the time of sale, is less than $16.75, the sale of such portion of his production to such manufacturers may be made at the maximum price permitted him for sales to dress manufacturers whose minimum price line at the time of sale is $16.75.

(vii) (a) Table IIb set forth below may be used for sales of better rayon fabrics by those converters who qualify under subdivision (vi) (a) above and whose total sales, during the years 1939, 1940, and 1941, or such part of those years as they acted as converters, consisted 90% or more of better rayon fabrics: *Provided*, That no converter shall use Table IIb unless, on or before August 15, 1945, he shall have filed with the Office of Price Administration, Washington 25, D. C., a statement setting forth his name and address and the facts on which he relies to prove his right to use Table IIb and shall have received written acknowledgment of the receipt and sufficiency of such statement.

(b) Table IIb may also be used for sales of better rayon fabrics and for sales of finished piece goods in cut lengths of specified yardage to dressmakers engaged in the production of individually ordered items of apparel or in the repair and alteration thereof by those converters who qualify under subdivision (vi) (b) above and whose total sales, during the years 1939, 1940 and 1941, or such part of those years as they acted as a converter, consisted 90% or more, of better rayon fabrics and/or cut lengths of specified yardage of finished piece goods sold to dressmakers engaged in the production of individually ordered items of apparel or in the repair or alteration thereof: *Provided*, That no converter shall use Table IIb unless, on or before August 15, 1945, he shall have filed with the Office of Price Administration, Washington 25, D. C., a statement setting forth his name, address and the facts on which he relies to prove his right to use Table IIb and shall have received written acknowledgment of the receipt and sufficiency of such statement.

(c) Notwithstanding any other provision of this Maximum Price Regulation No. 127, so long as a converter of better rayon fabrics is required by any government agency to sell a portion of his production to dress manufacturers whose minimum price line for rayon or synthetic fibre dresses, at the time of sale, is less than $16.75, the sale of such portion of his production to such manufacturers may be made at the maximum price permitted him for sales to dress manufacturers whose minimum price line at the time of sale is $16.75.

11. In § 1400.82 (g) (3) the text is designated (i) *General.*

12. In § 1400.82 (g) (3) subdivisions (ii) and (iii) are added to read as follows:

(ii) *Better rayon fabrics.* This Table IIa is to be used by converters who meet the qualifications of subparagraph (1) (vi) above.

TABLE IIa—DIVISION FACTORS FOR CERTAIN BETTER RAYON FABRICS

	White and dyed—Sales to all classes of purchasers	Printed—Sales to all classes of purchasers
To be applied in accordance with Step A to the sum of items 1, 2, 3, and 4 (basic grey goods cost, grey freight, working allowance and put up charges) [1] as explained in paragraph (a)	0.78	(2)
To be applied in accordance with Step B to finishing cost [1] as explained in paragraph (a)	.95	.90

[1] Determined in accordance with paragraphs (a), (b), and (c), respectively, of this section.
[2] Determined in accordance with paragraph (c) of this section.

(iii) *Better rayon fabrics.* This Table IIb is to be used by converters who meet the qualifications of subparagraph (1) (vii) above.

TABLE IIb—DIVISION FACTORS FOR CERTAIN CONVERTERS OF CERTAIN BETTER RAYON FABRICS

	White and dyed—Sales to all classes of purchasers	Printed—Sales to all classes of purchasers
To be applied in accordance with Step A to the sum of items 1, 2, 3, and 4 (basic grey goods cost, grey freight, working allowance and put up charges) [1] as explained in paragraph (a)	0.70	(2)
To be applied in accordance with Step B to finishing cost [1] as explained in paragraph (a)	.92	.87

[1] Determined in accordance with paragraphs (a), (b), and (c), respectively, of this section.
[2] Determined in accordance with paragraph (c) of this section.

13. Section 1400.82 (i) (1) is amended to read as follows:

(1) *General provisions.* (i) Subject to the other provisions of this paragraph, the maximum price for finished piece goods sold in the performance of a recognized distributive function[29] by a wholesaler shall be computed by dividing the actual cost[29a] by .88 if the sale is to a Class I purchaser and by dividing the actual cost by .83 if the sale is to a Class II purchaser.

[29] No sale is made "in the performance of a recognized distributive function" within the meaning of this Maximum Price Regulation No. 127 unless it advances the goods some to the next stage of distribution.

(ii) Subject to the other provisions of this paragraph, the maximum price for finished piece goods sold in the performance of a recognized distributive function[29] by a jobber or converter-jobber selling jobbed goods, shall be computed by dividing the actual cost[29a] by .915 if the sale is to a Class I purchaser and by dividing the actual cost by .885 if the sale is to a Class II purchaser.

14. Section 1400.82 (p) is revoked.

This amendment shall become effective July 21, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12929; Filed, July 16, 1945; 11:39 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[1] Amdt. 13]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Control Order 1 is amended in the following respects:

1. Section 23 (n) is added to read as follows:

(n) (1) Any Class 1 or Class 2 slaughterer, during any temporary period not exceeding three (3) of his consecutive reporting periods under Revised Ration Order 16, may deliver into any county (or any of his customary trading areas, if he has been authorized to use such trading area under paragraph (g)) more meat than the amount specified in paragraph (c) if, during the corresponding temporary period in 1944:

(i) The average weekly amount (by weight) of meat delivered by him into that county (or authorized trading area) was at least ten (10) per cent more than the average weekly amount of meat delivered by him into that county (or authorized trading area) during his first three (3) full reporting periods in 1944, and

(ii) The population of that county (or authorized trading area) was substantially greater than it was during his first three (3) full reporting periods in 1944.

(2) The maximum additional amount of meat a Class 1 or Class 2 slaughterer may deliver into any county (or authorized trading area), under this paragraph (n), in each reporting period included in the temporary period shall be determined in the following way:

(i) Determine the average weekly amount of meat he delivered into the county (or authorized trading area) during his first three (3) full reporting periods in 1944;

(ii) Determine the average weekly amount of meat he delivered into the same county (or authorized trading area) during the corresponding temporary period in 1944;

(iii) Deduct the result in (i) from the result in (ii);

(iv) Divide the result in (iii) by the result in (i);

(v) Obtain the result in paragraph (d) (5) of this section for the county (or authorized trading area) during the reporting period;

(vi) Multiply the result in (v) by the result in (iv);

(vii) The result in (vi) is the maximum additional amount of meat which the slaughterer may deliver into any county (or authorized trading area), under this paragraph (n), in the reporting period in question. (However, if any additional meat is delivered into any county or area, under this paragraph (n), the minimum amount he must deliver into that county or area, under paragraph (c), must be adjusted according to (5) and (6) below.)

(3) Any Class 1 or Class 2 slaughterer who, pursuant to this paragraph (n), wishes to deliver into any county (or authorized trading area) an amount of meat in excess of the amount required by paragraph (c) of this section, must submit a written statement, in duplicate, containing the following:

(i) His name and the address of his establishment;

(ii) Each county (or authorized trading area) in which he wishes to deliver additional amounts of meat pursuant to this paragraph (n);

(iii) The temporary period during which he wishes to deliver into such counties (or authorized trading areas) the additional amounts of meat;

(iv) The average weekly amount of meat he delivered into each of those counties (or authorized trading areas) during the corresponding temporary period in 1944;

(v) The average weekly amount of meat he delivered into each of such counties (or authorized trading areas) during his first three (3) full reporting periods in 1944;

(vi) A certification that the increase in the amount of meat delivered by him into each of such counties or authorized trading areas during the corresponding temporary period in 1944 over the amount delivered by him into such counties or authorized trading areas in his first three (3) full reporting periods in 1944 was due to the fact that the population in each of such counties or authorized trading areas was substantially greater during such temporary period in 1944 than it was during the first three (3) full reporting periods in 1944.

(4) The statement in (3) above must be submitted in person or by mail by a Class 1 or Class 2A slaughterer to the Washington Office, and by a Class 2B slaughterer to the District Office with which he is registered, at least five (5) days before the beginning of the temporary period. However, in case the temporary period includes the greater part of July 1945, the statement may be submitted not later than July 26, 1945.

(5) Any Class 1 or Class 2 slaughterer who, pursuant to this paragraph (n), increases the amount of meat delivered by him into any county (or authorized trading area) must, for the purpose of complying with paragraphs (c) and (d) for each reporting period included in the temporary period, make the following adjustment:

(i) Determine the total of the additional amount of meat delivered by him into all counties (or authorized trading areas), pursuant to this paragraph (n), during the reporting period;

(ii) Deduct from the figure in paragraph (d) (4) of this section the figure in (i);

(iii) The result in (ii) must be used by the slaughterer, instead of the figure in paragraph (d) (4), for the purpose of complying with paragraphs (c) and (d) of this section.

(6) For the purpose of complying with paragraphs (c) and (e) for three consecutive reporting periods in any of which the slaughterer increased the amount of meat delivered by him, pursuant to this paragraph (n), he must make the following adjustment:

(i) Determine the total of the additional amount of meat delivered by him into all counties (or authorized trading areas), pursuant to this paragraph (n), during the three reporting periods;

(ii) Deduct from the figure in paragraph (e) (4) of this section the figure in (i);

(iii) The result in (ii) must be used by the slaughterer, instead of the figure in paragraph (e) (4), for the purpose of complying with paragraphs (c) and (e) of this section.

(7) Each slaughterer who, pursuant to this paragraph (n), increases the amount of meat delivered by him into any county (or authorized trading area) must keep a separate record showing the following:

(i) The amount of meat he was required to deliver into the county (or authorized trading area) in question during each reporting included in the temporary period;

[29a] The actual cost may include only (a) the invoice price of the finished piece goods less all discounts taken (which must not, for any purchases made on or after May 4, 1942, exceed the maximum price established by this Maximum Price Regulation No. 127) and (b) the actual transportation charges incurred by the wholesaler or jobber with respect to such finished piece goods. If the goods are transported in a conveyance other than a commercial carrier, the transportation charge shall not exceed the charge which would be applicable in an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate. A wholesaler, jobber or converter-jobber, where he mingles in his inventory separate lots of the same pattern of printed goods or separate lots of the same bleached goods, or separate lots of the same dyed goods which he acquired at varying prices, may take the weighted average cost of such mingled lot for the purpose of determining his actual cost thereof: *Provided*, That if any unsold portion of a lot on which an average cost has been determined is subsequently combined with another lot, the previously determined weighted average cost of such unsold portion shall be used for such unsold portion in computing the weighted average cost of the newly mingled lot.

[1] 10 F.R. 4605.

(ii) The total amount of meat actually delivered by him into such county (or authorized trading area) during each of such reporting periods.

(8) The District Office or Washington Office may, at any time, notify any slaughterer that he may not deliver all or any part of the increased amount of meat, under this paragraph (n), into any county (or authorized trading area) during the whole or any part of the temporary period. Each slaughterer to whom such notice is given must comply therewith.

Example: Slaughterer A delivered into Y County a total of 130,000 lbs. of meat during the months of January, February and March 1944 or an average of 10,000 lbs. per week. His total deliveries to all counties during that period was 1,300,000 lbs. Hence, he delivered into Y County, in the base period, 10 per cent of his total deliveries. During July 1944, he delivered into Y County an average of 15,000 lbs. per week. To arrive at the additional quantity he may deliver into that county in July 1945 and to adjust the minimum amount he must deliver into all counties, including Y County, under paragraph (n), he will make the following calculations under section 23:

(a) Following the steps in (n) (2):

(1) 10,000 lbs. (average weekly deliveries in Y County in first three reporting periods in 1944);

(2) 15,000 lbs. (average weekly deliveries in Y County in July 1944);

(3) 15,000 minus 10,000 = 5,000;

(4) 5,000 divided by 10,000 = $\frac{1}{2}$ (one-half);

(5) Assume that the slaughterer has available 200,000 lbs. of meat for distribution into all counties for the month of July 1945. Since, in the base period, he delivered into Y County 10% of his total deliveries of meat, he will, following the calculation in paragraph (d) of this section, obtain for July 1945, under (d) (5), the figure 20,000 lbs;

(6) 20,000 times $\frac{1}{2}$ (one-half) = 10,000;

(7) 10,000 lbs. is the maximum additional amount of meat he may deliver into Y County in July 1945, under paragraph (n).

(b) For purposes of paragraph (d), he must make the following adjustment, using steps in (n) (5):

(1) 10,000 lbs. (assuming he delivered additional meat in Y County only, and that the additional quantity is 10,000 lbs.);

(2) 200,000 (from (v) above) minus 10,000 = 190,000;

(3) 190,000 lbs. must be used by the slaughterer, instead of 200,000 lbs., for the purpose of complying with paragraphs (c) and (d) for all counties including Y County. Thus, using the steps in paragraph (d), he will make the following calculations for Y County.

(i) 130,000 lbs. (total deliveries in Y County in the base period);

(ii) 1,300,000 lbs. (total deliveries in the continental United States in base period);

(iii) 130,000 lbs. divided by 1,300,000 lbs. = $\frac{1}{10}$ (one-tenth);

(iv) 190,000 lbs. (from (b) (iii) in this example);

(v) 190,000 lbs. times $\frac{1}{10}$ (one-tenth) = 19,000;

(vi) 19,000 lbs. times 80% = 15,200 lbs.;

(vii) 15,200 lbs. is the minimum quantity he must deliver into Y county during July 1945, assuming he delivered into that county during that month 10,000 lbs. of additional meat under paragraph (n).

(Paragraph (n) is not intended to restrict the quantity of meat the slaughterer may deliver into that county out of the 10% or 20% of his meat not controlled by paragraphs (c), (d) and (e).)

2. Section 23 (c) is amended by deleting the last two sentences in parentheses at the end of the paragraph.

This amendment shall become effective July 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12902; Filed, July 14, 1945, 11:55 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16[1], Amdt. 51 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

The Official Table of Consumer Point Values (No. 27), referred to in § 1407.3027 (a), is amended by reducing the point value of "creamery butter" to 16 points per pound and "Section C—Fats, Oils, and Dairy Products" of the Official Table of Trade Point Values (No. 27), referred to in § 1407.3027 (a), is amended by reducing the point value of "creamery butter" to 15.7 points per pound.

This amendment shall become effective at 12:01 a. m., July 15, 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12901; Filed, July 14, 1945; 11:54 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 288, Corr. to Amdt. 3]

PACKAGED DISTILLED SPIRITS AND WINE IN ALASKA

Section 32, Table 2 in Amendment 3 to Revised Maximum Price Regulation 288 is corrected to read as follows:

TABLE 2—TABLE OF MAXIMUM FREIGHT ALLOWANCES

Zone[1]	Container size	
	Quarts and fifths	Pints and tenths
1	$0.13	$0.07
2	.15	.08
3	.25	.13
4	.20	.10
5	.23	.12
6	.33	.17

[1] These freight allowances apply only to sales of spirits or wines procured from a supplier in the United States.

Zone 1 includes the area lying within the boundaries of the 1st Judicial Division, more particularly designated as all that part of the Territory of Alaska lying east of the one hundred and forty-first meridian of west longitude.

Zone 2 includes all points on the Gulf of Alaska west of Zone 1, all of Kodiak Island, all points on the west coasts of Shelikof Strait and Kamishak Bay, and all points on Cook Inlet with the exception of Anchorage (including Cordova, Valdez, Seward, Seldovia, Ellamar and Hope).

Zone 3 includes all points on the northern coast of the Alaska Peninsula, on Bristol Bay, on Kuskokwim Bay, on the Kuskokwim River north to Aklak, on the Bering Sea, on Norton Sound, on Bering Strait and on Kotzebue Sound (including Ferguk, Nakiak, Dillingham, Togiak, Kwinhagak, Bethel, Fort St. Michael, St. Michael, Nome, Shishmaref, Deering, and Kotzebue).

Zone 4 includes all points on the Alaska Railroad north of Seward to and including Anchorage.

Zone 5 includes all points on the Alaska Railroad north of Anchorage and south of Curry.

Zone 6 includes Curry, Nenana, Fairbanks, and all points on the Alaska Railroad north of Curry.

This correction shall become effective as of June 28, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12930; Filed, July 16, 1945; 11:39 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 451]

BOOK PAPER

Maximum Price Regulation No. 451 is redesignated Revised Maximum Price Regulation 451 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation No. 451, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Such specifications and standards as are used in this revised regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another government agency.

Sec.

1. Prohibition against dealing in book paper at prices above the maximum.
2. Less than maximum prices.
3. Geographical applicability.
4. To what transactions, commodities and persons this regulation applies, and the relation to other regulations.
5. Federal and State taxes.
6. Export sales.
7. Imports.
8. Evasion.
9. Enforcement.
10. Licensing.
11. Records and reports.
12. Petitions for amendment.
13. Applications for adjustment.
14. Adjustable pricing.
15. Definitions.

Appendix A: Maximum prices for spot sales of book paper by manufacturers to merchants, and for all sales of book paper by manufacturers to the U. S. Government or any agency thereof.

Appendix B. Maximum prices for all sales of book paper by manufacturers which cannot be priced under Appendix A.

AUTHORITY: § 1347.1008 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Prohibition against dealing in book paper at prices above the maximum.* On and after July 19, 1945, regardless of any contract, agreement, lease or other obligation:

(a) No manufacturer shall sell or deliver any book paper at higher prices than those set forth in Appendices A and B of this regulation;

(b) No person shall buy or receive book paper from a manufacturer in the course of trade or business at prices higher than those set forth in Appendices A and B of this regulation;

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

SEC. 3. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight States of the United States and the District of Columbia.

SEC. 4. *To what transactions, commodities and persons this regulation applies and the relation to other regulations.* (a) The maximum prices established by this regulation apply only to sales by manufacturers.

(b) "Manufacturer" means any person who manufactures any of the papers covered by this regulation and includes an agent and a person affiliated with a manufacturer through community of ownership who distributes or sells the papers manufactured by such manufacturer, excluding, however, any person who comes within the definition of a merchant set forth in section 15 of this regulation.

(c) For the purposes of this regulation any sale by a manufacturer through a merchant to a specific purchaser or any sale by a manufacturer to a merchant for resale to a specific purchaser shall be considered as a sale by the manufacturer to that purchaser where the following conditions are present:

(1) Where the manufacturer is directly involved in the determination of the final price to the purchaser, and

(2) Where the merchant's sole compensation for service rendered is in the form of a selling discount, commission or fee.

(d) The term "book paper" as used in this regulation refers to those types, brands and grades of coated and uncoated paper manufactured and distributed primarily, but not exclusively, for use in printing, publishing, and converting, and generally recognized in the paper trade as "book paper". Without limitation the following papers are included in the category of book paper and shall continue to be so regarded notwithstanding changes from customary practice as to furnish for as long a period as such changes are made necessary by shortages and/or allocations of pulp or other raw materials, except that no uncoated paper, whether or not listed herein, shall be considered book paper if it contains 26% or more of virgin groundwood pulp and/or side run news unless during the period October 1, 1941 through March 31, 1942 such paper contained 26% or more of virgin groundwood pulp and/or side run news and was sold by the manufacturer as book paper:

Adding machine.
M. F., E. F. and Super book and litho.
Antique, Eggshell book.
Band stock.
Bible (book types).
Box covering.
Body stock for coated paper.
Bulking.
Carbonizing (book types).
Cash register.
Coated bond.
Coated book, glossy and dull.
Coated label and litho.
Coated cover, plain.
Coated calendar stock under 8 point or not over basis 25 x 38—150/500.
Machine coated papers.
Coated envelope.
Other clay coated papers (not bristols or boards), if not covered by any other regulation.
Commercial wood envelope (book types).
Drawing (book types).
End leaf.
Facing.
Gumming.
Hanging.
Lining.
Music.
Poster.
Rag Book.
Ribbon.
Soap wrapper (book types).
Tablet.
Uncoated offset.
Uncoated playing card stock.
Uncoated post card for Federal Government.

SEC. 5. *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing or use of book paper imposed by any statute of the United States or statute or ordinance of any State or any subdivision thereof, shall be treated as follows in determining the manufacturer's maximum price for such book paper and in preparing the records of such manufacturer with respect thereto:

If, at the time the manufacturer determines his maximum price the statute or ordinance imposing such tax does not prohibit the manufacturer from stating and collecting the tax separately from the purchase price, and the manufacturer does state it separately, the manufacturer may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the manufacturer by the vendor from whom he purchased, and in such case the manufacturer shall not include such amount in determining the maximum price under this Revised Maximum Price Regulation No. 451.

SEC. 6. *Export sales.* The maximum price at which a manufacturer may export book paper or may sell book paper for export shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

SEC. 7. *Imports.* No person importing book paper shall pay a total price for such paper including United States customs duties, paid directly or indirectly by him, which exceeds the maximum price applicable to a domestic sale established under this regulation.

SEC. 8. *Evasion.* (a) The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, delivery, purchase, or receipt of or relating to book paper, alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited if used as a means of evading the price limitations imposed by this regulation: modifying, discontinuing or altering any customary trade practice of the seller, or deteriorating the quality or changing the identity of any brand or grade.

SEC. 9. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of license as provided by the Emergency Price Control Act of 1942, as amended.

SEC. 10. *Licensing.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspenion, make any sale for which his license has been suspended.

SEC. 11. *Records and reports.* (a) Every person making sales or purchases of book paper subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is effective an accurate record of each such sale or purchase. Such record may be in the form of the invoice or a copy thereof furnished in connection with each such sale or purchase.

(b) Persons required to keep records by paragraph (a) of this section shall keep such other records and shall submit such reports as the Office of Price Administration may from time to time require, or permit, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) With respect to each sale of book paper to a merchant the manufacturer shall furnish the merchant with sufficient information to enable the latter to comply with the invoicing and record-keeping requirements of Maximum Price Regulation No. 400[3] or of any other regulation applicable to sales of book paper by that merchant.

SEC. 12. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[4]

SEC. 13. *Applications for adjustment*—(a) *When adjustments may be granted.* The Office of Price Administration may

[1] 10 F.R. 48, 521, 857, 293, 294.

[1] 8 F.R. 4132, 5987, 7662, 9993, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432, 6590.

[2] 8 F.R. 13240.

[3] 8 F.R. 7556, 11563; 9 F.R. 2289.

[4] 9 F.R. 10476, 13715.

adjust the maximum price for any brand or grade of paper covered by this regulation in any case in which it finds that the seller is unable to maintain his production of that brand or grade at that price and that either:

(1) Continuance of the seller's production of that brand or grade is required to meet a military or essential civilian need, or

(2) Loss of the seller's production of that brand or grade will force his customers to resort to higher priced sources of supply, and that no adequate substitute for that brand or grade is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

(b) *Amount of relief.* The relief granted under this section shall be limited to the amount necessary to insure the maintenance of the manufacturer's production: *Provided, however,* That where an application is filed under paragraph (a) (2) above, the seller's maximum price will not be raised above the general level of prices prevailing for alternative sources of supply of the brand or grade or an adequate substitute thereof.

(c) *Form of application.* Before filing an application for adjustment under the provisions of paragraph (a), it is suggested that each applicant obtain from the Office of Price Administration, Washington, D. C., a statement of the specific information that will be necessary in order that his application may receive prompt action.

SEC. 14. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary, to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 15. *Definitions.* (a) When used in this regulation the term:

(1) "Person" means an individual, corporation, partnership, association or any other organized group of persons or legal successors or representatives of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" has the meaning stated in section 4 above.

(3) "Book paper" has the meaning stated in section 4 above.

(4) "Merchant" means any person who buys and resells book paper, except (i) retailers and (ii) manufacturers buying book paper from another manufacturer and reselling it.

"Merchant" also includes a manufacturer selling book paper of his own manufacture, and a person affiliated with such manufacturer through community of ownership if, and only if, the Office of Price Administration shall find that he operates as a bona fide merchant. Any such manufacturer or affiliate claiming to operate as a merchant shall file an application for a ruling in the manner specified in section 16 (b) of Maximum Price Regulation No. 400.

(5) "Retailer" means any person, the major portion of whose sales are to ultimate consumers other than industrial, commercial or institutional users or government agencies.

(6) "Highest price charged" during a particular period means the highest price which the manufacturer charged for a delivery of a brand or grade of book paper during that period, or if the manufacturer made no such delivery his highest offering price for delivery during that period.

(7) "Delivered." Book paper shall be deemed to have been "delivered" during any specified period if during such period it was received by the purchaser or by any carrier, including a carrier owned or controlled by the manufacturer, for shipment to the purchaser.

(8) "Offering price" means the price quoted in the manufacturer's price list, or, if he had no such price list, the price which he regularly quoted in any other manner.

(9) "Grade" has reference to a manufacturer's practice of classifying his particular book papers for pricing purposes in accordance with their differences in physical characteristics, uses, and processes of manufacture, and is applicable to those of a manufacturer's particular book papers to which the manufacturer has not given a brand or trade name. Unbranded book papers produced by a manufacturer which have the same physical characteristics, are capable of the same uses, and are produced by the same processes of manufacture are the same grade. Book papers produced by a manufacturer which differ in any of the above elements constitute more than one grade.

(10) "Brand" has reference to a manufacturer's grade of book paper to which the manufacturer has given a brand or trade name. A brand name or other brand designation which has been used by a manufacturer prior to the issuance of this Revised Regulation to distinguish a particular grade of book paper establishes the separate identity of the book paper: *Provided,* That paper currently produced by the manufacturer under that brand name is the same as previously produced under the same brand name with respect to physical characteristics, uses and processes of manufacture. A new brand name or other new designation set forth by the manufacturer after the issuance of this Revised Regulation establishes the separate identity of the book paper sold under that designation if said book paper differs from all other book papers produced by the manufacturer with respect to physical characteristics, uses or processes of manufacture.

(11) "Item" means a quantity of paper all of which is of the same size, grain, basis weight, finish, color and brand or grade.

(12) "Job lots" and "seconds" mean substandard qualities of book paper resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture book paper of acceptable quality and quantity.

(13) "Machine coated paper" means a paper that is formed, dried and coated in one continuous operation on the paper machine, the coating consisting chiefly of mineral pigments and adhesive applied to one or both sides of the paper after it has passed the press section of the paper machine: *Provided,* That the amount of such coating shall be at least 2½ pounds of the total ream basis weight (25 x 38—500) if applied to one side only, or at least 5 pounds if applied to both sides.

(14) "Spot sales" are those sales which involve one shipment or multiple shipments in close sequence against one order over a period of less than ninety consecutive days, as distinguished from contract sales which involve multiple shipments over a longer period.

(15) *Zones.* "Zone 1" includes the following States and cities:

Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, Omaha, Nebr., Sioux Falls, S. D.

"Zone 2" includes the following States:

Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, North Dakota, Nebraska (excluding Omaha), Oklahoma, South Carolina, South Dakota (excluding Sioux Falls).

"Zone 3" includes the following states:

Colorado, Texas, Wyoming.

"Zone 4" includes the following states:

Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington.

(16) "Side run news" means newsprint paper less than 16" wide but otherwise corresponding to the definition of "standard newsprint paper" as contained in Revised Maximum Price Regulation No. 130.[1]

(b) Unless the text otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

APPENDIX A: MAXIMUM PRICES FOR SPOT SALES OF BOOK PAPER BY MANUFACTURERS TO MERCHANTS, AND FOR ALL SALES OF BOOK PAPER BY MANUFACTURERS TO THE U. S. GOVERNMENT OR ANY AGENCY THEREOF

The maximum base price for spot sales of book paper by a manufacturer to a merchant shall be the price set forth in Appendix A, paragraph (a), in the case of all brands listed in that paragraph, and shall be determined under paragraph (b) of this Appendix A in the case of all other book papers. The maximum price for any particular spot sale of book paper by a manufacturer to a merchant shall be determined by the application of the appropriate differentials, charges, discounts, allowances and other pricing elements provided in paragraph (d) to the maximum base price of the book paper being sold, and the price arrived at after the addition or subtraction of all such pricing elements shall be the maximum price for that sale.

(a) *Maximum prices for listed brands.* The maximum base prices established herein for the brands listed below are the maximum base prices for paper packed for domestic use with customary markers in ordinary wooden cases, cartons, or in bundles with solid or skelcton board frames for shipment to points in Zone 1, and are f. o. b. mill, lowest available carload rate of freight allowed to destination point, except that no manufacturer shall be required to make any freight allowance to a merchant on shipments of less than 5000 lbs. to points other than the merchant's home city.

Company	Manufacturer's brand name	Manufacturer's base price per cwt; 4 cases or equivalent
Allied Paper Mills.	University Enamel	$11.90
	Durable Folder	11.90
	Velour Folding	10.85
	Corona Offset Enamel	10.40
	Corona Enamel	10.15
	Monarch Gloss Ink and Varnish Litho.	10.05
	Monarch Non Varnish Litho.	9.80
	Porcelain Enamel	9.80
	Victory	9.30
	Dependable	8.45
	Superba	8.25
	Climax	7.80
	Standard	7.55
	National	7.30
	E	7.05
American Writing Paper Corp.	Union W/m M. F. Book	8.75
	Eagle-A Albion Offset	8.45
	Eagle-A American E. F. Book	8.25
Appleton Coated Paper Co.	Woodbine Folding Enamel	10.85
	Empress Offset Enamel	10.40
	White Appleton Enamel	10.15
	C1S Varnish and High Gloss Ink Litho.	10.05
	Appleton Litho Label	9.80
	Wisconsin Enamel	9.80
The D. M. Bare Paper Co.	Chancer	8.25
	Ruskin	7.80
	Tennyson	7.55
	Whittier	7.30
Bergstrom Paper Co.	Ibsen	8.25
	Thor	7.80
	Asgard	7.55
	Thrall	7.30
Beckett Paper Co.	Beckett Offset	8.45
Bryant Paper Co.	Imperial	11.90
	Bryfold	11.90
	Pliable	10.85
	Millbam Offset Enamel	10.40
	Millbam Coated	10.15
	Sunray Varnishing C1S Litho.	10.05
	Sunray C1S Litho	9.80
	Sunray	9.80
	Brycoat	9.30
	De Soto Offset	8.45
	Brypaco	8.25
	British Opaque	7.80
	De Soto	7.80
	Brytone E. F.	7.55
	Sunbeam	7.30
	Bryanteer	7.05
The Martin Cantine Co.	Ashokan	11.90
	M C Folding	10.85
	Zenagloss	10.40
	Zena	10.15
	Litho Gloss	10.05
	Catskill Litho	9.80
	Catskill	9.80
Champion Paper and Fibre Co.	Satin Proof E. B	$11.90
	Satin Refold E. B	10.85
	Wedgwood Coated Offset	10.40
	Hamilton E. B	10.15
	All Purpose Litho	10.05
	Varnish or Gloss Ink Litho.	10.05
	Lithoprint	9.80
	Falcon E. B	9.80
	#5 E. B	9.30
	Wedgwood Offset	8.45
	Garamond E. F	8.25
	Wedgwood E. F	8.25
	Namelo	8.00
	Lexicon E. F	7.80
	Ohio E. F	7.55
	Format E. F	7.30
	#28	7.05
Champion-International Co.	Magnolia	10.85
	Prospect A	10.40
	Essex	10.15
	Prospect B	10.05
	Prospect C	9.80
	Prospect	9.80
	Clifton	9.80
	Wenham	7.55
	Derry	7.30
The Chillicothe Paper Co.	Adina Halftone Offset	8.45
	Logan	8.25
	Opacitone	7.80
Columbian Paper Co.	Blue Ridge E. F	7.80
	Rockbridge E. F	7.30
Crocker, Burbank Papers, Inc.	Art Gloss	11.90
	Decofold	10.85
	Tenor Coated Offset	10.40
	Tenor Gloss	10.15
	Special Litho C1S	10.05
	Dejonge Litho C1S	9.80
	Pilgrim Gloss	9.80
	Crobank Offset	8.45
	Hermes Book	8.25
	Crobank E. F	7.80
	Ashby E. F	7.55
	Townsend E. F	7.30
Consolidated Water Power and Paper Co.	Production Gloss Coated	7.40
	Modern Gloss Coated	7.00
	Production Coated E. F	6.55
	Lakeland Coated	6.30
Curtis Paper Co.	Nonantum E. F	8.25
	Curtis Tints	8.25
	Delaware E. F	7.80
Dill and Collins, Inc.	Black and White Coated Book	11.90
	Primilex Folding Enamel	10.85
	Richgloss	10.15
	Richfold	10.15
	Quaker	9.80
	Flat White	8.25
Eastern Corporation	Atlantic Offset	8.45
Everett Pulp and Paper Co.	Seaplane	8.45
	Art Book	8.25
	Publication E. F	7.80
	Nautilus E. F	7.80
	Everett English Finish	7.80
	Anchor E. F	7.55
	Binnacle E. F	7.30
	Ensign E. F. Book	7.05
Fitchburg Paper Co.	Hilcourt	8.25
	Tempora	7.80
	Hilcrest	7.80
	Zenith	7.55
	Fitchco	7.30
French Paper Co.	Performance Offset	8.45
P. H. Glatfelter Co.	Spring Grove Offset	8.45
	Monoplane	8.25
	Spring Grove	7.80
	Pennsylvania	7.55
	Old Forge	7.30
W. C. Hamilton and Sons.	Hamilton Montgomery Offset	8.45
	Hamilton Bright White E. F	8.25
	Hamilton Windsor E. F. White	7.80
Inland Empire Paper Co.	Inland Book	7.05
International Paper Co.	Lexington Offset	8.45
	Ticonderoga Offset	8.45
	International Offset	8.45
	Ticonderoga Book	8.25
	Cataract Book	7.80
	Champlain Book	7.80
	Montcalm Book	7.55
	Saratoga Book	7.30
Hawthorne Paper Co.	Hawthorne Offset	8.45
Hopper Paper Co.	Wisdom Offset	8.45
	Display Offset	8.45
	Britewell Offset	8.45
	Hopper Offset	8.45
Howard-Allied Paper Mills.	Maxwell Offset	$8.45
The Jessup and Moore Paper Co.	Jesmore	8.25
	Kentone	7.80
	Kenmore	7.80
	Cecil	7.55
	Delta	7.30
Kalamazoo Paper Co.	Superfold	11.90
	Superfect	11.90
	Extrafold Enamel	10.85
	Extrafold Offset Enamel	10.40
	Westfold	10.15
	Western C1S	10.05
	Kapaco C1S	9.80
	Western Enamel	9.80
	Kapaco Enamel	9.30
	Coronet E. F	7.55
	Western E. F	7.30
	Kapaco E. F	7.05
Kimberly Clark Corp.	Trufect	7.15
	Kimfect	6.80
	Multifect	6.60
	Hyfect	6.35
	Fallsoat (5,000 pounds and up)	5.15
McLaurin-Jones Co.	#4 Varnishing Litho	10.05
The Mead Corp.	Glacier C1S Varnish Litho Quality	10.05
	Glacier C1S Non-Varnish Quality	9.80
	Chatham	9.80
	Moistrite Offset	8.45
	Imperial M. F. and E. F	8.25
	Process Plate	8.10
	Standard M. F	7.80
	Enameline	7.10
Miami Valley Coated Paper Co.	Veldurofold	11.90
	Miami Folding	10.85
	Paratex	10.40
	Rayon	10.15
	Miamitone Varnished	10.05
	Miamitone Litho Non-Varnish Quality	9.80
	Miamitone Coated	9.80
	Publication	9.30
Michigan Paper Co.	Leatherette	11.90
	Willowfold	10.85
	Wolverine C2S Offset Enamel	10.40
	Wolverine Enamel	10.15
	Michigan Varnishing Litho	10.05
	Michigan C1S Litho	9.80
	White Oak	9.80
	#5	9.30
	Velvetone	8.25
	Wolverine E. F	7.80
	Hawkeye	7.55
	MPC	7.30
	Test	7.05
Monadnock Paper Mills.	Monadnock Offset	8.45
Newton Falls Paper Mill.	St. Lawrence #2 Offset	8.45
	St. Lawrence Weatherproof #2 Offset	8.45
	Newtone Gloss	8.05
New York and Pennsylvania Co., Inc.	Clarion Offset	8.45
	Nypen E. F	7.80
	Clarion E. F	7.80
	L. H. English Finish	7.55
The Northwest Paper Co.	North Star Offset	8.45
	Klo-Kay E. F. Book	8.25
	Nationwide E. F. Book	7.80
	Mountie E. F. Book	7.80
	Northland E. F. Book	7.55
	Ranger E. F. Book	7.30
	Timberland	7.05
Oxford Paper Co.	Polar Superfine	11.90
	Mainefold	10.85
	White Seal C2S Offset	10.40
	White Seal Coated	10.15
	Rumford C1S Gloss Ink and Varnishing	10.05
	Rumford Litho C1S	9.80
	Rumford Enamel	9.80
	Aqueset	8.45
	Oxford Carfax E. F	8.25
	Oxford E. F	7.80
	Oxford Swift River	7.55
	Wescar	8.45
Oxford Miami Paper Co.	Oxford Miami Carfax E. F	8.25
	Oxford Miami E. F	7.80
	Oxford Miami Omico E. F	7.55
	Oxford Miami Moraine E. F	7.30
Peninsular Paper Co.	Patrician Offset	8.45

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Company	Manufacturer's brand name	Manufacturer's base price per cwt. 4 cases or equivalent
Rex Paper Co.	Rexaristo	$11.90
	Rexfold	11.90
	Rexcell	10.85
	Rex Coated Offset	10.40
	Rexfine	10.15
	Rexvar CIS	10.05
	Rexlitho CIS	9.80
	Rex Colortype	9.80
The Sorg Paper Co.	Equator Offset	8.45
	Sorg's A Grade E. F. White.	8.25
	Sorg's B Grade E. F. White.	7.80
	Sorg's C Grade E. F. White.	7.55
	Sorg's D Grade E. F. White.	7.30
Standard Paper Co.	Standard Offset	8.45
Tilleston and Hollingsworth Co.	Fairmount Offset	8.45
	Summer Plate	7.80
	Dorchester Plate	7.80
	City E. F.	7.55
S. D. Warren Co.	Warren's Lustro Gloss	11.90
	Warren's Cumberland Gloss	10.85
	Warren's Offset Enamel	10.40
	Warren's New England Gloss	10.15
	Warren's Over Print-Multi-Service Label CIS	10.05
	Warren's Litho Coated Label CIS	9.80
	Warren's Westbrook Gloss	9.80
	Warren's Cumberland Offset	8.45
	Warren's Cumberland E. F.	8.25
	Filmote	8.25
	Warren's New England E. F.	7.80
	Warren's #25 M. F.	7.55
Wattervliet Paper Co.	Royal	11.90
	Foldette	10.85
	Glossette	10.40
	Viking	10.15
	Gloss Ink	10.05
	Service	9.80
	Advertisers	9.80
	Cascade	8.45
	B Grade	7.80
	D Grade	7.30
Wausau Paper Mills Co.	Brokaw Offset	8.45
West Virginia Pulp and Paper Co.	Pinnacle	11.90
	Blendfold	10.85
	Inspiration C2S Offset White.	10.40
	Sterling	10.15
	Ideal	10.05
	Piedmont Litho, Non-Varnish Quality.	9.80
	Piedmont Coated	9.80
	Clear Spring Offset	8.45
	Inspiration Offset	8.45
	Clear Spring	8.25
	Westvaco Machine Coated.	7.80
	Marva	7.80
	Westvaco	7.80
	Inspiration E. F.	7.80
George A. Whiting Paper Co.	Pacemaker Offset	8.45

Within 45 days after the effective date of this revised regulation, every book paper manufacturer shall provide the Office of Price Administration at Washington, D. C., with the following information:

(1) List of all the manufacturer's brands currently being offered to the manufacturer's merchant outlets generally.

(2) Maximum base price currently obtaining for each brand, and a statement of the method by which such maximum base price has been determined.

With respect to any brand of book paper made for the first time after the effective date of the revised regulation and offered for sale generally by a manufacturer to its merchant outlets, the manufacturer shall submit to the Office of Price Administration, in addition to any information which may be required for the establishment of a maximum price for the same, the brand name thereof, so that said brand name may be added to the list of brands set forth in this Appendix A, simultaneously with the confirmation of the maximum price for said brand.

From and after the expiration of the 45-day period hereinbefore mentioned, no manufacturer may offer generally to his merchant outlets any brand of book paper the brand name and the proposed maximum price for which he has not filed with the Office of Price Administration at Washington, D. C.

(b) *Maximum prices for unlisted book papers.* For the purposes of this paragraph (b), the term "maximum base price" shall have the same meaning as the meaning ascribed thereto in paragraph (a) with respect to listed brands. The maximum base price for spot sales by a manufacturer to a merchant for book paper not listed in paragraph (a) above shall be determined as follows:

(1) If the unlisted book paper was sold or offered for sale in the period October 1, 1941–July 19, 1945, the maximum base price therefor shall be determined as follows: The manufacturer shall determine the highest base price charged by him during that period for the unlisted brand or grade in question, and shall ascertain the difference between that base price and the highest base price charged by him during the same period for the brand listed under paragraph (a) which during that period was closest in price to be unlisted brand or grade. That difference shall then be added to, or substracted from, as the case may be, the maximum base price listed under paragraph (a) for the brand with which the price comparison was made. The resulting amount shall be the maximum base price for the unlisted brand or grade being priced under this paragraph.

(2) If the unlisted book paper was not delivered or offered for delivery in the period October 1, 1941–July 19, 1945, the maximum base price therefore shall be a price in line with the maximum price established under this Appendix A for the nearest related brand or grade of book paper. "The nearest related brand or grade" shall be that brand or grade for which the new book paper is being substituted. If the new brand or grade is not a substitute, the nearest related brand or grade shall be that brand or grade which is of the same type as the unlisted book paper and which the manufacturer is producing currently at a total cost which is the closest to the current total cost of the brand for which a maximum price is sought. To arrive at the maximum base price for the brand or grade being priced, the difference between the total costs of the two book papers in question shall be added to or subtracted from the established base price of the brand or grade with which the comparison is made. Total cost in these cases shall be computed on the basis of costs prevailing at the time when such in line price is being determined and in accordance with the manufacturer's usual method of determining total costs during March 1942.

A maximum price determined by a seller under this paragraph (b) (2) must be reported to and confirmed by the Office of Price Administration. If this confirmation is not obtained prior to the time of making the sale, the seller must agree to refund to the purchaser any amount paid in excess of the confirmed maximum price. Confirmation of a maximum price determined under this paragraph (b) (2) shall be obtained as follows: The seller must submit to the Office of Price Administration in Washington, D. C., a statement setting forth all of the relevant facts including the following:

(i) Description of the brand or grade being priced;

(ii) Completed Form 695–720 (forms available upon application to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C.) which covers cost and price data on that brand or grade and on the related brand or grade with which the price comparison was made;

(iii) A sample sheet of each brand or grade.

When a maximum price as proposed is not disapproved by the Office of Price Administration within 20 days after the above material is filed, it shall be considered confirmed. Confirmation need be obtained only once with respect to each grade involved.

(3) Any maximum price which cannot otherwise be determined under this Appendix A shall be determined by the Office of Price Administration in Washington, D. C., by order upon receipt of an application from the manufacturer setting forth a description of the brand or grade and the reasons why it cannot be priced under any other provision of this Appendix A, and including a completed Form 695–720 with respect to the costs of such brand or grade. (Copies of Form 695–720 are available upon application to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C.).

(c) *Maximum prices for sales by a manufacturer to the U. S. Government or any agency thereof.* The maximum price for the sale of book paper by a manufacturer to the U. S. Government or any agency thereof shall be the maximum price for the sale of that paper by the manufacturer to a merchant, determined under paragraph (a) or paragraph (b) of this Appendix A, less a discount of 3%. With respect to such sales, manufacturer should refer to section 4 of this regulation in which there are set forth certain conditions under which a sale by a manufacturer to or through a merchant to a specific purchaser is considered to be a sale by that manufacturer to that purchaser.

(d) *Differentials, charges, discounts, allowances.* The following differentials, charges, discounts, allowances, and other pricing elements, if applicable, may be added to and shall be subtracted from (as the case may be) the maximum base prices provided for the brands listed in paragraph (a) of this Appendix A. Wherever applicable, they shall also be applied in the same way to the maximum base prices determined under paragraph (b) of this Appendix A. The price resulting from the addition or subtraction of all such applicable pricing elements shall be the maximum price for the particular sale in question.

(1) *Shipments to points in Zones 1, 2, 3 and 4.*

Zone 1	Base price.
Zone 2	Base price plus 20¢ cwt.
Zone 3	Base price plus 40¢ cwt.
Zone 4	Base price plus 80¢ cwt.

(2) *Differentials for quantities of one grade.*

1 case (or equivalent) to less than 4 cases—one item	Base price plus 25¢ cwt.
4 cases (or equivalent) to 4,999 lbs.—one item or assorted case	Base price.

Lot Items.

5,000 lbs. to 9,999 lbs.—one item	Base price minus 25¢ cwt.
10,000 lbs. to 35,999 lbs.—one item	Base price minus 40¢ cwt.
36,000 lbs. or more—one item	Base price minus 50¢ cwt.

Provided, That if throughout the period October 1, 1941, through July 19, 1945, a manufacturer had in effect a substantially different system of quantity differentials, he may at his option continue to use said system.

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(3) (i) *Manufacturing differentials.*

Supercalendering	Plus 25¢ cwt.
Antique or eggshell finish	Plus 25¢ cwt.
High bulk	Plus 40¢ cwt.
Extra high bulk	Plus 65¢ cwt.
Extra beater sizing	Plus 25¢ cwt.
Tub or surface sizing	Plus 50¢ cwt.
Laid	Plus 25¢ cwt.
Watermarked laid	Plus 50¢ cwt.
Watermarked wove	Plus 50¢ cwt.

(ii) *Secondary finishing differentials.*

For basis weights 28 x 38—55 and heavier plater process:	
1 ream to less than 4 cases or equivalent)	$2.50 per cwt.
4 cases (or equivalent) or more	$2.00 per cwt.
Embossing roll process:	
1 case to less than 4 cases (or equivalent)	$2.50 per cwt.
4 cases (or equivalent) to 4,999 lbs	$2.00 per cwt.
5,000 lbs. to 35,999 lbs	$1.75 per cwt.
36,000 lbs. or more	$1.50 per cwt.

For basis weights 25 x 38—40 to 54 (inclusive) 50¢ per cwt. may be added to the secondary finishing differentials listed in the table above.

For basis weights lighter than 25 x 38—40, $1.00 per cwt. may be added to the secondary finishing differentials listed in the table above.

(4) *Lightweight differentials.* The percentage upcharges for lightweights set forth herein shall apply to all sales for which prices are determined under this Appendix A.

The selling price to which these percentage charges may be applied is the price, including freight if allowed, for the quantity of paper involved, in the particular form of packing in which it is to be shipped, after the application of all dollars and cents charges having to do with the actual manufacture of the paper before it leaves the end of the paper or coating machine or supercalenders, such as heavy weight, special or felt finishes made on the paper machine, special sizing, laid marking, watermarking, colors, etc., but before extra charges applying after the paper has left the end of the machine such as embossing, plating trimming, ream sealing or banding, etc.

Percentages of the selling price may be added for each pound or fraction thereof below the minimum basic weight as follows:

(i) *Machine finished paper (including Antique).* The minimum basic weight without extra charge for Machine Finished paper shall be 25 x 38—45 pounds—500 sheets. For lighter weights additional charges shall be made and computed on the 500 sheet basis as follows:

Add 1½% of the selling price for each pound or fraction thereof below 45 pounds down to and including 35 pounds.

Add 2% of the selling price for each pound or fraction thereof below 35 pounds down to and including 30 pounds, plus the additional charge for 35 pounds.

Add 3% of the selling price for each pound or fraction thereof below 30 pounds down to and including 25 pounds, plus the additional charge for 30 pounds.

Example: Assuming paper at $10.00 per cwt.

Basis 45 lbs.. $10.00 per cwt.
Basis 35 lbs.. $11.50 per cwt. ($10.00 per cwt. plus 15%—1½% per lb. from 45 lb. to 35 lb. basis weight.)
Basis 30 lbs.. $12.50 per cwt. ($10.00 per cwt. plus 25%—1½% per lb. from 45 lb. to 35 lb. and 2% per lb. from 35 lb. to 30 lb. basis weight.)
Basis 25 lbs.. $14.00 per cwt. ($10.00 per cwt. plus 40%—1½% per lb. from 45 lb. to 35 lb., 2% per lb. from 35 lb. to 30 lb., and 3% per lb. from 30 lb. to 25 lb. basis weight.)

(ii) *Supercalendered paper.* The minimum basic weight without extra charge for Supercalendered paper shall be 25 x 38—50 pounds—500 sheets. For lighter weights additional charges shall be made and computed on the 500 sheet basis as follows:

Add 1½% of the selling price for each pound or fraction thereof below 50 pounds down to and including 40 pounds.

Add 2% of the selling price for each pound or fraction thereof below 40 pounds down to and including 35 pounds, plus the additional charge for 40 pounds.

Add 3% of the selling price for each pound or fraction thereof below 35 pounds down to and including 30 pounds, plus the additional charge for 35 pounds.

Example: Assuming paper at $10.00 per cwt.

Basis 50 lbs.. $10.00 per cwt.
Basis 40 lbs.. $11.50 per cwt. ($10.00 per cwt. plus 15%—1½% per lb. from 50 lb. to 40 lb. basis weight)
Basis 35 lbs.. $12.50 per cwt. ($10.00 per cwt. plus 25%—1½% per lb. from 50 lb. to 40 lb. and 2% per lb. from 40 lb. to 35 lb. basis weight)
Basis 30 lbs.. $14.00 per cwt. ($10.00 per cwt. plus 40%—1½% per lb. from 50 lb. to 40 lb. and 2% per lb. from 40 lb. to 35 lb. and 3% per lb. from 35 lb. to 30 lb. basis weight)

(iii) *Coated 2 sides paper.* The minimum basic weight without extra charge for Coated 2 Sides Book paper shall be 25 x 38—70 pounds—500 sheets. For lighter weights additional charges shall be made and computed on the 500-sheet basis as follows:

Add 1½% of the selling price for each pound or fraction thereof below 70 pounds down to and including 45 pounds.

Add 2% of the selling price for each pound or fraction thereof below 45 pounds down to and including 35 pounds, plus the additional charge for 45 pounds.

Example: Assuming paper at $10.00 per cwt.

Basis 70 lbs.. $10.00 per cwt.
Basis 45 lbs.. $13.75 per cwt. ($10.00 per cwt. plus 37½%–1½% per lb. from 70 lb. to 45 lb. basis weight.)
Basis 35 lbs.. $15.75 per cwt. ($10.00 per cwt. plus 57½%–1½% per lb. from 70 lb. to 45 lb. and 2% per lb. from 45 lb. to 35 lb. basis weight.)

(iv) *Coated 1 side paper.* The minimum basic weight without extra charge for Coated 1 Side Book or Label paper shall be 25 x 38–60 pounds—500 sheets. For lighter weights additional charges shall be made and computed on the 500-sheet basis as follows:

Add 1½% of the selling price for each pound or fraction thereof below 60 pounds down to and including 40 pounds.

Add 2% of the selling price for each pound or fraction thereof below 40 pounds down to and including 35 pounds, plus the additional charge for 40 pounds.

Example: Assuming paper at $10.00 per cwt.

Basis 60 lbs.. $10.00 per cwt.
Basis 40 lbs.. $13.00 per cwt. ($10.00 per cwt. plus 30%–1½% per lb. from 60 lb. to 40 lb. basis weight.)
Basis 35 lbs.. $14.00 per cwt. ($10.00 per cwt. plus 40%–1½% per lb. from 60 lb. to 40 lb. and 2% per lb. from 40 lb. to 35 lb. basis weight.)

(v) ***Machine coated book paper.*** **The minimum basic weight without extra charge for Machine Coated Book paper shall be 25 x 38–55 pounds — 500 sheets. For lighter** weights additional charges shall be made and computed on the 500 sheet basis as follows:

Add 1½% of the selling price for each pound or fraction thereof below 55 pounds down to and including 45 pounds.

Add 2% of the selling price for each pound or fraction thereof below 45 pounds down to and including 40 pounds, plus the additional charge for 45 pounds.

Add 3% of the selling price for each pound or fraction thereof below 40 pounds down to and including 35 pounds, plus the additional charge for 40 pounds.

Example: Assuming paper at $10.00 per cwt.

Basis 55 lbs.. $10.00 per cwt.
Basis 45 lbs.. $11.50 per cwt. ($10.00 per cwt. plus 15%—1½% per lb. from 55 lb. to 45 lb. basis weight)
Basis 40 lbs.. $12.50 per cwt. ($10.00 per cwt. plus 25%—1½% per lb. from 55 lb. to 45 lb. and 2% per lb. from 45 lb. to 40 lb. basis weight)
Basis 35 lbs.. $14.00 per cwt. ($10.00 per cwt. plus 40%—1½% per lb. from 55 lb. to 45 lb., 2% per lb. from 45 lb. to 40 lb., and 3% per lb. from 40 lb. to 35 lb. basis weight)

(vi) *Offset paper.* The minimum basic weight without extra charge for offset paper shall be 25 x 38–55 pounds—500 sheets. For lighter weights additional charges shall be made and computed on the 500-sheet basis as follows:

(a) Add 1½% of the selling price for each pound or fraction thereof below 55 pounds down to and including 40 pounds.

(b) Add 2% of the selling price for each pound or fraction thereof below 40 pounds down to and including 35 pounds plus the additional charge for 40 pounds.

(c) Add 3% of the selling price for each pound or fraction thereof below 35 pounds down to and including 30 pounds plus the additional charge for 35 pounds.

Example: Assuming paper at $10.00 per cwt.

Basis 55 lbs.. $10.00 per cwt.
Basis 40 lbs.. $12.25 per cwt. ($10.00 per cwt. plus 22½%—1½% per lb. from 55 lb. to 40 lb. basis weight)
Basis 35 lbs.. $13.25 per cwt. ($10.00 per cwt. plus 32½%—1½% per lb. from 55 lb. to 40 lb. and 2% from 40 lb. to 35 lb. basis weight)
Basis 30 lbs.. $14.75 per cwt. ($10.00 per cwt. plus 47½%—1½% per lb. from 55 lb. to 40 lb. and 2% per lb. from 40 lb. to 35 lb., and 3% per lb. from 35 lb. to 30 lb. basis weight)

(5) Any other differentials or special charges and any discounts or allowances or other pricing elements not specifically provided for in this paragraph (d) shall be applied by each manufacturer in accordance with his practice during the period October 1, 1941, through July 19, 1945.

(6) *Job lots and seconds.* "Job lots" and "seconds" shall be priced by each manufacturer in accordance with his practice during the period October 1, 1941, through July 19, 1945. The invoice covering any sale of jobs or seconds shall state that the paper is a "job lot" or "seconds."

APPENDIX B: MAXIMUM PRICES FOR ALL SALES OF BOOK PAPER BY MANUFACTURERS WHICH CANNOT BE PRICED UNDER APPENDIX A

The maximum price for all sales of book paper except spot sales to merchants and except spot or contract sales to the U. S. Government or any agency thereof shall be determined under paragraph (a) of this Appendix B in all cases where during the period October 1, 1941 through March 31, 1942 the

manufacturer delivered or offered for delivery the same or a similar grade to any person. The maximum price for all such sales of grades not delivered or offered for delivery during that period shall be determined under paragraphs (b) or (c) of this Appendix B.

"Similar grade" means a grade that is considered by the manufacturer to be in the same category, which has substantially the same characteristics, is capable of the same uses, is made by the same processes and machine operations in the same range of basis weights, and is customarily or normally sold in the same price range.

(a) In those cases in which the manufacturer delivered or offered for delivery during the period October 1, 1941 through March 31, 1942, the same or a similar grade in a like quantity to a purchaser in the same line of business, the maximum price shall be the highest price charged upon any such sale during that period. In those cases in which the manufacturer delivered or offered for delivery during the period October 1, 1941 through March 31, 1942 the same or a similar grade in an unlike quantity or to a purchaser in a different line of business, the maximum price shall be the highest price charged for the same or similar grade during that period for any quantity and to any purchaser, adjusted upward or downward, as the case may be, in accordance with the manufacturer's usual system of differentials and charges with respect to sales in varying quantities or to purchasers in different lines of business: *Provided, however*, That with respect to increases effected by seller subsequent to December 1, 1943, the pricing provisions of this paragraph shall in no event operate to increase the seller's maximum price applicable to the sale of the same or a similar grade in a like quantity to a purchaser to whom deliveries of that grade were made during the period October 1, 1941 through March 31, 1942 to an amount in excess of $3.00 per ton more than the highest price paid by such purchaser to such seller during the period October 1, 1941 through March 31, 1942, for the same or a similar grade in a like quantity.

A quantity shall be deemed to be a "like quantity" with another if both fall within one of the following brackets:

250 tons or less.
251 tons through 1000 tons.
1001 tons through 5000 tons.
5001 tons or more.

In determining the quantity of a particular sale under a continuing contract or like agreement, the manufacturer shall not consider the amount of any individual delivery, but rather the total of such deliveries reasonably to be expected under that contract or agreement for the life thereof, but not over a period of more than one year.

A purchaser shall be "in the same line of business" as another purchaser in any case in which the industry generally so classifies purchasers in accordance with the nature of their business or the use which they make of the paper purchased. For example, purchasers within any one of the following groups would be considered purchasers in the same line of business as any other person within the same group: book publishers, magazine publishers, printers, and label manufacturers.

To any maximum price established under this paragraph (a) there shall be applied the manufacturer's usual differentials and charges wherever varying conditions of sale with respect to finish, packing, color, zone, etc. warrant the application of such differentials and charges, except that lightweight differentials shall be determined in accordance with paragraph (d) below.

(b) The maximum price for a grade of book paper which was not delivered or offered for delivery by the manufacturer during the period October 1, 1941 through March 31, 1942 shall be a price in line with the maximum price determined under paragraph (a) of this Appendix B for the nearest related grade of book paper. "The nearest related grade" shall be that grade of paper delivered or offered for delivery by the manufacturer during the period October 1, 1941 through March 31, 1942 which is of the same general type as the grade being priced, is manufactured for the same general use or uses, and for which current total cost is closest to the total cost of the grade being priced.

A price for any such grade shall be "in line" only if the difference between that price and the price for the nearest related grade is not in excess of the dollar and cent difference between the total cost of that grade and the total cost of the nearest related grade. Prices for and costs of both grades shall be on the same basis as to quantity, finishing, packing, and other conditions of manufacture or sale, and shall be computed on the basis of costs prevailing at the time when such "in line" price is being determined in accordance with the manufacturer's usual method of determining total costs during March 1942

To the maximum "in line" price thus determined for such grade there shall be applied the manufacturer's usual differentials and charges, wherever those differentials and charges are applicable, except that light weight differentials shall be determined in accordance with paragraph (d) below.

A maximum price determined by a seller under this paragraph (b) must be reported to and confirmed by the Office of Price Administration. If this confirmation is not obtained prior to the time of making the sale, the seller must agree to refund to the purchaser any amount paid in excess of the confirmed maximum price. Confirmation of a maximum price determined under this paragraph (b) shall be obtained as follows: the seller must submit to the Office of Price Administration in Washington, D. C. a statement setting forth all of the relevant facts including the following:

(i) Description of the grade being priced;

(ii) Completed Form 695–720 (forms available upon application to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C.) which covers cost and price data on that grade and on the related grade with which the price comparison was made;

(iii) A sample sheet of each grade.

When a maximum price as proposed is not disapproved by the Office of Price Administration within 20 days after the above material is filed, it shall be considered confirmed. Confirmation need be obtained only once with respect to each grade involved.

(c) Any maximum price which cannot otherwise be determined under this Appendix B shall be determined by the Office of Price Administration in Washington, D. C., by order upon receipt of an application from the manufacturer setting forth a description of the grade and the reasons why it cannot be priced under any other provision of this Appendix B, and including a completed Form 695–720 with respect to the costs of such grade. (Copies of Form 695–720 available upon application to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C.)

(d) *Lightweight differentials.* The upcharges for light weights provided for in paragraph (d) of Appendix A of this regulation shall apply to all sales for which prices are determined under this Appendix B, except that such upcharges shall apply to sales of book paper for use in a periodical publication only on the downward changes in basis weights which shall have occurred since March 1942.

Example: Assuming paper at $10.00 per cwt. supplied for a periodical publication.

Basis weight of paper for publication, March 1942—25 x 38—43/500
Basis weight of paper for identical publication, since reduced to 25 x 38—41

Price for 41 lb. paper—$10.30 ($10.00 per cwt. plus 3%—1½% per lb. from 43 lb. to 41 lb. basis weight).

Effective date. This Revised Maximum Price Regulation No. 451 shall become effective July 19, 1945.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12881; Filed, July 14, 1945; 11:54 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 9, Amdt. 1]

PART 8309—CONTRACTOR INVENTORY AND DISPOSALS BY OWNING AGENCIES

Surplus Property Board Regulation 9, June 7, 1945, entitled "Contractor Inventory and Disposals by Owning Agencies" (10 F.R. 7413) is hereby amended by changing the effective date thereof from August 1, 1945, to September 1, 1945, except that § 8309.6 relating to preterminination agreements shall remain effective as of July 1, 1945.

This amendment shall become effective immediately.

SURPLUS PROPERTY BOARD.
By A. E. HOWSE,
Administrator.

JULY 6, 1945.

[F. R. Doc. 45-12908; Filed, July 16, 1945; 10:30 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

EMPLOYMENT OF FEMALE PERSONS UNDER 18 YEARS OF AGE

REVOCATION OF EXEMPTION FROM PROVISIONS OF WALSH-HEALEY ACT

Whereas an exemption dated April 21, 1942 (7 F.R. 3003), and amended November 11, 1942 (7 F.R. 9399) was granted under section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. Supp. III, 35), permitting, until further ordered, the award of contracts to contractors in any industry without inclusion in such contracts as required by section 1 (d) of the act the representation and stipulation:

That no • • • female person under 18 years of age • • • will be employed by the contractor in the manufacture or production or furnishing of any of the materials, supplies, articles, or equipment included in such contract;

Provided, however, That employment conditions enumerated in each order are complied with by any contractor seeking to come within the exemption: and

Whereas the War Manpower Commission has advised that the labor supply will be adequate for war production without the addition to the labor force of 16- and 17-year-old female minors not previously employed; and

Whereas it appears that justice and public interest no longer will be served by the continuance of the aforesaid exemption.

Now, therefore I do hereby revoke the exemption orders, dated April 21, 1942 (7 F. R. 3003), as amended by the order dated November 11, 1942 (7 F. R. 9399), pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U. S. C. 35), permitting the award of contracts to contractors in any industry without the inclusion in such contracts of the representations and stipulations of section 1 (d) and section 2 of the act with respect to the employment of girls between the ages of 16 and 18 years. *Provided, however*, This order shall not apply to the employment of such minors who were in the employ of a contractor on or before the effective date of this order and who were as of such date employed in the performance of a contract.

This order shall become effective on October 1, 1945.

Dated: June 30, 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-12927; Filed, July 16, 1945; 11:35 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 112, Amdt. 3]

PART 95—CAR SERVICE

DESTINATION FREE TIME ON FRESH OR GREEN FRUITS OR VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 13th day of July, A. D. 1945.

Upon further consideration of Revised Service Order No. 112 (9 F.R. 11278) as amended (9 F.R. 12656; 10 F.R. 341), and good cause appearing therefor: *It is ordered*, That:

Revised Service Order No. 112 (9 F.R. 11278) as amended, be, and it is hereby further amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Application.* (1) Except as provided below, this order shall apply to intrastate commerce as well as to interstate and foreign commerce carried by every common carrier by railroad subject to the Interstate Commerce Act. (2) Under this order each railroad shall waive demurrage accruing for detention on its rails. (3) This order shall apply to all diversions accomplished within the destination switching limits except such diversion, if any, reconsigning the car to a new destination outside the switching limits thereof. (4) This order shall apply on cars arriving at destination on and after the effective date hereof.

Exception. This order shall not apply on refrigerator cars at ports where the refrigerator cars are ferried by means of railroad car-floats to railroad piers, and such cars are unloaded by the railroads, or their agents, to those piers.

Effective date. This amendment shall become effective at 7:00 a. m., July 16, 1945.

It is further ordered, That a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-12850; Filed, July 14, 1945; 10:29 a. m.]

[Rev. S. O. 160-C]

PART 95—CAR SERVICE

RESTRICTION ON HOLDING GRAIN OR SEEDS FOR ORDERS AT MINNESOTA POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of July, A. D. 1945.

Upon further consideration of Service Order No. 160 (8 F.R. 14223–24) of October 13, 1943, and good cause appearing therefor: It is ordered, that:

(a) *Service Order No. 160 suspended.* Section 95.34 prohibiting the holding for orders of carloads of grain or seeds at Glenwood, St. Cloud, Staples, Thief River Falls, or Willmar, Minnesota, Service Order No. 160 (8 F.R. 14223–24) of October 13, 1943, be, and it is hereby, suspended until 12:01 a. m., July 27, 1945.

(b) *Announcement of suspension.* Each of the railroads affected by this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of Service Order No. 160 and the reestablishment during the effectiveness of this order of the tariff provisions affected hereby. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17).)

It is further ordered, that this order shall become effective at 12:01 a. m., July 16, 1945, and shall vacate and supersede Service Order No. 160–C on the effective date hereof; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-12921; Filed, July 16, 1945; 11:27 a. m.]

[S. O. 331-A]

PART 95—CAR SERVICE

EXPRESS SERVICE FOR GRAPES FROM CALIFORNIA AND ARIZONA PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of July, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 331 (10 F.R. 8560), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 331, restricting movement of grapes by express be, and it is hereby, vacated.

It is further ordered, That this order shall become effective at 12:01 a. m., July 16, 1945; that a copy of this order and direction shall be served upon the Railway Express Agency, Incorporated, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-12922; Filed, July 16, 1945; 11:27 a. m.]

[S. O. 337]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR SHIPMENTS OF ORANGES AND LEMONS FROM ARIZONA OR CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 13th day of July, A. D. 1945.

It appearing, that the Secretary of Agriculture on October 3, 1942, issued Marketing Order No. 66 (7 F.R. 8576), regulating the handling and shipment of oranges grown in the States of California or Arizona, and on April 10, 1941, issued Marketing Order No. 53 (6 F.R. 1833) regulating the handling and shipment of lemons grown in the States of California or Arizona, pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.);

And it further appearing, that the movement of such oranges and lemons under permits is necessary to prevent

congestion of traffic and a shortage of equipment; the Commission is of opinion an emergency requiring immediate action exists in Arizona and California, in order to best promote the service in the interest of the public and the commerce of the people: It is ordered, that:

(a) *Oranges and lemons from Arizona and California not to be transported without a permit.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move a car loaded with oranges or lemons, in carload or less-than-carload quantities, from any origin in the States of Arizona or California destined to interstate or Canadian points, except upon presentation by the shipper to the carrier of a permit issued by the Director of Marketing Services, U. S. Department of Agriculture, or his authorized agent, as provided for in Marketing Order No. 66 (7 F.R. 8576) or Marketing Order No. 53 (6 F.R. 1833).

(b) *Effective date.* This order shall become effective at 12:01 p. m., July 16, 1945.

(c) *Expiration date.* This order shall expire at 11:59 p. m., October 14, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-12926; Filed, July 16, 1945; 11:28 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 21A, Amdt. 2]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, and 9294, and War Production Board Directives 21 and 36, as amended, *It is hereby ordered*, That § 501.93 of General Order ODT 21A, as amended (9 F.R. 12362, 10 F.R. 8143), be, and it hereby is, amended by adding a paragraph designated (c) to read as follows:

§ 501.93 *Issuance of certificate of war necessity.* • • •

(c) Notwithstanding the provisions of paragraph (a) and subparagraph (b) (1) of this § 501.93, whenever the Director of the Highway Transport Department of the Office of Defense Transportation shall have determined that the issuance of certificates of war necessity with respect to any general type or size of commercial motor vehicles for operation in any class of motor carrier operations will not adversely affect the prosecution of the war or the maintenance of essential civilian economy to a material degree, the district manager may, in conformity with such determination, issue a certificate of war necessity with respect to any commercial motor vehicle or vehicles of such type or size, for operation in any such class of motor carrier operations. Such certificate shall be subject to such special or other terms, conditions, or limitations as may, from time to time, be specified by said Director of the Highway Transport Department.

This Amendment 2 to General Order ODT 21A, as amended, shall become effective July 16, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, as amended, 8 F.R. 9834, 10 F.R. 3009)

Issued at Washington, D. C., this 14th day of July 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-12862; Filed, July 14, 1945; 11:35 a. m.]

[Administrative Order ODT 15, Amdt. 3]

PART 503—ADMINISTRATION

EXTENSION AND INAUGURATION OF SERVICE: PROPERTY CARRYING MOTOR VEHICLES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, and 9294, and War Production Board Directives 21 and 36, as amended, *It is hereby ordered*, That § 503.332 of Administrative Order ODT 15, as amended (9 F.R. 1186, 7721, 12365), be, and it hereby is, amended by adding thereto a paragraph designated (e) to read as follows:

§ 503.332 *Approval by district manager.* • • •

(e) Notwithstanding the provisions of paragraphs (a), (b), (c), and (d) of this § 503.332, whenever the Director of the Highway Transport Department of the Office of Defense Transportation shall have determined that approval of extensions or inaugurations of transportation service by any class of motor carriers involving the operation of any general type or size of motor vehicles will not adversely affect the prosecution of the war or the maintenance of essential civilian economy to a material degree, the district manager may, in conformity with such determination, approve, in whole or in part, an application involving the operation of a motor vehicle or vehicles of such type or size in any such class of motor carrier operations. Such approval shall be subject to such special or other terms, conditions, or limitations as may, from time to time, be specified by said Director of the Highway Transport Department.

This Amendment 3 to Administrative Order ODT 15, as amended, shall become effective July 16, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 3009)

Issued at Washington, D. C., this 14th day of July 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-12863; Filed, July 14, 1945; 11:35 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

SPECIAL ASSISTANT TO THE SECRETARY

DELEGATION OF AUTHORITY

Delegation of authority to Gayle G. Armstrong in connection with Public Law No. 108, 79th Congress.

Pursuant to the powers vested in the Secretary of Agriculture of the United States, authority is hereby delegated, under the general supervision and direction of the Secretary, to Gayle G. Armstrong, Special Assistant to the Secretary, to perform any act required or authorized by section 3A of the Stabilization Act of 1942, as amended (Public Law 108, 79th Congress, approved June 30, 1945), and by War Food Order No. 139, issued by the Secretary of Agriculture on the 13th day of July, 1945, in accordance with the standards and requirements of such order including, but not being limited to, authority to make the certifications required under such act and order.

Nothing contained in this delegation of authority to Gayle G. Armstrong, Special Assistant to the Secretary of Agriculture, shall be deemed to limit or affect the authority delegated to the Director of Marketing Services, United States Department of Agriculture, by the said War Food Order No. 139.

In witness whereof I have hereunto set my hand and the seal of the Department of Agriculture this 14th day of July, 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

[F. R. Doc. 45-12855; Filed, July 14, 1945; 11:12 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1895]

AMERICAN AIRLINES, INC.: OKLAHOMA CITY-TUCSON, OKLAHOMA CITY-PHOENIX NONSTOP SERVICE

NOTICE OF HEARING

In the matter of the application of American Airlines, Inc., for authority to inaugurate nonstop service between Oklahoma City and Tucson and between Oklahoma City and Phoenix under § 238.3 of the Board's Economic Regulations.

Notice is hereby given that the above-entitled matter is assigned to be heard on July 30, 1945, 10 a. m. (Eastern war time) in Room 5132 Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before Examiner James S. Keith.

Dated at Washington, D. C., July 13, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 45-12854; Filed, July 14, 1945; 10:59 a. m.]

[Docket No. 1907 et al.]

NATIONAL AIRLINES, CARIBBEAN-ATLANTIC AIRLINES CONTROL

NOTICE OF HEARING

In the matter of an investigation instituted by the Board after receiving a complaint filed by Inter-Americas Airlines, Inc., against National Airlines, Inc.; and Caribbean-Atlantic Airlines, Inc.; the application of National Airlines, Inc.; for approval, under section 408 of the Civil Aeronautics Act of 1938, as amended, of the acquisition of control of Caribbean-Atlantic Airlines, Inc., and of a letter of agreement between National Airlines, Inc., and Caribbean-Atlantic Airlines, Inc., identified as Contract C. A. B. No. 383; and for approval of the aforesaid letter of agreement between National Airlines, Inc., and Caribbean-Atlantic Airlines, Inc., (Contract C. A. B. 383) pursuant to section 412 (a) of the act.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408 and 1002, that a hearing in the above-entitled proceeding is assigned to be held on July 24, 1945, at 10 a. m. (eastern war time) in Conference Room A of the Departmental Auditorium, Washington, D. C., before Examiner Ferdinand D. Moran.

Dated at Washington, D. C., July 13, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 45-12919; Filed, July 16, 1945; 11:27 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket 6767]

POWEL CROSLEY, JR., AND AVIATION CORP.

ORDER DESIGNATING APPLICATION FOR HEARING AND STATING ISSUES

In re: Application of Powel Crosley, Jr., transferor and The Aviation Corporation, transferee, for transfer of control of The Crosley Corporation, licensee. File No. B2-TC-452.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of July 1945;

The Commission having under consideration an application by Powel Crosley, Jr., transferor, and The Aviation Corporation, transferee, for transfer of control of The Crosley Corporation, licensee of standard broadcast station WLW and other radio stations, to The Aviation Corporation (File No. B2-TC-452);

It is ordered, That this application be, and it is hereby, designated for hearing, to be held on the 8th day of August 1945, upon the following issues:

1. To obtain full information with reference to the qualifications of the proposed transferee.

2. To obtain full information with reference to the identity, citizenship, interests, and qualifications of the officers and directors of the proposed transferee.

3. To determine in accordance with the provisions of section 310 of the Communications Act whether or not more than ¼ of the capital stock of the proposed transferee is owned of record or voted by aliens, or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country.

4. To determine what portion of the consideration for The Crosley Corporation stock is attributable to the broadcasting properties of Station WLW, and to the International Broadcast stations licensed to the said corporation.

5. To determine what portion of the consideration for The Crosley Corporation stock is attributable to the contract which said corporation holds to acquire standard broadcast station WINS, New York City.

6. To obtain full information with respect to any relationship which operation of Station WLW and other Crosley Corporation radio stations would have with other enterprises of the proposed transferee, including information as to the extent to which WLW and other Crosley stations would be used for furtherance of other interests of the transferee.

7. To determine the proposed transferee's plans with respect to FM and television broadcasting.

8. To determine the proposed transferee's plans with respect to the operation of Station WLW and its program policies, including those relating to chain broadcasting.

9. To determine what effect the contract provision, restraining Powel Crosley, Jr., from engaging in the operation of a broadcasting or television station for a period of five years would have upon competition in broadcasting and whether or not such restraint would be consistent with the Communications Act and in the public interest.

10. To obtain full information with respect to the proposed transferee's plans to finance its acquisition of the Crosley Corporation stock.

11. To determine whether, in the light of the evidence adduced on the foregoing issues, public interest would be served by granting the instant application.

The applicant is hereby given the opportunity to obtain a hearing upon such issues by filing a written appearance in accordance with the provisions of § 1.382(b) of the Commission's rules and regulations. Persons other than the applicants who desire to be heard must file a petition to intervene, in accordance with the provisions of § 1.102 of the Commission's rules and regulations.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-12939; Filed July 16, 1945; 11:52 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O 332 General Permit 1]

SHIPPING OF ICE FOR USE IN ICING CARS IN ARIZONA AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 332 (10 F.R. 8603), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 332 insofar as it applies to Company ice, in carloads, to be shipped by or to the Pacific Fruit Express Company or any rail carrier for use in icing cars.

This general permit shall become effective at 12:01 a. m., July 13, 1945.

The waybill shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of July 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-12851; Filed, July 14, 1945; 10:29 a. m.]

[S. O. 332, General Permit 2]

LOADING OF PEACHES CONSIGNED TO CANNERIES IN ARIZONA AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 332 (10 F.R. 8603), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 332 insofar as it applies to peaches in any freight car, except a refrigerator car, when such peaches are to be consigned to canneries; also return of the empty lug boxes from canneries.

This general permit shall become effective at 12:01 a. m., July 13, 1945.

paragraph (a) and subparagraph (b) (1) of this § 501.93, whenever the Director of the Highway Transport Department conditions, or limitations as may, from time to time, be specified by said Director of the Highway Transport Department.

NOTICE OF HEARING

In the matter of the application of American Airlines, Inc., for authority to

File No. B2-TC-452.

by granting the instant application.

at 12:01 a. m., July 13, 1945.

The waybill shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-12852; Filed, July 14, 1945; 10:30 a. m.]

[S. O. 332, General Permit 3]

LOADING OF LESS-THAN-CARLOAD AND TRANSFER FREIGHT AND FUEL OIL IN ARIZONA AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 332 (10 F.R. 8603), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 332 insofar as it applies to the loading of less-than-carload freight, including transfer freight, in the carrier's possession; also the loading of company fuel oil. Billing may be accepted on less-than-carload freight on and after 7:00 a. m., on any Monday.

This general permit shall become effective at 12:01 a. m., July 13, 1945.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-12853; Filed, July 14, 1945; 10:30 a. m.]

[S. O. 321-A]

RESTRICTION ON LOADING OF ANTHRACITE COAL AT SHENANDOAH, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of July, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 321 (10 F.R. 7814), and good cause appearing therefor:

It is ordered, That: Service Order No. 321 be, and it is hereby, vacated.

It is further ordered, That this order shall become effective at 12:01 a. m., July 16, 1945; that a copy of this order and direction shall be served upon the Pennsylvania Railroad Company, upon the Pennsylvania Public Utility Commission, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-12922; Filed, July 16, 1945; 11:27 a. m.]

[S. O. 322-A]

RESTRICTION ON LOADING OF ANTHRACITE COAL AT UNION JUNCTION, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of July, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 322 (10 F.R. 7815), and good cause appearing therefor:

It is ordered, That: Service Order No. 322 be, and it is hereby, vacated.

It is further ordered, That this order shall become effective at 12:01 a. m., July 16, 1945; that a copy of this order and direction shall be served upon the Central Railroad Company of New Jersey, upon the Pennsylvania Public Utility Commission, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-12924; Filed, July 16, 1945; 11:28 a. m.]

[S. O. 336]

RESTRICTIONS ON LOADING OF COAL AT ENOLA YARD, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of July, A. D. 1945.

It appearing, that cars PRR 140506 and 164419, containing coal at Enola Yard, Pennsylvania, on the Pennsylvania Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action.

It is ordered, that,

Coal at Enola Yard, Pennsylvania be unloaded. (a) The Pennsylvania Railroad Company, its agents or employees, shall unload forthwith cars PRR 140506 and 164419, containing coal on hand at Enola Yard, Pennsylvania, consigned for account Cassier Coal Sales Company, Clearfield, Pa., to Lionel Fuel Company, Bush Terminal, N. Y.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads have been completely unloaded in compliance with the requirements of paragraph (a). Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Pennsylvania Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the Railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-12925; Filed, July 16, 1945; 11:28 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4977]

EDELEANU GESELLSCHAFT M. B. H AND STANDARD OIL CO. OF CALIFORNIA

In re: Interests of Edeleanu Gesellschaft m. b. H. in an agreement with Standard Oil Company of California.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Edeleanu Gesellschaft m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Edeleanu Gesellschaft m. b. H.;

3. That the property described as follows:

All interests and rights, (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Edeleanu Gesellschaft m. b. H. by virtue of an agreement dated February 27, 1936 (including all modifications thereof and supplements thereto, if any) by and between Edeleanu Gesellschaft m. b. H. and Standard Oil Company of California, which agreement relates, among other things, to United States Letters Patent No. 2,026,121.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-12767; Filed, July 18, 1945; 10:49 a. m.]

[Vesting Order 4978]

LANGBEIN-PFANHAUSER-WERKE A. G.

In re: United States Letters Patent No. 2,372,665 owned by Langbein-Pfanhauser-Werke A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Langbein-Pfanhauser-Werke A. G. is a corporation organized and existing under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Langbein-Pfanhauser-Werke A. G.;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

2,372,665; 4-3-45; Arnold A. Egli, Carl Bokenkamp; Process for obtaining etchable deposits on printing cylinders, .

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-12768; Filed, July 13, 1945; 10:49 a. m.]

[Vesting Order 4979]

TELEFUNKEN GESELLSCHAFT FUR DRAHTLOSE TELEGRAPHIE M. B. H.

In re: Patent Nos. 2,122,893 and 2,282,388 owned by Telefunken Gesellschaft fur Drahtlose Telegraphie m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Telefunken Gesellschaft fur Drahtlose Telegraphie m. b. H. is a corporation organized under the laws of, and having its principal place of business in Germany, and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Telefunken Gesellschaft fur Drahtlose Telegraphie m. b. H.;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

2,122,893; 7-5-38; Otto Hans Roosenstein; Conductor for radio frequency currents.

2,282,388; 5-12-42; Martin Zeh; Foldable antenna.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-12769; Filed, July 13, 1945; 10:49 a. m.]

[Vesting Order 5006]

GUSTAV BAUER, ET AL.

In re: Patents owned by nationals of Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That each of the persons to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, if an individual, is a resident of, or if a business organization, is organized under the laws of and has its principal place

for:

for an unreasonable length of time and

m. b. H. and Standard Oil Company of

of business in, Germany and is a national of a foreign country (Germany);

2. That the patents described in subparagraph 3 hereof are property of the persons whose names appear in the column headed "Owner" opposite the respective numbers thereof in Exhibit A;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recovered at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the United States Letters Patent identified in Exhibit A attached hereto and made a part hereof,

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States: *Provided, however,* That the property herein vested shall be subject to the following agreements: two agreements dated December 31, 1928, among Harold Sinclair, Deutsche Schiff-und-Maschinenbau, A. G., Dr. Gustav Bauer and Johann Nikolaus Kiep; agreement dated January 27, 1933, among Hydraulic Coupling Patents Limited, Harold Sinclair and American Blower Corporation; and an agreement dated March 1, 1934 (as amended September 4, 1939), between Hydraulic Coupling Patents Limited, Harold Sinclair and American Blower Corporation.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date of Issue, Owner and Title

1,682,593; 8-28-28; Gustav Bauer; Reversing device for working shafts.

1,757,827; 5-6-30; Gustav Bauer, Rudolf Walde and Hans Kluge; Arrangement for filling and maintaining filled hydraulic clutches or gears.

1,780,613; 11-4-30; Gustav Bauer and Carl Schmieske; Regulating device for liquid couplings.

1,860,701; 5-31-32; Gustav Bauer and Walter Brose; Hydraulic power transmitter.

1,866,424; 7-5-32; Deutsche Schiff-und-Maschinenbau, A. G.; Emptying device for liquid couplings.

1,868,129; 7-19-32; Gustav Bauer and Johann N. Kiep; Hydraulic gear and coupling.

1,868,130; 7-19-32; Gustav Bauer and Walter Brose, Control device for engines and roters driven thereby.

1,868,146; 7-19-32; Johann N. Kiep; Hydraulic coupling.

1,880,674; 10-4-32; Gustav Bauer; Scavenging mechanism for two-cycle engines.

1,881,082; 10-4-32; Johann N. Kiep; Hydraulic coupling.

1,881,083; 10-4-32; Johann N. Kiep; Hydraulic coupling.

1,904,054; 4-18-33; Johann N. Kiep and Walter Brose; Hydraulic coupling.

1,904,606; 4-18-33; Gustav Bauer and Johann N. Kiep; Hydraulic power transmitter.

1,910,696; 5-23-33; Johann N. Kiep, Hydraulic coupling.

1,910,697; 5-23-33; Johann N. Kiep; Hydraulic power transmitter.

[F. R. Doc. 45–12770; Filed, July 13, 1945; 10:50 a. m.]

[Vesting Order 5024]

MOKUICHI IIZUKA

In re: Estate of Mokuichi Iizuka, also known as Mokuichiro Iizuka, deceased; File D–39–18363; E. T. sec. 13270; H–315.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the sister, name unknown, of Mokuichi Iizuka, also known as Mokuichiro Iizuka, deceased, in and to the Estate of Mokuichi Iizuka, also known as Mokuichiro Iizuka, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Japan, namely,

National and Last Known Address

Sister, name unknown, of Mokuichi Iizuka, also known as Mokuichiro Iizuka, deceased, Japan.

That such property is in the process of administration by Hiroshi Iwamoto, as Administrator, acting under the judicial supervision of the Circuit Court, First Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–12771; Filed, July 13, 1945; 10:50 a. m.]

[Vesting Order 5076]

EMMA J. SCHOEDDE

In re: Estate of Emma J. Schoedde, deceased; File No. D–28–6668; E.T. sec. 5036.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Minna Auel in and to the Estate of Emma J. Schoedde, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Minna Auel, Germany.

That such property is in the process of administration by Herman Richter, as executor of the Estate of Emma J. Schoedde, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an

appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 4, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12772; Filed, July 13, 1945; 10:50 a. m.]

[Vesting Order 5077]

PETER SIEVERS

In re: Estate of Peter Sievers, deceased; File D–28–9043; E. T. sec. 11527.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $8,100.00 in the possession and custody of the Clerk of the District Court of Iowa in and for Plymouth County which sum was deposited pursuant to a court order entered April 27, 1942 in the estate of Peter Sievers, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Catharine (Catharina) Sievers, Germany.
Margaretha Sievers, Germany.
Wiebke Sievers, Germany.
Claus Kruse, Germany.
Peter Kruse, Germany.
Catharina Kruse, Germany.
Peter Greve (Grove), Germany.
Margaretha Greve (Grove), Germany.
Anna Greve (Grove), Germany.

That such property is in the process of administration by Earl Remer, Clerk of the District Court, Plymouth County, Iowa, as Depositary, acting under the judicial supervision of the District Court of Plymouth County, Iowa;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 4, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12773; Filed, July 13, 1945; 10:50 a. m.]

[Vesting Order 5079]

SOPHIE CASTENOW

In re: Estate of Sophie Castenow, deceased; File No. D–28–8676; E. T. sec. 10510.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. John Lindshurst, Ernest Castenow and Charlotte Castenow, their heirs-at-law, next of kin, distributees, executors, administrators and personal representatives, names unknown, and each of them, in and to the estate of Sophie Castenow, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. John Lindshurst, Germany.

The heirs-at-law, next of kin, distributees, executors, administrators and personal representatives, names unknown, of Mrs. John Lindshurst, Germany.

Ernest Castenow, Germany.

The heirs-at-law, next of kin, distributees, executors, administrators and personal representatives, names unknown, of Ernest Castenow, Germany.

Charlotte Castenow, Germany.

The heirs-at-law, next of kin, distributees, executors, administrators and personal representatives, names unknown, of Charlotte Castenow, Germany.

That such property is in the process of administration by Miss Mary V. McDermott, as Executrix, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 9, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12774; Filed, July 13, 1945; 10:50 a. m.]

[Vesting Order 5083]

ELISABETH OENNING

In re: Trust under the will of Elisabeth (Elizabeth) Oenning, deceased; File D–28–6550; E. T. sec. 4511.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of (Mrs.) Anna Roters, Joseph Roters, Elizabeth Roters, Klemens Roters, Wilhelm Roters, Maria Roters, Hedwig Roters, Anna Roters, and the children, names unknown, of (Mrs.) Anna Roters, and each of them, in and to the trust, under the Will of Elisabeth (Elizabeth) Oenning, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

(Mrs.) Anna Roters, Germany.
Joseph Roters, Germany.
Elizabeth Roters, Germany.
Klemens Roters, Germany.
Wilhelm Roters, Germany.
Maria Roters, Germany.
Hedwig Roters, Germany.
Anna Roters, Germany.
Children, names unknown, of (Mrs.) Anna Roters, Germany.

That such property is in the process of administration by the Mercantile Trust and Savings Bank, 100 North 5th Street, Quincy, Illinois, as Successor Trustee, acting under the judicial supervision of the Circuit Court of Adams County, Quincy, Illinois, in Chancery;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12775; Filed, July 13, 1945; 10:50 a. m.]

[Vesting Order 5084]

SAMUEL B. NEWMAN ET AL.

In re: Samuel B. Newman and Leo Z. Hauser, as trustees under a Trust Indenture dated December 15, 1931, made by and between Josephine Zimmermann and Maryan H. Hauser and Samuel B. Newman, et al., plaintiffs, against Maurice B. Blumenthal, et al., defendants; File No. D–28–8394; E. T. sec. 9765.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Karl Altschul, Rescha Rosenthal, Lena Hetterich, also known as Lina Heterich, Selma Czarlinski, Edmund Jonas, Carl Jonas and Paula L. Mannheimer, and each of them, in and to a trust established under an indenture of trust executed by Josephine Zimmermann as Settlor and Maryan H. Hauser and Samuel B. Newman as Trustees on December 15, 1931,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Altschul, Germany.
Rescha Rosenthal, Germany.
Lena Hetterich, also known as, Lina Heterich, Germany.
Selma Czarlinski, Germany.
Edmund Jonas, Germany.
Carl Jonas, China.
Paula L. Mannheimer, China.

That such property is in the process of administration by Samuel B. Newman and Leo Z. Hauser, as Trustees, acting under the judicial supervision of the Supreme Court of the County of New York, State of New York;

And determining that Carl Jonas and Paula L. Mannheimer, citizens or subjects of a designated enemy country, Germany, and within an enemy occupied area, China, are nationals of a designated enemy country (Germany);

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 12, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–12776; Filed, July 13, 1945; 10:50 a. m.]

[Vesting Order 99, Amdt.]

FOLYSIUS OFFENE HANDELAGESELLSCHAFT ET AL.

In re: Interests of enemy nationals in patents.

Vesting Order Number 99, dated August 6, 1942, is hereby amended as follows and not otherwise:

By deleting paragraph numbered 4 on pages 1 and 2 of Exhibit A attached to said vesting order and substituting therefor the following:

4. All interests and rights (including all royalties or other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie A. G. by virtue of a contract dated March 13, 1936 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie A. G. and General Dyestuff Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,926,447.

All other provisions of said Vesting Order Number 99 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–12777; Filed, July 13, 1945; 10:51 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 2–16]

DEPARTMENT OF STREET RAILWAYS, DETROIT, MICH.

SUBSTITUTION OF MOTOR BUS SERVICE FOR STREET RAILWAY SERVICE

Upon consideration of the application for authority to substitute motor bus service for certain street railway passenger service filed with the Office of Defense Transportation by the City of Detroit, Michigan, Department of Street Railways, as contemplated by General Order ODT 2 (7 F.R. 2952), and good cause appearing therefor, *It is hereby ordered*, That:

1. The City of Detroit, Michigan, Department of Street Railways, is authorized to abandon street railway service on Michigan Avenue, West of Oakman Boulevard, and on Schaefer Highway South of Michigan Avenue, and substitute therefor motor bus service over the Detroit Industrial Expressway, between the intersection of Wyoming and Michigan Avenues and the Gate #10 terminal on the Schaefer Highway side of the Ford Motor Company's River Rouge Plant, all in the City of Dearborn, Michigan: *Provided, however*, That the said City of Detroit, Michigan, Department of Street Railways, if and to the extent required by law, shall first obtain from the appropriate regulatory body or bodies authority to abandon such street railway service.

2. Communications concerning this order should refer to Supplementary Order ODT 2–16 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 15, 1945.

Issued at Washington, D. C., this 14th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45–12819; Filed, July 13, 1945; 2:36 p. m.]

[Supp. Order ODT 20A–217]

TUSKEGEE, ALA., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Tuskegee, Alabama, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Montgomery, Alabama, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communication concerning this order should refer to "Supplementary Order ODT 20A–217" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Montgomery, Alabama.

8. This order shall become effective July 23, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Floyd Benson, Tuskegee, Ala.
Walter Greathouse, Tuskegee, Ala.
Lois Griggs, Tuskegee, Ala.
R. E. Guinn, Tuskegee, Ala.
Willie M. Hobdy, Tuskegee, Ala.
Anthony Johnson, Tuskegee, Ala.
Jerry Johnson, Tuskegee, Ala.
William T. Peterson, Tuskegee, Ala.
S. J. Phillips, Tuskegee, Ala.
Will Pollard, Tuskegee, Ala.
Will Williams, Tuskegee, Ala.
Harry W. White, Tuskegee, Ala.
Willie N. White, Tuskegee, Ala.

[F. R. Doc. 45–12909; Filed, July 16, 1945; 11:08 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[Supp. Order 94, Order 68]

RECONSTRUCTION FINANCE CORPORATION

SPECIAL MAXIMUM PRICES FOR CERTAIN STIRRUP PUMPS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for resellers of certain stirrup pumps hereinafter described, which have been or may be purchased from the Reconstruction Finance Corporation, or from any other United States Government agency.

(b) *Maximum prices.* Maximum prices per new stirrup pump described herein shall be:

Description of pump. OCD approved stirrup pump, cylinders of smooth steel tubing with porcelain enamel finish, plastic piston plunger and suction valve, glass check valve, plastic suction screen, wood handle, equipped with $^3/_8$" diameter, 10 foot long hose and two plastic nozzles, manufactured by Dobbins Mfg. Co., North St. Paul, Minn., The Oakes Mfg. Co., Tipton, Indiana, Tennessee Stove Works, Chattanooga, Tenn., James Graham Mfg. Co., Newark, Calif., and Independent Lock Co., Fitchburg, Mass.

	Each
Price for all sales at wholesale	$1.20
Price for all sales at retail	1.79

(c) *Discounts and allowances.* All sales are subject to the seller's established quantity discounts, allowances and other price differentials.

(d) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(e) *Definitions.* (1) "Sale at wholesale" means a sale by a person to any person other than an ultimate consumer.

(2) "Sale at retail" means a sale to an ultimate consumer.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 20, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45–12934; Filed, July 16, 1945; 11:40 a. m.]

[RMPR 136, Order 470]

GRAY TOOL CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 470 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Gray Tool Company, Docket No. 6083–136.25a–322.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales by all persons of the following oil-well equipment manufactured by Gray Tool Company, Houston, Texas, shall be determined as follows: The seller (manufacturer or reseller) shall increase the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order by the applicable percentage set forth below:

Line:	Percentage increase
Series 600	11
Series 900	23
Series 1500	14

(b) Gray Tool Company shall notify each purchaser who purchases oil-well equipment from Gray Tool Company for resale of the percentage by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12803; Filed, July 13, 1945; 11:15 a. m.]

[RMPR 136, Order 471]

CHRYSLER CORP.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 471 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Chrysler Corporation; Docket No. 6083–136.21–296.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum net prices for sales by Chrysler Corporation, Detroit, Michigan, of the following Model M–10 Crown Marine Engines shall be as follows:

Gear ratio:	Maximum net price
Straight drive	$494.00
1.43	567.00
2.03	578.00
2.52	583.00
3.17	593.00
4.38	654.00

(b) The maximum prices for sales by resellers of Model M–10 Crown Marine Engines manufactured by Chrysler Corporation shall be determined as follows: The reseller shall increase or decrease the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order by the dollar-and-cent amount by which his net invoiced cost has been increased or decreased by reason of this order.

(c) Chrysler Corporation shall notify each person who buys Model M–10 Crown Marine Engines from Chrysler Corporation for resale of the dollar-and-cent amount by which this order permits the reseller to increase, or requires him to decrease, his maximum price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) On or before January 15, 1946, Chrysler Corporation will file with the Machinery Branch, Office of Price Administration, Washington, D. C., a report covering the six months' period following the issuance of this order showing its unit sales by sizes of its Model M–10 Crown Marine Engines.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12804; Filed, July 13, 1945; 11:15 a. m.]

[RMPR 136, Order 472]

OAKES & BURGER, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 472 under Revised Maximum Price Regulation 136—Machines, parts and industrial equipment. Oakes & Burger, Incorporated; Docket No. 6083–136.21–375.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by Oakes and Burger, Incorporated, Cattaraugus, New York, of the following milk handling equipment shall be determined as follows: The manufacturers shall increase the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order by the applicable percentage set forth below:

Items:	Percentage increase
Straightaway can washer	2.5
Rotary can washer	2.5
Pasteurizer	2.5
Weigh can	2.5
Wash sinks	2.5
Milk coolers	2.5
Cheese hoops	2.5
Factory milk cans	2.5
Receiving and weighing units	2.5
Cheese vats	2.5
Ingredient cans	2.5

(b) The maximum prices for sales by resellers of milk handling equipment manufactured by Oakes & Burger, Incorporated, shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order, the amount, in dollars and cents, by which his net invoiced cost had been increased due to the adjustment granted by this order.

(c) Oakes & Burger, Incorporated, shall notify each purchaser to whom it sells milk handling equipment for resale of the dollars and cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12805; Filed, July 13, 1945; 11:15 a. m.]

[MPR 120, Order 1420]

KENWORTHY BROTHERS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Kenworthy Brothers Mine of Kenworthy Brothers is hereby assigned mine index No. 1010 and its coals are classified in Maximum Truck Price Group No. 18.

(b) Coals produced by Kenworthy Brothers from the Old Smokey Hollow Seam at their Kenworthy Brothers Mine, mine index No. 1010, located in Monroe County, Iowa in District No. 12 may be purchased and sold for the indicated movements at par net ton prices in cents per net ton not exceeding the following:

Size group Nos.	1	2	3	4	5	6, 7	7A	8	9	10
Truck or wagon shipments	$4.20	$4.10	$4.00	$3.90	$3.70	$3.60	$4.10	$2.80	$3.40	$2.90

(c) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(f) The price classifications and mine index numbers assigned herein are permanent, but the maximum prices may be changed by order or amendment, under § 1340.223, Appendix L to Maximum Price Regulation No. 120.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12802; Filed, July 13, 1945; 11:15 a. m.]

[MPR 260, Amdt. 1 to Order 927]

JESUS O. GARCIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to Section 1358.102(b) of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "Victoria—$5^3/_4$" x $^5/_8$"", "Corona—$5^1/_2$" x $^5/_8$"" and "Superior—6" x $^5/_8$"" cigars set forth in Paragraph (a) of Order No. 927 under Maximum Price Regulation No. 260, are amended to read as follows. The brand name "Imperior" is corrected to read "Superior."

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible]	$5^3/_4$" x $^5/_8$"	50	$105	14
[illegible]	$5^1/_2$" x $^5/_8$"	50	75	10
[illegible]	6" x $^5/_8$"	50	115	15

This amendment shall become effective July 14, 1945.

Issued this 13th day of July, 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-12822; Filed July 13, 1945; 4:12 p. m.]

[MPR 260, Order 1568]

PEREZ AND SIFONTES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Perez and Sifontes, 1818 12th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
[illegible] and Sifontes	Londres	50	$63.75	2 for 25
	Couchas	50	64.00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12823; Filed, July 13, 1945; 4:12 p. m.]

[MPR 260, Order 1569]

RODRIGUEZ & PENSADO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rodriguez & Pensado, 1904 Spruce Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Azteca	Medio Corona	50	$ 65.00	10
	Corona	50	125.00	19
	Gran Corona			
	Lonsdale	50	75.00	12
	Cabinet	50	75.00	12

[illegible] applies to the [illegible] all imported Havanas [illegible]

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12824, Filed, July 13, 1945; 4:12 p. m.]

[MPR 260, Order 1570]

PACKER BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Packer Brothers, 318 W. 47 St., New York 19, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Romeo y Julieta	Fancy Tubes of Smoke	25	363	50

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12825; Filed, July 13, 1945; 4:13 p. m.]

[MPR 260, Order 1571]

A. SENSENBRENNER SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) A. Sensenbrenner Sons, 1220 Maple Ave., Los Angeles 15, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Santa Fe	Cigaritas	50 units	75	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12826; Filed, July 13, 1945; 4:13 p. m.]

[MPR 260, Order 1572]

LA CONGA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Conga Cigar Factory, 160 N. Wells St., Chicago 6, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Conga	Panetella	50	500	12
	Breva	50	72	9
	Favoritas	50	136	3 for 50

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12827; Filed, July 13, 1945; 4:13 p. m.]

[MPR 260, Order 1573]

GARCIA-VANA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Garcia-Vana Cigar Co., 172 N. La Brea Ave., Los Angeles, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Fiesta	Queens	50	$125.00	15
Garcia-Vana	Corona	50	97.50	13
Garcia	do	50	78.75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12828; Filed, July 13, 1945; 4:14 p. m.]

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domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12827; Filed, July 13, 1945; 4:13 p. m.]

[MPR 260, Order 1574]

ELIGIO RAMOS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Eligio Ramos, #95 W. Jones, Rio Piedras, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Full Coronas	5¾"	50	$80	2 for 15
Lucolo Coronas	5¼"	50	45	2 for 11
Coronas D	4¾"	50	36	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc 25-12829; Filed July 13, 1945; 4:14 p. m.]

[MPR 260, Order 1575]

EL HOMBRE LIBRE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) El Hombre Libre Cigar Factory, 2318 Main St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Hombre Libre	Cadetes	50	*Per M* $115	*Cents* 15
	Pamplonas 2¾	50	138	18
	Brevas	50	160	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc 45-12830; Filed, July 13, 1945; 4:14 p. m.]

[MPR 260, Order 1576]

J. R. CAMERO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. R. Camero, 2920 11th St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
J. R. Camero	Londres	50	*Per M* $80	*Cents* 2 for 7
	Brevas	50	80	2 for 7
	Coronas	50	60	2 for 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc 45-12831; Filed, July 13, 1945; 4:15 p. m.]

[MPR 260, Order 157]

MANO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mano Cigar Factory, 2135 Main St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Mano Cigar Factory.	Corona Extra	50	*Per M* $40.00	*Cents* 5
	Epicure	50	82.50	11
	Londres Large	50	101.25	2 for 27
	Parejo			
	Specials	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12832; Filed, July 13, 1945; 4:15 p. m.]

[MPR 260, Order 1578]

FABIO AVILA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Fabio Avila, Calle #5 Dulces Labios, Mayaguez, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
4½" long Palmera	4½" long Palmera Cigar.	50	*Per M* $40	*Cents* 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12833; Filed, July 13, 1945; 4:15 p. m.]

[MPR 260, Order 1579]

CANDIDO ALVARADO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Candido Alvarado, Allen St., #77, San Juan 15, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tru-a-Rico Petit Corona	4¾".....	50	*Per M* $56	*Cents* 7
Tu-a-Rico Corona	4½".....	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the dis-

counts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12834; Filed, July 13, 1945; 4:15 p. m.]

[MPR 260, Order 1580]

FREDERICK L. MUELLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frederick L. Mueller, 831 W. 5th St., Winona, Minn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Cubana	5¼".....	50	$93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12835; Filed, July 13, 1945; 4:16 p. m.]

[MPR 260, Order 1581]

SATURNINO LEBRON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Saturnino Lebron, Allen Street, #77, San Juan 15, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Try-a-Rico Petit Corona	4¾".....	50	$56	7
Try-a-Rico Comodoro	4½".....	50	26	3

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12836; Filed, July 13, 1945; 4:16 p. m.]

[MPR 260, Order 1582]

MARCELO LOPEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Marcelo Lopez, Allen Street, #77, San Juan 15, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Try-a-Rico Petit Corona	4¾".....	50	$56	7
Try-a-Rico Comodo.	4½".....	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12837; Filed, July 13, 1945; 4:16 p. m.]

[MPR 260, Order 1583]

ANA MARIA SANTIAGO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ana Maria Santiago, Belgica, 3-#91, Ponce, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Coronas	4½".....	50	$32.00	4
Brevas	4½".....	50	26.65	3 for 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12838; Filed, July 13, 1945; 4:17 p. m.]

[MPR 260, Order 1584]

ANTONIO CRUZ ROSA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Antonio Cruz Rosa, Allen Street, #77, San Juan 15, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Try-a-Rico Petit Corona	4¾".....	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on

sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed in § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12839; Filed, July 13, 1945; 4:17 p. m.]

[MPR 260, Order 1585]

DORIS M. ALEJANDRO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Doris M. Alejandro, Jose de Diego St., Toa Alta, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona	Corona 4¾"...	50	*Per M* $40	*Cents* 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1945.

Issued this 13th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12840; Filed, July 13, 1945; 4:17 p. m.]

[RMPR 528, Order 46]

B. F. GOODRICH CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for a new 21.00-24, 24 ply, Universal cotton truck and bus tire manufactured by The B. F. Goodrich Company of Akron, Ohio, shall be $871.30 each.

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 18, 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12886; Filed, July 14, 1945; 11:56 a. m.]

[RMPR 528, Order 47]

GOODYEAR TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for sales by The Goodyear Tire and Rubber Company of Akron, Ohio, for the following types and sizes of new tires shall be:

Size	Ply	Type	Maximum retail price (each)
16.00-24	24	Hard Rock Lug Truck	$919.70
16.00-32	24	Hard Rock Lug Truck	995.65
21.00-24	24	Hard Rock Lug Truck	871.30
7.50-15	12	Trailer	63.80
7.50-16	4	All Traction Rear Tractor (For golf course and industrial tractors).	20.85

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 18, 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12887; Filed, July 14, 1945; 11:56 a. m.]

[RMPR 528, Order 48]

FIRESTONE TIRE AND RUBBER CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *it is ordered:*

(a) The maximum retail prices for the following sizes and types of new tires and tubes shall be:

Size	Ply	Type	Tire (each)	Tube (each)
5.50-15	4	Passenger car	$12.85	$3.00
14.00-21	20	Truck and bus	309.75	.....
14.00-20	20	Mud and snow	306.40	.....
7.50-18	8	Farm tractor front	31.35	.....
21.00-28	.....	Truck	.....	131.90
24.00-28	.....	Truck	.....	137.00

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 18, 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12838; Filed, July 14, 1945; 11:57 a. m.]

[MPR 188, Order 101, Under Order A-2]

NORTH LEBANON FOUNDRY CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188, It is ordered:

(a) *Manufacturer's maximum prices.* The North Lebanon Foundry Company, 260 Canal Street, Lebanon, Pennsylvania, may add the following adjustment charges to its maximum prices for sales to the purchasers listed below, of the following articles which it manufactures, and which are fully described in its application dated March 29, 1945, resulting in the following adjusted maximum prices:

Article	Model No.	Adjustment charge permitted by this order	Adjusted maximum price
Bullet	3	$0.01	$0.23
Do	5	.02	.35
Do	8	.02	.45
Pot and lid	8	.07	1.25

The adjustment charges provided herein may be made and collected only when each is stated separately on each invoice and apply only on sales to the following purchasers:

Supplee Biddle Company, 507 Commerce St., Philadelphia, Pa.

Liberty Distributors, P. O. Box 333, Philadelphia, Pa.

Bigelow & Dowse Co., P. O. Box 1632, Boston, Mass.

Herr and Company, Inc., Prince & Chestnut Sts., Philadelphia, Pa.

The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Purchasers for resale, listed in paragraph (a) of an article covered by this order may not increase their properly established maximum prices in effect immediately before the issuance of this order by any amount. If any such purchaser for resale did not have a maximum price in effect for the article when this order was issued, it may not add any adjustment charge to the maximum price which it hereafter establishes for its sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find its maximum resale price by using as costs its invoice cost less any adjustment charge stated on the invoice as a separate amount.

(c) *Notification.* On each sale and delivery at an adjusted price permitted by this order, North Lebanon Foundry Co. shall furnish any purchaser listed in paragraph (a) with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

We are permitted to make the adjustment charge appearing on this invoice by Order No. 101 under Order A-2 under MPR 188. You may not increase your established resale prices nor include any part of that separately stated adjustment charge in your cost in determining your resale price.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on July 16, 1945.

Issued this 14th day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12889; Filed July 14, 1945; 11:57 a. m.]

[MPR 188, Rev. Order 2642]

MEGARD CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Megard Corporation, Hollywood Electronics, 1601 S. Burlington Avenue, Los Angeles 6, Calif.

(1) For all sales and deliveries to the following classes of purchasers by all sellers, the maximum prices are those set forth below:

Model No.	Jobbers, U. S. Government, Red Cross, and USO	Retailers	Amateurs, institutional and industrial users	Household consumers
HE 621	$24.50	$30.60	$36.75	$51.00
HE 642	20.65	25.80	28.50	45.85

The above maximum prices for sales at wholesale are subject to a discount of 2% 10 days, net 30 days and are f. o. b. seller's usual point of shipment. These maximum prices do not include the Federal excise tax.

These maximum prices are for the radios described in the manufacturer's applications dated March 30, 1944, and March 17, 1945.

(2) For sales by the manufacturer, the maximum prices for Model HE642 apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. The revised maximum prices for Model HE621 apply to all sales and deliveries after the effective date of this revised order.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the model number of the radios and the following statement:

OPA Retail Ceiling Price:
$51.00, Model HE621
$45.85, Model HE642
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12890; Filed, July 14, 1945; 11:58 a. m.]

[MPR 188, Rev. Order 3939]

TRACHMAN BROTHERS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:* Order 3939 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Trachman Brothers, 423 East 98th Street, Brooklyn, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Portable table crystal lamps (without shades)	1000 1001	*Each* $4.25 4.89	*Each* $5.00 5.75	*Each* $9.00 10.35

These maximum prices are for the articles described in the manufacturer's application dated June 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. --------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this revised order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12891; Filed, July 14, 1945; 11:57 a. m.]

[MPR 188, Order 4082]

UNITED ALLOYS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by United Alloys of 4357 Live Oak, Bell, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (Jobbers)	Dep't and chain stores	Other retailers	Consumers
Cast aluminum fry pan	12"	*Each* $1.70	*Each* $2.04	*Each* $2.27	*Each* $3.40
Cast aluminum fry pan	10"	1.20	1.44	1.60	2.40
Cast aluminum fry pan lid	12"	1.30	1.56	1.73	2.60
Cast aluminum fry pan	8"	1.02	1.23	1.37	2.05

These maximum prices are for the articles described in the manufacturer's application dated March 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in.

OPA Retail Ceiling Price—$----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12892; Filed, July 14, 1945; 11:58 a. m.]

[MPR 188, Order 4083]

SCHOEMANN & MAYER, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Schoemann & Mayer, Incorporated, of 33 Union Square, New York 3, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers (Jobbers)	Drop-ship jobbers	Chain and department stores	Other retailers	Consumers
Dust pan	05	*Dozen* $2.07	*Dozen* $2.33	*Dozen* $2.59	*Dozen* $2.80	*Each* $0.25

These maximum prices are for the articles described in the manufacturer's application dated May 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.25 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12893; Filed, July 14, 1945; 11:58 a. m.]

[MPR 188, Order 4084]

S. WEISBROD LAMPSHADE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by S. Weisbrod Lampshade Company, S. W. Corner 12th and Brown Street, Philadelphia, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer—		For sales by any person to consumers
		To jobbers	To retailers	
24-inch china table lamp (base only)	SP23-37 & 210 SP25-36 & 151	*Each* $4.07	*Each* $5.50	*Each* $9.50

These maximum prices are for the articles described in the manufacturer's application dated March 8, 1945.

apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.35 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12894; Filed, July 14, 1945; 11:58 a. m.]

[MPR 188, Order 4085]

ALBERT A. ROSS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Albert A. Ross, 2636 N. Orleans Street, Chicago 14, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Federal Telephone Set plate	#11	*Each* $0.99	*Each* $1.17	*Each* $1.20	*Each* $1.89

These maximum prices are for the articles described in the manufacturer's application dated May 13, 1945. These prices include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Albert A. Ross
2636 N. Orleans Street
Chicago 14, Ill.
Model No. 14
OPA retail ceiling price, $1.89
Federal excise tax included
Or
Order No. ------ under MPR 188
Model No. 14
OPA retail ceiling price, $1.89
Federal excise tax included
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12895; Filed, July 14, 1945; 11:59 a. m.]

(6) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 16th day of July, 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12896; Filed, July 14, 1945; 11:59 a. m.]

[MPR 188, Order 4087]

INTERNATIONAL SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by International Sales Company, 1570 Industrial Street, Los Angeles 21, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons—		
		To wholesalers	To retailers	To consumers
Cigarette lighter	164	*Each* $1.58	*Each* $2.10	*Each* $3.50

These maximum prices are for the articles described in the manufacturer's application dated June 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, $3.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12897; Filed, July 14, 1945; 11:59 a. m.]

[MPR 188, Order 4088]

FINE ARTS-IN-PLASTICS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Fine Arts-in-Plastics, 8008 18th Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model Nos.	For sales by the manufacturer—		For sales by any person to consumers
		To jobbers	To retailers	
Table lamp bases	#406 & 407	*Each* $2.76	*Each* $3.25	*Each* $4.95

These maximum prices are for the articles described in the manufacturer's application dated March 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ----
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12898; Filed, July 14, 1945; 11:59 a. m.]

[MPR 188, Order 4089]

IMPERIAL PRODUCTS CORPORATION

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Imperial Products Corporation, 5 East Third Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
[illegible]	(601-602, 602-604, 27-405, 27-408, 27-104, 27-106, 27-406,	*Each* $6.38 5.31 4.04	*Each* $7.50 6.25 4.75	*Each* $13.50 11.25 8.55

These maximum prices are for the articles described in the manufacturer's application dated February 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. --------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12899; Filed, July 14, 1945; 12:00 m.]

[MPR 188, Order 4090]

ALUMINUM GOODS MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Aluminum Goods Manufacturing Company, Manitowoc, Wis.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—		
		Jobbers	Retailers	Consumers
Aluminum pressure cooker	364M	*Each* $6.48	*Each* Eastern Zone $8.64 Western Zone 9.20	*Each* Eastern Zone $12.95 Western Zone 13.95

The Eastern and Western Zones shall be the same as those designated by the Aluminum Goods Manufacturing Company of Manitowoc, Wisconsin in March 1942. These maximum prices are for the articles described in the manufacturer's application dated May 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Eastern Zone OPA Ceiling Price—$12.95
Western Zone OPA Ceiling Price—$13.95
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 16th day of July 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12900; Filed, July 14, 1945; 12:00 m.]

[MPR 188, Order 4086]

BRADLEY MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bradley Manufacturing Company, 674 North Kingsbury Street, Chicago, 10, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer—		For sales by any person to consumers
		To jobbers	To retailers	
22½ inch glazed porcelain table lamp with 15 inch fabric over parchment shade.	#1600 to #1625, incl.	*Each* $3.61	*Each* $4.25	*Each* $7.05
25 inch glazed porcelain table lamp with 16 inch fabric over parchment shade.	#2000 to 2025, incl.	4.28	5.00	9.00

These maximum prices are for the articles described in the manufacturer's application dated May 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces;

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 16th day of July, 1945.

Issued this 14th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12896; Filed, July 14, 1945; 11:59 a. m.]

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the Regulation No. 188, for the establishment of maximum prices for those sales, and articles.

[MPR 208, Revocation of Order 5]

UNIVERSAL OVERALL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That Order No. 5 under § 1389.-204 (c) of Maximum Price Regulation 208 be, and it hereby is, revoked subject to the provisions of Supplementary Order 40.

This order shall become effective as of July 19, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12935; Filed, July 16, 1945; 11:40 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-74, 59-69]

NORTH CONTINENT UTILITIES CORP. ET AL.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of July, A. D. 1945.

In the matter of North Continent Utilities Corporation and subsidiary companies, File No. 54-74; North Continent Utilities Corporation and subsidiary companies, File No. 59-69.

The Commission having by order entered on November 16, 1943, approved a plan providing for the liquidation and dissolution of North Continent Utilities Corporation, a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, and having by said order, pursuant to section 11 (b) of the act, directed North Continent Utilities Corporation to take such action as may be necessary to cause its liquidation and dissolution:

North Continent Utilities Corporation, together with New Mexico Public Service Company, its subsidiary company, having filed an application and declaration, designated as "Application No. 7", pursuant to sections 11 (b), 11 (e) and 12 (d) of said act and the rules promulgated thereunder (and in pursuance, and for the purpose, of carrying out the aforesaid Commission order concerning the liquidation and dissolution of North Continent Utilities Corporation) relating to the sale by New Mexico Public Service Company of certain physical properties owned by New Mexico Public Service Company, and the proposed use of the proceeds of such sale to cause ratable payments to be made on the unpaid principal of North Continent Utilities Corporation's First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948; and

A public hearing having been held after appropriate notice; and the Commission having considered the record and having made and filed its opinion herein:

It is ordered, That, pursuant to sections 11 (b), 11 (e) and 12 (d) and other applicable sections of the act, said application and declaration be, and hereby are, granted and permitted to become effective, subject to the terms and conditions contained in Rule U-24.

North Continent Utilities Corporation and New Mexico Public Service Company having requested that the order of the Commission entered in these proceedings contain certain findings and recitals necessary to meet the requirements of sections 371, 372, 373, and 1808 of the Internal Revenue Code, as amended;

It is further ordered and recited, That the following proposed transactions are necessary and appropriate to the integration or simplification of the North Continent Utilities Corporation holding company system, of which New Mexico Public Service Company is a member, and are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

(a) The sale by New Mexico Public Service Company to The Socorro Electric Cooperative, Inc., of its electric generating plant and distribution system located in the County of Socorro, New Mexico, known as New Mexico Public Service Company's "Socorro Division", together with the real estate and other assets pertinent thereto, for a base price of $160,000 in cash, subject to certain adjustments;

(b) The use by New Mexico Public Service Company of the net proceeds of its aforesaid sale to reduce the unpaid principal amount of its promissory note in the amount of $417,000 held by North Continent Utilities Corporation;

(c) The use by North Continent Utilities Corporation of the funds to be received by it from New Mexico Public Service Company for the consideration above described in subdivision (b) above to cause ratable payments to be made on the unpaid principal of North Continent Utilities Corporation's First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948;

The above properties referred to in subdivision (a) above being more completely specified, itemized, and described under Item 4 of section IV of the application and declaration filed herein by North Continent Utilities Corporation and New Mexico Public Service Company and designated as "Application No. 7", which said specification, itemization, and description of said properties contained in said Item 4 of section IV of said application and declaration are hereby incorporated by reference in this order and made a part hereof, with the same force and effect as if set forth at length herein.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-12849; Filed, July 14, 1945; 9:41 a. m.]

[File Nos. 54-117, 59-72]

COLUMBIA GAS & ELECTRIC CORP. ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of July 1945.

In the matter of Columbia Gas & Electric Corporation, File No. 54-117; Columbia Gas & Electric Corporation and its subsidiary companies, respondents, File No. 59-72.

Columbia Gas & Electric Corporation ("Columbia"), a registered holding company, having heretofore filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan designed to effectuate compliance by Columbia and certain of its subsidiaries with the provisions of section 11 (b) of said act, which plan, by Order of the Commission dated January 9, 1945, was consolidated with certain proceedings previously instituted by the Commission pursuant to section 11 (b) (1) and (2) of the act; and

Hearings having been held from time to time with respect to said plan and postponed until July 17, 1945 at the request of Columbia for the purpose, among other things, of enabling Columbia and The United Corporation (the holder of 19% of the common stock of Columbia and a party to the proceedings) to explore the possibility of modifying the plan in a manner fair and equitable to all security holders of Columbia and upon which Columbia and The United Corporation could agree; and

Columbia having further requested that the hearing with respect to the pending plan presently scheduled to reconvene July 17, 1945 be postponed, indicating in such request that Columbia and The United Corporation are in agreement as to a revised program for Columbia which will be filed as an amendment to the pending plan. In brief, the revised program contemplates the following action:

1. Columbia will transfer to The Cincinnati Gas & Electric Company for cash its investment in The Union Light, Heat and Power Company, West Harrison Electric and Water Company, Inc., and Miami Power Corporation; Columbia will make a capital contribution of $6,000,000 to the revised Cincinnati company and Cincinnati will refinance its outstanding bonds and preferred stock;

2. Columbia will transfer to The Dayton Power and Light Company for cash its investment in The Miami Development Company and take steps to improve Dayton's capital structure;

3. Columbia will sell its holdings of common stocks in the revised Cincinnati and Dayton companies through an initial offer of the stocks to the common stockholders of Columbia. Any balance of shares remaining will be offered for sale to the public;

4. Columbia will retire all its debentures, preferred and preference stocks now outstanding from funds provided from (a) the sale of the Cincinnati and Dayton stocks; (b) the sale of from

$30,000,000 to $85,000,000 of new debt obligations of Columbia; (c) the sale of debt obligations of United Fuel Gas Company in the amount of approximately $25,000,000, the proceeds of which will be used to retire existing indebtedness owing by United Fuel Gas Company to Columbia; and (d) treasury cash.

Columbia states that it intends (subject to formal authorizing action to be taken by its Board of Directors) to file the amended plan at an early date and to follow this as promptly as possible with applications and declarations under the appropriate sections of the act to obtain Commission authorization of the various steps contemplated by the amended plan; and

It appearing to the Commission that it is appropriate under the circumstances to postpone further hearings with respect to the pending plan of Columbia until further order of the Commission;

It is ordered, That the hearings in this matter scheduled for July 17, 1945, at 10 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be, and hereby are, postponed until further order of this Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-12848; Filed, July 14, 1945; 9:41 a. m.]

[File Nos. 70-1048, 70-1095]

IOWA UNION ELECTRIC CO. AND C. B. DUSHANE, JR.

ORDER APPROVING APPLICATIONS AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of July, 1945.

Iowa Union Electric Company, a wholly-owned subsidiary of Union Electric Company of Missouri, a registered holding company, having on the 15th day of March 1945 filed with the Commission an application and declaration and amendments thereto (File No. 70-1048) pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 regarding the proposed sale by applicant-declarant to Keokuk Gas Service Company of certain gas utility assets and the proposed acquisition in connection with the sale, of promissory notes in the aggregate amount of $65,000 as part of the purchase price for such assets; and

C. B. Dushane, Jr., an affiliate of Wisconsin Fuel and Light Company, a gas public-utility company, having on May 30, 1945, filed with the Commission an application and amendment thereto (File No. 70-1095) pursuant to the applicable provisions of the act regarding the acquisition, in connection with the sale of such utility assets, of 80 shares (constituting 80% of the voting power) of the capital stock of the Keokuk Gas Service Company, which company was organized by C. B. Dushane, Jr., for the purpose of acquiring and operating such utility assets; and

The proceedings upon the application and declaration, as amended, (File No. 70-1048), of Iowa Union Electric Company and the application, as amended, (File No. 70-1095), of C. B. Dushane, Jr., having been consolidated by order of the Commission, and notice of such filings having been duly given in the manner and form prescribed by Rule U-23 under the act, and the Commission not having received a request for a hearing with respect to the applications and declaration, as amended, within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 9 (a) (1) and (2), 10 and 12 (d) of the act and Rule U-44 are satisfied and that no adverse findings are necessary thereunder, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to approve the applications, as amended, and to permit the declaration, as amended, to become effective;

It is hereby ordered, Pursuant to the provisions of Rule U-23 and the applicable provisions of the act with respect to the application and declaration, as amended, filed by Iowa Union Electric Company, (File No. 70-1048), that the amended application be and the same is hereby approved and the amended declaration be and the same is hereby permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That pursuant to the provisions of Rule U-23 and the applicable provisions of the act, the amended application (File No. 70-1095), of C. B. Dushane, Jr., be and the same is hereby approved, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-12847; Filed, July 14, 1945; 9:40 a. m.]

[File Nos. 70-1101, 70-1102]

PUBLIC SERVICE CO. OF INDIANA, INC.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of July, A. D. 1945.

Notice is hereby given that applications and declarations have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Public Service Company of Indiana, Inc. (Service Company), a public utility subsidiary of The Middle West Corporation, a registered holding company.

All interested persons are referred to said documents which are on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Service Company will cause a new corporation, Indiana Gas & Water Company, Inc. (Gas-Water Corporation) to be organized under the laws of the State of Indiana, such corporation to have authorized capital stock of 300,000 shares of common stock without par value. In order to effect such organization Service Company will cause 40 shares of the said common stock to be subscribed for at $30.00 per share, and after the incorporation of the Gas-Water Corporation will have said shares issued directly to Service Company.

After the organization of Gas-Water Corporation, Service Company and Gas-Water Corporation will enter into an agreement (hereinafter called the "Purchase Agreement") for the sale by Service Company, and the purchase by Gas-Water Corporation, of the gas and water properties (and the Sheridan ice property), now owned by Service Company, for the price and upon the other terms and conditions as set forth in the Purchase Agreement.

Service Company will subscribe for 277,460 additional shares of the common stock of Gas-Water Corporation, at such price as is necessary in order to enable Gas-Water Corporation to make such portion of the cash payment to be made by it for the properties to be purchased, as is in excess of the net proceeds from the sale of $6,000,000, principal amount of first mortgage bonds to be issued by Gas-Water Corporation.

Gas-Water Corporation will issue to Service Company the 40 shares and 277,460 shares of its common capital stock against payment by Service Company of the subscription price therefor.

Gas-Water Corporation will issue and sell, at not less than principal amount, plus accrued interest, $6,000,000 principal amount of its first mortgage bonds, bearing interest at not more than 3¼% per annum, maturing not more than 25 years from date, and secured by a first lien (except permitted liens) upon the property, franchises, rights and assets transferred under the Purchase Agreement and upon after acquired property.

Service Company will sell to Gas-Water Corporation, and Gas-Water Corporation will purchase from Service Company all the gas and water (and Sheridan ice) properties, franchises, rights and assets, under and pursuant to the terms of the Purchase Agreement, at their book value at the date of closing. Such value as of December 31, 1944 is stated to have been $14,464,287.

Service Company expects to use the proceeds from the sale of the gas and properties (and the Sheridan ice property) toward the refunding and reduction of funded debt.

Service Company states that it proposes to retain the capital stock of Gas-Water Corporation only until such time as the same can be disposed of by it upon terms that are deemed fair to the owners of the stock of Service Company.

Under the Indiana law it is necessary to submit to the shareholders of Service Company the question of the sale of the gas and water (and Sheridan ice) properties and to secure consent, authority and approval to the making of such sale

from the holders of at least three-fourths of Service Company's voting stock. The immediate entry by the Commission of an order authorizing Service Company (a) to subscribe for shares of stock of Gas-Water Corporation in an amount not exceeding $1,200 (granted by Order of this Commission on July 9, 1945, Holding Company Act Release No. 5919) and (b) to solicit from its shareholders proxies to be voted at a shareholders' meeting to be called to consider the matter of giving consent to the sale of the gas and water properties (and the Sheridan ice property) is requested.

Service Company proposes (a) that it will (i) issue and sell at not less than face value, plus accrued interest, $48,000,000 principal amount of its Series F Bonds which will be a first mortgage on its property other than that to be transferred to Gas-Water Corporation, (ii) borrow $13,000,000 from banks, and evidence such loans by its 1 to 10 Year Notes, and (iii) issue and sell at not less than par value, plus accrued dividends, 150,000 shares of the company's Series B Preferred Stock, and (b) that it will (i) at the earliest practicable date after the sale of the Series F Bonds, call for redemption the Series B Bonds, Series C Bonds, Series D Bonds and Series E bonds now outstanding in the principal amount of $59,314,500, (ii) prepay, at or before the date of issue of the 1 to 10 Year Notes, $7,750,000 aggregate principal amount of its Serial Notes now outstanding, and (iii) call for redemption, at the earliest practicable date after the sale of the Series B Preferred Stock, all its now outstanding Series A Preferred Stock.

It appearing to the Commission that it is appropriate in the public interest and in the interstate of investors and consumers that a hearing be held with respect to said matters, and that said declarations and applications shall not be permitted to become effective or granted except pursuant to further order of the Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said Act and the rules of this Commission thereunder be held on July 31, 1945, at 10:00 a. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia, Pa. On such date the hearing room clerk in Room 318 will advise as to the room in which said hearing will be held. At such hearing, cause shall be shown why such declaration shall be permitted to become effective and such applications granted.

It is further ordered, That William W. Swift or any other officer or officers of this Commission designated by it for that purpose shall preside at the hearings on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues otherwise to be considered in the proceedings, particular attention will be directed at the hearings to the following matters and questions:

(1) Whether the securities proposed to be issued by Service Company and Gas-Water Corporation are solely for the purpose of financing the business of such companies and have been expressly authorized by the State Commission of the State in which such companies were organized and doing business.

(2) Whether the public interest or the protection of investors or consumers requires the imposition of terms and conditions with respect to the proposed issue and sale of securities by Service Company and Gas-Water Corporation.

(3) Whether the sale by Service Company of its gas, water and ice properties meets the requirements of section 12 (f) of the act.

(4) Whether the acquisition by Service Company of the stock of Gas-Water Corporation will be detrimental to the carrying out of the provisions of section 11 and will have the tendency required by section 10 (c) (2) of the act and will otherwise meet the requirements of section 10.

(5) Whether the acquisition by Gas-Water Corporation of the gas and water (and Sheridan ice) assets of Service Company will be detrimental to the carrying out of the provisions of section 11 and will have the tendency required by section 10 (c) (2) of the act and will otherwise meet the requirements of section 10.

It is further ordered, That jurisdiction be, and is hereby, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings, to consolidate with these proceedings other filings or matters pertaining thereto, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of matters involved.

It is further ordered, That notice of said hearing is hereby given to Public Service Company of Indiana, Inc., to its respective security holders, to the Public Service Commission of Indiana, to the Federal Power Commission, and to all interested persons; said notice to be given to Public Service Company of Indiana, Inc., the Public Service Commission of Indiana and the Federal Power Commission by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before July 28, 1945 an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12904; Filed, July 16, 1945; 9:32 a. m.]

[File No. 70-825]

OHIO PUBLIC SERVICE CO. AND CITIES SERVICE POWER & LIGHT CO.

ORDER EXTENDING TIME TO COMPLY WITH A CONDITION REQUIRING DISPOSITION OF NON-UTILITY ASSETS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of July, A. D. 1945.

The Commission having on January 7, 1944 issued its opinion and order regarding the acquisition by The Ohio Public Service Company, and indirectly by Cities Service Power & Light Company, of all the outstanding common stock of The Marion-Reserve Power Company subject to the condition that Cities Service Power & Light Company dispose of its indirect interest in the water business of The Marion-Reserve Power Company within one year from the date of such order unless such time be extended by order of the Commission upon a showing of inability of Cities Service Power & Light Company in the exercise of due diligence to effect such disposition within the year; and

The Commission by order dated March 9, 1945 having extended the time within which such disposition is to be effected for a period of six months from January 7, 1945; and

Cities Service Power & Light Company having requested a further extension of time of six months within which to comply with said condition; and

The Commission finding that Cities Service Power & Light Company has been unable in the exercise of due diligence to effect the required disposition within the time allowed by our previous orders; and

Cities Service Power & Light Company having stated that such sale can be completed within six months from July 7, 1945;

It is ordered, That the time within which Cities Service Power & Light Company is required to effect disposition of said water business be and is hereby extended for a period of six months from July 7, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-12905; Filed, July 16, 1945; 9:33 a. m.]

WAR PRODUCTION BOARD.

[C-393]

CINCINNATI TIMES STAR CO.

CONSENT ORDER

The Cincinnati Times Star Company is a corporation which publishes a daily, except Sunday, afternoon newspaper called Times Star, at 800 Broadway, Cincinnati, Ohio. It is charged by the War Production Board with having violated Limitation Order L-240 during the fourth quarter of 1943, and the first, second and third quarters of 1944, by excess consumption of newsprint over its authorized quota in an aggregate amount of 647½ tons. At a hearing of this matter, before a Compliance Commissioner, it was brought out that the company was entitled to a credit of 100 tons for transit damage reducing the amount to 547½ tons. The Cincinnati Times Star Company does not desire to question the violations as charged further. It maintains that it had reduced the space and size of its newspaper when paper became scarce, and the over-consumption of newsprint occurred through a miscalculation of its base period net-paid daily circulation in 1941. Since the violations have been admitted with the explanations stated, and the company does not desire to contest the matter further before the Compliance Commissioner, an agreement has been reached by the company and the War Production Board as hereinafter stated.

During the first quarter of 1945, said company has consumed 53 tons of newsprint less than its authorized quota, and is consuming during the second quarter of 1945, less than its applicable authorized quota, which savings the War Production Board agrees to credit upon the aggregate over-consumption in the amount of 547½ tons, as well as all other under-consumption of print paper occurring in the publication of the Times Star, subsequent to the third quarter of 1944.

Wherefore, upon the agreement and consent of The Cincinnati Times Star Company, the Regional Compliance Manager, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During each of four quarters, commencing with the third quarter of 1945 and ending with the second quarter of 1946, or until the said 547½ tons overconsumption has been accounted for, The Cincinnati Times Star Company shall reduce its consumption of print paper in the printing of the above-mentioned Times Star not less than 90 tons under its consumption quota permitted by War Production Board Limitation Order L-240.

(b) Nothing contained in this order shall be deemed to relieve The Cincinnati Times Star Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to The Cincinnati Times Star Company, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12879; Filed, July 14, 1945; 11:48 a. m.]

[C-394]

KINGSTON LUMBER CORP.

CONSENT ORDER

Kingston Lumber Corporation, a corporation of the State of New York with its principal office and place of business at 344 Fair Street, Kingston, New York is engaged in the business of retail distribution of lumber and building materials. It is charged with having violated War Production Board Order L-335 in that during the period from July 1, 1944 through and including December 31, 1944 it sold and delivered on unrated and uncertified orders 242,508 board feet of lumber in excess of the amount permitted under said Order L-335. Kingston Lumber Corporation admits the violation as charged but does not desire to contest the aspect of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of the Kingston Lumber Corporation, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Kingston Lumber Corporation, its successors and assigns, for the third calendar quarter of the year 1945 which begins July 1, 1945 shall not place any certified but unrated orders with its lumber suppliers nor shall it or its successors or assigns receive any lumber pursuant to such orders except however that Kingston Lumber Corporation shall be permitted to place certified but unrated orders with its suppliers and shall be permitted to receive pursuant to such orders a total of not more than 5,000 board feet of lumber for said third calendar quarter of 1945.

(b) Kingston Lumber Corporation, its successors or assigns, for the third calendar quarter of 1945 which begins July 1, 1945 shall not sell, transfer or deliver any lumber on uncertified or unrated orders except, however, that the said Kingston Lumber Corporation, its successors or assigns may sell, transfer or deliver on uncertified or unrated orders a total of not more than 5,000 board feet of lumber for said third calendar quarter of 1945.

(c) Any and all certified but unrated orders heretofore placed with suppliers which are or may not be in accord with paragraph (a) hereof are to be cancelled forthwith.

(d) Nothing contained in this order shall be deemed to relieve Kingston Lumber Corporation, its successors and assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12880; Filed, July 14, 1945; 11:48 a. m.]

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JUL 20 '45

FEDERAL REGISTER

VOLUME 10 NUMBER 142

Washington, Wednesday, July 18, 1945

Regulations

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 25, Revocation of Interpretation 2]

USE OF SMALL ORDER PROCEDURE

Interpretation 2 to Priorities Regulation 25 is revoked as it is obsolete since production schedules are no longer authorized under the regulation.

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12978; Filed, July 17, 1945; 11:18 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 31, as Amended July 17, 1945]

AMMUNITION BRASS STRIP, ROD AND TUBE

The following amended direction is issued pursuant to CMP Reg. 1:

(a) To enable brass mills to best schedule mills at capacity, the services have agreed to a cut-off date on directives covering ammunition brass strip, rod, and tube.

(b) Accordingly, on the last day of each month each brass mill is to close its order books for the following month for ammunition brass strip, rod, and tube.

(c) [Deleted July 17, 1945.]

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12974; Filed, July 17, 1945; 11:18 a. m.]

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

PART 3270—CONTAINERS

[Conservation Order M-81, Interpretation 1]

WHEN BLACKPLATE CANS ARE CHARGEABLE TO QUOTA

The following interpretation is issued with respect to Conservation Order M-81:

(a) Under paragraph (g) of Order M-81, except in certain specified cases, any use of tinplate or terneplate cans must be charged to the packing quotas set forth in Schedule A. A person's "packing quota" as defined in paragraph (b) (8) includes the quantity of blackplate which he is permitted to use. Hence, even though cans made only of blackplate under paragraph (c) need not be charged to any packing quotas in Schedule A, the blackplate in a can containing also tinplate or terneplate must be so charged along with the tinplate or terneplate.

(b) For example, in the case of the use of a can consisting of a blackplate end and a fibre body, the blackplate in such can is not chargeable to any quota. On the other hand, where the can consists of a blackplate end and a tinplate or terneplate body, the blackplate and the tinplate or terneplate are all chargeable to the applicable packing quota in Schedule A.

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12976; Filed, July 17, 1945; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Direction 19]

REJECTS FROM CERTAIN MILITARY CONTRACT CANCELLATIONS

The following direction is issued pursuant to Conservation Order M-328:

Notwithstanding the provisions of paragraph (e) (3) (i) and Schedule B of Con-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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servation Order M–328, material which under paragraphs (g) (2) of Order M–388A, (b) (5) of Order M–388B, or (b) (5) of Order M–388C may be delivered free of the set-aside or rated delivery quotas of these orders, shall also be free of the restrictions of Schedule B of Order M–328.

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12977; Filed, July 17, 1945; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–51, as Amended July 17, 1945]

PIGS' AND HOGS' BRISTLES AND BRISTLE PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of pigs' and hogs' bristles and brushes made therefrom for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.161 *Conservation Order M–51*—(a) *Definitions.* In this order:

(1) "Bristles" means pigs' or hogs' bristles, including riffings, 2 inches or longer, whether new, reclaimed, raw, dressed, imported or domestic.

(2) "Painters' brush" means any brush having a ferrule and used in the painting, varnishing or decorating trade (including all types of brushes specified in the Brush List attached to this order and all brushes of similar construction or use).

(3) "Ferrule" means the band by which the bristles of a painter's brush are attached to the handle.

(b) *Importation.* Notwithstanding any other order, rule, regulation or direction, or any certificate or authorization, no person other than Defense Supplies Corporation or U. S. Commercial Company shall import any variety of bristles of the categories known as "Chinese", "Indias", "Russians" or "Siberians". The importation of bristles of other categories shall be according to General Imports Order M–63, as amended from time to time.

(c) *Inventories of bristles.* No person manufacturing brushes shall buy or accept delivery of any bristles 2½ inches or longer if he has more bristles on hand than are required to continue his then current rate of operations for a period of 120 days. In computing such inventory only items A1, 2 and 3 and B1 as listed on Form WPB–431 shall be included.

(d) *Allocation of stock piled bristles.* Reconstruction Finance Corporation shall not dispose of any variety of bristles of the categories known as "Chinese," "Indias," "Russians," or "Siberians," except as authorized by the War Production Board. The War Production Board may from time to time allocate the supply of stock piled bristles of the categories known as "Chinese," "Indias," "Russians" or "Siberians" and specifically direct the quantities, time and manner in which deliveries by Reconstruction Finance Corporation shall be made or withheld. It may also direct or prohibit particular uses of such categories of bristles. Any direction, prohibition or allocation issued pursuant to this paragraph, to be valid, must be in writing in the name of the War Production Board.

NOTE: Paragraph (e), formerly paragraph (d), redesignated and amended July 17, 1945.

(e) *Restrictions on use of bristles*—(1) *Use of bristles over 3⅛ inches.* No person shall use any bristles longer than 3⅜" for manufacturing purposes except as follows:

(i) To manufacture brushes for delivery to or for the account of the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the United States Treasury Department or the Department of the Interior;

(ii) To manufacture painters', billboard and paper hangers' paste brushes, except the types identified in the Brush List attached to this order by the following numbers: 12 (mucilage and paste), 13, 14 (painters' duster), 16 (radiator), 22, 23 (paper hangers' smoothing), and 24 (stencil);

(iii) To manufacture the following types of brushes provided the bristles so used are not longer than 3⅞": Brushes required in production operations of any industry; car and window washing brushes (railroad and industrial only); tooth brushes, including dental plate brushes; surgeons' hand brushes and hair brushes.

(iv) To manufacture tooth brushes using bleached bristles not longer than 3⅜ inches.

(2) *Required mixture of other materials.* No person shall manufacture painters', billboard or paperhangers' paste brushes using bristles longer than 2⅜ inches or car and window washing brushes (railroad and industrial only using bristles not longer than 3⅜ inches) unless such brushes contain at least 45% of filling material other than bristles as defined in this order;

However, this restriction shall not apply:

(i) To the manufacture of brushes where the applicable federal specifications require the use of bristles exclusively and the bristles used are not longer than 3⅞ inches, and where the brushes are for delivery to or for account of the Army and Navy of the United States, the Veterans' Administration, the United States Treasury Department, the Department of the Interior, the United States Maritime Commission, the War Shipping Administration, or marine distributors pursuant to authorization by the Maritime Commission on Form WPB–646.

(ii) To the manufacture of Fitch brushes, stencil brushes, flat bakery grease brushes, long handle sash tools, flat-double, single and single X varnish and utility wall brushes using bristles not longer than 3⅜" (item nos. 2, 17, 18, 19, 24, 27, 29, 30 and 36 brush list only).

(iii) To the manufacture of flat triple varnish brushes (item no. 31 of brush list) using bristles not longer than 3⅛".

(iv) To the manufacture of the following types of brushes provided the bristles so used are not longer than 3⅞": varnish brushes, oval (item no. 28 of Brush List); glue brushes (item nos. 7 and 8 of brush list).

(3) *Exceptions to paragraphs (e) (1) and (e) (2).* On letter application the War Production Board may grant exceptions from paragraphs (e) (1) and (e) (2) in the case of brushes required for:

(i) Applying adhesives in aircraft manufacture;

(ii) Dusting operations in shell-loading plants;

(iii) Use in manufacturing self-sealing gasoline tanks, and

(iv) Other uses where special types of brushes are needed.

NOTE: Paragraphs (f), (f) (1), (f) (2), (f) (3), and (f) (4), formerly paragraphs (d) (4), (d) (4) (i), (d) (4) (ii), (d) (4) (iii), and (d) (4) (iv), redesignated July 17, 1945.

(f) *Restrictions on the sale of bristle painters' brushes.* No brush manufacturer shall sell or deliver any painters' brushes containing bristles except on the following classes of orders:

(1) Orders placed by the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the United States Treasury Department or the Department of the Interior;

(2) Orders placed by persons entitled to use ratings of AA–3 or higher;

(3) Orders placed by distributors (except marine distributors) rated on Form WPB–547 and orders placed by marine distributors rated on Form WPB–646;

(4) Orders for export rated on Form FEA–419.

No person shall buy or accept delivery of any of these brushes from a brush manufacturer except on these classes of orders.

NOTE: Paragraphs (g), (h), (i), (j), (k), (l), and (m), formerly paragraphs (d) (5), (e), (f), (g), (h), (i), and (j), redesignated July 17, 1945.

(g) *Sale of brushes for export.* No person shall sell or deliver any product containing bristles which he knows or has reason to believe will be exported unless the purchase order contains the number of the export license or release certificate issued by the Foreign Economic Administration or unless the product is ordered by an agency of the United States for delivery pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or for delivery for the account of the United Nations' Relief and Rehabilitation Administration (U. N. R. R. A.).

(h) *Limitation on manufacture of brushes.* No person shall manufacture any painters' brush:

(1) Of a type other than those specified in the Brush List attached to this order;

(2) With a ferrule of dimensions other than those specified in the Brush List with respect to each brush, or which has an assembly containing an inner band, a bridge or a spout, or which is seamless (except for a shipbottom, stencil, oval varnish or oval sashtool brush), or which is embossed or stamped (except that the size and other markings may be applied if to do so would not require any special or additional operation during the process of manufacturing the ferrule); or

(3) With a handle finished in more than one color.

(i) *Reports.* Every owner of bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB–431 showing his holdings and consumption of bristles during the preceding month. This requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(j) *Communications.* All reports required to be filed and all communications

concerning this order shall unless otherwise directed be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C. Ref. M–51.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(l) *Violations.* Any person who wilfully violates any provision of this order, or, who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(m) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

BRUSH LIST

These are the only kinds of painters' brushes which may be manufactured. (All dimensions are in inches. A maximum variation of 1/32 of an inch is allowed in width and thickness both of which are referred to by inside dimensions. The Federal Specification numbers are to be used only as a means of identifying the type of brush. In case of any inconsistency, the dimensions in Columns 4, 5 and 6 shall prevail over those in the Federal Specifications.)

NOTE: List amended July 17, 1945.

1 Type of brush	2 Identification No. for ready reference	3 Federal Specification No.	4 Width of ferrule	5 Thickness of ferrule	6 Maximum depth of ferrule
Color-single thickness	1		1/2	1/16	1
			1	5/64	1 1/4
			1 1/2	7/64	1 1/4
			2	1/8	1 1/4
			3	3/32	1 1/4
Fitch	2	HB–241a	3/4	1/8	1 3/16
			5/8	5/64	1 1/2
			3/4	5/64	1 3/8
			3/4	3/32	1 7/8
			7/8	1/8	1 13/16
			1 1/4	5/64	2 1/4
			1 1/2	3/32	2 3/8
			1 3/4	1 13/16	2 3/8
			2	7/64	2 3/4
			2 1/2	7/64	3
Flatting-wall master	3		4 1/2	1/8	1
			5	1 1/2	1
			6	1 1/2	1
Flatting-wall utility	4		6 3/4	1 1/2	1
			5	1/4	1
			6	1/4	1
Flowing fitch-single thickness	5	HB–256	1	5/64	1 1/4
			1 1/2	7/64	1 1/4
			2	1/8	1 1/4
			3	1/8	1 1/4
			4	1 13/16	1 1/4
Ox hair and civet hair flowing	6		1	7/64	1 1/4
			1 1/2	1/8	1 1/4
			2	9/64	1 1/4
			3	1 13/16	1 1/4
			4	1 13/16	1 1/4
Glue-flat	7	HB–261a	1	7/64	1 1/4
			2	9/64	1 1/4
			3	1 13/16	1 1/4
Glue-round	8	HB–301a	1 3/16	1 3/16	1/2
			1	1/4	1/2
			1 3/16	1 3/16	1/2
			1 1/2	1/2	3/4
			2	2	3/4
			2 1/2	2 1/2	7/8
Kalsomine-Dutch	9		7/8	2 1/4	1
Kalsomine-flat	10	HB–141	7/8	1/8	1 1/4
			8	1/8	1 1/4
Mottling	11	HB–391	7/8	1 13/16	1 1/4
			1 3/16	3/4	1 1/4
			2 3/16	3/16	1 1/4
			1/2	7/32	1 1/4
			3/4	7/32	1 1/4
Mucilage and paste	12	HB–401	1	5/16	1
		Type 2	2	3/8	1 1/4
			3	7/16	1 1/4
			4	1/2	1 1/4
Painters' duster flat	13		4	1/4	1
Painters' duster round	14		2 1/2	2 1/2	1
Plasterers'	15		7/8	1/4	3/4
Radiator	16	HB–451	1	3/4	1 1/4
			1 1/2	3/4	1 1/4
			2	3/4	1 1/4
Sashtool-flat	17		1	7/16	1 1/4
			1 1/2	1/2	1 1/4
			2	1/4	1 1/4
			2 1/2	5/8	1 1/4
Sashtool-oval (seamless)	18	HB–491b	1/2	1 13/32	1 1/4
			1 3/16	1/2	1 1/4
			1	5/8	1 1/4
			1 3/16	3/4	1 1/4
			1 5/16	1 3/16	1 1/4
Sashtool-oval (locked seam)	19		1/2	1 13/32	1 1/4
			1 3/16	1/2	1 1/4
			1	5/8	1 1/4
			1 3/16	3/4	1 1/4
			1 1/4	7/8	1 1/4
			1 5/16	1 3/16	1 1/4
Shipbottom (seamless or soldered wire ferrule)	20		2 5/16	1 13/16	1
			2 3/4	2 3/4	1
Signwriters'	21		1/4	1/32	1/4
			1/2	1 3/32	1/4
			3/4	1 3/32	1/4
			1	1 3/32	1/4
			1 1/4	1 3/32	1/4
			1 1/2	1 3/32	1/4
			2	1 3/32	1/4
			2 1/2	1 3/32	1/4
			3	1 3/32	1/4
			3 1/2	1 3/32	1/4
			4	1 3/32	1/4
Signwriters'—Continued	21		3/4	1 5/64	3/4
			1	1 9/64	1/4
			1 1/2	2 3/64	1/4
			2	1/2	1
			2 1/2	5/8	
Smoothing paper hanger (2 rows)	22		12	1/2	
Smoothing paper hanger (3 rows)	23		12	5/8	1
Stencil (seamless ferrule)	24	HB–621b			
Type I:					
Rolled edge			1 3/16	1 3/16	1 1/4
			1 3/16	1 3/16	1 1/2
Type II:					
Without rolled edge			7/8	7/8	1 1/4
			1 1/8	1 1/8	1 1/4
			1 1/4	1 1/4	1 1/4
			1 3/8	1 3/8	1 1/4
			1 1/2	1 1/2	1 1/4
			2	2	1 1/4
Stucco-open center	25		3	1/4	3/4
			3 1/2	1/4	3/4
			4	1/4	3/4
			4 1/2	1/4	3/4
			5	1/4	3/4
Stucco-solid center	26		3 1/2	1/4	3/4
			4	1/4	3/4
			4 1/2	1/4	3/4
Varnish-flat-double	27	HB–701a	1	5/64	1 1/4
			1 1/2	1/8	1 1/4
			2	1/8	1 1/4
			2 1/2	5/32	1 1/4
			3	1 13/16	1 1/4
			4	1 13/16	1 1/4
Varnish-oval (seamless ferrules). Round dimensions may be ovaled to any size.	28	HB–711	1 3/16	1 3/16	1 1/4
			1 3/16	1 13/16	1 1/4
			1 3/4	1/4	1 1/4
			2	1/4	1 1/4
			2 1/4	1/4	1 1/4
Varnish-flat single	29	HB–606a	1/2	1/4	1/4
			1	1/4	1 1/4
			1 1/4	1/4	1 1/4
			2	5/16	1 1/4
			3	5/16	1 1/4
Varnish-flat single X	30		1	5/16	1 1/4
			1 1/2	5/16	1 1/4
			2	5/16	1 1/4
			2 1/2	1 13/16	1 1/4
			3	5/16	1 1/4
			3 1/2	5/16	1 1/4
Varnish-flat, triple	31	HB–706a	1	5/16	1 1/4
			1 1/2	1 13/16	1 1/4
			2	5/16	1 1/4
			2 1/2	1 13/16	1 1/4
			3	5/16	1 1/4
			3 1/2	5/16	1 1/4
Wall-master A	32	HB–421	1	1/4	1
			3 1/2	1/4	1 1/4
			4	1/4	1 1/4
			4 1/2	1/4	1 1/4
			5	1/4	1 1/4
Wall-master B	33	HB–421	3	1/4	1 1/4
			3 1/2	1/4	1 1/4
			4	1/4	1 1/4
			4 1/2	1/4	1 1/4
			5	1/4	1 1/4
Wall-medium	34	HB–431	3	1 13/16	1 1/4
			3 1/2	1 13/16	1 1/4
			4	5/16	1 1/4
			5	5/16	1 1/4
Wall-syndicate	35		3	5/16	1 1/4
			3 1/2	5/16	1 1/4
			4	5/16	1 1/4
			6	5/16	1 1/4
Wall-utility	36	HB–436	3	1 13/16	1 1/4
			3 1/2	1 13/16	1 1/4
			4	5/16	1 1/4
			5	5/16	1 1/4
Whitewash	37	HB–731	7	1/8	1
			9	1/8	1

[F. R. Doc. 45–12979; Filed, July 17, 1945; 11:18 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M–21–b–3, Revocation]

STEEL DISTRIBUTORS

Section 3294.91 *General Preference Order M–21–b–3* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The rules affecting a distributor's placing orders for steel to be delivered to stock and the rules affecting deliveries of steel from a distributor's stock to consumers are governed by Direction 3 to Order M–21 and CMP Regulation No. 4 respectively. The placement of orders and the acceptance and delivery of orders for steel remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–12975; Filed, July 17, 1945; 11:18 a. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 395,[1] Amdt. 4]

DAIRY PRODUCTS, FISH, AND MEAT IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 395 is amended in the following respects:

1. Section 17, Table IV, is amended by changing the price of one item to read as follows:

TABLE IV—MAXIMUM RETAIL PRICES FOR CERTAIN DAIRY PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
1. Evaporated milk	14½ oz. can	$0.12	$0.12	$0.13

2. Section 20, Table VIII, is amended by changing the prices of certain items and adding one item to read as follows:

TABLE VII—MAXIMUM RETAIL PRICES FOR CERTAIN CANNED FISH AND FISH PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Pilchards:				
Natural	No. 1 tall	$0.13	$0.13	$0.14
	No. 1 oval	.15	.15	.16
Tomato	8 ounce	.09	.09	.10
	No. 1 tall	.14	.14	.15
	No. 1 oval	.15	.15	.16

3. Section 22, Table IX, is amended by changing the prices of certain items to read as follows:

[1] 10 F.R. 5941, 6946, 7799, 8069.

TABLE IX—MAXIMUM RETAIL PRICES FOR CERTAIN MEATS OR MEAT PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
19. Pork, clear plates, pickled	*Pound* 1	$0.20	$0.20	$0.22
20. Pork, fatbacks, pickled	1	.20	.20	.22

4. Section 26, Table XIV, is amended by changing the prices of one item to read as follows:

TABLE XIV—MAXIMUM RETAIL PRICES FOR DRY SALTED, SMOKED OR PICKLED FISH IN BULK

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Pilchards in brine	*Pound* 1	$0.16	$0.16	$0.17

This amendment shall become effective as of July 9, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–12932; Filed, July 16, 1945; 11:40 a. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASONRY MATERIALS

[RMPR 206, Amdt. 12]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation 206 is amended in the following respects:

1. Section 4.1 (a) (2) is amended to read as follows:

(2) In the case of sales of sewer pipe products sold f. o. b. factory on a "pick-up basis" or for "less-than-carload shipments by rail" within the West Central Area, South Central Area, and Rocky Mountain Area, as defined below in sections 8.1, 9.1, and 10.1, respectively, any manufacturer may increase his price in accordance with either of the following alternative pricing methods:

(i) By adding an amount not in excess of 10 percent to the highest prices charged by the manufacturer during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

(ii) By adding amounts not in excess of such amounts as may be required to maintain discount differentials between prices established under this paragraph and those established by sections 8.4, 9.4, and 10.4, at least as favorable as those existing during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

2. Section 4.1 (a) (3) is amended to read as follows:

(3) In the case of sales of sewer pipe products sold f. o. b. factory on a "pick-up basis" or for "less-than-carload shipments by rail" within the East Central Area, as defined in section 7.1 below, any manufacturer may increase his price in accordance with either of the following alternative pricing methods:

(i) By adding an amount not in excess of 9 percent to the highest prices charged by the manufacturer during the month of March 1942 for the same quality, kind and quantity of sewer pipe products delivered to purchasers of the same class.

(ii) By adding amounts not in excess of such amounts as may be required to maintain discount differentials between prices established under this paragraph and those established by section 7.4, at least as favorable as those existing during the month of March 1942 for the same quality, kind and quantity of sewer pipe products delivered to purchasers of the same class.

3. Section 4.1 (a) (4) is amended to read as follows:

(4) In the case of sales of sewer pipe products sold f. o. b. factory on a "pick-up basis" or for "less-than-carload shipments by rail" within the Southern Area, as defined in section 6.1 below, any manufacturer may increase his price in accordance with either of the following alternative pricing methods:

(i) By adding an amount not in excess of 12.3 percent to the highest prices charged by the manufacturer during the month of March 1942 for the same quality, kind and quantity of sewer pipe products delivered to purchasers of the same class.

(ii) By adding amounts not in excess of such amounts as may be required to maintain discount differentials between prices established under this paragraph and those established by section 6.4 at least as favorable as those existing during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

4. Section 5.5 is amended to read as follows:

SEC. 5.5. *Maximum prices for extra strength sewer pipe products.* Maximum prices for extra strength sewer pipe products delivered at the purchaser's destination shall be determined in accordance with the following rules:

(a) The maximum prices for straight or mixed carload shipments of extra strength sewer pipe products delivered by rail, full freight allowed, to a point within the states and zones as defined in section 5.1, above, shall be the price listed for the particular size in the applicable rail freight rate column in Table 20, below.

(b) The maximum prices for straight or mixed truckload quantities of extra strength sewer pipe products delivered by motor carrier full freight allowed to a point within the states and zones as defined in section 5.1, above, shall be the price listed for the particular size, advancing to the second higher applicable rail rate column than that which would apply for delivery by rail in the same zone.

[10 F.R. 5941, 6946, 7799, 8069.

products sold f. o. b. factory on a "pick-

zone.

TABLE 20

Akron rail freight rate..... Schedule number.....		1-10¢ 1	11-13¢ 2	14-16¢ 3	17-19¢ 4	20-22¢ 5	23-25¢ 6	26-28¢ 7	29-31¢ 8	32-34¢ 9	35-37¢ 10	38-40¢ 11	41-43¢ 12	44-46¢ 13	47-49¢ 14
Nominal diameter (inches)	*List weight per foot (pounds)*														
4	11	$0.1704	$0.1739	$0.1773	$0.1807	$0.1842	$0.1876	$0.1910	$0.1944	$0.1979	$0.2013	$0.2047	$0.2082	$0.2116	$0.2150
6	20	.2668	.2670	.2733	.2795	.2858	.292	.2982	.3045	.3107	.3170	.3232	.3294	.3357	.3419
8	30	.4012	.4106	.4199	.4293	.4386	.448	.4574	.4667	.4761	.4854	.4948	.5042	.5135	.5229
10	42	.5517	.5648	.5779	.5910	.6041	.6172	.6303	.6434	.6565	.6696	.6827	.6958	.7089	.7220
12	52	.7022	.7183	.7345	.7507	.7670	.7832	.7994	.8156	.8319	.8481	.8643	.8805	.8967	.9129
16	85	1.0034	1.0269	1.0504	1.0739	1.0975	1.136	1.1925	1.1890	1.2156	1.2421	1.2686	1.2951	1.3216	1.3482
18	120	1.3332	1.3608	1.4303	1.4769	1.7174	1.758	1.7986	1.8391	1.8797	1.9202	1.9608	2.0014	2.0419	2.0825
21	180	2.1472	2.2034	2.2595	2.3157	2.3718	2.428	2.4842	2.5403	2.5965	2.6526	2.7088	2.7650	2.8211	2.8770
24	230	2.6592	2.7310	2.8027	2.8745	2.9462	3.018	3.0898	3.1615	3.2333	3.3050	3.3768	3.4485	3.5203	3.5921
27	275	3.177	3.2628	3.3486	3.4344	3.5202	5.106	5.1918	5.2776	5.3634	5.4492	5.535	5.6208	5.7066	5.7924
30	350	5.288	5.4072	5.5264	5.6456	5.7648	5.884	5.9032	6.0224	6.1416	6.2608	6.38	6.4992	6.6184	6.7376
36	550	9.049	9.2506	9.4522	9.6538	9.8554	9.947	10.0386	10.2402	10.4418	10.6434	10.765	10.9666	11.1682	11.3698

Fractional rates in excess of the highest rate in one zone fall within the next highest zone.

5. A new section 5.6 is added to read as follows:

SEC. 5.6. *Maximum prices for resellers of sewer pipe products.* Any person purchasing sewer pipe products for resale in the same form may add to his maximum prices established on or prior to April 26, 1944, an amount not exceeding the actual dollars-and-cents increased cost to him resulting from the increase in maximum prices permitted manufacturers of sewer pipe products by Amendment 2, affecting sections 4.1, 5.3, 5.4, as amended, of this regulation.

6. The table in section 7.3 is amended to read as follows:

Discount No.	Illinois, Zones 1, 2, and 3	Wisconsin, Zones 1 and 2	Wisconsin, Zone 3	Michigan, Upper Peninsula	Indiana	Kentucky
1	61	59	57	57	61	61
2	54	51	49	49	61	59
3	54	51	49	49	59	59
4	64	62	60	60	67	65
5	64	62	60	60	67	67
6	57	55	53	53	66	62
7	57	55	53	53	64	62
8	61	59	57	57	64	62
9	55	53	50	50	58	
10	50	48	46	46	53	55
11	61	59	57	57	64	
12	47	45	43	43		
13	42	40	37	38		

7. Section 8.4 (b) (2) is amended to read as follows:

(2) The maximum prices per lineal foot for all shipments of Nos. 1 and 2 sewer pipe 27"–36", inclusive, A. S. T. M. specifications, delivered by motor carrier to points designated by the purchaser for the entire states of Missouri, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, and Iowa may be charged which do not exceed such maximum prices established in Chart VI above for rail shipments plus 20¢ per lineal foot for all sizes except as provided in paragraph (e) hereof for the St. Louis Metropolitan District Area.

This amendment shall become effective July 21, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12945; Filed, July 16, 1945; 4:12 p. m.]

PART 1340—FUEL

[MPR 88, Amdt. 29]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.1 is amended by substituting the phrase "stove and lamp naphtha (includes pressure appliance fuel)" for the phrase "stove and lamp naphtha."

2. In section 1.2 (a), Item (1) is amended to read: "Retail sales at retail establishments, as such establishments are defined under Revised Maximum Price Regulation No. 137."

3. Section 2.20 (a) is amended to read as follows:

(a) *State of Michigan (except Wayne and Monroe Counties).* In the State of Michigan, except in Wayne and Monroe Counties, the maximum prices of the products listed below in bulk lots f. o. b. shipping points shall be as follows:

PRODUCTS	*Cents per gallon*
Kerosene and distillate fuel oils:	
43–49 API grav. w. w. kerosene	6.0
41–45 API grav. w. w. kerosene	5.75
No. 1 prime white distillate (fuel oil)	5.50
No. 1 straw fuel oil [1]	5.375
No. 2 fuel oil	5.25
No. 3 fuel oil	5.00
Gas oil U. G. I [1]	4.50
Range or stove oil	(1)
Diesel fuel (distillate): Navy Department Specification 7–0–2 [2]	5.375
Gas enrichment oil or fuel oil: (100–300 Viscosity S. S. U. at 100° F.) [3]	4.50

[1] Range or stove oil shall take the maximum price of the product listed above of the same specifications.

[2] Applies only f. o. b. refineries and only on sales to the United States Government or any agency thereof.

[3] Applies f. o. b. refineries only.

4. Section 4.20 is amended to read as follows:

SEC. 4.20 *Michigan*—(a) State of *Michigan except Wayne and Monroe Counties*—(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1.* In the State of Michigan, except in Wayne and Monroe Counties, the maximum prices of automotive gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

SPECIFICATIONS	*Cents per gallon*
Automotive gasoline:	
75 Oct. ASTM and above	8.75
70–74 Oct. ASTM	7.625
67–69 Oct. ASTM	7.00
Straight Run [1]	6.00

[1] The above maximum price for straight run gasoline when sold as automotive gasoline is also the maximum price when straight run gasoline is sold for use as either stove and lamp gasoline or naphtha, tractor fuel, charging stock (see section 5.1 (e) (5)), or blending naphtha (see section 5.1 (h)).

(2) *F. o. b. refineries for shipment to ultimate destinations other than in Petroleum Administration for War District 1.* In the State of Michigan, except in Wayne and Monroe Counties, the maximum prices of automotive gasoline according to the specifications listed below, in bulk lots f. o. b. refineries for shipment to ultimate destinations other than in Petroleum Administration for War District 1, shall be as follows:

SPECIFICATIONS	*Cents per gallon*
Automotive gasoline:	
75 Oct. ASTM and above	9.25
70–74 Oct. ASTM	8.125
67–69 Oct. ASTM	7.50
Straight Run [1]	6.00

[1] See footnote below.

(b) *Wayne and Monroe Counties*—(1) *F. o. b. shipping points for shipment to ultimate destination in Petroleum Administration for War District 1.* In Wayne and Monroe Counties in the State of Michigan, maximum prices of automotive gasoline according to the specifications listed below, in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

Specifications: Automotive gasoline:	*Cents per gallon*
75 Oct. ASTM and above	9.0
70–74 Oct. ASTM	7.875
67–69 Oct. ASTM	7.25
Straight Run [1]	6.00

[1] The above maximum price for straight run gasoline when sold as automotive gasoline is also the maximum price when straight run gasoline is sold for use as either stove and lamp gasoline or naphtha, tractor fuel, charging stock (see section 5.1 (e) (5)), or blending naphtha (see section 5.1 (h)).

(2) *City of Detroit only, f. o. b. refineries for shipment to ultimate destinations other than in Petroleum Administration for War District 1.* Within the city limits of Detroit, maximum prices of automotive gasoline, according to the specifications listed below, in bulk lots f. o. b. refineries for shipment to ultimate destinations other than in Petroleum Administration for War District 1, shall be as follows:

SPECIFICATIONS	*Cents per gallon*
Automotive gasoline:	
75 Oct. ASTM and above	9.125
70–74 Oct. ASTM	8.0

5. In section 4.34 (a) (3) the grades of aviation gasoline listed as 62–65 Oct. ASTM aviation gasoline, 73 Oct. ASTM gasoline and 80 Oct. ASTM aviation gasoline are corrected to read as follows:

62–65 Oct. ASTM (unleaded)
73 Oct. ASTM (leaded)
80 Oct. ASTM (leaded)

6. Section 4.35 (a) is added to read as follows:

(a) *Portland Area.* In the Portland Area maximum prices for automotive gasoline according to the specifications listed below shall be as follows:

(1) *F.o.b. tanker terminals*—(i) *On sales to the United States Armed Forces, Foreign Economic Administration and Federal agencies making purchases under T.P.S. contracts.*[1]

Products	Loaded into tankers [2]	Loaded into barges [3]	Loaded into tank cars or trucks and trailers	Loaded into buyer's drums [4]
Automotive gasolines:				
First structure [5]	7.625	7.75	7.875	8.025
Second structure [6]	6.50	6.625	6.75	7.50
Third structure [7]	6.375	6.50	6.625	7.375
U. S. Spec. 2-116	6.50	6.625	6.75	7.50

[1] Maximum prices to other Federal agencies shall be established by application under section 8.3.

[2] When a purchaser of the class specified herein buys loaded into tankers and the seller must use trucks, truck and trailers or tank cars to move the product from his refinery or terminal to the loading point at which the sale is made, his maximum price shall be the sum of his truck and trailer f. o. b. refinery or terminal price, whichever is applicable, plus the actual transportation cost from his refinery or terminal to the loading point.

[3] For single lot deliveries under 6,500 gallons add ⅛ of a cent per gallon.

[4] Prices cover only the product and the unloading, filling, stencilling and reloading of drums into transportation facilities.

[5] First structure automotive gasoline (premium grade), as the term is used herein, means automotive gasoline having a minimum ASTM octane number of 75.

[6] Second structure automotive gasoline (regular grade), as the term is used herein, means an automotive gasoline having a minimum ASTM octane number of 70.

[7] Third structure automotive gasoline (third grade), as the term is used herein, means an automotive gasoline having an ASTM octane number below 70.

Federal agencies making purchases under T. P. S. contracts.[1]

Products	Loaded into tankers [2]	Loaded into barges [3]	Loaded into tank cars or trucks and trailers	Loaded into buyer's drums [4]
Automotive gasolines:				
First structure [5]	7.625	7.75	7.875	8.025
Second structure [6]	6.50	6.625	6.75	7.50
Third structure [7]	6.375	6.50	6.625	7.375
U. S. Spec. 2-116	6.50	6.625	6.75	7.50

[1] Maximum prices to other Federal agencies shall be established by application under section 8.3.

[2] When a purchaser of the class specified herein buys loaded into tankers and the seller must use trucks, truck and trailers or tank cars to move the product from his refinery or terminal to the loading point at which the sale is made, his maximum price shall be the sum of his truck and trailer f. o. b. refinery or terminal price, whichever is applicable, plus the actual transportation cost from his refinery or terminal to the loading point.

[3] For single lot deliveries under 6,500 gallons add ⅛ of a cent per gallon.

[4] Prices cover only the product and the unloading, filling, stencilling and reloading of drums into transportation facilities.

[5] First structure automotive gasoline (premium grade), as the term is used herein, means automotive gasoline having a minimum ASTM octane number of 75.

[6] Second structure automotive gasoline (regular grade), as the term is used herein, means an automotive gasoline having a minimum ASTM octane number of 70.

[7] Third structure automotive gasoline (third grade), as the term is used herein, means an automotive gasoline having an ASTM octane number below 70.

7. Section 4.45 (a) is added to read as follows:

(a) *Seattle Area.* In the Seattle Area maximum prices for automotive gasoline according to the specification listed below shall be as follows:

(1) *F. o. b. tanker terminals*—(i) *On sales to the United States Armed Forces, Foreign Economic Administration and*

8. In section 5.1 (e) (4) (ii) the heading of the table of diesel fuel prices is changed from "Diesel Fuels [1]" to "Diesel Fuels (distillate) [1]".

9. Section 5.1 (e) (5) is added to read as follows:

(5) *Straight run gasoline when sold for use as another product, f. o. b. Michigan shipping points.* The maximum price for straight run gasoline, f. o. b. shipping points within the State of Michigan, when sold for use as either stove and lamp gasoline or naphtha, tractor fuel or charging stock, shall be as established by section 4.20 of this regulation for straight run gasoline when sold as automotive gasoline.

10. In section 7.2 the line designating Continental Oil Company as the reference seller for Idaho is amended by adding footnote reference number 1 to follow "Continental Oil Company" and by adding footnote 1 to read as follows:

[1] At any point where the tank wagon business of the Continental Oil Company has been taken over by the General Petroleum Corporation of California the latter shall be considered to be the reference seller.

11. Section 7.5 (a) is amended to read as follows:

(a) *When reference seller's maximum tank wagon prices are required.* Except as provided in paragraphs (b) and (c) below, a seller's maximum tank wagon price or prices at a particular delivery point in the States of Arizona, California, Nevada, Oregon and Washington for 80 and 73 Octane ASTM aviation gasoline, first structure (premium grade), second structure (regular grade) and third structure (third grade) gasoline to service station dealers [1]; and for regular grade kerosene to dealers at retail establishments and to domestic consumers; and for P. S. 100 fuel oil and P. S. 200 fuel oil to all classes of purchasers, shall be the reference seller's posted price as of October 14, 1941 for the same grade of the particular product at the particular delivery point plus, in the case of tank wagon deliveries of kerosene and fuel oil in rationed areas, the sum of .3 of a cent per gallon.

[1] On sales of automotive gasoline to service station dealers all deliveries by truck or truck and trailer, unless same are being presently used in lieu of tank cars, are, within the meaning of this paragraph, sales at the tank wagon level.

12. Section 7.5 (b) is amended as follows:

a. Footnote reference No. 1 is added to follow the word "gasoline" and footnote [1] is added to read as follows:

[1] On sales of automotive gasoline to the above purchasers, all deliveries by truck or truck and trailer, unless same are presently being used in lieu of tank cars, are, within the meaning of this paragraph, sales at the tank wagon level.

This amendment shall become effective July 23, 1945; except as to section 7.5 (a) and 7.5 (b) it shall be effective as of October 19, 1944.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12987; Filed, July 17, 1945; 11:32 a. m.]

PART 1358—TOBACCO

[RMPR 549]

FLUE-CURED TOBACCO

Maximum Price Regulation No. 549 is redesignated Revised Maximum Price Regulation No. 549, and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.

ARTICLE I—EXPLANATION OF THE REGULATION

Sec.
1. Explanation of the regulation.
2. General definitions.

ARTICLE II—PRICING PROVISIONS

3. Maximum prices for purchases of flue-cured tobacco on the loose-leaf markets.
4. Maximum prices for services rendered in connection with flue-cured tobacco purchased on the loose-leaf markets on direct order.
5. Maximum prices for sales of flue-cured tobacco by dealers.

ARTICLE III—MISCELLANEOUS PROVISIONS

6. Reports.
7. Records.
8. Compliance with this regulation.
9. Geographical applicability.
10. Export sales.
11. Petitions for amendment.

AUTHORITY: § 1358.260 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1. *Explanation of the regulation.* The purpose of this regulation is to establish maximum prices for sales and purchases of, and for certain services performed with respect to, flue-cured tobacco of any crop year. This regulation fixes maximum prices which may be paid to growers and paid and received by dealers, manufacturers and other purchasers and sellers of that tobacco. Specific dollar and cents maximum prices are fixed for certain services performed by dealers for purchasers. The maximum prices and pricing methods are stated in sections 3, 4 and 5.

SEC. 2. *General definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of the foregoing.

(2) "Flue-cured tobacco" means United States Types 11a, 11b, 12, 13 and 14 tobacco as classified in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture. When used with specific reference to one or more years' crops, the term refers to that tobacco of the specified year's crop.

(3) "Weighted average purchase price" means the total of prices actually paid in purchases of loose-leaf flue-cured tobacco, less allowable deduction for tied tobacco, divided by the number of pounds of tobacco purchased. Prices actually paid shall include all commissions, fees or other compensation paid by or for the purchaser to a person at the seller's instance or request.

(4) "Farm scrap" means loose, tangled, untied and unstemmed tobacco salvaged as a by-product in harvesting, stripping, classing or tying on the farm, consisting principally of barn and striphouse floor sweepings and inferior quality leaves discarded by growers for auction marketing purposes because of being broken, burnt, worm-eaten or diseased.

(5) "Auction scrap" means loose, untied and unstemmed tobacco consisting entirely of auction floor sweepings, loose and tangled leaves, or portions of leaves, accumulated from droppings or breakage in handling of tobacco on auction warehouse floors and salvaged as a by-product of auction marketing. The term does not include tobacco purchased at auction or directly or indirectly from growers.

(6) "Drop leaves" refers to tobacco leaves, including broken leaves and scrap, resulting from the handling of tobacco in transit or while in receiving rooms, hanging rooms, packing fooms or green storage (but not on the auction warehouse floor or farm) which is not customarily processed with the grade being handled.

(7) "Throw-outs" refers to that tobacco, unsuitable for any bought grade, which is removed during processing on account of being wet, damaged, dead or very green tobacco, or suckers or not similar to dealer's bought grades.

(8) "Pickings" refers to those inferior tobacco leaves or parts of such leaves which are removed because they are not up to the standard of the grade of tobacco being processed.

(9) "Dealer" means any person engaged in the business of buying flue-cured tobacco of any year's crop on the loose-leaf market or otherwise, for his own account or on direct order.

(b) Unless the context otherwise requires, the definitions of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

ARTICLE II—PRICING PROVISIONS

SEC. 3. *Maximum prices for purchases of loose-leaf flue-cured tobacco*—(a) *In general.* The weighted average purchase price paid by any buyer for loose-leaf flue-cured tobacco shall not exceed:

$5.00 per cwt., green weight, for farm scrap tobacco.

$40.00 per cwt., green weight, for loose-leaf tobacco.

A deduction of 4½ cents per pound for all tied flue-cured tobacco purchased may be made from the price paid for such tobacco by its purchaser in calculating his weighted average purchase price.

Example:

50,000 lbs. untied tobacco @ average purchase price of $0.3917 per pound	$19,585.00
450,000 lbs. tied tobacco @ average purchase price of $0.4458 per pound	$200,613.00
Less tied deduction 450,000 lbs. @ 4½¢ per lb	20,250.00
Purchase price for tied tobacco less deduction above	180,363.00
500,000 lbs. loose-leaf tobacco, less allowable deduction	169,948.00

$199,948.00 divided by 500,000 lbs. results in weighted average price per pound $0.399896

In figuring a weighted average purchase price, purchases on direct order shall be deemed purchases by the buyer for whose ultimate account the tobacco is intended. Amounts paid for farm scrap and auction scrap tobacco shall not be used in figuring a weighted average purchase price for loose-leaf tobacco.

NOTE: All buyers are warned that in paying more than the maximum price for loose-leaf tobacco, they take the risk of violating this regulation, since inability to buy tobacco at lower prices in order to reduce their weighted average purchase price will not constitute a defense.

(b) *Purchases not covered.* If a buyer makes a purchase of loose-leaf flue-cured tobacco for resale in substantially the same form and the tobacco is so resold, his purchase is not covered by this regulation and shall not be included in computing his weighted average purchase price. Redried tobacco is not in substantially the same form as loose-leaf tobacco.

SEC. 4. *Maximum prices for services rendered in connection with loose-leaf flue-cured tobacco purchased on direct order*—(a) *Dealer's charges.* A dealer who purchases loose-leaf flue-cured tobacco on direct order may charge for services rendered in connection with the tobacco purchased, but not in excess of the following amounts:

Services	Maximum charge per 100 pounds green weight
Buying at auction or farm scrap	$0.50
Sheeting and delivery F. O. B. warehouse door (when dealer furnishes sheets)	.40
Sheeting and delivery F. O. B. warehouse door (when dealer does not furnish sheets)	.30
Green prizing (when dealer furnishes hogshead)	1.15
Green prizing (when dealer does not furnish hogshead)	.65

	Maximum charge per 100 pounds redried weight:
Redrying [1]	$2.50
Stemming	$4.00
Handstemming, stemming loose leaves, drop leaves and scrap	$7.50
Handling and redrying farmi scrap	$3.00
Transportation charge paid to common carrier	Actual cost [2]
Lacing hogshead	.75 ea.
Re-weighing hogshead	.10 ea.
Re-stenciling hogshead	.20 ea.

[1] Redrying services include packing and cost of hogshead or other packing material. However, a premium of 50 cents per hundred weight may be charged when the tobacco is packed in cases.

[2] If a dealer uses own vehicle, actual cost, not to exceed common carrier rate.

"Purchase on direct order" means a purchase made in conformity with an agreement to buy for a principal either in the principal's name or for his account.

(b) *Dealer's charge for supervisory services on direct order purchase.* A dealer performing supervisory services in the purchase on direct order of flue-cured tobacco for a particular buyer may charge a fee for such services, but not to exceed the highest customary fee charged by the dealer to the particular buyer for the same services performed with respect to purchases on direct order of the 1942 or 1941 year's crop, whichever is most recent. If the dealer performed no supervisory services for the buyer with respect to purchases on direct order of the 1942 or 1941 year's crop of that type of tobacco, the fee charged by the dealer for such supervisory services shall not exceed the highest customary fee charged therefor by the dealer with respect to purchases on direct order of the 1942 or 1941 year's crop, whichever is most recent, to other buyers of the same class. A dealer who performed no supervisory services for the particular buyer or for other buyers of the same class with respect to purchases on direct order of the 1942 or 1941 year's crop, shall apply by letter to the Office of Price Administration, Tobacco Section, Washington, D. C., for authorization to charge a fee for such services based on the fee charged by his most closely competitive dealer of the same class.

"Supervisory services" means services involving responsibility for establishment of proper grade standards, correlation of grading between the several markets, selection of markets affording the greatest abundance of suitable flue-cured tobacco, decisions as to the rate of buying from week to week and guiding purchases through frequent visits to the several markets.

SEC. 5. *Maximum prices for sales of redried flue-cured tobacco by dealers*—(a) *For tobacco purchased as loose-leaf tobacco other than on direct order*—(1) *Sales to manufacturers.* A dealer's maximum price to manufacturers for sales of flue-cured tobacco purchased by him as loose-leaf tobacco other than on direct order shall be an amount figured as follows:

(i) The dealer shall multiply his dried in the hogshead cost per pound of the flue-cured tobacco being priced by the mark-up factor 1.16 or by the mark-up factor which he computed for sales to manufacturers and reported to the Office of Price Administration, Washington, D. C. prior to January 15, 1945, according to whether the tobacco being priced is to be sold as stemmed or unstemmed tobacco. The higher resulting figure or 2½ cents per pound added to the dried in the hogshead cost whichever is higher, plus the following items, if applicable, is the dealer's maximum price per pound to manufacturers.

(*a*) The actual amount of commission paid by the dealer to a tobacco broker doing business as such on or before June 30, 1944 for the broker's services in negotiating the sale of the tobacco to a manufacturer, but not in excess of 3% of the selling price.

(*b*) A charge for warehousing and carrying not in excess of 1% of his dried in the hogshead cost per pound, redried weight, for each full month beginning six months after the tobacco redried in hogsheads has been placed in storage.

(2) *Sales to dealers.* A dealer's maximum price for sales to dealers of flue-cured tobacco purchased by him as loose-leaf tobacco other than on direct order shall be an amount figured as follows:

(i) The dealer shall multiply his dried in the hogshead cost per pound of the flue-cured tobacco being priced by the mark-up factor 1.16 or by the mark-up factor which he computed for sales to dealers and reported to the Office of Price Administration, Washington, D. C. prior to January 15, 1945, according to whether the tobacco being priced is to be sold as stemmed or unstemmed tobacco. The higher resulting figure or 2½ cents per pound added to the dried in the hogshead cost whichever is higher, plus the following item, if performed, is the dealer's maximum price per pound to dealers.

(*a*) A charge for warehousing and carrying not in excess of 1% of his dried in the hogshead cost per pound, redried weight, for each full month beginning six months after the tobacco redried in hogsheads has been placed in storage.

"Dried in the hogshead cost" means the total of the lawful amounts paid for green tobacco, costs of transporting it, and direct costs of handling and redrying. The term does not include charges for warehousing or storage. In computing the elements of "dried in the hogshead cost", charges for services therein shall not exceed the maximum prices established for any service listed in paragraph (a) of section 4, and elements of "dried in the hogshead costs" shall be figured in accordance with the dealer's customary practices and in a consistent manner (e. g., if an element of cost is used in figuring "dried in the hogshead cost" of flue-cured tobacco of the 1945 or future crops, the same element of cost shall have been used in determining the corresponding figure for tobacco of another crop year, etc.)

(b) *For resales of redried tobacco.* (1) A dealer's maximum price for his sales to any class of purchasers of redried flue-cured tobacco purchased by him in redried form from his buyer who purchased it as loose-leaf tobacco shall be an amount figured as follows:

(i) The dealer shall multiply the purchase price for the redried tobacco being priced by the markup factor 1.10 or by the markup factor which he computed for such sales and reported to the Office of Price Administration, Washington, D. C. prior to January 15, 1945. The higher resulting figure, plus a charge for warehousing and carrying, if performed, not in excess of 1% of his purchase price per pound, redried weight, of the tobacco being priced per pound, for each full month beginning six months after that tobacco has been placed in storage by him, is the dealer's maximum price to any class of purchasers.

(ii) A dealer's maximum price for his sales of redried flue-cured tobacco previously owned in redried form by two or more dealers shall not exceed his purchase price for the tobacco being priced, except that the dealer may add a charge for warehousing and carrying not in excess of 1% of his purchase price per pound, redried weight, of the tobacco being priced for each full month after that tobacco has been placed in storage by him.

(c) *Certification by dealers.* Every dealer selling redried flue-cured tobacco shall place upon the invoice or other evidence of sale given by him to the purchaser a complete, correct and signed statement as follows:

The flue-cured tobacco covered by this invoice (if other evidence of sale is used, specify) in redried condition has been owned by (specify number) persons including this seller. The price charged for this tobacco does not exceed our maximum price under RMPR No. 549 issued by the Office of Price Administration. The Office of Price Administration requires you to keep this statement for examination.

(S)_____
Seller

(d) *Sales not covered.* (1) Sales by dealers of stems, drop leaves, pickings, throw-outs and similar waste products salvaged in the handling of flue-cured tobacco are not covered by this regulation.

(2) Sales by dealers of products, such as leaves, strips, coarse and fine scrap, etc., selected and recovered from farm and auction scrap are not covered by this regulation.

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 6. *Reports.* (a) Within sixty days after the close of the last auction market every buyer of flue-cured tobacco shall file with the Office of Price Administration, Washington, D. C., a letter showing the following:

(1) The total amount of untied loose-leaf flue-cured tobacco in pounds, green weight, purchased by him and the total amount paid for it.

(2) The total amount of tied loose-leaf flue-cured tobacco in pounds, green weight, purchased by him and the total amount paid for it.

(3) The total amount of farm scrap tobacco in pounds, green weight, purchased by him and the total amount paid for it.

SEC. 7. *Records.* (a) Every buyer of flue-cured tobacco shall make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing with respect to each purchase of such tobacco:

(1) The name of the seller and the date of purchase.

(2) The total number of pounds purchased.

(3) The purchase price paid, and

(4) Any other records of the same kind that he has customarily kept relating to the prices he pays for flue-cured tobacco after the effective date of this regulation.

(b) Every dealer for whose sales of flue-cured tobacco maximum prices or a method of determining maximum prices are prescribed by this regulation must make and keep available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept showing prices he charges for, and the persons to whom he sells, that tobacco, and the manner in which those prices were computed.

SEC. 8. *Compliance with this regulation*—(a) *No buying or selling above maximum prices.* On and after July 23, 1945, regardless of any contract, lease or other obligation, no dealer or other purchaser in the course of trade or business shall buy or receive, or agree, offer, solicit or attempt to buy or receive, and no person for whose sales of flue-cured tobacco maximum prices are established by this regulation, shall sell or deliver, or agree, offer, solicit or attempt to sell or deliver any flue-cured tobacco at prices higher than the appropriate maximum price established by this regulation. However, lower prices may be charged, paid, offered and received.

(b) *Evasion*—(1) *In general.* The price limitations in this regulation shall not be evaded, directly or indirectly, whether by commission, service, transportation or other charge or discount, premium or other privilege; or by tying agreement, by any change in manner of packing, any business practice or trade understanding, or in any other way.

(2) *Specific practices which are evasions.* Specifically, but not exclusively, the following practices are evasions:

(i) In the case of a dealer, reduction or elimination by the dealer of his customary discounts or initial credit terms allowed on his most recent sales of the 1937, 1938, 1939, 1940 and 1941 crops to the same purchaser, or if he made no

which is removed during processing on account of being wet, damaged, dead or

flue-cured tobacco purchased on direct order—(a) *Dealer's charges.* A dealer

kets, selection of markets and ... greatest abundance of suitable flue-

graph (a) of section 4, and elements of

co shall file with the Office of Price Ad-

the same purchaser, or if he made no

sales of the 1937, 1938, 1939, 1940 or 1941 crops to the purchaser, reduction or elimination of his customary discounts or initial credit terms allowed on his most recent sales of the 1937, 1938, 1939, 1940, or 1941 crop to purchasers of the same class, except where accompanied by a compensating reduction in his maximum price.

"Initial credit terms" means terms fixing the time for payment of the purchase price agreed to by the dealer and buyer at or prior to delivery of the tobacco.

(c) *Penalties for violations.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,[1] licensing persons who make sales under Price Control, apply to sellers subject to this regulation, but no such license is required of or granted to a farmer as a condition of selling an agricultural commodity produced by him. A seller's license may be suspended for violation of the license or one or more applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 9. *Geographical applicability.* The provisions of this regulation are applicable in the forty-eight States of the United States and the District of Columbia.

SEC. 10. *Export sales.* The maximum price at which a person may export flue-cured tobacco shall be determined in accordance with the Second Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

SEC. 11. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1[3] issued by the Office of Price Administration.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective July 23, 1945.

Issued this 17th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: July 6, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12985; Filed, July 17, 1945; 11:30 a. m.]

[1] 8 F.R. 13240.
[2] 8 F.R. 4132, 5087, 7662, 9998, 15193.
[3] 9 F.R. 10476, 13715.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 28]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. Section 2.8 (a) is amended by changing the fourth sentence to read as follows: "The application (on OPA Form R-315) must be accompanied by a written statement signed by a licensed practitioner, who is authorized by the laws of the State in which he practices to diagnose and treat the illness as to which certification is made."

2. A new section 2.8 (b) is added to read as follows:

(b) Regional Offices may, upon advice of Regional Medical Committees, authorize Boards to issue evidences for specific illnesses. In addition, District Offices, if authorized by the Regional Administrator, may, upon advice of District Medical Committees, authorize Boards to issue evidences for specific illnesses.

This amendment shall become effective July 20, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12988; Filed, July 17, 1945; 11:31 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[2] Amdt. 84]

PROCESSED FOODS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. Section 2.5 (a) is amended by changing the fourth sentence to read as follows: "The application (on OPA Form R-315) must be accompanied by a written statement signed by a licensed practitioner, who is authorized by the laws of the State in which he practices to diagnose and treat the illness as to which certification is made."

2. A new section 2.5 (d) is added to read as follows:

(d) Regional Offices may, upon advice of Regional Medical Committees, authorize Boards to issue points for illnesses other than those listed on the chart. They may also authorize Boards to issue points, in addition to those specified for illnesses listed on the chart. In addition, District Offices, if authorized by the Regional Administrator, may, upon advice of District Medical Committees, authorize Boards to issue points for illnesses other than those listed on the chart and to issue points, in addition to those specified, for illnesses listed on the chart.

This amendment shall become effective July 20, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12989; Filed, July 17, 1945; 11:31 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 58]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Section 7.7a (e) is amended by adding at the end the following paragraph: "However, an industria' user may not receive a base period use of lard, shortening, cooking or salad oils for any class of products or uses if he substituted during the period mentioned in this section one of those items in place of one for which he has a base period use, or if, during that period, he began using one of those items in addition to one for which he has a base period use. For example, an industrial user having a base period use of lard and no base period of shortening, who discontinued use of lard for any class of products and made a substitute use of shortening for that class of products during the period shortening was at zero point value, may not apply for a base period use of shortening. Similarly, a user having a base period use of lard and no base period use of shortening, who began using shortening as well as lard for any class of products, during the period that shortening was at zero point value, may not apply for a base period use of shortening. The Board (or District Office) with which each industrial user is registered, shall, for each industrial user who received a base period use of any of these items although he is not entitled to such base period use under this paragraph, as amended, deduct from his base the amount allocable to the item which he either substituted or added. Any allotments granted to him for the third quarter of 1945 shall be recomputed by using the revised base. The difference between the allotments granted and the recomputed allotments shall be charged to excess inventory, and the user shall be notified of such charge."

[1] 9 F.R. 13992, 14642, 15048; 10 F.R. 201, 412, 1143, 1537, 2144, 2581, 2874, 3223, 4105, 4715.
[2] 9 F.R. 3, 104, 574, 695, 765, 848, 1997, 1727, 1817, 1908, 2233, 2234, 3240, 3440, 2567, 2791, 3032, 3513, 8579, 3708, 8710, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 5074, 5436, 5695, 5829, 6234, 6285, 6647, 6951, 7080, 7081, 7209, 7267, 7845, 7437, 7773, 8793, 9169, 9954, 10087, 10636, 11113.

[1] 10 F.R. 2521, 2875, 3223, 3356, 3549.

This amendment shall become effective July 20, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12990; Filed, July 17, 1945; 11:31 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 59]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. Section 2.4 (a) is amended by changing the fourth sentence to read as follows: "The application (on OPA Form R-315) must be accompanied by a written statement signed by a licensed practitioner, who is authorized by the laws of the state in which he practices to diagnose and treat the illness as to which certification is made."

2. A new section 2.4 (d) is added to read as follows:

(d) Regional Offices may, upon advice of Regional Medical Committees, authorize Boards to issue points for illnesses other than those listed on the chart. They may also authorize Boards to issue points, in addition to those specified, for illnesses listed on the chart. In addition, District Offices, if authorized by the Regional Administrator, may, upon advice of District Medical Committees, authorize Boards to issue points for illnesses other than those listed on the chart and to issue points, in addition to those specified, for illnesses listed on the chart.

This amendment shall become effective July 20, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12991; Filed, July 17, 1945; 11:31 a. m.]

PART 1425—LUMBER DISTRIBUTION

[RMPR 467,[2] Amdt. 1]

DISTRIBUTION YARD SALES OF HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 467 is amended in the following respects:

1 Section 2 (a) is amended by adding the following sentence to the second paragraph. "It must be a yard which was in operation prior to December 31, 1942 or which, since that date, has received written approval of the Price Administrator classifying it as a distribution yard".

2. The following new section 17 is added:

SEC. 17. *New yards.* Any person proposing to establish a new distribution yard may apply to the Building Materials Price Branch of the Office of Price Administration, Washington, D. C. for classification of the new yard as a distribution yard and for permission to use the maximum prices in this regulation for sales of hardwood lumber by the new yard out of distribution yard stock. The applicant must offer proof that the new yard will conform to the definition of a distribution yard in Section 2 and that the purpose of establishing the yard is not to evade the provisions of the mill regulations or to get the benefit of the mark-ups in this regulation by unnecessary distribution yard business. The Price Administrator may approve or disapprove applications under this section in whole or in part, subject to restrictions and limitations to prevent violations of this and the several lumber regulations and to effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

This amendment shall become effective July 23, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12992; Filed, July 17, 1945; 11:29 a. m.]

[1] 10 F.R. 2521, 2975, 3223, 3556, 3549.
[2] 9 F.R. 14027.

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A[1], Amdt. 23]

STOVES

A Rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order 9A is amended in the following respects:

1. Wherever in this Order Form R-900 is referred to, the phrase "OPA Form R-900" is amended to read "OPA Form R-900 (Rev. 9-44)."

2. Section 6.4 is amended to read as follows:

SEC. 6.4 *Dealers, distributors and manufacturers must return certificates if orders are rejected or cancelled.* (a) Where a dealer or distributor has given up a certificate with his order or contract for a stove, and the order or contract for a stove is rejected or cancelled before a stove has been transferred to him, the person receiving the order or contract must promptly return a certificate for the same type of stove.

3. Section 6.5 (a) is amended to read as follows:

(a) No dealer, distributor, or manufacturer may discriminate in the transfer of stoves covered by this order among consumers entitled to acquire stoves in exchange for certificates.

4. Section 6.5 (b) is revoked.

5. Section 9.3 (b) is amended by adding after the word "disapproval" the phrase "or take such other action as the Washington Office may authorize or direct."

This amendment shall become effective on July 20, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12993; Filed, July 17, 1945; 11:32 a. m.]

[1] 8 F.R. 11564.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 126]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 15, Appendix I is amended in the following respects:

1. Paragraphs (b) (1) (i) and (ii) are amended to read as follows:

(i) For California and Arizona citrus fruits, "standard container" means a $1\frac{2}{5}$ bushel container (wooden nailed box or wire-bound crate) conforming to the specifications of the California Agricultural Code for the standard orange box, the standard grapefruit box or the standard lemon box. The term also includes two "half boxes", two "half strap" boxes, a "full box bag", two "half box bags", and for oranges 8 9-pound containers, 9 8-pound containers, and 14 5-pound containers, containing in each case a quantity of fruit equivalent to that contained in a $1\frac{2}{5}$ bushel container described above. Containers other than bags are not standard containers unless they are packed and lidded; and packing and lidding must be done in conformity with any applicable provisions of the Agricultural Code.

(ii) For citrus fruits not grown in California or Arizona, "standard container" means a $1\frac{3}{5}$ bushel container (wooden nailed box or wire-bound crate) conforming to the specifications for citrus boxes published in Freight Container Bureau Tariffs No. 2B ICC No. 14, and No. 3A ICC No. 15, as amended. The term also includes two "half boxes", two "half strap boxes", a "full box bag", two "half box bags", or four "quarter box bags"; and for oranges and tangerines 8 10-pound containers, 10 8-pound containers, or 16 5-pound containers; and for grapefruit 7 10-pound containers, 9 8-pound containers or 12 6-pound containers. A container is not a standard container unless it contains a quantity of fruit equivalent to that in a $1\frac{3}{5}$ bushel container described above. Containers other than bags are not standard containers unless they are packed and lidded; and packing and lidding must be done in conformity with any appli-

cable requirements of the Florida Citrus Commission or the Texas Commission of Agriculture, whichever applies.

2. In paragraph (c), Table 1, footnote reference 10 is added to the title and footnote 10 is added to read as follows:

[10] For oranges packed in 8 9-pound containers, 9 8-pound containers or 14 5-pound containers in accordance with the requirements of paragraph (b), the maximum price is 20¢ higher than for Items 1, 2, 7, 8, 9 or 10, whichever applies.

3. In paragraph (c), Tables 2 and 3, footnote 1, the second and third paragraphs are amended to read as follows:

For oranges packed in bushel baskets with a net content ⅝ that of standard containers and packed "fairly tight" or tighter, the maximum price is ⅝ that for Items 1 and 2.

For oranges packed in 8 10-pound containers, 10 8-pound containers or 16 5-pound containers in accordance with the requirements of paragraph (b), the maximum price is 20¢ higher than for Items 1 and 2.

4. In paragraph (c), Tables 6 and 7, footnote 1, the second and third paragraphs are amended to read as follows and Table 8, footnote 8 is amended to read as follows:

For grapefruit packed in bushel baskets with a net content of ⅝ that of standard containers and packed "fairly tight" or tighter, the maximum price is ⅝ that for Items 1 and 2.

For grapefruit packed in 7 10-pound containers, 9 8-pound containers or 12 6-pound containers in accordance with the requirements of paragraph (b), the maximum price is 20¢ higher than for Items 1 and 2.

This amendment shall become effective at 12:01 a. m. July 23, 1945.

Issued this 17th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: July 9, 1945.

CLINTON P. ANDERSON,
War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that its provisions as to maximum prices for grapefruit (except those grown in California and Arizona) and for California and Arizona oranges are necessary to correct gross inequities.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12986; Filed, July 17, 1945; 11:30 a. m.]

PART 1444—ICE BOXES

[MPR 399, Amdt. 29]

NEW ICE BOXES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 399 is amended in the following respect:

Section 16, Table C, *Ceiling prices in each state for all other sales of ice boxes at retail* is amended by changing the ceiling price in the District of Columbia of the Arctic brand, Model C-65 ice box with a rated ice capacity of 65 pounds manufactured by the Arctic Refrigerator Company from "$40.00" to "$39.00."

This amendment shall become effective on the 23d day of July 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-12983; Filed, July 17, 1945; 11:29 a. m.]

PART 1447—GLUE STOCK

[MPR 563,[1] Amdt. 4]

WET GELATIN RAW STOCK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 563 is amended by changing that portion of section 12 (a) immediately following subparagraph (2) to read as follows:

These maximum prices are based on shipping weights with 5% shrinkage for shipments beyond 55 miles, 3% shrinkage for shipments between 10 miles and 55 miles, and 2% shrinkage for shipments of less than 10 miles. The maximum price for any shipment involving shrinkage in excess of the percentages specified above shall be the maximum price per ton specified above, multiplied by the weight (expressed in tons) actually delivered.

This amendment shall become effective July 23, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12984; Filed, July 17, 1945; 11:29 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 69]

PART 4003—SUPPORT PRICES; SUBSIDIES

1945 CROP TOBACCO PURCHASES AND LOANS

The Secretary of Agriculture has, by letter dated July 6, 1945, recommended my approval of purchase and loan programs with respect to tobacco of the 1945 crop to be carried out by Commodity Credit Corporation. Purchases are to be made for the purpose of meeting requirements in British countries through lend-lease with respect to their military requirements and by cash sale to the respective governments to meet minimum civilian requirements, and for price support and market stabilization if necessary. Loans will be made available at 90 percent of the parity price of tobacco as of the beginning of the marketing year for the several types. The programs are more fully described in the copy of the memorandum from the Director, Office of Basic Commodities, enclosed with the Secretary of Agriculture's letter.

Pursuant to the authority vested in me as Economic Stabilization Director, I hereby authorize and direct the Department of Agriculture to carry out through the Office of Basic Commodities, Commodity Credit Corporation, the 1945 crop tobacco purchase and loan programs described in the Secretary of Agriculture's letter and the memorandum enclosed therewith.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 14th day of July 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12944; Filed, July 16, 1945; 2:55 p. m.]

[Directive 55, Amdt. 1]

PART 4003—SUPPORT PRICES: SUBSIDIES

1945–1946 BEEF CATTLE PRODUCTION

Pursuant to the authority vested in me by the act of October 2, 1942 entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation and Other Purposes," and by Executive Order No. 9250 of October 3, 1942, and Executive Order No. 9328 of April 8, 1943; *It is ordered:*

Directive 55, 1945–1946 Beef Cattle Production, issued July 1, 1945, (10 F.R. 6595)[1], is hereby amended in the following respects:

1. Whenever they appear in said directive, the words "War Food Administrator" are deleted and the words "Secretary of Agriculture" are substituted therefor.

2. Section 3(b) is amended to read as follows:

(b) Upon nisi prius determination in a civil action or proceeding (including a proceeding before a Hearing Commissioner) against an applicant for payment, that such applicant has violated any substantive provision of an Office of Price Administration meat or livestock regulation or order, the Office of Price Administration shall certify the determination to the Secretary of Agriculture, including the period of time during which the violation is found to have occurred. The Secretary of Agriculture shall thereupon withhold payment on all claims of the applicant under this directive for the accounting period in which the violation is found to have occurred. In the event that the determination of violation shall be reversed and such reversal becomes final, the amount of subsidy withheld pursuant to this paragraph shall be paid forthwith. For the purposes of this section, every provision of the regulation or order shall be deemed substantive in nature unless the Office of Price Administration determines otherwise.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

[1] 9 F.R. 12645, 13849.

[1] 8 F.R. 11564.

Issued and effective this 13th day of July 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12970; Filed, July 17, 1945; 10:58 a. m.]

Chapter XIX—Reconstruction Finance Corporation[1]

[Rev. Reg. 1, Amdt. 5]

PART 7001—PETROLEUM COMPENSATORY ADJUSTMENTS

Petroleum Compensatory Adjustments Revised Regulation No. 1 of Defense Supplies Corporation, as amended, together with Schedules A through E thereof, was further amended and revised by Defense Supplies Corporation by the issuance on August 1, 1944 of the following:

Amendment No. 5 to Petroleum Compensatory Adjustments Revised Regulation No. 1.

Amendment No. 1 to Revised Schedule A.[2]

Revised Schedule B, as amended effective August 1, 1944.[2]

Revised Schedule C, as amended August 1, 1944.[2]

Schedule D, as amended effective August 1, 1944.[2]

Amendment No. 3 to Schedule E, Description of Supply Terminals and Supply Areas.[2]

1. Section 7001.1, *Definitions*, as amended, is further amended by deleting paragraph (u); by changing the designations of paragraphs (v), (w) and (x) to (u), (v) and (w), respectively; by adding new paragraphs (x) and (y) set forth below; and by changing paragraphs (l) and (q) and newly designated (u) to read as set forth below:

§ 7001.1 *Definitions.* * * *

(l) "Actual origin" means:

(1) In the case of crude, other than crude transported pursuant to Petroleum Directive 63 through the war emergency pipeline system, the well producing the crude imported into District One by the substitute method of transportation.

(2) In the case of crude and compensable products transported pursuant to Petroleum Directives 63 or 73 (8 F.R. 1068, 13343) through the war emergency pipelines system, the point at which such crude or compensable products are delivered to the applicant by Defense Supplies Corporation.

(3) In the case of compensable products and miscellaneous products, except those purchased, or acquired under an exchange in District Two or Three, or transported pursuant to Petroleum Directive 73 through the war emergency pipelines system, the refinery (which term shall include natural gasoline and recycling plants) manufacturing the compensable products or miscellaneous products imported into District One by the substitute method of transportation.

(4) In the case of compensable products and miscellaneous products purchased, or acquired under an exchange in District Two or Three, the point at which the compensable products or miscellaneous products imported into District One are delivered to the applicant under the sale or the exchange: *Provided*, That compensable products or miscellaneous products acquired or loaned under an exchange at Helena, Arkansas, shall not be considered to have been acquired or loaned under an exchange if replacement of like compensable products or miscellaneous products is made at Helena, Arkansas, within the next succeeding calendar month following the month during which the compensable products or miscellaneous products were acquired or loaned under the exchange: *And provided further*, That either the acquired compensable products or miscellaneous products or the loaned compensable products or miscellaneous products were moved through the Project Five pipe line.

* * * * *

(q) "Revenue price increases" means:

(1) In the case of petroleum products for which maximum prices have been established by the Office of Price Administration at any level of sale, the amounts authorized by the Office of Price Administration for the purpose of providing compensation for higher transportation costs involved in the use of substitute methods of transportation, as shown on Schedule C hereof.[2]

(2) In the case of petroleum products for which maximum prices have not been established by the Office of Price Administration at one or more levels of sale, the amounts shown on Schedule C hereof.[2]

* * * * *

(u) "Normal cost of in-transit handling" means an amount determined by multiplying three cents by the number of barrels of crude, compensable products or miscellaneous products moved by the substitute method of transportation, each time in-transit handling would have been incurred had it been moved by the normal method of transportation.

* * * * *

(x) "Revenue price decreases" means any reductions in the revenue price increases.

(y) "Retail establishment" means any store, shop, garage, service station or other place of business where, during the three calendar months preceding a revenue price decrease, at least 75% of the volume of the petroleum products sold were sold other than by delivery in tank wagon or larger lots.

2. Section 7001.2, *Persons eligible to apply for petroleum compensatory adjustments*, as amended, is further amended to read as set forth below:

§ 7001.2 *Persons eligible to apply for petroleum compensatory adjustments.* Any person who produces, manufactures, acquires or purchases crude, compensable products or miscellaneous products in District Two or Three and imports the same, by substitute method of transportation, for sale or manufacture of petroleum products within District One, or who purchases crude or compensable products from Defense Supplies Corporation at the eastern termini in District One of the war emergency pipelines system for sale or manufacture of petroleum products within such district, or who makes a compensable intra-district movement or a special container movement, may file an application for a petroleum compensatory adjustment on account of any claim for extra costs covered by this part. In addition to the above, any person who, during the twelve months' period ended June 30, 1941, regularly imported compensable products or miscellaneous products for his own consumption within District One, and who imports, by substitute method of transportation, compensable products or miscellaneous products from District Two or Three for his own consumption in District One, shall likewise be eligible to file an application for a petroleum compensatory adjustment under this part. No application for petroleum compensatory adjustment may be filed in respect of any quantity of petroleum or petroleum products imported subsequent to July 31, 1944 in violation of any rules, regulations, orders or directives issued, authorized or approved by the Petroleum Administration for War relating to supply or distribution of petroleum or petroleum products.

3. Section 7001.5, *Extra transportation and compensable product costs*, paragraph (a), *Amount of compensatory adjustment*, as amended, is further amended by changing subparagraphs (1) (vi) and (1) (vii) thereof to read as set forth below:

§ 7001.5 *Extra transportation and compensable product costs*—(a) *Amount of compensatory adjustment.* (1) * * *

(vi) In the case of a compensable intra-district movement which is made from any supply terminal in District One situated on the pipe line of the Plantation Pipe Line Company, including the Defense Plant Corporation extension to Richmond, Virginia, or the pipe line of the Southeastern Pipe Line Company, the excess of (*a*) the lower of the actual cost to the importer of transporting the compensable products from actual origin outside District One to the supply terminal or the cost of the importer's normal method of transportation for such compensable products from normal origin to the supply terminal, plus in either case the substitute cost of in-transit handling at the supply terminal, and plus the actual cost incurred by the applicant in transporting the compensable products from the supply terminal to destination, over (*b*) the cost of applicant's normal method of transportation from normal origin to the same destination.

(vii) In the case of a compensable intra-district movement defined in § 7001.1 (p) (2) which is made from any supply terminal in District One situated outside the area defined in Schedule D[2] other than a supply terminal described in subdivision (vi) of this subparagraph, the excess of (*a*) the cost of transporting like compensable products to such supply terminal from Port Arthur, Texas, by the normal method of transportation of the importer of such products, or, if refined in District One, of the refiner thereof,

[1] Formerly Chapter XIX—Defense Supplies Corporation.

[2] Filed with the Division of the Federal Register.

plus, the substitute cost of in-transit handling at such supply terminal, except that no substitute cost of in-transit handling will be included in respect to handling at any District One refinery of compensable products manufactured at such refinery, and plus the actual cost incurred by the applicant in transporting the compensable products from such supply terminal to destination, over (b) the cost of applicant's normal method of transportation from normal origin to the same destination.

* * * * *

4. Section 7001.5, *Extra transportation and compensable product costs*, paragraph (a), *Amount of compensatory adjustment*, as amended, is further amended by deleting subparagraph (3) (i); by changing the designations of subparagraphs (3) (ii) and (3) (iii) to (3) (i) and (3) (ii), respectively; by changing newly designated subparagraphs (3) (i) and (3) (ii) to read as set forth below; and by adding new subparagraphs (4), (5) and (6) to read as set forth below:

(3) * * *

(i) If the applicant has acquired petroleum products on which a previous owner has accounted for revenue accruing from the sale of such products under this part, then the amount of such revenue may be deducted from the revenue arising from the sale of products to be credited against the applicant's claim; *Provided, however*, That no such deduction from revenue may be made if the petroleum products thus acquired by the applicant are subsequently exported and are not sold by the applicant in District One. Should there be an excess of deductions under this paragraph over revenue from the sale of products, such excess may be added to the applicant's claim upon the condition that the applicant agrees to continue to account for revenue under this part. When an adjustment is claimed on the ground that a previous owner, other than the seller to applicant, has accounted for the revenue, the applicant shall submit an affidavit in quadruplicate from the seller to applicant stating that the products were purchased from a person who has accounted for such revenues and naming such person and that accountants for Defense Supplies Corporation may make such examinations and audits of any of affiant's books, records and other supporting data as may be necessary to confirm the statements contained in the affidavit or as may be required by Defense Supplies Corporation. Upon the request of Defense Supplies Corporation, the applicant shall obtain and submit to Defense Supplies Corporation any other evidence which may be requested to substantiate the adjustments under this subparagraph.

(ii) The amount of revenue for which the applicant must account each month shall be reduced, beginning with the applicant's claim for the month of November, 1943, by a sum equal to the number of gallons of kerosene, range oil, stove oil, No. 1 fuel oil and No. 2 fuel oil which the applicant moved by other than an intra-district movement to points in the District of Columbia and the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, Maryland, Virginia, New Jersey and Delaware, and the entire eastern part of the State of New York up to and including the Counties of Cayuga, Tompkins, and Chemung, and the entire eastern part of the State of Pennsylvania up to and including the Counties of Bradford, Sullivan, Columbia, Montour, Northumberland, Dauphin and York and which the applicant received at such points during the month covered by the applicant's claim, multiplied by $0.001: *Provided*, That such products were imported into District One by rail, barge or lake steamer. The amount computed pursuant to this subdivision shall be deducted from the amount reported by the applicant in Item 22 of D. S. Form T–39, and the resulting net total shall be carried forward to D. S. Form T–35: *Provided, however*, That if such resulting net total is a negative amount then such negative amount may be carried forward to D. S. Form T–35 and added to the applicant's claim upon the condition that the applicant agrees to continue to account for revenue under this part.

(4) In the event of any revenue price decrease, an applicant who prior to the effective date of the revenue price decrease has filed under this part a claim which has not been withdrawn may obtain reimbursement in the amount of any refund made in compliance with the following conditions:

(i) The refund shall, within 60 days after such revenue price decrease becomes effective, be paid or credited to the account of a person, other than an applicant under this part, having on hand on the effective date of such revenue price decrease in stationary storage or in transit thereto other than at a retail establishment, an inventory of petroleum products held for resale, to which such revenue price decrease is applicable, which products were purchased from an applicant under this part and on which revenue has been accounted for and for which no credit or refund in respect of such revenue price decrease has been claimed. In the event purchases were made from more than one supplier, the amount of inventory purchased from each supplier shall be determined by application of the first-in, first-out method of accounting.

(ii) All requests for refunds shall be computed on forms satisfactory to Defense Supplies Corporation. The refund shall be computed by multiplying the revenue price decrease by the quantity of inventory referred to in subdivision (i) of this subparagraph.

(iii) For purposes of the refund in respect of a revenue price decrease, persons purchasing petroleum products from an applicant under this part shall be deemed to include persons who made purchases from an intermediate reseller who acquired such products from such applicant. In those instances where a product was purchased from such intermediate reseller the refund may be made by the intermediate reseller and shown on forms satisfactory to Defense Supplies Corporation, submitted by such intermediate reseller to such applicant under this part within 60 days after such revenue price decrease becomes effective. In the event such intermediate reseller purchased from more than one person, the amount of products purchased from each such person shall be determined by application of the first-in, first-out method of accounting, after summarizing all requests for refund made by such intermediate reseller in respect of his own inventory and the inventory of his eligible customers.

(5) The amount of refund which an applicant under this part has made in compliance with the conditions stated in subparagraph (4) of this paragraph may be included, by deduction from revenue on Form T–39, in his application for petroleum compensatory adjustments covering a month not later than the third calendar month following that in which the revenue price decrease became effective.

(6) If, upon completion of audit or other inspection, it is determined that any refund was incorrectly made, the applicant under the part will return to Defense Supplies Corporation upon demand the amount of such refund for which such applicant has obtained reimbursement from Defense Supplies Corporation.

* * * * *

5. Section 7001.5, *Extra transportation and compensable product costs*, paragraph (c), *Method of determining extra transportation costs*, as amended, is further amended to read as set forth below:

(c) *Method of determining extra transportation costs.* (1) Transportation costs, under both the normal and substitute methods of transportation, shall be computed on the basis of the crude, compensable products or miscellaneous products actually moved by the substitute method of transportation, and shall be computed to the first actual delivery point in District One which is common to both methods: *Provided*, That in the case of compensable products other than aviation gasoline the claim, other than for an intra-district movement, shall terminate in any event upon delivery to the first point located in District One outside of the area defined in Schedule D hereof[1] at which such products are unloaded, except when unloaded into "pipe line break-out storage facility" or into a terminal at Panama City, Port St. Joe, or Carabelle, Florida, for through movement to a supply terminal, in which event the claim shall terminate upon delivery to the first such supply terminal into which it is thereafter unloaded. Compensation, if any, for a movement beyond the foregoing points shall be claimed only as a compensable intra-district movement, and movements of products refined, purchased or otherwise acquired in District One shall not be compensable except as provided in § 7001.1 (p) and paragraphs (a) (i) (v), (vi), (vii), (viii) and (ix) of this section.

[1] Filed with the Division of the Federal Register.

(2) Except as hereinafter provided only costs computed or incurred in respect of the use of the following facilities may be included in an application for a petroleum compensatory adjustment for extra transportation costs. The costs for the use of any facilities shall be computed on the basis prescribed below:

Facilities Used and Rate or Cost To Be Used in Computation

Pipe line (gathering or trunk line): Rate prescribed by or on file with an authorized regulatory body for the movement and material involved, or in the absence of such a rate, then the actual cost of the movement.

Tanker: The maximum voyage charter rate for the material and voyage involved as prescribed by the United States Maritime Commission or the War Shipping Administration.

Tank cars: Freight paid.

Barges, lake steamers, trucks and other transportation facilities: The lower of (i) an amount computed on the basis of the rate prescribed by or on file with an authorized regulatory body for the shipment and material involved, or (ii) the actual cost of the movement: *Provided*, That such rate or cost shall not exceed any applicable ceiling rate: *And provided further*, That Defense Supplies Corporation may deduct from claims amounts included therein which represent that portion of the cost of transportation by motor trucks resulting from increases effected after July 31, 1944 in the applicable published tariffs for such transportation. (Defense Supplies Corporation may request the Office of Price Administration to review increases effected after July 31, 1944 in published tariffs for motor truck transportation and will notify applicants under this part in the event that the Corporation decides, in respect of certain shipments, to limit claims to the motor truck tariffs in effect on July 31, 1944.)

(3) Applications for petroleum compensatory adjustments filed pursuant to this part shall include as a deduction the normal cost of in-transit handling and may include as a compensable item the substitute cost of in-transit handling.

6. Section 7001.5, *Extra transportation and compensable product costs*, paragraph (d), *Exchanges*, is amended to read as set forth below:

(d) *Exchanges.* When products are delivered under an exchange in District One, transportation costs shall be computed as though no exchange were involved, i. e., the cost under both the normal and substitute methods of transportation will be computed to the point in District One where delivery is made under the exchange unless a point which is common to both methods of transportation was reached prior thereto: *Provided*, That products acquired or loaned under an exchange at Buffalo, New York, or Pittsburgh, Pennsylvania, subsequent to March 30, 1944 shall not be considered to have been acquired or loaned under an exchange if replacement of like products is made at Buffalo, New York, or Pittsburgh, Pennsylvania, respectively, within the next succeeding calendar month following the month during which the products were acquired or loaned under the exchange.

This amendment shall become effective as of August 1, 1944; *Provided*, That where an earlier date is mentioned in a provision of this amendment such provision shall be effective from such earlier date; *Provided further*, That all provisions of this amendment which pertain to purchases of compensable products from Defense Supplies Corporation at the eastern termini in District One of the war emergency pipelines system shall be effective from March 1, 1944.

RECONSTRUCTION FINANCE CORPORATION,
GEORGE STONER,
Associate Director,
Office of Defense Supplies.

[F. R. Doc. 45–12936; Filed, July 16, 1945; 11:47 a. m.]

[Rev. Reg. 1, Amdt. 6]

PART 7001—PETROLEUM COMPENSATORY ADJUSTMENTS

Petroleum Compensatory Adjustments Revised Regulation No. 1 of Defense Supplies Corporation, as amended, together with Schedules A, B, C, and E thereof, was further amended by Defense Supplies Corporation by the issuance on February 28, 1945, of the following:

Amendment No. 6 to Petroleum Compensatory Adjustments Revised Regulation No. 1.

Amendment No. 2 to Revised Schedule A.[1]

Amendment No. 1 to Revised Schedule B.[1]

Amendment No. 1 to Schedule C, as revised effective September 1, 1944.[1]

Amendment No. 4 to Schedule E.[1]

1. Section 7001.1, *Definitions*, as amended, is further amended by changing paragraphs (l) (4) and (p) thereof to read as set forth below:

§ 7001.1 *Definitions.* * * *

(l) * * *

(4) In the case of compensable products and miscellaneous products purchased, or acquired under an exchange in District Two or Three, the point at which the compensable products or miscellaneous products imported into District One are delivered to the applicant under the sale or the exchange: *Provided*, That compensable products or miscellaneous products acquired or loaned under an exchange at Helena, Arkansas, Gale, Illinois, or Destrehan or St. Rose, Louisiana, shall not be considered to have been acquired or loaned under an exchange if replacements of like compensable products or miscellaneous products is made at the point where such products were acquired or loaned under the exchange, prior to the end of the next succeeding calendar month following the month during which the compensable products or miscellaneous products were acquired or loaned under the exchange; *Provided further*, That either the compensable products or miscellaneous products acquired at Helena, Arkansas, or the compensable products or miscellaneous products loaned at Helena, Arkansas, were moved through the Project Five pipe line: *And provided*, That the compensable products or miscellaneous products acquired at Gale, Illinois, or Destrehan or St. Rose, Louisiana, and the compensable products or miscellaneous products loaned at Gale, Illinois, or Destrehan or St. Rose, Louisiana, were transported to such points by barge.

* * * * *

(p) "Compensable intra-district movement" means:

(1) A movement of compensable products or naphtha directly from any refinery, barge terminal or pipe line terminal situated in the area defined in Schedule D[1] hereof to any destination in District One outside such area which, in the absence of a shortage of tankers, would normally be supplied by tanker or by a combination of tanker and other methods of transportation and from a point other than such refinery or terminal, and which movement is made by a person who has obtained the prior written approval of the Petroleum Administration for War and the Defense Supplies Corporation designating the origin of such movements and the area or areas into which they are to be made.

(2) A movement of compensable products or naphtha directly from any plant which is a part of a supply terminal in District One situated outside the area defined in Schedule D[1] hereof to (i) any destination within the supply area in which such supply terminal is located, or (ii) to any other destination in District One situated in an area for which the applicant has obtained the prior written approval of the Petroleum Administration for War and the Defense Supplies Corporation designating the supply terminal from which such movements may be made and the area into which they are to be made; provided, in each case, that the destination to which the movement is made, in the absence of a tanker shortage, would normally be supplied by tanker or a combination of tanker and other methods of transportation, and from a point other than such plant.

(3) Any other movement of compensable products or any movement of crude or miscellaneous products made upon the prior written request of the Petroleum Administration for War, which request was approved by Defense Supplies Corporation, from a refinery, terminal or bulk storage plant in District One to a point in District One, which movement would not normally have been made by the applicant in the absence of a shortage of tankers.

* * * * *

2. Section 7001.2, *Persons eligible to apply for petroleum compensatory adjustments*, as amended, is further amended to read as set forth below:

§ 7001.2 *Persons eligible to apply for petroleum compensatory adjustments.* (a) Subject to the provisions of paragraphs (c) and (d) of this section, any person who produces, manufactures, acquires or purchases crude, compensable products or miscellaneous products in District Two or Three and imports the same, by substitute method of transportation, for sale or manufacture of pe-

[1] Filed with the Division of the Federal Register.

troleum products within District One, or who purchases crude or compensable products from Defense Supplies Corporation at the eastern termini in District One of the war emergency pipelines system for sale or manufacture of petroleum products within such district, or who makes a compensable intra-district movement or a special container movement, may file an application for a petroleum compensatory adjustment on account of any claim for extra costs covered by this part.

(b) Subject to the provisions of paragraphs (c) and (d) of this section, any person who, during the twelve months' period ended June 30, 1941, regularly imported compensable products or miscellaneous products for his own consumption within District One, and who imports, by substitute method of transportation, compensable products or miscellaneous products from District Two or Three for his own consumption in District One, shall be eligible to file an application for a petroleum compensatory adjustment on account of any claim for extra costs covered by this part.

(c) No application for a petroleum compensatory adjustment may be filed in respect of any quantity of petroleum or petroleum products imported subsequent to July 31, 1944, in violation of any rules, regulations, orders or directives issued, authorized or approved by the Petroleum Administration for War relating to supply or distribution of petroleum or petroleum products.

(d) No application for a petroleum compensatory adjustment for the month of March 1945, or any subsequent month, will be approved for payment unless the applicant has signed an agreement, satisfactory to Defense Supplies Corporation, to account to Defense Supplies Corporation for revenue.

3. In § 7001.5 *Extra transportation and compensable product costs*, paragraph (a), *Amount of compensatory adjustment*, as amended, is further amended by changing subparagraphs (i), (vi), and (vii) thereof to read as set forth below:

§ 7001.5 *Extra transportation and compensable product costs*—(a) *Amount of compensatory adjustment.* (1) • • •.

(i) In case crude, aviation gasoline or miscellaneous products except asphalt are imported, the excess of (*a*) the cost of transporting crude, aviation gasoline or miscellaneous products from the actual origin to the destination in District One by the substitute method of transportation, plus, in the case of crude transported pursuant to Petroleum Directive 63 (8 F.R. 1068) through the war emergency pipelines system, a sum equal to the difference between the price paid to Defense Supplies Corporation by the applicant for such crude and the weighted average posted field price paid by Defense Supplies Corporation for crude received at Longview, Texas, during the month that crude is delivered to the applicant, over (*b*) the cost of transporting similar crude, aviation gasoline or miscellaneous products from the normal origin to the same destination in District One by the facilities which would have been used under the normal method of transportation, plus, in the case of crude and natural gasoline, the applicable amount shown on Schedule A hereof.[1] In any case where crude, other than crude transported pursuant to Petroleum Directive 63 through the war emergency pipelines system, is purchased away from the well, under the substitute method of transportation, the amount of the transportation costs from the well to the point of purchase to be included in the claim shall not exceed the difference between the price paid for such crude and the prevailing price for such crude at the well as of the date of purchase.

• • • • • •

(vi) In the case of a compensable intra-district movement which is made from any supply terminal in District One situated on the pipe line of the Plantation Pipe Line Company, including the Defense Plant Corporation extension to Richmond, Virginia, or the pipe line of the Southeastern Pipe Line Company, the excess of (*a*) the lower of the actual cost to the importer of transporting the compensable products or naphtha from actual origin outside District One to the supply terminal, or the cost of the importer's normal method of transportation for such compensable products or naphtha from normal origin to the supply terminal plus, in the case of natural gasoline only, the applicable amount shown on Schedule A[1] hereof; plus the substitute cost of in-transit handling at the supply terminal; and plus the actual cost incurred by the applicant in transporting the compensable products or naphtha from the supply terminal to destinations; over (*b*) the cost of applicant's normal method of transportation from normal origin to the same destination plus, in the case of natural gasoline only, the applicable amount shown on Schedule A hereof.[1]

• • • • • •

(vii) In the case of a compensable intra-district movement defined in § 7001.1 (p) (2) which is made from any supply terminal in District One situated outside the area defined in Schedule D,[1] other than a supply terminal described in subdivision (vi) above, the excess of (*a*) the cost of transporting like compensable products or naphtha to such supply terminal from Port Arthur, Texas, by the normal method of transportation of the importer of such products, or, if refined in District One, of the refiner thereof, plus, in the case of natural gasoline only, the applicable amount shown on Schedule A hereof,[1] plus the substitute cost of in-transit handling at such supply terminal, except that no substitute cost of in-transit handling will be included in respect to handling at any District One refinery of compensable products or naphtha manufactured at such refinery; and plus the actual cost incurred by the applicant in transporting the compensable products or naphtha from such supply terminal to destination; over (*b*) the cost of applicant's normal method of transportation from normal origin to the same destination plus, in the case of natural gasoline only, the applicable amount shown on Schedule A hereof.[1]

• • • • • •

4. In § 7001.5 *Extra transportation and compensable product costs*, paragraph (c) *Method of determining extra transportation costs* as amended, is further amended by changing subparagraph (1) thereof to read as set forth below:

(c) *Method of determining extra transportation costs.* (1) Transportation costs, under both the normal and substitute methods of transportation, shall be computed on the basis of the crude, compensable products or miscellaneous products actually moved by the substitute method of transportation, and shall be computed to the first actual delivery point in District One which is common to both methods: *Provided*, That in the case of crude, compensable products or naphtha the claim, other than for an intra-district movement, shall terminate in any event upon delivery to the first point located in District One outside of the area defined in Schedule D[1] hereof at which such products or crude are unloaded, except when unloaded into "pipe line break-out storage facility" or into a terminal at Panama City, Port St. Joe, or Carabelle, Florida, for through movement to a supply terminal, in which event the claim shall terminate upon delivery to the first such supply terminal into which such products or crude are thereafter unloaded. Compensation, if any, for a movement beyond the foregoing points shall be claimed only as a compensable intra-district movement, and movements of crude, compensable products or miscellaneous products refined, purchased or otherwise acquired in District One shall not be compensable except as provided in § 7001.1 (p) and paragraph (a) (1) (v), (vi), (vii), (viii) and (ix) of this section.

• • • • • •

The provisions of this amendment which pertain to compensable intra-district movements of crude and the provisions of this amendment which pertain to compensable products or miscellaneous products acquired or loaned under an exchange at Gale, Illinois, or Destrehan or St. Rose, Louisiana, shall be effective from January 1, 1945, and all other provisions of this amendment shall become effective as of March 1, 1945: *Provided*, That costs related to compensable intra-district movements of crude commenced subsequent to December 31, 1944, and prior to March 16, 1945, may be included in claims in accordance with authorizations issued by the Petroleum Administration for War and approved by the Defense Supplies Corporation prior to April 1, 1945: *And provided further*, That compensable costs related to compensable intra-district movements of aviation gasoline or naphtha commenced subsequent to February 28, 1945, and prior to March 16, 1945, may be included in claims regardless of whether written approval thereof is obtained from the Petroleum Administration for War and the Defense Supplies Corporation.

RECONSTRUCTION FINANCE CORPORATION,
By GEORGE STONER,
Associate Director,
Office of Defense Supplies.

[F. R. Doc. 45-12937; Filed, July 16, 1945; 11:47 a. m.]

[1] Filed with the Division of the Federal Register.

[Rev. Reg. 1, Amdt. 7]

PART 7001—PETROLEUM COMPENSATORY ADJUSTMENTS

Petroleum Compensatory Adjustments Revised Regulation No. 1 of Defense Supplies Corporation, as amended, together with Schedules A, C and E thereof, was further amended by Defense Supplies Corporation by the issuance on May 31, 1945, of the following:

Amendment No. 7 to Petroleum Compensatory Adjustments Revised Regulation No. 1.

Amendment No. 3 to Revised Schedule A

Amendment No. 2 to Schedule C, as revised effective September 1, 1944[1]

Amendment No. 5 to Schedule E.[1]

1. Section 7001.1 *Definitions*, as amended, is further amended by changing paragraphs (a) and (c) to read as follows:

§ 7001.1 *Definitions.* • • •

(a) "District One" means the States of Connecticut, Delaware, Florida (except west of the Apalachicola River), Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia, and the District of Columbia.

• • • • • •

(c) "District Three" means the States of Alabama, Arkansas, Louisiana, Mississippi, New Mexico, Texas, and that portion of the State of Florida west of the Apalachicola River.

• • • • • •

2. Section 7001.5 *Extra transportation and compensable product costs*, as amended, is further amended by adding the following new subparagraph (3) (iii) to paragraph (a) and by changing subparagraph (1) of paragraph (c) thereof to read as set forth below:

§ 7001.5 *Extra transportation and compensable product costs*—(a) *Amount of compensatory adjustment.* • • •

(3) • • •.

(iii) When products are delivered or received by an applicant under an exchange, barter or borrow-and-loan arrangement with a non-applicant, such deliveries or receipts shall, for the purposes of computing revenue, be considered as sales or purchases respectively; *Provided, however*, That receipts from or deliveries to a non-applicant on and after June 1, 1945, which, on a first-in-first-out basis, are determined to be in repayment of an open balance on June 1, 1945, of an exchange, barter or borrow-and-loan arrangement with a non-applicant, shall be exempt from this subdivision.

• • • • • •

(c) *Method of determining extra transportation costs.* (1) Transportation costs, under both the normal and substitute methods of transportation, shall be computed on the basis of the crude, compensable products or miscellaneous products actually moved by the substitute method of transportation, and shall be computed to the first actual delivery point in District One which is common to both methods: *Provided*, That in the case of crude, compensable products or naphtha the claim, other than for an intra-district movement, shall terminate in any event upon delivery to the first point located in District One outside of the area defined in Schedule D hereof at which such products or crude are unloaded, except when unloaded into "pipe line break-out storage facility" or into a terminal at Carabelle, Florida, for through movement to a Supply Terminal, in which event the claim shall terminate upon delivery to the first such supply terminal into which such products or crude are thereafter unloaded. Compensation, if any, for a movement beyond the foregoing points shall be claimed only as a compensable intra-district movement, and movements of crude, compensable products or miscellaneous products refined, purchased or otherwise acquired in District One shall not be compensable except as provided in § 7001.1 (p) and paragraph (a) (1) (v), (vi), (vii), (viii), and (ix) of this section.

• • • • • •

The foregoing amendment shall become effective as of June 1, 1945.

RECONSTRUCTION FINANCE CORPORATION,
GEORGE STONER,
Associate Director,
Office of Defense Supplies.

[F. R. Doc. 45-12938; Filed, July 16, 1945; 11:47 a. m.]

[1] Filed with the Division of the Federal Register.

No. 142——3

Chapter XXIII—Surplus Property Board

[SPB Reg. 2, Amdt. 1]

PART 8302—PRIORITIES OF GOVERNMENT AGENCIES AND STATE OR LOCAL GOVERNMENTS

Surplus Property Board Regulation 2, April 24, 1945, entitled "Priorities of Government Agencies and State or Local Governments" (10 F.R. 5104) is hereby amended by adding at the end of § 8302.5 (b) the following new subparagraph (5):

(5) When the cost (estimated if not known) of all substantially similar items of such property in the possession of the disposal agency at any one location at any one time does not exceed $300.

This amendment shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 13, 1945.

[F. R. Doc. 45-12994; Filed, July 17, 1945; 11:33 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 287]

CALIFORNIA

REVOKING IN PART EXECUTIVE ORDER 8865 AND OPENING LANDS UNDER APPLICABLE LAWS

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, and to the act of April 23, 1932, 47 Stat. 136, it is ordered as follows:

Executive Order No. 8865 of August 21, 1941, withdrawing public lands for the use of the War Department for combat firing ranges and maneuver purposes, is hereby revoked so far as it affects the following-described lands:

SAN BERNARDINO MERIDIAN

T. 14 S., R. 12 E.,
Secs. 20, 21, 28, and 29.
The areas described aggregate 2,560 acres.

The jurisdiction over and use of such lands granted to the War Department by Executive Order No. 8865 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior, under the order of October 19, 1920, of the Secretary of the Interior, withdrawing the lands for reclamation purposes under the provisions of the act of June 17, 1902, 32 Stat. 388.

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. on the 63d day from the date on which it is signed, at which time the lands, subject to valid existing rights and the provisions of the then existing withdrawals, shall become subject to the laws applicable to lands affected by such withdrawals, and to location, entry, and patent, under the general mining laws subject to the terms of the following stipulations and to the regulations contained in § 185.36 of Title 43 of the Code of Federal Regulations (Circular No. 1275, June 22, 1932, 53 I.D. 706):

In carrying on the mining and or milling operations contemplated hereunder locators will, by means of substantial dikes or other adequate structures, confine all tailings, debris and harmful chemicals in such a manner that the same shall not be carried beyond the herein described lands by storm waters or otherwise.

There is reserved to the United States, its successors and assigns the prior right to use any of the lands herein described to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, and appurtenant irrigation structures, without any payment made by the United States or its successors for such right, with the agreement on the part of the Locator that if the construction of any or all of such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands should be made more expensive by reason of the existence of improvements or workings of the Locator thereon, such additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and binding upon the parties hereto, and

that within thirty days after demand is made upon the Locator for payment of any such sums, the Locator will make payment thereof to the United States or its successors constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands. The Locator further agrees that the United States, its officers, agents, and employees and its successors and assigns shall not be held liable for any damage to the improvements or workings of the Locator resulting from the construction, operation, and maintenance of any of the works hereinabove enumerated. Nothing contained in this paragraph shall be construed as in any manner limiting other reservations in favor of the Locator. When executed by the Locator, these stipulations shall be binding upon the Locator and his heirs, successors, and assigns.

The foregoing stipulations shall be executed in favor of the United States by intending locators, recorded in the county records, and filed in the District Land Office at Los Angeles, California, before locations are made, and they shall be incorporated in any patents issued on such locations.

Any applications shall be filed in the District Land Office at Los Angeles, California, and shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable.

ABE FORTAS,
Acting Secretary of the Interior.

JULY 8, 1945.

[F. R. Doc. 45-12961; Filed, July 17, 1945; 9:44 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order 107-A]

PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

CHANGES IN METHOD OR METHODS OF DETERMINING CERTAIN OPERATING CONSTANTS OF STANDARD BROADCAST STATIONS

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 10th day of July 1945;

Whereas the Commission on November 6, 1942, at the request of the Board of War Communications adopted Order No. 107 suspending the provisions of § 3.52 of the Commission's rules and regulations and requiring the readjustment of standard broadcast transmitters by decreasing the radiated power by one decibel in order to prolong the life of the transmitting equipment, and

It now appearing that the War Production Board has advised that repair parts for transmitters are now generally available and that no difficulty will be encountered in restoring transmitters to full power operation, and

It further appearing that the operation of standard broadcast stations with full power, is in the public interest, and that an opportunity should be afforded for making the necessary readjustments and tests to return to normal operating practices.

Now, therefore, it is hereby ordered: That on and after September 1, 1945, at the option of the licensee, transmitting operations may be conducted with full operating power during daytime hours only, and that on and after October 1, 1945 Order No. 107 shall be revoked, and all licensees shall be required to operate in accordance with the provisions of § 3.52 of the rules and regulations.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-12968; Filed, July 17, 1945; 10:14 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 7A]

PART 503—ADMINISTRATION

DELEGATION OF AUTHORITY, RAILWAY TRANSPORT DEPARTMENT

Pursuant to Executive Order 8989, as amended, it is hereby ordered, that:

§ 503.210 *Appointment of special representative.* Mr. J. J. Kelley, Jr., Manager, Military Transportation Section, War Department, Pentagon Building, Washington, D. C., is hereby appointed special representative of the Railway Transport Department, Office of Defense Transportation, with authority, subject to my general supervision and right of revocation in any given case:

(a) To direct the movement over the lines of any carrier by railroad, of any special freight train the operation of which has been authorized by a special permit issued by said J. J. Kelley, Jr., under the provisions of Revised Service Order No. 151 issued by the Interstate Commerce Commission on July 10, 1945, on the application of a responsible official or officer of the Department of War, the Department of the Navy, the Marine Corps, or the Coast Guard, of the United States;

(b) To direct the movement over the lines of any carrier by railroad, of any troop train or passenger cars containing troops or military personnel, on the application of a responsible official or officer of the Department of War, the Department of the Navy, the Marine Corps, or the Coast Guard, of the United States; and

(c) To furnish information concerning the operation of any such special freight trains, troop trains, and railway cars to such officials or employees of the Office of Defense Transportation at such times and in such form and manner as I may hereafter direct.

This Administrative Order ODT 7A shall become effective on July 17, 1945.

Administrative Order ODT 7 (8 F.R. 12447), is hereby revoked as of the effective date of this Administrative Order ODT 7A.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 17th day of July, 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-12940; Filed, July 16, 1945; 2:26 p. m.]

[Administrative Order ODT 6B, Amdt. 8]

PART 503—ADMINISTRATION

ESTABLISHMENT OF REGIONS, DISTRICTS, AND FIELD OFFICES OF HIGHWAY TRANSPORT DEPARTMENT

Pursuant to Executive Orders 8989, as amended, and 9156,

It is hereby ordered, That Appendix 2 of Administrative Order ODT 6B, as amended (9 F.R. 12289, 13069; 10 F.R. 525, 1940, 3139, 5119, 7197, 8561), be and it hereby is, further amended in the following particulars:

(1) Under the subtitle "Region 6" thereof the matter opposite "*Wisconsin*" is amended to read as follows:

Wisconsin. District offices: Green Bay, La Crosse, and Milwaukee. Field office: Madison.

(2) Under the subtitle "Region 6" thereof the matter opposite "*Illinois*" is amended to read as follows:

Illinois. District offices: Chicago, Peoria, and Springfield. Field office: Cairo.

Paragraph (1) of this Amendment 8 to Administrative Order ODT 6B shall be retroactive to be effective as of July 1, 1945. Paragraph (2) of this Amendment 8 to Administrative Order ODT 6B shall become effective July 15, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 14th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-12959; Filed, July 16, 1945; 4:30 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

HOWARD COAL CO.

ORDER DETERMINING VIOLATIONS AND IMPOSING CONDITIONS FOR SUSPENSION OF REVOCATION

In the matter of licensee J. W. Howard, Howard Coal Company, Box 610, Elkins, W. Va. Proceedings for revocation of license.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On June 8, 1945, a specification of charges against you setting forth violations of which you were accused under the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, was mailed to you.

2. Your answer dated June 21, 1945, has been received and considered. You did not request an oral hearing.

3. You have admitted the charges against you. The charges against you are true.

4. Assurances given to me indicate the likelihood that hereafter you will comply with the act and the regulations if your license is not revoked.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby determine:

That you have violated the Federal Explosives Act and the regulations pursuant thereto, and I hereby order:

That the present license revocation proceedings under the Federal Explosives Act are hereby suspended as long as you continue to comply scrupulously with the requirements of the act and the regulations thereunder.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 12th day of July 1945.

R. R. SAYERS,
Director, Bureau of Mines.

[F. R. Doc. 45-12962; Filed, July 17, 1945; 9:44 a. m.]

DEPARTMENT OF AGRICULTURE.

Commodity Credit Corporation.

CHIEF OF PEANUT SECTION, OILSEEDS DIVISION

DELEGATION OF AUTHORITY

Pursuant to the provisions of War Food Order No. 130 issued on May 14, 1945 (10 F.R. 5676) and to effectuate the purposes of such order:

W. T. Parker, Chief, Peanut Section, Oilseeds Division of the Commodity Credit Corporation, is hereby designated and empowered, within such limits and in accordance with such rules as may be prescribed or approved from time to time by the Director of Basic Commodities, to authorize the purchase, cleaning, shelling, crushing, and otherwise changing of farmers' stock peanuts from their natural state by such persons and in such quantities as he may deem proper, and, further, to exercise and perform all the powers, functions, and duties conferred or imposed upon the Director of Basic Commodities by paragraphs (f) and (i) of such order.

Mr. Parker shall be assisted in such functions by such persons within the Department of Agriculture as he may designate.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; War Food Order No. 130, 10 F.R. 5676)

Issued this 16th day of July 1945.

[SEAL] C. C. FARRINGTON,
Director of Basic Commodities.

[F. R. Doc. 45-12971; Filed, July 17, 1945; 11:06 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 90]

FILM PICKUP & THEATRE SERVICE CO.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Film Pickup & Theatre Service Company, Minneapolis, Minnesota; Case No. S-2345.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Film Pickup & Theatre Service Company, Minneapolis, Minnesota,

I find that the motor vehicle transportation of bakery goods to retail distributors by Film Pickup & Theatre Service Company, Minneapolis, Minnesota, pursuant to contracts, whether oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 16th day of July 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

[F. R. Doc. 45-12980; Filed, July 17, 1945; 11:23 a. m.]

[WLD 94]

GENERAL BUILDERS ASSN., ET AL.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of General Builders Association, et al., Detroit, Michigan, Case No. S-2258.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the members of the General Builders Association and the Carpenter Contractors Association, Detroit, Michigan,

I find that the construction, reconstruction or repair of buildings or other works or facilities, other than for ordinary residential purposes, by any member of the General Builders Association or the Carpenters Contractors Association, Detroit, Michigan, pursuant to contract, oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 16th day of July 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

[F. R. Doc. 45-12981; Filed, July 17, 1945; 11:23 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 6569, 6539]

PRESS WIRELESS, INC.

ORDER SEVERING PROCEEDINGS, DIRECTING APPEARANCE TO SHOW CAUSE ON STATED ISSUES, SETTING DATE FOR FILING ANSWER, AND SETTING DATE FOR HEARING

In the matter of Telegraph Communication Service between the United States and Foreign Points. Docket No. 6569.

In the matter of Press Wireless, Inc. Rates and charges for communication services. Docket No. 6539.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of July 1945;

The Commission, having under consideration its previous orders herein; and having also under consideration the continued high ratios of operating income to net book cost of operated plant and equipment based on the earnings reported to the Commission by Press Wireless, Inc., as shown in Table A, attached to this order; and

It appearing, that in view of such continued high rate of earnings, the rates and charges of Press Wireless, Inc., may be unjust and unreasonable; and that a reduction in such rates should be promptly considered; and

It further appearing, that the principal United States telegraph carriers providing telegraph service between the United States and foreign points have recently effected substantial overall reductions in rates and charges for such service in the commercial and government classifications but that no reductions have been made in the rates for service in the press classifications;

It is ordered, That the proceedings heretofore instituted in Docket No. 6539 be, and they are hereby severed from the proceedings instituted in Docket No. 6569; and that the proceedings in Docket No. 6539 shall proceed separately;

It is further ordered, That Press Wireless, Inc. be, and it is hereby directed to appear and show cause, under oath, why, upon the basis of the data set forth in Table A attached hereto, (1) the Commission should not find that the existing rates and charges of Press Wireless, Inc. for and in connection with communication service, are, or will be, unjust or unreasonable; and (2) an immediate interim reduction in such rates and charges should not be ordered to be made, pending conclusion of the proceedings of investigation;

It is further ordered, That respondent, Press Wireless, Inc., shall file with this Commission, on or before the 1st day of August 1945, its answer to the above show-cause provisions of this order, verified by a person or persons having personal knowledge of the facts alleged therein;

It is further ordered, That a hearing as to the matters in Docket No. 6539 shall be held beginning at 10:00 a. m., on the 22d day of August 1945, at the offices of the Commission in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

TABLE 4—PRESS WIRELESS, INC.

Approximate ratios of operating income to net book cost of operated plant, years 1938–44, and 4 months ended April 30, 1945

	1938	1939	1940	1941	1942	1943	1944	4 months ending Apr. 30, 1945
Book cost of operated plant at end of period	$701,042	$790,185	$835,147	$878,256	$892,046	$920,386	$1,083,147	.....
Less: Allowance for depreciation	288,159	318,137	353,332	354,189	320,958	389,691	462,529	.....
Net book cost of operated plant	412,883	412,048	419,815	541,077	531,108	580,695	620,618	.....
Operating income:								
Operating revenues	492,430	564,918	557,500	1,134,734	1,449,587	2,028,578	2,664,309	1,247,020
Operating revenue deductions	456,672	543,215	676,169	962,633	1,063,540	1,493,787	2,190,511	802,033
Net operating revenue	35,818	21,703	181,331	182,101	385,638	532,791	473,888	444,987
Other communications income	.....	.....	.....	.....	405	360	.....	.....
Operating income	35,818	21,703	181,331	182,101	386,043	533,151	473,888	444,987
Deduct: Taxes on net income (other than Federal income and excess profits taxes)	.....	.....	9,299	10,000	2,000	.....	.....	.....
Adjusted operating income (before Federal income and excess profits taxes)	35,818	21,703	172,032	172,101	384,043	533,151	473,888	444,987
Ratio of operating income (before Federal income and excess profits taxes) to net book cost of operated plant (percent)	8.8	5.3	39.3	31.8	72.3	91.8	76.4	[1]215.1

[1] On an annual basis. Based on 1944 net book cost of operated plant.

Source: Annual and monthly reports to F. C. C.

[F. R. Doc. 45-12963; Filed, July 17, 1945; 10:14 a. m.]

[Docket No. 6768]

FM BROADCASTING

ORDER SETTING FOR HEARING SUGGESTED REGULATIONS

In the matter of promulgation of rules and regulations and standards of good engineering practice for FM broadcasting other than non-commercial educational broadcast service.

Whereas, the Commission on June 27, 1945, issued its final report allocating frequencies for FM broadcasting;

Whereas, it is desirable that rules and regulations and standards of good engineering practice concerning FM broadcasting should be promulgated as soon as possible; and

Whereas, the Commission has heretofore called an informal engineering conference for the purpose of discussing technical matters involved in standards of good engineering practice for FM broadcasting.

Now, therefore, *It is ordered*, This 10th day of July 1945, that a hearing be held before the Commission en banc beginning at 10:30 a. m., July 23, 1945, for the purpose of considering the promulgation of rules and regulations and standards of good engineering practice concerning FM broadcasting. Persons desiring to appear at that hearing should file an appearance with the Commission on or before July 19 indicating the name of the person who will appear, the subject matter concerning which he will testify, and the length of time desired. Any person desiring to file a brief should file 25 copies with the Commission on or before July 19, 1945.

In order to give scope and direction to the hearing, set forth below is the substance of suggested rules and regulations concerning the principal subjects to be considered by the Commission. Persons appearing at the hearing should address themselves to these suggested regulations and should indicate with particularity any objection they have to the regulations and any specific suggestions they have for any change in, or alternative to, regulations.

The suggested regulations are as follows:

(1) *Minimum operating schedule.* All FM stations will be licensed for unlimited time operation and initially will be required to operate a minimum of 6 hours per day.

(2) *Program duplication.* FM stations shall devote a minimum of one hour each day during the period 8:00 a. m. to 6:00 p. m. and one hour each day during the period 6 p. m. to 11:00 p. m. to programs not duplicated simultaneously in the same area by any standard broadcast station or by any FM station. During these two one-hour periods a service utilizing the full fidelity capability of the FM station shall be rendered.

(3) *Multiple ownership.* (a) No person (including all persons under common control)[1] shall, directly or indirectly, own, operate, or control more than one FM broadcast station that would serve substantially the same service area as another FM broadcast station owned, operated, or controlled by such person.

(b) No person (including all persons under common control) shall, directly or indirectly, own, operate, or control more than one FM broadcast station, except upon a showing (1) that such ownership, operation, or control would foster competition among FM broadcast stations or provide an FM broadcasting service distinct and separate from existing services and (2) that such ownership, operation, or control would not result in the concentration of control of FM broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity: *Provided, however,* That the Commission will consider the ownership, operation, or control of more than six FM broadcast stations to constitute the concentration of control of FM broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity.

(4) *Ownership of FM stations by licensees of AM stations.* Licensees of AM stations on appropriate application may be permitted to operate FM stations. Comment is invited whether the Commission should adopt a regulation that in the future when FM becomes an established competitive service with AM, no person or persons under common control will be permitted to own, operate or control, directly or indirectly, more than one AM or FM station serving substantially the same service area.

(5) *Network regulations.* Regulations 3.101–3.108 which are presently applicable to standard broadcast stations only shall also be applicable to FM stations.

(6) *Use of common antenna sites.* Wherever it is shown that the antenna site of a licensee or applicant is peculiarly suitable for FM broadcasting in a particular area and that there is no other comparable site available in the area, such licensee or applicant as a condition of being issued a license or renewal of license shall be required to make the use of his antenna site available to other FM licensees upon the payment of a reasonable rental and upon a showing that the shared use of the antenna site will permit satisfactory operation of all stations concerned.

(7) *Booster stations.* Comment is requested concerning the extent to which the Commission should authorize or require the use of booster stations.

(8) *Reservation of 20 channels.* The Commission indicated in its report of May 25, 1945, that 20 FM channels may be reserved from assignment at the present time to be licensed in the future in accordance with rules and regulations subsequently to be promulgated. Comment is invited concerning the rules and regulations which should be adopted in this matter.

(9) *Facsimile broadcasting and multiplex transmission.* Transmission of simplex facsimile on FM channels in accordance with the Commission's Standards of Good Engineering Practice on facsimile may be permitted, upon application to the Commission, during hours not required to be devoted to FM aural broadcasting. The Commission may grant experimental authority to an FM station for the multiplex transmission of facsimile and aural broadcast programs: *Provided,* That the facsimile transmission is incidental to the aural broadcast, does not reduce the quality of the aural program, and that a filter or other additional equipment is not required for receivers not equipped for facsimile service.

(10) *Allocation plan.* The 70 channels available for FM broadcasting shall be divided as follows:

(a) *Community stations.* A community station is designed to render service to small cities or to communities located in a metropolitan district or adjacent to a metropolitan district. Community stations will be limited to a maximum radiated power of 50 watts and a maximum antenna height of 250 feet over the average height of the 1000 uv/m contour. Upon a proper showing that an antenna height in excess of 250 feet is necessary, authorization will be issued for such higher antenna but the Commission may in such cases require a reduction in radiated power. The 1000 uv/m contour of a community station, which is located in a community within a metropolitan district, shall not include the business district of the principal city. A minimum separation of 50 miles will be provided in the case of community stations on the same channel and a minimum of 25 miles on adjacent channels. Insofar as possible, community stations will be allocated on the basis of multiples of these distances with the maximum separation possible. The main studio shall be located in the city or town served and transmitters shall be located as near the center of the city as practicable. The following 10 frequencies will be allocated for these community stations:

Megacycles:

92.1	92.9	93.5
92.3	93.1	93.7
92.5	93.3	93.9[1]
92.7		

(b) *Metropolitan stations.* Metropolitan stations are designed to render service to a metropolitan district or to a principal city, and to the rural area surrounding such metropolitan district or principal city, and to the rural area surpolitan stations shall be located in the principal city served. Metropolitan stations must place a 20 uv/m signal on the outer boundary of the service area determined for the district or area in question. The first service area will be determined by the Commission for the first station licensee in the area in question, and all additional stations must serve the same area as the first station unless an adequate showing is made that a different area is proper, in which case all stations will be required to adjust their service areas accordingly. In determining service areas, the Commission will give consideration to trade areas,[2] terrain, population distribution, economics and other pertinent factors.

In addition to the foregoing service area for metropolitan stations, the Commission will, upon appropriate application, designate extended service areas which metropolitan stations may be authorized to serve. In determining the boundaries of these extended service areas a showing will be required that the service area added does not contain any metropolitan district or principal city and is predominantly rural in character; that no intereference will be caused to the service area of existing stations or that if such interference will result the need for service of the population proposed to be served outweights the needs of those who will lose service; and that competition will not be impaired by a grant of the application. Other licensees of metropolitan stations in the same area will not be required to serve this extended service area, but will be required to serve the entire extended service area if they desire to serve any part of it.

The frequencies which will be available for assignment to metropolitan stations are as follows:

Megacycles:

94.1	96.1	98.1	100.1	102.1
94.3	96.3	98.3	100.3	102.3
94.5	96.5	98.5	100.5	102.5
94.7	96.7	98.7	100.7	102.7
94.9	96.9	98.9	100.9	102.9
95.1	97.1	99.1	101.1	103.1
95.3	97.3	99.3	101.3	103.3
95.5	97.5	99.5	101.5	103.5
95.7	97.7	99.7	101.7	103.7
95.9	97.9	99.9	101.9	103.9

(c) *Rural stations.* A rural station is designed to render service to wide rural areas[3] which cannot be served by a metropolitan station. Rural stations shall not be permitted to render a signal of 500 uv/m or better in any metropolitan district unless a proper showing is made to the Commission that due to considerations of terrain it will be possible by permitting a signal in excess of 500 uv/m to a metropolitan district to render more extended service to unserved rural areas than would otherwise be possible. In such situations rural stations may render a signal not in excess of 1,000 uv/m to a metropolitan district. In no case will rural stations be permitted to render a signal greater than 500 uv/m to more than one metropolitan district. Directional antennas may be used by rural stations to increase service to rural areas and to reduce service in metropolitan areas.

The frequencies available for rural stations are as follows:

Megacycles:

104.1	104.9	105.5
104.3	105.1	105.7
104.5	105.3	105.9
104.7		

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-12965; Filed, July 17, 1945; 10:14 a. m.]

[Docket No. 6768]

FM BROADCASTING

ORDER CONTINUING HEARING AND EXTENDING TIME FOR FILING APPEARANCES AND BRIEFS

In the matter of promulgation of rules and regulations and standards of good engineering practice for FM Broadcasting other than non-commercial educational broadcast service.

Whereas, the Commission on July 10, 1945, adopted an order specifying that a hearing be held before the Commission en banc beginning at 10:30 a. m., July 23, 1945, for the purpose of considering the promulgation of rules and regulations and standards of good engineering practice concerning FM broadcasting (Docket No. 6768), that appearances and briefs be filed on or before July 19, 1945; and

Whereas, requests have been made to the Commission by various parties for extension of such times;

Now, therefore, *It is ordered*, This 12th day of July, 1945, that the hearing in this matter be, and it is hereby, continued to 10:30 a. m., July 30, 1945, and that the time for filing appearances and briefs be extended to July 26, 1945.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-12964; Filed, July 17, 1945; 10:14 a. m.]

[Docket No. 6769]

MARTINSBURG BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING AND STATING ISSUES

In re application of C. M. Zinn and G. Leslie Golliday, d/b as Martinsburg Broadcasting Company, Martinsburg, West Virginia, for construction permit, File No. B2–P–3859.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of July 1945;

The Commission having under consideration an application for construction permit filed by C. M. Zinn and G. Leslie Golliday, d/b as Martinsburg Broadcasting Company, for a new standard broadcast station at Martinsburg, West Virginia (File No. B2–P–3849);

It is ordered, That this application be designated for hearing in a consolidated proceeding with the application for construction permit (File No. B2–P–3865) of Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Company, to be heard in Washington, D. C., on the 23d day of August 1945, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary broadcast service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type of program service proposed to be rendered by the applicant and whether it will meet the requirements of the populations and areas proposed to be served.

4. To determine the qualifications and character of the personnel who will be employed in the operation of the station.

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[1] The word "control" as used herein is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

[1] This frequency will not be assigned within metropolitan districts or within communities near a principal city.

[2] There are several current and recognized authorities on retail trading areas or consumer trading areas from which the applicant may prepare its showing and to which the Commission will give consideration in making its determination. Among these recognized authorities are the following: J. Walter Thompson (Retail Shopping Areas), Hearst Magazines, Inc. (Consumer Trading Areas), Rand McNally Map Co. (Trading Areas), and Hagstrom Map Co.'s Four Color Retail Trading Area Map.

[3] "Rural area" means all land area outside incorporated towns or cities with population greater than 2,500 and where the density of population is less than 150 per square mile. Incorporated towns or cities with population from 2,500 to 5,000 without an FM broadcast station and not adjacent to larger cities may be considered rural areas.

5. To determine whether the granting of this application would be consistent with the Policy announced by the Commission in its supplemental statement of policy of January 16, 1945.

6. To determine whether in view of the evidence adduced at the hearing on the foregoing issues, public interest, convenience and necessity would be served by a grant of this application, the application (File No. B2–P–3865) of Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Company, or either of them.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45–12966; Filed, July 17, 1945; 10:15 a. m.]

[Docket No. 6770]

BERKELEY BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING AND STATING ISSUES

In re application of Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Company; Martinsburg, West Virginia; for construction permit, File No. B2–P–3865.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of July 1945;

The Commission having under consideration an application for construction permit filed by Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Company, for a new standard broadcast station at Martinsburg, West Virginia (File No. B2–P–3865);

It is ordered, That this application be designated for hearing in consolidated proceeding with the application for construction permit (File No. B2–P–3859) of C. M. Zinn and G. Leslie Golliday, d/b as Martinsburg Broadcasting Company, to be heard in Washington, D. C., on the 23d day of August 1945, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary broadcast service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type of program service proposed to be rendered by the applicant and whether it will meet the requirements of the populations and areas proposed to be served.

4. To determine the qualifications and character of the personnel who will be employed in the operation of the station.

5. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its supplemental statement of policy of January 16, 1945.

6. To determine whether in view of the evidence adduced at the hearing on the foregoing issues, public interest, convenience and necessity would be served by the grant of this application, the application (File No. B2–P–3859) of C. M. Zinn and G. Leslie Golliday, d/b as Martinsburg Broadcasting Company, or either of them.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45–12967; Filed, July 17, 1945; 10:14 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 728]

CHICAGO, ILL., AND WALWORTH, WIS.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 17th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Liberty Trucking Company, Chicago, Ill.
C. J. Downs, doing business as Downs Motor Express, McHenry, Illinois.

[F. R. Doc. 45–12941; Filed, July 16, 1945; 2:26 p. m.]

[Supp. Order ODT 6A–142]

NEW YORK METROPOLITAN AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 17th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Central Trucking Co., Inc., New York, N. Y.
Herman Lichtman, doing business as Lichtman's Express, Bayonne, N. J.
Louis Miller, doing business as Hide & Leather Trucking Co., New York, N. Y.

[F. R. Doc. 45–12943; Filed, July 16, 1945; 2:26 p. m.]

[Supp. Order ODT 6A–143]

NEW YORK

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such

operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 17th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Elsie Dranoff, doing business as Dranoff's Express, Brooklyn, N. Y.
W. W. Miller, Jr., doing business as Miller Motor Express, Charlotte, N. C.
R & W. Trucking Co., Inc., New York, N. Y.
Super Express Line, Inc., Brooklyn, N. Y.

[F. R. Doc. 45-12942; Filed, July 16, 1945; 2:26 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Supp. Order 94, Rev. Order 10]

OFFICE OF CIVILIAN DEFENSE HELMETS

SPECIAL EXEMPTION OF SALES

Order 10 under Supplementary Order 94 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, *It is ordered:*

(a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, sales by resellers of Office of Civilian Defense white enameled metal helmets, with cloth "gear" and adjustable head band and chin strap, which have been or may be purchased from the United States Government are exempt from price control.

(b) This order may be revoked or amended at any time.

This order shall become effective July 17, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12948; Filed, July 16, 1945; 4:13 p. m.]

[Supp. Order 94, Rev. Order 62]

UNITED STATES DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR NAVY LIFE BELTS

Order 62 under Supplementary Order 94 is redesignated Revised Order 62 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which unused and used Navy life belts hereinafter described may be sold by the United States Department of Commerce or by any other Government agency, and by any subsequent reseller.

(b) *Maximum prices*—(1) *Unused life belts.* The maximum prices per unused Navy life belt, described herein, in serviceable condition, shall be:

Description of Navy life belt. Belt composed of two independent tubes approximately 54" long by 4" in diameter, joined with rubber tape. Each tube has a holder for gas cartridge for self-inflation, and equipped with an 18" rubber hose for lung inflation. A buckle is attached at one end for self-adjustment.

For all sales to wholesalers, f. o. b. shipping point	$1.31
For all sales at wholesale, f. o. b. shipping point	1.75
For all sales at retail	8.15

(2) *Used life belts.* The maximum prices for a used life belt described above which has the serviceability of a new belt, is of good appearance, free from rips, tears and rust, and which has no part missing that is necessary to make it fully useful by the consumer for its intended purpose without further repair, shall be:

For all sales to wholesalers, f. o. b. shipping point	$0.85
For all sales at wholesale, f. o. b. shipping point	1.10
For all sales at retail	1.65

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the life belts described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum price, and stating that the retailer is required by this order to attach to each life belt before sale a tag or label which plainly states the appropriate retail ceiling price.

(e) *Tagging.* Any person who sells the life belts described in paragraph (b) at retail shall attach to each life belt before sale a tag or label which plainly states the appropriate retail ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Sale at retail" means a sale to an ultimate consumer except as provided in (2) herein.

(2) "Sale at wholesale" means a sale by a person to any person other than an ultimate consumer; and includes a sale to an industrial, commercial, or institutional user when made by a wholesaler.

(3) "Wholesaler" means any person whose sales to resellers constitute the major part of his total sales.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 20, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12949; Filed, July 16, 1945; 4:13 p. m.]

[RMPR 137, Order 4]

RADBILL OIL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered,* That:

The Radbill Oil Company of Philadelphia, Pennsylvania, and all other retailers located in the State of Massachusetts are hereby authorized to sell Renuzit French Dry Cleaner in 2-gallon cans at retail at prices not to exceed $1.25 per 2-gallon can.

All retailers in the District of Columbia are hereby authorized to sell Renuzit French Dry Cleaner packaged in 2-gallon cans at retail at prices not to exceed $1.09.

This Order No. 4 shall become effective on the 20th day of July 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12947; Filed, July 16, 1945; 4:12 p. m.]

[MPR 188, Amdt. 88 to Order A-1]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order A-1 is amended in the following respects:

1. Paragraph (a) (33) is amended to read as follows:

(33) *Modification of maximum prices for vitrified clay sewer pipe and allied products produced in the West, Central, South Central and Rocky Mountain Areas.* (i) A manufacturer's maximum prices for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation 206, produced in the States of Arkansas, Kansas, Nebraska, Oklahoma, Missouri, Iowa, North Dakota, South Dakota, Minnesota; Zones 3 and 4 in Wisconsin; Zones 3 and 4 in Illinois; the State of Texas; that part of Louisiana west of the Mississippi River; the States of Colorado, Utah, New Mexico; Zones 1, 2 and 3 in Wyoming; Zones 2 and 3 in Montana; Zone 3 in Idaho; Zone 2 in Nevada; and Zone 2 in Arizona, shall be his March 1942 maximum f. o. b. factory or delivered prices increased in accordance with either of the following alternative pricing methods:

(*a*) By adding an amount not in excess of 10 percent to the highest prices charged during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class, or

(*b*) By adding amounts not in excess of such amounts as may be required to maintain discount differentials between prices established under this paragraph and those established by sections 8.4, 9.4, and 10.4 of Revised Maximum Price Regulation 206, as amended, at least as favorable as those existing during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

The zones referred to herein shall be the same as described in Revised Maximum Price Regulation 206.

(ii) Any reseller purchasing vitrified clay sewer pipe and allied products for resale from any manufacturer who has increased his maximum price in accordance with subdivision (i) above, may increase his maximum resale prices by a dollar-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in subdivision (i) above.

(iii) The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

2. Paragraph (a) (34) is amended to read as follows:

(34) *Modification of maximum prices for vitrified clay sewer pipe and allied products produced in the Eastern and East Central Areas.* (i) A manufacturer's maximum price for vitrified clay sewer pipe and allied products except as covered by Revised Maximum Price Regulation 206 produced in the Eastern or East Central Areas, as defined below, shall be his March 1942 f. o. b. factory or delivered prices increased in accordance with either of the following alternative pricing methods:

(*a*) By adding an amount not in excess of 9 percent to the highest prices charged during the month of March 1942 for the same quality, kind and quantity of sewer pipe products delivered to purchasers of the same class, or

(*b*) By adding amounts not in excess of such amounts as may be required to maintain discount differentials between prices established under this paragraph and those established by sections 5.4 and 7.4 of Revised Maximum Price Regulation 206, as amended, at least as favorable as those existing during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

(ii) Any reseller purchasing vitrified clay sewer pipe and allied products except as covered by Revised Maximum Price Regulation 206, for resale from any manufacturer who has modified his maximum price in accordance with subdivision (i) above, may increase his maximum resale price by a dollar-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted in subdivision (i) above.

(iii) The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

(iv) *Definitions.* When used in this subparagraph, the term:

(*a*) "Eastern Area" means the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Ohio, lower peninsula of Michigan, and that portion of Kentucky described as follows: All points in Campbell and Kenton Counties and points located on the Chesapeake and Ohio Railway from Covington to Catlettsburg, inclusive, and all points on the Big Sandy Division of the Chesapeake and Ohio Railway.

(*b*) "East Central Area" means the State of Indiana, all of the State of Kentucky not included within the Eastern Area, the Upper Peninsula of Michigan, Zones 1, 2 and 5 in the State of Illinois, and Zones 1, 2 and 5 in the State of Wisconsin. In the State of Illinois: Zone 1 comprises all points on and east of Third Principal Meridian south of Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola to the Indiana State Line; Zone 2 covers all points on and north of the Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola, to the Indiana State Line, and east of Third Principal Meridian from point of intersection with the Baltimore and Ohio Railroad west of Decatur north to point of intersection with the Illinois Central Railroad near Mendota, on and east of the Illinois Central Railroad through Dixon and Freeport to the Wisconsin State Line, excepting all of Lake, Cook, Kane, DuPage and Will Counties; Zone 5 includes all of Lake, Cook, Kane, DuPage, and Will Counties. In the State of Wisconsin: Zone 1 commencing south of a line drawn from Foscoro on Lake Michigan west along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood Counties, including the southeast corner of Shawano County, and east of a line running north and south along the western boundary of Green, Dane, Sauk, Juneau, and Wood Counties, excepting the counties of Kenosha, Racine, and Milwaukee; Zone 2 starting north of a line drawn from Foscoro on Lake Michigan along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood Counties, and through the southeast corner of Shawano County and east of a line drawn north and south along the western boundary of Marathon, Lincoln, Oneida, and Iron Counties; Zone 5 consisting of Kenosha, Racine, and Milwaukee Counties.

This amendment shall become effective July 21, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12946; Filed, July 16, 1945; 4:12 p. m.]

[MPR 188, Order 4091]

MAXWELL LAMP AND SHADE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Maxwell Lamp and Shade Company, 874 Broadway, New York 3, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
17" crystal vanity lamp and shade	80	*Each* $2.25	*Each* $2.65	*Each* $4.77
23" metal and marble table lamp and rayon shade	2503 and 2508	5.31	6.25	11.25
26½ crystal table lamp and rayon shade	500	6.79	7.99	14.38
	600	6.79	7.99	14.38

These maximum prices are for the articles described in the manufacturer's application dated May 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to

those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of July 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12950; Filed, July 16, 1945; 4:13 p. m.]

[MPR 188, Order 4092]

GRYPHON CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Gryphon Company, 9009 Wilshire Boulevard, Beverly Hills, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Each	*Each*	*Each*
Cigarette lighter	1	$2.02	$2.70	$4.50
	2	2.02	2.70	4.50

These maximum prices are for the articles described in the manufacturer's application dated June 11, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers, they are f. o. b. factory, 2% 10 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model numbers and the ceiling prices inserted in the blank spaces:

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 17th day of July 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12951; Filed, July 16, 1945; 4:13 p. m.]

[MPR 188, Order 4093]

U. S. ALUMINUM MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the U. S. Aluminum Manufacturing Company of 5200 Aneheim-Telegraph Road, Los Angeles 22, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
		Each	*Each*	*Each*	*Each*
Lemon squeezer	5"	$0.20	$0.24	$0.27	$0.40
Frying pan	10" x 2"	1.20	1.44	1.60	2.40
Chicken fryer, Pyrex cover	10" x 2¾"	1.75	2.10	2.33	3.50
Dutch oven, cover	10" x 4¾"	1.98	2.37	2.64	3.95

These maximum prices are for the articles described in the manufacturer's application dated April 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statements with the retail prices properly filled in.

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 17th day of July 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12952; Filed, July 16, 1945; 4:14 p. m.]

[MPR 188, Order 4094]

D. & W. DISTRIBUTING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by D. & W. Distributing Company of 174 Eldridge Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 or more units)	Retailers (less than 6 units)	Consumers
		Each	*Each*	*Each*	*Each*
2 burner hot plate, 2 switches, cord and plug	1A	$2.50	$3.00	$3.25	$5.00
Single burner hot plate, pin type	2A	.77	.87	.94	1.45
Space heater, bowl type	3A	2.35	2.78	2.99	4.50

These maximum prices are for the articles described in the manufacturer's application dated June 19, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number and price filled in:

D. & W. Distributing Company
174 Eldridge Street
New York, New York
Model No. ------
OPA Retail Ceiling Price $------
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Order No. ---- under MPR 188
Model No. ----
OPA Retail Ceiling Price $----
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 17th day of July 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12953; Filed, July 16, 1945; 4:14 p. m.]

[MPR 188, Order 4095]

MATAWAN LIGHTER CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Matawan Lighter Company, 23 Main Street, Matawan, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Each	*Each*	*Each*
Cigarette lighter, sterling silver, engine turned	C	$6.75	$9.00	$15.00

These maximum prices are for the articles described in the manufacturer's application dated June 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$15.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 17th day of July 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12954; Filed, July 16, 1945; 4:14 p. m.]

[MPR 188, Order 4096]

THE AUSMUS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Ausmus Company, 3727 Gilbert Avenue, Dallas 4, Tex.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for any seller to—		
		Wholesalers	Retailers	Consumers
		Dozen	*Dozen*	*Each*
Cookie sheet	16" x 11½"	$4.20	$6.00	$0.95

These maximum prices are for the articles described in the manufacturer's application dated June 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regula-

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tion No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.95 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 17th day of July 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12955; Filed, July 16, 1945; 4:14 p. m.]

[MPR 260, Amdt. 1 to Order 293]

TAMPA PORT CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "Tampa Chums-Panetelas" cigars set forth in paragraph (a) of Order No. 293 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tampa Chums..	Panetelas	50	*Per M* $48	*Cents* 6

This amendment shall become effective July 17, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12957; Filed, July 16, 1945; 4:15 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1108]

AMERICAN GAS AND ELECTRIC CO. AND WHEELING ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of July, A. D. 1945.

Notice is hereby given that a joint application and declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Gas and Electric Company ("American Gas"), a registered holding company, and its subsidiary, Wheeling Electric Company ("Wheeling").

Notice is further given that any interested person may, not later than the 30th day of July 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such joint application and declaration, as filed or as amended, may be approved or may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under said Act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint application and declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Wheeling proposes to issue and sell to American Gas, the owner of all its presently outstanding common stock, and American Gas proposes to acquire, 7,154 shares of Wheeling's common stock, no par value, for $1,000,000.00 cash. The 7,154 shares constitute all of the presently authorized but unissued shares of common stock of Wheeling. Wheeling proposes to use the proceeds of such sale for the construction of additional utility facilities.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-12972; Filed, July 17, 1945; 11:17 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

LIFEBOATS

12' x 4.5' x 1.92' metallic oar-propelled lifeboat (6-person capacity) for river service only (General Arrangement Dwg. No. G-211a, Rev. 25 May, 1945), submitted by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y. (Supersedes approval 13 January, 1943, 8 F.R. 501)

22' x 7.5' x 3.25' metallic motor-propelled lifeboat, Design K-108, 251 cu. ft. capacity (25-person peacetime capacity, 16-person wartime capacity) (General Arrangement Dwg. No. K-108-2, Alt. 2), manufactured by Kargard Boat and Engine Co., Marinette, Wisconsin.

16' x 5.71' x 2.29' metallic oar-propelled lifeboat (12-person peacetime capacity, 9-person wartime capacity) (General Arrangement Dwg. No. 2043, dated 8 June, 1945), submitted by Imperial Lifeboat and Davit Co., Inc., Athens, New York.

LUMINOUS MARKING FOR INTERIOR ACCOMMODATIONS

Luminous marking, designated Type A, with adhesive attached, submitted by John Mackler & Co., Inc., Chicago Heights, Illinois.

Luminous marking, designated Type CH-15, with adhesive attached, submitted by Charles F. Heaphy Co., 420 Lexington Avenue, New York 17, N. Y.

Luminous marking, designated Type CH-18, without adhesive, submitted by Charles F. Heaphy Co., 420 Lexington Avenue, New York 17, N. Y., attached with Mikah adhesive Q-2241, manufactured by National Starch Products Co., 270 Madison Avenue, New York 16, N. Y.

Luminous marking, designated Type CH-24, without adhesive, submitted by Charles F. Heaphy Co., 420 Lexington Avenue, New York 17, N. Y., attached with Mikah adhesive Q-2241, manufactured by National Starch Products Co., 270 Madison Avenue, New York 16, N. Y.

Dated: July 16, 1945.

R. R. WAESCHE,
Admiral, U. S. C. G., Commandant.

[F. R. Doc. 45-12969; Filed, July 17, 1945; 10:49 a. m.]

WAR PRODUCTION BOARD.

[C-337, Revocation]

SMITH'S RESTAURANT, INC. AND SULLIVAN-FOSTER, INC.

CONSENT ORDER

Consent Order C-337 was issued May 18, 1945, against Smith's Restaurant, Incorporated, and Sullivan-Foster, Incorporated, for having violated Conservation Order L-41 upon consent of the above-named parties, the Regional Compliance Manager and the Regional Attorney and with the approval of the Compliance Commissioner. Smith's Restaurant, Incorporated, and Sullivan-Foster, Incorporated, have now applied for revocation of the consent order, and the Regional Compliance Manager and the Regional Attorney have indicated their concurrence.

Accordingly, the Director of the Compliance Division and the Office of the General Counsel have determined that the occasion of Consent Order C-337 no longer exists and, therefore, it is hereby revoked.

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12973; Filed, July 17, 1945; 11:18 a. m.]

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FEDERAL REGISTER

VOLUME 10 NUMBER 143

Washington, Thursday, July 19, 1945

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 709—PRESCRIBED SERVICE UNIFORM

MISCELLANEOUS AMENDMENTS

The following amendments to the regulations contained in Part 709 are hereby prescribed:

1. Paragraph (r) is added to § 709.54 as follows:

§ 709.54 *Badges, aviation.* • • •

(r) *Flight engineer.* At the center of the wings, the front bank of nine cylinders of a stylized aircraft engine, surmounted by a four-bladed propeller.

2. Paragraph (b) of § 709.56a is amended by adding the following to the list of qualification bars:

§ 709.56a *Badge, Army Air Forces technician*—(a) *Basic badge* • • •

(b) Bars, qualification. • • •

BC Turret Mech.
BC T Mech. Gunner.
BC Turret Rep.

(R.S. 1296; 10 U.S.C. 1391) [AR 600-35, 31 March 1944 as amended by C4, 4 July 1945]

[SEAL] EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 45-12996; Filed, July 17, 1945; 2:39 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51273]

ENTRY AND CLEARANCE ON BOARD VESSELS; NON-PRODUCTION OF DOCUMENTS

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Section 4.16 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 4.16 (a)), is hereby amended by changing the minimum amount of the bond from $500 to $1,000.

(50 Stat. 303; 19 U.S.C. 1435b, E.O. 9083; 7 F.R. 1609)

PART 25—CUSTOMS BONDS

Section 25.17 (e), Customs Regulations of 1943 (19 CFR, Cum. Supp., 25.17 (e)), is hereby amended to read as follows:

(e) When free entry or the application of a reduced rate of duty is dependent upon the production of a document which the importer fails to produce, or when a conditionally free or reduced-duty provision claimed on entry is held to be inapplicable, the claim for free entry or reduced rate of duty shall be treated as abandoned upon the assessment and payment of duty and the bond given for the production of the free-entry or reduced-duty document shall be cancelled without the collection of liquidated damages.

(Sec. 30, 52 Stat. 1089; sec. 624, 46 Stat. 759; 19 U.S.C. 1623, 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: July 14, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12997; Filed, July 17, 1945; 2:56 p. m.]

TITLE 29—LABOR

Chapter IV—Children's Bureau, Department of Labor

PART 481—UTILIZATION OF STATE AGENCIES FOR INVESTIGATIONS AND INSPECTIONS

AMENDMENT OF JOINT REGULATION

Whereas, section 4 of the Public Contracts Act (Act of June 30, 1936, 49 Stat.

(Continued on next page)

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

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[F. R. Doc. 45-12957; Filed, July 16, 1945; 4:15 p. m.]

12' x 4.5' x 1.92' metallic car-propelled lifeboat (6-person capacity) for river service.

[F. R. Doc. 45-12973; Filed, July 17, 1945; 11:18 a. m.]

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938-June 1, 1943) is still available in ten units at $3.00 each.

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2036; 41 U.S.C. secs. 35-45) provides in part that "the Secretary of Labor is hereby authorized and directed * * * to utilize * * *, with the consent of the State, such State and local officers and employees as he may find necessary to assist in the administration of this act and to prescribe rules and regulations with respect thereto"; and

Whereas, it appears necessary that the Joint Regulation for Utilization of State Agencies for Investigations and Inspections (hereinafter referred to as the Joint Regulation) issued September 22, 1939 (29 CFR, Part 481 and Part 515) be amended to provide for the utilization of services of State and local agencies and their employees in making investigations and inspections under the Public Contracts Act.

Now, therefore, the joint regulation is hereby amended in the following particulars:

1. Section 481.1 (a) is amended to read as follows:

§ 481.1 *Definitions.* As used in this part:

(a) *Acts.* The term "acts" means the Fair Labor Standards Act of 1938 (act of June 25, 1938, Chapter 676, 52 Stat. 1060, U.S.C. Supp. IV, tl. 29, section 201) and the Public Contracts Act (act of June 30, 1936; 49 Stat. 2036; 41 U.S.C. secs. 35-45),

2. The term "act", wherever used in the Joint Regulation, is amended to read "acts".

3. Section 481.2 (a) is amended to read as follows:

§ 481.2 *Agreements with State agencies*—(a) *Purpose.* The Secretary of Labor, the Administrator, and the Chief of the Bureau may enter into Agreements with State agencies, for the utilization of services of State and local agencies and their employees in making investigations and inspections under the Acts and for reimbursement therefor, when such State agencies have submitted plans of cooperation for such purposes and such plans have been found to be reasonably appropriate and adequate to carry out the respective functions of the Secretary, the Administrator, and the Chief of the Children's Bureau.

4. Section 481.8 is amended to read as follows:

§ 481.8 *Enforcement.* All litigation relating to the enforcement of the acts, other than civil actions for the recovery of wages due instituted pursuant to section 16 (b) of the Fair Labor Standards Act of 1938 and all administrative proceedings instituted pursuant to section 5 of the Public Contracts Act shall be undertaken by and be under the direction and control of the Federal Government. Any State agency intending to institute a civil action in behalf of an employee or employees for the recovery of wages due, pursuant to section 16 (b) of the Fair Labor Standards Act of 1938 shall notify the Division prior to the institution of such action.

5. Section 481.10 is amended to read as follows:

§ 481.10 *Amendments and repeal.* This part may be amended or repealed by appropriate joint regulations issued by the Secretary of Labor, the Administrator, and the Chief of the Bureau: *Provided, however,* That no such amendment or repeal shall be effective as to any agreement previously entered into by a State agency without its consent thereto.

Signed at Washington, D. C. this 17th day of July 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

L. METCALFE WALLING,
Administrator,
Wage and Hour Division.
KATHARINE F. LENROOT,
Chief,
Children's Bureau.

[F. R. Doc. 45-13036; Filed, July 18, 1945; 11:12 a. m.]

Chapter V—Wage and Hour Division

PART 515—UTILIZATION OF STATE AGENCIES FOR INVESTIGATIONS AND INSPECTIONS

AMENDMENT TO JOINT REGULATION

CROSS REFERENCE: For amendment to the Joint Regulation for utilization of State agencies for investigations and inspections see Chapter IV of this title, *supra*.

PART 526—INDUSTRIES OF A SEASONAL NATURE

PROCESSING AND MILLING BRANCH OF LOUISIANA CANE SUGAR INDUSTRY

In the matter of the determination of the scope of that portion of the cane sugar processing and milling branch of the cane sugar industry located in Louisiana pursuant to section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder.

Whereas, the Administrator determined, on November 18, 1939 (4 F.R. 4615), that that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana is a branch of an industry and of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder, and therefore is entitled to the exemption provided under section 7 (b) (3) of the act; and

Whereas, in the said determination, the term "that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana" was defined to include "that branch of the industry engaged in the unloading of sugar cane from wagons and railroad cars onto conveyors; the processing of sugar cane into sugar, syrup and molasses, but not the refining of such sugar, syrup and molasses; the removal, handling and conveying of raw sugar, syrup and molasses to storage and placing them in storage on or in the vicinity of the sugar mill site; the removal, conveying, burning, baling, and piling and storing in baled form on or in the vicinity of the sugar mill site of bagasse resulting from the processing of sugar cane into raw sugar, syrup or molasses; and the operations or services necessary or incident to the foregoing"; and

Whereas, the aforesaid determination was amended by the Administrator on July 20, 1944 (9 F.R. 8175) to include the "dehydrating of bagasse" within the scope of the said branch of the industry; and

Whereas, an application was filed requesting that the determination of November 18, 1939 be further amended to include within the definition of the branch of the industry the incidental refining of sugar, syrup and molasses and the removal, handling, bagging and conveying of such sugar and certain other operations performed during the grinding season in sugar cane mills in Louisiana; and

Whereas, the Administrator of the Wage and Hour Division gave notice of a public hearing to be held on September 8, 1944 before Mr. Nathan Rubinstein who was authorized:

To receive evidence and hear argument for the purpose of determining, defining and delimiting the scope, under section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder, of that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana;

and

Whereas, following such hearing the said Nathan Rubinstein duly made the following findings:

1. There are a number of establishments in Louisiana which carry on raw sugar refining operations in addition to the processing of sugar cane. The cane processing operations in these establishments are in part included within the scope of that branch of the cane sugar industry which has been determined to be an industry of a seasonal nature under section 7 (b) (3) of the Fair Labor Standards Act. The refining operations have not previously been included within the exempt branch of the industry.

2. The refining operations carried on in this group of establishments during the sugar cane processing and harvesting season are of two kinds: (a) All plants produce refined sugar as one of a connected series of operations which begins with the grinding and processing of sugar cane into raw sugar and is followed immediately by the conversion of this raw sugar into refined sugar. The refining operations in this connected series may be included within the exempt seasonal branch of the cane sugar industry. (b) In some of these plants raw sugar which has been transferred from other Louisiana cane grinding plants of the same employer is introduced into the process and is refined together with the raw sugar produced from sugar cane ground on the premises. These refining operations may also be included within the exempt branch of the industry if more than half of the refined sugar produced in the establishment during the cane grinding season is derived from raw sugar that has been made on the premises from sugar cane. Operations on purchased, imported or "offshore" sugar, or sugar brought in from other states have no relation to the seasonal flow of the sugar cane into those plants and are not included within the exempt branch of the industry.

3. The term "that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana" as used in the Administrator's determination of November 18, 1939 (4 F.R. 4615), and as amended by the determination of July 13, 1944 (9 F.R. 8175) to include the dehydrating of bagassee, is hereby redefined as follows: the unloading of sugar cane at the mill; the processing of sugar cane into sugar, syrup and molasses; and the following operations when performed on the premises of a sugar cane processing mill while the sugar cane is being processed, the immediate refining, as one of a connected series of operations, of raw sugar produced from sugar cane ground on the premises; the refining, by the introduction into such series of operations, of raw sugar which has been produced during the same grinding season in other Louisiana cane processing plants of the employer, except in establishments where the refined sugar made from such transferred raw sugar constitutes half or more of the refined sugar produced during the cane processing season, or where purchased raw sugar, or raw sugar produced outside of Louisiana is refined during the cane processing season; the burning, removing from the premises, or dehydrating of bagasse resulting from the processing of sugar cane; the handling, baling, bagging, packing and storing of the sugar, syrup, molasses or bagasse; and any operations necessary and incident to the foregoing, including the placing of these products in storage or transportation facilities on or near the premises.

The application is granted to the extent indicated above;

and

Whereas, said findings were duly filed with the Administrator on April 19, 1945, and have since been on file in the National Office of the Wage and Hour Division, 165 West 46th Street, New York, New York, and have been available for examination by all interested parties; and

Whereas, on May 1, 1945, there was caused to be published in the FEDERAL REGISTER (10 F.R. 4723), pursuant to the provisions of § 526.7 of the aforementioned regulations, a notice to the effect that any person aggrieved by the said findings might, within 15 days after May 1, 1945, file a petition with the Administrator requesting that he review the action of the said representative upon the record of the hearing; and

Whereas, peutions for review of the said findings of the presiding officer were duly filed with the Administrator; and

Whereas, after careful consideration by the Administrator the issues raised by the petitioners, it has been determined that the aforesaid petitions do not present any new or additional facts warranting a review of the findings of the presiding officer;

Now, therefore, pursuant to the provisions of § 526.7 of regulations, Part 526, the petitions for review of the findings of the presiding officer in this matter are hereby denied and the exemption provided by section 7 (b) (3) of the Fair Labor Standards Act of 1938 will become effective in accordance with the aforementioned findings upon publication of this determination in the FEDERAL REGISTER.

Signed at New York, New York this 7th day of July 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-12995; Filed, July 17, 1945; 12:55 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 26, Amdt. 8]

PART 602—GENERAL ORDERS AND DIRECTIVES

DISTRIBUTION OF ANTHRACITE COAL

SFAW Regulation No. 26, as amended, is hereby amended in the following respects:

1. Paragraph (c) (1) of § 602.657 is amended to read as follows:

(1) Deliveries of No. 1 buckwheat anthracite and No. 2 buckwheat (rice) anthracite when used in a stoker or magazine feed equipment;

2. Paragraph (d) of § 602.657 is amended to read as follows:

(d) No retail dealer shall, during the period from April 1, 1945 to March 31, 1946, inclusive, deliver less scarce solid fuel—except No. 2 buckwheat (rice) anthracite—to a domestic consumer in an amount which, when added to the amount of all solid fuel received by the consumer from all suppliers after April 1, 1945, exceeds 100 per cent of the consumer's normal annual requirements. During said period, no retail dealer shall deliver No. 2 buckwheat (rice) anthracite to a domestic consumer in an amount which, when added to the amount of scarcer solid fuel received by the consumer from all suppliers after April 1, 1945, exceeds 90 per cent of the consumer's normal annual requirements. If a retail dealer delivers to a consumer less scarce solid fuel together with scarcer solid fuel, the amount of scarcer solid fuel that may be delivered shall not be in excess of the amounts set forth in paragraphs (a), (b) and (c) of this section.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Dir. 33, as amended, 9 F.R. 84; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 16th day of July 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-13035; Filed July 18, 1945; 11:10 a. m.]

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO ALL PERSONS DISTRIBUTING ANTHRACITE

Pursuant to the provisions of SFAW Regulation No. 1, as amended, and notwithstanding contrary provisions of SFAW Regulation No. 28, the present maximum quota of No. 1 buckwheat size anthracite for distribution during July and for each calendar month thereafter until further notice shall be one-twelfth of 75 per cent of the base period tonnage established between each wholesaler and each lake dock operator, equipped retail dealer, over-the-road trucker, and unequipped retail dealer. Any available tonnage in excess of the quota required to be shipped by Regulation No. 28, as reduced by this direction, shall be distributed as excess tonnage in accordance with that regulation.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 14th day of July 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-13034; Filed, July 18, 1945; 11:10 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 58 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-241, as Amended July 18, 1945]

COMMERCIAL PRINTING AND DUPLICATING

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Scope

(a) The purpose of this order.

Definitions and Explanations

(b) Commercial printing.
(c) Printer.
(d) Paper.
(e) Use.
(f) Production waste.
(g) [Deleted July 3, 1945.]
(h) Transfer of quotas.
(i) Exceptions.

Consumption Quota

(j) Printing which is covered by other orders.
(k) Printing which is not restricted.
(l) Computation of consumption quota.
(m) Borrowing and carry-over.
(n) Total permitted consumption.
(o) [Deleted July 3, 1945.]
(p) Certification to printer.

Delivery Restrictions

(q) Limit on tonnage which may be accepted.
(r) Certification to paper dealer or mill.

Material Printed in Violation of War Production Board Orders

(s) Restrictions on paper suppliers, printers and binders.

Issuance of Schedules

(t) Prohibited and restricted uses of paper and paperboard.

Miscellaneous Provisions

(u) Records.
(v) Applicability of regulations.
(w) Appeals.
(x) Communications.
(y) Violations.

Schedule I

(a) Limits on basis weights.
(b) Exceptions to limits on basis weigh
(c) Exceptions to Order L-120.

Schedule II

(a) Commercial printing which is charged against the quota of both the printer and the person who causes it to be printed.
(b) Shopping guides, free distribution newspapers, want ad publications, free distribution publications in newspaper format.
(c) Miscellaneous publications.
(d) [Deleted July 3, 1945.]
(e) Certification.

Scope

§ 3133.9 *Limitation Order L-241*—(a) *The purpose of this order.* This order does four things: First it limits the tonnage of paper which a printer may use for commercial printing. This is called his "consumption quota". A printer may not exceed his consumption quota even though the paper is physically available to him. Second, it limits the tonnage of paper which may be accepted by or on behalf of a printer. It also limits the tonnage of paper which may be accepted by a purchaser of commercial printing for a printer's use. Third, it limits the basis weight of paper which may be used in printing certain items. Fourth, it limits the tonnage of paper which a person may cause to be consumed in printing certain items.

Definitions and Explanations

(b) *Commercial printing.* "Commercial printing" means all printing or duplicating produced by any of the following types of printing or duplicating machines:

Hand and automatic sheet and web-fed platen presses.
Hand and automatic fed plate engraving presses.
Hand and automatic fed flat-bed cylinder presses.
Proof presses.
Sheet and web-fed rotary letterpresses.
Sheet and web-fed offset presses.
Sheet and web-fed rotary gravure presses.
Thermographic presses.
Sheet and web-fed aniline-ink presses.
Duplicating machines, including but not limited to ink ribbon, gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators.

However, this order does not affect printing which is covered by other orders of the War Production Board, as described in paragraph (j). "Printed matter" includes duplicated matter as well as printed matter.

If a person is uncertain as to whether particular printed matter is "commercial printing" as defined in this order, or whether it is covered by Schedules I or II of this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination may be made only by the Washington office of the War Production Board and shall be issued to the printer or publisher in the name of the Recording Secretary of the War Production Board. It shall be conclusive for the purpose of this order, unless revoked or modified by the same authority.

(c) *Printer.* The term "printer" is used throughout this order, for the sake of convenience and brevity, to include printers who operate printing machines and duplicators who operate duplicating machines. The order applies to every printer, including a printer who operates a private or "captive" plant as well as a printer who does work for the trade. The term does not include a publisher or a person who orders printing.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper, gummed paper, paperboard or bristol used in commercial printing. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber.

(e) *Use.* (1) Paper is "used" when ink is first applied to it by a printer. However, paper is not "used" under this order when ink is applied to it by penruling equipment. Sometimes paper is put through a press more than once, either by the same printer or by different printers—for instance, when several colors are used or when the imprint of a particular distributor is added after part of the printing is done. For the purposes of this order the paper is deemed to be "used" when the first application of ink is made by a printer. It makes no difference how many other applications of ink are put on the paper by the same or different printers.

(2) When a job is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the printer's consumption quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a printer uses in commercial printing.

(g) [Deleted July 3, 1945.]

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a prfinter may not use for commercial printing any part of a consumption quota established under Order L-240 (Newspapers), Order L-244 (Magazines) or Order L-245 (Books and Booklets), and he may not permit any part of his consumption quota established under this order to be used for newspapers, magazines or books.

(2) It sometimes happens that one printer does work for another printer, and there is a question as to which one should deduct the paper from his quota. Printer A may "farm out" certain work by purchasing "press time" from printer B. This may be done, for example, where printer A cannot fill an order for a customer because he does not have available the right equipment, material, personnel, or facilities. In such a case, where the customer looks only to A for the finished product and where B acts merely as a sub-contractor, the paper may be charged against A's quota, even though B actually does the printing provided the order from A to B specifically states these facts. This does not mean that A may assign his quota to B. The rules governing the assignability of quotas are stated in Priorities Regulation 7A.

(i) *Exceptions.* Certain paragraphs of this order contain exceptions to general rules. These exceptions apply only to the provisions to which they specifically refer. They do not apply to any other portions of the order.

Consumption Quota

(j) *Printing which is covered by other orders.* Certain types of printing are not covered by this order. When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into those items. Also, a printer may not use the consumption quota which he gets under this order for the printing of any of those items. They are:

(1) Newspapers (defined in Limitation Order L-240).
(2) Magazines (defined in Limitation Order L-244).
(3) Books (defined in Limitation Order L-245).
(4) Greeting cards and illustrated post cards (defined in Limitation Order L-289).
(5) Displays (defined in Limitation Order L-294).
(6) Wallpaper (defined in Limitation Order L-177).
(7) Commercial printing for governmental units (defined in Limitation Order L-340).
(8) Boxes (defined in Limitation Order L-239).
(9) Converted products named in Lists A, B, C or D of General Conservation Order M-241-a, except gummed paper.
(10) Any other "converted products" defined in General Conservation Order M-241-a except those which must be printed in order to serve the purpose for which they are made.

(k) *Printing which is not restricted.* (1) A printer is not limited in the amount of paper which he may use for printing which is ordered by a contractor who will subsequently deliver the printing to the Army, Navy, Maritime Commission or War Shipping Administration as a part of a contract for an item purchased by one of those agencies. When only part of an order for printing is required for delivery to one of those agencies under such a contract, the printer must charge the paper used in the remaining part against his consumption quota.

(2) A printer is not limited in the amount of paper which he may use for official Army or Navy post, camp, station or unit newspapers if:

(i) They are ordered by the officer in command of the Army or Navy establishment on official War Department or Navy Department purchase orders, requisitions or contracts;

(ii) They contain no paid advertising; and

(iii) They are not owned, edited or operated by civilians but are run entirely by military personnel (although the printing may be done in commercial plants).

(3) A printer is not limited in the amount of paper which he may use for social stationery bearing the printed insignia or identification of an Army or Navy post, camp, station or unit, and sold in packages with envelopes to post exchanges or Ships Service Departments; the manufacture of envelopes, however, is controlled by Order M-241-a.

(4) No person may order commercial printing under paragraph (k) and no person may accept such an order, unless the person placing the order furnishes to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with paragraph (k) of Order L-241 and that this purchase order is for printing governed by paragraph (k) of Order L-241. [If only part of the order is covered by paragraph (k) specify what part.]

(5) When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into the items described in paragraphs (k) (1) and (k) (2) above. Also, a printer may use an unlimited amount of paper for those items from now on.

(l) *Computation of consumption quota.* In the third calendar quarter of 1945 and in each calendar quarter after that, no printer may use for commercial printing any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the printer's "quarterly base tonnage" according to either of the two following methods, depending on his individual needs. Having selected one method, the printer must use that method throughout the year.

First method:

(i) Add up the total pounds of paper used in 1941 for all types of printing;

(ii) Subtract the pounds of paper used in 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used in 1941 for the unrestricted items listed in paragraph (k) above;

(iv) Divide by four. This is the printer's "quarterly base tonnage", from which the required reductions shall be made.

Second method:

(i) Add up the total pounds of paper used during the same calendar quarter of 1941 for all types of printing;

(ii) Subtract the pounds of paper used during that quarter of 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used during that quarter of 1941 for the unrestricted items listed in paragraph (k) above.

(iv) The balance is the printer's "quarterly base tonnage", from which the required reductions shall be made.

(2) If the printer's quarterly base tonnage is not more than 5 tons, his quarterly consumption quota is 5 tons.

(3) If the printer's quarterly base tonnage is more than 5 tons but not more than 10 tons, his quarterly consumption quota is the same as his quarterly base tonnage.

(4) If the printer's quarterly base tonnage is more than 10 tons but less than $12\frac{1}{2}$ tons, his quarterly consumption quota is 10 tons.

(5) If the printer's quarterly base tonnage is more than $12\frac{1}{2}$ tons, his quarterly consumption quota is 80 percent of his quarterly base tonnage.

(6) If a person used no paper for commercial printing in 1941 and now wishes to enter the printing business, he shall have a consumption quota of 5 tons per quarter commencing with the third quarter of 1945 provided he files with the Commercial Printing Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for commercial printing under Order L-241, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (l) (6) of Order L-241.

A consumption quota provided by this paragraph (l) (6) shall be conditioned upon the continued accuracy of the above representations.

(m) *Borrowing and carry-over.* (1) A printer may add, under either method of computation, an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A printer may carry over for future use accumulated savings resulting from under-use of quota (commencing with the fourth quarter of 1943), but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter. For example, if a printer's quarterly consumption quota is 100 000 pounds and his accumulated carry-over is 25 000 pounds, he may use in the current quarter, in addition to his quarterly consumption quota, 15,000 pounds of carry-over (i. e., 15% of 100,000 pounds) or a total of 115,000 pounds. The balance of the carry-over may be used in subsequent quarters, subject to the provisions of this paragraph.

(n) *Total permitted consumption.* A printer may use in any calendar quarter:

(1) His quarterly consumption quota as determined under paragraph (l);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter as provided in paragraph (m) (1);

(3) Plus any less-than-quota savings which may be used in that calendar quarter as provided in paragraph (m) (2); or minus any tonnage which had been borrowed during the preceding calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (m) (1);

(4) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that calendar quarter.

(o) [Deleted July 3, 1945.]

(p) *Certification to printer.* No printer may fill an order for (1) magazines, (2) books, (3) greeting cards or illustrated post cards, (4) commercial printing purchased by a government, or (5) any of the items listed in schedule II of this order, unless he receives, or has previously received, from the person who publishes or issues the item, or causes the item to be printed, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with (insert the relevant provision) (1) Order L-244 (magazines), (2) Order L-245 (books), (3) Order L-289 (greeting cards and illustrated post cards), (4) L-340 (governmental commercial printing and duplicating), (5) Schedule II to Order L-241, and that all orders placed by the undersigned with that printer for items regulated by the relevant order (or schedule), as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(q) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 and each calendar quarter thereafter, no printer may accept, and no person may accept for that printer's use, paper in excess of his permitted consumption during that calendar quarter.

(r) *Certification to paper dealer or mill.* No printer may order or accept delivery of paper, and no person may deliver paper to a printer, unless the printer furnishes, or has previously furnished, to the person making the delivery, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned printer certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-241 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper. A new certification need not be furnished pursuant to the July 3, 1945 amendment of Order L-241 by any printer who has furnished a certification pursuant to paragraph (r) of Order L-241 as amended April 4, 1945.

Material Printed in Violation of War Production Board Orders

(s) *Restrictions on paper suppliers, printers and binders.* (1) No person may sell or deliver any paper which he knows, or has reason to believe, will be accepted or used in violation of this order.

(2) No person may apply ink to any paper if he knows, or has reason to believe, that the printing of such paper will be in excess of the publisher's permitted consumption under Limitation Orders L-240, L-244, L-245, L-289, L-340 or Schedule II of Order L-241.

(3) No person may bind or otherwise process paper if he knows, or has reason to believe, that such paper was used in excess of the printer's permitted consumption under this order.

Issuance of Schedules

(t) *Prohibited and restricted uses of paper and paperboard.* The War Production Board may issue, from time to time, schedules which will prohibit the use of paper in certain items, limit the basis weight of paper which may be used in other items, and limit the tonnage of paper which a person who publishes or issues certain items may cause to be consumed in the printing of those items.

Miscellaneous Provisions

(u) *Records.* In order to assure compliance with this order, every printer must calculate, as accurately as he can, the tonnage of paper which he used during each quarter of 1941 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with January 1, 1943. He must preserve these figures and his work sheets, subject to inspection by War Production Board officials as long as this order remains in force and for 2 years after that.

(v) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(w) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal, or by filling in the pertinent information on Form WPB-3605. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(x) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-241.

(y) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

SCHEDULE I

(a) *Limits on basis weights.* No person may manufacture and no person may cause to be manufactured any of the items listed in this schedule in a basis weight, thickness, area or weight per unit greater than the maximum specified for such use.

(1) Art reproductions, without advertising—basis weight 25 x 38—80 ±.

(2) Diaries, date books, desk calendar pads, and advertising memo pads—basis weight 17 x 22—16 ±.

(3) Dodgers and handbills—basis weight 24 x 36—32 ±.

(4) News letters and loose leaf services other than books (as defined in Order L-245)—basis weight 17 x 22—16 ± if printed one side, or 17 x 22—18 ± if printed two sides.

(5) Accounting records, books and forms—basis weight 17 x 22—28 ±; or if for loose leaf accounting forms used on an automatic posting machine—basis weight 17 x 22—32 ±.

(6) Corporate securities, checks, domestic and foreign currency—basis weight 17 x 22—24 ±, except counter checks, 17 x 22—16 ±.

(7) Notes, contracts, mortgages, wills, deeds, insurance policies, and legal forms—basis weight 17 x 22—16 ± if printed one side or 17 x 22—20 ± if printed two sides.

(8) Letterheads—basis weight 17 x 22—16 ±.

(9) Card indexes and card records—basis weight $25\frac{1}{2}$ x $30\frac{1}{2}$—110 ±.

(10) Time cards—caliper .014 inches.

(11) County record books and other permanent government records—basis weight 17 x 22—36 ±.

(12) Prospectuses for the sale of securities—basis weight 17 x 22—16 ±.

(13) Legal briefs and records on appeal—basis weight 25 x 38—40 ±.

(14) All other office, business and financial forms, except blank books, and except forms produced by a liquid or gelatin process—basis weight 17 x 22—16 ±.

(15) Road and street maps and guides for civilian use—basis weight 17 x 22—16 ±.

(16) Telephone directories—body basis weight 24 x 36—28 ±; cover basis weight $22\frac{1}{2}$ x $28\frac{1}{2}$—110 ±.

(17) Admission tickets—basis weight $22\frac{1}{2}$ x $28\frac{1}{2}$—90 ±, or any coated stock made from raw stock not over $22\frac{1}{2}$ x $28\frac{1}{2}$—90 ±.

(b) *Exceptions to limits on basis weights.* The above restrictions do not apply to paper which has been manufactured before October 21, 1943.

(c) *Exceptions to Order L-120.* Schedules I and III to Order L-120 provide:

Paper or paperboard may be manufactured for a particular use in any basis weight or thickness permitted for such use by this or any other order of the War Production Board, *Provided* the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and *Provided* all other provisions of this or such other orders are fully complied with.

Pursuant to this provision the manufacture of paper in the basis weights specified in this list for items 1, 4, 6, 7, and 16 is hereby permitted.

SCHEDULE II

(a) *Commercial printing which is charged against the quota of both the printer and the person who causes it to be printed.* Certain commercial printing is subject to a "two-sided" limitation. As is the case with all types of commercial printing covered by this order, the paper consumed in such printing must be deducted from the commercial printer's consumption quota; however, in the case of the material covered by this Schedule II, the same paper must also be deducted from the consumption quota of the person who causes it to be printed. In other words, the publisher or issuer of such material must reduce his consumption of paper by the required percentage and he must also have the printing done by a printer who will debit his consumption quota under paragraph (l) of this order.

Any paper which a commercial printer consumed in such printing during 1941 shall be included in computing his consumption quota under paragraph (l) whether or not he prints any of this material after January 1, 1945. The paper which a commercial printer consumes for such printing after January 1, 1945, must be deducted from his consumption quota, whether or not he printed such material in 1941.

(b) *Shopping guides, free distribution newspapers, want ad publications, free distribution publications in newspaper format—*(1) *Consumption quota.* In the third calendar quarter of 1945, and in each calendar quarter after that, no publisher or other person may cause to be consumed in the printing of any shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper format any paper in excess of his quarterly consumption quota, which shall be determined as follows:

(i) Ascertain the tonnage of paper consumed in printing that particular publication in the corresponding quarter of 1941, including all supplements, inserts and other printed matter physically incorporated into such publication or delivered together with it. This is the publisher's "quarterly base tonnage", from which the required reductions shall be made.

(ii) If a publisher's quarterly base tonnage is 5 tons or less, his quarterly consumption quota is 5 tons. Moreover, any person who used no paper whatever for items covered by this paragraph in 1941 may cause 5 tons per quarter to be used for this purpose beginning with the third quarter of 1945.

(iii) If the publisher's quarterly base tonnage in any calendar quarter is more than 5 tons but less than 25 tons, his consumption quota for that quarter is the same as his base tonnage. He need not use less than he used in the corresponding quarter of 1941, but he may not use more.

(iv) If the publisher's base tonnage in any calendar quarter is 25 tons or more, the following sliding scale of percentage cuts shall be applied:

Deduct 8% of the amount over 25 tons but not over 125 tons.

Deduct 11% of the amount over 125 tons but not over 250 tons.

Deduct 14% of the amount over 250 tons but not over 500 tons.

Deduct 20% of the amount over 500 tons but not over 1000 tons.

Deduct 23% of the amount over 1000 tons.

The balance remaining after subtraction of the above reductions from the publisher's quarterly base tonnage is his consumption quota for that quarter. For example, if the publisher consumed during the third quarter of 1941 340 tons, his consumption quota for the third quarter of 1945 would be determined as follows:

25 tons no cut	25	tons
100 tons 8% cut	92	tons
125 tons 11% cut	111.25	tons
90 tons 14% cut	77.40	tons
340 tons quarterly base tonnage	305.65	tons quarterly consumption quota

(2) *Carry-over.* A publisher or issuer of a shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper format may carry over for future use accumulated savings resulting from under-use of quota, but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter.

(3) *Transfer of quotas.* Where two or more shopping guides, free distribution newspapers, want ad publications, or free distribution publications in newspaper format are published by the same person and are distributed primarily in the same city or trading area, he may combine or distribute his consumption quotas among his publications in that city or trading area. However, after May 24, 1944, no such publisher may transfer any part of his consumption quota to a different city or trading area.

(4) "Servicemen's", "overseas", "pony" or other condensed editions of newspapers which are distributed without charge to United States Armed Forces personnel may be produced from a commercial printer's quota under Order L-241, without regard to paragraph (b) of Schedule II, provided the newspaper publisher makes no charge to a commercial sponsor or any other person for advertising space, for the editorial material appearing in the edition or for any other service connected with it. However, the newspaper publisher may charge a sponsor for the cost of printing if the newspaper publisher operates a commercial printing establishment and deducts the paper from his commercial printing quota under Order L-241. A newspaper publisher may produce such an edition out of his own consumption quota under L-240 if he wishes to.

(c) *Miscellaneous publications*—(1) *Definition.* A "miscellaneous publication" is any bound or unbound collection of printed pages consisting of reading matter and/or illustrations (except newspapers as defined in Order L-244, magazines as defined in Order L-244, books as defined in Order L-245, the material described in paragraph (b) of the Schedule and sheet music) for which the publisher receives a consideration either from the sale of copies or from the inclusion of advertising or other material therein. However, the term does not include printed matter whose sole purpose is to advertise or promote the publisher's business, provided such printed matter is not offered for sale at a price in excess of the price paid in good faith by the publisher to the printer.

(2) *Consumption quota.* During the year 1945 and each year after that, no person may cause to be consumed in the printing of miscellaneous publications (and less-than-32-page school work books, educational tests and books intended for juvenile use) any paper in excess of his consumption quota, which shall be computed as follows:

(i) The publisher shall determine the tonnage of paper lawfully consumed in either 1941, 1943 or 1944 in the production of his miscellaneous publications and his less-than-32-page school work books, educational tests and books intended for juvenile use.

(ii) The publisher shall subtract from the above figure the tonnage of paper used in 1942 in the production of his less-than-32-page school work books, educational tests and books intended for juvenile use.

(iii) The difference is the publisher's "base tonnage." His consumption quota for the year 1945 is $77\frac{1}{2}$% of his "base tonnage" or 10 tons, whichever is greater.

NOTE: Notwithstanding the foregoing, less-than-32-page school work books, educational tests and books intended for juvenile use may be included in a book publisher's base tonnage under Order L-245 and his consumption quota under that order may be used in the production of such books. This paragraph (c) (2) provides an additional quota for a publisher who, in either 1941, 1943 or 1944, used a greater tonnage of paper in the production of less-than-32-page school work books, educational tests and books intended for juvenile use than he did in 1942; provided such paper used in 1943 or 1944 was lawfully charged against a commercial printer's consumption quota under L-241.

(3) *New publishers.* If a person used no paper for miscellaneous publications in 1941 or 1944 he shall have a consumption quota of 10 tons for the period between July 1, 1945 and December 31, 1945, provided he files with the Commercial Printing Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for the issuance of miscellaneous publications under paragraph (c) (2) or (c) (3) of Schedule II, Order L-241, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that Schedule, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (c) (3) of Schedule II to Order L-241.

A consumption quota provided by this paragraph (c) (3) shall be conditioned upon the continued accuracy of the above representations.

(d) [Deleted July 3, 1945.]

(e) *Certification.* No person may order any of the items listed in this schedule to be printed unless he furnishes or has previously furnished to the printer, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Schedule II to Order L-241 and that all orders placed by the publisher with that printer for items regulated by that schedule, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

Issued this 18th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked May 24, 1944.

[F. R. Doc. 45-13032; Filed, July 18, 1945; 11:13 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-245, as Amended July 18, 1945]

BOOKS AND BOOKLETS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Scope

(a) The purpose of this order.

Definitions and Explanations

(b) Book.
(c) Publisher.
(d) Paper.
(e) Put into process.
(f) Production waste.
(g) Determination of consumption quotas.
(h) Transfer of quotas.
(i) Official determinations.

Consumption Quota

(j) Computation of consumption quota.
(k) Carry-over.
(l) Total permitted consumption.
(m) Restriction on paper for reprinting.
(n) Breach of contracts.
(o) Allotment to Army and Navy.
(p) Certification to printer.

Delivery Restrictions

(q) Limit on tonnage which may be accepted.
(r) Certification to paper dealer or mill.

Books or Parts Thereof Printed in Violation of Order

(s) Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.

Miscellaneous Provisions

(t) Records.
(u) Applicability of regulations.
(v) Appeals.
(w) Communications.
(x) Violations.

Scope

§ 3133.17 *Limitation Order L-245—(a) The purpose of this order.* This order does three things: First, it limits the tonnage of paper which a book publisher may cause to be put into process in the production of books. This is called his "consumption quota." A publisher may not exceed his consumption quota even though the paper is physically available to him or his printer. Second, it limits the tonnage of paper which may be accepted by or on behalf of a book publisher. It also limits the tonnage of paper which may be accepted by or on behalf of a printer for a particular publisher's use in the production of books. Third, it places certain restrictions on paper suppliers, printers, binders, distributors, wholesalers and others in their dealings with publishers who consume paper in excess of their allowable consumption under this order.

Definitions and Explanations

(b) *Book.* "Book" means any bound or loose-leaf collection of 32 or more pages. It also means any school workbook, educational test, or book intended for juvenile use, irrespective of the number of pages. (A publisher who, in either 1941, 1943 or 1944, used a greater tonnage of paper in the production of less-than-32-page school work books, educational tests and books intended for juvenile use than he did in 1942 is entitled to a consumption quota under Order L-241, Schedule II, paragraph (c) as amended July 18, 1945, provided such paper used in 1943 or 1944 was lawfully charged against a commercial printer's consumption quota under Order L-241. This is in addition to his consumption quota under Order L-245.) Advance parts and supplements of books are included. For the sake of convenience the word "book" is used throughout this order, even though the order also covers items which are more commonly referred to as "booklets" or "pamphlets". Excluded from the definition of "book" and hence from the provisions of this order are the following:

(1) Magazines as defined in Order L-244 and newspapers as defined in Order L-240;

(2) Diaries, date books, memorandum books, address books, blank books, accounting books, sales books, business-entry books, ledgers, journals, and other items in book format (except school workbooks and educational tests) whose primary function is to provide space for the entry of data rather than instructional material, reading matter or illustrations;

(3) Albums less than half of whose pages contain reading matter or illustrations;

(4) Catalogs or advertising brochures issued by or for persons who manufacture, distribute, or offer for sale the products, commodities or services listed or illustrated therein, including inserts supplied by manufacturers or distributors to publishers who distribute them collectively in "catalog files," "cooperative files," "condensed catalogs," "catalog yearbooks," or similar reference volumes; *Provided, however,* That the paper used in the production of all editorial material contained in such volumes, such as prefaces, forewords, indices, blank pages, textbook data, classified directory information, condensed and typographically standardized pages of product or service data, and display and all other advertisements shall be charged to the quota of the publisher under this order;

(5) Directories issued by a person whose primary business is not publishing;

(6) Printed matter of which no copies of any edition are offered for sale, either singly or in bulk, at any level of distribution. Printed matter is "offered for sale" if it is offered either in consideration of a monetary payment, as a premium, bonus or dividend, in connection with a correspondence course, in part consideration of society membership dues, or for any other consideration direct or indirect. Printed matter is "offered for sale" if the publisher receives any compensation for the inclusion of material therein.

(7) Instructional manuals concerned exclusively with the specific brand of products manufactured or distributed by the person issuing the manuals. (Instructional manuals applicable to other brands of the same or similar products are not within this exception.)

(8) School or college annuals and yearbooks;

(9) Cut-out or other game books covered by Order M-241-a, List D.

NOTE: Items (2) to (8) inclusive are "commercial printing" under Order L-241. Schedule II of that order limits the tonnage of paper which a publisher or issuer of certain of these items may cause to be used. Also, Schedule II of Order L-241 limits the tonnage of paper which a publisher or issuer may cause to be used in certain types of printed matter for which the issuer receives a consideration and which are not "books" as defined in this order or "magazines" as defined in Order L-244.

If a publisher is uncertain as to whether or not his publication is a book as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion.

(c) *Publisher.* The "publisher" of a book is the person who performs, with respect to that book, the functions of a publisher as that term is generally understood in the book publishing industry. The War Production Board, upon its own motion or upon the request of an interested party, may determine who is the publisher of a particular book.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper used in the production of a book, including end papers, labels, paper covers and jackets. The term includes paper reclaimed wholly or partly from printed or unprinted waste as well as paper made entirely from virgin fiber.

(e) *Put into process.* All the paper consumed in a single, complete, continuous printing of a book is "put into process" when the press run is commenced. Paper "put into process" includes paper printed by letter-press, offset or any other process.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a publisher causes to be put into process in the production of a book.

(g) *Determination of consumption quotas.* The War Production Board, upon its own motion or upon the request of an interested party, may determine the size of a publisher's consumption quota.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the production of books any part of a consumption quota established under Order L-240 (newspapers), L-241 (commercial printing) or L-244 (magazines) and he may not permit any part of his consumption quota established under this order to be used for newspapers, commercial printing, or magazines.

(2) This order does not prohibit the established practice in the book publishing industry whereby one publisher occasionally undertakes the sale and distribution of an edition or part of an edition of books published by another person. It does not sanction the acquisition by one publisher of another publisher's consumption quota. Quotas established by this order may not be bought or sold under any guise. The transfer of quotas is prohibited, except under the circumstances stated in Priorities Regulation 7A. The use by one publisher, directly or indirectly, of a consumption quota provided for another publisher is a violation, punishable in accordance with paragraph (x).

Except where specific authorization is granted by the War Production Board upon application in writing, paper which is put into process in the production of a book may be charged only against the quota of the person:

(i) Who is the publisher of the book; and

(ii) Who owns the copyright or the publication rights under copyright by assignment from the copyright owner; and

(iii) Whose publishing imprint appears on the title page; spine and jacket of the book to the exclusion of any other imprint or colophon of any kind; and

(iv) Who undertakes the ultimate risk of the publishing venture.

(i) *Official determinations.* The official determinations described in paragraphs (b) (c) and (g) may be made only by the Washington office of the War Production Board and shall be issued in the name of the Recording Secretary of the War Production Board. They shall be conclusive for the purpose of this order unless revoked or modified by the same authority.

Consumption Quota

(j) *Computation of consumption quota.* In the calendar year 1945, and in each calendar year after that, no publisher may cause to be put into process for the production of books any paper in excess of his consumption quota, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in the production of the publisher's books in the calendar year 1942. This is the publisher's "base tonnage" from which the required reductions shall be made.

(2) If the publisher's base tonnage is not more than 20 tons, his consumption quota for the entire year 1945 shall be 10 tons plus one-half of his base tonnage.

(3) If the publisher's base tonnage is more than 20 tons but not more than 100 tons, his consumption quota is 20 tons plus 87½ percent of that part of his base tonnage in excess of 20 tons.

(4) If the publisher's base tonnage is more than 100 tons his consumption quota is 77½ percent of his base tonnage, or 90 tons, whichever is larger.

(5) If a person used no paper for publishing books in 1942, he shall have a consumption quota of 10 tons for the period between July 1, 1945 and December 31, 1945, *Provided,* He files with the Book Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for the publication of books under Order L-245, that I am not associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (j) (5) of Order L-245.

A consumption quota provided by this paragraph (j) (5) shall be conditioned upon the continued accuracy of the above representations.

(k) *Carry-over.* A publisher may carry over for future use accumulated savings resulting from under-use of quota, but he may not use in a calendar year any portion of his carry-over in excess of 15% of his consumption quota. For example, if a publisher's consumption quota in 1945 is 100,000 pounds and his carry-over from 1944 is 20,000 pounds, he may use in 1945 in addition to his consumption quota a maximum carry-over of 15,000 pounds (i. e., 15% of 100,000 pounds). The balance of carry-over from 1944 (i. e., 5,000 pounds) plus any under consumption in 1945 may be carried over and used in 1946 provided the total of such carry-over from 1944 and 1945 does not exceed 15% of his consumption quota for 1946.

(l) *Total permitted consumption.* A publisher may cause to be put into process in any calendar year:

(1) His yearly consumption quota as determined under paragraph (j);

(2) Plus any less-than-quota savings carried over from previous years, as provided in paragraph (k);

(3) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that year.

(m) *Restriction on paper for reprinting.* No publisher may use, in the reprinting of any book, paper of a basis weight heavier than that used in the last printing of the book, except that paper which was in the publisher's inventory on or before June 30, 1945 may be used for reprintings, irrespective of the basis weight. A publisher "reprints" a book if he uses any part of the type or plates used in a previous printing of that book or if he reproduces any part of it by offset or any similar process.

(n) *Breach of contracts.* As provided in Title III of the Second War Powers Act, no person shall be held liable for damages or penalties for any default under any contract which shall result directly or indirectly from compliance with this order.

(o) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing books which will be furnished without charge to United States Armed Forces personnel in the continental United States, and to United States Armed Forces personnel outside the continental limits of the United States whether such books are sold or not.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in such books acquired by the Army and the Navy. This allotment does not cover purchase of books by military exchanges or service departments, as defined in Priorities Regulation 17 for distribution within the

continental limits of the United States. All books sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

(p) *Certification to printer.* No publisher may order books to be printed, and no person may print such books, unless the publisher furnishes or has previously furnished to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

> The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L–245 and that all orders placed by the publisher with that printer for items regulated by Order L–245, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(q) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 no publisher may accept, and no person may accept for that publisher's use, paper in excess of 32½% of his permitted consumption for 1945, or 65% of that portion of his permitted consumption for 1945 which remained unused on June 30, 1945, or ten tons whichever is larger.

(r) *Certification to paper dealer or mill.* No publisher may order or accept delivery of paper, and no person may deliver paper to a publisher, unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

> The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L–245 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

A new certification need not be furnished pursuant to the July 3, 1945 amendment of Order L–245 by any publisher who has furnished a certification pursuant to paragraph (r) of Order L–245 as amended April 4, 1945.

Books or Parts Thereof Printed in Violation of Order

(s) *Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.* (1) No person may sell or deliver any paper which he knows or has reason to believe will be accepted or used in violation of this order.

(2) No person may apply ink to any paper in the production of books if he knows or has reason to believe that the printing of such paper will be in excess of the publisher's allowable consumption under this order.

(3) No person may apply any additional ink to paper, and no person may bind or otherwise process paper, in the production of books if he knows or has reason to believe that such paper was printed in excess of the publisher's allowable consumption under this order.

(4) No person may agree to purchase for resale, and no person may accept for resale, any books which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

(5) No person may sell, distribute or otherwise dispose of books, except for re-delivery to his supplier or for use as waste paper scrap, if, before he accepted them, he knew or had reason to believe that they were printed in excess of the publisher's allowable consumption under this order.

(6) No person may export for resale books which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

Miscellaneous Provisions

(t) *Records.* Every publisher must keep accurate records of the tonnage of paper which he causes to be put into process for books, the tonnage of each item of paper received by him and the tonnage of paper in inventory at the time of each delivery, subject to inspection by the duly authorized representatives of the War Production Board. These records must be preserved as long as this order remains in force, and for two years after that.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement 1 to the order. Regardless of the provisions of Priorities Regulation 16 no statement with respect to manpower information on Form WPB–3820 (or letter explaining why that form is not filed) need accompany any appeal.

(w) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L–245.

(x) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 18th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13033; Filed, July 18, 1945; 11:13 a. m.]

Chapter XI—Office of Price Administration

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 576, Amdt. 1]

DRY BATTERIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 576 § 1373.4 is amended in the following respects:

1. The brand name "Walmor" is added to Schedule A in paragraph (a) (1) of section 3.

2. Schedule B in paragraph (a) (2) of section 3, is changed by having the following substituted for the present listing under "Zenith".

Z-8	11½ V., "A" 90 V., "B"	$6.60	$8.25
Z-8098	9V., "A" 60 V., "B"	7.00	7.50
Z-982	6V. "A" 75 V., "B"	5.50	6.75
Z-7305	7½ V., "A" 60 V., "B"	7.00	7.50
Z-984	9V., "A" 90 V., "B"	8.00	8.75
Z-985	9V., "A" 60 V., "B"	4.25	4.95

3. Schedule C in paragraph (a) (3) of section 3 is amended to read as follows:

SCHEDULE C

	Each
"C" and "D" Size "A" Cells	$0.10
"A" Cells of "CD" Size or larger	0.25
[1] 22½ Volt "B" Battery	1.25
[1] 33 Volt "B" Battery	1.50
[1] 45 Volt "B" Battery	1.75

[1] These prices apply only to batteries produced in accordance with the specifications required by War Production Board Limitation Order L–71 as in effect immediately prior to June 13, 1945.

4. The Brand name "Walmor" is added to Schedule E in paragraph (b) (2) (ii) of section 3.

5. Section 12 is amended to read as follows:

SEC. 12. *Delegation of authority.* Any Regional Administrator or any District Director authorized by the appropriate Regional Administrator may approve, or by order establish, adjust, correct or revoke maximum prices under section 3, 4 and 11 (e) of this regulation.

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective July 23, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13002; Filed, July 17, 1945; 4:59 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[2d Rev. MPR 183,[1] Amdt. 1]

MISCELLANEOUS COMMODITIES IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 183 (§ 1418.1) is amended in the following respects:

1. Section 2.7 (c) is amended by adding a new item to read as follows:

(c) *Picks.*

Description of item	Price at wholesale (per dozen)	Retail price (per unit)
Quickwork (railroad pick); Weight: 6 pounds	$11.40	$1.35

2. Section 4.4 is amended by changing the prices of items 52 and 53 to read as follows:

Commodity	Price to wholesaler (per 100 pounds)	Price at wholesale (per 100 pounds)	Price at retail (per pound)
52 Cracked corn		$4.05	$0.05
53 Whole corn		3.80	(1)

[1] $0.05 or 2 pounds for $0.09.

3. Section 4.8 (c) (2) is amended by changing the prices and deleting the price "to wholesaler" of two items to read as follows:

(2) *Imported.*

Items and brand names	Unit (container)	Price to wholesaler (per dozen)	Price at wholesale (per dozen)	Price at retail (per unit)
Veracc:	*Oz.*			
Cheese Rarebits	7		$0.07	$0.07
Jumbo Ginger Snaps	7		.07	.07

4. Section 4.9 (c) is amended by changing the prices of evaporated milk in 14½ oz. and 13 oz. cans to read as follows:

(c) *Prepared milk and mixes.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Evaporated milk (all brands)	48 14½ oz. can	$5.10	$0.12
	48 13 oz. can	4.68	.11

[1] 10 F.R. 7635.

5. Section 4.11 (a) is amended by changing the prices of certain pilchard items to read as follows:

(a) *Canned.*

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Price at retail (per unit)
Pilchards:				
Natural	98 8 oz. can		$6.70	$0.09
	48 15 oz. oval can		5.95	.15
	48 #1 tall can		5.25	.14
Tomato	96 8 oz. can		7.20	.09
	48 15 oz. oval can		5.95	.15
	48 15 oz. tall can		5.65	.15

6. Section 4.11 (b) is amended by changing the prices of pilchards in brine to read as follows:

(b) *Cured.*

Items and brand names	Price to wholesaler	Price at wholesale	Price at retail
		Per pound	*Per pound*
Pilchards in brine		$0.1375	$0.15

7. Section 4.18 is amended by deleting the item "Frankfurters Armour's: Star Franks" in case of 24 6 oz. glass from the column headed "Sausages", and by changing the prices of certain items and adding a new item in the column headed "Meat Products" to read as follows:

Items and brand names	Case of—	Price at wholesale	Price at retail (per unit
Hormel: luncheon tongue	48 12 ounce can	$20.00	$0.67
		Per dozen	
Wilson's Certified: Pigs feet (selected)	24 9 ounce glass	$2.25	$0.2[illegible]
All brands		*Per pound*	*Per pound*
Clear Plates		$0.098	$0.20
Fat backs dry, salt		$0.108	$0.20
Fat backs, pickled		$0.105	$0.20
Telescoped lamb, frozen:			
Choice		$0.32	
Good		$0.31	
Commercial		$0.28	
Leg			$0.50
Loins and racks for chops			$0.60
Shoulder			$0.40
Breast			$0.25
Neck and shank			$0.25

8. Section 4.23 is amended by correcting the price at retail for macaroni "La Javanela" brand in 8 oz. pkg. to read 11¢ per unit.

9. Section 4.25 (a) is amended by changing the prices of the following items to read as follows:

(a) *Canned vegetables.*

Items and brand names	Case of-	Price at wholesale	Retail price (per unit)
Beans:			
Heinz: Baked with tomato sauce	24 17½ oz. glass	$4.35	$0.22
Beans (stringless):			
Maryland Chief: Extra standard, cut green	24 2 can	3.70	.19
Mixed vegetables:			
Libby's	24 2 can	4.80	.25

10. Section 4.25 (b) is amended to read as follows:

(b) *Dried vegetables.*

	Price at wholesale (per pound)	Price at retail (per pound)
All grades of dried beans and dried peas (except garbanzos, red kidney beans, lima beans and Great Northern beans) imported from the continental United States	$0.0705	$0.08
All grades of red kidney beans and lima beans imported from the continental United States	$0.0805	.09

11. In section 10.1 (b) the item Toilet soap "Lifebuoy" brand, "case of 500 14 10 oz.", is corrected to read "case of 500 1.4 oz.".

12. Section 12.7 is redesignated "Stoves, Parts and Accessories", the existing table is headed "(a) Kerosene stoves", and a new item added, and a new paragraph (b) is added to read as follows:

(b) *Dried vegetables*—Continued.

	Price at wholesale (per pound)	Price at retail (per pound)
Garbanzos	$0.10 per 110 lbs.	$0.10
Great Northern beans	$0.07	.08
All grades of red, pink and mottled varieties of dried beans and lentils not imported from the continental United States	$0.125	[1] .15
All grades of white varieties of dried beans not imported from the continental United States	$0.115	.14
Pigeon peas not imported from the continental United States	$0.065	.08

[1] On home delivered sales the maximum price at retail, except for lentils, may be increased by 1¢ per pound

NOTE: The above prices do not apply in sales of seeds to the Federal Government or Insular Government or to the agencies of either, which sales are exempted from price control.

(a) *Kerosene stoves.*

Item and brand names	Model No.	Description	Price at wholesale	Price at retail
Quick meal	6725-0	5-burners, with legs	Each $42.20	Each $56.80

(b) *Parts and accessories.*

Items and brand names	Model No.	Price at wholesale (per set)	Price at retail (per set)
Set of 4 legs for "Gem" stoves	5488	$1.15	$1.50

13. Section 12.9 is added to read as follows:

SEC. 12.9 *Felt base rugs (linoleums).*

Items and brand names	Size	Price at wholesale	Price at retail
	Feet	*Each*	*Each*
Felt base rugs (linoleums): Gold Seal Congoleum-Deluxe Congoleum-Nairn, Inc.	6 x 9	$3.25	$4.35
	7½ x 9	4.00	5.40
	9 x 10½	5.40	7.25
	9 x 12	6.00	8.10
Fabco Guaranty Parafine Companies, Inc.	6 x 9	3.25	4.35
	7½ x 9	4.00	5.40
	9 x 10½	5.40	7.25
	9 x 12	6.00	8.10
Quaker Armstrong Cork Co.	6 x 9	3.40	4.55
	7½ x 9	4.30	5.75
	9 x 10½	5.95	8.00
	9 x 12	6.75	9.10
	12 x 12	9.50	12.75
	12 x 15	11.90	15.90
Standard Armstrong Cork Co.	6 x 9	3.00	4.10
	7½ x 9	3.80	5.15
	9 x 10½	5.30	7.15
	9 x 12	6.10	8.15
	12 x 12	8.50	11.40
	12 x 15	10.60	14.25
Bonny Maid Bonafide Mills, Inc.	6 x 9	2.80	3.75
	7½ x 9	3.45	4.65
	9 x 9	4.15	5.60
	9 x 10½	4.75	6.40
	9 x 12	5.45	7.35
	9 x 15	6.80	9.20

14. Section 12.10 is added to read as follows:

SEC. 12.10 *Wire netting for flat bedsprings.*

Description	Price at wholesale	Price at retail
	Each	*Each*
Wire netting for flat bedsprings: Size 42" x 72" (single bed)—Wire Gauge—23½ spun in pairs 2 x 2, not less than 8 lbs. used in each wire netting. Cables—(2, spun, 14 wires to a cable. Borders—(sides, spun, 14 wires to a cable.	$1.60	$2.35
Size 48" x 72" (three-quarter bed)—Wire Gauge—23½ spun in pairs 2 x 2, not less than 9 lbs. used in each wire netting. Cables—(2, spun, 14 wires to a cable. Borders—(sides, spun, 14 wires to a cable.	1.88	2.65
Size 54" x 72" (double bed)—Wire Gauge—23½ spun in pairs 2 x 2, not less than 10½ lbs. used in each wire netting. Cables—(2, spun, 14 wires to a cable. Borders—(sides, spun, 14 wires to a cable.	2.21	3.10

15. Section 14.2 is amended to read as follows:

Item	Size	Price at retail
All brands: Penicillin	100,000 Oxford units vial	$1.45
	200,000 Oxford units vial	2.25

16. Section 14.3 is added to read as follows:

SEC. 14.3 *Used bottles*—(a) *Definitions.* When used in this section the term:

(1) "Used bottle" means a glass container which has been previously used and which is free from chips, cracks or other defects which makes it unsuitable for refilling.

(2) "Stamped bottle" means a used bottle showing the trade name of its original conten tby any means, except a paper label.

(3) "Unstamped bottle" means a used bottle other than a stamped bottle.

(b) *Maximum prices for used bottles.*

Bottle size	Carton of—(bottles)—	All sales		
		Price (per carton)	Bulk price (per 100)	Unit price (per bottle)
Unstamped:				
4 ounce			$1.00	$0.0125
8 ounce or ½ pint	24	$0.30	1.00	.01
12 ounce	24	.35	1.25	.0125
16 ounce or 1 pint			1.00	.01
22 ounce	24	.45	1.25	.0175
32 ounce or 1 quart	12	.30	2.25	.0225
½ pint	24	.35	1.25	.0125
½ quart	12	.30	2.25	.0225
Stamped:				
6 ounce	24	.50	2.00	.02
7 ounce	24	.50	2.00	.02
12 ounce	24	.50	2.00	.02

NOTE: The maximum price in sales of assorted bottles shall be the unit price per bottle for each particular size.

This amendment shall become effective as of July 2, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13003; Filed, July 17, 1945; 4:59 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[1] Amdt. 42]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

An undesignated paragraph is added to section 26 (g) to read as follows:

[1] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10089, 10199, 10981, 10778, 12270, 12475, 13262; 10 F.R. 1334, 2248, 2969, 3764, 4035, 4154, 4357, 4600, 5457, 6589.

The prices in Table IV of section 24 applicable to Kansas, Missouri, Arkansas, Oklahoma, Texas and Nebraska are suspended from July 22 through August 20, 1945, and the following prices are substituted during that period:

	July 22-31	August 1-20
Kansas	$2.65	$2.80
Missouri	2.65	2.80
Arkansas	2.85	3.00
Oklahoma	2.85	3.00
Texas	2.85	3.00
Nebraska	2.95	3.10

This amendment shall become effective at 12:01 a. m. July 22, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 16, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13005; Filed, July 17, 1945; 4:58 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 285,[1] Amdt. 5]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the DIVISION of the Federal Register.

Revised Maximum Price Regulation 285 is amended in the following respects:

1. The effective date provision of Amendment 4 is amended to read as follows:

This amendment shall become effective on July 18, 1945, for sales of green bananas and on July 28, 1945, for sales of processed bananas.

2. In Item 1, of Amendment 4 the reference to section 3 (a) is corrected to read section 3 (b).

This amendment shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13001; Filed, July 17, 1945; 4:57 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,[1] Amdt. 22]

PASSENGER AUTOMOBILES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

[1] 10 F.R. 7532.

Ration Order No. 2B is amended in the following respects:

1. Section 1.1 is amended to read as follows:

SEC. 1.1. *What this order covers.* (a) This order applies to every passenger automobile imported or manufactured on or after July 1, 1945, which has not been "registered for use". These passenger automobiles will be referred to in this order as "new cars" or "new passenger automobiles."

(b) This Ration Order No. 2B is in force in the forty-eight States and the District of Columbia. However, certificates issued in the territories and possessions for cars covered by this Order may be used to acquire a car anywhere in the United States.

2. Section 1.2 is revoked.

3. In the title of section 1.3 and in section 1.3 (a) the numeral "1942" is deleted wherever it appears.

4. In section 1.4 the numeral "1942" is deleted wherever it appears.

5. Section 1.5 is amended to read as follows:

SEC. 1.5. *When and how a certificate is issued and used.* (a) If the Board determines that an applicant for a new car is eligible, it shall indicate its approval on the application and shall forward it to the appropriate District Director for his action. The District Director may, within the limits of the quota set for his district by the National Office of the Office of Price Administration, issue a certificate on Form R-214, which has been modified to permit its use for a new car for sixty days from the date of issuance.

(b) A certificate issued before July 18, 1945, is invalid for any purpose. A certificate issued on or after July 18, 1945, is valid for sixty days from the date of issuance and may not be renewed.

(c) A certificate may be used by the person to whom it was issued to acquire a new car from a dealer, manufacturer or person who has acquired the car under section 2.5.

(d) The parts of the certificate shall be disposed of according to the instructions on the certificate. However, when a certificate holder contracts to lease a new car from an automobile rental agency, the certificate shall be surrendered to the agency which shall retain Parts B and C in its permanent files and attach Part A to its application for a new car under section 1.3 (a) (8).

6. Section 1.8 is amended to read as follows:

SEC. 1.8 *How new cars are registered.* (a) A new car may be registered only if the person seeking to register it presents to the registrar of automobiles the Part B of a certificate issued to him covering the car sought to be registered.

(b) There are no restrictions imposed by this Order on the registration of a new or used 1942 automobile by any person in any state.

(c) The Regional Administrator may authorize the registration of title to new cars held for sale without certificate in any state whose law requires such registration. If the Regional Administrator has authorized such registration, any person holding a new car in the state for sale may register its title. However, no person shall register a new car for use except as provided in paragraph (a) of this section.

7. Section 1.9 is revoked.

8. Section 1.10 is amended to read as follows:

SEC. 1.10. *Operation of new cars for use.* A passenger automobile imported or manufactured on or after July 1, 1945, which has been registered for use may be operated by any person entitled to its use.

9. In section 2.5, the title is amended by deleting the phrase "or clearing statements"; paragraph (a) is amended by deleting the numeral "1942" wherever it appears; and paragraph (b) and (c) are revoked.

10. Section 2.6 is amended by deleting the phrase "clearance statement" and the numeral "1942" wherever they appear.

11. Section 2.7 is amended to read as follows:

SEC. 2.7. *Use of new cars prior to registration for use.* (a) A manufacturer may use a new car for the purposes and to the extent that the law of the state in which the car is being operated permits such operation prior to registration for use.

(b) A dealer may use a new car:

(1) For demonstration purposes, to the extent that a Board has issued him special gasoline rations which the Gasoline Rationing Regulations (Revised Ration Order 5C) permit him to use in the car; or

(2) To move it from a point of manufacture or to move it from a sales establishment or place of storage to another sales establishment or place of storage.

12. Section 2.8 is amended to read as follows:

SEC. 2.8 *Dealer's refusal to sell cars.* (a) A dealer who does not, under the conditions set forth in paragraph (b), sell a new car which he holds for sale may be prohibited from acquiring for sale and from transferring any car which is rationed under this order. Every new car held by a dealer is deemed to be "held for sale" unless the dealer has sold or contracted to sell it to a person who has delivered a certificate to him.

(b) A dealer must sell any new car which he holds for sale to the holder of a certificate who tenders the maximum price for the car as established by the Office of Price Administration, in cash, or by a cashier's or a certified check or who offers to sign the security instruments and has the financial and legal qualifications customarily required of a purchaser, or who presents a purchase order of a government or government agency.

(c) A dealer's failure to comply with the provisions of paragraph (a) shall be determined at a hearing conducted by a Hearing Commissioner pursuant to Revised Procedural Regulation No. 4.

[1] 8 F.R. 2483, 5317, 5531, 5678.

(d) It is a violation of this order for a dealer to refuse to transfer a new car as required by this section.

13. Section 2.10 and the chapter heading preceding it are amended to read as follows:

ALTERATION OF NEW CARS

SEC. 2.10. *Conditions under which cars may be altered.* The term "alteration" means any change in a new passenger automobile which affects its status as a rationed car under this order.

(a) A new car may be altered into any other model or type of conveyance only upon specific authorization granted by the Office of Price Administration, Washington, D. C. Applications for authorization shall be made to that office by letter, stating the make, body type, serial number and engine number of the car, the details of the proposed alteration and the purpose for which the altered vehicle is to be used. Authorization will be granted if the Office of Price Administration is satisfied that the proposed alteration will result in a greater usefulness of the car in the war effort or the public welfare.

(b) Any new car may be junked or dismantled for scrap or salvage if it is in such condition that its repair is not practicable.

(c) Any passenger automobile imported or manufactured on or after July 1, 1945, which has been registered for use may be altered in any manner, or may be junked or dismantled for scrap or salvage.

14. Section 2.15 is amended to read as follows:

SEC. 2.15. *Records to be kept.* A person engaged in the business of selling or renting cars shall keep an accurate and complete record for as long as this order is effective of any transfer, acquisition, registration, alteration, use, junking or dismantling for scrap or salvage, of a rationed car while it is owned or held by him. In addition to any other records, he shall keep a file containing the original or duplicate of the following for as long as this order is effective:

(a) Any permit or part of a certificate which has been presented to him by a person to whom he transferred a rationed car.

(b) Any clearance statement or authorization issued to him for a rationed car in his possession.

(c) Any Office of Price Administration or War Production Board form which has been completed for purposes of reporting a transfer of a rationed car.

(d) Any other inventory report required to be made to the Office of Price Administration.

(e) Any rental agreement with a certificate holder to whom he has rented a rationed car.

15. Section 2.16 is revoked.

16. Section 4.1 is amended to read as follows:

SEC. 4.1. *Prohibitions on the transfer, registration, alteration, and use of new cars.* (a) No person shall transfer or acquire a new car or shall alter, register, use or permit the alteration, registration or use of a new car except as per-

mitted by the provisions of this order. These provisions apply regardless of any conflicting private agreement or obligation.

(b) A passenger automobile imported or manufactured on or after July 1, 1945, which has been registered for use may be transferred, acquired, altered, registered or used without restriction except by a person who obtained it in violation of this order, or by a person who wilfully caused the violation.

17. Section 4.3 is amended to read as follows:

SEC. 4.3. *Additional prohibited acts relating to cars which are or have been rationed under this order.* (a) No person shall possess, use or permit the use of any car which he obtained in violation of this order.

(b) No car which has been rationed under this order shall be used in violation of any order of the Office of Price Administration, or of any order, rule or regulation of the War Production Board or the Office of Defense Transportation.

18. Section 4.4 (b) is added to read as follows:

(b) An order, to the extent that it prohibits any person from receiving any transfer or delivery of, or from selling, using or otherwise disposing of 1942 automobiles shall terminate on July 18, 1945. An order, to the extent that it prohibits any person from receiving any transfer or delivery of, or from selling, using or otherwise disposing of new cars is not terminated by reason of the removal of 1942 cars from rationing controls.

19. In section 4.5 (a) the word "new" is substituted for the numeral "1942".

20. In section 4.10 the definitions of "1941 car", "register", "new 1942 car" and "used 1942 car" are deleted, and new definitions of "passenger automobile" and "register for use" are added in their proper alphabetical sequence, to read as follows:

"Passenger automobile" means any automobile, or the chassis thereof, with a seating capacity of not more than ten persons, including taxicabs but not including station wagons, ambulances, hearses or vehicles designed and built for the armed forces.

"Register for use" means to duly license a passenger automobile for general operation on public roads or highways with the appropriate local agency handling the registration of automobiles.

This amendment shall become effective July 18, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 78th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, WPB Dir. No. 1, 7 F.R. 563, Supp. Dir. IX, 9 F.R. 8776)

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13047; Filed, July 18, 1945; 11:38 a. m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19,[1] Amdt. 9]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 19 is amended in the following respects:

1. In Article IV, Appendix A, Table 1:
a. Prices for all grades of 4/4" stock are increased $1.00 per M'BM.
b. Prices for all grades of 5/4" and 6/4" stock are decreased $1.00 per M'BM.
c. Footnotes 5 and 12 are deleted.
2. In Article IV, Appendix A, Table 2:
a. Prices for all grades of 2 x 4" are decreased $0.50 per M'BM.
b. A new footnote 18 is added, reading as follows:

18. From July 23, 1945 through October 21, 1945, the maximum prices for all grades of 2 x 4" may be increased $4.00 per M'BM [$3.50 per M'BM over the price effective prior to July 23, 1945] when shipped in straight carloads of 10' and longer.

c. Prices for 2 x 8", No. 2 and No. 3, are increased $1.50 per M'BM.
d. A new footnote 19 is added, reading as follows:

19. From July 23, 1945 through October 21, 1945, the maximum prices for 2 x 8", No. 2 and No. 3 are decreased $1.50 per M'BM. [This means that during this period, there will be no change in the prices of 2 x 8's, No. 2 and No. 3, from those effective prior to July 23, 1945.]

e. Footnotes 7, 11 and 15 are deleted.
3. In Article IV, Appendix A, that part of Table 4 under and including the heading "Square Edge Siding" is deleted.
4. In Article V, Appendix B, that part of Table 17 under and including the heading "Square Edge Siding" is deleted.

This amendment shall become effective July 23, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13000; Filed, July 17, 1945; 4:55 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 288,[2] Amdt. 4]

SALMON IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 44 is hereby revoked.

This amendment shall become effective as of June 28, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13006; Filed, July 17, 1945; 4:59 p. m.]

[1] 9 F.R. 11486, 12845; 10 F.R. 453, 1146, 3467.
[2] 10 F.R. 5909, 6802, 7794, 8370.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 127]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 15, Appendix H, Table 15, Maximum Prices for Red Sour Cherries, the price in Column 5 for red sour cherries with stems sold in any container (Item 1) is changed from "11¢" to "11¼¢" and for red sour cherries without stems sold in any container (Item 2) from "9¾¢" to "10¢."

This amendment shall become effective at 12:01 a. m. July 18, 1945.

Issued this 17th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: July 14, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13004; Filed, July 17, 1945; 4:59 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 487, Amdt. 2]

WHEAT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 487 is amended by adding the following section:

SEC. 4.6 *Pricing adjustments required of merchandisers and trucker-merchants when terminal base point prices set forth in Tables I, II or III of section 3.2 are increased or decreased.* Whenever terminal base point prices set forth in Tables I, II or III of section 3.2 are increased or decreased subsequent to the date on which you purchased a lot of wheat from your supplier but prior to the time you resell such wheat, and such increase or decrease affects maximum prices for wheat in the area in which such lot originated, and your maximum price for such lot of wheat is dependent upon your "supplier's maximum price" on the sale and delivery to you or your "withdrawal price" calculated in accordance with the provisions of section 2.5, you shall, for the purpose of determining your maximum price on resale, increase or decrease your supplier's maximum price by the amount of such increase or decrease in the appropriate terminal base point price, or if your basis for determining your maximum price is your "withdrawal price", you shall, for the purpose of determining your maximum price on resale, increase or decrease to a similar extent the "price histories" of lots purchased prior to the effective date of such increase or decrease and you shall then use such adjusted "price histories" in determining your withdrawal price.

This amendment shall become effective July 23, 1945.

Issued this 18th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: July 6, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13044; Filed, July 18, 1945; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14H, Amdt. 2]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TRANSPORTATION SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Regulation 14H is amended in the following respects:

Section 4 (b), subparagraph (9), is changed to read as follows:

(9) *Additional charge for operating on the Gulf of Mexico.* When operating conditions on the Gulf Intracoastal Waterway (i) between Pensacola and Panama City, Florida, or (ii) between Panama City and Port St. Joe, Florida, necessitate operation on the Gulf of Mexico, an additional charge may be made of not more than 33¢ per ton when the maximum rate is based on a minimum cargo of 2,000 tons or less, and 24¢ per ton when the maximum rate is based on a minimum cargo of 3,000 tons.

This amendment shall be effective as of September 11, 1944.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13046; Filed, July 18, 1945; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14J, Amdt. 8]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN CONSUMER GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.

Supplementary Regulation No. 14J to the General Maximum Price Regulation is amended in the following respects:

The listings of the Model Nos. C 351 ZM and C 361 BR electric irons of Son-Chief Electrics, Inc., and of the Model No. 425 electric iron of Steam Electric Co., appearing in section 2.3 (a) (1) are amended to read as follows:

Son-Chief Electrics, Inc., Winsted, Conn.	C351ZM	Automatic, 1,000 watts without cord.	$4.80
	C361BR	Automatic, 1,000 watts.	6.65
Steam Electric Co., St. Louis, Mo.	425	Steam non-automatic 600 watts with cord and equipment.	9.95

This amendment shall become effective on July 23, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13045; Filed, July 18, 1945; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 64]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 1499.166, Appendix A is amended as follows:

a. Paragraph (b) (4) is amended by adding to the list of consumers' goods set forth therein the following:

Hammocks.

b. Paragraph (b) (5) (iii) is amended by adding to the list of farm and garden tools and supplies set forth therein the following:

Garden hose nozzles.
Lawn sprinklers.

c. Paragraph (b) (6) is amended by adding to the list of household appliances, electrical and other, set forth therein the following:

Mechanical refrigerator cabinets.

d. Paragraph (b) (7) is amended by adding to the list of miscellaneous housewares set forth therein the following:

Coffee makers and accessories.
Filter papers for coffee makers.

e. Paragraph (b) (10) (vi) is amended by adding to the list of pottery set forth therein the following:

Flower pots.

f. Paragraph (b) (10) (x) is amended by adding to the list of jewelry set forth therein the following:

Jewelry findings.

This amendment shall become effective on the 23d day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13048; Filed, July 18, 1945; 11:37 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 338]

PART 95—CAR SERVICE

MOVEMENT OF EMPTY REFRIGERATOR CARS TO ARIZONA AND CALIFORNIA REQUIRED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of July, A. D. 1945.

It appearing, that there is a critical shortage of refrigerator cars in the States of Arizona and California which are urgently needed for the loading of commodities requiring their use; that such cars are available on certain carriers but they are not being moved west in sufficient numbers to relieve the said shortage; the Commission is of opinion an emergency requiring immediate action exists in those states: *It is ordered*, That:

(a) The common carriers by railroad subject to the Interstate Commerce Act named in Appendix A hereof shall (1) deliver, (2) transport and deliver, or (3) accept, transport and deliver, refrigerator cars, of any ownership or reporting mark that are equipped with floor racks and are suitable for fruit and vegetable loading, each day in not less than the numbers, over the routes, and via the junctions, specified in Appendix A hereof.

(b) *Effective date.* This order shall become effective at 12:01 a. m., July 18, 1945.

(c) *Expiration date.* This order shall expire at 11:59 p. m., July 27, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That a copy of this order and direction shall be served upon carriers named in Appendix A hereof, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

APPENDIX A

Origin carrier	No. of cars daily	To be moved to and delivered at—	To be delivered to—
Texas & New Orleans Railroad Co.	75	El Paso, Tex.	Southern Pacific Co.
Southern Pacific Co. from El Paso, Tex.	400	Arizona and California over the Southern Pacific Co.	Loading territories in Arizona and California.

[F. R. Doc. 45-13038; Filed, July 18, 1945; 11:26 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 11, Amdt. 8]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

INTERCITY COMMON CARRIERS OF PASSENGERS BY BUS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, and 9294, and War Production Board Directive 21,

It is hereby ordered, That § 501.47 of General Order ODT 11, as amended (7 F.R. 4389, 11099, 12028), be, and it hereby is, amended by striking out paragraph (a), and by designating paragraphs (b), (c), (d), and (e) as paragraphs (a), (b), (c), and (d), respectively.

This amendment shall become effective on July 18, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 18th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13028; Filed, July 18, 1945; 10:27 a. m.]

[Gen. Order ODT 55]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

CONTROL OVER RAILWAY PASSENGER CARS, BAGGAGE CARS AND EXPRESS CARS

General outline. This General Order ODT 55 provides that all railway passenger, baggage and express cars shall be used for such purposes, in such services and by such persons as the Office of Defense Transportation shall direct. The purpose of the order is to make more passenger, baggage and express equipment available for military service.

Mr. W. C. Kendall, Transportation Building, Washington 6, D. C., is appointed agent of the Office of Defense Transportation for the purpose of administering the order. He is required to distribute and assign equipment in such manner as, in his judgment, will provide suitable equipment to meet the demands of the military. The allocation and assignment of equipment to military service will require that it be withdrawn from civilian service. This means that civilian passenger service will be further curtailed. The demands of the military for equipment is expected to increase to the point where at times regular scheduled passenger trains will have to be suspended in order to provide the equipment. It may be that persons leaving home on unnecessary trips in the next few months will find themselves unable to return. There is not enough equipment to handle the same volume of civilian passenger traffic as has been handled heretofore, and at the same time redeploy our troops to the Pacific. The military requirements must and will be met.

This general outline of the order shall not be construed to alter the meaning of any provision contained in the order.

Pursuant to Title III of the Second War Powers Act, 1942, as amended, and Executive Order 8989, as amended, in order to make railway cars available for the preferential transportation of troops and material of war; to prevent shortages of equipment necessary for such transportation; and to assure the orderly and expeditious movement of troops and material of war, the attainment of which purposes is essential to the successful prosecution of the war, it is hereby ordered, that:

Sec.
502.275 Definitions.
502.276 Control over railway passenger cars, baggage cars and express cars established.
502.277 Appointment of Agent.
502.278 Applicability.
502.279 Communications.

AUTHORITY: §§ 502.275 to 502.279, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183.

§ 502.275 *Definitions.* As used in this order (§§ 502.275 to 502.279, inclusive), the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "Rail carrier" means any common carrier by railroad, sleeping car company or express company which transports passengers or express for compensation.

(c) "Railway passenger car" means any railway car (other than a Pullman sleeping car), which is suitable for carrying passengers, and includes a combined railway passenger and baggage car.

§ 502.276 *Control over railway passenger cars, baggage cars and express cars established.* (a) Notwithstanding any contract, lease, or other commitment, express or implied, with respect to the use or operation of any railway passenger car, railway baggage car, or railway express car, any rail carrier or other person having possession or control of any such car, shall cause such car (1) to be used for such purposes, and in such service, as the Office of Defense Transportation shall direct, or (2) to be leased, rented, hired, or furnished to such other rail carrier or other person as the Office of Defense Transportation shall designate and direct;

(b) Unless the parties in interest agree upon the amount of compensation payable for the use of any such railway passenger car, railway baggage car, or railway express car so directed to be leased, rented, hired, or furnished, the amount of such compensation shall be based on the applicable per diem or mileage rates specified in the Code of Car Service Rules of the Association of American Railroads or shall be such amount as may be determined by the appropriate governmental agency having jurisdiction.

§ 502.277 *Appointment of Agent.* W. C. Kendall, Transportation Building, Washington 6, D. C., is hereby appointed Agent of the Office of Defense Transportation, with full authority, subject to the general supervision of the Director, Railway Transport Department, Office of Defense Transportation, to administer the provisions of this General Order ODT 55. In administering this order he shall, where possible, distribute and assign railway passenger cars, railway baggage cars, and railway express cars in such manner as, in his judgment, will provide sufficient suitable equipment to meet the demands of the military.

§ 502.278 *Applicability.* The provisions of this order shall be applicable only in the forty-eight States and the District of Columbia.

§ 502.279 *Communications.* Communications concerning this order should refer to "General Order ODT 55" and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 55 shall become effective on July 17, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 17th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-12960; Filed, July 16, 1945; 4:56 p. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. 1814 et al.]

CORDOVA AIR SERVICE, INC.; COPPER RIVER CASE

NOTICE OF HEARING

In the matter of the applications of Cordova Air Service, Inc., for amendments to its certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended,

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on August 15, 1945, at 10:00 a. m., in the office of the Civil Aeronautics Board, Anchorage, Alaska, before Examiners Raymond W. Stough and Joseph L. Fitzmaurice.

Dated: Anchorage, Alaska, July 14, 1945.

By the Civil Aeronautics Board.

RAYMOND W. STOUGH,
Director, Alaska Office.

[F. R. Doc. 45-13037; Filed, July 18, 1945; 11:20 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5957]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

JULY 17, 1945.

Notice is hereby given that on July 16, 1945, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Montana-Dakota Utilities Co. (Applicant), a corporation organized under the laws of the State of Delaware and carrying on electric and gas utilities business in the States of Montana, North Dakota and South Dakota, and a gas utility business in the State of Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing Applicant (1) to reduce the par value of the 679,559⅛ shares of common stock of Applicant heretofore issued (consisting of 676,648⅜ outstanding shares and 2,910⅝ treasury shares) from $10 per share to $5 per share by amendment of Applicant's Certificate of Incorporation; and (2) to reduce the stated capital stock accounts of Applicant from $16,795,591.67 (consisting of $10,000,000 of preferred capital stock and $6,795,591.67 of common capital stock) to $13,397,795.83 (consisting of $10,000,000 of preferred capital stock and $3,397,795.83 of common capital stock). The reduced common capital stock of $3,397,795.83 will be equivalent to the aggregate par value at $5 per share of the common stock heretofore issued, including the 676,648⅜ common shares outstanding and the 2,910⅝ common shares in the Treasury. The amount by which the capital stock account is reduced, viz. $3,397,795.84, the application states, will be transferred to capital surplus; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 2nd day of August 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-13042; Filed, July 18, 1945; 11:29 a. m.]

INTERSTATE COMMERCE COMMISSION.

[2d Rev. S. O. 300, Special Permit 13]

ICING OF POTATOES AT LONG ISLAND, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 4539), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing only on not to exceed fifty one (51) refrigerator cars, loaded with potatoes, to be shipped July 16, 17, 18 and 19, 1945, from points on the Long Island Railroad, at a rate not to exceed 15 cars on any one day, consigned to Quarter Master Market Center, New Orleans, Louisiana, for export.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13039; Filed, July 18, 1945; 11:27 a. m.]

[S. O. 323, General Permit 1, as Amended]

ICING OF GRAPEFRUIT OR ORANGES IN ARIZONA AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (E) of the first ordering paragraph of Service Order No. 323 (10 F.R. 8143), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 323 insofar as it applies to the precicing of a refrigerator car to be loaded with grapefruit or oranges at any point in the States of Arizona or California, when the grapefruit or oranges to be loaded in such precod car have been precooled by the shipper before loading at a regularly established precooling plant where car icing facilities are not available; and the transportation of such precooled cars when loaded.

This general permit shall become effective at 12:01 a. m., July 15, 1945.

The car order and the waybill shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13040; Filed, July 18, 1945; 11:27 a. m.]

[S. O. 332, Special Permit 1]

COPPER ORE FROM RAY JCT., ARIZ.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph of Service Order No. 332 (10 F.R. 8603), permission is granted for the Southern Pacific Company:

To disregard the provisions of Service Order No. 332 insofar as it applies to copper ore shipped from Ray Jct., Arizona, to Hayden, Arizona by the Kennecott Copper Corporation.

This special permit shall become effective July 14, 1945.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13041; Filed, July 18, 1945; 11:27 a. m.]

MARITIME WAR EMERGENCY BOARD.

[Decision 4A, Amdt. 1]

CERTAIN OFF-SHORE SMALL CRAFT OPERATIONS, ETC.

BONUS

Article III of Decision 4A is amended to read as follows:

Article III—Bonus

Every master, officer or crew member employed aboard a vessel covered by this decision shall be paid war risk bonus in the amounts and under the terms and conditions set forth in Decision 2C: *Provided, however*, That on all tugs and on similar small craft covered by paragraph 1 of Article I of this decision, bonus payments shall become effective at the midnight or noon next preceding the hour on which the vessel proceeds on its employment, and shall terminate on the noon or midnight next succeeding the hour when the vessel is moored upon completion of its assignment.

The foregoing amendment is effective at 12:01 a. m., July 20, 1945, as to all vessels whether at sea or in port. Thereafter, bonus payments in connection with vessels operated solely in trade in the Hawaiian Islands shall be calculated in accordance with the provisions of Article IV of Decision 2C.

Dated: JULY 16, 1945.

MARITIME WAR EMERGENCY BOARD,
JOHN M. CARMODY,
Chairman.
JOHN R. STEELMAN.
FRANK P. GRAHAM.

[F. R. Doc. 45-13023; Filed, July 18, 1945; 9:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 4081]

APPLIANCE INDUSTRIES OF AMERICA

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159c of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a two burner electric hot plate manufactured by Appliance Industries of America, of 666 North Lake Shore Drive, Chicago 11, Illinois, as follows:

(1) For all sales and deliveries by any person to the classes of purchasers listed below, the maximum prices are as follows:

Article	Model No.	Maximum price to hotel and restaurant supply houses	Maximum price to industrial, commercial, or institutional users
Two-burner, white enamel, six-heat electric hot-plate with four switches	A-2	*Each* $12.10	*Each* $17.60

These maximum prices are for the articles described in the manufacturer's application dated June 9, 1945. They include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements:

Order No. 4081 Under MPR 188
OPA Ceiling Price to Industrial
Commercial or Institutional
Users—$17.60
Federal Excise Tax Included
Do Not Detach or Obliterate

or

OPA Ceiling Price to Industrial
Commercial or Institutional
Users—$17.60
Federal Excise Tax Included
Appliance Industries of America
666 North Lake Shore Drive
Chicago, Illinois
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order shall become effective on the 18th day of July 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12993; Filed, July 17, 1945; 11:30 a. m.]

[2d RMPR 213, Order 23]

EMMONS BROTHERS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 9 (b) (1) of Second Revised Maximum Price Regulation No. 213, it is ordered:

(a) *Maximum prices.* The maximum prices for all sales and deliveries to the classes of purchasers specified of the Model No. 24 Bed Spring manufactured by Emmons Brothers, of Meridian, Mississippi, which is described in the application of the manufacturer dated April 27, 1945, are those set forth below:

	Each
For sales to retailers	$2.75
For sales to ultimate consumers	5.00

Sales by the manufacturer are f. o. b. Meridian, Mississippi. All sales are subject to each seller's customary terms, discounts, allowances and other price differentials to each class of purchaser.

(b) *Notification.* Emmons Brothers shall notify, in writing, all retailers who purchase the bedspring, described above, of the maximum price established by this order for sales at retail. This notice may be given in any convenient form, and shall be given at the time of or prior to the first invoice to each retailer covering a sale of the bedspring described above.

(c) *Tagging.* Before delivering the bedspring described above, Emmons Brothers must attach securely to each bedspring a durable tag containing in easily readable lettering the following:

OPA has established a retail ceiling of $5.00 for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(d) Unless the context otherwise requires, the definitions set forth in Second Revised Maximum Price Regulation No. 213 shall apply to the terms used in this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of July 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12956; Filed, July 16, 1945; 4:15 p. m.]

[Order 375 Under 3 (b), Order 85]

JOHN M. EVANS

ESTABLISHMENT OF MAXIMUM PRICE

On June 14, 1945, John M. Evans, 443 Union Trust Building, Pittsburgh, Pennsylvania, filed an application for the determination of a maximum selling price for his "Bums Burger".

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of Order No. 375 under § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) That the maximum selling price for "Bums Burger" produced and sold by John M. Evans, 443 Union Trust Building, Pittsburgh, Pennsylvania, applicable upon sales to retailers and purveyors of meals (defined in § 1364.455 (b) (2) of Revised Maximum Price Regulation No. 169) shall be the applicable zone price specified below for the zone in which is located the seller's place of business:

Zones:	*Price per hundredweight:*
1	$19.25
2	18.50
3	17.50
4	17.50
5	18.00
6	18.25
7	18.50
8	18.75
9	19.00
10	19.25

All sales are to be made f. o. b. the seller's place of business. The zone areas are identical to the beef zone areas set forth in Schedule I (§ 1364.452 (a) to (j) inclusive) of Revised Maximum Price Regulation No. 169 and are incorporated herein by reference. The authorized maximum selling prices as determined by this paragraph (a) for "Bums Burger" shall be applicable only when the meat item is manufactured in accordance with the method described in the application of John M. Evans, Pittsburgh, Pennsylvania, requesting such maximum price.

(b) The maximum prices in cents per pound for retail sales of "Bums Burger" shall be as follows, depending upon the zone area in which the retail store is located and the group classification of the retail store as determined pursuant to section 2 (c) of Maximum Price Regulation No. 355:

Zones	Group 1 and 2	Group 3 and 4	Group 3B and 4B
1	30	28	26
2	29	27	25
3	28	26	24
4	27	25	23
5	27	25	23
6	27	25	23
7	27	25	23
8 North	27	25	23
8 South	27	25	23
9 North	27	25	23
9 South	30	28	26
10	30	28	26

(c) John M. Evans, Pittsburgh, Pennsylvania, shall supply each retailer or purveyor of meals upon his initial purchase of "Bums Burger" with a written notice in the following form:

NOTICE TO RETAILERS AND PURVEYORS OF MEALS

The OPA has, by order, authorized John M. Evans, Pittsburgh, Pennsylvania, to sell "Bums Burger" to retailers and purveyors of meals at a maximum wholesale price to be determined in accordance with the provisions of Order No. 85 issued under Order No. 375 under Section 1499.3 (b) of the General Maximum Price Regulation. The maximum price for "Bums Burger" which John M. Evans, Pittsburg, Pennsylvania, may charge or receive is the appropriate price listed in the table below for the zone in which his selling establishment is located. You will find the appropriate zone by consulting the provisions of Schedule I of Revised Maximum Price Regulation No. 169 (§ 1364.452 (a) to (j) inclusive). The zone areas and the maximum prices at wholesale are as follows:

Zones:	*Price per hundredweight:*
1	$19.25
2	18.50
3	17.50
4	17.50
5	18.00
6	18.25
7	18.50
8	18.75
9	19.00
10	19.25

If you are a retailer, the maximum retail price which you may charge or receive for "Bums Burger" is the appropriate price listed in the table below. You must first determine the zone area in which your retail store is located and your store group classification (see section 2 (c) of Maximum Price Regulation No. 355. The maximum retail prices are as follows:

Zones	Group 1 and 2	Group 3 and 4	Group 3B and 4B
1	30	28	26
2	29	27	25
3	28	26	24
4	27	25	23
5	27	25	23
6	27	25	23
7	27	25	23
8 North	27	25	23
8 South	27	25	23
9 North	27	25	23
9 South	30	28	26
10	30	28	26

(d) John M. Evans, Pittsburgh, Pennsylvania, shall keep for inspection by representatives of the Office of Price Administration, records showing the name and address of each purchaser of "Bums Burger", the date of each purchase, the weight of "Bums Burger" sold and the price charged therefor.

All prayers of the application not herein granted are denied.

This order may be revoked or amended at any time.

This order shall become effective July 16, 1945.

Issued this 16th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12958; Filed, July 16, 1945; 4:15 p. m.]

[MPR 260, Order 1577]

MANO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

Correction

In Federal Register Document 45-12832, appearing at page 8880 of the issue for Tuesday, July 17, 1945, the bracket headnote should read as set forth above.

[MPR 61, Order 8]

SOLE LEATHER SCRAP FOR LEATHER BOARD, FERTILIZER AND CHEMICAL PURPOSES

MAXIMUM PRICES FOR SALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation 61, *It is ordered:*

(a) On and after July 23, 1945, the maximum prices at which any person may sell or deliver the leather herein described shall be the prices specified below:

SOLE LEATHER SCRAP FOR LEATHER BOARD, FERTILIZER AND CHEMICAL PURPOSES

Sales by the producer thereof	Sales by persons other than the producer
Grain chips	$4
Flesh skivings	7
	8

Above prices per ton of 2,000 pounds.

(b) Terms of sale shall be net cash for payment within 30 days from the date of invoice, f. o. b. producer's shipping point. Transportation charges actually paid or incurred in transporting the leather from the producer's shipping point may be added. However, in the event that the leather is transported in the seller's own conveyance the amount added may not exceed the lowest available common carrier rate for an identical shipment from the same shipping point to the same receiving point.

(c) The maximum prices specified in paragraph (a) above for sale of the leather therein described shall supersede and replace any and all maximum prices previously established for such sales.

(d) This order may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 8 shall become effective July 23, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13048; Filed, July 18, 1945; 11:38 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1106]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of July 1945.

Notice is hereby given that a joint declaration has been filed with this Commission pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder by The Milwaukee Electric Railway & Transport Company and its parent, Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company. All interested persons are referred to the declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

The Milwaukee Electric Railway & Transport Company proposes (a) to purchase for cash, at par for retirement, 10,000 shares of its capital stock of the aggregate par value of $1,000,000 from Wisconsin Electric Power Company and (b) to redeem on August 16, 1945, at par plus accrued interest, $400,000 principal amount of its First Mortgage 4% Bonds owned by Wisconsin Electric Power Company and pledged as collateral to the latter company's Mortgage and Deed of Trust dated October 28, 1938. The Milwaukee Electric Railway & Transport Company, as a condition for the surrender of said stock, proposes that upon the acquisition and cancellation of the 10,000 shares of its capital stock it will amend its Articles of Incorporation to reflect a corresponding reduction in its authorized capital stock. Wisconsin Electric Power Company seeks authorization to surrender the stock and bonds on the basis described and proposes to appropriate the entire proceeds from the proposed transactions to its "fund for retirement of long term debt".

In connection with the proposed transactions, Wisconsin Electric Power Company has filed an application with the Public Service Commission of Wisconsin for approval of the transactions and agreeing to the condition, that so long as any of the First Mortgage 4% Bonds of The Milwaukee Electric Railway & Transport Company remain pledged under Wisconsin Electric Power Company's Mortgage and Deed of Trust dated October 28, 1938 to First Wisconsin Trust Company, Wisconsin Electric Power

Company shall deduct $1,000,000 in addition to all other required deductions (including an aggregate deduction of $6,900,000 arising from similar conditions in similar approvals of said Commission) from net bondable value of property additions certified to the trustee under said Mortgage for the purpose of issuing additional bonds, withdrawing moneys or for any other purpose for which net bondable property additions may be used under the mortgage, except the certification of bondable property additions that may be certified to the trustee for release of any of the bonds of The Milwaukee Electric Railway & Transport Company pledged under said Mortgage; and that no bonds so released shall be sold, pledged or otherwise disposed of by Wisconsin Electric Power Company without approval of the Wisconsin Commission and other requisite public official authority.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the matters and that the declaration shall not be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on the matters under the applicable provisions of the act and rules of the Commission thereunder be held on July 30, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That any person desiring to be heard or otherwise to participate in the proceedings, shall file with the Secretary of the Commission on or before July 28, 1945, his application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted by the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to The Milwaukee Electric Railway & Transport Company, Wisconsin Electric Power Company and The North American Company by registered mail; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by the declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed redemption of its bonds and the proposed retirement of its capital stock by The Milwaukee Electric Railway & Transport Company from its parent, Wisconsin Electric Power Company, will adversely affect the financial integrity of The Milwaukee Electric Railway & Transport Company.

(2) Whether generally the proposed transactions are in accordance with the applicable provisions of the act and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13024; Filed, July 18, 1945; 9:46 a. m.]

[File Nos. 54-106, 31-524, 54-107, 31-523, 59-52]

BUFFALO, NIAGARA AND EASTERN POWER CORP., ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER RECONVENING HEARING OF AMENDED PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of July 1945.

In the matters of Buffalo, Niagara and Eastern Power Corporation, File Nos. 54-106; 31-524; Niagara Hudson Power Corporation, File Nos. 54-107; 31-523; Niagara Hudson Power Corporation and its subsidiary companies, respondents, File No. 59-52.

The Commission having on June 19, 1944, entered its order, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, directing that Buffalo, Niagara and Eastern Power Corporation ("Buffalo Niagara"), a subsidiary of Niagara Hudson Power Corporation ("Niagara Hudson"), change its existing capitalization to one class of stock, namely, common stock, and that appropriate voting power be extended to the $5 First Preferred Stock of Buffalo Niagara; and

Niagara Hudson and Buffalo Niagara having each filed plans pursuant to section 11 (e) of the act providing, among other things, for the consolidation of Buffalo Niagara and certain of its subsidiaries, the issuance by the consolidated company of new preferred stock in exchange for the outstanding $5 preferred stock of Buffalo Niagara, and the allocation of the common stock of the consolidated company as between the $1.60 Preferred and Class A and Common Stocks of Buffalo Niagara; the Commission having in its notice of filing and order for hearing issued October 11, 1944 (Holding Company Act Release No. 5343) consolidated the proceeding with respect to said plans and a proceeding previously instituted pursuant to section 11 (b) (2) and other sections of the act by the Commission's order dated August 28, 1942 with respect to Niagara Hudson and its subsidiary companies (File No. 59-52); and having summarized therein the terms of said plans and ordered a hearing thereon; and hearings having been held pursuant to said notice, extensive testimony having been taken and numerous exhibits having been introduced, and the hearings having been continued subject to the call of the trial examiner or order of the Commission;

Notice is hereby given that Niagara Hudson and Buffalo Niagara have each filed amended plans of reorganization, in substitution for the plans referred to above, which provide, among other things, for the retirement of the $1.60 Preferred Stock of Buffalo Niagara, the consolidation of Buffalo Niagara and certain of its subsidiaries, the exchange of 5% preferred stock of the consolidated company for the outstanding $5 first preferred stock of Buffalo Niagara, refinancing of certain of the indebtedness and the 5% preferred stock of the consolidated company, and the acquisition, and subsequent divestment, by Niagara Hudson of all the common stock of the consolidated company.

All interested persons are referred to said amended plans, which are on file in the office of this Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

I. *Provisions appearing in both plans.* 1. Buffalo Niagara, together with three of its subsidiaries, Buffalo Niagara Electric Corporation, Niagara, Lockport and Ontario Power Company and The Lockport and Newfane Power and Water Supply Company, will be consolidated into Buffalo Niagara Electric Corporation (the "Consolidated Company"). The capital stock of The Niagara Falls Power Company, all of which is presently owned by Buffalo Niagara, and of Hydraulic Race Company and Lower Niagara River Power and Water Supply Company, all presently owned by Niagara, Lockport and Ontario Power Company, will be owned by the Consolidated Company. The Niagara Falls Power Company will continue to own all the capital stock of Canadian Niagara Power Company, Limited, Gorge View Park, Inc., and Niagara Junction Railway Company. The following tables show the relationships, respectively, of Buffalo Niagara and its subsidiary companies at present, and of the Consolidated Company and its subsidiaries after giving effect to the proposed consolidation:

Before Consolidation

Buffalo, Niagara and Eastern Power Corporation.
- Buffalo Niagara Electric Corporation
  - Niagara, Lockport and Ontario Power Company.
    - Hydraulic Race Company.
    - Lower Niagara River Power and Water Supply Company.
  - The Lockport and Newfane Power and Water Supply Company.
  - The Niagara Falls Power Company
    - Canadian Niagara Power Company Limited.
    - Gorge View Park, Inc.
    - Niagara Junction Railway Company.

After Consolidation

Buffalo Niagara Electric Corporation
- The Niagara Falls Power Company
  - Canadian Niagara Power Company Limited.
  - Gorge View Park, Inc.
  - Niagara Junction Railway Company.
- Hydraulic Race Company.
- Lower Niagara River Power and Water Supply Company.

2. The following tabulation shows the outstanding securities of the constituent companies in the proposed consolidation at June 30, 1945, and their ownership by Niagara Hudson, Buffalo Niagara and others:

	Par or stated value or principal amount		
	Held by Niagara Hudson	Held by Buffalo Niagara	Held by others
BUFFALO NIAGARA			
Common stock, 2,020,125 shares, without par value	$2,020,118.25		$6.75
Class A stock, 501,493 shares, without par value	501,493.00		
$1.60 cumulative preferred stock, 2,099,725 shares, $25 par value	313,631.25		52,104,493.75
$5 cumulative first preferred stock, 350,000 shares, without par value			35,000,000.00
6 percent demand note	1,000,000.00		
BUFFALO NIAGARA ELECTRIC CORP.			
Common stock		$27,494,225	
Mortgage bonds			36,725,000.00
2¼ percent debentures			7,200,000.00
NIAGARA, LOCKPORT & ONTARIO POWER CO.			
Common stock		20,593,000	
Mortgage bonds			20,416,000.00
THE LOCKPORT & NEWFANE POWER & WATER SUPPLY CO.			
Common stock		389,500	

3. On or before the effective date of the proposed consolidation, Buffalo Niagara proposes to pay to the holders of its $5 first preferred stock an amount equal to unpaid dividends on such stock up to the effective date of consolidation.

4. Niagara Hudson proposes to offer to purchase at any time after the approval of the amended plan by the Commission and prior to the date of consolidation (a period of approximately 30 days) such shares of the $1.60 Preferred Stock as may be tendered to it for sale at prices not less than $26.25 nor more than $30 per share. The shares of $1.60 preferred stock of Buffalo Niagara thus purchased together with 12,545¼ shares of such stock presently owned by Niagara Hudson will be surrendered to Buffalo Niagara for cancellation.

5. To effect the retirement of the $1.60 preferred stock, Niagara Hudson will contribute to Buffalo Niagara cash in the amount of $63,000,000 less the sum of $30.25 for each share of the $1.60 preferred stock purchased by Niagara Hudson as above provided.

6. On or before the proposed consolidation, Buffalo Niagara proposes to retire all the outstanding shares of its $1.60 preferred stock at the redemption price of $26.25 per share plus an amount equal to unpaid dividends as provided in Buffalo Niagara's certificate of incorporation.

7. The capital stock of the Consolidated Company initially to be issued will consist of 350,000 shares of preferred stock, 5% Series, $100 par value, and 3,000,000 shares of no par value common stock with a stated value of $22,000,000. Each holder of one share of the $5 first preferred stock of Buffalo Niagara at the effective date of consolidation will become the holder of one share of the Preferred stock, 5% Series, of the Consolidated Company for each such share held. All of the common stock of the Consolidated Company (except scrip for 6¾ shares) will be issued to Niagara Hudson in exchange for the shares which it holds of the common and Class A stocks of Buffalo Niagara.

8. The Consolidated Company proposes to refund the $1,000,000 6% Demand Note of Buffalo Niagara held by Niagara Hudson by the issuance to Niagara Hudson of a new note for a like amount, such note being payable, in whole or in part, on or before February 1, 1952 and bearing interest at the rate of 2% per annum.

9. At June 30, 1945 the constituent companies had outstanding $64,339,000 principal amount of funded debt. The Consolidated Company immediately after the effective date of consolidation intends to refund $57,139,000 principal amount thereof through issuance and sale of an equivalent amount of its First Mortgage Bonds to be sold at an interest rate not expected to exceed 3%. The Consolidated Company intends to leave outstanding $7,200,000 principal amount of 2¼% Debentures of Buffalo Niagara Electric Corporation.

10. The Consolidated Company proposes to redeem and refinance at a lower dividend rate all its 350,000 shares of First Preferred Stock, 5% Series ($100 par value) as quickly as possible after the above-mentioned debt refunding.

II. *Provisions appearing solely in the plan filed by Niagara Hudson.* 1. As set forth in paragraph 5 above, Niagara Hudson proposes to contribute cash to Buffalo Niagara to enable the latter to retire its outstanding shares of $1.60 preferred stock. Such cash is to be obtained by Niagara Hudson from its cash resources, the sale of its holdings of 41,515-17/20 shares of the preferred stock, 5% Series, of Central New York Power Corporation, 201,500 shares of the common stock of Consolidated Edison Company of New York, Inc., and 445,738 shares of the common stock of Central Hudson Gas and Electric Corporation, and the issue of notes to banks in the amount of $40,000,000. Such notes to banks will bear interest at the rate of 2% per annum, will mature in their entirety two years after the respective dates thereof and will contain an option to Niagara Hudson to extend the maturity of such notes for an additional period of three years with the consent of the Commission.

2. Niagara Hudson represents that it proposes to divest itself of all its holdings of common stock of the Consolidated Company before the maturity of the bank loan, referred to above, or any extension thereof that may be approved by the Commission.

3. Niagara Hudson proposes to reduce the par value of its common stock to $1 per share and thereby to create capital surplus in the amount of approximately $86,000,000 to be available for any adjustment of the carrying value of Niagara Hudson's investment in its subsidiaries or for any other proper adjustments to its accounts. Such reduction of capital will be effected for the purpose of enabling Niagara Hudson to resume the payment of dividends on its first preferred stock.

4. Following liquidation of the notes to banks and the completion of corporate integration and simplification relating to several of its directly owned subsidiaries, Niagara Hudson proposes to effect the elimination of its prefered stocks or to take appropriate action to effectuate ultimate liquidation or dissolution of Niagara Hudson.

III. The Commission being required by the provisions of section 11 (e) of the act, before approving any plan thereunder to find, after notice and opportunity for hearing, that such plan, as submitted or modified, is necessary to effectuate the provisions of section 11 (b) and is fair and equitable to the persons affected thereby; and

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to the amended plans filed by Niagara Hudson and Buffalo Niagara, and that neither of said plans should be approved except pursuant to further order of the Commission;

It is ordered, That the above entitled consolidated proceedings be reconvened and a hearing under the applicable provisions of said act and rules of the Commission thereunder be held on August 2, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues heretofore involved in the consolidated proceedings, particular attention will be directed to the following matters and questions:

(1) Whether the amended plans herein, as submitted or as hereafter modified, are necessary to effectuate the provisions of section 11 (b) of the act and are fair and equitable to the persons affected thereby;

(2) Whether consummation of said plans, as submitted or as hereafter modified, will constitute compliance with the

Order of the Commission dated June 19, 1944;

(3) Whether the offer by Niagara Hudson to purchase at any time after the approval of the amended plans by the Commission and prior to the date of consolidation such shares of $1.60 preferred stock as may be tendered to it for sale at prices not less than $26.25 nor more than $30 per share complies with the applicable provisions of the act and rules promulgated thereunder;

(4) Whether the securities to be issued in connection with the proposed amended plans, and more particularly, whether the proposed bank loan by Niagara Hudson in the amount of $40,000,000 and the proposed refunding of the demand note of Buffalo Niagara in the principal amount of $1,000,000 held by Niagara Hudson, by issuance of a note of the Conselidated Company in said amount, conform with the applicable standards of the act;

(5) Whether the proposed disposition by Niagara Hudson of its holdings of the preferred stock of Central New York Power Corporation and the common stocks of Central Hudson Gas and Electric Corporation and Consolidated Edison Company of New York, Inc., is in conformity with the applicable standards of the Act, and what, if any, terms and conditions or exemptions should be ordered in connection therewith;

(6) Whether the amended plans should be modified to include a provision for the payment by Niagara Hudson and Buffalo Niagara of such fees and expenses in connection with said plans or the proceedings with respect thereto as the Commission may determine, award, allow or allocate;

(7) Whether the accounting adjustments and entries proposed to be made in connection with the proposed plans are proper and in accordance with sound accounting practice;

(8) Whether Niagara Hudson may acquire the common stock of the Consolidated Company and what terms and conditions, if any, should be imposed in connection therewith, and whether Niagara Hudson should be required to divest itself of such stock in accordance with the provisions of Section 11 of the act;

(9) What steps other than those contemplated in the plans, if any, should be required of Niagara Hudson or its subsidiaries to effectuate compliance with the requirements of section 11 (b) (2) of the act;

(10) Generally, whether the provisions of the plans are in all respects in the public interest and in the interests of investors and consumers and are consistent with all applicable requirements of the act and rules thereunder and, if not, what modifications will be required, or terms and conditions imposed, to satisfy the statutory standards.

It is further ordered, That notice of said hearing is hereby given to Buffalo Niagara, Niagara Hudson and their subsidiary companies, and to all interested persons; said notice to be given to Buffalo Niagara, Niagara Hudson and the Public Service Commission of the State of New York by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That Buffalo Niagara and Niagara Hudson shall give additional notice of said hearing to their respective stockholders by causing a copy of this notice and order to be mailed to them at their respective addresses not less than ten days prior to the date of said hearing.

It is further ordered, That jurisdiction be, and hereby is, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings, to consolidate with these proceedings other filings or matters pertaining to the plans and to take such other action as may appear conducive to the orderly, prompt and economical disposition of the matters involved.

It is requested that any persons desiring to be heard in these proceedings shall file with the Secretary of the Commission on or before July 30, 1945, an appropriate request or application to be heard as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13025; Filed, July 18, 1945; 9:46 a. m.]

[File Nos. 54-63, 59-47]

REPUBLIC SERVICE CORP., ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING ON PLAN FILED

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of July, A. D. 1945.

The Commission, by order dated February 19, 1943, in proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 (File No. 59-47), having ordered that Republic Service Corporation ("Republic"), a registered holding company, among other things, divest itself of its interests in its Virginia subsidiaries and recapitalize in an appropriate manner so as to insure that the corporate structure of Republic does not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among security holders of Republic's holding company system, and that, upon such recapitalization, the common stock of Republic shall be accorded no participation; and

The Commission, by order dated April 16, 1945, having approved a plan filed by Republic pursuant to section 11 (e) of the act ("Plan No. 1") providing for the sale by Republic of its interests in its Virginia subsidiaries and the application of the proceeds of such sale, together with other company funds, to the pro rata payment of 60% of the principal amount of Republic's outstanding First Lien Collateral Trust Twenty-Five Year Bonds, 5%, Series A, due 1951 ("Collateral Trust Bonds"); and

Republic having heretofore filed a plan pursuant to section 11 (e) of the act ("Plan No. 2"), providing for the recapitalization of Republic by the conversion of its remaining Collateral Trust Bonds, after consummation of Plan No. 1, and its outstanding preferred stock, into a single class of common stock, allocating 84.66⅔% of the new common stock to the Collateral Trust Bonds and 15.34⅓% of such stock to the preferred stock; Irving H. Isaac, representing himself to be a stockholder of Republic, having heretofore filed a plan ("Stockholder Plan") providing for the recapitalization of Republic by (a) the payment of its Collateral Trust Bonds through the use of proceeds derived from the sales of its Virginia subsidiaries, the issue and sale of $1,545,250 principal amount of new bonds and temporary borrowing, and (b) the conversion of Republic's outstanding preferred stock into a single class of common stock; Plan No. 2 and the Stockholder Plan both providing that the outstanding common stock of Republic is not to participate in the recapitalization, and both plans having been summarized in the Commission's notice of filing and order for hearing dated August 24, 1944 (Holding Company Act Release No. 5243);

Notice is hereby given that said Irving H. Isaac has filed an amended plan for the recapitalization of Republic ("Stockholder Amended Plan").

All interested persons are referred to said document, which is on file in the offices of this Commission, for a statement of the terms of the stockholder amended plan, which may be summarized as follows:

I. Republic had outstanding, as of December 31, 1944, $4,409,500 principal amount of Collateral Trust Bonds, 17,581 shares of $6 Cumulative Preferred Stock without par value, and 54,468$^{15}/_{20}$ shares of Common Stock without par value (of which 8$^{15}/_{20}$ shares were represented by unexchanged scrip). No dividends had been paid on the preferred stock since May 1, 1933. Dividend arrearages thereon aggregated $1,226.275, or $69.75 per share, as of December 31, 1944.

II. The Stockholder Amended Plan proposes to recapitalize Republic by the payment of its outstanding Collateral Trust Bonds at principal amount and accrued interest, by the conversion of Republic's outstanding preferred stock into new common stock, and by the issue and sale of new securities. In such recapitalization, the common stock of Republic is to be accorded no participation. To effectuate the recapitalization, the Stockholder Amended Plan proposes:

1. That Republic sell at private sale $1,300,000 principal amount of secured debentures payable in ten years, bearing interest at not more than 4%, at a price of 102% of the principal amount thereof;

2. That Republic issue 70,324 shares of new common stock, par value $10 per share, of which 35,162 shares (50%) are proposed to be distributed to the holders of Republic's preferred stock on the basis of two shares of the new common stock for each share of preferred stock. The remaining 35,162 shares of new common stock are to be sold at $10 per share by offering to each preferred stockholder the right to purchase two shares of the new common stock for each share of preferred stock held. The unsubscribed shares of new common stock are to be purchased by a group of three of Republic's preferred stockholders;

3. That Republic borrow the sum of $100,000 on a note bearing interest at a rate not in excess of 2½% and maturing in two years, subject to payment in whole or in part prior to the maturity date, to be secured by a pledge of Republic's interest in $107,500 of escrow funds provided for in the contracts of sale entered into by Republic for the sales of the securities of its Virginia subsidiaries. The stockholder amended plan states that the above-mentioned group of preferred stockholders will agree to purchase additional shares of common stock on the same terms, to the extent Republic suffers any loss on its interest in such escrow funds.

The stockholder amended plan provides that a meeting of the holders of the new common stock to elect a new Board of Directors is to be held within thirty days after the entry of a Court order enforcing the plan, in conformity with such requirements as this Commission may approve regarding the machinery for nomination and election.

III. It appearing that proceedings have heretofore been instituted pursuant to section 11 (b) of the act directed to Republic and its subsidiary companies (File No. 59-47) by Commission Orders dated May 8, 1942, and June 17, 1942; and

It further appearing that the Commission has heretofore consolidated the section 11(b) proceedings and the proceedings in respect of the plans filed by Republic, pursuant to section 11(e) of the act, and in respect of the stockholder plan (File No. 54-63), and that public hearings have been held with respect to such consolidated proceedings and have been continued subject to call of the Trial Examiner; and

It further appearing to the Commission that it is appropriate that the hearings heretofore held pursuant to section 11 (b) and section 11 (e) of the act, adjourned as aforesaid, be reconvened and that notice be given and further evidence received upon the Stockholder Amended Plan, Plan No. 2 filed by Republic, and any other plan that may be proposed by the Commission or by any person having a bona fide interest in the reorganization, pursuant to the provisions of section 11(d) of the act, to afford all interested persons an opportunity to be heard with respect thereto, and that no such plan should be approved except pursuant to further order of the Commission;

It is ordered, That the hearings in the consolidated proceedings under the applicable provisions of the act and the rules of the Commission thereunder be reconvened on August 13, 1945 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on such day by the hearing room clerk in Room 318.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either in whole or in part, or to dispose in whole or in part of, any of the issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That William W. Swift or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues otherwise to be considered in these proceedings, particular attention shall be directed at the hearing to the following matters and questions (in addition to the matters and questions specifically noted in the Commission's order of August 24, 1944, Holding Company Act Release No. 5243):

1. Whether the stockholder amended plan, as submitted or as hereafter modified, is fair and equitable and whether the Commission should approve it and apply to a court for its enforcement;

2. Whether consummation of the stockholder amended plan would effect compliance by Republic and its subsidiaries with the order of this Commission dated February 19, 1943 (File No. 59-47);

3. Whether the transactions proposed in the stockholder amended plan comply with all the requirements of the applicable provisions of the act and the rules promulgated thereunder;

4. Whether the securities proposed to be issued by Republic in connection with the stockholder amended plan are reasonably adapted to the security structure and earning power of Republic and its subsidiaries, and whether any terms or conditions should be imposed in connection therewith;

5. Whether the terms and conditions of the issue or sale of any of the securities proposed to be issued and sold are detrimental to the public interest or the interest of investors or consumers;

6. Whether the fees and expenses proposed to be paid in connection with the stockholder amended plan and related transactions are reasonable and appropriate;

7. Whether the accounting entries proposed to be made in connection with the stockholder amended plan are proper and in accordance with sound accounting principles;

8. Whether, in the event that the Commission shall not approve the stockholder amended plan as filed or as modified, a plan proposed by the Commission or by any other person having a bona fide interest in the reorganization of Republic should be approved by the Commission for purposes of section 11 (d), and, if proposed by the Commission, what the terms and provisions of such plan should be;

9. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and Rules promulgated thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of said hearing is hereby given to Irving H. Isaac, to Republic Service Corporation and its subsidiary companies, to the Pennsylvania Public Utility Commission, to The Pennsylvania Company for Insurance on Lives and Granting Annuities, and to all interested persons, said notice to be given to Irving H. Isaac by registered mail addressed to Lynne A. Warren, his attorney; to Republic Service Corporation, to the Pennsylvania Public Utility Commission, and to The Pennsylvania Company for Insurance on Lives and Granting Annuities, by registered mail; and to all other persons by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That Republic shall give additional notice of said hearing to all known holders of its outstanding First Lien Collateral Trust Twenty-Five-Year Bonds 5% Series A, due 1951, and to all known holders of its outstanding preferred and common stocks, by causing a copy of this notice of filing and notice of and order for hearing to be mailed to such holders at their last known addresses, such mailing to be made not less than ten days prior to the date of such hearing.

It is requested that any persons desiring to be heard in these proceedings shall file with the Secretary of this Commission, on or before August 10, 1945, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13026; Filed, July 18, 1945; 9:46 a. m.]

[File Nos. 70-641, 59-62]

GENERAL GAS & ELECTRIC CORP., ET AL.

ORDER MODIFYING CONDITION AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of July 1945.

In the matter of General Gas & Electric Corporation, Florida Power Corporation, Florida Public Service Company, Sanford Gas Company, Santa Fe Land Company, Georgia Power and Light Company, File No. 70-641; Georgia Power and Light Company, General Gas & Electric Corporation, File No. 59-62.

The Commission by order dated September 7, 1943, having granted applications and permitted declarations to become effective with respect to the proposed merger, and related transactions, of Florida Power Corporation, Florida Public Service Corporation, Florida Public Service Company, Sanford Gas Company and Santa Fe Land Company, subsidiaries of General Gas & Electric Cor-

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poration, a registered holding company, subject to the following condition, among others:

That Florida Power Corporation shall, within one year of the effective date of the merger into it of Florida Public Service Company, Sanford Gas Company and Santa Fe Land Company, divest itself, in any appropriate manner not in contravention of the applicable provisions of the act or the rules and regulations promulgated thereunder, of all water, gas and ice properties owned by it, other than the ice plant in the City of Orlando, Florida, and the water properties servicing the community of Winter Garden, Florida, and all land obtained as the results of the merger of Santa Fe Land Company,

and

The Commission having subsequently, upon the request of General Gas & Electric Corporation, extended the time within which compliance with the provisions of said order may be completed until July 14, 1945;

General Gas & Electric Corporation having now requested that the time within which Florida Power Corporation may complete compliance with the provisions of said order be extended for a further period of six months and having stated, in connection with such request, that since January 14, 1944, the effective date of said merger, constituent companies, by sales to non-affiliates, have disposed of all their water properties other than those servicing the community of Winter Garden, Florida; that Florida Power Corporation, by sales to non-affiliates, has disposed of 1,610 acres of land obtained as a result of the merger of Santa Fe Land Company, and still retains 292 acres of such land; that on January 20, 1945, Florida Power Corporation entered into a contract with Florida Utilities Corporation (a non-affiliate) for the sale to that corporation of all of the gas properties owned by Florida Power Corporation for a base price of $1,210,000, subject to the approval of the Commission and to the acquiescence of the trustees of Associated Gas and Electric Corporation, pursuant to an order of the United States District Court for the Southern District of New York; and that various efforts have been made to dispose of the ice properties (other than the ice plant in Orlando Florida) but those efforts have not yet been successful; and

The Commission finding that the granting of such extension would not be detrimental to the public interest or to the interest of investors or consumers;

It is ordered, That the time for completing compliance with the provisions of said order dated September 7, 1943, be, and hereby is, extended until January 14, 1946.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-13027; Filed, July 18, 1945; 9:46 a. m.]

WAR MANPOWER COMMISSION.

ALLENTOWN, PA., AREA

MINIMUM WARTIME WORKWEEK

The designation of the Allentown, Pennsylvania Area (9 F. R. 2429) as subject to the provisions of Executive Order No. 9301 is hereby revoked as it applies to activities and establishments not designated as essential or locally needed by the War Manpower Commission, effective July 15, 1945.

The application of Executive Order No. 9301 to essential and locally needed activities in the designated area shall be made in accordance with policies and procedures established by the War Manpower Commission.

The geographical area affected by this amended shall be the same as specified in the original order.

Dated: July 10, 1945.

PAUL C. LEWIS,
Regional Director.

[F. R. Doc. 45-13031; Filed, July 18, 1945; 10:55 a. m.]

CHAMBERSBURG, PA.

MINIMUM WARTIME WORKWEEK

The designation of the Chambersburg, Pennsylvania Area (9 F.R. 2430) as subject to the provisions of Executive Order No. 9301 is hereby revoked, effective July 16, 1945.

The geographical area affected by this revocation shall be the same as specified in the original order.

Dated: July 13, 1945.

PAUL C. LEWIS,
Regional Director.

[F. R. Doc. 45-13030; Filed, July 18, 1945; 10:55 a. m.]

TWIN CITIES, MINN.

MINIMUM WARTIME WORKWEEK

The designation of the Twin Cities, Minn., labor market area (10 F.R. 885) as subject to the provisions of Executive Order No. 9301 is hereby revoked, effective July 9, 1945.

F. M. RARIG, Jr.,
Regional Director, Region VIII, War Manpower Commission.

JULY 7, 1945.

[F. R. Doc. 45-13029; Filed, July 18, 1945; 10:55 a. m.]

FEDERAL REGISTER

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934 LITTERA SCRIPTA MANET

VOLUME 10 NUMBER 144

Washington, Friday, July 20, 1945

The President

PROCLAMATION 2655

REMOVAL OF ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 4067 of the Revised Statutes of the United States (50 U.S.C. 21) provides:

Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety;

WHEREAS sections 4068, 4069, and 4070 of the Revised Statutes of the United States (50 U.S.C. 22, 23, 24) make further provision relative to alien enemies;

WHEREAS the Congress by joint resolutions approved by the President on December 8 and 11, 1941, and June 5, 1942, declared the existence of a state of war between the United States and the Governments of Japan, Germany, Italy, Bulgaria, Hungary, and Rumania;

WHEREAS by Proclamation No. 2525 of December 7, 1941, Proclamations Nos. 2526 and 2527 of December 8, 1941, Proclamation No. 2533 of December 29, 1941, Proclamation No. 2537 of January 14, 1942, and Proclamation No. 2563 of July 17, 1942, the President prescribed and proclaimed certain regulations governing the conduct of alien enemies; and

> *The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.*

WHEREAS I find it necessary in the interest of national defense and public safety to prescribe regulations additional and supplemental to such regulations:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid sections of the Revised Statutes of the United States, do hereby prescribe and proclaim the following regulations, additional and supplemental to those prescribed by the aforesaid proclamations:

All alien enemies now or hereafter interned within the continental limits of the United States pursuant to the aforesaid proclamations of the President of the United States who shall be deemed by the Attorney General to be dangerous to the public peace and safety of the United States because they have adhered to the aforesaid enemy governments or to the principles of government thereof shall be subject upon the order of the Attorney General to removal from the United States and may be required to depart therefrom in accordance with such regulations as he may prescribe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of July in the year of our Lord nineteen hundred and forty-five and of the Independence of the United States of America the one hundred and seventieth.

[SEAL]

HARRY S. TRUMAN

By the President:

JAMES F. BYRNES,
Secretary of State.

[F. R. Doc. 45-13056; Filed, July 18, 1945; 4:29 p. m.]

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EXECUTIVE ORDER 9589A

AUTHORIZING THE PETROLEUM ADMINISTRATOR TO TAKE POSSESSION OF AND OPERATE THE BUTADIENE PLANT OPERATED BY SIN-

request of the Petroleum Administrator, or such person as may be designated to act for him, the Secretary of War shall take such action as may be necessary to provide such protection to such persons

Paragraph (d) (6) of § 709.70 pertaining to Cap, WAC, is revoked.

§ 709.70 *Service Uniform; General.* (a) Definition of term "Women person-

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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EXECUTIVE ORDER 9589A

AUTHORIZING THE PETROLEUM ADMINISTRATOR TO TAKE POSSESSION OF AND OPERATE THE BUTADIENE PLANT OPERATED BY SINCLAIR RUBBER, INC., AT HOUSTON, TEXAS

WHEREAS, after an investigation I find and proclaim that the butadiene plant located at Houston, Texas, and owned by Reconstruction Finance Corporation and operated for the account of Reconstruction Finance Corporation (acting by and through its Office of Rubber Reserve) by Sinclair Rubber, Inc. as the lessee in possession pursuant to lease from Reconstruction Finance Corporation (acting through its Office of Defense Plants) is equipped for the production of butadiene for use in the manufacture of synthetic rubber required for the war effort; that there is a real, substantial, and immediate emergency in the form of a threatened interruption of the butadiene plant as a result of a labor disturbance; that the immediacy and extent of the emergency will not permit of further delay without irreparable damage to the war effort; that the war effort will thereby be unduly impeded or delayed for an indefinite period by an interruption however brief; that the productive efficiency of the butadiene plant is impaired by reason of the labor dispute; and that the exercise hereinafter specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of the said butadiene plant:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892), as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Petroleum Administrator is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the butadiene plant hereinabove described and, to the extent that he may deem necessary, of any real or personal property and other assets, wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the butadiene plant in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Sinclair Rubber, Inc., and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the butadiene plant and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this Order.

2. The Petroleum Administrator shall observe the provisions of the War Labor Disputes Act in the operation of the butadiene plant.

3. The Petroleum Administrator is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the butadiene plant and all persons employed or seeking employment therein, and upon the request of the Petroleum Administrator, or such person as may be designated to act for him, the Secretary of War shall take such action as may be necessary to provide such protection to such persons and property.

4. All Federal agencies, including, but not limited to, the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Petroleum Administrator to the fullest extent possible in carrying out the purposes of this Order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this Order shall be terminated by the Petroleum Administrator within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the threatened interruption of production, referred to in the recitals of this Order, has been restored.

6. The Petroleum Administrator may delegate any and all power, authority, and discretion conferred upon him by this Order to the Deputy Petroleum Administrator. The Petroleum Administrator and Deputy Petroleum Administrator may exercise the powers, authority, and discretion conferred upon them by or under the provisions of this Order through such personnel of the Petroleum Administration for War as they may determine.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 19, 1945.

[F. R. Doc. 45–13080; Filed, July 19, 1945; 10:04 a. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 304—MILITARY COURT FEES

MILITARY COMMISSION

Amend § 304.1 by adding the following sentence at the end of the section:

§ 304.1 *Use of term "court."* • • •. "Military commission" shall be deemed to include any tribunal, by whatever name described, convened in the exercise of military government having jurisdiction over felonies and other serious offenses and consisting solely of officers of the United States Army. (R.S. 161; 5 U.S.C. 22) [AR 35–4120, as amended by C2, 7 July 1945]

Chapter VII—Personnel

PART 701—RECRUITING AND INDUCTION FOR THE ARMY OF THE UNITED STATES

PART 709—PRESCRIBED SERVICE UNIFORM

MISCELLANEOUS AMENDMENTS

Paragraph (c) of § 701.6 pertaining to reenlistment in grade within 20 days from date of discharge, is revoked.

§701.6 *Grade*—(a) *Original enlistments.* • • •

(c) [Revoked] (41 Stat. 765; 10 U.S.C. 42) [AR 600–750 30 Sep 1942 as amended by Cir. 208, 12 July 1945]

Paragraph (d) (6) of § 709.70 pertaining to Cap, WAC, is revoked.

§ 709.70 *Service Uniform; General.* (a) Definition of term "Women personnel of the Army" • • •

(d) *Distinctive items of uniform.* • • •

(6) [Revoked] (R.S. 1296; 10 U.S.C. 1391) [AR 600–37, 16 April 1945, as amended by Cir. 208, 12 July 1945]

[SEAL] EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 45–13081; Filed, July 19, 1945; 9:43 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders

[WFO 75–3, Amdt. 17]

PART 1410—LIVESTOCK AND MEATS

PORK SET ASIDE REDUCTION

War Food Order No. 75–3, as amended (10 F.R. 6499, 7789), is further amended as follows:

1. By deleting the table at the end of paragraph (b) and substituting in lieu thereof the following:

PERCENTAGE OF LIVE WEIGHT OF HOGS PURCHASED FOR SLAUGHTER

Type of dressed pork cut or pork product:	
Hams	5.5
Loins	5
Shoulders and manufacturing pork	7
Bellies	3.5
Lard	5.5

2. By deleting the table which appears in Appendix A and substituting in lieu thereof the following:

Current rate of slaughter (percent of weekly average July 1941)	Percentages of live weight of slaughter				
	Loins	Hams	Square-cuts, bellies, and intermediate cuts	Shoulders and manufacturing pork	Total
Less than 50.1	4.3	4.7	3.0	5.9	17.9
50.1–55.0	4.5	5.0	3.1	6.3	18.9
55.1–60.0	4.7	5.2	3.3	6.5	19.7
60.1–65.0	4.9	5.3	3.4	6.8	20.4
65.1–80.0	5.0	5.5	3.5	7.0	21.0
80.1–85.0	5.1	5.6	3.6	7.2	21.5
85.1–90.0	5.2	5.7	3.7	7.3	21.9
90.1–95.0	5.3	5.8	3.7	7.4	22.2
95.1–100.0	5.3	5.9	3.8	7.5	22.5
Over 100.0	5.4	6.0	3.8	7.6	22.8
Slaughterers without July 1944 slaughter history	5.4	6.0	3.8	7.6	22.8

3. By deleting the paragraph entitled "Specifications" at the end of Appendix A and substituting in lieu thereof the following:

Not less than 70 percent of all loins set aside shall be converted into semi-boneless (partially boneless) loins.

Not less than 20 percent of all hams set aside shall be processed into overseas hams requiring 96 hours' smoke, and not less than 30 percent of all hams set aside shall be processed into Army hams requiring 48 hours' smoke.

Not less than 60 percent of all square-cuts and seedless bellies set aside shall be processed into overseas bacon requiring 96 hours' smoke, and not less than 20 percent of such square-cuts and seedless bellies shall be proc-

essed into Army bacon requiring 48 hours' smoke.

This amendment shall become effective at 12:01 a. m., e. w. t., July 22, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–3, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 18th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13050; Filed, July 18, 1945; 12:36 p. m.]

[WFO 63, Amdt. 3]

PART 1596—FOOD IMPORTS

RESTRICTIONS ON IMPORTS OF CERTAIN FOODS

War Food Order No. 63 (9 F.R. 13280, 14877, 10 F.R. 103) is amended to read as follows:

§1596.1 *Food Imports*—(a) *Definitions.* For the purposes of this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Consignee" means the person to whom a food is consigned at the time of importation.

(2) "Director" means the Director of Supply, United States Department of Agriculture.

(3) "Food" means any item or commodity listed from time to time in attached Appendix A as being subject to this order.

(4) "Governing date" with respect to any food means the date when such food first became subject to War Food Order 63 as shown in the attached Appendix A.

(5) "Import" means to transport in any manner into the continental United States, Puerto Rico, or the Virgin Islands of the United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, Puerto Rico, or the Virgin Islands of the United States and shipments in bond into the continental United States, Puerto Rico, or the Virgin Islands of the United States for transshipment into Canada, Mexico, or any other foreign country.

(6) "In transit" means that food (i) is afloat, (ii) has had an on-board ocean bill of lading actually issued with respect to it, or (iii) has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States, Puerto Rico, or the Virgin Islands of the United States.

(7) "Owner" of any food means any person who has any property interest in such food except a person whose interest is held solely as security for the payment of money.

(8) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(b) *Restrictions on imports*—(1) *General restriction.* No person, except as authorized in writing by the director, shall import, purchase for import, receive or offer to receive on consignment for import, or make any contract or other arrangement for the importing of any food listed in Appendix A hereof after the governing date. The foregoing restrictions shall apply to the importation of any food listed in Appendix A, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such food.

In the issuance of authorizations, the Director shall act in accordance with the standards and guides set forth in paragraph (c) hereof.

(2) *Application for authorization.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the food to be imported, or agent of any of them, shall make application therefor on Form WPB–1041 or such other form as may be issued for this purpose by the Director, addressed to the Director of Supply, United States Department of Agriculture, Washington 25, D. C. Ref: WFO 63. Unless otherwise expressly permitted, such authorization shall apply only to the particular food and shipment mentioned therein and to the persons and their agents concerned with such shipment. Such authorizations shall not be assignable or transferable either in whole or in part, except as authorized in writing by the Director.

(3) *Use of authorization.* No person holding an import authorization shall use such authorization to import food acquired, purchased, contracted, or arranged for by him prior to the issuance of such authorization, unless the Director specifically in writing permits such use. This restriction shall not apply to food acquired, purchased, contracted, or arranged for prior to the governing date.

(4) *Restrictions on financing.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any food subject to this order, unless such bank or person either has received a copy of the authorization by the Director under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (5) and (b) (6).

(5) *Exceptions.* Unless otherwise directed by the Director the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, United States Army, or any other United States Governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation; or

(ii) To food of which any United States Governmental department, agency, or corporation is the owner at the time of importation, or to any food which any United States Governmental department, agency, or corporation sells or otherwise transfers to a person at the time of importation; or

(iii) To food which on the governing date was in transit; or

(iv) To food consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or

(v) To food consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or

(vi) To food consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) To food grown, produced, or manufactured in the continental United States, or food imported into the United States, which, after being shipped outside the continental United States for storage only, is returned to the United States; or

(viii) To food shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada; or

(ix) To food which is located in, and which has been grown, produced, or manufactured in Canada, Mexico, Guatemala, or El Salvador and transported therefrom into the continental United States overland, by air, or by inland waterway. This exception shall not, however, extend to food which is marked with the designation (1) in Appendix A, attached.

(6) *Imports into Puerto Rico and the Virgin Islands.* (i) The restrictions of this order:

(*a*) Shall not apply to inter-island shipments of food between Puerto Rico and the Virgin Islands of the United States;

(*b*) Shall not apply to imports of food into Puerto Rico or the Virgin Islands of the United States from the continental United States;

(*c*) Shall apply to any shipment of food listed in Appendix A which originates in a foreign country and simply passes through the continental United States en route to Puerto Rico or the Virgin Islands of the United States; and

(*d*) Except as provided in (c) immediately above, shall apply to imports into Puerto Rico or the Virgin Islands of the United States only with respect to food which is marked with the designation (2) in Appendix A.

(ii) This order shall not affect any regulations now or hereafter issued by any governmental authority covering shipments of food from the continental United States to Puerto Rico and the Virgin Islands of the United States.

(c) *Restrictions after importation.* Unless otherwise provided by the terms of the authorization (or amendments thereof) issued pursuant to paragraph (b) (2), any food which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order; but all such transactions shall be subject to all applicable provisions of the regulations, orders and directions of the United States Department of Agriculture which now or hereafter may be in effect with respect to such food.

(d) *Change of commodities listed in Appendix A.* The Director may from time to time add or remove commodities from Appendix A; *Provided*, That in so doing he shall follow the standards and guides set forth in paragraph (c) below.

(e) *Standards and guides.* In the issuance of authorizations, and in the addition or removal of commodities from Appendix A hereof, the Director shall follow these standards and guides: (1) he shall be satisfied that in the absence of such action the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of materials or facilities for defense or for private account or for export; (2) he shall take into consideration the following factors; the allocation, if any, of such food by the Combined Food Board; the effect of the importation of such food on the procurement of strategic materials; the availability of shipping facilities for the importation of such food; and (3) in the issuance of authorizations, the Director shall allocate the authorizations granted by him on a fair and equitable basis among different groups of applicants and among applicants within the same group.

(f) *Records and reports*—(1) *Reports on customs entry.* No food which is imported after the governing date, including food imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, United States Army, or any other United States Governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file in duplicate with the entry Form WFO 63–1. The filing of such form a second time shall not be required upon any subsequent entry of such food through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any food from bonded custody of the United States Bureau of Customs, regardless of the date when such food was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the Director of Supply, United States Department of Agriculture, Washington 25, D. C., Ref.: WFO 63.

(2) *Records and other reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person as may be necessary or appropriate, in the Director's discretion, in the enforcement or administration of the provisions of this order.

(g) *Audits and inspections.* The Director shall be entitled to make such audits or inspection of the books, records, and other writings, premises, or stocks of imported foods of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Supply, United States Department of Agriculture, Washington 25, D. C. Ref: WFO 63.

(i) *Revocation.* Any import authorization issued hereunder may be revoked at any time by the Director. Such revocation shall not affect food in transit at the time of revocation.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making deliveries of, or using any food covered by this order which is subject to allocations or priority control by the Secretary of Agriculture. In addition, any person who wilfully violates any provision of this order is guilty of a crime, and may be prosecuted under any or all applicable laws. Civil action may also be instituted to inforce any liability or duty created by, or to enjoin any violation of, any provision of this order. The Director may direct the disposition and use of any food which is imported without authorization as required by paragraph (b).

(k) *Unexpired authorizations under M–63.* Authorizations issued by the War Production Board under General Imports Order M–63 for food subject to this order, shall be deemed valid under this order until either their respective expiration date or until July 31, 1945, whichever occurs earlier.

(l) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture insofar as such powers relate to the administration of this order are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(m) *Effect on liability of removal of food from order.* The removal of any food from this order shall not be construed to effect in any way any liability for violations of the order which accrued or were incurred prior to the date of removal.

(n) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., July 20, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken prior to said date, under War Food Order No. 63, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right, liability or appeal.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 17th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

APPENDIX A—ITEMS SUBJECT TO WFO 63

The numbers listed after the following foods are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Foods are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Food	Commerce import class No.	Governing date
Alewives and other pickled or salted fish, n. s. p. f.[1 2]	0073.200–0073.900, inc.	Nov. 13, 1944
Apples, dried, desiccated, or evaporated [1 2]	1330.010	Do.
Apricots, dried, desiccated, or evaporated	1330.120	Do.
Argols, tartar and wine lees and crude calcium tartrate	8320.000, 8330.000, 8880.015	Do.
Babassu nuts and kernels	2239.150, 2239.190	Do.
Babassu nut oil	2257.100	Do.
Barley	1020.000	Do.
Beans, dried, except fava beans	N. S. C.	Do.
Beef and veal, pickled or cured [2]	0029.000	Do.
Beef, canned, including corned beef [2]	0028.000	Do.
Beef, fresh, chilled or frozen [2]	0018.000	Do.
Beef and mutton tallow—includes oleo stock [2]	0030.000	Do.
Beef and mutton tallow (inedible)—includes oleo stock	0815.000	Do.
Blood, dried n. s. p. f.	8505.000	Do.
Bones, ground, ash, dust, meal and flour (for feed and fertilizer use)	N. S. C.	Do.
Brazil or cream nuts	1356.000, 1357.000	Do.
Butter	0044.000	Do.
Cacao butter (cocoa butter)	1420.000	Do.
Cassia buds, unground	1533.000	Do.
Cassia, cassia vera, unground	1533.100	Do.
Cassia, cassia buds and cassia vera, ground	1550.070	Do.
Castor beans	2231.000	July 20, 1945
Castor oil	2260.020	Do.
Cheese	0045.100–0046.900, inc.	Nov. 13, 1944
Chickens and guineas:		
Dead, fresh, chilled or frozen, dressed or undressed [1 2]	0025.400	
Live	N. S. C.	Do.
Prepared or preserved [1 2]	N. S. C.	Do.
Chickpeas and garbanzos, dried [1]	1240.000	Do.
Chicle, crude and refined or advanced [1]	2130.000, 2189.500	Do.
Cinnamon, and chips of, unground	1526.000	Do.
Cinnamon, and chips of, ground	1550.050	Do.
Clams (except razor clams) and clams in combinations with other substances (except clam chowder) canned [1 2]	0051.200	July 20, 1945
Clams, razor, canned [1 2]	0051.300	Do.
Cocoa beans or cacao beans	1501.000	Nov. 13, 1944
Cocoa, unsweetened and sweetened	1502.100, 1502.300, 1502.900	Do.
Coconuts, in the shell	1351.000	Do.
Coconut meat, shredded and desiccated or similarly prepared	1370.000	Do.
Coconut oil	2242.500	Do.
Cod, haddock, hake, pollock, and cusk, pickled or salted (except in oil, etc., and in airtight containers, weighing with contents, not over 15 pounds each) [1 2]	0069.000, 0069.200, 0069.500	Do.
Coffee, raw or green, roasted or processed [1]	1511.000, 1511.100	Do.

See footnotes on following page.

such food except a person whose interest is held solely as security for the payment of money.

corporation is the owner at the time of importation, or to any food which any

directions of the United States Department of Agriculture which now or here-

APPENDIX A—ITEMS SUBJECT TO WFO 63—Continued

Food	Commerce import class No.	Governing date
Coluine nuts and kernels	N. S. C	Nov. 13, 1944
Coluine nut oil	N. S. C	Do.
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specially provided for	2260.120	Do.
Copra	2232.040	Do.
Corn [2]	1001.000	Do.
Corn [2]	1050.180	Do.
Corn, cracked [2]	1050.160	Do.
Corn meal, flour, grits and similar products	1050.220	Do.
Corned beef hash [2]	1123.100, 1123.200	Do.
Cottonseed oil, crude, refined	2232.060	July 20, 1945
Crabmeat, including crab sauce and crab paste, canned [2]	0350.700	Do.
Currants, dried	N. S. C	Nov. 13, 1944
Dates, dried	N. S. C	Do.
Egg albumen, dried	0401.000	Do.
Egg albumen, frozen or otherwise prepared or preserved, n. s. p. f	0405.000	Do.
Eggs of chicken, whole, in the shell	0088.100	Do.
Eggs, dried	0401.000	Do.
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f	0401.000	Do.
Eggs of poultry other than chicken, whole, in the shell	0088.500	Do.
Egg yolks, dried	0402.000	Do.
Egg yolks, frozen or otherwise prepared or preserved, n. s. p. f	0403.000	Do.
Fatty acids, not specially provided for, derived from vegetable oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260.220	Do.
Linseed oil	2260.240	Do.
Soybean oil	2260.240	Do.
Other, not elsewhere specified	N. S. C	Do.
Figs, dried	0307.360	July 20, 1944
Fish cakes, balls, and pudding, in oil, or in oil and other substances		
Fish, other, canned [2]:		
In oil, or in oil and other substances	0056.040	Feb. 15, 1945
Not in oil, or in oil and other substances	0067.060	Do.
Fish paste and fish sauce [2]	0078.200	July 20, 1945
Fish scrap and fish meal	0476.000, 5809.700	Nov. 13, 1945
Flaxseed (linseed) [2]	2293.000	Do.
Guano	N. S. C	Do.
Gums, n. e. s., used in manufacturing chewing gum	0395.000	Feb. 15, 1945
Herring, canned, smoked or kippered or in tomato sauce [2]	0050.040, 0050.060	Nov. 13, 1944
Herring, including sprats, pilchards, and anchovies, all types [2]	0050.080	Do.
Lamb, fresh, chilled or frozen [2]	0022.100	Do.
Lard (including rendered pork fat) [2]	0305.100	Do.
Lard compounds and lard substitutes made from animal or vegetable oils and fats [2]	0305.100	Do.
Leche caspi (including crude sorva gum)	2170.000	Do.
Lentils	1060.000	Do.
Linseed oil, and combinations and mixtures, in chief value of such oil	2294.000	Do.
Lobsters (including spiny lobsters and crawfish), canned [2]	0084.100	July 20, 1945
Lobster paste and sauce [2]	0357.000	Do.
Mace, unground	1740.000	Nov. 13, 1944
Mace, ground	1740.050	Do.
Mace, Bombay or wild, unground	1540.200	Do.
Mace, Bombay or wild, ground	1540.100	Do.
Meats, canned, n. e. s., and prepared or preserved meats, n. s. p. f. (including liver paste) [2]	0462.000	Do.
Meat extracts, including fluid	0096.000	Do.
Milk, condensed and evaporated	0040.000, 0040.100, 0040.200	Do.
Milk, skimmed, dried	0041.100	Do.
Milk, wholedried	0041.000	Do.
Molasses and sugar syrup	1620.180–1620.990, inc	Do.
Mutton, fresh, chilled or frozen [2]	0021.000	Do.
Neatsfoot oil and animal oils known as neatsfoot stock	0058.050	Do.
Nitrogenous material, n. s. p. f. (including hoof meal and horn meal)	5809.800	Do.
Nutmegs, unground	1530.000	Do.

Food	Commerce import class No.	Governing date
Nutmegs, ground	1530.110	Nov. 13, 1944
Oats, hulled and unhulled	1041.000	Do.
Offal, edible [2]	0023.000	Do.
Oil cake and oil cake meal:		
Coconut or copra [1]	1111.000	Do.
Soybean [1]	1112.000	Do.
Cottonseed [1]	1114.000	Do.
Linseed [1]	1115.000	Do.
Peanut [1] [2]	1119.000	Do.
Hempseed [1]	1119.500	Do.
Other, n. s. p. f. [1]	1119.600	Do.
Oleo oil [2]	0036.200	Do.
Oleo stearin [2]	0036.500	Do.
Olives	2239.010, 2239.020	Do.
Ouricury (uricury) nuts and kernels	2257.800, 2257.850	Do.
Ouricury (uricury) oil, inedible and edible	0081.000	July 20, 1945
Oysters, canned [1] [2]	0248.000	Nov. 13, 1944
Palm kernel oil	2236.500	Do.
Palm nut kernels	2243.000	Do.
Palm oil	1330.020	Do.
Peaches, dried, desiccated, or evaporated	1427.000	Do.
Peanut (ground nuts) oil [1]	1307.000, 1308.000	Do.
Peanuts, shelled or not shelled [1]	1330.070	Do.
Pears, dried, desiccated, or evaporated	1407.000, 1408.000	Do.
Peas, dried, ripe and split	1543.000, 1542.000	Do.
Pepper, black or white, unground		
Pork: [2]		
Fresh or chilled	0020.100	Do.
Frozen	0020.200	Do.
Pork, hams, shoulders, bacon, sausage, prepared, cooked, boned, canned, etc [2]	0030.000, 0031.500	Do.
Prunes, prunelles, and plums:		
Dried, desiccated, or evaporated	1530.510	Do.
Otherwise prepared or preserved, n. s. p. f	1530.550	Do.
Raisins:		
Made from seedless grapes	1319.100	Do.
Other	1319.200	Do.
Rapeseed [1]	2257.000	Do.
Rapeseed oil, denatured and not denatured [1]	2236.000, 2253.000	Do.
Rice:		
Paddy	1051.000	Do.
Uncleaned or brown rice	1051.100	Do.
Cleaned or milled rice	1053.000	Do.
Patna rice, cleaned, for use in canned soups	1051.000	Do.
Rice meal, flour, polish and bran	1059.100	Do.
Broken	1044.000	Do.
Rye	1007.100	Feb. 15, 1945
Salmon, canned, not in oil, or in oil and other substances [2]	0063.200, 0063.300	Nov. 13, 1944
Sardines, in oil or in oil and other substances [2]	0067.700	Feb. 15, 1945
Sardines and other herring, canned, including smelts, tidbits, fullnape and sprats [2]	1428.300, 2240.000	Nov. 13, 1944
Sesame oil, edible and inedible [1]	2234.000	Do.
Sesame seed [1]	2211.000, 8710.000, inc	Do.
Soap and soap powder [2]		
Sugarcane	1610.750–1610.900, inc	Dec.
Sugar-containing products, composed of 70 percent or more by weight of sugar [1]	N. S. C	Mar. 15, 1945
Sunflower oil, edible and denatured [1]	1121.000, 2247.000	Nov. 13, 1944
Sunflower seed [1]	2240.000	Do.
Syrups, molasses, sugar-containing solutions, and sugar mixtures, edible, derived in whole or in part from sugar cane, irrespective of sugar, invert sugar, or non-sugar content, whether added to or derived from the product, n. e. s.	N. S. C	July 20, 1945
Tankage (inedible), cracklings, grease cakes, liver meal, meat meal, meat flour, meat scrap, etc	0075.000, 5809.600	Nov. 13, 1944
Tartaric acid	8207.000	Do.
Tea, not specially provided for	1721.000	Do.
Tuna fish, in oil or oil and other substances [2]	0067.500	July 20, 1945
Tung oil (China wood oil)	2241.000	Nov. 13, 1944
Turkeys:		
Dead, fresh, chilled or frozen, dressed or undressed [2] [3]	0024.000	Do.
Liver	0044.000	Do.
Prepared or preserved [3]	N. S. C	Do.
Veal, fresh, chilled or frozen [2]	0019.000	Do.

[1] See paragraph (b) (5) (ix).
[2] See paragraph (b) (6) (ix).
[3] Governing date Nov. 13, 1944, except as covered by (b) (5) (ix) for which governing dates are as follows:
Apples, dried, desiccated or evaporated, Dec. 23, 1944.
Chickens, guineas and turkeys, dead, fresh, chilled or frozen, dressed or undressed, June 18, 1945.
Prepared or preserved, June 15, 1945.
N. S. C.—No separate class or commodity number has been assigned for the food as described by the Department of Commerce, Statistical Classification of Imports.

[F. R. Doc. 45-13049; Filed, July 18, 1945; 12:36 p. m.]

[WFO 4-10]

PART 1450—TOBACCO

1945 CROP FLUE-CURED TOBACCO

Pursuant to War Food Order No. 4 (8 F.R. 335), issued on January 7, 1943, as amended (8 F.R. 828, 11331, 9 F.R. 4321, 4319, 9584; 10 F.R. 103), and to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1450.16 *Restrictions on 1945 crop flue-cured tobacco*—(a) *Definitions.* (1) "Flue-cured tobacco" means tobacco of Type 11, 12, 13, or 14, as defined in the Official Standard Grades for flue-cured Tobacco, promulgated by the Secretary of Agriculture (7 CFR 29.151 et seq.), pursuant to the Tobacco Inspection Act (7 U. S. C. 511 et seq.).

(2) "Manufacturer" means any person who processes tobacco into a product for consumer use which is subject to taxation under the Internal Revenue Code (26 U. S. C. 2000–2040).

(3) "Dealer" means any person, other than a manufacturer or warehouseman, who purchased loose leaf tobacco for his account from the 1939, 1940, 1941, or 1942 crop and redried or had redried for his account any part or all of such tobacco.

(4) "Scrap" means any loose, tangled, untied, and unstemmed flue-cured tobacco salvaged as a byproduct in harvesting, stripping, classing, or tying on the farm and consisting chiefly of barn and strip-house floor sweepings and very inferior quality leaves not sold at auction by growers, or any loose, untied, and unstemmed flue-cured tobacco consisting entirely of floor sweepings, loose, and tangled leaves, or portions of leaves which accumulate from unavoidable dropping or breakage in the handling of flue-cured tobacco and which consist exclusively of such tobacco salvaged as a byproduct of marketing.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(6) "Auction" means the method of selling loose leaf tobacco on the basis of open competitive bidding at a properly designated and publicly announced time and place.

(7) "Loose leaf tobacco" means tobacco in the loose form as customarily delivered from the farm where grown.

(8) "Director" means the Director of Marketing Services, United States Department of Agriculture.

(b) *Restrictions.* (1) No person shall purchase or otherwise acquire any 1945 crop flue-cured tobacco except pursuant to the provisions hereof.

(2) No manufacturer shall purchase any 1945 crop flue-cured tobacco at any private sale or in any manner other than at auction, except as authorized herein.

(3) No dealer shall purchase any 1945 crop flue-cured tobacco at any private sale or in any manner other than at auction, except as authorized herein.

(4) Any person, other than a manufacturer or dealer, may purchase loose leaf tobacco of the 1945 crop of flue-cured tobacco: *Provided*, That such person shall resell such tobacco at auction at or before the close of the marketing season for loose leaf tobacco of the 1945 crop of flue-cured tobacco.

(5) No manufacturer shall, directly or indirectly, purchase or otherwise acquire any 1945 crop flue-cured tobacco which will cause the total amount of such tobacco so acquired by him to exceed 98 percent of the total number of pounds of flue-cured tobacco, inclusive of scrap, used by such person for manufacturing purposes during the period from July 1, 1944, to June 30, 1945, inclusive.

(6) No manufacturer shall purchase at auction a higher proportion of his total allocation, pursuant to (b) (5) hereof, of 1945 crop flue-cured tobacco than his total purchases at auction of flue-cured tobacco from the crops of 1939, 1940, 1941, and 1942 bore to his total purchases of flue-cured tobacco from such crops.

(7) A manufacturer may purchase redried flue-cured tobacco of the 1945 crop: *Provided*, That the total quantity of such tobacco so acquired does not constitute a higher proportion of his total allocation, pursuant to (b) (5) hereof, than his total acquisition of redried flue-cured tobacco from the crops of 1939, 1940, 1941, and 1942 bore to his total acquisitions of flue-cured tobacco of such crops.

(8) No dealer shall purchase at auction for his own account a total quantity of 1945 crop flue-cured tobacco which is in excess of 95 percent of the amount which was allocated to such dealer pursuant to the provisions of War Food Order No. 4.7 (9 F.R. 8231), as amended on August 19, 1944 (9 F.R. 10147), September 23, 1944 (9 F.R. 11732), October 25, 1944 (9 F.R. 12861), and November 16, 1944 (9 F.R. 13740), respectively.

(9) Any person, other than a manufacturer, may, without regard to the provisions hereof, purchase any redried flue-cured tobacco of the 1945 crop if such tobacco, prior to its being redried, was purchased pursuant hereto.

(10) A manufacturer or dealer may resell at auction any flue-cured tobacco of the 1945 crop purchased at auction: *Provided*, That the aggregate amount of such resales may not exceed 2 percent of such purchases. The flue-cured tobacco purchased and resold at auction, within the aforesaid limitation, shall not be charged to the allocation of the seller.

(11) Purchases of the 1945 crop flue-cured scrap tobacco by a dealer shall not be charged against such dealer's allocation, pursuant to (b) (8) hereof, but purchases of 1945 crop flue-cured scrap tobacco by a manufacturer shall be charged to such manufacturer's allocation, pursuant to (b) (5) hereof.

(12) Any 1945 crop flue-cured tobacco purchased in conformity with an agreement to buy for a principal, either in the principal's name or for his account, shall be charged to the quota of the principal for whom such flue-cured tobacco was purchased.

(13) The poundage figures used in computing allocations pursuant hereto shall be reduced to an undried (green weight) basis. Flue-cured tobacco in the steam-dried condition and in unstemmed form shall be converted to the undried basis by multiplying the number of pounds by the factor 1.12. Flue-cured tobacco in the steam-dried condition and in stemmed form shall be converted to the undried basis by multiplying the number of pounds by the factor 1.44.

(14) The restrictions of this order shall be observed without regard to the rights of creditors, prior contracts, existing contracts, payments made, or deliveries of 1945 crop flue-cured tobacco made prior to the effective time hereof; and purchases or sales of 1945 crop flue-cured tobacco, made prior to the effective time hereof, shall be charged to the respective quotas in accordance with the provisions hereof, as if such sales were made after the effective time of this order.

(15) Flue-cured tobacco of the 1945 crop may, from time to time, be allocated by the Director for purchase by the Commodity Credit Corporation.

(c) *Modification and amendment.* Any allocation made pursuant hereto may be modified, amended, or supplemented, from time to time, by notice or letter, issued by the Director, to any person to whom such allocation has been made.

(d) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using any flue-cured tobacco of the 1945 crop. Any person who wilfully violates any provision of this order is guilty of a crime, and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(e) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 19, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087, WFO 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4321, 4319, 9584; 10 F.R. 103)

Issued this 18th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13053; Filed, July 18, 1945; 3:38 p. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 206—TRUST POWERS OF NATIONAL BANKS

Effective September 1, 1945, § 206.17 of this part (relating to common trust funds) is amended in the following respects:

The third paragraph of paragraph (a) is amended to read as follows:

The purpose of this section is to permit the use of common trust funds, as defined in section 169 of the Internal Revenue Code, for the investment of funds held for true fiduciary purposes; and the operation of such common trust funds as investment trusts for other than strictly fiduciary purposes is hereby prohibited. No bank administering a common trust fund shall issue any document evidencing a direct or indirect interest in such common trust fund in any form which purports to be negotiable or assignable. The trust investment committee of a bank operating a common trust fund shall not permit any funds of any trust to be invested in a common trust fund if it has reason to believe that such trust was not created or is not being used for bona fide fiduciary purposes. A bank administering a common trust fund shall not, in soliciting business or otherwise, publish or make representations which are inconsistent with this paragraph or the other provisions of this part and, subject to the applicable requirements of the laws of any State, shall not advertise or publicize the earnings realized on any common trust fund or the value of the assets thereof.

The second paragraph of paragraph (c) (3) is amended to read as follows:

The bank shall, without charge, send a copy of the latest report of such audit annually to each person to whom a regular periodic accounting of the trusts participating in the common trust fund ordinarily would be rendered or shall send

advice to each such person annually that the report is available and that a copy will be furnished without charge upon request. Except as may be required by the applicable laws of any State, the bank shall not publish or authorize the publication of any such report or the information contained therein and each copy furnished to any person as herein provided must bear a statement to the effect that the publication of such copy or the information contained therein is unauthorized.

Paragraph (c) (4) is amended to read as follows:

(4) *Value of assets to be determined periodically.* Not less frequently than once during each period of three months the trust investment committee of a bank administering a common trust fund shall determine the value of the assets in the common trust fund as of the dates which the Plan provides for the valuation of assets. No participation shall be admitted to or withdrawn from the common trust fund except (1) on the basis of such valuation and (2) as of such a valuation date. A reasonable period, not to exceed 7 days, following each valuation date may be used to make the computations necessary to determine the value of the fund and of the participations therein. No participation shall be admitted to or withdrawn from the common trust fund unless a written request for or notice of intention of taking such action shall have been entered in the records of the bank and approved by the trust investment committee, on or before the valuation date. No such request or notice may be canceled or countermanded after the valuation date.

The first paragraph of paragraph (c) (5) is amended to read as follows:

(5) *Miscellaneous limitations.* No funds of any trust shall be invested in a participation in a Common Trust Fund if such investment would result in such trust having invested in the aggregate in the common trust fund an amount in excess of 10 per cent of the value of the assets of the common trust fund at the time of investment, as determined by the trust investment committee, or the sum of $50,000, whichever is less. If the bank administers more than one common trust fund under this subsection, no investment shall be made which would cause any one trust to have invested in the aggregate in all such common trust funds an amount in excess of the sum of $50,000; and, if the bank administers funds under both paragraphs (c) and (d) of this section, no investment shall be made which would cause any one trust to have invested in the aggregate in all such funds an amount in excess of the sum of $50,000. In applying the limitations contained in this paragraph, if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is payable or applicable to the use of the same person or persons, such trusts shall be considered as one.

The first paragraph of paragraph (d) (4) is amended to read as follows:

(4) *Value of assets to be determined periodically.* Not less frequently than once during each period of three months the trust investment committee of a bank administering a mortgage investment fund shall determine the value of the assets in the mortgage investment fund as of the dates which the plan provides for the valuation of assets. No participation shall be admitted to or withdrawn from the mortgage investment fund except as of such a valuation date. A reasonable period, not to exceed 7 days, following each valuation date may be used to make the computations necessary to determine the value of the fund and of the participations therein. No participation shall be admitted to or withdrawn from the mortgage investment fund unless, on the basis of such valuation, the value of the assets of the mortgage investment fund, exclusive of accrued income, is at least equal to the amount of the outstanding participations. No participation shall be admitted to or withdrawn from the mortgage investment fund unless a written request for or notice of intention of taking such action shall have been entered in the records of the bank and approved by the trust investment committee, on or before the valuation date. No such request or notice may be canceled or countermanded after the valuation date.

The first paragraph of paragraph (d) (5) is amended to read as follows:

(5) *Miscellaneous limitations.* No funds of any trust shall be invested in a participation in a mortgage investment fund if such investment would result in such trust having invested in the aggregate in the mortgage investment fund an amount in excess of the sum of $1,200 or 2 per cent of the amount of the outstanding participations in the mortgage investment fund, whichever is greater at the time of investment, or in any event in excess of the sum of $10,000. If the bank administers more than one mortgage investment fund, no investment shall be made which would cause any one trust to have invested in the aggregate in all such mortgage investment funds an amount in excess of the sum of $10,000; and, if the bank administers funds under both paragraphs (c) and (d) of this section, no investment shall be made which would cause any one trust to have invested in the aggregate in all such funds an amount in excess of the sum of $50,000. In applying the limitations contained in this paragraph, if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is payable or applicable to the use of the same person or persons, such trusts shall be considered as one.

(Sec. 11 (i), 38 Stat. 262; sec. 2, 40 Stat. 968; 46 Stat. 814; sec. 342, 49 Stat. 722; sec. 1, 40 Stat. 1043; 44 Stat. 1224; sec. 24, 48 Stat. 190; secs. 330, 331, 49 Stat. 718, 719; sec. 169, 49 Stat. 1708; secs. 2, 3, 24 Stat. 18; 12 U.S.C. 248 (i), 12 U.S.C. 248 (k) and Sup., 33, 34a, 26 U.S.C., Sup., 169, 12 U.S.C. 30, 31)

[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 45-13083; Filed, July 19, 1945; 9:43 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 31, Statement]

PART 602—GENERAL ORDERS AND DIRECTIVES

STATEMENT CONCERNING OVERSEAS EXPORT OF SOLID FUEL IN CARGO

It appears the clarification is necessary with respect to the proper interpretation of provisions of SFAW Regulation No. 31, controlling the export overseas of solid fuel in cargo.

As is indicated in § 602.850 (c) of the regulation, the regulation controls all movement off shore of solid fuel from any port in the continental United States to any port outside of the continental United States. Accordingly, coal moving by tidewater from ports in the United States to ports in the Dominion of Canada is subject to the regulation while coal moving to Canadian destinations via the Great Lakes, by car ferry routes, or by rail is not subject to the regulation. Coal moving by tidewater from ports in the United States to ports in Cuba, Mexico, Alaska, the Canal Zone, the Virgin Islands or Puerto Rico, is subject to the regulation. Coal moving by car ferry to Cuba is considered an export movement and is subject to the regulation.

The regulation requires SFAW approval before any solid fuel is exported overseas or made available for export overseas in cargo. The regulation does not require SFAW approval when coal is loaded into a vessel at a port in the United States for bunker use by the vessel into which it is loaded. SFAW Order No. 3, as amended, controls the dumping of coal for bunker or vessel fuel use.

Issued this 18th day of July 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. D. Doc. 45-13129; Filed, July 19, 1945; 11:50 a. m.]

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO ALL SHIPPERS AND INDUSTRIAL CONSUMERS OF COAL PRODUCED IN DISTRICTS 9, 10 AND 11.

To effectuate a fair distribution of the available production of coal produced during the month of August 1945 in Districts 9, 10 and 11, it is necessary, pursuant to SFAW Regulation No. 1, as amended, to issue the following direction:

(1) All shippers of coal produced in Districts 9, 10 or 11 are prohibited from shipping during the month of August 1945 to any industrial consumer subject to the provisions of SFAW Regulation No. 27 more coal than such industrial consumer is permitted to receive under the provisions of paragraph (2) below.

(2) Notwithstanding the provisions of § 602.715 (d) of SFAW Regulation No. 27, as amended, an industrial consumer of coal whose days' supply exceeds 60 days is prohibited from receiving during the month of August 1945, coal produced in District 9 or 11, or both, in an amount greater than 100 per cent of his consumption requirements for such month, without first obtaining permission from the SFAW Area Distribution Manager for the district in which the coal is produced; an industrial consumer whose days' supply exceeds 30 days is prohibited from receiving during the month of August 1945, coal produced in District 10 in an amount greater than 100 per cent of his consumption requirements for such month, without first obtaining permission from the SFAW Area Distribution Manager for the district in which the coal is produced. An industrial consumer receiving coal from District 10 and from District 9 or 11, or both, is prohibited from receiving more coal in the aggregate during the month of August 1945, than he is permitted to receive from District 9 or 11, or both, and he is further prohibited from receiving from District 10 more coal than he would be permitted to receive if he purchased coal only from that district.

(3) No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of this direction.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 18th day of July 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-13128; Filed, July 19, 1945; 11:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 288]

EMPLOYER'S REPORT

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of a new form designated as DSS Form 59-A, entitled "Employer's Report."

The foregoing addition shall become a part of the Selective Service Regulations effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 22, 1945.

[F. R. Doc. 45-13051; Filed, June 18, 1945; 12:56 p. m.]

[No. 299]

WITHDRAWAL OF CERTIFICATION

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of a new form designated as DSS Form 412, entitled "Withdrawal of Certification."

The foregoing addition shall become a part of the Selective Service Regulations effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 3, 1945.

[F. R. Doc. 45-13052; Filed, July 18, 1945; 12:56 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Revocation of Direction 16]

RATINGS FOR WORK GLOVES AND MEN'S AND BOYS' WORK CLOTHING

Direction 16 to Order M-317 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. This direction is superseded by Schedules F and G to Order M-328B.

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12998; Filed, July 17, 1945; 4:47 p. m.]

PART 927—NICKEL

[Conservation Order M-6-b, and Direction 1, Revocation]

NICKEL

Section 927.3 *Conservation Order M-6-b* and *Direction 1* are revoked. This revocation does not affect any liabilities incurred for violation of the order and direction or actions taken by the War Production Board under the order and direction. The use of nickel and its sale and delivery remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13094; Filed, July 19, 1945; 11:45 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 7 as Amended July 19, 1945]

ADDITIONAL EXCEPTION FROM INVENTORY RESTRICTIONS FOR CONTINUING RECEIPTS OF SPECIAL ITEMS AFTER CONTRACT CUTBACKS

Direction 7 to Priorities Regulation 1 is amended to read as follows:

(a) *Purpose.* Where a contract or subcontract has been modified (not terminated) so as to reduce the rate of delivery under it, and the contractor or subcontractor as a result has an excess inventory of any special item (as defined in paragraph (d) (2) of § 944.14 of Priorities Regulation 1), his inability to receive further deliveries of it until the excess is consumed might have a serious effect on war procurement. The customer can accept special items which the supplier has in stock or in production as permitted in that paragraph (d) (2). This direction tells how additional deliveries of special items can be accepted by the customer in excess of inventory limitations.

(b) *Scope.* This direction applies only where the customer is a prime or subcontractor under a contract which has been modified (not terminated) by the Army, Navy, Maritime Commission, War Shipping Administration, Army Air Forces or Bureau of Aeronautics, and permits the customer to accept continued deliveries only as permitted under paragraphs (c) and (d).

(c) *Inventory exceptions.*—(1) *Six-months permission.* The customer may continue to accept delivery at a reduced rate of any special item required for use in the contract or subcontract where (i) the supplier notifies the customer in writing that to the best of his knowledge and belief he will be unable to resume shipments at a later date as required by the contract or subcontract if he is not permitted to make the continued deliveries, and (ii) such deliveries are rescheduled so as to bring the customer's inventory down to the limits required by § 944.14 of Priorities Regulation 1 within six months.

(2) *Permission from procuring agency.* If the six-month requirement of paragraph (c) (1) cannot be met, the customer may nevertheless continue to accept delivery of special items, provided the deliveries are rescheduled at the lowest practicable rate and have been approved in writing to the customer by the procuring agency.

(d) *General limitation on receipts and use.* No amounts of special items may be received under this direction which exceed the customer's total requirements under the particular contract or subcontract after taking into consideration the amounts of the item presently on hand. In addition, any quantities of an item so received may be used only in filling the particular contract or subcontract, and if it is subsequently cancelled, further deliveries may be received only as permitted by paragraph (d) of § 944.14 of Priorities Regulation 1.

(e) *Exceptions relate to receipts only.* Nothing in this direction or any other exceptions to War Production Board inventory restrictions on receipts permits a supplier to

continue to produce or deliver in violation of any applicable WPB order or regulation.

(f) *Controlled materials.* Similar rules on controlled materials are explained in Inventory Direction 23 to CMP Regulation 2.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13103; Filed, July 19, 1945; 11:47 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS[1]

[General Imports Order M-63, as Amended July 19, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M-63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the War Production Board, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon Lists A and B attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB-1041 addressed to the War Production Board Ref: M-63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) [Deleted Nov. 13, 1944.]

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(xi) To materials on List B which are located in, and are the growth, production, or manufacture of, and are transported into the Continental United States overland, by air, or by inland waterway from Canada, Mexico, Guatemala or El Salvador.

(c) [Deleted June 4, 1945.]

(d) [Deleted June 4, 1945.]

(e) *Restrictions on distribution of List A and List B materials.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List A or List B which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB-1040 in duplicate except in the case of a material described in paragraph (b) (4) (xi) when the person making the entry need not file with the entry Form WPB-1040. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M-63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(3) *Exceptions.* The provisions of this paragraph (f) shall not apply to materials imported and consigned as gifts for personal use by or to members of the Armed Services of the United States.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C. Ref.: M-63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List Amended July 19, 1945.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

[1] Certain food items formerly on Lists I, II, and III are now subject to import control in accordance with War Food Administration Order 63.

LIST A

Material	Commerce Import Class No.	Governing date
Agave fibers, unmanufactured, not elsewhere specified on this order (except flume tow and bagasse waste)	N. S. C.	8/8/43
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred composed of 3 or more strands, each strand composed of 2 or more yarns	3417.010	1/18/43
	3417.110	1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	7/21/42
Cordage of agave fibers, other than sisal	N. S. C.	1/18/43
Cords and twines of agave fibers	N. S. C.	1/18/43
Fabrics woven of agave fibers	N. S. C.	9/11/42
Other manufactures (including all products in whole or in part of agave fibers)	N. S. C.	1/18/43
Alpargatas	0366.500	6/28/43
Bones, crude	0911.200	7/2/42
Brazilian pebble (quartz crystal) unmanufactured	5120.000	10/6/42
Brazilian pebble (quartz crystal) manufactured and semimanufactured in blanks, slabs, bars, etc	N. S. C.	10/6/42
Bristles, hog and pig	0917.000	3/14/42
	0970.100	3/14/42
Broomcorn	2936.000	11/23/42
Brushes, n. s. p. f.:		
Paint brushes (including artists)	9715.100	9/23/43
Other (except toilet brushes and hair pencils)	9715.900	9/23/43
Cattle, ox, and calf tail hair including switches	3066.100	7/2/42
Chromic ore (Chromite)	6213.100	12/28/41
	6213.200	12/28/41
	6213.500	12/28/41
Cinchona bark or other bark from which quinine may be extracted	2201.000	5/22/42
Coir yarn and coir manufactures:		
Coir yarn	3420.000	11/23/42
Matting and articles of cocoa fiber (coir fiber) or rattan	3562.000	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber)	3560.100	10/21/42
Coir manufactures (including all products of coir fiber), other than pile mats, floor coverings, matting, etc., elsewhere specified on this order	N. S. C.	11/23/42
Copper	6401.100	12/28/41
	6417.100	3/14/42
	6420.000	3/14/42
	6418.300	6/1/42
Corundum in grains, or ground, pulverized or refined	N. S. C.	5/22/42
Corundum ore	5460.000	5/22/42
Cotton fabrics:		
Grey tracing cloth fabric	N. S. C.	11/23/42
Tracing cloth	3950.000	8/21/42
Typewriter ribbon fabric	N. S. C.	8/21/42
Diamonds, rough or uncut (suitable for cutting into gem stones)	5950.000	9/16/44
Diamonds, industrial (rough or uncut not advanced in condition or value by cleaving, splitting, cutting, boring, or other process):		
Carbonado and ballas	5952.100	9/16/44
Diamond dust	5952.000	9/16/44
Bort (Glaziers' and engravers' diamonds not set, and miners' diamonds, n. e. s., and other industrial diamonds)	5952.700	9/16/44
Emetine and salts thereof	N. S. C.	8/8/43
Feathers for beds (incl. geese and duck feathers and down, and mixture thereof, new and used)	0922.200	6/28/43
Fish liver oil, n. e. s. (include halibut-liver oil)	2220.250	1/12/44
Graphite or plumbago:		
Amorphous large lump, over 85% graphitic carbon content	N. S. C.	4/8/42
Amorphous ordinary lump, 80-85% graphitic carbon content	N. S. C.	4/8/42
Hair, curled	3098.800	6/29/44
Hemp (Cannabis Sativa type only) unmanufactured:		
Hackled including "line of hemp"	3203.000	9/11/42
Not hackled	3203.200	9/11/42
Tow	3203.300	9/11/42
Hides and skins:		
Buffalo hides dry and wet	0203.000	1/13/42
	0203.100	1/13/42
Buffalo hides (India water buffalo, for use in rawhide articles) dry and wet	0209.000	9/16/44
	0209.100	9/16/44
Cabretta skins or hair sheepskins	0235.000	7/2/42

LIST A—Continued

Material	Commerce Import Class No.	Governing date
Hides and skins—Continued		
Calf, dry and wet	0207.000	1/13/42
	0208.000	1/13/42
Cattle hides, dry and wet	0201.000	1/13/42
	0202.000	1/13/42
Goat and kid skins, dry and wet	0211.000	7/2/42
	0212.000	7/2/42
Kip, dry and wet	0207.080	1/13/42
	0208.040	1/13/42
Horsehair and tail hair, raw and drawn, including switches	3604.000	3/14/42
	3604.100	3/14/42
Ipecac, crude and advanced in value or condition	2230.450	1/18/43
	2220.170	1/18/43
Iron and steel scrap fit only for remanufacture	6004.000	6/1/42
	6004.100	6/1/42
Istle or tampico rope, twine or yarn	N. S. C.	11/23/42
Jute and manufactures:		
Waste bagging and waste sugar sack cloth	3243.000	6/10/43
Jute yarns or roving, single	3244.100	6/10/43
	3244.100	6/10/43
	3244.200	6/10/43
	3244.200	6/10/43
Jute cordage, twine and twist of 2 or more yarns twisted together, size of single yarn or roving:		
Not bleached, dyed or otherwise treated	3245.200	6/10/43
	3245.300	6/10/43
	3245.400	6/10/43
	3245.500	6/10/43
Bleached, dyed or otherwise treated	3247.220	6/10/43
	3245.320	6/10/43
	3247.420	6/10/43
	3245.420	6/10/43
Burlaps and other woven fabrics wholly of jute, n. s. p. f	3247.000	6/10/43
	3247.200	6/10/43
Plain woven fabrics of jute, weighing less than 4 ounces per square yard	3248.000	6/10/43
Woven fabrics of jute for paddings or interlining exceeding 50 threads in warp and filling to the square inch, weighing from 4½ to 12 ounces, inclusive, per square yard	3248.100	6/10/43
Woven fabrics, n. s. p. f., in chief value but not wholly of jute	3248.200	6/10/43
Jute sliver	3250.000	6/10/43
Jute webbing, not exceeding 12 inches in width	3250.700	6/10/43
Jute manufactures, n. s. p. f	3250.900	6/10/43
Jute bags or sacks	3249.000	4/2/43
	3249.100	4/2/43
Jute butts, unmanufactured	3242.000	10/6/42
Jute, unmanufactured	3241.000	10/6/42
Kapok	3403.000	7/2/42
Lead manufactures:		
Collapsible tube discs or slugs and any other semi-fabricated form, manufactured in whole or in part of lead or lead alloy	N. S. C.	1/16/45
Collapsible tubes, manufactured in whole or in part of lead or lead alloy, filled or empty	N. S. C.	2/14/45
Foil, manufactured in whole or in part of lead or lead alloy	N. S. C.	2/14/45
Storage batteries (lead acid type)	N. S. C.	2/14/45
Leather, unmanufactured:		
Chamois leather	0335.350	7/2/42
	0335.500	7/2/42
	0335.600 incl.	7/2/42
	0335.700 incl.	7/2/42
Goatskin and kidskin leather (except vegetable-tanned)	0335.400	7/2/42
	0340.800	7/2/42
	0345.200	7/2/42
	0345.300	7/2/42
Leather made from hides or skins of cattle of the bovine species	0600.100 incl.	7/2/42
	0617.901 incl.	7/2/42
Leather made from hides or skins of animals of the equine species	N. S. C.	7/2/42
Reich tanned leather (incl. India-tanned):		
Vegetable-tanned goat and sheepskins	0339.000	7/2/42
	0339.100	7/2/42

LIST A—Continued

Material	Commerce Import Class No.	Governing date
Leather, unmanufactured—Cont.		
Sheep and lamb leather (including shearlings and cabrettas).		
Leather for shoe purposes	0332.000	7/2/42
	0332.100	7/2/42
	0335.300	7/2/42
Glove and garment leather		
Leather n. s. p. f. cut into shoe uppers, vamps or other forms	N. S. C.	7/2/42
Patent leather for the manufacture of footwear	N. S. C.	7/2/42
Grained, embossed, etc., or fancy leather	0345.400	7/2/42
	0335.200	7/2/42
Skivers, n. s. p. f.		
In the rough, in the white, crust or russet, partly finished or finished	N. S. C.	7/2/42
Other (except glove and garment)	0332.500	7/2/42
Leather products made in whole or in part of bovine, equine or goatskin leather.		
Aprons	N. S. C.	5/27/44
Belts, transmission	N. S. C.	5/27/44
Belts, designed to be worn on the person	N. S. C.	5/27/44
Chaps, work	N. S. C.	5/27/44
Flat leather goods	N. S. C.	5/27/44
Footwear (including slippers)	N. S. C.	5/27/44
Furniture	N. S. C.	5/27/44
Garments	N. S. C.	5/27/44
Handbags and purses	N. S. C.	5/27/44
Harness	N. S. C.	5/27/44
Horse collars	N. S. C.	5/27/44
Hydraulic, packing, mechanical, and textile leather products	N. S. C.	5/27/44
Laces and thongs	N. S. C.	5/27/44
Luggage and related articles (including suitcases, valises, satchels, traveling and overnight bags, hatboxes, trunks, and other luggage, and boxes, caskets, chests, baskets, rolls, fitted cases, golf bags, and other cases)		
Made wholly or in part of bovine leather	N. S. C.	8/5/43
Made wholly or in part of equine leather	N. S. C.	5/27/44
Made wholly or in part of goatskin leather	N. S. C.	5/27/44
Rifle scabbards, rifle slings, pistol holsters and pistol belts	N. S. C.	5/27/44
Saddles and saddlery	N. S. C.	5/27/44
Suspenders	N. S. C.	5/27/44
Loofa (luffa) sponges	N. S. C.	8/21/42
Magney or cantala, unmanufactured	3409.200	1/18/43
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4201.100	7/21/42
Mahogany logs	4031.000	7/2/42
Mahogany, rough (not further manufactured than sawed)	4202.100	7/21/42
Manganese ore (incl ferruginous) or concentrates, and manganiferous iron ore, containing 35 percent or over of manganese	0211.200	5/14/43
	0211.300	5/14/43
Manila or abaca cordage (including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns	3417.095	6/28/43
	3417.195	6/28/43
Manila or abaca fiber (except T grade tow)	3402.300	4/28/43
Manilla or abaca tow (T grade only)	3402.500	4/28/43
Manufactured abaca fiber manufactures (incl all manila or abaca products)	N. S. C.	4/28/43
Meshta fiber	N. S. C.	10/6/42
Mica	5560.810	3/14/42
	5560.820	3/14/42
	5560.850	3/14/42
	5560.940	3/14/42
	5560.950	3/14/42
	5560.960	3/14/42
	5561.000	3/14/42
	5561.200	3/14/42
	5561.400	3/14/42
	5561.500	7/21/42
	5561.600	3/14/42
	5561.680	3/14/42
	5561.690	3/14/42
	5561.800	3/14/42
Molasses and sugar sirup	1700.000	7/2/42
Pyrethrum or insect flowers	2202.000	10/21/42
Pyrethrum or insect flowers, advanced in value or condition	2220.310	10/21/42
Punco fiber	N. S. C.	3/5/43
Quinine salts or alkaloids from cinchona bark		
Quinine sulphate	8102.000	3/5/43
Quinine alkaloid	8103.200	3/5/43

LIST A—Continued

Material	Commerce Import Class No.	Governing date
Quinine salts, etc.—Continued		
Other salts and derivatives of quinine	8103.300	3/5/43
Cinchonidine and its salts	8103.400	3/5/43
Cinchonine and its salts	8103.500	3/5/43
Quinidine and its salts	8103.600	3/5/43
Totaquine and totaquine compounds	N. S. C.	3/5/43
Rotenone-bearing roots (cubé root (timbo or barbasco), derris and tuba), crude and advanced	2210.280	5/14/42
	2210.500	5/14/42
	2220.360	5/14/42
	2220.370	5/14/42
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.	08S.700	1/12/44
Silver		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819.500	7/21/42
Bullion, refined	6819.600	7/21/42
Coin, foreign	6819.800	7/21/42
Sweepings and scrap, including silver sulphides	6819.500	7/21/42
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/42
Sisal and henequen, unmanufactured (except flume tow and bagasse waste)	N. S. C.	1/18/43
Urena lobata fiber	N. S. C.	10/6/42
Zinc blocks, pigs or slabs	0658.200	12/28/41

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST B

The numbers listed after the following materials are commodity numbers taken from Schedule A Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste	N. S. C.	8/5/43
Agave flume tow and bagasse waste not elsewhere specified on this order	N. S. C.	8/5/43
Balata, Bafaconia	N. S. C.	10/1/43
Balata, Ciquitrana (crude and washed)	N. S. C.	5/27/44
Balata, Massaruniabia	N. S. C.	5/27/44
Balata, Peruvian chicken wire	N. S. C.	5/27/44
Balata, Peruvian F. A. Q. white	N. S. C.	5/27/44
Bone black, bone char, and blood char	0660.130	7/2/42
Casein or lactarene	0941.000	7/2/42
Congo gum copal	N. S. C.	1/12/44
Cotton linters (all grades)	3005.000	7/2/42
Cotton, raw, staple under 1⅛ inches	3001.000	7/2/42
Glipestock, not elsewhere specified	0660.200	8/5/43
Hide cuttings, raw	0660.800	7/2/42
Hide splits, limed, pickled or dried (suitable for manufacturing into leather)	N. S. C.	1/12/44
Hides and skins		
Horse, colt, and ass	0211.100	7/2/42
	0211.300	7/2/42
	0212.100	7/2/42
	0212.200	7/2/42
	0212.300	7/2/42
	0212.500	7/2/42
Sheep and lambskins except Shearlings, Cabrettas, etc.:		
Pickled skins, notsplit, nowool	0231.000	7/2/42
Pickled fleshers, split, flesh side	0231.100	7/2/42
Pickled skivers, split, grainside	0231.200	7/2/42
Lienaloe oil or Bois de Rose	2250.270	7/2/42
Sisal and henequen flume tow and bagasse waste	N. S. C.	1/18/43
Tapioca, tapioca flour, and cassava (including manioca flour)	1228.000	7/2/42

LIST B—Continued

Material	Commerce Import Class No.	Governing date
Wool, apparel, 40's or coarser, except on the skin	3506.000	7/2/42
	3507.100	7/2/42
	3507.200	7/2/42
	3507.300	7/2/42
	3508.000	7/2/42
	3509.100	7/2/42
	3509.200	7/2/42
	3509.300	7/2/42
Wool, apparel, finer than 44's 1, except on the skin	3720.000	7/2/42
	3721.100	7/2/42
	3721.200	7/2/42
	3721.300	7/2/42
	3522.000	7/2/42
	3723.100	7/2/42
	3723.200	7/2/42
	3724.000	7/2/42
	3526.000	7/2/42
	3527.100	7/2/42
	3527.200	7/2/42
	3527.300	7/2/42
	3528.100	7/2/42
	3529.100	7/2/42
	3529.200	7/2/42
	3529.300	7/2/42
Wool apparel, finer than 40's but not finer than 44's 1, except on the skin	3513.000	7/2/42
	3514.100	7/2/42
	3514.200	7/2/42
	3514.300	7/2/42
	3523.100	7/2/42
	3523.200	7/2/42
	3523.300	7/2/42
	3501.000	7/2/42
	3502.100	7/2/42
	3502.200	7/2/42
	3502.300	7/2/42
Wool, carpet, except on the skin		

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1: Revoked June 4, 1945.

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended.

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as, applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

INTERPRETATION 3: Revoked June 4, 1945.

[F. R. Doc. 45-13096; Filed, July 19, 1945; 11:45 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 9]

USE OF RATINGS OR AUTHORIZATIONS FOR MACHINE TOOLS OR OTHER FACILITIES WHEN RELATED MILITARY PROCUREMENT PROGRAMS OR CONTRACTS ARE CANCELLED OR CUT BACK

The following direction is issued pursuant to Priorities Regulation 1:

(a) *What this direction does.* This direction gives the rules which must be followed by persons who have received priorities assistance or an authorization for machine tools or other facilities required to fulfill a particular military procurement program, military contract or subcontract (including a facilities contract) when the program or contract has been cancelled or cut back to the point where the machine tools or other facilities are no longer necessary to perform the balance of the program or contract. The direction applies to ratings or authorizations given on Form WPB-542, WPB-1319, GA-1456 or any other rating or authorization form.

(b) *Effect of cancellation of military procurement program or contract on orders for equipment other than building service equipment which have not yet been placed.* If you receive a rating or authorization to get machine tools or other equipment (excluding building service equipment), and the application or other form rating or authorizing the equipment specifically identifies a particular military procurement program or a military contract or subcontract (including a facilities contract) for which the equipment is needed, you may not apply the rating, or use the authorization, to get the equipment after the program or contract has been cancelled or cut back to the point where the equipment is no longer needed to perform it. If you still want the equipment for some other purpose, you must either get it without a rating or authorization, if that is permitted, or get a new rating or authorization in accordance with applicable War Production Board orders and regulations.

(c) *Effect of cancellation of military procurement program or contract where rated orders for equipment other than building service equipment have already been placed.* If you have received a rating or authorization to obtain machine tools or other equipment (excluding building service equipment) needed to fulfill a particular military procurement program or military contract or subcontract (including a facilities contract) which is specifically identified on the application or other form rating or authorizing the equipment, and, after you have applied the rating or authorization to an order for the equipment, the program or contract is cancelled or cut back to the point where the equipment is no longer needed to perform it, you may delay advising your supplier that your order for the equipment is no longer rated or cancelling your order, provided that, if you still want the equipment for some other purpose and need a rating or authorization to get it, you must apply for another rating or authorization in accordance with applicable War Production Board orders and regulations within ten days of the date you receive the cancellation or cut back. The War Production Board will ordinarily notify you within ten days of the rating or authorization, if any, you may continue to use. You must promptly change or cancel the rating, if the War Production Board assigns a lower rating or denies your application and, if you do not propose to apply for a new rating or authorization, or do not apply within ten days, you must immediately advise your supplier that the order is no longer rated or authorized unless you elect to cancel the order completely.

(d) *Effect of cancellation of military procurement program or contract on construction and orders for building service equipment.* If you receive a rating or authorization to construct a building or to get building service equipment such as elevators or plumbing, heating, lighting or air-conditioning equipment, you may still use the rating or authorization to construct the building or to get the equipment after the program or contact has been cancelled or cut back, whether or not the application or other form rating or authorizing the construction or equipment specifically identified a particular military procurement program or a military contract or subcontract (including a facilities contract) for which the construction or equipment is needed, unless the War Production Board specifically cancels or revokes the rating or authorization.

(e) *Effect of cancellation of military procurement program or contract where equipment has already been received.* If you have already received a machine tool or other equipment, you may either sell the equipment subject to the limitations of Priorities Regulation 13, or use it for any purpose not prohibited by War Production Board orders and regulations, even though the equipment was obtained for use in connection with a particular military procurement program or contract and the program or contract is cancelled or cut back after the equipment has been received. This is an exception to the rules stated in paragraph (b) (3) of § 933.11 of Priorities Regulation 1 which would otherwise restrict your use of the equipment to purposes for which you would be allowed to buy it under Priorities Regulation 13.

(f) *Effect on equipment supplier.* As stated in § 944.4a of Priorities Regulation 1, any person who receives notice from his customer or otherwise that the customer's order is no longer rated or that the customer's order is cancelled, must immediately withdraw any extensions of the rating which he has made to any order placed by him for more than $25 worth of material. A manufacturer who is advised by his customer that the customer's order is cancelled or no longer rated must adjust his schedules in accordance with paragraph (c) of § 944.7 of Priorities Regulation 1 and other applicable War Production Board orders and regulations. Certain exceptions to these rules are stated in Direction 70 to CMP Regulation 1 and Direction 8 to Priorities Regulation 1.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13104; Filed, July 19, 1945; 11:47 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Revocation of Direction 62]

Direction 62 to CMP Regulation No. 1 is hereby revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13105; Filed, July 19, 1945; 11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 66, as Amended July 19, 1945]

SEQUENCE IN SCHEDULING ORDERS FOR STEEL

The following amended direction is issued pursuant to CMP Regulation 1:

(a) Orders for steel should be given the following preference in being placed on schedule.

(b) Where a producer of steel in controlled material form is unable to schedule all orders which he has accepted in the month for which he accepted them, he should select the orders to be placed on the production schedule according to the following preference:

(1) Carried over and current orders required to be filled by specific direction of the War Production Board, (2) Orders bearing symbol "FC-1" and CMP orders carried over from previous months except orders with a CMP allotment symbol including the letter "Z", (3) Current CMP orders excepting those carrying the allotment symbol "Z", (4) CMP orders carrying the allotment symbol "Z", (5) Unrated orders (including orders bearing the symbol FCN).

(c) If a producer finds it impossible to schedule all orders carried over from a previous month, plus orders covered by directives and those bearing the symbol FC 1 whether carry-over or otherwise, he must immediately advise the appropriate Product Branch of the Steel Division, War Production Board.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13106; Filed, July 19, 1945; 11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Direction 23, as Amended July 19 1945]

ADDITIONAL EXCEPTION FROM INVENTORY RESTRICTIONS FOR CONTINUING RECEIPTS OF SPECIAL ITEMS AFTER CONTRACT CUTBACKS

Inventory Direction 23 to CMP Regulation 2 is amended to read as follows:

(a) *Purpose.* Where a contract or subcontract has been modified (not terminated) so as to reduce the rate of delivery under it, and the contractor or subcontractor as a result has an excess inventory of any special item of controlled material (as defined in paragraph (c) (2) (ii) of CMP Regulation 2), his inability to receive further deliveries of it until the excess is consumed might have a serious effect on war procurement. The customer can accept special items which the supplier has in stock or in production as permitted in that paragraph (c) (2) (ii). This direction tells how additional deliveries of special items can be accepted by the customer in excess of inventory limitations.

(b) *Scope.* This direction applies only where the customer is a prime or subcontractor under a contract which has been modified (not terminated) by the Army, Navy, Maritime Commission, War Shipping Administration, Army Air Forces or Bureau of Aeronautics, and permits the customer to accept continued deliveries only as permitted under paragraphs (c) and (d).

(c) *Inventory exceptions*—(1) *Six-months permission.* The customer may continue to accept delivery at a reduced rate of any special item of controlled material required for use in the contract or subcontract where (i) the supplier notifies the customer in writing that to the best of his knowledge and belief he will be unable to resume shipments at a later date as required by the contract or subcontract if he is not permitted to make the continued deliveries, and (ii) such deliveries are rescheduled so as to bring the customer's inventory down to the limits required by CMP Regulation 2 within six months.

(2) *Permission from procuring agency.* If the six-month requirement of paragraph (c) (1) cannot be met, the customer may nevertheless continue to accept delivery of special items, provided the deliveries are rescheduled at the lowest practicable rate and have been approved in writing to the customer by the procuring agency.

(d) *General limitation on receipts and use.* No amounts of special items may be received under this direction which exceed the customer's total requirements under the particular contract or subcontract after taking into consideration the amounts of the item presently on hand. In addition, any quantities of an item so received may be used only in filling the particular contract or subcontract, and if it is subsequently cancelled further deliveries may be received only as permitted by paragraph (c) (2) of CMP Regulation 2.

(e) *Exceptions relate to receipts only.* Nothing in this direction or any other exception to War Production Board inventory restrictions on receipts permits a supplier to continue to produce or deliver in violation of any applicable WPB order or regulation.

(f) *Noncontrolled materials.* Similar rules on noncontrolled materials are explained in Direction 7 to Priorities Regulation 1.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc 45-13107, Filed, July 19, 1945; 11:47 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended July 19, 1945]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4*—(a) *Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by Direction 3 to Order M-21.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer, retailer, or scrap dealer) who is engaged in the business of receiving steel into one or more warehouse stocks regularly maintained by him for sale or resale in the form received, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) [Deleted July 10, 1945.]

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not accept an authorized controlled material order bearing an allotment number which requires a quarterly identification after the end of the quarter for which the allotment was issued. A distributor must not deliver any steel on an authorized controlled material order which requires a quarterly identification earlier than 15 days preceding the beginning or later than 60 days after the end of the calendar quarter for which the allotment was issued. Orders bearing symbols which do not have to bear any quarterly identification such as MRO (see Interpretation 25 to CMP Regulation 1) are not subject to this provision. Such orders may be accepted and delivered at any time.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which can be filled.* A distributor must fill orders of the kinds described in paragraphs (d) (1), (2) and (3) unless he is required or permitted to reject them under paragraph (c), (Rejection of Orders) and he may fill orders of the kind described in paragraph (d) (4). Paragraph (p) explains the preference that must be given in filling various classes of orders:

(1) A distributor must fill all authorized controlled material orders.

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill any other order. No endorsement is required on orders which a distributor is permitted to fill under this paragraph (d) (4). Deliveries made pursuant to this paragraph (d) (4) shall not be used to support a WH—Authorized Stock Replacement Order.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable for electrical conduction made from copper or copper base alloy or copper-clad steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where differences in temper will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products*—(1) *Delivery from warehouse stock.* (i) A warehouse must fill authorized controlled material orders for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) No person shall place orders calling for delivery from warehouse stock during any one calendar month to any one destination of more than 3,000 pounds gross weight of any item of brass mill product (except condenser tubes) or 3,000 pounds copper content of any item of copper wire mill product. This paragraph does not apply to the resale of brass mill and wire mill products obtained by warehouses under Priorities Regulation 13 or WPB Directive 16.

(iii) [Deleted May 10, 1945.]

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Delivery from warehouse stock on other than authorized controlled material orders.* Effective immediately, a brass mill warehouse, and effective July 1, 1945, a copper wire mill warehouse may but need not fill any order other than those which it is required or permitted to fill under paragraph (f) (1) or (f) (3) as follows:

(i) A warehouse may sell a quantity of each product group of controlled materials (except condenser tubes) as described below equal to the amount of such product group purchased by him on "ZW" orders "Deferred Warehouse Stock Orders" and unrated orders from producers or warehouses.

(ii) In addition, a warehouse may sell a quantity of such product group of controlled materials (except condenser tubes) equal to 10% of the amount of each brass mill product that is in his inventory at the close of business on May 26, 1945, and each copper wire mill product group that is in his inventory at the close of business on June 30, 1945.

(iii) A warehouse may sell any quantity of condenser tubes. "Quantity" as used in the last three paragraphs means the gross weight of brass mill products or the copper content of wire mill products.

(iv) If a warehouse has in its stock a particular lot of controlled materials which it cannot deliver on unrated orders because of the restrictions contained in this paragraph (f) (2), the warehouse may apply by letter to the Copper Division, War Production Board, Washington 25, D. C., attention Wire Mill Branch or Brass Mill Branch for specific authorization to do so. Such application should describe the materials and state how long they have been in stock. Generally, the War Production Board will authorize the delivery of these materials on unrated orders only if the materials have been in stock 60 days or more and the warehouse has been unable to deliver them on authorized controlled material orders.

(v) Effective immediately, a warehouse may resell on unrated orders any brass mill products or wire mill products obtained by warehouses under the provisions of Priorities Regulation 13 or WPB Directive 16.

(vi) Purchasers of brass mill and wire mill products on orders other than authorized controlled material orders are subject to the quantity limitations of paragraph (f) (1) (ii).

(vii) Effective July 1, 1945, a warehouse may deliver brass mill and copper wire mill products on authorized controlled material orders identified with a CMP allotment symbol whose initial letter is "Z" only under the conditions provided for delivery of orders other than authorized controlled material orders by this paragraph (f) (2). "Z" orders must, however, continue to be accepted if they can be filled within these limits.

(viii) The following product groups are to be used as a basis for permitted deliveries on unrated orders under this paragraph (f) (2).

(a) Brass mill alloy Plate, Sheet and Strip.
(b) Brass mill alloy Rods, Bars and Wire.
(c) Brass mill alloy tube and pipe.
(d) Brass mill unalloyed copper products.
(e) Copper wire mill products.

(3) *Shipments direct to customer or to fill specific orders.* If a warehouse wants to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(4) *Rejection of orders.*

(i) [Deleted May 10, 1945]

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

(v) If delivery of an order would deplete a warehouse stock to a point where its function in the distribution of brass mill products or copper wire mill products would be seriously impaired, the warehouse may apply to the War Production Board for authority to reject the order and may delay filling the order until its application is acted upon.

(vi) A warehouse may reject any order other than those it is required to fill by paragraph (f) (1).

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(h) (1) *Deliveries of aluminum by distributors.* Each distributor must, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM (except orders bearing symbols from AM 9500 through AM 9699) and orders which he has been specifically directed in writing by the War Production Board to fill. Orders bearing symbols from AM 9500 through AM 9599 need not be accepted, but if accepted, must be treated as authorized controlled material orders. Orders bearing symbols from AM 9600 through AM 9699 must be treated as deferred ("Z") orders before July 1, 1945, and as unrated orders on and after that date.

(2) Effective immediately, an aluminum warehouse may, but need not deliver aluminum (except extrusions, CMP Code Numbers 4301 and 4311), and effective July 1, 1945, a warehouse may but need not deliver extrusions on orders other than those he is required to fill under paragraph (h) (1).

(3) The restrictions of this regulation do not apply to aluminum powder, flake, pigment, or paste delivered for the purpose of making paint, ink, or other coating or liquid welding compound. Such aluminum powder, flake, pigment or paste may be delivered by a distributor on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

(4) No person shall place "deferred" ("Z") orders or unrated orders for delivery from warehouses which aggregate more than 10,000 pounds of sheet, strip or plate; 4,500 pounds of wire, rod and bar or more than 3,000 pounds of tubing, extrusions, or structural shapes for delivery in one month.

A warehouse may reject any order which it is otherwise required or permitted to accept if the order is for delivery at one time to one destination of more than 2,000 pounds of any gauge, alloy and sizes of aluminum sheet, strip or plate, or more than 900 pounds of any alloy shape and size of aluminum wire, rod and bar, or more than 600 pounds of any alloy, size and shape of aluminum tubing, extrusions or structural shapes.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(d) *Effect of cancellation of military procurement program or contract on construction and orders for building service equip-*

SEQUENCE IN SCHEDULING ORDERS FOR STEEL

The following amended direction is issued pursuant to CMP Regulation 1:

customer's inventory down to the limits required by CMP Regulation 2 within six months.

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (s) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order which a distributor is required to fill requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided*, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, which he is required to fill shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) [Deleted July 10, 1945.]

(n) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

(o) *Processing customer's material.* A warehouse or distributor that has facilities for slitting, trimming, bending, etc., may accept controlled material from his customer and re-deliver to him without requiring an authorized controlled material order or other authority as required by this regulation, as long as such work does not interfere with filling authorized controlled material orders.

(p) *Preference in filling orders.* Irrespective of the time the order is received, a distributor or warehouse must not fill an order if filling it would prevent filling another order on hand which calls for delivery of the same item within the next 30 days and which is in a prior class in the following series:

(1) Orders rated AAA.

(2) Authorized controlled material orders, other than orders bearing a CMP allotment symbol including the letter Z; orders specifically authorized by the WPB, and orders for steel described in subparagraph (d) (2) of this regulation.

(3) Orders bearing a CMP allotment symbol including the letter Z.

(4) Unrated orders.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (c) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L–158 and other applicable regulations or orders. (Issued Feb. 27, 1943).

[F. R. Doc. 45–13108; Filed, July 19, 1945; 11:47 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335, as Amended July 19, 1945]

LUMBER CONTROL ORDER

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lumber, and of materials and facilities used in producing lumber, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3285.121 *Order L–335*—(a) *What this order does.* This order explains procedures that persons must follow in getting lumber and that sawmills and distributors must follow in delivering lumber. It applies to sawmills that produce over 100,000 board feet of lumber a year and to persons who sell or distribute new lumber within or export new lumber from the continental United States (meaning only the 48 states and the District of Columbia). It applies to every person who receives new lumber from a sawmill or distributor and it provides a procedure for controlling the amount of lumber that large consumers can receive.

Definitions

(b) *Definitions.* For the purposes of this order:

(1) "Lumber" means any sawed lumber of any species, size or grade, including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, except: (i) dogwood, persimmon, rattan, balsa, and aircraft grades of Sitka spruce and Noble fir which are specifically allocated either directly or indirectly to manufacturers of aircrafts; (ii) shingles, lath and slabs; (iii) railway cross ties nine feet or less in length, and mine ties (sawed or hewed); (iv) edgings, trim, and off-fall less than three inches wide or less than four feet long unless made into standard commercial lumber sizes or patterns; (v) hardwood flooring; (vi) items produced from lumber but not classified in the trade as lumber, such as box shook, dimension stock, cut stock, and millwork; (vii) used lumber; and (viii) any segment of a log which has been produced so that it can be converted into veneer and which is sold and used for that purpose.

(2) "Distributor" means any person who buys lumber for resale as lumber either at wholesale or retail. It does not include any part of a person's operations which would make him also either a sawmill or consumer.

(3) "Distributor stock" means any lumber which a distributor has in his possession for resale.

(4) "Sawmill" means: (i) any mill or plant, stationary or portable, which produced more than 100,000 board feet of lumber in 1944 or expects to produce more than 100,000 board feet in 1945; and (ii) any concentration yard or plant which processes (by drying, sawing, edging, planing or some other comparable method) 25 percent or more of the total volume of logs and lumber which it receives from the area in which it is located, into an item which is defined as lumber. However, the term "sawmill" does not include any establishment known in the trade as a distribution yard, engaged in either retail or wholesale business even though it may process, for the servicing of special orders from customers, more than 25 percent of the lumber it receives.

(5) "Sawmill stock" means any lumber in the possession of a sawmill.

(6) "Consumer" means any person, (or any part of a person's operations, such as a plant, branch, or department which regularly maintains a separate lumber inventory record) who receives lumber (except for resale) and uses it in the United States. "Consumer" does not include contractors or repairmen who receive lumber for use on construction work (including repair of existing structures) done for other persons. The person for whom the construction work or the repair work is done is the consumer.

(7) A "certified order" is any order for delivery of lumber bearing one of the certificates prescribed by this order or by any direction issued pursuant to this order.

(8) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

Lumber Consumers and How They Get Their Lumber

(c) *General.* For the purposes of this order lumber consumers are grouped according to the quantity of lumber they use and the purpose for which they use it. Because a person may be included in more than one group, he must read the provisions relating to each in order to determine the procedure or procedures he must follow in getting his lumber. Lumber which a person gets as a production material is subject to the limitations which may be imposed by directions to this order.

"Class I Consumers" and How They Get Their Lumber

(d) *Who a "Class I consumer" is.* A "Class I consumer" is any consumer who has been granted an authorization to receive lumber on Form WPB–3640.

(e) *Who is required to get an authorization on Form WPB–3640.* The following are required to file Form WPB–3640 and get an authorization from the War Production Board to receive lumber:

(1) Any consumer who has previously been granted an authorization to receive lumber on Form WPB–3640. If a consumer has received an authorization on Form WPB–3640 for one quarter, he must continue to apply for authorizations for subsequent quarters (though his requirements drop below 50,000 board feet) unless otherwise notified by the War Production Board.

(2) Any consumer who expects that he will need to receive 50,000 or more board feet of lumber in a particular quarter for all purposes except: (i) resale; (ii) mining or smelting operations for which he has been assigned a serial number under P–56; (iii) operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11; (iv) farm operations for which he may get lumber through the War Food Administration as explained in paragraph (l) below; and (v) all construction jobs.

(f) *Separate branches and departments.* If a consumer has two or more branches, plants, departments or other divisions which regularly maintain separate lumber inventory records, each of them is to be treated as a separate consumer for purposes of determining whether it must get an authorization as a Class I consumer. Inventories may not be split for the purpose of evading this order.

(g) *A Consumer required to file Form WPB–3640 may not receive lumber in a quarter unless authorized.* Any consumer who is required to file Form WPB–3640 but does not file his application and get an authorization, is forbidden to receive any lumber in the quarter for which the authorization was necessary. This does not apply to lumber received for one of the excepted purposes mentioned in paragraph (e) (2) above.

(h) *How receipts are authorized.* Application on Form WPB–3640 covering requirements for any quarter will be returned to the applicant with an authorization saying how much lumber he may receive during the quarter for which the application is made.

(i) *Extent to which authorization can be used.* The following provisions govern the extent to which authorizations granted on Form WPB–3640 can be used:

(1) *Quarterly receipts by Class I consumer restricted to amounts authorized.* A Class I consumer may not order for delivery in or receive in any quarter more lumber than the amount authorized on Form WPB–3640. This does not apply to lumber ordered or received for the excepted purposes mentioned in paragraph (e) (2) above. Lumber ordered for delivery in one quarter but shipped during the last 15 days of the preceding quarter or before the end of the first month of the following quarter may be received and charged against the authorization for the quarter in which delivery was requested.

(2) *Class I consumers may place certified orders in advance of authorization on Form WPB–3640.* In order to assure the fulfillment of long-term programs and schedules, Class I consumers who are authorized to place certified orders may place such orders for delivery of lumber in future quarters in an amount not to exceed 75 percent of the amount they are authorized to receive in any current quarter. These orders may be rated to the extent that the person placing them has received ratings which are valid for delivery in future quarters. These orders will be subject to such adjustments as may be necessary at the time the War Production Board's quarterly determination of essential requirements is made.

(3) *Additional authorizations and return of authorizations.* A Class I consumer who needs more lumber than he is authorized to receive may file a supplementary application on Form WPB–3640 for an additional amount. As soon as he finds that he will not need as much lumber as authorized, he must notify the War Production Board on Form WPB–3773 of the amount of lumber he does not need and has not received and must cancel or reduce his outstanding delivery orders accordingly.

(4) [Deleted July 19, 1945.]

(5) *Certification of delivery orders and use of ratings.* Every Class I consumer must certify all his purchase orders, sales tickets, or other orders requesting the delivery or transfer of lumber as explained in paragraph (q) below. When using preference ratings to get lumber a Class I consumer must comply with the provisions of paragraph (r) below. If a Class I consumer has no rating (or only an AA–5 MRO rating) for a part of his operations which requires lumber, he must place certified but unrated orders for the lumber which he needs for that purpose.

"Class II Consumers" and How They Get Their Lumber

(j) *Who a "Class II consumer" is.* A "Class II consumer" is:

(1) Any consumer who has a preference rating (except AA–5 MRO) and who would have to file an application as a Class I consumer except for the fact that he will need less than 50,000 board feet of lumber in a calendar quarter. (If, after the beginning of a quarter, this type of Class II consumer finds that he will need to receive 50,000 or more board feet of lumber in the quarter, he must immediately file an application on Form WPB–3640.)

(2) Any consumer who needs lumber (regardless of amount) for (i) mining and smelting operations for which he has been assigned a serial number under Order P–56; or (ii) operations directly incident to the discovery, development or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11.

(3) Any consumer who needs lumber (regardless of amount) for construction jobs for which priority assistance has been given by the War Production Board or the National Housing Agency or any other Federal agency.

(k) *Class II consumers must place certified and rated orders.* Class II consumers do not, under this order, file special applications for authority to receive lumber unless specifically required to by a direction issued under this order. A Class II consumer in placing a certified order must use his appropriate rating and endorse his delivery order with the certificate as explained in paragraph (q) below. As to any part of his operations for which he does not have a rating (or only an AA–5 MRO rating) he is not a Class II consumer and may not place a certified order or use a rating. In using ratings to get lumber a Class II consumer must comply with the provisions of paragraph (r) below.

Farmers

(l) *Farmers and how they get their lumber.* Farmers include only persons engaged in farming as a business by raising crops, livestock, bees, or poultry. The term "farmer" does not include a person who has just a "victory garden" or a person who raises food or other agricultural products entirely for his own use. If a farmer wants to get lumber from another person he must follow the rules and regulations which have been established by the War Food Administration. The County Agricultural Conservation Committees will provide farmers with the necessary information on what they must do before they will be authorized to receive lumber. Any farmer who cuts trees on his own farm may have them sawed into lumber by a sawmill and may receive up to 5,000 board feet of lumber sawed from such trees in a calendar year without following the regulations of the War Food Administration or the provisions of this order. If he wants to receive more than 5,000 board feet of lumber which has been cut from his own trees he will need to get a certificate for the excess from his County Agricultural Conservation Committee or give the sawmill a certificate which he has received from another lumber consumer on a purchase order. Sawmills are authorized to redeliver this lumber to farmers without requiring them to give certified orders.

All Other Consumers

(m) *Who "all other consumers" are.* "All other consumers" are industrial plants and business enterprises and other persons (including farmers) who need lumber for a purpose for which no rating has been assigned. The term also includes industrial plants and business enterprises that have an AA–5 MRO preference rating (except Class I consumers).

(n) *"All other consumers" may place uncertified and unrated orders.* "All other consumers" may place uncertified and unrated orders with lumber distributors and may accept deliveries of lumber to the extent that distributors are permitted by directions to this order to

supply lumber for their needs. An uncertified and unrated order is one which bears neither a certificate nor a rating.

Distributors

(o) *How distributors get their lumber.* The following provisions will govern the manner in which lumber distributors will get their lumber:

(1) *Extension of customers' certified order.* Every distributor may extend certified orders which he has accepted and receive an amount of lumber from a sawmill or from another distributor which is not more than the total accumulated certified orders accepted (either on past or future orders for delivery). There is no time limit within which orders must be extended. A distributor may not extend the same certified order more than once. Certified orders accepted by a distributor must be kept in the distributor's files, and the accumulated certificates may be extended by using the distributor's certification provided for in paragraph (q) (3) of this order. These provisions apply to all the certificates shown in paragraph (q) below and to any certificate the War Food Administration says a farmer must use to get lumber under this order.

(2) *Distributors receipts and deliveries of Red Cross Lumber.* Any lumber distributor who receives ratings from the American Red Cross on a preference rating certificate for use in obtaining lumber required for emergency relief in disaster-stricken areas may extend those ratings to get the amount of lumber for which the preference rating certificate was issued. In placing the order with his lumber supplier, the distributor is authorized and required to use the certificate prescribed by paragraph (q) (3) of this order. Notwithstanding any provisions of this order or a direction issued under this order, lumber that a distributor receives from his supplier under this paragraph may be delivered to victims of disaster-stricken areas on uncertified and unrated orders. If the distributor delivers lumber to such victims out of inventory the lumber obtained from the supplier may be used to replace that lumber in inventory.

(3) *War Production Board may authorize distributors to place certified but unrated orders.* Any lumber distributor who was engaged in the business of selling lumber at wholesale or retail prior to May 1, 1944 and who had a lumber inventory at that date, may apply to the War Production Board on Form WPB–3813 for authority to place certified but unrated orders with sawmills or other distributors. Lumber distributors authorized on Form WPB–3813 to receive lumber under this paragraph may use the certificate provided for in paragraph (q) (4) of this order.

(4) *Directions may also permit distributors to receive lumber.* Lumber distributors may be authorized by directions issued under this order to receive additional quantities of lumber. Lumber which a distributor receives under a direction to this order will be subject to the provisions of this order and such conditions as may be imposed by the directions.

(p) *Deliveries that distributors may make.* Unless a direction or directive issued under this order says a distributor may deliver lumber to a customer or to another distributor in some other way, deliveries may be made only on the following types of orders:

(1) *Deliveries on certified and rated orders.* Distributors may deliver lumber on the basis of a customer's or another distributor's rated order which bears either one of the certificates provided for in paragraphs (q) (1) and (q) (3) of this order or a certificate in the form prescribed by the War Food Administration.

(2) *Deliveries on certified but unrated orders.* Distributors may deliver lumber on the basis of either a customer's or distributor's unrated order if it bears one of the certificates provided for in paragraphs (q) (2), (q) (3), and (q) (4) of this order.

(3) *Distributors who are also consumers.* If a distributor wants to use lumber from his own distributor stock, he may do so only by following the same procedure he would follow in delivering lumber to another consumer. If, as a consumer, he has the right to place a certified order with someone else, he may treat the transfer from his distributor stock as a delivery on a certified order, but he must keep a record of it in his files and endorse the appropriate certificate on the record.

(4) *Deliveries of Red Cross Lumber.* Distributors may deliver lumber to victims of disaster-stricken areas in accordance with the provisions of paragraph (o) (2) above.

Certification of Orders

(q) *General provisions.* Unless a directive or a direction issued by the War Production Board under this order says that it may be done in some other way, an order for lumber may only be certified by endorsing or attaching one of the following forms of certificates on the purchase order, sales ticket, or other order calling for the delivery of lumber. Certificates must be signed manually or as explained in Priorities Regulation No. 7. However, the standard form of certificate described in that regulation may not be used in place of the certificates required by this order. A certification required by this order or a directive or direction to this order may not be waived under paragraph (f) of Priorities Regulation 7. Orders placed verbally must be confirmed immediately and the confirmation must bear the appropriate certificate. Orders placed by telegraph must bear the appropriate certificate in full or be confirmed by letter bearing the certificate in full. Lumber suppliers who receive certificates must keep them in their files for inspection by government officials. Any consumer who may place a certified (rated or unrated) order for lumber required for construction or for maintenance and repair and who wishes to have the construction work done and the material furnished by another person may authorize such other person to sign the certificate as his duly authorized official.

(1) *Certificate that must be used by Class I and Class II consumers on rated orders.* Class I and Class II consumers must endorse the following certificate on all their rated orders calling for the delivery or transfer of lumber:

The undersigned consumer certifies to the supplier and to the War Production Board that this lumber, together with all other lumber for which he has requested delivery, does not exceed the amount he has been authorized by the War Production Board to receive under Order L–335, with the provisions of which he is familiar, and that the use of any rating shown on this order is authorized.

Consumer

Date ---------- By ----------
Duly authorized official

(2) *Certificates that must be used by Class I consumers on their unrated orders.* Class I consumers who place certified but unrated orders calling for the delivery of lumber must use the following form of certificate:

The undersigned certifies to the supplier and to the War Production Board that he is a Class I consumer and that this lumber, together with all other lumber for which he has requested delivery within the quarter in which delivery of this lumber is requested, does not exceed the amount he has been authorized by the War Production Board to receive under Order L–335, with the provisions of which he is familiar and that this order is unrated.

Consumer

By ----------
Duly authorized official

Date ----------

(3) *Certificate that must be used by distributors in extending customers' certified orders.* When extending customers' certified orders including certified orders that a distributor may receive from another distributor the following certificate must be used:

The undersigned certifies that this lumber, together with all other lumber which he has ordered on the extension of his customers' certified orders, does not exceed the amount of unextended certified orders which he has in his file, and that to the best of his knowledge and belief, he is authorized to place this order as a "certified order" under Order L–335, and to use any preference rating shown on this order.

Distributor

By ----------
Duly authorized official

Date ----------

(4) *Certificate that must be used by distributors to get lumber authorized on Form WPB–3813 or by a direction.* When a distributor places certified orders to get lumber authorized by the War Production Board on Form WPB–3813 as explained in paragraph (o) (3) above or to get lumber which he is authorized to receive under a direction he must use the following certificate:

The undersigned certifies to the supplier and to the War Production Board that he has been authorized ---------- to receive this lumber. The amount for which he is requesting delivery on this order together with all other orders bearing this form of certificate does not exceed the amount he is authorized to receive by the use of this form of certificate. This order is not rated.

Distributor

Date----------

By ----------
Duly authorized official

The distributor must insert in the space provided either (i) "on Form WPB–3813"; (ii) "by Direction 8"; or (iii) "on Form WPB–3813 and by Direction 8".

Restrictions on the Use of Ratings

(r) *General.* This order does not assign any preference ratings. If a consumer has a rating to get production materials for a product, he may continue to use that rating to get lumber to be incorporated in the product. If a consumer has a rating (except an AA–5 MRO) to get lumber for maintenance, repair, or operating supplies (including MRO shipping material or dunnage), he can also continue to use that rating to get lumber for such purposes. A consumer who does not have a rating but needs one to get lumber may get it in the same way as a rating for any other material (except in the case of farmers who get a rating through the War Food Administration). Persons who had a rating to get lumber under Order M–208 may not use those ratings as that order has been revoked as of August 1, 1944. Under this order any person entitled to use a preference rating to get lumber must also use the certificate described in paragraph (q) (1), as the preference rating alone is not sufficient. The use of any rating assigned by a certificate, preference rating order, or regulation is subject to any restrictions contained in the instrument assigning it. Also, persons using ratings to get lumber must comply with the general applicable restrictions in Priorities Regulations 1, 3, and 11–B and CMP Regulation 3 and with the further restrictions contained in this order.

(1) *MRO rating of AA–5 may not be used to get lumber.* No person who has an AA–5 MRO rating for maintenance, repair, and operating supplies may use it to get lumber. No person selling lumber may give any effect to such a rating.

(2) *Repairmen's rating of AA–3 under CMP Regulation 9A.* Repairmen (including captive repair shops) may not use the rating assigned to them by CMP Regulation 9A to obtain lumber for use on construction work done for another person. For this purpose "construction" means putting up, altering, or repairing any sort of a structure including a building, road, bridge, dam, sewer, and similar jobs. It also includes the installation of equipment or fixtures in such structures.

(3) *Uncertified order may not be rated.* No preference rating appearing on a lumber order will be valid unless the order is certified as provided in paragraphs (q) (1) and (q) (3) above.

Sawmill Deliveries

(s) *Deliveries that sawmills may make.* Unless a direction or a directive issued under this order says that a sawmill may deliver lumber to a distributor or to a consumer in some other way, the delivery may be made only in the following cases:

(1) *Deliveries on certified and rated orders.* Sawmills may deliver lumber on the basis of a rated order from either a consumer or a distributor if the order bears one of the certificates provided for in paragraphs (q) (1) and (q) (3) of this order.

(2) *Sawmill deliveries on certified but unrated orders.* Sawmills may deliver lumber on the basis of an unrated order from either a Class I consumer or a distributor if the order bears one of the certificates provided for in paragraphs (q) (2), (q) (3) and (q) (4) of this order.

(3) *Sawmills may deliver lumber freely to other sawmills.* This order does not restrict delivery of lumber between "sawmills".

(t) *Uncertified orders.* A sawmill cannot deliver lumber to either a consumer or distributor or withdraw lumber for his own use from his sawmill stock on uncertified orders unless permitted by a direction or by a letter from the War Production Board. Requests for authority for a sawmill to deliver lumber on uncertified orders shall be made by mailing a letter to the field office of the War Production Board for the district in which the sawmill is located except that sawmills located in the States of Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, and South Dakota must mail their requests to the Western Administrator, Order L–335, War Production Board, 1405 S. W. Alder, Portland 5, Oregon. The letter requesting authority to deliver any part of a sawmill's production on uncertified orders must refer to Order L–335 paragraph (t) and explain fully (1) the average monthly production of the sawmill in board feet and the percentage or amount of lumber in the species, grades, and sizes that the sawmill wishes to deliver on uncertified orders; (2) what effort has been made to get certified orders for this lumber; (3) the effect on the sawmill if the request is denied; and (4) any other information which would justify the request. If the lumber is of a type controlled by either Direction 2a or Direction 6 (which require 2 certificates on orders) then the sawmill must also state whether it is requesting permission to deliver without getting one or both of the certificates and if only one specify which. Authority for a sawmill to deliver lumber on an uncertified order will only be given in cases (1) where a distributor will take the lumber on an uncertified order and hold it for redelivery on certified orders; or (2) where the sawmill can make a positive showing that, even with the help of the War Production Board, it cannot get certified orders as required by Order L–335, Direction 2a, or Direction 6 to Order L–335. Sawmills that make a positive showing that they cannot get certified orders as required by an applicable direction but fail to show that they are unable to get orders bearing one of the certificates described in paragraph (q) of Order L–335 may be released only from the restrictions of the applicable direction.

(u) *Sawmills that are distributors.* If a person operates both a sawmill and a distribution yard, he may transfer lumber from his "sawmill stock" to his "distributor stock" provided he follows the procedures governing the delivery of lumber from a sawmill to a distributor. If, as a distributor, he has the right to place a certified order with other suppliers, he may treat the transfer from his "sawmill stock" to his "distributor stock" as a delivery on a certified order, and he must keep a record of the transfer in his sawmill files and endorse the appropriate certificate on that record.

(v) *Sawmills that also sell at retail but do not have a distribution yard.* Sawmills that sell lumber at retail but do not maintain a separate retail distribution yard may accept the same types of orders that a distributor is authorized to accept.

(w) *Sawmills that are also consumers.* If a person is engaged in operating a sawmill and is also engaged in an operation which makes him a consumer, he may transfer lumber from his sawmill stock to his consumer operation provided that, as a consumer, he is authorized to place an order bearing one of the certificates required of consumers. The transfer from his sawmill stock may be treated as a delivery on a certified order, and he must keep a record of the transfer in his sawmill files and endorse the appropriate certificate on the record.

Acceptance and Sequence of Filling Orders

(x) *Sawmills' acceptance and filling of orders.* The following provisions will govern sawmills' acceptance of orders and the sequence in which they must be filled.

(1) *Sawmills' acceptance of certified and rated orders received a month before month of delivery.* Certified and rated orders calling for delivery in any calendar month must be accepted by a sawmill up to the first day of the preceding calendar month in accordance with the provisions of § 944.2 of Priorities Regulation No. 1; that is, as between certified and rated orders, a higher rated order shall take precedence over a lower rated order. If receipt of an order which is rated higher than a previously accepted rated order would result in the sawmill having rated orders for more than 110 percent of its anticipated shipments for the month, then the lowest rated orders or order must be displaced and the customer must be notified.

(2) *Orders received within one month of month of delivery.* A sawmill must not accept rated orders after the beginning of the month preceding the month in which delivery is requested except: (i) where acceptance of the order will not bring the sawmill's total accepted rated orders for delivery in the same month to more than 110 percent of anticipated shipments; (ii) where the new order is rated AAA; or (iii) where the sawmill is directed by the War Production Board to accept the order. If, by the first of the month preceding the month in which delivery is requested, a sawmill does not have certified and rated orders calling for 110 percent of its anticipated shipments, it must continue to accept rated certified orders in accordance with the provisions of § 944.2 of Priorities Regulation No. 1 until its accepted rated orders reach 110 percent of its anticipated shipments. After that, it must not accept any rated order for delivery in the same month, unless (i) the new order is rated AAA; or (ii) the sawmill is directed by the War Production Board to fill the order.

(3) *Sequence of filling accepted rated orders where all cannot be filled.* If a sawmill is unable to make delivery at the time requested on all certified and rated orders which it has accepted for delivery, it must give precedence to high rated orders over lower rated orders as provided in § 944.7 of Priorities Regulation No. 1, except that any unfilled certified and rated orders carried over from a previous month must be filled before making delivery on orders accepted for delivery in the current month, even if the orders carried over bear lower ratings. The only exceptions are that current orders rated AAA and orders which the sawmill has been directed by the War Production Board to fill take precedence over unfilled orders carried over from a preceding month.

(4) *Shipments prior to calendar quarter.* A sawmill may ship lumber on a certified order any time within 15 days before the quarter in which delivery is requested.

(5) *Certified but unrated orders.* There is no fixed limit on the amount of certified but unrated orders that a sawmill may accept from Class I consumers and distributors, but a sawmill should not accept more of these orders than it reasonably expects it will be able to ship. These orders must give way to all certified rated orders previously or subsequently received.

Miscellaneous

(y) The following provisions generally affect consumers, distributors, and sawmills and should be carefully read:

(1) *Validation of orders.* Any consumer or distributor who has placed an uncertified order with a lumber supplier and is later authorized to place a certified order may validate the order by giving his supplier the certificate that he is entitled to use. Any order that is validated subsequent to July 19, 1944, shall be treated as though the order were placed on the date that the certificate was received by the supplier.

(2) *Directives and directions.* The term "directive" as used in this order means written instructions to a specific person regarding the manufacture, delivery or use of lumber. The term "direction" means published instructions to a group or class. The War Production Board may issue directives or directions requiring sawmills or distributors to set aside specific quantities or percentages of production or shipments for persons placing certified orders. It may also allocate production or shipments to specified persons or classes or for specified uses, and may direct how and in what quantities delivery to specified persons or classes or uses may be made. It may also direct distribution to particular areas and may direct or prohibit the production by any person of particular items of lumber. Directions and directives supersede any preference ratings assigned to particular purchase orders or contracts. They will be issued in accordance with approved programs for the satisfaction of war and essential civilian requirements, and in order to carry out more fully the purposes of this order.

(3) *Exports.* The Army, and Navy, the Foreign Economic Administration, and other Federal agencies exporting or authorizing the export of lumber will obtain authorizations on Form WPB-3640 for all exports of lumber under their jurisdiction. The Directors of Priorities for the territories or possessions of Hawaii, Alaska, Puerto Rico, or the Virgin Islands are acting in a similar capacity for these territories and possessions. Any person who wishes to buy lumber for export must submit his delivery orders to the appropriate Federal agency for certification when requesting permission to export.

(4) *Applicability of regulations.* Except as otherwise required by this order, Priorities Regulations 1 and 3 continue to govern the use of ratings and the acceptance, scheduling and filling of orders placed with distributors and sawmills. All other applicable regulations and orders of the War Production Board also remain in effect where not inconsistent with this order.

(5) *Not applicable to territories and possessions.* This order applies only to deliveries made within the 48 states and the District of Columbia. Deliveries made within the United States for export to territories and possessions of the United States must be approved and certified by the Director of Priorities for the territories or possessions of Hawaii, Alaska, Puerto Rico, or the Virgin Islands.

(6) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(7) *Delivery to violators prohibited.* No person shall sell, ship, or deliver or cause to be sold, shipped or delivered, any lumber which he knows or has reason to believe will be received or used in violation of the provisions of this order or any direction or directive issued under it, or any other order or regulation of the War Production Board.

(8) *Reports.* Every person shall file with the War Production Board or any other Federal agency through which the War Production Board may distribute lumber, such reports and questionnaires as the War Production Board or such other agency may from time to time require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(9) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(10) *Emergencies requiring immediate action.* The War Production Board may authorize the receipt and delivery of lumber to meet emergencies which will not permit compliance with the procedures required by this order.

(11) *Application and communications.* Form WPB-3640 for use in filing applications under this order and Forms WPB-3773 and WPB-3813 may be obtained at any War Production Board District Office. All communications, unless otherwise directed, must be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L-335.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13102; Filed, July 19, 1945; 11:46 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-51, as Amended July 18, 1945]

PIGS' AND HOGS' BRISTLES AND BRISTLE PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of pigs' and hogs' bristles and brushes made therefrom for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.161 *Conservation Order M-51—*

(a) *Definitions.* In this order:

(1) "Bristles" means pigs' or hogs' bristles, including riflings, 2 inches or longer, whether new, reclaimed, raw, dressed, imported or domestic.

(2) "Painters' brush" means any brush having a ferrule and used in the painting, varnishing or decorating trade (including all types of brushes specified in the Brush List attached to this order and all brushes of similar construction or use).

(3) "Ferrule" means the band by which the bristles of a painter's brush are attached to the handle.

(b) *Importation.* Notwithstanding any other order, rule, regulation or direction, or any certificate or authorization, no person other than Defense Supplies Corporation or U. S. Commercial Company shall import any variety of bristles of the categories known as "Chinese", "Indias", "Russians" or "Siberians". The importation of bristles of other categories shall be according to General Imports Order M-63, as amended from time to time.

(c) *Inventories of bristles.* No person manufacturing brushes shall buy or accept delivery of any bristles 2½ inches or longer if he has more bristles on hand than are required to continue his then current rate of operations for a period of 120 days. In computing such inventory only items A1, 2 and 3 and B1 as listed on Form WPB-431 shall be included.

(d) *Allocation of stock piled bristles.* Reconstruction Finance Corporation shall not dispose of any variety of bristles of the categories known as "Chinese," "Indias," "Russians," or "Siberians," except as authorized by the War Production Board. The War Production Board may from time to time allocate the supply of stock piled bristles of the categories known as "Chinese," "Indias," "Russians" or "Siberians" and specifically direct the quantities, time and manner in which deliveries by Reconstruction Finance Corporation shall be made or withheld. It may also direct or prohibit particular uses of such categories of bristles. Any direction, prohibition or allocation issued pursuant to this paragraph, to be valid, must be in writing in the name of the War Production Board.

(e) *Restrictions on use of bristles—*

(1) *Use of bristles over 3⅜ inches.* No person shall use any bristles longer than 3⅜" for manufacturing purposes except as follows:

(i) To manufacture brushes for delivery to or for the account of the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the United States Treasury Department or the Department of the Interior;

(ii) To manufacture painters', billboard and paper hangers' paste brushes, except the types identified in the Brush List attached to this order by the following numbers: 12 (mucilage and paste), 13, 14 (painters' duster), 16 (radiator), 22, 23 (paper hangers' smoothing), and 24 (stencil);

(iii) To manufacture the following types of brushes provided the bristles so used are not longer than 3⅞": Brushes required in production operations of any industry; car and window washing brushes (railroad and industrial only); tooth brushes, including dental plate brushes; surgeons' hand brushes and hair brushes.

(iv) [Deleted July 18, 1945.]

(2) *Required mixture of other materials.* No person shall manufacture painters', billboard or paperhangers' paste brushes using bristles longer than 2⅜ inches or car and window washing brushes (railroad and industrial only) using bristles not longer than 3⅜ inches unless such brushes contain at least 45% of filling material other than bristles as defined in this order;

However, this restriction shall not apply:

(i) To the manufacture of brushes where the applicable federal specifications require the use of bristles exclusively and the bristles used are not longer than 3⅞ inches, and where the brushes are for delivery to or for account of the Army and Navy of the United States, the Veterans' Administration, the United States Treasury Department, the Department of the Interior, the United States Maritime Commission, the War Shipping Administration, or marine distributors pursuant to authorization by the Maritime Commission on Form WPB-646.

(ii) To the manufacture of Fitch brushes, stencil brushes, flat bakery grease brushes, long handle sash tools, flat-double, single and single X varnish and utility wall brushes using bristles not longer than 3⅜" (item nos. 2, 17, 18, 19, 24, 27, 29, 30 and 36 brush list only),

(iii) To the manufacture of flat triple varnish brushes (item no. 31 of brush list) using bristles not longer than 3⅝".

(iv) To the manufacture of the following types of brushes provided the bristles so used are not longer than 3⅞": varnish brushes, oval (item no. 28 of Brush List); glue brushes (item nos. 7 and 8 of brush list).

(3) *Exceptions to paragraphs (e) (1) and (e) (2).* On letter application the War Production Board may grant exceptions from paragraphs (e) (1) and (e) (2) in the case of brushes required for:

(i) Applying adhesives in aircraft manufacture;

(ii) Dusting operations in shell-loading plants;

(iii) Use in manufacturing self-sealing gasoline tanks, and

(iv) Other uses where special types of brushes are needed.

(f) *Restrictions on the sale of bristle painters' brushes.* No brush manufacturer shall sell or deliver any painters' brushes containing bristles except on the following classes of orders:

(1) Orders placed by the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the United States Treasury Department or the Department of the Interior;

(2) Orders placed by persons entitled to use ratings of AA-3 or higher;

(3) Orders placed by distributors (except marine distributors) rated on Form WPB-547 and orders placed by marine distributors rated on Form WPB-646;

(4) Orders for export rated on Form FEA-419.

No person shall buy or accept delivery of any of these brushes from a brush manufacturer except on these classes of orders.

(g) *Sale of brushes for export.* No person shall sell or deliver any product containing bristles which he knows or has reason to believe will be exported unless the purchase order contains the number of the export license or release certificate issued by the Foreign Economic Administration or unless the product is ordered by an agency of the United States for delivery pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or for delivery for the account of the United Nations' Relief and Rehabilitation Administration (U. N. R. R. A.).

(h) *Limitation on manufacture of brushes.* No person shall manufacture any painters' brush:

(1) Of a type other than those specified in the Brush List attached to this order;

(2) With a ferrule of dimensions other than those specified in the Brush List with respect to each brush, or which has an assembly containing an inner band, a bridge or a spout, or which is seamless (except for a shipbottom, stencil, oval varnish or oval sashtool brush), or which is embossed or stamped (except that the size and other markings may be applied if to do so would not require any special or additional operation during the process of manufacturing the ferrule); or

(3) With a handle finished in more than one color.

(i) *Reports.* Every owner of bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB-431 showing his holdings and consumption of bristles during the preceding month. This requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(j) *Communications.* All reports required to be filed and all communications concerning this order shall unless otherwise directed be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C. Ref. M-51.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(l) *Violations.* Any person who wilfully violates any provision of this order, or, who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(m) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 18th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

BRUSH LIST

These are the only kinds of painters' brushes which may be manufactured. (All dimensions are in inches. A maximum variation of 1/32 of an inch is allowed in width and thickness both of which are referred to by inside dimensions. The Federal Specification numbers are to be used only as a means of identifying the type of brush. In case of any inconsistency, the dimensions in Columns 4, 5 and 6 shall prevail over those in the Federal Specifications.)

NOTE: List amended July 18, 1945.

1 Type of brush	2 Identification No. for ready reference	3 Federal Specification No.	4 Width of ferrule	5 Thickness of ferrule	6 Maximum depth of ferrule
Color-single thickness	1		½	⅛	1
			1	5/16	1¼
			1½	7/16	1¼
			2	½	1¼
			3	⅝	1¼
Fitch	2	HB-241a	⅜	⅛	1⅜
			7/16	5/16	1½
			½	5/16	1⅝
			⅝	⅜	1⅝
			¾	½	1⅝
			1	⅝	2⅛
			1¼	¾	2⅛
			1½	⅞	2⅛
			1¾	13/16	2⅛
			2	⅞	2⅛
Flatting-wall master	3		2½	⅛	3
			4½	½	1
			5	1½	1
			6	1½	1
			6½	1½	1
Flatting-wall utility	4		5	1½	1
			6	1¾	1
Flowing fitch-single thickness	5	HB-256	1	7/16	1¼
			1½	7/16	1¼
			2	½	1¼
			3	½	1¼
			4	11/16	1¼
Ox hair and civet hair flowing	6		1	7/16	1¼
			1½	½	1¼
			2	9/16	1¼
			3	11/16	1¼
Glue-flat	7	HB-293a	4	11/16	1¼
			1	⅜	1¼
			2	⅜	1¼
			3	11/16	1¼
Glue-round	8	HB-301a	1	1	½
			15/16	13/16	½
			1½	1½	¾
			2	2	¾
			2½	2½	¾
Kalsomine-Dutch	9		2¾	½	1
Kalsomine-flat	10	HB-141	1	⅜	1¼
			2	⅝	1¼
Mottling	11	HB-391	½	7/32	1¼
			¾	7/32	1¼
			1	1/64	1¼
			1¼	¼	1¼
			1	¼	1¼
			1 5/16	¾	1¼
			2 5/16	⅝	1¼
Mucilage and paste	12	HB-401 Type 2	1	⅜	1¼
			2	7/16	1¼
			3	7/16	1¼
			4	½	1¼
Painters' duster flat	13		1	1/64	1
Painters' duster round	14		2½	2½	1
Plasterers'	15		2½	7/32	1¼
Radiator	16	HB-451	1	⅜	1¼
			1½	⅜	1¼
			2	½	1¼
Sashtool-flat	17		1	7/16	1¼
			1½	½	1¼
			2	½	1¼
			2½	⅝	1¼
Sashtool-oval (seamless)	18	HB-461b	½	1/32	1¼
			13/16	½	1½
			1	⅝	1½
			1⅛	¾	1½
			1¼	⅞	1½
			1½	1	1½
			1⅝	1 1/16	1½
Sashtool-oval (locked seam)	19		½	1/32	1¼
			13/16	½	1½
			1	⅝	1½
			1⅛	¾	1½
			1¼	⅞	1½
			1½	1	1½
			1⅝	1 1/16	1½
Shipbottom (seamless or soldered wire ferrule)	20		2¼	2¼	1
Signwriters'	21		½	1/64	1¼
			¾	1/64	1¼
			1	1/64	1¼
			1¼	¼	1¼
			1½	¼	1¼
			1¾	¾	1¼
			2	¾	1¼
			2½	¾	1¼
			3	¾	1¼
			4	¾	1¼
Signwriters'—Continued	21		¾	17/64	1¼
			1	19/64	1¼
			1¼	2 3/64	1¼
			1½	1½	1
			2	⅝	1
Smoothing paper hanger (2 rows)	22		12	1½	1
Smoothing paper hanger (3 rows)	23		12	⅝	1
Stencil (seamless ferrule)	24	HB-621b			
Type I: Rolled edge			13/16	13/16	1¼
			1 5/16	1 3/16	1¼
Type II: Without rolled edge			⅞	⅞	1¼
			1⅛	1⅛	1¼
			1⅜	1⅜	1¼
			1 5/16	1⅜	1¼
			1½	1½	1¼
			2	1½	1¼
Stucco-open center	25		3	1¼	2
			3½	1¼	2
			4	1¼	2
			4½	1¼	2
			5	1¼	2
			5½	1¼	2
Stucco-solid center	26		4	1¼	2
			4½	1¼	2
Varnish-flat-double	27	HB-701a	1	5/16	1¼
			1½	½	1¼
			2	5/16	1¼
			2½	⅝	1¼
			3	11/16	1¼
			4	11/16	1¼
Varnish-oval (seamless ferrules). Round dimensions may be ovaled to any size.	28	HB-711	17/64	17/64	1¼
			11/32	11/32	1¼
			13/32	⅜	1¼
			17/32	½	1¼
			2	5/16	1¼
			2½	⅝	1¼
Varnish-flat single	29	HB-696a	½	1/64	1
			1	1/64	1¼
			1½	1/64	1¼
			2	1/64	1¼
			2½	1/64	1¼
			3	1/64	1¼
Varnish-flat single X	30		1	1/64	1¼
			1	¾	1¼
			1½	5/16	1¼
			1½	7/16	1¼
			2	½	1¼
			2	⅝	1¼
			3	¾	1¼
Varnish-flat, triple	31	HB-706a	1	5/16	1¼
			1½	½	1¼
			2	11/16	1¼
			2½	¾	1¼
			3	⅞	1¼
			3½	1	1¼
Wall-master A	32	HB-421	3	1	1¼
			3½	1	1¼
			4	1	1¼
			4½	1	1¼
Wall-master B	33	HB-421	5	1	1¼
			3½	1	1¼
			4	1	1¼
			4½	1	1¼
			5	1	1¼
Wall-medium	34	HB-431	3	13/16	1¼
			3½	13/16	1¼
			4	⅞	1¼
			5	⅞	1¼
Wall-syndicate	35		3	⅞	1¼
			3½	⅞	1¼
			4	⅞	1¼
			6	⅞	1¼
Wall-utility	36	HB-436	3	13/16	1¼
			3½	13/16	1¼
			4	⅞	1¼
Whitewash	37	HB-731	7	1⅛	1
			9	1⅛	1

[F. R. Doc. 45-13055; Filed, July 18, 1945; 4:25 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

Conservation Order M-217, as Amended July 19, 1945]

FOOTWEAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.191 *Conservation Order M-217*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board and Conservation Order M-328, as amended from time to time, except as follows:

(1) Priorities Regulation 17 shall be inapplicable to footwear.

(2) Military footwear which has been rejected by Government inspectors and stamped to indicate its rejection may be sold without regard to Paragraph 944.11 of Priorities Regulation 1 or paragraph (e) (3) of Conservation Order M-328.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers, but does not include (i) rubber footwear or (ii) foot covering designed to be worn over shoes and utilizing no leather.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) [Deleted June 14, 1945.]

(5) [Deleted June 14, 1945.]

(6) "Cattle hide leather" means any leather (including splits) made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(7) [Deleted Nov. 9, 1944.]

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) [Deleted Mar. 9, 1944.]

(10) "Line" means footwear of any one of the following types:

Men's dress
Men's work
Youths' and boys'
Women's and growing girls'
Misses' and children's
Infants'
House slippers
Athletic
Men's safety shoes, and
Women's safety shoes

to the extent that such type of footwear is manufactured for sale by the manufacturer in a price range where the highest list price does not exceed the lowest by more than 10% or 25¢ a pair (whichever is greater): *Provided*, That:

(i) Footwear of identical kind and quality sold at different prices to different types of purchasers may be included in one line if the highest price in the range is an actual price at which this footwear was sold during the base period, and the concession price for the same footwear is not more than 15% below the highest price in the range.

(ii) In case the sale by the manufacturer is at retail or to a purchaser which controls, is controlled by, or is subject to common control with, the manufacturer, then the applicable price range shall be the retail price range.

(iii) Up to the net wholesale price shown on the following schedule, each type of footwear listed may be deemed one line:

Type:	*Maximum net wholesale price per pair*
Misses' and children's	$1.75
Youths' and boys' (without leather)	1.90
Youths' and boys' (utilizing leather)	2.00
Women's and growing girls' (including safety) (without leather)	1.90
Women's and growing girls' (including safety) (utilizing leather)	2.00
Men's work, dress and safety (without leather)	1.90
Men's work, dress and safety (utilizing leather)	2.50
House slippers (with or without leather)	1.60
Infants', sizes 0–4 (utilizing leather)	.90
Infants', sizes 0–4 (made without leather)	.75
Infants', sizes 4½ to 8 (with or without leather)	1.35

NOTE: For the purposes of this schedule, footwear utilizing no leather except for heel top lifts shall be considered as having been made without leather.

(iv) Nothing in this order shall be deemed to permit overlapping price lines.

(11) [Deleted May 1, 1945.]

(12) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(13) "Civilian footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(14) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 through April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(15) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period, as set forth on his base period report.

(16) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(17) "Long shield tip" means a shield tip having a horizontal measurement from the bottom of the curve to the upper end of the tip of more than 1 inch (using size 4B as a standard).

(18) [Deleted Nov. 9, 1944.]

(19) [Deleted Nov. 9, 1944.]

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) [Deleted June 14, 1945.]

(ii) [Deleted June 14, 1945.]

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of sizes 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes and footwear with fabric uppers.

(v) [Deleted June 14, 1945.]

(vi) [Deleted June 14, 1945.]

(vii) Bows or other ornaments, if made in whole or in part of leather (excluding scrap).

(viii) Outside leather taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in Goodyear welt footwear other than work shoes and safety shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) [Deleted Aug. 26, 1944.]

(xiii) [Deleted Aug. 26, 1944.]

(xiv) Men's one-piece leather uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) [Deleted Aug. 26, 1944.]

(xvi) [Deleted Aug. 26, 1944.]

(xvii) [Deleted Aug. 26, 1944.]

(xviii) [Deleted June 14, 1945.]

(xix) [Deleted June 14, 1945.]

(xx) [Deleted June 14, 1945.]

(xxi) [Deleted Aug. 26, 1944.]

(xxii) [Deleted June 14, 1945.]

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) [Deleted Aug. 26, 1944.]

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) [Deleted Aug. 26, 1944.]

(xxvii) [Deleted Aug. 26, 1944.]

(xxviii) [Deleted Aug. 26, 1944.]

(xxix) Rawhide or other leather laces, except on work shoes.

(xxx) [Deleted June 14, 1945.]

(2) [Deleted Aug. 26, 1944.]

(3) No person shall put into process any leather for the manufacture of any boots (including jodhpurs and jodhpur types) except men's blucher high cut laced boots ten inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots: except that any person who has an established quota under paragraph (i) for men's work shoes may produce genuine logger boots with calks or linemen's boots above 10 inches in height; *Provided*, That within ten days after the end of each calendar month he sends to the War Production Board, Leather and Shoe Division, Washington 25, D. C., Ref: M-217, a letter showing the number and kinds of boots made, and, in the case of linemen's boots, the names of the individuals for whom they were made.

(4) [Deleted June 14, 1945.]

(5) [Deleted Aug. 26, 1944.]

(6) [Deleted June 14, 1945.]

(7) No person shall, in the manufacture of house slippers or romeos, put into process for uppers any cattle hide leather (including splits) or goatskin or kidskin

leather (including India-tanned goatskin or kidskin) or put into process for outsoles any cattle hide grain leather other than heads, bellies, shins, and shanks of 5 iron or less. No person shall utilize any leather in the manufacture of infants' house slippers in sizes 0 to 4, inclusive.

(8) [Deleted July 19,1945.]

(9) [Deleted Aug. 26, 1944.]

(10) [Deleted Aug. 26, 1944.]

(11) No person shall manufacture any leather or part leather bows for use on footwear, except out of scrap.

(12) No person shall attach any soles heavier than 4 iron cut from chrome, chrome retan, or any combination chrome tanned cattlehide or horse butt leather, excluding splits, to any footwear except infants', misses' and children's shoes (excluding all sizes over size 3), youths' and boys' shoes (excluding all sizes over size 6), men's work shoes, and men's and women's safety shoes manufactured in accordance with paragraph (e–1) below. This provision does not apply to repair.

(13) With respect to:

(i) Foot wear especially designed for the physically maimed and deformed;

(ii) Misses' and children's shoes (up to and including size 3);

(iii) Infants' shoes; and

(iv) Youths' and boys' shoes (up to and including size 6); no person shall utilize any upper leather or lining leather set aside by tanners for such footwear pursuant to Conservation Order M–310 or directions issued thereunder except in the manufacture of one of those types of footwear.

(d) *Restrictions on styling and types manufactured.* (1) [Deleted June 14, 1945.]

(2) [Deleted Aug. 26, 1944.]

(3) [Deleted Aug. 26, 1944.]

(4) No person shall attach to any footwear (except infants' footwear, house slippers or women's gold or silver evening slippers) outsoles, other than wooden soles, not conforming to the specifications contained in Schedule I annexed to this order.

(e) *Exceptions to paragraphs* (c) *and* (d) *above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear made wholly without leather except for leather top lifts if used. This exemption shall extend only to paragraph (c).

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' footwear up to and including size 4, except that this exemption shall not extend to paragraph (c) (7).

(6) Footwear made wholly or primarily of shearlings provided no other leather is used in their manufacture.

(e–1) *Restrictions on the manufacture of safety shoes.* No person shall manufacture any safety shoes which have leather uppers with leather or rubber (including synthetic rubber) compound bottoms, except those which comply with the safety features as to safety toe box, electric conductivity, electrical properties, non-sparking and moulders protection in the American War Standards Specifications for protective occupational footwear, men's safety shoes and women's safety shoes, Z41.1 to Z41.9 inclusive, 1944. Only those parts of the specifications relating specifically and solely to the safety features listed above and to the test requirements shall be applicable.

Upon letter application the War Production Board may authorize deviations from the above-mentioned standards when necessary to meet minimum civilian requirements for safety shoes.

(f) [Deleted Aug. 26, 1944.]

(g) *General exceptions.* None of the restrictions of this order shall apply to military footwear, or to footwear made as trials or pullovers but not sold.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker, or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between customers and his own consumption of said footwear. Reduction in sales or deliverles proportionate with any curtallment in supply available for nonmilitary use shall not constitute a discriminatory cut.

(5) With respect to:

(i) Footwear especially designed for the physically maimed and deformed;

(ii) Misses' and children's shoes (up to and including size 3);

(iii) Infants' shoes; and

(iv) Youths' and boys' shoes (up to and including size 6); no manufacturer shall accept delivery of any upper leather or lining leather reserved by tanners for such footwear pursuant to Conservation Order M–310 or directions issued thereunder if his supply of leather suitable for such footwear and obtained on certificate pursuant to such direction shall thereby become larger than a 30-days' inventory. A 30-days' inventory shall be deemed to be the quantity of leather actually used for the production of shoes of these types during the preceding calendar month, unless no such footwear was produced in that month, in which case a 30-days' inventory shall be deemed to be the leather required to manufacture his scheduled production of such shoes for the following thirty days.

(i) *Restrictions on production of lines of footwear.* (1) No person shall in any six months' period beginning with March 1 or September 1 in any year complete the manufacture of more civilian footwear within any line than the percentage of his civilian line quota for such line shown on the following schedule:

Each line of youths' and boys' shoes	125
Each line of men's safety shoes	125
Each line of men's work shoes	115
Each line of men's dress shoes	100
Each line of women's and growing girls' shoes	100
Each line of house slippers	100
Each line of athletic shoes	100
Each line of women's safety shoes	100

With respect to (i) infants' footwear and (ii) misses' and children's footwear, no manufacturer may exceed 125% of his aggregate civilian line quotas for all lines of infants' footwear, and no manufacturer may exceed 125% of his aggregate civilian line quotas for all lines of misses' and children's footwear, but his production within each of these two types of footwear may be distributed among his established lines in any manner desired, except that the production in any line consisting of less than 50 pairs or 2% of the total production of that type of footwear (whichever is greater) during the base period may not be increased by more than 25%;

Provided, however, That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows an increase over that during the six months' base period, each civilian line quota of such manufacturer shall be diminished by its proportionate part of such increase; *and provided further,* That to the extent that a manufacturer's production of military footwear during the six months' period ending September 1, 1945 increases over his military production during the six months' period ending March 1, 1945, he may deduct the increased pairage of military footwear from any civilian line or lines of men's dress or work shoes, or, in the event that he does not have sufficient quota in men's dress or work shoes, he may deduct the remaining pairage from his quota on any civilian line or lines of youths' and boys' shoes.

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) *Exceptions to paragraphs* (i) (1) *and* (i) (2). (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to the quota of a lower priced line of the same type of civilian footwear.

Provided he does not add a greater percentage of his unused quota than that set forth in the table below, any person may add the unused portion of his civilian line quota, or quotas, of men's dress or women's and growing girls' shoes to his quotas of the types shown in the following schedule up to a maximum of six times the amount actually transferred pursuant to this paragraph (i) (3) (ii) during the month of March, 1945:

Type:	*Percentage of unused quota*
Men's work shoes	115
Youths' and boys' shoes	125
Misses' and children's shoes	125
Infants' shoes	125

In no event shall any unused quota be added to a higher priced line.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) During any six months' period, beginning March 1 or September 1 in any year, a manufacturer whose total production for the period will be less than $250,000 (based on wholesale value) is not subject to paragraph (i) (1), provided that no new higher priced lines are added and provided the manufacturer does not exceed his aggregate production in pairs during his six months' base period by more than 50%. The exemption in this paragraph shall not apply to a manufacturers affiliated, as a subsidiary or otherwise with another or others. This paragraph shall not authorize any manufacturer to increase his production by more than 50% in any line consisting of less than 50 pairs or 2% of his total production of that type of footwear (whichever is greater) during the base period.

(v) Paragraphs (i) (1) and (i) (2) shall not apply to footwear for the physically maimed or deformed on a custom-made basis and not for stock, to wood sole clogs utilizing no leather, or to shearling house slippers utilizing no other leather.

A person making infants' non-leather shoes in sizes 0 to 4 inclusive, infants' shoes in sizes 4½ to 8, inclusive, misses' and children's shoes and youths' and boys' shoes, who has filed a letter of intention to take advantage of the exception applying to those types of shoes before May 1, 1945 is permitted to take advantage of this exception only if his letter of intention was acknowledged by the War Production Board prior to May 16, 1945.

(vi) The War Production Board may authorize transfers of quotas of footwear from one line or type to any other line or type and new or additional production in each line or type. It will in general be the policy of the War Production Board to authorize new or additional production in lines of which there is a critical civilian shortage or lines of reasonably durable footwear where such production will not require materials, components, facilities or labor needed for war purposes, and will not otherwise adversely affect or interfere with production for war or essential civilian purposes. Authorization will not be dependent upon the applicant's having been engaged in the production of shoes during the base period.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the pairs desired to be made in each price range, the source of the manpower that will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. All applications shall be accompanied by an original and three copies of Form WPB–3820. Authorization of production of new lines under this paragraph will be made only with the condition that production may not begin until evidence is furnished of conformity with applicable Office of Price Administration regulations.

The War Production Board will issue footwear manufacturers' quota numbers for quotas authorized by the War Production Board or established because of base period production.

Production in new price lines, or increased production in established lines, may be granted by the War Production Board to cover production of civilian footwear purchased by or on behalf of United Nations Relief and Rehabilitation Administration or any other agency for foreign relief purposes,

(vii) Manufacturers qualifying for an increase in price on footwear with non-marking synthetic rubber soles, or soles and heels, under Order No. 13 under § 1499.3 (c) (3) of General Maximum Price Regulations, issued by the Office of Price Administration, may disregard such increase for the purposes of this paragraph (i). However, where the increase results in production of shoes in a higher price line, the number of pairs so produced shall be reported separately on the manufacturer's production report at the actual price, as indicated in the revised directions to said form.

(viii) Where a manufacturer produced in his base period a line of misses' and children's footwear of less than 50 pair or 2% of his total production of that type, he may increase his production of this line in any six months' period to not more than six times his lawful production of the line in January, 1945, *Provided,* That, he deducts the production in excess of 125% of his base period production in this line from his other lines of misses' and children's shoes.

(ix) Any person with an established quota or quotas for the production of women's and growing girls' shoes may produce up to 10% of his aggregate quota or quotas in women's all-over genuine reptile (including frog) shoes in any line or lines at a net wholesale price of $4.50 per pair or less, provided that the number of pairs of shoes produced under this paragraph (i) (3) (ix) is counted as production against the quota for that line or those lines, if any. In the event that there is no quota in a line in which such shoes are being produced, or that the number of pairs in the quota for that line does not equal the number of all-over genuine reptile (including frog) shoes produced, the number of such shoes produced must be counted as production against the quota for that line, if any, and for the next lower lines in descending order as to price as far as is necessary, and exhausting the quota of each line before proceeding to the next lower line. Records must be kept of the number of all-over genuine reptile shoes produced in each line.

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed. After July 11, 1944, lines manufactured by any person in his six months' base period as previously filed with the War Production Board may not be revised, except to bring them into conformity with this order.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Records.* All persons affected by this order shall keep and preserve records concerning their operations in accordance with § 944.15 of Priorities Regulation 1.

(l) *Reports.* All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M–217.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A: Superseded Nov. 9, 1944.

SCHEDULE I—SPECIFICATIONS FOR SOLES

Abrasion. The material shall have a resistance to abrasion of not less than 4000 revo-

lutions to abrade 50% of the thickness of the material, when tested on the type of machine used by and following the procedure of the National Bureau of Standards. The material may be tested on any other abrasive testing machine, using an appropriate number of abrasive strokes of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 32° F. and testing at that temperature, when bent 180° over a 3-inch mandrel. The material shall not crack, after aging for 48 hours at 120° F. ± 2° F. and reconditioning at 65 per cent ± 2 per cent relative humidity and 120° F. ± 2° F. when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120° F. ± 2° F. for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 25 pounds when tested immediately after soaking in water for 4 hours. When the outsole is cemented securely to a backer or midsole, the test shall be made of the combined assembly.

Effect of water. After submerging in water at 75° F. ± 2° F. for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 20 per cent.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3290.191 (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date (Issued October 6, 1942.)

INTERPRETATION 2

FOOTWEAR

The reference to "leather outsoles or outside leather taps," in paragraph (c) (8) of § 3290.191 Conservation Order M-217 designates outsoles and outside taps the wearing qualities of which are derived primarily from leather. For example: An outsole composed primarily of leather but having a paper coating would constitute a "leather outsole," since, presumably the paper would soon disappear and the wearing quality of the sole would rest primarily upon the leather.

On the other hand, if a sole of durable substitute material were cemented on a thin leather sole so that the substitute material received the wear the leather sole would constitute a midsole rather than an outsole.

Similarly a wooden sole having a leather heel insert to provide nonskid and soundproofing features is not a "leather outsole," because the wear of the shoe is derived mainly from the wooden portion of the sole. (Issued Oct. 18, 1943.)

INTERPRETATION 3: Revoked August 26, 1944.

INTERPRETATION 4: Revoked May 1, 1945.

INTERPRETATION 5: Revoked June 14, 1945.

INTERPRETATION 6: Superseded Nov. 9, 1944.

INTERPRETATION 7: Superseded Nov. 9, 1944.

[F. R. Doc. 45-13091; Filed, July 19, 1945; 11:45 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule F]

SPECIAL PROGRAM FOR WORK GLOVES

§ 3290.120f *Schedule F to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of work gloves to get an AA-2x preference rating for fabric to make the items listed in this schedule.

(b) *Definitions.* For the purpose of this schedule:

(1) "Work gloves" means any gloves or mittens of the types and meeting the specifications listed in Schedules A and B of Order M-375 and designed for wear by men, women or children while engaged in their occupations, and customarily sold as work gloves.

(2) "Base period" means the third calendar quarter of 1943.

(c) *Special requirements for priorities assistance.* (1) Three copies of Form WPB-3732 (Revised) should be filed in accordance with the rules stated in paragraph (c) of Order M-328B, except that for the third quarter of 1945 the applications must be postmarked by July 31, 1945.

(2) A base period manufacturer who files Form WPB-3732 (Revised) for the third calendar quarter of 1945 by July 31, 1945, may, as soon as he files his application, apply an AA-2x rating for the purchase of fabric for delivery in that quarter for incorporation into the items for which application is made. He may do so however only for an item he made in the base period, and the yardage for which he applies this rating, plus any yardage for which he has applied ratings for delivery in the third quarter of 1945 under Order M-317A as amended May 10, 1945, and Direction 16 to Order M-317, may not exceed 70 percent of the yardage of material used in the manufacture of work gloves during the first quarter of 1945. In addition, all fabric purchased under this paragraph and under the provisions of M-317A and Direction 16 to M-317 shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 (Revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) Manufacturers who did not make in the base period an item applied for on Form WPB-3732 (Revised) may not use any preference ratings assigned under this schedule for that item until the War Production Board has assigned them a rated quota on that form.

(d) *Certain ratings extendible to get yarn.* Producers who deliver knit wrist tubing, knit jersey material 8 oz. or heavier or knit lining for work gloves on orders bearing ratings assigned under this schedule may extend those ratings to get yarn in the manner explained in Priorities Regulation 3 and Order M-328.

(e) *Priorities assistance for component parts.* Persons applying for priorities assistance under this schedule may apply for sewing thread, overedging yarn No. 10, (2-ply), and twine, (10-ply), cotton in quantities needed for incorporation into the number of units for which priorities assistance is requested. Applications shall be made on Form WPB-2842 filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C. Such applications will be approved to the extent of available materials and to the extent that allocations are made for the production of items.

(f) *Style provisions for base period manufacturers.* Base period manufacturers who are granted ratings under this schedule must make (subject to Order M-375) each style of work glove that they made in the first quarter of 1945 under the following rule: The production of each style of each item made in any quarter must not vary more or less than 10 percent from the proportion of that style of work glove to the total quantity of all styles of work gloves made in the first quarter of 1945. This rule does not apply to hot mill and 2-thumb husking gloves and mittens, which may be made to the full extent of a manufacturer's capacity. These styles should also be excluded in making the computations stated above for other styles.

(g) *Special inventory rule.* Manufacturers who use ratings assigned under this schedule are subject to the inventory provisions of paragraph (f) (4) of Order M-328B except that a 60-day inventory limit applies instead of a 45-day one.

(h) *Notification of unused allocations.* A person who finds that for any reason (such as increases in Army or Navy contracts) he will not place rated orders to the extent authorized on Form WPB-3732 (Revised) for a particular calendar quarter, or will cancel rated orders he has placed, must promptly write a letter giving notice to the Textile, Clothing and Leather Bureau of the War Production Board showing the reference number on his authorization. Letters must specify the quantity and kind of fabric in the same terms in which the authorization was made.

(i) *Provisions in case of governmental cut-backs.* At any time during any calendar quarter a manufacturer who has received cancellations or cutbacks on military contracts or orders placed by an agency of the United States Government, or who during the quarter has production facilities made available, may apply to the War Production Board on Form WPB-3732 (Revised) for priorities assistance to manufacture items listed in this schedule, provided that these items are to be made in conformity with Schedules A and B of Order M-375. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

Item No.	Item column	Fabric column
1	Canton flannel gloves and mittens (including hot mill gloves and husking gloves or mittens).	(23) Flannel mitten, white, brown and colored stripe. (24) Flannel, lining. (28) Ticking, 6¾ to 8 oz. Knit tubing. (12) Osnaburg. (11a) Sheeting, medium, Class C. (16c) Twill cotton (not 3-leaf). (11c) Sheeting, soft-filled. (17) Print cloth, less than 48-inch. (16b) Drill.
2	Canton flannel, hot mill gloves.	Same as Item No. 1.
3	Canton flannel, two-thumb husking gloves and mittens.	(24) Flannel mitten knit tubing.
4	Leather combination gloves and mittens.	Same as Item No. 1.
5	Jersey gloves and mittens.	Knit Jersey, 8-9 10½ and 13 oz. weights. Lining, 5½ and 6 oz. Knit tubing.

[F. R. Doc. 45-12999; Filed, July 17, 1945; 4:47 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-356, as Amended July 19, 1945]

SYNTHETIC FIBERS, YARNS AND FABRICS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of synthetic fibers, yarns and fabrics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Nylon

§ 3290.326 *General Conservation Order M-356*—(a) *Definitions.* (1) "Nylon" means synthetic fiber-forming polymeric amides having a protein-like chemical structure, derivable from coal, air and water, or other substances, and characterized by extreme toughness and strength and the peculiar ability to be formed into fibers (yarns and fabrics) and into various shapes, such as bristles, sheets, etc. "Nylon" also means fibers, yarn, thread and fabrics made of nylon.

(2) "Nylon waste" means waste, noils and garnetted or reclaimed fibers (including scraps and clippings, generated in the manufacture of thread, fabrics, rope, braiding or other material containing nylon) the total nylon content of which is 95% or more by weight.

(b) *Restrictions on nylon.* (1) No person shall sell or deliver nylon except as specifically authorized in writing by the War Production Board.

(2) No person shall knowingly purchase, accept delivery or commercially use nylon contrary to any restriction of the War Production Board.

(c) *Restrictions on nylon waste.* No person shall sell, purchase, deliver, accept delivery, process or commercially use nylon waste except to recover nylon flake or for incorporation into products to fill orders of the United States Army, Navy, Maritime Commission, War Shipping Administration or Veteran's Administration. No person shall mix nylon waste with any other waste material having less than 95% nylon content by weight.

Export of Fine Rayon Yarn and Rayon Fabrics

(d) *Definitions.* (1) "Rayon fabrics" mean broad woven synthetic fabrics (over 24 inches in width) made from continuous filament viscose yarn, cuprammonium yarn or cellulose acetate yarn, from viscose or acetate staple fiber, or from combinations or blends containing more than 50 per cent by weight of any such synthetic yarns. The term shall not include velvets, plushes, and other pile fabrics, upholstery, drapery and tapestry fabrics, and jacquard woven fabrics.

(2) "Fabric producer" means a person who wove, or caused to be woven for him on commission, an average of more than 25,000 yards of rayon fabrics per week during the three months' period ending September 30, 1943. Wherever the words "his total yardage production" or "produced by him" are used in paragraph (g), they refer to the yardage of rayon fabrics manufactured for, as well as by, the fabric producer.

(3) "Procurement orders" mean orders for rayon fabrics placed by the Army or Navy of the United States (including military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) of Priority Regulation 17), the Maritime Commission or War Shipping Administration.

(4) "Export orders" means, with respect to fine rayon yarns as defined in General Preference Order M-37-d, orders bearing a preference rating of AA-3 or higher, and with respect to rayon fabrics, orders bearing a preference rating of AA-5 or higher, for material which is covered by or the subject of one of the following:

(i) An export license issued by Foreign Economic Administration.

(ii) A release certificate issued by or pursuant to the authority of Foreign Economic Administration in connection with a program license of the Foreign Economic Administration.

(iii) A United States Treasury Procurement Division contract or requisition placed for Foreign Economic Administration.

(iv) A purchase by The Canadian Commodity Prices Stabilization Corporation.

(v) An order from a manufacturer, who has accepted orders for garments or materials covered by export orders defined in subdivisions (i), (ii), (iii) above, for goods to be incorporated in such garments or materials.

Deliveries to or for United States Army, Navy, Maritime Commission or War Shipping Administration, and deliveries to Canada, other than on orders referred to in subdivision (iv), are not exports for the purpose of this order.

(e) (1) No preference rating applied or assigned in connection with any export order as defined in paragraph (d) (4) shall be valid, used, or given any effect unless the preference rating is applied and extended as provided in Priorities Regulation 3 and, in addition, substantially one of the following notations (whichever is appropriate) is placed on the order:

(i) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under export license No. _____ (fill in) issued by Foreign Economic Administration.

(ii) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under release certificate No. _____ issued by or pursuant to the authority (fill in) of Foreign Economic Administration.

(iii) The goods hereby ordered are (or will be incorporated in material that is) the subject of United States Treasury Procurement Division Contract No. _____ (fill in)

(iv) The goods hereby ordered will be delivered to or for the account of The Canadian Commodity Prices Stabilization Corporation.

(When this is done the requirements of M-328 are met, and it is unnecessary to use any other notation.)

(2) No person shall purchase, accept delivery of, deliver or knowingly sell for delivery for export any rayon yarn or rayon fabric, without a preference rated export order as defined in paragraph (d) (4), except rags or pieces of fabric shorter than ten yards.

(f) *Establishment of export quotas for fine rayon yarn.* (1) An export quota system is hereby established for the producers of fine rayon yarn as defined in General Preference Order M-37-d. Such export quotas will be established from time to time by the War Production Board within which quotas the Foreign Economic Administration will be authorized to assign preference ratings. Until further notice from the War Production Board, each producer of fine rayon yarn shall, regardless of preference ratings, each day set aside an amount of such yarn equal to the production of 5% of his active spindles producing viscose or cuprammonium yarn and 4% of his active spindles producing acetate yarn. The number of active spindles producing high tenacity tire-type rayon yarn shall not be included in computing the above percentages. The yarn thus set aside shall be known as "export yarn," and shall be set aside, as nearly as practicable, in such denier sizes as will fill the producer's orders on hand for such yarn at the time the producer sets his production schedule. No producer of fine rayon yarn shall be compelled to export or accept an order for export of fine rayon yarn in excess of the export quota so established for him: *Provided*, That no such producer shall be prohibited from exporting or accepting an order for export of fine rayon yarn in excess of such quota, unless specifically prohibited by the War Production Board.

(2) *Disposition of export yarn not booked or delivered.* All export yarn set aside from the production of any one month, pursuant to the provisions of paragraph (f) (1) and which has not been delivered or booked during said month, shall be immediately available for sale to any person otherwise eligible to purchase such yarn.

(3) [Deleted Feb. 8, 1944]

(g) *Establishment of export quota for rayon fabrics.* (1) An export quota system is hereby established for rayon fabrics. Pursuant to such system export quotas will be fixed from time to time by the War Production Board. Until further notice from the War Production Board, each fabric producer must accept and fill export orders for rayon fabrics until they aggregate for the current calendar quarter five per cent of his total yardage production of rayon fabrics (excluding yardage produced by him to fill procurement orders) during the preceding calendar quarter. No fabric producer is required to accept or fill export orders for more than the established export quota, nor for more than fifteen per cent of any particular construction of rayon fabrics produced by him during the current calendar quarter. However, he is not prohibited from doing so, unless compliance with other orders or regulations of the War Production Board would forbid it.

(2) *Unfilled export quota to be carried over to next quarter.* If a fabric producer does not fill his entire export quota of rayon fabrics in any calendar quarter, the unfilled portion shall be added to his quota for the next succeeding quarter. The portion so carried over which is not filled in such succeeding quarter may be dropped. To illustrate: if the export quota of a fabric producer for the second quarter of 1944 is 100,000 yards and he books or delivers only 75,000 yards during that quarter, the remaining 25,000 yards shall be added to his quota for the third quarter of 1944. If his quota for that quarter is also 100,000 yards, he is required to accept and fill export orders aggregating 125,000 yards during the third quarter. Any part of the 25,000 yards not delivered during the third quarter is thereafter free from the restrictions of this order.

Miscellaneous Provisions

(h) *Miscellaneous provisions* — (1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, and General Conservation Order M-328, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Reports.* Each producer of rayon fabrics shall forward to the War Production Board each week a copy of every export order accepted by him during the week. Each producer of rayon fabrics shall file with the War Production Board quarterly production reports on Form said form. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-356.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

ALL PRODUCERS OF RAYON FABRICS REQUIRED TO REPORT

Although "fabric producer" is defined in paragraph (d) (2) to mean a person who wove or caused to be woven for him on commission an average of more than 25,000 yards of rayon fabric per week during the three months' period ending September 30, 1943, paragraph (h) (3), the reports paragraph, refers to each producer of rayon fabrics regardless of the quantity he produces. Accordingly, all producers of rayon fabrics are required to report. (Issued May 25, 1944.)

[F. R. Doc. 45-13100; Filed, July 19, 1945; 11:46 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-388, Direction 3, as Amended July 19, 1945]

FIXING PERCENTAGE OF MANUFACTURER'S RATED QUOTA FOR DELIVERY IN THE THIRD QUARTER OF 1945 AND SUBSEQUENT CALENDAR QUARTERS

Direction 3 to General Preference Order M-388 is amended to read as follows:

As explained in paragraph (d) (2) of General Preference Order M-388, suppliers may not deliver, and manufacturers may not accept delivery, on M-388 ratings in any quota period in excess of the percentage of the manufacturers' rated quota then in effect for that period.

The percentage for deliveries in the third quarter of 1945 and subsequent calendar quarters is fixed until further notice as follows:

	Percent
Cotton items	100
Synthetic fibre items	100
Wool items	100

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13093; Filed, July 19, 1945;

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-331 as Amended July 19, 1945]

MOTORCYCLES

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of rubber, steel and other materials used in the production of motorcycles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.126 *Limitation Order L-331*—(a) *Definitions.* For the purposes of this order:

(1) "Motorcycle" means a complete two or three wheeled automotive vehicle, powered by an air-cooled internal combustion engine, having a piston displacement of not less than fifty (50) cubic inches.

(2) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture or assembly of new motorcycles.

(3) "Agency" means the Foreign Economic Administration (formerly, Office of Economic Warfare and Office of Lend-Lease Administration), the Office of Civilian Requirements or the Canadian Division of the War Production Board.

(4) "Distributor" means any person not a producer whose business consists in whole or in part in the sale of motorcycles.

(b) [Deleted May 29, 1945.]

(c) *Restrictions on delivery of motorcycles.* Motorcycles may be delivered only on orders for distribution through an Agency and in one of the following methods:

(1) *Motorcycles for export except to Canada.* Motorcycles (i) to be exported to individuals, firms or corporations, may be delivered by the producer only when he has been supplied with an export license issued by the Foreign Economic Administration covering the order; (ii) to be exported for Lend-Lease or UNRRA account may be delivered by the producer only on orders for Lend-Lease or UNRRA account originating in the War Department or in the Procurement Division of the Treasury and which specify the country of destination.

(2) *Motorcycles for police and other civilian uses.* Motorcycles for public or private police usage or for other civilian usages may be delivered to a consumer by a producer or distributor only upon receipt by him of authorization from the War Production Board. Such authorization shall be applied for by the producer or distributor on form WPB-1319 and shall be filed with the Office of Civilian Requirements of the War Production Board at Washington in accordance with instructions for the use of the form available at all War Production Board offices.

(3) *Motorcycles for Canada.* Motorcycles for individuals, firms or corporations located in Canada, or for the Canadian Government, may be delivered to a consumer by a producer or a distributor only upon receipt by him of authorization from the War Production Board. Such authorization shall be applied for by the producer or distributor on form WPB-1319 and shall be filed with the Canadian Division of the War Production Board at Washington, in accordance with instructions for the use of the form available at all War Production Board offices. No authorizations under this paragraph will be approved by the Canadian Division or issued by the War Production Board unless the application on Form WPB-1319 is accompanied by the written approval of the Motor Vehicle Controller of Canada.

(d) *Army and Navy exempted.* The terms and restrictions of this order shall not apply to any motorcycle sold to or produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the War Production Board.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the Automotive Division of the War Production Board, Washington, D. C., referring to the particular provision appealed from and stating fully the grounds for appeal.

(g) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: Automotive Division, War Production Board, Washington 25, D. C.; Ref.: Order L-331.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13101; Filed, July 19, 1945; 11:46 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 57]

CHLORINATED PARAFFINS

Section 3293.1057 *Schedule 57 to General Allocation Order M-300*, and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective August 1, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13097; Filed, July 19, 1945; 11:45 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 106 as Amended July 19, 1945]

SODIUM METASILICATE

§ 3293.1106 *Schedule 106 to General Allocation Order M-300*—(a) *Definitions.* (1) "Sodium metasilicate" means sodium silicate of the formula Na_2SiO_3 in either the anhydrous or hydrated form.

(2) "Sub-distributor" means any person who purchases sodium metasilicate for resale as such, but does not include any person who purchases for resale directly from a producer of sodium metasilicate.

(b) *General provisions.* (1) Sodium metasilicate is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is June 1, 1945. The allocation period is bi-monthly, beginning with June and July, 1945. The small order exemption without use certificate is 800 pounds anhydrous basis (1375 pounds pentahydrate basis) per person per calendar month.

(2) Notwithstanding Order M-300, paragraph (t), an authorization shall terminate if delivery is postponed beyond 5 days after the allocation period for any reason whatsoever. Suppliers must report terminated authorizations in the manner set forth in paragraph (d).

(c) *Special provisions for sub-distributors.* (1) Under this schedule sub-distributors are not subject to the provisions of Order M-300 or of this schedule regarding "suppliers."

(2) Each sub-distributor of sodium metasilicate shall file certified statements of use with his purchase orders pursuant to paragraph (e) below, specifying the aggregate quantities required for each use by his customers (without naming them), and shall redeliver accordingly. If unable to redeliver accordingly he shall not use or deliver the sodium metasilicate except as specifically authorized in writing by the War Production Board. Application may be made on Form WPB-2947 as shown in paragraph (d) below.

(3) A sub-distributor who delivers on uncertified exempt small orders shall specify on his own certificate what he believes his small order customers' uses to be, and shall be responsible only for a known misstatement.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947. Filing date is the 15th day of the month before the proposed delivery month. File separate sets of forms for anhydrous and pentahydrate grades. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-106. The unit of measure is pounds. In Table I, first in Column 1 list customers ordering more than 16,000 pounds anhydrous basis (27,500 pounds pentahydrate basis) for delivery during the next bi-monthly allocation period, in Column 1a enter each use stated in the certificate filed by each customer, and in Column 4 specify quantity ordered by each customer for each use; second, specify in Column 1 "1600 to 16,000 pound orders" (2750 to 27,500 pound pentahydrate basis), without specifying customers' names, in Column 1a group the end uses stated in the certificates filed with these orders, and in Column 4 specify the aggregate quantity ordered for each use; third, specify in Column 1 "1600 pounds or less orders (anhydrous basis)" or "2750 pound or less orders (pentahydrate basis)", without specifying customers' names, leave Column 1a blank, and in Column 4 specify the aggregate quantity ordered or expected to be ordered. Fill in the other columns as indicated. If the applicant primary supplier is seeking authorization to use any part of his own production or stock of sodium metasilicate, he shall apply as if the consuming part of his organization had filed a purchase order and use certificate with the production or distribution part of his organization (the actual filing of such an order and certificate is not necessary).

Fill in Table II. (Distributors need fill in only Columns 8, 10, 12 and 13). In Column 10 specify (i) actual stocks on first day of current allocation period, and (ii) the amount of authorizations terminated under paragraph (b) (2) above by non-delivery within 5 days after the preceding allocation period.

(e) *Certified statements of use.* Each person placing orders for delivery of more than 1600 pounds anhydrous basis (2750 pounds pentahydrate basis) of sodium metasilicate per bi-monthly allocation period in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300.

Primary product should be specified as "Cleaning compound" or as other specified product. End use should be specified as household, industrial metal, dairy, other food facility (specify), laundry, paper de-inking, pulp and paper, or other specified use. Where the sodium metasilicate or the primary product is to be delivered directly to the Armed Services, or for export, or for Lend-Lease, specify "Armed Services", or "Export", or "Lend-Lease", as the end use, without further end use description. Proposed use may also be specified as "for resale on further authorization" (when purchasing directly from a producer), or "for export" (specify destination and export license or requisition number).

(f) *One-time use report.* (1) On or before the 15th day of the month preceding the first allocation period for which

WPB–658–C within the time specified on

a person seeks for use or resale more than 16,000 pounds anhydrous basis (27,500 pounds pentahydrate basis) of sodium metasilicate, he shall file one certified copy of a one-time use report on Form WPB–3442 with War Production Board, Washington 25, D. C., Ref: M–300–106. Another copy should be retained.

(2) In space (1) of the heading specify "Sodium metasilicate", in space (2) specify "pounds" and in space (3) specify "M–300–106". Fill in the other spaces of the heading as indicated. Fill in section I as follows: Fill in Column (a) as indicated. In Column (b) specify the grade of sodium metasilicate reported in terms of degree of hydration, such as "anhydrous" or "pentahydrate". In the heading of Columns (c), (d), (e) and (f), specify 2nd, 3rd and 4th quarters, 1944, and 1st quarter, 1945 respectively, and fill in these columns accordingly. Do not fill in section II.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–106.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13098; Filed, July 19, 1945; 11:46 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Revocation of Schedule 109]

PYRIDINE

Section 3293.1109 *Schedule 109 to General Allocation Order M–300,* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective August 1, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13099; Filed, July 19, 1945; 11:46 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M–21, Revocation of Direction 2]

Direction 2 to General Preference Order M–21 is hereby revoked. This revocation does not affect any liabilities incurred under the direction. The delivery and use of stainless steel remain subject to all applicable orders and regulations of the War Production Board.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13095; Filed, July 19, 1945; 11:45 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 123]

SUSPENSION FROM PRICE CONTROL OF AIRCRAFT AND CERTAIN AIRCRAFT PARTS

A statement to accompany this supplementary order 123 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, it is ordered:

§ 1305.151 *Suspension from price control of aircraft and certain aircraft parts.* Notwithstanding the provisions of any regulation or order issued by the Office of Price Administration, price control is suspended with respect to all sales and deliveries by any person of aircraft and parts specifically designed and sold for the production or repair of aircraft. The term "aircraft" includes heavier and lighter than air craft. This suspension does not apply to parts whose end use cannot be determined by the seller.

As used in this supplementary order, the term "part" means any product upon which further fabrication need not be performed before its incorporation into the aircraft or into a subassembly of the aircraft. Accordingly, the suspension granted by this order does not apply to lumber requiring further fabrication. This suspension also does not apply to the following:

(a) Airplane tires and tubes.

(b) Die castings covered by Maximum Price Regulation 377 (Die Castings).

(c) Iron and steel castings covered by Revised Price Schedule 48 (Steel Castings and Railroad Specialties), Maximum Price Regulation 214 (High Alloy Castings), Maximum Price Regulation 235 (Manganese Steel Castings and Manganese Steel Castings Products), Maximum Price Regulation 241 (Malleable Iron Castings), or Maximum Price Regulation 244 (Gray Iron Castings).

(d) Non-ferrous castings covered by Revised Maximum Price Regulation 125 (Non-Ferrous Foundry Products).

(e) Plywood (except that molded specifically for airplanes).

This order shall become effective July 18, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–13062; Filed, July 18, 1945; 4:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14K, Amdt. 1]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICES REGULATION FOR CERTAIN MACHINERY AND PARTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1.2 is revoked.

This amendment shall become effective July 18, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–13061; Filed, July 18, 1945; 4:45 p. m.]

PART 1300—PROCEDURE

[Procedural Reg. 12, Amdt. 9]

REPLACEMENT OF LOST, STOLEN, DESTROYED, MUTILATED OR WRONGFULLY WITHHELD RATION BOOKS OR COUPON SHEETS

A new § 1300.956 (d) is added to read as follows:

(d) If an applicant is eligible to receive a War Ration Book No. 3 under this regulation and the Board does not have any War Ration Books No. 3, the Board shall issue, instead, special shoe stamps, one more in number than the number of valid shoe stamps that the applicant would have been eligible to receive in that book. (The additional stamp is in place of the shoe stamp in War Ration Book No. 3 being validated effective August 1, 1945.) The Board will mark the special shoe stamp or stamps "no book."

This amendment shall become effective July 23, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–13113; Filed, July 19, 1945; 11:39 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 12,[1] Amdt. 9]

WAR RATION BOOK 3

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order No. 12 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *War Ration Book No. 3.* (a) War Ration Book No. 3 (OPA Form No. R–130) may be used to get rationed commodities designated by the Office of Price Administration. A War Ration Book No. 3 (or a special shoe stamp issued under the provisions of this order), even after it has been issued to any person, still remains the property of the United States, and may be used by such person only in a way permitted by the Office of Price Administration.

2. Section 3 is revoked.

3. Section 4 is renumbered section 3 and a new paragraph (e) is added to read as follows:

(e) On and after August 1, 1945, or at an earlier date if the Board does not have a sufficient supply of War Ration Books No. 3 to cover its issuance requirements, a War Ration Book No. 3 shall no longer be issued but special shoe stamps in lieu thereof shall be issued under the provisions of Section 5.

4. Section 5 is renumbered section 4 and is amended by adding a new paragraph (d) to read as follows:

(d) Before issuing a special shoe stamp to any person under the provisions of this order, the Board shall write the words "No book" on such stamp.

5. A new section 5 is added to read as follows:

SEC. 5. *Application after August 1, 1945.* (a) On and after August 1, 1945, application may be made on OPA Form R–129 by, or on behalf of any person who is eligible for but who has not received a War Ration Book No. 3 or a special shoe stamp in lieu thereof. The applicant, or his agent, must present the application in person at the War Price and Rationing Board for the place where the applicant lives or at any other Board designated by the Office of Price Administration. Only one application may be made for all members of a family unit who are eligible for but who have not received a War Ration Book No. 3, or a special shoe stamp in lieu thereof, but only one member of the family unit need apply in person at the Board, and if there is no adult member, the oldest member of the family unit or a responsible adult may appear. The applicant must fill out all the information called for by the form.

(b) If the Board finds that a person named in the application is eligible for but has not received a War Ration Book No. 3, or a special shoe stamp in lieu thereof, it shall issue a special shoe stamp to him. However, if the applicant, who is eligible under the provisions of this section, has been discharged from the armed forces of the United States, the Board shall issue two special shoe stamps to him. If prior approval has been granted by the Deputy Administrator for Rationing, the Board shall issue two special shoe stamps to any civilian American repatriate from an enemy prison camp who is eligible under the provisions of this section.

(c) If the Board, under the provisions of section 3 (e), issues special shoe stamps instead of War Ration Books No. 3 before August 1, 1945, it shall issue two special shoe stamps to any person (other than a person who has been discharged from the armed forces of the United States or a civilian American repatriate from enemy prison camps) who is eligible under the provisions of this section. If special shoe stamps are being issued before August 1, 1945, under the provisions of section 3 (e) to applicants who have been discharged from the armed forces of the United States or to civilian American repatriates from enemy prison camps (where prior approval has been granted by the Deputy Administrator for Rationing) the Board shall issue three special shoe stamps to such applicants. (The extra special shoe stamp which is to be issued under the provisions of this paragraph, if application and issuance are made between the effective date of this amendment and August 1, 1945, is instead of the shoe stamp in War Ration Book No. 3 which is being validated on August 1, 1945.)

6. Section 8 (d) is amended to read as follows:

(d) Any person who has surrendered his War Ration Book No. 3 pursuant to paragraph (c) of this section, may apply for reissuance of the book through July 31, 1945 in accordance with the procedure prescribed by section 3, if his status changes so that the conditions which required the surrender of the book no longer exist. If, under the conditions of section 3 (e), special shoe stamps are being issued by the Board instead of War Ration Books No. 3 before August 1, 1945, application and issuance shall be made in accordance with the procedure prescribed by section 5.

7. Section 8 (e) is amended by adding a sentence to read as follows: "On and after August 1, 1945, the Board, in accordance with the provisions of section 4, shall issue two special shoe stamps in exchange for the War Ration Book No. 3 which was originally issued to the applicant. If the Board, under the conditions prescribed by section 3 (e), is issuing special shoe stamps instead of War Ration Books No. 3 before August 1, 1945, and application and issuance are made under the provisions of this section before August 1, 1945, the Board shall issue three special shoe stamps in exchange for the War Ration Book No. 3 which was originally issued to the applicant."

8. Section 9 is amended by inserting (a) at the beginning of the text and a new paragraph (b) is added to read as follows:

(b) A special shoe stamp, issued under the provisions of this order, may not be replaced under the provisions of Procedural Regulation No. 12.

9. A new section 12 is added to read as follows:

SEC. 12. *Wherever reference made to War Ration Book No. 3.* (a) Whenever special shoe stamps are being issued instead of War Ration Books No. 3 under the provisions of this order, the words "War Ration Book No. 3" wherever used in this order to refer to the eligibility for and the issuance of War Ration Book No. 3, shall be deemed to refer to the eligibility for and issuance of special shoe stamps.

This amendment shall become effective July 23, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–13114; Filed, July 19, 1945; 11:40 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 14,[1] Amdt. 4]

WAR RATION BOOK FOUR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 8 (a) (3) is amended to read as follows:

(3) Notwithstanding any other provisions of this order, War Ration Book No. 3 need not be submitted when an application for War Ration Book Four is filed by any person.

This amendment shall become effective July 23, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–13115; Filed, July 19, 1945; 11:40 a. m.]

PART 1316—COTTON TEXTILES

[MPR 11,[2] Amdt. 25]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Exception (i) to § 1316.3 (b) (1) is amended to read as follows:

(i) Grey goods delivered pursuant to contracts entered into during the period beginning April 16, 1945 and ending December 31, 1945 for use by prime contractors in fulfilling contracts entered into with the War Department calling for delivery of any of the finished fabrics, or of moisture vapor-proof wrapping material made in part of the marquisettes, designated in Schedule A of Direction No. 11, issued March 17, 1945 (amended July 14, 1945) by the War Production Board under its General Conservation Order M–317.

This amendment shall become effective July 18, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–13057; Filed, July 18, 1945; 4:44 p. m.]

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[1] 8 F.R. 14211, 9 F.R. 6504, 11761.

[2] 9 F.R. 2661, 3557, 4879, 5162, 11531, 12020, 13056, 14850; 10 F.R. 1141, 3090, 6307.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 450,[1] Amdt. 7]

WRITING PAPERS AND CERTAIN OTHER FINE PAPERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 450 is amended in the following respects:

1. Section 4 (d) is amended by adding to the list of three categories of "Writing papers" and "certain other fine papers," a new category as follows: "Blotting papers".

2. In section 15, the introductory paragraphs are amended to read as follows:

SEC. 15. *Introductory pricing provisions.* This section states certain general pricing provisions which the manufacturer must consider along with the appropriate specific pricing provisions of Appendices A, B, C, D, E or F in order to determine the maximum prices that he may charge for the papers covered by this regulation. Appendix A contains specific pricing provisions concerning rag content writing papers; Appendix B concerns chemical woodpulp writing papers; Appendix C concerns unclassified grades of writing papers and certain other fine papers; Appendix D concerns blotting papers; Appendix E governs certain types of direct sales and Appendix F establishes a method of securing a maximum price which cannot be determined under any of the preceding Appendices of this Regulation.

The first step in determining the maximum price applicable to the sale of any such paper is to arrive at the maximum base price. To this maximum base price there may be added or shall be subtracted, as the case may be, all applicable differentials, charges, discounts, allowances and other pricing elements that customarily enter into a manufacturer's calculations of his selling price. The price arrived at after the addition or subtraction of these pricing elements is the permissible maximum price.

In Appendices A, B and D are listed certain grades of papers for which specific dollar and cent maximum base prices are stated. Also listed in these Appendices are certain "related grades", maximum base prices for which shall be computed in accordance with the method set forth in paragraph (b) of this section 15. Differentials, charges, allowances and other pricing elements shall be determined by referring to this section 15 and to the pricing provisions contained in the paragraph of Appendix A, B, C, D, or E under which the maximum base price of the paper being priced has been determined. The provisions of this section 15 shall apply except where inconsistent with the pricing provisions of that paragraph, in which case the latter provisions shall apply.

3. A new Appendix D is added which reads as follows:

APPENDIX D—MAXIMUM PRICES FOR BLOTTING PAPERS

The following maximum base prices are for standard weights, finishes and sizes for white and light colors, packed in cartons or bundles, in quantities of one carton to 10,000 pounds, f. o. b. destination; except that in those cases where it was the customary practice for the particular manufacturer during the period October 1, 1941 to March 1942 to omit the freight allowance for shipments under 200 pounds or minimum bill of lading charge he may continue to do so.

(a) *Base prices per cwt.*

Grade	White or light colors	Deep colors	Standard weights 19 x 24–500
100% rag blotting	$15.50	$17.50	60–80–100–120–140
No. 1 blotting	14.50	16.50	60–80–100–120–140
No. 2 blotting	12.50	13.75	60–80–100–120–140
No. 3 blotting	10.00	10.50	60–80–100–120–140
Seed germinating	12.50	.....	120
Interleaving blotting	17.50	.....	20
Offset pasted blotting	11.50	.....	100–120–140
Enameled blotting	11.50	.....	100–120–140
Photographic blotting	14.50	.....	100–120–140
Halftone blotting	10.00	10.50	100–120–140

Related grades include but are not limited to offset coated and tablet blotting papers.

(b) *Differentials*—(1) *Quantity* 10,000 to 35,999 pounds assorted items one grade only—deduct 50¢ per cwt.; 36,000 pounds or more assorted items one grade only—deduct $1.00 per cwt.

(2) *Finish* Embossing add $1.00 per cwt.

(3) *Cutting and banding.* (i) Cutting On the following special sizes containing less than 288 square inches: apply in addition the charge shown against each item:

	Per ream
19 x 24 into quarters or larger	$0.15
19 x 24 to 4 x 9½ up to 9½ x 12	.50
19 x 24 to 3⅛ x 6 up to 4 x 9½	1.00

(ii) *Banding* For banded stock the following charges apply in addition to any cutting charges:

	Per ream
In packages of 100 or more pieces	$0.50
In packages of 50 to 99 pieces	.75
In packages of 25 to 49 pieces	1.00
In packages of 12 to 24 pieces	1.25
In packages of 8 to 11 pieces	2.00
In packages of less than 8 pieces	2.50

(4) *Zone differentials*

Zone A Base price.

Zone B Base price plus 50¢ per cwt.

Zone C Base price plus $1.00 per cwt.

Zone D Base price plus $2.00 per cwt.

Zone E Base price applies F. O. B. Atlantic Ports.

Zone A Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, North Carolina, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Omaha, Nebraska, and Sioux Falls, South Dakota.

Zone B North Dakota, South Dakota (except Sioux Falls), Nebraska (except Omaha), Kansas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Georgia, South Carolina, Florida.

Zone C Wyoming, Colorado, and Texas.

Zone D Montana, Idaho, Utah, Nevada, Arizona and New Mexico.

Zone E Washington, Oregon and California.

4. The former Appendix D is redesignated as Appendix E and is amended to read as follows:

APPENDIX E—MAXIMUM PRICES FOR CERTAIN TYPES OF DIRECT SALES

(a) Notwithstanding anything contained in the Appendices A, B, C or D, any manufacturer who is making direct sales of any of the papers covered by this regulation and who performs services not generally performed by manufacturers and who has consequently customarily charged higher prices upon such sales than upon sales to merchants, may determine his maximum price for such sales under paragraph (b) below, *Provided*, He has filed with the Office of Price Administration in Washington, D. C., within thirty days from the date that this amendment becomes effective, a statement explaining to what extent he performs such services and explaining his system of mark-ups with respect to such direct sales. If a mantifacturer has rendered such services and charged such higher prices only in particular areas or upon certain types of direct sales or to certain types of direct purchasers, he shall set forth these customary practices in reasonable detail. Any information already on file with the Office of Price Administration may be incorporated into the statement by reference. After filing this statement a manufacturer may determine his maximum price under paragraph (b) of this Appendix E for all direct sales covered by the statement, unless and until he is advised by the Office of Price Administration in writing that all or part of such sales must be priced under Appendices A, B, C or D. This paragraph is not applicable to sales which have been determined by the Office of Price Administration to be merchant sales, after the filing of an application for a ruling upon this question in the manner specified in section 16 (b) of Maximum Price Regulation 400.[2]

(b) The maximum price for direct sales by a manufacturer who has complied with the requirements of paragraph (a) of this Appendix E shall be determined as follows: The manufacturer shall determine the highest base price charged by him during the period October 1, 1941, through March 31, 1942, upon a sale of the same or a similar grade to the same purchaser or to a purchaser to whom manufacturer would customarily sell at the same price. The term "similar grade" has the meaning stated in Appendix C. The "maximum base price" is arrived at by taking the highest price charged and adjusting that price upward or downward, as the case may be, in accordance with the differentials, charges, discounts, allowances and other pricing elements that entered into the manufacturer's calculation of his selling price upon such direct sales during the period October 1, 1941, through March 31, 1942. To the maximum base price thus determined there shall be added or subtracted, as the case may be, any applicable differentials, discounts, charges, allowances, or other pricing elements as set forth in Section 15 of this regulation. The price arrived at after the addition or subtraction of these pricing elements is the permissible maximum price for such direct sales; *Provided, however*, That upon sales of rag content bond, chemical woodpulp bond, opaque circular, and any grades related to the foregoing as specified in Appendices A and B, in basis weights of 16 pounds and lighter, there may be added an amount equal to 7½% of the maximum price permitted under this Appendix E upon sales of such paper in basis weight of 20 pounds, which amount shall be rounded out to the nearest 5¢ per cwt.

[1] 8 F.R. 11522, 14278; 9 F.R. 5803, 6711, 9090, 11397, 14981.

[2] 8 F.R. 7556, 11563; 9 F.R. 2289.

5. Appendix E is redesignated as Appendix F.

This amendment shall become effective July 24, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13111; Filed, July 19, 1945; 11:39 a. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[MPR 157,[1] Amdt. 19]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1378.4 (e) is amended to read as follows:

(e) This Maximum Price Regulation No. 157 and the General Maximum Price Regulation shall not apply to:

(1) Any of the finished fabrics designated in Schedule A of Direction No. 11, issued March 17, 1945 (amended July 14, 1945) by the War Production Board under its General Conservation Order M-317 when sold and delivered to the War Department pursuant to prime contracts entered into during the period beginning April 16, 1945 and ending December 31, 1945.

(2) Grey goods sold and delivered pursuant to contracts entered into during the period beginning April 16, 1945 and ending December 31, 1945 for use by prime contractors in fulfilling contracts entered into with the War Department calling for delivery of any of the finished fabrics, or of moisture vapor-proof wrapping material made in part of the marquisettes, designated in Schedule A of Direction No. 11, issued March 17, 1945 (amended July 14, 1945) by the War Production Board under its General Conservation Order M-317.

This amendment shall become effective July 18, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13060; Filed, July 18, 1945; 4:44 p. m.]

PART 1389—APPAREL

[MPR 578,[2] Amdt. 5]

MAXIMUM PRICES FOR CERTAIN GARMENTS PRODUCED WITH WAR PRODUCTION BOARD PRIORITIES ASSISTANCE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 578 is amended in the following respects:

1. Section 1 (a) (1) is amended by inserting immediately following the word "shrouds," which is the last word in subdivision (vii), two new subdivisions as follows:

(viii) Order M-328B (Schedule C), issued July 3, 1945.

(ix) Order M-328B (Schedule D), issued July 6, 1945.

2. Section 1 (a) (2) (ii) is amended by deleting the phrase "or (vii)" in the two places when it appears and inserting in each place the phrase "(vii), (viii) or (ix)."

This amendment shall become effective July 23, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13063; Filed, July 18, 1945; 4:45 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 118,[1] Amdt. 34]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 118 is amended in the following respects:

1. Section 1400.106 (b) (3) is added to read as follows:

(3) Grey goods delivered pursuant to contracts entered into during the period beginning July 14, 1945 and ending December 31, 1945 for use by prime contractors in fulfilling contracts entered into with the War Department calling for delivery of any of the finished fabrics designated in Schedule A of Direction No. 11, issued March 17, 1945 (amended July 14, 1945) by the War Production Board under its Conservation Order M-317.

2. Section 1400.106 (b) (4) is added to read as follows:

(4) Any of the finished fabrics designated in Schedule A of Direction No. 11, issued March 17, 1945 (amended July 14, 1945) by the War Production Board under its General Conservation Order M-317 when delivered to the War Department pursuant to prime contracts entered into during the period beginning July 14, 1945 and ending December 31, 1945.

This amendment shall become effective July 18, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13058; Filed, July 18, 1945; 4:44 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 127,[1] Amdt. 33]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 127, including Amendment No. 32, is amended in the following respect:

Section 1400.78a (a) (15) is amended to read as follows:

(15) Any of the finished fabrics designated in Schedule A of Direction No. 11, issued March 17, 1945 (amended July 14, 1945) by the War Production Board under its General Conservation Order M-317 when delivered to the War Department pursuant to prime contracts entered into during the period beginning April 16, 1945 and ending December 31, 1945.

This amendment shall become effective July 18, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13059; Filed, July 18, 1945; 4:44 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373,[2] Amdt. 7]

FISH AND MOLASSES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 (§ 1418.151) is amended in the following respects:

1. Table A under Section 19 is amended by changing the items Aku (Tuna) and Akule to read as follows:

	Producers' maximum price	Wholesalers' maximum price	Retailers' maximum price
Aku (Tuna) except Honolulu	*Per lb.* $0.29	*Per lb.* $0.32	*Per lb.* $0.40
Akule except Honolulu	.29	.32	.40

and by adding one item following "Aku (Tuna)—except Honolulu" as follows:

Aku—Honolulu only	.29	.33	.40

and by adding one item following "Akule—except Honolulu" as follows:

Akule—Honolulu only	.29	.33	.40

2. Section 58 is amended to read as follows:

SEC. 58 *Maximum prices for molasses.* The maximum price for sales of molas-

[1] 9 F.R. 11059; 10 F.R. 776, 1910, 2014, 6307.

[2] 10 F.R. 2388, 2756, 3052, 5794, 6960.

[1] 8 F.R. 12186, 12934; 9 F.R. 401, 10088, 10925, 14211, 14383, 14676; 10 F.R. 705, 857, 1492, 2025, 3875, 3134.

[1] 9 F.R. 2464, 3031, 4029, 4679, 10088, 12020, 12636, 13067, 14014; 10 F.R. 412, 2014, 3093, 4816, 6308.

[2] 10 F.R. 6646, 7407, 7794, 7799, 8020, 8069.

ses produced from sugar cane for all purposes shall be $14.25 per ton, delivered at dock or customary shipping point. The maximum price for sales of molasses sold and delivered at the plantation where produced shall be $14.25 per ton less the cost of transportation from the plantation to the dock or customary shipping point.

This amendment shall become effective as of July 1, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13110; Filed, July 19, 1945; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Supp. Reg. 1, Amdt. 104]

ARMY ARCTIC EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Regulation No. 1 is amended in the following respect:

1. Section 4.3 (k) is amended to read as follows: "(k) The following commodities:"

2. Section 4.3(k)(1) is amended to read as follows: "The following ski troop equipment: carbiners, ice axes, pitons (rock and ice) and ski bindings, but this exemption shall expire December 31, 1945."

This amendment shall become effective as of the 30th day of June 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13112; Filed, July 19, 1945; 11:39 a. m.]

Chapter XV—Board of War Communications

[Order 25-F]

PART 1720—TELEGRAPH SERVICE

Whereas, the Board of War Communications on 3 July 1942, requested the Federal Communications Commission to investigate the service being rendered in the telegraph field; and

Whereas, the Commission by its Order No. 103 dated 7 July 1942, undertook such an investigation into telegraph service and has forwarded its report together with its recommendations; and

Whereas, the Board of War Communications has determined that the national defense and security and the successful conduct of the war demand that immediate steps be taken to the end that the domestic telegraph industry shall be more closely geared to the war effort;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 9089 of 6 March 1942, prescribing regulations governing the use, control, supervision and closing of stations and facilities for wire communications; it is hereby ordered as follows:

Sec.
1720.1 Speed of service; office drag; routing time.
1720.2 Priorities for the handling of traffic.
1720.3 Standards for minimum use to control installation of teleprinter equipment.
1720.4 Leasing of telegraph circuits.
1720.5 Elimination of unnecessary circuits, facilities, and offices.
1720.6 Discontinuance of non-telegraphic services.
1720.7 Discontinuance of holiday greeting and congratulatory messages.
1720.8 Franks, deadhead and free service messages.
1720.9 Periodic reports of current state of telegraph service.

AUTHORITY: §§ 1720.1 to 1720.9, inclusive, issued under E. O. 9089, 3 CFR, Cum. Supp.

§ 1720.1 *Speed of service; office drag; routing time.* The domestic telegraph carriers should strive to attain the following service objectives in the handling of full-rate messages:

(a) In each office the office drag (the interval between the time a message first reaches the office (filing time or digit time as the case may be) and the completion of transmission at that office) shall average no more than seven minutes for at least 95% of the messages received in such office each hour and such office drag shall not exceed 15 minutes for any message in such 95%.

(b) Present routing times for business messages to be delivered by messenger shall be reduced 33⅓%.

§ 1720.2 *Priorities for handling of traffic.* The Federal Communications Commission is requested and authorized to develop a plan for revising the present system of priorities for the handling of urgent essential traffic, both governmental and non-governmental, and to report its specific recommendations to the Board.

§ 1720.3 *Standards for minimum use to control installation of teleprinter equipment.* The Federal Communications Commission is requested and authorized to prepare standards of minimum use to control present and future installations of teleprinter equipment for telegraph users including exemptions for equipment which serves a military necessity or a vital public need which cannot otherwise be met, and to report such standards to the Board together with its specific recommendations for regulation of such installations.

§ 1720.4 *Leasing of telegraph circuits.* The Federal Communications Commission is requested and authorized to formulate basic principles for regulating the present and future leasing of telegraph circuits to the end that no needed facilities shall be used for non-essential purposes, and to report such principles to the Board together with its specific recommendations for regulation of such leasing.

§ 1720.5 *Elimination of unnecessary circuits, facilities and offices.* The Federal Communications Commission is requested to study the possibilities for the elimination of unnecessary circuits, facilities and offices and to report to the Board its recommendations for closure of any such specific circuits, facilities or offices.

§ 1720.6 *Discontinuance of non-telegraphic services.* Effective 22 December 1942, domestic telegraph carriers shall discontinue all non-telegraphic services including but not limited to, errand, distribution, remittance, installment payments, shopping, and messenger service (except messenger service to telephone companies to call non-subscribers to the telephone), sale of traveler's checks, sale of mail money orders, and acceptance of express packages: *Provided, however,* That this paragraph shall not apply to participation by any domestic telegraph carrier in the furnishing of non-telegrapic services ordered through another carrier from outside of the continental United States.

§ 1720.7 *Discontinuance of holiday greeting and congratulatory messages.* Effective 22 December 1942, no domestic telegraph carrier shall accept for transmission any message both originating at and addressed to points within the continental United States of felicitation or congratulation, including but not limited to greetings for Christmas, New Year, Easter, Father's Day, Jewish New Year, Mother's Day, Thanksgiving, Valentine's Day, congratulations on the birth of a child, graduations, weddings, anniversaries and birthdays: *Provided, however,* That the provisions of this paragraph shall not apply to messages to or from members of the armed forces or Merchant Marine of the United States or its Allies.

§ 1720.8 *Franks, deadhead and free service messages.* The Federal Communications Commission is requested and authorized to develop a plan for the curtailment of the use of franks and deadhead messages and the elimination of "free service" messages and to report its specific recommendations to the Board.

§ 1720.9 *Periodic reports of current state of telegraph service.* Three months after the date of this order and periodically each three months thereafter the Commission is requested to report to the Board the current state of service being rendered by the telegraph industry together with any recommendations for improvement of such service in the interest of the war effort.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS,
PAUL A. PORTER,
Chairman.

Attest: June 28, 1945.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 45-13089; Filed, July 19, 1945; 9:44 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 287]

CALIFORNIA

REVOKING IN PART EXECUTIVE ORDER 8865 AND OPENING LANDS UNDER APPLICABLE LAWS

Correction

The date at the end of Federal Register document 45-12961, appearing at page 8911 of the issue for Wednesday, July 18, 1945, should read "July 6, 1945."

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

STANDARD BROADCAST APPLICATIONS

SUPPLEMENT TO STATEMENT OF POLICY

Supplement to the statement of policy issued on January 16, 1945 (10 F.R. 870, 1282), concerning application to make change in existing radio facilities.

Since the outbreak of war, due to the unavailability of materials and equipment, the Commission in licensing standard broadcast stations has found it necessary in some cases to permit operation with facilities that were not in full accordance with the standards of good engineering practice. In such instances a conditional clause was inserted in the license requiring the licensee, when equipment and materials become available, to apply for a change in facilities such as moving to a new site, installing frequency and modulation monitors, increasing its power or installing a new antenna.

The Commission is now in receipt of advice from the War Production Board that material and equipment are presently available or will shortly become available, for the construction contemplated by these conditional clauses. Accordingly, the Commission will direct each licensee in this category to make appropriate application for the necessary improvements specified in the license within 30 days of this date, except:

(a) Where frequency monitor or modulation monitor is required,

(b) Where two stations are operating with a common antenna or from a joint studio.

Dated: July 17, 1945.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-13084; Filed, July 19, 1945; 11:15 a. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 93]

NEW YORK STATE EMPLOYERS ASSN.

FINDING AS TO CONTRACT IN PROSECUTION OF THE WAR

In the matter of New York State Employers Association, Syracuse, New York; Case No. S-2309.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Local No. 693 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, and members of the New York State Employers Association, Syracuse, New York, engaged in transportation of commodities in and around Binghamton, New York.

I find that motor vehicle transportation of goods, articles and commodities by any concern involved in the above dispute, pursuant to any contract whether or not with the United States, to or from any plant, mine or facility equipped for manufacturing, producing or mining any articles or materials which may be required or useful in connection with the prosecution of the war, or to or from any establishment engaged in wholesaling or storing any such articles or materials, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 17th day of July 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

[F. R. Doc. 45-13054; Filed, July 18, 1945; 4:01 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket SA-104]

ACCIDENT OCCURRING NEAR LAMAR, S. C.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 25647, which occurred near Lamar, South Carolina, on July 12, 1945.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Saturday, July 21, 1945, at 10:00 a. m., e. w. t., in the County Court House Building, Miami, Florida.

Dated at Washington, D. C., July 18, 1945.

JOHN M. CHAMBERLAIN,
Acting Director, Safety Bureau.

[F. R. Doc. 45-13109; Filed, July 19, 1945; 11:37 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-646]

CANADIAN RIVER GAS CO.

NOTICE OF APPLICATION

JULY 17, 1945.

Notice is hereby given that on June 23, 1945, Canadian River Gas Company (Applicant), a Delaware corporation filed its application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following described facilities:

(1) Two additional 600 h. p. gas engine driven natural gas compressors and including additional building, water circulating system, gas header connections, gas cooling equipment.

(2) One 210 h. p. gas engine driven generator and other necessary auxiliary equipment; all of above to be installed at Applicant's Bivins Compressor Station.

The above facilities are to include necessary foundations, water piping, fittings and other necessary miscellaneous items.

Applicant asserts that no additional business will result from the installation of the proposed facilities. It is further asserted by the Applicant that the sole purpose of the proposed facilities is to make certain that deliveries to Colorado Interstate Gas Company may be maintained on peak days.

The over-all cost of the project is estimated to be $250,165.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 2d day of August, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-13082; Filed, July 19, 1945; 9:43 a. m.]

[Docket No. IT-5954]

NEBRASKA POWER CO.

ORDER SETTING HEARING

JULY 17, 1945.

It appears that:

(a) Nebraska Power Company, a Maine corporation, having its principal business office at Omaha, Nebraska ("Applicant"), on June 21, 1945, filed an application seeking an order authorizing it to issue its bonds and notes, pursuant to section 204 of the Federal Power Act.

(b) The proposed bonds are to be First Mortgage Bonds, 3% Series, Due 1955, in the principal amount of $7,000,000, to be dated as of May 15, 1945, and to mature May 15, 1955, and to be secured by the mortgage and deed of trust of the Applicant to Guaranty Trust Company of New York and M. P. Callaway, as Trustees, dated as of June 1, 1931, and indentures supplemental thereto.

(c) The proposed notes are to be Serial Notes in the aggregate principal amount of $7,000,000, bearing interest at the rate of 2½% per annum, to be dated as of the date of issue thereof, which

will be not later than September 1, 1945, to mature $125,000 on December 1, 1945, and a like principal amount at the expiration of each three months thereafter for eight additional successive installments, and the balance to mature on January 1, 1948. The notes are to be secured by the pledge of the bonds referred to in paragraph (b), above.

(d) The bonds and notes are to be issued to secure funds which, with other monies available in the possession of the applicant, will enable it to redeem all of its outstanding 7% Cumulative Preferred Stock and all of its outstanding 6% Cumulative Preferred Stock.

(e) By agreement dated December 26, 1944, between Central West Irrigation Company (now known as Omaha Electric Committee, Inc.) and applicant, applicant purported, among other things, to lease to Central West Irrigation Company certain items of property which may include facilities subject to the jurisdiction of this Commission having a value in excess of $50,000. No authorization by this Commission was applied for or granted and such authorization may have been required by section 203 of the Federal Power Act.

(f) The agreement referred to in paragraph (e), above, contains provisions for the sale, purchase and interchange of electric energy which may affect or relate to rates, charges, classifications or services for transmission of sale of electric energy subject to the jurisdiction of this Commission. The agreement has not been filed with the Federal Power Commission as a rate schedule in compliance with the requirements of section 205 of the Federal Power Act and the Commission's rules of practice and regulations thereunder and such filing may have therefore been required thereunder.

(g) By agreement dated December 26, 1944, between Central West Irrigation Company, Loup River Public Power District, and Applicant, the Central West Irrigation Company purported to assign to Loup River Public Power District all of its right, title and interest under and pursuant to the agreement referred to in paragraph (e), above. This agreement of assignment was not authorized by this Commission under section 203 of the act and was not filed with this Commission as a rate schedule in compliance with the requirements of section 205 of the act and the Commission's rules of practice and regulations thereunder and such authorization and filing may have been required.

(h) By letter dated June 30, 1945, applicant was advised that its application filed June 21, 1945, appeared deficient in that it made no showing in compliance with the requirements of paragraph K of § 34.2 of the Commission's rules of practice and regulations, as amended, relating to underwriters' and finders' fees. Applicant's attention was also directed to the matters referred to in paragraphs (e) to (g), inclusive, above, and the apparent necessity for appropriate action to restore the situation which existed before the agreements of December 26, 1944, and for making application under section 203 and filings under section 205 of the act.

(i) No amendment in compliance with the Commission's rules has been submitted in response to the letter referred to in paragraph (h) and no application or filing made to rectify the situation resulting from the indicated violations of sections 203 and 205 of the act. The attorney for the applicant has by letter under date of July 5, 1945, stated the applicant's position with reference thereto, contending that no underwriters' or finders' fees are to be paid and that it is neither appropriate nor desirable for any questions concerning the agreements referred to in paragraphs (e) and (f) above, to be submitted to the Commission at this time.

(j) Written notice of the application filed June 21, 1945, has been duly given to the Nebraska State Railway Commission, Iowa State Commerce Commission and to the governors of each of those States. Notice of the application was also published in the FEDERAL REGISTER June 23, 1945, stating that any person desiring to be heard or to make any protest with reference to the application should file a petition or protest on or before July 7, 1945.

(k) On July 6, 1945, Chemical Bank & Trust Company, as Successor Trustee under the Debenture Bond Agreement under which the applicant's 6% Gold Debenture Bonds, Series A, Due 2022, were issued, filed a protest against the granting of the application.

(l) On July 7, 1945, Omaha Ice & Cold Storage, Incorporated, a Delaware corporation, on its own behalf as a user of electric power and energy and on behalf of all other users of electric power and energy, served by applicant, filed a protest against the granting of the application.

The Commission finds that:

It is appropriate to carry out the provisions of the Federal Power Act that a public hearing be held as hereinafter provided.

The Commission orders that:

(A) A public hearing be held commencing on August 8, 1945, at 10:00 a. m. (c. w. t.) in North Court Room, Third Floor, Post Office Building, 16th and Dodge, Omaha, Nebraska, respecting the matters involved and the issues presented in this proceeding.

(B) At the hearing, applicant shall present evidence in support of its application and shall, in any event, show cause, if any there be, why the Commission should not find and determine that the agreements referred to in paragraphs (e) to (g), inclusive, above, insofar as they involve the lease or disposition of facilities and the sale, purchase or interchange of electric energy, were subject to the requirements of sections 203 and 205 of the Federal Power Act and the rules of practice and regulations thereunder, and why the Commission should not issue such order with respect thereto as it may find necessary or appropriate to carry out the provisions of that act.

(C) Interested State Commissions may participate in said hearing as provided in § 39.4 of the rules of practice and regulations of the Commission under the Federal Power Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 45-13130; Filed, July 19, 1945; 12:01 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 580, Order 86]

FORT PITT BEDDING CO.

ESTABLISHMENT OF MAXIMUM PRICES

Establishing ceiling prices at retail for branded articles; Docket No. 6063-580-13-82.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Fort Pitt Bedding Company, Liverpool, Preble and Franklin Streets (North Side), Pittsburgh, Pa. and described in the manufacturer's application dated April 16, 1945.

Article	Brand name	Manufacturer's price line	Ceiling price at retail
Mattress	Dream King	$21.00	[illegible]
Box spring	do	21.00	[illegible]

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Fort Pitt Bedding Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13022; Filed, July 17, 1945; 5:01 p. m.]

[Order 84 Under Order 375 of 3 (b)]

CAYOL FOODS

AUTHORIZATION OF MAXIMUM PRICES

Order No. 84 under Order No. 375 of Section 1499.3 (b) of the General Maximum Price Regulation. Cayol Foods, Docket No. 6033; 2-GMPR-ORD 375-177.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

Authorization of maximum prices governing sales of certain packaged confectionery items processed by Cayol Foods, 626 Third Avenue, North, Minneapolis, Minnesota.

(a) The maximum delivered prices which may be charged by any seller for sales as indicated below of "Cayol Honey Dipped Fruit Boxes," a packaged confectionery item processed by Cayol Foods, 626 Third Avenue, North, Minneapolis, Minnesota, in accordance with its price application dated May 15, 1945, shall be the sums following:

Sales	Sizes			
	½ lb.	1 lb.	1½ lb.	3 lb.
To retailers, per item	$0.45	$0.84	$1.22	$2.35
To consumers, per item	.68	1.26	1.83	3.53

(b) Cayol Foods may make substitutions in its various formulae provided that any fruit or nut used as a substitution be of at least equal cost to the item it replaces at the time of substitution.

(c) The prices established in this order are the highest prices for which these items may be sold to the respective purchasers. All sellers, on sales of these items, shall reduce the above appropriate maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable candy items. In the application of any customary differentials, the specific maximum prices established by this order shall not be exceeded.

(d) Cayol Foods shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchasers, the following notice:

On July 18, 1945 the Office of Price Administration authorized us to sell "Cayol Honey Dipped Fruit Boxes" to retailers in the following sizes at the following maximum delivered prices, per item:

½ lb. size, $0.45, 1 lb. size, $0.84; 1½ lb. size, $1.22; 3 lb. size, $2.35.

Retailers are authorized to sell these sizes to consumers at the respective maximum prices of $0.68, $1.26, $1.83 and $3.53 per item. On sales of these items, all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable candy items. The maximum prices contained in this notice will become invalid seven months after the date set forth in the first line of this notice.

(e) This order may be revoked or amended at any time by the Price Administrator.

(f) This Order No. 84 shall become effective July 18, 1945, and shall expire seven months thereafter. Thirty days prior to the expiration date of the order, Cayol Foods may submit actual cost figures experienced during the effective period of this order and request the re-establishment of maximum prices.

Issued this 17th day of July 1945.

This action has the prior written approval of the Secretary of Agriculture.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13017; Filed, July 17, 1945; 5:00 p. m.]

[MPR 120, Amdt. 3 to Order 1343]

BITUMINOUS COAL IN DISTRICT 3

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1343 under Maximum Price Regulation No. 120 is amended in the following respect:

In the table of maximum price exceptions in paragraph (1), the mine index number "255", the mine name "Insull", the subdistrict number "2" and the maximum prices thereafter are deleted.

This amendment to Order No. 1343 shall become effective July 27, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13010; Filed, July 17, 1945; 4:56 p. m.]

[MPR 120, Amdt. 4 to Order 1343]

BITUMINOUS COAL IN DISTRICT 3

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1343 under Maximum Price Regulation No. 120 is amended in the following respect:

In footnote 6 below the table of maximum prices the date "7/18/45" is deleted and "1/18/46" is inserted in lieu thereof.

This Amendment No. 4 to Order No. 1343 under Maximum Price Regulation No. 120 shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13019; Filed, July 17, 1945; 5:00 p. m.]

[MPR 120, Corr. to Order 1406]

SANDERSON COAL CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1406 under Maximum Price Regulation No. 120 is corrected in the following respect:

In the item for the Barston Fork Coal Company the subdistrict number "5" is deleted and "3" is inserted in lieu thereof.

This correction shall become effective July 17, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13009; Filed, July 17, 1945; 4:56 p. m.]

[MPR 120, Order 1421]

CHERRY VALLEY COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel, are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river, the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

CHERRY VALLEY COAL CO., c/o B. M. MOORE, 1620 BEECHWOOD BLVD., PITTSBURGH, PA., CHERRY MINE, UPPER KITTANNING SEAM, MINE INDEX NO. 4351, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, BELLIARDS, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	D	D	C	C	D	D	D	----	----
Rail shipment	319	319	309	309	319	309	279	279	254	----	----
Railroad fuel	319	319	309	309	319	309	279	279	254	254	----
Truck shipment	444	444	444	424	414	414	414	329	299	299	279

FLECK BROTHERS COAL CO., CARNEGIE, PA., FLECK NO. 3 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4328, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, ALL BY TRUCK, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment	439	439	439	404	374	374	374	339	299	299	284

FRANCIS COAL CO., 473 ALICE ST., EAST PALESTINE, OHIO, MCCARTER MINE, NO. 6 SEAM, MINE INDEX NO. 4307, BEAVER COUNTY, PA., SUBDISTRICT 1, ALL BY TRUCK, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

Truck shipment	429	429	429	414	389	389	389	319	279	279	259

GLASS RUN COAL CO., INC., 54 SUNSET DRIVE, R. D. NO. 11, PITTSBURGH, PA., WILLOCK NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4402, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, ALL BY TRUCK, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

Truck shipment	439	439	439	404	374	374	374	339	299	299	284

PENNSYLVANIA REFINING CO., KARNS CITY, PA., DONALDSON MINE, UPPER KITTANNING SEAM, MINE INDEX NO. 4363, BUTLER COUNTY, PA., SUBDISTRICT 1, ALL BY TRUCK, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

Truck shipment	444	444	444	424	414	414	414	329	299	299	279

WILLIAM PICCIONINI, 233 WASHINGTON AVE., CORNELLSVILLE, PA., REDSTONE NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4396, FAYETTE COUNTY, PA., SUBDISTRICT 9, ALL BY TRUCK, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 7

Truck shipment	429	429	429	399	389	389	389	324	304	304	279

L. W. OVERLY, R. D. NO. 1, MT. PLEASANT, PA., OVERLY MINE, PITTSBURG SEAM, MINE INDEX NO. 4349, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, SMITHTON, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	D	D	C	C	C	C	C	C	C	----	----	
Rail shipment	349	349	349	349	349	339	314	314	284	----	----	
Railroad fuel	349	349	349	349	349	339	314	314	284	284	----	
Truck shipment	429	429	429	409	379	379	379	319	299	299	299	

WILLIAMS COAL CO., GEORGE W. WILLIAMS, ELIZABETH, PA., WILLIAMS NO. 3 MINE, REDSTONE SEAM, MINE INDEX NO. 4335, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, ALL BY TRUCK, DEEP AND STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment	439	439	439	404	374	374	374	339	299	299	----	
Strip mined	444	444	444	409	379	379	379	444	304	304	284	
Deep mined											289	

This order shall become effective July 18, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13007; Filed, July 17, 1945; 4:57 p. m.]

[MPR 120, Order 1422]

KIEFER COAL MINING CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

KIEFER COAL MINING CO., 241 MARKET ST., CLEARFIELD, PA., HOPE NO. 1 MINE, B SEAM, MINE INDEX NO. 5413, CLEARFIELD COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT, GRAHAM, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

KIEFER COAL MINING CO., 241 MARKET ST., CLEARFIELD, PA., HOPE NO. 2 MINE, A SEAM, MINE INDEX NO. 5414, CLEARFIELD COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT, GRAHAM, PA., STRIP MINE

Price classification	H	H	H	H	H
Rail shipment	330	330	310	285	285
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	350	325	325	310	300

LEBANON FUEL CO., C/O FRED M. MCINTYRE, JAMISON BLDG., GREENSBURG, PA., LEBANON NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 5421, INDIANA COUNTY, PA., SUBDISTRICT 22, RAIL SHIPPING POINT, WEST LEBANON, PA., DEEP AND STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	355	335	335	315	315

The foregoing maximum prices apply to stripmined coal. To determine the maximum prices for underground coal add 15 cents per ton to each of the foregoing maximum prices.

MARION COAL CO., % FAUN BOTCHER, BEAVERDALE, PA., FRANCIS NO. 3 MINE, D SEAM, MINE INDEX NO. 5435, INDIANA COUNTY, PA., SUBDISTRICT 17, RAIL SHIPPING POINT, SAVAN, PA., DEEP MINE

Price classification	F	F	F	F	F
Rail shipment	353	333	333	313	313
Railroad locomotive fuel	338	338	323	310	310
Truck shipment	378	353	353	345	345

MARION COAL CO., % FAUN BOTCHER, BEAVERDALE, PA., FRANCIS NO. 4 MINE, C SEAM, MINE INDEX NO. 5436, INDIANA COUNTY, PA., SUBDISTRICT 17, RAIL SHIPPING POINT, SAVAN, PA., DEEP MINE

Price classification	G	G	G	G	G
Rail shipment	348	348	333	313	313
Railroad locomotive fuel	338	338	323	310	310
Truck shipment	373	348	348	345	345

MILLER & CORRIE, ROBERTSDALE, PA., RAY'S RUN MINE NO. 1 MINE, FULTON SEAM, MINE INDEX NO. 5424, HUNTINGDON COUNTY, PA., SUBDISTRICT 20, RAIL SHIPPING POINT, JOLLER, PA., STRIP MINE

	Size group Nos.					
	1	2	3	4	5	Smithing coal (any size)
Price classification	B	B	B	B	B	----
For all methods of shipment and all uses	425	425	360	365	365	475

MILLER AND CORRIE, ROBERTSDALE, PA., RAY'S RUN NO. 2 MINE, BARNETT SEAM, MINE INDEX NO. 5425, HUNTINGDON COUNTY, PA., SUBDISTRICT 20, RAIL SHIPPING POINT, JOLLER, PA., STRIP MINE

Price classification	A	A	A	A	A	----
For all methods of shipment and all uses	425	425	360	365	365	475

EVERETT MOORE COAL CO., PUNXSUTAWNEY, PA., MOORE NO. 6 MINE, D SEAM, MINE INDEX NO. 5415, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, FALLS CREEK, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

PITT FUEL SUPPLY CO., SAXTON, PA., LOUISE MINE, FULTON SEAM, MINE INDEX NO. 5427, BEDFORD COUNTY, PA., SUBDISTRICT 39, RAIL SHIPPING POINT, SHOUPS BRANCH (B. & B. T.), DEEP MINE

	Size group Nos.					
	1	2	3	4	5	Smithing coal (any size)
Price classification	B	B	B	B	C	----
For all methods of shipment and all uses	443	443	408	383	368	493

This order shall become effective July 18, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13008; Filed, July 17, 1945; 4:57 p. m.]

[MPR 120, Order 1423]

JOHN BALOG COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

JOHN BALOG COAL CO., BOX 124, MAYNARD, OHIO, BALOG NO. 2 MINE, NO. 8 SEAM, MINE INDEX NO. 4170, BELMONT COUNTY, OHIO, SUBDISTRICT 1 FOR ALL METHODS OF SHIPMENT, DEEP MINE, RAIL SHIPPING POINT, CRESCENT, OHIO

	Size group Nos.												
	1	2	3	3A	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	331	331	311	311	311	311	296	261	251	286	----	----	286
Truck shipment	386	386	386	346	346	316	316	291	281	316	----	----	316

BROOKSIDE COAL CO., % EARL NORMAN, BLAINE, OHIO, BROOKSIDE MINE, NO. 8 SEAM, MINE INDEX NO. 4163, BELMONT COUNTY, OHIO, SUBDISTRICT 1 FOR ALL METHODS OF SHIPMENT, DEEP MINE, RAIL SHIPPING POINT BRIDGEPORT, OHIO

Rail shipments and railroad fuel	331	331	311	311	311	311	296	261	251	286	----	----	286
Truck shipment	386	386	386	346	346	316	316	291	281	316	----	----	316

GIBBS MOTOR MINING CO., 164 S. BROADWAY, NEW PHILADELPHIA, OHIO, GIBBS NO. 5 MINE, NO. 5 SEAM, MINE INDEX NO. 4167, TUSCARAWAS COUNTY, OHIO, SUBDISTRICT 4 FOR RAIL SHIPMENTS, 4A FOR TRUCK SHIPMENTS, STRIP MINE, RAIL SHIPPING POINT, SUGAR CREEK, OHIO

Rail shipments and railroad fuel	325	325	310	310	310	310	280	250	240	280	235	----	290
Truck shipment	375	375	375	355	355	305	305	300	290	305	----	----	305

GIBBS MOTOR AND MINING CO., 164 S. BROADWAY, NEW PHILADELPHIA, OHIO, GIBBS NO. 6 MINE, NO. 6 SEAM, MINE INDEX NO. 4168, TUSCARAWAS COUNTY, OHIO, SUBDISTRICT 4 FOR RAIL SHIPMENTS, 4A FOR TRUCK SHIPMENTS, STRIP MINE, RAIL SHIPPING POINT, SUGAR CREEK, OHIO

Rail shipments and railroad fuel	325	325	310	310	310	310	280	250	240	280	235	----	290
Truck shipment	350	350	350	320	320	280	280	255	245	280	----	----	280

THE JEFFERSON COAL CO., 1360 LEADER BLDG., CLEVELAND 14, OHIO, CROW HOLLOW NO. 5 MINE, NO. 8 SEAM, MINE INDEX NO. 4161, HARRISON COUNTY, OHIO, SUBDISTRICT 1 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, HOPEDALE, OHIO

Rail shipments and railroad fuel	305	305	285	285	285	285	270	235	225	260	210	----	270
Truck shipment	350	350	350	310	310	280	280	255	245	280	----	----	280

MARSHALL COAL CO., RUSH RUN, OHIO, MARSHALL MINE, NO. 8 SEAM, MINE INDEX NO. 4171, JEFFERSON COUNTY, OHIO, SUBDISTRICT 1 FOR ALL METHODS OF SHIPMENTS, STRIP MINE, RAIL SHIPPING POINT; BELLIANT, OHIO

Rail and river shipments and railroad fuel	305	305	285	285	285	285	270	235	225	260	210	----	270
Truck shipment	350	350	350	310	310	280	280	255	245	280	----	----	280

NURI COAL CO., C/O UNITED FUEL CO., AGENT FIRST CENTRAL TOWER, AKRON, OHIO, NURI MINE, NO. 5 SEAM, MINE INDEX NO. 4164, JEFFERSON COUNTY, OHIO, SUBDISTRICT 3 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, BERGHOLTZ, OHIO

Rail shipments and railroad fuel	326	325	310	310	310	310	280	250	240	280	235	----	290
Truck shipment	350	350	350	310	310	280	280	255	245	280	----	----	280

PORT WASHINGTON COAL CO., PORT WASHINGTON, OHIO, NO. 1 MINE, NO. 6 SEAM, MINE INDEX NO. 4166, TUSCARAWAS COUNTY, OHIO, SUBDISTRICT 4 FOR RAIL SHIPMENTS, 4A FOR TRUCK SHIPMENTS, STRIP MINE, RAIL SHIPPING POINT, NEW COMERSTOWN, OHIO

Rail shipments and railroad fuel	325	325	310	310	310	310	290	250	240	280	235	----	290
Truck shipment	350	350	350	320	320	280	280	255	245	280	----	----	280

SUNNYSIDE COAL MINING CO., R. D. NO. 2, DARLINGTON, PA., COLUMBIANA MINE, NO. 6 SEAM, MINE INDEX NO. 4362, COLUMBIANA COUNTY, OHIO, SUBDISTRICT 4 FOR RAIL SHIPMENTS, 4 C FOR TRUCK SHIPMENTS, STRIP MINE, RAIL SHIPPING POINT, EAST PALESTINE, OHIO.

Rail shipments and railroad fuel	325	325	310	310	310	310	290	250	240	280	235	----	290
Truck shipment	375	375	375	335	335	305	305	270	260	305	----	----	305

ELMER O. VOGT COAL MINES, 846 WELLMAN AVENUE, MASSILLON, OHIO, LEBANON MINE, NO. 6 SEAM, MINE INDEX NO. 4159, WAYNE COUNTY, OHIO, SUBDISTRICT 4 FOR RAIL SHIPMENTS, 4D FOR TRUCK SHIPMENTS, STRIP MINE, RAIL SHIPPING POINT, BREWSTER, OHIO

Rail shipments and railroad fuel	325	325	310	310	310	310	290	250	240	280	235	----	290
Truck shipment	350	350	350	320	320	290	290	265	245	290	----	----	290

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ZANE MINING CO., C/O GEO. H. SNYDER, 300 FIRST NAT. BANK BLDG., ZANESVILLE, OHIO, ZANE MINING CO., MINE, NO. 6 SEAM, MINE INDEX NO. 1165, PERRY COUNTY, OHIO, SUBDISTRICT 6 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, ROSEVILLE, OHIO

	Size group Nos.											
	1	2	3	3A	4	5	6	7	8	9	10	11	12
Rail Shipments and railroad fuel	325	325	295	295	295	295	285	245	245	250	210	.....	250
Truck shipment	360	360	360	320	320	265	265	230	230	265	... ..	.....	265

BARNES BROTHERS COAL CO., R. F. D. NO. 1 NEW LEXINGTON, OHIO, BARNES MINE, NO. 5 AND NO. 6 SEAM, MINE INDEX NO. 1162, PERRY COUNTY, OHIO, SUBDISTRICT 6 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, DIXIE, OHIO

Rail shipments and railroad fuel	325	325	295	295	295	295	285	245	245	250	210	.....	250
Truck shipment	360	360	360	320	320	265	265	230	230	265	...	.....	265

This order shall become effective July 18, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13011; Filed, July 17, 1945; 4:56 p. m.]

[MPR 120, Order 1424]

THORNHILL COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Thornhill No. 2 Mine of Thornhill Coal Company is hereby assigned Mine Index No. 2040 and its coals are classified in Production Group No. 2 of District No. 15.

(b) Coals produced by Thornhill Coal Company from the Baxter Seam at its Thornhill No. 2 Mine, Mine Index No. 2040, located in Vernon County, Missouri in Production Group No. 2 of District No. 15, pursuant to § 1340.226 of Maximum Price Regulation No. 120, may be purchased and sold for the indicated movements at cents per net ton not exceeding the following:

	Size group Nos.								
	1, 2, 3, 4	5	6	7	8	9	10, 11	12, 13	14	15
Truck or wagon shipments	329	304	286	274	269	259	264	249	229	114

(c) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(f) The price classification and mine index number assigned herein are permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13020; Filed, July 17, 1945; 5:00 p. m.]

[RMPR 136, Order 473]

CHESTER DAIRY SUPPLY CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 473 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Chester Dairy Supply Company; Docket No. 6083-126.21-364.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by Chester Dairy Supply Company, Chester, Pennsylvania of the following milk handling equipment shall be determined as follows: The manufacturer shall increase the list price it had in effect just prior to the issuance of this order by the following percentage, and shall deduct from the resultant list prices, all discounts, allowances and other deductions that it had in effect to a purchaser of the same class on October 1, 1941:

Groups:	*Percentage of increase*
Heaters	6.0
1" coolers	18.5
Coolers, other than 1"	6.0
Miscellaneous dairy equipment	6.5

(b) The maximum prices for sales by resellers of milk handling equipment manufactured by Chester Dairy Supply Company, shall be determined as follows: The resellers shall add to the maximum net price he had in effect for a purchaser of the same class just prior to the issuance of this order the amount, in dollars-and-cents, by which his invoiced cost has been increased due to the adjustment granted by this order.

(c) Chester Dairy Supply Company shall notify each purchaser who purchases milk handling equipment from Chester Dairy Supply Company for resale of the dollars-and-cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) On or before December 25, 1945, Chester Dairy Supply Company shall file with the Machinery Branch, Office of Price Administration, Washington 25, D. C., a profit and loss statement for the period October 31, 1944 to October 31, 1945, inclusive, showing:

(1) Sales and costs separately for each of the four groups of dairy equipment.

(2) The dollar amount of sales of each group due to the increase permitted by this adjustment.

(e) All requests not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13018; Filed, July 17, 1945; 5:00 p. m.]

WAR PRODUCTION BOARD.

[C-341, Revocation]

JACOB MILLER CO. AND MORRIS GORDON & SON, INC.

CONSENT ORDER

Pursuant to an agreement between the above-named parties, the Regional Compliance Manager and the Regional Attorney, Consent Order No. C-341 was issued May 19, 1945, in consequence of a violation of Conservation Order L-41. Jacob Miller Company and Morris Gordon & Son, Incorporated have applied for revocation of the consent order with the approval of the Regional Compliance Manager and Regional Attorney.

Accordingly, the Director of the Compliance Division and the Office of General Counsel have determined that the occasion for Consent Order C-341 no longer exists, and therefore, it is hereby revoked.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13092; Filed, July 19, 1945; 11:45 a. m.]

JUL 24 '45

FEDERAL REGISTER

VOLUME 10 NUMBER 145

Washington, Saturday, July 21, 1945

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 28—THE FEDERAL LAND BANK OF OMAHA

FEES REQUIRED OF BORROWERS

Section 28.1 of Title 6, Code of Federal Regulations, as amended, is hereby revoked. (Res. Bd. Dir., June 19, 1945)

Section 28.3 of Title 6, Code of Federal Regulations, as amended, is hereby revoked. (Res. Bd. Dir., June 19, 1945)

[SEAL] THE FEDERAL LAND BANK OF OMAHA,
By LEO E. MANION,
Vice President.

Confirmed:

WAYNE E. SMITH,
Secretary.

[F. R. Doc. 45-13195; Filed, July 20, 1945; 9:42 a. m.]

Chapter II—Department of Agriculture, Commodity Credit Corporation

[1945 C. C. C. Cover Crop and Hay and Pasture Seed Bulletin I, as Amended]

PART 267—COVER CROP AND HAY AND PASTURE SEED LOANS

SUBPART 1945

Commodity Credit Corporation has authorized the making of loans on cover crop and hay and pasture seed in accordance with the following instructions.

GENERAL INSTRUCTIONS

Sec.
267.1 Eligible producer.
267.2 Availability and maturity.
267.3 Lending agency.
267.4 Liens.
267.5 County agricultural conservation committees.
267.6 Source of loans.
267.7 Purchase of notes.
267.8 Release of collateral.
267.9 Office of the regional directors of Commodity Credit Corporation.

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

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Sec.
267.15 Eligible seed.
267.16 Seed specifications for alfalfa.
267.17 Labeling and delivery of seed.
267.18 Loan rates.
267.19 Discounts for low quality seed.
267.20 Certified seed.
267.21 Charges to be paid by producer.
267.22 Service fees.

SPECIAL INSTRUCTIONS CONCERNING LOANS ON FARM-STORED SUDAN GRASS SEED

267.28 Eligible seed.
267.29 Eligible storage.
267.30 Quantity and quality determination
267.31 Loan rate.
267.32 Delivery of collateral.
267.33 Storage allowance.
267.34 Final settlement with producer.
267.35 Service fees.
267.36 Insurance.

AUTHORITY: §§ 267.1 to 267.36, inclusive, issued under section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C. 1940 ed., 1302).

GENERAL INSTRUCTIONS

§ 267.1 *Eligible producer.* Any person, partnership, association, corporation, or other legal entity, producing or harvesting hay and pasture seed or cover crop seed in 1945, as landowner, landlord, tenant, or custom harvester, may qualify for a loan if the beneficial interest in the seed tendered for a loan is in him and always has been in him, or is in him and a former producer whom he succeeded before the crop was harvested, and if he has the legal right to obtain a loan upon the security of the seed.

§ 267.2 *Availability and maturity.* Loans on eligible hay and pasture and cover crop seed will be available after the 1945 harvest begins and through August

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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31, 1945, for Blue Lupine, and February 15, 1946, for other seeds. Loans will mature on demand, but not later than September 30, 1945, for Blue Lupine, and April 30, 1946, for other seeds. Loans will bear interest at the rate of 3 percent per annum.

§ 267.3 *Lending agency.* Any bank, corporation, partnership, cooperative marketing association, or person, who has executed a Contract to Purchase (1940 C. C. C. Form E) and filed such contract with a regional office of Commodity Credit Corporation, may act as a lending agency.

§ 267.4 *Liens.* Hay and pasture seed or cover crop seed offered as collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the note and loan agreement or chattel mortgage. The names of all existing lienholders such as landlords, laborers, threshers, or mortgages, must be listed. The waiver and consent to sell or mortgage the hay and pasture seed or cover crop seed and pay the proceeds as directed by the producer, as contained in the note and loan agreement or chattel mortgage, must be signed personally by all lienholders listed or by their duly authorized agents; or, if the lienholder is a corporation, by an officer thereof authorized to execute such instruments. Waivers of lienholders may be executed on separate instruments if complete identification of the commodity and the producer is shown.

§ 267.5 *County agricultural conservation committees.* County agricultural conservation committees will administer the loan program within a county and will determine the eligibility of producers. All loan forms will be obtainable from offices of county committees and must be approved by the committee prior to disbursement of proceeds.

§ 267.6 *Source of loans.* Loans may be obtained through banks and other lending agencies, as defined herein, or direct from Commodity Credit Corporation.

§ 267.7 *Purchase of notes.* Commodity Credit Corporation will purchase, without recourse, notes on C. C. C. Commodity Form A secured by chattel mortgages on C. C. C. Commodity Form AA, or notes on C. C. C. Commodity Form B secured by warehouse receipts evidencing loans on hay and pasture seed or cover crop seed, from lending agencies which have executed and delivered, to the regional office of Commodity Credit Corporation serving the area, a Contract to Purchase (1940 C. C. C. Form E). Notes held by lending agencies must be tendered for purchase to the regional office of Commodity Credit Corporation serving the area within 10 days of written demand by the Corporation. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be an amount equal to the unpaid principal of such notes plus accrued interest, from the date of disbursement by the lending agency to the date of payment of the purchase price, at the rate of 1½ percent per annum. Under the terms of the Contract to Purchase, lending agencies are required to report weekly, on C. C. C. Form F or C. C. C. Commodity Form F, all repayments or collections on producers' notes held by them and to remit, with such report, to the regional office of Commodity Credit Corporation, an amount equal to 1½ percent per annum on the principal amount collected from the date of disbursement by the lending agency to the date of repayment.

§ 267.8 *Release of collateral.* A borrower may obtain the release of the collateral at any time prior to delivery of the collateral to Commodity Credit Corporation upon payment of the principal amount due on the note, plus accrued interest at the rate of 3 percent per annum. Borrowers may repay directly notes that are held by local lending agencies, or, if the notes are held by Commodity Credit Corporation, or an out-of-town lending agency, they may request that the notes be forwarded to a local bank for collection, or remit an amount sufficient to pay the outstanding principal and interest. In the event the producer redeems his seed he is required to pay all accrued warehouse charges to the warehouseman. Partial payment of a note and partial release of collateral may be arranged with the county agricultural conservation committee.

§ 267.9 *Offices of the regional directors of Commodity Credit Corporation.* The offices of the regional directors referred to herein and the areas served by them under these instructions are shown below:

Address and Area

208 South La Salle Street, Chicago 4, Ill.:
Connecticut, Delaware, Illinois (except east St. Louis), Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and West Virginia.

1004 Baltimore Avenue, Kansas City 13, Mo.:
Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.

Artisans Building, 225 Southwest Broadway, Portland 5, Oreg.:
Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

326 McKnight Building, Minneapolis 1, Minn.:
Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

SPECIAL INSTRUCTIONS CONCERNING LOANS ON WAREHOUSE-STORED SEEDS

§ 267.15 *Eligible seed.* Any seed, specified in the attached schedule of loan rates, harvested in 1945, stored in a warehouse, approved by Commodity Credit Corporation, which has executed a Seed Cleaning and Storage Agreement, on C. C. C. Seed Form A, which seed complies with the other provisions of this bulletin, and which is cleaned or can be cleaned to meet the specifications as shown in the schedule of loan rates, is eligible as security for a loan, provided it does not contain seed of White Top, Canada Thistle, Doddar, Quackgrass, Johnson Grass, Bindweed, Russian Knapweed, Perennial Sow Thistle, or Leafy Spurge, singly or combined in excess of 45 seeds per pound.

§ 267.16 *Seed specifications for alfalfa.* In determining seed specifications for alfalfa, three regional areas—northern, central, and southern—on the basis of adaptation, are recognized. The northern region includes all producing areas north of the southern boundaries of Oregon, Idaho, Wyoming, Nebraska, and eastward in counties which are north of, or intersected by, the 40th degree of latitude. The central region includes all the producing areas south of the northern region and north of the 37th degree of latitude (excluding California north of the 37th degree of latitude, except the counties of Tehama, Plumas, and those north of the 40th degree of latitude, but including all counties south of the 37th degree of latitude in Nevada, Missouri,

Wheelock Bros., Inc., termination of possession, control and operation ---------- 9039
Manufacturers, limitation on reconversion pricing (SO 118) ---------- 9011
Part 28—Federal Land Bank of Omaha ---------- 8987

Kentucky and Virginia). Approved origin alfalfa seed in Oklahoma, tagged and sealed with the official tags and seals of the Oklahoma Crop Improvement Association, will be at the rates specified for the central region. The southern region includes all the producing areas south of the central region.

§ 267.17 *Labeling and delivery of seed.* Upon delivery of the seed to producers, on repayment of their loans, warehousemen shall label all seed, as required by the Federal Seed Act and the applicable State seed law. Upon delivery of the seed to Commodity Credit Corporation, warehousemen shall label all seed, as required by the Federal Seed Act and the seed law of the State or county into which shipment is directed by the Corporation.

§ 267.18 *Loan rates.* The loan rates for eligible hay and pasture seed and cover crop seed are specified in the attached schedule.

§ 267.19 *Discounts for low quality seed.* Seed meeting, or better than, the highest pure seed and germination specifications set out in the schedule of loan rates will be eligible for a loan at the highest loan rate specified in such schedule. Seed with lower purity and germination will be eligible for a loan at the rate shown in the attached schedule of discounts for lower quality seed. Seed of lower seed purity or germination than the minimum seed purity and germination shown in the attached schedule for low quality seed shall not be eligible for a loan.

§ 267.20 *Certified seed.* Varieties or strains of hay and pasture seeds designated by State Agricultural Experiment Stations in cooperation with State seed certifying agencies and the Bureau of Plant Industry, Soils and Agricultural Engineering of the United States Department of Agriculture, will be eligible for loans as "certified seed." Seeds of these varieties or strains are to be certified by the State seed certifying agency of the State where grown. The standards and procedures for certification of each State must be approved by the executive committee of the International Crop Improvement Association or its designated agent.

§ 267.21 *Charges to be paid by producer.* Costs of cleaning, bags and bagging, tagging, fumigating, if necessary, and transportation to approved warehouses, are to be borne by the producer. Such costs should not exceed the charges provided in Commodity Credit Corporation's cleaning and storage agreement for seed processors. In case of bulk storage or otherwise, where the seed is not ready for merchandising, the cost of the above items not paid for by the producer shall be deducted from the amount of the loan.

§ 267.22 *Service fees.* A service fee of 1 cent per hundredweight, but not less than $1.50, for warehouse-stored seed will be collected by the county agricultural conservation committee in connection with each loan to cover expenses incurred in the operation of the program.

SPECIAL INSTRUCTIONS CONCERNING LOANS ON FARM-STORED SUDAN GRASS SEED

Sudan grass seed produced in 1945, which otherwise complies with the provisions of this bulletin, will be eligible for a loan in areas designated by the Agricultural Adjustment Agency, when stored on farms, as set forth herein. Certified sudan grass seed will be eligible only for a warehouse loan.

§ 267.28 *Eligible seed.* Sudan grass seed harvested in 1945, which complies with the provisions of these instructions, which is cleaned or can be cleaned to meet the specifications as shown in the schedule of loan rates, and which will comply with the Federal Seed Law and the State seed law of the State where the seed is produced, is eligible for a loan. However, in no event will a loan be made if the seed contains noxious weeds, or seeds of White Top, Canada Thistle, Dodder, Quackgrass, Johnson Grass, Bindweed, Russian Knapweed, Perennial Sow Thistle, or Leafy Spurge, singly or combined, in excess of 45 seeds per pound.

§ 267.29 *Eligible storage.* Sudan grass seed must be stored in such manner and kind of building as will preserve the quantity and quality of seed stored.

§ 267.30 *Quantity and quality determination.* County agricultural conservation committees shall determine the quantity and quality of seed stored in each bin on each farm. They shall secure a representative sample for determination of quality. The sample shall be sent to a laboratory, approved by the State agricultural conservation committee, for analysis and germination test. The analysis shall show pure seed, other crop seed, weed seed, inert matter, and noxious weed seeds. The county agricultural conservation committee shall secure measurements of the inside width, length (diameter if a round bin), and depth of seed stored in each bin. The quantity of seed shall be determined by multiplying the number of cubic feet in the bin times 30, times the percent of pure seed as determined by the anaylsis. The result will be the number of pounds of seed to be placed under loan. The producer requesting the loan shall pay the cost of the analysis and germination test.

§ 267.31 *Loan rate.* The amount of the loan for thresher-run bulk farm-stored sudan grass seed shall be determined as fellows:

Germination	85 to 100 percent	80 to 85 percent	75 to 80 percent	70 to 75 percent
Rate per 100 pounds	$3.00	$2.80	$2.60	$2.40

Seed of lower than 70 percent germination is not eligible for a loan.

§ 267.32 *Delivery of collateral.* Commodity Credit Corporation will accept delivery of all the seed in the bin or bins in which all or a portion of the seed therein is under loan. The producer will be given credit for the number of pounds so delivered at the loan rate applicable to the quality of seed delivered. If no loan rate has been established for the grade of seed delivered, the producer will be given credit at the actual market value as determined by the regional director of Commodity Credit Corporation serving the area. The producer shall deliver such seed to the delivery point stated on the loan papers.

§ 267.33 *Storage allowance.* A storage allowance of 10 cents per 100 pounds on the quantity of seed shown on the loan documents, less any amount owing the Corporation, will be paid borrowers if the seed is delivered to Commodity Credit Corporation after April 30, 1946: *Provided*, There has been no fraudulent representation by the producer, conversion of any part of the collateral, or the collateral has not been abandoned, or has not become damaged or impaired through the fault or negligence of the producer. The storage allowance will also be paid if, pursuant to demand by the Corporation for repayment of the loan, the sudan grass seed is delivered to the Corporation before April 30, 1946: *Provided*, The demand for repayment was not due to any fraudulent representation on the part of the borrower or was not made because the seed was damaged, threatened with damage, abandoned, or otherwise impaired.

§ 267.34 *Final settlement with producer.* Final settlement with each producer shall be made on the basis of the purity and germination of the clean seed delivered. Any deficiencies due the Commodity Credit Corporation will be deducted from any credits which may be due the producer from Commodity Credit Corporation.

§ 267.35 *Service fees.* A service fee of 2 cents per hundredweight, but not less than $3.00, for farm-stored sudan grass seed will be collected by the county agricultural conservation committee in connection with each loan to cover expenses incurred in the operation of the program.

§ 267.36 *Insurance.* Producers will not be required to insure seed mortgaged as collateral for a loan. Physical loss or damage to the collateral occurring from an external cause, other than vermin or conversion by the producer, and without the fault or negligence of the producer, shall be assumed by Commodity Credit Corporation.

NOTE: The foregoing document covers 1945 C.C.C. Cover Crop and Hay and Pasture Seed Bulletin 1, issued by Commodity Credit Corporation May 17, 1945, and Amendment No. 1 to said Bulletin issued on June 23, 1945.

Dated: May 17, 1945.

[SEAL] C. C. FARRINGTON,
Vice President.

SCHEDULE OF LOAN RATES WITH BASIC SPECIFICATIONS FOR PERCENTAGE OF SEED PURITY, GERMINATION, MAXIMUM WEED CONTENT, AND MAXIMUM MIXTURE OF OTHER CROPS FOR THE VARIOUS CROP SEEDS

Kind of seed	Pure seed	Germination [1]	Loan rate		Maximum weed seed	Maximum other crops
			Common	Certified approved varieties		
	Percent	*Percent*	*Cents per pound*	*Cents per pound*	*Percent*	*Percent*
Alfalfa (Medicago sativa):						
Northern	98	90	33	40	1	1.5
Central	98	90	30	37	1	1.5
Southern	98	90	26	33	1	1.5
Oklahoma "approved origin"	98	90	30		1	1.5
Alsike Clover (Trifolium hybridum)	97	90	25		1	1.5
Alyce Clover (Alysicarpus vaginalis)	98	90	18		1	5
Biennial White Sweet Clover (Melilotus alba)	98	[2] 88	9	15	1	5
Biennial Yellow Sweetclover (Melilotus officinalis)	98	[2] 88	9	15	1	5
Black Medic (Medicago lupulina)	97	90	20		1	5
Biennial Mixed-Sweetclover (Melilotus sp.)	98	[2] 88	8		1	5
Crimson Clover and Persian Clover	97	90	25		1	5
Yellow Hop Clover	97	90	35		1	5
Hubam (Texas only) (Melilotus alba annua)	98	88	10		1	5
Ladino Clover (Trifolium repens var. Ladino)	98	[3] 90		150	.5	1
Tennessee #76 Lespedeza and Common (Lespedeza striata)	98	90	20		1	5
Kobe Lespedeza (Lespedeza striata var.)	98	90	15		1	5
Sericea Lespedeza (Lespedeza sericea)	98	90	15		1	5
Red Clover (Trifolium pratense)	98	90	28	34	1	2.5
White Clover (Trifolium repens)	98	90	[4] 50		1	5
Bahia Grass (Paspalum notatmm)	72	70	20	30	.5	5
Little Bluestem and Big Bluestem (Andropogen scoparius, Andropogen furcatus	40	50	20	25	2	1.5
Sand Bluestem (Andropogen hallii)	40	90	25		2	1.5
Smooth Bromegrass (Bromus inermis)	92	85		15	1	5
Buffalo Grass (Buchloe dactyloides)	85	50	40	50	2	1.5
Dallis Grass (Paspalum dilatum)	30	70	20		1.5	5
Blue Grama (Bouteloua gracilis)	40	75	15		2	1.5
Side Oats Grama (Bouteloua curtipendula)	28	75	20	25	2	1.5
Orchard Grass (Dactylis glomerata)	85	85	22	25	2	5
Sudan Grass (Sorghum vulgare sudanense)	98	85	4	6	.5	2.5
Switchgrass (Panicum millaceum)	80	80	20	25	2	1.5
Timothy (Phleum pratense)	99	90	[5] 4	9	.5	[6] 1
Crested Wheatgrass (Agropyron cristatum)	90	90	7		2	5
Slender Wheatgrass (Agropyron trachycaulum)	[7] 85	85	7		.5	5
Western Wheatgrass (Agropyron smithii)	80	90	10		2	5
Weeping Lovegrass	90	90	50		2	1.5
Winter Pea, Austrian	[8] 90	[8] 90	[9] 3. 5		1	5
Rough Pea (Wild Winter Pea)	98	90	[9] 5			
Blue Lupine (Lupinus angustifolius)	99	90	8			

[1] Percentage of germination includes hard seed.
[2] Not more than 2 percent of sweet clover.
[3] Not more than 15 percent hard seed.
[4] Except white clover seed.
[5] Not in excess of 30 percent of seed with hulls removed.
[6] Except Alsike clover seed.
[7] Not to exceed 25 percent hard seed.
[8] Not more than 1 percent sand dropseed.
[9] For seed produced in the Southern and East Central Regions add 1 cent per pound.
[10] In Alabama, Florida, Georgia, Louisiana, and Mississippi only.
[11] Total winter legume 98 percent.
[12] For mixtures of winter legume seed, the weighted average germination may be used.

Ladino-Alsike mixture. Loans will be made at the respective rates on quantities of Ladino and Alsike Clover in the mixture provided that, if the proportion of Alsike Clover is 75 percent or more, the rate for Alsike Clover shall apply to both kinds of seed. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 1 percent. Maximum other crops 1 percent, except White Clover.

Black Medic, Hop, and Persian Clover mixture. Loans will be made at the respective rates on quantities of Black Medic, White Clover, Hop Clover, and Persian Clover, in the mixture. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 1 percent. Maximum other crop seed 5 percent.

Mixed Bluestem. Loans will be made at the respective rates on quantities of Big Bluestem, Little Bluestem, and Sand Bluestem in the mixture provided the mixture contains at least 28 percent of two or more of these seeds, not more than 1 percent Sand Dropseed and not more than 5 percent of grass seeds other than Switchgrass, Side Oats Grama, and Indian Grass. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 2 percent.

Mixed Grama. Loans will be made at the respective rates on quantities of Blue Grama and Side Oats Grama in the mixture provided the mixture contains at least 25 percent of Blue Grama and Side Oats Grama, not more than 1 percent Sand Dropseed, and not more than 5 percent of grass seeds other than Buffalo Grass, Bluestem, Switchgrass, and Indian Grass. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 2 percent.

SCHEDULE OF LOAN RATES PER 100 POUNDS FOR SEED NOT MEETING SPECIFICATIONS FOR LOAN AT BASIC RATES

ALFALFA, NORTHERN COMMON

[Difference of 1% pure seed=35¢ or $1.20 deduction. Difference of 5% germination=5¢ or $2.00 deduction]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98	$40.00	$38.00	$36.00
97	38.80	36.80	34.80
96	37.60	35.60	33.60
95	36.40	34.40	32.40
94	35.20	33.20	31.20

ALFALFA, CENTRAL COMMON [1]

[Difference of 1% pure seed=30¢ or $0.90 deduction. Difference of 5% germination=5¢ or $1.50 deduction]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98	$30.00	$28.50	$27.00
97	29.10	27.60	26.10
96	28.20	26.70	25.20
95	27.30	25.80	24.30
94	26.40	24.90	23.40

[1] Includes Oklahoma approved origin seed.

ALFALFA, CENTRAL CERTIFIED

[Difference of 1% pure seed=37¢ or $1.11 deduction. Difference of 5% germination=5¢ or $1.85 deduction]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98	$37.00	$35.15	$33.30
97	35.89	34.04	32.19
96	34.78	32.93	31.08
95	33.67	31.82	29.97
94	32.56	30.71	28.86

ALFALFA, SOUTHERN COMMON

[Difference of 1% pure seed=38¢ or $1.78 deduction. Difference of 5% germination=5¢ or $1.90 deduction]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98	$20.00	$24.70	$23.40
97	25.22	23.92	22.62
96	24.44	23.14	21.84
95	23.66	22.36	21.06
94	22.88	21.58	20.28

ALFALFA, SOUTHERN CERTIFIED

[Difference of 1% pure seed=39¢ or $1.99 deduction. Difference of 5% germination=5¢ or $1.95 deduction]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98	$33.00	$31.35	$29.70
97	32.01	30.36	28.71
96	31.02	29.37	27.72
95	30.03	28.38	26.73
94	29.04	27.39	25.74

RED CLOVER, COMMON

[Difference of 1% pure seed=3% or $0.84 deduction. Difference of 5% germination=5% or $1.40 deduction]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98	$28.00	$26.60	$25.20
97	27.16	25.76	24.36
96	26.32	24.92	23.52
95	25.48	24.08	22.68
94	24.64	23.24	21.84

RED CLOVER, CERTIFIED

[Difference of 1% pure seed=3% or $1.02 deduction. Difference of 5% germination=5% or $1.70 deduction]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98	$34.00	$32.30	$30.60
97	32.98	31.28	29.58
96	31.96	30.26	28.56
95	30.94	29.24	27.54
94	29.92	28.22	26.52

PERENNIAL WHITE OR YELLOW SWEETCLOVER, COMMON

[Difference of 1% pure seed=3% or $0.27 deduction. Difference of 5% germination=5% or $0.45 deduction]

Pure seed (percent)	Germination and hard seed			
	85 to 100%	85 to 85%	80 to 85%	75 to 80%
98	$9.00	$8.73	$8.28	$7.83
97	8.73	8.46	8.01	7.56
96	8.46	8.19	7.74	7.29
95	8.19	7.92	7.47	7.02
94	7.92	7.65	7.20	6.75

BIENNIAL WHITE OR YELLOW SWEETCLOVER, CERTIFIED

[Difference of 1% pure seed=3% or $0.45 deduction. Difference of 5% germination=5% or $0.75 deduction]

Pure seed (percent)	Germination and hard seed			
	85 to 100%	85 to 85%	80 to 85%	75 to 80%
98	$15.00	$14.55	$13.80	$13.05
97	14.55	14.10	13.35	12.60
96	14.10	13.65	12.90	12.15
95	13.65	13.20	12.45	11.70
94	13.20	12.75	12.00	11.25

BIENNIAL MIXED SWEETCLOVER

[Difference of 1% pure seed=3% or $0.24 deduction. Difference of 5% germination=5% or $0.40 deduction]

Pure seed (percent)	Germination and hard seed			
	85 to 100%	85 to 85%	80 to 85%	75 to 80%
98	$8.00	$7.76	$7.36	$6.96
97	7.76	7.52	7.12	6.72
96	7.52	7.28	6.88	6.48
95	7.28	7.04	6.64	6.24
94	7.04	6.80	6.40	6.00

ALSIKE CLOVER

[Difference of 1% pure seed=3% or $0.75 deduction. Difference of 5% germination=5% or $1.25 deduction]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
97	$25.00	$23.75	$22.50
96	24.25	23.00	21.75
95	23.50	22.25	21.00
94	22.75	21.50	20.25

TIMOTHY, COMMON

[Difference of 1% pure seed=5% or $0.22 deduction. Difference of 5% germination=5% or $0.22 deduction]

Pure seed (percent)	Germination		
	90 to 100%	85 to 90%	80 to 85%
99	$4.50	$4.28	$4.06
98	4.28	4.06	3.84
97	4.06	3.84	3.62
96	3.84	3.62	3.40
95	3.62	3.40	3.18
94	3.40	3.18	2.96

TIMOTHY, CERTIFIED

[Difference of 1% pure seed=5% or $0.45 deduction. Difference of 5% germination=5% or $0.45 deduction]

Pure seed (percent)	Germination		
	90 to 100%	85 to 90%	80 to 85%
99	$9.00	$8.55	$8.10
98	8.55	8.10	7.65
97	8.10	7.65	7.20
96	7.65	7.20	6.75
95	7.20	6.75	6.30
94	6.75	6.30	5.85

ORCHARD GRASS, COMMON

[Difference of 5% pure seed=10% or $2.20 deduction. Difference of 5% germination=5% or $1.10 deduction]

Pure seed (percent)	Germination			
	85 to 100%	80 to 85%	75 to 80%	70 to 75%
85	$22.00	$20.60	$19.80	$18.70
80	19.80	18.70	17.60	16.50
75	17.60	16.50	15.40	14.30
70	13.40	14.30	13.20	12.10

ORCHARD GRASS, CERTIFIED

[Difference of 5% pure seed=10% or $2.50 deduction. Difference of 5% germination=5% or $1.25 deduction]

Pure seed (percent)	Germination			
	85 to 100%	80 to 85%	75 to 80%	70 to 75%
85	$25.00	$23.75	$22.50	$21.25
80	22.50	21.25	20.00	18.75
75	20.00	18.75	17.50	16.25
70	17.50	16.25	15.00	13.75

SMOOTH BROMEGRASS, CERTIFIED

[Difference of 5% pure seed=5% or $0.75 deduction. Difference of 5% germination=5% or $0.75 deduction]

Pure seed (percent)	Germination		
	85 to 100%	80 to 85%	75 to 80%
92	$15.00	$14.25	$13.50
90	14.25	13.50	12.75
88	13.50	12.75	12.00
86	12.75	12.00	11.25

CRESTED WHEAT GRASS

[Difference of 2% pure seed=5% or $0.25 deduction. Difference of 5% germination=5% or $0.35 deduction]

Pure seed (percent)	Germination				
	90 to 100%	85 to 90%	80 to 85%	75 to 80%	70 to 75%
90	$7.00	$6.65	$6.30	$5.95	$5.60
88	6.86	6.80	6.65	6.30	5.95
86	6.30	5.95	5.60	5.25	4.90
84	5.95	5.60	5.25	4.90	4.55
82	5.60	5.25	4.90	4.55	4.20
80	5.25	4.90	4.55	4.20	3.85

BUFFALO GRASS, COMMON

[Difference of 10% pure seed=20% or $4 deduction. Difference of 10% germination=10% or $4 deduction]

Pure seed (percent)	Germination			
	50 to 100%	40 to 50%	30 to 40%	20 to 30%
55	$40.00	$36.00	$32.00	$28.00
75	30.00	32.00	28.00	24.00
65	32.00	28.00	24.00	20.00
55	28.00	24.00	20.00	16.00

BUFFALO GRASS, CERTIFIED

[Difference of 10% pure seed=10% or $5 deduction. Difference of 10% germination=10% or $5 deduction]

Pure seed (percent)	Germination			
	50 to 100%	40 to 50%	30 to 40%	20 to 30%
55	$50.00	$45.00	$40.00	$35.00
75	45.00	40.00	35.00	30.00
65	40.00	35.00	30.00	25.00
55	35.00	30.00	25.00	20.00

SIDE OATS GRAMA, COMMON

[Difference of 5% pure seed=20% or $4 deduction. Difference of 10% germination=20% or $4 deduction]

Pure seed (percent)	Germination			
	75 to 100%	65 to 75%	55 to 65%	45 to 55%
25	$20.00	$16.00	$12.00	$8.00
20	16.00	12.00	8.00	4.00
15	12.00	8.00	4.00	0
10	8.00	4.00	0	0

SIDE OATS GRAMA, CERTIFIED

[Difference of 5% pure seed=20% or $5 deduction. Difference of 10% germination=20% or $5 deduction]

Pure seed (percent)	Germination			
	75 to 100%	65 to 75%	55 to 65%	45 to 55%
25	$25.00	$20.00	$15.00	$10.00
20	20.00	15.00	10.00	5.00
15	15.00	10.00	5.00	0
10	10.00	5.00	0	0

BLUE GRAMA

[Difference of 10% pure seed=20% or $4.50 deduction. Difference of 10% germination=20% or $3 deduction]

Pure seed (percent)	Germination			
	75 to 100%	65 to 75%	55 to 65%	45 to 55%
50	$15.00	$12.00	$9.00	$6.00
40	10.50	7.50	4.50	1.50
30	6.00	3.00	0	0

SAND BLUE STEM

[Difference of 10% pure seed=20% or $5 deduction. Difference of 10% germination=20% or $5 deduction]

Pure seed (percent)	Germination and Hard seed			
	60 to 100%	50 to 60%	40 to 50%	30 to 40%
40	$25.00	$20.00	$15.00	$10.00
30	20.00	15.00	10.00	5.00
20	15.00	10.00	5.00	0
10	10.00	5.00	0	0

LITTLE BLUESTEM AND BIG BLUESTEM, COMMON

[Difference of 10% pure seed=30% or $6 deduction. Difference of 10% germination=20% or $4 deduction]

Pure seed (percent)	Germination and hard seed			
	50 to 100%	40 to 50%	30 to 40%	20 to 30%
40	$20.00	$16.00	$12.00	$8.00
30	14.00	10.00	6.00	2.00
20	8.00	4.00	0	0
10	2.00	0	0	0

LITTLE BLUESTEM AND BIG BLUESTEM, CERTIFIED

[Difference of 10% pure seed=30% or $7.50 deduction. Difference of 10% germination=20% or $5 deduction]

Pure seed (percent)	Germination and hard seed			
	50 to 100%	40 to 50%	30 to 40%	20 to 30%
40	$25.00	$20.00	$15.00	$10.00
30	17.50	12.50	7.50	2.50
20	10.00	5.00	0	0
10	2.50	0	0	0

SWITCH GRASS, COMMON

[Difference of 5% pure seed=20% or $4 deduction. Difference of 10% germination=20% or $4 deduction]

Pure seed (percent)	Germination and hard seed			
	80 to 100%	70 to 80%	60 to 70%	50 to 60%
8	$20.00	$16.00	$12.00	$8.00
7	16.00	12.00	8.00	4.00
6	12.00	8.00	4.00	0
5	8.00	4.00	0	0

SWITCH GRASS, CERTIFIED

[Difference of 5% pure seed=20% or $5 deduction. Difference of 10% germination=20% or $5 deduction]

Pure seed (percent)	Germination and hard seed			
	80 to 100%	70 to 80%	60 to 70%	50 to 60%
8	$25.00	$20.00	$15.00	$10.00
7	20.00	15.00	10.00	5.00
6	15.00	10.00	5.00	0
5	10.00	5.00	0	0

RUBAM (TEXAS ONLY)

[Difference of 3% pure seed=3% or $0.30 deduction. Difference of 5% germination=5% or $0.50 deduction]

Pure seed (percent)	Germination and hard seed			
	85 to 100%	85 to 85%	80 to 85%	75 to 80%
98	$10.00	$9.70	$9.20	$8.70
97	9.70	9.40	8.90	8.40
96	9.40	9.10	8.60	8.10
95	9.10	8.80	8.30	7.80
94	8.80	8.50	8.00	7.50

WEEPING LOVEGRASS

[Difference of 10% pure seed=10% or $5 deduction. Difference of 10% germination=10% or $5 deduction]

Pure seed (percent)	Germination and hard seed			
	90 to 100%	80 to 90%	70 to 80%	60 to 70%
90	$50.00	$45.00	$40.00	$35.00
80	45.00	40.00	35.00	30.00
70	40.00	35.00	30.00	25.00
60	35.00	30.00	25.00	20.00

DALLIS GRASS

[Difference of 5% pure seed=10% or $2.00 deduction. Difference of 10% germination=10% or $2.00 deduction]

Pure seed (percent)	Germination		
	70 to 100%	60 to 70%	50 to 60%
30	$20.00	$18.00	$16.00
25	18.00	16.00	14.00
20	16.00	14.00	12.00

LADINO CLOVER CERTIFIED OR IDENTIFIED BY STATE SEED CERTIFYING AGENCY

[Difference of 1% pure seed=2% or $3.00 deduction. Difference of 5% germination=5% or $7.50 deduction. When field inspection shows mixture of Ladino and white Dutch clover, loan will be on Ladino only in the mixture with 90% minimum Ladino required for eligibility]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98	$150.00	$142.50	$135.00
97	147.00	139.50	132.00
96	144.00	136.50	129.00
95	141.00	133.50	126.00
94	138.00	130.50	123.00

BAHIA GRASS, COMMON

[Difference of 5% pure seed=5% or $1 deduction. Difference of 5% germination=5% or $1 deduction]

Pure seed (percent)	Germination		
	70 to 100%	65 to 70%	60 to 65%
72	$20.00	$19.00	$18.00
67	19.00	18.00	17.00
62	18.00	17.00	16.00

BAHIA GRASS, CERTIFIED

[Difference of 5% pure seed=5% or $1.50 deduction. Difference of 5% germination=5% or $1.50 deduction]

Pure seed (percent)	Germination		
	70 to 100%	65 to 70%	60 to 65%
72	$30.00	$28.50	$27.00
67	28.50	27.00	25.50
62	27.00	25.50	24.00

WESTERN WHEATGRASS

[Difference of 5% pure seed=5% or $0.50 deduction. Difference of 5% germination=5% or $0.50 deduction]

Pure seed (percent)	Germination				
	80 to 100%	75 to 80%	70 to 75%	65 to 70%	60 to 65%
80	$10.00	$9.50	$9.00	$8.50	$8.00
75	9.50	9.00	8.50	8.00	7.50
70	9.00	8.50	8.00	7.50	7.00
65	8.50	8.00	7.50	7.00	6.50

SLENDER WHEATGRASS

[Difference of 2% pure seed=5% or $0.35 deduction. Difference of 5% germination=5% or $0.35 deduction]

Pure seed (percent)	Germination		
	85 to 100%	80 to 85%	75 to 80%
95	$7.00	$6.65	$6.30
98	6.65	6.30	5.95
91	6.30	5.95	5.60
89	5.95	5.60	5.25

SUDAN GRASS, COMMON

[Difference of 1% pure seed=5% or $0.12 deduction. Difference of 5% germination=5% or $0.20 deduction]

Pure seed (percent)	Germination			
	85 to 100%	80 to 85%	75 to 80%	70 to 75%
98	$4.00	$3.80	$3.60	$3.40
97	3.88	3.68	3.48	3.28
96	3.76	3.56	3.36	3.16
95	3.64	3.44	3.24	3.04
94	3.52	3.32	3.12	2.92

SUDAN GRASS, CERTIFIED

[Difference of 1% pure seed=5% or $0.18 deduction. Difference of 5% germination=5% or $0.30 deduction]

Pure seed (percent)	Germination			
	85 to 100%	80 to 85%	75 to 80%	70 to 75%
98	$6.00	$5.70	$5.40	$5.10
97	5.82	5.52	5.22	4.92
96	5.64	5.34	5.04	4.74
95	5.46	5.16	4.86	4.56
94	5.28	4.98	4.68	4.38

ROUGH PEA (WILD WINTER PEA)

[Difference of 1% pure seed=3% or $0.15 deduction. Difference of 5% germination=7% or $0.35 deduction]

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
98	$5.00	$4.65	$4.30	$3.95
97	4.85	4.50	4.15	3.80
96	4.70	4.35	4.00	3.65
95	4.55	4.20	3.85	3.50
94	4.40	4.05	3.70	3.35

WHITE CLOVER

[Difference of 5% pure seed=5% or $1. deduction. Difference of 5% germination=5% or $2.50 deduction]

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98	$50.00	$47.50	45.00
97	49.00	46.50	44.00
96	48.00	45.50	43.00
95	47.00	44.50	42.00
94	46.00	43.50	41.00

BLUE LUPINE

[Difference of 1% pure seed=3% or $0.15 deduction. Difference of 5% germination=7% or $0.35 deduction]

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
99	$5.00	$4.85	$4.30	$3.95
98	4.85	4.50	4.15	3.80
97	4.70	4.35	4.00	3.65
96	4.55	4.20	3.85	3.50
95	4.40	4.05	3.70	3.35
94	4.25	3.90	3.55	3.20

ALYCE CLOVER

[Difference of 1% pure seed=3% or $0.34 deduction. Difference of 5% germination=5% or $0.50 deduction]

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
98	$18.00	$17.00	$16.20	$15.30
97	17.46	16.56	15.66	14.76
96	16.92	16.02	15.12	14.22
95	16.38	15.48	14.58	13.68
94	15.84	14.94	14.04	13.14

PERSIAN CLOVER AND CLUSTER CLOVER

[Difference of 1% pure seed=3% or $0.75 deduction. Difference of 5% germination=5% or $1.25 deduction]

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
97	$25.00	$23.75	$22.50	$21.25
96	24.25	23.00	21.75	20.50
95	23.50	22.25	21.00	19.75
94	22.75	21.50	20.25	19.00
93	22.00	20.75	19.50	18.25

SERICEA AND KOBE LESPEDEZA

[Difference of 1% pure seed=3% or $0.45 deduction. Difference of 5% germination=5% or $0.75 deduction]

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
98	$15.00	$14.25	$13.50	$12.75
97	14.55	13.80	13.05	12.30
96	14.10	13.35	12.60	11.85
95	13.65	12.90	12.15	11.40
94	13.20	12.45	11.70	10.95

TENN. #76 LESPEDEZA AND COMMON LESPEDEZA

[Difference of 1% pure seed=3% or $0.60 deduction. Difference of 5% germination=5% or $1 deduction]

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
98	$20.00	$19.00	$18.00	$17.00
97	19.40	18.40	17.40	16.40
96	18.80	17.80	16.80	15.80
95	18.20	17.20	16.20	15.20
94	17.60	16.60	15.60	14.60

AUSTRIAN WINTER PEAS

[Difference of 5% pure seed=0.15% or $0.05 deduction. Difference of 5% germination=3.5% or $0.25 deduction. Minimum total winter legume=98%]

Pure seed (percent)	Germination and hard seed				
	90 to 100%	85 to 90%	80 to 85%	75 to 80%	70 to 75%
90	$3.50	$3.25	$3.00	$2.75	$2.50
85	3.45	3.20	2.95	2.70	2.45
80	3.40	3.15	2.90	2.65	2.40
75	3.35	3.10	2.85	2.60	2.35
70	3.30	3.05	2.80	2.55	2.30

BLACK MEDIC

[Difference of 1% pure seed=3% or $0.60 deduction. Difference of 5% germination=5% or $1 deduction]

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
97	$20.00	$19.00	$18.00	$17.00
96	19.40	18.40	17.40	16.40
95	18.80	17.80	16.80	15.80
94	18.20	17.20	16.20	15.20
93	17.60	16.60	15.60	14.60

YELLOW HOP CLOVER

[Difference of 1% pure seed=3% or $1.05 deduction. Difference of 5% germination=5% or $1.75 deduction]

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
97	$35.00	$33.25	$31.50	$29.75
96	33.95	32.20	30.45	28.70
95	32.90	31.15	29.40	27.65
94	31.85	30.10	28.35	26.90
93	30.80	29.06	27.30	25.55

[F. R. Doc. 45-13090; Filed, July 19, 1945; 11:10 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

PART 728—WHEAT

NATIONAL, STATE, COUNTY AND FARM ACREAGE ALLOTMENTS FOR THE 1946 CROP OF WHEAT, AND WHEAT MARKETING QUOTAS FOR THE 1946–47 MARKETING YEAR

Whereas, the Agricultural Adjustment Act of 1938, as amended, provides for the proclamation of certain data concerning the supply and consumption requirements requisite to the establishment of a national acreage allotment and marketing quota for wheat, and

Whereas, said act further provides that the powers therein granted shall not be used to discourage the production of sufficient supplies of foods and fibers to maintain normal domestic consumption, taking into consideration current trends in consumption and exports and the quantities of substitutes available at fair prices, and

Whereas, said act further provides that quotas shall be terminated if it is determined that such action is necessary in order to effectuate the declared policy of the act or to meet a national emergency, and

Whereas, an investigation has been made which reveals that it is necessary, in order to meet the present national emergency and to effectuate the declared policy of the act, to dispense with marketing quotas for wheat for the marketing year beginning July 1, 1946, and with national, State, county and farm acreage allotments for wheat for the 1946 crop:

Now, therefore, pursuant to the foregoing authority, it is hereby determined and proclaimed that:

§ 728.701 *1946 acreage allotments for wheat.* In order to encourage the production of a sufficient supply of food to maintain normal domestic consumption, taking into consideration current trends in consumption and exports and the quantities of substitutes available at fair prices and otherwise to effectuate the declared policy of the Act, no national, State, county, or farm acreage allotments for wheat for the 1946 crop will be established under provisions of Title III of the Agricultural Adjustment Act of 1938, as amended.

§ 728.705 *National marketing quota for wheat for 1946–47 marketing year.* In order to meet the present national emergency and to effectuate the declared policy of the Act, wheat marketing quotas will not be in effect for the marketing year beginning July 1, 1946.

(52 Stat. 39, 43, 45, 53, 54, 64, 203, 775; 53 Stat. 1125; 7 U.S.C. 1301 (b), 1301 (c), 1304, 1332, 1333, 1334, 1335, 1371)

Issued at Washington, D. C., this 14th day of July, 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary.*

[F. R. Doc. 45-13201; Filed, July 20, 1945; 11:15 a. m.]

Chapter VIII—Sugar Agency[1]

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF PROPORTIONATE SHARES FOR SUGARCANE FARMS IN MAINLAND CANE SUGAR AREA FOR 1946 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.26h *Proportionate shares for the mainland cane sugar area for the 1946 crop*—(a) *Farm proportionate share.* The proportionate share for the 1946 crop for each sugarcane farm in the Mainland cane sugar area shall be the number of acres planted thereon for the production of sugarcane to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1946 crop season.

(b) *Tenant and sharecropper protection.* Notwithstanding the establishment of a proportionate share for any farm under paragraph (a) above, eligibility for payment of any producer on the farm shall be subject to the following conditions:

(1) That such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or other producers any payment to which tenants or sharecroppers would be entitled if their 1945 leasing or cropping agreements were in effect.

(2) That such producer shall not have interfered with any contracts entered into by tenants or sharecroppers for the sale of their sugarcane or their share of the sugarcane produced on the farm.

(Sec. 302, 50 Stat. 910; 7 U.S.C. 1132)

Issued this 20th day of July 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

[F. R. Doc. 45-13205; Filed, July 20, 1945; 11:15 a. m.]

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF PROPORTIONATE SHARES FOR SUGARCANE FARMS IN TERRITORY OF HAWAII FOR 1946 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.36i *Proportionate shares for sugarcane farms in the Territory of Hawaii for the 1946 crop*—(a) *Farm proportionate share.* The proportionate share for each farm in the Territory of Hawaii for the 1946 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the calendar year 1946.

(b) *Adherent planter protection.* The provisions of this section shall be subject to the following conditions:

(1) That no changes in the planter-plantation sugarcane and sugar production relationship shall have been made; and

(2) That no reduction in the number of planters shall have been made under programs carried out pursuant to the Act, except such as are considered justified and are approved by the Chief of the Sugar Branch, Office of Marketing Services, and the Chief of the Agricultural Adjustment Agency, acting either jointly or severally. (Sec. 302, 50 Stat. 910; 7 U.S.C. 1132)

Issued this 20th day of July 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

[F. R. Doc. 45-13204; Filed, July 20, 1945; 11:15 p. m.]

[1] Formerly War Food Administration (Sugar Orders).

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF PROPORTIONATE SHARES FOR SUGARCANE FARMS IN PUERTO RICO

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.46f *Proportionate shares for sugarcane farms in Puerto Rico for the 1945–46 crop*—(a) *Farm proportionate share.* The proportionate share for each farm in Puerto Rico for the 1945–46 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the 1945–46 crop season.

This determination supersedes the "Determination of Proportionate Shares for Sugarcane Farms in Puerto Rico, Pursuant to the Sugar Act of 1937, as Amended," issued December 31, 1942, insofar as that determination related to proportionate shares for the 1945–46 crop. (Sec. 302, 50 Stat. 910; 7 U.S.C. 1132)

Issued this 20th day of July 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

[F. R. Doc. 45-13206; Filed, July 20, 1945; 11:15 a. m.]

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF PROPORTIONATE SHARES FOR SUGARCANE FARMS IN VIRGIN ISLANDS FOR 1946 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.50d *Proportionate shares for sugarcane farms in the Virgin Islands for the 1946 crop*—(a) *Farm proportionate share.* The proportionate share for each sugarcane farm in the Virgin Islands for the 1946 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on the farm and marketed (or processed by the producer) for the extraction of sugar during the 1946 crop.

(b) *Tenant and sharecropper protection.* The provisions of this section are subject to the following conditions:

(1) That no change shall have been made in the leasing or cropping agreements for the purpose of, or which shall have the effect of, diverting to any producer, any payments to which tenants or sharecroppers would be entitled if the 1944–45 leasing or cropping agreements were in effect.

(2) That there shall have been no interference by any producer with contracts entered into by tenants or sharecroppers for the sale of their sugarcane.

(c) *Designation of agent.* The Chief, or the Acting Chief, of the Sugar Branch of the Office of Marketing Services, and the Officer in Charge of the San Juan Office of the Agricultural Adjustment Agency, or the Acting Officer in Charge thereof, are hereby designated to act, jointly or severally, as agents of the Secretary of Agriculture in administering the provisions of this determination.

(Sec. 302, 50 Stat. 910; 7 U.S.C. 1132)

Issued this 20th day of July 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

[F. R. Doc. 45-13207; Filed, July 20, 1945; 11:15 a. m.]

Chapter IX—Marketing Agreements and Orders[1]

PART 962—FRESH PEACHES GROWN IN THE STATE OF GEORGIA

SUSPENSION OF PROVISIONS

Pursuant to the provisions of Public Act No. 10, 73rd Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), hereinafter referred to as the "act," it is hereby found and determined that the provisions contained in §§ 962.5 (b), 962.7, 962.8, and 962.9 of the marketing order regulating the handling of fresh peaches grown in the State of Georgia, hereinafter referred to as the "marketing order," will not tend to effectuate the declared policy of the act for the period from 12:01 a. m., e. w. t., July 21, 1945, to 12:01 a. m., e. w. t., January 1, 1946, inclusive; and that the provisions contained in the remaining sections of the said marketing order (such provisions being all those contained in the sections not specifically referred to above) will not tend to effectuate the declared policy of the act for the period from 12:01 a. m., e. w. t., August 16, 1945, to 12:01 a. m., e. w. t., January 1, 1946, inclusive.

It is, therefore, ordered, That the provisions contained in §§ 962.5 (b), 962.7, 962.8, and 962.9 of the said marketing order be, and the same hereby are, suspended for the period from 12:01 a. m., e. w. t., July 21, 1945, to 12:01 a. m., e. w. t., January 1, 1946; and that the provisions contained in the remaining sections of the said marketing order (such provisions being all those contained in the sections not specifically referred to above) be, and the same hereby are, suspended for the period from 12:01 a. m., e. w. t., August 16, 1945, to 12:01 a. m., e. w. t., January 1, 1946.

Nothing contained herein shall be construed as (1) affecting or waiving any right, obligation, or liability which has arisen, or which, prior to the time that this suspension becomes effective, may arise under any provision of said marketing order; (2) releasing or extinguishing any violation of any provision of the said marketing order which has occurred, or which prior to the time that this suspension of such provision becomes effective, may occur; or (3) affecting or impairing any right or remedy of the Secretary of Agriculture of the United States, or of any other person, with respect to any such violation which has occurred, or which, prior to the time that this suspension becomes effective, may occur.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 52 Stat. 215; 53 Stat. 793; 56 Stat. 65; 7 U.S.C. 601 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9292, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued at Washington, D. C., this 20th day of July 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

[F. R. Doc. 45-13208; Filed, July 20, 1945; 11:16 a. m.]

[1] Formerly "War Food Administration (Marketing Agreements and Orders)."

Chapter XI—War Food Distribution Orders

[WFO 75-5, Termination]

PART 1410—LIVESTOCK AND MEATS

LAMB SET ASIDE TERMINATED

War Food Order No. 75-5, as amended (10 F.R. 4655, 6869, 7843, 8806), is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., July 22, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-5, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087, WFO 75, 10 F.R. 4649)

Issued this 19th day of July 1945.

[SEAL] C. W. KITCHEN, *Director of Marketing Services.*

[F. R. Doc. 45-13195; Filed, July 19, 1945; 3:15 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 175—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

CROSS REFERENCE: For regulations governing control of persons entering and leaving the United States pursuant to the Act of May 22, 1918, as amended, signed

by the Secretary of State and concurred in by the Attorney General, see Title 22, Chapter I, *infra*. For the purposes of Chapter I of Title 8, all references to Part 58 in the regulations as printed under Title 22 should read Part 175, and in all section numbers the number 58 preceding the decimal point should be replaced by the number 175.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51274]

PART 12—SPECIAL CLASSES OF MERCHANDISE

FUR-SEAL AND SEA-OTTER SKINS

Importation of fur-seal and sea-otter skins prohibited or restricted. Regulations prescribed under the act of February 26, 1944, giving effect to the Provisional Fur Seal Agreement of 1942 between the United States and Canada.

The following new §§ 12.60 to 12.63, inclusive, are hereby added to Part 12 of the Customs Regulations of 1943 (19 CFR, Cum. Supp., Part 12):

§ 12.60 *Importation prohibited.* The transportation, importation, sale, or possession of the skins of fur seals or sea otters is prohibited if such skins were taken contrary to the provisions of section 2 of the act of February 26, 1944 (58 Stat. 100–104)[1] or, in the case of such skins taken under the authority of the act or any fur-seal agreement, if the skins are not officially marked and certified as required by section 2 of the act. Section 16[2] makes the act inapplicable to skins taken for scientific purposes under a special permit. (R. S. 161, secs. 1–19, 58 Stat. 100–104, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 16 U.S.C. Sup., 631a–631r, 19 U.S.C. 1624)

§ 12.61 *Fur-seal or sea-otter skins permitted entry.* (a) Fur-seal or sea-otter skins taken by Indians, Aleuts, or other aborigines under the authority of section 3 of the act[3], fur-seal skins taken under the authority of the Canadian Government, and fur-seal skins taken on the Pribilof Islands and other specified areas under the authority of section 4 of the act[4] shall be admitted to entry if officially marked and certified as having been lawfully taken and if accompanied by an affidavit of the shipper identifying the skins by marks and numbers as those covered by the official certificate.

(b) Fur-seal or sea-otter skins taken in waters or on land not specified in the act or in the fur-seal agreement with Canada[5] or other fur-seal agreement shall be admitted to entry upon the production of evidence satisfactory to the collector that they have been so taken. (R. S. 161, secs. 1–19, 58 Stat. 100–104, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 16 U.S.C., Sup., 631a–631r, 19 U.S.C. 1624)

§ 12.62 *Enforcement; duties of customs officers.* (a) In accordance with the authority contained in sections 10 and 12[6] of the act, customs officers shall arrest or cause to be arrested persons violating the provisions of the act or of any regulation made pursuant thereto; shall search vessels when there is reasonable cause to believe that such vessels are subject to seizure under the act; shall seize any vessel used or employed or which it appears has been or is about to be used or employed in violation of the act or any regulation made pursuant thereto; and shall seize fur seals and sea otters, or the skins thereof, killed, captured, transported, imported, offered for sale, or possessed by any person contrary to the provisions of the act or of any regulation made pursuant thereto.

(b) All articles, including vessels and equipment, seized by customs officers for violation of the act shall be turned over to the nearest officer or agent of the Fish and Wildlife Service, Department of the Interior, for appropriate disposition under the act, receipts to be taken in duplicate therefor. One copy of each such receipt shall be transmitted to the Bureau with a detailed report of the facts in the particular case involved. (R.S. 161, secs. 1–19, 58 Stat. 100–104, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 16 U.S.C., Sup. 631a–631r; 19 U.S.C. 1624)

[1] It shall be unlawful, except as hereinafter provided, for any citizen or national of the United States, or person owing duty of obedience to the laws or treaties of the United States, or any vessel of the United States, or person belonging to or on such vessel, to engage in pelagic sealing or sea otter hunting in or on the waters of the North Pacific Ocean; or for any person or vessel to engage in sealing; or for any person or vessel to use any port or harbor or other place subject to the jurisdiction of the United States for any purpose connected in any way with the operation of pelagic sealing, sea otter hunting, or sealing; or for any person to transport, import, offer for sale, or have in possession at any port, place, or on any vessel subject to the jurisdiction of the United States, raw, dressed, or dyed skins of sea otters taken contrary to the provisions of this section or, where taken pursuant to section 3 of this Act, not officially marked and certified as having been so taken, or raw, dressed, or dyed skins of fur seals taken in or on the waters of the North Pacific Ocean or on lands subject to the jurisdiction of the United States, except seal skins which have been taken under the authority of this Act or under the authority of the respective parties to any fur-seal agreement and which have been officially marked and certified as having been so taken. (Sec. 2, 58 Stat. 101).

[2] Nothing contained in this act shall apply to the killing, capturing, pursuing, transportation, importation, offering for sale, or possession of fur seals or sea otters, or the skins thereof, for scientific purposes under special permit issued therefor by the Secretary. (Sec. 16, 58 Stat. 104.)

[3] Indians, Aleuts, or other aborigines dwelling on the American coasts of the waters of the North Pacific Ocean shall be permitted to carry on pelagic sealing or sea otter hunting without the use of firearms from canoes or undecked boats, propelled wholly by paddles, oars, or sails, and not transported by or used in connection with other vessels, and manned by not more than five persons each, in the way heretofore practiced by said Indians, Aleuts, or other aborigines, and shall be permitted to dispose of the skins of fur seals or sea otters so taken as they see fit, but only after such skins have been officially marked and certified as provided in section 2 of this act. The exception made in this section shall not apply to Indians, Aleuts, or other aborigines in the employment of other persons or who shall engage in pelagic sealing or sea otter hunting under contract to deliver the skins to any person. (Sec. 3, 58 Stat. 101)

[4] In order to continue the proper utilization of the fur-seal herd of the North Pacific Ocean and to carry out the purposes of this Act, the Secretary is authorized to permit sealing on the Pribilof and other islands and on the shores of waters subject to the jurisdiction of the United States, by officers and employees of the Fish and Wildlife Service designated by him and by the natives of the Territory of Alaska, and to adopt suitable regulations governing the same whenever he shall determine that such sealing is necessary or desirable and not inconsistent with preservation of the fur seals of the North Pacific Ocean. The Secretary is also authorized to permit pelagic sealing in the event of emergency circumstances by officers, employees and agents of the United States and by the natives of the Territory of Alaska under such conditions and for such periods as may be agreed upon by consultation between the Government of the United States and the Government of Canada in accordance with the provisions of article II of the Provisional Fur Seal Agreement of 1942. (Sec. 4, 58 Stat. 101)

[5] The provisions of this Agreement shall apply to all waters of the Bering Sea and the Pacific Ocean, north of the thirtieth parallel of north latitude and east of the one hundred and eightieth meridian. (Art. I, Provisional Fur Seal Agreement of 1942 between the United States and Canada, E. A. S. 415, 58 Stat. 1379)

[6] Any officer or employee of the Department of the Interior authorized by the Secretary, any naval or other officer designated by the President, any marshal or deputy marshal, any collector or deputy collector of customs, and any other person authorized by law to enforce the provisions of this act shall have power, without warrant, to arrest any person committing a violation of this act or any regulation made pursuant thereto in his presence or view, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; and shall have power, without warrant, to search any vessel within any of the territorial waters of the United States, or any vessel of the United States on the high seas, when he has reasonable cause to believe that such vessel is subject to seizure under this section. Any officer, employee, or other person authorized to enforce the provisions of this act shall have power to execute any warrant or process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this act; and shall have power with a search warrant to search any person, vessel, or place at any time. The judges of the courts established under the laws of the United States, and the United States commissioners, may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. All fur seals and sea otters, or the skins thereof, killed, captured, transported, imported, offered for sale, or possessed contrary to the provisions of this act or of any regulation made pursuant thereto, and any vessel used or employed contrary to the provisions of this act or of any regulation made pursuant thereto, or which it reasonably appears has been or is about to be used or employed in or in aid of the performance of any act forbidden by the provisions of this act or of any regulation made pursuant thereto, together with its tackle, apparel, furniture, appurtenances, and cargo, may, whenever and wherever lawfully found, be seized by any such officer, employee, or other person. (Sec. 10, 58 Stat. 102).

* * * * *

It shall be the duty of all collectors of customs to enforce the provisions of this act with respect to the importation of the skins of fur seal and sea otter. (Sec. 12, 58 Stat. 103).

§ 12.63 *Seal-skin or sea-otter-skin articles; waste.* (a) All seal-skin or sea-otter-skin articles, except as provided for in § 10.19, shall be sent to the public stores for examination. If the examiner has any doubt as to the identity of the skins or the lawful taking thereof, the articles shall be retained in customs custody and the facts shall be reported to the Bureau.

(b) Seal-skin or sea-otter-skin waste composed of small pieces not large enough to be sewed together and utilized as dressed fur shall not be subject to the requirements of these regulations. (R. S. 161, secs. 1–19, 58 Stat. 100–104, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 16 U.S.C., Sup. 631a–631r, 19 U.S.C. 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: July 17, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13184; Filed, July 19, 1945; 2:32 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 58—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

ALIENS ENTERING

Sec.
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58.59 Additional requirements for alien seamen.
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58.61 Cases requiring advisory opinions.
58.62 Procedure in obtaining advisory opinions.

AUTHORITY: §§ 58.41 to 58.62, inclusive, issued under Proc. 2523, Nov. 14, 1941, 6 F.R. 5821, 5869; 40 Stat. 559; 41 Stat. 1217; ch. 210, 55 Stat. 252; 43 Stat. 153, 166, as amended; sec. 30, 54 Stat. 673; 22 U.S.C. and Sup. 223, 225–227; 8 U.S.C. 201–229, 451; E.O. 4049, July 14, 1924, E.O. 8766, June 3, 1941, E.O. 9352, June 15, 1943, 6 F.R. 2741, 8 F.R. 8209.

§ 58.41 *Definitions.* For the purposes of the regulations in §§ 58.41 to 58.63:

(a) The term "United States" means the States, the District of Columbia, Alaska, the Canal Zone, the Philippine Islands, Hawaii, Puerto Rico, the Virgin Islands, Guam, American Samoa, and all territory and waters, continental or insular, subject to the jurisdiction of the United States.

(b) The term "continental United States" means the territory of the several States, the District of Columbia, and Alaska.

(c) The term "mainland" means the States and the District of Columbia.

(d) The term "Western Hemisphere" means North, Central, and South America, and the islands immediately adjacent thereto, including Bermuda, the Bahamas, the West Indies, and the Leeward and Windward Islands.

(e) The term "outlying possession" means any territory or islands under the jurisdiction of the United States outside of the continental United States, but does not include the Canal Zone.

(f) The term "foreign contiguous territory" means Mexico or Canada.

(g) The term "passport" means a passport or an official document in the nature of a passport issued by the government of a country to which an alien owes allegiance, or other travel document showing his origin and identity, prescribed in regulations issued by the Secretary of State.

(h) The term "permit to enter" means an immigration visa, a reentry permit, a passport visa, a transit certificate, a limited-entry certificate, a border-crossing identification card, or a crew-list visa, issued by a permit-issuing authority.

(i) The term "permit-issuing authority" means a diplomatic, consular, or other officer of the United States authorized to issue immigration visas, passport visas, crew-list visas, transit certificates, limited-entry certificates, or nonresident aliens' border-crossing identification cards, or an officer of the Immigration and Naturalization Service authorized to issue reentry permits, or aliens' border-crossing identification cards.

(j) The term "entry into the United States" means any entry by land, water, or air from any place outside of the United States into any place included within the United States or from any outlying possession of the United States into the continental United States or from the continental United States into any outlying possession, or from one outlying possession into another, or from the Canal Zone into the continental United States or an outlying possession, or into the Canal Zone from any place in the United States.

(k) The term "seaman" means any alien whose occupation or calling as such is *bona fide*, and who is employed in any capacity on board any vessel arriving in the United States from any place outside of the United States.

(l) The term "airman" means any alien pilot, navigator, aviator, or other alien person operating or employed on any aircraft.

(m) The term "port of entry" means a port in the continental United States, the Virgin Islands, Puerto Rico, or Hawaii designated as a port of entry by the Attorney General or the Commissioner of Immigration and Naturalization, or such a port in the Canal Zone, Guam, American Samoa, or any outlying possession of the United States, as may be designated by the Governor thereof.

(n) The term "alien" means an individual who is not a native-born or naturalized citizen of the United States, but this definition shall not be held to include citizens of the islands under the jurisdiction of the United States, except citizens of the Philippine Islands who, in accordance with the provisions of the Act of March 24, 1934, are to be considered as if they were aliens for the purposes of the laws relating to the immigration, exclusion, and expulsion of aliens, unless they are citizens of the United States.

(o) The term "alien enemy" means an alien defined as such or contemplated by any proclamation of the President after December 1, 1941, or an alien who, if admitted into the United States, would be an alien enemy under any such proclamation. The term generally includes aliens who are natives, denizens, citizens, or subjects of countries with which the United States is at war.

(p) The term "enemy national" means an alien who is a citizen or subject of any country with which the United States is at war, or an alien who owes allegiance to such country.

(q) The term "an alien who is a lawful permanent resident of the United States" means an alien who has been lawfully admitted into the continental United States, the Virgin Islands, Puerto Rico, or Hawaii for permanent residence therein and who has since such admission maintained his domicile in the United States: *Provided*, That this term shall not include Philippine citizens residing in Hawaii, who are not citizens of the United States, who entered Hawaii without an immigration visa, unless such Philippine citizens are declared to be nonquota immigrants under section 4 of the act other than subdivisions (c) and (e) thereof.

§ 58.42 *Passports and permits to enter required.* No alien shall hereafter enter the United States (a) except at a port of entry and (b) unless he presents an unexpired passport and a valid permit to enter, or is exempted under these regulations from presenting such documents.

§ 58.43 *Passports and permits to enter not guarantees of admission.* No alien who is inadmissible into the United States under the provisions of the immigration laws and regulations, or other laws and regulations, including these regulations, shall be admitted into the United States even if he is in possession of an unexpired passport and valid permit to enter.

§ 58.44 *Immigrants not required to present passports and permits to enter.*

Immigrants of the following classes are not required to present passports and permits to enter, in as much as the requirements thereof are waived in the following emergency cases:

(a) An alien child born subsequent to the issuance of the immigration visa of an accompanying parent, the visa not having expired.

(b) An alien child born during the temporary visit abroad of an alien mother who is a lawful permanent resident of the United States: *Provided*, The child is accompanying a parent who is admissible into the United States and who is entering the United States for permanent residence upon the first return of the parent to the United States after the child's birth, and application is made for admission into the United States within a period of two years after the date of the child's birth.

(c) An alien child born during the temporary visit abroad of a mother who is an American citizen or national: *Provided*, The child is accompanying a parent who is admissible into the United States and who is entering the United States for permanent residence upon the first return of the parent to the United States after the child's birth and application is made for admission into the United States within a period of two years after the date of the child's birth.

(d) An alien who is a lawful permanent resident of the United States who goes in transit through foreign contiguous territory from one part of the continental United States to another by means of a transportation line which runs through the territory or waters of both the United States and Canada or Mexico.

(e) An alien who is a lawful permanent resident of the United States, and who is proceeding from the continental United States to an outlying possession, or from an outlying possession to the mainland, or from one outlying possession to another, or from one port in the continental United States to another, without stop-over, although touching at a foreign port.

(f) An alien who is a lawful permanent resident of the United States, and who reenters from a journey beginning in a port of the United States in the Western Hemisphere without transshipment from the original vessel to another vessel, such vessel not having proceeded outside of the Western Hemisphere.

(g) An alien who is a lawful permanent resident of the United States, who is returning from a visit not exceeding 30 days to foreign contiguous territory only, and who, because of an emergency such as one involving serious illness or death, had no opportunity to obtain a reentry permit or a resident alien's border-crossing identification card prior to departure from the United States.

(h) An alien member of the armed forces of the United States, who is a lawful permanent resident of the United States, provided the alien is in the uniform of, or bears documents showing his identity as a member of, such armed forces.

(i) An alien member of the armed forces of a country at war with Japan, who is a lawful permanent resident of the United States, and who is returning under orders or on furlough during the period of the war.

(j) An alien who is a citizen or subject of a foreign country at war with Japan, who is a lawful permanent resident of the United States, who departed from the United States for foreign contiguous territory for the purpose of joining the armed forces of the country of which he is a citizen or subject, and who is returning to the United States within a period of six months of his departure and within 30 days of rejection for services in such armed forces.

(k) An alien who is a citizen or subject of a foreign country at war with Japan, who is a lawful permanent resident of the United States, who has been honorably discharged from the armed forces of the country of which he is a citizen or subject, and who is returning to the United States within 90 days of his discharge or of his release from military hospitalization.

(l) An alien who is employed as a civilian pilot or as a member of other flight personnel, who is a lawful permanent resident of the United States, and who is returning to the United States while engaged in airplane-ferrying operations or ferrying personnel or material between the United States and territory abroad in behalf of the armed forces of the United States or of a foreign country at war with Japan, or within 90 days after the termination of such employment.

(m) An alien who is a lawful permanent resident of the Virgin Islands and who is returning thereto after a temporary visit to the British Virgin Islands or the French island of St. Bartholomew.

(n) An alien who is a lawful permanent resident of the United States, who is returning to the United States on an official exchange vessel, who is included in the exchange of persons with the enemy, and who had no opportunity to obtain an immigration visa: *Provided*, That the alien is found to be otherwise admissible by the Immigration and Naturalization Service.

(o) An alien who is a lawful permanent resident of the United States, who resides in a remote section of Alaska, and who is returning to Alaska after a temporary visit to Canada.

(p) An American Indian born in Canada and recognized as such under Canadian law, except one whose membership in Indian tribes or families is created by adoption.

§ 58.45 *Immigrants required to present passports but not permits to enter.* Aliens who are lawful permanent residents of the United States, and who fall within the following categories are exempt from the requirement of presenting permits to enter, in as much as the requirement thereof is waived, but must present passports:

(a) An alien seaman or airman whose name appears on the crew list of the vessel or aircraft on which he arrives: *Provided*, That this paragraph shall not apply to Great Lakes seamen, for whom waivers are provided in § 58.46 (b).

(b) An alien, occupationally a seaman, who is returning in accordance with the terms of the articles of outward voyage, or the terms of his discharge before a consular officer of the United States.

(c) A shipwrecked or castaway alien, occupationally a seaman or airman: *Provided*, That a passport will not be required for the first entry if he has lost his passport.

§ 58.46 *Immigrants required to present permits to enter but not passports.* Immigrants of the following classes who present a permit to enter are not required to present a passport, in as much as the requirement thereof is waived:

(a) An alien who is a lawful permanent resident of the United States, and who presents a valid reentry permit.

(b) An alien who is a lawful permanent resident of the United States, who is returning after a temporary absence in Canada or Mexico only, and who presents a valid resident alien's border-crossing identification card, including such an alien who is employed as a member of the crew of a vessel of United States, British, or Canadian registry engaged solely in traffic on the Great Lakes and connecting waterways.

§ 58.47 *Immigrants not required to present passports or permits to enter in special cases.* (a) An alien who previously has been admitted lawfully into the United States as a student on the basis of a nonquota immigration visa issued under section 4 (e) of the Immigration Act of 1924, who has proceeded only to Canada or Mexico, who is returning to the United States within a period of three months, and who is re-entering under section 4 (e) for the purpose of continuing his or her studies at an approved institution of learning, is exempt from the requirement of presenting a new section 4 (e) visa. Such an alien must present a letter from the institution stating that he or she is a student in good standing at the institution. If the alien presents a passport it should bear a notation made by the immigrant inspector, or in the absence of a passport the alien should be in possession of other evidence to the effect that he or she was previously admitted lawfully into the United States as a nonquota immigrant student.

(b) Any alien immigrant whose case is considered by the Attorney General to be within the provisions of section 13 (b) of the Immigration Act of 1924, and which the Secretary of State considers to be emergent and grants a waiver of the requirement of presenting a permit to enter, is exempted from the requirement of presenting such document.

(c) Any alien immigrant whose case is considered by the Secretary of State to be emergent and in which he grants a waiver of the requirement of presenting a passport, is exempted from the requirement of presenting such document.

§ 55.48 *Nonimmigrants not required to present passports and permits to enter.* The following classes of nonimmigrants are not required to present passports and permits to enter, in as much as the requirements thereof are waived in the following emergency cases:

(a) A Canadian railway-mail clerk who is entering the continental United States from Canada in connection with his official duties, provided he carries documents identifying him as such.

(b) An alien who resides in an isolated or remote section of Canada, who is entering the continental United States temporarily from Canada as a visitor or in transit to another part of Canada, and who is unable without undue inconvenience to obtain a passport and a visa.

(c) A member of the staff of the International Fisheries Commission and the International Pacific Salmon Fisheries Commission, who is entering the continental United States temporarily from Canada or Newfoundland in connection with the performance of his official duties, provided he carries a document bearing a photograph and identifying him as a member of the staff of such a Commission.

(d) An officer or employee of the International Boundary Commission, who is a citizen of Mexico, and who is entering the continental United States temporarily from Mexico in connection with his official duties.

(e) An immigration or customs officer of the Mexican Government who is entering the continental United States temporarily from Mexico in the performance of his official duties.

(f) An employee of the Mexican Postal Service assigned to a border area, who is entering the continental United States temporarily from Mexico in the performance of his official duties, and who has credentials establishing his identity and defining his official duties in the region of the border.

(g) An alien who is a member of a fire-fighting group entering the continental United States temporarily from foreign contiguous territory for fire-fighting activities.

(h) An alien who is a member of the Plant Protection Division of the Canadian Department of Agriculture, and who is entering the continental United States temporarily from Canada in connection with his official duties.

(i) An alien who is an official or an operational or maintenance-of-way employee of a railroad or bus line operating across the Canadian or Mexican border, who enters the continental United States temporarily from foreign contiguous territory in pursuance of his duties.

(j) An alien who is a member of the military or naval personnel serving in that capacity on a merchant vessel or a vessel of war, owned or operated by the United States or by the government of a foreign country at war with Japan.

(k) An alien who is a member of the armed forces of the United States, who is in the uniform of, or who bears documents identifying him as a member of, such armed forces, who is not a lawful permanent resident of the United States, and who is included in a military unit which is returning to the United States under orders.

(l) An alien (1) who is in the uniform of, or who bears documents identifying him as a member of, the armed forces of a foreign country having territory or possessions in the Western Hemisphere or of an American republic other than the United States, and (2) whose travel is authorized by the appropriate authorities of the armed forces of which the alien is a member, and (3) who is entering the United States in transit or temporarily to engage in official duties or with authorized leave to visit the United States: *Provided*, That the country, of whose armed forces he is a member, is at war with Japan: *And provided further*, That such country grants reciprocal privileges to members of the armed forces of the United States. In the case of a group of such aliens entering the United States appropriate advance arrangements for their reception and entry must be made with the military and naval authorities of the United States.

(m) An alien who is a civilian member, regardless of nationality, of the British Royal Air Force Transport Command, who is entering the United States temporarily or in transit to a foreign destination, provided he is traveling under orders of the British Royal Air Force Transport Command and is in possession of documents acceptable to the officers of the Immigration and Naturalization Service establishing the identity of the individual beyond a reasonable doubt.

(n) An alien who is lawfully in the United States as a nonimmigrant, who is proceeding from the mainland to an outlying possession, or from an outlying possession to the mainland, or from one outlying possession to another, or from one port in the continental United States to another, without stopover, although touching at a foreign port.

(o) A nonimmigrant alien child born subsequent to the issuance of the permit to enter of an accompanying parent, the permit not having expired.

(p) An alien who is a resident of remote Pacific islands, and who, after arrival at a port of entry in Hawaii or on the mainland, is found to be a *bona-fide* temporary visitor under section 3 (2) of the Immigration Act of 1924, or a *bona-fide* transient under section 3 (3) of the Act.

(q) An alien who is a Canadian national, who is occupationally a seaman, and who is sent forward as a passenger to join a vessel in a port of the United States, provided he presents a valid seaman's identity certificate issued by an appropriate Canadian Government agency.

(r) An alien who is a native-born resident of a country within the Western Hemisphere, who is entering the United States temporarily to engage, or to continue, in seasonal or temporary employment under the terms of legislation or of any satisfactory arrangement between appropriate agencies of the United States (including the Department of State) and of any such country, and who complies with any additional requirements prescribed by the Attorney General.

(s) A person presenting a certificate of identity issued by a consular officer of the United States under the provisions of section 503 of the Nationality Act of 1940 and the regulations issued thereunder (see 22 CFR, Cum. Supp., 19.19–19.29).

(t) An alien who is arriving on an official exchange vessel, who is included in an exchange of persons with the enemy, and who has had no opportunity to obtain a passport or a permit to enter: *Provided*, That the alien is found to be otherwise admissible by the Immigration and Naturalization Service.

(u) An alien who is a national of a United Nations country, and who is arriving as a passenger or member of the crew on a ship which has been diverted at sea to a port in the United States, having been destined originally to a foreign port.

(v) An alien who is a British subject domiciled in the British Virgin Islands or in the British islands of Anguilla, St. Kitts, and Nevis; a French citizen domiciled in the French island of St. Bartholomew or in the French portion of the island of St. Martin; or a Netherlands subject domiciled in the Netherlands islands of St. Eustatius or Saba, or in the Netherlands portion of the island of St. Martin; and who is seeking admission into the Virgin Islands for business or pleasure for a period of less than 30 days on any one visit.

(w) An alien who is a Canadian citizen or a British subject domiciled, permanently residing, or stationed in Canada, who is entering the United States temporarily across the Canadian border on a visit of less than 30 days for business or pleasure, and who has assurance of admission to Canada or some other country: *Provided*, That this paragraph shall not apply to Great Lakes seamen for whom waivers are provided in § 58.50 (c).

(x) An alien who arrived at a seaport in Canada and who is passing in direct transit by continuous journey through the United States to a destination in Canada by means of a transportation line which runs through the territory or waters of both countries.

(y) An alien who is proceeding in continuous travel from Paterson, British Columbia, to Cascade, British Columbia.

(z) An alien who is a resident of foreign contiguous territory, and who is entering the United States from such territory for less than 30 days in a case of emergency, such as one involving serious illness or death, the alien having no opportunity to obtain a permit to enter, but having assurance of readmission into foreign continguous territory.

(aa) An alien who is a resident of contiguous territory, who passes from the territory of which he is a resident in continuous transit through a part of the continental United States back to the territory of which he is a resident by means of a transportation line which crosses the international boundary.

(bb) An alien who is a member of the Mexican Air Force, who is traveling on duty in a civilian airplane arriving in the continental United States from Mexico, and who presents properly authenticated military orders and an individual identification card.

(cc) An alien who is a member of the armed forces of Mexico, who arrives in the continental United States to take charge of aircraft being provided the Mexican Government under lend-lease arrangements, and who is in possession of a suitable document of identity as such: *Provided*, Appropriate arrangements have been made with the military authorities of the United States for the delivery of such aircraft.

(dd) An alien who is a member of the armed forces of a foreign country at war with Japan, who is stationed in the continental United States, and who is returning from a temporary visit to foreign contiguous territory.

(ee) An airman or a passenger on an aircraft proceeding from one place to another in foreign contiguous territory and landing temporarily in the United States under emergency conditions.

(ff) A shipwrecked or castaway alien, occupationally a seaman or airman, rescued by, or transferred at sea to, a vessel bound for a port in the United States.

§ 58.49 *Nonimmigrants required to present passports but not permits to enter.* Nonimmigrants of the following classes are required to present passports but are not required to present permits to enter, in as much as the requirement thereof is waived:

(a) An alien seaman, who is entering temporarily in pursuit of his calling as such, and who is a member of the crew of a vessel arriving from a port at which there is no consular officer of the United States, the master of the vessel having been unable to obtain a crew-list visa from a nearby consular officer without undue delay of the vessel's departure.

(b) An alien seaman, who is employed as such on a vessel operating on a regular service between a port in Florida and Habana, Cuba, and who is entering the continental United States temporarily at a port in Florida in pursuit of his calling, is exempt from the crew-list visa requirements, except that a new crew-list visa must be presented (1) to cover the first trip each month of each such vessel and (2) to cover any additional seaman who is signed on as a member of the crew during the month.

(c) An alien seaman, who is employed as a member of the crew of a vessel sailing between ports of the United States and ports of Canada or Newfoundland and not touching at a port of any other country, and who is entering the United States temporarily in pursuit of his calling: *Provided*, That this paragraph shall not apply to Great Lakes seamen for whom waivers are provided in § 58.50 (c).

(d) An alien who is a Mexican military or civilian official, and an alien who is an accompanying member of the family or of the accompanying suite of such official, who is entering the United States temporarily from Mexico for personal business or pleasure.

(e) An alien who is a citizen of Newfoundland domiciled therein or in Canada, who is proceeding to the continental United States for a period of less than 30 days for personal business or pleasure.

(f) An alien who has been admitted lawfully into the United States as a nonimmigrant, and who goes in continuous transit from one part of the continental United States to another through foreign contiguous territory.

(g) An alien, occupationally a seaman, who is seeking temporary admission as a passenger or workaway, solely in pursuit of his occupation or calling as a seaman, if arriving in the United States under the following circumstances:

(1) As a member of the crew of an American vessel which has been sold and delivered abroad, when the contract of employment provides for the return of the crew, or when the laws of the United States provide for their return to a port in the United States; or

(2) As a United States consular passenger or an alien who is repatriated after, and in accordance with the terms of, his discharge in a foreign port before a consular officer of the United States.

(h) An alien who is a shipwrecked or castaway seaman or airman of a United Nations vessel or aircraft, who was taken aboard a vessel or aircraft in a foreign port or place where no consular officer of the United States was stationed, and who is brought to the United States as a passenger without touching at a port or place where such an officer was stationed: *Provided*, That such a seaman or airman must agree to reship foreign or depart from the United States at the first available opportunity: *And provided further*, That if there is no representative of the country of the alien's nationality in the port or place where he is taken aboard, a passport or other travel document will not be required for the first entry of the alien into the United States.

§ 58.50 *Nonimmigrants required to present permits to enter but not passports.* Nonimmigrants of the following classes are required to present permits to enter but not passports, in as much as the requirement thereof is waived:

(a) An alien seaman, who has lost his passport, who is unable to obtain a replacement thereof, who is arriving on an American vessel or an American-owned Panamanian or Honduran flag vessel, and who presents a Coast Guard identification card or other evidence of having been examined for security by the United States Coast Guard: *Provided*, That this waiver of the passport requirements shall be valid only for a single entry of such alien after the loss of his passport.

(b) An alien who is a resident of foreign contiguous territory and in whose case a permit to enter and a passport are required under these regulations may present, in lieu of a passport, any document which is valid for the bearer's departure from and return to foreign contiguous territory.

(c) An alien who is a member of the crew of a vessel of United States, British, or Canadian registry engaged solely in traffic on the Great Lakes and connecting waterways, who is entering the United States temporarily as a seaman: *Proided*, That the permit to enter presented by such alien consists of a valid nonresident alien's border-crossing identification card.

§ 58.51 *Nonimmigrants not required to present passports or permits to enter in special cases.* Any nonimmigrant aliens whose cases are considered by the Secretary of State to be emergent and in whose cases the Secretary of State grants a waiver of the requirement of presenting a passport or a permit to enter, or both, shall thereupon be exempted from the requirement of presenting such a document.

§ 58.52 *Refusal of permission to enter.* (a) No permit to enter shall be issued to any alien if the permit-issuing authority has reason to believe that the entry of the alien would be prejudicial to the interests of the United States.

(b) The permit-issuing authority shall report the refusal of a permit to enter under the preceding paragraph to the head of his department. If a permit to enter is refused by an officer of the Immigration and Naturalization Service of the Department of Justice on the ground that he has reason to believe that the entry of the alien would be prejudicial to the interests of the United States, the Attorney General may, after consultation with the Secretary of State, authorize issuance of the permit to enter if he is satisfied that the entry of the alien would not be prejudicial to the interests of the United States. If a permit to enter is refused by any other officer of the United States authorized to issue documents constituting permits to enter under these regulations, the Secretary of State, or an official designated by him, may authorize the issuance of a permit to enter if he is satisfied that the entry of the alien will not be prejudicial to the interests of the United States. The report of a refusal of a permit to enter under the preceding paragraph made to the head of a department other than the Secretary of State shall be communicated to the Secretary of State.

§ 58.53 *Classes of aliens whose entry is deemed to be prejudicial to the public interest.* The entry of an alien who is within one of the following categories shall be deemed to be prejudicial to the interests of the United States for the purposes of these regulations:

(a) Any alien who belongs to one of the classes specified in the act of October 16, 1918, as amended. (40 Stat. 1012; 41 Stat. 1008–9; 54 Stat. 673; 8 U. S. C. 137.)

(b) Any alien who is a member of, affiliated with, or may be active in the United States in connection with or on behalf of, a political organization associated with or carrying out policies of any foreign government opposed to the measures adopted by the Government of the United States in the public interest, or in the interest of national defense, or in the interest of the common defense of the countries of the Western Hemisphere, or in the prosecution of the war.

(c) Any alien in possession of, or seeking to procure, unauthorized secret information concerning the plans, preparations, equipment, or establishments for the national defense of, or the prosecution of the war by, the United States.

(d) Any alien engaged in activities designed to obstruct, impede, retard, delay, or counteract the effectiveness of the measures adopted by the Government of the United States for the defense of the United States or for the defense of any other country, or the prosecution of the war.

(e) Any alien engaged in activities designed to obstruct, impede, retard, delay, or counteract the effectiveness of any plans made or steps taken by any country of the Western Hemisphere in the interest of the common defense of the countries of such Hemisphere.

(f) Any alien engaged in organizing, teaching, advocating, or directing any rebellion, insurrection, or violent uprising against the United States.

(g) Any alien engaged in a plot or plan to destroy materials, or sources thereof, vital to the defense of, or the prosecution of the war by, the United States, or to the effectiveness of the measures adopted by the United States for the defense of any other country.

(h) Any alien whose admission would endanger the public safety, as provided in any Executive order issued in pursuance of the act of Congress approved June 20, 1941 (ch. 209, 55 Stat. 252; 22 U.S.C., Sup., 228, 229).

(i) Any alien enemy: *Provided*, That this excluding provision shall not apply to aliens who

(1) Present valid permits to enter issued on or after November 14, 1941, or are exempted under these regulations from presenting permits to enter and are found to be otherwise admissible under these regulations; or

(2) Before September 1, 1939, became and still are citizens or subjects of any foreign country at war with Japan and who have not, since September 1, 1939, and before May 8, 1945, returned to any enemy or enemy-controlled territory; or

(3) Are under 14 years of age; or

(4) Are excepted from the excluding provisions of this subsection in the discretion of the permit-issuing authority or of the Secretary of State.

(j) Any alien found to be, or charged with being, a war criminal by the appropriate authorities of the United States or one of its co-belligerents, or an alien who has been guilty of, or who has advocated or acquiesced in activities or conduct contrary to civilization and human decency on behalf of the Axis countries during the present World War.

(k) Any alien who is not within one or more of the classes defined in paragraphs (a) to (j), inclusive, but in whose case circumstances of a similar character may be found to exist, which render the alien's admission prejudicial to the interests of the United States, which it was the purpose of the act of June 21, 1941 (55 Stat. 252) to safeguard.

§ 58.54 *Aliens leaving close relatives in certain foreign countries.* The fact that a spouse, or a relative of the first degree of consanguinity, with whom an applicant has maintained close family ties, remains abroad in any country, or in territory under the direct or indirect control of any country, the government of which is found by the Secretary of State to have adopted measures or policies contrary to the measures or policies adopted by the Government of the United States in the interest of national or international security, may be considered with other evidence in determining whether such applicant may be granted a permit to enter or whether the entry of such applicant should be denied upon the ground that the applicant is within one or more of the categories set forth in § 58.53.

§ 58.55 *Permission to enter the Canal Zone, Guam, American Samoa, and the Philippine Islands.* In addition to the classes of aliens prohibited from entering the United States under the provisions of this chapter, the chief executive officers of the Canal Zone, Guam, American Samoa, and the Philippine Islands are authorized to prescribe, with the approval of the Secretary of State and the Attorney General, additional prohibited classes for the areas under their jurisdiction, and such officers are authorized to issue under the same conditions such regulations as they may deem to be necessary to carry out the provisions of this chapter, including any modifications of a substantive or procedural character.

§ 58.56 *Aliens traveling through areas of military operations or occupation.* In addition to all other applicable restrictions and requirements, in the case of an alien who desires to proceed to the United States and who intends to proceed thereafter to or through any area designated as an area of active military operations or occupation, application shall be made for any military permit required for travel to or through such area. Such application must be approved before a permit to enter is granted.

§ 58.57 *Entry not permitted in special cases.* (a) Any alien, even though in possession of a permit to enter, or exempted under these regulations from obtaining a permit to enter, may be excluded temporarily if at the time he applies for admission at a port of entry it appears that he is or may be excludable under one of the categories set forth in § 58.53. The official excluding the alien shall immediately report the facts to the head of his department, who will communicate such report to the Secretary of State. Any alien so temporarily excluded by an official of the Department of Justice shall not be admitted and shall be excluded and deported unless the Attorney General, after consultation with the Secretary of State, is satisfied that the admission of the alien would not be prejudicial to the interests of the United States. Any alien so temporarily excluded by any other official shall not be admitted and shall be excluded and deported unless the Secretary of State is satisfied that the admission of the alien would not be prejudicial to the interests of the United States.

(b) In the case of an alien temporarily excluded by an official of the Department of Justice on the ground that he is, or may be, excludable under one or more of the categories set forth in § 58.53, no hearing by a board of special inquiry shall be held until after the case is reported to the Attorney General and such a hearing is directed by the Attorney General or his representative. In any special case the alien may be denied a hearing before a board of special inquiry and an appeal from the decision of that board if the Attorney General determines that he is excludable under one of the categories set forth in § 58.53 on the basis of information of a confidential nature, the disclosure of which would be prejudicial to the public interest.

§ 58.58 *Additional requirements for officials of foreign governments.* In addition to all other requirements, any official, employee, or agent of a foreign government proceeding to the United States for permanent residence, or temporarily as a tourist, or on personal business or for pleasure, or proceeding through the United States to a foreign destination, must disclose in connection with his application for any required permit to enter, and in connection with his application for admission at a port of entry, his official governmental position, status, or connection. Failure to disclose his official position, status, or connection in making such application, or in obtaining a permit to enter, or obtaining entry by false or fradulent statements, shall be punishable as a breach of these regulations.

§ 58.59 *Additional requirments for alien seamen.* In addition to all other requirements, no nonresident alien seaman employed on any vessel arriving in the United States from any place outside thereof shall be granted shore leave or be permitted to go ashore in the United States except with the approval of the master and in the discretion of the immigration officials at the port of entry acting under authority of the Attorney General. The period of shore leave granted a seaman shall not exceed that during which the vessel on which he arrived will remain in a port of the United States, unless the Attorney General in his discretion concurs in the granting of a longer period of shore leave.

§ 58.60 *Procedure for issuance of permits to enter.* Application for a document which is a permit to enter under these regulations shall be made as provided by the rules and regulations applicable to the issuance of such a document and in accordance with the additional requirements provided in these regulations. With the exceptions specified in § 58.61 a permit-issuing authority may issue or refuse a permit to enter upon his own responsibility without requesting the Secretary of State to issue an advisory opinion or instruction recommending the issuance or refusal of the permit.

§ 58.61 *Cases requiring advisory opinions.* Aliens who are found by a permit-issuing authority to be ineligible to receive permits to enter may be refused such permits without an advisory opinion from the Secretary of State. No permit to enter shall be issued by a permit-issuing authority on the application of an alien without submitting such application to the Secretary of State (officers of the Immigration and Naturalization Service will refer applicable cases to the Attorney General) for an advisory opinion as provided in §§ 58.60 and 58.62, if the alien falls within one of the following classes:

(a) An alien in whose case the permit-issuing authority considers that there is sufficient doubt to require an advisory opinion as to whether the alien's admission into the United States would be prejudicial to the interests of the United States.

(b) An alien seaman who is applying for an immigration visa as a permit to enter. (Alien seamen whose names are included on a crew list submitted for visa should be considered in accordance with the regulations governing the issuance of crew-list visas.)

(c) An alien who at the time of his departure from the United States was a lawful permanent resident thereof, who departed without a reentry permit, who proceeded to a country outside of the Western Hemisphere, and who is applying for any kind of a permit to enter.

(d) An alien in whose case the permit-issuing authority knows or has reason to believe that an unfavorable opinion was previously formulated by the Secretary of State.

(e) An alien who (1) is coming to the United States as an official or employee of a foreign government, or who is a member of the family, an attendant, a servant, or an employee of a foreign government official, and who (2) is applying for an immigration visa as a permit to enter.

(f) An alien who at the time of his entry into the United States will be a member of the armed forces of a foreign country in whose case a permit to enter is required, and who is applying for an immigration visa as a permit to enter.

(g) An alien in whose case it appears that a permit to enter may be refused because of the applicant's inadmissibility under the general immigration laws, but in whose case there is sufficient doubt to warrant a request for an advisory opinion.

(h) An alien who is applying for a diplomatic or an official visa as a permit to enter as a nonimmigrant under section 3 (1), 3 (2), or 3 (3) of the Immigration Act of 1924, and who has an official status under the government of a country other than (1) an American Republic and (2) the government of a country with which the Department of State has concluded a reciprocal arrangement for the granting or refusal of such permits to enter without specific authorization in each individual case.

(i) An alien who was previously interned in the United States.

(j) An alien in whose case the Secretary of State shall have issued special instructions to the permit-issuing authority to request an advisory opinion.

§ 58.62 *Procedure in obtaining advisory opinions.* In requesting an advisory opinion from the Secretary of State, a permit-issuing authority shall furnish such information and follow such procedure as may be required by the Secretary of State from time to time.

§ 58.63 *Effective date.* These regulations shall be considered as having become effective on the first day of the month of July 1945, and shall supersede the regulations issued on November 19, 1941, as amended (22 CFR 58.41–58) and the regulations contained in 22 CFR 58.101–136.

Dated: July 9, 1945.

JOSEPH C. GREW,
Acting Secretary of State.

Concurred in by:

TOM C. CLARK,
Attorney General.

JULY 19, 1945.

[F. R. Doc 45-17243; Filed, July 20, 1945; 12:30 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 56]

PART 801—GENERAL REGULATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:.

The country group designation in the column headed "Gen. Lic. Country Group" set opposite each of the commodities listed below is hereby amended to read as follows:

Schedule B No.	Commodity	General license country group
	ANIMALS, EDIBLE	
	(For animals, ineligible—horses, mules, asses, burros, goats, and other, see [illegible])	
001000	Cattle for breeding	K&M
001300	Hogs (swine)	K&M
001600	Sheep (include Karakul sheep)	K&M
001800	Poultry, live	K&M
	OTHER EDIBLE ANIMAL PRODUCTS	
009200	Eggs, hatching	K&M
009400	Meat extracts and bouillon cubes	K&M
009600	Lecithin	K&M
	FURS AND MANUFACTURES	
	Furs, undressed:	
071100	Civet cat	K&M
071300	Silver and black fox	K&M
071400	Red fox	K&M
071600	Other fox	K&M
071800	Muskrat, northern	K&M
071900	Muskrat, southern	K&M
072100	Raccoon	K&M
072200	Skunk	K&M
072300	Opossum	K&M
072400	Mink	K&M
072-01	Coney, rabbit and hare	K&M
072403	Ermine and weasel	K&M
072405	Fitch and kolinsky	K&M
072407	Squirrel	K&M
072408	Lamb, kid, sheep, and goat	K&M
072998	Undressed furs n. e. s. (specify kind)	K&M
	Furs, dressed or dyed:	
073300	Fox, silver and black	K&M
073700	Muskrat	K&M
074400	Fur-seal (report hair and rock seals in 074498)	K&M
074403	Lamb and sheep (include tanned sheep skins with wool on)	K&M
074998	Dressed or dyed furs, n. e. s. (include fox, other than silver or black, opossum, hair and rock seals; specify by name)	K&M
075300	Fur wearing apparel (report fur-felt hats in 396100-396200)	K&M
075800	Fur waste, fur pieces and damaged fur skins (include paws, tails and scrends)	K&M
075900	Fur manufactures, n. e. s (include plates, collars and cuffs; specify by name)	K&M
	OTHER INEDIBLE ANIMALS AND ANIMAL PRODUCTS	
	Animals:	
090000	Horses for breeding	K&M
090100	Horses, other	K&M
090300	Mules, asses and burros	K&M
090800	Live animals, n. e. s (include goats and fur-bearing animals):	
090800	Pigeons, live	None
090900	Other live animals	K&M
	Glue of animal origin:	
094205	Casein glue	K&M
094298	Other	K&M
099923	Mother-of-pearl shells, unmanufactured	K&M
099925	Other shells, unmanufactured	K&M
099998	Animal products, inedible, n. e. s. (include gelatin for photographic use) (report egg albumen in 099303 and sponges in 204200 and 982100):	
099998	Bees wax	None
	OTHER INEDIBLE ANIMALS AND ANIMAL PRODUCTS—con.	
	Animal products, inedible, n. e. s., etc.—Continued.	
099998	Bones	K
099998	Blood, dried, soluble, for commercial use	Note
099998	Catgut, crude	K&M
099998	Fish essence and fish for bait	Note
099998	Ovarian glands	Note
099998	Pituitary glands	Note
099998	Spermaceti, wax, USP	Note
099998	Other animal products, inedible, n. e. s.	K&M
	GRAINS AND PREPARATIONS	
107709	Macaroni and macaroni products (include canned)	K&M
108000	Wheat cereal foods, ready to eat (include shredded, puffed and flaked wheat, Grape Nuts, Triscuit, Force, Krumbles, Wheaties, Kellogg's Pep and other wheat and bran preparations)	K&M
108310	Wheat cereal foods, to be cooked (include Cream of Wheat, Farina, Wheatena, Ralston, Pettijohns, Wheat Hearts, etc.)	K&M
106600	Wheat semolina	K&M
109500	Cereal foods, n. e. s. (include bread and cakes, puffed and creamed rice, Malto-Meal, Roman Meal, hard tack and rusk)	K&M
109500	Other grains and preparations (include dog biscuit, wild rice, popped corn (buttered, cheese, or plain), pearl barley, wheat germ flour and all flours, n. e. s.) (report wheat flour in 107300-107400 and corn flour in 281100)	K&M
	FODDERS AND FEEDS, N. E. S.	
110100	Hay (report straw in 259958)	K&M
118200	Oyster shells	K&M
	VEGETABLES AND PREPARATIONS, EDIBLE	
	Vegetables, fresh or frozen:	
120700	Beans (include snap beans)	K&M
120600	Peas, green	K&M
121000	Peppers	K&M
121300	Potatoes	K&M
122410	Cabbage	K&M
122420	Carrots	K&M
122430	Celery	K&M
122440	Lettuce	K&M
122450	Spinach	K&M
122470	Sweetpotatoes	K&M
122490	Fresh or frozen vegetables, n. e. s.:	
122490	Pumpkins, fresh	None
122490	Rhubarb, fresh	None
122490	Other fresh or frozen vegetables, n. e. s.	K&M
	Nursery and greenhouse stock, n. e. s. (include fruit-tree stocks and cuttings)	K&M
127210	Mayonnaise & salad dressings	K&M
129298	Sauces & relishes, n. e. s. (include mustard sauces)	K&M
129601	Dehydrated soups	K
	Farinaceous substances:	V&M
129605	Sago	None
129605	Tapioca flour, inedible	None
129605	Tapioca, other	None
129605	Other farinaceous substances	K&M
	FRUITS AND PREPARATIONS	
	Fruits, fresh or frozen:	
130200	Grapefruit (weight 60 lbs. per box, California; 80 pounds per box, Florida)	K&M
130300	Lemons and limes (lemons, approx. weight 76 lbs. per box; limes, 80 lbs. per box)	K&M
130500	Oranges and tangerines (oranges, approx. weight 70 lbs. per box California; 90 lbs. per box, Florida; tangerines, 60 lbs. per box)	K&M
131000	Apples in baskets (approx. weight 48 lbs. per basket)	K&M
131100	Apples in boxes (approx. weight 45 lbs. per box)	K&M
131200	Apples in barrels (weight 144 lbs.)	K&M
131600	Pears	K&M
	TABLE BEVERAGE MATERIALS	
151300	Table beverage materials, n. e. s.:	K
151300	Coffee extracts	K&M
151300	Coffee substitutes	K&M
151300	Other table beverages	K&M
	BEVERAGES	
	Distilled spirits:	
171400	Rum	K&M
171900	Other distilled liquors and compounds containing spirits (include brandy, gin, cordials, liqueurs and bitters) (report alcohols in 831000-831598)	K&M
175000	Wines	K&M
176100	Mineral waters, natural and artificial	K&M
178000	Beverages, n. e. s. (include soda water, ginger ale, sparkling water, quinine tonic and other beverages) (report concentrated beverage sirups in 176000)	K&M
	NAVAL STORES, GUMS AND RESINS	
	Naval stores:	
211400	Gum spirits of turpentine	K&M
211510	Wood turpentine	K&M
211610	Other terpene hydrocarbons derived from naval stores:	
211610	Dipentene	None
211610	Pinene	K&M
211610	Other terpene hydrocarbons derived from naval stores	None
	Gums and resins, n. e. s.:	
218400	Shellac, bleached and unbleached (report varnish in 844210)	K&M
218605	Lac, crude, seed, button, and stick	K&M
218995	Carob bean gum, refined or modified	K&M
	DRUGS, HERBS, LEAVES, AND ROOTS, CRUDE	
230688	Cubé, timbo, or barbasco root, root powder and root extract	K&M
	NURSERY AND GREENHOUSE STOCK	
240700	Flower and foliage, cut, fresh, and preserved	K&M
250905	Bulbs, roots, corms, plants and seedlings	K&M
259998	Nursery and greenhouse stock, n. e. s. (include fruit-tree stocks and cuttings)	K&M
	MISCELLANEOUS VEGETABLE PRODUCTS, INEDIBLE	
261100	Broomcorn	K&M
261500	Brooms	K&M
266605	Japan wax	K&M
266681	Vegetable ivory or tagua nuts	K&M
266998	Inedible vegetable products, n. e. s. (include straw and cocoa expeller cake, pressed cake, waste and shells, and sulfite lignin liquor):	
266998	Agar agar	None
266998	Algin	K&M
266998	Cocoa expeller cake or press cake	None
266998	Cottonseed oil pitch and oil waste	None
266998	Hop lupulin or lupulin extract	None
266998	Lignin liquor	K&M
266998	Soybean flour, inedible	None
266998	Tobacco, unfit for domestic use	None
266998	Vegetable adhesive paste, gum, or vegetable glue products (liquid form) containing 50% or more dextrine (report dry vegetable paste, white paste and dry vegetable glue containing 50% or more dextrine under 825900)	K&M
266998	Other vegetable products, inedible, n. e. s.	K&M
	COTTON, UNMANUFACTURED	
	Raw cotton, except linters:	
266205	Upland, staple length 1⅛" and over (U. S. official standard)	K&M
266206	Upland, staple length 1⅛" and over (U. S. official standard) (quantity only)	K&M
	SPICES	
	(Includes natural and imitation)	
154001	Capsicum (ground or unground)	K&M
154008	Spices, n. e. s. (report mustard sauces in 125298)	K&M
154008	Black pepper, ground	None
154008	Cloves, cracked or ground	None
154008	Cumin seed	None
154008	Ginger, root, ground, or powdered	None
154008	Mace	None
154008	Nutmegs, ground	None
154008	Tonka beans, ground or unground	None
154008	West India nutmegs, ground	None
154008	White pepper, ground	None
154098	Other spices, n. e. s.	K&M
	BEVERAGES	
171400	Distilled spirits: Rum	K&M
171900	Other distilled liquors and compounds containing spirits (include brandy, gin, cordials, liqueurs and bitters) (report alcohols in 831000-831598)	K&M
175000	Wines	K&M
176100	Mineral waters, natural and artificial	K&M
178000	Beverages, n. e. s. (include soda water, ginger ale, sparkling water, quinine tonic and other beverages) (report concentrated beverage sirups in 176000)	K&M
	NAVAL STORES, GUMS AND RESINS	
	Naval stores:	
211400	Gum spirits of turpentine	K&M
211510	Wood turpentine	K&M
211610	Other terpene hydrocarbons derived from naval stores:	
211610	Dipentene	None
211610	Pinene	K&M
211610	Other terpene hydrocarbons derived from naval stores	None
	Gums and resins, n. e. s.:	
218400	Shellac, bleached and unbleached (report varnish in 844210)	K&M
218605	Lac, crude, seed, button, and stick	K&M
218995	Carob bean gum, refined or modified	K&M
	DRUGS, HERBS, LEAVES, AND ROOTS, CRUDE	
230688	Cubé, timbo, or barbasco root, root powder and root extract	K&M
	NURSERY AND GREENHOUSE STOCK	
240700	Flower and foliage, cut, fresh, and preserved	K&M
250905	Bulbs, roots, corms, plants and seedlings	K&M
259998	Nursery and greenhouse stock, n. e. s. (include fruit-tree stocks and cuttings)	K&M
	MISCELLANEOUS VEGETABLE PRODUCTS, INEDIBLE	
261100	Broomcorn	K&M
261500	Brooms	K&M
266605	Japan wax	K&M
266681	Vegetable ivory or tagua nuts	K&M
266998	Inedible vegetable products, n. e. s. (include straw and cocoa expeller cake, pressed cake, waste and shells, and sulfite lignin liquor):	
266998	Agar agar	None
266998	Algin	K&M
266998	Cocoa expeller cake or press cake	None
266998	Cottonseed oil pitch and oil waste	None
266998	Hop lupulin or lupulin extract	None
266998	Lignin liquor	K&M
266998	Soybean flour, inedible	None
266998	Tobacco, unfit for domestic use	None
266998	Vegetable adhesive paste, gum, or vegetable glue products (liquid form) containing 50% or more dextrine (report dry vegetable paste, white paste and dry vegetable glue containing 50% or more dextrine under 825900)	K&M
266998	Other vegetable products, inedible, n. e. s.	K&M
	COTTON, UNMANUFACTURED	
	Raw cotton, except linters:	
266205	Upland, staple length 1⅛" and over (U. S. official standard)	K&M
266206	Upland, staple length 1⅛" and over (U. S. official standard) (quantity only)	K&M

Schedule B No.	Commodity	General license country group
	COTTON, UNMANUFACTURED—con.	
	Raw cotton, except linters—Con.	
300301	Upland staple length 1⅛" up to but not including 1⅛" (U. S. official standard)	K&M
300302	Upland, staple length 1⅛" up to but not including 1⅛" (U. S. official standard) (quantity only)	K&M
300305	Upland, staple length under 1⅛" (U. S. official standard)	K&M
300306	Upland, staple length under 1⅛" (U. S. official standard) (quantity only)	K&M
	COTTON MANUFACTURES	
316000	Braids, ribbons, trimming, bindings, lacings, tape-labels, and webbing (include tastes and rhinonzine) (report elastic in 398800 and 396000 laces in 384500)	None
316000	Harness, webbing, cotton, nonelastic, not over 12 inches wide	K&M
316000	Other braids, ribbons, trimmings, bindings, lacings, tape-labels, and webbing	K&M
316100	Narrow fabrics, n. e. s. (include lamp wicks and wicking and hose not rubberized) (report mounted wicks in 614700)	K&M
	VEGETABLE FIBERS AND MANUFACTURES	
349500	Oakum	K&M
	RAYON, NYLON, AND OTHER SYNTHETIC TEXTILES	
385810	Ribbons (include woven labels)	K&M
385850	Braids, fringes and narrow trimmings, except hat braids	K&M
	MISCELLANEOUS TEXTILE PRODUCTS	
392800	Neckties, cravats, mufflers and scarfs, of all fibers:	
392800	Of silk	None
392800	Of all other fibers	K&M
394010	Hat braids, strips and sheets, of natural fibers	K&M
394020	Hat braids, strips and sheets, wholly or partly of synthetic fibers	K&M
	Hats, bonnets, hoods, caps, and berets:	
	Hats and hat bodies of straw, palm leaf, etc. (include visca, cellophane or other synthetic textiles):	
394200	Harvest	K&M
394400	Other, sewed	K&M
394500	Other, woven	K&M
396100	Men's and boys' fur-felt hats (include fur-felt bodies)	K&M
396200	Women's and girls' fur-felt hats (include fur-felt berets, bonnets, hoods, and hat bodies)	K&M
396300	Wool felt hats (include bodies)	K&M
	Other hats, caps, and berets:	
396700	Knit and crocheted	K&M
396800	Woven fabric	K&M
398300	Artificial or ornamental flowers, fruits, vegetables, grasses, grains, leaves, stems, or parts thereof, of all materials (include the foregoing articles manufactured of paper, tinsel, glass, wire, lame, beads, bugles, spangles, as well as textiles)	K&M
	WOOD MANUFACTURES	
423100	Venetial blinds	K&M
	Furniture of wood:	
424200	Chairs, chief value wood (report chairs, chief value upholstery, in 424810)	K&M
424400	Other furniture and store fixtures, chief value wood	K&M
424700	Other wood furniture, chief value wood	K&M
424800	Wood furniture, chief value upholstery (wood predominating in frame construction)	K&M
429850	Woodenware (kitchen and household)	K&M
429900	Wood manufactures n. e. s.:	
429900	Advertising and sign boards	None
429900	Balsa manufactures	None
429900	Bamboo splits	None
429900	Battery separators	None
429900	Bearings and bushings	None
429900	Jiireh boards, compressed	None
429900	Blanks and blocks	None
429900	Built-up wood	None
	WOOD MANUFACTURES—Con.	
	Furniture of wood—Continued	
	Wood manufactures n. e. s.—Con.	
429900	Bulletin boards	None
429900	Bungs	None
429900	Car strips and bracing except lumber	None
429900	Charging racks	None
429900	Fencing (snow and other make-up fencing)	None
429900	Flds	None
429900	Flagpoles	None
429900	Grain doors	None
429900	Insulation board, granule surface & structural	K&M
429900	Insulating strips	None
429900	Ladder stock	None
429998	Liners, shells, hoops & heads, not complete barrels	None
429900	Molds & patterns	None
429900	Pegs	None
429900	Pipe wood	None
429900	Pole brackets	None
429900	Presto fireplace logs	K&M
429900	Rattan	None
429900	Saddle stirrups	None
429900	Sawdust	K&M
429900	Shelves	None
429900	Small dimension stock softwood if not sold by m. b. f.	None
429900	Small wood boat parts machined to shape	None
429900	Sucker rods	None
429900	Trestles	None
429998	Vats and tanks, including staves, except windmill tank staves	None
429900	Wood fiber	K&M
429998	Wood flour and shavings	K&M
429998	Other wood manufactures, n. e. s	K&M
	CORK AND MANUFACTURES	
430000	Cork wood or bark, unmanufactured (include cork waste, shavings, and refuse)	K&M
430200	Disks, washers and wafers	K&M
430500	Stoppers (include shell corks)	K&M
430998	Cork insulation	K&M
430700	Manufactures of artificial, composition or compressed cork, n. e. s	K&M
430600	Manufactures of natural cork, n. e. s	K&M
	PAPER, RELATED PRODUCTS AND MANUFACTURES	
473500	Sheathing and building paper:	
473500	Newsfined rockliath paper	None
478500	Other sheathing and building paper	K&M
	CLAY AND CLAY PRODUCTS	
502200	Fire clay	K&M
503997	Kaolin (china clay)	K&M
504012	Other clays (include Fuller's earth)	K&M
	Pottery (include china, porcelain and earthenware):	
533400	Vitreous china bathroom accessories, n. e. s. (including towel and grab bars, clothes hooks, soap receptacles)	K&M
	Electrical porcelain:	
533500	For less than 6,600 volts:	
533500	Radio set insulators, receiving and transmitting	None
533500	Other electrical porcelain for less than 6,600 volts	K&M
533800	Other pottery (include stoneware, clay crucibles and ornamental and decorative articles (vases, lamp bases, etc))	K&M
537600	Other terra-cotta and ceramic manufactures	K&M
	OTHER NONMETALLIC MINERALS, INCLUDING PRECIOUS	
540998	Diatomaceous and infusorial earth	K&K
	Asbestos:	
543000	Brake lining, molded and semi-molded	K&K
545810	Clutch facing, molded and semi-molded	K&K
545901	Brake blocks, molded and semi-molded	K&K
545915	Sheets (report sheets for packing in 545500)	K&K
545998	Industrial safety clothing	K&K
547203	Graphite, Madagascar flake, crystalline lump or chip	K&K
	Carbon or graphite products:	
547200	Electrodes for furnace or electrolytic work 1" & over in diameter	K&K
548068	Carbon or graphite products, n. e. s. (include Aquadag, Oildag, and Gredag) (report pencil lead in 650350)	K&K
548008	Electrodes, n. e. s., 1" and over in diameter	K&K

Schedule B No.	Commodity	General license country group
	OTHER NONMETALLIC MINERALS, INCLUDING PRECIOUS—con.	
5480598	Carbon or graphite products, n. e. s.: Continued.	
5480598	Graphitic crucibles, stoppers, retorts	K&K
	Gypsum and manufactures of:	
5483000	Crude, crushed or ground	K&K
5484000	Calcined (plaster of paris) (include anhydrous calcium sulfate)	K&K
5485000	Plaster board and wall board	K&K
5485000	Other (include Keene's cement and retarder)	K&K
5490000	Mineral wool	K&K
5524000	Salt (include cattle, cooking, iodized, rock, table and track) (specify grade)	K&K
5569010	Cryolite, natural	K&M
5569098	Flints, gas lighter	K&M
5569098	Glaze frits	
5569498	Lithium ore (include all lithium bearing ores and concentrates)	K&M
	STEEL MILL PRODUCTS	
6106705	Cast-iron pressure pipe	K&M
6106798	Cast-iron pressure pipe fittings	K&M
6107798	Iron pipe fittings, n.e.s	K&M
6109198	Belt facings and fasteners of wire	K&M
6109198	Card clothing	
	IRON AND STEEL MANUFACTURES	
6112000	Plastic safety razors	K&M
6118200	Sewing machine knives, industrial	K&M
6118200	Metal furniture and fixtures:	
6120000	Sheet-metal storage cabinets, medicine cabinets and lockers	K&M
6130000	Sheet-metal shelving and wall bins (for factory, store or library; include counter and showcase units) (report wood bins in 429000 and X-ray film loading bins in 707550):	
6130000	Ash, coal or coke bins	None
6130000	Construction material bins	None
6130000	Grain bins, commercial	None
6130000	Grain bins, farm	None
6130000	Sheet-metal shelving and other storage bins	K&M
6131000	Sheet-metal filing cases with exposed drawers, not insulated	K&M
6132500	Sheet-metal filing cases with exposed drawers (insulated)	K&M
6133500	Fire-resistive safe and vault doors (insulated)	K&M
6134000	Bank vaults, doors and interior equipment (include burglary-resistive chests and safes not insulated)	K&M
6135000	Other office and store furniture, fixtures and parts	K&M
6137000	Other metal furniture and parts, whether or not upholstered	K&M
6138450	Furniture casters	K&M
6138800	Coffee mills, pepper mills, and corn mill grinders, hand-operated	K&M
6138800	Meat grinders and meat choppers, hand-operated	K&M
6138800	Rat and mouse traps (wood and wire) and animal snow locks	K&M
6138800	Steel drapery hooks, rod rings, pole sets, curtain rods and tassels	K&M
6138900	Sewing-machine needles (include shoe-machine needles):	
6138900	Domestic sewing-machine needles	K&M
6138900	Industrial sewing-machine needles	K&M
6138900	Needles, n. e. s. (include hand-sewing and knitting-machine needles) (report other knitting needles in 9[illegible] and phonograph needles in 925900):	
6139000	Hand sewing needles	None
6139000	Knitting-machine needles	K&M
6139000	Other needles	K&M
6200598	Animal traps, snares and cages	K&M
6200698	Belt fasteners and lacings, steel	K&M
6200698	Bottle openers and cappers, household	K&M
6200698	Canteens and parts, cash boxes, caskets, ice creepers, money changer carriers, name plates and washboards	K&M
6200698	Flatirons, sadirons, and handles, not electric	K&M
6200698	Industrial safety equipment, other	K&M
6200698	Kitchen and household utensils, n. e. s. (include cake covers, Dutch ovens, frying pans, cast-iron hollow-ware, pressure cookers, nested steel ware)	K&M
6200698	Linemen's steel climbers with leather straps	K&M
6200698	Repair parts for scales and balances other than automatic scales and precision and laboratory balances and weights	K&M
6200698	Stencils	K&M

Schedule B No.	Commodity	General license country group
	FERRO-ALLOYS	
622065	Ferrocarbon-titanium	K&M
622066	Ferrotungsten (report tool-bit blanks in 663600)	K&M
622098	Ferroboron	K&M
	ALUMINUM AND MANUFACTURES	
629000	Bauxite and other aluminum ores	K&M
629500	Bauxite concentrates, including alumina	K&M
630100	Aluminum scrap	K&M
630700	Table, kitchen and hospital utensils	
	BRASS AND BRONZE MANUFACTURES	
647998	Mattress ventilators	K&M
	OTHER NONFERROUS ORES, METALS AND ALLOYS, EXCEPT PRECIOUS	
663800	Magnesium metal in primary forms	K&M
664098	Calcium metal	K&M
664998	Selenium metal and alloys in primary forms	K&M
669101	Magnesium powder	K&M
669105	Magnesium metal in other forms, n.e.s., and magnesium ribbons	K&M
669198	Metal and metal composition manufactures, n.e.s.:	
669198	Metal signs, other than electric	K&M
	Salt tablet dispensers, industrial, safety	K&M
	PRECIOUS METALS AND PLATED WARE, ETC.	
695500	Sterling and other solid silverware:	
695800	Knives, forks, and steak sets	K&M
	Other (include tableware, other than knives, forks, and steak sets, ornamental silverware, silver solder, and manufactures, n.e.s.):	
695600	Silver solder and silver-base brazing alloys	None
695600	Other sterling and solid silverware, n.e.s.	K&M
	Silver-plated ware:	
695800	Knives, forks, and steak sets	K&M
695900	Other (include tableware, other than knives, forks, and steak sets, ornamental silverware and manufactures, n. e. s.)	K&M
	ELECTRICAL MACHINERY AND APPARATUS	
	Rotating converters (include frequency, phase and rotary converters, synchronous condensers, dynamotors and double-current and motor-generator sets):	
702710	Under 300 kilowatts:	
702710	For 35 mm motion picture projection equipment	K&M
702710	For other motion picture projection equipment	K&M
702800	Tungar, rectigon and rectifier tubes and bulbs	K&M
	Portable cloth cutters	K&M
705905	Electric household washing-machine parts	K&M
706930	Electric domestic vacuum-cleaner parts	K&M
707000	Hair dryers	K&M
707400	Parts for electric space heaters, immersion water heaters, hotel toasters, ranges, electric steam chef cookers and other commercial cooking devices	K&M
707550	Other X-ray apparatus and parts:	
707550	Bins: X-ray film loading	K&M
707550	Cabinets, including cassette transfer	K&M
	Chests: X-ray film	K&M
707550	Cones	K&M
707550	Filters	K&M
707550	Screens, fluoroscopic	K&M
707550	Other X-ray apparatus and parts, n. e. s.	None
709000	Insulating material n. e. s. (report glass in 529200, porcelain in 533500, rubber in 593400 and varnish in 8442100):	
	Electric insulating cloth	None
709300	Electric insulating tape	None
709300	Other insulating material	K&M
709601	Fluorescent floor, desk, table, vanity and other portable lamps and parts	K&M
709698	All types except fluorescent floor, desk, table, vanity and other portable lamps and parts	K&M
709910	Electric razors	K&M
709995	Electric hair-waving machines (all kinds)	K&M
709998	Portable cloth cutter parts	K&M

Schedule B No.	Commodity	General license country group
	OTHER INDUSTRIAL MACHINERY	
762800	Stencil-cutting machines and parts	K&M
766100	Delinting machinery and parts	K&M
767100	Cotton gins, cotton presses and parts	K&M
771000	Coffee mills under 1 hp. (report parts in 773698)	K&M
773850	Repair parts for laundry and dry cleaning equipment	K&M
774430	Pipe valves with bodies of iron and steel except flush valves:	
774430	Piping system, body valves	K&M
774430	Plumbing valves with bodies of iron	K&M
775098	Bag folding machinery and parts	K&M
775398	Button making and button covering machinery and parts	K&M
775098	Coffee mill parts, power-driven	K&M
775098	Coil-winding machines, incandescent lamp	K&M
775098	Fiber-bending machinery and parts	K&M
775098	Hat making machinery and parts	K&M
775098	Leather-working machinery and parts	K&M
775098	Linoleum and felt-base machinery and parts	K&M
775098	Popcorn machines and parts, electric	K&M
775098	Rope, twine-making machinery and parts (except wire rope making machinery)	K&M
775098	Tanning machinery and parts	K&M
	OFFICE APPLIANCES	
776100	Repair parts for accounting, bookkeeping and calculating machines	K&M
776218	Equipment and parts for addressing machines:	
776218	Parts for repair	K&M
776218	Printing blanks, including addressograph blanks	K&M
776318	Repair parts for duplicating machines	K&M
776700	Repair parts for cash registers	K&M
777500	Typewriter parts,	
777500	Repair parts	K&M
777500	Ribbon spools	K&M
777900	Office appliances and parts, n. e. s. (include dictating, mailing, letter-opening and numbering machines and check protectors and writers, etc.):	
777900	Date stamping machines and parts (not check stamping)	K&M
777900	File punches	K&M
777900	Linatime	K&M
777900	Numbering machines and parts	K&M
777900	Ticket punches, automatic and parts	K&M
777900	Parts for repair except repair parts for file punches, linatimes, numbering machines and automatic ticket punches	K&M
	AGRICULTURAL MACHINERY AND IMPLEMENTS	
780600	Small sprayers for garden and household use (valued less than $2) (for insecticides and disinfectants)	K&M
	OTHER VEHICLES AND PARTS	
795300	Bicycle parts and accessories (report tires and inner tubes in 2[illegible])	K&M
795691	Watercraft, other than naval:	K&M
795695	Not over 16 gross tons pleasure	K&M
795695	Over 16 gross tons, pleasure (report merchant vessels, including barges, towboats, etc. in 795500)	K&M
795695	Casters, except furniture casters	K&M
799998	Other vehicles and parts, n. e. s. (include baby carriages, go-carts and small watercraft) (report motor boats in 795691 and tires and tubes other than on new equipment in 2[illegible] and 2[illegible])	K&M
	COAL-TAR PRODUCTS	
802098	Crude coal-tar products, n. e. s. (report coal-tar coke in 5[illegible])	
802098	Naphtha, high flash	None
802098	Tar acid oil	None
802098	Other crude coal-tar products, n. e. s.	K&M
	Coal-tar acids, crude and intermediate	
802400	Salicylic acid, technical and medicinal grade:	
802400	Salicylic acid, other than technical or medicinal grade	K&M
802400	Medicinal grade	None
802400	Technical grade	K&M
802498	Other coal-tar acids:	
802498	Aminobenzoic acid	K&M
802498	Aminosalicylic acid	K&M
802498	Anthranilic acid	K&M

Schedule B No.	Commodity	General license country group
	COAL-TAR PRODUCTS—continued	
	Coal-tar acids, crude and intermediate—Continued	
802488	Other coal-tar acids—Continued	
802488	Arsanilic acid	K&M
802488	Beta hydroxy naphthoic acid	K&M
802488	Chicago acid	K&M
802488	Chromotropic acid	K&M
802488	Cleves acid	K&M
802488	Gamma acid	K&M
802488	H acid	K&M
802488	Hydroxyphenylarsonic acid	K&M
802488	Mandelic acid	K&M
802488	Metanilic acid	K&M
802488	Sulfnilic acid and salts	K&M
	Coal-tar intermediates except acids:	
802519	Aniline salts:	
802519	Aniline chloride	None
802519	Aniline sulfate	None
802519	Monoethylanidine	None
802519	Other aniline salts	K&M
802598	Other coal-tar intermediates:	
802598	Acetanilide, not medicinal	None
802598	Alpha naphthylnaphthalene	None
802598	Anthracene	None
802598	Anthraquinone or substitutes	None
802598	Benzaldehyde	None
802598	Benzidine sulfate or base paste	None
802598	Benzyl chloride	None
802598	Butyl phenol	None
802598	Butyl phthalyl butyl glycolate	None
802598	Castor oil phthalate	None
802598	Chlorophenol	None
802598	Chlorotoluidene	None
802598	Cyclohexane	None
802598	Cyclohexanol	None
802598	Cyclohexanone	None
802598	Diamyl phthalate	None
802598	Dibutoxyethyl phthalate	None
802598	Dicapryl phthalate	None
802598	Dichlorophenol	None
802598	Dicyclohexyl phthalate	None
802598	Diethoxyethyl phthalate	None
802598	Diglycol chlorophthalate	None
802598	Dimethyl phthalate	None
802598	Dimethoxyethyl phthalate	None
802598	Dimethylcyclohexyl phthalate	None
802598	Diphenyl phthalate	None
802598	Ethyl aniline	None
802598	Ethyl phthalyl ethyl glycolate	None
802598	Hexachlorobenzene	None
802598	Hexalin	None
802598	Isobutyl castor oil phthalate	None
802598	Metaxylene	None
802598	Methyl orthotoluidine	None
802598	Methyl phthalyl ethyl glycolate	None
802598	Monochlorobenzene	None
802598	Naphthaquinone	None
802598	Orthoamidophenol	None
802598	Orthophenylphenol	None
802598	Paratoluidine	None
802598	Phenyl aniline	None
802598	Tributyl citrol triphthalate	None
802598	Trichlorophenol	None
802598	Triphenyl phosphate	None
802598	Other coal-tar intermediates, n. e. s.	K&M
805909	Household dyes in small packages (include Putnam fadeless, Rit, Sunset, Tintex, etc.)	K&M
806190	Other synthetic flavors and perfume materials:	
806190	Alpha amyl cinnamic aldehyde	None
806190	Coumarin	None
806190	Saccharine	None
806190	Other	K&M
806930	Photographic chemicals of coal-tar origin:	
806930	Hydroquinone	None
806930	Other	K&M
806998	Other finished coal-tar products (report medicinals in 813701–818098; synthetic resins in 825100–826198, 962700–962900, 981201–981398; tanning materials in 823698; explosives in 892701–892998; disinfectants in 829000):	
806998	Amyl phenol	None
806998	Benzyl alcohol	None
806998	Benzyl benzoate	None
806998	Bis phenol	None
806998	Chloroperrin	None
806998	Dimonophenyl phosphate	None
806998	Dioctyl phthalate	None
806998	Diphenyl monophosphate	None
806998	Hydroquinoline	None
806998	Methyl parahydroxy benzoate	None
806998	Morpholine	None
806998	Nipagin	None
806998	Tetralin	None
806998	Other finished coal-tar products except medicinal, n. e. s.	K&M
	MEDICINAL AND PHARMACEUTICAL PREPARATIONS	
812798	Castor oil capsules	K&M
813095	Acetyl choline bromide	K&M

Schedule B No.	Commodity	General license country group
	MEDICINAL AND PHARMACEUTICAL PREPARATIONS—continued	
813598	Bromoform	K&M
813598	Calcium mandelate	K&M
813598	Calcium luvulinate	K&M
813598	Calcium ferrocyanide	K&M
813598	Calcium carbonate	K&M
813598	Calcium molybdate	K&M
813598	Calcium peroxide	K&M
813598	Calcium sulfate, precipitated	K&M
813598	Calcium phosphate, normal	K&M
813598	Calomine zinc oxide, containing a small amount of ferric oxide, used in pharmacy to impart a flesh color to ointments, washes, and powders	K&M
813598	Creosote, beechwood and creosote, vegetable	K&M
813598	Gallic dibromo acid	K&M
813598	Hesperidin	K&M
813598	Lithium bromide	K&M
813598	Merbromine	K&M
813598	Mercuric bromide	K&M
813598	Potassium sulfoquayacolate	K&M
813598	Strontium bromide	K&M
813598	Terpin hydrate drugs	K&M
813598	Wood creosote	K&M
	Household medicinal chemicals and pharmaceuticals in small packages:	
811100	Solids (include alum, boric acid, sulfur, soda, epsom and rochelle salts, fullers earth, zinc stearate, bicarbonate of soda, etc.)	K&M
814200	Liquids (include camphorated oil, aromatic spirits of ammonia):	
814200	Iodine	None
814200	Rubbing alcohol	None
814200	Other	K&M
814800	Proprietary medicinal preparations:	
	Mouth washes, gargles and personal antiseptics (include Listerine, Lavoris, Glycothymoline, Astringosol, Zonite, etc.)	K&M
814900	Corn & foot remedies	K&M
815098	Plasters, n. e. s.:	
815098	Surgical adhesive plasters	None
815098	Other plasters, n. e. s.	K&M
815100	Liniments:	
815100	Belladonna liniment, N. F.	None
815100	Other liniments	K&M
815100	Salves and ointments:	
815200	For burns, cuts, skin diseases, insect bites, inflammation, etc	K&M
815300	For coughs, colds, catarrh and bronchial infection (include Vicks, Mentholatum, Musterole, Antophlogistine, etc.)	K&M
815400	Cold, cough and bronchial preparations (other than 815700):	
815400	Containing quinine	None
815400	Preparations containing narcotics	None
815400	Preparations containing ephedrine	None
815400	Other, n. e. s.	K&M
815500	Asthma, catarrh & hay-fever preparations, including inhalants, except salves and ointment:	
815500	Preparations containing ephedrine	None
815500	Other	K&M
816000	Tonics, blood purifiers, emulsions, and appetizers:	
816000	Containing quinine	None
816000	Preparations containing vitamins	None
816000	Other	K&M
816100	Laxatives, purgatives and cathartics:	
816100	Preparations containing cascara	None
816100	Preparations containing ipecac	None
816100	Preparations containing phenolphthalein	None
816100	Other	K&M
816200	Milk of Magnesia	K&M
816500	Digestive preparations:	
816500	Containing quinine	None
816500	Preparations containing aspirin	None
816500	Preparations containing ipecac	None
816500	Other digestive preparations	K&M
	CHEMICAL SPECIALTIES	
820350	Seed disinfectants	K&M
820596	Calcium cyanide	K&M
820598	Tobacco extracts other than used for flavoring tobacco	K&M
820900	Household and industrial disinfectants, deodorants, germicides, and similar preparations (include Lysol, Cresol, Creolin, Sulphonaphthol, phenolic preparations, etc.):	
820900	Dowicide	None
820900	Cresyl paratoluene sulfonate	None
820900	Other	K&M

Schedule B No.	Commodity	General license country group
	CHEMICAL SPECIALTIES—con.	
823000	Baking powder	K&M
823300	Dextrine or British gum	K&M
823400	Tobacco saucing or extract of tobacco of origin, used for flavoring tobacco	K&M
823801	Pigmented resin emulsions for textile use	K&M
824000	Water softeners, purifiers, boiler and feed-water compounds	K&M
825000	Metalworking compounds (include welding, soldering, cutting, drilling, drawing, brazing, tempering, and core compounds, fluxes, hardeners, and screw cutting oils and compounds	K&M
	Synthetic gums and resins (report manufactures in 981200–981398) (report synthetic rubber sold in bulk as raw material in 2[illegible]):	
825360	In powder, flake or liquid form (include scrap):	
825360	Glycerophthalate	K&M
	Tar-acid resins (include phenolic, creosote or cresylic, such as Beckacite, Beckosol, Catalin, Durez, Durite, Syntex, etc.):	
825701	Phenol-formaldehyde resins	None
825598	Other	K&M
825707	Urea (include Beetle molding powder, etc.)	K&M
825798	Plaskon molding powders	K&M
825899	Melamine molding powders	K&M
825899	Other (include acrylic and similar resins, n. e. s):	
825899	Acrylic monomer	None
825899	Acrylic resins	K&M
825899	Coumarone	None
825899	Polyethylene and polyethylene polymers	None
825899	Other synthetic gums and resins, n. e. s	K&M
	Sheets, plates, rods, tubes and other unfinished forms (include Bakelite, Beetle, Catalin, Celeron, Durez, Fiberton, Formica, Glyptal, Joanite, Lucite, Micarta & Plaskon):	
	Laminated:	
826098	Of other synthetic gums and resins	K&M
826098	Of polyethylene molding powder	None
826098	Other	K&M
	Not laminated:	
826198	Of other synthetic gums and resins	K&M
826200	Pyroxylin products (include products known as Celluloid, Pyralin, Viscoloid, Fiberloid, etc.) (report manufactures of pyroxylin, etc., n. e. s., in 981900, 982000):	
826200	Pyroxylin scrap and film scrap (report cellulose acetate scrap in 832800)	K&
826300	Pyroxylin plastic film support (film base)	K&M
826400	Pyroxylin sheets, rods, or tubes and other unfinished forms (specify) (report manufactures in 983000)	K&M
826505	Cellulose acetate molding compositions and molding powder, plasticized	K&M
826700	Cellulose acetate plastic film support	
	Nitro- and aceto-cellulose:	
826805	Solutions, collodion, etc. (report lacquers in 843300 and 843400)	K&M
826805	Nitrocellulose having nitrogen content of 12 percent or less. Not in solution (wet down with water or diluent):	
826905	Nitrocellulose having nitrogen content of 12 percent and less	K&M
827300	Cements for sealing cans	K&M
827400	Other cementing preparations for repairing, sealing and adhesive use	
827400	Urea resin glue (weldwood glues, etc.)	None
827400	Other	K&M
829000	Specialty cleaning and washing compounds (except soap)	K&M
829550	Natural flavoring extracts	K&M
829590	Synthetic flavoring extracts (include flavors for soft drinks, cooking, baking, ice cream, etc.)	
829590	Neo liquid acid beverage combination of citric and phosphoric acids	None
829590	Other	K&M
829690	Licorice extract and mass	K&M
829690	Chemical specialty compounds, n. e. s. (include lead linoleate and cobalt resinate) (report petroleum bases for insecticidal sprays in	

Schedule B No.	Commodity	General license country group
	and weights.	
820998	Stencils	K&M
709998	Portable cloth cutter parts	K&M
802485	Ammoniacal ...	

Schedule B No.	Commodity	General license country group
	CHEMICAL SPECIALTIES—continued	
	505000, empty gelatin capsules in 098000 and parachute flares in 949795).	
825990	Chlorinated paraffin	None
825990	Cadmium plating salts	None
825990	Halowax	None
825990	Lead napthenate	None
825990	Lubricating oil additives	None
825990	Santicizers, other	None
825990	Silica gel	None
825990	Zinc specialty compounds, n. e. s.	K&M
825990	Other, n. e. s.	K&M
	INDUSTRIAL CHEMICALS	
	Acids and anhydrides:	
	Organic:	
830300	Oxalic acid	K&M
830398	Other, except coal-tar (include formic, butyric, propionic, lactic, gallic, and other non-coal-tar acids) (report coal-tar acids in 802500 and 802401-802498):	
830398	Butyric acid	None
830398	Lactic acid	None
830398	Naphthenic acid	None
830398	Pyrogallic acid	None
830398	Other, except coal-tar	K&M
	Inorganic:	
830700	Hydrochloric (muriatic)	K&M
830800	Boric (boracic) (report boric acid in small packages in 814100)	K&M
830630	Nitric	K&M
830992	Molybdenum trioxide (include molybdic acid and molybdenum oxide briquettes)	K&M
830998	Other inorganic acids and anhydrides:	
830998	Arsenic acid	K&M
830998	Hydrofluoric acid	None
830998	Perchloric acid	None
830998	Other	K&M
831400	Glycerin	K&M
832400	Frothing oil	K&M
832600	Acetic ether	K&M
832650	Sodium acetate	K&M
832687	Chloroacetyl chloride	K&M
832998	GC 78	K&M
832998	S T 115	K&M
834300	Calcium chloride	K&M
	Bromine, bromides and bromates:	
834401	Bromine	K&M
834415	Ethylene dibromide	K&M
834498	Tetrachloroethane	None
834498	Other, n. e. s.	K&M
	Potassium compounds (not fertilizers):	
835800	Hydroxide (caustic potash)	K&M
835913	Potassium cyanide and mixtures	K&M
835918	Potassium nitrate, n. e. s. and mixtures	K&M
835998	Other potassium compounds (report fertilizers in 853101-853198):	
835998	Potassium bicarbonate and mixtures	None
835998	Potassium chloride	None
835998	Potassium ferricyanide	None
835998	Potassium ferrocyanide metabisulfite	None
835998	Potassium magnesium sulfate	None
835998	Potassium naphthenate	None
835998	Potassium oxide	None
835998	Potassium sodium ferricyanide	None
835998	Potassium thiocyanate	None
835998	Superphosphate	None
835998	Potassium perchlorate and mixtures	None
835998	Potassium sulfate	None
835998	Other	K&M
836214	Kernite or rasorite (borates, crude)	K&M
	Borates, refined:	
836221	Ammonium borate	K&M
836222	Borax glass	K&M
836227	Sodium metaborate	K&M
836298	Borates, n. e. s.	K&M
	Sodium compounds, n. e. s.:	
836400	Silicate (water glass)	K&M
836500	Carbonate, calcined (soda ash) (report sal soda in 837998)	K&M
837700	Sodium phosphate (mono-, di-, tri-, meta-, or pyro-):	
837700	Sodium diphosphate	KS
837700	Sodium phosphate, mono- and meta	K&M
837700	Sodium phosphate, tri- or pyro	None
837800	Hydrosulfite and compounds	K&M
837998	Sodium metasilica	K&M
	Ammonium compounds:	
838503	Bicarbonate and carbonate	K&M
838505	Chloride (sal ammoniac)	K&M
838598	Ammonium compounds, n. e. s. (include molybdate and phosphate) (report anhydrous ammonia in 839000, bromide in 834198, and compounds used as fertilizers in 850500-855198):	

Schedule B No.	Commodity	General license country group
	INDUSTRIAL CHEMICALS—continued	
838598	Ammonium bichromate	None
838598	Ammonium chromate	K&M
838598	Ammonium thiosilicate	None
838598	Ammonium phosphate	None
838598	Ammonium naphthenate	None
838598	Ammonium silicofluoride	None
838598	Ammonium sulfate	None
838598	Dicyanodiamide	None
838598	Guanidine (include guanidine carbonate)	None
838598	Perchlorate	None
838598	Urea ammonium salts	None
838598	Thiourea	None
838598	Other ammonium compounds, n. e. s.	K&M
	Gases, compressed, liquefied and solidified:	
839100	Other gaseous refrigerants:	
839100	Methyl chloride gas	None
839100	Freon	None
839100	Other gaseous refrigerants	K&M
839598	Other gases, n. e. s., liquefied and solidified (include carbon dioxide, liquid or solid (dry ice) (report liquefied petroleum gases, butane, propane, Pyrofax, Philgas, etc. in 504300 and formaldehyde gas in 832005)	K&M
839650	Cobalt salts and compounds (except chemical pigments):	
839690	Cobalt naphthenate	None
839690	Other	K&M
839718	Cupric acetate	K&M
839718	Cupric hydroxide	K&M
839718	Cupric nitrate	K&M
	Manganese salts and compounds:	
839728	Other:	
839728	Manganese naphthenate	None
839728	Manganese chloride	None
839728	Other	K&M
	Strontium salts and compounds:	
839780	Celestite (mineral strontium sulfate)	K&M
839785	Strontium oxylate	K&M
839788	Other	K&M
839918	Other titanium salts and compounds	K&M
	Zinc salts and compounds:	
839845	Zinc chloride	K&M
839847	Zinc sulfate	K&M
839848	Other:	
839848	Zinc ammonium chloride	K&M
839848	Zinc arsenate	None
839848	Zinc naphthenate	None
839848	Other	K&M
	Zirconium salts and compounds:	
839854	Zirconium oxides	K&M
839858	Other	K&M
839873	Indium compounds	K&M
	PIGMENTS, PAINTS AND VARNISHES	
	Mineral-earth pigments (dry):	
840100	Ocher, umber, sienna and mineral-earth pigments (dry); other forms of iron oxide for paints (include ground red oxide of iron):	
840100	Ferric oxide, yellow	None
840100	Hydrated yellow iron oxide	None
840100	Iron oxide, yellow	None
840100	Ocher, umber, sienna and other forms of iron oxide for paints	K&M
840500	Other mineral-earth pigments (include whiting and barytes)	K&M
	Chemical pigments:	
841900	Lampblack	K&M
842400	Red lead, dry (report red lead in oil in 843100)	K&M
842500	Litharge	K&M
	White lead:	
842600	Dry (basic lead carbonate)	K&M
842700	In oil	K&M
	Lead pigments:	
842912	Orange mineral	K&M
842913	Sublimed lead (basic sulfate), dry	K&M
842998	Chemical pigments n. e. s. (include cobalt oxide, bone black and dry colors, other than mineral and coal-tar):	
842998	Bone black	None
842998	Cadmium lithopone	None
842998	Cadmium sulfide	None
842998	Smalt	K&M
842998	Other, n. e. s.	K&M
843000	Bituminous paints, liquid and plastic, not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	K&M

Schedule B No.	Commodity	General license country group
	PIGMENTS, PAINTS AND VARNISHES—continued	
	Paste and semi-paste paints colors in oil, putty and paste wood filler:	
843103	Red lead in oil	K&M
843198	Other (report aluminum and aluminum bronze pastes in 630650):	
843198	Sublimed lead in oil	K&M
843198	Not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	K&M
	Water paints (all types):	
843210	Water paints, dry:	
843210	Kalsomine	K&M
843210	Not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	K&M
843220	Emulsion paints (oil, resin, or varnish emulsion included) not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	
843220	Water paints, in paste form, except emulsion paints not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	
	Nitrocellulose and other cellulosic lacquers:	
845310	Pigmented, not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	K&M
845410	Clear, not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	K&M
843510	Thinners for nitrocellulose and other cellulosic lacquers not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	
843800	Ready-mixed paints, stains, and enamels:	
843800	Containing radium in any form	None
843800	Containing mesothorium	None
843800	Other paints, stains, and enamels, ready-mixed not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	K&M
844210	Varnishes (oil or spirit), natural or synthetic, not containing any of the allocated raw materials listed in paragraph (a) (2), WPB Order M-382	K&M
	Nitrogenous fertilizer materials:	
850998	Ammonium chloride as fertilizer	K&M
	Phosphatic fertilizer materials:	
	Phosphate rock, Florida:	
851510	High-grade hard rock	K&M
851520	Land pebble	K&M
851560	Other (include soft rock, colloidal and sintered matrix)	K&M
851580	Phosphate rock, Tennessee, Idaho, and Montana	K&M
855100	Plant foods	K&M
	SOAP AND TOILET PREPARATIONS	
871600	Industrial soap powder	K&M
873400	Dental creams	K&M
873500	Other dentifrices	K&M
	Toilet powders:	
874600	Talcum powder, in packages (report crude talc in 573800)	K&M
874800	Face and compact powder	K&M
	Creams, rouges, and other cosmetics:	
875000	Cold creams	K&M
875100	Vanishing creams	K&M
875200	Other creams, lotions and balms	K&M
875500	Rouges	K&M
875600	Lipsticks	K&M
875700	Other cosmetics	K&M
875900	Manicuring preparations	K&M
876200	Depilatories and deodorants	K&M
876500	Hair preparations (include shampoos, tonics, dyes, pomades, dressings, etc.)	K&M
876600	Perfumery and toilet waters	K&M
877000	Other toilet preparations (include bath salts, bleaches, astringents, and similar preparations)	K&M
	PHOTOGRAPHIC AND PROJECTION GOODS	
	Cameras:	
	Motion-picture:	
900150	Substandard gauge (8 mm.)	K&M

Schedule B No.	Commodity	General license country group
	PHOTOGRAPHIC AND PROJECTION GOODS—continued	
	Cameras—Continued:	
	Other than motion-picture:	
900238	Studio, photoengraving, coin-operated, and similar types of cameras for professional, scientific, or commercial use.	
900238	Photoengraving cameras	None
900238	Other cameras	K&M
900300	Box type (set focus)	K&M
900500	Other (include cameras of the types usually used by amateur photographers)	K&M
900600	Parts of cameras, except lenses	K&M
	Projectors:	
	Motion picture:	
900830	Substandard gauge (16 mm.), silent	K&M
900850	Substandard gauge (8 mm.), silent	K&M
900900	Except motion picture:	
900900	Kodascope, standard gauge (35 mm.), silent	None
900900	Stereopticons, magic lanterns and other projection apparatus	K&M
	Motion-picture sound equipment:	
901000	Recording:	
901000	35-mm	None
901000	Other	K&M
901100	Reproducing:	
901100	35-mm	None
901100	Other	K&M
902000	Arc lamps, motion picture projection:	
902000	35-mm	K&M
902000	Other	K&M
902200	Motion picture screens:	
902200	35 mm	K&M
902200	Other	K&M
902900	Parts and equipment for projection and studio apparatus:	
902900	Microphone booms for 35-mm. motion picture equipment	None
902900	Microphone booms, other	None
902900	Other 35-mm. projection and studio apparatus and parts, n. e. s.	K&M
902900	Other projection parts and equipment	K&M
912700	Dry plates	K&M
914000	Photographic apparatus and supplies, n. e. s. (specify by name) (report lenses in 914700):	
914000	X-ray apparatus and parts:	
914000	Film driers and processing units	K&M
914000	Film driers and processing unit parts	None
914000	Hangers, developing	K&M
914000	Hangers, film	K&M
914000	Hangers, parts for	None
914000	Intensifying screens	K&M
914000	Intensifying screen parts	None
914000	Tanks, developing	K&M
914000	Tanks, developing, parts for	None
914000	Other photographic apparatus & supplies	K&M
	SCIENTIFIC AND PROFESSIONAL INSTRUMENTS, APPARATUS AND SUPPLIES	
	Optical goods:	
911350	Sun or glare glasses and sun goggles	K&M
914390	Spectacles, eyeglasses, goggles, lenses, n. e. s. and frames:	
914390	Lenses, optical	None
914390	Mica spectacles or eyeglasses	K&M
914390	Other	K&M
914700	Optical lenses, not fitted to instruments, photographic and projection lenses except 35-mm. projection lenses	K&M
914998	Optical goods, n. e. s. (include opthalmoscopes and other ophthalmic apparatus) (report lens grinders in 775098 and military equipment containing optical elements in 915901-915979):	
914998	Diagnostic opthalmic implements and equipment	None
914998	Other optical goods, n. e. s.	K&M
915000	Dental instruments:	
915000	Diamond points	None
915000	Hand pieces and angles	None
915000	Other dental instruments	K&M
915200	Teeth	K&M
915550	Dental office equipment (include chairs, units, engines, spittoons, air compressors, control panels, water heaters and syringes, lights, operating stools, dental lathes, and dental vulcanizers):	
915550	Air compressors	K&M

Schedule B No.	Commodity	General license country group
	SCIENTIFIC AND PROFESSIONAL INSTRUMENTS, APPARATUS AND SUPPLIES—continued	
915550	Dental office equipment, etc.—Con.	
915550	Bench grinders for dental use	None
915550	Dental engines	None
915550	Dental equipment requiring fractional hp. motors	None
915550	Dental furnaces	K&M
915550	Dental lathes	None
915550	Dental operating chairs	K&M
915550	Dental operating units	K&M
915550	Gasoline gas outfits	K&M
915550	Other dental office equipment	K&M
915590	Dental supplies, n. e. s. (include silver alloys and amalgams):	
915590	Acrylic for dental use	None
915590	Dental burrs	None
915590	Dental disc, diamond	None
915590	Methyl methacrylate for dental use	None
915590	Orthodontic appliances of precious metals	K&M
915590	Wax for dental use	K&M
915590	Other dental supplies, n. e. s.	K&M
915700	Surgical and medical instruments:	
915700	Hypodermic and surgeons' needles	None
915700	Other surgical and medical instruments	K&M
915800	Surgical appliances (include artificial limbs, crutches, trusses, invalids' and wheel chairs, and hearing devices)	K&M
	Surveying and engineering instruments, equipment and parts, n. e. s. (include instruments with optical systems, n. e. s.):	
916011	Transits	K&M
916013	Levels	K&M
916015	Compasses	K&M
916017	Plane tables	K&M
916019	Map reproduction equipment	K&M
916021	Drawing equipment and parts	K&M
916029	Surveying and engineering instruments, equipment and parts, n. e. s.	K&M
919098	Alarms, carbon monoxide	K&M
919098	Aanalyzers, gas, safety	K&M
919098	Breathing apparatus, oxygen, industrial	K&M
919098	Canisters, gas mask, industrial	K&M
919098	Detectors, carbon monoxide gas	K&M
919098	Explosimeters, combustible gas	K&M
919098	Gloves, steel reinforced, industrial	K&M
919098	Guards, foot, shin, toe, and machine	K&M
919098	Helmets, industrial safety	K&M
919098	Indicators, hazard measuring gas	K&M
919098	Inhalators, industrial	K&M
919098	Nets, life	K&M
919098	Oxygen masks used in high altitude flying (report gas masks in 919092)	K&M
919098	Respirators, industrial	K&M
919098	Resuscitating apparatus	K&M
919098	Samplers, dust, industrial safety	K&M
919098	Shields, industrial safety	K&M
	MUSICAL INSTRUMENTS, PARTS AND ACCESSORIES	
	Pianos:	
921100	New	K&M
921200	Used or rebuilt	K&M
923000	Pipe organs	K&M
923200	Other organs	K&M
	Phonographs:	
923500	Coin-operated	K&M
923600	Other (report motion-picture sound-reproducing equipment in 901100 and other sound-recording equipment, whether or not provided with play back features, in 709998; all combination radio-phonographs whether or not provided with recording equipment in 707700; dictating machines in 777900)	K&M
923900	Phonograph parts (include incomplete assemblies)	K&M
924200	Phonograph records (report motion-picture sound records in 901100 and dictaphone records in 939900)	K&M
	Band instruments:	
924500	Percussion (include drums, cymbals, xylophone, etc.)	K&M
924700	Brass wind instruments (include bugles, cornets, trombones, tubas, trumpets, sousaphones, French horns, and other horns with cup mouthpieces)	K&M
924800	Woodwind instruments (include saxophones, clarinets of wood, metal, or composition, flutes, piccolos, oboes, bassoons, English horns, heckelphones, fifes and sarrusophones)	K&M

Schedule B No.	Commodity	General license country group
	MUSICAL INSTRUMENTS, PARTS AND ACCESSORIES—continued	
929300	String instruments (specify by name)	K&M
929500	Other musical instruments (specify by name)	K&M
929700	Musical instrument parts and accessories, n.e.s., (include actions and parts of pianos) (specify by name) (report parts of phonographs in 923900)	K&M
	MISCELLANEOUS OFFICE SUPPLIES	
930530	Pencil leads	K&M
930550	Pencil parts	K&M
930600	Crayons (include chalk, gypsum, wax, and charcoal crayons or fusains)	K&M
931200	Fountain and stylographic pen parts (include holders and parts of rubber or other material) (report pen points and nib assemblies in 931600)	K&M
931600	Gold pen points	K&M
931800	Other penholders and parts	K&M
932100	Writing ink	K&M
932200	Printing and lithographic ink	K&M
932900	Other ink:	
932900	Duplicating machine fluids	K&M
932900	Ink powders	K&M
932900	Stencil fluids	K&M
932900	Other ink	K&M
939100	Paste and mucilage	K&M
939200	Carbon paper	K&M
939300	Typewriter ribbons	K&M
939900	Other office supplies (include paper clips, thumbtacks, binders, inkstands, and dictaphone records):	
939900	Glass paper weights	K&M
939900	Check protector ribbons	K&M
939900	Paper clips, clamps, and fasteners	None
939900	Pencil sharpeners, desk	None
939900	Punches and perforators	None
939900	Staple removers	None
939900	Thumbtacks	None
939900	Other office supplies, n. e. s.	K&M
	TOYS, ATHLETIC AND SPORTING GOODS	
940000	Dolls and parts (specify type, i. e., rubber, composition, or stuffed) (include clothing)	K&M
940500	Children's wheel goods and parts (specify by name) (include coaster, express and play wagons, automobiles, tricycles, wheels and other parts) (report doll carriages and other vehicles, too small to convey children, in 940900, 941000, or 941800)	K&M
940500	Mechanical toys and parts (include toys operated by springs, electricity, steam, hand cranks, etc.) (specify kind)	K&M
	Toys, n. e. s.:	
940900	Of metal (include air rifles) (specify by name)	K&M
941000	Of wood (specify by name)	K&M
941800	Toys and parts, n. e. s. (include marbles) (specify by name) (report rubber balloons in 204500 and rubber toys in 204600)	K&M
	Athletic and sporting goods:	
942000	Fishing rods (report parts in 942200)	K&M
942100	Fishing reels (report parts in 942200)	K&M
942200	Other fishing tackle and parts (report tackle suitable for commercial fishing in 984900)	K&M
943300	Golf balls	K&M
943400	Foot, basket, base, tennis and other balls (specify kind) (report balls wholly of rubber in 204600)	K&M
943600	Golf clubs	K&M
944000	Ice skates	K&M
944100	Roller skates	K&M
944500	Billiard tables and accessories (specify by name)	K&M
944900	Other athletic and sporting goods (include boxing gloves, soccer and other guards, golf bags, bats, tennis rackets, include sleds, badminton equipment and bowling accessories) (report shoes in 064510-065690; firearms and ammunition in 947004-949793) (specify kind)	K&M
945000	Amusement park and playground devices and parts (include bowling alleys, merry-go-rounds, slides, swings, trapeze, climbing ropes, seesaws, horizontal bars and other athletic contrivances)	K&M

Schedule B No.	Commodity	General license country group
	FIREARMS, AMMUNITION AND PYROTECHNICS	
	Pyrotechnics:	
949750	Commercial and display (include all pyrotechnics designed primarily for entertainment, such as set pieces, bombs, Roman candles, fountains, sparklers, skyrockets, firecrackers, salutes, mines, and novelties)	K&M
949798	Other (include all pyrotechnics for industrial or military use, such as railroad fuses and torpedoes, float lights, aerial photographic bombs and position lights)	K&M
	BOOKS, MAPS, PICTURES, AND OTHER PRINTED MATTER, N. E. S.	
956100	Playing cards	K&M
	MISCELLANEOUS COMMODITIES, N. E. S.	
958900	Watch crystals of all materials	K&M
959198	Repair parts for time-recording devices	K&M
961000	Paintings, etchings, engravings, statuary and antiques (include valuable manuscripts) (report plaster of paris statuary in 548700)	K&M
	Jewelry and other personal articles:	
	Of other metals (silver, gold-filled, rolled plate, and base metal whether or not electro plated):	
962100	Men's jewelry (include rings, collar and cuff buttons, studs, tieclips and holders, watch chains, watch bracelets, and stick pins):	
962100	Containing diamonds or other precious stones	None
962100	Of palladium	None
962100	Other	K&M
962300	Women's jewelry (include rings, bracelets, bar pins, brooches, necklaces, and earrings:	

Schedule B No.	Commodity	General license country group
	BOOKS, MAPS, PICTURES, AND OTHER PRINTED MATTER, N. E. S.—con.	
	Lamps and illuminating devices except electric—Continued.	
979900	Lighting devices and parts n. e. s. except glass and electric (include oil torches and buoyant water lights):	
979900	Lamp burners	None
979900	Miners' lamp parts, oil and carbide	None
979900	Other carbide and acetylene lamp parts	None
979900	Other lighting devices and parts	K&M
980700	Fire extinguishers and parts	K&M
	Manufactures of synthetic gums and resins (include Bakelite, Beetle, Catalin, Celeron, Durez Fiberton, Formica, Glyptal, Joanite, Lucite, Micarta, Plaskon, etc.) (report synthetic gums and resins and unfinished forms in 825100-826998):	
	Molded products:	
981201	Of phenol-formaldehyde, fabricated	K&M
981203	Of methyl methacrylate, fabricated	K&M
981207	Of urea-formaldehyde, fabricated	K&M
981298	Of other synthetic gums and resins	K&M
	Other synthetic resin products:	
981301	Phenol-formaldehyde products, fabricated, not molded	K&M
981303	Methyl methacrylate products, fabricated, not molded	K&M
981307	Urea-formaldehyde products, fabricated not molded	K&M
981398	Other synthetic resin products (specify type of article)	K&M
981900	Manufactures of cellulose acetate, n. e. s. (include celanese fibestos, Lumarith, Masuron, Moldite, Plastacelle, and Tenite) (report sheets, rods, or tubes and scrap [illegible]	

Schedule B No.	Commodity	General license country group
	BOOKS, MAPS, PICTURES, AND OTHER PRINTED MATTER, N. E. S.—con.	
984900	Fishing tackle and equipment suitable only for commercial fishing (report other fishing tackle in 942000-942200)	K&M
985800	Shoe findings (except leather and rubber) (include heels of wood, covered or uncovered)	K&M
987100	Coin-operated commodity-vending machines	K&M
987200	Other coin-operated machines except musical (report musical in 921100 and 929700)	K&M
999999	First aid kits, industrial safety	K&M
999999	Ice	K&M
999999	Incense	K&M
999999	Mannequins and parts	K&M
999999	Medals, not awards, except solid gold, platinum or paladium	K&M
999999	Rosaries and parts	K&M
999999	Sealing wax	K&M
999999	Shrines and parts	K&M

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938, E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch, Bureau of Supplies.

JULY 19, 1945.

[F. R. Doc. 45-13190; Filed, July 20, 1945; 9:31 a. m.]

Subparagraph (2) of paragraph (a) is amended to read as follows:

(2) "S Countries" shall mean the following: Eire, Portugal, Portuguese Atlantic Islands, Portuguese Guinea, Spain, Spanish Atlantic Islands, Spanish and International Morocco and Tangier, Sweden, Switzerland.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 17, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 45-13192; Filed, July 20, 1945; 9:31 a. m.]

[Amdt. 59]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

MISCELLANEOUS AMENDMENTS

1. Section 805.2 *Selected destinations* is hereby amended by deleting from the list of countries designated as selected

1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 17, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 45-13193; Filed, July 20, 1945; 9:31 a. m.]

[Amdt. 60]

PART 813—LIMITED DISTRIBUTION LICENSE FOR CERTAIN TEXTILE PRODUCTS AND SHOES "LDL"

Sec.
813.1 Destinations.
813.2 General provisions.
813.3 Clearance for export.
813.4 Period of validity.

AUTHORITY: §§ 813.1 to 813.4, inclusive, issued under sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320.

§ 813.1 *Destinations.* The provisions of this part apply only to exportations to destinations included in Country Group K, as set forth in paragraph (a) of § 802.2 of this subchapter.

GROUP II—WOOL

	Units
Knit bathing suits, 367500	3
Knit sweaters for men, women and children, 367600	3
Wool knit goods, n. e. s., 367700	6
Men's overcoats, suits and pants, 368095	2
Boys' overcoats, suits and pants, 368098	2
Women's and children's dresses and ensembles, except knit, 368200	6
Women's and children's apparel, except knit, n. e. s., 368300	6
Men's and boys' apparel, except knit, n. e. s., 368950	6

GROUP III—SHOES

	Pair
Men's McKay Sewed, 064510	2
Men's Welt, 064530	2
Men's stitchdown, 064540	2
Men's other, 064590	2
Youth's and boys', 064600	2
Women's and misses' McKay Sewed, 064710	2
Women's and misses' Welt, 064730	2
Women's and misses' Stitchdown, 064740	2
Women's and misses' with cemented soles, 064750	2
Women's and misses' other, 064795	2
Infant's and children's, 064800	2
Slippers and moccasins for housewear, all leather, 065000	2
Boots, shoes and other footwear, with uppers, of materials except leather, leather soled, 065610	2

(b) As an alternative procedure to the filing of applications for individual licenses, any person who makes regular commercial export shipments in small quantities direct to the consumer of textile products and shoes intended for personal use by the consignee may file an

	Containing diamonds or other precious stones	None
	Of palladium	None
	Other	K&M
	Other articles (include cigarette cases, pocket cigar and cigarette lighters, compacts, powder and vanity cases):	
	Containing diamonds or other precious stones	None
	Of palladium	None
	Other	K&M
	Of all materials except metal:	
	Men's jewelry (include rings, collar and cuff buttons, studs, tiepins and holders, watch chains, watch bracelets and stick pins)	K&M
	Women's jewelry (include rings, bracelets, bar pins, brooches, necklaces and earrings)	K&M
	Other articles (include cigarette cases, pocket cigar and cigarette lighters, compacts, powder and vanity cases):	
	Jewelry findings and parts (specify by name):	K&M
	Of solid gold, palladium or precious stones	None
	Of platinum	None
	Other jewelry findings and parts	K&M
	Bottle and container closures, n. e. s. (report cork in 4A650, glass in 54200, and rubber in 20A200)	None
	Metal beverage crowns	None
	Other bottle and container closures, n. e. s.	K&M
	Thermostatic bottles, carafes, jars, jugs and other thermostatic containers	K&M
	Parts of thermostatic containers	K&M
	Composition roofing:	
	Asphalt roofing	K&M
	Asbestos roofing	K&M
	Other roofing	K&M
	Buttons:	
	Of cellulose compounds, galalith and other compounds	K&M
	Of pearl or shell (include fresh-water and ocean pearl buttons)	K&M
	Of other materials (specify materials)	K&M
	Button parts, backs, blanks, or molds, all materials included (specify type of article)	K&M
	Lamps and illuminating devices, except electric:	
	Incandescent mantles	K&M
	Parts for gasoline pressure lamps, lanterns	K&M
	Manufactures of all compounds of cellulose (except cellulose acetate), n. e. s. (include Celastic, Coleseel, Cellulcid, Dumold, Fiberloid, Nixonoid, Pyralloloin, Pyralin, Viscoloid) (report scrap and film scrap, film support, sheets, rods or tubes, in 52600 and 526500; report vulcanized fiber in 47A600 and pulpware in 47B600)	K&M
	Sponges, natural or synthetic (report rubber sponges in 30A200)	K&M
	Toothbrushes (specify materials of which handles or backs are composed)	K&M
	Toilet brushes, other than tooth brushes (specify materials of which handles or backs are composed)	K&M
	Paint brushes (include industrial paint brushes, artists' brushes and camelhair swordstriping pencils):	
	Hog bristles (specify length)	None
	Other	K&M
	Household brushes (specify type):	
	Scrub brushes	None
	Other brushes	K&M
	Other brushes (specify type) (include rubber brushes):	
	Rubber brushes	None
	Wire brushes	None
	Other brushes	K&M
	Combs (except wholly of rubber):	
	Paper combs	None
	Other combs (except wholly of rubber)	K&M
	Pipes and smokers' articles (except tobacco pipes (of all materials)):	
	Other smokers' articles (specify type of article) (report pocket cigar and cigarette lighters in 98600, 98650, and 98A000):	
	Glass cigarette boxes	K&M
	Other smokers' articles, n. e. s.	K&M
	Plates and cuts, electrotype, stereotype, halftone, lithographic, or engraved	K&M
	Umbrella and parasol sticks	K&M
	Beads and bead articles	K&M
	Notions, cheap novelties and specialties, n. e. s. (by name):	
	Apparel findings of metal (report shoe findings in 98A00)	K&M
	Pins, bobby, hair, safety, bank and common straight	None
	Other notions, cheap novelties and specialties, n. e. s. (include costume forms)	K&M

[Amdt. 57]

PART 802—GENERAL LICENSES

GREECE: ADDITION TO DESTINATION LIST

Section 802.3 *General License Country Groups* is hereby amended in the following particulars:

Paragraph (a) is amended by adding to the countries designated as Group G therein the following destination:

	Country No.
Greece	None assigned.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 13, 1945.

SAMUEL H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13191; Filed, July 20, 1945; 9:31 a. m.]

[Amdt. 58]

PART 802—GENERAL LICENSES

IN TRANSIT LICENSES

Section 802.9 *General in transit licenses "GIT"* is hereby amended in the following particulars:

1. Section 802.9 (a) (1) is amended to read as follows:

(1) Your total net sales of products made by you in 1941 (not counting sales on contracts or sub-contracts of any United States war procurement agency or of any Allied Governments) must not have been more than $200,000; and

2. Section 802.9 (a) (2) is amended to read as follows:

(2) Giving consideration to all relevant factors, including the volume of your continuing war orders and the facilities, manpower and materials available for your civilian business, you cannot reasonably expect that your sales (not counting sales on contracts or subcontracts of any United States war procurement agency or of any Allied Government) will be more than $200,000 in the twelve months following the date of your report under this order.

3. Section 802.9 (b) is amended to read as follows:

(b) *Who is a "reconverting manufacturer."* You are a reconverting manufacturer if you satisfy either of the following two tests:

Test 1: In 1941 you made a "reconversion product" which is listed at the end of this order in Appendix A. (From time to time, OPA will add other products to the list. Broadly stated, the products now listed, and those which will be listed later, are products which, as a result of the needs of the war program, either were not produced at all during 1944 or were produced only in limited volume.)

Test 2: The product for which you wish new maximum prices is:

(i) A product listed at the end of this order in Appendix B or for which maximum prices are fixed in the following regulations:

MPR 188—Manufacturers' Maximum Prices for Specified Consumers' Goods Other Than Apparel
MPR 64—Domestic Cooking and Heating Appliances
RPS 86—Domestic Washing Machines
RPS 111—New Household Vacuum Cleaners and Attachments
MPR 254—New Small Firearms and Firearm Parts

(ii) A product of which your total sales volume in 1944 was less than one-half its total sales volume in 1941; and

(iii) A product which was thus reduced in volume because of governmental restrictions, your use of your facilities for war work, or other direct needs of the war effort; and the causes for this reduction are now being removed.

NOTE: The term "product" or its synonym "product line" refers to all the styles or models or other variations of a commodity which, taken together, are ordinarily considered a product or product line. Each style or model or other variation is referred to as an "article". "You" refers to both parent and subsidiary or affiliated companies, taken as a unit.

SEC. 3. *How to obtain new maximum prices.* If you wish to calculate new maximum prices for any reconversion product or for any other product as to which you are eligible under Test 2, fill in OPA Form 611–2489 and file it with the OPA District Office for the district where your principal place of business is located. You may get copies of Form 611–2489 from any OPA Regional or District Office.

Unless OPA notifies you not to do so, you may begin to sell and deliver articles at your new maximum prices fifteen days after you mail your report to OPA. However, if within the fifteen-day period OPA asks you to furnish additional information, you may not begin to sell and deliver at your new maximum prices until fifteen days after the day you mail the information which OPA has requested. OPA may later order any of the new maximum prices to be increased or decreased if it finds that you did not calculate them correctly.

SEC. 4. *How small-volume reconverting manufacturers may calculate new maximum prices.* The basic principle for calculating the new maximum prices may be outlined as follows: To the 1941 total cost for the product being repriced an amount is to be added equal to the net dollar increase resulting from legal increases since October 1941 in materials prices and in average straight-time wage rates for factory employees. To the 1941 total cost so adjusted, a profit margin is to be added equal to the manufacturer's average percentage operating profit margin over cost for 1936–1939. However, if this margin is lower than one-half the average profit margin as determined by the OPA for the same period for the industry or the industry group, then the latter margin is to be used. The new price thus calculated takes the place of the existing maximum price if the new price is higher. Otherwise the existing ceiling remains in effect.

Because so few manufacturers have kept accurate accounts which show costs, sales, and profits on a product-by-product basis, OPA has worked out a method based on your profit and loss statement which you must use in calculating new maximum prices for the various products subject to this order which are covered by the profit and loss statement. Form 611–2489, which constitutes a part of this order, gives the rules to be followed in applying this method.

SEC. 5. *Special rules for calculating new maximum prices for new articles comparable to articles made in 1941.* The rule in section 4 applies when the article for which you are calculating a new maximum price is the same as an article you made in 1941 or is different from the 1941 article only in minor respects. However, the article for which you are calculating a new ceiling, though comparable to the 1941 article, may be different from the latter in respects which significantly affect cost, use, or serviceability. If such is the case, you must proceed as follows in calculating a new maximum price for the new article.

Step 1. Calculate a new maximum price according to the rule in Section 4 for the most comparable 1941 article as to which you are a reconverting manufacturer.

Step 2. Find what net difference in direct materials and labor costs is caused by the differences in materials, design, or specifications between the 1941 article and the article which you are about to produce. Use current prices and wage rates in making this calculation. (Form 611–2489 requires you to explain how those differences cause differences in direct labor and materials costs.)

Step 3. Add the dollar-and-cents amount of the net difference found in Step 2 to the new maximum price for the 1941 article which you calculated in Step 1, unless the differences in the new article caused a reduction in its direct costs. In that case, subtract the dollar-and-cents amount of the net difference from the price you calculated in Step 1.

The price calculated in Step 1, plus (or minus) the net difference found in Step 2, is your new maximum price, unless it is lower than any maximum price which you may now have for your new article. In that case, you may keep your existing ceiling.

NOTE: If you are about to produce an article which is not comparable to any you made in 1941, you must get a ceiling for it under the maximum price regulation applying to that product rather than under this order.

SEC. 6. *Relation of this order to adjustment provisions in other maximum price regulations and orders.* If you are eligible under this order to apply for new maximum prices for any product, you may not apply for an individual price adjustment for that product under the provisions either of the maximum price regulation which applies to it or of any other order authorizing adjustments in maximum prices, unless the adjustment provision expressly permits such application. This rule does not apply, however, to any application for adjustment which you may make in accordance with Procedural Regulation No. 6 or under any applicable maximum price regulation with respect to any Government contract, or subcontract thereunder, which you have entered into, or propose

group of countries listed in the related distribution schedule not more than the total quantity and type of textile products and shoes approved for export to each such country or group of countries in said distribution schedule.

(f) Exportations under limited distribution licenses for textile products and shoes are subject to the following conditions:

(1) Exportations shall be limited to commodities intended for the personal use of the consignee or members of his immediate family. No exportation may be made under this type of license if the exporter knows or has reason to believe that the commodities will be resold by the consignee.

(2) The total quantity of all articles or commodities classified under a single Schedule B number which may be shipped during the same calendar week to the same consignee may not exceed the quantitative limitations specified opposite each such Schedule B number in paragraph (a) of this section.

(g) Limited distribution licenses and related distribution schedules for the textile products and shoes described in paragraph (a) of this section may be amended by the Foreign Economic Administration upon application of the holder of such license in the form of a letter addressed to the Requirements and Supply Branch, Foreign Economic Administration, Washington 25, D. C. Amendments will be issued by the Foreign Economic Administration by letter which shall be considered a part of the limited distribution license and distribution schedule to which the amendment is applicable.

§ 813.3 *Clearance for export.* (a) The provisions of § 801.7 of this subchapter shall not apply to exportations under any limited distribution license for textile products and shoes. In lieu of the presentation of an original export license or other document issued by the Foreign Economic Administration, the exporter making an exportation of textiles or shoes under a limited distribution license shall present to the United States Collector of Customs at the port of exit, or the United States Postmaster at the place of mailing, a Shipper's Export Declaration bearing the symbol "LDL", and the number of the limited distribution license pursuant to which such exportation is being made.

(b) The use by any exporter of the symbol "LDL" for the purpose of clearing an exportation of textile products or shoes constitutes a certification by the exporter (1) that the exportation of the commodities described in such shipper's export declaration is authorized under the limited distribution license therein identified to the destination specified; (2) that the type and quantity of such commodities are within the limitations set by the distribution schedule relating to such license; and (3) that all of the other provisions and conditions of said license have been met.

§ 813.4 *Period of validity.* Limited distribution licenses for textile products and shoe shall be valid for the calendar quarter for which issued and the first sixty (60) days of the next succeeding calendar quarter, unless otherwise indicated on the license. All limited distribution licenses for textile products and shoes are subject to revocation or revision at any time by the Foreign Economic Administration.

This regulation shall become effective immediately upon publication.

Dated: June 30, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13194; Filed, July 20, 1945; 9:32 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[SR 14C,[1] Amdt. 7]

SOFT DRINKS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Regulation 14C is amended in the following respects:

1. The headnote to section 6.1 (a) and subparagraph (1) are amended to read as follows:

SEC. 6.1 *Soft drinks—(a) Maximum prices on sales from bottlers and wholesalers to retailers and from bottlers at retail to consumers.* (1) A bottler whose maximum price to a retailer for a soft drink as determined under the general provisions of § 1499.2 of the General Maximum Price Regulation (hereinafter called "unadjusted maximum price") is less than the maximum adjusted price set out in the schedule in subparagraph (4) below may add to his "unadjusted maximum price" the amount of the permitted increase set out in that schedule; *Provided, however,* That the maximum price so increased shall in no event exceed the maximum adjusted price as set out in that schedule on sales to retailers.

2. Subparagraph (3) of section 6.1 (a) is redesignated sub-paragraph (4).

3. Section 6.1 (a) is amended by adding a new subparagraph (3) as follows:

(3) (i) A bottler who sells soft drinks to both retailers and at retail to consumers may adjust his maximum price as determined under the general provisions of § 1499.2 of the General Maximum Price Regulation on his sales at retail to consumers by adding thereto an amount not to exceed the amount of the "permitted increase" used by that bottler in adjusting his maximum price on sales to retailers under the schedule in subparagraph (4).

(ii) A bottler who sells soft drinks exclusively at retail to consumers may adjust his maximum price as determined under the general provisions of § 1499.2 of the General Maximum Price Regulation by adding thereto the amount of "permitted increase" which the soft drink bottler located closest to him who, during March 1942, sold to both retailers and at retail to consumers has added to his unadjusted maximum price to retailers in establishing a new maximum price according to the schedule in subparagraph (4).

4. Redesignated subparagraph (4) of section 6.1 (a) is amended to read as follows:

(4) Schedule of permitted increase and the maximum adjusted prices for bottlers and wholesalers of soft drinks to retailers and the permitted increase on sales by bottlers at retail to consumers.

Size	Unit of sale	Permitted increase	Maximum adjusted price for bottlers and wholesalers to retailers
6–23 oz. bottles, inc.	Case of 24	5 cents per cs.	
24–32 oz. bottles, inc.	Case of 12	10 cents per cs.	
33–64 oz. bottles, inc.	Case of 6	10 cents per cs.	
¼ barrels	¼ barrels	25 cents per ¼ bbl.	
½ barrels	½ barrels	50 cents per ½ bbl.	
Siphons	Case of 6 siphons	15 cents per cs.	
Bottled water	6–1½ gal. containers	5 cents per 6–1½ gal. containers	
	6–1 gal. containers	10 cents per 6–1 gal containers	
	5 gal. container	10 cents per 5 gal container	

This amendment shall become effective July 25, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13228; Filed, July 20, 1945; 11:39 a. m.]

[1] 10 F. R. 1165, 1764, 2618, 5458, 6308.

Country:	Country No.
Turkey	99

2. Section 805.3 *Individual license provisions* is hereby amended in the following particulars:

Paragraph (c) is amended to read as follows:

(c) All applications for licenses to export any commodities to any destination listed in § 805.2 must be made on a calendar quarter basis. The following provisions are applicable thereto:

Applications, except for petroleum and petroleum products, should be submitted 45 days prior to the beginning of the calendar quarter in which shipment is intended. Applications covering petroleum and petroleum products shall not be submitted prior to the first day of the calendar quarter in which shipment is intended. Licenses, except for petroleum and petroleum products, will be issued during the 30 day period prior to the beginning of the calendar quarter during which shipment is intended and during the first 60 days of that quarter. In exceptional cases, the applicant may file his application in advance of the time herein specified for the filing of applications, but in such cases the applicant must state the reason for filing the application in advance and must specify the calendar quarter during which shipment is to be made. This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 13, 1945.

SAMUEL H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13191; Filed, July 20, 1945; 9:31 a. m.]

[Amdt. 58]

PART 802—GENERAL LICENSES

IN TRANSIT LICENSES

Section 802.9 *General in transit licenses "GIT"* is hereby amended in the following particulars:

1. Section 802.9 (a) (1) is amended to read as follows:

(1) Your total net sales of products made by you in 1941 (not counting sales on contracts or sub-contracts of any United States war procurement agency or of any Allied Governments) must not have been more than $200,000; and

2. Section 802.9 (a) (2) is amended to read as follows:

(2) Giving consideration to all relevant factors, including the volume of your continuing war orders and the facilities, manpower and materials available for your civilian business, you cannot reasonably expect that your sales (not counting sales on contracts or subcontracts of any United States war procurement agency or of any Allied Government) will be more than $200,000 in the twelve months following the date of your report under this order.

3. Section 802.9 (b) is amended to read as follows:

(b) *Who is a "reconverting manufacturer."* You are a reconverting manufacturer if you satisfy either of the following two tests:

Test 1: In 1941 you made a "reconversion product" which is listed at the end of this order in Appendix A. (From time to time, OPA will add other products to the list. Broadly stated, the products now listed, and those which will be listed later, are products which, as a result of the needs of the war program, either were not produced at all during 1944 or were produced only in limited volume.)

Test 2: The product for which you wish new maximum prices is:

(i) A product listed at the end of this order in Appendix B or for which maximum prices are fixed in the following regulations:

MPR 188—Manufacturers' Maximum Prices for Specified Consumers' Goods Other Than Apparel
MPR 64—Domestic Cooking and Heating Appliances
RPS 86—Domestic Washing Machines
RPS 111—New Household Vacuum Cleaners and Attachments
MPR 254—New Small Firearms and Firearm Parts

(ii) A product of which your total sales volume in 1944 was less than one-half its total sales volume in 1941; and

(iii) A product which was thus reduced in volume because of governmental restrictions, your use of your facilities for war work, or other direct needs of the war effort; and the causes for this reduction are now being removed.

NOTE: The term "product" or its synonym "product line" refers to all the styles or models or other variations of a commodity which, taken together, are ordinarily considered a product or product line. Each style or model or other variation is referred to as an "article". "You" refers to both parent and subsidiary or affiliated companies, taken as a unit.

SEC. 3. *How to obtain new maximum prices.* If you wish to calculate new maximum prices for any reconversion product or for any other product as to which you are eligible under Test 2, fill in OPA Form 611–2489 and file it with the OPA District Office for the district where your principal place of business is located. You may get copies of Form 611–2489 from any OPA Regional or District Office.

Unless OPA notifies you not to do so, you may begin to sell and deliver articles at your new maximum prices fifteen days after you mail your report to OPA. However, if within the fifteen-day period OPA asks you to furnish additional information, you may not begin to sell and deliver at your new maximum prices until fifteen days after the day you mail the information which OPA has requested. OPA may later order any of the new maximum prices to be increased or decreased if it finds that you did not calculate them correctly.

SEC. 4. *How small-volume reconverting manufacturers may calculate new maximum prices.* The basic principle for calculating the new maximum prices may be outlined as follows: To the 1941 total cost for the product being repriced an amount is to be added equal to the net dollar increase resulting from legal increases since October 1941 in materials prices and in average straight-time wage rates for factory employees. To the 1941 total cost so adjusted, a profit margin is to be added equal to the manufacturer's average percentage operating profit margin over cost for 1936–1939. However, if this margin is lower than one-half the average profit margin as determined by the OPA for the same period for the industry or the industry group, then the latter margin is to be used. The new price thus calculated takes the place of the existing maximum price if the new price is higher. Otherwise the existing ceiling remains in effect.

Because so few manufacturers have kept accurate accounts which show costs, sales, and profits on a product-by-product basis, OPA has worked out a method based on your profit and loss statement which you must use in calculating new maximum prices for the various products subject to this order which are covered by the profit and loss statement. Form 611–2489, which constitutes a part of this order, gives the rules to be followed in applying this method.

SEC. 5. *Special rules for calculating new maximum prices for new articles comparable to articles made in 1941.* The rule in section 4 applies when the article for which you are calculating a new maximum price is the same as an article you made in 1941 or is different from the 1941 article only in minor respects. However, the article for which you are calculating a new ceiling, though comparable to the 1941 article, may be different from the latter in respects which significantly affect cost, use, or serviceability. If such is the case, you must proceed as follows in calculating a new maximum price for the new article.

Step 1. Calculate a new maximum price according to the rule in Section 4 for the most comparable 1941 article as to which you are a reconverting manufacturer.

Step 2. Find what net difference in direct materials and labor costs is caused by the differences in materials, design, or specifications between the 1941 article and the article which you are about to produce. Use current prices and wage rates in making this calculation. (Form 611–2489 requires you to explain how those differences cause differences in direct labor and materials costs.)

Step 3. Add the dollar-and-cents amount of the net difference found in Step 2 to the new maximum price for the 1941 article which you calculated in Step 1, unless the differences in the new article caused a reduction in its direct costs. In that case, subtract the dollar-and-cents amount of the net difference from the price you calculated in Step 1.

The price calculated in Step 1, plus (or minus) the net difference found in Step 2, is your new maximum price, unless it is lower than any maximum price which you may now have for your new article. In that case, you may keep your existing ceiling.

NOTE: If you are about to produce an article which is not comparable to any you made in 1941, you must get a ceiling for it under the maximum price regulation applying to that product rather than under this order.

SEC. 6. *Relation of this order to adjustment provisions in other maximum price regulations and orders.* If you are eligible under this order to apply for new maximum prices for any product, you may not apply for an individual price adjustment for that product under the provisions either of the maximum price regulation which applies to it or of any other order authorizing adjustments in maximum prices, unless the adjustment provision expressly permits such application. This rule does not apply, however, to any application for adjustment which you may make in accordance with Procedural Regulation No. 6 or under any applicable maximum price regulation with respect to any Government contract, or subcontract thereunder, which you have entered into, or propose

PART 1305—ADMINISTRATION

[Supp. Order 116]

SMALL VOLUME MANUFACTURERS; RECONVERSION PRICING

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

SEC.
1. The purpose of this order.
2. The manufacturers to whom this order applies.
3. How to obtain new maximum prices.
4. How small-volume reconverting manufacturers may calculate new maximum prices.
5. Special rules for calculating new maximum prices for new articles comparable to articles made in 1941.
6. Relation of this order to adjustment provisions in other maximum price regulations and orders.
7. General orders applicable to special cases.
8. Delegation of authority.

AUTHORITY: § 1305.146 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9328, 8 F.R. 4681.

SECTION 1. *The purpose of this order.* This order provides a method which may be used to calculate new ceiling prices for manufacturers who do a relatively small volume of business and who are about to make "reconversion products" or are reconverting to the manufacture of other civilian goods.

SEC. 2. *The manufacturers to whom this order applies.* This order applies to you if you are a "small-volume manufacturer" as described in paragraph (a) and if you are a "reconverting manufacturer" as described in paragraph (b).

(a) *Who is a "small-volume manufacturer."* You are a small-volume manufacturer if

(1) Your total net sales of products made by you in 1941 (not counting sales on contracts or sub-contracts of any United States war procurement agency or of any Allied Governments) must not have been more than $200,000; and

(2) Giving consideration to all relevant factors, including the volume of your continuing war orders and the facilities, manpower and materials available for your civilian business, you cannot reasonably expect that your sales (not counting sales on contracts or subcontracts of any United States war procurement agency or of any Allied Government) will be more than $200,000 in the twelve months following the date of your report under this order.

(b) *Who is a "reconverting manufacturer."* You are a reconverting manufacturer if you satisfy either of the following two tests:

Test 1: In 1941 you made a "reconversion product" which is listed at the end of this order in Appendix A. (From time to time, OPA will add other products to the list. Broadly stated, the products now listed, and those which will be listed later, are products which, as a result of the needs of the war program, either were not produced at all during 1944 or were produced only in limited volume.)

Test 2: The product for which you wish new maximum prices is:

(i) A product listed at the end of this order in Appendix B or for which maximum prices are fixed in the following regulations:

MPR 188—Manufacturers' Maximum Prices for Specified Consumers' Goods Other Than Apparel
MPR 64—Domestic Cooking and Heating Appliances
RPS 86—Domestic Washing Machines
RPS 111—New Household Vacuum Cleaners and Attachments
MPR 254—New Small Firearms and Firearm Parts

(ii) A product of which your total sales volume in 1944 was less than one-half its total sales volume in 1941; and

(iii) A product which was thus reduced in volume because of governmental restrictions, your use of your facilities for war work, or other direct needs of the war effort; and the causes for this reduction are now being removed.

NOTE: The term "product" or its synonym "product line" refers to all the styles or models or other variations of a commodity which, taken together, are ordinarily considered a product or product line. Each style or model or other variation is referred to as an "article". "You" refers to both parent and subsidiary or affiliated companies, taken as a unit.

SEC. 3. *How to obtain new maximum prices.* If you wish to calculate new maximum prices for any reconversion product or for any other product as to which you are eligible under Test 2, fill in OPA Form 611–2489 and file it with the OPA District Office for the district where your principal place of business is located. You may get copies of Form 611–2489 from any OPA Regional or District Office.

Unless OPA notifies you not to do so, you may begin to sell and deliver articles at your new maximum prices fifteen days after you mail your report to OPA. However, if within the fifteen-day period OPA asks you to furnish additional information, you may not begin to sell and deliver at your new maximum prices until fifteen days after the day you mail the information which OPA has requested. OPA may later order any of the new maximum prices to be increased or decreased if it finds that you did not calculate them correctly.

SEC. 4. *How small-volume reconverting manufacturers may calculate new maximum prices.* The basic principle for calculating the new maximum prices may be outlined as follows: To the 1941 total cost for the product being repriced an amount is to be added equal to the net dollar increase resulting from legal increases since October 1941 in materials prices and in average straight-time wage rates for factory employees. To the 1941 total cost so adjusted, a profit margin is to be added equal to the manufacturer's average percentage operating profit margin over cost for 1936–1939. However, if this margin is lower than one-half the average profit margin as determined by the OPA for the same period for the industry or the industry group, then the latter margin is to be used. The new price thus calculated takes the place of the existing maximum price if the new price is higher. Otherwise the existing ceiling remains in effect.

Because so few manufacturers have kept accurate accounts which show costs, sales, and profits on a product-by-product basis, OPA has worked out a method based on your profit and loss statement which you must use in calculating new maximum prices for the various products subject to this order which are covered by the profit and loss statement. Form 611–2489, which constitutes a part of this order, gives the rules to be followed in applying this method.

SEC. 5. *Special rules for calculating new maximum prices for new articles comparable to articles made in 1941.* The rule in section 4 applies when the article for which you are calculating a new maximum price is the same as an article you made in 1941 or is different from the 1941 article only in minor respects. However, the article for which you are calculating a new ceiling, though comparable to the 1941 article, may be different from the latter in respects which significantly affect cost, use, or serviceability. If such is the case, you must proceed as follows in calculating a new maximum price for the new article.

Step 1. Calculate a new maximum price according to the rule in Section 4 for the most comparable 1941 article as to which you are a reconverting manufacturer.

Step 2. Find what net difference in direct materials and labor costs is caused by the differences in materials, design, or specifications between the 1941 article and the article which you are about to produce. Use current prices and wage rates in making this calculation. (Form 611–2489 requires you to explain how those differences cause differences in direct labor and materials costs.)

Step 3. Add the dollar-and-cents amount of the net difference found in Step 2 to the new maximum price for the 1941 article which you calculated in Step 1, unless the differences in the new article caused a reduction in its direct costs. In that case, subtract the dollar-and-cents amount of the net difference from the price you calculated in Step 1.

The price calculated in Step 1, plus (or minus) the net difference found in Step 2, is your new maximum price, unless it is lower than any maximum price which you may now have for your new article. In that case, you may keep your existing ceiling.

NOTE: If you are about to produce an article which is not comparable to any you made in 1941, you must get a ceiling for it under the maximum price regulation applying to that product rather than under this order.

SEC. 6. *Relation of this order to adjustment provisions in other maximum price regulations and orders.* If you are eligible under this order to apply for new maximum prices for any product, you may not apply for an individual price adjustment for that product under the provisions either of the maximum price regulation which applies to it or of any other order authorizing adjustments in maximum prices, unless the adjustment provision expressly permits such application. This rule does not apply, however, to any application for adjustment which you may make in accordance with Procedural Regulation No. 6 or under any applicable maximum price regulation with respect to any Government contract, or subcontract thereunder, which you have entered into, or propose

to enter into, for the sale of a commodity essential to the war program.

SEC. 7. *General orders applicable to special cases.* From time to time, the Administrator may issue general orders pursuant to the authority of this section which may establish special rules or procedures for situations not specifically provided for by this order or which may modify or take the place of the rules or procedures established by this order. Any maximum prices authorized by such general orders shall be in line with the maximum prices authorized by this order.

SEC. 8. *Delegation of authority.* Any Regional Administrator or District Director authorized by the appropriate Regional Administration, may issue, revise, amend, or revoke orders issued under this supplementary order.

This supplementary order shall become effective on the 23d day of July 1945.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying Statement of Considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this Supplementary Order is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS.
Economic Stabilization Director.

APPENDIX A

This appendix lists "reconversion products." From time to time the Administrator will add other products to this list.

For a product or product line to be listed in this appendix, the Administrator must find

(a) That in 1944 its production was approximately one-half or less of its production in its last representative period of peacetime production;

(b) That this reduction in dollar volume resulted from (1) governmental restrictions on the manufacture of products or on the use of materials, facilities, or manpower, or (2) the use of facilities for the production of war goods, or (3) other direct needs of the war effort; and

(c) That because of change in government restrictions or in the needs of the war program, the industry is able to begin or to increase substantially the production of the product or product line.

The Administrator may omit from the list a product which meets the above tests if in his judgment the purposes of the order will be effectuated, as to that product, without its being listed.

Product List

1. Air Conditioners, Portable
2. Aluminum Ware
3. Bicycles
4. Carpet Sweepers
5. Caskets, Metal
6. Clocks (Subject to MPR 188)
7. Electrical Appliances, Small (Subject to MPR 188)
8. Fixtures, Professional and Institutional, Metal
9. Furniture, Household, Metal
10. Furniture and Equipment, Office and Institutional, Metal (Subject to MPR 188)
11. Golf Bags
12. Golf Clubs
13. Lawnmowers (Subject to MPR 188)
14. Machines, Coin Operated
15. Machines, Office
16. Machines, Store (Subject to MPR 188)
17. Mattresses, Innerspring
18. Musical Instruments, Metal
19. Playground and Gymnasium Equipment
20. Radios, Phonographs and Radio-Phonograph Combinations (Except those Subject to MPR 136)
21. Ranges, Electric (Except Industrial)
22. Refrigerators, Domestic, Mechanical
23. Safes and Vaults
24. Sewing Machines (Except Industrial)
25. Scales, Household, Health
26. Silver-Plated Flatware
27. Skates, Roller and Ice.
28. Toys, Metal and Rubber
29. Vacuum Cleaners (Except Industrial)
30. Washing Machines, Ironers and Dries; Domestic

APPENDIX B

Products will be listed from time to time in this appendix which, though not meeting the standards for listing in Appendix A on an industry-wide basis, are likely to meet those standards in the cases of a considerable number of reconverting manufacturers. Where the Administrator finds that nearly all the products subject to a particular maximum price regulation might properly be listed in this appendix, he may list the regulation in section 2 of this order instead of listing the products here.

APPENDIX C

OPA Form 611-2489 (7-45)
Form Approved Budget Bureau No. 08-R1167

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

WASHINGTON 25, D. C.

RECONVERSION FORM: SMALL BUSINESS

Report of New Maximum Prices by Small Reconverting Manufacturers Under Supplementary Order 118.

File two copies of this report with the OPA District Office for the district where your principal place of business is located.

Form 611-2489
(Copies of Form 611-2489 may be obtained from any OPA regional or district office.)

Name of Firm

Address—Number and Street

City | Postal Zone Number | State

GENERAL INSTRUCTIONS

The Office of Price Administration has provided in Supplementary Order 118 a method which may be used to calculate new maximum prices for reconverting manufacturers who do a relatively small volume of business. This form (OPA Form 611-2489) is a part of that order and must be used to calculate new maximum prices under it.

You may use this form only if you meet the tests of a "small-volume reconverting manufacturer" which are indicated in Part I below. If you do not meet these tests, you may not use this form, although you may be eligible to apply for price adjustments on OPA Form 611-2488A or 611-2488B, under Supplementary Order 118, which applies to firms doing a larger volume of business.

In this form you will find outlined the exact information you are to use, and the calculations you are to make, in figuring your adjusted maximum prices under the order. If you go through these steps and fill in each entry as indicated, you will arrive at your new ceilings. Read carefully Supplementary Order 118 when filling in the corresponding parts of this form.

You must fill out two copies of this form and file them with the OPA District Office for the district where your principal place of business is located. Unless notified to the contrary, you may begin to sell and deliver articles at your new maximum prices 15 days after you mail this report to OPA or 15 days after you mail any additional information OPA requests from you. However, after this 15-day period, OPA may order you to raise or lower any of the new maximum prices if it finds that you did not calculate them correctly.

PART I—ELIGIBILITY AS A SMALL-VOLUME RECONVERTING MANUFACTURER

(This part of the form corresponds to section 2 of Supplementary Order 118)

You are eligible to use this form to figure your adjusted maximum prices if you meet the requirements of item "1" and either "2" or "3" of this part of the form.

1 To meet this requirement 1, you must be able to answer "yes" to *both* of the following questions:

a. Were your total net sales of products made by you less than $200,000 in 1941? ..... Yes ☐ No ☐

b. Can you reasonably expect your total net sales of products made by you to be less than $200,000 in the twelve months after the date you file this report? ..... Yes ☐ No ☐

(In answering a and b above, do not include in your total net sales your sales on contracts or subcontracts of any U. S. war procurement agency or of any Allied Government.)

If your sales of all products in any year after 1941 were more than $800,000 or if your facilities have been expanded substantially since 1941, explain below why you can reasonably expect your sales to be less than $200,000 in the twelve months after you file this report.

2 In 1941, did you make a "reconversion product" which is listed in Appendix A of Supplementary Order 118? ..... Yes ☐ No ☐
(Ask your OPA District Office for subsequent additions, if any, to the list in Appendix A).

3 To meet this requirement 3, you must be able to answer "yes" to each of the following three questions about the products for which you wish to calculate new ceiling prices:

a. Is each of these products either listed in Appendix B of Supplementary Order 118 or subject to one of the OPA price regulations listed in Section 2 of that order? ..... Yes ☐ No ☐

b. Was your 1944 total sales volume of each such product or product line less than one-half your 1941 sales volume of that product or product line? ..... Yes ☐ No ☐

c. Was your 1944 sales volume less than one-half your 1941 volume in each such product or product line because of governmental restrictions, or because you were using your facilities for war work, or because of other direct needs of the war effort, and are the causes for this reduction now being removed? ..... Yes ☐ No ☐

PART II—CALCULATION OF YOUR PRICE INCREASE FACTOR

(This part of the form corresponds to section 4 of supplementary order 118)

INSTRUCTIONS APPLICABLE TO PART II

To calculate your new maximum prices, two main steps are involved. First, calculate your "price increase factor" and then apply this factor to your October 1941 prices. This part of the form tells you how to find your "price increase factor."

Item 1. In column 2 fill in each listed item from your profit and loss statement for the fiscal year which includes October 1941. If you wish, you may get this information from your Bureau of Internal Revenue statement. Get the figure for Item 1b, column 2, by following the instructions for item 6, below. In item 6c, column 2, enter the figure you get in column 2 of item 5c below. (If you do not have the profit and loss accounts called for below, tell your District Office what you have and ask for instructions.)

Item 2. Fill in the information required for each of the listed years during which you were in business. The figures you enter must be figures which were compiled on the basis of the same accounting procedures as the figures you enter in column 2 of item 4. In column 4, item 5c, do not include figures for any year in which you experienced a loss.

Items 3. This instruction tells you how to get the figure you must enter in column 3 of item 4b ("Materials Used: Average Percentage Increase from October 1941 to Date"). This means the average percentage increase which has occurred since October 1941 in the legal prices you must pay for materials, parts, components, and processing services used in your 1941 manufacturing operations. The prices used must refer to purchases from your usual type of supplier, and of the quantities you normally purchased in 1941. For example, if you bought from a manufacturer in 1941 you have to deliver each article listed in column 1 in October 1941. In column 1 enter the "highest price charged" (interpreted as under the general Maximum Price Regulation and MPR 188) in October 1941 to each class of purchaser listed in column 2. Then multiply each price listed in column 3 by your "price increase factor" obtained in Item 8c of Part II above and enter this adjusted 1941 price in column 4. In column 5, enter your present ceiling prices to each class of purchaser listed in column 2.

If the adjusted price entered in column 4 is higher than your present ceiling in column 5, the adjusted price is your new ceiling. However, if the adjusted price is lower than your present ceiling price, you keep your present ceiling. Column 6 will show your new ceilings for all articles which are the same as or differ slightly from the 1941 articles listed in column 1. If the article to which you are reconverting is comparable to but differs from an article listed in column 1 of Item 9, you must fill in item 10 to get your new ceilings for any such article.

For each article you are repricing in item 10, select the most comparable article of those you listed in column 1 of Item 9, and fill in below the information called for with regard to each.

In making the calculations called for in items 4, 5, and 6, the "highest prices charged" are the highest prices and wage rates.

Your new ceiling for the new article to this class of purchaser should be inserted in column 7. You compute this figure as follows: (a) If the direct material and labor cost of the new article (column 1) exceeds the direct material and labor cost of the old article (column 2) by more than 5 percent, add to the ceiling price of the old article (column 5) the difference between the direct material and labor cost of the new article and the old article. If the direct material and labor cost of the new article is less than the cost of the old article, you subtract the difference from the price in column 5.

In no case need you accept this as your ceiling price if you already have a ceiling price on the article which is higher.

7 Calculation of factory wage rate increase.

Occupation or type of job of each factory employee (1)	Present straight-time hourly wage rate (2)	October 1941 straight-time hourly wage rate (3)
Total (add items 7a through 7o)		
Item 7p, column 2 minus item 7p, column 3		
Your factory wage rate increase (item 7c ÷ item 7p, column 3)		

8 Calculation of your price increase factor.

Your adjusted 1941 total costs (item 4f, column 5)	
Your allowable profit factor (item 3b)	
Your estimated dollar profit (item 8a × item 8b)	
Your adjusted costs plus estimated profit (item 8a + item 8c)	
Your price increase factor (item 8d ÷ item 4a, column 2)	

PART III

INSTRUCTIONS APPLICABLE TO PART III

This part of the form tells you how to figure your new ceiling prices by using the "price increase factor" you obtained in Part II above. It also tells you how to calculate your new ceilings if you are a "small-volume reconverting manufacturer" which is not subject to Supplementary Order 118 or to other civilian products as to which you meet the requirements in item 3 of Part I of this form.

The general rule for repricing is this. If the article you are repricing is the same article you made in 1941 or differs from a 1941 article only in minor respects, you apply the increase factor to the 1941 prices of the article. However, if the article you are repricing is comparable to articles (in product lines eligible for repricing) which you made in 1941, but differs substantially from any article you made in 1941, you must use a different method to calculate your new ceiling. First, you reprice your most comparable 1941 article and then you adjust that price for materials and labor cost differences, caused by differences in materials, design or specifications, between the 1941 article and the one you are about to reprice.

Item 5. In column 1 list the name and model number of each article you made in 1941 which is in a product line that is eligible for repricing and which is comparable to the article you are repricing. In column 2 enter the highest price you charged to each class of purchaser listed in column 2 for each article listed in column 1 in October 1941. In column 3 enter the "highest price charged" (interpreted as under the General Maximum Price Regulation and MPR 188) in October 1941 to each class of purchaser listed in column 2. Then multiply each price listed in column 3 by your "price increase factor" obtained in Item 8c of Part II above and enter this adjusted 1941 price in column 4. In column 5, enter your present ceiling prices to each class of purchaser listed in column 2.

If the adjusted price entered in column 4 is higher than your present ceiling in column 5, the adjusted price is your new ceiling. However, if the adjusted price is lower than your present ceiling price, you keep your present ceiling. Column 6 will show your new ceilings for all articles which are the same as or differ slightly from the 1941 articles listed in column 1. If the article to which you are reconverting is comparable to but differs from an article listed in column 1 of Item 9, you must fill in item 10 to get your new ceilings for any such article.

For each article you are repricing in item 10, select the most comparable article of those you listed in column 1 of Item 9, and fill in below the information called for with regard to each.

In making the calculations called for in items 4, 5, and 6, the "highest prices charged" are the highest prices and wage rates.

Your new ceiling for the new article to this class of purchaser should be inserted in column 7. You compute this figure as follows: (a) If the direct material and labor cost of the new article (column 1) exceeds the direct material and labor cost of the old article (column 2) by more than 5 percent, add to the ceiling price of the old article (column 5) the difference between the direct material and labor cost of the new article and the old article. If the direct material and labor cost of the new article is less than the cost of the old article, you subtract the difference from the price in column 5.

In no case need you accept this as your ceiling price if you already have a ceiling price on the article which is higher.

4 Adjustment of 1941 total costs.

Account in profit and loss statement (1)		Amount for fiscal year included 12 October 1941 (2)	Average percentage increase from October 1941 to date (3)	Amount of allowable adjustment (Col. 2 × Col. 3) (4)	Adjusted 1941 costs (Col. 2 + Col. 4) (5)
a	Net sales	$			
b	Materials used	$	%	$	$
c	Factory labor	$			
d	Other factory costs	$			
e	General selling and adm. costs	$			
f	Total costs (to thru e)	$			$

5 Calculation of your allowable profit factor.

Fiscal year (1)	Net sales (2)	Total costs (3)	Net operating profit (4)
1936			
1937	$	$	$
1938			
1939			
Total, 1936–39			
Your profit factor (Item 5c, Col. 4 ÷ Item 5c, Col. 3)			
One-half your industry's average profit rate, 1936–1939 (as supplied by your OPA District Office)			
Your allowable profit factor (item f or g, whichever is larger)			

6 Calculation of materials price increase.

Your average percentage increase from October 1941 to date for material used is ..... %. *Attach to this report, a separate sheet explaining how you calculated the percentage increase figure you enter in Column 3 of item 4b.*

5 Repricing of 1941 articles by application of your "price increase factor."

Product name and model number (1)		Class of purchaser (e. g., jobber, etc.) (2)	Highest price charged in October 1941 (specify unit) (3)	Adjusted 1941 price (Col. 3 x item 4e, above) (4)	Present ceiling price (5)	New ceiling price (Col. 4 or Col. 5, whichever is higher) (6)
a		1. 2. 3.				
b		1. 2. 3.				
c		1. 2. 3.				
d		1. 2. 3.				
e		1. 2. 3.				

10 Name and model number of new article (1)		Identify line in item 9 on which comparable article is listed (2)	Current direct materials and labor cost of 1941 article (3)	Current direct materials and labor cost of new article (4)	Difference between Cols. 3 and 4 (5)	New ceiling price of 1941 article (6)	New ceiling price of new article (Col. 6 plus or minus Col. 5) (7)
a							
b							
c							
d							
e							

11 Compute Your Maximum Prices for the New Article to Other Classes of Purchasers as follows:

Determine the percentage difference between the price of the new article to the largest class of purchaser (item 10, column 7) and your new ceiling price of the 1941 article to the same purchaser class (item 9, column 6).

Adjust the new ceiling price of the 1941 article to all other classes of purchasers by increasing or decreasing these prices by this percentage.

12 Submit on a separate sheet a break-down of the materials costs on each new article and its 1941 comparable article. Also explain briefly the differences in labor costs, if any, between the two articles.

13 If an article you are about to produce is not comparable to any article listed in column 1 of item 9, you must get a ceiling for that article under the maximum price regulation which applies to that product rather than on this form.

NOTE: If you have questions about any part of this form or if you believe that October 1941 is clearly not representative of your pre-conversion operations, consult your OPA District Office.

Sign here ..... Name of Authorized Officer ..... Title ..... Date .....

[F. R. Doc. 45-13166; Filed, July 19, 1945; 2:25 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 119]

INDIVIDUAL ADJUSTMENTS FOR RECONVERTING MANUFACTURERS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Sec.
1. Purpose of this supplementary order.

ARTICLE II—ELIGIBILITY OF MANUFACTURERS FOR ADJUSTMENTS

2. Who are "reconverting manufacturers."
3. Relation of this order to adjustment provisions in other maximum price regulations and orders.

ARTICLE III—THE BASIC RULES FOR ADJUSTMENT

4. General explanation.
5. Method A. Calculation of adjustments in maximum prices on a unit cost basis using Form 2488-A.
6. Method B Calculation of adjustments in maximum prices on a product group basis using Form 2488-B.

ARTICLE IV—ADJUSTMENTS IN SPECIAL CASES

7. A manufacturer for whom October 1941 is not a representative month.
8. A manufacturer seeking to adjust his existing maximum prices who has altered his 1941 best-selling article or has no ceiling for it.
9. A manufacturer who has no existing maximum prices for a product which he made in 1941.
10. A manufacturer who is about to make a "reconversion product" which he did not make in 1941.
11. A manufacturer performing distributor's functions.
12. General orders applicable to special cases.

ARTICLE V—PROCEDURAL AND MISCELLANEOUS PROVISIONS

13. How reconverting manufacturers may obtain adjustments under this order.
14. Wholesale and retail maximum prices.
15. Balanced production and distribution.
16. Delegation of authority.

AUTHORITY: § 1305.147 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—PURPOSE OF THE ORDER

SECTION 1. *Purpose of this supplementary order.* Many manufacturers are now about to resume or enlarge the production of civilian goods the manufacture of which was sharply curtailed or stopped because of wartime restrictions. The Office of Price Administration has developed a program for making necessary adjustments in the ceiling prices of such manufacturers. This order is a part of this program.

Maximum price regulations now outstanding either establish ceiling prices for the goods in question or provide a means for establishing such prices. Reconverting manufacturers may in all cases proceed to sell at these existing ceiling prices if they wish to do so.

The Administrator, however, has recognized that these existing ceiling prices may require upward adjustment. He has recognized also that special procedures are necessary in order to determine the need for such adjustments and their amount. Ordinarily current costs and profits are the basis for determining the need for the amount of ceiling price adjustments. In the case of reconverting manufacturers, however, such information either is not available or is unrepresentative and hence unreliable as a basis for price action.

To the fullest practicable extent the Administrator will provide for adjustments in the ceiling prices of reconverting manufacturers by means of industry-wide action. Where the industry has continued to produce the commodity in substantial volume, the usual standards of the Office will be applied to determine the need for an industry-wide increase. Where production has been lower in volume, however, the industry-wide action will ordinarily take the following form: The Price Administrator will announce an industry-wide percentage "increase factor" for a particular product or product line. Any manufacturer of such a product may then increase his 1941 price for the product (or such other base-date price as the Administrator may specify) by the amount of this "increase factor." If the resulting figure is higher than his existing ceiling price, he may take that figure as his new ceiling price.

The Administrator recognizes that this program of industry-wide actions, which is being carried out in consultation with the respective industries involved, may not adequately meet the needs of some reconverting firms with respect to a particular product in the following situations:

(a) Where their industry does not seek an industry "increase factor" on the product.

(b) Where the determination of their industry's "increase factor" awaits the completion of surveys of the industry's increases in wage rates and in material prices.

(c) Where the Administrator has denied an "increase factor" to their industry or where the "increase factor," when issued, does not remove hardship in their particular cases.

(d) Where their industry is not eligible for an "increase factor" because it has remained in substantial production of the product throughout the war, and no industry-wide price increase for the product is required by the applicable standards.

This supplementary order is designed to provide individual adjustments for reconverting manufacturers in these situations. The order does not seek to establish the general level of prices for a commodity which the Administrator will consider appropriate for the reconversion period but merely undertakes to prevent hardship in individual cases. Prerequisite to a price adjustment on any particular product under this order, therefore, is a showing by the applicant that his existing maximum prices for that product do not cover his 1941 total costs adjusted for subsequent increases in wage rates and materials prices, as explained in Articles III and IV.

ARTICLE II—ELIGIBILITY OF MANUFACTURERS FOR ADJUSTMENTS

SEC. 2. *Who are "reconverting manufacturers."* This order applies to you if you are a "reconverting manufacturer." For the purposes of this order, you will be considered a reconverting manufacturer if you satisfy either Test I or Test II, stated below, and if you are not eligible for reconversion pricing under Supplementary Order No. 118. (That order deals with manufacturers whose civilian business in 1941 did not exceed $200,000 and is not expected to exceed that amount in the year following reconversion.)

Test I. You are a "reconverting manufacturer" if the product on which you seek an adjustment is a "reconversion product." A "reconversion product" is any product listed at the end of this order in Appendix A. From time to time products not now on this list will be added to it. Broadly stated, the products now listed, and those which will be listed later, are products which as a result of the needs of the war program were not produced at all during 1944 or were produced only in limited volume.

Test II. You are a "reconverting manufacturer," with respect to the product for which you seek an adjustment, if the following four conditions are satisfied:

(a) The product for which you are seeking an adjustment is one which is listed at the end of this order in Appendix B or is a product whose maximum prices are fixed by one of the following regulations:

MPR 188—Manufacturers' Maximum Price for Specified Consumers' Goods Other Than Apparel
MPR 64—Domestic Cooking and Heating Appliances
RPS 86—Domestic Washing Machines
RPS 102—New Household Mechanical Refrigerators
RPS 111—New Household Vacuum Cleaners and Attachments.
MPR 254—New Small Firearms and Firearm Parts

(b) During 1944, your total dollar volume of sales (whether to your usual trade or for war uses) of the product was less than one half your sales of the product in your last year of normal peacetime production, which will be presumed to be 1941 unless the contrary is shown.

(c) This reduction in dollar volume resulted from (1) governmental restrictions on the manufacture of products or on the use of materials, facilities, or manpower, or (2) the use of your facilities for the production of war goods, or (3) other direct needs of the war effort.

(d) Because of change in governmental restrictions or in the needs of the war program, you are able to begin or to increase substantially the production of the product.

NOTE: The term "product" or its synonym "product line" is used in this order to refer to all the styles, models, or other variations of a commodity which, taken together, are ordinarily considered as a product or product line. Each style, model or other variation is referred to as an "article."

SEC. 3. *Relation of this order to adjustment provisions in other maximum price regulations and orders.* If you are eligible under this order to apply for an adjustment in the maximum prices of any product, you may not apply for such an adjustment under the provisions of the maximum price regulation applicable to that product or of any other order authorizing adjustments in maximum prices, unless the adjustment provision expressly permits such application. This rule does not apply, however, to any application for adjustment which you may make in accordance with Procedural Regulation No. 6 or under any applicable maximum price regulation with respect to any Government contract, or subcontract thereunder, which you have entered into, or propose to enter into, for the sale of a commodity essential to the war program.

ARTICLE III—THE BASIC RULES FOR ADJUSTMENT

SEC. 4. *General explanation.* If you are a reconverting manufacturer as to a particular product which you made and delivered or offered to deliver in October 1941 (the "base month"), you may apply for an adjustment in the maximum prices of that product under this order and may calculate the amount of the adjustment, if any, to which you may be entitled, according to the rules of this Article III.

NOTE: Special rules have been provided in Article IV modifying the basic rules in Article III for a manufacturer in any one of the following situations: a manufacturer for whom October 1941 is not a representative month (section 7); a manufacturer seeking to adjust his existing maximum prices who has altered his 1941 best-selling article or has no ceiling for it (section 8); a manufacturer who has no existing maximum prices for a product which he made in 1941 (section 9); a manufacturer who is about to make a "reconversion product" which he did not make in 1941 (section 10); a manufacturer who performs distributor's functions (section 11).

Broadly stated, this order authorizes the adjustment in the maximum price of a product for which you are eligible to apply, if its total cost in your "1941 accounting period" (defined below), when increased to reflect legal increases since the base month in materials prices and basic wage rate schedules, is higher than its existing ceiling. Where this is the case, you may add to the adjusted total cost a profit factor equal to one-half the average percentage margin of profit over total cost for your industry or industry group in the peacetime period 1936–1939. The sum is your new maximum price.

There are two methods of calculating whether an adjustment will be granted and, if so, its amount. You may use either Method A or Method B if you kept your accounts in 1941 so as to show unit costs. You must use Method B if you do not have adequate unit cost data for 1941. OPA Form 611–2488A (referred to as "Form 2488–A" in this order) is to be used for Method A, and OPA Form 611–2488B (referred to as "Form 2488–B") is to be used for Method B.

In applying these methods, you will need to become familiar with the following four terms to which this order gives special meanings:

"Your 1941 accounting period." This refers to the shortest accounting period (month, quarter, six months, calendar year, or fiscal year) which includes the base month and for which you make final adjustments in your accounts, including adjustments based on actual physical inventory.

"The best-selling article." This refers to the article in any particular product line of which you sold the largest number of units of the total sold in that line in your 1941 accounting period.

"The largest-buying class of purchaser." This refers to the "class of purchaser" of an article which bought the largest number of units of that article in your 1941 accounting period. (The term "class of purchaser" has the same meaning in this order as in the General Maximum Price Regulation.)

"The October 1941 price." This refers to the "highest price charged" by you during October 1941 for an article to the largest-buying class of purchaser of that article. (The term "highest price charged" has the same meaning in this order as in the General Maximum Price Regulation.)

NOTE: The understanding of Methods A and B will be aided if they are read together with Forms 2488-A and 2488-B, respectively.

SEC. 5. *Method A: Calculation of adjustments in maximum prices on a unit cost basis using Form 2488–A.* You may use this method if you have kept adequate accounts to show the actual total cost per unit (standard costs having been adjusted to actual costs) of each article whose costs are to be adjusted. To find whether any adjustments will be granted and, if so, what their amount will be, you must first select the best-selling article from each product line on which you are eligible to apply for adjustments. Using that article, you must then make the following calculation:

(a) *Materials price increases.* First add to the total cost of the article in your

using Form 2488 A.

14. Wholesale and retail [illegible]

1941 accounting period the net dollar amount of any increase since October 1941 resulting from legal changes in the prices of the materials, direct and indirect, then entering into the factory cost of the article. ("Materials" includes materials, parts and components and also purchased services rendered in connection with the processing of materials. "Total cost" includes the cost of labor and materials, direct and indirect, entering into the factory cost of the article, other elements of factory overhead, and selling, general and administrative expense, but does not include any amount for profit or for income and excess profits taxes.)

Because they are temporary and afford opportunities for cost inflation, materials price increases not resulting from changes in the level of materials prices must be disregarded. (Among these are price increases resulting from purchases from a more distant supplier or a different class of supplier or in small quantities, or those resulting from changes in practice as to subcontracting of parts or components, or those resulting from any other departures from your customary purchasing practices.)

For greater uniformity in the calculation of certain materials price increases, the Administrator will announce "materials cost increase factors" from time to time. These will be percentage figures based on studies of some categories of important basic materials and parts which OPA is now conducting. When you request Form 2488–A or Form 2488–B, you will be given any materials cost increase factors which OPA has previously announced. You must apply such a factor in place of any increase you have had in the price of the material covered by the factor, regardless of whether the factor is lower or higher.

If, in using Method A or B, you have not used a materials cost increase factor announced by OPA either before you filed your application or before an order setting your new maximum prices was issued, OPA will substitute the factor for the increase in materials cost which you have reported and adjust your prices accordingly.

(b) *Increases in basic wage rate schedules.* To the total cost of the best-selling article, adjusted for materials price increases, add the net dollar amount of any increases resulting from legal changes since October 1941 in your basic wage rate schedules for the labor entering into the article's factory cost.

A "basic wage rate" is the single rate or established range of rates for a given job classification. A "basic wage rate schedule" includes all the basic wage rates and rate ranges of a plant at a particular time. An increase in basic wage rate schedules is an increase in a single rate or range of rates applying to a job classification. It does not include increases to individual employees which do not alter the job classification rate or rate ranges.

Where there has been a change in a range of rates, measure this from the point in the middle of the old range to the corresponding midpoint in the new range.

Example: If in October 1941 the range of rates for a particular job classification was from 45 cents to 65 cents per hour and in 1943 it became from 48 cents to 60 cents per hour, the change is to be measured from 50 cents, which is the middle point between the low and the high of the old range, and 54 cents, the midpoint between the low and the high of the new range. The difference between the two midpoints, 4 cents, is the amount of the increase in this basic wage rate.

(c) *Comparison with maximum price.* Compare the best-selling article's total cost, adjusted for increases in materials prices and the basic wage rate schedules, with its existing maximum price to the largest-buying class of purchaser. Only if the adjusted total cost is higher than that maximum price may you get an adjustment. If the adjusted total cost is the higher, you must proceed as follows to calculate the article's adjusted maximum price and a price increase factor to be applied to the other articles in the product line.

(d) *Calculation of maximum prices by adding profit factor.* To the adjusted total cost of the best-selling article, add a profit factor equal to one-half the 1926–1939 average industry profit margin over cost. The sum is the best-selling article's adjusted maximum price to its largest-buying class of purchaser.

OPA will announce 1936–1939 average industry profit margins for products for which price adjustments are likely to be sought under this order, using the narrowest industry group which includes the industry making the product and for which OPA has adequate profit data. Information as to such margins will be given you when you apply for Form 2488–A or Form 2488–B. If you find no margin included for your industry, ask your OPA District Office to furnish it.

(e) *Calculation of price increase factor to adjust all other maximum prices of articles in the same product line.* To find all your other adjusted maximum prices in the same product line, proceed as follows:

(1) Divide your adjusted maximum price of the best-selling article to its largest-buying class of purchaser by your existing maximum price to the same class of purchaser to find your price increase factor.

Example: Suppose, for the best-selling article in an eligible product line, your existing maximum price was $.84 to wholesalers (the class to whom you sold the largest number of units of the article in the year 1941, your accounting period). After adjustment, the article's new ceiling to wholesalers is $.90. The price increase factor is 1.071 ($.90 ÷ $.84 = 1.071).

(2) Multiply by the price increase factor your existing maximum prices to each other class of purchaser of the best-selling article and to each class of purchaser of every other article in the same product line. The result in each instance is your adjusted maximum price. A discount or allowance, such as a "cash discount," which is applicable to all your classes of purchasers, must be applied after the adjusted maximum price has been calculated.

SEC. 6. *Method B: Calculation of adjustments in maximum prices on a product group basis using Form 2488–B.* You must use this method to calculate adjustments on a product group basis if you do not keep adequate accounts to show actual 1941 total cost per unit (standard costs having been adjusted to actual costs). To find whether you may obtain any adjustment in the maximum prices of articles in a particular product line on which you are eligible to apply and, if so, to calculate a price increase factor for use in adjusting those ceilings, you must apply the rules in this section to the "best-selling article" in that product line.

In so doing, use the narrowest product group which includes that article and for which you have an adequate 1941 profit and loss statement. (A product group may be a line of related products or all the products made by a department or a division or a subsidiary of your company. If your accounts are not so subdivided, the group would comprise all the products you make. The product group may, of course, include products which are not eligible for adjustment under this order.)

(a) *How to find whether you are entitled to any adjustment for a product.* You must first find, on the basis of data for each product group, whether any adjustments will be granted to products in that group. For this purpose, proceed as follows:

Step 1. Using your profit and loss statement for the 1941 accounting period, adjust your total costs for the product group by increasing the items in the statement for material and labor costs entering into factory cost by dollar amounts which reflect your legal increases since October 1941 in materials prices and in basic wage rate schedules. (In so doing, follow the directions given in paragraphs (a) and (b) of section 5 as well as those given on Form B). The result is your "adjusted total costs."

Step 2. Next compare your adjusted total costs with your actual total sales for your 1941 accounting period. If the actual total sales figure is higher than your adjusted total costs, no adjustment will be granted on any product in the product group. If, however, the adjusted total costs are the higher, then proceed as follows to find whether the best-selling article in each product line in the product group is eligible for adjustment.

Step 3. Find the percentage by which your adjusted total costs exceed your actual total sales.

Step 4. Find the percentage, if any, by which the existing maximum price of the best-selling article to the largest-buying class of purchasers is higher than its October 1941 price to the same class of purchasers.

Step 5. The best-selling article is eligible for adjustment if the percentage found in Step 3 is greater than the percentage found in Step 4. If the best selling article is eligible, all the other articles of the product line are eligible; if it is not eligible, none of the other articles is eligible.

(b) *How to find the amount of the adjustments to which you are entitled.* Since the calculation of the amount of adjustments is based on data for the entire product group, the percentage of increase over October 1941 prices to reflect cost and profit changes will be uniform for every article in the group. To reflect these changes, the October 1941 prices must be multiplied by a price increase factor for the product group. To calculate this factor, you must proceed as follows:

Step 1. Multiply your adjusted total costs for the product group by the profit factor (one-half the 1936–1939 average percentage profit margin over cost) provided by OPA, as described in paragraph (d) of section 5. The result is your "projected dollar profit" on the product group.

Step 2. Add the projected dollar profit to the adjusted total costs to get a "projected total sales" for the product group.

Step 3. To find the proportion by which you must increase your actual 1941 total sales in order to equal your projected total sales, divide your projected total sales by your actual total sales as shown in your 1941 profit and loss statement for the product group.

The resulting figure (which will be above 1.00) is the price increase factor for the product group.

Example: Suppose your accounts were not subdivided, and you had a total cost for the calendar year 1941 of $1,000,000 and total sales of $1,080,000. Adjusted to reflect increases in materials prices and wage rates, the total cost is $1,100,000. The profit factor furnished by OPA, 5 percent on cost, when applied to the adjusted total cost, gives a projected dollar profit of $55,0000. The adjusted total cost of $1,100,000 and the projected dollar profit of $55,000 are then added to compute a projected total sales of $1,155,000.

To find the figure by which the prices yielding the actual total sales of $1,080,000 must be multiplied to produce the projected total sales of $1,155,000, the latter figure must be divided by the former. $1,155,000 ÷ $1,080,000 = 1.069. This result is your price increase factor.

(c) *How to apply the price increase factor to articles in a product group.* Having used Method B to calculate a price increase factor for a product group, proceed as follows to calculate adjusted maximum prices for all the articles in each product line in that group which is eligible for adjustment.

Step 1. Multiply by the price increase factor for the product group the October 1941 price of the best-selling article in each eligible product line to the largest-buying class of purchaser of that article. This gives the adjusted maximum price for the best-selling article to that class of purchaser.

Step 2. Find the percentage by which this adjusted maximum price for the best-selling article exceeds its existing maximum price to the same class of purchaser.

Step 3. Increase by the percentage found in Step 2 your existing maximum price to each other class of purchaser of the best-selling article and to each class of purchaser of every other article in the same product line. The result in each instance is your adjusted maximum price. A discount or allowance, such as a "cash discount," which is applicable to all your classes of purchasers, must be applied after the adjusted maximum price has been calculated.

ARTICLE IV—ADJUSTMENTS IN SPECIAL CASES

SEC. 7. *A manufacturer for whom October 1941 is not a representative month.* Though you made the product for which you are seeking an adjustment during 1941, you may find that October 1941 is clearly not an appropriate month from which to measure changes in your costs and prices. Thus, you may have had to cease making certain of the products to be adjusted before October 1941, or the production of some products may have been carried on under conditions which were clearly not representative because of conversion to war work or for seasonal or other reasons. Or you may have had no October 1941 prices because you did not deliver or offer to deliver the product in that month. In any such case, you must select as a base month the month nearest to October 1941 (but before January 1, 1942) in which conditions of production were representative and during which you delivered or offered to deliver the product.

In applying the rules in Articles III and IV after selecting a month other than October 1941 as a base month, you must use the base month you selected in place of October 1941 wherever the rules refer to October 1941.

SEC. 8. *A manufacturer seeking to adjust his existing maximum prices who has altered his 1941 best-selling article or has no ceiling for it.* Methods A and B apply to the usual situation where one of the ceiling prices a manufacturer is seeking to adjust is the ceiling price of the best-selling article in the product line. However, sometimes this will not be the case either because he never has had a ceiling for that specific article or because he is no longer making and selling it.

For example, a manufacturer may not have a ceiling simply because he did not deliver the article or offer it for delivery during March 1942 or any other month as of which the applicable maximum price regulation froze prices. Or after 1941 he may have altered the best-selling article so that the article on which he now has a ceiling is different in more than minor respects from the 1941 article. Or after 1941 he may have dropped his best-selling article and substituted a new, but comparable, model in his product line.

In these situations you cannot properly apply Methods A and B without modification because you cannot satisfactorily make the comparisons they require between the 1941 adjusted costs and price of the best-selling article and its existing ceiling. If, however, you have an existing ceiling on any other article in the same product line which is comparable to the best-selling article, you can apply Method A or B modified as follows:

(a) *Modifications in Method A.* In the situation described above, apply Method A modified as outlined in the following steps:

Step 1: Select the best-selling article in the product line on which you seek adjustment and adjust its total cost as directed in paragraphs (a) and (b) of Section 5.

Step 2: From the articles with ceiling prices in this product line, select the most comparable altered version of the best-selling article you selected in Step 1; if you have none, select the most comparable article among the comparable models and styles in that product line.

Step 3. Add to the adjusted total cost of the best-selling article, the amount, if any, by which its total direct materials and labor costs are lower than those of the article you selected in Step 2, calculated on an October 1941 basis. If its total direct materials and labor costs are higher than those of the selected article, subtract the amount of the difference from the adjusted total cost of the best-selling article.

Step 4. Complete the calculations in Section 5 as directed, modifying the paragraphs in that section as follows:

Paragraph (c): As the best-selling articles adjusted total cost, use the best-selling article's total cost as calculated in Step 3. As "its existing maximum price," use the existing maximum price of the article you in Step 2.

Paragraph (d): As the "adjusted total cost of the best-selling article", use its total cost as calculated in Step 3. When the profit factor has been added to this cost, the sum is the adjusted maximum price of the article you selected in Step 2.

Paragraph (e) (1): The "adjusted maximum price" and the "existing maximum price" both relate to the article you selected in Step 2.

(b) *Modifications in Method B.* In the situation described above, apply Method B modified as outlined in the following steps.

Step 1. Select the best-selling article, as in Step 1 of paragraph (a) above.

Step 2. Select the comparable article for which you have a ceiling price, as in Step 2 of paragraph (a) above.

Step 3. Find the amount by which the existing ceiling of the article you selected in Step 2 is higher or lower than the October 1941 price of the best-selling article you selected in Step 1.

Step 4. Find what percentage the total cost of direct labor and materials is of the total sales of the product group in the 1941 profit and loss statement you are using.

Step 5. Multiply the amount found in Step 3 by the percentage found in Step 4.

Step 6. Add the result to the October 1941 price of the best-selling article you selected in Step 1 if that price is lower than the existing ceiling of the article you selected in Step 2. If it is higher, subtract the result from the October 1941 price.

Step 7. Use the October 1941 price, increased or decreased according to Step 6, in section 6, paragraph (a), Step 4, and paragraph (c), Step 1.

Example: The October 1941 price of the best-selling article in a product line was $1.20. In January 1942 the article was altered and its price was increased to $1.40. The total of direct labor and materials cost in the profit and loss statement was 55% of total sales. 55% of the $.20 price increase is $.11. In applying Method B, use $1.31 ($1.20 $0.11) as the October 1941 price of the best-selling article.

SEC. 9. *A manufacturer who has no existing maximum prices for a product which he made in 1941.* Methods A and B do not apply directly to the situation of a reconverting manufacturer who is about to make a product which he made in 1941 but for which he has no maximum prices. This section states how such a manufacturer may get the benefit of the adjustments authorized by this order.

(a) *Where your product is comparable to one which is eligible for adjustment.* The product you are about to produce may be comparable to another product for which you have maximum prices and for which you are eligible to apply for an adjustment under this order. If the maximum price regulation which applies to the former product provides for setting new maximum prices "in line" with the existing ceilings of a

comparable product, you may secure ceilings for the former product which are "in line" with the ceilings of the latter product after any adjustment has been made which may be authorized by this order.

(b) *Where you have no such comparable product.* The product you are about to produce may not be comparable to any product for which you are eligible to apply for adjustment under this order or the maximum price regulation may not provide for setting new ceilings "in line" with existing ceilings. In such a case, you must first calculate a ceiling price for the best-selling article in the product line according to the rules of the applicable maximum price regulation. Having calculated this ceiling price, you may then apply Method A or B to find the adjustments, if any, in the maximum prices of the best-selling and other articles of the product line.

SEC. 10. *A manufacturer who is about to make a "reconversion product" which he did not make in 1941.* A manufacturer may be a reconverting manufacturer as to a "reconversion product" listed in Appendix A even though he did not make it in 1941.

If paragraph (a) of section 9 would be applicable to your situation but for the fact that you did not make the reconversion product in 1941, you may nevertheless proceed under that paragraph to obtain a new maximum price for your reconversion product.

You may not, however, be able to obtain an "in line" price with a product the price of which has been adjusted under this order or for which an industry-wide price increase factor has been authorized. Nevertheless, the Administrator may authorize an adjustment in the "in line" maximum prices which would otherwise be authorized for your product if he finds that such an adjustment would effectuate the purposes of this order and would be in line with adjustments granted to other reconverting manufacturers.

In such a case the Administrator, in acting upon your application for "in line" maximum prices for your new product, will consider such information as he may possess concerning such relevant factors as changes since 1941 in basic wage rate schedules and materials prices and changes since 1936–1939 in profit rates in the industry making the product. He will also consider, in appraising your need for adjustment, whether the articles you propose to make would be relatively low-price and low-margin in the range of articles made by manufacturers of the product.

SEC. 11. *A manufacturer performing distributor's functions.* This order will most often be used by manufacturers selling principally to wholesalers or to direct-buying retailers who customarily buy in large quantities. However, if your sales expense includes a substantial amount for the performance of functions ordinarily performed by wholesalers and retailers (as, for example, if you are a manufacturing retailer), you are also eligible to apply for adjustments under this order; but OPA will modify any adjustment granted so as to reflect the standards governing increases permitted to wholesalers and retailers.

If you are such a manufacturer, you must inform the OPA District Office, when you apply for Form 2488–A or Form 2488–B, of the additional distributive functions which you perform.

SEC. 12. *General orders applicable to special cases.* From time to time, the Administrator may issue general orders pursuant to the authority of this section which may establish special rules or procedures for situations not specifically provided for by this Order or which may modify or take the place of the rules or procedures established by this Order. Any adjustments authorized by such general orders shall be in line with the adjustments authorized by this Order.

ARTICLE V—PROCEDURAL AND MISCELLANEOUS PROVISIONS

SEC. 13. *How reconverting manufacturers may obtain adjustments under this order.* To apply for an adjusted maximum price under this order, you must file an application in duplicate on Form 2488–A or Form 2488–B with the OPA District Office for the district in which your principal place of business is located. You may get copies of Form A or Form B from any Regional or District OPA Office. If you qualify for adjusted maximum prices, OPA will issue an order under this section fixing new maximum prices or stating a percentage amount by which your 1941 prices may be increased.

Before such an order is issued, you may not increase your maximum prices. If you do not qualify for an adjusted price or if your application is defective, OPA will give you appropriate notice. You may, of course, continue to sell at your existing lawful maximum prices.

SEC. 14. *Wholesale and retail maximum prices.* No increase in wholesale or retail maximum prices may be made as a result of increases in manufacturers' prices which may be authorized under this order unless the change at wholesale or retail is specifically authorized. This may be done under the authority of this order, provision being made for the price increases at wholesale or retail either in the order authorizing increases in the manufacturers' ceilings or in a general order applicable to wholesale and retail ceilings. Provision may be made in orders of either type for the preticketing by the manufacturer of the retail price or for the use of some other method whereby the retailer and the consumer may readily be informed of the retail ceiling price of the product.

SEC. 15. *Balanced production and distribution.* As a condition of allowing any increase in prices under this order, the Administrator may require you to arrange the production and distribution of the products made by you so that they will be representative of your production and distribution in a specified past period for goods in a particular category. The Administrator may also require that any price increases allowed you be applied among articles or price lines in a manner consistent with the need, under the stabilization program, to maintain the production of lower-priced products.

SEC. 16. *Delegation of authority.* Any Regional Administrator or District Director authorized by the appropriate Regional Administrator may issue, revise, amend, or revoke orders issued under this supplementary order.

This supplementary order shall become effective on the 23d day of July 1945.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

For the reasons set forth in the accompanying Statement of Considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this supplementary order is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

APPENDIX A

This appendix lists "reconversion products." From time to time the Administrator will add other products to this list.

For a product or product line to be listed in this appendix, the Administrator must find

(a) That in 1944 its production was approximately one half or less of its production in its last representative period of peacetime production;

(b) That this reduction in dollar volume resulted from (1) governmental restrictions on the manufacture of products or on the use of materials, facilities, or manpower, or (2) the use of facilities for the production of war goods, or (3) other direct needs of the war effort; and

(c) That because of change in government restrictions or in the needs of the war program, the industry is able to begin or to increase substantially the production of the product line.

The Administrator may omit from the list a product which meets the above tests if in his judgment the purposes of the order will be effectuated, as to that product, without its being listed.

Product List

1. Air conditioners, portable
2. Aluminum ware
3. Bicycles
4. Carpet sweepers
5. Caskets, metal
6. Clocks (subject to MPR 188)
7. Electrical appliances, small (subject to MPR 188)
8. Fixtures, professional and institutional, metal
9. Furniture, household, metal
10. Furniture and equipment (office and institutional, metal (subject to MPR 188)
11. Golf bags
12. Golf clubs
13. Lawnmowers (subject to MPR 188)
14. Machines, coin operated
15. Machines, office
16. Machines, store (subject to MPR 188)
17. Mattresses, innerspring
18. Musical instruments, metal
19. Playground and gymnasium equipment
20. Radios, phonographs and radio-phonograph combinations (except those subject to MPR 136)
21. Ranges, electric (except industrial)
22. Refrigerators, domestic, mechanical
23. Safes and vaults
24. Sewing machines (except industrial)
25. Scales, household, health
26. Silver-plated flatware
27. Skates, roller and ice
28. Toys, metal and rubber
29. Vacuum cleaners (except industrial)
30. Washing machines, ironers and driers; domestic.

APPENDIX B

Products will be listed from time to time in this appendix which, though not meeting the standards for listing in Appendix A on an industry-wide basis, are likely to meet those standards in the cases of a considerable number of reconverting manufacturers. Where the Administrator finds that nearly all the products subject to a particular maximum price regulation might properly be listed in this appendix, he may list the regulation in section 2 of this order instead of listing the products here.

[F. R. Doc. 45-13167; Filed, July 19, 1945; 2:26 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 121]

SALES OF COMMODITIES BY GOVERNMENT AGENCIES AND RESALES THEREOF IN THE TERRITORIES AND POSSESSIONS OF THE UNITED STATES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—SCOPE AND NATURE OF THIS ORDER

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1.1 Geographical applicability.
1.2 Nature of order.
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ARTICLE II—EXEMPT TRANSACTIONS AND COMMODITIES

2.1 Exemption of certain sales.

ARTICLE III—MAXIMUM PRICES AND PRICING METHODS

3.1 Maximum prices for new commodities subject to existing regulations providing specific dollars and cents prices.
3.2 Maximum prices for new commodities which are not subject to regulations providing specific dollars and cents prices.
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ARTICLE IV—APPLICATIONS FOR MAXIMUM PRICES OR EXEMPTIONS

4.1 Procedure for filing applications and action thereon.
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ARTICLE V—RESALES

5.1 Maximum prices for resales of commodities purchased from Government agencies.

ARTICLE VI—OTHER PROVISIONS

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APPENDIX A—COMMODITIES EXEMPT FROM PRICE CONTROL WHEN SOLD BY GOVERNMENT AGENCIES

APPENDIX B—REGULATIONS WHICH ESTABLISH MAXIMUM PRICES FOR USED COMMODITIES

AUTHORITY: § 1305.149 issued under 56 Stat. 23,765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250; 7 F.R. 7671; E.O. 9328; 8 F.R. 4681.

ARTICLE I—SCOPE AND NATURE OF THIS ORDER

SECTION 1.1 *Geographical applicability.* This order shall apply in the territories and possessions of the United States.

SEC. 1.2 *Nature of order.* This supplementary order grants exemptions from maximum price control, continues existing maximum prices, establishes maximum prices, and provides a procedure for obtaining maximum prices or exemptions, for sales by the United States Government or its agencies of all commodities, and for resales of such commodities. This supplementary order also applies to sales of commodities by a contractor or subcontractor whose contract has been terminated by a Government agency where such contractor or subcontractor has been authorized or directed by the Government agency to sell the commodities, and where the proceeds are to be paid or credited to the Government agency.

This supplementary order does not apply to sales of any commodities by a Government agency where the original purchase by the Government was for the purpose of resale in substantially the same form or of stockpiling. Such commodities are to be priced under applicable maximum price regulations.

SEC. 1.3 *How this order applies.* Certain transactions and commodities are exempt from price control under section 2.1 of this supplementary order. In the absence of exemption, the maximum price of new commodities for which specific dollars-and-cents prices are provided in existing maximum price regulations shall be determined by reference to the prices in such regulations. Where the new commodity is not subject to an existing maximum price regulation providing specific dollars-and-cents prices, the maximum price at the manufacturers', producers' or processors' level shall be determined by reference to the recorded procurement cost, or, in its absence, the estimated original cost of the commodity with allowance for transportation, and the maximum price for sales at the wholesale and retail levels shall be determined by the Territorial Director on application of the Government agency. The recorded procurement cost, or, in its absence, the estimated original cost, as adjusted for transportation, may be used for any sale without application to the Territorial Director.

In the case of used commodities, the maximum price shall be determined by reference to existing maximum price regulations effective in the Territories and Possessions covering sales of such used commodities, or by use of a formula submitted by the Government agency and approved by the Territorial Director.

Section 4 provides that the Government agency or contractor acting on its behalf may apply to the Territorial Director for a specific ceiling price or an exemption in certain instances.

The maximum prices for resales of commodities purchased from Government agencies which are covered by maximum price regulations providing specific dollars-and-cents prices shall be the prices provided in the applicable regulation. In the absence of such regulations, resellers shall determine their maximum prices under this supplementary order on the basis of their markup over cost for the same or similar commodities during a specified base period, except that where a regulation otherwise applicable in the Territory provides a markup over cost for determining the maximum price of the commodity in question, such markup shall be used, and where the price cannot be determined as above, on the basis of the markup over cost for comparable commodities sold during the base period. Resellers determining their prices under these provisions must file a report with the Office of Price Administration before selling. Such reported prices shall be considered approved within 20 days after filing, unless adjusted within that time by the Office of Price Administration, in which case adjustment must be made with the purchaser accordingly. In case the reseller cannot determine his maximum price under these provisions, he must apply to the Office of Price Administration for the establishment of a maximum price, and cannot sell until a price has been approved by the Office of Price Administration. If no action is taken on the application within 30 days after filing, the seller may consider the application approved, subject to later modification or adjustment at any time.

The Territorial Director, however, on his own motion, may issue orders establishing special maximum prices or exemptions for sales of commodities by Government agencies, and for resales of same by private sellers.

ARTICLE II—EXEMPT TRANSACTIONS AND COMMODITIES

SEC. 2.1 *Exemption of certain sales—*(a) *Exemptions based on the type of sale—*(1) *Sales by Government agencies.* A sale by a Government agency is exempt from price control by operation of this supplementary order, where the sale is:

(i) To another Government agency;

(ii) To any foreign government or agency thereof;

(iii) To a contractor for use in carrying out his prime contract with a Government agency;

(iv) To any relief organization for donation;

(v) Of a single item or group of items where the actual or estimated sales price of the item or group of items, and of all substantially similar items available for

sale at the place of sale does not exceed $300;

(vi) Of personal property when sold together with an interest in land or buildings in a single transaction;

(vii) Of all or substantially all the Government owned contents of a factory or plant to the owner, lessee, or operator; or to any other single buyer purchasing for use.

(viii) Of building installations facilities, appurtenances, equipment and personal property attached to the land.

(2) *Further exemptions.* Upon application by a Government agency or on its own motion, as provided in section 4.1 and 4.2, the Territorial Director may by order exempt such further types of sales as he may deem necessary to facilitate the disposition of commodities covered by this order, if it appears that such exemption will not have inflationary consequences.

(b) *Exemptions based on commodities sold.* Sales by Government agencies of the commodities referred to in Appendix A are exempt from price control by operation of this supplementary order, unless otherwise provided by order issued under section 4.2 below.

ARTICLE III—MAXIMUM PRICES AND PRICING METHODS

SEC. 3.1 *Maximum prices for new commodities subject to existing regulations providing specific dollars and cents prices.* Where a Government agency sells a new commodity which is otherwise subject to an existing maximum price regulation which provides specific dollars-and-cents maximum prices,[1] the maximum prices in such regulation for sales at the level of distribution at which the Government agency is selling, shall apply. The Government agency may rely upon a certification by the buyer that the sales price does not exceed the specific dollars-and-cents maximum price in the applicable regulation where there is no reason to doubt the accuracy of the certificate, which shall constitute a representation to the Government agency.

SEC. 3.2 *Maximum prices for new commodities which are not subject to existing regulations providing specific dollars-and-cents prices.* Where a Government agency sells a new commodity which is not otherwise subject to an existing maximum price regulation providing specific dollars and cents maximum prices, the maximum price shall be determined as follows:

(a) *Manufacturers', producers' or processors' level.* The maximum price for sales at the manufacturers', producers' or processors' level shall be the recorded procurement cost, or, in its absence, the estimated original cost, of the particular commodity: *Provided*, That there may be added to such cost the amount of the actual transportation charges from the factory or original point of shipment to the point of disposition at Government rates, or, at the option of the Government agency, the estimated transportation charges from the nearest continental port of shipment to the point of disposition based on prevailing commercial rates.

(b) *Wholesale level.* The maximum price for sales at the wholesale level shall be the recorded procurement cost, or, in its absence, the estimated original cost, of the particular commodity, adjusted for freight as provided in paragraph (a) above, plus a markup to be determined by the Territorial Director on application of the Government agency. The Territorial Director shall establish a markup in line with the average of prevailing percentage markups for other sellers of the most nearly similar commodities. Sales may be made at prices not to exceed the recorded procurement cost, or, in its absence, the estimated original cost, plus transportation allowances provided in paragraph (a) above, without application to the Territorial Director.

(c) *Retail sales.* The maximum price for sales at the retail level shall be the recorded procurement cost, or, in its absence, the estimated original cost, of the particular commodity, adjusted for freight as provided in paragraph (a) above, plus a markup to be determined by the Territorial Director on application of the Government agency. The Territorial Director shall establish the markup in line with the average or prevailing percentage markups of other sellers of the same or most nearly similar commodities. Sales may be made at prices not to exceed the recorded procurement cost, or, in its absence, the estimated original cost, plus transportation allowances provided in paragraph (a) above, without application to the Territorial Director.

SEC. 3.3 *Maximum prices for sales of used commodities.* The maximum prices for sales of used commodities not exempt under section 2.1, shall be determined by any one of the following methods which the Government agency may select.

(a) The maximum price may be that specified for the particular commodity in the applicable Territorial Regulation, or in the regulations listed in Appendix B where such regulations apply to the particular Territory. Where the Government agency sells any used commodity "in place" or on an "installed basis", the expenses incurred by it in connection with the installation thereof may be included. The appropriate rate of depreciation set forth in the applicable regulation shall be deducted from such expenses.

(b) The Government agency may file with the Territorial Office of the Office of Price Administration a formula or formulas which it proposes to use in establishing maximum prices for the sale of specified used commodities or groups of commodities. The formula must be related to the ceiling price of the commodity in new condition, and must not exceed maximum prices applicable thereto, except that where such commodity or groups of commodities are sold "in place" or on an "installed basis", the Government agency may include the expenses incurred by it in connection with the installation thereof. If a formula is not disapproved or modified within fifteen days of filing, sales may be made thereunder until such time as the Territorial Director may modify, supersede, or suspend it.

The Territorial Director's failure to disapprove, modify, supersede, or suspend any formula filed under this paragraph shall not be construed as indicating that higher maximum prices would not be approved if applied for under section 4.1.

SEC. 3.4 *Maximum prices for sales of heterogeneous groups of commodities—*(a) *Heterogeneous groups of new commodities.* Where a heterogeneous group of new commodities held at one place is sold to one purchaser and where the determination of dollars-and-cents maximum prices would be unduly burdensome, the maximum price for the entire group of commodities may be determined under section 3.2 above.

(b) *Heterogeneous groups of new and used, or all used commodities.* Where a heterogeneous group of new and used, or all used commodities held at one place is sold to one purchaser, and where the determination of dollars-and-cents maximum prices would be unduly burdensome, the maximum price for the entire group may be a price not to exceed 75% of the recorded procurement cost, or, in its absence, 75% of the estimated original cost of the commodities, plus transportation allowances provided in section 3.2 (a) above.

ARTICLE IV—APPLICATIONS FOR MAXIMUM PRICES OR EXEMPTIONS

SEC. 4.1 *Procedure for filing applications and action thereon—*(a) *When Government agency shall apply.* A Government agency, when unable to determine a maximum price under section 3, or for any other reason, may apply to the Office of Price Administration for a maximum price or exemption.

(b) *Where to file applications.* Applications under this section shall be filed with the Territorial Office of the Office of Price Administration having jurisdiction over the place of sale.

(c) *What the application shall contain.* All applications under this section shall contain the following information:

(1) An accurate physical description of the commodity or commodities to be sold and the name and address of the manufacturer, if available, or if not, the name and address of the distributor.

(2) Its condition.

(3) The quantity to be sold.

(4) The type of sale contemplated, such as: auction, negotiation, acceptance of sealed bids, fixed price.

(5) The level of distribution at which sale is contemplated.

(6) A requested maximum price, if the agency so desires, with an explanation of the basis for such price.

(7) The recorded procurement cost, or, in its absence, the estimated original cost.

(8) If an exemption is requested, an explanation of the reasons for such request.

(9) If the commodity or commodities cannot be priced under Article III, explanation of the reasons therefor.

(d) *When requested maximum price may be deemed approved.* Any maximum price requested by a Government agency shall be deemed approved unless the Territorial Director gives notice to the contrary within twenty days from the date of its receipt.

(e) *Sales pending approval of maximum price.* Upon the filing of an application under this section, the Government agency may, where the commodity is to be sold by negotiation, enter into a contract to sell at the requested price, subject to approval of such price by the Territorial Director, make delivery thereunder, and collect the price requested. If the Government agency collects the requested price, it shall refund the difference between the price collected, and any lower maximum price established by the Territorial Director.

(f) *Action by Territorial Director on application discretionary.* The Territorial Director in his discretion, may either grant a special exemption or establish a special maximum price, regardless of whether the Government selling agency had applied for a special exemption or a special maximum price.

(g) *When the Territorial Director may grant exemptions.* The Territorial Director may grant an exemption from price control of a designated commodity or commodities where the Government agency cannot establish a maximum price under Article III, or for any other reason, and when, in his opinion, inflationary consequences will not result from the exemption because of market conditions, the use to which the commodity is to be put, or the fact that the price charged will not tend to increase the cost of living or other prices.

(h) *When the Territorial Director may establish special maximum prices.* If the Government agency's application satisfies the requirements of this section, the Territorial Director may establish maximum prices for the particular commodities covered by the application which are in line with the average or prevailing ceiling price or prices to which private sellers of the most nearly similar commodities are subject.

SEC. 4.2 *When Territorial Director may establish maximum prices or exemptions on his own motion.* The Territorial Director, on his own motion, may, by order, establish special maximum prices or special exemptions, applicable to sales by Government agencies or to resales by private resellers of commodities purchased from Government agencies, including, where he deems necessary, the establishment of special maximum prices for sales by Government agencies of scrap, salvage, or used materials and for resales of same.

An order issued under this section shall, with respect to sales by Government agencies, supersede any other pricing or exemption provision of this Supplementary Order 121, and shall, with respect to sales by private sellers, supersede any maximum price regulation otherwise applicable.

ARTICLE V—RESALES

SEC. 5.1 *Maximum prices for resales of commodities purchased from Government agencies—*(a) *General control of applicable maximum price regulations providing specific dollars-and-cents prices.* Resales by private sellers of commodities purchased from Government agencies are subject to the control of all applicable maximum price regulations providing specific dollars-and-cents maximum prices for sales of such commodities,[2] and not to this supplementary order.

(b) *Establishment of maximum prices for resales by private sellers of commodities not subject to maximum price regulations providing specific dollars-and-cents prices.* (1) Where a commodity is not subject to an existing maximum price regulation providing specific dollars-and-cents prices, private sellers of such commodity purchased from a Government agency shall determine their maximum price under this supplementary order by adding to the price paid for the commodity the percentage markup over cost used by the seller for sales of the same or similar commodities during the base period from November 7, 1941, to December 6, 1941, inclusive, for sales in Alaska and the Virgin Islands, during the base period from April 10, 1942, to May 10, 1942, inclusive, for sales in Puerto Rico, and during the base period of the month of April, 1942, for sales in Hawaii; *Provided*, That where a regulation otherwise applicable to sales of the particular commodity in the Territory or Possession provides for the determination of maximum prices by the use of a specific percentage markup over cost, such percentage markup shall be used in determining maximum prices under this sub-paragraph (1). Before selling at a price established under this sub-paragraph (1), the seller must file with the Office of Price Administration a report showing his name and business address, a complete and accurate description of the commodity to be sold and the quantity thereof, the price paid for the commodity, the level of distribution at which it is to be sold (i. e. wholesale, retail, etc.), the proposed selling price, and the manner in which such price was determined, including the percentage markup used. The price may be considered approved twenty days after filing, unless revised or adjusted within that time by the Office of Price Administration, in which case the seller must refund to the purchaser the excess if any of the price collected over the price approved.

NOTE: One commodity shall be deemed "similar" to another, if it has the same use, affords the purchaser fairly equivalent serviceability, and belongs to a type that would ordinarily be sold in the same price line. Differences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such commodities would ordinarily have been sold, shall not be taken into account.

(2) In case the seller is unable to establish a maximum price under subparagraph (1) above, he may determine his maximum price by adding to the price paid for the commodity to be priced the percentage markup over cost used by the seller for sales of the most comparable commodity during the base period from November 7, 1941, to December 6, 1941, inclusive, for sales in Alaska and the Virgin Islands, during the base period from April 10, 1942, to May 10, 1942, inclusive, for sales in Puerto Rico, and during the base period of the month of April, 1942, for sales in Hawaii. Before selling at a price established under this subparagraph (2), the seller must file with the Office of Price Administration a report showing his name and business address, a complete and accurate description of the commodity to be sold and the quantity thereof, the price paid for the commodity, the level of distribution at which it is to be sold (i. e. wholesale, retail, etc.), the proposed selling price, and the manner in which such price was determined, including the percentage markup used. The price may be considered approved twenty days after filing, unless revised or adjusted within that time by the Office of Price Administration, in which case the seller must refund to the purchaser the excess, if any, of the price collected over the price approved.

NOTE: The "most comparable commodity" under this subparagraph must meet all of the following tests:

(i) It must belong to the narrowest trade category which includes the commodity being priced.

(ii) It must have been purchased at the same level of distribution as the commodity being priced.

(iii) Both it and the commodity being priced must belong to a class of commodities to which, according to the sellers practice in the base period, and approximately uniform percentage markup would have been applied.

(3) In case the seller is unable to establish a maximum price under subparagraphs (1) and (2) above, he shall apply to the Territorial Director for the establishment of a maximum price. Applicants under this subparagraph may not sell until a maximum price has been approved, as provided below. The application shall state the name and address of the applicant, a complete and accurate description of the commodity to be priced and the quantity thereof, the price paid for the commodity, the level of distribution at which it is to be sold (i. e. wholesale, retail, etc.), the reason why the price cannot be determined under subparagraphs (1) and (2), the proposed selling price and the manner in which it was determined. The Territorial Director shall establish a maximum price on the basis of a markup over cost in line with the average or prevailing percentage markup for sellers of the same or most nearly similar commodity, and may, in his discretion, make due allowance for special circumstances relating to the cost and risk of disposing

[1] A regulation providing maximum prices to be calculated by reference to prices specified therein shall be considered a regulation providing specific maximum prices, for the purposes of this order.

[2] A regulation providing maximum prices to be calculated by reference to prices specified therein shall be considered a regulation providing specific maximum prices for the purposes of this order.

of the commodity, including cost of reconditioning. If no action is taken on the application within thirty days after it has been submitted, or after the submission of additional information requested, the seller may sell at the price requested, subject to later modification or adjustment by the Office of Price Administration at any time.

(4) Where the reseller pays the government agency or his supplier a price less than one-half the Government's recorded procurement cost, or, in its absence, the estimated original cost, in the case of a new commodity, or less than one-fourth such cost in the case of a used commodity, the reseller may substitute one-half or one-fourth, as the case may be, of the recorded procurement cost, or, in its absence, the estimated original cost as his cost for the purpose of figuring markups under subparagraphs (1) and (2) above.

ARTICLE VI—OTHER PROVISIONS

SEC. 6.1 *What this order prohibits.* On and after the effective date of this order, regardless of any contract, option, or other agreement, except those lawfully in effect before the effective date of this supplementary order, no Government agency or official or employee thereof, and no reseller or person subject to an order applicable to private resellers issued hereunder, shall sell, deliver, or cause to be sold or delivered, and no person in the course of trade or business shall buy or receive any commodity, for which a maximum price has been authorized by this supplementary order, or any order issued hereunder, at a price higher than such maximum price; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 6.2 *Lower prices may be charged.* Prices lower than those established by this supplementary order may of course be charged, demanded or offered, whether by way of discounts, allowances or otherwise.

SEC. 6.3 *Effect of this order on price regulations, and other supplementary orders.* The provisions of this supplementary order shall supersede the provisions of all maximum price regulations and supplementary orders previously issued to the extent that the latter are inconsistent with or contrary to any provisions of this supplementary order.

SEC. 6.4 *Records and reports*—(a) *Records to be kept by Government agencies.* (1) All Government agencies that have made or propose to make sales of any commodities subject to this supplementary order shall make available to the Office of Price Administration on request, copies of bids, quotations, and contracts pertaining to such sales.

(2) Every contractor or sub-contractor whose coptract has been terminated by a Government agency shall furnish the purchaser on each sale subject to this order an accurate description of the item or groups of items sold and the terms of sale.

(b) *Records to be kept by resellers.* All resellers of commodities sold by Government agencies subject to this order shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each purchase and sale of such commodities. The record of purchases shall include: the date of the purchase, a clear description or identification of the commodity, the quantity purchased, the price paid, the name and address of the seller. The record of sales shall include the date of the sale, a clear description or identification of the commodity, the quantity sold, the price charged for such commodity, the manner in which such price was determined, and, except for sales at retail not subject to approval by the Office of Price Administration under sections 5.1 (b) (1), (2) and (3) above, the name of the customer.

(c) *Further requirements.* All Government agencies making sales of commodities subject to this supplementary order, and all resellers of such commodities, shall keep such further records, and file such reports, as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, where required.

SEC. 6.5 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all resellers subject to this supplementary order. A seller's license may be suspended for violations of the license or of this supplementary order. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 6.6 *Export sales.* All export sales or sales for export shall be subject to the maximum prices provided in this supplementary order.

SEC. 6.7 *Definitions.* When used herein the term:

(a) "Person" means an individual, corporation, partnership, association, Government agency, or any other organized group of persons, or legal successor or representative of any of the foregoing.

(b) "Government Agency" or "Government", except where the context otherwise requires, mean the United States Government or any department, agency, commission, corporation, or other such instrumentality of the United States Government. For the purposes of this Supplementary Order, "Government agencies" and "Government" includes any contractor or sub-contractor whose contract has been terminated by a Government agency, and who has been authorized or directed by the Government agency to sell commodities, and where the proceeds are paid or credited to the Government agency. All provisions of this supplementary order shall apply to such contractors or subcontractors, except where specific provision is otherwise made.

(c) "Territorial Director" means the Director of the Office of Price Administration in the particular Territory or Possession.

(d) "Commodity" means all commodities, as defined in the Emergency Price Control Act of 1942.

(e) "Price Regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(f) "Sells" include sell, supply, dispose, barter, exchange, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sales", "selling", "sold", "seller", "buy", "purchase", and "purchases" shall be construed accordingly.

(g) "New commodities' includes damaged or deteriorated commodities.

(h) "Scrap material" as used in this order means property that has no reasonable prospect of sale except for its basic material content.

(i) "Salvage material" as used in this order means property that is in such a worn, damaged, deteriorated, or incomplete condition, or is of such a specialized nature, that it has no reasonable prospect of sale as a unit, but has some value in excess of its basic material content because it may contain serviceable components. Salvage includes used containers and cable reels. It should be noted that property is not "salvage" merely because it is worn, damaged, deteriorated, incomplete, or of a specialized nature.

(j) "Recorded procurement cost" or, in its absence, the "estimated original cost" means the cost entered in the declaration (Surplus Property Board Form SPB–1) to the disposal agency.

(k) Unless otherwise provided in a controlling regulation,

(1) Sale at the "wholesale level" means a sale to any person other than an ultimate consumer, and

(2) Sale at the "retail level" means a sale to an ultimate consumer.

(l) Other definitions. Unless the context otherwise requires, the definitions in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used in this supplementary order.

APPENDIX A—COMMODITIES EXEMPT FROM PRICE CONTROL WHEN SOLD BY GOVERNMENT AGENCIES

This appendix exempts sales by Government agencies of all commodities otherwise exempt from price control; all scrap and salvage material as defined in section 6.7 (h) and (i) of this supplementary order: *Provided*, That if such material is reconditioned, repaired or put into a condition suitable for use for the purpose for which it was manufactured, sales of such material shall not be exempt; also all used commodities or waste materials otherwise subject to the General Maximum Price Regulation or the General Maximum Price Regulation for Hawaii, except used airplanes powered by a single engine of not more than 500 H. P., and used commodities or waste materials subject to a price regulation other than the General Maximum Price Regulation when sold in the 48 states of the United States.

This appendix also exempts sales by Government agencies of those commodities which are covered by the regulations set forth below. Where the exemption is qualified, the limiting condition is set forth in parenthesis.

Regulation number	*Short title*
Revised Price Schedule 49 (exempts sales to reseller when no bids have been received from a consumer at the maximum prices established in the regulation).	Resale of iron and steel products.
Revised Price Schedule 93.	Mercury.
Revised Price Schedule 96.	Domestic fuel oil storage tanks.
Revised Price Schedule 100.	Cast iron soil pipe and fittings.
Revised Maximum Price Regulation 125 (except when sold for remelting in which case the applicable scrap regulation shall govern).	Nonferrous foundry products.
Maximum Price Regulation 175.	Rough rolled, fig. ured wire and heat absorbing rolled glass.
Maximum Price Regulation 199.	Lead bullet rod.
Revised Maximum Price Regulation 206.	Vitrified clay sewer pipe and allied products.
Maximum Price Regulation 224.	Cement.
Maximum Price Regulation 225.	Printing and printed paper commodities.
Maximum Price Regulation 230 (exempts sales to resellers only).	Reusable iron and steel pipe and used structural pipe.
Maximum Price Regulation 276.	Asphalt tile.
Maximum Price Regulation 310 (exempts sales to resellers only).	Reusable structural steel shapes and plates, and shafting.
Maximum Price Regulation 321.	Feldspar fire extinguishers.
Maximum Price Regulation 377 (except when sold for remelting in which case the applicable scrap regulation shall govern).	Die castings.
Maximum Price Regulation 382.	Wide mouth glass containers.
Maximum Price Regulation 416.	Basic refractory products.

APPENDIX B—REGULATIONS WHICH ESTABLISH MAXIMUM PRICES FOR USED COMMODITIES

PART I—REGULATIONS ESTABLISHING DOLLARS-AND-CENTS MAXIMUM PRICES AT ONE OR MORE LEVELS OF SALE

Regulation number	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
MPR 1	Second hand machine tools	(1)	(1)	(1)
RMPR 139	Used household mechanical refrigerators	(1)	(1)	(1)
RMPR 162	Ceiling prices for the sale and rental of used typewriters.		X	X
MPR 294	Used household vacuum cleaners and attachments for used household vacuum cleaners.		X	X
RMPR 341	Maximum price for used commercial motor vehicles	X	X	
MPR 372	Used domestic washing machines	(1)	(1)	(1)
MPR 375	Used industrial sewing machines	(1)	(1)	(1)
MPR 380	Used metal coil and flat bedsprings		X	X
MPR 516	Used photographic equipment	(1)	(1)	(1)
MPR 527	Used domestic gas cooking ranges		X	X
MPR 528	Used tires and tubes	(1)	(1)	(1)
MPR 528	Recapped tires		X	X
Rev. Supp., Reg. 14K, Sec. 1.2.	Used airplanes	(1)	(1)	(1)

[1] All sellers.

PART II—REGULATIONS WHICH ESTABLISH MAXIMUM PRICES FOR USED COMMODITIES BY FORMULA

The following regulations provide a formula by which Government selling agencies may calculate maximum prices for used commodities. In accordance with the terms of section 3.3 of this supplementary order, a Government selling agency may avail itself of the method set forth in the applicable one of the following regulations for the purpose of determining maximum prices for used items:

Regulation number	*Short title*
Maximum Price Regulation 136.	Machines and and Parts and Machinery Services.
Maximum Price Regulation 429.	Ceiling Prices for Certain Used Consumer Durable Goods.

This Supplementary Order No. 121 shall become effective August 1, 1945, or earlier at the option of the seller.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–13229; Filed, July 20, 1945; 11:40 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 128]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 8, Maximum Prices for Certain Berries, the following paragraph is added to footnote 6:

[1] 10 F.R. 7403, 7500, 7539, 7578, 7668, 7683, 7799, 8021, 8069, 8238, 8239, 8467.

Beginning July 20, 1945, until the end of the 1945 season, (1) for red raspberries grown in New York, the Column 5 prices shall be 22½¢ per pint, 43¢ per quart and 29¢ per pound, (2) for red raspberries grown in Minnesota, the Column 5 prices shall be 26¢ per pint, 50¢ per quart and 32¢ per pound, (3) for black raspberries grown in New York, the Column 5 prices shall be 21¢ per pint, 40¢ per quart and 27¢ per pound, (4) for black raspberries grown in Minnesota, the Column 5 prices shall be 24¢ per pint, 46¢ per quart and 30¢ per pound, and (5) for blackberries grown in New Jersey the Column 5 prices shall be 17¢ per pint, 33¢ per quart and 21¢ per pound.

This amendment shall become effective at 12:01 a. m. July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45–13163; Filed, July 19, 1945; 2:24 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 129]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Maximum Price Regulation No. 426 is amended in the following respects:

1. In Appendix K, Table 3, Maximum Prices for Apples, footnote 4 (added by Amendment 119), the date "June 25, 1945" is changed to "June 21, 1945".

2. The effective date of Amendment 119 is changed from June 25, 1945, to 12:01 a. m., June 21, 1945.

This amendment shall become effective at 12:01 a. m. July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45–13164; Filed, July 19, 1945; 2:24 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[2] Amdt. 130]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 8, Maximum Prices for Certain Berries, footnote 5,

[1] 10 F.R. 8021, 8069.

[2] 10 F.R. 7403, 7500, 7539, 7578, 7668, 7683, 7799, 8021, 8069, 8239, 8239, 8467.

the phrase "end of the 1945 season" is substituted for the date "July 20, 1945."

This amendment shall become effective at 12:01 a. m. July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13227; Filed, July 20, 1945; 11:39 a. m.]

PART 1389—APPAREL

[RMPR 578]

MAXIMUM PRICES FOR CERTAIN GARMENTS PRODUCED WITH WAR PRODUCTION BOARD PRIORITIES ASSISTANCE

Maximum Price Regulation No. 578[1] (Maximum Prices for Certain Garments Produced with War Production Board Priorities Assistance) is redesignated Revised Maximum Price Regulation No. 578 (Maximum Prices for Certain Garments Produced with War Production Board Priorities Assistance) and is revised and amended to read as set forth below.

A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation No. 578 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Sec.
1. Scope of this regulation.
2. Maximum prices for sales by manufacturers and manufacturing-retailers.
3. Maximum prices for sales at retail.
4. Maximum prices for sales at wholesale.
5. Maximum prices for garments which have been bought or sold at a "special sale".
6. Marking of garments.
7. When taxes may be added.
8. Sales slips and invoices.
9. Records.
10. Relation to other maximum price regulations.
11. What acts are prohibited.
12. Definitions.
13. Enforcement and licensing.
14. Amendment.

AUTHORITY: § 1389.608 issued under 56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong., Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Scope of this regulation*—(a) *Garments covered*—(1) *What garments are covered.* This regulation applies only to the specified garments listed in the following War Production Board Orders, and made from fabrics obtained under those orders:

(i) Order M-235, Supplement II (Schedule I), issued July 27, 1944.

(ii) Order M-328B, Supplement VIII (Schedule A) as amended, issued October 31, 1944.

(iii) Order M-385, Supplement II (Schedule I), as amended, issued February 9, 1945.

(iv) Order M-385, Supplement III (Schedule II), issued February 9, 1945.

(v) Order M-388A (Preference Rating Schedules I and II), issued February 19, 1945.

(vi) Order M-328B, Supplement XI (Schedule A), issued April 10, 1945.

(vii) Order M-388A (Preference Rating Schedules I and II), as amended, issued April 14, 1945 (except girdles and corsets, foundation garments, men's summer seersucker and woven cord suits, religious vestments and clothing, burial clothing and shrouds).

(viii) Order M-328B (Schedule C), issued July 3, 1945.

(ix) Order M-328B (Schedule D), issued July 6, 1945.

As used in this regulation, the word "garment" means any commodity (except those specified in (vii) above) made from fabrics obtained under any of the WPB orders listed above.

(b) *When garments are covered.* This regulation applies only to garments which are sold or delivered by a manufacturer or manufacturing-retailer on and after August 17, 1945. With respect to any garment sold or delivered by a manufacturer or manufacturing-retailer on and after that date, the ceiling price must be correctly figured by all sellers according to the provisions of this regulation; manufacturers and manufacturing-retailers must preticket the garments according to section 6 of this regulation and all other provisions of this regulation must be observed. Prior to the time this regulation takes effect, the provisions of Maximum Price Regulation 578 which exist before the effective date of this revised regulation apply.

Under this regulation a garment is "delivered" when it leaves the possession of the seller either by delivery into the physical possession of the purchaser or by physical delivery to a carrier for shipment to the purchaser.

SEC. 2. *Maximum prices for sales by manufacturers and manufacturing-retailers.* Each manufacturer and manufacturing-retailer must find his maximum prices for garments covered by this regulation according to the instructions given in (b) below, except that in no case may he establish a maximum price for a garment which exceeds his "over-riding ceiling price" for that garment as described in (a) below.

(a) *Overriding ceiling prices*—(1) *For all manufacturers and manufacturing-retailers.* No manufacturer or manufacturing-retailer may establish a maximum price for any garment which exceeds the highest price at which he may sell that garment under the WPB order under which he obtained the material for it.

(2) *For manufacturers of women's, girls', children's and toddlers' outerwear, underwear and nightwear, and men's and boys' tailored clothing.* In addition to the provisions of (1) immediately above, no manufacturer or manufacturing-retailer of any garment which would be covered by Maximum Price Regulation No. 177,[2] Revised Maximum Price Regulation No. 287,[3] or Maximum Price Regulation No. 570,[4] if it were made of fabric not obtained under one of the WPB Orders listed in section 1 (a), may establish for such garment a maximum price which exceeds the highest price line limitation provided by Maximum Price Regulation 177, Revised Maximum Price Regulation No. 287, or Maximum Price Regulation No. 570 for a garment of that type of category.

(b) *Maximum prices.* Each manufacturer and manufacturing-retailer finds his maximum prices as follows:

(1) *Group I: garments formerly covered by the General Maximum Price Regulation.*[5] Group I consists of garments which were covered by the General Maximum Price Regulation prior to issuance of Maximum Price Regulation No. 578. For these garments the maximum prices shall be determined under the provisions of the General Maximum Price Regulation.

(2) *Group II: garments formerly covered by Maximum Price Regulation No. 332.*[6] Group II consists of garments which were covered by Maximum Price Regulation No. 332 prior to issuance of Maximum Price Regulation No. 578. For these garments the maximum prices shall be determined under the provisions of Maximum Price Regulation No. 332.

(3) *Group III: garments formerly covered by Maximum Price Regulation No. 570.* Group III consists of garments which were covered by Maximum Price Regulation No. 570 prior to issuance of Maximum Price Regulation No. 578. For these garments the maximum prices shall be determined under the provisions of Maximum Price Regulation No. 570 except that a manufacturer or manufacturing-retailer of such garments may add to his direct cost of each garment under that regulation, the direct labor cost incurred in attaching labels as provided in section 6 (d) of this regulation.

(4) *Group IV: garments formerly covered by Revised Maximum Price Regulation No. 287.* Group IV consists of garments which were covered by Revised Maximum Price Regulation No. 287 prior to issuance of Maximum Price Regulation No. 578. For these garments the maximum prices shall be determined under the provisions of Revised Maximum Price Regulation No. 287, except that a manufacturer or manufacturing-retailer of such garments may add to his direct cost of each garment under that regulation, the direct labor cost incurred in attaching labels as provided in section 6 (d) of this regulation.

(5) *Group V: garments formerly covered by Maximum Price Regulation No. 177.* Group V consists of garments which were covered by Maximum Price Regulation No. 177 prior to issuance of Maximum Price Regulation No. 578. For these garments the maximum prices shall be determined under the provisions of Maximum Price Regulation No. 177.

(6) *Group VI: garments formerly covered by Maximum Price Regulation No. 220.* Group VI consists of garments which were covered by Maximum Price Regulation No. 220 prior to issuance of Maximum Price Regulation No. 578. For these garments the maximum prices shall be determined under the provisions of Maximum Price Regulation No. 220.

[1] 10 F.R. 2383, 2756, 2969, 3052, 5794, 6960.

[2] 7 F.R. 5182, 6475, 6792, 7100, 7944, 9000, 8940, 8948; 8 F.R. 10559, 11954.

[3] 7 F.R. 10460; 8 F.R. 323, 492, 859, 1365, 1740, 4514.

[4] 10 F.R. 655, 1788, 4662.

[5] 8 F.R. 3096.

[6] 8 F.R. 2350, 2783.

SEC. 3. *Maximum prices for sales at wholesale.* This section sets forth dollar-and-cents maximum prices for all sales at wholesale except that the maximum prices of garments which have been or are being sold at a "special sale" must be determined under section 5.

Dollars-and-cents ceiling prices for regular sales at wholesale are set forth in Table I below. This table shows the net ceiling price per dozen for a regular sale at wholesale which corresponds to the manufacturer's net selling price (after deduction of all available discounts) or net ceiling price, whichever is lower, for the garments f. o. b. manufacturer's place of business. When the wholesaler has found his manufacturer's net selling price (after deduction of all available discounts) in column 1 of the table, the corresponding figure in column 2 is his net ceiling price per dozen for a regular sale at wholesale.

TABLE I—MAXIMUM PRICES FOR REGULAR SALES AT WHOLESALE

Column 1 If the manufacturer's net selling price per dozen is—	*Column 2* The maximum net price per dozen for a regular sale at wholesale is—
$0.31–$0.33	$0.40
$0.34–$0.37	.45
$0.38–$0.41	.50
$0.42–$0.45	.55
$0.46–$0.49	.60
$0.50–$0.53	.65
$0.54–$0.57	.70
$0.58–$0.61	.75
$0.62–$0.65	.80
$0.66–$0.69	.85
$0.70–$0.73	.90
$0.74–$0.77	.95
$0.78–$0.83	1.00
$0.84–$0.91	1.10
$0.92–$0.99	1.20
$1.00–$1.07	1.30
$1.08–$1.16	1.40
$1.17–$1.24	1.50
$1.25–$1.33	1.60
$1.34–$1.39	1.70
$1.40–$1.47	1.80
$1.48–$1.55	1.90
$1.56–$1.63	2.00
$1.64–$1.74	2.10
$1.75–$1.83	2.25
$1.84–$1.95	2.35
$1.96–$2.07	2.50
$2.08–$2.17	2.62½
$2.18–$2.27	2.75
$2.28–$2.37	2.87½
$2.38–$2.48	3.00
$2.49–$2.58	3.12½
$2.59–$2.68	3.25
$2.69–$2.78	3.37½
$2.79–$2.88	3.50
$2.89–$2.98	3.62½
$2.99–$3.08	3.75
$3.09–$3.18	3.87½
$3.19–$3.29	4.00
$3.30–$3.39	4.12½
$3.40–$3.49	4.25
$3.50–$3.59	4.37½
$3.60–$3.69	4.50
$3.70–$3.79	4.62½
$3.80–$3.89	4.75
$3.90–$3.99	4.87½
$4.00–$4.10	5.00
$4.11–$4.20	5.12½
$4.21–$4.30	5.25
$4.31–$4.40	5.37½
$4.41–$4.50	5.50
$4.51–$4.60	5.62½
$4.61–$4.70	5.75
$4.71–$4.80	5.87½
$4.81–$4.91	6.00
$4.92–$5.01	6.12½
$5.02–$5.11	6.25
$5.12–$5.21	$6.37½
$5.22–$5.31	6.50
$5.32–$5.41	6.62½
$5.42–$5.51	6.75
$5.52–$5.61	6.87½
$5.62–$5.72	7.00
$5.73–$5.82	7.12½
$5.83–$5.92	7.25
$5.93–$6.02	7.37½
$6.03–$6.12	7.50
$6.13–$6.22	7.62½
$6.23–$6.32	7.75
$6.33–$6.42	7.87½
$6.43–$6.53	8.00
$6.54–$6.63	8.12½
$6.64–$6.73	8.25
$6.74–$6.83	8.37½
$6.84–$6.93	8.50
$6.94–$7.03	8.62½
$7.04–$7.13	8.75
$7.14–$7.23	8.87½
$7.24–$7.34	9.00
$7.35–$7.44	9.12½
$7.45–$7.54	9.25
$7.55–$7.64	9.37½
$7.65–$7.74	9.50
$7.75–$7.84	9.62½
$7.85–$7.94	9.75
$7.95–$8.04	9.87½
$8.05–$8.15	10.00
$8.16–$8.25	10.12½
$8.26–$8.35	10.25
$8.36–$8.45	10.37½
$8.46–$8.55	10.50
$8.56–$8.65	10.62½
$8.66–$8.75	10.75
$8.76–$8.85	10.87½
$8.86–$8.96	11.00
$8.97–$9.06	11.12½
$9.07–$9.16	11.25
$9.17–$9.26	11.37½
$9.27–$9.36	11.50
$9.37–$9.46	11.62½
$9.47–$9.56	11.75
$9.57–$9.66	11.87½
$9.67–$9.77	12.00
$9.78–$9.87	12.12½
$9.88–$9.97	12.25
$9.98–$10.07	12.37½
$10.08–$10.17	12.50
$10.18–$10.27	12.62½
$10.28–$10.37	12.75
$10.38–$10.47	12.87½
$10.48–$10.58	13.00
$10.59–$10.68	13.12½
$10.69–$10.78	13.25
$10.79–$10.88	13.37½
$10.89–$10.98	13.50
$10.99–$11.08	13.62½
$11.09–$11.18	13.75
$11.19–$11.28	13.87½
$11.29–$11.39	14.00
$11.40–$11.49	14.12½
$11.50–$11.59	14.25
$11.60–$11.69	14.37½
$11.70–$11.79	14.50
$11.80–$11.89	14.62½
$11.90–$11.99	14.75
$12.00–$12.09	14.87½
$12.10–$12.20	15.00
$12.21–$12.30	15.12½
$12.31–$12.40	15.25
$12.41–$12.50	15.37½
$12.51–$12.60	15.50
$12.61–$12.70	15.62½
$12.71–$12.80	15.75
$12.81–$12.90	15.87½
$12.91–$13.01	16.00
$13.02–$13.11	16.12½
$13.12–$13.21	16.25
$13.22–$13.31	16.37½
$13.32–$13.41	16.50
$13.42–$13.51	16.62½
$13.52–$13.61	16.75
$13.62–$13.71	$16.87½
$13.72–$13.82	17.00
$13.83–$13.92	17.12½
$13.93–$14.02	17.25
$14.03–$14.12	17.37½
$14.13–$14.22	17.50
$14.23–$14.32	17.62½
$14.33–$14.42	17.75
$14.43–$14.53	17.87½
$14.54–$14.63	18.00
$14.64–$14.73	18.12½
$14.74–$14.83	18.25
$14.84–$14.93	18.37½
$14.94–$15.03	18.50
$15.04–$15.13	18.62½
$15.14–$15.23	18.75
$15.24–$15.33	18.87½
$15.34–$15.43	19.00
$15.44–$15.54	19.12½
$15.55–$15.64	19.25
$15.65–$15.74	19.37½
$15.75–$15.84	19.50
$15.85–$15.94	19.62½
$15.95–$16.04	19.75
$16.05–$16.14	19.87½
$16.15–$16.24	20.00
$16.25–$16.34	20.12½
$16.35–$16.45	20.25
$16.46–$16.55	20.37½
$16.56–$16.65	20.50
$16.66–$16.75	20.62½
$16.76–$16.84	20.75
$16.85–$16.94	20.87½
$16.95–$17.06	21.00
$17.07–$17.16	21.12½
$17.17–$17.26	21.25
$17.27–$17.36	21.37½
$17.37–$17.46	21.50
$17.47–$17.56	21.62½
$17.57–$17.66	21.75
$17.67–$17.76	21.87½
$17.77–$17.87	22.00
$17.88–$17.97	22.12½
$17.98–$18.07	22.25
$18.08–$18.18	22.37½
$18.19–$18.27	22.50
$18.28–$18.37	22.62½
$18.38–$18.47	22.75
$18.48–$18.57	22.87½
$18.58–$18.68	23.00
$18.69–$18.78	23.12½
$18.79–$18.88	23.25
$18.89–$18.98	23.37½
$18.99–$19.08	23.50
$19.09–$19.18	23.62½
$19.19–$19.28	23.75
$19.29–$19.38	23.87½
$19.39–$19.49	24.00
$19.50–$19.59	24.12½
$19.60–$19.69	24.25
$19.70–$19.79	24.37½
$19.80–$19.89	24.50
$19.90–$19.99	24.62½
$20.00–$20.09	24.75
$20.10–$20.19	24.87½
$20.20–$20.30	25.00
$20.31–$20.40	25.12½
$20.41–$20.50	25.25
$20.51–$20.60	25.37½
$20.61–$20.70	25.50
$20.71–$20.80	25.62½
$20.81–$20.90	25.75
$20.91–$21.00	25.87½
$21.01–$21.11	26.00
$21.12–$21.21	26.12½
$21.22–$21.31	26.25
$21.32–$21.41	26.37½
$21.42–$21.51	26.50
$21.52–$21.61	26.62½
$21.62–$21.71	26.75
$21.72–$21.81	26.87½
$21.82–$21.92	27.00
$21.93–$22.02	27.12½
$22.03–$22.12	27.25

[1] 10 F.R. 2383, 2756, 2969, 3052, 5794, 6960.

[2] 10 F.R. 655, 1788, 4662.

[3] 8 F.R. 2350, 2781.

TABLE I—Continued

Column 1 If the manufacturer's net selling price per dozen is—	*Column 2* The maximum net price per dozen for a regular sale at wholesale is—
$22.13–$22.22	$27.37½
$22.23–$22.32	27.50
$22.33–$22.42	27.62½
$22.43–$22.52	27.75
$22.53–$22.71	28.00
$22.72–$23.11	28.50
$23.12–$23.51	29.00
$23.52–$23.91	29.50
$23.92–$24.31	30.00
$24.32–$24.71	30.50
$24.72–$25.11	31.00
$25.12–$25.51	31.50
$25.52–$25.91	32.00
$25.92–$26.31	32.50
$26.32–$26.71	33.00
$26.72–$27.11	33.50
$27.12–$27.51	34.00
$27.52–$27.91	34.50
$27.92–$28.31	35.00
$28.32–$28.71	35.50
$28.72–$29.11	36.00
$29.12–$29.51	36.50
$29.52–$29.91	37.00
$29.92–$30.31	37.50
$30.32–$30.71	38.00
$30.72–$31.11	38.50
$31.12–$31.51	39.00
$31.52–$31.91	39.50
$31.92–$32.31	40.00
$32.32–$32.71	40.50
$32.72–$33.11	41.00
$33.12–$33.51	41.50
$33.52–$33.91	42.00
$33.92–$34.31	42.50
$34.32–$34.71	43.00
$34.72–$35.11	43.50
$35.12–$35.51	44.00
$35.52–$35.91	44.50
$35.92–$36.31	45.00
$36.32–$36.71	45.50
$36.72–$37.11	46.00
$37.12–$37.51	46.50
$37.52–$37.91	47.00
$37.92–$38.31	47.50
$38.32–$38.71	48.00
$38.72–$39.11	48.50
$39.12–$39.51	49.00
$39.52–$39.91	49.50
$39.92–$40.31	50.00
$40.32–$40.71	50.50
$40.72–$41.11	51.00
$41.12–$41.51	51.50
$41.52–$41.91	52.00
$41.92–$42.31	52.50
$42.32–$42.71	53.00
$42.72–$43.11	53.50
$43.12–$43.51	54.00
$43.52–$43.91	54.50
$43.92–$44.31	55.00
$44.32–$44.71	55.50
$44.72–$45.11	56.00
$45.12–$45.51	56.50
$45.52–$45.91	57.00
$45.92–$46.31	57.50
$46.32–$46.71	58.00
$46.72–$47.11	58.50
$47.12–$47.51	59.00
$47.52–$47.91	59.50
$47.92–$48.31	60.00
$48.32–$48.71	60.50
$48.72–$49.11	61.00
$49.12–$49.51	61.50
$49.52–$49.91	62.00
$49.92–$50.31	62.50
$50.32–$50.71	63.00
$50.72–$51.11	63.50
$51.12–$51.51	64.00
$51.52–$51.91	64.50
$51.92–$52.31	65.00
$52.32–$52.71	65.50
$52.72–$53.11	66.00
$53.12–$53.51	66.50
$53.52–$53.91	67.00
$53.92–$54.31	67.50

TABLE I—Continued

Column 1 If the manufacturer's net selling price per dozen is—	*Column 2* The maximum net price per dozen for a regular sale at wholesale is—
$54.32–$54.71	$68.00
$54.72–$55.11	68.50
$55.12–$55.51	69.00
$55.52–$55.91	69.50
$55.92–$56.31	70.00
$56.32–$56.71	70.50
$56.72–$57.11	71.00
$57.12–$57.51	71.50
$57.52–$57.91	72.00
$57.92–$58.31	72.50
$58.32–$58.71	73.00
$58.72–$59.11	73.50
$59.12–$59.51	74.00
$59.52–$59.91	74.50
$59.92–$60.31	75.00
$60.32–$60.71	75.50
$60.72–$61.11	76.00
$61.12–$61.51	76.50
$61.52–$61.91	77.00
$61.92–$62.31	77.50

If the manufacturer's net selling price per dozen garments is higher than the highest price listed in column 1, the maximum net price per dozen for a regular sale at wholesale is found as follows: (a) take one-half of the manufacturer's net selling price per dozen, and find the maximum net price per dozen for a regular sale at wholesale listed in column 2 opposite that amount; (b) multiply the maximum net price by 2.

For example: A manufacturer's net selling price for men's cotton uniforms is $90.00 per dozen. The highest price listed in Column 1 is $62.31. Accordingly, he finds the bracket in Column 1 containing a manufacturer's net selling price of ½ of $90.00 or $45.00. This bracket is $44.72–$45.11. The maximum net price for a sale at wholesale listed in Column 2 opposite this bracket is $56.00 per dozen; he therefore multiplies $56.00 by 2 to arrive at a maximum net price of $112.00 per dozen for a sale at wholesale of these cotton uniforms.

SEC. 4. *Maximum prices for sales at retail.* This section sets forth dollar-and-cents maximum prices for all sales at retail.

(a) *Maximum retail prices of garments made of fabrics obtained under Schedule II of WPB Orders M–385 and M–388A.* This paragraph establishes ceiling prices for sales at retail of all garments made of fabrics obtained under Schedule II of WPB Order M–385, as amended February 9, 1945, and Schedule II of WPB Order M–388A, as issued February 19, 1945 and as amended April 14, 1945.

Dollar-and-cents ceiling prices for sales of these garments at retail are set forth in Table II below. This table shows the retail ceiling price which corresponds to the "supplier's price" f. o. b. the supplier's place of business. As used in this section, "supplier's price" means the supplier's net selling price (after the deduction of all available discounts) or his net ceiling price, whichever is lower, if the supplier is a manufacturer. It means the supplier's net ceiling price if the supplier is a wholesaler. When the retailer has found his "supplier's price" per dozen in column 1 of this table, the corresponding price in column 2 is his retail ceiling price per garment. (This price should be already marked on the garment when the retailer receives it.)

TABLE II—MAXIMUM PRICES FOR SALES AT RETAIL OF GARMENTS MADE FROM FABRICS OBTAINED UNDER SCHEDULE II OF WPB ORDERS M–385 AND M–388A

Column 1 If the supplier's price per dozen is—	*Column 2* The retail ceiling price per garment is—
$0.27–$0.34	$0.04
$0.35–$0.42	.05
$0.43–$0.49	.06
$0.50–$0.57	.07
$0.58–$0.65	.08
$0.66–$0.72	.09
$0.73–$0.80	.10
$0.81–$0.88	.11
$0.89–$0.96	.12
$0.97–$1.03	.13
$1.04–$1.11	.14
$1.12–$1.19	.15
$1.20–$1.26	.16
$1.27–$1.34	.17
$1.35–$1.42	.18
$1.43–$1.49	.19
$1.50–$1.57	.20
$1.58–$1.65	.21
$1.66–$1.72	.22
$1.73–$1.80	.23
$1.81–$1.88	.24
$1.89–$1.95	.25
$1.96–$2.03	.26
$2.04–$2.11	.27
$2.12–$2.18	.28
$2.19–$2.26	.29
$2.27–$2.34	.30
$2.35–$2.41	.31
$2.42–$2.49	.32
$2.50–$2.57	.33
$2.58–$2.64	.34
$2.65–$2.72	.35
$2.73–$2.80	.36
$2.81–$2.88	.37
$2.89–$2.95	.38
$2.96–$3.03	.39
$3.04–$3.11	.40
$3.12–$3.18	.41
$3.19–$3.26	.42
$3.27–$3.34	.43
$3.35–$3.41	.44
$3.42–$3.49	.45
$3.50–$3.57	.46
$3.58–$3.64	.47
$3.65–$3.72	.48
$3.73–$3.80	.49
$3.81–$4.03	.50
$4.04–$4.41	.55
$4.42–$4.80	.60
$4.81–$5.18	.65
$5.19–$5.56	.70
$5.57–$5.95	.75
$5.96–$6.33	.80
$6.34–$6.72	.85
$6.73–$7.10	.90
$7.11–$7.48	.95
$7.49–$7.87	1.00
$7.88–$8.25	1.05
$8.26–$8.64	1.10
$8.65–$9.02	1.15
$9.03–$9.40	1.20
$9.41–$9.79	1.25
$9.80–$10.17	1.30
$10.18–$10.56	1.35
$10.57–$10.94	1.40
$10.95–$11.32	1.45
$11.33–$11.71	1.50
$11.72–$12.09	1.55
$12.10–$12.48	1.60
$12.49–$12.86	1.65
$12.87–$13.24	1.70
$13.25–$13.63	1.75
$13.64–$14.01	1.80
$14.02–$14.40	1.85
$14.41–$14.78	1.90
$14.79–$15.16	1.95
$15.17–$15.74	2.00
$15.75–$16.51	2.10
$16.52–$17.28	2.20
$17.29–$18.04	2.30
$18.05–$18.81	2.40
$18.82–$19.58	2.50
$19.59–$20.35	2.60

TABLE II—Continued

Column 1 If the supplier's price per dozen is—	*Column 2* The retail ceiling price per garment is—
$20.36–$21.12	$2.70
$21.13–$21.88	2.80
$21.89–$22.65	2.90
$22.66–$23.42	3.00
$23.43–$24.19	3.10
$24.20–$24.96	3.20
$24.97–$25.72	3.30
$25.73–$26.49	3.40
$26.50–$27.26	3.50
$27.27–$28.03	3.60
$28.04–$28.80	3.70
$28.81–$29.56	3.80
$29.57–$30.33	3.90
$30.34–$31.10	4.00
$31.11–$31.87	4.10
$31.88–$32.64	4.20
$32.65–$33.40	4.30
$33.41–$34.17	4.40
$34.18–$34.94	4.50
$34.95–$35.71	4.60
$35.72–$36.48	4.70
$36.49–$37.24	4.80
$37.25–$38.01	4.90
$38.02–$38.78	5.00
$38.79–$39.55	5.10
$39.56–$40.32	5.20
$40.33–$41.08	5.30
$41.09–$41.85	5.40
$41.86–$42.62	5.50
$42.63–$43.39	5.60
$43.40–$44.16	5.70
$44.17–$44.92	5.80
$44.93–$45.69	5.90
$45.70–$46.46	6.00
$46.47–$47.23	6.10
$47.24–$48.00	6.20
$48.01–$48.76	6.30
$48.77–$49.53	6.40
$49.54–$50.30	6.50
$50.31–$51.07	6.60
$51.08–$51.84	6.70
$51.85–$52.60	6.80
$52.61–$53.37	6.90
$53.38–$54.14	7.00
$54.15–$54.91	7.10
$54.92–$55.68	7.20
$55.69–$56.44	7.30
$56.45–$57.21	7.40
$57.22–$57.98	7.50
$57.99–$58.75	7.60
$58.76–$59.52	7.70
$59.53–$60.28	7.80
$60.29–$61.05	7.90
$61.06–$61.82	8.00
$61.83–$62.59	8.10
$62.60–$63.36	8.20
$63.37–$64.12	8.30
$64.13–$64.89	8.40
$64.90–$65.66	8.50
$65.67–$66.43	8.60
$66.44–$67.20	8.70
$67.21–$67.96	8.80
$67.97–$68.73	8.90
$68.74–$69.50	9.00
$69.51–$70.27	9.10
$70.28–$71.04	9.20
$71.05–$71.80	9.30
$71.81–$72.57	9.40
$72.58–$73.34	9.50

If the "supplier's price" per dozen garments is higher than the highest price listed in column 1, the retail ceiling price per garment is found as follows: (a) take one-half of the supplier's price per dozen and find the retail ceiling price per garment listed in column 2 opposite that amount; (b) multiply the retail ceiling price per garment by 2.

For example. A retailer purchases men's cotton uniforms made of fabric obtained under Schedule II of WPB Order M–388A, for which his supplier's price is $112.00 per dozen. The highest price listed in column 1 is $73.34. Accordingly, he finds the bracket in column 1 containing a supplier's price of ½ of $112.00 or $56.00 per dozen. This bracket is $55.69–$56.44. The retail ceiling price listed in column 2 opposite the bracket is $7.30 per garment; he therefore multiplies $7.30 by 2 to arrive at a maximum retail ceiling price $14.60 per unit for these cotton uniforms.

(b) *Maximum retail prices of garments made from fabrics obtained under Schedule I of WPB Orders M–385 or M–388A or Supplements VIII or XI or Schedules C or D of WPB Order M–328B.* This paragraph establishes ceiling prices for sales at retail of all garments made from fabrics obtained under Schedule I of WPB Order M–385 as issued July 27, 1944 or as amended February 9, 1945 or Schedule I of WPB Order M–388A as issued February 19, 1945 or as amended April 14, 1945, or under Supplement VIII or XI or Schedule C or D of WPB Order M–328B.

Dollar and cents ceiling prices for sales of these garments at retail are set forth in Table III below. This table shows the retail ceiling price which corresponds to the "supplier's price" f. o. b. the supplier's place of business. As used in this section, "supplier's price" means the supplier's net selling price (after the deduction of all available discounts) or his net ceiling price, whichever is lower, if the supplier is a manufacturer. It means the supplier's net ceiling price if the supplier is a wholesaler. When the retailer has found his "supplier's price" per dozen in column 1 of this table, the corresponding price in column 2 is his retail ceiling price per garment. (This retail price should be already marked on the garment when the retailer receives it.)

TABLE III—MAXIMUM PRICES FOR SALES AT RETAIL OF GARMENTS MADE FROM FABRICS OBTAINED UNDER SCHEDULE I OF WPB ORDERS M–385 OR M–388A OR SUPPLEMENTS VIII OR XI OR SCHEDULES C OR D OF WPB M–328B

Column 1 If the supplier's price per dozen is—	*Column 2* The retail ceiling price per garment is—
$0.28–$0.35	$0.04
$0.36–$0.43	.05
$0.44–$0.51	.06
$0.52–$0.59	.07
$0.60–$0.67	.08
$0.68–$0.75	.09
$0.76–$0.83	.10
$0.84–$0.91	.11
$0.92–$0.99	.12
$1.00–$1.06	.13
$1.07–$1.14	.14
$1.15–$1.22	.15
$1.23–$1.30	.16
$1.31–$1.38	.17
$1.39–$1.46	.18
$1.47–$1.54	.19
$1.55–$1.62	.20
$1.63–$1.70	.21
$1.71–$1.78	.22
$1.79–$1.86	.23
$1.87–$1.94	.24
$1.95–$2.01	.25
$2.02–$2.09	.26
$2.10–$2.17	.27
$2.18–$2.25	.28
$2.26–$2.33	.29
$2.34–$2.41	.30
$2.42–$2.49	.31
$2.50–$2.57	.32
$2.58–$2.65	.33
$2.66–$2.73	.34
$2.74–$2.81	.35
$2.82–$2.89	.36
$2.90–$2.97	.37
$2.98–$3.04	.38
$3.05–$3.12	.39

TABLE III—Continued

Column 1 If the supplier's price per dozen is—	*Column 2* The retail ceiling price per garment is—
$3.13–$3.20	$0.40
$3.21–$3.28	.41
$3.29–$3.36	.42
$3.37–$3.44	.43
$3.45–$3.52	.44
$3.53–$3.60	.45
$3.61–$3.68	.46
$3.69–$3.76	.47
$3.77–$3.84	.48
$3.85–$3.92	.49
$3.93–$4.15	.50
$4.16–$4.55	.55
$4.56–$4.95	.60
$4.96–$5.34	.65
$5.35–$5.74	.70
$5.75–$6.13	.75
$6.14–$6.53	.80
$6.54–$6.93	.85
$6.94–$7.32	.90
$7.33–$7.72	.95
$7.73–$8.11	1.00
$8.12–$8.51	1.05
$8.52–$8.91	1.10
$8.92–$9.30	1.15
$9.31–$9.70	1.20
$9.71–$10.09	1.25
$10.10–$10.49	1.30
$10.50–$10.89	1.35
$10.90–$11.28	1.40
$11.29–$11.68	1.45
$11.69–$12.07	1.50
$12.08–$12.47	1.55
$12.48–$12.87	1.60
$12.88–$13.26	1.65
$13.27–$13.66	1.70
$13.67–$14.05	1.75
$14.06–$14.45	1.80
$14.46–$14.85	1.85
$14.86–$15.24	1.90
$15.25–$15.64	1.95
$15.65–$16.23	2.00
$16.24–$17.02	2.10
$17.03–$17.82	2.20
$17.83–$18.61	2.30
$18.62–$19.40	2.40
$19.41–$20.19	2.50
$20.20–$20.98	2.60
$20.99–$21.78	2.70
$21.79–$22.57	2.80
$22.58–$23.36	2.90
$23.37–$24.15	3.00
$24.16–$24.94	3.10
$24.95–$25.74	3.20
$25.75–$26.53	3.30
$26.54–$27.32	3.40
$27.33–$28.11	3.50
$28.12–$28.90	3.60
$28.91–$29.70	3.70
$29.71–$30.49	3.80
$30.50–$31.28	3.90
$31.29–$32.07	4.00
$32.08–$32.86	4.10
$32.87–$33.66	4.20
$33.67–$34.45	4.30
$34.46–$35.24	4.40
$35.25–$36.03	4.50
$36.04–$36.82	4.60
$36.83–$37.62	4.70
$37.63–$38.41	4.80
$38.42–$39.20	4.90
$39.21–$39.99	5.00
$40.00–$40.78	5.10
$40.79–$41.58	5.20
$41.59–$42.37	5.30
$42.38–$43.16	5.40
$43.17–$43.95	5.50
$43.96–$44.74	5.60
$44.75–$45.54	5.70
$45.55–$46.33	5.80
$46.34–$47.12	5.90
$47.13–$47.91	6.00
$47.92–$48.70	6.10
$48.71–$49.50	6.20
$49.51–$50.29	6.30
$50.30–$51.08	6.40
$51.09–$51.87	6.50
$51.88–$52.66	6.60

TABLE III—Continued

Column 1 If the supplier's price per dozen is—	*Column 2* The retail ceiling price per garment is—
$52.67–$53.46	$6.70
$53.47–$54.25	6.80
$54.26–$55.04	6.90
$55.05–$55.83	7.00
$55.84–$56.62	7.10
$56.63–$57.42	7.20
$57.43–$58.21	7.30
$58.22–$59.00	7.40
$59.01–$59.79	7.50
$59.80–$60.58	7.60
$60.59–$61.37	7.70
$61.38–$62.17	7.80
$62.18–$62.96	7.90
$62.97–$63.75	8.00
$63.76–$64.54	8.10
$64.55–$65.34	8.20
$65.35–$66.13	8.30
$66.14–$66.92	8.40
$66.93–$67.71	8.50
$67.72–$68.50	8.60
$68.51–$69.30	8.70
$69.31–$70.09	8.80
$70.10–$70.88	8.90
$70.89–$71.67	9.00
$71.68–$72.46	9.10
$72.47–$73.26	9.20
$73.27–$74.05	9.30
$74.06–$74.84	9.40
$74.85–$75.63	9.50

SEC. 5. *Maximum prices for garments which have been bought or sold at a "special sale."* This section provides a method for establishing ceiling prices for garments which previously have been, or are being sold, at a "special sale." A "special sale" is a sale outside the normal channel of distribution by a person who sells the garment in substantially the same form in which he purchased it.

(a) *Types of special sales.* The following types of sales are included among "special sales":

(1) Sales by a wholesaler to another wholesaler or to a manufacturer (as used in this section, the word "wholesaler" includes a manufacturer who has purchased completed garments from another manufacturer).

(2) Sales by a retailer to any person other than an individual ultimate consumer or an industrial, commercial or institutional user.

(b) *Ceiling prices.*—(1) *First special sale.* In the case of the first special sale of a garment, the ceiling price is the net purchase price paid by the seller (not exceeding his supplier's ceiling price).

For example: A, a retailer, buys a dozen boys' shirts from a manufacturer at $12.75 per dozen on terms of 8/10 EOM, which is the manufacturer's ceiling price. A now wishes to resell the shirts to B, another retailer.

A's ceiling price for the sale to B is $11.73 per dozen, his net cost ($12.75 less 8%=$11.73).

(2) *Subsequent special sales.* (i) In the case of all subsequent sales (except sales at retail) of garments which have previously been sold at special sales, the ceiling price is the net purchase price paid by the person who made the first special sale.

Example 1: X, a retailer, buys a dozen girls' dresses from a manufacturer at $14.75 per dozen, net. X then liquidates his store and resells the dresses to Y, a wholesaler, for $13.00. Y now wishes to resell the dresses to Z, another wholesaler.

Y's ceiling price for these dresses is the net purchase price paid by X, the person who made the first special sale. This price is $14.75 per dozen, net. Y therefore uses this price of $14.75 net as his ceiling price for the sale to Z.

Example 2: If, in the above example Z now wishes to sell the dresses to R, a retailer, his ceiling price for the sale to R is also $14.75 (the net purchase price paid by X, the person who made the first special sale).

(ii) In the case of a sale at retail of a garment which previously has been sold at a special sale, the ceiling price is figured under section 4, above. However, in no event may the retailer, in calculating his ceiling price under section 4, use a cost exceeding the net purchase price paid by the person who made the first special sale.

NOTE: The net purchase price paid by the first person who made a special sale must be shown on the invoice which the retailer receives from his supplier, as provided by (c) below.

Example 1: Suppose that R, the retailer, (mentioned in the examples above) wants to sell one of the dresses to an individual consumer. The price paid by R to his supplier Z, was $14.75 per dozen.

R's ceiling price for the dress is figured by finding from Table III in section 4, the ceiling price which corresponds to a cost of $14.75 per dozen. (He uses Table III because the dresses are made from fabric obtained under Schedule C of WPB Order M-328B.) This price is $1.85 per garment. (R could not legally have paid more than $14.75 for these dresses since this was the amount listed on his purchase invoice as the net purchase price paid for them by the person who made the first special sale. Therefore R may not use as his cost any price higher than $14.75 per dozen, net.)

Example 2: If R had paid $13.75 per dozen for the dresses, his ceiling price would be $1.75 per dress, according to Table III.

(c) *Disclosure in special sales.* (1) The seller who makes the first special sale must attach to or mark on the bill or invoice which he gives pursuant to section 8 (b), a statement in substantially the following form and fill in the information appropriate to the particular sale:

The following garments have been sold at a special sale under section 5 of MPR 578: (Describe garments).

The net purchase price paid for these garments by the first special seller is $_____ (per dozen or per garment as the case may be). This amount is the ceiling price for any future sale of these garments except a sale at retail.

If you sell these garments at retail your ceiling price is found in Table II or Table III in section 4 of MPR 578. However, in no event may a retailer's cost exceed the net purchase price paid by the first special seller, as set forth above in this statement.

OPA requires that if you make a sale of these garments (except a sale at retail) you must attach to or mark on your invoice or bill a statement in substantially the same form as this one.

(2) Any seller who makes a sale (except a sale at retail) of garments which previously have been sold at a special sale must attach to or mark on the bill or invoice a statement in substantially the same form as set forth in (1) above.

SEC. 6. *Marking of garments.*—(a) *What marking is required.* On and after August 17, 1945, no manufacturer or manufacturing-retailer may sell, offer for sale or deliver any garment subject to this regulation unless it is marked with an imprint, label or ticket containing all of the following information:

(1) The letters "WPB–385" on each garment made of fabric obtained under WPB Order M–385, the letters "WPB–328B" on each garment made of fabric obtained under WPB Order M–328B and the letters "WPB–388A" on each garment made of fabric obtained under WPB Order M–388A.

(2) The manufacturer's lot number or brand name for the garment. This must be a different name or number for each group of garments having a different manufacturer's selling price. "Style number" may be substituted for lot number if each group of garments having a different manufacturer's selling price carries a different style number.

(3) The OPA retail ceiling price for the garment stated in one of the following forms:

(i) "OPA Retail Ceiling Price: $_____", or
(ii) "OPA Retail Ceiling: $_____", or
(iii) "OPA Ceiling: $_____", or
(iv) "OPA Price: $_____".

(b) *Who must mark the garment.* The marking required by paragraph (a) must be placed on the garment by the manufacturer or manufacturing-retailer prior to delivery.

(1) *Garments sold directly to retailers.* If the manufacturer sells the garment directly to a retailer, he must:

(i) Calculate his own selling price for the garment,

(ii) Find his net selling price (after deducting all available discounts) in column 1 of Table II or III (section 4 tells which table to use), and

(iii) Find the retail ceiling price which appears in column 2 opposite the manufacturer's net selling price found in (ii), and

(iv) Mark the garment with the OPA retail ceiling price found in (iii).

For example: A manufacturer wishes to sell directly to a retailer boys' undershorts made from fabric obtained under Schedule I of WPB Order M–388A. He first calculates his ceiling price for these undershorts and finds that under section 2, his maximum price is $2.50 per dozen, less 3/10 EOM. He wishes to sell at his ceiling price. Therefore he deducts 3% from $2.50 and finds his net selling price is $2.42. Next he turns to Table III in section 4, and in column 1 of that table he finds his price of $2.42. He finds in column 2 that the retail ceiling price which corresponds to his manufacturer's selling price is $0.31 per undershort. He therefore marks $0.31 as the retail ceiling price on the undershorts.

(2) *Garments sold to wholesalers.* If the manufacturer sells the garment to a wholesaler he must:

(i) Calculate his own selling price for the garment,

(ii) Find his net selling price (after deducting all available discounts) in column 1 of Table I (section 3),

(iii) Find the wholesale net ceiling price which appears in column 2 of Table I opposite the manufacturer's net selling price found in (ii),

(iv) Find in column 1 of Table II or III (section 4 tells which table to use), the wholesaler's net ceiling price just found in (iii),

(v) Find the retail ceiling price which appears in column 2 of Table II or III opposite the wholesaler's net ceiling price found in (iv), and

(vi) Mark the garment with the retail ceiling price found in (v).

For example: The manufacturer in the above example wishes to sell some of these undershorts to a wholesaler. His selling price under section 2 for such a sale is $2.50 per dozen less 10/10 EOM. Next he calculates his net selling price by deducting the 10% discount and finds that it is $2.25 per dozen. Then he turns to Table I in section 3, and finds $2.25 per dozen in column 1 of that table. The wholesaler's net ceiling price in column 2 opposite $2.25 per dozen is $2.75 per dozen net. Next he turns to Table III in section 4 and finds the wholesaler's net ceiling price of $2.75 per dozen in column 1 of that table, and discovers that the retail ceiling price corresponding to $2.75 per dozen is $.35 per undershort. He therefore marks $.35 as the retail ceiling price on each undershort.

(3) *Garments sold by manufacturing-retailers.* A manufacturing-retailer must mark garments which he sells or delivers to ultimate consumers with his selling price which may not exceed his ceiling price calculated under section 2.

(c) *Manner of marking.* The required marking must be conspicuously placed on each garment by stitching, stamping, printing, adhesive, pins or staples, or by some other method which securely affixes the marking on the garment. The required markings may be in one or more parts, and may be accompanied by other information, but all portions must be clearly visible to the purchaser.

Example of marking

WPB–385
Lot No. 903
OPA Retail Ceiling—$1.15

(d) *Calculation of cost of marking.* Under sections 2 (b) (3) and (4) manufacturers and manufacturing-retailers of garments in Groups III and IV may include in their cost, the cost of direct labor incurred in attaching the required labels. This cost should be calculated as follows:

(1) Add together the amounts paid for direct labor performed in attaching labels during the second week when such labor is performed on any garments covered by this regulation.

(2) Find the total number of dozens of garments covered by this regulation to which labels have been attached during that week.

(3) Divide the number of dozens of garments found in (2) into the total labor cost found in (1). The result is the direct labor cost per dozen of attaching labels.

In calculating his direct cost of garments under section 2 (b) (3) and (4) the manufacturer or manufacturing-retailer may use the amount found in (3) above as the direct labor cost of attaching labels to each dozen garments covered by this regulation. If the manufacturer or manufacturing-retailer changes his method of attaching labels he must recalculate his direct labor cost of attaching labels by using the steps found in (1), (2) and (3) above, for each change.

(e) *Special marking provision for retailers.* If the manufacturer has failed to attach the marking as required by this section, and the retailer knows or has reason to know that the garments are covered by this regulation, the marking required by this section must be made by the retailer.

SEC. 7. *When taxes may be added.* If a statute or ordinance imposes a tax upon a particular sale or delivery (such as a sales tax, gross proceeds or gross receipts tax or compensating use tax) and permits such tax to be stated separately from the selling price, the seller may collect such tax in addition to the maximum price under this regulation, provided that he states the amount of the tax separately. However, this provision does not apply to any tax imposed on a prior sale or delivery of the same article.

SEC. 8. *Sales slips and invoices.*—(a) *Sales slips.* Every person selling to ultimate consumers, who has customarily given to the ultimate consumer a sales slip, receipt or similar evidence of purchase shall continue to do so. Upon request from an ultimate consumer, such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller, the description of each garment sold and the price received for it.

(b) *Invoices.* Every seller shall in connection with every sale of garments covered by this regulation to a person other than an ultimate consumer, deliver an invoice showing: (1) the date, (2) the name and address of the seller and purchaser, (3) the WPB Conservation Order pursuant to which the garment was produced, (4) the types of garments, (5) the lot number or brand name of each garment, (6) the quantity of each lot number or brand sold, (7) the retail ceiling price of the garment, (8) the price charged for each lot number or brand, and (9) all discounts, allowances and other price differentials.

The seller must preserve a duplicate copy of each invoice given by him pursuant to this paragraph.

SEC. 9. *Records.* All records required by this section must be preserved for inspection by the OPA for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. Every manufacturer and manufacturing-retailer must keep a list of all lot numbers, brand names or style numbers of garments covered by this regulation. The list must show, for each lot number, brand name or style number, the construction of the fabric or fabrics from which that lot number, brand name, or style number was made in the detail indicated in the WPB order under which the fabric was obtained. If the manufacturer or manufacturing-retailer uses these lot numbers, brand names or style numbers for garments made of fabrics not obtained under the WPB orders, he must identify on this list, by use of number, symbol or other means of identification, the records which cover the garments produced from fabrics obtained under the WPB orders. All entries on this list must be made at or before the time the manufacturer or manufacturing-retailer begins producing the particular garment.

(a) *Records of manufacturers of garments in Groups I, II and VI.* Every manufacturer and manufacturing-retailer must keep, as to all garments in Groups I, II and VI which he produced from materials obtained under the WPB orders, the records required by sections 11 and 12 of the General Maximum Price Regulation.

(b) *Cost records of manufacturers of garments in Group III.* Every manufacturer and manufacturing-retailer must keep, as to all garments in Group III which he produces from materials obtained under the WPB order, the records required in section 10 (c) and in Appendix C (section 21) of Maximum Price Regulation 570.

(c) *Cost records of manufacturers of garments in Group IV.* Every manufacturer and manufacturing-retailer must keep, as to all garments in Group IV which he produces from materials obtained under the WPB orders, the records required in section 17 (a), (b) and (c) and Appendix D (section 30) of Revised Maximum Price Regulation 287.

(d) *Records of manufacturers of garments in Group V.* Every manufacturer, manufacturing-retailer and seller of "tailored to the trade" or "made to measure" garments must keep the records required respectively by § 1399.114 (a), (b), (c) and (d), § 1399.115 (a) and (b) and § 1399.116 (a), (b) and (c) of MPR 177.

(e) *Cost records of all wholesalers and retailers.* Every person who makes sales at wholesale or at retail must preserve for inspection by the OPA all bills and invoices received by him covering garments subject to this regulation.

(f) *Record of labor cost of labelling by manufacturers.* Every manufacturer and manufacturing-retailer who adds the cost of labelling to his direct cost of garments in Groups III and IV must prepare and maintain for inspection by the OPA, a record showing (1) his direct labor cost for the attaching of labels required by section 6 (d), during the second week that such labor operation is performed, and (2) the total number of garments to which labels are attached during that week.

SEC. 10. *Relation to other maximum price regulations.*—(a) *Regulations superseded.* The coverage of this regulation is stated in section 1. Where this regulation applies, and except as provided in sections 2 and 9 (a), (b), (c), and (d), it supersedes the provisions of the following:

(1) General Maximum Price Regulation.
(2) Maximum Price Regulation 177.[7]
(3) Maximum Price Regulation 220.
(4) Revised Maximum Price Regulation 287.
(5) Revised Maximum Price Regulation 330.[8]
(6) Maximum Price Regulation 332.
(7) Maximum Price Regulation 570.
(8) Maximum Price Regulation 580.[9]

[7] F.R. 11350, 10 F.R. 331.
[8] 10 F.R. 3015, 3468.

(b) *Contractors' services.* This regulation does not apply to charges for contractors' services. These are governed by Maximum Price Regulation 172 (Charges of Contractors in Apparel Industry)."

(c) *Export sales.* This regulation does not apply to export sales or deliveries of garments listed in the appendices of this regulation. Such sales and deliveries are covered by the Second Revised Maximum Export Price Regulation."

(d) *Import sales.* The provisions of this regulation do not apply to sales or deliveries made from points outside the 48 States and the District of Columbia, or to sales of garments by the original importer. (See the Maximum Import Price Regulation.)[11] This regulation does, however, apply to domestic sales by persons other than the original importer of garments which were originally imported.

SEC. 11. *What acts are prohibited.* On and after August 17, 1945, regardless of any contract or obligation no person shall:

(a) Sell or deliver any garment at a price higher than the ceiling price permitted by this regulation (sales and deliveries may, of course, be made at prices lower than ceiling prices); or

(b) Buy or receive, in the course of trade or business, any garment at a price higher than the ceiling price permitted by this regulation; or

(c) Detach or remove from any garment any label or ticket containing the marking required by section 6, except that this provision does not apply to ultimate consumers; or

(d) Require a purchaser to buy or agree to buy any article, service, package or wrapper in connection with the sale or delivery of any garment covered by this regulation; or

(e) Do any other act which directly or indirectly increases above the ceiling price the consideration paid by the purchaser for any garment covered by this regulation. Any practice which is a device to secure the effect of a higher than ceiling price is as much a violation as an outright sale above the ceiling price. This applies to cross-stream or upstream sales, transportation arrangements, premiums, discounts, special privileges, tying-agreements, trade understandings, and all similar practices; or

(f) Offer, attempt or agree to do any of the acts prohibited by this regulation.

SEC. 12. *Definitions.* Unless the context otherwise requires, or unless specifically provided herein, the definitions set forth in section 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

SEC. 13. *Enforcement and licensing*—(a) *Enforcement.* Any person who violates any provisions of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) *Licensing.* The provisions of Licensing Order No. 1[11] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Amendment.* Any person seeking an amendment, which must have general applicability, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[11] issued by the Office of Price Administration.

This regulation shall become effective August 17, 1945.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13064; Filed, July 18, 1945; 4:45 p. m.]

PART 1444—ICE BOXES

[MPR 399, Amdt. 21]

NEW ICE BOXES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 399 is amended in the following respects:

1. Section 3 is amended to read as follows:

SEC. 3. *Ceiling prices for wholesalers.* Ceiling prices for sales at wholesale are 60% of the retail base price as shown in Column I of Table C plus the difference between the base price and the retail ceiling price for the State in which the wholesaler's warehouse is located. If the manufacturer has received an adjustment of his maximum prices by an order issued under the adjustment provisions under Maximum Price Regulation No. 188, the wholesaler shall compute his maximum price in accordance with the terms of the order of adjustment. The wholesale ceiling price is f. o. b. the wholesaler's city.

2. Section 14, Table A, "Retail ceiling prices in each State for ice boxes by ice companies and retail establishments controlled by ice companies," is amended by deleting ceiling prices for the Lockerator brand model 6 ice box manufactured by the Stoddard Manufacturing Co. and adding ceiling prices for the Models of ice boxes set forth below:

[8] F.R. 4882, 6634, 3351, 8948, 10864; 8 F.R. 8063.

[10] F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201.

[11] 8 F.R. 11681, 12237; 9 F.R. 2350, 7504, 8062, 10925, 12270; 10 F.R. 922, 4265.

[12] 8 F.R. 13240.

[13] 9 F.R. 10476, 13715.

TABLE A—RETAIL CEILING PRICES IN EACH STATE FOR SALES OF ICE BOXES BY ICE COMPANIES AND RETAIL ESTABLISHMENTS CONTROLLED BY ICE COMPANIES

No amount may be added to these ceiling prices for delivery to the buyer.

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	D. C.	Fla.	Ga.	Idaho	Ill.	Ind.
Modern Refrigerator Co. (New York)		165-V	75	$37	$37.00	$38.25	$37.25	$38.25	$37.75	$37.00	$37.00	$37.00	$37.00	$37.00	$38.25	$37	$37
Stoddard Mfg. Co.	Lockerator	6B	75	62	62.75	63.75	63.00	64.25	63.00	62.75	62.75	62.75	63.75	63.25	63.50	62	62

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
Modern Refrigerator Co. (New York)		165-V	75	$37	$37	$37.25	$37	$37.50	$37	$37.00	$37	$37	$37.25	$37.00	$37	$38.25
Stoddard Mfg. Co.	Lockerator	6B	75	62	64	64.00	64	63.50	63	62.75	63	62	62.00	62.75	62	63.25

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Nebr.	Nev.	N. H.	N. J.	N.Mex.	N. Y.	N. C.	N.Dak	Ohio	Okla.	Oreg.	Pa.
Modern Refrigerator Co. (New York)		165-V	75	$37	$37.25	$38.25	$37	$37.00	$38.25	$37.00	$37.00	$37.50	$37.00	$37.00	$38.25	$37.00
Stoddard Mfg. Co.	Lockerator	6B	75	62	62.00	63.75	63	62.75	63.75	62.50	63.25	62.50	62.25	62.75	63.75	62.50

TABLE A—Continued

No amount may be added to these ceiling prices for delivery to the buyer.

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	R. I.	S. C.	S.Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.
Modern Refrigerator Co. (New York)		165-V	75	$37	$37	$37.00	$37.50	$37.00	$37.75	$38.25	$37	$37.00	$38.25	$37.00	$37	$38
Stoddard Mfg. Co.	Lockerator	6B	75	62	63	63.25	62.25	62.50	63.25	63.50	63	62.75	63.75	62.50	62	63

3. Section 16, Table C, "Ceiling prices in each state for all other sales of ice boxes at retail," is amended by deleting the ceiling prices for the Lockerator brand Model 6 ice box manufactured by the Stoddard Manufacturing Co. and adding ceiling prices for the models of ice boxes set forth below:

TABLE C—CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL

No amount may be added to these ceiling prices for delivery to the buyer.

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	D. C.	Fla.	Ga.	Idaho	Ill.	Ind.
Modern Ref. Co. (New York)		165-V	75	$41.75	$43	$44.50	$43.25	$44.50	$44	$42.25	$42.25	$42.25	$43	$42.75	$44.50	$43.00	$42.75
Stoddard Mfg. Co.	Lockerator	6B	75	68.75	71	72.00	71.00	72.25	71	71.00	71.00	70.75	72	71.25	71.75	69.75	70.25

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass	Mich.	Minn.	Miss.	Mo.	Mont.
Modern Ref. Co. (New York)		165-V	75	$41.75	$43.00	$43.50	$42.75	$43.50	$42.50	$42.25	$42.25	$42.75	$43.25	$43.25	$43.00	$44.50
Stoddard Mfg. Co.	Lockerator	6B	75	68.75	70.25	70.50	70.50	71.50	71.25	70.75	71.50	70.00	69.75	71.00	69.75	71.50

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Nebr.	Nev.	N. H.	N. J.	N. Mex.	N. Y.	N. C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.
Modern Ref. Co. (New York)		165-V	75	$41.75	$42.50	$44.50	$42.50	$42.00	$44.50	$42.25	$42.50	$43.75	$42.75	$43.50	$44.50	$42.25
Stoddard Mfg. Co.	Lockerator	6B	75	68.75	70.00	71.75	71.00	70.75	72.00	70.75	71.25	70.50	70.25	71.00	72.00	70.75

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	R. I.	S. C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W.Va.	Wis.	Wyo.
Modern Ref. Co. (New York)		165-V	75	$41.75	$42.25	$42.75	$43.75	$43.00	$43.75	$44.50	$42.25	$42.50	$42.75	$42.50	$43.00	$44
Stoddard Mfg. Co.	Lockerator	6B	75	68.75	71.00	71.25	70.25	70.50	71.25	71.50	72.00	71.00	72.00	70.50	69.50	71

This amendment shall become effective on the 25th day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13226; Filed, July 20, 1945; 11:39 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 29, Amdt. 1]

REVISED PRIORITIES SYSTEM

Priorities Regulation No. 29, as issued June 30, 1945, is hereby amended by substituting for "December 13, 1945," which appears in line 19 of paragraph (f), the date "December 31, 1945."

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13219; Filed, July 20, 1945; 11:29 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-857]

JOSEPH LA ROCCA

Joseph La Rocca is engaged in the coal and building business at 20th & Logan Streets, Philadelphia, Pennsylvania. In December 1944, he began without authorization from the War Production Board construction consisting of the conversion of a warehouse at the above location into seven apartments, at an estimated cost of $11,000, which amount exceeded the limit permitted by Conservation Order L-41. Joseph La Rocca's action in beginning and carrying on this construction without authorization from the War Production Board constituted a wilful violation of Conservation Order L-41.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered that:

§ 1010.857 *Suspension Order No. S-857.* (a) Neither Joseph La Rocca, his successors or assigns, nor any other person, shall do any construction on the premises located at 20th & Logan Streets, Philadelphia, Pennsylvania, including completing, putting up or the altering of any structure located on the said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joseph La Rocca, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13220; Filed, July 20, 1945; 11:29 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, as Amended July 19, 1945, Amdt. 1]

Section 1042.1 *General Imports Order M-63* as amended is hereby amended by making the following change in List B:

Change	Material	Commerce-Import Class No.	Conversion date
Add to list B..	Paper, standard newsprint.	4711.00	$2.45

This amendment will become effective August 3, 1945.

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13214; Filed, July 20, 1945; 11:28 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, as Amended July 19, 1945, Amdt. 2]

Section 1042.1 *General Imports Order M-63* as amended is hereby amended by making the following changes in List A:

Change	Material	Commerce import class number	Governing date
1 Add to list A.	Bone grist and ground bones for uses other than feed and fertilizer.	N. S. C....	7-20-45

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13215; Filed, July 20, 1945; 11:28 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P-140, Interpretation 1]

FIRMS DOING A PACKAGING BUSINESS

The following interpretation is issued wih respect to Preference Rating Order P-140:

(a) Inquiries have been received as to whst preference rating a firm that performs a packaging service for its customers (without making or selling the packaged product) may use to get "wooden shipping containers" as defined by paragraph (c) of Order P-140. If the item to be packed by such a firm for its customers appears on Schedule A of the order, then the firm may use the rating set opposite that item on the schedule. If the item does not appear on Schedule A, the firm is only entitled to use the "catch-all" rating, based on its MRO rating, as provided in paragraph (m). Three exceptions to this rule are (1) where the firm has obtained a "special rating" pursuant to paragraph (1) of Order P-140; (2) where the firm uses a rating that has been specifically assigned for wooden shipping containers and it is used for the purpose provided in paragraph (k) (2); and (3) where the firm receives an order rated AAA as provided in paragraph (g).

(b) These packaging firms may not extend their customers' ratings under paragraph (j) of the order since they are not selling the packaged product. Similarly, neither paragraph (l) which permits manufacturers to use their production material ratings, nor paragraph (o) which permits jobbers of empty containers to extend their customers' ratings applies to these packaging firms.

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45 13218; Filed, July 20, 1945; 11:29 a. m.]

[General Preference Order M-21, Direction 6]

PART 3294—IRON AND STEEL PRODUCTION

TUNGSTEN WIRE AND MOLYBDENUM WIRE

The following direction is issued pursuant to General Preference Order M-21:

(a) *Definitions; for the purpose of this order:* (1) "Tungsten wire" means the element tungsten fabricated into wire, the diameter of which is .010 inch or less, or such wire further fabricated into shapes, such as, but not limited to, coils, filaments, spirals, grids, welds, or leads.

(2) "Molybdenum wire" means the element molybdenum fabricated into wire, the diameter of which is .010 inch or less, or such wire further fabricated into shapes, such as, but not limited to, coils, filaments, spirals, grids, welds, or leads.

(3) "Processor" means any person who produces tungsten wire or molybdenum wire as defined above.

(b) *Restrictions on deliveries.* No person shall make delivery of and no person shall accept delivery of tungsten wire or molybdenum wire except as permitted by an allocation in writing of the War Production Board. Such restrictions shall not apply to deliveries between affiliates or to deliveries from one branch, division, department or section of a single enterprise to another branch, division, department or section of the same enterprise engaged in processing tungsten wire or molybdenum wire, but they shall apply to all deliveries of tungsten wire or molybdenum wire between affiliates and to intra-company deliveries in all cases where the processing is continued further than the production of wire as defined above.

(c) *Reports and applications.* (1) Each processor shall file with the War Production Board on or before the seventh day of each calendar month, a report of his estimated production of tungsten wire and molybdenum wire for the second succeeding calendar month. For example, reports to be filed on or before the seventh day of August will show proposed production for October.

(2) Each person who desires to acquire any tungsten wire or molybdenum wire, shall apply to the War Production Board for an allocation, which, when granted, will permit his supplier to deliver the amount authorized. The application shall be made not later than the first day of the second month preceding the month in which the wire is requested on Form WPB-4298 or on such other form as the War Production Board may, from time to time, prescribe. For example, applications shall be made not later than the first day of August for deliveries required in October. A copy of such application form shall be served upon an applicant's supplier at the time of filing the form with the War Production Board. In order to facilitate the required delivery, it is imperative that Form WPB-4298 contain a breakdown of the various categories of sizes. Failure by the person to file such copy with his supplier on the date specified, may result in his failing to secure an allocation.

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13213; Filed, July 20, 1945; 11:28 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-369, Revocation]

MOLYBDENUM PRODUCTS

Section 3294.156 *General Preference Order M-369* is revoked. This revocation does not affect any liabilities incurred for violation of the order or actions taken by the War Production Board under the order. The production and delivery of molybdenum products remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13216; Filed, July 20, 1945; 11:28 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Allocation Order M-369-a Revocation]

TUNGSTEN

Section 3294.157 *General Allocation Order M-369-a* is revoked. This revocation does not affect any liabilities incurred for violation of the order or actions taken by the War Production Board under the order. The production and delivery of tungsten remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13222; Filed, July 20, 1945; 11:28 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended May 30, 1945, Amdt. 2]

Rubber Order R-1 as amended May 30, 1945, is hereby further amended as follows:

In § 4600.08, *Acquisition of tires and tubes for original equipment*, delete the last two lines of the manufacturer's certificate reading, "exceeding 30 days' supply based upon his total authorized monthly production", and substitute the words "greater than required for his scheduled production in the ensuing thirty days".

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13217; Filed, July 20, 1945; 11:29 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 20—GUARDIANSHIP AND LEGAL ADMINISTRATION

PROCEDURE TO BE FOLLOWED IN RECOGNIZING LEGAL CUSTODIAN AND IN SECURING THE APPOINTMENT OF A GUARDIAN, ETC., FOR A MINOR OR MENTALLY INCOMPETENT BENEFICIARY AND IN THE MAKING OF INSTITUTIONAL AWARDS TO CHIEF OFFICERS OF INSTITUTIONS

§ 20.5201 *Form of notification.* The director of the veterans claims service, director of insurance, director of the dependents claims service or the adjudication officer will notify the chief attorney by letter or memorandum, advising the name and date of birth of the beneficiary, name and address of the parent or nearest next of kin of the beneficiary, if available from the records, and the amount of the initial payment and monthly payments to be made. If the beneficiary resides in another regional area, it will be the duty of the chief attorney receiving the letter or memorandum above provided to communicate the information contained therein to the chief attorney of the regional office or facility concerned.

(a) Section 21 (4) of the World War Veterans' Act, 1924, as amended, repeals the Act of August 8, 1882 (22 Stat. 373; U.S.C. Title 38, Title 38, section 44), and provides that in case of any incompetent veteran having no guardian, payment of compensation, pension or retirement pay may be made, in the discretion of the Administrator, to the wife of such veteran for the use of the veteran and his dependents.

In cases coming within section 21 (4) of the World War Veterans' Act, 1924, as amended, the director, veterans claims service, or other adjudicating officer will notify the chief attorney of the office having jurisdiction over the territory in which the veteran resides furnishing information as to the name and address of the veteran and his wife, the amount of the initial payment and monthly payments to be made. The chief attorney will investigate each case to determine whether the wife is properly qualified to administer the funds payable, whether she will agree to use the funds for the benefit of the veteran and his dependents, and whether all conditions justify payment of the compensation, pension or retirement pay to the veteran's wife; or whether, in the best interests of the veteran and his dependents a guardian should be appointed to receive and administer the funds payable. If the chief attorney determines that payments shall be made to the wife, a complete report will be forwarded to the director of the veterans claims service or other adjudicating officer, accompanied by the evidence disclosing the facts, with a recommendation that payments be made to the wife. If the chief attorney determines that the facts justify the appointment of a guardian, he will take action promptly to effect the appointment and will forward the evidence thereof, together with his certification as to the legality of the appointment and adequacy of bond, to the director of the veterans claims service or other adjudicating officer, accompanied by a report of the facts and the evidence upon which his determination in this respect was based. (For the purpose of determining whether the funds paid to the wife are being applied as intended and whether the payments should continue to the wife, or whether in the interests of the veteran and his dependents action should be taken to have a guardian appointed, or whether the veteran has recovered and should be rerated as to competency, a social survey will be accomplished each year. The chief attorney will maintain a 3 x 5 card record on such cases, filed alphabetically in the name of the veteran, showing the name and C-number of the veteran, the name and address of the wife and date of recommendation for release of payments to the wife, and will also maintain a correspondence file on each case.) (July 26, 1945.) (57 Stat. 554-560; 38 U.S.C. 727.)

[SEAL] FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 45-13212; Filed, July 20, 1945; 11:27 a. m.]

PART 25—MEDICAL

REIMBURSEMENT OR PAYMENT FOR EXPENSES OF UNAUTHORIZED MEDICAL SERVICES

§ 25.6140 *Adjudication in Central Office.*

No change in (a) or (b).

(c) Upon receipt by the medical director, claims so referred will be reviewed by the medical officers clothed with delegated authority therefor. Such of these claims as are recommended for reimbursement or payment by such officers in an amount of less than $500 will be approved by the medical director, or if the amount is $500 or more such claims will be submitted to the assistant administrator in charge of medical and domiciliary care, construction and supplies for approval. Upon approval as herein provided, a voucher will be prepared in central office.

(d) Appeals—claims, as defined in § 25.6141 of this chapter will be subject to one review after an adverse decision, upon appeal to the Administrator. Appeals must be entered within one year from the date of notification to the claimant or his representative of the original adverse decision. No claim that had been finally denied prior to March 20, 1933, will be reopened or reconsidered. A claim will be deemed to have been finally denied when: (1) Original adjudication or appellate action was taken adversely, and proper appeal was not entered prior to March 20, 1933, or within one year from the date on which the claimant was notified of the adverse action, whichever is the later date; or (2) When the claim was finally denied on appeal prior to March 20, 1933 (Public No. 307, 74th Congress). (July 21, 1945)

§ 25.6141 *Classes of claims comprehended.* Claims for reimbursement of or payment for medical treatment (including the necessary travel incidental thereto) obtained without prior authorization from the Veterans' Administration except as provided in paragraphs (d) and (e) hereof, may be submitted and will be considered under the following conditions:

No change in (a) or (b).

(c) As to unauthorized treatment rendered subsequent to March 19, 1933, the eligibility criteria defined in paragraph (b) (1), (2) and (3) will apply; and, in addition, it must be shown by a decision of an adjudicative agency that the disability from the disease or injury for which treatment had been rendered was service-connected, or in the determination of the medical director was aggravating such service-connected disability.

No change in (d).

(e) As to claims for reimbursement of or payment for repairs of prosthetic appliances used by beneficiaries for treatment of a service-connected disability, or a non-service-connected disability determined by the medical director as aggravating the basic service-connected disability and for repairs of prosthetic appliances used and required by beneficiaries to prevent interruption of the pursuit of a course of training authorized under Public No. 16, 78th Congress, the following eligibility criteria in lieu of those defined in paragraph (b) (1), (2) and (3) will apply.

(1) The repairs were secured from locally available sources.

(2) The cost of the repairs does not exceed $25.00.

(3) There is a showing that the repairs were necessary and that it was more expedient to have such repairs made through private arrangements.

Reimbursement or payment as herein provided will be made in the amount claimed unless determined unreasonable, in which event only a reasonable amount for the service rendered will be paid. Reimbursement or payment will not be made for expense incurred by a beneficiary for transportation. (July 21, 1945)

§ 25.6143 *Definitions.* (a) The term "beneficiary" as used in §§ 25.6140 to 25.6148, inclusive, means:

(1) In claims for payment for or reimbursement of expenses incurred in procuring unauthorized treatment prior to March 20, 1933, any veteran of World War I, not dishonorably discharged, who after filing claims for disability compensation (application for which includes application for treatment) is determined by the Veterans' Administration to have had a service-connected disability entitling to treatment through the Veterans' Administration. (July 21, 1945)

No change in (a) (2).

No change in (b), (c) or (d), inclusive.

§ 25.6144 *Adjunct treatment.* Reimbursement of or payment for adjunct treatment (see § 25.6141 (a) and (c) of this chapter) will be allowed only when such treatment was rendered in an emergency. For such adjunct treatment rendered prior to June 7, 1924, no payment or reimbursement will be made for any period over which compensation had not been awarded for the basic service-connected disease or injury. For ad-

junct treatment rendered subsequent to June 7, 1924, and where claim was filed prior to March 20, 1933, payment or reimbursement therefor may be allowed regardless of the compensability of the beneficiary's basic service-connected disease or injury, but in no case more than one year prior to the date of filing claim under section 210 of the World War Veterans' Act, 1924, as amended (Public No. 307, 74th Congress). For adjunct treatment rendered subsequent to March 19, 1933, payment or reimbursement may be allowed regardless of the compensability of the beneficiary's basic service-connected disease or injury. (July 21, 1945.)

[SEAL] FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 45-13210; Filed, July 20, 1945; 11:27 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Gen. Permit ODT 35-5]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; PERMITS

LOCAL PASSENGER TRANSPORTATION EQUIPMENT

In accordance with § 501.308 of General Order ODT 35 (8 F.R. 3451), it is hereby authorized that:

§ 521.5204 *Certain operations authorized.* Notwithstanding the provisions of § 501.303 of General Order ODT 35 the Department of the Navy and the War Department may, within the limits of the Panama Canal Zone, complete arrangements for the purchase, lease, requisition and use of local passenger transportation equipment without giving prior notice thereof to the Office of Defense Transportation, and without such purchase, lease, requisition or use having been first reviewed and approved by the Office of Defense Transportation.

This General Permit ODT 35-5 shall become effective July 20, 1945.

(E.O. 8989, as amended, 9156, 9294; 6 F.R. 6725 and 8 F.R. 14183, 7 F.R. 3349, 8 F.R. 221)

Issued at Washington, D. C., this 20th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13186; Filed, July 19, 1945; 3:31 p. m.]

[Gen. Order ODT 56]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

USE OF SLEEPING CARS AND DAY COACHES FOR ORGANIZED MILITARY MOVEMENTS

General outline. This General Order ODT 56 prescribes uniform standards for the occupancy of railway passenger equipment when used for organized military movements. Sleeping cars when so used are required to have an occupancy of 3 persons in each section and day coaches when so used are required to have an occupancy of 3 persons for each 2 double seats or 4 single seats. It is permissible to have one overflow car on each movement under the circumstances set forth in the order.

The occupancy standards of the various branches of the military services heretofore have not been uniform. The use of equipment in the manner prescribed in the order should materially assist in handling the tremendous volume of military passenger traffic resulting from the redeployment of our troops. The order is designed to make for more efficient use of equipment and will increase the amount of traffic handled in the available equipment.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

Pursuant to Title III of the Second War Powers Act, 1942, as amended, and Executive Order 8989, as amended, in order to make railway cars and other transportation facilities available for the preferential transportation of troops and material of war; to prevent shortages of equipment necessary for such transportation; to assure the orderly and expeditious movement of troops and materials of war; and to expedite the movement of necessary domestic passenger traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

Sec.
502.295 Definitions.
502.296 Occupancy of sleeping cars and day coaches in organized military movements.
502.297 Military services to require uniform occupancy.
502.298 Applicability.
502.299 Communications.

AUTHORITY: §§ 502.295 to 502.299, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183.

§ 502.295 *Definitions.* As used in this order, the term "organized military movement" means the transportation of military or naval troops of the United States or of any Nation allied with the United States in railway equipment that is not regularly assigned to a scheduled passenger train. It does not include the transportation of military or naval hospital patients.

§ 502.296 *Occupancy of sleeping cars and day coaches in organized military movements.* No common carrier by railroad or sleeping car company shall assign or furnish a greater number of sleeping cars or day coaches for an organized military movement than is required to provide accommodations for such movement on the basis of one section for 3 persons in a sleeping car and 2 double seats or 4 single seats for 3 persons in a day coach. Each tier of berths in a trooper sleeper shall be considered a section. Not to exceed one overflow car may be furnished for each movement: *Provided*, There are sufficient troops to occupy all the other cars and 50 per cent of the space in the overflow car in accordance with the standards prescribed by this section. This section shall not apply to foreign owned cars moving to or from a foreign country when occupied by troops of a foreign country.

§ 502.297 *Military services to require uniform occupancy.* The War Department, the Department of the Navy, the Marine Corps, and the Coast Guard when using sleeping cars or day coaches for organized military movements shall require such sleeping cars and day coaches to be occupied in accordance with the standards set forth in § 502.296 of this order and no common carrier by railroad shall transport sleeping cars or day coaches used in such movements unless they are so occupied.

§ 502.298 *Applicability.* The provisions of this order shall be applicable only in the forty-eight States and the District of Columbia.

§ 502.299 *Communications.* Communications concerning this order should refer to "General Order ODT 56" and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 56 shall become effective July 20, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 20th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13198; Filed, July 20, 1945; 9:54 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Apparel Industry Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079):

Rice-Stix Factory #20, Slater, Missouri; men's woven underwear; 5 percent (AT); effective July 12, 1945, expiring December 4, 1945.

Single Pants, Shirts and Allied Garment, Women's Apparel, Sportswear, Raincoat, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890):

Elder Manufacturing Company, Department 60, Dexter, Missouri; boys' pants; 10 percent (T); effective July 10, 1945, expiring July 9, 1946.

Elder Manufacturing Company, McLeansboro, Illinois; men's dress shirts; 10 percent (T), effective July 10, 1945, expiring July 9, 1946.

Esskay Manufacturing Company, P. O. Box 431, Fredericksburg, Texas; children's clothing; ten learners (T); effective July 8, 1945, expiring July 7, 1946.

Van Deusen Dress Manufacturing Company, 109 East Main Street, Cobleskill, New York; children's dresses; 10 percent (T); effective July 8, 1945, expiring July 7, 1946.

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079):

J. H. Kissinger Knitting Company, Inc., P. O. Box 328 Millersburg, Pennsylvania; seamless hosiery; 10 learners (AT); effective July 9, 1945, expiring January 8, 1946.

Signed at New York, N. Y., this 13th day of July 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-13188; Filed, July 19, 1945; 4:47 p. m.]

LEBANON SHIRT CO.

ORDER DENYING PETITION FOR REVIEW OF DETERMINATION, CANCELLING SPECIAL LEARNER CERTIFICATES

Whereas, on December 9, 1944, pursuant to section 14 of the Fair Labor Standards Act of 1938 and § 522.6 and 522.8 of regulations, Part 522, issued thereunder, the Lebanon Shirt Company of Union, Mississippi, was, by registered mail, given notice of and an opportunity to answer charges that the conditions of the special learner certificates issued to it for the periods from November 2, 1942 to November 2, 1943, and from November 17, 1943 to January 3, 1944, had been violated; and

Whereas, due notice having been given, a public hearing was held on March 7, 1945 at Union, Mississippi, before Isabel Ferguson, a duly authorized representative of the Administrator of the Wage and Hour Division of the United States Department of Labor, who received evidence and heard oral arguments on the question of whether or not the special learner certificates issued to the Lebanon Shirt Company of Union, Mississippi, should be cancelled; and

Whereas, on the evidence presented at the hearing and the stipulation entered into at such hearing between the representatives of the Wage and Hour Division and the petitioner, the said Isabel Ferguson determined that the Lebanon Shirt Company of Union, Mississippi, violated the terms of the special learner certificates as charged by the Division, and ordered that the special learner certificate issued to the Lebanon Shirt Company to be effective from November 2, 1942 to November 2, 1943, be cancelled as of November 2, 1942 for violation of its terms, and that the special learner certificate issued to the Lebanon Shirt Company to be effective from November 17, 1943 to January 3, 1944, be cancelled as of November 17, 1943 for violation of its terms; and

Whereas, after publication in the FEDERAL REGISTER on April 14, 1945 (10 F.R. 4043) of notice of said cancellation, a petition for review was duly filed by the Lebanon Shirt Company of Union, Mississippi, pursuant to Section 522.13 of Regulations, Part 522; and

Whereas, the undersigned, a person having taken no part in the action sought to be reviewed and being duly authorized by the Administrator as his representative to examine and determine whether the said petition should be allowed, has examined and considered the issues raised by said petition; and has found that the Findings and Determination of the Administrator's representative are supported by the record of the proceeding in this case.

Now, therefore, the petition for review is hereby denied, and *It is ordered and directed*. That the findings and determination of April 9, 1945 shall become final and that the special learner certificate issued to the Lebanon Shirt Company of Union, Mississippi, effective from November 2, 1942 to November 2, 1943, be cancelled as of November 2, 1942 for violation of its terms, and that the special learner certificate issued to the Lebanon Shirt Company of Union, Mississippi, effective from November 17, 1943 to January 3, 1944 be cancelled as of November 17, 1943 for violation of its terms; and that the cancellation of said certificates shall become effective on the day of the publication of this order in the FEDERAL REGISTER.

Signed at New York, New York, this 18th day of July 1945.

WILLIAM S. SINGLEY,
Authorized Representative of the Administrator.

[F. R. Doc. 45-13189; Filed, July 19, 1945; 4:47 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 152 et al.]

RAY WILSON, INC., ET AL.; ROCKY MOUNTAIN CASE

NOTICE OF HEARING

In the matter of the applications of Ray Wilson, Inc., et al., for certificates and amendment of existing certificates of public convenience and necessity and approval of certain relationships under sections 401 and 408 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding, limited to the applications of Midwest Airways in Dockets Nos. 700 and 1071, is assigned to be held on August 8, 1945, at 11:00 a. m. (mountain war time) in Room 314 Post Office Building, Denver, Colorado, before Examiner William J. Madden.

Dated Washington, D. C., July 18, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-13259; Filed, July 20, 1945; 11:14 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-649]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

Upon consideration of the application filed July 4, 1945, by Cities Service Gas Company (Applicant) for:

(a) A certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the following-described facilities:

(1) Thirty-two miles of 20-inch gas loop line, from Applicant's North Welda compressing station, near Welda, Anderson County, Kansas, to Applicant's Ottawa compressing station, near Ottawa, Franklin County, Kansas;

(2) One dust scrubber at Applicant's North Welda compressing station, Anderson County, Kansas, and two dust scrubbers at Applicant's Ottawa compressing station, Franklin County, Kansas;

(3) Two used 485 H. P. compressor units at Applicant's North Welda station; an extension to the main compressor building and additions to gas and water cooling equipment.

(b) An order authorizing Applicant's abandonment and removal of its Caney-American compressor station located in Sec. 7, T. 35 S., R. 14 E., in Montgomery County, Kansas.

The Commission orders that:

(A) A public hearing be held commencing on August 7, 1945, at 2:00 p. m. (c. w. t.) in Room 525, Federal Courts Building, Kansas City, Missouri, concerning the matters involved and the issues presented in this proceeding;

(B) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-13196; Filed, July 20, 1945; 9:47 a. m.]

[Docket No. IT-5519]

BONNEVILLE PROJECT, COLUMBIA RIVER, OREG.-WASH.

ORDER POSTPONING DATE OF HEARING

JULY 18, 1945.

It appears to the Commission that:

(a) On July 6, 1945, the Commission ordered that a public hearing be held

commencing on July 24, 1945, at 10:00 a. m. (p. w. t.), in Spokane, Washington, at a place to be thereafter designated, in the above-entitled proceeding.

(b) On July 16, 1945, Puget Sound Power and Light Company requested a postponement of the hearing.

The Commission orders that: The public hearing in the above entitled proceeding now set for July 24, 1945, at 10:00 a. m. (p. w. t.), in Spokane, Washington, be and the same is hereby postponed to 10:00 a. m. (p. w. t.) on August 14, 1945, at Spokane, Washington, at a place to be thereafter designated.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-13197; Filed, July 20, 1945; 9:47 a. m.]

INTERSTATE COMMERCE COMMISSION.

PERMIT AGENTS

APPOINTMENT WITH RESPECT TO GRAIN

Pursuant to the authority vested in me by paragraph (d) of Service Order No. 249:

65. Walter G. Braswell, Ruston, Louisiana, is hereby appointed permit agent to issue permits pursuant to paragraph (c) of said order, vice S. P. Hughes, whose appointment is hereby revoked.

A copy of this notice has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of these appointments shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13199; Filed, July 20, 1945; 10:29 a. m.]

[S. O. 33, Gen. Permit 1]

PRECOOLING OF POTATOES IN HEREFORD DISTRICT, TEX.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 330 (10 F.R. 8560), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 330 insofar as it applies to precooling by Shippers with their own equipment potatoes in the Hereford District of the Texas Panhandle (Cochran, Hockley, Lubbock, Crosby, Dickens, King counties and north thereof), providing no additional switching is required for the refrigerator cars so precooled.

This general permit shall become effective 5:00 p. m. July 16, 1945.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C. this 16th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13200; Filed, July 20, 1945; 10:29 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 20]

WESTFALIA SEPARATOR CO., INC.

Whereas, by Vesting Order No. 222, dated October 9, 1942 (7 F.R. 9056, November 6, 1942), the undersigned vested all of the issued and outstanding shares of the capital stock of Westfalia Separator Company, Inc., a New York corporation; and

Whereas, Westfalia Separator Company, Inc., has been substantially liquidated under the supervision of the undersigned,

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except such claim if any as the undersigned may have for monies advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved and its assets distributed, and a Certificate of Dissolution having accordingly been filed with the Secretary of State of the State of New York;

hereby orders, that the officers and directors of Westfalia Separator Company, Inc., (to wit, Robert Kramer, President and Director, and E. W. Hardy, Secretary and Director, and D. W. Pratt, Treasurer and Director, and their successors, or any of them), continue the proceedings for the dissolution of Westfalia Separator Company, Inc., in accordance with the statutes of the State of New York in such cases made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

(b) They shall then pay all known federal, State and local taxes and fees owed by or accruing against said corporation;

(c) They shall then pay over, transfer, assign and deliver to the undersigned all other funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation;

and further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any persons who may claim against said corporation: *Provided, however,* That nothing herein contained shall be construed as creating additional rights in such persons; and such such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned and applied by him as a liquidating distribution of assets to the undersigned as stockholder as above set forth: *Provided, however,* That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the statutes of the State of New York and further orders that all actions taken and acts done by the said officers and directors of Westfalia Separator Company, Inc., pursuant to this order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington D. C., July 9, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13088; Filed, July 19, 1945; 11:21 a. m.]

[Vesting Order CE 28]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the person described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Mrs. Aris Browning	Monaco	Estate of Josephine Bulkley Taylor, deceased, Surrogate's Court, New York County, Docket No. 279/1939.	$500	Treasurer of the City of New York, Municipal Building, New York City, N. Y.	$32.98
		Item 2			
Mrs. Elise Conklin	France	Same	$500	Same	32.98
		Item 3			
Maria Brandon Rebolledo de	France	Estate of Carolina Varas de McKay, deceased, Surrogate's Court, New York County, Docket No. P-1175/1941.	$5,000	Same	2.83
		Item 4			
Pichel Velasco	France	Same	$2,500	Same	$1.41
		Item 5			
Sara Velasco	France	Same	$2,500	Same	1.41
		Item 6			
Thomas Luis Avalos Varas	Monaco	Same	$77,485.63	Same	43.75
		Item 7			
Luisa Carmela Avalos Gull	Monaco	Same	$77,485.50	Same	43.75
		Item 8			
Jean Pellerin, as Domiciliary Executor of the Will of Marie Uranie Duncan-son, deceased.	France	Estate of Marie Uranie Duncanson, deceased, Surrogate's Court, New York County, Docket No. P-469-1942.	$149,061.52	Same	46.99
		Item 9			
Carmela Amoroso	Italy	Estate of Luigi (Louis) Amoroso, deceased, Surrogate's Court, New York County, Docket No. A/321/1943.	$140.41	Same	16.43
		Item 10			
Zigmund Gilelson	Latvia	Estate of Gelu Stern, deceased, Surrogate's Court, Kings County, State of New York, Docket No. 3162/1942.	$ 490.83	Treasurer of the City of New York, Municipal Building, New York City, N. Y.	$30.02
		Item 11			
Claude Jellinek Mercedes	France	Bankers Trust Company, as Trustee under an Indenture dated 12/4/28 Plaintiff vs. Alsin Didier Gontran Jellinek-Mercedes, et al, Supreme Court, State of New York, New York County, Docket No. 5641/1943.	Cash—$9,651.41 Securities—$2,499.16	Same	17.50
		Item 12			
Executors, administrators, heirs-at-law and distributees of Madeleine Annais Jellinek-Mercedes, deceased.	France	Same	$1,004.02	Same	1.46
		Item 13			
Alsin Didier Gontran Jellinek-Mercedes	France	Same	Cash—$9,651.41 Securities—$2,499.16	Same	17.51
		Item 14			
Antoine Yvonne Odette Alexander	France	Same	Cash—$9,651.41 Securities—$2,499.16		17.51

[F. R. Doc. 45-13085; Filed, July 19, 1945; 11:20 a. m.]

[Vesting Order 29]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the person described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 18, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Sophie Hantower aka Zisla Hantower.	Poland	Estate of William Fenig, deceased, Surrogate's Court, County of New York, New York, No. P-294-1945.	$1,000	Evelyn Fenig, 1 Sickles Street, New York City, and Lola Seligson, 3564 Indian Queen Lane, Philadelphia, Pa., Executrices under the Last Will and Testament of William Fenig, deceased.	$37.70
		Item 2			
Maud Gordon Bennett	France	Trust under the Will of James Gordon Bennett, deceased, Surrogate's Court, New York County, New York, Docket Number, None.	Annuity $50,000	Guaranty Trust Company of New York, Trustee u/w James Gordon Bennett, deceased, 140 Broadway, New York, N. Y.	68 2
		Item 3			
Gustaf Fridljof Boy	France	Same	Annuity $500	Same	1 00
		Item 4			
Percy Mitchell	France	Same	Annuity $3,000	Same	3 98
		Item 5			
Heirs-at-law, next-of-kin, distributees or legal representatives of Arthur Rollis Hiitt, deceased.	France	Same	$175.34	Same	1.00
		Item 6			
Maurice Henri Themans	France	Estate of J. A. W. Themans, deceased, Surrogate's Court, New York County, N. Y., Docket No. P-43/1943.	One-half of the net estate of J. A. W. Themans, deceased, in the amount of approximately $80,000.	Isidor B. Catz, Ancillary Administrator, c. t. a. of the Estate of J. A. W. Themans, deceased, 27 West 96 St., New York, N. Y.	535 41
		Item 7			
Jeanne Derecourt Gonot	France	Estate of Frances Clyne, deceased, Surrogate's Court, New York County, N. Y., Docket No. P-531-1944.	$9,092.16	Joshuah S. Shultz, 18 East 41st St., New York 17, N. Y., and Morton L. Davis, 521 5th Ave., New York City, Co-Executors of the Estate of Frances Clyne, deceased.	84 53
		Item 8			
Louisa Bancroft Davis	Italy	Estate of Gherardi Davis, deceased, Surrogate's Court, New York County, N. Y., Docket No. P-639-1941.	Life beneficiary of one-half of residuary estate valued at $232,250 and specific legatee of personal property, approximately $2,050.	United States Trust Co. of New York, Trustee u/w Gherardi Davis, deceased, 45 Wall Street, New York, N. Y.	70 37
		Item 9			
Mary McCrea Sebillotte	France	In the Matter of the Petition of William Mason Smith, as Successor Trustee under Two Deeds of Trust made by Catharine Ann Hedges for a Judicial Settlement of his Third Intermediate Account as such Successor Trustee, Supreme Court, County of New York, N. Y., File No. 31103-1944.	$9,433.71 (income only)	William Mason Smith, Successor Trustee, 25 Broad St., New York, N. Y.	22 15

[F. R. Doc. 45-13086; Filed, July 19, 1945; 11:20 a. m.]

[Vesting Order 105, Amdt.]

MITSUI AND CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, the Alien Property Custodian, having made all determinations and taken all action required by law, executed Vesting Order Number 105, dated August 17, 1942 (7 F.R. 7057), whereby there was vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States the following-described property, to wit:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Mitsui and Company, Ltd., a Japanese corporation, Tokyo, Japan, or any or all of its American branches located at:

350 Fifth Avenue, New York, New York,

465 California Street, San Francisco, California, and

Exchange Building, Seattle, Washington, and

Whereas, on February 10, 1942, the War Production Board by requisition No. 47-55/66, requisitioned 4,180 bales of raw silk owned by Mitsui and Company, Ltd., of which 300 bales covered by Warehouse Receipt No. H-77093 of the United States Testing Company, Inc., had theretofore been pledged to The Yokohama Specie Bank, Ltd., New York Agency, as collateral security for certain indebtedness owing from Mitsui and Company, Ltd., to The Yokohama Specie Bank, Ltd., New York Agency; and

Whereas, by virtue of said requisitioning, Mitsui and Company, Ltd., became the owner of a claim for fair and just compensation for the bales of silk so requisitioned, subject, however to the claim of the Superintendent of Banks for the State of New York, as Liquidator of The Yokohama Specie Bank, Ltd., New York Agency, arising out of the pledge aforesaid; and

Whereas, the War Production Board has awarded the sum of $1,778,066.21 as the full, fair and just compensation for the requisitioned silk, of which award the sum of $128,632.40 applies to the 300 bales pledged to The Yokohama Specie Bank, Ltd., New York Agency, as aforesaid; and

Whereas, the undersigned hereby finds and determines that the said award, made as aforesaid by the War Production Board, is the full, fair and just compensation for the requisitioned silk and constitutes the amount equal to said claim;

Now, therefore, the undersigned hereby amends Vesting Order Number 105 dated August 17, 1942, by inserting immediately following the words "Exchange Building, Seattle, Washington" where such words appear in said Vesting Order Number 105, the following:

Including particularly but not limited to the sum of $1,649,433.81, being the net amount due from the War Production Board by virtue of the requisitioning on February 10, 1942, by Requisition No. 47-55/66, of 4,180 bales of raw silk owned by Mitsui and Company, Ltd., after deduction from the award made by the War Production Board of the sum of $128,632.40, applicable to 300 bales of raw silk covered by warehouse receipt No. H-77093 of the United States Testing Co., Inc., pledged by Mitsui and Company, Ltd., to The Yokohama Specie Bank, Ltd., New York Agency, as collateral security, (.)

All other provisions of said Vesting Order Number 105 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 17, 1945.

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13087; Filed, July 19, 1945; 11:20 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination 20]

WHEELOCK BROS., INC.

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Wheelock Bros., Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Wheelock Bros., Inc., 509 West 5th Street, Kansas City, Missouri, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock A. M., July 24, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 20."

Issued at Washington, D. C., this 20th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13187; Filed, July 19, 1945; 3:31 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Am. 1 to Order 403]

ROL. MCCONAHA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

The maximum prices for the "Havana Mint, Hand Made 5¼" " cigars set forth in paragraph (a) of Order No. 403 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Havana Mint, hand made.	5¼"[1]	50	*Per M* $115	*Cents* 15

[1] Prices apply to this brand and size using only all imported Havana type 81 long filled as specified in amended application.

This amendment shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13014; Filed, July 17, 1945; 4:56 p. m.]

[MPR 260, Am. 1 to Order 515]

ROL. MCCONAHA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

The maximum prices for the "McConaha's Commercial 4¾" " cigars set forth in paragraph (a) of Order No. 515 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
McConaha's Commercial.	4¾"[1]	50	*Per M* $75	*Cents* 10

[1] Prices apply only to this brand and size of tobacco composition specified in amended application.

This amendment shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13015; Filed, July 17, 1945; 4:55 p. m.]

[MPR 260, Am. 1 to Order 1078]

JOSEPH A. CADIEUX

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

The maximum prices for the "Westover-Westover", "Sixteen Hi-Sixteen Hi", and "Comodor-4¾" cigars set forth in paragraph (a) of Order No. 1078 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Westover	Westover	50	$72	9
Sixteen Hi	Sixteen Hi	50	72	9
Comodor	4¾"	50	115	15

This amendment shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13016; Filed, July 17, 1945; 4:55 p. m.]

[MPR 188, Rev. Order 3990]

KASKO SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:* Order No. 3990 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Kasko Sales Company, 225 Broadway, New York, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller and case	1	*Per dozen* $5.10	*Per dozen* $7.20	*Each* $1.00

These maximum prices are for the article described in the manufacturer's application dated May 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13065; Filed, July 18, 1945; 4:47 p. m.]

[MPR 188, Order 4100]

HOLLYWOOD KITCHEN KRAFT

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Hollywood Kitchen Kraft, 127 South Flores Street, Los Angeles 36, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sale by any seller to—				
		Distributor	Jobber	Chain & dept. stores	Other retailer	Consumer
Aluminum fry pan 11" x 2½" 3 Stainless buffed finish		*Doz.* 100 $7.10	*Doz.* $7.95	*Doz.* $8.51	*Doz.* $10.00	*Ea.* $1.31

These maximum prices are for the articles described in the manufacturer's application dated June 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.33 Ea.
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13066; Filed, July 18, 1945; 4:47 p. m.]

[MPR 188, Order 4101]

MANITOWOC SHIP BUILDING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezer manufactured by the Manitowoc Ship Building Company and as described in its application dated June 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	Size	On sales to distributors	On sales to dealers	On sales to consumers
H-10...	10.3 cu. ft. with 1 hp. condensing unit.	$130	$180	$300

(b) On sales by the Manitowoc Ship Building Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Manitowoc Ship Building Company shall stencil on the inside of the lid or cover of the farm and home freezer covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA maximum retail price, $_____
Plus freight and crating as provided in Order No. 4101 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 19, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13067; Filed, July 18, 1945; 4:47 p. m.]

[MPR 188, Order 4102]

BACO PRODUCTS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment for sales by any person of the Baco E series brass ballcock complete with brass refill tube and float rod manufactured by the Baco Products Company of Los Angeles, Calif., shall be:

	Each
(1) On sales to consumers	$1.30
(2) On sales to plumbing and heating contractors, installers, commercial and industrial users	.98
(3) On sales to plumbing and heating jobbers	.73

(b) The maximum price specified in (a) (3) above is subject to the following discounts and allowances:

Broken lots (less than 50 pieces). Net.
Lots of 50 and 100 pieces. Net.
Lots of 150 and 200 pieces with freight prepaid to any destination in the United States. Less 2½ percent.
Lots of 250 to 1,000 pieces, in multiples of 50 pieces with freight prepaid to any destination in the United States. Less 10—2½ percent.
Lots of 1,050 pieces up to carload lots, in multiples of 50 pieces with freight prepaid to any destination in the United States. Less 10—2½–3 percent.
Carload lots or more with freight prepaid to any destination in the United States. Less 10—2½–3–2 percent.

(c) In addition to the discounts and allowances enumerated in (b) above, the maximum prices established by this order shall be subject to such further discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) The maximum prices for sales on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller, except on sales to consumers, shall notify each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order on sales to such purchasers and the maximum resale prices established for such purchasers.

(f) The Baco Products Company shall attach a tag to the commodity covered by this order and shall print in a conspicuous place on the tag the maximum price to consumers established by this order and shall identify such price as the OPA approved maximum price to consumers.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 19, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13068; Filed, July 18, 1945; 4:47 p. m.]

[MPR 188, Order 4103]

C. E. ROBINSON MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of manufacture for sales to any person by the C. E. Robinson Manufacturing Company of Indianapolis, Indiana, of a gas operated furnace lighter shall be:

On sales of quantities of 50 or less	$3.25
On sales of quantities from 50–100	3.10
On sales of quantities more than 100	2.95

Terms: 2 percent, ten days.

(b) The maximum prices for sales by jobbers of the gas operated furnace lighter manufactured by the C. E. Robinson Manufacturing Company of Indianapolis, Indiana, shall be:

On sales to retailers:	
On sales of quantities of 50 or less	$4.10
On sales of quantities from 50–100	3.90
On sales of quantities more than 100	8.70
On sales to consumers:	
On sales of any quantity	5.50

(c) The maximum net prices for sales by retailers of the gas operated furnace lighter manufactured by the C. E. Robinson Manufacturing Company, of Indianapolis, Indiana, shall be:

On sales of any quantity	$5.50

(d) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) Every person selling the commodity subject to this order, except a retailer, shall notify each purchaser in writing at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each seller as well as the maximum prices established to each purchaser on resale.

(f) Order No. L–494 under § 1499.158 of Maximum Price Regulation No. 188, effective April 4, 1945 for the C. E. Robinson Manufacturing Company, of Indianapolis, Indiana, is hereby revoked.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 19, 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13069; Filed, July 18, 1945; 4:48 p. m.]

[MPR 188, Order 4104]

BINUS MACHINE PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Binus Machine Products Company of 117 South Third Street, Louisville 2, Ky.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and dept. stores	Other retailers	Consumers
Kitchen stool, 10" width, 15" base, 24" height, baked enamel, finish welded	A-1-45	*Each* $1.00	*Each* $1.20	*Each* $1.33	*Each* $1.98

These maximum prices are for the articles described in the manufacturer's application dated July 5, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your applica-

tion. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.98 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13070; Filed, July 18, 1945; 4:48 p. m.]

[MPR 188, Order 4105]

ART METAL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Art Metal Company, 230 Fifth Street, Bridgeport 7, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Wholesalers (jobbers)	Dept. and chain stores	Retailers	Consumers
Fruit juice squeezer, cast aluminum	3	*Each* $1.63	*Each* $1.95	*Each* $2.17	*Each* $3.25

These maximum prices are for the articles described in the manufacturer's application dated May 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$3.25 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13071; Filed, July 18, 1945; 4:48 p. m.]

[MPR 188, Order 4106]

CAR-MAX MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Car-Max Manufacturing Company of 16 North Eighth Street, Minneapolis 3, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—
		Wholesalers (jobbers)
Can opener	None	*Per doz* $0.36

These maximum prices are for the articles described in the manufacturer's application dated May 29, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.07 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13072; Filed, July 18, 1945; 4:49 p. m.]

[MPR 188, Order 4107]

BREWSTER AERONAUTICAL CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Brewster Aeronautical Corporation of Long Island City, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Wholesalers (jobbers)	Dropship jobber	Department and chain stores	Other retailers	Consumers
Aluminum fry pan, 12 gage, 6" wide, 13/4 inches deep	BAC #1	*Each* $0.73	*Each* $0.74	*Each* $0.87	*Each* $0.97	*Each* $1.45

These maximum prices are for the articles described in the manufacturer's application dated June 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.45 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13073; Filed, July 18, 1945; 4:49 p. m.]

[MPR 188, Order 4108]

SUPERIOR ELECTRIC PRODUCTS CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Superior Electric Products Corporation, Cape Girardeau, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for any seller to— Jobbers	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric iron, 6# approved cord set, form fit handle and thumb rest	76	*Each* $1.65	*Each* $1.95	*Each* $2.10	*Each* $3.15

These maximum prices are for the articles described in the manufacturer's application dated June 21, 1945. These prices include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Superior Electric Products Corp.
Cape Girardeau, Mo.
Model No. 76
OPA Ceiling Price $3.15
Federal Excise Tax Included

or

Order No. 4108 under MPR 188
Model No. 76
OPA Ceiling Price $3.15
Federal Excise Tax Included
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13074; Filed, July 18, 1945; 4:49 p. m.]

[MPR 188, Order 4109]

KENT PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Kent Products Company, 222 West Monroe Street, Chicago 6, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to— Consumers	Distributors or jobbers	Retailer 1-5	Retailer 5 or more
Kent Ruby coffee serving bottle	RB	$2.20	$1.10	$1.47	$1.32
Kent De Luxe Ruby coffeemaker ensemble	Ruby G-67B	10.95	5.48	7.30	6.57
Kent coffeemaker ensemble	67S	10.95	5.48	7.30	6.57
	27	7.95	3.97	5.30	4.77
Kent coffeemaker in Ruby with new time filter	67	10.00	5.00	6.67	6.00
	Ruby G-7	5.25	2.63	3.50	3.15
Kent coffeemaker in Ruby with new time filter	7S	5.25	2.63	3.50	3.15
Kent coffeemaker ensemble	RG2	7.50	3.75	5.00	4.50
	2S	7.50	3.75	5.00	4.50
Kent Ruby coffeemaker	Ruby G-2S	4.00	2.00	2.67	2.40
Kent Ruby coffeemaker ensemble	Ruby G-27	8.95	4.47	5.97	5.37
	27S	8.95	4.47	5.97	5.37

These maximum prices are for the articles described in the manufacturer's application dated May 26, and June 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the blank properly filled in.

OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13075; Filed, July 18, 1945; 4:49 p. m.]

[MPR 188, Order 4110]

MICRO METALCRAFT MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Micro Metalcraft Manufacturing Company, 1178 East 180th Street, New York 60, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to— Wholesalers	Retailers	Consumers
Cigarette lighter (aluminum)	1	*Each* $2.02	*Each* $2.70	*Each* $4.50
Cigarette lighter (18-Kt. gold plated)	2	4.20	5.60	9.34

These maximum prices are for the articles described in the manufacturer's application dated June 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13076; Filed, July 18, 1945; 4:50 p. m.]

[MPR 188, Order 4111]

ELECTRIC STEAM RADIATOR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Electric Steam Radiator Company of 5736 Twelfth Street, Detroit 8, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Wholesalers (jobbers)	Retailers (6 or more units)	Retailers (less than 6 units)	Consumers
Baby bottle sterilizer	B. S. 111	*Each* $3.48	*Each* $4.17	*Each* $4.50	

These maximum prices are for the articles described in the manufacturer's application dated May 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$6.95
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13077; Filed, July 18, 1945; 4:50 p. m.]

[MPR 188, Order 4112]

REYNOLDS METALS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Reynolds Metals Company, 2500 South Third Street, Louisville 1, Ky.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Distributor	Jobber	Dept. & chain store	Retailer	Consumer
Kitchen stool, aluminum, 12" top, 24" high, top baked enamel, leg etched and lacquered	B	*Ea.* $0.88	*Ea.* $0.98	*Ea.* $1.17	*Ea.* $1.20	*Ea.* $1.95

These maximum prices are for the articles described in the manufacturer's application dated June 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.95 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13078; Filed, July 18, 1945; 4:50 p. m.]

[MPR 188, Order 4113]

ALL ELECTRIC STEAM IRON MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by All Electric Steam Iron Mfg. Co., 406 South Main Street, Los Angeles 13, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Steam electric iron attachment	S. A.	*Each* $2.25	*Each* $2.70	*Each* $2.93	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated December 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

All Electric Steam Iron Mfg. Co.
406 S. Main Street
Los Angeles 13, Calif.
Model No. S. A.
OPA Retail Ceiling Price $4.50

or:

Order No. 4113 under MPR 188
Model No. S. A.
OPA Retail Ceiling Price $4.50
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of July 1945.

Issued this 18th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13079; Filed, July 18, 1945; 4:50 p. m.]

[Order 27 Under 3 (e), Amdt. 1]

THE LANGREEN CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.3 (e) (3); *It is ordered,* That Order No. 27 be amended in the following respects:

1. By amending paragraph (a) to read as follows:

(a) The maximum prices for sales of "Alpo," a stove blackening paste, manufactured by The Langreen Company, New York City, shall be:

Size	Per 100 jars: Sales to jobbers	Per 100 jars: Sales by jobbers to small hardware and house-ware stores	Per 100 jars: Sales to other retailers	Per jar to ultimate consumers
17-oz. jar	$32.75	$36.00	$37.40	$0.60
8-oz. jar	18.50	20.00	23.40	.35
2-oz. jar	4.75	6.15	6.60	.10

All prices delivered except manufacturer's sales to jobbers which shall be f. o. b. New York, N. Y.

2. By redesignating paragraph (c) and (d) as (d) and (e) and by inserting the following new paragraph (c):

(c) With or prior to the first delivery of the aforesaid commodity to a jobber,

the manufacturer shall furnish such jobber with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

This amendment shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13116; Filed, July 19, 1945; 11:41 a. m.]

[Order 65 Under 3 (e)]

CAMERON AND COX

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Maximum prices for an 8-ounce size of a new Kitchen and Bathroom Deodorant, manufactured by Cameron and Cox, Chicago, Illinois, are established as follows:

For sales to:	*Maximum price*
Wholesaler	$8.12 per 24 units.
Retailer	$9.84 per 24 units.
Consumer	$14.16 per 24 units ($0.59 each).

Freight allowed on sales to wholesalers and retailers plus 2% discount.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a wholesaler, the manufacturer shall furnish such wholesaler with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Aministration.

(d) Prior to making any delivery of its new Kitchen and Bathroom Deodorant, after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend on each 8-ounce container:

"Maximum retail price—$0.59"

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13117; Filed, July 19, 1945; 11:41 a. m.]

[Order 66 Under 3 (e)]

MACHINERY LUBRICANTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

(a) Maximum prices for "Silver-Chip", a cutting and grinding compound manufactured by Machinery Lubricants Company, Boston, Mass., are established as follows:

Quantity	For sales to	Price per pound
55 gallon drums	Distributors	$0.1875
30 gallon drums	do	.1950
15 gallon drums	do	.2025
5 gallon cans	do	.2175
1 gallon cans	do	.2250
55 gallon drums	Consumers	.25
30 gallon drums	do	.26
15 gallon drums	do	.27
5 gallon cans	do	.29
1 gallon cans	do	.30

The terms of sale are cash discount 1% ten days, net 30 days, freight prepaid.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a distributor, the manufacturer shall furnish such distributor with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13118; Filed, July 19, 1945; 11:41 a. m.]

[Order 67 Under 3 (e)]

USED ONE-GALLON AMBER GLASS JUGS

AUTHORIZATION OF MAXIMUM PRICE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.3 (e) (1) of the General Maximum Price Regulation, it is ordered:

(a) *Product and transactions covered.* This order establishes a maximum price for sales by any person to the Seven-Up Company of St. Louis, Missouri, of used one-gallon amber glass jugs originally used by the Seven-Up Company to ship Seven-Up syrup to various independent bottlers.

(b) *Maximum price.* The maximum price for sales by any person to the Seven-Up Company of a one-gallon amber glass jug originally used to ship Seven-Up syrup to various independent bottlers shall be five cents ($0.05) each, f. o. b. point of shipment.

(c) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13119; Filed, July 19, 1945; 11:41 a. m.]

[MPR 188, Order 4114]

FRANKLIN TRANSFORMER MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the Franklin Transformer Manufacturing Company and as described in its application dated June 30, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Item	Size	On sales to distributors	On sales to dealers	On sales to consumers
Model 4	4 cu. ft. with ¼ h. p. condensing unit.	$118.60	$141.60	$236.00
Model 6	6 cu. ft. with ⅓ h. p. condensing unit.	144.00	172.80	288.00
Model 8	8 cu. ft. with ½ h. p. condensing unit.	168.00	201.60	336.00
Model 16	16 cu. ft. with ½ h. p. condensing unit.	231.20	277.80	463.00

(b) On sales by the Franklin Transformer Manufacturing Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied:

Model 4	$4.00
Model 6	4.80
Model 8	4.00
Model 16	6.00

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charge shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following:

Model 4	$4.00
Model 6	4.00
Model 8	4.00
Model 16	6.00

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Franklin Transformer Manufacturing Company shall stencil on the inside of the lid or cover of the farm and home freezers covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $_____
Plus freight and crating as provided in Order No. 4114 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13120; Filed, July 19, 1945; 11:43 a. m.]

[MPR 188, Order 4115]

WRIGHT PRODUCTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices on sales by any person of the No. 30—3" x ¾" x 1½" wrought steel electroplated door catch with screws manufactured by the Wright Products, Incorporated and described in the company's application dated May 11, 1945 shall be:

	Per doz.
(1) On sales to wholesalers and jobbers	$1.20
(2) On sales to retailers	1.60
	Each
(3) On sales to consumers	$0.20

Terms: 2 percent, 10 days.

(b) The maximum net prices specified in (a) above for sales by the Wright Products, Incorporated of St. Paul Park, Minnesota, are f. o. b. point of manufacture with full freight allowed on all shipments except to the States of Washington, Oregon, and California. On shipment to Washington, Oregon and California, the Wright Products, Incorporated shall allow 50 percent of the actual freight charges.

(c) In addition to the allowances set forth in (b) above, each seller shall extend discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice of the maximum prices established by this order for his sales to such purchasers as well as the maximum prices established for each purchaser on resale.

(e) Wright Products, Incorporated of St. Paul Park, Minnesota shall print in a conspicuous place on the boxes containing the items subject to the order, the following:

Maximum retail price (including screws)—$0.20 each.

(f) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13121; Filed, July 19, 1945; 11:44 a. m.]

[MPR 188, Order 4116]

SCHMIT CONSTRUCTION CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the Schmit Construction Company and as described in its application dated May 7, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model and size	On sales to distributors	On sales to dealers	On sales to consumers
LD, 10 cu. ft. with ¼ hp. condensing unit	$200.00	$240.00	$400.00
LD, 15 cu. ft. with ¼ hp. condensing unit	250.00	300.00	500.00
LD, 20 cu. ft. with ⅓ hp. condensing unit	300.00	360.00	600.00
SC, 30 cu. ft. with ½ hp. condensing unit	350.00	420.00	700.00
RC, 40 cu. ft. with ½ hp. condensing unit	400.00	480.00	800.00
RC, 50 cu. ft. with ¾ hp. condensing unit	450.00	540.00	900.00

(b) On sales by the Schmit Construction Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00

(e) Each seller of the commodities covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Schmit Construction Company shall stencil on the inside of the lid or cover of the farm and home freezers covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $_____
Plus freight and crating as provided in Order No. 4116 under Maximum Price Regulation No. 188

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13122; Filed, July 19, 1945; 11:44 a. m.]

[MPR 188, Order 4117]

CHAPMAN MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezer manufactured by the Chapman Manufacturing Company and as described in its application dated May 23, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Item	Size	On sales to distributors	On sales to dealers	On sales to consumers
Chapman	12.13 cu. ft. with ¼ h.p. condensing unit.	$180.00	$216.00	$360.00

(b) On sales by the Chapman Manufacturing Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Chapman Manufacturing Company shall stencil on the inside of the lid or cover of the farm and home freezer covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $360.00

Plus freight and crating as provided in Order No. 4117 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13123; Filed, July 19, 1945; 11:42 a. m.]

[MPR 188, Order 4118]

SISK AND VEGGE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment for sales by any person of the K & B Hot Water Heater, aluminum painted finish, manufactured by Sisk and Vegge of Portland, Oregon, and as described in its application of April 13, 1945, shall be:

1. On sales to consumers	$18.75
2. On sales to dealers	15.60
3. On sales to jobbers	12.75

(b) The maximum prices specified in (a) above shall be subject to a discount of 10 percent on quantities of 500 or more, and all other discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended, or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(d) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order, of the maximum prices established by this order for his sales to such purchasers and the maximum prices established for such purchasers resale.

(e) Sisk and Vegge shall stencil in a conspicuous place on its K & B Hot water heater the maximum consumer's price established by this order and shall identify such prices as the maximum price to consumers.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13124; Filed, July 19, 1945; 11:42 a. m.]

[MPR 188, Order 4120]

LANDER, FRARY & CLARK

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lander, Frary & Clark of Center Street, New Britain, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—		
		Wholesalers (jobbers)	Retailers	Consumers.
		Each	*Each*	*Each*
Baby tray	Sc 3001	$0.65	$0.85	$1.30
Household sextet	Sc 2001	.90	1.18	1.80
	Sc 2002	1.75	2.28	3.50

These maximum prices are for the articles described in the manufacturer's application dated June 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. destination and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in.

OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of July 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13125; Filed, July 19, 1945; 11:42 a. m.]

[MPR 188, Order 4121]

INDUSTRIAL TOOL & DIE WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Industrial Tool & Die Works of 2824 University Avenue SE., Minneapolis 14, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Distributors	Wholesalers (jobbers)	Retailers (5 units or more)	Retailer (less than 5 units)	
		Each	*Each*	*Each*	*Each*	*E*
Single burner hot plate	101	$1.51	$1.51	$1.85	$1.85	$1.

These maximum prices are for the articles described in the manufacturer's application dated June 1, 1945, these prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. Those prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Industrial Tool & Die Works
2824 University Avenue, SE
Minneapolis 14, Minnesota
Model No. _____
OPA Retail Ceiling Price $_____
Federal Excise Tax Included
Do Not Detach or Obliterate

Or

Order Number 4121 under M. P. R. 188
Model No. _____
OPA Retail Ceiling Price $_____
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of July 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13126; Filed, July 19, 1945; 11:43 a. m.]

[MPR 188, Order 4122]

HOME ALUMINUM BRONZE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Home Aluminum Bronze Company, 800 South Downing Street, Piqua, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—				
		Wholesaler (jobber)	Dropship jobber	Chain and department store	Other retailer	Consumer
Cast aluminum Dutch oven and cover with trivet	1945	*Each* $2.72	*Each* $3.09	*Each* $3.27	*Each* $3.63	*Each* $5.45

These maximum prices are for the articles described in the manufacturer's application dated June 20, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$5.45
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of July 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13127; Filed, July 19, 1945; 11:43 a. m.]

[MPR 260, Order 1536]

RODRIGUEZ & PENSADO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rodriguez & Pensado Cigar Factory, 1904 Spruce Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Avelina	Bouquet	50	$80.75	2 for 25
	Royal	50	108.75	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by

§ 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13168; Filed, July 19, 1945; 2:26 p. m.]

[MPR 260, Order 1587]

HENRY SCHREINER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Henry Schreiner, 523 E. Morton Ave., Jacksonville, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
[illegible] Special	[illegible]	50	*Per M* $80	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13169; Filed, July 19, 1945; 2:27 p. m.]

[MPR 260, Order 1588]

PRIMITIVO BERRIOS TORRES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Primitivo Berrios Torres, Nunoz Rivera Street, Ciales, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
[illegible]	[illegible]	50	*Per M* $80	*Cents* 5
[illegible] Special Selection	[illegible]	50	60	[illegible]
		50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13170; Filed, July 19, 1945; 2:27 p. m.]

[MPR 260, Order 1589]

PACKER BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Packer Brothers, 318 W. 47 St., New York 19, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Partagas	Corona De Gusto.	25	*Per M* $250	*Cents* 34

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13171; Filed, July 19, 1945; 2:27 p. m.]

[MPR 260, Order 1590]

ANTILLIAN PRODUCE CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Antillian Produce Co., Inc., 2 Broadway, New York 4, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Caracol	Corona Sublimes.	25	*Per M* $385.00	*Cents* 55
	Coronas	25	330.00	47
	Perfectos	50	246.25	33
	Belvederes	25	203.50	29
	Presidentes	50	203.50	29
	Caracol Special.	25	212.25	28
	Londres	50	209.25	28
	Camellas	50	190.00	25

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13172; Filed, July 19, 1945; 2:23 p. m.]

[MPR 260, Order 1591]

SAM SCHWARTZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Sam Schwartz, 855 N. 5th Street, Philadelphia 23, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Gora	La Gora Havana.	50	*Per M* $93.75	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of

domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13173; Filed, July 19, 1945; 2:28 p. m.]

[MPR 260, Order 1592]

W. W. LAND

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) W. W. Land, McNeece Building, San Diego, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Smithland	5½".....	50	*Per M* $75	*Cents* 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13174; Filed, July 19, 1945; 2:28 p. m.]

[MPR 260, Order 1593]

GILBERT H. THOMPSON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gilbert H. Thompson, 930 So. 18th Street, Manitowoc, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Blackmore.....	10c.....	20	*Per M* $115	*Cents* 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13175; Filed, July 19, 1945; 2:28 p. m.]

[MPR 260, Order 1594]

CARL HAERTEL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Carl Haertel, 1329 N. 21st Street, Milwaukee 8, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Big Ben.....	Comit.....	5	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13176; Filed, July 19, 1945; 2:29 p. m.]

[MPR 260, Order 1595]

LA PLAZA DE ORO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Plaza de Oro Cigar Factory, 2016 Stuart Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Plaza de Oro.	Cadete Chico.	50	*Per M* $72.00	*Cents* 9
	Cuba Rico.....	50	101.25	2 for 27
	Plaza de Tampa.	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13177; Filed, July 19, 1945; 2:29 p. m.]

[MPR 260, Order 1596]

M. & A. PEREZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) M. & A. Perez Cigar Factory, 1611 10th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
M. & A. Perez.....	Kings.....	50	*Per M* $105.00	*Cents* 14
	Londres.....	50	101.25	2 for 27
	Senadores.....	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their

sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13178; Filed, July 19, 1945; 2:29 p. m.]

[MPR 260, Order 1597]

AMERICAN CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) American Cigar Factory, 2108 Main Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Danny-Boy	Elks	50	$82.50	11
Alanio	Imperials	50	93.75	2 for 25
	Havana Club	50	101.25	2 for 27
	Diann's	50	101.25	2 for 27
	Special	50	108.75	2 for 29
Cinta Azul	Londres Grande	50	108.75	2 for 29
Ilco	Senorita	50	108.75	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13179; Filed, July 19, 1945; 2:30 p. m.]

[MPR 260, Order 1598]

P. E. R.'s MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) P. E. R.'s Manufacturing Co., Paul E. Reichard, 132 Linden Avenue, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
"Dime Bank"	Invincible	50	$75	
	Kings	50	70	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13180; Filed, July 19, 1945; 2:30 p. m.]

[MPR 260, Order 1599]

HOWARD EMENHEISER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Howard Emenheiser, R. 2 D #1, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Golden Hour	Longfellow	50	$60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13181; Filed, July 19, 1945; 2:30 p. m.]

[MPR 260, Order 1600]

LA BEBA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Beba Cigar Factory, 2102 E. Columbus, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Beba	Coronas	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13182; Filed, July 19, 1945; 2:30 p. m.]

[MPR 260, Order 1601]

CHARLES ZAPP

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum

Price Regulation No. 260; *It is ordered*, That:

(a) Charles Zapp, Route 2, Antioch, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Diploma	Perfecto	50	$82.50	11
	Brevas	50	72.00	9
Antioch	Invincible	50	48.00	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13183; Filed, July 19, 1945; 2:31 p. m.]

[MPR 188, Order 4097]

SANFORD BRICK & TILE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation 188, *It is ordered:*

(a) The maximum prices for sales by the Sanford Brick & Tile Company, Colon, North Carolina, of "A-Grade Common Hard Brick" to any person shall be:

F. o. b. plant	Carload delivered to destination	Truck delivered to job
$19 per M.	$20 per M.	$21 per M.

(b) The maximum prices established in (a) above reflect the $2.00 per M brick increase permitted manufacturers under the provisions of paragraph (a) (37) of Order A-1 under Maximum Price Regulation 188, and may not be further increased pursuant to paragraph (a) (37) of Order A-1.

(c) "A-Grade Common Hard Brick" means a 50-50 combination of selected common brick and common hard brick, mixed by the manufacturer in the same shipment. These brick shall not be packed in straw or other packing material.

(d) Any person purchasing A-Grade Common Hard Brick from the Sanford Brick & Tile Company, Colon, North Carolina, for purposes of resale, may add to the prices established in paragraph (a) above, an amount not in excess of the average dollar mark-up received by such person during March 1942 in making sales of Selected Common Brick and Common Hard Brick, purchased from the manufacturer specified herein, to purchasers of the same class for like quantities under similar conditions of sale.

(e) The Sanford Brick & Tile Company, Colon, North Carolina, shall send the following notation to every purchaser of "A-Grade Common Hard Brick" who buys for resale at the time of the first sale to such purchaser after the effective date of this order:

Order No. 4097 under § 1499.158 of Maximum Price Regulation No. 188 issued by the Office of Price Administration establishes the following prices for us for "A-Grade Common Hard Brick":

F. o. b. plant	Carload delivered to destination	Truck delivered to job
$19 per M.	$20 per M.	$21 per M.

Order No. 4097 also provides that a reseller may add to these prices an amount not in excess of the average dollar mark-up received by such reseller during March 1942 in making sales of Selected Common Brick and Common Hard Brick, purchased from the Sanford Brick & Tile Company, to purchasers of the same class for like quantities under similar conditions of sale.

(f) Any person subject to this order shall make such reports to the Office of Price Administration as it may from time to time require.

(g) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 4097 shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13012; Filed, July 17, 1945; 4:58 p. m.]

[MPR 188, Order 4099]

CITY REFRIGERATOR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the City Refrigerator Company and as described in its application dated May 17, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Size	On sales to distributors	On sales to dealers	On sales to [illegible]
16 cu. ft. ⅓ h. p. condensing unit	$250	$300	[illegible]
12 cu. ft. ¼ h. p. condensing unit	210	252	[illegible]
8 cu. ft. ¼ h. p. condensing unit	160	192	[illegible]

(b) On sales by the City Refrigerator Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied:

16 cu. ft. ⅓ hp. condensing unit------ $6.00
12 cu. ft. ¼ hp. condensing unit------ 6.00
8 cu. ft. ¼ hp. condensing unit------ 4.00

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following:

16 cu. ft. ⅓ hp. condensing unit------ $6.00
12 cu. ft. ¼ hp. condensing unit------ 4.00
8 cu. ft. ¼ hp. condensing unit------ 4.00

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this Order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The City Refrigerator Company shall stencil on the inside of the lid or cover of the farm and home freezers covered by this Order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price—$----
Plus freight and crating as provided in Order No. 4099 under Maximum Price Regulation No. 188

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 18, 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13013; Filed, July 17, 1945; 4:58 p. m.]

[MPR 188, Order 4098]

SAMSON UNITED CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Samson United Corporation of Rochester 10, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Wholesalers (jobbers)	Retailers (12 or more units)	Retailers (less than 12 units)	Consumers
		Each	*Each*	*Each*	*Each*
Hospital type heating pad	5588	$4.20	$5.16	$5.56	$8.35
Deluxe 3-fixed heat heating pad	6684	2.64	3.25	3.50	5.25
Heating pad deluxe 3-fixed heat	6685	2.86	3.52	3.80	5.70
Heating pad deluxe 3-fixed heat	6686	3.34	4.11	4.43	6.65

These maximum prices are for the articles described in the manufacturer's application dated June 27, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory full freight allowed on 100 lbs. or more and subject to 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number and prices filled in:

Samson United Corporation
Rochester 10, New York
Model No. ------
OPA Retail Ceiling Price—$----
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Order No. 4098 under MPR 188
Model No. ----
OPA Retail Ceiling Price—$----
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 18th day of July 1945.

Issued this 17th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13021; Filed, July 17, 1945; 5:01 p. m.]

[MPR 188, Order 4119]

NEW INNERSPRING MATTRESSES

ORDER TO FILE REPORTS AND RETAIN RECORDS FOR INSPECTION

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

SECTION 1. *What this order does.* This order requires manufacturers of new innerspring mattresses to file certain reports with the Office of Price Administration; and to retain certain records for inspection by the Office of Price Administration.

SEC. 2. *Base period reports.* On or before August 15, 1945, each manufacturer who shipped 5,000 innerspring mattresses, or more, during the period from July 1, 1940 to June 30, 1941, shall file OPA Form No. 6065-2497 in duplicate with the Office of Price Administration, Durable Goods Price Branch, Washington 25, D. C., showing the number of units and dollar value of innerspring mattresses (by specified categories) which he shipped during that period, and all other information required by that form.

SEC. 3. *Monthly reports.* Every manufacturer required to file a base period report, and every other manufacturer who ships 400 innerspring mattresses, or more during July, 1945 or during any calendar month following July, 1945, shall file OPA Form No. 6065-2498 in duplicate with the Office of Price Administration, Durable Goods Price Branch, Washington 25, D. C., showing, for the particular month, the number of units and dollar volume of innerspring mattresses (by specified categories) which he shipped, and all other information required in that form. These reports shall be filed on or before the 15th day of the calendar month next succeeding the calendar month covered by the report.

SEC. 4. *Records.* Each manufacturer of new innerspring mattresses shall retain the following records for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect:

(a) If he was in business during the period from July 1, 1940 to June 30, 1941; all of his records showing the number of units and the dollar volume of innerspring mattresses which he shipped during that period.

(b) Records showing the number of units and dollar value of innerspring mattresses (by the categories specified on OPA Form No. 6065-2498) which he ships in each month beginning July 1, 1945; together with the class of purchaser to which each shipment was made.

SEC. 5. *Where forms may be obtained.* OPA Forms Nos. 6065-2497 and 6065-2498 will be available at the Regional and District Offices of the Office of Price Administration.

SEC. 6. *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

SEC. 7. *Effective period.* This order is effective on July 21, 1945; and it shall expire, unless further extended, on February 1, 1946.

NOTE: The record keeping and reporting provisions of this order have been approved

amended by the Price Administrator at any time.

19 per M.	$20 per M.	$21 per M.

above:

issued simultaneously herewith, and filed

provisions of this order have been approved

by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13233; Filed, July 20, 1945; 11:41 a. m.]

[RMPR 528, Order 49]

THE FIRESTONE TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for sales of new synthetic rubber Life Protector special purpose passenger car tubes manufactured by The Firestone Tire & Rubber Company, Akron, Ohio, in the following sizes, shall be:

Size:	*Maximum retail price, each*
6.00–16	$10.35
6.25/6.50–16	12.15
7.00–15	12.25
7.00–16	12.40

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13241; Filed, July 20, 1945; 11:44 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 16, 1945.

REGION I

Boston Order 8-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 2:44 p. m.

New Hampshire Order 4-O, Amendment 1, covering eggs in the state of New Hampshire. Filed 3:01 p. m.

REGION II

Buffalo Order 3-F, Amendment 16, covering fresh fruits and vegetables in certain areas in New York. Filed 3:01 p. m.

Syracuse Order 3-F, Amendment 36, covering fresh fruits and vegetables in certain cities in New York. Filed 2:54 p. m.

Syracuse Order 4-F, Amendment 24, covering fresh fruits and vegetables in certain cities in New York. Filed 2:54 p. m.

REGION III

Charleston Order 7-F, Amendment 19, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:54 p. m.

Charleston Order 9-F, Amendment 19, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:53 p. m.

Charleston Order 10-F, Amendment 19, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:53 p. m.

Charleston Order 11-F, Amendment 19, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:53 p. m.

Charleston Order 15-F, Amendment 16, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:53 p. m.

Charleston Order 16-F, Amendment 15, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:52 p. m.

Charleston Order 17-F, Amendment 15, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:52 p. m.

Cincinnati Order 4-F, Amendment 27, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 3:26 p. m.

Cincinnati Order 5-F, Amendment 27, covering fresh fruits and vegetables in certain counties in Ohio. Filed, 3:26 p. m.

Cincinnati Order 7-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Ohio. Filed 3:26 p. m.

Cleveland Order F-1, Amendment 45, covering fresh fruits and vegetables in certain areas in Ohio. Filed 3:26 p. m.

Cleveland Order F-1, Amendment 47, covering fresh fruits and vegetables in Cuyahoga County, Ohio. Filed 3:26 p. m.

Cleveland Order 3-F, Amendment 45, covering fresh fruits and vegetables in Mahoning and Trumbull Counties, Ohio. Filed 3:06 p. m.

Cleveland Order 3-F, Amendment 47, covering fresh fruits and vegetables in Mahoning and Trumbull Counties, Ohio. Filed 3:27 p. m.

Cleveland Order 4-F, Amendment 45, covering fresh fruits and vegetables in Stark and Summit Counties, Ohio. Filed 3:06 p. m.

Cleveland Order 4-F, Amendment 47, covering fresh fruits and vegetables in Stark and Summit Counties, Ohio. Filed 3:06 p. m.

Cleveland Order 5-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Ohio. Filed 3:07 p. m.

Grand Rapids Order 7-C, covering poultry in the Grand Rapids Area. Filed 3:10 p. m.

Grand Rapids Order 14-F (Appendix C), Amendment 54, covering fresh fruits and vegetables in certain areas in Michigan. Filed 3:10 p. m.

Grand Rapids Order 14-F (Appendix C), Amendment 55, covering fresh fruits and vegetables in certain areas in Michigan. Filed 3:10 p. m.

Grand Rapids Order 14-F (Appendix C), Amendment 56, covering fresh fruits and vegetables in certain areas in Michigan. Filed 3:10 p. m.

Grand Rapids Order 14-F, (Appendix A), Amendment 79, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 3:07 p. m.

Grand Rapids Order 14-F (Appendix B), Amendment 79, covering fresh fruits and vegetables in certain cities in Michigan. Filed 3:08 p. m.

Grand Rapids Order 14-F (Appendix A), Amendment 80, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 3:07 p. m.

Grand Rapids Order 14-F (Appendix B), Amendment 80, covering fresh fruits and vegetables in certain cities in Michigan. Filed 3:10 p. m.

Grand Rapids Order 14-F (Appendix A), Amendment 81, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 3:07 p. m.

Grand Rapids Order 14-F (Appendix B), Amendment 81, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 3:10 p. m.

Indianapolis Order 14-F, Amendment 23, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe, Indiana. Filed 2:52 p. m.

Indianapolis Order 14-F, Amendment 24 covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe, Indiana. Filed 3:11 p. m.

Indianapolis Order 15-F, Amendment 23 covering fresh fruits and vegetables in Wayne, Delaware and Allen, Indiana. Filed 2:52 p. m.

Indianapolis Order 15-F, Amendment 24 covering fresh fruits and vegetables in Wayne, Delaware and Allen, Indiana. Filed 3:11 p. m.

Indianapolis Order 16-F, Amendment 23 covering fresh fruits and vegetables in St. Joseph. Filed 2:51 p. m.

Indianapolis Order 16-F, Amendment 24 covering fresh fruits and vegetables in St. Joseph. Filed 2:51 p. m.

Indianapolis Order 17-F, Amendment 23 covering fresh fruits and vegetables in Vanderburgh. Filed 2:51 p. m.

Indianapolis Order 17-F, Amendment 24 covering fresh fruits and vegetables in Vanderburgh. Filed 3:12 p. m.

Indianapolis Order 40, Amendment 3, covering dry groceries in Indianapolis. Filed 3:12 p. m.

Lexington Order 5-F, Amendment 13, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 2:50 p. m.

Lexington Order 5-F, Amendment 14, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 3:1 p. m.

Lexington Order 6-F, Amendment 13, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 2:50 p. m.

Lexington Order 6-F, Amendment 14, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 3:12 p. m.

Lexington Order 7-F, Amendment 13, covering fresh fruits and vegetables in Boyd County. Filed 2:50 p. m.

Lexington Order 7-F, Amendment 14, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 3:12 p. m.

Louisville Order 4-C, covering poultry in certain counties in Kentucky. Filed 3:12 p. m.

Louisville Order 9-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:13 p. m.

Louisville Order 10-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:13 p. m.

Louisville Order 12-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Kentucky and Clark and Floyd, Indiana. Filed 2:50 p. m.

Louisville Order 12-F, Amendment 26 covering fresh fruits and vegetables in Jefferson County, Ky., and Clark and Floyd Counties, Indiana. Filed 3:13 p. m.

Louisville Order 13-F, Amendment 25, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 2:49 p. m.

Louisville Order 13-F, Amendment 26, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 3:14 p. m.

Louisville Order 14-F, Amendment 25, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 2:49 p. m.

Louisville Order 14-F, Amendment 26 covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 3:14 p. m.

Louisville Order 15-F, Amendment 3 covering fresh fruits and vegetables in certain counties in Kentucky. Filed 2:49 p. m.

Louisville Order 15-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:14 p. m.

Louisville Order 16-F, Amendment 1 covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:14 p. m.

REGION IV

Atlanta Order 6-F, Amendment 40, covering fresh fruits and vegetables in the Atlanta-Decatur Area. Filed 2:49 p. m.

Atlanta Order 7-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Georgia. Filed 2:49 p. m.

Atlanta Order 8-F, Amendment 9, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:49 p. m.

Atlanta Order 9-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Georgia and Phenix City, Alabama. Filed 2:48 p. m.

Atlanta Order 30-C, covering poultry in certain areas in Georgia. Filed 3:15 p. m.

Atlanta Order 31-C, covering poultry in certain counties in Georgia. Filed 3:15 p. m.

Atlanta Order 32-C, covering poultry in certain counties in Georgia. Filed 3:01 p. m.

Atlanta Order 33-C, covering poultry in certain counties in Georgia. Filed 3:01 p. m.

Atlanta Order 34-C, covering poultry in certain counties in Georgia. Filed 3:02 p. m.

Atlanta Order 35-C, covering poultry in certain counties in Georgia. Filed 3:02 p. m.

Birmingham Order 1-O, Amendment 3, covering eggs in certain counties in the Birmingham Area. Filed 2:48 p. m.

Birmingham Order 2-O, Amendment 3, covering eggs in certain counties in the Birmingham Area. Filed 2:48 p. m.

Birmingham Order 3-O, Amendment 3, covering eggs in certain counties in the Birmingham Area. Filed 2:47 p. m.

Birmingham Order 3-F, Amendment 24, covering fresh fruits and vegetables in Jefferson County, Alabama. Filed 2:48 p. m.

Birmingham Order 3-F, Amendment 25, covering fresh fruits and vegetables in Jefferson County, Alabama. Filed 3:02 p. m.

Birmingham Order 4-F, Amendment 11, covering fresh fruits and vegetables in the Birmingham Area. Filed 3:03 p. m.

Charlotte Order 3-F, Amendment 23, covering fresh fruits and vegetables in certain areas in North Carolina. Filed 2:44 p. m.

Charlotte Order 3-F, Amendment 24, covering fresh fruits and vegetables in certain areas in North Carolina. Filed 2:47 p. m.

Columbia Order 7-F, Amendment 6, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 2:45 p. m.

Columbia Order 7-F, Amendment 7, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 3:06 p. m.

Columbia Order 20-O, Amendment 5, covering eggs in the South Carolina Area. Filed 2:44 p. m.

Jackson Order 4-F, Amendment 37, covering fresh fruits and vegetables in certain areas in Mississippi. Filed 2:47 p. m.

Jacksonville Order 9-F, Amendment 30, covering fresh fruits and vegetables in Jacksonville, Florida. Filed 3:03 p. m.

Memphis Order 6-F, Amendment 37, covering fresh fruits and vegetables in the city of Memphis and county of Shelby, Tennessee. Filed 2:47 p. m.

Montgomery Order 20-F, Amendment 31, covering fresh fruits and vegetables in Mobile County, Alabama. Filed 2:47 p. m.

Montgomery Order 20-F, Amendment 32, covering fresh fruits and vegetables in the Montgomery Area. Filed 3:03 p. m.

Montgomery Order 21-F, Amendment 36, covering fresh fruits and vegetables in Montgomery County, Alabama. Filed 2:46 p. m.

Montgomery Order 21-F, Amendment 37, covering fresh fruits and vegetables in Montgomery County, Alabama. Filed 3:04 p. m.

Montgomery Order 22-F, Amendment 37, covering fresh fruits and vegetables in Houston County, Alabama. Filed 2:46 p. m.

Montgomery Order 22-F, Amendment 38, covering fresh fruits and vegetables in Houston County, Alabama. Filed 3:04 p. m.

Montgomery Order 24-F, Amendment 34, covering fresh fruits and vegetables in Dallas County, Alabama. Filed 2:46 p. m.

Montgomery Order 24-F, Amendment 35, covering fresh fruits and vegetables in Dallas County, Alabama. Filed 3:04 p. m.

Raleigh Order 10-F, Amendment 24, covering fresh fruits and vegetables in certain areas in North Carolina. Filed 3:05 p. m.

Raleigh Order 11-F, Amendment 24, covering fresh fruits and vegetables in certain areas in North Carolina. Filed 3:05 p. m.

Savannah Order 7-F, Amendment 37, covering fresh fruits and vegetables in certain areas in Georgia. Filed 2:45 p. m.

Savannah Order 7-F, Amendment 38, covering fresh fruits and vegetables in certain areas in Georgia. Filed 3:05 p. m.

Savannah Order 9-F, Amendment 37, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:45 p. m.

Savannah Order 9 F, Amendment 38, covering fresh fruits and vegetables in certain counties in Georgia. Filed 3:05 p. m.

Savannah Order 10-F, Amendment 37, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:45 p. m.

Savannah Order 10-F, Amendment 38, covering fresh fruits and vegetables in certain counties in Georgia. Filed 3:05 p. m.

Savannah Order 12-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Georgia. Filed 3:06 p. m.

Savannah Order 13-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Georgia. Filed 3:06 p. m.

REGION VI

Chicago Order 2-F, Amendment 69, covering fresh fruits and vegetables in certain counties in Illinois and Lake County, Indiana. Filed 3:19 p. m.

Des Moines Order 1-F, Amendment 71, covering fresh fruits and vegetables in Des Moines, Polk County, Iowa. Filed 3:20 p. m.

Des Moines Order 2-F, Amendment 25, covering fresh fruits and vegetables in certain areas in the Cedar Rapids Area. Filed 3:20 p. m.

Des Moines Order 3-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Iowa. Filed 3:20 p. m.

Milwaukee Order 8-F, Amendment 16, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 3:21 p. m.

Milwaukee Order 9-F, Amendment 16, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties, Wisconsin. Filed 3.21 p. m.

Milwaukee District Order 11-f, Amendment 8, covering fresh fruits and vegetables in Milwaukee County and Racine and Kenosha Cities, Wisconsin. Filed 3:20 p. m.

Omaha District Order 12-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 3:21 p. m.

Springfield Order 15-F, Amendment 17, covering fresh fruits and vegetables in the city of Decatur and Macon County, Illinois. Filed 2:54 p. m.

Springfield Order 15-F, Amendment 18, covering fresh fruits and vegetables in the city of Decatur, Macon County, Illinois. Filed 2:56 p. m.

REGION VII

Albuquerque Order 9-F, Amendment 9, covering fresh fruits and vegetables. Filed 2:45 p. m.

Albuquerque Order 10-F, Amendment 10, covering fresh fruits and vegetables. Filed 2:45 p. m.

Albuquerque Order 11-F, Amendment 11, covering fresh fruits and vegetables. Filed 2:44 p. m.

Denver Order 4-F, Amendment 1, covering fresh fruits and vegetables in the Denver Area. Filed 2:51 p. m.

Denver Order 4-F, Amendment 2, covering fresh fruits and vegetables in the Denver Area. Filed 2:51 p. m.

Denver Order 4-F, Amendment 3, covering fresh fruits and vegetables in the Denver Area. Filed 2:51 p. m.

REGION VIII

Los Angeles Order 1-W, Amendment 5, covering dry groceries in the Los Angeles Area. Filed 2:58 p. m.

Los Angeles Order 12, Amendment 5, covering dry groceries in the Los Angeles Area. Filed 2:58 p. m.

Los Angeles Order 3-F, Amendment 3, covering fresh fruits and vegetables in the Los Angeles Area. Filed 2:57 p. m.

Los Angeles Order 4-F, Amendment 3, covering fresh fruits and vegetables in the San Bernardino Area. Filed 2:57 p. m.

Los Angeles Order 5-F, Amendment 3, covering fresh fruits and vegetables in the Santa Barbara Area. Filed 2:57 p. m.

Los Angeles Order 6-F, Amendment 3, covering fresh fruits and vegetables in the Santa Barbara Area. Filed 2:57 p. m.

Nevada Order 11-F, covering fresh fruits and vegetables in certain areas of Reno and Sparks. Filed 2:58 p. m.

Nevada Order 12 F, covering fresh fruits and vegetables in certain areas in Nevada. Filed 2:58 p. m.

Nevada Order 13 F, covering fresh fruits and vegetables in certain areas in Nevada. Filed 2:59 p. m.

Nevada Order 14-F, covering fresh fruits and vegetables in certain areas in Nevada. Filed 2:59 p. m.

Nevada Order 15-F, covering fresh fruits and vegetables in certain areas in Nevada. Filed 3:00 p m.

Phoenix Adopting Order 1-F, Amendment 26, covering fresh fruits and vegetables in certain areas in Arizona. Filed 3:25 p. m.

Phoenix District Order 3-F, Amendment 80, covering fresh fruits and vegetables in the Phoenix Area. Filed 3:22 p. m.

Phoenix Adopting Order 8-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Arizona. Filed 3:21 p. m.

San Francisco District Order 13-F, Amendment 6, covering fresh fruits and vegetables in certain cities and towns in California. Filed 3:00 p. m.

San Francisco District Order 14-F, Amendment 6, covering fresh fruits and vegetables in certain counties in California. Filed 3:00 p. m.

San Francisco District Order 15-F, Amendment 6, covering fresh fruits and vegetables in certain counties in California. Filed 3:00 p. m.

San Francisco District Order 16 F, Amendment 6, covering fresh fruits and vegetables in certain counties in California. Filed 3:00 p. m.

Seattle Order 3-C, covering poultry in the central Washington Area. Filed 3:15 p. m.

Seattle Order 4-C, covering poultry in the central Washington Area. Filed 3:15 p. m.

Seattle Order 6-F, Amendment 40, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington, Area. Filed 3:19 p. m.

Seattle Order 6-F, Amendment 41, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington, Area. Filed 3:15 p. m.

Seattle Order 7-F, Amendment 38, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 3:18 p. m.

Seattle Order 8-F, Amendment 35, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 3:18 p. m.

Seattle Order 9-F, Amendment 40, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 3:18 p. m.

Seattle Order 9-F, Amendment 41, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 3:17 p. m.

Seattle Order 10-F, Amendment 34, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 3:17 p. m.

Seattle Order 11–F, Amendment 35, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 3:17 p. m.

Seattle Order 12–F, Amendment 34, covering fresh fruits and vegetables in the Aberdeen and Hoquiam, Washington Area. Filed 3:17 p. m.

Seattle Order 13–F, Amendment 35, covering fresh fruits and vegetables in the Centralia and Chehalis, Washington Area. Filed 3:17 p. m.

Seattle Order 14–F, Amendment 36, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington Area. Filed 3:16 p. m.

Seattle Order 15–F, Amendment 33, covering fresh fruits and vegetables in the Yakima, Washington Area. Filed 3:16 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–13162: Filed, July 19, 1945; 2:24 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 17, 1945.

REGION II

Buffalo Order D–4, covering poultry in certain counties in New York. Filed 2:45 p. m.

Buffalo Order 4–0, covering eggs in certain counties in New York. Filed 2:43 p. m.

Buffalo Order D–5, covering poultry in Monroe County, New York. Filed 2:44 p. m.

Buffalo Order 5–0, covering eggs in Monroe, Allegany and Livingston Counties, New York. Filed 2:43 p. m.

Buffalo Order 6–0, covering eggs in certain counties in New York. Filed 2:42 p. m.

District of Columbia Order 1–0, Amendment 8, covering eggs in certain counties in Maryland, Virginia and the District of Columbia. Filed 2:36 p. m.

District of Columbia Order 5–F, amendment 16, covering fresh fruits and vegetables in certain areas in the District of Columbia and Virginia. Filed 2:36 p. m.

Williamsport Order 2–F, Amendment 44, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 2:42 p. m.

REGION III

Cincinnati Order 1–C, Amendment 6, covering poultry in certain counties in Ohio. Filed 2:42 p. m.

Cincinnati Order 1–C, Amendment 7, covering poultry in certain counties in the Cincinnati Area. Filed 2:42 p. m.

Cincinnati Order 2–C, covering poultry in certain counties in the Cincinnati Area. Filed 2:41 p. m.

REGION VI

Duluth-Superior Order 2–F, Amendment 18, covering fresh fruits and vegetables in certain counties in Wisconsin and Minnesota. Filed 2:46 p. m.

Moline Order 3–W, Amendment 7, covering dry groceries in certain counties in Illinois and Iowa. Filed 2:36 p. m.

Moline Order 4–W, Amendment 7, covering dry groceries in certain counties in Illinois and Iowa. Filed 2:35 p. m.

Moline Order 38, Amendment 7, covering dry groceries in certain counties in Illinois and Iowa. Filed 2:35 p. m.

Moline Order 39, Amendment 8, covering dry groceries in certain counties in Illinois and Iowa. Filed 2:34 p. m.

Omaha Order 11–F, Amendment 17, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 2:45 p. m.

Omaha Order 10–F, Amendment 16, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 2:45 p. m.

Quad-Cities Order 2–F, Amendment 42, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 2:34 p. m.

REGION VII

Colorado Order F–1, Amendment 16, covering fresh fruits and vegetables in the Denver Area. Filed 2:46 p. m.

Colorado Order F–1, Amendment 17, covering fresh fruits and vegetables in the Denver Area. Filed 2:46 p. m.

Colorado Order F–1, Amendment 18, covering fresh fruits and vegetables in the Denver Area. Filed 2:47 p. m.

Denver Order F–2, Amendment 4, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:47 p. m.

Denver Order F–3, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:33 p. m.

Denver Order F–3, Amendment 1, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:33 p. m.

Denver Order F–3, Amendment 2, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:32 p. m.

Denver Order F–3, Amendment 3, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:32 p. m.

Denver Order F–3, Amendment 4, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:32 p. m.

Denver Order F–3, Amendment 5, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:41 p. m.

Denver Order F–3, Amendment 6, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:41 p. m.

Denver Order F–3, Amendment 7, covering fresh fruits and vegetables in the Colorado Springs Area. Filed 2:40 p. m.

Denver Order F–3, Amendment 8, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:40 p. m.

Denver Order F–3, Amendment 9, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:40 p. m.

Denver Order F–3, Amendment 10, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:40 p. m.

Denver Order F–3, Amendment 11, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:40 p. m.

Denver Order F–3, Amendment 12, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:37 p. m.

Denver Order F–3, Amendment 13, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:37 p. m.

Denver Order F–3, Amendment 14, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:37 p. m.

Denver Order F–3, Amendment 15, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:37 p. m.

Denver Order F–3, Amendment 16, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:37 p. m.

Denver Order F–3, Amendment 33, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:26 p. m.

Denver Order F–3, Amendment 34, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:26 p. m.

Denver Order F–3, Amendment 35, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:26 p. m.

Denver Order F–3, Amendment 36, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:26 p. m.

Denver Order F–3, Amendment 37, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:26 p. m.

Denver Order F–3, Amendment 38, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:27 p. m.

Denver Order F–3, Amendment 39, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:27 p. m.

Denver Order F–3, Amendment 40, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:27 p. m.

Denver Order F–3, Amendment 41, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:27 p. m.

Denver Order F–3, Amendment 42, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:27 p. m.

Denver Order F–3, Amendment 43, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:27 p. m.

Denver Order F–3, Amendment 44, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:28 p. m.

Denver Order F–3, Amendment 45, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:28 p. m.

Denver Order F–3, Amendment 46, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:28 p. m.

Denver Order F–3, Amendment 47, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:28 p. m.

Denver Order F–3, Amendment 48, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:29 p. m.

Denver Order F–3, Amendment 49, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:29 p. m.

Denver Order F–3, Amendment 50, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:29 p. m.

Denver Order F–3, Amendment 51, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:29 p. m.

Denver Order F–3, Amendment 52, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:29 p. m.

Denver Order F–3, Amendment 53, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:29 p. m.

Denver Order F–3, Amendment 54, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:30 p. m.

Denver Order F–3, Amendment 55, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:30 p. m.

Denver Order F–3, Amendment 56, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:31 p. m.

Denver Order F–3, Amendment 57, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:32 p. m.

Denver Order F–3, Amendment 58, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:32 p. m.

REGION VIII

Portland Order 15–F, Amendment 24, covering fresh fruits and vegetables in certain cities in Oregon. Filed 2:41 p. m.

Portland Order 16–F, Amendment 18, covering fresh fruits and vegetables in Bend, Oregon. Filed 2:41 p. m.

Portland Order 17–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon. Filed 2:41 p. m.

Sacramento Order (Basic) 1–B, Amendment 2, covering dry groceries. Filed 2:35 p. m.

San Francisco Order (District) 13 F Amendment 5, covering fresh fruits and vegetables in certain cities and towns in California. Filed 2:30 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–13225: Filed, July 20, 1945, 11:39 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–57, 59–57]

AMERICAN UTILITIES SERVICE CORP., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of July 1945.

In the matter of American Utilities Service Corporation, File No. 54–57; American Utilities Service Corporation and its subsidiary companies, respondents, File No. 59–57.

The Commission having, by order dated June 21, 1944, pursuant to Section 11 (b) (1) of the Public Utility Holding Company Act of 1935, ordered, among other things, that American Utilities Service Corporation, a registered holding company, sever its relationship with two of its subsidiaries, namely, Minnesota Utilities Company and Wisconsin Southern Gas Company, by disposing in an appropriate manner, not in contravention of the applicable provisions of said act or the rules and regulations promulgated thereunder, of its ownership, control and holding of securities issued by and interests in such companies; and

American Utilities Service Corporation having filed an application requesting an extension of time for one year within which to comply with the said order of June 21, 1944 pursuant to section 11 (b) of the act; and

The Commission having found that American Utilities Service Corporation has been unable in the exercise of due diligence to comply with the provisions of said order, pursuant to section 11 (b) (1) of the Act, within the initial statutory period of one year from June 21, 1944, and that the requested extension of time is necessary or appropriate in the public interest and for the protection of investors and consumers;

It is ordered, That American Utilities Service Corporation be, and it is hereby granted an additional period of one year from June 21, 1945 within which to comply with the provisions of said order of June 21, 1944 pursuant to section 11 (b) (1) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45–13224: Filed, July 20, 1945; 11:33 a. m.]

[File Nos. 70–1008, 59–11, 59–17, 54–25]

CITIES SERVICE POWER & LIGHT CO., ET AL.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of July, A. D. 1945.

In the matter of Cities Service Power & Light Company, St. Joseph Light & Power Company, File No. 70–1008; The United Light and Railways Company, Continental Gas & Electric Corporation, File Nos. 59–11, 59–17 and 54–25; Application No. 24.

Cities Service Power & Light Company, a registered holding company, and its subsidiary, St. Joseph Light & Power Company, The United Light and Railways Company and its subsidiary, Continental Gas & Electric Corporation, also registered holding companies, having filed declarations and applications pursuant to sections 6 (a), 6 (b), 7, 9 (a), 10, 12 (b), 12 (c), 12 (d), 12 (e) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, U-44, U-45, U-50, U-62 and U-65 with respect to the following transactions:

1. Cities Service Power & Light Company proposes to surrender for cancellation to St. Joseph Light & Power Company as a contribution and a credit to the latter's capital surplus all of the presently outstanding common stock of St. Joseph Light & Power Company consisting of 35,000 shares with a par value of $3,500,000.

2. Cities Service Power & Light Company proposes to surrender to St. Joseph Light & Power Company $1,515,000 principal amount of Serial Income Notes and 5,544 shares of preferred stock of St. Joseph Light & Power Company in exchange for 20,694 shares of new common stock of St. Joseph Light & Power Company.

3. Cities Service Power & Light Company proposes to sell and Continental Gas & Electric Corporation to buy for $2,200,000 the 20,694 shares of new common stock of St. Joseph Light & Power Company to be acquired by Cities Service Power & Light Company, as set forth in paragraph 2.

4. St. Joseph Light & Power Company proposes that it will issue not more than 13,056 shares of new Class A 5% $100 par value preferred stock, having no guaranty by Cities Service Company, parent of Cities Service Power & Light Company, in exchange for a like number of shares of its presently outstanding 5%, $100 par value, preferred stock guaranteed as to dividends by Cities Service Company held by the public. To the extent that shares of the presently outstanding publicly held preferred stock are not acquired by such exchange, it is proposed that such shares will be redeemed by St. Joseph Light & Power Company pursuant to section 13 (a) of the General and Business Corporation Act of Missouri.

5. Cities Service Power & Light Company will purchase from St. Joseph Light & Power Company and will sell to Continental Gas & Electric Corporation for cash at par ($100 per share) such additional shares of new common stock of St. Joseph Light & Power Company (not exceeding 1,056 shares) as will be necessary to provide funds to effect the redemption and retirement of the publicly held preferred stock of St. Joseph Light & Power Company not exchanged for shares of new Class A 5% preferred stock, as described in paragraph 4.

6. Cities Service Power & Light Company will apply the net proceeds from the sale to Continental Gas & Electric Corporation of the 20,694 shares, and of any additional shares as provided in paragraph 5 of new common stock of St. Joseph Light & Power Company to the prepayment of Bank Loan Notes, pursuant to a Custodian Agreement dated March 15, 1944, made between Cities Service Power & Light Company and The Chase National Bank of the City of New York.

7. Continental Gas & Electric Corporation proposes to purchase an additional 1,500 shares of new common stock from St. Joseph Light & Power Company for $150,000 cash and to make a cash contribution of $1,000,000 to St. Joseph Light & Power Company. At the closing of the contract the proceeds from such sale of common stock and capital contribution in the aggregate of $1,150,00 will be deposited by St. Joseph Light & Power Company in a special fund for the purpose of reducing its bond indebtedness to the principal sum of $3,750,000.

8. To consummate the foregoing transactions, Continental Gas & Electric Corporation proposes to utilize the unexpended funds it received from the sale of its investment in Iowa-Nebraska Light and Power Company.

Cities Service Power & Light Company and St. Joseph Light Power Company having requested that the Commission enter an order in accordance with the requirements of section 1808 (f) of the Internal Revenue Code to the effect that the issuance of new common stock by St. Joseph Light & Power Company to and the acquisition by Cities Power & Light Company and the sale thereof by Cities Service Power & Light Company to Continental Gas & Electric Corporation and the exchange of preferred shares and Serial Income Notes for such new common stock are steps in carrying out a previous divesment order of the Commission with respect to Cities Service Power & Light Company and appropriately effectuate the provisions of section 11(b) of the act; and

A public hearing having been held after appropriate notice and the Commission having considered the facts and made and filed its opinion herein:

It is ordered, That the declarations and applications of Cities Service Power & Light Company, St. Joseph Light & Power Company, The United Light and Railways Company and Continental Gas & Electric Corporation be and are hereby granted and permitted to become effective respectively forthwith, subject, however, to terms and conditions prescribed by Rule U-24 and as follows:

1. Jurisdiction is reserved to determine, in the pending section 11 (b) (1) proceedings with respect to The United Light and Railways Company and Continental Gas & Electric Corporation:

(a) The retainability of the properties of the system in Iowa and Illinois and those in Kansas and Missouri in combination, either as part of the same integrated system or otherwise; and

(b) The retainability of the transportation properties of St. Joseph Light & Power Company.

2. Upon acquisition by Continental Gas & Electric Corporation of the common stock of St. Joseph Light & Power

coln, Nebraska. Filed 2:45 p. m.

Springs-Manitou Area. Filed

Power Company, File No. 70-1008, The sale to Continental Gas & Electric Cor- tion stock of St. Joseph Light & Power

Company and so long as any shares of the latter's preferred stock of any series remain outstanding, and except as otherwise authorized by this Commission or any successor regulatory body, the right of St. Joseph Light & Power Company to declare or pay dividends on its common stock, other than dividends payable in common stock or in any other stock of the Company subordinate to the preferred stock (the phrase "declare or pay dividends on its common stock" being defined as including the making of any distribution on, or purchase, or other acquisition for value of, any of the common stock or other stock subordinate to the preferred stock of the company), shall be subject to the following limitations:

(a) The Company may not in any fiscal year declare or pay dividends on shares of its common stock exceeding, in the aggregate, an amount equal to 50% of its net income for such year, available for dividends on its common stock, if the common stock equity is less than 20% of total capitalization.

(b) The Company may not in any fiscal year declare or pay dividends on shares of its common stock exceeding in the aggregate an amount equal to 75% of its net income for such year, available for dividends on its common stock, if the common stock equity is less than 25% (but not less than 20%) of total capitalization.

(c) At any time when the common stock equity is 25% or more of total capitalization, the Company, except to the extent permitted by paragraph (b) above, may not declare or pay dividends on shares of its common stock which would reduce the common stock equity below 25% of total capitalization.

It is further ordered, That the surrender by Cities Service Power & Light Company to St. Joseph Light & Power Company of (a) all of the presently outstanding common stock consisting of 35,000 shares with a par value of $3,500,000 as a contribution and a credit to St. Joseph Light & Power Company's capital surplus and (b) $1,515,000 principal amount of Serial Income Notes and 5,544 shares of preferred stock of St. Joseph Light & Power Company in exchange for 20,694 shares of new common stock of St. Joseph Light & Power Company, the issuance by St. Joseph Light & Power Company and the acquisition by Cities Service Power & Light Company of the said 20,694 shares and the sale thereof by Cities Service Power & Light Company to Continental Gas & Electric Corporation for a base consideration of $2,200,000, the issuance of 13,056 shares of new Class A 5% preferred stock of St. Joseph Light & Power Company, the issuance by St. Joseph Light & Power Company to and the acquisition by Cities Service Power & Light Company and the sale to Continental Gas & Electric Corporation of additional shares not exceeding 1,056 shares of new common stock of St. Joseph Light & Power Company for cash at par ($100 per share) the proceeds of which are to be applied to the redemption of a like amount of presently outstanding publicly held preferred stock of St. Joseph Light & Power Company, are steps in carrying out the divestment order of the Commission issued with respect to Cities Service Power & Light Company and St. Joseph Light & Power Company and appropriately effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13223; Filed, July 20, 1945; 11:33 a. m.]

VETERANS' ADMINISTRATION.

CONCURRENT RECEIPT OF RETIRED PAY AND COMPENSATION

A Concurrent Receipt of Retired Pay and Compensation (section 212, Public No. 212, 72d Congress, as amended).

On July 15, 1941, and December 7, 1942, attention was invited to the controlling laws with respect to the concurrent receipt of retired pay for services as a commissioned officer in the armed forces of the United States and compensation as a person holding a civilian office or position, appointive or elective, under the United States Government, or the municipal government of the District of Columbia or under any corporation, the majority of the stock of which is owned by the United States. (Section 212, Public No. 212, 72d Congress, as amended)

In those letters there was outlined a procedure whereby appointing agencies would report to the Veterans' Administration in each instance where a person in receipt of retired pay as a commissioned officer other than as an officer of the regular Army or of the Navy was employed, the date of employment, and the rate of the basic civilian pay. The agencies were also requested to report increases and decreases in basic civilian pay.

In view of the current legislation with respect to the basic salary of civilian positions, it is requested that the responsible officials of Departments and Establishments submit current reports on Form P-50 showing any changes in the basic rate of civilian pay since the last previous report and the basic rate from July 1, 1945, covering all commissioned officers receiving retired pay from the Veterans' Administration. The continued cooperation of the employing agencies in reporting the basic rate of civilian compensation and effective date where commissioned officers receiving retired pay from the Veterans' Administration are initially employed and changes in the basic rate of pay thereafter made will assure the required application of the provisions of section 212, Public No. 212, 72d Congress, as amended. (July 18, 1945)

[SEAL] FRANK T. HINES, *Administrator of Veterans' Affairs.*

[F. R. Doc. 45-13211; Filed, July 20, 1945; 11:27 a. m.]

WAR PRODUCTION BOARD.

[C-282, Revocation]

SUMMERFIELD'S, INC., & REALTY FINANCE CORP.

CONSENT ORDER

Pursuant to an agreement between the above-named parties, the Regional Compliance Manager and the Regional Attorney, Consent Order No. C-282 was issued March 21, 1945, in consequence of a violation of Conservation Order L-41. Summerfield's, Incorporated and Realty Finance Corporation have applied for revocation of the Consent Order with the approval of the Regional Compliance Manager and the Regional Attorney.

Accordingly, the Director of the Compliance Division and the Office of General Counsel have determined that the occasion for Consent Order C-282 no longer exists, and therefore, it is hereby revoked.

Issued this 20th day of July 1945.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13221; Filed, July 20, 1945; 11:29 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 146

Washington, Tuesday, July 24, 1945

The President

EXECUTIVE ORDER 9589

RESTRICTING COMPETITION IN CERTAIN CIVIL SERVICE EXAMINATIONS TO VETERANS

By virtue of the authority vested in me by section 3 of the Veterans' Preference Act of 1944, approved June 27, 1944 (58 Stat. 387, 388), and section 1753 of the Revised Statutes of the United States (5 U.S.C. 631), it is hereby ordered as follows:

In civil service examinations for the position of Veterans' Relations Adviser in the Office of Price Administration and the positions of Contact Officer, Assistant Contact Officer, Senior Contact Representative, and Contact Representative in the Veterans' Administration, competition shall be restricted by the Civil Service Commission to persons entitled to preference under the said Veterans' Preference Act of 1944, as long as persons entitled to preference are available and during the present war and for five years following the termination thereof.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 16, 1945.

[F. R. Doc. 45-13242; Filed July 20, 1945; 12:41 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter I—Office of Marketing Services (Standards, Inspections, Marketing Practices)

Subchapter C—Regulations Under the Farm Products Inspection Act

PART 61—COTTONSEED SOLD OR OFFERED FOR SALE FOR CRUSHING PURPOSES (INSPECTION, SAMPLING AND CERTIFICATION)

OFFICIAL AND UNOFFICIAL SAMPLES; ANALYSES; CERTIFICATE

Pursuant to authority vested in the Secretary of Agriculture, the regulations governing the inspection, sampling, and certification of cottonseed sold or offered for sale for crushing purposes (7 CFR, Cum. Supp. 61.1 et seq.; 8 F.R. 8588; 9 F.R. 11047; 10 F.R. 181) are further amended by striking therefrom § 61.16 and inserting, in lieu thereof, the following:

§ 61.16 *Official and unofficial samples; analyses; certificate.* (a) Each licensed cottonseed chemist shall assign a laboratory number to each sample of cottonseed received by him and shall analyze and certificate over his signature the grade of each sample or lot of cottonseed in the order in which the sample is received.

(b) Each such sample which is in proper condition for analysis under these regulations and which is accompanied by the certificate of a licensed cottonseed sampler certifying it to be an official sample representing an identified lot of cottonseed shall be considered an official sample. In any case where the original official sample is lost or destroyed before analysis the duplicate thereof retained by the licensed cottonseed sampler as provided in § 61.34 shall become the official sample; and in any case where a review is requested under § 61.8 the retained portion of the official sample first analyzed shall be considered an official sample for purposes of review analysis.

(c) Each such sample which is (1) not in proper condition for analysis as an official sample under these regulations, or (2) not accompanied by a certificate of a licensed cottonseed sampler, or (3) known to be a duplicate of an official sample (except duplicates of lost or destroyed official samples) shall be considered an unofficial sample and the

(Continued on p. 9066)

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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licensed cottonseed chemist's certificate of the grade thereof shall be plainly marked: "Sample not official; grade applies to sample only." This paragraph shall not apply to mill control or crush samples.

(58 Stat. 425, 453; E. O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued at Washington, D. C., this 23d day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13355; Filed, July 23, 1945; 11:12 a. m.]

Subchapter K—Federal Seed Act

PART 201—FEDERAL SEED ACT REGULATIONS

EXEMPTIONS FROM LABELING AS TO GERMINATION OF KENTUCKY BLUEGRASS

By virtue of authority vested in the Secretary of Agriculture by subsection 203 (c) of the Federal Seed Act of August 9, 1939 (53 Stat. 1281; 7 U. S. C. 1573 (c)) and Executive Orders 9280, 9322, 9334, 9392 and 9577 (7 F.R. 10179; 8 F. R. 3807, 5423, and 14783; and 10 F.R. 8087), and it having been found that the time interval between seed harvesting and sowing is not sufficient to assure the completion of a germination test of freshly harvested seed of Kentucky bluegrass, Poa pratensis, the order appearing in 7 CFR 1940 Supp. 201.172 is hereby amended to read as follows:

§ 201.172 *Section 203 of the act—(a) Exemptions from labeling as to germination of Kentucky bluegrass.* The requirements of paragraph 201 (a) (8) of the Federal Seed Act of August 9, 1939, as to labeling seed for germination when transported or delivered for transportation in interstate commerce for seeding purposes shall not apply to the 1945 crop of seed of Kentucky bluegrass, *Poa pratensis*, during the period beginning August 23, 1945, and ending October 15, 1945.

Issued this 23d day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13356; Filed, July 23, 1945; 11:12 a. m.]

Chapter XI—War Food Distribution Orders

[WFO 15-13]

PART 1401—DAIRY PRODUCTS

CHEDDAR CHEESE

Pursuant to the authority vested in me by War Food Order No. 15, as amended (8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4319, 9584, 10 F.R. 103), and in order to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1401.200 *Percentages of Cheddar cheese to be set aside in August and September 1945—(a) Definitions.* Each term defined in War Food Order No. 15, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 15, as amended.

(b) *Percentages.* Each person who is required by War Food Order No. 15, as amended, to set aside Cheddar cheese during August or September 1945 shall set aside in each of said months, in which he is required to set aside Cheddar cheese, a quantity of Cheddar cheese equal at least to the following percentages of all Cheddar cheese produced by him in the respective month: (1) in August, 60 percent; and (2) in September, 50 percent.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 1, 1945.

(E.O. 9280, 10 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 15, as amended, 8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4319, 9584, 10 F.R. 103)

Issued this 19th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13203; Filed, July 20, 1945; 11:17 a. m.]

[WFO 54-4, Amdt. 10]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

War Food Order No. 54-4, as amended (9 F.R. 4675, 7040, 9526, 10239, 11927, 12579, 13703, 10 F.R. 556, 2807, 5712), is hereby further amended by inserting, at the end of § 1401.179 (b), the following additional sentence: "Each producer shall set aside in the calendar months of August and September 1945 a quantity of spray dried skim milk equal at least to the following percentages of all spray dried skim milk produced by him in the respective month: (1) in August, 70 percent; and (2) in September, 60 percent."

This order shall become effective at 12:01 a. m., e. w. t., August 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 54-4, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 54-4, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability or appeal.

(E.O. 9280, 10 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 54, as amended, 8 F.R. 7210, 9 F.R. 2875, 4321, 4319, 9584, 10 F.R. 103)

Issued this 19th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13202; Filed, July 20, 1945; 11:17 a. m.]

[WFO 79-102, Amdt. 12]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO MARKET AGENTS IN ADMINISTRATION OF WAR FOOD ORDERS FOR CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

Pursuant to War Food Order No. 79, as amended (8 F.R. 12426, 13283, 9 F.R. 4321, 4319, 6982, 9459, 10035, 11990, 10 F.R. 103, 5347), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-102, as amended (8 F.R. 16313, 9 F.R. 337, 4321, 4319, 4500, 10241, 11308, 12948, 14007, 14875, 10 F.R. 103, 126, 1854, 3173, 4229, 7133), is hereby further amended by deleting in the proviso included in § 1401.135 (b) (3) the numeral "92" and substituting therefor the numeral "123".

The provisions of this amendment shall become effective as of 12:01 a. m., e. w. t., July 15, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 79-102, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 79-102, as amended, in effect prior to the effective time hereof, shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4321, 4319, 6982, 9459, 10035, 11990; 10 F.R. 103, 5347)

Issued this 20th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13244; Filed, July 20, 1945; 3:12 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

[Amdt. 80]

PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AMENDMENTS

JULY 11, 1945.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

Designation of Civil Airways: Blue Civil Airways Nos. 43 and 45. Redesignation of Civil Airways: Amber Civil Airway No. 4. Red Civil Airway No. 31. Blue Civil Airways Nos. 13, 14 and 43

1. By deleting in § 600.10103 *Amber civil airway No. 4 (Brownsville, Tex., to Bismarck, N. Dak.)* the words "Olathe, Kans., radio range station; the intersection of the center lines of the on course signals of the east leg of the Olathe, Kans., radio range and the southeast leg of the Kansas City, Mo., radio range;".

2. By striking in § 600.10230 Red civil airway No. 31 (Cheyenne, Wyo., to Minneapolis, Minn.) the words: "the Willmar, Minn., radio range station to the intersection of the center lines of the on course signals of the east leg of the Willmar, Minn.; radio range and the northwest leg of the Minneapolis, Minn., radio range." and substituting in lieu thereof the following: "the Willmar, Minn., Municipal Airport to a point located at 45° 00′ north latitude and 93° 27′ west longitude."

3. By striking in § 600.10312 Blue civil airway No. 13 (Houston, Tex., to Kansas City, Mo.) the words: "the intersection of the center lines of the on course signals of the east leg of the Olathe, Kans., radio range and the southeast leg of the Kansas City, Mo., radio range," and substituting in lieu thereof the following: "the Kansas City, Mo., radio range station."

4. By amending § 600.10313 *Blue civil airway No. 14 (Riverside, Calif., to Bakersfield, Calif.)* to read as follows:

§ 600.10313 *Blue civil airway No. 14 (Riverside, Calif., to Oakland, Calif.).* From the Riverside, Calif., radio range station via the intersection of the center lines of the on course signals of the northwest leg of the Riverside, Calif., radio range and the southeast leg of the Palmdale, Calif., radio range; the Palmdale, Calif., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Palmdale, Calif., radio range and the south leg of the Bakersfield, Calif., radio range and a point located at 34°52′ north latitude and 118°44′30″ west longitude to a point located at 37°00′30″ north latitude and 121°17′15″ west longitude.

5. By deleting § 600.10342 *Blue civil airway No. 43 (Olathe, Kans., to Kansas City, Mo.).*

6. By inserting § 600.10342 to read as follows:

§ 600.10342 *Blue civil airway No. 43 (Birmingham, Ala., to Nashville, Tenn.).* From the intersection of the center lines of the on course signals of the north leg of the Birmingham, Ala., radio range and the southwest leg of the Chattanooga, Tenn., radio range via a point located at 34°01′ north latitude and 86°44′ west longitude to a point located at 35°50′ north latitude and 86°19′ west longitude.

7. By adding § 600.10344 to read as follows:

§ 600.10344 *Blue civil airway No. 45 (Lake Charles, La., to Baton Rouge, La.).* From a point located at 30°07′25″ north latitude and 91°43′ west longitude to a point located at 30°34′18″ north latitude and 91°11′51″ west longitude.

This amendment shall become effective 0001 e. w. t., August 1, 1945.

T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 45-13342; Filed, July 23, 1945; 9:31 a. m.]

[Amdt. 111]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS AND RADIO FIXES

MISCELLANEOUS AMENDMENTS

JULY 11, 1945.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Airway Traffic Control Areas: Blue Civil Airways Nos. 13, 14 and 43. Designation of Radio Fixes: Blue Civil Airways Nos. 43 and 45. Redesignation of Radio Fixes: Amber Civil Airway No. 4. Blue Civil Airways Nos. 14 and 43

1. By striking in § 601.10313 *Blue civil airway No. 13 airway traffic control areas (Houston, Tex., to Kansas City, Mo.)* the words: "the intersection of the center lines of the on course signals of the southeast leg of the Kansas City, Mo., radio range and the east leg of the Olathe, Kans., radio range." and substituting in lieu thereof the following: "the Kansas City, Mo., radio range station."

2. By amending § 601.10314 *Blue civil airway No. 14 airway traffic control areas (Riverside, Calif., to Bakersfield, Calif.)* to read as follows:

§ 601.10314 *Blue civil airway No. 14 airway traffic control areas (Riverside, Calif., to Oakland, Calif.).* All of Blue civil airway No. 14 between the Riverside, Calif., radio range station and the intersection of the center lines of the on course signals of the northwest leg of the Palmdale, Calif., radio range and the south leg of the Bakersfield, Calif., radio range.

3. By deleting § 601.10343 *Blue civil airway No. 43 airway traffic control areas (Olathe, Kans., to Kansas City, Mo.)*

4. By deleting in § 601.4014 *Amber civil airway No. 4 (Brownsville, Tex., to Bismarck, N. Dak.)* the words: "Olathe, Kans., radio range station; intersection of the center lines of the on course signals of the east leg of the Olathe, Kans., radio range and the southeast leg of the Kansas City, Mo., radio range."

5. By amending § 601.40314 *Blue civil airway No. 14 (Riverside, Calif., to Bakersfield, Calif.)* to read as follows:

§ 601.40314 *Blue civil airway No. 14 (Bakersfield, Calif., to Oakland, Calif.).* The intersection of the center lines of the on course signals of the north leg of the Riverside, Calif., radio range and the southeast leg of the Palmdale, Calif., radio range.

6. By deleting § 601.40343 *Blue civil airway No. 43 (Olathe, Kans., to Kansas City, Mo.).*

7. By inserting § 601.40343 to read as follows:

§ 601.40343 *Blue civil airway No. 43 (Birmingham, Ala., to Nashville, Tenn.).* No radio fix designation.

8. By adding § 601.40345 to read as follows:

§ 601.40345 *Blue civil airway No. 45 (Lake Charles, La., to Baton Rouge, La.).* No radio fix designation.

This amendment shall become effective 0001 e. w. t., August 1, 1945.

T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 45-13343; Filed, July 23, 1945; 9:31 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3385]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PACIFIC CHINA COMPANY, ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer;* § 3.6 (i) *Advertising falsely or misleadingly—Free goods or service:* § 3.6 (s) *Advertising falsely or misleadingly—Promotional sales plans:* § 3.6 (dd) *Advertising falsely or misleadinoly—Special or limited offers:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.72 (n) *Offering deceptive inducements to purchase or deal—Special offers, savings and discounts.* In connection with the offering for sale, sale and distribution of earthenware or so-called chinaware products and so-called sales plans, inclusive of redeemable cards, coupons, certificates, bonds, and literature relating to said products, in interstate commerce and in the District of Columbia, (1) using the terms "free", "without cost", or any other terms of similar import or meaning, to describe, designate, or refer to products offered or delivered to holders of so-called "punch cards" or "certificates" in redemption thereof; (2) representing that the offer of any of said products is "introductory," or for the purpose of advertising and introducing the same, when in fact said offer is made for the purpose of selling

the particular items or set of products included in said offer, and constitutes an offer regularly and continuously made and used in the course of offering for sale and selling said products; (3) representing that the offer of any of said products, or any catalog prices listed in connection therewith, constitutes or partakes of the nature of a "special" offer or opportunity provided by respondents for a limited time only, when in fact the same constitutes an offer or prices regularly and continuously made or used in the course of offering for sale and selling such products; or, (4) representing that the respondents, or any of them, are the manufacturers of the products sold by them, unless and until such respondents actually own and operate, or directly and absolutely control, a manufacturing plant wherein such products are manufactured by them: prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Docket 3385, Pacific China Company, et al., July 5, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of July, A. D. 1945.

In the Matter of Marcus A. Weinberg and Belle Weinberg, Individuals, and Trading as Pacific China Company, and Ray Y. Cliffe, an Individual, and Trading as Pacific China Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admitted all material allegations of fact set forth in said complaint and waived all intervening procedure and further hearing as to said facts, and the Commission having duly made and issued its findings as to the facts, conclusion, and order to cease and desist dated February 17, 1939, and the Commission having further considered said order to cease and desist heretofore issued and having on July 13, 1944, in the case of Marcus A. Weinberg, February 16, 1945, in the case of Ray Y. Cliffe, and May 2, 1945, in the case of Mrs. Belle Weinberg served upon each of said respondents due notice to appear and show cause at a time and place fixed why this case should not be reopened for the purpose of modifying said order to cease and desist in the manner and to the extent set out in said notice, to which notice respondents failed to make a return; and having considered the matter and the record herein and having concluded that the public interest requires such action, the Commission issues this its modified order to cease and desist:

It is ordered, That the respondents Marcus A. Weinberg, Belle Weinberg, and Ray Y. Cliffe, their representatives, agents, and employees, individually and directly, or trading as the Pacific China Company, or through any corporate or other device, in connection with the offering for sale, sale, and distribution of earthenware or so-called chinaware products and so-called sales plans, inclusive of redeemable cards, coupons, certificates, bonds, and literature relating to said products, in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

1. Using the terms "free," "without cost," or any other terms of similar import or meaning, to describe, designate, or refer to products offered or delivered to holders of so-called "punch cards" or "certificates" in redemption thereof.

2. Representing that the offer of any of said products is "introductory," or for the purpose of advertising and introducing the same, when in fact said offer is made for the purpose of selling the particular items or set of products included in said offer, and constitutes an offer regularly and continuously made and used in the course of offering for sale and selling said products.

3. Representing that the offer of any of said products, or any catalog prices listed in connection therewith, constitutes or partakes of the nature of a "special" offer or opportunity provided by respondents for a limited time only, when in fact the same constitutes an offer or prices regularly and continuously made or used in the course of offering for sale and selling such products.

4. Representing that the respondents, or any of them, are the manufacturers of the products sold by them, unless and until such respondents actually own and operate, or directly and absolutely control, a manufacturing plant wherein such products are manufactured by them.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-13363; Filed, July 23, 1945; 11:14 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51276]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

WAIVER OF COASTWISE LAWS

JULY 21, 1945.

Coastwise laws waived to extent necessary to permit Canadian vessels to transport passengers and merchandise between ports in Alaska, and to transport merchandise between ports in southeastern Alaska, south of Yakutat, and ports in British Columbia as a portion of the transportation of that merchandise between points in Alaska and the continental United States.

Waiving compliance with the provisions of section 8 of the Act of June 19, 1886, as amended, and section 27 of the Merchant Marine Act, 1920, as amended.

Upon the written recommendation of the Deputy Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C. Sup. App. 635), as extended by the Act of December 20, 1944 (50 U.S.C. Sup. App. 645), I hereby waive compliance with the provisions of section 8 of the Act of June 19, 1886, as amended (46 U.S.C. 289), and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), to the extent necessary to permit the transportation on Canadian vessels of:

(1) Passengers and merchandise, except frozen fish, between points in Alaska during the period between August 1, 1945, and October 31, 1945, inclusive;

(2) Fresh fish, not including frozen fish, between ports in southeastern Alaska, south of Yakutat, and ports in British Columbia, as a portion of the transportation of that merchandise between points in Alaska and points in the continental United States, during the period between August 1, 1945, and October 31, 1945, inclusive; and

(3) Merchandise, except frozen fish, between ports in southeastern Alaska, south of Yakutat, and ports in British Columbia, as a portion of the transportation of that merchandise between points in Alaska and points in the continental United States, during the period between August 1, 1945, and August 31, 1945, inclusive.

I deem that such action is necessary in the conduct of the war.

If the transportation of passengers or merchandise on a Canadian vessel is not completed on or before midnight on October 31, 1945, or August 31, 1945, the provisions of this order contained in subdivisions (1) and (2) or subdivision (3), respectively, will not relieve the vessel or merchandise concerned from the penalty prescribed by section 8 of the Act of June 19, 1886, as amended (46 U.S.C. 289), and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883).

[SEAL] HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 45-13364; Filed, July 23, 1945; 11:23 a. m.]

[T. D. 51277]

PART 16—LIQUIDATION OF DUTIES

QUOTA COMMODITIES, LIQUIDATION OF WAREHOUSE AND REWAREHOUSE ENTRIES

Sections 16.3 (c) and 16.10 (h), Customs Regulations of 1943, relating to the liquidation of entries, amended.

Section 16.3 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.3 (c)), is hereby amended by inserting "or rewarehouse" after the word "warehouse" in the first line and by adding the following immediately before the parenthetical citation: "When the entry is liquidated, such of the merchandise as has been withdrawn for transportation to another port shall be excluded from the liquidation. See § 16.10 (h)." (Secs. 505, 624, 46 Stat. 732, 759; 19 U.S.C. 1505, 1624)

Section 16.10 (h), Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.10 (h)), is hereby amended by adding thereto the following: "In the case of merchandise covered by a warehouse or rewarehouse entry and subject to a tariff-rate quota, the liquidation shall be governed by § 16.3 (c)." (Secs. 505, 624, 46 Stat. 732, 759; 19 U.S.C. 1505, 1624.)

[SEAL] W. R. JOHNSON, *Commissioner of Customs.*

Approved: July 20, 1945.

HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 45-13365; Filed, July 23, 1945; 11:23 a. m.]

[T. D. 51275]

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

NOTATION ON MANIFEST

Section 18.6, Customs Regulations of 1943 (19 CFR, Cum. Supp., 18.6), is amended by deleting the parenthetical matter at the end of paragraph (e) and by adding the following new paragraph:

(f) In the case of shipments arriving in the United States by rail or seatrain which are forwarded under customs in-bond seals under the provisions of §§ 5.11, 18.11, 18.20, or 18.29 of the regulations, a notation shall be made by the carrier or shipper on the in-bond manifest, customs Form 7512, to show whether the shipment was transferred to the car designated in the manifest or whether it was laden in the car in the foreign country, which shall be named. (Secs. 551, 624, 46 Stat. 742, 759; 19 U.S.C. 1551, 1624)

[SEAL] W. R. JOHNSON, *Commissioner of Customs.*

Approved: July 18, 1945.

HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 45-13246; Filed, July 20, 1945; 4:00 p. m.]

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

[T. D. 51278]

CHECKS RECEIVABLE FOR DUTIES

Section 24.1 (a), Customs Regulations of 1943, relating to checks receivable for duties, amended.

Section 24.1 (a), Customs Regulations of 1943 (19 CFR 24.1 (a)), is hereby amended by adding the words "or a United States postal, bank, express, or telegraph money order" following the words "domestic traveler's check" in the second sentence.

(R.S. 251, sec. 1, 36 Stat. 965, 37 Stat. 733, secs. 624, 648, 46 Stat. 759, 762; 19 U.S.C. 66, 198, 1624, 1648)

[SEAL] W. R. JOHNSON, *Commissioner of Customs.*

Approved: July 20, 1945.

HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 45-13366; Filed, July 23, 1945; 11:23 a. m.]

TITLE 29—LABOR

Chapter IX—Agriculture (Agricultural Labor)

[Supp. 58]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING PEARS, PRUNES, WALNUTS AND HOPS IN LAKE COUNTY, CALIF.

§ 1102.26 *Workers engaged in picking pears, prunes, walnuts and hops in Lake County, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the California USDA Wage Board that a majority of the producers of pears, a majority of the producers of prunes, a majority of the producers of walnuts, and a majority of the producers of hops in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the California USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in picking pears, prunes, walnuts and hops in Lake County, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Wage rates; maximum wage rates for picking pears, prunes, walnuts and hops*—(1) *Hourly rates:*

(i) For picking pears, prunes, walnuts and hops—85¢ per hour.

(2) *Piece rates:*

(i) For the tree picking of pears—15¢ per stewart lug or the equivalent (7¾ x 13½ x 20¾—40 to 45—2171 cubic inches).

(ii) For the picking of prunes from the ground—25¢ per box containing 50 pounds.

(iii) For picking hops—3½¢ per pound.

(iv) The piece rate for knocking and picking up of walnuts, or for the picking up of walnuts only, may not exceed an amount equal to the cost per sack or other unit of measurement if such work were paid for on an hourly basis under the conditions in that individual orchard at the time of picking.

(c) *Administration.* The California USDA Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Supplement No. 58 shall become effective at 12:01 a. m., Pacific war time, July 21, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F. R. 7609; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 19th day of July 1945.

[SEAL] WILSON R. BUIE, *Director of Labor, U. S. Department of Agriculture.*

[F. R. Doc. 45-13360; Filed, July 23, 1945; 11:13 a. m.]

[Supp. 60]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN HARVESTING WHEAT AND OTHER GRAINS AND DRY PEAS IN CERTAIN IDAHO COUNTIES

§ 1108.8 *Wages of workers engaged in harvesting wheat and other grains and dry peas in Benewah, Clearwater, Idaho, Kootenai, Latah, Lewis and Nez Perce Counties, State of Idaho.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Idaho USDA Wage Board that a majority of the producers of wheat and other grains and a majority of the producers of dry peas in the area affected participating in a hearnig conducted for

such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Idaho USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in harvesting wheat and other grains and dry peas in Benewah, Clearwater, Idaho, Kootenai, Latah, Lewis and Nez Perce Counties, State of Idaho, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage rates for harvesting wheat and other grains and dry peas.*

(1) Combine mechanic-operator (responsible for repair of combine)—$20 per day, plus board.
(2) Combine operator (not responsible for repair of combine)—$15 per day, plus board.
(3) Sack sewer—$15 per day, plus board.
(4) Tractor operator—$15 per day, plus board.
(5) Header tender—$10 per day, plus board.
(6) Truck driver—$10 per day, plus board.
(7) Sack jigger—$10 per day, plus board.

If worker furnishes his own board, a minimum of 50¢ per meal may be paid in addition to the specified money rates. If workers are paid on any other basis, the rate of compensation shall not exceed the equivalent of the rates herein provided.

(c) *Administration.* The Idaho USDA Wage Board, located at Room 521, Idaho Building, Boise, Idaho, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific Wage Ceiling Regulations.

Effective date. This Supplement 60 shall become effective at 12:01 a. m., Mountain War Time, July 24, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 21st day of July 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-13361; Filed, July 23, 1945; 11:13 a. m.]

[Supp. 17, Amdt. 1]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING APRICOTS IN CERTAIN WASHINGTON COUNTIES

Supplement 17 (formerly referred to as Specific Wage Ceiling Regulation 17), issued July 17, 1944 (9 F.R. 8010; 10 F.R. 2518) is hereby amended as follows:

Subparagraph (b) (2) of § 1111.3 is amended to read:

(2) Piece rate—25¢ per 40-pound bag, or other equivalent measure.

This Amendment 1 to Supplement 17 shall be effective at 12:01 a. m., Pacific War Time, July 24, 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-13359; Filed, July 23, 1945; 11:12 a. m.]

[Supp. 59]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PERFORMING GENERAL FARM LABOR IN CLALLAM COUNTY, WASH.

§ 1111.14 *Wages of workers engaged in performing general farm work in Clallam County, Washington.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 38, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations," and based upon a certification of the Washington USDA Wage Board that a majority of the producers of each agricultural commodity in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Washington USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in performing general farm work in Clallam County, Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage and salary rates for general farm work.*

(1) $200 per month, or
(2) $170 per month, plus board and room, or
(3) $185 per month, plus housing, lights, fuel and milk, or
(4) $1 per hour.

If workers are paid on any other basis, the rate of compensation shall not exceed the equivalent of the rates herein provided. No perquisites may be paid in addition to the maximum wage rates specified above unless otherwise specifically provided herein. This section shall not be construed as establishing maximum salary or wage rates for services performed by foremen or farm superintendents.

(c) *Administation.* The Washington USDA Wage Board, located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violations of this section shall constitute a violation of such Specific Wage Ceiling Regulations.

Effective date. This Supplement 59 shall become effective at 12:01 a. m., Pacific war time, July 23, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611; 10 F.R. 7609; 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 19th day of July 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-13362; Filed, July 23, 1945; 11:13 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 300]

STATE MONTHLY REPORT OF INDUCTIONS AND REJECTIONS

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms;

Revision of DSS Form 275, entitled "State Monthly Report of Inductions and Rejections."[1] Upon receipt of the revised DSS Form 275, the use of the supply of DSS Form 275 (Revised 12-10-43) will be discontinued.

The foregoing revision shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 3, 1945.

[F. R. Doc. 45-13321; Filed, July 21, 1945; 11:36 a. m.]

[1] Filed with the Division of the Federal Register.

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-845]

BROWN WHOLESALE ELECTRIC CO.

The Brown Wholesale Electric Company is a California corporation having its principal place of business at 319 East Second Street, Los Angeles, California. The corporation is principally engaged in the selling of electrical fixtures and supplies. Between May 5, 1944 and October 19, 1944, the company applied an unauthorized allotment symbol and preference rating to acquire 16 fluorescent lighting fixtures, and between April 25, 1944 and November 1, 1944 the company delivered approximately 158 new fluorescent lighting fixtures on orders other than those permitted by Limitation Order L-78. These acquisitions and deliveries were in wilful violation of that Order and resulted in the diversion of critical materials to uses unauthorized by the War Production Board, and hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.845 *Suspension Order No. S-845.* (a) For a period of three months from the effective date of this order, deliveries of materials to Brown Wholesale Electric Company, its successors or assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Brown Wholesale Electric Company, its successors or assigns, from any restriction, prohibition or provision contained in any other regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 22, 1945.

Issued this 12th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13334; Filed, July 21, 1945; 11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-846]

OTTO KAUFMAN CO.

Otto Kaufman Company is a partnership composed of Otto Kaufman, Norman Kaufman and Paul Kaufman, with its principal place of business at 2425 South Michigan Avenue, Chicago, Illinois. The partnership's business is primarily that of a manufacturers' representative. It also maintains a stock of automotive supplies and hardware tools. Between November 1, 1943 and June 16, 1944, the partnership, as a distribution outlet, accepted orders which did not bear a preference rating of AA-5 or higher for 6,268 grease guns from jobbers or wholesalers, in violation of General Limitation Order L-314. Between November 20, 1943, and December 23, 1943, the partnership, as a distribution outlet, delivered 2,808 grease guns to jobbers or wholesalers, on orders which did not bear a preference rating of AA-5 or higher, in violation of General Limitation Order L-314. The partners were familiar with General Limitation Order L-314 and their actions constituted wilful violations.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.846 *Suspension Order No. S-846.* (a) Otto Kaufman, Norman Kaufman, and Paul Kaufman, doing business as Otto Kaufman Company shall not for a period of three months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve Otto Kaufman, Norman Kaufman and Paul Kaufman from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Otto Kaufman, Norman Kaufman and Paul Kaufman, doing business as Otto Kaufman Company or otherwise, their successors or assigns, or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on the 21st day of July 1945.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13335; Filed, July 21, 1945; 11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-847]

JOHN C. MICHAEL CO.

John C. Michael Company, a corporation with its principal place of business at 212 South Franklin Street, Chicago, Illinois, is engaged in the manufacture of women's dresses. On July 15, 1944, by direction of the War Production Board, pursuant to Women's House Dresses Program No. 1, under Conservation Order M-328B and Supplement III of Schedule A of that order, it was assigned a preference rating of AA-3 to procure delivery of a total of 24,244 yards of print cloth to produce 638 dozen women's house dresses, sizes 38 to 44 only, and in conformity with standards and specifications set forth in Table I to Supplement III of Schedule A of the aforementioned order. Subsequently, John C. Michael Company used the print cloth to manufacture 742 dozen women's house dresses, none of which conformed with standards and specifications. Further, it ignored the directive setting forth the specific sizes of dresses to be manufactured, all contrary to and in violation of the said direction and of Conservation Order M-328B. The responsible officers of the company were familiar with the direction, Conservation Order M-328B and Supplement III of Schedule A of that order and its actions constituted a wilful violation thereof.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.847 *Suspension Order No. S-847.* (a) John C. Michael Company, its successors or assigns, shall not for a period of ninety days from the effective date of this order apply or extend any preference ratings or participate in any special program under any order or regulation of the War Production Board.

(b) The provisions of paragraph (a) shall not apply to deliveries of materials required to fill any order or contract with the Army, Navy, or any other governmental department or agency of the United States.

(c) Nothing contained in this order shall be deemed to relieve John C. Michael Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the 21st day of July 1945.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13336; Filed, July 21, 1945; 11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-848]

THE STEELWOOD CORP.

The Steelwood Corporation, Pittsburgh, Pennsylvania, is engaged in the real estate business and construction of defense housing projects in the vicinity of Pittsburgh, Pa. On July 16, 1943, an application made by the Steelwood Corporation on WPB Form PD-105 to construct 42 family dwelling units, six rooms each, plus bathroom and garage, for rental to eligible war workers on lots

designated as Nos. 1 to 36 inclusive in the Riverside Manor of Lots, Borough of Sewickley, Allegheny County, Pennsylvania, was approved and resulted in the issuance of preference rating order P-55-b, Serial Number 903300457 on July 30, 1943. On January 11, 1944, in response to its letter, it was granted authority to sell 12 of the dwellings constructed on lots designated as Nos. 25 to 36 inclusive, at a sales price not to exceed $6,000. However, instead of holding the dwellings constructed for rental as required in its application and authorization, it imposed as a condition of occupancy by the prospective occupant, the execution of a sales agreement as well as a lease, and it also increased the sales price to certain of the purchasers beyond the $6,000 by requiring the purchaser to enter into a landscaping contract in the amount of $250 in each case. These were deliberate and wilful violations of its agreements entered into as aforesaid, and have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.848 *Suspension Order No. S-848.* (a) The Steelwood Corporation shall not for four months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) The Steelwood Corporation shall cancel immediately all preference ratings which it has applied or extended to orders which have not yet been filled, and shall also cancel immediately all unfilled orders which it has placed for controlled materials bearing a CMP allotment symbol (including the MRO symbol and the symbol SO under the small order procedure of CMP Regulation No. 1).

(c) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery on materials to The Steelwood Corporation or placed prior to November 14, 1945, are void and shall not be given any effect by suppliers of The Steelwood Corporation or by any other person. This does not apply to material already delivered or in transit for delivery to it on the effective date of this order.

(d) During the period in which this order shall be in effect, no authorization to begin any new construction to be erected in whole or in part by The Steelwood Corporation, its successors or assigns, shall be granted, except as may be hereafter specifically authorized in writing by an official order of the War Production Board, as an exception to, or modification to this order.

(e) Nothing contained in this order shall be deemed to relieve The Steelwood Corporation, its successors or assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on July 21, 1945.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13337; Filed, July 21, 1945; 11:41 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-260 a, Revocation]

FURNITURE AND FURNITURE PARTS

Section 3291.65 *General Limitation Order L-260-a* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of furniture and furniture parts remain subject to all applicable regulations and orders of the War Production Board.

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13336; Filed, July 21, 1945; 11:41 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, as Amended July 21, 1945]

PARTS AND MATERIALS FOR REPAIRMEN

§ 3175.9a *CMP Regulation 9A*—(a) *What repairmen can buy materials and parts under this regulation.* Anyone in the business of making repairs may buy materials and parts under this regulation. This includes such persons as farm machinery repair shops, blacksmiths shops, electricians, radio repair shops, plumbers, refrigeration repair shops, boiler repair shops, motor rewinders, electrical contractors, automotive repair shops, upholstery repair shops, bicycle repair shops, and carpenters. It also includes repair shops which are owned by the persons for whom the repair work is done if the repair shops are distinct and separable, if that person can segregate the purchases of his repair shop from his other purchases, and if he employs at least one person who spends his full time on maintenance and repair. It also includes persons who recondition or rebuild damaged or used items for resale.

(b) *How much materials a repairman can buy.* Each calendar quarter a repairman may buy, under this regulation, up to 20 tons of carbon and alloy steel, a total of 500 pounds of copper and copper base alloy brass mill and foundry products (this does not include any wire or cable), and 200 pounds of aluminum, in the forms listed in Schedule I. Only the following kinds of repairmen may buy any copper wire, and they must not buy more than the amount which this paragraph says they may. Refrigeration repairmen, domestic appliance repairmen, electricians, electrical contractors, and radio repairmen may buy $150 worth of copper wire in a calendar quarter, or one-eighth of what they used in making repairs in 1941 (figured as accurately as possible by dollar value), whichever is more. Any repairman who buys any steel, copper or aluminum under this paragraph must keep a separate record of the amount which he buys in each quarter. It is not sufficient that he merely keep the copies of his purchase orders with copies of his other purchase orders. A repairman may buy as much other material and repair parts as he needs for his maintenance and repair work, subject to the inventory restrictions of paragraph (f).

(c) *How to buy materials under this regulation.* (1) When buying materials and parts under this regulation a repairman must put on his order a certification in substantially the following form:

CMP allotment symbol V-3; Preference Rating AA-3; Repairmen under CMP Regulation 9A

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the items ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

He must sign the certification himself, or as described in Priorities Regulation No. 7. An order for controlled materials bearing this certification is an authorized controlled material order under all CMP regulations.

(2) If a repairman does repair work for persons who have the right to use an allotment symbol to buy controlled materials and a preference rating of AA-3 or higher to buy non-controlled materials and parts for their own maintenance, and repair, the repairman may use that rating and symbol to buy what he needs to do their work or to replace in inventory what he has already used for that purpose.

(d) *How a repairman can get more controlled materials.* (1) The War Production Board may authorize repairmen who do work primarily of an industrial nature to buy up to 2000 pounds of copper wire and a total of 2000 pounds of copper and copper base alloy brass mill and foundry products, and to use the preference rating AA-2. To get this authority, a repairman must apply to the War Production Board, Reference CMP Regulation No. 9A, Washington (25), D. C., by letter giving information showing what kind of work he is doing, and what kind of customers he has.

(2) If a repairman needs to buy more controlled materials a quarter than he can get under this regulation including what an industrial repairman can get under paragraph (1), he should fill out and send Form CMP-4B to the War Production Board, Washington (25), D. C. The War Production Board may allot him controlled materials and assign him a preference rating. If he gets an allotment, he may not buy any controlled materials or non-controlled materials or parts under this regulation in any calendar quarter for which he gets an allotment.

(e) *What kind of work a repairman may do with materials or parts bought under this regulation.* (1) A repairman may use what he buys under this regulation only to do maintenance and repair work described in this paragraph, or else described in directions to this regulation. He may not use what he buys to make products, such as repair parts, which he does not expect to use himself in making repairs.

(2) "Maintenance" means the minimum upkeep necessary to continue a building, machine or piece of equipment in sound working condition, and "repair" means the restoration of a building, machine or piece of equipment to sound working conditions when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of the parts or the like: However, neither maintenance, nor repair includes the improvement of any building, machine or piece of equipment with material of a better kind, quality, or design.

(3) [Deleted July 21, 1945.]

(4) A repairman may use what he buys under this regulation to recondition or rebuild a damaged or used item which he plans to sell, but he may not use it to replace material or parts which are still usable, nor to replace material or parts solely to improve it from its original design.

(f) *Restrictions on inventory.* A repairman may not accept delivery of any item of parts or materials bought under this regulation if his inventory of that item of parts or materials is or would by accepting delivery become larger than he needs to continue his repair and maintenance service for a 60-day period, according to his current method of operation. A repairman may not accept delivery of any item of copper wire if his inventory of that item is or would by accepting delivery become more than he needs for a 30-day period. However, if the supply of any item which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item which his distributor normally sells, even if that will increase his supply beyond the amount specified.

(g) *Effect of other orders and regulations.* (1) Repairmen buying and using parts and materials under this regulation are subject to all applicable provisions of the other orders and regulations of the War Production Board as amended from time to time. Attention is specifically called to Order L-41 which forbids construction (including wiring and piping) except under certain conditions. Information concerning this order can be secured from the nearest War Production Board field office.

(2) No item appearing on List A or B of Priorities Regulation No. 3, (such as automotive repair parts) may be bought under this regulation.

(3) Certain orders of the War Production Board require special applications for some materials and parts. An example of this type of order is M-328, Textiles. A repairman will not be able to buy these materials and parts under this regulation. Generally his supplier can tell him if a special application is needed.

(g-1) *Certain items may not be rated by a repairman.* (1) No repairman may use the AA-3 rating assigned by this regulation to buy any of the following items. These items are made available to repairmen and retailers on a pro-rata basis without the use of ratings, and a repairman does not need a rating to get his fair share.

The following radio repair items:

Capacitors (CMP Code No. 500)
Microphones and loudspeakers (CMP Code No. 505).
Resistors (CMP Code No. 506).
Transformers (CMP Code No. 510).
Tubes (CMP Code No. 511).

Paint.

(2) No repairman may use the AA-3 rating assigned by this regulation to buy any of the following items.

Refrigeration condensing units
Low side units (such as unit coolers)
Cabinets or other insulated enclosures
Transformers for neon signs.
Internal combustion engines, except air-cooled.

(h) *Communications.* Any communications or appeals under this regulation should be made by writing a letter to the War Production Board, Reference CMP Regulation 9A, Washington (25), D. C.

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE 1 [1]

STEEL

Carbon steel (including wrought iron):
- Bars, cold finished.
- Bars, hot rolled or forged.
- Ingots, billets, blooms, slabs, die blocks, tube rounds, skelp, and sheet and tin bar.
- Pipe, including threaded couplings of the types normally supplied on threaded pipe by pipe mills.
- Plates.
- Rails and track accessories.
- Sheets and strip.
- Steel castings.
- Structural shapes and piling.
- Tin plate, terne plate, and tin mill black plate.
- Tubing.
- Wheels, tires, and axles.
- Wire rods, Wire and wire products.

Alloy steel (including stainless):
- Bars, cold finished.
- Bars, hot rolled or forged.
- Ingots, billets, blooms, slabs, die blocks, tube rounds, sheet bar.
- Pipe including threaded couplings of the types normally supplied on threaded pipe by pipe mills.
- Plates, all plates (including rolled armor plate in the form and shape to which it is rolled by the steel mill and prior to any subsequent fabrication) and including nickel clad and stainless clad.
- Track accessories.
- Sheets and strip.
- Structural shapes.
- Steel castings
- Tubing.
- Wheels, tires and axles.
- Wire rods, wire, and wire products.

COPPER AND COPPER-BASE ALLOY PRODUCTS

I. Brass mill products (for the purpose of this regulation):

Alloy sheet and strip:
- Alloy plate, sheet, and strip (including strip equivalent of ammunition cups and discs).

Alloy rods, bars and wire including extruded shapes:
- Alloy rods, bars and wire (including extruded shapes and ammunition slugs).

Alloy seamless tubing and pipe:
- Alloy seamless tubing and pipe.

Brass mill copper products:
- Plate, sheets, and strip.
- Rods, bars, and wire including extruded shapes (not including wire bars and ingot bars, or rod and wire for electrical conduction).
- Tube and pipe.

II. Wire mill copper products:
- Wire and cable (bare, insulated, armored, and copper-clad steel) for electrical conduction.

III. Foundry copper and copper-base alloy products:
- Castings (before machining).

ALUMINUM

Rod, bar, wire and cable:
- Rod and bar.
- Wire (wire covers maximum diameter under $\frac{3}{8}$" in rounds, ovals, squares, hexagonals, octagonals, and rectangles).
- Cable (electrical transmission only).

Rivets:
- Rivets.

Forgings, pressings and impact extrusions:
- Forgings and pressings (before machining).
- Impact extrusions.

Castings:
- Cylinder head castings for air-cooled engines.
- Heat treated sand castings, except cylinder heads.
- Non-heat treated sand castings.
- Heat treated permanent mold castings.
- Non-heat treated permanent mold castings.
- Cold-chamber die castings.
- Goose neck die castings
- Other castings (including rotor, centrifugal, plaster, etc.)

Shapes, rolled or extruded:
- Rolled structural shapes (angle, channels, zees, tees, etc.).
- Extruded shapes

Sheet, strip, plate and foil:
- Sheet, strip and plate.
- Foil (0.005" and thinner).

Tubing and tube blooms:
- Tubing.
- Tube blooms (tube redraw stock).

[1] This schedule is identical in substance with Schedule I of CMP Regulation 1.

Ingot and powder:
Powder (including atomized, granular, flake, paste and pigment).
Ingot, pig, billets, slabs, etc.

INTERPRETATION 1

REPAIR PARTS

Paragraph (b) of CMP Regulation 9A assigns a preference rating of AA-3 to a repairman to buy repair parts and materials for carrying on his repair work. The terms "repair parts and materials" does not include any complete item ordinarily used by itself. For instance, a repairman can use the rating to buy grates which he requires in repairing furnaces, but cannot buy a complete furnace by use of the rating. Similarly, an industrial repairman could buy a gear needed to repair a lathe but could not buy a complete lathe (Issued Dec. 15, 1943.)

INTERPRETATION 2

RESPONSIBILITIES OF DISTRIBUTORS OF MATERIALS AND PARTS TO REPAIRMEN

(a) A distributor who receives an order under CMP Regulation No. 9A is entitled to rely upon the customer's certification that he is entitled to place the order, and is not required to find out whether his customer is complying with the regulation, unless he knows or reasonably believes otherwise. However, in the case of copper tubing which a distributor bought under Direction 1, the distributor must know or reasonably believe that his customer is a refrigeration, automotive, or gas or oil burner repairman. If he delivers materials or parts under those circumstances in good faith, he is not responsible even though in fact his customer was not entitled to buy the materials or parts, or used them to do work not permitted by paragraph (e) of the regulation.

(b) Sometimes a distributor will receive both MRO orders and V-3 orders from the same customer. Paragraph (g-1) of CMP Regulation 5, and paragraph (c) (2) of CMP Regulation 9A, allow a repairman to use his customer's MRO symbol and rating to get materials needed for repair, in addition to materials bought with the rating and symbol assigned by CMP Regulation 9A. Hence, unless he knows or has reason to believe that his customer does not have the right to use both symbols and the related preference ratings, the distributor may rely upon the customer's certification that he is entitled to use them. (Issued April 15, 1944.)

INTERPRETATION 3

PURCHASE OF LUMBER UNDER ORDER L-335

(a) A repairman using lumber on a construction job he does for another person is not entitled to certify his lumber orders that he places with lumber suppliers. Under Order L-335, which governs the distribution of lumber, a contractor doing construction for another person is not considered the consumer of the lumber that he uses. The person for whom the construction work is being done is considered the consumer of the lumber and he is the one that is entitled to place the certification on the lumber order that the contractor places with his supplier. This provision also applies to a repairman that does construction work for another person. Construction means the putting up, altering or repairing of any sort of a structure including a building, road, bridge, dam, sewer and similar jobs. It also includes the installation of equipment or fixtures in such a structure. A consumer may authorize the contractor or repairman to act as his agent in certifying a lumber delivery order and in such a case the contractor or the repairman signs the required certification "as duly authorized official" of the consumer. The contractor does not use his rating but the rating of the person for whom the construction work is being done. Even though a repairman may himself have a rating he cannot use it to get lumber for that construction job. After August 1, the effective date of Order L-335, repairmen placing orders for lumber required on construction jobs they do for other persons must either certify as agents for the persons for whom they do the work or have their lumber order certified by such persons. Lumber distributors have been allocated a small amount of lumber for civilian repairs and maintenance work and this lumber can be sold on uncertified and unrated orders. Repairmen may buy that type of lumber from lumber distributors the same as any other person, but only a limited amount of such lumber is available to distributors.

(b) A repairman doing other repair which is not construction, may use the CMP-9A rating and the certification under paragraph (q) (1) of L-335 to get lumber needed for such repairs, provided he does not get more than 50 000 board feet a calendar quarter for all purposes (except construction). In such a case, he should apply on Form WPB-3640. (Issued Aug. 4, 1944.)

INTERPRETATION 4

CMP Regulation 9A includes "captive repair shops". This includes "captive repair shops" owned by any person, including a farmer, which meet the requirements of the regulation. (Issued July 27, 1944.)

[F. R. Doc. 45-13322; Filed, July 21, 1945; 11:42 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Direction 1 as Amended July 21, 1945]

COPPER TUBING FOR DISTRIBUTORS OF AUTOMOTIVE, HEATING, PETROLEUM EQUIPMENT AND REFRIGERATION REPAIR PARTS

The following amended direction is issued pursuant to CMP Reg. 9A:

(a) *What this direction does.* This direction tells distributors of automotive equipment, petroleum equipment except for the refining industry, heating equipment (gas or oil burning), and refrigeration equipment how to get copper tubing to sell to repairmen for use in repairing such equipment.

(b) *What distributors can buy copper tubing under this direction.* Distributors of refrigeration equipment, distributors of gas or oil burner equipment, distributors of petroleum equipment except for the refining industry, and distributors of automotive equipment who were in business on August 1, 1943 and who sold copper tubing for refrigeration, gas or oil burner petroleum equipment or automotive repair purposes in 1941 may buy copper tubing under this direction. Warehouses who are authorized to replace brass mill stocks providing they file Form WPB-3007 may not obtain copper tubing under this direction.

(c) *How distributors get copper tubing.* A distributor of the kind covered in paragraph (b) may order for delivery in any calendar quarter up to 6000 pounds of copper tubing. He may endorse his orders for this tubing with the CMP allotment number V-3 and the CMP Regulation No. 7 certification. An order bearing this endorsement signed manually, or in the way as described in Priorities Regulation No. 7 is an authorized controlled material order under all CMP Regulations. A distributor who had more than one distribution point on August 1, 1943 may order up to 6000 pounds of copper tubing in each calendar quarter for delivery to each distribution point.

(d) *How a distributor may apply for additional tubing.* A distributor who needs more copper tubing than this direction allows, or who is not permitted under this direction to buy copper tubing for sale for repair purposes may apply by letter to the nearest War Production Board Field Office for authorization to buy the tubing he needs, stating how much copper tubing he needs for resale and why he needs that amount. If he needs more than a total of 12,000 pounds a quarter, he should apply to the Copper Division, War Production Board, Washington 25, D. C., stating how much copper tubing he needs and why he needs that amount.

(e) *Persons to whom distributors may sell copper tubing.* (1) A distributor may sell copper tubing bought under this direction only on an order placed under paragraph (c) of CMP Regulation No. 9A by (i) a refrigeration repairman, (ii) an automotive repairman, (iii) a petroleum equipment repairman (who places his order under Direction 2 to Order P-98-b) who will use the tubing for repair of petroleum equipment, except refiners, and (iv) a gas or oil burner repairman. In the latter case only copper tubing of a type suitable for use for repair of functional parts of gas burning and oil burning heating equipment (excluding piping system connected with such equipment) may be sold.

(2) A distributor may sell not more than 2,000 pounds of copper tubing, under this direction in one calendar quarter to fill orders placed with him by other distributors. A distributor buying from another distributor for the purpose of reselling to repairmen must so indicate when placing his orders.

No distributor may buy more copper tubing under this direction (whether from other distributors as permitted in this paragraph or from brass mill warehouses or producers) than he is permitted to buy under paragraphs (c) and (d). The fact that a distributor sells to another distributor does not increase the amount of tubing he is permitted to buy.

(f) *Restrictions on inventory.* A distributor may not accept deliveries of copper tubing ordered under this direction if his inventory of copper tubing already is, or will be, on accepting a delivery, more than a thirty-day's supply. However, if the supply of copper tubing which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item of copper tubing which his distributor normally sells even if that will increase his supply beyond the amount specified.

(g) *Compliance with WPB orders and regulations.* Distributors operating under this direction must observe the restrictions of all applicable WPB orders and regulations.

NOTE: This reporting requirement passed by Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13323; Filed, July 21, 1945; 11:42 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Direction 2, as Amended July 21, 1945]

USE OF MATERIAL TO INSTALL EQUIPMENT

The following amended direction is issued pursuant to CMP Reg. 9A:

(a) A repairman may use only up to $25 worth of material purchased under CMP Regulation 9A to install any unit of cooking, plumbing, heating, or new or used air-conditioning or refrigeration equipment.

(b) However, if installation of a new air-conditioning or refrigeration system has been authorized under L-41, a repairman may use up to $250 worth of material purchased under CMP Regulation 9A to install the new system.

(c) This direction does not increase the amounts of material which a repairman can buy under CMP Regulation 9A.

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13324; Filed, July 21, 1945; 11:43 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Revocation of Interpretation 1 to Direction 2]

EFFECT OF OTHER ORDERS AND REGULATIONS

Interpretation 1 to Direction 2 to CMP Regulation 9A is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order.

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13325; Filed, July 21, 1945; 11:43 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 11, Revocation of Direction 1]

RESCHEDULING OF ORDERS FOR VALVES AND PIPE FITTINGS FOR DESTROYER ESCORT PROGRAM

Direction 1 of Table 11 to General Scheduling Order M-293 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction.

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13327; Filed, July 21, 1945; 11:41 a. m.]

PART 3231—MARINE PAINTS

[Preference Rating Order P-65, As Amended July 21, 1945]

§ 3231.1 *Preference Rating Order P-65*—(a) *Definitions.* (1) "Marine paints" means paints, coatings, and finishes produced for use (other than ornamental or non-utilitarian or any pleasure craft) in coating bottom, topsides, superstructure, and interior of ocean-going vessels or vessels operating in salt water, and gear, tackle, fittings, and other usual and necessary accessories of such vessels.

(2) "Producer" means any person who produces or manufactures marine paint.

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the producer.

(b) *Assignment of preference rating.* Subject to the terms of this order, the preference rating **AA-1** is hereby assigned to deliveries to the producer by his suppliers of material to be physically incorporated by such producer into marine paints.

(c) *Application and extension of ratings.* The rating assigned by paragraph (b) of this order shall be applied and extended in accordance with Priorities Regulation No. 3, as amended from time to time.

(d) *Restrictions on sales and uses of marine paints.* No person shall sell or deliver any marine paints produced by him in whole or in part from material acquired by him under a purchase order or contract to which he shall have applied the rating herein provided for except where both of the following conditions are fulfilled:

(1) Such marine paints are to be sold or delivered to the United States Army, United States Navy, United States Maritime Commission, the War Shipping Administration, or to any other agency of the United States Government, or to the government of any state or political subdivision thereof, or to any agency of such government, or to any person who owns, operates, leases or charters any shipyard, ship repair shop or vessel; and

(2) Such marine paints are to be used by the agency or person to whom sale or delivery is made solely for the maintenance or repair of or operating supplies for, ocean-going vessels or vessels operated in salt water owned, operated or chartered by any of such agencies, or governments, or agencies of them, or for commercial vessels of any sort used in trade, or for the maintenance or repair of any gear, tackle, fittings and other usual and necessary accessories of such vessels.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: P-65.

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13331; Filed, July 21, 1945; 11:42 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Direction 7, as Amended July 21, 1945]

PRIORITIES ASSISTANCE FOR COTTON PIECE GOODS FOR DIRECT BUYING WHOLESALERS AND RETAILERS WHO ARE IN A POSITION TO SERVE SMALL TOWNS AND RURAL AREAS

The following amended direction is issued pursuant to General Conservation Order M-317:

(a) Wholesalers and retailers who buy directly from textile mills or converters and who are in a position to serve small towns and rural areas may apply on Form WPB-4157 for priorities assistance to buy the kinds of cotton piece goods described in this direction.

(b) The following kinds of cotton piece goods are now available in limited quantities: lawn, class C sheeting, 68 x 64 print cloth (percale), 64 x 56 print cloth (percale), 60 x 48 plissé (crinkled crepe), outing flannel, gingham and seersucker.

(c) Applications for assistance to get some of the goods that are now available must be filed with the nearest War Production Board field office not later than August 11, 1945.

(d) The purpose of this program is to make more cotton piece goods available to persons who live in small towns and rural areas and who buy these goods over-the-counter from retailers for use in making garments in the home. Therefore, the only applications that will be considered will be those from wholesalers who customarily buy these goods directly from textile mills or converters and resell to retailers in small towns and rural areas, and from the retailers themselves in the small towns and rural areas who also customarily buy directly from textile mills or converters. Because of the very limited supply of the goods, applications from these eligible wholesalers and retailers may be granted only where it appears that the applicant's 1944 receipts of cotton piece goods have been less than 40% of 1942 receipts and the consumer needs of the community or area served by the applicant have not decreased, or where the consumer needs of the community or area have greatly increased. Applications that meet this test will generally be granted on a pro rata basis, based on the applicant's receipts of the goods in 1942 and his receipts into stock in 1944 and 1945, including unfilled rated orders. A person who has not been in a business handling cotton piece goods long enough to give this information, or who is just entering business, may, if he buys or plans to buy directly from a textile mill or converter, apply for priorities assistance and his application will be processed on an equitable basis.

(e) Orders shall be placed and preference ratings assigned under this direction shall be applied and extended in the manner provided in Priorities Regulations 1 and 3. The following certification shall be placed on all orders on which the rating is used:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference rating indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

This rating has been assigned under Form WPB-4157, Serial No. — (Insert the serial number)

(Name of purchaser)

(Address)

By ---
(Signature and title of duly authorized officer)

(Date)

When the above is complied with, the requirements of M-317 and M-328 are met, and it is unnecessary to use any other notation.

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13328; Filed, July 21, 1945; 11:41 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317B, as Amended July 21, 1945]

COTTON SALE YARN PRODUCTION AND DISTRIBUTION

§ 3290.117 *Supplementary Order M-317B*—(a) *Contents of this order.* This Order M-317B is supplementary to Order M-317 and contains Preference Rating Schedules and a Distribution Schedule referred to in that order. These schedules apply only to cotton sale yarn. (Cotton sale yarn is included in the definition of "Cotton textiles" in Order M-317.) This order also contains provisions relating to production of cotton sale yarn, including provisions which have been transferred from Order L-99 to this order. Furthermore, it contains provisions relating to distribution of cotton sale yarn which are in addition to those contained in Order M-317.

(b) *Specific directions to producers and converters.* No producer or converter of cotton sale yarn shall produce, convert or deliver cotton sale yarn and no person shall accept delivery of cotton yarn sale from a producer or converter contrary to any specific direction which may be issued from time to time by the War Production Board.

(c) *Operation of spinning machinery.* (1) No person, regardless of the presentation of rated orders, shall operate spinning machinery (i. e., roving, ring, mule or converted twister spindles) contrary to the provisions in the Sale Yarn Production Schedule of this supplementary order.

(2) *Spinning machinery acquired after July 3, 1943.* No person shall operate any spinning machinery acquired (the term includes leasing or renting) by him after July 3, 1943, except for the production of cotton sale yarn required to be produced by paragraph (d) of this supplementary order or as specifically authorized in writing by the War Production Board. For such authorizations, application may be made by letter to the War Production Board stating all facts which the applicant deems important and pertinent to his particular case. In all instances he shall state the type of cotton sale yarn he wishes to produce and in instances where he has acquired used spinning machinery he shall state the name of the person who formerly owned or controlled the equipment and the yarn produced by such former owner. Authorizations will be granted to maintain a maximum practical production of cotton sale yarn.

(d) *Cotton sale yarn production directions*—(1) *Cotton sale yarn described in Cotton Sale Yarn Production Schedule.* Each producer of cotton sale yarn must in each calendar quarter produce and deliver at least the same poundage of cotton sale yarn in the description and counts listed for each of the numbered groups in the "May produce only" column of the Cotton Sale Yarn Production Schedule of this supplementary order as he delivered in that calendar quarter of 1943 in which he delivered the greatest poundage of cotton sale yarn. The calendar quarter of 1943 in which a producer delivered his greatest poundage of cotton sale yarn, as compared with the other calendar quarters of 1943, is called the "base period". The required poundage of each description and count of cotton sale yarn must be produced for sale at the same price (or any increase subsequently granted by the OPA for the same description and count) at which the required poundage in the particular description and count was produced in the base period.

(2) [Deleted July 21, 1945.]

(3) *Twine layers and ring twisters operations.* Each Haskell-Dawes, Brownell or ring twister and each twine layer in the possession or under the control of any producer shall be operated at least as many hours per week as any twister or any twine layer is operated at the same plant.

(e) *Restrictions on distribution and use of cotton sale yarn and roving*—(1) *Roving.* No spinner shall use roving except for spinning on his own spindles, or sell or deliver roving to others on unrated orders, unless specifically authorized in writing by the War Production Board. An authorization to use roving for other purposes or to deliver it on unrated orders may be granted if the War Production Board finds that the roving produced by spinners, who do not have spinning spindles, is not needed to fill rated orders, or in cases where spinners show that their spinning spindles are operating at maximum capacity. To secure such authorizations, an application must be made by letter to the War Production Board, stating the quantity of roving which the applicant wishes to use or dispose of for other than spinning or the filling of rated orders; and the hours per week which each spinning machine is being operated.

(2) (i) *Seine twine, hawser cord, cabled cord, twisted or braided cord rope. Sales.* No person shall sell, purchase, deliver or accept delivery of cotton seine twine, hawser cord or other cabled cord, or twisted or braided cord rope $\frac{1}{8}$ to $\frac{3}{8}$ inch in diameter, inclusive (even to fill orders of the Army, Navy, Maritime Commission or War Shipping Administration) except to fill an order bearing a preference rating assigned on Form WPB-2842, WPB-547 (distributors application for preference rating), or a rating assigned by the Foreign Economic Administration, or a rating assigned in connection with an authorization from the Canadian Cotton Administrator. Insofar as practicable, authorizations will cover quarterly periods.

(ii) The following transactions are exempted from the restrictions in subdivision (i): (*a*) Sales by wholesalers and retailers; and (*b*) sales which are authorized pursuant to written application to the War Production Board (application for such authorization shall be made by letter and will be granted within the available supply to producers of commercial fish netting who regularly sold such material prior to August 15, 1944, to commercial fish netting users for hanging and repair of netting and insofar as practicable, authorizations will cover quarterly periods).

(3) *Use by integrated mills producing seine twine, hawser cord, or other cabled cord.* No person who produces seine twine, hawser cord or other cabled cord shall use it for the manufacture of netting or other purposes even in plants owned or controlled by him unless authorized by the War Production Board pursuant to application by letter. The authorization will be based on the procurements of the Armed Services for camouflage netting and the needs for commercial fish netting. Insofar as practicable, authorizations will cover quarterly periods.

(4) *Use of seine twine, hawser cord, cabled cord, twisted or braided cord rope obtained with a preference rating.* No person shall put into process, process or commercially use any seine twine, hawser cord or other cabled cord, or twisted or braided cord rope $\frac{1}{8}$ to $\frac{3}{8}$ inch in diameter, inclusive, which he obtained by the use of a preference rating, other than for the specific purpose or purposes authorized by the form assigning the rating. If the rating is assigned on Form WPB-547, the authorized purpose is resale. If the rating is assigned by the Foreign Economic Administration, or in connection with an authorization from the Canadian Cotton Administrator, the authorized purpose is export. If the rating is assigned on Form WPB-2842 for delivery to or for the account of the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration, the authorized purpose is filling the specific agency contract(s) listed in the form unless otherwise authorized in the form. In all other cases the authorized purpose is the one specifically stated in Form WPB-2842 assigning the rating.

(5) *Fugitive-dyed yarn.* No person shall sell or deliver any "fugitive-dyed" or "fugitive-tinted" cotton yarn for any purpose whatever. "Fugitive-dyed" or "fugitive-tinted" cotton yarn means any cotton yarn which has been dyed or tinted with a dye or tint which can be completely removed by normal commercial washing and scouring.

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA-2X COTTON SALE YARN PREFERENCE RATING SCHEDULE

NOTE: Schedule amended July 21, 1945.

Preference rating AA-2X is assigned for each group to the intermediate processor, processor, merchant and user in Column I, to obtain deliveries of the cotton yarn in Column II, to be used only for a purpose, or for incorporation into a product, listed in Column III.

Group	Column I	Column II	Column III
1	Processor..... Merchant.....	Twine, sewing.....	Textile bags as defined in Conservation Order M-221, but for a use there permitted. Paper mill felts. Multiwall paper bags. Spiral tube shipping containers. Barrel covers.
2	Merchant..... User.....	Thread..... Twine (other than seine or cabled).	Hand or machine sewing for bag closing.
3	Processor.....	Yarn, carded!.....	Transmission belts, tapes & ropes. Polishing, grinding and coupling belts. Harvester webbing. Shuttle strap belt. Paper makers' blankets. Wicks for oil burning lamps. Card clothing fabric. Blasting caps and fuses.
4	Intermediate processor..... Processor.....	Thread, sewing.....	Safety equipment. This term means equipment and devices primarily designed to protect or relieve accidents, injuries, occupational hazards or diseases, including but not necessarily limited to the following articles: 1. Protective occupational safety clothing made from fabric impregnated or coated for the purpose of making it resistant against fire, heat, acid or other chemicals or abrasives. 2. Safety belts, life lines and nets. 3. Gas masks, respirators and other respiratory protective devices. 4. Protective hard hats and helmets.
5	Intermediate processor.....	Yarn, carded!.....	Rubber hose and tubing, rubber belts and belting, protective equipment as defined in Order L-1a, as amended May 20, 1945—Appendix 1, Table B, Code Groups 9, 10 (except garden hose), 11 and 12. Fabric packings and gaskets.
6	Intermediate processor..... Processor..... Merchant..... User.....	Twine (other than seine or cabled). Yarn, carded!.....	Agricultural and food processing uses. Farm equipment: Horse collars and pads. Back bands. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Glass cloth and laminator crinolline for poultry rubberoid roofing. Filter cloths required in the production of sugar, honey and vegetable oils.
7	Intermediate processor..... Processor.	Thread, sewing.....	Work gloves, meaning any type of hand covering made from cotton fabric designed for use in those occupations and of the type customarily sold as such.

NOTE: Attention is called to Direction 9 to Order M-317 restricting the sale and delivery of certain carded cotton sale yarn in counts finer than 15's and coarser than 18's, single and ply.

COTTON SALE YARN PRODUCTION SCHEDULE

Roving, ring, mule or converted twister spindles which on January 1, 1945 produced or were assigned to produce the yarn and twine listed in the column captioned "Did produce" may produce only yarn and twine of the descriptions and counts specified in the column captioned "May produce only."

NOTE: Schedule amended July 21, 1945.

Group No.	Form WPB 638-F (6/27/45) line numbers	Did produce	May produce only
1	1, 2.....	Carded single yarns, other than machine knitting, 8's and coarser.	Carded single yarns, other than machine knitting, 8's and coarser.
2	3, 25 and 29.....	Carded single yarns, other than machine knitting, 15's and finer, up to but not including 18's.	Carded single yarns, other than machine knitting, 15's and finer, up to but not including 18's.
3	4, 23, 30.....	Carded single yarns, other than machine knitting, 15's and up to but not including 18's.	Carded single yarns, other than machine knitting, 15's and up to but not including 18's.
4	5, 6, 31.....	Carded single yarns, other than machine knitting, 21's and finer.	Carded single yarns, other than machine knitting, 21's and finer.
5	7, 8, 13, 14, 17, 18, 25, 26.	Carded ply yarns, other than machine knitting, 8's and coarser.	Carded ply yarns, other than machine knitting, 8's and coarser.
6	9, 16, 17, 18, 25, 29.....	Carded ply yarns, other than machine knitting, finer than 8's, up to but not including 15's.	Carded ply yarns, other than machine knitting, finer than 8's, up to but not including 15's.
7	10.....	Carded 2-ply yarns, other than machine knitting, 15/2 to 20/2.	Carded 2-ply yarns, other than machine knitting 15/2 to 20/2.
8	11.....	Carded 2-ply yarns, other than machine knitting, 24/2 to 30/2.	Carded 2-ply yarns, other than machine knitting, 24/2 to 30/2.
9	12.....	Carded 2-ply yarns, other than machine knitting, 30/2 and finer.	Carded 2-ply yarns, other than machine knitting, 30/2 and finer.
10	16, 28, 30, 31.....	Carded ply yarns, other than machine knitting, finer than 14's excluding 2-ply.	Carded ply yarns, other than machine knitting, finer than 14's excluding 2-ply.
11	19, 20, 21.....	Carded single machine knitting yarns, all counts.	Carded single machine knitting yarns, all counts.
12	26.....	Hose cord (tube twist only).	Hose cord (tube twist only).
13	32, 33, 34, 62.....	Combed single yarns, other than machine knitting, 40's and coarser.	Combed single yarns, seine twine, rope and hawser cord, other than machine knitting, 40's and coarser.
14	35, 36, 37, 62.....	Combed single yarns, other than machine knitting, finer than 40's, up to but not including 71's.	Combed single yarns, other than machine knitting, finer than 40's, up to but not including 71's.
15	38, 62.....	Combed single yarns, other than machine knitting, 71's and finer.	Combed single yarns, other than machine knitting, 71's and finer.
16	39, 40, 41, 46, 62.....	Combed ply yarns, other than machine knitting, 40's and coarser.	Combed ply yarns, other than machine knitting, 40's and coarser.
17	42, 43, 44, 46, 62.....	Combed ply yarns, other than machine knitting, finer than 40's up to but not including 71's.	Combed ply yarns, other than machine knitting, finer than 40's up to but not including 71's.
18	45, 46, 62.....	Combed ply yarns, other than machine knitting, 71's and finer.	Combed ply yarns, other than machine knitting, 71's and finer.
19	47, 48, 49, 50, 51, 52.....	Carded single machine knitting yarns, 70's and coarser.	Carded single machine knitting yarns, 70's and coarser.
20	53.....	Carded single machine knitting yarns, finer than 70's.	Carded single machine knitting yarns, finer than 70's.
21	54, 55, 56, 57, 58, 59.....	Combed ply machine knitting yarns, 70's and coarser.	Combed ply machine knitting yarns, 70's and coarser.
22	60.....	Combed ply machine knitting yarns, finer than 70's.	Combed ply machine knitting yarns, finer than 70's.
23	61, 66.....	Combed thread yarns, of any count or description.	Combed thread yarns, of any count or description.
24	74, 75, 76.....	Seine twine, hawser cord and other cabled cord.	Seine twine, hawser cord and other cabled cord.
25	77, 78, 80.....	Twine, wrapping and all other twines (except cabled and sewing).	Twine, wrapping and all other twines (except cabled and sewing).
26	79.....	Sewing twine.	Sewing twine.

DISTRIBUTION SCHEDULE—COTTON SALE YARN, CORDAGE, TWINE AND ROVING—Continued

NOTE: Schedule amended July 21, 1945.

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		CARDED COTTON SALE YARN				
1	1, 2, 25	Single other than machine knitting yarns: 8/8s to 14/8s inclusive		5	5	May not be exported.
2	3, 27, 30	12/8s to 20/8s inclusive		5	5	
3	4, 6, 31	Finer than 20/8s		5	5	
4		Ply other than machine knitting: 8/8s and coarser		5	5	
5	7, 8, 13, 14, 17, 18, 25, 29	9/8s to 14/8s inclusive		10	10	May not be exported.
6	9, 15, 17, 18, 26, 29, 30	2 ply weaving 15/2 to 20/2		5	5	
7	10	2 ply weaving 21/2 to 26/2		5	5	
8	11	2 ply weaving 30/2 and finer		5	5	
9	12	3 ply		5	5	
10	16, 28, 30, 31	Ply yarns finer than 14's excluding 2 ply		5	5	
11	23, 24	Sliver stock for twisting		10	10	
12	25	Impregnated waste (waste, lapped waste or lapped)		10	10	
13	27	Carded cordage rope and twine		5	5	
14	19	Single machine knitting yarns 14's and coarser		4	4	
15	20, 21	Single machine knitting yarn 15's and finer		5	5	
16	22	Ply machine knitting yarns		5	5	
17	32, 33, 34, 35, 36, 37, 38, 42, 43, 44, 45, 46, 62	COMBED COTTON SALE YARN. Single other than machine knitting		100	100	*May be delivered only to the United States Army, Navy, Maritime Commission, or War Shipping Administration or (2) to fill a buyer's certification substantially as follows: "This yarn will be used to fill Contract No. ——— (insert number) of the United States Army, Navy, Maritime Commission or War Shipping Administration or (2) to fill a buyer's order bearing his/her/its certification substantially as follows: "This rating has been assigned under Form PD-1A No. ——— (insert number), and this yarn will be incorporated into insulated wire."
18	39, 40, 41, 47, 48, 49, 50, 51, 52, 53	Ply other than machine knitting.		100	100	
19	47, 48, 49, 50, 51, 52, 53	Single machine knitting yarns: 20/8s and coarser		10	10	
20	53	21/8s and finer		10	10	
21	54, 55, 56, 57, 58, 59, 60	Ply machine knitting yarns: 20/8s and coarser		10	10	
22	61	21/8s and finer		10	10	
23	61	Thread yarns		10	10	

1 NOTE: Attention is called to Direction 9 to Order M-317 restricting the sale and delivery of certain carded cotton sale yarn in counts finer than 8/1 and coarser than 17/1, single and ply.

DISTRIBUTION SCHEDULE—COTTON SALE YARN, CORDAGE, TWINE AND ROVING

The percentage obligations in Columns III, IV and V are to be calculated for quarterly periods on production from the first day of each calendar quarter.

(a) Column I indicates the corresponding item numbers of the various cotton yarns in this schedule as each appears on Form WPB 659-E (6-27-45).

(b) Column II shows the descriptions and counts of yarns covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton sale yarns. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) of Order M-317 may be credited toward this obligation. Exports by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation.

(d) Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders. However, where the percentage in Column IV amounts to 100, unless otherwise specified, amounts which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(e) Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies to that percentage. If acceptance of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then, unless otherwise specified, the producer is willing to accept the lowest rated order on quired percentage, current quarter must be his books for the first from the percentage applicable to the next quarter.

(f) The provisions unless otherwise specified. In Column VI, unless otherwise specified, apply to the producer, user and govern the processor, merchant, and users of yarns, no matter where produced, converted or ordered, and also products containing these yarns.

AA-2 COTTON SALE YARN PREFERENCE RATING SCHEDULE

NOTE: Schedule amended July 21, 1945.

Preference rating AA-2 is assigned to each group in the intermediate processor and user in Column I to obtain deliveries of the cotton yarn in Column II to be used only for a purpose, or for incorporation into a product, listed in Column III.

Group	Column I	Column II	Column III
1	Intermediate processor. Processor. Converter (sell public institutions only).	Thread sewing	Men's and boys' work clothing, meaning any garments designed for male workers' wear which are cleaned in their own plants or commercially as distinguished from garments made in accordance with WPB Limitation Order L-141. Washable overalls or dungarees. Bib overalls. Dungaree jumpers or coats. Chambray work shirts. Overall jumpers or coats. Work jackets. Work breeches. Logging jackets. Work aprons. Hotel work coats. Hotel work dungarees, trousers, or overalls. Doctors', dentists', internes', or orderlies' gowns. Surgeons' coats. Hospital attendants' coats. Slaughter house workers' coats. Butchers', bakers', fish handlers' or dairy workers' coats or apron sets. Cooks' coats or suits. Shop and work caps.
2	Intermediate processor. Processor.	Thread sewing	Jackets, coats, hats, or caps of oilproof cloth. Occupational protective clothing (e. g. black rubber clothing).
10	Processor	Thread, sewing	Bunting and seaming bolts of fabrics.
11	Processor	Yarn, carded	Wicking for oil lamps and stoves.

DISTRIBUTION SCHEDULE—COTTON SALE YARN, CORDAGE, TWINE AND ROVING—Continued

NOTE: Schedule amended July 21, 1945.

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		COTTON TWINE, CORDAGE AND ROPE				
24	71, 72, 73	Cordage and rope, braided and twisted		100	100	
25	74, 75, 76	Seine twine, hawser cord and other cabled cord		100	100	
26	77, 78, 80	Tying, wrapping and all other twines (except cabled and sewing)		100	100	
27	79	Sewing twine		100	100	
28	26	Hose cord (tube twist only)		100	100	

[F. R. Doc. 45-13320; Filed, July 21, 1945; 11:43 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II, as Amended May 30, 1945, Amdt. 5]

Appendix II, *Manufacturing regulations*, as amended May 30, 1945, is hereby further amended by changing Table A of List 8, Regulations for the Manufacture of Tires and Tire Casings (Except Airplane and Bicycle Tires) in the following particulars:

Change the data applicable to tire sizes—7.50–16, 6 Ply; 7.50–16, 8 Ply; 7.50–17, 8 Ply; 7.50–18, 8 Ply; 7.50–20, 8 Ply—to read as follows:

Size	Ply	Tread type	Construction: Civilian orders	Construction: Government orders	Maximum content natural rubber in pounds: Civilian orders: Rayon	Civilian orders: Cotton	Government orders: Rayon	Government orders: Cotton
7.50-16	6	Highway	7-7-7-7-7-1	7-7-7-7-4	2 85		2 85	
7.50-16	8	do	7-7-7-7-4	7-7-7-7-4	3 20		3 20	
7.50-17	8	do	7-7-7-7-4	7-7-7-7-4	3 65		3 65	
7.50-18	8	do	7-7-7-7-4	7-7-7-7-4	3 85		3 85	
7.50-20	8	do	7-7-7-7-4	7-7-7-7-4	4 05		4 05	

All other provisions of List 8 shall remain in full force and effect.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13332; Filed, July 21, 1945; 11:42 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II, as Amended May 30, 1945, Amdt. 6]

Appendix II. *Manufacturing regulations*, as amended May 30, 1945, is hereby further amended by changing List 15, Regulations for the Use of High Tenacity Rayon Cord, to read as follows:

LIST 15—REGULATIONS FOR THE USE OF HIGH TENACITY RAYON CORD

(a) In the manufacture of rubber products, high-tenacity rayon cord may be used only for the following listed products.

ORDER OF PREFERENCE AND TYPE OF PRODUCT

1. Airplane tires.
2. Self-sealing fuel cells.
3. Bullet-sealed hose.
4. Combat (U. S.) tires including only cross-sections 8.00 and larger.
5. Mileage contract bus tires:
   (a) Intercity bus tires.
   (b) City bus tires.
6. Synthetic rubber truck and bus tires, including only:
   Tread types: Standard low platform trailer.
   Sizes: 7.50 and up, 10 plies and more.
   Orders: Government and civilian.
7. Truck and bus tires, including only:
   Tread types: Standard highway and mud-snow.
   Sizes: 14.00–20–24, 20 plies.
   Orders: Government only.
8. Synthetic rubber truck and bus tires, including only:
   Tread types: Standard highway, mud-snow.
   Sizes: 8.25 through 10.00, 10 plies and more.
   Orders: Government and civilian.
9. Truck and bus tires, including only:
   Tread types: Standard highway.
   Sizes:
   8.25–20, 10 and 12 plies.
   9.00–20, 10 plies.
   9.00–20 36 x 8, 12 plies.
   10.00–20–22, 12 plies.
   11.00–20–22–24, 12 plies.
   Orders: Civilian only.
10. Synthetic truck and bus tires, including only:
    Tread types: Standard highway, mud-snow.
    Sizes: 10.50 and up, 10 plies and more.
    Orders: Government and civilian.
11. Synthetic special purpose tires including:
    Tread types: Rock Service, logger, earthmover, and 18.00 and up mud-snow.
    Sizes: All.
    Orders: Government and civilian.
12. Synthetic truck and bus tires including only:
    Tread types: Standard highway, mud-snow.
    Sizes: 14.00–20–24, 16 plies.
    Orders: Civilian only.
13. Synthetic truck and bus tires including only:
    Tread types: Standard highway, mud-snow.
    Sizes: 7.00 and 7.50, 10 plies.
    Orders: Government and civilian.
14. Synthetic truck and bus tires, including only:
    Tread types: Standard highway sizes:
    7.50–16, 6 and 8 plies.
    7.50–17, 8 plies.
    7.50–18, 8 plies.
    7.50–20, 8 plies.
    Orders: Government and civilian.
15. V-Belts.
16. Tire repair materials made from scrap rayon cord friction resulting from the manufacture of products listed above.

(b) All available rayon for a given allocation period will be allocated in accordance with the order of preference in the above usage pattern, full allocations being made for total industry requirements for the first group before any allocations are made for the second group, and so on down the list until the entire supply of rayon available for that period has been allocated.

(c) Any person to whom rayon is allocated must consume it in the order of preference in the above usage pattern, arranging to fulfill all requirements in the first group before any is used in the second group, and so on down the list.

(Sec 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13333; Filed, July 21, 1945; 11:42 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-747, Reinstatement and Amendment]

NATIONAL ELECTRICAL CO.

John A. Rosenfeld, doing business as National Electrical Company, of 135 Locust Street, Evansville, Indiana, engaged in the sale of electrical equipment, including fans and fluorescent lighting fixtures was suspended on April 6, 1945, by Suspension Order No. S-747. He appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on May 8, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Flood who has dismissed the appeal and directed that the stay be terminated and the suspension order reinstated.

In view of the foregoing, it is hereby ordered, that:

§ 1010.747 *Suspension Order No. S-747* issued March 30, 1945, and effective April 6, 1945, be and hereby is reinstated effective July 23, 1945, to expire October

20, 1945; the stay of execution directed by the Chief Compliance Commissioner on May 8, 1945, be and hereby is revoked effective July 22, 1945; and that the suspension order be modified by striking paragraph (c) therefrom and substituting for paragraph (g) the following:

(g) This reinstatement shall take effect on July 23, 1945.

Issued this 13th day of July 1945.

Recording Secretary.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN.

[F. R. Doc. 45-13371; Filed, July 23, 1945; 11:28 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule C, as Amended July 23, 1945]

SPECIAL PROGRAM FOR COTTON FABRICS FOR CHILDREN'S APPAREL ITEMS

§ 3290.120c *Schedule C to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of children's and infants' apparel made of cotton fabric to get an AA-3 preference rating for fabric to make the items listed in this schedule.

(b) *Definitions.* (1) "Fabric", unless otherwise designated, means a woven fabric twelve inches or more in width.

(2) "Cotton fabric" means any fabric containing less than 25% wool by weight, but of which the remaining fibers are 50% or more cotton by weight.

(3) "Cotton item" means an item of which more than 50% of the fabric yardage incorporated in it, exclusive of linings, bindings and trimmings, is cotton fabric.

(c) *Requirements for obtaining priorities assistance.* (1) Applications under this schedule may be filed only by manufacturers who have received a serial number under Order M-388A for the manufacture of the cotton items listed in this schedule for which they apply. Two copies of Form WPB-3732 (revised) should be filed in accordance with the rules stated in paragraph (c) of M-328B.

(2) A person who has received a rated quota under Order M-388A pursuant to an application on Form WPB-4200 who files Form WPB-3732 (revised) for the third calendar quarter of 1945 by July 21, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of cotton fabrics for delivery in that quarter for incorporation into the cotton items for which application is made. He may do so only for an item he made in the base period and only for 15% of his rated quota under M-388A with respect to any item. Cotton fabrics purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) A manufacturer receiving an allocation for an item under this schedule for a quarter must subtract from his rated quota for that item under Order M-388A for that quarter, the total yardage of fabrics for which priorities assistance is granted under this schedule to determine the quantity of fabrics which he may purchase with an AA-4 rating under his M-388A rated quota. If the quantity of fabrics for which an AA-3 rating is authorized for an item under this schedule is in excess of his AA-4 rated quota in M-388A, the manufacturer may not use an AA-4 rating under M-388A for that item.

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get the particular cotton fabrics shown in the fabric column of the preference rating schedule to make the cotton items specified.

(2) The fabrics must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices:

(i) The price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration; or

(ii) The price specified in the Maximum Price column.

(3) If applications are received for rated quotas in an amount for any item in excess of the yardage available for that item, the rated quotas will be assigned in proportion to the manufacturers' rated quotas for the particular items under AA-4 preference rating Schedule 1 of M-388A.

(4) A manufacturer who is not a base period manufacturer and was not assigned a quota under AA-4 preference rating schedule pursuant to application on Form WPB-4200 but was given a serial number under M-388 pursuant to application on Form WPB-4201, must comply with the provisions of paragraph (c) (6) of M-328B.

(5) Any manufacturer granted a rated quota for an item under this schedule must meet the following minimum specifications in producing that item:

(i) The yardage limitations (the minimum linear yardage per dozen garments) shall in no event be less than the amount used by him for the production of the same item in the base period, or if his quota was assigned on the basis of an application on Form WPB-4201, not less than the yardage per dozen authorized on Form WPB-3732 (revised).

(ii) *Seams, stitching and construction.* All structural seams shall be made with not less than 10 stitches per inch, except overlock stitch which shall be made with not less than 8 stitches per inch. No raw edges of fabric will be permitted in seams, and all seams must be so constructed as to minimize raveling. For all fabrics, except flannelette, a seam overlap allowance of not less than $\frac{3}{8}$" from the edge of the cut material to the inner stitch shall be provided. The inner stitch is the first line of stitching joining two pieces of fabric. Seams shall be finished at least by pinking. When pinked, a fabric allowance of not less than $\frac{3}{8}$" clear after pinking shall be provided. For flannelette the minimum construction shall be overlock seam, with $\frac{1}{2}$" allowance; plain pinked seams are not permitted in flannelette.

(6) Manufacturers may also file on form WPB-2842 with the Textile, Clothing & Leather Bureau, War Production Board, Washington 25, D. C., to obtain priorities assistance for elastic tape, narrow woven selvage edge tape, sewing thread, linings, pocketings and other necessary component materials in the quantities required for incorporation into the number of units of the items for which application is made on Form WPB-3732 (revised). Such requests will be granted within the limits of materials available and to the extent that priorities assistance is granted for the items requested.

(7) Manufacturers who did not manufacture an item in the base period must produce the item in the size assortments listed opposite each item in the size assortment column. Where normal industry practice appears, the manufacturer should state his proposed sizes in the remarks section of Form WPB-3732 (revised). If his application is granted, he must comply with these size assortments.

Issued this 23d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA-3 PREFERENCE RATING SCHEDULE NO. 1—COTTON FABRICS FOR CHILDREN'S APPAREL

NOTE: Item A-34 (a) amended July 23, 1945.

M-388A Item No.	Description of cotton item	Size range	Size assortment per dozen for other than base period manufacturers [1]	Maximum price column	Fabric column
A-9	Creepers, Rompers	6 mos-2 yrs	6 mo-1-1½-2 3-3-3-3	$8.50	(Carded poplin, sheeting yarn. (Print cloth, sley of 66 to 78. (Carded broadcloth, 80 sley and less. (Chambray, 4.20 yard and lighter.
A-10(a)	Pajamas; 2-piece button-on with or without feet.	1-4	1-2-3-4 3-3-3-3	9.00 10.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse).
(b)	Pajamas; 2-piece button-on with extra pants	1-4	1-2-3-4 3-3-3-3	10.50	Outing flannel.
A-11(a)	Pajamas; 1-piece with or without feet	2-8	2-4-6-8 2-2-4-4	9.00 10.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse).

[1] First line indicates size. Second line the number of each size.

AA-3 PREFERENCE RATING SCHEDULE NO. 1—COTTON FABRICS FOR CHILDREN'S APPAREL—Continued

M-388A Item No.	Description of cotton item	Size range	Size assortment per dozen for other than base period manufacturers	Maximum price column	Fabric column
(c)	Pajamas; 2-piece jacket style	2-8	2-4-6-8 2-2-4-4	$10.50	Outing flannel.
A-12	Pajamas; 2-piece jacket style	8-16	8-10-12-14-16 2-2-3-3-2	12.00 13.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse). Outing flannel.
A-13	Night gowns; Infants	0-1	Normal Industry Practice	4.50	Print cloth, sley of 56 to 65 (plisse).
A-14	Night gowns; Children's	1-4	Normal Industry Practice	4.50	Outing flannel.
A-15	Night gowns; Children's	2-8	Normal Industry Practice	7.50	Outing flannel.
A-16	Night gowns; Children's	8-16	8-10-12-14-16-2-2-3-3-2	10.50	Outing flannel.
A-17	Kimonos; Infants	0-1	Normal Industry Practice	4.50	(Outing flannel. (Print cloth, sley of 56 to 65 (plisse).
A-18	Gertrudes, Infants	0-1	Normal Industry Practice	4.50	(Outing flannel. (Print cloth, sley of 56 to 65 (plisse).
A-19	Dresses; Infants	0-1	Even	9.75	(Lawns, 96 x 100. (Dimity. (Print cloth, sley of 62 to 65. (Carded broadcloth, more than 80 sley.
A-20	Dresses, Toddlers	1-3	1-2-3 2-4-6	10.50	(Lawns, 96 x 100. (Piqué. (Print cloth, sley of 66 to 78. (Carded broadcloth, more than 80 sley.
A-21	Dresses; Children's	3-6X	3-4-5-6-6X 1-2-3-3-3	10.50	(Print cloth, sley of 66 to 78. (Carded broadcloth, more than 80 sley. (Carded poplin, sley of 88 to 99.
A-22	Dresses; Girls	7-14	Normal Industry Practice	15.75	(Print cloth, sley of 66 to 78. (Carded broadcloth, more than 80 sley. (Carded poplin, sheeting yarn. (Gingham, 4.40 and heavier.
A-23	Slips; Toddlers	1-3	1-2-3 1-1-1	3.75	(Lawns, 96 x 100. (Lawns, 76 x 72. (Lawns, 96 x 100.
A-24	Slips; Girls, gertrude type	2-14	2-4-6-8-10-12-14 1-2-2-3-2-1-1	6.75	(Lawns, 76 x 72. (Print cloth, sley of 66 to 78. (Carded broadcloth, 80 sley or less.
A-25	Slips; Girls, shoulder strap style	10-16	10-12-14-16 1-1-1-3	9.75	(Lawns, 96 x 100. (Lawns, 76 x 72. (Print cloth, sley of 66 to 78. (Carded broadcloth, 80 sley or less.
A-27	Blouses, Girls	2-6X	Normal Industry Practice	8.50	(Dotted Swiss. (Dimity. (Carded broadcloth, more than 80 sley.
A-28	Blouses, Girls	7-14	7-8-10-12-14 2-2-3-3-2	9.75	(Dotted Swiss. (Dimity. (Print cloth, sley of 66 to 78. (Carded broadcloth, more than 80 sley.
A-29	Panties, Girls	2-12	2-4-6-8-10-12 1-2-2-3-2-2	3.75	(Carded poplin, sley of 88 to 99. (Print cloth, sley of 62 to 65.
A-30	Overalls and Coveralls (includes crawlers)	1-4	1-2-3-4 3-3-3-3	9.00	(Print cloth, sley of 66 to 78. (Carded poplin, sley of 88 to 99. (Sport denim. (Chambray, 4.20 and lighter. (Ticking.
A-32	Overalls and Coveralls	2-8	Normal Industry Practice	10.50	(Print cloth, sley of 66 to 78. (Carded poplin, sley of 88 to 99. (Sport denim. (Chambray, 4.20 and lighter. (Carded poplin, sheeting yarn.
A-33	Wash suits; Boys; Toddlers	1-4	Normal Industry Practice	9.25	(Pique. (Carded poplin, sley of 88 to 99. (Print cloth, sley of 66 to 78.
A-34(a)	Wash suits; Boys; short pants	2-8	Normal Industry Practice	10.50	(Carded broadcloth more than 80 sley. (Carded poplin, sley of 88 to 99. (Seersucker.
(b)	Wash suits; Boys; long pants	2-8	Normal Industry Practice	10.50	(Print cloth, sley of 66 to 78. (Carded broadcloth, more than 80 sley. (Carded poplin, sley of 88 to 99. (Seersucker.
A-35	Shirts and Blouses; Boys	2-10	2-4-6-8-10 2-2-3-3-2	8.50	(Print cloth, sley of 66 to 78. (Carded poplin, sheeting yarn. (Carded poplin, sley of 88 to 99.
A-36	Shirts; Boys	11-14½	Normal Industry Practice	10.50	(Print cloth, sley of 66 to 78. (Carded broadcloth, more than 80 sley. (Carded poplin, sheeting yarn. (Carded poplin, sley of 88 to 99.
A-37	Pants; Boys, short	4-10	Normal Industry Practice	10.50	(Suitings. (Carded poplin, sheeting yarn
A-38	Pants; Boys, long	4-12	Normal Industry Practice	15.75	(Suitings. (Carded poplin, sheeting yarn.
A-39	Under shorts; Boys	6-16	Normal Industry Practice	3.50	(Carded poplin, sheeting yarn. (Print cloth, sley of 62 to 65.

First line indicates size. Second line the number of each size.

[F. R. Doc. 45-13369; Filed, July 23, 1945; 11:28 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317A, as Amended July 12, 1945, Amdt. 1]

COTTON FABRIC PREFERENCE RATINGS AND RESTRICTIONS

Section 3290.116 *Supplementary Order M-317A, as amended July 12, 1945* is amended in the following respects:

1. In the 4th line of paragraph (c) (2) change the date "July 20, 1945" to "July 31, 1945".

Make the following changes in Preference Rating Schedules:

2. In Group "CONT-2" add to the present fabrics listed in Column II "(18a) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36)".

3. In Group "STRA-1" change the code number opposite "Sateen" in Column II to read "(16e)".

4. In Group "TOOL-1" add to the fabrics listed in Column II "(17a) Print cloth, 80 sley and higher," and "(17b) Print cloth, 64 and higher but less than 80 sley."

Make the following changes in Distribution Schedule 1:

5. In Reference Nos. 1 and 2, place a bracket in front of the provision contained in Column VI to indicate that this provision applies to both reference numbers.

6. In Reference No. 9, change the percentage appearing in Column V from "85" to "25".

7. In Reference No. 17, change the Column V percentage from "20" to "0".

Make the following changes in Distribution Schedule 2:

8. In Reference No. 29 in the 1st line of the Column VI provision change the

word "must" to "may" and insert the word "only" after the word "delivered".

9. In Reference No. 35 in the 1st line of the Column VI provision change the word "must" to "may" and insert the word "only" after the word "delivered".

10. In Reference No. 40 in the 1st line of the 2nd paragraph in Column VI change the word "must" to "may" and insert the word "only" after the word "delivered".

11. In Reference No. 41 delete the word "widths" in Column II and substitute "laundry sheeting" and in the 1st line of paragraph (2) in Column VI insert the word "only" immediately after the word "delivered".

12. In the heading in Column II immediately above Reference No. 41a change "Class B Sheetings:" to "Class A Sheetings:".

13. In Reference No. 41a, Column II, delete the word "widths" and substitute "laundry sheetings.".

14. In Reference No. 50 change the Column V percentage from "100" to "70"; extend the bracket presently covering Reference Nos. 50a and 51 to include 50; and delete the present paragraph (2) contained in Column VI and substitute: "(2) The Column V obligation may be met by deliveries, as selected by the producer, of the required percentage of the aggregate percentages of Ref. Nos. 50, 50a and 51."

Add a new paragraph (3) to read: "(3) None of the production for Ref. Nos. 50, 50a and 51 may be delivered to fill unrated orders except in the form of sheets or pillow cases made on the producers' own facilities or to a person who certifies in writing that he will use the fabrics only to produced sheets or pillow cases." Change present paragraph "(3)" to read paragraph "(4)".

15. In Reference No. 61 after the word "Clothing" in the 5th line of paragraph (2) in Column VI insert "(including work clothing)".

16. In Reference No. 77 add after the word "yard" in Column II "and pro rata widths."

17. In Reference No. 89 insert in Column I "90 and" immediately before "93" and in Column II after the word "construction" add "including bandage cloth 99 to 72 threads per square inch."

18. In Reference No. 93 change the percentage in Column III from "1" to "2".

19. In Reference No. 95 change the percentage in Column III from "10" to "16".

20. In Reference No. 96 change the percentage in Column III from "5" to "10".

21. In Reference No. 121, 2nd line of Column VI, delete the word "order" and substitute "orders".

Issued this 21st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13329; Filed, July 21, 1945; 11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-795, Revocation]

MELSON CLEANERS

Suspension Order No. S-795 effective May 23, 1945 was issued against Ida Sue Melson doing business as Melson Cleaners at 1312 Lapeer Street, Flint, Michigan, for violations of Conservation Order L-41. This construction has now been determined to be essential and the Chief Compliance Commissioner has therefor directed that the suspension order be revoked. In view of the foregoing, *It is hereby ordered*, That:

Section 1010.795, *Suspension Order No. S-795* be revoked.

Issued this 23d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13372; Filed, July 23, 1945; 11:28 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-388C, as Amended July 23, 1945]

WOOL AND WOOL TEXTILES FOR CIVILIAN ITEMS

§ 3290.354 *General Preference Order M-388C*—(a) *Explanation.* This order is supplemental to M-388. It states the special rules applicable to civilian items made from wool materials and lists the items for which ratings are assigned.

(b) *Delivery quotas*—(1) *General rule.* (Orders rated AA-3 or higher, or AA-5, must be filled as required by Priorities Regulation 1, in addition to the quotas under this paragraph.) Every producer and importer of wool fabrics must deliver to fill AA-4 orders in the period from May 1, 1945, through June 30, 1945, inclusive, and in each subsequent calendar quarter, at least 80 percent of his total deliveries of wool fabrics (by linear yards) during the same period on both AA-4 and unrated orders. Stated another way, he must not deliver on unrated orders in any of these periods more than 20 yards of wool fabrics for each 80 yards he delivers to fill AA-4 orders in the same period. He must not discriminate against rated orders in distributing fabric widths as between rated and unrated deliveries.

(2) *Exception for 6 percent of total deliveries.* An exception to the above rule is that each producer or importer may deliver up to 6 percent of his total deliveries in the period without regard to AA-4 ratings, as long as he fills all other rated orders and complies with all other applicable orders, regulations and directions of the War Production Board.

(3) *Examples.* If a woolen mill delivers a total of 1,000,000 yards in a calendar quarter, and half of this yardage is delivered to fill orders rated AA-3 or higher, or AA-5, it has available a total of 500,000 yards of both AA-4 and unrated deliveries. Eighty percent of this total, or at least 400,000 yards, would have to be delivered on AA-4 orders, and not more than 20 percent or 100,000 yards could be delivered on unrated orders. However, if the mill delivers in the period 750,000 yards on orders rated AA-3 or higher, or AA-5, leaving 250,000 yards for unrated and AA-4 orders, he may still deliver 60,000 yards on unrated orders to the extent that these 60,000 yards are not needed to fill orders other than AA-4 or to comply with regulations, orders or directions of the War Production Board.

(4) *Rejects.* Rejects, including remnants over one yard and seconds, must be included in calculating required deliveries for rated delivery quotas under this order.

(5) *Military and other cancellations.* Material resulting from cancellations of customers' orders must also be included in calculating rated delivery quotas. However, unless otherwise ordered by the War Production Board, a producer or importer who has a contract or subcontract with the U. S. Army, Navy, Maritime Commission, War Shipping Administration or the Procurement Division of the Treasury Department which is cancelled after April 30, 1945 and for which wool fabric, wool yarn or wool is already completed or in process either in his plant or that of one of his subcontractors may deliver the completed fabric, or the fabric made from the material in process free of his rated delivery quota.

(c) *Dyeing and finishing of fabrics.* A producer of wool fabrics or importer shall dye wool fabrics which he produces or imports after May 1, 1945, only to fill accepted rated orders, or orders which are authorized under paragraph (g) of M-388, or unrated orders within the limits allowed by this order. Material must not be finished in a manner which will make it unsuitable to fill the required amounts of rated orders.

(d) *Preference rating schedules.* Preference ratings are assigned in the preference rating schedules of this order. The conditions under which the ratings can be used are explained in these schedules.

Issued this 23d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA-4 PREFERENCE RATING SCHEDULE I—WOOL CIVILIAN ITEMS

Assignment of AA-4 rating to manufacturers of listed wool apparel and other items. Preference rating AA-4 for wool fabric is assigned to manufacturers of the items shown in this schedule who qualify under M-388 and M-388C and comply with the following:

(1) This rating may be used only to get the fabric shown in the Fabric Column for the particular item and may be extended for wool material to be incorporated in the fabric, as permitted by Priorities Regulation 3.

(2) The fabric must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices: (i) the price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration, or (ii) the price specified in the Maximum Price Column.

(3) The Rated Quota Column in this schedule shows for each item a quota of units of the item. This quota is a percentage of the total number of units (in all prices lines) of the same item which the manufacturer made in the corresponding quarter of 1943. He may not get more fabric with the rating in any calendar quarter than the yardage necessary to fill this quota. This is the yardage which he must show in Form WPB-4200 before using the rating, as explained in paragraph (1) (2) of M-388.

(4) The rated quotas shown below, as amended June 28, 1945, supersede the previous rated quotas of this schedule for deliveries in the third calendar quarter of 1945 and thereafter. AA-4 ratings previously accepted by a supplier for deliveries within the 50 percent of previous quotas authorized by Direction 3 to M-388 remain valid, but the yardages covered by such ratings must be charged to the rated quotas shown below.

[The applicable provisions of each Column are indicated for each numbered item opposite the item number]

NOTE: Table amended July 23, 1945.

Item number	Item column (name of item)	Size (or equivalent trade designation)	Maximum price column	Rated quota column	Fabric column
C-1	Coats, women's and misses'.	9 to 17	Unt rimmed $22.75 each.*	35	(Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, single twist, piece dye only.
		10 to 20	Fur trimmed $35 each.*		
		38 and up			
		10 to 16			
C-2	Coats, teen age, girls'.	10 to 16	$13.75 each.	75	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C-3	Coats, girls'.	7 to 14	$12.75 each.	75	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C-4	Coats, children's and small boys'.	(3 to 6X	$9.75 each	85	(Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
		(3 to 8			
C-5	Coats, toddlers'.	1 to 4	$7.75 each.	75	Woolen fabric, less than 19 oz. per linear yd.
C-6	Coats, infants'.	6 mos. to 2 yrs	$6.75 each.	75	Woolen fabric, less than 19 oz. per linear yd.
C-7	Dresses, women's and misses', street only.	(9 to 17	$12.75 each.*	35	(Woolen fabric, less than 10 oz. per linear yd. Worsted fabric, piece dye only, not over 9 oz. per linear yd. in which worsted yarn content is single ply.
		10 to 20			
		(38 to 44 20½			
		46 and up			
C-8	Dresses, teen age, girls'.	10 to 16	$5.75 each.	75	Woolen fabric, less than 10 oz. per linear yd. Worsted fabric, piece dye only, not over 9 oz. per linear yd. in which worsted yarn content is single ply.
C-9	Dresses, girls'.	7 to 14	$5 each.	75	Woolen fabric, less than 10 oz. per linear yd. Worsted fabric, piece dye only, not over 9 oz. per linear yd. in which worsted yarn content is single ply.
C-10	Suits, women's and misses'.	(9 to 17	$22.75 each.*	35	(Woolen fabric, less than 16 oz. per linear yd. Worsted fabric, single twist, piece dye only.
		10 to 20			
		38 and up			
		10 to 16			
C-11	Suits, teen age girls'.	10 to 16	$12.75 each.	75	Woolen fabric, less than 16 oz. per linear yd. Worsted fabric, single twist, piece dye only.
C-12	Suits, girls'.	7 to 14	$10.75 each.	75	Woolen fabric, less than 16 oz. per linear yd. Worsted fabric, single twist, piece dye only.
C-13	Skirts, women's, misses' and juniors'.	(20 and up	$5 each.*	40	(Woolen fabric, less than 12 oz. per linear yd.
		9 to 17			
		10 to 20			
		10 to 16			
C-14	Skirts, teen age, girls'.	10 to 16	$4.75 each.	75	Woolen fabric, less than 12 oz. per linear yd.
C-15	Skirt, girls'.	7 to 14	$3.75 each.	75	Woolen fabric, less than 12 oz. per linear yd.
C-16	Skirts, children's.	3 to 6X	$2.50 each.	85	Woolen fabric, less than 12 oz. per linear yd.
C-17	Suits, men's.	All sizes	$32.25 each.*	40	Woolen fabric, less than 19 oz. per linear yd.
C-18	Shirts, men's.	All sizes	$4.50 each.*	40	Woolen fabric, less than 32 oz. per linear yd.
C-19	Men's separate trousers.	All sizes	$6.25 each.*	40	Woolen fabric, less than 32 oz. per linear yd. Worsted fabric.
C-20	Overcoats, boys', student.	(10 to 20	$14.75 each.	75	(Woolen fabric, 32 oz. per linear yd. or more. Worsted fabric, less than 19 oz. per linear yd.
C-21	Suits, students'.	(12 to 20	$17.50 each.	75	
		32 to 38			
C-22	Suits, cadet's.	8 to 16	$13.50 each.	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric.
C-23	Suits, junior boys'.	3 to 12	$10.00 each.	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric.

*The applicable maximum prices of single-asterisk items may be 10 percent higher for sizes 46 and up.

**The applicable maximum price of double-asterisk items may be 10 percent higher for sizes 17½ and up.

NOTE: 1. Weight per linear yard is based on 56-58 inches finished width.

2. When an AA-4 rating is applied to obtain wool linings or interlinings, it may only be used to get woolen fabric or lining, interlining or under-collar cloth containing at least 25 percent or more wool fiber by weight, however spun.

[F. R. Doc. 45-13370; Filed, July 23, 1945; 11:28 a. m.]

PART 3305—PAPERBOARD

[Conservation Order M-290, Direction 7, as Amended July 21, 1945]

LIMITATION ON PRODUCTION OF V-BOXES AND SLEEVES THEREFOR

The following amended direction is issued pursuant to Conservation Order M-290:

(e) *Purpose.* This direction is issued in order to conserve the critical supply of containerboard by reflecting certain military changes in specifications for V-boxes and eliminating their use, and the use of sleeves, in certain instances.

"V-boxes" are defined in paragraph (b) (5) of Order L-317.

(b) *Elimination of V-1 boxes.* No person shall manufacture any V-1 boxes (as defined in Army and Navy specification JAN-P-108).

(c) *Prohibition against manufacture of V-boxes for certain purposes.* No person shall manufacture any V-boxes for drop tanks or duffle bags.

(d) *Prohibition against manufacture of sleeves for certain purposes.* No person shall manufacture any sleeve for V-boxes for dried whole eggs, packaged in No. 10 cans, or cocoa, packaged in 5 lb. cans.

(e) *Exception for boxes and sleeves in process.* The provisions of paragraphs (b), (c) and (d) of this direction shall not prohibit the completion of V-boxes and sleeves which were in process of manufacture on May 23, 1945. A box or sleeve is not "in process", for the purposes of this paragraph (e) unless the containerboard therefor has been run through a corrugator or solid fibre paster.

(f) [Deleted July 23, 1945.]

Issued this 23d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13368; Filed, July 23, 1945; 11:28 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 17,[1] Amdt. 3]

EXPORT OF RATIONED FOODS

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 17 is amended in the following respects:

1. Section 5 is redesignated 5 (a) and section 5 (b) is added to read as follows:

(b) (1) Notwithstanding the provisions of paragraph (a) a person who has received an advance of evidences under section 4 and has been unable to export the rationed foods within 30 days after receiving the evidences may apply for an additional 30 days in which to make the accounting required under paragraph (a). The application must state:

(i) The amount of rationed foods, if any, the applicant obtained with the evidences issued to him under this order;

(ii) The point value (weight value in the case of sugar) of evidences issued to him under this order, he still has on hand, if any;

(iii) Why he was unable to export the rationed foods within 30 days after receiving the evidences; and

(iv) That he will export the rationed foods.

(2) The District Office may grant the 30-day extension if it finds that the applicant has at the time of application the rationed foods, or evidences, that he was unable to export rationed foods during the prescribed time, and that he will export the rationed foods.

(3) At the end of the 30-day extension provided in (1) he may apply for and get additional 30-day extensions in the same way and under the same conditions as provided in (1).

2. Section 7 (a) is amended by inserting in the last sentence thereof between the words "master of the vessel" and "on which the foods" the words "or an authorized official of the carrier."

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective July 25, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13282; Filed, July 21, 1945; 11:17 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 269,[1] Amdt. 32]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 269 is amended in the following respect:

Section 20 (a) (2) (6) (i) is amended to read as follows:

(6) *Sales to the United States Government.* (i) The maximum price for the sale of any particular score or grade of bulk butter to the United States Government or any agency thereof shall be determined in accordance with paragraph (a) (2) of this section establishing maximum prices for "sales by a creamery or manufacturer of butter."

The maximum price for sales to the armed forces of the United States Government of bulk unsalted butter of a score of 92 or higher, shall be 3¼ cents per pound higher than the maximum price established for a similar sale of bulk butter of that particular score as determined in accordance with paragraph (a) (2) of this section for "sales by a creamery or manufacturer of butter." This special markup for bulk unsalted butter shall be permitted only on orders placed by the United States Government procurement agency for the armed forces and packed according to the specifications of the government agency making the purchase.

For the purposes of this subsection "unsalted" means butter which is made exclusively from milk or cream, or both, without the addition of common salt, to be used by the armed forces for reconstituting purposes and packed according to government specifications. It shall score 92 or higher at the time inspection is made by a qualified individual selected by, and satisfactory to, the government agency purchasing the product.

This amendment shall become effective July 20, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13249; Filed, July 20, 1945; 4:32 p. m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19,[1] Amdt. 10]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

In Article IV, Appendix A, Table 2, of Second Revised Maximum Price Regulation 19, footnote 18 is amended to read as follows:

[18] From July 23, 1945 through October 21, 1945, the maximum price for all grades of 2 x 4" may be increased $4.00 per M'BM [$3.50

[1] 9 F.R. 3508.

[1] 10 F.R. 2352, 2658, 2928, 3554, 3948, 3950 5772, 5792, 6282, 7340, 7852.

[1] 9 F.R. 11403, 12843; 10 F.R. 458, 1146, 3407.

per M'BM over the price effective prior to July 23, 1945] when shipped in straight carloads of 10 feet and longer and sold for direct-mill shipment to an agency of the United States government, or to a user for direct use in filling government contracts or subcontracts, but not for resale.

This amendment shall become effective July 23, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13247; Filed, July 20, 1945; 4:32 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[3d Rev. MPR 216,[1] Incl. Amdts. 1-3]

EASTERN RAILROAD TIES

This compilation of 3d Revised Maximum Price Regulation 216 includes amendment 3, effective July 26, 1945. Portions added, amended and redesignated by Amendment 3 are indicated by underscoring or notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

Sec.
1. Sales of Eastern railroad ties at higher than maximum prices prohibited.
2. Coverage of the regulation.
3. Basic maximum prices.
4. Transportation addition.
5. Treated products.
6. Registered tie contractors.
7. Special pricing.
8. Adjustable pricing.
9. Exports and imports.
10. Records.
11. Applications for adjustment and petitions for amendment.
12. Prohibited practices.
13. Enforcement.
14. Licensing.
15. Maximum prices for Eastern railroad cross and switch ties.

AUTHORITY: Secs. 1 to 15, inclusive, (§ 1426.1), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of Eastern railroad ties at higher than maximum prices prohibited.* (a) On and after September 26, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Eastern railroad ties covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *Coverage of the regulation.* (a) This regulation covers all sales and purchases of railroad cross ties and switch ties, produced from any species in that part of the United States east of a line approximating the one-hundredth meridian, except North Dakota and South Dakota. Bridge ties and crossing timbers are not covered, but are subject to the appropriate lumber price regulation.

The price tables in Section 15 cover certain "listed" species and definite producing zone boundaries.

(b) *Definitions.* (1) "Cross tie" means a hewn or sawn forest product of specified dimension suitable for use in supporting the rails of railroad tracks. "Switch tie" means a hewn or sawn forest product of specified dimension suitable for use in supporting a switch in a railroad track.

(2) "Size", sometimes referred to as "grade", of any Eastern railroad tie, means the dimensions of a cross tie or switch tie as established by the American Railway Engineering Association. The following is a summary of the principal provisions on dimension specifications:

(i) *Length.* Standard-gauge railroad ties shall be 8 feet, 8 feet 6 inches, or 9 feet long.

(ii) *Width and thickness.* Ties shall measure as follows throughout both sections between 20 inches and 40 inches from the middle of the tie:

Size	Sawed or hewed top, bottom, and sides	Sawed or hewed top and bottom
1	6 inches thick by 6 inches wide on top.	6 inches thick by 6 inches wide on top.
2	6 inches thick by 7 inches wide on top.	6 inches thick by 7 inches wide on top.
3	6 inches thick by 8 inches wide on top.	6 inches thick by 8 inches wide on top. 7 inches thick by 7 inches wide on top.
4	7 inches thick by 8 inches wide on top.	7 inches thick by 8 inches wide on top.
5	7 inches thick by 9 inches wide on top.	7 inches thick by 9 inches wide on top.

1. Square sawn 6" x 6" cross ties are not accepted in standard gauge railroad ties.

2. Railways which specify both 6 inch by 8 inch and 7 inch by 7 inch ties, in size 3, sawed or hewed on top and bottom only, and which desire to separate the 6 inch from the 7 inch ties will designate the 7 inch by 7 inch as size 3A.

[Note 1 amended by Am. 3, effective 7-26-45.]

(3) "SR" means a serviceable reject cross tie or switch tie, hewn or sawn, which does not meet the tie specifications of the American Railway Engineering Association, and which, because of defects which are not such as to impair the strength of the tie for limited use, is not a first quality tie.

(4) "Cull" means a cross tie or switch tie which, because of defects, is not suitable for use under a railroad track.

(5) "Class T" cross ties and switch ties embrace the following species:

(i) Group Ta: Ash, hickory, "sap" black locust, honey locust, oak, and "sap" black walnut.

(ii) Group Tb: "Sap" cedar, "sap" cypress, hemlock, "sap" larch, "sap" pine, and spruce.

(iii) Group Tc: Beech, birch, cherry, gum, and hard maple.

(iv) Group Td: "Sap" catalpa, "sap" chestnut, elm, hackberry, magnolia, soft maple, "sap" mulberry, poplar, "sap" sassafras, sycamore, and white walnut.

(6) "Normal loading-out point" means the siding or point on a railroad, or the barge landing at which the railroad ties may be sold and to which the railroad ties can be most cheaply transported from the point of production for shipment by rail, raft, or barge.

SEC. 3. *Basic maximum prices.* The maximum prices for Eastern cross ties and switch ties are set out in section 15. These maximum prices are for switch ties or cross ties manufactured in accordance with the specifications of the American Railway Engineering Association. It is required that switch ties or cross ties not meeting these specifications in every detail will be priced correspondingly lower, as set forth in section 15 (b) (3), or after application to this Office as provided in section 7.

The maximum producer's f. o. b. car price which may be charged or paid shall be the price established for the zone in which the "normal loading-out point" of the material is located, subject only to additions for transportation permitted by section 4. Deductions are provided in section 15 (b) if the ties are not loaded on cars, not piled in accordance with the requirements of a concentration yard buyer or not completely manufactured in accordance with the specifications of the American Railway Engineering Association.

The maximum producer's price which may be charged or paid at any point other than the "normal loading-out point" of the material shall be the price established for the proper zone after the deductions in section 15 (b) have been made as well as a deduction to cover the cost of hauling from such point to the "normal loading-out point."

[Sec. 3 amended by Am. 3, effective 7-26-45]

SEC. 4. *Transportation addition.* Transportation from the mill or point of production to the "normal loading-out point" must, in every instance, be provided on the seller's account. Rail, barge, and towing charges paid by the seller for transportation beyond the normal loading-out point may, in every case, be added. Trucking charges may be added only when delivery is made by the seller to a destination which is not a loading-out point for railroad ties and from which there is no further movement. Where such delivery is made, the charge must be reduced by the cost of trucking to the seller's normal loading-

[1] 9 F.R. 11638.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

out point. All additions for transportation must be shown separately on the invoice.

[Above paragraph amended by Am. 1, 9 F.R. 12814, effective 10-30-44.]

(a) *Common or contract carrier.* The appropriate published rate times the actual weight is the proper transportation charge. The charge for transportation shall be evened out to the nearest quarter-dollar per M'BM or quarter-cent per piece, whichever is applicable.

(b) *Private truck.* The seller shall apply under section 7 for the proper addition.

(c) *Averaging-out and buying in the round.* (1) When a single order requires quotations of a single flat delivered price per tie and fulfillment of the order contemplates delivery with a variation in tie prices and/or a variation in freight rates, the seller may use a flat average delivered price but must show on each invoice that the particular shipment is part of a larger order for which a reconciliation invoice will be furnished.

Upon completion of the order the seller must render a final invoice showing the individual prices separately, the amount shipped from each loading-out point, the freight charge for each shipment, and reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation. Failure to make a reconciliation invoice within 30 days of completion of the order for which an average price was quoted is as much a violation of the regulation as selling at an over-ceiling price.

(2) Where a straight average price is charged (known as "buying in the round") for cross ties of more than one size, the maximum price shall be that of the lowest-priced size.

SEC. 5. *Treated products.* (a) The maximum prices for Eastern railroad ties preservatively treated by pressure process are established by Maximum Price Regulation 491.[3]

(b) The maximum price for any Eastern railroad ties preservatively treated by non-pressure methods shall be the maximum price established by the General Maximum Price Regulation[4] for each seller plus or minus an amount to cover any increased or decreased untreated cost resulting from the maximum prices established by this regulation. This amount shall be determined by each seller in the following manner:

Determine the difference between the highest price f. o. b. loading-out point, paid in March 1942 by this seller of treated ties and the maximum price established in this regulation for the same size and grade of untreated ties. If the buying price is increased by this regulation, add the difference to the seller's established price under the General Maximum Price Regulation for the treated ties. If the buying price is decreased by this regulation, subtract the difference from the seller's established price under the General Maximum Price Regulation for the treated ties. (If the seller of a treated tie did not buy in March 1942, he should use his buying price in the first month prior to March 1942 in which he purchased the untreated tie.)

SEC. 6. *Registered tie contractors.* A registered tie contractor is a seller of cross ties who has received or shall receive written authority from the Office of Price Administration, together with an authorization number, permitting him to make the additions provided in this section to the maximum prices set forth in the tables.

(a) *Invoicing requirements.* The authorization number assigned to a tie contractor must be shown on all of his invoices covering the sales of Eastern cross ties where the tie contractor's addition has been added. The invoice must also contain a sufficiently complete description of the cross ties sold so that the permissible tie contractor's addition can be determined from its face.

(b) *New tie contractors.* Any person may be registered as a tie contractor and be granted authority to make the additions provided in this section to the maximum prices of cross ties fixed in the regulation upon presentation of proof that he will supply a service needed by cross tie users and will increase the production and availability of railroad ties anywhere in the area covered by this regulation. Such presentation shall be made, in writing, to the Lumber Branch, Office of Price Administration, Washington 25, D. C., which may require the submission of further facts and the compliance with such conditions as may be appropriate to assure that the authorization is warranted in each case.

(c) *Tie contractors' additions to maximum prices*—(1) *Untreated cross ties.* On a sale of untreated cross ties under this regulation, a registered tie contractor may add $0.20 per cross tie to the maximum prices set forth in section 15.

(2) *Pressure treated cross ties.* On a sale of pressure treated cross ties under section 19 (b) of Maximum Price Regulation 491, a registered tie contractor may make the following additions to the maximum price of the unseasoned and untreated cross ties set forth in section 15 (the maximum price to which the tie contractor's addition is permitted may not include any addition provided in section 15 (a) (2) and (3) of this regulation on a sale of the untreated tie, even though seasoning or separating is actually performed by the tie contractor):

Class of pressure treated tie	*Tie contractor's addition (per tie)*
Group Ta cross ties	$0.20
Group Tb cross ties	.10
Group Tc cross ties	.15
Group Td cross ties	.15

[Sec. 6 amended by Am. 1, 9 F.R. 12814, effective 10-30-44; and Am. 3, effective 7-26-45.]

SEC. 7. *Special pricing.* If a seller wishes to sell a specification of Eastern Railroad Ties not specifically priced in this regulation, or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for approval of a maximum price. He must provide the following information.

(a) The requested price:

(b) A complete description of the item for which price approval is desired;

(1) If a specification other than A. R. E. A., he shall furnish a copy of the specification.

(2) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

SEC. 8. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[3] 8 F.R. 15594; 9 F.R. 8182, 9955, 13857.
[4] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

SEC. 9. *Exports and imports.* (a) The maximum price for export sales of Eastern railroad ties is governed by the Second Revised Maximum Export Price Regulation.[1]

(b) For railroad cross ties produced in Canada or Mexico and imported at points in "Eastern" territory in the United States, the maximum price is the price "f. o. b. normal loading-out point" established in this regulation for the zone in which the port of entry is located, and such port of entry shall be regarded as the "normal loading-out point". Railroad ties of Canadian or Mexican origin entered at points in "Western" territory are subject to Maximum Price Regulation 556.[2]

SEC. 10. *Records.* All sellers of Eastern Railroad ties must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the names and addresses of the sellers. These records must be kept for any month in which the seller or buyer sold or bought $1,000.00 worth of Eastern Railroad ties. These records must be kept for inspection by the Office of Price Administration for the duration of the Price Control Act or for two years, whichever is the shorter.

SEC. 11. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[3] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

SEC. 12. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like. Sellers must maintain cash discounts and credit terms no less favorable to buyers than the cash discounts and credit terms they allowed on October 1, 1941, except that a discount longer than 2 percent is not regarded as a cash discount under this rule.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(3) Making the buyer take something he does not want in order to get what he does want.

(4) Selling or buying material under and according to the provisions of this regulation to be converted into products suitable for uses other than those set out in section 2 (b), "definitions."

(5) Selling or buying material under and according to the provisions of any other regulation except this regulation and Maximum Price Regulation 491, where the material purchased is to be used for ties.

[Subparagraph (5) added by Am. 3, effective 7-26-45]

(c) *Purchasing commissions.* No commission on Eastern railroad cross ties may be paid by contractors or users unless all of the following conditions are met:

(1) The person receiving the commission is a full time employee carried on the payroll of the contractor or user.

(2) The money used in purchasing railroad ties is supplied by the contractor or user.

(3) The employee's compensation is not based on the result of inspection of railroad ties by the user or the employer.

(4) The person receiving the commission is not a producer or hauler of railroad ties or a tie contractor.

(5) The commission or bonus is not greater than 10 cents per tie.

However, if a contractor or user wishes to pay a commission to a person who meets all of the above requirements except that stated in paragraph (1) he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for authorization to do so. The request must contain the following information:

Name and address of the person whose services are being requested to be authorized.

A description of the commercial activities, other than that of dealings in primary forest products, which are carried on by such a person.

Location of the loading-out point at which such person intends to operate.

Names of the other contractors or users who are buying railroad ties at the above named loading-out point.

The Office of Price Administration, Washington 25, D. C. may authorize such payment upon presentation of proof that the granting of the authorization will supply a service needed by tie contractors or users by increasing production and availability of railroad ties in the area covered by this regulation.

If such commission is authorized to be paid by a tie contractor, he may in no event make sales under this regulation at maximum prices higher than the prices fixed in section 15, plus the additions provided in section 6.

[Above paragraph added by Am. 3, effective 7-26-45]

[Paragraph (c) amended by Am. 2, 10 F.R. 3924, effective 4-16-45]

SEC. 13. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Licensing.* The provisions of Licensing Order No. 1,[5] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 15. *Maximum prices for Eastern railroad cross ties and switch ties.* The maximum prices set forth below are f. o. b. cars at the railroad loading-out point or loaded on barges at the barge landing which is the "normal loading-out point" for such ties, as defined in section 2 (b) (6), or stacked for seasoning in a treating plant's yard within the zone of production.

The maximum prices are for untreated and unseasoned cross ties and switch ties. See section 5 for treatment additions, and section 4 for transportation additions.

ZONE 1—NEW ENGLAND STATES

Zone 1 shall include the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island.

TABLE 1—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 1

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta 8'6"	Tc 8'6"	Tb, Td, 8'6"	Ta 8'	Tc 8'	Tb, Td 8'
5	$1.65	$1.65	$1.65	$1.55	$1.55	$1.55
4	1.55	1.55	1.55	1.45	1.45	1.45
3½	1.40	1.40	1.40	1.30	1.30	1.30
3	1.30	1.30	1.30	1.20	1.20	1.20
2	1.15	1.15	1.15	1.05	1.05	1.05
1	.90	.90	.90	.80	.80	.80
SR	.60	.60	.60	.55	.55	.55
Chip	.25	.25	.25	.25	.25	.25

TABLE 1 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" x 9", 9' TO 16', F. O. B. CARS, ZONE 1

Group T switch ties (for use treated) - $43.00

[Tables 1 and 1 (a) amended by Am. 3, effective 7-26-45]

ZONE 2—NORTHERN BELT OF NORTHEASTERN AND CENTRAL STATES

Zone 2 shall include the States of New York, New Jersey, and Pennsylvania; that part of the State of Michigan, lying between Lake Huron and Lake Michigan, south of the Straits of Mackinac (known as the Lower Peninsula of Michigan); that part of the States of Indiana and Ohio located on and north of the main line of the Pennsylvania Railroad between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois north of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough and Hancock; that part of the State of Iowa north of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass, and Pottawattamie,

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1035, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432.
[2] 9 F.R. 10996.
[3] 9 F.R. 10628; 10 F.R. 1382.
[4] 9 F.R. 10476, 13715.
[5] 8 F.R. 13240.

TABLE 2—MAXIMUM PRICE PER CROSS TIE, F. O. B CARS, ZONE 2

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta, 8' 6"	Tc, 8' 6"	Tb, Td, 8' 6"	Ta, 8'	Tc, 8'	Tb, Td, 8'
5	$1.65	$1.55	$1.50	$1.55	$1.45	$1.40
4	1.55	1.45	1.40	1.45	1.35	1.30
3A	1.40	1.30	1.25	1.30	1.20	1.15
3	1.30	1.20	1.15	1.20	1.10	1.05
2	1.15	1.05	1.00	1.05	.95	.90
1	.90	.80	.75	.80	.70	.70
SR	.65	.55	.50	.55	.50	.45
Cull	.25	.25	.25	.20	.20	.20

TABLE 2 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16', F. O. B. CARS, ZONE 2

Group T switch ties (for use treated)—$42.00

[Tables 2 and 2 (a) amended by Am. 3, effective 7-26-45]

ZONE 3—MIDDLE BELT OF NORTHEASTERN AND CENTRAL STATES

Zone 3 shall include the States of Delaware and Maryland and the District of Columbia; that part of the State of Virginia, in Loudoun, Clarke, Warren, Frederick, Shenandoah, Page, Rockingham, Augusta, Highland, and Bath Counties; that part of the State of West Virginia except the nine counties included in Zone 4; that part of the States of Ohio and Indiana, not on, but south of, the main line of the Pennsylvania Railroad extending between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois south of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough, and Hancock, and north of the northern boundaries of Monroe, Randolph, Perry, Franklin, Saline, and Gallatin Counties; that part of the State of Iowa south of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass and Pottawattamie; the State of Nebraska; that part of the State of Missouri north of the southern boundaries of Jackson, Lafayette, and Saline Counties and on the north bank of and north of the Missouri River east of the junction of the southern boundary of Saline County and the Missouri River.

TABLE 3—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 3

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta, 8' 6"	Tc, 8' 6"	Tb, Td, 8' 6"	Ta, 8'	Tc, 8'	Tb, Td, 8'
5	$1.65	$1.55	$1.50	$1.55	$1.45	$1.40
4	1.55	1.45	1.40	1.45	1.35	1.30
3A	1.40	1.30	1.25	1.30	1.20	1.15
3	1.30	1.20	1.15	1.20	1.10	1.05
2	1.15	1.05	1.00	1.05	.95	.90
1	.90	.80	.75	.80	.70	.70
SR	.65	.55	.50	.55	.50	.45
Cull	.25	.25	.25	.20	.20	.20

TABLE 3 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16' F. O. B. CARS, ZONE 3

Group T switch ties (for use treated)—$40.00

[Tables 3 and 3 (a) amended by Am. 3, effective 7-26-45]

ZONE 4—SOUTHERN BELT OF EAST CENTRAL STATES

Zone 4 shall include all of the State of Virginia, except the 10 Virginia counties included in Zone 3: Greenbrier, Monroe, Summers, Raleigh, Mercer, Wyoming, McDowell, Logan, and Mingo Counties, in the State of West Virginia; and that part of the State of Kentucky north and east of the southern boundaries of Union, Webster, McLean, Ohio, Grayson, Hardin, Larue, Casey, Green, Taylor, Pulaski, and McCreary Counties.

TABLE 4—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 4

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta, 8' 6"	Tc, 8' 6"	Tb, Td, 8' 6"	Ta, 8'	Tc, 8'	Tb, Td, 8'
5	$1.60	$1.50	$1.45	$1.50	$1.40	$1.35
4	1.50	1.40	1.35	1.40	1.30	1.25
3A	1.35	1.25	1.20	1.25	1.15	1.10
3	1.25	1.15	1.10	1.15	1.05	1.00
2	1.10	1.00	.95	1.00	.90	.85
1	.85	.75	.70	.75	.65	.65
SR	.70	.50	.50	.50	.45	.45
Cull	.25	.25	.25	.20	.20	.20

TABLE 4 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16' F. O. B. CARS, ZONE 4

Group T switch ties (for use treated)—$40.00

[Tables 4 and 4 (a) amended by Am. 3, effective 7-26-45]

ZONE 5—SOUTHEASTERN STATES

Zone 5 shall include the States of North Carolina, South Carolina, Georgia and Tennessee; that part of the State of Florida on the east bank of and east of the Apalachicola River; and that part of the State of Kentucky south and west of the southern boundaries of Union, Webster, McLean, Ohio, Grayson, Hardin, Larue, Green, Taylor, Casey, Pulaski, and McCreary Counties.

TABLE 5—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 5

Size	Group T ties (for use treated), species listed in sec. 2 (b)						Group U ties (for use treated), species listed in sec. 2 (b)	
	Ta, 8' 6"	Tc, 8' 6"	Tb, Td, 8' 6"	Ta, 8'	Tc, 8'	Tb, Td, 8'	Red cypress, black cypress, (tidewater) black locust, Tc, 8' 6"	Uc, 8' 6"
5	$1.45	$1.35	$1.30	$1.35	$1.25	$1.20	$1.20	$1.10
4	1.35	1.25	1.20	1.25	1.15	1.10	1.10	1.00
3A	1.20	1.10	1.05	1.10	1.00	.95	1.00	.90
3	1.10	1.00	.95	1.00	.90	.85	.90	.80
2	.95	.85	.80	.85	.75	.70	.80	.70
1	.70	.60	.55	.60	.50	.50	.65	.60
SR	.70	.40	.40	.40	.40	.40	.65	.60
Cull	.20	.20	.20	.15	.15	.15	.50	.50

TABLE 5 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16' F. O. B. CARS, ZONE 5

Group T switch ties (for use treated)	$40
Group U switch ties (for use untreated) Red Cypress, Black Cypress, (Tidewater) Black Locust	68
Group U switch ties (for use untreated) Yellow Cypress, White Cypress	54

[Tables 5 and 5 (a) amended by Am. 3, effective 7-26-45]

ZONE 6—SOUTHWESTERN STATES

Zone 6 shall include points in the State of Florida, on the west bank of and west of the Apalachicola River; the States of Alabama, Mississippi, and Louisiana; points in the State of Arkansas on the south bank of and south of the Arkansas River; points in the State of Oklahoma on the south bank of and south of the Arkansas River, but excluding points in Cimarron, Beaver, and Texas Counties, Oklahoma; points in the State of Texas on and east of a line beginning at the junction of the west boundary of Hardeman County and the Red River, and extending south along the western boundaries of Hardeman, Foard, Knox, Haskell, Jones, Taylor, Runnels, Concho, Menard, Kimble, Edwards, Real, Uvalde, Zavala, Dimmit, and Webb Counties, Texas to the Rio Grande River.

TABLE 6—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 6

Size	Group T ties (for use treated), species listed in sec. 2 (b)						Group U ties (for use untreated), Red cypress, black cypress, black locust	
	Ta, 8' 6"	Tc, 8' 6"	Tb, Td, 8' 6"	Ta, 8'	Tc, 8'	Tb, Td, 8'	Uc, 8' 6"	Uc, 8'
5	$1.45	$1.35	$1.30	$1.30	$1.30	$1.25	$1.30	$1.20
4	1.35	1.25	1.20	1.20	1.20	1.15	1.20	1.10
3A	1.20	1.10	1.05	1.10	1.10	1.05	1.10	1.00
3	1.10	1.00	.95	1.00	1.00	.95	1.00	.90
2	.95	.85	.80	.90	.85	.80	.90	.80
1	.70	.60	.55	.65	.60	.55	.70	.60
SR	.70	.40	.40	.40	.40	.40	.65	.60
Cull	.20	.20	.20	.20	.20	.20	.50	.50

TABLE 6 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" X 9' TO 16' F. O. B. CARS, ZONE 6

Group T switch ties (for use treated)	$40.00
Group U switch ties (for use untreated) red cypress, black cypress (tidewater) black locust	68.00
Group U switch ties (for use untreated) yellow cypress, white cypress	54.00

[Tables 6 and 6 (a) amended by Am. 3, effective 7-26-45]

ZONE 7—SOUTHERN BELT OF WEST CENTRAL STATES

Zone 7 shall include the State of Kansas; that part of the State of Oklahoma on the north bank of and north of the Arkansas River; that part of the State of Arkansas on the north bank of and north of the Arkansas River; that part of the State of Missouri south of the southern boundaries of Jackson, Lafayette and Saline Counties and on the south bank of and south of the Missouri River east of the junction of the southern boundary of Saline County and the Missouri River; and that part of the State of Illinois south of the northern boundaries of Monroe, Randolph, Perry, Franklin, Saline, and Gallatin Counties.

TABLE 7—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 7

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta, 8' 6"	Tc, 8' 6"	Tb, Td, 8' 6"	Ta, 8'	Tc, 8'	Tb, Td, 8'
5	$1.55	$1.45	$1.40	$1.45	$1.35	$1.30
4	1.45	1.35	1.30	1.35	1.25	1.20
3A	1.30	1.20	1.15	1.20	1.10	1.05
3	1.20	1.10	1.05	1.10	1.00	.95
2	1.05	.95	.90	.95	.85	.80
1	.85	.70	.65	.70	.60	.60
SR	.70	.45	.45	.45	.40	.40
Cull	.25	.25	.25	.20	.20	.20

TABLE 7 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9", 9' TO 16' F. O. B. CARS ZONE 7

Group T switch ties (for use treated)—$40

[Tables 7 and 7 (a) amended by Am. 3, effective 7-26-45]

ZONE 8—LAKE STATES

Zone 8 shall include the States of Minnesota and Wisconsin and that part of the State of Michigan between Lake Superior and Lake Michigan lying north of the Straits of Mackinac (known as the Upper Peninsula).

TABLE 8—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 8

Size	Group T ties (for use treated), species listed in sec. 2 (b)			
	Ta, Tc, 8' 6"	Tb, Td, 8' 6"	Ta, Tc, 8'	Tb, Td, 8'
5	$1.60	$1.40	$1.50	$1.30
4	1.50	1.30	1.40	1.20
3A	1.50	1.10	1.20	1.00
3	1.30	1.10	1.20	1.00
2	1.20	1.00	1.10	.90
1	1.00	.80	.90	.70
SR	.60	.50	.55	.45
Cull	.30	.25	.20	.20

TABLE 8 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9", 9' TO 16' F. O. B. CARS, ZONE 8

Group T switch ties (for use treated)—$42

[Tables 8 and 8 (a) amended by Am. 3, effective 7-26-45]

(a) *Additions.* The following additions may be made to the maximum prices set forth above in Tables 1 through 8:

(1) For 9' cross ties: add $0.05 per tie to the maximum price listed in the proper zone for the required size and species of 8' 6" cross tie.

(2) For seasoning cross ties or switch ties in preparation for preservative treatment, the seller of untreated ties may increase the maximum prices set out in Tables 1 through 8 (a), for the specified seasoning by the following percentages of the maximum prices in tables.

	Ta	Tb	Tc & Td
	Percent	*Percent*	*Percent*
[illegible] than 150 days	12½	------	------
[illegible] than 120 days but less than 150 days	8	------	------
[illegible] than 120 days	------	------	10
[illegible] than 90 days	------	6	------

[illegible] purchaser requires that the cross ties or switch ties be seasoned for a period longer than 150 days for Ta ties, 120 days for Tc and Td ties or 90 days for Tb ties, the ties shall be seasoned for the full period required by the purchaser at no additional charge.

[Subparagraph (2) amended by Am. 3, effective 7-26-45]

(3) For loading in separate thicknesses and species groups (as defined in section 2 (b) (5), not more than two "separations" to a car, the seller of untreated ties may add 3c per tie to the maximum prices in the tables. A "separation" consists of one thickness of a single species group. Thus, separately loading on a single car a quantity of 6" thick group Tb ties and a quantity of 7" thick Group Tb ties is two "separations." Also, separately loading on a single car a quantity of 7" thick Group Tc ties and 7" thick Group Td ties is two "separations."

[Subparagraph (3) added by Am. 3; former subparagraphs (3) and (4) redesignated (4) and (5) by Am. 3, effective 7-26-45]

(4) For switch ties longer than 16': add to the maximum prices in the proper zone:

$3.00 per 1,000 feet board measure to and including 20'.

$7.00 per 1,000 feet board measure for over 20' to and including 24'.

$15.00 per 1,000 feet board measure for over 24' to and including 28'.

$20.00 per 1,000 feet board measure for over 28'.

(5) For switch ties sold and loaded in sets in accordance with the requirements of the purchaser: add $2.50 per 1,000 feet board measure to the maximum prices listed in the proper zones.

(b) *Deductions.* (1) If ties are not loaded on railroad cars or on barges, or stacked for seasoning in a treating plant yard within the area of production by the seller, the following deductions from the prices set out in Tables 1 through 8 (a) must be made:

(i) For 7" ties (sizes 3A, 4 and 5): Deduct $0.05 per tie.

(ii) For other sizes (Culls, SR, 1, 2 and 3): Deduct $0.02 per tie.

(iii) For switch ties: Deduct $1.00 per M'BM.

(2) For cross ties not properly piled as required by a concentration yard buyer: Deduct $0.02 per tie.

(3) If cross ties are not completely finished in accordance with specifications of the American Railway Engineering Association, and require any of the following: barking, cutting spurs, end trimming, cutting to proper length, etc., a deduction of $0.05 per tie shall be made from the prices in the above tables 1 through 8.

(4) For cross ties, meeting the specifications for #2 sizes which are sawed or hewed to 6" x 7", deduct $0.05 per tie from the prices for #2 ties in tables 1 through 8.

(5) For 7' cross ties: Deduct $0.05 per tie from the maximum prices for 8' cross ties of the required sizes and species, as provided in the table of maximum prices applicable to the zone in which produced.

[Paragraph (b) amended by Am. 2, 10 F.R. 3924, effective 4-16-45; and Am. 3, effective 7-26-45]

(c) *Odd sizes.* (1) The maximum prices for narrow gauge ties other than 7' shall be the same maximum prices on a per 1,000 feet board measure basis as the corresponding size of 8'0" tie.

[Subparagraph (1) amended by Am. 2, 10 F.R. 3924, effective 4-16-45]

(2) For switch ties other than 7" x 9" the maximum price shall be the same maximum price on a per 1,000 feet board measure basis as the 7" x 9" switch tie.

(d) *Group U ties.* The maximum price for Group U cross ties not specifically priced in this regulation shall be determined in accordance with the provisions of section 7.

[Paragraph (d) added by Am. 3, effective 7-26-45]

This regulation shall become effective September 26, 1944.

[3d Revised Maximum Price Regulation 216 originally issued September 21, 1944]

[Effective dates of amendments are shown in notes following parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13316; Filed, July 21, 1945; 11:21 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 94, Amdt. 5]

SALES BY GOVERNMENT AGENCIES AND RESALES BY CERTAIN BUYERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 94 is amended in the following respects:

1. The third paragraph in section 1 is amended to read as follows:

Resales by private sellers are governed by the existing applicable price regulations and Supplementary Order 122 and not by this supplementary order, except where OPA issues an order under section 11 of this supplementary order covering resales of a particular commodity. If OPA issues an order under section 11 the provisions of the order will apply instead of Supplementary Order 122 or the regulation otherwise applicable. The order will either provide a maximum price or exempt the resale from price control.

2. Section 11 is amended to read as follows:

SEC. 11. *When OPA may establish special maximum prices or exemptions on*

of Kentucky north and east of the southern

that part of the State of Oklahoma on the

its own motion. The OPA, on its own motion, may, by order establish special maximum prices or special exemptions, applicable to sales by Government agencies or to resales by private resellers of commodities purchased from Government agencies. Except where a special maximum price or special exemption for all or designated classes of resellers of a commodity has been provided by an order issued under this section 11, the maximum prices and exemptions applying to all such resales shall be determined by the applicable maximum price regulation or by supplementary order.

An order issued under this section shall, with respect to sales by Government agencies, supersede any other pricing or exemption provision of Supplementary Order 94, and shall, with respect to resales by private resellers, supersede the provisions of Supplementary Order 122 or any maximum price regulation otherwise applicable.

This amendment shall become effective August 22, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13381; Filed, July 23, 1945; 11:49 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 591]

SPECIFIED MECHANICAL BUILDING EQUIPMENT

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—SCOPE OF THIS REGULATION AND PROHIBITIONS

Sec.
1. What this regulation covers.
2. Prohibitions against dealing at prices above the maximum.
3. Prohibitions against sales prior to compliance with reporting requirements.
4. Evasion.

ARTICLE II—MAXIMUM PRICES

5. Maximum prices for commodities delivered, or offered for delivery prior to the effective date of this regulation.
6. Maximum prices for commodities first offered for sale after the effective date of this regulation.
7. First pricing method; minor changes.
8. Second pricing method; comparable commodities.
9. Third pricing method; commodities which cannot be priced under the first or second method.
10. Discounts, allowances, and differentials.
11. Sales pending approval of maximum prices.
12. Revision of maximum prices.
13. Resellers', including installers', maximum prices.
14. Notification to purchasers for resale of the manufacturers' maximum prices.

ARTICLE III—ADJUSTMENT PROVISIONS

15. Government contracts.
16. Other applications for adjustment.
17. Adjustable pricing.

ARTICLE IV—MISCELLANEOUS PROVISIONS

18. Transfer of business or stock in trade.
19. Records and statements.
20. Licensing.
21. Enforcement.

Sec.
22. Modification of provisions of this regulation.
23. Petitions for amendment.
24. Federal and State taxes.

ARTICLE V—LIST OF COMMODITIES AND FORMS

25. List of commodities covered by this regulation.
26. Forms for reporting maximum prices.
27. Forms for applications for adjustment.

AUTHORITY: § 1346.707 issued under 56 Stat. 23, 765, 57 Stat. 566; Pub. Law. 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE OF THIS REGULATION AND PROHIBITIONS

SECTION 1. *What this regulation covers.*—(a) *Transactions covered.* This regulation applies to all sales by manufacturers of the specified commodities set forth in section 25. Sales by persons other than manufacturers, except insofar as maximum prices for sales by such persons are fixed by orders issued under this regulation, are not covered by this regulation but are covered by the General Maximum Price Regulation or other applicable regulations.

"Manufacturer" as used in this regulation means the person who makes the first sale of any commodity listed in section 25, if the article has been completed to the point indicated by the terminology of that section. The term also includes any subsidiary or affiliate, commission salesman, or other agent of such person.

"Person" as used in this regulation means an individual, corporation, partnership, association, any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivision, and any agency of any of the foregoing.

(b) *Relation to other regulations.*—(1) *GMPR, RMPR 136, and MPR 188.* This regulation supersedes the GMPR, RMPR 136, MPR 188 and any other regulations with respect to transactions covered by this regulation. This regulation does not, however, apply to transactions which are excluded from the General Maximum Price Regulation by Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation and future amendments thereto, particularly transactions excluded under section 4.3 (exception of certain sales to the United States, certain foreign governments, or their agencies), and section 4.6 (certain sales of steel valves, valve parts or sub-assemblies, to the Navy Department).

(2) *Exports.* The Second Revised Maximum Export Price Regulation covers export sales and sales to exporters.

(3) *Imports.* The Maximum Import Price Regulation covers purchases, sales or deliveries if they originate outside of the Continental United States.

(4) *Installed Sales.* RMPR 251 (Construction Services and Sales of Installed Materials) covers sales of mechanical building equipment on an installed basis, except when maximum prices for installed sales are fixed under section 13 of this regulation.

(c) *Geographical applicability.* This regulation applies in the forty-eight states of the United States and the District of Columbia.

SEC. 2. *Prohibitions against dealing at prices above the maximum.* On and after the effective date of this regulation, no manufacturer shall sell or deliver, and no person shall buy or receive in the course of trade or business, any commodity covered by this regulation at a price higher than the maximum price fixed by this regulation, regardless of any contract or other obligation. No person shall agree, offer, solicit or attempt to do any of the foregoing.

Lower prices may, of course, be charged.

SEC. 3. *Prohibition against sales prior to compliance with reporting requirements.* No manufacturer shall offer to sell, sell, or deliver any commodity for which a maximum price must be established in accordance with section 6, until he has complied with the reporting provisions of this regulation.

SEC. 4. *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodities covered by this regulation, or by way of commissions, services, transportation or other charges, or by tying agreement or other trade understanding, or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this regulation).

ARTICLE II—MAXIMUM PRICES

SEC. 5. *Maximum prices for commodities delivered, or offered for delivery prior to the effective date of this regulation.*—(a) *What this section does.* Under this section, maximum prices properly established under Maximum Price Regulation 188, the General Maximum Price Regulation, or any other applicable regulation prior to the effective date of this regulation are continued in effect under this regulation. Such prices shall continue to be subject to adjustment orders issued by the OPA prior to the effective date of this regulation which have not been revoked. Paragraph (b) below sets forth the specific pricing provisions applicable to such prices.

(b) *Commodities having a March 1942 base date.* The manufacturer's maximum prices for any commodity except those listed in paragraph (c), which he delivered or offered for delivery prior to the effective date of this regulation shall be determined as follows:

(1) If the commodity was delivered or offered for delivery by the manufacturer during March 1942, his maximum price to each class of purchaser shall be the highest price at which he delivered it, or, if he did not deliver it, at which he offered it for delivery during that month to that class of purchaser.

(2) If the commodity was first delivered or offered for delivery by the manufacturer after March 1942, but prior to the effective date of this regulation, his maximum price to each class of purchaser shall be the maximum price properly established prior to the effective date of this regulation under MPR 188 or any other applicable regulation. If he did not have a maximum price properly established under the applicable regulation prior to the effective date of this regulation, his maximum price must be determined under section 6.

(3) If the commodity was delivered or offered for delivery by the manufacturer prior to March 1, 1942, but not during the period March 1, 1942, through July 30, 1945, his maximum price must be determined pursuant to section 6.

(4) For the purpose of this section a commodity need not be considered to have been delivered or offered for delivery during March 1942 if the manufacturer stopped production thereof 90 or more days prior to March 31, 1942, and if the prices he charged during March 1942 were at least 20% less than the last net price at which he delivered the commodity or offered it for delivery when he was still producing it. The maximum price for such a commodity may be determined in accordance with section 6.

(5) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for the same commodity for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(c) *Commodities having a base date other than March 1942.* (1) The manufacturer's maximum prices for the following commodities which he delivered or offered for delivery prior to the effective date of this regulation shall be determined in the same manner as that stated in (a) above, except that October 1, 1941, shall be substituted for March 1, 1942, and the following dates or periods shall be substituted for March 1942:

Valves and pipe fittings as set forth in section 25----	October 1, 1941.
Commercial refrigeration as set forth in section 25----	October 1, 1941.
Control equipment as set forth in section 25----	October 1, 1941.

(2) With respect to the commodities listed in (1) above, the same substitution of dates or periods should be made throughout this regulation.

SEC. 6. *Maximum prices for commodities first offered for sale after the effective date of this regulation.* This section sets forth the procedure for determining maximum prices of commodities for which maximum prices cannot be determined under section 5. Such commodities for the purpose of this regulation shall be considered new or changed commodities. The maximum price for a commodity covered by this section shall be determined in accordance with the first applicable pricing method set forth in sections 7, 8 and 9. Accordingly, a manufacturer may not use any particular pricing method unless he cannot or need not use any of the other methods which precede that method. A maximum price computed under any of these methods, however, must be consistent with the level of maximum prices fixed by this regulation and may be approved, disapproved or revised by the Office of Price Administration as hereinafter provided.

SEC. 7. *First pricing method; minor changes.*—(a) *Maximum prices.* The manufacturer's maximum price for a new commodity to each class of purchaser shall be the same as his maximum price for an old commodity produced by that manufacturer for which a maximum price has already been established to that class of purchaser, where:

(1) The new commodity belongs to the narrowest trade category which includes the old commodity for which a maximum price has already been established.

(2) The new commodity has current unit direct costs which do not vary by more than 2 percent from the current unit direct costs of the old commodity.

(3) The old commodity which is used as a basis for pricing, is currently being produced by the manufacturer.

(b) *Optional use of this method.* A manufacturer may, however, if he chooses, determine his maximum price for a new commodity under this first pricing method in any case in which the current unit direct costs of the new commodity exceed the current unit direct costs of the old commodity by more than 2 percent.

(c) *Definition of current unit direct costs.* Current unit direct costs mean the total of unit costs of direct materials and direct labor computed on a consistent basis for both the old and the new commodity in accordance with the instructions set forth in Form No. OPA 678:2472 in section 26.

(d) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices are determined under this first pricing method, the manufacturer must file a report in duplicate with the Building Materials Price Branch, OPA, Washington 25, D. C., containing the information required on Form No. OPA 678:2472 as set forth in section 26. A proposed maximum price under this first method shall be deemed to be automatically approved upon the mailing of this report, subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 8. *Second pricing method; comparable commodities.*—(a) *When this method shall be used.* The maximum price of a commodity which cannot or need not be priced under the first pricing method (section 7) shall, if possible, be determined under this second pricing method. This second pricing method shall be used where the manufacturer of the commodity being priced produces a comparable commodity.

"Comparable commodity" for the purpose of this section, means a commodity which meets all of the following conditions:

(1) It belongs to the narrowest trade category which includes the commodity being priced.

(2) Its current unit direct costs vary from the current unit direct costs of the commodity being priced by more than 2 percent but not more than 25 percent.

(3) It is currently being produced by the manufacturer.

(4) If more than one "comparable" commodity meets all of the above conditions, the manufacturer must use the one whose current unit direct costs are nearest to the current unit direct costs of the commodity being priced.

(b) *Definition of current unit direct costs.* Current unit direct costs mean the total of unit costs of direct materials and direct labor, computed on a consistent basis for both the commodity being priced and the comparable commodity, in accordance with the instructions set forth in Form No. OPA 678:2473 in section 26.

(c) *Maximum prices.* The maximum price to a particular class of purchaser for a commodity priced under this section shall be determined in accordance with the following formula:

(1) Ascertain the maximum price to that class of purchaser of the comparable commodity.

(2) Divide (1) by the current unit direct costs of such comparable commodity.

(3) Multiply the result by the current unit direct cost of the commodity being priced.

(4) The resulting amount is the maximum price of the commodity being priced to that particular class of purchaser.

(d) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices must be determined under this second pricing method, the manufacturer must file a report in duplicate with the Building Materials Price Branch, OPA, Washington 25, D. C., containing the information required by Form No. OPA 678:2473 in section 26. A proposed maximum price under this second pricing method shall be deemed to be approved automatically on the expiration of 20 days after the mailing of the report (or on expiration of 20 days after mailing of all additional information which may have been requested) unless within that time the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. An approved price shall be subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 9. *Third pricing method; commodities which cannot be priced under the first or second pricing methods.*—(a) *General applicability.* The third pricing method shall be used if:

(1) The first and second pricing methods (sections 7 and 8) are not applicable.

(2) The application of the first or second pricing method results in a maximum price which is not in line with the general level of prices established by this regulation.

(3) The use of a formula is required due to the type of commodity manufactured or the number of commodities in a line being manufactured.

(4) A maximum price is required for sales of a commodity to a new class of purchaser.

(b) *Maximum prices.* Maximum prices under this third pricing method shall be determined first by a comparison of the proposed price with the maximum prices for similar commodities sold by competitive sellers, or if that is not possible, then by a comparison of the current unit direct costs and margins proposed for the commodity being priced with costs and margins generally pre-

vailing for other commodities produced by that manufacturer or other manufacturers.

(1) *Prices based upon maximum prices of similar commodities.* The manufacturer shall first ascertain whether commodities similar to the new commodity were manufactured or sold by other manufacturers during March 1942. If so, the maximum price of the new commodity shall be consistent with the general level of maximum prices of such similar commodities. For the purpose of this section, another commodity shall be deemed similar to the new commodity only if it meets all of the following conditions:

(i) It must have the same general use as the new commodity.

(ii) It must afford serviceability fairly equivalent to the new commodity.

(iii) It must be of the type which would ordinarily be sold in the same price line as the new commodity.

For the purpose of this section, the maximum price of a similar commodity shall be the highest price for which such commodity was delivered or, if it was not delivered, at which it was offered for delivery, during March 1942. Such price shall be subject to any price adjustment authorized by the Office of Price Administration on an industry-wide basis. Such price may not, however, be adjusted on the basis of an increase granted to an individual manufacturer as distinguished from an industry-wide increase.

(2) *Prices based upon current unit direct costs of the new commodity.* If no similar commodities were manufactured or sold by other manufacturers during March 1942, the maximum price for the new commodity shall be determined on the basis of a comparison of the manufacturer's current unit direct costs and margins with costs and margins generally prevailing for other commodities produced by that manufacturer or other manufacturers, so as to result in a price consistent with the general level of prices established by this regulation.

(c) *Reports and approval of maximum prices.* Before offering the commodity for sale the applicant must file an application in duplicate with the Building Materials Price Branch, OPA, Washington 25, D. C., for specific authorization of a price or pricing method containing the information required by Form No. OPA 678:2474 in section 26. Authorization of a maximum price under this third pricing method will be given in the form of an order prescribing a maximum price or a method of determining the maximum price for the applicant, or for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers.

(d) *Delegation of authority.* The National Office may refer any application filed under this section to the appropriate Regional Administrator. Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may in any case properly referred to him, issue orders under this section 9 establishing maximum prices in accordance with its terms.

SEC. 10. *Discounts, allowances, and differentials*—(a) *Price differentials for existing classes of purchasers.* Every manufacturer shall continue discounts, allowances, including transportation allowances, and other price differentials at least as favorable as those in effect during March 1942.

(b) *New classes of purchasers other than the United States Government or an Allied Government.* Where a manufacturer has established maximum prices for a commodity to certain classes of purchasers, and wishes to determine maximum prices for sales to a new class of purchaser, he shall apply under section 9 for authorization of a maximum price to that new class of purchaser. Before offering the commodity for sale to the new class of purchaser, he shall file the report required under section 9.

(c) *Sales to United States Government or an Allied Government.* For a sale to the United States Government or an Allied Government of a commodity for which a maximum price has not been determined for sales to the class of purchasers to which such government belongs, but for which a maximum price has been determined for sales to purchasers of a different class, such government shall be classed as belonging to the class of purchaser to whom the manufacturer customarily sold the commodity in quantities most nearly equal to the quantity involved in the sale to such government. If the manufacturer customarily sells to more than one class of purchaser in such quantities, the lowest maximum price applicable to sales to such classes of purchasers shall apply.

SEC. 11. *Sales pending approval of maximum prices.* After a report has been filed as required, and pending approval of the proposed maximum price, a manufacturer may offer to sell and accept orders at the proposed maximum price reported to the OPA. He shall not, however, make deliveries or accept payment until a maximum price has been approved by the OPA, except on direct sales to the United States Government or an Allied Government. Until a maximum price has been approved, a notification that the proposed maximum price is subject to the approval of the OPA must appear on all quotations and orders covering sales of the commodity. If the price approved by the OPA is less than that set forth in the quotations or orders all such quotations and orders must be changed to the approved maximum price, and in the case of direct sales to the United States Government or an Allied Government, refunds must be made where the price collected exceeds the approved price.

SEC. 12. *Revision of maximum prices*—(a) *When maximum prices may be revised.* A maximum price established in accordance with the first, second or third pricing method (sections 7, 8 or 9) may at any time be revised by order (not to apply retroactively):

(1) To make it consistent with the level of maximum prices otherwise established by this regulation.

(2) To reflect savings in indirect costs realized by the manufacturer because of the introduction of the commodity so priced.

(b) *Who may revise maximum prices under this section.* Orders revising maximum prices under this section may be issued by the Price Administrator or by any duly authorized representative who approved or authorized the original maximum price.

SEC. 13. *Resellers', including installers', maximum prices.* (a) In connection with the approval or revision of maximum prices for manufacturers under the first, second or third pricing method (section 7, 8, or 9 above), the OPA may issue orders fixing maximum prices for sales by resellers including installers. To the extent that such orders are issued this regulation supersedes the General Maximum Price Regulation and Revised Maximum Price Regulation No. 251 with respect to maximum prices for such resellers or installers.

(b) In appropriate cases, when orders are issued fixing maximum prices for resellers, including installers, the OPA may require the manufacturer to mark by tagging or otherwise, the maximum retail or installed price of the commodity. No person shall make a retail or installed sale of a commodity subject to a marking requirement before it is marked with the proper maximum retail or installed price.

SEC. 14. *Notification to purchasers for resale of the manufacturer's maximum prices*—(a) *When notification must be given.* Every manufacturer making sales of any commodity covered by this regulation must on or before the first delivery furnish a statement in writing containing the information set forth in (b) to:

(1) A purchaser for resale of any commodity the maximum price for which must be determined in accordance with section 6.

(2) A purchaser for resale of any commodity covered by this regulation (regardless of the section under which the maximum price thereof must be determined) to whom the manufacturer did not sell or offer to sell the commodity prior to July 30, 1945.

(3) Any purchaser for resales of any commodity covered by this regulation at any time on request.

(b) *What the statement must contain.* The statement furnished to the purchaser for resale must contain the following:

(1) A description of the commodity, including the manufacturer's model or plate number, if any, and such additional information as may be necessary to identify the commodity on the manufacturer's pricing records and his invoices to purchasers for resale.

(2) The manufacturer's maximum price and terms and conditions of sale fixed for sales to that class of purchaser.

(3) The pricing method or section of the regulation under which the manufacturer's maximum price was established.

(4) Where approval of the maximum price by the Office of Price Administration is required, the date of such approval.

(5) Where authorization by the Office of Price Administration is required, the order number authorizing the maximum price and and the effective date thereof.

ARTICLE III—ADJUSTMENT PROVISIONS

SEC. 15. *Government contracts.* Any person who has made or intends to make a government contract, or subcontract thereunder, who believes that a maximum price under this regulation impedes or threatens to impede the production or manufacture of a commodity which is essential to the war program and which is, or will be, the subject of such contract or subcontract, may file an application for adjustment of that maximum price in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration.

SEC. 16. *Other applications for adjustment*—(a) *Who may adjust maximum prices.* The Office of Price Administration or any duly authorized representative thereof may adjust maximum prices for any of the commodities covered by this regulation as hereinafter provided.

(b) *Who may apply*—(1) *Commodities listed in paragraph (c).* Any manufacturer of a commodity listed in paragraph (c) of this section may file an application for adjustment in his maximum prices setting forth the information required by the form in section 27, in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, where his supply of the commodity could not be replaced if he discontinued production except at a price equal to or higher than the requested adjusted maximum price.

(2) *Other commodities.* Any manufacturer of any commodity covered by this regulation may file an application for adjustment in his maximum prices setting forth the information required by the form OPA 678:2475 in section 27, in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, where:

(i) He sells the commodity to a reseller who generally purchases more than 50 percent of the manufacturer's total production of that commodity, or to other manufacturers for use in the manufacture of other products, or to industrial or commercial users; and

(ii) The purchasers referred to in (i) above agree in writing that the increase in acquisition costs resulting from an adjustment granted the manufacturer will not be used by them as the basis for an increase in the maximum prices of the commodities they sell.

(c) *Amount of adjustment.* The adjustment will not be greater than the following:

(1) An amount sufficient to make the adjusted price equal to manufacturing cost plus packing cost, and shipping cost where delivered prices are quoted or freight is allowed or equalized, where the applicant's current over-all earnings on an annual basis represent an increase of 15 percent or more over his average annual net earnings for the base period years 1936 to 1939, inclusive, adjusted for changes in net worth.

(2) An amount sufficient to make the adjusted price equal to total cost, where the applicant's current over-all earnings on an annual basis do not exceed by 15 percent but are not appreciably less than his average annual over-all earnings during the base period years 1936 to 1939, inclusive, adjusted for changes in net worth. In no event, however, shall such adjustment exceed the amount permitted under (1) to the extent that such adjustment will result in current over-all earnings which exceed base period over-all earnings by 15 percent or more.

(3) An amount sufficient to make the adjusted price equal to total cost plus a reasonable net profit on the commodity or line where the applicant's current over-all earnings on an annual basis are appreciably less than his average annual over-all earnings during the base period years 1936 to 1939, inclusive, adjusted for changes in net worth. In no event, however, shall such adjustment exceed the amount permitted under (1) to the extent that such adjustment will result in current over-all earnings which exceed base period over-all earnings by 15 percent or more.

(4) Any adjustment granted a manufacturer under paragraph (b) (1) above on the ground that the loss of his production would force his customers to resort to higher cost sources of supply, shall not exceed the amount permitted under sub-paragraphs (1) to (3), inclusive, and shall be further limited to an amount equal to the difference between his existing maximum price and the selling price of the next higher competitive seller able to supply the applicant's customers.

(5) Any adjustment granted a manufacturer under paragraph (b) (2) above on the ground that purchasers have agreed to absorb the amount of the increase, shall not exceed the amount permitted under subparagraphs (1) to (3), inclusive, and shall be further limited to the amount which the purchasers have agreed in writing to absorb.

(6) If the applicant produces the commodity in a line or series of sizes, types or models, and if it is not practical to determine the manufacturing cost or total cost, as the case may be, of each size, type or model, a uniform adjustment may be made for the entire line or series. However, any such adjustment for a line or series shall be subject to the limitations in subparagraphs (1) to (5) inclusive, above.

(d) *Meaning of terms used.* The term "manufacturing cost" means the total of direct materials, direct labor, and manufacturing expenses or factory overhead, applicable to the article.

The term "total cost" means the total of manufacturing cost and reasonable general, administrative, and selling expenses applicable to the article, excluding non-operating expense items and income and excess profits taxes.

The term "over-all earnings" means net profits before income and excess profits taxes experienced on the company's entire operations.

Whenever the applicant is currently operating at a level substantially lower than his normal volume, the overhead included in "manufacturing cost" and "total cost" may be adjusted to reasonable levels based upon a normal rate of operations.

In evaluating costs, the Office of Price Administration will give consideration to whether they are based on a representative period of normal production.

Depreciation included in cost shall be at normal rates which do not exceed those approved by the Bureau of Internal Revenue.

In cases where the company was not in business during 1936–1939 and in extremely unusual cases where the period 1936–1939 cannot be considered a representative peacetime period, the Office of Price Administration may make an exception to the use of this base period.

(e) *Commodities covered by paragraph (b) (1).* There is set forth below a list of the specific commodities for which an application for adjustment may be filed under paragraph (b) (1). The individual commodities are listed under the broad trade categories in which each such commodity is included. The listing of any commodity includes within the coverage of paragraph (b) (1) any service or repair part for such commodity.

I—HARDWARE

1. Cabinet hardware.
2. Casket and casket shell hardware.
3. Furniture hardware.

II—MISCELLANEOUS CAST AND SHEET METAL BUILDING MATERIALS

All commodities listed under classification III—Miscellaneous Cast And Sheet Metal Building Materials of section 25.

III—HEATING AND WINTER AIR CONDITIONING EQUIPMENT

1. Boilers, hot water supply, cast-iron, coal-fired, falling within the following limitations:

Inside grate diameter—Up to and including 12 inches.
Net weight—Up to and including 370 pounds.
Height (overall)—Up to and including 35 inches.
Capacity: 25 degree (Fahr.) temperature rise—Up to and including 250 gallons; 40 degree (Fahr.) temperature rise—Up to and including 185 gallons.

2. Coils, extended surface, finned, etc., except those manufactured from glass.
3. Furnaces, heating, warm air only, cast-iron and steel.
4. Furnace pipe, fittings, and accessories, all types and sizes.
5. Registers and grilles.
6. Smoke pipe, fittings, and accessories, black and galvanized, all types and sizes.
7. Stove pipe, fittings, and accessories, all types and sizes.

IV—VALVES AND PIPE FITTINGS

1. Asbestos packed plugged cocks.
2. Forged steel unions, one inch and under only.
3. Cast iron flanges and cast iron flanged fittings.
4. Malleable iron ground joint unions, brass to iron seat, black and galvanized, 150 pounds SWP.

V—PIPE ACCESSORIES

1. Clamps and couplings, except garden hose clamps and couplings.
2. Cocks, all types and pressures.
3. Ground key work such as stops and cocks, except when produced by manufacturers of machines and parts and industrial equipment cover by RMPR 136, and when produced by manufacturers of automotive parts as defined in MPR 452.
4. Nozzles, except for garden hose.
5. Pipe hangers, rests, rollers, etc.
6. Spigot and gates.

VI—MECHANICALLY OPERATED COMMERCIAL REFRIGERATION AND SUMMER AIR CONDITIONING EQUIPMENT AND ACCESSORIES

1. Air conditioning units, self contained, 1 HP up to but not including 25 HP.
2. Coils and fan coils, except those manufactured from glass.
3. Condensing units, all types, 1½ HP up to but not including 25 HP or 25 tons.
4. Evaporative condensers, water cooled only.
5. Insulated cold storage doors.
6. Refrigerators over 16 cu. ft. capacity, commercial, display, reach-in, and walk-in.

existing classes of purchasers. Every manufacturer shall continue discounts,

maximum prices under this section may be issued by the Price Administrator or

person who has made or intends to make

adjustment will result in current over-all

tremely unusual cases where the period

commercial, display, reach-in, and walk-in.

7. Refrigerator compressors, all types, ¼ HP up to but not including 25 HP or 25 tons.
8. Refrigerated beverage coolers, only.
9. Refrigerated counters and display cases.

VII—Plumbing Equipment and Accessories

1. Automatic cellar and basement drainers, syphon operated only.
2. Ballcocks for water closet and urinal tanks.
3. Bathroom accessories, of the type attached to plumbing fixtures, or attached to the wall by means of wall inserts which are part of the accessory unit.
4. Component parts for brass lavatory, sink, and bathtub wastes on sales to manufacturers of the complete waste assembly.
5. Fire fighting (standpipe) equipment.
6. Hydrants.
7. Manholes and covers.
8. Metal clad wooden plumbing fixtures.
9. Meter boxes (outside).
10. Plumbing and drainage staples.
11. Plumbing and drainage specialties.
12. Plumbers' brass goods.
13. Porcelain plumbing fixtures.
14. Road and curb boxes.
15. Self-contained metal commodes.
16. Septic tanks—all sizes and materials except cement or ceramic.
17. Tanks and vessels, pressure, cement-lined, made of metal 12 BWG and lighter, of a capacity not in excess of 192 gallons.
18. Toilet seats, sprayed and varnished only.
19. Water heaters, direct fired and indirect, all types.

(f) *Adjustment in resale prices.* In connection with any order granting an adjustment in the manufacturer's maximum price the OPA may also set forth or adjust the maximum price of any person who resells the article in the same form, to the extent deemed necessary in the judgment of the Price Administrator or his duly authorized representative. To the extent that such an adjustment may be made, this section supersedes the appropriate provisions of the General Maximum Price Regulation.

(g) *Where to file the application.* Any manufacturer seeking an adjustment under this section shall file his application with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(h) *Delegation of authority.* The National Office may refer any application filed under this section to the appropriate Regional Administrator. Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may in any case properly referred to him, issue orders under this section 16 adjusting maximum prices in accordance with its terms.

Sec. 17. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum prices is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

Article IV—Miscellaneous Provisions

Sec. 18. *Transfer of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after the effective date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodities in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferee shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

Sec. 19. *Records and statements.* Every manufacturer making sales of any commodity covered by this regulation in an amount of $200 or more in any one calendar month must comply with the following provisions for keeping price records and for maintaining statements of maximum prices.

(a) *Records.* Each such manufacturer must preserve for examination by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the following:

(1) All his records regarding his prices and pricing methods of commodities delivered or offered for delivery during March 1942.

(2) Records relating to the prices he charged for such commodities as he sold after March 1942 showing as precisely as possible the basis upon which he determined maximum prices for those commodities, including copies of his correspondence with the Office of Price Administration and the letters and orders he received from the Office of Price Administration relating to such maximum prices.

(3) Records relating to sales made after the effective date of this regulation of commodities covered by this regulation, showing for each such sale, the date thereof, the name and address of the purchaser, the quantity sold and the price charged.

(b) *Statements of maximum prices.* (1) Each such manufacturer must prepare and keep for examination by any person during ordinary business hours, a statement showing:

(i) His maximum prices to purchasers of each class of every commodity covered by this regulation which he sells or offers for sale.

(ii) An adequate description of each such commodity.

(iii) All of his customary allowances, discounts and other price differentials.

(2) The manufacturer must prepare this statement within 30 days of the date that his maximum price for a commodity is first established under this regulation. If he has previously prepared a statement of maximum prices under the General Maximum Price Regulation or Maximum Price Regulation 188, and his maximum prices have not changed under this regulation, he need not prepare another statement. The manufacturer must also prepare an appropriate supplement to the statement within 10 days after any change in his maximum price is authorized by the Office of Price Administration.

(3) Any manufacturer who claims that substantial injury would result to him from making such statement available to any other person may file it with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purpose of this regulation.

Sec. 20. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

Sec. 21. *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) If a manufacturer fails to keep the records required by section 19 or if such records are incorrect, or if he fails to report proposed maximum prices where required to do so, the Office of Price Administration may issue an order establishing maximum prices for his sales of commodities covered by this regulation which are consistent with the level of prices fixed by this regulation. The issuance of any such order will not relieve the manufacturer of his obligations to comply with the reporting and record keeping requirements of this regulation.

Sec. 22. *Modification of provisions of this regulation.* The provisions of MPR No. 591 as applied to the commodities subject thereto may be modified by order under this section.

Sec. 23. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1. A petition for amendment must propose a change of general applicability in the regulation for the industry as a whole or a substantial portion thereof, or a change affecting all sellers in a given area, as distinguished from an application which seeks an individual price adjustment.

Sec. 24. *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of any of the commodities covered

by this regulation, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* that for the purpose of determining the applicable maximum price of any product covered by this regulation, the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall be treated as though it were an increase of 3 percent in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

Article V—List of Commodities Forms

Sec. 25. *List of commodities covered by this regulation.*—(a) *General coverage.* This regulation covers the commodities listed below. The list contains some general headings which are meant to include all commodities, though not specifically listed, which the trade usually classifies within such general headings, including:

(1) Any part or sub-assembly for a commodity listed in paragraph (b) when produced by a manufacturer of the complete commodity.

(2) Any part or sub-assembly for a commodity listed in paragraph (b) when produced by a manufacturer who advertises himself as a manufacturer of such parts or sub-assemblies.

(3) Any repair or service part for a commodity listed in paragraph (b) when such parts are specifically designed and produced as repair or service parts for use on or in connection with any commodity listed in paragraph (b).

(4) Any commodity listed in paragraph (b) when produced from used or reconditioned materials, or a combination of used, reconditioned, and new materials, except when such commodities are specifically covered by MPR 546 or CMPR.

(5) Notwithstanding the provisions of (1), (2), and (3) above, this regulation does not cover gears, pinions, sprockets, and speed reducers. These commodities are subject to the provisions of RMPR 136

(b) *Specific categories and commodities covered.*

I—Hardware (except as covered by RPS 40, MPR 317, or MPR 416)

1 Awning hardware, including awning pulleys.
2. Bright wire goods.
3. Builders hardware, including miscellaneous shelf hardware.
4. Cabinet hardware.
5. Carded builders hardware.
6. Casket and casket shell hardware.
7. Furniture hardware, including slides and glides but not including casters.
8. Garage hardware.
9. Key blanks—all types and materials.
10. Lavatory hardware.
11. Marine hardware, except turnbuckles.
12. Mail boxes except rural.
13. Mail chutes, except pneumatic.
14. Overhead door hardware.
15. Refrigerator hardware.
16. Sash hardware, including sash pulleys.
17. Screen and screen door hardware, including grilles and guards.
18. Showcase hardware.
19. Window guards.

II—Screening (except as covered by RPS 40)

1. Glass cloth.
2. Glass screen cloth.
3. Metal framed screens (except as covered by RMPR 136).
4. Metal framed screen doors.
5. Non-ferrous screen cloth including phosphorus bronze.
6. Plastic cloth.
7. Plastic screen cloth.

III—Miscellaneous Cast and Sheet Metal Building Materials, including but not limited to:

Air and fume conductor devices and accessories.
Battenstrips.
Bucks and partitions.
Caps, corners, and cornices.
Coal chutes.
Combination screen and storm doors, metal and metal covered.
Combination screen and storm windows, metal and metal covered.
Doors, metal and metal covered, except airplanes hangar doors.
Door sash and frames, metal and metal covered.
Flagpoles and staffs.
Flashings, except lead.
Formed valley but not including rolled valley.
Incinerators, metal.
Iron and steel ceilings, gratings, and floorings.
Iron and steel hand rails and stairway guards.
Iron and steel stair treads.
Louvres.
Metal awnings.
Metal and metal bound weatherstripping.
Miscellaneous sheet iron work.
Mouldings, bindings, and edgings.
Prefabricated metal and metal covered store fronts.
Rainwater disposal devices and accessories.
Ridge roll and accessories.
Sanitary Risers.
Shutters, metal and metal covered.
Skylights.
Terrazzo strips.
Tier and timber connectors.
Tie rods and accessories, except bolts and nuts.
Vault doors.
Ventilators, except marine.
Walk gates, not including farm gates and fences.
Wallboard fasteners, except nails and screws.
Window sash and frames, metal and metal covered.

IV—Heating and Winter Air Conditioning Equipment

1. Boilers—hot water supply—
a. Cast iron—all types, except "laundry stoves";
b. Steel—domestic and commercial designed for less than 100 lbs. P. S. I. steam working pressure.
2. Boilers—steam, hot water heating and vapor heating—
a. Cast iron—all types, except those covered by MPR 272;
b. Steel—domestic and commercial designed for less than 100 lbs. P. S. I. steam working pressure.
3. Burners, except those designed for use with products subject to RMPR 136—
a. Gas—all types;
b. Oil—all types burning lighter than No. 5 oil—horizontal rotary and gun type burning No. 5 and No. 6 oil.
4. Coils, extended surface, finned, etc., except those manufactured from glass.
5. Convectors, except rotary, and convector enclosures and shields, metal, all types, except those covered by MPR 272 and those specifically designed for railroad use.
6. Conversion burners, all types as described under oil burners, gas burners, or stokers.
7. Conversion grates, except fireplace grates, and those covered by RMPR 236.
8. Fuel oil storage tanks—metal, 12 B. W. G. and lighter, coated or uncoated, with capacity not exceeding 585 gallons, except those covered by RPS 96.
9. Furnaces and accessories—all types, cast iron or steel, chimney, floor, forced air, gravity, wall, and warm air furnaces, except portable space heaters and pot stoves.
10. Furnace pipe, fittings, and accessories—all types and sizes—
a. Black iron;
b. Bright tin;
c. Galvanized iron.
11. Heating and hot water specialties, including but not limited to:
Air valves.
Blast traps and strainers.
Damper regulators and draft controls, all types, except forced or induced draft.
Hand dampers including fireplace dampers.
Radiator valves.
Thermostatic traps and strainers.
Vent valves.
12. Incinerators, metal.
13. Oil burner pumps for oil burners covered by this regulation.
14. Radiators and radiator enclosures and shields, metal, all types, except those covered by MPR 272 and those specifically designed for railroad use.
15. Registers and grilles, all types.
16. Smoke pipe, fittings, and accessories, black and galvanized, all sizes but not including smoke stacks or breechings.
17. Solar systems—all types for heating and hot water generating.
18. Stokers—all types with capacity of less than 1200 lbs. per hour.
19. Stove pipe, fittings, and accessories, all types and sizes.
20. Unit heaters—all types.

V—Control Equipment—Electrical, mechanical, and pneumatic, (not including industrial process controls) primarily designed for:
1. Air conditioning.
2. Heating, low pressure only.
3. Hot water heating.
4. Hot water generating.
5. Refrigeration—
a. airstat (bi-metal expanders);
b. pressure;
c. thermostatic.
6. Temperature, air, and humidity.
7. Water level, not including electrical panel boards.

VI—Valves, Pipe Fittings

1. Grease and oil pressure valves and fittings except those covered by RMPR 136, MPR 246 and MPR 452.
2. Fabricated pipe, with or without fittings.
3. Fittings, pipe and tubing—all types and materials, except glass and conduit fittings.
4. Float valves.
5. Hose fittings, except for garden hose.
6. Irrigation gates and valves.
7. Nipples, all types and materials except glass.
8. Sprinkler system fittings, except those for portable lawn sprinklers.
9. Valves, automatic and manually operated, except tire valves, all types and materials except glass and those covered by MPR 452.

VII—Piping Accessories

1. Clamps and couplings except garden hose clamps and couplings.
2. Cocks and bibbs—all types and pressures except wooden spigots.
3. Ground key work such as stops and cocks, except when produced by manufacturers of machines and parts and industrial equipment covered by RMPR 136, and when produced by manufacturers of automotive parts as defined in MPR 452.
4. Nozzles, except for garden hose.
5. Pipe hangers, rests, rollers, etc.
6. Spigots and gates, all types and materials, except glass and wood.

VIII—Mechanically Operated Commercial Refrigeration and Summer Air Conditioning Equipment and Accessories

1. Air conditioning units—self contained 1 horsepower and up but under 25 horsepower.
2. Coils and fan coils, except those manufactured from glass.
3. Condensing units—all types under 25 horsepower or under 25 tons.
4. Cabinets—
a. Frozen food;
b. Ice, except household;
c. Ice cream.
5. Evaporative condensers.
6. Freezers—
a. Farm;
b. Home, all sizes except household refrigerators and ice cream machines.
7. Hardening cabinets.
8. Insulated cold storage doors.
9. Refrigerated coolers—
a. Beverage;
b. Milk;
c. Water.
10. Refrigerated counters and display cases.
11. Refrigerator compressors—all types under 25 horsepower or under 25 tons.
12. Refrigerators over 16 cubic feet capacity—
a. Commercial;
b. Display;
c. Reach-in;
d. Walk-in.

IX—Plumbing Equipment and Accessories

1. Automatic cellar and basement drainers, syphon operated only.
2. Bathroom accessories—
a. When attached to plumbing fixtures;
b. When attached to the wall by means of wall inserts which are part of the accessory unit.
3. Cabinets when designed for under sink or under lavatory use.
4. Cast iron pressure pipe and fittings.
5. Cast iron soil pipe and fittings except as covered by RPS 100.
6. Cocks, metal—all types and pressures.
7. Domestic water softening and purifying equipment—all types.
8. Fire fighting (standpipe) equipment—
a. Nozzles;
b. Play pipes;
c. Racks;
d. Siamese (or steamer) connections;
e. Wrenches.
9. Hydrants.
10. Ice water faucets—all types.
11. Liquid soap dispensing equipment, except portable or detachable self-contained units.
12. Manholes and covers.
13. Meter boxes (outside).
14 Permanently installed lawn sprinkler equipment.
15. Plastic pipe and tubing manufactured from co-polymer vinyl and vinylidene chlorides commercially known as Saran B–11.
16. Plumbing and drainage staples.
17. Plumbing and drainage specialties.
18. Plumbing brass specialties.
19. Plumbing fixtures—
a. Enameled iron;
b. Formed metal;
c. Metal clad wood;
d. Vitreous china;
e. Vitrified earthenware.
20. Plumbing fixture fittings and trimmings—all types but not including suction stoppers.
21. Plumbers' brass goods.
22. Range boilers, made of metal 12 B. W. G. and lighter of capacity not in excess of 192 gallons.
23. Road and curb boxes.
24. Separators, grease and oil—all types, except as covered by RMPR 136.
25. Septic tanks—all sizes and materials except cement or ceramic.
26. Shower stalls and shower enclosures, but not including shower curtains.
27. Sink tops when designed to mount plumbing fixtures and or plumbing fixture fittings and trimmings.
28. Sprinkler (fire protection) system equipment—all types including heads, devices, alarm valves, wrenches, etc., but not including pipe.
29. Tanks and vessels, non pressure, made of metal 12 B. W. G. and lighter of capacity not in excess of 585 gallons, except as covered by RPS 96 and except products commonly known as pans and cans, such as pails and buckets, non returnable shipping containers, refuse receptacles, drip and waste receivers, but including septic tanks.
30. Tanks and vessels, pressure, made of metal 12 B. W. G. and lighter of capacity not in excess of 192 gallons.
31. Water heaters—
a. Direct-fired—all types;
b. Indirect—all types, except heat exchangers, industrial water heaters as covered by RMPR 136.

X—Packaged Commodities

A "packaged commodity" within the meaning of this regulation means:

1. Any combination sold as a unit, consisting of any commodity or group of commodities covered by this regulation together with any accessory equipment necessary for its installation regardless of whether such accessory equipment is covered by this regulation.

2. Any commodity or group of commodities covered by this regulation sold as a unit in any combination with the following provided that the commodity or group of commodities covered by this regulation constitutes the major portion of such combination:

a. Any accessory equipment necessary for its installation, or

b. Any commodity or commodities not covered by this regulation.

(c) *Exempt commodities.* Notwithstanding the commodity listing in paragraph (b), the following commodities are exempt from the provisions of this regulation and any other price regulation.

1. Ferrous architectural metal work.
2. Ornamental metal work including but not limited to—
a. Art metal;
b. Iron gates;
c. Iron fencing;
d. Cast and sheet metal caps, corners and cornices;
e. Iron and steel handrails and stairway guards;
f. Door and window guards;
g. Walk gates;
h. Door and sash.
3. Ferrous metal ornamentations.
4. Wood pipe, continuous stave.
5. Wood pressure pipe—
a. Machine banded;
b. Wire-wound;
c. Solid bored, machine banded;
d. Solid bored, wire-wound.
6. Wood lined pressure pipe.

Sec. 26. *Forms for reporting maximum prices.*

OPA Form No. 678.2472 Budget Bureau No. 08–R1426

United States of America

Office of Price Administration
Washington 25, D. C.

Name of firm .....
Address—Number and street .....
City, postal zone number, State .....
Name of commodity being priced .....

Report of determination of maximum prices under section 7 of Maximum Price Regulation No. 290.

File this report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

INSTRUCTIONS FOR FIRST PRICING METHOD FORM

Instruction I—Description of the old commodity: If a cut or sketch and a description of the old commodity appears in your catalog which is on file with the Building Materials Price Branch, you need only identify the old commodity by giving its name and model or figure number. If, however, a cut or sketch and a description does not appear in your catalog, or if your catalog is not on file with the Building Materials Price Branch, you should identify the old commodity by giving its name; model or figure number; principal material used in its manufacture (e. g. brass, steel, etc.); its finish (e. g. painted, polished, plated, etc.); its construction (e. g. cast, stamped, etc.), and its capacity. You may include as many additional characteristics in your description as you consider necessary to insure identification.

Instruction II—Commodity being priced: Specify in detail those characteristics by which the commodity being priced differs from the old commodity. A sample of small, inexpensive commodities should be submitted. If the commodity being priced is bulky or expensive, a cut or sketch of the commodity being priced should be submitted.

Instruction III—Direct material costs. The total cost of the direct materials reported for both the old commodity (line 1) and the commodity being priced (line 5) should be based on your current costs of each material or part but in no event should the cost used exceed your supplier's approved maximum price for the material or part. If any of the materials or parts used in the commodity being priced are the same as those used in the old commodity, the prices used for such materials or parts in developing the total direct material cost for both commodities must be identical. For example: if you use steel in the manufacture of both commodities and previously purchased your supply directly from the mill but now must purchase from warehouse, in developing your total direct material cost for both commodities, you must use the mill shipment price of the steel. Similarly, if you previously purchased your supply of a material or part used in the manufacture of both commodities in carload quantities but now must purchase in smaller quantities, you must develop the total direct material cost for both commodities using the carload quantity price for the material or part.

Instruction IV—Direct labor costs: In developing the total direct labor cost for both the old commodity (line 2) and the commodity being priced (line 7), current wage or piece rates must be used for each labor operation but in no event should such rates exceed those approved by the NWLB when such approval is required. You should compute your total direct labor cost for both commodities on the basis of the same productive techniques and the same level of labor efficiency. You must exclude overtime or premium wage payments in your calculations of the total direct labor cost for both commodities.

Instruction V—Maximum price for old commodity: Indicate in line 4 your approved maximum price for the old commodity and in line 5, the class of purchaser (e. g. jobber, retailer, consumer, etc.) to whom this price is applicable. You should specify whether the maximum price shown in line 4 is a list or net price. This may be done as follows:

$1.20 list, or $0.40 net

Instruction VI—Statement of discount practices applicable to old commodity: You must fully the prices, discounts, terms, and allowances which currently are applicable to each class of purchaser to whom you sell the old commodity. These prices, discounts, terms and allowances are also applicable to the commodity being priced. If you wish to change your practices with respect to discounts, terms and allowances on sales of the commodity being priced, you must apply for specific authorization to make such changes under section 9 of the regulation. Until such authorization is given, however, you may not make the proposed changes. Similarly if you wish to sell the commodity being priced to a new class of purchaser, to whom you did not sell the old commodity, you must apply for a maximum price to the new class of purchaser under section 9 of the regulation.

OPA Form 678.2473 Budget Bureau No. 08–R1427

United States of America

Office of Price Administration
Washington 25, D. C.

Name of firm .....
Address—Number and street .....
City, postal zone number, State .....
Name of commodity being priced .....

Report of determination of maximum prices under Section 8 of Maximum Price Regulation No. 50.

File this report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

INSTRUCTIONS FOR SECOND PRICING METHOD FORM

Instruction I.—Description of comparable commodity: If a cut or sketch and a description of the comparable commodity appears in your catalog which is on file with the Building Materials Price Branch, you need only identify the comparable commodity by giving its name and model or figure number. If however a cut or sketch and a description does not appear in your catalog, or if such catalog is not on file with the Building Materials Price Branch, you should identify the comparable commodity by giving its name; model or figure number; principal material used in its manufacture (e. g. steel, brass, etc.); its finish (e. g. painted, polished, plated, etc.); its construction (e. g. cast, machined, etc.). You may include as many additional information characteristics in your description as you consider necessary to insure identification.

Instruction II.—Commodity being priced: Specify in detail those characteristics by which the commodity being priced differs from the comparable commodity. A sample of small, inexpensive commodities should be submitted. If the commodity being priced is bulky or expensive, a cut or sketch of the commodity being priced should be submitted.

Instruction III.—Maximum price for comparable commodity: Indicate in line 7 your approved maximum price for the comparable commodity and in line 8 the class of purchaser (e. g. jobber, retailer, consumer, etc) to whom this price is applicable. You should specify whether the maximum price shown in line 7 is a list or net price. This may be done as follows:

$1.20 list, or $0.40 net

Instruction IV.—Statement of discount practices: Specify fully the prices, discounts, terms, and allowances which currently are applicable to each class of purchaser to whom you sell the comparable commodity. These discounts, terms, and allowances are also applicable to the commodity being priced. If you wish to change your practice with respect to discounts, terms, and allowances on sales of the commodity being priced, you must apply for specific authorization to make such changes under section 9 of the regulation. Until such authorization is given, however, you may not make the proposed changes. Similarly, if you wish to sell the commodity being priced to a new class of purchaser to whom you did not sell comparable article, you must apply for a maximum price to the new class of purchaser under section 9 of the regulation.

Instruction V.—Cost of direct materials: Current costs of materials or parts must be used in computing your total direct materials costs for the commodity being priced (lines 13a–13d) and the comparable commodity (lines 18a–18f) but in no event should the costs used exceed your supplier's approved maximum price for the material or part. If any of the materials or parts used in the manufacture of the commodity being priced are the same as those used in the manufacture of the comparable article, the cost used for such materials or parts in developing the total direct materials costs for both commodities must be based on purchases of like quantities from the same source of supply. Under the heading "Kind and Quality of Material Used" list the materials and parts (e. g. brass—standard) used in the manufacture of the both commodities. Under the heading "Price" list your supplier's current maximum price for each material or part (e. g. $1.00 per lbs; per doz. etc.). Under the heading "Quantity Used Per Unit", list the amount of each material or part used in the manufacture of both commodities.

Instruction VI—Direct labor costs: In developing the total cost of the direct labor for both the commodity being priced (lines 19a–19d) and the comparable commodity (lines 19a–19e), current wage rates must be used for each labor operation but in no event should such rates exceed those approved by the NWLB when such approval is required. You should compute your total direct labor cost for both commodities on the basis of the same production techniques and the level of labor efficiency. Under the heading "Direct Labor Operations" list the labor operations (e. g. casting, machining, polishing, etc.) involved in the manufacture of both commodities. Under the column "Average Current Wage Rate" list the weighted average current straight time hourly wage rate for each labor operation computed as follows:

The total hours worked by employees paid at a specific rate should be multiplied by their straight time hourly rates to determine the total amount of straight time wages for the month. Divide the amount so determined by the total hours worked to arrive at the weighted average hourly straight time rate. *Do not include any premium or other extra wages in this determination.*

EXAMPLE

Operation A

Number of employees paid some hourly straight time wages	Hourly straight time wages	Total number hours worked	Amount
3	$0.75	120	$90
2	1.00	80	80
		200	170

Weighted average straight time hourly wage rate for Operation A equals $170.00 divided by 200 hours or $0.85 per hour.

If any of the labor operations are paid for on a piece basis, under the heading "Average Current Wage Rate" show the current piece rate for such operations.

PART I

Description of comparable commodity (see instruction I) .....

The commodity being priced is identical with the comparable commodity with the following exceptions (see instruction II) .....

PART II

Determination of maximum price

A. Summary of unit direct costs (indicate unit of production used in calculations ..... Units)

PART I

Description of old commodity (see instruction I) .....

The commodity being priced is identical with the old commodity with the following exceptions (see instruction II): .....

PART II

Summary of current unit direct costs

(Indicate unit of production used in calculations: .... Units)

Old Commodity		Commodity Being Priced	
(Note: This commodity must be in current production).			
1. Current direct material cost (see instruction III).	$	6. Current direct material cost (see instruction III).	$ .....
2. Direct labor cost (see instruction IV).	.....	7. Direct labor cost (see instruction IV).	.....
3. Total current direct costs (sum of lines 1 and 2).	.....	8. Total current direct costs (sum of lines 6 and 7).	.....
4. Maximum price per unit (see instruction V).	.....	9. Maximum price of commodity being priced (Same as line 4 and applicable to same class of purchaser shown on line 5).	.....
5. To what class of purchaser (see instruction V).	.....		

BASIS OF UNIT COST DATA

Past 3 months production of old commodity ..... Units.
Estimated monthly production of commodity being priced ..... Units per month.
Are above unit cost data for commodity being priced based upon records of actual production?
Yes ☐ No ☐

PART III

Statement of discount practices applicable to old commodity

(See Instruction VI)

4. Trade and cash discounts:

Class of purchaser	List price per ... pieces	Trade discount	Cash discount: Amount	Cash discount: Terms
Distributor or jobber	$	%	%	
Retailer or dealer	$	%	%	
Consumer	$	%	%	
..... (Specify)	$	%	%	
..... (Specify)	$	%	%	

B. Quantity discounts:
Indicate whether quantity discounts shown below are given (1) in lieu of trade or cash discounts Yes ☐
(2) in addition to trade and cash discounts Yes ☐

Quantity	Distributor or jobber	Retailer or dealer	Consumer	(Other) (Specify)	(Other) (Specify)
Less than:					
From ... To ...					
From ... To ...					
From ... To ...					
Less than Carload					
..... (Specify)					
..... (Specify)					

C. Delivery practice
F. o. b. plant ☐
Full freight allowed ☐
Carload rate of freight allowed ☐
Other (specify) .....

CERTIFICATION

I certify that the information contained herein is correct:

Signature ..... Name ..... Title ..... Date .....

Comparable Commodity	Commodity Being Priced
1. Direct material cost (from $..... line 19).	4. Direct materials costs (from $..... line 14).
2. Direct labor cost (from ..... line 21).	5. Direct labor cost (from line 16) .....
3. Total direct costs (sum of ..... lines 1 and 2).	6. Total direct costs (sum of lines 4 and 5). .....

8. Determination of maximum price:
7. Maximum price of comparable commodity (see Instruction III) ..... $ .....
8. To what class of purchaser (see instruction III) ....
9. Unit direct cost of comparable commodity (line 3) ....
10. Percentage markup of comparable commodity (divide 7 by 9) ....
11. Unit direct cost of commodity being priced (line 6) ....
12. Maximum price of new commodity (multiply line 9 by line 10) ....

PART III

Statement of discount practices applicable to comparable commodity

(See Instruction IV)

A. Trade and cash discounts:

Class of purchaser	List price per ... pieces	Trade discount	Cash discount	
			Amount	Terms
Distributor or jobber	$	%	%	
Retailer or dealer	$	%	%	
Consumer	$	%	%	
..... (Specify)	$	%	%	

B. Quantity discounts:
Indicate whether quantity discounts shown below are given
(1) in lieu of trade or cash discounts Yes ☐ No ☐
(2) in addition to trade and cash discounts Yes ☐ No ☐

Quantity	Distributor or jobber	Retailer or dealer	Consumer	(Other) (Specify)	(Other) (Specify)
Less than					
From ..... To					
From ..... To					
From ..... To					
Less than Carload					
Carload					

..... (Specify)
..... (Specify)

C. Delivery practice
F. o. b. plant ☐
Full freight allowed ☐
Carload rate of freight allowed ☐
Other (Specify) .....

PART IV

UNIT DIRECT COST DATA

Commodity Being Priced

13. Cost of direct materials of commodity being priced. (See Instruction V.)
Specify in detail the materials or parts which account for at least 75 percent of total direct materials cost, the remainder may be included under "All Other."
(Indicate unit of production used in calculations: ..... units)

Kind and quality of material used	Price	Quantity used per unit	Cost per unit
a.	$ ..... per		$ .....
b.	..... per		.....
c.	..... per		.....
d.	..... per		.....
e.	..... per		.....
f. All other			.....
14. Total material cost per unit			.....

15. Cost of direct labor of article being priced. (See Instruction VI.)
Major operations listed should account for at least 75 percent of total direct labor cost; the remainder may be included under "All Other."
(Indicate unit of production used in calculations: ..... units)

Direct labor operation	Average current wage rate	Time per unit	Cost per unit
a.	$ ..... per		$ .....
b.	..... per		.....
c.	..... per		.....
d.	..... per		.....
e.	..... per		.....
f. All other			.....
16. Total direct labor per unit			.....

a. Estimated monthly production will be: ..... units per month

b. Are above unit cost data based upon records of actual production of this commodity? Yes ☐ No ☐

Comparable Commodity

(Note: This commodity must be in current production)

18. Cost of direct materials of comparable commodity. (See Instruction V.)
Specify in detail the materials or parts which account for at least 75 percent of total direct materials cost, the remainder may be included under "All Other."
(Indicate unit of production used in calculations: ..... units.)

Kind and quality of material used	Price	Quantity used per unit	Cost per unit
a.	$ ..... per		$ .....
b.	..... per		.....
c.	..... per		.....
d.	..... per		.....
e.	..... per		.....
f. All other			.....
19. Total material cost per unit			.....

20. Cost of direct labor of comparable commodity. (See Instruction VI.)
Major operations listed should account for at least 75 percent of total direct labor costs, the remainder may be included under "All Other."
(Indicate unit of production used in calculations ..... units)

Direct labor operation	Average current wage rate	Time per unit	Cost per unit
a.	$ ..... per		$ .....
b.	..... per		.....
c.	..... per		.....
d.	..... per		.....
e.	..... per		.....
f. All other			.....
21. Total direct labor per unit			.....

22. Basis of unit cost data:
a. First 3 months production was: ..... Units

CERTIFICATION

I certify that the information contained herein is correct:
Sign here ..... Name ..... Title ..... Date .....

OPA Form 678-2471 Budget Bureau No. 08-R1128

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
Washington 25, D. C.

Name of firm .....
Address—Number and street .....
City, postal zone number, state .....
Name of commodity being priced .....

Report of determination of maximum prices under section 9 of Maximum Price Regulation No. 591.

File this report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

INSTRUCTIONS FOR THIRD PRICING METHOD FORM

Instruction I—Description of commodity to be priced and competitive commodities: In many cases OPA is able to price your new commodity by comparison with similar commodities sold by competitors. In Part II of this report, there is provided a table which calls for a detailed description of your commodity and similar commodities manufactured by two competitors. A sample of small, inexpensive articles should be submitted. If the article is bulky or expensive, a cut or sketch should be submitted. Under the heading of "Maximum Price on Sales to ....." indicate both your competitors' maximum net prices for the similar commodity and the class of purchaser (e. g., jobber, retailer, consumer) to whom such maximum price is applicable. For example $1.00 to jobbers or $3.00 to retailers.

Instruction II—Requested prices, discounts, terms and allowances: Specify fully the prices, discounts, terms and charges requested for each class of customer to whom you intend to sell. If you will grant trade discounts, supply the list price and the trade discount. If cash discounts will be offered, specify the amount and terms. If quantity discounts are contemplated, specify the amount granted for each quantity. If none write "None." The price authorization will specify classes of customers in the light of information supplied in this section.

Instruction III—Current costs of direct materials: Current costs of materials or parts must be used in computing the total direct material costs, for the commodity being priced (lines 7a–7f) but in no event should the costs used exceed your suppliers approved maximum price for the materials or parts. If any of the materials or parts used in the commodity being priced have been previously purchased by you for use in the production of other commodities the cost used for developing the unit direct material cost for the commodity being priced must be based on purchases of like quantities from the same source of supply. Under the heading "Kind and Quantity of Material Used" list the parts and materials (e. g. brass-standard) used in the manufacture of the commodity being priced. Under the heading "Price" list your supplier's current maximum price for each material or part (e. g. $1 per lb.; per doz., etc.). Under the heading "Quantity Used Per Unit" list the amount of each material or part used in the manufacture of the commodity being priced.

Instruction IV—Current direct labor cost: In developing the total cost of the direct labor for the commodity being priced (lines 8a–8f), current wage rates must be used for each labor operation, but in no event should such rate exceed those approved by WMLB when such approval is required. Under the heading "Direct Labor Operations" list the labor operations (e. g. casting, machining, polishing, etc.) involved in the manufacture of the commodity. Under the column "Average Current Wage Rate" list the weighted average current straight time hourly wage rate for each labor operation computed as follows:

The total hours worked by employees paid at a specific rate should be multiplied by their straight time hourly rates to determine the total amount of straight time wages for the month. Divide the amount so determined by the total hours worked to determine the weighted average hourly straight time rate. *Do not include any premium or other extra wages in this determination.*

EXAMPLE

Operation A

Number of employees paid same hourly straight time wages	Hourly straight time wages	Total number hours worked	Amount
3	$0.75	120	$90
2	1.00	80	80
		200	170

Weighted average straight time hourly wage rate for Operation A equals $170.00 divided by 200 hours or $0.85 per hour.

If any of the labor operations are paid for on a piece basis, under the heading "Average Current Wage Rate" show the current piece rate for such operations.

Instruction V—Part 5: This part need only be completed when no commodity similar to the commodity being priced exists. In the event you have to complete Part 5 you should follow the instructions for developing your direct material and direct labor cost set forth in Instructions III and IV with one exception. Use your March 1942 costs of materials and your March 1942 average wage or piece rates instead of the current costs of rates.

PART I

Suitability of pricing under section 9

1. Reasons for not pricing under sections ..... and ..... ☐ Other (specify and explain) .....
☐ New business started on ..... (Date), 194... .....
☐ In business in March 1942, but you have no comparable commodity.
☐ In business in March 1942, but no comparable commodity is currently being sold.

2. a. Did you take over another business since March 1942. Yes ☐ No ☐
b. If answer is "yes," give name and kind of business. .....

3. List the names of principal owners and officers and their previous business connections since 1941.
(Omit if data have previously been supplied unless a change has occurred)

Name	Position	Previous business connections	Nature of business

4. What type of products have you manufactured in the past? .....

PART II

DESCRIPTION OF COMMODITY TO BE PRICED AND COMPETITIVE COMMODITIES

(See Instruction I)

Characteristic	Your article	First competitor's article	Second competitor's article
Name of manufacturer			
Address—Number and street			
City, postal zone, number, state			
Maximum price on sales to—			
Model number			
Size			
Length			
Width			
Height			
Material (e. g. brass, steel, etc.)			
Finish (e. g. painted, plated, etc.)			
Construction (e. g. cast, stamped, etc.)			
Other (specify)			

PART III

REQUESTED PRICES—DISCOUNTS, TERMS, AND ALLOWANCES

(See Instruction II)

Prices and discounts by class of customers to whom you wish to sell.

A. Trade and cash discounts:

Class of purchaser	List price per ... pieces	Trade discount	Cash discount	
			Amount	Terms
Distributor or jobber	$	%	%	
Retailer or dealer	$	%	%	
Consumer	$	%	%	
..... (Specify)	$	%	%	
..... (Specify)	$	%	%	

B. Quantity discounts:
Indicate whether quantity discounts shown below are given
(1) in lieu of trade or cash discounts Yes ☐
(2) in addition to trade and cash discounts Yes ☐

Quantity	Distributor or jobber	Retailer or dealer	Consumer	(Other) (Specify)	(Other) (Specify)
Less than:					
From ..... To					
From ..... To					
From ..... To					
Less Than Carload					
Carload					
..... (Specify)					
..... (Specify)					

C. Delivery practice:
F. o. b. plant ☐
Full freight allowed ☐
Carload rate of freight allowed ☐
Other. (Specify) .....

PART IV

DIRECT COSTS

7. Current cost of direct materials. (See Instruction III)

(Indicate unit of production used in calculations ..... units)

Specify in detail the materials or parts which account for at least 75 percent of total material cost, the remainder may be included under "All Other."

Kind and quality of material used	Price	Quantity used per unit	Cost per unit
a.	$ ..... per	.....	$ .....
b.	..... per	.....	.....
c.	..... per	.....	.....
d.	..... per	.....	.....
e.	..... per	.....	.....
f.	..... per	.....	.....
All other	.....	.....	.....
Total material cost per unit			.....

8. Current direct labor cost on product. (See Instruction IV)

(Indicate unit of production used in calculations ..... unit)

Major operations listed should account for at least 75 percent of total direct labor cost.

Direct labor operations	Average current wage rates	Time per unit	Cost per unit
a.	$ ..... per	.....	$ .....
b.	..... per	.....	.....
c.	..... per	.....	.....
d.	..... per	.....	.....
e.	..... per	.....	.....
f.	..... per	.....	.....
All other	.....	.....	.....
Total direct labor per unit			.....

9. Basis of unit cost data:
a. Estimated monthly production will be ..... units per month
b. Are above unit cost data based upon records of actual production of this article? Yes ☐ No ☐

PART V

(See Instruction V)

10. March 1942 cost of direct materials.

(Indicate unit of production used in calculations ..... units)

Specify at least 75 percent of total material cost, the remainder may be included under "All Other."

Kind and quality of material used	March 1942 price	Quantity used per unit	Cost per unit
a.	$ ..... per	.....	$ .....
b.	..... per	.....	.....
c.	..... per	.....	.....
d.	..... per	.....	.....
e.	..... per	.....	.....
f.	..... per	.....	.....
All other	.....	.....	.....
Total material cost per unit			.....

11. March 1942 direct labor cost on product.

(Indicate unit of production used in calculations ..... units)

Major operations listed should account for at least 75 percent of total direct labor cost.

Direct labor operation	Average March 1942 departmental wage rate	Time per unit	Cost per unit
a.	$ ..... per	.....	$ .....
b.	..... per	.....	.....
c.	..... per	.....	.....
d.	..... per	.....	.....
e.	..... per	.....	.....
f.	..... per	.....	.....
All other	.....	.....	.....
Total direct labor per unit			.....

12. March 1942 indirect cost per unit.

Type of expense	Amount allocated	Percent (if any)	Base to which percent is applied	Remarks
Factory overhead	$	.....	.....	.....
Selling	.....	.....	.....	.....
General and administrative	.....	.....	.....	.....
Other. (Specify)	.....	.....	.....	.....

13. Total March 1942 cost to make and sell. (Sum of items totals of 10, 11, and 12)

14. Profit and loss statement for calendar or fiscal year of 1942.

If this information has previously been supplied OPA in at least the detail shown below, it need not be filed again. Note that gross sales are requested and that cost of goods sold should be broken down into direct materials, direct labor and factory overhead. If you have previously filed this data with OPA, check here. ☐

Gross sales	$
Less: returns and allowances	
Net sales	
Direct material used	$
Direct labor	
Factory overhead	
Net change in inventories of work in process and finished goods	
Cost of goods sold	
Selling expense	
General and administrative expense	
Net operating profit	

CERTIFICATION

I certify that the information contained herein is correct.

Sign here ....
Name Title Date

SEC. 27. *Form for applications for adjustment.*

OPA Form No. 678.2475 Budget Bureau approval waived

Name of firm .....
Address .....

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Application For Adjustment of Maximum Prices for Specified Mechanical Building Equipment Under Section 16 of Maximum Price Regulation No. 591.

Where to Apply: File this report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

Supply the following facts to the Office of Price Administration in support of your application.

PART I

1. General description of your company's business.
2. Designate and describe the commodities for which increases in price are requested.
3. Itemize the price increases requested showing present and requested maximum prices, together with terms and conditions of sale.
4. Present any evidence you may possess showing either:
   (a) Your supply of the commodity could not be replaced if you discontinued production; or
   (b) Your supply could be replaced only at a price equal to or higher than the requested adjusted price.
5. Indicate whether products similar to that upon which adjustment is requested are manufactured by competitors in your region. If so, give names and addresses of competitors and where available their prices for such product.
6. If an increase in your maximum price is approved, indicate whether the increase will be absorbed by purchasers of your products. If not, describe subsequent distributive levels and such knowledge as you have of margins over cost in the sale of your product. Attach a list of 5 of your customers who purchase for resale the products upon which an increase is requested.

PART II

Important: If you have submitted any of the following information on OPA Financial Reporting Forms A and B for certain periods or have furnished same on any other OPA questionnaire, you may omit these periods in your present report.

1. Regularly prepared balance sheets, statements of profit and loss, and analyses of surplus reflecting total company operations for the fiscal years 1936–1939, inclusive. (NOTE. The filing of these data is optional, provided reports are available from the Bureau of Internal Revenue. Should you prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.)
2. Statements of profit and loss reflecting entire company operations for the fiscal years 1941, 1943, succeeding years, and for the latest available accounting period. These statements should include a complete breakdown of the cost of goods produced and sold and of selling, administrative and general expenses.
3. Where you produce and sell products other than those upon which adjustments are requested: Statements of profit and loss for the fiscal years 1941, 1943, succeeding years and for the latest available accounting period reflecting the operations of each plant of the company where the products for which adjustments are requested are produced. These statements must clearly indicate by segregation the production cost of such products and other operations conducted at the plant and should include a complete breakdown of the cost of goods produced and sold and of selling, administrative and general expenses. The basis used in all allocations made to the products under review should be explained.
4. A statement of the total volume of production and total volume of sales for the products for which adjustments are requested for each of the periods mentioned in (3) above. The volume should be stated in the units of mensurement customarily used in your particular industry, and should show unit quantities applicable to all inventory adjustments with a complete reconciliation between units produced and units sold.
5. Balance sheets as of the close of the fiscal years 1941, 1943, succeeding years, and at the close of business for the latest available accounting period together with analyses of the changes in surplus.
6. Where measurable increases in costs (e. g. War Labor Board approval of increased wages or an advance in the price paid for fuel) have occurred during your latest accounting period or subsequent thereto, such increases may be given consideration. Compute in detail the additional increase in your costs, above the costs reported in the latest accounting period, which would have been incurred if the increase had been in effect since the first day of your latest accounting period.

I certify that the information contained herein is correct to the best of my knowledge

Sign here ....
Name Title Date

Effective date. This regulation shall become effective July 30, 1945.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the Federal Register are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the provisions of Section 16 and 17 of this regulation are necessary to aid in the effective prosecution of the war and hereby approve the issuance thereof.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13374; Filed, July 23, 1945; 11:40 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 592]

SPECIFIED CONSTRUCTION MATERIALS AND REFRACTORIES

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—SCOPE OF THIS REGULATION AND PROHIBITIONS

Sec.
1. What this regulation covers.
2. Prohibitions against dealing at prices above the maximum.
3. Prohibitions against sales prior to compliance with reporting requirements.
4. Evasion.

ARTICLE II—MAXIMUM PRICES

5. Maximum prices for commodities delivered or offered for delivery prior to the effective date of this regulation.
6. Maximum prices for commodities first offered for sale after the effective date of this regulation.
7. First pricing method; minor changes.
8. Second pricing method; line differentials.
9. Third pricing method; competitive prices.
10. Fourth pricing method; commodities which cannot be priced under the first, second or third pricing methods.
11. Discounts, allowances and differentials.
12. Sales pending approval of maximum prices.
13. Revision of maximum prices.
14. Resellers' maximum prices.
15. Notification to purchasers for resale of the manufacturer's maximum prices.

ARTICLE III—ADJUSTMENT PROVISIONS

16. Applications for adjustment.
17. Local area adjustments.
18. Government contracts.
19. Adjustable pricing.

ARTICLE IV—MISCELLANEOUS PROVISIONS

20. Transfer of business or stock in trade.
21. Records and statements.
22. Licensing.
23. Regional pricing orders.
24. Enforcement.
25. Modification of provisions of this regulation.
26. Petitions for amendment.
27. Federal and State taxes.

ARTICLE V—LIST OF COMMODITIES; AND FORMS

28. Commodities covered by this regulation.
29. Form for reporting maximum prices.
30. Form for applications for adjustment.

AUTHORITY: § 1346.706, issued under 56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE OF THIS REGULATION AND PROHIBITIONS

SECTION 1. *What this regulation covers*—(a) *Transactions covered.* This regulation applies to all sales by manufacturers of the specified commodities set forth in section 28. Except insofar as maximum prices for sales by persons other than manufacturers are fixed by orders under this regulation, sales by such persons are covered by the General Maximum Price Regulation or other applicable regulation.

"Manufacturer" as used in this regulation means the person who makes the first sale of any commodity listed in section 28, if the article has been completed to the point indicated by the terminology of that section. The term also includes any subsidiary or affiliate, commission salesman, or other agent of such person.

"Person" as used in this regulation means an individual, corporation, partnership, association, any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(b) *Relation to other regulations*—(1) *The General Maximum Price Regulation and Maximum Price Regulation 188.* This regulation supersedes the General Maximum Price Regulation and Maximum Price Regulation 188 with respect to transactions covered by this regulation. This regulation does not, however, apply to transactions which are excluded from the General Maximum Price Regulation by Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation and future amendments thereto.

(2) *Exports.* The Second Revised Maximum Export Price Regulation covers export sales and sales to exporters.

(3) *Imports.* The Maximum Import Price Regulation covers purchases, sales or deliveries if they originate outside of the Continental United States.

(4) *Installed sales.* Revised Maximum Price Regulation 251 (Construction Services and Sales of Installed Materials) covers sales of building materials on an installed basis.

(c) *Geographical applicability.* This regulation applies in the forty-eight States of the United States and the District of Columbia.

SEC. 2. *Prohibitions against dealing at prices above the maximum.* On and after the effective date of this regulation, no manufacturer shall sell or deliver, and no person shall buy or receive in the course of trade or business, any commodity covered by this regulation at a price higher than the maximum price fixed by this regulation, regardless of any contract or other obligation. No person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices may, of course, be charged.

SEC. 3. *Prohibition against sales prior to compliance with reporting requirements.* No manufacturer shall offer to sell, sell, or deliver any commodity which he firsts offers for sale after the effective date of this regulation, until he has complied with the reporting provisions of this regulation.

SEC. 4. *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodities covered by this regulation, or by way of commissions, services, transportation or other charges, or by tying agreement or other trade understanding, or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this regulation).

ARTICLE II—MAXIMUM PRICES

SEC. 5. *Maximum prices for commodities delivered or offered for delivery prior to the effective date of this regulation*—(a) *What this section does.* Under this section, maximum prices properly established under Maximum Price Regulation 188 and the General Maximum Price Regulation prior to the effective date of this regulation are continued in effect under this regulation. (Such prices shall continue to be subject to adjustment orders issued by the Office of Price Administration prior to the effective date of this regulation, which have not been re-

voked.) Paragraph (b) below sets forth the specific pricing provisions applicable to such prices.

(b) The manufacturer's maximum prices for any commodity which he delivered or offered for delivery prior to the effective date of this regulation shall be determined as follows:

(1) If the commodity was delivered or offered for delivery by the manufacturer during March 1942, his maximum price to each class of purchaser shall be the highest price at which he delivered it or, if he did not deliver it, at which he offered it for delivery during that month to that class of purchaser.

(2) If the commodity was first delivered or offered for delivery by the manufacturer after March 1942, but prior to the effective date of this regulation, his maximum price to each class of purchaser shall be the maximum price to that class of purchaser properly established under Maximum Price Regulation 188 or any other regulation prior to the effective date of this regulation. If he did not have a maximum price properly established under the applicable regulation prior to the effective date of this regulation, his maximum price must be determined under section 6.

(3) If the commodity was delivered or offered for delivery by the manufacturer prior to March 1, 1942, but not during the period March 1, 1942, through July 30, 1945, his maximum price must be determined pursuant to section 6.

(4) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for the same commodities on sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

For example, if in March 1942 the seller's established practice was to sell the same commodity to a group of purchasers at a particular price, that group of purchasers constitutes a "class" to whom the same prices and pricing practices must be continued. Also, if in March 1942 the seller customarily sold or offered to sell the commodity to any purchaser at a price different from the price at which he sold or offered to sell the same commodity to all other purchasers, that purchaser is in a "class" by himself and the same price and pricing practices must be continued for that class. In the absence of any customary differential treatment to particular buyers, such buyers are all members of the larger class to which they belong.

(5) For the purpose of this section a commodity need not be considered to have been delivered or offered for delivery during March 1942 if the manufacturer stopped production thereof 90 or more days prior to March 1, 1942, and if the prices he charged during March 1942 were at least 25 percent less than the last net price at which he delivered the commodity or offered it for delivery when he was still producing it. The maximum price for such a commodity may be determined in accordance with section 6.

SEC. 6. *Maximum prices for commodities first offered for sale after the effective date of this regulation.* This section sets forth the procedure for determining maximum prices of commodities for which maximum prices cannot be determined under section 5. Such commodities for the purpose of this regulation shall be considered new or changed commodities. The maximum price for a commodity covered by this section shall be determined in accordance with the first applicable pricing method set forth in sections 7, 8, 9, and 10. Accordingly, a manufacturer may not use any particular pricing method unless he cannot or need not use any of the other methods which precede that method. A maximum price computed under any of these methods, however, must be consistent with the general level of maximum prices fixed by this regulation and may be approved, disapproved or revised by the Office of Price Administration as hereinafter provided.

SEC. 7. *First pricing method; minor changes*—(a) *Maximum prices.* The manufacturer's maximum price for a new commodity to each class of purchaser shall be the same as his maximum price for an old commodity produced by that manufacturer for which a maximum price has already been established to that class of purchaser, where:

(1) The new commodity belongs to the narrowest trade category which includes the old commodity for which a maximum price has already been established.

(2) The new commodity has current unit direct costs which do not vary by more than 2 percent from the current unit direct costs of the old commodity.

(3) The old commodity which is used as a basis for pricing, is currently being produced by the manufacturer.

(b) *Optional use of this method.* A manufacturer may, however, if he chooses, also determine his maximum price for a new commodity under this first pricing method in any case in which the current unit direct costs of the new commodity exceed the current unit direct costs of the old commodity by more than 2 percent.

(c) *Definition of current unit direct costs.* Current unit direct costs mean the total of unit costs of direct materials and direct labor, computed on a consistent basis for both the old and the new commodity.

(d) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices are determined under this first pricing method, the manufacturer must file a report in duplicate with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., giving a description of the new commodity being priced; a description of the old commodity; the maximum price for the new commodity; and the details of the computation of the maximum price. A proposed maximum price under this first method shall be deemed to be automatically approved upon the mailing of this report, subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 8. *Second pricing method; line differentials*—(a) *Maximum prices.* The maximum price of any commodity which cannot or need not be priced under the first pricing method shall, if possible, be determined under this second pricing method. If a manufacturer has established maximum prices for a line of commodities which reflect differentials in size, weight, mesh, specifications or similar physical characteristics, in effect during March 1942, the manufacturer shall determine a maximum price to each class of purchaser for a new article in his line on the basis of his established March 1942 method of calculating such price differentials.

(b) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices must be determined under this second pricing method, the manufacturer must file a report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., setting forth the information required by the form in section 29. A proposed maximum price under this second method shall be deemed to be approved automatically on the expiration of 30 days after the mailing of the report (or on expiration of 20 days after mailing of all additional information which may have been requested) unless within that time the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. An approved price shall be subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 9. *Third pricing method; competitive prices*—(a) *Maximum prices.* The maximum price to each class of purchaser for any commodity which cannot or need not be priced under the first or second pricing method shall be the maximum price, prior to any adjustment, of his most closely competitive seller of the same class for the same kind, grade, quality and quantity of the commodity, to a purchaser of the same class, f. o. b. the point of production.

"Seller of the same class" means a seller (1) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, installing or repairing), (2) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store), (3) dealing in the same type of commodities and (4) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (i) is selling the same or a similar commodity, and (ii) is closely competitive in the sale of such commodities, and (iii) is located nearest to the seller.

(b) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices are determined under this third pricing method, the manufacturer must file a report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., setting forth the information required by the form in section 29. A proposed maximum price under this third method shall be deemed to be approved automatically on the expiration of 20 days after the mailing of the report (or on expiration of 20 days after mailing of all additional information which may have been requested) unless within that time the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. An approved price shall be subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 10. *Fourth pricing method; commodities which cannot be priced under the first, second, or third pricing methods*—(a) *General applicability.* The fourth pricing method shall be used where:

(1) The first, second and third pricing methods (sections 7, 8 and 9) are not applicable.

(2) The first, second or third pricing method results in a maximum price which is not consistent with the general level of prices established by this regulation.

(3) The use of a formula is required due to the type of commodity manufactured or the number of commodities in a line being manufactured.

(4) A maximum price is required for sales of a commodity to a new class of purchaser.

(b) *Maximum prices.* Maximum prices under this fourth pricing method shall be determined by a comparison of the direct costs and margins proposed for the commodity being priced with costs and margins generally prevailing for comparable commodities produced by that manufacturer or by other manufacturers, so as to result in a maximum price consistent with the general level of prices established by this regulation.

(c) *Reports and approval of maximum prices.* Before offering the commodity for sale the applicant must file an application in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., for specific authorization of a price or pricing method, setting forth the information required by the form in section 29. Authorization of a maximum price under this fourth pricing method will be given in the form of an order prescribing a maximum price or a method of determining the maximum price for the applicant, or for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers.

(d) *Delegation of authority.* The National Office may refer any application filed under this section to the appropriate Regional Administrator. Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may in any case so referred to him, issue orders under this section 10 establishing maximum prices in accordance with its terms.

file a report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., setting forth the information required by the form in section 29. A proposed maximum price under this third method shall be deemed to be approved automatically on the expiration of 20 days after the mailing of the report (or on expiration of 20 days after mailing of all additional information which may have been requested) unless within that time the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. An approved price shall be subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 11. *Discounts, allowances, and differentials*—(a) *Price differentials for existing classes of purchasers.* Every manufacturer shall continue discounts, allowances, including transportation allowances, and other price differentials at least as favorable as those in effect during March 1942.

(b) *New classes of purchasers other than the United States Government or an Allied Government.* Where a manufacturer has established maximum prices for a commodity to certain classes of purchasers, and wishes to determine maximum prices for sales to a new class of purchaser, he shall apply under section 10 for authorization of a maximum price to that new class of purchaser. Before offering the commodity for sale to the new class of purchaser, he shall file the report required by that section.

(c) *Sales to United States Government or an Allied Government.* For a sale to the United States Government or an Allied Government of a commodity for which a maximum price has not been determined for sales to the class of purchasers to which such government belongs, but for which a maximum price has been determined for sales to purchasers of a different class, such government shall be classed as belonging to the class of purchaser to whom the manufacturer customarily sold the commodity in quantities most nearly equal to the quantity involved in the sale to such government. If the manufacturer customarily sells to more than one class of purchaser in such quantities, the lowest maximum price applicable to sales to such classes of purchasers shall apply.

SEC. 12. *Sales pending aproval of maximum prices.* After a report has been filed as required, and pending approval of the proposed maximum price, a manufacturer may offer to sell and accept orders at the proposed maximum price reported to the Office of Price Administration. He shall not, however make deliveries or accept payment until a maximum price has been approved by the Office of Price Administration, except on direct sales to the United States Government or an Allied Government. Until a maximum price has been approved, a notification that the proposed maximum price is subject to the approval of the Office of Price Administration must appear on all quotations and orders covering sales of the commodity. If the price approved by the Office of Price Administration is less than that set forth in the quotations or orders, all such quotations and orders must be changed to the approved maximum price, and in the case of direct sales to the United States Government or an Allied Government, refunds must be made where the price collected exceeds the approved price.

SEC. 13. *Revision of maximum prices*—(a) *When maximum prices may be revised.* A maximum price established in accordance with the first, second, third, or fourth pricing method (sections 7, 8, 9, or 10) may at any time be revised by order (not to apply retroactively):

(1) To make it consistent with the level of maximum prices otherwise established by this regulation.

(2) To reflect savings in indirect costs realized by the manufacturer because of the introduction of the commodity so priced.

(b) *Who may revise maximum prices under this section.* Orders revising maximum prices under this section may be issued by the Price Administrator or by the duly authorized representative who approved or authorized the original maximum price.

SEC. 14. *Resellers' maximum prices.* In connection with the approval or revision of maximum prices for manufacturers under the first, second, third, or fourth pricing methods (section 7, 8, 9, or 10 above), the Office of Price Administration may issue orders fixing maximum prices for sales by resellers. To the extent that such orders are issued, this regulation supersedes the General Maximum Price Regulation with respect to maximum prices for such resellers.

SEC. 15. *Notification to purchasers for resale of the manufacturer's maximum prices*—(a) *When notification must be given.* Every manufacturer making sales of any commodity covered by this regulation must on or before the first delivery furnish a statement in writing containing the information set forth in (b) to:

(1) Each purchaser for resale of any commodity the maximum price for which must be determined in accordance with section 6.

(2) Each purchaser for resale of any commodity covered by this regulation (regardless of the section under which the maximum price thereof must be determined) to whom the manufacturer did not sell that commodity prior to July 30, 1945.

(b) *What the statement must contain.* The statement furnished to the purchaser for resale must contain the following:

(1) A description of the commodity and such additional information as may be necessary to identify the commodity on the manufacturer's pricing records and his invoices to purchasers for resale.

(2) The manufacturer's maximum price and terms and conditions of sale fixed for sales to that class of purchaser.

(3) The pricing method or section of the regulation under which the manufacturer's maximum price was established.

(4) Where approval of the maximum price by the Office of Price Administration is required, the date of such approval.

(5) Where authorization by the Office of Price Administration is required, the number of the order authorizing the maximum price and the effective date thereof.

ARTICLE III—ADJUSTMENT PROVISIONS

SEC. 16. *Applications for adjustment*—(a) *Who may adjust maximum prices.* The Office of Price Administration or any duly authorized representative thereof may adjust maximum prices for any of the commodities covered by this regulation as hereinafter provided.

(b) *Who may apply.* Any manufacturer of a commodity covered by this regulation may file an application for ad-

justment in his maximum prices (setting forth the information required by the form in section 30, in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration) where:

(1) His supply of the commodity could not be replaced if he discontinued production; or

(2) His supply could be replaced only at a price equal to or higher than the requested adjusted maximum price.

(c) *Amount of adjustment.* The adjustment will not be greater than the following:

(1) An amount sufficient to make the adjusted price equal to manufacturing cost, plus packing cost and shipping cost where delivered prices are quoted or freight is allowed or equalized, where the applicant's current over-all earnings on an annual basis represent an increase of 15 percent or more over his average annual net earnings for the base period years 1936 to 1939, inclusive, adjusted for changes in net worth.

(2) An amount sufficient to make the adjusted price equal to total cost, where the applicant's current over-all earnings on an annual basis do not exceed by 15 percent but are not appreciably less than his average annual over-all earnings during the base period years 1936 to 1939, inclusive, adjusted for changes in net worth.

(3) An amount sufficient to make the adjusted price equal to total cost plus a reasonable net profit on the article or line where the applicant's current over-all earnings on an annual basis are appreciably less than his average annual over-all earnings during the base period years 1936 to 1939, inclusive, adjusted for changes in net worth.

(4) In no event shall an adjustment granted a multiple line producer under subparagraphs (2) and (3) be greater than the total amount necessary to make current over-all earnings equal to 115 percent of base period over-all earnings except that any such adjustment shall at least cover manufacturing cost plus packing cost, and shipping cost where delivered prices are quoted or freight is allowed or equalized. Moreover, where such adjustment includes a reasonable profit on a product or line, the total amount of adjustment shall not be greater than that necessary to make current over-all earnings equal to base period over-all earnings.

(5) Any adjustment granted a manufacturer under paragraph (b) (2) above on the ground that the loss of his production would force his customers to resort to higher priced sources of supply, shall not exceed the amount permitted under subparagraphs (1) to (4), inclusive, and shall be further limited to an amount equal to the difference between his existing maximum price and the selling price of the next higher competitive seller able to supply the applicant's customers.

(6) If the applicant produces the commodity in a line or series of sizes, meshes or specifications, and if it is not practical to determine the manufacturing cost or total cost, as the case may be, of each size, mesh or specification, a uniform adjustment may be made for the entire line or series. However, any such adjustment for a line or series shall be subject to the limitations in subparagraphs (1) to (5), inclusive, above.

(d) *Meaning of terms used.* In cases where the company was not in business during 1936–1939 and in extremely unusual cases where the period 1936–1939 cannot be considered a representative peacetime period, the Office of Price Administration may make an exception to the use of this base period.

The term "manufacturing cost" means the total of direct materials, direct labor, and manufacturing expenses for factory overhead, applicable to the article.

The term "total cost" means the total of manufacturing cost and reasonable general, administrative, and selling expenses applicable to the article, excluding non-operating expense items and income and excess profits taxes.

The term "over-all earnings" means net profits before income and excess profits taxes experienced on the company's entire operations.

Whenever the applicant is currently operating at a level substantially lower than his normal volume, the overhead items included in "manufacturing cost" and "total cost" may be adjusted to reasonable levels based upon a normal rate of operations.

In evaluating costs, the Office of Price Administration will give consideration to whether they are based on a representative period of normal production.

(e) *Adjustment in resale prices.* In connection with any order granting an adjustment in the manufacturer's price the Office of Price Administration may also adjust the maximum price of any person who resells the article in the same form, to the extent deemed necessary in the judgment of the Price Administrator or his duly authorized representative. To the extent that such an adjustment may be made, this section supersedes the appropriate provisions of the General Maximum Price Regulation.

(f) *Where to apply for an adjustment.* (1) A manufacturer whose total sales exceed $200,000 for his most recently completed fiscal or calendar year, or whose total sales are estimated to exceed $200,000 for his current fiscal or calendar year shall file an application for adjustment under this section with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C.

(2) A manufacturer whose total sales do not exceed the amount described above shall file an application for adjustment under this section with the Regional Office of the Office of Price Administration in the region in which is located his principal place of business.

(3) Each Regional Administrator, or any District Director so authorized by the appropriate Regional Administrator, is hereby authorized to act upon, and by order, grant or deny, in whole or in part, an application filed by an applicant whose principal place of business is located in his region or district, irrespective of the location of the applicant's producing facilities. Each Regional Administrator or District Director in granting an adjustment to a manufacturer is authorized to adjust the maximum prices of the resellers of the commodity within all regions.

SEC. 17. *Local area adjustments.*—(a) *When adjustments may be made.* The Office of Price Administration or any duly authorized representative may make adjustments in the maximum prices of any commodity listed in paragraph (b) of this section, applicable to all manufacturers of such commodity within a particular community or a defined area, where

(1) All the manufacturers affected by the adjustment order sell within a limited trading area at substantially the same selling prices; and

(2) It appears that in general the maximum prices of such manufacturers are such that their production is impeded or threatened and that it is not practicable to remove that impediment or threat by individual adjustment.

(b) *Commodities covered.* Adjustments under this section may be made for the following commodities:

(1) Concrete products.
(2) Ready-mixed concrete.
(3) Sand, gravel and crushed stone.
(4) Structural clay products.

(c) *Limitations on adjustments.* Adjustments under this section shall be made only when generally necessary to maintain supply in the particular community or defined area, and shall be limited to the amount necessary to enable manufacturers of that commodity in that community or area generally to supply the commodity. To the extent practicable, the factors and limitations set forth in section 16 shall be considered in making adjustments under this section. In appropriate cases, compensatory decreases in other maximum prices may be required where some maximum prices are increased.

(d) *Issuance of orders.* The Price Administrator, or any Regional Administrator in whose region the particular community or defined area is located, may issue orders under this section, and in connection with such adjustments for manufacturers, may in appropriate cases adjust maximum prices for resellers of the commodity in that community or area. Applications for area adjustments under this section shall be filed with the Regional Office of the Office of Price Administration for the Region in which the particular community or defined area is located.

SEC. 18. *Government contracts.* Any person who has entered into or proposes to enter into a government contract or a subcontract under any such contract, who believes that a maximum price established by this regulation impedes or threatens to impede production of a commodity which is essential to the war program and which is, or will be, the subject of such contract or subcontract, may file an application for adjustment of that maximum price in accordance with the provisions of Procedural Regulation No. 6, issued by the Office of Price Administration.

SEC. 19. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price. The authorization will be given by order.

ARTICLE IV—MISCELLANEOUS PROVISIONS

SEC. 20. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after the effective date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 21. *Records and statements.* Every manufacturer making sales of any commodity covered by this regulation in an amount of $200 or more in any one calendar month must comply with the following provisions for keeping price records and for maintaining statements of maximum prices.

(a) *Records.* Each such manufacturer must preserve for examination by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect the following:

(1) All his records regarding his prices and pricing methods for commodities delivered or offered for delivery during March 1942.

(2) Records relating to the prices he charged for such commodities as he sold after March 1942 showing as precisely as possible the basis upon which he determined maximum prices for those commodities, including copies of his correspondence with the Office of Price Administration and the letters and orders he received from the Office of Price Administration relating to such maximum prices.

(3) Records relating to sales made after the effective date of this regulation of commodities covered by this regulation, showing for each such sale, the date thereof, the name and address of the purchaser, the quantity sold and the price charged.

(b) *Statements of maximum prices.* (1) Each such manufacturer must prepare and keep for examination by any person during ordinary business hours, a statement showing:

(i) His maximum prices to purchasers of each class of every commodity covered by this regulation which he sells or offers for sale.

(ii) An adequate description of each such commodity.

(iii) All of his customary allowances, discounts and other price differentials.

(2) The manufacturer must prepare this statement within 30 days of the date that his maximum price for a commodity is first established under this regulation. If he has previously prepared a statement of maximum prices under the General Maximum Price Regulation or Maximum Price Regulation 188, and his maximum prices have not changed under this regulation, he need not prepare another statement. The manufacturer must also prepare an appropriate supplement to the statement within 10 days after any change in his maximum price is authorized by the Office of Price Administration.

(3) Any manufacturer who claims that substantial injury would result to him from making such statement available to any other person may file it with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this regulation.

SEC. 22. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 23. *Regional pricing orders.* (a) Each Regional Administrator of the Office of Price Administration is authorized to issue and put into effect orders establishing manufacturers' maximum prices for commodities covered by this regulation applicable to a particular community or a defined area. In connection with the issuance of such orders fixing maximum prices for manufacturers, each Regional Administrator may also fix the maximum prices for all resellers of such commodities in the particular community or defined area. Regional orders under this section shall supersede other sections of this regulation to the extent provided in such orders. Such orders shall have the same force and effect as if issued by the Price Administrator. To the extent that such orders fix maximum prices for resellers, this section supersedes the General Maximum Price Regulation.

(b) Regional Administrators shall observe the following standards in issuing orders under this section.

(1) Maximum prices shall be set forth in dollars-and-cents amounts unless this shall clearly appear to be impractical or inappropriate.

(2) Maximum prices thus set forth shall not exceed the general level of prices as fixed by this regulation.

(c) Orders issued under this section shall be filed with the Division of the Federal Register.

SEC. 24. *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) If a manufacturer fails to keep the records required by Section 21 or if such records are incorrect, or if he fails to report proposed maximum prices where required to do so, the Office of Price Administration may issue an order establishing maximum prices for his sales of commodities covered by this regulation which are consistent with the level of prices fixed by this regulation. The issuance of any such order will not relieve the manufacturer of his obligations to comply with the record keeping and reporting requirements of this regulation, or of the various penalties for any failure to do so.

SEC. 25. *Modification of provisions of this regulation.* The provisions of Maximum Price Regulation No. 592, as applied to the commodities subject thereto may be modified by order under this section.

SEC. 26. *Petitions for amendment.* Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 27. *Federal and State Taxes.* Any tax upon, or incident to, the sale or delivery of any of the commodities covered by this regulation, imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased; *Provided, however,* That for purposes of determining the applicable maximum price of any product covered by this regulation, the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall be treated as though it were an increase of 3 percent in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

ARTICLE V—LIST OF COMMODITIES; AND FORMS

SEC. 28. *Commodities covered by this regulation.*

Acoustical products and accessories.
Aggregates, concrete and masonry:
  Sand.
  Gravel.
  Crushed stone.
  Other; natural, by-product, and processed.
Asbestos-cement products (except as covered by MPR 466):
  Shingles and accessories.
  Siding and accessories.
  Flat sheets and accessories.
  Corrugated sheets and accessories.
  Wallboard and accessories.
  Tileboard and accessories.
  Insulating asbestos-cement board and accessories.
  Asbestos-cement pipe.
  Electrical.
Asphaltic concrete and bituminous paving mixes.
Asphaltic concrete products.
Asphalt floor tiles (and accessories) (except as covered by MPR 276).
Asphalt and tarred roofing products (except as covered by RPS 45):
  Roll roofing.
  Siding (asphalt felt base).
  Shingles (asphalt).
  Roof coatings and cement.
  Emulsified asphalt (building materials).
  Asphalt and tarred felts.
  Slater's felts.
  Asphalts and tarred saturated building papers.
Bituminous coated steel sheets:
  Flat.
  Corrugated.
  V-crimp.
Chemical porcelain.
Cinders.
Clays, merchant: Fire, shale and common; crude and ground.
Clay products, structural:
  Building brick—common, face, floor, sewer and adobe; glazed, unglazed and vitrified.
  Building tile—structural and facing; loadbearing and nonloadbearing; glazed and unglazed.
  Clay mortar mix.
  Conduit, filler block, liners, and underdrain.
  Paving brick.
  Structural terra cotta.
Clay products, miscellaneous:
  Drain tile.
  Floor, quality, roofing and wall tile.
  Chemical stoneware.
Concrete products:
  Masonry units—all size blocks, bricks, slabs and joists.
  Precast—stone, terrazzo, art marble, and specialties.
  Tile—floor, roofing and staves.
  Tanks—septic, water, storage, laundry, and catch basins.
  Pipe—sewer, water, culvert, drain and irrigation.
  Posts—fence, piles, and cribbing.
  Vaults—grave, mausoleum liners.
Concrete, ready-mixed.
Decorated tile board, synthetic fibre board:
  Plain.
  Tile.
  Mouldings.
Dimension and building stones:
  Basalt and related stones.
  Granite—building, ornamental and monumental.
  Greenstone—interior, or exterior building, structural, ornamental, and monumental.
  Limestone—building, ornamental, and monumental.
  Marble—building, structural, and decorative slabs, grave vaults, ornamental and monumental.
  Riprap.
  Rough stone—rubble, cobble, field and flagging.
  Sandstone—building, structural, ornamental, floor and flagging, (including bluestone and brownstone).
  Slate—structural, electrical, grave vaults, mausoleum, roofing, floor, and flagging.
  Soapstone—interior or exterior building, structural, laboratory, chemical work, electrical, laundry, and kitchen sinks, ornamental and monumental.
Glass products:
  Plate (all types).
  Window (all types).
  Laminated.
  Picture.
  Rolled, figured, wired, and rolled heat absorbing (except as covered by MPR 175).
  Colored sheet and opalescent.
  Cathedral glass.
  Structural and architectural.
  Glass blocks
  Other glass insulation products.
Gypsum:
  Crude (except for agricultural purposes).
  Calcined gypsum plasters (plain or formulated).
  Calcined gypsum products.
  Partition tile.
  Partition tile mortar.
  Structural shapes.
  Metal bound roof plank.
  Precast roof tile.
  Poured gypsum roof deck materials.
Gypsum board:
  Wall board (Plain, decorated).
  Lath:
  Sheathing (plain, weatherproofed).
  Liner board.
  Tile board.
  Joint systems
  Laminated (gypsum board only).
Hard density synthetic fibre boards.
Insulated brick or stone siding (and accessories).
Insulation board (fibre and other):
  Acoustical.
  Industrial.
  Plank and tile—natural and plain, colored and painted, textured, veneered.
  Roof insulation.
  Sheathing.
  Wall board—natural and plain, colored and painted, textured, veneered.
Laminated fibre boards.
Laminated boards (combinations of any of the following products: Gypsum, fibre insulation, laminated fibre, hard-density, asbestos-cement and impregnated felt base products).
Lime (except agricultural lime as covered by MPR 386):
  Construction.
  Metallurgical.
  Chemical.
  Plaster.
  Ready-mixed mortar and putty.
Metal lath and accessories.
Magnesite floor materials.
Monuments and memorials:
  Granite.
  Greenstone.
  Limestone.
  Marble.
  Sandstone.
  Soapstone.
Mortar—Ready mixed.
Pipe and boiler insulations:
  Cellular.
  Laminated.
  Solid.
  Asbestos rollboard.
  Asbestos millboard.
  Asbestos paper.
  Mineral or glass wool.
  85% Magnesia, molded or cement.
  High temperature, molded or cement.
Pipe and Conduit Products (synthetic composition).
Refractories:
  Ganister rock.
  Fireclay refractories.
  Silica refractories.
  Basic refractories (except as covered by MPR 416).
  Special refractories.
  High-temperature mortars.
Sand, gravel, and crushed stone—industrial:
  Sand: Raw, silica, glass and other melting sands, blasting, foundry, traction, grinding (except abrasive grain as covered by MPR 327), refractories and filter.
  Gravel: Ballast, roofing and filter.
  Crushed stone: Ballast, metallurgical and chemical.
Sand lime brick.
Slag.
Stucco:
  Exterior.
  Interior.
Talc (including steatite), pyrophyllite and ground soapstone:
  Crude.
  Ground.
Talc crayons:
  Natural sawed.
  Pressed or extruded.
Thermal insulations for buildings and industrial purposes (except as covered by MPR 544 and MPR 327):
  Rigid.
  Semi-rigid.
  Loose.
  Granulated.
Vitrified clay sewer pipe and allied products (except as covered by RMPR 206):
  Channel pipe, perforated and nonperforated.
  Conduit, filter block, floor tile, liner plates, segment block, and underdrain.
  Drain tile (pressed).
  Flue lining, chimney pipe, and specials.
  Meter boxes, septic tanks and wall copings.
  Sewer pipe, perforated and non-perforated, bell spigot and butt joint.
  Sewer pipe fittings and specials.

SEC. 29. *Form for reporting maximum prices.*

OPA Form Budget Bureau No 08-R128414
678-2274

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Report of Determination of Maximum Prices for New Articles under sections 8, 9 and 10 of Maximum Price Regulation No. 592.

Name of firm.....
Address.....
Name of Article being priced.....

File this report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

When this form should be used. Sections 7, 8, 9, and 10 of Maximum Price Regulation No. 592 provide maximum prices for new articles first offered for sale after the effective date of the regulation. Maximum prices must be determined in accordance with the first of the pricing methods specified which is applicable. Under the first pricing method (section 7), covering "minor changes" in an article, this form is not applicable. Reports shall be filed on this form for prices determined under the second, third and fourth pricing methods (sections 8, 9, and 10). Note that under the second and third methods a price shall be deemed to be approved, unless contrary notification is received from the Office of Price Administration, within 20 days after the filing of the report or such additional information as may be required. A price shall not be in effect under the fourth method until an order prescribing a maximum price is issued by the Office of Price Administration.

Check pricing method to be used: ☐ Second method. Answer parts I and II. ☐ Third method. Answer parts I and III. ☐ Fourth method. Answer parts I and IV.

PART I—REQUESTED PRICES

Submit this information regardless of which method is used

(1) Describe article being priced.....

(2) If this article has been produced, indicate when production began.....

(3) Requested prices and discounts by class of customers to whom you wish to sell or by quantities sold. (Specify fully the prices, discounts, terms and charges requested for each class of customer to whom you intend to sell. If you will grant trade discounts supply the gross price and the trade discount. If cash discounts will be offered, specify the amount and terms. If quantity discounts are contemplated, specify the amount granted for each quantity. If you grant no discount write "None" in the applicable space. The price authorization will specify classes of customers and terms of sale in the light of information supplied in this section.)

Class or customer	Gross or list price	Trade discount	Cash discount		Quantity discount	
			Amount	Terms	Quantity	Discount
Jobber	$				Less than	
Dealer					From To	
Contractor					From To	
Retailer					From To	
Other (specify)					Unit of sale	

(4) Requested delivery practice (indicate whether f. o. b. plant, delivered, full freight allowed or partial freight allowance, if the latter specifying amounts).

PART II—SECOND PRICING METHOD—LINE DIFFERENTIALS

A manufacturer who has established maximum prices for a line of commodities which reflect differentials in sizes, weight, mesh, specifications, or similar physical characteristics, in effect in March 1942, shall determine a maximum price to each class of purchaser for a new article on the basis of his established March 1942 method of calculating such price differentials. If additional space is needed, attach a supplementary sheet.

(1) *Describe products in your line for which maximum prices have been established*	*Maximum price of each product*
(a)	$
(b)	
(c)	
(d)	

(2) Method under which differentials in your prices were computed in March 1942 and details of the application of this method to the computation of your requested price for your new item.....

(3) Conditions of sale applicable to your line (where the discounts and transportation practices heretofore established for sale of your line are identical with those listed in Part I in connection with your new article, write "same" in this space; where there are differences indicate in detail).....

PART III—THIRD PRICING METHOD—COMPETITIVE PRICE

If you cannot or need not price under the first or second pricing methods you shall use this method if you can price by comparison with similar articles sold by your closest competitor. The price to each class of purchaser shall be the maximum price, prior to any adjustment, of your most closely competitive seller of the same class for the same kind, grade, quality, and quantity of the commodity to a purchaser of the same class, f. o. b. the point of production. If comparison is made with articles sold by more than one competitor, submit information, identical with that requested below, for other sellers on a supplementary sheet.

Supply the following information for a similar article manufactured by your closest competitor of the same class:

(1) Name of competitive manufacturer.....
Address—Number and street.....
City and State.....

(2) Physical Description of Competitive Article.....

(3) Where available, the maximum price, f. o. b. plant, prior to any adjustment, and conditions of sale applicable to competitive article (set forth here the same kind of information relating to your competitor's price, discounts and transportation practices as is required in Part I in connection with your new article; note that the price reported should not include any adjustment which may have been permitted by the OPA).....

(4) Reasons why you consider competitive seller to be of the same class.....

(5) Your expected volume of production during first three months of operation.....

PART IV—FOURTH PRICING METHOD—COSTS

The fourth pricing method is usually applicable only when the first three pricing methods cannot be used. Check your reasons for not pricing under other pricing methods of this regulation:

☐ New business started on....., 194... and you cannot price on a comparable basis.
☐ In business in March 1942 but you have no March 1942 method of calculating price differentials and you cannot price on a competitive basis.
☐ Other (specify and explain).....

The OPA will try to establish a price for you by studying your unit direct labor and direct material costs. The following questions relate to unit cost data for your new article and for an article produced by you which is comparable to your new article, if you produce such an article. A comparable article is one which has the same general use as the article being priced and is recognized in the industry as being of the same general type of product even though different materials and construction are used. The comparable article used must be the one in your line whose unit direct material and direct labor cost is closest to that of the new article. Costs shall be computed for both the new article and the comparable article in accordance with current conditions as of the same time. Costs of material must be based upon prices which are not in excess of those permitted by the applicable OPA regulations. Wage rates must be approved by the War Labor Board, where such approval is necessary.

(1) Are current unit costs based upon: (Check one)

☐ Actual production records—Unit production upon which costs are based..... ☐ Estimates. If estimates are employed, explain basis.....

(2) Specify production unit used in this calculation (per 1,000, cubic yard, ton, etc.)

(3) *Current direct materials and direct labor cost (excluding overtime) on new article being priced:*

Major materials used	Your cost		Quantity used per unit of product	Cost per unit of product
	Dollars	Unit		
(a)	$			$
(b)				
(c)				
(d)				
(e)				
(f) All other direct materials in addition to those listed above				
Total unit direct material cost				
Total unit direct labor cost				
Total unit direct material and labor cost				

(4) *Current direct material and direct labor cost (excluding overtime) on comparable article, if any:*

Major materials used	Your cost		Quantity used per unit of product	Cost per unit of product
	Dollars	Unit		
(a)	$			$
(b)				
(c)				
(d)				
(e)				
(f) All other direct materials in addition to those listed above				
Total unit direct material cost				
Total unit direct labor cost				
Total unit direct material and labor cost				
Maximum selling price prior to any adjustment of comparable article				

(5) Indicate class of purchaser to which the above "comparable article" price applies and all discounts and allowances permitted and transportation practices followed on the sale of this commodity.....

(6) Indicate differentials from the "comparable article" price applicable in the sale to other classes of purchasers.....

(7) If an increase in the maximum selling price of this "comparable article" has been permitted by the Office of Price Administration, identify order granting increase.....

(8) Physical description of your comparable article.....

If you have a comparable article whose unit direct labor and direct material cost is within 25 percent of such cost on the new article and have furnished the information called for above, you may omit the following information. Otherwise, the following information should be supplied.

(9) *Indirect cost per unit of new article.*

Type of expense	Amount per unit	Explain basis of allocation
Factory overhead	$	
Selling		
Administrative and General		
Other (specify)		
Total		

(d) Total unit cost to make and sell on your new article (summation of your unit direct material and labor cost and your indirect cost per unit) $ ...

(11) *Profit and loss statement.* These data should cover your entire operations for your most recent annual period. If such data are no longer representative of current operations, a shorter period should also be submitted of at least three months' duration. Indicate period used ... If this information has been previously supplied to the Office of Price Administration check ..... If so, you are not required to fill again.

1. Gross sales		$ ...
2. Less: Returns and allowances, including freight		...
3. Net sales		...
4. Cost of goods sold:		
A. Direct material used	$ ...	
B. Direct labor	...	
C. Factory overhead	...	
D. Net change in work in process and finished inventories	...	
E. Cost of goods sold	...	...
5. Gross profit	$	...
6. Selling expense		...
7. Administrative and general expenses		...
8. Total selling, administrative, and general expenses		...
9. Net operating profit		...
10. Other income and other expense—Net		...
11. Net profit before provision for income and excess profits taxes		...

I certify that the information contained herein is correct to the best of my knowledge.

Sign here ...
Name Title Date

SEC. 30. *Form for applications for adjustment.*

OPA Form 678-2272 — Approval waived by the Budget Bureau

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Application For Adjustment of Maximum Prices for Specified Construction Materials and Refractories Under section 16 of Maximum Price Regulation No. 592.

Name of Firm ...
Address ...

Where to Apply. If your total sales for all commodities (or your most recently completed calendar or fiscal year exceed $200,000 or if such total sales for your current fiscal or calendar year are estimated as likely to exceed $200,000, your application must be filed with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C. If your total sales on the same basis as above are less than $200,000 you must file with the Regional Office of the Office of Price Administration in which is located your principal place of business.

Supply the following facts to the Office of Price Administration in support of your application

PART I

1. General description of your company's business
2. Designate and describe the commodities for which increases in price are requested
3. Itemize the price increases requested, showing present and requested maximum prices, together with terms and conditions of sale
4. Present any evidence you may possess showing either:
(a) Your supply of the commodity could not be replaced if you discontinued production, or
(b) Your supply could be replaced only at a price equal to or higher than the requested adjusted price.
5. Indicate whether products similar to that upon which adjustment is requested are manufactured by competitors in your region. If so, give names and addresses of competitors and, where available, their prices for such products.
6. If an increase in your maximum price is approved, indicate whether the increase will be absorbed by purchasers of your products. If not, describe subsequent distributive levels and such knowledge as you have of increases over cost in the resale of your product. Attach a list of 5 of your customers who purchase for resale the products upon which an increase is requested.

PART II

Important. If you have submitted any of the following information on OPA Financial Reporting Forms A and B for certain periods or have furnished same on any other OPA questionnaire, you may omit these periods in your present report.

1. Regularly prepared balance sheets, statements of profit and loss, and analyses of surplus reflecting total company operations for the fiscal years 1936–1939, inclusive. (NOTE: The filing of these data is optional, provided reports are available from the Bureau of Internal Revenue. Should you prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.)
2. Statements of profit and loss reflecting entire company operations for the fiscal years 1941, 1944, succeeding years, and for the latest available accounting period. These statements should include a complete breakdown of the cost of goods produced and sold and of selling, administrative and general expenses.
3. Where you produce and sell products other than those upon which adjustments are requested, statements of profit and loss for the fiscal years 1941, 1943, succeeding years, and for the latest available accounting period reflecting the operations of each plant of the company where the products for which adjustments are requested are produced. These statements must clearly indicate by segregation the production cost of such products and other operations conducted at the plant and should include a complete breakdown of the cost of goods produced and sold and of selling, administrative and general expenses. The basis used in all allocations made to the products under review should be explained.
4. A statement of the total volume of production and total volume of sales for the products for which adjustments are requested for each of the periods mentioned in 3 above. The volume should be stated in the units of measurement customarily used in your particular industry, and should show unit quantities applicable to all inventory adjustments with a complete reconciliation between units produced and units sold.
5. Balance sheets as of the close of the fiscal years 1941, 1943, succeeding years, and at the close of business for the latest available accounting period together with analyses of the changes in surplus.
6. Where measurable increases in costs (e. g. War Labor Board approval of increased wages or an advance in the price paid for fuel) have occurred during your latest accounting period or subsequent thereto, such increases may be given consideration. Compute in detail the additional increase in your costs, above the costs reported in the latest accounting period, which would have been incurred if the increase had been in effect since the first day of your latest accounting period.

I certify that the information contained herein is correct to the best of my knowledge.

Sign here ...
Name Title Date

Effective date. This regulation shall become effective July 30, 1945.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the provisions of sections 16 and 17 of this regulation are necessary to aid in the effective prosecution of the war and hereby approve the issuance thereof.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13375; Filed, July 23, 1945; 11:41 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32,[1] Amdt. 22]

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Price Schedule No. 32 is amended in the following respects:

1. In § 1347.61, Appendix A (a) the following items are added to the pricing table:

	Maximum price per ton		
	1 to 3 tons	Over 3, less than 10 tons	10 tons or over
Greyback gypsum linerboard (filled news or news vat lined) hard sized, f. o. b. mill	$58.00	$58.00	$58.00
Gypsum lathboard (filled news or news vat lined) hard sized, f. o. b. mill	55.50	55.50	55.50

2. In § 1347.61, Appendix A (b) the following item is added to the pricing table:

	Maximum price per ton		
	1 to 3 tons	Over 3, less than 10 tons	10 tons or over
Cream faced gypsum linerboard (single Manila lined) hard sized, f. o. b. mill	$68	$68	$68

3. Section 1347.61, Appendix A (b) is amended to read as follows:

(b) *Delivered prices.* Unless otherwise indicated in this Section, all of the above maximum prices are for the respective grades or tonnages delivered to the purchaser's plant actually using the paperboard. The maximum prices set forth in this Appendix shall include all transportation costs involved, except as provided in paragraph (i) below, regardless of whether such transportation costs are paid by the seller, by the purchaser, or prorated between purchaser and seller. Billing may be f. o. b. point of shipment with freight allowed.

4. Section 1347.62, Appendix B (a) is amended to read as follows:

(a) *Liners—0.016.*

	Price per M square feet
0.016—56–68 lb. Jute—100 lb. test and over	$2.21
0.016—56–68 lb. Jute—85 lb. to less than 100 lb. test	2.11
0.016—56–68 lb. Jute—70 lb. to less than 85 lb. test	1.90
0.016—56–68 lb. Jute—Nontest per ton	59.50
0.016—42 lb. Fourdrinier Kraft—100 lb. test	$1.32
0.016—47 lb. Fourdrinier Kraft—105 lb. test	1.48
0.016—50 lb. Fourdrinier Kraft—110 lb. test	1.58
0.016—52 lb. Fourdrinier Kraft—110 lb. test	1.64
0.016—52–58 lb. Cylinder Kraft—100 lb. test	1.82
0.016—56 lb. Fourdrinier Kraft—115 lb. test	1.90

[1] 9 F.R. 3331, 5482, 7261, 8061, 9616, 11504, 13056; 10 F.R. 619, 1545.

5. Section 1347.62, Appendix B (b) is amended to read as follows:

(b) *Liners heavier than 0.016.*

	Price per M square feet
0.030—95–110 lb. Jute—135 lb. test and over	$3.46
0.030—95–110 lb. Jute—less than 135 lb. test per ton	59.50
0.023—72 lb. Fourdrinier Kraft—135 lb. test	2.27
0.030—90 lb. Fourdrinier Kraft—140 lb. test	2.84
0.030—90–104 lb. Cylinder Kraft—135 lb. test	2.88
0.030—90–106 lb. Cylinder Kraft—150 lb. test	3.00
0.030—90–106 lb. Cylinder Kraft—170 lb. test	3.12

This amendment shall become effective July 24, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13379; Filed, July 23, 1945; 11:48 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

STOVES

[RO 9A,[1] Amdt. 24]

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order 9A is amended in the following respects:

1. Section 4.5 is added as follows:

SEC. 4.5 *Manufacturers may test stoves.* (a) A manufacturer who desires to make tests of stoves he has manufactured by placing them in the premises of consumers without requiring the surrender of certificates may do so under the following conditions:

(1) The application must be made in writing to the Washington Office and must state the number of stoves to be tested, describing them and giving the names and addresses of the consumers in whose premises the stoves are to be tested, the length of time each will be used and in the case of oil stoves that each such consumer in the area where fuel oil is rationed, has or is eligible for a fuel oil ration, under Revised Ration Order 11, for the purpose for which the stove he will test is to be used.

(2) The applicant must agree that the stoves will remain his property and that he will recover the stoves at the end of the agreed testing period and that, for the purpose of a subsequent transfer by him of any such stoves, the testing use by the consumers will not constitute the stoves used stoves even though the consumer's possession exceeds 60 days.

(3) If the stoves to be tested are oil stoves and they are to be tested in the area where fuel oil is rationed, only consumers who have oil rations for the purpose for which the stoves to be tested are to be used (or who are eligible for such rations under Revised Ration Order 11) may be selected for testing such stoves.

(b) The Washington Office may authorize the applicant to transfer such number and types of stoves for testing as it may deem proper. Upon receipt of such authorization, the applicant may, subject to the conditions of paragraph (a) (2), transfer a stove of the type authorized to so many of the consumers specified in the application as the number of stoves authorized will permit. No certificate need be surrendered for such transfer; nor for the transfer from the consumer to the manufacturer when he repossesses the stove.

(c) The manufacturer shall report to the Washington Office, when he recovers possession of a stove placed for testing, the date of repossession and the name and address of the consumer from whom he repossessed the stove.

This amendment shall become effective on July 27, 1945.

NOTE: All reporting and record keeping requirements of this ration order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13380; Filed, July 23, 1945; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Incl. Amdts. 1–65]

MANUFACTURERS' MAXIMUM PRICES FOR CONSUMERS' GOODS OTHER THAN APPAREL[2]

This compilation of Maximum Price Regulation 188 includes Amendment 65, effective July 30, 1945. Text amended by Amendment 65 is underscored. Deletions and redesignations are indicated by notes.

The General Maximum Price Regulation[3] provides, in general, that commodities sold by a manufacturer shall be priced at the price of a same or similar article sold during March, 1942; and lacking the price of a same or similar article, at a price to be determined by the seller after specific authorization by the Office of Price Administration in advance of the offering of the commodity for sale.

In the case of a considerable list of consumers' goods at the manufacturers' level, so many new articles which are not "similar" to an already sold article within the meaning of the General Maximum Price Regulation are customarily offered for sale as unnecessarily to retard manufacturers in their pricing.

This Maximum Price Regulation No. 188, accordingly, sets forth for these manufacturers a different procedure than that used in the General Maximum Price Regulation, although the base date thereof is preserved. By eliminating pricing by the price of a similar article, it limits the number of articles which may be priced at the maximum price of another article. But in the pricing of most new articles the manufacturer may follow self-executing pricing methods which obviate advance resort to this office.

In the judgment of the Price Administrator, the maximum prices established by this regulation are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act of 1942, and to adjust the provisions of the General Maximum Price Regulation to the particular circumstances of manufacturers of consumers' goods.

The statement of considerations involved in the issuance of this Maximum Price Regulation No. 188 is issued simultaneously herewith and has been filed with the Division of the Federal Register.[4]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[4] issued by the Office of Price Administration, Maximum Price Regulation No. 188 is hereby issued.

Sec.
1499.151 Applicability of the General Maximum Price Regulation.
1499.152 Prohibition against dealing in certain articles of consumers' goods above maximum prices.
1499.153 Maximum prices for articles of consumers' goods finally priced before August 1, 1942.
1499.154 Maximum prices for articles of consumers' goods not finally priced before August 1, 1942.
1499.155 First pricing method: minor changes.
1499.156 Second pricing method: changes necessitated by shortages of materials or parts.
1499.157 Third pricing method: pricing by comparable articles.
1499.158 Fourth pricing method: specific authorization by the Office of Price Administration.
1499.158a Delegation of authority.
1499.159 Price differentials and economies effected by new or changed articles.
1499.159a Classification of purchasers in sales to the United States Government and Allied Governments.
1499.159b Modification of provisions of Maximum Price Regulation No. 188.
1499.159c Revision of maximum prices reported or approved under the second and third pricing methods.
1499.159d Catalogues, price lists, and notifications to the trade.
1499.160 Evasion.
1499.161 Applications for adjustment and petitions for amendment.
1499.162 Enforcement.
1499.162a Licensing.
1499.163 Definitions.
1499.164 Geographical applicability.
1499.165 Effective date.
1499.166 Appendix A: Articles covered by the regulation.
1499.167 Appendix B.

AUTHORITY: §§ 1499.151 to 1499.167, inclusive, issued under 56 Stat. 23, 765; 57 Stat.

[1] 9 F.R. 8232.
[2] All references to building materials deleted by Am. 65.
[3] 9 F.R. 1585, 5169, 6106, 8150, 10193, 11274.
[4] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.
[4] Revised: 9 F.R. 10476, 13715.

[1] 8 F.R. 11564.

566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1499.151 *Applicability of the General Maximum Price Regulation.* The provisions of §§ 1499.1 to 1499.3, inclusive, and § 1499.18, of the General Maximum Price Regulation shall not apply to sales or deliveries by manufacturers of certain consumers' goods set forth in § 1499.166, Appendix A, of this Maximum Price Regulation No. 188. All other sections of the General Maximum Price Regulation, together with existing and subsequent amendments and supplementary regulations, shall apply to sales and deliveries by such manufacturers, and are hereby incorporated by reference into this Maximum Price Regulation No. 188.

[§ 1499.151 amended by Am. 2, 7 F.R. 8943, effective 11-4-42]

§ 1499.152 *Prohibition against dealing in certain articles of consumers' goods above maximum prices.* (a) On and after August 1, 1942, regardless of any contract or other obligation:

(1) No manufacturer of an article set forth in Appendix A (§ 1499.166) of this Maximum Price Regulation No. 188 shall sell or deliver such article at a price higher than the maximum price permitted by this Maximum Price Regulation No. 188; and

[Subparagraph (1) amended by Am. 4, 8 F.R. 537, effective 1-18-43]

(2) No person in the course of trade or business shall buy or receive any such article from a manufacturer at a price higher than the maximum price permitted by this Maximum Price Regulation No. 188:

Provided, That in the case of articles for which a maximum price has been established under §§ 1499.156 or 1499.157 of this Maximum Price Regulation No. 188, if the purchaser shall receive from the seller a written affirmation that the seller has calculated the maximum price for the article in accordance with § 1499.156 or § 1499.157 and has filed a report with the Office of Price Administration and complied with the waiting provisions of § 1499.156 or § 1499.157 and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, and provided the price paid is not in excess of the maximum price as affirmed by the seller, the purchaser shall have complied with this section.

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Maximum Price Regulation No. 188 or by the Emergency Price Control Act of 1942.

(c) On and after August 1, 1942, no manufacturer shall sell (including an offer for sale) or deliver any article set forth in Appendix A (§ 1499.166) of this Maximum Price Regulation No. 188 for which a maximum price must be determined under §§ 1499.156, 1499.157, or 1499.158 until he has complied with the reporting and waiting provisions of the applicable one of those three sections.

§ 1499.153 *Maximum prices for articles of consumers' goods finally priced before August 1, 1942*—(a) *Articles priced in March 1942.* The maximum price for any article which was delivered or offered for delivery in March 1942, by the manufacturer, shall be the highest price charged by the manufacturer during March 1942 (as defined in § 1499.163), for the article.

(b) *Articles priced on and after April 1, 1942, and before August 1, 1942.* (1) The maximum price for any article listed in § 1499.166, Appendix A of this Maximum Price Regulation No. 188 as originally issued on July 29, 1942, which was not delivered or offered for delivery in March 1942 by the manufacturer but for which a maximum price was finally determined in accordance with the provisions of the General Maximum Price Regulation, Temporary Maximum Price Regulation No. 3 or No. 5 or any other maximum price regulation issued by the Office of Price Administration and which was offered for sale before August 1, 1942 (or which was offered for sale to the United States or an Allied government before September 1, 1942) shall be the price so determined.

(2) The maximum price for any article first listed in § 1499.166, Appendix A of this Maximum Price Regulation No. 188 by an amendment to Maximum Price Regulation No. 188, issued after July 29, 1942, which was not delivered or offered for delivery in March 1942 by the manufacturer but for which a maximum price was finally determined in accordance with the provisions of the General Maximum Price Regulation, Temporary Maximum Price Regulation No. 3 or 5, or any other maximum price regulation issued by the Office of Price Administration and which was offered for sale before the effective date of the amendment first listing such commodity shall be the price so determined.

(c) *Reports of maximum prices.* On or before August 20, 1942 (or in the case of sales to the United States Government on or before November 1, 1942), the manufacturer shall report to the Office of Price Administration, Washington, D. C., all maximum prices determined under paragraph (b) (1) of this section which have not already been reported in accordance with the provisions of the General Maximum Price Regulation or Temporary Maximum Price Regulation No. 3 or 5, or any other maximum price regulation issued by the Office of Price Administration. Such reports shall contain a description of the articles and shall indicate the method of determining the maximum prices. All such maximum prices shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

No reports need be filed with respect to maximum prices determined under paragraph (b) (2) of this section.

[Paragraphs (b) and (c) amended by Am. 1, 7 F.R. 7967, effective 10-6-42; and Am. 4, 8 F.R. 537, effective 1-18-43]

§ 1499.154 *Maximum prices for articles of consumers' goods not finally priced before August 1, 1942.* This section shall apply to articles first offered for sale before August 1, 1942, for which no maximum price was finally determined, and to all articles first offered for sale on or after August 1, 1942.

The maximum price for any such article shall be the price determined by the first one of the four methods set forth in §§ 1499.155, 1499.156, 1499.157, and 1499.158 which applies to the article.

§ 1499.155 *First pricing method: minor changes.* The maximum price of any article differing from any article for which a maximum price has already been established, only by reason of minor changes in material, design, or construction which do not reduce cost of materials or prevent its offering fairly equivalent serviceability shall be the maximum price of the article already priced.

§ 1499.156 *Second pricing method: changes necessitated by shortages of materials or parts*—(a) *Maximum prices.* The maximum price of any article which cannot be priced under § 1499.155 and which differs from an article for which a maximum price has already been established, only because of changes necessitated by shortage of materials or parts used in the original article, shall be the maximum price of the original article adjusted by adding or subtracting the increase or decrease in unit direct cost resulting from the changes.

In calculating unit direct cost for the original article, the manufacturer shall compute on the basis of the wage rates, material prices, and operating conditions provided in paragraph (b) of § 1499.157 for comparable articles. In calculating unit direct cost for the changed article the manufacturer shall compute on the basis of the wage rates, material prices, and operating conditions provided in paragraph (b) of § 1499.157 for the article being priced.

(b) *Reports of maximum prices*—(1) *Articles first offered for sale before August 1, 1942.* In the case of an article first offered for sale before August 1, 1942, for which a maximum price must be determined under this section, the manufacturer shall report the maximum price as computed by him to the Office of Price Administration, Washington, D. C., on or before August 20, 1942. The report shall contain a description of the original and of the changed article, a detailed explanation of the changes made (including any innovation in manufacturing process) and the reasons therefor, details of the computation of unit direct cost and of the maximum price.

At any time prior to September 4, 1942, the manufacturer may offer for sale, sell or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported.

[Above paragraph amended by Am. 54, 10 F.R. 5649, effective 5-21-45]

(2) *Articles first offered for sale during August 1942.* In the case of articles first offered for sale during August 1942, the manufacturer shall submit the report required in (1) on or before September 10, 1942.

At any time prior to September 25, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the maximum price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported.

[Above paragraph amended by Am. 54, 10 F.R. 5649, effective 5-21-45]

(3) *Articles first offered for sale on or after September 1, 1942.* Except as provided in the next paragraph of this subparagraph (3), in the case of an article first offered for sale on or after September 1, 1942, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., the report required in (1) prior to first offering the article for sale. Fifteen days after the mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported.

In the case of an article for which a maximum price must be determined under this section for a sale to the United States Government or an Allied Government, the manufacturer may at any time offer for sale, sell, or deliver the article at a tentative price to such government or agency if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. The manufacturer shall submit the report required in (1) ten days after the formation of the contract. Fifteen days after the mailing of the report, in the absence of a notification to the contrary from the Office of Price Administration, the reported maximum price shall stand approved.

[Subparagraph (3) amended by Am. 1, 7 F.R. 7967, effective 10-6-42; and Am. 54, 10 F.R. 5649, effective 5-21-45]

§ 1499.157 *Third pricing method: pricing by comparable articles.* The maximum price of any article which cannot be priced under § 1499.155 or § 1499.156 and which is comparable to any article produced by the manufacturer for which a maximum price has already been established, shall be the price derived by the pricing formula set forth in this section.

[Above paragraph amended by Am. 53, 10 F.R. 4107, effective 4-21-45]

NOTE. The meaning of certain terms used in this section is further explained in subsequent provisions of the section. The terms so explained are in quotation marks the first time that they appear in the text.

(a) *Pricing formula.* To establish a maximum price the manufacturer shall:

(1) Determine the "unit direct cost" for the article being priced.

(2) Select from his line of "comparable articles" for which maximum prices have already been established, two comparable articles: the one which has a unit direct cost immediately higher and the one which has a unit direct cost immediately lower than the unit direct cost of the article being priced. If a comparable article has the same unit direct cost as the article being priced, it shall be selected in addition to the comparable articles immediately above and below. If all comparable articles are either above or below, the one closest in unit direct cost shall be selected.

[Subparagraph (2) amended by Am. 53, 10 F.R. 4107, effective 4-21-45]

(3) Determine both the average percentage and the average dollar mark-up over unit direct cost for the comparable articles selected.

(4) Apply to the unit direct cost of the article being priced either the average percentage or the average dollar mark-up, whichever will yield the lower price. The resulting price shall be the maximum price.

(Example of the above computation)

Unit direct cost of article being priced = $9.00

Unit direct costs of comparable articles selected according to (2)	Maximum selling price for each such article	Dollar mark-up for each such article	Average percentage mark-up for such articles
$10.00	$14.00	$4.00	$23.00 (Sum of maximum prices).
7.00	9.00	2.00	−17.00 (Sum of unit direct costs).
17.00	23.00	6.00÷2=$3.00	6.00÷$17.00=35.5%

Unit direct cost+average percentage mark-up=$9.00+$3.18=$12.18.
Unit direct cost+average dollar mark-up=$9.00+$3.00=$12.00.
Maximum selling price of article being priced (the lower of above two sums)=$12.00.

In applying the formula, the manufacturer shall determine the class of purchaser to which he expects to sell the largest volume of the article being priced. In calculating the mark-up over unit direct cost for the comparable articles selected he shall use the maximum prices for such articles applicable to the same class of purchaser as that determined for the article being priced. If a comparable article does not have such a maximum price, he shall make appropriate adjustments of his established maximum price for the comparable article to obtain such a maximum price. The maximum price derived by the formula for the article being priced shall be the maximum price applicable to such largest volume class of purchaser. It shall be adjusted for other classes of purchasers according to § 1499.159.

(b) *Computation of unit direct cost.* To establish the unit direct cost of the comparable articles and of the article being priced, the manufacturer shall compute the cost per unit of direct labor and materials on the basis of the following wage rates, material prices, and operating conditions:

(1) *Wage rates.* The wage rates applicable to any article shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March 1942, for each class of labor involved in the production of the article. If the manufacturer did not employ a given class of labor in March 1942, he shall use the highest wage rate paid for any substantial portion of March 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(2) *Material prices*—(i) *Comparable articles.* If a comparable article was priced and offered for sale before August 1, 1942, the price of any material used in it shall be the highest price charged during March 1942 (as defined in § 1499.163) by the "manufacturer's supplier."

If the comparable article was priced and first offered for sale on or after August 1, 1942, the price of any material used in it shall be computed as above, unless (a) the Office of Price Administration has established a lower maximum price for the sale of the materials to the manufacturer by his supplier, and (b) such lower price was used in calculating the maximum selling price for the comparable article (under § 1499.156 or of this section); in that event such lower price shall be the price of the material.

(ii) *Articles being priced.* The price of any material used in the article being priced shall be the highest price charged during March 1942 (as defined in § 1499.163) by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of the material to the manufacturer by his supplier, such lower price shall govern. Material prices must be based on purchases in comparable quantities from the same or corresponding class of supplier as for the comparable articles.

[Subparagraph (ii) amended by Am. 53, 10 F.R. 4107, effective 4-21-45]

(iii) *Manufacturer's supplier.* The manufacturer's supplier shall be (a) his March 1942, supplier of the material, or (b) lacking a March 1942 supplier of the material, his most recent supplier of the material. If neither of these exists, it shall be his potential supplier.

(3) *Operating conditions.* Using the wage rates and material prices determined under (1) and (2), the manufacturer shall compute the cost per unit of direct labor and materials for an article according to the methods customarily employed by him in computing his

cost. He shall compute this cost on the basis of the same productive techniques, the same labor efficiency and the same volume of production for the comparable articles as for the article being priced.

[Subparagraph (3) amended by Am. 53, 10 F.R. 4107, effective 4-21-45]

(c) *Computation of mark-up*—(1) *Percentage.* The average percentage mark-up over unit direct costs shall be calculated by computing the percentage mark-up between the sum of the unit direct costs and the sum of the maximum prices of the comparable articles selected.

(2) *Dollar mark-up.* The average dollar mark-up over unit direct cost shall be calculated by averaging the individual dollar mark-ups between the unit direct costs and the maximum prices of the comparable articles selected.

(d) *Comparable articles.* An article shall be deemed comparable to another article which although differing therefrom by more than minor changes within the meaning of § 1499.155 of this Maximum Price Regulation No. 188, has the same general use as the other article and is recognized by the industry as being the same general type of product, even though different materials and construction are used.

(e) *Reports of maximum prices*—(1) *Articles first offered for sale before August 1, 1942.* In the case of an article first offered for sale before August 1, 1942, for which a maximum price must be determined under this section, the manufacturer shall report the maximum price as computed by him to the Office of Price Administration, Washington, D. C., on or before August 20, 1942. The report shall contain a description of the article being priced and of any innovation in manufacturing process involved and an explanation of the computation of the cost and the maximum price. It shall also describe each of the comparable articles, giving for each the maximum prices for all classes of purchasers and, if practicable, the volume of production for the three calendar months immediately preceding the filing of the report.

At any time prior to September 4, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported.

[Above paragraph amended by Am. 54, 10 F.R. 5649, effective 5-21-45]

(2) *Articles first offered for sale during August 1942.* In the case of articles first offered for sale during August 1942, the manufacturer shall submit the report required in (1) on or before September 10, 1942.

At any time prior to September 25, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the maximum price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported.

[Above paragraph amended by Am. 54, 10 F.R. 5649, effective 5-21-45]

(3) *Articles first offered for sale on or after September 1, 1942.* Except as provided in the next paragraph of this subparagraph (3), in the case of an article first offered for sale on or after September 1, 1942, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., the report required in prior to first offering the article for sale. Fifteen days after the mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported.

In the case of an article for which a maximum price must be determined under this section for a sale to the United States Government or an Allied Government, the manufacturer may at any time offer for sale, sell, or deliver the article at a tentative price to such a government or agency if he informs the purchaser that the maximum price must be determined under this section. In such case, he must refund any amounts collected in excess of the price so determined. The manufacturer shall submit the report required in ten days after the formation of the contract. Fifteen days after the mailing of the report, in the absence of a notification to the contrary from the Office of Price Administration, the reported maximum price shall stand approved.

[Subparagraph (3) amended by Am. 1, 7 F.R. 7967, effective 10-6-42, and Am. 54, 10 F.R. 5649, effective 5-21-45]

§ 1499.158 *Fourth pricing method: specific authorization by the Office of Price Administration*—(a) *Maximum prices.* The maximum price for any article which cannot be priced under any of the preceding pricing methods of this regulation shall be the price in line with the level of maximum prices established by this regulation fixed by the Price Administrator or his duly authorized representative. The maximum price will be fixed by an order establishing a maximum price or a method of determining maximum prices.

The order may also establish maximum prices for sales of the article by persons other than the manufacturer. Maximum prices so established for sales by persons other than the manufacturer supersede maximum prices fixed by other regulations for such sales.

(b) *Reports of maximum prices.* Prior to offering such an article for sale, the manufacturer shall submit a report in duplicate applying for the establishment of a maximum price or prices for his sales of the article. In the case of consumers' durable goods listed in paragraph (b) of Appendix A (§ 1499.166), the manufacturer shall submit the report to the District Office of the Office of Price Administration having jurisdiction over the area in which his principal place of business is located.

The report shall contain a description in detail of the article (including the manufacturing process), a statement of the facts which make it necessary to price the article under this section, and the proposed maximum price together with the facts which support the proposed maximum price. If the manufacturer applies for approval of a pricing formula for a line or group of related articles, he shall also include a statement of the pricing formula he proposes for such articles and the reasons why such a pricing formula will establish maximum prices in line with the level of maximum prices established by this regulation.

The manufacturer shall also submit a sample of the article being priced, if practicable. The sample should not be forwarded, however, until the manufacturer has been advised where to send it. If it is not practicable to submit a sample, the manufacturer shall submit with his application in lieu of a sample, a photograph, blueprint, or other illustration of the article being priced. In addition, the manufacturer shall submit such other relevant information to supplement his report as the Office of Price Administration may require.

Upon issuance of the order by the Price Administrator or his duly authorized representative, the manufacturer may offer the article for sale in accordance with the terms of the order.

[Above two paragraphs amended by Am. 62, 10 F.R. 8699, effective 7-17-45]

In the case of an article for which a maximum price must be determined under this section for a sale to the United States Government or an Allied Government, the manufacturer shall submit the report required in the above paragraph of this paragraph (b) ten days after the formation of the contract. The manufacturer may at any time offer for sale, sell, or deliver the article at a tentative price, to such government or agency if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. The price shall remain tentative until the maximum price has been determined in the manner provided in this regulation.

NOTE: Notwithstanding the above provisions, certain orders issued under § 1499.159b require the manufacturer to file a report with the National Office of the Office of Price Administration, Washington, D. C. These orders and the articles to which they apply are

Order No. 1470—New Metal Cots and Double Deck Beds.
Order No. 1509—Upholstered Sofa Beds, Studio Couches and all Other Upholstered Dual Purpose Sleeping Equipment.
Order No. 1849—Inner Constructions for Sofa Beds, Studio Couches and all other Upholstered Dual Purpose Sleeping Equipment.
Order No. 3145—War Bicycles.
Order No. 3261—Upholstered Household Furniture Covered with a Fabric Not Furnished by the Manufacturer.

[§ 1499.158 amended by Am. 1, 7 F.R. 7967, effective 10-6-4; Am. 5, 8 F.R. 1815, effective 2-15-43; Am. 44, 9 F.R. 14108, effective 12-4-44; Am. 48, 10 F.R. 867, effective 1-27-45; Am. 54, 10 F.R. 5649, effective 5-21-45; Am. 55, 10 F.R. 5904, effective 6-2-45; and Am. 62, 10 F.R. 7812, effective 7-2-45]

§ 1499.158a *Delegation of authority.* Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may issue orders under § 1499.158, establishing maximum prices in accordance with the terms of that section.

[§ 1499.158a added by Am. 44, 9 F.R. 14108, effective 12-4-44; amended by Am. 48, 10 F.R. 867, effective 1-27-45]

§ 1499.159 *Price differentials and economies effected by new or changed articles*—(a) *Price differentials.* Every manufacturer shall continue all his allowances, discounts, and other price differentials in effect in March, 1942. In the case of articles priced under §§ 1499.155, 1499.156, 1499.157, or 1499.158 of this Maximum Price Regulation No. 188, every manufacturer shall in the case of sales to different classes of purchasers adjust the maximum prices determined for one general class of purchaser to reflect all allowances, discounts, and other price differentials which he was accustomed to make on that type of article.

(b) *Economies effected by new or changed articles.* Wherever after the introduction of a new or changed article the manufacturer realizes savings in indirect costs and expenses because of its introduction, the Office of Price Administration will by order require that such economies be reflected in the maximum price for such new or changed article. Wherever possible, such savings should be indicated in the reports required by §§ 1499.156, 1499.157 and 1499.158.

§ 1499.159a *Classification of purchasers in sales to the United States Government and Allied Governments.* For a sale to the United States Government or an Allied Government of an article for which a maximum price has not been determined for sales to the class of purchasers to which such government belongs, but for which a maximum price has been determined under §§ 1499.153, 1499.155, 1499.156, 1499.157, or 1499.158 for sales to purchasers of a different class, if the manufacturer had no customary differential between the class of purchasers for which the maximum price has been determined and such government or the class to which it belongs, such government shall be regarded as belonging to the class of purchasers to whom the manufacturer customarily sold the article in quantities most nearly equal to the quantity of the article involved in the sale to such government. If the manufacturer customarily sells to more than one class of purchaser in such quantities, the lowest maximum price applicable to sales of the article to such classes of purchasers shall apply.

[§ 1499.159a added by Am. 1, 7 F.R. 7967, effective 10-6-42]

§ 1499.159b *Modification of provisions of Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188 as applied to certain commodities subject thereto may be modified by order under this § 1499.159b.

[§ 1499.159b added by Am. 6, 8 F.R. 1980, effective 2-16-43]

§ 1499.159c *Revision of maximum prices reported or approved under the second and third pricing methods.* Any price reported or established under the second or third pricing methods may, at any time, be disapproved or revised downward by an order under this section so as to bring it into line with the general level of maximum prices otherwise established by this regulation.

Such a price may be revised upward, so as to bring it into line with the general level of maximum prices otherwise established by this regulation, by an order under this section if it appears that the maximum price is below the general level of maximum prices otherwise established by this regulation and results in undue hardship, caused only by the operation of the pricing method, and not because the manufacturer is subject to financial hardship with respect to the production and sale of the comparable articles.

[§ 1499.159c added by Am. 54, 10 F.R. 5649, effective 5-21-45]

§ 1499.159d *Catalogues, price lists, and notifications to the trade.* On or before July 15, 1945, every manufacturer of any consumers' durable goods listed in paragraph (b) of Appendix A (§ 1499.166) of this regulation must file with the District Office of the Office of Price Administration having jurisdiction over the area in which his principal place of business is located, three copies of every catalogue and price list which was issued by him to the trade and is currently in effect. In addition every manufacturer must file three copies of every notification he issues to the trade on and after July 15, 1945 concerning new prices, changes in prices, changes in terms, discounts, allowances, and conditions of sale, and changes in the model designation of any article he manufactures. Copies of these notifications must be filed within ten days after they have been issued to the trade.

[§ 1499.159d added by Am. 58, 10 F.R. 6590, effective 6-7-45]

§ 1499.160 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 188 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, an article of building material or consumers' goods, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1499.161 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust any maximum price established under this Maximum Price Regulation No. 188 in the following cases:

(1) In the case of a manufacturer who shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(ii) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this subparagraph (1) shall be filed in accordance with Revised Procedural Regulation No. 1. No application for adjustment filed after November 15, 1942, will be granted under this subparagraph (1).

(2) In the case of any manufacturer, when it appears with respect to an article set forth in Appendix B (§ 1499.167) of this Maximum Price Regulation No. 188:

(i) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(ii) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such manufacturer and of like manufacturers for such commodity; and

(iii) That such adjustment will not create or tend to create a shortage, or need for increase in price, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each regional administrator is authorized to make adjustments or act upon applications for adjustment under this subparagraph (2).

(3) In the case of any manufacturer who shows:

(i) That he is the sole manufacturer of an essential commodity such as one, the production and sale of which is affirmatively permitted by regulations or orders issued by the War Production Board.

(ii) That the maximum prices established by this regulation do not permit the recovery of total costs; and

(iii) That the operations of the company are currently being conducted at a loss.

Adjustment in price may be made to an extent sufficient to enable the manufacturer to recover total costs on the article, together with a profit. In a proper case, the manufacturer may charge a price equal to the price requested in the application, provided that he has received a letter from the Office of Price Administration stating that his is a proper case. Such price shall be tentative and refunds shall be made to each purchaser in the event that the application is denied in whole or in part. Applications for adjustment under this paragraph shall be filed in accordance with Revised Procedural Regulation No. 1.

[Paragraph (a) amended by Am. 2, 7 F.R. 8943, effective 11-4-42; Am. 7, 8 F.R. 3105, effective 3-11-43; and Am. 9, 8 F.R. 3850, effective 4-2-43]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 188 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Paragraph (b) amended by Supplementary Order 26, 7 F.R. 8948, effective 11-4-42; and Am. 9]

[NOTE: Procedural Regulation No. 6 (9 F.R. 10628) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

[NOTE: 2d Revised Supplementary Order No. 34 (10 F.R. 2014) permits, under certain conditions, the addition of extra packing expenses on sales to procurement agencies of the United States.]

§ 1499.162 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 188 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 188 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1499.162a *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1499.162a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1499.163 *Definitions.* (a) When used in this Maximum Price Regulation No. 188, the term:

(1) "Article" means any consumers' good set forth in Appendix A (§ 1499.166) which is manufactured or sold as a distinct item.

(2) "Highest price charged during March 1942" means

(i) The highest price which the seller charged to a purchaser of the same class for delivery of the article or material during March 1942; or

(ii) If the seller made no such delivery during March 1942, such seller's highest offering price to a purchaser of the same class for delivery of the article or material during that month; or

(iii) If the seller made no such delivery and had no such offering price to a purchaser of the same class during March 1942, the highest price charged by the seller during March 1942, to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers: *Provided, however,* That

(*a*) If before April 1, 1942, the seller raised his prices for a commodity to all his classes of purchasers (or to all his classes of purchasers except those to which he was bound to make delivery during March 1942 under a firm commitment made before the price rise), and

(*b*) If during March 1942, he delivered the commodity at the increased price to at least one class of purchasers, then, in order to allow the seller to apply the price rise to any class of purchasers to which no delivery was made during that month after the price rise (except under a firm commitment made before the price rise), the highest price charged during March 1942 shall be deemed to be:

(*1*) The seller's increased offering price to such class of purchasers for delivery during March 1942, or

(*2*) If the seller had no such increased offering price to that particular class of purchasers, the highest price charged during March 1942 to a purchaser of a different class, adjusted to reflect

(i) The seller's customary differential in price between the two classes of purchasers; or

(ii) If the seller had no such customary differential, the actual percentage differential in price between the two classes of purchasers which existed at the time the seller last entered into a commitment, or, if he did not enter into such a commitment, last submitted an offering price for delivery to a purchaser of that particular class during March 1942.

[Subparagraph (2) amended by Am. 1, 7 F.R. 7967, effective 10-6-42; and Am. 3, 7 F.R. 10155, effective 12-10-42]

(3) "Manufacturer" means the person who makes the first sale of an article listed in Appendix A (§ 1499.166) of this regulation after the article has been completed to the point indicated by the terminology of the appendix.

[Subparagraph (3) amended by Am. 10, 8 F.R. 4140, effective 4-5-43]

(4) "Purchaser of the same class" and "class of purchaser" refers to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(5) "The United States Government or an Allied Government" means the United States or any agency thereof, or the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government.

[Subparagraph (5) added by Am. 1, 7 F.R. 7967, effective 10-6-42]

§ 1499.164 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 188 shall be applicable to the forty-eight states and the District of Columbia.

§ 1499.165 *Effective date.* This Maximum Price Regulation No. 188 (§§ 1499.151 to 1499.166, inclusive) shall become effective August 1, 1942, for all sales and deliveries except sales and deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government. For such sales and deliveries it shall become effective September 1, 1942. [MPR 188 originally issued July 29, 1942]

[Effective dates of amendments are shown in notes following parts affected.]

§ 1499.166 *Appendix A: Articles covered by the regulation.* The following articles of consumer goods shall be covered by this Maximum Price Regulation No. 188:

NOTE: The articles listed below are not intended to include (a) any commodity subject to a specific maximum price regulation or price schedule in effect on August 1, 1942, or issued any time thereafter, (b) any commodity exempted from the General Maximum Price Regulation by any supplementary regulation thereto, in effect on August 1, 1942, or issued any time thereafter, (c) used, reconditioned, rebuilt, remodeled commodities or commodities made from any used materials, except commodities specifically described below as being made of used material, or (d) parts, except those specifically listed as such below. Since the designations of some articles are broad enough in certain instances to suggest that articles are included which are intended to be excluded, other regulations which might be applicable to the article or type of article have been indicated. Manufacturers selling articles listed below should, before pricing their products in accordance with this regulation, determine whether specific price regulations or regulations supplementary to the General Maximum Price Regulation have been issued subsequent to the date of this regulation with respect to the articles so listed.

[Note amended by Am. 4, 8 F.R. 537, effective 1-18-43; and Am. 16, 8 F.R. 9836, effective 7-20-43]

(a) (1) Oil paints and varnishes:

Ready-mixed paints of all types (interior and exterior)
Paste and semipaste paints
Putty
Fillers
Oil, varnish, and spirit stains
Paint and varnish remover
Colors in oil
White lead in oil
Zinc white in oil
Marine paints
Artists' colors
Aqueous (water) paints
Paint and varnish brushes and applicators
Compounds:
Calking
Waterproofing (integral and hardeners)
Pipe

[Subparagraph (1), formerly (2), amended by Am. 13, 8 F.R. 7107, effective 5-31-43; Am. 36, 9 F.R. 7583, effective 7-11-44; Am. 46, 9 F.R. 14607, effective 12-18-44; redesignated and amended by Am. 65, effective 7-30-45. Former subparagraph (1) amended by Am. 13, 8 F.R. 7107, effective 5-31-43; Am. 18, 8 F.R. 10907, effective 8-9-43; Am. 38, 9 F.R. 8232, effective 7-24-44; Am. 41, 9 F.R. 10591, effective 9-4-44; Am. 46, 9 F.R. 14607, effective 12-18-44 and revoked by Am. 65, effective 7-30-45]

(3) [Deleted]

[Subparagraph (3) amended by Am. 13, 8 F.R. 7107, effective 5-31-43; Am. 23, 8 F.R. 12668, effective 9-20-43; and deleted by Am. 65, effective 7-30-45]

(b) *Consumers' goods.*

(1) Bedding, including:

Mattresses and mattress pads, made with new and used innerspring units or new and used filling materials.

Boxsprings, made with new and used coils or new and used filling materials.

Gatch bedsprings, made of all new materials.

Flat and coil bedsprings made as an integral part of a bed, with all new materials.

Bedspring covers, including padded or quilted covers designed to cover coil and flat bedsprings, made with new or used filling materials.

Double duty sleep equipment, made of new or used materials, including studio couches, sofa beds, lounges, chair beds, love seats, and sliding couches.

Cots, (including folding and rollaway), made of all new materials.

Double deck beds, made of all new materials.

Sisal pads, made with new or used materials.

Sleeping bags, made with new or used filling materials.

Innerspring units for upholstery and bedding purposes, made with all new materials.

Upholstery coils, made of all new materials.

Bedspring metal fabrics, made of all new materials.

Inner constructions for boxsprings, double duty sleeping equipment and upholstered furniture, made of all new materials.

Quilts and comforters, made with new and used filling materials.

High chair, play yard, basket and nursery seat pads, and other nursery pads, made with new or used filling materials.

Cotton wadding and batting, made from new and used materials.

Pillows, made with new or used filling material except pillows in whole or in part with new or second-hand feathers or down.

[Subparagraph (1) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 21, 8 F.R. 12479, effective 9-14-43; Am. 26, 8 F.R. 16298, effective 12-8-43; and Am. 35, 9 F.R. 5375, effective 12-8-43; Am. 35, 9 F.R. 5375, effective 5-23-44; and Am. 60, 10 F.R. 7404, effective 6-23-45]

(2) Equipment and supplies (except those covered by Maximum Price Regulation No. 136, as amended):

Artists' supplies.
Beauty parlor and barber shop furniture, fixtures and equipment.
Bulletin boards.
Commercial kitchen utensil.
Ecclesiastical ware.
Funeral supplies and appurtenances.
Laboratory, hospital and professional fixtures and equipment (except those covered by Maximum Price Regulation No. 136, as amended).
Office fixtures and safes.
Office machines and equipment (manual and electric).
Restaurant fixtures and equipment.
School and office supplies, including carbon paper, but no other paper.
Scientific and technical instruments—apparatus and supplies (except those covered by Maximum Price Regulation No. 136, as amended).
Store machines, fixtures and equipment, including:
Store displays and display fixtures.
Dispensers.
Vending machines (coin operated).
Time clocks.
Measuring devices for yard goods, screens, linoleums, etc.
Signs, electric, mechanical, etc.
Shelving.
Tool cases.
Name plates.

[Subparagraph (2) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 27, 8 F.R. 17415, effective 1-3-44; Am. 30, 9 F.R. 3095, effective 3-27-44; and Am. 45, 9 F.R. 14358, effective 12-11-44]

(3) Floor coverings. All floor coverings, except terry cloth bath mats, and wool floor coverings subject to Revised Price Schedule No. 57.[2]

Carpet lining.

[Subparagraph (3) amended by Am. 16, 8 F.R. 9836, effective 7-20-43]

(4) *Furniture.* All types of furniture manufactured from any new material or from new materials and used inner spring units, used filling materials, used upholstery frames, or used joinery hardware, for any purpose to be used in any location, and any other articles manufactured from new materials which are made to serve the functional purposes of furniture.

Furniture frames.
Assembled wood furniture parts.
Hammocks

[Subparagraph (4) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 28, 9 F.R. 1912, effective 2-23-44; Am. 35, 9 F.R. 5375, effective 5-23-44; Am. 40, 9 F.R. 10246, effective 8-28-44; Am. 49, 10 F.R. 2245, effective 3-1-45; and Am. 64, 10 F.R. 8937, effective 7-23-45]

(5) Hardware, tools and appliances (except those covered by Maximum Price Regulation No. 136 as amended):

[Above paragraph amended by Am. 61, 10 F.R. 7260, effective 6-20-45]

(i) Carpenters' tools, including:

Saws.
Chisels.
Hammers.
Hatchets.
Planes.
Non-mechanical rules and tapes.
Auger bits and braces.
Hand drills.
Levels.
Squares.
Miter boxes.
Screw drivers.
Etc.

(ii) Mechanics' tools, including:

Crow bars.
Wrecking bars.
Pinch bars.
Blow torches and fire pots.
Bench grinders.
Hammers.
Wrenches.
Snips.
Hacksaw frames.
Lanterns.
Oilers.
Pliers.
Punches.
Tackle blocks.
Trowels.
Handles (except wood handles)
Winches.
Etc.

[Subparagraph (ii) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 24, 8 F.R. 14622, effective 11-1-43; Am. 59, 10 F.R. 6843, effective 6-12-45; and Am. 61, 10 F.R. 7260, effective 6-20-45]

(iii) Farm and garden tools and supplies including:

Axes.
Corn planters.
Curry combs.
Grass hooks.
Brush hooks.
Corn and cane knives.
Machetes.
Wheelbarrows.
Couplings, clamps, and nozzles, for garden hose only.
Hog scrapers.
Hog and bull rings.
Huskers.
Post hole diggers and augers, hand operated.
Pruning equipment.
Scythes and snaths.
Hedge, grass, and pruning shears.
Shovels.
Forks, hoes, rakes, etc.
Lawnmowers and rollers (except horse and tractor drawn and garden tractors).
Sprayers and dusters of the simple pump type which are hand held and hand operated.
Garden hose nozzles
Lawn sprinklers

[Subparagraph (iii) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 38, 9 F.R. 8232, effective 7-24-44; and Am. 59, 10 F.R. 6843, effective 6-12-45; and Am. 64, 10 F.R. 8937, effective 7-23-45]

(iv) Coal miners' tools, including:

Coal picks.
Pinch bars.
Augers.
Needles.
Tampers.
Wedges.
Carbide lamps.
Etc.

(v) Horseshoes and horseshoe nails.

(vi) Ice tools, including:

Saws.
Tongs.
Etc.

(vii) Logging tools, including:

Cant hooks.
Peavies.
Pike poles.
Etc.

(viii) Stove and furnace pipe and elbows.

(ix) Saddlery and parachute hardware, including:

Buckles.
Loops.
Rings.
Etc.

[Subparagraph (ix) amended by Am. 16, 8 F.R. 9836, effective 7-20-43]

(x) Heavy goods, including:

Sledges.
Wedges.

[1] 8 F.R. 13240.

[2] 7 F.R. 1314, 2000, 2132, 9053, 8948; 8 F.R. 1120, 6053; 9 F.R. 526.

Picks.
Mattocks.
Mauls.
Etc.
(xi) Game traps.
(xii) Pushcarts.
(xiii) Weather stripping.
(xiv) Seafood harvesting tools.

[Subparagraph (xiv) added by Am. 45, 9 F.R. 14358, effective 10-11-44]

(6) Household appliances, electrical and other, including:

Household sewing machines.
Ice refrigerators.
Household dehydrators.
Air conditioning equipment (excluding built-in system).
Evaporative coolers.
Small electrical household appliances.
Heating appliances, including:
Bakers.
Boilers.
Broilers.
Buffet servers.
Casseroles.
Coffee makers.
Cookers.
Chafing dishes.
Driers (clothes and hair).
Heaters (space and immersion).
Hot plates, grills, and table stoves.
Irons (curling).
Irons (flat).
Irons (waffle).
Kettles.
Heating pads.
Lighters (cigarette, etc.).
Percolators.
Ovens (portable).
Pressers (trouser and tie).
Roasters.
Sterilizers.
Toasters.
Vaporizers.
Warmers (bottle and plate).
Etc.
Power appliances, including:
Freezers (ice cream, domestic).
Mixers and juice extractors.
Fans (ceiling, desk and bracket, pedestal).
Vibrators.
Vaporizers and humidifiers.
Electric shavers.
Mechanical refrigerator cabinets.
Etc.

[Subparagraph (6) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 51, 10 F.R. 3196, effective 3-28-45, and Am. 64, 10 F.R. 8937, effective 7-23-45]

(7) Miscellaneous housewares, including:

Cooking utensils.
Cutlery.
Cleaning supplies (mops, brooms, etc.)
Cabinets.
Bathroom equipment.
Fireplace equipment.
Galvanized ware, tin, and painted tinware.
Kitchen tools and gadgets.
Woodenware and baskets (except shipping baskets).
Brushes (except industrial power-driven brushes).
Window shades.
Drapery hardware.
Scissors and shears.
Vacuum bottles and specialties.
Carpet sweepers.
Unfinished furniture.
Venetian blinds.
Awnings.
Wood slat shades.
Wood spoons, forks, etc.
Coffee makers and accessories.
Filter papers for coffee makers.
Etc.

[Subparagraph (7) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 61, 10 F.R. 7260, effective 6-20-45; and Am. 64, 10 F.R. 8937, effective 7-23-45]

(8) Commercial kitchen equipment. Commercial and institutional kitchen equipment, irrespective of the type of fuel used, for use in hotels, restaurants, schools, hospitals, industrial and public cafeterias, and similar establishments, including:

Ranges.
Broilers, including salamanders and combination types.
Automatic deep fat fryers.
Bain maries.
Roasting ovens.
Baking ovens (sectional and cabinet types).
Baker stoves.
Steam jacketed kettles.
Stock kettles (electric).
Vegetable steamers—commercial.
Steam tables.
Warming ovens.
Plate warmers.
Hot plates.
Griddles.
Automatic egg broilers.
Coffee urns and coffee-making systems.
Toasters—commercial (gas).
Toasters—commercial, over 2 slices (electric).
Dishwashers—commercial.
Glasswashers—commercial.
Silver burnishers.
Mixers.
Choppers.
Slicing machines.
Potato peelers.
Coffee grinders—commercial.
Chopping blocks.
Pot racks.
Pot sinks and vegetable sinks.
Canopies.
Etc.

(9) The following marine articles:

Life buoys and preservers not governed by MPR 403.[7]
Outboard motors (portable).
Boats and canoes, all boats and canoes under 25' except those with inboard motors.
Life-saving equipment except articles covered by Maximum Price Regulations Nos. 149,[8] 157,[9] 220,[10] or 403.

[Subparagraph (9) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; and Am. 38, 9 F.R. 8232, effective 7-24-44]

(10) Personal and household accessories:
(i) Household accessories, decorations, and giftware, including:

Baskets.
Screens, decorative.
Etc.

[Subparagraph (i) amended by Am. 12, 8 F.R. 5759, effective 5-1-43]

(ii) Notions, including:

Buckles.
Buttons.
Clasps.
Fasteners, slide and snap.
Feathers and plumes.
Hooks and eyes.
Needles—hand, knitting, and crochet.
Pins—safety, straight, hat, bobby, and hair.
Thimbles.
Toilet Sets.
Combs.
Vanities.
Compacts.
Military insignia (except fabric).
Military buttons.
Barettes.
Buttonhooks.
Glove stretchers.
Hair curlers.
Hair nets.
Measuring tapes.
Sewing kits.
Sewing boxes.
Beads.
Shoetrees.
Etc.

[Subparagraph (ii) amended by Am. 12, 8 F.R. 5759, effective 5-1-43; and Am. 16, 8 F.R. 9836, effective 7-20-43]

(iii) Luggage, including:

Briefcases.
Club bags.
Dress trunks.
Finished cases made of wood, leather, fabricated canvas, etc., for carrying scientific, medical and other instruments.
Fitted cases.
Overnighters.
Gladstones.
Band trunks.
Hat and shoe boxes (except paper).
Sample cases.
Sample trunks.
Steamer trunks.
Suitcases.
Two suiters.
Wardrobe trunks.
Zipper bags.
Train boxes.
Etc.

(iv) Glassware including:

Artware and specialties.
Bar glassware.
Cooking glassware.
Cut glassware.
Decorated glassware.
Desk glassware.
Engraved glassware.
Etched glassware.
Glass novelties.
Heat-resisting glassware.
Hotel and institution glassware.
Household glassware.
Illuminating glassware.
Kitchen glassware.
Lamp chimneys and lantern globes except those covered by Maximum Price Regulation No. 136, as amended.
Private mould glassware.
Soda fountain glassware.
Table glassware.
Tumblers.
Glass bottles and containers including home canning jars and closures.

[Subparagraph (iv) amended by Am. 13, 8 F.R. 7107, effective 5-31-43; and Am. 38, 9 F.R. 8232, effective 7-24-44]

(v) Mirrors.
(vi) Pottery (except those articles covered by Maximum Price Regulation No. 116[11] including:

Art pottery.
Stoneware.
Flower pots.
Etc.

[Subparagraph (vi) amended by Am. 64, 10 F.R. 8937, effective 7-23-45]

(vii) Decorative accessories.
(viii) Silverware, including:

Silverplated flatware.
Silverplated hollow-ware.
Sterling silver flatware.
Sterling silver hollow-ware.
Etc.

(ix) Miscellaneous plated ware (chrome plate, nickel plate, etc.).

[7] 8 F.R. 7498, 8837, 10434, 16506, 16743; 9 F.R. 1116, 1318.
[8] 8 F.R. 10813, 13172, 15255; 9 F.R. 396.
[9] 9 F.R. 11059; 10 F.R. 776, 1910, 3014, 6307.
[10] 8 F.R. 16689; 9 F.R. 1116, 6431, 7198, 9650; 10 F.R. 1747, 4599.
[11] 7 F.R. 3036, 3858, 6474, 7203, 8939, 8948; 8 F.R. 16995; 9 F.R. 393, 13524, 14536; 10 F.R. 1547, 4265.

(x) Jewelry:

Precious (gold, platinum, silver, etc.).
Nonprecious (gold plate, gold filled, etc.), (except jewelry exempted from the General Maximum Price Regulation by the provisions of Amendment No. 9 thereto.)
Novelty
Men's accessories, including:
Collar pins and buttons.
Cuff links.
Key chains.
Belt buckles.
Medals and badges.
Metal watch bands.
Etc.
Women's novelty jewelry, including:
Compacts and vanity cases.
Lockets.
Earrings.
Jewelry findings.
Etc.

[Subparagraph (x) amended by Am. 64, 10 F.R. 8937, effective 7-23-45]

(xi) Clocks and watches, except those watches which have imported movements. Clocks and watches include:

Clock cases, containers, guards.
Watch cases, containers, guards.
Electric clocks (except those covered by Maximum Price Regulation No. 136, as amended)
Spring clocks, including:
Alarm, Decorative, Etc.
Watch and clock parts, except jewels, springs and printed dials.

[Subparagraph (xi) amended by Am. 22, 8 F.R. 12186, effective 9-2-43; and Am. 45, 9 F.R. 14358, effective 12-11-44]

(xii) Portable lamps and shades (other than industrial lighting fixtures) including:

Boudoir lamps.
Desk lamps.
Floor lamps.
Table lamps.
Novelty lamps.
Wall lamps.
Oil lamps.
Torchiers.
Lamp shades.
Residential lighting fixtures, etc.

Parts (except electrical) for portable lamps, lamp shades and residential lighting fixtures

[Subparagraph (xii) amended by Am. 38, 9 F.R. 8232, effective 7-24-44; and Am. 50, 10 F.R. 2479, effective 3-7-45]

(xiii) Electric light bulbs (other than radio tubes) including:

Arc
Carbon.
Fluorescent.
Gaseous.
Incandescent.
Therapeutic.
Etc.

(xiv) Pictures and picture frames and mirror frames, including:

Pictures, framed.
Frames—photograph, picture, and mirror.

(xv) Optical goods, including:

Finished and semi-finished lenses for optical, ophthalmic, and scientific use.
Eye glass and spectacle cases.
Eye glass and spectacle frames and mountings.
Lenses for eye glasses and spectacles, white and colored.
Scientific optical instruments, including:
Microscopes and accessories.
Optical measuring instruments.
Scientific refracting instruments for oculists and optometrists.
Ophthalmic chairs, stools, tables, etc.
Ophthalmic units.
Refracting units.
Sun glasses and goggles.
Artificial eyes.
Binoculars.
Field glasses.
Opera glasses.
Telescopes.
Shooting glasses.
Contact lenses.
Prisms.
Magnifying glasses.
Loupes.
Readers.
Etc.

[Subparagraph (xv) amended by Am. 25, 8 F.R. 14766, effective 11-3-43; and Am. 38, 9 F.R. 8232, effective 7-24-44]

(xvi) Meteorological instruments (for household, office and advertising use only).

Barometers.
Hygrometers.
Thermometers.

(xvii) Compasses (except marine and aircraft).
(xviii) Smokers' articles (except tobacco, cigars, and cigarettes), including:

Cigarette cases.
Cigarette and cigar holders, pipes, pouches, etc.
Pipe cleaners.
Cigarette lighters.
Etc.

(xix) Umbrellas and canes.
(xx) Hair goods, including:

Braids.
Etc.

[Subparagraph (xx) amended by Am. 12, 8 F.R. 5759, effective 5-1-43]

(xxi) Military type kits and bags made of canvas, duck, imitation leather and leather; unfitted and fitted, including drugs, toiletries, notions, sewing and shoe shine equipment.

Duffle bags
Money belts and pockets
Apron kits, fitted and unfitted

[Subparagraph (xxi) added by Am. 16, 8 F.R. 9836, effective 7-20-43]

(11) *Radio and Phonograph Equipment.* Domestic radio receiving sets (except assembled radios and phonographs under Maximum Price Regulation No. 430;[12] and radio receivers primarily designed for military police and commercial use or for use in the Navy or Merchant Marine, under Maximum Price Regulation 136), including but not limited to home, auto, portable, television, home recorder, combination phono-radios, training kits, etc.

Domestic radio accessories (except parts under Revised Price Schedule No. 84[13]) including but not limited to cabinets and cases for radios, phonographs, record players and speakers; auto radio control devices, aerials and radio hardware.

Phonographs, including nonelectric, electric, electric with or without amplifier units, wired and wireless record players.

Phonograph Accessories (except records under Maximum Price Regulation No. 263[14]), including but not limited to recording style play back needles, recording blanks, record cabinets and record cleaning devices.

[Subparagraph (11) amended by Am. 39, 9 F.R. 9836, effective 8-16-44]

(12) Musical instruments, parts, and accessories, including toy and novelty musical instruments.

(13) Photograph, photoengraving, and photocopying equipment and allied supplies.

Cameras and photographic films, equipment, accessories, and materials, except chemicals.
Motion picture cameras, projectors, and apparatus.
Photoengraving machines, apparatus, and supplies.
Photocopying (including photostating and micro-filming) machines, apparatus and supplies.

(14) Sporting goods made of new materials (except clothing and shoes) and reprocessed golf balls with used centers.

[Subparagraph (14) amended by Am. 16, 8 F.R. 9836, effective 7-20-43]

(15) Toys and games.
(16) Wheel goods:

Baby carriages.
Bicycles.
Bicycle accessories and parts, except tires and tubes.
Go-carts.
Motor bicycles, motor scooters, and power cycles.
Wheel chairs.

[Subparagraph (16) amended by Am. 47, 9 F.R. 14725, effective 12-18-44]

(17) Health supplies, equipment and subassemblies thereof (not including drugs, chemicals and medicines except when packed in and sold as a part of first aid kits) and not including rubber drug sundries covered by MPR No. 300.[15]

[Subparagraph (17) amended by Am. 16, 8 F.R. 9836, effective 7-20-43]

(i) Surgical instruments, equipment and supplies.
(ii) Dental instruments, equipment and supplies.
(iii) Veterinarian instruments, equipment and supplies.
(iv) Hospital, examining room, and diagnastic equipment and supplies.
(v) Electro-medical equipment and supplies (including x-ray and electric-therapeutic).
(vi) Anesthesia, oxygen and respiratory equipment and supplies.
(vii) Hypodermic equipment.
(viii) Corrective equipment, including knitted elastic corrective garments, trusses, etc.
(ix) Fracture equipment and supplies.
(x) Prosthetic devices, appliances, and supplies, except artificial limbs and orthopedic appliances.

[Subparagraph (x) revoked; former (xi), (xii) and (xiii) redesignated (x), (xi) and (xii) by Am. 25, 8 F.R. 14766, effective 11-3-43. New subparagraph (x) amended by Am. 25]

(xi) Other health supplies:
(a) Sutures and suture needles.
(b) Clinical thermometers.
(c) Surgical dressings and surgical dressing materials.
(d) First aid kits.
(e) Exercise machines and devices. Etc.
(xii) Parts and sub-assemblies designed especially for the foregoing items in this subparagraph 17 except those covered by Maximum Price Regulations Nos. 136 and 147.[16]

[Subparagraph (xii) amended by Am. 61, 10 F.R. 7260, effective 6-20-45]

[12] 8 F.R. 9971; 9 F.R. 2020, 14287.
[13] 7 F.R. 1362, 2000, 2132, 2169, 2303, 2512, 2543, 3821, 6771, 7902, 8948; 8 F.R. 3703, 5632, 15523; 9 F.R. 4349, 9616.
[14] 7 F.R. 9191; 8 F.R. 165, 1812, 5631, 8600.
[15] Revised: 10 F.R. 4140, 7330.
[16] Revised: 9 F.R. 7603.

[Subparagraph (18) revoked; former (19), (20) and (21) redesignated (18), (19) and (20) by Am. 25]

(18) Industrial safety equipment (not including shoes, and scientific instruments or safety guards covered by Maximum Price Regulation No. 136, as amended,) including:

Clothing designed for protection against specific industrial hazards: coats, pants, suits, aprons, sleeves, gloves, and like articles containing (1) metal or mineral insulation or reinforcement (such as asbestos); or (2) fabric or leather specially treated to resist extreme heat, extreme cold or chemical reagents.

Gloves, sleeves, aprons and like articles made of natural, synthetic and substitute rubber are not covered, but are under the jurisdiction of Maximum Price Regulation Nos. 220 or 330.[2] Work clothes and work gloves (whether of fabric or leather) without the features enumerated are excluded.

Gas Masks.
Goggles, faceshields, goggle cases, etc.
Helmets, safety hats, etc.
Protective shields, sleeves, toe guards, etc.
Respirators.
Safety lamps.

[Subparagraph (18), formerly (19), amended by Am. 16, 8 F.R. 9836, effective 7-20-43; and Am. 38, 9 F.R. 8232, effective 7-24-44]

(19) Rope and cordage, etc.

Rope and cordage including grommets made from rope (except those manufactured from cotton and synthetic fibers).
Rope halters.
Wrapping twines (except cotton).

(20) Unclassified:

Ammunition for small arms, but not including tear gas equipment.
Amusement machines, coin operated.
Automobile seat coverings.
Bells, hand (except dinner bells).
Butcher saws.
Dry cell batteries.
Fire extinguishers.
Portable battery lights, including flashlights, hand lanterns, etc., and batteries and accessories used for such lights.
Hearing aids (electric), hearing aid batteries, and accessories.
Jewelers' tools.
Manually operated tire pumps.
Pocket knives.
Spittoons and cuspidors.
Razors.
Razor blades.
Water coolers.
Christmas tree ornaments.
Christmas trees, artificial.
Cork stoppers.
Finished flag poles and staffs.
Bird leg bands.
Poker chips.
Hand cuffs, billies, etc.
Manufactured chalk for billiard, bowling, carpenters, drawing, tailor, etc., use.
Candles.
Wire baskets for commercial use.
Wallets, coin purses, billfolds and small leather goods other than womens' and children's hand bags, pocketbooks and purses.
Gas mantle rings.
Automobile steering wheel covers.
Christmas tree holders and stands.
Ladders.

[Subparagraph (20), formerly (21), amended by Am. 8, 8 F.R. 3788, effective 3-31-43; Am. 12, 8 F.R. 5759, effective 5-1-43; Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 38, 9 F.R. 8232, effective 7-24-44; Am. 43, 9 F.R. 13667, effective 11-20-44; Am. 49, 10 F.R. 2245, effective 3-1-45; and Am. 57, 10 F.R. 6309, effective 6-4-45]

[§ 1499.166 amended by Am. 4, 8 F.R. 537 and as otherwise noted]

§ 1499.167 *Appendix B.* The maximum prices for articles set forth below may be adjusted in accordance with provisions of § 1499.161 (a) (2) of Maximum Price Regulation No. 188.

NOTE: The articles listed below are not intended to include (a) any commodity subject to a specific maximum price regulation or price schedule in effect on August 1, 1942, or issued any time thereafter, or (b) any commodity exempted from the General Maximum Price Regulation by any supplementary regulation thereto, in effect on August 1, 1942, or issued any time thereafter. Since the designations of some articles are broad enough in certain instances to suggest that articles are included which are intended to be excluded, other regulations which might be applicable to the article or type of article have been indicated. Manufacturers selling articles listed below should, before seeking an adjustment of their maximum prices in accordance with this regulation, determine whether specific price regulations or regulations supplementary to the General Maximum Price Regulation have been issued subsequent to the date of this regulation with respect to the articles so listed.

Stoneware and stoneware specialties for farm use.
Prosthetic devices, appliances, and supplies except artificial limbs and orthopedic appliances.
Burial caskets and innersealers.
Hardwood butcher chopping and meat blocks.
Laminated hardwood butcher cutting tops.
Wet mops, wet mop heads, and mopsticks.
Surgical, dental, and optical instruments.
Garment hangers.
Evaporative coolers.
Corrective eyeglass lenses.
Ladders for commercial, agricultural or industrial use.
Pumps exclusively for use with pear and weed burners.

[Appendix B added by Am. 9, 8 F.R. 3850, effective 4-2-43; amended by Am. 11, 8 F.R. 4931, effective 4-21-43; Am. 14, 8 F.R. 8751, effective 6-24-43; Am. 17, 8 F.R. 10433, effective 7-30-43; Am. 19, 8 F.R. 11037, effective 8-12-43; Am. 20, 8 F.R. 12406, effective 9-11-43; Am. 25, 8 F.R. 14766, effective 11-3-43; Am. 29, 9 F.R. 2556, effective 3-10-44; Am. 31, 9 F.R. 3858, effective 4-15-44; Am. 32, 9 F.R. 4396, effective 4-29-44; Am. 33, 9 F.R. 4506, effective 5-2-44; Am. 34, 9 F.R. 4882, effective 5-11-44; Am. 37, 9 F.R. 7858, effective 7-17-44; Am. 42, 9 F.R. 11760, effective 9-28-44; Am. 51, 10 F.R. 3196, effective 3-28-45; Am. 52, 10 F.R. 3224, effective 3-31-45; Am. 56, 10 F.R. 6309, effective 6-4-45; Am. 57, 10 F.R. 6309, effective 6-4-45; and Am. 65, effective 7-30-45]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13376; Filed, July 23, 1945; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 52 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (k) is added to read as follows:

(k) Notwithstanding any other provisions of this Supplement, commercial, utility, and cull grades of lamb have, through August 31, 1945, a zero point value in the following counties in the State of Oregon: Clatsop, Columbia, Multnomah, Hood River, Clackamas, Washington, Tillamook, Yamhill, Polk, Marion, Lincoln, Benton, Linn, Lane, Douglas, Coos, Curry, Josephine, and Jackson.

This amendment shall become effective July 23, 1945.

Issued this 21st day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13339; Filed, July 21, 1945; 1:21 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[2] Amdt. 131]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 15, (Maximum Prices for Red Sour Cherries), footnote 3 is amended to read as follows:

[3] Beginning July 21 until the end of the 1945 season, the Column 5 prices for red sour cherries grown in Washington and the counties of Boundary, Bonner and Kootenai in Idaho shall be 11½¢ for item 1 (with stems) and 10¼¢ for item 2 (without stems). During that period, the Column 5 prices for red sour cherries grown in Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas and Wyoming shall be 13¾¢ for item 1 and 12½¢ for item 2. During that period the Column 5 prices for red sour cherries grown in States east of those named shall be 16¼¢ for item 1 and 15¢ for item 2.

This amendment shall become effective at 12:01 a. m., July 21, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 21, 1945.

J. B. HUTSON,
Under Secretary of Agriculture.

[1] 10 F.R. 48, 521, 857, 293, 294.
[2] 10 F.R. 7403, 7500, 7539, 7578, 7668, 7683, 7799, 8021, 8069, 8239, 8238, 8467.

I find that the increase of 5¢ per pound in the maximum prices for red sour cherries grown in the eastern area described in the foregoing amendment is an appropriate allowance under section 3 (g) of the Emergency Price Control Act for reduction in merchantable crop yield.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13340; Filed, July 23, 1945; 8:57 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 132]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix K, Table 3 (Maximum Prices for Apples), the first footnote 4 (added by Amendment 108) is deleted and the second footnote 4 (added by Amendment 119) is amended to read as follows:

[4] During the period beginning July 21 and ending August 19, 1945, the Column 5 prices shall be as follows:

	For apples grown in Florida, Georgia, New York, North Carolina, Pennsylvania, South Carolina, Virginia, West Virginia, and States east of them	For all other apples.
Item 1 (box or bushel)	$3.70	$3.45
Item 12 (barrel)	11.10	10.35
Item 23 (graded and packed in certain containers, per pound)	0.0822	0.0767
Item 34 (graded in bulk, per pound)	0.0737	0.0682
Item 45 (tree-run in containers, per pound)	0.0682	0.0627
Item 54 (tree-run in bulk, per pound)	0.0642	0.0587

This amendment shall become effective as of 12:01 a. m., July 21, 1945.

Issued this 21st day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 21, 1945.

J. B. HUTSON,
Under Secretary of Agriculture.

For the reasons given in the Statement of Considerations accompanying the foregoing amendment, I find that it makes appropriate adjustments in maximum prices for apples pursuant to section 3 (g) of the Emergency Price Control Act of 1942, as amended.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13341; Filed, July 23, 1945; 8:57 a. m.]

[1] 10 F.R. 7403, 7500, 7539, 7578, 7668, 7683, 7799, 8021, 8069, 8239, 8238, 8467, 8611, 8657.

Chapter XVIII—Office of Economic Stabilization

[Directive 56, Amdt. 2]

PART 4003—SUPPORT PRICES; SUBSIDIES

LIVESTOCK SLAUGHTER PAYMENTS

Pursuant to the authority vested in me by the Act of October 2, 1942 entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation and Other Purposes," and by Executive Order No. 9250 of October 3, 1943, and Executive Order No. 9328 of April 8, 1943: *It is ordered:*

Directive 56, Livestock Slaughter Payments, issued June 9, 1945 (10 F.R. 7117, 8476) is amended in the following respects:

1. A new section to be designated section 4 is added to read as follows:

SEC. 4. Notwithstanding any provision of any other directive or regulation, a person who, during a representative portion of the period specified in section 2, actually slaughtered cattle owned by another at the time of slaughter but sold in his own name the beef thereby produced shall be held to have been the slaughterer of such cattle for the purposes of section 2 if the Director of Economic Stabilization determines that such a holding will effectuate the purposes of the stabilization and production programs with respect to livestock.

2. Section 4 is redesignated section 5 and is amended to read as follows:

SEC. 5. Reconstruction Finance Corporation is directed to amend Regulation No. 3 (Livestock Slaughter Payments) in accordance with this directive.

(E. O. 9250 and E. O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 11th day of July 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13230; Filed, July 21, 1945; 11:02 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 7, Amdt. 1]

PART 8307—PREFERENCES FOR VETERANS

Surplus Property Board Regulation No. 7, May 29, 1945, entitled "Preferences for Veterans", (10 F. R. 6519) is hereby amended in the following respects:

1. The term "Secretary of Agriculture" is substituted for the term "War Food Administrator" wherever it appears.

2. The last sentence of § 8307.4 is amended to read as follows: "The Smaller War Plants Corporation shall report to the Surplus Property Board all instances in which the veteran's application is rejected in its entirety and the reasons for such rejection."

3. There is added a new section, numbered § 8307.13, to read as follows:

§ 8307.13 *Regulations and other material to be reported to the Surplus Property Board.* The Secretary of Agriculture and the Smaller War Plants Corporation shall promptly file with the Surplus Property Board copies of all regulations, orders, forms, and instructions of general applicability which they, or either of them, may issue in furtherance of the provisions, or any of them, of this part.

This amendment shall become effective immediately.

SURPLUS PROPERTY BOARD
By A. E. HOWSE,
Administrator.

JULY 17, 1945.

[F. R. Doc. 45-13346; Filed, July 23, 1945; 10:00 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 288]

COLORADO

POWER SITE RESTORATION; PARTIAL REVOCATION OF EXECUTIVE ORDERS

Power Site Restoration No. 498. Revoking in part Executive orders creating Power Site Reserves Nos. 124, 133, 143, 195, 253, 254, 335, 339, 356, and 427.

By virtue of the authority contained in the act of June 25, 1910 (36 Stat. 847), as amended by the act of August 24, 1912 (37 Stat. 497, 43 U. S. C. secs. 141–143), and pursuant to Executive Order No. 9337 of April 24, 1943; It is ordered, as follows:

1. The Executive order of July 2, 1910, creating Power Site Reserve No. 124, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 1 S., R. 91 W.,
Sec. 2, lots 2, 3, 4, and SW¼NW¼;
Sec. 3, lots 1, and 2;
Sec. 4, SE¼NE¼, and NW¼SE¼;
Sec. 8, SW¼NE¼, SE½NW¼, and S½;
Sec. 18, E½NE¼, and NE¼SE¼;
Sec. 22, W½NE¼, NE¼NW¼, and NE¼SE¼.
T. 2 S., R. 91 W.,
Sec. 12 E½SE¼;
Sec. 13, E½E½.

2. The Executive order of July 2, 1910, creating Power Site Reserve No. 133, is hereby revoked as to the following described land:

SIXTH PRINCIPAL MERIDIAN

T. 1 S., R. 76 W.,
Sec. 18, NE¼.

3. The Executive order of July 2, 1910, creating Power Site Reserve No. 143, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 2 S., R. 79 W.,
Sec. 29, E½NE¼, and NE¼SE¼.
T. 2 S., R. 80 W.,
Sec. 24, NE¼NE¼.

4. The Executive order of July 28, 1911, creating Power Site Reserve No. 195, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T 15 S., R. 104 W.,
Sec. 17, E½SE¼;
Sec. 20, NE¼NE¼;
Sec. 21, S½NE¼, E½NW¼, NW¼NW¼, and NW¼SE¼.

5. The Executive order of March 23, 1912, creating Power Site Reserve No. 253, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T 5 S., R. 81 W.,
Sec. 11, NE¼SE¼, and SE¼SE¼.

6. The Executive order of March 22, 1912, creating Power Site Reserve No. 254, is hereby revoked as to the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN

T 16 N., R. 2 E.,
Sec. 3, SW¼NW¼, and NW¼SW¼.

7. The Executive order of January 27, 1913, creating Power Site Reserve No. 335, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T 12 S., R. 102 W.,
Sec. 13, E½SW¼, and W½SE¼;
Sec. 30, W½SE¼.

8. The Executive order of February 7, 1913, creating Power Site Reserve No. 339, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T 15 S., R. 101 W.,
Sec. 22, SE¼SE¼;
Sec. 23, S½N½SW¼SW¼, S½SW¼SW¼, SE¼SW¼, and SW¼SE¼;
Sec. 27, N½N½NE¼NE¼.

9. The Executive order of May 27, 1913, creating Power Site Reserve No. 356, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T 3 N., R. 71 W.,
Sec. 14, S½NW¼;
Sec. 17, E½SE¼.

10. The Executive order of March 21, 1914, creating Power Site Reserve No. 427, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T 3 N., R. 71 W.,
Sec. 21, W½NE¼, and NE¼NW¼;
Sec. 22, SE¼NW¼.
T 2 N., R. 72 W.,
Sec. 15, W½SE¼;
Sec. 22, NW¼NE¼.
T 3 N., R. 72 W.,
Sec. 22, SW¼NE¼;
Sec. 24, NE¼NE¼.

The areas described aggregate 3,057.13 acres.

ABE FORTAS,
Acting Secretary of the Interior.

JULY 12, 1945.

[F. R. Doc. 45-13278; Filed, July 21, 1945; 9:39 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 11, Supp. 10]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

UNIFORM TIME CHARTER FOR AMERICAN-FLAG DRY CARGO VESSELS NOT HERETOFORE UNDER TIME CHARTER "WARSHIPTIME (REV.) NEW VESSELS"

§ 302.51 *Uniform time charter for American-flag dry cargo vessels not heretofore under time charter "Warshiptime (Rev.) New Vessels."* The Administrator, War Shipping Administration, adopts the following standard form of time charter for American-flag dry cargo vessels not heretofore under time charter to the United States of America, acting by and through the Administrator, War Shipping Administration, to be known as "Warshiptime (Rev.) New Vessels":

Contract No. ------

Form No. 101 (Rev.) New Vessels
6/30/45

Warshiptime (Rev.) New Vessels

WAR SHIPPING ADMINISTRATION

TIME CHARTER
FOR DRY CARGO VESSELS

Time Charter, hereinafter sometimes referred to as the Charter, dated as of ------ ----- 194-, between ----------
Address ----------
Owner of the SS MS ----------
(herein called the "Vessel"), and United States of America, acting by and through the Administrator, War Shipping Administration, Charterer, the terms of the Charter being as follows:

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

Deadweight capacity, as defined in Clause 5, Part II.
Classed ----------
Bale capacity of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer ----------
cubic feet ----------
Year built ----------

CLAUSE A. *Period of charter.* From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941: *Provided, however,* That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. *Trading limits.* As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. *Hire.* The Owner is hereby given an election either (I) to accept the rate of hire hereinafter set forth in Option I, which states the rate which in the Administrator's judgment will be just compensation for the use of the Vessel and the services required under the terms of this Charter; or (II) to decline to accept such rate of hire and to have the amount of just compensation judicially determined. If the Owner elects Option I, hire at the rate therein stated shall be paid by the Charterer to the Owner in the manner provided in Part II. If the Owner executes this Charter but does not accept the rate of hire set forth in Option I, the right of the Owner to pursue whatever legal remedy it may have to recover just compensation under the laws and Constitution of the United States shall not be impaired or prejudiced either by the execution and delivery of this Charter, or by the acceptance of 75 per centum of the rate of hire set forth in Option I, and this Charter, in any such event, shall then be deemed an agreement governing only the relations between the Owner and the Charterer in respect to matters other than the amount of just compensation for the use of the Vessel and the services required under the terms of this Charter. Where Option II applies the Charterer reserves all rights which it may have to readjust or redetermine the rate of hire at any time.

Option I. The hire shall be $---------- per calendar month or pro rata for any portion thereof, of which the sum of $---------- per calendar month shall be compensation to the Owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

Option II. The Charterer shall pay to the Owner just compensation, to be judicially determined, for the use of the Vessel and the services required under the terms of this Charter, and, subject to the Charterer's reservations as to readjustment or redetermination of the rate of hire, the Charterer shall pay on account of just compensation a sum equal to 75 per centum of the hire otherwise payable under the terms of this Charter as the same may from time to time be due under the terms of this Charter, and the Owner shall be entitled to sue the United States to recover such further sum as added to such 75 per centum will make up such amount as will be just compensation. The term "just compensation" as used in this Clause C and elsewhere in this Charter shall be deemed Owner would be entitled if it had not executed and delivered this Charter.

Time of election between options. The Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a rate has not then been inserted in Option I. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the rate to be so inserted. In the event of the Owner's failure to elect Option I at the time of signing, or within such 30 day period, as the case may be, Option II shall apply: *Provided, however,* That at any time after election has been made of either Option I or Option II, but before redelivery and before commencement of suit for just compensation, the Owner, subject to the approval of the Charterer, may, if it has elected Option I herein, change such election to Option II, effective as of the date of such change and notice thereof to the Charterer, or if it has elected Option II herein, change such election to Option I, effective as of the time of delivery under this Charter or such other mutually agreeable date as the Charterer may fix. Whenever Option II is applicable, it shall be deemed to have been elected for the purpose of this proviso.

Rate Revision (Option I only). Not more often than once every 120 days after the effective date of this charter, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the de-

termination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within any such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and the Charterer shall make a redetermination of the rate of hire, as to which the provisions of Option II of this Clause C shall apply for the balance of the period of this Charter. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

CLAUSE D. *Valuation.* The Owner shall elect between the following options, unless this is a Vessel subject to the provisions of Section 802 of the Merchant Marine Act 1936, as amended, in which event the Owner shall not have the right to elect Option I and Option II shall apply.

Option I. In the event of loss or damage to the Vessel due to the operation of a risk assumed by the Charterer under the terms of this Charter, the Charterer shall pay to the Owner just compensation, to be judicially determined, for such loss or damage, to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage. In such event the amount of just compensation shall be determined and tendered by the Charterer as soon as practicable after the loss or damage, but if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum as, added to said 75 per centum, will make up such amount as will be just compensation for such loss or damage.

Option II. For the period ending noon, e. w. t., April 20, 1946, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of $---------- For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by ----------, but any Owner who shall be dissatisfied with such reduction shall have the option, to be exercised on or before April 1, 1946, or on or before April 1st of any year thereafter, to elect Option I for the period commencing at noon, e. w. t., of the following April 20th, and effective for the balance of the term of this Charter. In event of such election, the provisions of Option I shall control for all purposes from such effective date.

The foregoing provisions of this Option II shall not be applicable to a Vessel subject to the provisions of Section 802 of the Merchant Marine Act, 1936, as amended. For the purposes of this Charter and any insurance undertaken by the Charterer, any such Vessel shall be valued as of the date of loss at the actual depreciated construction cost of the Vessel (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national defense features), less the depreciated amount of construction-differential subsidy theretofore paid incident to the construction or reconditioning of such Vessel, or the fair and reasonable scrap value of such Vessel as determined by the Charterer, whichever is greater. In computing the depreciated value of the Vessel, depreciation shall be computed on the Vessel on the schedule adopted by the Bureau of Internal Revenue for income-tax purposes.

By mutual agreement the valuation provisions of this Option II may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this Vessel.

Time of election between options. Except as otherwise provided in valuation Option II above, the Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a valuation has not then been inserted in Opinion II. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the valuation to be so inserted. In the event of the Owner's failure to elect Option II at the time of signing or within such 30-day period, as the case may be, Option I shall apply.

CLAUSE E. *Port of delivery.*

CLAUSE F. *Time and date of delivery.*

CLAUSE G. *Port of redelivery.* Port of delivery, unless otherwise agreed: *Provided, however,* That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE H. *Notice of redelivery.* The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. *Uniform terms.* This Charter consists of this Part I and Part II conforming to Part II of the Amended Time Charter for Dry Cargo Vessels, published in the FEDERAL REGISTER of April 8, 1944, as corrected and amended by Orders published in the FEDERAL REGISTERS of May 11, 1944, June 6, 1944 and March 2, 1945, and as amended by the provisions contained in Clause K hereof. The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. *Reservation as to just compensation.* Whenever the Owner hereunder is entitled to just compensation as provided under Option II Clause C or Option I Clause D or Plan I Schedule A hereof, the rights of such Owner as to the determination and payment of just compensation under the laws and Constitution of the United States shall not be prejudiced by reason of the execution and delivery of this Charter by such Owner, and the rights of such Owner to just compensation shall be the same as though he had not executed and delivered this Charter: *Provided, however,* That all terms and conditions other than those relating to the determination and payment of just compensation shall not be impaired or affected by this reservation.

CLAUSE K. *Special provisions.*

1. Wherever in Part II of this Charter or in Schedule A the terms "Amended Time Charter" or "Amended Charter" are used, the word "Amended" shall be deemed to be deleted from such terms so that the reference will be to "Time Charter" and "Charter" respectively. Wherever the word "Addendum" is used following such terms it shall be deemed deleted.

2. Clause 11A, Part II, is hereby amended to read as follows:

CLAUSE 11A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be in contravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions, or changes, except as may be otherwise provided herein.

3. Clause 11B, Part II, is hereby amended to read as follows:

CLAUSE 11B. The Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peacetime standards, required by Subchapter O of Charter II of the Regulations of the United States Coast Guard (Title 46, U. S. C. R.), or by other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to lifeboats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by increases and changes in wartime Governmental requirements. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall beleng to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11A of the Charter.

4. Clause 32, Part II, is hereby amended to read as follows:

CLAUSE 32. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause 32 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the absence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said Act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other Warshiptime or Warshipoiltime Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than $100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 32 shall be applicable only from the effective date of this Charter.

5. Clause 36A, Part II, is hereby deleted.

6. Subdivision (d) of Section I (B) of Schedule A is hereby deleted.

7. The first paragraph of Section V of Schedule A is hereby amended to read as follows: "This Schedule shall be effective, and the insurance to be provided by the Charterer hereunder shall attach simultaneously with delivery of the Vessel under this Charter."

8. The third paragraph of Section V of Schedule A is hereby amended by deleting the words "12:01 a. m. of the effective date

of this Amended Charter (Addendum)" and inserting in lieu thereof "the date and hour of the Vessel's delivery under this Charter".

In witness whereof, the Owner has executed this Charter in quadruplicate the _____ day of _____, 19__, and has elected Hire Option _____ and Valuation Option _____, and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 19__.

By _____

UNITED STATES OF AMERICA,
By E. S. LAND, *Administrator,*
War Shipping Administration.

By _____
For the Administrator.

As to execution for owner
Attest:

_____
or if not incorporated

In the presence of:

_____
Witness
and

_____
Witness

Approved as to form:

_____
Assistant General Counsel

(E.O. 9054, 3 CFR Cum. Supp.)

[SEAL] E. S. LAND,
Administrator.

JULY 20, 1945.

[F. R. Doc. 45-13245, Filed, July 20, 1945, 4:05 p. m.]

[G.O. 11, Supp. 11]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

UNIFORM TIME CHARTER FOR AMERICAN-FLAG TANK VESSELS NOT HERETOFORE UNDER TIME CHARTER "WARSHIPOILTIME (REV.) NEW VESSELS"

§ 302.52 *Uniform time charter for American-flag tank vessels not heretofore under time charter "Warshipoiltime (Rev.) New Vessels".* The Administrator, War Shipping Administration, adopts the following standard form of time charter for American-flag tank vessels not heretofore under time charter to the United States of America, acting by and through the Administrator, War Shipping Administration, to be known as "Warshipoiltime (Rev.) New Vessels":

Contract No. ____

Form No. 102 (Rev.) New Vessels
6/30/45
Warshipoiltime (Rev.) New Vessels

WAR SHIPPING ADMINISTRATION

TIME CHARTER
FOR TANK VESSELS

Time charter, hereinafter sometimes referred to as the Charter, dated as of _____, 194__, between _____ Address _____ Owner of the SS. _____ (herein called the "Vessel"), and United States of America, acting by and through the Administrator, War Shipping Administration, Charterer, the terms of the Charter being as follows:

PART I

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

Deadweight capacity, as defined in Clause 5, Part II.
Classed_____
Bale capacity of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer_____ cubic feet_____
Year built_____

CLAUSE A. *Period of charter.* From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941: *Provided, however,* That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. *Trading limits.* As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. *Hire.* The Owner is hereby given an election either (I) to accept the rate of hire hereinafter set forth in Option I, which states the rate which in the Administrator's judgment will be just compensation for the use of the Vessel and the services required under the terms of this Charter; or (II) to decline to accept such rate of hire and to have the amount of just compensation judicially determined. If the Owner elects Option I, hire at the rate therein stated shall be paid by the Charterer to the Owner in the manner provided in Part II. If the Owner executes this Charter but does not accept the rate of hire set forth in Option I, the right of the Owner to pursue whatever legal remedy it may have to recover just compensation under the laws and Constitution of the United States shall not be impaired or prejudiced either by the execution and delivery of this Charter, or by the acceptance of 75 per centum of the rate of hire set forth in Option I, and this Charter, in any such event, shall then be deemed an agreement governing only the relations between the Owner and the Charterer in respect to matters other than the amount of just compensation for the use of the Vessel and the services required under the terms of this Charter. Where Option II applies the Charterer reserves all rights which it may have to readjust or redetermine the rate of hire at any time.

Option I. The hire shall be $_____ per calendar month or pro rata for any portion thereof, of which the sum of $_____ per calendar month shall be compensation to the Owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

Option II. The Charterer shall pay to the Owner just compensation, to be judicially determined, for the use of the Vessel and the services required under the terms of this Charter, and, subject to the Charterer's reservations as to readjustment or redetermination of the rate of hire, the Charterer shall pay on account of just compensation a sum equal to 75 per centum of the hire otherwise payable under the terms of this Charter, as the same may from time to time be due under the terms of this Charter, and the Owner shall be entitled to sue the United States to recover such further sum as added to such 75 per centum will make up such amount as will be just compensation. The term "just compensation" as used in this Clause C and elsewhere in this Charter shall be deemed to include interest, if any, to which the Owner would be entitled if it had not executed and delivered this Charter.

Time of election between options. The Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a rate has not then been inserted in Option I. In the latter case such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the rate to be so inserted. In the event of the Owner's failure to elect Option I at the time of signing, or within such 30 day period, as the case may be, Option II shall apply: *Provided, however,* That at any time after election has been made of either Option I or Option II, but before redelivery and before commencement of suit for just compensation, the Owner, subject to the approval of the Charterer, may, if it has elected Option I herein, change such election to Option II, effective as of the date of such change and notice thereof to the Charterer, or if it has elected Option II herein, change such election to Option I, effective as of the time of delivery under this Charter or such other mutually agreeable date as the Charterer may fix. Whenever Option II is applicable it shall be deemed to have been elected for the purpose of this proviso.

Rate revision (Option I only). Not more often than once every 120 days after the effective date of this Charter, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within any such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (ewt) of the day after the end of such 30-day period, and the Charterer shall make a redetermination of the rate of hire, as to which the provisions of Option II of this Clause C shall apply for the balance of the period of this Charter. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

CLAUSE D. *Valuation.* The Owner shall elect between the following options, unless this is a Vessel subject to the provisions of Section 802 of the Merchant Marine Act 1936, as amended, in which event the Owner shall not have the right to elect Option I, and Option II shall apply.

Option I. In the event of loss or damage to the Vessel due to the operation of a risk assumed by the Charterer under the terms of this Charter, the Charterer shall pay to the Owner just compensation, to be judicially determined, for such loss or damage, to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage. In such event the amount of just compensation shall be determined and tendered by the Charterer as soon as practicable after the loss or damage, but if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum as, added to said 75 per centum, will make up such amount as will be just compensation for such loss or damage.

Option II. For the period ending noon, e. w. t., April 20, 1946, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of $_____. For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by_____, but any Owner who shall be dissatisfied with such reduction shall have the option, to be exercised on or before April 1, 1946, or on or before April 1st of any year thereafter, to elect Option I for the period commencing at noon, e. w. t., of the following April 20th, and effective for the balance of the term of this Charter. In event of such election, the provisions of Option I shall control for all purposes from such effective date.

The foregoing provisions of this Option II shall not be applicable to a Vessel subject to the provisions of Section 802 of the Merchant Marine Act, 1936, as amended. For the purposes of this Charter and any insurance undertaken by the Charterer, any such Vessel shall be valued as of the date of loss at the actual depreciated construction cost of the Vessel (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national defense features), less the depreciated amount of construction-differential subsidy theretofore paid incident to the construction or reconditioning of such Vessel, or the fair and reasonable scrap value of such Vessel as determined by the Charterer, whichever is greater. In computing the depreciated value of the Vessel, depreciation shall be computed on the Vessel on the schedule adopted by the Bureau of Internal Revenue for income-tax purposes.

By mutual agreement the valuation provisions of this Option II may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this vessel.

Time of election between options. Except as otherwise provided in valuation Option II above, the Owner shall elect between Option I and Option II at the time the owner signs this Charter, unless a valuation has not then been inserted in Option II. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the valuation to be so inserted. In the event of the Owner's failure to elect Option II at the time of signing or within such 30-day period, as the case may be, Option I shall apply.

CLAUSE E. *Port of delivery.*

CLAUSE F. *Time and date of delivery.*

CLAUSE G. *Port of redelivery.* Port of delivery, unless otherwise agreed: *Provided, however,* That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE H. *Notice of redelivery.* The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. *Uniform terms.* This Charter consists of this Part I and Part II conforming to Part II of the Amended Time Charter for Tank Vessels, published in the FEDERAL REGISTER of April 8, 1944, as corrected and amended by Orders published in the FEDERAL REGISTERS of May 11, 1944, June 6, 1944 and March 2, 1945, and as amended by the provisions contained in Clause K hereof. The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. *Reservation as to just compensation.* Whenever the Owner hereunder is entitled to just compensation as provided under Option II Clause C or Option I Clause D or Plan I Schedule A hereof, the rights of such Owner as to the determination and payment of just compensation under the laws and Constitution of the United States shall not be prejudiced by reason of the execution and delivery of this Charter by such Owner, and the rights of such Owner to just compensation shall be the same as though he had not executed and delivered this Charter: *Provided, however,* That all terms and conditions other than those relating to the determination and payment of just compensation shall not be impaired or affected by this reservation.

CLAUSE K. *Special provisions.*

1. Wherever in Part II of this Charter or in Schedule A the terms "Amended Time Charter" or "Amended Charter" are used, the word "Amended" shall be deemed to be deleted from such terms so that the reference will be to "Time Charter" and "Charter" respectively. Wherever the word "Addendum" is used following such terms it shall be deemed deleted.

2. Clause 11A, Part II, is hereby amended to read as follows:

CLAUSE 11A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be in contravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions, or changes, except as may be otherwise provided herein.

3. Clause 11B, Part II, is hereby amended to read as follows:

CLAUSE 11B. The Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peacetime standards, required by subchapter O of Chapter II of the Regulations of the United States Coast Guard (Title 46, U. S. C. R.), or by other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to life-boats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by increases and changes in wartime Governmental requirements. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11A of the Charter.

4. Clause 31, Part II, is hereby amended to read as follows:

CLAUSE 31. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause 31 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the presence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said Act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other Warshiptime or Warshipoiltime Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than $100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 31 shall be applicable only from the effective date of this Charter.

5. Clause 35A, Part II, is hereby deleted.

6. Subdivision (d) of Section I (B) of Schedule A is hereby deleted.

7. The first paragraph of Section V of Schedule A is hereby amended to read as follows: "This Schedule shall be effective, and the insurance to be provided by the Charterer hereunder shall attach simultaneously with delivery of the Vessel under this Charter."

8. The third paragraph of Section V of Schedule A is hereby amended by deleting the words "12:01 a. m. of the effective date of this Amended Charter (Addendum)" and inserting in lieu thereof "the date and hour of the Vessel's delivery under this Charter."

In witness whereof, the Owner has executed this Charter in quadruplicate the _____ day of _____, 19__, and has elected Hire Option _____ and Valuation Option _____, and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 19__.

By _____

UNITED STATES OF AMERICA,
By E. S. LAND, *Administrator,*
War Shipping Administration.

By _____
For the Administrator.

As to execution for Owner
Attest:

_____
or if not incorporated

In the presence of:

_____
Witness
and

_____
Witness

Approved as to form:

_____
Assistant General Counsel

(E.O. 9054, 3 CFR Cum. Supp.)

[SEAL] E. S. LAND,
Administrator.

JULY 20, 1945.

[F. R. Doc. 45-13276; Filed, July 21, 1945; 9:40 a. m.]

of hire and valuation have been based in part by the Administrator are as follows:

Option II at the time the Owner signs this Charter, unless a rate has not then been

who shall be dissatisfied with such reduction

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 10—RULES GOVERNING EMERGENCY RADIO SERVICES

STATION IDENTIFICATION

The Commission on July 17, 1945, effective immediately, adopted § 10.63 *Station identification*, which reads:

§ 10.63 *Station identification.* Every station in the emergency radio service, except those classes of stations covered by other station identification requirements of the Commission, shall transmit its call letters at the end of each transmission: *Provided, however*, That transmission of the call letters at the end of each transmission is not required during periods of communication requiring continuous, frequent, or extended use of the transmitting apparatus if, during such periods and in connection with such use, the call letters are transmitted at intervals of not more than 15 minutes.

(Sec. 4 (i), 48 Stat. 1068; sec. 303, 48 Stat. 1082; 47 U.S.C. 154 (i), 303 (f))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-13281; Filed, July 21, 1945; 11:02 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 330, Amdt. 2]

PART 95—CAR SERVICE

PREICING AND PRECOOLING POTATOES PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of July, A. D. 1945.

Upon further consideration of Service Order No. 330 (10 F.R. 8477), as amended (10 F.R. 8560), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 330 (10 F.R. 8477), as amended (10 F.R. 8560), be, and it is hereby, further amended by substituting the following paragraphs (a) and (b) for paragraphs (a) and (b) thereof:

(a) *Preicing potatoes prohibited in certain States.* No common carrier by railroad subject to the Interstate Commerce Act shall ice a refrigerator car, intended to be loaded with potatoes at any point in the States of Colorado, Kansas, Missouri, Nebraska, Oregon, Texas, Washington, and Wyoming, prior to the actual complete loading of the refrigerator car with such potatoes. In the event such cars are preiced and loaded, in violation of this provision, those preiced cars shall not be transported.

(b) *Precooling potatoes originating in certain States prohibited.* Subject to the exception shown below, no common carrier by railroad subject to the Interstate Commerce Act shall accord, allow or permit, the precooling of a refrigerator car intended to be loaded with potatoes at, or loaded with potatoes shipped from, any point in the States of Colorado, Kansas, Missouri, Nebraska, Oregon, Texas, Washington, or Wyoming. In the event such cars are precooled in violation of this provision those precooled cars shall not be transported.

Exception. This order shall not apply to the precooling of potatoes at loading points by shippers with their own equipment, providing no additional switching by the railroads is required for the refrigerator cars so precooled by shippers.

It is further ordered, That this amendment shall become effective at 12:01 a. m., July 22, 1945; that copies of this order shall be served upon the State railroad regulatory bodies of the States of Colorado, Kansas, Missouri, Nebraska, Oregon, Texas, Washington and Wyoming, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-13320; Filed, July 21, 1945; 11:36 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 57]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

PASSENGER RESERVATIONS RESTRICTED

General outline. This General Order ODT 57 prohibits the sale of railway tickets or space to travel agencies. It also prohibits any travel agency from reserving, purchasing, or acquiring any such ticket or space. The term "travel agency" is so defined in the order as to include any person other than a carrier, or an employee or authorized agent of a carrier who, for compensation, purchases or procures any ticket for transportation on a passenger train, or procures or reserves seating or sleeping space on a passenger train, or who organizes or sponsors "all-expense" trips or tours.

The order also prohibits organized group travel. "Organized group travel" is defined in the order as including passenger train travel by any two or more persons traveling together in a group, when such travel has been arranged by a travel agency, or by any other person, who, for compensation, has made arrangements in advance of such travel for the obtaining by the persons in the group, of meals, lodging or recreation incident to such travel.

The order is designated to curtail civilian passenger train travel which is unrelated to the war effort in order that passenger train equipment may be made available for troop movements with the least possible interference with travel on regularly scheduled passenger trains by men and women in the service who are on furlough and by civilians engaged in essential travel. Under present conditions, occupancy of space on passenger trains by persons engaged in organized group travel many times deprives service men and women of space which otherwise would be available to them. Service men and women are entitled to the space.

This general outline of the order shall not be construed to alter the meaning of any provision contained in the order.

Pursuant to Title III of the Second War Powers Act of 1942, as amended, and Executive Order 8989, as amended, in order to make railway cars available for the preferential transportation of troops and material of war; to assure the orderly and expeditious movement of troops and material of war; and to expedite the movement of necessary domestic passenger traffic, the attainment of which purposes is essential to the successful prosecution of the war, it is hereby ordered that:

Sec.
502.244 Definitions.
502.245 Making tickets available to, or securing tickets by, travel agencies prohibited.
502.246 Organized group travel on passenger trains prohibited.
502.247 Applicability.
502.248 Communications.

AUTHORITY: §§ 502.244 to 502.248, inclusive issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183.

§ 502.244 *Definitions.* As used in this order (§§ 502.244 to 502.248, inclusive), the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any political, governmental or legal entity.

(b) "Carrier" means any common carrier by railroad or sleeping car company which transports passengers for compensation.

(c) "Ticket" means the evidence issued by a carrier which, when presented to it or to another carrier, will be honored (1) for transportation on a passenger train, or (2) for reserved seating or sleeping space on a passenger train.

(d) "Travel agency" means any person other than a carrier, or an employee of a carrier, or an authorized agent of a carrier, who, directly or indirectly, for compensation, (1) purchases or procures any ticket for transportation on a passenger train, or procures or reserves seating or sleeping space on a passenger train, or (2) organizes or sponsors "all-expense" trips or tours. Any hotel which secures railway tickets or space on a passenger train for the accommodation of its guests only, shall not be considered to be a travel agency.

(e) "Authorized agent of a carrier" means a person who has been furnished a stock of tickets by a carrier for the purpose of enabling such person to sell such tickets to the general public for the account of such carrier.

(f) "Organized group travel" means travel on a passenger train by any two or more persons traveling together in a group (whether accompanied by a guide or otherwise), (1) when the arrangements for such travel have been made by a travel agency, or (2) when any other person, for compensation, has made arrangements in advance of such travel for the obtaining by such persons traveling together in a group, of meals, lodging or recreation incident to such travel.

(g) "Continental United States" means the forty-eight States and the District of Columbia.

§ 502.245 *Making tickets available to, or securing tickets by, travel agencies prohibited.* No person, whether an employee of a carrier or otherwise, shall knowingly reserve for, sell to, or make available to, any travel agency any ticket for use on any passenger train; and no travel agency shall, directly or indirectly, reserve or cause to be reserved, purchase or cause to be purchased, acquire, or cause the issuance of, any such ticket.

§ 502.246 *Organized group travel on passenger trains prohibited.* No carrier shall knowingly permit any persons engaged in organized group travel to board or travel on any passenger train, and no person shall engage in organized group travel by boarding or traveling on any passenger train.

§ 502.247 *Applicability.* The provisions of this order shall be applicable only in the Continental United States.

§ 502.248 *Communications.* Communications concerning this order should refer to "General Order ODT 57" and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 57 shall become effective on July 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of July, 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-13338; Filed, July 21, 1945; 1:09 p. m.]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

[General Order ODT 44A]

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

General outline. This General Order ODT 44A revises and amends General Order ODT 44, as amended, and beginning August 1, 1945, regulates the transfer of new commercial motor vehicles within the continental United States and the territories and possessions of the United States.

The order provides that no person shall transfer or accept transfer of any new commercial motor vehicle unless such transfer has been authorized by a certificate of transfer issued by the Office of Defense Transportation. Included within the scope of the order are sales, leases, trades, loans, gifts, and other methods by which title or possession of a new commercial motor vehicle is transferred from one person to another. The definition of the term "new commercial motor vehicle" includes vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers and semi-trailers having a load-carrying capacity of 10,000 pounds or more, bus chassis, carry-all suburbans, sedan deliveries, and cab pickups, but does not include station wagons, utility sedans, coupes fitted with pickup boxes, ambulances, hearses, taxicabs and integral type buses.

An application for a certificate of transfer is required to be in writing, on a form provided by the Office of Defense Transportation, and submitted to the district office of the Office of Defense Transportation nearest to the home office or principal place of business of the applicant. In the case of a department or agency of the United States, the application is to be submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

The procedure that will be followed upon the filing of an application with the district office is set forth in Administrative Order ODT 27A.

A certificate of transfer for a new commercial motor vehicle will be issued only for a specific use included within a "Usage Classification List for New Commercial Motor Vehicles" contained in an appendix to the order, and when it appears that the transfer of the new vehicle is necessary to the war effort or to the maintenance of essential civilian economy and that the vehicle will be devoted, without undue delay, to such use or uses in the business of the applicant and within the area as indicated in the application. A certificate of transfer will not be issued unless it is found to be consistent with the available supply of new commercial motor vehicles.

Manufacturers, distributors, and dealers who acquire new commercial motor vehicles for the purpose of resale and not for use, are not required to have certificates of transfer for such acquisitions. Special provision is made for the issuance of certificates of transfer in respect of vehicles (local passenger transportation equipment) subject to General Order ODT 35 (8 F.R. 3451).

A manufacturer or sales agency which has in stock a new commercial motor vehicle of the type specified in a certificate is required to transfer such vehicle upon presentation of such certificate of transfer, provided certain stated conditions are met.

Notification to the Office of Defense Transportation of all transfers made pursuant to certificates of transfer is required.

The order also provides that a commercial motor vehicle which has been transferred pursuant to a certificate of transfer, for the purpose of transporting property, shall not, within 6 months after such transfer, be transferred to any other person or converted to any other use than that for which the certificate of transfer was issued, without the written prior approval of the Office of Defense Transportation. This restriction does not apply to vehicles acquired by a department or agency of the United States, or to a transfer of possession of a vehicle for transporting property where possession under the transfer is for a period not in excess of 10 days.

Vehicles made available to the Foreign Economic Administration, or to the Motor Vehicle Controller of Canada, by the War Production Board are not subject to the order. Persons affected by the order are required to preserve, for a period of not less than 2 years, records concerning inventories and transfers of new commercial motor vehicles. Such records are to be made available for examination and inspection by accredited representatives of the Office of Defense Transportation.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of General Order ODT 44A follows:

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, 9214, and 9294, War Production Board Directives 21 and 36, as amended, and in order to conserve and providently utilize vital transportation equipment, material, and supplies; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of the requirements for the defense of the United States has resulted and will result in a shortage in the supply of new commercial motor vehicles for defense, for private use and for export, and it being deemed necessary in the public interest and to promote the national defense, to ration or allocate new commercial motor vehicles, *It is hereby ordered*, That General Order ODT 44, as amended (9 F.R. 7089, 10 F.R. 3877), be, and it hereby is, revised and amended to read as follows:

Sec.
501.420 Restrictions on transfers of new commercial motor vehicles.
501.421 Application for certificate of transfer; place of filing.
501.422 Certificate of transfer; when issued; period of validity.
501.423 Transfer from stock upon presentation of certificate of transfer.
501.424 Notification of transfer.
501.425 Subsequent transfers.
501.426 Issuance of certificates for vehicles subject to General Order ODT 35.
501.427 Exemptions.
501.428 Records and reports.
501.429 Applicability.
501.430 Definitions.
501.431 Communications.

AUTHORITY: §§ 501.420 to 501.431, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50

rier by railroad subject to the Interstate Commerce Act shall accord, allow or per-

related to the war effort in order that passenger train equipment may be made

a stock of tickets by a carrier for the

U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 3009.

§ 501.420 *Restrictions on transfers of new commercial motor vehicles.* Except as otherwise provided in this order and irrespective of the terms of any contract of sale or purchase, or of any other commitment, no person shall transfer and no person shall accept transfer of any new commercial motor vehicle, unless such transfer has been authorized by a certificate of transfer issued by the Office of Defense Transportation.

§ 501.421 *Application for certificate of transfer; place of filing.* (a) An application for a certificate of transfer shall be made in writing by the person desiring to acquire a new commercial motor vehicle, on the form provided by the Office of Defense Transportation and approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, and shall contain the information requested therein. Additional data deemed requisite to support the application may be attached thereto.

(b) If the applicant is not a department or agency of the United States, the application shall be submitted to the Office of Defense Transportation at the place specified below, unless the applicant is directed to submit the application at another place:

(1) An applicant located within the continental United States shall file the application with the district manager of the Office of Defense Transportation whose office is nearest the home office or principal place of business of the applicant.

(2) An applicant located in the Territory of Alaska shall file the application with the Alaskan representative of the Office of Defense Transportation, Fairbanks, Alaska.

(3) An applicant located in the Territory of Hawaii shall file the application with the regional director of the Office of Defense Transportation, Honolulu, Hawaii.

(4) An applicant located in Puerto Rico shall file the application with the regional director of the Division of Puerto Rican Transport, Office of Defense Transportation, San Juan, Puerto Rico.

(5) An applicant located in a territory or possession of the United States other than Alaska, Hawaii, or Puerto Rico, shall file the application with the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(c) If the applicant is a department or agency of the United States, the application shall be submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

§ 501.422 *Certificate of transfer; when issued; period of validity.* (a) A certificate of transfer will be issued by the Office of Defense Transportation whenever it appears that the transfer of the new commercial motor vehicle for a specified use included in the Usage Classification List for New Commercial Motor Vehicles, reproduced as Appendix 1 hereto, is necessary to the war effort or to the maintenance of essential civilian economy and that the new commercial motor vehicle will be devoted, without undue delay, to such use or uses in the business of the applicant and within the area as indicated in the application, and that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the available supply of such vehicles.

(b) A period of validity shall be stated in each certificate of transfer.

§ 501.423 *Transfer from stock upon presentation of certificate of transfer.* Any manufacturer or sales agency to which a valid certificate of transfer is presented, and which has in stock a new commercial motor vehicle of the type specified, shall transfer such vehicle to the person named in such certificate of transfer, irrespective of the terms of any contract of sale or any other commitment, provided the prospective purchaser who presents such certificate of transfer is legally capable of entering into a contract, and tenders in cash or by certified check the maximum price established for the vehicle by the Office of Price Administration, or is prepared to sign the security instruments and possesses the financial qualifications customarily required of a purchaser: *Provided*, That nothing in this § 501.423 shall be construed as precluding the transfer of a new commercial motor vehicle at less than the maximum price established for the vehicle by the Office of Price Administration.

§ 501.424 *Notification of transfer.* In each case of a transfer of a new commercial motor vehicle pursuant to a certificate of transfer the transferor and the transferee shall execute a notification of transfer on the form supplied by the Office of Defense Transportation. Such notification shall be filed forthwith with the district manager who handled the application, except that if the applicant is a department or agency of the United States, such notification shall be transmitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

§ 501.425 *Subsequent transfers.* (a) A commercial motor vehicle which has been transferred pursuant to a certificate of transfer, for the purpose of transporting property, shall not, within 6 months after such transfer, be transferred to any other person or converted to any other use than that stated in the application for such certificate of transfer, without the written prior approval of the Office of Defense Transportation. Such prior approval will not be given unless it appears that the vehicle will be devoted, without undue delay, to a use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy. Applications for such prior approval shall be in writing and submitted to the district manager with whom the original application for such certificate of transfer was filed. The written application shall be signed by the applicant and shall contain a statement of the facts upon which the applicant bases his request for approval.

(b) The restriction of paragraph (a) of this § 501.425 shall not apply to any vehicle acquired under a certificate of transfer by a department or agency of the United States, or to any transfer of possession of a commercial motor vehicle (property carrier) under an agreement, oral or written, for the purpose of transporting property in the regular course of business of a person as a motor carrier for hire, or in the furtherance of any commercial enterprise of a person, where possession under such transfer shall not continue under any conditions for a period in excess of 10 days from the date upon which such transfer is first made.

§ 501.426 *Issuance of certificates for vehicles subject to General Order ODT 35.* (a) Nothing in this General Order ODT 44A, except paragraph (c) of this § 501.426 shall be construed as altering or affecting any provision of General Order ODT 35 (8 F.R. 3451), or as such order may be hereafter amended, revised, or reissued.

(b) Where approval of the Office of Defense Transportation of the purchase, lease, requisition, or use of any local passenger transportation equipment, as defined in General Order ODT 35, by any Federal department is required by § 501.303 of General Order ODT 35 or pursuant to the Act of December 1, 1942 (Pub. Law 779, 77th Cong., 56 Stat. 1024; 50 U. S. C. App. Supp., 841, 842), and a certificate of transfer for any such equipment is also required pursuant to the provisions of this General Order ODT 44A, a single application for approval shall be filed pursuant to the provisions of § 501.304 of General Order ODT 35 or the said Act of December 1, 1942. If such application is approved by the Office of Defense Transportation, a certificate of transfer will be issued without requiring the submission of a separate application for such certificate of transfer.

(c) Where approval by the Office of Defense Transportation of the purchase, lease, requisition, or use of any local passenger transportation equipment by any contractor, as defined in General Order ODT 35, is required by § 501.303 of General Order ODT 35, and a certificate of transfer for such equipment is also required by § 501.420 of this General Order ODT 44A, a single application shall be filed pursuant to the provisions of § 501.421 of this General Order ODT 44A. If such application is approved by the Office of Defense Transportation, a certificate of transfer will be issued without requiring submission of the application for approval of the purchase, lease, requisition, or use of such equipment provided in General Order ODT 35.

§ 501.427 *Exemptions.* (a) The provisions of this General Order ODT 44A shall not be applicable to new commercial motor vehicles made available to the Foreign Economic Administration, or to the Motor Vehicle Controller of Canada, by the War Production Board.

(b) The following persons may acquire by transfer a new commercial motor vehicle without a certificate of transfer, but only for the purpose of resale and not for use:

(1) A manufacturer, distributor, or dealer;

(2) A person who in good faith lends money on the security of, or finances the sale of, a new commercial motor vehicle;

(3) A person distraining upon a new commercial motor vehicle under a writ of attachment, execution or similar form of judicial process, or any person repossessing a new commercial motor vehicle under the terms of a conditional sales contract, mortgage or similar instrument;

(4) A person acquiring title to a new commercial motor vehicle through or under the terms of a will, or by intestacy under any State or Federal law, or through bankruptcy or receivership proceedings.

§ 501,428 *Records and reports.* All persons affected by this order shall preserve, for not less than 2 years, accurate and complete records concerning inventories and transfers of new commercial motor vehicles, and shall prepare and maintain such other records and make such reports as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

§ 501.429 *Applicability.* The provisions of this order shall be applicable within the continental United States and the territories and possessions of the United States.

§ 501.430 *Definitions.* As used herein, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "New commercial motor vehicle" means any light, medium or heavy motor-truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which:

(1) Was manufactured subsequently to July 31, 1941; and

(2) Was designed to be propelled or drawn by mechanical power; and

(3) Was designed for use on or off the highways for transportation of property or persons; and

(4) Was manufactured otherwise than under specifications of the United States Army or United States Navy; and

(5) Has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers and semi-trailers having a load-carrying capacity of 10,000 pounds or more, bus chassis, carry-all suburbans, sedan deliveries, and cab pickups, but not including station wagons, utility sedans, coupes fitted with pickup boxes, ambulances, hearses, taxicabs and integral type buses.

(c) "Manufacturer" means any person who manufactures new commercial motor vehicles.

(d) "Dealer" means any person regularly engaged in the business of offering new commercial motor vehicles for sale at retail to the public.

(e) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling new commercial motor vehicles to dealers.

(f) "Sales agency" means any distributor or dealer, and includes any agency or branch of a manufacturer which sells new commercial motor vehicles: *Provided, however*, That the terms "manufacturer," "dealer," "distributor," and "sales agency," as defined in paragraphs (c), (d), (e), and (f) of this § 501.430 do not include manufacturers of bodies or other equipment for mounting on truck chassis produced by other manufacturers.

(g) "Transfer" means to sell, lease, trade, lend, give, deliver, ship or physically transfer in any other way which involves the use of the commercial motor vehicle after the transfer by a person other than the transferor; or to convert to use a commercial motor vehicle held by a manufacturer, distributor, or dealer; or to change the designation of the registered owner. Transfer does not include delivery to a carrier for shipment, nor delivery by a carrier to a consignee; nor does it include a lease or loan made in good faith by any person other than a dealer, distributor, or other sales agency; nor does it include a technical transfer of title for security purposes to a person financing a conditional sale or similar transaction made simultaneously with the transfer of the vehicle itself to the purchaser.

(h) "Certificate of transfer" means a nontransferable certificate, in prescribed form, issued by the Office of Defense Transportation, authorizing the transfer of a new commercial motor vehicle.

(i) "Transferor" means any manufacturer, dealer, distributor, sales agency or other person who transfers a new commercial motor vehicle.

(j) "Transferee" means any person who acquires possession of a new commercial motor vehicle pursuant to a certificate of transfer.

(k) "District" means a district of the Highway Transport Department of the Office of Defense Transportation as described in Administrative Order ODT 6B, as amended, or as it may be amended from time to time.

(l) "District manager" means the manager of a district, and, in the case of the territories and possessions of the United States, shall include the representatives of the Office of Defense Transportation referred to in § 501.421 of this order.

(m) "Continental United States" means the forty-eight States and the District of Columbia.

§ 501.431 *Communications.* Communications concerning this order should refer to General Order ODT 44A and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., or to the nearest district office of the Office of Defense Transportation.

This General Order ODT 44A shall become effective August 1, 1945.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 23d day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1—USAGE CLASSIFICATION LIST FOR NEW COMMERCIAL MOTOR VEHICLES

The following classification of new commercial motor vehicles on the basis of use applies to light, medium and heavy trucks, truck-tractors, trailers, and chassis thereof. It will serve as a broad general basis for the preferential allocation of the supply of such new vehicles. The various classes are arranged in the order of their importance from the standpoint of the national war effort. Individual groups within a given class are shown as illustrations of the coverage of the class and do not indicate preference groups within the class.

All vehicles are to be classified according to their predominant or principal use into five classes arranged in the order in which preference is to be granted. As a general rule, predominant or principal use means 50 percent or more of the applicant's operations.

The Usage Classification List is as follows:

CLASS I

Vehicles principally used in connection with military forces (in action or on maneuvers), public health or safety, or with essential channels of communications, such as:

In connection with military forces in the field (in action or on maneuvers).

To maintain public police services; fire-fighting services; services essential to protection of public health and safety, including the regulation of highway traffic and prevention of highway accidents.

To construct and maintain mail, telegraph, telephone and organized radio communication services.

To furnish and maintain water supply, sewage and garbage disposal and other sanitation services.

CLASS II

Vehicles principally used directly in connection with the war effort, such as:

In connection with fixed military and naval posts and establishments.

In the transportation of all materials, supplies and equipment of industry and business directly connected with the war effort, including farm, forest and mine products, and food.

In service operations connected with the construction, maintenance and supply of essential rail, highway, water, pipe line, and air transportation facilities.

In the transportation of material and equipment for the construction of defense housing facilities.

In the transportation of material and equipment for the construction and maintenance of public utilities other than those specified in Class I above.

In the transportation of persons engaged in business, industry, etc., directly connected with the war effort.

specified use included in the Usage Classification List for New Commercial

statement of the facts upon which the applicant bases his request for approval.

and not for use:

CLASS III

Vehicles principally used in connection with essential functions indirectly connected with the war effort, such as:

In the transportation of all materials, supplies and equipment of industry and business indirectly connected with the war effort, including farm, forest and mine products, and food.

For the transportation of ice and fuel for heating and power to the ultimate consumer for personal, family or household use.

For the rendering of essential roofing, plumbing, heating, electrical, building and vehicle repair services.

For the collection of waste and scrap material other than services performed in connection with Class I.

In the transportation of persons in business, industry, etc., indirectly connected with the war effort.

In the service of public and private schools and educational institutions.

CLASS IV

Vehicles used for the transportation of persons or goods, except as above classified, not connected with the war effort, and which are used in the less essential activities. This includes all essential forms of retail delivery, except that of ice and fuel (see Class III).

CLASS V

Vehicles used in connection with non-essential functions or so-called "luxury" uses and not connected with the war effort.

[F. R. Doc. 45-13403; Filed, July 23, 1945; 11:55 a. m.]

PART 503—ADMINISTRATION

[Administrative Order ODT 27A]

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

General outline. This Administrative Order ODT 27A is a revision of Administrative Order ODT 27, as amended, and supplements General Order ODT 44A, which governs the allocation or rationing of new commercial motor vehicles and which prohibits, with certain exceptions, the transfer of a new commercial motor vehicle except under a certificate of transfer issued by the Office of Defense Transportation. This administrative order establishes the procedure that will be followed upon the filing of an application for a certificate of transfer with the district office of the Office of Defense Transportation nearest to the home office or principal place of business of applicant.

Where an application involves a vehicle of less than 16,000 pounds gross vehicle weight (other than a full trailer or a semi-trailer), the district manager may, after making such investigation as is necessary, either issue a certificate of transfer or disapprove the application. Where an application involves a vehicle of 16,000 pounds or more gross vehicle weight, or a full trailer or semi-trailer, the district manager may, after making such investigation as is necessary, either disapprove the application or forward it to Washington with his recommendation for approval. The standards which govern a district manager in his determination are prescribed. An adverse decision on an application by a district manager is subject to appeal to a local appeal board which may either affirm or reverse the decision of the district manager. The decision of the local appeal board is final except in the case where the local appeal board reverses the decision of the district manager disapproving an application in respect of a vehicle of 16,000 pounds or more gross vehicle weight, or a full trailer or a semi-trailer. In the latter case the local appeal board will forward the application to Washington with its recommendation of approval. The final decision on each application recommended for approval by either the district manager or the local appeal board is made by the Director, Highway Transport Department, Office of Defense Transportation, or by such member of his staff as he may designate.

Limitations upon the filing of a new application after disapproval of an original application are prescribed.

This administrative order also prescribes the procedure to be followed by a person who, having acquired a new commercial motor vehicle, pursuant to a certificate of transfer, for the purpose of transporting property, seeks the approval of the Office of Defense Transportation to transfer such vehicle within 6 months after its acquisition. Applications for such approval and appeals in connection therewith are to be handled under the terms of this administrative order in the same general manner as applications for certificates of transfer involving vehicles of less than 16,000 pounds gross vehicle weight.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of Administrative Order ODT 27A follows:

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directives 21 and 36, as amended, and in order to regulate transfers of new commercial motor vehicles for which prior authority is required by General Order ODT 44A, *It is hereby ordered*, That Administrative Order ODT 27, as amended (9 F.R. 7092, 10268, 15006), be, and it hereby is, revised and amended to read as follows:

Sec.

503.470 Application for certificate of transfer.
503.471 Consideration of application by district manager; issuance of certificate of transfer.
503.472 Appeal from decision of district manager; local appeal boards.
503.473 Issuance of certificate of transfer by director.
503.474 Filing of new application after disapproval of original application.
503.475 Approval of subsequent transfer; appeals.
503.476 Delegation of authority.
503.477 Applicability.
503.478 Definitions.
503.479 Communications.

AUTHORITY: §§ 503.470 to 503.479, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 9009.

§ 503.470 *Application for certificate of transfer.* (a) An application for a certificate of transfer shall be made on the form prescribed and provided by the Office of Defense Transportation, and approved by the Bureau of the Budget.

(b) An application shall consist of an original and 3 exact copies, including any supporting data; and a separate application must be filed for each vehicle.

(c) If the applicant is an individual, the application should be signed by him. If the applicant is a partnership, the names of all partners should be stated and the application should be signed by one partner. If an individual or a partnership does business under a trade name, such trade name should also be stated in the application. If the applicant is a corporation, the exact corporate name should be stated, and the application should be executed by an authorized official of the corporation.

§ 503.471 *Consideration of application by district manager; issuance of certificate of transfer.* (a) The district manager to whom an application is submitted may refer the application to another district manager for advice or handling.

(b) Except as hereinafter provided in paragraph (e) of this section, upon receipt of an application in respect of a new commercial motor vehicle of less than 16,000 pounds gross vehicle weight (other than a full trailer or semi-trailer) the district manager, without undue delay, shall make any necessary investigation and shall either issue a certificate of transfer or disapprove the application. If the district manager disapproves the application, he shall return to the applicant the original so marked, with a letter stating briefly the grounds of disapproval and outlining the appeal procedure.

(c) Except as hereinafter provided in paragraph (e) of this section, or paragraph (b) (1) of § 503.473 (applicable in Puerto Rico), upon receipt of an application in respect of a new commercial motor vehicle of 16,000 pounds or more gross vehicle weight, or a full trailer or semi-trailer, the district manager, without undue delay, shall make any necessary investigation and shall either recommend approval of the application or shall disapprove it. If the district manager recommends approval of the application, he shall forward it to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C. If the district manager disapproves the application, he shall return to the applicant the original so marked, with a letter stating briefly the grounds of disapproval and outlining the appeal procedure.

(d) The district manager shall issue a certificate of transfer pursuant to paragraph (b) of this section, and shall recommend approval of an application under paragraph (c) of this section, only upon a determination by him that the new commercial motor vehicle will be devoted, without undue delay, to the use or uses directly related and necessary

to the war effort or to the maintenance of essential civilian economy, in the business of the applicant and within the area, as indicated in the application. In making a determination under this § 503.471, the district manager shall be governed by the "Usage Classification List for New Commercial Motor Vehicles" as reproduced in Appendix 1 to General Order ODT 44A, or as it may be amended from time to time; shall consider the number of available new commercial motor vehicles of the type covered by the application; and shall be assured:

(1) That the applicant could not fill its needs by leasing available vehicles of others, by pooling its present vehicles with those of other operators, by purchasing a used vehicle, or by utilizing the services of other operators; and

(2) That the applicant could not transfer some of its present vehicles now being used for less essential purposes to the use for which it is now requesting the new vehicle; and

(3) That if the new vehicle is to be used for replacement, the vehicle to be replaced is incapable of being repaired to serve the applicant's purpose.

(e) In any case where it appears that the new commercial motor vehicle covered by the application is to be used in connection with an extension or inauguration of motor carrier service which requires the prior approval of the Office of Defense Transportation under General Order ODT 3, Revised, as amended, General Order ODT 6A, as amended, or General Order ODT 17, as amended, or which requires the issuance of a new or amended certificate of war necessity under General Order ODT 21A, and such prior approval or new or amended certificate of war necessity has not been obtained by the applicant, the district manager shall defer consideration of the application for a reasonable period. If, within a reasonable time, the applicant fails to request such prior approval in accordance with Administrative Order ODT 15, as amended, or fails to apply for such new or amended certificate in accordance with General Order ODT 21A, as amended, or, if having made such request, the request has been finally denied, the district manager shall dismiss the application for a certificate of transfer and return the original to the applicant, with a letter stating briefly the reason for the dismissal. The decision of the district manager under this paragraph (e) shall not be subject to the provisions of § 503.472 of this order.

§ 503.472 *Appeal from decision of district manager; local appeal boards.* (a) Local appeal boards shall be established to consider appeals from decisions of district managers, as provided in this order. Each local appeal board will consist of three members appointed by the Office of Defense Transportation, no one of whom shall be a district manager or a member of a district manager's staff.

(b) Local appeal boards heretofore established by the Office of Defense Transportation to hear and determine appeals under Administrative Order ODT 27, as amended, are hereby established as local appeal boards under this Administrative Order ODT 27A, and are authorized to consider appeals filed pursuant to this order.

(c) Any applicant who is aggrieved by the action of the district manager in disapproving an application for a certificate of transfer, or in disapproving an application for approval of a subsequent transfer made under § 503.475 of this order, may file an appeal from such decision with the local appeal board within 30 days after such decision is made. The appeal shall be in writing and shall state in full the facts upon which the appeal is based and the reasons why it is believed that the decision of the district manager is inconsistent with the provisions of this order. The applicant may submit to the local appeal board such additional data as are deemed requisite to support the appeal. The appeal and supporting data should be submitted in duplicate.

(d) The local appeal board will consider the appeal with or without hearing in the discretion of the local appeal board. If the local appeal board denies the appeal, the original application will be returned to the applicant accompanied by an appropriate notification from the local appeal board. No further appeal will be allowed.

(e) If the local appeal board allows an appeal involving an application in respect of a new commercial motor vehicle of less than 16,000 pounds gross vehicle weight (other than a full trailer or semi-trailer) the application and the appeal file shall be returned to the district manager together with notice of the allowance of the appeal and, upon receipt thereof, the district manager shall issue a certificate of transfer.

(f) If the local appeal board allows an appeal involving an application in respect of a new commercial motor vehicle of 16,000 pounds or more gross vehicle weight, or a full trailer or a semi-trailer, the application will be forwarded to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(g) Communications in regard to an appeal should be addressed to Local Appeal Board, Office of Defense Transportation, in care of the district manager with whom the original application was filed.

§ 503.473 *Issuance of certificate of transfer by director.* (a) Except as otherwise provided, a certificate of transfer will be issued by the Director, Highway Transport Department, Office of Defense Transportation, when recommended by the district manager or local appeal board in connection with a proper application and if it appears that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44A, including the available supply of such vehicles; otherwise he will disapprove the application and so notify the applicant. The decision of the Director shall be final.

(b) (1) Whenever a proper application is made to the regional director, Division of Puerto Rican Transport, Office of Defense Transportation, San Juan, Puerto Rico, for a certificate of transfer in respect of a full trailer or semi-trailer held by any person for sale in Puerto Rico, and it appears that a new truck or truck-tractor of a gross vehicle weight of 16,000 pounds or more will not be required by applicant to draw such trailer or semi-trailer, the regional director will issue a certificate of transfer if it further appears that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44A, including the available supply of such vehicles; otherwise, he will disapprove the application and so notify the applicant. Upon written request by the applicant, the disapproval of any such application by the regional director will be reviewed by the Director of the Division of Puerto Rican Transport, who may affirm or reverse the action of the regional director. The decision of the Division Director shall be final.

(2) In any case where it appears in connection with an application made to the regional director, Division of Puerto Rican Transport, for a certificate of transfer in respect of a full trailer or semi-trailer held by any person for sale in Puerto Rico that a new truck or truck-tractor of a gross vehicle weight of 16,000 pounds or more will be required by the applicant to draw such trailer or semi-trailer, the regional director shall either recommend approval of, or shall disapprove, such application (and any application for a new truck or truck-tractor of a gross vehicle weight of 16,000 pounds or more filed by the applicant) in accordance with the provisions of § 503.471 of this order; and issuance of certificates of transfer in respect of such vehicles will be subject to paragraph (a) of this section.

§ 503.474 *Filing of new application after denial or disapproval of original application.* (a) After an application for a certificate of transfer has been denied or disapproved by a district manager, the applicant may file a new application for a new commercial motor vehicle for the same usage not earlier than 60 days after the date of the disapproval of the original application by the district manager.

(b) If the applicant has appealed to a local appeal board and the appeal has been denied, the applicant may file such new application not earlier than 60 days after the date of the notification of the denial by the local appeal board.

(c) If the district manager or local appeal board recommends approval of an application in respect of a new commercial motor vehicle of a gross vehicle weight of 16,000 pounds or more, or a full trailer or semi-trailer, but it is subsequently disapproved by the Director, the applicant may file such new application not earlier than 60 days after the date of the disapproval by the Director.

(d) Notwithstanding paragraphs (a), (b), and (c) of this section, an application may be reconsidered by the district manager, the local appeal board, or the Director, at any time prior to the expiration of such respective 60 days' periods, provided that additional data are submitted which have substantial bearing on the merits of the application,

and a reasonable explanation is given why such additional data were not previously submitted.

(e) In construing this section, an application shall be considered as being a new application for a new commercial motor vehicle for the same usage if it appears from an examination thereof that the proposed usage as stated therein is substantially the same as that stated in the original application; a change in the place where the vehicle is to be used or any change or substitution in the make, model, gross vehicle weight, or capacity of the vehicle will not of itself be considered to be a substantial change in usage.

§ 503.475 *Approval of subsequent transfer; appeals.* (a) Whenever written application for approval of a subsequent transfer is filed with a district manager pursuant to § 501.425 of General Order ODT 44A, the district manager may require the applicant to submit reasonable proof of statements made in support of the application, and may make such investigation as may be reasonably necessary for proper disposition of the application. The district manager will approve the application only when it appears that the vehicle sought to be transferred will be devoted, without undue delay, to a use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy, and upon such showing will issue a written approval of the transfer. In the absence of such showing the district manager shall disapprove the application and so notify the applicant in writing and advise him of the appeal procedure.

(b) An appeal from a disapproval of a district manager of an application for approval of a subsequent transfer may be made to a local appeal board as provided in § 503.472 of this order. If the local appeal board allows the appeal, the application and the appeal file shall be returned to the district manager together with notice of the allowance of the appeal and upon receipt thereof, the district manager shall issue his approval of the subsequent transfer.

§ 503.476 *Delegation of authority.* The authority conferred by this administrative order upon the Director, Highway Transport Department, Office of Defense Transportation, may be delegated by him to such member or members of his staff as he may designate.

§ 503.477 *Applicability.* The provisions of this order shall be applicable within the continental United States and the territories and possessions of the United States.

§ 503.478 *Definitions.* As used herein, the term:

(a) "Director" means the Director, Highway Transport Department, Office of Defense Transportation.

(b) Any term used in this order and not otherwise defined, shall have the meaning specified therefor in § 501.430 (Definitions) of General Order ODT 44A.

§ 503.479 *Communications.* Communications concerning this order should refer to Administrative Order ODT 27A, and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., or to the nearest district office of the Office of Defense Transportation.

This Administrative Order ODT 27A shall become effective August 1, 1945.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 23d day of July 1945.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 45-13402; Filed, July 23, 1945; 11:55 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

PUBLIC USE OF UPPER SOURIS NATIONAL WILDLIFE REFUGE

Under authority of §§ 12.2 and 12.7 of the General Regulations for the Administration of National Wildlife Refuges (5 F.R. 5284), as amended, the following is ordered:

§ 29.919b *Upper Souris National Wildlife Refuge, North Dakota; public use.* The following described area in the Upper Souris National Wildlife Refuge, North Dakota, is hereby designated as a recreational area for use of the public under the conditions hereinafter prescribed:

SE¼, Sec. 29; T. 158 N., R. 84 W.

Entry on and use of the refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F.R. 5284), and strict compliance therewith is required. Persons entering the refuge for the purposes covered by this order must follow such routes of travel within the refuge as are designated by posting.

Picnicking, swimming, skating and other recreational uses except fishing may be conducted at any time without permit on the designated recreational area.

Boats (rowboats, sailboats, and canoes only) may be operated without permit during the daylight hours on Lake Darling between Dam No. 83 and the north line of Secs. 28, and 29, T. 158 N., R. 84 W., except that boating may be prohibited during the open waterfowl hunting season or during periods of waterfowl concentrations as, in the judgment of the officer in charge, such limitations and restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting. The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes. The launching or landing of any boat will be permitted only on the shoreline bounded by the designated recreational area.

No person shall engage in any business, erect or maintain a building, or operate a boat for hire, except under permit issued by the Director of the Fish and Wildlife Service.

Dated: July 14, 1945.

ALBERT M. DAY, *Acting Director.*

[F. R. Doc. 45-13277; Filed, July 21, 1945; 9:38 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1945 Dept. Circ. 773]

7/8 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES F-1946

OFFERING OF CERTIFICATES

JULY 23, 1945.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated 7/8 percent Treasury Certificates of Indebtedness of Series F-1946, in exchange for Treasury Certificates of Indebtedness of Series E-1945, maturing August 1, 1945.

II. *Description of certificates.* 1. The certificates will be dated August 1, 1945, and will bear interest from that date at the rate of 7/8 percent per annum, payable semiannually on February 1 and August 1, 1946. They will mature August 1, 1946, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before August 1, 1945, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series E-1945, maturing August 1, 1945, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] D. W. BELL, *Acting Secretary of the Treasury.*

[F. R. Doc. 45-13367; Filed, July 23, 1945; 11:23 a. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 2048945]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 9, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

NEW MEXICO PRINCIPAL MERIDIAN

T. 51 N., R. 8 E.,
Sec. 36, N½NW¼,
T. 50 N., R. 9 E.,
Sec. 16, All

The above lands contain 720 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON, *Commissioner.*

[F. R. Doc. 45-13279; Filed, July 21, 1945; 9:39 a. m.]

DEPARTMENT OF AGRICULTURE.

Office of Marketing Services.

FLORIDA SUGARCANE HARVESTING

NOTICE OF HEARING AND DESIGNATION OF PRESIDING OFFICERS TO DETERMINE FAIR AND REASONABLE WAGES

Pursuant to the authority contained in subsection (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, notice is hereby given that a public hearing will be held at Clewiston, Florida, in the High School Auditorium, on August 16, 1945 at 9:30 a. m.

The purpose of such hearing is to receive evidence likely to be of assistance to the Secretary in determining (1), pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wages for persons employed in Florida in the harvesting of sugarcane during the period from September 1, 1945, to June 30, 1946, and the planting and cultivating of sugarcane during the calendar year 1946 on farms with respect to which applications for payments under the said act are made, and (2), pursuant to the provisions of section 301 (d) of the said act, fair and reasonable prices for the 1945 crop of sugarcane to be paid, under either purchase or toll agreements, by processors who as producers apply for payments under the said act; and to receive evidence likely to be of assistance to the Secretary in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugarcane and with respect to the terms and conditions of contracts between laborers and producers of sugarcane.

Joshua Bernhardt, C. R. Oviatt and Harry H. Simpson are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearing.

Issued this 23d day of July, 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

[F. R. Doc. 45-13358; Filed, July 23, 1945; 11:12 a. m.]

Office of the Secretary.

MILK IN QUAD CITIES SALES AREA

TERMINATION OF LICENSE

On May 31, 1934, pursuant to the provisions of Public Act No. 10, 73d Congress as amended, a license was duly executed and issued by R. G. Tugwell, Acting Secretary of Agriculture, licensing certain persons therein described to engage in the distribution, marketing, or handling of milk or cream in the Quad Cities sales area, as therein bounded and described, subject to certain terms and conditions stated therein. The license became effective on June 1, 1934, and was thereafter amended by amendments effective September 1, 1934, October 22, 1934, and February 26, 1935. By order dated January 10, 1940, and effective January 31, 1940, such license, as amended, was suspended.

On January 10, 1940, pursuant to Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246), a marketing order was duly issued by the Secretary of Agriculture, effective on and after February 1, 1940, regulating the handling of milk in the Quad Cities marketing area.

It is hereby found and determined that the said license issued on May 31, 1934,

§ 503.479 *Communications.* Communications concerning this order should

permitted only on the shoreline bounded by the designated recreational area.

2. The Secretary of the Treasury reserves the right to reject any subscrip-

desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), by qualified veterans of World

AND REASONABLE WAGES

Pursuant to the authority contained in subsection (b) and (d) of section 301

in the Quad Cities marketing area.

It is hereby found and determined that the said license issued on May 31, 1934,

as amended, is no longer required to effectuate the policy expressed in Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, such policy being more fully effectuated by the provisions of the said marketing order issued on January 10, 1940, as amended.

It further appears that E. H. McGuire, the market administrator appointed and acting pursuant to said license, under designation dated October 27, 1943, has fully and properly disposed of and accounted for all funds or property which came into his possession or under his control as such market administrator, and has no liability or outstanding obligation thereunder.

It is therefore ordered, That the said license issued on May 31, 1934, as amended, be, and the same hereby is, terminated, effective at 12:01 a. m., e. w. t., July 23, 1945; and

It is further ordered, That the appointment of E. H. McGuire, as market administrator thereunder, be, and such appointment hereby is, terminated, and the said E. H. McGuire is discharged and released from any and all liability and obligation under said license, such termination of designation, discharge, and release to become effective as of the time of termination of said license.

Issued at Washington, D. C., this 23d day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13357; Filed, July 23, 1945; 11:12 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 354]

REGIONAL AND ACTING REGIONAL DIRECTORS

DELEGATION OF AUTHORITY TO ACT AS AUTHORIZED REPRESENTATIVES TO GRANT, DENY OT CANCEL SPECIAL HOME WORK CERTIFICATES AND TO HOLD HEARINGS

By virtue of, and pursuant to, the authority vested in me by the Fair Labor Standards Act of 1938 (52 Stat. 1060) and pursuant to regulations, §§ 605.100–112, 607.100–112, 617.100–112, 621.100–113, 625.100–112, 628.100–112, and 633.100–112, as amended, Title 29, Chapter V, Code of Federal Regulations, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby:

(a) Designate and appoint the directors and acting directors of the regional offices of the Wage and Hour Division as my authorized representatives with full power and authority to (1) grant or deny applications for special home work certificates, (2) sign, issue and cancel special home work certificates, and (3) hold and conduct hearings in connection therewith, and

(b) Ratify and approve action previously taken by the afore-mentioned officials with respect to the aforesaid activities.

Signed at New York, this 16th day of July 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-13275; Filed, July 20, 1945; 4:44 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890):

Boyd Garment Company, Whitehall, Illinois; ladies' outer washable apparel; 35 learners (E); effective July 13, 1945, expiring January 12, 1945.

Great Lakes Garment Manufacturing Company, Onaway, Michigan; cotton trousers and play suits; 8 learners (T); effective July 18, 1945, expiring July 17, 1946.

Lustberg, Nast & Company, Inc., First Street, Warwick, New York; men's rain jackets; 10 learners (T); effective July 14, 1945, expiring July 13, 1946.

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079):

Phoenix Hosiery Company, 110 Rowell Street, Beaver Dam, Wisconsin; seamless hosiery; 10 learners (AT); effective July 15, 1945, expiring January 14, 1946.

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125):

Public Utilities Company, Crossett, Arkansas; to employ learners as commercial switchboard operators at its Crossett, Arkansas exchange, located at Crossett, Arkansas; effective July 18, 1945, expiring July 17, 1946.

Textile learner regulations, May 16, 1941, (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079):

The Kendall Company—Wateree Plant, Camden, South Carolina; surgical gauze; 3 percent (T); effective July 18, 1945, expiring July 17, 1946.

Signed at New York, N. Y., this 19th day of July 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-13345; Filed, July 23, 1945; 9:47 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 221 et al.]

TRANSCONTINENTAL & WESTERN AIR, INC., ET AL.; CINCINNATI-NEW YORK ADDITIONAL SERVICE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Transcontinental & Western Air, Inc., et al. for certificates and amendments of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act that hearing in the above-entitled proceeding assigned to be heard on August 10, 1945, is hereby postponed to August 14, 1945 at 10 a. m. (eastern war time) in Conference Room A of the Departmental Auditorium, Washington, D. C., before Examiners F. A. Law, Jr., and H. Heinrich Spang.

Dated at Washington, D. C., July 19, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary

[F. R. Doc. 45-13354; Filed, July 23, 1945; 11:06 a. m.]

[Docket No. 1967]

TRANS-MARINE AIRLINES, INC.

NOTICE OF HEARING

In the matter of the investigation of certain activities of Trans-Marine Airlines, Inc. under sections 205 (a), 401 (a), and 1002 (b) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given that the above-entitled matter is assigned to be heard on July 27, 1945 at 10 a. m., (eastern war time) in the Hotel New Yorker, New York City, New York, before Examiner Charles J. Frederick.

Dated at Washington, D. C., July 20, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMES,
Secretary.

[F. R. Doc. 45-13352; Filed, July 23, 1945; 11:06 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5519]

BONNEVILLE PROJECT, COLUMBIA RIVER, OREG.-WASH.

ORDER DESIGNATING PLACE OF HEARING

JULY 20, 1945.

It appearing to the Commission that:

On July 18, 1945, the Commission ordered that the public hearing in the above-entitled proceeding be held commencing at 10:00 a. m. (p. w. t.), on August 14, 1945, at Spokane, Washington, at a place to be thereafter designated;

The Commission orders that:

Said public hearing be held in Room 338, Federal Post Office Building, Spokane Washington.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-13101; Filed, July 23, 1945; 11:50 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 21]

YAMANAKA & CO. INC.

Whereas, by Vesting Order No. 25, dated June 16, 1942 (7 F.R. 5207, July 9, 1942), as amended September 24, 1942 (7 F.R. 7818, October 2, 1942) and by Supplemental Vesting Order No. 3771, dated June 6, 1944 (9 F.R. 6474, June 13, 1944), the undersigned vested:

1. All of the issued and outstanding shares of the capital stock of Yamanaka & Co. Inc., an Illinois corporation, and undertook the direction management, supervision and control of said corporation; and,

2. The claim of Yamanaka & Company, Ltd., Osaka, Japan, in the sum of $69,974.54, and the claim of Kitchitaro Yamanaka in the sum of $1,500., against Yamanaka & Co. Inc. (Chicago, Ill.), represented on the books and records of Yamanaka & Co. Inc., as accounts payable; and,

Whereas, Yamanaka & Co. Inc. (of Illinois), has been substantially liquidated under the supervision of the undersigned.

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, including the vested claims represented on the books and records as accounts owing to Yamanaka & Co. Ltd., Osaka, Japan, and to Kitchitaro Yamanaka, as described in said Supplemental Vesting Order No. 3771, except such claim if any as the undersigned may have for monies advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that the said corporation be dissolved and its assets distributed, and a Statement of Intent to Dissolve by Voluntary Action of The Corporation Pursuant to Section 76 of "The Business Corporation Act" of the State of Illinois, having been filed with the Secretary of State for the State of Illinois and recorded with the Recorder of Deeds of Cook County, Illinois,

hereby orders, that the officers and directors of Yamanaka & Co., Inc., (of Illinois), to wit: C. R. Bergherm, Chairman of the Board, President and Director, and Frank J. Garvey, Vice-President and Director, and George W. Zimmerman, Secretary and Treasurer, and their successors or any of them) continue the proceedings for the dissolution of Yamanaka & Co. Inc., (of Illinois), in accordance with the statutes of the State of Illinois in such cases made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State and local taxes and fees owed by or accruing against said corporation; and

(c) They shall then pay over, transfer, assign and deliver to the undersigned all other funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation; and

further ordered, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of Illinois, of any persons who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned and applied by him as a liquidating distribution of assets to the undersigned as stockholder as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the statutes of the State of Illinois; and further orders, that all actions taken and acts done by the said officers and directors of Yamanaka & Co., Inc., (of Illinois), pursuant to this order and the directions contained therein shall be deemed to have been taken and done in reliance on hand pursuant to paragraph numbered (2) of subdivision (b) of Section B of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., July 16, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13350; Filed, July 23, 1945; 10:58 a. m.]

[Supp. Vesting Order 5092]

ANTONIO CELLE

In re: Cash owned by Antonio Celle.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order No. 2251, dated September 22, 1943, that Antonio Celle is a national of a designated enemy country (Italy);

2. Finding that Antonio Celle is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

Cash presently in the possession of the Alien Property Custodian, representing the proceeds of that certain bank account formerly maintained with the Bank of America, National Trust & Savings Association, Stockton, California, identified as savings account No. 14989,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a national of a designated enemy country (Italy);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby ratifies all acts of any of his employees, agents or representatives by which such property was taken into the possession of the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13351; Filed, July 23, 1945; 10:58 a. m.]

[Supplemental Vesting Order 5094]

WILHELM FRANZ VAHLE

In re: Interest in contract owned by Wilhelm Franz Vahle, also known as William Vahle.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 3698, dated May 19, 1944, that Wilhelm Franz Vahle, also known as William Vahle, is a national of a designated enemy country (Germany);

2. Finding that Wilhelm Franz Vahle, also known as William Vahle, is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows: All right, title, interest and claim of

any kind or character whatsoever of Wilhelm Franz Vahle, also known as William Vahle, under an agreement, entered into by and between Henry Vahle and William Vahle, on December 15, 1932, evidenced by Agreement and Bill of Sale, both dated December 15, 1932, copies of which are identified as Exhibit A, attached hereto and by reference made a part hereof,

is property within the United States owned or controlled by, payable or delivered to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a national of a designated enemy country (Germany):

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany):

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

ABSCHRIFT

This agreement, made this 15th day of December, A. D. 1932, by and between Henry Vahle, of the City of Philadelphia, State of Pennsylvania, hereinafter called the Party of the First Part, and William Vahle, of Wehrstedt, Halberstadt, Germany, hereinafter called the Party of the Second Part.

Whereas, the parties hereto are co-partners conducting a bird and pet importing business at number 319 Market Street, Philadelphia, Pennsylvania, under the firm name of E. C. Vahle Company, and

Whereas, the parties hereto each own a one-half interest in said business and are likewise liable for one-half of the Accounts Payable and other obligations of said co-partnership, and

Whereas, each of the parties hereto is the owner in fee and of an undivided one-half interest in premises 319 Market Street, Philadelphia, Pennsylvania, and

Whereas, the party of the second part hereto is desirous of withdrawing from the said co-partnership and selling his one-half interest therein and his one-half interest in premises 319 Market Street, Philadelphia, Pennsylvania, herein-above referred to, and the party of the first part is desirous of acquiring the same;

Now, this agreement witnesseth: That the parties hereto, for and in consideration of the premises, of the mutual covenants and agreements between them moving and of the sum of One Dollar by each party hereto unto the other paid, the receipt whereof is hereby acknowledged, do hereby agree to and with each other as follows:

1. The parties hereto hereby agree that the co-partnership now subsisting shall be and hereby is dissolved as of the Fifteenth day of December, A. D. 1932.

2. The party of the second part hereby agrees to sell to the party of the first part, who hereby agrees to purchase, all of the interest of the party of the second part in the stock, good will, fixtures, book accounts and other assets of the co-partnership now subsisting between the parties hereto, together with the one-half interest of the party of the second part in premises 319 Market Street, Philadelphia, Pennsylvania, for the price or sum of Twenty-two thousand five hundred ($22,500) Dollars, upon the following terms and conditions, to wit:

The party of the first part hereby agrees to pay to the party of the second part, who hereby agrees to accept, the sum of Five hundred twenty ($520) Dollars a year for the period of two years from the date hereof, said sum to be paid in monthly instalments of Forty-three and 33/100 ($43.33) Dollars, together with interest at the rate of six per cent on the unpaid balances, said interest likewise to be paid in monthly instalments. From and after the expiration of two years from the date hereof, the party of the first part shall pay to the party of the second part on account of the balance then due the sum of Two thousand ($2,000) Dollars a year, likewise payable in monthly instalments, together with interest on the unpaid balances at the rate of six per cent per annum. The party of the first part further agrees to pay to the party of the second part on January 15th, 1933, the sum of Three hundred forty ($340) Dollars and on February 15, 1933, the further sum of Three hundred forty ($340) Dollars, all of which payments shall be applied to the reduction of the total payment of Twenty-two thousand five hundred ($22,500) Dollars hereby agreed to be paid by the party of the first part to the party of the second part.

3. The party of the first part hereby agrees to assume and become liable for all accounts payable and other obligations of the said co-partnership to creditors of the said co-partnership in the United States of America.

4. The party of the second part, in consideration of the payments by the party of the first part hereinabove stipulated, and in further consideration of the assumption by the party of the first part of all accounts payable and other obligations due by the said co-partnership to creditors in the United States of America, hereby agrees to become liable for and assume any and all obligations of the said co-partnership to creditors of the said co-partnership in Germany.

5. The party of the second part hereby agrees to execute and deliver forthwith to the party of the first part a Bill of Sale for all of his interest in the stock, good will, fixtures, accounts receivable and other assets of the co-partnership now subsisting between the parties hereto, and further agrees, upon the payment in full to the party of the second part by the party of the first part of the sum of Twenty-two thousand five hundred ($22,500) Dollars as hereinabove provided, to execute and deliver to the party of the first part, his heirs or assigns, a deed in fee simple for his one-half interest in premises 319 Market Street, Philadelphia, Pennsylvania, subject to any mortgage now thereagainst or which may hereafter be placed thereon.

6. Until title to the one-half interest of the party of the second part in premises 319 Market Street is transferred and conveyed to the party of the first part, all taxes, water rent, interest on mortgage, cost of repairs and other charges incident to the maintenance of said property shall be borne and paid by the party of the first part, it being understood that the said charges are in addition to the payments herein stipulated to be made by the party of the first part to the party of the second part.

7. This agreement shall be binding upon the parties hereto and upon their and each of their respective heirs, executors, administrators and assigns.

In witness whereof the parties hereto have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of us:

I. H CAMPBELL,
R. GRUNDY
HENRY VAHLE, [SEAL]
WILLIAM VAHLE. [SEAL]

Für die Richtigkeit der Abschrift: Wehrstedt, den 26, April 1938. Der Bürgermeister. A. A.

(Signed) (Illegible)

[SEAL] GEMEINDE,
WEHRSTEDT.

Know all men by these presents, That I, William Vahle, of Wehrstedt, Halberstadt, Germany, in consideration of the sum of One Dollar to me in hand paid by Henry Vahle, of the City of Philadelphia, State of Pennsylvania, at and before the ensealing and delivering of these presents, the receipt whereof I do hereby acknowledge, and in further consideration of the agreement this day executed by the said Henry Vahle, a copy of which is attached hereto and made a part hereof, have granted, bargained, sold, released and confirmed, and by these presents do grant, bargain, sell, release and confirm unto the said Henry Vahle all of my one-half interest in the goods, wares, merchandise, book accounts, good will, fixtures and stock in trade of the partnership business now subsisting between me, the undersigned, and the said Henry Vahle said partnership business being conducted under the firm name of E. C. Vahle Company at number 319 Market Street, Philadelphia, Pennsylvania; to have and to hold all and singular the said goods, wares, merchandise, book accounts, good will, fixtures and stock in trade, and every of them, by these presents bargained, sold, released, granted and confirmed unto the said Henry Vahle, to his own proper use and behoof, his heirs, executors, administrators and assigns, for and against all person and persons whomsoever shall and will warrant and forever defend by these presents.

In witness whereof I have hereunto set my hand and seal this Fifteenth day of December, A. D., One thousand Nine hundred and thirty-two (1932).

Signed, sealed and delivered in the presence of:

[SEAL] I. H. CAMPBELL.

[F. R. Doc. 45-13352; Filed, July 23 1945; 10:58 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[S. R. 15, Order 45]

TOBIN-HAMILTON CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 45 Under Section 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. Tobin-Hamilton Co., Inc., Docket No. 6064–SR 15.75 (a) (10)–30.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum prices for manufacturer's sales of footwear by Tobin-Hamilton Co., Inc.* (1) *Maximum prices for sales to mail order houses and other retailers.* On and after July 21, 1945, the maximum prices at which Tobin-Hamilton Co., Inc., 2632–34 Palm Street, St. Louis, Missouri, may sell and deliver the footwear specified below to mail order houses and other retailers shall be as follows:

Style No.	Description	Sales to mail order houses		Sales to all other retailers	
		"OPA adjustment charge"	Adjusted maximum price	"OPA adjustment charge"	Adjusted maximum price
A O–A1, A4–A5	Infants' first step semi-soft sole, various colors, sizes 1–4.	$0.04	$0.94	$0.04	$0.91
120-121, 124-125	Infants' hi-blucher, hard sole, various colors, sizes 2–5½.	.03	1.06	.03	1.06
120-121, 124-125	Infants' hi-blucher, hard sole, various colors, sizes 6–8.	.17	1.09	.09	1.22
120-121, 124-125	Children's hi-blucher, plain toe, sizes 8½–12.	.27	1.41	.03	1.53

(2) *Invoicing of "OPA adjustment charges."* The "OPA Adjustment Charges" listed in subparagraph (1), above, may be made and collected only if separately stated on the invoice accompanying each sale and delivery.

(3) *Discounts.* Any shoe listed in subparagraph (1), above, may be billed at a gross price, *Provided*, That the net price, after discounts, does not exceed the applicable maximum price specified.

(b) *Maximum prices for sales by mail order houses and other retailers.* (1) *Sales subject to the General Maximum Price Regulation.* Except as provided in subparagraph (3) of this paragraph, the maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price previously established under the General Maximum Price Regulation and may not be increased by reason of the adjustment granted to Tobin-Hamilton Co., Inc., under this order. A retailer who has not previously established a maximum price for such shoe under the General Maximum Price Regulation may not, in determining his maximum price, consider the "OPA Adjustment Charge" specified in paragraph (a) as a part of his net unit replacement cost for the shoe.

(2) *Sales subject to Maximum Price Regulation 580.* Except as provided in subparagraph (3) of this paragraph, the maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price determined by applying to his invoice net cost, exclusive of the "OPA Adjustment Charge" specified in paragraph (a) the applicable pricing rule of section 7 of Maximum Price Regulation 580 and may not be increased by reason of the adjustment granted to Tobin-Hamilton Co., Inc., under this order.

(3) *Maximum prices for sales of certain styles by mail order houses.* (i) *Sales subject to the General Maximum Price Regulation.* The maximum price for a sale or delivery at retail of a shoe listed in paragraph (a), above, by a mail order house shall be the maximum price previously established by the mail order house under the General Maximum Price Regulation and may not be increased by reason of the adjustment granted to Tobin-Hamilton Co., Inc., under this order, except that, with respect to a shoe listed in subparagraph (ii) below, the amount specified in that subparagraph may be added to the maximum price otherwise determined. A mail order house which has not previously established a maximum price for a shoe, listed in paragraph (a), under the General Maximum Price Regulation, may not, in determining its maximum price, consider the "OPA adjustment charge" specified in paragraph (a) as a part of his net unit replacement cost for the shoe, but may add the amount specified in subparagraph (ii) to the maximum price otherwise determined for a shoe listed in that subparagraph.

(ii) *Sales subject to Maximum Price Regulation 580.* The maximum price for a sale or delivery at retail of a shoe listed in paragraph (a), above, by a mail order house shall be determined by applying to its net invoice cost, excluding the "OPA adjustment charge" specified in paragraph (a), the applicable pricing rule of section 7 of Maximum Price Regulation 580. To the price so determined for a shoe listed below, a mail order house may add the amount specified:

Style No.	Description	Amount of adjustment
120–121, 124–125	Infants' hi-blucher, hard sole, various colors, sizes 6–8.	$0.07
120–121, 124–125	Children's hi-blucher, plain toe, sizes 8½–12.	.15

(c) *Notification.* At the time of (or prior to) the first delivery hereafter of each shoe listed in paragraph (a) (1), above, Tobin-Hamilton Co., Inc., shall notify the purchaser in writing of the applicable method established by paragraph (b), above, for determining his maximum price at retail for sales of such shoe. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are denied.

(e) This order may be amended, modified, revised or revoked by the Administrator at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45–13230; Filed, July 20, 1945; 11:41 a. m.]

[MPR 120, Revocation of Order 1376]

ABNER FORK MINING CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICE

In accordance with the opinion issued simultaneously herewith and pursuant to § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1376 under Maximum Price Regulation No. 120 is hereby revoked.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45–13231; Filed, July 20, 1945; 11:41 a. m.]

[RMPR 131, Order 28]

THE LOEWENTHAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 5a (c) of Revised Maximum Price Regulation 131 for sales at wholesale and Revised Maximum Price Regulation 528 for sales at retail; It is ordered:

(a) *Applicability.* This order applies to the manufacturers', wholesalers' and retailers' sales of tractor tire reliners made from scrap tires by The Loewenthal Company of Chicago, Illinois.

(b) *Maximum prices.* The maximum prices for sales of the following tractor tire reliners made from scrap tires, and having the specifications noted below, shall be:

Size	Ply	Width	Length	Net maximum price	
				Sales to jobbers, dealers, and vulcanizers	Sales at retail
		Inches	*Inches*		
9.00 x 24	4	20	130	$6.00	$8.40
9.00 x 28	4	20	143	6.40	9.00
9.00 x 36	4	20	168	7.00	9.80
10.00 x 36	4	20	170	7.20	10.00
11.25 x 24	4	22	145	9.10	12.30
11.25 x 28	4	23	157	9.75	13.10
12.75 x 24	4	28	149	9.75	13.10
12.75 x 28	4	28	161	10.20	13.70
13.50 x 24	4	30	153	11.00	14.80
13.50 x 32	4	30	178	12.30	16.00

(c) *Notification of maximum prices.* With or prior to the first delivery of any repair material covered by this order to any retailer or jobber, the seller shall furnish such buyer a notification in writing setting forth the maximum prices established for sales to jobbers, retailers, and vulcanizers and the applicable maximum price for sales at retail; if the purchaser is a jobber, the notification shall include a statement that the jobber is required to furnish his buyer a notification in writing setting forth the maximum price of the commodity for sales at retail.

(d) All provisions of Revised Maximum Price Regulation 131 not inconsistent with this order shall apply to wholesale sales of the commodities covered by this order.

(e) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to all retail sales covered by this order.

(f) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13232; Filed, July 20, 1945; 11:41 a. m.]

[MPR 188, Order 4123]

JAYART CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Jayart Company, 132 Front Street, New York 5, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model Nos.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
4" paper parchment shades—bumblestripes, antiqued print decoration	5, 10, 15, 20, 25, 30, and 35.	($0.26 $0.30)		$0.54
8"		.34	.40	.72
10"		.41	.50	.90
12"		.64	.75	1.35
14"		.72	.85	1.53
16"		.72	.85	1.80
19"		.81	.95	1.71

These maximum prices are for the articles described in the manufacturer's application dated April 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13234; Filed, July 20, 1945; 11:42 a. m.]

[MPR 188, Order 4124]

CHARLES BECKER

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Charles Becker, 287½ Bowery, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
Lucite lamp base with swirl column	51	$4.10	$4.82	$8.68
Lucite lamp base with twisted effect	52	8.47	9.96	17.93

These maximum prices are for the articles described in the manufacturer's application dated January 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13235; Filed, July 20, 1945; 11:42 a. m.]

[MPR 188, Order 4125]

SPECIAL ELECTRIC LABORATORIES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Special Electric Laboratories, 7657 South Central Avenue, Los Angeles 1, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
Crystal vanity lamp	200	$1.60	$1.90	$3.41
	815	1.83	2.15	3.85
	825	2.42	2.85	5.13
Crystal table lamp	850	3.61	4.25	7.65
China vanity lamp	1000	2.60	2.95	5.22

These maximum prices are for the articles described in the manufacturer's application dated May 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. ------
OPA Retail Ceiling Price—$----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13236; Filed, July 20, 1945; 11:43 a. m.]

[MPR 188, Order 4126]

THE CHARLES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Charles Company, 534½ South Spring Street, Los Angeles, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
12" antique lacquer finish paper parchment lamp shade	B-115	$0.64	$0.75	$1.35
12" celanese lamp shade with braid trim top and bottom	B-600	1.91	2.25	4.05
16" desert cloth over paper parchment lamp shade with braid trim top and bottom	R-500	1.44	1.70	3.06
15" celanese lamp shade with braid trim top and bottom	R-600	2.97	3.50	6.30
13½" celanese lamp shade with ruching trim	T-200	4.25	5.00	9.00
14" desert cloth over paper parchment lamp shade with braid trim top and bottom	T-300	.98	1.15	2.07
14" celanese lamp shade with braid trim top and bottom	T-600	2.12	2.50	4.50

These maximum prices are for the articles described in the manufacturer's application dated January 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13237; Filed, July 20, 1945; 11:43 a. m.]

[MPR 188, Order 4129]

M & J PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by M & J Products of 3238 North Clark Street, Chicago 13, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers (jobbers)	Retailers (6 or more units)	Retailers (less than 6 units)	Consumers
2 burner hot plate, 20 gauge steel, 4 switches, white baked enamel and cord	102-A	*Each* $4.95	*Each* $5.85	*Each* $6.20	*Each* $9.45

These maximum prices are for the articles described in the manufacturer's application dated May 28, 1945, these prices include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

M & J Products
3238 North Clark Street
Chicago 13, Illinois
Model No. ------
OPA Retail Ceiling Price $------
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Order No. 4129 Under M. P. R. 188
Model No. ------
OPA Retail Ceiling Price $------
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13238; Filed, July 20, 1945; 11:43 a. m.]

[MPR 406, Amdt. 1 to Order 49]

MERRITT PRODUCTS CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sec. 10 of Maximum Price Regulation No. 406 and sec. 6.4 of Supplementary Regulation 14F, *It is ordered*, That Order No. 49 under Maximum Price Regulation No. 406 is amended to read as follows:

(a) Maximum prices for sales of "Plasjoin" a synthetic resin adhesive, manufactured by Merritt Products Company, Cleveland, Ohio, are established as follows:

	Per set
For sales by manufacturer:	
1 to 50 sets	$6.00
Over 50 sets	5.40
For sales by jobber:	
To wholesale distributor	6.35
To retailer	7.20
For sales by wholesale distributor to retailer	8.00
For sales by retailer to consumer	[1] 12.00

[1] 25 cents each.

Prices f. o. b. seller's shipping point except manufacturer's sales f. o. b. Cleveland, Ohio freight equalized with competitive points. Manufacturer's sales 2% ten days.

(b) No additional charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a jobber or wholesale distributor, the manufacturer shall furnish such jobber or wholesale distributor with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been approved by the Office of Price Administration.

(d) Prior to making any delivery of Plasjoin after the effective date of this order, the manufacturer shall mark or cause to be marked on each package containing a set of Plasjoin substantially the following legends:

"Maximum retail price $12.00 per set. 25 cents per jar."

(e) As used in this order:

(1) "Set" means 4 dozen 1½-ounce jars, namely one dozen jars for each of the following four bonding purposes: furniture, glass, paper and leather.

(2) "Jobber" means a person who buys from a manufacturer and resells to a wholesale distributor or retailer.

(3) "Wholesale distributor" means a person who buys from a jobber and resells to a retailer.

This amendment shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13239; Filed, July 20, 1945; 11:43 a. m.]

[MPR 478, Order 151]

HOOD RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478; *It is ordered:*

(a) The maximum price for sales of the following coated fabric manufactured by the Hood Rubber Company, Watertown 72, Massachusetts, shall be as follows:

Construction #521 Embossed Synthetic Resin Shoe Material (fabric backed) 36½" #S3625 Pacific Mills 10.40 ounce dyed tent twill spread and calender coated with approximately 12.8 dry ounces of synthetic resin compound, $2.22 per linear yard.

(b) With or prior to the first delivery of the fabric covered by this order to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation No. 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13240; Filed, July 20, 1945; 11:44 a. m.]

[SR 15, Order 46]

EDMOR SHOE MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 46 under § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. Edmor Shoe Mfg. Co. Docket No. 6064-SR 15.75 (a) (10)-47.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum prices for manufacturer's sales of footwear by Edmor Shoe Mf. Co.*—(1) *Maximum prices.* On and after July 21, 1945, the maximum prices at which Edmor Shoe Mfg. Co., 1234 Carpenter Street, Philadelphia, Pennsylvania, may sell and deliver the footwear specified below shall be as follows:

Style No.	Description	Size run	"OPA adjustment charge" (cents per pair)	Adjusted maximum price per pair (net)
101, 102, 130, 141...	Low oxford and strap	2-6	6	$6.90
101, 102, 130, 141...	do	6½-9	1	[illegible]
109	Boot	2-6	5	[illegible]
109	do	6½-9	7	1.07

(2) *Invoicing of "OPA adjustment charges."* The "OPA adjustment charges" listed in subparagraph (1), above, may be made and collected only if separately stated on the invoice accompanying each sale and delivery.

(3) *Discounts.* Any shoe listed in subparagraph (1), above, may be billed at a gross price provided that the net price, after discounts, does not exceed the maximum price specified.

(b) *Maximum prices for sales at wholesale.* (1) The maximum price for a sale at wholesale of any shoe listed in paragraph (a), above, shall be the wholesaler's maximum price previously established under the General Maximum Price Regulation to which may be added the amount specified below. A wholesaler who has not previously established a maximum price therefor under the General Maximum Price Regulation may not, in determining his maximum price consider the "OPA adjustment charge" specified in subparagraph (a) (1) as a part of his net unit replacement cost for the shoe. To his maximum price otherwise determined he may add the amount specified below:

Style No.	Description	Size run	Amount of adjustment (cents per pair)
101, 102, 130, 141...	Low oxford and strap	2-6	4
109	Boot	2-6	4
109	do	6½-9	5

(2) *Invoicing of amounts of adjustment.* The amounts of adjustment listed in subparagraph (b) (1), above, may be made and collected only if separately stated in the invoice accompanying each sale and delivery.

(c) *Maximum prices for sales at retail*—(1) *Sales subject to the General Maximum Price Regulation.* The maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price previously established under the General Maximum Price Regulation and may not be increased by reason of the adjustment granted to Edmor Shoe Mfg. Co., or to a wholesaler under this order. If a retailer has not previously established a maximum price under the General Maximum Price Regulation, he may not, in determining his maximum price, consider either the "OPA adjustment charge" specified in subparagraph (a) (1), above, or the amount of adjustment specified in subparagraph (b) (1), above, as part of his net unit replacement charge for the shoe.

(2) *Sales subject to Maximum Price Regulation 580.* The maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price determined by applying to his invoice net cost, exclusive of the "OPA adjustment charge" specified in subparagraph (a) (1), above, or the amount of adjustment specified in subparagraph (b) (1), above, the applicable pricing rule of section 7 of Maximum Price Regulation 580. Such maximum price may not be increased by reason of the adjustment granted to Edmor Shoe Mfg. Co. or to a wholesaler under this order.

(d) *Notification.* At the time of (or prior to) the first delivery of each shoe to a purchaser for resale on and after the effective date of this order, at a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the applicable method established by paragraph (b) or (c), above, for determining maximum prices for resale of the footwear. This notice may be given in any convenient form.

(e) All requests not specifically granted by this order are hereby denied.

(f) This order may be amended, modified, revised or revoked by the Administrator at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13252; Filed, July 20, 1945; 4:33 p. m.]

[Order 54 Under 3 (e), Amdt. 1]

GENERAL MOTORS CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 54 under § 1499.3 (e) of the General Maximum Price Regulation is amended in the following respects:

(1) Section (a) is amended to read as follows:

The maximum prices, f. o. b. Dayton, Ohio, for sales by the Frigidaire Division of the General Motors Corporation to distributors, dealers, and consumers of various parts and sub-assemblies purchased by it for which the maximum prices have not heretofore been established shall be the prices derived by applying the formula contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(2) Section (b) is amended to read as follows:

The maximum prices for sales by distributors to dealers and consumers of the parts and sub-assemblies purchased by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the maximum prices derived from the formula for sales by it to dealers and consumers contained in the March 12, 1945, letter from the company, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(3) Section (c) is amended to read as follows:

The maximum prices for sales by dealers to consumers of parts and sub-assemblies purchased by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the prices derived from the formula for sales by it to dealers and consumers contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

This amendment shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13251; Filed, July 20, 1945; 4:33 p. m.]

[RPS 40, Order 20]

THE STANLEY WORKS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1346.1 (b) (3) of Revised Price Schedule No. 40, *It is ordered:*

(a) The maximum list price f. o. b. point of manufacture for sales by The Stanley Works of New Britain, Connecticut of the No. 1533 semi-concealed cabinet hinge shall be:

$2.00 per dozen pair (including screws).

(b) The maximum list price established in (a) above shall be subject to the following discounts:

On sales to jobbers 50 percent.
On sales to retailers 33⅓ percent.

(c) The maximum prices established in (a) and (b) above are subject to a cash discount of 2 percent, 10 days and are also subject to the freight provisions as set forth in section 7 (b) of Maximum Price Regulation No. 413.

(d) The maximum net price for sales by jobbers to any person of the No. 1533 semi-concealed cabinet hinge manufactured by The Stanley Works shall be $1.35 per dozen pairs (including screws).

(e) The maximum net price for sales by retailers of the No. 1533 semi-concealed cabinet hinge manufactured by The Stanley Works shall be 20 cents per pair (including screws).

(f) The maximum prices established by this order shall be subject to such other discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during October 1-15, 1941, for the manufacturer and jobbers, and March 1942 for retailers.

(g) The Stanley Works shall notify each of its purchasers at or before the time of the first invoice, of the maximum prices established by this Order for The Stanley Works on sales to such purchasers and the maximum prices established for such purchaser for resale.

(h) The Stanley Works shall print, in a conspicuous place on the box containing the No. 1533 semi-concealed cabinet hinges, the following:

Maximum retail price—20 cents per pair (including screws)

(i) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13253; Filed, July 20, 1945; 4:34 p. m.]

[MPR 120, Order 1425]

SANBRAC COAL CO., ET AL

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

SANBRAC COAL CO., 32 IRWIN DRIVE R. D. #11 PITTSBURGH, PA., NO. 2 MINE, D SEAM MINE INDEX NO. 7422, FAYETTE COUNTY, PA., SUBDIST. 35, RAIL SHIPPING POINT, MATER AND INDIAN HEAD, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	345	325	315

BURL SCHUCKERS, R. D. #1, REYNOLDSVILLE, PA., SCHUCKERS NO. 1 MINE, D SEAM, MINE INDEX NO. 5439, JEFFERSON COUNTY, PA., SUBDIST. 6, RAIL SHIPPING POINT, ANITA, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	374	353	353	333	333
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	383	358	358	348	338

L. B. SHARPLESS, KITZMILLER, MD., RAWLINGS MINE, B SEAM, MINE INDEX NO. 3660, GARRETT COUNTY, MD., SUBDIST. 18, RAIL SHIPPING POINT, BLAINE, W. VA., DEEP MINE

Price classification	H	H	*H	H	H
Rail shipment	348	348	328	303	303
Railroad locomotive fuel	338	328	323	313	313
Truck shipment	368	343	*343	333	323

*Previously established.

JOHN SHEMA, DELANCEY, PA., SHEMA MINE, D SEAM, MINE INDEX NO. 5353, JEFFERSON COUNTY, PA., SUBDIST. 6, RAIL SHIPPING POINT, ANITA, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	374	353	353	333	333
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	383	358	358	348	338

O. D. SHRECKENGOST, 711 E. PENN. ST., NEW BETHLEHEM, PA., YOUNG MINE, B SEAM, MINE INDEX NO. 5434, ARMSTRONG COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT, MCWILLIAMS, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	H	H
Rail shipment	330	330	315	285	285
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	355	350	330	315	305

SUMMIT COAL MINING CO., BOX 421, INDIANA, PA., SUMMIT NO. 8-D MINE, D SEAM, MINE INDEX NO. 7408, INDIANA COUNTY, PA., SUBDISTRICT 29, RAIL SHIPPING POINT, HESHBON, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	335	335	315	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

TOMER COAL CO., 256 NORTH SIXTH ST., INDIANA, PA., HOMER CITY NO. 1 MINE, E SEAM, MINE INDEX NO. 5409, INDIANA COUNTY, PA., SUBDISTRICT 23, RAIL SHIPPING POINT, HOMER CITY, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	G	G
Rail shipment	330	330	315	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	355	350	330	320	310

TOMER COAL CO., 256 NORTH SIXTH ST., INDIANA, PA., HOMER CITY NO. 2 MINE, B SEAM, MINE INDEX NO. 5410, INDIANA COUNTY, PA., SUBDISTRICT 23, RAIL SHIPPING POINT, HOMER CITY, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	H	H	H	H	H
Rail shipment	348	348	328	303	303
Railroad locomotive fuel	338	338	323	313	313
Truck shipment	368	343	343	333	323

F. B. WOOD COAL MINING CO., BARNESBORO, PA., BELL NO. 1 MINE, C SEAM, MINE INDEX NO. 7441, CAMBRIA COUNTY, PA., SUBDISTRICT 16, RAIL SHIPPING POINT, EMEIGH AND ST. BENEDICT, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price Classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

F. B. WOOD, COAL MINING CO., BARNESBORO, PA., BELL NO. 2 MINE, D SEAM, MINE INDEX NO. 7442, CAMBRIA COUNTY, PA., SUBDISTRICT 16, RAIL SHIPPING POINT, EMEIGH AND ST. BENEDICT, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

This order shall become effective July 21, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13254; Filed, July 20, 1945; 4:34 p. m.]

[MPR 136, Order 474]

KAY-BRUNNER STEEL PRODUCTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 474 under Revised Maximum Price Regulation 136. Machines, parts, and industrial equipment. Kay-Brunner Steel Products, Inc., Docket No. 6083-136.21-242.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices of Kay-Brunner Steel Products, Inc., Los Angeles, California, for the following models of bulldozers and trailbuilders shall be determined by multiplying the maximum prices which it had in effect for such models on October 1, 1941, by the following percentages:

Machine	*Percentage multiplier (per cent)*
Model H bulldozer, cable controlled	130.5
Model G bulldozer, hydraulically controlled	121.0
Model H trailbuilder, cable controlled	124.5
Model G trailbuilder, hydraulically controlled	121.5

The maximum prices so determined shall be subject to the discounts, allowances and terms of delivery which Kay-Brunner Steel Products, Inc. had in effect on October 1, 1941 to its various classes of purchasers.

(b) The maximum price for the sale by a reseller of any bulldozer or trailbuilder listed in paragraph (a) shall be determined as follows: The reseller shall add to the maximum net price which he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount, in dollars-and-cents, by which his net invoiced cost has been increased because of this order.

(c) Kay-Brunner Steel Products, Inc., shall give written notice to its customers who purchase for resale the equipment listed in paragraph (a) of the dollar-and-cents amount by which this order permits such resellers to increase their maximum net prices for the resale of their equipment. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C., wherein thirty days after the effective date of this order, and in the case of subsequent notification, within ten days after such subsequent notice has been given to a reseller.

(d) All reports not granted herein are denied.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13255; Filed, July 20, 1945; 4:35 p. m.]

[RMPR 169, Amdt. 1 to Order 53]

STEAK SPECIALTIES CO.

ESTABLISHMENT OF MAXIMUM PRICES

On October 12, 1944, Order No. 53 under Revised Maximum Price Regulation No. 169 was issued, authorizing Steak Specialties Company, Los Angeles, California, to sell its "Strato Beef Steaks" to purveyors of meals and to intermediate distributors for resale to purveyors of meals at a maximum price of 40 cents per pound, f. o. b. the seller's place of business. Steak Specialties Company, Los Angeles, California was further authorized to sell in specified 3-month periods, a maximum total volume by weight of "Strato Beef Steaks" in an amount not exceeding 85,000 pounds.

Due consideration has been given to the applicant's request for reconsideration of Order No. 53 and an opinion in support of this Amendment No. 1 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the accompanying opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and pursuant to the provisions of § 1364.452 (r) of Revised Maximum Price Regulation No. 169, *It is hereby ordered:*

That Order No. 53 to Revised Maximum Price Regulation No. 169 be amended by deleting the figure "40 cents" wherever appearing in said order and substituting therefor "45 cents".

All prayers of the application not granted herein are denied.

This Amendment No. 1 to Order No. 53 may be amended by the Price Administrator at any time.

This Amendment No. 1 to Order No. 53 shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13256; Filed, July 20, 1945; 4:35 p. m.]

[RMPR 169, Amdt. 1 to Order 56]

CHIP STEAK CO.

ESTABLISHMENT OF MAXIMUM PRICES

On October 30, 1944, Order No. 56 under Revised Maximum Price Regulation No. 169 was issued, authorizing Chip Steak Company of Oregon to sell its "chip steaks" to purveyors of meals and to intermediate distributors for resale to purveyors of meals at a maximum price of 40½ cents per pound f. o. b. the seller's place of business. Chip Steak Company of Oregon was further authorized to sell in specified 3-month periods, a maximum total volume by weight of "chip steaks" in an amount not exceeding 35,000 pounds.

Due consideration has been given to the applicant's request for reconsideration of Order No. 56 and an opinion in support of this Amendment No. 1, has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the accompanying opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and pursuant to the provisions of § 1364.452 (r) of Revised Maximum Price Regulation No. 169, *It is hereby ordered:*

That Order No. 56 to Revised Maximum Price Regulation No. 169 be amended by striking the figure "40½ cents" wherever appearing in said order and substituting therefor "45 cents."

All prayers of the application not granted herein are denied.

This Amendment No. 1 to Order No. 56 may be amended by the Price Administrator at any time.

This Amendment No. 1 to Order No. 56 shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13257; Filed, July 20, 1945; 4:35 p. m.]

[Rev. Supp. Order 99, Order 8]

P. H. HANES KNITTING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Supplementary Order 99 and § 1372.101 (c) of Maximum Price Regulation 210, it is ordered:

(a) *Ceiling prices for sales by P. H. Hanes Knitting Company.* (1) On and after July 20, 1945, P. H. Hanes Knitting Company, Winston-Salem, North Carolina, may sell and deliver, and any person may buy and receive from it, the following designated fall and winter knitted underwear manufactured by P. H. Hanes Knitting Company, at prices not in excess of the following adjusted ceiling prices:

Style	Description	Adjusted ceiling price (per dozen)
958 LSA	Boys' union suit, made of 14/1 and 12/1 carded yarn, gross knitting weight 10.75 pounds per dozen (based on size 34), sizes 20-34, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	$6.80½
656 LA	Boys' union suit, made of 16/1 and 12/1 carded yarn, gross knitting weight 9.10 pounds per dozen (based on size 34), sizes 20-34, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	6.42
1658-X LSA	Men's union suit, made of 10½/1 and 12/1 carded yarn, gross knitting weight 22.25 pounds per dozen, sizes 48-54, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	14.74
1658 LSA	Men's union suit, made of 10½/1 and 12/1 carded yarn, gross knitting weight 17.90 pounds per dozen (based on size 42), sizes 38-46, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	12.20
1157 LSA	Men's union suit, made of 14/1 and 12/1 carded yarn, gross knitting weight 13.40 pounds per dozen (based on size 42), sizes 30-46, long sleeve, ankle length elastic knit cuffs, set-in shoulder.	10.23¾
1157-X LSA	Men's union suit, made of 14/1 and 12/1 carded yarn, gross knitting weight 16.30 pounds per dozen, sizes 48-54, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	$12.28
1356 LSA	Men's union suits made of 12/1 carded yarn, gross knitting weight 15.65 pounds per dozen (based on size 42), sizes 36-46, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	11.18½
1356-X LSA	Men's union suit, made of 12/1 carded yarn, gross knitting weight 19.50 pounds per dozen, sizes 48-54, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	13.71
1056-X drawers	Men's drawers, made of 9½/1 and 12/1 carded yarn, gross knitting weight 11.70 pounds per dozen, sizes 48-54.	8.78
1056 drawers	Men's drawers, made of 9½/1 and 12/1 carded yarn, gross knitting weight 8.60 pounds per dozen, (based on size 36), sizes 30-44	7.12½
1056-X shirt	Men's shirt, made of 9½/1, 12/1 and 10½/1 carded yarn, gross knitting weight 16 pounds per dozen, sizes 48-54, long sleeve.	10.24
1056 shirt	Men's shirt, made of 9½/1, 12/1 and 10½/1 carded yarn, gross knitting weight 11.50 pounds per dozen (based on size 42), sizes 34-46, long sleeve.	7.86
1056 AN-X shirt	Men's shirt, made of 9½/1, 12/1 and 10½/1 carded yarn, gross knitting weight 16 pounds per dozen, sizes 48-54, Army neck, long sleeve.	9.62½
1056 AN shirt	Men's shirt, made of 9½/1, 12/1 and 10½/1 carded yarn, gross knitting weight 11.50 pounds per dozen (based on size 42), sizes 34-46, Army neck, long sleeve.	7.11½

(2) The adjusted ceiling prices set forth in (1) above are subject to terms of 2% 30 days, net 60 days and to all trade practices, including practices relating to shipping and the payment of shipping charges, customarily used by P. H. Hanes Knitting Company during the period from 15, 1941 to February 10, 1942, both inclusive, on deliveries of comparable types of fall and winter underwear.

(b) *Ceiling prices for sales at wholesale.* (1) On and after July 20, 1945, the ceiling price for a sale at wholesale of any of the garments enumerated in paragraph (a) of this order, shipped to the seller by P. H. Hanes Knitting Company on or after that date, shall be determined in the following manner:

(i) The wholesaler shall first find his cost base for the garment being priced from the following table:

Style No:	*Cost base (per dozen)*
958 LSA	$6.80
656 LA	5.87½
1658-X LSA	11.50
1658 LSA	10.25
1157 LSA	9.20
1157-X LSA	10.75

Style No.:	*Cost base (per dozen)*
1356 LSA	$9.25
1356X LSA	10.50
1056X Drawers	6.87½
1056 Drawers	6.12½
1056X Shirt	6.87½
1056 Shirt	6.12½
1056ANX Shirt	6.87½
1056AN Shirt	6.12½

(ii) The wholesaler will then apply to the "cost base" for the garment being priced his "initial percentage markup", determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210 (Retail and Wholesale Prices for Fall and Winter Seasonal Commodities).

(iii) The wholesaler will then add to the amount found in (ii) immediately above the sum specified below for the style of garment being priced. The resulting figure is the wholesaler's new ceiling price for the garment being priced.

Style No.:	*Amount of adjustment (per dozen)*
958 LSA	$0.29
656 LSA	.41
1658-x LSA	2.59
1658 LSA	1.46
1157 LSA	.56
1157-x LSA	1.15
1356 LSA	1.45
1356-x LSA	2.41
1056-x Drawers	1.28
1056 Drawers	.75
1056-x Shirt	3.21
1056 Shirt	1.39
1056 AN-x Shirt	2.47
1056 AN Shirt	.77

(2) The ceiling prices established for sales at wholesale in this paragraph (b) are subject to all discounts, allowances, price differentials and other trade practices customarily used by the wholesaler during 1942 on deliveries of comparable types of fall and winter knitted underwear.

(c) *Statement which P. H. Hanes Knitting Company must send to wholesalers.* (1) On and after July 20, 1945, P. H. Hanes Knitting Company shall transmit to each wholesaler to whom it makes delivery, on and after that date, of any of the garments listed in paragraph (a) of this order, the following statement:

STATEMENT TO WHOLESALERS OF ADJUSTED CEILING PRICES

The OPA had adjusted our ceiling prices on certain knitted underwear garments pursuant to the provisions of Order No. 8, issued under Revised Supplementary Order 99. In Column A below you will find our adjusted ceiling prices for these garments.

Under this order the OPA has established the method by which you, as a wholesaler, are to determine your ceiling prices for these garments.

You are required by the OPA to determine your ceiling prices for the specified styles by the following method: You first find the "cost base" for the garment being priced from Column B of the following table. You then apply to this "cost base" your "initial percentage markup" (determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210). You then find your new ceiling price by adding to the amount thus determined the amount specified in Column C below for the particular style of garment being priced.

Style No.	*Column A* Hanes' adjusted ceiling price	*Column B* "Cost base" to which wholesaler applies "initial percentage markup"	*Column C* Amount of adjustment which wholesaler may add
	(Per dozen)	*(Per dozen)*	*(Per dozen)*
958 LSA	$6.89½	$6.50	$0.29
656 LSA	6.42	5.87½	.41
1658-x LSA	14.74	11.50	2.59
1658 LSA	12.20	10.25	1.46
1157 LSA	10.23½	9.50	.56
1157-x LSA	12.28	10.75	1.15
1356 LSA	11.13½	9.25	1.45
1356-x LSA	13.51	10.50	2.41
1056-x Drawers	8.58	6.87½	1.28
1056 Drawers	7.12½	6.12½	.75
1056-x Shirt	10.34	6.87½	3.21
1056 Shirt	7.86	6.12½	1.39
1056 AN-x Shirt	9.92½	6.87½	2.47
1056 AN Shirt	7.14½	6.12½	.77

Please note that, as a wholesaler, you are required by the OPA to transmit it to each retailer to whom you deliver any of the garments listed above on or after July 20, 1945 a "Wholesaler's Statement to Retailers of OPA Adjustment Charge" in the following form, properly filled in by you with the information applicable to the particular garments being delivered by you to the retailer. You are required to complete this statement as follows: In Column A you shall list the ceiling prices of the particular styles being shipped which were in effect for you under MPR 210 prior to the date of this order. In Column B you shall list the new ceiling prices which you determine in accordance with the method indicated in this statement to you. In Column C you shall list the difference between the amounts in Column A and Column B below for the respective styles. This notice, when properly completed by you, is to be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by you to your retailer customers of the styles shipped to you by us.

WHOLESALER'S STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGES

The OPA, pursuant to Order No. 8, issued under Revised Supplementary Order 99, has permitted us to adjust our ceiling prices on the following garments, sold and delivered by us to you on or after July 20, 1945

Style No.	*Column A* Our old ceiling price	*Column B* Our new ceiling price	*Column C* Our OPA adjustment (difference between old and new ceiling price)
	Per dozen	*Per dozen*	*Per dozen*
958 LSA			
656 LSA			
1658-x LSA			
1658 LSA			
1157 LSA			
1157-x LSA			
1356 LSA			
1356-x LSA			
1056-x Drawers			
1056 Drawers			
1056-x Shirt			
1056 Shirt			
1056 AN-x Shirt			
1056 AN Shirt			

Please note that the OPA has ruled that you must price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed above). In determining your ceiling prices for these garments OPA has ruled that you must use as your "net cost" under MPR 580, or your "cost bases" under MPR 210, the amount set forth in Column A above. You may not, in any case, include the amount of the OPA adjustment charge set forth in Column C above in determining your ceiling prices for these garments under either of these regulations. The OPA has ruled that, after you have properly determined your ceiling price in accordance with the above instructions, you may then add to your ceiling price for any of the following styles, and these styles only, the amount set forth for that style below:

Style:	*Amount of adjustment which retailer may add to his price (per garment)*
1356x-LSA	$0.05
1056x-Shirt	.21
1056-Shirt	.02
1056 AN-x Shirt	.13
1658x-LSA	.64

(2) The statement required to be sent by P. H. Hanes Knitting Company to its wholesalers, as provided in this paragraph (c) and containing the information applicable to the styles of garments included in the particular shipment shall be transmitted with, or be annexed to, the invoice, billing or other statement of price accompanying every shipment made by P. H. Hanes Knitting Company of any of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which P. H. Hanes Knitting Company is permitted an adjustment of its ceiling price under this order shall be sent by P. H. Hanes Knitting Company in lieu of the statement required under § 1389.304 (as amended) of Maximum Price Regulation 221.

(d) *Statement which wholesalers must send to their retailers.* Any seller at wholesale, purchasing any of the garments listed in paragraph (a) of this order from P. H. Hanes Knitting Company on or after July 20, 1945, shall transmit to each of its own customers, at the time of the delivery by it of any of these garments on or after July 20, 1945, the form of "Wholesaler's Statement to Retailers of OPA Adjustment Charge" contained in the "Statement to Wholesalers of OPA Adjustment Charge" required to be sent to its wholesalers by P. H. Hanes Knitting Company under paragraph (c) above. This "Wholesaler's Statement to Retailers of OPA Adjustment Charge" shall contain the information applicable to the styles of garments included in the particular shipment and shall be transmitted with, or annexed to the invoice, billing or other statement of price accompanying every shipment made by the wholesaler after July 20, 1945 of any of the garments covered by this order. Each seller at wholesale shall complete this "Wholesaler's Statement to Retailers of OPA Adjustment Charge" as follows: In Column A he shall list the ceiling prices in effect for sales by him under Maximum Price Regulation 210 prior to this order. In Column B he shall list his new ceiling prices for the garments, determined in accordance with paragraph (b) of this order. In Column C he shall list the differences between the amounts in Column A and Column B for the respective styles.

(e) *Statement which P. H. Hanes Knitting Company must send to retailers.* On and after July 20, 1945, P. H. Hanes Knitting Company shall transmit to each retailer to whom it makes delivery of any of the garments listed in paragraph (a) of this order, the following statement:

STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGES

The Office of Price Administration has permitted us to add the adjustment charges set forth below to our ceiling prices on the following garments:

Style	Old ceiling price	OPA adjustment charges under MPR 221 and RSO 99	Amount of adjustment which retailer may add to his ceiling price
	Per dozen	*Per dozen*	*Per garment*
656 LSA	$6.50	$0.09	None
656-x LSA	5.87½	.54½	None
1658-x LSA	11.50	3.24	$0.16
1658 LSA	10.25	1.95	.04
1157 LSA	9.50	.74	None
1157-x LSA	10.75	1.53	None
1356 LSA	9.25	1.94	.06
1356-x LSA	10.50	3.01	.15
1056-x Drawers	6.87½	1.71	.07
1056 Drawers	6.12½	1.00	None
1056-x Shirt	6.87½	3.47	.27
1056 Shirt	6.12½	1.74	.09
1056 AN-x Shirt	6.87½	2.75	.19
1056 AN Shirt	6.12½	1.02	None

Please note that the OPA requires you to price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed in this notice). In determining your ceiling prices for these garments OPA has ruled that you must use as your "net cost" under MPR 580, or your "cost bases" under MPR 210, the "old ceiling prices" stated above for the garment being priced and you may not include the above stated OPA adjustment charge in computing your ceiling prices for these garments under either of these regulations. The OPA has ruled, however, that after you have properly determined your ceiling price under MPR 580 or MPR 210 in the foregoing manner, you may then add to your ceiling price so computed the adjustment charge set forth for the garment in the last column of the above table.

(2) The statement required to be sent to its retailers by P. H. Hanes Knitting Company, as provided in this paragraph (e), and containing the information applicable to the styles of garments included in the particular shipment, shall be transmitted with, or amended to the invoice, billing or other statement of price accompanying every shipment made by P. H. Hanes Knitting Company of any of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which P. H. Hanes Knitting Company is permitted an adjustment of its ceiling price under this order shall be sent by P. H. Hanes Knitting Company in lieu of the statement required under § 1389.304 (as amended) of Maximum Price Regulation 221.

(f) *Garments to which the provisions of this order shall apply.* This order shall apply only to those garments of the styles enumerated in paragraph (a) which are shipped by P. H. Hanes Knitting Company on or after July 20, 1945, and before November 1, 1945.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13250; Filed, July 20, 1945; 4:33 p. m.]

[MPR 188, Order 102 Under Order A-2]

THE KIMPY CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Kimpy Company of 791 East 15th Street, Los Angeles, California, may sell and deliver the Model No. 8473 Twilight Princess Boxspring which it manufactures and which is fully described in its application dated March 6, 1945, at prices no higher than its maximum prices in effect immediately prior to the effective date of this order plus an adjustment charge in the sum of $0.82.

The adjustment charge, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the articles for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user may add to his properly established maximum prices for these articles in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, provided the amount of such adjustment charge has been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March, 1942, on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish each purchaser for resale with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 102 under Order No. A-2 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices, in effect prior to July 21, 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on the invoice, provided that amount is stated separately on an invoice which contains this notice.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13268; Filed, July 20, 1945; 4:37 p. m.]

[MPR 188, Order 103 under Order A-2]

BARCALO MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Barcalo Manufacturing Company, of 225 Louisiana Avenue, Buffalo 4, New York, may sell and deliver the articles listed below, which it manufactures and which are fully described in its application dated April 2, 1945, to jobbers at prices no higher than its maximum prices in effect immediately prior to the effective date of this order plus the appropriate one of the following adjustment charges:

Article and Adjustment Charge
Model No. 4467 7¼" lineman's plier: $0.06 each.
Model No. 4468 8½" lineman's plier: $0.13 each.

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form may collect from his purchaser, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he does not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all sales other than sales to ultimate consumers this additional adjustment charge may be made and collected only if it is separately stated on each invoice.

The adjusted maximum prices are subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles.

(c) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13269; Filed, July 20, 1945; 4:37 p. m.]

[MPR 188, Order 109, Under 2d Rev. Order A-3]

CHURCH STATUARY CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Church Statuary Company, 135 Leonard Street, Jersey City, New Jersey, may sell the four foot religious statues which it manufactures to dealers and churches at prices no higher than its maximum prices for such sales in effect immediately prior to the effective date of this order, plus an adjustment charge of $3.93 per article. This adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, allowances, discounts, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect prior to the issuance of this order, an adjustment charge in the same amount as the adjustment charge herein authorized for and which he pays to his supplier. If such a purchaser did not have an established maximum price for sales of the article prior to the issuance of this order, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable price regulation. If the applicable regulation requires maximum resale prices to be computed on the basis of costs, the reseller must find his maximum prices (without the permitted adjustment charge) by using as costs his invoice costs not including any adjustment charges stated on the invoice. On all sales except sales to ultimate consumers these additional adjustment charge may be made and collected only if they are separately stated on each invoice. The adjusted maximum prices are subject to each seller's customary terms, discounts and allowances on sales of the same or similar articles, to each class of purchaser.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13270; Filed, July 20, 1945; 4:37 p. m.]

[MPR 188, 2d Rev. Order 2074]

JOHN WILLIAM CHAPMAN

APPROVAL OF MAXIMUM PRICES

Revised Order No. 2074 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by John William Chapman, of Kensington, Connecticut.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for— Distributors	Jobbers	Retailers	Consumers
		Each	*Each*	*Each*	*Each*
Midget Ratchet	CM-13	$0.30	$0.375	$0.50	$0.75
1/4" square drive adaptor	CM-14	.16	.20	.27	.40
5/32" square drive adaptor	CM-15	.16	.20	.27	.40
1/4" hexagon drive adaptor	CM-16	.10	.125	.17	.25
1/4" screw driver adaptor	CM-17	.08	.10	.13	.20
5/16" screw driver adaptor	CM-19	.14	.175	.23	.35
1/16" Allen adaptor	CMA-5	.20	.25	.33	.50
3/32" Allen adaptor	CMA-6	.20	.25	.33	.50
1/8" Allen adaptor	CMA-8	.20	.25	.33	.50
5/32" Allen adaptor	CMA-10	.20	.25	.33	.50
3/16" Allen adaptor	CMA-12	.12	.15	.20	.30
7/32" Allen adaptor	CMA-14	.12	.15	.20	.30
1/4" Allen adaptor	CMA-16	.06	.075	.10	.15
10-20 Allen wrench	CAW-20	.02	.025	.033	.05
Case	None	.34	.425	.57	.85
Complete set	CM-1400	2.40	3.00	4.00	6.00

These maximum prices are for the articles described in the manufacturer's application dated June 10, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every complete set for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$6
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13261; Filed, July 20, 1945; 4:37 p. m.]

[MPR 188, Order 412]

THE AIRCRAFTSMEN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Aircraftsmen Company, 223 Hindry Avenue, Inglewood, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Distributor	Wholesaler (jobber)	Retail store (department store)	Retail store (other than chain)	Consumer
Aluminum fry pan, 10" diameter, 2" depth, buff polish finish, 3.2-0 aluminum		*Doz.* $6.10	*Doz.* $7.95	*Doz.* $9.54	*Doz.* $10.50	*Each* $1.75

These maximum prices are for the articles described in the manufacturer's application dated July 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.33
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13262; Filed, July 20, 1945; 4:38 p. m.]

[MPR 188, Order 4128]

SOLBRO MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Solbro Manufacturing Company, 235 East 94th Street, Brooklyn 12, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For Sales by the Manufacturer to— Jobbers	Retailers	For sale by any person to consumers
Crystal boudoir lamp with etched base, break and tulip	111	*Each* $2.21	*Each* $2.60	*Each* $4.68
Crystal boudoir lamp	107	1.32	1.55	2.80

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13263; Filed, July 20, 1945; 4:38 p. m.]

[MPR 188, Order 4130]

COLUMBIA ASSOCIATES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Columbia Associates, 141 West Seventy-Fourth Street, New York 11, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to— Jobber	Retailer (6 units or more)	Retailer (less than 6 units)	Consumer
		Each	*Each*	*Each*	*Each*
One-burner hot plate, 1-heat, 1 switch and cord	505	$1.07	$1.26	$1.80	$2.05
Two-burner hot plate, 2 switches, cord and plug, porcelain finish	503P	2.97	3.55	3.82	5.75
Two-burner hot plate, 2 switches, cord and plug, black crackle finish	503	2.88	3.41	3.67	5.50

These maximum prices are for the articles described in the manufacturer's application dated July 3, 1945. These prices include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which maximum price for sales to consumers is established by this order. That tag or label shall contain either of the follow-

ing statements with the correct order number, model number and retail price filled in:

Columbia Associates
141 W. 73rd St.
New York 11, N. Y.
Model No. _____
OPA Retail Ceiling Price—$_____
Federal Excise Tax Included
or
Order No. 4130 under MPR 188
Model No. _____
OPA Retail Ceiling Price—$_____
Federal Excise Tax Included
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13264; Filed, July 20, 1945; 4:38 p. m.]

[MPR 188, Order 4131]

A. O. SUTTON CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and Maximum Price Regulation No. 14, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of electric fans and attachments manufactured by the Aircraft Welders, a Division of A. O. Sutton Corporation, Beacon Building, Wichita 2, Kansas.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Distributor	Wholesaler, mill, electric light and power, public, and hotel users (quantity or store-equipment supplier	Industrial, commercial, institutional users (quantity of more)	Industrial, commercial, institutional users (quantity less than 3 units)	Users other than industrial, commercial, institutional, or store-equipment, or institutional
		Each	*Each*	*Each*	*Each*	*Each*
Exhaust attachment	F116-101	$13.81	$13.38	$26.19	$26.19	$39.76
Ceiling attachment	C116-101	6.45	7.17	12.75	12.75	19.35
Intake ventilator attachment	I116-101	42.70	47.44	93.65	93.65	94.88
Head assembly	116-100	48.04	53.38	96.05	96.75	106.76
Hanger attachment for attic ventilator	A120-101	9.20	10.25	15.38	17.43	20.60
Portable floor circulator	D112	42.35	47.06	70.59	80.41	94.12
Ironrite, domestic, 12"	S112	28.34	31.49	47.25	53.43	62.98

These maximum prices are for the articles described in the manufacturers application dated June 20, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and are net 30 days. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale of similar articles.

(3) At the time of, or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13266; Filed, July 20, 1945; 4:39 p. m.]

[MPR 188, Order 4133]

LUMIERE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lumiere, 135 East 58th Street, New York 22, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
15" Taffeta petticoat lamp shade with scalloped edge double ruffle facing trim and seven rows corded bottom trim	101	$8.50	$10.00	$18.00
15" Taffeta petticoat lamp shade with six rows corded trim top and bottom	102	8.50	10.00	18.00
17" Taffeta petticoat lamp shade with wide velvet bottom band and velvet collar	103	11.70	13.75	24.75
Cut over multi-petticoat lamp shade with French ribbon bound double ruffle facing trim and 5 rows corded bottom trim	105	10.00	12.50	22.50
Crepe Skinner lamp shade with corded edge ruffle top and bottom, and extra lampshade with corded edge double ruffle top	501, 506	8.80	10.50	18.90
Crepe Skinner lamp shade with velvet scalloped top and bottom	502	6.80	8.00	14.40
Crepe Skinner lamp shade with scalloped bound edge and shirred velvet	503, 504, 505, 509, and 510	6.15	7.25	13.05
Crepe Skinner lamp shade with scalloped cascade top to bottom corner trim	505-B	8.05	9.50	17.10
Crepe Skinner lamp shade with fringe cascade top to bottom corner trim	506-O	12.30	14.50	26.10
Crepe Skinner lamp shade with double net ruffle facing trim	509-R	8.50	10.00	18.00
Cut lamp shade with double net ruffle facing trim	515	2.10	2.50	4.50

These maximum prices are for the articles described in the manufacturer's application dated March 13, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13267; Filed, July 20, 1945; 4:39 p. m.]

[MPR 254, Order 5]

J. STEVENS ARMS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1379.4 of Maximum Price Regulation No. 254, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of Model 520, Model 521 and Model 520P Shotguns manufactured by J. Stevens Arms Company, Chicopee Falls, Massachusetts.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Model	Maximum prices to—		
		Jobbers (Excl. tax)	Dealers (Incl. tax)	Consumers (Incl. tax)
Shotguns	520	$28.96	$38.82	$47.25
	521	31.65	42.45	51.65
	520P	32.83	44.05	53.60

These maximum prices are subject to a cash discount of 2% 10 days, and are f. o. b. factory.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 254 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries on and after the effective date of this order.

(4) The prices established by this order are subject to each seller's customary terms and conditions of sale on sales of similar articles to each class of purchaser. They include the adjustment of maximum prices permitted by § 1379.4a of Maximum Price Regulation No. 254.

(b) At the time of, or prior to, the first invoice to a purchaser for resale, each seller shall notify the purchaser in writing of the maximum price, and conditions established by this revised order for resales by the purchaser. This notice may be given in any convenient form.

(c) All provisions of Maximum Price Regulation No. 254 not inconsistent with the provisions of this order are applicable to the sales of the article for which maximum prices are established by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13258; Filed, July 20, 1945; 4:35 p. m.]

[MPR 336, Order 2]

MARYSVILLE, DUNSMUIR, LAKE TAHOE, YUBA CITY AND YUBA COUNTY, CALIF.

DESIGNATION AS DEFICIENCY AREAS WITH RESPECT TO RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

Pursuant to section 5 (b) (6) of Maximum Price Regulation No. 336, I find there exists in each of the areas hereinafter named, located in Zone 1 and having populations not in excess of 25,000 persons, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in those areas. I find further that this condition has occurred because of an increase in population in such areas due to causes other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government. The areas are:

1. The City of Marysville, California—the total area within the corporate limits of said city.

2. Yuba County, California—the entire county except the City of Marysville.

3. Yuba City, Sutter County, California—the total area within the corporate limits of said city.

4. Dunsmuir, California—the total area within the corporate limits of the City of Dunsmuir and the adjacent area within a radius of 25 miles of the corporate limits of said city.

5. Lake Tahoe, California—that portion of Eldorado and Placerville Counties lying east of the crest of the Sierra Nevada Mountains and those communities, on California State

Highway No. 50 from Kyburz, California, to the crest of the Sierra Nevada Mountains.

The areas named hereby are designated as "deficiency areas" under the provisions of section 5 (b) (6) of Maximum Price Regulation No. 336, and the respective District Director of the appropriate District Office of the Office of Price Administration within whose jurisdiction any one of the named areas is located may, in writing, authorize named retail selling establishments customarily servicing such area and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant, to sell retail meat cuts to purveyors of meals located in the specific deficiency area named in whatever volume and subject to whatever terms and conditions he may deem necessary; *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts, in excess of 70 percent of its total current monthly dollar volume of meat sales, to purveyors of meals; *And, provided further*, That each seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this Order No. 2 under said section 5 (b) (6) of Maximum Price Regulation No. 336, shall be required to conform to the reporting provisions and all other requirements of said section 5 (b) (6).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13259; Filed, July 20, 1945; 4:36 p. m.]

[MPR 355, Order 2]

MARYSVILLE, YUBA CITY, DUNSMUIR, LAKE TAHOE, YUBA CITY AND YUBA COUNTY, CALIF.

DESIGNATION AS DEFICIENCY AREAS WITH RESPECT TO RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

Pursuant to section 5 (b) (6) of Maximum Price Regulation No. 355, I find there exists in each of the areas hereinafter named, located in Zone 1 and having populations not in excess of 25,000 persons, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in those areas. I find further that this condition has occurred because of an increase in population in such areas due to causes other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government. The areas are:

1. The City of Marysville, California—the total area within the corporate limits of said city.
2. Yuba County, California—the entire county except the City of Marysville.
3. Yuba City, Sutter County, California—the total area within the corporate limits of said city.
4. Dunsmuir, California—the total area within the corporate limits of the City of Dunsmuir and the adjacent area within a radius of 25 miles of the corporate limits of said city.
5. Lake Tahoe, California—that portion of Eldorado and Placerville counties lying east of the crest of the Sierra Nevada Mountains and those communities on California State Highway No. 50 from Kyburs, California, to the crest of the Sierra Nevada Mountains.

The areas named hereby are designated as "deficiency areas" under the provisions of section 5 (b) (6) of Maximum Price Regulation No. 355, and the respective District Director of the appropriate District Office of the Office of Price Administration within whose jurisdiction any one of the named areas is located may, in writing, authorize named retail selling establishments customarily servicing such area and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant, to sell retail meat cuts to purveyors of meals located in the specific deficiency area named in whatever volume and subject to whatever terms and conditions he may deem necessary; *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts, in excess of 70 percent of its total current monthly dollar volume of meat sales, to purveyors of meals; *And, provided further*, That each seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this Order No. 2 under said section 5 (b) (6) of Maximum Price Regulation No. 355 shall be required to conform to the reporting provisions and all other requirements of said section 5 (b) (6).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13260; Filed, July 20, 1945; 4:36 p. m.]

[RMPR 528, Order 50]

GOODYEAR TIRE & RUBBER CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for Off-The-Road truck tires manufactured by the Goodyear Tire & Rubber Company, Inc., Akron, Ohio in the following sizes and types shall be:

Size	Ply	Type	Maximum retail price per tire
7.00-15	16	Hard rock lug	$72.80
10.00-22	14	....do	132.40
11.00-22	14	....do	156.70
12.00-20	16	....do	197.00
21.00-28	20	Earth mover	870.10
21.00-28	24	....do	923.00
21.00-28	24	....do	1,276.40
21.00-28	20	Sure Grip	842.40

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 21st, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13271; Filed, July 20, 1945; 4:40 p. m.]

[MPR 580, Order 87]

THE UNITEX MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 87. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-193.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by The Unitex Manufacturing Co., Tiffin, Ohio, and described in the manufacturer's application dated May 7, 1945.

Article	Brand name	Style name	Manufacturer's price-list, regular sizes (up to and including 46 inch hip measurement)	Manufacturer's price-list, special sizes (47 to 58 inch hip measurement)	Ceiling price at retail
			Per dozen	*Per dozen*	
Pantees	Unitex	Svelte	$15.00	$19.00	$2.25
	....do	....do	10.50		2.95
	....do	Wisp		24.50	3.50
	....do	....do	13.20		3.00
	Chafe-O-Tex			16.50	2.50
	....do				

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, The Unitex Manufacturing Co. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13272; Filed, July 20, 1945; 4:40 p. m.]

[MPR 580, Order 88]

SEALY, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 88. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-70.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Sealy, Incorporated, 1047 Florida Street, Memphis 2, Tenn., and described in the manufacturer's application dated April 17, 1945.

Article	Brand name	Style name	Ceiling price at retail, except in states of Oregon, Idaho, and Washington	Ceiling price at retail in states of Oregon, Idaho, and Washington
Mattress	Sealy	No. 1 Texlan	$22.50	$22.50
		No. 2 Texlan	19.75	19.75
		Star	24.75	24.75
		Airlite	29.50	29.50
		Sealrest	39.50	39.50
		Tuftless	39.50	42.50
		Cotton Roll	44.50	44.50
		Sun Spun	49.50	49.50
		Supreme	59.50	59.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Sealy, Incorporated, must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13273; Filed, July 20, 1945; 4:40 p. m.]

SIMPLIFIED PRICING METHOD FOR RECONVERTING CERTAIN MANUFACTURERS

[Supp. Order 118, Reconversion Gen. Order 1]

Simplified pricing method for reconverting manufacturers having sales less than $50,000 per year.

An opinion accompanying this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

SECTION 1. *Purpose of this general order.* This Reconversion General Order No. 1 is issued under section 7 of Supplementary Order No. 118 which authorizes the Administrator to establish "special rules or procedures" which "may modify or take the place of the rules or procedures established by" that order. In the Administrator's opinion, the rules in Order No. 118 for reconversion pricing, while suitable for most small-volume manufacturers, might cause serious difficulty for many of the very small reconverting manufacturers whose sales are less than $50,000 per year. To avoid this difficulty while aligning their reconversion ceilings as closely as practicable with the reconversion ceilings of other manufacturers, this general order simplifies the pricing rules of Order No. 118 in various respects. The principal change is to allow the use of current costs instead of adjusted 1941 costs in the calculation of new ceilings. Reconversion General Order No. 1 takes the place of sections 4 and 5 of Supplementary Order No. 118 and of OPA Form 611-2489A. The rest of the provisions of Order No. 118 apply to manufacturers pricing under this order.

SEC. 2. *Who is eligible to price under this order.* If you are eligible to set new maximum prices under Supplementary Order No. 118 with respect to any product, you may set new ceiling prices under this order for that product if:

(a) Your total sales (including all sales of goods and services for war purposes) were less than $50,000 in 1941, and

(b) Your total sales (including all sales of goods and services for war purposes) cannot reasonably be expected to be $50,000 or more in the twelve months following the date you report your new ceiling prices to OPA under this order. (In making this estimate, consider all relevant factors, including the size of your facilities, the number of your employees, and the demand for your products.)

SEC. 3. *How to obtain new maximum prices under this order.* If you wish to obtain new maximum prices for any product for which you are eligible under section 2 of Supplementary Order No. 118, fill in OPA Form 611-2489A and file it in duplicate with the OPA District Office for the district where your place of business is located.

OPA Form 611-2489A tells you how to calculate your new ceiling prices. It constitutes a part of this order.

Unless OPA notifies you not to do so, you may begin to sell and deliver articles at your new maximum prices fifteen days after you mail your report to OPA. However, if within the fifteen-day period OPA asks you to furnish additional information, you may not begin to sell and deliver at your new maximum prices until fifteen days after the day you mail the information which OPA has requested. OPA may later order any of the new maximum prices to be increased or decreased if it finds that you did not calculate them correctly.

This order shall become effective on the 23d day of July 1945.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPA Form 611-2859A (7-45)
Form Approved Budget Bureau No. 08-R1162

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

RECONVERSION FORM COMPANY HAVING LESS THAN $50,000 SALES PER YEAR

Report of new maximum prices by reconverting manufacturers having less than $50,000 sales per year, under Reconversion General Order No. 1 and Supplementary Order 118.

File two copies of this report with the OPA District Office for the district where your principal place of business is located.

	Name of firm	
	Address—Number and Street	
City	Postal Zone Number	State

GENERAL INSTRUCTIONS

The Office of Price Administration has provided in Reconversion General Order No. 1 under Supplementary Order No. 118 a simplified method for reconverting manufacturers who do less than $50,000 business a year. This form (OPA Form 611-2859A) is a part of that general order and must be used to calculate new maximum prices under it.

You may use this form only if you can meet the tests in Part I below for a "reconverting manufacturer" doing less than $50,000 business a year. If you do not meet these tests, you may not use this form, although it applies to firms with sales less than $200,000 a year.

In this form you will find outlined the exact information you are to use, and the calculations you are to make, in figuring your adjusted maximum prices under the order. If you go through these steps and fill in each entry as indicated, you will arrive at your new ceiling prices.

Keep one copy of this form and file them with the OPA District Office for the district where your new place of business is located. Unless notified to the contrary, you may begin to sell and deliver articles at your new maximum prices 15 days after you mail this report (certified mail is suggested). After you mail any additional information OPA requests from you. However, after the 15-day period, OPA may order you to raise or lower any of the new maximum prices if it finds that you did not calculate them correctly.

PART I—ELIGIBILITY AS A RECONVERTING MANUFACTURER HAVING LESS THAN $50,000 SALES PER YEAR
(This part of the form corresponds to Section 2 of Supplementary Order 118 and Section 2 of Reconversion General Order No. 2)

You are eligible to use this form to figure your adjusted maximum prices if you meet the requirements of item "1" and "2" of this part of the form.

1	To meet this requirement 1, you must be able to answer "yes" to both the following questions:		
a	Were your total net sales of products made by you less than $50,000 in 1941?	Yes ☐	No ☐
b	Can you reasonably expect your total net sales of products made by you to all types of purchasers to be less than $50,000 in the twelve months after the date you file this report?	Yes ☐	No ☐
	If your sales of all products in any year since 1941 were more than $75,000, or if your facilities have been expanded substantially since 1941, explain below why you can reasonably expect your sales to be less than $50,000 in the twelve months after you file this report.		
2	To meet this requirement 2 as a "reconverting manufacturer" with respect to each of the products for which you are calculating a new ceiling price by the use of this form, you must be able to answer "yes" to either the question in a or the question in b:		
a	Did you make the product in 1941 and file a "reconversion product" which is listed in Section 2 of Appendix A of Supplementary Order 118? (Ask your OPA District Office for supplemental additions, if any, to the list in Appendix A).	Yes ☐	No ☐
b	Or, are you able to answer "yes" to each of the following three questions about each product for which you wish to calculate a new ceiling price?	Yes ☐	No ☐
1.	Is each of these products either listed in Appendix B of Supplementary Order 118 or subject to one of the OPA price regulations listed in Section 2 of that order?	Yes ☐	No ☐
a.	Was your 1941 total sale volume of each such product or product line less than $50,000?	Yes ☐	No ☐
aa.	Was the reduction of volume because of government restrictions, or because of war shortages?	Yes ☐	No ☐

To calculate your new maximum prices, two basic steps are involved. First, you calculate your current total unit cost. Then you add a profit factor to this cost to get your new ceiling price. You must make a separate calculation for each product for which you are eligible under the tests in Part I. This form provides for three products. If you need space for more than three products, attach additional sheets. If you have a number of models, styles, or designs in a particular product line, you must figure your new ceiling prices separately for each of those articles unless you are able and prefer to use the alternate optional method described under item 5 below. If you have a number of models, styles, or designs in a particular product line, you may label item 2a, "Quantity sold at each price," and enter the number sold at each price.

Your new ceiling price is the higher of your present ceiling price, item 1c below, or your calculated ceiling price, item 2g. After you have completed the calculations, place a circle around the new ceiling price for each product. This is the ceiling for your largest buying class of purchaser of that product.

	Product	*Product*	*Product*
1. *Description of products*			
a. Name of product			
b. Model No. or description			
c. Present ceiling price			
2. *Current unit cost per unit and calculation of ceiling prices of the above products.*			
a. Direct materials used			
b. Direct labor			
c. Other factory costs			
d. Total factory costs			
e. Total cost per unit			
f. Profit (from 3c) below			
g. Calculated ceiling price			
3. *Profit factor*			
a. Enter here the net profit (before income taxes) of your business in the first of the following years, 1939, 1940, 1941, for which you have profit figures			
b. Find your margin over cost by dividing the profit in 3a by the total cost for that year. Enter that margin to each column			
c. Enter here the profit factors supplied by your OPA District Office for the products listed above (margin)			
d. Enter the profit factor for each of the products listed in item 2a, above			
e. Multiply each total cost by the higher of the entries in item 3b and enter the result here			
Carry this result to item 2f, above.			
Ceiling prices to all these purchasers. If you sold the same article to different classes of purchasers at different prices, you may not use this form unless you add report those ceilings in this calculation. Figure your ceilings to classes of purchasers other than your largest-buying class of purchaser as follows:			
a. If you already have ceiling prices to all classes of purchasers, find the percentage by which the new ceiling price you are using your old ceilings to all your other classes by that same percentage. Use the percentage to figure your new ceilings to all classes of purchasers.			
b. If you do not already have ceilings to all classes of purchasers on March 1942 same discounts, differentials, and all warranties *in a product line.* If you have two or more models, styles or designs of a product for each of which you already have a ceiling price, you may proceed as follows to revise those calculate the revised ceiling price of the largest-selling model, style, or design as explained under item 2.			
An alternative method of computing new ceiling prices. If you have a number of models, styles, or designs of a product for each of which you already have a ceiling price, you may use estimates based as closely as possible on your accounts for the year 1941 to calculate your new ceiling prices. Follow these steps:			
a. Select the largest-selling model, style or design in each product line.			
b. Divide the revised ceiling price of this article (item 2g) by its old ceiling price (item 1c).			
c. Multiply the old ceiling price of each other model, style or design by the factor found in b and calculate ceilings above.			
If your accounts do not show costs per unit, you may use estimates based as closely as possible on your accounts' prices for your other classes of purchasers under item 4 above.			

[F. R. Doc. 45-13165; Filed, July 19, 1945; 2:24 p. m.]

[Supp. Order 118, Amdt. 1 to Reconversion Gen. Order 1]

SIMPLIFIED PRICING METHOD FOR RECONVERTING MANUFACTURERS HAVING SALES LESS THAN $50 000 PER YEAR

An opinion accompanying this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Reconversion General Order No. 1 is amended in the following respects:

1. In OPA Form 611-2489A, which is incorporated in the order, item 2 is amended by the insertion of a footnote 2 after the word "costs" in line c and after the word "costs" in line d, and by the addition of the following footnote at the end of item:

² In calculating this cost, assume that you are producing the item at the same rate of production at which you made it in 1941.

This amendment shall become effective July 23, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13249; Filed, July 20, 1945; 4:32 p. m.]

[RMPR 136, Amdt. 1 to Order 444]

GENERAL MOTORS CORP.

ADJUSTMENT OF MAXIMUM PRICES

Amendment 1 to Order 444 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. General Motors Corporation; Docket No. 6083-136.25a-277.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

I. Order 444 under Revised Maximum Price Regulation 136 is amended in the following respects:

1. Paragraphs (a), (b) and (c) are amended by changing the number "13231" in each of those paragraphs to read "13517."

2. A new paragraph (a) 1 is added which reads as follows:

(a) 1 The Chevrolet Motor Division, General Motors Corporation, Detroit 2, Michigan, shall determine the maximum prices for its sales to resellers of trucks within its ½-ton commercial line, other than Model 3104, produced under the allocation described in paragraph (a), by adjusting the price in effect on March 31, 1942, of each such model less extra, special and optional equipment so that the same dollar differential shall exist between that adjusted price and the adjusted price in paragraph (a) (1) of the Model 3104 as existed between the March 31, 1942 prices of such models. The applicable charges in paragraph (a) (2) of Order No. 444, may be added to these adjusted prices.

3. A new paragraph (b) 1 is added which reads as follows:

(b) 1 The Chevrolet Motor Division, General Motors Corporation, Detroit 2, Michigan, shall determine the maximum prices for sales to the United States of models within its ½-ton commercial line, other than Model 3104, produced under the allocation described in paragraph (b) by adjusting the March 31, 1942, price of each such model less extra, special and optional equipment so that the same dollar differential shall exist between that adjusted price and the adjusted price of the Model 3104 in paragraph (b) (1) as existed between the March 31, 1942 prices of such models. The applicable charges in paragraph (a) (2) of Order No. 444, may be added to these adjusted prices.

4. A new paragraph (c) 1 is added which read as follows:

(c) 1 The resellers' maximum price for each of the models referred to in paragraph (a) 1 shall be the manufacturer's list price based on the applicable net wholesale price permitted by paragraph (a) 1 plus the applicable charges in paragraph (c) (2).

5. The narrative in paragraph (d) preceding subparagraph (1) is amended to read as follows:

(d) A reseller that cannot establish a price under paragraph (c) or (c) 1 because it was not in business on March 31, 1942, shall determine its maximum price by adding to the retail list price stated in paragraph (c) or permitted by paragraph (c) 1, whichever is applicable, the following applicable charges:

6. Paragraph (e) is amended to read as follows:

(e) A reseller of Chevrolet trucks in any of the territories or possessions of the United States is authorized to sell the truck described in paragraph (c) or referred to in paragraph (c) 1, whichever is applicable at a price not to exceed the maximum price established in paragraph (c), (c) 1 or (d), whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage, and terminal operations.

7. The note following paragraph (g) is amended to read as follows:

NOTE: Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) or (a) 1 because of a substantial change in design, specifications or equipment of the truck, the reseller may add to its price under paragraphs (c), (c) 1, (d), or (e) any increase in price to it over the price it would otherwise pay under paragraph (a) or (a) 1, plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) or (a) 1, the reseller must reduce its price under paragraph (c), (c) 1, (d), or (e) by the amount of the decrease and its customary markup on such an amount.

II. All requests not granted in this amendment are denied.

III. This amendment may be amended or revoked by the Administrator at any time.

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13234; Filed, July 21, 1945; 11:17 a. m.]

[MPR 260, Amdt. 2 to 83]

A. SENSENBRENNER SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

The maximum prices for the "Santa Fe-Ambassador" cigars set forth in paragraph (a) of Order No. 83 under Maximum Price Regulation No. 260, are amended by the addition of a footnote to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Santa Fe.....	Ambassador [1]	50	*Per M* $150	*Cents* 20

[1] Prices also apply to this brand and frontmark using Connecticut Shade (Type 61) wrappers of grades specified in amended application dated 5-5-45.

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13285; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 117]

N. RICE DRUG & CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102a of Maximum Price Regulation No. 260; *It is ordered,* That:

The maximum prices for the "H. Upmann-Lonsdales" cigars set forth in paragraph (a) of Order No. 117, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
H. Upmann.....	Lonsdales.....	25	*Per M* $185	*Cents* 65

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13286; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 744]

ISIDOR HAFLICH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

The maximum prices for the "Park City-Bouquets" cigars set forth in paragraph (a) of Order No. 744 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Park City.....	Bouquets	50	*Per M* $80	*Cents* 12

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13287; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 771]

FABER, COE & GREGG, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102a of Maximum Price Regulation No. 260, *It is ordered* That:

The maximum prices for the "H. Upmann-Lonsdales" cigars set forth in paragraph (a) of Order No. 771, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
M. Upmann	Lonsdales	25	$485	65

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13288; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 1114]

MARTINEZ & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

The maximum prices for the "Los Tres-Coronitas", "Los Tres-Blunts" and "Los Tres-Cigaros" cigars set forth in paragraph (a) of Order No. 1114 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Los Tres	Cigaros	50	$60	2 for 15
	Blunts	50	60	2 for 15
	Coronitas	50	75	10

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13289; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 1215]

GOTTFRIED SCHMOKER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

The maximum prices for the "Liberty-D 4¼" " and "Shorpeg-E 4¾" " cigars set forth in Paragraph (a) of Order No. 1215 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Liberty	D 4¼"	50	$60	2 for 15
Shorpeg	E 4¾"	50	72	9

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13290; Filed, July 21, 1945; 11:19 a. m.]

[MPR 260, Order 1602]

PEDRO PEREZ CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pedro Perez Cigar Co., 3426 15th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
A. V. C.	Selectos straights	50	$58.75	2 for 21
Casa Leon	do	50	58.75	2 for 21
Rosa Mistu	do	50	58.75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13291; Filed, July 21, 1945; 11:19 a. m.]

[MPR 260, Order 1603]

SHEARER & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Shearer & Company, 140 Orange Street, Reading, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Peace Eagle	Peace Eagle	50	*Per M* $60	*Cents* 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13292; Filed, July 21, 1945; 11:19 a. m.]

[MPR 260, Order 1604]

MARCO POLO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Marco Polo Cigar Company, 1612 N Howard Avenue, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Rionda	5" Coronas	50	$105	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13293; Filed, July 21, 1945; 11:20 a. m.]

[MPR 260, Order 1605]

SALERNO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Salerno Cigar Factory, 2907 11th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Salerno	B. Panetelas	50	$75.00	10
	Juniors	50	60.00	2 for 15
	Dukes	50	135.00	18
	Imperiales	50	105.75	2 for 29
	Ensigns	50	134.00	2 for 35
	Coronas Especiales	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13294; Filed, July 21, 1945; 11:20 a. m.]

[MPR 260, Order 1606]

SILVO LUFRIN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Silvo Lufrin, 2604 10th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Tampa Favorita	Cigarillos	50	$48.00	6
Lord Viscount	Londres Claros	50	56.00	7
	Coronas	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc 45-13295; Filed, July 21, 1945; 11:21 a. m.]

[MPR 260, Order 1607]

HERMINIO RAMOS RAMOS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Herminio Ramos Ramos, Igualdad St., Fajardo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Parelo Punto Lanza	5".....	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13296; Filed, July 21, 1945; 11:21 a. m.]

[MPR 260, Order 1608]

ELIZABETH M. BRENEMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Elizabeth M. Breneman, 90 East Main Street, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
H-A-Lena.....	Corona.....	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13297; Filed, July 21, 1945; 11:22 a. m.]

[MPR 260, Order 1609]

COLONIAL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Fred Feakes, d/b/a Colonial Cigar Co., Bethany Circle, Santa Cruz, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Havana Gold [1]...	Palmatella.....	20	$75	10

[1] Tobacco composition of this brand and frontmark to be the same as that specified in your application for the Victoria Palmatella.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13298; Filed, July 21, 1945; 11:22 a. m.]

[MPR 260, Order 1611]

MANOR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Manor Cigar Co., R. D. 2, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Herma.....	La Herma	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and

may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13300; Filed, July 21, 1945; 11:22 a. m.]

[MPR 260, Order 1612]

J. OLDENBROOK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. Oldenbrook, 260 Broadway, Lawrence, Mass. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Haven Special	Hillside	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13301; Filed, July 21, 1945; 11:23 a. m.]

[MPR 260, Order 1613]

WEST END CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Samuel D. Shoff, d/b/a West End Cigar Co., Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
WEC-CO	Invincible	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13302; Filed, July 21, 1945; 11:23 a. m.]

[MPR 260, Order 1614]

PAUL ROSEMAN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Paul Roseman Cigar Company, 520 Wallick Avenue, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Vine-A-Cal Jr.	Vine-A-Cal Jr	50	*Per M* $50	*Cents* 2 for 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13303; Filed, July 21, 1945; 11:23 a. m.]

[MPR 260, Order 1615]

EARL E. TATE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Earl E. Tate, 1014 Mt. Rose Avenue, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Daily-Habit, Jr.	Daily-Habit, Jr	50	$60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13304; Filed, July 21, 1945; 11:24 a. m.]

[MPR 260, Order 1616]

JOSE ALONSO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose Alonso, 1719 Boston Road, Bronx, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garcia Freres	Corona	50	*Per M* $50	*Cents* 7
Coronitas	Coronito	20	20	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars

priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13305; Filed, July 21, 1945; 11:25 a. m.]

[MPR 260, Order 1610]

STANLEY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Stanley Cigar Co., 1302 E. Broadway, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Aprejo	Panetela Extra (7")	50	$75.00	10
	Panetela Extra (5¼")	50	141.00	3 for 55
	Senators	50	105.00	14
	Bencon	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13309; Filed, July 21, 1945; 11:22 a. m.]

[MPR 260, Order 1617]

GRADIAZ-ANNIS & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gradiaz-Annis & Co., Inc., 2311 18th St., Tampa 1, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Ignacio Haya	Emperors	50	$123	
	Albas	50	157	
	Palmas	50	192	
Rey Del Rey	Corona	50	177	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13306; Filed, July 21, 1945; 11:25 a. m.]

[MPR 260, Order 1618]

BENSON & HEDGES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Benson & Hedges, 435 Fifth Ave., New York 16, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Benson & Hedges	Granadas	25	$212.25	25

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13307; Filed, July 21, 1945; 11:26 a. m.]

[MPR 580, Amdt. 1 to Order 23]

PIONEER SUSPENDER CO.

AUTHORIZATION OF MAXIMUM PRICES

Maximum Price Regulation 580, Order 23, Amendment 1. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-160, Pioneer Suspender Company.

For the reasons set forth in an opinion issued simultaneously herewith, Order No. 23 under section 13 of Maximum Price Regulation 580 is amended as follows:

Paragraph (a) is amended by changing the ceiling price at retail from "$0.50" to "$0.55" per unit of those articles described as "belts" and having a price of "$3.75" under the heading "Manufacturer's Selling Price (per dozen)."

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13308; Filed, July 21, 1945; 11:26 a. m.]

[MPR 580, Order 89]

JACOB SIEGEL CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 89. Establishing ceiling prices at retail for branded articles, Docket No. 6063-580-13-02.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Jacob Siegel Company, 317 North Broad Street, Philadelphia 7, Pa., and described in the manufacturer's application dated March 23, 1945.

Article	Brand name	Manufacturer's price line	Ceiling price at retail
Men's topcoats	Alpacuna	$26.00	$42.50
Men's overcoats	do	28.50	47.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Jacob Siegel Company, must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13309; Filed, July 21, 1945; 11:26 a. m.]

[MPR 580, Order 90]

HOLEPROOF HOSIERY CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 90. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-77.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The price for sales at retail submitted in the application filed by Holeproof Hosiery Co., Milwaukee 1, Wis., dated June 21, 1945, for each article described in the application, and covered by Maximum Price Regulation No. 580, is hereby established as the ceiling price of the article for sales at retail.

(b) The retail ceiling prices as established by paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Holeproof Hosiery Co. must mark each article for which a price is established by paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the follow form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13310; Filed, July 21, 1945; 11:27 a. m.]

[MPR 580, Order 91]

DAVID D. DONIGER & CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 91. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-245.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The price for sales at retail submitted in the application filed by David D. Doniger & Co., Inc., 303 Fifth Avenue, New York, N. Y., dated June 7, 1945, for each article described in the application, and covered by Maximum Price Regulation No. 580, is hereby established as the ceiling price of the article for sales at retail.

(b) The retail ceiling prices as established by paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, David D. Doniger & Co., Inc., must mark each article for which a price is established by paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price—$------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13311; Filed, July 21, 1945; 11:27 a. m.]

[MPR 580, Order 92]

HIRSCH-WEIS MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 92. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-159.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The price for sales at retail submitted in the application filed by Hirsch-Weis Manufacturing Co., Front and Burnside Streets, Portland, Oreg., in reference to the brand name "White Stag" dated April 19, 1945, for each article described in the application, and covered by Maximum Price Regulation No. 580, is hereby established as the ceiling price of the article for sales at retail.

(b) The retail ceiling prices as established by paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Hirsch-Weis Manufacturing Co. must mark each article for which a price is established by paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price—$----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13312; Filed, July 21, 1945; 11:27 a. m.]

[MPR 580, Order 93]

STRATBURY MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 93. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-74.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Stratbury Manufacturing Company, Galion, Ohio, and described in the manufacturer's application dated April 17, 1945.

Article	Brand name	Manufacturer's price line	Ceiling price at retail
Men's topcoats	Alpagora	$18.75	$32.50
Do	do	19.00	32.50
Men's overcoats	do	22.00	37.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Stratbury Manufacturing Co. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price—$------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13313; Filed, July 21, 1945; 11:28 a. m.]

[MPR 580, Order 94]

H. DAROFF & SONS, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 94. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-181.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by H. Daroff & Sons, Inc., 23d & Walnut Streets, Philadelphia, Pa., and described in the manufacturer's application dated May 9, 1945.

Article	Brand name	Manufacturer's price line	Ceiling price at retail
Men's tropical suits	Botany	$27.50	$45.00
Men's tropical suits	do	21.16	37.50
Men's topcoats	do	27.50	45.00
Men's overcoats	do	32.87	55.00

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, H. Daroff & Sons, Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13314; Filed, July 21, 1945; 11:28 a. m.]

[MPR 580, Order 95]

MANHATTAN UNDERGARMENT CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 95. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-110.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Manhattan Undergarment Co., Inc., 36 East 31st St., New York 16, N. Y., and described in the manufacturer's application dated April 16, 1945.

Article	Brand name	Manufacturer's price line	Ceiling price at retail
		Per dozen	*Per unit*
Slips	Newform	$17.25	$2.25
		24.00	2.95
		25.50	3.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Manhattan Undergarment Co. Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form.

(Section 13, MPR 580)
OPA Retail Ceiling Price—$------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13315; Filed, July 21, 1945; 11:28 a. m.]

[Max. Import Price Reg., Amdt. 1 to Rev. Order 51]

TAPIOCA FLOUR PRODUCED IN SANTO DOMINGO AND BRAZIL

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That Revised Order No. 51 under the Maximum Import Price Regulation be amended in the following respects:

1. By changing subdivision (ii) of paragraph (c) (1) to read as follows:

(ii) *Sales by all other sellers.* The maximum price for sales ex dock U. S. port of arrival of imported Brazilian tapioca flour by sellers other than the U. S. C. C. shall be the U. S. C. C. maximum price established by subdivision (i) above for the particular material involved, plus $.005 per pound, regardless of the number of resellers involved: for sales ex warehouse add $.0025 per pound to the ex dock price.

2. By redesignating subdivision (iii) of paragraph (c) (1) as paragraph (c) (2) and by redesignating subdivisions (*a*), (*b*), (*c*) and (*d*) thereunder as subdivisions (i), (ii), (iii) and (iv).

This amendment shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13398; Filed, July 23, 1945; 11:48 a. m.]

[MPR 188, Revocation of Order B-1]

SPECIFIED BUILDING MATERIALS

ADJUSTMENT PROVISIONS FOR MANUFACTURERS

An opinion accompanying this order of revocation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order B-1 under § 1499.159b of Maximum Price Regulation No. 188 is revoked.

This order of revocation shall become effective July 30, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13396; Filed, July 23, 1945; 11:49 a. m.]

above. Prior to August 1, 1945, unless the article is marked or tagged in this

for which a price is established by paragraph (a), the seller shall send the pur-

listed in paragraph (a), the seller shall send the purchaser a copy of this order.

[Supp. Order 94, Rev. Order 6]

BLITZ CANS AND JERRICANS

SALES BY GOVERNMENT AGENCIES AND RESALES BY CERTAIN BUYERS

Order No. 6 under Supplementary Order No. 94 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order No. 94, It is ordered:

(a) *What this order does.* This order establishes maximum prices for resellers of the "Blitz" cans and "Jerricans" hereinafter described which have been or may be purchased from the United States Government or any agency thereof.

(1) Description of "Blitz" cans manufactured for military use and conforming to the following specifications:

Steel—20 gauge
Size—13½" x 6⅜" x 18½"
Opening—2½" threaded, with plug.

(2) Description of "Jerricans" manufactured for military use and conforming to the following specifications:

Steel—20 gauge
Size—13½" x 6⅜" x 18¼".
Opening—pouring spout with level closure.

(b) *Maximum prices.* The maximum prices for the cans described in paragraph (a) shall be:

(1) For new or used cans, free from rust, leaks, dents and in all respects having serviceability equal to that of new cans.

(i) Wholesaler's or reconditioner's prices to retailers or industrial users, freight allowed to destination: In minimum carload quantities, $1.25 per can; in less than carload quantities, $1.35 per can.

(ii) Price for all sales at retail, $2.10 per can at point of delivery.

(2) For new or used cans having serviceability less than that of new cans:

(i) Price for all sales at retail, $1.50 per can at point of delivery.

(c) For the purposes of this order, a can has serviceability less than that of a new can when it leaks, is rusted or dented, cannot be closed, requires painting or other reconditioning, or possesses other similar defects.

(d) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(e) *Notification of maximum prices.* Any person who sells the cans described in paragraph (a) to a retailer shall furnish the retailer with an invoice setting forth the retailer's maximum price, and stating that the retailer is required by this order to attach to each can before sale a tag or label stating the appropriate retail ceiling price.

(f) *Tagging.* Any person who sells the cans described in paragraph (a) at retail shall attach to each can before sale a tag or label which plainly states the retail ceiling price.

(g) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(h) *Revocation and amendment.* This order may be revoked or amended by the Administrator at any time.

This order shall become effective July 26, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12399; Filed, July 23, 1945; 11:49 a. m.]

[Supp. Order 94, Order 70]

RECONSTRUCTION FINANCE CORP., ET AL.

SPECIAL MAXIMUM PRICES FOR GASOLINE-ELECTRIC GENERATING UNITS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sale and delivery by any reseller of the gasoline-electric generating units hereinafter described which have been or may be purchased from the Reconstruction Finance Corporation or any other United States Government agency.

(b) *Maximum prices.* The maximum prices for sales and deliveries by all resellers of the gasoline-electric generating units described herein, in the condition specified, to any class of purchaser shall be:

Description of Generating Unit. 1 Hercules 4 cyl. Model Z X B 9.4 h. p. gasoline engine, connected to one 3 KVA, 1200 RPM, 120 Volt, 3 phase 60 cycle generator (General Electric, Hobart, O'Keefe and Merritt or Westinghouse). Set is equipped with exciter and switchboard, is completely housed with weatherproof housing and mounted upon skids.

Price for unit new or used and in as good as new condition, or used but reconditioned and guaranteed, $532.00.

Price for unit in any other condition than above specified, $344.00.

These prices are f. o. b. point of shipment.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 26, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13400; Filed, July 23, 1945; 11:48 a. m.]

[MPR 188, Amdt. 89 to Order A-1]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order A-1 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respects:

1. Paragraphs (a) (1) to (a) (11) inclusive, are deleted.
2. Paragraph (a) (12) is redesignated paragraph (a) (1).
3. Paragraphs (a) (13) to (a) (24) inclusive, are deleted.
4. Paragraph (a) (25) is redesignated paragraph (a) (2).
5. Paragraphs (a) (26) to (a) (30) inclusive, are deleted.
6. Paragraph (a) (31) is redesignated paragraph (a) (3).
7. Paragraphs (a) (32) to (a) (57) are deleted.
8. Paragraph (a) (58) is redesignated (a) (4).
9. Paragraphs (a) (59) to (a) (62) are deleted.

This Amendment No. 89 shall become effective July 30, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13395; Filed, July 23, 1945; 11:42 a. m.]

[MPR 591, Order 1]

SPECIFIED MECHANICAL BUILDING EQUIPMENT

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Order No. 1 under section 22 of Maximum Price Regulation No. 591 has been issued simultaneously herewith and filed with the Division of the Federal Register.

ARTICLE I—EXPLANATION AND GENERAL PROVISIONS

SECTION 1.1 *Scope of this order.* Modifications of maximum prices of commodities covered by Maximum Price Regulation No. 591 pursuant to section 22 of that regulation, are set forth in this Order No. 1. This order brings together, restates and reclassifies the modifications of maximum prices (except those which have become obsolete) previously contained in Order A-1 under § 1499.159b of Maximum Price Regulation 188, insofar as they apply to commodities now covered by this regulation. This Order No. 1 does not, as of the date issued, terminate or otherwise change the operative effect of any such modification previously listed under Order A-1 under § 1499.159b of Maximum Price Regulation 188, but merely consolidates and continues them in effect under this Order No. 1 under Maximum Price Regulation No. 591. Other modifications may be added to this Order No. 1 whenever necessary by amendment.

SEC. 1.2 *Provisions revoked.* Order A-1 under § 1499.159b of Maximum Price Regulation No. 188 is not revoked but is being amended simultaneously herewith so as to remove therefrom the paragraphs now incorporated herein.

ARTICLE II—COMMERCIAL REFRIGERATION

SEC. 2.1 *Modification of maximum prices of commercial refrigeration and commercial refrigeration apparatus.* (a) On and after May 10, 1943, all manufacturers of commercial refrigeration and commercial refrigeration apparatus, shall reduce their presently established maximum prices for such commodities by an amount equal to the Federal excise tax previously paid on the sales of such commodities under the provisions of section 546, Title V, Part IV of the Revenue Act of 1941 and subsequently repealed by section 614, Title VI of the Revenue Act of 1942.

(b) *Definitions.* For the purpose of this section the term "commercial refrigeration and commercial refrigeration apparatus" means beverage coolers, ice cream cabinets, water coolers, food and beverage display cases, food and beverage storage cabinets, ice making machines, milk cooler cabinets, refrigerators having a net storage space of more than 20 cubic feet, which were primarily designed for use with a mechanical refrigeration unit; and compressors, condensers, evaporators, expansion units, absorbers and controls for, or suitable for use as a part of or with, a refrigerating plant, refrigerating system, refrigerating equipment or unit, or any of the articles enumerated above.

ARTICLE III—PIPE AND FITTINGS

SEC. 3.1 *Modification of maximum prices of plastic pipe, plastic tubing, plastic pipe fittings, and plastic tubing fittings.*—(a) *Scope of this section.* This section sets maximum prices for sales and deliveries of plastic pipe, plastic tubing, plastic pipe fittings, and plastic tubing fittings manufactured from Co-Polymer Vinyl and Vinylidene chlorides commercially known as "Saran B 11."

(b) *Maximum prices.* The maximum prices computed under this section shall be subject to cash discounts, allowances, and price differentials at least as favorable as those established by the seller and in effect to his various classes of customers during the month of March 1942 for similar commodities such as brass pipe, copper tubing, brass fittings and or copper fittings.

(1) *Manufacturer's maximum prices.*—(i) *Manufacturer to jobber.* The maximum prices for sales by manufacturers to jobbers, f. o. b. point of manufacture, shall be the prices contained in paragraph (b) (4) subject to a discount of 50 percent. Upon shipments of 200 pounds and over, freight on the entire shipment shall be allowed to destination.

(ii) *Manufacturer to all purchasers other than jobbers.* (a) The maximum prices for sales by manufacturers to all purchasers other than jobbers on direct shipments of 200 pounds and over, from point of manufacture, shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and 25 percent and 10 percent. Such maximum prices shall include free delivery to point of destination designated by the purchaser.

(b) The maximum prices for sales by manufacturers to all purchasers other than jobbers out of warehouse stock or on direct shipments of less than 200 pounds from point of manufacture, shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and 20 percent. Such maximum prices shall include free delivery within customary free delivery zones.

(2) *Jobber's maximum prices.*—(i) *Jobber to installer or retailer (other than automotive).* (a) The maximum prices for sales by jobbers to installer or retailers (other than automotive) on direct shipments of 200 pounds and over, from point of manufacture, shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and 25 percent and 10 percent. Such maximum prices shall include free delivery to point of destination designated by the purchaser.

(b) The maximum prices for sales by jobbers to installers or retailers (other than automotive) out of stock or on direct shipments of less than 200 pounds from point of manufacture shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and 20 percent. Such maximum prices shall include free delivery within customary free delivery zones.

(ii) *Jobbers to industrial or commercial user.* The maximum prices for all sales by jobbers to industrial or commercial users shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and the customary differential discount allowed during the month of March 1942 to that particular class of purchaser for purchases of similar commodities.

(iii) *Jobber to ultimate consumer (sales at retail).* The maximum prices for all sales by jobbers to ultimate consumers (sales at retail) shall be the prices contained in paragraph (b) (4). Such maximum prices shall include free delivery within customary free delivery zones.

(3) *Maximum prices for other sellers.*—(i) *Retailer's and installer's maximum prices (on an uninstalled basis).* The maximum prices for all sales by retailers and installers on an uninstalled basis shall be the prices contained in paragraph (b) (4). Such maximum prices shall include free delivery within customary free delivery zones.

(ii) *Automotive installer's and automotive retailer's maximum buying and selling prices.* (a) The maximum prices for all sales to automotive installers and automotive retailers by any person other than a manufacturer shall be the prices contained in paragraph (b) (4) subject to a discount of 25 percent. Such maximum prices shall include free delivery within customary free delivery zones.

(b) The maximum prices for all sales by automotive installers and automotive retailers, whether installed or uninstalled, shall be the prices contained in paragraph (b) (4). Such installation charges as are established by any applicable regulation issued by the Office of Price Administration may be added to the maximum prices listed herein, provided such installation charges are stated separately on the invoice.

(4) *Tables of maximum list prices.*

TABLE 1—MAXIMUM LIST PRICES FOR PLASTIC PIPE

[List prices are per foot]

Size	½"	¾"	1"	1¼"	1½"
List price	$0.58	$0.78	$1.12	$1.33	$1.67
Size	2"	2½"	3"	3½"	4"
List price	$2.24	$3.33	$4.08	$5.02	$7.22

TABLE 2—MAXIMUM LIST PRICES FOR PLASTIC PIPE FITTINGS

Size	½"	¾"	1"	1¼"	1½"	2"
90° elbow	$1.25	$1.50	$1.75	$2.00	$2.25	$2.50
Tee, straight	1.50	1.70	2.00	2.40	2.80	3.20
Coupling	.50	.60	.70	.80	.95	1.20
Reducer	....	.55	.75	.85	1.00	1.40
Cap	.50	.60	.70	.80	.95	1.20
Companion flange	1.35	1.55	1.75	2.00	2.40	3.00
Blind flange	1.35	1.55	1.75	2.00	2.40	3.00

TABLE 3—MAXIMUM LIST PRICES FOR PLASTIC TUBING FITTINGS

	List price
Half-union coupling size O. D. Tube to male I. P. thread, exclusive of coupling nut (size):	
⅛ x ⅛ inch	$0.09
5/16 x ⅛ inch	.09
¼ x ⅛ inch	.09
¼ x ¼ inch	.10
5/16 x ⅛ inch	.11
5/16 x ¼ inch	.11
⅜ x ¼ inch	.13
⅜ x ⅜ inch	.14
7/16 x ¼ inch	.15
½ x ⅜ inch	.16
½ x ½ inch	.17
5/8 x ½ inch	.36
¾ x ¾ inch	.42
⅜ x ⅜ inch	.23
½ x ½ inch	.26
Tube-pipe elbow size O. D. tube to I. P. thread, exclusive of coupling nut (size):	
⅛ x ⅛ inch	.18
5/16 x ⅛ inch	.18
¼ x ⅛ inch	.19
5/16 x ⅛ inch	.20
⅜ x ¼ inch	.23
⅜ x ⅜ inch	.24
7/16 x ¼ inch	.25
½ x ⅜ inch	.28
5/8 x ½ inch	.40
¾ x ½ inch	.50
Tee, reducing size O. D. tube exclusive of coupling nuts (size):	
½ inch	.28
¾ inch	.41
Plug size male I. P. thread (size):	
⅛ inch	.10
¼ inch	.11
⅜ inch	.13
½ inch	.18
¾ inch	.20
Union coupling size O. D tube to O. D. tube, exclusive of coupling nuts (size):	
⅛ x ⅛ inch	.09
5/16 x 5/16 inch	.09
¼ x ¼ inch	.09
5/16 x 5/16 inch	.11
⅜ x ⅜ inch	.13
7/16 x 7/16 inch	.15
½ x ½ inch	.16
5/8 x 5/8 inch	.36
¾ x ¾ inch	.42

TABLE 3—Continued

Coupling nut for flare fittings, size O. D. tube (size):	List price
1/8 inch	$0.10
5/16 inch	.10
1/4 inch	.10
5/16 inch	.12
3/8 inch	.14
7/16 inch	.15
1/2 inch	.16
5/8 inch	.25
3/4 inch	.30

TABLE 3—Continued

Tee, straight size, O. D. tube, exclusive of coupling nuts (size):	List price
1/8 inch	$0.18
5/16 inch	.18
1/4 inch	.20
5/16 inch	.21
3/8 inch	.25
7/16 inch	.28
1/2 inch	.32
5/8 inch	.45
3/4 inch	.59

TABLE 4—MAXIMUM LIST PRICES FOR PLASTIC TUBING

[List prices are per 100 feet]

O. D. size	1/8-inch	3/16-inch	1/4-inch	5/16-inch	3/8-inch	7/16-inch	1/2-inch	5/8-inch	3/4-inch
0.015 wall thickness	$1.50	$2.30							
0.031 wall thickness	2.60	4.40	$6.10	$7.80	$9.70	$11.30	$13.10	$16.50	$20.00
0.045 wall thickness		5.70	8.30	10.80	13.30	15.80	18.30	23.40	28.40
0.062 wall thickness		7.00	10.50	14.00	17.40	20.90	24.30	31.30	38.30
0.093 wall thickness							33.00	44.30	54.70
0.125 wall thickness									69.00

For tubing, boxed, 25-feet per box, above list prices may be increased by $0.75 per hundred lineal feet.

TABLE 5—MAXIMUM LIST PRICES FOR SARAN PIPE NIPPLES

Diameter of pipe	Size of nipple										Price per cent for threading pipe over 1 foot long
	3-inch	4-inch	5-inch	6-inch	7-inch	8-inch	9-inch	10-inch	11-inch	12-inch	
1/2 inch	$0.58	$0.64	$0.74	$0.77	$0.78	$0.80	$0.82	$0.84	$0.86	$0.88	$0.15
3/4 inch	.78	.88	.99	1.10	1.15	1.18	1.20	1.23	1.25	1.28	.25
1 inch	.92	1.04	1.20	1.35	1.42	1.45	1.50	1.54	1.58	1.62	.25
1 1/4 inches	1.08	1.27	1.43	1.63	1.67	1.70	1.74	1.77	1.80	1.83	.25
1 1/2 inches	1.33	1.55	1.79	2.02	2.06	2.10	2.15	2.19	2.24	2.27	.30
2 inches	1.65	1.96	2.25	2.58	2.69	2.74	2.79	2.84	2.89	2.94	.35

(c) *Notification to purchasers of existence of this section.* Every person selling plastic pipe, plastic tubing, plastic pipe fittings, or plastic tubing fittings subject to this section shall, before making an initial sale to each purchaser, notify such purchaser of the existence of this section, and, upon request of such purchaser, make available a copy of it for examination.

(d) *New products.* The maximum list price of any article of plastic pipe, plastic tubing, plastic pipe fittings, and/or plastic tubing fittings, for which prices are not established in paragraph (b) (4) of this section shall be the price determined in accordance with the appropriate method contained in Maximum Price Regulation No. 591.

(e) *Definitions.* For the purpose of this section, the term:

"Manufacturer" means a person who manufactures or extrudes synthetic organic thermoplastic into plastic pipe, plastic tubing, plastic pipe fittings or plastic tubing fittings.

"Jobber" means a person other than a "manufacturer" who purchases plastic pipe, plastic tubing, plastic pipe fittings, or plastic tubing fittings from a "manufacturer" for resale, customarily receives physical possession, and who sells primarily to an installer, industrial user or retailer.

"Installer" means any person customarily engaged in the installation of plumbing, heating, refrigeration, and/or air-conditioning systems and furnishes an installation service, but does not include automotive installers.

"Automotive installer" and "automotive retailer" means any person who is engaged in the repair or maintenance of automotive vehicles or who sells automotive repair parts to ultimate consumers.

"Retailer" means any person who sells to the ultimate consumer.

"Industrial or commercial user" means any person who customarily purchases for use in an industrial plant or commercial enterprise, such as an oil or sugar refinery, a chemical plant, shipyard, or railroad.

"Ultimate consumer" means a person who purchases for use rather than resale, other than an industrial or commercial user.

ARTICLE IV—CAST-IRON PRESSURE PIPE

SEC. 4.1 *Modification of maximum prices of cast iron pressure pipe*—(a) *Scope of this section.* This section sets maximum prices for sales and deliveries of (1) cast iron pressure pipe manufactured in wall thickness based on the method described in detail in the publication "American Recommended Practice—Manual for the Computation of Strength and Thickness of Cast Iron Pipe, A. S. A. A21.1–1939," hereinafter called "New method" and (2) cast iron pressure pipe manufactured in the weights set forth in the Emergency Alternate Specification E-WW-P-421, Pipe; Water, Cast-Iron (Bell and Spigot) issued December 21, 1942, by the National Bureau of Standards.

(b) *Maximum prices.* The maximum prices computed under this section shall be subject to cash discounts, allowances, and price differentials at least as favorable as those established by the seller for cast iron pressure pipe and in effect to the sellers' various classes of customers during the month of March 1942.

(1) The maximum price per lineal foot for cast iron pressure pipe manufactured of wall thickness based on the "New method" shall be the maximum price per lineal foot established for sales of cast iron pressure pipe of wall thickness customarily furnished prior to the use of the "New method", reduced by the following amount per lineal foot:

Zone 1. Where the point of delivery is located within the area served by $0.01 to $7.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than $0.0125 per pound.

Zone 2. Where the point of delivery is located within the area served by $7.01 to $12.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than $0.0150 per pound.

Zone 3. Where the point of delivery is located within the area served by $12.01 to $17.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than $0.0175 per pound.

Zone 4. Where the point of delivery is located within the area served by $17.01 to $22.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than $0.0200 per pound.

Zone 5. Where the point of delivery is located within the area served by $22.01 to $27.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than $0.0225 per pound.

Zone 6. Where the point of delivery is located within the area served by freight rates exceeding $27.01 per ton from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than $0.0250 per pound.

(2) The maximum price per lineal foot for cast iron pressure pipe manufactured in the weights set forth in Emergency Alternate Federal Specifications E-WW-P-421, Pipee; Water, Cast-Iron (Bell and Spigot) issued December 21, 1942, by the National Bureau of Standards shall be the maximum price per lineal foot established for sales of cast iron pressure pipe manufactured in weights listed in Federal Specification WW-P-421; Pipe; Water, Cast-Iron (Bell and Spigot) reduced by an amount per lineal foot set forth below:

TYPE I—CAST IRON WATER PIPE (BASED ON TABLE E-II—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)

CLASS 150, 150-POUND WORKING PRESSURE, [illegible] FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within— Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	0.9	$0.01	$0.01	$0.02	$0.02	$0.02	$0.02
6	1.6	.02	.02	.03	.03	.04	.04
8	3.9	.05	.06	.07	.08	.09	.10
10	6.0	.08	.09	.11	.12	.14	.15
12	7.3	.09	.11	.13	.15	.16	.18
14	6.3	.08	.09	.11	.13	.14	.16
16	9.9	.12	.15	.17	.20	.22	.24
18	13.2	.17	.20	.23	.26	.29	.32
20	13.2	.17	.20	.23	.26	.29	.32
24	8.3	.10	.12	.13	.17	.19	.21

TYPE I—CAST IRON WATER PIPE (BASED ON TABLE E-II—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)—Continued

CLASS 250, 250-POUND WORKING PRESSURE, 576-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within— Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
1	2.8	$0.04	$0.04	$0.05	$0.06	$0.07	$0.07
1	4.6	.05	.07	.08	.09	.10	.12
8	9.9	.12	.15	.17	.20	.22	.25
1	13.0	.16	.20	.23	.26	.29	.33
1	12.6	.16	.19	.22	.25	.28	.32
1	15.9	.20	.24	.28	.32	.36	.40
	21.3	.27	.32	.37	.43	.48	.54
	29.2	.37	.44	.51	.58	.66	.74
2	34.3	.43	.51	.60	.68	.77	.86
21	52.8	.66	.79	.92	1.05	1.19	1.32

TYPE II—CAST IRON WATER PIPE (BASED ON TABLE E-IV—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)

CLASS 150, 150-POUND WORKING PRESSURE, 346-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within— Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	0.8	$0.01	$0.01	$0.01	$0.02	$0.02	$0.02
6	1.6	.02	.02	.03	.03	.04	.04
8	3.9	.05	.06	.07	.08	.09	.10
10	6.0	.08	.09	.11	.12	.14	.15
12	7.0	.09	.11	.12	.14	.16	.18
14	6.0	.08	.09	.11	.12	.14	.15
16	10.3	.13	.15	.18	.21	.23	.26
18	12.9	.16	.19	.23	.26	.29	.32
20	12.9	.16	.19	.23	.26	.29	.32
24	8.2	.10	.12	.14	.16	.18	.21

CLASS 250, 250-POUND WORKING PRESSURE, 576-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	New allowance in dollars and cents per lineal foot where the point of delivery falls within— Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
1	2.8	$0.01	$0.01	$0.05	$0.06	$0.06	$0.07
1	4.6	.06	.07	.08	.09	.10	.12
8	9.9	.12	.15	.17	.20	.22	.25
1	13.2	.17	.20	.23	.26	.29	.33
1	12.7	.16	.19	.22	.25	.29	.32
1	15.8	.20	.24	.28	.32	.36	.40
	21.4	.27	.32	.37	.43	.48	.54
	29.3	.37	.44	.51	.59	.66	.73
2	34.2	.44	.51	.60	.68	.77	.86
21	52.7	.66	.79	.92	1.05	1.19	1.32

TYPE III—CAST IRON WATER PIPE (BASED ON TABLE E-VI—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)

CLASS 150, 150-POUND WORKING PRESSURE, 346-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within— Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
1	0.8	$0.01	$0.01	$0.01	$0.02	$0.02	$0.02
1	1.6	.02	.02	.03	.03	.04	.04
8	3.9	.05	.06	.07	.08	.09	.10
1	6.0	.08	.09	.11	.12	.14	.15
1	7.0	.09	.11	.12	.14	.16	.18

TYPE III—CAST IRON WATER PIPE (BASED ON TABLE E-VI—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)—Continued

CLASS 250, 250-POUND WORKING PRESSURE, 576-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within— Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	2.8	$0.04	$0.04	$0.05	$0.06	$0.06	$0.07
6	4.6	.05	.07	.08	.09	.10	.12
8	9.9	.12	.15	.17	.20	.22	.25
10	13.2	.17	.20	.23	.26	.29	.33
12	12.7	.16	.19	.22	.25	.29	.32

TYPE IV—CAST IRON WATER PIPE (BASED ON TABLE E-VIII—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)

CLASS 150, 150-POUND WORKING PRESSURE, 346-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within— Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	0.7	$0.01	$0.01	$0.01	$0.02	$0.02	$0.02
6	1.1	.01	.02	.02	.02	.02	.03
8	2.0	.03	.05	.05	.06	.07	.08
10	6.0	.08	.09	.11	.12	.14	.15
12	7.4	.09	.11	.13	.15	.17	.19
14	5.2	.07	.08	.09	.10	.12	.13
16	9.7	.12	.15	.17	.19	.22	.24
18	14.5	.18	.22	.25	.29	.33	.36
20	12.3	.15	.18	.22	.25	.28	.31
24	6.6	.08	.10	.12	.13	.15	.17

CLASS 250, 250-POUND WORKING PRESSURE, 576-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within— Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	2.4	$0.03	$0.03	$0.04	$0.05	$0.05	$0.06
6	4.6	.06	.07	.08	.09	.10	.12
8	9.3	.12	.14	.16	.19	.21	.24
10	12.8	.16	.19	.22	.26	.29	.32
12	10.9	.14	.16	.19	.22	.25	.27
14	11.2	.14	.17	.20	.22	.25	.28
16	16.5	.21	.25	.29	.33	.37	.41
18	26.8	.34	.40	.47	.54	.60	.67
20	27.8	.35	.42	.49	.56	.63	.70
24	46.8	.59	.70	.82	.94	1.05	1.17

Zone 1 is applicable where the point of delivery is located within the area served by $0.00 to $7.00 per ton freight rates from Birmingham, Alabama.

Zone 2 is applicable where the point of delivery is located within the area served by $7.01 to $12.00 per ton freight rates from Birmingham, Alabama.

Zone 3 is applicable where the point of delivery is located within the area served by $12.01 to $17.00 per ton freight rate from Birmingham, Alabama.

Zone 4 is applicable where the point of delivery is located within the area served by $17.01 to $22.00 per ton freight rates from Birmingham, Alabama.

Zone 5 is applicable where the point of delivery is located within the area served by $22.01 to $27.00 per ton freight rates from Birmingham, Alabama.

Zone 6 is applicable where the point of delivery is located within the area served by a freight rate that exceeds $27.01 per ton from Birmingham, Alabama.

(c) *Notification to purchasers of existence of this section.* Every person selling cast iron pressure pipe subject to this section shall, before making an initial sale to each purchaser, notify such purchaser of the existence of this section, and, upon request of such purchaser, make available a copy of this section for examination.

ARTICLE V—HEATING EQUIPMENT

SEC. 5.1 *Modification of maximum prices for cast-iron warm-air furnaces and steel warm-air furnaces and repair parts for such furnaces*—(a) *Scope of this section.* Maximum prices established by this section shall apply to cast-iron and steel warm-air furnaces and repair parts for such furnaces.

For the purpose of this section the term

"Cast-iron warm-air furnaces" means any direct coal-fired, gas-fired, oil-fired, or wood-fired central plant, warm-air heating unit made of cast-iron with a BTU output at the register or outlet of 900,000 or less which is designed for the purpose of heating the interior of any structure; commonly known as a gravity or forced warm-air furnace for use with or without air distribution pipes.

"Steel warm-air furnaces" means any direct coal-fired, gas-fired, oil-fired or wood-fired central plant, warm-air unit, the heating surface of which is wholly or partially made of steel, with a BTU output at the register or outlet of 900,000 or less which is designed for the purpose of heating the interior of any structure, commonly known as a gravity or forced warm-air furnace, for use with or without air distribution pipes.

The terms "cast-iron warm-air furnace" and "steel warm-air furnace" do not include portable or fixed space heaters, domestic heating stoves, or floor furnaces, nor do they include accessories and appurtenances for such furnaces. The terms do however, include trim for such furnaces.

"Accessories and appurtenances" include but are not limited to the following:

All automatic controls including thermostats and humidifier.

Cabinet blower unit complete, including—
- Cabinet.
- Filter.
- Blower drive motor.
- Blower fan and housing.
- Blower pulleys and belt.

Oil burner assembly complete, including controls.

Gas burner assembly complete, including regulation.

"Trim" includes but is not limited to—
- The shaker.
- The poker.
- Hand controlled draft regulator.
- Water pan.
- Check damper.

(b) *Maximum prices for manufacturers.* The maximum prices for sales by a manufacturer of cast-iron or steel warm-air furnaces and repair parts for such furnaces shall be the prices determined in accordance with either of the methods set forth below:

(1) The lowest published list price for each type and size of cast-iron or steel warm-air furnace and type of repair part for such furnace in effect on August 3, 1943, plus 9 percent, or

(2) In the case of repair parts only, by retaining the lowest published list price in effect on August 3, 1943, and decreasing the discount or discounts extended to the various classes of purchasers by an amount which will result in an increase equivalent to that resulting from the use of method 1, above.

(c) *Notification to purchasers by manufacturers.* All manufacturers selling cast-iron or steel warm-air furnaces or repair parts for such furnaces under the authority of this section shall send the following notice to every purchaser of cast-iron or steel warm-air furnaces or repair parts for such furnaces at the time of the first billing:

Section 5.1 of Order No. 1 under section 22 of Maximum Price Regulation No. 591 granted us an increase in the maximum prices of cast-iron and steel warm-air furnaces and repair parts for such furnaces equal to 9 percent of our lowest established list price in effect on August 4, 1943, for each type and size of cast-iron and steel warm-air furnace and any type of repair part for such furnaces. The prices charged you for cast-iron or steel warm-air furnaces or repair parts are not higher than the maximum prices which are permitted to be charged you under the provisions of that section. The section further provides that any person purchasing cast-iron or steel warm-air furnaces or repair parts for such furnaces for resale in substantially the same form may increase his maximum price in effect on August 4, 1943, by the actual dollars-and-cents increase in cost to him resulting from the 9 percent increase.

This notice is given to you at the express direction of the Office of Price Administration.

(d) Every person selling cast-iron or steel warm-air furnaces or repair parts for such furnaces under the authority of this section shall forward to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., within 15 days after July 30, unless previously submitted, catalogues, price books and discount sheets issued prior to June 24, 1944, relative to cast-iron or steel warm-air furnaces and repair parts for such furnaces. Copies of such catalogues, price books, and discount sheets issued at any time subsequent to June 24, 1944, shall be forwarded to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., at least 5 days prior to the issuance thereof.

(e) *Maximum prices for persons other than manufacturers.* (1) On and after June 24, 1944, any person who purchases cast-iron or steel warm-air furnaces or repair parts for such furnaces for resale may increase his maximum price in effect on August 4, 1943, for each type and size of cast-iron and steel warm-air furnace or repair part for such furnaces purchased under the authority of this section by an amount equal to his actual dollars-and-cents increase in cost resulting from the 9 percent increase permitted under paragraph (b).

(2) The maximum prices fixed under paragraph (1) shall be subject to at least the same extension of cash, quantity, and other discounts, the same absorption of transportation charges, and the same rendition of services which the seller extended, absorbed, or rendered or would have extended, absorbed, or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 5.2 *Modification of maximum prices for cast iron warm-air furnaces and steel warm-air furnaces sold without certain parts, the manufacture of which is prohibited by War Production Board Limitation Order L-22, or any amendment thereto.* "Cast iron warm-air furnaces" means a central plant warm-air heating unit, made of cast iron, which is designed for the purpose of heating, with any type of fuel, the interior of any structure; commonly known as a gravity or forced warm-air furnace, for use with or without air distribution pipes.

The term "cast iron warm-air furnaces" does not include space heaters, domestic heating stoves, or floor furnaces (either portable or fixed).

"Steel warm-air furnaces" means any central plant warm-air unit, the heating surface of which is wholly or partially made of steel which is designed for the purpose of heating, with any type of fuel, the interior of any structure; commonly known as a gravity or forced warm-air furnace, for use with or without air distribution pipes.

The term "steel warm-air furnaces" does not include any space heaters, domestic heating stoves, or floor furnaces (either portable or fixed).

(a) *Modification of maximum net prices for all sellers.* Every seller of cast iron warm-air furnaces or steel warm-air furnaces which do not include any of the parts listed below, shall reduce his present maximum net price for each such cast iron warm-air furnace or steel warm-air furnace by the amount for each such part as set forth below:

Feed door smoke curtain	$0.10
Feed door lining	.20
Hot blast lift door	.05
Wire coil handle	.10
Water pan	.50
Inner lining for casing	.60
Upright shaker handle	.55
Poker	.15
Metal check damper	.20
Hand-control draft regulator	.40

SEC. 5.3 *Modification of maximum prices of automatic controls for use in domestic hot water heaters.*—(a) *Scope of this section.* This section establishes adjusted maximum prices for sales and deliveries of automatic controls for direct-fired domestic automatic hot water heaters by the manufacturers of such automatic controls to manufacturers of such heaters for use in the manufacture thereof.

This section does not establish adjusted maximum prices for sales of automatic controls for direct-fired domestic automatic hot water heaters by the manufacturers of such controls to persons other than manufacturers of such heaters or sales of such controls to manufacturers of such heaters where such controls are not used in the manufacture thereof.

For the purpose of this section the term "automatic controls for direct-fired domestic automatic hot water heaters" means any automatic device especially designed for (1) controlling and maintaining the temperature and (2) the safe operation of a direct-fired domestic automatic hot water heater which uses natural or manufactured gas, kerosene, or oil, or any derivative thereof as fuel. The term includes but is not limited to safety pilots or shut-offs, thermostats and combination units embodying at least two of the following features: thermostat, safety pilot or shut-off, main gas cock, flow control valve, and pilot valve.

(b) *Maximum prices.* Any manufacturer of automatic controls for direct-fired domestic automatic hot water heaters may, on sales to manufacturers of direct-fired domestic automatic hot water heaters for use in the manufacture of such heaters only, increase his presently established maximum net price for such automatic controls by 9 percent.

(c) *Cash discounts, allowances and services.* The maximum prices established by this section shall be subject to the extension of cash discounts and other allowances, the rendition of services and the absorption of transportation charges at least as favorable to manufacturers of direct-fired domestic automatic hot water heaters as those which the manufacturer extended, rendered or absorbed or would have extended, rendered or absorbed during the month of March 1942.

(d) *Notification to purchasers.* Every person making sales under the authority of this section shall send a notice to every purchaser at the time of the first invoicing stating substantially as follows:

Section 5.3 of Order No. 1 under section 22 of Maximum Price Regulation No. 591 permits us to increase by 9 percent our present maximum net price of automatic controls for use in direct-fired domestic automatic hot water heaters when sold to a manufacturer of direct-fired domestic automatic hot water heaters for such use by the manufacturer. The prices charged you for automatic controls are not higher than the adjusted maximum net prices permitted under this section.

This notice is given to you at the express direction of the Office of Price Administration.

ARTICLE VI—PLUMBING FIXTURES AND SPECIALTIES

SEC. 6.1 *Modification of maximum prices for certain brass fittings and trimmings for plumbing fixtures.*—(a) *Scope of this section.* This section establishes maximum prices for sales and deliveries by manufacturers and others of the following commodities: *Provided*, That such person delivered or offered for delivery during March 1942 exposed chrome plated brass fittings and trimmings or partially built-in chrome plated brass fittings and trimmings for plumbing fixtures.

(1) Exposed chrome plated brass fittings and trimmings.

(2) Partially built-in chrome plated brass fittings and trimmings.

(3) Polished unplated chrome plated brass fittings and trimmings.

(b) *Maximum prices.* The maximum prices for sales of the commodities set forth in (a) by any person shall be determined as follows:

(1) If a seller during March 1942 delivered or offered for delivery any of the commodities set forth in (a), his maximum price shall be the highest price for which each such commodity was delivered or offered for delivery during that month to each class of purchaser.

(2) If the seller did not deliver or offer for delivery during March 1942, polished unplated brass fittings and trimmings, his maximum prices for such items shall be the highest prices for which he delivered or offered for delivery the identical chrome plated brass fittings and trimmings during March 1942 to each class of purchaser.

(3) Any person who did not deliver or offer to deliver exposed chrome plated or partially built-in chrome plated fittings and trimmings during March 1942, shall, if such person is a manufacturer, determine his maximum prices for the items set forth in (a) in accordance with section 6 of Maximum Price Regulation No. 591, and if other than a manufacturer, shall determine his maximum prices in accordance with the applicable section of the General Maximum Price Regulation.

(c) Any maximum price established under the provisions of this subparagraph shall be subject to discounts, allowances, including transportation allowances, and price differentials at least as favorable as those in effect by each seller during March 1942 to each class of purchaser.

(d) *Notification to purchasers of the existence of this section.* Each person selling any of the commodities covered by this section shall, before making an initial sale to each purchaser, notify such purchaser of the existence of this section, and upon request of such purchaser, make available a copy of it for examination.

This Order No. 1 shall become effective July 30, 1945.

NOTE: All reporting requirements of this Order have been filed with the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13377; Filed, July 23, 1945; 11:42 a. m.]

[MPR 592, Order 1]

SPECIFIED CONSTRUCTION MATERIALS AND REFRACTORIES

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—EXPLANATORY AND GENERAL PROVISIONS

SECTION 1.1 *Scope of this order.* Modifications of maximum prices of commodities covered by Maximum Price Regulation 592 pursuant to section 25 of that regulation, are set forth in this Order No. 1. This Order No. 1 brings together, restates and reclassifies the modifications of maximum prices (except those which have become obsolete) previously contained in Order A-1 under Maximum Price Regulation 188 insofar as they applied to commodities now covered by this regulation and insofar as they are intended to continue in effect under this regulation. This Order No. 1 does not, as of the date issued, change the operative effect of any such modification previously listed under Order A-1 under Maximum Price Regulation 188, but merely consolidates and continues them in effect under this Order No. 1 under Maximum Price Regulation 592. Other modifications may be added to this Order No. 1 whenever necessary by amendment.

SEC. 1.2 *Provisions revoked.* Order A-1 under Maximum Price Regulation 188 is not revoked but is being amended simultaneously herewith so as to remove therefrom the paragraphs now incorporated herein.

ARTICLE II—MODIFICATION OF MAXIMUM PRICES FOR CLAY AND SHALE BUILDING BRICK (COMMON AND FACE, EXCEPT CERAMIC GLAZED), STRUCTURAL CLAY HOLLOW BUILDING TILE (EXCEPT CERAMIC GLAZED WARE), AND CLAY DRAIN TILE (GLAZED AND UNGLAZED)

SEC. 2.1 *Maximum prices for manufacturers—(a) Maximum prices for manufacturers in the New England Area.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for clay building brick (common and face, except ceramic glazed), manufactured in the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island, may be increased by adding an amount not in excess of $3.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) Any price adjustments granted prior to December 26, 1944, by the Price Administrator or any Regional Administrator for any seller of brick covered by the provisions set forth in (1) above, and particularly Order G-31 under Maximum Price Regulation 188, issued by the Boston Regional Office on October 20, 1943, which permitted an increase in an amount not in excess of $2.00 per M in the maximum prices of common sand-struck brick for any manufacturer in New England, are hereby revoked.

(b) *Maximum prices for manufacturers in the Hudson River Area:* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for clay building brick (common and face, except ceramic glazed brick and "H" Grade Hudson River common brick) produced in that part of the State of New York within 10 air miles of the east and west banks of the Hudson River between the south line of the City of Albany and the south line of the City of Newburgh, may be increased by adding the following amounts to the f. o. b. plant or delivered prices:

(i) $3.25 per thousand for standard size brick and $4.00 per thousand for oversize brick when delivered in the Metropolitan New York City Area, which is defined to include that area of New York State lying east of the Hudson River and west of a line directly connecting Ossining, New York, with Rye, New York, and that portion of Long Island and New York City which lies west of the boundary between Nassau and Suffolk Counties. It also includes Staten Island, the west bank of the Hudson River south of Haverstraw, New York, and the waters of the Passaic and Hackensack Rivers, and the tributary waters of such rivers, as far north as Passaic, New Jersey, and Hackensack, New Jersey, respectively.

(ii) $2.25 per thousand for standard size and $2.75 per thousand for oversize brick when delivered in areas other than the Metropolitan New York City Area.

(iii) The maximum prices for the above classification of brick shall be subject to an allowance of $1.00 per M for unloading and $0.50 per M for cash payment. The terms under which such allowances are given shall not be made more onerous to the purchaser than those in effect in March 1942.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for "H" Grade Hudson River common brick, which, for the purpose of this paragraph (b) means brick meeting Federal Specification Physical Requirements "E-2, H Grade" SS-B-656, issued June 28, 1932, produced by the Nassau Brick Company, Incorporated, Farmingdale, New York, may be increased by adding $1.00 per thousand for standard size brick and $1.25 per thousand for oversize brick to the f. o. b. plant or delivered prices.

(3) Any price adjustments granted prior to July 30, 1945, by the Price Administrator or any Regional Administrator for any seller of brick covered by the provisions set forth in (b) (1) and (2) above, and particularly Amendments 5, 28, and 37 to Order A-1 of Maximum Price Regulation 188, are hereby revoked.

(c) *Maximum prices for manufacturers in certain Middle Atlantic States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for clay building brick (common and face, except ceramic glazed), produced in the States of Delaware and Maryland; the counties of New York west of and including Franklin, Hamilton, Fulton, Montgomery, Schoharie and Delaware; the counties of Pennsylvania east of and including Tioga, Lycoming, Clinton, Centre, Huntington and Fulton; and the District of Columbia, may be increased by adding an amount not in excess of $1.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for structural clay hollow building tile (except ceramic glazed ware) and clay drain tile (glazed and unglazed), produced in the area described in (c) (1) above, may be increased by adding thereto an amount not in excess of $0.70 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to January 15, 1945, by the Price Administrator or any Regional Administrator for any seller of brick, building tile, or drain tile, covered by the provi-

sions set forth in (c) (1) and (2) above, are hereby revoked.

(d) *Maximum prices for manufacturers in New Jersey.* (1) The manufacturer's maximum prices for clay building brick (common and unglazed face) produced in the State of New Jersey established pursuant to Maximum Price Regulation No. 592, may be increased by adding an amount not in excess of $3.00 per thousand for regular size brick to the f. o. b. plant price or the delivered price.

(2) Any price adjustments granted prior to August 26, 1944, by the Price Administrator or any Regional Administrator for any seller of brick covered by the provisions set forth in (d) (1) above, and particularly Amendments 27 and 50 to Order A-1 of Maximum Price Regulation 188, are hereby revoked.

(e) *Maximum prices for manufacturers in certain East North Central States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for shale and clay building brick (smooth, sanded, or wire cut) produced in the States of Ohio, West Virginia, Michigan (except the Upper Peninsula), and in that part of Pennsylvania west of and including Potter, Cameron, Clearfield, Blair and Bedford Counties, may be increased by adding thereto an amount not in excess of $3.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for structural clay hollow building tile (except ceramic glazed ware) produced in the area described in (e) (1) above, may be increased by adding thereto an amount not in excess of $1.51 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to September 11, 1944, by the Price Administrator or any Regional Administrator for any seller of brick and building tile covered by the provisions stated in (e) (1) and (2) above, are hereby revoked.

(4) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for clay or shale drain tile produced in the State of Ohio may be modified by adding an amount per thousand feet, not in excess of the amount set forth below opposite the following sizes and weights:

Size (inches)	Weight per foot	Adjustment per M feet
	Pounds	
3	4	$3.20
4	5	4.80
5	9	7.20
6	12	9.60
8	18	14.40
10	28	22.40
12	36	28.80
15	55	44.00
18	78	62.40
20	85	68.00
22	107	85.60
24	120	96.00

(f) *Maximum prices for manufacturers in certain North Central States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for building brick (common and unglazed face), produced in the States of Illinois, Indiana, and Kentucky; that part of Missouri east of and including the counties of Putnam, Adair, Macon, Randolph, Howard, Cooper, Moniteau, Miller, Pulaski, Texas, and Howell; and that part of the State of Wisconsin east of and including the counties of Brown, Outagamie, Winnebago, Fond du Lac, Dodge, Jefferson, and Rock, may be increased by adding an amount not in excess of $2.50 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592 for structural clay hollow building tile (except ceramic glazed ware), and clay drain tile (glazed and unglazed), produced in the area described in (f) (1) above, may be increased by adding thereto an amount not in excess of $0.97 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to October 13, 1944, by the Price Administrator or any Regional Administrator, for any seller of brick, building tile, or drain tile, covered by the provisions set forth in (f) (1) and (2) above, are hereby revoked.

(g) *Maximum prices for manufacturers in certain West North Central States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for clay building brick (common and face, except ceramic glazed), produced in the States of Iowa, Minnesota, Nebraska, North Dakota, South Dakota, the Upper Peninsula of Michigan, and Counties of Wisconsin lying north and west of and including Oconto, Shawano, Waupaca, Waushara, Green Lake, Columbia, Dane and Green, may be increased by adding an amount not in excess of $2.00 per thousand to f. o. b. plant prices or delivered prices for standard size brick.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592 for structural clay hollow building tile (except ceramic glazed ware) and clay drain tile produced in the area described in (g) (1) above, may be increased by adding an amount not in excess of $0.80 per ton to the f. o. b. plant or delivered prices.

(3) Any price adjustments granted prior to October 7, 1944, by the Price Administrator or any Regional Administrator for any seller of brick and tile covered by the provisions set forth in (g) (1) and (2) above, are hereby revoked.

(h) *Maximum prices for manufacturers in certain Southern States.* (1) The manufacturers' maximum prices for clay building brick (common and unglazed face) produced in the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, established pursuant to Maximum Price Regulation No. 592, may be increased by adding an amount not in excess of $2.00 per thousand to f. o. b. plant prices or delivered prices on standard size brick.

(2) The manufacturer's maximum prices established pursuant to Maximum Price Regulation No. 592, for structural clay hollow building tile (except ceramic glazed ware) and clay drain tile produced in the area described in (h) (1) above, may be increased by adding thereto an amount not in excess of $0.60 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to August 26, 1944, by the Price Administrator or any Regional Administrator for any seller of brick covered by the provisions set forth in (h) (1) above are hereby revoked.

Any price adjustments granted prior to November 25, 1944, for any seller of building tile covered by the provisions set forth in (h) (2) above, are hereby revoked.

(i) *Maximum prices for manufacturers in certain Southwestern States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for clay building brick (common and face, except ceramic glazed), produced in the States of Arkansas, Louisiana, Oklahoma, and Texas, may be increased by adding an amount not in excess of $1.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for structural clay hollow building tile (except ceramic glazed ware), and clay drain tile (glazed and unglazed), produced in the area described in (i) (1) above, may be increased by adding thereto an amount not in excess of $.72 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to October 11, 1944, by the Price Administrator or any Regional Administrator for any seller of brick, building tile, or drain tile, covered by the provisions set forth in (i) (1) and (2) above, are hereby revoked.

(j) *Maximum prices for manufacturers in certain Midwestern States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for clay building brick (common and face, except ceramic glazed), produced in the States of Colorado, Kansas, and that part of Missouri west of and including the counties of Mercer, Sullivan, Linn, Chariton, Saline, Pettis, Morgan, Camden, Laclede, Wright, Douglas, and Ozark, may be increased by adding an amount not in excess of $2.50 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for structural clay hollow building tile (except ceramic glazed ware), and clay drain tile (glazed and unglazed), produced in the area described in (j) (1) above, may be increased by adding an amount not in excess of $1.07 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to October 13, 1944, by the Price Administrator or any Regional Administrator, for any seller of brick, building tile, or drain tile, covered by the provisions set forth in (j) (1) and (2) above, are hereby revoked.

SEC. 2.2 *Non-standard sizes.* If the manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of building brick (common and unglazed face) he may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick under this adjustment, unless special provision has been made in the applicable paragraph of section 2.1 above for non-standard sizes.

SEC. 2.3 *Discounts and allowances.* The maximum prices established herein shall be subject to at least the same cash, quantity and other discounts, transportation allowances, services, and other terms and conditions of sale as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 2.4 *Maximum prices for resellers.* Any jobber or dealer purchasing clay or shale building brick, structural clay hollow building tile, and clay drain tile for resale from any manufacturer who has modified his maximum prices in accordance with section 2.1 above may increase his maximum prices f. o. b. yard or delivered, established by the General Maximum Price Regulation, by the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer under section 2.1 above.

ARTICLE III—MODIFICATION OF MAXIMUM PRICES FOR VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS, EXCEPT AS COVERED BY REVISED MAXIMUM PRICE REGULATION 206

SEC. 3.1 *Maximum prices for manufacturers*—(a) *Maximum prices for manufacturers in the Eastern and East Central Areas.* (1) A manufacturer's maximum price established pursuant to Maximum Price Regulation No. 592, for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation No. 206, produced in the Eastern or East Central Area, as defined below, shall be increased in accordance with either of the following pricing methods:

(i) By adding an amount not in excess of 9 percent to the highest prices charged during the month of March 1942 for the same quality, kind and quantity of sewer pipe products delivered to purchasers of the same class, or

(ii) By adding amounts not in excess of such amounts as may be required to maintain differentials between prices established under this subdivision and those established by sections 5.4 and 7.4 of Revised Maximum Price Regulation 206, as amended, at least as favorable as those existing during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

(2) When used in this paragraph (a) the term:

(i) "Eastern area" means the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Ohio, lower peninsula of Michigan, and that portion of Kentucky described as follows: All points in Campbell and Kenton Counties and points located on the Chesapeake and Ohio Railway from Covington to Catlettsburg, inclusive, and all points on the Big Sandy Division of the Chesapeake and Ohio Railway.

(ii) "East Central area" means the State of Indiana, all of the State of Kentucky not included within the Eastern Area, the Upper Peninsula of Michigan, Zones 1, 2, and 5 in the State of Illinois, and Zones 1, 2, and 5 in the State of Wisconsin. In the State of Illinois: Zone 1 comprises all points on and east of Third Principal Meridian south of Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola to the Indiana State Line; Zone 2 covers all points on and north of the Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola, to the Indiana State Line, and east of Third Principal Meridian from point of intersection with the Baltimore and Ohio Railroad west of Decatur north to point of intersection with the Illinois Central Railroad near Mendota, on and east of the Illinois Central Railroad through Dixon and Freeport to the Wisconsin State Line, excepting all of Lake, Cook, Kane, Du Page and Will counties; Zone 5 includes all of Lake, Cook, Kane, Du Page and Will Counties. In the State of Wisconsin: Zone 1 commencing south of a line drawn from Foscoro on Lake Michigan west along the northern boundary of Kawaunee, Brown, Waupaca, Portage and Wood counties, including the southeast corner of Shawano County, and east of a line running north and south along the western boundary of Green, Dane, Sauk, Juneau, and Wood counties, excepting the counties of Kenosha, Racine, and Milwaukee; Zone 2 starting north of a line drawn from Foscoro on Lake Michigan along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood counties, and through the southeast corner of Shawano County and east of a line drawn north and south along the western boundary of Marathon, Lincoln, Oneida, and Iron Counties; Zone 5 consisting of Kenosha, Racine, and Milwaukee Counties.

(b) *Maximum prices for manufacturers in the Southern Area.* (1) A manufacturer's maximum prices established pursuant to Maximum Price Regulation No. 592 for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation No. 206, produced in the States of North Carolina, South Carolina, Georgia, Alabama, Florida, Tennessee, Mississippi, and Louisiana east of the Mississippi River may be increased by adding an amount not in excess of 12.3 percent per short ton to the f. o. b. plant prices or delivered prices.

(c) *Maximum prices for manufacturers in the West Central, South Central and Rocky Mountain Areas.* A manufacturer's maximum prices for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation 206, produced in the States of Arkansas, Kansas, Nebraska, Oklahoma, Missouri, Iowa, North Dakota, South Dakota, Minnesota; Zones 3 and 4 in Wisconsin; Zones 3 and 4 in Illinois; the State of Texas; that part of Louisiana west of the Mississippi River; the States of Colorado, Utah, New Mexico, Zones 1, 2 and 3 in Wyoming; Zones 2 and 3 in Montana; Zone 3 in Idaho; Zone 2 in Nevada; and Zone 2 in Arizona, shall be increased in accordance with either of the following pricing methods:

(1) By adding an amount not in excess of 10 percent to the highest prices charged during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class, or

(2) By adding amounts not in excess of such amounts as may be required to maintain discount differentials between prices established under this subdivision and those established by sections 8.4, 9.4 and 10.4 of Revised Maximum Price Regulation 206, as amended, at least as favorable as those existing during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

SEC. 3.2 *Discounts and allowances.* The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

SEC. 3.3 *Maximum prices for resellers.* Any reseller purchasing vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation No. 206, for resale from any manufacturer who has modified his maximum prices in accordance with section 3.1 above, may increase his maximum prices, by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted manufacturers in section 3.1 above.

SEC. 3.4 *Maximum prices for vitrified clay sewer pipe and allied products when sold for delivery outside a factory's normal market area.* (a) The manufacturers' maximum prices for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation 206, when sold for shipment from a factory to a destination which is outside the normal market area of such factory, to a Federal, State, county or municipal governmental agency, or to a drainage or sewerage district, or to a contractor or sub-contractor of any such agency or district, may be determined in the following manner:

(1) A price f. o. b. factory not in excess of 95 percent of the f. o. b. plant price for straight or mixed carload shipments. The following methods shall be

used in determining the f. o. b. plant price which shall apply to manufacturers who wish to use this subdivision:

(i) For those manufacturers who sell on an f. o. b. plant basis, the price so established in this Maximum Price Regulation 188.

(ii) For those manufacturers who sell at a delivered price based on geographical zones, the delivered price as established in this Maximum Price Regulation 188, for the zone within which the factory is located, less the weighted average freight paid by the manufacturer, during the calendar year 1941, for delivery in the zone in which the factory is located.

For those manufacturers who determine their price in accordance with (ii) the weighted average freight shall be determined in the following manner: From the total amount of freight paid during the year 1941 for rail delivery of sewer pipe products to the zone within which the factory is located, deduct that amount of freight applicable to dunnage only, that is, to crating, bracing, or other materials carried for the protection of the product. Divide the balance by the total amount of tons of sewer pipe products delivered by rail, during the calendar year 1941, in the zone in which the factory is located.

(iii) For manufacturers located in the Eastern Area, who sell at a delivered price based on freight rate zones, the delivered price as established in this Maximum Price Regulation 188, in the first or 10¢ zone, less the highest amount of freight from Akron, for delivery to the first, or 10¢ zone.

(2) A delivered price may be charged under this provision not higher than the maximum price established in this subparagraph, f. o. b. factory plus the actual freight charges incurred by the manufacturer in making delivery to the point of destination.

(3) Material purchased in accordance with the provisions of this subparagraph which is in excess of requirements, or which is rejected by the purchaser for cause, may be re-sold to any person at the prices established by the General Maximum Price Regulation, for the same grade or quality for the area in which the product is ultimately used.

(b) A manufacturer may sell vitrified clay sewer pipe and allied products to any person who resells to any of the purchasers specified in (a) above, at prices not in excess of the maximum prices established pursuant to (a) above.

(c) The manufacturer must compute transportation charges on the basis of rail carload quantities.

(d) The manufacturer must secure and retain for inspection of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect a certificate signed by the purchaser in the following form:

CERTIFICATE FORM

(Form OPA 678-655a)

Place ----------
Date ----------

Project ----------
(Identity; Number, location, etc.)

Purchaser ----------
(Area engineer; purchasing agent; contractor; subcontractor)

Quantity and description of sewer pipe products required: ----------

The quantity of sewer pipe products listed above are required for the construction of the project named above. Diligent effort has been made to secure the necessary products from the sources of supply normally servicing the area where the project is located. Such sources are unable to supply the required products within the time allotted for construction. Therefore, it becomes necessary to purchase the required products from ---------- Company (indicate whether distributor or manufacturer), whose office is located at ----------. The products so purchased will not be used on any project other than one controlled by a Federal, State, county, or municipal governmental agency, or by a Drainage or Sewerage District, or by a contractor or subcontractor of any such Agency or District, except products that have been rejected for cause.

(Name of purchaser)
By ----------
(Title)

(4) The following form of endorsement shall be made by the seller if he is not the manufacturer of the sewer pipe products. Such endorsement may be made on the reverse side of purchaser's certificate.

ENDORSEMENT FORM

(Form OPA 678-656a)

The undersigned has received an order from ---------- of ----------, which is covered by the certificate on the reverse side, or attached hereto. The undersigned is unable and will be unable to supply the requirements of the purchaser from our own stock of vitrified clay sewer pipe, or allied products, in the time allotted for delivery. It is therefore necessary to order from ---------- of ---------- the requirements of purchaser as listed on the certificate. Prices charged the purchaser by the undersigned do not exceed the maximum prices established in Article IV, section 3.4 of Order No. 1 under Maximum Price Regulation No. .

By ----------
(Title)

(e) Every manufacturer who makes a sale pursuant to this subparagraph in any month shall make a report to the Office of Price Administration, Washington 25, D. C., on or before the 15th day of the following month, setting forth a list of all sales which resulted in sewer pipe products being shipped to points outside his normal market area during the preceding calendar month, showing the name and address of the purchaser, the point of shipment and the point of delivery, the quantity and classification of products sold, the price charged, and the method of computing such price.

When used in this subparagraph the term:

"Normal market area" for any factory means that area in which sewer pipe products were regularly offered for sale during the period January 1, 1940, to January 1, 1942; for the purposes of this definition, sewer pipe products will be deemed to have been "regularly offered for sale" only in that area in which the factory had salesmen travelling at regular intervals and/or customarily quoted for shipment during the above-mentioned period.

ARTICLE IV—MODIFICATION OF MAXIMUM PRICES FOR SAND, GRAVEL, CONCRETE PRODUCTS, AND READY-MIXED CONCRETE

SEC. 4.1 *Modification of maximum prices of sand and gravel produced in Shelby County, Tennessee.* (a) The maximum prices for washed sand and gravel produced in Shelby County, Tennessee, when sold by producers shall be as follows:

Description of commodity	Size	Maximum prices [illegible] ton of 2,000 pounds, f. o. b. plant
Sand (all grades)	⅜ inch down	$[illegible]
Torpedo gravel	⅜ inch down	[illegible]
Concrete gravel (sand and gravel mixed)	----------	1.4[illegible]
Washed and screened gravel	1½ to ⅝ inches	1.4[illegible]

(b) The maximum prices for washed sand and gravel produced in Shelby County, Tennessee, when sold by dealers f. o. b. producer's plant shall be as follows:

Description of commodity	Size	Maximum prices [illegible] ton of 2,000 pounds
Sand (all grades)	⅜ inch down	$[illegible]
Torpedo gravel	⅜ inch down	1.[illegible]
Concrete gravel (sand and gravel mixed)	----------	1.[illegible]
Washed and screened gravel	1½ to ⅝ inch	1.[illegible]

(c) The maximum prices for washed sand and gravel produced in Shelby County, Tennessee, when sold by dealers delivered to job site by truck within the city limits of Memphis, shall be as follows:

Description of commodity	Size	Maximum prices [illegible] ton of 2,000 pounds
Sand (all grades)	⅜ inch down	$[illegible]
Torpedo gravel	⅜ inch down	1.[illegible]
Concrete gravel (sand and gravel mixed)	----------	2.[illegible]
Washed and screened gravel	1½ to ⅝ inch	2.[illegible]

[1] Plus 5¢ extra per ton for each ½ mile beyond city limits. Terms—2% 30 days.

SEC. 4.2 *Modification of maximum prices for silica sand produced in Tennessee.* (a) The manufacturers' maximum price for silica sand produced in the State of Tennessee shall be $2.00 per net ton f. o. b. producers' plant.

(b) For the purposes of this section 4.2 the term "silica sand" means a fine dry quartz sand, white in color, practically free from clay-like materials and other impurities, and having a percentage of not less than 98.5 percent silica.

SEC. 4.3 *Modification of producers' maximum prices for certain crushed stone aggregates, concrete building blocks, and ready-mixed concrete produced in Southern Florida.* (a) (1) The maximum prices for certain sizes of Miami Oolite Limestone, all of which are hereinafter specifically described, when produced within a radius of 50 air-miles of the Dade County (Florida) Court House and sold for use in the building of roads, railroad roadbeds, dams, buildings, and other structures, or for use as aggregates in ready-mixed concrete, job-mixed concrete, bituminous binder mixtures, concrete building blocks, and other cast concrete products, shall be as follows:

Grade "A" crushed stone, abrasion test required	Maximum prices f. o. b. plant	Maximum prices delivered to job site within the Miami area
Sizes 1 to 9, inclusive	$1.50	$2.70
Sizes 10 to 16, inclusive	2.20	3.05
Sizes 17 and 18	2.60	3.45

Grade "B" crushed stone, abrasion test required	Maximum prices f. o. b. plant	Maximum prices delivered to job site within the Miami area
Sizes 1 to 9, inclusive	$1.50	$2.30
Sizes 10 to 16, inclusive	1.80	2.65
Sizes 17 and 18 inclusive	2.20	3.05

Grade "C" crushed stone no abrasion requirement	Maximum prices f. o. b. plant	Maximum prices delivered to job site within the Miami area
Ballast (minus 2½ inches plus ½ inch)	$0.95	$1.70
Concrete rock (minus 1½ plus ¼ inch)	1.20	2.00
Pea rock (minus ⅜ inch plus #4)	1.50	2.35
Rice rock (or chats) (minus ⅜ inch plus #4)	1.50	2.75
Face screenings—No abrasion requirement		
Minus ⅜ inch	1.00	1.75
Mortars and or screenings—No abrasion requirement		
Minus ⅛ inch	1.00	1.75
Lime rock—Pit run		
Grade #1	.50	1.65
Grade #2	.80	1.55

All of the above maximum prices are per cubic yard when sold for delivery by truck or barge, and are per net ton when sold aboard railroad cars, f. o. b. plant or nearest railroad siding.

(2) The abrasion tests and gradations of "Miami Oolite Limestone" specified in this section 4.3 refer to the Dade and Broward County "Standard Classification for Crushed Stone and Screenings" filed with the Office of Price Administration on July 29, 1944, and supplemented on November 9, 1944. This classification is as follows:

Grade "A" crushed stone:
Abrasion test.—Maximum loss by Los Angeles Abrasion Test—35%.
Gradation.—Sizes 1–18 inclusive as provided by Specifications for Materials for Road and Bridge Construction by the Florida State Road Department.
Grade "B" Crushed Stone:
Abrasion test.—Maximum loss by Los Angeles Abrasion Test—50%.
Gradation.—Sizes 1–18 inclusive as provided by specifications for Materials for Road and Bridge Construction by the Florida State Road Department.
Grade "C" Crushed Stone—No Abrasion Requirement.

Ballast	Minus 2½"	Plus ⅜"
Concrete rock	Minus 1½"	Plus ¼"
Pea rock	Minus ⅜"	Plus #4
Rice rock (or chats)	Minus ⅜"	Plus #4

Rock Screenings:
Minus ⅜ inch—No Abrasion Requirement.
Mason Sand or Screenings:
Minus ⅛ inch—No Abrasion Requirement.
Lime Rock—Pit Run:

Grade 1	Specification for Materials for Road and Bridge Construction by the Florida State Road Department.
Grade 2	

(3) The following producers, namely, The Naranja Rock Company; E. Meckins; E. A. Pynchon; Seminole Rock Products Company; Maule Industries; Kelly Rock and Sand Company; all located in Dade and Broward Counties, Florida; selling aggregates subject to this subparagraph shall file with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., within 15 days after March 31, 1945, and within 15 days after the close of each successive calendar quarter, thereafter, the following information covering the previous quarter:

1. Net Sales in dollars broken down between:
Class "A" crushed stone.
Class "B" crushed stone.
Class "C" crushed stone.
2. Cubic yards or tons sold broken down between:
Class "A" crushed stone.
Class "B" crushed stone.
Class "C" crushed stone.

(b) Any person producing an aggregate from Miami Oolite Limestone not comparable with any of the aggregates hereinbefore specified by reason of a gradation requiring extra or special screenings, or because such aggregate is from a deposit composed of stone having especially valuable properties, or for any other reason, provided such material is produced for commercial use in construction or for use as an aggregate and cannot be produced and sold at the maximum prices herein established without hardship to the producer, shall file an application for the establishment of a maximum price for such material under section 10 of Maximum Price Regulation No. 592. Such application shall be filed with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., and shall contain a description of the special aggregate, with a detailed statement showing:

(1) A comparison between the aggregate for which a maximum price is fixed herein and the aggregate for which a price is requested, with definite information showing the claimed superior qualities.

(2) The extra production process used in producing the special aggregate and the extra cost of such process.

(3) The need of a maximum price differing from the maximum prices fixed herein.

(c) The maximum prices for certain ready-mixed concrete, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

Bags of cement per cubic yard of ready-mixed concrete:	*Maximum prices, per cubic yard, delivered to job site within the Miami area*
4	$6.60
4½	6.95
5	7.30

Bags of cement per cubic yard of ready-mixed concrete—Continued.	*Maximum prices, per cubic yard, delivered to job site within the Miami area*
5½	$7.65
6	8.00
7	8.70
8	9.40
9	10.10
10	10.80

(d) The maximum prices for certain concrete building blocks, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

Size	Maximum prices per block f. o. b. plant	Maximum prices per block, delivered within the Miami area
8 x 8 x 16	$0.0650	$0.1150
8 x 12 x 16	.1650	.19
4 x 8 x 16	.0675	.0775
8 x 8 x 16 (corners and jams)	.0950	.1150
8 x 12 x 16 (corners)	.1650	.19
8 x 8 x 8 (stickle corners and half jams)	.0675	.0775
8 x 4 x 16 or 8 x 3 x 16 partition tile	.0675	.0775

(e) Delivery areas for which no additional charges may be made and the conditions under which such charges may be made are to be determined according to the following methods:

(1) *Delivery within the Miami Area.* Maximum prices established by this section 4.3 for delivery "Within the Miami Area" include delivery by each producer within the area recognized by him during March 1942 as his normal delivery area or zone for the commodity to be delivered. No extra charge may be made for delivery within such area or zone. Any producer who did not have a normal delivery area or zone during March 1942, shall regard the delivery area or zone of his most comparable seller as his in-area territory covered by the term "within the Miami Area."

(2) *Delivery outside the Miami Area.* For delivery outside the Miami area, as described in subparagraph (1) above, each producer may add to the maximum prices established herein an amount not in excess of the charge in effect by him during March 1942 for each particular destination. If a producer does not have an established maximum delivery charge for delivery outside the Miami area because he was not in business during March 1942, or, if was then in business, because he did not deliver outside the Miami area, or for any other reason, he must file a schedule of proposed delivery charges to be added to the maximum prices established by this section 4.3 with the Jacksonville District Office of the Office of Price Administration. Such charges shall not exceed the charges established for other manufacturers for the same or similar service and shall be subject to approval or disapproval within 20 days of the date of filing.

The District Director of the Jacksonville District Office may approve, disapprove or revise the requested charges. In the absence of disapproval within the 20-day period, the reported delivery charges, if properly filed, shall be deemed to have been approved by that Office.

(f) *Discounts and other price differentials and services.* All cash, quantity, and other price differentials and services at least as great as those extended by each seller during March 1942

(1) The sale is made by the reseller and shipment to the customer is made direct from the manufacturer's plant; and

(2) The manufacturer and the reseller actually been delivered during March 1942 as a result of sales made during that month.

(3) The gross sales value realized from, and the percentage of total sales of special refractory shapes during the

low plasticity usually breaking with a smooth shell-like fracture.

SEC. 5.7 *Modification of maximum prices for calcined flint fire clay.* (a) The maximum price for the sale and de-

(b) Gypsum and lime products.
(c) Insulated brick or stone siding.

ARTICLE VII—MODIFICATION OF MAXIMUM PRICES FOR MISCELLANEOUS COMMODITIES

chasers of the same class during March 1942.

SEC. 7.3 *Modification of maximum prices for pyrophyllite.* (a) The manu-

must be continued.

SEC. 4.4 *Modification of maximum prices of ready-mixed concrete.* The manufacturer's maximum prices established pursuant to Maximum Price Regulation No. 592, for ready-mixed concrete may be increased by adding to the established maximum prices per cubic yard for each specification of that commodity an amount not to exceed the actual dollars-and-cents additional cost, rounded off to the nearest $0.05 per cubic yard, resulting from the price increase for sales of cement permitted by Amendments Nos. 6, 7, 9, and 10 to Maximum Price Regulation No. 224. The term "manufacturer" as used here means any person who makes the first sale of ready-mixed concrete.

ARTICLE V—MODIFICATION OF MAXIMUM PRICES FOR REFRACTORY PRODUCTS

SEC. 5.1 *Maximum prices for manufacturers*—(a) *Maximum prices for manufacturers in the Eastern part of the United States.* (1) The manufacturers' f. o. b. plant or delivered maximum prices established pursuant to Maximum Price Regulation No. 592, for all qualities, sizes and shapes of fireclay and silica brick, including also ladle brick, sleeves and nozzles, runner brick and hot tops, superclay and high alumina, ground fire clay, silica cement, and other low temperature mortars, produced in the State of Missouri and in the United States west of the Mississippi River may be increased by 6 percent. This 6 percent increase does not apply to sales of glass house brick, insulating fire brick, high temperature bonding mortars, plastic firebrick and castables.

(2) Manufacturers of the commodities described in subparagraph (1) above, may round off to the nearest $0.05 the adjusted maximum prices resulting from the increase as permitted in subparagraph (1) above.

(b) *Maximum prices for manufacturers in Colorado and Utah.* The manufacturers' maximum f. o. b. plant or delivered prices established pursuant to Maximum Price Regulation No. 592 for refractory products produced in the States of Colorado and Utah may be increased by 7.5 percent.

SEC. 5.2 *Maximum prices for resellers.* (a) Any reseller purchasing any refractory product for resale from any manufacturer who has modified his maximum prices in accordance with section 5.1 above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in section 5.1 above.

(b) Notwithstanding the provisions of paragraph (a) above, a reseller's maximum price for sales to a particular class of purchaser shall be the same as the manufacturer's maximum price for direct shipments from the manufacturer's plant to that class of purchaser, where; customarily sold or if they did not sell they would have sold to purchasers of the same class in the same marketing area at the same price.

SEC. 5.3 *Discounts and allowances.* The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 5.4 *Formula for establishment of maximum prices for special refractory shapes.* (a) A manufacturer's maximum prices for special refractory shapes shall be determined in accordance with the pricing formula or formulae used by said manufacturer in March 1942 to determine the prices at that time of such special refractory shapes. The values given to the factors used in said formulae shall be no higher than the highest values given to the same factory in the determination of March 1942 prices under said formulae and the method used in computing said factors shall be the method used in March 1942.

(b) For the purposes of this section 5.4 the term "special refractory shapes" means refractory brick and specialties produced from highly refractory materials such as silicon carbide, fused aluminum oxide, electric furnace mullite and kyanite. They include heavy refractories consisting of bricks, plates, fabricated muffles, heavy tubes, batts, saggers, burner blocks and miscellaneous shapes for furnaces. Light refractories or laboratory ware consisting of tubes, cores, small muffles, pyrometer tubes, thermocouple tubes, small furnace parts and specials, thimbles, cones, filter and ignition crucibles, capsules, dishes and other purely laboratory articles; also porous mediums, plates, tubes and shapes, are included in the definition of special refractory shapes.

Special refractory shapes are so classified whenever they are made to the specifications of each individual order and are of sizes which are not considered standard by the "Special Refractories Institute" and are unable to be included in the manufacturer's published price lists.

(c) On or before the first time he determines a maximum price under this section 5.4, every manufacturer of special refractory shapes shall file with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., unless previously submitted:

(1) A detailed explanation of the formula or formulae by which it priced its special shapes during March 1942.

(2) Calculations setting forth in detail the use of such formulae in determining prices charged for different types of special refractory shapes actually delivered by it during March 1942, or, if no such deliveries were made during that month, the application of such formulae to the prices that would have been charged had the delivery of such products made subsequently to March 1942 fourth calendar quarter of 1942.

SEC. 5.5 *Formula for establishment of maximum prices for fireclay, super-duty fireclay, high alumina, silica, or insulating refractory brick.* (a) A manufacturer's maximum piece price for any fireclay, super-duty fireclay, high alumina, silica, or insulating refractory brick produced by him and for which he has no established maximum price shall be determined in accordance with the following formula:

The producer's maximum price for each such brick shall be a net price (after adjustment for all applicable differentials, discounts or other allowances) not in excess of that at which he would have sold such a brick during March 1942 under the pricing formula or method of calculating price used by him in March 1942, employing the same cost factors (labor, cost of materials and overhead) and margins which were in effect for him in March 1942, even though his costs or margin may have increased since that date.

(b) For the purposes of this section 5.5 the term "brick" means a manufactured refractory object, of any size or shape, and includes standard sizes, standard 9-inch straights and series, special shapes, rectangular tile, and modified shapes. It applies to all fireclay refractories, including brick intended for super-duty service, as well as for high, intermediate, moderate, and low-heat duty service, high alumina, silica, and insulating refractories.

(c) Every producer of fireclay, super-duty fireclay, high alumina, silica, or refractory insulating brick shall keep on file at his principal office at all times for inspection by the Office of Price Administration:

(1) A detailed explanation of the formula or method of calculation by which he priced the brick covered by this section 5.5.

(2) Calculations setting forth in detail the use of such formula in determining prices charged for different brick actually delivered during March 1942, and calculations setting forth in detail the computation of maximum prices for all sales of brick covered by this section 5.5 made subsequent to the effective date of this order. For the purpose of this section 5.5, no recomputation of a previously calculated maximum price for any brick covered herein is required.

SEC. 5.6. *Modification of maximum prices for crude refractory flint clay.* (a) The maximum price for the sale and delivery of crude refractory flint clay produced in Carter and Greenup Counties, Kentucky, and not more than 35 miles away from the town of Taylor, Kentucky, shall be $2.75 per net ton, delivered to purchasers in the town of Taylor, Kentucky.

(b) For the purposes of this section 5.6 the term "crude refractory flint clay" means a crude refractory flint clay which is a hard or flint-like fire clay with a very

The maximum price for the sale and delivery of calcined flint fire clay produced in the State of Colorado shall be $7.35 per net ton f. o. b., producer's plant.

(b) For the purposes of this section 5.7 the term "calcined flint fire clay" means a flint fire clay which has been heat-treated to a temperature from 1500° to 2200° Fahrenheit.

ARTICLE VI—MODIFICATION OF MAXIMUM PRICES ON SALES BETWEEN MANUFACTURERS

SEC. 6.1 *Maximum prices for manufacturers.* Any manufacturer of any of the products listed in section 6.2 below may, subject to the filing provisions of paragraph (d) below, offer to sell, sell, and deliver any such products to any other manufacturer at a price agreed upon by the selling and buying manufacturers, when the price so agreed upon is in excess of the maximum price for the seller under Maximum Price Regulation No. 592, under the following conditions:

(a) Both the seller and the buyer must be manufacturers, as the term is defined in Maximum Price Regulation No. 592, of any product covered by the regulation;

(b) The buying manufacturer need not be a manufacturer of the particular commodity covered by this order but must purchase it from the selling manufacturer for resale in the same form, under his own name or trade brand, to the same trade classifications through which original producers usually distribute such commodities; and

(c) Any increase in price resulting from the agreement under this section 6.1 must be absorbed by the buying manufacturer and may not be reflected, directly or indirectly, in the resale price nor may such increase be used as a basis for a request for an increase in price by way of an application for adjustment or petition for amendment.

(d) Before any sale or delivery may be made upon the basis of the price arrived at pursuant to this section 6.1, the buying manufacturer must submit a statement to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., showing:

(1) The specific products involved in the sale;

(2) The names of the selling and buying manufacturers;

(3) A specific statement from the buyer that the increase in price will not be passed on in the resale of the commodity and that such increase resulting from the agreement will not be made the basis for an application for adjustment or petition for amendment.

SEC. 6.2 *The following commodities shall be subject to the provisions of section 6.1.* (a) Fiber Insulation Board Products, meaning insulation board and roof insulation, conforming to the specifications and standards set forth in "Commercial Standard CS42-43, Structural Fiber Insulating Board," issued by the Department of Commerce, July 24, 1943 and effective August 25, 1943.

SEC. 7.1 *Modification of maximum prices for slate burial vaults.* (a) Manufacturers' maximum prices for slate burial vaults produced in the counties of Lehigh, Northampton and York, in the State of Pensylvania, established pursuant to Maximum Price Regulation No. 592, may be modified by adding an amount not in an excess of 7 cents per square foot.

(b) Discounts and other price differentials and other terms and conditions of sale shall be at least as favorable to purchasers as were in effect by each manufacturer to his several classes of purchasers during March 1942.

(c) On and after the 18th day of September 1943, any person who purchases slate burial vaults, for resale, from any manufacturer who has modified his maximum price in accordance with this order, may increase his prescntly established maximum price by an amount equal to his actual dollar increase in cost resulting from the increase permitted in (a) above, not to exceed 7 cents per square foot.

SEC. 7.2 *Authorization of maximum prices for crude talc produced in Esmeralda County, Nevada.* (a) The manufacturer's maximum prices for specified grades of crude talc produced in Esmeralda County, Nevada, shall be as follows:

Grades	Maximum net selling price, per ton, f. o. b. Zurich, California
=1—Selected Cosmetic Talc[1]	$15.25
Maximum CaO	2%
Maximum Fe_2O_3	1½%
Maximum Al_2O_3	6%
=2—Mine-run White Talc[2]	13.00
Maximum CaO	4%
Maximum Fe_2O_3	2%
Maximum Al_2O_3	6%
=3—Mine-run Talc (Blue or Blue & White Mix)[3]	10.25
Combined lime (CaO) and alumina (Al_2O_3) content less than[4]	11%
=4—Talc Filler (Blue Talc)[5]	8.00
=5—Select Screened or Lump Talc[6]	17.50
Maximum 10% fines[6] free of gang or rouge material in the fines.	
Maximum CaO	1%
Maximum Fe_2O_3	1%
Maximum Al_2O_3	4%
Maximum acid soluble ingredients 8 milligrams	
Maximum water soluble ingredients 4 milligrams	

[1] No blue talc or yellow stains, free from lime lumps.
[2] Maximum blue talc or yellow stains 25%.
[3] Blue talc or yellow stains in excess of 25%.
[4] Combined lime (CaO) and alumina (Al_2O_3) content in excess of 11%.
[5] Originating from the talc lump itself when screened or sorted.

(b) The maximum price for any of the above grades of talc, f. o. b. mine, shall be the maximum price for that grade, f. o. b. Zurich, California, less the established ICC freight, and transportation tax, from Zurich to the particular mine.

(c) The maximum prices granted herein shall be subject to cash, quantity, and other discounts, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 7.3 *Modification of maximum prices for pyrophyllite.* (a) Manufacturers' maximum prices for pyrophyllite established pursuant to Maximum Price Regulation No. 592 may be increased by adding an amount not in excess of $0.40 per net ton to the f. o. b. factory prices.

(b) Any reseller purchasing pyrophyllite for resale from any manufacturer who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices, by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in paragraph (a) above.

SEC. 7.4 *Modification of maximum prices for asphalt and or tar base roof coatings and cements in containers*—(a) *Explanation.* The purpose of the new method of pricing provided by this section 7.4 is to permit a manufacturer who is now packing asphalt and or tar base roof coatings and cements in containers which have increased in cost to adjust his maximum prices and add the exact amount of the increase in the cost of the containers and in receiving delivery of them. The method permits him to account for differences in container costs without permitting him to increase the price per unit of the asphalt and or tar base roof coatings and cement packed in the container. The method is formulated for low-price sellers of these products who are unable to sell them at their established maximum prices because of the increased cost of the containers. Paragraph (i) specifies the maximum prices in excess of which no manufacturer may sell asphalt or tar base roof coatings and cements if he adjusts his established maximum prices in accordance with this section. Any manufacturer whose established maximum prices for these commodities are higher than the prices itemized in paragraph (i) may continue to sell at his established maximum prices without any adjustment.

(b) *Pricing method.* To figure the adjusted maximum price to any class of purchasers for the commodity in containers, the manufacturer shall:

(1) *Determine the base container cost.* The manufacturer shall take as the "base container cost" his average direct cost of each type or size of container during March 1942. "Direct cost" means the net cost, at the manufacturer's plant, of the container and closure, but it does not include costs of filling, closing, labeling, or packing. If a manufacturer is unable to compute his base container cost because of lack of purchases during March 1942, he shall determine his base container cost by any purchase during the period December 1941 through February 1942, or if no purchases were made during this period, by the offering price during that period by the manufacturer's usual source of supply.

(2) *Determine the current container cost.* The manufacturer shall take as the "current container cost" his average direct cost of each type or size of container for any quarterly period subsequent to January 1, 1943. "Direct cost" means the net cost, at the manufactur-

er's plant, of the container and closure, but it does not include cost of filling,

bution are permitted to adjust their maximum prices to the same extent as

	Freight equalized	F. o. b. shipping

(b) *Reports.* Every manufacturer making sales subject to this section 7.5

(b) Any reseller in the area described in (a) above purchasing gypsum lath for

manufacturers in Southern Ohio. The manufacturers' maximum prices estab-

closing, labeling, or packing.

(3) *Determine the increased container cost.* Taking his "current container cost" the manufacturer shall then subtract the "base container cost." The difference, if any represents the "increased container cost."

(4) *Determine the adjusted maximum price.* The manufacturer shall next add the "increased container cost" to his established maximum price. If the result is less than the prices itemized in paragraph (i), such result shall be the adjusted maximum price. If the result is the same as or higher than the prices itemized in paragraph (i), the prices in paragraph (i) shall be his adjusted maximum prices. No manufacturer may sell in excess of the sum of his "increased container cost" plus his established maximum prices, even if such total does not equal the prices contained in paragraph (i).

(5) *Changes in current container cost.* Each manufacturer must determine his "current container cost" upon a quarterly basis. If the manufacturer has determined his "current container cost" in accordance with paragraph (b) (2), he may, if the redetermination of "current container cost" reflects an increase over his previous "current container cost", readjust his maximum prices for the ensuing quarterly period to include such increases provided such readjusted maximum prices do not exceed the prices contained in paragraph (i). If the redetermination reflects a decrease of his "increased container cost", the manufacturer must readjust his maximum prices and reduce his adjusted maximum prices by the amount of the decrease for the ensuing quarterly period.

(c) *Commodity and geographical coverage.* This section 7.4 applies to all sales of asphalt or tar base roof coatings and cements in containers in the forty-eight states of the United States and the District of Columbia. The only commodities covered by the section are plastic cement, asbestos roof coating and roof coating without asbestos fiber.

(d) *Container deposits.* If the container used by any manufacturer is one which is capable of reuse, and if the manufacturer made a deposit charge for containers during March 1942, he shall not be permited to adjust his maximum prices. If any manufacturer made no deposit charge during March 1942, and now desires to do so, he must reduce his established maximum price of his product by an amount equal to ⅓ of his "base container cost". If a manufacturer adjusts his established maximum prices to recover his "increased container cost" and desires to charge a container deposit, he must reduce his adjusted maximum price in the amount of his "increased container cost" plus ⅓ of the "base container cost".

(e) *Wholesalers, jobbers and retailers.* This section 7.4 permits adjustments by manufacturers. Other levels of distribution are governed by Maximum Price Regulation No. 426. Any wholesaler, jobber or retailer who buys asphalt or tar base roof coatings and cement in containers for the purpose of resale, may increase his established maximum price by the exact amount which he is required to pay his supplier in excess of the maximum price previously charged by the said supplier. It is the purpose of this paragraph to permit wholesalers, jobbers and retailers to increase their maximum prices by the exact amount of the "increased container cost", provided such "increased container cost" is paid by them to their supplier.

(f) *Mode of pricing.* The amount of the increase may be reflected in the mode of pricing which each seller used during the month of March 1942.

(g) *Notification to purchasers by manufacturers.* All manufacturers selling asphalt or tar base roof coatings and cements in containers under the authority of this section shall send the following notice to every purchaser thereof at the time of the first sale:

We have increased our established maximum price for _____ from _____ to _____. The difference represents our increased container cost. This increase is permitted by section 7.4 of Order No. 1 under section 25 of Maximum Price Regulation No. 592, issued by the Office of Price Administration.

You may increase your established maximum price to the same extent, namely _____. Our increase and adjusted maximum price does not exceed the amount permitted by the order of the Office of Price Administration.

If our container cost decreases, you will be notified and must reduce your established maximum price accordingly on these commodities you purchase from us at the reduced prices.

(h) *Records and reports*—(1) *Records.* Manufacturers shall keep records showing how they compute their adjusted or readjusted maximum prices.

(2) *Reports.* Within 20 days after any adjustment or readjustment of maximum prices under this subparagraph, each manufacturer shall submit a report to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., showing:

(i) The "base container cost";

(ii) The "current container cost", including a description of the current containers, quantity purchased, and the name and address of the supplier or suppliers;

(iii) The adjusted or readjusted maximum price and the method by which such price was established;

(iv) Whether, in the case of a readjustment which results in a decrease, the manufacturer has notified his purchasers of the decreased prices applying on sales for the ensuing quarterly period, and the amount of the decrease.

(i) *Adjusted maximum prices.* The following table of prices are those prices in excess of which no manufacturer may sell or deliver his products after he had adjusted his established maximum prices.

	Maximum prices with competitive shipping points		Maximum prices f. o. b. basing point (No freight equalization)	
	L.C.L.	C.L.	L.C.L.	C.L.
Plastic cement (prices in pounds)				
Barrel (approximately 500 to 600 pounds) containers)	0.027	0.024	0.031	0.022
½ barrel (approximately 300 pounds) up to barrel containers	.029	.026	.27	.024
100 pounds up to ½ barrel containers	.035	.032	.033	.030
50 pounds up to 100 pounds containers	.038	.035	.039	.036
25 pounds up to 50 pounds containers	.043	.04	.041	.038
10 pounds up to 25 pounds containers	.049	.045	.047	.043
5 pounds up to 10 pounds containers	.057	.052	.055	.050
1 pound up to 5 pounds containers	.077	.07	.07	.064
Asbestos roof coating (prices per gallon)				
Barrel (approximately 50 to 60 gallons) containers	.263	.235	.24	.21
½ barrel (approximately 30 gal.) up to barrel containers	.288	.262	.264	.237
5 gal. up to ½ barrel containers	.322	.289	.292	.264
1 gallon up to 5 gallon containers	.394	.356	.354	.320
Roof coating without asbestos fiber (prices per gallon)				
Barrel (approximately 50 to 60 gal.) containers	0.236	0.226	0.229	0.219
½ barrel (approximately 30 gal.) up to barrel containers	.28	.263	.26	.224
5 gallon up to ½ barrel containers	.314	.28	.290	.260
1 gallon up to 5 gallon containers	.382	.349	.362	.329

NOTE: The term "up to" does not mean inclusive of the next listed number following the word "to." For example, 1 gallon up to 5 gallon containers, does not include 5 gallon containers.

SEC. 7.5 *Modification of maximum prices for gypsum wall board, lath and sheathing*—(a) *Manufacturers' sales.* Manufacturers' sales of gypsum wall board, lath and sheathing or laminated gypsum board products may be made at prices not exceeding their maximum domestic prices f. o. b. mill as established for them under Maximum Price Regulation No. 592 plus freight to port of exit when the following conditions have been met:

(1) Shipment is made from a mill located within the States of Indiana, Iowa, Michigan, Ohio, New York, Massachusetts, Pennsylvania and Virginia.

(2) The sale must be made to the government of the United States or any agency thereof or to the government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

(3) The gypsum wall board, lath or sheathing or laminated gypsum board products must be destined for export sale to be shipped from a port on the eastern U. S. Coast.

shall submit on or before the 15th day of each month after February 15, 1945, to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., a monthly report showing the following for each such sale:

Purchasing agency.
Point of origin of shipment and port of exit.
Kind, quantity, and thickness sold.
Destination of shipment if known.

SEC. 7.6 *Modification of maximum prices for rough quarry limestone blocks.* (a) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for rough quarry limestone blocks produced in the United States, shall be their present maximum f. o. b. plant prices increased by 6½ percent.

(b) Any finishing cut stone mill purchasing rough quarry limestone blocks for processing into finished dimension limestone from any producer who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices, established under Maximum Price Regulation No. 592 by dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted in paragraph (a) above.

(c) The maximum prices established herein shall be subject to cash, quantity and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 7.7 *Modification of maximum prices for clay glass melting pots and rings.* (a) The manufacturers' maximum f. o. b. plant or delivered prices established pursuant to Maximum Price Regulation No. 592, for clay glass melting pots and rings produced in the United States of America may be increased by 5.3 percent.

(b) The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 7.8 *Modification of maximum prices for gypsum lath for shipments into the Southeast Area.* (a) A manufacturer's maximum price for sales of gypsum lath for shipment to points in the States of Florida, Georgia, Alabama, South Carolina, and that portion of North Carolina south and east of the northern boundaries of the counties of Richmond, Scotland, Robeson, Bladen, Pender, Onslow and Carteret, shall be his existing maximum price f. o. b. mill plus actual freight to destination, providing however, that the total freight charge shall not exceed what it would have been had the shipment originated at Plasterco, Virginia.

resale from any manufacturer who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the modification permitted the manufacturers in paragraph (a) above.

(c) The maximum prices established herein shall be subject to cash, quantity and other discounts, services and other terms and conditions of sale at least as favorable as the reseller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 7.9 *Modification of maximum prices for gypsum lath for shipments into the Northwest Area.* (a) The manufacturers' maximum prices for sales of ⅜" gypsum lath for shipment to points in the States of Oregon and Washington, when shipment is made from mills located in the States of California, Nevada and Montana, shall be $13.95 per thousand square feet, f. o. b. mill plus actual freight to destination.

(b) Any reseller located in the States of Oregon and Washington, purchasing gypsum lath for resale from any manufacturer who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the modification permitted the manufacturers in subparagraph (a) above.

(c) On or before the first delivery to any reseller of ⅜" gypsum lath for which the maximum price has been modified pursuant to (a) above, the manufacturer shall notify the reseller of the manufacturer's maximum price and the pricing method established by this section.

(d) Any reseller who has purchased ⅜" gypsum lath from any manufacturer whose maximum prices have been modified pursuant to (a) above, shall conspicuously display at his place of business a poster listing his maximum selling prices opposite the various brands of ⅜" gypsum lath sold by him, together with the address of the mill from which the manufacturer made the shipment of the particular brand of lath to him.

(e) The maximum prices established herein shall be subject to cash, quantity, and other discounts, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

ARTICLE VIII—MODIFICATION OF MAXIMUM PRICES FOR BUILDING, CHEMICAL AND INDUSTRIAL LIME (EXCLUDING AGRICULTURAL LIME)

SEC. 8.1 *Maximum prices for manufacturers*—(a) *Maximum prices for* lime (excluding agricultural lime), produced in Clark, Delaware, Franklin, and Preble Counties in the State of Ohio, may be increased by adding an amount not in excess of $0.45 per net ton to the f. o. b. plant or delivered prices.

(b) *Maximum prices for manufacturers in the Southeast Area, excluding Florida.* (1) The manufacturer's maximum prices established pursuant to Maximum Price Regulation No. 592, for building, chemical and industrial lime (excluding agricultural lime), produced in the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Mississippi, and Louisiana, may be increased by adding an amount not in excess of $0.65 per net ton to the f. o. b. plant or delivered prices.

(2) Any individual price adjustments granted prior to May 12, 1945, by the Price Administrator or any Regional Administrator to any manufacturer of lime covered by the provisions set forth above, in an amount equal to or less than the increase permitted by this section, are hereby revoked.

(3) Any individual price adjustments granted prior to May 12, 1945, by the Price Administrator or any Regional Administrator to any manufacturer of lime covered by the provisions set forth above, in an amount greater than the increase permitted by this section, are hereby continued in full force and effect; such individual adjustments shall not however, be further increased by the amount permitted under this section.

(c) *Maximum prices for manufacturers in the West South Central Area.* The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for building, chemical and industrial lime (excluding agricultural lime) produced in the States of Arkansas, Kansas, Nebraska, Oklahoma and that portion of the State of Missouri west of the 93rd meridian, may be increased by adding an amount not in excess of $0.75 per net ton to the f. o. b. plant or delivered prices.

SEC. 8.2 *Discounts and allowances.* The maximum prices established herein shall be subject to cash, quantity and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This Order No. 1 shall become effective July 30, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13378; Filed, July 23, 1945; 11:43 a. m.]

Regional and District Office Orders.

[Region I Order G-5 Under RMPR 251]

PAINTING AND PAPER HANGING SERVICES IN CARIBOU, MAINE, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 8 (c) of Revised Maximum Price Regulation No. 251; *It is ordered:*

(a) Any seller supplying paper hanging and/or painting services which are subject to Revised Maximum Price Regulation No. 251 may charge as his maximum customer's hourly rate an amount not to exceed $1.20 per hour when the following conditions have been met:

(1) The seller performs the work described above, within the confines of the Caribou, Maine Area. The area so designated shall comprise the following towns: Presque Isle, Caribou, Connor (or North Caribou), Washburn, Perham, New Sweden, Stockhold and Fort Fairfield.

(2) Before any seller affected by this order may offer to supply or supply the above-described services at the prices established by this order, he shall file a report with the District Office of Price Administration in Augusta, Maine, containing:

(i) His name and address, and location of his place of business, if any;

(ii) His maximum customer's hourly rate for paper hanging and/or painting services prior to this order.

(b) Whenever a customer of any seller subject to this order shall request the performance of paper hanging and/or painting services for a period in excess of eight hours in any one day, and the seller is required to pay to any employee an hourly wage for such overtime on the basis of time and one half by reason of legally established wage rates, such seller may charge as his maximum customer's hourly wage rate an amount not to exceed $1.70 per hour for painting and/or paper hanging services performed in excess of 8 hours in any given day.

(c) Whenever a customer of any seller subject to this order shall request the performance of either of the above-described services on a Sunday and the seller is required to pay to any employee an hourly Sunday wage on the basis of double time by reason of legally established wage rates, such seller may charge as his maximum customer's hourly rate an amount not to exceed $2.20 per hour for painting and/or paperhanging services performed on a Sunday.

(d) No charge in addition to the maximum customer's hourly rates established herein shall be made for brushes, ladders, pails, drop cloths and other incidental equipment usually employed in this type of work.

(e) All individual orders previously issued by this Office to painters and paperhangers in this Area are hereby revoked and superseded by this Regional Order No. G-5.

(f) This Order No. G-5 may be amended, revised, or revoked at any time by the Office of Price Administration on its own motion.

(g) This Order No. G-5 shall become effective July 2, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of June 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-13139; Filed, July 19, 1945; 12:34 p. m.]

[Region II Order G-2 Under 3 (e)]

STERN-BROWN, INC.

ESTABLISHMENT OF MAXIMUM PRICES

For the reason set forth in the opinion issued simultaneously herewith and under the authority vested in the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by § 1499.3 (e) (2) of the General Maximum Price Regulation, *It is ordered:*

(a) On and after the effective date of this order the maximum prices for the sales of the #6H Electric Broiler and the #1B Electric Hot Plate, manufactured by Stern-Brown, Inc., Long Island City, New York, at wholesale and at retail by sellers, other than the manufacturer, located in Region II shall be the prices set forth below. Lower prices than those listed may be charged.

AT WHOLESALE

Description	Maximum selling price (each)
#6H Electric Broiler, less cord	$7.83
#1B Electric Hot Plate, less cord	2.68

The above prices are inclusive of Federal Excise Tax and are f. o. b. point of shipment.

AT RETAIL

Description	Maximum selling price (each)
#6H Electric Broiler, less cord	$12.98
#1B Electric Hot Plate, less cord	3.98

The above prices are inclusive of Federal Excise Tax.

Each seller shall continue to maintain his customary allowances, discounts and other price differentials.

(b) *Notification of maximum prices.* Any person other than the manufacturer who sells the above described items to a retailer shall furnish the retailer with an invoice setting forth the retailer's maximum selling price, and state that the retailer is required by this order to attach a tag or label plainly stating the retail ceiling price.

(c) *Tagging.* Any person who sells the above described items at retail shall attach to the said items, before sale, a tag or label which plainly states the retail ceiling price.

(d) *Definitions.* (1) "Sale at wholesale" means a sale by a person who buys the above described items and resells them to any person other than the ultimate consumer. Sales to an industrial, commercial, or institutional user by such reseller shall also be considered a "sale at wholesale."

(2) "Sale at retail" means a sale by a person who buys the items and resells them to an ultimate consumer other than an industrial or commercial user of the above described items.

(3) "Region II" comprises the territory lying within the geographical boundaries of the following States: New York, New Jersey, Maryland, Pennsylvania, Delaware, and also the District of Columbia.

(e) Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all the amendments which have heretofore or which may hereafter be issued.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective immediately.

Issued this 2d day of July 1945.

CHARLES T. ABERNETHY,
Acting Regional Administrator.

[F. R Doc. 45-13138; Filed, July 19, 1945; 12:33 p. m.]

[Region II Order G-41 Under RMPR 122, Amdt. 5]

SOLID FUELS IN MARYLAND

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-41 is amended in the following respect:

1. Paragraph (g) is amended by adding a new subparagraph (3) immediately after subparagraph (2) to read as follows:

(3) *Special provision for sales from yards located in Cockeysville, Maryland.* You shall determine the maximum prices for direct delivery sales and yard sales in accordance with schedules 1 and 2 of Revised Order No. G-15. However, you may add to the prices set out in said schedules 1 and 2 of Order No. G-15 fifty cents (50c) per net ton for sales in quantities of more than one-half ton and twenty-five cents (25) for sales in quantities of one-half ton.

This Amendment No. 5 to Revised Order No. G-41 shall become effective as of June 19, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-13137; Filed, July 19, 1945; 12:33 p. m.]

[Region IV 2d Rev. Order G-10 Under RMPR 122, Amdt. 2]

SOLID FUELS IN HENRICO, HANOVER, AND CHESTERFIELD COUNTIES, AND RICHMOND, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-10 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945 is hereby amended in the following respects:

1. Subparagraph (e) (4) is amended to read as follows:

(4) PENNSYLVANIA ANTHRACITE COALS

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg, stove, and nut	$16.90	$8.95	$4.98
Pea	14.90	7.95	4.48
Rice	12.60	6.80	3.90

2. Subparagraph (f) (1) is amended to read as follows:

(1) COAL SOLD IN 100 POUND BAGS

	Delivered price	Cash and carry at yard
Low volatile egg and stove	$9.76	$9.66
Semi-smokeless egg and stove and high volatile egg and stove	.61	.51
Pennsylvania anthracite (all sizes)	1.00	.90

(a) The dealer may charge no more than ten cents per 100 pound bag when he furnishes bags to the consumer.

Effective date. This amendment shall become effective as of June 18, 1945.

Issued June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-13136; Filed, July 19, 1945; 12:32 p. m.]

[Region IV 2d Rev. Order G-23 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MEMPHIS, TENN.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraphs (e) (2) and (e) (4) of Second Revised Order No. G-23 under Revised Maximum Price Regulation No. 122 issued by this office on June 5, 1945, are hereby amended to read as follows:

(2) HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 9

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Lump	$7.56	$4.03
Slack, lump	7.91	4.20
No. 11 vein egg, and 6" x 3" egg	7.56	4.03
Nut	7.46	3.98
Stoker	7.26	3.88
No. 9 vein stoker from mine index 10	7.81	4.16
Domestic slack screenings	6.71	3.10

(4) HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 13

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Block, lump and double screened egg coal from:		
Mines in the Jagger and Mary Lee seams, identified by mine index No. 30-49, inclusive, and 41, 53, and 54, and from mines in these seams producing coal having the same maximum price at the mine, as of the date of this order	$9.15	$4.83
Mine Index 54—Debardeleben Coal Corp., Corona seam	10.15	5.33
Mines in the Black Creek and Clark seams, identified by mine index No. 1, 2, 7, 9, 10, 11, 12, 14, 15, and 17, and from mines in these seams producing coal having the same maximum price at the mine, as of the date of this order	10.90	5.70
Mines in the Black Creek seam and which are identified by mine index No. 16, 18, 20, 21, 23, and 1306, and from mines in this seam producing coal having the same maximum price at the mine, as of the date of this order	11.10	5.80
Mine index No. 22	11.20	5.85
Mines in the Montevallo and Thompson seams, identified by mine index No. 3, 4, 5, and 8, and from mines in these seams producing coal having the same maximum price at the mine, as of the date of this order	12.05	6.28
Stoker	8.85	4.68
Stoker, nut and chestnut, size groups 6, 8, and 10	9.15	4.83

Effective date. This amendment shall become effective as of June 15, 1945.

Issued June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-13135; Filed, July 19, 1945; 12:32 p. m.]

[Region IV Order G-38 Under RMPR 122, Amdt. 2]

SOLID FUELS IN NORFOLK AND PRINCESS ANNE COUNTIES, AND NORFOLK, PORTSMOUTH AND SOUTH NORFOLK, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (4) of Order No. G-38 under Revised Maximum Price Regulation No. 122 issued by this office on April 14, 1945, is hereby amended to read as follows:

(4) PENNSYLVANIA ANTHRACITE

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.
Nut, stove, and egg	$17.10	$8.80
Pea	15.70	8.10

Effective date. This amendment shall become effective as of June 18, 1945.

Issued June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-13134; Filed July 19, 1945; 12:32 p. m.]

[Region IV Order G-54 Under RMPR 122]

SOLID FUELS IN TUSCALOOSA, ALA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (d) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when trucked from a mine and when sold and delivered within the corporate limits of the City of Tuscaloosa Alabama and within the area lying within ten miles of said corporate limits, said distance measured by the most direct highway route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this Order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect, all the provisions of such order, as amended, shall likewise, without other action, be a part of this Order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

BITUMINOUS COAL FROM DISTRICT NO. 13

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Lump and double-screened egg (size groups 1-5, inclusive):			
From mines in subdistrict No. 2 in price group 3	$8.40	$4.47	$2.35
From mines in subdistrict No. 2 in price group 7	7.65	4.08	2.16
Nut and chestnut (raw) (size groups 7, 9, and 10)—From mines in subdistrict No. 2 in price group 3	7.85	3.93	2.09
Mine run and resultants over 3" (raw) (size groups 18, 19, 20, and 21):			
From mines in subdistrict No. 2 in price group 3	7.25	3.88	2.06
From mines in subdistrict No. 2 in price group 7	6.75	3.63	1.90
Resultants and screenings 3" and under (raw) (size groups 22 and 23):			
From mines in subdistrict No. 2 in price group 3	5.80	3.15	.70
From mines in subdistrict No. 2 in price group 7	5.15	2.83	1.54

(e) *Maximum authorized service charges and required deductions*—(1) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to

prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated, but it is not necessary that this charge be separately stated thereon.

(2) *Quantity discounts.* When a buyer purchases coal in quantities of 20 tons or more (by a single order) and delivery is made in quantities of four tons or more per delivery (unless smaller units of delivery are used at the instance of, or because of equipment limitations of, the dealer), the dealer must reduce the Domestic Price at least 50¢ per ton.

(3) *Sales tax.* The Alabama State Sales Tax may be added to the prices named in this order.

(4) *Credit.* No additional charge may be made for extension of credit.

Effective date. This order shall become effective July 2, 1945.

Issued June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-13133; Filed, July 19, 1945; 12:32 p. m.]

[Region VII Order G-1 Under Supp Reg 15, Amdt. 7]

FLUID MILK IN MONTANA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) (i) (a) (1) (i) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 7 is issued.

1. Subparagraphs (1), (2), (3), and (4) of paragraph (e), as heretofore amended, are hereby further amended to read as follows:

(e) *Definitions.* (1) "District No. 1" means all that area in the State of Montana contained within the municipalities of Anaconda, Butte, Deer Lodge, East Helena, Forsyth, Great Falls, Helena, Miles City, and Plentywood, and that area contained within a distance of five miles beyond the corporate limits of each of said municipalities at all points, and the municipality of Seeley Lake and that area contained within a distance of five miles thereof at all points.

(2) "District No. 2" means all that area in the State of Montana contained within the municipalities of Belt, Cut Bank, Fairview, Havre, Libby, Phillipsburg, Shelby, and Sidney, and a distance of five miles beyond the corporate limits of each of said municipalities at all points, and the municipality of Hardin, and a distance of twelve miles beyond the corporate limits thereof at all points, and that portion of Chouteau County contained within the area composed of the municipality of Fort Benton and a distance of three miles beyond the corporate limits thereof at all points.

(3) "District No. 3" means all that area in the State of Montana contained within the Counties of Beaverhead, Cascade (except that portion contained within the municipalities of Belt and Great Falls and a distance of five miles beyond the corporate limits of each of said municipalities at all points), Custer (except that portion contained within the municipality of Miles City and a distance of five miles beyond the corporate limits thereof at all points), Deer Lodge (except that portion contained within the municipality of Anaconda and a distance of five miles beyond the corporate limits thereof at all points), Fergus, Flathead, Glacier (except that portion contained within the municipality of Cut Bank and a distance of five miles beyond the corporate limits thereof at all points), Hill (except that portion contained within the municipality of Havre and a distance of five miles beyond the corporate limits thereof at all points), Lewis and Clark (except that portion contained within the municipalities of East Helena and Helena and a distance of five miles beyond the corporate limits of each of said municipalities at all points), Lincoln (except that portion contained within the municipality of Libby and a distance of five miles beyond the corporate limits thereof at all points), Musselshell, Pondera, Prairie, Sheridan (except the municipality of Plentywood and a distance of five miles beyond the corporate limits thereof at all points), Silver Bow (except that portion contained within the municipality of Butte and a distance of five miles beyond the corporate limits thereof at all points), Toole (except that portion contained within the municipality of Shelby and a distance of five miles beyond the corporate limits thereof at all points), and Valley, and the municipalities of Billings, Columbus, Laurel, Malta, Saco, and Scobey, and that area contained within a distance of twelve miles beyond the corporate limits of each of said municipalities at all points, and the municipalities of Bozeman, Circle, Glendive, Livingston, and Red Lodge, and that area contained within a distance of five miles beyond the corporate limits of each of said municipalities at all points, and the municipality of Wibaux and that area contained within a distance of three miles beyond the corporate limits thereof at all points.

(4) "District No. 4" means all of that area within the State of Montana contained within the Counties of Big Horn (except that portion contained within the municipality of Hardin and a distance of twelve miles beyond the corporate limits thereof at all points), Blaine, Broadwater, Carbon (except that portion contained within the municipality of Red Lodge and a distance of five miles beyond the corporate limits thereof at all points, and that portion contained in District No. 3), Carter, Chouteau (except that portion contained in the area composed of the municipality of Fort Benton and a distance of three miles beyond the corporate limits thereof at all points), Daniels (except that portion contained within the municipality of Scobey and a distance of twelve miles beyond the corporate limits thereof at all points), Dawson (except that portion contained within the municipality of Glendive and a distance of five miles beyond the corporate limits thereof at all points), Fallon, Gallatin (except that portion contained within the municipality of Bozeman and a distance of five miles beyond the corporate limits thereof at all points), Garfield, Golden Valley, Granite (except that portion contained within the municipality of Phillipsburg and a distance of five miles beyond the corporate limits thereof at all points), Jefferson (except that portion contained in District No. 1), Judith Basin, Lake, Liberty, McCone (except that portion contained within the municipality of Circle and a distance of five miles beyond the corporate limits thereof at all points), Madison, Meagher, Mineral, Missoula (except that portion contained within the community of Seeley Lake and a distance of five miles beyond the corporate limits thereof at all points), Park (except that portion contained within the municipality of Livingston and a distance of five miles beyond the corporate limits thereof at all points), Petroleum, Phillips (except that portion contained within the municipalities of Malta and Saco and a distance of twelve miles beyond the corporate limits of each of said municipalities at all points), Powder River, Powell (except that portion contained within the municipality of Deer Lodge and a distance of five miles beyond the corporate limits thereof at all points, and that portion contained within District No. 1), Ravalli, Richland (except that portion contained within the municipalities of Fairview and Sidney and a distance of three miles beyond each of said municipalities at all points), Roosevelt, Rosebud (except that portion contained within the municipality of Forsyth and a distance of three miles beyond the corporate limits thereof at all points), Sanders, Stillwater (except that portion contained within the municipality of Columbus and a distance of twelve miles beyond the corporate limits thereof at all points), Sweet Grass, Teton, Treasure, Wheatland, Wibaux (except that portion contained within the municipality of Wibaux and a distance of three miles beyond the corporate limits thereof at all points), and Yellowstone (except that portion contained within the municipalities of Billings and Laurel and a distance of twelve miles beyond the corporate limits of each of said municipalities at all points).

2. *Effective date.* This Amendment No. 7 shall become effective on June 30, 1945.

Issued this 30th day of June 1945.

JOSEPH W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 45-13148; Filed, July 19, 1945; 1:31 p. m.]

[Region VII Rev. Order G-11 Under RMPR 122 Amdt. 1]

SOLID FUELS IN CHICAGO, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Revised Order No. G-11 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Paragraph (c) is amended to read as follows:

(c) *Relationship to Revised Maximum Price Regulation No. 122 and to Regional Order Nos. G-19 and G-22.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122. In so far as any provision in this order may be inconsistent with any provision of Revised Maximum Price Regulation No. 122, the provisions contained in this order shall be controlling. Except as herein otherwise provided the provisions of Revised Maximum Price Regulation No. 122 remain in full force and effect.

Dealers whose prices are established by this order are not required to file reports under § 1340.262 (c) of Revised Maximum Price Regulation No. 122 for those solid fuels for which specific maximum prices are established herein. This order supersedes Order Nos. G-19 and G-22 as to dealers covered hereby.

2. Paragraph (d), VII in the Price Schedule is amended to read as follows:

	4 tons or more delivered per ton	2, 3 tons delivered per ton	1 ton delivered per ton	½ ton delivered per ton	Yard sales to dealers per ton
VII. *A Pennsylvania anthracite*					
1. Egg, stove, nut	$17.55	$18.05	$9.55	$5.30	$15.75
2. Pea	15.85	16.35	8.65	4.85	14.10
3. Buckwheat	13.70	14.20	7.60	4.33	12.60
4. Rice	12.45	12.95	7.00	4.03	11.10

3. Paragraph (1), Definitions, is amended by adding a new paragraph (2) (a) following paragraph (2), "Outside Trim", to read as follows:

(2) (a) "Trim-Double-Inside Only" refers to jobs wherein coal is trimmed back and bin filled by pitching coal twice inside the basement.

This Amendment No. 1 to Revised Order No. G-11 shall be effective immediately.

Issued this 2d day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13147; Filed, July 19, 1945; 1:33 p. m.]

[Region VII Order G-33 Under MPR 188]

VOLNEY E. CAMPBELL ET AL.

AUTHORIZED MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-33 is issued.

(a) *What this order does.* This Order No. G-33 establishes maximum prices for a surgical appliance manufactured by Volney E. Campbell of 617 Greenwood, Canon City, Colorado, and by him designated "Hernia or Post Operative Support, Model No. 300", when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-33, the maximum prices for the surgical appliance designated "Hernia or Post Operative Support, Model No. 300", manufactured by Volney E. Campbell of 617 Greenwood, Canon City, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Custom made	Made to individual measurement
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	*Each* $2.50	*Each* ------
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer	3.60	$4.20
(3) When sold by the manufacturer, a jobber, a wholesaler, or a retailer, f. o. b. shipping point, to doctors, hospitals, or military agencies	4.75	5.60
(4) When sold by any seller to an ultimate consumer or user	6.00	7.00

NOTE: (1) The maximum prices authorized by the above paragraphs (1), (2), and (3) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-33 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-33 under Maximum Price Regulation No. 188, the OPA authorized maximum resale prices for this Hernia or Post Operative Support, Model No. 300, are:

	Custom made	Made to individual measurement
(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer	*Each* $3.60	*Each* $4.20
(2) When sold by the manufacturer, a jobber, a wholesaler, or a retailer, f. o. b. shipping point, to doctors, hospitals, or military agencies	4.75	5.60
(3) When sold by any seller to an ultimate consumer or user	6.00	7.00

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulations have no application to the prices established by this Order No. G-33 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-33 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-33 shall become effective on the 9th day of July 1945.

Issued this 9th day of July 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-13150; Filed, July 19, 1945; 1:32 p. m.]

[Region VII Rev. Order G-54 Under 18 (c), Amdt. 1]

PULPWOOD IN MONTANA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (b) is amended to read as follows:

(b) *Adjusted maximum prices.* On and after the effective date of this Revised Order No. G-54, the maximum prices for pulpwood sold by any person delivered at the loading-out rail shipping point or sold f. o. b. car at such point in the State of Montana to industrial consumers or dealers shall be as follows:

Kind of wood	Description of cuts	Price per cord: Delivered at landing-out rail point	Price per cord: Delivered f. o. b. rail shipping point
(1) Spruce, white and true fir	In 102-inch lengths or shorter	$9.50	$11.50
(2) Larch, lodgepole pine, hemlock, or ponderosa pine	In 102-inch lengths or shorter	8.00	10.00
(3) Any species	In lengths of 10 feet or longer, 2 cords (9 I M) per scale	8.50	10.25

2. Paragraph (c) is amended to read as follows:

(c) *Loading charge.* If the seller elects to deliver at the railroad loading-out point instead of f. o. b. car at such point, the purchaser can, at his option,

area in the State of Montana contained

son (except that portion contained herewith. Revised Order No. G-1

Volney E. Campbell of 617 Greenwood, lying south of the southern boundary of

out point instead of f. o. b. car at such point, the purchaser can, at his option,

himself load the pulpwood on the car or pay any person performing that service for him a price not to exceed $2.00 per cord for pulpwood in categories (1) and (2), and not to exceed a price of $1.75 per cord for pulpwood in category (3), of the above paragraph (b).

Effective date. This Amendment No. 1 shall become effective on the 6th day of July 1945.

Issued this 6th day of July 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-13140; Filed, July 19, 1945; 1:32 p. m.]

[Region VIII Order G-1 Under Rev. Gen. Order 32]

FROZEN FISH AND SEAFOOD IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by paragraph (c) (6) of Revised General Order No. 32; *It is hereby ordered:*

(a) The maximum price in Region VIII of frozen fish and seafood of a kind for which, when not frozen, a maximum price is provided by Revised Order No. G-6 under Maximum Price Regulation No. 418, shall be the price which would apply under that order were such fish or seafood not frozen, plus 1 cent per pound. This order, however, shall not apply to any sales for which maximum prices are provided by Maximum Price Regulations No. 364, 421, 422, or 423, or by Revised Maximum Price Regulation No. 507.

(b) "Region VIII" means the States of California, Arizona, (except those portions of Coconino and Mohave Counties lying north of the Colorado River), Nevada, Oregon (except Malheur County), Washington, and the Counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone in the State of Idaho.

(c) This order may be amended or revoked at any time.

This order shall become effective June 30, 1945.

Issued this 26th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13140; Filed, July 19, 1945; 12:35 p. m.]

[Region VIII Rev. Order G-8 Under MPR 280, Amdt. 8]

MILK IN CALIFORNIA

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-8 under Maximum Price Regulation No. 280 is amended in the following respects:

1. Paragraph (g) is amended to read as follows:

Notwithstanding any of the foregoing provisions of this order, the maximum prices at which any "handler" located in the northern California area may sell fluid milk to another "handler" for resale for human consumption as fluid milk, which milk is transferred from one "handler" to another upon the specific written request of the Market Agent appointed by the Director of the War Food Administration, shall be as follows:

(1) For such sales of raw milk, f. o. b. seller's plant, the maximum prices shall be as follows:

Milk fat content (by percent):	*Maximum price per cwt. f. o. b. seller's plant*
3.0 and less than 3.1	$3.50
3.1 and less than 3.2	3.57
3.2 and less than 3.3	3.64
3.3 and less than 3.4	3.71
3.4 and less than 3.5	3.78
3.5 and less than 3.6	3.85
3.6 and less than 3.7	3.92
3.7 and less than 3.8	3.99
3.8 and less than 3.9	4.07
3.9 and less than 4.0	4.14
4.0 and less than 4.1	4.21
4.1 and less than 4.2	4.28
4.2 and less than 4.3	4.36
4.3 and less than 4.4	4.43
4.4 and less than 4.5	4.50
4.5 and less than 4.6	4.58
4.6 and less than 4.7	4.65
4.7 and less than 4.8	4.72
4.8 and less than 4.9	4.79
4.9 and less than 5.0	4.87
5.0 and less than 5.1	4.94
5.1 and less than 5.2	5.01
5.2 and less than 5.3	5.08
5.3 and less than 5.4	5.15
5.4 and less than 5.5	5.22
5.5 and less than 5.6	5.29
5.6 and less than 5.7	5.36

This amendment to Revised Order No. G-8 shall become effective June 29, 1945.

Issued this 29th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13152; Filed, July 19, 1945; 1:31 p. m.]

[Region VIII Order G-10 Under Supp. Order 94]

THREE PANEL WOODEN FOLDING SCREENS IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of Supplementary Order 94, as amended, it is ordered as follows:

(a) The maximum prices for sales of three panel wooden folding screens purchased from the Procurement Division of the Treasury Department shall be as follows:

(i) Sales of screens in "as is" condition:	
To wholesalers	$4.46
To retailers	5.56
To consumers	7.75
(ii) Sales of "re-conditioned" screens:	
To wholesalers	$5.66
To retailers	7.16
To consumers	10.16
(iii) Sales of "new" screens:	
To wholesalers	$7.16
To retailers	9.16
To consumers	13.16

(b) The terms are net 30 days, f. o. b. Los Angeles, with free delivery within twenty-five miles of the Los Angeles City Hall.

(c) For the purposes of this order, the words and phrases used herein shall have the following definitions:

(i) "As is" shall mean in the condition in which the article is purchased without repairs or alterations.

(ii) "Re-conditioned" shall mean refinished and repaired to remove scratches and weathering and other damage, and replacement of broken or missing parts.

(d) Sellers at retail must post a notice at the place where the items are offered for sale stating whether the items are "as is", "re-conditioned", or "new", with the maximum prices for such items.

(e) This order shall apply to sales in the States of California, Nevada, Washington, Oregon, except Malheur County, and Arizona, except those portions of Coconino and Mohave County lying north of the Colorado River; and to the following Counties in the State of Idaho: Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Clearwater, Nez Perce, Lewis and Idaho.

This order may be amended, revoked or corrected at any time.

This order shall become effective July 7, 1945.

Issued this 2d day of July 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13141; Filed, July 19, 1945; 12:35 p. m.]

[Region VIII Order G-31 Under 3 (c)]

WESTERN STOVE CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator by § 1499.3 (c) (2) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The maximum price for sales at retail of K-44 Western-Holly Gas Range with Thermostat (K-44T) manufactured by Western Stove Company of 8536 Hays Street, Culver City, California, by sellers subject to the General Maximum Price Regulation who cannot determine their maximum prices under § 1499.2 of the General Maximum Price Regulation shall be as follows:

At retail: $184.50, including excise tax, less discounts, allowances, and price differentials no less favorable than those customarily granted by the seller. This price shall include installation services and all services customarily furnished by the seller in sales of similar commodities during March, 1942.

(b) This order shall apply to sales of the above-described article in the States of California and Arizona.

(c) This order may be corrected, amended or revoked at any time.

(d) This order shall become effective July 10, 1945.

Issued this 5th day of July 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13143; Filed, July 19, 1945; 12:35 p. m.]

[Region VIII Rev. Order G-103 Under 18 (c), Amdt. 2]

COOKED LOBSTER IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-103 under section 18 (c) of the General Maximum Price Regulation, as amended, is amended in the following respects:

1. Paragraphs (b) and (c) are redesignated (c) and (d) respectively, and a new paragraph (b) is added as follows:

(b) The maximum price of frozen cooked lobster in Region VIII shall be the price which would apply under paragraph (a) of this order were such lobster not frozen, plus 1c per pound.

This amendment to Revised Order No. G-103 shall become effective June 30, 1945.

Issued this 19th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13151; Filed, July 19, 1945; 1:31 p. m.]

[Miami Rev. Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN FLORIDA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Miami District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order No. G-1 under General Order No. 50, issued by the District Director of the Jacksonville District Office of the Office of Price Administration on the 22d day of June 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draft when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order No. 50 is re-designated Revised Order No. G-1 under General Order No. 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on-premise sales, and is for the further purpose of clarifying and strengthening the order. Maximum prices for off-premise sales of domestic malt beverages are controlled by Revised Maximum Price Regulation 259.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of Florida: Dade, Monroe, Collier, Broward, Palm Beach, Hendry, Lee, Glades, Charlotte, Sarasota, Manatee, Hardee, De Soto, Highlands, Saint Lucie, Okeechobee, Martin, Indian River, Osceola, Polk, Pasco, Hernando, Hillsborough and Pinellas.

SEC. 3. *Ceiling prices.* (a) On and after July 1, 1945, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Miami District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Miami District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1B establishments.

(2) *Group 2B.* Your establishment belongs to Group 2B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) *Group 3B.* Your establishment belongs to Group 3B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may, but not later than the first day of August 1945, file an application with the Miami District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.

2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

3. The selling prices by brand name of all beverages sold since the beginning of its operation.

4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

5. Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3 B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1 B or Group 2 B seller,

you may, within and not later than 30 days from the time you begin operating, file an application with the Miami District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3 B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above, you must, on or before August 1, 1945, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3 B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3 B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt Sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increase any cover minimum; bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with references to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Reserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised or amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised or amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B", "OPA 2 B", or "OPA 3 B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer."

(c) "On draft" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell, sale, etc." include the service of beer for a consideration with a license to consume on the premises.

(f) "Eating or drinking establishment" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premise sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller or in the immediate vicinity thereof, and include curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Miami District Office.

SEC. 21. *Revocation and Amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This revised order under General Order 50 shall become effective July 1, 1945. (Order No. G–1 under General Order 50 was originally issued on June 22, 1944, effective July 1, 1944; Amendment Number 1 to Order No. G–1 under GO 50 was issued July 26, 1944, effective July 29, 1944; Amendment Number 2 to Order No. G–1 under GO 50 was issued October 1, 1944, effective October 5, 1944; Amendment Number 3 to Order No. G–1 under GO 50 was issued November 25, 1944, effective December 1, 1944.)

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Miami, Florida, this 15th day of June 1945.

JAMES S. THOMAS,
District Director.

APPENDIX A—BOTTLED BEERS AND ALES

GROUP 3B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	Cents	Cents
Ballantine	25	50
Budweiser	25	50
Canadian Ace	25	50
Dover	25	50
Down's Arf & Arf	25	50
Edelbrew Special	25	50
Ehret's Extra	25	50
Gem Pilsener	25	50
Gold Coast	25	50
Loewer	25	50
Namar	25	50
Pabst	25	50
Premo	25	50
Schlitz	25	50
Trim	25	50
Ziegler's 520	25	50
Ruppert	25	50
Van Merritt	30	55
Ale:		
Ballantine	25	50
Ballantine Porter	25	50
Buckingham Premium	25	50
Carling's Red Cap	25	50
Ballantine India Pale	30	55
Champ Ale	30	55

GROUP 1B—continued

Commodity and brand or trade name	Maximum price per bottle: 12-ounce	32-ounce
	Cents	*Cents*
Imported beer and ale:		
Carta Blanca Beer	35	------
All other brands of domestic or imported beer and ale not listed above, including unlabeled beer and ale	20	40
All unlisted beer and ale in bottles containing less than 12 ounces	10	------
Draft beer and ale:		
Michelob	*Cents*	
6-oz. glass	12	
8-oz. glass	14	
10-oz. glass	18	
12-oz. glass	21	
All other quantities, 17½¢ per ounce		
All other draft beer and ale:		
6-oz. glass	9	
8-oz. glass	10	
10-oz. glass	13	
12-oz. glass	15	
All other quantities, 1¼¢ per ounce		

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945 increase in the Florida Beverage Tax may add to above prices the following charges if same are separately stated and collected

Bottled beer and ale:
12 ounce bottles—2½¢ per bottle.
32 ounce bottles—4½¢ per bottle.
Bottles contain less than 12 ozs.—17¢ per gallon prorated to the amount in the bottles.
Draft beer and ale:
6 oz. glass—17/24 cents per glass, 8 oz. glass—17/16 cents per glass, 10 oz. glass—17/20 cents per glass, 12 oz. glass—17/24 cents per glass.
All other quantities—17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.
All other taxes are included in above prices.

GROUP 2B

Commodity and brand or trade name	Maximum price per bottle: 12-ounce	32-ounce
	Cents	*Cents*
Beer:		
Ballantine	20	42
Budweiser	20	42
Canadian Ace	20	42
Dover	20	42
Down's Ale & Arf	20	42
Edelbrew Special	20	42
Ehret's Extra	20	42
Gem Pilsner	20	42
Gold Coast	20	42
Loewer	20	42
Namar	20	42
Pabst	20	42
Premo	20	42
Schlitz	20	42
Trim	20	42
Ziegler's 320	20	42
Rupert	25	50
Van Merritt		
Ale:		
Ballantine	20	42
Ballantine Porter	20	42
Buckingham Premium	20	42
Carling's Red Cap	20	42
Ballantine Indra Pale	25	50
Champ Ale	25	50
Imported beer and ale:		
Carta Blanca Beer	30	------
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix "B" hereof, including unlabeled beer and ale	15	35
All unlisted beer and ale in bottles containing less than 12 ounces	10	------
Draft beer and ale:		
Michelob	*Cents*	
6-oz. glass	12	
8-oz. glass	14	
10-oz. glass	16	
12-oz. glass	18	
All other quantities, 1½¢ per ounce		

GROUP 2B—continued

All other draft beer and ale:	*Cents*
6-oz. glass	9
8-oz. glass	10
10-oz. glass	11
12-oz. glass	12
All other quantities	1¢ per ounce

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945 increase in the Florida Beverage Tax may add to above prices the following charges if same are separately stated and collected:

Bottled beer and ale:
12 ounce bottles—2½¢ per bottle.
32 ounce bottles—4½¢ per bottle.
Bottles containing less than 12 ozs.—17¢ per gallon prorated to the amount in the bottles.
Draft beer and ale:
6 oz. glass—17/24¢ per glass, 8 oz. glass—17/16¢ per glass.
10 oz. glass—17/20¢ per glass, 12 oz. glass—17/24¢ per glass.
All other quantities—17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.
All other taxes are included in above prices.

GROUP 3B

Commodity and brand or trade name	Maximum price per bottle: 12-ounce	32-ounce
	Cents	*Cents*
Beer:		
Ballantine		
Budweiser		
Canadian Ace		
Dover		
Down's Ale & Arf		
Edelbrew Special		
Ehret's Extra		
Gem Pilsner		
Gold Coast		
Loewer		
Namar		
Pabst		
Premo		
Schlitz		
Trim		
Ziegler's 320		
Atlas		
Commander Pilsner		
Dorquest		
Doerrichick	17	37
D. R. Premier		
E. M. S.		
Genesee		
Goebel		
Holland Premium		
Horlacher's		
Koenig's Special		
Koenig Brau		
Kuebler Premium		
Lambic		
Lion		
Oxford		
Pilsener		
Red Fox		
Rheinegold		
Ruppert		
Schmidt's		
Silver Fox DeLux		
Trommer's White Label		
Trophy Premium	20	45
Van Merritt		
Ale:		
Ballantine	17	37
Ballantine Porter	17	37
Buckingham Premium	17	37
Carling's Red Cap	17	37
Ballantine India Pale	20	45
Champ Ale	20	45
Imported beer and ale:		
Carta Blanca Beer	25	------
All other brands of domestic or imported beer and ale, including unlabeled beer and ale	12	30
All unlisted beer and ale in bottles containing less than 12 ounces	10	------
Draft beer and ale:		
Michelob	*Cents*	
6-oz. glass	12	
8-oz. glass	14	
10-oz. glass	16	
12-oz. glass	18	
All other quantities, 1½¢ per ounce		

GROUP 3B—continued

All other draft beer and ale:	*Cents*
6-oz. glass	9
8-oz. glass	10
10-oz. glass	11
12-oz. glass	12
All other quantities	1¢ per ounce

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945 increase in the Florida Beverage Tax may add to above prices the following charges if same are separately stated and collected:

Bottled beer and ale:
12 ounce bottles—2½¢ per bottle.
32 ounce bottles 4½¢ per bottle.
Bottles containing less than 12 ozs. 17¢ per gallon prorated to the amount in the bottles.
Draft beer and ale:
6 oz. glass 17/24¢ per glass, 8 oz. glass 17/16¢ per glass.
10 oz. glass 17/20¢ per glass. 12 oz. glass 17/24¢ per glass.
All other quantities 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.
All other taxes are included in above prices.

APPENDIX B

NOTE: This Appendix B fixes maximum prices for Group 2-B sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of the prices given for other brands covered by Appendix A.

Commodity and brand or trade name	Maximum price per bottle: 12-ounce	32-ounce
	Cents	*Cents*
Beer:		
Atlas		
Commander Pilsner		
Dorquest		
Doerrichick		
D. R. Premier		
E. M. S.		
Genesee		
Goebel		
Holland Premium		
Horlacher's		
Koenig's Special		
Koenig Brau	18	40
Kuebler Premium		
Lambic		
Lion		
Oxford		
Pilsener		
Red Fox		
Rheinegold		
Schmidt's		
Silver Fox DeLux		
Trommer's White Label		
Trophy Premium		

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945 increase in the Florida Beverage Tax may add to above prices the following charges if same are separately stated and collected:

Bottled beer and ale:
12 ounce bottles—2½¢ per bottle.
32 ounce bottles—4½¢ per bottle.
Bottles containing less than 12 ozs.—17¢ per gallon prorated to the amount in the bottles.
Draft beer and ale:
6 oz. glass—17/24¢ per glass, 8 oz. glass—17/16¢ per glass.
10 oz. glass—17/20¢ per glass, 12 oz. glass—17/24¢ per glass.
All other quantities—17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.
All other taxes are included in above prices.

[F. R. Doc. 45-13131; Filed, July 19, 1945; 12:30 p. m.]

[Region V Order G-2 Under RMPR 122, Amdt. 7]

SOLID FUELS IN KANSAS CITY, MO.-KANS., AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered*, That Order No. G-2 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended in the following respects:

1. Section (a) is amended to read as follows:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels covered by Revised Maximum Price Regulation No. 122 in the Greater Kansas City, Missouri, and Kansas City, Kansas, metropolitan area. These are the highest prices that any dealer may charge when he sells or delivers any of such fuels at or to a point within the following described boundary line:

Beginning at the junction of U. S. Highway 71 and U. S. Highway 69 in Clay County, Missouri; thence north and east along U. S. Highway 69 to junction with State Highway 33; thence straight south to the Missouri River and thence east along the north bank of the Missouri River to Highway 71 By-pass; thence south to Sugar Creek Road (4N); thence east along Sugar Creek Road (4N) to a common junction thereof with U. S. Highway 24 and an unnumbered highway; thence southeast over such unnumbered highway to its junction with Jones Road and south thereon and on Necessary Road to Holke Road; thence west thereon to Kiger Road; thence south thereon to Evans & Sheley Lane; thence west thereon to Noland Road (U. S. Highway 71 By-pass); thence south thereon to junction with U. S. Highway 40; thence west along U. S. Highway 40 and Alternate U. S. Highway 40 to Norfleet Road; thence south thereon to Smith Road (or an unnumbered highway representing an extension thereof); thence generally west thereon to Woodson Road; thence south on Woodson Road to junction with County Road 18E); thence west to Raytown South Road; thence south on Raytown South Road (5E) to Bannister Road; thence west on Bannister Road to Blue Ridge Boulevard Extension (County Road 4E); thence south on Blue Ridge Boulevard Extension to junction with U. S. Highway 71; thence south on U. S. Highway 71 to Outer Belt Road; thence west on Outer Belt Road to Missouri-Kansas State Line; thence south on Missouri-Kansas State Line to southern boundary of Johnson County, Kansas; thence west on southern boundary of Johnson County to western boundary of Johnson County; thence north on western boundary of Johnson County to the Kansas River; thence along the southern bank of the Kansas River to a point north of Morris; thence north to Muncie; thence northeast from Muncie on State Highway 32 to its junction with Francis Road; thence generally north along Francis Road to its junction with U. S. Highway 40; thence east on U. S. Highway 40 to its junction with Brenner Heights Road; thence generally north on Brenner Heights Road to Parallel Avenue; thence west thereon to Mahan Road and north thereon to its junction with Dickenson Road; thence east on Dickenson Road to Nearman; thence north on an imaginary line across the Missouri River to State Highway 45 in Platte County, Missouri; thence east on State Highway 45 to State Highway 9; thence north on State Highway 9 to its junction with U. S. Highway 71; thence south and east on U. S. Highway 71 to its junction with U. S. Highway 69, the point of beginning (including all points and places within the limits of all points described as on said boundary). Boundary lines so described shall be construed as following the center of the public highways named.

2. Section (d), Price Schedule (1), is amended as follows:

(d) *Price schedule.* (1) Below and a part of this section is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels.

MAXIMUM PRICE SCHEDULE

Description of fuel	Maximum price per ton: Produced at—Strip mines	Underground mines: Solid shot	Underground mines: Machine cut
I. *High volatile bituminous coal from machine loading mines in district 10 (Illinois)*			
(A) Southern subdistrict (price groups 1 and 2):			
(1) Lump and egg (bottom size larger than 2")		$6.74	
(B) Central subdistrict (price groups 12 and 20):			
(1) Lump and egg (bottom size larger than 2")		8.09	
(2) Nut (top size larger than 2", bottom size 1½" or less)		7.74	
II. *Low volatile bituminous coal from district 14 (Arkansas and Oklahoma)*			
(A) Production group 1: "Arkansas anthracite" from mines in Pope County and the Spadra field of Johnson County, Ark.:			
(1) Grate, furnace and egg, (double screened coal bottom size larger than 2")	$12.40	------	$13.60
(2) Stove (top size 3" to larger than 2½"; bottom size not larger than 1½")	12.60	------	13.80
(3) Nut (top size 2½" to larger than 1½"; bottom size 1½" to larger than ⅞")	12.60	------	13.80
(4) Chestnut (top size 1½"; bottom size ⅞" or less)	11.45	------	12.60
(B) Production groups 2 and 3: From mines in the Denning, Coal Hill and Altus fields and the Paris Basin of Logan and Franklin and Johnson Counties, all in the State of Arkansas:			
(1) Lump, machine cut (bottom size 2½" or larger)	11.25	------	18.25
(2) Chestnut, washed (top size 1½", bottom size ⅞" or less)	------	------	10.25
(3) Screenings, washed (1½" x 0)	------	------	8.95

Description of fuel	Maximum price per ton: Produced at—Strip mines	Underground mines: Solid shot	Underground mines: Machine cut
II *Low volatile bituminous coal from district 14 (Arkansas and Oklahoma)*—Con.			
(C) Production Groups 4, 5, 6, 7, 8, and 9:			
From mines in the Panama, Bokoshe, Milton, Potteit, Wister, and Howe-Hoover fields of LeFlore County and the McCurtain field of Haskell County, Oklahoma; mines in the Bates field of Scott County, the Charleston field of Franklin County, and mines in Sebastian County, Arkansas, except those located in the Excelsior field:			
(1) Lump (bottom size 2½" or larger)	$11.30	$11.95	$12.65
(2) Screenings (2½" x 0)	7.85	8.50	8.50
From mines in the Excelsior field:			
(3) Lump (bottom size 2½" or larger)	7.85	8.50	12.50
(4) Screenings (2½" x 0)	7.85	8.50	8.50
	Produced at—		
	Strip mines	Underground mines	
III *High volatile bituminous coal from district 15 (Missouri, Kansas and Oklahoma)*			
(A) Production group 1: From mines in Cherokee, Crawford, Bourbon, and Labette Counties, Kansas and Barton, Jasper, Dade, Cedar and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:			
(1) Lump, egg (top size larger than 3", bottom size larger than 1½")	$7.70		$8.70
(2) Nut (top size 3" to larger than 2"; bottom size 1½" or larger)	7.20		8.00
(3) Household stoker (top size 1¾"; bottom size ⅞")	6.30		6.95
(4) Mill (1¼" x 0)	5.60		6.40
(B) Production groups 2 and 3: From mines in Linn County, Kansas; Bates, Henry, and St. Clair Counties and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri, and mines in Randolph, Macon, and Adair Counties, Missouri, with the exception of those in the Novinger field in Adair County, set forth below under (5) and (6):			
(1) Lump, egg (top size larger than 3", bottom size larger than 1½")	7.14		
(2) Nut (top size 3" to larger than 2"; bottom size 1¼" or larger)	6.60		
(3) Household stoker (top size 1¾"; bottom size ⅞")	6.14		
(4) Mill (1¼" x 0)	5.41		
From mines in the Novinger field of Adair County, Missouri:			
(5) Lump, egg (top size larger than 3"; bottom size larger than 1¼")			8.10
(6) Nut (top size 3" to larger than 2"; bottom size 1¼" or larger)			7.65

MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton	
	Produced at—	
	Strip mines	Underground mines
III. *High volatile bituminous coal from district 13 (Missouri, Kansas and Oklahoma)*—Con.		
(C) Production group 3: From mines in Cherokee, Crawford, Bourbon and Labette Counties, Kansas, and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:		
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")		$7.79
(2) Nut (top size 3", bottom size 1¼" and smaller)		7.79
(3) Household stoker (top size 1¼" and smaller, bottom size ½" to larger than 1¼")		7.79
(D) Production group 4: From mines in Caldwell, Carroll, Clay, Clinton, Daviess, and Ray Counties, except that produced by the Elmira Coal Mining Company, Mine Index No. 48:		
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")		7.79
From the Elmira Coal Mine Co., mine index No. 48, Ray County, Mo.:		
(2) Lump; egg (top size larger than 3", bottom size larger than 1¼")		7.79
(E) Production group 11: From mines in Craig, Rogers, Tulsa, and Wagoner Counties, Oklahoma, and that part of Muskogee County lying north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Porum, Oklahoma:		
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")		8.74
(2) Household stoker (top size 1¼" and smaller, bottom size ½" to larger than 1¼")		7.24

3. Section (e) (1) is amended as follows:

(e) *Service charges.* (1) Below and as a part of this section (e) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under section (d). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service.

4. Section (f) is amended to read as follows:

(f) *Transportation tax: Missouri and Kansas State sales tax*—(1) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order: *Provided*, The dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof. (See § 1340.265 (a), of Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(2) *The Missouri and Kansas States sales tax.* The seller may add to the prices listed in the schedule in section (d) the sales tax required to be collected by the laws of the States of Missouri and Kansas. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

5. Section (k) is amended to read as follows:

(k) *Sales slips and receipts; records.* (1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, showing the following information: the name and address of the seller and the purchaser, the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; *And further provided*, That the provisions of this paragraph shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

6. The caption of section (l) is amended to read as follows:

(l) *Posting of maximum prices.*

7. Section (n) is amended to read as follows:

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political sub-divisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "production groups," as used in this order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups" and "size groups" as used in this order, refer to the price groups and size groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified herein.

(9) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(10) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, stove, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this order during December, 1941.

(12) "Deep mine" or "underground mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(13) "Strip mine" means a mine producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(14) "Machine-cut coal" is coal produced from an underground mine which is cut mechanically by the use of a "cutting machine" before the coal is dislodged for loading either by hand or by mechanical means.

(15) "Solid-shot coal" is coal produced from an underground mine which is shot from the solid and is not cut mechanically by the use of a "cutting machine" before the coal is dislodged for loading.

(16) "Arkansas anthracite" as used in this order, is coal whose analysis and non-coking characteristics are similar to anthracite produced in the Pennsylvania field.

(17) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

8. Supplementary Order No. 1, issued May 4, 1945, as amended, insofar as such order as amended affects Order No. G–2 under Revised Maximum Price Regulation No. 122, is revoked.

(56 Stat. 22, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7371; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this 12th day of July 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-13146; Filed, July 19, 1945; 1:33 p. m.]

[Region V Order G-5 Under RMPR 122, Amdt. 8]

SOLID FUELS IN ST. JOSEPH, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.269 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered*, That Order No. G–5 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended in the following respects:

1. Section (c) Price Schedule (1), is amended to read as follows:

(c) *Price schedule.* (1) Below and a part of this section is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels.

MAXIMUM PRICE SCHEDULE

Description of fuel	Maximum price per ton		
	Produced at		
	Strip mines	Underground mines	
		Machine cut	Solid shot
I. *High volatile bituminous coal from district 10 (Illinois)*			
(A) From machine loading mines in the southern subdistrict (price groups 1 and 2):			
(1) Lump; egg (bottom size larger than 2"),	------		$9.44
(2) Household stoker (bottom size larger than 1 millimeter, top size 2" or less)	------		7.79
II. *Low volatile bituminous coal from district 7, (Arkansas and Oklahoma)*			
(A) Production group 1: "Arkansas Anthracite" from mines in Pope County and the Spadra Field of Johnson County, Arkansas:			
(1) Grate or furnace, (double-screened coal—bottom size 2½" or larger	$12.85	$13.40	------
(2) Stove (top size 3" to larger than 2½", bottom size 1½" or less)	12.85	14.15	------
(3) Range (top size 2½" to large than 1½", bottom size ¾" or less)	13.40	13.95	------
(B) Production groups 2 and 3: From mines in the Denning-Coal Hill and Altus Fields and the Paris Basin of Logan, Johnson and Franklin Counties, Arkansas:			
(1) Lump (bottom size 2½" and larger)	11.80	13.40	------
(C) Production groups 5, 6, 7 and 8: From mines in the Panama, Bokoshe, Milton, Potem, and Wister fields of Le Flore County, the McCurtain field of Haskell County, Oklahoma and mines in Sebastian County, Arkansas:			
(1) Lump (bottom size 2½" and larger)	------	13.65	$12.15
III. *High volatile bituminous coal from district 13 (Missouri, Kansas, and Oklahoma)*	Strip mines	Underground mines	
(A) Production Group 1: From mines in Cherokee, Crawford, Bourbon and Labette Counties, Kansas, and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:			
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")	$8.29	------	
(2) No. 2 nut, double-screened coal (top size 2" to larger than 1¼")	7.79	------	
(3) Household stoker (top size 1½" and smaller, bottom size ½" to larger than 1¼")	6.71	------	

MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton	
	Produced at—	
	Strip mines	Underground mines
III. *High volatile bituminous coal from district 13 (Missouri, Kansas and Oklahoma)*—Con.		
(B) Production group 2: From mines in Lafayette County, Kansas; Bates, Henry and St. Clair Counties, and that part of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri:		
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")	$7.84	------
(2) Standard nut (top size 3" to larger than 2", bottom size 1¼" and smaller)	7.11	------
(C) Production group 3: From mines in Randolph, Macon, Lafayette and Adair Counties, Missouri, except those in the Novinger Field set forth below under (4) and (5), and the Bucklin Mine, Mine Index No. 24, set forth below under (6), (7), and (8):		
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")	7.19	------
(2) Nut (top size 3", bottom size 1¼" and smaller)	6.94	------
(3) Household stoker (top size 1¼" and smaller bottom size ½" to larger than 1¼")	5.59	------
From mines in the Novinger Field of Adair County, Mo.		
(4) Lump; egg (top size larger than 3", bottom size larger than 1¼")	------	8.15
(5) Nut (top size 3", bottom size 1¼"	------	8.00
From the Bucklin Mine in Linn County, Missouri, Mine Index No. 24:		
(6) Lump; egg (top size larger than 3", bottom size larger than 1¼")	------	6.70
(7) Nut (top size 3", bottom size 1¼"	------	5.90
(8) Household Stoker (top size 1¼" and smaller, bottom size ½" to larger than 1¼")	------	6.75
(D) Production Group 4: From mines in Caldwell, Carroll, Clay, Clinton, Daviess, and Ray Counties, except that produced by the Elmira Coal Mining Company, Mine Index No. 48:		
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")	------	8.45
From the Elmira Coal Mine Co., mine index No. 48, Ray County, Mo.:		
(2) Lump; egg (top size larger than 3", bottom size larger than 1¼").	------	8.45
(E) Production group 11: From mines in Craig, Rogers, Tulsa, and Wagoner Counties, Oklahoma, and that part of Muskogee County lying north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Porum, Oklahoma:		
(1) Lump; egg (top size larger than 3", bottom size larger than 1¼")	8.74	------
(2) Household stoker (top size 1¼" and smaller, bottom size ½" to larger than 1¼")	7.24	------

2. Section (c) (3) is amended to read as follows:

(3) The prices set forth in the foregoing schedule are for untreated coal. The dealer may charge an amount not

to exceed 10¢ per ton in addition to the scheduled prices when the coal is thoroughly and adequately treated, chemically or with oil to allay dust or prevent freezing (See section (j)).

3. Section (d) (1) is amended as follows:

(d) *Service charges.* (1) Below and as a part of this section (d) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under preceding section (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service.

4. Section (e) is amended to read as follows:

(e) *Transportation tax: Missouri State sales tax.* (1) The Transportation Tax: Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order provided the dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State Government or any political subdivision thereof (See § 1340.265 (b) of Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(2) *The Missouri State sales tax.* The seller may add to the prices listed in the schedule in section (c) the sales tax required to be collected by the laws of the State of Missouri. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

5. Section (j) is amended to read as follows:

(j) *Sales slips and receipts; records.* (1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, showing the following information: the name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition he shall separately state on each such invoice, sales slip or receipt the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices; *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated, and further provided that provisions of this section shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

6. Section (m) is amended to read as follows:

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political sub-divisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operating as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "production groups," as used in this order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups," as used in this order, refers to the price groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified in this order.

(9) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(10) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-products foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, nut," etc. sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedule do not make specific mention of any size designated in this order, such size designations shall refer to the size of bituminous coal sold as such in the area subject to this order during December, 1941.

(12) "Deep mine" or "underground mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(13) A "strip mine" means a mine producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(14) "Machine-cut coal" is coal produced from an underground mine which is cut mechanically by the use of a "Cutting machine" before the coal is dislodged for loading either by hand or by mechanical means.

(15) "Solid-shot coal" is coal produced from an underground mine which is shot from the solid and is not cut mechanically by the use of a "Cutting machine" before the coal is dislodged for loading.

(16) "Arkansas anthracite" as used in this order, is coal whose analysis and non-coking characteristics are similar to anthracite produced in the Pennsylvania Field.

(17) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

7. Supplementary Order No. 1 issued May 4, 1945, as amended, insofar as said order as amended affects Order No. G-5 under Revised Maximum Price Regulation No. 122, is revoked.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this 12th day of July 1945.

W. A. ORTH
Regional Administrator.

[F. R. Doc. 45-13132; Filed, July 19, 1945; 12:30 p. m.]

[Seattle Rev. Order G-9 Under 18 (c)]

PRESTO-LOGS IN WASHINGTON

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, Order of Delegation No. 75 issued by the Regional Administrator of the Eighth Region, and under the authority to revise reserved in Order No. G-9; *It is hereby ordered:*

(a) The maximum prices for sales and deliveries of presto-logs in the counties of King, Pierce, Whatcom, Island, Skagit, Kitsap and Snohomish, Washington by any seller whose place of business is located in any of the named counties, as established by §§ 1499.2 and 1499.3 or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted to the maximum prices set forth in the appropriate subdivision of this section for the type of seller and the type of sale involved:

(1) *Producers' sales.* The maximum prices for sales of presto-logs to retail dealers shall be $5.52 per unit of 240 logs, f. o. b. producer's mill, Everett, Washington.

(2) *Retail sales.*

Dealer location	Cash prices to consumers f. o. b. dealers yards					
	1 unit (240 logs)	½ unit (120 logs)	¼ unit (60 logs)	⅛ unit (30 logs)	1/16 unit (15 logs)	1/32 unit (7½ logs)
(i) Within Everett, Wash., and a 12-mile radius	$8.00	$4.10	$2.10	$1.05	$0.85	$0.45
(ii) Dealers located in Snohomish County outside Everett and a 12-mile radius	8.75	4.50	2.30	1.17	.95	.50
(iii) Dealers located in the following counties: Skagit, Island, Whatcom, King, Kitsap, and Pierce	9.75	5.00	2.50	1.27	1.02	.55
	Delivered to the premises of the consumer					
(iv) Dealers located within Everett, Wash., and a 12-mile radius	$9.00	$5.00	$2.75	$1.50	$1.30	$0.70
(v) Dealers located in Snohomish County outside Everett and a 12-mile radius thereof	9.75	5.40	2.95	1.60	1.40	.75
(vi) Dealers located in the following counties: Skagit, Island, Whatcom, King, Kitsap and Pierce	10.75	5.90	3.20	1.70	1.50	.80

(b) *Definitions.* (1) "Retail sale" as used herein means a sale by a person who buys presto-logs from the producer for resale to an ultimate consumer other than an industrial or commercial user.

(2) "Unit" as used herein means 240 presto-logs.

(c) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by the order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of presto-logs sold.

(4) Place of sale (if the price is dependent on place of delivery, then the place of delivery shall be stated).

(5) The total price of the presto-logs.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying, and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(d) No seller shall evade any of the provisions of the order by changing his discounts, allowances, or other price differentials, unless such change results in a lower price.

(e) This order may be revoked, amended or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective July 10, 1945.

Issued this 7th day of July 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13142; Filed, July 19, 1945; 12:35 p. m.]

[Seattle Order G-14 Under 18 (c)]

CERTAIN MILLWOOD IN TACOMA, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region: *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Tacoma area of the types and kinds of firewood specified in this Order No. G-14 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G-14, *Provided, however*, That the area maximum prices established by this Order G-14 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below: (1) "Tacoma Area" means the area within the corporate limits of the city of Tacoma, Washington, and the corporate limits of the city of Ruston, Washington.

(2) "Locally produced firewood" means all wood fuels of the types and kinds described in Order G-14 produced by mills located within the corporate limits of the cities of Tacoma and Ruston, Washington.

(3) "Imported firewood" means all wood fuels of the types and kinds described in Order G-14 produced by mills located within the United States but outside of the corporate limits of the cities of Tacoma and Ruston, Washington.

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(5) "Unit" means 200 cubic feet.

(6) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided*, That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(7) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(8) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-14.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Tables I and II set forth below delivered to the premises of the consumer within the Tacoma area by any seller shall be the prices set forth in the appropriate column and line of the appropriate table stated below.

TABLE I—LOCALLY PRODUCED WOOD

	Per cord
Green slab, mixed mill, mill run, or veneer core, 24 inches or less in length	$6.50
Dry slab, mixed mill or mill run, 24 inches or less	10.00
Green inside block or planer ends	7.50
Dry inside block or veneer core	10.50
Dry planer ends	8.25
Miscellaneous short cuts of wood including the following: Edgings, knots, nubbins, or light planer ends	6.00
	Per unit
Sawdust, hogged fuel or shavings	$3.50

TABLE II—IMPORTED WOOD

	Per cord
Green slab, mixed mill or mill run, 24 inches or less	$9.50
Green tie slab, 24 inches or less	12.50
Dry slab, mixed mill or mill run, 24 inches or less	12.00
Planer ends or inside block, green or dry	10.00
Dry tie slab, 24 inches or less	14.00

(2) The maximum prices for the kinds and types of firewood described in Tables I and II set forth above delivered to the premises of the consumer within the Tacoma area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above, plus $0.50 per half cord for sales in half cord lots, $0.35 per third cord for sales in third cord lots, or $0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(4) For sales delivered to the premises of the consumer outside the Tacoma area but within a radius of three miles from the corporate limits of the city of Tacoma, Washington, the maximum prices provided by paragraph (c) of Order G-14 may be increased by $0.50 per cord or unit.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described

in Tables I and II of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under §§ 1499.2 or 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order No. G–14 in which situation the maximum price established by this Order G–14 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 23, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13153; Filed, July 19, 1945; 1:30 p. m.]

[Seattle Order G–16 Under 18 (c)]

CERTAIN MILLWOOD IN WHATCOM COUNTY, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum prices for all sales and deliveries at retail in the Whatcom County area of the types and kinds of firewood specified in this Order No. G–16 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G–16, *Provided, however,* That the area maximum prices established by this Order G–16 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below: (1) "Whatcom County area" means the area within the boundaries of Whatcom County, Washington, except that portion within the corporate limits of the city of Bellingham, and except that portion within the area within one mile outside the corporate limits of the city of Bellingham, Washington.

(2) "Locally produced firewood" means all wood fuels of the types and kinds described in Order G–16 produced by mills located in Whatcom County, Washington.

(3) "Imported firewood" means all wood fuels of the types and kinds described in Order G–16 produced by mills located within the United States but outside Whatcom County, Washington.

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(5) "Unit" means 200 cubic feet.

(6) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried, *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(7) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(8) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G–16.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Tables I and II set forth below delivered to the premises of the consumer within the Whatcom County area by any seller shall be the prices set forth in the appropriate column and line of the appropriate table stated below.

TABLE I—LOCALLY PRODUCED WOOD

	Per cord
Green mill slab, mixed mill, mill run, 24 inches or less	$7.50
Green veneer core, green or dry planer ends	8.00
Green tie slab, 24 inches or less	7.50
Dry mill slab, mixed mill, mill run, 24 inches or less	10.00
Dry tie slab, 24 inches or less	11.00

TABLE II—IMPORTED WOOD

	Per cord
Green mill slab, mixed mill, mill run, 24 inches or less	$8.50
Dry mill slab, mixed mill, mill run, 24 inches or less	11.00
Green tie slab, 24 inches or less	10.00
Dry tie slab, 24 inches or less	12.50

(2) The maximum prices provided in Table I set forth above for "locally produced" green tie slabwood in lengths of 24 inches or less may be increased by $1.00 per cord where the distance from the tie mill where the wood fuel is produced to the premises of the consumer where delivery is to be made exceeds ten miles.

(3) The maximum prices for the kinds and types of firewood described in Tables I and II set forth above delivered to the premises of the consumer within the Whatcom County area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above, plus $0.50 per half cord for sales in half cord lots, $0.35 per third cord for sales in third cord lots, or $0.25 per quarter cord for sales in quarter cord lots.

(4) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Tables I and II of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G–16 in which situation the maximum price established by this Order G–16 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 24, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13154; Filed, July 19 1945; 1:30 p. m.]

[Seattle Order G–17 Under 18 (c)]

MILLWOOD IN SKAGIT COUNTY, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Skagit County area of the types and kinds of firewood specified in this Order No. G–17 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G–17, *Provided, however,* That the area maximum prices established by this Order G–17 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Skagit area" means the area within the boundaries of Skagit County, Washington, except that portion within the corporate limits of the town of Anacortes, Washington, and the area within a radius of three miles from the corporate limits of the town of Anacortes, Washington.

(2) "Wood fuels" means all wood fuels of the types and kinds described in Order G–17 produced by mills located within the United States.

(3) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order No. G–17.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Skagit area by any seller shall be the prices set forth in the appropriate column and line of the table stated below.

TABLE I

Green mill slab, mill run, mixed mill, 24 inches or less	$8.50
Dry mill slab, mill run, mixed mill, 24 inches or less	11.00

(2) The maximum price provided above for green mill slab wood in lengths of 24 inches or less is applicable only to green mill slab wood in the designated lengths produced by mills located in Skagit County and Everett, Washington. The maximum price provided above for green mill slab wood in lengths of 24 inches or less may be increased by $0.50 per cord for green mill slab wood in the designated lengths produced by mills located elsewhere than in Skagit County or Everett, Washington.

(3) The maximum prices for the kinds and types of firewood described in Table I set forth above delivered to the premises of the consumer within the Skagit area in fractional lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above, plus $0.50 per half cord for sales in half cord lots, $0.35 per third cord for sales in third cord lots, or $0.25 per quarter cord for sales in quarter cord lots.

(4) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in the table of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order No. G–17 in which situation the maximum price established by this order supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499 3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 25, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13155; Filed, July 19, 1945; 1:30 p. m.]

[Seattle Order G–19 Under 18 (c)]

CERTAIN MILLWOOD IN EVERETT, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Everett, Washington, area of the types and kinds of firewood specified in this Order No. G–19 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G–19 *Provided, however,* That the area maximum prices established by this Order G–19 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Everett area" means the area within the corporate limits of the city of Everett, Washington, and a radius of within four miles of the city of Everett, Washington.

(2) "Wood fuel" means all wood fuels of the types and kinds described in Order G–19 produced by mills located within the United States.

(3) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried, *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G–19.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Everett area by any seller shall be the prices set forth in the appropriate column and line of the table stated below.

TABLE I

	Per cord
Light green mill run, mill slab, mixed mill, 24 inches or less (including wood from Weyerhaeuser mill C but not mill B)	$5.50
Heavy green mill run, mill slab, mixed mill, 24 inches or less (including wood from Weyerhaeuser mill B but not mill C)	6.50
Green mill slab, mill run, mixed mill, 4-foot lengths	6.00
Green edgings	5.00
Green inside block, timber ends	6.50

TABLE I—Continued

	Per cord
Green short blocks	$5.50
Planer ends, green or dry	7.00
Dry light or heavy mill run, mill slab, mixed mill, 24 inches or less in length	8.50
Dry inside block, timber ends	8.50
	Per unit
Sawdust, hogged fuel	$3.75

(2) The maximum prices provided in Table I set forth above delivered to the premises of the consumer within the Everett area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the table set forth above, plus $0.50 per half cord for sales in half cord lots, $0.35 per third cord for sales in third cord lots, or $0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942, including the discount for prompt payment and the discount for sales of mulitple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G–19 in which situation the maximum price established by this Order G–19 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of January 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13156; Filed, July 19, 1945; 1:29 p. m.]

[Seattle order G-20 Under 18 (c)]

CERTAIN MILLWOOD IN OLYMPIA, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Olympia area of the kinds and types of firewood specified in this Order G–20 as established by § 1499.2 and § 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G–20, *Provided, however,* That the area maximum prices established by this Order G–20 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof:

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Olympia area" means the area within the corporate limits of the city of Olympia, Wash., and the area within a radius of 5 miles from the corporate limits of the city of Olympia Wash.

(2) "Wood fuel" means wood fuels of the types and kinds described in Order G–20 produced by mills located within the United States.

(3) "Cord" means 128 cubic feet of stack wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried, *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G–20.

(c) *Maximum Prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Olympia area by any seller shall be the prices set forth in the appropriate column and line of the table stated below:

	Per cord
Green mill slab, mixed mill, mill run, 24 inches or less	$8.25
Green veneer core, veneer log nibs, veneer core nubbins	8.25
Veneer logs buzzed, 24 inches or less	13.00
Veneer logs buzzed, 4-foot lengths	12.50
Green tie slab, 24 inches or less	11.75
Dry mill slab, mixed mill, mill run, 24 inches or less	12.00
Dry veneer core	9.00
Dry tie slab, 24 inches or less	14.00
	Per unit
Sawdust	$5.00

(2) The maximum price provided in Table I set forth above for the green mill slab in 24-inch lengths or less shall not be applicable to sales at retail of green mill slab in lengths of 24 inches or less which is shipped into the Olympia, Washington, area by rail. The maximum price for sales at retail of green mill slab in lengths of 24 inches or less shipped into the Olympia area by rail delivered to the premises of the consumer within the Olympia area shall be $9.25 per cord.

(3) The maximum prices for the kinds and types of firewood described in Table I set forth above delivered to the premises of the consumer within the Olympia area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above, plus $0.50 per half cord for sales in half cord lots, $0.35 per cord for sales in third cord lots, or $0.25 per quarter cord for sales in quarter cord lots.

(4) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G–20 in which situation the maximum price established by this Order G–20 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 24, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13157; Filed, July 19, 1945; 1:28 p. m.]

[Seattle Order G-21 Under 18 (c)]

CERTAIN MILLWOOD IN RAYMOND-SOUTH BEND, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region; *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Raymond-South Bend, Washington area of the types of firewood specified in this Order No. G–21 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G–21: *Provided, however,* That the area maximum prices established by this Order G–21 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Raymond-South Bend area" means the area within the corporate limits of the town of Raymond, Washington, and the area within a radius of seven miles from the corporate limits of the town of Raymond, Washington, including the town of South Bend, Washington.

(2) "Wood fuel" means all wood fuels of the types and kinds described in Order G–21 produced by mills located in the United States.

(3) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G–21.

(8) "Zone 1" means that portion of the Raymond-South Bend area as described above within the corporate limits of the town of Raymond, Washington, and within a radius of one mile from the corporate limits of the town of Raymond, Washington.

(9) "Zone 2" means that portion of the Raymond-South Bend area lying outside the area within a radius of one mile from the corporate limits of the city of Raymond, Washington, but within a radius of five miles from the corporate limits of the town of Raymond, Washington, and includes the entire communities of Baylesville, Elk Creek, East Raymond, and Willapa, Washington. It shall also include those areas in the community of South Bend, Washington, beyond the area within a radius of five miles from the corporate limits of the town of Raymond, Washington, customarily referred to by retail fuel dealers as "flat hauls" in South Bend.

(10) "Zone 3" means that portion of the Raymond-South Bend area lying beyond the area within a radius of five miles from the corporate limits of the town of Raymond, Washington but within a radius of seven miles from the corporate limits of the town of Raymond, Washington, and includes the entire communities of Old Willapa and Menlo, Washington. It shall also include those portions of the community of South Bend customarily referred to by retail fuel dealers in the area as "hill hauls" in South Bend, Washington.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Raymond-South Bend area by any seller shall be the prices set forth in the appropriate column and line of the table stated below:

TABLE I

	Zone 1	Zone 2	Zone 3
Green mill slab, mixed mill, mill run, green inside block, green or dry planer ends, all 24 inches in length or less, per cord	$5.50	$6.25	$6.75
Green edgings, per cord	4.50	5.25	5.75
Green mill slab, mixed mill, mill run, 4-foot lengths, per cord	4.00	4.75	5.25
Green tie slab, 24 inches or less, per cord	5.50	6.25	6.75

(2) The maximum prices for the kinds and type of firewood described in Table I set forth above delivered to the premises of the consumer within the Raymond-South Bend area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the table set forth above, plus $0.50 per half cord for sales in half cord lots, $0.35 per third cord for sales in third cord lots, or $0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G–21 in which situation the maximum price established by this Order G–21 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) That date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of January 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13158; Filed, July 19, 1945; 1:28 p. m.]

[Seattle Order G-22 Under 18 (c)]

CERTAIN MILLWOOD IN CENTRALIA-CHEHALIS AREA, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, Revised General Order No. 32, and Order

of Delegation No. 34, issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Centralia-Chehalis area of the types and kinds of firewood specified in this Order No. G–22 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G–22, *Provided, however*, That the area maximum prices established by this Order G–22 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Centralia-Chehalis area" means the area within the corporate limits of the cities of Centralia and Chehalis, Washington, and the area within a radius of four miles from the corporate limits of the cities of Centralia and Chehalis, Washington.

(2) "Wood fuel" means all wood fuels of the types and kinds described in Order G–22 produced by mills located within the United States.

(3) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided*, That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G–22.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Centralia-Chehalis area by any seller shall be the prices set forth in the appropriate column and line of the table stated below:

TABLE I

	Per cord
Green mill slab, mixed mill, mill run, 24 inches or less	$6.00
Green mill slab, mixed mill, mill run, 4-foot lengths	5.75
Green inside block, green or dry planer ends	7.00
Green tie slab, 24 inches or less	8.00
Green tie slab, 4-foot or 8-foot lengths	7.00
Dry mill slab, mixed mill, mill run, 24 inches or less	8.50
Dry mill slab, mixed mill, mill run, 4-foot lengths	8.00
Dry inside block	8.50
Dry tie slab, 24 inches or less	11.50
Dry tie slab, 4-foot or 8-foot lengths	9.00

(2) Where a retail fuel dealer whose place of business is located in Chehalis, Washington, makes deliveries of the kinds and types of wood described in Table I set forth above to the premises of the consumer in that portion of the Centralia-Chehalis area within the corporate limits of the city of Centralia, Washington, or east of the corporate limits of the city of Centralia, Washington, the maximum price provided in Table I may be increased by $0.50 per cord.

(3) Where a retail fuel dealer whose place of business is located in Centralia, Washington, makes deliveries of the kinds and types of wood fuel described in Table I set forth above to the premises of the consumer in that portion of the Centralia-Chehalis area within the corporate limits of the city of Chehalis, Washington, or west of the corporate limits of the city of Chehalis, Washington, the maximum price provided in Table I may be increased by $0.50 per cord.

(4) The maximum prices for the kinds and types of firewood described in Table I set forth above delivered to the premises of the consumer within the Centralia-Chehalis area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the table set forth above, plus $0.50 per half cord for sales in half cord lots, $0.35 per third cord for sales in third cord lots, or $0.25 per quarter cord for sales in quarter cord lots.

(5) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G–22 in which situation the maximum price established by this Order G–22 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 25, 1945.

ARTHUR J. KRAUSS,
District Director.

[F.R. Doc. 45-13159; Filed, July 19, 1945; 1:27 p. m.]

[Seattle Order G-23 Under 18 (c)]

CERTAIN MILLWOOD IN KENT-AUBURN-PUYALLUP-SUMNER, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the area referred to as the Kent-Auburn-Puyallup-Sumner area of the kinds and types of firewood specified in this Order No. G–23 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G–23: *Provided, however*, That the area maximum prices established by this Order G–23 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meaning set forth below:

(1) "Kent-Auburn-Puyallup - Sumner area" means the area within the following boundaries: The area within the corporate limits of the city of Kent, Washington, and the area lying within a radius of four miles from the corporate limits of the city of Kent, Washington; the area within the corporate limits of the city of Auburn, Washington, and the area lying within a radius of four miles from the corporate limits of the city of Auburn, Washington; the area within the corporate limits of the town of Sumner, Washington, and the area lying within a radius of four miles from the corporate limits of the city of Sumner, Washington; and the area within the corporate limits of the city of Puyallup, Washington, and the area lying within a radius of four miles from the corporate limits of the city of Puyallup, Washington, except that portion of the area lying within a radius of four miles from the corporate limits of the city of Puyallup, Washington, which is within the area lying within a radius of three miles from the corporate limits of the city of Tacoma, Washington.

(2) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(3) "Unit" means 200 cubic feet.

(4) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided*, That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(5) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(6) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G–23.

(c) *Maximum prices.* (1) The maximum prices provided by this order shall be applicable only to millwood of the types and kinds of wood fuel described in the following table which is produced in the United States and shipped to the retail dealer by rail or which is hauled by the retail dealer by truck from a source of supply located more than 10 miles distant from the premises of the consumer. Except as provided in paragraph (d) hereof the maximum prices for sales at retail of the kinds and types of wood fuel subject to this order delivered to the premises of the consumer within the Kent-Auburn-Puyallup-Sumner area by any seller shall be the prices set forth in the appropriate column and line of the table stated below:

TABLE I

	Per cord
Green mill slab, mixed mill, mill run, 24 inches or less	$9.50
Green inside block, green or dry planer ends	10.00
Green tie mill slab, 24 inches or less	10.00
Dry mill slab, mixed mill, mill run, 24 inches or less	12.00
Dry tie mill slab, 24 inches or less	12.50
	Per unit
Sawdust, hogged fuel	$4.50
Sawdust, hogged fuel, shoveled into the buyer's bin	5.50

(2) The maximum prices for the kinds and types of firewood described in Table I set forth above delivered to the premises of the consumer within the Kent-Auburn-Puyallup-Sumner area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the table set forth, plus $0.50 per half cord for sales in half cord lots, $0.35 per third cord for sales in third cord lots, or $0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G–23 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 27, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13160; Filed, July 19, 1945; 1:27 p. m.]

[Seattle Order G-24 Under 18 (c)]

CERTAIN MILLWOOD IN GRAYS HARBOR COUNTY, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the area within Grays Harbor County, Washington, designated below of the types and kinds of firewood specified in this Order G–24 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G–24: *Provided, however*, That the area maximum prices established by this Order G–24 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (e) hereof.

(b) Area covered: The area within Grays Harbor County, Washington, subject to this order shall be as follows:

(1) "Elma and McCleary trading area" meaning the area within the corporate limits of the towns of Elma and McCleary, Washington, and the area within a radius of two miles from the corporate limits of either town and the area within two miles of either side of State Highway No. 9 lying between the towns of Elma and McCleary, Washington.

(2) "Satsop trading area" meaning the area within the corporate limits of the town of Satsop, Washington, and the area within a radius of two miles of the corporate limits of Satsop, Washington.

(3) "Montesano trading area" meaning the area within the corporate limits of the town of Montesano, Washington, and the area lying within a radius of two miles from the town of Montesano.

(4) "Malone and Porter trading area" meaning the area within the corporate limits of the towns of Malone and Porter, Washington, and the area lying within a radius of two miles of the corporate limits of either town.

(5) "Oakville trading area" meaning the area within the corporate limits of the town of Oakville, Washington, and the area within a radius of two miles of the town of Oakville, Washington.

(6) "Southwest Grays Harbor trading area" meaning the area within the corporate limits of each of the following towns: Markham, Ocosta, Bay City, Grayland, Westport, and Cohassett, Washington, and the area lying within a radius of two miles from the corporate limits of each of the towns mentioned above and the area within two miles on either side of State Highway No. 13–A running between the towns mentioned above.

(c) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Wood fuel" means all wood fuels of the types and kinds described in Order G–24 produced by mills located within the United States.

(2) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(3) "Unit" means 200 cubic feet.

(4) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided*, That air dried may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(5) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(6) "Producing mill" means a mill engaged in producing any of the types and kinds of wood fuel described in Order G–24.

(d) *Maximum prices.* (1) Except as provided in paragraph (e) hereof the maximum prices for sales at retail of the kinds and types of wood fuels described in the tables set forth below delivered to the premises of the consumer in the area specified in each of the tables

set forth below shall be the prices set forth in the appropriate column and line of the appropriate table.

TABLE I—ELMA AND MCCLEARY TRADING AREA

	Per cord
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	$6.00
Green inside block, dry planer ends	7.00
Green tie slab, 24 inches or less	6.00
Dry mill slab, mill run, mixed mill, 24 inches or less	7.50
Dry tie slab, 24 inches or less	7.50
Dry core block edgings	9.00
	Per unit
Sawdust	$4.00

TABLE II—SATSOP TRADING AREA

	Per cord
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	$6.50
Green inside block, dry planer ends	7.50
Green tie slab, 24 inches or less	6.50
Dry mill slab, mill run, mixed mill, 24 inches or less	8.00
Dry gore block edgings	9.50
Dry tie slab, 24 inches or less	8.00
	Per unit
Sawdust	$4.50

TABLE III—MONTESANO TRADING AREA

	Wood from whites (per cord)	*Wood from any other source* (per cord)
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	$7.00	$6.00
Green inside block, dry planer ends	8.00	7.00
Green tie slab, 24 inches or less	7.00	7.00
Dry mill slab, mill run, mixed mill, 24 inches or less	8.50	7.50
Dry core block edgings	10.00	9.00
Dry tie slab, 24 inches or less	8.50	8.50
	Per unit	*Per unit*
Sawdust	$5.00	$4.00

TABLE IV—MALONE AND PORTER TRADING AREA

	Per cord
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	$7.00
Green inside block, dry planer ends	8.00
Green tie slab, 24 inches or less	7.00
Dry mill slab, mill run, mixed mill, 24 inches or less	8.50
Dry core block edgings	10.00
Dry tie slab, 24 inches or less	8.50
	Per unit
Sawdust	$5.00

TABLE V—OAKVILLE TRADING AREA

	Per cord
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	$7.50
Green inside block, dry planer ends	8.50
Green tie slab, 24 inches or less	7.00
Dry mill slab, mill run, mixed mill, 24 inches or less	9.00
Dry core block edgings	10.50
Dry tie slab, 24 inches or less	8.50
	Per unit
Sawdust	$5.50

TABLE VI—SOUTHWEST GRAYS HARBOR COUNTY AREA

	Per cord
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	$7.50
Green inside block, dry planer ends	8.50
Green tie slab, 24 inches or less	7.00
Dry mill slab, mill run, mixed mill, 24 inches or less	9.00
Dry tie slab, 24 inches or less	8.50
	Per unit
Sawdust	$5.50

(2) The maximum prices for the kinds and types of firewood described in Tables I through VI, inclusive, set forth above delivered to the premises of the consumer within the areas described, in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate table set forth above, plus $0.50 per half cord for sales in half cord lots, $0.35 per third cord for sales in third cord lots, or $0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subpect to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(c) The maximum prices provided in paragraph (d) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Tables I through VI of paragraph (d) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G-24 in which situation the maximum price established by this Order G-24 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(f) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoices or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(g) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of January, 1945.

IRVIN A. HOFF,
Acting District Director.

[F. R. Doc. 45-13161; Filed, July 19, 1945; 1:27 p. m.]

[Seattle Order G-25 Under 18 (c)]

MILLWOOD IN SNOHOMISH, SKAGIT, WHATCOM, ISLAND COUNTY, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum prices for all sales and deliveries at wholesale in the Snohomish, Skagit, Whatcom, Island County Area of the types and kinds of firewood specified in this Order G-25 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation issued thereto are hereby adjusted to the maximum prices provided in Order G-25.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Snohomish, Skagit, Whatcom Island County area" means the area within the boundaries of Snohomish, Skagit, Whatcom, and Island Counties, all in the state of Washington.

(2) "Sale at wholesale" means a sale or selling by producing mills, wholesalers and wholesaler-processors to retail fuel dealers who purchase for resale at retail.

(3) "Sale at retail" means a sale or selling to an ultimate user.

(4) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-25.

(5) "Wholesaler" means a dealer in the types and kinds of wood fuel described in Order G-25 who purchases such wood fuel from producing mills for purposes of resale to retail fuel dealers.

(6) "Wholesaler-processor" means a dealer in wood fuel of the types and kinds described in Order G-25, who purchases such wood fuel in 4-foot or 8-foot lengths from a producing mill and who processes it to the lengths provided by Order G-25 or who segregates such wood into the types and kinds provided by Order G-25 for sale to retail fuel dealers.

(7) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(8) "Wood fuel" means all wood fuels of the types and kinds described in Order G-25 produced by mills located within the United States.

(c) *Maximum prices.* (1) The maximum prices for sales at wholesale of the kinds and types of wood fuel described in Table I set forth below in the bunker f. o. b. rail car or loaded on the purchaser's truck within the Snohomish-Skagit-Whatcom-Island County area by any seller shall be the prices set forth in the appropriate column and line of the table stated below:

TABLE I

	Per cord
Green light mill run (including wood from Weyerhaeuser Mill C) 24 inches or less in length	$2.75
Green heavy or regular mill run, mill slab, mixed mill (including wood from Weyerhaeuser Mill B) 24 inches or less	3.00
Green edgings, 24 inches or less	2.50
Planer ends, green or dry	3.50

(2) The maximum prices for sales of the types and kinds of wood fuel described in Table I set forth above by producing mills to wholesalers or wholesaler-processors shall be the prices set forth in the appropriate column and line of Table I set forth above less the producing mills discounts and differentials in effect in March 1942 for sales to wholesalers or wholesaler-processors.

(3) The maximum prices provided by this order are subject to the sellers discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for multiple cords or units.

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(56 Stat., 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of January 1945.

IRVIN A. HOFF,
Acting District Director.

[F. R. Doc. 45-13145; Filed, July 19, 1945; 12:36 p. m.]

[Seattle Order G-29 Under 18 (c)]

SAWDUST IN SEATTLE, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 75 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum prices for sales and deliveries in the Seattle, Washington, Area of the types and kinds of wood fuel specified in this Order No. G-29 as established by § 1499.2 or § 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplemental regulation thereto are hereby adjusted to the maximum prices provided in this Order G-29.

(b) *Definition.* When used in this order the following terms shall have the meanings set forth below:

(1) "Seattle, Washington area" means the area within the corporate limits of Seattle, Washington and the area within a radius of five miles north and south of the corporate limits of the city of Seattle, Washington and the area within the corporate limits of the town of Des Moines, and the area within a radius of three miles of the corporate limits of the town of Des Moines.

(2) "Half and half" means screened hog fuel and sawdust mixed in a one to one proportion.

(3) "Unit" means 200 cubic feet.

(c) *Maximum prices.* (1) The maximum prices for sawdust and half and half delivered to the premises of the consumer within the area defined as the Seattle, Washington area shall be the prices set forth for the appropriate quantity shown below:

1 unit	$6.00
1½ units	9.00
2 units	11.50
2½ units	14.25

(2) The maximum prices provided by this Order No. G-29 are subject to the sellers discounts and differentials in effect in March 1942 including the discount for prompt payment.

(d) *Invoices and records.* Every person making a sale of wood fuel for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of wood fuel sold.

(4) Description of wood fuel sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made aavilable for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-29 shall become effective June 27, 1945. Issued this 25th day of June 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13144; Filed, July 19, 1945; 12:36 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 18, 1945.

REGION VII

Denver Order F-2, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 1, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:16 p. m.

Denver Order F-2, Amendment 2, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:15 p. m.

Denver Order F-2, Amendment 3, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:15 p. m.

Denver Order F-2, Amendment 5, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 7, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 8, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 9, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:16 p. m.

Denver Order F-2, Amendment 10, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:16 p. m.

Denver Order F-2, Amendment 11, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:16 p. m.

Denver Order F-2, Amendment 12, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 13, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 14, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:18 p. m.

Denver Order F-2, Amendment 15, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:18 p. m.

Denver Order F-2, Amendment 16, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:18 p. m.

Denver Order F-2, Amendment 17, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:18 p. m.

Denver Order F-2, Amendment 18, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 19, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 20, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 21, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 22, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 23, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 24, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 25, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:20 p. m.

Denver Order F-2, Amendment 26, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:20 p. m.

Denver Order F-2, Amendment 27, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:20 p. m.

Denver Order F-2, Amendment 28, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:20 p. m.

Denver Order F-2, Amendment 29, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:21 p. m.

Denver Order F-2, Amendment 30, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:21 p. m.

Denver Order F-2, Amendment 31, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:21 p. m.

Denver Order F-2, Amendment 32, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 33, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 34, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 35, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 36, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 37, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 38, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 39, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:23 p. m.

Denver Order F-2, Amendment 40, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:23 p. m.

Denver Order F-2, Amendment 41, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:24 p. m.

Denver Order F-2, Amendment 42, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-2, Amendment 43, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-2, Amendment 44, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-2, Amendment 45, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-2, Amendment 46, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-3, Amendment 21, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:13 p. m.

Denver Order F-3, Amendment 22, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:13 p. m.

Denver Order F-3, Amendment 23, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:13 p. m.

Denver Order F-3, Amendment 24, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:31 p. m.

Denver Order F-3, Amendment 25, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:13 p. m.

Denver Order F-3, Amendment 26, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 27, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 28, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 29, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 30, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 31, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 32, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

REGION VIII

San Francisco District Order 14-F, Amendment 5, covering fresh fruits and vegetables in certain counties in California. Filed 2:15 p. m.

San Francisco District Order 15-F, Amendment 5, covering fresh fruits and vegetables in certain counties in California. Filed 2:15 p. m.

San Francisco District Order 16-F, Amendment 5, covering fresh fruits and vegetables in certain counties in California. Filed 2:15 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-13274; Filed, July 20, 1945; 4:32 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 18, 1945.

REGION I

Boston Order 1-C, Amendment 9, covering poultry in the Nantucket Counties, Massachusetts. Filed 9:54 a. m.

Boston Order F-2, Amendment 11, covering poultry in all of Connecticut, New Hampshire and Vermont and certain areas in Massachusetts. Filed 10:10 a. m.

Boston Order 7-F, Amendment 7, covering fresh fruits and vegetables in the Boston Area. Filed 9:53 a. m.

Boston Order 8-F, Amendment 6, covering fresh fruits and vegetables in the certain areas in Massachusetts. Filed 9:53 a. m.

Boston Order 9-F, Amendment 7, covering fresh fruits and vegetables in the certain areas in Massachusetts. Filed 9:54 a. m.

Boston Order 11-F, Amendment 6, covering fresh fruits and vegetables in the certain areas in Massachusetts. Filed 9:53 a. m.

REGION III

Charleston Order 7-F, Amendment 20, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:54 a. m.

Charleston Order 9-F, Amendment 20, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:54 a. m.

Charleston Order 10-F, Amendment 20, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:54 a. m.

Charleston Order 11-F, Amendment 20, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:54 a. m.

Charleston Order 14-F, Amendment 5, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:55 a. m.

Charleston Order 15-F, Amendment 17, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:55 a. m.

Charleston Order 16-F, Amendment 16, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:55 a. m.

Charleston Order 17-F, Amendment 16, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:56 a. m.

REGION V

Tulsa Order 7-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 9:56 a. m.

Tulsa Order 8-F, Amendment 19, covering fresh fruits and vegetables in certain cities in Oklahoma. Filed 9:56 a. m.

REGION VI

Duluth-Superior Order 5-W, covering dry groceries in certain cities in Minnesota and Wisconsin. Filed 10:10 a. m.

REGION VII

Denver Order F-3, Amendment 17, covering fresh fruits and vegetables in the Manitou Area, Colorado Springs. Filed 10:11 a. m.

Denver Order F-3, Amendment 18, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 10:11 a. m.

Denver Order F-3, Amendment 19, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 10:11 a. m.

Denver Order F-3, Amendment 20, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 10:02 a. m.

REGION VIII

Los Angeles Order 1-0, Amendment 4, covering eggs in certain counties in California. Filed 10:02 a. m.

Los Angeles Order 2-0, Amendment 4, covering eggs in the San Luis Obispo Area. Filed 10:03 a. m.

Los Angeles Order 15, Amendment 4, covering dry groceries in the San Luis Obispo Area. Filed 10:01 a. m.

Los Angeles Order 16, Amendment 3, covering dry groceries. Filed 10:01 a. m.

Los Angeles Order 16, Amendment 4, covering dry groceries. Filed 10:02 a. m.

Los Angeles Order 17, Amendment 3, covering dry groceries in the San Luis Obispo Area. Filed 10:02 a. m.

Los Angeles Order 17, Amendment 4, covering dry groceries. Filed 10:02 a. m.

Nevada Order 5-0, Amendment 1, covering eggs in Clark County. Filed 10:03 a. m.

Nevada Order 6-0, Amendment 1, covering eggs in certain counties in Nevada. Filed 10:04 a. m.

Nevada Order 6-F, Amendment 18-A, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 10:03 a. m.

Nevada Order 7-0, covering eggs in certain areas in Nevada. Filed 10:04 a. m.

Phoenix District Order 1-C, Amendment 4 covering poultry in certain counties in Arizona. Filed 9:58 a. m.

Phoenix Adopting Order 1-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Arizona. Filed 10:05 a. m.

Phoenix District Order 3-F, Amendment 79 covering fresh fruits and vegetables in Phoenix, Arizona. Filed 10:05 a. m.

Phoenix Adopting Order 8-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Arizona. Filed 10:05 a. m.

Phoenix Adopting Order 15, Amendment 3 covering dry groceries in the Gila Valley Area. Filed 9:56 a. m.

Phoenix Adopting Order 16, Amendment 2, covering dry groceries in the Eastern Arizona Area. Filed 9:57 a. m.

Phoenix Adopting Order 17, Amendment 1, covering dry groceries in the Cochise Area. Filed 9:57 a. m.

Phoenix Adopting Order 20-W under Basic Order 2-B, Amendment 2, covering dry groceries in the Gila Valley Area. Filed 9:58 a. m.

Portland Order 1-W, Amendment 3 covering dry groceries in certain counties in Oregon and Washington. Filed 9:59 a. m.

Portland Order 1-W, Amendment 4 covering dry groceries in certain areas in Washington and Oregon. Filed 9:59 a. m.

Portland Order 1-W, Amendment 5, covering dry groceries in certain counties in Washington and Oregon. Filed 10:00 a. m.

Portland Order 1-W, Amendment 6, covering dry groceries in certain counties in Washington and Oregon. Filed 10:00 a. m.

Portland Order 1-W, Amendment 7, covering dry groceries in certain areas in Washington and Oregon. Filed 10:00 a. m.

Portland Order 2-W, Amendment 3, covering dry groceries in certain areas in Washington and Oregon. Filed 10:01 a. m.

Portland Order 3-W, Amendment 2, covering dry groceries in certain areas in Washington and Oregon. Filed 10:01 a. m.

Portland Order 2-P, Amendment 11, covering fresh fish and seafood in Portland Vanport, Oregon and Vancouver, Washington. Filed 10:01 a. m.

Portland Order 5-F, Amendment 29, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:05 a. m.

Portland Order 6-F, Amendment 29, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:05 a. m.

Portland Order 7-F, Amendment 28, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:06 a. m.

Portland Order 8-F, Amendment 28, covering fresh fruits and vegetables in Medford, Oregon. Filed 10:06 a. m.

Portland Order 9-F, Amendment 28, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:06 a. m.

Portland Order 10-F, amendment 27, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 10:06 a. m.

Portland Order 12-F, Amendment 25, covering fresh fruits and vegetables in Salem and West Salem, Oregon. Filed 10:06 a. m.

Portland Order 13-F, Amendment 24, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:06 a. m.

Portland Order 14-F, Amendment 24 covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:06 a. m.

Portland Order 19-F, Amendment 16, covering fresh fruits and vegetables in Dalles, Oregon. Filed 10:06 a. m.

Portland Order 20, Amendment 12, covering dry groceries in certain cities in Oregon. Filed 9:59 a. m.

Portland Order 20-F, Amendment 16, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:07 a. m.

Portland Order 21-F, Amendment 15, covering fresh fruits and vegetables in Pendleton, Oregon Filed 10:07 a. m.

Portland Order 22-F, Amendment 15, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:07 a. m.

Portland Order 27-F, Amendment 14, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 10:07 a. m.

Portland Order 28, Amendment 9, covering dry groceries in certain areas in Oregon. Filed 9:59 a. m.

Portland Order 28-F, Amendment 14, covering fresh fruits and vegetables in the Haines, Enterprize, Willowa, Oregon Area. Filed 10:07 a. m.

Portland Order 29-F, Amendment 12, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:07 a. m.

Portland Order 30-F, Amendment 5, covering fresh fruits and veketables in certain cities in Washington and Oregon. Filed 10:07 a. m.

Portland Order 31-F, Amendment 2, covering fresh fruits and vegetables in the River-Hood-Clatskanie-McMinnville, Oregon and Camas, Wash. Filed 10:08 a. m.

Sacramento Adopting Order 18, Amendment 3, covering dry groceries. Filed 10:09 a. m.

Sacramento Adopting Order 19, Amendment 3, covering dry groceries. Filed 10:09 a. m.

Sacramento Adopting Order 20, Amendment 3, covering dry groceries. Filed 10:09 a. m.

Sacramento Adopting Order 21 under Basic Order 1-B, Amendment 3, covering Dairy products in certain areas in California. Filed 10:09 a. m.

Sacramento Order 29-F, Amendment 20, covering fresh fruits and vegetables in certain areas in California. Filed 10:08 a. m.

Sacramento Adopting Order 29-F under Basic Order 3-B, Amendment 21, covering fresh fruits and vegetables in certain areas in California. Filed 10:08 a. m.

Sacramento Adopting Order 29-F under Basic Order 3-B, Amendment 22, covering fresh fruits and vegetables in certain cities in California. Filed 10:08 a. m.

Sacramento Adopting Order 30-F under Basic Order 3-B, Amendment 4, covering fresh fruits and vegetables in certain areas in California. Filed 10:08 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-13373; Filed, July 23, 1945; 11:40 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-20, 59-8, 54-75]

COMMONWEALTH & SOUTHERN CORP., ET AL.

ORDER DENYING PETITIONS FOR REHEARING FOR LEAVE TO PRESENT FURTHER EVIDENCE, AND FOR STAY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of July, A. D. 1945.

In the matter of The Commonwealth & Southern Corporation (Delaware), respondent, File No. 59-20; The Commonwealth & Southern Corporation (Delaware) and its subsidiary companies, respondents, File No. 59-8; The Commonwealth & Southern Corporation (Delaware), File No. 54-75.

The Commission having on June 30, 1945, issued its order herein approving the amended plan dated June 14, 1945, filed by The Commonwealth & Southern Corporation under section 11 of the Public Utility Holding Company Act of 1935;

Certain holders of common stock represented by William H. Brantley, Jr., Elizabeth C. Lownsbury, and Alfred J. Snyder having filed a petition for rehearing on July 5, 1945; and Edward Hopkinson, Jr., James E. Gowen, Marshall S. Morgan and Clarence A. Warden, as a committee for the Commonwealth & Southern Corporation cumulative preferred stock $6 Series, having filed an answer in opposition thereto;

Albert Shassol, a holder of common stock, having on July 12, 1945, filed a request for rehearing and for leave to present further evidence;

The Commission having considered the foregoing, and being of the opinion that the petition and request for rehearing and for leave to present further evidence raise no substantial question not previously considered by the Commission in the course of the proceedings on the plan and in the related proceeding entitled Edward Hopkinson, Jr., et al., File No. 68-23, decided May 27, 1943 (Holding Company Act Release No. 4321); *It is ordered*, That said petition and request for rehearing and for leave to present further evidence be and hereby are denied.

William H. Brantley, Jr., Elizabeth C. Lownsbury and Alfred J. Snyder having on July 13, 1945, filed a "Petition to Withhold Enforcement and Stay Proceedings Toward Compliance Pending Exercise of Right of Review," in which they state that if rehearing is denied they intend to file a petition in a United States Circuit Court of Appeals for review of the Commission's order approving the amended plan, and request the Commission meanwhile to defer making application to a United States District Court for approval and enforcement of the amended plan;

The Commission being of the opinion that petitioners' right of review lies in the District Court upon the Commission's application for approval and enforcement of the amended plan pursuant to section 11 (e) of the act, and not directly in the Circuit Court of Appeals pursuant to section 24 (a);

It is ordered, That said petition for a stay of the proceedings be and hereby is denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-13317; Filed, July 21, 1945; 11:30 a. m.]

[File No. 70-973]

MISSOURI GENERAL UTILITIES CO., AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of July 1945.

Associated Electric Company ("Aelec"), a registered holding company, and its subsidiary, Missouri General Utilities Company ("Utilities"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, concerning the proposed sale by Aelec of its entire interest in Utilities, the proposed acquisition by Aelec of certain assets of Utilities, and related matters; and

The Commission having, on November 27, 1944, after notice and hearing, made and filed its findings and opinion and order (Holding Company Act Release No. 5449) granting the application and permitting the declaration to become effective; and

The Commission having, on January 25, March 27 and May 29, 1945, upon the request of applicants-declarants, extended the time for consummating said transactions to and including July 31, 1945; and

Applicants-declarants having, on July 18, 1945, advised the Commission that the parties have been unable to consummate the transactions proposed in said application-declaration within such time, and having requested that the time for such consummation be extended to and including September 30, 1945; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors to grant said request;

It is ordered, That the time for consummating said transactions be, and hereby is, extended to and including September 30, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-13318; Filed, July 21, 1945; 11:30 a. m.]

[File Nos. 54-106, 31-524; 54-107, 31-523; 59-52]

BUFFALO, NIAGARA AND EASTERN POWER CORP., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of July 1945.

In the matter of Buffalo, Niagara and Eastern Power Corporation, File Nos. 54-106, 31-524; Niagara Hudson Power Corporation, File Nos. 54-107, 31-523; Niagara Hudson Power Corporation and its subsidiary companies, File No. 59-52, Respondents.

The Commission having by order dated June 19, 1944, entered pursuant to section 11 of the Public Utility Holding Company Act of 1935, directed that Buffalo, Niagara and Eastern Power Corporation, a subsidiary of Niagara Hudson Power Corporation, change its capitalization by substituting for its presently outstanding $1.60 Cumulative Preferred Stock, Class A Stock and Common Stock, one class of stock, namely, Common Stock, and that appropriate voting power be extended to the $5 First preferred stock of Buffalo, Niagara and Eastern Power Corporation;

Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation having filed a joint application requesting an extension of time for six months within which to comply with said order of June 19, 1944; and

The Commission having found that Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation have been unable in the exercise of due diligence to comply with the provisions of said order within the initial statutory period of one year from the date thereof, and that an extension of time is necessary and appropriate in the public interest and for the protection investors and consumers; and that under the circumstances an extension shall be granted for a period of six months from June 19, 1945;

It is ordered, That Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation be, and they are hereby, granted an additional period of six months from June 19, 1945 within which to comply with said provisions of said order of June 19, 1944; such extension to be without prejudice to the applicants to apply for an additional extension if the circumstances warrant.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13319; Filed, July 21, 1945; 11:30 a. m.]

[File No. 70-1111]

NIAGARA HUDSON POWER CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of July 1945.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Niagara Hudson Power Corporation ("Niagara Hudson"), a subsidiary of The United Corporation, a registered holding company.

All interested persons are referred to said document which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Niagara Hudson, on July 16, 1945, filed an application for approval of a plan pursuant to section 11 (e) of the act regarding the reorganization of its subsidiary, Buffalo, Niagara and Eastern Power Corporation, and regarding certain related transactions by Niagara Hudson. These involve, among other things, the sale by Niagara Hudson of 41,515/100 shares of the Preferred Stock, 5% Series, of Central New York Power Corporation in order to provide part of the funds to be contributed to Buffalo, Niagara and Eastern Power Corporation for use by the latter in the retirement of its $1.60 Preferred Stock (Holding Company Act Release No. 5940).

Niagara Hudson now requests that the Commission issues an order exempting the proposed sale of its holdings of the Preferred Stock of Central New York Power Corporation from the competitive bidding requirements of Rule U-50. Applicant states that no commitment or arrangement for the sale of such securities has been made, but that in the event that an exemption is granted, it will endeavor to negotiate a contract of sale and will file an amendment regarding same with the Commission.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be permitted to become effective except pursuant to further order of the Commission;

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on August 3, 1945, at 10 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at said hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any persons desiring to be heard in these proceedings shall file with the Secretary of the Commission on or before July 31, 1945 an appropriate request therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such application, particular attention will be directed at such hearing to the following questions:

(1) Whether the proposed sale of the Preferred Stock of Central New York Power Corporation by Niagara Hudson shall be exempted from the competitive bidding requirements of Rule U-50;

(2) What terms and conditions, if any, with respect to the proposed transaction should be prescribed in the public interest or for the protection of investors and consumers;

(3) Generally, whether the proposed transaction complies in all respects with the applicable provisions of the act and the rules thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13344; Filed, July 23, 1945; 9:32 a. m.]

SURPLUS PROPERTY BOARD.

[Special Order 14]

ALUMINUM SCRAP

AUTHORIZATION TO RECONSTRUCTION FINANCE CORP. TO SELL

Regulation No. 5 of the Surplus War Property Administration (9 F.R. 12098) provided generally that government-owned aluminum scrap and aluminum scrap included in termination inventories shall not be sold below certain specified minimum prices, that aluminum scrap which is not sold because of inability to obtain the minimum price shall be delivered to storage locations operated by Metals Reserve Company (now Reconstruction Finance Corporation), and that aluminum scrap which has been delivered to such storage locations "will not be sold at any price until the issuance of further instructions or regulations on the subject."

On January 17, 1945, the Surplus Property Board by Temporary Order No. 1 (10 F.R. 767) authorized the sale for war production purposes of aluminum scrap held in such storage locations, subject to the approval of the War Production Board. The War Production Board has now advised the Surplus Property Board that this procedure should be revised so that it will not be necessary either to restrict sales of aluminum scrap to those for war production purposes or to require the approval of the War Production Board of sales of aluminum scrap.

Pending the issuance of a regulation by the Surplus Property Board to replace Regulation No. 5 of the Surplus War Property Administration, and pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U.S.C. App. Sup. IV, 1611), *It is hereby ordered*, That:

1. The Reconstruction Finance Corporation is authorized to sell or otherwise dispose of any and all aluminum scrap held by it in storage locations under Regulation No. 5 of the Surplus War Property Administration.

2. The price obtained by the Reconstruction Finance Corporation shall not be less than the minimum price specified in paragraph 1 of Regulation No. 5 of the Surplus War Property Administration for the particular grade, plus such amount as may be determined by the Reconstruction Finance Corporation to compensate, in whole or in part, for the expense to the government of transporting and storing the scrap.

3. Sales or dispositions of aluminum scrap under this order shall be handled by the Reconstruction Finance Corporation and reported by it to the Surplus Property Board in the same manner that it handles and reports other sales and dispositions of surplus property for which it acts as the disposal agency.

4. Surplus Property Board Temporary Order No. 1 (10 F.R. 767) is hereby superseded and rescinded, but Regulation No. 5 of the Surplus War Property Administration (9 F.R. 12098) is not rescinded or superseded hereby and is modified only to the extent of substituting the Reconstruction Finance Corporation for the Metals Reserve Company.

This order shall become effective immediately.

NOTE: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 17, 1945.

[F. R. Doc. 45-13347; Filed, July 23, 1945; 10:00 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 367, 375, 391a, 404, 474, 481, 489, and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

LIFEBOATS

24' x 8' x 3.73' metallic oar-propelled lifeboat (40-person peacetime capacity, 29-person wartime capacity) (General Arrangement Dwg. No. 2436, revised 4 April, 1945), submitted by Lane Lifeboat and Davit Corporation, Foot of 40th Road, Flushing, New York.

Dated: July 21, 1945.

R. R. WAESCHE,
Admiral, U. S. C. G., Commandant.

[F. R. Doc. 45-13349; Filed, July 23, 1945; 10:44 a. m.]

WAR PRODUCTION BOARD.

[Certificate 18, Revocation]

PLAN FOR ORGANIZATION OF AN IMPORTERS' GROUP

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated October 2, 1942, concerning a plan of the Board of Economic Warfare for the organization of an importers' group, to be known as Emergency Group for Foreign Vegetable Oils, Fats and Oil Bearing Materials, to handle and service foreign purchases of such fats, oils and materials by the Commodity Credit Corporation.

Dated: July 19, 1945.

J. D. SMALL,
Acting Chairman.

[F. R. Doc. 45-13348; Filed, July 23, 1945; 10:22 a. m.]

JUL 30 '45

FEDERAL REGISTER

VOLUME 10 NUMBER 147

Washington, Wednesday, July 25, 1945

The President

EXECUTIVE ORDER 9590

ESTABLISHING CERTAIN AWARDS FOR THE COAST AND GEODETIC SURVEY

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of Commerce, hereinafter referred to as the Secretary, is hereby authorized to provide and issue, under such regulations as he may prescribe, a Coast and Geodetic Survey Distinguished Service Ribbon to any commissioned officer of the Coast and Geodetic Survey or to any ship's officer or member of the crew of any Coast and Geodetic Survey ship who since September 8, 1939, has distinguished himself, or during the present war shall distinguish himself, by outstanding conduct or service in the line of duty.

2. The Secretary is hereby authorized to provide and issue, under such regulations as he may prescribe, a Coast and Geodetic Survey Meritorious Service Ribbon to any commissioned officer of the Coast and Geodetic Survey or to any ship's officer or member of the crew of any Coast and Geodetic Survey ship who since September 8, 1939, has rendered, or during the present war shall render, service of a meritorious character but not of such an outstanding character as would warrant an award of the Coast and Geodetic Survey Distinguished Service Ribbon.

3. The Secretary is hereby authorized to provide and issue, under such regulations as he may prescribe, a Coast and Geodetic Survey Good Conduct Ribbon to members of the crew of Coast and Geodetic Survey vessels for exemplary behavior, efficiency, and fidelity.

4. The Secretary is hereby authorized to provide and issue, under such regulations as he may prescribe, a Coast and Geodetic Survey Atlantic War Zone Ribbon and a Coast and Geodetic Survey Pacific War Zone Ribbon to each commissioned officer of the Coast and Geodetic Survey and to each ship's officer or member of the crew of any Coast and Geodetic Survey ship who during any period between December 7, 1941, and a date six months subsequent to the termination of the present war shall have served outside the continental limits of the United States in the Atlantic and Pacific areas, respectively, such areas to be more precisely defined in the regulations hereby authorized.

5. The Secretary is hereby authorized to provide and issue, under such regulations as he may prescribe, a Coast and Geodetic Survey Defense Service Ribbon to each commissioned officer of the Coast and Geodetic Survey, and to each ship's officer or member of the crew of any Coast and Geodetic Survey ship who served at any time during the period beginning September 8, 1939, and ending December 6, 1941.

6. No more than one ribbon of each type herein authorized shall be issued to any one person, but for each succeeding deed or service justifying a similar award a suitable device may be awarded to be worn with the ribbon.

7. Ribbons authorized herein shall be awarded only for services performed under jurisdiction of the Secretary of Commerce, except the Good Conduct Ribbon authorized in paragraph 3. War Zone ribbons for any area shall not be awarded to persons eligible for Army or Navy area campaign medals for services in the same area.

8. The Secretary is hereby authorized to provide and issue an appropriate medal, with suitable appurtenances, to the recipient of any ribbon at such time as he may determine, and when necessary funds are available therefor.

9. The design of the medals and ribbons herein authorized shall not duplicate the design of any medals or ribbons awarded by the War or Navy Department or the War Shipping Administration.

(Continued on p. 9205)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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10. The Secretary may delegate his authority hereunder and may issue such other regulations as may be appropriate to carry out the provisions of this order.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 21, 1945.

[F. R. Doc. 45-13510; Filed, July 24, 1945; 11:11 a. m.]

EXECUTIVE ORDER 9591

AMENDING THE FOREIGN SERVICE REGULATIONS OF THE UNITED STATES

By virtue of the authority vested in me by section 1745 of the Revised Statutes of the United States (22 U.S.C. 127), and by section 7 of the act of February 23, 1931 (22 U. S. C. 23L), it is hereby ordered as follows:

1. The Tariff of the United States Foreign Service Fees, prescribed by Section V–15 (22 CFR 105.15) of the Foreign Service Regulations of the United States (Executive Order No. 7968[1] as amended by Executive Order Nos. 8297,[2] 9303,[3] 9407,[3] and 9507[3]), is amended as follows:

(a) Item No. 6 is amended by changing the eighth heading thereunder to read: "Issue of card or certificate of identity and registration ..... $1.00".

(b) Item No. 8 is revoked.

(c) Item No. 34 is amended by changing the words "office forms" occurring therein to "official forms".

2. Section V–23 (22 CFR 105.23[1]) of the Foreign Service Regulations of the United States (Executive Order No. 7968[1]) is amended as follows:

(a) The term "disbursing officers" occurring in subdivision (a) (2) is changed to "disbursing agents".

(b) Subdivision (b) is revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 21, 1945.

[F. R. Doc. 45-13508; Filed, July 24, 1945; 11:10 a. m.]

EXECUTIVE ORDER 9592

EXTENSION OF THE PROVISIONS OF EXECUTIVE ORDER NO. 9001[1] OF DECEMBER 27, 1941, TO CONTRACTS OF THE OFFICE OF WAR INFORMATION AND THE OFFICE OF ALIEN PROPERTY CUSTODIAN

By virtue of the authority vested in me by Title II of the First War Powers Act, 1941 (55 Stat. 838), and deeming that such action will facilitate the prosecution of the war, I hereby extend the provisions of Executive Order No. 9001 of December 27, 1941, as amended, to the Office of War Information with respect to all contracts made or to be made by it, and to the Office of Alien Property Custodian with respect to contracts to be made by it under authority contained in the National War Agencies Appropriation Act, 1946, for the temporary employment of persons or organizations for special services without regard to the civil service and classification laws; and subject to the limitations and regulations contained in the said Executive order, as amended, I hereby authorize the Director of the Office of War Information and the Alien Property Custodian, and such other officers and employees as they may respectively designate, to perform and exercise, as to their respective agencies, all of the functions and powers vested in and granted to the Secretary of War, the Secretary of the Navy, and the United States Maritime Commission by such Executive order, as amended.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 21, 1945.

[F. R. Doc. 45-13509; Filed, July 24, 1945; 11:10 a. m.]

[1] 3 CFR, Cum. Supp.
[2] 3 CFR, 1943 Supp.
[3] 3 CFR 1944 Supp.

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

TRANSFER OF EMPLOYEES

In § 18.9 (9 F.R. 7235, 7351, 15135; 10 F.R. 2153), paragraph (e) is amended by the addition of subparagraph (6) as follows:

§ 18.9 *Transfer.* • • •

(e) *Reemployment benefits.* • • •

(6) An employee having reemployment rights by reason of transfer who has not been involuntarily terminated or furloughed by the agency or public or private enterprise to which so transferred may exercise such rights and may be reemployed in accordance with the provisions of this paragraph by the agency in which he has reemployment rights whenever such action is agreed to by such agency, the employee, and his present agency or private or public enterprise: *Provided*, That such agreement is reached before termination of the employee's services or on or before the fortieth day following termination.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

JUNE 4, 1945.

[F. R. Doc. 45-13456; Filed, July 24, 1945; 9:57 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farm Security Administration[1]

PART 300—GENERAL

DELEGATION OF AUTHORITY TO ASSISTANT ADMINISTRATOR WITH RESPECT TO REAL ESTATE AND REAL ESTATE LENDING AND SERVICING, RURAL REHABILITATION LENDING AND SERVICING, COOPERATIVE AND MEDICAL AND HEALTH PROGRAMS

Section 300.15 of Title 6, Code of Federal Regulations, is amended and modified to read as follows:

§ 300.15 *Delegation of authority to Assistant Administrator with respect to real estate lending and servicing and rural rehabilitation loans.* By virtue of the authority vested in the Administrator of Farm Security Administration by the War Food Administrator in Memorandum No. 37, dated March 13, 1944 (9 F. R. 2840-2841), and the Delegation of Authority, dated August 2, 1944 (9 F.R. 9389), and continued in effect by Executive Order 9577, dated June 29, 1945 (10 F. R. 8087), there is hereby delegated to C. Stott Nobel, Assistant Administrator of Farm Security Administration:

(a) The power and authority, subject to the jurisdiction and control of the Administrator, to do all things the Administrator is required or empowered to do which are necessary or advisable to administer and supervise the activities of Farm Security Administration under: (1) the Farm Ownership Division, the Project Sales Division, and the Engineering Division pertaining to real estate, real estate lending and servicing, the liquidation of resettlement projects and rural rehabilitation projects for resettlement purposes, including but not limited to land-leasing, land-purchasing associations and defense relocation corporations, except the power and authority to compromise claims pursuant to section 41 (g) of the Bankhead-Jones Farm Tenant Act; (2) the Rural Rehabilitation Division, pertaining to making and servicing rural rehabilitation loans, including but not limited to joint-ownership and master-borrower loans; (3) the Cooperative Division; and (4) the medical and health programs.

(b) This delegation shall: (1) supersede the delegation of authority to the Assistant Administrator issued January 10, 1945 (10 F.R. 509); and (2) revoke or modify other existing authorizations and instructions only to the extent such other authorizations and instructions are in conflict herewith.

(c) In his discretion, the Assistant Administrator may redelegate any of the power or authority granted herein to subordinates under his jurisdiction and may revoke or modify existing authorities within the scope of this delegation.

(d) In the absence of the Assistant Administrator, or in the event of his inability to carry out the authority herein delegated, such authority may be exercised by the Acting Assistant Administrator serving in his place and stead.

(e) This delegation shall have effect as of March 28, 1945, and shall remain in effect until revoked or modified by subsequent delegations.

Issued this 7th day of July 1945.

[SEAL] FRANK HANCOCK,
Administrator.

[F. R. Doc. 45-13511; Filed, July 24, 1945; 11:18 a. m.]

[1] Formerly War Food Administration.

TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders

[WFO 140]

PART 1410—LIVESTOCK AND MEATS

RESTRICTIONS ON SHIPMENT OF LAMBS

The fulfillment of requirements for war and essential civilian needs has created a shortage in the supply of meat for war needs, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1410.29 *Restrictions on the shipment of lambs*—(a) *Definitions.* (1) "Lamb" means a young animal of the ovine species of either sex, the maximum age limits of which are approximately 12 months.

(2) "Federally inspected slaughterer" means any slaughterer whose establishment is operated under Federal inspection pursuant to the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U. S. C. 71, and as extended by Public Law 602, 77th Congress, approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(3) "Designated area" means the counties of Hood River, Clackamas, Marion, Linn, Lane, Douglas, and Jackson, in the State of Oregon, and all that part of the State of Oregon lying west of these counties.

(4) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(5) "Director" means the Director of Marketing Services, United States Department of Agriculture.

(b) *Shipment of lambs into designated area.* No person shall ship lambs from any point outside of the designated area to any point within the designated area except to a federally-inspected slaughterer, and no person other than a federally-inspected slaughterer located in the designated area may accept delivery of lambs shipped from any point outside of the designated area.

(c) *Records and reports.* The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records, and other writings, premises, livestock, meat, meat products or animal fats of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by a request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(f) *Violations.* Any person who violates any provision of this order may in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 140, Livestock and Meats Branch, Office of Marketing Services, Department of Agriculture, Washington 25, D. C.

(i) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(j) *Effective date.* This order shall be effective from 12:01 a. m. July 23, 1945, until 12:01 a. m. October 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 21st day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13512; Filed, July 24, 1945; 11:18 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation 23]

PART 102—CONTROL OF LIGHTING WITHIN RESTRICTED ZONES

WASHINGTON, OREGON AND CALIFORNIA RESCISSION OF LIGHTING RESTRICTIONS

JULY 15, 1945.

Whereas, Public Proclamation No. 19, Headquarters Western Defense Command dated October 10, 1943 (8 F.R. 13997), was promulgated, imposing among other things, certain restrictions upon lighting within designated zones of the Western Defense Command; and

Whereas, Public Proclamation No. 20, Headquarters Western Defense Command, dated October 28, 1943 (8 F.R. 15361), suspended the lighting restrictions of said Public Proclamation No. 19, until further notice; and

Whereas, there has been definite improvement in the military situation:

Now, therefore, I, H. C. Pratt, Major General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and of my powers and prerogatives as Command General of the Western Defense Command, do hereby declare and proclaim that, effective August 1, 1945, the lighting restrictions of said Public Proclamation No. 19 are hereby rescinded, but this rescission shall not affect any offense committed or penalty incurred under the provisions of said Public Proclamation No. 19, or any orders issued thereunder prior to the effective date hereof.

[SEAL] H. C. PRATT,
Major General, U. S. Army,
Commanding.

Confirmed:

EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 45-13404; Filed, July 23, 1945; 2:38 p. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO RULE RELATING TO CURRENT REPORTS TO BE FILED AND ADOPTION OF RULE REQUIRING QUARTERLY REPORTS BY CERTAIN COMPANIES ENGAGED IN WAR PRODUCTION

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly sections 13 and 23 (a) thereof, hereby takes the following action:

I. Section 240.13a-6 [Rule X-13A-6] is amended by adding thereto the following new subparagraph (f):

§ 240.13a-6 *Current reports.* • • •

(f) A current report shall be filed by the registrant whenever it has received effective notice of the termination in whole or part of any war contract held by the registrant or its subsidiaries if the dollar value of the business covered by the terminated portion of such contract amounts to 20% or more of the total sales of the registrant and its subsidiaries for the most recently ended fiscal year. Such current report shall be filed promptly by registered, special delivery mail, sent not later than midnight of the day following that on which effective notice of the termination of such contract was received. Three copies of the report shall be filed with the Commission and one copy shall be filed with each exchange on which any security of the registrant is registered. The report may be filed in any form but shall state (i) the estimated dollar value of the business covered by the terminated portion of such contract, and (ii) if practicable, the estimated dollar value of the unfilled portion of other war contracts held by the registrant and its subsidiaries. The report called for by this paragraph shall be filed under confidential cover in accordance with the provisions of Rule X-24B-2 (a) and (b) (1) and will be made public only with the approval of the procurement agency involved. For the purposes of this rule the term "war contracts" shall be defined as set forth in Rule X-13A-6A.

Effective July 23, 1945.

II. The following new § 240.13a-6a [Rule X-13a-6a] is adopted:

§ 240.13a-6a *Quarterly reports by certain companies engaged in war production.* (a) The provisions of this rule shall be applicable only to issuers of securities as to which both the following conditions exist:

(1) The issuer files annual reports on Form 10-K or 11-K, or includes a report on one of such forms as Part II of Form 16-K and

(2) More than 25% of the sales or operating revenue of the registrant and its subsidiaries during the most recently ended fiscal year were derived from one or more war contracts. For the purposes of this rule the term "war contracts" shall include (i) any prime contract with the United States Government or any of its allies connected with or related to the prosecution of the war, and (ii) any subcontract or supply order arising out of any such prime contract; *Provided*, That if the nature of the registrant's business is such that it is otherwise impracticable without unreasonable effort and expense to determine the amount of business derived from such contracts, the registrant may rely upon determinations or estimates made for the purposes of the Federal Renegotiation Act and in such case this rule shall be applicable if more than 25% of the sales or operating revenues of the registrant were either (*a*) subject to renegotiation or (*b*) were specifically exempted from renegotiation by subsection (i) of the Federal Renegotiation Act.

(b) Each company subject to this rule shall file, for each quarter of each fiscal year beginning after June 30, 1944, a report on Form 8-K containing the information called for by Item 11 of such form.

(c) Reports required by this rule shall be filed not more than 30 days after the close of the fiscal quarter for which the report is filed or not more than 30 days after the effective date of this rule, whichever is later. (Sec 13, 48 Stat. 894, 15 U.S.C. 78m; sec. 23, 48 Stat. 901; sec. 8, 49 Stat. 1379, 15 U.S.C. 78w) [Gen. Rules and Regs., Rule X-13A-6A effective July 23, 1945]

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-13514; Filed, July 24, 1945; 11:22 a. m.]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO FORM 8-K FOR CURRENT REPORTS AND AMENDMENTS TO INSTRUCTIONS FOR THE USE THEREOF

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly sections 13 and 23 (a) thereof, hereby takes the following action:

I. Paragraph 1 of the instructions to Form 8-K is amended to read as follows:

1. Rule governing the use of Form 8-K. This form is to be used for the current reports required by Rules X-13A-6 and X-13A-6A.

II. The instructions to Form 8-K are amended by inserting immediately after paragraph 2 the following new paragraph 2A:

2A. Rule X-13A-6a provides as follows:

(a) The provisions of this rule shall be applicable only to issuers of securities as to which both the following conditions exist:

(1) The issuer files annual reports on Form 10-K or 11-K, or includes a report on one of such forms as Part II of Form 16-K and

(2) More than 25% of the sales or operating revenues of the registrant and its subsidiaries during the most recently ended fiscal year were derived from one or more war contracts. For the purposes of this rule the term "war contracts" shall include (i) any prime contract with the United States Government or any of its allies connected with or related to the prosecution of the war, and (ii) any subcontract or supply order arising out of any such prime contract; *Provided*, That if the nature of the registrant's business is such that it is otherwise im-

practicable without unreasonable effort and expense to determine the amount of business derived from such contracts, the registrant may rely upon determinations or estimates made for the purposes of the Federal Renegotiation Act and in such cases this rule shall be applicable if more than 25% of the sales or operating revenues of the registrant were either (a) subject to renegotiation or (b) were specifically exempted from renegotiation by subsection (i) of the Federal Renegotiation Act.

(b) Each company subject to this rule shall file, for each quarter of each fiscal year beginning after June 30, 1944, a report on Form 8–K containing the information called for by Item 11 of such form.

(c) Reports required by this rule shall be filed not more than 30 days after the close of the fiscal quarter for which the report is filed or not more than 30 days after the effective date of this rule, whichever is later.

III. Form 8–K is amended by adding under the caption "Items of Information" the following new paragraph 11:

11. If the report is being filed pursuant to the provisions of Rule X–13A–6A, furnish the following information:

Fiscal quarter ending ----------

(a) Total dollar amount of sales or operating revenues during the period.

(b) Total dollar amount of sales pursuant to war contracts during the period.

(c) Dollar amount of unfilled war contracts as at the beginning of the period.

(d) Dollar amount of unfilled war contracts at the close of the period.

(1) If disclosure of the information called for by this item would for any reason be in contravention of the Code of Wartime Practices, or the security regulations of the procurement agency involved, the report shall be filed under confidential cover in accordance with the provisions of Rule X–24B–2 (a) and (b) (1), and will be made public only with the approval of the procurement agency involved.

(2) The first report filed pursuant to Rule X–13A–6A may, if desired, cover two or more fiscal quarters for which reports are required. In such case, the information called for by subparagraphs (a) and (b) may cover two or more quarters as appropriate and the information called for by subparagraphs (c) and (d) may be as of the beginning and end, respectively, of the period covered by the report. The period covered by the report shall be clearly indicated.

(3) The required information shall be given as to the registrant, or, if consolidated financial statements are included in the registrant's annual report, for the registrant and its consolidated subsidiaries: *Provided, however*, That information as to foreign subsidiaries may be omitted if an indication of such omission is given. In addition, the information shall be given as to any unconsolidated subsidiary or group of subsidiaries for which separate or group statements are required to be filed in the annual report.

(4) In the case of cost-plus-a-fixed-fee contracts involving the manufacture and delivery of products, the aggregate amount of presently reimbursable costs and fees should be included in sales; there should also be reflected in unfilled orders that portion of total estimated reimbursable costs and fees applicable to the uncompleted portion of CPFF contracts which has not been included in sales.

(5) The amount of unfilled orders should be computed without regard to "open-end", "requirements" or similar contracts (whether fixed price or cost-plus-fixed-fee). The exclusion of such contracts in computing unfilled orders should, however, be indicated. No information need be given as to unfilled orders if a major portion of all sales pursuant to war contracts is comprised of sales pursuant to "open-end", "requirements" or similar contracts or of sales of articles which in general are produced prior to receipt of orders therefor. In such case, however, an appropriate explanation of the circumstances shall be given.

(6) If it is impracticable, in view of the nature of the business done, to segregate unfilled orders as between war contracts and other contracts, information may be given as to all unfilled orders without segregation. Information as to sales under war contracts during the period of report may be given on an estimated basis. An appropriate explanation of the circumstances shall, however, be given by means of footnote or otherwise.

Effective July 23, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13513; Filed, July 24, 1945; 11:22 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

REMITTANCES FOR LIVING EXPENSES TO NATIONALS OF BLOCKED COUNTRIES

JULY 24, 1945.

General License No. 32, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to Foreign Funds Control.

General License No. 32 is hereby amended to read as follows:

§ 131.32 *General License No. 32—(a) Certain remittances for living expenses authorized.* A general license is hereby granted authorizing remittances by any person through any domestic bank to any individual who is a national of a blocked country and who is within any foreign country, and any domestic bank is authorized to effect such remittances, provided the following terms and conditions are complied with:

(1) Such remittances are made only for the necessary living expenses of the payee and his household and do not exceed $1,000 in any one calendar month to any one household; *Provided, however*, That if the payee is within Portugal, Spain, Sweden, Switzerland, or Tangier and such payee is a national of Germany, Italy, Japan, Bulgaria, Hungary, or Rumania, the total of all remittances effected in any calendar month under this general license may not exceed $100 to such payee and his household, except that additional sums not exceeding $25 in any one calendar month may be remitted for each member of such payee's household in addition to the payee; *Provided*, That in no case shall a sum in excess of $200 per calendar month be remitted to any such payee and his household;

(2) Such remittances are not made from a blocked account other than from an account in a banking institution within the United States in the name of, or in which the beneficial interest is held by, the payee or members of his household;

(3) If the payee is within any blocked country, the remittance may be effected only:

(i) By the payment of the dollar amount of the remittance to a domestic bank for credit to a blocked account in the name of a banking institution within such country; or

(ii) By the acquisition of foreign exchange from a person in the United States having a license specifically authorizing the sale of such exchange; *Provided, however*, That if the payee is within Switzerland, such remittance may be effected only in accordance with the terms of paragraph (a) (3) (i) hereof.

(4) If the payee is within any foreign country other than a blocked country the remittance may be effected in the same manner that such remittance would be effected if the payee were not a national of a blocked country.

(b) *Duty of persons and domestic banks acting under this license.* All persons making such remittances and all domestic banks effecting such remittances shall satisfy themselves that the foregoing terms and conditions are complied with.

(c) *Reports by domestic banks effecting remittances.* Domestic banks through which any such remittances originate shall execute promptly Section A of Form TFER–132 with respect to each such remittance. When so executed, such form shall be forwarded promptly to the domestic bank ultimately transmitting abroad (by cable or otherwise) the payment instruction for such remittance and the latter bank shall submit monthly to the appropriate Federal Reserve Bank a report on Form TFER–1, in duplicate, stating the number of remittances which were transmitted abroad during the preceding calendar month and the total dollar amount of such remittances. In cases where the domestic bank through which any such remittances originate is also the bank ultimately transmitting abroad the payment instructions for such remittances, such bank shall merely include the number and total dollar amount of such remittances in its monthly report on Form TFER–1. All information required by this paragraph to be reported on Form TFER–1 shall be stated separately for each country to which remittances are effected.

(d) *Definition.* As used in this section the term "household" shall mean:

(1) Those individuals sharing a common dwelling as a family; or

(2) Any individual not sharing a common dwelling with others as a family.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Regs., Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 45-13466; Filed, July 24, 1945; 10:57 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

REMITTANCES TO ITALY FOR LIVING EXPENSES

JULY 24, 1945.

General License No. 32A, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 32A is hereby amended to read as follows:

§ 131.32a *General License 32A—(a) Certain remittances to Italy for living expenses authorized.* A general license is hereby granted authorizing remittances by any person through any domestic bank to any individual within Italy, and any domestic bank is authorized to effect such remittances, provided the following terms and conditions are complied with:

(1) Such remittances are made only for the necessary living expenses of the payee and his household and do not exceed $1,000 in any one calendar month to any one household;

(2) Such remittances are not made from: (i) a blocked account in which any citizen or subject of a country named in paragraph 4 (b) (i) of General Ruling No. 11 has any interest, or (ii) any other blocked account except an account in a banking institution within the United States in the name of, or in which the beneficial interest is held by, the payee or a member of his household; and

(3) Such remittances are effected only by the payment of the dollar amount of the remittance to a domestic bank for credit to a post-liberation blocked account in the name of the head office of a banking institution in Italy.

(b) *Duty of persons and domestic banks acting under this license.* All persons making such remittances and all domestic banks effecting such remittances shall satisfy themselves that the foregoing terms and conditions are complied with.

(c) *Reports by domestic banks effecting remittances.* Domestic banks through which any such remittances originate shall execute promptly Section A of Form TFER–132 with respect to each such remittance. When so executed, such form shall be forwarded promptly to the domestic bank ultimately transmitting abroad (by cable or otherwise) the payment instructions for such remittance and the latter bank shall submit monthly to the appropriate Federal Reserve Bank a report on Form TFER–1, in duplicate, stating the number of remittances which were transmitted abroad during the preceding calendar month and the total dollar amount of such remittances. In cases where the domestic bank through which any such remittances originate is also the bank ultimately transmitting abroad the payment instructions for such remittances, such bank shall merely include the number and total dollar amount of such remittances in its monthly report on Form TFER–1.

(d) *Reports by domestic banks maintaining post-liberation blocked accounts.* Domestic banks maintaining post-liberation blocked accounts pursuant to this general license shall report promptly the establishment of such accounts, and the balances therein at the end of each calendar month, to the appropriate Federal Reserve Bank.

(e) *Refunds.* Domestic banks are authorized to refund the amount of any remittance ordered pursuant to this section when such domestic banks are advised that such remittance cannot be effected.

(f) *Waiver of General Ruling No. 5A.* Domestic banks are authorized, notwithstanding General Ruling No. 5A, to send to and receive from the head offices of banking institutions within Italy nonnegotiable bank payment orders covering remittances or refunds authorized herein.

(g) *Definitions.* As used in this section:

(1) The term "household" shall mean:

(i) Those individuals sharing a common dwelling as a family; or

(ii) Any individual not sharing a common dwelling with others as a family.

(2) The term "post-liberation blocked account" shall mean a blocked account:

(i) Which is established pursuant to this license or any other license or other authorization expressly referring to a post-liberation blocked account;

(ii) To which funds may be credited only pursuant to this license or any other license or other authorization expressly referring to a post-liberation blocked account; and

(iii) With respect to which payments, transfers, or withdrawals or other dealings may not be made or effected except pursuant to this license or any other license or other authorization expressly referring to a post-liberation blocked account.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941, E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Reg. Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 45-13465; Filed, July 24, 1945; 10:57 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

REMITTANCES TO U. S. CITIZENS IN FOREIGN COUNTRIES

JULY 24, 1945.

General License No. 33, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 33 is hereby amended to read as follows:

§ 131.33 *General License No. 33—(a) Certain remittances to United States citizens in foreign countries authorized.* A general license is hereby granted authorizing remittances by any person through any domestic bank to any individual who is a citizen of the United States within any foreign country and any domestic bank is authorized to effect such remittances, provided the following terms and conditions are complied with:

(1) Such remittances do not exceed $1,000 in any one calendar month to any payee and his household and are made only for the necessary living and traveling expenses of the payee and his household, except that an additional sum not exceeding $1,000 may be remitted once to such payee if such sum will be used for the purpose of enabling the payee or his household to return to the United States;

(2) Such remittances are not made from a blocked account other than from an account in a banking institution within the United States in the name of, or in which the beneficial interest is held by, the payee or members of his household.

(b) *Methods of effecting remittances.* Remittances herein authorized shall be effected pursuant to the terms and conditions of (3) or (4), as the case may be, under § 131.32 (a), General License No. 32. If remittances cannot be effected pursuant to (3) under § 131.32 (a), General License No. 32, domestic banks are authorized to effect such remittances in any of the following three ways:

(1) By establishing or maintaining free dollar accounts;

(2) By payment of the dollar amount of the remittance to a domestic bank for credit to a blocked account in the name of a banking institution within any blocked country; or

(3) By payment of the dollar amount of the remittance to a domestic bank for credit to the dollar account of a banking institution which is not a national of any blocked country.

(c) *Duty of persons and domestic banks acting under this license.* All persons making such remittances and all domestic bank effecting such remittances shall satisfy themselves that the foregoing terms and conditions are complied with.

(d) *Reports by domestic banks effecting remittances.* With respect to each remittance made pursuant to this general license, reports shall be executed and filed in the manner and form and under the conditions prescribed in § 131.32, General License No. 32.

(e) *Definition.* As used in this general license the term "household" shall be deemed to have the meaning prescribed in § 131.32, General License No. 32.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13463; Filed, July 24, 1945; 10:57 a. m.]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

LICENSES AND AUTHORIZATIONS WITH RESPECT TO JAPAN

JULY 24, 1945.

Revocation of Public Circular No. 7B under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, Sections 3 (a) and 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Public Circular No. 7B, issued April 22, 1944, is hereby revoked.

(Sec. 3 (a), 40 Stat. 412; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13464; Filed, July 24, 1945; 10:57 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 325]

PART 626—REOPENING AND CONSIDERING ANEW REGISTRANT'S CLASSIFICATION

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 626.1 to read as follows:

§ 626.1 *Classification not permanent.* • • •

(b) Each classified registrant and each person who has filed a request for the registrant's deferment shall, within 10 days after it occurs, report to the local board in writing any fact that might result in the registrant being placed in a different classification. Any other person should, within 10 days after knowledge thereof, report to the local board in writing any such fact.

2. Amend § 626.2 by deleting paragraph (b) thereof in its entirety.

3. Amend § 626.2-1 to read as follows:

§ 626.2-1 *When registrant's classification shall be reopened and considered anew.* The local board shall reopen and consider anew the classification of a registrant upon the written request of the State Director of Selective Service or the Director of Selective Service and upon receipt of such request shall immediately cancel any Order to Report for Induction (Form 150) or any Order to Report for Work of National Importance (Form 50) which may have been issued to the registrant: *Provided*, That after a registrant has left the local board for delivery pursuant to an Order to Report for Work of National Importance (Form 50) the local board shall reopen and consider anew the classification of such registrant only upon the written request of the Director of Selective Service.

4. Amend § 626.14 to read as follows:

§ 626.14 *Form 150 and Form 50 to be cancelled when classification reopened.* When the local board has reopened the classification of a registrant, it shall cancel any Order to Report for Induction (Form 150) or Order to Report for Work of National Importance (Form 50) which may have been issued to the registrant. If after the registrant's classification is reopened he is classified anew into a class available for service, he shall be ordered to report for induction or for work of national importance under civilian direction, as the case may be, in the usual manner.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 19, 1945.

[F. R. Doc. 45-13409; Filed, July 23, 1945; 4:18 p. m.]

[Amdt. 326]

PART 627—APPEAL TO BOARD OF APPEAL

MISCELLANEOUS ADMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend § 627.1 by changing the title to read as follows:

§ 627.1 *Appeal by Director and State Director.* • • •

2. Amend paragraphs (a) and (c) and add paragraph (d) of § 627.2 to read as follows:

§ 627.2 *Appeal by registrant and others.* (a) The registrant, any person who claims to be a dependent of a registrant, any person who has filed written evidence of the occupational status of a registrant, or the government appeal agent may appeal to a board of appeal from any classification of a registrant by the local board except that no such person may appeal from the determination of the registrant's physical or mental condition by the examination physician, the examining station of the armed forces, or the local board.

• • • • •

(c) The registrant, any person who claims to be a dependent of the registrant, or any person who has filed written evidence of the occupational status of the registrant may take an appeal authorized under paragraph (a) above at any time within the following periods:

(1) Within 10 days after the date the local board mails to the registrant a Notice of Classification (Form 57); or

(2) Within 30 days after the date the local board mails to the registrant a Notice of Classification (Form 57), if, on that date, it appears that the registrant is located in one and the local board which classified the registrant is located in another of the following: the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States; or

(3) Within 30 days after the date the local board mails to the registrant a Notice of Classification (Form 57) if, on that date, it appears that the registrant is located in Canada, Cuba, Mexico, or the Canal Zone; or

(4) Within 60 days after the date the local board mails to the registrant a Notice of Classification (Form 57), if, on that date, it appears that the registrant is located outside the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, the Virgin Islands of the United States, Canada, Cuba, Mexico, and the Canal Zone.

(d) At any time prior to the date the local board mails to the registrant an Order to Report for Induction (Form 150), the local board may permit any person described in paragraph (c) of this section to appeal even though the period for taking an appeal has elapsed, if it is satisfied that the failure of such person to appeal within such period was due to a lack of understanding of the right to appeal, or to some cause beyond the control of such person. Unless the local board thereafter permits an appeal, the right of such persons to appeal shall expire at the end of the period provided for in paragraph (c) of this section. If an extension of time to appeal is granted by the local board, a record thereof shall be entered on the Selective Service Questionnaire (Form 40) under the heading "Minutes of Other Actions."

3. Amend paragraph (a) of § 627.14 to read as follows:

§ 627.14 *Time when record to be forwarded on appeal.* (a) Except as may be otherwise directed by the Director of Selective Service, when an appeal is taken from the classification of a registrant in Class I-A, Class I-A-O, or Class IV-E, the file of the registrant shall be held by the local board and shall not be forwarded to the board of appeal or the State Director of Selective Service, as the case may be, until (1) the registrant has been ordered to report for his preinduction physical examination in the usual manner when his order number is reached, and (2) the results of the preinduction physical examination have been received by the local board or the registrant has failed to appear for his preinduction physical examination at the time he is ordered to do so. If as a result of a preinduction physical examination such registrant is found to be disqualified for any military service or to be qualified for limited military service only, his classification shall be reopened and the registrant shall be placed in the first class listed in § 623.21 for which he is eligible. In such cases the appeal will not be forwarded unless an appeal is taken from the classification given the registrant by the local board after such reopening.

• • • • •

4. Amend § 627.31 to read as follows:

§ 627.31 *Procedure of local board when advised of decision of board of appeal.* When the local board receives notice of the decision of a case by the board of appeal, it shall:

(1) Mail a Notice of Classification (Form 57) to the registrant. Also mail a Classification Advice (Form 59) to the government appeal agent, to every person who has on file an official form of the Selective Service System or other document requesting the current deferment of the registrant, and, if the appeal was taken by a person other than any of the foregoing or the registrant, to the person who took the appeal.

(2) If one or more members of the board of appeal dissented from the determination of that board, indicate on such notice the numerical division of the board of appeal.

(3) Enter on the Classification Record (Form 100) the date of mailing such notice and advice.

(4) If the local board classification of the registrant has been changed by the board of appeal, enter the new classification in the Classification Record (Form 100) and, with red ink, draw a line through the local board classification.

5. Amend § 627.41 by changing the title to read as follows:

§ 627.41 *Appeal postpones induction.* • • •

6. Amend paragraph (a) of § 627.51 to read as follows:

§ 627.51 *Appeal may be taken by registrant from local board's determination in certain cases.* (a) When a registrant has requested his local board to make a determination under the provisions of § 619.1, or § 622.22-2, or § 622.25-2, and the local board has made a determination upon such request, the registrant may file a written notice of appeal from his local board's determinaton thereon within 10 days from the date the local board mailed notice of such determination.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 19, 1945.

[F. R. Doc. 45-13410; Filed, July 23, 1945; 4:18 p. m.]

[Admt. 327]

PART 629—PHYSICAL EXAMINATION

PREINDUCTION EXAMINATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Amend § 629.1 to read as follows:

§ 629.1 *Who will be examined.* Every registrant, before he is ordered to report for induction, shall be given a preinduction physical examination under the provisions of this part unless (a) he signs a Request for Immediate Induction (Form 219), (b) he is a delinquent, or (c) he has received a physical examination outside of the United States in accordance with special procedures prescribed by the Director of Selective Service.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 23, 1945.

[F. R. Doc 45-13411; Filed, July 23, 1945; 4:18 p. m.]

[Amdt. 328]

PART 629—PHYSICAL EXAMINATION

DETERMINATION OF CLASSIFICATION BY DIRECTOR

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Amend § 629.41 to read as follows:

§ 629.41 *Director to determine.* Notwithstanding any of the provisions of this part, the Director of Selective Service under such procedures as he prescribes and based upon such information concerning the registrant's physical and mental fitness as he specifies, may direct a local board to classify a registrant in Class IV-F or Class I-C, or as available for service. When he does so, the local board shall classify the registrant as directed.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 19, 1945.

[F. R. Doc. 45-13412; Filed, July 23, 1945; 4:18 p. m.]

[Amdt. 329]

PART 632—INDUCTION CALLS

MANNER OF SELECTING REGISTRANTS TO FILL INDUCTION CALLS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Amend § 632.4 to read as follows:

§ 632.4 *Manner of selecting registrants to fill an induction call for men qualified for general military service.* (a) In filling an induction call for specified men who have been found qualified for general military service, the local board, so far as possible, shall, in the sequence provided in paragraph (b) of this section, select and order to report for induction specified men ages 18 through 29, and to fill the balance of the call shall, in the sequence provided in paragraph (b) of this section, then select and order to report for induction specified men ages 30 through 37. The specified men so selected and order to report for induction

shall be men to whom the local board has mailed a Certificate of Fitness (Form 218) at least 21 days before the date fixed for induction who are available for induction and have been found qualified for general military service and who are not deferred, exempted, or relieved from liability or postponed from induction under the selective service law; *Provided* That a registrant classified in Class I–A or Class I–A–O who is a delinquent may be selected and ordered to report for induction to fill an induction call notwithstanding the fact that he has not been found qualified for general military service and has not been mailed a Certificate of Fitness (Form 218).

(b) Insofar as it is practicable to do so without affecting the usual orderly and regular flow of the Nation's manpower into the armed forces, the local board shall select and order to report for induction such specified men in the order of the groups listed below:

(1) Volunteers in the sequence they have volunteered for induction;

(2) Nonfathers in the sequence of their order numbers except that a nonfather placed in Class I–A or Class I–A–O because he left an agricultural occupation or endeavor or because he left an activity in support of the national health, safety, or interest or in war production without a determination of his local board favorable to such leaving, or who is a delinquent shall, regardless of his order number, be ordered to report for induction before any other nonfather; and

(3) Fathers in the sequence of their order numbers except that a father placed in Class I–A or Class I–A–O because he left an agricultural occupation or endeavor or because he left an activity in support of the national health, safety, or interest or in war production without a determination of his local board favorable to such leaving, or who is a delinquent shall, regardless of his order number, be ordered to report for induction before any other father.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 19, 1945.

[F. R. Doc. 45-13413; Filed, July 23, 1945; 4:19 p. m.]

[Amdt. 330]

PART 632—INDUCTION CALLS

REGISTRANTS OUTSIDE UNITED STATES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 632.4–2 to read as follows:

§ 632.4–2 *Registrants outside of the United States when ordered to report for induction.* Men ages 18 through 37 (1) may enlist or be inducted outside of the United States under special procedures prescribed by the Director of Selective Service, or (2) if outside of the United States at the time they are ordered to report for induction, may, upon their return to the United States, be inducted under special procedures prescribed by the Director of Selective Service.

2. Amend § 632.6 by deleting paragraph (b) thereof in its entirety and relettering paragraph (c) to paragraph (b).

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 23, 1945.

[F. R. Doc. 45-13414; Filed, July 23, 1945; 4:19 p. m.]

[Amdt. 331]

PART 633—DELIVERY AND INDUCTION

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 633.2 to read as follows:

§ 633.2 *Order to Report for Induction (Form 150).* * * *

(b) In case of death or extreme emergency to a person in the registrant's immediate family, serious illness of registrant, or other extreme emergency beyond the registrant's control, the local board may, after the Order to Report for Induction (Form 150) has been issued, postpone the time when such registrant shall so report for a period not to exceed 60 days from the date of such postponement, subject, however, in cases of imperative necessity, to one further postponement for a period not to exceed 60 days; and provided also that the Director of Selective Service or any State Director of Selective Service (as to registrants registered within his State) may, for good cause, at any time prior to the issuance of an Order to Report for Induction (Form 150), order a local board to postpone the issuance of such order until such time as he may deem advisable, or the Director of Selective Service or any State Director of Selective Service (as to registrants registered within his State) may, for good cause, at any time after the issuance of an Order to Report for Induction (Form 150), order a local board to postpone the induction of a registrant until such time as he may deem advisable, and no registrant shall be inducted into the land or naval forces during the period of any of such postponements.

2. Amend paragraph (a) of § 633.23 to read as follows:

§ 633.23 *Induction procedures for registrants requesting immediate induction.* (a) The local board will forward the records required under § 633.22 to the induction station for registrants who have signed a Request for Immediate Induction (Form 219).

3. Amend § 633.24 to read as follows:

§ 633.24 *Registrants inducted because of request for immediate induction or outside United States to be listed on Delivery List (Form 151).* When the local board receives a Delivery List (Form 151) from the induction station showing that a registrant who has signed a Request for Immediate Induction (Form 219) has been inducted into the armed forces without a call, or when the local board receives a Delivery List (Form 151) or other information showing that a registrant has enlisted or has been inducted into the armed forces outside the United States, it shall (1) list such registrant on the Delivery List (Form 151) for the next group selected to report for induction to fill a call and opposite the name of each such registrant under "Remarks" in column 3 enter the fact that such registrant has been inducted at the induction station or has been inducted or enlisted outside the United States, the date of such induction or enlistment, and the fact that such induction resulted from the registrant's signing a Request for Immediate Induction (Form 219), from the registrant's enlisting or being inducted outside the United States, and (2) count such registrant toward filling such induction call.

4. Amend § 633.41 to read as follows:

§ 633.41 *Classification of registrants inducted or rejected.* Upon receiving notice from the induction station that a selected man who has been forwarded for induction has been inducted or rejected, the local board shall reopen his classification and classify him anew.

5. Amend paragraph (d) of § 633.91 to read as follows:

§ 633.91 *Induction and subsequent classification of cobelligerent aliens.* (d) When it has been determined that any registrant has been inducted into the armed forces of a cobelligerent nation in the manner in this section provided, his classification shall be reopened and he shall be placed in Class I–G.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 19, 1945.

[F. R. Doc. 45-13415; Filed, July 23, 1945; 4:19 p. m.]

[Amdt. 332]

PART 643—PAROLE

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend Part 643 of the regulations to read as follows:

Sec.
643.1 Parole: general.
643.2 Definition of selective service violator.
643.3 Parole of persons required to register.
643.4 Parole of person who is not required to register.
643.5 Function of special panel local boards in recommending paroles of selective service violators.
643.6 Classification of selective service violators before recommending parole.
643.7 Selective service violator may volunteer for service.
643.8 Review by Director, and reclassification in certain cases.
643.9 Classification of selective service violator who declines to volunteer for service.
643.10 Physical examination of selective service violators who volunteer for service.
643.11 Recommendations for parole by special panel local board.
643.12 Reconsideration of selective service violators for parole.
643.13 Forwarding selective service violators for induction or assignment.
643.14 Reclassification of selective service violators forwarded for induction.
643.15 Change of parole for person who leaves service in land or naval forces.
643.16 Revocation of parole after assignment to work of national importance under civilian direction.
643.17 Terms and conditions imposed by the Attorney General.
643.18 Revocation of parole by Attorney General.
643.19 Application of general parole laws.

AUTHORITY: §§ 643.1 to 643.12, inclusive, issued under 54 Stat. 885; 50 U. S. C. App. 301–318, E.O. 8545, E.O. 9279, 3 CFR, Cum. Supp., and War Manpower Commission Administrative Order 26, Dec. 5, 1942; 7 F.R. 10512.

§ 643.1 *Parole: General.* Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and Executive Order No. 8641 of the President, dated January 18, 1941, any person who has heretofore or may hereafter be convicted of a violation of any of the provisions of the Selective Training and Service Act of 1940, or any amendment thereto, or any rules or regulations prescribed thereunder, shall after such conviction be eligible for parole for service in the land or naval forces of the United States, or for work of national importance under civilian direction, or for any other special service established pursuant to said act, in the manner and under the conditions provided for in this part.

§ 643.2 *Definition of selective service violator.* The term "selective service violator," when used in this part, shall mean and be limited to a person described in § 643.1 who is required by law to be registered and is an inmate of a penal or correctional institution having a special panel local board.

§ 643.3 *Parole of persons required to register.* Upon the recommendation of the special panel local board in the institution in which such person is confined made in conformity with this part of this part, or upon the recommendation of the Director of Selective Service, the parole provided for in § 643.1 may be granted by the Attorney General to any person required to register under the provisions of the Selective Training and Service Act of 1940, as amended, and any proclamation of the President thereunder, if in the judgment of the Attorney General it is compatible with the public interest and the enforcement of the Selective Training and Service Act of 1940, as amended. Before recommending the parole of any such person, the recommending authority shall determine and include in the recommendation whether such person should be paroled for (a) induction into the land or naval forces of the United States; or (b) induction into the land or naval forces of the United States for noncombatant service, as such service has been or may hereafter be defined; or (c) assignment to work of national importance under civilian direction in lieu of induction into the land or naval forces of the United States; or (d) assignment to such other special service as may be established by the Attorney General pursuant to the Selective Training and Service Act of 1940, as amended. If the parole is granted, it shall conform to such recommendation.

§ 643.4 *Parole of person who is not required to register.* The parole provided for in § 643.1 may be granted by the Attorney General to any person not required to register under the provisions of the Selective Training and Service Act of 1940, as amended, and any proclamation of the President thereunder, if in the judgment of the Attorney General it is compatible with the public interest and the enforcement of the Selective Training and Service Act of 1940, as amended. Such person shall thereupon be enrolled for service in the land or naval forces of the United States, if acceptable to such forces, or shall be assigned to any special service established pursuant to the Selective Training and Service Act of 1940, as amended, upon such terms and conditions as may be specified by the Attorney General, and the Attorney General is authorized to establish or designate such special services.

§ 643.5 *Function of special panel local boards in recommending paroles of selective service violators.* Special panel local boards in Federal penal or correctional institutions, in the exercise of their function of considering and recommending selective service violators for parole, shall classify such registrants in accordance with § 643.6. Such action, being a part of the parole function, shall not constitute a classification subject to appeal, but may be reviewed by the Director of Selective Service under the provisions of this part.

§ 643.6 *Classification of selective service violators before recommending parole.* (a) Each selective service violator age 18 through 37 who has served 60 days or more of his sentence after commitment shall be classified by the special panel local board in the following manner:

(1) If the registrant is found by the special panel local board to have a disqualifying physical defect, which is manifest as listed in the list of defects (Form 220), he shall be placed or retained in the first class listed in § 662.4 for which he is eligible.

(2) If it determines that the registrant should be considered for parole for induction into the land or naval forces of the United States, he shall be placed in Class I–A.

(3) If it determines that the registrant should be considered for parole for induction into the land or naval forces of the United States for noncombatant service, he shall be placed in Class I–A–O.

(4) If it determines that the registrant should be considered for parole for assignment to work of national importance under civilian direction in lieu of induction into the land or naval forces of the United States, he shall be placed in Class IV–E.

(5) If it determines that the registrant should be considered for parole for assignment to any special service established by the Attorney General pursuant to Selective Training and Service Act of 1940, as amended, he shall be placed in Class IV–E followed by the identification "Spec."

(b) Each selective service violator age 38 and over, who has served 60 days or more of his sentence after commitment, shall, unless he is already so classified, be placed in the first class listed in § 662.4 for which he is eligible.

§ 643.7 *Selective service violator may volunteer for service.* Immediately following the classification of a selective service violator under § 643.6, he shall be afforded an opportunity:

(a) If he is in Class I–A or Class I–A–O, to sign an application for Voluntary Induction (Form 165); or

(b) If he is in Class IV–E, to sign a request for assignment to work of national importance under civilian direction; or if he is in Class IV–E followed by the identification "Spec.," for assignment to special service established by the Attorney General; or

(c) If he is in one of the classes listed in § 662.4, to sign a request for assignment to special service established by the Attorney General.

§ 643.8 *Review by Director and reclassification in certain cases.* Whenever a selective service violator, after being afforded an opportunity under § 643.7 to volunteer for induction if classified in Class I–A or Class I–A–O, or to request assignment if classified in Class

IV–E, declines so to do but at that time informs a special panel local board that he will apply for a type of parole which does not correspond to his classification, the registrant's file shall be forwarded for review to the Director of Selective Service through the State Director of Selective Service having jurisdiction over the special panel local board. If the Director of Selective Service is of the opinion that the registrant should be considered for a type of parole which does not correspond to his classifications, he will request the special panel local board to reopen the registrant's classification and to place the registrant into a class specified by him. Upon receipt of such a request from the Director of Selective Service a special panel local board shall reopen the registrant's classification and shall place him in the class specified by the Director of Selective Service, and shall then afford the registrant another opportunity to volunteer for induction or to request assignment for the type of service for which he is classified.

§ 643.9 *Classification of selective service violator who declines to volunteer for service.* The special panel local board shall reopen the classification of a selective violator and place him in the first class listed in § 662.4 for which he is eligible whenever:

(1) The registrant declines to volunteer for induction and is unwilling to request assignment for any service; or

(2) After his case has been reviewed by the Director of Selective Service under § 643.7, the registrant declines to volunteer for induction or to request assignment for the type of service for which he is classified.

§ 643.10 *Physical examination of selective service violators who volunteer for service.* Each selective service violator who has been placed in Class I–A, Class I–A–O, or Class IV–E and has volunteered for induction or has requested assignment for the type of service for which he has been classified, shall be given a preinduction physical examination in accordance with the procedures prescribed by the Director of Selective Service.

§ 643.11 *Recommendations for parole by special panel local board.* (a) Each selective service violator who has been found by the special panel local board to have a disqualifying physical defect which is manifest as listed in the list of defects (Form 220), and who has requested an assignment for special service established by the Attorney General, may be recommended by the special panel local board for parole by the Attorney General for such special service.

(b) Each selective service violator who, upon preinduction physical examination, has been found to be qualified for general military service or to be acceptable for military service, shall be recommended by the special panel local board for parole by the Attorney General for the type of service for which he has been classified.

(c) Each selective service violator who, upon preinduction physical examination, has been found to be disqualified for any military service or to be qualified for limited military service only, shall be recommended by the special panel local board for parole by the Attorney General for assignment to special service established by the Attorney General.

(d) Each selective service violator who, upon being forwarded for induction, is found to be disqualified for any military service or to be qualified for limited military service only, shall be recommended by the special panel local board for parole by the Attorney General for assignment to special service established by the Attorney General.

(e) Each selective service violator age 38 or over who has served 60 days or more of his sentence after commitment, and who has requested assignment to special service established by the Attorney General, may be recommended by the special panel local board for parole by the Attorney General for such special service.

§ 643.12 *Reconsideration of selective service violators for parole.* The special panel local board may, in its discretion, at any time reopen the classification of a selective service violator who has been classified under this part and classify him anew in accordance with the provisions of this part.

§ 643.13 *Forwarding selective service violators for induction or assignment.* When a selective service violator has been recommended for parole under the provisions of this part, and his parole has been granted by the Attorney General, such registrant shall be forwarded for induction, or assigned and forwarded for work of national importance, or assigned to special service established by the Attorney General, as the case may be, in accordance with procedures prescribed by the Director of Selective Service.

§ 643.14 *Reclassification of selective service violators forwarded for induction.* The special panel local board shall reopen the classification of a selective service violator who is forwarded for induction. If he is inducted into the land or naval forces he shall be placed in Class I–C. If he is rejected at the induction station he shall be placed in the first class listed in § 662.4 for which he is eligible.

§ 643.15 *Change of parole for person who leaves service in land or naval forces.* Any person who is paroled for service in the land or naval forces of the United States but who after induction and before completion of the service specified in the order granting the parole is discharged from such forces may then be paroled by the Attorney General, upon recommendation by the Director of Selective Service, to any special service established by the Attorney General pursuant to the Selective Training and Service Act of 1940, as amended, or may be returned to a penal or correctional institution to complete the sentence originally imposed with or without deduction for the time spent on parole as the Attorney General may determine, or until reparole.

§ 643.16 *Revocation of parole after assignment to work of national importance under civilian direction.* If in the opinion of the Director of Selective Service any person paroled for assignment to work of national importance under civilian direction fails or refuses to perform such work or service or abide by the rules of conduct established in connection therewith, the Director of Selective Service shall so notify the Attorney General, who may revoke the parole of such person and return him to the penal or correctional institution to complete the sentence originally imposed with or without deduction for the time spent on parole as the Attorney General may determine.

§ 643.17 *Terms and conditions imposed by the Attorney General.* The Attorney General shall impose such terms and conditions as he may deem proper upon any person released on parole and shall supervise the parolee to see that he abides by the terms and conditions of the parole; *Provided, however,* That such power of supervision shall be suspended while the parolee is in the active land or naval forces of the United States.

§ 643.18 *Revocation of parole by Attorney General.* The parole herein authorized may be revoked at any time in the discretion of the Attorney General or his authorized agent; *Provided, however,* That such power of revocation shall be suspended while the parolee is in the active land or naval forces of the United States. Upon revocation of the parole, the parolee shall thereupon be returned to the proper penal or correctional institution to complete the sentence originally imposed with or without deduction for the time spent on parole as the Attorney General may determine, or until reparole.

§ 643.19 *Application of general parole laws.* Nothing in this part shall be construed as limiting or restricting the application of the act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910 (36 Stat. 819), as amended.

The foregoing amendments to the Selective Service regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 21, 1945.

[F. R. Doc. 45-13416; Filed, July 23, 1945; 4:19 p. m.]

[Admt. 333]

PART 652—ASSIGNMENT AND DELIVERY OF PERSONS TO DO WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

PERIOD OF SERVICE

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

1. Amend § 652.14 to read as follows:

§ 652.14 *Period of service.* A registrant in Class IV–E who has been assigned to a camp shall be engaged in work of national importance under civilian direction during the existence of any war in which the United States is engaged and during the 6 months immediately following the termination of any such war unless sooner released by the Director of Selective Service.

The foregoing amendment to the Selective Service regulations, shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 26, 1945.

[F. R. Doc. 45-13417; Filed, July 23, 1945; 4:19 p. m.]

[Amdt. 334]

PART 662—SPECIAL PANEL LOCAL BOARDS IN PENAL OR CORRECTIONAL INSTITUTIONS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Amend Part 662 to read as follows:

Sec.
662.1 Special Panel Local Boards.
662.2 Regulations governing registrants in penal or corrective institutions.
662.3 Classification of registrants before forwarding records.
662.4 Consideration of classes for registrants confined in penal institutions having a special panel local board.
662.5 Transfer of record of registrants.
662.6 Registration.
662.7 Registrars.
662.8 Classification in general.
662.9 Classification of a selective service violator for purposes of parole.
662.10 Classification of registrants other than selective service violators when eligible for release within 90 days.
662.11 Physical examination and consideration for parole of registrants other than selective service violators.
662.12 Parole and induction or assignment of registrants other than selective service violators.
662.13 Classification of registrant who leaves institution.
662.14 Disposition of records of registrant who leaves an institution.
662.15 Local board to which registrant's records are forwarded shall reclassify him.

AUTHORITY: §§ 662.1 to 662.15, inclusive, issued under 54 Stat. 895; 50 U. S. C., App., 301-318, inclusive; E.O. 8971, E.O. 9279, 3 CFR Cum. Supp., and War Manpower Commission Administrative Order 26, Dec. 5, 1942, 7 F.R. 10512.

§ 662.1 *Special panel local boards.* The Director of Selective Service may establish a panel of any local board which has jurisdiction over the area in which any penal or correctional institution is located. Such panel shall be known as a special panel local board and with respect to the persons confined in such penal or correctional institution shall have the same rights, duties, and powers as any other local board except as otherwise provided in this part.

§ 662.2 *Regulations governing registrants in penal or correctional institutions.* Local boards and special panel local boards, as to the registrants referred to this part, shall be governed by the provisions of this part and Part 643 of this chapter and such other provisions of this part as are not in conflict therewith.

§ 662.3 *Classification of registrants before forwarding records.* Whenever a registrant's own local board forwards his selective service records to a special panel local board, the registrant's own local board shall reopen his classification and place him in the first class listed in § 662.4 for which he is eligible.

§ 662.4 *Consideration of classes for registrants confined in penal institutions having a special panel local board.* Except when classified by a special panel local board for purposes of parole as provided in Part 643, and except when classified by a special panel local board within 90 days from the date of eligibility for release as provided in this part, a registrant confined in a penal or correctional institution having a special panel local board shall be placed in the first class listed below for which he is eligible:

Class I–C under § 622.15.
Class IV–E under § 622.51 (d).
Class IV–A under § 622.41.
Class IV–F under § 622.62.
Class IV–F under § 622.61.

§ 662.5 *Transfer of record of registrants.* (a) When a registrant, age 18 through 44, who has been convicted of a violation of the Selective Training and Service Act of 1940, as amended, or any rules or regulations prescribed thereunder, or when any other registrant, age 18 through 37, enters an institution having a special panel local board, the clerk of such special panel local board shall immediately complete a Request for Transfer of Record (Form 64) and transmit it to the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1).

(b) When the local board having jurisdiction of the address given on line 2 of the Registration Card (Form 1) of such a registrant receives a Request for Transfer of Record (Form 64) from the special panel local board in an institution which he has entered, it shall (1) make a duplicate of the Cover Sheet (Form 53) and a copy of the Registration Card (Form 1) of such registrant; (2) forward such duplicate Cover Sheet (Form 53) and a copy of the Registration Card (Form 1) together with all other papers pertaining to such registrant to the special panel local board at the institution which the registrant has entered; and (3) retain in its files the original Cover Sheet (Form 53), the original Registration Card (Form 1), a copy of the letter covering the transmittal of the registrant's records to the special panel local board, and the Request for Transfer of Record (Form 64).

§ 662.6 *Registration.* (a) When, at the time fixed for his registration, a person required to present himself for and submit to registration is confined in an institution having a special panel local board, he shall be immediately registered. When a person required to present himself for and submit to registration has not done so prior to the time he enters an institution having a special panel local board, he shall be immediately registered. When any such person refuses to register, any person authorized to act as registrar shall sign the person's name and indicate that he has done so by signing his own name, followed by the word "Registrar," beneath the name of such person, and the act of such registrar in so doing shall have the same force and effect as if such person had signed his name to the Registration Card (Form 1), and such person shall thereby be registered.

(b) When a person has heretofore or is hereafter registered at an institution having a special panel local board, the special panel local board shall complete a copy of his Registration Card (Form 1) and retain it in its records. The special panel local board shall then transmit the original Registration Card (Form 1) to the local board having jurisdiction over the address given on line 2 of such Registration Card (Form 1) if such local board is known; otherwise the special panel local board shall forward such Registration Card (Form 1) to its State Director of Selective Service for transmittal through channels to the proper local board. The special panel local board shall accompany the transmission of each such Registration Card (Form 1) with a letter requesting the local board having jurisdiction over the address given on line 2 of the Registration Card (Form 1) to assign to the registrant a serial and order number and to immediately advise the special panel local board of the serial and order number thus assigned.

(c) Upon being advised of the serial and order number assigned to the registrant by the local board having jurisdiction of the address given on line 2 of such registrant's Registration Card (Form 1), the special panel local board shall enter the serial and order number on its copy of such registrant's Registration Card (Form 1).

§ 662.7 *Registrars.* Any member or clerical assistant of, or any other person appointed as a registrar by a special panel local board, may perform the duty of a registrar.

§ 662.8 *Classification in general.* (a) As soon as the special panel local board receives the records of a registrant, it shall review his classification, and if he is not classified in the first class listed in § 662.4 for which he is eligible, it shall reopen his classification and so classify him. If the special panel local board classifies the registrant anew, it shall immediately notify the local board having jurisdiction of the address given on line 2 of such registrant's Registration Card (Form 1) of such classification.

(b) As soon as the special panel local board registers a registrant under the provisions of § 662.6, it shall require such registrant (1) to complete his Selective Service Questionnaire (Form 40); (2) if he claims to be a conscientious objector, to complete Special Form for Conscientious Objector (Form 47); and (3) to furnish such other information as the special panel local board may require. It shall then classify such registrant in the first class listed in § 662.4 for which he is eligible, and the special panel local board shall then advise the local board to which his original Registration Card (Form 1) was transmitted of such classification.

(c) Whenever a registrant who is an inmate of an institution having a special panel local board becomes 38 years of age, the special panel local board shall reopen his classification and place him in the first class listed in § 662.4 for which he is eligible. Unless such registrant is a selective service violator as defined in Part 643, of this chapter, all papers with reference to such registrant, except his duplicate Cover Sheet (Form 53) and the copy of his Registration Card (Form 1), shall be forwarded to the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1).

§ 662.9 *Classification of a selective service violator for purposes of parole.* A selective service violator, as defined in Part 643 of this chapter, shall be classified for purposes of parole under the provisions of such part.

§ 662.10 *Classification of registrants other than selective service violators when eligible for release within 90 days.* (a) When a registrant age 18 through 37, other than a selective service violator, is an inmate of an institution having a special panel local board, and such registrant is, or within 90 days, will be eligible for parole, pardon, or conditional or other release, the special panel local board, if it determines to forward such registrant for consideration by the armed forces, shall reopen his classification and place him in Class I-A or Class I-A-O; or if it determines to forward such registrant for consideration for work of national importance, place him in Class IV-E: *Provided*, That any such registrant who is found to have a disqualifying physical defect which is manifest as listed in the List of Defects (Form 220) shall be placed or retained in the first class listed in § 662.4 for which he is eligible.

(b) When a registrant has been placed in Class I-A, Class I-A-O, or Class IV-E under the provisions of paragraph (a) of this section, he shall be requested to sign an Application for Voluntary Induction (Form 165) and a Request for Immediate Induction (Form 219), or to make a request for assignment to work of national importance, as the case may be, and, if he declines to do so, the special panel local board shall reopen his classification and place him in the first class listed in § 662.4 for which he is eligible.

§ 662.11 *Physical examination and consideration for parole of registrants other than selective service violators.* (a) Whenever a registrant, other than a selective service violator, has been placed in Class I-A, Class I-A-O, or Class IV-E under the provisions of § 662.10, and has volunteered for induction or requested assignment, and is, or within 60 days, will be eligible for parole, pardon, or conditional or other release, he shall be given a preinduction physical examination in accordance with procedures prescribed by the Director of Selective Service.

(b) If upon preinduction physical examination such a registrant is found to be disqualified for any military service or to be qualified for limited military service only, his classification shall be reopened and he shall be placed in the first class listed in § 662.4 for which he is eligible.

(c) If upon preinduction physical examination such a registrant is found qualified for general military service or found acceptable for military service, his records shall be forwarded for consideration by the civil authority empowered to grant him parole, pardon, or conditional or other release.

(d) If the civil authority to which such registrant's records are forwarded under the provisions of paragraph (c) of this section declines to grant the registrant parole, pardon, or conditional or other release, the registrant's classification shall be reopened and he shall be placed in the first class listed in § 662.4 for which he is eligible.

§ 662.12 *Parole and induction or assignment of registrants other than selective service violators.* When the civil authority empowered to do so has granted a parole, pardon, or conditional or other release to a registrant whose records have been forwarded to it and has executed a Parole Authority Certificate and Recommendation (Form 604), such registrant shall be forwarded for induction, or assigned and forwarded for work of national importance, as the case may be, in accordance with procedures prescribed by the Director of Selective Service.

§ 662.13 *Classification of registrant who leaves institution.* (a) When a registrant who is an inmate of an institution having a special panel local board is inducted into the armed forces, his classification shall be reopened and he shall be classified in Class I-C. When a registrant who is an inmate of an institution having a special panel local board is delivered for work of national importance or assigned to special service established by the Attorney General, the fact of such delivery or assignment shall be noted following his IV-E classification. In all other cases in which a registrant, except a registrant whose records have previously been forwarded under the provisions of § 662.8, leaves an institution having a special panel local board, at the time of his departure and at the time his records are transmitted to the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1), the special panel local board shall review his classification and if he is not classified in the first class listed in § 662.4 for which he is eligible, it shall reopen his classification and so classify him.

§ 662.14 *Disposition of records of registrant who leaves an institution.* (a) When a registrant leaves an institution having a special panel local board, all papers with reference to such registrant except his duplicate Cover Sheet (Form 53) and a copy of his Registration Card (Form 1) shall be forwarded to the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1) shall be forwarded to the local board having jurisdiction of the address previously been so forwarded under the provisions of § 662.8.

(b) For each registrant who leaves the institution, the special panel local board shall transfer to a separate file for completed cases the duplicate Cover Sheet (Form 53), the copy of the Registration Card (Form 1), and a copy of the letter covering the transmittal of the records of such registrant to the local board having jurisdiction of the address given on line 2 of such registrant's Registration Card (Form 1).

§ 662.15 *Local board to which registrant's records are forwarded shall reclassify him.* Whenever the records of a registrant are received by the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1) from a special panel local board, either under § 662.14 for a registrant who leaves the institution, or under § 662.8 for a registrant other than a selective service violator who becomes 38 years of age, the local board to which the registrant's records are forwarded shall immediately reopen his classification and consider it anew without reference to whether his classification has or has not been previously considered by it or by any other local board.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 21, 1945.

[F. R. Doc. 45-13418; Filed, July 23, 1945; 4:19 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 39, as Amended July 24, 1945]

PRIORITIES ACTION BY THE VETERANS ADMINISTRATION

Section 903.153, *Directive 39*, is hereby amended to read as follows:

§ 903.153 *Directive 39*—(a) *Rating for material.* The Veterans Administration may assign and apply within limits prescribed by War Production Board program determinations, preference ratings to the delivery of materials (including products, commodities, equipment, accessories, parts, or assemblies), subject to the following conditions:

(1) Unless otherwise specifically provided in a Program Determination, the Veterans Administration may not assign or apply ratings to the delivery of any material for which application for rating or for specific authorization is required by an order or regulation to be made on a form other than WPB-541.

(2) Ratings for procurement of "productive capital equipment" and machine tools or delivery of such equipment and tools to a prime contractor or subcontractor to produce material being procured by the Veterans Administration shall be reviewed and approved by the War Production Board before assignment or application by the Veterans Administration, except where the total value of the delivery or deliveries rated by a single instrument does not exceed $500. Purchases shall not be divided for the purpose of making this exemption available. For the purposes of this paragraph "productive capital equipment" means capital equipment which physically processes or otherwise acts upon or handles materials or items physically incorporated in end products or equipment which is necessary to operate such capital equipment.

(b) *Ratings for construction.* Preference ratings may be assigned to:

(1) Veterans Administration construction projects reviewed and approved for rating by the War Production Board under established procedures.

(2) Remodelling of privately owned buildings to be leased to the Veterans Administration for use as regional or branch offices, after review and approval for rating by the War Production Board under established procedures, provided the project application shall bear a certification by the Veterans Administration that the project as set forth in the application represents the minimum remodelling required to serve its purposes as lessees.

(c) *Evidence of review and approval.* War Production Board review and approval of a rating instrument pursuant to paragraph (b) shall be evidenced by endorsing the certificate "Reviewed and approved under Directive 39" over the official signature of the War Production Board.

(d) *Form of assignment of ratings.* The Veterans Administration shall assign or apply ratings under this directive by issuance of a legend substantially as shown below, to which may be added any further provisions which conform to War Production Board orders or regulations and which are authorized by program determinations:

Under authority of the War Production Board a preference rating of -------- is assigned (or applied) to the delivery of the material referred to herein. Application and extension of the rating is governed by Priorities Regulation 3 of the War Production Board.

The legend shall be endorsed on or attached to an appropriate instrument which shall include (1) the name and address of the person to whom the rating is assigned, (2) the quantity, dollar value and description of items rated, and (3) the signature and title of the official of the Veterans Administration who assigns or applies the rating.

(e) *Application and extension of ratings.* Ratings assigned or applied under this directive may be applied and extended only in accordance with applicable regulations of the War Production Board.

(f) *General provisions.* (1) The Veterans Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of Veterans Affairs may determine, and only through such officials.

(2) The Veterans Administration shall make to the Program Vice Chairman such monthly reports on the exercise of authority granted by this directive as the Program Vice Chairman may require from time to time.

(3) A true copy of every document on which the Veterans Administration assigns or applies a preference rating pursuant to the provisions of this directive shall be maintained by the Veterans Administration for inspection by representatives of the War Production Board at any time.

Issued this 24th day of July 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-13519; Filed, July 24, 1945; 11:40 a. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Limitation Order M-1-k, Revocation]

ALUMINUM

Section 921.13 *Supplementary Limitation Order M-1-k* is revoked. This revocation does not affect any liabilities incurred for a violation of the order or of actions taken by the War Production Board under the order. The manufacture, use and delivery of aluminum remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13521; Filed, July 24, 1945; 11:38 a. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Limitation Order M-2-c, Revocation]

MAGNESIUM

Section 921.17 *Supplementary Limitation Order M-2-c* is revoked. This revocation does not affect any liabilities incurred for a violation of the order or of actions taken by the War Production Board under the order. The manufacture, use and delivery of magnesium remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13522; Filed, July 24, 1945; 11:38 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 24, as Amended July 24, 1945]

EQUIPMENT NEEDED FOR THE INITIATION, RESUMPTION OR EXPANSION OF CIVILIAN PRODUCTION OR CIVILIAN SERVICES

Section 944.45 *Priorities Regulation 24* is amended to read as follows:

§ 944.45 *Priorities Regulation 24*—(a) *What this regulation does.* (1) This regulation states the rules regarding the granting of priorities assistance for getting equipment which is needed for the initiation, resumption or expansion of civilian production or civilian services, where no construction is involved which requires authorization under L-41. The War Production Board grants priorities assistance for these purposes only under the conditions described in paragraph (c) below.

(2) This regulation permits the filing of a single application to cover any number of items of equipment needed for the same purpose. If you need equipment for war production or for production or services which are essential to the war effort, you should file under the customary procedures and not under this regulation.

(3) This regulation applies only to equipment which will be used in the United States, its territories or possessions, or in the Dominion of Canada. In the case of other exports the usual export procedures should be followed.

(b) *Definition of "priorities assistance."* As used in this regulation, "priorities assistance" includes preference ratings and also any special authorization which is required by a War Production Board order before a purchase order for an item of equipment may be placed or accepted or delivery completed.

(c) *Conditions for passing on applications for equipment.* The general policy of the War Production Board is not to grant priorities assistance for equipment required for the initiation, resumption or expansion of civilian production or services. The only exception is that priorities assistance may be as-

signed if the application shows that all of the following conditions are satisfied:

(1) There is no reasonable prospect that the items can be acquired at the times requested without a rating or special authorization. This condition will usually exist only when the items have a long manufacturing time so that unrated deliveries are difficult for the manufacturer to schedule or where unrated orders or orders not specially authorized by the War Production Board may not be accepted by the supplier under the provisions of a War Production Board order. (Explain in Block 3 of WPB–541A.)

(2) The items are only a small bottleneck portion of the total equipment needed for the civilian production or civilian services, the remainder being on hand or available without special assistance. (Explain in Block 5 of WPB–541A.)

(3) The items are actually needed to permit production or services, either in the applicant's plant or shop or in a business dependent on him, and are not to replace or supplement existing equipment which is adequate though less efficient. (Explain in Block 6 of WPB–541.)

(4) The items are needed by him in order to operate at the minimum rate consistent with efficient operations. (Explain in Block 4 of WPB–541A.)

(5) The product which the applicant will manufacture or the service he will render is one which is needed for the civilian economy. (Explain in Blocks 8 and 9 of WPB–541.)

(6) The requested delivery date is such that the applicant's initiation, resumption or expansion of presently permitted production or services will be materially delayed by failure to receive the items on the requested date. (Explain in Block 4 of WPB–541A.)

(d) *Preparation and filing of applications.* (1) All applications for equipment filed under this regulation must be made on Form WPB–541A (filed with Form WPB–541). The application should be filed with the War Production Board field office nearest the plant or shop in which the equipment will be used. All equipment for which a rating is requested must be listed. No ratings will be given for equipment which is not listed. If construction which requires authorization under L–41 is involved (see especially paragraph (e) (20) of L–41 which gives an exemption for the installation of equipment obtained on a special form), the request for an authorization should be made on Form WPB–617, in accordance with Direction 5 to Conservation Order L–41.

(2) A separate statement regarding conditions listed in paragraph (c) must be given in the specified blocks of the form with respect to each class of equipment for which priorities assistance is required. The designation "PR–24" must be written at the top of the application.

(3) If you need priorities assistance for any Y products under Order M–293, or for any of the equipment listed below, you must list the equipment on your WPB–541A application and you must also file (along with the WPB–541A) the appropriate separate form:

Machinery or equipment	Governing order	Separate WPB form
Chemical processing equipment and other machinery covered by M–293, Table 15.	M–293...	1319
Construction machinery listed on list 2 of L–192.	L–192...	1319
Laboratory instruments on list A of L–141 (not industrial equipment).	L–141 ..	1315
Liquefied petroleum gas equipment.	L–66 ...	809
Rubber processing equipment...	L–143-a	1319
Textile machinery on list A of L–215.	L–215 ..	1319
Woodworking machinery (class I)	L–311 ..	3011

(4) Do not fill out Block 2 of WPB–541A. Direction 15 to CMP Regulation 5 and other preference rating orders give priorities assistance for installation materials under certain circumstances.

(e) *Certifications.* Ratings given under this regulation on Form WPB–541-WPB–541A may be applied or extended by using the standard certification in Priorities Regulation 7 but the following statement must be added: "This rating assigned pursuant to Priorities Regulation 24." Orders bearing this certification, except orders for items covered by paragraph (d) (3), may be accepted and filled in accordance with Priorities Regulation 1 regardless of any other War Production Board order or regulation requiring that a special form be used to give priorities assistance for the item.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13527; Filed, July 24, 1945; 11:39 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 24, Revocation of Direction 2]

STANDARDS FOR PASSING ON WPB–1319 APPLICATIONS FOR EQUIPMENT NEEDED FOR INITIATION, RESUMPTION OR EXPANSION OF CIVILIAN PRODUCTS

Direction 2 to Priorities Regulation 24 is hereby revoked as the substance of that direction is incorporated in Priorities Regulation 24 as amended July 24, 1945.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13528; Filed, July 24, 1945; 11:40 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–850]

HENRY H. FRENCH, SR.

Henry H. French, Sr. of Newberg, Oregon, in October of 1944 began construction of a house and garage at Third and Blaine Streets, in Newberg, Oregon, without authorization from the War Production Board. The estimated cost of this construction was in excess of the limits permitted by Conservation Order L–41, and said construction was in violation of the order. Said construction was completed at an actual construction cost of $5,627.71. In January or February of 1945 he commenced construction of a second house at 507 Wynooske Street, Newberg, Oregon, at an estimated cost of at least $4,500.00, without authorization from the War Production Board, and in violation of Conservation Order L–41. Such construction was stopped prior to completion, and after expenditure therein of $1,229.93. Respondent was aware of War Production Board restrictions on construction, and his aforesaid violations of Conservation Order L–41 were willful.

These violations of Conservation Order L–41 have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.850 *Suspension Order No. S–850.* (a) Neither Henry H. French, Sr., his successors or assigns, nor any other person, shall do any construction on the premises at 507 Wynooskie Street, Newberg, Oregon, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Henry H. French, Sr. shall not for three months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(c) The restrictions and prohibitions contained herein shall apply to Henry H. French, Sr., his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) Nothing contained in this order shall be deemed to relieve Henry H. French, Sr., his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on July 24, 1945.

Issued this 14th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13529; Filed, July 24, 1945; 11:39 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–851]

ZINSMASTER BAKING CO.

Zinsmaster Baking Company, respondent herein, is comprised of, among others, three corporations named respectively:

Zinsmaster Baking Company, Minneapolis, Minn.

Zinsmaster HOL-RY Company, Duluth, Minn.

The three corporations have common ownership and management and operate as though they were but one unit with three branches or plants. During the second quarter of 1944 and in succeeding quarters, respondent's companies used fibre shipping containers in total amounts in excess of permitted quotas as follows:

Zinsmaster Baking Company, Minneapolis, Minn., 9,581 lbs., 66,175 sq. ft.

Zinsmaster Baking Company, St. Paul, Minn., 27,930 lbs., 177,474 sq. ft.

Zinsmaster HOL-RY Company, Duluth, Minn., 31,365 lbs., 169,593 sq. ft.

Respondent thus violated Order L–317, and its violations have diverted critical materials to uses not authorized by the War Production Board.

It appears from representations made by respondent's agent that the three companies will have used during the second quarter of 1945, an amount which is less than their allowable quota in pounds and square feet. This amount will be equal to one-third of the excesses of permitted quotas of fibre shipping containers used by them in the second and succeeding quarters of 1944. In view of the foregoing, it is hereby ordered, that:

§ 1010.851 *Suspension Order No. S–851.* (a) Respondent shall reduce the use by Zinsmaster Baking Company, Minneapolis, Minnesota, of container board content of new fibre shipping containers during each of the third and fourth calendar quarters of 1945 so that its total usage for each of such quarters shall be 3,194 lbs., and 13,725 sq. ft. less than it would otherwise be permitted to use during each of those quarters under the provisions of Limitation Order L–317.

(b) Respondent shall reduce the use by Zinsmaster Baking Company, St. Paul, Minnesota, of container board content of new fibre shipping containers during each of the third and fourth calendar quarters of 1945 so that its total usage for each of such quarters shall be 9,310 lbs., and 59,158 sq. ft. less than it would otherwise be permitted to use during each of those quarters under the provisions of Limitation Order L–317.

(c) Respondent shall reduce the use by Zinsmaster HOL RY Company, Duluth, Minnesota, of container board content of new fibre shipping containers during each of the third and fourth calendar quarters of 1945 so that its total usage for each of such quarters shall be 10,455 lbs., and 56,531 sq. ft. less than it would otherwise be permitted to use during each of those quarters under the provisions of Limitation Order L–317.

(d) Nothing contained in this order shall be deemed to relieve Zinsmaster Baking Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) The restrictions and prohibitions contained herein shall apply to respondent as above designated, and to each of the three corporations above named, their successors or assigns or persons acting in their behalf.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13530; Filed, July 24, 1945; 11:39 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–858]

SUPREME SHOE CO., INC.

Supreme Shoe Company, Inc., is a corporation with its principal office in Los Angeles, California. The corporation is engaged in the manufacture of shoes. During the six-months' period beginning March 1, 1944, the corporation manufactured 5,276 pairs of Misses' and Children's shoes, and during the six-months' period beginning September 1, 1944, the corporation manufactured 5,491 pairs of Misses' and Children's shoes, all without authorization of the War Production Board and in violation of War Production Board Conservation Order M–217. These violations were the result of gross negligence on the part of the corporation.

This unauthorized manufacture of shoes has diverted scarce material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.858 *Suspension Order S–858.* (a) Supreme Shoe Company, Inc., its successors or assigns, unless otherwise specifically authorized in writing by the War Production Board shall reduce by 500 pairs of shoes the number of pairs of shoes it would otherwise be entitled to produce during the six-months' period beginning March 1, 1945, and ending August 31, 1945, under the authorization to manufacture granted respondent by the War Production Board, and the corporation shall reduce by 11,267 pairs of shoes the number of pairs of shoes it would otherwise be entitled to produce during the six-months' period beginning September 1, 1945, and ending March 1, 1946, under the authorization to manufacture granted respondent by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Supreme Shoe Company, Inc., its successors or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13591; Filed, July 24, 1945; 11:38 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–862]

ALLYN & BACON

Charles E. Bacon and Paul V. Bacon, copartners doing business as Allyn & Bacon in Boston, Massachusetts, engaged in the publication of books, were charged by the War Production Board with having put into process or caused to be put into process during the calendar year 1944, 230 tons of paper and paperboard in excess of their quota in violation of War Production Board Limitation Order L–245. The actual overconsumption by the co-partnership during the year 1944 amounted to 460.35 tons but because an authorization for an increased quota for 1945 in the amount of 228.75 tons through error referred to the 1944 quota, the respondent was not charged with this additional amount. The violation with respect to the over-consumption of paper in the amount of 230 tons was wilful.

This excessive use of paper has diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.862 *Suspension Order No. S–862.* (a) Charles E. Bacon and Paul V. Bacon, co-partners doing business as Allyn & Bacon, shall during the calendar year 1945 reduce the amount of paper which they put into process or caused to be put into process for the production of books to 1302.9 tons for the calendar year 1945 unless otherwise specifically authorized in writing by the War Production Board; provided, however, that if by amendment to the present Limitation Order L–245 or by any other Order of the War Production Board, the quota of Charles E. Bacon and Paul V. Bacon, co-partners doing business as Allyn & Bacon, is reduced below 1302.9 tons such more restrictive quota shall prevail.

(b) Nothing contained in this order shall be deemed to relieve Charles E. Bacon and Paul V. Bacon, co-partners doing business as Allyn & Bacon, their successors or assigns, or persons acting on their behalf, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Charles E. Bacon and Paul V. Bacon, co-partners doing business as Allyn & Bacon, their successors or assigns, or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–13532; Filed, July 24, 1945; 11:39 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 33]

ADVANCEMENT IN DELIVERY OF ORDERS FOR CONTROLLED MATERIALS

The following interpretation is issued with respect to CMP Reg. 1:

(a) In certain cases, controlled material producers may be able to produce and de-

liver orders in advance of the time permitted by paragraph (t) (4) of CMP Regulation 1. In such case, the order may be rescheduled for the earlier date under the conditions explained by this Interpretation.

(b) If the order is an authorized controlled material order, and the earlier date is within the same quarter for which the order was originally scheduled, the producer may schedule it for delivery at the earlier date as though it were a new order placed for delivery at that date, provided he gets agreement from his customer. If the earlier date is in a previous quarter, it cannot be scheduled as an authorized controlled material order unless the customer is able to revalidate the order against an allotment for that quarter. However, if the customer does not have such an allotment or does not wish to use it, the order can be scheduled and delivered as an unrated order with the customer's agreement.

(c) There is no prohibition in CMP Regulation 1 against the scheduling and delivery of unrated orders at a date earlier than that called for by the order. However, attention is called to the provisions of CMP Regulation 2, relating to inventories, which forbid delivery of controlled materials in excess of the limits of that regulation. A producer should usually assume that the delivery date on a customer's order is the earliest on which he can accept delivery under CMP Regulation 2. Thus, before delivering controlled material substantially earlier or in greater quantities than is called for by his customer's order, a producer is required to satisfy himself that the receipt by the customer of the changed quantities will be within the permissible inventory limitations applicable to the customer. The producer may rely on any statement or notice to this effect from his customer, unless he knows or has reason to know that it is false.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13516; Filed, July 24, 1945; 11:39 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Direction 25]

ALUMINUM INVENTORIES

The following inventory direction is issued pursuant to CMP Regulation 2.

§ 3175.125 *Inventory Direction 25 to CMP Regulation 2.* (a) The sixty-day restriction of paragraph (b) (1) of CMP Regulation 2 is changed to ninety days with respect to all forms and shapes of aluminum in controlled material form except extrusions (codes 4301 and 4311), and foil (code 4601).

(b) The inventory restrictions of CMP Regulation 2 and § 944.14 of Priorities Regulation 1 do not apply to aluminum where the total inventory of all shapes and forms of it, except extrusions and foil, in any operating unit does not and will not exceed 100,000 pounds. In determining his inventory for any operating unit, a person must comply with the provisions of paragraph (e) of CMP Regulation 2.

(c) The thirty-day provision of paragraph (c) (6) of CMP Regulation 2 relating to a minimum stockpile in anticipation of starting or resuming civilian production is changed to ninety days in the case of all forms and shapes of aluminum except extrusions and foil.

(d) The inventory provisions of CMP Regulations 2 still apply to aluminum extrusions and foil, and, except as provided in this direction, to other shapes and forms of aluminum in controlled material form.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13517; Filed, July 24, 1945; 11:39 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Direction 26]

INVENTORY EXEMPTION FOR MANUFACTURERS OF JEWELED WATCHES

§ 3175.126 *Inventory Direction 26 to CMP Regulation 2.*—(a) *What this direction does.* In view of the relatively insignificant amounts of controlled material used in the aggregate by jeweled watch manufacturers, the difficulties of splitting up orders for these small quantities and the special nature of the items involved, the inventory restrictions of CMP Regulation 2 serve no useful purpose as applied to this industry. Accordingly, this direction exempts controlled materials used in such manufacture from WPB inventory restrictions.

(b) *Inventory exemption.* The inventory restrictions of paragraph (b) of CMP Regulation 2 and of § 944.14 of Priorities Regulation 1 do not apply to items of controlled material to be delivered to manufacturers for use in the production of jeweled watches. Therefore, delivery or acceptance of delivery of any item of controlled material to be used in such production is permitted without regard to these inventory restrictions.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13518; Filed, July 24, 1945; 11:39 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-336, as Amended July 24, 1945]

SANITARY FOOD CONTAINERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain sanitary food containers for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3270.61 *Limitation Order L-336.*—(a) *What this order does.* This order places limitations on the manufacture, delivery and use of certain types of sanitary food containers. Among other restrictions, the use of hot drink cups is permitted for only certain purposes, and a monthly production set-aside for certain paper cups is required. A certificate is required on each purchase order for delivery of hot drink cups.

(b) *Definitions.* Wherever used in this order: (1) "Sanitary food containers" mean paper food containers and paper cups.

(2) "Paper food containers" mean all empty round nested containers, with or without lids, made of paper or paperboard but excluding wedge-shaped food pails and nested paper plates.

(3) "Paper cups" mean all empty open nested cups, with or without lids, made of paper, including but not limited to hot drink cups, cold drink cups, hot food cups, dishes (including flat-bottom dishes), water cups, and portion control cups. The term shall not include cups of the flat envelope type.

(4) "Hot drink cups" mean all cups made directly from moulded pulp, or all untreated tall cups, double-wrapped or single-wrapped of comparable weight, which are suitable for dispensing hot beverages. The term shall include all cups which at any stage of their manufacture fall within this definition of "hot drink cups".

(5) "Cold drink cups" means all one or two-piece cups, treated or untreated, of 6-ounce size or larger, which are not suitable for dispensing hot beverages.

(6) "Hot food cups" mean all untreated squat cups, 8 to 16 ounces inclusive, double-wrapped or single-wrapped of comparable weight, which are suitable for dispensing hot foods. The term shall include all cups which at any stage of their manufacture fall within the definition of "hot food cups".

(7) "Flat-bottom paper dishes" mean all four to seven ounce shallow, flat-bottom cups, pleated or two-piece nested, having a minimum taper of fifteen degrees.

(8) "Primary feeding" means the feeding of either food or hot beverages to persons, except feeding at gatherings of a purely social nature as at teas, parties or dances.

Restrictions on Manufacturers

(c) *General restriction on manufacture, sale or delivery.* No person shall manufacture, sell or deliver any sanitary food containers which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(d) *Maintenance of production of certain paper cups.* Each manufacturer of hot drink cups, flat-bottom cold drink cups or flat-bottom dishes, shall maintain during each calendar quarter, a production of each of these items equivalent to the highest quarterly production of that item attained during any calendar quarter beginning on or after October 1, 1943, to the extent permitted by this order and all other War Production Board regulations and orders, and subject to contingencies beyond his control.

(e) *Distribution of production of paper cups between military and civilian requirements.* (1) Regardless of preference ratings on other orders, each manufacturer of paper cups must set aside the following percentages of his production of paper cups in each month for delivery to the Army and the Navy (excluding domestic post exchanges and ship's service stores, but including those located outside of continental United States) in the sizes ordered by them: 35 percent of his monthly production of 6-9 ounce hot drink cups inclusive (not more than 60 percent of the total production of any one size to be produced need be included in the set-aside); 50 percent of his monthly production of 10 to 12-ounce hot drink cups inclusive; 70 percent of his monthly production of 6 to 9-ounce flat-bottom cold drink cups inclusive; 100 percent of his monthly production of 10 to 24-ounce flat-bottom cold drink cups inclusive; 75 percent of his monthly production of all flat-bottom dishes. He must make this set-aside in the following proportion to the Army and the Navy. 70 percent of each of the above specified five classes of cups to be set aside shall be reserved exclusively to fill Army orders received on or before the 15th day of the preceding month, and the remaining 30 percent shall be similarly reserved for the Navy. Any unordered portion of the Army set-aside shall be further reserved exclusively to fill Navy orders received on or before the 22d day of the preceding month, and any unordered portion of the Navy set-aside shall be similarly reserved for the Army. In the event that on the 23d day of any month, any portion of either the Army's or the Navy's set-aside remains unordered, such portion must be sold as provided in paragraph (e) (2). Set-aside under this paragraph shall be computed on the basis of number of cups.

(2) The balance of each manufacturer's production of hot drink cups, flat-bottomed cold drink cups and flat-bottom dishes shall be used exclusively to fill orders other than Army and Navy orders (excluding domestic post exchanges and ship's service stores, but including those located outside the continental United States) in accordance with Priorities Regulation 1 and the provisions of this order.

(3) The above set-aside provisions shall not apply to the July 1945 production of 10 to 12-ounce hot drink cups.

(f) *Prohibited manufacture, sale or delivery.* No person shall manufacture, sell or deliver the following types of paper cups if he knows or has reason to believe that they will be used for the purposes stated: (1) Packages of paper cups for retail sales, except that this restriction shall not apply to stocks of cups made up for retail sales which were on hand January 29, 1944; (2) Portion control or soufflé cups for retail sales or for party favors.

Restrictions on Delivery and Use of Paper Cups

(g) *Certificate for delivery of hot drink cups.* No manufacturer, wholesaler, or jobber shall sell or deliver any hot drink cups to any person after July 31, 1945, unless he receives from such person with each purchase order (including each shipment order based on a long term requirements contract), a certificate in substantially the following form, signed manually or as provided in Priorities Regulation 7.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L-336 of the War Production Board and that this order for hot drink cups and the use of the same by the undersigned is and will be in compliance with the order, as amended from time to time.

Furthermore, no manufacturer may sell or deliver any hot drink cups to any wholesaler or jobber unless he receives from such wholesaler or jobber, in addition to the above certificate, a copy of the applicable purchase order received by that wholesaler or jobber from the ultimate purchaser. The standard certificate provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the above certificate; nor may the certificate provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

(h) *Restrictions on use of MRO preference ratings.* In purchasing paper cups other than hot drink cups, any person may use the blanket MRO rating assigned to him by any regulation or order of the War Production Board (including CMP Regulation 5, CMP Regulation 5A and orders in the P or U series). To purchase hot drink cups, only the persons described in paragraph (i) below may use blanket MRO ratings and then only for the purposes indicated in that paragraph. No person may use his MRO rating to buy paper food containers. Caterers or concessionnaires as described in paragraph (i) (4) below may also use their customer's MRO ratings to buy paper cups (including hot drink cups): *Provided*, That such cups are only used for the purposes for which they may use cups purchased on their own MRO rating. Furthermore, such customer may distribute to such caterer or concessionnaire for feeding the customer's employees, any paper cups obtained by the customer upon his MRO rating. Except as permitted for caterers and concessionnaires, blanket MRO ratings may not be used by any person to get paper cups for commercially packaging food or other products for shipment or delivery. No person may use his blanket MRO rating to buy paper cups which are to be sent to a commercial food packer to be filled and returned to him for use in feeding.

(i) *Restrictions on use of hot drink cups.* No person shall use hot drink cups except the following persons for the purposes indicated:

(1) Army and Navy (excluding domestic post exchanges and ship's service stores but including those located outside of continental United States) for any purpose.

(2) Army post exchanges and Navy ship's service stores, located within the Continental United States, for a primary feeding purpose only.

(3) Industrial establishments for primary feeding of their employees on their premises.

(4) Caterers or concessionnaires for primary feeding of employees of one of the persons described in (3) above, on such person's premises, and pursuant to a written agreement with such person.

(5) Veterans' Administration hospitals and all other hospitals for any purpose.

(6) Red Cross for serving food or hot beverages at blood banks or for primary feeding purposes only.

(7) USO for primary feeding purposes only.

(8) Persons when engaged in serving food or drink in planes and trains.

(9) Educational institutions for primary feeding only of their students and personnel.

(10) Any individual for his personal use.

(11) A person who has been specifically authorized by the War Production Board to use hot drink cups for a specified purpose. Such authorizations will be granted only in cases where hot drink cups will be for use in scientific and research projects or for use in industrial production operations that are directly related to contracts or sub-contracts with the Army, Navy or other Government agencies. Application for such authorization shall be made by letter in triplicate, addressed to the Containers Division, War Production Board, Washington 25, D. C., Reference L-336 and shall contain the following information:

(i) A specific description of the scientific or research project, or the industrial product being manufactured for which the cups are required. In the event this is confidential Government information, the applicant may so state and give instead the Government contract number under which he is operating and the name of the sponsoring Government agency.

(ii) The number of hot drink cups required monthly.

(iii) The specific reason why hot drink cups must be used in lieu of some other container.

General Provisions

(j) *Inventory.* No person shall accept, have set aside or held for his account, any quantity of sanitary food containers which will increase his inventory of such containers to more than his reasonably anticipated requirements for the next 45 days, except that, whenever his inventory is less than a 45-days' supply, he may accept the minimum delivery required by his supplier under a published price list or sales policy in effect on October 29, 1943. No person shall order any quantity of sanitary food containers for delivery to him or for his account on any date, if receipt thereof on that date would increase his inventory of such containers to more than the amount permitted in the first sentence of this paragraph. This provision does not apply to the Armed Forces, Post Exchanges, Ship's Service Stores and individuals who accept sanitary food containers for their personal use.

(k) *Appeals.* Appeals from Order L-336 shall be filed by addressing a letter in triplicate to the Containers Division, War Production Board, Washington 25, D. C., Reference L-336. The let-

ter of appeal need not follow any particular form. It should state informally, but completely, the particular provisions appealed from, the precise relief desired, the reasons why denial of the appeal would result in exceptional and unreasonable hardship, and such other statistical and narrative information as may be pertinent.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(m) *Reports.* All paper food container or paper cup manufacturers shall file Form WPB-3366 in accordance with the instructions in that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall file such other reports and questionnaires as the War Production Board may request from time to time subject to the approval of the Bureau of the Budget.

(n) *Communications.* All inquiries relating to this order other than appeals shall be addressed to the War Production Board, Containers Division, Washington 25, D. C., reference: Order L-336.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

PAPER CUPS FOR INDIVIDUALS FOR THEIR PERSONAL USE

One of the persons entitled to use hot drink cups as prescribed in paragraph (l) is "any individual for his personal use." This provision does not permit any business establishment to furnish hot drink cups for the use of individuals who come to its establishment for food or drink. Such use of cups must be regarded as a commercial use by the establishment for the attraction of its customers for which it will receive either directly or indirectly some business gain. Unless such establishment qualifies as one of the other persons permitted to use hot drink cups described in paragraph (l), the above-described use is prohibited by Order L-336. (Issued July 13, 1945.)

INTERPRETATION 2. Revoked July 13, 1945.

[F. R. Doc. 45-13520; Filed, July 24, 1945; 11:40 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-310, Revocation of Direction 16]

REQUIRED PROCESSING, DELIVERY AND USE OF INDIA TANNED GOATSKINS

General Direction 16 to Conservation Order M-310 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The processing, delivery and use of India tanned goatskins remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13524; Filed, July 24, 1945; 11:40 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Amdt. 2 to Schedule B]

SPECIAL PROGRAM FOR COTTON AND WOOL MACHINE-KNITTED ITEMS

Section 3290.120b *Schedule B to Order M-328B* is hereby amended in the following respect:

Change paragraph (c) (3) (v) to read as follows:

(v) Items in this schedule not included in a category of O. P. A. Supplementary Order 108, are exempt from the provisions of this paragraph (c) (3) and the provisions of paragraph (h).

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13526; Filed, July 24, 1945; 11:40 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 102]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 1A is amended in the following respect:

Section 1315.552 is added to read as follows:

§ 1315.552 *Allotments to wholesale distributors*—(a) *What dealers are eligible for an allotment.* A dealer is eligible to apply for an allotment of tires for an establishment which meets all the conditions specified below in this paragraph:

(1) The establishment was engaged in the transfer of tires during the ninety days preceding the date of the application for an allotment;

(2) OPA Form R-71 (Dealer's Registration of Grade I and Grade II tires and Parts B as of June 30, 1945) was filed for the establishment if the establishment was engaged in the transfer of tires on June 30, 1945;

(3) The establishment customarily receives its supply of tires directly from a factory;

(4) At least sixty-five (65) percent of the type or cross-section size group of tires applied for, transferred from the establishment during the two calendar months preceding the month in which application is made, were transferred to other dealer establishments in exchange for replenishment portions of certificates or receipts;

(5) A manufacturer who supplies the dealer has completed the certification on OPA Form R-77A with respect to the establishment.

(b) *Manner of application.* (1) A dealer who is eligible for an allotment of tires under paragraph (a) shall apply on OPA Form R-77 to the District Director serving the area in which his establishment is located. He shall attach to his application a copy of OPA Form R-77A completed by a manufacturer, and the dealer's copy of OPA Form R-71 which was filed for the establishment.

(2) A manufacturer who sends a completed copy of OPA Form R-77A to a dealer shall, at the same time, send a duplicate signed copy to the Tire Rationing Branch, Office of Price Administration, Washington 25, D. C.

(c) *Amount of allotment.* The maximum number of tires which a District Director may allot to a dealer whose establishment is eligible under paragraph (a) shall be, for each type and cross-section size group, twice the manufacturer's allocation of such tires to the establishment for the month certified on OPA Form R-77A (totalling all manufacturers' allocations of such tires to the establishment) less the establishments accountable inventory of such tires. The accountable inventory of an establishment engaged in the transfer of tires on June 30, 1945, is the figure shown on line 6 of OPA Form R-71 as adjusted by increases or decreases made upon authorization of a District Director. The accountable inventory of an establishment which began the transfer of tires after June 30, 1945, is the number of tires the establishment was authorized to acquire by a District Director as adjusted by decreases made on authorization of a District Director.

The District Director shall issue the allotment on Parts B of certificates. Parts B for less than the maximum allotment of tires may, however, be issued at the dealer's request.

(d) *Limitation on frequency of allotments.* A District Director may not grant an applicant an additional allotment of tires of a particular type or cross-section size group until 90 days have elapsed since the date his last application was approved. Such additional allotments shall be based on new applications and a manufacturer's certifications on OPA Form R-77A.

This amendment shall become effective July 28, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Suppl. Dir. No 1Q, 7 F.R. 9121)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13469; Filed, July 24, 1945; 11:00 a. m.]

[1] 7 F.R. 9160, 9392, 9724.

(c) *Potato starch (edible).*

Items and brand names	Case of—	Price at wholesale	Retail price
Trystefree	100-lb. bag	$2.25	*Pound* $0.03

[2] 2 pounds for 5¢.

4. Section 4.4 is amended by adding new items to read as follows:

Case of—	Price at wholesale	Price at retail (per unit)
30/1 lb. pkg.	$8.26	$0.35
24/14 oz. pkg.	7.40	.33
36/12 oz. pkg.	6.60	.21
72/8 oz. pkg.	6.75	.12
24/20 oz. pkg.	4.45	.24
12/24 lb. pkg.	3.25	.36
24/12 oz. pkg.	3.60	.16
24/11½ oz. pkg.	3.50	.16
24/7¾ oz. pkg.	2.25	.13
24/8 oz. pkg.	2.50	.13
12/8 oz. pkg.	1.25	.13
24/8 oz. pkg.	2.50	.19
24/8 oz. pkg.	3.35	.18
6/25 lb. pkg.	3.40	.43
50/2 lb. pkg.	5.70	.14
24/2 lb. pkg.	3.10	.16

(d) *Chocolate.*

Case of—	Price at wholesale	Retail price (per unit)
Coronet (Baking)	48/½ lb. pkg.	$5.80	$0.16
Maillard Eagle	10/8 oz. pkg.	1.85	.35
Coronet (Cocoa)	48/½ lb. pkg.	4.80	.14

7. Section 4.8 (Crackers and Bread) is amended by adding new items to paragraph (c) (2) to read as follows:

(c) (2) *Imported.*

Items and brand names	Unit (container)	Price to wholesaler (per dozen)	Retail price (per unit)
Lesser Wafers:			
Vanilla Wafers	24-oz. pkg.	$0.72	$0.06
Lemon Snaps	24 oz. pkg.	1.44	.06

[2] 12 packages for 15¢.

PART 1418—TERRITORIES AND POSSESSIONS

[Rev. Mdr. 183,[1] Amdt. 2]

GROCERY PRODUCTS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 4.1 is amended by adding a new item to read as follows:

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Banana Flakes, Kanfarina	12-7½ oz. can	$4.30	$0.46

2. Section 4.2 is amended by adding new items to read as follows:

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Liquors, Imported:			
Brandies:			
Domecq Caballero, S. A.: Dreano	12/25 qts.	$10.00	$0.75
Domecq, S. A.: Domecq Fundador	1 gal. barrel	31.00	16.00
Cider (Spanish):			
Chamipanera Asturiana, S. A.: La Tierrina	12/1 pt. 6 oz.	12.50	1.50
	24/12 oz.	13.50	.80
Champagne:			
Cederlund, S. A.: Non Plus Ultra Sec	12/1	66.00	8.00
Pedro Domecq, S. A.: Domecq	24/12 oz.	40.00	2.30
Cordials:			
Pedro Domecq, S. A.: Anisette Domecq	12/1 pt. 6⅔	48.50	4.60
Pedro Domecq, S. A.: Fourche Chartreuse	12/1 pt. 6⅔	72.00	5.00
Hijos de Antonio Barcelo, Anisette Cardin	12/1 pt. 9.6	42.50	3.00
	12/5 qts.	13.50	1.65
Vermouth:			
Petri Wine Co.: Vermouth Sweet	12/4/5 qts.	11.15	1.50
Wines (American):			
Petri Wine Co.:			
Sherry	12/4/5 qts.	11.15	1.50
Muscatel	12/4/5 qts.	11.15	1.50
Angelica	12/4/5 qts.	11.15	1.50
Dessert	12/4/5 qts.	11.15	1.50
Rosé Light:			
Bordelaise Red Wine	12/1 pt. 8.6⅔	9.85	1.15
Iberyca White Wine	12/1 pt. 8.6⅔	9.85	1.15
Wines (Foreign):			
Herederos Marques de Riscal: Marques de Riscal (Red)	24/1 pt. 8.6⅔	21.50	2.50
	24/1 pt. 7.0⅔	26.75	2.30
A. Rubio Vaquer: Malaga Black Sweet	12/1 pt. 9.6⅔	18.50	2.15
Hijo de Antonio Barcelo, S. A.:			
Tinto Valdepenas	12/1 pt. 9.6⅔	18.50	2.15
Blanco Valdepenas	12/1 pt. 9.6⅔	18.50	2.15
Moscatel	12/1 pt. 9.6⅔	24.75	2.75
Moscatel (Tin Foiled)	12/1 pt. 9.6⅔	24.75	2.75
Barcelo Malaga Brown Sweet	12/1 pt. 9.6⅔	28.50	2.75
Barcelo Malaga Brown Sweet (Tin Foiled)	12/1 pt. 9.6⅔	28.50	2.75
Dulce Malaga Sweet	12/1 pt. 9.6⅔	24.75	2.75
Dulce Malaga Sweet (Tin Foiled)	12/1 pt. 9.6⅔	24.75	2.75
Cruz Vino de Honor (Tin Foiled)	12/1 pt. 9.6⅔	26.75	2.90
Luis Caballero, S. A.:			
Manzanilla Manzena	12/1 pt. 9.6⅔	25.50	2.65
Manzanilla Pasada Vina Las Cruces	12/1 pt. 9.6⅔	27.50	2.85
Pedro Domecq, S. A.:			
La Riva Jerez	12/1 pt. 8.6⅔	19.50	1.95
Oloroso Dulcilla Jerez	12/1 pt. 8.6⅔	25.50	2.65
La Ina Jerez	12/1 pt. 8.6⅔	21.50	2.15
Pedro Jerez	12/1 pt. 8.6⅔	21.50	2.15
Moscatel Jerez	12/1 pt. 8.6⅔	21.25	2.15
Sanchez Romate Hnos., S. A.:			
Olorosso Romate Dona Ana Dark Golden Dry Sherry	12/1 pt. 7.0⅔	31.00	3.75
Spanish Exquisito Florentino Cream Wine (Gold Foiled)	12/1 pt. 7.0⅔	35.50	3.75
Vino de Grandes	12/1 pt. 7.0⅔	31.00	3.75
Spanish Exquisito Amontillado (Gold Foiled)	12/1 pt. 7.0⅔	35.50	3.75
Moscatel Superior (Gold Foiled)	12/1 pt. 7.0⅔	35.00	3.60
Whiskies (American):			
Rhenfel Sunnybrook	12/5 qts.	37.25	3.15
Scotch: King William	12/5 qts.	41.00	4.75

[1] 10 F.R. 7635.

(2) *Imported*—Continued.

Items and brand names	Unit (container)	Price to wholesaler (per doz.)	Price at wholesale (per doz.)	Price at retail (per unit)
Nabisco:				
Deluxe Assorted	1 lb. pkg.	.....	$4.20	$0.45
English Style Assorted	1 lb. pkg.	.....	1.50	.17
Holland Rusk	5 oz. pkg.	.....	2.10	.22
Lorna Doone	8½ oz. pkg.	.....	1.75	.18
Melody Van Cakes	7 oz. pkg.	.....	1.40	.15
Prom	7½ oz. pkg.	.....	1.45	.15
Salt	8 oz. pkg.	.....	1.80	.19
Saltine	10¼ oz. can	.....	4.10	.45
Triscuit Salted	5 oz. pkg.	.....	1.40	.17
Zwieback	6 oz. pkg.	.....	2.25	.24

8. Section 4.10 is amended by adding new items to paragraphs (a) and (b) to read as follows:

(a) *Fats.*

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
(1) Peanut Butter:				
Planter's	24/8½ oz. glass	.....	$5.10	$0.28
	24/10 oz. glass	.....	8.85	.47
Heinz	12/8 oz. glass	.....	2.60	.28

(b) *Oils (edible).*

Items and brands	Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
(1) Olive:				
Coronet	12/1 qt. glass	.....	$22.20	$2.32
	24/1 pt. glass	.....	21.20	1.20
	24/8 oz. glass	.....	12.00	.62
(2) Vegetable:				
Peanut Oil:				
Hi-Hat	6/1 gal. can	.....	12.40	2.38
	12/1 qt. glass	.....	7.55	.79
	24/1 pt. glass	.....	7.90	.41
Amigo	4/1 gal. glass	.....	7.20	2.28
	24/8 oz. glass	.....	3.90	.19
Sayola	12/½ gal. glass	.....	6.25	.65
	24/½ gal. glass	.....	7.00	.36

9. Section 4.11 (Fish) is amended by adding new items to paragraph (a) and by changing the price of one item in paragraph (b) to read as follows:

(a) *Canned.*

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Price at retail (per unit)
Anchovies: Portuguese fillets, in pure olive oil: Olympique.	100/2 oz. can	.....	$25.00	$0.32
Caviar: Queen (domestic).	48/2 oz. glass	.....	7.20	.19
Herrings, Bismark #1 Royal Scarlet.	24/5 oz. glass	.....	2.55	.13
Herrings, Bismark #2 Royal Scarlet.	12/15 oz. glass	.....	5.15	.53
Herrings, Salad Royal Scarlet.	24/8 oz. glass	.....	4.65	.24
Herrings (mixed) Holland style: Griffin	4/3 lbs. glass	.....	3.15	.97
Herrings Tid Bit Royal Scarlet.	24/5 oz. glass	.....	5.15	.26
Lobster: Cuban Rock (Ferre).	24/#½ can	.....	14.00	.72
Mussels, Bar Harbor (Sea).	24/6½ oz. can	.....	6.70	.34

(a) *Canned*—Continued.

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Price at retail (per unit)
Perch Fillet: Birdseye		.....		
Pollock Fillet:		.....	1.50	$0.15
40 Fathom		.....	1.50	.15
Blue Ribbon		.....	1.50	.15
Sea Fresh		.....		
Sardines, Maine, packed in Peanut Oil:				
Frigate	100/3¼ oz. can	.....	12.45	.16
	72/4¾ oz. can	.....	8.50	.16
Portland	100/3¼ oz. can	.....	12.45	.16
	72/4¾ oz. can	.....	8.50	.16
Maine Maid	100/3¼ oz. can	.....	12.45	.16
	72/4¾ oz. can	.....	8.50	.16
Squids, Portuguese in ink with Olive Oil: Guzela	100/4½ oz. net can.	.....	36.00	.47

[1] Per pound.

(b) *Cured.*

Items and brand names	Price to wholesaler	Price at wholesale	Price at retail
	Pound	*Pound*	*Pound*
Pilchards in brine	.....	$0.1375	$0.18

10. Section 4.12 is amended by adding new items to read as follows:

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Cocomalt	24/12 oz. glass	.....	$7.85	$0.41
Borden's Hemo	24/1 lb. glass	.....	11.35	.59

11. Section 4.14 is amended by adding new items to paragraphs (a), (b) and (c) to read as follows:

(a) *Fruits.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Apricots:			
Century: Unpeeled	6/#10 can	$6.75	$1.39
California Belle: Unpeeled (halves)	24/#2½ can	7.45	.39
Flotta: Halves	24/#2½ can	7.75	.40
Hope Chest: Unpeeled (whole).	6/#10 can	6.00	1.23
Palmdale:			
Pulp	6/#10 can	6.80	1.41
Unpeeled (whole)	24/#2½ can	6.55	.33
State Fair: Unpeeled (whole).	6/#10 can	6.00	1.30
Cherries:			
Starr: Dark Sweet (pitted).	24/#2½ can	12.40	.65
S & W: Marraschino	24/9 oz. glass	7.75	.41
Figs:			
S & W: Delphia	6/#10 can	8.30	1.73
Sanitarium: Unsweetened	24/#2 can	6.00	.35
Tropic Treat: Kadota	24/#2½ can	8.70	.45
Fruit Cocktail:			
Royal Scarlet	24/#2½ can	9.00	.47
Sanitarium: Unsweetened.	24/#2 can	7.00	.36
Supreme	24/#2½ can	8.75	.47
Trupack	24/#2½ can	8.80	.47
Peaches:			
H. B.: Yellow Cling (halves).	24/#2½ can	6.45	.35
Poplar: Yellow Cling (halves).	24/#2½ can	6.45	.35

(a) *Fruits*—Continued.

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Peaches—Continued.			
Sanitarium			
Unsweetened (halves)	24/#2 can	$6.00	$0.31
Unsweetened (sliced)	24/#2 can	6.00	.31
Pears:			
Manchester: Kelffer (whole).	12/#2½ glass	5.75	.59
Palmdale: Bartlett (halves).	24/#2½ can	9.40	.49
Rio Rita: Bartlett (water halves).	24/#2½ can	6.75	.37
Ruby: Standard, halves, in light syrup.	6/#10 can	6.30	1.28
Seurock: Bart in light syrup.	6/#10 can	6.10	1.32
Sanitarium: Bartlett, halves, unsweetened.	24/#2 can	7.00	.36
Plums:			
Palmdale: Red Tart	6/#10 can	4.90	1.06
Royal Scarlet:			
Fresh Purple Oregon	6/#10 can	4.85	1.00
Purple	24/#2½ can	5.80	.30
Purple (whole)	6/#10 can	4.85	1.05
Prunes:			
Royal Scarlet:			
Prepared	6/#10 can	4.05	.81
Dried Prepared	4/#10 glass	3.90	1.20
Dried or dehydrated fruits			
Figs:			
Premier: Calimyrna	30/6 oz. pkg.	7.75	.28
White Adriatic: Dried	25 lbs.	8.20	[1] .11
Peaches:			
Chilford	24/15 oz. pkg.	11.00	.56
Daphane: Yellow dried, extra choice.	25 lbs.	9.75	[1] .50
Pears:			
Highland: Dried evaporated.	25 lbs.	9.05	[1] .47
Fancy Lake Co.: Dried evaporated.	25 lbs.	9.70	[1] .50
Chilford	24/15 oz. pkg.	10.00	.51
Prunes:			
Chilford 50/60	24/15 oz. pkg.	4.20	.22
Red Fox 30/40	25 lbs.	4.40	[1] .21
Table Time 70/80	25 lbs.	4.05	[1] .21
Raisins:			
3 Crown London Layer Muscats.	20 lbs.	5.00	[1] .30
Premier: Thompson Seedless (Choice).	30 lbs.	4.05	[1] .20
Royal Scarlet:			
Thompson Seedless	48/15 oz. pkg.	7.25	.39
Unbleached	30 lbs.	4.40	[1] .19

[1] Per pound.

(b) *Fruit juices and nectars.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Apple Juice:			
Holly Ripe	24/16 oz. glass	$3.20	$0.17
	12/1 qt. glass	3.00	.32
Wayne	12/32 oz. glass	2.80	.30
Red Cheek	24/1 pt. glass	3.20	.17
Royal Scarlet	24/16 oz. glass	3.10	.15
Apricot Nectar:			
Chevy Chase	6/#10 can	5.00	1.07
Nestor	48/12 oz. can	5.05	.14
	24/12 oz. glass	2.70	.14
	12/1 qt. glass	3.80	.41
	6/#10 can	5.00	1.07
Grape Flavor: Hadda's Valencia.	24/12 oz. glass	2.75	.14
	24/16 oz. glass	3.05	.16
Grape Fruit (Imitation): Grapefail.	12/1 qt. glass	2.75	.28
	24/1 pt. glass	3.20	.16
Orange Flavor: Hadda's Valencia.	24/12 oz. glass	2.75	.14
	24/16 oz. glass	3.05	.16
Orange Juice:			
Adams	24/#2 can	5.05	.26
Donald Duck	24/#2 can	4.75	.23
Pear Nectar: Nestor	48/12 oz. can	5.05	.14
	24/12 oz. glass	2.75	.14
Pineapple Flavor: Hadda's Valencia.	24/12 oz. glass	2.75	.14
	24/16 oz. glass	3.05	.16
Plum Nectar: Nestor	24/12 oz. glass	2.50	.11
Prune Juice:			
Heart's Delight	12/1 qt. glass	3.45	.37
Sunsweet	12/1 qt. glass	3.95	.41

(c) *Fruit sauces.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Apple: Royal Scarlet	24/#2 can	$3.85	$0.21
Cranberry: Royal Scarlet	24/16 oz. glass	6.00	.33

12. Section 4.16 is amended by adding new items to read as follows:

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Jam, Apricot:			
Alice Foote MacDougal	24/1 lb. glass	$6.75	$0.37
Palmdale	24/1 lb. glass	7.00	.37
S & W	12/2# glass	6.50	.70
Jelly:			
Apple:			
Heinz (crab)	12/11½ oz. glass	2.60	.28
Premier	24/12 oz. glass	4.00	.20
Mint: Royal Scarlet	24/12 oz. glass	5.80	.31
Red Currant: Heinz	12/11½ oz. glass	6.25	.35

13. Section 4.18 is amended by adding new items to read as follows:

(3) *Ham.*

Items and brand names	Case of—	Price at wholesale	Price at retail (per unit)
Asars: Pressed	6/8 lbs	[1] $0.49	[1] $0.61
Cudahy: Deviled	48/3 oz. can	7.40	.19

[1] Per pound.

(4) *Meat products.*

Items and brand names	Case of—	Price at wholesale	Price at retail (per unit)
Tang: Luncheon Meat	48/13 oz. can	$17.50	$0.45
Wilson's Certified:			
Chicken à la King	24/9½ oz. glass	10.00	.51
Lamb Tongue	24/9 oz. glass	9.00	.47
Sausage Meat	24/24 oz. can	7.75	.40
Whole Ox Tongue	6/6 lbs. can	23.50	[1] 4.90

[1] Or 81 cents per pound.

(5) *Sausages.*

Items and brand names	Case of—	Price at wholesale	Price at retail (per unit)
Vienna:			
Claridge: Whole in brine	24/8 oz. can	$7.80	$0.39
Wilson's Certified: Whole	48/4 oz. can	5.65	.15

14. Section 4.19 is amended by adding new items to paragraphs (a), (b) and (c) to read as follows:

(a) *Olives.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Ramella:			
Petite	12/32 oz. net	$5.30	$0.57
Choice Pewee	24/16 oz. net	5.75	.31
Choice Petite	24/16 oz. net	5.95	.32
Choice Standard	24/16 oz. net	6.15	.33
Manzanilla:			
La Andaluza: Stuffed	12/10 oz. net	6.05	.66
Royal Scarlet: Stuffed	24/4½ oz. net	7.45	.40
	24/6¾ oz. net	9.70	.51
Sweet Life: Stuffed	24/4½ oz. net	7.00	.38
Excello: Stuffed (thrown)	24/4 oz. net	7.45	.40
Top Hat: Stuffed	24/3.24 oz. net	4.75	.25
	24/5.85 oz. net	8.75	.45
	24/5 oz. net	7.25	.38
Paradise: Plain	24/3 oz. net	3.20	.17
El Canario	36/3 oz. net	3.75	.13
Plain:			
La Andaluza: Queen	12/16 oz. net	7.05	.76
Pick of King's Colossal	24/9 oz. net	10.30	.53
Royal Scarlet: Queen	12/20 oz. net	10.00	1.08
California Spanish Style (Green):			
Forty Eight Stars:			
Pewee Size	48/5½ oz. net	8.30	.22
Midget Size	48/5½ oz. net	8.70	.23
Spanish, Three Star: Stuffed	24/3 oz. net	4.90	.26

(b) *Capers.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
El Canario	36/3 oz. net	$3.90	$0.14
Royal Scarlet, Non Pareil	24/2¼ oz. net	4.05	.22

(c) *Olives and capers.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Brownie	24/3½ oz. net	$3.80	$0.20
	24/4½ oz. net	4.30	.22
El Canario	36/3 oz. net	3.81	.13
La Andaluza	24/2 oz. net	2.85	.15
Rose Marie	24/3½ oz. net	3.85	.20

15. Section 4.20 is amended by adding new items to paragraphs (a) (2), (b) (2) (3) (5) (6), and (c) to read as follows:

(a) *Salt (imported)*—(2) *Refined.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Table Salt: Royal Scarlet.	24/#2 round pkg.	$1.95	$0.11

(b) *Condiments and dressings*—(2) *Salad dressings.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Armour Vitalox (dressing).	48 4½ oz. glass	$13.00	$0.35
	24 1 lb. glass	27.75	1.50
Blue Moon (cheese spreads):			
American	12/4 oz. container	1.80	.19
Pimiento	12/4 oz. container	1.80	.19
Bavarian	12/4 oz. container	1.80	.19
Old Smokey	12/4 oz. container	1.80	.19
Cavern Blue	12/4 oz. container	2.40	.26
Switzlaken	12/4 oz. container	2.40	.26
Loudon (apple butter)	24/14 oz. glass	3.05	.16
Royal Scarlet (mayonnaise).	24/1 pint	8.20	.44
Susan Baker (sandwich spread).	48/8 oz. can	5.75	.15

(3) *Spaghetti sauces.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Venice:			
With meat	24/10 oz. glass	$4.50	$0.23
Without meat	24/10 oz. glass	4.30	.23

(5) *Others.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Tendra (Tenderizer for meat).	24/2 oz. glass	$5.60	$0.30
Segarta (Chile powder)	288 env./1 oz. env.	11.75	.05
K. A. (Parsley flakes)	72/½ oz. can	6.10	.11

(6) *Vinegar.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Domecq (pure grape)	12/24 oz.	$13.00	$1.40
Garvey (sugar cane)	4/1 gal.	1.80	.37
Heinz (cider)	4/1 gal.	2.90	.93
Romate	12/1 pt. 7 oz.	15.50	1.70
Royal Scarlet (cider)	4/1 gal.	3.00	.58
Wayne (cider)	24/16 oz.	2.50	.13

(c) *Pickles.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Colonial: Dill	4/1 gal.	$1.70	$1.92
Brownie: Sweet Mixed	12/1 qt. glass	4.00	.43
Libby's: Sweet	24/8 oz.	5.00	.27
Royal Scarlet:			
Hot Mixed	24/1 pint	5.50	.29
Sour Gherkins	24/8 oz. glass	3.40	.18
Sour Mixed	24/8 oz. glass	3.30	.18
Sour Onions Cocktail	24/8 oz. glass	10.50	.57
Sour Onions	24/8 oz. glass	6.60	.36
Sour	4/1 gal. glass	4.85	1.05
Sweet	4/1 gal. glass	9.75	3.15
Sweet Gherkins	24/16 oz. glass	3.85	.21
Sweet Mixed	24/1 pint	6.75	.36
	12/1 quart	5.20	.56
U. S. A.: Sweet	4/1 gal.	8.55	2.77

16. Section 4.21 (Soups) is amended by adding new items to paragraphs (a) and (b) to read as follows:

(a) *Canned.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Beans with bacon: Campbell.	48 #1 can	$6.75	$0.15
Chicken: Dalsee	48 #1 can	7.80	.20
Mushroom: Heinz	24 #1 can	4.85	.25
Tomato: Jackson	48 #1 can	4.05	.10
Vegetable: Jackson	48 #1 can	4.50	.12

(b) *Dehydrated.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Chicken-like or Beef-like broth: G. Washington's.	12/8 env. of 4 grms. each.	$2.05	$0.21

17. Section 4.22 is amended by adding new items to paragraph (a) to read as follows:

(a) *Tomato products.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Tomato catsup:			
Heco	24/14 oz. glass	$4.65	$0.24
Hurff	24/14 oz. glass	4.45	.24
Imperial	24/6 oz. glass	3.00	.15
Our Favorite	24/12 oz. glass	4.00	.22
Redhill	24/13½ oz. glass.	4.00	.22
Royal Scarlet	24/14 oz. glass	5.00	.27
Santa Cruz	24/12 oz. glass	4.00	.22
Stokely	24/14 oz. glass	4.15	.22
Tomato juice:			
C H B	24/18 oz. can	3.10	.17
Circle	24/#2 can	2.90	.15
Shriver's	24/#2 can	3.00	.19
Sunny Dawn	24/#2 can	2.90	.15
S & W	24/#1 can	2.75	.15
Sweet Life	24/#2 can	3.00	.16
Webster	24/#2 can	3.35	.19
Tomato puree: Exquisite	6/#10 can	4.15	.50
Tomato sauce: Demand	72/7½ oz. can	4.65	.08

18. Section 4.23 is amended by adding a new item to read as follows:

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Price at retail (per unit)
Macaroni: Packed: Royal Scarlet.	24/16 oz. pkg. 24/8 oz. pkg.		$3.35 2.10	$0.18 .11
Spaghetti, packed: Heinz (cooked)	24/16½ oz. glass.		4.15	.24
Luxury	24/17 oz. glass.		3.80	.20
Rosell	24/16 oz. glass.		4.10	.21
Royal Scarlet	24/15 oz. pkg.		3.35	.18
	24/8 oz. pkg.		2.10	.11
Vermicelli: packed: Sorrentino (fine).	24/16 oz. pkg.		3.20	.17

19. Section 4.24 is amended by adding new items to read as follows:

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Honey: Royal Scarlet:			
Sweet Clover	24/16 oz. glass.	$7.25	$0.39
White Clover	24/8 oz. glass.	4.05	.21
Molasses: Grandmas	24/16 oz. glass.	5.50	.31
	12/1 qt.	5.25	.56

20. Section 4.25 is amended by adding new items to paragraph (a) to read as follows:

(a) *Canned vegetables.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Asparagus: Nibblets	24/20 oz. can	$10.75	$0.56
Beans:			
Economy: Cut green	6/#10 can	4.55	.95
Family: In butter	24/#2 can	3.55	.18
Greenglow: Cut green	24/#2 can	3.05	.16
Genesee Valley: Cut green, sieve #4—Extra. Std.	24/#2 can	3.70	.20
Hi-Quality: Cut green	24/#2 can	3.05	.16
Our Farm: Cut green	24/#2 can	3.05	.16
Stokley: Snap, cut	24/#2 can	4.10	.21
Raycroft: Cut green, sieve #3, 4, 5—blended.	24/#2 can	3.55	.18
World Wide: Cut green, Sub-Std.	24/#2 can	3.65	.19
Beans (string):			
Farm Rite: French style.	24/#2 can	2.80	.15
Wright: Cut	24/#2 can	3.35	.17
Beans (stringless):			
Bethel Heights: Cut	24/#2 can	2.90	.15
Brownie, Cut	24/#2 can	3.95	.21
Choptank: Cut green, standard.	24/#2 can	3.10	.16
Fortuna: Whole	24/#2 can	6.40	.33
Indian River: Cut green.	24/#2 can	3.20	.17
Sea View: Cut	24/#2 can	3.95	.21
Sunbeam: Cut green, standard.	24/#2 can	3.50	.18
Beets:			
Deerfield:			
Diced	24/17 oz. can	2.60	.15
Sliced	24/#2 can	3.15	.17½
Exquisite:			
Cut	24/#2 can	3.40	.18
Medium whole	24/#2 can	3.80	.20
Lord Mott: Shoestring	24/#2 can	2.85	.15
Langrails: Diced	24/#2 can	3.05	.16
Palmdale: Diced	12/15 oz. glass.	1.65	.17
Plymouth: Chipped and sliced.	24/#2 can	3.35	.18
Raymail: Diced	24/#2 can	2.95	.15
Royal Scarlet:			
Diced	24/#2 can	3.25	.17
Julienne	24/#2 can	3.10	.16
Medium whole	24/#2 can	4.30	.23
Sliced	24/#2 can	4.15	.22
Stokely: Sliced	24/#2 can	3.40	.18
Carrots: Exquisite: Diced	24/#2 can	3.30	.18
Corn:			
Del Maize: Cream style	24/20 oz. can	4.45	.23
Royal Scarlet: Golden bantam cream style.	24/#2 can	3.90	.20
Golden whole kernel	24/12 oz. can	4.05	.20
Golden bantam whole kernel.	24/#2 can	4.25	.22
Supreme: Cream style	24/#2 can	3.95	.20
Mixed vegetables: Royal Scarlet.	24/#2 can	4.45	.23
Mushrooms: Royal Scarlet:			
Buttons	24/8 oz. can	20.00	1.04
Sliced	12/4 oz. can	4.80	.50
Stems and pieces	12/4 oz. can	4.00	.42
	24/8 oz. can	15.30	.80
	10/#8 oz. can	64.00	4.80
Peas:			
April Showers: June	24/20 oz. can	4.90	.25
Bridesmaid: sweet 6 sieve, standard.	24/#2 can	3.95	.20
Ferndale: Sweet	24/#2 can	4.15	.21
Le Seur: Pearl	24/20 oz. can	5.25	.27
Northampton: Early June, standard.	24/#2 can	2.60	.13
Olimpia: Soaked	24/#2 can	2.65	.13
Philsale: Early June, sub-standard.	24/#2 can	3.20	.16
Premier: Run of garden	24/#2 can	4.60	.23
Red Jay: Early	24/#2 can	3.40	.18
Peas—Continued.			
Syco: Early June, sub-standard.	24/#2 can	$2.75	$0.14
Perk and Beans: Van Camp's.	24/18½ oz. can	3.65	.17
Potatoes:			
Conway: Salad	24/1 lb. glass	4.85	.26
Osage: Sliced, white, Irish.	24/#2½ can	3.75	.20
Spinach:			
Bohannon	24/#2 can	4.00	.21
Royal Scarlet	24/#2 can	4.50	.23

21. Section 6.2 is amended by adding new items to paragraph (b) (2) to read as follows:

(b) *Imported.*

(2) *For dogs (animal feeds).*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Nabisco:			
Milk bone	24/20 oz. pkg.	$8.60	$0.45
	24/11 oz. pkg.	4.05	.22
Puppy Feed	24/25 oz. pkg.	8.50	.45
	24/10 oz. pkg.	4.05	.22
Tiny bits small	24/7½ oz. pkg.	3.00	.16
Spratt's:			
Assorted biscuits	12/12 oz. pkg.	2.30	.21
	12/20 oz. pkg.	4.30	.47
Dog cakes	6/5 lbs. bags	5.10	1.09
Fibe	6/5 lbs. bags	5.50	1.19
Spix	12/13 oz. pkg.	2.25	.24
	6/5 lbs. bags	5.10	1.09
Purina Mills: Dog checkers.	100 lb. bag	9.00	1.12

[1] Per pound or 2 pounds for 23c.

22. Section 9.1 is amended by adding new items to read as follows:

PRICES PER FORTNIGHT OR FRACTION THEREOF

Items	21° or less (per lb.)	21° to 32° inclusive (per lb.)	33° to 42° inclusive (per lb.)
	Cents	*Cents*	*Cents*
Frozen eggs	24		14
Flour			

23. Section 10.1 is amended by adding new items to paragraph (b) to read as follows:

(b) *Maximum prices.*

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Laundry:			
All brands: Yellow	100/9¾ oz. bars	$5.05	$0.05
Waltis: Washing compound.	25 lbs. bag	2.85	3.50
Toilet: Lava	100 medium cakes	6.60	.09
Dog: Spratt's	72/6 oz. cakes	[1] 2.30	.24

[1] Per dozen.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective as of July 28, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13419; Filed, July 23, 1945; 4:24 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[2d Rev. MPR 183,[1] Amdt. 3]

GROCERY PRODUCTS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 4.4 is amended by changing the prices of item 50 to read as follows:

Commodity	To wholesaler	At wholesale	At retail
50. All grades of imported milled rice	*lb.* $0.0735	*lb.* $0.0785	*lb.* $0.09

2. Section 4.10 (a) is amended by changing the prices of item (1) to read as follows:

Items and brand names	Case of—	Price to wholesaler	Price at wholesale	Retail price
(1) Lard and rendered pork fat:				
Prints		$0.1725	$0.1785	$0.22
Tierces and cases of 56		.1675	.1785	.21
Tins of 34 to 37 pounds		.17	.1810	.21

3. Section 4.11 (b) is amended by changing the price of one fish item to read as follows:

Item and brand name	Price to wholesaler (per pound)	Price at wholesale (per pound)	Price at retail (per pound)
If hard dried, semidried or smoked	$0.1475	$0.1585	$0.19

4. Section 4.25 (b) is amended to read as follows:

(b) *Dried vegetables.*

	Price at wholesale	Price at retail
All grades of dried beans and dried peas (except garbanzos, red kidney beans, lima beans and Great Northern beans) imported from the continental United States	*Per pound* $0.0790	*Per pound* $0.09
All grades of red kidney beans and lima beans imported from the continental United States	.0890	.10
Garbanzos	9.10 per 110 lbs.	.10
Great Northern beans	.0785	.09
All grades of red, pink and mottled varieties of dried beans and lentils not imported from the continental United States	.125	[1] .15
All grades of white varieties of dried beans not imported from the continental United States	.115	.14
Pigeon peas not imported from the continental United States	.065	.08

[1] On home delivered sales the maximum price at retail, except for lentils, may be increased by one cent per pound.

NOTE: The above prices do not apply in sales of seeds to the Federal Government or Insular Government or to the agencies of either, which sales are exempted from price control.

This amendment shall become effective July 25, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13420; Filed, July 23, 1945; 4:21 p. m.]

[1] 10 F.R. 7635, 8933.

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 395,[1] Amdt. 5]

GROCERY PRODUCTS IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 395 is amended in the following respects:

1. Section 16, table III, is amended by changing the price of one item to read as follows:

TABLE III—MAXIMUM RETAIL PRICES FOR CERTAIN GRAIN AND GRAIN PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
2. Rice, all types	1 pound	$0.09	$0.09	$0.10

2. Section 19, table V, is amended by changing the prices of certain items to read as follows:

TABLE V—MAXIMUM RETAIL PRICES FOR CERTAIN EDIBLE FATS AND OILS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Lard and rendered pork fat:				
Prints	1 lb.	$0.22	$0.22	$0.23
Tierces and cases	1 lb.	.21	.21	.22
Tins	1 lb.	.21	.21	.22

3. Section 21, table VIII, is amended by changing the prices of two items to read as follows:

TABLE VIII—MAXIMUM RETAIL PRICES FOR CERTAIN FRESH AND DRIED FRUIT AND VEGETABLE PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
1. Imported dried red kidney beans and imported dried lima beans	1 lb.	$0.10	$0.10	$0.11
3. All other imported dried beans, all grades	1 lb.	.09	.09	.10

4. Section 26, table XIV, is amended by changing the prices of one item to read as follows:

TABLE XIV—MAXIMUM RETAIL PRICES FOR DRY SALTED, SMOKED OR PICKLED FISH IN BULK

Commodity	Quantity (in pounds)	Island of St. Croix	Island of St. Thomas	Island of St. John
Dry salted or smoked fish, all varieties	1	$0.19	$0.19	$0.20

This amendment shall become effective July 25, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13421; Filed, July 23, 1945; 4:21 p. m.]

[1] 10 F.R. 5941, 6946, 7799, 8069, 8899.

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[MPR 158, Amdt. 4]

RESALE OF WAR BICYCLES; DISTRIBUTORS AND DEALERS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

a. Maximum Price Regulation No. 153 is amended in the following respect:

1. The first paragraph of § 1391.65 (b) is amended to read as follows:

(d) "War bicycles" means a civilian type bicycle manufactured within the limitations of War Production Board Limitation Order L-52 as in effect immediately prior to May 22, 1945, or a bicycle differing from one so produced only by reason of minor changes in material design or construction which do not reduce the cost of materials or prevent its offering fairly equivalent serviceability. Four types of war bicycles are defined as follows:

This amendment shall become effective on the 30th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13471; Filed, July 24, 1945; 11:00 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 12]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respect:

Section 1394.7851 (b) (2) (iv) is amended to read as follows:

(iv) For the travel required for the movement of a house trailer:

(*a*) In connection with a bona fide change of the regular place of residence of the person entitled to the use of such trailer.

(*b*) From a place of manufacture to a dealer outlet.

(*c*) To a location specified by the Federal Public Housing Authority, provided the original delivery or purchase order Form FPHA-17 Form FPHA-1290 or Form FPHA-64 is presented.

(*d*) To a site at which it will be used as necessary housing, by a person employed or to be employed at an essential establishment listed in § 1394.7706 (*o*) or at a construction project in connection with his occupation at such establishment or construction project.

This amendment shall become effective July 28, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13470; Filed, July 24, 1945, 11:00 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 122]

RESALES OF CERTAIN COMMODITIES SOLD BY GOVERNMENT AGENCIES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Sec.
1. What this supplementary order covers.
2. Suggestions for the use of this supplementary order.
3. How to fix maximum prices.
4. Heterogeneous lots of commodities.
5. Maximum prices for cross-stream and up-stream sales.
6. New sellers and sales that cannot be priced under Section 3 or 4.
7. Application by Government agencies for special maximum resales prices or exemptions.
8. Records, invoices, notification.
9. Export sales.
10. Prohibited acts.
11. Licensing and enforcement.
12. Where this supplementary order applies.
13. Delegation to field offices.
14. Definitions.

AUTHORITY: § 1305.150 issued under 56 Stat. 23,765, 57 Stat. 566; Pub. Law 383, 78th Cong; Pub Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SEC. 1. *What this supplementary order covers.* (a) This supplementary order fixes ceiling prices for resales in substantially the same form of commodities (except food) sold by Government Agencies, except where:

(1) The resale is subject to any of the price regulations listed in Appendix A.

(2) The resale is subject to any order issued under Supplementary Order 94, (See Appendix B for partial list of Supplementary Order 94 Orders).

(3) The resale is of a new commodity by a manufacturer who regularly manufactures or produces the same commodity.

(4) The resale is of commodities designated by the Government agency as "salvage" (as defined in section 14). *Provided*, That any "salvage" which is purchased as a completed commodity and resold in substantially the same form shall be subject to this supplementary order. The term "completed commodity," as used herein, shall not include component parts, semi-processed and semi-fabricated material.

(5) The resale is exempt from price control under any existing price regulation or supplementary order.

SEC. 2. *Suggestions for the use of this supplementary order.* In using this supplementary order, the following steps are suggested:

(a) *Determine the regulation applicable to the sale of the commodity being sold.* Find what regulation generally governs the resale of the particular commodity you are selling: "The Directory of Commodities and Services" issued by the Office of Price Administration is a convenient guide for this purpose. (It may be secured from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C. price $1.25 including supplements). If your resale is not governed by a regulation listed in Appendix A, then ascertain whether your resale is governed by an order issued under Supplementary Order 94. (Orders under Supplementary Order 94 that may be applicable to your resale are published in the Federal Register. A partial list of such orders may also be found in Appendix B. Additional National and Regional orders not listed in Appendix B have been and will be issued, so the list given there is not complete. Copies may also be obtained from any OPA office.)

(b) *Determine the ceiling price under this supplementary order for resales not governed by regulations listed in Appendix A or by orders issued under Supplementary Order 94.* Maximum prices for resales of commodities sold by the Government agencies and governed by this order are determined by two methods: First, the Government selling agency may propose, prior to sale, maximum prices for resales of specific lots of commodities or exemption of such resales from price control (see section 7). Where such resale prices or exemptions are approved by the Office of Price Administration, the Government selling agency and all subsequent resellers (except those selling to users) are required to mark the OPA approved maximum resale prices at each level of distribution or exemptions on all invoices, and sell at no higher than the stated maximum prices.

Second, if your invoice does not carry any notation of prior OPA action, your maximum resale price should be determined under section 3. This section provides that maximum resale prices are determined by adding to the invoice cost of the commodity a percentage mark-up not in excess of your normal percentage mark-up on a comparable commodity acquired from non-government sources. Adjustments in the margin over cost so calculated may be made, however, to arrive at "adequate" margins. To accomplish this purpose, cost may be adjusted for deteriorated and damaged items and for repairs or reconditioning actually performed. Under certain circumstances the percentage margin may be calculated on one-half or one-quarter the Government ceiling price if this figure is more than the price paid. In all cases where a percentage mark-up must be used, in-bound freight actually paid may be added after the mark-up is added to cost. Resales of heterogeneous lots are governed by section 4.

Resellers unable to price under the above method because they do not have mark-ups on comparable commodities should apply to OPA (section 6). Unusual pyramiding of resale prices by cross-stream or up-stream sales is prohibited (section 5). All retailers are required to tag or display retail ceilings (section 8).

SEC. 3. *How to fix maximum prices.* Subject to the provisions of section 5 for cross-stream and up-stream sellers and buyers, maximum prices are determined as follows:

(a) *Calculation of mark-up.* (1) To fix your maximum price for any sale of a commodity governed by Maximum Price Regulation 580, Maximum Price Regulation 590, or Revised Maximum Price Regulation 330, you must first determine your category average percentage mark-up which is permitted by those regulations for the commodity you are selling.

Example. If you are a retailer and have bought some government surplus U. S. Navy gray shirts, you would consult your base date pricing chart prepared according to the instructions in Maximum Price Regulation 580 for Category 117, Shirts. If your average percentage mark-up on cost for the category is 61%, that is the mark-up you would use for the surplus shirts.

(2) To fix your maximum price for any sale of any other commodity, you must first figure your percentage mark-up over net invoice cost for a comparable commodity having the same general use purchased by you from your normal commercial (non-government) sources of supply which you sold to the same class of buyer during the year June 1, 1944–June 1, 1945. In figuring your percentage mark-up you must use a selling price for the comparable commodity which is no higher than your legally established maximum price. The comparable commodity must meet all of the following tests:

(i) It has been sold by you during the year June 1, 1944 to June 1, 1945 and a maximum price has been legally established.

(ii) It has been purchased by you from a regular commercial supplier, and to your knowledge, it has not been acquired directly or indirectly from the Government.

(iii) Both it and the commodity you are pricing must have the same general use and must belong to a class of commodities to which, according to your customary practice, you usually apply an approximately uniform initial percentage mark-up.

If you are selling a used commodity and did not sell a comparable used commodity in the base period, you may use the mark-up on a comparable new commodity.

Example. If the maximum price for a comparable commodity is $5.00 and the net invoice cost is $4.00, you figure your percentage mark-up by dividing the margin (difference between maximum price and invoice cost) by the invoice cost as follows:

$5.00 maximum price—comparable commodity
−4.00 invoice cost

1.00 margin
$1.00 ÷ $4.00 = 25% your percentage mark-up.[1]

(b) *Application of percentage mark-up to invoice cost.* Your next step is to figure your maximum price by multiplying the unit invoice cost of the commodity sold by the Government by the percentage mark-up over net unit invoice cost determined as specified above. Add the resulting figure to the unit invoice cost of the commodity you are pricing. Then add to this sum the incoming freight per unit which you actually paid.

Example:

Percentage mark-up (step 1)—25%	
Unit invoice cost item being priced	$3.50
Mark-up (25% of $3.50)	.87
	4.37
Freight paid ($4.00 for 100 units)	.04
Your maximum price	4.41

If you purchased the same commodity from more than one Government or distributor source you may average the unit invoice cost by dividing the total invoice cost for the whole quantity purchased by the total quantity purchased, and you may average the unit incoming freight by dividing the total freight paid by the total quantity purchased. However, if additional quantities of the same commodity are later purchased you must redetermine your maximum price by either of the following methods:

(1) You may fix a maximum price for each later purchase in the same manner that you originally fixed your maximum price. If you follow this method, you must keep your new stock separate from the old, where your maximum price for your new stock is different from that for the old stock. However, if both new and old stocks are sold at the same price at or below the lowest maximum price applicable to either the old or the new stock, stocks need not be kept separate.

(2) You may refigure the original maximum price by dividing the total cost of all purchases in stock by the total quantity of such purchases. You may then apply the percentage mark-up on a comparable commodity to the resulting average invoice cost for all purchases and determine your maximum price in the manner specified above.

(c) *Chain stores.* If the seller is a chain or has a number of selling outlets, it may establish its maximum prices for each outlet separately or on the basis of central pricing, according to its lawful practice in determining maximum prices on comparable commodities.

(d) *Adjustment of unit invoice cost for commodities which are broken, deteriorated, damaged, reconditioned or repaired*—(1) *For broken, deteriorated or damaged commodities.* In fixing his maximum price under paragraph (b), the purchaser who buys directly from the Government (but not any subsequent purchaser who buys from the first purchaser) may adjust his unit invoice cost for the salable part of the quantity of the commodity purchased when part of the quantity purchased is broken, deteriorated or damaged to the extent of being unsalable, except as scrap, in the following manner:

(i) You may divide the total invoice cost (less the estimated scrap value of the portion not salable) by the quantity of commodities which you have determined as salable after inspection and segregation. The result will be your adjusted unit invoice cost. However, in the case of new commodities, the adjusted unit invoice cost must not exceed the Government ceiling price per unit; if it does, you must reduce the adjusted unit invoice cost to the Government unit ceiling price. In the case of used commodities, the adjusted unit invoice cost must not exceed one-half the Government unit ceiling prices new; if it does, you must reduce the adjusted unit invoice cost to one-half the Government unit ceiling price new.[2]

Example. You have purchased "as is" 100 used metal bomb chests for $100.00 for the lot. The Government ceiling price new as furnished by the Government agency is $4.00 each. Twenty-five chests are found to be badly rusted and dented, and salable only as scrap. To obtain your adjusted unit invoice cost you may calculate the cost of the 75 salable chests as follows:

Price paid for 100	$100.00
Scrap value of 25	2.00
Cost of salable units	98.00

Adjusted unit cost = $98.00 ÷ 75 = $1.31

You may calculate your mark-up on $1.31 and add it to $1.31, just as though you had paid $1.31 for each chest.

NOTE: If the adjusted unit invoice cost exceed $2 (½ Government ceiling price new), you would have had to reduce it to $2.

(2) *For reconditioned or repaired used commodities.* In fixing his maximum price under paragraph (b), the purchaser who buys directly from the Government (but not any subsequent purchaser who buys from the first purchaser), when he reconditions or repairs salable used commodities, may adjust his unit invoice cost in the following manner.

(i) You may add to the total invoice cost (less the estimated scrap value of the portion not salable except as scrap) the actual cost incurred for labor and materials used in reconditioning or repairing any of the commodities. You may then divide this total cost by the quantity of commodities which you have determined as salable after inspection and segregation. The result will be your adjusted unit invoice cost. However, the adjusted unit invoice cost must not exceed one-half the Government unit ceiling price new; if it does, you must reduce the adjusted unit invoice to one-half the Government unit ceiling price new.[3]

If you make the adjustment provided in this subparagraph (2), you must use the percentage mark-up on a comparable new commodity.

Example. You have purchased 100 used metal bomb chests for $100. The Government ceiling price new as furnished by the Government agency is $4.00 each. Twenty-five chests are scratched and rusted, but are salable after repainting. Cost of repainting is $1.25 for paint, and $5.00 for labor. You may calculate your unit invoice cost as follows:

Price paid for 100	$100.00
Cost of reconditioning 25 chests:	
Labor	$5.00
Material	1.25
	6.25
Adjusted total cost	$106.25

Adjusted unit cost = $106.25 ÷ 100 = $1.06

You may calculate your mark-up on $1.06 and add it to $1.06.

NOTE: If the adjusted unit invoice cost exceeded $2 (½ Government ceiling price new), you would have had to reduce it to $2.00.

(3) If you adjust your unit invoice cost under this paragraph (d), you must, before you offer the commodities for sale, file with the Surplus Goods Price Coordinator of the District Office of the Office of Price Administration in the District in which you are located the following information:

(i) Your name, business address and type of business.

(ii) Description of the commodities purchased by you, and name of Government selling agency.

(iii) The Government ceiling price as furnished by the Government agency.

(iv) Quantity of broken, deteriorated or damaged commodities, if any, which are unsalable except as scrap.

(v) Quantity and total invoice cost of commodities purchased by you.

(vi) Estimated scrap value of portion not salable, if any.

(vii) Breakdown of labor and materials cost for reconditioning or repairing.

(viii) Your adjusted unit invoice cost.

(ix) Your sales price.

(4) You may not apply the foregoing provisions of this paragraph (d) where the condition of the commodity is warranted or guaranteed, by the Government agency.

(e) *Low price Government sales.* If you pay to the Government or to your supplier a price less than one-half the Government ceiling price for a new commodity, you may apply the percentage mark-up obtained under paragraph (a) above to one-half of the Government's ceiling price new instead of the actual unit invoice cost. If you pay to the Government or to your supplier a price less than one-fourth the Government ceiling price new for a used commodity, you may apply the percentage mark-up obtained under paragraph (a) above to one-fourth of the Government ceiling price new instead of the actual unit invoice cost. You then add the dollar-and-cents mark-up so obtained to the actual unit invoice cost in order to get your maximum price.[4] You may then add your incoming freight.

Example. If you buy a new commodity for $1.00 for which the Government ceiling price is $10.00 and your percentage mark-up ac-

[1] You may, if you wish, figure your percentage mark-ups as "mark-ups on selling price" instead of on your net cost, but you must use the same method in figuring all percentage mark-ups and in applying all percentage mark-ups.

[2] This adjustment may not be made unless the Government selling agency has furnished to you the Government ceiling price.

[3] See footnote 2.

[4] This adjustment may not be made unless the Government selling agency has furnished to you or your supplier the Government ceiling price.

cording to Section 3 (a) is 25%, you may calculate your ceiling price as follows:

Mark-up on one-half Government ceiling (25% of $5.00)	$1.25
Purchase price paid Government	1.00
Total	2.25
Inbound freight	.04
	2.29

(f) *Commodities same as regular stock.* If the commodity which you purchased directly or indirectly from the Government is the same as a commodity not acquired directly or indirectly from the Government and which you have currently in stock and are offering for sale, and your regular stock currently available for sale has a lawfully established maximum price higher than the maximum price established under the foregoing provisions, you may sell the commodity at the lawfully established maximum price for the commodity currently in stock. Similarly, if the lawfully established maximum price for the commodity you have in stock is lower than the price which would be established under the foregoing provisions, the lawfully established price must remain in effect for the commodity acquired directly or indirectly from the Government.

SEC. 4. *Heterogeneous lots of commodities.* If you purchase a heterogeneous lot of commodities directly or indirectly from the Government and intend to resell the lot on an individual item basis, you must place an appraisal not to exceed your actual or estimated replacement cost upon each item in the lot, including items whose resale is not subject to this order. The item appraisals must bear a reasonable relationship to the relative sales values of the items. The total of the individual appraisals must not exceed your original purchase cost of the entire lot plus inbound freight actually paid. If you recondition or repair any item, the actual labor and materials cost incurred for such reconditioning or repairing may be added to the individual item appraisal. In selling individual items which are subject to this Supplementary Order from the lot, fix your maximum price in accordance with Section 3 except that the unit appraisal item cost (plus the actual labor and materials cost of reconditioning or repairing where incurred) will be substituted for the unit invoice cost.

A record must be kept of the individual item appraisals and must be made available for inspection by any authorized agent of the Office of Price Administration.

When you resell the entire lot to one purchaser, you fix your maximum price for the entire lot by adding to the invoice cost of the lot the percentage mark-up applying to the principal class of commodities (by value) in the lot. Then add to the sum the incoming freight which was actually paid.

SEC. 5. *Maximum prices for cross-stream and up-stream sales.* For the purposes of this supplementary order, the regular sequence of distribution is assumed to consist of three successive levels. These three levels are (i) sales by the Government to wholesalers or retailers (ii) sales by wholesalers to industrial users, exporters or retailers and (iii) sales by retailers to consumers. A sale by one wholesaler to another, by one exporter to another, or by one retailer to another is a cross-stream sale. A sale by a retailer to a wholesaler or any other similar sale is an up-stream sale.

For the purposes of this section 5, a person is a retailer if a major portion of his sales of comparable commodities is to ultimate consumers; a person is a wholesaler if a major portion of his sales of comparable commodities is to persons other than ultimate consumers.

Maximum prices for cross-stream or up-stream sales shall be determined as follows:

(a) If the seller has a legally established practice of selling commodities comparable to those sold by the Government, to other sellers of his class, as defined herein and has legally established maximum prices to that class of buyer, (that is, if he is a wholesaler and customarily sells to other wholesalers, etc.,) he may fix his maximum price in accordance with section 3, *Provided*, That he files with the Surplus Goods Price Coordinator of the Regional Office of the Office of Price Administration in whose region he is located, a statement in duplicate supplying the following information:

(1) His name, business address, and type of business.

(2) Each type of commodity which he normally sells to other sellers at the same level of distribution.

(3) For each type of commodity listed in (2) above, the names of at least three purchasers at the same level of distribution who normally purchased from the supplier.

(4) The precise method by which he established his maximum price for sales of the comparable commodity to the class of buyers to whom he proposes to sell. For example, if you regularly sold to this class of buyer in March 1942 and the commodity is priced under the General Maximum Price Regulation, or you have an order under the General Maximum Price Regulation, you should report this as your method.

Filing of this statement will permit cross-stream sales at maximum prices determined under section 3 or 4 of only those classes of commodities which the seller has customarily sold in such channels.

(b) If the seller cannot qualify under paragraph (a), he may fix his maximum price for cross-stream sales only by splitting his mark-up with the purchaser at the same level of distribution. He does this by determining the mark-up applicable on sales to the next succeeding level of distribution (e. g. if he is a wholesaler, the mark-up applicable to the same quantity for sales to a retailer). He may then make the cross-stream sale at any price below his maximum price for a sale to a purchaser at the next succeeding level; *Provided*, That he gives notice to the cross-stream buyer that the buyer's maximum price for sales to the next buyer is the original cross-stream seller's maximum price. The cross-stream buyer's maximum price shall be the maximum price of the cross-stream seller determined as specified. For example, if you are a wholesaler selling to another wholesaler and your maximum price for sales to retailers is $1.00 each, you may sell to another wholesaler at, say, 90¢ if you notify the buyer as follows: "Your maximum price for sales to retailers under section 5 (b) of Supplementary Order 122 is $1.00."

(1) If any cross-stream seller fails to furnish his buyer the notice required in (b) herein, his maximum price shall be the net invoice cost of the commodity to him plus inbound freight, regardless of the other pricing provisions of this Supplementary Order 122.

(c) Any other person who proposes to make cross-stream sales or any person who proposes to make up-stream sales who cannot qualify as a regular cross-stream or up-stream seller under paragraph (a) and who does not choose to sell under paragraph (b), must request authorization of maximum prices from the nearest Regional Office of the Office of Price Administration for cross-stream or up-stream sales. He may make application by writing a letter to the Regional Office of the Office of Price Administration giving his name and business address, a complete description of the commodity which he proposes to sell to cross-stream or up-stream buyers, the reasons why he believes such selling would not add unnecessarily to the level of prices and the cost of distribution, his invoice cost and the mark-up which he proposes to take on the sale, and the basis for his computation of the mark-up proposed. Any such cross-stream or up-stream sale may not be made without the approval in writing from the Office of Price Administration.

(4) Any person who has purchased commodities sold by the Government from a seller other than a Government agency and who proposes to sell those commodities to an exporter for export sale shall be considered a cross-stream or up-stream seller.

SEC. 6. *New sellers and sales that cannot be priced under section 3 or 4.* (a) Any seller who proposes to make sales of commodities sold by the Government which cannot be priced under section 3 or 4 may file with the Regional or District Office of the Office of Price Administration in the region or district in which he is located, an application to use applicable mark-ups to all classes of commodities and buyers to whom he expects to sell.

The application must contain the following information:

(1) Name and address of the seller, and a description of his facilities for conducting a business.

(2) The date on which the business was or will be established.

(3) The name of the owners of the firm, and a statement of their financial interest in any other firm engaged in distribution of commodities.

(4) The classes of buyers to whom the firm proposes to sell, e. g., retailers, consumers, exporters.

(5) The classes of commodities which the firm proposes to sell, e. g., builders hardware, surplus army apparel, etc.

(6) The reasons why the pricing provisions of section 3 or 4 cannot be used.

(7) His proposed pricing method for each class of commodities listed under (5) for sales to each class of buyer listed under (4) and his justification of the method proposed. He may propose the mark-ups used by a competitor if he gives the name of the competitor.

(8) The name and address of two competitors whom he regards as being most closely competitive.

If the applicant does not hear from the Office of Price Administration to the contrary within 30 days after filing his application, and if the application contained all the information required, he may use the pricing method proposed. OPA may later adjust his prices or pricing method non-retroactively.

SEC. 7. *Application by Government agencies for special maximum resale prices or exemptions*—(a) *When Government agencies may apply.* Any Government agency prior to a sale by it may apply to the OPA for special maximum prices applicable to the resales of specific lots of commodities sold by it and subject to this supplementary order or for exemption from price control of such resales.

(b) *Special maximum prices to be applied for*—(1) *Used Commodities.* In the case of used commodities, the Government agency may apply for the establishment of maximum prices for sales at retail of the commodity in Class I and II condition. If the maximum price requested for used commodities in Class I condition is no higher than the Government ceiling price for the commodity in new condition, and if the maximum price requested for used commodities in Class II condition is no higher than 66⅔% of the Government ceiling price for the commodity in new condition, the requested retail ceiling prices will not be disapproved by the Office of Price Administration. Where the retail ceiling price is established hereunder, all resales except sales at retail or sales to exporters shall be exempt from price control, *Provided*, That every seller (except a retailer), including the Government agency, gives the buyer written notice in any convenient form of the retail ceiling price when he offers the commodity for sale, and *Provided further*, That the invoice of sale or equivalent document furnished to the buyer by the seller states the retail ceiling price.

(i) *Class I.* A commodity is in Class I condition if no part is missing which is necessary to make the commodity fully useful; the commodity is in good working condition, can be used by the consumer for the purpose intended without further repair, and the commodity is clean and its appearance is good.

(ii) *Class II.* A commodity is in Class II condition if it is not in Class I.

(2) *New commodities.* In the case of new commodities, the Government agency may apply for the establishment of maximum prices for sales of the commodity at wholesale and sales at retail or sales at any other normal level of distribution. The requested maximum prices may be expressed in terms of prices at retail with specified discounts, mark-ups over Government selling price or in any other appropriate manner. If the maximum prices requested permit generally fair and equitable percentage margins for normal levels of distribution, and if the Government selling price to wholesalers or jobbers is no higher than the Government ceiling price, the requested maximum prices will not be disapproved by the Office of Price Administration.

(c) *When a requested maximum price may be deemed approved.* Any maximum price requested by a Government agency in accordance with the provisions of paragraph (b) herein shall be deemed approved unless OPA gives notice to the contrary within 7 days from the date the application is filed with the Office of Price Administration.

(d) *Actual notice of special resale maximum prices*—(1) *Invoicing.* Every reseller, except a retailer, shall furnish his buyer with an invoice of sale setting forth the maximum prices for sales at each level of distribution established under this Section 7.

(2) *Failure to furnish invoice.* If any reseller who has been furnished the resale maximum prices as provided herein fails to furnish his buyer the information required by sub-paragraph (1) herein, his maximum price for the sale shall be the net invoice cost of the commodity to him plus inbound freight actually paid by him, regardless of the other pricing provisions of this supplementary order.

(e) *Resale maximum prices applicable in absence of actual notice.* In the absence of receipt of actual notice by resellers of prices established or exemptions granted pursuant to this section, the resellers shall compute their maximum resale prices in accordance with the provisions of Section 3.

(f) *Exemptions.* Where the Government agency applies for an exemption from price control of resales of specific lots of commodities, the Office of Price Administration may grant the requested exemption from price control of the particular resales when in its opinion, inflationary consequences will not result from the exemption because of market conditions, the use to which the commodity may be put, or the fact that the prices that may be charged will not tend to increase the cost of living or other prices.

SEC. 8. *Records, invoices, notification—Records.* The records required by this section must be kept for so long as the Emergency Price Control Act of 1942, as amended, remain in effect. All such records must be kept at your place of business.

(a) *Current records.*—(1) *Preserving invoices.* You must preserve the purchase invoices which you receive for all commodities purchased from your supplier. You must keep these invoices in alphabetical, numerical, or chronological order, or according to some other recognized filing system. Upon request of any authorized agent of the Office of Price Administration, you must let him examine your purchase invoices for any commodities covered by this Supplementary Order, for which such request is made.

(2) *"Wholesaling" or "Retailing" invoices.* Every reseller must "wholesale" or "retail" his supplier's invoice. To

"wholesale" or "retail" his supplier's invoice he must write on the invoice or upon a separate sheet (which must refer to the purchase invoice) either the name of the comparable commodity or of the appropriate category under Maximum Price Regulation 580, 590, or 330 and the percentage mark-up which this supplementary order allows. He must also show the calculations of his maximum price for the commodity sold by the Government by applying the permissible mark-up to the unit invoice cost (adjusted as permitted) of the commodity sold by the Government. Inbound freight, if added, must be shown separately. However, if the seller prices under section 3 (f) he need only write the name of the same commodity and its maximum price upon the invoice. If his price for a commodity is established under section 7, he is not required to "wholesale" or "retail" his invoice.

(b) *Base period records.* You must preserve for examination by the Office of Price Administration all existing records relating to the commodities which you purchased from your normal commercial sources of supply and which you sold during the year June 1, 1944–June 1, 1945.

(c) *Notification.* Every reseller of commodities sold by the Government who sells to anyone except an ultimate consumer must furnish the buyer an invoice identifying the commodity and setting forth the words "Government Surplus priced under Supplementary Order 122."

(d) *Marking and tagging.* Any person who sells at retail commodities subject to this Supplementary Order 122 must mark the maximum prices or selling prices of each commodity by either of the methods described in sub-paragraphs (1) and (2), in a manner plainly visible to, and understandable by, the purchasing public.

(1) *Marking.* He may mark the maximum price or the selling price on the shelf, bin, rack, or other holder or container upon or in which the commodity is kept provided all the commodities kept on or in the shelf, bin, rack, holder or container have the same maximum price or selling price.

(2) *Tagging.* If he does not wish to mark the prices as described in (1), he must mark the maximum price or the selling price on each commodity by writing the price directly on the commodity or by attaching to the commodity a tag or ticket stating the maximum price or selling price.

(3) *Ways to mark or tag maximum prices.* If he wishes to mark or tag the maximum prices, he may do so in either of the following ways:

(i) "Ceiling price $_____," or

(ii) "Our ceiling $_____."

(4) *How to mark or tag selling prices.* If he does not wish to mark or tag the maximum prices, he must mark or tag the selling price as follows:

"OPA Price, $_____."

(5) *Posting.* If he wishes to mark or tag commodities with the selling price as described in (4), he must also post in a prominent and clearly visible position in his store, a sign stating the following:

The "OPA Price" marked or tagged on merchandise in this store is no higher than the OPA ceiling price of the articles.

SEC. 9. Export sales. The maximum price at which a seller may export any commodity sold by the Government shall be determined in accordance with the provisions of Maximum Export Price Regulation, as revised.

SEC. 10. *Prohibited acts*—(1) *Charging more than maximum prices.* Every reseller who is subject to the provisions of this supplementary order is prohibited from selling or delivering any commodity at a price higher than the maximum price permitted by these provisions. A lower price may, of course, be charged.

(2) *Buying for more than maximum price.* Every person is prohibited from buying or receiving, in the course of trade or business, any commodity sold in violation of any of the provisions of this supplementary order.

SEC. 11. *Licensing and enforcement*—(a) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this supplementary order. A seller's license may be suspended for violation of the license or of this Supplementary order. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Penalties.* Any person who violates any provisions of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 12. *Where this supplementary order applies.* The provisions of this supplementary order shall be applicable in the 48 states of the United States and the District of Columbia.

SEC. 13. *Delegation to field offices.* The Administrator, any Regional Administrator or any District Director authorized by the appropriate Regional Administrator may approve maximum prices under the provisions of sections 5, 6 and 7.

SEC. 14. *Definitions.* When used herein the following terms have the following meaning.

(a) "Government ceiling price" means the ceiling price applicable to sales by a Government agency to wholesalers or jobbers as provided by any of the provisions of Supplementary Order 94, and, as furnished by the Government selling agency to the purchaser.

(b) "Person" means individual corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing.

(c) "Price regulation," "regulation" mean a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(d) "Sell" includes, sell, supply, dispose, barter, exchange, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser", shall be construed accordingly.

(e) "Sale at retail" means a sale to an ultimate consumer.

(f) "Sale at wholesale" means a sale to any person other than an ultimate consumer.

(g) "New commodities" includes damaged or deteriorated commodities.

(h) "A commodity in substantially the same form" means a commodity which has not been intermingled or combined with other commodities to the extent that the commodity loses its identity or original basic construction, and includes, without limitation, a commodity which has been repaired, reconditioned, cleaned, washed, packaged, slit, cut, painted.

(i) "Scrap" means property that has no reasonable prospect of sale except for its basic material content.

(j) "Salvage" means property that is in such a worn, damaged, deteriorated or incomplete condition, or is of such a specialized nature, that it has no reasonable prospect of sale as a unit, but has some value in excess of its basic material content because it may contain serviceable components. It should be noted that property is not salvage merely because it is worn, damaged, deteriorated, incomplete, or of a specialized nature.

(k) "Government agency," "Government." Except where the context otherwise requires, "government agency" and "government" means the United States Government or any department, agency, commission, corporation or other such instrumentality of the United States Government. For the purposes of this supplementary order, "Government agency" and "Government" includes any contractor or subcontractor whose contract has been terminated by a Government agency and who has been authorized or directed by the Government agency to sell commodities and where the proceeds are paid or credited to the Government agency.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Supplementary Order No. 122 shall become effective August 22, 1945, or earlier at the option of the seller.

Issued this 23d day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

APPENDIX A—RESALES EXCLUDED FROM SUPPLEMENTARY ORDER 122

When the resale of a commodity is subject to any one of the regulations listed herein, the provisions of Supplementary Order 122 shall not apply to the resale, and the reseller remains subject to these applicable regulations.

PAPER AND PAPER PRODUCTS

Regulation No.	Short title	Levels of sale: Wholesaler or jobber	Levels of sale: Retailer
30	Wastepaper	X	
47	Waste rags, ropes and strings	X	
114	Woodpulp	X	X
129	Converted paper products (unprinted single weight crepe paper packaged in folds) Appendix B (b).		X
130	Newsprint paper	X	
140	Sanitary napkins and tampons	X	X
182	Kraft wrapping papers and certain bag papers	X	
207	Pulpwood produced in Minnesota, Michigan and Wisconsin.	X	
293	Certain tissue paper products	X	
307	Waxed papers	X	
344	New cotton, linen, underwear cuttings	X	
349	Distributors' maximum prices for certain coarse paper products.	X	
350	Certain converted paper products	X	X
361	Pulpwood produced in Maine, New Hampshire, New York, Vermont and Connecticut and Massachusetts west of the Connecticut River.	X	X
	Resale book matches	X	X
365	Pulpwood produced in Mississippi, South Carolina, Georgia, Florida, Tennessee, Alabama and Louisiana east of the Mississippi River.	X	
387	Merchants' prices for fine papers and certain paperboards.	X	
410	Pulpwood produced in Arkansas, Texas and parts of Louisiana west of the Mississippi River.	X	X
433	Pulpwood produced in North Carolina and parts of Virginia.	X	
437	Pulpwood produced in eastern Virginia and Caswell in North Carolina.	X	
464	Pulpwood produced in Pennsylvania, Maryland, West Virginia, Kentucky, Indiana, Missouri, Illinois, and Ohio.	X	
484	Wiping cloths	X	
504	Certain cotton hooked rug materials	X	
522	Merchants' prices for fine papers and certain paperboards in seven western States.	X	X
529	Second-hand paperboard shipping containers	X	
530	Imported Canadian pulpwood	X	

CHEMICALS, DRUGS, PAINTS, AND PLASTICS

14F-Sec. 2	Salt produced in Louisiana	X	X
14F-Sec. 4	Shellac varnish	X	X
14F-Sec. 8	"War grade" iron free aluminum sulphate	X	X
14F-Sec. 10	Linseed replacement oil	X	X
14F-Sec. 16	Tapioca products	X	X
14F-Sec. 17	Boiled down soap stock	X	X
14F-Sec. 23	Laboratory reagent specialty solutions	X	X
14F-Sec. 24	White rye adhesives	X	

APPENDIX A—RESALES EXCLUDED FROM SUPPLEMENTARY ORDER 122—Con.

CHEMICALS, DRUGS, PAINTS, AND PLASTICS—continued

Regulation No.	Short title	Levels of sale: Wholesaler or jobber	Levels of sale: Retailer
14F-Sec. 29	Retail sales of wallpaper cleaner		X
31	Formaldehyde	X	X
41	Acetic acid	X	X
64	Wood alcohol	X	X
66	Acetone	X	X
84	Glycerine	X	X
Rev. Order 51 of MIPR.	Tapioca	X	
68	Hide glue stock	X	X
76	Hide glue	X	
78	Oxalic acid	X	X
80	Lithopone	X	X
98	Titanium pigments	X	X
170	Anti-freeze	X	X
171	Film scrap	X	X
179	Pine oil	X	X
180	Color pigments	X	X
191	Cotton linters	X	
192	Imported tar acids	X	X
203	Vitamin A natural oils and concentrates	X	X
245	Shellac	X	X
261	Vegetable waxes and beeswax	X	X
275	Totaquina	X	X
295	West Coast ethyl alcohol	X	X
297	Natural resins	X	X
345	Thermoplastic scrap	X	X
372	Chestnut extract	X	
383	Certain fine chemicals	X	X
388	Prairie bones	X	
390	Household soaps and cleansers sold by retail food stores.		X
391	Household soaps and cleansers sold by manufacturers and certain wholesalers.	X	
392	Packaged drugs	X	X
393	Packaged cosmetics	X	X
406	Synthetic resins and plastic materials and substitute rubber (ester gum).	X	X
431	Hardwood charcoal	X	
472	Certain essential oils	X	
474	Lanolin	X	
501	Imported vegetable tanning materials	X	X
541	Barium chemicals	X	X
570	Primary chromium chemicals	X	X

RUBBER AND RUBBER PRODUCTS

11-Sec. 2.4	Lumbermen's overs	X	X
96	Reclaim rubber	X	X
97	Scrap rubber	X	X
116	Original equipment tires and tubes	X	X
131	Camelback and tires and tube repair materials	X	
143	Wholesale prices for new tires and tubes	X	
200	Rubber heels in the shoe repair trade	X	X
220	Certain rubber commodities: Buna-S rubber bands.	X	X
220	Government reject raincoats	X	
229	Rubber footwear		X
301	Rubber drug sundries	X	X
405	Bicycle tires and tubes	X	X
477	Rubber heels and soles in the shoe factory and home replacement trades.		X
528	New tires and tubes		X
528	Used tires and tubes	X	X
528	Certain repair materials		X

FUEL, PETROLEUM PRODUCTS AND OTHER OILS

42	Paraffin wax	X	X
88	Fuel oil, gasoline and liquefied petroleum gas	X	X
120	Bituminous coal, delivered from mine or preparation plant.	X	
121	Miscellaneous solid fuels delivered from producing facilities.	X	
122	Solid fuels sold and delivered by dealers	X	X
147	Petroleum products sold at retail establishments		X
323	Asphalt and asphalt products	X	X
446	Crude petroleum, and natural and petroleum gas.	X	X
510	Lubricating oils, greases, and certain other petroleum products.	X	

MACHINERY, VEHICLES, TOOLS AND EQUIPMENT

1	Second-hand machine tools	X	X
11K-Sec. 1.3	Motorcycles manufactured for and sold to the United States by the Indian Motorcycle Company.	X	X
14K-Sec. 3.1	Rebuilt fractional horse power motors of ¾-horsepower or less.	X	X
47	New machine tools	X	X
47	New passenger automobiles	X	X
75	Retail prices for farm equipment		X
146	Machines and parts	X	X
240	Manufacturers' and wholesale prices for farm equipment.	X	
511	Maximum prices for used commercial motor vehicles.	X	X

APPENDIX A—RESALES EXCLUDED FROM SUPPLEMENTARY ORDER 122—Con.

MACHINERY, VEHICLES, TOOLS AND EQUIPMENT—continued

Regulation No.	Short title	Levels of sale: Wholesaler or jobber	Levels of sale: Retailer
375	Sales of used industrial sewing machines	X	X
452	Wholesalers' and retailers' maximum prices for automotive parts.	X	X
465	Used pressure vessels and used enclosed atmospheric pressure vessels.	X	X
540	Used passenger automobiles	X	X
569	Used motorcycles	X	X

METALS AND MINERALS

[1. Iron and steel]

4	Iron and steel scrap	X	X
10	Pig iron	X	X
29	By-product and retort gas coke	X	X
43	Used steel drums, pails and containers and reconditioning of used steel drums.	X	X
46	Relaying rail, relaying girder rail and used track accessories.	X	X
49	Resale of iron or steel products	X	X
77	Beehive oven furnace coke	X	X
113	Iron ore	X	X
159	Fabricated concrete reinforcing bars	X	X
230	Reusable iron and steel pipe and used structural pipe.	X	X
235	Manganese steel castings and manganese steel casting products.	X	X
310	Reusable structural steel shapes and plates and shafting.	X	X
411	Reusable steel storage tanks (field assembled)	X	X

[2. Nonferrous metals]

2	Aluminum scrap and secondary aluminum ingot	X	X
3	Zinc scrap materials and secondary slab zinc	X	X
8	Pure nickel scrap, monel metal scrap, stainless steel scrap, nickel steel scrap, etc.	X	X
12	Brass mill scrap	X	X
15	Copper	X	X
17	Tin (pig tin)	X	X
20	Copper scrap and copper alloy scrap	X	X
69	Primary lead	X	X
70	Lead scrap materials; secondary lead; battery lead scrap; and primary and secondary antimonial lead.	X	X
71	Primary and secondary cadmium	X	X
81	Primary slab zinc	X	
93	Mercury	X	
126	Fluorspar	X	X
138	Ferromanganese and manganese alloys and metals.	X	
166	Zinc oxides	X	X
198	Silver	X	X
202	Brass and bronze alloy ingot and shot	X	X
248	Metallurgical manganese ores, Sec. 1405.65 (a)	X	X
258	Chrome Ores	X	X
302	Magnesium scrap and remelt magnesium ingot	X	X
309	Platinum group metals of commercial purity, Sec. 1437.1 (a).	X	X
314	Magnesium and magnesium alloy ingot	X	X
316	Bonded abrasive wheel stubs, Sec. 1498.81a	X	X
327	Barite produced in Missouri, Sec. 1433.2 (b) (10)	X	X
379	Tool steel scrap	X	X
405	Ferrosilicon and silicon metal	X	
407	Ferrochromium and chromium metal	X	
408	Distributors' prices for brass mill products and services.	X	X
489	Tungsten, molybdenum, vanadium, cobalt, etc	X	
497	Antimony metal, Sec. 3	X	X

FOREST PRODUCTS, LUMBER AND BUILDING MATERIALS

[1. Lumber]

13	Softwood Plywood	X	X
14—Sec. 3.2	Shuttle blocks (dogwood and persimmon)	X	X
14—Sec. 3.3	Baled Southern pine wood excelsior	X	
14E—Sec. 3.10	Ginned Spanish moss	X	X
19	Southern pine lumber	X	
26	Douglas fir lumber	X	
Gen. Order 61	Authority to fix community dollars-and-cents ceiling prices on all sales of used lumber.	X	X
94	Western pine lumber	X	
97	Southern hardwood lumber	X	
109	Aircraft spruce lumber	X	X
117	Used egg cases and used component parts	X	X
146	Appalachian hardwood lumber	X	
155	Central hardwood lumber	X	
161	West coast logs	X	
164	Red cedar shingles	X	
195	Industrial wooden boxes	X	
215	Distribution yard sales of softwood	X	X
216	Railroad ties	X	
217	Walnut gunstock blanks	X	
219	Northeastern softwood lumber	X	
222	Northern softwood lumber	X	
223	Northern hardwood lumber	X	

APPENDIX A—RESALES EXCLUDED FROM SUPPLEMENTARY ORDER 122—Con.

FOREST PRODUCTS, LUMBER AND BUILDING MATERIALS—continued

[1. Lumber]

Regulation No.	Short title	Levels of sale: Wholesaler or jobber	Levels of sale: Retailer
251	Redwood lumber and millwork	X	
261	Navy oak ship stock	X	X
263	Sitka spruce lumber	X	
268	Veneer logs	X	
320	Eastern and central wooden agricultural containers	X	
324	Northern white cedar fence posts	X	X
326	Aircraft veneer	X	X
328	Red cedar logs	X	
365	Wood matches	X	X
368	Northeastern hardwood lumber	X	
384	Shook screen goods	X	X
402	Western red cedar lumber	X	
412	Tidewater red cypress lumber	X	
424	Tight cooperage stock and sawed cooperage stock	X	
432	Northern hardwood flooring	X	
434	Used fruit and vegetable containers	X	
454	Aromatic red cedar lumber	X	
458	Oak, pecan and miscellaneous hardwood flooring	X	
460	Western lumber	X	X
467	Distribution yard sales of hardwood lumber	X	
481	Shook cooperage and cooperage stock	X	
491	Pressure preservative treatment of forest products and pressure treated forest products	X	
511	Yellow cypress lumber	X	X
521	Used tight cooperage	X	
533-1	Central logs	X	
533-2	Lake States logs	X	
533-3	Appalachian logs	X	
533-4	Southern logs	X	
533-5	Northeastern logs	X	
533-6	Florida logs	X	
534-1	Black walnut logs	X	
534-2	Hickory and ash logs and other specialty woods	X	
535-1	Insulation and felt cordwood and related products	X	
535-2	Lake states cordwood	X	
535-3	Excelsior wood	X	
535-4	New England cordwood	X	
535-5	Chestnut cordwood	X	
535-6	Stave and heading bolts	X	
535-7	Chemical cordwood	X	X
536	Western fence posts	X	X
538	Commercial veneer	X	
544	Western red cedar poles	X	
545	Western poles and piling	X	
550	Western railroad ties and wooden mine materials	X	
558	Eastern wooden mine materials and industrial blocking		
559	Eastern poles and piling	X	
560	Northern white cedar poles and piling	X	X
568	Hardwood plywood	X	X

[2. Building materials]

14-Sec. 5.4	Wire nails and staples		X
86	Domestic fuel oil storage tanks	X	X
100	Cast iron soil pipe and fittings	X	
260	Vitrified clay sewer pipe and allied products		X
269	Special combination conversion grate units	X	X
272	Cast-iron boilers and cast-iron radiation	X	
317	Locks and lock sets	X	
318	Hinges and butt hinges	X	
413	Asbestos-cement building materials	X	X
440	Fibrous-roof cotton insulation	X	
551	Used and reconditioned plumbing and heating equipment	X	
569	Prefabricated nondwelling structures	X	X

TEXTILES, LEATHER, FIBRE PRODUCTS AND APPAREL

[1. Textiles]

7	Combed cotton yarns	X	
27	Rayon grey goods	X	X
33	Carded cotton yarns	X	
35	Woven tickings	X	
106	Domestic shorn wool	X	X
118	Cotton products (jean ducks, standard gauze bleeders, nursery gauze pads and gauze bibs)	X	X
127	Finished piece goods	X	
167	Rayon yarn and staple fiber	X	
568	Rayon knit fabrics	X	

APPENDIX A—RESALES EXCLUDED FROM SUPPLEMENTARY ORDER 122—Con.

TEXTILES, LEATHER, FIBRE PRODUCTS AND APPAREL—continued

[2. Leather and fiber products]

Regulation No.	Short title	Levels of sale: Wholesaler or jobber	Levels of sale: Retailer
9	Hides, kips and calfskins	X	X
9	Hull hides at retail, sec. 1341.11 (s)		X
11E-Sec. 3.4	Cured deer and elk skins	X	
11E-Sec. 3.5	Cured domestic horskins and pigskins	X	
11E-Sec. 3.8	Tanned, colored and glazed alligator and crocodile skins	X	X
11E-Sec. 3.9	Imported dressed hog bristles	X	X
11E-Sec. 3.10	Glinned Spanish moss	X	X
18	Burlap	X	X
24	Washed cattle tail hair and winter hog hair	X	X
55	Second-hand bags	X	X
59	Kapok	X	X
141	Domestic raw shearlings and tanned shearlings for the armed forces	X	X
145	Pickled sheepskins	X	X
340	Jute and istle yarn, rove and rope	X	X
357	India, Iraq, and Iran tanned goatskins and sheepskins	X	X
360	Binder twine	X	X
468	Broomcorn	X	X
541	Raw, dressed and dyed fur and jaltries	X	X
553	Australian and New Zealand rabbit skins and hatters' furs	X	X

3. Apparel

95	Women's Nylon Hosiery	X	X
208	Staple Work Clothing	X	X
274	Women's Silk Hosiery	X	X
304	Specified Utility shirts	X	X
309	Women's Rayon Hosiery	X	X
385	Specified Military Uniforms	X	X
506	Prices for Staple Work Gloves	X	X
578	Certain Garments Produced with WPB Priorities	X	X

DURABLE GOODS

14J-Sec 1.1	Remington "Envoy" portable typewriters		X
14J-Sec 2.1	Breathicle sprayers of various companies	X	X
14J-Sec 2.2	Electric irons manufactured by Dominion Electrical Mfg., Inc.	X	X
14J-Sec 2.3	Electric irons	X	X
14J-Sec 2.6	H. D. Hudson Mfg. Co. sprayers	X	X
14J-Sec 3.3	Radio receiver tubes	X	X
14J-Sec 3.4	Ammunition	X	X
14J-Sec 1.6	Mussel shells	X	X
14J-Sec 5.2	Hand-hooked cotton rugs	X	X
14J-Sec 6.1	Used feathers and down	X	X
110	Resale of new household mechanical refrigerators.		X
111	New household vacuum cleaners		X
139	Used household mechanical refrigerators	X	X
158	Resale of war bicycles	X	X
162	Used typewriters		X
210	Electric portable heaters (Sec. 1372.113)		X
243	New coil and flat bedsprings	X	X
244	Approved stirrup pumps	X	X
254	Springfield firearms (Sec. 1370.4a (d))	X	X
263	New phonograph records and record scrap	X	X
294	Used household vacuum cleaners	X	X
318	Feathers and down	X	X
372	Used domestic washing machines	X	X
380	Used metal coil and flat bedsprings	X	X
399	New ice boxes	X	X
400	Assembled radios and phonographs	X	X
476	Luggage	X	X
499 Article III	Imported Swiss watches		X
509	Used photographic equipment	X	X
527	Used domestic gas cooking ranges	X	X
548	Metal upholstery springs	X	X
564	Fountain pens and mechanical pencils		X
576	Dry batteries	X	X
584	Feather-filled pillows and inner cushions	X	X
Order 351 under 188.	War alarm clocks	X	X
Order 379 under 188.	Enamel pressure cookers	X	X
Order 630 under 188.	Domestic food dehydrators	X	X
Order 910 under 188.	Cast-iron fireplace grates	X	X

APPENDIX B—PARTIAL LIST OF ORDERS ISSUED UNDER SUPPLEMENTARY ORDER 94

Order No.

6. Blitz cans and jerricans
8. Assault boats
9. Army service shoes
10. OCD helmets
11. Flashlight batteries
12. C-1 tires
13. Hand-operated sirens
14. 10 ton hydraulic jacks
15. M-1 30-calibre ammunition boxes
16. Double deck beds, cots, etc.
17. Gas hoods
18. Navy fuel tanks
19. Navy mosquito boots
20. New rubberized aprons
21. M-2 50-calibre ammunition boxes
22. Life rafts
23. Tool cabinets

APPENDIX B—Continued

24. Pajama suits
25. Surgeons' rubber gloves
26. Butcher frocks
27. Bath robes
28. Broiler, sauce pan and knife
29. Safety gasoline cans
30. Vehicular compasses
31. CCC type work shoes
32. Low white shoes
34. Army compasses
35. Linen damask napkins
36. Sheepskin lined coats
37. Used buoyancy type drums
38. Life floats
39. Bathroom scales
40. Certain watch movements
41. Gasoline or oil drums
42. Electric buzzers
43. Used flying shoes
45. Low black shoes
46. Light cargo carriers, T 15
47. Double open end engineer wrenches of alloy steel
48. Plastic foot tubs
49. Cooking boilers
50. Two-wheeled hand push carts
51. Military sand bags
52. Ship bells
53. Steel tool boxes
54. Double open end engineer wrenches of tempered steel
55. Impermeable aprons
56. Goose neck lamps
57. Chipper cutters
58. Gasoline and oil drums
59. Wooden trainer rifles
60. Panchromatic photographic film
61. Flexible brass tube nozzles
62. Navy life belts
63. First aid dressings
64. Tanned shearlings
65. Metal canteens
66. New and used shotguns

[F. R. Doc. 45-13425 Filed, July 23, 1945; 4:22 p. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

PART 132—ALLOTMENTS OF SEAMEN

"SAVINGS BANK" DEFINED

Under the authority vested in me by Executive Order 9083 (7 F.R. 1609) and section 10 (f) of the act of June 26, 1884, ch. 121, 23 Stat. 55, as amended (46 U.S.C. 599 (f)), § 132.1 of Subchapter K, 46 CFR, Chapter I, is amended by deleting the last sentence of paragraph (a) (9 F.R. 1729) and substituting the following sentence therefor: "The term 'savings bank' includes any Federal Credit Union organized in accordance with the provisions of the Federal Credit Union Act (act of June 26, 1934, ch. 750, 48 Stat. 1216, 12 U.S.C. 1751–1771), and any credit union organized under substantially similar laws of any state or the District of Columbia which is approved by the Commandant."

Dated: July 24, 1945.

R. R. WAESCHE,
Admiral,
U. S. Coast Guard Commandant.

[F. R. Doc. 45-13515; Filed, July 24, 1945; 11:16 a. m.]

Chapter III—War Shipping Administration

[Rev. Gen. Order 47, Supp. 1]

PART 301—GENERAL REGULATIONS

FORWARDING CONTRACTS

§ 301.76 *Contracts for the handling of livestock.* Except as otherwise provided by the Administrator, forwarding contracts for the handling of livestock shall be designated "Forwarding Contract Livestock Form 6/15/45" and shall be in form identical with that provided for in the tonnage form of contract set forth in § 301.72 except that Articles 1 and 2 of said form of contract shall be changed to read:

1. The Administrator hereby designates and appoints the Forwarder as his agent, subject to all the terms and conditions of this agreement and subject to such regulations, directions and orders as may be issued by the Administrator from time to time, to make all necessary arrangements for the transportation from designated terminals, yards, or other places at or adjacent to port of loading to designated docks, piers or wharves in the port of _____ of such livestock as the Administrator may from time to time determine, and to perform such of the duties customarily performed by Forwarders as the Administrator may determine, including, but not restricted to the following:

i. Tracing the livestock to assure their prompt movement.

ii. Checking the arrival of the livestock at the seaboard, and arranging for their transfer to the stockyards and/or vessels either by truck, lighter, or otherwise.

iii. Checking the number of the livestock in the railroad yards to assure the shipment moving complete to the stockyards and/or vessels.

iv. Cooperating with the agency controlling inland routing for diversion en route, when necessary, from the port originally designated to some other port.

v. Correlating and consolidating shipments from different suppliers so that essential shipments may go together on one vessel.

vi. Checking the condition of the livestock on arrival at the port of shipment and supervision of the same until loaded aboard the vessel.

vii. Preparing all necessary shipping documents, such as Dock Receipts, Bills of Lading, Customs Declarations, Entries, and performing whatever documentary work may be necessary to conform with any system set up by agencies of the United States or of other nations, including the preparation of such export documents as required by the Bureau of Animal Industry, Department of Agriculture.

viii. Determining that all export provisions of the Bureau of Animal Industry, Department of Agriculture, have been complied with prior to the movement of the livestock to the ports of shipment.

The forwarder hereby accepts such appointment and agrees to perform all functions and duties required by it to be performed pursuant to this agreement, in full compliance with all applicable provisions of law and in an economical and efficient manner, and to exercise due diligence to protect and safeguard the interests of the Administrator in all respects and avoid any delay, loss or damage whatsoever to the Administrator.

2. (a) As compensation for the services performed by the forwarder, the Administrator agrees to pay to the forwarder, as soon after the end of each calendar month as is practicable:

On shipments of cattle loaded at _____ a sum equal to _____

On shipments of horses loaded at _____ a sum equal to _____

On shipments of poultry (in coops) loaded at _____ a sum equal to _____

On shipments of sheep, goats and hogs loaded at _____ a sum equal to _____

(b) Such compensation shall cover all services rendered by the forwarder under this agreement as well as all expenses of any nature whatsoever incurred by the forwarder, in the performance of its services under this agreement; *Provided*, That the compensation for services rendered by the forwarder under this agreement shall at all times be subject to review and adjustment by the Administrator at his discretion.

(Pub. Law 498, 77th Cong. (56 Stat. 171))

[SEAL] E. S. LAND,
Administrator.

JULY 23, 1945.

[F. R. Doc. 45-13507; Filed, July 24, 1945; 11:14 a. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6771]

ALBEMARLE BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING AND STATING ISSUES

In re: Application of Albemarle Broadcasting Company, Elizabeth City, N. C., for construction permit. File No. 33–P–3863.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of July, 1945;

The Commission having under consideration an application filed by The Albemarle Broadcasting Company, Elizabeth City, North Carolina, for construction permit to move its Station WCNC to Norfolk, Virginia (File No. B3–P–3863; Docket No. 6771):

It is ordered, That the application be designated for hearing, to be held in Washington, D. C., on the 22d day of August, 1945, upon the following issues:

1. To determine whether the granting of this application would be consistent with the supplemental statement of policy issued by the Commission on January 16, 1945, and the purpose thereof.

2. To determine the area and population presently served by Station WCNC operating at Elizabeth City, and whether all or a part of this area would be deprived of primary service if this application were granted.

3. To determine the area and population that would be served by this station if permitted to move to Norfolk, and to determine what broadcast services are now being rendered to that area.

4. To obtain full information regarding the operation of Station WCNC at Elizabeth City.

5. To determine whether the granting of this application would be consistent

with the requirements of section 307 (b) of the Communications Act of 1934, as amended.

6. To determine the extent of overlapping of the service areas of Station WSAP, Portsmouth, and of the applicant's station operating at Norfolk as proposed.

7. To determine whether the granting of this application would be consistent with § 3.35 of the Commission's rules concerning multiple ownership.

8. To determine the character of the program service proposed to be rendered.

9. To determine the legal, financial, technical, and other qualifications of the applicant to move the station to Norfolk and operate it there as proposed.

10. To determine whether, in view of all the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by a grant of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-13457; Filed, July 24, 1945; 10:14 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-651]

NATURAL GAS PIPELINE CO. OF AMERICA AND TEXOMA NATURAL GAS CO.

NOTICE OF APPLICATION

JULY 23, 1945.

Notice is hereby given that on July 13, 1945, an application was filed with the Federal Power Commission by Natural Gas Pipeline Company of America ("Natural") and Texoma Natural Gas Company ("Texoma"), each a Delaware corporation with its principal place of business at Chicago, Illinois, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicants jointly, but each in respect to the facilities proposed to be constructed by it, to construct and operate certain facilities, hereinafter more particularly described, which, if constructed, will extend and enlarge Applicants' existing integrated natural gas transportation system. Such transportation system, operated under common management, includes a 24-inch main pipeline extending from the Panhandle field in Texas in a general northeasterly direction across portions of Oklahoma, Kansas, Nebraska, Iowa and Illinois to a point near Joliet, Illinois; segments or "loops" of pipeline, 26 inches in diameter, paralleling the aforementioned 24-inch pipeline; a 20-inch branch pipeline extending from Geneseo, Illinois, northeasterly to a point approximately 29 miles south of the Wisconsin state line; and an extension of the last-mentioned line, not now in service, complete except for railroad crossings, running approximately 29 miles to the Wisconsin line.

Natural delivers natural gas for distribution in numerous communities in Illinois, Indiana, Iowa, Nebraska and Kansas.

The facilities which Applicants seek authorization to construct and operate are described as follows:

1. *As to Texoma.* (a) The addition of four new compressor engines of 1250 h. p. each at its compressor station No. 22 in the Panhandle field, increasing the total installed capacity at said station from 4,000 h. p. to 9,000 h. p.; and also an increase in the facilities there located for removing water vapors and liquid hydrocarbons from the gas compressed, due to the increased capacity at said station.

(b) Looping the existing 24-inch main line with 26-inch pipe from a point near Gray, Oklahoma, in a southerly direction for a distance of 25.86 miles.

2. *As to Natural.* (a) The construction of certain 26-inch pipeline loops parallel to the present 24-inch pipeline where no 26-inch loops now exist, more particularly described as follows:

(i) A 26-inch loop line for a distance of 28.85 miles beginning at Station No. 2 and ending at the south header of the Cimarron River Crossing.

(ii) A 26-inch loop line 66.19 miles in length beginning at the north end of the existing 26-inch loop near Garfield, Kansas extending through Station No. 4 and ending at the existing 26-inch loop near Wilson, Kansas.

(iii) A 26-inch loop line 69.78 miles in length beginning at the north end of the existing 26-inch loop near Haddam, Kansas extending through Station No. 6 and ending at the existing 26-inch loop near Unadilla, Nebraska.

(iv) A 26-inch loop line 69.83 miles in length beginning at the east end of the existing 26-inch loop near Orient, Iowa, extending through Station No. 8 and ending at a point 34.70 miles east therefrom.

(v) Construct two 20-inch lines with a span distance of 1.38 miles across the Des Moines River and flood valley at the west end of the existing 26-inch loop near Tracy, Iowa.

(vi) A 26-inch loop line 40.44 miles in length beginning at the east end of the existing 26-inch loop near Ardon, Iowa, and ending at a point near Crampton, Illinois.

(vii) A 24-inch loop line 52.27 miles in length beginning at a point near La-Salle, Illinois and ending at the Joliet Regulator Station.

(viii) A 2-inch lateral line, approximately 6.75 miles in length, extending from the pipeline system at a convenient point north of the City of Creston, Iowa, to the vicinity of its city limits.

(ix) A 2-inch lateral line, approximately 3.2 miles in length, extending from the pipeline system at a convenient point north of the City of Washington, Iowa, to the vicinity of its city limits.

(x) A 2-inch lateral line, approximately 10 miles in length, extending from the pipeline system at a convenient point south of the City of Mendota, Illinois, to the vicinity of its city limits.

(xi) The completion, by constructing two railroad crossings, of a 19.75 mile section of the 20-inch pipeline, not now used, from the north header of Coon Creek near Garden Prairie, Illinois to Main Line Gate Valve No. 9 near Greenwood, Illinois.

(xii) A lateral line consisting of 18.50 miles of 16-inch pipe, extending from the said 20-inch pipeline at Main Line Gate Valve No. 9 near Greenwood, Illinois easterly to a new point of delivery near Volo, Illinois from which gas will be taken into the local distribution system of Public Service Company of Northern Illinois, thence the lateral will be extended easterly, by constructing 7.63 miles of 12-inch pipe, to a point of delivery near Grays Lake, Illinois into the local distribution system of North Shore Gas Company.

(xiii) Together with all meter settings, pressure regulating devices and other appurtenances necessary or convenient for the utilization of said facilities.

The application recites that the present capacity of the system, approximately 268,000 Mcf per day, will be increased by the construction of the proposed facilities by 81,000 Mcf per day to a total of 349,000 Mcf per day.

Natural proposes to deliver additional natural gas for distribution in communities now served by it and to devote a portion of the increased capacity of the pipeline system attained by the construction of the added facilities, to the delivery of gas to customers for distribution in communities not now presently served, by it, to-wit:

Municipality and distributing company	*Population*
Creston, Iowa; Central States Electric Co	8 683
Washington, Iowa; Iowa Southern Utilities Co	5 227
Mendota, Ill., Illinois Northern Utilities Co	4 215
Rockford, Ill. (other than approximately 10% of the domestic and 85% of the industrial requirements presently served); Central Illinois Gas & Electric Co	78 737
Freeport, Ill.; Central Illinois Gas & Electric Co	22 366
Pecatonica, Ill.; Central Illinois Gas & Electric Co	1 902
Rural District; Central Illinois Gas & Electric Co	2 700
Winnetka, Ill., North Shore Gas Co	12 430
Glencoe, Ill.; North Shore Gas Co	6 825
Deerfield, Ill.; North Shore Gas Co	2 263
Highland Park, Ill.; North Shore Gas Co	14 479
Bannockburn, Ill.; North Shore Gas Co	170
Highwood, Ill.; North Shore Gas Co	3 707
Lake Forest, Ill.; North Shore Gas Co	6 885
Lake Bluff, Ill.; North Shore Gas Co	1 729
North Chicago, Ill.; North Shore Gas Co	8 485
Waukegan, Ill.; North Shore Gas Co	34 241
Zion, Ill.; North Shore Gas Co	3 101
Winthrop Harbor, Ill.; North Shore Gas Co	785
Rosecrans, Wadsworth and Russell, Ill.; North Shore Gas Co	420
Gurnee, Ill.; North Shore Gas Co	691
Gages Lake, Ill.; North Shore Gas Co	1 764
Grays Lake, Ill.; North Shore Gas Co	1 182
Libertyville, Ill.; North Shore Gas Co	3 930
Mundelein, Ill.; North Shore Gas Co	1 928
Diamond Lake, Ill.; North Shore Gas Co	1 612
Half Day, Prairie View and Aptakisitic, Ill.; North Shore Gas Co	548
Rondout, Ill.; North Shore Gas Co	192
Rural District; North Shore Gas Co	12 297
Total	241 580

Applicants do not propose at the present time to serve new main line industrial customers from the additional capacity to be afforded by the construction of the new facilities.

The making of the application is conditioned upon the granting by the Commission of an application which, applicants allege, is to be filed by Chicago District Pipeline Company for authorization for the acquisition by the latter company of additional facilities necessary for the receipt and transportation of additional quantities of natural gas to be sold by Natural to it and by it resold for distribution in the City of Chicago and portions of the surrounding metropolitan area.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 7th day of August, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 45-13455; Filed, July 24, 1945; 9:45 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 1021]

RECONSIGNMENT OF CHERRIES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, July 20 or 21, 1945, by Mojonnier & Sons, of car BRE 74461, cherries, now on the CRI&P Railway, to Riley McFarland, Chicago, Illinois. (R. I.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of July 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-13460; Filed, July 24, 1945; 10:45 a. m.]

[2d Rev. S. O. 300, Special Permit 14]

REFRIGERATION OF POTATOES FROM GREENPORT, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on cars WFE 60746, FGE 35748, SFRD 26337, potatoes, shipped by F. H. Vahlsing, Inc., July 20 or 21, 1945, from Greenport, Long Island, New York, to N. Geraci & Company, Inc., Tampa, Florida, (L. I. RR.-P. R. R.-R. F. & P.-A. C. L.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of July 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-13461; Filed, July 24, 1945; 10:45 a. m.]

[S. O. 338-A]

MOVEMENT OF EMPTY REFRIGERATOR CARS TO ARIZONA AND CALIFORNIA REQUIRED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of July, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 338 (10 F.R. 8937), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 338 requiring movement of empty refrigerator cars to Arizona and California, be and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m., July 22, 1945; that a copy of this order and direction shall be served upon the Texas and New Orleans Railroad Company and the Southern Pacific Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-13458; Filed, July 24, 1945; 10:45 a. m.]

[S. O. 339]

REROUTING OF TRAFFIC AT NATCHEZ, MISS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of July, A. D. 1945.

It appearing, that a slide on the river bank at Natchez, Mississippi, is interfering with operation of the Natchez-Vidalia Car Ferry and the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) and that the said rail carrier is unable to transport the traffic offered to it for movement over the said car ferry; the Commission is of opinion an emergency exists requiring immediate action in that section of the country to avoid congestion of traffic, and to best promote the service in the interest of the public and the commerce of the people. It is ordered, That:

Slide at Natchez, Mississippi. (a) *Rerouting of freight traffic.* The Missouri Pacific Railroad Company (Guy A. Thompson, Trustee), is hereby directed to forward freight traffic having origin or destination in, or ordinarily moving through Natchez, Mississippi, requiring use of the Natchez-Vidalia Car Ferry, via routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars; *Provided*, That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting. All rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded insofar only as conflicting with the directions hereby made.

(b) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carrier's disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, pursuant to this order, shall be the rates which were applicable at date of shipment over the routes so designated.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(d) *Effective date.* This order shall become effective at 11:00 a. m., July 21, 1945.

(e) *Expiration date.* This order shall expire at 11:59 p. m., July 31, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission.

(40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U. S. C. 1 (10–(17), 15 (4))

It is further ordered, That copies of this order and direction be served upon the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc 45-13459, Filed, July 24, 1945; 10:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4971]

METALLGESELLSCHAFT, A. G.

In re: Florida pebble phosphate rock owned by Metallgesellschaft, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Metallgesellschaft, A. G., whose principal place of business is Frankfurt a. Main, Germany, is a corporation organized under the laws of Germany and is a national of a designated enemy country (Germany);

2. That Metallgesellschaft, A. G., is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: 3,515 long tons of Florida pebble phosphate rock, presently stored at the plant of the Coronet Phosphate Company at Coronet Village, Florida,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13489; Filed, July 24, 1945; 11:06 a. m.]

[Vesting Order 5090]

CLARA C. STAEBLER

In re: Estate of Clara C. Staebler, deceased: File D-28-6505; E. T. sec. 4128.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Oscar Seifert Museum in and to the Estate of Clara C. Staebler, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Oscar Seifert Museum, Germany.

That such property is in the process of administration by the Fidelity Union Trust Company, as Executor, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13490; Filed, July 24, 1945; 11:06 a. m.]

[Vesting Order 5095]

LEO BECK

In re: Estate of Leo Beck, deceased; File D-28-9273; E. T. sec. 12167.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9055, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Michael Beck, Joseph Beck, George Beck and Eva Beck, and each of them, in and to the Estate of Leo Beck, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Michael Beck, Germany.
Joseph Beck, Germany.
George Beck, Germany.
Eva Beck, Germany.

That such property is in the process of administration by Eva H. Minnis, as Administratrix with the Will annexed of the Estate of Leo Beck, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13491; Filed, July 24, 1945; 11:06 a. m.]

[Vesting Order 5096]

PAUL BRAUN

In re: Mortgage Participation Certificate #135832 in Mortgage Series #213415 issued by Bond and Mortgage Guarantee Company to Paul Braun; File No. F-28-17241; E. T. sec. 1508.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate No. 135832 issued and guaranteed by the Bond & Mortgage Guarantee Company under Series #213415, and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Paul Braun, Germany.

That such property is in the process of administration by William P. Thomas, Benjamin Antin and Henry G. McDonough, as Trustees of Mortgage Participation Certificate #135832 issued to Paul Braun and guaranteed by Bond and Mortgage Guarantee Company under Series 213415, acting under the judicial supervision of the Supreme Court of the State of New York, Bronx County;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13492; Filed, July 24, 1945; 11:06 a. m.]

[Vesting Order 5097]

LEONARD DOTZER

In re: Estate of Leonard Dotzer, deceased. File D-28-8142; E. T. Sec. 9056.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after invetsigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Dora Ditterich, and Dotzer, Leni Blass and Joseph Dotzer, and each of them, in and to the Estate of Leonard Dotzer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Dora Ditterich, Germany.
Hans Dotzer, Germany.
Leni Blass, Germany.
Joseph Dotzer, Germany.

That such property is in the process of administration by Anne H. Dotzer, as Administratrix, acting under the judicial supervision of the Probate Court, County of Norfolk, Commonwealth of Massachusetts;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13493; Filed, July 24, 1945; 11:06 a. m.]

[Vesting Order 5098]

C. H. EINHAUSEN

In re: Trust under the will of C. H. Einhausen, deceased; File D-28-8229; E. T. sec. 9349.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Amalia Frenssen, William Frenssen, Dorothea Podlasli, Helena Krueger and Anna Roth, and each of them, in and to the Trust Created under the Will of C. H. Einhausen, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Amalia Frenssen, Germany.
William Frenssen, Germany.
Dorothea Podlasli, Germany.
Helena Krueger, Germany.
Anna Roth, Germany.

That such property is in the process of administration by Peter H. Petersen, 404-5-6 Weston Building, Clinton, Iowa, and John Menzel, 739 15th Avenue S., Clinton, Iowa, Co-trustees under the Will of C. H. Einhausen, deceased, acting under the judicial supervision of the District Court of the State of Iowa in and for Clinton County;

and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13494; Filed, July 24, 1945; 11:06 a. m.]

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13494; Filed, July 24, 1945; 11:06 a. m.]

[Vesting Order 5099]

THEODOR FELGNER

In re: Estate of Theodor Felgner, deceased; File D–6–1188; E. T. sec. 12448.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Wilhelm Schweiger in and to the estate of Theodor Felgner, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Wilhelm Schweiger, Germany (Austria).

That such property is in the process of administration by N. E. Short, Kinsley, Kansas, and Lee Belcher, Lewis, Kansas, as Administrators c. t. a. d. b. n. of the estate of Theodor Felgner, deceased, acting under the judicial supervision of the Probate Court of Edwards County, Kansas;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13495; Filed, July 24, 1945; 11:06 a. m.]

[Vesting Order 5100]

LEONARD J. FRUZINSKI

In re: Estate of Leonard J. Fruzinski, deceased; File No. D–55–1046; E. T. sec. 10686.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Laura Sabo and the children of Laura Sabo, names unknown, and each of them, in and to the estate of Leonard J. Fruzinski, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Laura Sabo, Hungary.

The children of Laura Sabo, names unknown, Hungary.

That such property is in the process of administration by Benjamin J. Fleuchaus and Frank C. Mindnich, as Executors of the Estate of Leonard J. Fruzinski, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13496; Filed, July 24, 1945; 11:07 a. m.]

[Vesting Order 5101]

FRED HEVERT

In re: Estate of Fred Hevert, deceased; File D–28–3863; E. T. sec. 6606.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Dietrich Rosenbrock, Marie Rosenbrock Meyer, Heinrich Rosenbrock, Mimi (Marie) Hevert Otten, Johann Hevert, Friedrich Ahrens, Rudolf Ahrens and Albert Schreyer, and each of them, in and to the estate of Fred Hevert, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Dietrich Rosenbrock, Germany.
Marie Rosenbrock Meyer, Germany.
Heinrich Rosenbrock, Germany.
Mimi (Marie) Hevert Otten, Germany.
Johann Hevert, Germany.
Friedrich Ahrens, Germany.
Rudolf Ahrens, Germany.
Albert Schreyer, Germany.

That such property is in the process of administration by Linus C. Glotzbach, Fritsche Building, New Ulm, Minnesota, as Executor of the estate of Fred Hevert, deceased, acting under the judicial supervision of the Probate Court of Nicollet County, Minnesota;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13497; Filed, July 24, 1945; 11:07 a. m.]

[Vesting Order 5102]

EVA HOFF

In re: Estate of Eva Hoff, deceased; File D–66–1956; E. T. sec. 11188.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Nickolaus Muller, Eva Muller Gal, Johann Muller and Mathias Muller, and each of them, in and to the estate of Eva Hoff, deceased,

is property payable or deliverable to, or claimed by, nationals of designated enemy countries, Hungary and Rumania, namely,

Nationals and Last Known Address

Nickolaus Muller, Rumania.
Eva Muller Gal, Hungary.
Johann Muller, Rumania.
Mathias Muller, Rumania.

That such property is in the process of administration by The Southern Ohio Savings Bank & Trust Company, 515 Main Street, Cincinnati, Ohio, as Administrator of the estate of Eva Hoff, deceased, acting under the judicial supervision of the Probate Court of Hamilton County, Ohio;

And determing that to the extent that such nationals are persons not within designated enemy countries, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, (Hungary and Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13498; Filed, July 24, 1945; 11:07 a. m.]

[Vesting Order 5103]

ELIZABETH KASCH

In re: Estate of Elizabeth Kasch, deceased; File D–28–8262; E.T. sec. 9399.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Elizabeth Kasch, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Jacob Schaefer, Germany.

That such property is in the process of administration by Leonard J. Kamenjarin, 7934 South Aberdeen Street, Chicago, Illinois, as Administrator of the estate of Elizabeth Kasch, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13499; Filed, July 24, 1945; 11:07 a. m.]

[Vesting Order 5104]

AUGUSTA W. KRAFT

In re: Estate of Augusta W. Kraft, deceased; File D–28–2241; E. T. sec. 3294.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Louisa (Louise) Hohn, Anna Wollgramm, Ernest Schmidt, Frieda Schmidt, Gerta (Gerda) Schmidt, Johanna Voigt, and Ernest Kurtzbein, and each of them, in and to the estate of Augusta W. Kraft, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Louisa (Louise) Hohn, Germany.
Anna Wollgramm, Germany.
Ernest Schmidt, Germany.
Frieda Schmidt, Germany.
Gerta (Gerda) Schmidt, Germany.
Johanna Voigt, Germany.
Ernest Kurtzbein, Germany.

That such property is in the process of administration by Northwestern National Bank and Trust Company, 620 Marquette Avenue, Minneapolis, Minnesota, and Philip Kraft, 1701 Irving Avenue North, Minneapolis, Minnesota, as Co-executors of the estate of Augusta W. Kraft, deceased, acting under the judicial supervision of the Probate Court of Hennepin County, Minnesota;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13500; Filed, July 24, 1945; 11:07 a. m.]

[Vesting Order 5105]

HENRY LANG

In re: Estate of Henry Lang, deceased; File D-28-8558; E. T. sec. 10118.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Wilhelm (Willi) Grlib (Grüb), Frederick (Friedrich) Grlib (Grüb), Elizabeth (Elisabeth, Elise or Elisa) Grlib (Grüb) Gross, and the heirs, next of kin, legatees, distributees and personal representatives of Rosa Grlib (Grüb) Kurtz (Kurz), deceased, and each of them, in and to the estate of Henry Lang, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelm (Willi) Grlib (Grüb), Germany.
Frederick (Friedrich) Grlib (Grüb), Germany.
Elizabeth (Elisabeth, Elise or Elisa) Grlib (Grüb) Gross, Germany.
The heirs, next of kin, legatees, distributees and personal representatives of Rosa Grlib (Grüb) Kurtz (Kurz), deceased, Germany.

That such property is in the process of administration by Fred R. Waldron, 25 South Seventh Street, Terre Haute, Indiana, as Administrator d. b. n. with will annexed, of the estate of Henry Lang, deceased, acting under the judicial supervision of the Circuit Court (Probate Division) of Vigo County, Indiana;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13501; Filed, July 24, 1945; 11:07 a. m.]

[Vesting Order 5106]

HENRY LUTZ

In re: Estate of Henry Lutz, deceased; File D-28-7978; E. T. sec. 8887.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marie Gaube, Johanna Lutz and Marie Klinger, and each of them, in and to the estate of Henry Lutz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Addresses

Marie Gaube, Germany.
Johanna Lutz, Germany.
Marie Klinger, Germany.

That such property is in the process of administration by Joseph T. Herzberg, 705 Olive Street, St. Louis, Missouri, as Executor acting under the judicial supervision of the Probate Court of the County of St. Louis, Missouri;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13502; Filed, July 24, 1945; 11:08 a. m.]

[Vesting Order 5107]

MARGARET ELIZABETH NOLL

In re: Estate of Margaret Elizabeth Noll, deceased; File D-28-9648; E. T. sec. 13402.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the Children of William Beneze, deceased, Gustav Beneze, Heirs of Gutav Beneze, names unknown, Julius Beneze, Jr., Heirs of Julius Beneze, Jr., names unknown, Hugo Beneze, Heirs of Hugo Beneze, names unknown, Hedwig Beneze, and the Heirs of Hedwig Beneze, names unknown, and each of them, in and to the Estate of Margaret Elizabeth Noll, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Children of William Beneze, dec'd, Germany.
Gustav Beneze, Germany.
Heirs of Gustav Beneze, names unknown, Germany.
Julius Beneze, Jr., Germany.
Heirs of Julius Beneze, Jr., names unknown, Germany.
Hugo Beneze, Germany.
Heirs of Hugo Beneze, names unknown, Germany.
Hedwig Beneze, Germany.
Heirs of Hedwig Beneze, names unknown, Germany.

That such property is in the process of administration by the Berks County Trust Company, as Executor, acting under the judicial supervision of the Orphans' Court of Berks County, Reading, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13503; Filed, July 24, 1945; 11:08 a. m.]

[Vesting Order 5121]

LORENZ S. VOLLMAR

In re: Trust under the Will of Lorenz S. Vollmar, deceased; File No. D-66-627; E. T. sec. 4209.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Rudolf Lehman, also known as Rudolph Lehman, Martha Neumeister, Alfred Neumeister, Luise Schreiber, Eva Schreiber, Albert Schreiber, Issue, names unknown, of Franciska Lehman, deceased, and Arbeiter Mitgliederschaft der Socialistische Partei, its successor or successors, and each of them, in and to the Trust created under the Will of Lorenz S. Vollmar, deceased,

is property payable or deliverable to, or claimed by, nationals or agencies or instrumentalities of a designated enemy country, Germany, namely,

Nationals or Agencies or Instrumentalities and Last Known Address

Rudolf Lehman, also known as Rudolph Lehman, Germany.
Martha Neumeister, Germany.
Alfred Neumeister, Germany.
Luise Schreiber, Germany.
Eva Schreiber, Germany.
Albert Schreiber, Germany.
Issue, names unknown, of Franciska Lehman, deceased, Germany.
Arbeiter Mitgliederschaft der Socialistische Partei, its successor or successors, Germany.

That such property is in the process of administration by the Fidelity Union Trust Company, as Trustee, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13504; Filed, July 24, 1945; 11:08 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 765]

PHILADELPHIA, PA., AND NEWARK, N. J.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compli-

ance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 28, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Paul S. Whitescarver, doing business as Whitescarver Transportation, Newark, N. J.
Bingaman Motor Express Co., Reading, Pa.

[F. R. Doc. 45-13407; Filed, July 23, 1945; 3:24 p. m.]

[Supp. Order ODT 6A-144]

MERIDIAN, MISS., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 28, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

McDonough Motor Express, Inc., Meridian, Miss.
Gulf States Motor Express, Inc., Meridian, Miss.
Southern Motor Express, Inc., Birmingham, Ala.
Cook Truck Lines, Inc., Memphis, Tenn.

[F. R. Doc. 45-13406; Filed, July 23, 1945; 3:23 p. m.]

[Special Order ODT B-61]

STRONG CITY, ELDORADO, AND ARKANSAS CITY, KANS.

SUSPENSION OF OPERATIONS OF CERTAIN CARRIERS

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, material, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered*, That:

1. Santa Fe Transportation Company, Chicago, Illinois (hereinafter called "carrier"), in the transportation of passengers as a common carrier by motor vehicle, shall suspend operations between Strong City and Eldorado, Kansas, and between Eldorado and Arkansas City, Kansas, and all intermediate points.

2. The carrier shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

3. Communications concerning this order should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Order ODT B-61."

This Special Order ODT B-61 shall become effective July 31, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13405; Filed, July 23, 1945; 3:23 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1426]

ELKHORN CREEK COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) Coals produced by Elkhorn Creek Coal Company from the Elkhorn No. 2 Seam at its Elkhorn Creek Mine, located in Pike County, Kentucky, in Subdistrict No. 1 of District No. 8 may be purchased and sold for the indicated uses and movements in cents per net ton prices not exceeding the following:

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classifications	H	H	H	H	F	F	E	E	C	C	A	D	D	D
All methods of transportation (except truck or wagon) and for all uses	365	360	375	375	370	355	335	330	330	385	320	315	315	315
Truck or wagon shipments	365	375	350	350	335	310	275	270	----	----	----	----	----	----

(b) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel, all uses.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(e) The price classifications assigned herein are permanent, but the maximum prices may be changed by order or amendment.

(f) The maximum prices and price classifications established for the coals of the mine named herein by Order No. 1386 under Maximum Price Regulation No. 120 are hereby revoked.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13382; Filed, July 23, 1945; 11:47 a. m.]

[MPR 120, Order 1427]

BROWN AND WEST COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck

[1] Filed as part of the original document.

shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.224 and all other provisions of Maximum Price Regulation No. 120.

BROWN AND WEST COAL CO., C/O SOKOL FURNITURE CO., CORDOVA, ALA., BROWN AND WEST MINE, MOUNT CARMEL SEAM, MINE INDEX NO. 2107, WALKER COUNTY, ALA., RAIL SHIPPING POINT: CORDOVA, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 1, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7

	Size group Nos.						
	1 to 5 Incl.	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel	395	395	385	390	380	385	375
Truck shipment	405	480	460	425	415	420	385

DISNEY COAL CO., C/O A. R. DISNEY, NORTHPORT, ALA., DISNEY MINE, BROOKWOOD SEAM, MINE INDEX NO. 2109, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: FOX, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 1, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7

Rail shipment and railroad fuel	395	395	385	390	380	385	375
Truck shipment	405	480	460	425	415	420	385

HOLLINGSWORTH COAL CO., BOX 148, CORDOVA, ALA., HOLLINGSWORTH MINE, PRATT SEAM, MINE INDEX NO. 2097, WALKER COUNTY, ALA., RAIL SHIPPING POINT, CORDOVA, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 4, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 5

Rail shipment and railroad fuel	405	435	445	445	435	435	425
Truck shipment	510	505	495	460	450	455	435

WILLIAMS AND HARRISON, MANCHESTER, ALA., WILLIAMS AND HARRISON MINE, BLACK CREEK SEAM, MINE INDEX NO. 2106, WALKER COUNTY, ALA., RAIL SHIPPING POINT: FIVE POINTS, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 6, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 1

Rail shipment and railroad fuel	575	525	515	435	425	415	405
Truck shipment	570	520	500	485	475	460	450

This order shall become effective July 24, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13383; Filed, July 23, 1945; 11:47 a. m.]

[MPR 120, Order 1428]

BLUEBIRD COAL MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of Maximum Price Regulation No. 120.

BLUEBIRD COAL MINING CO., C/O L. F. MORGAN, DAYTON, TENN., BLUEBIRD #1 MINE, SEWANEE-NELSON SEAM, MINE INDEX NO. 2105, RHEA COUNTY, TENN., RAIL SHIPPING POINT: GRAYSVILLE, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 12

	Size group Nos.					
	1, 2, 3, 4, 5, 6, 7, 8, 9	10, 11, 12	13, 14			
Rail and river[1] shipment and railroad fuel	445	395	385	365	325	
Truck shipment	510	455	420	380	375	

B. S. BROWN, PIKEVILLE, TENN., BROWN MINE, SEWANEE SEAM, MINE INDEX NO. 2105, BLEDSOE COUNTY, TENN., RAIL SHIPPING POINT: COLLEGE, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9

Rail and river[1] and railroad fuel	445	395	385	365	325	
Truck shipment	500	445	420	380	385	

[1] Subject to special price instructions in § 1340.224 (b) (11) of MPR 120.

DAYTON COAL MINING CO., C/O E. L. ALLISON, DAYTON, TENN., DAYTON #1 MINE, NELSON-SEWANEE SEAM, MINE INDEX NO. 2099, RHEA COUNTY, TENN., RAIL SHIPPING POINT: DAYTON, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 12

	Size group Nos.						
	1, 2, 3, 4, 5, 6, 7, 8, 9	10, 11, 12	13, 14				
Rail and river[1] and railroad fuel	445	395	385	365	325		
Truck shipment	510	455	420	380	375		

ETNA MOUNTAIN COALS, 1026 JAMES BLDG., CHATTANOOGA, TENN., NO. 1 MINE, ETNA SEAM, MINE INDEX NO. 2098, MARION COUNTY, TENN., RAIL SHIPPING POINT: LADDS, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9

Rail and river[1] and railroad fuel	445	395	385	365	325	
Truck shipment	500	445	420	380	385	

GRAYSVILLE COAL MINING CO., C/O I. A. SMALL R. F. D. #3, DAYTON, TENN., ROYAL MINE, SEWANEE-NELSON SEAM, MINE INDEX NO. 2103, RHEA COUNTY, TENN., RAIL SHIPPING POINT: GRAYSERVILLE, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 12

Rail and river[1] and railroad fuel	445	395	385	365	325	
Truck shipment	510	455	420	380	375	

PILOT COAL CO., 1026 JAMES BLDG., CHATTANOOGA, TENN., CLIFT MINE, ETNA (RED ASH) SEAM, MINE INDEX NO. 2092, MARION COUNTY, TENN., RAIL SHIPPING POINT: LADDS AND WHITESIDE, DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9

Rail and river[1] and railroad fuel	445	395	385	365	325	
Truck shipment	500	445	420	380	385	

PILOT COAL CO., 1026 JAMES BLDG., CHATTANOOGA, TENN., MARTIN MINE, ETNA, NO. 7 SEAM, MINE INDEX NO. 2100, MARION COUNTY, TENN., RAIL SHIPPING POINT: LADDS AND WHITESIDE, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9

Rail and river[1] and railroad fuel	445	395	385	365	325	
Truck shipment	500	445	420	380	385	

PILOT COAL CO., 1026 JAMES BLDG., CHATTANOOGA, TENN., NO. 2 MINE, ETNA SEAM, MINE INDEX NO. 2101, MARION COUNTY, TENN., RAIL SHIPPING POINT: LADD'S AND WHITESIDE, TENN., DEEP & STRIP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9

Rail and river[1] shipment and railroad fuel	445	395	385	365	325	
Truck shipment	500	445	420	380	385	

PILOT COAL CO., 1026 JAMES BLDG., CHATTANOOGA, TENN., NO. 3 MINE, ETNA SEAM, MINE INDEX NO. 2102, MARION COUNTY, TENN., RAIL SHIPPING POINT: LADDS & WHITESIDE, TENN., DEEP AND STRIP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9

Rail and river[1] shipment and railroad fuel	445	395	385	365	325	
Truck shipment	500	445	420	380	385	

[1] Subject to special price instructions in § 1340.224 (b) (11) of MPR 120.

ALVA SNIDER, 52 AVON ST., CHARLTON, PA., SNIDER #1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 1917, MIDDLESEX COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: CHARLTON, PA., STRIP MINE, R. R. FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification		A	C	C	F	D	E	E	E		
Rail shipment		329	319	319	319	299	299	299	284		
Railroad fuel		329	319	319	319	299	299	299	284		
Truck shipment		431	431	399	399	369	369	331	294		

C. L. TAYLOR, EAST MCKEESPORT, PA., TAYLOR NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 1899, WESTMORELAND COUNTY, PA., SUBDISTRICT 2, RAIL SHIPPING POINT: IRWIN, PA., STRIP MINE, R. R. FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification		D	D	C	C	C	D	D	D		
Rail shipment		319	319	319	319	299	379	379	354		
Railroad fuel		319	319	319	319	299	379	379	354		
Truck shipment		421	421	400	374	374	384	314	294		

TRINITY COAL CO., C/O THOMAS F. O'BRIEN, MILTON AVE., GESSEL, DELAVERY, UNIONTOWN, PA., TRINITY MINE, PITTSBURGH SEAM, MINE INDEX NO. 438, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: MARTIN, PA., STRIP MINE, R. R. FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification		E	C	C	C	D	D	D	D		
Rail shipment		319	319	319	319	299	379	379	354		
Railroad fuel		319	319	319	319	299	379	379	354		
Truck shipment		421	421	394	384	384	384	319	299		

TWIN RIVER COMPANY, C/O DR. EVAN L. BROWN, 600 LOCUST ST., MCKEESPORT, PA., TWIN RIVER MINE, PITTSBURGH SEAM, MINE INDEX NO. 1914, WASHINGTON COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: LIBERTY, PA., STRIP MINE, R. R. FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 6

Price classification		A	C	C	C	C	C	C	C		
Rail shipment		329	319	319	319	299	379	379	354		
Railroad fuel		329	319	319	319	299	379	379	354		
Truck shipment		435	435	431	384	384	384	331	294		

MARTIN WARREN, HARRISON CITY, PA., COAL RUN MINE, PITTSBURGH SEAM, MINE INDEX NO. 4333, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: DELMONTE, PA., STRIP MINE, R. R. FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification		D	D	C	C	C	D	D	D		
Rail shipment		319	319	319	319	299	379	379	354		
Railroad fuel		319	319	319	319	299	379	379	354		
Truck shipment		421	421	401	374	374	384	314	294		

ZEPHER A. WILLIAMS, 11 DRYAN ST., UNIONTOWN, PA., PERTRAN NO. 3 MINE, PITTSBURGH SEAM, MINE INDEX NO. 1850, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: PERTRAN, PA., STRIP MINE, R. R. FUEL PRICE GROUP E, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification		E	C	C	B	C	C	C	C		
Rail shipment		319	319	319	319	299	379	379	354		
Railroad fuel		319	319	319	319	299	379	379	354		
Truck shipment		425	425	399	399	369	384	331	294		

FLEM ZETLERSON COAL CO., BUTLER, PA., ZETLERSON NO. 2 MINE, FREEPORT SEAM, MINE INDEX NO. 4398, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: BUTLER, PA., STRIP MINE, R. R. FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 2

Price classification		E	D	D	D	C	C	F	F		
Rail shipment		319	319	319	319	299	379	354	329		
Railroad fuel		319	319	319	319	299	379	354	329		
Truck shipment		421	421	444	423	411	411	294	269		

GEORGE SNIDER, 520 BLOOM BUILDING, 72 JOHNSTOWN, PA., SNIDER NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2078, CAMBRIA COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT: HASTINGS, PA., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 11

	Size group Nos.										
	1, 2, 3	4, 5, 6, 7, 8, 9	10, 11, 12	13, 14							
Rail and river[1] shipment and railroad fuel	445	395	385	365	325						
Truck shipment	490	435	420	380	375						

[1] Subject to special price instructions in § 1340.224 (b) (11) of MPR 120.

with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

SEANOR COAL CO., R. D. 2, SALTSBURG, PA., SEANOR-MAC MINE, PITTSBURGH SEAM, MINE INDEX NO. 4397, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: SALTSBURG, PA., STRIP MINE, R. R. FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification		G	F	F	F	F	F	F	F		
Rail shipment		299	299	299	299	279	279	279	254		
Railroad fuel		299	299	299	299	279	279	279	254		
Truck shipment		424	424	400	374	374	374	311	294		

SIMS & MOSHER, C/O H. C. SIMS, WASHINGTON, PA., SIMS & MOSHER MINE, WAYNESBORO SEAM, MINE INDEX NO. 1901, WASHINGTON COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: AVELLA, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP B, MAXIMUM TRUCK PRICE GROUP NO. 6, RAW COAL

Price classification		J	H	H	H	J	J	J	J		
Rail shipment		279	279	279	279	254	254	254	254		
Railroad fuel		279	279	279	279	254	254	254	254		
Truck shipment		384	384	384	384	331	331	299	294		

SIMS & MOSHER, C/O H. C. SIMS, WASHINGTON, PA., SIMS & MOSHER MINE, WAYNESBORO SEAM, MINE INDEX NO. 4361, WASHINGTON COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: AVELLA, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP B, MAXIMUM TRUCK PRICE GROUP NO. 6, WASHED COAL

Price classification		J	H	H	H	J	J	J	J		
Rail shipment		279	279	279	279	254	254	254	254		
Railroad fuel		279	279	279	279	254	254	254	254		
Truck shipment		384	384	384	384	331	331	299	294		

This order shall become effective July 24, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13385; Filed, July 23, 1945; 11:47 a. m.]

[MPR 161, Amdt. 3 to Order 53]

WEST COAST LOGS

APPROVED GRADERS AND SCALERS

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator by § 1381.138 of Revised Maximum Price Regulation 161, Order No. 53 is hereby amended as follows:

1. From the list of names of approved employees in paragraph (a) (1) delete the name "Clarence H. Cotterell."

This amendment shall become effective July 24, 1945.

Signed this 22d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13386; Filed, July 23, 1945; 11:44 a. m.]

[MPR 188, Order 4134]

LEMAR LAMP CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain article manufactured by LeMar Lamp Company, Inc., 190 William Street, New York 7, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
24" Coin gold decorated china table lamp base with extended hand made bouquet of flowers on base of china base	1800	$8.50	$10.00	$18.00
24" Ruby glass table lamp with gold etched glass decoration and shade	1810	6.45	7.59	13.66

These maximum prices are for the articles described in the manufacturer's application dated April 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. --------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13387; Filed, July 23, 1945; 11:44 a. m.]

[MPR 188, Order 4137]

H. W. POLLACK

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by H. W. Pollack, 54 East 11th Street, New York 3, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
15" hand sewn rayon satin and taffeta drum lamp shade with ruching top trim (rust proof frames)	3000	$3.01	$4.25	$7.65
25" hand sewn rayon satin and taffeta table lamp shade with ruching top trim (rust proof frames)	18	2.97	3.50	6.30
12" hand sewn rayon satin and taffeta table lamp shade with braid top and bottom (rust proof frames)	10120	2.02	2.38	4.25
18" hand sewn rayon satin and taffeta table lamp shade with braid top and bottom (rust proof frames)	10130	2.33	2.98	5.35
16" hand sewn rayon satin and taffeta table lamp shade with braid top and bottom (rust proof frames)	7022	2.97	3.50	6.30
12" rayon satin and taffeta drum lamp shade with braid trim top and bottom (rust proof frame)	20	2.70	3.18	5.70
24" hand sewn shantung art rayon taffeta junior floor lamp shade with braid trim top and bottom (with rust proof frame)	9000	3.37	3.96	7.15

These maximum prices are for the articles described in the manufacturer's application dated June 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13388; Filed, July 23, 1945; 11:44 a. m.]

[MPR 188, Order 4138]

S. & O. SPECIALTIES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by S. & O. Specialties Company, 2020 Milwaukee Avenue, Chicago 47, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
15" hand sewn rayon satin and taffeta drum lamp shade with ruching top trim (rust proof frames)	3000	$3.01	$4.25	$7.65
25" hand sewn rayon satin and taffeta table lamp shade with ruching top trim (rust proof frames)	18	2.97	3.50	6.30
12" hand sewn rayon satin and taffeta table lamp shade with braid top and bottom (rust proof frames)	10120	2.02	2.38	4.25
18" hand sewn rayon satin and taffeta table lamp shade with braid top and bottom (rust proof frames)	10130	2.33	2.98	5.35
16" hand sewn rayon satin and taffeta table lamp shade with braid top and bottom (rust proof frames)	7022	2.97	3.50	6.30
12" rayon satin and taffeta drum lamp shade with braid trim top and bottom (rust proof frame)	20	2.70	3.18	5.70
24" hand sewn shantung art rayon taffeta junior floor lamp shade with braid trim top and bottom (with rust proof frame)	9000	3.37	3.96	7.15

These maximum prices are for the articles described in the manufacturer's application dated February 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13389; Filed, July 23, 1945; 11:45 a. m.]

[MPR 188, Order 4139]

PEERLESS ELECTRIC CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Peerless Electric Company, 955 Mission Street, San Francisco 3, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers, retailers and hotel supply houses	Retailers, institutional, commercial or industrial users (3 units or more)	Retailers, institutional, commercial or industrial users (less than 3 units)	Users, other than institutional, commercial or industrial
Single burner hot plate, 19 gauge, 1300 watt, T. K. element, with cord and plug and 3 heat switch	100	*Each* $9.33	*Each* $10.66	*Each* $11.87	*Each* $17.80

These maximum prices are for the articles described in the manufacturer's application dated January 29, 1945. They include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Order No. 4139
Model No. 100
OPA Ceiling Price to Users Other Than Industrial, Commercial or Institutional $17.80
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Peerless Electric Company
955 Mission Street
San Francisco 3, California
Model No. 100
OPA Ceiling Price to Users Other Than Industrial, Commercial or Institutional $17.80
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13390; Filed, July 23, 1945; 11:45 a. m.]

[MPR 188, Order 4140]

IRVING LEISER

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,

and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Irving Leiser, 48 Horatio Street, New York 14, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sale by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
16½" vanity lamp with onyx base (no shade)	460-465-470	$2.38	$2.80	$5.00
17" metal vanity lamp with double onyx base (no shade)	480	2.57	3.02	5.40
16½" metal vanity lamp with triple onyx base (no shade)	495	3.21	3.78	6.80

These maximum prices are for the articles described in the manufacturer's application dated June 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13391; Filed, July 23, 1945; 11:45 a. m.]

[MPR 188, Order 4141]

ROBERT ADEL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Robert Adel, 22 W. 25th Street, New York City, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Jobber	Retailer (6 units or more)	Retailer (less than 6 units)	Consumer
2-burner hot plate cord and plug crackle finish	1234	*Each* $3.10	*Each* $3.75	*Each* $4.05	*Each* $6.05

These maximum prices are for the articles described in the manufacturer's application dated July 2, 1945. These prices include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statements with the correct order number filled in:

Robert Adel
22 W. 25th St.
New York City, N. Y.
Model No. 1234
OPA Retail Ceiling Price $6.05
Federal Excise Tax Included

or

Order No. 4141 under MPR 188
Model No. 1234
OPA Retail Ceiling Price $6.05 Each
Federal Excise Tax Included
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13392; Filed, July 23, 1945; 11:45 a. m.]

[MPR 188, Order 4142]

BEACON LAMP & NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Beacon Lamp & Novelty Company, 2014 North Humboldt Boulevard, Chicago 47, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
Pottery table lamp base	1	$3.60	$4.00	$7.20
	3	3.83	4.50	8.10
	10	4.46	5.20	9.40
	15	4.25	5.00	9.00

These maximum prices are for the articles described in the manufacturer's application dated May 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price $------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 24th day of July, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13393; Filed, July 23, 1945; 11:46 a. m.]

[MPR 188, Order 4143]

TED B. MARTENS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ted B. Martens, 1514 Mozart Street, Alameda, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Horse-drawn covered wagon novelty lamp	1	*Each* $3.27	*Each* $3.86	*Each* $6.95

ply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13394; Filed, July 23, 1945; 11:46 a. m.]

[MPR 580, Order 96]

TRIMOUNT CLOTHING CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

MPR No. 580, Order 96. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-148.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Trimount Clothing Company, Inc., 18 Station Street, Boston 20, Massachusetts, and described in the manufacturer's application dated April 20, 1945:

Article	Trade name	Manufacturer's price line	Ceiling price at retail
Men's suits	Clipper Craft	$18.81	$30.00
Men's deLuxe suits	do	21.23	35.00
Men's gabardine suits	do	21.50	35.00

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Trimount Clothing Company, Inc. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13397; Filed, July 23, 1945; 11:44 a. m.]

[MPR 188, Amdt. 1 to Order 3145]

WAR BICYCLES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:*

a. Order No. 3145 issued under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respect:

1. The first paragraph of section (e) (1) is amended to read as follows:

(1) "War bicycles" means a civilian type bicycle manufactured within the limitations of War Production Board

Limitation Order L-52 as in effect immediately prior to May 22, 1945, or a bicycle differing from one so produced only by reason of minor changes in material, design or construction which do not reduce the cost of materials or prevent its offering fairly equivalent serviceability. Four types of war bicycles are defined as follows:

This amendment to Order No. 3145 shall become effective on the 30th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13472; Filed, July 24, 1945; 11:01 a. m.]

[MPR 188, Amdt. 29 to Order A-2]

SOUND AND SILENT MOTION PICTURE PROJECTORS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (16) or Order A-2 under Maximum Price Regulation No. 188 is amended in the following respect:

Subdivision (ii) is amended by adding to the list of commodities set forth therein the following:

Sound and silent motion picture projectors.

This amendment shall become effective on the 27th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13485; Filed, July 24, 1945; 11:01 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 19, 1945.

REGION I

Boston Order 8-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:48 a. m.

Boston Order 9-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:48 a. m.

Boston Order 10-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:48 a. m.

Boston Order 11-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:48 a. m.

District of Columbia Order 5-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Maryland, Virginia, and District of Columbia. Filed 10:05 a. m.

New Hampshire Order 9-F, Amendment 8, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:47 a. m.

REGION VI

Des Moines Order 1-F, Amendment 70, covering fresh fruits and vegetables in Des Moines, Polk County, Iowa. Filed 10:05 a. m.

Des Moines Order 3-F, Amendment 18, covering fresh fruits and vegetables in certain counties in Iowa. Filed 10:06 a. m.

Des Moines Order 7-W, Amendment 2, combined with Order 14, Amendment 4, covering dry groceries in certain areas in Iowa. Filed 10:09 a. m.

Des Moines Order 8-W, Amendment 2, combined with Order 15, Amendment 4, covering dry groceries in certain areas in Iowa. Filed 10:09 a. m.

Des Moines Order 9-W, Amendment 2, combined with Order 16, Amendment 4, covering dry groceries in certain areas in Iowa. Filed 10:10 a. m.

Fargo-Moorhead Order 1-F, Amendment 15, covering fresh fruits and vegetables in certain counties in North Dakota. Filed 10:06 a. m.

Fargo-Moorhead Order 2-F, Amendment 15, covering fresh fruits and vegetables in certain counties in North Dakota. Filed 10:06 a. m.

Fargo-Moorhead Order 3-F, Amendment 15, covering fresh fruits and vegetables in certain counties in North Dakota. Filed 10:06 a. m.

Fargo-Moorhead District Order 3-W, Amendment 7, covering dry groceries in certain cities in North Dakota. Filed 10:08 a. m.

Fargo-Moorhead District Order 4-W, Amendment 7, covering dry groceries in certain cities in North Dakota. Filed 10:09 a. m.

Fargo-Moorhead District Order 25, Amendment 7, covering dry groceries in certain cities in North Dakota. Filed 10:07 a. m.

Fargo-Moorhead District Order 26, Amendment 7, covering dry groceries in certain areas in North Dakota. Filed 10:07 a. m.

Fargo-Moorhead District Order 27, Amendment 7, covering dry groceries in certain areas in North Dakota. Filed 10:07 a. m.

Fargo-Moorhead District Order 28, Amendment 7, covering dry groceries in certain areas in North Dakota. Filed 10:08 a. m.

REGION VII

Colorado Order F-1, covering fresh fruits and vegetables in the Denver Area. Filed 9:59 a. m.

Colorado Order F-1, Amendment 1, covering fresh fruits and vegetables in the Denver Area. Filed 10:00 a. m.

Colorado Order F-1, Amendment 2, covering fresh fruits and vegetables in the Denver Area. Filed 10:00 a. m.

Colorado Order F-1, Amendment 3, covering fresh fruits and vegetables in the Denver Area. Filed 9:59 a. m.

Colorado Order F-1, Amendment 4, covering fresh fruits and vegetables in the Denver Area. Filed 9:58 a. m.

Colorado Order F-1, Amendment 5, covering fresh fruits and vegetables in the Denver Area. Filed 9:58 a. m.

Colorado Order F-1, Amendment 6, covering fresh fruits and vegetables in the Denver Area. Filed 10:00 a. m.

Colorado Order F-1, Amendment 7, covering fresh fruits and vegetables in the Denver Area. Filed 10:00 a. m.

Colorado Order F-1, Amendment 8, covering fresh fruits and vegetables in the Denver Area. Filed 10:00 a. m.

Colorado Order F-1, Amendment 9, covering fresh fruits and vegetables in the Denver Area. Filed 10:00 a. m.

Colorado Order F-1, Amendment 10, covering fresh fruits and vegetables in the Denver Area. Filed 10:01 a. m.

Colorado Order F-1, Amendment 11, covering fresh fruits and vegetables in the Denver Area. Filed 10:01 a. m.

Colorado Order F-1, Amendment 12, covering fresh fruits and vegetables in the Denver Area. Filed 10:01 a. m.

Colorado Order F-1, Amendment 13, covering fresh fruits and vegetables in the Denver Area. Filed 10:05 a. m.

Colorado Order F-1, Amendment 14, covering fresh fruits and vegetables in the Denver Area. Filed 10:05 a. m.

Colorado Order F-1, Amendment 15, covering fresh fruits and vegetables in the Denver Area. Filed 10:05 a. m.

Colorado Order F-1, Amendment 20, covering fresh fruits and vegetables in the Denver Area. Filed 9:56 a. m.

Colorado Order F-1, Amendment 21, covering fresh fruits and vegetables in the Denver Area. Filed 9:55 a. m.

Colorado Order F-1, Amendment 22, covering fresh fruits and vegetables in the Denver Area. Filed 9:55 a. m.

Colorado Order F-1, Amendment 23, covering fresh fruits and vegetables in the Denver Area. Filed 9:55 a. m.

Colorado Order F-1, Amendment 24, covering fresh fruits and vegetables in the Denver Area. Filed 9:55 a. m.

Colorado Order F-1, Amendment 25, covering fresh fruits and vegetables in the Denver Area. Filed 9:55 a. m.

Colorado Order F-1, Amendment 26, covering fresh fruits and vegetables in the Denver Area. Filed 9:54 a. m.

Colorado Order F-1, Amendment 27, covering fresh fruits and vegetables in the Denver Area. Filed 9:54 a. m.

Colorado Order F-1, Amendment 28, covering fresh fruits and vegetables in the Denver Area. Filed 9:54 a. m.

Colorado Order F-1, Amendment 29, covering fresh fruits and vegetables in the Denver Area. Filed 9:53 a. m.

Colorado Order F-1, Amendment 30, covering fresh fruits and vegetables in the Denver Area. Filed 9:53 a. m.

Colorado Order F-1, Amendment 31, covering fresh fruits and vegetables in the Denver Area. Filed 9:52 a. m.

Colorado Order F-1, Amendment 32, covering fresh fruits and vegetables in the Denver Area. Filed 9:52 a. m.

Colorado Order F-1, Amendment 33, covering fresh fruits and vegetables in the Denver Area. Filed 9:52 a. m.

Colorado Order F-1, Amendment 34, covering fresh fruits and vegetables in the Denver Area. Filed 9:51 a. m.

Colorado Order F-1, Amendment 35, covering fresh fruits and vegetables in the Denver Area. Filed 9:51 a. m.

Colorado Order F-1, Amendment 36, covering fresh fruits and vegetables in the Denver Area. Filed 9:51 a. m.

Colorado Order F-1, Amendment 37, covering fresh fruits and vegetables in the Denver Area. Filed 9:51 a. m.

Colorado Order F-1, Amendment 38, covering fresh fruits and vegetables in the Denver Area. Filed 9:50 a. m.

Colorado Order F-1, Amendment 39, covering fresh fruits and vegetables in the Denver Area. Filed 9:50 a. m.

Colorado Order F-1, Amendment 40, covering fresh fruits and vegetables in the Denver Area. Filed 9:50 a. m.

Colorado Order F-1, Amendment 41, covering fresh fruits and vegetables in the Denver Area. Filed 9:50 a. m.

Colorado Order F-1, Amendment 42, covering fresh fruits and vegetables in the Denver Area. Filed 9:50 a. m.

Colorado Order F-1, Amendment 43, covering fresh fruits and vegetables in the Denver Area. Filed 9:49 a. m.

Colorado Order F-1, Amendment 44, covering fresh fruits and vegetables in the Denver Area. Filed 9:49 a. m.

Colorado Order F-1, Amendment 45, covering fresh fruits and vegetables in the Denver Area. Filed 9:49 a. m.

Colorado Order F-1, Amendment 46, covering fresh fruits and vegetables in the Denver Area. Filed 9:49 a. m.

Colorado Order F-1, Amendment 47, covering fresh fruits and vegetables in the Denver Area. Filed 9:58 a. m.

Colorado Order F-1, Amendment 48, covering fresh fruits and vegetables in the Denver Area. Filed 9:58 a. m.

Colorado Order F-1, Amendment 49, covering fresh fruits and vegetables in the Denver Area. Filed 9:57 a. m.

Colorado Order F-1, Amendment 50, covering fresh fruits and vegetables in the Denver Area. Filed 9:57 a. m.

Colorado Order F-1, Amendment 51, covering fresh fruits and vegetables in the Denver Area. Filed 9:57 a. m.

Colorado Order F-1, Amendment 52, covering fresh fruits and vegetables in the Denver Area. Filed 9:57 a. m.

Colorado Order F-1, Amendment 53, covering fresh fruits and vegetables in the Denver Area. Filed 9:57 a. m.

Colorado Order F-1, Amendment 54, covering fresh fruits and vegetables in the Denver Area. Filed 9:56 a. m.

Colorado Order F-1, Amendment 55, covering fresh fruits and vegetables in the Denver Area. Filed 9:56 a. m.

Denver Order F-1, Amendment 56, covering fresh fruits and vegetables in the Denver Area. Filed 9:56 a. m.

Denver Order F-2, Amendment 6, covering fresh fruits and vegetables in the Pueblo Area. Filed 9:59 a. m.

REGION VIII

San Diego Order 1-F, Amendment 37, covering fresh fruits and vegetables in the San Diego Area. Filed 9:40 a. m.

Spokane Order 8-F, Amendment 22, covering fresh fruits and vegetables in the Spokane County, Washington Area. Filed 9:40 a. m.

Spokane Order 9-F, Amendment 22, covering fresh fruits and vegetables in the Kootenai County, Idaho Area. Filed 9:41 a. m.

Spokane Order 10-F, Amendment 21, covering fresh fruits and vegetables in the Shoshone and Kootenai Counties, Idaho. Filed 9:41 a. m.

Spokane Order 11-F, Amendment 21, covering fresh fruits and vegetables in the Latah County, Idaho and Whitman County, Washington. Filed 9:41 a. m.

Spokane Order 12-F, Amendment 22, covering fresh fruits and vegetables in the Asotin County, Washington and Nez Perce County, Idaho. Filed 9:47 a. m.

Spokane Order 13-F, Amendment 23, covering fresh fruits and vegetables in the Columbia and Walla Walla Counties, Washington. Filed 9:47 a. m.

Spokane Order 14-F, Amendment 23, covering fresh fruits and vegetables in the Benton and Franklin Counties, Washington. Filed 9:46 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-13467; Filed, July 24, 1945; 11:00 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 20, 1945.

REGION II

Baltimore Order 4-F, Amendment 44, covering fresh fruits and vegetables in certain areas in and around Baltimore City. Filed 2:54 p. m.

Baltimore Order 10-F, covering fresh fruits and vegetables in certain areas in Maryland. Filed 2:54 p. m.

Camden Order W-5, Amendment 2, covering dry groceries in certain counties in New Jersey. Filed 2:41 p. m.

Camden Order 3-F, Amendment 39, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 2:50 p. m.

Camden Order 4-F, Amendment 39, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 2:50 p. m.

Camden Order 20, Amendment 2, covering dry groceries in certain areas in New Jersey. Filed 2:41 p. m.

Camden Order 21, Amendment 2, covering dry groceries in certain areas in New Jersey. Filed 2:41 p. m.

Camden Order 22, Amendment 2, covering dry groceries in certain counties in New Jersey. Filed 2:41 p. m.

Newark Order 7-F, Amendment 11, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 2:45 p. m.

Wilmington Order 2-0, Amendment 1, covering eggs in certain areas in Delaware. Filed 2:54 p. m.

Wilmington District Order 3-0, Amendment 1, covering eggs in certain areas in Delaware. Filed 2:53 p. m.

Wilmington Order 3-W, covering dry groceries in all the state of Delaware lying north of the Chesapeake and Delaware Canal. Filed 2:53 p. m.

Wilmington District Order 4-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Delaware. Filed 2:50 p. m.

REGION III

Detroit Order 1-0, Amendment 6, covering eggs in certain counties in Michigan. Filed 2:52 p. m.

REGION IV

Miami Order 2-F, Amendment 19, covering fresh fruits and vegetables in the Tampa, Florida Area. Filed 2:47 p. m.

Montgomery Order 3-C, covering poultry in the Montgomery Area. Filed 2:49 p. m.

Montgomery Order 4-C, covering poultry in the Montgomery Area. Filed 2:49 p. m.

Montgomery Order 5-C, covering poultry in the Montgomery Area. Filed 2:49 p. m.

Montgomery Order 6-C, covering poultry in the Montgomery Area. Filed 2:49 p. m.

Montgomery Order 7-C, covering poultry in the Montgomery Area. Filed 2:48 p. m.

Montgomery Order 8-C, covering poultry in the Montgomery Area. Filed 2:48 p. m.

Montgomery Order 23-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Alabama. Filed 2:45 p. m.

Roanoke Order 12-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Alabama. Filed 2:46 p. m.

REGION V

Little Rock Order 6-F, Amendment 54, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 2:43 p. m.

Lubbock Order 3-F, Amendment 62, covering fresh fruits and vegetables in certain counties in Texas. Filed 2:47 p. m.

REGION VI

Peoria Order 6-F, Amendment 3, covering fresh fruits and vegetables in Illinois. Filed 2:52 p. m.

Peoria District Order 7-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Illinois. Filed 2:52 p. m.

Peoria District Order 8-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Illinois. Filed 2:51 p. m.

Peoria District Order 9-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Illinois. Filed 2:51 p. m.

Peoria District Order 10-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Illinois. Filed 2:51 p. m.

Quad-Cities District Order 3-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Illinois, Iowa. Filed 2:43 p. m.

Quad-Cities District Order 3-F, Amendment 26, covering fresh fruits and vegetables in certain counties in Illinois and Iowa. Filed 2:43 p. m.

Quad-Cities Order 40, Amendment 6, covering fresh fruits and dry groceries in certain areas in Iowa and Illinois. Filed 2:43 p. m.

Sioux Cities Order 2-F, Amendment 79, covering fresh fruits and vegetables in Nebraska and Iowa. Filed 2:45 p. m.

Twin Cities Revised Order 1-F, Amendment 23, covering fresh fruits and vegetables in Minneapolis and St. Paul. Filed 2:46 p. m.

REGION VII

Wyoming Order 7-C, covering poultry in certain counties in Wyoming. Filed 2:48 p. m.

Helena Order 43-F, Amendment 4, covering fresh fruits and vegetables in Missoula and Kalispell. Filed 2:43 p. m.

Helena Order 44-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Montana. Filed 2:43 p. m.

Helena Order 45-F, Amendment 4, covering fresh fruits and vegetables in Great Falls, Billings and Butte. Filed 2:42 p. m.

Helena Order 46-F, Amendment 4, covering fresh fruits and vegetables in Glasgow, Glendive, Miles City and Sidney. Filed 2:42 p. m.

Helena Order 47-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Montana. Filed 2:42 p. m.

Helena Order 48-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Montana. Filed 2:42 p. m.

Helena Order 49-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Montana. Filed 2:42 p. m.

Helena Order 50-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Montana. Filed 2:41 p. m.

REGION VIII

Portland Order 2-P, Amendment 8, covering fresh fish in Portland, Vanport, Oregon and Vancouver, Washington. Filed 2:44 p. m.

Portland Order 2-P, Amendment 9, covering fresh fish in Portland and Vanport, Oregon and Vancouver, Washington. Filed 2:44 p. m.

Portland Order 2-P, Amendment 10, covering fresh fish in Portland and Vanport, Oregon, and Vancouver, Washington. Filed 2:44 p. m.

Portland Order 3-W, Amendment 1, covering dry groceries in certain areas in Oregon. Filed 2:44 p. m.

Portland Order 30, Amendment 8, covering dry groceries in certain areas in Oregon. Filed 2:44 p. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-13468; Filed, July 24, 1945; 11:00 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 148

Washington, Thursday, July 26, 1945

The President

PROCLAMATION 2656

AIR FORCE DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the United States Army Air Forces have demonstrated throughout the world the ability of air power to spearhead the attacks of our Armed Forces against our enemies, and have materially contributed to the successful completion of the war in Europe; and

WHEREAS the men of the Army Air Forces have fought and died gallantly to win for us success in every corner of the world; and

WHEREAS millions of our countrymen, military and civilian, have recognized the potentialities of air power and have, in the Armed Services and on the home front, faithfully served and worked to achieve the air power essential to the winning of the wars in which we have been and are engaged:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may do honor to the men and women of the Army Air Forces and pay tribute to those who have supported the development of our Country's air power, do hereby proclaim Wednesday, August 1, 1945, as Air Force Day, and do invite the Governors of the various States to issue proclamations calling for the observance of that day.

I also strongly urge the civilian workers of this Country to maintain steadfastly their brilliant record of supplying our Army Air Forces with the weapons they must have to speed our final victory in this war.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE this 20th day of July in the year of our Lord one thousand nine hundred and forty-five, and [SEAL] of the Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN

By the President:

JOSEPH C. GREW,
Acting Secretary of State.

[F. R. Doc. 45-13533; Filed, July 24, 1945; 12:35 p. m.]

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

PROCLAMATION 2657

NATIONAL DEFENSE PIPE LINE—THE TEXAS-EMPIRE PIPE LINE COMPANY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the act of Congress entitled "An Act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce", approved July 30, 1941 (55 Stat. 610), as amended, vests in the President certain powers relating to the construction, extension, completion, operation and maintenance of interstate pipe lines related to national defense:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the said act, as amended, do hereby find and proclaim:

(1) That for national-defense purposes it is necessary that there be constructed and completed a pipe line system for the transportation of petroleum and petroleum products moving in interstate commerce originating in the vicinity of Cushing, Oklahoma, and extending in a northeasterly direction to a point at Hey-

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations amended or added by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.

worth, Illinois, the route of which is on file in the Office of Petroleum Administrator for War, detail survey map of which shall be recorded in the said office;

(2) That The Texas-Empire Pipe Line Company, a private corporation organized under the laws of the State of Delaware, has commenced the work necessary for the construction of the said pipe line and facilities under Project NC–8613 approved by the War Production Board on March 26, 1945, and represents that it is prepared to complete the said pipe line and facilities; and

(3) That for the purpose of construction, completion, operation, and maintenance of the said pipe line system, it is necessary that the said Company have the right, as provided in the aforesaid act, as amended, by the exercise of the right of eminent domain, to acquire along the route in Logan, Dewitt, and McLean Counties, Illinois, between the said Company's Beason Junction in Logan County, Illinois, and its Heyworth Station in McLean County, Illinois, a distance of approximately seventeen miles, easements and rights-of-way not to exceed fifty feet in width, for the construction, completion, operation, maintenance, and removal of the pipe lines, including the right of access thereto over adjoining lands, and the said right to exercise the right of eminent domain is hereby granted to the said Company: *Provided*, that such right of eminent domain shall be exercised by the said Company for the aforesaid purposes prior to June 30, 1946: *And provided further*, that the said pipe line and facilities herein identified shall be constructed, completed, operated, and maintained subject to such terms and conditions as the President may hereafter from time to time prescribe as necessary for national-defense purposes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE THIS 20th day of July in the year of our Lord one thousand nine hundred and forty-five, and of the [SEAL] Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN

By the President:

JOSEPH C. GREW,
Acting Secretary of State.

[F. R. Doc. 45-13534; Filed, July 24, 1945; 12:35 p. m.]

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

PART 6—WAR CONTRACT SETTLEMENT

MISCELLANEOUS AMENDMENTS

The following amendments to the regulations contained in Part 6, issued pursuant to the authority contained in The Contract Settlement Act of 1944 (58 Stat. 649; 41 U.S.C. App. Supp. 101–125) are hereby prescribed.

1. Section 6.31 is amended to read as follows:

§ 6.31 *Settlement of subcontracts without approval.* Settlement of termination claims arising under subcontracts may be made by war contractors without the approval of the Department when such settlements are made on the basis of settlement proposals submitted by subcontractors on copies of OCS Form 1a (9 F.R. 12547) for use where it is proposed to retain or dispose of all inventory and the amount of the net settlement proposal is less than $1,000. War contractors may also make settlement of termination claims arising under subcontracts without approval in the event that (a) the amount of the claim does not exceed $5,000 and (b) authority has been granted by the Director of Surplus Property and Reconversion to settle such claims. Authority to settle any claim without approval may be revoked, at any time before the settlement is concluded, by notice in writing to the war contractor over the signature of the Director of Surplus Property and Reconversion. Except as provided in this section, no settlement of the termination claims of subcontractors, made without approval, shall be binding.

2. Section 6.34 is amended to read as follows:

§ 6.34 *Direct settlement and payment of subcontractors' claims.* Unless a different procedure is approved by the terminating officer, settlement of subcontractors' claims and payment thereof will be made by the war contractor who placed the contract. Where a subcontractor is of the opinion that any war contractor is not financially responsible or where the death or dissolution of such contractor, or other circumstances, make it necessary for the protection of the subcontractor that settlement or payment be made directly with or to the subcontractor, such fact should be reported immediately to the terminating officer. Whenever the terminating officer is satisfied of the inability of a war contractor to meet his obligations to a subcontractor, such terminating officer shall require such supervision or control over payments to the war contractor on account of the termination claims of subcontractors of such war contractor to such extent and in such manner as the terminating officer deems necessary or desirable for the purpose of assuring the receipt of the benefit of such payments by the subcontractors. Such decision by the terminating officer is subject to review by the Director of Surplus Property and Reconversion.[1]

3. Section 6.36 is amended to read as follows:

§ 6.36 *Formalization of obligations and commitments.* Where a formal or technical defect or omission in a prime contract or in any grant of authority to an officer or agent, in the judgment of the appropriate officer of the Department might invalidate an obligation or commitment created or incurred by the Department, he shall formalize the obligation or commitment within 90 days from the notice to the Director of Surplus Property and Reconversion of such formal or technical defect or omission.

Issued this 25th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13605; Filed, July 25, 1945; 11:03 a. m.]

[1] See Reg. 17, dated May 29, 1945 (10 F.R. 6250).

Chapter VII—Agricultural Adjustment Agency

[ACP-1945-2]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

MATERIALS AND SERVICES IN LIEU OF PAYMENT

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestics Allotment Act, as amended, the 1945 Agricultural Conservation Program, as amended, is further amended as follows:

1. Section 701.607 (c) is amended to read as follows:

§ 701.607 *Conservation materials and services.* • • •

(c) *Materials and services in lieu of payment.* Notwithstanding any other provision in the bulletin, if no flaxseed payment or red clover, alsike, or alfalfa seed harvesting payment is earned on the farm, materials or services furnished will be in lieu of the entire payment for the farm, (1) if materials or services are furnished against the farm allowance and the increase in small payment, or (2) if the only practices performed on the farm are carried out with conservation materials or services other than services furnished by a county agricultural conservation association or other than materials the credit value of which exceeds the cost to the Agricultural Adjustment Agency.

Done at Washington, D. C., this 25th day of July 1945. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13606; Filed, July 25, 1945; 11:03 a. m.]

Chapter XI—War Food Distribution Orders

PART 1440—ESSENTIAL OILS

[WFO 81, Amdt. 6]

OIL OF PEPPERMINT

War Food Order No. 81, as amended (8 F.R. 12525, 9 F.R. 152, 4321, 4319, 7297, 9584, 11927), is further amended by deleting therefrom the provisions of § 1440.1 (d) (2) and inserting, in lieu thereof, the following:

(2) During the period from July 24, 1945, to September 30, 1945, both inclusive, any person may, in addition to the quantity which such person may acquire under his quota for the current year ending September 30, 1945, make advance acquirements of oil of peppermint only in a total aggregate amount not in excess of 75 percent of his quota of oil of peppermint hereunder for the year beginning on October 1, 1945; but any such advance acquirement of oil of peppermint is not to be considered as increasing a person's quota of that product for the current year or for the year beginning on October 1, 1945, and any such advance acquirement of oil of peppermint shall be subject, in all respects, to the restrictions of this order. Except as authorized in the preceding sentence, the total acquirements of oil of peppermint by any person (either personally, or through an agent, or bailee) during any year, as defined in (a) (9) hereof, shall not, when added to the amount of oil of peppermint which he had on hand (either personally, or through an agent, or bailee), unused at the beginning of that year, except as provided in (e) hereof, exceed his quota of oil of peppermint for such year. Any person may, however, carry on hand at any one time, in addition to the amount authorized hereinabove in this paragraph, a stock of oil of peppermint sufficient to meet his requirements for the next succeeding 90 days in manufacturing products for delivery to or for the account of the agencies or persons listed or referred to in (f) hereof: *Provided*, That the Director may, if he shall deem it desirable to do so at any time, specify the amount of oil of peppermint which any such person may carry on hand for such non-quota use, in which event the amount so specified by the Director shall be the maximum amount which may be carried on hand for that purpose.

This order shall become effective at 12:01 a. m., e. w. t., July 24, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 81, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 81, as amended, in effect prior to the effective time hereof, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 23d day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13408; Filed, July 23, 1945; 3:32 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Order 24]

PART 602—GENERAL ORDERS AND DIRECTIVES

REPORT BY PRODUCERS OF NUMBER OF MEN EMPLOYED IN PRODUCTION OF COAL

For the purpose of obtaining accurate information with respect to the number of employees in the coal industries, their ages and selective service classifications, it is deemed appropriate to issue the following order:

Each operator, for each mine having rail or river connection, for each mine producing 50 tons or more per day and for each central preparation plant, washery or breaker, shall file the information required to be furnished on Form SFA No. 265 (revised July 1945). This order shall apply to mines and facilities engaged in the production of anthracite, bituminous coal and lignite. The completed forms shall be filed on or before August 15, 1945 with the office specified in Appendix A of this order. Additional copies of the forms may be obtained from the same office.

This order shall become effective immediately.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 53 Stat. 827)

Issued this 25th day of July 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

APPENDIX A

District:	*Where Form S. F. A. No. 265 shall be filed*
1	J. N. Geyer, Post Office Building, 11th Avenue and 12th Street, Altoona, Pa.
2	Harry A. Sutter, 1512-20 Henry W. Oliver Building, Pittsburgh 22, Pa.
3	Frank C. Shriver, Jacobs Building, Monroe and Meredith Streets, Fairmont, W. Va.
4 and 6	Howard A. Smith, 501 Bulkley Building, 1501 Euclid Avenue, Cleveland 15, Ohio.
7	Daniel J. Carroll, Law and Commerce Building, 307 Federal Street, Bluefield, W. Va.
8	Harvey L. Wells, Ashland Oil & Refining Building, 1409-13 Winchester Avenue, Ashland, Ky.
9	Harry Rightmire, Dulin Building, 125 South Main Street, Madisonville, Ky.
10	J. C. Fitzpatrick, 1160 Merchandise Mart, 222 West North Bank Drive, Chicago 54, Ill.
11	William G. Stockton, Chamber of Commerce Building, 324 North Meridian Street, Indianapolis 4, Ind.
12	Gilford D. Miller, 225-227 U. S. Federal Office Building, 5th and Court Avenue, Des Moines 9, Iowa.
13	Howard J. Thomas, 706 Chamber of Commerce Building, 1829 First Avenue North, Birmingham 3, Ala.
14 and 15	E. N. Ahlfeldt, New York Life Building, 16-24 West Ninth Street, Kansas City 6, Mo.
16, 17 and 18	R. B. Griffith, 718-721 Boston Building, 828 17th Street, Denver 2, Colo.
19, 20 and 22	J. E. Parker, 462 Union Pacific Building Annex, 19 West South Temple Street, Salt Lake City, Utah.
21	W. J. Dougherty, Solid Fuels Administration for War, Washington 25, D. C.
23	J. H. Gatewood, 6630 White-Henry-Stuart Building, 4th Avenue and University Street, Seattle, Wash.
Anthracite	Owen E. Williams, 313-316 Brooks Building, 15 South Franklin Street, Wilkes-Barre, Pa.

[F. R. Doc. 45-13652; Filed, July 25, 1945; 12:00 m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 61]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; AGRICULTURAL REPAIR PARTS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept. of Comm. Schedule B No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-Post dollar value limits
			K	G+4	
722810	Repair parts for farm graders and farm terracers	K	100	25	25
774900	Repair parts for irrigation and other farm pumps	K	100	25	25
775625	Repair parts for cider presses and mills, power	K	100	25	25
788905	Repair parts for wheel tractors, except chains, tractor tire and other.	K	100	25	25
788905	Repair parts for agricultural machinery (except tractors).	K	100	25	25

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 5, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13563; Filed, July 24, 1945; 2:38 p. m.]

[Amdt. 62]

PART 802—GENERAL LICENSES

ADDITION OF COUNTRIES TO LIST

Section 802.2 *General license numbers* is hereby amended in the following particulars:

Paragraph (a) is amended by adding to the list of countries therein, the following countries with the respective country numbers designated:

France	102
Belgium	103
Luxembourg	107
The Netherlands	108
Denmark (including Faroe Islands)	109
Norway	110
Greece	125

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 19, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13564; Filed, July 24, 1945; 2:38 p. m.]

[Amdt. 63]

PART 802—GENERAL LICENSES

GENERAL LICENSE COUNTRY GROUPS

Section 802.3 *General license country groups* is hereby amended in the following particulars:

Paragraph (a) is amended so that Group G designated therein reads as follows:

Belgium	103
Corsica	102
Denmark (including Faroe Islands)	109
France	102
French North Africa (including French Morocco, Algeria, and Tunisia)	87
French West Africa (including Mauritania, Senegal, French Guinea, Ivory Coast, Togoland, Dahomey, French Sudan, and Niger)	86
Greece	125
Luxembourg	107
The Netherlands	103
Norway	110
Union of Soviet Socialist Republics (U. S. S. R.)	76

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 19, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13565; Filed, July 24, 1945; 2:38 p. m.]

[Amdt. 64]

PART 802—GENERAL LICENSES

RE-EXPORTATION FROM COUNTRY OF DESTINATION

Section 802.4 *Re-exportation from country of destination* is hereby amended to read as follows:

§ 802.4 *Re-exportation from country of destination.* No exportation may be made under any type of general license with the knowledge or intention that the commodities so exported are to be re-exported from the country of destination, unless the re-exportation has been authorized by the Foreign Economic Administration, except that all commodities, the exportation of which is permitted under general license to any destination in Group K, may be re-exported from any destination in Group K to any other destination in Group K provided that such re-exportation is not made to, or for the account of, any individual, or the agent, representative, or member of the immediate family of any individual, who is on the American Proclaimed List.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 18, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13566; Filed, July 24, 1945; 2:38 p. m.]

PART 802—GENERAL LICENSES

GENERAL IN TRANSIT LICENSES

Section 802.9 *General in transit licenses "GIT"* is hereby amended in the following particulars:

Paragraph (b) is hereby amended to read as follows:

(b) General licenses are hereby granted authorizing, subject to the other provisions of this section, the exportation of "in transit shipments" from those countries of origin to those countries of destination set forth directly opposite the respective general license designation for each such license in the following table.

General license designation	Countries of origin	Countries of destination
GIT-A-A..	All countries except enemy or enemy occupied countries.	All countries to which country numbers have been assigned, except "S Countries" and "M Countries".
GIT-C-MS	Canada	"M Countries", "S Countries" and Czechoslovakia.
GIT-Y-S	"Y Countries"	"S Countries".
GIT-Y-MS	"Y Countries"	"M Countries" and "S Countries".

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 19, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13567; Filed, July 24, 1945; 2:39 p. m.]

[Amdt. 66]

PART 802—GENERAL LICENSES

SMALL ORDERS OF CONTROLLED MATERIALS

Section 802.28 *Small orders of controlled materials "G-CMP"* is hereby amended to read as follows:

§ 802.28 *Small orders of controlled materials "G-CMP"*—(a) *Definitions.* When used in this section:

(1) "Controlled material" shall mean the material listed in paragraph (b) of this section, in each case only in the forms and shapes specified in Schedule 1 to CMP Regulation No. 1 of the War Production Board or as the same may be amended from time to time.

(2) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition, and "repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe and unfit for service by wear and tear, damage, failure of parts or the like: *Provided,* That neither maintenance nor repair shall include the improvement of any plant, facility or equipment by replacing material which is still usable, with material of a better kind, quality or design.

"Operating supplies" means any materials or products which are normally carried by a person as operating supplies according to established accounting practice and are not included in his finished product except that materials included in such product which are normally chargeable to operating expense may be treated as operating supplies. The term also includes such items as hand tools purchased by an employer for sale to his employees for use in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge.

The terms "maintenance, repair and operating supplies" do not include any capital additions or production materials.

(b) Preference Rating Order P-151 of the War Production Board, issued April 13, 1945, provides that exporters may obtain for export shipment under general license in each calendar quarter not more than the amounts of controlled material listed below for each single consignee by the use of the allotment symbol E-2. Separate orders may be placed for material destined for one consignee but the total quantity of all such orders in a calendar quarter for each consignee may not exceed the amounts listed below. The symbol may be used only if the exporter knows or reasonably believes that the material will be used by the consignee for maintenance, repair or operating supplies or will be resold by the consignee to a specifically identified customer who will use the material for maintenance, repair or operating supplies:

Carbon steel (including wrought iron)	3 tons
Alloy steel	1,200 pounds
Copper and copper base alloy	300 pounds
Aluminum	500 pounds

(c) A general license designated "G-CMP" is hereby granted authorizing the exportation to destinations in Group K, as set forth in paragraph (a) of § 802.3, of controlled material which has been purchased in accordance with the provisions of said Preference Rating Order P-151: *Provided,* That for each shipment made under this general license the exporter shall place on the Shipper's Export Declaration covering such shipment the symbol "G-CMP". The use of such symbol on a Shipper's Export Declaration when presented to Collectors of Customs for clearance for export constitutes a certification by the exporter (1) that the materials covered by the shipment have been purchased in accordance with the provisions of Preference Rating Order P-151 of the War Production Board and (2) that, to the best of his knowledge and belief, such materials will be used by the consignee only for maintenance, repair or operating supplies, or will be resold by the consignee to a specifically identified customer who will use the material for maintenance, repair or operating supplies and such use will be in accordance with existing conservation and limitation orders of the War Production Board.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 5, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13568; Filed, July 24, 1945; 2:39 p. m.]

[Amdt. 67]

PART 804—INDIVIDUAL LICENSES

FARM MACHINERY

Section 804.7 *Special provisions concerning applications to export certain commodities* is hereby amended in the following particulars:

Paragraph (e) *Farm machinery* is hereby revoked.

This amendment shall become effective as of June 30, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 5, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13569; Filed, July 24, 1945; 2:39 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99, Direction 5]

HIGH COUNT COTTON PRINT CLOTH

The following direction is issued pursuant to Limitation Order L-99:

(a) The purpose of this direction. It is the purpose of Direction 5 to assist in the production of a larger amount of high count cotton print cloth, the supply of which is presently inadequate to meet military requirements.

(b) Pursuant to paragraph (a) (1) of Order L-99, as amended August 28, 1944, all producers having looms now operating on, or assigned to, the production of 80 x 80 print cloth (39" 4.00 yard and pro rata widths) may file notifications of intent to change the construction to 80 x 72. Notifications should be made in writing to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., giving the following information:

(1) The date when production of the 80 x 72 fabric would commence.

(2) The yardage of 80 x 72 fabric which would be scheduled for quarterly production.

(3) The amount of quarterly production, if any, which would be retained on 80 x 80 fabric.

(4) That the proposed change can be made without interfering with deliveries against contracts already entered into calling for 80 pick against which purchasers are unwilling to accept 72 pick construction.

(c) If notifications are received to convert more looms from 80 pick to 72 pick construction than desired, the War Production Board will treat them on a pro rata basis, giving consideration to any facts which show the extent to which production of high count cotton print cloth can be increased. Since it may be necessary to retain some production of 80 pick fabric, the War Production Board may issue specific directions to some producers, prohibiting the manufacture of the lower pick construction to some extent.

Issued this 25th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13624; Filed, July 25, 1945; 11:24 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-51, as Amended July 24, 1945]

PIGS' AND HOGS' BRISTLES AND BRISTLE PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of pigs' and hogs' bristles and brushes made therefrom for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.161 *Conservation Order M-51*—(a) *Definitions.* In this order:

(1) "Bristles" means pigs' or hogs' bristles, including riffings, 2 inches or longer, whether new, reclaimed, raw, dressed, imported or domestic.

(2) "Painters' brush" means any brush having a ferrule and used in the painting, varnishing or decorating trade (including all types of brushes specified in the Brush List attached to this order and all brushes of similar construction or use).

(3) "Ferrule" means the band by which the bristles of a painter's brush are attached to the handle.

(b) *Importation.* Notwithstanding any other order, rule, regulation or direction, or any certificate or authorization, no person other than Defense Supplies Corporation or U. S. Commercial Company shall import any variety of bristles of the categories known as "Chinese", "Indias", "Russians" or "Siberians". The importation of bristles of other categories shall be according to General Imports Order M-63, as amended from time to time.

(c) *Inventories of bristles.* No person manufacturing brushes shall buy or accept delivery of any bristles 2½ inches or longer if he has more bristles on hand than are required to continue his then current rate of operations for a period of 120 days. In computing such inventory only items A1, 2 and 3 and B1 as listed on Form WPB-431 shall be included.

(d) *Allocation of stock piled bristles.* Reconstruction Finance Corporation shall not dispose of any variety of bristles of the categories known as "Chinese," "Indias," "Russians," or "Siberians," except as authorized by the War Production Board. The War Production Board may from time to time allocate the supply of stock piled bristles of the categories known as "Chinese," "Indias," "Russians" or "Siberians" and specifically direct the quantities, time and manner in which deliveries by Reconstruction Finance Corporation shall be made or withheld. It may also direct or prohibit particular uses of such categories of bristles. Any direction, prohibition or allocation issued pursuant to this paragraph, to be valid, must be in writing in the name of the War Production Board.

(e) *Restrictions on use of bristles*—(1) *Use of bristles over 3⅜ inches.* No person shall use any bristles longer than 3⅜" for manufacturing purposes except as follows:

(i) To manufacture brushes for delivery to or for the account of the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the United States Treasury Department or the Department of the Interior;

(ii) To manufacture painters', billboard and paper hangers' paste brushes, except the types identified in the Brush List attached to this order by the following numbers: 12 (mucilage and paste), 13, 14 (painters' duster), 16 (radiator), 22, 23 (paper hangers' smoothing), and 24 (stencil);

(iii) To manufacture the following types of brushes provided the bristles so used are not longer than 3⅞": Brushes required in production operations of any industry; car and window washing brushes (railroad and industrial only); tooth brushes, including dental plate brushes; surgeons' hand brushes and hair brushes.

(iv) [Deleted July 18, 1945.]

(2) *Required mixture of other materials.* No person shall manufacture painters', billboard or paperhangers' paste brushes using bristles longer than 2⅜ inches or car and window washing brushes (railroad and industrial only) using bristles longer than 3⅜ inches unless such brushes contain at least 45% of filling material other than bristles as defined in this order;"

However, this restriction shall not apply:

(i) To the manufacture of brushes where the applicable federal specifications require the use of bristles exclusively and the bristles used are not longer than 3⅞ inches, and where the brushes are for delivery to or for account of the Army and Navy of the United States, the Veterans' Administration, the United States Treasury Department, the Department of the Interior, the United States Maritime Commission, the War Shipping Administration, or marine distributors pursuant to authorization by the Maritime Commission on Form WPB-646.

(ii) To the manufacture of Fitch brushes, stencil brushes, flat bakery grease brushes, long handle sash tools, flat-double, single and single X varnish and utility wall brushes using bristles not longer than 3⅜" (item nos. 2, 17, 18, 19, 24, 27, 29, 30 and 36 brush list only).

(iii) To the manufacture of flat triple varnish brushes (item no. 31 of brush list) using bristles not longer than 3⅝".

(iv) To the manufacture of the following types of brushes provided the bristles so used are not longer than 3⅞": varnish brushes, oval (item no. 28 of Brush List); glue brushes (item nos. 7 and 8 of brush list).

(3) *Exceptions to paragraphs (e) (1) and (e) (2).* On letter application the War Production Board may grant exceptions from paragraphs (e) (1) and (e) (2) in the case of brushes required for:

(i) Applying adhesives in aircraft manufacture;

(ii) Dusting operations in shell-loading plants;

(iii) Use in manufacturing self-sealing gasoline tanks, and

(iv) Other uses where special types of brushes are needed.

(f) *Restrictions on the sale of bristle painters' brushes.* No brush manufacturer shall sell or deliver any painters' brushes containing bristles except on the following classes of orders:

(1) Orders placed by the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the United States Treasury Department or the Department of the Interior;

(2) Orders placed by persons entitled to use ratings of AA-3 or higher;

(3) Orders placed by distributors (except marine distributors) rated on Form WPB-547 and orders placed by marine distributors rated on Form WPB-645;

(4) Orders for export rated on Form FEA-419.

No person shall buy or accept delivery of any of these brushes from a brush manufacturer except on these classes of orders.

(g) *Sale of brushes for export.* No person shall sell or deliver any product containing bristles which he knows or has reason to believe will be exported unless the purchase order contains the number of the export license or release certificate issued by the Foreign Economic Administration or unless the product is ordered by an agency of the United States for delivery pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or for delivery for the account of the United Nations' Relief and Rehabilitation Administration (U. N. R. R. A.).

(h) *Limitation on manufacture of brushes.* No person shall manufacture any painters' brush:

(1) Of a type other than those specified in the Brush List attached to this order;

(2) With a ferrule of dimensions other than those specified in the Brush List with respect to each brush, or which has an assembly containing an inner band, a bridge or a spout, or which is seamless (except for a shipbottom, stencil, oval varnish or oval sashtool brush), or which is embossed or stamped (except that the size and other markings may be applied if to do so would not require any special or additional operation during the process of manufacturing the ferrule); or

(3) With a handle finished in more than one color.

(i) *Reports.* Every owner of bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB-431 showing his holdings and consumption of bristles during the preceding month. This requirement has been approved by

operating supplies under established accounting practice if issued to employees without charge.

[F. R. Doc. 45-13568; Filed, July 24, 1945; 2:39 p. m.]

of 80 pick fabric, the War Production Board may issue specific directions to some pro-

the Bureau of the Budget under the Federal Reports Act of 1942.

(j) *Communications.* All reports required to be filed and all communications concerning this order shall unless otherwise directed be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C. Ref. M-51.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(l) *Violations.* Any person who wilfully violates any provision of this order, or, who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(m) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

BRUSH LIST

These are the only kinds of painters' brushes which may be manufactured. (All dimensions are in inches. A maximum variation of 1/32 of an inch is allowed in width and thickness both of which are referred to by inside dimensions. The Federal Specification numbers are to be used only as a means of identifying the type of brush. In case of any inconsistency, the dimensions in Columns 4, 5 and 6 shall prevail over those in the Federal Specifications.)

1 Type of brush	2 Identification No. for ready reference	3 Federal Specification No.	4 Width of ferrule	5 Thickness of ferrule	6 Maximum depth of ferrule
Color-single thickness	1		1/2	1/4	1
			1	5/16	1 1/4
			1 1/2	7/16	1 1/2
			2	1/2	1 3/4
Fitch	2	HB-241a	3	1/2	1 3/4
			3/4	1/4	1 5/16
			1 1/16	5/16	1 1/2
			3/4	5/16	1 5/8
			1	3/8	1 7/8
			7/8	1/2	1 15/16
			1 1/4	5/8	2 1/4
			1 1/2	3/4	2 3/4
			1 3/4	13/16	2 7/8
			2	7/8	2 3/4
Flatting-wall master	3		2 1/2	7/8	3
			4 1/2	1 1/2	1
			5	1 1/2	1
			6	1 1/2	1
Flatting-wall utility	4		6 1/2	1 1/2	1
			5	1 1/4	1
			6	1 1/4	1
Flowing fitch-single thickness	5	HB-226	1	3/16	1 1/4
			1 1/2	3/16	1 1/4
			2	1/4	1 1/4
			3	1/4	1 1/4
			4	11/16	1 1/4
Ox hair and civet hair flowing	6		1	7/16	1 1/4
			1 1/2	1/2	1 1/4
			2	9/16	1 1/4
			3	11/16	1 1/4
Glue-flat	7	HB-291a	4	11/16	1 1/4
			1	7/16	1 1/4
			2	9/16	1 1/4
			3	11/16	1 1/4
Glue-round	8	HB-301a	1 11/16	11/16	1 1/2
			1	1	1 1/2
			1 3/16	13/16	1 1/2
			1 1/2	1 1/2	1 1/2
			2	2	1 1/2
Kalsomine-Dutch	9		2 1/2	2 1/2	1 1/2
Kalsomine-flat	10	HB-141	7/8	7/8	1 1/2
			8	7/8	1 1/2
Mottling	11	HB-391	1/2	5/32	1 1/2
			3/4	7/32	1 1/2
			7/8	1/4	1 1/2
			1	5/16	1 1/2
			1 3/16	3/4	1 1/2
			2 3/16	3/16	1 1/2
Mucilage and paste	12	HB-401	1	5/16	1 1/2
		Type 2	2	3/4	1 1/2
			3	7/16	1 1/2
			4	1/2	1 1/2
Painters' duster-flat	13		4	1/4	1
Painters' duster-round	14		2 1/2	2 1/2	1
Plasterers'	15		7 1/2	1 1/2	36
Radiator	16	HB-431	1	1/4	1 1/4
			1 1/2	3/4	1 1/4
			2	5/16	1 1/4
Sashtool-flat	17		1	5/16	1 1/4
			1 1/2	1/2	1 1/4
			2	9/16	1 1/4
			2 1/2	5/8	1 1/4
Sashtool-oval (seamless)	18	HB-491b	1/2	1/32	1 1/2
			13/16	1/2	1 1/2
			1	5/8	1 1/2
			1 1/16	3/4	1 1/2
			1 1/4	7/8	1 1/2
Sashtool-oval (locked seam)	19		1 7/16	1 1/16	1 1/2
			1/2	13/32	1 1/4
			1/2	13/16	1 1/2
			1	3/4	1 1/2
			1 1/16	3/4	1 1/2
			1 1/4	7/8	1 1/2
			1 7/16	1 1/16	1 1/2
Shipbottom (seamless or soldered wire ferrule)	20		2 1/16	1 11/16	1
Signwriters'	21		2 1/4	2 1/4	1
			1/2	3/32	1 1/4
			1/2	1 1/16	1 1/4
Signwriters—Continued	21		3/4	1 5/64	1 1/4
			1	1 9/64	1 1/4
			1 1/2	2 3/64	1 1/4
Smoothing paper hanger (2 rows)	22		1/2	1/4	1
Smoothing paper hanger (3 rows)	23		1/2	5/8	1
Stencil (seamless ferrule)	24	HB-621b			
Type I:					
Rolled edge			13/16	13/16	1 1/4
			1 1/16	1 1/16	1 1/2
Type II:					
Without rolled edge			7/8	5/8	1 1/4
			1 1/8	1 1/8	1 1/4
			1 1/4	1 1/4	1 1/4
			1 1/8	1 1/8	1 1/4
			1 1/2	1 1/2	1 1/4
Stucco-open center	25		2	2	1 1/4
			3	1 1/4	2
			3 1/2	1 1/4	2
			4	1 1/4	2
			4 1/2	1 1/4	2
			5	1 1/4	2
Stucco-solid center	26		3 1/2	1 1/4	2
			4	1 1/4	2
			4 1/2	1 1/4	2
Varnish-flat-double	27	HB-701a	1	7/16	1 1/4
			1 1/2	9/16	1 1/4
			2	9/16	1 1/4
			2 1/2	5/8	1 1/4
			3	13/16	1 1/4
			4	11/16	1 1/4
Varnish-oval (seamless ferrules). Round dimensions may be ovaled to any size.	28	HB-711	1 1/16	1 1/16	1 1/4
			1 3/16	1 3/16	1 1/4
			1 1/4	1 1/4	1 1/4
			1 3/8	1 3/8	1 1/4
			2	1 1/4	1 1/4
			2 1/2	2 1/8	1 1/4
Varnish-flat single	29	HB-606a	1/2	1/2	1 1/4
			1	3/4	1 1/4
			1 1/2	3/4	1 1/4
			2	5/16	1 1/4
			3	7/16	1 1/4
Varnish-flat single X	30		1	5/16	1 1/4
			1	3/4	1 1/4
			1 1/2	5/16	1 1/4
			1 1/2	7/16	1 1/4
			2	3/8	1 1/4
			2	1/2	1 1/4
			3	1/2	1 1/4
			3	5/8	1 1/4
Varnish-flat, triple	31	HB-706a	1	5/16	1 1/4
			1	3/8	1 1/4
			1 1/2	1 11/16	1 1/4
			2	1/2	1 1/4
			2 1/2	13/16	1 1/4
			3	3/4	1 1/4
			3 1/2	7/8	1 1/4
Wall-master A	32	HB-421	3	1	1 1/4
			3 1/2	1	1 1/4
			4	1	1 1/4
			4 1/2	1	1 1/4
			5	1	1 1/4
Wall-master B	33	HB-421	3	1	1 1/4
			3 1/2	1	1 1/4
			4	1	1 1/4
			4 1/2	1	1 1/4
			5	1	1 1/4
Wall-medium	34	HB-431	3	13/16	1 1/4
			3 1/2	13/16	1 1/4
			4	7/8	1 1/4
Wall-syndicate	35		3	7/8	1 1/4
			3 1/2	7/8	1 1/4
			4	7/8	1 1/4
			6	7/8	1 1/4
Wall-utility	36	HB-436	3	13/16	1 1/4
			3 1/2	13/16	1 1/4
			4	7/8	1 1/4
Whitewash	37	HB-731	7	1 1/8	1
			9	1 1/8	1

[F. R. Doc. 45-13523; Filed, July 24, 1945; 11:38 a. m.]

made or withheld. It may also direct or prohibit particular uses of such cate-

(3) *Exceptions to paragraphs (c) (1) and (e) (2).* On letter application the

of bristles during the preceding month. This requirement has been approved by

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Direction 17]

RATINGS FOR WORK GLOVES AND MEN'S AND BOYS' WORK CLOTHING

The following direction is issued pursuant to Conservation Order M-317:

This direction deals with ratings assigned by Order M-317A as amended May 10, 1945, and Direction 16 to Order M-317 (revoked) for the purchase of fabrics to be incorporated into work gloves and men's and boys' work clothing. Notwithstanding the provisions of paragraph (h) of Order M-317A, such ratings are revalidated and remain valid until July 31, 1945, for delivery of fabrics on purchase orders bearing those ratings, provided the orders were placed before July 20, 1945. This direction shall expire July 31, 1945, unless previously extended.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13525; Filed, July 24, 1945; 11:38 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-493, Revocation]

CHARLES S. MERRILL

Suspension Order No. S-493, effective March 2, 1943, was issued against Charles S. Merrill, 966 Military Drive, Salt Lake City, Utah, for violation of Preference Rating Order P-55 and Priorities Regulation No. 1. This construction has now been determined to be essential, and the Chief Compliance Commissioner has therefore directed that the suspension order be revoked.

In view of the foregoing, it is hereby ordered, that § 1010.493 *Suspension Order No. S-493* be revoked.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13589; Filed, July 24, 1945; 4:35 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-845, Stay of Execution]

BROWN WHOLESALE ELECTRIC CO.

The Brown Wholesale Electric Company, 319 East Second Street, Los Angeles, has appealed from the provisions of Suspension Order No. S-845, issued July 12, 1945 and effective July 22, 1945 (§ 1010.845) and has requested a stay on the ground that irreparable harm would be done the business if the Suspension Order were not stayed. The Chief Compliance Commissioner has directed that the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner. In view of the foregoing, it is hereby ordered, that, The provisions of *Suspension Order No. S-845*, issued July 12, 1945 and effective July 22, 1945, are hereby stayed pending final determination of the appeal or until further order of the Chief Compliance Commissioner.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13591; Filed, July 24, 1945; 4:35 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-858]

SUPREME SHOE CO., INC.

Correction

In the document appearing on page 9219 of the issue for Wednesday, July 25, 1945, the Federal Register serial number should read "45-13531".

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 51]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 422 is amended in the following respects:

1. In section 39 (a) a footnote reference 2 is added after the items "Cucumbers, except hothouse cucumbers," and "Cucumbers, hothouse" in list (3) of Table B-II.

2. In section 39 (a), a new footnote 2 is added to Table B-II to read as follows:

[2] The mark-ups for all cucumbers are suspended from August 1, 1945 to October 4, 1945, and shall be automatically reinstated on October 4, 1945.

3. In section 39 (a) a footnote reference 3 is added after the item "Eggplant" in list (3) of Table B-II.

4. In section 39 (a), a new footnote 3 is added to Table B-II to read as follows:

[3] The mark-ups for eggplant are suspended from July 23, 1945 to January 3, 1946, and shall be automatically reinstated on January 3, 1946.

5. In section 39 (a) a footnote reference 4 is added after the item "Peppers, sweet" in list (3) of Table B-II.

6. In section 39 (a), a new footnote 4 is added to Table B-II to read as follows:

[4] The mark-ups for sweet peppers are suspended from July 23, 1945 to January 3, 1946, and shall be automatically reinstated on January 3, 1946.

This amendment shall become effective July 23, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 19, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13422; Filed, July 23, 1945; 4:22 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 49]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 423 is amended in the following respects:

1. In section 28 (a) a footnote reference 2 is added after the items "Cucumbers, except hothouse cucumbers," and "Cucumbers, hothouse" in list (3) of Table B-II.

2. In section 28 (a), a new footnote 2 is added to Table B-II to read as follows:

[2] The mark-ups for all cucumbers are suspended from August 1, 1945 to October 4, 1945, and shall be automatically reinstated on October 4, 1945.

3. In section 28 (a) a footnote reference 3 is added after the item "Eggplant" in list (3) of Table B-II.

4. In section 28 (a), a new footnote 3 is added to Table B-II to read as follows:

[3] The mark-ups for eggplant are suspended from July 23, 1945 to January 3, 1946, and shall be automatically reinstated on January 3, 1946.

5. In section 28 (a), a footnote reference 4 is added after the item "Peppers, sweet" in list (3) of Table B-II.

[1] 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015.

[1] 10 F.R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514, 8015.

Signwriters	21			35	104	104					

[F. R. Doc. 45-13523; Filed, July 24, 1945; 11:38 a. m.]

July 22, 1945, are hereby stayed pending final determination of the appeal or un-

[10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015.

[10 F.R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514, 8018.

6. In section 28 (a), a new footnote 4 is added to Table B–II to read as follows:

[4] The mark-ups for sweet peppers are suspended from July 23, 1945 to January 3, 1946, and shall be automatically reinstated on January 3, 1946.

This amendment shall become effective July 23, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 19, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13423; Filed, July 23, 1945; 4:22 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 588,[1] Amdt. 2]

CEILING PRICES FOR SALES OF CERTAIN FOOD ITEMS BY GREAT LAKES MARINE SUPPLIERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 588 is amended in the following respects:

1. In section 14 (a), the item "Grapes" is added in alphabetical order to list 6 in Table A.

2. In section 14 (a), the item "Cabbage" is deleted from list 7 in Table A.

3. In section 14 (a) a footnote reference 2 is added after the item "Cucumbers" in list 7 of Table A.

4. In section 14 (a), a new footnote 2 is added to Table A to read as follows:

[2] The mark-up for cucumbers is suspended from August 1, 1945 to October 4, 1945, and shall be automatically reinstated on October 4, 1945.

5. In section 14 (a) a footnote reference 3 is added after the item "Eggplant" in list 7 of Table A.

6. In section 14 (a), a new footnote 3 is added to Table A to read as follows:

[3] The mark-up for eggplant is suspended from July 26, 1945 to January 3, 1946, and shall be automatically reinstated on January 3, 1946.

7. In section 14 (a) a footnote reference 4 is added after the item "Peppers, sweet" in list 7 of Table A.

8. In section 14 (a), a new footnote 4 is added to Table A to read as follows:

[4] The mark-up for sweet peppers is suspended from July 26, 1945 to January 3, 1946, and shall be automatically reinstated on January 3, 1946.

9. In section 14 (b) (6), the following definition is added in alphabetical order:

"Grapes" means all varieties of the vinifera type of California juice grapes and California and Arizona fresh table grapes including but not limited to Alicante, Almeria, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless, Tokay and Zinfandel. Each variety shall be considered a separate item and priced separately.

10. In section 14 (b) (7), the definition of "Cabbage" is deleted.

This amendment shall become effective July 26, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 19, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13424; Filed, July 23, 1945; 4:21 p. m.]

[1] 10 F.R. 6235.

PART 1305—ADMINISTRATION

[Supp. Order 118, Amdt. 1]

RECONVERSION PRICING FOR SMALL-VOLUME MANUFACTURERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 118 is amended by adding at the end thereof Appendix D which reads as follows:

APPENDIX D

In this Appendix there are listed profit factors, each of which represents one-half the average margin over cost for the years 1936–1939 for the industry or industry group designated, as determined by the Administrator. You must use the factor which applies to the product for which you are calculating new maximum prices, wherever the form on which you are calculating them directs you to enter one-half the industry's 1936–1939 profit rate or margin.

The profit factors are collected in two lists. In List 1 are factors for specified industries. In List 2 are factors for groups of industries. As further studies of specific industries are completed, factors for those industries will be added to List 1, and the products made by those industries will thereafter be priced by the List 1 factor instead of the List 2 factor. If there is a factor in List 1 which applies to the industry making the product whose ceiling you are calculating, you must use that factor rather than a factor in List 2 which might otherwise be applicable.

The factors listed in this Appendix will be the subject of continuing review and may be revised from time to time. If you find that a profit factor which you have used in calculating the maximum prices of a product has been increased by such a revision or in connection with the specification of the product in List 1, you may recalculate your maximum prices using the new profit factor in place of the factor you originally used. The rules as to filing and selling are the same for the recalculated ceilings as for the ceilings originally calculated.

NOTE: Attention is directed to the fact that the factors listed do not disclose the relative profitability of the industries or industry groups listed. Profitability is measured by rate of return or net worth or investment. This in turn depends not merely on the ratio of the margin between net sales income and total costs to total costs, which is reflected in the listed factors, but also on the rate of turnover of the product and the net worth of, or investment in, the industry. Thus, an industry with a profit factor of 4.0 may be more profitable than an industry with a profit factor of 8.0.

LIST I—PROFIT FACTORS FOR SPECIFIED INDUSTRIES

	Factor (per cent)
Aluminum cooking utensils (sheet)	6.2
Aluminum cooking utensils (cast)	2.3
Bicycles	3.8
Clocks and watches	5.5
Coin operated machines	2.4
Household scales	4.1
Lighting fixtures	2.6
Metal caskets	1.6
Metal office furniture	5.4
Metal toys	5.1
Musical instruments (except pianos and organs)	3.1
Office and store machines	8.9
Photographic accessories and equipment	8.1
Radios, tubes and phonographs	3.0
Safes and vaults	3.9
Small firearms	4.7
Wood and upholstered furniture	1.6

LIST II—PROFIT FACTORS FOR INDUSTRY GROUPS

	Factor (per cent)
Beds, mattresses, etc	3.2
Small electrical appliances	4.9
Sporting goods	3.1
Miscellaneous non-ferrous metal products	5.2
Other miscellaneous durable products	3.6
Other wood products	3.6

This Amendment No. 1 shall become effective July 24, 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13571; Filed, July 24, 1945; 4:24 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 119, Amdt. 1]

INDIVIDUAL ADJUSTMENTS FOR RECONVERTING MANUFACTURERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 119 is amended by adding at the end thereof Appendix C which reads as follows:

APPENDIX C

In this Appendix there are listed the profit factors which are to be used in calculating maximum prices under this order. Each factor represents one-half the average margin over cost for the years 1936–1939 for the industry or industry group designated, as determined by the Administrator.

The profit factors are collected in two lists. In List 1 are factors for specified industries. In List 2 are factors for groups of industries. As further studies of specific industries are completed, factors for those industries will be added to List 1, and the products made by those industries will thereafter be priced by the List 1 factor instead of the List 2 factor. If there is a factor in List 1 which applies to the industry making the product whose ceiling you are adjusting, you must use that factor rather than a factor in List 2 which might otherwise be applicable.

The factors listed in this Appendix will be the subject of continuing review and may be revised from time to time. If you find that a profit factor which you have used in calculating the maximum prices of a product has been increased by such a revision or in connection with the specification of the product in List 1, you may apply to your OPA District Office for a recalculation of your maximum prices, using the new factor in place of the factor you originally used.

NOTE: Attention is directed to the fact that the factors listed do not disclose the relative profitability of the industries or industry groups listed. Profitability is measured by rate of return on net worth or investment. This in turn depends not merely on the ratio of the margin between net sales income and total costs to total costs, which is reflected in the listed factors, but also on the rate of turn over of the product and the net worth of, or investment in, the industry. Thus, an industry with a profit factor of 4.0 may be more profitable than an industry with a profit factor of 8.0.

LIST I—PROFIT FACTORS FOR SPECIFIED INDUSTRIES

	Factor (per cent)
Aluminum cooking utensils (sheet)	6.2
Aluminum cooking utensils (cast)	2.3
Bicycles	3.8
Clocks and watches	5.5
Coin operated machines	2.4
Household scales	4.1
Lighting fixtures	2.6
Metal caskets	1.6
Metal office furniture	5.4
Metal toys	5.1
Musical instruments (except pianos and organs)	3.1
Office and store machines	8.9
Photographic accessories and equipment	8.1
Radios and phonographs	3.0
Safes and vaults	3.9
Small firearms	4.7
Wood and upholstered furniture	1.6

LIST II—PROFIT FACTORS FOR INDUSTRY GROUPS

	Factor (per cent)
Beds, mattresses, etc	3.2
Small electrical appliances	4.9
Sporting goods	3.1
Miscellaneous non-ferrous metal products	5.2
Other miscellaneous durable products	3.6
Other wood products	3.6

This Amendment No. 1 shall become effective July 24, 1945.

Issued this 24th day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13572; Filed, July 24, 1945; 4:25 p. m.]

PART 1305—ADMINISTRATION

[Rev. Supp. Order 113]

MANUFACTURERS' MAXIMUM AVERAGE PRICE FOR WOOL CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this revised supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 113 is redesignated Revised Supplementary Order 113 and is revised and amended to read as follows:

Sec.
1. What this supplementary order does.
2. What fabrics are subject to this order.
3. This supplementary order applies to "manufacturers"; the term "manufacturer" given a broad meaning.
4. Explanation of "weighted average price" and other terms.
5. Choice between year 'round, half-yearly, or quarterly basis.
6. Choice between class and category basis.
7. How most manufacturers will determine their "maximum average price".
8. Other manufacturers.
9. Maximum average price limitation.
10. Adjustments.
11. Petition for amendment.
12. Invoices.
13. Records.
14. Reports.
15. Prohibitions and enforcement.
16. Licenses required.
17. Increase in maximum average price for third and fourth quarters of 1945.

AUTHORITY: § 1305.141 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *What this supplementary order does.* (a) This supplementary order, which applies to "manufacturers" of certain fabrics, is issued in conjunction with other orders and regulations which establish "maximum average prices" and other new controls for manufacturers of apparel and apparel accessories.

(b) This supplementary order requires "manufacturers" of wool civilian apparel fabrics to maintain or restore their sales of lower priced goods to the extent necessary to keep their "weighted average price" for such fabrics from being higher than a "maximum average price." A "manufacturer's" "maximum average price" will usually be determined by reference to h's "weighted average price" for a "class" or "category" of fabrics for a "base period" but in certain cases it will be a price established by the Office of Price Administration upon application by the "manufacturer".

(c) This order applies not only to "deliveries" by "manufacturers" of fabrics in the sense in which that word is generally used, but also to "deliveries" by persons (whom this order includes in a broad definition of the term "manufacturer") who have goods woven or knitted on a commission basis or who buy cloth from a weaver or knitter, himself a "manufacturer" under this order, to whom they sell yarn. It applies, moreover, to a "manufacturer" of woven or machine knitted wool apparel fabrics even though he sells part of his production in the form of manufactured articles. This order does not apply to a "manufacturer" who uses all his production of fabrics subject to this order in making manufactured articles.

(d) This order applies separately to woven and to knit fabrics, each of which is called a "class". At a manufacturer's option, moreover, each "class" may be subdivided into two or more "categories" to each of which the order will apply separately in most respects.

(e) This supplementary order, as applied to fabrics subject to it, is supplementary to Maximum Price Regulation No. 163, as amended, and to the General Maximum Price Regulation. Under certain circumstances (see section 4 (a) (1) (ii) and paragraph (a) (4) of section 15) it affects the pricing, by a "manufacturer" of such fabrics, of other commodities made from them. To that extent this order is also supplementary to all price regulations affecting commodities made from fabrics subject to it.

(f) This supplementary order does not relieve "manufacturers" from the obligation of complying with any other applicable maximum price regulation. Each seller is still required to observe the maximum prices for the fabrics he manufactures as established by the applicable OPA maximum price regulations.

SEC. 2. *What fabrics are subject to this order.* (a) This order applies to "woolen and worsted civilian apparel fabrics." Class I consists of woven goods, Class II of machine knit goods ("categories" within each "class" are explained in section 6). "Woolen and worsted civilian apparel fabrics" means greige or finished domestic men's, women's, children's and infants' suitings, dress goods, topcoatings, overcoatings, cloakings, ski or snow cloths, mackinaws, bathrobe fabrics, necktie fabrics including linings, shirtings, and meltons containing 25% or more of woolen fibre by weight and manufactured on the woolen or worsted systems or knitted on machines, except pile fabrics and except knit fabrics composed of 50% or more by weight of continuous filament rayon yarn. However, it does not apply:

(1) To fabrics, or to "cancellations", "over-runs", or "rejects" of such fabrics, made pursuant to a contract with a war procurement agency or a sub-contract under such a contract or to any other contract bearing a preference rating of AA–2X or higher. As used in this order:

(i) "War Procurement Agency" means the War Department, Department of the Navy, the United States Maritime Commission, the Training Organization of the War Shipping Administration, or the Lend-Lease Section in the Procurement Division of the Treasury Department;

(ii) "Cancellations" means (*a*) yardage which would have been delivered pursuant to a contract but for its cancellation and which was produced or in production prior to the cancellation; and (*b*) yardage containing 50% or more (by weight of finished fabric) of wool fibre which was already in production prior to the cancellation and had been procured by the manufacturer for the production of goods pursuant to a contract or sub-contract described above. "In production" refers to fibre or fabric which has progressed in the case of piece-dyed woolen fabrics into the first blending operation, in the case of stock-dyed woolen fabrics into the dyeing stage, and in the case of worsted fabrics into the scouring stage.

(iii) "Overruns" means excess yardage unavoidably produced in the course of fulfilling a contact;

(iv) "Rejects" means yardage manufactured, processed or procured pursuant to a war procurement contract, but which fails to meet the contract specifications for first quality goods, whether inspected and rejected by, or never offered to the war procurement agency or prime contractor under the war procurement contract.

(2) To fabrics declared surplus by and purchased from the Office of Surplus Property of the Department of Commerce.

(3) To fabrics woven on a hand loom.

[10 F.R. 6235.]

7. How most manufacturers will determine their "maximum average price".

not relieve "manufacturers" from the

(3) To fabrics woven on a hand loom.

(b) While this order applies, essentially, to the fabrics defined in the introductory paragraph above, which will be referred to as "fabrics subject to this order", it is to be noted that, as explained in section 1 (e), prices of other commodities produced from "fabrics subject to this order" may under certain circumstances be affected by this order.

SEC. 3. *This supplementary order applies to "manufacturers"; the term "manufacturer" given a broad meaning.* (a) Except as provided in paragraph (b) of this section, this supplementary order applies to "deliveries" by all "manufacturers" of the fabrics subject to it. The word "manufacturer" in this order, intended to have a broad meaning, means (1) any person who as owner, lessee, or in any other capacity, operates a mill or mills in which fabrics subject to this order are woven or knitted; (2) any person who directly or indirectly supplies raw material to a mill or mills for weaving or knitting such fabrics "on a commission basis"; or (3) any person who purchases such fabrics from a mill or mills to which he sells or supplies raw material. "On a commission basis" refers to sale of the service of weaving or knitting, as distinguished from sale of a commodity produced in part or in whole by weaving or knitting.

(b) This supplementary order does not apply to, and the term "manufacturer" shall not include (1) any person to the extent that he weaves or knits fabrics on a commission basis, but any person whose weaving or knitting on a commission basis constitutes only a part of his production of fabrics subject to this order is subject to this order with respect to the balance of that production; or

(2) Any person who transfers all his production of fabrics subject to this order to his own organization to be made into manufactured articles, but any person who so transfers only a part of his production is subject to this order with respect to all of his production.

(c) Even if operating more than one mill in which fabrics subject to this order are manufactured, a corporation or other person constitutes only one "manufacturer" and must plan the combined operations of all such mills to conform to the requirements of this order as they relate to a single "manufacturer".

SEC. 4. *Explanation of "weighted average price" and other terms.* (a) "Weighted average price" is a key phrase in this supplementary order, because manufacturers are required by section 7 to compute their "weighted average price" (or prices) for a "base period" and by other sections to compute their "weighted average price" for other periods of time. Used with reference to any given period, "weighted average price" means the "weighted average price" (rounded to the nearest tenth of a cent) at which goods in a particular class or category subject to this order were "delivered" during that period and is computed by dividing the "total net dollar amount charged" by the number of "yards" (less returns and allowances) which were "delivered" during the period. The terms "total net dollar amount charged", "yards", and "delivered" are defined in subparagraphs (1), (2), and (3) immediately following.

(1) *"Total net dollar amount charged."* "Total net dollar amount charged" has to be computed somewhat differently as applied, on the one hand, to fabrics "delivered" pursuant to actual sales and, on the other hand, to fabrics which, as later explained, are treated as "delivered" even though they are transferred only within a manufacturer's own organization. An additional rule, moreover, applies to greige goods.

(i) When applied to "deliveries" pursuant to actual sales, "total net dollar amount charged" means the sum of all the prices for all yardage in a "class" or "category" "delivered" by the manufacturer during a given period, less (*a*) transportation charges appearing separately on the invoice, (*b*) the dollar amount of all returns and allowances made during the period of goods in the "class" or "category", and (*c*) the dollar amount of cash and discounts actually taken by purchasers during the period in connection with purchases of goods in the "class" or "category" to the extent that such discounts in the aggregate exceed 1 per cent.[1]

(ii) When applied to "deliveries" represented by mere transfers within or for the account of a manufacturer's own organization, "total net dollar amount charged" means the value computed at the applicable ceiling prices,[2] except that it may mean the value computed at any lower prices assigned by the manufacturer to the goods if he has complied with whichever of the following two conditions pertain to the manufacturer's pricing of manufactured articles made from the fabrics to which he has assigned a lower price. Where a manufacturer has assigned a value of less than ceiling to fabrics subject to this order which are transferred within his company, but is unable to support the burden of proving that the conditions have been or will be complied with, "total net dollar amount charged" shall be computed on the basis of the applicable ceiling prices of those fabrics.

(*a*) The first condition applies when the manufactured articles are subject to a ceiling price determined by any formula of the cost-plus type. In this situation, if the manufacturer has assigned to the fabrics "delivered" within his own organization a lower value than ceiling, the maximum price for the resulting manufactured articles shall be the price arrived at under the applicable price regulation after reducing the otherwise allowable cost by the actual difference between the ceiling value and the lower assigned value of the fabrics used.

(*b*) The second condition applies when the manufactured articles made from fabrics to which the manufacturer has assigned a value lower than ceiling are subject to a ceiling price determined in any other manner than by a formula of the cost-plus type. In this situation the maximum price for the manufactured articles shall be the otherwise applicable ceiling price reduced by one and one-half times the actual difference between the ceiling value and the lower assigned value of the fabrics used (the reduction by an additional half of the difference being intended to compensate for the markup which otherwise would be realized on that difference).

(iii) If in any quarter beginning on or after July 1, 1945 the yardage of greige goods subject to this order delivered by a manufacturer in any class or category constitutes of his total deliveries of goods subject to this order a larger percentage than in his base period by more than one percentage point, the "total net dollar amount charged" for those fabrics delivered in excess of that base period percentage plus one percentage point shall be 1½ times their value as greige goods figured at ceiling. If the manufacturer in any quarter delivers more than the percentage referred to, the fabrics exceeding the percentage shall be comprised of those delivered last in the quarter.

(2) *Yard.* "Yard" means "linear yard", except that it shall mean square yard if a manufacturer produces both narrow and wide fabrics (narrow fabrics are fabrics 40 inches or less in width finished) and has not elected to observe separate "maximum average prices" for wide and for narrow goods.

(3) *Delivered.* "Delivered" (as well as "deliver" or "delivery") has the following meaning:

(i) In the case of any fabric which is actually sold by the manufacturer in a state in which it falls within the definition of fabrics in section 2, "delivered" refers to a manufacturer's invoicing of fabrics which, in accordance with the purchaser's order, have been shipped or are being held for him.

(ii) In the case of fabrics converted or made by or for the account of the manufacturer into manufactured arti-

[1] "Delivery" includes a manufacturer's delivery of fabrics previously returned to him by a purchaser. The contrary is true under the "maximum average price" order for rayon textiles. (Supplementary Order No. 110.)

[2] In some cases there will be no applicable ceiling price for a fabric. This may occur if all of a manufacturer's production of the fabric is (or was) used by him in producing garments or other manufactured articles so that none of it is (or was) sold by him in the form of fabric. Under these circumstances, the maximum price shall be determined as though the fabric were to be sold.

The maximum price for a woven fabric should be determined in accordance with Maximum Price Regulation No. 163. Since § 1410.102 (a) of that regulation does not adapt itself to use in this situation, the fabric should be priced in accordance with § 1410.102 (c) if it is "comparable", or with § 1410.102 (i) if it is "similar", to a fabric for which that manufacturer has a maximum price under Maximum Price Regulation No. 163. However, the fabric should be priced in accordance with § 1410.102 (d) if it is a "new" one as there defined. If a manufacturer cannot determine the maximum price in accordance with the foregoing, he shall apply for such a price to the Office of Price Administration, Washington 25, D. C.

Where, because of the same circumstances, a knit fabric has no maximum price, a maximum price for it should be determined in accordance with the General Maximum Price Regulation.

[3] It is to be remembered that, as provided in section 3, this order does not apply to a manufacturer who sells or transfers all his production to his own organization to be made into manufactured articles.

cles "delivered" refers to the transfer of fabrics from the last plant, department, or process in their production as fabrics subject to this order to the first subsequent plant, department, or process in their conversion into manufactured articles. A transfer shall be regarded as taking place at the time of physical "delivery" to that subsequent plant or department or of the inception of that subsequent process: *Provided*, That, if the manufacturer's record of transfer required by section 13 (e) is systematically based on some other related occurrence (such as completion of work, packaging or notification of subsequent department) the transfer shall be regarded as taking place at the time of that occurrence.

(b) The terms "total net dollar amount charged", "yard", and "delivered" (as well as "delivery" and "deliver") shall have the meanings set forth in paragraph (a) (1), (2), and (3) wherever they are used in this supplementary order.

(c) The term "person" includes an individual, corporation, partnership, or association of individuals.

(d) The term "quarter" means calendar quarter or a closely corresponding 13-week quarter, as each manufacturer shall for himself elect. If the manufacturer elects to use calendar quarters the first "quarter" shall be that commencing July 1, 1945. For a manufacturer electing to use 13-week quarters, the first "quarter" shall consist of 13 weeks commencing on any day during the first week of July 1945; subsequent "quarters" shall consist of consecutive 13-week periods thereafter.

(e) The term "price regulation" means a maximum price regulation, price schedule, or order issued by the Office of Price Administration.

SEC. 5. *Choice between year 'round, half-yearly, or quarterly basis.* The wool fabrics produced by a manufacturer for the Fall season are typically different from those produced by him for the Spring season. As a result, there normally is an appreciable difference in the average price of a manufacturer's Fall and Spring fabrics. Taking account of this seasonal variation, this supplementary order not only permits a manufacturer to subdivide a "class" into "categories" (see section 6) but also gives each manufacturer whose previous sales reflect such a difference in the privilege of choosing between a "maximum average price" which remains constant the year 'round and "maximum average prices" which are different for each half or even for each quarter of the year. However, having once made his choice of the year 'round, half-yearly, or quarterly "maximum average price" basis, he may not thereafter switch to another basis. Furthermore, a manufacturer who has chosen to use "categories" must use the same basis (i. e., annual, half-yearly, or quarterly) for all "categories" within the same "class." If a manufacturer chooses the year 'round basis, his "base year" (see section 7) is his "base period"; if a manufacturer chooses the half-yearly or quarterly basis, each half or quarter of his "base year" shall be his "base period" for each corresponding half or quarter year during which he is subject to this supplementary order.

SEC. 6. *Choice between class and category basis.*—(a) *Order applies separately to woven (Class I) and to knit (Class II) fabrics but manufacturers may choose between class and category basis.* All provisions of this order apply separately to woven fabrics (which constitute Class I) and to knit fabrics (Class II). For each class a manufacturer will have a separate "maximum average price" (or prices). However, most manufacturers may elect (separately for each class) to subdivide a class into categories.

(b) *Class basis.* The manufacturer may group all of his fabrics within a class together for the purpose of this order. This is the class basis of operation. A manufacturer operating on the class basis will have a single "maximum average price", or a single set of half-yearly or quarterly "maximum average prices", for all woven fabrics and another single "maximum average price" or a single set of such prices for all knit fabrics.

(c) *Category basis.* (1) Most manufacturers may divide the fabrics within any class into categories for the purpose of this order. This is the category basis of operation. A manufacturer operating on the category basis will have a separate "maximum average price", or a separate set of half-yearly or quarterly "maximum average prices", for each category. As explained in Section 9, however, his "credits" or "surcharges" in all categories will be combined in determining whether he has to operate under the "makeup rule."

(2) Subject to limitations contained in subparagraphs (4) and (5) below, any manufacturer may divide his fabrics within a class into categories on the basis of any one or any combination of the following methods of classification:

(i) He may separate the fabrics produced by one or more mills from the production of other mills.

(ii) He may separate woolen from worsted fabrics (if a fabric contains both woolen and worsted yarns, it shall be classified as woolen or worsted, in accordance with the kind of yarn which is predominant by weight).

(iii) He may separate men's wear fabrics from women's wear fabrics (any fabrics which do not lend themselves to definite classification, as either men's or women's wear fabrics, shall be included in the classification which, without taking them into account, has the lower maximum average price).

(iv) He may separate piece-dyed from stock-dyed fabrics.

(v) He may separate wide fabrics (over 40 inches in finished width) from narrow fabrics.

(vi) He may separate woven fabrics made with a warp or filling consisting entirely of cotton yarn from all other woven fabrics, and may separate knit fabrics made with a back consisting entirely of cotton yarn from all other knit fabrics.

(vii) He may separate woven fabrics by weight into not more than four weight groups, each comprising a spread of at least 4 ounces per yard.

(viii) He may separate knit fabrics into (*a*) dress goods and jersey cloth taken together and (*b*) coating fabrics; he may separate the former into fabrics weighing less than 11 ounces per yard (56–58 inch width basis) and those weighing 11 ounces or more, and the latter into fabrics of less than 26 ounces and those of 26 ounces or more.

(3) In addition to the bases for classification listed in subparagraph (2) above, any manufacturer may use the following special categories:

(i) Category A–I consisting of woven, and Category A–II consisting of knitted, snow suitings, ski suitings, and children's legging fabrics.

(ii) Category B–I consisting of 31-to 34–oz. manipulated all-wool meltons priced pursuant to Section 1410.102 (b) of Maximum Price Regulation No. 163.

(iii) Category C–I consisting of all other woven, and Category C–II consisting of all other knitted, meltons, melton type or fleece fabrics for mackinaws of all widths weighing 26 oz. per yard or more on a 56-inch width basis.

(4) Although any manufacturer may use the special categories designated in subparagraph (3) above, no manufacturer may select a category in accordance with subparagraph (2) above unless during any quarter between January 1, 1940 and June 30, 1945, he made deliveries in that category of fabrics subject to this order.

(5) If a manufacturer uses categories, they shall be so arranged that no two overlap: in other words, no fabric shall be included in more than one category. If a manufacturer elects to use categories covering only a portion of a class, the balance of the class shall be treated as though it constituted a separate category.

(d) *Change of election.* A manufacturer's election of the class or category basis (and of the categories he desires to use, if he elects the latter basis) shall be indicated in his "new base period report" (see paragraph (a) of section 14). That election shall become final on October 31, 1945 unless on or before that date the manufacturer shall have filed a new election (together with an appropriately changed "new base period report" reflecting his new election) with the Office of Price Administration, Washington 25, D. C. A new election may become effective only at or as of the beginning of the third or fourth quarter of 1945. No new election shall become effective for the third quarter unless it is filed on or before September 10, 1945.

SEC. 7. *How most manufacturers will determine their "maximum average price."* (a) A manufacturer shall have as his "base year" any 12-month period designated below during which he delivered fabrics subject to this order of which at least 5 per cent were delivered in each quarter of that year: (1) For Class I (woven) fabrics, either 1944 or the 12-month period from April, 1941 through March, 1942; (2) for Class II (knit) fabrics, 1944. A manufacturer shall himself compute his "maximum average price" (or prices) in accordance with

this section by reference to his base year unless since January 1, 1944 he has acquired the business or a predominant part of the production facilities of another manufacturer. Such a manufacturer, as well as a manufacturer who does not have a base year, must apply to the Office of Price Administration for establishment of a maximum average price (or prices), as provided in section 8.

(b) A manufacturer of Class II fabrics who must compute his maximum average price under this section shall have as his maximum average price (or prices) for the class, or for each category within it, 96 per cent of the weighted average price at which he delivered all fabrics subject to this order within the class or category during his base period (or periods).[24]

(c) A manufacturer of Class I fabrics who must compute his maximum average price under this section and who chooses or has 1944 as his base year shall have as his maximum average price (or prices) for the class, or for each category within it, 96 per cent of the weighted average price at which all fabrics within the class or category were delivered by him during his base period. If he chooses or has the 12-month period April 1941 through March 1942 as his base year, his maximum average price for the class or for each category within it shall be the weighted average price at which all fabrics within the class or category were delivered by him during his base period, computed after substituting for each price as invoiced the maximum price now applicable.[24]

(d) In the computation of a maximum average price (or prices) the manufacturer must substitute for the price at which a fabric was sold during 1944, regardless of whether it is higher or lower, (1) any adjusted maximum price issued for the fabric by the Administrator prior to July 1, 1945, pursuant to § 1410.109 of Maximum Price Regulation No. 163, and (2) any different maximum price for the fabric which has become effective since such base period (or periods) and prior to July 1, 1945 by virtue of any order or amendment thereto issued pursuant to § 1410.119 of that Regulation or to § 1399.3 of the General Maximum Price Regulation.

(e) In calculating his weighted average price for any period prior to July 1, 1945, the manufacturer shall treat any deliveries made at more than the then applicable ceiling price as though they had been made at that ceiling price.

(f) Any manufacturer whose year-'round maximum average price for a class, as computed under other paragraphs of this section, is or would be less than $1.50 per linear yard on a 56–58 inch width basis, may use as his maximum average price (or prices) for that class the weighted average price (or prices) at which he delivered all fabrics within the class during the year or the corresponding half or quarter (depending on whether he is operating on the year-'round, half-yearly, or quarterly basis) of 1944, but in no event more than $1.50 if he is operating on the year-'round basis or than prices which have a simple average of $1.50 if he is operating on a half-yearly or quarterly basis.

(g) The maximum average price for the special categories listed in section 6 (c) (3) shall be:

(1) For special categories A-I, A-II, and B-I, the lower of the following two alternatives:

(i) the manufacturer's weighted average price for that category for either the first or second quarter of the calendar year 1945, or

(ii) The applicable figure below:

Class A-I	$1.50
Class A-II	1.50
Class B-I	1.85

(2) For category C-I or C-II, the manufacturer's weighted average price for either the first or second quarter of the calendar year 1945.

(h) Regardless of any mistake in his maximum average price (or prices) as filed with the Office of Price Administration pursuant to section 14 (a), the manufacturer's maximum average price (or prices) shall not exceed the price he has filed unless and until he has received acknowledgment of the filing of a corrected price (or prices) as provided therein.

SEC. 8. *Other manufacturers*—(a) *Filing of application.* The maximum average price of any manufacturer who cannot determine one under section 7 shall be a price authorized by the Administrator. Such a manufacturer shall file an application for a maximum average price (or prices) with the Office of Price Administration, Washington 25, D. C., and may specify his preference for an annual, semi-annual, or quarterly maximum average price basis and for the class or category basis. Paragraph (b) below specifies the information to be furnished in the application by all applicants; paragraph (c) specifies the additional information to be furnished only by certain applicants specified therein.

(b) *Contents of application; information to be furnished by all applicants.* Each applicant must furnish the following information:

(1) The applicant's business name, the address of the office where most of his invoices are or will be prepared, and the name and address of any mills operated by him which produce fabrics subject to this order;

(2) The class or category of fabrics for which he cannot determine a maximum average price (or prices) and why he cannot determine a maximum average price for that class or category under section 7;

(3) The price (or prices) he seeks to have authorized as his maximum average price (or prices); and the reasons why he believes he should be authorized to use such price (or prices);

(4) Separately for each calendar quarter between January 1, 1944, and June 30, 1945, in which he delivered fabrics subject to this Order the following information:

(i) For each fabric delivered, a brief description, the number of yards delivered, and the price per yard at which the greatest number of yards was sold;

(ii) The total yardage, less returns and allowances, the total net dollar amount charged, and the weighted average price for all fabrics in each class;

(iii) In the event a manufacturer elects to use categories, he shall indicate the category into which each of the fabrics listed pursuant to (i) falls, and shall for each category furnish the information called for by (ii) above.

(5) The kind of quarters on which he elects to operate in accordance with paragraph (d) of section 4 (i. e., calendar quarters beginning July 1, 1945, or 13-week quarters, specifying the date on which his first quarter will begin).

(c) *Contents of application: additional information to be furnished only by certain applicants.* (1) Any applicant whose information given under paragraph (b) (4) above includes data for any plant sold or dismantled by him after January 1, 1944, or for any other business or the production facilities of another manufacturer which he acquired after January 1, 1944, shall state:

(i) The name and address of such plant, business, or facilities,

(ii) The date of sale, dismantling, or acquisition by him, and,

(iii) Insofar as possible, for such plant, business, or facilities the information specified in paragraph (b) (4) for each calendar quarter between January 1, 1944, and the date of the sale, dismantling, or acquisition by the applicant;

(2) Any applicant who made his first delivery of fabrics subject to this order after June 30, 1944 and any applicant who cannot determine his maximum average price for lack of records shall state: (i) The previous business experience of all officers and principals of the applicant and of any persons owning 10 per cent or more of the applicant in the following detail:

(*a*) Business name and address of each firm, which produced fabrics subject to this order, with which each person was connected during 1941, 1942, 1943 and 1944,

(*b*) Position of the person in each firm, i. e., owner, plant manager, etc.,

(*c*) A brief description of the fabrics produced by each firm;

(ii) An identification of the manufacturing facilities which the applicant is using or proposes to use, stating whether they are owned by the applicant or belong to another manufacturer or to a commission weaver or knitter, and, if owned, when they were acquired and from whom; and

(iii) A brief description and the estimated yardage of each kind of fabric the applicant proposes to manufacture during each of the two quarters subsequent to the date of his application.

(d) In authorizing maximum average prices under this section, the Administrator will give primary consideration to the kinds of fabrics made during the year 1944 on the manufacturing facilities which the applicant is using or proposes to use or avail himself of. However, in appropriate cases, and especially in cases where the manufacturer does not himself operate production facilities, consideration will also be given to the applicant's prior experience and to the general level of maximum prices in the industry for the kinds of fabrics the applicant is making or proposes to make.

(e) No manufacturer required to apply for a maximum average price (or prices) under this section shall after September 10, 1945 sell or deliver fabrics subject to this order unless he has filed, and received from the OPA an acknowledgment of, an application for such a price (or prices).

(f) A manufacturer who prior to July 1, 1945 made no deliveries of fabrics subject to this order shall not sell or deliver any such fabrics until a maximum average price (or prices) has been authorized for him by the Administrator.

(g) Notwithstanding paragraph (a) of this section or paragraph (a) of section 7:

(1) A manufacturer who has no base year but who made deliveries during both the third and fourth quarter of 1944 shall, pending action on his application for his maximum average price (or prices), treat the 12-month period July 1944 through June 1945 as though it were his base year and shall determine his maximum average price (or prices) as though he were subject to paragraphs (b), (c), (d), (e), (f) and/or (h) of section 7.[25]

(2) A manufacturer who has no base year and who did not during both the third and fourth quarter of 1944 make deliveries of fabrics subject to this order (in lieu of observing a maximum average price and until a maximum average price has been established for him by order of the Administrator) shall sell no fabric subject to this order at a price higher than the highest price at which any fabric subject to this order was delivered by him during the last quarter prior to July 1, 1945 in which he delivered such fabrics.

SEC. 9. *Maximum average price limitation*—(a) *"Surcharge" and "credit".* If for any period a manufacturer's weighted average price for a class or category exceeds his maximum average price for that period and class or category, he has incurred a surcharge for that class or category; if it is less than his maximum average price, he has earned a "credit".[4] The dollar amount of the "surcharge" or "credit" is the difference between the manufacturer's weighted average price and his maximum average price for the period multiplied by the number of yards of fabrics subject to this order delivered during the period.

(b) *"Net surcharge".* At the end of each quarter a manufacturer must determine for each class whether he is left with a "net surcharge". A manufacturer is left with a "net surcharge" if and to the extent that his surcharge for a class (or, if he is operating on the category basis, the total of his surcharges for all categories in the class) exceeds the total of his credit (or credits) for the class or for all categories in the class for all quarters since July 1, 1945 taken together. A manufacturer must determine "net surcharges" separately for Class I and Class II.

(c) *Makeup rule to be observed by manufacturer having net surcharge at end of each of two consecutive quarters.* A manufacturer who is left with a net surcharge at the end of each of two consecutive quarters shall not thereafter deliver any fabric in that class at a net price per yard above the applicable maximum average price[4] until he has "made up" the net surcharge existing at the end of the second such quarter.

(d) *When a net surcharge is "made up" and makeup rule ceases to apply.* A net surcharge is "made up" when, in connection with deliveries made since becoming subject to the makeup rule, he has earned a credit for the class or credit for the categories in the class equivalent to the net surcharge which was to be "made up". Once the manufacturer has "made up" his net surcharge, his operations under the makeup rule cease. However, a manufacturer must resume observance of the makeup rule whenever he has again been left with a net surcharge for each of two consecutive quarters. It should be noted that a manufacturer necessarily has again been left with a net surcharge for each of two consecutive quarters if he has a net surcharge at the end of a quarter in which he makes up a previous net surcharge.

SEC. 10. *Applications for adjustments*—(a) *Basis for adjustment.* Any manufacturer whose maximum average price (or prices) is determined pursuant to section 7 may apply for an adjustment of his maximum average price (or prices) for a class or for one or more categories if he can show:

(1) That in order to comply with his maximum average price for the class or category he must manufacture low priced types of fabrics which he manufactured in his base year but for which necessary low priced raw materials are unavailable;

(2) That his production within a class or category during 1944 was not representative due to the preemption by military work of certain machinery required for the production of fabrics of a type which were made on that machinery in the last year in which it was used exclusively for civilian production, and that such machinery is presently available.

(b) *Extent of adjustment.* (1) Under paragraph (a) (1) a manufacturer ordinarily will be granted an adjustment of his maximum average price to the extent necessary to allow him to produce fabrics from the lowest priced raw material available which is suitable for manufacturing fabrics of the same or similar type.

(2) Under paragraph (a) (2) a manufacturer will be granted an adjusted maximum average price which will reflect, insofar as possible, what his weighted average price for a class or category would have been in 1944 if his production had included fabrics of the type for which facilities were unavailable.

(c) *What the application must contain.* (1) A manufacturer who seeks an adjustment under paragraph (a) (1) must submit the following information: (i) the fabrics delivered in 1944, specifying those for which he claims raw materials are no longer available, (ii) the raw materials used in the manufacture of such fabrics; (iii) his normal sources of supply of such raw materials; (iv) a statement summarizing in detail his unsuccessful attempts to secure materials within the last three months; (v) a statement showing in detail what are the next higher priced materials which are currently available and suitable for manufacturing fabrics of the same type; (vi) the fabrics, if any, in which he used such materials in his base period and the fabrics in which he proposes to use such materials; and (vii) his proposed adjusted maximum average price.

(2) A manufacturer who seeks an adjustment under paragraph (a) (2) must submit the following information:

(i) Description of the unavailable machinery and fabrics (construction details) which could only be made on that machinery.

(ii) Why these fabrics can only be made on that machinery.

(iii) Selling prices and yardage delivered of such fabrics in the base year, if any, and in the last year in which that machinery was all on civilian production, and the same information for all the fabrics in that class or category.

(iv) The weighted average price and estimated production of the fabrics to be made on that machinery, and the existing maximum average price and estimated production for all the fabrics in that class or category.

(v) The maximum average price proposed by the applicant.

(d) *How adjustments will be granted.* (1) A manufacturer seeking an adjustment pursuant to this section shall submit all the information requested in paragraph (c) in duplicate to the Office of Price Administration, Washington, D. C.

(2) When an application has been filed, the Administrator may at any time

(i) Approve the requested adjustment in whole or in part;

(ii) Through the head of the Wool Section, make a request in writing for omitted information;

(iii) Through the head of the Wool Section inform the applicant that action on his application will require more than 20 days.

[24] A manufacturer who has elected to use the half-yearly or the quarterly basis and has also elected to use categories may find with respect to a particular category that, while he made deliveries in the category during his base year, he did not make deliveries in the category in each of his base periods (i. e., in each half or quarter of his base year). In this situation the manufacturer, whether of Class I or of Class II fabrics, shall have as his maximum average price during any quarters for which he had no deliveries in the corresponding base period a simple average of his maximum average prices for the category for the other quarters.

[25] This manufacturer, who will have filed an application pursuant to this section, need not file any base period report called for by section 14(a).

[4] If a manufacturer uses categories and is operating on a "make up" basis, he may not deliver any fabric at a net price above the maximum average price for the category in which it falls, even if he has a credit in that category.

age prices for the category for the other quarters.

have authorized as his maximum aver-

prices under this section, the Adminis-

his otherwise applicable maximum average price.

which it falls, even if he has a credit in that category.

on his application will require more than 20 days.

(3) If, within 20 days after filing the Administrator has not acted on the application in one of the foregoing ways, it shall be considered approved for the quarter of operations in which it is filed.

SEC. 11. *Petitions for amendment.* Any person seeking amendment of any provisions of this supplementary order may file a petition for amendment of general applicability in accordance with the provisions of Revised Procedural Regulation No. 1. Where found appropriate, the Administrator will add to the order further provisions setting criteria of general applicability for the granting of merited individual adjustment.

SEC. 12. *Invoices.* Every manufacturer must, in connection with every delivery pursuant to an actual sale (including deliveries for cash) of fabrics subject to this order, furnish an invoice to the purchaser. This invoice must contain at least the following information:

(a) The date,

(b) The name and address of the seller and purchaser,

(c) For each different fabric delivered, the manufacturer's style number,

(d) The number of linear yards delivered of each fabric described, and

(e) The price per linear yard charged and terms of sale for each fabric described.

SEC. 13. *Records.* Every manufacturer must keep the records required by this order available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The records required by this order, including invoices, must be kept in the manufacturer's office where most of his invoices are prepared.

(a) *Base period records.* Every manufacturer must keep all the original records, including invoices and other data, used by him in preparing his base period report described in section 14.

(b) *Invoices.* Every manufacturer must keep a copy of each invoice he furnished to the purchaser in connection with his deliveries of fabrics subject to this order.

(c) *Reports and orders.* Every manufacturer must keep a copy of all reports he files with the Office of Price Administration under this order and all individual orders affecting him issued by the Office of Price Administration under this order.

(d) *Makeup operation record.* During so much of any quarter as a manufacturer is operating on a makeup basis, he must keep a daily or weekly cumulative record showing the date of each entry and, for the quarter to date, the amount of net surcharge made up and, separately for each class or category, the total net dollar amount charged for fabrics delivered and the total number of yards delivered (less returns and allowances). To find the total net dollar amount charged in a class or category as of the end of any day or week, the manufacturer adds the day's or week's net charges in that class or category to the total of all his preceding net charges in that class or category since the beginning of the quarter. Similarly, to find the total number of yards delivered, in that class or category he adds the yards delivered in that class or category, less returns and allowances, for the day or week to the total of all the yards he previously delivered in that class or category since the beginning of the quarter. The amount of net surcharge made up as of the end of any day or week is equivalent to the class credit (see section 9), if any, earned since the beginning of the quarter. A manufacturer has not completed his makeup operation until his last entry showing the amount of net surcharge made up at least equals the amount of net surcharge existing at the end of the preceding quarter.

(e) *Record of deliveries within manufacturer's own organization.* As explained in section 4 (a) (3) the term delivery refers not only to actual sales but also sometimes to mere transfer of fabrics subject to this supplementary order within or for the account of a manufacturer's own organization. For such deliveries every manufacturer must keep a continuous record showing for each delivery at least the following information:

(1) The date,

(2) An identification of the plants or departments making and receiving the delivery,

(3) For each different fabric delivered, the manufacturer's style number,

(4) The number of linear yards delivered of each fabric described, and

(5) The price per linear yard at which each fabric described is delivered.

(f) *Optional records.* (1) It is not required but it is suggested that every manufacturer keep at all times, to assist him in complying with this order, a daily cumulative record by class or category of the total net dollar amount charged for fabrics delivered and the total number of yards delivered, less returns and allowances, as described in paragraph (d) above. It is also suggested that manufacturers keep a daily record of their cumulative weighted average prices for each class or category. To find his daily cumulative weighted average price for a class or category a manufacturer divides his cumulative net dollar amount charged for that class or category by the cumulative number of yards he delivered in that class or category. In this way, he can see from day to day whether his weighted average price for that class or category is higher or lower than his maximum average price for that class or category.

(2) In addition or as an alternative to the cumulative delivery record discussed in (1) above, it is suggested that manufacturers keep a simple record by class or category of their deliveries of fabrics subject to this order. For each day's or week's or month's deliveries, a manufacturer would record:

(i) The period covered (day, week, or month);

(ii) The total net dollar amount charged for fabrics delivered during that period in each class or category, and

(iii) The total number of yards, less returns and allowances, delivered during that period in each class or category.

SEC. 14. *Reports.*—(a) *"New" base period report.*—(1) *Filing of new base period report.* On or before August 25, 1945, every manufacturer whose maximum average price must be determined under section 7, must file with the Office of Price Administration, Washington 25, D. C., one copy (signed by an owner, officer, or principal) of a "new" base period report under this revised order. The "new" report must be filed regardless of whether a base period report was duly filed prior to revision of Supplementary Order No. 113.

(2) *Deliveries prohibited after September 10, 1945 unless report filed and acknowledged.* After September 10, 1945 no manufacturer obliged to file a "new" base period report shall deliver any fabric subject to this order or any commodity made therefrom until he has received acknowledgment from the Office of Price Administration of the filing of his "new" base period report.

(3) *Contents of "new" base period report.* Every manufacturer's "new" base period report must contain (i) his business name and the address of the office where most of his invoices are prepared; (ii) the name and address of any mills operated by him which produce fabrics subject to this order; (iii) his election to use the year-round, half-yearly, or quarterly basis; (iv) his election to use the class or category basis and, if the latter, the categories he elects to use; (v) the beginning and end dates of each of his base periods; the kind of quarters on which he elects to operate in accordance with paragraph (d) of section 4 (i. e., calendar quarters beginning July 1, 1945 or 13 week quarters, specifying the date on which his first quarter will begin); and (vii) the following information for each class or, if he is operating on the category basis, for each category;

(a) The total net dollar amount charged for fabrics subject to this order which he delivered during each of his base periods;

(b) The total number of yards, less returns and allowances, delivered by him in each base period (specifying whether linear or square yards);

(c) His maximum average price (or prices); and

(d) In the case of a manufacturer who uses any of the special categories provided for in section 6 (c) (3), the total net dollar amount charged for fabrics he delivered, the total number of yards he delivered, less returns and allowances, and his weighted average price, for the first or second quarter of 1945, whichever has the higher weighted average price.

(4) *Correction of base period report.* If a manufacturer has filed a new base period report and later finds that any of the items called for in paragraph (a) (3) of this section was incomplete or incorrect, he must file one copy of the correct information at once with the Office of Price Administration, Washington 25, D. C. However, if a corrected maximum

average price for a class or category is higher than a maximum average price listed for that class or category on his previously filed report, he may not use the higher maximum average price until he has received acknowledgment from the OPA of the receipt of his corrected information.

(5) *Changed election as to class or category basis.* As provided in section 6 (d), a modified new base period report must be filed if in accordance with that section a manufacturer desires to make a new election between the class or category basis or as to the categories he will use.

(b) *Quarterly reports.* Within 20 days after the end of each quarter, every manufacturer must file with the Office of Price Administration, Washington 25, D. C., two copies (signed by an owner, officer, or principal) of a report covering all deliveries of fabrics subject to this order which he made during the quarter, including deliveries made while he was operating on a makeup basis. Each quarterly report must contain:

(1) The manufacturer's business name and address;

(2) The class or categories of fabrics covered by the report;

(3) Dollar amount of net surcharge, if any, for each class at the end of the quarter;

(4) Dollar amount of net surcharge, if any, for each class at the end of the quarter immediately preceding the quarter covered by the report;

(5) For each class or, if he is operating on a category basis, for each category:

(i) Total net dollar amount charged for deliveries during the quarter;

(ii) Total number of yards delivered during the quarter less returns and allowances (specifying whether linear or square yards);

(iii) Weighted average price for the quarter;

(iv) Maximum average price for the quarter;

(v) Dollar amount of credit or surcharge, if any, for the quarter.

(c) *Makeup reports.* Within 10 days after completely making up the net surcharge existing at the end of the second of two consecutive quarters in which the manufacturer had net surcharges, every manufacturer must file with the Office of Price Administration, Washington 25, D. C., one copy (signed by an owner, officer, or principal) of a makeup report. Each makeup report must contain the following information:

(1) The manufacturer's business name and address and the class or categories covered by the report;

(2) His maximum average price or prices for each class and category during the makeup operation covered by the report;

(3) The beginning and end dates of the makeup operation covered by the report;

(4) The dollar amount of net surcharge which he had to make up;

(5) Total net dollar amount charged for deliveries during the makeup operation in each class or category;

(6) Total number of yards delivered, less returns and allowances, specifying whether square or linear yards, during the makeup operation for each class or category; and

(7) Dollar amount of net surcharge made up (which will be at least equivalent to the credit earned for the class during the makeup operation).

SEC. 15. *Prohibitions and enforcement.*—(a) *Prohibitions.* Regardless of any contract or other obligation:

(1) On and after September 10, 1945 no manufacturer shall deliver any fabric subject to this order or any commodity made therefrom unless he has received an acknowledgment from the Office of Price Administration that he has filed the report required by section 14 (a) or the application required by section 8.

(2) A manufacturer who fails to file any other report required by this order by the date it is due shall thereafter deliver no fabrics subject to this order or any commodity made therefrom until the overdue report has been filed.

(3) A manufacturer, when subject to the makeup rule, shall deliver no fabric subject to this order at a price per yard higher than his maximum average price for the class or category.

(4) A manufacturer who has assigned a value of less than ceiling to fabrics subject to this order transferred in part within his organization shall not sell the manufactured articles made from such fabrics at prices higher than those specified in section 4 (a) (1) (ii).

(5) No person shall, for the purpose of evading the price limitations set forth in this order, sell, purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling or otherwise affiliated with the seller.

(6) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in this section.

(b) *Enforcement.* Persons violating any provisions of this order are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Control Act of 1942, as amended.

SEC. 16. *Licenses required.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license is suspended.

SEC. 17. *Increase in maximum average price for third and fourth quarters of 1945.* (a) Notwithstanding any other section of this supplementary order, but subject to paragraphs (b), (c), and (d) below, a manufacturer whose otherwise applicable maximum average price (or prices) is fixed by section 7 may take as his maximum average price for each class or category, (1) for the quarter beginning nearest July 1, 1945 either his weighted average price for all fabrics delivered in that class or category during the year or the corresponding half or quarter (depending on whether he is operating on the year-'round, half-yearly, or quarterly basis) of 1944 plus 3 per cent or of 1943 plus 2 per cent, and (2) for the quarter beginning nearest October 1, 1945, 99 per cent of his weighted average price for all fabrics delivered in that class or category during the year or the corresponding half or quarter (depending on whether he is operating on the year-'round, half-yearly, or quarterly basis) of 1944.

(b) Paragraph (a) of this section shall not apply to any maximum average price established by or pursuant to section 8 or to any maximum average price which has been based on paragraph (f) or (g) of section 7.

(c) Any "credit" determined pursuant to paragraphs (a) and (b) of section 9 shall be computed without regard to the increase provided for in paragraph (a) of this section.

(d) The new base period report required by section 14 shall be prepared without regard to the increase provided for in paragraph (a) of this section.

This Revised Supplementary Order No. 113 shall become effective as of July 1, 1945.

NOTE: All reporting and record-keeping requirements of this supplementary order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13570; Filed, July 24, 1945; 4:24 p. m.]

PART 1306—IRON AND STEEL

[RPS 49[1], Amdt. 32]

RESALE OF IRON AND STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Price Schedule No. 49 is amended in the following respects:

1. A new paragraph (g) is added to § 1306.156 to read as follows:

(g) The Office of Price Administration may adjust any individual sellers' maximum price established in this schedule for material which has undergone the operation of warehousing (as defined in § 1306.157 (s) of the schedule) subject to the conditions set forth in this paragraph (g).

(1) *Conditions under which adjustments are applicable and amount of adjustment that may properly be granted.* Before any adjustment may be granted, the applicant must demonstrate:

[1] 8 F.R. 4808, 4542, 7257, 7769, 7909, 9680, 9750, 13553, 13669; 9 F.R. 604, 1054, 3649, 4390 4944, 5987, 6505, 8242, 11106; 10 F.R. 1738, 2432, 3236.

(i) That an industry-wide increase has been granted on a product or product line to steel producers by an amendment to Revised Price Schedule No. 6 and such increase has not been passed through for resellers by any provision of this schedule;

(ii) That as the result of such an industry-wide increase, the applicant's cost of that product or product line from his producer source of supply has been raised so that after deducting the average material cost from the average sales revenue, the resulting margin expressed as a percentage ratio of average sales revenue for sales of the product from the warehouse location is lower than 18½ percent.

When the applicant satisfies this condition, the Administrator may grant an upward adjustment not to exceed the amount of the mill increase and only sufficient to bring his trading margin on the product or product line up to 18½%, but in no event shall the adjusted margin exceed any one of the following factors:

(*a*) The percentage ratio of the applicant's total operating expense to his total sales in his most representative recent accounting period; or

(*b*) The percentage margin enjoyed by the applicant for that product or product line at the warehouse location in the calendar year 1940.

The amount of the increase, so determined, shall be made in units of 5¢ per 100 pounds by adjusting the required increase to the nearest 5¢: *Provided, however,* That the adjusted increase shall not exceed the mill increase.

(2) *Application for adjustment.* Applications for adjustment under this paragraph shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration. Such applications shall be submitted on Form 674-2493 in accordance with the instructions accompanying said form. Copies of this form may be obtained from the Office of Price Administration, Metals Price Branch, Washington, D. C., or from the Price Division of any of its Regional Offices.

(3) *Action by Office of Price Administration.* The Office of Price Administration shall promptly acknowledge receipt in writing of the application for adjustment and shall act upon such application within 20 days after the mailing of the acknowledgment or after the receipt of any additional information requested. It may deny the application, establish a different price or may grant the adjustment requested and may impose such conditions as are appropriate.

(4) *Waiting period.* If the Office of Price Administration has not acted upon an application within the period specified, the applicant may use the requested price until such time as he receives notice from the Office of Price Administration that his price has been revoked or modified.

(5) *Permission to quote prices reflecting the pending adjustment.* Pending action of the Office of Price Administration upon an application, the seller may make offers or enter into contracts upon the basis of the requested price, but may not receive payment of the requested price until action by the Office of Price Administration or until expiration of 20 days after mailing of the acknowledgment.

This amendment shall become effective August 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13635; Filed, July 25, 1945; 11:42 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 4,[1] Amdt. 1]

PRICING PROVISIONS FOR CERTAIN FOOD PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 11 (f) is amended to read as follows:

(f) *"Health food stores."* A "health food store" or "health food department" is one whose sales to consumers consist principally of "specially prepared dietetic foods." For the purposes of this regulation a "health food department" is a separate and distinct department operated by separate and specially trained personnel and for which separate records and accounts are maintained.

"Specially prepared dietetic foods" are foods manufactured and sold for restricted diets and for special dietetic purposes, including but not limited to, specially prepared foods for diabetic or arthritic conditions, or high blood pressure; specially prepared weight building or tonic foods; and vitamin or mineral supplements.

This amendment shall become effective August 2, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13636; Filed, July 25, 1945; 11:41 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[2] Amdt. 50]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

[1] 9 F.R. 6711.

[2] 10 F.R. 1505, 2024, 2297, 3814, 5370, 6577, 6235, 6514, 7251.

Maximum Price Regulation No. 422 is amended in the following respects:

1. The last sentence of section 2 (a) is amended to read as follows: "This regulation does not apply, however, to automatic vending machines, farmers selling produce grown on their own farms, or to sales of 'specially prepared dietetic foods' by 'health food stores' or 'health food departments.'"

2. Section 16 (g) is added to read as follows:

(g) On and after August 2, 1945, "health food stores" are made subject to this regulation for certain items in accordance with section 2 (a). If you are a "health food store," you must by the opening of business on August 2, 1945, have figured your ceiling price in accordance with sections 3 and 4 for each such item which you have in stock at that time. For each such item which you do not have in stock at that time, you must figure your ceiling price in accordance with section 5. However, in doing so, you must substitute the date August 2, 1945 for the date August 5, 1943, whenever it appears in sections 3, 4 and 5.

3. Section 36 (b) is amended to read as follows:

(b) *Health food stores.* A "health food store" or "health food department" is one whose sales to consumers consist principally of "specially prepared dietetic foods." For the purposes of this regulation a "health food department" is a separate and distinct department operated by separate and specially trained personnel and for which separate records and accounts are maintained.

"Specially prepared dietetic foods" are foods manufactured and sold for restricted diets and for special dietetic purposes, including but not limited to, specially prepared foods for diabetic or arthritic conditions, or high blood pressure; specially prepared weight building or tonic foods; and vitamin or mineral supplements.

This amendment shall become effective August 2, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13628; Filed, July 25, 1945; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 48]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

[1] 10 F.R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514.

Maximum Price Regulation No. 423 is amended in the following respects:

1. The last sentence of section 2 (a) is amended to read as follows: "This regulation does not apply, however, to automatic vending machines, farmers selling produce grown on their own farms, or to sales of 'specially prepared dietetic foods' by 'health food stores' or 'health food departments.'"

2. Section 17 (f) is added to read as follows:

(f) On and after August 2, 1945, "health food stores" are made subject to this regulation for certain items in accordance with section 2 (a). If you are a "health food store," you must figure your ceiling price for each such item in accordance with sections 3 and 4, substituting the date August 2, 1945, for the date August 5, 1943, whenever it appears in sections 3 and 4.

3. Section 25 (b) is amended to read as follows:

(b) *Health food stores.* A "health food store" or "health food department" is one whose sales to consumers consist principally of "specially prepared dietetic foods." For the purposes of this regulation a "health food department" is a separate and distinct department operated by separate and specially trained personnel and for which separate records and accounts are maintained.

"Specially prepared dietetic foods" are foods manufactured and sold for restricted diets and for special dietetic purposes, including but not limited to, specially prepared foods for diabetic or arthritic conditions, or high blood pressure; specially prepared weight building or tonic foods; and vitamin or mineral supplements.

This amendment shall become effective August 2, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13629; Filed, July 25, 1945; 11:43 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2C,[1] Amdt. 2]

USED PASSENGER AUTOMOBILES IN HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 2C is amended in the following respects:

1. Section 1.1 (a) is amended by changing the first sentence to read as follows:

(a) *"Rationed used cars" subject to this order.* "Rationed used cars" are all

[1] 9 F.R. 9164.

1942 (driven 1,000 miles or more), 1941, 1940, 1939 and 1938 year model passenger automobiles.

2. Section 3.2 (15) is amended by adding the following:

(iv) Newspaper establishments.

3. Section 3.2 is amended by adding the following:

(27) *Restaurant operators.* The owner or operator of a restaurant for transporting food and supplies necessary and essential to the operation of such restaurant, provided that on the island of Oahu the applicant must present to the Board a certification by the War Manpower Commission that the restaurant is locally needed; on the islands of Hawaii, Maui, Molokai and Kauai the local need for the restaurant must be determined by the Board.

This amendment shall become effective as of July 16, 1945.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of July 1945.

GERALD A. BARRETT.
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-13633; Filed, July 25, 1945; 11:45 a. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[MPR 382, Amdt. 9]

WIDE MOUTH GLASS CONTAINERS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 382 is amended in the following respect:

Section 3.5 (c) is amended to read as follows:

(c) *Applicable period of this Section.* The provisions of this paragraph shall be applicable only on shipments made during the period May 1, 1945, to September 30, 1945, inclusive.

This Amendment No. 9 shall become effective July 30, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13627; Filed, July 25, 1945; 11:41 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Restriction Order 11, Revocation]

CIGARETTE RESTRICTION ORDER FOR PUERTO RICO

A rationale accompanying this revocation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Restriction Order 11 is hereby revoked, except that any violations which occurred or rights or liabilities which arose before the effective date of this order of revocation shall be governed by the order in effect at the time the violation occurred or the rights or liabilities arose.

This order of revocation shall become effective as of July 12, 1945.

Issued this 25th day of July 1945.

SAM GILSTRAP,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-13634; Filed, July 25, 1945; 11:45 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373,[1] Amdt. 8]

SANDWICHES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

1. A new section 70 is added to read as follows:

SEC. 70. *Maximum prices for sales of sandwiches to other than ultimate consumers*—(a) *What this section does.* This section sets maximum prices for all sales of sandwiches except sales to ultimate consumers. Sales of sandwiches to ultimate consumers are covered by Restaurant Maximum Price Regulation 9-1.

(b) *Maximum prices.* (1) Maximum prices for sales of sandwiches to any person other than an ultimate consumer are hereby established to be as follows:

Type and quantity of filing	*Maximum price Each*
Type No. 1. Bacon; baked, boiled or smoked sliced ham; roast beef, pork, lamb or any other roast meat:	
(i) 2 oz. filling	$0.14
Type No. 2. Sliced chicken, turkey or any other fowl:	
(i) 1¼ oz. filling	.16
(ii) 1¾ oz. filling	.20
Type No. 3. All other type fillings, including but not limited to, lunch meats, cheese, egg, and tuna salad:	
(i) 1 oz. filling	.08
(ii) 2½ oz. filling	.12½

(2) Any of the following, or a combination of any of the following, items may be substituted for not more than one-half of the fillings set forth in subparagraph (1) above: Lettuce, tomato, chopped olives, celery, onion, mayonnaise, butter, mustard or other condiments.

(3) Each sandwich shall consist of not less than two slices of bread, or a sand-

[1] 10 F.R. 6646, 7407, 7794, 7799, 8020, 8069, 8371.

which bun, plus the filling and each sandwich must be individually wrapped.

(c) *Maximum prices for sandwiches not listed in paragraph (b).* Any person who sells or offers for sale any sandwich not set forth in paragraph (b) shall file an application for the establishment of a maximum price for such sandwich in accordance with the provisions of section 9 (a) of this regulation.

(d) *Sales invoices.* In addition to the purchase and sale records required to be kept by section 10 (a) of this regulation, every person making a sale of any sandwich covered by this section must invoice each sale of such sandwich. A copy of this invoice must be made and kept by the seller for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The original invoice must be delivered to the buyer and must set forth the name and address of the buyer and seller, date of purchase, the kind of filling and number of ounces in each sandwich sold, the quantity sold, and the price charged or received.

NOTE: The reporting and record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective as of June 22, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13630; Filed, July 25, 1945; 11:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373,[1] Amdt. 9]

FISH AND SEAFOOD IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

1. A new section 19a is added to read as follows:

SEC. 19a. *Ceiling prices for prepared fish, seafood, and other Hawaiian food items on the Island of Oahu*—(a) *What this section does.* This section establishes dollar-and-cents ceiling prices for all sales on the Island of Oahu of fish and seafood prepared for human consumption, but not for eating on the premises where sold; also for certain other specifically enumerated Hawaiian food items. Hereinafter fish and seafood so prepared shall be referred to as "prepared fish and seafood".

(b) *What persons are covered.* Any person who sells or, in the usual course of business, buys any prepared fish, seafood, or other enumerated Hawaiian food items is subject to this section.

(c) *Your ceiling prices.* Your ceiling prices for each kind of prepared fish or seafood or other Hawaiian food items covered by this section that you are permitted to sell are established herein and set forth in Table A of this section. They are also set out on your OPA list of ceiling prices for prepared fish and seafood and other Hawaiian food items.

(d) *When the new ceiling prices take effect.* This section shall become effective on the 12th day of June, 1945. The dollar-and-cents ceiling prices established by this section shall take the place of all previous ceiling prices established by the Office of Price Administration for prepared fish, seafood, and other Hawaiian food items.

(e) *What prepared fish, seafood, and Hawaiian food items you may sell.* On and after June 12, 1945, the only prepared fish, seafood, or Hawaiian food items that are not covered by a different section or regulation that you may sell or offer to sell are those prepared fish, seafood, and Hawaiian food items which are given dollars-and-cents ceiling prices in this section.

(f) *How you make "prepared fish and seafood".* You may make prepared fish in the usual and customary manner prevalent in the Territory of Hawaii. Prepared fish must not contain any part of the head, fins, tail, or viscera. If cut into sections exceeding one and one-half inches square, then it shall be classed as fish "not listed in Groups I, II, or III", and shall be priced as in Group IV of Table A of this section; except that the following named fish: Aawa, Alaihi, Kole, Maiii, Aholehole, Akule, Awa, Iheihe, Maiko, Manini, Opelu, Amaama, Moana, Oio, U'u, Weke, if their round weight does not exceed 10 ounces, may be prepared without cutting into sections and sold with the head on. Your ceiling prices for such items must be computed in proportion to the ceiling prices as established in Groups I, II, and III of Table A for the corresponding kind of fish.

(1) *Additional requirements.* (i) Each selling unit of prepared fish specified in Groups I, II, III, and IV in Table A must contain an additional two ounces of any of the following relishes or combination of the same: onion, tomato, chili pepper, limu, ilimone, and Hawaiian salt.

(ii) *Provided, however,* That the fish enumerated in this paragraph (f) when prepared in units of over 8 ounces must contain not less than 4 ounces per unit of the relishes above-named or any combination thereof.

(g) *Post your ceiling prices.* On and after June 12, 1945, you must have posted at your store or selling establishment your "Official OPA List of Ceiling Prices" for prepared fish, seafood, and other Hawaiian food items covered by this section. Place it on or near your counter in one or more places where the customer may easily examine it. When you display any item covered by this section, you must put on or near it your selling price per unit and the name of the item. Example: If you display several dishes of Aawa, prepared Hawaiian style, you must have a card or tag on one or more of the dishes reading as follows: "Prepared Aawa—6 oz. or over—20¢ each".

(h) *Records, reports and sales slips.* On and after June 12, 1945, the effective date of this section, you shall keep complete and accurate records of each purchase. If you have customarily given a customer a sales slip, receipt, or similar evidence of purchase, you shall continue to do so. Furthermore, regardless of your previous custom, at the time of delivery you shall give sales slips on all sales except to ultimate consumers and upon request by a consumer give a receipt showing the date of purchase, your name and address, the name and weight of each item sold, and the total price you received for the respective items.

(i) *Enforcement and licensing.* Sellers and buyers in the course of trade or business who violate any of the provisions of this section are liable to all of the penalties provided in Section 11 of Maximum Price Regulation 373, to which your attention is specifically hereby called.

(j) *Indirect price increases.* (1) The price limitations set forth in this section shall not be evaded directly or indirectly by you; nor shall you require the purchaser to buy at any price other food products as a condition of selling any item covered by this section.

(2) You must not charge, solicit or receive any consideration for or in connection with any service which has not been provided for in this section and for which a price has not been fixed.

(k) *Prohibitions and penalties.* (1) On and after the effective date hereof, if you sell or deliver any item covered by this section at a higher price than the ceiling price established by this section, or if you agree, offer, solicit or attempt to do any of the foregoing, or if you otherwise violate any provision of this section, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person who, in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that Act.

(2) No seller shall pre-wrap or package any item covered by this section unless the contents of said package have actually been sold to or ordered by a customer and unless there is attached thereto a sales slip showing the date of sale, name and address of the seller and buyer, a full description of the contents of the package, the number of units, price per unit, and total price charged or received.

(l) *Petitions for amendment and applications for adjustment.* Any person seeking an amendment to this section or an adjustment of a maximum price may petition for the former or apply for the latter according to the provisions of sections 8 and 9 respectively of Maximum Price Regulation 373.

(m) Table A, attached hereto, is hereby made an integral part of this section.

NOTE: The reporting and record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective as of June 12, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

TABLE A

PREPARED FISH, SEAFOOD, AND OTHER HAWAIIAN FOOD ITEMS ON THE ISLAND OF OHAU

Group I—Ceiling price 20¢ per selling unit—Selling unit—6 ounces.

Aawa, Aha, Alaihi, Carp, Hilu, Hinalea, Humuhumu, Kole, Kulkul, Lai, Mafi, Mikiawa, Naenae, Nunu, Pakulkul, Palani, Pauulu, and Papai (crab).

Group II—Ceiling price 30¢ per selling unit—Selling unit—5 ounces

Ahi, Aholehole, Aku, Akule, A'u, Awa, Aweoweo, Catfish, Hee, Hupipi, Iheihe, Kawakawa, Kawelea, Kawilo, Kupoupou, Laenihi, Mahimahi, Maiko, Mamamu, Manini, Nenue, Nohu, Ono, Oopu, Opelu, Panuhunuhu, Pauu, Uhu, and Salt Salmon (Red).

Group III—Ceiling price 30¢ per selling unit—Selling unit—4 ounces

Amaama, Awaawa, Kahala, Kaku, Kalikali, Kumu, Moana, Mol, Oio, Omilu, Opakapaka, Uukanipo, Uku, Ulaula, Ulua, Uouoa, Ulu, and Weke.

Group IV—Ceiling price 15¢ per selling unit—Selling unit—8 ounces

All prepared fish not listed in Groups I, II and III.

LIMU

Group V—Ceiling price 25¢ per selling unit—Selling unit—4 ounces

Eleele, Huluhuluwaena, Lipeapea, Lipoa, Maneoneo, Wawaeiole, Kohu, and Mixed Limu.

Group VI—Ceiling Price 15¢ per selling unit—Selling unit—4 ounces

All Limu not listed in Group V.

	Selling unit	Ceiling price per selling unit
Group VII:		
Pahi (fish entrails)	6 ounces	$0.15
Fish heads	8 ounces	.10
Hunkeike (pounded)	6 ounces	.25
Ina (pounded)	6 ounces	.25
Wana (shelled)	6 ounces	.35
Hawae (shelled)	6 ounces	.35
Wa-Kui (shelled)	6 ounces	.35
Opihi (shelled)	5 ounces	.50
Group VIII:		
Ake (chopped liver & Kukui Nuts)	5 ounces	.25
Pipikauila (Dried raw beef)	6 ounces	.25
Laulau[1]	12 ounces	.40
Limano (Kukui nut balls)	2 ounces	.30
Haupa (white coconut pudding)	1 pound	.50
Kulolo (brown coconut pudding)	1 pound	1.00
Hawaiian Salt (red)	1 pound	.05

[1] Each laulau must contain not less than 8 ounces of pork and 4 ounces of fish (raw weight). The pork shall not be more than ¼ fat.

[F. R. Doc. 45-13631; Filed, July 25, 1945; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373,[1] Amdt. 10]

CONSTRUCTION SERVICES AND BUILDING MATERIALS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 69 of Revised Maximum Price Regulation 373 is amended in the following respects:

1. Paragraph (a) (1) (iii) is amended to read as follows:

(iii) Maximum prices for construction services and sales of installed building materials performed under each of these main categories are established under separate appendices at the end of this section. This is done either by fixing dollars-and-cents prices for a particular service or sale of installed building materials, or by providing a formula by which an individual contractor or subcontractor may calculate his maximum price for the particular type of work he is doing. In addition to the prices above provided for, any seller of any service or installed building material covered by this section may charge the customer the actual cost of any permit in connection with the job required by municipal or territorial authority. The nature of the contracting work constituting a particular category is defined in paragraph (c).

2. Paragraph (e) (8) is hereby revoked.

3. Paragraph (f) (1) (i) is amended to read as follows:

(i) *Repair work on hourly rates.* Sellers who perform repair work on an hourly basis must keep, in addition to the information listed in (1) above, a time slip for each repair job or service call performed. Such slip shall be signed by the employer or the employee doing the work and the purchaser or his agent, representative or tenant having the work done and shall show the date of performance, the name and address of the seller and the purchaser, the grade of labor and the number of each grade used on the job, the price charged per hour, and whether charged as overtime or straight time, plus the travel time beyond the five mile limit. This time slip (signed) must be on file in the seller's place of business as a matter of record within ten days from the completion of the job.

4. A new paragraph (g) is added, as follows:

(g) *Charges for overtime.* On all services, subject to this section, which are computed on an hourly basis or cost plus basis where overtime has actually been paid, (except the services provided for in Appendix B on new work and those services, in all Appendices, where dollars-and-cents prices are established for specific jobs), such overtime, computed in conformity with applicable General Orders and Resolutions of and the basic wage rates established by the Territorial War Labor Board for Hawaii, may be included by the contractor in the charge for services, provided that such overtime may be charged for only if agreed to in writing by the customer in advance, except that no such written agreement by the customer is necessary in the case of services of plumbers and electricians for emergency repair work.

(1) Where overtime is computed on an hourly basis and charged the customer as provided above, the maximum permitted charge may be such overtime multiplied by 1.50; where the rate is on a cost plus basis, the maximum charge shall be the same applicable markup as allowed on straight time.

5. A new paragraph (h) is added as follows:

(h) *Charges for travel.* Notwithstanding other provisions of this section, or of any appendix thereto, on any service subject to this section, excepting painting, where performed at a distance greater than five miles from the seller's place of business, actual travel time may be charged for on the basis of the hourly labor charge for repair work the contractor is permitted to charge the customer. When no hourly labor rate is provided, then the travel time shall be charged for on the basis of pay roll cost plus 50%. Should the aggregate of such travel time exceed ⅛ of one 8-hour work day on any one job the excess may not be charged for except upon the approval of the Office of Price Administration.

6. Appendix A, paragraph (b) (1), is amended by deleting the last word thereof, "and", and by adding a subdivision (i) to read as follows:

(i) A rental charge for electrical hand tools such as electric saws, drills and the like, where such jobs are computed on an hourly basis may be included on repair jobs at rates not to exceed the maximum prices established under Maximum Price Regulation 134. Such charges shall be clearly itemized on the Repair Job Time Slip.

7. Appendix B, paragraph 2, is amended by adding a subparagraph (d) as follows:

(d) A rental charge for electrical hand tools such as electric saws, drills and the like, where such jobs are computed on an hourly basis, may be included on repair jobs at rates not to exceed the maximum prices established under Maximum Price Regulation 134. Such charges shall be clearly itemized on the Repair Job Time Slip.

8. Appendix E is amended in the following respects:

a. By adding to paragraph 2 (Extra Charges), a subparagraph (f) as follows:

(f) For new electrical work of a nature not specifically covered by paragraphs

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[1] 9 F.R. 9164.

[1] 10 F.R. 1505, 2024, 2297, 3814, 5370, 6377, 6235, 6514, 7251.

[1] 10 F.R. 1525, 2025, 2295, 3814, 5370, 6377, 6235, 6514.

[1] 10 F.R. 6646, 7407, 7794, 7799, 8020, 8069, 8371.

[1] 10 F.R. 6646, 7407, 7794, 7799, 8020, 8069, 8371.

1 and 2 of this appendix the maximum price shall be:

The cost of materials furnished, but not exceeding the maximum prices for such as established sales to contractors by section 61 of Revised Maximum Price Regulation 373 or Maximum Price Regulation 136 or any other applicable regulations, plus actual site labor costs at rates not exceeding those permitted for the electrical trades by existing War Labor Board rulings for this Territory, multiplied by 1.50; plus travel time as herein provided.

b. By deleting from the first line of paragraph 4, the words "remodeling and alterations" so that said first line shall read: "4. For repairs involving electrical work:"

9. The following note is inserted after paragraph (h):

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective as of July 1, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13632; Filed, July 25, 1945; 11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 57]

MEAT GRADING SERVICES BY COMMERCIAL FREEZER OR LOCKER PLANTS

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 57 has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 57 is hereby issued.

§ 1499.698 *Meat grading services by commercial freezer or locker plants—*(a) *Maximum prices.* The maximum prices established by Revised Maximum Price Regulation No. 165 for beef, veal, lamb, or mutton grading services supplied by an operator of a commercial freezer or locker plant for a farm slaughterer in accordance with the Office of Economic Stabilization Regulation No. 1, as amended, are hereby modified and henceforth shall be as follows: $0.125 per hundred pounds weight of meat computed to the next highest 5 cents.

Example: A farm slaughterer requests a frozen food locker plant to grade a 150 pound cut of meat. The computation would be 1½ times $0.125 or $0.1875. The maximum price computed to the next highest 5 cents would be $0.20 for the grading services.

(b) *Less than maximum prices.* Lower prices than those established by this regulation may be charged.

(c) *Applicability of Revised Maximum Price Regulation 165.* Except as provided to the contrary, all the other provisions of Revised Maximum Price Regulation 165 shall apply to the meat grading services by operators of commercial freezer or locker plants subject to this regulation.

(d) *Geographical applicability.* This regulation applies to meat grading services supplied in the 48 States of the United States and to the District of Columbia.

This Supplementary Service Regulation shall become effective July 30, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13649; Filed, July 25, 1945; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14, Amdt. 9]

WIRE NAILS AND STAPLES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Section 5.4 of Article V of Revised Supplementary Regulation No. 14 is amended to read as follows:

SEC. 5.4. *Modification of maximum prices for certain sales of wire nails and wire staples other than galvanized in 100 and 50 pound net kegs or other containers*—(a) *Applicability.* The provisions of this section shall be applicable only to sales of wire nails and wire staples other than galvanized in keg lots when sold:

(1) By a retailer or through a retail outlet to a consumer in quantities of 2500 pounds or less.

(2) By any reseller to a farmer in quantities of 2500 pounds or less.

(3) By any reseller to contractors, commercial, industrial, and institutional users (except retailers), or the Federal Government or any state government or any political subdivisions thereof, in quantities of 1500 pounds or less.

The weights specified above shall be determined by combining all items of bright and galvanized wire nails, brads, wire tacks or staples ordered by any person in one day.

(b) *Maximum prices.* The maximum prices for sales of wire nails or wire staples other than galvanized in 100 pound and 50 pound net kegs or other containers shall be:

(1) When purchased by the seller for delivery from jobbers' stocks, the seller's delivered cost (not to exceed the applicable maximum price) excluding his cost of cartage from his local freight terminal to his place of business plus the amount designated below:

On sales in 100 pound net kegs or other containers	$0.75 per 100 lbs.
On sales in 50 pound net kegs or other containers	$0.40 per 50 lbs.

(2) When purchased by the seller for direct shipment from a manufacturer, the mill car load price to dealers (not to exceed the applicable maximum price) excluding the cost of cartage from his local freight terminal to his place of business or warehouse plus the amount designated below:

On sales in 100 pound net kegs or other containers	$1.10 per 100 lbs.
On sales in 50 pound net kegs or other containers	$0.55 per 50 lbs.

(c) *Delivery charges.* Any maximum price determined under the provisions of this section shall include delivery to the seller's purchaser, if such purchaser is located within a "free delivery" zone as recognized by the seller during March 1942. Charges for deliveries outside such "free delivery" zones may be added but shall not exceed the common carrier rate.

(d) *Definitions.* For the purpose of this section "Retailer" means a person who sells primarily to purchasers for use and not for resale.

"Retail outlet" means an outlet operated primarily for the purpose of making retail sales and includes, but is not limited to, retail hardware stores and retail lumber yards.

"Mill car load price to dealer" means the producer's price to dealers for carload quantities at the governing basing point, as established by RPS No. 6, plus freight computed at the carload freight rate from such basing point to the seller's local freight terminal.

This amendment shall become effective July 30, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13626; Filed, July 25, 1945; 11:42 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 119]

FRESH FRUITS AND VEGETABLES FOR TABLE USE; SALES EXCEPT AT RETAIL

NOTE: A correction to the statement of considerations involved in the issuance of Amendment 119 to Maximum Price Regulation 426 has been filed with the Division of the Federal Register as Federal Register Document 45-8462 (NP), on July 25, 1945, at 11:42 a. m.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Docket No. 3666]

PARTS 71-85—EXPLOSIVES AND OTHER DANGEROUS ARTICLES [1]

SHIPPING CONTAINER SPECIFICATIONS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of July, A. D. 1945.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Appendix to Part 3—Shipping Container Specifications (CFR 72)

Superseding and amending specification 3A, head paragraph 22 and subparagraphs (1) order March 29, 1944, (2) order June 29, 1945, Note, order Dec. 12, 1942, (3) order Aug. 16, 1940, Note, order July 14, 1942, (4) and (5) order April 13, 1943, and (add) (6) order Aug. 16, 1940, to read as follows:

22. *Additional type.* Cylinders made of steel commercially known as 4130X, NE-8630, 9115, 9125, 9115X, 9125X or intermediate manganese, with yield point over 70 percent of tensile strength are also authorized under the following restrictions:

(1) Chemical analysis of steels authorized:

	4130X	NE-8630	9115
	Percent	*Percent*	*Percent*
Carbon	0.25/0.35	0.28/0.33	0.10/0.20
Manganese	.40/0.60	.70/0.90	.50/0.75
Phosphorus	.04	.04	.04
Sulphur	.05	.04	.04
Silicon	.20/0.35	.20/0.35	.60/0.90
Chromium	.80/1.10	.40/0.60	.50/0.65
Molybdenum	.15/0.25	.15/0.25	
Zirconium			.05/0.15
Nickel		.40/0.70	

	9125	9115X	9125X
	Percent	*Percent*	*Percent*
Carbon	0.20/0.30	0.10/0.20	0.20/0.30
Manganese	.50/.75	.50/.75	.50/.75
Phosphorus	.04	.04	.04
Sulphur	.04	.04	.04
Silicon	.60/.90	.60/.90	.60/.90
Chromium	.50/.65	.50/.65	.50/.65
Molybdenum		.10/.20	.10/.20
Zirconium	.05/.15	.05/.15	.05/.15
Nickel			

Intermediate manganese (percent)

Carbon	0.40 max.
Manganese	1.35/1.65
Phosphorus	0.040 max.
Sulphur	0.050 max.
Silicon	0.10/0.30
Chromium	
Molybdenum	
Zirconium	
Nickel	

NOTE: Because of the present emergency and until further order of the Commission, a heat of steel made under any of the above specifications, the chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, under the following conditions:

Carbon, phosphorus, and sulphur shall not be out of the specified range more than 0.02 percent for carbon, 0.005 percent for phosphorus, and 0.005 percent for sulphur, and no alloying element shall be out of the specified range in excess of 10 percent of the mean of the range.

(2) Heat treatment shall consist of quenching in oil at approximately 1550° F. and drawing back at approximately 1250° F. or heat treatment shall consist of normalizing at a temperature not to exceed 1650° F.

NOTE. Because of the present emergency and until further order of the Commission, for cylinders used for the transportation of carbon dioxide shipped by or for the United States Government the heat treatment may also consist of quenching in water at approximately 1550° F. and drawing back at approximately 1250° F. The temperature of the quenching water shall be not less than 60° F. Such cylinders must be marked ICC3AWQ***, stars to be replaced by the service pressure.

The cylinders must neither be marked ICC3AWQ nor be fully accepted by the inspector until after having passed, without shattering, a test consisting of subjecting one cylinder out of each heat or less in fully charged condition to the impact of a 1.1-inch projectile at velocity of at least 2700 feet per second.

(3) Minimum wall thickness of cylinder shall be such that the wall stress shall not exceed 65,000 pounds square inch when calculated under paragraph 9 of this specification.

NOTE. Because of the present emergency and until further order of the Commission, the minimum wall thickness of cylinders of 1100 cubic inch water capacity or less for shipment by the United States Government or its Allies shall be such that the wall stress shall not exceed 70,000 pounds per square inch when calculated under paragraph 9 of this specification.

(4) Acceptable results for physical and flattening tests. Elongation at least 20 percent for 2-inch guage length or at least 10 percent in other cases; flattening required, without cracking, to 6 times wall thickness.

(5) Reports of manufacture and tests shall include the following information: Chemical analysis data or chromium, molybdenum and other alloying material present, if any; definite statement as to the heat treatment used.

(6) Cylinders made of intermediate manganese steel (when made under conditions of this paragraph) must be in the quenched and drawn condition and must be submitted to a magnetic test to detect the presence of quenching cracks.

It is further ordered, that this order shall become effective on July 21st, 1945, and shall remain in full force and effect until further order of the Commission;

And it is further ordered, that a copy of this order shall be served upon all parties of record herein; and notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register. (Sec. 232-236, 41 Stat. 1444-1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1237, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U. S. C. 383, 49 U. S. C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-13462; Filed, July 24, 1945; 10:45 a. m.]

[1] Part 3 in this order appears in CFR as Part 72.

Chapter II—Office of Defense Transportation

[Special Direction ODT 7, Rev. 1, as Amended, Revocation]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, PERMITS AND SPECIAL DIRECTIONS

MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to Executive Order 8989, as amended, Special Direction ODT 7, Revised 1, as amended, (8 F.R. 10445, 12671, 16702) is hereby revoked, effective July 27, 1945.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 25th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13585; Filed, July 25, 1945; 10:23 a. m.]

[Special Direction ODT 7, Rev. 3, Revocation]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, PERMITS AND SPECIAL DIRECTIONS

MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to Executive Order 8989, as amended, Special Direction ODT 7, Revised 3 (9 F.R. 12292), is hereby revoked, effective August 15, 1945.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 25th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13596; Filed, July 25, 1945; 10:23 a. m.]

[Special Direction ODT 7, Rev. 4, Revocation]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

MOVEMENT OF ASPHALT, ASPHALTUM OR TAR IN RAILWAY TANK CARS

Pursuant to Executive Order 8989, as amended, Special Direction ODT 7, Revised 4 (10 F.R. 3648), is hereby revoked, effective July 27, 1945.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 25th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13597; Filed, July 25, 1945; 10:23 a. m.]

(c) *Applicability of Revised Maximum Price Regulation 165.* Except as provided to the contrary, all the other pro-

exceed the applicable maximum price) excluding the cost of cartage from his

[1] Part 3 in this order appears in CFR as Part 72.

[Special Direction ODT 7, Rev. 5]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to the provisions of §§ 502.102 and 502.103 of General Order ODT 7, Revised, as amended (7 F.R. 10484, 9 F.R. 11713, 14072); *It is hereby ordered*, That:

§ 522.910 *Use of tank cars restricted.* Unless authorized by a special permit issued by the Division Director, Tank Car Division, Liquid Transport Department, Office of Defense Transportation, no person shall offer for shipment, and no carrier shall accept for shipment, forward, or transport (a) any loaded tank car of a shell capacity of less than 7,000 gallons containing petroleum or petroleum products to be transported to a destination in the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, and Virginia or the District of Columbia from a point of origin outside of such States or the District of Columbia; or (b) any loaded tank car of a shell capacity of less than 8,200 gallons containing a commodity to be transported to a destination in the States of California, Idaho, Nevada, Oregon, Utah, or Washington from a point of origin outside such States.

§ 522.911 *Communications.* Communications concerning this Special Direction should be addressed to the Tank Car Division, Liquid Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Direction ODT 7, Revised 5."

This special direction shall become effective August 15, 1945.

Issued at Washington, D. C., this 25th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13598; Filed, July 25, 1945; 10:23 a. m.]

[Gen. Permit ODT 7, Rev. 1]

TRAFFIC MOVEMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to § 502.105 of General Order ODT 7, Revised, as amended (7 F.R. 10484, 9 F.R. 11713, 14072), it is hereby authorized, that:

§ 522.912 *Mileage limitation on use of tank cars.* Notwithstanding the provisions of § 502.105 of General Order ODT 7, Revised, as amended, during the period July 27, 1945, to December 31, 1945, any person may offer for shipment and any carrier may accept for shipment, forward, and transport loaded tank cars containing a commodity to be transported to any destination in the United States or a foreign country less than 200 miles from the shipping point in the United States: *Provided*, That such loaded tank car is not to be transported less than 80 miles, (such distance being measured by the shortest available published rail tariff route, whether billed or transported over such route or otherwise), and does not originate in, is not destined to, or does not move within the States of California, Idaho, Nevada, Oregon, Utah, or Washington.

This General Permit ODT 7, Revised 1, shall become effective July 27, 1945.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 25th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13599; Filed, July 25, 1945; 10:24 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 2054030]

ARIZONA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 16, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

GILA AND SALT RIVER MERIDIAN

T. 22 N., R. 18 W.,
Sec. 7, lots 1, 2, 3, 4, and E½W½;
Sec. 19, lots 1, 2, 3, and 4;
Sec. 25, lot 7.

The area described aggregates 526.65 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-13592; Filed, July 25, 1945; 9:44 a. m.]

[Misc. 2054033]

UTAH

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 16, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

SALT LAKE MERIDIAN

T. 12 N., R. 6 E.,
Sec. 20, SW¼SE¼;
Sec. 29, SE¼NW¼ and NW¼NE¼.

The area described aggregates 120 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L.D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-13593; Filed, July 25, 1945; 9:44 a. m.]

[Misc. 2054034]

WYOMING

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 16, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec. 315g), the following described lands have been reconveyed to the United States:

SIXTH PRINCIPAL MERIDIAN

T. 12 N., R. 114 W.,
Sec. 3, SE¼SE¼;
Sec. 10, NE¼NW¼ and N½NE¼.
T. 24 N., R. 115 W.,
Sec. 1, NW¼SE¼.

The areas described aggregate 200 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Evanston, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L.D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-13594; Filed, July 25, 1945; 9:44 a. m.]

DEPARTMENT OF AGRICULTURE.

Office of Marketing Services.

ORDER ADMINISTRATOR AND ALTERNATE ORDER ADMINISTRATOR

DELEGATION OF AUTHORITY WITH RESPECT TO LIVESTOCK AND MEATS CERTIFICATION

Pursuant to the authority vested in me by War Food Order No. 139 (10 F.R. 8806), and to effectuate the purposes thereof and of Section 3A of the Stabilization Act of 1942, as amended, M. O. Cooper is hereby designated as Order Administrator and A. B. Smeby as Alternate Order Administrator of War Food Order No. 139.

The Order Administrator, or in his absence or inability to act the Alternate Order Administrator, is hereby authorized:

(1) To grant or deny applications for certification under Section 3A of the Stabilization Act of 1942, as amended, and War Food Order No. 139, and to issue evidence of certification to applicants who qualify under the said act and order;

(2) To grant or deny relief from hardship subject to review by the Director or Acting Director of Marketing Services upon the request of the petitioner. In granting or denying such relief, the Order Administrator and Alternate Order Administrator shall take into consideration any facts submitted by the petitioner, together with such other facts as may be deemed material.

All authority herein conferred shall be exercised in accordance with the standards contained in War Food Order No. 139, and shall be subject to the supervision of the Chief of the Livestock and Meats Branch, Office of Marketing Services, United States Department of Agriculture, and to such general instructions concerning policy and procedure as may from time to time be issued by the Director or Acting Director of Marketing Services.

Any action taken pursuant to the authority herein delegated shall be evi-

denced by individual written notice to the person concerned and not by general order.

Nothing herein contained shall be construed as affecting any power or authority vested in the Director or Acting Director of Marketing Services.

Issued this 24th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13573; Filed, July 24, 1945; 4:28 p. m.]

Rural Electrification Administration.

[Administrative Order 908]

ALLOCATION OF FUNDS FOR LOANS

JUNE 2, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Wisconsin 5062GT6 La Crosse	$370,084
Wisconsin 5-2061GT6 La Crosse	129,916

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13574; Filed, July 24, 1945; 4:28 p. m.]

[Administrative Order 909]

ALLOCATION OF FUNDS FOR LOANS

JUNE 2, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Indiana 5-46026B2 Daviess	$50,000
Iowa 5-46041C3 Hancock	45,000
Iowa 5-46050B4 Lyon	75,000
Iowa 5-46061C3 Cherokee	50,000
Iowa 5-46077B1 Davis	100,000
Kentucky 5-46023C4 Jackson	50,000
Kentucky 5-46023C2 Taylor	50,000
Kentucky 5-46020B3 Shelby	50,000
Kentucky 5-46040B4 Clark	50,000
Kentucky 5-46054C5 Wayne	50,000
Kentucky 5-46055E3 Henderson-Union	60,000
Minnesota 5-46039D3 Olmsted	134,000
Mississippi 5-46023E3 Copiah	50,000
Missouri 5-46012B1 Pemiscot	140,000
Missouri 5-46046C1 Taney	120,000
Montana 5-46012D2 Missoula	50,000
Oklahoma 5-46016E1 Pontotoc	140,000
Oklahoma 5-46022H1 Cotton	120,000
Oklahoma 5-46024C1 Lincoln	170,000
North Carolina 5-46010C4 Haywood	25,000
Texas 5-46002C1 Bailey	150,000
Texas 5-46099B4 Jones	100,000
Texas 5-46113A2 Dickens	100,000
Texas 5-46119A2 Kimble	100,000
Wisconsin 5-46048C2 Waupaca	60,000
Wisconsin 5-46055B3 Adams	35,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13575; Filed, July 24, 1945; 4:28 p. m.]

[Administrative Order 910]

ALLOCATION OF FUNDS FOR LOANS

JUNE 11, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Georgia 5-46088C4 Telfair	$50,000
Georgia 5-46097B1 Dooly	125,000
Indiana 5-46007B4 Whitley	50,000
Iowa 5-46080B1 Ringgold	120,000
Kansas 5-46031C1 Crawford	100,000
Minnesota 5-46055F3 Watonwan	86,000
Minnesota 5-46058C2 Kandiyohi	35,000
Missouri 5-46032H1 Atchison	180,000
Missouri 5-46041B1 Platte	145,000
Montana 5-46021B3 Big Horn	93,000
North Carolina 5-46026B5 Randolph	85,000
North Carolina 5-46047B1 Wake	186,000
North Carolina 5-46048B1 Mecklenburg	119,000
North Carolina 5-46059C1 Beaufort	230,000
Oklahoma 5-46027D1 Bryan	160,000
Texas 5-46077B5 Johnson	50,000
Texas 5-46078C2 Cherokee	110,000
Texas 5-46080C3 Collingsworth	92,000
Virginia 5-46037C1 Nansemond	125,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13576; Filed, July 24, 1945; 4:28 p. m.]

[Administrative Order 911]

ALLOCATION OF FUNDS FOR LOANS

JUNE 11, 1945.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
South Carolina 5-46014S9 Aiken	$5,000
South Carolina 5-46047S1 Bamberg	45,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13577; Filed, July 24, 1945; 4:28 p. m.]

[Administrative Order 912]

MISCELLANEOUS AMENDMENTS

JUNE 11, 1945.

I hereby amend:

(a) Administrative Order No. 545, dated December 6, 1940, and Administrative Order No. 736, dated January 9, 1943, by changing the project designation appearing therein as "Oregon 1028C1 Oakland" in the amount of $125,000 to read "Oregon 1028T1 Oakland";

(b) Administrative Order No. 736, dated January 9, 1943, by changing the project designations appearing therein as "Oregon 17 Douglas (Oregon 1028C1 Oakland)" in the amount of $17,299.16 and "Oregon 1017B1 Douglas" in the amount of $107,700.84 to read "Oregon 17 Douglas (Oregon 1028T1 Oakland)" in the amount of $17,299.16 and "Oregon 1017T1 Douglas" in the amount of $107,700.84;

(c) Administrative Order No. 736, dated January 9, 1943, by changing the project designation appearing therein as "Oregon 2017C1 Douglas" in the amount of $210,421.31 to read "Oregon 2017B1 Douglas."

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13578; Filed, July 24, 1945; 4:28 p. m.]

[Administrative Order 913]

ALLOCATION OF FUNDS FOR LOANS

JUNE 11, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Oregon 5-46017T2 Douglas	$63,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13579; Filed, July 24, 1945; 4:29 p. m.]

[Administrative Order 914]

ALLOCATION OF FUNDS FOR LOANS

JUNE 14, 1945.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Texas 5-46128S3 Emery	$8,400
Texas 5-46133S2 Waller	18,000
Virginia 5-46047S1 Powhatan	45,000
Virginia 5-46048S1 Lunenburg	52,600

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13580; Filed, July 24, 1945; 4:29 p. m.]

[Administrative Order 915]

ALLOCATION OF FUNDS FOR LOANS

JUNE 14, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Iowa 5-46002C1 Sioux	$100,000
Iowa 5-46032F1 Butler	75,000
Iowa 5-46036D2 Wright	50,000
Kentucky 5-46057B2 Bell	50,000
Missouri 5-46048D1 Newton	170,000
Montana 5-46013D1 Flathead	160,000
Texas 5-46049B5 Denton	50,000
Texas 5-46065C4 Rusk	50,000
Wyoming 5-46023A2 Shoshone	50,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13581; Filed, July 24, 1945; 4:29 p. m.]

[Administrative Order 916]

ALLOCATION OF FUNDS FOR LOANS

JUNE 14, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Florida 5-46015A5 Lafayette	$50,000
Indiana 5-46047C1 Orange	150,000
Iowa 5-46070B3 Osceola	25,000
Kentucky 5-46052F2 Fleming	50,000
Louisiana 5-46010F1 Washington	265,000
Maryland 5-46007F1 Caroline	289,000
Missouri 5-46028E1 Barton	120,000
Oregon 5-46027A1 Harney	148,000
South Carolina 5-46014E2 Aiken	50,000
South Carolina 5-46036B1 Barnwell	260,000
South Dakota 5-46012D1 Minnehaha	100,000
Texas 5-46041F2 Panola	50,000
Texas 5-46058C2 Fayette	50,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13582; Filed, July 24, 1945; 4:29 p. m.]

[Administrative Order 917]

ALLOCATION OF FUNDS FOR LOANS

JUNE 14, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Michigan 5-46037G2 Huron	$120,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13583; Filed, July 24, 1945; 4:29 p. m.]

[Administrative Order 918]

ALLOCATION OF FUNDS FOR LOANS

JUNE 14, 1945

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Michigan 5-46033D2 Charlevoix	$40,277.18
Michigan 5-46033G2 Charlevoix	9,722.82

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13584; Filed, July 24, 1945; 4:29 p. m.]

[Administrative Order 919]

ALLOCATIONS OF FUNDS FOR LOANS

JUNE 18, 1945.

Inasmuch as (1) Alabama Electric Cooperative, Inc. has assigned to Covington Electric Cooperative, Inc. its rights and interests under its loan contract with the United States of America to borrow $639,000 of the loan provided for therein to finance the construction of approximately 619 miles of distribution and service lines in the Counties of Barbour, Coffee, Conecuh, Covington, Crenshaw, Dale, Escambia, Geneva, Monroe and Pike in the State of Alabama, to serve approximately 1,614 members, and (2) Alabama Electric Cooperative, Inc. has transferred to Covington Electric Cooperative, Inc., approximately 138 miles of distribution and service line in the Counties of Barbour, Coffee, Conecuh, Covington, Crenshaw, Dale, Monroe and Pike in the State of Alabama, serving approximately 2,177 members, and Covington Electric Cooperatives, Inc. in consideration therefor has assumed in part the indebtedness of Alabama Electric Co-operative, Inc. to United States of America arising out of the loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend Administrative Order No. 836, dated June 6, 1944, by changing the project designation appearing therein as "Alabama 4042A1 Montgomery" in the amount of $1,015,000 to read as follows:

Project Designation:	*Amount*
Alabama 4044A1 Covington	$639,000
Alabama 44 Covington (Alabama 4042A1 Montgomery)	376,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13585; Filed, July 24, 1945; 4:29 p. m.]

[Administrative Order 920]

ALLOCATION OF FUNDS FOR LOANS

JUNE 18, 1945.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Texas 5-4614S2 Wylie	$15,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13586; Filed, July 24, 1945; 4:30 p. m.]

[Administrative Order 921]

ALLOCATION OF FUNDS FOR LOANS

JUNE 18, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Alabama 5-46044A2 Covington	$100,000
Arkansas 5-46015C3 Woodruff	200,000
Florida 5-46014E2 Clay	50,000
Georgia 5-46092B1 Brantley	300,000
Indiana 5-46029D3 Fulton	50,000
Indiana 5-46083B1 Dubois	450,000
Iowa 5-46030C3 Franklin	40,000
Iowa 5-46051D1 Winnebago	100,000
Iowa 5-46052D1 Howard	75,000
Kansas 5-46038A1 Chautauqua	200,000
Louisiana 5-46018C1 Beauregard	150,000
Minnesota 5-46066D3 Nobles	117,000
Missouri 5-46045C1 Osage	160,000
Nebraska 5-46054D1 Cuming District Public	250,000
Nebraska 5-46083A1 Custer District Public	480,000
North Carolina 5-46016E1 Edgecombe	176,000
North Carolina 5-46031C1 Halifax	285,000
North Carolina 5-46034C1 Anson	132,000
North Carolina 5-46035D1 Davidson	211,000
North Carolina 5-46051B1 Hoke	154,000
Oklahoma 5-46002F1 Kay	120,000
South Carolina 5-46031A4 Horry	50,000
South Carolina 5-46032B1 Calhoun	165,000
Texas 5-46011E1 Kaufman	100,000
Texas 5-46061E2 Coleman	75,000
Texas 5-46098C1 Young	100,000
Texas 5-46108C1 Swisher	100,000
Texas 5-46125D1 Jasper	250,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13587; Filed, July 24, 1945; 4:30 p. m.]

[Administrative Order 922]

ALLOCATION OF FUNDS FOR LOANS

JUNE 21, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Indiana 5-46072C1 Clark	$215,000
Iowa 5-46009L1 Scott	150,000
Iowa 5-46023D1 Crawford	100,000
Iowa 5-46027E1 Buena Vista	100,000
Nebraska 5-46051E3 Burt District Public	125,000
New Mexico 5-46008B3 Roosevelt	50,000
North Carolina 5-46025H1 Rutherford	118,000
Ohio 5-46075D1 Williams	60,000
Ohio 5-46084D1 Carroll	150,000
Tennessee 5-46051C1 Johnson	300,000
Texas 5-46045C1 Limestone	110,000
Texas 5-46063E1 Navarro	125,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 45-13588; Filed, July 24, 1945; 4:30 p. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 95]

THOMAS HUGHES

FINDING AS TO CONTRACTS IN PROSECUTION OF THE WAR

In the matter of Thomas Hughes, Rochester, New York, Case No. S-2393.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, pub-

[F. R. Doc. 45-13575; Filed, July 24, 1945; 4:28 p. m.]

lished in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Thomas Hughes, Rochester, New York,

I find that the motor vehicle transportation of coal by Thomas Hughes, Rochester, New York, pursuant to contract with Rochester Gas and Electric Corporation, Rochester, New York, American Laundry Machinery Company, Rochester, New York, and Bethlehem Steel Corporation, Buffalo, New York, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 24th day of July 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

[F. R. Doc. 45-13651; Filed, July 25, 1945; 11:47 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5958]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

JULY 23, 1945.

Notice is hereby given that on July 23, 1945, an application was filed with the Federal Power Commission, pursuant to sections 203 and 204 of the Federal Power Act, by Montana-Dakota Utilities Co. ("Applicant"), a corporation organized under the laws of the State of Delaware and carrying on electric and gas utilities business in the States of Montana, North Dakota and South Dakota and a gas utility business in the State of Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing (1) the purchase by applicant of all of the outstanding securities of Dakota Public Service Company, a Delaware corporation, from United Public Utility Corporation, the securities to be purchased consisting of 8,370 shares of common stock without par value, $1,000,000 of First and Refunding Mortgage Bonds due October 1, 1946, $2,500,000 of Notes Payable due July 1, 1949, and a $1,335,794 Income Note Payable due July 1, 1949; (2) the acquisition by applicant of all of the electric utility properties of Dakota Public Service Company, hereinafter more particularly described, subject to its liabilities, by the liquidation of the latter company immediately after the purchase of its outstanding securities by applicant, all of the securites so to be purchased to be surrendered for cancellation in the liquidation of Dakota Public Service Company; and (3) the issuance by applicant of securities as follows:

(a) $6,500,000 of Notes Payable to commercial banks, which notes will be issued to represent bank indebtedness temporarily incurred to finance the purchase of the outstanding securities of Dakota Public Service Company and which will be paid upon the liquidation of that company and the issuance of the $4,000,000 of Bonds and 223,351-4/6 shares of common stock to be issued;

(b) $4,000,000 of First Mortgage Bonds, 3% Series Due September 1, 1970, to be dated as of September 1, 1945, and issued as an additional series of bonds under applicant's existing Indenture of Mortgage dated as of May 1, 1939, and Indentures Supplemental thereto;

(c) 223,351-4/6 shares of common stock of the par value of $5.00 each;

all as more fully appears in the application on file with the Commission.

The electric utility properties of Dakota Public Service Company, as reported to the Commission by Dakota Public Service Company in its Annual Report (F. P. C. Form No. 1) for 1944, comprise an electric utility system in north central South Dakota and adjacent territory in southern North Dakota, and include the following facilities: 10 generating stations, approximately 750 miles of high voltage transmission lines, and approximately 900 miles of distribution lines.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 10th day of August, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-13603; Filed, July 25, 1945; 11:17 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 1022]

RECONSIGNMENT OF ORANGES AT LOUISVILLE, KY.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Louisville, Kentucky, July 23, 1945, by Associated Fruit Distributors of California, of car MDT 14681, oranges, now on the Louisville and Nashville Railroad, to Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13600; Filed, July 25, 1945; 10:31 a. m.]

[S. O. 70-A, Special Permit 1023]

RECONSIGNMENT OF CABBAGE AT DALLAS, TEX.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943 permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Dallas, Texas, July 13, 1945, of car SFRD 33153, cabbage, on the Texas & Pacific Railroad, to Independent Produce Company, Fort Worth, Texas, account failure of railroads to transmit reconsigning instructions.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13601; Filed, July 25, 1945; 10:31 a. m.]

[2d Rev. S. O. 300, Amended Special Permit 13]

ICING OF POTATOES FROM LONG ISLAND, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 4539), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing on not to exceed fifty one (51) refrigerator cars, loaded with potatoes, to be shipped July 16, 17, 18 and 19, 1945, from points on the Long Island Railroad, at a rate not to exceed 15 cars on any one day, consigned to Quarter Master Market Center, New Orleans, Louisiana, for export, and to accord one reicing in transit only at Columbus, Ohio, (by P. R. R.) on the said fifty one (51) cars.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of July, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13602; Filed, July 25, 1945; 10:31 a. m.]

[2d Rev. S. O. 300, Special Permit 15]

REFRIGERATION OF POTATES FROM GREENPORT, LONG ISLAND, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on cars PFE 74492 and FGE 11012, potatoes, shipped by F. H. Vahlsing, Inc., July 24 or 25, 1945, from Greenport, Long Island, New York, to N. Geraci & Company, Inc., Tampa, Florida. (L. I. RR-P. R. R.-R. F. & P.-A. C. L.).

The waybills shall show preference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of July, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13603; Filed, July 25, 1945; 10:31 a. m.]

[S. O. 332, Special Permit 4]

LOADING AND BILLING OF GARBAGE FROM LOS ANGELES, CALIF.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 332 (10 F.R. 8603), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 332 insofar as it applies to the loading and billing of not to exceed eleven (11) cars of garbage by or for the city of Los Angeles, California, and the movement of such cars when so loaded to Fontana Farms Company, Fontana, California.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of July, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13604; Filed, July 25, 1945; 10:31 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5108]

ALEXANDER PFISTER

In re: Estate of Alexander Pfister, deceased; File D-66-836; E. T. sec. 5153.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: The sum of $13,320.44 in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited, pursuant to orders of the Probate Court of Cook County, Illinois, entered March 5, 1942 and October 14, 1943, in the matter of the estate of Alexander Pfister, deceased;

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Addresses

Hilda Pfisterer, Germany.
Ella Pfisterer, Germany.
Albert Pfisterer, Germany.
Hans Pfisterer, Germany.
Gerd Pfisterer, Germany.

That such property is in the process of administration by the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13609; Filed, July 25, 1945; 11:18 a. m.]

[Vesting Order 5109]

GERD AND ROSE MARIA SASSEN

In re: Guardianship estate of Gerd Sassen and Rose Maria Sassen, minors; File D-28-8987; E. T. sec. 11379.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All the property and estate of Gerd Sassen and Rose Maria Sassen of any nature whatsoever in the possession of H. W. McLeod as Guardian of the Estate of Gerd Sassen and Rose Maria Sassen, minors,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Gerd Sassen, Germany.
Rose Maria Sassen, Germany.

That such property is in the process of administration by H. W. McLeod, 830 Williamson Building, Cleveland, Ohio, as Guardian of the Estate of Gerd Sassen and Rose Maria Sassen, minors, acting under the judicial supervision of the Probate Court of Cuyahoga County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be

determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13610; Filed, July 25, 1945; 11:18 a. m.]

[Vesting Order 5110]

IDA SCHWAAN ET AL.

In re: Ida Schwaan vs. Eugene F. Schwaan, Jr. et al.; File No. F–28–15169; E. T. sec. 6787.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mildred Schwaan in and to the proceeds of the real property sold pursuant to order of court in a partition suit entitled, "Ida Schwaan vs. Eugene F. Schwaan, Jr. et al." in the Superior Court of Cook County, Illinois, File 41–S–16611, and in and to the rents produced by said real property,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mildred Schwaan, Germany.

That such property is in the process of administration by Henry L. Burman, 11 South La Salle Street, Chicago, Illinois, as Master in Chancery and Eugene F. Schwaan, Jr., 3327 Armitage Avenue, Chicago, Illinois, as Agent, acting under the judicial supervision of the Superior Court of Cook County, Chicago, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13611; Filed, July 25, 1945; 11:18 a. m.]

[Vesting Order 5111]

ANTONIA TESAR

In re: Trust under the will and codicil of Antonia Tesar, also known as Antonie Tesar, also known as Tony Tesar, also known as Tonie Tesar, deceased; file F–17–1666; E. T. sec. 4361.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Paul Lacher, Mrs. Sophie Rirsch, Matous Macek, Jr., Tobias (Tobis) Macek, Josef (Joseph) Macek, Mrs. Wetty Vrzag (Ursag), Mrs. Anna Gruber, Mrs. Mizzi Hermann, Frank Schleifer and Mrs. Antonia Svartz, and each of them, in and to the trust under the Will and Codicil of Antonia Tesar, also known as Antonie Tesar, also known as Tony Tesar, also known as Tonie Tesar, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Paul Lacher, Germany (Austria).
Mrs. Sophie Rirsch, Germany (Austria).
Matous Macek, Jr., Germany (Austria).
Tobias (Tobis) Macek, Germany (Austria).
Josef (Joseph) Macek, Germany (Austria).
Mrs. Wetty Vrzag (Ursag), Germany, (Austria).
Mrs. Anna Gruber, Germany (Austria).
Mrs. Mizzi Hermann, Germany (Austria).
Frank Schleifer, Germany (Austria).
Mrs. Antonia Svartz, Germany (Austria).

That such property is in the process of administration by the Bank of Sheboygan, 622 North Eighth Street, Sheboygan, Wisconsin, as Trustee under the Will and Codicil of Antonia Tesar, also known as Antonie Tesar, also known as Tony Tesar, also known as Tonie Tesar, deceased, acting under the judicial supervision of the County Court of Sheboygan County, in Probate, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13612; Filed, July 25, 1945; 11:19 a. m.]

[Vesting Order 5112]

BERTIE WAGNER

In re: Estate of Bertie Wagner, deceased; File D–28–8596; E. T. sec. 10215.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $300.00 retained by Clark A. Wallace, as Executor of the Estate of Bertie Wagner, deceased, for Walter Wagner pursuant to an order of final settlement of the Probate Court of Kingman County, Kansas, dated July 29, 1944, and entered in the matter of the Estate of Bertie Wagner, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Walter Wagner, Germany.

That such property is in the process of administration by Clark A. Wallace, 715 North Main Street, Kingman, Kansas, as Executor of the estate of Bertie Wagner, deceased, acting under the judicial supervision of the Probate Court of Kingman County, Kansas;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13613; Filed, July 25, 1945; 11:19 a. m.]

[Vesting Order 5113]

META WIPPESAHL

In re: Estate of Meta Wippesahl, deceased; File No. D–28–8804; E. T. sec. 12096.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Henrich Wippesahl, Bertha Buntemeyer, also known as Bertha Buntemeyr, and Anna Frese, and each of them, in and to the estate of Meta Wippesahl, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Henrich Wippesahl, Germany.
Bertha Buntemeyer, also known as Bertha Buntemeyr, Germany.
Anna Frese, Germany.

That such property is in the process of administration by Irving Fitch, Surrogate of Cape May County, and Clerk of the Cape May County Orphans' Court, acting under the judicial supervision of the Orhans' Court of Cape May County, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45–13614; Filed, July 25, 1945; 11:19 a. m.]

[Vesting Order 5117]

CAROLINE BECHTOLD

In re: Estate of Caroline Bechtold, deceased; File D–28–9044; E. T. sec. 11534.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Heinrich Bechtold, Katie Bechtold, and Heinrich Bechtold, Jr., and each of them, in and to the estate of Caroline Bechtold, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Bechtold, Germany.
Katie Bechtold, Germany.
Heinrich Bechtold, Jr., Germany.

That such property is in the process of administration by Walter A. Bechtold, 1328 North 63rd Court, Milwaukee, Wisconsin, as Administrator de bonis non cum testamento annexo of the estate of Caroline Bechtold, deceased, acting under the judicial supervision of the County Court of Milwaukee County, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–13615; Filed, July 25, 1945; 11:19 a. m.]

[Vesting Order 5118]

ADA URSULA BRAMBEER

In re: Guardianship of Ada Ursula Brambeer, a minor; File F–28–7364; E. T. sec. 1351.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All the property and estate of Ada Ursula Brambeer of any nature whatsoever in the possession of Bank of New York as Guardian of the Estate of Ada Ursula Brambeer, an infant,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely:

National and Last Known Address

Ada Ursula Brambeer, Germany.

That such property is in the process of administration by the Bank of New York, as Guardian, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13616; Filed, July 25, 1945; 11:19 a. m.]

[Vesting Order 5119]

ANTONIE CURTZE

In re: Estate of Antonie Curtze, deceased; File D-28-9744; E.T. sec. 13654.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marie Enderle in and to the Estate of Antonie Curtze, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Marie Enderle, Germany.

That such property is in the process of administration by Edwin H. Curtze and Julia Curtze Kern, as Executors, acting under the judicial supervision of the Orphans' Court of Erie County, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13617; Filed, July 25, 1945; 11:19 a. m.]

[Vesting Order 5120]

NATHANIEL JULIUS REICH

In re: Estate of Nathaniel Julius Reich, deceased; File D-34-838; E. T. sec. 13626.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emma Rosenzweig in and to the Estate of Nathaniel Julius Reich, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Emma Rosenzweig, Hungary.

That such property is in the process of administration by Louis J. Goffman, as Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13618; Filed, July 25, 1945; 11:20 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 68 Under 3 (e)]

TREEMS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Maximum prices for sales of "Nu-Coat" a leather refinisher, manufactured by Treems, Inc., Chicago, Illinois are established as follows:

For sales to—	*Maximum price per dozen 4-oz. bottles*
Distributor	$3.38.
Jobber	3.96.
Retailer	$4.97 less 1% 10 days.
Consumer	$8.28, or $0.69 per 4-oz. bottle.

Manufacturer's sales subject to a freight allowance of 75 cents per case of 36 4-oz. bottles.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a jobber or distributor, the manufacturer shall furnish such jobber or distibutor with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) With or prior to the first delivery of the aforesaid commodity by a distributor to a jobber, the manufacturer shall furnish such jobber with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been estbalished by the Office of Price Administration.

(e) Prior to making any delivery of Nu-Coat, after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum retail price—69 cents

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13426; Filed, July 23, 1945; 4:25 p. m.]

[Max Import Price Reg., Order 99]

SNAKE KING

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, It is ordered:

(a) *What this order does.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, certain windproof type sterling silver cigarette lighters marked "Wask-Sterling—Mexico" imported from Mexico by W. A. King, doing business as Snake King, Brownsville, Texas, hereinafter called the "importer".

(b) *Maximum prices on sales by the importer.* The importer may not sell these cigarette lighters and no person may buy them from him at prices exceeding the following:

Class of purchaser:	*Maximum prices*
Wholesalers	$5 each, delivered.
Retailers	$6 each, delivered.
Consumers	$10 each.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell such cigarette lighters, and no person may buy them from such sellers, at prices higher than the following:

Class of seller:	*Maximum prices*
Wholesalers	$6 each, delivered.
Retailers	$10 each.

(d) *Importer to notify wholesalers.* The importer shall include the following statement on each invoice covering sales of such lighters to wholesalers:

Order No. 99 issued by the Office of Price Administration under the Maximum Import Price Regulation, establishes your maximum selling price for these cigarette lighters at $6.00 each delivered, and requires that you include on your invoice to each retailer a statement that his maximum selling price under that order is $10.00 each.

(e) *Importer and wholesaler to notify retailers.* The importer and every wholesaler selling such cigarette lighters to retailers shall include on the invoice to each retailer the following statement:

Your maximum selling price for these cigarette lighters, as established by Order No. 99 issued by the Office of Price Administration under the Maximum Import Price Regulation is $10.00 each.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13427; Filed, July 23, 1945; 4:25 p. m.]

[MPR 120, Order 1432]

BITUMINOUS COAL IN DISTRICT 8

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced at mines in Pike and Letcher Counties, Kentucky, District No. 8 which do not have a rail connection and are forced to truck to a rail siding may be sold at the maximum prices established for those mines by § 1340.219 of Maximum Price Regulation No. 120 for rail or river shipment plus the sum of 50 cents per net ton.

(b) The prices established herein are f. o. b. transportation facilities, at the rail or river loading point.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) Except as specifically provided in this order the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(e) The applicant shall include a statement on all invoices in connection with the sales of coal priced under this order that the price charged includes an adjustment granted by Order No. 1432 under Maximum Price Regulation No. 120 of the Office of Price Administration.

This order shall become effective July 23, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13428; Filed, July 23, 1945; 4:25 p. m.]

[MPR 188, Amdt. 1 to Order 3368]

D. A. SMITH CHAIR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158, *It is ordered*, That Order No. 3368 under MPR 188 be amended in the following respect:

Paragraph (a) (1) is amended to read as follows:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Lounge chair and ottoman	45	$18.83	$22.15

These prices are approved in cover fabric at $1.35 to $1.75 per yard.

These prices are f. o. b. factory, subject to a cash discount of two per cent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated August 21, 1944.

This amendment shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13429; Filed, July 23, 1945; 4:26 p. m.]

[MPR 188, Rev. Order 3474]

WARREN SCREW PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3474 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of

Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the automobile tire pump manufactured by Warren Screw Products Co., of 7860 N. Dixie Highway, Newport, Michigan, which is described in the manufacturer's application dated November 6, 1944.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

	Each
For sales to jobbers who stock	$0.78
For sales to drop shipment jobbers	.95
For sales to retailers	1.05
For sales to consumers	1.56

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days; except that sales to consumers are net.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, Section 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$1.56
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13430; Filed, July 23, 1945; 4:25 p. m.]

[MPR 188, Order 4135]

FLORENCE LAMP CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Florence Lamp Company, Inc., 49 West 27th Street, New York 1, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
Portable crystal table lamp	115	$1.21	$1.42	$2.56

These maximum prices are for the articles described in the manufacturer's application dated April 5, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13431; Filed, July 23, 1945; 4:26 p. m.]

[MPR 188, Order 4136]

NEW BRUNSWICK LAMP SHADE CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by New Brunswick Lamp Shade Co., Inc., 231 Burnet Street, New Brunswick, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
12" lamp shades	300	$0.98	$1.15	$2.07
	400	1.19	1.40	2.52
	500	.85	1.00	1.80

These maximum prices are for the articles described in the manufacturer's application dated April 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14-J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 24th day of July 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13432; Filed, July 23, 1945; 4:26 p. m.]

[MPR 260, Order 1619]

FRITZ MAIER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Fritz Maier, 6635 McCallum, Philadelphia 19, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Hanci	Panetelas #17	50	$82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13433; Filed, July 23, 1945; 4:26 p. m.]

[MPR 260, Order 1620]

DIAMOND CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Diamond Cigar Factory, 1229 7th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Red Thistle	Capitanes	50	$82.50	11
	Coronas Extra	50	75.00	10
	Americas	50	66.00	7
	Sargents	50	72.00	9
	Allis	50	64.00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13434; Filed, July 23, 1945; 4:27 p. m.]

[MPR 260, Order 1621]

TAMPA VANA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Tampa Vana Cigar Co., 2007½ 11th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or

issued simultaneously herewith and filed any time.

Do Not Detach

Prices are established by this order is of der, the discounts they customarily buy or receive each brand and size or

frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Romano	Pearls	50	*Per M* $93.75	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13435; Filed, July 23, 1945; 4:27 p. m.]

[MPR 260, Order 1622]

S. K. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) S. K. Cigar Company, Felton, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
SK 16	Band Made	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13436; Filed, July 23, 1945; 4:27 p. m.]

[MPR 260, Order 1623]

JOSE ESCALANTE & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose Escalante and Company, 35 W. Jackson Blvd., Chicago, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ten-Ten	Stubbies	50	*Per M* $50	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the

same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13437; Filed, July 23, 1945; 4:27 p. m.]

[MPR 260, Order 1624]

EVANS L. EPPLEY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Evans L. Eppley, R. D. #2, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Silas Talbot	Paul's 378 de Luxe	50	*Per M* $48	*Cents* 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13438; Filed, July 23, 1945; 4:28 p. m.]

[MPR 260, Order 1625]

PACKER BROTHERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Packer Brothers, 318 W. 47 St., New York, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Romeo y Julieta	Cesares	25	*Per M* $450	*Cents* 60
	Obsequios	25	330	44

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13439; Filed, July 23, 1945; 4:28 p. m.]

[MPR 260, Order 1626]

J. & H. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. & H. Cigar Company, 219 Broadway, Bethlehem, Pa. (hereinafter called

"manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Composo	Cabinets	50	*Per M* $93.75	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13440; Filed, July 23, 1945; 4:28 p. m.]

[MPR 260, Order 1627]

N. E. NICHOLS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) N. E. Nichols, 8 West 45th St., New York, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Belinda	Champions	25	*Per M* $250	3 for $1
Punch	do	25	250	3 for $1
Hoyo de Monterrey	do	25	250	3 for $1

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13441; Filed, July 23, 1945; 4:28 p. m.]

[MPR 260, Order 1628]

JOSEPHINE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Josephine Cigar Factory, 1520 13th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Montecello [1]	Epicures	50	*Per M* $105.00	*Cents* 10
	Brevas	50	101.50	2
	Coronas	50	86.00	2

[1] Tobacco composition of this brand and frontmark to be the same as specified in application for this frontmark under "Josephine" brand.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13442; Filed, July 23, 1945; 4:29 p. m.]

[MPR 260, Order 1629]

VILMA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Vilma Cigar Factory, 1807 Columbus Drive, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Vilma	Capitanes	50	*Per M* $93.75	*Cents* 2 for 25
	Comandos	50	93.75	2 for 25

frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13443; Filed, July 23, 1945; 4:29 p. m.]

[MPR 120, Order 1431]

GREGORY RUN COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

GREGORY RUN COAL CO., BOX 221 CLARKSBURG, W. VA., GREGORY RUN MINE, PITTSBURG SEAM, MINE INDEX NO. 2145, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: WOLF SUMMIT, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment and railroad fuel	298	298	283	273	263
Truck shipment	333	333	308	298	288

HAGEBORN COAL CO., C/O CARL HAGABORN, DELLSLOW, W. VA., NO. 3 MINE, M. V. FREEPORT SEAM, MINE INDEX NO. 2147, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: ROCK FORGE, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	J	J	J	J	J
Rail shipment and rail road fuel	383	283	273	268	253
Truck shipment	333	333	308	298	288

JOHN HIGGINS & SON, C/O CHARLES HIGGINS, MORGANTOWN, W. VA., HIGGINS NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2146, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: CANYON SIDING, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	F	F	G	H	H
Rail shipment and railroad fuel	298	298	293	273	263
Truck shipment	333	333	308	298	288

YONEY AND KING COAL CO., MAIDSVILLE, W. VA., YONEY AND KING MINE, SEWICKLEY SEAM, MINE INDEX NO. 2157, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: MAIDSVILLE, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

Price classification	J	J	J	J	J
Rail shipment and railroad fuel	283	283	273	268	253
Truck shipment	308	303	278	268	253

This order shall become effective July 25, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13486; Filed, July 24, 1945; 11:01 a. m.]

[RMPR 136, Amdt. 1 to Rev. Order 143]

EDISON GENERAL ELECTRIC APPLIANCE CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Revised Maximum Price Regulation No. 136 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered*, That Order 143 under Maximum Price Regulation No. 136 be amended in the following respects:

1. Paragraph (a) is amended by adding the following model numbers and maximum prices at the end of the list of models and prices headed "Flat top sealed units":

Model:	*Maximum price for each unit*
FCA-1	$52.26
FCA-2	58.94

2. Paragraph (b) is amended by adding the following model numbers and maximum prices at the end of the list of models and prices headed "Flat top sealed units":

Model:	*Maximum price for each unit*
FCA-1	$57.85
FCA-2	65.36

3. Paragraph (c) is amended in the following respects:

a. The list of models and prices headed "Flat top sealed units" is amended by adding at the end thereof the following model numbers and maximum prices:

Model:	*Maximum price for each unit*
FCA-1	$77.00
FCA-2	87.00

b. The last sentence is amended to read as follows:

These prices include installation of the unit in the refrigerator of the consumer and the Federal excise tax, but whenever the dealer installs a model FGA-1 or FGA-2 replacement unit and also installs adaptor parts he may add $1.00 to the maximum prices listed above for sales of those models by him.

This amendment shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13487; Filed, July 24, 1945; 11:02 a. m.]

[MPR 188, Order 4144]

ATLAS MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Atlas Manufacturing Company, 9761 Olive Street Road, St. Louis 5, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by manufacturer to—		Maximum prices for sales by sellers other than manufacturer to—	
	Jobber	Dealer	Dealer	Consumer
Automatic electric grill, cold rolled, satin finished chrome plated steel cast aluminum plate for griddle, size 20½" x 14" x 10"	*Each* $38.00	*Each* $42.75	*Each* $42.75	*Each* $57.00

These maximum prices are for the articles described in the manufacturer's application dated April 20, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. Those prices are f. o. b. factory and subject to a cash discount of 1% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$57.00
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13473; Filed, July 24, 1945; 11:02 a. m.]

[MPR 188, Order 4145]

HERBERT MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Herbert Manufacturing Company, 1034 Spring Street, Philadelphia 7, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Metal bed lamp	#1	*Each* $1.00	*Each* $1.20	*Each* $2.10
Metal desk lamp	#2	1.65	1.95	3.50

These maximum prices are for the articles described in the manufacturer's application dated March 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13474; Filed, July 24, 1945; 11:02 a. m.]

[MPR 188, Order 4146]

DORSEY MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Dorsey Manufacturing Company, 657 Crocker Street, Los Angeles 21, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Plastic lamp base	#300	*Each* $7.50	*Each* $8.82	*Each* $15.00
	#400	9.42	11.08	19.95
	#500	10.39	12.22	22.00

These maximum prices are for the articles described in the manufacturer's application dated February 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13475; Filed, July 24, 1945; 11:02 a. m.]

[MPR 188, Order 4147]

KING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by King Company, 1618 Nostrand Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Metal plug-in lamp and shade	A-413	*Each* $1.05	*Each* $1.22	*Each* $2.20
Metal bed lamp	1	1.00	1.20	2.15

These maximum prices are for the articles described in the manufacturer's application dated April 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ----
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13476; Filed, July 24, 1945; 11:03 a. m.]

[MPR 188, Order 4148]

B & H SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by B & H Sales Company, 1472 Broadway, New York 18, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Metal bed lamp	1	*Each* $1.00	*Each* $1.20	*Each* $2.15

These maximum prices are for the articles described in the manufacturer's application dated June 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13477; Filed, July 24, 1945; 11:03 a. m.]

[MPR 188, Order 4149]

ACE METAL PLASTIC CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ace Metal Plastic Corp., 126 11th Ave., New York 11, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Jobber	Chain and department store	Other retailer	Consumer
Aluminum fry pan	FA7	*Each* $0.45	*Each* $0.54	*Each* $0.60	*Each* $0.90

These maximum prices are for the articles described in the manufacturer's application dated July 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.90 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13478; Filed, July 24, 1945; 11:03 a. m.]

[MPR 188, Order 4150]

MONTGOMERY & CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Montgomery & Company, 823¼ West Pico Boulevard, Los Angeles 15, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter (24 K gold filled)	"Aladdin"	*Each* $4.21	*Each* $5.61	*Each* $9.25

These maximum prices are for the articles described in the manufacturer's application dated July 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$9.35 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13479; Filed, July 24, 1945; 11:04 a. m.]

[MPR 188, Order 4152]

G. F. C. MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulations No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by G. F. C. Manufacturing Company, 85 Atlantic Avenue, Brooklyn 2, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Water-level crystal table lamp and shade with capture turret base and column or crystal glass and tassel glass base	1000	*Each* $5.21	*Each* $6.17	*Each* $11.10
	701	2.46	2.89	5.20

These maximum prices are for the articles described in the manufacturer's application dated May 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ----------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13480; Filed, July 24, 1945; 11:04 a. m.]

[MPR 188, Order 4153]

THE FURBLO CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Furblo Company, Hermansville, Michigan.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—				
		Distributors	Wholesalers (jobbers) mill, electric motor, restaurant and hotel, farm or store equipment stores	Industrial, commercial or institutional users (3 units or more)	Industrial, commercial or institutional users (less than 3 units)	Users other than industrial, commercial or institutional
10½" exhaust fan	1	*Each* $34.43	*Each* $38.25	*Each* $57.38	*Each* $65.03	*Each* $76.50
14½" exhaust fan with vent	2	35.85	39.83	59.74	67.70	79.65

These maximum prices are for the articles described in the manufacturer's application dated March 26, 1945. To each of these maximum prices, each seller may add only the exact amount of Federal Excise Tax which he is required to pay.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13481; Filed, July 24, 1945; 11:04 a. m.]

[MPR 188, Order 4154]

PITTSBURGH FLUORESCENT LIGHTING EQUIPMENT CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Pittsburgh Fluorescent Lighting Equipment Company, 928 Penn Avenue, Pittsburgh, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Lamp holder	#160	*Each* $2.50	*Each* $3	*Each* $3.90

These maximum prices are for the articles described in the manufacturer's application dated March 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers, they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling prices inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13482; Filed, July 24, 1945; 11:04 a. m.]

[MPR 188, Order 4155]

ACME CONCRETE PRODUCTS CO. AND MAULE INDUSTRIES

AUTHORIZATION OF MAXIMUM PRICES

A petition for modification of maximum prices has been filed by producers of concrete building blocks with plants located within a radius of 15 air-miles of the Dade County (Florida) Court House. This petition is being processed pursuant to the provisions of Maximum Price Regulation No. 188.

It appears that authorization for such producers to use adjustable pricing pending final action on the petition for modification of maximum prices is necessary to permit the production and continued supply of concrete building blocks, and that such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

After due consideration of the foregoing and in accordance with § 1499.19a of the General Maximum Price Regulation, which is made a part of Maximum Price Regulation No. 188, as amended, by incorporation pursuant to § 1499.151 thereof, *It is ordered:*

(a) Pending final determination by the Office of Price Administration of the petition for modification now on file, the Acme Concrete Products Company, Miami, Florida, and Maule Industries, Miami, Florida, are hereby authorized to sell, and any person may buy from them, concrete building blocks with a specification of 1,000 lbs. per square inch gross area at prices not in excess of the maximum prices presently established in paragraph (a) (32 (iv) of Order A–1 under Maximum Price Regulation No. 188, as amended: *Provided, however,* That the aforementioned companies may agree with any purchaser in any contract for the sale of these products that the contract price may be adjusted to conform to the final determination of the Price Administrator upon the pending petition for modification, and: *Provided further,* That the aforementioned companies may not receive, and its purchasers may not pay, an amount in excess of the maximum prices established under paragraph (a) (32) (iv) of Order A–1 under Maximum Price Regulation No. 188, as amended, until final action is taken on the petition for modification now pending, and unless such final action permits an increase in such maximum prices.

(b) This order shall be automatically revoked on the effective date of action by the Office of Price Administration on the petition for modification. It may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 25, 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13483; Filed, July 24, 1945; 11:05 a. m.]

[MPR 188, Order 4156]

MARCO MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Marco Manufacturing Company, 6423 West Boulevard, Inglewood, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	105	*Each* $1.58	*Each* $2.10	*Each* $3.50

These maximum prices are for the articles described in the manufacturer's application dated May 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$3.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 25th day of July 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13484; Filed, July 24, 1945; 11:05 a. m.]

[MPR 260, Order 1630]

GALLO & BAER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Gallo & Baer Cigar Company, 2202 N. Howard, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
West Point	Senator	50	$161.50	21
Adrian Black	do	50	161.50	21
Oxford Arms	do	50	161.50	21
Adrian Black	Vendia	50	131.00	17
West Point	do	50	131.00	17
Oxford Arms	do	50	131.00	17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 25, 1945.

Issued this 24th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13488; Filed, July 24, 1945; 11:05 a. m.]

[Rev. Gen. Order 51,[1] Amdt. 2]

HEALTH FOOD STORES

AUTHORIZATION TO FIX COMMUNITY CEILING PRICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (m) (6) is amended to read as follows:

(6) "Health food stores." A "health food store" or "health food department" is one whose sales to consumers consist principally of "specially prepared dietetic foods." For the purposes of this order a "health food department" is a separate and distinct department operated by separate and specially trained personnel and for which separate records and accounts are maintained.

"Specially prepared dietetic foods" are foods manufactured and sold for restricted diets and for special dietetic purposes, including but not limited to, specially prepared foods for diabetic or arthritic conditions, or high blood pressure; specially prepared weight building or tonic foods; and vitamin or mineral supplements.

This amendment shall become effective August 2, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved, July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13637; Filed, July 25, 1945; 11:46 a. m.]

[1] 9 F.R. 408, 11982.

[Max. Import Price Reg., Amdt. 2 to Order 83]

CERTAIN IMPORTED GOODS

RETAIL CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation; *It is ordered:*

Order No. 83 under the Maximum Import Price Regulation is amended in the following respects:

1. Paragraph (b) is amended by adding a new subparagraph (4) to read as follows:

(4) Goods you price under Maximum Price Regulation No. 580. (Even though an item falls in one of the classes of imported goods listed in paragraph (c) of this order, you must secure your maximum price for it from your pricing chart under Maximum Price Regulation No. 580 instead of using this order (i) if the item is listed in either a general category or a specific category in Appendix C of Maximum Price Regulation No. 580 or (ii) if you elect to include it on your pricing chart as an item which is related to articles that fall within any general category in Appendix C of Maximum Price Regulation No. 580.)

2. The item "Men's wallets" in the table in paragraph (c) is amended to read "Men's wallets and billfolds".

3. The table in paragraph (c) is amended by adding the following:

Column I	*Column II Permitted percentage markup on cost (percent)*
Classes of imported goods:	
Novelty woodenware, such as trays, bowls, vases, etc.	75
Leather goods, consisting of cigar and cigarette cases, compacts, coin purses, letter cases (pocket size), desk sets and memo pads	75

4. The text of paragraph (c) is amended by adding thereto a further proviso to read as follows: "*Provided, further,* That if you delivered or offered for delivery in March 1942 any item included in the classes of imported goods listed below you may continue to sell the same item at your maximum price established under the General Maximum Price Regulation by such delivery or offer for delivery in March 1942."

This Amendment No. 2 shall become effective July 26, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13638; Filed, July 25, 1945; 11:46 a. m.]

[Supp. Order 94, Order 71]

RUBBER COATED FABRIC PATCHES

SPECIAL EXEMPTION OF SALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, *It is ordered:*

(a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, sales by resellers of new rubber coated fabric patches, 7/8" wide, 1 3/8" long, with linen adhesion protector, manufactured by Plymouth Rubber Co., which have been or may be purchased from the United States Department of Commerce are exempt from price control.

(b) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall be effective July 26, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13650; Filed, July 25, 1945; 11:39 a. m.]

[MPR 136, Amdt. 1 to Order 346]

DIAMOND T. MOTOR CAR CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment 1 to Order No. 346 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Diamond T. Motor Car Company, Docket No. 6083-136.25a-29.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(1) The schedule of list prices for drivers' cabs contained in paragraphs (a) (2) (i), (b) (1) (i), and (c) (1) (i) of Order 346 under Revised Maximum Price Regulation 136 is amended to read as follows:

Model number	Description	List price f. o. b. factory
17	Cab, driver's deluxe	$300
40	Cab, driver's deluxe	265

(2) All requests not granted herein are denied.

(3) This amendment may be amended or revoked by the Administrator at any time.

This amendment shall become effective July 26, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13643; Filed, July 25, 1945; 11:45 a. m.]

[MPR 188, Amdt. 90 to Order A-1]

NARROW MOUTH GLASS CONTAINERS

ADJUSTMENT OF MAXIMUM PRICES

An opinion involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (58) (iv) is amended to read as follows:

(iv) *Applicable period of this paragraph.* The provisions of this paragraph shall be applicable only on shipments made during the period May 1, 1945, to September 30, 1945, inclusive.

This Amendment No. 90 shall become effective July 30, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13645; Filed, July 25, 1945; 11:39 a. m.]

[MPR 188, Order 4127]

THE AIRCRAFTSMEN CO.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-13262, appearing at page 9144 of the issue for Tuesday, July 24, 1945, the bracketed headnote should read as set forth above.

[MPR 188, Order 4151]

WINDOW GLASS

ORDER AUTHORIZING ADJUSTABLE PRICING

A petition has been filed by several manufacturers of window glass for an amendment of Maximum Price Regulation 188, as amended, to increase the presently established maximum prices under that regulation for window glass. This order is applicable only to manufacturers of such window glass.

It appears that authorization for such manufacturers to use adjustable pricing, pending final action on the petition for modification of maximum prices, is necessary to promote the production and continued supply of window glass, and that such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

After due consideration of the foregoing and in accordance with § 1499.19a of the General Maximum Price Regulation, which is made part of Maximum Price Regulation 188, as amended, by incorporation pursuant to § 1499.151 thereof, *It is ordered:*

(a) Pending final determination by the Office of Price Administration of the petition for amendment now on file, manufacturers of window glass are hereby authorized to sell and any person may buy from them window glass, at prices not in excess of the maximum prices established in accordance with Maximum Price Regulation 188, as amended: *Provided, however,* That any such manufacturer may agree with any purchaser in any contract for the sale of window glass, that the contract price may be adjusted to conform to the final determination of the Price Administrator upon the petition for amendment, and: *Provided further,* That such manufacturers may not receive and their purchasers may not pay an amount in excess of the maximum prices established under Maximum Price Regulation 188, as amended, until final action is taken on the petition for amendment now pending and then only to the extent such final action permits an increase of such maximum prices.

(b) This order shall be automatically revoked upon the effective date of action by the Price Administrator on the pending petition for amendment. It may be revoked or amended by the Price Administrator at any time.

This Order No. 4151 shall become effective July 28, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13644; Filed, July 25, 1945; 11:39 a. m.]

[RMPR 357, Order 3]

INDIA TANNED GOATSKINS

MAXIMUM PRICES FOR IMPORTATION AND RESALE AFTER ARRIVAL IN THE UNITED STATES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 6 of Revised Maximum Price Regulation 357, *It is ordered:*

(a) The maximum prices at which any person may purchase, sell or deliver E. A. C. in a diamond mark East India tanned goatskins shall be the applicable maximum prices for corresponding grades, weights and selections of S. P. mark East India tanned goatskins established by sections 4 and 5 of Revised Maximum Price Regulation 357.

(b) This order may be amended or revoked at any time by the Office of Price Administration.

This Order No. 3 shall become effective July 28, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13648; Field, July 25, 1945; 11:41 a. m.]

[RMPR 528, Rev. Order 29]

TIRES AND TUBES, RECAPPING AND REPAIRING, AND CERTAIN REPAIR MATERIALS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 (d) of Revised Maximum Price Regulation 528; *It is ordered:*

Order No. 29 under Maximum Price Regulation 528 is redesignated Revised Order No. 29 and is revised to read as follows:

(a) The maximum retail price for the following new tire shall be as follows:

750-16, 4-ply, mud and snow truck tire	$26.50 each

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this revised order shall apply to the sales covered by this revised order.

(c) This revised order may be revoked or amended by the Office of Price Administration at any time.

This revised order shall become effective July 28, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13647; Field, July 25, 1945; 11:46 a. m.]

[MPR 586, Order 1]

STORAGE AND TERMINAL SERVICES

POSTPONEMENT OF FILING REQUIREMENTS AS TO CERTAIN GRAIN WAREHOUSEMEN

For the reasons set forth in the accompanying opinion and under the authority vested in the Price Administrator by section 12 (b) (7) of Maximum Price Regulation No. 586, it is ordered:

(a) As to grain warehousemen (including terminal elevators, sub-terminal elevators and country elevators) subject to Maximum Price Regulation No. 586, the requirement stated in section 12 (b) (4) that certain statements of maximum prices, rates and pricing methods be filed within 90 days after the effective date of the regulation (i. e., prior to September 1, 1945), is hereby waived;

(b) Grain warehousemen affected by the foregoing modification are hereby required to prepare and file the statements described in section 12 (b), in the manner therein prescribed, on or before November 15, 1945.

(c) This order may be revoked, amended or corrected by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13646; Filed, July 25, 1945; 11:46 a. m.]

Regional and District Office Orders.

[Region I Order G-70 Under RMPR 122, Amdt. 55]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (11) (Appendix 11) of paragraph (o) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 is hereby amended to read as follows:

(o) *Appendices establishing specific maximum prices.* * * *

(11) *Appendix 11, bituminous coal, Springfield, Massachusetts Area*—(a) *Maximum prices established by this Appendix 11.* This Appendix 11 establishes specific maximum prices for sales of bituminous coal (as that term is defined below in the Springfield, Massachusetts Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said coal. Price Schedule I contains prices for sales on a delivered basis to consumers; Price Schedule II contains prices for yard sales to consumers; and Price Schedule III contains prices for yard sales to dealers.

The Springfield, Massachusetts Area shall, for the purposes of this Appendix 11, include the cities and towns of Agawam, Brimfield, Chicopee, East Longmeadow, Hampden, Longmeadow, Ludlow, Monson, Palmer, Southampton, Southwick, Springfield, Wales, Ware, Westfield, West Springfield and Wilbraham in the Commonwealth of Massachusetts, and the township of Enfield in the State of Connecticut.

The term "bituminous coal" shall, whenever used in this Appendix 11, include all kinds and sizes of bituminous coal produced in Bituminous Coal Producing Districts 1 and 2 except (1) "prepared bituminous" which is priced under Region I Revised Order No. G-10 under RMPR #122, and (2) Cannel Coal and splint-lump fireplace coals.

NOTE: Bituminous coals within the second exception above (i. e. cannel coal and splint-lump from Producing Districts 1 or 2), and all other bituminous coals delivered in the Springfield, Massachusetts, area by dealers (i. e. all bituminous coals produced in other producing districts, and any mixture of coal produced in other districts with coal produced in Districts 1 and 2) shall remain subject to Revised Maximum Price Regulation No. 122, and shall be priced under the appropriate pricing rule in § 1340.254 (b) thereof, and shall be reported in accordance with § 1340.262 (c) thereof.

(b) *Schedules of maximum prices.* All prices are per net ton. Customer classifications in Price Schedules I and II also refer to net tons, and are defined and explained in paragraph (d), below.

(1) *Price Schedule I: Sales on a delivered basis.* (a) Maximum prices for sales of bituminous coal on a "direct delivery" basis to consumers at any point in the Springfield, Massachusetts, area.

Customer Classification:	Price per net ton
I. 25 or less	$11.93
II. More than 25, but not more than 500	9.93
III. More than 500	9.68

(b) If the buyer requests such service of him, the dealer may charge not more than fifty cents (50¢) per net ton for any carry or wheel from a "direct delivery" point to the consumer's bin or storage facility.

(2) *Price Schedule II: Yard sales to consumers.* Maximum prices for sales of bituminous coal delivered at the yard of any dealer in the Springfield, Massachusetts, area to consumers:

Customer classification:	Price per net ton
I: 25 or less	$11.18
II. More than 25	9.18

(3) *Price Schedule III: Yard sales to dealers.* The maximum price for sales of bituminous coal delivered at the yard of any dealer in the Springfield, Massachusetts Area to dealers in fuels who resell them shall be $8.28 per net ton.

(c) *Terms of sale.* (1) For sales to customers in Class I under Price Schedules I and II, the maximum prices shall be reduced by $1.00 per ton if payment is made by the buyer on delivery or within ten (10) days after delivery of the coal, which reduction is a "cash discount". If payment is not required or made at the time of delivery or within ten (10) days thereafter, terms shall be net 30 days.

(2) For sales to customers in Classes II and III under Price Schedule I and Class II in Price Schedule II, the maximum prices shall be reduced by three percent (3%) if payment is made by the buyer on delivery or by the 10th of the month following delivery. If payment is not required or made at the time of delivery or by the 10th of the month following delivery, terms shall be net 30 days after date of delivery.

(3) For yard sales to dealers under Price Schedule III, terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(d) *Customer classifications.* The classification of a customer in one of the tonnage classifications set forth in Price Schedule I and II in paragraph (b) shall be made upon the basis of that customer's total annual consumption of all solid fuels (except wood and wood products) even though he may purchase portions thereof from two or more dealers, and regardless of the number of points to which delivery is made.

In the event that it is impossible for any reason to determine the customer's proper classification at the time of the sale or delivery (as, for example, in the case of a customer who converts from oil to coal), an estimate shall be made of his probable consumption, he shall be tentatively classified upon the basis of that estimate, and the dealer or dealers supplying him shall make an appropriate refund and may require that the customer agree to pay an appropriate additional amount if, when his actual classification has been deter-

mined, it appears that he was entitled to a lower price or could properly have been charged a higher one.

(e) *Chemical or oil treatment.* If any bituminous coal for which maximum prices are established by this appendix has been subjected to oil or chemical treatment by the producer to allay dust or to prevent freezing, and the producer has properly made a charge for such treatment in accordance with the provisions of Maximum Price Regulation No. 120, the dealer selling such coal may add to the applicable maximum prices established by this Appendix a treatment charge at the rate of ten cents (10¢) per ton. The dealer shall state the treatment charge separately from all other items on his invoice.

This Amendment No. 55 shall become effective July 5, 1945.

Issued this 5th day of July 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-13452; Filed, July 23, 1945; 4:31 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 56]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. Subparagraph (2) of paragraph (e) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Lucanna: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.20	$0.10	$0.05	None

2. Subparagraph (9) of paragraph (1) is amended by adding the word "Lucanna".

3. Subparagraph (51) is added to paragraph (1) to read as follows:

(51) "Lucanna" means that Pennsylvania anthracite produced by the Frackville Coal Company, Incorporated, and prepared at its Lucanna Colliery at Cumbola, Pennsylvania, and which meets the quality and preparation standards established by Order No. L-28 under Maximum Price Regulation No. 112.

This Amendment No. 56 shall become effective July 7, 1945.

Issued this 5th day of July 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-13451; Filed, July 23, 1945; 4:31 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 57]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. In the provision for "Steele or Alden" in subparagraph (2) of paragraph (e), the words "or Alden" are hereby deleted.

2. Subparagraph (2) of paragraph (e) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Alden: Broken, egg, stove, chestnut, pea and buckwheat	$0.40	$0.20	$0.10	None
Rice	.25	.15	.05	None

This Amendment No. 57 to Order No. G-70 shall become effective July 7, 1945.

Issued this 5th day of July 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-13450; Filed, July 23, 1945; 4:30 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 58]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. Subparagraph (2) of paragraph (e) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Eagle Hill: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.40	$0.20	$0.10	None

2. Subparagraph (9) of paragraph (1) is amended by adding the word "Eagle Hill".

3. Subparagraph (52) is added to paragraph (1) to read as follows:

(52) "Eagle Hill" means that Pennsylvania anthracite produced by the Eagle Hill Coal Company and prepared at its Eagle Hill Breaker at St. Clair, Pennsylvania, and which meets the quality and preparation standards established by Order No. L-31 under Maximum Price Regulation No. 112.

This Amendment No. 58 shall become effective July 14, 1945.

Issued this 11th day of July 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-13449; Filed, July 23, 1945; 4:30 p. m.]

[Region I Rev. Supp. Order 2 Under RMPR 122, Amdt. 20]

PENNSYLVANIA ANTHRACITES IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In the provision for "Steele or Alden" in paragraph (a), the words "or Alden" are hereby deleted.

2. The following is added to the table in paragraph (a):

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Alden: Broken, egg, stove, chestnut, pea and buckwheat	$0.40	$0.20	$0.10	None
Rice	.25	.15	.05	None

This Amendment No. 20 to Revised Supplementary Order No. 2 shall become effective July 7, 1945.

Issued this 5th day of July 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-13448; Filed, July 23, 1945; 4:30 p. m.]

[Region I Rev. Supp. Order 2 Under RMPR 122, Amdt. 21]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. In the provision for "Orange Disc" in paragraph (a), the "Note" relating to the expiration date for said provision is hereby deleted.

This Amendment No. 21 shall become effective as of midnight May 31, 1945.

Issued this 10th day of July 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-13447; Filed, July 23, 1945; 4:30 p. m.]

[Region I Supp. Order 8 Under RMPR 122, Amdt. 10]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. In the provision for "Orange Disc" in paragraph (c), the "Note" relating to the expiration date for said provision is hereby deleted.

This Amendment No. 10 shall become effective as of midnight, May 31, 1945.

Issued this 10th day of July 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-13446; Filed, July 23, 1945; 4:30 p. m.]

[Region II Order G-3 Under Supp. Order 94]

COTTON BANDANNAS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at wholesale and retail at which new blue cotton bandannas hereinafter described may be sold and delivered by the United States Department of Commerce and by any subsequent reseller in the states of New York, New Jersey, Pennsylvania, Delaware, Maryland, and in the District of Columbia.

(b) *Maximum prices.* Maximum prices for new blue cotton bandannas described herein shall be:

Description of bandannas. Bandannas, blue, cotton material, fast color, stitched hem two sides, white polka dot borderline 2½" wide, polka dot design in center size 21¼" x 21¼".

(1) The United States Department of Commerce's price to wholesalers f. o. b. shipping point, $1.08 per dozen.

(2) Wholesalers price and The United States Department of Commerce's price to retailer f. o. b. shipping point, $1.31.

(3) Price for all sales at retail $.18 each.

(c) *Discounts.* Every seller shall continue to maintain his customary allowances, discounts or other price differentials.

(d) *Notification.* Any person who sells the bandannas described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum price, and stating that the retailer is required by this order to attach to each bandanna before sale a tag or label containing the following: OPA ceiling price, $.18 each.

(e) *Tagging.* Any person who sells the bandannas described in paragraph (b) at retail shall attach to each bandanna before sale a tag or label which plainly states the retail ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any maximum price regulation otherwise applicable.

(g) *Definitions.* (1) "Retailer" means any seller who makes sales to an ultimate consumer other than an industrial, institutional or commercial user.

(2) "Wholesaler" means any seller who makes sales to any person other than an individual ultimate consumer and shall include sales to industrial, institutional and commercial user.

(3) The term "delivery" when used herein shall apply only to deliveries to the ultimate destination of the purchaser within the states of New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 27, 1945.

Issued this 27th day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-13454; Filed, July 23, 1945; 4:32 p. m.]

[Region VI Rev. Order G-14 Under RMPR 122]

SOLID FUELS IN MILWAUKEE COUNTY, WIS.

Order No. G-14 under Revised Maximum Price Regulation No. 122 is redesignated Revised Order No. G-14 and is revised and amended to read as follows:

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels delivered in Milwaukee County, Wisconsin, except as provided in section (c). These are the highest prices that any dealer may charge when he delivers any such fuel within this area; they are also the highest prices that any buyer in the course of trade or business may pay for such solid fuels.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Revised Order No. G-14; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by:

(i) Charging for a service unless expressly requested by the buyer and unless specifically authorized to do so by this order.

(ii) Charging a price higher than the schedule price for a service.

(iii) Making a charge higher than the schedule charge authorized for the extension of credit.

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(v) Using any other device by which a higher than maximum price is obtained.

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal or coke for which prices are established. Column 2 shows the maximum prices for "direct delivery" of domestic fuel sold in quantities of less than 1 ton. Column 3 shows the maximum price for direct delivery of domestic fuel sold in quantities of 1 ton or more.

Column 4 shows the maximum prices for "yard sales" of domestic fuel. Column 5 shows the maximum prices for "commercial" or "steam" sales and Column 6 shows the maximum prices for "yard sales" to dealers. The terms "direct delivery," "yard sales" and "commercial sales" are defined in paragraph (j) of this order.

"Dealer at yard" prices established by this revised order may not be charged to dealers who do not have their principal place of business in Milwaukee County, Wisconsin. Such sales shall be priced under the provisions of Revised Maximum Price Regulation No. 122.

AREA PRICES FOR MILWAUKEE, WIS.

(1) Description	(2) Domestic, ¾ ton	(3) Domestic, 1 ton or more	(4) Domestic, at yard	(5) Commercial	(6) Dealer at yard
I. Hi-volatile bituminous, District Nos. 2 and 3:					
1. Lump, 2" or larger	$5.60	$10.20	$9.35	.....	$7.70
2. Egg and lump mixed	5.55	10.10	9.25	.....	7.60
3. Stove, 2" x 1¼" and larger	5.50	9.95	9.10	.....	7.45
II. Low volatile bituminous, District No. 7:					
1. Egg, 3" x 2" and larger	7.60	14.20	13.35	$12.45	11.70
2. Stove, 2" x 1¼" and larger	7.25	13.45	12.60	11.70	10.95
3. Nut, 1¼" x 1¼" and larger	6.75	12.45	11.60	10.70	9.95
4. Pea, ¾" x ¾" and larger	6.30	11.55	10.70	9.80	9.05
5. Screenings, ⅜" x 0 and larger	5.05	9.10	8.25	7.20	6.60
6. Run of mine	5.85	10.65	9.80	8.90	8.15
III. Hi-volatile bituminous, District No. 8:					
1. Lump, 2" and larger:					
a. Miller's Creek	6.20	11.40	10.55	9.65	8.90
b. Elkhorn	6.05	11.05	10.20	9.30	8.55
c. Dorothy	5.95	10.85	10.00	9.10	8.35
d. Island Creek	5.85	10.65	9.80	8.90	8.15
e. Hand picked fireplace, class A	6.50	11.95	11.10	.....	9.45
2. Egg:					
a. Miller's Creek	6.05	11.05	10.20	9.30	8.55
b. Elkhorn	5.95	10.85	10.00	9.10	8.35
c. Dorothy	5.85	10.65	9.80	8.90	8.15
d. Island Creek	5.75	10.50	9.65	8.75	8.00

AREA PRICES FOR MILWAUKEE, WIS.—Continued

(1) Description	(2) Domestic, by ton	(3) Domestic, by ton or more	(4) Domestic, at yard	(5) Commercial	(6) Dealer, at yard
III Hi-volatile bituminous, District No. 8—Continued.					
3. Storer:					
a. Miller's Creek	$5.85	$10.65	$9.80	$8.60	$8.15
b. Elkhorn	5.85	10.65	9.75	8.55	8.10
c. Dorothy	5.75	10.50	9.65	8.75	8.00
d. Island Creek	5.70	10.40	9.55	8.65	7.90
4. Stoker					
a. Reserve mel	6.05	11.05	10.20	9.25	8.55
b. Unscreened	5.85	10.65	9.80	8.85	8.15
5. Screenings:					
a. Miller's Creek	5.25	9.50	8.65	7.70	7.00
b. Elkhorn	5.25	9.50	8.65	7.70	7.00
c. Dorothy	5.15	9.30	8.45	7.50	6.80
d. Island Creek	5.10	9.20	8.35	7.40	6.70
IV Hi-volatile bituminous, District No. 10 (Southern subdistrict) Price Group Nos. 1, 2 and 8 (Deep machine mines):					
1. Egg, 3" x 2" size group No. 5	5.25	9.49	8.64	....	6.99
2. Dedusted screenings, size group Nos. 26 and 27	5.04	8.93	8.09	....	6.44
V Pennsylvania anthracite:					
1. Egg, stove, nut	8.75	16.15	15.60	....	11.00
2. Pea	7.95	14.90	14.05	....	12.50
3. Buckwheat	6.80	12.75	11.90	....	10.25
4. Rice	5.80	10.60	9.75	....	8.10
VI By-product coke:					
1. Egg, stove, nut	7.40	13.75	12.80	....	11.15
VII Briquettes, all types	7.08	13.15	12.30	....	10.65

(2) The maximum prices for all sales by dealers of solid fuels not provided for by the above schedule shall be the maximum prices applicable for such sales under Revised Maximum Price Regulation No. 122, as amended: *Provided*, That for all domestic sales made by dock dealers, unequipped dealers and equipped dealers by direct delivery to domestic users, there shall be added to the maximum prices applicable under Revised Maximum Price Regulation No. 122, as amended, the sum of 10¢ per ton. This increase of 10¢ per ton shall not apply to commercial sales or any other type of sales made by the dock dealer, the unequipped and equipped dealers other than those made by direct delivery to domestic users.

(3) Anything herein to the contrary notwithstanding, the maximum prices in schedule (c) (1) for "commercial" or "steam" sales for any type of fuel shall be inapplicable with respect to any sales at or from dealers' yards located in South Milwaukee, Wisconsin, or in Cudahy, Wisconsin. Such dealers shall compute the prices for "commerical" or "steam" sales in accordance with the provisions of Revised Maximum Price Regulation No. 122.

(4) Anything herein to the contrary notwithstanding, this Order shall not apply to sales by any producer of coke.

(d) *Service charges.* The service charges set forth below may be made for special services rendered in connection with sales under paragraph (c). No other or higher service charges may be made. Service charges must be separately stated on each invoice.

	Cents per ton
Trimming	50
Carrying up or down stairs	50
Carrying or wheeling commercial or steam coal (but not domestic coal) from curb	50

(e) *Cash discounts.* Not less than the following discounts must be granted by any seller to any purchaser whose account for previous sales shall not be past due:

(1) On sales of domestic coal and briquettes, 25¢ per ton, provided payment is made within 5 days of delivery.

(2) On sales to dealers of bituminous coal, coke and briquettes:

(i) Delivered from 1st to 10th of month, 10¢ per ton, if payment is made before the 20th of the month.

(ii) Delivered from 10th to 20th of month, 10¢ per ton, if payment is made before end of month.

(iii) Delivered from 20th to end of month, 10¢ per ton, if payment is made before 10th of next month.

(3) On sales of anthracite, if payment is made within 15 days from date of delivery:

	Cents per ton
(i) Egg, stove, and chestnut	15
(ii) Pea and buckwheat	10
(iii) Rice	5

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this revised order, provided the dealer states it separately from the price on his invoice or statement. But no part of that tax may be collected, in addition to the maximum price on sales of quarter-ton or lesser quantities.

(g) *Addition of increases in supplier's price prohibited.* Notwithstanding the provisions of Revised Maximum Price Regulation No. 122, the maximum prices set by this revised order may not be increased and need not be decreased by a dealer to reflect increases or decreases in purchase costs or in his supplier's maximum prices occurring after the effective date hereof; but increases or decreases in the maximum prices set hereby, to reflect such changes are within the discretion of the Regional Administrator.

(h) *Petitions for amendments.* This revised order may be revoked, amended or modified at any time. Any dealer may at any time file with the Milwaukee District Office of the Office of Price Administration a petition for amendment to this revised order in accordance with the provisions of Revised Procedural Regulation No. 1.

(i) *Posting of maximum prices.* (1) Each dealer subject to this revised order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every person making a sale of solid fuel for which a maximum price is set by this revised order shall keep a record thereof showing: the date; the name and address of the buyer, if known; the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(j) Every person selling solid fuels subject to this revised order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this revised order give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size, and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charged and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; *And further provided*, That provisions of this paragraph (j) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(k) *Charge for treatment of coal.* (1) Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this revised Order No. G-14, *Provided*, That the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(2) Whenever a dealer selling coal at the dock purchases raw coal from a producer or supplier and subjects that coal to an oil treatment against dust at the dock, that dealer, in selling the coal so treated by him, may add to the applicable maximum prices set by this revised order a treatment charge not in excess of 10¢ per ton, *Provided*, That such an addition may be made only with respect to those sales in which the purchaser requests oil treated coal, *And further provided*, That the treatment charge so made shall be stated separately from all other items on the dealer's invoice.

(l) *Definitions.* When used in this revised Order No. G-14, the term:

(1) "Direct delivery" means dumping, chuting or otherwise depositing the fuel into any bin or storage space available on the buyer's premises.

(2) "Yard sales" means sales wherein the solid fuel is loaded at the dealer's yard into the conveyance or conveyances owned, hired or controlled by the purchaser.

(3) "Commercial" or "steam sales" means sales of fuel of the type for which maximum prices are established in Column 5 of the schedule to all industrial users, all apartment buildings with four or more apartments, and any other users whose normal requirements exceed 50 tons per year and who purchase their coal in full truckload lots.

(4) "Pennsylvania anthracite" means only coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania. "Chestnut" size of Pennsylvania anthracite refers to the size of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Committee effective December 15, 1941.

(5) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended.

(6) "Low volatile bituminous coal" refers to coal produced in the low volatile sections of the producing districts specified herein.

(7) "High volatile bituminous coal" refers to coal produced in the high volatile sections of the producing districts specified herein.

(8) "Egg, stove, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior.

(9) Except as otherwise provided herein or as the context may otherwise require, all terms used in this revised order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their ordinary and popular trade meaning.

(m) *Effect of order on Revised Maximum Price Regulation No. 122 and Regional Order No's. G-19, G-20, G-21, and G-22.* Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122 shall remain in full force and effect. Regional Order No's. G-19, G-20, G-21, and G-22 are superseded as to dealers covered hereby.

NOTE: The record-keeping requirements of this revised order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This revised Order No. G-14 shall become effective immediately.

Issued this 12th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13444; Filed, July 23, 1945; 4:29 p. m.]

[Syracuse Order G-1 Under MPR 426, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN SYRACUSE, WATERTOWN AND UTICA, N. Y.

For the reasons stated in an opinion issued simultaneously herewith, Order No. G-1 issued under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, by the Syracuse District Office of the Office of Price Administration is amended in the following respects:

1. Section 3 is amended in that:

(a) The items Eggplant, Iceberg Lettuce and Sweet Potatoes shall read as follows:

Commodity	Standard container and/or minimum contents	Season	Basing point	Freight allowance
Eggplant	1½ bushel crate, 45 pounds	All year	Ft. Myers, Fla	$1.07
	Bushel, 20 pounds	do	do	.83
Lettuce, iceberg	LA or Salinas crate, 60 pounds and 48 heads	1/1-2/28	El Centro, Calif	1.32
	do	3/1-3/31	do	1.56
	do	4/1-4/20	Salinas, Calif	1.64
	do	5/1-5/31	do	1.69
	do	6/1-10/15	do	1.79
	do	10/16-11/30	do	1.69
	do	12/1-12/31	El Centro, Calif	1.56
Sweet potatoes	Bushel	All year	Sunset, La	.52

(b) Asterisks shall be added after the following items:

(1) All cucumber items except hothouse cucumbers.
(2) All eggplant items.
(3) All green pea items.
(4) All snap bean items.
(5) All sweet pepper items.

(c) The last paragraph of section 3 shall be amended to add the following provision: "In the event any of the items marked with an asterisk are received in the wholesale receiving points of Syracuse, Watertown or Utica, New York, by carlot direct from the shipping point, the carlot freight rate from the basing point to the receiving point, plus protective services, shall be added instead of the freight allowances provided in this order."

This amendment shall become effective November 8, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of November, 1944.

STEPHEN P. TOADVINE,
District Director.

[F. R. Doc. 45-13544; Filed, July 24, 1945; 1:15 p. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 36]

SOLID FUELS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 36 is issued.

1. *What this Amendment No. 36 does.* This Amendment No. 36 relates only to Revised Appendix I, Albuquerque Trade Area, of paragraph (q) of Order No. G-26, and effects a compilation of said Revised Appendix I, including all changes made therein by Amendment No. 28, Order No. G-28 under Revised Maximum Price Regulation No. 122, and certain adjusted price increases now granted by this Amendment No. 36 to compensate for certain wage increases authorized in War Labor Board Case No. 9-9529; but the dollars-and-cents prices set forth in Revised Appendix I, Albuquerque Trade Area, by this Amendment No. 36 remain subject to the applicable increases, if any, authorized by Order No. G-24 under Revised Maximum Price Regulation No. 122.

2. Revised Appendix I, Albuquerque Trade Area, is hereby amended to read as follows:

(q) *Apprentices establishing specific maximum prices for certain trade areas in Region VII.*

REVISED APPENDIX—ALBUQUERQUE TRADE AREA

(1) *To what sales this Revised Appendix I applies.* This Revised Appendix I applies only to sales made by dealers and licensed or unlicensed truck-dealers in the Albuquerque Trade Area of the State of New Mexico, which means all of that area contained within a radius of seven miles from the intersection of West Central Avenue with North and South Fourth Streets in the City of Albuquerque.

(2) *Relation to other orders.* This Order No. G-26 and this Revised Appendix I thereto, as amended, supersede Order No. G-2 and Order No. G-18 and Amendment No. 1 thereto, and embody all price changes made by Amendment No. 28 and Order No. G-28, and by this Amendment No. 36, insofar as the same apply to the Albuquerque Trade Area.

(3) "Licensed trucker-dealer" means a person duly licensed in accordance with a local law to engage in the business of purchasing solid fuel for resale and making delivery thereof by truck or other conveyance to his customers, and who does not have or maintain a coal yard or coal storage facilities.

(4) *Specific maximum prices.* If you are a dealer and sell in the Albuquerque Trade Area, either f. o. b. your yard or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Revised Appendix I, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Effective date. This Amendment No. 36 shall become effective on the 13th day of July, 1945.

Issued this 13th day of July, 1945.

RICHARD Y. BITTERTON,
Regional Administrator.

[F. R. Doc. 45-13453; Filed, July 23, 1945; 4:32 p. m.]

[Nashville Order G-1 Under MPR 154, Amdt. 1]

ICE IN NASHVILLE, TENN.

An opinion accompanying this amendment has been issued simultaneously herewith. District Order No. G-1 under Maximum Price Regulation No. 154 is amended in the following respects:

The appendix, which is attached to District Order No. G-1 under Maximum Price Regulation No. 154 and made a part thereof, is amended to read as follows:

APPENDIX

(a) The maximum prices for sales, except to peddlers and wholesale buyers, at any ice producer's platform, in Knox, Sevier, Loudon, McMinn and Monroe Counties, shall be the following:
40 cents per 100 pounds.
25 cents per 50 pounds.
10 cents per 25 pounds.
(b) The maximum prices for sales, except to peddlers and wholesale buyers, at any ice producer's platform or delivery sales within a radius of six miles of any ice producer's platform in Anderson and Blount Counties shall be the following:
50 cents per 100 pounds.
25 cents for 50 pounds.
15 cents for 25 pounds
(c) The maximum prices for delivery sales, except to peddlers and wholesale buyers, in Knox, Sevier, Loudon, McMinn, Monroe, Anderson and Blount Counties shall be the following:
60 cents per 100 pounds.
30 cents for 50 pounds.
15 cents for 25 pounds.
The maximum prices of ice for all sales by producers to peddlers and wholesale buyers in Knox, Sevier, Loudon, McMinn, Monroe, Anderson and Blount Counties shall be the following:
30 cents per 100 pounds.

This amendment to District Order No. G-1 under Maximum Price Regulation No. 154 shall become effective July 2, 1945.

Issued this 20th day of June 1945.

CARSON VAUGHN,
District Director.

[F. R. Doc. 45-13445; Filed, July 23, 1945; 4:30 p. m.]

[Syracuse Order G-1 Under MPR 426, Amdt. 2]

FRESH FRUITS AND VEGETABLES IN SYRACUSE, WATERTOWN AND UTICA, N. Y.

For the reasons stated in an opinion issued simultaneously herewith, Order No. G-1 issued under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, by the Syracuse District Office of the Office of Price Administration is amended in the following respects:

1. Section 3 is amended in that:
(a) The items Grapefruit, Snap Beans and Sweet Potatoes shall read as follows:

Commodity	Standard container and/or minimum contents	Season	Buying point	Freight allowance
Grapefruit, White-Texas	1⅗ Bushel	4-1-5-1	Hempstead, Fla	$1.02
		5-2-5-31	Weslaco, Tex	1.15
55-lb boxes	Bushel, 55 pound	All year	Homestead, Fla	.82
Sweet potatoes	Bushel	11-1-11-30	Sunset, La	.82
	do	5-1-5-31	do	.82

This amendment shall become effective May 24, 1945.

Issued this 8th day of May 1945.

STEPHEN P. TOWNSEND,
District Director,
Syracuse District Office.

Approved:

F. D. CROMB,
Regional Director of Food Distribution.

[F. R. Doc. 45-13541; Filed, July 24, 1945; 1:15 p. m.]

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part I Delivered prices Per ton	Part I Delivered prices Per 2,000 lbs	Part II Yard prices per ton
Certified authority produced at Madrid, N. Mex.:				
A	Chestnut	$13.10	$6.55	$12.60
B	#1, #2, #3 grate, egg, stove and nine barrier	13.95	7.15	11.15
C	Pea	11.85	6.30	11.05
D	Buckwheat and dust	8.10	4.30	7.60
Bituminous coal produced in district 17				
Subdistrict 1, Walsenburg:				
E	#3, 2" lump	12.70	6.60	12.20
Subdistrict 9, New Mexico:				
F	#5, 6" x 3" grate	11.45	6.00	10.95
Bituminous coal produced in district 18				
Subdistrict 1, Gallup:				
G	#1, 1" lump	12.65	6.60	12.15
H	#2, 1½" lump	12.30	6.40	11.70
I	#3, 2" x 2" egg	12.30	6.40	11.70
J	#4, 3" x 1½" nut	11.85	6.15	11.30
K	#11, 1½" x 0" slack	7.60	4.00	8.10
Subdistrict 2, Cerrillos:	#11, 1½" x 0" slack	7.60	4.00	
L	#3, 2" lump	11.85	6.00	10.95
M	#5, 3" nut	10.35	5.55	10.05
N	#6, 1½" x 1½" nut	10.35	5.15	9.80
O	#7, 1½" x ¾" pea	8.70	4.80	7.70
P	#8, 1" x ¾" pea	7.30	3.80	6.15

Kind and letter designation	Size	Part I Delivered prices 1 ton	5 tons	10 tons	20 tons	Part II 1 ton	5 tons
Subdistricts 3 and 9, La Ventana and Rio Puerco:							
(R)	#1, 2" lump	$10.90	$5.00	$4.80	$4.65	$9.75	$4.50
(S)	#2, 1" x ¾" pea	7.30	3.30	2.20	1.15	7.35	3.35
(T)		Delivered sales by licensed trucker-dealers to consumers				Delivered sales by licensed trucker-dealers to consumers	
(U)	#1, 2" lump	$8.50 per ton				$8.50 per ton	
(S)	#2, 1" x ¾" pea	$8.50 per ton				$8.50 per ton	

1 The prices hereinabove established for sizes #11 and #12 slack coal are for commercial deliveries of one ton or more.

NOTE: Unlicensed trucker-dealers can sell to dealers only, and must not sell to consumers.

(5) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(6) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Albuquerque Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per 2,000 lbs
Switching, for cause	$0.50	$0.25
Chemical treatment	1.50	.75

[Cleveland Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN CLEVELAND, OHIO, DISTRICT

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, Second Revised Delegation Order No. 1A, issued by the Regional Administrator of Region III of the Office of Price Administration and section 2 (b) of Maximum Price Regulation No. 426, and for the reasons set forth in the accompanying opinion, this order is issued.

SECTION I. *What this order does.* This order allows an increase in the maximum prices of certain fresh fruit and vegetables over the maximum prices established by Maximum Price Regulation No. 426 when sold by "purveyors". For the purposes of this order, a "purveyor" shall mean a person who:

1. Purchases the kind of fresh fruits and vegetables being priced;

2. Maintains and employs the facilities for washing, trimming, sorting, grading, re-packing and warehousing in connection with the sale of the particular items being sold;

3. Employs salesmen to call on institutional and commercial users;

4. Makes less-than-carlot or less-than-trucklot or less-than-original-container sales to restaurants, ships, hotels, hospitals, camps, or other institutional users;

5. Delivers within the metropolitan area surrounding and including the city, town, village or other populated area in which his warehousing and selling facilities are located;

6. During the three-month period of October, November, and December 1943, sold at least 75% of the dollar volume of his sales of fresh fruits and vegetables to hotels, restaurants, ships, hospitals, camps, and other institutional users;

7. Has filed with this District Office of the Office of Price Administration an affidavit to the effect that he qualified under the foregoing stipulation requisite to being considered a purveyor: *Provided*, That a seller shall be considered a purveyor only when making sales to institutional users of goods which have been handled and sold in this manner and no seller shall be considered a purveyor when selling unbroken containers.

SEC. II. *Applicability.* On and after the effective date of this order "purveyors" located at wholesale receiving points within the area of the Cleveland District Office are hereby granted a markup on sales of fresh fruits and vegetables not to exceed 150% of the applicable overall maximum markups on items for less-than-car-lot and less-than-truck-lot sales named in the appendices to Article III, Section 15 of Maximum Price Regulation No. 426.

SEC. III. This order shall be effective within the Cleveland District Area.

SEC. IV. All other provisions of Maximum Price Regulation No. 426 remain in full force and effect, and such regulation is modified by this order only to the extent hereinbefore set forth.

This order shall become effective February 12, 1945.

Issued: February 12, 1945.

CLINTON M. FISKE,
District Director.

Approved:

E. O. POLLOCK,
Regional Director of Food Distribution.

[F. R. Doc. 45-13542; Filed July 24, 1945; 1:14 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 21, 1945.

REGION II

Camden Order 3-F, Amendment 40, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:50 a. m.

Camden Order 4-F, Amendment 40, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 9:50 a. m.

District of Columbia Order 1-O, Amendment 9, covering eggs in the District of Columbia, Virginia and Maryland. Filed 9:50 a. m.

Erie Order 20, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 9:49 a. m.

Erie Order 21, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 9:49 a. m.

New York Order 3-C, Amendment 9, covering poultry in certain areas in New York and New Jersey. Filed 9:52 a. m.

New York Order 4-C, Amendment 9, covering poultry in certain areas in New York and New Jersey. Filed 9:52 a. m.

New York Order 5-O, covering eggs in the New York and Newark Districts. Filed 9:52 a. m.

New York Order 6-O, covering eggs in the New York and Newark Districts. Filed 9:52 a. m.

New York Order 9-F, Amendment 18, covering fresh fruits and vegetables in the five boroughs of New York. Filed 9:51 a. m.

New York Order 10-F, Amendment 18, covering fresh fruits and vegetables in the Nassau and Westchester Counties, New York. Filed 9:51 a. m.

New York Order 12-F, Amendment 11, covering fresh fruits and vegetables in certain counties in New York. Filed 9:51 a. m.

Philadelphia Order 1-O, covering eggs in certain areas in Pennsylvania. Filed 9:44 a. m.

Philadelphia Order 6-F, Amendment 35, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 9:44 a. m.

Philadelphia Order 11-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:44 a. m.

Philadelphia Order 12-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:44 a. m.

Pittsburgh Order 4-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:44 a. m.

Pittsburgh Order 6-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:44 a. m.

Pittsburgh Order 13, Amendment 4, covering dry groceries in certain counties in Pennsylvania. Filed 9:48 a. m.

Pittsburgh Order 14, Amendment 4, covering dry groceries in certain counties in Pennsylvania. Filed 9:48 a. m.

Scranton Order 16-C, Amendment 8, covering poultry in certain counties in Pennsylvania. Filed 9:27 a. m.

Trenton Order 1-C, covering poultry in certain counties in New Jersey. Filed 9:43 a. m.

Trenton Order 2-C, covering poultry in certain counties in New Jersey. Filed 9:43 a. m.

Trenton Order 3-O, covering eggs in the Trenton, New Jersey, Area. Filed 9:43 a. m.

Trenton Order 4-O, covering eggs in the Trenton, New Jersey Area. Filed 9:43 a. m.

Trenton Order 12-F, Amendment 16, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:49 a. m.

Williamsport Order 8-O, covering eggs in Elk and McKean Counties, Pennsylvania. Filed 9:53 a. m.

Williamport Order 9-O, covering poultry in certain counties in Pennsylvania. Filed 9:53 a. m.

Williamsport Order 10-O, covering eggs in certain counties in Pennsylvania. Filed 9:53 a. m.

REGION III

Cleveland Order F-1, Amendment 48, covering fresh fruits and vegetables in Cuyahoga, Ohio. Filed 9:54 a. m.

Cleveland Order 3-F, Amendment 43, covering fresh fruits and vegetables in Mahoning and Trumbull Counties, Ohio. Filed 9:54 a. m.

Cleveland Order 4-F, Amendment 48, covering fresh fruits and vegetables in Stark and Summit Counties, Ohio. Filed 9:54 a. m.

Columbus Order 1-C, covering poultry in certain counties in Ohio. Filed 9:55 a. m.

Columbus Order 10-F, covering fresh fruits and vegetables in Franklin, Logan and Muskingum Counties, Ohio. Filed 9:54 a. m.

Columbus Order 11-F, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:55 a. m.

Detroit Order 2-C, Amendment 6, covering poultry in certain counties in Michigan. Filed 9:55 a. m.

Detroit Order 5-F, Amendment 23, covering fresh fruits and vegetables in certain counties in Michigan. Filed 9:55 a. m.

Escanaba Order 2-C, Amendment 2, covering poultry in certain counties in Michigan. Filed 9:55 a. m.

Lexington Order 1-C, Amendment 6, covering poultry in certain counties in Kentucky. Filed 9:33 a. m.

Lexington Order 2-C, Amendment 6, covering poultry in certain counties in Kentucky. Filed 9:33 a. m.

Lexington Order 3-C, Amendment 6, covering poultry in Owen and Gallatin Counties, Kentucky. Filed 9:32 a. m.

Lexington Order 5-F, Amendment 15, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 9:55 a. m.

Lexington Order 6-F, Amendment 15, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 9:53 a. m.

Lexington Order 7-F, Amendment 15, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 9:56 a. m.

Lexington Order 14, Amendment 4, covering dry groceries in Owen and Gallatin Counties, Kentucky. Filed 9:43 a. m.

Lexington Order 15, Amendment 2, covering dry groceries in Owen and Gallatin Counties, Kentucky. Filed 9:33 a. m.

Saginaw Order 23, Amendment 1, covering dry groceries in the Saginaw Area. Filed 9:35 a. m.

Toledo Order 10-C, Amendment 7, covering poultry. Filed 9:35 a. m.

REGION IV

Miami Order 1-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Florida. Filed 9:34 a. m.

Roanoke District Order 1-C, Amendment 6, covering poultry in the Roanoke Area. Filed 9:31 a. m.

Roanoke District Order 2-C, Amendment 6, covering poultry in the Roanoke Area. Filed 9:31 a. m.

Roanoke Order 11-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Virginia. Filed 9:32 a. m.

REGION V

Little Rock District Order 2-F, Amendment 64, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 9:31 a. m.

Little Rock District Order 4-F, Amendment 54, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 9:30 a. m.

Little Rock District Order 5-F, Amendment 55, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 9:30 a. m.

San Antonio Order 2-F, Amendment 23, covering fresh fruits and vegetables in Bexar County, Texas. Filed 9:32 a. m.

San Antonio Order 3-F, Amendment 19, covering fresh fruits and vegetables in Austin, Texas. Filed 9:32 a. m.

San Antonio Order 4-F, Amendment 19, covering fresh fruits and vegetables in Corpus Christi, Texas. Filed 9:32 a. m.

REGION VI

Des Moines Order 14, Amendment 4, covering dry groceries in certain areas in Iowa. Filed 9:28 a. m.

Des Moines Order 15, Amendment 4, covering dry groceries in certain areas in Iowa. Filed 9:28 a. m.

Des Moines Order 16, Amendment 4, covering dry groceries in certain areas in Iowa. Filed 9:28 a. m.

Green Bay Order 4-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 9:35 a. m.

Green Bay Order 4-F, Amendment 20, covering fresh fruits and vegetables in Wisconsin. Filed 9:34 a. m.

Green Bay Order 6-F, Amendment 20, covering fresh fruits and vegetables in Florence, Forest and Marinette, Wisconsin. Filed 9:34 a. m.

Quad-Cities Order 2-F, amendment 43, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 9:34 a. m.

REGION VII

Wyoming Order 8-C, covering poultry in certain counties in Wyoming. Filed 9:30 a. m.

Wyoming Order 9-C, covering poultry in certain areas in Wyoming. Filed 9:30 a. m.

Wyoming Order 10-C, covering poultry in certain areas in Wyoming. Filed 9:29 a. m.

Wyoming Order 11-C, covering poultry in certain counties in Wyoming. Filed 9:29 a. m.

Wyoming Order 12-C, covering poultry in certain counties in Wyoming. Filed 9:28 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45 13625; Filed, July 25, 1945; 11:39 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 43-198]

OKLAHOMA POWER AND WATER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of July A. D. 1945.

Oklahoma Power and Water Co., a subsidiary of The Middle West Corporation, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 regarding the issuance of $550,000 principal amount of 2% promissory notes due $100,000 on November 27, 1945, $100,000 on March 27, 1946 and $350,000 on July 27, 1946, secured by $750,000 principal amount of Oklahoma Power and Water Co.'s 5% Bonds, Series C, due February 1, 1948, to certain banks in exchange for 2% notes due July 27, 1945 in the same principal amount held by such banks; and

Said declaration having been filed on June 29, 1945 and notice of filing having been given in the form and manner prescribed in Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and Oklahoma Power and Water Co. having requested that such declaration be permitted to become effective on or about July 25, 1945; and

The Commission finding under section 7 of said Act that the requirements of section 7 (c) are satisfied and that no adverse findings are necessary under section 7 (d) and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective forthwith:

It is hereby ordered pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-13607; Filed, July 25, 1945; 11:12 a. m.]

WAR MANPOWER COMMISSION.

BALTIMORE, MD., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Baltimore Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Basic hiring procedures.
3. Statements of availability.
4. Certificate of prior employment.
5. Employment authorizations.
6. Disposition of forms.
7. Special referral provisions.
8. Restrictions on employment of persons for less than 48 hours per week.
9. Restrictions on hiring by employers granted exemption from the 48-hour work-week.
10. Utilization of existing hiring channels.
11. Exclusions.
12. Appeals.
13. Solicitation of workers.
14. Hiring.
15. Representation.
16. General referral policies.
17. Definitions.
18. Applicability of program.
19. Effective date.

SECTION 1. *Purpose.* In furtherance of the war effort the State Director of the War Manpower Commission for Maryland, with the concurrence of the Baltimore Area Management-Labor Committee, and the approval of the Regional Director, has adopted the following stabilization program for the Baltimore Area. The purpose of the program is to eliminate wasteful labor turnover, to reduce unnecessary migration by encouraging the full use of local labor, and to obtain the maximum utilization of manpower resources under standards protecting the rights of all concerned.

SEC. 2. *Basic hiring procedures.* (a) No employer shall hire any individual in, or for work in, the Baltimore Area except upon referral by, with the consent of, or in accordance with arrangements with, the United States Employment Service of the War Manpower Commission.

(b) The Area Director of the War Manpower Commission, after consultation with the Area Management-Labor Committee, may issue regulations, in accordance with the provisions of this program, governing hiring procedures, the referral of workers to jobs, the priority of their referral, and the establishment of employment ceilings fixing the upper level of employment beyond which an individual employer may not hire.

SEC. 3. *Statements of availability.* (a) Statements of availability may be granted only by employers engaged in essential or locally needed activities, or by an office of the United States Employment Service.

(b) Circumstances under which statements of availability shall be granted:

(1) By the employer:

(i) If the employee has been discharged, or his employment has been otherwise terminated by his employer;

(ii) If the employee has been laid off for an indefinite period or for a period of 7 or more days;

(iii) If continuance of employment would involve undue personal hardship;

(iv) If the employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation;

(v) If the employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(2) By the United States Employment Service of the War Manpower Commission:

(i) If the employer fails or refuses to issue a statement of availability promptly to an individual when any of the circumstances set forth in section 3 (b) (1) exists;

(ii) If the individual is in the employ of an employer who the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, and for so long as such employer continues his noncompliance after such finding.

(c) A statement of availability shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(d) A worker seeking a statement of availability or a referral to employment under any circumstances except where he has been laid off or discharged from his last employment by his employer, shall remain on his job until the statement is issued, unless remaining on the job would subject him to undue personal hardship.

(e) A statement of availability authorizes new employment only upon referral by, with the consent of, or in accordance with arrangements with, the United States Employment Service.

(f) The Area Director of the War Manpower Commission, after consultation with the Management-Labor Committee, and in order to promote greater stability in employment, may withdraw, for specified categories of employers, the authorization to such employers to issue statements of availability and may require that all statements of availability in such cases be issued by the United States Employment Service under the circumstances stated in sections 3 (b) (1) and (2).

SEC. 4. *Certificate of prior employment.* (a) Every employer shall give every employee who is separated for any reason whatsoever from his employment in an activity other than an essential or locally needed activity, a certificate of prior employment in substantially the following form:

CERTIFICATE OF PRIOR EMPLOYMENT

Name _____
S. S. No. _____
Occupation _____
Entered our employ on _____
and was separated from our pay roll on _____ 194__
Company _____
Address _____
By _____

(b) No employer in an activity other than an essential or locally needed activity shall refuse, when requested, to issue a certificate of prior employment to any such employee.

(c) No employer shall place on a certificate of prior employment any information not required by the above form.

(d) A certificate of prior employment shall not be issued to an individual separated from employment in an essential or locally needed activity.

(e) A certificate of prior employment authorizes new employment only upon referral by, with the consent of or in accordance with arrangements with, the United States Employment Service.

SEC. 5. *Employment authorizations.* (a) The local office of the United States Employment Service will issue employment authorizations, or referral cards to available employment, to individuals under the following circumstances:

(1) When the applicant has not previously been employed;

(2) When the applicant is unable to secure a certificate of prior employment and has established to the satisfaction of the United States Employment Service that he was not at any time during the preceding 60-day period engaged in an essential or locally needed activity.

SEC. 6. *Disposition of forms.* (a) Each person who is employed shall give his new employer the referral card, certificate of prior employment, or employment authorization which has authorized his employment. The employer shall retain it as part of the personnel record of the employee as evidence that such employment is not in violation of the stabilization program, and shall make it available for inspection, upon request to a representative of the War Manpower Commission.

(b) An individual who has received a statement of availability or a certificate of prior employment as provided herein, and who desires referral to other employment, shall present the statement or certificate to the United States Employment Service as evidence of his eligibility for referral to such other employment.

SEC. 7. *Special referral provisions.* (a) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(b) No individual whose last regular employment was in agriculture shall be referred to nonagricultural work except after consultation with a designated representative of the War Food Administration.

SEC. 8. *Restrictions on employment of persons for less than 48 hours per week.* (a) Notwithstanding any other provisions of this program, no employer shall employ any person for a scheduled work-week of fewer hours than the individual worked for his most recent employer unless such employment is authorized by the local office of the United States Employment Service.

(b) Employment for a scheduled work-week of 48 hours, or of 45 hours in a plant operating on a 3-shift basis, shall not be considered "fewer hours" even though the applicant has previously worked more than 48 hours.

(c) The Employment Service may authorize the employment of an applicant for "fewer hours" than those worked for his most recent employer if the individual presents a compelling personal reason to warrant a reduction in his hours of work.

SEC. 9. *Restrictions on hiring by employers granted exemption from the 48-hour workweek.* The Area Director may prohibit the hiring without special permission of additional persons, in any category, by an employer to whom exemption has been granted from the provision of Executive Order No. 9301 establishing a minimum wartime workweek of 48 hours.

SEC. 10. *Utilization of existing hiring channels.* To the maximum degree consistent with the regulations of the War Manpower Commission and with the objectives of this employment stabilization program, local initiative and cooperative efforts will be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

SEC. 11. *Exclusions.* No provisions of this employment stabilization program shall be applicable to:

(a) The hiring of an employee for agricultural employment;

(b) The hiring of an employee for work which the Area Director may designate as "casual work" or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program unless the individual is customarily engaged in the type of work designated as "casual work";

(c) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or (only so far as the issuance of statements of availability to their employees for other employment is concerned) to the hiring of any of their employees unless such foreign, State, county or municipal government, or political subdivision, or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(d) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(e) The hiring for domestic service of a female employee whose last employment was in domestic service or who has not been employed in full-time regular employment at any time since December 8, 1941;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period;

(g) The hiring of an individual who has been in the employment of the hiring employer at any time during the preceding 30-day period. The employment herein referred to does not include "casual work" nor employment which is supplemental to the employee's principal work.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Com-

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mission under this program, in accordance with regulations and procedures of the War Manpower Commission. The granting or denial of a statement of availability by the United States Employment Service of the War Manpower Commission may be appealed by an employer or an employee provided an appeal is filed with the United States Employment Service local office within 3 days from the date of the notice of such determination.

SEC. 13. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 14. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 15. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 16. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 17. *Definitions.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation, or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "Essential activity" means any activity included in the War Manpower Commission list of essential activities.

(c) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(d) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(e) "State" includes Alaska, Hawaii, and the District of Columbia.

SEC. 18. *Applicability of program.* This program shall be effective throughout the Baltimore Area which includes Baltimore City; districts 1, 2, 3, 9, 12, 13, 14, and 15 of Baltimore County; districts 1 and 2 of Howard County; district 5 of Anne Arundel County and district 3 north of and including Pasadena.

SEC. 19. *Effective date.* The provisions of this program shall become effective at 12:01 a. m. on January 1, 1945.

Dated: December 27, 1944.

GRAFTON LEE BROWN,
Acting Area Director.

Approved: December 30, 1944.

HENRY E. TREIDE,
Regional Director.

[F. R. Doc. 45-13505; Filed, July 24, 1945; 11:11 a. m.]

[Amdt. 1]

BALTIMORE, MD., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Baltimore Area, dated January 1, 1945, is hereby amended as follows, effective July 1, 1945:

Paragraph (e) of section 11 is amended by deleting the entire paragraph and substituting in lieu thereof the following: "The hiring of an employee for domestic service."

Dated: June 29, 1945.

GRAFTON LEE BROWN,
Area Director.

Approved: June 30, 1945.

HENRY E. TREIDE,
Regional Director.

[F. R. Doc. 45-13506; Filed, July 24, 1945; 11:12 a. m.]

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FEDERAL REGISTER

VOLUME 10 NUMBER 149

Washington, Friday, July 27, 1945

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Department of Agriculture, Commodity Credit Corporation

[Supp. Announcement 6]

PART 295—DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES FOR EXPORT

SUPPLEMENTAL ANNOUNCEMENT TO TERMS AND CONDITIONS OF COTTON SALES FOR EXPORT PROGRAM

The Terms and Conditions of Cotton Sales for Export Program is hereby amended in the following respects:

1. Subparagraphs 3 (a), 8 (c), and 12 (a) are amended by substituting the date "January 1, 1947" for the date "January 1, 1946," wherever such date appears, and paragraph 9 is amended by substituting the date "December 31, 1946" for the date "December 31, 1945."

2. Subparagraph 3 (b) is amended to read as follows:

(b) The Corporation must have received from the exporter, not later than 90 days after the Corporation receives notice of the export sale, purchase orders covering the cotton which the exporter is eligible to purchase, and the Corporation must have accepted such purchase orders: *Provided*, That if the sales contract submitted to the Corporation pursuant to paragraph 9 hereof provides that a specified quantity (bales or pounds) of cotton shall be shipped or delivered during a specified period or shipped on a specified shipping date, the exporter shall, not later than 30 days prior to such period or shipping date or not later than 90 days after the Corporation receives notice of the export sale, whichever is later, submit Purchase Orders covering an equal quantity of cotton.

3. Paragraph 5 is amended by addition of the following subparagraph (c) (iv):

(iv) *Carrying charge differential.* If the purchase order covering the cotton is received by the Corporation more than 90 days after the date the Corporation receives notice of the export sale of the corresponding cotton, the base price (after other adjustments) shall be increased by 5 points for each month, or fraction thereof, between the end of such 90-day period and the date the Purchase Order is received by the Corporation.

4. Subparagraph 8 (f) (see Supplemental Announcement 2) is amended to read as follows:

(f) The exporter must have submitted against such export sale purchase requests covering such cotton or Purchase Orders covering an equal quantity of cotton within the same time limits as those specified in subparagraph 3 (b) above for submission of purchase orders. Purchase requests shall be submitted to the New Orleans Regional Office of the Corporation and shall be in the form prescribed by the Corporation. Purchase requests may be sent by mail or telegraph, but all purchase requests sent by telegraph shall be confirmed by mail on the same day in the prescribed form.

These amendments shall be applicable to sales already registered, as well as those which are registered in the future.

NOTE: All reporting and record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with Federal Reports Acts of 1942.

Dated this 26th day of July 1945.

[SEAL] COMMODITY CREDIT CORPORATION,
By C. C. FARRINGTON,
Vice President.

Attest:
SARA E. SWANICK,

[F. R. Doc. 45-13689; Filed, July 26, 1945; 11:07 a. m.]

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938-June 1, 1943) is still available in ten units at $3.00 each.

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TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders

[WFO 2-11]

PART 1401—DAIRY PRODUCTS

BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended (8 F.R. 5696; 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103, 3542), and in order to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1401.201 *Percentage of butter to be set aside in August 1945*—(a) *Definitions.* Each term defined in War Food Order No. 2, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 2, as amended.

(b) *Percentage.* Each person who is required by War Food Order No. 2, as amended, to set aside butter during August 1945 shall set aside, in such month, a quantity of butter equal to at least 30 percent of all butter produced by him in that month.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 2, as amended, 8 F.R. 5696, 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103, 3542)

Issued this 23d day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13536; Filed, July 24, 1945; 12:53 p. m.]

[WFO 42b, Amdt. 6]

PART 1460—FATS AND OILS

EXTENSION OF SOAP

War Food Order No. 42b, as amended (9 F.R. 12080, 13619, 10 F.R. 1315, 3127, 5060), is further amended as follows:

1. By adding immediately after paragraph (a) (15) the following new paragraph:

(16) "Builder" means any water soluble alkaline compound added to soap to aid or increase its detergent properties, excluding sodium or potassium hydroxide.

2. By adding immediately after paragraph (v) the following new paragraph:

(w) *Extension of soap.* (1) No manufacturer shall produce package soap (originally packed in unit packages containing less than 25 pounds net) in the form of chips, flakes, powder, granules, or similar forms with an anhydrous soap content of from 50 to 85 percent, both inclusive, unless, by the addition of builders, the anhydrous soap content derived from fats and oils is reduced to a point not in excess of 90 percent of the anhydrous soap content of such product as manufactured during the 30-day period ending July 17, 1942.

(2) Any manufacturer who did not produce package soap in the form of chips, flakes, powder, granules or similar forms, during the 30-day period ending July 17, 1942, may apply to the Order Administrator for the establishment of a figure representing the anhydrous soap content of such product during such period.

This amendment shall become effective at 12:01 a. m., e. w. t., August 7, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 42b, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 23d day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13535; Filed, July 24, 1945; 12:53 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 116—CIVIL AIR NAVIGATION

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

CROSS REFERENCE: For an amendment to § 116.8 (b) (8), see Chapter I of Title 19, *infra*.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 343]

PART 292—EXEMPTIONS AND CLASSIFICATIONS

ALASKAN AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 20th day of July, 1945.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 416 thereof, and finding that many persons have undertaken to engage in air transportation in Alaska without obtaining any authorization from the Board for such undertakings; that some of the "Alaskan Air Carriers" now holding authorizations from the Board are not conducting their operations in entire conformity with the terms of such authorizations; that, pending disposition of the investigation which the Board has instituted into all matters relating to and concerning the classification of air services in Alaska and the extent to which existing requirements of law or regulations governing the economics and safety of operations, or their application to Alaskan operations, can or should be modified in relation to each classification of service which may be established (Docket No. 1747), the present enforcement of section 401 of the act would be an undue burden upon such carriers by reason of the limited extent of and the unusual circumstances affecting the operations of said carriers and would not be in the public interest; and deeming its action necessary and appropriate to carry out the provisions of said Act, and to exercise and perform its powers and duties thereunder, hereby makes and promulgates the following regulation:

Section 292.2 of the Economic Regulations is hereby amended by adding thereto the following additional paragraph:

§ 292.2 *Classification and exemption of Alaskan air carriers.* • • •

(k) *Temporary exemption of certain air carriers operating within Alaska.* Until the Board shall adopt further rules, regulations or orders, any person (1) who during the six months ended March 31, 1945, was engaging within the Territory of Alaska in air transportation which had not been authorized by the Board, and (2) who heretofore has filed, or prior to September 15, 1945, shall file, with the Board an application for a permanent or temporary certificate of public convenience and necessity covering the unauthorized services in which such person so engaged, or for an order exempting such person from the holding of such certificate, shall be and is hereby temporarily exempted from the provisions of section 401 (a) of the Civil Aeronautics Act of 1938, as amended, insofar as said provisions would otherwise prevent each such applicant from continuing to engage in air transportation of the same nature, extent, regularity and frequency as was rendered by it within the Territory of Alaska during said period ending March 31, 1945, and for which application is filed.

Any such person shall also be exempted, with respect to operations conducted pursuant to the authority granted by this paragraph, from the provisions of sections 403, 404 (a), 405 (c) and 407 (b) of Title IV of the Civil Aeronautics Act of 1938, as amended, and regulations of the Civil Aeronautics Board promulgated under said Title IV, excepting § 238.1, Applications for Certificates of Public Convenience and Necessity, and Part 285, Rules of Practice. Any such person operating pursuant to this paragraph shall not thereby be deemed to be an Alaskan air carrier within the meaning of paragraph (a) of this section.

Every person operating pursuant to this paragraph may make charter trips and render other special services between points on routes which it is authorized by this paragraph to serve. Charter trips and other special services may also be rendered to or from any other point: *Provided*, That such trips originate at or are destined to a point on a route such person is authorized by this paragraph to serve: *And provided further*, That all such trips are casual, occasional, or infrequent, and are not made in a special manner as to result in establishing a regular or scheduled service. The provisions of § 239.1 of the Economic Regulations shall not apply to any person operating pursuant to this paragraph.

The exemption granted in this paragraph shall be of no further force or effect as to any such person so engaged in air transportation from and after the effective date of an order by the Board denying such person's application to provide such air transportation, or from the date of the inauguration or resumption of such air transportation pursuant to an authorization issued by the Board.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 45-13707; Filed, July 26, 1945; 11:16 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4927]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE ADLERIKA CO.

§ 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with the offering for sale, sale or distribution of respondent's medicinal preparation designated "Adler-i-ka", or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, disseminating, etc., any advertisements by means of the United States mails or in commerce, or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements fail to reveal that the said preparation advertised should not be used in the presence of abdominal pains, nausea, vomiting or other symptoms of appendicitis; prohibited, subject to the provision, however, that such advertisements need contain only the statement, "Caution: Use Only as Directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect; (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Adlerika Company, Docket 4927, July 11, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of July, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent and a stipulation as to the facts entered into between respondent herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusions that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, The Adlerika Company, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of respondent's medicinal preparation designated "Adler-i-ka", or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any other means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which fails to reveal that the said preparation advertised should not be used in the presence of abdominal pains, nausea, vomiting or other symptoms of appendicitis; *Provided, however*, That such advertisement need contain only the statement, "Caution: Use Only as Directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect;

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said preparation in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement fails to comply with the requirements set forth in paragraph 1 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-13688; Filed, July 26, 1945; 11:04 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

PART 6—AIR COMMERCE REGULATIONS

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

The regulations for the application to civil air navigation of the laws and regulations relating to customs, public health, entry and clearance, and immigration issued by the Acting Secretary of the Treasury, the Federal Security Administrator, the Acting Secretary of Commerce, and the Acting Attorney General, within their respective authorities, on August 28, 1941, as amended on October 31, 1941, June 5, 1942, September 21, 1942, April 14, 1943, and August 26, 1944 (6 F.R. 4516, 4536, 4537, 4514, 5582, 5583, 5596; 7 F.R. 4471, 4472, 4498, 7800, 7813, and 8 F.R. 5291, 5296, 5320; 19 CFR, Cum. Supp., 6.1 to 6.11, 42 CFR, Cum. Supp., 11.501 to 11.516, and 8 CFR, Cum. Supp., 116.1 to 116.16), are hereby further amended as follows:

The note following § 6.8 (b) (8) of Title 19, Code of Federal Regulations, also designated as § 11.508 (b) (8) of Title 42 and § 116.8 (b) (8) of Title 8, is deleted.

(R.S. 161, 251, sec. 644, 46 Stat. 761, sec. 7, 44 Stat. 572, secs. 367, 602, 58 Stat. 706, 712, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166; 5 U.S.C. 22, 19 U.S.C. 66, 1644, 49 U.S.C. 177, 42 U.S.C. Sup. IV, 201 note, 270, 8 U.S.C. 102, 222. Sec. 1, President's Reorganization Plan No. V; 5 F.R. 2132, 2223. E.O. 9083, Feb. 28, 1942; 7 F.R. 1609)

[SEAL] FRANK DOW, *Acting Commissioner of Customs.*
HERBERT E. GASTON, *Acting Secretary of the Treasury.*
PAUL MCNUTT, *Federal Security Administrator.*
TOM C. CLARK, *Attorney General.*

July 16, 1945.

[F. R. Doc. 45-13710; Filed, July 26, 1945; 10:56 a. m.]

TITLE 29—LABOR

Chapter IX—Department of Agriculture (Agricultural Labor)

[Supp. 62]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN HARVESTING PEARS, HOPS, AND PRUNES IN MENDOCINO AND SONOMA COUNTIES, CALIF.

§ 1102.25 *Workers engaged in harvesting pears, hops, and prunes in Mendocino and Sonoma Counties, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations," and based upon a certification of the California USDA Wage Board that a majority of the producers of pears, and a majority of the producers of hops, and a majority of the producers of prunes in the area affected participating in a hearing conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the California USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting pears, hops and prunes in Mendocino and Sonoma Counties, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Wage rates: maximum wage rates for picking pears, hops and prunes.*

(1) Hourly rate—85¢ an hour.
(2) Piece work rates:
(i) Hops—3¢ per pound.
(ii) Picking prunes from the ground—25¢ per 50 pounds, or $10 per ton.
(iii) Tree picking of pears—15¢ per 50-lb. box, or $6 per ton.

(c) *Administration.* The California USDA Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement 62 shall become effective at 12:01 a. m., Pacific war time, July 26, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655; 12117, 12611, 10 F.R. 7609; 9 F.R. 831, 12807, 14206, 10 F.R. 3177.)

Issued this 25th day of July, 1945.

[SEAL] K. A. BUTLER, *Acting Director of Labor, U. S. Department of Agriculture.*

[F. R. Doc. 45-13691; Filed, July 26, 1945; 11:07 a. m.]

[Supp. 61]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN HARVESTING OF HAY IN HARNEY COUNTY, OREG.

§ 1110.7 *Wages of workers engaged in harvesting hay in Harney County, Oregon.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Oregon USDA Wage Board that a majority of the producers of hay in the area affected participating in a hearing conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Oregon USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting hay in Harney County, State of Oregon, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Wage rates; maximum wage rates for harvesting hay.*

(1) Hay stackers—those engaged in final piling or stacking of cured hay—$8 per day and board.

(2) General hay hands—those performing all operations in harvesting hay except operations performed by hay stackers—$6 per day and board.

If workers are paid on any other basis the rate of compensation shall not exceed the equivalent of the rates herein provided.

(c) *Administration.* The Oregon USDA Wage Board, located at 701 Pittock Block, Portland 5, Oregon, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of the specific wage ceiling regulations.* This section shall be deemed a part of the specific wage ceiling regulations issued by the War Food Administrator on March 25, 1945 (10 F.R. 3177), and the provisions of such regulations shall be applicable to this section and any violation of this section shall

with the Board an application for a per-

leadingly—Safety: § 3.71 (e) *Neglecting,*

they appear on the label, in the labeling,

constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement 61 shall become effective at 12:01 a. m., Pacific war time, July 27, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7371; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609; 9 F.R. 831, 12807, 14206, 10 F.R. 3177.)

Issued this 24th day of July, 1945.

[SEAL] WILSON R. BUIE.
Director of Labor.
U. S. Department of Agriculture.

[F. R. Doc. 45-13690; Filed, July 26, 1945; 11:07 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

REVOCATION OF CERTAIN RESTRICTIONS ON REMITTANCES TO SWITZERLAND

Correction

In Federal Register Document 45-13464, appearing on page 9210 of the issue for Wednesday, July 25, 1945, the second headnote should read as set forth above.

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 68]

SP (SPECIAL PROJECT) LICENSES

ORDER EXTENDING VALIDITY

It is hereby ordered, That all SP (Special Project) licenses issued by the Foreign Economic Administration which were valid and outstanding on July 1, 1945, shall remain valid for a period of one year from July 1, 1945, unless sooner revoked or further extended by the Foreign Economic Administration. The provisions of this order shall not apply to any SP (Special Project) license which has been suspended, canceled or revoked subsequent to July 1, 1945 and prior to the effective date of this order.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 23, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13678; Filed, July 26, 1945; 9:27 a. m.]

[Amdt. 70]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

BLOCKADE CONTROL PERMIT

Section 805.4 *Blockade control permit* is hereby amended to read as follows:

§ 805.4 *Blockade control permit.* (a) Applications for individual license to export commodities set forth in paragraph (b) of this section to:

Eire
Portugal.
Portuguese Atlantic Islands.
Portuguese Guinea.
Spain.
Spanish Atlantic Islands.
Spanish International Morocco and Tangier.

will not be considered unless a blockade control permit has previously been issued by appropriate authorities in London, or unless covered by an exception stated in paragraph (c) of this section. License applications will be accepted by the Foreign Economic Administration only after notification by the appropriate authorities of the issuance of the permit. Upon receipt of notice of the issuance of the permit, the exporter will be advised to file a license application. Applications for blockade control permits shall be made in the country of destination by the consignee.

(b) Except as provided in paragraph (c) of this section, the commodities for which a blockade control permit is required are listed below:

Eire

All commodities, except castor oil (medicinal and industrial grades), paraffin wax, steel mill products, automobile and truck replacement parts and accessories, tobacco (including cigars and cigarettes).

Portugal

Tinplate.
Wheat, wheat flour and other grains.

Portuguese Atlantic Islands

Wheat flour (for Sao Thome only).
Wheat.

Portuguese Guinea

Sugar
Wheat flour.

Spain

Animal, vegetable and fish oils, fats, and greases.
Basic slag.
Beans.
Binder twine, rope and other twine (including jute yarn).
Carbon black.
Casein.
Cocoa and cocoa preparations.
Coffee.
Copper ore, metal scrap and alloys.
Copper sulfate.
Cotton, raw, carded and waste.
Edible oils.
Ferro-alloys.
Fertilizers (nonphosphatic) of animal and vegetable origin not chemically prepared, bone, fish and meat meal.
Fodder including hay, cereal offals, chickpeas, maize, maize meal, barley, oats, pulses.
Hemp, soft.
Hides and leather (excluding manufactures).
Industrial oilseeds, (resins, cacao, castor, soya, copra, flaxseed, hempseed, kernels, nuts, peanuts, rapeseed, cottonseed, perilla, poppy, sunflower, sesame, babassu, etc.).
Iron and steel scrap.
Jute, raw (including punga, urena), waste, tissues and manufacture (including bags).
Manganese ore (excluding pyrolusite), metal, alloys, scrap and ferromanganese.
Manila hemp and tow.
Nickel ore, metal scrap and alloys.
Nitrogenous fertilizers, natural or synthetic (Chile saltpetre, sulfate of ammonia, calcium cyanamide, etc.).

[Amdt. 60]

PART 802—GENERAL LICENSES

SWEDEN; ADDITION TO LIST OF DESTINATIONS

Section 802.25 *General license "G-Post* is hereby amended in the following particulars:

Subparagraph (2) of paragraph (b) is amended by adding to the destinations listed in Group II the following destination:

Sweden

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 25, 1945.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13677; Filed, July 26, 1945; 9:27 a. m.]

[Amdt. 65]

PART 802—GENERAL LICENSES

GENERAL IN TRANSIT LICENSES

Correction

In Federal Register Document 45-13567, appearing at page 9259 of the issue for Thursday, July 26, 1945, the amendment number should appear in brackets as set forth above.

Petroleum and petroleum products, including asphalt and gilsonite, butane, lubricating oils and greases, petrolatum, paraffin wax, white mineral oil for industrial purposes (Schedule B No. 5059.00) but excluding consignments not to exceed four hundred pounds of white mineral oil and similar products intended for pharmaceutical or cosmetic purposes.
Phosphates, natural.
Rice and maizena (cornstarch).
Rubber latex.
Rubber—raw (including synthetic).
Rubber scrap, waste and reclaimed.
Rubber tires and tubes.
Sisal hemp and tow; kapok.
Sugar.
Superphosphates.
Tin ore, metal scrap.
Tinplate.
Tree spray, porocide.
Wheat, rye, and their flours.
Yuca, manioc, and cassava.

Spanish Atlantic Islands

Animal fats and vegetable oils and oilseeds.
Coffee.
Fertilizers.
Fodder including hay, cereal offals, chickpeas, maize, maize meal, barley, oats, pulses.
Meat.
Petroleum, and petroleum products, including asphalt and gilsonite butane, lubricating oils and greases, petrolatum, paraffin wax, white mineral oil for industrial purposes (Schedule B No. 5059.00) but excluding consignments not to exceed four hundred pounds of white mineral oil and similar products intended for pharmaceutical or cosmetic purposes.
Pork and bacon.
Rice.
Rubber tires and tubes.
Sugar.
Superphosphates.
Wheat, rye, and their flours.

Spanish Morocco and Tangier

Coffee.
Petroleum, and petroleum products, including asphalt and gilsonite, butane, lubricating oils and greases, petrolatum, paraffin wax, white mineral oil for industrial purposes (Schedule B No. 5059.00) but excluding consignments not to exceed four hundred pounds of white mineral oil and similar products intended for pharmaceutical or cosmetic purposes.
Sugar.

(c) *Exceptions.* The requirements of this section shall not apply to:

(1) Exportations to Eire when made by mail, regardless of value.

(2) Exportations to Eire of any commodity or commodities when the total value of the commodity or commodities included in a single application for individual export license does not exceed $100.

(3) Exportations to all destinations subject to the blockade control permit regulations, other than Eire, of non-commercial consignments when shipped by mail, provided the commodities so shipped are for the personal use of the consignee or ultimate consignee. When this exception is applicable, the application for license must specify the "personal use."

(4) Exportations of normal trade samples of reasonable quantity, when shipped by mail, to all destinations subject to blockade control permit regulations other than Eire. Where this exception is applicable the license application must specify that the intended shipment will consist of samples and describe such samples in detail.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 19, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13679; Filed, July 26, 1945; 9:27 a. m.]

[Amdt. 71]

PART 806—TECHNICAL DATA

EXPORTATIONS TO GREAT BRITAIN, AUSTRALIA AND NEW ZEALAND

Section 806.2 *General licenses* is hereby amended by adding thereto paragraph (g) as follows:

(g) *Technical data exported to Great Britain, Australia and New Zealand.* A general license is hereby issued permitting exportation to Great Britain, Australia and New Zealand of technical data provided such technical data (1) are not restricted by any officer or agency of the United States Government against dissemination or exportation; and (2) are not contained in patent applications based on inventions made in the United States, amendments to such patent applications, or other papers relating directly to such patent applications: *Provided,* That all exportations made under this general license shall bear conspicuously on the envelope or wrapper "General License TD-GAN".

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 21, 1945.

S. H. LEBENSBURGER,
Director,
Requirements & Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13680; Filed, July 26, 1945; 9:27 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 108]

PARAFFIN WAX

Section 3293.1108 *Schedule 108 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective August 1, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

On and after August 1, 1945 deliveries of paraffin wax are subject to General Preference Order M-340 as amended simultaneously with the issuance of this revocation.

The manufacture, use and delivery of paraffin wax remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13739; Filed, July 26, 1945; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-388, Interpretation 4]

STATUS OF JOB FINISHERS

The following interpretation is issued with respect to General Preference Order M-388:

A job finisher who finishes fabric for an intermediate processor is not himself an intermediate processor within the meaning of paragraph (m) (2) of Order M-388 except with respect to any fabric to which he acquires title in the gray state. For example, if a job finisher, under the terms of the finishing contract, does not acquire title to the gray goods, but buys goods which he damages in finishing, he is not an intermediate processor with respect to the damaged goods. However, the intermediate processor who supplied the gray goods must include the damaged goods, in lengths of over one yard, in calculating his set-aside or rated delivery quota. Thus, if 100,000 yards of gray goods are delivered by an intermediate processor to a job finisher and 5,000 yards are damaged in the finishing process, the intermediate processor's set-aside or quota must be calculated on the 100,000 yards rather than on the 95,000 yards. If the intermediate processor sells the 5,000 yards of damaged fabric to the job finisher as part of the intermediate processor's "free goods", further deliveries of such damaged fabric may be made by the job finisher free of the M-388 restrictions.

The same principles apply in determining whether the job finisher is the intermediate processor with respect to the "stretch". However, it is presumed that the job finisher acquires the "stretch" in the gray state and he would therefore normally be the intermediate processor as to the "stretch".

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13744; Filed, July 26, 1945; 11:34 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 27, Interpretation 1]

The following interpretation is issued with respect to Priorities Regulation 27:

Paragraph (b) of Priorities Regulation 27 prohibits a manufacturer from purchasing production materials under that regulation if his total production is expected to be more than $50,000 worth of all products manufactured by him in any calendar quarter in which he will use materials purchased under that regulation.

The $50,000 limit refers to all products manufactured by a person and not just products manufactured with materials obtained under PR 27. The provision in question reads as follows:

Your total production is not expected to be more than $50,000 worth of all products manufactured by you in any calendar quarter in which you use materials purchased under this regulation.

The clause "in which you use materials purchased under this regulation" obviously refers to the words "in any calendar quarter" and not to the words "products manufactured by you". This is made clear by the subsequent provision of paragraph (b) which explain the method of determining whether a person comes within the $50,000 limit.

The provision quoted above means exactly the same as if it read as follows:

Your total production is not expected to be more than $50,000 worth of all products manufactured by you in any calendar quarter during which you use materials purchased under this regulation.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13745; Filed, July 26, 1945; 11:33 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-861]

CHARLTON PUBLISHING CORP.

The Charlton Publishing Corporation, engaged in business in Derby, Connecticut, in the year 1944 published song magazines entitled "Hit Parader", "Radio Hit Songs" and "Big Song Magazine". During the four quarters of the calendar year 1944, Charlton Publishing Corporation used or caused to be used 86 tons of print paper in excess of the quota of print paper which it was permitted to consume during said period under the provisions of Limitation Order L-244 and in violation of that Order.

This excessive use of paper has diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.861 *Suspension Order No. S-861.* (a) Charlton Publishing Corporation, its successors or assigns, shall not during each of the third and fourth quarters of 1945 and the first and second quarters of 1946 use or cause to be used print paper in excess of 140.07 tons per quarter unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Charlton Publishing Corporation, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Charlton Publishing Corporation, its successors or assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13747; Filed, July 26, 1945; 11:30 a. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Limitation Order L-86, Direction 1, as Amended July 26, 1945]

DELIVERIES OF LIQUEFIED PETROLEUM GAS TANKS BY TANK MANUFACTURERS

Direction 1 to Limitation Order L-86 is hereby amended to read as follows:

(a) *What this direction covers.* This direction covers the delivery (transfer of physical possession) of liquefied petroleum gas tanks by tank manufacturers. For the purpose of this direction a liquefied petroleum gas tank includes any tank which is included within the definition of liquefied petroleum gas equipment in Order L-86, except a compressed gas cylinder authorized for the movement of liquefied petroleum gas by the Interstate Commerce Commission regulations covering the transportation of explosives and other dangerous articles as these regulations have been amended or exceptions granted thereto.

(b) *Original approval or authorization must be given to manufacturers.* Notwithstanding the provisions of paragraph (d) of Order L-86, no tank manufacturer may deliver (i. e. transfer physical possession of) any liquefied petroleum gas tank and no person may accept from a tank manufacturer delivery (i. e. physical possession) of a liquefied petroleum gas tank unless there has been submitted to the tank manufacturer both an original authorization and a certified purchase or delivery order or instruction covering the tank to be delivered. This original authorization shall be an approval by the War Production Board or the Petroleum Administration for War to accept delivery of and install a liquefied petroleum gas tank. Such approval shall be evidenced by a Form WPB-809 revised, a Form GA-855, a written letter or telegram signed by an authorized official of the War Production Board or the Petroleum Administration for War. The certification to be placed on the purchase or delivery order or instruction shall be that required by paragraph (e) of Order L-86.

No preference rating unaccompanied by an original authorization of the kind described above may be deemed an authorization under this direction to deliver or accept delivery of a liquefied petroleum gas tank.

After a purchase order is accepted by the tank manufacturer, he shall endorse on the original authorization his name and the number of tanks to be delivered on the basis of the authorization which has been sent to him. He must then return the endorsed authorization to the purchaser who has ordered the tank(s).

(c) *Order must be placed with tank manufacturer within 60 days.* An approved Form WPB-809 revised, Form GA-855 or other authorization of the kind described in paragraph (b) must be used to order liquefied petroleum gas tanks covered by it within 60 days of the date of approval. Unless such authorization is mailed by the applicant (purchaser) within that 60-day period, the approval shall be void and of no effect, and it will be necessary to reapply for the tanks covered by such application or other authorization.

(d) *Reports by manufacturers of liquefied petroleum gas tanks.* Each liquefied petroleum gas tank manufacturer shall on or before the 10th day of June 1944 and on or before the 10th day of every month thereafter, file a report by letter in duplicate covering the preceding calendar month. This report shall consist of the following items of information covering all tanks subject to this direction and for which purchase orders were accepted during the month:

Persons to whom deliveries will be made under such purchase orders;

Number and description of tanks to be delivered to each person and for each item the case numbers of corresponding authorizations submitted to manufacturer by purchaser.

This report should be addressed to the Petroleum Administration for War, Interior Building, Washington 25, D. C. Ref: L-86.

(e) This direction does not apply to deliveries of liquefied petroleum gas tanks to any person for export outside the United States, its territories, or possessions.

NOTE: The reporting requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13726; Filed, July 26, 1945; 11:33 a. m.]

PART 3289—RADIO AND RADAR

[General Limitation Order L-265, as Amended July 26, 1945]

ELECTRONIC EQUIPMENT

Section 3289.31 *General Limitation Order L-265* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of electronic equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3289.31 *General Limitation Order L-265*—(a) *What this order does.* This order gives the rules which must be followed in producing certain types of electronic equipment and describes how spot authorizations to produce electronic equipment may be obtained. It also explains how certain electronic components may be obtained from producers for replacement or repair uses.

(b) *Definitions.* For the purpose of this order:

(1) "Electronic equipment" means any equipment which is listed on Schedule A and which requires the use of electron tubes for its operation.

(2) "Electronic component" means any of the following components of the type generally used in electronic equipment: tubes (excluding tungar and rectigon type rectifiers and x-ray); transformers and reactors (excluding r. f. and i. f. coils); capacitors, fixed and variable; resistors, fixed and variable; loud speakers; switches; sockets; relays.

(3) "Producer" means any person to the extent engaged in the manufacture of electronic equipment or electronic components for transfer to another person.

(4) "Manufacture" means produce, fabricate or assemble electronic equipment, or perform any act or operation upon electronic equipment so as to modify or convert it from one to another type, use or mode of operation, but shall not include acts incidental to the maintenance or repair of electronic equipment.

(5) "Transfer" means sell, lease, trade, give, deliver, or physically transfer in any way so as thereby to make available for the use of a person other than the transferor. This does not include the transfer of electronic equipment by one person to another person for repair or storage nor the return of such equipment to the owner (or his agent).

(c) *Restrictions on producers.* (1) No producer shall manufacture or transfer any electronic equipment unless it is produced under one of the following conditions:

(i) To fill an order which he has received which calls for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, or any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) To fill an order which he has received which bears a preference rating.

(iii) On an authorized production schedule as defined in CMP Regulation 1.

(iv) On production authorized under the provisions of Priorities Regulation 25.

(2) The restriction in paragraph (c) (1) does not apply to the transfer of any finished item of electronic equipment the manufacture of which was completed on or before April 24, 1943.

(d) *Applications for spot authorization.* Applications for permission to produce electronic equipment during the third and fourth quarters of 1945 under Priorities Regulation 25 should be filed on Form WPB-4000, if possible, on or before July 31, 1945, with the WPB field office for the district for the plant in which the applicant proposes to produce. Applicants must give on the WPB-4000 a description of each type and model of the product and the quantity (by quarters) to be produced. In addition, for each type and model to be produced, they must show in a letter attached to the application, the proposed net unit factory billing value of the equipment, and a statement of the quantity of each of the following types of components which will be used in the manufacture of the equipment:

(1) Tubes
(2) Transformers and reactors (excluding r. f. and i. f. coils)
(3) Capacitors, fixed and variable
(4) Resistors, fixed and variable
(5) Loud speakers
(6) Switches
(7) Sockets
(8) Relays

Identifying specifications for each of the components must be given.

If some or all of the components are to be obtained from idle and excess inventories of either the applicant or some other holder, the applicant must state that fact, indicating separately the quantities to be obtained from his own idle and excess inventory, and the quantities he expects to obtain from idle and excess inventories in the hands of other holders. If he expects to obtain the components from idle and excess inventories in the hands of other holders, the applicant should give the names of such holders (but the provisions of Priorities Regulation 13 must in any event be complied with before the components can be transferred to him). However, if the components are to be obtained from the applicant's own idle and excess inventory, it will not be necessary for him to file a separate letter with the War Production Board field office as outlined in Direction 4 to Priorities Regulation 1 asking for permission to use the components. The War Production Board in acting on the WPB-4000 will grant or deny permission to use in the proposed production any of the components which the applicant reports as available from his own inventory.

(e) *Purchase of components from producers for replacement or repair uses.* (1) To insure a ready supply of electronic components of the types described in paragraph (b) (2) for replacement and repair, any person who purchases such components for his own replacement or repair purposes within the U. S., its territorial possessions or the Dominion of Canada or for resale to another person for replacement or repair within the U. S., its territorial possessions or the Dominion of Canada may accompany his order to a producer with a certification in substantially the following form:

REPLACEMENT OR REPAIR CERTIFICATE

I hereby certify that the electronic components specified on this order will be used or resold for replacement and repair use or on purchase orders rated AA-3 or higher only. The delivery thereof will not increase my inventory of electronic components above the level allowed by applicable regulations.

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Signature Date

The standard certification permitted by Priorities Regulation 7 may not be used in place of this certification.

An order bearing the above certification and a rating higher than AA-3 shall be treated in all respects as a regularly rated order under applicable WPB regulations. If an order bears that certification without a rating or with a rating below AA-2X, the following rules shall apply:

(i) The order shall be treated by a producer of electronic components as though it were rated AA-3, except that the rating may not be extended by the producer;

(ii) Notwithstanding the provisions of § 944.7 of Priorities Regulation 1, in making shipments to his customers on such certified orders, a producer shall prorate his available supply among his customers regardless of the sequence in which the orders were received, so as to obtain a wide and equitable distribution of his products.

(2) No person shall sell electronic components obtained with the use of the above certification on orders bearing ratings of AA-4 or AA-5 or on unrated orders unless he knows or has reason to believe that they will be used or resold for replacement or repair uses and not for new production. However, he shall deliver such components except tubes marked "MR" on orders rated AA-3 or higher, in accordance with Priorities Regulation 1, regardless of the end use, and may extend such ratings to obtain stock replacements.

(f) *"MR" tubes—(1) Use of the "MR" symbol on radio receiving tubes.* All radio receiving tubes which are sold by producers on the replacement or repair certificate described in the preceding paragraph, or which are sold by producers for delivery outside the U. S., its territorial possessions, or the Dominion of Canada, shall be marked with the symbol "MR" on both the tube and the carton. No person shall mark such tubes with the symbol "MR" for any other purpose unless he is authorized or directed to do so by the War Production Board.

(2) *Restriction on use or transfer of "MR" tubes.* No person shall use radio receiving tubes which are marked "MR" in the manufacture of any equipment which involves the use of electron tubes. No person shall transfer or accept the transfer of such tubes on any rated orders except rated orders for delivery outside the U. S. or its territorial possessions. No producer shall transfer for delivery outside the U. S. or its territorial possessions in any calendar quarter a quantity in excess of fifteen percent of his production of "MR" tubes during that calendar quarter.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the orders and regulations of the War Production Board as amended from time to time.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(j) *Communications.* All reports to be filed, appeals and other communications, concerning this order should be addressed to War Production Board, Radio and Radar Division, Washington 25, D. C., Ref: L-265.

SCHEDULE A

1. Manual or automatic phonographs, record players, home recorders and phonograph amplifiers.
2. Amusement devices of the types usually coin or token operated.
3. Radio transmitters or receivers including AM, FM, Facsimile and Television.
4. Public address systems and equipment including intercommunication systems.
5. Test equipment.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13728; Filed, July 26, 1945; 11:33 a. m.]

PART 3289—RADIO AND RADAR

[General Limitation Order L-265, Revocation of Interpretations 1, 3, 4 and 5]

Interpretations 1, 3, 4 and 5 of General Limitation Order L-265 are revoked.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13731; Filed, July 26, 1945; 11:33 a. m.]

PART 3289—RADIO AND RADAR

[General Limitation Order L-265, Interpretation 2, as Amended July 26, 1945]

LABORATORY RESEARCH AND DEVELOPMENT: RELATION OF PREFERENCE RATING ORDER P-43 AND GENERAL LIMITATION ORDER L-265

Interpretation 2 of General Limitation Order L-265 is amended to read as follows:

The restrictions of paragraph (c) (1) of Order L-265 on manufacture apply to persons only to the extent that they are engaged in the manufacture of electronic equipment for transfer to another person. A person who gets materials with the priorities assistance given by Order P-43 may use those materials to make experimental electronic equipment for his own use without regard to the restrictions of paragraph (c) (1) of Order L-265. If he makes experimental electronic equipment for transfer to another person he must do so only within the limits of paragraph (c) (1) of Order L-265. In all cases where he gets and uses materials with the priorities assistance of Order P-43, he must comply with all the provisions of Order P-43.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13732; Filed, July 26, 1945; 11:33 a. m.]

PART 3289—RADIO AND RADAR

[General Limitation Order L-265, Direction 1, as Amended July 26, 1945]

PRODUCTION SCHEDULES NOT AFFECTED BY OPEN-ENDING OF CMP

Direction 1 of L-265 is hereby amended to read as follows:

The restriction in paragraph (c) of Order L-265 limiting the production of certain types of electronic equipment, is not affected by the provisions of paragraph (c) (4) of CMP Regulation 1. That paragraph removes the restriction formerly contained in CMP Regulation 1 against exceeding CMP authorized production schedules, but does not affect the restriction in Order L-265.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13729; Filed, July 26, 1945; 11:32 a. m.]

PART 3289—RADIO AND RADAR

[General Limitation Order L-265, Revocation of Direction 2]

INSTRUCTIONS FOR FILING WPB-4000 APPLICATIONS FOR SPOT AUTHORIZATION TO PRODUCE ELECTRONIC EQUIPMENT UNDER PRIORITIES REGULATION 25

Direction 2 to General Limitation Order L-265 is revoked. This direction has been superseded by paragraph (d) of Order L-265, as amended July 26, 1945.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13730; Filed, July 26, 1945; 11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-215, Direction 1]

INCREASED ALLOTMENT FOR TEXTILE MACHINERY IN THE THIRD AND FOURTH QUARTERS, 1945

The following direction is issued pursuant to Limitation Order L-215:

(a) The War Production Board has made available an increased allotment for textile machinery for the third and fourth calendar quarters of 1945. Persons who desire to participate in this increased production should file an interim application on Form CMP-4B immediately.

(b) Additional allotments given for this purpose are intended to fill highly essential orders required for increase in production of textiles. Consequently, any manufacturer who receives such an additional allotment of controlled materials may sell any machinery produced pursuant to the allotment only on orders which bear preference ratings assigned by the War Production Board on Form WPB-1319. Allotments to which this special restriction applies will be identified by the following statement:

This material is to be used only to produce textile machinery to fill orders rated pursuant to Form WPB-1319 applications

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13727; Filed, July 26, 1945; 11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Revocation of Direction 5]

CHILDREN'S APPAREL PROGRAM NO. 3, (SUPP VIII, SCHED. A)

Direction 5 to Order M-328B is revoked. This revocation does not affect any liabilities incurred for violation of the direction or other actions taken by the War Production Board under the direction. Manufacture, use and delivery of children's apparel remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13742; Filed, July 26, 1945; 11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Direction 18]

PRIORITIES ASSISTANCE FOR COTTON TEXTILES TO BE USED BY CASKET MANUFACTURERS IN THE COVERING OF WOODEN CASKETS

The following direction is issued pursuant to Conservation Order M-317:

Converters of cotton goods may apply on Form WPB-2842 for priorities assistance to obtain 3.85 soft filled cotton sheeting to be processed into fabric known in the trade as doe skin, lamb skin, or mole skin which they may sell only for use by casket manufacturers in covering wooden caskets. Applications should be filed with the War Production Board, Consumers Durable Goods Division, Washington 25, D. C. The assistance will be authorized on a quarterly basis until further notice from the War Production Board. Applications for priorities assistance during the 3d calendar quarter must be filed not later than August 7, 1945. For succeeding quarters applications must be filed 30 days prior to the beginning of the calendar quarter for which the priorities assistance is desired. Materials for which priorities assistance is given may be purchased for delivery only during the calendar quarter for which it is given. Priorities assistance will be issued pursuant to paragraph (k) of Order M-317.

The total amount of materials for which priorities assistance will be granted under this direction is limited. Within the available supply, applications will generally be granted on a pro rata basis based on the actual consumption of the materials by the applicant during the calendar year 1944. Establishments which did not use these materials during the year 1944 (including persons who were not in business at that time) may nevertheless apply for materials and their applications will be processed on an equitable basis.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13741; Filed, July 26, 1945; 11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-84, as Amended July 26, 1945]

CORDAGE FIBER, CORDAGE YARN, CORDAGE, AND HEMP FIBER

§ 3290.221 *General Conservation Order M-84*—(a) *Restrictions on processing of fiber or yarn into rope and assignment of preference ratings for istle and jute yarns.* (1) No processor may put into process any manila, agave or other fiber or any yarn to manufacture rope except:

(i) For an end use allowed in Schedule A for rope manufactured from that fiber or yarn; or

(ii) To fill orders placed by or for the account of any United States Government agency having in effect a plan, approved by the War Production Board, to screen its orders and requisitions for rope and to eliminate unnecessary end uses of rope manufactured from critical fibers. Only the Army, Navy, and Maritime Commission now have such approved plans in effect. The Army and Navy approved plans require that orders for their account for rope made in whole or in part from Manila or agave, shall be approved by the War Production Board, and therefore no processor shall accept any such order unless the acceptance is approved by the War Production Board on application from or on behalf of the processor. Application may be made by the processor or on his behalf by letter or telegram addressed to the War Production Board, Cordage Branch, Washington 25, D. C., stating government contract and item number, quantity and kind of fiber required, and the size of the rope to be made. The War Production Board will consult with the Service or agency involved and approve applications if the proposed end use of the rope, in view of current supplies, justifies the use of the fiber.

(2) No processor may in any calendar quarter put into process for the manufacture of rope more manila and agave fiber than the following percentages of his basic monthly poundages:

(i) Manila	83.25%
(ii) Agave	61¼%

Use of "extenders" shall not be charged against the permitted quantity of agave. Specific directions may be issued to exceed the above percentages of either fiber, to permit increased deliveries to particular claimant agencies. If a processor is permitted to exceed his quota of either fiber, he may be required to accept a corresponding decrease in his quota of the other fiber.

(3) Processors are assigned a preference rating of AA-1 to get istle and jute yarns for processing into rope.

(b) *Restrictions on processing of fiber or yarn into other products.* (1) No processor may put into process any manila, agave or other cordage fiber or yarn containing cordage fiber to manufacture any product (other than rope as permitted in paragraph (a)) except:

(i) Twine, as specified in Schedule B;

(ii) [Deleted Apr. 12, 1945.]

(iii) Other products to the extent and for the purposes allowed by Conservation Order M-79 in the case of jute, and Conservation Order M-312 in the case of coir yarn, or as specifically authorized or directed in writing by the War Production Board. Moreover, the use of agave (other than cantala or sisalana, from Java, Africa, Haiti or Madagascar) may be authorized from time to time for binder or baler twine.

(2) Manufacturers of wire rope are assigned a preference rating of AA-1 to obtain jute wire rope centers for the production of wire ropes.

(c) *Further restrictions on processing.* (1) The War Production Board may issue specific directions to processors who have received cordage fiber, hemp as defined in paragraph (1) (15) or yarn by allocation under this order or any other War Production Board order or by delivery from any United States Government agency, as to the purpose and kind of product for which the fiber or yarn may be processed and as to the extension of more critical fibers by mixture with less critical ones (i. e. use of "extenders") in the manufacture of any product.

The War Production Board may from time to time issue specific instructions regarding the percentage of extender to be used in the manufacture of agave sisalana rope.

(2) Beginning July 1, 1944 no processor shall make agave sisalana rope which does not contain American hemp line as an extender with the following exceptions:

(i) Rope in sizes under ¾" in diameter.

(ii) Wire rope centers.

(iii) Drilling cables.

(iv) Purse lines.

(v) Power transmission rope (½" diameter and larger).

Any processor may, however, elect at his own option to include American hemp line fiber as an extender in the manufacture of any of the rope products listed in paragraph (c), (2) (i), (ii), (iii), (iv), (v), above.

(d) *Restrictions on delivery of rope and twine.* (1) No processor or dealer may sell, deliver, or accept delivery of new rope or new twine, produced in the United States in whole or in part from any cordage fiber or cordage yarn, except for the end uses for which the product may, under this order, be manufactured.

(2) No person may sell or deliver new binder or new baler twine if he knows or has reason to believe that:

(i) The binder twine will not be used with mechanical harvesting equipment or in the growing, harvesting or delivering of agricultural crops, or that the binder twine will be converted into rope or any other product.

(ii) The baler twine will not be used in a self-tying machine for baling hay, straw or other fodder crops.

(3) No person may use new binder or new baler twine to manufacture rope for sale.

(4) No processor or dealer may sell or deliver to an owner, operator or agent of a vessel any manila or agave rope processed from fiber which he knows or has reason to believe was allocated to the War Shipping Administration, except to fill purchase orders or emergency stock withdrawal certificates approved in writing by the War Shipping Administration.

(e) *Allocation of non-military cordage.* (1) The War Production Board may, in accordance with Program Determinations, state the quantity of manila, agave (sisal) and other cordage fibers which each processor must, out of his production during stated periods, process into cordage, as allowed by Schedules A and B, to be delivered or set aside for delivery only to fill non-military orders and only to the extent specified for particular non-military uses. From that quantity, the processor may not fill any other orders, except orders rated AAA. When that cordage is sold by the processor, he must inform the buyer of the particular non-military use for which it must be used. The buyer may use or sell that cordage only for the specified non-military use or an AAA order.

(2) The War Production Board may issue directions to processors and dealers for the establishment of emergency stocks of rope for maritime use, and for withdrawals from and replenishments of such emergency stocks, and for production for that purpose.

(f) *Allocation of fiber and yarn.* No processor shall make or accept delivery of any cordage fiber, hemp as defined in paragraph (1) (15) or cordage yarn contrary to directions which from time to time the War Production Board may issue. The War Production Board may from time to time allocate to processors the available supplies of cordage fiber, hemp as defined in paragraph (1) (15), and cordage yarns, and specifically direct the time, manner, and quantities in which deliveries to processors shall be made or withheld.

(g) *End use information.* No person may sell or deliver any product controlled by this order to any person who he knows or has reason to believe will use the product in a manner which this order does not permit. He should satisfy himself as to this in some reasonable manner before delivering. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(h) *Restrictions on the use of damaged material.* Any processor or dealer who has in his possession damaged or defective cordage fiber, hemp as defined in paragraph (1) (15), cordage yarn or cordage may report by letter the extent

of the damage and state to the War Production Board the percentage not suitable for the manufacture of products or for use permitted by this order. He may then upon receipt of acknowledgment, without objection from the War Production Board, use or dispose of any portion unsuitable for the manufacture of products permitted by this order, free from its restrictions.[1]

(i) *Inventory restrictions.* In addition to the restrictions on inventory contained in Priorities Regulation 1 (§ 944.14), no processor may accept delivery of any istle or jute yarn or rove which will increase his inventory of istle or jute yarn or rove beyond an amount which, to the best of his knowledge and belief, will be used by him in the next sixty days.

(j) *Reports.* Processors of manila and agave fiber shall report monthly, supplying the information required on Form WPB 2901 (formerly PD–128). Processors of all other cordage fibers shall report their sales monthly on Form WPB 2901 (formerly PD–128). Processors of all cordage fibers other than manila and agave shall report monthly, supplying the information required on Form WPB 914 (formerly PD–469).[1]

(k) *Imports.* The importation of cordage fibers, cordage yarns and cordage shall be made in conformity with the provisions of General Imports Order M–63, as amended from time to time.

(l) *Definitions.* In this order:

(1) "Cordage fiber" means manila, agave, jute and istle as defined in (2) to (5) below, when spinnable over machinery, and coir as defined in (6) below.

(2) "Manila" means fiber which is commonly known in the trade by this term and also known as abaca or Manila hemp, wherever grown (either stripped or decorticated), but does not mean the fiber grades of T2 and T3, O or Y, or equivalent, as established by the Insular Government of the Philippine Islands, processor's mill waste or bagasse.

(3) "Agave" means fiber of the species of agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala, and maguey, and sometimes preceded by an adjective designating the country or district of origin, but does not include processor's mill waste or bagasse.

(4) "Jute" means jute fiber, meshta, urena lobata (commonly called congo jute), and punga, but does not include processor's mill waste or butts of any type.

(5) "Istle" means istle fiber, including but not limited to the types or grades commonly known as palma and pita F. A. Q., but does not include processor's mill waste.

(6) "Coir" means the fiber obtained from the fibrous shell of the coconut, and single or plied yarn or roving, twisted or spun, by hand or by machine, from coir fiber.

(7) "Rope" means any rope or cable, treated or untreated, composed of three or more strands containing any cordage fiber, each strand composed of two or more yarns, but does not include strings and twines of whatever construction which are commonly used for tying, sewing, baling or other commercial packaging use.

(8) "Twine" means any single or plied yarn or roving, including marlin, containing any cordage fiber, for use as a tying material, for sewing or for any similar purpose, but does not include any product falling within the definitions of "rope", "binder twine" or "baler twine."

(9) "Binder twine" means a single yarn twine usually containing agave, but sometimes containing manila, istle, jute, coir, hemp, cotton or paper, suitable for use in a harvesting machine and of the type customarily heretofore manufactured. It is put up in balls of approximately five to eight pounds, packed six to ten to the bale. It measures five hundred feet to the pound with a plus or minus tolerance of five per cent, and contains a lubricant of at least ten per cent of the weight of the twine and an insect repellant. It is also known as binding twine.

(10) "Baler twine" means a single yarn usually made of agave fiber and used in a self-tying machine for baling hay, straw or other fodder crops.

(11) "Basic monthly poundage" of manila fiber with respect to any processor shall be the average number of pounds per month of manila cordage sold by such processor during the period January 1 through December 31, 1939. Where this order specifies a percentage of the basic monthly poundage to be processed, sold or delivered during any period, any processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods most nearly approximating the period specified.

(12) "Basic monthly poundage" of agave fiber with respect to any processor for any month shall be the average number of pounds per month of both manila and agave cordage sold by such processor during the period from January 1, 1939, to December 31, 1941, minus 37 per cent of such person's manila fiber basic monthly poundage calculated as prescribed in paragraph (l) (11): *Provided*, That any processor keeping his books on a weekly basis may calculate his basic monthly poundage from the fifty-two week period of the 1939 calendar year and adjust any other calculations or quota under this order.

(13) "Processer" means any person (other than a United States Government agency) who spins, weaves, or twists, or otherwise uses any cordage fiber or cordage yarn in the production of rope, twine, or any other product.

(14) "Non-military" means general industrial, farm, oil-field and fishing uses. It also includes cores and centers for wire rope, regardless of their ultimate use. The term does not include purchases for direct or ultimate delivery to, or for incorporation into any material for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, or orders for commercial marine uses (including harbor or river tugs, ferries or barges, or stevedoring or inland waterway operation).

(15) "Hemp" means true hemp fiber, line or tow, of the species cannabis sativa, owned by or acquired from the stockpile held by the Commodity Credit Corporation.

(m) *Appeals.* Any appeal from the provisions of this order should be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Applicability of regulations.* Except as specifically otherwise provided this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(o) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(p) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Textile, Clothing & Leather Bureau, War Production Board, Washington 25, D. C., Ref.: M–84.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—CORDAGE END USE

NOTE: Schedule A amended July 26, 1945.

These lists specify the permitted end uses for which rope (Schedule A) and twine (Schedule B) may be manufactured from Manila, agave and other fibers. However it does not restrict manufacture for and delivery to the Army, Navy, and Maritime Commission.

The left hand column lists the permitted end uses. Rope and twine for end uses not listed in the respective schedules may not be manufactured. The second column explains more fully the character of the end uses which are permitted. The word "yes" in the third column indicates that rope and twine for that use may be made of manila, and the word "yes" in the fourth column indicates that it may be made of agave. If for any end-use, the word "yes" does not appear in a column, the use of the fiber to which that column applies is prohibited. Fibers other than manila and agave, may be used in the manufacture of rope and twine for any permitted end use.

[1] These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SCHEDULE A—CORDAGE END USE—Continued

End use	Definition	Manila	Agave
Anchor buoy spar rope	A rope used to steady a spar projecting from the side of a vessel		
Anchor lines—submerged Fishing gear	A line used to fix the position of stationary gear such as pounds or trap nets, fykes, and anchored gill nets.		Yes
Anchor lines—sea plane	The anchor rode of a sea plane		Yes
Anchor rodes	See anchor lines		
Anchor lines—vessel	A line used to connect the anchor chain and the vessel		Yes
Anchor lines—small ships	The lines carried on small ships for anchoring		Yes
Anchor lines—sea anchor	A rope attached to a canvas sea anchor used to retard the progress of a small boat or life raft		Yes
Antenna rope	A rope used for raising or lowering radio antennae for maintaining tension on antenna		
Auxiliary line—Lyle gun	A 3" circ. hawser-drawn to or from a vessel by means of a whip line and which is used to support a breeches buoy.	Yes	Yes
Awning rope	Rope for reinforcing and securing awning in place		
Awning rope	A small sized rope used to hoist or lower an awning		
Backbone	The rope stitched to the back of the middle of an awning and to which the crow's foot is spliced		
Backhaul rope	The rope to haul back a hoisting tackle when it is not heavy enough to return by gravity		
Backhaul rope—boom	A rope used for hauling in the sounding boom aboard vessels		
Barrel chimes	A special type of sling used only to hoist fuel drums aboard ship where rope is passed through eyes at each end of drum; hoists 4 drums at a time.		Yes
Bend line	See Guard rope		
Becket	A rope eye or grommet used for the hook of a block		
Becket—Spirit sail	A small piece of rope with an eye spliced in each end to hold the end of a sprit to the mast		
Becket—Handle	See Handles		
Becket rowlock	A rowlock formed of a rope grommet secured over a throle pin in a sailing launch		
Beckets—Steering wheel	Used for lashing the wheel of a trawler when running on a fixed course		
Beckets—Trawl lines	A short loop inserted at regular intervals in the ground line to provide fastening for the snell or gangins.		Yes
Bell rope	A small hand rope suspended or attached to a bell and used for the purpose of ringing the bell		
Belly lines—Otter trawl	Ropes running from the head or foot line to the cod end and seized to the seams joining the top side and bottom sections of the net. Their purpose is to reinforce the net.		
Belt shifter rope	Frequently used on machinery as a medium of shifting belt drive from idler pulley to driving pulley and vice versa.		
Berth bottoms	A network of rope fashioned inside a frame which constitutes the bottom of the berth		
Bight line	A line used to support a heavy line at the bight		
Boat line	A line used to tend boats when coming alongside		
Bobstay	A rope or chain preventing the bowsprit from jumping and leading from the end of the bowsprit to the vessel's stem.		
Bobch line	A line lashed to the foot rope on which the bottom section of the otter trawl is hung		
Bolt rope—Sail	A rope to which a sail is sewed to reinforce the sail and maintain its shape. The efficient action of a sail depends on the strength and stretching characteristics of the rope both when it is wet and dry.		Yes
Boom lift (Fishing vessels)	A line rove through tackle blocks attached to the mast and boom. It is used to adjust the angle at which the boom is inclined from the mast and must support the load applied to the fall lines.		Yes
Boom outhaul line	A line used to hold the boom away from the amidships when men are working and as a stop to prevent sudden gusts of wind from unsuspected directions, causing the boom to fly over and strike men in the boat.		
Boring machine rope	A rope used to clean inside of large caliber gun barrels after being bored or filed		
Bos'n's chair rope	The rope to which is suspended a piece of board on which a man working aloft is swung and used to raise or lower or support man.		Yes
Bottom line	See Hanging Rope—Fishing Industry		
Bow lines	*See mooring lines.* A line used in mooring or docking to check the vessel from going astern. Line is led forward through bow check making an angle of less than 45° to the keel.		
Braces	The ropes to control the horizontal movement of the yards		
Brails	Ropes used for furling fore and aft sails such as spanker to the mast. Can be foot—throat—or peak brails.		
Bridler lifting rope	A line rove, singly, through a block attached near the outer end of the boom, or suspended from a pendant between two masts, or a mast and a suitable point on the vessel. Used for various hoisting purposes.		Yes
Breast line	*See mooring lines.* A line used in mooring or docking vessels and runs at rightangle to keel and dock.		
Breast line—20 to 50 ton booms	A stay or guy used to prevent swinging of boom when lifting heavy load		Yes
Breast lines—Pile drive (Fishing)	These lines lead from the sides of pile drivers to anchors and control the position of a pile driver with reference to a definite area in which piling must be spotted for a fish trap.		Yes
Breast line—Sea Plane and Flying Boat	Control surge of seaplane when moored or anchored		Yes
Breast line—Seines & Trawls	Usually the breast line is formed by continuing the lead and cork lines vertically at the ends of the net and splicing them near the bottom. Its purpose is to prevent the weight of the lead line from tearing the netting and to take the towing strain on the net.		
Breast purse line	A line passed through rings attached to the breast line of a purse seine and fastened near the lead line. Power is applied to this line to purse the end of the net and lift it clear of the purse line.		
Bridles-Seines submerged traps and gill nets.	A length of line connected to the float and bottom lines of seines and submerged traps and gill nets, the approximate midpoint being attached to an anchor line.		Yes
Bucket ropes	A rope attached to a bucket and used to raise or lower the bucket		
Bull rope	A rope working through a bull's eye, especially one used in securing a light yard of mast		
Bull ropes	Oil well and gas drilling—A rope 2¼ to 3" diam, in lengths 80' to 120' long with eye splices in each end; used to transmit power in grooved pulleys from engine to bull wheel. (A bull wheel is a large reel, with grooved pulleys attached on which are wound cables for drilling or cleaning out wells.)		Yes
Bumper rope	A rope secured to the outside of the gunwale of a small boat and used as a permanent bumper		
Bumpers	Bumpers are usually made of old rope, the poorer sections used as filling and the covering made by lacing a strand over the filling. New strand is sometimes required for this purpose.		
Buntlines	The lines used to haul the foot of a sail above and forward of the yard for convenience in furling		
Buoy line—for towing	Sea Tow line—Towing spar		
Buoy line—deep water fishery	A line connecting a surface buoy and the trawl line and the anchor on the bottom		Yes
Buoy line—halibut fishery	Same as above		Yes
Buoy line—shallow water fishery (30' and less)	Same as above		
Burton rope (below 3" circ.)	A type or part of a cargo fall—a cargo fall is a rope used in unloading and loading vessels		
Burton rope (3" circ. & larger)	Same as above		Yes
Buoy lines	See buoy lines		
Cat'son ropes	*See hoisting ropes.* Cable laid ropes used for hoisting		
Calf rope	*See bull rope.* A small size bull rope		
Car puller rope	A rope, either plain or cable laid used for moving railway cars along an industrial siding		Yes
Carriage rope	See mill carriage rope		
Casing lines	Rope used in pulling "casing" out of oil wells		
Cathead lines	Oil well and gas drilling—a rope not smaller than 1½" diam. used around a drilling rig in oil and gas drilling for hoisting tools, pipe, etc., by means of power driven capstan.		Yes
Catlines	Same as Cathead lines		
Chinese shrimp bag—Net lines	The lines used by the Chinese shrimp bagnet fishing industry generally confined to San Francisco Bay.		
Clews—Hammock	The ropes running angularly from the hammock surface to the ring or other fitting whereby the hammock is supported.		
Clew line—Sail	A type of lashing rope used to secure the hem rope of a sail to the mast of a small boat		
Clothesline	A rope approximately ¼" diam. used as a drying line		
Cod end rope	This line is passed through the last meshes or rings attached to the fish bag opening and serves to close and open the fish bag or cod end.		

SCHEDULE A—CORDAGE END USE—Continued

End use	Definition	Manila	Agave
Cod line	See cod end rope		
Cod lines	Small sized lines, generally lightly tarred, used for ground fishing		
Come-alongs	Ropes used in the mining industry for emergency stretching of wire ropes		Yes
Compressor pull back	See chain compressor fall		
Conchfalls line	A small rope rove through the middle of the steps of a Jacob's ladder		
Construction Rigging Rope (below 1" diam.)	Used in construction of new machinery and repairs to existing machinery or equipment. Also for the maintenance of existing and construction of new structures, including power lines and communications systems. In shipyards, for uses in building of yards; construction of new hulls and the repair of existing vessels.		
Construction Rigging Rope (1" diam. and over)	Same as above		Yes
Cork line	See Float line		
Crab line	Usually a 3/16" to 1/4" soft laid rope used as the bait line by inserting bait between strands in the crab fishing industry		
Cracker	A short length of fiber drilling cable used in conjunction with a wire drilling cable affording spring or elasticity to the wire line. Generally 2½" diam. and larger	Yes	Yes
Cringle	A piece of rope spliced into an eye over a thimble in the belt of a sail		
Cravit rope	See Falls		
Decorticator rope	The endless rope used in certain types of fiber decorticating machines for holding the leaves for stripping		Yes
Derrick lines	See hoisting rope		
Dogsled—Gang line	Main line to which dog harnesses are fastened when pulling a sled		Yes
Dip rope	Usually 7" circ. rope used in connection with clearing a foul chain aboard ship		Yes
Dock lines	See Mooring lines		
Dory lift	See Falls—Lifeboat		Yes
Down hauls—Pounds and traps	A line passing around a windlass and trap or pound, and through an eye fastened to a pile, or suspended to a weighted chain, for the purpose of raising or lowering the trap spillers, for bridling or fishing. The bottom of the spiller is attached to the down haul.		
Dowel haul	See Hoisting Rope—Sail		Yes
Drag ropes—Shrimp	Ropes used to drag a trawl on shrimp fishing boats		Yes
Drag ropes—Trawls	Ropes used in small fishing boats not equipped with drums for wire cables		
Dragging rope	A rope generally attached to a hook of one variety or another and used to locate and recover objects lying on the bottom of a body of water.		
Draw line	See Cod end rope		
Dressing lines	The lines used in the display of national colors (flags) at all mastheads and the flagstaff aboard ships		
Drift line—Gill net fishing	A line by which the net is secured to the boat while drifting	Yes	Yes
Drilling cables—gas wells (2" diam. and larger	Used for operating the tools in "cable tool" drilling	Yes	Yes
Drilling cables—oil wells (2" diam. and above)			
Drilling cables—water wells	Used for operating the tools in "cable tool" drilling	Yes	Yes
Drilling cables—quarry and mining	Used on portable machines for drilling water wells. Usually made in size 1¼" diam. to 1⅞" diam. inc		Yes
Drop hammer rope	Used on drilling machines for drilling blast holes. Usual sizes 1¾" diam. to 2" diam. incl		Yes
Dumbwaiter hand rope	In aircraft and auto industry used to raise the drop hammer for forming metal parts		Yes
Earing	The rope used for operating a dumbwaiter		
Easing out line	A short piece of rope secured to a cringle for hauling out the cringle		
Eel pot rope	A line used in clearing hawse and in mooring for easing out a chain which has been unshackled		
Electric coil filler	See Buoy line		
Electric Linemen's Rope	A rope filler in double deck coils for securing insulation, used principally in electric traction motors		
Elevator Rope	Used by linemen on high voltage work as a general utility line	Yes	Yes
Elevator Pull Rope	A hoisting rope which supports an elevator		
Elevator Gate Rope	A rope used to stop and start power of a power driven elevator, also a hand rope to raise or lower a hand powered elevator		
Emergency Line—Bristol Bay Gill Net Boats	A rope attached to a gate or door and attached to a counterbalance to facilitate operation on gate		Yes
Execution rope	An emergency all-purpose line used by Bristol Bay Fishermen		Yes
Falls—Accommodation ladder	A rope used to carry out the death sentence of a court		Yes
Falls—Ammunition	A rope used to lower, hoist or support a ship's ladder or pilot's ladder over to side of a vessel		Yes
Falls—Anchor	The hoisting rope used to raise and lower ammunition	Yes	Yes
Falls—Awning tackle	The tackle used for hoisting an anchor to the deck, usually used in connection with davits		Yes
Falls—Boat	See awning rope		
Falls—Boom tackle (fishing vessels)	A rope used, generally in conjunction with a pair of davits to raise or lower small boats, other than lifeboats		Yes
Falls—Cargo (below 3" circ.)	A tackle attached near the outer end of the boom or suspended from a pendant attached to one or two masts or a pendant between the mast and a suitable point on the vessel		Yes
Falls—Cargo (3" circ. and larger)	A 3 or 4 strand rope used in loading or discharging cargoes		Yes
Falls—Chain compressor	Same as above		Yes
Falls—Coal	A rope used to check the speed and direction of the anchor chain		Yes
Falls—Flagstaff	A 3 or 4 strand hard laid rope used in discharging coal cargoes		
Falls—Fishing dory	See Halyard—flag and signal		
Falls—F. O. Hose Davit	See Falls—lifeboat		Yes
Falls—Kingpost	Rope used to raise, lower or otherwise handle fuel oil hose for refueling vessels		
Falls—Lifeboat, coastwise and Great Lakes-bars	See topping lift fall	Yes	Yes
Falls—Lifeboat, ocean-going ships	A rope used generally in conjunction with a pair of davits, used to raise or lower lifeboats which contain people		Yes
Falls—Lifeboat, eastwise and Great Lakes-bars	Same as above		Yes
Falls—Purse boat	A pair of tackles suspended from davits used to raise and lower the purse boats and seine which weigh about 5 tons	Yes	Yes
Falls—Powder tank	Used in handling powder tanks (lowering and hoisting)	Yes	Yes
Falls—Topping lift (below 7/8" diameter)	The falls used for raising and lowering the boom		Yes
Falls—Topping lift (7/8" dia. or larger)	Same as above		
Falls—Ventilation	Rope for adjusting windsails (ventilators) in position		
Fenders	See bumpers		
Fire escape rope	Rope used for fire escape in hotel rooms, etc., not connected with outside stairways		
Fisherman's cable	*See anchor lines.* Cable laid rope, sometimes tarred, for use off the fishing banks for anchor line		
Fish bag release line	See cod end rope		
Float line—Fyke nets	The headline is used to support the leader netting of fyke nets		
Float line—Gill nets	A line to which the corks or floats are attached and supports the netting		
Float line—Haul seine	The line which contains the floats and is used to float a haul seine		Yes
Float line—Otter trawls	The main line to which the top netting of an otter trawl is attached		Yes
Float line—Purse seines and ring nets	The buoyed line to which the top of the netting is hung		Yes
Float line—Submerged gill net	A buoyed line which supports the webbing		Yes
Foot rope—Otter trawl	The main bottom line of a trawl to which the foot rope hanging line is secured. "Bolsch" weight and rolle, line may also be attached		
Foot rope—Auxiliary	See "Bolsch" line		
Foot rope—Hanging line	See "Bolsch" line		
Foot rope—Serving	Rope wrapped around the steel cable foot rope to protect the trawl hangings and bolsch line sizings		
Foregoers	A line 4½" to 4⅝" circ. attached to an explosive harpoon fired from a gun		Yes
Frapping lines	A line passed around a boat fall, one end being made fast on deck and other end being hauled taut and belayed to prevent boat from swinging		
Furling line	A small line secured to the mast and used for furling fore and aft sails		
Furnace charging, bucket rope	A rope used in conjunction with the charging of steel furnaces with scrap metal		

SCHEDULE A—CORDAGE END USE—Continued

End use	Definition	Manila	Agave
Gangings	Short lines varying from 1 foot to 6 feet in length having a hook at one end which are attached at regular intervals to the trawl or ground line		
Gantline	See Falls		
Girtline	See Falls		
Governor rope for use on elevators	A rope, usually 5/8" to 3/4" dia. used as part of the safety equipment to prevent overspeeds on elevators		Yes
Grab rope	A line secured waist-high above a boat-boom or gangplank used for steadying oneself		
Grab line—Life boats and life rafts	A line fastened to outside of life boat to right a capsized boat or as a grab rail		
Grapnel cables—For cable ships	A combination of wire and fiber—the fiber is used to either fill in the interstices or to actually seize the wire to increase the friction grips of the cable on the hoisting drum		Yes
Grapnel line	See dragging rope		
Ground line	See foot rope		
Ground lines—Trawls (otter)	See spreaders		
Ground line	See trawl lines		
Guard rope	A rope used to bound a permitted area—A safety rope used for instance, as a railing		
Guess warp (3" circ. and larger)	A line by which a bight is secured to the swing boom. It may be slacked off from the deck. A line rove through a thimble at the outer end of a boat boom, used for securing the boat to the boom. In general a hauling line laid out by a boat, a portion of the line coiled down in the boat		Yes
Guess warp (below 3" circ.)	Same as above		
Guide line	See tar line		
Guy lines	A rope used to hold or steady some object such as a pole or mast		
Guy lines—Fish trap	Lines from stake traps to anchors to steady the trap and counteract the influence of weather and currents		Yes
Guy—Lazy	Running rigging to steady a boom in a seaway		
Guy—Lazy jack	Lines often forked reach from above on each side of a fore-and-aft sail to about the middle of the boom to confine the sail when it is lowered		
Guy line—Preventer	Preventers are generally made up with an eye splice at one end which is shackled to the topping lift bands at the bottom head or looped over the boom head. Used generally when handling heavier types of cargo as a safety measure. A rope used as an additional support for added security		Yes
Guy lines—Vessel	Lines usually rove as tackles made fast to the ships bulwarks and to wire rope pennants from the outer end of the boom. They are used to regulate the lateral position of the boom		Yes
Halibut line	See Trawl line		
Halter	A rope about ½" diam. soft lay, used for tying horses and cattle, and making halters		
Hallards	See Halyard		
Halyards—Flag and signal	Ropes used for hoisting flags and signals		
Halyards—Spar and sail	See Hoisting Rope—Sails		
Hammer falltrope	A rope used on pile-driving equipment in hoisting the hammer to the derrick head. The rope is then released dropping the hammer onto the pile head		Yes
Hand lines	A small rope used to raise or lower small objects by hand. For instance between ground and scaffolding, etc		
Hand lines	Small-sized lines generally lightly tarred used for bottom fishing		
Hand rail—Life rafts	See grab line—life boats and life rafts		
Hand rope	See Grab Rope		
Handles—ammunition boxes	A short rope fastened to each end of an ammunition box for a handle		
Hanging ropes—Pounds and traps	Lines to which various sections of netting such as pots, spiller hearts and leads are hung. These lines support the netting. Also the lines used to reinforce the wire netting used in salmon traps		Yes
Handles—Buckets	Rope handles for wooden, canvas or other type buckets		
Harpoon line—Swordfish	A line attached to the harpoon and a buoy keg which is used to tire the fish		Yes
Harpoon line—Whale	A line 5" to 6" circ. connecting foregoers to whale rope (used on old-type killer boats)		Yes
Haul-up line (Otter trawl)	The line is fastened to the splitting strap and runs to the head rope to be readily accessible. Power is applied to this line to assist in raising the net, splitting the catch and raising the splitting strap in order to engage the fish tackle		Yes
Hauling line (seine)	A line attached to the end of the seine to increase the circumference of the circle which may be made around a school of fish		Yes
Hay rope	A rope used generally in conjunction with a hay fork to load hay into farmers storage		
Hay-loader rope	The rope used in the operation of hay loaders		
Head line	See Towing Rope. The line from the bow bit of a tug to the tow		
Head rope	See Float line		
Head & Stem Line (fishing industry)	Ropes that lead from head and stem of pile drivers and rigging scows to anchor, in order to control their off-shore positions		Yes
Heart Ropes—Wire ropes	See wire rope centers		
Heaving line	A length of light line, weighted at one end, which is thrown to a wharf, etc., in order to assist in getting the mooring line to the wharf		
High Climbers rope	A rope having a wire core used in timbering as a safety device and also a method of climbing tall trees for the purpose of cutting off the tops. The wire center is to add strength and also to serve as a guard against the rope being severed by a slip of the axe		Yes
High tension rope	See Electric linemen's rope		
Hitch rope	The rope attached to the hitch weight for temporarily securing a horse or team		
Hobble rope	See Leg Rope		
Hoisting rope—Hot dip galvanizing	Rope used in processing of hot dip galvanizing by lowering the metal objects into acid bath or hot metal		Yes
Hoisting rope—Sail	A rope used to hoist and lower the gaffs and sails of small boats		Yes
Hoisting line—Fishing industry	A line rove singly through a block and used to unload fish		Yes
Hoisting rope (3" circ. & larger)	A special rope for heavy hoisting		
Hoisting rope (below 3" circ.)	Same as above		Yes
Hook rope (3" circ. & larger)	Used for mooring a ship to a buoy or in weighing anchor		
Hook rope (below 3" circ.)	Same as above		
Hook-on-line	See shore line		
Industrial Rope (below 1" dia.)	Rope used in the operation of an industrial plant, not production material		Yes
Industrial Rope (1" dia. and over)	Same as above		
Jack rope	The lacing securing the foot of a sail to the boom		
Jackstay—Hammock	The reinforcing ropes in the bed of a hammock		Yes
Jackstay—Life float	Rope used to lash netting to wooden ring of life float		
Jacob's Ladder	See Ladder-pilots		
Jaw rope	A span of rope leading from the jaws of a gaff around the mast, strung with hard wooden beads		Yes
Jumper	A rope used to prevent a spar from jumping up; specifically, the rope from the outer end of the whiskers to the martingale		
Jumperstay	An extra stay from the masthead to the rail and set up by a tackle		Yes
Jilson	See Brailer Lifting Rope		
Jilson—After	Holds the mid section of the foot rope in place before the main Jilson is hooked up		Yes
Keeling Line—Pile driver	A heavy utility line used aboard a pile driver for seating trap bracing pilings, capping logs and other heavy work		Yes
Ladder—Extension	The rope used for expanding and contracting an extension ladder		
Ladder—Pilots	A rope ladder, usually with wooden steps, hung over the side of a ship for the pilot's use		
Ladders—Ropes	A ladder formed by splicing cross ropes between two longer ropes for steps. These ladders take several forms, some with wooden rung or flat steps held between 4 upright ropes; some with oval end pieces of wood supporting round steps, the oval held by 2 ropes lashed at the points of the ovals		
Lair rope	See Pack Rope		
Lanyard	A line attached to an article to make it fast		
Lanyards	Rope used for tightening the shrouds and stays on board ship		
Lanyards—Fender	Generally 3" to 3½" circ. Reg. Lay. Used for lashing fenders to rail (tug boats)		
Lanyard—Hammock	The rope attached to the hammock clews by which the hammock is suspended		
Lanyard—Tripping	See trip rope or tripping line		
Lanyard—Whistle	The rope or cord used for blowing a whistle		

SCHEDULE A—CORDAGE END USE—Continued

End use	Definition	Manila	Agave
Lariat rope	A very hard laid rope used for lassoing cattle		Yes
Lashing rope	A general rope used for tying down or securing any object but not for shipping purposes		
Lashing ropes	Ropes for securing cargo in transit		Yes
Lashing rope—Aircraft	Lashing rope used for securing equipment, etc. in transport planes		
Lashing rope—Dory	Used to lash stacked or nested dories on a trawler		Yes
Lashing rope—Gripe	A lashing spliced to the lipof the gripes, and secured to either the davit head or strong back, for purpose of securing life boat on deck of vessel.		
Lashing rope—Life rafts	A rope used to tie or otherwise secure life rafts aboard deck of a vessel		Yes
Launching rope	A rope used in connection with the launching of a vessel		Yes
Launching rope—Trigger	Rope used in shipyards to trip device allowing vessels to slide down ways		
Lead line—Sounding	A plain or cable laid rope used for determining the depth of water		
Lead line—Fyke nets	A leaded line attached to the bottom of the fyke leader		
Lead line—Gill nets	A leaded line attached to the bottom of the gill net		Yes
Lead line—Haul seines	A leaded line attached to the bottom of the haul seine netting		
Lead line—Otter trawls	A leaded line attached to the foot rope		Yes
Lead line—Purse seines and ring nets	A leaded line attached to the bottom of a purse seine or ring net		Yes
Lead line—Submerged gill nets	A weighted line attached to the bottom of a gill net		
Leader hanging rope	Ropes used to hang a lead used in connection with seines		Yes
Leader rope—Reel nets	A rope used to hand a lead used in connection with reel nets		
Leech lines	The rope used to haul the leech of courses and sometimes Top Sails along the yard		
Lag rope	A small size rope used to hobble horses and other animals	Yes	Yes
Life line	See auxiliary hue-lyle gun		
Life line	A line secured along the deck to lay hold of in heavy weather		
Life line	A knotted line secured to the span of lifeboat davits for use of the crew when hoisting and lowering.		Yes
Life line—Divers	A line used to raise and lower a deep sea diver		Yes
Life lines—Fire & Police Departments	A rope used in connection with the saving of life or valuable property		
Life lines—Lifeboat or life raft	A line festooned in bights, along each side of a lifeboat or raft, life raft or float. Each bight is equipped with some floats.		
Life preserver rope	The hand rope around the outer side of a circular life preserver		
Life preserving rope	Used from a reel set upon on a beach with cork ring or torpedo life preserver attached. Life preserver carried out to victim by lifeguard. Rope used to pull both ashore.		Yes
Lifts	Yards are supported at the yardarm by lifts, leading through blocks or tall leaders at the masthead and thence to the deck.		
Lift—Trolling pole	A pole or tackle suspended from the mast and connected to the trolling poles for the purpose of raising or lowering the latter		Yes
Lifting lines—Divers outfits	Lines used to lift products harvested from the bottom, such as sponges, precious corals, abalone, etc. by divers.		
Lizzard	A rope fitted with a thimble and used as a leader for running rigging		
Lobster Pot Warps	See Pot Warps		
Lock Lines	See Tow lines—Canal		
Lock gate operating lines	Used for operation of canal lock gates		
Log line	A line used to transmit the rotation of the log propeller to the recording instrument aboard the vessel.		
Long line	See Trawl lines		Yes
Log ropes	Short, heavy ropes for tieing canal barges together		
Main fish tackle	See Falls—boom tackle		
Man ropes	See grab ropes		Yes
Man ropes	Ropes hung over a ship's side and used for assistance in ascending or descending		
Mats—Blasting	Solid woven mats, 6 to 12 ft. sq. used to cover blasting areas to prevent flying fragments		
Messenger	A line used to lead the 1 rawl tow line around the capstan in ocean tow boats		
Messenger	A light rope used for hauling over a heavier rope or cable, or fuel line		Yes
Messenger—Side set trawlers	A line used to haul the towing warps to the towing block		
Mill carriage rope	Used for moving a carriage, such as a log carriage back and forth		
Millwright rope	See construction ragging		
Mooring lines (below 3" circ.)	Ropes used in mooring or docking vessels		Yes
Mooring lines (3" circ. and larger)	Same as above		Yes
Mooring lines	A rope attached permanently to a submerged anchor or weight used as a harbor mooring for small boats, yachts, etc.		
Motion picture screen arrangement	Lowering and hoisting screen		
Net—Brails	A dipnet used to remove fish from a trap		
Net—Cargo	A net constructed of rope and used for loading or discharging cargo from a ship		Yes
Net cargo—Stays	A rope, sometimes referred to as a jackstay which serves as an outer frame for a cargo net and to which the net is lashed.		
Nets—Circus safety	The nets suspended below trapeze and other circus performers		
Nets—Construction safety	The net used for the protection of workmen on construction jobs		
Nets—Debarkation and life floats—net rope	The inner netting rope which is attached to jackstays of nets hung over the side of ships for emergency debarkation and life saving.		
Nets—Jackstays—Cargo and debarkation nets	The supporting ropes to which the net ropes of cargo and debarkation nets are attached		Yes
Net—Lashing rope	Lines used to lash net on deck to rail when net is stored away		
Net—Life float—Jackstay	A net used to support the platform of a life float		
Net—Life net rope	The rope used for making life nets used in Fire Department		
Nets—Save all	Nets hung from the sides of a ship to the dock to prevent cargo from falling into water in case of accident when discharging.		
Net—Save all—stays	A rope, sometimes referred to as a jackstay which serves as an outer frame for a save-all net and to which the net is lashed.		Yes
Nigger lines	See Hauling Lines		
Ocean Bathing Safety Rope	A rope supported by poles or buoys which serves as protection to bathers		
Outboard gripe (lifeboat)	See lashing rope—gripe		
Outhauls	The ropes by which sails are hauled out on the booms. These ropes are named for the part of the sail they control, i. e., head outhaul—foot outhaul		
Outhaul line—Boom	A line used to rig the boom out from amidships position to override for sailing or to remove it from the area when men are working.		Yes
Oyster Tong Hoisting Rope	A rope to raise or lower tongs used in oyster fishing		
Pack Rope	A light lashing line for tying packs, generally on animals		
Painter—Small Boat or Skiff	A rope in the bow of a small boat used in making fast, and for towing a small boat		Yes
Painter—Lifeboat and Life Raft	Same as above		Yes
Painter—Sea	A rope, one end of which is attached to a small boat the other end to the bow of a ship. This rope is of sufficient length to allow the small boat to maneuver alongside the landing stage of the ship. Is used particularly during rough weather.		Yes
Painter—Seine	A line attached to the fish—bag end of a purse seine for the purpose of pulling the seine to the side of the vessel and completing the circle of netting about the fish.		
Painter—Shank	The rope securing the fluke of an anchor on the billboard to a toe of the tumbler arm		
Parbuckle rope	Two ropes for handling a spar or cask over the side in the bight of the rope		
Paying-out lines	See Easing out line		
Pendant rope (below 1" diam.)	The vertical rope support of a cargo fall		Yes
Pendant rope (1" diam. and larger)	Same as above		
Pendant—Heavy weather	A line used to control boom; hock in heavy weather		
Pendant—Kingpost	See topping lift		
Physical development	Rope used for physical development, recreation, and amusement activities		
Picket lines	Lines to which the halters of horses or mules are attached		
Pile driver rope	See Hammer fall rope		
Pipe Bending rope	Performed on flat table with steel pegs. Pipe preheated—Rope Hooked on to protect end of pipe and by means of a winch, pipe is pulled to form the correct or required angle of bend.		
Ploughlines	Small rope used for reins when plowing		
Polishing machine rope—textile equipment.	Rope wound and fastened to scrubbing and polishing rollers on textile polishing machine		

SCHEDULE A—CORDAGE END USE—Continued

End use	Definition	Manila	Agave
Potwarp	Thread rope connecting a buoy with a lobster or crab pot on the ocean floor, used also to hoist the pots.		Yes
Power transmission rope (½" and larger).	Power transmission rope is an endless rope used in transmitting continuous mechanical power between driver and driven sheaved pulleys.		Yes
Power transmission rope (below ½" diam.).	Same as above		
Preventer guy	A line fastened between the mast and boom to add an additional safety factor for heavy lifts on the boom.		Yes
Prodetule line	See shot line		
Pull rope	Attached to cart, wagon or other vehicle used to pull or move apparatus by hand, such as hand drawn fire hose apparatus.		
Punt handling rope	Lowering and hoisting punts		
Purse bridles	See pursering bridles		
Purse-ring bridles	Lengths of line with the ends seized to the lead line of a seine so as to form bridles. To the center of each bridle is seized a purse-ring.		
Purse line	A line rove through rings attached to the bottom of a seine. By hauling on this line the bottom of the net is closed or pursed.		Yes
Purse seine bow line	A short length of line fastened to the cork line on a purse seine in such a position as to be opposite the bow when the ends of the seine are hove to the side of the vessel. This line is made fast to the bow in order to prevent the cork line from going under the bow while pursing the net.		
Purse seine stern line	See purse seine bow line		
Purse weight line	A line used to raise and lower the "toon" weight on East Coast purse seines		
Quarter rope	A pair of lines used on sideset otter trawls that are fastened to the foot rope at the junction of the wing and the bottom. Each line is passed thru an eye in a similar position on the head rope and made fast to the outer end of the wing. They are taken to the gypsy heads and power applied in order to draw the head and foot rope together and bring the wide part of the trawl aboard at the conclusion of a drag.		Yes
Raft ropes	A three strand rope used in binding logs together while being floated to a sawmill		
Rat lines	A short length of tarred hemp rope, usually ¼" to ½" diam. running horizontally across the shrouds for a step.		
Reef points	Short lengths of rope secured to a sail used for reefing		
Release line	See Cod end rope		
Retrieving line	See Easing-out line		
Rib lines—Otter trawls	See Belly Lines—otter trawls		
Rib lines—Pounds and traps	See hanging rope—fishing industry		
Rafter rope	The backbone of an awning. The backbone of any heavy tent		
Ring rope	The rope used to bend the chain to the anchor ring		Yes
Rip cord—Sailing ships	Rope used to break out sails put up in steps		
Running line	*See Messenger.* A line coiled in a boat and run from the ship to a dock or another ship		
Running line—Pile driver	See hoisting rope		
Safety rope—Antenna	Check swing of antenna aboard vessels		
Safety belt rope	A rope used either in the construction of a belt or attached to a belt used to suspend or support a person while engaged in hazardous work.		Yes
Sail hem rope	See bolt rope—sail		
Sand lines	A small size cable laid rope; usually ⅝" diam. to 1¼" diam. incl. Sand lines are used to hoist the bailer in well drilling.		
Sash cord	Used for support of sash weights in window casements		
Scaffold rope	See slinging		
Seeling rope	Generally similar in construction to 6 x High Climber rope—i. e. with a steel core. Used to lower a person over the side of a cliff in a mine or quarry for the purpose, for instance, of drilling.		Yes
Scenery hoisting rope	Ropes used for lowering and hoisting scenery		
Sein line	See trawl lines		
Sheehan carrier rope	A small transmission rope usually 1" to ⅝" diam. used for carrying the wet sheet around the drying rolls in a paper mills.		
Sheet rope—(below 1" diam.)	A rope, often rove as a tackle—which regulates the angle at which a sail is set in relation to the wind.		
Sheet rope—(1" diam. and larger)	Same as above		Yes
Shore line—gill nets and seines	A length of line used to fasten the inside end of a net to the shore while towing the outer end		Yes
Shot lines—Lyle guns	The purpose of this operation is to hold the net in position and increase the catch. Soft laid rope used in connection with Lyle guns for rescue work on disabled ships	Yes	Yes
Shovel lines	A line used in operation of shovels in unloading of grain		Yes
Shrouds	Side stays from the mast head to the tail and set up by deadeyes		
Shrouds—Lifeboats	Same as above		Yes
Signal rope	Any rope used to convey signals by means of "Jerks", etc.		
Signal rope—Deep Sea Diving	A rope used to convey signals from a diver working below the surface of the water to a boat above.		Yes
Skates—Vertical (lifeboats)	Ropes used to steady lifeboats and prevent them from capsizing while being lowered from davits		Yes
Slings (below 3" circ.)	Ropes either spliced endless, knotted or used in conjunction with rigid platforms and used for the transference of cargo or equipment by means of hooks, derricks or hoists, etc; the sling is secured around the object to be moved.		
Slings (3" circ. and larger)	Same as above		Yes
Sling shots—Halibut fishery	A line inserted between the ground or trawl line and the anchor or to serve as a point of attachment of the buoy line.		
Slip line	See Cod end rope		
Slip rope	A rope bent to the anchor cable outboard of the hawsepipe and secured on the vessel's quarter, used in slipping the cable.		Yes
Slip shots	See Sling shots		
Slitting line	See Rip cord—sailing ships		
Spells	See gangline		
Spotter	A hand line used around the deck of a trawler to move heavy objects		
Snubbing rope (⅝" dia. and larger)	A rope used to hold or retard the progress of a load or object		Yes
Snubbing rope (under ⅝" dia.)	Same as above		
Sounding line	See lead line		
Spinning lines	A rope used in conjunction with oil well drilling to couple or uncouple lengths of pipe		Yes
Spray hood Lem rope	See bolt rope—sail		
Spreaders—Otter trawls—Stern set	Consists of 1 or 2 lines between each otter door and its corresponding wing. The purpose of these lines is to increase the distance between the doors and thus increase the efficiency of the gear.		Yes
Spreaders—Otter trawls—Side set	Consists of 1 or 2 lines between each otter door and its corresponding wing. The purpose of these lines is to increase the distance between the doors and thus increase the efficiency of the gear.		Yes
Spring lines	*See Mooring lines.* A line used in mooring or docking to check the vessel from going forward or astern heading at an angle of 45° to the keel. Includes bow spring, quarter spring, waist spring, stern spring, etc.		
Sprit bem rope	Bolt rope—sail		
Sprit line	Line used to raise sprit sail on Bristol Bay gill netters		
Sprit tackle	Tacks used to adjust sprit sail		
Stage painter line	See Bos'n's chair rope		
Staging rope (⅝" dia. and larger)	A rope run through blocks to raise and lower a temporary platform supporting workmen		Yes
Staging rope (below ⅝" dia.)	Same as above		
Skating rope—Deep sea diving	See Life Line—diver		
Stake lines	Lines used to maintain stationary gear in position such as the lines leading from fyke nets, pound nets, or trap nets to stakes or piling.		
Stationary tackle	A triple purchase to hold up the boom of a trawler		Yes
Stay	A rope used for supporting a mast		Yes
Stay running backstay	Used in a small sailing vessel to stay the mast, the weather one being set up and the lee one loose		Yes
Steadying lines	See guy lines		

SCHEDULE A—CORDAGE END USE—Continued

End use	Definition	Manila	Agave
Steering gear—Emergency rope	Emergency steering apparatus for operating steering device of disabled vessels by hand		Yes
Steeple jack rope	See Bosun's chair rope		
Stem line	See mooring line		Yes
Stern fasts	Used by menhaden purse boats while they are being towed behind the large boat and as they approach a school of fish.		
Stern line	See *Mooring lines*. A line used in mooring or docking to check the vessel from going forward. Line is led aft thru stern chock making an angle of less than 45° to the keel.		
Stevedoring rope	See Falls Cargo. A special rope for high speed hoisting; used over winch or a gipsy head		
Stops	See Reef points		
Stopper	A line used to steady or stop the working end of a vessel's cargo boom		Yes
Stopper-menhaden	A line used to stop the working end of the purse boat lifting tackle		
Stowage rope	See lashing rope		
Strap	A rope spliced endless, usually with a short splice used in suspending or making fast. A small sling is sometimes called a strap.		
Strap—Anchor	A short line with an eye splice in each end, one of which is attached to the anchor		Yes
Strap—Belly	A rope passed around a boat for hanging a kedge anchor in carrying out the anchor		
Strap—Bow (Small Boats)	A line passed through a hole in the stem of a skiff or small boat and spliced to form a loop. The skiff painter is attached to this loop.		Yes
Strap-block	A strap used to suspend a block aloft		
Strap—Buoy keg	Consists of two lines tightly fitted around the side of a keg and interlaced to prevent their working over the ends. The two loops are provided with two bridles for fastening the buoy line and flagpole.		
Strap—Flagpole	Consists of a short line spliced one to each corner of a small square of canvas. Two adjacent lines are provided with a grommet and the complete "skate bottom" is used to hold a skate of gear in proper manner and prevent tangling.		Yes
Strap-lifting (fishery)	A heavy rope, spliced endless and used for side towing by harbor tugs		Yes
Straps—Skate bottom	Used to support heavy sweep bar over sheaves under barges in sounding for high spots		Yes
Strap—Spatling	The rope by which the forward lower corner of a fore and aft sail is held down and secured		
Strap—Tow	The rope that hauls down the tack of a gaff topsail		
Sweep Lines	A short length of line used to separate flags in a hoist		
Tack	A rope used to guide loads which are being hoisted and moved off the ground		
Tackline	A rope usually attached to, and for securing or making fast a tarpaulin		
Tackline	A small transmission rope used in the oil field for controlling the speed of the engine from the derrick floor.		
Tag line	Rope used in tying down or securing tents		
Tarpaulin rope	The rope used on the halves of shelter tents		
Telegraph line	Small lines not attached to covers or tarpaulins but which are used to secure or lash a cover to or around an object		
Tent rope—Guy line	A small rope usually ½" diam. used for staking out grazing animals		
Tent rope—Shelter	A rope used to tie down or otherwise secure aircraft to the ground as a protection against being damaged by wind, etc.		Yes
Tie ropes—Cover	A line running from the steering windlass through blocks to the tiller		Yes
Tie rope	Same as above		
Tie down rope—Aircraft	See Boom lift		
Tiller ropes (vessels—2 net tons and over)	A tackle or rope leading from the head of a mast of a vessel or derrick employed to raise or top the end of a boom.		Yes
Tiller rope (vessels—under 2 net tons)	Same as above	Yes	Yes
Topsail	Approximately ½" diam. rope used to lower explosives into oil or gas well preparatory to "shooting" the well		
Topping lift (below ⅝" diam.)	A short length of rope for towing a vehicle. Usually has an eye splice in one or both ends		
Topping lift (⅝" diam. and larger)	A rope used in towing canal barges or boats		Yes
Torpedo lines—Oil well	Same as above		Yes
Tow line—Automobile, trucks and mechanized equipment	Used to tow a life boat behind a larger vessel or behind another life boat		Yes
Tow line—Canal barges and cargo vessels (below 6" circ.)	The line used for towing the seine or purse boat behind the fishing boat		Yes
Tow line—Canal barges and cargo vessels (6" circ. and larger)	See Painter—seine		
Towline—Life boat	The line used by tug boats to hold the stern of the tug to the tow		
Tow line—Seine and purse boat	Same as above		Yes
Tow line—Skiff (fishery)	Used to tow heavy scows laden with fish		Yes
Tow lines—Stern (tug boats) (smaller than 3" circ.)	Used to tow spar which keeps slips in position		Yes
Tow line—Stern (tug boat) (3" circ. and larger)	The ropes used for towing heavy machinery in mines		Yes
Tow line—Tender (fishery)	Rope used in towing seaplanes, flying boats and land planes at bases and airports		
Tow line—Towing spar	The lines used by tug boats for towing ships, barges, scows, etc. It is the line between the tug and the tow, or when the tow consists of more than one unit, the line between the units		Yes
Tow lines—Mines	Same as above		
Tow lines—Seaplanes and Airplanes	See hauling line (purse seine)		
Tow lines—Tug boat (smaller than 3" circ.)	Rope traces used as a substitute for leather traces in some types of harness usually farm or artillery harness.		
Tow lines—Tug boat (not smaller than 3" circ.)	See net rope		
Towing line—Purse seine	Line secured to sounding boom and to lower end hoist		
Traces	A long line consisting of 1 or more "skates", "rubs", or coils of gear set in a continuous and substantially straight line. With the exception of crab trot lines, the trawl lines have snells or gangings attached at regular intervals		
Trap hanging lines	A utility rope used as the name implies		
Traveler line	The line used for holding a dory or tender off shore		
Trawl lines	A utility rope used to trip unloading devices		
Tree surgery rope	A line used for capsizing a sea anchor. A line used for releasing a pelican hook, etc		
Trip line	A rope used to pull down and secure a trolley pole		
Trip ropes	Used as the main or ground line for crab fishing and tag lines		
Tripping line	A rope used in making loads fast on a truck or to serve as a lacing to prevent loads from being lost out of the rear of a truck.		
Trolley car rope	See net rope		
Trot line	A line used by West Coast purse seiners to swing the turntable. One end is attached to a corner of the table, the other is brought to the galley.		
Truck rope	The pendant of the purchase for hoisting the yards		Yes
Tunnel lines	See breast line		
Turntable lines	Rope used for making small straps, seizing, etc		
Tye	A rope running from end of gaff to the deck		Yes
Up and down line	Used for swinging the cargo boom in loading or discharging cargo		
Utility rope	Same as above		
Vang rope	Small twisted or braided ropes used for the operation of venetian blinds		Yes
Vang rope (⅝" diam. and larger)	A light hawser used to draw a vessel to a pier or some other fixed object		
Vang rope (below ⅝" diam.)	Rope handle or sling attached to fabric water bag for desert use		
Venetian blind rope	A rope used to support canvas rigged as shelter in life boats		
Warps	Ropes used for raising and lowering the bucket in water wells		
Water bag	A three strand rope 6½" to 7" circ. which connects the foregyers to the ship		Yes
Weather Cloth—Sheet lines			
Well ropes			
Whale rope			

SCHEDULE A—CORDAGE END USE—Continued

End use	Definition	Manila	Agave
Wheel rope (vessels over 10 net tons)	A line from the steering windlass through blocks to the metal linkage which connects with the tiller.		Yes
Wheel rope (vessels under 10 net tons)	Same as above		Yes
Winch rope	A rope used to draw or drag or pull an object by means of a power or hand driven winch, capstan or gypsy head, etc.		
Window cleaning rope	A safety rope, ⅞" diam. and larger used through a window cleaner's belt to attach him to the building.		Yes
Wire control line (otter trawls)	Line used to steady wing of a trawl		Yes
Wiping rope	Rope used in the manufacture of wire and cable to remove excessive lubrication and to polish surface of the wire or cable.		
Wire rope centers—(larger than 1/64" diam.)	The fiber rope core serving as a base or cushion around which wire strands are twisted in the manufacture of wire rope.		Yes
Wire rope centers—(1/64" diam. and smaller)	Same as above		
Wire rope surface yarns	Yarn twisted alternately with strands of wire in manufacturing of spring lay type cables		Yes
Wrecking cable	A cable laid rope usually 10" circ and larger used in floating stranded ships		Yes
Whip rope—Ammunition	See Falls—ammunition		
Whip line—Lyle gun	An intermediate line between the shot line and the auxiliary line used initially to haul out the auxiliary line and also to draw the breeches buoy back and forth along the auxiliary line.		Yes
Yacht rope	Rope used for the running rigging of yachts		

SCHEDULE B—CORDAGE END USE LIST

NOTE: Schedule B amended July 26, 1945.

The use of agave fiber for the manufacture of binder and baler twine will be authorized as stated in paragraph (d) (2). Agave is now permitted only where indicated.

End use	Definition	Manila	Agave
Bale rope	A heavy wrapping twine for securing large bales or bundles		
Christmas tree twine	A single ply twine, usually tarred or dyed for binding Christmas trees in bundles for shipping		
Fender yarn	Single yarn generally tarred, put up in stranded or many end form, used in tying up fodder. This yarn is comparable to, in certain parts of the country where a mechanical binder is used for harvesting, a binder twine. In other parts where the binding of sheaves is done by hand, fodder yarn is used		
Hambroline	See seizing stuff		
Hanging twine—Hard fiber nets	Twine used to hang hard fiber nets to lines		Yes
Hanging twine—Soft fiber nets	Twine used to hang soft fiber nets to lines		Yes
Heaving twine	See Marline—lobster		
Hyde rope	Twine—twisted into strand form usually 50 ends. 2 or 3 ply		
House line	See seizing stuff		
Lathyarn	A single yarn put up in stranded or many end form either tarred or untarred		
Marline	See seizing stuff		
Marline—Lobster	A twine required in the manufacture of the inside tunnel of lobster pots		
Nettwine—Otter trawls	A hard laid twine, usually 2, 3, or 4 ply in sizes from #600 to #1850 used for the manufacture of hard fiber fishing nets. Also for mending nets.		Yes
Piping cord	The cord used in a roll edge trim for furniture, etc		
Ring yarns	See wrapping twine. A single yarn usually put up in stranded or many end form and used for general tying purposes.		
Roundline	See seizing stuff		
Seizing stuff	A general term covering fine sizes of rope and twine used for seizing larger ropes and cables		
Sewing twine	Twine used for bag closing and for general sewing		
Shingle yarn	A yarn put up in single end form, used for tying up bundles of shingles. Tarred and untarred		
Small stuff	See seizing stuff		
Spunyarn	See seizing stuff		
Tube rope	A heavy wrapping twine of soft twist for securing large bales and bundles		
Wormline	See seizing stuff		
Wrapping and tying twine	Single yarn used as twine, or plied twine twisted or laid, used for tying, packaging, baling or bundling.		(*)

*Agave tow only, with or without admixture of other fibers.

NOTE: "Partial List of Prohibited Items" including "End Use—Definition" and items listed thereunder deleted July 26, 1945.

[F. R. Doc. 45-13703; Filed, July 26, 1945; 11:32 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-310, General Direction 12, as Amended June 26, 1945]

CUTTING AND USE OF MILITARY QUALITY OUTERSOLES, MIDSOLES AND INNERSOLES

The following amended direction is issued pursuant to Conservation Order M-310:

(a) The following shall be the standards in cutting military quality outersoles, midsoles and innersoles (as defined in Order M-310) from crops, backs, bends and bend strips from manufacturers' leather:

(1) The average yield from the cutting of crops, backs, bends or bend strips of 8 iron and up during each calendar month shall be the following: from each crop or back, a total of 7 pairs of outersoles, midsoles and innersoles, including 2½ pairs of innersoles, and ½ pair of outersoles; and from each bend or each 10 pounds of bend strips, a total of 4½ pairs of outersoles and midsoles, including ½ pair of outersoles.

(2) The average yield from the cutting of crops, backs, bends or bend strips, under 8 iron, during each calendar month, shall be the following: from each crop or back, a total of 7½ pairs of midsoles and innersoles, including 5½ pairs of innersoles; and from each bend or from each 10 pounds of bend strips, a total of 5 pairs of midsoles and innersoles, including 3 pairs of innersoles.

(b) The iron of bend strips shall be determined by measuring them at the backbone end.

(c) Innersoles which can be made suitable for military shoes by treating or currying with a material not injurious to the foot shall be considered military quality innersoles for the purposes of this direction.

(d) No person cutting vegetable tanned sole leather crops, backs, bends or bend strips who fails to meet these standards for any calendar month after May 1945 shall continue cutting such crops, backs, bends or bend strips for any purposes.

(e) Any military quality outersoles, midsoles or innersoles produced in excess of the quantities required by the foregoing standards may be sold, delivered or used on civilian orders. Nothing in this direction requires the cutting of more military quality outersoles, midsoles and innersoles than the quantities set forth in the foregoing standards. Cutters are required, however, to produce the maximum possible quantity of military quality innersoles from bellies, shoulders and shanks.

(f) No footwear manufacturer is permitted to use for any purpose in any civilian footwear any soles on the ground that they are not suitable as military quality innersoles if they can be made suitable by treating or currying with a material not injurious to the foot. For example: If an innersole is of proper thickness, substance and selection to be used as a military innersole but is too firm or tight fiber for this purpose, it must be treated or curried if this will make it

suitable for military purposes, and it cannot be used in civilian shoes.

(g) Any person who is unable to meet the above cutting requirements because of the nature of the leather available to him, or to meet the above restriction on use of innersoles, may file an appeal as provided in paragraph (ell) of Conservation Order M-310.

(h) No soles cut before August 1, 1945 and meeting the requirements for military quality outersoles, midsoles and innersoles as defined in Conservation Order M-310 shall be sold or used except to fill military orders.

(i) This direction 12 to Conservation Order M-310 shall take effect August 1, 1945 and shall expire September 30, 1945. Direction 12 as amended May 29, 1945 shall remain in full force and effect until August 1, 1945.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13740; Filed, July 26, 1945; 11:33 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule F, as Amended July 25, 1945]

SPECIAL PROGRAM FOR WORK GLOVES

§ 3290.120f *Schedule F to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of work gloves to get an AA-2x preference rating for fabric to make the items listed in this schedule.

(b) *Definitions.* For the purpose of this schedule:

(1) "Work gloves" means any gloves or mittens of the types and meeting the specifications listed in Schedules A and B of Order M-375 and designed for wear by men, women or children while engaged in their occupations, and customarily sold as work gloves.

(2) "Base period" means the third calendar quarter of 1943.

(c) *Special requirements for priorities assistance.* (1) Three copies of Form WPB-3732 (Revised) should be filed in accordance with the rules stated in paragraph (c) of Order M-328B, except that for the third quarter of 1945 the applications must be postmarked by August 11, 1945.

(2) A base period manufacturer who files Form WPB-3732 (Revised) for the third calendar quarter of 1945 by August 11, 1945, may, as soon as he files his application, apply an AA-2x rating for the purchase of fabric for delivery in that quarter for incorporation into the items for which application is made. He may do so however only for an item he made in the base period, and the yardage for which he applies this rating, plus any yardage for which he has applied ratings for delivery in the third quarter of 1945 under Order M-317A as amended May 10, 1945, and Direction 16 to Order M-317, may not exceed 70 percent of the yardage of material used in the manufacture of work gloves during the first quarter of 1945. In addition, all fabric purchased under this paragraph and under the provisions of M-317A and Direction 16 to M-317 shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 (Revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) Manufacturers who did not make in the base period an item applied for on Form WPB-3732 (Revised) may not use any preference ratings assigned under this schedule for that item until the War Production Board has assigned them a rated quota on that form.

(d) *Certain ratings extendible to get yarn.* Producers who deliver knit wrist tubing, knit jersey material 8 oz. or heavier or knit lining for work gloves on orders bearing ratings assigned under this schedule may extend those ratings to get yarn in the manner explained in Priorities Regulation 3 and Order M-328.

(e) *Priorities assistance for component parts.* Persons applying for priorities assistance under this schedule may apply for sewing thread, overedging yarn No. 10, (2-ply), and twine, (10-ply), cotton in quantities needed for incorporation into the number of units for which priorities assistance is requested. Applications shall be made on Form WPB-2842 filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C. Such applications will be approved to the extent of available materials and to the extent that allocations are made for the production of items.

(f) *Style provisions for base period manufacturers.* Base period manufacturers who are granted ratings under this schedule must make (subject to Order M-375) each style of work glove that they made in the first quarter of 1945 under the following rule: The production of each style of each item made in any quarter must not vary more or less than 10 percent from the proportion of that style of work glove to the total quantity of all styles of work gloves made in the first quarter of 1945. This rule does not apply to hot mill and 2-thumb husking gloves and mittens, which may be made to the full extent of a manufacturer's capacity. These styles should also be excluded in making the computations stated above for other styles.

(g) *Special inventory rule.* Manufacturers who use ratings assigned under this schedule are subject to the inventory provisions of paragraph (f) (4) of Order M-328B except that a 60-day inventory limit applies instead of a 45-day one.

(h) *Notification of unused allocations.* A person who finds that for any reason (such as increases in Army or Navy contracts) he will not place rated orders to the extent authorized on Form WPB-3732 (Revised) for a particular calendar quarter, or will cancel rated orders he has placed, must promptly write a letter giving notice to the Textile, Clothing and Leather Bureau of the War Production Board showing the reference number on his authorization. Letters must specify the quantity and kind of fabric in the same terms in which the authorization was made.

(i) *Provisions in case of governmental cut-backs.* At any time during any calendar quarter a manufacturer who has received cancellations or cutbacks on military contracts or orders placed by an agency of the United States Government, or who during the quarter has production facilities made available, may apply to the War Production Board on Form WPB-3732 (Revised) for priorities assistance to manufacture items listed in this schedule, provided that these items are to be made in conformity with Schedules A and B of Order M-375. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

Issued this 25th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

Item No.	Item column	Fabric column
1	Canton flannel gloves and mittens (including hot mill gloves and husking gloves or mittens).	(2a) Flannel mitten, white, brown and colored stripe. (2b) Flannel, lining. (2c) Ticking, 6½ to 8 oz. Knit tubing. (12) Osnaburg. (14a) Sheeting, medium, Class C. (16a) Twill (other than 2-end). (14c) Sheeting, soft-filled. (17) Print cloth, less than 80 sley. (19a) Drill.
2	Canton flannel, hot mill gloves.	Same as Item No. 1.
3	Canton flannel, two-thumb husking gloves and mittens.	(2a) Flannel mitten Knit tubing.
4	Leather combination gloves and mittens.	Same as Item No. 1.
5	Jersey gloves and mittens.	Knit Jersey, 8-9-10½ and 13 oz. weights. Lining, 5½ and 6 oz. Knit tubing.

[F. R. Doc. 45-13675; Filed, July 25, 1945; 4:26 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 14]

PINE TAR

Section 3293.1014 *Schedule 14 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective August 1, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

On and after August 1, 1945 deliveries of pine tar are subject to General Preference Order M-340 as amended simultaneously with the issuance of this revocation.

The manufacture, use and delivery of pine tar remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13734; Filed, July 26, 1945; 11:32 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 34, as Amended July 26, 1945]

UREA AND MELAMINE ALDEHYDE PROTECTIVE COATING RESINS

Section 3293.1034 *Schedule 34 to General Allocation Order M-300* is amended to read as follows:

§ 3293.1034 *Schedule 34 to General Allocation Order M-300*—(a) *Definitions.* "Urea or melamine aldehyde protective coating resins" means those synthetic reaction products, made from urea, thiourea or melamine with formaldehyde, paraformaldehyde, hexamethylenetetramine, furfural or any other organic compound containing the monovalent CHO radical which are further reacted with or contain organic solvents such as butyl alcohol or xylol. The term includes urea and melamine aldehyde protective coating resins, defined above, made from dimethylol urea or trimethylol melamine.

However, the term urea or melamine aldehyde protective coating resin does not include any mixtures of urea or melamine aldehyde protective coating resins with other resins or plastics which are allocated under Schedule 87 (Phenolic Resin and Phenolic Resin Molding Compound), Schedule 54 (Vinyl Polymers), Schedule 17 (Acrylic Resins) or Schedule 35 (Urea and Melamine Aldehyde Molding Compound) (Revoked July 26, 1945) under Order M-300, as now or hereafter amended; or any product made from urea or melamine aldehyde resin, such as plywood, paper, laminates, textiles, leather, sand cores, or protective coatings (other than resins sold by suppliers to protective coating manufacturers for use in the formulation of protective coatings).

(b) *General provisions.* Urea and melamine aldehyde protective coating resins are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is July 1, 1943, when urea and melamine aldehyde resins first became subject to allocation under Order M-331 (revoked). The allocation period is the calendar month. The small order exemption without use certificate is 500 pounds in the aggregate of urea and melamine aldehyde protective coating resin per person per month.

(c) *Special interim provisions.* For calendar months immediately before August, 1945, urea and melamine aldehyde resins were subject to allocation control under this schedule as amended March 14, 1945, as Appendix A materials. For calendar months beginning with August, 1945 urea and melamine aldehyde protective coating resins are subject to allocation control as Appendix B materials, and delivery of other urea and melamine aldehyde resins, which do not contain and are not further reacted with organic solvents, such as butyl alcohol or xylol, is subject to Order M-340 beginning with August 1, 1945. All authorizations and directions issued as to such other resins under this schedule which have not terminated sooner terminate at that time. Regular and interim allocations issued before August 1, 1945, as to urea and melamine aldehyde protective coating resins under this schedule remain in effect without limitation on duration of authorization for use but subject to the limitations of Order M-300 with respect to duration of authorization for delivery.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947. The filing date is the 18th day of the month preceding the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-34. The unit of measure is pounds. An aggregate quantity may be requested without specifying customers' names for delivery on uncertified exempt 500 pound small orders. Fill in Table II.

(e) *Certified statements of use.* Each person placing orders for delivery of more than 500 pounds per month in the aggregate of urea and melamine aldehyde protective coating resins from all suppliers shall furnish each supplier with a certified statement of the proposed use, in the form prescribed in Appendix D of General Allocation Order M-300. If the requested resins contain phthalic alkyd resins, the person placing the order must state the specific end use in his certificate and must state how much of the order is requested to fill orders on hand and how much is to fill anticipated orders. Each end use must be stated in terms of the end use groups of Direction 2 to Order M-300 if the requested resins do not contain phthalic alkyd resins. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", and "for export" (specify destination and export license number).

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule must be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-34.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13735; Filed, July 26, 1945; 11:33 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 35]

UREA AND MELAMINE ALDEHYDE MOLDING COMPOUNDS

Section 3293.1035 *Schedule 35 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective August 1, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

On and after August 1, 1945 deliveries of urea and melamine aldehyde molding compounds are subject to General Preference Order M-340 as amended simultaneously with the issuance of this revocation.

The manufacture, use and delivery of urea and melamine aldehyde molding compounds remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13736; Filed, July 26, 1945; 11:31 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 37]

ULTRAMARINE BLUE

Section 3293.1037 *Schedule 37 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective August 1, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

On and after August 1, 1945 deliveries of ultramarine blue are subject to General Preference Order M-340 as amended simultaneously with the issuance of this revocation.

The manufacture, use and delivery of ultramarine blue remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13737; Filed, July 26, 1945; 11:30 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 99]

VULCANIZED FIBRE TUBING

Section 3293.1099 *Schedule 99 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective August 1, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

On and after August 1, 1945 deliveries of vulcanized fibre tubing are subject to General Preference Order M-340 as amended simultaneously with the issuance of this revocation.

The manufacture, use and delivery of vulcanized fibre tubing are subject to all other applicable orders and regulations of the War Production Board.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13738; Filed, July 26, 1945; 11:32 a. m.]

PART 3293—CHEMICALS

[General Preference Order M-340 as Amended July 26, 1945]

MISCELLANEOUS CHEMICALS

§ 3293.491 *General Preference Order M-340*—(a) *Definitions.* (1) "Subject chemical" means any chemical as defined in List 1 attached to this order.

(2) "Preferred order" means any purchase order for subject chemicals which are (i) ultimately to be delivered to or incorporated in material to be delivered to, the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission, War Shipping Administration, Panama Canal, Office of Scientific Research and Development, Veterans' Administration, or any government agency pursuant to the Act of March 11, 1941 (Lend-Lease Act), unless restricted in the second column of list 1 attached to this order, or which are (ii) ultimately to be used for any preferred purpose specified opposite the subject chemical in List 1 attached to this order. The term "preferred order" under item (i) above shall not include any order for a military exchange or service department unless clearly identified on its face as coming within the definition of "overseas order" under Priorities Regulation 17.

(b) *Inapplicability of certain preference ratings.* (1) No person shall give any effect to any preference rating below AAA on any purchase order for subject chemicals, unless the person placing the purchase order certifies that it is a "Preferred order" and that acceptance of delivery will not result in his having an inventory in excess of that permitted under paragraph (c) of this order. No person may be required to make delivery during the succeeding calendar month on any purchase order for subject chemicals placed with him less than 10 days before the close of a calendar month bearing a preference rating below AAA. Preference ratings on certified preferred orders shall be given full effect.

(2) "Preferred orders" shall be certified in substantially the following form, duly signed by an authorized official:

Certified as Preferred Order under WPB Order M-340

(Identify purchase order if certificate is not on it or attached to it; if certificate does not cover whole order, add "as to ------ (quantity) of ----- (material). Add 'Inventory certified—Ref: M-340, paragraph (b) (1)'.")

(Name of purchaser)

(Signature and title of duly authorized official)

The certificate may be indorsed on or attached to the purchase order and need not be filed with the War Production Board. Any person receiving the certificate may rely upon it unless he knows or has reason to believe that it is false. The standard certification of Priorities Regulation 7 may not be used instead.

(3) A person who receives a subject chemical on a certified "preferred order" shall use the chemical only for the purposes shown in paragraph (a) (2) above, unless otherwise specifically authorized in writing by the War Production Board.

(c) *Use of certified preferred orders.* (1) Where a person is ordering a subject chemical to fill either orders for the chemical itself or orders for material into which it is to be incorporated, he may not certify his order as a preferred order if the orders to be filled are not on hand. An order for a subject chemical may be certified as a preferred order if the chemical is required to replace withdrawals from inventory of the chemical within the previous 30 days used to fill orders for a purpose preferred under paragraph (a) (2), but in no case may an order for a subject chemical to accumulate inventory be certified as a preferred order.

(2) Even in cases where an order to replace inventory might be certified as a preferred order under paragraph (c) (1) above, no person may so certify an order, if the receipt of the quantity ordered would result in his having an inventory of the subject chemical, whether or not acquired in part by uncertified orders, in excess of an amount sufficient to meet deliveries on orders for purposes preferred under paragraph (a) (2) which he has accepted for delivery during the succeeding 60 day period (unless a different period is indicated in List 1). This paragraph prohibits the use of certified preferred orders for inventory except as specified above. It does not restrict the amount of inventory which a person may accumulate by uncertified orders, but if a person accumulates by uncertified orders or otherwise an inventory in excess of that specified he is prohibited from using certified preferred orders to replace withdrawals from inventory, even though the withdrawals were made for preferred purposes, until his inventory has been reduced to the specified amount. Inventories continue to be subject to other applicable orders and regulations of the War Production Board.

(d) *Special directions.* The War Production Board may at any time issue special directions to any person regarding production, use of delivery of subject chemicals, notwithstanding the other provisions of this order.

(e) *Applicability of regulations.* Except as provided in paragraph (b) above, this order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* Communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-340.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST 1

Note: Table amended July 26, 1945.

Subject chemical	Preferred purposes under paragraph (a) (2) (ii)
1. Oxidized petrolatum, meaning high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventative compounds or corrosion inhibitors meeting specification No. 52-C-18 such as those petrolatums known by the trade-marks Par-Ai-Ketone, Alox 707, and Alox 701.	None.
2. Enamelwire naphtha, also known as E. W. naphtha, meaning a mixture of aromatic solvents derived from coke oven light oil, drip oil, or coal tar, distilling between 120° and 250° C., with at least 15 per cent monomeric polymerizable constituents of the cumorene-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorene-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.	(i) Wire and cable.
3. Precipitated calcium carbonate, meaning nitrafine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.	(i) Wire and cable.
4. Hi-flash naphtha, meaning water white coal tar solvent naphtha, having a distillation range of 140° C. (293° F. to 200° C.) (392° F.) derived from coke oven light oils, coal tar distillates, drip oils or holder oils.	None.
5. Dipentene, meaning certain terpene solvents, consisting largely or entirely of mono cyclic terpene hydrocarbons of the empirical formula $C_{10}H_{16}$, having a distilling range and solvent power above that of turpentine.	(i) Rubber reclaiming. NOTE: Orders for dipentene to be used for ultimate delivery for paint to any agency listed under paragraph (a) (2) (i) under specifications not specifying dipentene are not included in "preferred orders."
6. Heat treated resins, meaning resin heated to a sufficiently high temperature and for a sufficient period to effect some degree of polymerization and dimerization. 90 day period under paragraph (c) (2).	(i) Wire and cable. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office. (iii) Manufacturing and compounding for synthetic and natural rubber.
7. Stabilized rosins, meaning resin stabilized by hydrogenation, dehydrogenation, or disproportionation. 90 day period under paragraph (c) (2).	(i) Wire and cable. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office.
8. Polymerized rosins, meaning resin which contains 50% or more of polymerized or condensed resin acids. 90 day period under paragraph (c) (2).	(i) Wire and cable. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office.
9. Metal resinates, meaning any rosin which has been reacted with any given metal or metallic salt and contains 1% or more of the metal combined with the rosin. 90 day period under paragraph (c) (2).	(i) Foundry cores. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office. (iii) Orders rated under Order P-138.
10. Rosin, member gum rosin and wood rosin as defined in the Naval Stores Act of March 3, 1923. 90 day period under paragraph (c) (2).	(i) Foundry cores. (ii) Orders rated under Order P-65 and P-138. (iii) Ultimate use by War Food Administration, Office of Foreign Relief and Rehabilitation, Office of Civilian Supply, Office of Economic Warfare. (iv) Wire and cable. None.
11. Nitrocellulose plastics, meaning plasticized cellulose nitrate in primary unfabricated forms, such as blocks, slabs, rods, and tubes, and sheets, or in fabricated forms, such as those made from sheets, rods, and tubes produced by the process of the nitrocellulose plastic incorporated therein.	None.
12. Titanium dioxide, meaning any pigment containing more than 12% titanium dioxide whether alone or admixed with or precipitated on inerts, extenders or coprecipitated pigments.	(i) Marine paint for maintenance of ocean-going vessels. (ii) Orders rated under Order P-138 for materials for container manufacturers. (iii) Ultimate use by U. S. Government Printing Office or Bureau of Engraving and Printing. (iv) Wire and cable. (v) Marine paint for maintenance of ocean-going vessels. (vi) Orders rated under Order P-138 for materials for container manufacturers. (vii) Ultimate use by U. S. Government Printing Office or Bureau of Engraving and Printing. (viii) Wire and cable.
13. Zinc sulfide, meaning any pigment containing more than 12% zinc sulfide whether alone or admixed with, or precipitated on inerts, extenders or coprecipitated pigments. The terms include all the commercial grades of lithopone, but does not include luminescent pigments containing zinc sulfide.	(i) Foundry cores. (ii) Orders rated under Order P-138 for materials for container manufacturers. (iii) Ultimate use by U. S. Government Printing Office or Bureau of Engraving and Printing. (iv) Wire and cable.
14. Vulcanized fibre sheet and rod, meaning unfabricated or fabricated lamps attached together (items) sheet or rod formed from regular paper which has been processed through a zinc chloride bath and dried in a series of fresh water baths.	(i) Polyethylene systems. (ii) Pesticides and insecticides solely for agricultural crops (excluding all pesticides containing mercurial ions).
15. Fatty acids, meaning unsaturated, normally liquid, saturated, and hydrogenated fatty acids derived from animal, vegetable, or marine oils or greases, or tall oil, or any combination thereof, whether alone or admixed with other materials.	(i) Wire and cable. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office. (iii) Orders rated under Order P-138.
16. Fatty gum, meaning the reaction product of wood or gum rosin and any polyhydric alcohol or polybasic acid. 90 day period under paragraph (c) (2).	(i) Foundry cores. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office. (iii) Orders rated under Orders P-65 and P-138.

Subject chemical	Preferred purposes under paragraph (a) (2) (ii)
17. Amyl alcohol, meaning any aliphatic alcohol having the empirical formula $C_5H_{12}O$ and includes normal primary amyl alcohol, secondary amyl alcohol, and mixtures containing these alcohols. (Subject to M-340 on and after July 2, 1945).	(i) Pyrotechnics. Note: Orders for amyl alcohol and amyl acetate to be used for ultimate delivery of lacquer, lacquer thinner or retarder thinner to any agency listed under paragraph (a) (2) (i) under specifications not specifying amyl acetate are not included in "preferred orders."
18. Terpene hydrocarbon resins, meaning terpene hydrocarbon resin type polymers derived from pinene.	(i) Manufacturing and compounding for synthetic and natural rubber.
19. Styrallyl alcohol, meaning the oxygenated bicyclic terpene of the empirical formula $C_{10}H_{18}O$ which is synthesized from turpentine or halmed. Either 2 or 3 pinanol.	None.
20. Soluble dimethylaniline, meaning the product having a nitrogen content of 12.5% or less made by nitrating any form of cellulose (including cotton linters, wood fulp and cellophane scrap). The term does not include dimethylaniline to be used in the manufacture of cyanine dyestuffs.	None.
21. Phenol formaldehyde resin, meaning any synthetic resin made from phenol or any homologue of phenol and formaldehyde or any substance capable of reacting like formaldehyde, and includes modifications of such resins with other organic compounds, but excludes any such resin which is not further reacted with organic solvents such as butanol or xylol. (Subject to M-340 on and after August 1, 1945.)	None.
22. Cresol, meaning the alkylphenols containing methane and methylene groups, and includes the cresylic acid fraction of coal tar, coke oven, and petroleum distillates. (Subject to M-340 on and after August 1, 1945.)	None.
23. Vulcanized fibre tubing, meaning fibre which is formed by convolutely winding a web or webs of paper, fabric, or asbestos saturated with zinc chloride, which is subsequently leached out of the resulting mass. (Subject to M-340 on and after August 1, 1945.)	None.
24. Fluorescent pigments, meaning fluorescent pigments consisting of a solid solution of 0.1 to 1.0 mol per cent of UO_2F_2 in $NaMgUO_2(CH_3COO)_9$ and/or $NaZnUO_2(CH_3COO)_9$ and/or $NaCaUO_2(CH_3COO)_9$, wholly derived by reaction of uranium trioxide (UO_3) with glacial acetic acid, and sodium, magnesium, zinc, or calcium acetate, respectively, and having a particle size of 5-7 millionths of an inch. (Subject to M-340 on and after August 1, 1945.)	None.
25. Pale fat, meaning the tallow and fat oil, of all grades and weights which is obtained by rendering fatty animal tissue, bones, offal, or trimmings, and which contains 1% or more of free fatty acids. (Subject to M-340 on and after August 1, 1945.)	(i) Compounding and reclaiming of synthetic and natural rubber.
26. Pine fat, meaning the liquid pine fat and fat oil, of all grades and weights which is obtained by rendering fatty pine tissue, pine roots, or pine stumps, and which contains 1% or more of free fatty acids. (Subject to M-340 on and after August 1, 1945.)	None. Orders for ultramarine blue declined to be used for ultimate delivery to any agency listed under paragraph (a) (2) (i) under specifications not specifying it are not included in "preferred orders."
27. Sulfonated tar, meaning any sulfonated tar of different kinds of coal, peat, lignite, petroleum, shale oil, or wood, including but not limited to Sulfonated pitch and sulfonated coal tar, Sulfonated oil-gas tar, Sulfonated petroleum tar, Sulfonated shale oil tar, Sulfonated wood tar, and Sulfonated lignite tar.	None. Orders for direct operations of refineries in Arizona, New Mexico, Nevada, Utah, Colorado, Wyoming, Idaho, and Montana are subject to Schedule 1 to Order M-340 and not to M-340 or other subsidiaries.

[F. R. Doc. 45-13739; Filed, July 27, 1945; 11:32 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 81,[1] Amdt. 4]

SALES OF FOOD BY THE UNITED STATES GOVERNMENT OR ITS AGENCIES

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 81 is amended in the following respect:

A new section 7 (e) is added to read as follows:

(e) Any contractor for use in carrying out his prime contract with a government agency.

This amendment shall become effective July 31, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 16, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13758; Filed, July 26, 1945; 11:42 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 118, Amdt. 2 to Reconversion Gen. Order 1]

SIMPLIFIED PRICING METHOD FOR RECONVERTING MANUFACTURERS HAVING SALES LESS THAN $50,000 PER YEAR

Reconversion General Order No. 1 is amended by amending OPA Form 611-2489A, which is incorporated in the order, in the following respects:

1. In the instructions for Part II, the first sentence in the third paragraph thereof is amended to read: "Your new ceiling price is the higher of your present ceiling price, Item 1d below, or your calculated ceiling price, Item 2g."

2. In item 1 of Part II, line c is amended to read: "Largest-buying class of purchaser," and line d is amended to read, "Present ceiling price to largest-buying class of purchaser."

3. In item 5 in Part II, line b is amended to read: "Divide the revised ceiling price of this article (Item 2g) by its old ceiling price (Item 1d)."

This amendment shall become effective July 25, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13675; Filed, July 25, 1945; 3:38 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 47]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 418 is amended in the following respects:

1. In section 22, Table A, Schedule No. 34b is amended to read as follows:

TABLE A—MAXIMUM PRICES FOR PRODUCERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Price per pound, January through March, bulk ex-vessel	Price per pound, April through December, bulk ex-vessel
34B	Salmon, Chinook or King (Pacific coast) (Oncorhynchus tschawytscha)[2]	1	Round	.29	.1

2. In section 22, Tables B, C and D, Schedule No. 34B is deleted and the name of Schedule No. 33, 34, 34A is amended to read as follows:

33, 34, 34A, 34B Salmon, Chinook or King (Pacific coast, *Oncorhynchus tschawytscha*)[2].

This amendment shall become effective July 31, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13755; Filed, July 26, 1945; 11:45 a. m.]

PART 1389—APPAREL

[RMPR 268,[1] Amdt. 6]

MAXIMUM PRICES FOR STAPLE WORK CLOTHING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (d) is added to section 5.6 to read as follows:

(d) *Specific authorization for manufacturers of denim, chambray and covert garments.* (1) Any manufacturer of a work garment, made from denim, chambray or covert materials purchased on or after June 21, 1945, may sell and deliver such garment at the maximum price in effect on June 1, 1945, and reserve the right to charge the difference, if any, between that maximum price and any higher maximum price which may thereafter be established by OPA: *Provided*, That the additional charge may in no event exceed 3 per cent of the manufacturer's maximum price in effect on June 1, 1945.

(2) Any manufacturer who elects to exercise the adjustable pricing permission provided in this paragraph (d) must, in connection with each contract of sale, deliver to the purchaser the following statement in writing, or stamp such statement on the invoice required by section 5.2 (a) (4):

For as long as permitted by OPA, (name of the manufacturer) reserves the right to charge you, for the following quantities of garments delivered pursuant to this contract, the difference between our ceiling price in effect on June 1, 1945 and any higher ceiling price which may thereafter be established by OPA: *Provided*, That the additional charge will in no event exceed 3 per cent of our ceiling price in effect on June 1, 1945.

Lot No. *Quantity (No. of dozen)*

CPA has ruled that in determining your ceiling price for these garments, you must use as your "supplier's net selling price" our net price to you under this contract, exclusive of the additional charge which we may be permitted to make.

(3) The permission granted in this paragraph (d) shall remain in effect only until the date revised maximum prices of general applicability are first hereafter established for manufacturers' sales of denim, chambray and covert garments, or this paragraph is revoked, whichever is earlier.

(4) Any purchaser who buys denim, chambray or covert garments under a contract containing an adjustable pricing clause authorized by this paragraph (d) shall disregard that clause, and any additional charge made pursuant to it, in determining his ceiling prices for resale of the garments so purchased.

(5) No person is authorized to collect an amount in excess of the ceiling in effect on June 1, 1945 for any denim, chambray or covert garments, unless prior to the revocation of this paragraph (d), revised maximum prices of general applicability have been established for such garments.

This amendment shall become effective July 26, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13751; Filed, July 26, 1945; 11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 65 to 2d Rev. Supp 1]

PROCESSED FOODS

Section 1407.1102 (e) (18) is added to read as follows:

(18) P1, Q1, R1, S1, T1.. From August 1, 1945, to November 30, 1945, inclusive.

This amendment shall become effective August 1, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13759; Filed, July 26, 1945; 11:42 a. m.]

[1] 9 F.R. 310, 7689; 10 F.R. 2521, 7850.

[1] 9 F.R. 9978, 10493, 11960, 13297; 10 F.R. 2673, 7048.

[1] 10 F.R. 48, 776, 924.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 50 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (e) (22) is added to read as follows:

(22) F1, G1, H1, J1, K1.. From August 1, 1945 to November 30, 1945, inclusive.

This amendment shall become effective August 1, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13760; Filed, July 26, 1945; 11:42 a. m.]

PART 1411—COMPENSATORY ADJUSTMENT

[Rev. Compensatory Adjustment Reg. 1, Amdt. 5]

WARTIME INCREASES IN COST OF TRANSPORTING COAL

Revised Compensatory Adjustment Regulation No. 1 is amended in the following respects:

1. In § 1411.2 (a) (2) the colon immediately preceding the proviso is changed to a period and the proviso is deleted.

2. Section 1411.2 (c) (3) is amended to read as follows:

(3) In the case of other than ex-dock receivers, the amount of compensatory adjustment payable on any application shall be limited to the difference between the delivered cost of coal which is the basis of the application, exclusive of mine price increases incurred since December 15-31, 1941, and the delivered cost of the same or most nearly similar coal received by applicant during the period December 15-31, 1941 (or the nearest earlier date on which a shipment was received): Provided, that in the case of an f. a. s. dock operator who, due to wartime conditions, purchased bituminous coal from the mine during December 15-31, 1941 (or the nearest earlier date) at a price abnormally high in relation to the mine price upon which his December 15-31, 1941, selling price for such coal was based, the limitation set forth in this subparagraph (3) shall not apply.

3. Section 1411.9 is added to read as follows:

§ 1411.9 *Redetermination of base period water transportation costs.* (a) The Office of Price Administration may on its own motion or upon application redetermine the base period water transportation cost of a coal dealer eligible to file applications for compensatory adjustment who is either a bituminous coal dealer classified as an "other than ex-dock receiver" or a dealer in Pennsylvania anthracite in the manner hereinafter set forth when it appears to the satisfaction of the Administrator that the base period water transportation costs of such dealer are, due to wartime shipping conditions, abnormally and substantially high in relation to the water transportation costs upon which its December 15-31, 1941, selling prices for such coal were based, or in relation to the water transportation costs upon which area ceiling prices for such coal were established pursuant to the provisions of Revised Maximum Price Regulation No. 122.

(b) Such redetermined base period water transportation cost shall be (1) the highest cost incurred during the base period by a competitor not so affected by wartime shipping conditions and using the same method of water transportation, i. e., collier or barge or (2) if such dealer had no competitor unaffected by wartime shipping conditions using the same method of water transportation then such redetermined base period water transportation cost shall be such as to reflect the normal differential between the rates for the different methods of water transportation employed or, (3) if such dealer had no competitor unaffected by wartime shipping conditions, then such redetermined base period water transportation cost shall be the cost that is determined by the Administrator to be normal and unaffected by wartime shipping conditions. In no event shall a redetermined base period water transportation cost be such as to create a competitive advantage not normally enjoyed.

(c) Each person whose base period water transportation cost is redetermined pursuant to the provisions of this section shall be notified in writing of the redetermined cost. Such redetermined cost shall only be used by applicant as its base period water transportation cost in each application filed subsequent to or pending on the date of such notification and will apply to each kind and size of bituminous coal or arthracite which forms the basis of the application.

(d) Base period water transportation cost as used in this section means in the case of bituminous coal the "water transportation cost incurred during the period December 15-31, 1941, or the nearest earlier date on which a shipment was received". In the case of Pennsylvania anthracite, "the water transportation cost on the last cargo received during the year 1941."

This amendment shall become effective July 31, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc 45-13756; Filed, July 26, 1945; 11:43 a. m.]

PART 1415—PROTECTIVE COATINGS

[RMPR 264, Amdt. 5]

VEGETABLE WAXES AND BEESWAX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 264 is amended in the following respects:

1. By adding the following new paragraph to section 7:

(d) Every person purchasing vegetable waxes or beeswax abroad shall within two weeks after such purchase is made, submit to the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., a report containing the following information:

Date of purchase
Quantity and type of wax
Country of origin
Name of foreign seller.
Name of broker or agent, if any
Total consideration paid or to be paid by buyer, including any consideration paid or to be paid a broker or agent
Name of bank, handling letter of credit
Expected date of shipment.

Such report shall contain the following certification:

The undersigned company, and the official executing this certification on its behalf, hereby certify that the information contained in this report is correct and complete to the best of their knowledge and belief.

2. By adding the following at the end of section 14: "*Provided, however*, That if no part thereof is paid directly or indirectly to a foreign seller or a foreign broker, a commission not to exceed 1% of the foreign seller's invoice price (not in excess of the applicable maximum purchase price) may be paid by a beeswax importer to a qualified domestic broker or agent for purchases of beeswax from foreign sellers for the account of the importer and for direct importation into the United States. A domestic broker or agent may qualify as such by filing an application with the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., prior to his undertaking to act as broker or agent in such transactions. Said application may be considered approved unless and until a letter of disapproval is received from the Office of Price Administration."

3. By deleting the word "West" from subdivision (ii) of Appendix A (a) (3), and subdivision (ii) of Appendix B (a) (3).

This amendment shall become effective July 31, 1945.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13753; Filed, July 26, 1945; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 288,[1] Correction]

GROCERY PRODUCTS IN ALASKA

Revised Maximum Price Regulation 288 is corrected in the following respects:

[1] 10 F.R. 5909, 6802, 7794, 8370.

[1] 10 F.R. 48, 521, 857, 293, 294.

1. Section 22 is corrected by inserting the heading "Pineapple, broken slices, #2½" before the item "Blue and White #2½" under the heading "Pineapple, broken slices #2", and by changing said item to read "Blue and White".

2. Section 25 is corrected in the following respects:

a. Under the heading "Beans, green #2," the item "S & W (2 sv. cut)" immediately preceding "S & W (Julienne)" is corrected to read "S & W (3 sv. cut)".

b. Under the heading "Beets, #2," the item "Red rag, sliced" is corrected to read "Red tag, sliced".

c. Under the heading "Corn, whole kernel, 12 oz." the price "23" appearing in the Kodiak column for the item "S & W, golden bantam, W. K. Vac. Pac." is corrected to read "22".

d. Under the heading "Corn, whole kernel #2" the item "Richmond" is corrected to read "Richland".

e. Under the heading "Corn, cream style, #2" the item "Del Maids" is corrected to read "Del Maize".

f. Under the heading "Spinach #2½" the price "38" for "Shurfine" in the Nome column is corrected to read "28".

This correction shall become effective as of May 28, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc 45-13754; Filed, July 26, 1945; 11:45 a. m.]

PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[RMPR 259,[1] Amdt. 6]

MALT BEVERAGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 259 is amended in the following respects:

1. Section 1.2 (j) is revoked and a new section 1.2 (j) is added to read as follows:

(j) "Primary wholesaler" means a wholesaler who during the calendar year 1944 sold to other wholesalers not less than 10 percent of the total number of cases of domestic malt beverages sold by him. However, no wholesaler may price any sales of domestic malt beverages as a primary wholesaler unless he is authorized to do so by the Regional Administrator having jurisdiction of the area in which he has his principal place of business in the manner provided herein.

Before any wholesaler is authorized to sell or offer to sell an item or items of domestic malt beverages as a primary wholesaler he shall make application in writing to the Regional Administrator of the Office of Price Administration having jurisdiction of the area in which he has his principal place of business for authorization to sell an item or items of domestic malt beverages as a primary wholesaler and must receive authorization by order or otherwise before he may sell as a primary wholesaler.

The application shall contain the following information:

1. Name of applicant and address of principal place of business. (If applicant has branch warehouses and desires to qualify these branches as "primary wholesalers" then separate applications must be submitted for each branch.)

2. The total number of cases of each brand of domestic malt beverages which applicant sold to all classes of purchasers during the calendar year 1944.

3. The total number of cases of each brand of domestic malt beverages which applicant sold to other wholesalers during the calendar year 1944.

4. The name and address of each wholesaler to whom he sold during the calendar year 1944 and the number of cases of each brand sold to each wholesaler in 1944.

5. The names and addresses of the wholesalers to whom he proposes to sell as a "primary wholesaler" and the brands he intends to sell to each of them.

6. Any other pertinent information applicant desires to submit:

Regional Administrators are hereby authorized to grant authority by order to applicants to price their sales as primary wholesalers. If within 30 days after receipt of the application by the appropriate Regional Office of the Office of Price Administration the applicant shall not receive written notice of denial of the application, the authority requested therein shall be deemed granted. The authority so granted may be revoked at any time by order issued by the appropriate Regional Office of the Office of Price Administration. Any District Director of the Office of Price Administration if authorized by order of his Regional Administrator shall have and may exercise like authority with respect to applications filed under this section.

Any wholesaler who qualified and sold domestic malt beverages as an importing wholesaler prior to July 31, 1945 may upon filing an application for authority to sell as a primary wholesaler with the appropriate field office continue to price his sales of domestic malt beverages as a primary wholesaler for such time until his application is either granted or denied notwithstanding the provisions of this section.

2. Section 1.2 (k) is revoked and paragraphs (l) to (u) inclusive of section 1.2 are redesignated (k) to (t) inclusive.

3. Section 1.2 (o) is amended in the following respects:

a. The words "primary wholesaler" are substituted for the words "importing wholesaler" and the word "wholesaler" is substituted for the word "sub-wholesaler" in the first sentence of the first paragraph of the section. The word "customary" is inserted between the words "sellers" and "shipping point" in the first and last sentences thereof and the words "except retailers" appearing in the first sentence thereof are deleted.

b. A new paragraph is added at the end of section 1.2 (o) to read as follows:

Any Regional Administrator of the Office of Price Administration or such District Director as may be authorized by the appropriate Regional Administrator may either on application or on his own motion establish by order a uniform transportation charge for the movement of an item of domestic malt beverage pursuant to this section for any seller or group of sellers located within his jurisdiction and such order shall require the seller to recalculate his maximum prices notwithstanding section 4.4 (b) of the regulation.

4. A new column is added to Table 4 in section 2.7:

Package (per bottle):	(Cents)
12 ounce bottle	1.8

5. The first sentence of the second paragraph of section 4.1 (c) is amended to read as follows: "For purposes of this regulation any Regional Administrator of the Office of Price Administration may determine by order the center point of the geographical limits of a base delivery zone of any wholesaler, group of wholesalers, brewer, or group of brewers required to price as a wholesaler, and may increase or decrease the radii of base delivery zones."

Section 4.1 (b) (3) is amended to read as follows:

(3) Applicable United States, State, and local taxes at rates in effect on December 18, 1944 if not included in the supplier's selling price. However, the applicable amount of any United States, State, or local tax first imposed after December 18, 1944, or the applicable amount of any increase in any existing tax imposed after that date in any such tax may be added to the seller's maximum price: *Provided*, That the amount of any such new tax or increase in any existing tax is paid by the seller to the taxing authority or to a prior vendor: *And provided further*, That on and after December 18, 1944, no seller shall include in his maximum price a markup on the amount of such new or increased tax which he is authorized to charge and collect under this section.

On and after December 18, 1944, every wholesaler located within a jurisdiction whose duly constituted taxing authority has imposed a new United States, State or local tax after December 18, 1944, or any increase in any existing tax after December 18, 1944 must (i) state with each invoice accompanying a sale to any class of purchaser (except consumers) that the prices stated in the invoice include the amount of any new or increased taxes imposed by the United States, State or local authorities after December 18, 1944, (ii) the amount of such new or increased taxes, and (iii) that no markup may be applied to the amount thereof. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this section:

Our invoice prices include the amount of a new or increased tax imposed by the United States, state, or local authorities after December 18, 1944 which amounts to ($_____ per case of _____ bottles of _____ ounces each). In determining your cost of acquisition you may not include the amount of such new tax or increase on any old tax. However after calculating your maximum price you may add the amount of such new or increased tax.

[1] 9 F.R. 14537, 14781, 15107; 10 F.R. 2583, 3588, 4106.

7. Section 4.2 (b) (1) (i) (b) is amended by adding to the table therein the following:

Case size:	
24/6 ounces.	
24/6½ ounces.	

8. Section 4.2 (b) (5) (ii) is amended by adding to the table therein the following:

Case size:	
24/6 ounces.	
24/6½ ounces.	

9. The portion of section 4.2 (b) (5) preceding sub-division (i) is amended to read as follows:

(5) *Sales by a primary wholesaler to a wholesaler.* A primary wholesaler's initial maximum price for his sales of an item of domestic malt beverage in bottles or cans delivered to a wholesaler's premises shall be the higher of the following:

10. Section 4.2 (b) (6) is amended to read as follows:

(6) *Maximum prices for sales of domestic malt beverages in bottles or cans purchased from a primary wholesaler by a wholesaler to all classes of purchasers.* A wholesaler's maximum price per case for his sales of an item of domestic malt beverages which he purchases from a primary wholesaler to any class of purchasers shall not exceed the maximum price of his supplier to the same class of purchaser adjusted to reflect the sum of 10¢ per case which the primary wholesaler is permitted to add to his cost of acquisition, plus applicable transportation charges.

11. Section 4.3 (b) is amended to read:

(b) *Initial maximum prices for sales to all classes of purchasers except to other retailers:* A retailer's initial maximum price per case for an item of domestic malt beverage for his sales thereof to all classes of purchasers, except to other retailers, shall be his cost of acquisition for his latest base purchase of the item, or if he made no base purchase of the item, his cost of acquisition per case for his most recent purchase of the item from any supplier, multiplied by 1.35 and rounded to the nearest full cent.

12. Section 4.3 (c) is redesignated 4.3 (d) and a new section 4.3 (c) is added to read as follows:

(c) *For sales to another retailer:* A retailer's initial maximum price for an item of domestic malt beverage which he purchased from another retailer shall not exceed the maximum price of his supplier to the same class of purchaser (adjusted to reflect delivery charges if any) plus or minus (as may be appropriate) any difference in applicable state and local taxes and markup thereon.

13. Section 4.4 (b) is amended by adding the following sentence to the end of the paragraph: "*Provided further*, That where a brewer or sole distributor prior to December 18, 1944 did not pass on all or part of the permitted increases as provided in section 2.2 of the regulation, and subsequent to December 18, 1944 elects to do so, the purchaser may recalculate his maximum prices notwithstanding that the cost of acquisition of the item of domestic malt beverage per case is less than the sum of 5¢."

14. Section 4.7 (b) is revoked and a new section 4.7 (b) is added to read as follows:

(b) A sole distributor of a domestic malt beverage shall price his sales of that domestic malt beverage in the same manner as brewers pursuant to section 2.2 of this regulation. However, controlled subsidiaries and branches of a sole distributor operated, controlled and managed by the sole distributor prior to December 18, 1944 shall price their sales of that domestic malt beverage as if they were wholesalers.

"Sole distributor" means a person who is the seller of all or substantially all of the brewer's production of the domestic malt beverage being priced.

(c) A sole distributor who is unable to establish maximum prices for his sales of domestic malt beverage under (b) above shall apply to the Office of Price Administration Beverage Section, Washington, D. C., in accordance with section 2.9 of this regulation to establish maximum prices for sales of an item of domestic malt beverages to all classes of purchasers.

15. Section 5.2 is amended to read as follows:

a. The words "Regional Administrator of the Office of Price Administration" shall be substituted for the words "District Director of the Office of Price Administration" wherever they appear in the section and a new paragraph (g) is added to read as follows:

(g) Any District Director of the Office of Price Administration if authorized by order of his Regional Administrator shall have and may exercise like authority with respect to applications filed under this section.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective July 31, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13752; Filed, July 26, 1945; 11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Rev. Supp. Service Reg. 50]

GENERAL ORDERS COVERING CERTAIN SERVICES

Supplementary Service Regulation 50 is redesignated Revised Supplementary Service Regulation 50 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this revised supplementary service regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

§ 1499.648 *National or area orders covering certain services*—(a) *Authority.* The Price Administrator, any Regional Administrator, and any District Director authorized to act by the Regional Administrator having jurisdiction over his district, may issue general orders applicable to the territory within his jurisdiction, or any part thereof, establishing maximum prices for those services listed in paragraph (c), subject to any limitations set forth therein.

(b) *Additional provisions.* A general order issued under this regulation, may, within the discretion of the issuing authority, contain provisions requiring sellers covered thereby to post their maximum prices, to give sales slips or receipts, or both.

(c) *Services covered.* The following services are covered by this regulation:

(1) Cesspools and septic tanks; cleaning and repairing thereof.

(2) The Regional Administrator for Region VI or the Chicago District Director, if he has been authorized to act by the Regional Administrator, may issue general area orders establishing the maximum rates which may be charged for grain brokerage services rendered by members of the Board of Trade of the city of Chicago, Illinois.

(3) The Regional Administrator for Region VIII or the Los Angeles District Director if he has been authorized to act by the Regional Administrator may issue general area orders for daytime automobile parking in downtown Los Angeles.

(4) Services (including commodity rentals) for which maximum prices cannot practicably be established under section 4 or section 5 of RMPR 165. Orders under this subparagraph (4) (and any change in or revocation of such orders) by Regional Administrators or District Directors must be cleared with the Service Trades Branch, OPA, Washington, D. C. before issuance.

This revised supplementary service regulation shall become effective July 31, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13757; Filed, July 26, 1945; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14E,[1] Amdt. 6]

NON-GOVERNMENT ISSUE SAILOR UNIFORMS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Regulation 14E to the General Maximum Price Regulation is amended by adding to Article I thereof—Apparel and Apparel Accessories—a new

[1] 10 F.R. 2097, 2250, 3925.

[1] 10 F.R. 1183, 2014, 4156.

section, designated section 1 3, to read as follows:

SEC. 1 3. *Maximum prices for sales of non-government issue sailor uniforms.* (a) "Non-government issue sailor uniforms" means uniforms (other than regulation uniforms issued by the Navy Department) consisting of pants and jumper, or separate pants or jumpers, made of materials other than cotton, designed to be worn by enlisted men of the United States Navy.

(b) The Price Administrator, or each Regional Administrator to whom the Price Administrator delegates authority, may by order under this section establish maximum prices for sales of non-government issue sailor uniforms. Maximum prices established by an order issued under this section will supersede the maximum prices established under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

This amendment shall become effective July 31, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS Jr.,
Acting Administrator.

[F. R. Doc. 45-13750; Filed, July 26, 1945; 11:42 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 68]

PART 4304—PRICE STABILIZATION; MAXIMUM PRICES

EXEMPTION OF CERTAIN COMMODITIES AND TRANSACTIONS FROM PRICE CONTROL

Pursuant to the authority vested in me by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation, and for Other Purposes", and by Executive Order No. 9250 of October 3, 1942, and Executive Order No. 9328 of April 8, 1943, *It is ordered:*

SECTION 1. The Price Administrator is authorized to suspend price control with respect to any commodity, upon such terms and conditions as he deems appropriate, whenever in his judgment such action will not result in an increase in prices above the general level of existing ceilings for the commodity. If after such suspension, prices for the commodity rise or threaten to rise above the level of preexisting ceilings, the suspension shall be terminated and such ceilings reinstated. If after a reasonable period of suspension, prices for the commodity do not rise or threaten to rise and the Price Administrator is satisfied that they will not do so, he may exempt the commodity from price control. Any proposed action by the Price Administrator under this section suspending or exempting a commodity which enters significantly into the cost of living shall be submitted to the Director of Economic Stabilization five days in advance of issuance in order that the Director may examine the relationship of the proposed action to other elements in the stabilization program; such action may be issued by the Price Administrator upon expiration of the five day period unless previously disapproved by the Director.

SEC. 2. The Price Administrator is authorized to suspend price control with respect to any commodity or transaction, or in his discretion to exempt the commodity or transaction from price control, in the following classes of cases not falling within section 1 of this directive:

(a) In the case of any commodity if in the judgment of the Price Administrator:

(1) The commodity does not enter significantly into the cost of living or into business costs; and

(2) Control of the commodity involves administrative difficulties which are disproportionate in relation to the effectiveness of the control or the contribution to stabilization; and

(3) Suspension of control with respect to the commodity, or exemption from control, presents no threat of diversion of materials, facilities or manpower from war production or any substantial diversion from the production of other commodities, and does not impair effective price control with respect to other commodities; or

(b) In the case of any special type of transaction if in the judgment of the Price Administrator the sales involved are in the aggregate insignificant in the economy and their control involves administrative difficulties which are disproportionate in relation to the effectiveness of the control or the contribution to stabilization.

SEC. 3. The Price Administrator may recommend to the Economic Stabilization Director the suspension of price control with respect to any commodity or transaction, or the exemption of a commodity or transaction from price control, in any specific case, not falling within section 1 or section 2 of this directive, in which in his judgment such action is not inconsistent with the purposes of the stabilization laws.

SEC. 4. Nothing in this directive shall be construed to impair the authority of the Price Administrator to reduce ceiling prices for any commodity or transaction in any case in which, prior to the issuance of this directive, such action was authorized by the stabilization laws and the executive orders issued thereunder. Nothing in this directive shall be construed to dispense with the requirement of approval by the Secretary of Agriculture in any case in which such approval is required by law.

This directive shall become effective July 25, 1945.

Issued this 25th day of July 1945.

WILLIAM H. DAVIS,
Director.

[F. R. Doc. 45-13654; Filed, July 25, 1945; 2:09 p. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 11—FOREIGN QUARANTINE

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

CROSS REFERENCE: For an amendment to § 11.508 (b) (8), see Chapter I of Title 19, *supra*.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 104]

PART 95—CAR SERVICE

SUBSTITUTION OF REFRIGERATOR FOR BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of July, A. D. 1945.

It appearing that the practice of transporting refrigerator cars empty from the East to certain western States diminishes the use, control and supply of such cars, and that the loading of these cars in lieu of box cars will reduce the shortage of such cars; in opinion of the Commission an emergency requiring immediate action exists in the western section of the country, it is ordered, that:

Substitution of refrigerator cars for box cars. (a) (1) Except as provided in paragraph (a) (2) any common carrier by railroad subject to the Interstate Commerce Act transporting

(i) Westbound shipments in carloads originating at points shown as origin points in Agent L. E. Kipp's tariffs, I. C. C. Nos. 1492 and 1493, supplements thereto or reissues thereof, destined to points in the States of Montana, Wyoming, Colorado, New Mexico, and States west thereof, also El Paso, Texas, or

(ii) Westbound shipments in carloads originating at points in the State of Utah and destined to points in the States of California or Nevada, shall, when freight to be transported is suitable and facilities are suitable for loading in RS type refrigerator cars and when such refrigerator cars are reasonably available, furnish and transport not more than three (3) of those refrigerator cars in lieu of each box car ordered, subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car.

(a) (2) On shipments on which the carload minimum weight varies with the size of the car:

(i) Two (2) RS type refrigerator cars shall be furnished in lieu of one (1) box car ordered of a length 40'7" or less, subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car of the size ordered.

(ii) Three (3) RS type refrigerator cars shall be furnished in lieu of one (1) box car ordered of a length of over 40'7" but not over 50'7", subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car of the size ordered.

(b) *Tariff provisions suspended.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended.

(c) *Announcement of suspension.* Each railroad affected by this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein conflicting with this order.

(d) *Orders suspended.* The provisions of Service Order No. 68, as amended, and all other orders of the Commission, insofar as they conflict with this order are hereby suspended.

(e) *Effective date.* This order shall become effective at 12:01 a. m., August 1, 1945.

(f) *Expiration date.* This order shall expire at 11:59 p. m., April 1, 1946, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

It is further ordered, that Service Order No. 104, as amended, be superseded and vacated on the effective date hereof; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-13682; Filed, July 26, 1945; 10:25 a. m.]

[S. O. 340]

PART 95—CAR SERVICE

MINIMUM LOADING OF CARLOAD TRANSFER FREIGHT REQUIRED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of July, A. D. 1945.

It appearing, that the railroads are engaging in the practice of lightly loading refrigerator and other freight cars with through carload freight at transfer points in Western States; that such practice is wasteful and aggravates the car shortage, depleting and diminishing the use, control, supply, distribution and interchange of such cars which are urgently needed for the movement of essential military freight; the Commission is of the opinion an emergency requiring immediate action exists in the western section of the country; it is ordered, that:

(a) *Minimum loading at transfer points.* No common carrier by railroad, subject to the Interstate Commerce Act, at Waynoka, Oklahoma, Cheyenne, Wyoming, Billings, Harlowton and Havre, Montana, or at any other transfer point west of the Mississippi River, shall transfer westbound carload freight to an outbound car in quantities less than 7,500 pounds for each refrigerator car and 20,000 pounds for each box car or any other type of freight car. In the event such car or cars are loaded with less than the minima herein provided, they shall not be transported.

(b) *Application.* The provisions of this order shall apply to interstate and foreign traffic transferred on and after the effective date hereof.

(c) *Effective date.* This order shall become effective at 12:01 a. m., July 28, 1945.

(d) *Expiration date.* This order shall expire at 11:59 p. m., January 10, 1946, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1, (10)-(17))

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-13683; Filed, July 26, 1945; 10:25 a. m.]

Notices

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 51283]

BRAZILIAN CRUZEIROS

CONVERSION FOR ASSESSMENT OF DUTIES ON MERCHANDISE IMPORTED INTO UNITED STATES

JULY 24, 1945.

Reference is made to instructions published in T. D. 48467 of August 8, 1936, T. D. 48553 of October 5, 1936, and T. D. 49893 of June 19, 1939, regarding the assessment of duties in cases involving the conversion of Brazilian milreis, now known as cruzeiros.

The Federal Reserve Bank of New York certified two rates for the Brazilian milreis, one designated the "official" rate and the other the "free" rate, during the period beginning August 3, 1936, and ending November 18, 1937. Available information indicates that the dual-rate certifications were the result of a Brazilian Government decree of February 11, 1935, providing that merchandise for export from Brazil must yield foreign exchange to the Brazilian Government which, in the case of exports to the United States, meant payment in United States dollars. Under the decree a portion of the foreign exchange (U. S. dollars) derived from the sale of certain classes of merchandise for export was required to be sold to the Bank of Brazil at the official rate of exchange while the remaining portion was to be sold at the free rate through banks authorized to deal in foreign exchange. It is understood that for exports of certain merchandise during this period 35% of the foreign exchange (U. S. dollars) was required to be sold at the official rate and 65% at the free rate.

The Federal Reserve Bank of New York has also certified two rates for the Brazilian milreis or cruzeiro from April 10, 1939, to date. These rates are designated as "official" and "free." Available information discloses that the dual-rate certifications during this period have resulted from Brazilian decree No. 1201 of April 8, 1939. Under this decree, by which the requirement was continued that merchandise for export from Brazil yield foreign exchange to the Government, a portion of the foreign exchange (U. S. dollars in the case of exports to the United States) derived from exports is to be sold to the Bank of Brazil at the official rate and the remainder at the free rate, through banks authorized to deal in foreign exchange in Brazil.

It is understood that for export of certain classes of merchandise during this period the requirements have been that 30% of the foreign exchange (U. S. dollars) be sold at the official rate and the balance of 70% at the free rate.

Apparently, during both periods there were exceptions from the requirements noted. It is understood that in the case of certain merchandise all the exchange was sold at the official rate, or all was sold at the official rate, or all was sold at the free rate, and in other instances the percentages of the exchange to be sold at the different rates varied depending on the class of merchandise to be exported.

In the case of any importation in which liquidation has been suspended under the Treasury decisions cited above or in which appraisement has been withheld pursuant to Departmental or Bureau instructions pending determination of the proper rate for conversion of the Brazilian cruzeiro, the appraiser and collector shall proceed, respectively, with the appraisement and liquidation according to the following procedure, provided the requirements outlined below are complied with:

1. No rate of exchange shall be used for customs currency conversion purposes except a rate or rates certified by the Federal Reserve Bank for the date of exportation of the merchandise, unless there is a proclaimed rate for that date which varies by less than 5 per centum from one or both of the rates certified by the Federal Reserve Bank for that date, in which event the case

shall be referred to the Commissioner of Customs.

2. Where it is established to the satisfaction of the appropriate customs officer, either from information in his own files, information obtained by him from outside sources, or information obtained and presented to him by the importer, that a specified percentage of the foreign exchange (U. S. dollars) derived from the sale and exportation of the particular merchandise was sold at the official rate and the balance at the free rate, and that the sale of such exchange at those corresponding rates and in those percentages was permissible or required under Brazilian law, then the official rate for the date of exportation shall be used for customs currency conversion purposes for the percentage of the exchange (U. S. dollars) actually sold at an official rate and the free rate for the date of exportation shall be used for the remaining percentage.

3. Where it is satisfactorily established, as provided in item 2, that all foreign exchange (U. S. dollars) derived from the sale and exportation of particular merchandise was sold at a free rate, or at an official rate, and that the rate used was required or permissible under Brazilian law, the corresponding rate for the date of exportation shall be applied for currency conversion purposes.

4. Where the exchange (U. S. dollars) obtained in payment for the merchandise and the exchange obtained in payment for dutiable costs, charges, or expenses incident to making the merchandise ready for shipment have been sold at different rates or different percentages have been sold at the free and official rates, the currency conversions for the exchange covering payment for the merchandise and the exchange covering such costs, charges, or expenses shall be separately calculated according to the rules stated above in items 1, 2, and 3.

5. For purposes of appraisement, when there are both a foreign and an export value, the appraiser shall apply the appropriate rate or rates to the value expressed in dollars in order to obtain a corresponding value expressed in cruzeiros for the purpose of comparing the export value with the foreign value.

Where information regarding Brazilian currency conversion practices, necessary to comply with the instructions contained herein, is not available locally at a port other than New York, the appraiser or collector shall request the Customs Information Exchange, 201 Varick Street, New York 14, New York, to endeavor to obtain the information.

When appraisement or liquidation has been completed in as many cases as possible under the rules outlined above, the appraiser or collector shall furnish the Bureau with a detailed report regarding any cases in which Brazilian currency conversion questions remain to be disposed of. The reports shall furnish the Bureau with all information pertinent to those cases which may have been obtained regarding the Brazilian currency laws and regulations.

Since only the "official" rate has been published by the Secretary of the Treasury during the periods of dual-rate certification by the Federal Reserve Bank of New York, the "free" rate for the date of export, in each case, shall be requested from the Customs Information Exchange. Following the issuance of these instructions both the "official" and "free" rates for the Brazilian cruzeiro, as certified by the Federal Reserve Bank, will be published in the weekly pamphlets and bound volumes of the Treasury Decisions.

In the case of merchandise exported from Brazil to the United States on or after the date of these instructions, in respect of which conversion of currency is required for customs purposes, appraisers of merchandise and collectors of customs shall withhold appraisement and suspend liquidation, under the provisions of the Treasury Decisions and other instructions referred to herein, only in instances where appraisement and liquidation cannot be accomplished in accordance with these instructions.

The deposit of estimated duties shall be required on the basis of the official rate of exchange as certified for the date of exportation.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved:

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13687; Filed, July 26, 1945; 10:56 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6769]

MARTINSBURG BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING AND STATING ISSUES

Attention is directed to the following error which appeared in the Wednesday, July 18, 1945 issue of the FEDERAL REGISTER.

The file number in the third paragraph should read: "B2-P-3859" appearing on page 8915, column 3.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-13780; Filed, July 26, 1945; 11:50 a. m.]

[Docket No. 6768]

FM BROADCASTING

ORDER SETTING FOR HEARING SUGGESTED REGULATIONS

Attention is directed to the following errors which appeared in the Wednesday, July 18, 1945, issue of the FEDERAL REGISTER:

Line 13 of paragraph (9) should read: "*Provided*, That the facsimile trans-" appearing on page 8914, column 3.

Lines 6, 7 and 8 of paragraph (10) (b) should read: "principal city. The main studio of metropolitan stations shall be located in the principal city served. Metropolitan sta-" appearing on page 8915, column 1.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-13779; Filed July 26, 1945; 11:50 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5122]

MARIE M. BARCLAY

In re: Trust under the will of Marie M. Barclay, deceased; File D-28-9593; E. T. sec. 13245.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the trustees or governing body of any college or university to be designated in accordance with the provisions of the will of Marie Moelhoff Barclay, deceased, in and to the trust created under the will of Marie Moelhoff Barclay, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Trustees or governing body of any college or university to be designated in accordance with the provisions of the will of Marie Moelhoff Barclay, Germany.

That such property is in the process of administration by Robert Y. Crosbie, Marie Moelhoff Hansen, and Harry Armstrong, as Trustees, acting under the judicial supervision of the Orphans' Court of Montgomery County, Norristown, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13619; Filed, July 25, 1945; 11:20 a. m.]

[Vesting Order 5123]

GEORGE KOEPPLINGER

In re: Estate of George Koepplinger, deceased; File No. D-66-1491; E. T. sec. 9570.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Johann Koepplinger in and to the estate of George Koepplinger, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Johann Koepplinger, Germany.

That such property is in the process of administration by the Public Administrator of New York County, as administrator of the Estate of George Koepplinger, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13620; Filed, July 25, 1945; 11:20 a. m.]

[Vesting Order 5125]

FANNIE REXROTH

In re: Estate of Fannie Rexroth, deceased; File D-66-1918; E. T. sec. 11077.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Sophie Fritz-Tschischkale, Karoline Fritz-Schoula, Karl Woseczek, Rudolph Woseczek, also known as Rudolf Woseczek, Adolf Werner, also known as Adolf Woseczek, August Woseczek, Max Woseczek, Paula Woseczek, and Ernst Woseczek, and each of them, in and to the estate of Fannie Rexroth, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sophie Fritz-Tschischkale, Germany (Austria).
August Woseczek, Germany (Austria).
Karoline Fritz-Schoula, Germany (Austria).
Max Woseczek, Germany.
Karl Woseczek, Germany (Austria).
Rudolph Woseczek, also known as Rudolf Woseczek, Germany (Austria).
Adolf Werner, also known as Adolf Woseczek, Germany (Austria).
Paula Woseczek, Germany (Austria).
Ernst Woseczek, Germany (Austria).

That such property is in the process of administration by Mary Louise Woseczek Gault, 504 Lee Street, Evanston, Illinois, as Administratrix of the estate of Fannie Rexroth, deceased, acting under the judicial supervision of the Probate Court of Hamilton County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 18, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13621; Filed, July 25, 1945; 11:20 a. m.]

[Vesting Order 5126]

LUDWIG J. SPEIDEL

In re: Estate of Ludwig J. Speidel, deceased, and trust u/w of Ludwig J. Speidel; File D-28-9696; E. T. sec. 13497.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Herrn Justizrat Karl Lupfer, Heirs of Herrn Justizrat Karl Lupfer, names unknown, Herrn Kirchenrat Dr. Rud. Weber, Heirs of Herrn Kirchenrat Dr. Rud. Weber, names unknown, Herrn Baurat Dr. Wilhelm Speidel, Heirs of Herrn Baurat Dr. Wilhelm Speidel, names unknown, Herrn Dip. Ing. Otto Muehlschlegel, Heirs of Herrn Dip. Ing. Otto Muehlschlegel, names unknown, Herrn Dr. Paul Speidel, Heirs of Herrn Dr. Paul Speidel, names unknown, Herrn Studienrat Dr. Wilhelm Speidel, and Heirs of Herrn Studienrat Dr. Wilhelm Speidel, names unknown, and each of them, in and to the Estate of Ludwig J. Speidel, deceased, and in and to the trust created under the will of Ludwig J. Speidel,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Herrn Justizrat Karl Lupfer, Germany.
Heirs of Herrn Justizrat Karl Lupfer, names unknown, Germany.
Herrn Kirchenrat Dr. Rud. Weber, Germany.
Heirs of Herrn Kirchenrat Dr. Rud. Weber, names unknown, Germany.
Herrn Baurat Dr. Wilhelm Speidel, Germany.

published by the Secretary of the Treasury during the periods of dual-rate certification by the Federal Reserve Bank

studio of metropolitan stations shall be located in the principal city served.

claim arising as a result of this order may, within one year from the date

mined to take any one or all of such actions.

be held, used, administered, liquidated, sold or otherwise dealt with in the in-

Herrn Baurat Dr. Wilhelm Speidel, Germany.

Heirs of Herrn Baurat Dr. Wilhelm Speidel, names unknown, Germany.
Herrn Dip. Ing. Otto Muehlschlegel, Germany.
Heirs of Herrn Dip. Ing. Otto Muehlschlegel, names unknown, Germany.
Herrn Dr. Paul Speidel Germany.
Heirs of Herrn Dr. Paul Speidel, names unknown, Germany.
Herrn Studienrat Dr. Wilhelm Speidel, Germany.
Heirs of Herrn Studienrat Dr. Wilhelm Speidel, names unknown, Germany.

That such property is in the process of administration by the Commonwealth Trust Company of Pittsburgh, as Executor, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pittsburgh, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 18, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13622; Filed, July 25, 1945; 11:20 a. m.]

[Vesting Order 5127]

FRANCES BARTHE

In re: Estate of Frances Barthe, deceased; File D–28–8977; E. T. sec. 11322.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Lindinger and Ignaz Bock, and each of them, in and to the estate of Frances Barthe, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Lindinger, Germany.
Ignaz Bock, Germany.

That such property is in the process of administration by John K Haas, Jr., 5103 North Clark Street, Chicago, Illinois, and Brigitta Steidl Ulbricht, 1469 West Foster Avenue, Chicago, Illinois, as Co-executors of the estate of Frances Barthe, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13623; Filed, July 25, 1945; 11:20 a. m.]

[Vesting Order 5128]

CARL DECKERS

In re: Estate of Carl Deckers, deceased; File D–28–9158; E. T. sec. 11816.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the heirs-at-law, names unknown, of Carl Deckers, deceased, and each of them, in and to the estate of Carl Deckers, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

The heirs-at-law, names unknown, of Carl Deckers, deceased, Germany.

That such property is in the process of administration by John T. Dempsey, as Administrator of the estate of Carl Deckers, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13602; Filed, July 26, 1945; 11:08 a. m.]

[Vesting Order 5129]

FRED FAHNLEY

In re: Trust under the will of Fred Fahnley, deceased; File D–28–2419; E. T. sec. 3733.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ada Payne Remshardt in and to the trust under the will of Fred Fahnley, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ada Payne Remshardt, Germany.

That such property is in the process of administration by The Indiana Trust Company, Indianapolis, Indiana, as Trustee of the Trust under the Will of Fred Fahnley, deceased, acting under the judicial supervision of the Probate Court of Marion County, Indiana;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13693; Filed, July 26, 1945; 11:08 a. m.]

[Vesting Order 5130]

CARL FRITZ VS. WALTER MEYER ET AL.

In re: Carl Fritz vs. Walter Meyer et al.; File D–28–8495; E. T. sec. 9977.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest, and claim of any kind or character whatsoever of Barbara Fritz in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled: "Carl Fritz v. Walter Meyer et al." in the District Court of Iowa in and for Pottawattamie County, Iowa, Case No. 11,268,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Barbara Fritz, Germany.

That such property is in process of administration by Raymond G. Peterson, 303 Park Building, Council Bluffs, Iowa, as Referee in the matter of Carl Fritz vs. Walter Meyer et al., acting under the judicial supervision of the District Court of Iowa in and for Pottawattamie County;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13694; Filed, July 26, 1945; 11:08 a. m.]

[Vesting Order 5131]

AUGUST HILDEBRANDT

In re: Estate of August Hildebrandt, deceased; File D–28–3946; E. T. sec. 7123.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Herman Hildebrandt, Fredrich Hildebrandt, Bertha Jaritz, Minna Heil and Heirs, next of kin, personal representatives, legatees and devisees, names unknown, of Minna Heil, and each of them, in and to the estate of August Hildebrandt, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Herman Hildebrandt, Germany.
Fredrich Hildebrandt, Germany.
Bertha Jaritz, Germany.
Minna Heil, Germany.
Heirs, next of kin, personal representatives, legatees and devisees, names unknown, of Minna Heil, Germany.

That such property is in the process of administration by Louis C. Fritsche, 40 St. Nicholas Place, Fort Thomas, Kentucky, as Executor of the estate of August Hildebrandt, deceased, acting under the judicial supervision of the County Court of Campbell County, Kentucky;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section

10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13695; Filed, July 26, 1945; 11:08 a. m.]

[Vesting Order Number 5132]

LOUIS HOFFMAN

In re: Estate of Louis Hoffman, deceased; File D-28-7821; E. T. sec. 8390.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karl Hoffman, Jr., Emma Gelpert and Otto Melhsner, and each of them, in and to the estate of Louis Hoffman, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Hoffman, Jr., Germany.
Emma Gelpert, Germany.
Otto Melhsner, Germany.

That such property is in process of administration by L. J. Gulian, Corydon, Iowa, as Executor of the estate of Louis Hoffman, deceased, acting under the judicial supervision of the District Court of Wayne County, Corydon, Iowa;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13696; Filed, July 26, 1945; 11:08 a. m.]

[Vesting Order 5133]

JACOB KOZUMPLIK

In re: Estate of Jacob (Jakob) Kozumplik, deceased; File D-69-63; E. T. sec. 2927.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Julianna Kozumplik, Martin Kozumplik, Franz Kozumplik, the children, names unknown, of Julianna Kozumplik, Martin Kozumplik, and Franz Kozumplik, and the heirs at law, names unknown, of Jacob (Jakob) Kozumplik, deceased, and each of them, in and to the estate of Jacob (Jakob) Kozumplik, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Julianna Kozumplik, Rumania.
Martin Kozumplik, Rumania.
Franz Kozumplik, Rumania.
Children, names unknown, of Julianna Kozumplik, Martin Kozumplik, and Franz Kozumplik, Rumania.
Heirs at law, names unknown, of Jacob (Jakob) Kozumplik, deceased, Rumania.

That such property is in the process of administration by Frank H. Woesman, 515 Second National Bank Building, Ninth and Main Streets, Cincinnati, Ohio, as Administrator of the estate of Jacob (Jakob) Kozumplik, deceased, acting under the judicial supervision of the Probate Court of Hamilton County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13697; Filed, July 26, 1945; 11:08 a. m.]

[Vesting Order 5134]

FANNIE L. MILLER

In re: Estate of Fannie L. Miller, deceased; File D-28-2523; E. T. sec. 4334.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Hans Dethman, the issue of Mrs. Hans Dethman, names unknown, heirs at law, names unknown, of Helene Ludwig and heirs at law, names unknown, of Herman Meggers, and each of them, in and to the estate of Fannie L. Miller, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Hans Dethman, Germany.
The issue of Mrs. Hans Dethman, names unknown, Germany.
Heirs at law, names unknown, of Helene Ludwig, Germany.
Heirs at law, names unknown, of Herman Meggers, Germany.

That such property is in the process of administration by the Davenport Bank & Trust Company, Davenport Bank Building, Davenport, Iowa and Otto G. Nobis, Central Engineering Company, Davenport, Iowa as Co-executors of the estate of Fannie L Miller, deceased, acting under the judicial supervision of the District Court of Scott County, Iowa;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13698; Filed, July 26, 1945; 11:08 a. m.]

[Vesting Order 5135]

HERBERT M. PASZOTTA

In re: Estate of Herbert M. Paszotta, deceased, also known as Herbert Paszotta, deceased; File D-28-9181; E. T. sec. 11891.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Klara Huhn and Wanda Puppel, and each of them, in and to the estate of Herbert M. Paszotta; deceased, also known as Herbert Paszotta, deceased, and in and to the trust provided for in the will of Herbert M. Paszotta, deceased, also known as Herbert Paszotta, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and last known address

Klara Huhn, Germany.
Wanda Puppel, Germany.

That such property is in the process of administration by the Calumet National Bank of Hammond, Hammond, Indiana, as Administrator with will annexed of the estate of Herbert M. Paszotta, deceased, also known as Herbert Paszotta, deceased, acting under the judicial supervision of the Lake Superior Court, Hammond, Indiana;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13699; Filed, July 26, 1945; 11:08 a. m.]

[Vesting Order 5136]

MARIE RUNGE

In re: Estate of Marie Runge, deceased; File D-28-2360; E. T. sec. 4262.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $8,361.70 in the possession and custody of Victor J. Schlaeger, Treasurer of Cook County, Illinois, Depositary, which amount was deposited on October 23, 1941, June 18, 1943 and January 12, 1945, pursuant to orders of the Probate Court of Cook County, Illinois, entered October 22, 1941, May 27, 1943 and January 9, 1945, in the matter of the Estate of Marie Runge, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Johanna Marks, Germany.
Mrs. Martha Pruhsmann, Germany.
Mrs. Henny (Henry) Petersmann, Germany.
Wilhelm Groth, Germany.
Richard Heitmann, Germany.
Mrs. Anna Schaub, Germany.
Mrs. Helene Ohls, Germany.

That such property is in the process of administration by the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13700; Filed, July 26, 1945; 11:09 a. m.]

[Vesting Order 5137]

GEORGE SIMON

In re: Estate of George Simon, also known as George Simonoff and George Burtchkoff, deceased; File D-11-63; E. T. sec. 6789.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $863.76 in the possession and custody of the County Treasurer in and for the County of St. Louis, Minnesota, which amount was deposited on July 14, 1943, pursuant to an order of the Probate Court of St. Louis County, Minnesota, dated June 17, 1943 in the estate of George Simon, also known as George Simonoff and George Burtchkoff, deceased, subject, however, to any lawful disbursements or fees of the

County Treasurer of St. Louis County, Minnesota,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Bulgaria, namely,

Nationals and Last Known Address

Penna Simonoff, also known as Penna Simon, Bulgaria.
Angel Simonoff, Bulgaria.
Rose Simonoff, Bulgaria.

That such property is in the process of administration by the County Treasurer of St. Louis County, Minnesota, as Depositary, acting under the judicial supervision of the Probate Court of St. Louis County, Minnesota;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Bulgaria);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form AFC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13701; Filed, July 26, 1945; 11:09 a. m.]

[Vesting Order 5138]

ADOLPH STEGMAIER

In re: Estate of Adolph Stegmaier, deceased; File FD–28–7523; E. T. sec. 7783.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Carl Stegmaier, Leopold Stegmaier and Elsa Kaiser, and each of them, in and to the estate of Adolph Stegmaier, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Carl Stegmaier, Germany.
Leopold Stegmaier, Germany.
Elsa Kaiser, Germany.

That such property is in the process of administration by Herman Stegmaier, as Administrator of the Estate of Adolph Stegmaier, acting under the the judicial supervision of the Bergen County Orphans' Court, Hackensack, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13702; Filed, July 26, 1945; 11:09 a. m.]

[Vesting Order 5139]

RUDOLPH STERZENBECKER

In re: Estate of Rudolph Sterzenbecker, deceased; File D–28–9615; E. T. sec. 13308.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ida Zache, in and to the estate of Rudolph Sterzenbecker, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ida Zache, Germany.

That such property is in the process of administration by Alma Knowlton, 7624 South Saginaw Avenue, Chicago, Illinois, as Administratrix of the estate of Rudolph Sterzenbecker, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13703; Filed, July 26, 1945; 11:09 a. m.]

[Vesting Order 5140]

ALBERT WEHLE

In re: Estate of Albert Wehle, deceased; File D–66–1936; E. T. sec. 11116.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Agatha Wehle in and to the estate of Albert Wehle, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Agatha Wehle, Germany.

That such property is in the process of administration by Floyd A. Frye, 1442 Majestic Building, Detroit 26, Michigan, as Administrator of the estate of Albert Wehle, deceased, acting under the judicial supervision of the Probate Court for the County of Wayne, Detroit, Michigan;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13704; Filed, July 26, 1945; 11:09 a. m.]

[Vesting Order 5141]

BARBARA ZIAN

In re: Estate of Barbara Zian, deceased; File D–57–338; E. T. sec. 9184.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anton Michel and Marie Michel, and each of them, in and to the estate of Barbara Zian, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Anton Michel, Rumania.
Marie Michel, Rumania.

That such property is in the process of administration by George Preisack, 4634 Oldenburg Avenue, St. Louis, Missouri, as Executor of the estate of Barbara Zian, deceased, acting under the judicial supervision of the Probate Court for the City of St. Louis, Missouri;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13705; Filed, July 26, 1945; 11:09 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SR 15, Order 47]

L. V. MARKS & SONS, CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 47 under § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. The L. V. Marks & Sons Co. Docket No. 6064–SR 15.75 (a) (10)–41.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum prices for sales of footwear by The L. V. Marks & Sons Co.*—(1) *Maximum prices.* On and after July 26, 1945, the maximum prices at which The L. V. Marks & Sons Co., 534 Sycamore Street, Cincinnati, Ohio, may sell and deliver the footwear described below to all classes of customers shall be as follows:

Style No.	Name	Description	"OPA adjustment charge" (per pair)	Adjusted maximum price per pair (net)
5280	Tanya	Black kid gypsy, leather heel	$0.30	$3.05
5281	Tanya	Brown kid gypsy, leather heel	.30	3.05
5285	Sue	Black kid gypsy, low heel	.31	3.06
5240	Duchess	Black kid front gore, covered heel	.35	3.10
5280	Calville	Black kid nurse oxford, leather heel	.31	3.06
5260	Olinda	Black kid oxford, black lizard trim	.29	3.04
5265	Candela	Black kid, patent trim, gypsy, covered heel	.26	3.01
1270		Black gabardine oxford, patent trim	.33	3.08
0225		Black gabardine U throat, patent trim	.33	3.08
0240		Black gabardine front gore pump	.35	3.10
1380	Delhi	Black kid gypsy, 1⅛" leather heel	.305	2.71
1395	Arcero	Black kid nurse, 12⅝" leather heel	.385	2.76
1110		Black gabardine, low heel	.40	2.99
1170		Black gabardine, 16⅝" heel	.40	3.01
1140		Black gabardine pump, covered heel	.42	3.01
2280	Salome	Black kid gypsy, leather heel	.225	3.17
2281	Salome	Brown kid gypsy, leather heel	.195	3.14
2295	Susan	Black kid nurse, leather heel	.225	3.17
2230	Oakland	Black kid gore pump, covered heel	.235	3.18
2220	Rambler	Black crushed kid chillie leather heel	.235	3.18
2221	Rambler	Brown crushed kid chillie, leather heel	.235	3.18
2260	Nightingale	Black kid nurse oxford	.273	3.22
3285	Noreen	Black kid, patent trim, covered heel	.255	3.20
3210	Auburn	Black gabardine, patent trim, oxford	.225	3.17
3285	Noreen	Black gabardine, patent trim, gypsy oxford	.246	3.18
3010	Auburn	Black gabardine non-rationed oxford	.28	3.51
7170	Anne	Black kid bunion oxford leather heel	.28	3.51
7171	Anne	Brown kid bunion oxford, leather heel	.28	3.51
7180	Mary	Black kid gypsy, 1⅛" leather heel	.27	3.50
7136	Maple	Brown crush elasticized pump	.33	3.56
7135	Maple	Black crush elasticized pump	.33	3.56
7173	Anne	White kid bunion, covered heel	.35	3.58
7183	Mary	White kid gypsy, covered heel	.33	3.56
7185	Muriel	Black kid gypsy, patent trim, covered heel	.33	3.56

may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 19, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13705; Filed, July 26, 1945; 11:09 a. m.]

(2) *Invoicing of "OPA adjustment charges."* The "OPA adjustment charges" listed in subparagraph (1), above, may be made and collected only if separately stated on the invoice accompanying each sale and delivery.

(3) *Discounts.* Any shoe listed in subparagraph (1), above, may be billed at a gross price: *Provided*, That the net price, after discounts, does not exceed the applicable maximum price specified.

(b) *Maximum prices for sales at wholesale*—(1) *Maximum prices.* The maximum price for a sale at wholesale of any shoe listed in paragrpah (a), above, shall be the wholesaler's maximum price previously established under the General Maximum Price Regulation to which may be added the amount specified below. A wholesaler who has not previously established a maximum price therefor under the General Maximum Price Regulation may not, in determining his maximum price consider the "OPA adjustment charge" specified in subparagraph (a) (1) as a part of his net unit replacement cost for the shoe. To his maximum price otherwise determined he may add the amount specified below:

Style No.	Name	Description	Amount of adjustment
5280	Tanya	Black kid gypsy, leather heel	$0.21
5281	Tanya	Brown kid gypsy, leather heel	.21
5295	Sue	Black kid gypsy, low heel	.22
5240	Duchess	Black kid front gore, covered heel	.23
5250	Camelle	Black kid nurse oxford, leather heel	.22
5249	Ginetta	Black kid oxford, black lizard trim	.20
5285	Camilda	Black kid, patent trim, gypsy, covered heel	.18
6250	----------A	Black gabardine oxford, patent trim	.24
6225	----------	Black gabardine U-throat, patent trim	.24
6250	----------	Black gabardine front gore pump	.25
1380	Delhi	Black kid gypsy, 1¾" leather heel	.24
1395	Arcaro	Black kid nurse, 12⅜" leather heel	.27
1119	----------	Black gabar line, low heel	.28
1120	----------	Black gabar line, 1⅝" heel	.28
1140	----------	Black gabardine pump, covered heel	.30
2280	Salome	Black kid gypsy, leather heel	.16
2281	Salome	Brown kid gypsy, leather heel	.16
2295	Susan	Black kid nurse, leather heel	.16
2240	Oakland	Black kid core pumps, covered heel	.17
2220	Rambler	Black crushed kid ghillie, leather heel	.16
2221	Rambler	Brown crushed kid ghillie, leather heel	.16
2250	Nightingale	Black kid nurse oxford	.16
2285	Noreen	Black kid, patent trim, covered heel	.19
3210	Auburn	Black gabardine, patent trim, oxford	.18
3285	Noreen	Black gabardine, patent trim, gypsy oxford	.16
3010	Auburn	Black gabardine perforation T-oxford	.17
7170	Anne	Black kid bunion oxford, leather heel	.20
7171	Anne	Brown kid bunion oxford, leather heel	.20
7180	Mary	Black kid gypsy, 1¾" leather heel	.19
7190	Maple	Brown crushed kid pump	.24
7145	Maple	Black crush cluetorized pump	.24
7123	Anne	White kid bunion, covered heel	.24
7183	Mary	White kid gypsy, covered heel	.24
7185	Muriel	Black kid gypsy, patent trim, covered heel	.24

(2) *Invoicing of amounts of adjustment.* The amounts of adjustment listed in subparagraph (b) (1), above, may be made and collected only if separately stated in the invoice accompanying each sale and delivery.

(c) *Maximum prices for sales at retail*—(1) *Sales subject to the General Maximum Price Regulation.* Except as provided in subparagraph (3) of this paragraph, the maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price previously established under the General Maximum Price Regulation and may not be increased by reason of the adjustment granted to The L. V. Marks & Sons Co. or to a wholesaler under this order. A retailer who has not previously established a maximum price for such shoe under the General Maximum Price Regulation may not, in determining his maximum price, consider either the "OPA adjustment charge" specified in paragraph (a), above, or the amount of adjustment specified in paragraph (b), above, as a part of his net unit replacement cost for the shoe.

(2) *Sales subject to Maximum Price Regulation 580.* Except as provided in subparagraph (3) of this paragraph, the maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price determined by applying to his invoice net cost, exclusive of the "OPA adjustment charge" specified in paragraph (a), above, or the amount of adjustment specified in paragraph (b), above, the applicable pricing rule of section 7 of Maximum Price Regulation 580 and may not be increased by reason of the adjustment granted to The L. V. Marks & Sons Co. or to a wholesaler under this order.

(3) *Maximum prices for sales of certain styles purchased from the manufacturer*—(i) *Sales subject to the General Maximum Price Regulation.* The maximum price for a sale or delivery at retail of a shoe listed in subparagraph (ii), below, by a seller who has purchased such shoe directly from The L. V. Marks & Sons Co. shall be the maximum price previously established by the retailer under the General Maximum Price Regulation and may not be increased by reason of the adjustment granted to The L. V. Marks & Sons Co. under this order, except that the amount specified in subparagraph (ii) may be added to the maximum price otherwise determined. A seller who has not previously established a maximum price for a shoe listed in subparagraph (ii) under the General Maximum Price Regulation and who purchases such shoes directly from The L. V. Marks & Sons Co. may not, in determining his maximum price, consider the "OPA adjustment charge" specified in paragraph (a) as a part of his net unit replacement cost for the shoe but may add the amount specified in subparagraph (ii) to his maximum price otherwise determined.

(ii) *Sales subject to Maximum Price Regulation 580.* The maximum price for a sale or delivery at retail of a shoe listed below by a seller who has purchased such shoe directly from The L. V. Marks & Sons Co. shall be determined by applying to his net invoice cost, excluding the "OPA adjustment charge" specified in paragraph (a), above, the applicable pricing rule of section 7 of Maximum Price Regulation 580. To the price so determined may be added the amount specified below:

Style No.	Name	Description	Amount of adjustment
1380	Delhi	Black kid gypsy, 1¾" leather heel	$0.01
1395	Arcaro	Black kid nurse, 12⅜" leather heel	.06
1119	----------	Black gabar line, low heel	.05
1120	----------	Black gabar line, 1⅝" heel	.05
1140	----------	Black gabardine pump, covered heel	.07

(d) *Notification.* At the time of (or prior to) the first delivery of each shoe to a purchaser for resale on and after the effective date of this order at a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the applicable method established by paragraph (b) or (c), above, for determining maximum prices for resale of the footwear. This notice may be given in any convenient form.

(e) All requests not specifically granted by this order are hereby denied.

(f) This order may be amended, modified, revised or revoked by the Administrator at any time.

This order shall become effective July 26, 1945.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-12089; Filed, July 25, 1945; 11:30 a. m.]

[MPR 120, Order 1430]

DOHM COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

DOHM COAL CO., C/O ROBERT N. MATTHEWS, LAMONT FURNACE, PA., FINLEY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4312, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT NEW GENEVA AND MARTIN, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP E, MAXIMUM TRUCK PRICE GROUP NO. 7

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	E	E	E	E	E	E	E	----	----
Rail shipment	319	319	319	319	319	319	280	284	279	279	----
Railroad fuel	319	319	319	319	319	319	280	284	279	279	279
Truck shipment	429	429	429	399	389	389	389	321	304	304	279

FARRY AND ROCKWELL, P. O. BOX 55, GLASSPORT, PA., STEPHENSON MINE, PITTSBURGH SEAM, MINE INDEX NO. 4305, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, WYLIE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP B, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	D	D	C	C	C	C	C	C	C	----	----
Rail shipment	319	319	319	319	319	321	284	284	284	284	----
Railroad fuel	319	319	319	319	319	321	284	284	284	284	279
Truck shipment	444	444	444	399	389	389	389	324	304	304	279

HARKLEROAD MINE CO., R. D. NO. 2, APOLLO, PA., HARKLEROAD MINE, UPPER FREEPORT SEAM, MINE INDEX NO. 4570, WESTMORELAND COUNTY, PA., SUBDISTRICT 2, RAIL SHIPPING POINT APOLLO AND STOCKDALE, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP B, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	F	F	E	E	E	E	E	E	E	----	----
Rail shipment	321	321	319	319	319	319	280	280	274	274	----
Railroad fuel	321	321	319	319	319	319	280	280	274	274	269
Truck shipment	424	429	429	399	379	379	379	319	299	299	269

LIBERTY COAL CO., C/O PAUL THOMPSON, 108 MCKINLEY AVE., MERCER, PA., BLACK & ROYARD FARMS MINE, KITTANNING SEAM, MINE INDEX NO. 1456, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT FORESTVILLE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 2

Price classification	F	F	D	D	C	C	D	D	D	----	----
Rail shipment	319	319	309	309	319	309	279	279	254	254	----
Railroad fuel	319	319	309	309	319	309	279	279	254	254	279
Truck shipment	414	414	414	424	414	414	414	329	299	299	279

MA VAN COAL CO., C/O RALPH VANDERLIN, 138 VINE ST., KITTANNING, PA., KEASEY MINE, FREEPORT SEAM, MINE INDEX NO. 1459, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, FENELTON, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 2

Price classification	F	F	D	D	C	C	D	D	D	----	----
Rail shipment	319	319	309	309	319	309	279	279	254	254	----
Railroad fuel	319	319	309	309	319	309	279	279	254	254	279
Truck shipment	414	414	414	424	414	414	414	329	299	299	279

PONTARERO COAL CO., C/O DOMINIC PONTARERO, MASONTOWN, PA., DIAMOND NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 1476, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, CRAWFORD NO. 3 SIDING, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	F	F	C	C	C	D	D	D	D	----	----
Rail shipment	319	319	319	319	319	309	279	279	254	254	----
Railroad fuel	319	319	319	319	319	309	279	279	254	254	279
Truck shipment	424	424	424	394	384	384	384	319	299	299	279

QUATRONE, DEEP AND CROMETON COAL CO., C/O ANTHONY J. RUGGI, GALLATIN, PA., WHITE RUN MINE, PITTSBURGH SEAM, MINE INDEX NO. 1264, ALLEGHENY COUNTY, PA., SUBDISTRICT 2, RAIL SHIPPING POINT, MCKEESPORT, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 9

Price classification	D	D	C	C	C	C	C	C	C	----	----
Rail shipment	319	319	319	319	319	321	284	284	284	----	----
Railroad fuel	319	319	319	319	319	321	284	284	284	284	----
Truck shipment	444	444	444	399	389	389	389	321	304	304	279

RICKHILL COKE CO., P. O. BOX 447 UNIONTOWN, PA., EMILY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4379, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT OUTCROP, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP E, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	F	F	E	E	E	E	E	E	E	----	----
Rail shipment	321	321	319	319	319	319	280	280	274	----	----
Railroad fuel	321	321	319	319	319	319	280	280	274	274	----
Truck shipment	424	429	429	399	389	389	389	324	304	304	279

SAMPEY BROTHERS, R. D. NO. 1, PERRYOPOLIS, PA., SAMPEY BROTHERS MINE, PITTSBURGH SEAM, MINE INDEX NO. 4316, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, PERRYOPOLIS, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 7.

Price classification	E	E	C	C	B	B	C	C	C	----	----
Rail shipment	319	319	319	319	309	284	284	284	284	----	----
Railroad fuel	319	319	319	319	309	284	284	284	284	284	----
Truck shipment	429	429	429	399	389	389	389	324	304	304	279

This order shall become effective July 26, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7371; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12040; Filed, July 25, 1945; 11:45 a. m.]

[MPR 120, Order 1433]

PALMER BENTLEY ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

PALMER BENTLEY, PAYNE GAP, KY., PALMER BENTLEY MINE, ELKHORN #3 SEAM, MINE INDEX NO. 7440, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20,21
Price classification	H	H	H	H	F	F	E	E	C	C	A	D	D	D
Rail shipments and railroad fuel	395	390	375	375	370	355	335	330	330	385	320	315	315	315
Truck shipment	430	410	365	380	345	320	275	270						

COOLEY ELKHORN COAL CO., P. O. BOX 963, WAYLAND, KY., NO. 1 MINE, ELKHORN #1 SEAM, MINE INDEX NO. 7437, FLOYD COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: GARRETT, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	F	F	F	F	F	F	E	E	C	C	A	D	D	D
Rail shipments and railroad fuel	400	395	385	385	370	355	335	330	330	385	320	315	315	315
Truck shipment	430	400	365	365	335	315	275	270						

H. F. FRY AND SONS, STILLTNER, W. VA., KATONA JR. MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7439, WAYNE COUNTY, W. VA., SUBDISTRICT 8, RAIL SHIPPING POINT: EAST LYNN, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Q	Q	Q	Q	O	O	L	L	J	L	G	M	N	M
Rail shipment	345	340	335	335	325	315	325	310	305	355	310	280	275	270
Railroad fuel	345	340	335	335	325	325	325	325	325	375	310	280	275	270
Truck shipment	395	375	350	350	335	310	275	270						

PRINCESS DOROTHY COAL CO., EUNICE, W. VA., ROBIN HOOD MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7438, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: ROBIN HOOD, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	G	G	G	G	G	G	F	F	D	F	B	E	E	E
Rail shipments and railroad fuel	400	390	375	375	360	350	335	330	330	360	320	310	305	305
Truck shipment	430	400	365	365	335	315	275	270						

This order shall become effective July 26, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13641; Filed July 25, 1945; 11:40 a. m.]

[MPR 120, Order 1434]

DYKE COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

DYKE COAL CO., P. O. BOX 186, WILLIAMSON, W. VA., BIG SPLINT MINE, THACKER SEAM, MINE INDEX NO. 7424, MINGO COUNTY, W. VA., SUBDISTRICT 8, RAIL SHIPPING POINT: NOLAN, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20,21
Price classification	Q	Q	Q	Q	Q	Q	N	L	J	L	F	K	K	K
Rail shipment	345	340	335	335	325	315	320	310	305	355	310	300	295	295
Railroad fuel	345	340	335	335	325	325	325	325	325	355	310	300	295	295
Truck shipment	395	375	350	350	335	310	275	270						

O. M. HARLOW, NEON, KY., HARLOW COAL CO. MINE, ELKHORN SEAM, MINE INDEX NO. 7425, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: FEDEE, KY., F. O. G. 6, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	K	K	J	Q	E	G	D	J	J	J
Rail shipments and railroad fuel	380	375	365	365	360	350	330	325	325	360	315	310	300	295
Truck shipment	395	375	350	350	345	310	275	270						

NORFOLK AND WESTERN RAILWAY CO., ROANOKE, VA., HOWARD COLLIERIES, JUNIOR MINE, WINIFREDE, COALBURG, AND FREEPORT SEAMS, MINE INDEX NO. 7415, MINGO COUNTY, W. VA., SUBDISTRICT 8, RAIL SHIPPING POINT: CHATTAROY, W. VA., F. O. G. 130, DEEP MINE

Price classification											D			
Rail shipments and railroad fuel											315			

BERT L. WILLIAMS, FULTON ROAD, KNOXVILLE, TENN., FRATERVILLE MINE, COAL CREEK SEAM, MINE INDEX NO. 7400, ANDERSON COUNTY, TENN., SUBDISTRICT 6, RAIL SHIPPING POINT: BRICEVILLE, TENN., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	O	O	O	O	H	H	G	G	E	G	C	K	K	K
Rail shipments and railroad fuel	375	370	355	355	375	365	345	340	340	375	330	315	310	310
Truck shipment	395	375	350	350	345	310	275	270						

RAY BUCHANNAN, JENKINS, KY., RAY BUCHANAN NO. 2 MINE, ELKHORN #3 SEAM, MINE INDEX NO. 7426, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

Price classification	H	H	H	H	F	F	E	E	C	C	A	D	D	D
Rail shipments and railroad fuel	395	390	375	375	370	355	335	330	330	385	320	315	315	315
Truck shipment	430	410	365	380	345	320	275	270						

This order shall become effective July 26, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13642; Filed, July 25, 1945; 11:40 a. m.]

[Administrative Notice 19]

RYE GRAIN, 1946 CROP

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES

Pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the Price Administrator hereby gives notice to growers of the maximum prices he proposes to establish for rye grain of the 1946 crop

Base prices provided in paragraphs I, II and III, below, refer to rye 14% or less in moisture content and grading No. 2 in accordance with the Official Grain Standards of the United States. Such base prices will be adjusted for grades of rye other than No. 2, and for moisture content in excess of 14%, in accordance with the premiums and discounts provided in paragraph IV, below.

I. *Base prices at terminal base points.* Base prices per bushel, bulk, for carload quantities of #2 rye, dockage free on track at the following terminal base points will be:

Minneapolis, Minn.	$1.37
Duluth, Minn.	1.37
Chicago, Ill.	1.42
Milwaukee, Wis.	1.42
Kansas City, Mo.	1.35¼
Omaha, Nebr.	1.35¼
Sioux City, Iowa	1.35¼

II. *Base prices at interior rail points in Area A.* The base price per bushel, bulk, for carload quantities of No. 2 rye, dockage free, on track at any interior rail point in Area A will be that terminal base price listed in paragraph I above which, less transportation charges at the lowest published domestic carload rail transportation rate from that interior rail point to that terminal base point, will result in the highest price at said interior rail point. Area A includes the following states and parts of states, to wit:

North Dakota.
South Dakota.
Montana. Counties of Hill, Blaine, Phillips, Valley, Garfield, McCone, Prairie, Dawson, Wibaux, Fallon, Carter, Powder River, Rosebud, Custer and Treasure, only.
Nebraska. All counties except Cass, Otoe, Gage, Johnson, Nemaha, Pawnee and Richardson.
Minnesota. All counties except Lake of the Woods, Beltrami, Clearwater, Hubbard, Cass, Crow Wing, Koochiching, Itasca, Aitkin, St. Louis, Lake, Cook, Carlton, and Pine.
Wisconsin. Counties of St. Croix, Pierce, Dunn, Chippewa, Clark, Eau Claire, Pepin, Buffalo, Trempealeau, Jackson, La Crosse, Monroe, Vernon, Crawford, Richland, Wood, Juneau, Sauk, Adams, Portage, Waushara, Marquette, Green Lake and Columbia, only.
Iowa. Counties of Lyon, Sioux, Plymouth and Woodbury, only.
Colorado. Counties of Logan, Sedgwick, Phillips and Yuma, only.

III. *Base prices at interior rail points in Area B.* The base price per bushel, bulk, for carload quantities of No. 2 rye, dockage free, on track at any interior rail point in Area B (which includes all of the continental United States except Area A) will be as shown in the "Table List of State and County Base Prices in Area B," appended hereto.

IV. *Schedule of premiums and discounts for grade and moisture.* (a) Premiums, for grades of rye other than No. 2 rye, over the base prices provided in paragraphs I, II and III hereof for No. 2 rye, will be as follows:

Grade	*Premiums, per bushel (cents)*
No. 1	1
No. 1 Plump	5
No. 2 Plump	2½
No. 3 Plump	0

(b) Discounts, other than for moisture, for grades of rye other than No. 2 rye, under the base prices provided in paragraphs I, II and III hereof for No. 2 rye, will be as follows:

Grade	*Discounts, per bushel (cents)*
No. 4 Plump	1
No. 4	2
No. 5	4
Sample Grade (other than moisture)	1
Smutty	3
Light Smutty	1
Garlicky	1
Very Garlicky	3
Ergoty	5

(c) Discounts for moisture applicable to all grades of rye.

Base prices provided in paragraphs I, II and III hereof will be decreased by 1¢ per bushel for each ½% or fraction thereof of moisture content over 14%.

NOTE: The discounts provided in subparagraphs IV (b) and IV (c), above, are cumulative. For example, rye 15% in moisture content, grading No. 4 Garlicky, will be subject to a discount of at least 2¢ per bushel for grading No. 4, plus a further discount of at least 3¢ for grading "Garlicky," plus a further discount of at least 2¢ for rye containing 1% moisture in excess of 14%.

V. *Maximum prices for growers.* Growers' prices for delivery from the farm where grown to country shippers located at interior rail points will be determined by deducting 3¢ from the base prices at interior rail points, provided in paragraphs I, II and III above, as adjusted in accordance with the premium and discount provisions of paragraph IV, above.

Issued this 25th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 24, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B

State and county	Price per bushel
ALABAMA	
Autauga	$1.61
Baldwin	1.62
Bibb	1.54
Bladount	1.59
Bullock	1.63
Butler	1.62
Calhoun	1.61
Chambers	1.60
Cherokee	1.60
Chilton	1.60
Choctaw	1.61
Clarke	1.60
Clay	1.62
Cleburne	1.55
Coffee	1.62
Conecuh	1.61
Coosa	1.61
Covington	1.61
Crenshaw	1.62
Cullman	1.57
Dale	1.64
Dallas	1.61
DeKalb	1.62
Elmore	1.60
Escambia	1.60
Etowah	1.60
Fayette	1.57
Franklin	1.56
Geneva	1.60
Greene	1.60
Hale	1.63
Henry	1.65
Houston	1.65
Jackson	1.60
Jefferson	1.59
Lamar	1.57
Lauderdale	1.54
Lawrence	1.56
Lee	1.65
Limestone	1.56
Lowndes	1.62
Macon	1.63
Madison	1.58
Marengo	1.61
Marion	1.59
Marshall	1.60
Mobile	1.60
Monroe	1.62
Montgomery	1.62
Morgan	1.60
Perry	1.63
Pickens	1.58
Pike	1.63
Randolph	1.63
Russell	1.63
St. Clair	$1.60
Shelby	1.61
Sumter	1.59
Talladega	1.60
Tallapoosa	1.59
Tuscaloosa	1.58
Walker	1.60
Washington	1.60
Wilcox	1.60
Winston	1.57
ARIZONA	
All counties	1.40
ARKANSAS	
Arkansas	1.44
Ashley	1.44
Baxter	1.32
Benton	1.34
Boone	1.43
Bradley	1.41
Calhoun	1.53
Carroll	1.47
Chicot	1.39
Clark	1.42
Clay	1.40
Cleburne	1.41
Cleveland	1.37
Columbia	1.41
Conway	1.41
Craighead	1.38
Crawford	1.33
Crittenden	1.43
Cross	1.43
Dallas	1.41
Desha	1.46
Drew	1.45
Faulkner	1.39
Franklin	1.34
Fulton	1.34
Garland	1.37
Grant	1.40
Greene	1.41
Hempstead	1.39
Hot Spring	1.36
Howard	1.39
Independence	1.37
Izard	1.34
Jackson	1.41
Jefferson	1.35
Johnson	1.36
Lafayette	1.39
Lawrence	1.39
Lee	1.44
Lincoln	1.44
Little River	$1.36
Logan	1.42
Lonoke	1.42
Madison	1.34
Marion	1.34
Miller	1.42
Mississippi	1.42
Monroe	1.42
Montgomery	1.36
Nevada	1.39
Newton	1.34
Ouachita	1.44
Perry	1.38
Phillips	1.45
Pike	1.37
Poinsett	1.42
Polk	1.36
Pope	1.42
Prairie	1.42
Pulaski	1.40
Randolph	1.38
St. Francis	1.44
Saline	1.34
Scott	1.35
Searcy	1.36
Sebastian	1.35
Sevier	1.36
Sharp	1.38
Stone	1.34
Union	1.37
Van Buren	1.37
Washington	1.33
White	1.40
Woodruff	1.42
Yell	1.36
CALIFORNIA	
Alameda	1.42
Alpine	1.42
Amador	1.42
Butte	1.41
Calaveras	1.42
Colusa	1.42
Contra Costa	1.42
Del Norte	1.44
El Dorado	1.42
Fresno	1.42
Glenn	1.42
Humboldt	1.42
Imperial	1.42
Inyo	1.42
Kern	1.42
Kings	1.42
Lake	1.42
Lassen	1.42
Los Angeles	1.42
Madera	1.42
Marin	1.45
Mariposa	1.42
Mendocino	1.42
Merced	1.42
Modoc	1.41
Monterey	1.42
Napa	1.42
Nevada	1.42
Orange	1.44
Placer	1.42
Plumas	1.41
Riverside	1.42
Sacramento	1.42
San Benito	1.43
San Bernardino	1.41
San Diego	1.44
San Francisco	1.46
San Joaquin	1.42
San Luis Obispo	1.44
San Mateo	1.46
Santa Barbara	1.44
Santa Clara	1.46
Santa Cruz	1.46
Shasta	1.42
Sierra	1.41
Siskiyou	1.41
Solano	1.44
Sonoma	1.44
Stanislaus	1.42
Sutter	1.42
Tehama	1.42
Trinity	1.42
Tulare	1.42
Tuolumne	1.42
Ventura	1.44
Yolo	1.42
Yuba	1.41
COLORADO	
Adams	1.23
Alamosa	1.29
Arapahoe	1.23
Archuleta	1.32
Baca	1.35
Bent	$1.27
Boulder	1.23
Chaffee	1.26
Cheyenne	1.24
Clear Creek	1.23
Conejos	1.31
Costilla	1.31
Crowley	1.25
Custer	1.26
Delta	1.28
Denver	1.23
Dolores	1.25
Douglas	1.24
Eagle	1.25
Elbert	1.24
El Paso	1.23
Fremont	1.24
Garfield	1.25
Gilpin	1.24
Grand	1.24
Gunnison	1.25
Hinsdale	1.28
Huerfano	1.26
Jackson	1.24
Jefferson	1.23
Kiowa	1.24
Kit Carson	1.25
La Plata	1.34
Larimer	1.24
Las Animas	1.24
Lincoln	1.24
Logan	1.24
Mineral	1.29
Moffat	1.27
Montezuma	1.35
Montrose	1.29
Morgan	1.23
Otero	1.25
Park	1.25
Prowers	1.26
Pueblo	1.26
Rio Blanco	1.27
Rio Grande	1.29
Routt	1.26
Saguache	1.31
San Miguel	1.30
Summit	1.26
Teller	1.25
Washington	1.22
Weld	1.23
All other counties in Area A	1.21
CONNECTICUT	
All counties	1.51
DELAWARE	
All counties	1.50
District of Columbia	1.51
FLORIDA	
Alachua	1.69
Baker	1.65
Bay	1.65
Bradford	1.67
Brevard	1.68
Broward	1.68
Calhoun	1.65
Charlotte	1.68
Citrus	1.67
Clay	1.67
Collier	1.68
Columbia	1.67
Dade	1.68
De Soto	1.68
Dixie	1.66
Duval	1.67
Escambia	1.69
Flagler	1.68
Franklin	1.65
Gadsden	1.66
Gilchrist	1.67
Glades	1.68
Gulf	1.65
Hamilton	1.67
Hardee	1.68
Hendry	1.68
Hernando	1.67
Highlands	1.68
Hillsborough	1.68
Holmes	1.65
Jackson	1.66
Jefferson	1.68
Lafayette	1.66
Lake	1.67
Lee	1.68
Leon	1.68
Levy	1.67
Liberty	1.65
Madison	1.66
Manatee	1.68
Marion	1.67
Martin	1.68
Monroe	1.68
Nassau	1.66
Okaloosa	1.65
Okeechobee	1.68
Orange	1.68
Osceola	1.68
Palm Beach	1.68
Pasco	1.67
Pinellas	1.68
Polk	1.68
Putnam	1.67
St. Johns	1.68
St. Lucie	1.68
Santa Rosa	1.65
Sarasota	1.68
Seminole	1.68
Sumter	1.67
Suwannee	1.66
Taylor	1.65
Union	1.67
Volusia	1.68
Wakulla	1.65
Walton	1.65

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
FLORIDA—con.	
Washington	$1.66
All other counties	1.71
GEORGIA	
Appling	1.66
Atkinson	1.66
Bacon	1.66
Baker	1.65
Baldwin	1.64
Banks	1.63
Barrow	1.63
Bartow	1.61
Ben Hill	1.65
Berrien	1.66
Bibb	1.64
Bleckley	1.65
Brantley	1.67
Brooks	1.67
Bryan	1.66
Bulloch	1.66
Burke	1.65
Butts	1.63
Calhoun	1.65
Camden	1.67
Candler	1.63
Carroll	1.63
Catoosa	1.60
Charlton	1.67
Chatham	1.66
Chattahoochee	1.64
Chattooga	1.61
Cherokee	1.61
Clarke	1.63
Clay	1.65
Clayton	1.63
Clinch	1.67
Cobb	1.62
Coffee	1.66
Colquitt	1.66
Columbia	1.63
Cook	1.66
Coweta	1.63
Crawford	1.63
Crisp	1.65
Dade	1.60
Dawson	1.61
Decatur	1.66
De Kalb	1.62
Dodge	1.65
Dooly	1.65
Dougherty	1.65
Douglas	1.62
Early	1.65
Echols	1.67
Effingham	1.66
Elbert	1.63
Emanuel	1.65
Evans	1.66
Fannin	1.61
Fayette	1.64
Floyd	1.61
Forsyth	1.61
Franklin	1.63
Fulton	1.62
Gilmer	1.61
Glascock	1.67
Glynn	1.64
Gordon	1.63
Grady	1.66
Greene	1.63
Gwinnett	1.62
Habersham	1.63
Hall	1.62
Hancock	1.63
Haralson	1.62
Harris	1.63
Hart	1.63
Heard	1.63
Henry	1.63
Houston	1.64
Irwin	1.65
Jackson	1.63
Jasper	1.63
Jeff Davis	1.66
Jefferson	1.65
Jenkins	1.65
Johnson	1.65
Jones	1.63
Lamar	1.67
Lanier	1.67
Laurens	1.65
Lee	1.65
Liberty	1.66
Lincoln	1.63
Long	1.66
Lowndes	1.67
Lumpkin	1.62
McDuffie	1.63
McIntosh	1.66
Macon	1.63
Madison	1.63
Marion	1.64
Meriwether	1.63
Miller	1.65
Mitchell	1.66
Monroe	1.63
Montgomery	1.65
Morgan	1.63
Murray	1.60
Muscogee	1.63
Newton	1.63
Oconee	1.63
Oglethorpe	1.63
Paulding	1.64
Peach	1.64
Pickens	1.61
Pierce	1.66
Pike	1.63
Polk	1.62
Pulaski	1.65
Putnam	1.63
Quitman	1.65
Rabun	1.63
Randolph	1.65
Richmond	1.64
Rockdale	1.63
Schley	1.64
Screven	1.65
Seminole	1.66
Spalding	1.63
Stephens	1.63
Stewart	1.65
Sumter	1.65
Talbot	1.63
Taliaferro	1.65
Tattnall	1.66
Taylor	1.64
Telfair	1.65
Terrell	1.65
Thomas	1.66
Tift	1.65
Toombs	1.65
Towns	1.62
Treutlen	1.65
Troup	1.63
Turner	1.65
Twiggs	1.64
Union	1.62
Upson	1.63
Walker	1.60
Walton	1.63
Ware	1.66
Warren	1.63
Washington	1.64
Wayne	1.66
Webster	1.65
Wheeler	1.65
White	1.62
Whitfield	1.60
Wilcox	1.65
Wilkes	1.63
Wilkinson	1.64
Worth	1.65
IDAHO	
Ada	1.38
Adams	1.36
Bannock	1.31
Bear Lake	1.29
Benewah	1.32
Bingham	1.31
Blaine	1.35
Boise	1.36
Bonner	1.32
Bonneville	1.28
Boundary	1.31
Butte	1.33
Camas	1.36
Canyon	1.38
Caribou	1.29
Cassia	1.35
Clark	1.30
Clearwater	1.31
Custer	1.34
Elmore	1.36
Franklin	1.31
Fremont	1.27
Gem	1.37
Gooding	1.36
Idaho	1.33
Jefferson	1.30
Jerome	1.35
Kootenai	1.32
Latah	1.32
Lemhi	1.32
Lewis	1.33
Lincoln	1.35
Madison	1.28
Minidoka	1.35
Nez Perce	1.33
Oneida	1.30
Owyhee	1.38
Payette	1.33
Power	1.36
Shoshone	1.29
Teton	1.27
Twin Falls	1.37
Valley	1.34
Washington	1.36

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
ILLINOIS	
Adams	$1.35
Alexander	1.42
Bond	1.40
Boone	1.38
Brown	1.36
Bureau	1.37
Calhoun	1.39
Carroll	1.35
Cass	1.37
Champaign	1.40
Christian	1.40
Clark	1.40
Clay	1.40
Clinton	1.40
Coles	1.40
Cook	1.39
Crawford	1.41
Cumberland	1.40
De Kalb	1.37
De Witt	1.39
Douglas	1.40
Du Page	1.39
Edgar	1.40
Edwards	1.42
Effingham	1.40
Fayette	1.40
Ford	1.40
Franklin	1.41
Fulton	1.36
Gallatin	1.43
Greene	1.39
Grundy	1.39
Hamilton	1.41
Hancock	1.34
Hardin	1.43
Henderson	1.34
Henry	1.36
Iroquois	1.40
Jackson	1.41
Jasper	1.40
Jefferson	1.40
Jersey	1.41
Johnson	1.43
Kane	1.36
Kankakee	1.40
Kendall	1.39
Knox	1.36
Lake	1.38
La Salle	1.38
Lawrence	1.41
Lee	1.37
Livingston	1.39
Logan	1.38
McDonough	1.35
McHenry	1.37
McLean	1.39
Macon	1.39
Macoupin	1.34
Madison	1.35
Marion	1.40
Marshall	1.38
Mason	1.37
Massac	1.44
Menard	1.38
Mercer	1.34
Monroe	1.39
Montgomery	1.40
Morgan	1.38
Moultrie	1.40
Ogle	1.36
Peoria	1.37
Perry	1.41
Piatt	1.39
Pike	1.36
Pope	1.43
Pulaski	1.42
Putnam	1.37
Randolph	1.40
Richland	1.41
Rock Island	1.34
Saint Clair	1.39
Saline	1.42
Sangamon	1.39
Schuyler	1.36
Scott	1.37
Shelby	1.40
Stark	1.37
Stephenson	1.32
Tazewell	1.37
Union	1.42
Vermilion	1.42
Wabash	1.35
Warren	1.35
Washington	1.40
Wayne	1.41
White	1.42
Whiteside	1.36
Will	1.40
Williamson	1.40
Winnebago	1.36
Woodford	1.38

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
INDIANA	
Adams	$1.40
Allen	1.40
Bartholomew	1.44
Benton	1.40
Blackford	1.40
Boone	1.41
Brown	1.44
Carroll	1.40
Cass	1.40
Clark	1.47
Clay	1.41
Clinton	1.40
Crawford	1.45
Daviess	1.43
De Kalb	1.40
Dearborn	1.43
Decatur	1.44
Delaware	1.41
Dubois	1.44
Elkhart	1.40
Fayette	1.42
Floyd	1.47
Fountain	1.40
Franklin	1.42
Fulton	1.40
Gibson	1.43
Grant	1.40
Greene	1.47
Hamilton	1.44
Hancock	1.42
Harrison	1.46
Hendricks	1.41
Henry	1.42
Howard	1.40
Huntington	1.40
Jackson	1.45
Jasper	1.40
Jay	1.40
Jefferson	1.45
Jennings	1.45
Johnson	1.43
Knox	1.42
Kosciusko	1.40
Lagrange	1.40
Lake	1.39
La Porte	1.40
Lawrence	1.41
Madison	1.40
Marion	1.42
Marshall	1.41
Martin	1.41
Miami	1.40
Monroe	1.43
Montgomery	1.42
Morgan	1.40
Newton	1.40
Noble	1.44
Ohio	1.42
Orange	1.42
Owen	1.40
Parke	1.45
Perry	1.43
Pike	1.39
Porter	1.43
Posey	1.40
Pulaski	1.40
Putnam	1.40
Randolph	1.44
Ripley	1.43
Rush	1.40
Scott	1.46
Shelby	1.43
Spencer	1.40
Starke	1.40
Steuben	1.42
Sullivan	1.44
Switzerland	1.40
Tippecanoe	1.40
Tipton	1.42
Union	1.44
Vanderburgh	1.40
Vermillion	1.41
Vigo	1.40
Wabash	1.40
Warren	1.44
Warrick	1.40
Washington	1.41
Wayne	1.40
Wells	1.40
White	1.40
Whitley	1.40
IOWA	
Adair	1.29
Adams	1.29
Allamakee	1.31
Appanoose	1.31
Audubon	1.29
Benton	1.32

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
IOWA—con.	
Blackhawk	$1.32
Boone	1.30
Bremer	1.32
Buchanan	1.32
Buena Vista	1.29
Butler	1.31
Calhoun	1.24
Carroll	1.29
Cass	1.30
Cedar	1.33
Cerro Gordo	1.30
Cherokee	1.30
Chickasaw	1.31
Clarke	1.29
Clay	1.29
Clayton	1.32
Clinton	1.33
Crawford	1.30
Dallas	1.30
Davis	1.31
Decatur	1.30
Delaware	1.32
Des Moines	1.33
Dickinson	1.29
Dubuque	1.33
Emmet	1.29
Fayette	1.32
Floyd	1.30
Franklin	1.30
Fremont	1.30
Greene	1.29
Grundy	1.31
Guthrie	1.29
Hamilton	1.30
Hancock	1.30
Hardin	1.31
Harrison	1.30
Henry	1.32
Howard	1.31
Humboldt	1.29
Ida	1.29
Iowa	1.32
Jackson	1.34
Jasper	1.31
Jefferson	1.32
Johnson	1.33
Jones	1.34
Keokuk	1.31
Kossuth	1.29
Lee	1.33
Linn	1.33
Louisa	1.30
Lucas	1.30
Madison	1.30
Mahaska	1.31
Marion	1.30
Marshall	1.34
Mills	1.31
Mitchell	1.30
Monona	1.30
Monroe	1.31
Montgomery	1.30
Muscatine	1.33
O'Brien	1.30
Osceola	1.29
Page	1.30
Palo Alto	1.29
Pocahontas	1.29
Polk	1.31
Pottawattamie	1.31
Poweshiek	1.31
Ringgold	1.30
Sac	1.29
Scott	1.33
Shelby	1.30
Story	1.31
Tama	1.32
Taylor	1.30
Union	1.29
Van Buren	1.32
Wapello	1.31
Warren	1.29
Washington	1.32
Wayne	1.31
Webster	1.30
Winnebago	1.29
Winneshiek	1.31
Worth	1.29
Wright	1.30
All other counties in Area A.	
KANSAS	
Allen	1.29
Anderson	1.29
Atchison	1.30
Barber	1.28
Barton	1.27
Bourbon	1.30
Brown	1.29
Butler	1.27
Chase	1.28
Chautauqua	1.28
Cherokee	1.30

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
KANSAS—con.	
Cheyenne	1.21
Clark	1.28
Clay	1.28
Cloud	1.27
Coffey	1.29
Comanche	1.28
Cowley	1.28
Crawford	1.30
Decatur	1.24
Dickinson	1.27
Doniphan	1.29
Douglas	1.30
Edwards	1.27
Elk	1.28
Ellis	1.25
Ellsworth	1.26
Finney	1.27
Ford	1.26
Franklin	1.30
Geary	1.28
Gove	1.25
Graham	1.26
Grant	1.26
Gray	1.27
Greeley	1.29
Greenwood	1.28
Hamilton	1.25
Harper	1.28
Harvey	1.27
Haskell	1.27
Hodgeman	1.27
Jackson	1.29
Jefferson	1.30
Jewell	1.25
Johnson	1.31
Kearny	1.27
Kingman	1.27
Kiowa	1.27
Labette	1.29
Lane	1.27
Leavenworth	1.31
Lincoln	1.24
Linn	1.30
Logan	1.26
Lyon	1.28
McPherson	1.26
Marion	1.27
Marshall	1.29
Meade	1.28
Miami	1.30
Mitchell	1.26
Montgomery	1.31
Morris	1.28
Morton	1.24
Nemaha	1.29
Neosho	1.29
Ness	1.25
Norton	1.25
Osage	1.31
Osborne	1.25
Ottawa	1.27
Pawnee	1.27
Phillips	1.26
Pottawatomie	1.29
Pratt	1.27
Rawlins	1.24
Reno	1.27
Republic	1.29
Rice	1.26
Riley	1.27
Rooks	1.27
Rush	1.27
Russell	1.27
Saline	1.28
Scott	1.27
Sedgwick	1.28
Seward	1.29
Shawnee	1.31
Sheridan	1.24
Sherman	1.24
Smith	1.26
Stafford	1.28
Stanton	1.28
Stevens	1.28
Sumner	1.28
Thomas	1.25
Trego	1.26
Wabaunsee	1.28
Wallace	1.25
Washington	1.28
Wichita	1.29
Wilson	1.29
Woodson	1.31
Wyandotte	
KENTUCKY	
Adair	1.42
Allen	1.45
Anderson	1.44
Ballard	1.52
Barren	1.43
Bath	1.49

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
KENTUCKY—con.	
Bell	$1.57
Boone	1.44
Bourbon	1.49
Boyd	1.46
Boyle	1.50
Bracken	1.45
Breathitt	1.52
Breckinridge	1.47
Bullitt	1.48
Butler	1.49
Caldwell	1.46
Calloway	1.40
Campbell	1.44
Carlisle	1.44
Carroll	1.46
Carter	1.46
Casey	1.52
Christian	1.08
Clark	1.49
Clay	1.53
Clinton	1.57
Crittenden	1.45
Cumberland	1.54
Daviess	1.46
Edmonson	1.51
Elliott	1.48
Estill	1.50
Fayette	1.47
Fleming	1.47
Floyd	1.52
Franklin	1.47
Fulton	1.44
Gallatin	1.44
Garrard	1.50
Grant	1.47
Graves	1.47
Grayson	1.49
Green	1.51
Greenup	1.45
Hancock	1.44
Hardin	1.47
Harlan	1.57
Harrison	1.46
Hart	1.47
Henderson	1.47
Henry	1.47
Hickman	1.44
Hopkins	1.47
Jackson	1.52
Jefferson	1.47
Jessamine	1.49
Johnson	1.49
Kenton	1.48
Knott	1.49
Knox	1.55
Larue	1.49
Laurel	1.46
Lawrence	1.52
Lee	1.52
Leslie	1.55
Letcher	1.54
Lewis	1.47
Lincoln	1.46
Livingston	1.44
Logan	1.47
McCracken	1.44
McCreary	1.57
McLean	1.46
Madison	1.51
Marion	1.50
Marshall	1.45
Martin	1.54
Mason	1.49
Meade	1.47
Menifee	1.50
Mercer	1.49
Metcalfe	1.52
Monroe	1.54
Montgomery	1.49
Morgan	1.48
Muhlenberg	1.48
Nelson	1.48
Nicholas	1.47
Ohio	1.48
Oldham	1.47
Owen	1.45
Owsley	1.52
Pendleton	1.45
Perry	1.53
Pike	1.52
Powell	1.50
Pulaski	1.54
Robertson	1.47
Rockcastle	1.52
Rowan	1.47
Russell	1.54
Scott	1.47
Shelby	1.47
Simpson	1.51
Spencer	1.48
Taylor	1.51
Todd	1.49

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
MARYLAND—con.	
Talbot	$1.70
Washington	1.48
Wicomico	1.64
Worcester	1.70
MASSACHUSETTS	
All counties in Area A	1.32
MICHIGAN	
Alcona	1.36
Alger	1.38
Allegan	1.39
Alpena	1.40
Antrim	1.39
Arenac	1.37
Baraga	1.26
Barry	1.39
Bay	1.37
Benzie	1.28
Berrien	1.40
Branch	1.40
Calhoun	1.40
Cass	1.40
Charlevoix	1.34
Cheboygan	1.40
Chippewa	1.32
Clare	1.37
Clinton	1.39
Crawford	1.39
Delta	1.37
Dickinson	1.38
Eaton	1.40
Emmet	1.36
Genesee	1.39
Gladwin	1.37
Gogebic	1.14
Grand Traverse	1.38
Gratiot	1.38
Hillsdale	1.41
Houghton	1.27
Huron	1.39
Ingham	1.40
Ionia	1.39
Iosco	1.37
Iron	1.25
Isabella	1.37
Jackson	1.41
Kalamazoo	1.39
Kalkaska	1.40
Kent	1.38
Keweenaw	1.27
Lake	1.27
Lapeer	1.40
Leelanau	1.39
Lenawee	1.41
Livingston	1.40
Luce	1.36
Mackinac	1.37
Macomb	1.40
Manistee	1.37
Marquette	1.37
Mason	1.39
Mecosta	1.37
Menominee	1.36
Midland	1.37
Missaukee	1.38
Monroe	1.41
Montcalm	1.38
Montmorency	1.40
Muskegon	1.37
Newaygo	1.37
Oakland	1.40
Oceana	1.38
Ogemaw	1.38
Ontonagon	1.35
Osceola	1.37
Oscoda	1.39
Otsego	1.38
Ottawa	1.40
Presque Isle	1.39
Roscommon	1.38
Saginaw	1.38
Saint Clair	1.39
Saint Joseph	1.40
Sanilac	1.39
Schoolcraft	1.38
Shiawassee	1.39
Tuscola	1.39
Van Buren	1.40
Washtenaw	1.41
Wayne	1.41
Wexford	1.38
MINNESOTA	
Aitkin	1.30
Beltrami	1.28
Carlton	1.31
Cass	1.29
Clearwater	1.27
Cook	1.34
Crow Wing	1.30
Hubbard	1.28

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
MINNESOTA—con.	
Itasca	$1.30
Koochiching	1.29
Lake	1.32
Lake of the Woods	1.27
Pine	1.31
Saint Louis	1.31
All other counties in Area A.	
MISSISSIPPI	
Adams	1.43
Alcorn	1.31
Amite	1.44
Attala	1.53
Benton	1.48
Bolivar	1.48
Calhoun	1.51
Carroll	1.44
Chickasaw	1.53
Choctaw	1.53
Claiborne	1.53
Clarke	1.58
Clay	1.51
Coahoma	1.47
Copiah	1.44
Covington	1.57
De Soto	1.56
Forrest	1.57
Franklin	1.48
George	1.58
Greene	1.58
Grenada	1.50
Hancock	1.54
Harrison	1.58
Hinds	1.49
Holmes	1.50
Humphreys	1.45
Issaquena	1.39
Itawamba	1.54
Jackson	1.60
Jasper	1.49
Jefferson	1.46
Jefferson Davis	1.49
Jones	1.57
Kemper	1.56
Lafayette	1.49
Lamar	1.57
Lauderdale	1.52
Lawrence	1.50
Leake	1.43
Lee	1.52
Leflore	1.39
Lincoln	1.56
Lowndes	1.47
Madison	1.53
Marion	1.50
Marshall	1.47
Monroe	1.55
Montgomery	1.51
Neshoba	1.53
Newton	1.50
Noxubee	1.57
Oktibbeha	1.55
Panola	1.47
Pearl River	1.58
Perry	1.57
Pike	1.55
Pontotoc	1.51
Prentiss	1.52
Quitman	1.47
Rankin	1.43
Scott	1.55
Sharkey	1.50
Simpson	1.55
Smith	1.54
Stone	1.58
Sunflower	1.49
Tallahatchie	1.48
Tate	1.47
Tippah	1.50
Tishomingo	1.53
Tunica	1.46
Union	1.50
Walthall	1.55
Warren	1.50
Washington	1.48
Wayne	1.58
Webster	1.52
Wilkinson	1.53
Winston	1.55
Yalobusha	1.49
Yazoo	1.51
MISSOURI	
Adair	1.33
Andrew	1.30
Atchison	1.30
Audrain	1.35
Barry	1.32
Barton	1.31
Bates	1.31
Benton	1.33

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
MISSOURI—con.	
Bollinger	$1.40
Boone	1.35
Buchanan	1.30
Butler	1.40
Caldwell	1.30
Callaway	1.35
Camden	1.34
Cape Girardeau	1.41
Carroll	1.33
Carter	1.38
Cass	1.31
Cedar	1.32
Chariton	1.33
Christian	1.34
Clark	1.34
Clay	1.31
Clinton	1.31
Cole	1.34
Cooper	1.34
Crawford	1.37
Dade	1.32
Dallas	1.33
Daviess	1.31
De Kalb	1.31
Dent	1.37
Douglas	1.35
Dunklin	1.42
Franklin	1.37
Gasconade	1.36
Gentry	1.31
Greene	1.33
Grundy	1.31
Harrison	1.31
Henry	1.32
Hickory	1.33
Holt	1.30
Howard	1.34
Howell	1.36
Iron	1.38
Jackson	1.51
Jasper	1.34
Jefferson	1.38
Johnson	1.34
Knox	1.34
Laclede	1.34
Lafayette	1.32
Lawrence	1.32
Lewis	1.37
Lincoln	1.37
Linn	1.33
Livingston	1.32
McDonald	1.32
Macon	1.33
Madison	1.36
Maries	1.35
Marion	1.37
Mercer	1.31
Miller	1.34
Mississippi	1.42
Moniteau	1.34
Monroe	1.31
Montgomery	1.37
Morgan	1.34
New Madrid	1.42
Newton	1.31
Nodaway	1.31
Oregon	1.32
Osage	1.36
Ozark	1.35
Pemiscot	1.42
Perry	1.40
Pettis	1.33
Phelps	1.36
Pike	1.35
Platte	1.30
Polk	1.33
Pulaski	1.35
Putnam	1.33
Ralls	1.35
Randolph	1.34
Ray	1.32
Reynolds	1.38
Ripley	1.38
St. Charles	1.37
St. Clair	1.32
St. Francois	1.39
Ste. Genevieve	1.38
St. Louis	1.38
Saline	1.33
Schuyler	1.33
Scotland	1.34
Scott	1.41
Shannon	1.37
Shelby	1.34
Stoddard	1.40
Stone	1.33
Sullivan	1.33
Taney	1.34
Texas	1.36
Vernon	1.31
Warren	1.37
Washington	1.38
Wayne	1.39
Webster	1.34
Worth	1.31
Wright	1.35
MONTANA	
Beaverhead	1.20
Big Horn	1.16
Broadwater	1.22
Carbon	1.18
Cascade	1.17
Chouteau	1.14
Deer Lodge	1.17
Fergus	1.15
Flathead	1.25
Gallatin	1.24
Glacier	1.24
Golden Valley	1.16
Granite	1.27
Jefferson	1.24
Judith Basin	1.17
Lake	1.25
Lewis and Clark	1.24
Liberty	1.14
Lincoln	1.28
Madison	1.27
Meagher	1.21
Mineral	1.28
Missoula	1.24
Musselshell	1.15
Park	1.22
Petroleum	1.15
Pondera	1.17
Powell	1.14
Ravalli	1.20
Rosebud	1.27
Silver Bow	1.17
Stillwater	1.24
Sweet Grass	1.18
Teton	1.17
Toole	1.17
Wheatland	1.17
Yellowstone	1.16
All other counties in Area A.	
NEBRASKA	
All counties	1.43
NEW HAMPSHIRE	
All counties	1.53
NEW JERSEY	
All counties	1.50
NEW MEXICO	
Colfax	1.32
Curry	1.35
De Baca	1.37
Guadalupe	1.36
Harding	1.34
Mora	1.34
Quay	1.34
Rio Arriba	1.36
Roosevelt	1.37
San Juan	1.38
San Miguel	1.36
Santa Fe	1.36
Taos	1.34
Union	1.32
All other counties	1.39
NEW YORK	
Albany	1.51
Allegany	1.48
Broome	1.49
Cattaraugus	1.47
Cayuga	1.49
Chautauqua	1.47
Chemung	1.49
Chenango	1.49
Clinton	1.51
Columbia	1.51
Cortland	1.49
Delaware	1.49
Dutchess	1.50

TABLE LIST OF STATE AND COUNTY BASE PRICES IN AREA B—Continued

State and county	Price per bushel
NEW YORK—con.	
Erie	$1.47
Essex	1.51
Franklin	1.51
Fulton	1.50
Genesee	1.48
Greene	1.70
Hamilton	1.51
Herkimer	1.51
Jefferson	1.51
Kings	1.50
Lewis	1.51
Livingston	1.48
Madison	1.49
Monroe	1.48
Montgomery	1.50
Nassau	1.50
New York	1.50
Niagara	1.47
Oneida	1.50
Onondaga	1.49
Ontario	1.49
Orange	1.48
Orleans	1.48
Oswego	1.50
Otsego	1.49
Putnam	1.50
Queens	1.50
Rensselaer	1.51
Richmond	1.50
Rockland	1.50
Saint Lawrence	1.51
Saratoga	1.51
Schenectady	1.51
Schoharie	1.50
Schuyler	1.49
Seneca	1.48
Steuben	1.48
Suffolk	1.50
Sullivan	1.49
Tioga	1.49
Tompkins	1.49
Ulster	1.50
Warren	1.51
Washington	1.51
Wayne	1.49
Westchester	1.50
Wyoming	1.48
Yates	1.49
NORTH CAROLINA	
Alamance	1.60
Alexander	1.62
Alleghany	1.59
Anson	1.63
Ashe	1.59
Avery	1.62
Beaufort	1.62
Bertie	1.63
Bladen	1.65
Brunswick	1.64
Buncombe	1.61
Burke	1.63
Cabarrus	1.63
Caldwell	1.62
Camden	1.64
Carteret	1.64
Caswell	1.59
Catawba	1.62
Chatham	1.60
Cherokee	1.61
Chowan	1.59
Clay	1.63
Cleveland	1.63
Columbus	1.66
Craven	1.62
Cumberland	1.61
Currituck	1.61
Dare	1.64
Davidson	1.62
Davie	1.62
Duplin	1.64
Durham	1.63
Edgecombe	1.60
Forsyth	1.61
Franklin	1.63
Gaston	1.63
Gates	1.64
Graham	1.59
Granville	1.59
Greene	1.62
Guilford	1.60
Halifax	1.59
Harnett	1.63
Haywood	1.63
Henderson	1.62
Hertford	1.59
Hoke	1.63
Hyde	1.62
Iredell	1.62
Jackson	1.63
Johnston	1.62
Jones	1.64
Lee	1.61
Lenoir	$1.64
Lincoln	1.63
McDowell	1.63
Macon	1.63
Madison	1.63
Martin	1.60
Mecklenburg	1.63
Mitchell	1.63
Montgomery	1.63
Moore	1.63
Nash	1.60
New Hanover	1.66
Northampton	1.59
Onslow	1.66
Orange	1.60
Pamlico	1.64
Pasquotank	1.59
Pender	1.66
Perquimans	1.59
Person	1.59
Pitt	1.60
Polk	1.63
Randolph	1.61
Richmond	1.63
Robeson	1.65
Rockingham	1.59
Rowan	1.62
Rutherford	1.63
Sampson	1.63
Scotland	1.63
Stanly	1.64
Stokes	1.59
Surry	1.59
Swain	1.63
Transylvania	1.61
Tyrrell	1.61
Union	1.59
Vance	1.59
Wake	1.60
Warren	1.59
Washington	1.61
Watauga	1.61
Wayne	1.62
Wilkes	1.61
Wilson	1.60
Yadkin	1.61
Yancey	1.63
OHIO	
Adams	1.43
Allen	1.41
Ashland	1.42
Ashtabula	1.44
Athens	1.43
Auglaize	1.41
Belmont	1.43
Brown	1.43
Butler	1.42
Carroll	1.43
Champaign	1.41
Clark	1.41
Clermont	1.43
Clinton	1.42
Columbiana	1.44
Coshocton	1.42
Crawford	1.42
Cuyahoga	1.44
Darke	1.41
Defiance	1.41
Delaware	1.42
Erie	1.42
Fairfield	1.42
Fayette	1.42
Franklin	1.42
Fulton	1.41
Gallia	1.43
Geauga	1.43
Greene	1.42
Guernsey	1.42
Hamilton	1.41
Hancock	1.41
Hardin	1.41
Harrison	1.43
Henry	1.41
Highland	1.42
Hocking	1.42
Holmes	1.42
Huron	1.43
Jackson	1.44
Jefferson	1.43
Knox	1.43
Lake	1.44
Lawrence	1.44
Licking	1.42
Logan	1.42
Lorain	1.43
Lucas	1.44
Madison	1.42
Mahoning	1.44
Marion	1.42
Medina	1.43
Meigs	1.43
Mercer	1.41
Miami	$1.41
Monroe	1.43
Montgomery	1.41
Morgan	1.42
Morrow	1.42
Muskingum	1.42
Noble	1.42
Ottawa	1.42
Paulding	1.41
Perry	1.42
Pickaway	1.42
Pike	1.44
Portage	1.43
Preble	1.42
Putnam	1.41
Richland	1.42
Ross	1.42
Sandusky	1.42
Scioto	1.44
Seneca	1.42
Shelby	1.41
Stark	1.43
Summit	1.43
Trumbull	1.44
Tuscarawas	1.42
Union	1.41
Van Wert	1.41
Vinton	1.43
Warren	1.42
Washington	1.43
Wayne	1.42
Williams	1.41
Wood	1.41
Wyandot	1.42
OKLAHOMA	
Adair	1.32
Alfalfa	1.29
Atoka	1.31
Beaver	1.29
Beckham	1.31
Blaine	1.31
Bryan	1.34
Caddo	1.32
Canadian	1.32
Carter	1.34
Cherokee	1.32
Choctaw	1.34
Cimarron	1.31
Cleveland	1.32
Coal	1.33
Comanche	1.33
Cotton	1.34
Craig	1.30
Creek	1.32
Custer	1.32
Delaware	1.31
Dewey	1.31
Ellis	1.30
Garfield	1.32
Garvin	1.32
Grady	1.32
Grant	1.29
Greer	1.32
Harmon	1.32
Harper	1.29
Haskell	1.33
Hughes	1.32
Jackson	1.33
Jefferson	1.34
Johnston	1.33
Kay	1.29
Kingfisher	1.31
Kiowa	1.33
Latimer	1.33
Le Flore	1.34
Lincoln	1.31
Logan	1.31
Love	1.34
McClain	1.32
McCurtain	1.34
McIntosh	1.32
Major	1.30
Marshall	1.34
Mayes	1.31
Murray	1.33
Muskogee	1.32
Noble	1.30
Nowata	1.32
Okfuskee	1.31
Oklahoma	1.32
Okmulgee	1.31
Osage	1.30
Ottawa	1.30
Pawnee	1.30
Payne	1.30
Pittsburg	1.33
Pontotoc	1.32
Pottawatomie	1.32
Pushmataha	1.34
Roger Mills	1.31
Rogers	1.30
Seminole	1.32
Sequoyah	$1.32
Stephens	1.33
Texas	1.29
Tillman	1.34
Tulsa	1.30
Wagoner	1.31
Washington	1.29
Washita	1.32
Woods	1.29
Woodward	1.30
OREGON	
Baker	1.37
Benton	1.44
Clackamas	1.43
Clatsop	1.45
Columbia	1.44
Coos	1.47
Crook	1.41
Curry	1.45
Deschutes	1.42
Douglas	1.44
Gilliam	1.41
Grant	1.39
Harney	1.39
Hood River	1.44
Jackson	1.43
Jefferson	1.41
Josephine	1.44
Klamath	1.42
Lake	1.41
Lane	1.44
Lincoln	1.44
Linn	1.43
Malheur	1.38
Marion	1.43
Morrow	1.41
Multnomah	1.46
Polk	1.44
Sherman	1.42
Tillamook	1.45
Umatilla	1.38
Union	1.36
Wallowa	1.35
Wasco	1.41
Washington	1.44
Wheeler	1.41
Yamhill	1.44
PENNSYLVANIA	
Adams	1.47
Allegheny	1.44
Armstrong	1.45
Beaver	1.44
Bedford	1.46
Berks	1.47
Blair	1.44
Bradford	1.47
Bucks	1.47
Butler	1.43
Cambria	1.44
Cameron	1.46
Carbon	1.46
Centre	1.45
Chester	1.48
Clarion	1.44
Clearfield	1.45
Clinton	1.46
Columbia	1.46
Crawford	1.45
Cumberland	1.46
Dauphin	1.46
Delaware	1.49
Elk	1.45
Erie	1.46
Fayette	1.44
Forest	1.45
Franklin	1.46
Fulton	1.46
Greene	1.44
Huntingdon	1.45
Indiana	1.43
Jefferson	1.44
Juniata	1.45
Lackawanna	1.47
Lancaster	1.47
Lawrence	1.44
Lebanon	1.46
Lehigh	1.47
Luzerne	1.46
Lycoming	1.46
McKean	1.29
Mercer	1.45
Mifflin	1.46
Monroe	1.47
Montgomery	1.48
Montour	1.46
Northampton	1.47
Northumberland	1.46
Perry	1.45
Philadelphia	1.49
Pike	1.48
Potter	$1.47
Schuylkill	1.47
Snyder	1.46
Somerset	1.45
Sullivan	1.47
Susquehanna	1.48
Tioga	1.47
Union	1.46
Venango	1.45
Warren	1.46
Washington	1.43
Wayne	1.48
Westmoreland	1.44
Wyoming	1.47
York	1.47
RHODE ISLAND	
All counties	1.51
SOUTH CAROLINA	
Abbeville	1.65
Aiken	1.65
Allendale	1.65
Anderson	1.65
Bamberg	1.65
Barnwell	1.65
Beaufort	1.66
Berkeley	1.66
Calhoun	1.65
Charleston	1.66
Cherokee	1.64
Chester	1.64
Chesterfield	1.64
Clarendon	1.65
Colleton	1.65
Darlington	1.65
Dillon	1.65
Dorchester	1.66
Edgefield	1.65
Fairfield	1.65
Florence	1.65
Georgetown	1.66
Greenville	1.64
Greenwood	1.65
Hampton	1.65
Horry	1.66
Jasper	1.66
Kershaw	1.64
Lancaster	1.64
Laurens	1.65
Lee	1.65
Lexington	1.65
McCormick	1.65
Marion	1.65
Marlboro	1.64
Newberry	1.65
Oconee	1.64
Orangeburg	1.64
Pickens	1.64
Richland	1.65
Saluda	1.65
Spartanburg	1.64
Sumter	1.65
Union	1.64
Williamsburg	1.66
York	1.64
TENNESSEE	
Anderson	1.59
Bedford	1.55
Benton	1.60
Bledsoe	1.59
Blount	1.61
Bradley	1.60
Campbell	1.59
Cannon	1.55
Carroll	1.47
Carter	1.61
Cheatham	1.51
Chester	1.50
Claiborne	1.59
Clay	1.56
Cocke	1.61
Coffee	1.57
Crockett	1.49
Cumberland	1.58
Davidson	1.52
Decatur	1.50
De Kalb	1.56
Dickson	1.51
Dyer	1.44
Fayette	1.46
Fentress	1.56
Franklin	1.59
Gibson	1.45
Giles	1.46
Grainger	1.61
Greene	1.61
Grundy	1.58
Hamblen	1.60
Hamilton	1.59
Hancock	$1.53
Hardeman	1.49
Hardin	1.49
Hawkins	1.61
Haywood	1.49
Henderson	1.49
Henry	1.49
Hickman	1.49
Houston	1.49
Humphreys	1.49
Jackson	1.49
Jefferson	1.60
Johnson	1.61
Knox	1.60
Lake	1.49
Lauderdale	1.49
Lawrence	1.49
Lewis	1.49
Lincoln	1.49
McMinn	1.59
McNairy	1.49
Macon	1.49
Madison	1.49
Marion	1.59
Marshall	1.49
Maury	1.49
Meigs	1.59
Monroe	1.59
Montgomery	1.49
Morgan	1.59
Obion	1.49
Overton	1.49
Perry	1.49
Pickett	1.56
Polk	1.59
Putnam	1.49
Rhea	1.59
Roane	1.59
Robertson	1.49
Rutherford	1.49
Scott	1.61
Sequatchie	1.59
Sevier	1.61
Shelby	1.49
Smith	1.49
Stewart	1.49
Sullivan	1.61
Sumner	1.49
Tipton	1.49
Trousdale	1.49
Unicoi	1.61
Union	1.59
Van Buren	1.49
Warren	1.59
Washington	1.61
Wayne	1.49
Weakley	1.49
White	1.49
Williamson	1.49
Wilson	1.49
TEXAS	
Anderson	1.38
Andrews	1.40
Angelina	1.41
Aransas	1.41
Archer	1.40
Armstrong	1.40
Atascosa	1.41
Austin	1.41
Bailey	1.40
Bandera	1.41
Bastrop	1.41
Baylor	1.40
Bee	1.41
Bell	1.41
Bexar	1.41
Blanco	1.41
Borden	1.40
Bosque	1.41
Bowie	1.41
Brazoria	1.41
Brazos	1.41
Brewster	1.39
Briscoe	1.40
Brooks	1.41
Brown	1.41
Burleson	1.41
Burnet	1.41
Caldwell	1.41
Calhoun	1.41
Callahan	1.40
Cameron	1.41
Camp	1.41
Carson	1.40
Cass	1.41
Castro	1.40
Chambers	1.41
Cherokee	1.41
Wichita	$1.36
Wilbarger	1.41
Willacy	1.40
Williamson	1.41
Wilson	1.41
Winkler	1.39
Wise	1.40
Wood	1.41
Yoakum	1.39
Young	1.40
Zapata	1.41
Zavala	1.40
UTAH	
Beaver	1.42
Box Elder	1.38
Cache	1.39
Carbon	1.42
Daggett	1.42
Davis	1.39
Duchesne	1.42
Emery	1.42
Garfield	1.42
Grand	1.42
Iron	1.42
Juab	1.41
Kane	1.42
Millard	1.42
Morgan	1.39
Piute	1.42
Rich	1.42
Salt Lake	1.39
San Juan	1.42
Sanpete	1.41
Sevier	1.41
Summit	1.39
Tooele	1.40
Uintah	1.42
Utah	1.39
Wasatch	1.42
Washington	1.42
Wayne	1.42
Weber	1.39
VERMONT	
All counties	1.53
VIRGINIA	
Accomac	1.53
Albemarle	1.54
Alleghany	1.54
Amelia	1.55
Amherst	1.55
Appomattox	1.55
Arlington	1.53
Augusta	1.54
Bath	1.54
Bedford	1.55
Bland	1.55
Botetourt	1.55
Brunswick	1.55
Buchanan	1.53
Buckingham	1.55
Campbell	1.55
Caroline	1.54
Carroll	1.55
Charles City	1.55
Charlotte	1.55
Chesterfield	1.55
Clarke	1.54
Craig	1.55
Culpeper	1.53
Cumberland	1.55
Dickenson	1.53
Dinwiddie	1.55
Elizabeth City	1.55
Essex	1.55
Fairfax	1.53
Fauquier	1.52
Floyd	1.55
Fluvanna	1.55
Franklin	1.55
Frederick	1.53
Giles	1.55
Gloucester	1.55
Goochland	1.55
Grayson	1.55
Greene	1.55
Greensville	1.55
Halifax	1.55
Hanover	1.55
Henrico	1.55
Henry	1.55
Highland	1.53
Isle of Wight	1.55
James City	1.53
King and Queen	1.55
King George	1.53
King William	1.55
Lancaster	$1.53
Lee	1.57
Loudon	1.50
Louisa	1.55
Lunenburg	1.55
Madison	1.53
Mathews	1.55
Mecklenburg	1.55
Middlesex	1.55
Montgomery	1.55
Nansemond	1.57
Nelson	1.54
New Kent	1.55
Norfolk	1.57
Northampton	1.53
Northumberland	1.53
Nottoway	1.55
Orange	1.54
Page	1.52
Patrick	1.57
Pittsylvania	1.57
Powhatan	1.55
Prince Edward	1.55
Prince George	1.55
Princess Anne	1.57
Prince William	1.52
Pulaski	1.55
Rappahannock	1.52
Richmond	1.55
Roanoke	1.55
Rockbridge	1.55
Rockingham	1.52
Russell	1.55
Scott	1.57
Shenandoah	1.52
Smyth	1.55
Southampton	1.57
Spotsylvania	1.54
Stafford	1.53
Surry	1.55
Tazewell	1.55
Warren	1.51
Warwick	1.55
Washington	1.57
Westmoreland	1.53
Wise	1.56
Wythe	1.55
York	1.55
WASHINGTON	
Adams	1.37
Ascotin	1.35
Benton	1.39
Chelan	1.39
Clallam	1.46
Clark	1.44
Columbia	1.37
Cowlitz	1.44
Douglas	1.38
Ferry	1.36
Franklin	1.38
Garfield	1.36
Grant	1.37
Grays Harbor	1.45
Island	1.44
Jefferson	1.46
King	1.44
Kitsap	1.44
Kittitas	1.39
Klickitat	1.39
Lewis	1.42
Lincoln	1.36
Mason	1.44
Okanogan	1.37
Pacific	1.45
Pend Oreille	1.34
Pierce	1.42
San Juan	1.44
Skagit	1.41
Skamania	1.42
Snohomish	1.42
Spokane	1.35
Stevens	1.35
Thurston	1.43
Wahkiakum	1.45
Walla Walla	1.38
Whatcom	1.39
Whitman	1.35
Yakima	1.39
WEST VIRGINIA	
Barbour	1.46
Berkeley	1.49
Boone	1.49
Braxton	1.51
Brooke	1.43
Cabell	1.47
Calhoun	1.49
Clay	1.51
Doddridge	$1.47
Fayette	1.51
Gilmer	1.49
Grant	1.48
Greenbrier	1.53
Hampshire	1.49
Hancock	1.43
Hardy	1.49
Harrison	1.47
Jackson	1.45
Jefferson	1.49
Kanawha	1.49
Lewis	1.49
Lincoln	1.48
Logan	1.49
McDowell	1.51
Marion	1.47
Marshall	1.43
Mason	1.45
Mercer	1.53
Mineral	1.48
Mingo	1.49
Monongalia	1.47
Monroe	1.55
Morgan	1.48
Nicholas	1.53
Ohio	1.43
Pendleton	1.51
Pleasants	1.45
Pocahontas	1.53
Preston	1.46
Putnam	1.47
Raleigh	1.51
Randolph	1.51
Ritchie	1.47
Roane	1.47
Summers	1.53
Taylor	1.47
Tucker	1.49
Tyler	1.47
Upshur	1.51
Wayne	1.47
Webster	1.53
Wetzel	1.45
Wirt	1.47
Wood	1.47
Wyoming	1.51
WISCONSIN	
Ashland	1.31
Barron	1.31
Bayfield	1.34
Brown	1.31
Burnett	1.34
Calumet	1.34
Dane	1.34
Dodge	1.35
Door	1.31
Douglas	1.35
Florence	1.34
Fond du Lac	1.31
Forest	1.31
Grant	$1.33
Green	1.35
Iowa	1.33
Iron	1.32
Jefferson	1.35
Kenosha	1.37
Kewaunee	1.35
Lafayette	1.34
Langlade	1.33
Lincoln	1.33
Manitowoc	1.35
Marathon	1.32
Marinette	1.33
Milwaukee	1.37
Oconto	1.34
Oneida	1.33
Outagamie	1.34
Ozaukee	1.36
Polk	1.32
Price	1.32
Racine	1.37
Rock	1.35
Rusk	1.31
Sawyer	1.31
Shawano	1.33
Sheboygan	1.35
Taylor	1.31
Vilas	1.33
Walworth	1.36
Washburn	1.31
Washington	1.35
Waukesha	1.36
Waupaca	1.33
Winnebago	1.34
All other counties in Area A	
WYOMING	
Albany	1.22
Big Horn	1.18
Campbell	1.18
Carbon	1.24
Converse	1.20
Crook	1.18
Fremont	1.24
Goshen	1.20
Hot Springs	1.21
Johnson	1.20
Laramie	1.21
Lincoln	1.28
Natrona	1.21
Niobrara	1.19
Park	1.20
Platte	1.20
Sheridan	1.18
Sublette	1.26
Sweetwater	1.26
Teton	1.24
Uinta	1.28
Washakie	1.20
Weston	1.18
Yellowstone National Park	1.24

[F. R. Doc. 45-13674; Filed, July 25, 1945; 3:38 p. m.]

[RMPR 136, Amdt. 1 to Rev. Order 133]

EDISON GENERAL ELECTRIC APPLIANCE CO., INC.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-13487, appearing on page 9294 of the issue for Thursday, July 26, 1945, the bracketed headnote should appear as set forth above.

[Rev. General Order 32,[1] Amdt. 21]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR PRICE ADMINISTRATOR

Revised General Order No. 32 is amended in the following respect:

[1] 8 F.R. 1769, 2902, 2966, 4143, 5417, 7054, 10685, 14413, 15341, 16569; 9 F.R. 3112, 5526.
[2] 10 F.R. 1183, 2014, 4156.

Under paragraph (c) a new subparagraph (8) is added to read as follows:

(8) The Regional Administrator for Region VIII is hereby authorized to exercise within his region the functions, duties, powers and authority conferred upon the Price Administrator for the purpose of establishing maximum prices for sales of non-government issue sailor uniforms by order under section 1.3 of Supplementary Regulation 14E.[1]

This amendment shall become effective July 31, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13778; Filed, July 26, 1945; 11:43 a. m.]

[RMPR 436, Amdt. 5 to Order 37]

CRUDE PETROLEUM AND NATURAL AND PETROLEUM GAS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) of Order No. 37 to Revised Maximum Price Regulation No. 436 is amended in the following respects:

1. The following pools with the designated increases are hereby added thereto:

Pool, County and State	Amount of increase per 42-gallon barrel
Urbana (Travis Peak), Union, Ark.	$0.15
Olinda (Upper B)	
Brea Olinda, Orange, Calif.	.35
Oakland College, Posey, Ind.	.25
Oaktown, Knox, Ind.	.35
Beaumont, Greenwood, Kans.	.25
Toulon, Ellis, Kans.	.07
Welch, Rice, Kans.	.12
Bangor North, Van Buren, Mich.	.20
Beaverton West, Gladwin, Mich.	.20
Hamilton North, Clare, Mich.	.25
Benson, Eddy, N. Mex.	.05
Halfway, Lea, N. Mex.	.35
Maljamar North, Lea, N. Mex.	.35
Burbank, Kay and Osage, Okla.	.35
Flesher East, Osage, Okla.	.25
Rea, Okmulgee, Okla.	.35
Searight, Seminole, Okla.	.05
Thomas, Kay, Okla.	.01
Clara Couch, Crockett, Tex.	.35
Peters East, Duval, Tex.	.25
Wortham, Freestone, Tex.	.15

2. The Inge pool, Elk and Chautauqua Counties, Kansas, the Mt. Carmel pool, Gibson County, Indiana, and the Halley pool, Winkler County, Tex., are hereby deleted therefrom.

3. The Delta Duck Club pool, Plaquemines Parish, Louisiana, is redesignated to read Delta Duck Club pool (11,400'–11,500').

This amendment shall become effective as of July 1, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13776; Filed, July 26, 1945; 11:49 a. m.]

Regional and District Office Orders.

[Region VIII Order G-8 Under MPR 188]

BRICK AND TILE IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188; *It is hereby ordered:*

(a) Except insofar as paragraph (b) below is applicable, the adjusted maximum prices for sales by manufacturers of common and face brick shall be each manufacturer's March, 1942 ceiling prices per M adjusted by an increase in the amount of $2.00 per M. The adjusted maximum prices for sales by manufacturers of tile shall be each manufacturer's March, 1942 ceiling price per ton adjusted by an increase in the amount of $0.85 per ton.

(b) If an individual adjustment has been granted to a producer by an order of the Regional Administrator of the Office of Price Administration authorizing prices higher than those authorized by this Order G-8, the higher prices shall remain the legal maximum prices for such individual producers.

(c) All allowances, discounts, or other price differentials in effect during March, 1942 shall be maintained.

(d) For the purposes of this order, the words "brick" and "tile" shall be defined as follows:

(i) "Brick" means a calcined clay solid.

(ii) "Tile" means a calcined clay cylinder and hollow rectangles.

(e) This order shall apply in the State of Oregon, except in the county of Malheur, and covers the following counties of the State of Washington: Wahkiakum, Cowlitz, Skamania, Klickitat and Clark.

(f) This order may be corrected, amended or revoked at any time.

(g) This order shall become effective July 16, 1945.

Issued this 11th day of July 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13656; Filed, July 25, 1945; 2:18 p. m.]

[Region VIII Order G-11 Under S. O. 94]

CERTAIN ELECTRIC FIRE SIRENS IN SAN FRANCISCO REGION

For the reasons set forth in an accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of Supplementary Order 94; *It is ordered,* As follows:

(a) Notwithstanding the provision of any regulation or order issued prior to the effective date of this order by the Regional Administrator of the Office of Price Administration, sales by the United States Department of Commerce or by any other Government agency or any subsequent seller of the following commodity are hereby exempt from price control:

(i) Watertight electric sirens manufactured by Federal Electric Company, Chicago, L15 volts, 170 amps., double bracket welded to siren for attachment to bulkhead. Over-all dimensions including bracket, 6" high, 7" wide, 11" long. Packed in individual cartons. Condition—new.

(b) This order shall apply to sales in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Bonewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

This order shall become effective July 16, 1945, and shall continue in effect until made subject to an order issued by the National Office of the Office of Price Administration.

This order may be amended, corrected or revoked at any time.

Issued this 11th day of July 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13657; Filed, July 25, 1945; 2:18 p. m.]

[Region VIII Order G-1 Under Supp. Service Reg. 48 to RMPR 165]

INVOICE AND RECORD REQUIREMENTS FOR APPLIANCE REPAIR ESTABLISHMENTS IN STOCKTON, CALIF., AREA

For reasons set forth in the accompanying opinion and under authority conferred upon the Regional Administrator by § 1499.681 of Supplementary Service Regulation No. 48 to Revised Maximum Price Regulation No. 165, it is hereby ordered:

(a) *Applicability.* The establishments covered by this order are those who perform the service of repairing electrical appliances including washing machines, refrigerators, mangles, radios, vacuum cleaners and other household appliances including, but not limited to, toasters, percolators and electric clocks and who use a customer's hourly rate in pricing such services.

(b) *Area covered.* This order shall apply to all sellers of appliance repair service located within the city limits of the City of Stockton, California.

(c) Each establishment subject to this order shall furnish invoices and keep copies thereof and keep the records required by Supplementary Service Regulation No. 48 to Revised Maximum Price Regulation No. 165.

(d) This order shall become effective July 21, 1945.

Issued this 10th day of July 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13673; Filed, July 25, 1945; 2:24 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 20]

SOLID FUELS IN SIOUX CITY, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 2, which covers the Sioux City, Iowa, area, paragraph (b) Price schedule, is amended to read as follows:

(b) Immediately below and as a part of this paragraph (b) is a Price schedule which sets forth maximum prices for domestic delivered sales of specified sizes, kinds, and quantities of solid fuels in lots of ½ ton and 1 ton or more. Sales in lots of fractions of a ton or tons shall be governed by the Price schedule as follows:

(1) On delivered sale of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 50c, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is $13.45, the price of ½ ton would be $6.70 plus 50c or a total of $7.20; the price of ¾ ton would be $10.05 plus 50c or a total of $10.55. If the price of 1 ton is $13.45, the price of ½ ton would be $6.73 plus 50c or a total of $7.23.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold the price shall be proportional to the price per ton; for example, if the price of 1 ton is $13.40, the price of 1½ tons would be $20.10; the price of 1¾ tons would be $23.45. If the price of 1 ton is $13.45, the price of 1½ tons would be $20.18.

2. The Price Schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On coal produced in District No. 10, the prices apply to coal produced in deep machine mines only. On coal produced in District No. 12, the prices apply as specified to both strip mines and deep mines. Prices of coal produced in District No. 14 apply as specified to coal produced in strip mines, underground mines, solid shot and underground mines machine cut. On coal in District No. 15, as described in paragraphs IV, A and B, prices apply to coal produced in strip mines only and, as described in paragraph IV, C, prices apply to coal produced in deep shaft mines only. The prices of coal produced in District No. 19 are similar for the same kind and size of fuel regardless of the type of mine operation. The prices of briquettes are unaffected by the type of mine operation.

The prices established by this amended schedule supersede those established by the adjustment permitted by Regional Order No. G-19 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

	Domestic—Delivered to consumers	
	Per ton	*Per ½ ton*
I. *High volatile bituminous coal from District No. 10 (Illinois)*		
A. Southern subdistrict (deep machine mines):		
1. Lump and egg, size groups 1, 2, 3, price group Nos. 1, 2, 8	$11.51	$6.30
2. Small egg and stove, size groups 4, 5, 6, and 8, price group Nos. 1, 2, 8	11.29	6.15
3. Special stoker (treated) size groups 21, 22, and 28, price group 1, 2, 8	10.29	5.65
II. *High volatile bituminous coal from district No. 12 (Iowa)*		
A. Centerville subdistrict:		
1. Chunk or lump, size group Nos. 1 and 2:		
Strip mines	10.10	5.55
Deep mines	10.37	5.69
III. *Bituminous coal from district No. 14 (Arkansas-Oklahoma)*		
Following is a description of size-group numbers referred to in this paragraph:		
3A. All solid shot or strip-mined single-screened lump coals bottom size larger than 2½".		
3. All solid shot or strip-mined single-screened lump coals bottom size not exceeding 2½".		
4. All machine-cut single-screened lump coals bottom size not less than 2½".		
5. All machine-cut, single-screened lump coals bottom size less than 2½".		
6. All double-screened coals bottom size larger than 4".		
7. All double-screened coals top size larger than 4" and bottom size larger than 2½" but not exceeding 4".		
8. All double-screened coals top size larger than 4" and bottom size not exceeding 2½"; also all double-screened coals top size larger than 3" but not exceeding 4" and bottom size larger than 2".		
11. All double-screened coals top size larger than 1½" but not exceeding 2½" and bottom size larger than ⅜" but not exceeding 1½".		
A. Production group No. 3A (includes all mines in the "Peris Field" of Logan County, Ark., and mines in Franklin County located in the Paris basin) underground machine-cut mines:		
1. Mine index Nos. 40, 53, 55, 76, 110, 116 and 132 only:		
(a) Size group Nos. 4, 6, 7, 8	16.40	8.70
(b) Size group No. 5	16.25	8.63
2. Mine index Nos. 92 and 117 only:		
(a) Size group Nos. 4, 6, 7 and 8	16.65	8.83
(b) Size group No. 5	16.50	8.75
B. Production group Nos. 5, 5A, and 5B (includes all mines in Sebastian County, Ark.):		
1. Production group No. 5 (strip mines; mine index Nos. 484, 541, 547, 548, 601, 1004, 1010, 1020, 1023, 1026, 1029, 1034 and 1041):		
(a) Size group Nos. 3A, 6, 7 and 8	14.50	7.75
(b) Size group No. 3	14.35	7.68
(c) Size group No. 11	14.10	7.55
2. Production group No. 5B (underground mines solid shot) mine index Nos. 56, 79, 80, 170, 182, 198, 329, 336, 340, 349, 603, 611 and 1011 only:		
(a) Size group Nos. 3A, 6, 7 and 8	15.05	8.03
(b) Size group No. 3	14.90	7.95
(c) Size group No. 11	14.65	7.81
3. Production group No. 5A (underground mines machine cut):		
(a) Size group Nos. 4, 6, 7 and 8:		
1. Mine index Nos. 2, 34, 89, 106, 580, 608 and 627 only	15.80	8.40
2. Mine index No. 121	16.30	8.65
(b) Size group No. 5:		
1. Mine index Nos. 2, 34, 89, 106, 580, 608 and 627	15.65	8.33
2. Mine index No. 121	16.15	8.58
(c) Size group No. 11:		
1. Mine index Nos. 2, 34, 89, 106, 580, 608, and 627	14.70	7.80
2. Mine index No. 121	14.70	7.80
C. Production group No. 6 and 6A (includes all mines in the "Panama field" of Le Flore County, Okla.):		
1. Production group No. 6 (strip mines) Mine index Nos. 1024, 1025 and 1031:		
(a) Size group No. 3A	14.60	7.80
(b) Size group No. 6	14.45	7.73
(c) Size group Nos. 6, 7 and 8	14.50	7.75
2. Production group No. 6A (underground mines machine cut):		
(a) Size group Nos. 4, 6, 7, 8:		
1. Mine index No. 15	15.30	8.15
2. Mine index Nos. 48 and 126	16.00	8.50
(b) Size group No. 5:		
1. Mine index No. 15	15.15	8.08
2. Mine index Nos. 48 and 126	15.85	8.43

PRICE SCHEDULE—Continued

	Domestic—Delivered to consumers	
	Per ton	*Per ½ ton*
IV. *High volatile bituminous coal from District No. 18 (Kansas, Missouri, and part of Oklahoma).*		
A. Production group No. 1 (all mines located in Cherokee, Crawford, Bourbon, Neosho, Labette and Wilson Counties, Kans., and Button, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Mo.) (strip mines):		
1. Furnace or egg—Size group 4 (double-screened coals with a top size not larger than 10" but larger than 3" and a bottom size larger than 1¼")	$10.19	$5.62
2. Special stoker—Size group 11 (double-screened coals with a top size 1¼" and smaller and a bottom size larger than ¼" but not larger than ⅜")	9.19	5.12
B. Production group No. 3 (all mines located in Boone, Callaway, Audrain, Randolph, Clark, Macon, Monroe, Linn, Grundy, Harrison, Adair, Chariton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan and Rails Counties in Missouri) (strip mines):		
1. Fancy nut—size group 5 (double-screened coals with a top size not larger than 3" but larger than 2" and a bottom size larger than 1¼")	8.89	4.97
2. Standard nut—size group 10 (double-screened coals with a top size not larger than 3" but larger than 2" and a bottom size 1¼" and smaller)	8.69	4.87
3. Special stoker—Size group 11 (for dimensions see IV-A-2 above)	8.34	4.67
4. Washed screenings—Size group 13 (including 1¼" x 0 and smaller)	7.54	4.27
C. Production group No. 10 (all mines located in McIntosh and in Okmulgee Counties, Okla.):		
1. Special stoker—Size group 11 (for dimensions see IV-A-2 above) deep shaft mines	10.55	5.78
V. *High volatile bituminous coal from district No. 19 (Wyoming)*		
A. Subdistrict No. 2—Rock Springs (Sweetwater and Sublette Counties):		
1. Shark and Stoker screenings, treated Size Group Nos. 15 and 16, including sizes 1⅝" x 0 and 1" x 0	10.80	5.90
VI. *Briquettes*		
1. Bewind and Stoti	16.40	8.95
2. Standard	15.40	8.20

This Amendment No. 20 to Order G-16 shall become effective immediately.

Issued this 9th day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45 13587; Filed, July 24, 1945; 1:12 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 21]

SOLID FUELS IN AURORA, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 9 which covers the Aurora, Illinois, area, paragraph (b), Price schedule is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a Price schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Service charges are set forth in section (c).

Charges for treatment of coal are set forth in section (d). Discounts are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the Price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 25¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is $12.60 the price of ½ ton would be $6.30 plus 25¢ or a total of $6.55; the price of ¾ ton would be $9.45 plus 25¢ or a total of $9.70.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is $10.85, the price of 1½ tons would be $16.27.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is $12.10, the price of ½ ton would be $6.05; or 1½ tons—$18.15.

The Price Schedule lists maximum prices for the sale of coal on the basis of the type of mine operations by means of which it is produced. On sales of coal produced in District Nos. 7, 8, 9 and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. District No. 10 prices apply to coal produced in deep machine mines only as described in paragraph IV, A; as described in paragraph IV, B, the prices apply as specified to coal produced in both strip mines and deep machine mines; and as described in paragraph IV, C, the prices apply to coal produced in strip mines only. The prices of Pennsylvania anthracite, briquettes, and by-product coke are unaffected by the type of mine operation.

The prices established by this amended schedule supersede those established by the adjustment permitted by Regional Order No. G–19 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

I. Low volatile bituminous coal from District No. 7 (southern West Virginia and northwestern and central Virginia):

	Delivered per ton
1. Lump, egg and stove—size group Nos. 1, 2 and 3 (all lump coal—bottom size 3/8"; all egg coal—top size larger than 3", bottom size—no limit; all stove coal—top size larger than 1¼", but not exceeding 3", bottom size smaller than 3"). In price classifications A & B	$12.86
2. Nut—size group No. 4 (top size larger than ¾", but not exceeding 1¼", bottom size smaller than 1¼"). In price classification A	10.85
3. Pea or dedusted screenings—size group No. 5 (top size not exceeding ¾", bottom size smaller than ¾"). In price classification A	10.56
4. Screened run of mine—size group No. 6 (straight run of mine from which all or part of the 3/8" or ¾" top size has been removed). In price classifications A & B	11.11

PRICE SCHEDULE—Continued

II. High volatile bituminous coal from District No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):

	Delivered per ton
1. Lump and egg—size group Nos. 1, 2 and 3 (all single screened block coal—bottom size larger than 2"; all double screened egg coal—top size larger than 3"; and bottom size larger than 3", but not exceeding 4"). In price classification A	$11.20
2. Lump and egg—size group Nos. 1 and 2 (all single screened block coal—bottom size larger than 3"; all double screened egg coal—top size larger than 6" and bottom size larger than 3", but not exceeding 4"; also all double screened coals—top size 5" and larger and bottom size larger than 4"). In price classifications E through M	10.40
3. Egg—size group No. 4 (all double screened egg coals—top size larger than 6" and bottom size larger than 2", but not exceeding 3"). In price classification A	10.95
4. Stoker—size group No. 10 (all double screened stoker coals—top size not exceeding 1¼" and bottom size less than 1¼"):	
In price classification A	10.55
In price classification B through E	10.15
In price classification H	10.05

III. High volatile bituminous coal from district No. 9 (Western Kentucky)

1. Stoker No. 6 seam—size group Nos. 8–12 inc. (all raw double-screened nut, stoker and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or 3/32"	$8.16
2. Washed screenings No. 14 and stray seams—size group Nos. 23 and 24 (all washed or air cleaned screenings larger than 3/8" x 0 but not exceeding 2" x 0	7.41

IV. High volatile bituminous coal from district No. 10 (Illinois)

A. Southern subdistrict price group Nos. 1, 2 and 8. (Deep machine mines):	
1. Lump, egg and stove—size group Nos. 1, 2, 3, 4, 5, 6 and 8 (all lump or egg coals—bottom size larger than 2", washed or raw; also all lump, egg and stove coals, bottom size 2" and smaller, washed or raw)	$8.64
2. Special stoker—size group Nos. 21, 22 and 28 (washed or air cleaned nut and pea coal—bottom size larger than 1 millimeter, top size not exceeding 2"; and dry dedusted special stoker—bottom size larger than 28 mesh and top size not exceeding ¾")	7.59
3. Washed and dedusted screenings—size group Nos. 23, 24, 26 and 27 (washed, air cleaned or dry dedusted screenings top size not exceeding 2")	7.19
B. Belleville and Duquoin subdistricts, price group Nos. 10 and 16–22 inclusive:	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump or egg coals—bottom size larger than 2", washed or raw):	
Strip mines	7.30
Deep machine mines	7.39

PRICE SCHEDULE—Continued

IV. High volatile bituminous coal from district No. 10 (Illinois)—Continued

	Delivered per ton
C. Northern subdistrict price group no. 29 (strip mines):	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump or egg coals, bottom size larger than 2", washed or raw)	$6.55
2. Dedusted screenings—size group Nos. 26 and 27 (dry dedusted screenings, top size not exceeding 2") mine index No. 515	6.00

V. High volatile bituminous coal from district No. 11 (Indiana)

1. Lump and egg—size group Nos. 1, 2, and 3 (all lump or egg coals, bottom size larger than 2", washed or raw):	
a. Price group Nos. 6 and 14	$8.69
b. Price group Nos. 15 and 16	8.29
c. Price group Nos. 5 and 13	7.54
d. Price group Nos. 9–12, inclusive	7.39
e. Price group No. 10—mine index No. 115 only	7.84
2. Raw, nut and pea—size group No. 9–12, inc. (raw, nut and pea coal—bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"):	
a. Price group Nos. 6 and 14	7.64
b. Price group No. 10—mine index 115 only	6.99

VI. Pennsylvania anthracite

1. Egg, stove and nut	$16.50

VII. Briquettes low volatile

1. Berwind	$13.15
2. Glen Rogers	13.36

VIII. Coke—by-product

1. Egg, stove and nut	$13.60

Issued this 9th day of June 1945.

The Amendment No. 21 to Order No. G–16 shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13546; Filed, July 24, 1945; 2:21 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 22]

SOLID FUELS IN DULUTH, MINN. AREA

An opinion accompanying this amendment has been issued simultaneously herewith, Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. III, covering the Duluth, Minnesota, area, paragraph (b) is amended to read as follows:

(b) Immediately below and as a part of this paragraph (b) is a price schedule that sets maximum prices for delivered and yard sales of specified kinds and sizes of solid fuels. Column 1 describes the fuel for which prices are established; Columns 2, 3, 4, 5, 6, and 7 show maximum prices per net ton for the types of sales, and to the classes of purchasers, indicated by each column heading. This Price schedule supersedes prices computed pursuant to the adjustment authorized by Regional Order No. G–20 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

1	2	3	4	5	6	7
Description	Delivered		At yard		Dealer at yard	
	Domestic per ton	Commercial per ton	Domestic per ton	Commercial per ton	Domestic per ton	Commercial per ton
I. Bituminous coal from district No. 2 (Pa.):						
1. Lump	$11.05	$9.60	$10.15	$9.20	$8.20	$8.10
2. Egg	10.85	9.40	9.95	9.00	8.00	7.90
3. Stove	10.70	9.25	9.80	8.85	7.85	7.75
4. Stoker	9.30	8.00	8.40	7.60	6.90	6.80
5. Screenings	9.00	8.00	8.10	7.60	6.90	6.80
II. Low volatile bituminous coal from district No. 7 (eastern W. Va. and Va.):						
1. Lump	13.70	----------	12.80	----------	10.70	----------
2. Egg	14.05	----------	13.15	----------	11.05	----------
3. Stove	13.70	----------	12.80	----------	10.70	----------
4. Nut	12.50	----------	11.60	----------	9.50	----------
5. Stoker	10.40	9.40	9.50	9.00	8.30	8.20
6. Screenings	9.50	8.50	8.60	8.10	7.40	7.30
III. High volatile bituminous coal from district No. 8 (eastern Ky., northern Tennessee & parts of Va. and W. Va.):						
A. Lump:						
1. Millers Creek	12.80	11.05	11.60	10.65	9.65	9.55
2. Elkhorn	12.10	10.65	11.20	10.25	9.25	9.15
3. Dorothy	11.75	10.30	10.85	9.90	8.90	8.80
4. Island Creek	11.55	10.15	10.65	9.75	8.70	8.60
B. Egg:						
1. Millers Creek	12.30	10.85	11.40	10.45	9.45	9.35
2. Elkhorn	11.90	10.45	11.00	10.05	9.05	8.95
3. Dorothy	11.55	10.10	10.65	9.70	8.70	8.60
4. Island Creek	11.35	9.90	10.45	9.50	8.50	8.40
C. Stove:						
1. Millers Creek	12.15	10.70	11.25	10.30	9.30	9.20
2. Elkhorn	11.75	10.30	10.85	9.90	8.90	8.80
3. Dorothy	11.40	9.95	10.50	9.55	8.55	8.45
4. Island Creek	11.20	9.75	10.30	9.35	8.35	8.25
D. Stoker:						
1. Millers Creek and Elkhorn	10.45	9.45	9.55	9.05	8.35	8.25
2. Island Creek	10.30	9.30	9.40	8.00	8.20	8.10
E. Screenings:						
1. Millers Creek and Elkhorn	9.40	8.40	8.50	8.00	7.30	7.30
2. Dorothy	9.25	8.25	8.35	7.85	7.15	7.05
3. Island Creek and Hazard	9.15	8.15	8.25	7.75	7.05	6.95

Issued this 9th day of June 1945.

The Amendment No. 22 to Order No. G–16 shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13547; Filed, July 24, 1945; 2:21 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 23]

SOLID FUELS IN WATERLOO, IOWA. AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 16, which covers the Waterloo, Iowa, area, paragraph (b), Price Schedule is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a Price Schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Service charges are set forth in section (c). Charges for treatment of coal are set forth in section (d). Discounts are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the Price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 40¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is $13.00, the price of ½ ton would be $6.50 plus 40¢ or a total of $6.90; the price of ¾ ton would be $9.75 plus 40¢ or a total of $10.15.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is $12.65, the price of 1½ tons would be $19.28.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is $12.10, the price of ½ ton would be $6.05; of 1½ tons—$18.15.

The Price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District Nos. 3, 7, 8, 9 and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On coal in District No. 10, as described in paragraphs V, A and C, the prices apply to coal produced in deep machine mines only; as described in paragraph V, B, the prices apply as specified to coal produced in both strip mines and deep machine mines; as described in paragraph V, D, the prices apply to coal produced in strip mines only. The prices of Pennsylvania anthracite, briquettes and by-product coke are unaffected by the type of mine operation.

The prices established by this amended schedule supersede those established by the adjustment permitted by Regional Order No. G–19 under Revised Price Regulation No. 122.

PRICE SCHEDULE

I. Bituminous coal from District No. 3 (northern West Virginia)

	Delivered per ton
1. Lump and egg—size group No. 1 (all lump and double screened coals, bottom size larger than 2") in price classification A	$12.78

II. Low volatile bituminous coal from district No. 7 (southern West Virginia and Northwestern and Central Virginia)

1. Lump and egg—size group Nos. 1 and 2 (all lump coal, bottom size 3/8"; all egg coal, top size larger than 3", bottom size no limit) in price classification A	$13.26

III. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina)

1. Lump—size group No. 3 (all single screened lump, bottom size larger than 2" but not exceeding 3") in price classification A, mine index No. 5805 only	$13.00
2. Lump—size group Nos. 1 and 2 (all single screened lump, bottom size larger than 3") in price classification A	12.65
3. Lump—size group No. 2 (all single screened lump, bottom size larger than 3" but not exceeding 5") in price classification E, mine index No. 439 only	12.45
4. Lump—size group Nos. 1 and 2 (all single screened lump, bottom size larger than 3"):	
In price classification D through J:	
a. From southern Appalachian subdistrict No. 6	12.25
b. From all other subdistricts	12.10
Price classification K through P	11.90
5. Egg—size group Nos. 2 and 3 (all egg coal, top size larger than 3") and bottom size larger than 3") in price classification A	12.40
6. Egg—size group No. 5 (all egg coal, top size larger than 5" but not exceeding 6" and bottom size larger than 2" but not exceeding 3"; and top size larger than 6" and bottom size 2" and smaller):	
In price classification D:	
a. Southern Appalachian subdistrict No. 6 only	12.20
b. All other subdistricts	12.05
7. Egg—size group No. 6 (all egg coal, top size larger than 5" but not exceeding 6", and bottom size 2" and smaller; and top size 3" and larger, but not exceeding 5" and bottom size larger than 2" but not exceeding 3") in price classification G through M	11.60
8. Stoker—size group No. 10 (all double screened stoker coals, top size not exceeding 1¼", and bottom size less than 1¼"):	
a. In price classification A	12.15
b. In price classification B through E	11.70

IV. High volatile bituminous coal from district No. 9 (western Kentucky)

1. Stoker—size group Nos. 8–12 inc. all raw double screened nut, stoker and pea coals—top size not exceeding 2" and bottom size larger than 10 mesh or 3/32" No. 6 seam)	$9.76

V. High volatile bituminous coal from district No. 10 (Illinois)

A. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):	
1. Lump—size group Nos. 1 and 2 (all lump coal, bottom size larger than 3", washed or raw)	$9.84

PRICE SCHEDULE—Continued

V. High volatile bituminous coal from district No. 10 (Illinois)—Continued

	Delivered per ton
A. Southern subdistrict price group Nos. 1, 2, and 8—Continued.	
2. Egg—size group No. 3 (all egg coal—bottom size larger than 2", but not exceeding 3", washed or raw)	9.44
3. Stove—size group No. 8 (all stove coal—bottom size larger than 3/8" and top size larger than 1 1/2" but not exceeding 2", washed or raw)	8.94
4. Special stoker—size group Nos. 21, 22, and 28 (washed or air-cleaned nut and pea coal—bottom size larger than 1 millimeter and top size not exceeding 2", and dry dedusted special stoker—bottom size larger than 28 mesh and top size not exceeding 3/8")	8.84
5. Dedusted screenings—size group Nos. 26 and 27 (dry dedusted screenings—top size not exceeding 2")	8.44
B. Belleville and Duquoin subdistricts, price group Nos. 10 and 16–22 inclusive:	
1. Egg—size group Nos. 2 and 3 (all egg coal, bottom size larger than 2" but not larger than 4", washed or raw)	
Strip mines	8.75
Deep machine mines	8.84
C. Central subdistrict, price group Nos. 12 and 13 deep machine mines:	
1. Lump—size group No. 1 (all lump coal, bottom size larger than 4", washed or raw)	8.79
2. Egg—size group Nos. 2 and 3 (all egg coal, bottom size larger than 2", but not larger than 4", washed or raw)	8.54
D. Fulton Peoria subdistrict, price group Nos. 24, 25, and 26 strip mines:	
1. Egg—size group No. 2 (all egg coal—bottom size larger than 3" but not exceeding 4", washed or raw)	7.85
2. Stove—size group No. 8 (all stove coal—bottom size larger than 3/8" and top size larger than 1 1/2" but not exceeding 2", washed or raw)	7.30

VI. High volatile bituminous coal from district No. 11 (Indiana)

1. Lump—size group No. 1 (all lump coal—bottom size larger than 4", washed or raw) from mine index No. 58 only	$10.49
2. Lump—size group Nos. 1 and 2 (all lump coal—bottom size larger than 3", washed or raw) in price group Nos. 6 and 14	9.94
3. Egg—size group No. 3 (all egg coal—bottom size larger than 2" but not exceeding 3", washed or raw) in price group Nos. 6 and 14	9.69
4. Egg—size group Nos. 2 and 3 (all egg coal—bottom size larger than 2", but not larger than 4", washed or raw) in price group Nos. 17, 18, and 19	8.59
5. Stove—size group No. 8 (all stove coal—bottom size larger than 3/8", top size larger than 1 1/2" but not exceeding 2", washed or raw) in price group Nos. 6 and 14	9.09
6. Stoker—size group Nos. 9–12, inc. (raw nut and pea coal—bottom size larger than 10 mesh or 3/8" and top size not exceeding 2") in price group Nos. 6 and 14	9.24

PRICE SCHEDULE—Continued

VII. Pennsylvania anthracite

	Delivered per ton
1. Egg, stove, and nut	$18.65

VIII. Coke—by-product

1. Solvay or Koppers—Egg, stove, or nut	16.75

Issued this 9th day of June 1945.

The Amendment No. 23 to Order No. G–16 shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13548; Filed, July 24, 1945; 2:21 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 24]

SOLID FUELS IN CHIPPEWA FALLS AND EAU CLAIRE, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 17, which covers the Chippewa Falls and Eau Claire, Wisconsin, area, paragraph (b), Price schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a Price Schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Charges for treatment of coal are set forth in section (c). Discounts are set forth in section (d). Definitions are set forth in section (e). Service charges are set forth in section (f). The prices listed in the Price schedule below for all coal described in District Nos. 4, 7 and 8 and for Anthracite coal and Briquettes apply only to coal obtained from docks, and do not apply to coal obtained by all-rail. Sales in lots of fractions of a ton or tons shall be governed by the Price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 50¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is $10.15, the price of ½ ton would be $5.08 plus 50¢ or a total of $5.58; the price of ¾ ton would be $7.61 plus 50¢ or a total of $8.11.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is $13.70, the price of 1½ tons would be $20.55.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is $11.90, the price of ½ ton would be $5.95; of 1½ tons, $17.85.

The Price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District Nos. 4, 7 and 8 the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On coal in District No. 10, as described in paragraph IV, a, the prices apply to coal produced in deep machine mines only. The prices of Pennsylvania anthracite, briquettes and by-product coke are unaffected by the type of mine operation.

The prices established by this amended schedule supersede those established by the adjustment permitted by Regional Order Nos. G–19, G–20 and G–22 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

I. High volatile bituminous coal from district No. 4 (Ohio)

	Delivered per ton
1. Screenings Pittsburgh No. 8 seam	$10.35

II. Low volatile bituminous coal from district No. 7 (southern West Virginia, northwestern and central Virginia)

1. Egg	$15.05

III. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina)

A. Lump:	
1. Millers Creek—No. 5, high splint and red ash seams	$13.90
2. Elkhorn, Jellico, Harlan and Creech seams	13.10
3. Dorothy and No. 5 block seams	12.95
B. Egg:	
1. Millers Creek—No. 5, high splint and red ash seams	13.40
2. Elkhorn, Jellico, Harlan and Creech seams	12.85
3. Dorothy, No. 5 Block, and Hazard No. 6 seams	12.35
C. Stove:	
1. Millers Creek, No. 5, and high splint seams	13.05
D. Stoker (double screened):	
1. Millers Creek, No. 5, Elkhorn straight Creek and Harlan seams	11.40
E. Screenings:	
1. Millers Creek, Elkhorn, Dorothy and No. 5 block	10.40

IV. High volatile bituminous coal from district No. 10 (Illinois)

A. Southern subdistrict price group Nos. 1, 2 and 8 deep machine mines:	
1. Egg—size group No. 3 (all egg coal—bottom size larger than 2" but not exceeding 3", washed or raw)	$9.54
2. Stove—size group No. 8 (all stove coal—bottom size larger than 3/8" and top size larger than 1 1/2" but not exceeding 2", washed or raw)	9.49
3 Washed and dedusted screenings—size group Nos. 23, 24, 26 and 27 (washed, air cleaned or dry dedusted screenings, top size not exceeding 2")	8.44

V. Pennsylvania anthracite

1. Egg, stove, and nut	18.80

VI. Byproduct coke

1. Solvay processed	$15.10
2. Local gas coke:	
a. In Chippewa Falls	14.35
b. In Eau Claire and Altoona	14.10

VII. Briquettes

1. Glen Rogers briquettes:	
a. In Chippewa Falls	$14.20
b. In Eau Claire and Altoona	13.40
2. Stott briquettes:	
a. In Chippewa Falls	13.97
b. In Eau Claire and Altoona	13.22
3. Berwind and United briquettes:	
a. In Chippewa Falls	14.05
b. In Eau Claire and Altoona	13.30

In Appendix No. 17 a new paragraph (f) is added to read as follows:

(f) *Service Charges.* Immediately below and as a part of this Section (f) is a Schedule of Charges that sets forth prices which a dealer may charge for the special services described when rendered in connection with sales of solid fuels covered by this Appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated in the dealer's invoice.

Schedule of Service Charges

	Per ton
Eau Claire and Altoona:	
Carrying or wheeling from curb or carrying or wheeling from curb and carrying up and down stairs	$1.00
Chippewa Falls:	
Carrying or wheeling from curb	.50
Carrying up and down stairs	.75

This Amendment No. 24 to Order No. G–16 shall be effective immediately.

Issued this 22nd day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13549; Filed, July 24, 1945; 2:20 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 25]

SOLID FUELS IN SUPERIOR, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122, as amended, is amended in the following respects: In Appendix No. 8, which covers the Superior, Wisconsin, Area, paragraph (b), Price schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets maximum prices for domestic and commercial "delivered," domestic and commercial "at yard," and domestic and commercial "dealer at yard" sales by dealers of specified kinds and sizes of solid fuels in lots of 1 ton or more. Service charges are set forth in section (c). Discounts are set forth in section (d). The provision with reference to the 4¢ transportation tax is set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 50¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is $10.45, the price of ½ ton would be $5.23 plus 50¢ or a total of $5.73; the price of ¾ ton would be $7.84 plus 50¢ or a total of $8.34.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is $12.85, the price of 1½ tons would be $19.28.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is $12.10, the price of ½ ton would be $6.05; of 1½ tons, $18.15.

The prices established by this amended schedule supersede those established by the adjustment permitted by Regional Order Nos. G–20 and G–22 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

	Delivered		At yard		Dealer at yard	
	Domestic, per ton	Commercial, per ton	Domestic, per ton	Commercial, per ton	Domestic, per ton	Commercial, per ton
I. Bituminous Coal from District No. 2 (Western Pennsylvania)						
1. Lump	$10.80	$9.35	$9.90	$8.95	$7.95	$7.85
2. Egg	10.60	9.15	9.70	8.75	7.75	7.65
3. Stove	10.45	9.00	9.55	8.60	7.60	7.50
4. Screenings	8.75	7.45	7.85	7.05	6.65	6.25
II. Bituminous Coal from District No. 3 (Northern West Virginia)						
1. Lump—Pittsburgh seam	10.80	9.35	9.90	8.95	7.95	7.85
2. Egg—Pittsburgh seam	10.60	9.15	9.70	8.75	7.75	7.65
3. Stove—Pittsburgh seam	10.45	9.00	9.55	8.60	7.60	7.50
4. Screenings—Pittsburgh seam	8.75	7.45	7.85	7.05	6.65	6.25
III. Low Volatile Bituminous Coal from District No. 7 (Southern West Virginia and Northwestern and Central Virginia)						
1. Lump	13.55		12.65		10.75	
2. Egg	13.80		12.90		10.70	
3. Stove	13.45		12.55		10.20	
4. Nut	12.25		11.35		9.00	8.90
5. Pea or domestic stoker	10.10	8.60	9.20	7.75	7.15	7.40
6. Screenings	9.25	7.95	8.35	7.55	7.15	6.75
IV. High Volatile Bituminous Coal from District No. 8 (Eastern Kentucky, West Virginia, parts of Tennessee & North Carolina)						
A. Lump:						
1. Millers Creek, or No. 5 seam or high splint	12.25	10.80	11.35	10.40	9.40	9.30
2. Elkhorn	11.85	10.40	10.95	10.00	9.00	8.90
3. Dorothy	11.50	10.05	10.60	9.65	8.65	8.55
4. Island Creek	11.30	9.90	10.40	9.50	8.45	8.35
B. Egg:						
1. Millers Creek, No. 5 or high splint	12.05	10.60	11.15	10.20	9.20	9.10
2. Elkhorn	11.65	10.22	10.75	9.80	8.80	8.70
3. Dorothy	11.30	9.85	10.40	9.45	8.45	8.35
4 Island Creek	11.10	9.65	10.20	9.25	8.25	8.15
C. Stove:						
1. Millers Creek, No. 5 or high splint	11.90	10.45	11.00	10.02	9.05	8.95
2. Elkhorn	11.50	10.05	10.60	9.65	8.65	8.55
3. Dorothy	11.15	9.70	10.25	9.30	8.30	8.20
4. Island Creek	10.95	9.50	10.05	9.10	8.10	8.00
D. Stoker (double screened):						
1. Millers Creek, Elkhorn or No. 5	10.30	8.80	9.40	8.40	7.65	7.60
E. Screenings:						
1. Millers Creek, Elkhorn or high splint	9.15	7.85	8.25	7.45	7.05	6.65
2. Dorothy or No. 5 block	9.60	7.70	8.10	7.30	6.90	6.50
3. Island Creek	8.90	7.60	8.00	7.20	6.80	6.40
V. Pennsylvania anthracite						
1. Egg, stove, nut	16.65		15.75		13.85	
2. Pea	14.95		14.05		12.15	
3. Buckwheat	12.95		12.05		10.15	
VI. Byproduct coke						
1. Egg, stove, nut	13.45		12.55		10.45	
2. Pea	12.45		11.55		9.45	
VII. Briquettes						
1. Glen Rogers	12.45		11.55		9.45	
2. Berwind	12.25		11.35		9.25	
3. Stott	12.22		11.32		9.22	

This Amendment No. 25 to Order No. G–16 shall be effective immediately.

Issued this 23d day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13550; Filed, July 24, 1945; 2:20 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 26]

SOLID FUELS IN PEORIA, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 10 is redesignated Revised Appendix No. 10 and is amended to read as follows:

(a) *Applicability.* This Revised Appendix No. 10 applies to sales of solid fuels in the Peoria Area. The term "Peoria Area" refers to the area within the city limits of Peoria and East Peoria and the village limits of Bartonville and Peoria Heights, Illinois. Section (b) of this appendix established prices, charges and discounts for sales by equipped rail dealers. Section (c) establishes prices for truckers and mines selling directly to consumers.

(b) *Provisions applicable to equipped rail dealers.* The following subsections shall be applicable to sales by equipped rail dealers:

1. *Price schedule.* Immediately below, and as a part of this subsection (b) (1) is a price schedule that sets maximum prices for domestic delivered sales of specified kinds and sizes of solid fuels in lots of two tons or more. Discounts for pickups at yard are set forth in subsection (b) (4).

SCHEDULE OF PRICES FOR EQUIPPED RAIL DEALERS

I. *Low volatile bituminous coal from District No. 7 (southern West Virginia and Virginia)*

	Domestic delivered cash price, 2-ton lots, per ton
1. Egg, price classification A	$11 01
2. Stove (top size larger than 1¼" not exceeding 3"; bottom size smaller than 3") price classification A	10. 91
3. Pea, (double screened; top size not exceeding ¾"; bottom size less than ¾") price classification A	9. 76

II. *High volatile bituminous coal from District No. 8 (eastern Kentucky, Northern Tennessee, parts of Virginia and West Virginia)*

1. Lump, size groups Nos. 1 and 2 (4" and larger) in price classification D-F, and egg, size group No. 5 (including 6" x 3") in price classification B-E:	
a. From mines in subdistrict No. 6 (southern Appalachian)	$10. 15
b. From all other mines in above classifications	9. 90
2. Lump, size group Nos. 1 and 2, in price classifications K-S, and egg, size group No. 5, in price classifications G-N	9. 65
3. Stoker, size group No. 10 (double-screened, top size not exceeding 1¼") price classifications B-E	9. 55

III. *High volatile bituminous coal from district No. 10 (Illinois)*

A. Southern subdistrict price groups 1, 2, and 8, deep machine mines:	
1. Egg, size group Nos. 2 and 3 (minimum top size 3"; minimum bottom size larger than 2")	$8 09
2. Prepared stoker, size group Nos. 21, 22, and 28 (including ¾" x 10 mesh and 5/16" x 10 mesh)	7. 39
3 Screenings, size group Nos. 23 and 24 and 26 and 27, washed or dedusted (screenings including 2" top size)	6. 89

SCHEDULE OF PRICES FOR EQUIPPED RAIL DEALERS—Continued

III. *High volatile bituminous coal from district No. 10 (Illinois)*—Continued

	Domestic delivered cash price, 2-ton lots, per ton
B. Central subdistrict, price group No. 12, deep machine mines:	
1. Egg, size group No. 2 (including 6" x 4", 7" x 4")	$5. 80
2. Stoker nut, size group No. 20 (including ¾" x 5/16")	6. 24
C. Fulton-Peoria subdistrict strip mines:	
1. No. 5 seam, lump and egg, size group Nos. 1, 2, and 3 (bottom size larger than 2"), mashed or raw; price group Nos. 24, 25, and 26, Fulton County coal only	5. 15
2. No. 6 seam, lump, size group No. 1 (larger than 4"), price group Nos. 27 and 28	5. 80
3. No. 6 seam, egg, size group No. 5 (including 4" x 2") price group Nos. 27 and 28	5. 55
4. No. 6 seam, stoker nut, size group Nos. 18, 19, and 20 (maximum top size 1½", minimum bottom size larger than 10 mesh of 3/32") price group Nos. 27 and 28	6. 15
5. No. 5 seam, stoker nut, size group Nos. 18, 19, and 20 (for dimensions see III-C-4 above) price group No. 24	5. 10
6. No. 5 seam, washed screenings, size group No. 24 (including 1¼" x 0) price group No. 24	4. 50

IV. *High volatile bituminous coal from district No. 11 (Indiana)*

A. Linton Sullivan subdistrict:	
1. Block or lump, size group No. 1 (larger than 4"), price group No. 16	$7. 79
V. Coke by-product	14. 85

(2) *Service and other charges.* Immediately below and as a part of this Section (2) is a Schedule of charges that sets forth prices which an equipped rail dealer may charge for the special services or conveniences described, when rendered in connection with sales of solid fuel covered by this Appendix. These charges may be made only if the buyer requests the service or convenience and the equipped rail dealer renders it pursuant to the request. The charges shall be separately stated in the equipped rail dealer's invoice.

SCHEDULE OF CHARGES AND CONVENIENCES

1. Wheel or carry from curb	$0.50 per ton.
2. Trimming	$0.75 per 4-ton load.
3. Carry up or down stairs	$1 per ton.
4. For any credit sale, that is, a sale where the purchase price is not paid within 10 days after delivery:	
Coal and coke selling for less than $7 per ton.	$0 50 per ton.
Coal and coke selling for $7 or more per ton.	$0.75 per ton.
5. For any delivered sale of solid fuels less than 2 tons.	$0.50 per ton.

(3) *Charge for treatment of coal.* Whenever any equipped rail dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine he may add to the applicable maximum price set by this Appendix No. 10 a treatment charge not in excess of 10¢ per ton. When a treatment charge is made pursuant to this section, the dealer's invoice shall clearly indicate that the fuel that is the subject of the sale has been dust treated and that a charge is being made therefor.

(4) *Discounts for pickup at yard.* The maximum prices provided for in the schedule contained in section (b) (1) shall be subject to a discount of not less than 50¢ per ton if physical delivery of the coal or coke is made at the yard of the equipped rail dealers.

(5) *Sales to unequipped dealers at the yard.* The maximum price for sales at the equipped dealer's yard to unequipped dealers of the following specified kinds and sizes of solid fuels in lots of 2 tons or more shall be:

	Per ton
Fulton-Peoria subdistrict, strip mines: No. 5 seam, lump and egg, size group Nos. 1, 2 and 3 (bottom size larger than 2"), washed or raw; price group Nos. 24, 25, and 26, Fulton County coal only	$3 95

(c) *Price schedule for certain truckers and mines.* The following shall be the maximum price for the named coals when delivered by truck by persons other than equipped rail dealers from mines located in the counties of Tazewell, Peoria, Fulton, Illinois.

I. *District No. 10, Fulton County coal (strip mines)*

	Domestic delivered cash price, 2-ton lots, per ton
1. No. 5 seam, lump and egg, size group Nos. 1, 2, and 3 (bottom size larger than 2"); in truck group No. 6–A	$5 15

II. *District No. 10, Peoria County coal and Tazewell County coal*

A No. 5 seam in truck price group No. 6–A (underground mines loading coal entirely by hand without the aid of any mechanical means such as loading machines or conveyors inside the mine):	
1. All mines except Mine Index No. 766:	
(a) Size group Nos. 1, 2 and 3	$5 10
(b) Size group Nos. 4 and 5	4 85
(c) Size group No. 6	4. 75
(d) Size group No. 8	4. 40
(e) Size group Nos. 9–12 inclusive	4 50
B. No. 5 seam in truck price group No. 6B (underground mines that load coal by mechanical means):	
(a) Size group Nos. 1, 2 and 3	4 99
(b) Size group Nos. 4 and 5	4 74
(c) Size group No. 6	4 64
(d) Size group No. 8	4 29
(e) Size group Nos. 9–12 inclusive	4 39
C. Mine index No. 766 only:	
(a) Size group Nos. 1, 2 and 3	5. 20
(b) Size group Nos. 4 and 5	5. 00
(c) Size group No. 6	4. 90
(d) Size group No. 8	4 70
(e) Size group Nos. 9–12	4. 70

(d) *Revocation of Order No. G–1 on sales by equipped rail dealers in the Peoria, Illinois, area.* (1) Order No. G–1 under Revised Maximum Price Regulation No. 122 (formerly designated as Regional Order No. 5, issued December 12, 1942) is hereby revoked.

(2) The maximum prices established for equipped dealers operating establishments located within the city of Peoria, Illinois, by Order No. G–1 for all sales not specifically covered by this Revised Appendix No. 10 to Order No. G–16 shall continue to be the maximum prices established under Revised Maximum Price Regulation No. 122, plus 25¢ per ton."

This Revised Appendix No. 10 supersedes Order No. G–19 as to dealers covered hereby.

Issued this 21st day of June 1945.

This Amendment No. 26 to Order No. G–16 shall be effective immediately.

RAY E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13551; Filed, July 24, 1945; 2:19 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 27]

SOLID FUELS IN LINCOLN, NEBR.

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects: In Appendix No. 15 to Order No. G–16 covering the Lincoln, Nebraska, area, paragraph (b) subparagraphs II, D and V of the Price schedule, are amended to read as follows:

D Production groups Nos. 5, 5A and 5B (includes all mines in Sebastian County, Ark.:

1 Production group No. 5 (strip mines) mine Index Nos. 464, 511, 547, 548, 601, 1004, 1010, 1020, 1023, 1026, 1029, 1033, 1043 only:	
(a) Lump grate, furnace and egg size group Nos. 3A, 6, 7, and 8	$13. 30
(b) Lump size, group no. 3	13. 15
2 Production group No. 5 (strip mines) mine Index No. 1001, 1005 only:	
(a) Lump grate, furnace and egg, size group Nos. 3A, 6, 7, 8	13. 60
(b) Lump size, group No. 3	13. 45
3 Production group No. 5B (underground mines solid shot), mine Index Nos. 56, 79, 80, 170, 182, 198, 329, 336, 340, 603, 349, 611, and 1011 only:	
(a) Lump-grate furnace and egg, size group Nos. 3A, 6, 7, 8	13. 80
(b) Lump-size group No. 3	13. 65
4. Production group No. 5A (underground mines machine cut) mine index Nos. 2, 34, 89, 106, 580, 608, and 627 only:	
(a) Lump grate furnace and egg, size group Nos. 4, 6, 7, and 8	14. 55
(b) Lump, size group no. 5	14. 40
5 Production group No. 5A (underground mines machine cut):	
(a) Lump grate, furnace and egg, size group Nos. 4, 6, 7, and 8:	
1. Mine index No. 121 only	15. 05
2. Mine index No. 13 only	14. 70
(b) Lump size group No. 5:	
1. Mine index No. 121 only	14. 90
2. Mine index No. 13 only	14. 55

V. *Pennsylvania anthracite*

1. Egg, stove, nut	$24. 10

In Appendix No. 15 to Order No. G–16, paragraph (b) II, C, 1 is amended by deleting the mine index Nos. "40 and 53."

This order supersedes Regional Order G–16 as to dealers covered hereby.

This Amendment No. 27 to Order No. G–16 shall be effective immediately.

Issued this 28th day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13552; Filed, July 24, 1945; 2:19 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 23]

SOLID FUELS IN OMAHA, NEBR., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 9, which covers the Omaha, Nebraska, area, paragraph (b) subparagraph IV, C, in the Price Schedule, is amended to read as follows:

C. *Production Group Nos. 5, 5A and 5B (includes all mines in Sebastian County, Ark.)*

	Domestic Delivered, per ton	Domestic delivered, per ½ ton	Domestic at yard, per ton	Commercial delivered, per ton
1. Production group No. 5A (underground mines machine cut) mine index Nos. 2, 34, 89, 106, 580, 608 and 627 only:				
a. Size group Nos. 4, 6, 7, and 8	$14. 95	$7. 68	$13. 95	-----
b. Size group No. 5	14. 80	7. 90	13. 80	-----
c. Size group No. 14	9. 35	5. 15	8. 35	$8. 10
2. Production group No. 5A (underground mines machine cut) mine index Nos. 13 and 121:				
a. Size group Nos. 4, 6, 7 and 8:				
13	15. 10	-----	-----	-----
121	15. 45	-----	-----	-----
b. Size group No. 5 121	15. 30	-----	-----	-----
c. Size group No. 14, mine index 13–13	14. 95	-----	-----	-----
3. Production group No. 5B (Underground mines solid shot) mine index Nos. 56, 79, 80, 170, 182, 198, 329, 336, 340, 349, 603, 611 and 1011 only.	9. 50	5. 25	8. 50	8. 25
a. Size group Nos. 3A, 6, 7 and 8	14. 20	7. 60	13. 20	-----
b. Size group No. 3	14. 05	7. 55	13. 05	-----
c. Size group No. 14	9. 55	5. 28	8. 55	8. 30
4. Production group No. 5 (strip mines) mine index Nos. 464, 511, 547, 548, 601, 1004, 1010, 1020, 1023, 1026, 1029, 1033 and 1043 only.				
a. Size group Nos. 3A, 6, 7 and 8	13. 65	7. 33	12. 65	-----
b. Size group No. 3	13. 50	7. 25	12. 50	-----
c. Size group No. 14	8. 50	4. 75	7. 50	7. 25
5. Production group No. 5 (strip mines) mine index Nos. 1001 and 1005 only.				
a. Size group Nos. 3A, 6, 7 and 8	13. 95	7. 48	12. 95	-----
b. Size group No. 3	13. 80	7. 40	12. 80	-----
c. Size group No. 14	8. 65	4. 83	7. 65	7. 40

In Appendix No. 9 to Order No. G–16 paragraph (b), IV B, 1, 2 and 3 is amended by deleting the mine index nos. 40 and 53.

This Amendment No. 28 to Order No. G–16 shall become effective immediately.

Issued this 28th day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13553; Filed, July 24, 1945; 2:17 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 29]

SOLID FUELS IN DUBUQUE, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 14, which covers the Dubuque, Iowa, area, paragraph (b), Price schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Service charges are set forth in section (c). Charges for treatment of coal are set forth in section (d). Discounts are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On delivered sales of less than 1 ton but not less than ½ ton, the price shall be proportional to the price per ton plus an additional charge of 25¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is $13.85, the price of ½ ton would be $6.93 plus 25¢ or a total of $7.18; the price of ¾ ton would be $10.39 plus 25¢ or a total of $10.64.

(ii) On delivered sales of less than ½ ton, the price shall be proportional to the price per ton plus an additional charge of 50¢ per ton, but in no event shall the total price be in excess of that for a sale of ½ ton; for example, if the price of 1 ton is $13.85, the price of ¼ ton would be $3.46 plus 50¢ or a total of $3.96

(iii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is $13.85, the price of 1½ tons would be $20.78.

(iv) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is $12.10, the price of ¼ ton would be $3.03; of ½ ton, $6.05; of 1½ tons, $18.15.

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District Nos. 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On coal in District No. 10, as described in paragraphs IV, A and D, the prices apply to coal produced in deep machine mines only, as described in paragraph IV, B,

the prices apply as specified to coal produced in both strip mines and deep machine mines; as described in paragraph IV, C, the prices apply to coal produced in strip mines only. The prices of Pennsylvania anthracite, briquettes and by-product coke are unaffected by the type of mine operation.

The prices established by this amended schedule supersede those established by the adjustment permitted by Regional Order No. G–19 and G–22 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

I. *Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia)*

	Delivered per ton
1. Lump—egg and stove (all lump coal, bottom size 3/8"; all egg coal, top size larger than 3", bottom size no limit; all stove coal top size larger than 1¼" but not exceeding 3", bottom size smaller than 3".) In price classifications A and B	$14 11

II. *High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina)*

1. Lump—size group Nos. 1 and 2 (all single screened lump coals bottom size larger than 3"). In price classification A	$13 70
In price classification F through K	13 25
In price classification F through K (from Southern Appalachian Subdistrict No. 6)	13 40
2. Egg—size group No. 3 (all double screened egg coal top size larger than 3" but not exceeding 6" and bottom size larger than 3" but not exceeding 4") Mine Index No. 370 only	13 30
3. Stoker—size group No. 10 (all double screened stoker coals, top size not exceeding 1¼" and bottom size less than 1¼".) In price classifications B through E, inc	13 20

III. *High volatile bituminous coal from district No. 9 (western Kentucky)*

1. Lump and egg—size group Nos. 1, 2 and 3 (all single screened lump coals and all double screened egg coals bottom size larger than 2"):	
a. No. 6 seam	$10 36
b. No. 14 seam	9 61
c. No. 9 seam	9 36
2. Stoker—size group No. 8–12 inc. (all raw double screened nut, stoker and pea coal, top size not exceeding 2" and bottom size larger than 10 mesh or 3/32". No. 6 seam	9 56
3. Screenings, size group Nos. 13 and 14 (all raw screenings larger than 3/4" by 0 but not exceeding 2" x 0). No. 6 seam	8 31

IV. *High volatile bituminous coal from district No. 10 (Illinois)*

A. Southern subdistrict—Price group Nos. 1, 2 and 8 (deep machine mines):	
1. Lump—size group No. 1 (all lump coal, bottom size larger than 4" washed or raw)	$10 74
2. Egg—size group No. 3 (all lump and egg coals, bottom size larger than 2" but not exceeding 3", washed or raw)	10 54

PRICE SCHEDULE—Continued

IV. *High volatile bituminous coal from district No. 10 (Illinois)*—Continued

	Delivered per ton
A. Southern subdistrict—Price group Nos. 1, 2 and 8 (deep machine mines)—Continued.	
3. Egg—size group No. 5 (all egg coals, bottom size larger than 1½" but not exceeding 2" and top size larger than 2" but not exceeding 4", washed or raw)	$10 19
4. Stoker—size group Nos. 21, 22 and 28 (washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; and dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8")	8 64
5. Washed or dedusted screenings, size group Nos. 23, 24 25 and 27 (washed, air cleaned or dry dedusted screenings top size not exceeding 2")	8 14
B. Belleville and Duquoin subdistricts, price group Nos. 10 and 16–22 inclusive:	
1. Lump and egg—size group Nos. 1, 2 and 8 (all lump and egg coals, bottom size larger than 2" washed or raw):	
a. Strip mines	9 00
b. Deep machine mines	9 09
2. Washed stoker—size group Nos. 17–20 inclusive (all washed or air cleaned nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"):	
a. Strip mines	7 90
b. Deep machine mines	7 99
C. Fulton-Peoria subdistrict, price group Nos. 24, 25 and 26 (strip mines):	
1. Egg—size group Nos. 2 and 3 (all egg coals, bottom size larger than 2" but not exceeding 4" washed or raw)	8 40
2. Egg and stove—size group Nos. 4, 5, 6 and 8 (all egg and stove coals bottom size 2" and smaller washed or raw)	8 45
D. Central subdistrict, price group Nos. 12 and 13 (deep machine mines):	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump or egg coals, bottom size larger than 2" washed or raw)	9 04

V. *High volatile bituminous coal from district No. 11 (Indiana)*

1. Lump and egg—size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2" washed or raw) price group Nos. 6 and 14	$10 34
2. Lump and egg—size group Nos. 1 and 2 (all lump and egg coals, bottom size larger than 3" washed or raw) price group Nos. 15 and 16	10 54
3. Lump—size group No. 1 (all lump coal, bottom size larger than 4" washed or raw) price group Nos. 5 and 13	10 09
4. Egg—size group Nos. 2 and 3 (all egg coal, bottom size larger than 2" but not larger than 4" washed or raw) price group Nos. 5 and 13	9 34
5. Egg—size group No. 4 (all egg coal, bottom size larger than 1½" but not exceeding 2" and top size larger than 2" washed or raw) price group Nos. 15 and 16	9 39

PRICE SCHEDULE—Continued

V. *High volatile bituminous coal from district No. 11 (Indiana)*—Continued

	Delivered per ton
6. Stove—size group No. 8 (all stove coal, bottom size larger than 3/8" and top size larger than 1½" but not exceeding 2" washed or raw) price group Nos. 6 and 14	$9 09
7. Raw or ashed stoker—size group Nos. 9–12 incl. and 17–22 incl. (Raw nut and pea coal, bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"; and nut and pea coal washed or air cleaned bottom size larger than 1 millimeter top size not exceeding 2") price group Nos. 6 and 14	9 09
VI Briquettes—Berwind	14 65
VII. Anthracite—Stove and Nut	20 45

VIII. *Coke By-Product*

1. A. B. C. or Chicago Solvay or Koppers	$16 60
2. Terre Haute	15 85
3. Racine	15 10

In Appendix No. 14, paragraph (e), Discounts, is amended to read as follows:

(e) *Discounts.* The maximum prices set forth in section (b) shall be subject to the following discounts:

	Per ton
1. On sales paid for on delivery or within 15 days thereafter	$0 50
2. On sales of stoker coal in lots of 2 tons or more and less than 20 tons	.25
3. On sales of all types of coal in lots of 20 tons or more, except stoker and screenings sizes	1 50
4. On yard sales to domestic consumers	1 00
5. On yard sales to other dealers of:	
(a) Coal priced at $10 or more per ton	1 50
(b) All other coal	1 00

This Amendment No. 29 shall become effective immediately.

Issued this 28th day of June 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13554; Filed, July 24, 1945; 1:28 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 30]

SOLID FUELS IN WATERLOO, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 16, which covers the Waterloo, Iowa area, paragraph (b), VII, in the price schedule is amended to read as follows:

	Delivered, per ton
VII. Pennsylvania anthracite:	
1. Egg, stove and nut	$19 65

Issued this 2d day of July 1945.

This Amendment No. 30 to Order No. G–16 supersedes Regional Order No. G–22 as to dealers covered hereby and shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13555; Filed, July 24, 1945; 1:27 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 31]

SOLID FUELS IN HAMMOND, IND., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 20, which covers the Hammond, Indiana, area, paragraph (b), VII, in the price schedule is amended to read as follows:

	1 ton delivered per ton
VII. Pennsylvania anthracite:	
1. Egg, stove and nut	$18 20

This Amendment No. 31 to Order No. G–16 supersedes Regional Order No. G–22 as to dealers covered hereby and shall become effective immediately.

Issued this 2d day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13556; Filed, July 24, 1945; 1:27 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 32]

SOLID FUELS IN KENOSHA, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 19, which covers the Kenosha, Wisconsin, Area, paragraph (b), VII, in the price schedule is amended to read as follows:

	Delivered per ton
VII Briquettes Low Volatile United	$13 15

Issued this 2d day of July 1945.

This Amendment No. 32 to Order No. G–16 supersedes Regional Order No. G–21 as to dealers covered hereby and shall become effectively immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13557; Filed, July 24, 1945; 1:27 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 33]

SOLID FUELS IN ROCKFORD, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 12, which covers the Rockford, Illinois, area, paragraph (b), VI, in the price schedule is amended to read as follows:

	Delivered 1 ton	Delivered ½ ton
VI. *Pennsylvania anthracite*		
1. Egg, stove, nut	$19 60	$10 20
2. Pea	17 90	9 48

This Amendment No. 33 to Order No. G–16 supersedes Regional Order No. G–22 as to dealers covered hereby and shall become effective immediately.

Issued this 2d day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13558; Filed, July 24, 1945; 1:26 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 34]

SOLID FUELS ELGIN, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 11, which covers the Elgin, Illinois, area, paragraph (b), V, in the price schedule, is amended to read as follows:

	Delivered 1 ton	Delivered ½ ton
V. *Pennsylvania anthracite*		
1. Egg, stove and nut	$19 20	$9 [illegible]
2. Pea	16 40	8 [illegible]
3. Buckwheat	15 20	7 [illegible]

This Amendment No. 34 to Order No. G–16 supersedes Regional Order No. G–22 as to dealers covered and shall become effective immediately.

Issued this 2d day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13559; Filed, July 24, 1945; 1:26 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 35]

SOLID FUELS IN AURORA, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 18 which covers the Aurora, Illinois, area, paragraph (b) VI, in the price schedule is amended to read as follows:

	Delivered per ton
VI. Pennsylvania anthracite:	
1. Egg, stove and nut	$17 50

In Amendment No. 21 to Order No. G–16, affecting the Aurora, Illinois, area covered by Appendix No. 18 in the first sentence of the second paragraph on Page 1, the words "Appendix No. 9" are hereby corrected to read "Appendix No. 18."

Issued this 9th day of July 1945.

This Amendment No. 35 to Order No. G–16 supersedes Regional Order No. G–22 as to dealers covered hereby and shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13560; Filed, July 24, 1945; 1:26 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 36]

SOLID FUELS IN BURLINGTON AND WEST BURLINGTON, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 7, which covers the Burlington and West Burlington, Iowa, Area, paragraph (b), VI, in the price schedule, is amended to read as follows:

	Domestic delivered price	
	1 ton	½ ton
VI. Anthracite: 1. Egg, stove and nut	$19 10	$9 80

This Amendment No. 36 to Order No. G–16 supersedes Regional Order No. G–22 as to dealers covered hereby and shall be effective immediately.

Issued this 9th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45–13561; Filed, July 24, 1945; 1:26 p. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 37]

SOLID FUELS IN SIOUX FALLS, S. DAK., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 1, which covers the Sioux Falls, South Dakota, Area, paragraph (b), VI, in the price schedule, is amended to read as follows:

	Domestic delivered	
	1 ton	½ ton
VI. Pennsylvania anthracite: 1. Egg, stove and nut	$20 05	$10 20

This Amendment No. 37 to Order No. G–16 supersedes Regional Order No. G–22

as to dealers covered hereby and shall become effective immediately.

Issued this 9th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13562; Filed, July 24, 1945; 1:26 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 38]

SOLID FUELS IN FARGO-MOOREHEAD, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects.

In Appendix No. 22, which covers the Fargo-Moorehead area, paragraph (b), V, in the price schedule is amended to read as follows:

	One ton per ton	Carload per ton	50 ton lots per ton
V. Anthracite: 1. Egg, stove and nut	$19.00		

This Amendment No. 38 to Order No. G-16 supersedes Regional Order No. G-22 as to dealers covered hereby and shall become effective immediately.

Issued this 9th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13545; Filed, July 24, 1945; 1:16 p. m.]

[Memphis Order G-3 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN MEMPHIS, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944; *It is hereby ordered:*

That Appendix A of said District Order No. G-3 under General Order No. 50 be, and the same is hereby, amended to read as follows:

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Ballantine Ale	25	45
Ballantine—Brucks	25	45
Barbarossa	25	45
Budweiser	25	45
Canadian Ace Beer and Ale	25	45
Carta Blanca	25	45
Doran's Expert Beer and Ale	25	45
Embassy Club	25	45
Kingsbury Pale	25	45
Miller's High-Life	25	45
Pabst Blue Ribbon	25	45
Peerless Amber	25	45
Red Top Ale	25	45
Schlitz	25	45
Silver Fox DeLuxe	25	45
Van Merritt	25	45
All other brands not listed above (including unlabeled bottles)	21	40
Draught beer:	*Cents*	
8-ounce glass	9	
10-ounce glass	12	
12-ounce glass	15	
14-ounce glass	17	
16-ounce glass	19	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected. All other taxes are included.

GROUP 2-B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Ballantine Ale	20	40
Ballantine—Brucks	20	40
Barbarossa	20	40
Budweiser	20	40
Canadian Ace Beer and Ale	20	40
Carta Blanca	20	40
Doran's Expert Beer and Ale	20	40
Embassy Club	20	40
Kingsbury Pale	20	40
Miller's High-Life	20	40
Pabst Blue Ribbon	20	40
Peerless Amber	20	40
Red Top Ale	20	40
Schlitz	20	40
Silver Fox Deluxe	20	40
Van Merritt	20	40
All other brands not listed above (including unlabeled bottles)	15	35
Draught beer:	*Cents*	
8-ounce glass	8	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected. All other taxes are included.

GROUP 3-B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Ballantine Ale	17	35
Ballantine—Brucks	17	35
Barbarossa	17	35
Budweiser	17	35
Canadian Ace Beer and Ale	17	35
Carta Blanca	17	35
Doran's Expert Beer and Ale	17	35
Embassy Club	17	35
Kingsbury Pale	17	35
Miller's High-Life	17	35
Pabst Blue Ribbon	17	35
Peerless Amber	17	35
Red Top Ale	17	35
Schlitz	17	35
Silver Fox DeLuxe	17	35
Van Merritt	17	35
All other brands not listed above (including unlabeled bottles)	13	30
Draught beer:	*Cents*	
8-ounce glass	08	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected. All other taxes are included.

All other provisions of said Memphis District Order No. G-3 under General Order No. 50 remain in full force and effect.

This amendment shall become effective July 1, 1944.

(Pub. Law 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued at Memphis, Tennessee, this 26th day of June 1944.

ROBERT C. HUNTING,
Acting District Director.

[F. R. Doc. 45-13541; Filed, July 24, 1945; 1:14 p. m.]

[Memphis Order G-3 Under Gen. Order 50, Amdt. 2]

MALT AND CEREAL BEVERAGES IN MEMPHIS, TENN., DISTRICT

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

District Order G-3 under General Order No. 50 is amended in the following respects:

Appendix A of said District Order No. G-3 under General Order No. 50 is amended to read as follows:

APPENDIX A

GROUP 1-B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Ballantine Ale	25	45
Ballantine—Brucks	25	45
Barbarossa	25	45
Buckingham Premium Ale	25	45
Budweiser	25	45
Canadian Ace Beer and Ale	25	45
Carta Blanca	25	45
Chesterton Beer	25	45
Doran's Export Beer and Ale	25	45
Embassy Club	25	45
Kingsbury Pale	25	45
Koller's Topaz Beer	25	45
Miller's High-Life	25	45
Pabst Blue Ribbon	25	45
Peerless Amber	25	45
Red Top Ale	25	45
Ruby Beer	25	45
Schlitz	25	45
Silver Fox Deluxe	25	45
Van Merritt	25	45
All other brands not listed above (including unlabeled bottles)	21	40
Draught beer:	*Cents*	
8-ounce glass	9	
10-ounce glass	12	
12-ounce glass	15	
14-ounce glass	17	
16-ounce glass	19	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected. All other taxes are included.

GROUP 2-B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Ballantine Ale	20	40
Ballantine—Brucks	20	40
Barbarossa	20	40
Buckingham Premium Ale	20	40
Budweiser	20	40
Canadian Ace Beer and Ale	20	40
Carta Blanca	20	40
Chesterton Beer	20	40
Doran's Export Beer and Ale	20	40
Embassy Club	20	40
Kingsbury Pale	20	40
Koller's Topaz	20	40
Miller's High-Life	20	40
Pabst Blue Ribbon	20	40
Peerless Amber	20	40

GROUP 2-B—continued

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Red Top Ale	20	40
Ruby Beer	20	40
Schlitz	20	40
Silver Fox Deluxe	20	40
Van Merritt	20	40
All other brands not listed above (including unlabeled bottles)	15	35
Draught beer:	*Cents*	
8-ounce glass	8	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected. All other taxes are included.

GROUP 3-B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Ballantine Ale	17	35
Ballantine—Brucks	17	35
Barbarossa	17	35
Buckingham Premium Ale	17	35
Budweiser	17	35
Canadian Ace Beer and Ale	17	35
Carta Blanca	17	35
Chesterton Beer	17	35
Doran's Export Beer and Ale	17	35
Embassy Club	17	35
Kingsbury Pale	17	35
Koller's Topaz	17	35
Miller's High-Life	17	35
Pabst Blue Ribbon	17	35
Peerless Amber	17	35
Red Top Ale	17	35
Ruby Beer	17	35
Schlitz	17	35
Silver Fox Deluxe	17	35
Van Merritt	17	35
All other brands not listed above (including unlabeled bottles)	13	30
Draught beer:	*Cents*	
8-ounce glass	8	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected. All other taxes are included.

This amendment shall become effective November 13, 1944.

(Pub. Laws 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued at Memphis, Tennessee, this 8th day of November 1944.

W. C. MANLEY, JR.,
District Director.

[F. R. Doc. 45-13540; Filed, July 24, 1945; 1:14 p. m.]

[Memphis Order G-3 Under Gen. 50, Amdt. 3]

MALT AND CEREAL BEVERAGES IN MEMPHIS, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office, Region IV, Office of Price Administration, by General Order No. 50 and by Revised Delegation Order No. 17, section 10 of Order No. G-3 under General Order No. 50, issued by the Memphis District Office on May 20, 1944, is hereby amended to read as follows:

SECTION 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering for sale malt beverages subject to this order, you must comply with the provisions of Order No. 2 issued and effective under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, either as heretofore or hereafter revised or amended, which order provides in part that you must, on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on the premises of your selling establishment.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post it immediately.

(c) No establishment which fails to comply with the posting requirements of said Order No. 2, issued under Restaurant Maximum Price Regulation No. 2, either as heretofore or hereafter revised or amended, may sell any beverage subject to this order at prices higher than the prices provided for Group 3 B sellers as set forth in the appendices hereof during such time as the establishment is not in compliance with said order.

This amendment shall become effective April 16, 1945.

Issued April 11, 1945.

W. C. MANLEY, JR.,
District Director.

[F. R. Doc. 45-13539; Filed, July 24, 1945; 1:13 p. m.]

[Savannah Rev. Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN SAVANNAH GA. DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Savannah, (Georgia) District Office, of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order No. G-1 under General Order 50 issued by the District Director of the Savannah (Georgia) District Office of the Office of Price Administration on the 10th day of June 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order 50 is redesignated Revised Order No. G-1 under General Order 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on-premises sales, and for the further purpose of clarifying and strengthening the order. Maximum prices for off-premise sales of domestic malt beverages are subject to the provisions of Revised Maximum Price Regulation 259.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Georgia:

Appling, Atkinson, Bacon, Baker, Baldwin, Ben Hill, Berrien, Bleckley, Brantley, Brooks, Bryan, Bulloch, Burke, Calhoun, Camden, Candler, Charlton, Chatham, Clay, Clinch, Coffee, Colquitt, Cook, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Effingham, Emanuel, Evans, Glascock, Glynn, Grady, Hancock, Irwin, Jeff Davis, Jefferson, Jenkins, Johnson, Lanier, Laurens, Lee, Liberty, Lincoln, Long, Lowndes, Macon, Miller, Mitchell Montgomery, McDuffie, Pierce, Pulaski, Quitman, Randolph, Richmond, Schley, Screven, Seminole, Stewart, Sumter, Taliaferro, Tattnall, Telfair, Terrell, Thomas, Tift, Toombs, Treutlen, Turner, Twiggs, Ware, Warren, Washington, Wayne, Webster, Wheeler, Wilcox, Wilkes, Wilkinson, and Worth.

SEC. 3. *Ceiling prices.* (a) On and after June 15, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Savannah (Georgia) District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Savannah (Georgia) District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices thereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect

during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1 B.* Your establishment belongs to Group 1 B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1 B establishments.

(2) *Group 2 B.* Your establishment belongs to Group 2 B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2 B establishments, but were less than those provided in Appendix A for Group 1 B establishments.

(3) *Group 3 B.* Your establishment belongs to Group 3 B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2 B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3 B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1 B or Group 2 B, you may, but not later than the first day of October, 1944, file an application with the Savannah (Georgia) District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3 B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.

2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

3. The selling prices by brand name of all beverages sold since the beginning of its operation.

4. The name of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

5. Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3 B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1 B or Group 2 B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Savannah (Georgia) District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classificatian of Group 3 B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in Section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5 *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above, you must, on or before July 1, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3 B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3 B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6 *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt Sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (When operated as such), including railroad cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit, and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2).

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated at army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or:

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the Seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 A. M. to 1:30 P. M. and the hours from 6:00 P. M. to 8:00 P. M., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during these hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to price, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2 issued under Restaurant Maximum Price Regulation 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3 B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B", "OPA 2 B", or "OPA 3 B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259, and the General Maximum Price Regulation, insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell, sale, etc." include the service of beer for a consideration, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premises sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller, or in the immediate vicinity thereof, and includes curb-service sales and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have

been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the recording-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in Section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Savannah (Georgia) District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This revised order shall become effective and shall supersede the previous order G–1, as of June 1, 1945.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Savannah, Georgia, this 25th day of May 1945.

R. E. THORPE,
District Director.

APPENDIX A

GROUP 1-B

Brand or trade name	Maximum price per bottle: 12-ounce	32-ounce
BEERS	Cents	Cents
Carta Blanca	65	
Van Wyck	60	65
Atlas All American	57	60
Barbarossa	55	60
Budweiser	55	60
Burger Brau	55	60
Canadian Ace	55	60
Deerschuck	55	60
Dorquest	55	60
Down's Arf and Arf	55	60
Gold Medal Tivoli	55	60
Holland Premium	55	60
Leower's	55	60
Miller's Old Original High Life	55	60
National Premium	55	60
Pabst Blue Ribbon	55	60
Ruby	55	60
Schlitz	55	60
Tru Blu Old Fashioned	55	60

GROUP 1-B—continued

Brand or trade name	Maximum price per bottle: 12-ounce	32-ounce
ALES	Cents	Cents
Ballantyne XXX	55	60
Canadian Ace	55	60
Carling's Red Cap	55	60
Red Top Ale	55	60
Sportsman's Old English	55	60
Tru Blu	55	60
All other brands (including unlabeled beer and ale)	50	55
All brands, listed or unlisted, containing less than 12 ounces per bottle	50	------
DRAFT BEER	Cents	
5-ounce glass (per glass)	10	
8-ounce glass (per glass)	13	
10-ounce glass (per glass)	16	
12-ounce glass (per glass)	19	
Other size glasses (per ounce)	1.5	

GROUP 2-B

BEERS	Cents	Cents
Carta Blanca	60	------
Van Wyck	55	55
Atlas All American	50	50
Barbarossa	50	50
Budweiser	45	45
Burger Brau	50	50
Canadian Ace	50	50
Deerschuck	50	50
Dorquest	50	50
Down's Arf and Arf	45	45
Esslinger	45	45
Fell's Extra	45	45
Fortune	50	50
Frederick's Four Crown	50	50
Gold Medal Tivoli	45	45
Hi Brau	50	50
Holland Premium	45	45
Koenig's	45	45
Lang's	45	45
Leon	50	50
Leower's	50	50
Miller's Old Original High Life	50	50
National Premium	50	50
Pabst Blue Ribbon	45	45
Ruby	50	50
Schlitz	50	50
Schmidt's	45	45
Tru Blu Old Fashioned	50	50
Trophy	45	45
ALES		
Ballantyne XXX	50	50
Canadian Ace	50	50
Carling's Red Cap	50	50
Red Top Ale	50	50
Sportsman's Old English	50	50
Tru Blue	50	50
All other brands (including unlabeled beer and ale)	45	45
All brands, listed or unlisted, containing less than 12 ounces per bottle	40	------
DRAFT BEER	Cents	
6-ounce glass (per glass)	8	
8-ounce glass (per glass)	10	
10-ounce glass (per glass)	13	
12-ounce glass (per glass)	14	
Other size glasses (per ounce)	1.3	

GROUP 3-B

BEERS	Cents	Cents
Budweiser	48	45
Carta Blanca	55	------
Van Wyck	52	50
Atlas All American	48	45
Barbarossa	48	45
Burger Brau	48	45
Canadian Ace	48	45
Deerschuck	48	45
Dorquest	48	45
Down's Arf and Arf	48	45
Esslinger	46	40
Fell's Extra	46	40
Fortune	46	40
Frederick's Four Crowns	48	45
Gold Medal Tivoli	48	45

GROUP 3-B—continued

Brand or trade name	Maximum price per bottle: 12-ounce	32-ounce
	Cents	Cents
Hi Brau	48	45
Holland Premium	48	45
Koenig's	46	40
Lang's	46	40
Leon	46	40
Leower's	48	45
Miller's Old Original High Life	48	45
National Premium	48	45
Pabst Blue Ribbon	48	45
Red Fox	46	40
Ruby	48	45
Schlitz	46	40
Schmidt's	46	40
Trophy	46	40
Tru Blu Old Fashioned	48	45
ALES		
Ballantyne XXX	48	45
Canadian Ace	48	45
Carling's Red Cap	48	45
Red Top Ale	48	45
Sportsman's Old English	48	45
Tru Blu	48	45
All other brands (including unlabeled beer and ale)	44	45
All brands, listed or unlisted, containing less than 12 ounces per bottle	40	------
DRAFT BEER	Cents	
6-ounce glass (per glass)	6	
8-ounce glass (per glass)	8	
10-ounce glass (per glass)	10	
12-ounce glass (per glass)	12	
Other size glasses (per ounce)	1	

[F. R. Doc. 45-13538; Filed, July 24, 1945; 1:12 p. m.]

[Jacksonville Order G-1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN JACKSONVILLE, FLA., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jacksonville District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration and Region IV, Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* This Amendment No. 1 to Revised Order No. G–1 under General Order No. 50 amends the tax legend or statement appearing at the bottom of each page of Appendices A and B respectively of said Revised Order No. G–1 under General Order No. 50 so that said tax legend or statement shall read as follows:

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945, increase in the Florida Beverage Tax may add to above prices the following charges if same are separately stated and collected:

BOTTLED BEER AND ALE

12 oz. or less bottles—2½¢ per bottle. 32 oz. bottles—4½¢ per bottle.

DRAFT BEER AND ALE

6 oz. glass—0.007¢ per glass.
8 oz. glass—0.01¢ per glass.
10 oz. glass—0.013¢ per glass.
12 oz. glass—0.015¢ per glass.
All other quantities—17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.

All other taxes are included in above prices.

SEC. 2. *Revocation and amendment.* This order may be revoked or amended at any time.

SEC. 3. *Effective date.* This Amendment No. 1 to Revised General Order No. G–1 under General Order No. 50 shall become effective July 10, 1945.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Jacksonville, Florida, this 7th day of July 1945.

HUGHES L. SWANSON,
Acting District Director.

[F. R. Doc. 45-13669; Filed, July 25, 1945; 2:22 p. m.]

[Nashville Order G–1 Under RMPR 259, Amdt. 1]

MALT BEVERAGES IN NASHVILLE, TENN., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–1 under Revised Maximum Price Regulation No. 259 is amended in the following respects:

Section 2 is amended to read as follows:

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within the Nashville District.

This amendment shall become effective July 1, 1945.

Issued this 28th day of June 1945.

CARSON VAUGHAN,
District Director.

[F. R. Doc. 45-13668; Filed, July 25, 1945; 2:22 p. m.]

[Milwaukee Order G–1 Under 2d Rev. Supp. Service Reg. 19 to RMPR 165]

OIL BURNER SERVICES IN MILWAUKEE, WIS., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Milwaukee District Office of the Office of Price Administration by delegation from the Regional Administrator of Region VI, under § 1499.671 (d) (1) of 2d Revised Supplementary Service Regulation No. 19 to Revised Maximum Price Regulation No. 165; *It is hereby ordered:*

(a) For the purpose of 2d Revised Supplementary Service Regulation No. 19, the area included in the County of Milwaukee, Wisconsin, shall be considered a part of the Milwaukee, Wisconsin, city area.

(b) The applicable hourly rates for such area, as determined from the Table of Hourly Rates contained in § 1499.671 (b) of said 2d Revised Supplementary Service Regulation No. 19 to Revised Maximum Price Regulation No. 165, are $2.50 for the first hour and $1.75 for the second and succeeding hours.

(c) Any supplier of oil burner and stoker services covered by this order shall also be subject to all of the provisions and requirements contained in 2d Revised Supplementary Service Regulation No. 19.

This order shall become effective June 12, 1945.

Issued June 12, 1945.

H. T. SMITH,
District Director.

[F. R. Doc. 45-13672; Filed, July 25, 1945; 2:24 p. m.]

[Region VII Order G–60 Under 18 (e)]

GEORGE A. PULLEN STOVE & FURNACE REPAIR CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.18 (e) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G–60 is issued.

(a) *What this order does.* This Order No. G–60 grants The George A. Pullen Stove & Furnace Repair Co. of Denver, Colorado, a flat price increase of 6½% on all sales of the hereinafter specified stove and furnace castings and repair parts made at wholesale or at retail, and permits wholesalers purchasing such castings and repair parts from it to add to their retail prices the actual amount of such adjusted price increase.

(b) *Adjusted maximum prices.* Upon and after the effective date of this Order No. G–60, the maximum prices which The George A. Pullen Stove & Furnace Repair Co. of 1333 Lawrence Street, Denver, Colorado, may charge or collect for the stove and furnace castings and repair parts specified in subparagraphs (1) and (2) hereof, when sold at wholesale or at retail, f. o. b. Denver, Colorado, shall be the prices stated in subparagraph (1) hereof, plus a flat increase of 6½% on each price category, rounded to the nearest one cent; and such maximum prices for the stove and furnace castings and repair parts specified in subparagraph (2) hereof shall be the prices stated in said subparagraph (2) adjusted to reflect the increase authorized by Amendment No. 42 to Order A–1 under § 1499.159b of Maximum Price Regulation No. 168, plus a flat increase of 6½% on such adjusted prices, rounded to the nearest one cent. The maximum retail price for a reseller purchasing such commodities from The George A. Pullen Stove & Furnace Repair Co. shall be such reseller's present maximum retail price as duly established under the applicable regulation plus the actual amount of such 6½% increase expressed in dollars and cents and applied separately to each price category and rounded to the nearest one cent.

(1) Base maximum prices per pound upon which 6½% increase shall be computed.

Item	Wholesale	Retail
Stove castings including plain tops	$0.17	$0.22
Polished stove castings	.30	.35
Break-off or Utah parts	.13	.18

(2) Base maximum prices per pound upon which, when adjusted to reflect the 9% increase authorized by Amendment No. 42, the 6½% increase hereby authorized shall be computed.

Item	Wholesale	Retail
Furnace grates	$0.14	$0.20
Furnace pots up to 84 lbs.	.12	.17
Furnace pots 84 to 100 lbs. (each)	10.00	.17
Furnace pots 100 lbs. and over	.10	.15

NOTE: The prices above specified for sales made by The George A. Pullen Stove & Furnace Repair Co., f. o. b. Denver, Colorado, include all costs incident to wrapping, packing, boxing, and carting; and in addition thereto The George A. Pullen Stove & Furnace Repair Co. shall continue to maintain and allow its customary discounts, differentials, and freight allowances.

(c) *Adjusted price increases must be shown on invoice.* The George A. Pullen Stove & Furnace Repair Co. must as to all sales made at wholesale under this Order No. G–60 show on its invoice or on a separate slip or rider attached thereto the full amount of the price increase hereby authorized, itemized, however, as a separate surcharge expressed in dollars and cents on each price category of castings or repair parts covered by the invoice; and any purchaser who resells at retail may add to his duly authorized maximum price for each item of each price category a sum sufficient to absorb the proportionate amount of such designated increase, expressed in dollars and cents and adjusted to the nearest one cent. This does not permit a reseller to take any markup whatsoever on such authorized increase. A copy of this paragraph (c) must be attached to each invoice covering a sale made at wholesale.

(d) *Applicability of other regulations.* Except to the extent of the price adjustments made by this Order No. G–60, all of the terms and provisions of the General Maximum Price Regulation shall remain in full force and effect and continue to be applicable to all persons selling the stove and furnace castings and repair parts covered hereby.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make

any sale for which his license has been suspended.

(f) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-60 shall become effective on the 3rd day of July 1945.

Issued this 14th day of July 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-13659; Filed, July 25, 1945; 2:19 p. m.]

[Region VII Order G-61 Under 18 (c)]

FIREWOOD IN MISSOULA, MONT., AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G-61 is issued.

(a) *What this order does.* This Order No. G-61 revokes and supersedes, as of the effective date hereof, Order No. 2 issued by the Helena, Montana, District Office of the Office of Price Administration under Amendment No. 41 to Supplementary Regulation 14 to the General Maximum Price Regulation on October 26, 1942, as of the effective date of this Order No. G-61, and revises and reestablishes on a local shortage basis maximum prices for firewood in said Missoula, Montana, area.

(b) *Adjusted maximum prices.* On and after the effective date hereof, the maximum prices for firewood in the municipality of Missoula, Montana, and within a radius of 20 miles thereof, shall be as follows:

	Wholesale	Retail
(1) Unsawed firewood in 4-foot lengths and over, per cord	$7.50	$9.00
(2) Sawed firewood, in 10", 12", 14", and 16" lengths, per cord	9.00	11.00
(3) Firewood in 12" lengths, per rick	------	3.10
(4) Firewood in 16" lengths, per rick	------	4.00
(5) 16" slab wood sold in loads of approximately ⅝ of a cord, per load	3.00	3.75
(6) 16" slab wood, per cord	------	7.50

NOTE: A rick of 12" lengths is ¾ of a cord, and a rick of 16" lengths is ½ of a cord.

(c) *Relation to other regulations.* Order No. 2 issued by the Helena Montana District Office of the Office of Price Administration under Amendment No. 41 to Supplementary Regulation 14 to the General Maximum Price Regulation is hereby revoked and superseded as of the effective date of this Order No. G-61, and the General Maximum Price Regulation is hereby superseded insofar as maximum prices are concerned.

(d) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(e) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-61 shall become effective on the 10th day of July 1945.

Issued this 10th day of July 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-13658; Filed, July 25, 1945; 2:18 p. m.]

[Denver Order G-1 Under MPR 429]

RECONDITIONED BICYCLES IN DENVER, COLO., AREA

For the reasons set forth in the accompanying opinion and under the authority vested in the District Director of the Denver, Colorado, District Office of the Office of Price Administration by section 10 of Maximum Price Regulation 429 and Region VII Delegation Order No. 30, it is hereby ordered:

(a) *What this order does.* This order permits persons to sell at retail in the State of Colorado reconditioned American balloon tire type bicycles at the price of $33.25 each if such bicycles meet the requirements contained in the definition of reconditioned American balloon tire type bicycle which is contained in subdivision (c) of this order and if there is furnished written evidence of purchase in compliance with the provisions of subdivision (d) of this order and written guaranty in compliance with the provisions of subdivision (e) of this order.

(b) *The maximum price established by this order.* The maximum price which may be charged for a reconditioned American balloon tire type bicycle, which complies with the requirements contained in said subdivision (c) of this order, on sale in the State of Colorado at retail by any seller shall be $33.25, delivered at the seller's place of business in Colorado: *Provided, however,* That, if the maximum price for any such bicycle determined under the provisions of sections 5, 6, 7, and 8 of Maximum Price Regulation 429 shall be greater than $33.25, then the maximum price of such bicycle on sale at retail in the State of Colorado shall be the maximum price of such bicycle determined under the provisions of said sections 5, 6, 7, and 8 of Maximum Price Regulation 429.

(c) *Definition of reconditioned American balloon tire type bicycle.* A reconditioned American balloon tire type bicycle, as those words are used in this order, is an American balloon tire type bicycle having 26-inch x 2.125 tires and tubes, which has been completely disassembled, all of the parts of which have been inspected and only those parts put back on the frame which are serviceable, with the parts that are not put back replaced by other parts which are either new or used, and if used, are serviceable, with proper lubrication applied when the parts have been reassembled; except that all of the following parts shall have been replaced by new parts, without regard to the condition of the parts which shall have been replaced:

Handle bar grips
Parts for front fork assembly, including:
  Head cups
  Head cones—top and bottom
  Head lock nuts and washers
  Head bearings
Front wheel bearings, cones, axle and nuts
Rear wheel bearings, cones, axle and nuts
Hanger bearings;

a reconditioned American balloon tire type bicycle further is one from which no part is missing which is necessary to make the bicycle fully useful and which is in good working condition, can be used by the consumer for the purpose intended without further repair, and is clean and its appearance is good.

(d) *Evidence of purchase to be furnished.* The provisions of this order shall not apply to the sale of any reconditioned American balloon tire type bicycle unless, at or before the time of the delivery of the bicycle by the seller to the purchaser, the seller furnishes to the purchaser a sales slip, invoice, bill of sale or other written evidence of purchase including the following: name and address of purchaser; make, number, and type of the bicycle of which the frame of the bicycle sold was originally a part; the price at which the bicycle is sold; and a signed statement reading substantially as follows: "The above bicycle is sold as a reconditioned bicycle in accordance with the terms and conditions of Order No. G-1 under Maximum Price Regulation 429, issued by the Denver, Colorado District Office of the Office of Price Administration under date of July 14, 1945."

(e) *Guaranty.* The provisions of this order shall not apply to the sale of any reconditioned American balloon tire type bicycle unless, at or before the time of the delivery of the bicycle by the seller to the purchaser, the seller furnishes to the purchaser a written guaranty, signed by the seller, against defective parts or workmanship, such guaranty to be for a period of thirty days.

(f) *What transactions and persons are covered by this order.* This order covers all sales in the State of Colorado at retail by any person of a reconditioned American balloon tire type bicycle which complies with the requirements contained in subdivision (c) of this order, with the following exceptions only:

(1) This order does not cover sales which are exempted from Maximum Price Regulation 429 by section 4 (a) of said Maximum Price Regulation 429.

(2) This order does not cover the sale of a reconditioned American balloon tire type bicycle which, after it has been reconditioned, has been used for any purpose except for determining whether the bicycle is in good operating condition or whether the user desires to purchase it.

(g) All provisions of Maximum Price Regulation 429 shall continue to be applicable to the sale of reconditioned American balloon tire type bicycles under this order except those provisions which are inconsistent with the provisions of this order.

(h) All prayers of the application for adjustment upon which this order is entered are denied except insofar as they are granted by the foregoing provisions of this order. Insofar as any of the prayers contained in said application for adjustment is denied, there may be filed with this office within sixty days after the date on which a copy of this order is mailed to the applicants named in said application for adjustment a request for review by the Regional Administrator for Region VII, in accordance with the provisions of section 17 of Revised Procedural Regulation No. 1.

(i) This order may be revoked, amended, or corrected at any time.

This order shall become effective July 19, 1945.

Issued this 14th day of July 1945.

DON M. RILEY,
Acting District Director.

[F. R. Doc. 45-13671; Filed, July 25, 1945; 2:23 p. m.]

[Region VIII Order G-1 Under SR 15, Amdt. 9]

FLUID MILK IN OREGON AND WASHINGTON

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-1 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation is amended in the following respects:

1. Paragraph (a) is amended by changing the schedule of prices under the heading "The City of Burns, Harney County in the State of Oregon" to read as follows:

[Pasteurized—Grade A]

Quantity	Wholesale price	Retail price
Quart	$0.14	$0.15
Half-pint	.04	------

This amendment to Order No. G-1 shall become effective July 24, 1945.

Issued this 24th day of July 1945.

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13655; Filed, July 25, 1945; 2:18 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 20, 1945.

REGION I

Connecticut Order 5-F, Amendment 10, covering fresh fruits and vegetables in Waterbury and Watertown, Connecticut. Filed 9:50 a. m.

Connecticut Order 6-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 9:50 a. m.

Connecticut Order 7-F, Amendment 9, covering fresh fruits and vegetables in the New Haven Area. Filed 9:50 a. m.

Connecticut Order 8-F, Amendment 10, covering fresh fruits and vegetables in the Bridgeport Area. Filed 9:50 a. m.

Connecticut Order 9-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 9:51 a. m.

Rhode Island Order 3-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 9:41 a. m.

Vermont Order 2-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Vermont. Filed 9:51 a. m.

Vermont Order 2-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Vermont. Filed 9:51 a. m.

REGION II

Baltimore Order 4-F, Amendment 45, covering fresh fruits and vegetables in certain areas in Maryland. Filed 9:52 a. m.

Baltimore Order 10-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Maryland. Filed 9:57 a. m.

Buffalo Order 3-F, Amendment 17, covering fresh fruits and vegetables in certain cities in New York. Filed 9:51 a. m.

Buffalo Order 4-F, Amendment 17, covering fresh fruits and vegetables in certain cities in New York. Filed 9:52 a. m.

District of Columbia Order 5-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Virginia, Maryland and District of Columbia. Filed 9:52 a. m.

Newark Order 7-F, Amendment 12, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 9:57 a. m.

Philadelphia Order 2-O, Amendment 1, covering eggs in certain counties in Pennsylvania. Filed 9:50 a. m.

Philadelphia Order 3-O, Amendment 1, covering eggs in certain counties in Pennsylvania. Filed 9:50 a. m.

Trenton Order 12-F, Amendment 15, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 9:45 a. m.

Wilmington Order 4-F, Amendment 42, covering fresh fruits and vegetables in the entire state of Delaware. Filed 9:58 a. m.

REGION III

Cincinnati Order 1-C, Amendment 6, covering poultry. Filed 9:59 a. m.

Cincinnati Order 1-C, Amendment 7, covering poultry. Filed 9:59 a. m.

Cincinnati Order 1-O, covering poultry in Hamilton and Montgomery Counties, Ohio. Filed 10:00 a. m.

Cincinnati Order 2-C, covering poultry in certain areas in Ohio. Filed 9:59 a. m.

Cincinnati Order 4-F, Amendment 28, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 9:58 a. m.

Cincinnati Order 5-F, Amendment 28, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:58 a. m.

Cincinnati Order 7-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:59 a. m.

Cleveland Order 2-C, Amendment 6, covering poultry in certain counties in Ohio. Filed 10:00 a. m.

Columbus Order 11-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Ohio. Filed 10:00 a. m.

Grand Rapids Order 8-C, Amendment 16, covering poultry in certain counties in Michigan. Filed 10:01 a. m.

Grand Rapids Order 14-F (Appendix A), Amendment 82, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 10:00 a. m.

Grand Rapids Order 14-F (Appendix B), Amendment 82, covering fresh fruits and vegetables in certain cities in Michigan. Filed 10:01 a. m.

Grand Rapids Order 14-F, (Appendix D), Amendment 22, covering fresh fruits and vegetables in certain counties in Michigan. Filed 10:01 a. m.

Grand Rapids Order 14-F (Appendix C), Amendment 57, covering fresh fruits and vegetables in certain counties in Michigan. Filed 10:01 a. m.

REGION IV

Atlanta Order 6-F, Amendment 42, covering fresh fruits and vegetables in the Atlanta-Decatur Area. Filed 10:05 a. m.

Birmingham Order 3-F, Amendment 26, covering fresh fruits and vegetables in Jefferson County, Alabama. Filed 9:41 a. m.

Birmingham Order 4-F, Amendment 12, covering fresh fruits and vegetables in the certain counties in the Birmingham Area. Filed 9:41 a. m.

Charlotte Order 3-F, Amendment 26, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 9:36 a. m.

Columbia Order 7-F, Amendment 8, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 9:38 a. m.

Jackson Order 4-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Mississippi. Filed 9:36 a. m.

Jacksonville Order 9-F, Amendment 31, covering fresh fruits and vegetables in the Jacksonville, Florida Area. Filed 9:36 a. m.

Memphis Order 6-F, Amendment 39, covering fresh fruits and vegetables in Memphis and Shelby, Tennessee. Filed 9:36 a. m.

Montgomery Order 20-F, Amendment 33, covering fresh fruits and vegetables in Mobile County. Filed 9:36 a. m.

Montgomery Order 21-F, Amendment 38, covering fresh fruits and vegetables in Montgomery County, Alabama. Filed 9:37 a. m.

Montgomery Order 22-F, Amendment 39, covering fresh fruits and vegetables in Houston County, Alabama. Filed 9:37 a. m.

Montgomery Order 24-F, Amendment 36, covering fresh fruits and vegetables in Dallas County, Alabama. Filed 9:37 a. m.

Savannah Order 7-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:37 a. m.

Savannah Order 9-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:37 a. m.

Savannah Order 10-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:38 a. m.

REGION V

Dallas Order 3-F, Amendment 49, covering fresh fruits and vegetables. Filed 9:45 a. m.

New Orleans Order 2-F, Amendment 81, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 10:01 a. m.

St. Louis Order 3-F, Amendment 36, covering fresh fruits and vegetables. Filed 9:45 a. m.

St. Louis Order 3-F, Amendment 37, covering fresh fruits and vegetables. Filed 10:02 a. m

Wichita Order 5-W, covering dry groceries in certain areas in Kansas. Filed 10:02 a. m.

Wichita Order 5-W, Amendment 1, covering dry groceries in certain areas in Kansas. Filed 10:02 a. m.

REGION VI

Duluth-Superior Order 1-F, Amendment 77, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 9:45 a. m.

REGION VII

Boise Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Idaho. Filed 9:38 a. m.

Boise Correction to Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Idaho. Filed 9:38 a. m.

Boise Order 5-F, covering fresh fruits and vegetables in certain areas in Idaho. Filed 9:39 a. m.

Boise Order 5-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Idaho. Filed 9:39 a. m.

Boise Order 6-F, covering fresh fruits and vegetables in certain areas in Idaho. Filed 9:39 a. m.

Boise Order 37, Amendment 1, covering dry groceries in the Boise City Area. Filed 9:40 a. m.

Boise Order 38, Amendment 1, covering dry groceries in certain areas of Oregon. Filed 9:40 a. m.

Boise Order 39, Amendment 1, covering dry groceries in certain areas in Oregon and Idaho. Filed 9:40 a. m.

Boise Order 40, Amendment 1, covering dry groceries in southeastern Idaho Area. Filed 9:40 a. m.

Boise Order 41, Amendment 1, covering dry groceries in certain counties in Idaho. Filed 9:41 a. m.

REGION VIII

Nevada Order 11-F, Amendment 1, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 10:03 a. m.

Phoenix District Order 3-F, Amendment 77, covering fresh fruits and vegetables in the Phoenix Area. Filed 10:03 a. m.

Phoenix Order 3-F, Amendment 81, covering fresh fruits and vegetables in the Phoenix area. Filed 10:03 a. m.

San Francisco District Order 1-C, Amendment 11, covering poultry in the San Francisco Area. Filed 10:04 a. m.

San Francisco Order 1-O, Amendment 7, covering eggs in certain counties in California. Filed 10:05 a. m.

San Francisco District Order 13-F, Amendment 7, covering fresh fruits and vegetables in certain cities and towns in California. Filed 10:04 a. m.

San Francisco District Order 14-F, Amendment 7, covering fresh fruits and vegetables in certain counties in California. Filed 10:04 a. m.

San Francisco District Order 15-F, Amendment 7, covering fresh fruits and vegetables in certain counties in California. Filed 10:04 a. m.

San Francisco District Order 16-F, Amendment 7, covering fresh fruits and vegetables in certain counties in California. Filed 10:04 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-13748; Filed, July 26, 1945; 11:42 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 23, 1945.

REGION I

Augusta Order 2-O, Amendment 1, covering eggs in certain counties in Maine. Filed 1:55 p. m.

Vermont Order 1-C, Amendment 2, covering poultry in the entire state of Vermont. Filed 1:56 p. m.

Vermont Order 2-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Vermont. Filed 1:55 p. m.

Montpelier Order 2-O, covering eggs in the entire state of Vermont. Filed 1:59 p. m.

Vermont Order 2-O, Amendment 1, covering eggs in the entire state of Vermont. Filed 1:59 p. m.

Vermont Order 3-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Vermont. Filed 1:56 p. m.

REGION II

Baltimore Order 4-F, Amendment 46, covering fresh fruits and vegetables in certain areas in Baltimore. Filed 1:59 p. m.

Baltimore Order 10-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Maryland. Filed 2:00 p. m.

Philadelphia Order 6-F, Amendment 86, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 2:00 p. m.

Philadelphia Order 11-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 2:00 p. m.

Philadelphia Order 12-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 2:00 p. m.

REGION III

Charleston Order 2-O, covering eggs in certain counties in West Virginia. Filed 1:54 p. m.

Charleston Order 3-O, covering eggs in certain counties in West Virginia. Filed 1:54 p. m.

Cincinnati Order 4-F, Amendment 29, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 2:00 p. m.

Cincinnati Order 5-F, Amendment 29, covering fresh fruits and vegetables in certain counties in Ohio. Filed 2:00 p. m.

Cincinnati Order 7-F, Amendment 18, covering fresh fruits and vegetables in certain counties in Ohio. Filed 2:01 p. m.

Charleston Order 13-C, covering poultry in all counties in the state of West Virginia. Filed 1:54 p. m.

Charleston Order 13-C, Amendment 1, covering poultry in all counties in West Virginia. Filed 1:54 p. m.

REGION IV

Jacksonville Order 11-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Florida. Filed 2:01 p. m.

Miami Order 4-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Florida. Filed 2:03 p. m.

Miami Order 3-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Florida. Filed 2:03 p. m.

Miami Order 1-F, Amendment 20, covering fresh fruits and vegetables in certain cities in Florida. Filed 2:01 p. m.

Miami Order 1-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Florida. Filed 2:01 p. m.

Miami Order 1-C, covering poultry in Hernando County, Florida. Filed 2:04 p. m.

Miami Order 2-F, Amendment 21, covering fresh fruits and vegetables in the Tampa, Florida, Area. Filed 2:03 p. m.

Miami Order 2-C, covering poultry in certain counties in Florida. Filed 2:04 p. m.

Miami Order 3-C, covering poultry in certain counties in Florida. Filed 2:04 p. m.

Miami Order 4-C, covering poultry in certain counties in Florida. Filed 2:04 p. m.

Miami Order 4-F, Amendment 8, covering fresh fruits and vegetables in Monroe County, Florida. Filed 2:03 p. m.

Miami Order 5-C, covering poultry in certain counties in Florida. Filed 2:04 p. m.

Miami Order 6-C, covering poultry in certain counties in Florida. Filed 2:05 p. m.

Savannah Order 2-O, Amendment 1, covering eggs. Filed 1:55 p. m. (Correction).

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-13749; Filed, July 26, 1945; 11:42 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-102, 54-76, 59-19; 54-34]

GENERAL GAS & ELECTRIC CORP. AND ASSOCIATED GAS AND ELECTRIC CORP.

ORDER APPROVING PLAN AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of July 1945.

In the matters of General Gas & Electric Corporation, trustees of Associated Gas and Electric Corporation with respect to a Plan of Divestment of Assets, Simplification of Corporate Structure and Equitable Distribution of Voting Power of General Gas & Electric Corporation, File No. 54-102; Trustees of Associated Gas and Electric Corporation, File No. 54-76; General Gas & Electric Corporation, File Nos. 59-19; 54-34.

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (Agecorp Trustees), a registered holding company, and General Gas & Electric Corporation (Gengas), also a registered holding company and a subsidiary of the Agecorp Trustees, having jointly filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan of divestment of assets, simplification of corporate structure, and equitable distribution of voting power of Gengas; and

Florida Power Corporation, a subsidiary of Gengas, having joined in the plan to the extent of proposing the reclassification of its common stock; and

The Agecorp Trustees having consented to a divestment order, pursuant to section 11 (b) (1) of the act, of their interest, direct or indirect, in the reclassified common stock of Florida Power Corporation; and

The applicants having conditioned the consummation of the plan upon the entry by a court of competent jurisdiction of an appropriate decree finding the plan fair and equitable, and directing its consummation; and

The applicants having requested that the Commission enter an order finding that the transactions proposed in said plan are necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and that such order conform to the formal requirements of section 371, 373 (a), and 1808 (f) of the Internal Revenue Code, as amended, and contain the recitals, specifications, and limitations prescribed in section 371 (f) thereof;

The Commission having issued a notice of and order for hearing on said application, and having directed that the proceedings thereon should be consolidated with proceedings instituted therein under sections 11 (b) (2), 15 (f) and 20 (a) of the act with respect to General Gas & Electric Corporation; and

A public hearing having been held on such matters, after appropriate public notice, the Commission having considered the record in the matter and having made and filed its findings and opinion herein; and

The Commission having found that the proposed transactions are necessary to effectuate the provisions of section 11 (b) of said Act and are fair and equitable to the persons affected thereby, and that the proposed reclassification of the common stock of Florida Power Corporation will not result in an unfair or inequitable distribution of voting power among the security holders of Florida Power Corporation or is otherwise detrimental to the public interest or the interest of investors or consumers;

It is hereby ordered, That said plan be and the same hereby is approved, and the said declaration relating to the reclassification of the common stock of Florida Power Corporation, be and hereby is permitted to become effective, subject, however, to the conditions specified in Rule U-24 and that jurisdiction be, and hereby is, reserved over (1) all fees and expenses to be paid in connection with said plan; (2) the terms, rights and privileges of the new common stock of Gengas and the number of shares thereof; (3) all accounting entries to be made in connection with carrying out the plan; and (4) the determination of whether Gengas should be ordered to be dissolved.

It is further ordered, That this order shall not be operative to authorize the consummation of the transactions proposed in the plan until an appropriate United States District Court shall, upon application thereto, enter an order enforcing such plan.

It is further ordered, That jurisdiction be and hereby is reserved to the Commission to entertain such further proceedings, to make such supplemental findings, and to take such further action as it may deem appropriate in connection with the plan, the transactions incident thereto and the consummation thereof and, in the event the plan be not consummated, to enter such further orders as it may deem appropriate under sections 11 (b) (2), 15 (f) and 20 (a) of the Act.

It is further ordered, That the Agecorp Trustees divest themselves of all direct and indirect interest in and control over any and all properties and businesses of Florida Power Corporation and Georgia Power and Light Company, in any appropriate manner not in contravention of the applicable provisions of the act and the rules and regulations thereunder, within one year from the effective date of the plan or within such longer period (not to exceed one additional year) as may be permitted for good cause pursuant to section 11 (c) of the act.

It is further ordered and recited, That the following transactions authorized and permitted by this order was necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, these transactions being:

(1) The transfer and delivery by Gengas to public holders of its $5 Prior Preferred Stock for each share held of two shares of 5% Cumulative Preferred Stock $50 par value of South Carolina Electric & Gas Company, at par, dividends on both issues being adjusted as of the effective date of the plan, and the surrender and transfer to Gengas of its $5 Prior Preferred Stock by the public holders thereof;

(2) The transfer and delivery by Gengas to the public holders of its Cumulative Preferred Stock $6, $7 and $8 dividend series for each share held of 2.8 shares of 5% Cumulative Preferred Stock $50 par value of South Carolina Electric & Gas Company, at par, plus a sum in cash equivalent to the unpaid dividends on such cumulative preferred stock at contract rates from September 15, 1936 to the effective date of the plan, less (1) $40 and (2) any accrued dividends on the 2.8 shares of South Carolina Electric & Gas Company preferred stock, and the surrender and transfer to Gengas of its cumulative preferred stocks $6, $7 and $8 dividend series by the public holders thereof;

(3) The transfer and delivery by Gengas to the public holders of its Common Stocks Class A and B (including Stanley Clarke, Trustee of Associated Gas and Electric Company (Ageco) as holder of 35,377 shares of such Common Stock Class A registered in the name of Day & Co., as nominee), for each share held of $1.65 in cash and 1/5 of a share of Florida Power Corporation reclassified Common Stock, plus any dividends or other distributions made upon such Florida Power Corporation Common Stock subsequent to August 11, 1945, and the surrender and transfer to Gengas of its common stocks Class A and B by the public holders thereof;

(4) The transfer and surrender to Gengas by the Trustees of the Estate of Agecorp or their successor in interest of the following claims and securities of Gengas:

Claims	*Principal amount per books June 30, 1945*
Contingent tax liability	$2,500,000.00
Open account	485,826.82
6% Convertible obligation, due March 1, 1963	737,500.00
Accrued interest on open account and 6% convertible obligation, due March 1, 1963	403,697.53
4% Interest bearing scrip due Dec. 20, 1942 and accrued interest	1,247,228.77
Dividends withheld on $5.00 prior preferred stock	627,480.00
Total claims	6,001,733.17

Securities	*Shares outstanding held by the estate, June 30, 1945.*
Preferred stocks:	
$5.00 prior preferred stock and scrip	27,889.1
Of which 27,888.4 shares are registered in the name of Day & Co., as nominee.	
$6.00 cumulative preferred Stock, Series A	325,351
Of which 321,588 shares are registered in the name of Day & Co., as nominee.	
$6.00 cumulative preferred stock, Series B	277,021
Of which 274,404 shares are registered in the name of Day & Co., as nominee.	
$7.00 cumulative preferred stock, Series A	20,282.5
Of which 19,554.5 shares are registered in the name of Day & Co., as nominee.	
$8.00 cumulative preferred stock, Series A	12,314.5
Of which 11,917.5 shares are registered in the name of Day & Co., as nominee.	
Common stocks:	
Class A and scrip	2,621,912.123
Of which 2,618,548.4547 shares are registered in the name of Day & Co., as nominee, and 1,160 shares are registered in the name of Dean & Co., as nominee.	
Common stocks—Continued.	
Class B and scrip	3,036,985.225
Of which 3,036,531.525 shares are registered in the name of Day & Co., as nominee.	

(5) The issuance, transfer, and delivery by Gengas to the Trustees of the Estate of Agecorp or their successor in interest in exchange for the claims and securities listed in paragraph (4) above of the following:

(a) All the Florida Power Corporation reclassified Common Stock not distributable to public holders of Gengas Common Stocks Class A and B;

(b) The entire issue of a single class of new common stock of Gengas;

(c) Releases by Gengas to Agecorp and Ageco and their subsidiaries of all claims in favor of Gengas which may exist at the effective date of the plan.

(6) Any transfers or deliveries of the securities hereinabove enumerated which may be made by Day & Co. or Dean & Co., nominee partnerships, of any of said securities registered in the name of such nominee partnerships, in connection with any of the transactions hereinabove enumerated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-13708; Filed, July 26, 1945; 11:22 a. m.]

[File No. 70-838]

THE LAKE SHORE GAS CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING AND PERMITTING POST-EFFECTIVE AMENDMENT TO APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 24th day of July 1945.

Associated Electric Company ("Aelec"), a registered holding company, and its subsidiary, The Lake Shore Gas Company ("Lake Shore"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, regarding the proposed sale of Aelec's entire interest in Lake Shore, the proposed acquisition by Aelec of certain assets of Lake Shore, and related matters; and

The Commission having, on September 15, 1944, after notice and hearing, entered its supplemental order granting and permitting the application-declaration, as then amended, to become effective and releasing the jurisdiction theretofore reserved (Holding Company Act Release No. 5293); and

Such application-declaration, as amended, having identified the proposed purchaser of Aelec's interest in Lake Shore as Malvern Hill; and

Aelec having filed a post-effective amendment in which it is stated that said Malvern Hill has assigned his right,

title and interest in the agreement of sale to five persons, namely, Sadie R. Harris, Gladys L. Mikesell, Helen Wideman, Rosella Madden and Agnes V. Dolan; and

The Commission observing no reason for making adverse findings under section 12 (d) of the act, or Rule U-44 promulgated thereunder, with respect to such post-effective amendment, and finding that it is appropriate to grant and permit the application-declaration, as thus amended, to become effective.

It is ordered, That such post-effective amendment be and hereby is granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-13709; Filed, July 26, 1945; 11:22 a. m.]

SURPLUS PROPERTY BOARD.

[SPB Reg. 3,[1] Order 9]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN STATES OF DELAWARE, MARYLAND, AND VIRGINIA

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in New Castle, Kent, and Sussex Counties, Delaware; in Cecil, Queen Annes, Kent, Caroline, Talbot, Dorchester, Wicomico, Somerset, and Worcester Counties, Maryland; and in Accomac and Northampton Counties, Virginia; by a shortage of one-half-ton and one-and-one-half-ton trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in New Castle, Kent, and Sussex Counties, Delaware; in Cecil, Queen Annes, Kent, Caroline, Talbot, Dorchester, Wicomico, Somerset, and Worcester Counties, Maryland; and in Accomac and Northampton Counties, Virginia, and holding certificates of the Agricultural Adjustment Agency, 100 one-and-one-half-ton cargo trucks, and shall without regard to the requirements of Part 8202,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13711; Filed, July 26, 1945; 11:03 a. m.]

[1] 10 F.R. 5325.
[2] SPB Reg. 2, 10 F.R. 5104, 8911.

[SPB Reg. 3,[1] Order 10]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN THE STATE OF NEW JERSEY

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Monmouth, Burlington, Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties, New Jersey, by a shortage of one-and-one-half-ton and pick-up trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Monmouth, Burlington, Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties, New Jersey, and holding certificates of the Agricultural Adjustment Agency, 64 one-and-one-half-ton trucks, and 4 pick-up trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13712; Filed, July 26, 1945; 11:03 a. m.]

[SPB Reg. 3,[1] Order 11]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN STATES OF TEXAS AND OKLAHOMA

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Lamar, Red River, and Bowie Counties, Texas, and Choctaw and McCurtain Counties, Oklahoma, and in Cameron, Hidalgo, Starr, and Willacy Counties, South Texas, by a shortage of one-and-one-half-ton cab-and-chassis, platform, carryall, pick-up, and cargo type trucks; *It is hereby ordered*, That:

The Department of Commerce as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Lamar, Red River, and Bowie Counties, Texas, and Choctaw and McCurtain Counties, Oklahoma, and holding certificates of the Agricultural Adjustment Agency, 11 one-and-one-half-ton cab-and-chassis platform, carryall, and pick-up type trucks, and to farmers and farmers' cooperative associations located in Cameron, Hidalgo, Starr, and Willacy Counties, South Texas, and holding certificates of the Agricultural Adjustment Agency, 17 cargo type trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13713; Filed, July 26, 1945; 11:03 a. m.]

[SPB Reg. 3,[1] Order 12]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN PARISHES IN STATE OF LOUISIANA, AND IN CERTAIN COUNTIES IN THE STATE OF ARKANSAS

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Arcadia, Jefferson Davis, Iberia, Pointe Coupee, and St. Landry Parishes, Louisiana, and in Pike, Hoard, Sevier, Logan, Hempstead, Johnson, and Franklin Counties, Arkansas, by a shortage of one-and-one-half-ton cargo-stake-and-platform, cargo, weapon carrier, and platform type trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Arcadia, Jefferson Davis, Iberia, Pointe Coupee, and St. Landry Parishes, Louisiana, and holding certificates of the Agricultural Adjustment Agency, 25 one-and-one-half-ton cargo-stake-platform, cargo, and weapon carrier type trucks, and to farmers and farmers' cooperative associations located in Pike, Hoard, Sevier, Logan, Hempstead, Johnson, and Franklin Counties, Arkansas, and holding certificates of the Agricultural Adjustment Agency, 35 cargo and platform type trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13714; Filed, July 26, 1945; 11:03 a. m.]

[SPB Reg. 3,[1] Order 13]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN STATE OF NORTH CAROLINA

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Avery, Beaufort, Bertie, Bladen, Buncombe, Cabarrus, Carteret, Clay, Currituck, Edgecombe, Halifax, Haywood, Hertford, Northampton, Pasquotank, Scotland, Wake, Washington, and Wayne Counties, North Carolina, by a shortage of one-half-ton and one-and-one-half-ton trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Avery, Beaufort, Bertie, Bladen, Buncombe, Cabarrus, Carteret, Clay, Currituck, Edgecombe, Halifax, Haywood, Hertford, Northampton, Pasquotank, Scotland, Wake, Washington, and Wayne Counties, North Carolina, and holding certificates of the Agricultural Adjustment Agency, 100 one-and-one-half-ton cargo trucks, 22 one-half-ton pick-up trucks, and 10 one-and-one-half-ton stake body trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13715; Filed, July 26, 1945; 11:03 a. m.]

[SPB Reg. 3,[1] Order 14]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN STATE OF TENNESSEE

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Coffee, Bedford, Davidson, Franklin, Lincoln, Marshall, Rutherford, and Warren Counties, Tennessee, by a shortage of one-and-one-half-ton and one-half-ton trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Coffee, Bedford, Davidson, Franklin, Lincoln, Marshall, Rutherford, and Warren Counties, Tennessee, and holding certificates of the Agricultural Adjustment Agency, 26 one-and-one-half-ton cargo trucks, and 1 one-half-ton pick-up truck, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13716; Filed, July 26, 1945; 11:02 a. m.]

[SPB Reg. 3,[1] Order 15]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN STATE OF TEXAS

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Camp, Cass, Shelby, Upshur, Titus, Morris, Wood, Smith, Marion, Harrison, Gregg, Franklin, Rusk, Panola, Cherokee, and Nacogdoches Counties, Texas, by a shortage of one-and-one-half-ton and three ton hydraulic-dump, cab-and-chassis, and pick-up type trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Camp, Cass, Shelby, Upshur, Titus, Morris, Wood, Smith, Marion, Harrison, Gregg, Franklin, Rusk, Panola, Cherokee, and Nacogdoches Counties, Texas, and holding certificates of the Agricultural Adjustment Agency, 35 one-and-one-half-ton and three ton hydraulic-dump, cab-and-chassis, and pick-up type trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13717; Filed, July 26, 1945; 11:02 a. m.]

[SPB Reg. 3,[1] Order 16]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN STATE OF TEXAS

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Collin, Cooke, Delta, Denton, Fannin, Grayson, Hopkins, Hunt, and Rains Counties, Texas, by a shortage of one-and-one-half-ton hydraulic-dump, cargo-stake-and-platform, pick-up, cargo, and platform type trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Collin, Cooke, Delta, Denton, Fannin, Grayson, Hopkins, Hunt, and Rains Counties, Texas, and holding certificates of the Agricultural Adjustment Agency, 38 one-and-one-half-ton hydraulic-dump, cargo-stake-and-platform, pick-up, cargo, and platform type trucks, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13718; Filed, July 26, 1945; 11:02 a. m.]

[SPB Reg. 3,[1] Order 17]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN STATES OF COLORADO AND WYOMING

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Phillips, Yuma, Washington, Arapahoe, Douglas, Elbert, Lincoln, Kit Carson, El Paso, Cheyenne, Kiowa, and Baca Counties, Colorado, and Goshen, Laramie, and Platt Counties, Wyoming, by a shortage of one-half-ton and one-and-one-half-ton trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Phillips, Yuma, Washington, Arapahoe, Douglas, Elbert, Lincoln, Kit Carson, El Paso, Cheyenne, Kiowa, and Baca Counties, Colorado, and Goshen, Laramie, and Platt Counties, Wyoming, and holding certificates of the Agricultural Adjustment Agency, 177 one-and-one-half-ton cargo trucks, 4 one-and-one-half-ton combination stake and panel trucks, 4 one-and-one-half-ton dump trucks, 8 one-half-ton weapon carrier trucks, and 2 one-half-ton pick-up trucks, and to farmers and farmers' cooperative associations located in Goshen, Laramie, and Platt Counties, Wyoming, and holding certificates of the Agricultural Adjustment Agency, 118 one-and-one-half-ton cargo trucks, 3 one-and-one-half-ton dump trucks, 2 one-and-one-half-ton combination stake and panel trucks, and 5 one-half-ton weapon carrier trucks, and shall without regard to the requirements of Part 8302,[2] take immediate steps to so dispose of

such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13720; Filed, July 26, 1945; 11:02 a. m.]

[SPB Reg. 3, Order 18]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN DOUGLAS AND OKANOGAN COUNTIES, WASH.

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Douglas and Okanogan Counties, Washington, by a shortage of one-half-ton, one-and-one-half-ton, and two-ton trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Douglas and Okanogan Counties, Washington, and holding certificates of the Agricultural Adjustment Agency, 23 one-half-ton weapon carrier trucks, 7 one-half-ton pick-up trucks, 1 one-and-one-half-ton chassis with cab truck, 11 one-and-one-half-ton flatbed trucks, 1 one-and-one-half-ton stake truck, 1 one-and-one-half-ton cargo truck, and 1 two-ton flatbed truck, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13720; Filed, July 26, 1945; 11:02 a. m.]

[SPB Reg. 3, Order 19]

TRUCKS

ALLOCATION FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN STATE OF VIRGINIA

Pursuant to § 8303.4 and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in Caroline, Essex, Lancaster, Middlesex, Northumberland, Richmond, and Westmoreland Counties, Virginia, by a shortage of one-half-ton, three-fourth-ton, and one-and-one-half-ton trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in Caroline, Essex, Lancaster, Middlesex, Northumberland, Richmond, and Westmoreland Counties, Virginia, and holding certificates of the Agricultural Adjustment Agency, 6 one-and-one-half-ton stake-body trucks, 1 one-and-one-half-ton cab-and-chassis truck, 7 one-half-ton and 1 three-fourth-ton pick-up trucks, 3 one-and-one-half-ton cargo trucks, 1 one-and-one-half-ton panel truck, and 1 one-and-one-half-ton dump truck, and shall without regard for the requirements of Part 8302,[2] take immediate steps to so dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 21, 1945.

[F. R. Doc. 45-13721; Filed, July 26, 1945; 11:02 a. m.]

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[1] 10 F.R. 5325.
[2] SPB Reg. 2, 10 F.R. 5104, 6911.

THE TAX COURT OF THE UNITED STATES.

EXAMINATION FOR ADMISSION

NOTICE OF POSTPONEMENT

Pursuant to various requests recently received from the Director of Defense Transportation that civilian travel be subordinated to military travel during this present critical period and that governmental conferences, meetings, and the like, be reduced to the barest minimum, the Court hereby gives formal notice that it has postponed the examination for admission under Rule 2 (26 CFR, Cum. Supp., 701.2), scheduled for the second Wednesday in September, 1945, to the second Wednesday in April, 1946.

Dated: July 25, 1945.

[SEAL] BOLON B. TURNER,
Presiding Judge,
The Tax Court of the United States.

[F. R. Doc. 45-13681; Filed, July 26, 1945; 10:10 a. m.]

WAR MANPOWER COMMISSION.

[Amdt. 1]

COLORADO

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for State of Colorado, as amended, dated January 25, 1945, (10 F.R. 7077) is hereby amended as follows:

The application of the provisions of the employment stabilization program for State of Colorado, as amended, as applicable to administrative area No. 2 comprised of the following counties: Larimer, Weld, Boulder, Jackson, Morgan, Logan, Sedgwick, Phillips, Washington and Yuma, is hereby suspended indefinitely effective 12:01 a. m. July 20, 1945.

Dated: July 18, 1945.

L. A. WEST,
State Manpower Director for Colorado.

Approved: July 18, 1945.

JOHN E. GROSS,
Regional Director XI,
War Manpower Commission.

[F. R. Doc. 45-13634; Filed, July 26, 10:28 a. m.]

[Amdt. 1]

MERIDEN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Meriden, Connecticut Area (9 F.R. 10740) is hereby amended as follows:

1. Paragraph 1 of section 5 is hereby deleted, effective July 16, 1945 and the following inserted:

(1) No employer in the Meriden Area shall hire any new male worker (a) upon referral by, or in accordance with arrangements made with the United States Employment Service. No employer in the Meriden Area shall hire without a Statement of Availability any new female worker who has been employed in an essential or locally necessary activity within the preceding 60 days.

2. Paragraph 2 of section 5 is hereby amended by inserting after the word "referral" the following: "and statements of availability"

Dated: July 10, 1945.

GEORGE J. COYLE,
Area Director.

Approved: July 13, 1945.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 45-13685; Filed, July 26, 10:28 a. m.]

WAR SHIPPING ADMINISTRATION.

REQUISITIONED YUGOSLAVIAN VESSEL "VICKO FERRIC" (NOW "FLIGHT COMMAND")

NOTICE OF DEPOSIT OF JUST COMPENSATION FOR RADIO EQUIPMENT

Notice is hereby given that, pursuant to the provisions of section 1 of the act of June 6, 1941, as amended (Public Law 101, 77th Congress, 55 Stat. 242; Public Law 17, 78th Congress, 57 Stat. 45) and Executive Order 9054 of February 7, 1942, the War Shipping Administrator, on June 29, 1945, deposited with the Treasurer of the United States the amount of $1,454.40, representing 5/60, as just compensation for the radio equipment which was aboard the former Yugoslavian vessel "Vicko Ferric" (now) to which was requisitioned by the Administrator, War Shipping Administration on July 9, 1942.

The attention of interested parties is invited to the provisions of said section 1 concerning claims against the said equipment which existed at the time of requisition.

Date: July 20, 1945.

By Order of the War Shipping Administrator.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 45-13686; Filed, July 26, 1945; 10:39 a. m.]

AUG 1 '45

FEDERAL REGISTER

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

VOLUME 10 NUMBER 150

Washington, Saturday, July 28, 1945

The President

EXECUTIVE ORDER 9593

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE SPRINGFIELD PLYWOOD CORPORATION, LOCATED AT SPRINGFIELD, OREGON

WHEREAS after an investigation I find and proclaim that the plants and facilities of the Springfield Plywood Corporation, located at Springfield, Oregon, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Springfield Plywood Corporation, located at Springfield, Oregon, and, to the extent that he may deem necessary, of any real or personal property, and other assets wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Springfield Plywood Corporation, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof, and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of War shall operate the said plants and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of Section 5 of the War Labor Disputes Act.

3. The Secretary of War shall permit the management of the plants and facilities taken under the provisions of this order to continue with its managerial functions to the maximum degree possible, consistent with the aims of this order.

4. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein, and their families and homes. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Secretary of War to the fullest extent possible in carrying out the purposes of this order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruptions of production, re-

(Continued on p. 9381)

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

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ferred to in recitals of this order, has been restored.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 25, 1945.

[F. R. Doc. 45-13806; Filed, July 27, 1945; 10:18 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Department of Agriculture, Commodity Credit Corporation

PART 262—BEEF CATTLE PRODUCTION PAYMENTS

OFFER TO MAKE BEEF CATTLE PRODUCTION PAYMENTS

The offer to make beef cattle production payments (10 F.R. 7081) issued June 11, 1945, is hereby amended in the following respects:

1. Section 262.1 is amended to read as follows:

§ 262.1 *Introduction.* In an effort to maintain and increase the production of beef, the United States Department of Agriculture, through Commodity Credit Corporation (herein called "Commodity"), a corporate agency of the United States, pursuant to this announcement, hereby offers to make beef cattle production payments to eligible feeders and feeder-slaughterers of beef cattle for the period beginning May 19, 1945, and ending June 30, 1946, all in the manner and subject to the terms and conditions specified in this offer.

2. Section 262.8 is amended to read as follows:

§ 262.8 *Right to declare claims invalid.* Commodity shall have the right to declare invalid in whole or in part, any claim which is not in compliance with the terms and conditions of this offer and any claim filed by an applicant who, in the judgment of the Price Administrator, has wilfully violated any meat or livestock regulation or order issued by the Price Administrator. Commodity shall also have the right to declare invalid, in whole or in part, any claim filed by an applicant concerning whom the Office of Price Administration has certified that in any civil action or proceeding (including a proceeding before a hearing commissioner) against such applicant it has been determined that the applicant has violated any substantive provision of any meat or livestock regulation or order issued by the Price Administrator. If such determination is finally reversed, payment withheld under this section will be made by Commodity.

This amendment shall become effective July 26, 1945.

(56 Stat. 767; Pub. Law 39, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, O.E.S. Dir. 55, 10 F.R. 6595, 8906)

Issued this 26th day of July 1945.

[SEAL] COMMODITY CREDIT CORPORATION,
By R. W. MAYCOCK,
Vice-President.

Attest:

MARGARET W. SAMUELS,
Assistant Secretary.

[F. R. Doc. 45-13795; Filed, July 26, 1945; 3:20 p. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders

[WFO 141]

PART 1468—GRAIN

RESTRICTIONS ON DISTRIBUTION AND USE OF GRAIN

The fulfillment of requirements for war and essential civilian needs has created a shortage in the supply of grain for war needs, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.11 *Distribution and use of grain for alcohol, alcoholic beverages and spirits*—(a) *Definitions.* (1) "Grain" means corn, wheat, grain sorghums, barley, rye, granular wheat flour, granular rye flour, or any other grain or grain product used by a distiller in the manufacture of alcohol or alcholic beverages or spirits.

(2) "Corn" means yellow, white, or mixed shelled corn, or snap corn, of the dent or flint varieties, in any form, whether whole or crushed or mixed with other grains.

(3) "Distiller" means any person engaged in the business of manufacturing alcohol or alcoholic beverages or spirits by any process which includes distillation.

(4) "Registered distillery" means a plant established and operated under Internal Revenue laws and regulations for the production of distilled spirits.

(5) "Industrial alcohol plant" means a plant established and operated under Internal Revenue laws and regulations for the production of industrial alcohol.

(6) "Ethyl alcohol" means that substance known as ethyl alcohol, hydrated oxide of ethyl or spirits of wine, from whatever source or process produced, having a proof of 160 degrees or more; but does not include the substance commonly known as whiskey, brandy, rum or gin or other spirits produced at registered distilleries or fruit distilleries operated under Bureau of Internal Revenue Regulations 4 and 5.

(7) "Butyl alcohol" means that substance known as butyl alcohol or hydrated oxide of butyl, derived by fermentation.

(8) "Export" means to ship corn to a foreign country, or to sell corn to the government of a foreign country or to any buyer whose principal place of business is in a foreign country.

(9) "Foreign country" shall not include the Philippine Islands.

(10) "Futures contract" means a contract of sale for the future delivery of corn traded in on any contract market designated under the Commodity Exchange Act, 7 U.S.C. 1–17a.

(11) "Accept delivery" means to receive custody, control, physical possession, or legal title.

(12) "Feed recovery plant" means any facility of a distiller which may be used to recover livestock feed from the by-products of the manufacture of alcohol or alcoholic beverages or spirits.

(13) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(14) "Director" means the Director of Basic Commodities, Commodity Credit Corporation, United States Department of Agriculture.

(b) *Use of grain for alcohol, alcoholic beverages and spirits.* Unless otherwise authorized by the Director, no distiller shall use corn or corn products for the manufacture of ethyl alcohol except as the production of ethyl alcohol results from the manufacture of butyl alcohol or butyl solvents, and no distiller shall use grain or grain products for the manufacture of distilled spirits for beverage purposes, provided that:

(1) In the case of registered distilleries, beer entering the beer well after 12:01 a. m., August 1 and until 11:59 p. m. August 6, if derived from grain other than corn or corn products, may be distilled and the spirits produced therefrom may be removed for beverage purposes, pursuant to Internal Revenue laws and regulations.

(2) In the case of Industrial Alcohol Plants with basic distillers' Federal Alcohol Administration Act permits, beer entering the beer well after 12:01 a. m., August 1 and until 11:59 p. m., August 3, if derived from grain other than corn or corn products, may be distilled and the spirits produced therefrom may be removed for beverage purposes, pursuant to Internal Revenue laws and regulations.

(c) *Purchase, sale and delivery of corn.* No person shall sell or contract to sell corn to any distiller, and no distiller or any person acting on behalf of a distiller shall purchase, contract to purchase, or accept delivery of corn, *Provided, however,* That the provisions of this paragraph (c) shall not apply to corn purchased, sold or delivered under a futures contract or for the manufacture of butyl alcohol.

(d) *Export of corn.* No person shall export corn to a foreign country or purchase or contract to purchase corn for export to a foreign country.

(e) *Recovery of feed by-products.* No distiller with a feed recovery plant shall use any grain in the manufacture of alcohol or alcoholic beverages or spirits by any process which includes distillation, unless all feed by-products from grain so processed be recovered up to the maximum capacity of such plant.

(f) *Existing contracts.* The provisions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(g) *Records and reports.* (1) Every distiller shall, on or before August 11, 1945, file a report of his daily mash bills covering all days during which he produced distilled spirits for beverage purposes pursuant to the provisions of this order.

(2) Every person subject to this order shall, for at least one year or for such period of time as the Director may designate, maintain an accurate record of his transactions in grain.

(3) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records, and other writings, premises, or stocks of grain, grain products, alcohol, alcoholic beverages or spirits of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using grain, grain products, alcohol, alcoholic beverages or spirits. Any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 141, Office of Basic Commodities, Commodity Credit Corporation, United States Department of Agriculture, Washington 25, D. C.

(m) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(n) *Effective date.* This order shall become effective at 12:01 a. m., August 1st, 1945, and shall supersede in all respects War Food Order No. 132 (10 F. R. 7237) and War Food Order No. 138 (10 F. R. 8648). With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 132 or War Food Order No. 138, all provisions of said War Food Order No. 132 and War Food Order No. 138 shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 26th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13820; Filed, July 27, 1945; 11:10 a. m.]

[WFO 131-1, Amdt. 2]

PART 1430—SUGAR

REVISED DISTRIBUTION QUOTAS FOR APRIL–SEPTEMBER 1945 QUOTA PERIOD.

War Food Order No. 131-1, as amended (10 F.R. 7132, 8201), is further amended by deleting the table which appears in Appendix A and substituting in lieu thereof the following:

	U. S. Department of Agriculture	Government agencies other than U.S.D.A. and W.S.A.	Authorized purchasers	Civilian
Atlantic and Gulf refiners:				
American Sugar Refg. Co.	15,600	112,504	52,157	541,666
J. Aron & Co.		6,187	1,891	25,961
Colonial Sugars, Inc.	4,120	11,581	2,078	59,217
Godchaux Sugars, Inc.	2,500	19,406	7,346	94,132
Henderson Sugar Refinery		5,474	2,565	27,627
Imperial Sugar Co.	2,240	15,932	5,844	71,323
National Sugar Refg. Co.	12,000	68,961	33,502	329,625
Pepsi-Cola Co.			1,497	16,740
Refined Syrups & Sugars, Inc.	2,309	10,022	8,084	77,036
Revere Sugar Refinery	2,000	18,591	7,659	78,857
Savannah Sugar Refinery	1,501	18,856	6,840	80,582
South Coast Corporation	1,931	2,789	2,023	27,407
Sterling Sugars, Inc.		1,170	1,566	17,540
Sugar Corporation of Am.		21,861	2,200	41,607
West coast refiners:				
Calif. & Hawaiian Sugar Refining Corp.	6,864	30,413	26,972	297,147
Western Sugar Refinery	5,534	11,368	7,381	69,726
Inland refiners:				
Chase Candy Co.			69	1,749
Inland Sugar Co.			612	6,885
Liquid Sugars, Inc.		3,750	2,614	8,617
Realty Operators, Inc.		50	371	11,962
Beet sugar companies:				
Amalgamated Sugar Co.		2,900	3,378	29,326
American Crystal Sugar Co.		748	5,037	66,125
Buckeye Sugar Co.			3	41
Franklin County Sugar Co.		457	77	1,165
Garden City Co.		100	264	2,864
Great Lakes Sugar Co.			14	231
Great Western Sugar Co.		1,745	16,661	151,925
Holly Sugar Corp.		1,100	5,422	63,400
Idaho Sugar Co.			49	772
Lake Shore Sugar Co.			60	1,083
Layton Sugar Co.		114	180	3,020
Los Alamitos Sugar Co.		275	250	5,924
Menominee Sugar Co.			10	232
Michigan Sugar Co.			77	3,437
Monitor Sugar Co.			3	72
National Sugar Mfg. Co.		44	421	5,157
Southeastern (Franklin County Sugar Co.)			1	12
Spreckels Sugar Co.		2,243	5,016	58,327
Superior Sugar Ref. Co.			70	1,274
Union Sugar Co.		253	2,872	8,870
Utah-Idaho Sugar Co. (incl. Gunnison)		1,060	3,711	46,712
Importers of direct-consumption sugar:				
Cuban-American Mercantile Corp.		994	1,370	24,858
Czarnikow-Rionda Sugar Co.		3,500	2,133	24,309
Dyer Sugar Co.		2,028	1,481	15,001
Elal Commercial				440
Farr & Co.			201	1,251
M. Golodetz & Co.			242	2,080
Hershey Sugar Sales Corp.		3,039	6,162	96,267
Lamborn & Co., Inc.		494	2,851	45,984
Lombard & Co.		633	970	11,885
Marimpo Sugar Trading Corp.		300	349	23,201
Milnford & Co.		295	1,301	16,291
Olivarria & Co.		941	7,107	82,151
Revere Sugar Refinery			49	925
Mainland cane mills				(1)

[1] Stocks on hand April 1, 1945.

This amendment shall become effective at 12:01 a. m., e. w. t., July 27, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 131-1, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 131, 10 F.R. 7131)

Issued this 26th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13796; Filed, July 26, 1945; 3:20 p. m.]

[WFO 44, Amdt. 11]

PART 1465—FISH AND SHELLFISH

RESTRICTIONS ON 1945 PACK OF CANNED FISH

War Food Order No. 44, as amended (9 F.R. 7361, 9584, 10624; 10 F.R. 103, 555, 3277, 5713, 7963), is further amended by deleting from § 1465.20 (b) (1) the provisions contained in class 10 and inserting, in lieu thereof, the following:

Class 10. Cod (Gadus callarias) or haddock (Melanogrammus aeglefinus) when processed and canned as the commercial product commonly known and sold under the name of fish flakes. (For the period May 20, 1945, to March 31, 1946, inclusive.)

This order shall become effective at 12:01 a. m., e. w. t., July 27, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 44, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 44, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 26th day of July 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13794; Filed, July 26, 1945; 3:20 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 344]

REPEAL OF CERTAIN SPECIAL CIVIL AIR REGULATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of July 1945.

Effective July 24, 1945, Special Civil Air Regulations Serial Numbers 227 (7 F.R. 4445), 242 (7 F.R. 8725), 247 (7 F.R. 10423), 274 (8 F.R. 6589), 279 (8 F.R. 10653), 295 (8 F.R. 17473), 304 (9 F.R. 4075), 307 (9 F.R. 5944) are hereby repealed.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-13706; Filed, July 26, 1945; 11:16 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51284]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

INVOICE; GRAIN AND SCREENINGS

Additional information required on invoices covering cultivated grain or grain and screenings. Section 8.13 (i), Customs Regulations of 1943, amended.

In addition to all other information required by law or regulations, customs invoices for cultivated grain or grain and screenings shall contain a statement that no screenings are included with the grain, if such is the case, or the percentage of the shipment which consists of screenings commingled with the principal grain.

This requirement shall be effective as to invoices certified after 30 days after the publication of this document in the weekly Treasury Decisions. (Sec. 481 (a) (10), 46 Stat. 719; 19 U.S.C. 1481 (a) (10))

Section 8.13 (i), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.13 (i)), as redesignated by T. D. 51059, is hereby amended by adding the following to the list of merchandise in connection with which additional information is required to be furnished on invoices and by placing opposite such addition the number and date of this Treasury decision:

Grain or grain and screenings.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: July 25, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13805; Filed, July 27, 1945; 10:15 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 58—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

TRAVEL BETWEEN U. S. AND CANADA, NEWFOUNDLAND OR LABRADOR

Pursuant to the authority vested in me by section 1 of Proclamation 2523 of the President, issued on November 14, 1941 (6 F.R. 5821) under authority of section 1 of the act of Congress approved May 22, 1918 (40 Stat. 559; 22 U.S.C. 223), as amended by the act of Congress of June 21, 1941 (55 Stat. 252; 22 U.S.C. 223, Sup.), § 58.3 of the regulations issued on November 25, 1941, as amended, is further amended by the substitution of a new paragraph for paragraph (b), as follows:

§ 58.3 *Exceptions to regulations in §§ 58.1–58.2.* * * *

(b) When traveling between points in the continental United States and points in Canada or Newfoundland, including Labrador, or any island adjacent thereto: *Provided*, That this exception shall not be applicable to any such person when traveling to or arriving from a place outside the continental United States via Canada or Newfoundland, or Labrador, or any island adjacent thereto for which a valid passport is required under these rules and regulations; or

* * * * * * *

[SEAL] JOSEPH C. GREW,
Acting Secretary of State.

JULY 25, 1945.

[F. R. Doc. 45-13829; Filed, July 27, 1945; 11:11 a. m.]

TITLE 29—LABOR

Chapter IX—Department of Agriculture (Agricultural Labor)

[Supp. 56, Amdt. 1]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN HARVESTING POTATOES IN CERTAIN IDAHO COUNTIES

Supplement 56 (10 F.R. 8812) is amended as follows:

I. The phrase "Picking of potatoes" appearing at the beginning of subparagraph (b) (1) shall read as follows:

(1) Picking of potatoes, including vine shaking:

II. Subparagraph (b) (3) shall read as follows:

(3) Bucking potatoes, consisting of loading in field from ground to carrier, transporting to point of unloading and return to field for reloading, 4¢ per 100-pound sack, plus ¼¢ per 100-pound sack for each mile or fraction thereof transported in excess of 4 miles.

This Amendment 1 to Supplement 56 shall be effective 12:01 a. m., Mountain war time, July 30, 1945.

Issued this 27th day of July 1945.

[SEAL] K. A. BUTLER,
Acting Director of Labor, U. S. Department of Agriculture.

[F. R. Doc. 45-13822; Filed, July 27, 1945; 11:10 a. m.]

[Supp. 52, Amdt. 2]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN HARVESTING WHEAT AND DRY PEAS AND IN PERFORMING GENERAL FARM LABOR ON WHEAT AND PEA FARMS DURING HARVEST SEASON IN CERTAIN WASHINGTON COUNTIES

Supplement 52 (10 F.R. 7336, 8812) is amended as follows:

Subparagraph (c) (2) (ii) is amended to read as follows:

(ii) Tractor driver—$15 per day plus board.

This Amendment 2 to Supplement 52 shall be effective at 12:01 a. m., Pacific war time, July 30, 1945.

Issued this 27th day of July 1945.

[SEAL] K. A. BUTLER,
Acting Director of Labor, U. S. Department of Agriculture.

[F. R. Doc. 45-13821; Filed, July 27, 1945; 11:10 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 72]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G–Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept of Comm. Schedule B. No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	Paper, Related Products and Manufactures				
473960	Fiber insulation board, 7/16" and over in thickness, except quilt or blanket types (include of cane or other fiber) (report quilt or blanket types-but-in 475900)	None	100	25	25
473980	Wallboard of paper or pulp, 1/8" to less than 7/16" in thickness (include of cane and other fiber) except Rocklath paper	None	100	25	25
	Other Nonmetallic Minerals, including Precious				
518500	Gypsum and Manufactures of. Plaster board and wallboard	None	100	25	25
	Steel Mill Products				
659198	Mattress and furniture springs (include spring components)	K&M	100	[1] 100	25
	Electrical Machinery and Apparatus				
707400	Heating elements for industrial heating devices, n. e. s. (report electric industrial melting and refining furnace parts under 707410 and electric industrial heat-treating furnace parts under 707420)	K&M	100	[1] 100	25
	Construction and Conveying Machinery				
724600	Elevators and parts, except dumb waiters and parts	K&M	100	25	25
729100	Escalators and parts	K&M	100	25	25
	Other Industrial Machinery				
762500	Paper and pulp-mill machinery and parts	K&M	100	25	25
762800	Paper-converting machinery and parts:				
762800	Beater bars, for manufacture of roofing felt paper	K&M	100	25	25
762800	Creping machinery and parts	K&M	100	25	25
762800	Egg case filler making machinery and parts	K&M	100	25	25
762800	Envelope lining machinery and parts	K&M	100	25	25
762800	Envelope making machinery and parts	K&M	100	25	25
762800	Gumming machinery and parts	K&M	100	25	25
762800	Indexing devices and parts for paper making	K&M	100	25	25
762800	Knotting machinery and parts	K&M	100	25	25
762800	Pulp molding machinery and parts	K&M	100	25	25
762800	Pulp pressing machinery and parts	K&M	100	25	25
762800	Reeling machinery and parts	K&M	100	25	25
762800	Rewinding machinery and parts	K&M	100	25	25
762800	Slitting machinery and parts	K&M	100	25	25
762800	Twisting machinery and parts	K&M	100	25	25
762800	Varnishing machinery and parts	K&M	100	25	25
762800	Other paper-converting machinery and parts, except paper bag and container making machinery and parts and stencil cutting machinery and parts	None	100	25	25
	Printing and Bookbinding Machinery				
779000	Typesetting machines	K&M	100	25	25
779100	Printing presses	K&M	100	25	25
779800	Bookbinding machinery, accessories and parts:				
779800	Repair parts	K&M	100	25	25
779800	Parts other than repair	K&M	100	25	25
779800	Bookbinding machinery and accessories	K&M	100	25	25
779500	Other printing and typesetting machinery, parts and accessories:				
779500	Repair parts	K&M	100	25	25
779500	Parts other than repair	K&M	100	25	25
779500	Other printing and typesetting machinery and accessories	K&M	100	25	25

[1] GLV value limit for shipments to Argentina $25.

Dept. of Comm. Schedule B. No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	Agricultural Machinery and Implements				
781200	Lawn mowers, hand and power	K&M	100	[1] 100	25
	Industrial Chemicals				
899100	Freon	K	100	25	25
	Photographic and Projection Goods				
900950	Motion-picture cameras standard gauge (35 mm.)	K&M	100	[1] 100	25
900130	Motion-picture cameras, substandard gauge (16 mm.)	K&M	100	[1] 100	25
900238	Photoengraving cameras	K&M	100	25	25
902900	Microphone booms for motion picture equipment other than 35 mm	K&M	100	[1] 100	25
	Miscellaneous Office Supplies				
930000	Mechanical pencils:				
930100	Of plastic material (cellulose acetate, nitrocellulose and synthetic resins)	K&M	100	[1] 100	25
930200	Of other materials	K&M	100	[1] 100	25
930000	Fountain and stylographic pens:				
930000	Of plastic materials (cellulose acetate, nitrocellulose, and synthetic resins):				
930000	Fountain pens	K&M	100	[1] 100	25
930000	Stylographic pens	K&M	100	[1] 100	25
931000	Of other materials:				
931000	Fountain pens	K&M	100	[1] 100	25
931000	Stylographic pens	K&M	100	[1] 100	25
931000	Metallic pen points:				
931000	Nib assemblies, with nibs of gold	K&M	100	[1] 100	25
931000	Paper clips, clamps and fasteners	K&M	100	[1] 100	25
939000	Pencil sharpeners, desk	K&M	100	[1] 100	25
939000	Punches and perforators	K&M	100	[1] 100	25
939000	Staple removers	K&M	100	[1] 100	25
939000	Thumbtacks	K&M	100	[1] 100	25
	Miscellaneous Commodities, N. E. S.				
957200	Mantel novelty and wall clocks	K&M	100	[1] 100	25
957900	Other clocks and parts, except 1-day alarm clocks (include parts of electric clocks)	K&M	100	[1] 100	25

Shipments of any of the above commodities removed from general license or whose GLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

This amendment shall become effective immediately upon publication except that with respect to commodities removed from general license or whose GLV dollar value limits have been reduced, it shall become effective on August 2, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 21, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13789; Filed, July 26, 1945; 1:33 p. m.]

[Amdt. 73]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept. of Comm. Schedule B. No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	STEEL MILL PRODUCTS				
609800	Staples for industrial staplers	K&M	100	[1] 100	25
	IRON AND STEEL MANUFACTURES				
611200	Metal safety razors (include razors with metal heads and plastic or metal handles incorporating a guard which prevents cutting of the skin. If the head consists of two parts, one of which is metal, it is then a metal head)	K&M	100	[1] 100	25
611300	Safety-razor blades	K&M	100	[1] 100	25
611900	Straight razors	K&M	100	[1] 100	25
614400	Kerosene cooking stoves	None	None	None	None
617898	Industrial staplers and parts	K&M	100	[1] 100	25
619510	Bathroom scales, automatic (include health and personal weighing scales)	K&M	100	25	25
619590	Other automatic scales (include household and baby scales)	K&M	100	25	25
619800	Other scales and balances (report precision scales, laboratory balances and weights in 619700)	K&M	100	25	25
620998	Grease cups	K&M	100	25	25
620998	Oilers, steel, empty	K&M	100	25	25
	BRASS AND BRONZE MANUFACTURES				
647998	Grease cups	K&M	100	25	25
647998	Oil cups	K&M	100	25	25
	ELECTRICAL MACHINERY AND APPARATUS				
701020	Butt-welding machines, portable electric, non-rotating	K&M	100	25	25
701020	Drill welders, stationary type, non-rotating	K&M	100	25	25
701020	Spot-welding machines, portable electric, non-rotating	K&M	100	25	25
701020	Transformer type welding sets, portable electric	K&M	100	25	25
703100	Electric panels, switchboard, except telephone	K&M	100	25	25
703100	Feeder panels and parts, switchboard, except telephone	K&M	100	25	25
703100	Fuse panel boards and parts, switchboard, except telephone	K&M	100	25	25
703100	Fuse panels and parts, switchboard, except telephone	K&M	100	25	25
703100	Lighting panels and parts, switchboard, except telephone	K&M	100	25	25
703300	Carbon circuit breakers and parts over 10 amperes	K&M	100	25	25
703300	Fuse disconnecting switches and parts over 10 amperes	K&M	100	25	25
703300	Knife switches and parts over 10 amperes	K&M	100	25	25
703300	Panel switches and parts over 10 amperes	K&M	100	25	25
703300	Safety switches and parts over 10 amperes	K&M	100	25	25
705698	Floor polishing machines, portable electric, industrial	K&M	100	25	25
705698	Floor sanding machines, portable electric, industrial	K&M	100	25	25
705698	Floor scraping machines, portable electric, industrial	K&M	100	25	25
705698	Floor scrubbing machines, portable electric, industrial	K&M	100	25	25
705698	Floor surfacing machines, portable electric, industrial	K&M	100	25	25
706455	Large filament lamps (bulbs, medium screw, mogul bi-post bayonet and other large-base lamps) (include heat and photoflood lamps)	K&M	100	[1] 100	25

[1] GLV value limit for shipments to Argentina—$25.00.

Dept. of Comm. Schedule B. No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
706501	Fluorescent tube lamps	K&M	100	[1] 100	25
707000	Floor polishers, domestic motor driven	K&M	100	25	25
707800	Floor surfacing machines, portable, domestic motor driven	K&M	100	25	25
709800	Busways	K&M	100	25	25
	CONSTRUCTION AND CONVEYING MACHINERY				
724600	Dumb-waiters and parts	K&M	100	25	25
	METALWORKING MACHINERY				
745805	Welding torch sets and parts	K&M	100	25	25
	OTHER INDUSTRIAL MACHINERY				
773700	Power-driven machines for commercial laundries	K&M	100	25	25
773900	Laundry and dry cleaning equipment, other, and parts for assembly	K&M	100	25	25
775098	Vacuum cleaners, industrial	K&M	100	25	25
	OFFICE APPLIANCES				
775200	Non-descriptive or non-text-writing, bookkeeping, and accounting machines, new (report accounting machines using punched cards in 775000)	K&M	100	25	25
775300	Descriptive or text-writing bookkeeping and accounting machines, new (report accounting machines using punched cards in 775000)	K&M	100	25	25
776000	Listing adding machines new (report listing adding bookkeeping machines in 775200)	K&M	100	25	25
775700	Calculating machines, non-listing, new	K&M	100	25	25
775900	Card-punching, sorting and tabulating machines, new (include tabulators using punched cards)	K&M	100	25	25
776000	Other accounting, bookkeeping and calculating machines, used and rebuilt (include pocket adding machines and lightning calculators)	K&M	100	25	25
776100	Parts for assembly for accounting, bookkeeping and calculating machines	K&M	100	25	25
776207	Addressing machines	K&M	100	25	25
776218	Equipment for addressing machines	K&M	100	25	25
776218	Parts for assembly for addressing machines	K&M	100	25	25
776307	Duplicating machines, except lithograph offset type	K&M	100	25	25
776309	Duplicating machines, lithograph offset type	K&M	100	25	25
776318	Parts for assembly for duplicating machines	K&M	100	25	25
776318	Supplies for duplicating machines	K&M	100	25	25
776400	Cash registers, new	K&M	100	25	25
776900	Cash registers, used and rebuilt	K&M	100	25	25
776700	Parts for assembly for cash registers	K&M	100	25	25
777700	Staplers and staples (for office use) (report hand staplers for industrial use in 617898 and staples for use in such hand staplers in 609500)	K&M	100	[1] 100	25
777900	Autographic registers	K&M	100	25	25
777900	Change making machines	K&M	100	25	25
777900	Check handling machines	K&M	100	25	25
777900	Coin handling machines	K&M	100	25	25
777900	Currency counting machines	K&M	100	25	25
777900	Dictating and dual purpose machines	K&M	100	25	25
777900	Envelope handling machines	K&M	100	25	25
777900	Office composing machines	K&M	100	25	25
777900	Payroll denominating machines	K&M	100	25	25
777900	Post office cancelling machines	K&M	100	25	25
777900	Postal permit mailing machines	K&M	100	25	25
777900	Shorthand writing machines	K&M	100	25	25
777900	Ticket registers, automatic and parts not coin operated	None	100	25	25
777900	Typographic numbering machines, wheels and parts	None	100	25	25
777900	Other office appliances, n. e. s. (except date stamping machines and parts, other than check stamping; file punches, linatimes, numbering machines and parts and ticket punches, automatic and parts)	K&M	100	25	25

Dept. of Comm. Schedule B. No.	Commodity	Gen. lic. country group	GLV dollar value limits country groups		G-post dollar value limits
			K	G+4	
	OTHER VEHICLES AND PARTS				
792400	Bicycles	K&M	100	1 100	None
799350	Push carts and hand trucks	K&M	100	25	25
	PHOTOGRAPHIC AND PROJECTION GOODS				
960700	Motion picture projectors, standard gauge (35 mm.)	K&M	100	25	25
960800	Kodascope projectors, standard gauge 35 mm. silent, not motion-picture	K&M	100	25	25
961000	Motion-picture sound equipment, 35 mm. recording	K&M	100	25	25
961100	Motion-picture sound equipment, 35 mm. reproducing	K&M	100	25	25
962800	Microphone booms for 35 mm. motion-picture equipment	K&M	100	25	25
	MISCELLANEOUS OFFICE SUPPLIES				
930410	Pencils, not mechanical, of black lead	K&M	100	1 100	25
930420	Pencils, not mechanical, other	K&M	100	1 100	25
931600	Metallic pen points (except gold pen points and nib assemblies with nibs of gold)	K&M	100	1 100	25
	MISCELLANEOUS COMMODITIES, N. E. S.				
950198	Time-recording devices and parts for assembly	K&M	100	25	25
979200	Lanterns, wick	K&M	100	1 100	25
979300	Gasoline pressure lamps and lanterns	K&M	100	1 100	25
979400	Acetylene and carbide lamps (except miners')	None	25	25	25
979500	Miners' lamps, carbide and oil	None	25	25	25
979600	Other lamps (except electric)	K&M	100	1 100	25
979681	Lamp burners	K&M	100	1 100	25
984098	Pins, bobby, hair, safety, bank, and common straight	K&M	100	1 100	25

1 GLV value limit for shipments to Argentina—$25 (c).

Shipments of any of the above commodities removed from general license or whose GLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

This amendment shall become effective immediately upon publication, except that with respect to the Commodity "Kerosene cooking stoves" it shall become effective on August 2, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 3900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: July 25, 1945.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-13789; Filed, July 26, 1945; 1:33 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-768, Amdt. 1]

J. BAKER BRYAN

J. Baker Bryan of 7830 Laura Street, Jacksonville, Florida, during the months of September and October 1944 did construction without authorization from the War Production Board on his property known as the "Windmill" restaurant and night club located nine miles south of Jacksonville, Florida, on the Phillips Highway. Suspension Order No. S-768 was issued against J. Baker Bryan on April 24, 1945. In view of the amendment of May 29, 1945 to Order L-41, the Chief Compliance Commissioner has directed that the suspension order be amended to allow additional construction up to but not exceeding $5,000.

In view of the foregoing, it is hereby ordered, that: § 1010.768 *Suspension Order No. S-768* issued April 24, 1945, be amended by the substitution of the following paragraph (a) for the present paragraph (a):

(a) Neither J. Baker Bryan, his successors or assigns, nor any other person, shall do any construction on the premises known as the "Windmill" restaurant and night club, located nine miles south of Jacksonville, Florida, on the Phillips Highway, including putting up or altering the structure located on said premises, except that J. Baker Bryan may do additional construction on the property known as the "Windmill" so that the construction begun in September 1944 may equal a cost of $5,000 but may not exceed that amount, unless hereafter specifically authorized in writing by the War Production Board.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13799; Filed, July 26, 1945; 4:30 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-812, Revocation]

SAN HYGENE UPHOLSTERY CO.

Suspension Order No. S-812 was issued on June 9, 1945 against the San Hygene Upholstery Company, engaged in the manufacture of living room, dining room, and juvenile furniture.

The suspension order provided that during the effective period of the order, the San Hygene Upholstery Company, its successors or assigns, shall reduce its use of wood in the manufacture and crating of furniture by 20,000 board feet per calendar quarter below the amount of wood it otherwise would be permitted to use under the provisions of Limitation Order L-260-a, a total reduction in permitted usage of wood during this period of 80,000 board feet. In view of the revocation on July 21, 1945 of Limitation Order L-260-a, the Chief Compliance Commissioner has directed that Suspension Order No. S-812 be revoked.

In view of the foregoing, it is hereby ordered, that: § 1010.812 *Suspension Order No. S-812* be revoked.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13800; Filed, July 26, 1945; 4:30 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-852]

SWEETHEART BAKERY CO.

Sweetheart Bakery Company of Fargo, North Dakota, is a corporation engaged in the manufacturing and sale of bread and bakery products. During the second and fourth quarters of 1944 and the first quarter of 1945, respondent exceeded its permitted use of fibre shipping containers. Respondent thus violated Order L-317. Its violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.852 *Suspension Order No. S-852.* (a) Respondent shall reduce its use of new fibre shipping containers for the third and fourth quarters of 1945 in the following amounts:

	Amount of reduction from quota		Permitted use after deduction for repayment	
	Pounds	*Square feet*	*Pounds*	*Square feet*
3d quarter 1945	3,750	15,750	6,828	43,415
4th quarter 1945	3,750	15,750	6,828	43,415

Provided, That if respondent chooses to reduce its third quarter usage by a larger amount than is herein provided, it may so do and thereby to such extent it will reduce the balance to be repaid or deducted for the fourth quarter of 1945; *Provided*, That in no event shall the reduction from quota for the third quarter be less than above specified.

(b) Nothing contained in this order shall be deemed to relieve Sweetheart Bakery Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Sweetheart Bakery Company, Fargo, North Dakota, its successors and assigns, or persons acting in its behalf.

(d) This order shall take effect on July 26, 1945.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13746; Filed, July 26, 1945; 11:30 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-865]

THE DAY PUBLISHING CO., INC.

The Day Publishing Co., Inc., a corporation organized under the laws of the State of New York, with its principal office and place of business within the City of New York, is engaged in publishing a newspaper called "The Day." During the period commencing January 1, 1943, and ending March 31, 1945, it used, or caused to be used in the publishing of that newspaper, a substantial amount of print paper in excess of its authorized quota, in violation of Limitation Order L-240 and amendments thereto. This overconsumption was in the main due to the error of that publisher in calculating its quota without taking into account a six-month period during the year 1941 (the base consumption period) during which its use of paper dropped by about 25 per cent on account of a jurisdictional strike over which it had no control.

This violation has diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.865 *Suspension Order No. S-865.* (a) The Day Publishing Company, Inc., its successors or assigns, during each of the third and fourth quarters of 1945, shall not use or cause to be used in the publication of "The Day," or any other newspaper, more than 390 tons of print paper and shall not carry over into subsequent quarters any less-than-quota use during those quarters.

(b) Nothing contained in this order shall be deemed to relieve The Day Publishing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions thereof.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13817; Filed, July 27, 1945; 11:08 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-310, as Amended July 27, 1945]

HIDES, SKINS AND LEATHER

The fulfillment of requirements for the defense of the United States has created shortages in hides, skins and leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) General definitions.
(b) Provisions applying to all hides, skins and leather.
(c) Untanned cattlehides, calfskins and kips.
(d) Cattlehides, calfskins and kips, and leather therefrom.
(e) Sole leather and sole leather cut stock.
(f) Horsehides.
(g) Pickled sheepskins.
(h) Goatskins and cabrettas.
(i) Deerskins.
(j) Effect on prior orders.
(k) Reports.
(l) Appeals.
(m) Communications to the War Production Board.
(n) Violations. Schedule A. Schedule B.

§ 3290.196 *Conservation Order M-310*—(a) *General definitions.* (1) "Tanner" means a person in the business of tanning, dressing, or similarly processing hides or skins, who in any calendar month after April 1, 1940, processed or processes more than 100 hides or skins.

(2) "Contractor" or "converter" means a person in the business of causing hides or skins to be tanned or dressed for his account in any tannery not owned or controlled by him.

(3) "Collector" means a person, including a dealer or importer, engaged in the business of acquiring from others untanned hides or skins for resale, or removing hides or skins from animals not slaughtered by him.

(4) "Producer" means a person in the business of slaughtering animals.

(5) "Military order" means an order for hides, skins or leather for delivery against a specific contract placed by any of the following, or for incorporation in any product to be delivered against such a contract:

The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or any extension or renewal thereof. Regardless of the provisions of Priorities Regulation 17, no orders for military exchanges and service departments shall be regarded as military orders except rated orders of United States Navy Ship's Service Departments and War Shipping Administration Training Organization Ship's Service activities for cut sole leather for repair purposes which are endorsed as follows:

The within order has been approved in accordance with instructions of the Army and Navy Munitions Board.

By_____
Authorized Official.

(6) "Military specifications" or "military quality" means, except as herein otherwise specifically provided, the specifications applicable to military orders or the quality of material meeting such specifications.

(7) "Sole leather" means vegetable tanned sole leather unless otherwise specified.

(8) "Scrap leather" means small leather pieces which are unavoidably produced from processing or cutting operations, but in no case shall include bellies or shoulders.

(9) "Rawhide" means a hide or skin which after the hair has been removed is used in that state or fabricated without further tanning.

(10) All trade terms shall have their usual trade significance unless otherwise specified.

(b) *Provisions applying to all hides, skins and leather.* (1) No person shall process any hides, skins or leather contrary to any specific direction issued from time to time by the War Production Board relating to the processing or production of specific types of leather to meet military or designated civilian requirements.

(2) No producer, collector, tanner, contractor, converter or cutter shall sell, deliver, accept delivery of, cut, use or incorporate in any product any hides skins or leather contrary to any specific direction issued from time to time by the War Production Board deemed necessary in order to fill military or designated civilian requirements.

(3) No person shall commercially incorporate any leather or rawhide into any product except as permitted by Schedule A at the end of this order, and no person shall sell any leather or rawhide unless the same is to be incorporated into a product permitted by Schedule A. This restriction shall not, however, apply to:

(i) The filling of military orders;

(ii) The delivery or use of vegetable tanned cattlehide leather available after accepting and filling all military orders and all orders for items permitted under Schedule A, and after complying with all specific directions. However, the restrictions of paragraph (b) (3) do apply to calfskins and kipskins and to sole leather, innersole leather, side upper leather, lining leather, belting leather, mechanical leather and welting leather.

(iii) The delivery or use of scrap leather, *Provided*, That any tanner selling any such scrap leather shall report his sales on his monthly form prescribed in paragraph (k).

(iv) [Deleted Aug. 25, 1944.]

(v) [Deleted Aug. 25, 1944.]

(4) The War Production Board may authorize the reprocessing, sale and use of rejected leather, or leather which can be made available consistently with program requirements, for purposes not otherwise permitted by this order or § 944.11 of Priorities Regulation 1. Any person may request such authorization by letter on his own behalf to use leather he owns or his supplier may request authorization to sell, and on behalf of his customer to use, stating the proposed uses of the leather and the quantity, quality, weight and type involved, and in the case of rejected leather, facts substantiating its qualification as such.

"Rejected leather" as used in this paragraph means any leather made to fill a military order or for production of items listed on Schedule A which (i) is so defective that it will be refused if tendered, (ii) the purchaser has refused, or (iii) the purchaser has notified the seller will be refused because of defects.

No person shall process or order any leather which he knows will be rejected. This paragraph does not prohibit the production of rejects to the extent that they are unavoidable in the manufacturers' or tanners' operations.

(5) The War Production Board may authorize the reprocessing or use of leather not used for the purposes for which it was purchased because of termination of procurement by the United States Government or any of its agencies for which the production was ordered. Any person may request such authorization on his own behalf, or on behalf of his customer, stating the proposed use of the leather, the quantity, quality, weight, type involved, the number of the cancelled contract, branch of service, date of purchase, intended end use and why it cannot be used for the purpose for which it was intended.

Any leather held by a person who does not in the regular course of his business sell leather in that form may only be sold in accordance with Priorities Regulation 13.

(6) Notwithstanding the provisions of any priorities or other regulations of the War Production Board, no preference ratings shall be applied or extended for the delivery of hides, skins or leather, except:

(i) Leather for military orders (excluding sole leather whole stock as defined in paragraph (e) (1) (vii) and cattlehide splits in the blue, pickled, or lime state); or

(ii) When specifically authorized in writing by the War Production Board pursuant to this subparagraph (b) (6) (ii).

(7) In making sales or deliveries of hides, skins or leather (including sole leather cut stock) not required to fill military orders, no person shall make discriminatory cuts in quality or quantity between customers who meet such person's established prices, terms and credit requirements, or between customers and his own consumption of said materials.

(8) No tanner, contractor, converter, finisher, jobber or cutter shall deliver any leather (except shearlings) for footwear purposes, unless he has received the footwear manufacturers' quota number of the purchaser. This paragraph shall not prevent deliveries to persons regularly in business as leather contractors, leather converters, leather finishers, leather jobbers, leather cutters, finders or shoe repairers or to persons outside the continental United States.

(c) *Untanned cattlehides, calfskins and kips*—(1) *Definition.* "Cattlehide", "calfskin" and "kip" mean the hide or skin of a bull, steer, cow or buffalo, foreign or domestic (excluding slunks).

(2) No tanner shall put into process, and no contractor shall cause to be put into process, any cattlehide, calfskin or kip in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No person shall sell, deliver, purchase or accept delivery of any untanned cattlehide, calfskin or kip, or portion thereof, other than splits and glue stock, except to the extent that the purchaser is specifically authorized by the War Production Board on Form WPB–1323 or Form WPB–3507. Applications may be made on Form WPB–1325 (formerly PD–569) for the purchase of domestic cattlehides, and on Form WPB–1322 (formerly PD–569–a) for the purchase of domestic calfskins and kips: *Provided*, That the following may be made without such authorization:

(i) Transactions between collectors and between producers and collectors for purposes of resale or delivery within the continental United States.

(ii) The sale and delivery to and the purchase and acceptance of delivery by any person other than a tanner of less than 100 hides or skins in any calendar month.

(4) In acting under paragraph (c) (3), it will be the policy of the War Production Board, so far as is practicable, to grant authorizations so that:

(i) The contractor or tanner may obtain cattlehides, calfskins, or kips in the proportions that the wettings in 1942 of the contractor or tanner, respectively, of cattlehides, calfskins, or kips, computed separately, bore to all wettings thereof in that year by all contractors and tanners producing the same type of leather, except that authorizations to tanners or contractors having more than a practicable minimum working inventory may be reduced or omitted: and

(ii) [Deleted Aug. 25, 1944.]

(5) No producer or collector shall cut off bellies or shoulders of untanned cattlehides, except for a purchaser specifically authorized in writing by the War Production Board to purchase hides with portions cut off.

(6) [Deleted Jan. 24, 1944.]

(d) *Cattlehides, calfskins and kips, and leather therefrom*—(1) *Definition.* (i) "Cattlehide, calfskin or kip leather" means leather produced from such hides or skins whether grain or split, including leather (whether tanned with or without the hair) produced from slunks, and rawhide.

(ii) "Rough sole leather" means vegetable-tanned sides, crops, backs, bends, shoulders, and bellies which have not been rolled.

(iii) "Rough belting butts and butt bends" means vegetable, chrome, or combination tanned belting butts and butt bends which have not been curried.

(iv) "Rough shoulders" means vegetable-tanned sole leather shoulders or shoulders cut from vegetable, chrome or combination tanned belting butts, which have not been either curried or rolled.

(2) [Deleted May 25, 1944.]

(3) No tanner shall produce any harness leather in any color other than russet, except to fill military orders.

(4) Unless otherwise specifically ordered in writing by the War Production Board, no person shall curry or finish the following leathers and no manufacturer shall use the same, either before or after such currying or finishing, except in accordance with the following requirements:

(i) Rough sole leather shall be finished as sole leather (which thereupon becomes subject to paragraph (e) hereof) except that rough sole leather 12 iron and up may be curried and used for round belting or V belting;

(ii) Rough belting butts or butt bends shall be curried and thereafter used only for transmission belts, hydraulic, packing, mechanical and textile leathers, or fillet leather: *Provided*, That this restriction shall not apply to straightenings cut from the portion of the belting butt or butt bend beginning at the edge from which the belly was removed, if the straightening is less than two inches in width at the widest point;

(iii) Rough shoulders cut from sole leather hides if not finished for sole leather, and rough shoulders cut from any belting butts, shall be curried and used only for welting, hydraulic, packing, mechanical and textile leathers, except that double rough shoulders 11 iron and up may be curried and used for round belting.

The War Production Board may on written application authorize the substitution of any of the types of leather mentioned in subparagraphs (i), (ii), and (iii) of this paragraph (d) (4) for any of the end uses therein specified, and when consistent with meeting requirements for approved programs, the War Production Board may authorize the finishing and use of any of these types of leather for any products listed on Schedule A.

(5) Vegetable tanned sole leather shall be processed so as to meet the requirements of Federal Specification KK–L–261B, including any emergency alternate specifications or amendments thereto.

(6) Bellies cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in accordance with standard practice, but bellies weighing 3 pounds or more when finished shall not be cut to measure less than 6 inches across the navel when finished.

(7) Shoulders cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in a line running perpendicular to line of backbone at a point within the limits of the break in the foreflank.

(8) No tanner, currier, finisher, jobber or dealer shall accept any order for cattlehide leather in the form of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap or upholstery leather, rated or otherwise, or transfer any such leather to his own fabricating plant, unless such order or the request for such transfer states the specific end use of such leather.

(9) No tanner shall process any cattlehide to make grain garment leather.

(10) [Deleted Jan. 24, 1944.]

(11) [Deleted Jan. 24, 1944.]

(e) *Sole leather and sole leather cut stock*—(1) *Definitions.* (i) "Military quality outersole" means a bend sole 9½ to 11 iron inclusive of good fiber and of a grade not lower than imperfect fine.

(ii) "Military quality midsole" means any bend sole of good fiber within one of the following two classifications:

7 to 9 iron, inclusive, all grades down to No. 1 scratch, inclusive;
9½ iron, No. 1 scratch grade only.

(iii) "Military quality innersole" means a sole of 5½ to 7½ iron inclusive after being properly fleshed, first quality full grain leather of a quality and fiber adapted to the purpose.

(iv) "Military quality strip" means a strip 8½ iron to 13 iron, inclusive, and "military quality tap" means a tap of 9 iron to 14 iron, inclusive, both cut from sole leather bends, commercially described as finders' leather, and a good fiber of a grade not lower than No. 1 scratch.

(v) "Butt piece" means a piece cut from the butt portion of a sole leather bend by a straight cut perpendicular to line of backbone not more than three inches from root of tail.

(vi) "Cutter for the repair trade" means a sole leather cutter who is equipped to cut repair taps, and who during the year ending July 31, 1942, cut repair taps as a regular part of his business.

(vii) "Whole stock" means sides, crops, backs, bends, shoulders with heads on, shoulders with heads off, bellies, and belly centers.

(2) Every tanner and contractor shall set aside each month for cutting as required by paragraph (e) (4) the percentage of the manufacturers' bends produced by him for his own account, or produced for his account by others, fixed by the War Production Board by directions issued under this order. Such bends are hereinafter referred to as "manufacturers' bends-for-repair," and the weight and the quality of the bends set aside shall be equal, as nearly as possible, to those of the manufacturers' bends not so set aside, unless other directions in writing are issued by the War Production Board. No manufacturers' bends-for-repair shall be sold to any finder or shoe repairer as a whole bend.

(3) No person shall cut military quality outersoles, midsoles or innersoles, except on patterns to fit the United States Munson last in sizes and widths to fit the sizes of shoes specified in military orders, or on other patterns approved or in sizes prescribed by the War Production Board from time to time.

(4) Sole leather whole-stock shall be cut and the resulting cut stock disposed of only in accordance with the provisions of Schedule B hereof, and military quality cut stock produced in accordance with such schedule may be sold, delivered or used only to fill military orders unless otherwise permitted by General Direction 12 to this order. Upon written application, however, the War Production Board may authorize the cutting and use of sole leather and sole leather cut stock to meet military orders or orders for products on Schedule A, but not mentioned in Schedule B, when sole leather can be diverted to these uses consistent with meeting programmed military and civilian footwear requirements.

No soles cut before January 30, 1945 and meeting the requirements for military quality outersoles as defined in this order before the amendment of January 30, 1945 shall be sold or used except to meet military orders. This does not apply to soles cut pursuant to General Direction 8 to this order or to soles released, sold or delivered pursuant to General Direction 9 to this order.

(5) No person except a shoe-repairer repairing shoes for the general public or any person repairing his own shoes shall hereafter use any non-military quality repair stock (except as provided in Block IIIB of Schedule B hereof) cut from finders' bends, from manufacturers' bends-for-repair or from parts of such bends.

(f) *Horsehides*—(1) *Definitions.* (i) "Horsehide" means the hide or skin of a horse, colt, mule, ass or pony, except dry pony hides to be processed for furs.

(ii) "Horsehide front", "horsehide butt" and "horsehide shank" means those horsehide parts commercially so known whether or not attached to other parts of the horsehide.

(2) No tanner shall put into process, and no converter shall cause to be put into process, any horsehide fronts, butts or shanks in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No tanner shall put into process, or continue to process, any horsehide front, except into leather meeting military specifications in force at the time, unless such horsehide is not capable of being so processed.

(4) No person shall sell, deliver, accept delivery of or commercially incorporate into any product any horsehide front leather meeting any military specification, except for unfilled military orders.

(g) *Pickled sheepskins*—(1) *Definitions.* "Pickled sheepskin" means the de-wooled, unsplit skin of a sheep or a lamb (other than a cabretta or hair-sheep) or the flesh split of such a skin which has been immersed in a chemical solution to preserve and condition it for tanning.

(2) No person shall sell, deliver, purchase or accept delivery of any pickled sheepskins of the following commercial designations except for resale in the pickled state or for processing into chamois leather meeting military specifications:

(i) New Zealand North Island pickled sheep pelts, (usual grades averaging 45 pounds per dozen or heavier);

(ii) Argentine pickled heavy sheepskins (usual grades averaging 45 pounds per dozen or heavier);

(iii) All imported pickled fleshers.

(h) *Goatskins and cabrettas*—(1) *Definitions.* (i) "Goatskin" means the skin of a goat or leather made from such skin, including kidskin, but excluding India tanned goatskin, and domestic angora goatskin.

(ii) "Cabretta" means the skin of a hair sheep or leather made from such skin.

(iii) "India tanned goatskin" means an imported goatskin tanned in Asia.

(2) No tanner shall put into process in the respective three months' period, commencing May 1, 1943, and on the first days of each August, November, February and May thereafter, more than 220% of his average monthly wettings of raw goatskins and cabrettas in 1941 (which average shall be known as "basic monthly wettings"), or more than such other percentages for such periods as may be fixed in writing by the War Production Board from time to time, with respect to any or all skins referred to in subparagraph (1) (i) and (ii) above: *Provided*, That kidskins and Calcutta Smalls purchased separately and described as such in Government purchase contracts dated later than August 1, 1943, may be put into process in addition to the percentages specified in this paragraph.

(3) [Deleted Jan. 24, 1944]

(4) The restrictions of paragraph (h) (2) shall not apply to persons who put into process less than 200 domestic goatskins in any calendar month and who process no foreign goatskins.

(5) No tanner shall sell or deliver goatskin garment leather for other than military purposes, except leather failing to meet military specifications: *Provided*, That such failure has resulted unavoidably in the course of producing military leather; *Provided further*, That such leather permitted hereby to be sold or delivered for other than military purposes may not exceed 12½% of his production of military goatskin garment leather subsequent to the date of this order.

(6) [Deleted Jan 24, 1944]

(i) *Deerskins*—(1) *Definition.* "Deerskin" means the skin of any North American, South American, New Zealand or French Oceanian deer, except elk, moose, caribou skins and Alaska deerskins.

(2) No person shall process any deerskin or deerskin leather except:

(i) To produce suitable leather meeting Army Air Forces or Army Service Forces specifications as revised from time to time; or

(ii) To fill a specific military order.

(3) No person shall sell or deliver any deerskin leather, or incorporate or manufacture any deerskin leather into any product, except to fill a specific military order.

(4) *Exceptions.* The restrictions of the preceding paragraphs (2) and (3) shall not apply to:

(i) Any deerskin or deerskin leather which does not meet and cannot be made to meet military specifications referred to in paragraph (i) (2) (i).

(ii) Deerskin leather rejected in writing by the Inspection Sections of the Army Air Forces or the Quartermaster.

(iii) [Deleted Jan. 24, 1944]

(iv) Any person who at no time puts into process, splits, shaves, skives, sells, delivers or uses more than 25 deerskins during any calendar month beginning with March 1943 or causes more than 25 deerskins to be processed, split, shaved, skived, sold, delivered or used for his account during any such month.

(v) A skin taken off a deer after September 20, 1943 and owned by the person causing it to be processed or incorporated into a product for his personal use or for a gift.

(j) *Effect on prior orders.* Authorizations to buy hides issued prior to June 23, 1943, under Conservation Order M-194, shall continue in effect until the expiration date therein provided or until expressly revoked.

Authorizations and directions issued and appeals granted prior to June 23, 1943, under the following orders, shall continue in effect until the expiration date therein provided or until expressly revoked:

General Preference Order M-80
General Conservation Order M-94
Conservation Order M-114
General Conservation Order M-141
Conservation Order M-273
General Preference Order M-301

(k) *Reports.* Every person described below shall, on or before the 10th day of each month execute and file reports with the War Production Board, as directed on the respective forms mentioned below:

Tanners and converters of cattlehides---------- WPB-1325
formerly PD-569

Tanners and converters of calfskins and kips---------- WPB-1322
formerly PD-569A
and WPB-3822

Tanners and converters of cattlehide side upper leather---------- WPB-3822

Tanners, converters, curriers, finishers, jobbers and dealers of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather--- WPB-3822

Tanners and converters of sole leather---------- WPB-3822

Tanners and converters of horsehides---------- WPB-1001
formerly PD-475

Tanners and converters of goatskins, kidskins, cabretta or rough tanned goatskins and sheepskins---------- WPB-1437
formerly PD-373

Sole cutters---------- WPB-1303
formerly PD-598A

Non-sole cutting shoe manufacturers---------- WPB-2209
formerly PD-598C

Finishers and converters of cattlehide splits---------- WPB-2351

Tanners and converters of glove and garment cattlehide grain leather ---------- WPB-3822

Failure to file any of the reports mentioned above or any other reports requested pursuant to approval by the Bureau of the Budget shall constitute a violation of this order.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

No direction issued under this order shall be deemed to require the furnishing of materials or facilities to the War Production Board. If a direction requires the furnishing of materials or facilities to a contracting agency or to a war contractor, or the production of a specified amount of a material or product, or restricts all or a part of a person's production or inventory to specified purposes, and if the person affected cannot get firm orders to cover the materials, facilities, production or inventory involved, he may appeal and the War Production Board will grant appropriate relief.

(m) *Communications to the War Production Board.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref. M-310.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Column I	Column II	Column III	Column IV	Column V
Items	Cattlehide, calfskin and kip leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	Horsehide shank or non-military quality horsehide front leather may be incorporated in any product marked "Permitted" in this column	Goatskin leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	All other leather may be incorporated in any product marked "Permitted" in this column
1. Footwear, except as prohibited by Conservation Order M-217.	Permitted except harness leather.	Permitted	Permitted	Permitted.
2. Transmission belts	Permitted	Not permitted.	Not permitted	Permitted.
3. Hydraulic, packing, and mechanical leather products.	Permitted	Not permitted.	Not permitted	Permitted.
4. Leather products for textile equipment.	Permitted	Not permitted.	Not permitted	Permitted.
5. Harness, horse collars, and saddlery for police, farm and industrial use.	Permitted	Not permitted.	Not permitted	Permitted.
6. Trusses	Permitted	Permitted	Permitted	Permitted.
7. Surgical supports	Permitted	Permitted	Permitted	Permitted.
8. Artificial limbs	Permitted	Permitted	Permitted	Permitted.
9. Orthopedic products including arch supports.	Permitted	Permitted	Permitted	Permitted.
10. [Deleted July 11, 1945].				
11. Laces and thongs	Permitted	Not permitted.	Not permitted	Permitted.
12. Cap visors for military personnel.	Permitted	Not permitted.	Not permitted	Permitted
13. Divers' equipment	Permitted	Not permitted.	Not permitted	Permitted.
14. Motorcycle and bicycle saddles	Permitted	Not permitted.	Not permitted	Permitted.
15. Work chaps	Permitted	Not permitted.	Not permitted	Permitted.
16. Work gloves	Permitted	Permitted	Permitted	Permitted.
17. Work aprons	Permitted	Permitted	Permitted	Permitted.
18. Garments for heavy duty workers	Not permitted	Permitted	Permitted	Permitted.
19. Industrial safety clothing and equipment (exclusive of linesmen's belts) only to the extent essential for safety and protection in the performance of the workers' duties.	Permitted	Permitted	Permitted	Permitted.
20. [Deleted July 11, 1945].				
21. Athletic goods (except golf bags)	Permitted	Permitted	Not permitted	Permitted
22. [Deleted July 11, 1945].				
23. [Deleted July 11, 1945].				
24. [Deleted July 11, 1945].				
25. Rawhide hammers and hammer faces.	Permitted	Not permitted.	Not permitted	Permitted.
26. Functional parts of musical instruments (excluding straps, cases or containers).	Permitted	Not permitted.	Permitted	Permitted.
27. Craft work products—certified to be for occupational therapy and rehabilitative purposes by any of the following: hospitals, institutions for the blind, the Red Cross, the Veterans Administration and by individuals invalided and incapable of doing any other type of manual work.	Permitted	Not permitted.	Permitted for lacing only.	Permitted.
28. Other products	Not permitted	Not permitted.	Not permitted	Permitted.

SCHEDULE B

Column I	Column II	Column III	Column IV	Column V	Column VI
	Type of sole leather whole stock				
	Finders' bends	Manufacturers-bends-for-repair	Manufacturers' crops, backs and bends	Shoulders, bellies, and shanks	Manufacturers' leather or manufacturers'-bends-for-repair butt pieces
Block I. Persons permitted to cut each type subject to the provisions of Block II and III below.	Cutters for the repair trade only, except that any sole cutter may cut to obtain outersoles, midsoles and toplifts only in accordance with block IIB below.	Cutter for the repair trade only.	Any sole leather cutter.	Any sole leather cutter.	Any sole leather cutter
Method of Cutting					
Block IIA. Each type shall be cut to yield maximum quantity of of military quality cut stock shown in this block (notwithstanding the additional requirements in General Direction 12 to this order), except as otherwise permitted in Block IIB.	Must be cut as shown in Block IIB.	Outersoles	Outersoles	Innersoles	Outersoles, midsoles and innersoles.
Block IIB. Each type may be cut to produce the military quality cut stock shown in this block but only— 1. So as to yield the maximum quantity of such military quality cut stock, and 2. To the extent required to meet unfilled military orders of the kinds indicated. Cutting and disposition of remainder of each type after military quality cut stock has been obtained as provided in Block II.	Strips and tape to meet any unfilled military order. Toplifts cut from bends or other bend portions to meet any unfilled military orders. Outersoles and midsoles to meet military orders under Lend-Lease Act only.	May not be cut except under Block IIA.	Counters and toplifts to meet any unfilled military order. Outersoles and midsoles to meet military orders under Lend - Lease Act only.	Counters, box toes and midsoles to meet any unfilled military order.	Counters and box toes to meet any unfilled military order.
Block IIA. Except as provided in Block IIB below, remainder of each type shall be cut and disposed of only as shown in this block.	To produce repair cut stock, other than outer soles and midsoles, for sale only to finders for ultimate use by shoe-repairers or persons repairing their own shoes.	To produce repair cut stock, other than outer soles, midsoles and innersoles, for sale only to finders for ultimate use by shoe repairers or persons repairing their own shoes.	To produce cut stock for use by shoe manufacturers only.	To produce cut stock for use by shoe manufacturers only.	To produce cut stock for use by shoe manufacturers only.
Block IIB. Exceptions shall be only as shown in this block.	Finders toplifts and finders pieces from which no tap can be obtained—unrestricted. Non-military outer soles and midsoles produced unavoidably in the course of cutting military outersoles and midsoles—for sale only to shoe manufacturers.	Butt pieces, finders toplifts and finders pieces from which no tap can be obtained—unrestricted. Non-military outersoles, midsoles and innersoles, produced unavoidably in the course of cutting military outersoles, midsoles, and innersoles,—for sale only to shoe manufacturers.	No exceptions	No exceptions	No exceptions.

INTERPRETATION 1

EFFECT OF RATINGS ON EQUITABLE DISTRIBUTION

Paragraph (b) (7) of this order, the so-called equitable distribution clause, does not excuse filling of rated orders. This clause prohibits discrimination between customers who meet established prices, terms and credit requirements but it does not override Priorities Regulation No. 1, which requires, subject to the conditions set forth, that all rated orders be accepted and that preference be given to orders carrying higher ratings over those with lower ratings.

The particular types of leather specified by preference rated orders must be delivered unless the leather cannot be produced from the hides or skins available to the tanner or the tanner is excused or prevented from filling the order by a regulation, order or direction of the War Production Board. If a rated order is placed for military quality leather, this order may not be filled with civilian quality leather. (Issued Apr. 11, 1944.)

INTERPRETATION 2

OFRA AND UNRRA ORDERS NOT WITHIN DEFINITION OF "MILITARY ORDER"

"Military order" as defined in paragraph (a) (5) does not include orders for delivery against contracts placed by the Office of Foreign Relief Administration or the United Nations Rehabilitation and Relief Administration, or orders for hides, skins or leather for incorporation in products to be delivered against such contracts. (Issued April 15, 1944.)

[F. R. Doc. 45-13815; Filed, July 27, 1945; 11:08 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule D, as Amended July 27, 1945]

SPECIAL PROGRAM FOR COTTON FABRICS FOR NURSES' UNIFORMS

§ 3290.120d *Schedule D to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of student and graduate nurses' uniforms made of cotton fabrics to get an AA-2X and an AA-3 preference rating for fabrics to make the items listed in this Schedule. Priorities assistance granted under this schedule will be in addition to any granted under Supplement XI of Schedule A of M-328B. Therefore manufacturers who have received authorizations under that supplement must file applications under this Schedule for whatever additional fabrics they need to participate in this Program in the third quarter of 1945.

(b) *Definitions.* (1) "Fabrics," unless otherwise designated, means a woven fabric 12 inches or more in width.

(2) "Cotton fabric" means any fabric containing less than 25 percent wool by weight but of which the remaining fibers are 50 percent or more cotton by weight.

(3) "Cotton item" means an item of which more than 50 percent of the fabric yardage incorporated in it, exclusive of linings, binding and trimmings, is cotton fabric.

(c) *Special requirements for obtaining priorities assistance.* (1) Three copies of Form WPB-3732 Revised must be filed in making application for priorities assistance under this schedule, in accordance with the rules stated in paragraph (c) of Order M-328B.

(2) A base period manufacturer who files Form WPB-3732 Revised for the third calendar quarter of 1945 by August 11, 1945, may, as soon as he files his application, apply an AA-2X rating for the purchase of Class A sheeting, and an AA-3 rating for the purchase of other cotton fabrics for delivery in that quarter for incorporation into the cotton items for which application is made. He may do so only for an item he made in the base period and only for 25% of the yardage of fabrics he used in the base period with respect to any item. Cotton fabrics purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 Revised. If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) [Deleted July 27, 1945.]

(4) A manufacturer receiving an allocation for Item No. 1 of section (A) or Item Nos. 1 or 2 of section (B) of the preference rating schedule for any quarter must subtract from his rated quota for Item A-56 under Order M-388A the total yardage of fabrics for which priorities assistance is granted under this schedule to determine the quantity of fabrics which he may purchase with an AA-4 rating under his M-388A rated quota in that quarter. In the event that the quantity of fabrics for which an AA-2X or an AA-3 rating authorized under this schedule is in excess of his AA-4 rated quota in M-388A, the manufacturer may not, during that quarter, use an AA-4 rating under the provisions of M-388A for Item A-56.

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get the particular fabrics shown in the Fabric Column of the preference rating schedule to make the cotton items specified.

(2) If applications are received for rated quotas in an amount for any item in excess of the yardage allotted for that item, the rated quotas will be assigned in proportion to the manufacturer's production of the particular items during the base period.

(3) If the manufacturer did not produce or have produced for his own account in the base period the item for which application is made, he must comply with the provisions of paragraph (c) (6) of M-328B.

(4) The minimum linear yardage which shall be incorporated in each dozen of the item for which a grant is made, shall in the case of a base period manufacturer, be no less than the amount used by him for the production of the same item in the base period. In the case of persons who did not manufacture the item in the base period the minimum linear yardage of fabric per dozen shall be the product of the total yards of each fabric authorized, divided by the number of units authorized in the grant by the War Production Board.

(5) Manufacturers may file with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., Form WPB-2842 to obtain priorities assistance for sewing thread, narrow selvage edge tape, and Form WPB-541 for metal fasteners in the quantities required for incorporation into the numbers of each item for which application is made on Form WPB-3732 Revised. Such requests will be granted to the extent that materials are available and to the extent that priorities assistance is granted for the production of the items applied for.

(6) Manufacturers who did not produce the item applied for in the base period and cannot, therefore, comply with paragraph (f) (5) of M-328B, shall specify in the "Remarks" section of form WPB-3732 Revised the assortment of sizes per dozen for each size range for which application is made. He must comply with the size ranges and assortments of sizes which the War Production Board specifies in its grant of priorities assistance.

(7) Student nurses' uniforms manufactured under this schedule may be sold only to hospitals or nurses' training schools; or to persons who furnish substantially the following certification on their purchase orders:

The purchaser represents to the seller and to the War Production Board that the student nurses' uniforms covered by this order will be sold only to hospitals or nurses' training schools or for ultimate delivery to such institutions.

The standard certification provided for in Priorities Regulation 7 may not be used instead of the above.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

PREFERENCE RATING SCHEDULE—SECTION (A)
GRADUATE NURSES' UNIFORMS

Item No.	Items	Fabric
A-1	Uniforms	Poplin, combed—88 sley or higher. Poplin, carded—90 sley or higher. Broadcloth, combed—66 sley or higher. Broadcloth, carded—100 sley or higher.
A-2	Caps	Lawns and Organdy—76 x 72, 9.00 yard. Poplin, carded—90 sley or higher. Broadcloth, carded—100 sley or higher.

PREFERENCE RATING SCHEDULE—SECTION (B)
STUDENT NURSES' UNIFORMS

Item No.	Items	Fabric
B-1	Uniforms, colored.	Chambray—4.20-4.30 yard. Class "A" Sheeting—40 x 40 or higher. Jeans. Broadcloth, combed—66 sley or higher. Poplin, combed—88 sley or higher.
B-2	Uniforms, white.	Class "A" Sheeting—40 x 40 or higher. Jeans. Chambray, 4.20-4.30 yard. Poplin, combed—88 sley or higher. Broadcloth, combed—66 sley or higher.
B-3	Caps	Lawn and Organdy—76 x 72 9.00 yard or higher. Poplin, combed—88 sley or higher. Broadcloth, combed—66 sley or higher.
B-4	Collars	Print cloth, 68 x 64—1.85 yard 39" or higher.
B-5	Cuffs	Print cloth, 68 x 64—1.85 yard 39" or higher. Jeans. Class "C" Sheeting.
B-6	Aprons	Class "A" Sheeting, 40 x 40 or higher. Class "C" Sheeting.
B-7	Bibs	Class "A" Sheeting, 40 x 40 or higher. Class "C" Sheeting.

[F. R. Doc. 45-13816; Filed, July 27, 1945; 11:08 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule F, as Amended July 25, 1945]

SPECIAL PROGRAM FOR WORK GLOVES

Correction

In the document appearing on page 9330 of the issue for Friday, July 27, 1945, the Federal Register serial number should read "45-13676".

PART 1010—SUSPENSION ORDERS

[Suspension Order S-866]

MORRISON-MERRILL AND CO.

Morrison-Merrill & Company of 205 North Third West, Salt Lake City, Utah, is a corporation engaged in the manufacture and distribution of building materials. During the year 1944 the corporation used new fibre shipping containers amounting to 10,152 pounds and 15,068 square feet in excess of its authorized quota under the provisions of Limitation Order L-317, and in violation of that order. This violation has diverted critical materials to uses not authorized by War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.866 *Suspension Order No. S-866.* (a) Morrison-Merrill & Company shall reduce its use of new fibre shipping containers during the period extending from June 30, 1945, to July 1, 1946, so that its usage of such containers during each of the third and fourth calendar quarters of 1945 and the second calendar quarter of 1946 shall be 2,263 pounds and 1,384 square feet less, and its use during the first calendar quarter of 1946 shall be 3,364 pounds and 10,916 square feet less than it would otherwise be permitted to use during each of those quarters, under the provisions of Limitation Order L-317.

(b) Nothing contained in this order shall be deemed to relieve Morrison-Merrill & Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Morrison-Merrill & Company, its successors and assigns, or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13818; Filed, July 27, 1945; 11:08 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-1-E, as Amended July 27, 1945]

MOTOR TRUCKS AND TRUCK-TRAILERS

The fulfilment of requirements for the defense of the United States having created a shortage in the supply of rubber, steel and other materials entering into the production of motor trucks and truck-trailers for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.1 *Limitation Order L-1-E*—(a) *Definitions.* For the purposes of this order,

(1) "Motor truck" means a complete motor vehicle, or the chassis thereof, designed for operating entirely or in part on rubber tires for use either on or off the public highways in the military or commercial transportation of materials or persons. The term "Motor truck" does not include integral motorized fire equipment, integral buses or automobiles as defined in Limitation Order L-2-G, paragraph (a) (1).

(2) "Truck-trailer" means a complete full-trailer or semi-trailer, or the chassis thereof, having a load-carrying capacity of 10,000 pounds or more, designed for military or commercial transportation of materials or persons. The term "truck-trailer" does not include integral trailer buses.

(3) "Person" means any individual, partnership, association, business trust, corporation or any organized group of persons whether incorporated or not.

(b) *Limitation on production of motor trucks or truck-trailers.* No person shall produce any motor trucks or truck-trailers except as specifically authorized in writing by the War Production Board.

(c) *Production with priorities assistance.* Priorities assistance, in the form of allotments of controlled materials and preference ratings for the purchase of other materials and components, will be given for the production of a definite number of motor trucks or truck-trailers according to approved War Production Board programs. In determining the number of nonmilitary vehicles which each producer will be authorized to make with priorities assistance an equitable assignment of quotas will be made. The assignment of quotas for the production of motor trucks or truck-trailers with priorities assistance will not be dependent upon any applicant having been engaged in the production of trucks or truck-trailers at some previous time.

(1) Any person wishing an authorization to produce non-military motor trucks or truck-trailers with priorities assistance shall apply by letter to the Automotive Division, War Production Board, stating (i) the number of trucks by weight class or the number of trailers by type, as the case may be, and (ii) the period within which such vehicles are to be produced.

(d) *Production without priorities assistance.* In addition, any person wishing to produce non-military motor trucks or truck-trailers without priorities assistance may apply for authority to do so as explained in Priorities Regulation 25.

(e) *Changes in authorizations.* The War Production Board may revoke or modify any authorization provided for in paragraph (b), notwithstanding any other order, preference rating, directive or regulation of the War Production Board or other governmental agency.

(f) *No duplication of orders for materials.* No person authorized to produce trucks or truck-trailers shall place any order with one or more suppliers for a total quantity of any material or components in excess of his actual requirements to fill his production schedule.

(g) *Vehicles for civilian use to be subject to General Order ODT-44, effective July 1, 1944.* All motor trucks and truck-trailers produced under the terms of this order, except those produced on orders for the United States Army or Navy, will be subject to the provisions of the Office of Defense Transportation Order ODT-44, effective July 1, 1944, and amendments thereto.

(h) *Reports.* Any person receiving an authorization to produce military or non-military motor trucks and any person receiving an authorization to produce military truck trailers shall report his production and forecasts of production on or before the third day of each month on Form WPB-4291 (formerly GA-1188). Any person receiving an authorization to produce non-military truck trailers shall report his production and forecasts of production on or before the tenth day of each month on Form WPB-3972 in accordance with instructions accompanying the form. Persons so authorized may be required to file additional reports subject to the approval of the Bureau of the Budget.

The data for the reports on Form WPB-4291 covering military and non-military truck production and military trailer production will be secured by an Automotive Specialist of the War Production Board on or before the third day of each month from each truck and trailer producer. The truck or trailer producer himself will not be obligated to file Form WPB-4291, as the actual filing with the War Production Board will be done by the Automotive Specialist who secures the data. Each producer, however, is required to furnish to the Automotive Specialist the data on production and forecasts of production called for by the form.

The data for the report on Form WPB-3972 covering production and forecasts of production of non-military trailers will be filled in on the form by the truck trailer producer himself and the form must be filed by him each month with the Automotive Division, War Production Board, Washington 25, D. C., in accordance with the instructions accompanying the form.

These reporting requirements have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(j) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: Automotive Division, War Production Board, Washington 25, D. C., Ref: Order L-1-E.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13813; Filed, July 27, 1945; 11:08 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 114]

SILICA AEROGEL

§ 3293.1114 *Schedule 114 to General Allocation Order M-300*—(a) *Definition.* "Silica aerogel" means a finely divided, porous silica having a dry bulk density of 9.0 pounds per cubic foot or less, with or without intermixed silicon.

(b) *General provisions.* Silica aerogel is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is August 1, 1945. The allocation period is the calendar month. The small order exemption without use certificate is 10 pounds per person per month.

(c) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 18th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-114. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified exempt small orders. Fill in Table II.

(d) *Certified statements of use.* Each person placing orders for delivery of more than 10 pounds of silica aerogel per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. End use may be specified as "thermal insulation", "flatting agent" "thickening agent for liquid", or in terms of any other specified product. The ultimate end product should be specified in each of these classifications. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(e) *One-time use report.* On or before the 18th day of the month preceding the first month for which a person

seeks for use or resale more than 10 pounds of silica aerogel, he must file one certified copy of a one-time use report on Form WPB–3442 with the War Production Board, Washington 25, D. C., Ref: M–300–114. Another copy should be retained. In space (1) of the heading specify "silica aerogel", in space (2) specify "pounds" and in space (3) specify "M–300–114." Fill in the other spaces of the heading as indicated. Fill in section I as follows:

Fill in Column (a) as indicated. In Column (b) show type. In the heading of Columns (c), (d), (e), (f) and (g), specify Jan., Feb., Mar., Apr., and May of 1945, respectively and fill in these columns accordingly. In Section II specify in Column (b) inventories of types shown in Column (a) on the first day of the current month. In Column (e) specify estimated inventory on the last day of the current month. Leave Column (d) blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to: War Production Board, Chemical Bureau, Washington 25, D. C., Ref. M–300–114.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13814; Filed, July 27, 1945; 11:08 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 6, Amdt. 8]

PROCEDURE FOR ADJUSTMENT OF MAXIMUM PRICES FOR COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUB-CONTRACTS

Section 1300.401 of Procedural Regulation 6 is amended in the following respects:

1. Paragraph (a) is redesignated as (a) (1).

2. Paragraph (a) (2) is added to read as follows:

(2) If the application is filed with respect to a commodity or service for which a maximum price has been established under a price regulation or supplementary order containing an adjustment provision, the applicant may invoke all applicable adjustment provisions by submitting with his application both the information herein required and that required by any applicable adjustment provisions which he invokes. In such cases the relief granted shall be the higher of the following: the amount permitted under (i) the adjustment criteria of Revised Supplementary Order 9 or (ii) the adjustment criteria of the applicable adjustment provisions specifically invoked by the applicant.

(3) If at the time of filing or during the pendency of an application for or request for approval of a maximum price or a method for determining maximum prices under any regulation of the Office of Price Administration the applicant files a written notice of his intention to seek an adjustment in the event the maximum price established or resulting from the employment of the pricing method established is less than the amount set forth in such notice, contracts may be entered into or proposed and bids submitted for this amount, and deliveries may be made under such contracts. The seller may receive and the buyer may pay the amount set forth in such written notice pending the establishment of a maximum price or a method for determining maximum prices, or any adjustment thereof: *Provided*, That the contract stipulates final settlement shall be made in accordance with the maximum price as established or determined by the employment of the pricing method established or as adjusted, and any amount paid in excess thereof will be refunded to the buyer. If the application for or request for approval of a maximum price or a method for determining maximum prices results in the establishment or determination of a maximum price which is less than the minimum permitted under the applicable adjustment provision, any adjustment granted hereunder shall be retroactive to the date of the filing of the aforesaid notice of intention: *Provided*, That the applicant filed his application for adjustment within fifteen days of the receipt of the order establishing the maximum price or the method for determining maximum prices.

3. The first undesignated paragraph of § 1300.410 (g) is amended to read as follows:

(g) As used herein, the term "commodity or service essential to the war program" means any commodity or service purchased (1) for the ultimate use of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States or for lend-lease purposes; or (2) by any Government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States", or (3) for use in the production or manufacture of any commodity or in the supply of any service as defined in (1) or (2), *Provided*, That a certificate of the necessity of the procurement is received from the Chief of the particular Procurement Service listed in (g) (1). This certification should include the following information:

(i) Description of the commodity.

(ii) Quantities involved.

(iii) A statement that adequate individual adjustment provisions sufficient to remove the impediments to supply of such commodity or service are not available under the applicable price regulation.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13825; Filed, July 27, 1945; 11:32 a. m.]

PART 1305—ADMINISTRATION

[Rev. Supp. Order 9, Amdt. 1]

ADJUSTMENT OF MAXIMUM PRICES OF COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUB-CONTRACTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1305.12 of Revised Supplementary Order 9 is amended in the following respects:

1. Paragraph (a) is redesignated as (a) (1).

2. Paragraphs (a) (2) and (a) (3) are added to read as follows:

(2) If the application is filed with respect to a commodity or service for which a maximum price has been established under a price regulation or supplementary order containing an adjustment provision, the applicant may invoke all applicable adjustment provisions by submitting with his application both the information herein required and that required by any applicable adjustment provisions which he invokes. In such cases the relief granted shall be the higher of the following: the amount permitted under (i) the adjustment criteria of Revised Supplementary Order 9 or (ii) the adjustment criteria of the applicable adjustment provisions specifically invoked by the applicant.

(3) If at the time of filing or during the pendency of an application for or request for approval of a maximum price or a method for determining maximum prices under any regulation of the Office of Price Administration the applicant files a written notice in accordance with Procedural Regulation 6 of his intention to seek an adjustment in the event the maximum price established or resulting from the employment of the pricing method established is less than the amount set forth in such notice, contracts may be entered into or proposed and bids submitted for this amount, and deliveries may be made under such contracts. The seller may receive and the buyer may pay the amount set forth in such written notice pending the establishment of a maximum price or a method for determining maximum prices, or any adjustment thereof: *Provided*, That the contract stipulates final settlement shall be made in accordance with the maximum price as established or determined by the employment of the pricing method established or as adjusted, and any amount paid in excess thereof will be refunded to the buyer. If the application for or request for approval of a maximum price or a method for determining maximum prices results in the establishment or determination of a maximum price which is less than the minimum permitted under the applicable adjustment provision, any adjustment granted hereunder shall be retroactive to the date of the filing of the aforesaid notice of intention: *Provided*, That the applicant filed his application for adjustment within fifteen days of the receipt of the order establishing the maximum price or the method for determining maximum prices.

3. The first undesignated paragraph of paragraph (e) is amended to read as follows:

(e) As used herein, the term "commodity or service essential to the war program" means any commodity or service purchased (1) for the ultimate use of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States or for lend-lease purposes; or (2) by any Government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States", or (3) for use in the production or manufacture of any commodity or in the supply of any service as defined in (1) or (2): *Provided*, That a certificate of the necessity of the procurement is received from the Chief of the particular Procurement Service listed in (e) (1). This certification should include the following information:

(i) Description of the commodity

(ii) Quantities involved

(iii) A statement that adequate individual adjustment provisions sufficient to remove the impediments to supply of such commodity or service are not available under the applicable price regulation.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13828; Filed, July 27, 1945; 11:32 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 18]

EXEMPTION FROM PRICE CONTROL OF LABELS FOR PHARMACEUTICAL BOTTLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1305.59 (a) (3) is amended by adding the following:

Hand-lettered, hand-decorated glass labels for pharmaceutical bottles.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13829; Filed, July 27, 1945; 11:33 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 19]

EXEMPTION FROM PRICE CONTROL OF CANADIAN CRUDE BOTANICAL DRUGS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order No. 45 is amended in the following respects:

1. The provision covering reagent chemicals in § 1305.59 (a) (3) is amended to read as follows: "The following, when sold for the purposes of scientific and medical research, for analytical and educational uses, and for quality control of industrial products: reagent chemicals, laboratory reagent specialty solutions and prepared culture media."

2. The following additional miscellaneous item is added to § 1305.59 (a) (3):

Crude botanical drugs imported from Canada.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13830; Filed, July 27, 1945; 11:33 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 20]

FOUNDRY RIDDLE RIMS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

In Supplementary Order No. 45, section 59 (a) (3) is amended by adding thereto the following commodity:

Knife cut or saw cut foundry riddle rims made wholly or principally of wood.

This Amendment No. 20 shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13831; Filed, July 27, 1945; 11:33 a. m.]

PART 1405—FERRO ALLOYS

[MPR 405,[1] Amdt. 2]

FERROSILICON AND SILICON METAL

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 405 is amended in the following respect:

1. Section 4 is amended to read as follows:

SEC. 4. *Maximum prices for grades for which specific maximum prices are not established.* The maximum price of any silicon metal or ferrosilicon, which differs materially from all silicon metals and ferrosilicons for which specific maximum prices are prescribed in sections 1, 2 and 3 of this regulation, shall be a price approved by the Administrator. This price and the analysis of the material shall be reported within fifteen days after delivery and, pending approval, such price may be paid and received subject to adjustment between the parties if the price is disapproved. A price once reported and approved need not thereafter be reported by the same seller.

Reports called for by this provision shall be made by letter addressed to the Metals Price Branch, Office of Price Administration, Washington 25, D. C. In approving or disapproving a price submitted for approval, the Office of Price Administration will consider whether the price submitted is in line with other maximum prices established by this regulation.

NOTE: Approval of the reporting and record-keeping requirements of this amendment has been waived by the Bureau of the Budget.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13826; Filed, July 27, 1945; 11:32 a. m.]

[1] 8 F.R. 8181, 10759.

PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445,[1] Amdt. 27]

DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 445 is amended in the following respect:

Section 1.4 (d) is amended by substituting the date "September 15, 1945" in the place of "August 4, 1945".

This amendment shall become effective July 27, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13827; Filed, July 27, 1945; 11:32 a. m.]

[1] 10 F.R. 7444, 8241.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[Rev. S. O. 308, Amdt. 2]

REFRIGERATION ON POTATOES IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of July, A. D. 1945.

Upon further consideration of Revised Service Order No. 308 (10 F.R. 7417), as amended (10 F.R. 7540), and good cause appearing therefor; *It is ordered*, That:

Revised Service Order No. 308 (10 F.R. 7417) as amended (10 F.R. 7540), be, and

it is hereby further amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m. September 15, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., July 31, 1945; that copies of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-13809; Filed, July 27, 1945; 10:55 a. m.]

PART 95—CAR SERVICE

[S. O. 318, Amdt. 2]

PRECOOLING CITRUS PROHIBITED IN CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of July, A. D. 1945.

Upon further consideration of Service Order No. 318 (10 F.R. 7729), as amended (10 F.R. 7856), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 318 (10 F.R. 7729), as amended (10 F.R. 7856), be, and it is hereby, further amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p. m., April 1, 1946, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., July 31, 1945; that copies of this order and direction shall be served upon the Railroad Commission of the State of California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-13810; Filed, July 27, 1945; 10:55 a. m.]

PART 95—CAR SERVICE

[S. O. 323, Amdt. 1]

PREICING CITRUS PROHIBITED IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of July, A. D. 1945.

Upon further consideration of Service Order No. 323 (10 F.R. 8143), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 323 (10 F.R. 8143), be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., April 1, 1946, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., July 31, 1945; that copies of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-13811; Filed, July 27, 1945; 10:55 a. m.]

Notices

DEPARTMENT OF THE TREASURY.

Office of the Secretary.

TREASURY SAVINGS NOTES, SERIES C

CONTINUATION OF SALE AND ISSUE

JULY 25, 1945.

It is hereby ordered, That the sale and issue of Treasury Savings Notes, Series C, pursuant to Department Circular No. 696, First Revision, continue as heretofore and that the stock on hand in the Treasury Department and the Federal Reserve Banks and Branches continue to be used notwithstanding the fact that the bonds bear the facsimile signature of the former Secretary of the Treasury. All Treasury Savings Notes, Series C, issued or reissued pursuant to said Department circular or applicable regulations, by the Treasury or by the Federal Reserve Banks or Branches, shall be valid and binding obligations notwithstanding they bear the facsimile signature of the former Secretary.

[SEAL] FRED M. VINSON, *Secretary of the Treasury.*

[F. R. Doc. 45-13803; Filed, July 27, 1945; 10:15 a. m.]

2 PERCENT DEPOSITARY BONDS

CONTINUATION OF SALE AND ISSUE

JULY 25, 1945.

It is hereby ordered that the sale and issue of 2 Percent Depositary Bonds under the provisions of Department Circular No. 660, dated May 23, 1941, and 2 Percent Depositary Bonds, Second Series, issued under the provisions of the First Supplement to that circular, dated June 29, 1943, continue as heretofore and that the stock on hand in the Treasury Department and the Federal Reserve Banks and Branches continue to be used notwithstanding that fact that the bonds bear the facsimile signature of the former Secretary of the Treasury. All 2 Percent Depositary Bonds, and all 2 Percent Depositary Bonds, Second Series, issued or reissued pursuant to said Department circular and supplement or applicable regulations shall be valid and binding obligations notwithstanding that they bear the facsimile signature of the former Secretary.

[SEAL] FRED M. VINSON, *Secretary of the Treasury.*

[F. R. Doc. 45-13802; Filed, July 27, 1945; 10:14 a. m.]

U. S. SAVINGS BONDS, SERIES E, F, AND G

CONTINUATION OF SALE AND ISSUE

JULY 25, 1945.

It is hereby ordered, That the sale and issue of United States Savings Bonds of Series E, F, and G, pursuant to Department Circulars Nos. 653, Second Revision, as supplemented, and 654, Second Revision, as amended, continue as heretofore and that the stock on hand in the Treasury Department and at the various issuing agents, including Federal Reserve Banks and Branches, continue to be used notwithstanding the fact that the bonds bear the facsimile signature of the former Secretary of the Treasury. All savings bonds issued or reissued pursuant to said Department circulars or applicable regulations, by the Treasury directly or through authorized issuing agents, shall be valid and binding obligations notwithstanding they bear the facsimile signature of the former Secretary.

[SEAL] FRED M. VINSON, *Secretary of the Treasury.*

[F. R. Doc. 45-13804; Filed, July 27, 1945; 10:14 a. m.]

DEPARTMENT OF AGRICULTURE.

Commodity Exchange Commission.

REDUCTION OF LIMITS ON RYE TRADING AND NET POSITIONS

NOTICE OF HEARING

Whereas, section 4a of the Commodity Exchange Act (7 U.S.C. 6a), directs that, for the purpose of diminishing, eliminating, or preventing excessive speculation causing sudden, unreasonable, or unwarranted price changes in any commodity named in the act, the Commodity Exchange Commission shall, from time to time, after due notice and opportunity for hearing, proclaim and fix such limits on the amount of trading which may be done by any person, under contracts of sale of such commodity for future delivery on or subject to the rules of any contract market, as the Commission finds is necessary for such purpose; and

Whereas, there is reason to believe that there should be a reduction of the limits proclaimed and fixed by the Commodity Exchange Commission, December 28, 1938 (17 CFR, Cum. Supp., 150.1), on the maximum amount of rye which any person may buy or sell during any one business day under contracts of sale for future delivery on any contract market and on the maximum net long or net short position in rye which any person may hold or control under contracts of sale for future delivery on any contract market;

Now, therefore, notice is hereby given that a hearing will be held beginning at 10 o'clock a. m., c. w. t. on August 15, 1945, in Room 338, Chicago Board of Trade Building, 141 W. Jackson Boulevard, Chicago, Illinois, for the presentation of evidence as to (1) what limit should be fixed on the maximum amount of rye which any person directly or indirectly may buy or sell, or agree to buy or sell, under contracts of sale for future delivery on or subject to the rules of any contract market, on any one business day, and (2) what limit should be fixed on the maximum net long or net short position in rye which any person may hold or control under contracs of sale for future delivery on or subject to the rules of any contract market.

Neither of the aforesaid limits will apply to transactions which are shown to be bona fide hedging transactions as defined in section 4a (3) of the Commodity Exchange Act (7 U.S.C. 6a (3)).

Issued this 26th day of July 1945.

[SEAL] COMMODITY EXCHANGE COMMISSION, CLINTON P. ANDERSON, *Secretary of Agriculture, Chairman.* H. A. WALLACE, *Secretary of Commerce.* TOM C. CLARK, *Attorney General.*

[F. R. Doc. 45-13819; Filed, July 27, 1945; 11:10 a. m.]

Rural Electrification Administration.

[Administrative Order 923]

ALLOCATION OF FUNDS FOR LOANS

JUNE 23, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Arkansas 5-46018F1 Carroll	$225,000
Florida 5-46017D2 Jackson	50,000
Georgia 5-46090D1 Candler	85,000
Kansas 5-46013E2 Brown	100,000
Minnesota 5-46037F1 Jackson	150,000
Minnesota 5-46084A5 Traverse	78,000
Minnesota 5-46096B1 Beltrami	147,000
Missouri 5-46024F1 Callaway	150,000
Missouri 5-46040C1 Pettis	120,000
Montana 5-46026A2 Valley	395,000
North Carolina 5-46023E2 Caldwell	379,000
Ohio 5-46083E1 Huron	85,000
South Carolina 5-46030B1 Colleton	85,000
South Carolina 5-46037B1 Lexington	150,000
Texas 5-46052E2 Fannin	100,000
Virginia 5-46027K1 Nottoway	405,000
Virginia 5-46031E1 Mecklenburg	181,000
Wyoming 5-46024A1 Sheridan	220,000

[SEAL] WILLIAM J. NEAL, *Acting Administrator.*

[F. R. Doc. 45-13790; Filed, July 26, 1945; 3:20 p. m.]

[Administrative Order No. 924]

ALLOCATION OF FUNDS FOR LOANS

JUNE 26, 1945.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation	*Amount*
New York 5-46020S2 Delaware	$10,000

[SEAL] WILLIAM J. NEAL, *Acting Administrator.*

[F. R. Doc. 45-13791; Filed, July 26, 1945; 3:20 p. m.]

[Administrative Order 925]

ALLOCATION OF FUNDS FOR LOANS

JUNE 26, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Arkansas 5-46033A1 Polk	$410,000
Georgia 5-46017D1 Burke	115,000
Indiana 5-46027D1 Decatur	200,000
Iowa 5-46074E1 Allamakee	200,000
Louisiana 5-46012E1 Franklin	195,000
Missouri 5-46056B1 Sullivan	200,000
North Carolina 5-46023T1 Caldwell	260,000
North Carolina 5-46032C1 Person	205,000
North Carolina 5-46036C1 Randolph	149,000
Oklahoma 5-46010F1 Cleveland	235,000
South Carolina 5-46019D4 Laurens	58,600
Texas 5-46069D1 Erath	150,000
Virginia 5-46034D1 Lee	500,000

[SEAL] WILLIAM J. NEAL, *Acting Administrator.*

[F. R. Doc. 45-13792; Filed, July 26, 1945; 3:20 p. m.]

[Administrative Order 926]

ALLOCATION OF FUNDS FOR LOANS

JUNE 26, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Alabama 5-46036C1 DeKalb	$120,000
Iowa 5-46049E1 Hardin	75,000
Iowa 5-46079B1 Clarke	200,000
Missouri 5-46042E1 Caldwell	120,000
Montana 5-46029A1 Wibaux	430,000
Texas 5-46053D2 McLennan	50,000
Texas 5-46093E1 DeWitt	115,000
Texas 5-46106B1 Taylor	165,000
Texas 5-46111D1 Austin	75,000
Texas 5-46122A1 Robertson	245,000
Vermont 5-46008C1 Washington	325,000
Wisconsin 5-46035F1 Richland	75,000

[SEAL] WILLIAM J. NEAL, *Acting Administrator.*

[F. R. Doc. 45-13793; Filed, July 26, 1945; 3:20 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-650]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

JULY 26, 1945.

Notice is hereby given that on July 13, 1945, an application was filed with the Federal Power Commission by El Paso Natural Gas Company ("Applicant"), a Delaware corporation with its principal

place of business at El Paso, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize applicant to construct and operate certain facilities, hereinafter more particularly described.

Applicant owns and operates an integrated natural-gas pipeline system extending from Jal, Lea County, New Mexico, in a general westerly direction across portions of Texas, New Mexico and Arizona to Phoenix and Ajo, Arizona. Among other operations, it purchases natural gas in the Lea County field in New Mexico, and delivers the same to other companies for distribution in numerous communities in Arizona, New Mexico and Texas, and to numerous industrial customers in said States.

The facilities which applicant seeks authorization to construct and operate are the following: (1) a 1,000 H. P. compressor unit at its Jal No. 2 Residue Gas Compressor Station, located 4 miles northeast of Jal, Lea County, New Mexico, increasing the installed capacity at said station from 7,800 H. P. to 8,800 H. P., and taking an additional 7,400 Mcf per day of residue gas from applicant's gasoline absorption plant there located; also necessary equipment for cooling jacket water and for extension to engine room, pipe connections and accessories; (2) an 8⅝" transmission line, 18.09 miles in length, beginning at a point approximately 6/10ths of a mile northwest of applicant's Morenci Compressor Station in Greenlee County, Arizona, and extending in a northwesterly direction to a point in Graham County, Arizona, replacing applicant's 6⅝" transmission line between the aforementioned points; (3) a 6⅝" loop line, 18.09 miles in length, in Graham County, beginning at a point approximately 18.69 miles northwest of the aforesaid compressor station and extending in a northwesterly direction parallel to its present 6⅝" line; (4) a 4" transmission line, 1,500 feet in length, in Gila County, Arizona, beginning at a point on applicant's 6⅝" line near Miami, and extending in a northwesterly direction to a point of connection with facilities of International Smelting and Refining Company at Inspiration. The construction of the transmission lines and loop line above-described will increase the present capacity of applicant's line from the Morenci Compressor Station to Inspiration, Arizona, by 4,800 Mcf per day.

By the construction and operation of the above-described facilities, applicant proposes to deliver an additional quantity of natural gas, to the extent of 4,800 Mcf daily, to International Smelting and Refining Company's copper smelter at Inspiration, Arizona. The application recites that the gas to be so delivered will constitute an interruptible load and will not be furnished at a time when to do so will interfere with the requirements of applicant's existing customers. The application further recites that by the construction and operation of the 1,000 h. p. compressor unit at the Jal No. 2 Residue Gas Compressor Station, applicant proposes to take 7,400 Mcf of residue gas per day in addition to the quantity at present taken therefrom; that such additional quantity will not affect applicant's reserves for the reason that the same is now being processed by applicant in connection with the production of gasoline at said plant, and is being flared to the air; and that the construction of the proposed new unit will enable applicant to utilize gas that is now being wasted.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 11th day of August 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-13807; Filed, July 27, 1945; 10:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 752 Under 3 (b), Amdt. 1]

ETHYL CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to §§ 1499.3 (b) (2) and 1499.3 (e) (3) Order No. 752 under § 1499.3 (b), issued January 8, 1945, is amended in the following respects:

1. Paragraph (a) is amended by changing in the table therein the column headed "*To retail dealers*" as follows:

Bottle size	To retail dealers	
6-oz. (contents 5¼ oz.)	$0.21 in cases of 36 bottles.	*Each* $0.23
24-oz. (contents 23-oz.)	$0.60 in cases of 12 bottles.	.67
1 gal. (contents 128-oz.)	$2.70 in cases of 4 bottles	3.00

2. Paragraph (d) is amended by changing in the first notice therein the column headed "(2) *Your maximum prices to retail dealers*" as follows:

Bottle size	(2) Your maximum prices to retail dealers	
6-oz. (contents 5¼ oz.)	$0.21 in cases of 36 bottles.	*Each* $0.23
24-oz. (contents 23-oz.)	$0.60 in cases of 12 bottles.	.67
128-oz. (contents 128-oz.)	$2.70 in cases of 4 bottles.	3.00

3. Paragraph (d) is amended by changing in the second Notice therein the column headed "(1) *Our maximum prices*" as follows:

Bottle size	(1) Our maximum prices	
6-oz. (contents 5¼ oz.)	$0.21 in cases of 36 bottles.	*Each* $0.23
24-oz. (contents 23-oz.)	$0.60 in cases of 12 bottles.	.67
128-oz. (contents 128-oz.)	$2.70 in cases of 4 bottles.	3.00

This amendment shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13761, Filed, July 26, 1945; 11:45 a. m.]

[MPR 136, Amdt. 1 to Order 443]

AMERICAN SAW MILL MACHINERY CO.

ESTABLISHMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 443 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. American Saw Mill Company; Docket No. 6083-136.25a-133.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation No. 136, *It is ordered:*

Order No. 443 under Revised Maximum Price Regulation 136 is amended in the following respects:

1. In paragraph (a) the text preceding the table is amended to read as follows: "The maximum prices for sales by all persons of the following woodworking and saw mill machinery or any motor arrangement, sub-assembly or combination thereof, manufactured by American Saw Mill Machinery Company, Hackettstown, New Jersey, shall be determined as follows: The seller (manufacturer or reseller) shall increase the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order by the applicable percentage set forth below."

2. Paragraph (b) is revoked.

3. Paragraphs (c), (d), (e) and (f) are redesignated (b), (c), (d) and (e), respectively.

4. Redesignated paragraph (b) is amended to read as follows:

(b) American Saw Mill Machinery Company shall notify each person who buys the woodworking and saw mill machinery listed in paragraph (a) for resale of the percentage by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

This amendment shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13762; Filed, July 26, 1945; 11:45 a. m.]

[MPR 188, 2d Rev. Order 3151]

COMMONWEALTH CO.

AUTHORIZATION OF MAXIMUM PRICES

Revised Order No. 3151 under § 1499.158 of Maximum Price Regulation No. 188 is redesignated Second Revised Order No. 3151 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment for sales by any person of the following commodities manufactured by the Commonwealth Company of Alhambra, California, shall be:

Item	On sales to distributors	On sales to jobbers	On sales to dealers	On sales to consumers
No. 58 DWH Commonwealth vented wall circulating heater, either gas-fired or oil-fired, designed for a normal input rating of 58,000 BTU per hour	$49.95	$55.50	$77.00	$123.35
No. 48 DWH Commonwealth vented wall circulating heater, either gas-fired or oil-fired, designed for a normal input rating of 48,000 BTU per hour	46.57	51.75	71.88	115.00
No. 38 EWH Commonwealth vented wall circulating heater, either gas-fired or oil-fired, designed for a normal input rating of 38,000 BTU per hour	43.82	48.69	67.63	108.20
No. 28 DWH Commonwealth vented wall circulating heater, either gas-fired or oil-fired, designed for a normal input rating of 28,000 BTU per hour	42.03	47.70	66.25	106.00
No. 20 DWH Commonwealth vented wall circulating-heater, either gas-fired or oil-fired, designed for a normal input rating of 20,000 BTU per hour	42.23	46.92	65.16	104.25
Factory heater casing, 20-gauge black iron	12.78	14.20	19.72	31.55

(b) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) Each seller except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of his maximum prices established by this order on sales to his purchasers as well as the maximum prices established for such purchasers upon resale.

(d) The Commonwealth Company shall affix a tag to each of the items priced by this order which shall contain the maximum price to consumers established by this order. The tag shall contain substantially the following:

OPA Maximum Retail Price—$------

(e) This second revised order may be revoked or amended by the Price Administrator at any time.

This second revised order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13764; Filed, July 26, 1945; 11:46 a. m.]

[MPR 188, Order 4159]

PENNSYLVANIA AIRCRAFT WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Pennsylvania Aircraft Works of 7055-59 West Garrett Road, Upper Darby, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers (jobbers)	Dropship jobbers	Other retailers	Chain and dept. stores	Consumers
Aluminum fry pan	9½	*Doz.* $4.80	*Doz.* $4.92	*Doz.* $6.24	*Doz.* $5.76	*Each* $0.80

These maximum prices are for the articles described in the manufacturer's application dated June 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$.80 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13765; Filed, July 26, 1945; 11:46 a. m.]

[MPR 188, Order 4160]

GRAHAM LIGHTER CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Graham Lighter Corporation, 5713 Euclid Avenue, Cleveland 3, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	"Graham Standard"	*Each* $2.02	*Each* $2.70	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated June 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.50 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13766; Filed, July 26, 1945; 11:47 a. m.]

[MPR 188, Order 4161]

HERBERT E. ZOBRIST CO. AND RADIO PRODUCTS SALES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of Model MZ500 6 tube 2 band AC–DC table model radio manufactured by Herbert E. Zobrist, D. B. A.-Radio Products Sales and Herbert E. Zobrist Co., of 1214 First Avenue and 2125 Westlake Avenue, Seattle 1, Washington.

(1) For all sales and deliveries to the following classes of purchasers by all sellers, the maximum prices are those set forth below:

Maximum price for sales to jobbers and to U. S. Government agencies	$16.72
Maximum price for sales to retailers	19.95
Maximum price for sales at retail	31.95

The above maximum prices do not include the Federal excise tax which may be added.

They are f. o. b. sellers usual point of shipment for all sales at wholesale.

These maximum prices are for the articles described in the manufacturer's application dated Sept. 2, 1944, and completed by subsequent data submitted to the Seattle District Office of OPA.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$31.95 exclusive of Federal excise tax
Federal excise tax
Model MZ500 table model radio
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of July 1945.

Article	Model No.	Maximum prices for sales by any seller to— Wholesalers, mill, electric motor, restaurant, hotel or store equipment suppliers	Industrial, commercial, institutional users (4 units or more)	Industrial, commercial, institutional users (less than 3 units)	User other than industrial, commercial or institutional
		Each	*Each*	*Each*	*Each*
Adjustable pedestal fan, chrome, ¼ h. p. motor	24	$75.60	$112.50	$127.50	$150
Adjustable pedestal fan, chrome, ¼ h. p. motor	20	87.50	130.25	148.75	175

These maximum prices are for the articles described in the manufacturer's application dated May 11, 1945. To each of the above prices only the exact amount of the Federal Excise Tax which the particular seller is required to pay may be added.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13767; Filed, July 26, 1945; 11:47 a. m.]

[MPR 188, Order 4162]

SEABREEZE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Seabreeze Manufacturing Company, 834 South San Pedro Street, Los Angeles 14, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to— Jobbers	Retailers	For sales by any person to consumers
		Each	*Each*	*Each*
13" Hand sewn rayon silk lamp shade with double ruching top and bottom	325	$2.92	$3.43	$6.20
14" Hand sewn rayon silk lamp shade with silk braid trim top and bottom	350	2.19	2.58	4.65
15" Hand sewn rayon silk lamp shade with silk braid trim top and bottom	375	2.30	2.71	4.90
16" Hand sewn rayon satin lamp shade with double ruching top and bottom	400	3.30	3.88	7.00
21" Highly hand decorated pottery table lamp (no shade)	700	4.68	5.50	9.90
24" Highly hand decorated pottery table lamp (no shade)	925	5.31	6.25	11.25
24½" Highly hand decorated pottery table lamp (no shade)	950	7.65	9.00	16.20
24½" Highly hand decorated pottery table lamp (no shade)	975	5.95	7.00	12.60
21" Highly hand decorated pottery table lamp (no shade)	600	6.38	7.50	13.50

These maximum prices are for the articles described in the manufacturer's application dated April 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ----------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13768; Filed, July 26, 1945; 11:47 a. m.]

[MPR 188, Order 4163]

DE LUXE ELECTRIC LAMP MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by De Luxe Electric Lamp Mfg. Co., 1220 Jerome Avenue, Bronx, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to— Jobbers	Retailers	For sales by any person to consumers
		Each	*Each*	*Each*
13" Hand sewn rayon silk lamp shade with double ruching top and bottom	325	$2.92	$3.43	$6.20
14" Hand sewn rayon silk lamp shade with silk braid trim top and bottom	350	2.19	2.58	4.65
15" Hand sewn rayon silk lamp shade with silk braid trim top and bottom	375	2.30	2.71	4.90
16" Hand sewn rayon satin lamp shade with double ruching top and bottom	400	3.30	3.88	7.00
21" Highly hand decorated pottery table lamp (no shade)	700	4.68	5.50	9.90
24" Highly hand decorated pottery table lamp (no shade)	925	5.31	6.25	11.25
24½" Highly hand decorated pottery table lamp (no shade)	950	7.65	9.00	16.20
24½" Highly hand decorated pottery table lamp (no shade)	975	5.95	7.00	12.60
21" Highly hand decorated pottery table lamp (no shade)	600	6.38	7.50	13.50

These maximum prices are for the articles described in the manufacturer's application dated April 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ----------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13769; Filed, July 26, 1945; 11:47 a. m.]

[MPR 260, Order 1631]

PACKER BROTHERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Packer Brothers, 318 W. 47th St., New York 19, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Bolivar	Corona Imperial	25	$425	57

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13770; Filed, July 26, 1945; 11:48 a. m.]

[MPR 260, Order 1632]

HABER'S EXPORT AGENCIES, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Haber's Export Agencies, Inc., 12 E. 41 St., New York 17, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Arabe	Petit Cetros	25	$176.00	22
	Londres	25	161.50	20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales

of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 27, 1945.

Issued this 26th day of July, 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13771; Filed, July 26, 1945; 11:48 a. m.]

[MPR 260, Order 1633]

J. M. RODRIGUEZ & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) J. M. Rodriguez & Co., 305 Morgan St., Tampa 1, Fla. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, front mark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Coral	Rolandos No. 6	25	$175.00	22
	Rolandos No. 9	50	135.00	18
	Rolandos No. 10	25	330.00	44
	Rolandos No. 11	25	200.00	28
	Rolandos No. 12	25	330.00	44
	Rolandos No. 15	25	385.00	55
	Rolandos No. 16	50	161.50	20
	Havana Club	50	154.00	1 35
	Habaneros	25	165.00	22

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13772; Filed, July 26, 1945; 11:48 a. m.]

[MPR 260, Order 1634]

AUGUSTUS POLLACK, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Augustus Pollack, Inc., 400 Water St., Wheeling 1, W. Va. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Melo Crown	6½".....	20	$48	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13773; Filed, July 26, 1945; 11:49 a. m.]

[MPR 260, Order 1635]

CUBAN CIGAR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this Order and pursuant to § 1358.102 (a) (8) of Maximum Price Regulation 260; *It is ordered*, That:

(a) The maximum list prices of Cuban Cigar Company, 717-719 Main Street, Joplin, Missouri (hereinafter called manufacturer) for its sales on and after July 27, 1945, of the following brands and sizes of domestic cigars of the composition and specifications described in its applications filed with the Office of Price Administration, Washington, D. C., and the maximum retail prices for such cigars shall be as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Dry Climate	Perfecto	50	$75	10
M & O	Juniors	50	72	9
	Panatella	50	75	10

(b) In its sales of said cigars, the manufacturer shall grant the discounts and allow the packing differentials it customarily granted or allowed in March 1942 on its sales of the particular brand and size of cigars to purchasers of the same class unless a change therein results in a lower price. The manufacturer may continue to charge in its sales of such brands and sizes of cigars the packing differentials it charged in sales of the particular brand and size in March 1942, but may not increase those differentials.

(c) Maximum prices for sales of such brands and sizes of cigars by wholesalers shall be determined in accordance with § 1358.102 (a) of Maximum Price Regulation 260. Maximum prices for sales of such brands and sizes of cigars by retailers shall be determined in accordance with § 1358.102 (f) of Maximum Price Regulation 260.

(d) On or before making its first delivery to which prices established by this order apply, he manufacturer and every other seller of such brands and sizes of cigars (except a retailer) shall notify the purchaser of the maximum list price and maximum retail price established by this order for the particular brand and size of cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation 260.

(e) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation 260 shall apply to sales for which maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13774; Filed, July 26, 1945; 11:49 a. m.]

[MPR 260, Order 1636]

RITA RAMIREZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rita Ramirez, 83 Mayor Cantera Street, Ponce, Puerto Rico (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Rita Ramirez	Corona 4½"...	50	$40	5
	Tubano 4½...	50	36	2 for 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13775; Filed, July 26, 1945; 11:49 a. m.]

[MPR 200, Order 4]

GRO-CORD RUBBER CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.1405b of Maximum Price Regulation 200, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the manufacturer's, wholesalers' and shoe repairmen's sales in the shoe repair trade of men's brown corded ⅝" whole heels bearing the brand name "Raw Cord" which are manufactured by the Gro-Cord Rubber Company, Lima, Ohio. The shoe repairmen's maximum prices for sales of these heels attached are also established by this order.

(b) *Maximum prices.* The manufacturer's and wholesalers' maximum prices for sales in the shoe repair trade of the heels described in paragraph (a) of this order and for shoe repairmen's sales of these heels attached and unattached are as follows:

	Sales by shoe repairmen to consumers		Sales to shoe repairmen	Sales to wholesalers
	Attached, per pair	Unattached, per pair	Per dozen pairs	Per dozen pairs
Men's brown 6⅝" wholeheels, corded grade	$0.70	$0.28	$7.05	$2.29

The above maximum prices for sales to shoe repairmen shall be reduced by any cash discounts given by the seller to shoe repairmen of the same class during March 1942.

The above maximum prices for sales to wholesalers shall be decreased by 5

percent if the purchaser pays cash within thirty days after delivery.

All other discounts, allowances, and trade practices of sellers which were in effect during March 1942, shall apply to sales covered by this order.

(c) *Notification of maximum prices.* With or prior to the first delivery to a wholesaler or a shoe repairman of any of the heels covered by this order, the seller shall notify the purchaser in writing of the maximum price for sales by the shoe repairman of the rubber heel attached and the maximum price for sales by the shoe repairmen of the unattached heel as established by paragraph (b) of this order. If the purchaser is a wholesaler, the notification shall include the maximum price applicable to the wholesaler's resales to wholesalers and to shoe repairmen, and a statement that such purchaser is required by this order to notify any shoe repairman to whom he sells of the maximum prices for the sales of the heels by the shoe repairmen, attached or unattached, as established by paragraph (b) of this order.

(d) All provisions of Maximum Price Regulation 200 not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Administrator at any time.

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13763; Filed, July 26, 1945; 11:46 a. m.]

[MPR 580, Order 97]

JOSEPH A. KAPLAN, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 97 under Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-224.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Joseph A. Kaplan, Inc., Empire State Building, New York, N. Y., and described in the manufacturer's application dated May 21, 1945.

Article	Brand name	Manufacturer's price lines	Ceiling price at retail
Shower curtains and bathroom window drapes.	Koroseal..	$3.65	$6.50
Shower curtains and bathroom window drapes.	Koroseal..	4.20	7.50
Shower curtains and bathroom window drapes.	Koroseal..	4.85	8.50
Shower curtains and bathroom window drapes.	Koroseal..	5.25	9.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Joseph A. Kaplan, Inc. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after September 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13777; Filed, July 26, 1945; 11:50 a. m.]

[MPR 188, Order 4157]

IRVING HINDEN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to §1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net price for sales to any person by Irving Hinden of the following commodity shall be:

Out door shower complete with bent riser, shower head, hose coupling, and 2 clamps for wall mounting, $1.25.

(b) The maximum net price for sales by plumbing and heating jobbers of the following commodity shall be:

(1) On sales to plumbing and heating contractors, installers, commercial and industrial users—Out door shower complete with bent riser, shower head, hose coupling, and 2 clamps for wall mounting, $1.65.

(2) On sales to all other persons—out door shower complete with bent riser, shower head, hose coupling, and 2 clamps for wall mounting, $1.80.

(c) The maximum net prices for sales by retailers to any person of the following commodity shall be:

Out door shower complete with bent riser, shower head, hose coupling, and 2 clamps for wall mounting, $1.80.

(d) The maximum net prices established by this order shall be subject to discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum net prices for sales on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for his sales to such purchasers and the maximum resale prices established for such purchasers.

(g) Irving Hinden shall tag the outdoor shower covered by this order and shall print in a conspicuous place on the tag: "Office of Price Administration maximum retail price . . . $1.80".

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13797; Filed, July 26, 1945; 4:13 p. m.]

[MPR 188, Order 4158]

PENNSYLVANIA AIRCRAFT WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Pennsylvania Aircraft Works of 7055-59 West Garrett Road, Upper Darby, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers (jobbers)	Dropship jobbers	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric heater black crackle finish	PAW1000-275	*Each* $3.98	*Each* $4.29	*Each* $4.69	*Each* $5.05	*Each* $5.39

These maximum prices are for the articles described in the manufacturer's application dated June 15, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number properly filled in:

Order No. 4158 under MPR 188
Model No. ------
OPA Retail Ceiling Price $------
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Pennsylvania Aircraft Works, 7055-59 West Garrett Road, Upper Darby, Pennsylvania
Model No. ------
OPA Retail Ceiling Price $------
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13798; Filed, July 26, 1945; 4:13 p. m.]

[MPR 39, Order 29]

AUTOMOBILE FLAT FABRICS

ADJUSTABLE PRICING OF SALES BY THE MANUFACTURER

An opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

(a) This order applies to sales of automobile flat fabrics for which manufacturers' maximum prices are established by Maximum Price Regulation No. 39.

(b) In connection with any sale (and any delivery pursuant thereto) made on or after the effective date of this order, manufacturers are authorized to reserve the right to charge the difference, if any, between their maximum price provided by Maximum Price Regulation No. 39 and any higher maximum price which may be established by the Office of Price Administration prior to the revocation of this order.

(c) Except as modified by paragraph (b), the provisions of Maximum Price Regulation No. 39 shall continue to apply to all sales and deliveries by manufacturers of automobile flat fabrics.

(d) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective as of June 26, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13832; Filed, July 27, 1945; 11:34 a. m.]

[MPR 188, Amdt. 11 to 2d Rev. Order A-3]

TOYS AND GAMES

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Second Revised Order A-3 issued under Maximum Price Regulation No. 188, is amended in the following respect:

Paragraph (e) (1) is amended by adding to the list of commodities set forth therein the following:

Doll furniture.

This amendment shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45 13835; Filed, July 27, 1945; 11:34 a. m.]

FIRESTONE TIRE AND RUBBER CO.

[RMPR 528, Order 51]

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for a 16.00-32 new truck and bus tube shall be $75.00, each.

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13836; Filed, July 27, 1945; 11:35 a. m.]

[MPR 188, Amdt. 30 to Order A-2]

PIANO PARTS

ADJUSTMENT IN MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188; *It is ordered:*

Order A-2 issued under § 1499.159b is amended in the following respect:

A new paragraph (a) (18) (ii) is added to read as follows:

(ii) A further adjustment in maximum prices beyond the amounts provided for above may be allowed by the Administrator on application to the Office of Price Administration, Washington, D. C., if the manufacturer can show:

(*a*) That he has manufactured piano parts since December 7, 1944, and

(*b*) That his piano parts manufacturing operation has been conducted at a loss for the 90 day period immediately preceding the date of his application and that there is little prospect of profitable operation within the 90 days following the date of his application for adjustment, and

(*c*) That the manufacturer's maximum prices (including the adjustment provided above) are less than his total costs to make and sell when his volume of production is as high as the availability of materials, labor, supplies, and plant facilities permit.

The greatest adjustment which will be allowed will be one increasing the manufacturer's maximum prices up to his total costs to make and sell as calculated by the Administrator. The adjustments may be in smaller amounts if it appears that the manufacturer's losses on his piano parts operations are offset in whole or in part by profits resulting from other manufacturing operations. Orders allowing adjustments under this paragraph (a) (18) (ii) shall be effective for a period of 90 days after issuance but may be further extended on application of the manufacturer if it appears that his total costs to make and sell are not below the adjusted prices.

This amendment is effective the 30th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying opinion, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, I find that the issuance of subparagraph (a) (18) (ii) of Order A-2 under Maximum Price Regulation No. 188 is neces-

sary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13834; Filed, July 27, 1945; 11:33 a. m.]

[MPR 188, Amdt. 2 to Rev. Order 2525]

PIANOS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered*, Order No. 2525 is amended in the following respect:

Paragraph (d) is amended to read as follows:

(d) *Additional increases for manufacturers.* (1) Any manufacturer who believes that his maximum prices, as increased by this order, do not equal his total costs in October 1941 adjusted for increases in straight time factory wage rates and direct and indirect material prices, may apply to the Office of Price Administration, Washington 25, D. C., for an adjustment of his maximum prices. The Administrator will grant an adjustment to any such manufacturer if he finds that the manufacturer's total costs, when adjusted in accordance with the method of adjusting total costs employed by the Administrator in determining the extent of the increase granted to the industry, are higher than the manufacturer's maximum prices established under this order. The adjustment in the manufacturer's maximum prices will be granted in amounts sufficient to permit the recovery of total costs as thus adjusted by the Administrator.

(2) A further adjustment in maximum prices beyond the amounts provided for above may be allowed by the Administrator on application to the Office of Price Administration, Washington, D. C., if the manufacturer can show:

(i) That he has manufactured pianos since February 26, 1945, and

(ii) That his piano manufacturing operation has been conducted at a loss for the 90 day period immediately preceding the date of his application and that there is little prospect of profitable operation within the 90 days following the date of his application for adjustment, and

(iii) That the manufacturer's maximum prices (including the adjustment provided above) are less than his total costs to make and sell when his volume of production is as high as the availability of materials, labor, supplies and plant facilities permit.

The greatest adjustment which will be allowed will be one increasing the manufacturer's maximum prices up to his total costs to make and sell as calculated by the Administrator. The adjustments may be in smaller amounts if it appears that the manufacturer's losses on his piano operations are offset in whole or in part by profits resulting from other manufacturing operations. Orders allowing adjustments under this paragraph (d) (2) shall be effective for a period of 90 days after issuance but may be further extended on application of the manufacturer if it appears that his total costs to make and sell are not below the adjusted prices.

(3) If a manufacturer is permitted a further increase in maximum prices under the provisions of this paragraph, the provisions of paragraph (e) may not be used to compute new maximum retail prices. In such cases, orders will be issued establishing revised maximum prices for sales at wholesale and at retail.

This amendment is effective the 30th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying opinion, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of paragraph (d) (2) of Revised Order 2525 under Maximum Price Regulation No. 188, is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13833; Filed, July 27, 1945; 11:33 a. m.]

[Supp. Order 94, Order 72]

RECONSTRUCTION FINANCE CORP.

SPECIAL MAXIMUM PRICES FOR SALES OF CERTAIN HOISTS, WINCHES AND SNATCH BLOCKS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales at wholesale and retail of certain new hoists, winches and snatch blocks hereinafter described, which have been or may be purchased from the Reconstruction Finance Corporation.

(b) *Maximum prices.* Maximum prices of the hereinafter described new articles, manufactured by the Chisholm Moore Corporation, North Tonawanda, New York, shall be as follows:

Description of articles	Price for all sales at wholesale	Price for all sales at retail
Hoist, 2 ton capacity, equipped with shearing pin designed to shear at any lift or strain in excess of two tons	$60	$90
Winch, 1 ton capacity, equipped with safety link, designed to break at any load or strain in excess of one ton	20	30
Snatch block	4	6

All of the aforesaid articles are constructed of magnesium alloy.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells any of the articles described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum price for each article, and stating that the retailer is required by this order to attach to each article before sale a tag or label stating the appropriate retail ceiling price, and in the case of the hoist and winch the maximum lifting capacity.

(e) *Tagging.* Any person who sells the articles described in paragraph (b) at retail shall attach to each article before sale a tag or label which plainly states the appropriate retail ceiling price, and in the case of the hoist and winch the maximum lifting capacity.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Sale at wholesale" is a sale by any person to any other person who is not a user or ultimate consumer.

(2) "Sale at retail" is a sale by any person to a user or ultimate consumer.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 31, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13837; Filed, July 27, 1945; 11:34 a. m.]

[Max. Import Price Reg., Order 100]

IRISH LINEN HANDKERCHIEFS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 5 of the Maximum Import Price Regulation and section 23 of Maximum Price Regulation No. 580, It is ordered:

(a) *Effect of this order.* This order provides an adjustment of ceiling prices established by manufacturers under the General Maximum Price Regulation and by retailers under Maximum Price Regulation No. 580 for Irish linen handkerchiefs. Manufacturers thus still remain under the General Maximum Price Regulation, as also do distributors other than retailers, except to the extent that its provisions are inconsistent with this order. Retailers remain under Maximum Price Regulation No. 580, except to the extent that its provisions are inconsistent with this order, but they must figure their ceiling prices as provided herein instead of using their pricing charts under Maximum Price Regulation No. 580. The manufacturers' ceiling prices herein established apply to sales to wholesalers and jobbers as well as to sales to retailers. They also apply to sales by wholesalers and jobbers to retailers or others. This omission of any

markup for wholesalers and jobbers will work no hardship because these distributors are not a factor in the marketing of this commodity.

(b) *Manufacturers' maximum prices.* The adjusted maximum price at which any manufacturer or any other person except a retailer may sell or deliver, and at which any person may buy or receive from any other person except a retailer, any handkerchief made in the Continental United States from linen imported from North Ireland, shall be the price determined as follows:

(1) If the manufacturer delivered or offered for delivery the same or similar Irish linen handkerchief to retailers during March 1942, his maximum price therefor as established under § 1499.2 of the General Maximum Price Regulation for sale to the same class of retailer may be increased by any amount that the price which he paid his supplier for the linen in the handkerchief being priced exceeds the price which he paid his supplier for the linen in the same or similar Irish linen handkerchief whose delivery or offer for delivery to retailers in March 1942 served to establish his maximum price under § 1499.2 of the General Maximum Price Regulation: *Provided, however,* That where the manufacturer has himself imported the linen used in the handkerchief being priced, he may not, in making this computation, use a price of such linen in excess of the highest price which he paid his foreign supplier for linen of the same kind and quality during the thirty days prior to August 20, 1943; or, if he made no such purchase, the highest price charged by the foreign supplier to a purchaser of the same class during that period; or, if no such sales were made, the foreign supplier's firm offering price to a purchaser of the same class on August 20, 1943.

(2) If the manufacturer did not deliver or offer for delivery the same or similar Irish linen handkerchief to retailers during March, 1942, or if (in the case of the importing manufacturer) his foreign supplier was not selling or offering for sale the same Irish linen on or during the thirty days prior to August 20, 1943, or if for any other reason the manufacturer cannot compute his maximum price under subparagraph (1) above, his maximum price must be established upon application to the Export-Import Price Branch, Office of Price Administration, Washington, D. C. Such application must (1) identify and describe the handkerchief being priced, (2) give the name and address of the supplier of the Irish linen in such handkerchief, (3) contain a statement of the delivered cost of the linen and the direct labor cost of manufacturing the handkerchief, (4) indicate (where the applicant is the importer of the linen) the price charged or quoted for the same kind and quality of linen by the same foreign supplier (or, if he were not then in the market, by other foreign suppliers) on or during the thirty days preceding August 20, 1943, (5) identify and describe, and state the actual March 1942 cost and sale price, of the Irish linen handkerchief sold or offered for sale to retailers by the applicant in March, 1942 which was most nearly like the handkerchief being priced, and (6) state a proposed maximum price to retailers for the handkerchief being priced. Such proposed maximum price and the maximum price established by the Office of Price Administration must be in line with the maximum prices established under subparagraph (1) above. The manufacturer may not offer the handkerchief for sale until his maximum price has been established by the Office of Price Administration.

(c) *Retailers' maximum prices.* The adjusted maximum price at which any retailer may sell or deliver, and at which any person in the course of trade or business may buy or receive from any retailer, any handkerchief made in the Continental United States from linen imported from North Ireland, shall be the price actually charged therefor by the manufacturer (less all discounts except cash discounts but not in excess of the maximum price established under paragraph (b) above), plus a markup equal to 60% of such price.

(d) *Notification of retailers.* Any manufacturer or other person selling to any retailer any handkerchiefs covered by this order shall include on, or attach to, every invoice therefor the following statement:

> Your retail ceiling prices for the Irish linen handkerchiefs covered by this invoice, as established by OPA in Order No. 100 under the Maximum Import Price Regulation, may not exceed our net prices by more than a 60% markup figured on cost. These handkerchiefs may not be priced by using your pricing charts under Maximum Price Regulation No. 580.

(e) *Revision, amendment or revocation.* This order may be amended or revoked at any time and the Price Administrator may at any time revise any maximum price herein established so as to bring it into line with the general level of maximum prices otherwise established herein.

This order shall become effective July 30, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying opinion, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this Order is necessary to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13838; Filed, July 27, 1945; 11:34 a. m.]

Regional and District Office Orders.

[Region II Order G—7 Under RMPR 122, Amdt. 3]

PENNSYLVANIA ANTHRACITE IN PENNSYLVANIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-7 is amended in the following respects:

1. Paragraph (d) (1) is amended to read as follows:

(d) *Schedule I: Sales on a "direct delivery" basis—(1) For sales of anthracite of the sizes and in quantities specified.*

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton	Per 50-lb. paper bag
Broken, egg, stove, nut	$14.65	$7.85	$0.85	$0.50
Pea	12.70	6.85	.75	.45
Buckwheat	10.70	5.85	.65	------
Rice	9.55	5.30	.60	------
Barley	8.15	4.60	------	------
Buckwheat No. 4	6.25	3.15	------	------
Screenings	4.70	2.35	------	------

2. Paragraph (e) (1) and (2) is amended to read as follows:

(e) *Schedule II; "yard sales"—(1) Sales by dealers except those who normally sold exclusively to equipped dealers.*

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$11.65	$0.75	$0.45
Pea	9.50	.65	.40
Buckwheat	7.50	.55	------
Rice	6.95	.50	------
Barley	5.70	------	------
Screenings	2.95	------	------

(2) *Wholesale yard sales.* (Sales from yards of dealers who normally sold exclusively to equipped dealers.)

Size:	*Per net ton*
Broken, egg, stove, nut	$11.45
Pea	9.70
Buckwheat	7.75
Rice	6.85
Screenings	2.95

3. Paragraph (f) (1) and (2) is amended to read as follows:

(f) *Schedule III—(1) Maximum price per 25 lb. paper bag.*

Size	Delivered to retail stores	Sales to ultimate consumers
Nut	$0.195	$0.245

(2) *Maximum price per 18 lb. paper bag.*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumers
Nut	$0.14	$0.16	$0.18
Pea	.12	.14	.16

This Amendment No. 3 to Revised Order No. G-7 shall become effective July 9th, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of July 1945.

CHARLES T. ABERNETHY,
Acting Regional Administrator.

[F. R. Doc. 45-13670; Filed, July 25, 1945; 2:23 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 39]

SOLID FUELS IN SIOUX CITY, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 2, which covers the Sioux City, Iowa, area, paragraph (b) VI, Price schedule, is amended to read as follows:

	Domestic delivered	
	Per ton	Per ½ ton
VI. Briquettes:		
1. Stott	$16.36	$8.68
2. Berwind	16.10	8.55
3. Standard	15.40	8.20

This Amendment No. 39 to Order G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13662; Filed, July 25, 1945; 2:22 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 40]

SOLID FUELS IN SUPERIOR, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122, as amended, is amended in the following respects:

In Appendix No. 8, which covers the Superior, Wisconsin, Area, paragraph (b), VII of the Price schedule, is amended to read as follows:

	Delivered		At yard		Dealer at yard	
	Domestic (per ton)	Commercial (per ton)	Domestic (per ton)	Commercial (per ton)	Domestic (per ton)	Commercial (per ton)
VII. Briquettes:						
1. Glen Rogers	$12.45	.....	$11.55	.....	$9.45	.....
2. Berwind	12.25	.....	11.35	.....	9.25	.....
3. Stott	12.30	.....	11.46	.....	9.36	.....

This Amendment No. 40 to Order No. G-16 shall be effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13663; Filed, July 25, 1945; 2:22 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 41]

SOLID FUELS IN CHIPPEWA FALLS AND EAU CLAIRE, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 17, which covers the Chippewa Falls and Eau Claire, Wisconsin area, paragraph (b), VII, 2, Price schedule, is amended to read as follows:

VII. Briquettes:

* * * * *

	Delivered per ton
2. Stott briquettes:	
a. In Chippewa Falls	$14.11
b. In Eau Claire and Altoona	13.36

This Amendment No. 41 to Order No. G-16 shall be effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13664; Filed, July 25, 1945; 2:21 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 42]

SOLID FUELS IN OMAHA, NEBR., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 9, which covers the Omaha, Nebraska, area, paragraph (b), subparagraphs IV, C, 2 and 3, as amended by Amendment No. 28, are amended to read as follows:

	Domestic, delivered (per ton)	Domestic, delivered (per ton)	Domestic, dealer at yard (per ton)	Commercial, delivered (per ton)
C. *Production Group Nos. 5, 5A, and 5B (includes all mines in Sebastian County Ark.):*				
2. Production group No. 5A (underground mines machine cut) mine index Nos. 13 and 121:				
a. Size group Nos. 4, 6, 7, and 8: mine index No. 13	$15.10	$8.05	$14.10	.....
Mine index No. 121	15.45	8.25	14.45	.....
b. Size group No. 5:				
Mine index No. 13	14.95	7.98	13.95	.....
Mine index No. 121	15.30	8.15	14.30	.....
c. Size group No. 14:				
Mine index No. 13	9.50	5.25	8.50	$8.25
3. Production group No. 5B (underground mines solid shot) mine index Nos. 56, 79, 80, 170, 182, 198, 329, 336, 340, 349, 603, 611 and 1011 only):				
a. Size group Nos. 3A, 6, 7, and 8	14.20	7.60	13.20	.....
b. Size group No. 3	14.05	7.53	13.05	.....
c. Size group No. 14	9.55	5.28	8.55	8.30

2. In the last sentence of page 1 of Amendment No. 28 to Order No. G-16 the word "delting" is corrected to read "deleting."

This Amendment No. 42 to Order No. G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13665; Filed, July 25, 1945; 2:20 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 43]

SOLID FUELS IN SIOUX FALLS, S. DAK., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 1, which covers the Sioux Falls, South Dakota, area, paragraph (b), Price schedule, is amended as follows:

1. In Subparagraph V, B, 1 the mine index numbers "40, 53" are deleted.

2. Subparagraph VIII is amended to read as follows:

	Domestic, delivered	
	(Per 1 ton)	(Per ½ ton)
VIII. Briquettes:		
1. Standard	$15.15	$7.85
2. Low volatile (made from district No. 7 low volatile coal and anthracite):		
a. Glen Rogers	15.55	8.05
b. Berwind	15.35	7.95
c. Stott	15.44	7.97

This Amendment No. 43 to Order No. G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R Doc. 45-13666; Filed, July 25, 1945; 2:20 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 44]

SOLID FUELS IN FARGO-MOOREHEAD AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 22, which covers the Fargo-Moorehead Area, paragraph (b), VII, is amended to read as follows:

	1 ton (per ton)	Carload (per ton)	Motor user (per ton)
VII. Briquettes:			
1. Glen Rogers	$15.55	$13.80	$11.75
2. Berwind	15.35	13.60	11.55
3. Stott	15.46	13.71	11.66
4. Lignite	14.50	12.50	10.25

This Amendment No. 44 to Order No. G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13667; Filed, July 25, 1945; 2:20 p. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 37]

SOLID FUELS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 37 is issued.

1. *What this Amendment No. 37 does.* This Amendment No. 37 relates only to Appendix XXIII, Logan Trade Area, of paragraph (q) of Order No. G-26 which is redesignated "Revised Appendix XXIII, Cache Valley Trade Area"; such Revised Appendix XXIII incorporates all price changes made by Amendment No. 35 and Order No. G-28 under Revised Maximum Price Regulation No. 122; extends the geographical coverage to include all that area locally known as the Cache Valley; insures the preservation of the long established and normal prewar distribution facilities and eliminates a threatened local shortage of coal throughout the area covered; but it does not reflect or in any manner compensate for applicable price increases, if any, authorized by Order No. G-24 under Revised Maximum Price Regulation No. 122.

2. Appendix XXIII, Logan Trade Area, of paragraph (q) of Order No. G-26 is hereby redesignated Revised Appendix XXIII, Cache Valley Trade Area, and amended and rewritten to read as follows:

REVISED APPENDIX XXIII—CACHE VALLEY TRADE AREA

(1) *To what sales this Revised Appendix XXIII applies.* This Revised Appendix XXIII applies only to sales made by dealers in the Cache Valley Trade Area of the State of Utah, which means all of that area bounded on the north by the Utah-Idaho state line, on the east by the Cache National Forest, on the west by Box Elder County, and on the south by a line running east and west through a point three miles south of the Town of Paradise in Cache County.

(2) *Relation to other orders.* This Order No. G-26 and this Revised Appendix XXIII thereto supersede Order No. G-14 and Amendments Nos. 1, 2, 3, and 4 thereto, insofar as the same apply to the Cache Valley Trade Area, and incorporate the price changes made by Amendment No. 35 and Order No. G-28 under Revised Maximum Price Regulation No. 122; but the prices set forth in this Revised Appendix XXIII do not reflect or in any manner compensate for applicable price increases, if any, authorized by Order No. G-24 under Revised Maximum Price Regulation No. 122.

(3) *Specific maximum prices.* If you are a dealer and sell in the Cache Valley Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Revised Appendix XXIII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1 Delivered prices (per ton)	Part 2 Yard prices	
			To dealers (per ton)	To others (per ton)
Bituminous coal produced in district 2):				
Sub-district 1, Castlegate:				
(A)	#2—10" lump	$9.45	$8.45	$8.95
(B)	#3—10" x 3" stove	9.00	8.00	8.50
(C)	#7—3" x 1½" nut	8.65	7.65	8.15
(D)	#8—1½" x 1" pea:			
	Treated	7.80	6.80	7.30
	Untreated	7.70	6.70	7.20
(E)	#10—1¼" x 0" slack:			
	Treated	7.05	6.05	6.55
	Untreated	6.80	5.90	6.30
(F)	#11—1" x 0" slack:			
	Treated	7.05	6.05	6.55
	Untreated	6.80	5.90	6.30

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Cache Valley Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheeling"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

3. *Effective date.* This Amendment No. 37 shall become effective on the 14th day of July 1945.

Issued this 14th day of July 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-13660; Filed, July 25, 1945; 2:19 p. m.]

[Region VII Order G-36 Under MPR 188]

BATTEN FURNITURE AND CABINET WORKS ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-36 is issued.

(a) *What this order does.* This Order No. G-36 establishes maximum prices for a bench, a lawn chair, and a lawn settee manufactured by T. J. Batten, doing business as Batten Furniture and Cabinet Works, of Denver, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-36, the maximum prices for the bench, lawn chair, and lawn settee manufactured by T. J. Batten, doing business as Batten Furniture and Cabinet Works, of 463 South Broadway, Denver, Colorado, in accordance with the specifications set forth in the respective applications of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler:

	Each
Bench	$2.40
Lawn chair	3.60
Lawn settee	5.00

(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer:

	Each
Bench	$3.00
Lawn chair	4.50
Lawn settee	6.25

(3) When sold by any seller to an ultimate consumer or user:

	Each
Bench	$4.50
Lawn chair	6.95
Lawn settee	9.50

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-36 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-36 under Maximum Price Regulation No. 188, the OPA authorized maximum resale prices for this Bench, Lawn Chair, and Lawn Settee are:

(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer:

	Each
Bench	$3.00
Lawn chair	4.50
Lawn settee	6.25

(2) When sold by any seller to an ultimate consumer or user:

	Each
Bench	$4.50
Lawn chair	6.95
Lawn settee	9.50

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-36 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-36 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A

person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-36 shall become effective on the 13th day of July 1945.

Issued this 13th day of July 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-13661; Filed, July 25, 1945; 2:20 p. m.]

[Region III Order G-13 Under RMPR 122, Corr. to Amdt. 8]

SOLID FUELS IN TOLEDO, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Amendment 8 to Order No. G-13 under Revised Maximum Price Regulation No. 122 be corrected to read as follows:

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the services. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Carry in from curb—coal	$1.10
Carry in from curb—coke	1.45
Wheel in from curb—coke	1.10
Wheel in from curb—coal	.85
Carry up or down each flight of stairs	.25
Additional charge for any coal listed in Part III of the price schedule set forth in paragraph (e) (1)—Low Volatile Bituminous Coal from Producing District No. 7 (Pocahontas)—when such coal is forked	1.25

This correction of Amendment No. 8 to Order No. G-13 under Revised Maximum Price Regulation No. 122 shall become effective July 10, 1945.

Issued: July 10, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-13783; Filed, July 26, 1945; 12:33 p. m.]

[Region III, Order G-23 Under RMPR 122]

SOLID FUELS IN MARION, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the area described as all the territory within the corporate limits of the City of Marion, Indiana. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in the said area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-23; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established and Column II lists the maximum prices for delivered cash or credit sales to consumers at any point in the above described area.

SCHEDULE I—MARION, INDIANA

Column I	*Column II*
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia, and northeastern Tennessee)[1] [2] excepting mine index Nos. 124, 126, 127, 207 and 225:	
A. Lump, size group Nos. 1 and 2 (bottom size larger than 3"):	
1. Mine price classifications D through H	$9.35
2. Mine price classifications J through N	9.10
3. Mine price classification O	8.80
B. Egg:	
1. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):	
(a) Mine price classifications E and F	8.75
(b) Mine price classifications G through L	8.60
2. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller):	
(a) Mine price classification A	8.60
(b) Mine price classifications B through N	8.55

SCHEDULE I—MARION, INDIANA—Con.

Column I	*Column II*
I. High volatile bituminous coals from producing district No. 8 excepting mine index Nos. 134, 126, 127, 207 and 225—Continued.	
C. Stove, size group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller):	
1. Mine price classifications B through G	$8.45
D. Stoker, size group No. 10 (top size 1¼" and smaller by bottom size ⅛" and larger):	
1. Mine price classifications B through E	8.85
2. Mine price classifications F through M	8.55
E. To the prices stated in sections A, B, C, and D of part I may be added $0.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 8 and provided it is separately weighed and billed by the dealer. Subdistrict 6 includes that portion of district No. 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Ousley, Pulaski, Rock Castle, Wayne, and Whitley.	
II. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia): [1] [2]	
A. Lump, size group No. 1 (all lump, bottom size 3½"):	
1. Mine price classification 9	10.21
2. Mine price classifications B and C	9.71
B. Egg, size group No. 2 (top size larger than 3" x bottom size no limit):	
1. Mine price classification A	10.31
C. Stoker, size group No. 5 (top size not exceeding ¾" x bottom size smaller than ¾"): 1. Mine price classification A	8.91
III. Briquettes, made from low volatile bituminous coals from producing district No. 7	11.10
IV. Pennsylvania anthracite, egg, stove and nut	14.35
V. Byproduct coke—egg, stove and nut size	12.10

[1] $0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

[2] These prices include all increases authorized by regional supplementary order No. 7 which reflects the adjustment granted in amendment 137 to MPR 120 issued May 1, 1945.

(2) *Discounts.* A discount of not less than 50 cents per ton shall be given to all dealers purchasing at the yard for resale.

(3) *Descriptive terms.* The definitions of price groups, classifications, size groups, mine index numbers, producing sub-districts, etc., contained in Maximum Price Regulation No. 120 as the same now reads or may be amended, are hereby incorporated by reference into this order and shall, wherever applicable, be the controlling definitions of all such terms used herein.

(d) *Sales not covered by Order No. G-23.* The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-23 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels, either under paragraph (c) hereof or under Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Carry in from curb	$0.75 per ton.
Wheel in from curb	$0.40 per ton.
Carry up or down stairs	$1 per ton (per flight).
Service charge for deliveries in quantities of ½ ton.	$0.10.

(f) *The transportation tax.* The transportation tax imposed by section No. 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state Government or any political subdivision thereof.

(g) *Addition of increase in suppliers' prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices, sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discount, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; *And further provided*, That the provisions of this paragraph (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Indianapolis District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-23 under Revised Maximum Price Regulation No. 122 shall become effective July 16, 1945.

Issued: July 2, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-13785; Filed, July 26, 1945; 12:32 p. m.]

[Region III Order G-58 Under RMPR 122]

SOLID FUELS IN KALAMAZOO, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the area described as all of the territory within a circle the radius of which is six miles and the center of which is the Court House located at the intersection of Michigan and Rose Avenues in the City of Kalamazoo, Michigan. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in the said area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-58; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established, Column II lists the maximum prices for delivered cash sales to consumers at any point in the above described area, and Column III lists the maximum prices for delivered credit sales. Credit terms are 30 days net, with a cash discount of 50 cents per ton on the credit price for payment within 15 days after date of delivery. A discount of not less than 2% shall be allowed from the cash price on purchases of over 15 tons for payment within 15 days of the date of delivery.

SCHEDULE I—KALAMAZOO, MICHIGAN

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia, and northeastern Tennessee,) [1] excepting Beine index No. 5:		
A. Lump:		
1. Size group No. 1 (bottom size larger than 5"):		
(a) Mine price classifications H through K	$9.90	$10.40
(b) Mine price classification G	9.25	9.75
2. Size group No. 2 (bottom size larger than 3" but not exceeding 5"):		
(a) Mine price classification A	10.15	10.65
(b) Mine price classifications E through K	9.55	10.05
(c) Mine price classifications L and lower	9.40	9.90
B. Egg:		
1. Size group No. 4 (top size larger than 6", bottom size larger than 2" but not exceeding 3"): (a) Mine price classifications E and F	9.45	9.95
2. Size group No. 5 (top size larger than 2" but not exceeding 3", and top size larger than 6" and bottom size 2" and smaller): (a) Mine price classifications B through K	9.15	9.95
3. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" and larger but not exceeding 5" x bottom size larger than 2" but not exceeding 3"): (a) Mine price classification E through L	9.25	9.75
4. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller): (a) Mine price classifications B through M	9.05	9.55
C. Stoker:		
1. Size group No. 10 (top size 1¼" and smaller x bottom size ¼" and larger): (a) Mine price classifications B through E	9.60	10.10
D. To the prices stated in sections A, B, and C of part I may be added $.15 per ton provided the coal is mined in subdistrict 6 of producing district 8 and provided it is separately weighed and billed by the dealer. Subdistrict 6 includes that portion of district 8 which is in northern Tennessee and the following counties in Kentucky, Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.		
II. High volatile bituminous coals from producing district No. 4[2] (Ohio) from subdistrict 5 (Hocking):		
A. Lump and egg:		
1. Size group No. 2 (all single screened lump coals, bottom size larger than 2" but not exceeding 5"; all double screened coals bottom size larger than 2")	9.01	9.51
2. Size group Nos. 3 and 3A (bottom size larger than 1¼" but not exceeding 2")	8.56	9.06
III. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia)[1] excluding mine index Nos. 37 and 73:		
A. Lump:		
1. Size group No. 1 (all lump, bottom size 3⅜"): (a) Mine price classifications A and B	11.01	11.51
B. Egg:		
1. Size group No. 2 (egg, top size larger than 3", bottom size no limit):		
(a) Mine price classification A	11.16	11.66
(b) Mine price classifications B through D	10.86	11.36
C. Stove or dedusted screenings:		
1. Size group No. 3 (top size larger than 1¼" but not exceeding 3" x bottom size smaller than 3"): (a) Mine price classifications A through C	10.86	11.36
D. Pea or dedusted screenings:		
1. Size group No. 5 (top size not exceeding ¾", bottom size smaller than ¾"): (a) Mine price classification A	9.76	10.26
IV. Briquettes, made from low volatile coals from Producting District No. 7	11.75	12.25
V. Pennsylvania Anthracite, Egg, Stove and Nut	16.20	16.70
VI. Coke:		
A. Shipped from Terre Haute, Ind., and from Milwaukee, Wisc.	14.20	14.70
B. Shipped from Detroit, Mich., or Indianapolis, Ind.	13.70	14.20

[1] $0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or to prevent freezing.

[2] These prices include all increases authorized by regional supplementary order No. 7 which reflects the adjustment granted in amendment 137 to MPR 120 issued May 1, 1945.

(2) *Discounts.* A discount of not less than $1.00 per ton shall be given to all consumers who purchase coal at the yard in quantities of 500 pounds or more. A discount of not less than $1.25 per ton shall be given all dealers purchasing at the yard for resale.

(3) *Descriptive terms.* The definitions of price groups, classifications, size groups, mine index numbers, producing sub-districts, etc., contained in Maximum Price Regulation No. 120 as the same now reads or may be amended, are hereby incorporated by reference into this order and shall, wherever applicable, be the controlling definitions of all such terms used herein.

(d) *Sales not covered by Order No. G–58.* The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G–58 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of Solid Fuels, either under paragraph (c) hereof or under Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Wheel or carry in from curb	$0.75 per ton
Wheel or carry in from curb	$0.40 per ½ ton
Wheel or carry in from curb	$0.25 per ¼ ton
Carry up or down stairs each flight	$0.25 per ton
Trimming coal in bin	$0.75 per hour
Forking or screening low volatile coals	$0.75 per ton
Service charge for deliveries in ¼ tons	$0.25

(f) *The transportation tax.* The transportation tax imposed by section No. 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state Government or any political subdivision thereof.

(g) *Addition of increase in suppliers' prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices, sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or rerceipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discount, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; and *Further provided*, That the provisions of this paragraph (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Grand Rapids District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser", shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–58 under Revised Maximum Price Regulation No. 122 shall become effective July 17, 1945.

Issued: July 3, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-13787; Filed, July 26, 1945; 12:32 p. m.]

[Region IV Rev. Order G-22 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WILSON, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (1) of Revised Order No. G–22 under Revised Maximum Price Regulation No. 122 issued by this office on June 4, 1945, is hereby amended to read as follows:

(1) LOW VOLATILE BITUMINOUS COAL FROM DISTRICTS NO. 7 & 8

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg: top size larger than 3", bottom size no limit, in price classifications A and B	$11.66	$6.08	$3.42
Egg, from mine index 391, the No. 2 Mine or Raven Red Ash Coal Co., in district No. 8	11.55	6.03	3.39
Stove, top size 3" to larger than 1¼", bottom size smaller than 3", in price classification A	10.86	5.68	3.22
Stoker pea: top size not exceeding ¾", bottom size smaller than ¾", in price classification A	9.31	4.90	2.83
Screened run-of-mine in price classifications A–D, inclusive	9.37	4.94	2.84

Effective date. This amendment shall become effective July 21, 1945.

Issued July 16, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-13784; Filed, July 26, 1945; 12:32 p. m.]

[Region IV Order G-43 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WAYNESBORO, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (1) of Order No. G–43 under Revised Maximum Price Regulation No. 122 issued by this office on May 26, 1945, is hereby amended to read as follows:

(1) LOW VOLATILE BITUMINOUS COAL FROM DISTRICTS NO. 7 AND 8

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Treated:			
Egg from district No. 7	$9.25	$4.88	$2.56
Egg from district No. 8	9.15	4.83	2.54
Stove from district No. 7	9.00	4.75	2.50
Stove from district No. 8	8.90	4.70	2.48
Nut	8.50	4.40	2.33
Stoker pea	8.15	4.33	2.29

Effective date. This amendment shall become effective as of July 9, 1945.

Issued: July 16, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-13786; Filed, July 26, 1945; 12:32 p. m.]

[Charlotte Order G-3 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN CHARLOTTE, N. C., DISTRICT

For the reasons set forth in the accompanying opinion, and under the authority vested in the District Director of the Charlotte, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order No. G–1 under General Order 50 issued by the District Director of the Charlotte District Office of the Office of Price Administration on the 30th day of June 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G–1 under General Order No. 50 was thereafter redesignated Order No. G–2 under General Order 50 and revised and amended for the purpose of clarifying and strengthening the Order. Order No. G–2 under General Order 50 is redesignated Order No. 3 under General Order 50, and is revised and amended as herein set forth and issued for the same purpose except that specific maximum prices are established only for on-premise sale, and for the further purpose of clarifying and strengthening the Order. Maximum prices for off-premise sales of domestic malt beverages are controlled by Revised Maximum Price Regulation No. 259.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of North Carolina: Alexander, Alleghany, Anson, Ashe, Avery, Buncombe, Burke, Cabarrus, Caldwell, Ca-

tawba, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Graham, Guilford, Haywood, Henderson, Iredell, Jackson, Lincoln, Macon, Madison, McDowell, Mecklenburg, Mitchell, Montgomery, Polk, Randolph, Richmond, Rockingham, Rowan, Rutherford, Stanly, Stokes, Surry, Swain, Transylvania, Union, Watauga, Wilkes, Yadkin, and Yancey.

SEC. 3. *Ceiling prices.* (a) On and after July 10, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Charlotte District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Charlotte District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in on particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1–B.* Your establishment belongs to Group 1–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1–B establishments.

(2) *Group 2–B.* Your establishment belongs to Group 2–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2–B establishments, but were less than those provided in Appendix A for Group 1–B establishments.

(3) *Group 3–B.* Your establishment belongs to Group 3–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2–B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3–B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1–B or Group 2–B, you may, but not later than the first day of October 1944, file an application with the Charlotte District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3–B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.
2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.
3. The selling prices by brand name of all beverages sold since the beginning of its operation.
4. The name of the three nearest eating and drinking establishments of the same type and their group number as determined under this order.
5. Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3–B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3–B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1–B or Group 2–B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Charlotte District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3–B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in Section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above, you must, on or before September 15, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3–B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3–B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, required you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purposes of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2).

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment, you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increase any cover, minimum, bread and butter, services, corkage, entertainment, check-room, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order, you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945 and effective the same date, either as heretofore or hereafter revised and amended, which Order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements or Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3–B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order, you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA–1B", "CPA–2B", or "OPA–3B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell beverages subject to this order at a higher price than provided for Group 3–B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license may be suspended for violation of the license or of the order. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation No. 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or

without the continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sale, selling, etc." include the service of beer for a consideration, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or off the premises. The term includes, but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premise sales" means those sales made for consumption by the customer either in, on or about the premises of the seller, or in the immediate vicinity thereof, and includes curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Charlotte District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This order shall become effective the 20th day of July 1945. (The prior orders which this order supersedes were issued and became effective on the following dates: Order G–1 issued June 30, 1944 and effective July 10, 1944; Order G–2 issued August 19, 1944 and effective August 21, 1944.)

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong. Pub. Law 108, E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, G.O. 50, 8 F.R. 4808)

Issued at Charlotte, North Carolina, this July 13, 1945.

L. W. DRISCOLL,
District Director.

APPENDIX A

PART I—BOTTLED BEERS AND ALES

Brand or trade name	Maximum prices per bottle					
	Group 1-B		Group 2-B		Group 3-B	
	12-oz.	32-oz.	12-oz.	32-oz.	12-oz.	32-oz.
Beer						
Ambassador	$0.25	$0.50	$0.20	$0.45	$0.18	$0.42
Blatz Pilsener	.25	.50	.20	.45	.18	.42
Budweiser	.25	.50	.20	.45	.18	.42
Ehret's Extra	.25	.50	.20	.45	.18	.42
Embassy Club	.25	.50	.20	.45	.18	.42
Loewer's Premium	.25	.50	.20	.45	.18	.42
Miller High Life	.25	.50	.20	.45	.18	.42
Natur	.25	.50	.20	.45	.18	.42
Pabst Blue Ribbon	.25	.50	.20	.45	.18	.42
Peter Hand Extra Pale	.25	.50	.20	.45	.18	.42
Schlitz	.25	.50	.20	.45	.18	.42
Tru-Blu Old-Fashioned Premium	.25	.50	.20	.45	.18	.42
Special ale						
Champ	.30	----	.25	----	.22	----
Ale						
Carling's Red Cap	.25	.50	.20	.45	.18	.42
Loewer's Premium	.25	.50	.20	.45	.18	.42
Triple X (XXX) Ballantine	.25	.50	.20	.45	.18	.42
Tru-Blu Old-Fashioned Premium	.25	.50	.20	.45	.18	.42
Downs India Pale (7-oz. bottle):	Cents					
Group 1-B	20					
Group 2-B	15					
Group 3-B	14					
All other brands of domestic or imported beer and ale not listed above and not listed in appendix B hereof, including unlabeled beer and ale	.20	.45	.15	.40	.13	.37

For all other brands of beer and ale in less than 12 oz. bottles—10 cents per bottle for groups 1-B, 2-B, and 3-B.

PART II—DRAUGHT BEERS

Brand or trade name and size	Maximum prices for groups		
	1-B	2-B	3-B
All brands:			
8-ounce glass	$0.13	$0.10	$0.09
10-ounce glass	.15	.12	.11
12-ounce glass	.17	.14	.13
14-ounce glass	.19	.16	.15

All other sizes—1¢ per ounce, for all groups.

NOTE: The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

APPENDIX B

The brands listed herein are not to be used for the purpose of classification into groups, as provided in section 1 of the order.

Brand or trade name	Maximum price per bottle					
	Group 1-B		Group 2-B		Group 3-B	
	12-oz.	32-oz.	12-oz.	32-oz.	12-oz.	32-oz.
Beer						
Barbarossa	$0.20	$0.45	$0.18	$0.42	$0.16	$0.40
Bay State	.20	.45	.18	.42	.16	.40
Berghoff	.20	.45	.18	.42	.16	.40
Burgermeister	.20	.45	.18	.42	.16	.40
Doerrbrick	.20	.45	.18	.42	.16	.40
Esslinger's	.20	.45	.18	.42	.16	.40
Gold Medal Tivoli	.20	.45	.18	.42	.16	.40
Hi-Brau	.20	.45	.18	.42	.16	.40
Holland Premium	.20	.45	.18	.42	.16	.40
Hornung's	.20	.45	.18	.42	.16	.40
Koenig's Special	.20	.45	.18	.42	.16	.40
Krueger's Finest	.20	.45	.18	.42	.16	.40
Lion	.20	.45	.18	.42	.16	.40
Metzger's Pilsner	.20	.45	.18	.42	.16	.40
Medem	.20	.45	.18	.42	.16	.40
Oxford	.20	.45	.18	.42	.16	.40
Peters (1850)	.20	.45	.18	.42	.16	.40
P. O. S.	.20	.45	.18	.42	.16	.40
Red Fox	.20	.45	.18	.42	.16	.40
Supreme	.20	.45	.18	.42	.16	.40
Ale						
Bay State	.20	.45	.18	.42	.16	.40
Cream Ale (Krueger)	.20	.45	.18	.42	.16	.40
Esslinger's (Little Man)	.20	.45	.18	.42	.16	.40
Gold Medal Tivoli	.20	.45	.18	.42	.16	.40
Graham's Carbonated	.20	.45	.18	.42	.16	.40
Koenig's	.20	.45	.18	.42	.16	.40
Lion	.20	.45	.18	.42	.16	.40
Oxford	.20	.45	.18	.42	.16	.40
Red Top	.20	.45	.18	.42	.16	.40
Downs India Pale (7-oz. bottles).	Cents					
Group 1-B	20					
Group 2-B	15					
Group 3-B	13					

For all other brands of beer and ale in less than 12-oz. bottles—16¢ per bottle for groups 1-B, 2-B, and 3-B.

NOTE: The above prices include all State taxes, sales, or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

[F. R. Doc. 45-13762; Filed, July 26, 1945; 12:33 p. m.]

[Region VI Order G-110 Under 1499.18 (c)]

BERMAN BROTHERS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the authority vested in the Regional Administrator of Region VI of § 1499.18 (c) of the General Maximum Price Regulation, and for reasons stated in an opinion issued herewith, it is ordered:

(a) *What this order does.* (1) This order establishes the maximum prices of Berman Bros., Inc. of 1501 South Laflin Street, Chicago, Illinois, for the sale of used marked bottles and used beverage cases to bottlers; and

(2) It establishes maximum prices of second-hand bottle dealers for the sale to Berman Brothers, Inc., of used marked bottles and used beverage cases.

(b) *Geographical applicability.* This order applies to all sales of used marked bottles and used beverage cases made in the city of Chicago, Illinois, to and by by Berman Brothers, Inc.

(c) *Maximum prices.* (1) The maximum prices of Berman Brothers, Inc., for the sale to bottlers of used marked bottles and used beverage cases are hereby established as follows:

Item	*Maximum price*
7- and 8-ounce bottles	24¢ per dozen.
12-ounce bottles	36¢ per dozen.
32-ounce bottles	56¢ per dozen.
Beverage cases	19¢ each.

(2) The maximum prices of second-hand bottle dealers for the sale to Berman Brothers, Inc., of used marked bottles and used beverage cases are hereby established as follows:

Item	*Maximum price*
7- and 8-ounce bottles	12¢ per dozen.
12-ounce bottles	24¢ per dozen.
32-ounce bottles	42¢ per dozen.
Beverage cases	15¢ each.

(d) *Filing of reports.* Berman Brothers, Inc., shall file with the Regional Office of Region VI of the Office of Price Administration quarterly profit and loss statements for the operation of its bottle exchange covering the periods ending September 30, 1945, December 31, 1945, March 31, 1946, and June 30, 1946, to be filed within 15 days following the end of each quarter.

(e) *Definitions.* (1) The term "used marked bottle" means a bottle stenciled with the trade name of a bottling firm or company and which has previously been used in the distribution and sale of bottled beverages.

(2) The term "second-hand bottle dealers" means persons or companies who obtain used marked bottles from junkmen and bottle pickers, sort them, and resell them for distribution to the bottlers who originally owned them.

(3) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in the General Maximum Price Regulation or in the Emergency Price Control Act of 1942; if not therein defined, they shall be given their ordinary and popular trade meaning.

(f) *Effect of order on the General Maximum Price Regulation.* To the extent applicable, the provisions of this order supersede the General Maximum Price Regulation. Insofar as any provision of this order may be inconsistent with any provision of the General Maximum Price Regulation, the provision contained in this order shall be controlling. Except as herein otherwise provided, the provisions of the General Maximum Price Regulation shall remain in full force and effect.

(g) *Prohibitions.* On and after the effective date of this order, regardless of any contract or other obligation no person shall sell, offer to sell, or deliver and no person shall, in the course of trade or business, buy used marked bottles and beverage cases at prices higher than the maximum prices established by this order, or obtain higher than maximum prices by using any device or method in evasion of the order.

This order shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13781; Filed, July 26, 1945; 12:31 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-998]

ARKANSAS-MISSOURI POWER CORP.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of July, A. D., 1945.

Arkansas-Missouri Power Corporation, a registered holding company, and a public utility subsidiary of The Middle West Corporation, also a registered holding company, having filed a declaration and amendments thereto pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935, and Rule U-50 promulgated thereunder, regarding the issuance and sale at competitive bidding, of $2,000,000 principal amount of First Mortgage Bonds, Series A, 3⅛%, due December 1, 1974, and the application of the net proceeds from the sale of said bonds together with general funds of declarant to the redemption of $2,000,000 principal amount of its outstanding First Mortgage Bonds, Series A, 4%, due June 1, 1965, at the redemption price of 104¾% of the principal amount thereof plus accrued interest to the date of redemption; and

The Commission having by order entered herein under date of July 6, 1945, permitted said declaration, as amended, to become effective subject to the condition that the proposed issuance and sale of securities should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order entered in the light of the record so completed; and

Arkansas-Missouri Power Corporation having filed a further amendment to the declaration, setting forth the action taken to comply with the requirements of Rule U-50 and showing that, pursuant to the invitation for competitive bids, 5 bids on said bonds by 5 agencies, underwriters or groups of underwriters headed by the firms set forth below were received:

Agency or underwriting group	Coupon rate	Price to company (% of principal amount)	Annual cost to company
			Percent
Dick & Merle-Smith	3⅛%	102.17449	3.01436
Kidder, Peabody & Co.	3⅛%	101.895	----
Halsey, Stuart & Co., Inc.	3⅛%	100.527	----
Harriman Ripley & Co., Inc.	3⅛%	98.70	----
Blyth & Co., Inc.	3⅛%	98.578	----

[1] Plus accrued interest from June 1, 1945.

The said amendment having further stated that the Arkansas-Missouri Power Corporation has accepted the bid of Dick & Merle-Smith who, according to the company's information, submitted their proposal as attorneys-in-fact for John Hancock Mutual Life Insurance Company of Boston, Massachusetts, and are to be paid by said insurance company the sum of $5,000 as compensation for their services and reimbursement for their expenses and also stated that the bonds will not be reoffered for sale to the public; and

The Commission having examined the record in the light of said amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid to the company for said bonds;

It is ordered, That, subject to the terms and conditions contained in Rule U-24, said declaration, as amended, be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-13823; Filed, July 27, 1945; 11:12 a. m.]

[File Nos. 70-1107 and 70-1109]

NEW YORK POWER AND LIGHT CORP. AND NEW YORK STATE ELECTRIC & GAS CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of July 1945.

New York Power and Light Corporation, a subsidiary of Niagara Hudson Power Corporation and The United Corporation, a registered holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder regarding the sale by New York Power and Light Corporation to New York State Electric & Gas Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company, of an electric transmission substation, known as the Carmel Substation, located in the Town of Carmel, Putnam County, New York, and appurtenant equipment for a cash consideration of $200,000 subject to certain closing adjustments; and

New York State Electric & Gas Corporation having filed an application pursuant to section 10 of the act regarding the acquisition of said utility assets; and

The New York Public Service Commission having granted its consent to New York Power and Light Corporation to transfer said utility assets to New York State Electric & Gas Corporation, by reason of which consent there is some question as to whether the acquisition by New York State Electric & Gas Corporation is subject to the provisions of section 10 of the act or is exempt therefrom by virtue of section 9 (b) (1) of the act; and

Said declaration and application having been filed on July 5 and July 10, 1945, respectively, and notice of said filings having been given in the form and manner prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said declaration and application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding in respect of the declaration of New York Power and Light Corporation that the provisions of section 12 of the act and Rule U-44 promulgated thereunder are satisfied, and that no adverse findings are necessary thereunder; and deeming it appropriate, in the public interest and in the interests of investors and consumers to permit said declaration to become effective; and

The Commission deeming it necessary to resolve the question as to whether the acquisition by New York State Electric & Gas Corporation is exempt from the provisions of section 10 of the act, since, in any event, it is of the opinion that the acquisition by New York State Electric & Gas Corporation will serve the public interest by tending toward the economical and efficient development of an integrated public utility system, and that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) of the act:

It is hereby ordered, That, pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, the aforesaid declaration be, and hereby is, permitted to become effective and the aforesaid application be, and hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13824; Filed, July 27, 1945; 11:12 a. m.]

WAR PRODUCTION BOARD

[C-272, Revocation]

HERBERT L. BATCHELDER

CONSENT ORDER

Pursuant to an agreement between the above-named party, the Regional Compliance Manager and the Regional Attorney Consent Order No. C-272 was issued February 27, 1945, in consequence of a violation of Conservation Order L-41. Herbert L. Batchelder has applied for revocation of the Consent Order with the approval of the Regional Compliance Manager and the Regional Attorney.

Accordingly, the Director of the Compliance Division and the Office of General Counsel have determined that the occasion for *Consent Order No. C-272* no longer exists, and therefore, it is hereby revoked.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13722; Filed, July 26, 1945; 11:30 a. m.]

[C-396]

W. J. NUSS LUMBER & SUPPLY CO.

CONSENT ORDER

W. J. Nuss Lumber and Supply Company, located at 155 West McWilliams Street, Fond du Lac, Wisconsin, a Wisconsin corporation, is a wholesale and retail dealer in lumber and building materials and a manufacturer of millwork, interior trim, cabinet work and stairs. The company is charged by the War Production Board with the following violations:

(1) That the company has failed to maintain accurate and adequate records as required by Priorities Regulation No. 1; and

(2) That during the period from January 1, 1943, to December 31, 1943, it extended a preference rating of AA-1 to its suppliers to acquire approximately 200,000 board feet of lumber in excess of the amount of lumber which it delivered on customer orders bearing this preference rating. This constituted a violation of Priorities Regulation No. 3. The said W. J. Nuss Lumber and Supply Company admits the violations as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of W. J. Nuss Lumber and Supply Company; of J. C. Baker, Regional Manager, Compliance Division; of James R. Bryant, Regional Attorney; and upon the approval of Frank T. Boesel, Compliance Commissioner; *It is hereby ordered*, That:

(a) W. J. Nuss Lumber and Supply Company, its successors or assigns, shall install, keep and preserve for a period of not less than two years accurate and complete records as required by Priorities Regulation No. 1.

(b) Lumber may be procured by the W. J. Nuss Lumber and Supply Company under and to the extent of the provisions of paragraphs (o), (1), (2), (3) and (4) of the War Production Board Limitation Order L-335, as amended January 5, 1945, except that under paragraph (o) (1) of said order, as amended aforesaid, the respondent shall deduct rated certificates covering 50,000 board feet of lumber each calendar quarter during the third and fourth calendar quarters of the year 1945 and the first and second calendar quarters of the year 1946 from its available rated certificates, and the total rated certificates covering 200,000 board feet of lumber, computed as aforesaid, shall not be extended by the respondent at any time hereafter.

(c) Nothing contained in this order shall be deemed to relieve the said W. J. Nuss Lumber and Supply Company, its successors or assigns, from any restriction, prohibition, or provision contained in any order or regulation of the War Production Board, insofar as the same may be inconsistent with the provisions hereof.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13723; Filed, July 26, 1945; 11:30 a. m.]

[C-398]

GALESBURG PRINTING AND PUBLISHING CO.

CONSENT ORDER

Galesburg Printing and Publishing Company is a corporation with its principal place of business at Galesburg, Illinois. During the fourth calendar quarter of 1943 and the first, second, third and fourth calendar quarters of 1944 it used or caused to be used in the publication of The Daily Register Mail print paper in excess of its quota established by Limitation Order L-240 amounting to 52,924 tons. Galesburg Printing and Publishing Company admits such excess usage of print paper and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Galesburg Printing and Publishing Company, the Regional Compliance Chief, the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) The Daily Register Mail, its successors and assigns, shall reduce its consumption of print paper during each of the second, third and fourth quarters of 1945, and the first quarter of 1946 so that its total usage for each of such quarters shall be 6,334 tons, 17,666 tons, 12,500 tons and 16,424 tons, respectively, less than it would otherwise be permitted to use during each of those quarters under the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Galesburg Printing and Publishing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except, insofar as the same may be inconsistent with the provisions hereof.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13724; Filed, July 26, 1945; 11:30 a. m.]

FEDERAL REGISTER

VOLUME 10 NUMBER 151

Washington, Tuesday, July 31, 1945

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of Secretary of Agriculture

TEMPORARY APPROVAL OF CERTAIN ACTIONS TAKEN BY THE OFFICE OF PRICE ADMINISTRATION

1. The temporary approval of certain actions taken by the Office of Price Administration, as contained in F.R. Doc. 45-12288, filed July 6, 1945 (10 F. R. 8419), is amended by striking out "July 31, 1945" and substituting "August 31, 1945."

2. The temporary approval of certain actions taken by the Office of Price Administration, as contained in F.R. Doc. 45-12289, filed July 6, 1945 (10 F.R. 8419), is amended by striking out "July 31, 1945" and substituting "August 31, 1945."

[SEAL] CLINTON P. ANDERSON, *Secretary of Agriculture.*

JULY 28, 1945.

[F. R. Doc. 45-13980; Filed, July 30, 1945; 11:16 a. m.]

PART 1—ADMINISTRATIVE REGULATIONS

DELEGATION OF AUTHORITY FROM SECRETARY TO CHIEF, AGRICULTURAL ADJUSTMENT AGENCY

The Chief, Agricultural Adjustment Agency, is hereby authorized to exercise the authority and perform the functions vested in the War Food Administrator by § 8307.6 of SPB Regulation 7, dated May 29, 1945, relating to veterans' preferences, and may delegate and authorize successive redelegations of such functions and authority.

Dated: July 27, 1945.

[SEAL] CLINTON P. ANDERSON, *Secretary.*

[F. R. Doc. 45-13897; Filed, July 28, 1945; 11:09 a. m.]

Chapter IX—Marketing Agreements and Orders

PART 901—WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

SUSPENSION ORDER

Pursuant to the provisions of Public Act No. 10, 73rd Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act," it is hereby found and determined that the provisions of the marketing order, as amended, regulating the handling of walnuts grown in California, Oregon, and Washington, effective pursuant to the provisions of said act, obstruct or do not tend to effectuate, during the period hereinafter stated, the declared policy of the said act.

It is, therefore, ordered, That the provisions in said marketing order, as amended, regulating the handling of walnuts grown in California, Oregon, and Washington, be, and the same hereby are, suspended, effective at 12:01 a. m., p. w. t., August 1, 1945, and such suspension shall remain effective until July 31, 1946, inclusive.

Nothing contained herein shall be construed (a) as affecting or waiving any right, duty, obligation, or liability which has arisen, or which, prior to the time that this suspension becomes effective, may arise under the aforesaid provisions of the marketing order, as amended; or (2) as releasing or extinguishing any violation of the said marketing order, as amended, which has occurred, or which, prior to the time that this suspension becomes effective, may occur; or (3) as affecting or impairing any right or remedy of the Secretary of Agriculture of the United States, or of any other person, with respect to any such violation which has occurred, or which, prior to the time that this suspension becomes effective, may occur.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 52 Stat. 215; 53 Stat. 793; 56 Stat. 65; 7 U.S.C. 601 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

(Continued on p. 9421)

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The New York Public Service Commission having granted its consent to New York Power and Light Corporation to transfer said utility assets to New York State Electric & Gas Corporation, by reason of which consent there is some question as to whether the acquisition by New York State Electric & Gas Corporation is subject to the provisions of section 10 of the act or is exempt therefrom by virtue of section 9 (b) (1) of the act; and

Said declaration and application having been filed on July 5 and July 10, 1945, respectively, and notice of said filings having been given in the form and manner prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said declaration and application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding in respect of the declaration of New York Power and Light Corporation that the provisions of section 12 of the act and Rule U-44 promulgated thereunder are satisfied, and that no adverse findings are necessary thereunder; and deeming it appropriate, in the public interest and in the interests of investors and consumers to permit said declaration to become effective; and

The Commission deeming it necessary to resolve the question as to whether the acquisition by New York State Electric & Gas Corporation is exempt from the provisions of section 10 of the act, since, in any event, it is of the opinion that the acquisition by New York State Electric & Gas Corporation will serve the public interest by tending toward the economical and efficient development of an integrated public utility system, and that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) of the act:

It is hereby ordered, That, pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, the aforesaid declaration be, and hereby is, permitted to become effective and the aforesaid application be, and hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-13824; Filed, July 27, 1945; 11:12 a. m.]

WAR PRODUCTION BOARD

[C-272, Revocation]

HERBERT L. BATCHELDER

CONSENT ORDER

Pursuant to an agreement between the Herbert L. Batchelder Company, Inc., and the Compliance Division of the War Production Board, and with the approval of the Regional Compliance Manager and the Regional Attorney.

Accordingly, the Director of the Compliance Division and the Office of General Counsel have determined that the occasion for *Consent Order No. C-272* no longer exists, and therefore, it is hereby revoked.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13722; Filed, July 26, 1945; 11:30 a. m.]

[C-396]

W. J. NUSS LUMBER & SUPPLY CO.

CONSENT ORDER

W. J. Nuss Lumber and Supply Company, located at 155 West McWilliams Street, Fond du Lac, Wisconsin, a Wisconsin corporation, is a wholesale and retail dealer in lumber and building materials and a manufacturer of millwork, interior trim, cabinet work and stairs. The company is charged by the War Production Board with the following violations:

(1) That the company has failed to maintain accurate and adequate records as required by Priorities Regulation No. 1; and

(2) That during the period from January 1, 1943, to December 31, 1943, it extended a preference rating of AA-1 to its suppliers to acquire approximately 200,000 board feet of lumber in excess of the amount of lumber which it delivered on customer orders bearing this preference rating. This constituted a violation of Priorities Regulation No. 3. The said W. J. Nuss Lumber and Supply Company admits the violations as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of W. J. Nuss Lumber and Supply Company; of J. C. Baker, Regional Manager, Compliance Division; of James R. Bryant, Regional Attorney; and upon the approval of Frank T. Boesel, Compliance Commissioner; *It is hereby ordered*, That:

(a) W. J. Nuss Lumber and Supply Company, its successors or assigns, shall install, keep and preserve for a period of not less than two years accurate and complete records as required by Priorities Regulation No. 1.

(b) Lumber may be procured by the W. J. Nuss Lumber and Supply Company under and to the extent of the provisions of paragraphs (o), (1), (2), (3) and (4) of the War Production Board Limitation Order L-335, as amended January 5, 1945, except that under paragraph (o) (1) of said order, as amended aforesaid, total rated certificates covering 200,000 board feet of lumber, computed as aforesaid, shall not be extended by the respondent at any time hereafter.

(c) Nothing contained in this order shall be deemed to relieve the said W. J. Nuss Lumber and Supply Company, its successors or assigns, from any restriction, prohibition, or provision contained in any order or regulation of the War Production Board, insofar as the same may be inconsistent with the provisions hereof.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13723; Filed, July 26, 1945; 11:30 a. m.]

[C-398]

GALESBURG PRINTING AND PUBLISHING CO.

CONSENT ORDER

Galesburg Printing and Publishing Company is a corporation with its principal place of business at Galesburg, Illinois. During the fourth calendar quarter of 1943 and the first, second, third and fourth calendar quarters of 1944 it used or caused to be used in the publication of The Daily Register Mail print paper in excess of its quota established by Limitation Order L-240 amounting to 52,924 tons. Galesburg Printing and Publishing Company admits such excess usage of print paper and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Galesburg Printing and Publishing Company, the Regional Compliance Chief, the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) The Daily Register Mail, its successors and assigns, shall reduce its consumption of print paper during each of the second, third and fourth quarters of 1945, and the first quarter of 1946 so that its total usage for each of such quarters shall be 6.334 tons, 17.666 tons, 12.500 tons and 16.424 tons, respectively, less than it would otherwise be permitted to use during each of those quarters under the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Galesburg Printing and Publishing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except, insofar as the same may be inconsistent with the provisions hereof.

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Issued at Washington, D. C., this 28th day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13981; Filed, July 30, 1945; 11:16 a. m.]

Chapter XI—War Food Distribution Orders

[WFO 75-2, Amdt. 27]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75-2, as amended (10 F.R. 6496, 7787, 8805), is further amended to read as follows:

1. By deleting the table at the end of paragraph (b) and substituting in lieu thereof the following:

Army-style	Utility (grade C), cutter and canner (grade D), federally inspected slaughterers only
All slaughterers including kosher slaughterers	
Percent 20	*Percent* 55

2. By deleting the table which appears at the end of Appendix A and substituting in lieu thereof the following:

Current rate of slaughter (percent of August 1944 weekly average)	Percentage of beef production (dressed weight of slaughter)	
	Army-style	Utility and canner and cutter grades
Less than 60.1	5.5	46.8
60.1-65.0	8.6	48.6
65.1-70.0	11.2	50.0
70.1-75.0	13.4	51.3
75.1-80.0	15.4	52.4
80.1-85.0	17.1	53.4
85.1-90.0	18.7	54.2
90.1-110.0	20.0	55.0
110.1-115.0	21.1	55.6
115.1-120.0	22.0	56.1
120.1-125.0	22.9	56.7
125.1-130.0	23.8	57.1
130.1-135.0	24.5	57.5
135.1-140.0	25.2	57.9
140.1-145.0	25.9	58.3
145.1-150.0	26.5	58.6
150.1-175.0	28.1	59.6
175.1-200.0	30.2	60.7
Over 200.0	31.8	61.7
Slaughterers without August 1944 slaughter history	31.8	61.7

This amendment shall become effective at 12:01 a. m., e. w. t., July 29, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or

other proceding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8067; WFO 75, 10 F.R. 4649)

Issued this 26th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13840; Filed, July 27, 1945; 12:16 p. m.]

[WFO 75-3, Amdt. 18]

PART 1410—LIVESTOCK AND MEATS

PORK SET ASIDE PERCENTAGES

War Food Order No. 75-3, as amended (10 F.R. 6499, 7789, 8949), is further amended as follows:

1. By deleting the paragraph entitled "Base period" in Appendix A, and substituting in lieu thereof the following: "*Base period.* The month of August 1944 is hereby established as the base period."

2. By deleting the table which appears in Appendix A, and substituting in lieu thereof the following:

Current rate of slaughter (percent of weekly average August 1941)	Percentages of live weight of slaughter				
	Loins	Hams	Spareribs and all other cuts	Shoulders and manufacturing pork	Total
Less than 50.1	3.9	4.2	2.7	5.4	16.2
50.1-65.0	4.2	4.6	3.0	5.9	17.7
65.1-80.0	4.5	5.0	3.2	6.3	19.0
80.1-87.0	4.8	5.3	3.3	6.7	20.1
87.1-95.0	5.0	5.5	3.5	7.0	21.0
95.1-100.0	5.2	5.7	3.6	7.2	21.7
100.1-115.0	5.3	5.9	3.7	7.4	22.3
115.1-130.0	5.5	6.0	3.8	7.6	22.9
130.1-145.0	5.5	6.1	3.9	7.8	23.3
Over 145.0	5.7	6.2	4.0	7.9	23.8
Slaughterers without August 1941 slaughter history	5.7	6.2	4.0	7.9	23.8

This amendment shall become effective at 12:01 a. m., e. w. t., July 29, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 26th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13841; Filed, July 27, 1945; 12:16 p. m.]

[WFO 75-3, Amdt. 19]

PART 1410—LIVESTOCK AND MEATS

LARD SET ASIDE REDUCTION

War Food Order No. 75-3, as amended (10 F.R. 6499, 7789, 8949), is further amended by deleting the paragraph immediately after the table which appears in Appendix A and substituting in lieu thereof the following:

Lard set aside. In addition to the above, each slaughterer subject to the provisions of this order shall set aside a quantity of lard, the total weight of which shall be not less than 4 percent of the total live weight of each week's slaughter of hogs: *Provided, however,* That until further order of the Director, this requirement shall not be applicable to slaughterers located in the States of Alabama, California, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Virginia, Washington, and West Virginia.

This amendment shall become effective at 12:01 a. m., e. w. t., July 29, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; W.F.O. 75, 10 F.R. 4649)

Issued this 27th day of July 1945.

[SEAL] H. E. REED,
Acting Director of Marketing Services.

[F. R. Doc. 45-13826; Filed, July 28, 1945; 11:09 a. m.]

[WFO 119-1, Amdt. 1]

PART 1414—POULTRY

POULTRY AND PROCESSED POULTRY

War Food Order No. 119-1 (10 F.R. 5345) is hereby amended by deleting therefrom the provisions in § 1414.10 (b) and substituting, in lieu thereof, the following:

(b) *Specifications relative to poultry area.* The following counties in the State of North Carolina are specified to constitute a part of the poultry area: Randolph, Moore, Lee, Chatham, Stanly, Montgomery, Anson, Richmond and Union.

This order shall become effective at 12:01 a. m., e. w. t., August 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 119-1 prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 119-1 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 119, 9 F.R. 14269, 10 F.R. 6, 103)

Issued this 26th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13843; Filed, July 27, 1945; 3:28 p. m.]

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

MAINLAND SUGARCANE FARMING PRACTICES FOR THE 1945 AND SUBSEQUENT CROP YEARS

Correction

In Federal Register Document 45-12565, appearing at page 8639 of the issue for Thursday, July 12, 1945, the signature of the Secretary of Agriculture should read "Clinton P. Anderson."

PART 802—SUGAR DETERMINATIONS

HAWAIIAN SUGARCANE FARMING PRACTICES FOR THE 1495 AND SUBSEQUENT CROP YEARS

Correction

The signature of the Secretary of Agriculture, appearing at the end of Federal Register Document 45-12524, page 8641 of the issue for Thursday, July 12, 1945, should read "Clinton P. Anderson."

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

MISCELLANEOUS AMENDMENTS

Part 222 is hereby amended in the following respects, effective July 27, 1945:

1. By changing § 222.8 (d) to read as follows:

§ 222.8 *Exceptions.* • • •

(d) *Military aircraft credits.* Any extension of credit to finance the purchase of military aircraft other than a primary trainer.

2. By inserting in subparagraph (1) of § 222.8 (h) entitled "Agricultural Loans" the words "or by any Federal land bank" following the words "Federal Farm Mortgage Corporation".

3. By changing § 222.8 (l) to read as follows:

(l) *Railroad watches.* Any extension of credit to finance the purchase of a railroad standard watch (whether new or used) by a railroad time service employee: *Provided,* The registrant obtains a statement signed by the division superintendent of the railroad by which the purchaser is employed certifying that the purchaser is required to carry such a watch in the performance of his duties and has no watch suitable for the purpose.

4. By changing Item 3 in Group A of § 222.13 (a) entitled "Listed Articles" to read as follows:

3. Aircraft (including gliders) designed for a useful load of 1,000 pounds or less.

(Sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; secs. 301 and 302, 55 Stat. 839, 840; 12 U.S.C. 95 (a) and Supp., 50 U.S.C. App. 616, 617, and Executive Order No. 8843, dated August 9, 1941)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Secretary.

[F. R. Doc. 45-13963; Filed, July 30, 1945; 9:47 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

[Amdt. 113]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS AND RADIO FIXES

AIRPORT TRAFFIC ZONES

JULY 21, 1945.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By striking in the title to Part 601 the words: "Control Zones of Intersection, Control Airports" and substituting in lieu thereof the following: "Airport Approach Zones; Airport Traffic Zones."

2. By striking § 601.3 and substituting a new § 601.3 to read as follows:

§ 601.3 *Airport traffic zone designation.* The following described portions of the navigable airspace of the United States are hereby designated as airport traffic zones:

§ 601.30 *Scope.* Each airport traffic zone shall include the navigable airspace above all that area on the surface of the earth lying within the specified radius of the centerpoint prescribed for such zone (except where otherwise described herein), but shall not include any of the airspace of an airspace reservation.

§ 601.300 *Airport traffic zones.*

§ 601.3000 Within a three-mile radius of the following airports:

Abilene, Tex.	Abilene Air Terminal.
Akron, Ohio	Akron Airport.
Albany, Ga.	Albany Airport.
Albany, N. Y.	Albany Airport.
Albuquerque, N. Mex.	Kirtland Field.
Alice, Tex.	Alice Airport.
Amarillo, Tex.	English Field (Amarillo A. A. F.).
Anchorage, Alaska	Anchorage Airport.
Atlanta, Ga.	Atlanta Airport.
Augusta, Ga.	Daniel Field.
Augusta, Maine	Augusta Airport.
Austin, Tex.	Robert Mueller Airport.
Bakersfield, Calif.	Bakersfield-Kern County Airport.
Baltimore, Md.	Baltimore A. A. F.
Bangor, Maine	Dow Field.
Baton Rouge, La.	East Baton Rouge Parish Airport.
Battle Creek, Mich.	Kellogg Field.
Bellingham, Wash.	Bellingham A. A. F.
Big Spring, Tex.	Big Spring A. A. F.
Billings, Mont.	Billings Airport.
Birmingham, Ala.	Birmingham A. A. F. (Birmingham Airport).
Bismarck, N. Dak.	Bismarck Airport.
Blythe, Calif.	Blythe A. A. F.
Boise, Idaho	Gowen Field.
Boston, Mass.	Logan Airport.
Brownsville, Tex.	Brownsville Airport.
Buffalo, N. Y.	Buffalo Airport.
Burley, Idaho	Burley Airport.
Burlington, Vt.	Burlington Airport.
Butte, Mont.	Butte Airport.
Charleston, S. C.	Charleston A. A. F.
Charlotte, N. C.	Morris Field (Charlotte Municipal).
Chattanooga, Tenn.	Chattanooga Airport (Lovell Field).
Cheyenne, Wyo.	Cheyenne Airport.
Chicago, Ill.	Chicago Airport.
Cincinnati, Ohio	Lunken Airport.
Cleveland, Ohio	Cleveland Airport.
Cochise, Ariz.	C. A. A. Int. Field.
Coeur d'Alene, Idaho.	Coeur d'Alene Air Terminal Airport.
Columbia, S. C.	Owens Field.
Columbus, Ohio	Port Columbus, N. A. F.
Concord, N. H.	Concord Airport.
Corpus Christi, Tex.	Cliff Maus Field.
Crestview, Fla.	C. A. A. Int. Field.
Daggett, Calif.	Daggett Municipal Airport.
Dallas, Tex.	Love Field.
Daytona Beach, Fla.	Daytona Beach N. A. S.
Dayton, Ohio	Dayton A. A. F. (Dayton Arpt.).
Denver, Colo.	Stapleton Air Field (Denver Airport).
Des Moines, Iowa	Des Moines Airport.
Detroit, Mich.	Detroit City Airport.
Dothan, Ala.	Dothan Airport.
Elko, Nev.	Elko Airport (Keddie Field).
El Paso, Tex.	El Paso Municipal Airport (Ed Anderson Field).
Erie, Pa.	Port Erie Airport.
Evansville, Ind.	Evansville Airport (old).
Everett, Wash.	Paine Field.
Fairbanks, Alaska	Fairbanks Airport.
Fargo, N. Dak.	Fargo Airport (Hector Field).
Florence, S. C.	Florence A. A. F.
Fort Myers, Fla.	Page Field.
Fort Wayne, Ind.	Smith Field.
Fort Worth, Tex.	Meacham Field.
Fresno, Calif.	Fresno - Chandler Airport.
Galveston, Tex.	Galveston A. A. F.
Glendale, Calif.	Grand Central Airport.
Grand Rapids, Mich.	Kent County Airport.
Great Falls, Mont.	Gore Field.
Greensboro, N. C.	Greensboro-High Point (Lindley Field).
Greenville, S. C.	Greenville Airport.
Greenwood, Miss.	Greenwood Airport.
Harrisburg, Pa.	Harrisburg State Airport (New Cumberland N. A. F.).
Hartford, Conn.	Brainard Field.
Helena, Mont.	Helena Airport.
Houlton, Maine	Houlton A. A. F.
Houston, Tex.	Houston Airport.
Hutchinson, Kans.	Hutchinson Outlying Field No. 1.
Indianapolis, Ind.	Indianapolis Airport.
Jackson, Miss.	Jackson A. A. B. (Jackson Airport).
Jacksonville, Fla.	Jacksonville Airport No. 1, N. A. A. S.
Kansas City, Mo.	Kansas City Airport.
Key West, Fla.	Meacham Outlying Field.
Knoxville, Tenn.	Knoxville McGhee-Tyson Airport.
Lake Charles, La.	Lake Charles A. A. F.
Lansing, Mich.	Capital City Airport.
Las Vegas, Nev.	Las Vegas A. A. F.
Little Rock, Ark.	Adams Field.
Long Beach, Calif.	Long Beach A. A. F. (Daugherty Field).
Los Angeles, Calif.	Los Angeles Airport (Mines Field).
Burbank (Los Angeles, Calif.).	Lockheed Air Terminal.
Louisville, Ky.	Bowman Field.
Lynchburg, Va.	Preston Glenn Airport.
Macon, Ga.	Herbert Smart Airport.
Manchester, N. H.	Grenier Field.
Medford, Oreg.	Medford A. A. F.
Melbourne, Fla.	Melbourne N. A. S.
Memphis, Tenn.	Memphis Airport.
Meridian, Miss.	Key Field.
Miami, Fla.	Miami A. A. F. (Pan American-36th St. Airport).
Millinocket, Maine	Millinocket Airport.
Milwaukee, Wis.	General Mitchell Field.
Minneapolis, Minn.	Minneapolis-St. Paul Metropolitan Airport-Wold Chamberlain Field.
Mobile, Ala.	Bates Field.
Montgomery, Ala.	Gunter Field.
Muscle Shoals, Ala.	Muscle Shoals Airport.
Nashville, Tenn.	Berry Field.
Newark, N. J.	Newark A. A. F.
New Orleans, La.	New Orleans Airport.
New York City, N. Y.	New York N. A. S. (Floyd Bennett Field).
New York, N. Y.	La Guardia Airport.
Niagara Falls, N. Y.	Niagara Falls Airport.
Norfolk, Va.	Norfolk A. A. F.
Norfolk, Va.	Norfolk N. A. S. (East Field).
North Platte, Nebr.	Lee Bird Field.
Oakland, Calif.	Oakland Airport.
Ogden, Utah	Robert H. Hinckley Field.
Oklahoma City, Okla.	Will Rogers Field.
Omaha, Nebr.	Omaha Airport.
Orlando, Fla.	Orlando Municipal Airport (AAB).
Palmdale, Calif.	Palmdale A. A. F.
Pendleton, Oreg.	Pendleton Field.
Pensacola, Fla.	Pensacola Airport.
Philadelphia, Pa.	Philadelphia Airport.
Phoenix, Ariz.	Sky Harbor Airport.
Pittsburgh, Pa.	Pittsburgh-Allegheny County Airport.
Pocatello, Idaho	Pocatello Airport.
Portland, Oreg.	Portland A. A. B.
Portland, Maine	Portland Airport.
Presque Isle, Maine	Presque Isle A. A. F.
Providence, R. I.	Hillsgrove A. A. F.
Pueblo, Colo.	Pueblo Airport.
Raleigh, N. C.	Raleigh Airport.
Reno, Nev.	Hubbard Field.
Richmond, Va.	Richmond A. A. B.
Rochester, Minn.	Rochester Airport.
Rochester, N. Y.	Rochester Airport.
Rock Springs, Wyo.	Rock Springs Airport (new).
Rome, N. Y.	Rome A. A. F.
Romulus, Mich.	Romulus A. A. F.
Sacramento, Calif.	Sacramento Airport.
St. Louis (Robertson), Mo.	Lambert Field-St. Louis Airport.
St. Paul, Minn.	Minneapolis - St. Paul Metropolitan Airport (Holman Field).
Salinas, Calif.	Salinas A. A. B.
Salt Lake City, Utah.	Salt Lake City Airport No. 1.
San Antonio, Tex.	San Antonio Airport (Alamo Field).
San Diego, Calif.	Lindbergh Field.
San Francisco, Calif.	San Francisco Airport.
Santa Barbara, Calif.	Santa Barbara M. C. A. S.
Santa Monica, Calif.	Santa Monica Airport Clover Field.
Savannah, Ga.	Hunter Field.
Seattle, Wash.	Boeing Field.
Shreveport, La.	Shreveport Airport.
South Bend, Ind.	Bendix Field.
Spartanburg, S. C.	Memorial Airport.
Spokane, Wash.	Felts Field.
Syracuse, N. Y.	Syracuse Airport.
Tallahassee, Fla.	Dale Mabry Field.

Tampa, Fla.	Peter O. Knight Airport.
Toledo, Ohio	Toledo Airport.
Tri-City, Tenn.	Tri-City Airport.
Troy, N. Y.	Troy Airport.
Tucson, Ariz.	Davis-Monthan Field.
Tucson, Ariz.	Tucson Airport.
Tulsa, Okla.	Tulsa Airport-Tulsa A. A. F.
Waco, Tex.	Blackland A. A. F.
Walla Walla, Wash.	Walla Walla A. A. F.
Washington, D. C.	Washington National Airport.
Westfield, Mass.	Barnes Airport.
West Palm Beach, Fla.	Morrison Field.
Wichita, Kans.	Wichita Airport.
Wichita Falls, Tex.	Sheppard Field (Kell Field).
Winslow, Ariz.	Winslow Airport.
Yakima, Wash.	Yakima County Airport.
Youngstown, Ohio	Youngstown Airport.

This amendment shall become effective 0001 e. w. t. August 1, 1945.

C. I. STANTON,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 45-13888; Filed, July 28, 1945; 10:02 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5132]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ZO-LON CO.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with the offering for sale, sale and distribution of respondent's preparation designated as "Zo-Lon Compound", and "Zo-Lon", or any other preparation of substantially similar composition or possessing substantially similar properties, under whatever name or names sold, disseminating, etc., any advertisements by means of the United States mails or in commerce, or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or by implication that said preparation constitutes a competent or effective treatment for obesity or has any value as a reducing agent; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Zo-Lon Company, Docket 5132, July 12, 1945]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 12th day of July, A. D. 1945.

In the Matter of A. T. WILSON, an Individual Trading as ZO-LON COMPANY

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That A. T. Wilson, an individual trading as Zo-Lon Company, or trading under any other name, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of his preparation designated as "Zo-Lon Compound", and "Zo-Lon", or any other preparation of substantially similar composition or possessing substantially similar properties, under whatever name or names sold, do forthwith cease and desist from, directly or indirectly.

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication;

(a) That said preparation constitutes a competent or effective treatment for obesity or has any value as a reducing agent;

2. Disseminating or causing to be disseminated any advertising by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said preparation, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-13025; Filed, July 30, 1945; 11:46 a. m.]

[Docket No. 5140]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NORTHERN KENTUCKY INDEPENDENT FOOD DEALERS ASSN., INC., ET AL.

§ 3.24 (a) *Coercing and intimidating—Competitors—By threatening disciplinary action or otherwise:* § 3.24 (d 10) *Coercing and intimidating—Suppliers and sellers—To credit or allow for unsold goods:* § 3.27 (d 5) *Combining or conspiring—To force credit allowance adjustment or trade policy:* § 3.30 (f 5) *Cutting off competitors' or others' access to customers or market—Withholding patronage from recalcitrant suppliers.* In or in connection with the purchase of bread and other grocery products in commerce, and on the part of respondent association, its officers, directors, and members, and their respective representatives, etc., and on the part of three individual respondents, as such and as officers of aforesaid respondent association, and their agents, etc., entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, for the purpose or with the effect of coercing, or seeking to coerce, any seller into the adoption of any price, sale, or distribution policy desired by respondents, or otherwise hindering or restraining competition in the sale and distribution of said products; (1) by ceasing dealing with or reducing their purchases from any seller or sellers of bread or other grocery products; (2) by inducing, persuading, or coercing others into ceasing dealing with or into reducing their purchases from any seller or sellers of bread or other grocery products; or, (3) by hindering, obstructing, or preventing any seller of bread or other grocery products from making sales of his products; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) (Cease and desist order, Northern Kentucky Independent Food Dealers Association, Inc., et al., Docket 5140, July 12, 1945).

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of July A. D. 1945.

In the Matter of Northern Kentucky Independent Food Dealers Association, Inc., and Its Officers, as Follows: Paul Ogden, President, R. H. Goderwis, Vice President, Larry T. Hiltz, Secretary, and Barney J. Malloy, Treasurer; and Its Members, Including Said Officers and the Following as Representatives of the Members: Virgil Clinkenbeard, George Stegner, T. C. Alpaugh, Richard Guenther, Daniel Roy, Charles Hildersman

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner and exceptions thereto, and brief in support of the complaint (respondents not having filed brief and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Northern Kentucky Independent Food Dealers Association, Inc., a nonprofit corporation, its officers, directors, and members, their respective representatives, agents, and employees, and respondents R. H. Goderwis, Larry T. Hiltz, and Barney J. Malloy, individually and as officers of the aforesaid corporate respondent, their respective agents, representatives, and employees in or in connection with the purchase of bread and other grocery products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, for the purpose or with the effect of coercing, or seeking to coerce, any seller into the adoption of any price, sale, or distribution policy desired by respondents, or otherwise hindering or restraining competition in the sale and distribution of said products:

1. By ceasing dealing with or reducing their purchases from any seller or sellers of bread or other grocery products.

2. By inducing, persuading, or coercing others into ceasing dealing with or into reducing their purchases from any seller or sellers of bread or other grocery products.

3. By hindering, obstructing, or preventing any seller of bread or other grocery products from making sales of his products.

It is further ordered, That, for the reasons appearing in the findings as to the facts, this proceeding be, and the same hereby is, closed as to respondent Paul Ogden without prejudice to the right of the Commission to institute further proceedings should facts warrant such action.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-14004; Filed, July 30, 1945; 11:46 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

Appendix—Industry Commissions and Panels

MEAT PACKING COMMISSION

The National War Labor Board has extended the jurisdiction of its Meat Packing Commission, established March 21, 1945 (10 F.R. p. 3721, Apr. 6, 1945) as follows:

1. In addition to jurisdiction previously conferred on the Meat Packing Commission, it shall have jurisdiction to pass on applications for voluntary wage adjustments to extend the wage adjustments made in the agreement of the five largest meat packing companies with the three major unions in this industry which this Board has heretofore approved to slaughtering and processing plants of these companies not included in the master agreements between the companies and the unions but whose operations are comparable to those of included plants. (Approved July 9, 1945)

2. In addition to jurisdiction previously conferred on the Meat Packing Commission, it shall have authority to pass on agreements made with the Independent Packers and the Unions representing their production employees which extend to slaughtering and meat processing plants of these packers and which are comparable in their operations to the slaughtering and meat processing plants of the five major meat packing companies (Swift and Company, Armour and Company, Wilson and Company, Cudahy Packing Company, and John Morrell and Company), the provisions of the directive orders of this Board dated February 20, 1945, and the agreements made by the five major meat packing companies relating to payment for time spent in changing clothes on the premises, the furnishing of work clothes, the furnishing of tools, equipment and safety devices, the preparing and repairing of tools and equipment, and the extension to 36 hours of the guaranteed work week. Appeal may be taken from any Ruling of the Commission on any such application to the National War Labor Board, subject to all of the rules applicable to rulings on Form 10 Applications made by Regional Boards and Commissions. (Approved June 26, 1945)

3. The jurisdiction of the Meat Packing Commission shall be broadened to include ruling upon voluntary applications to extend such of the provisions as are appropriate of the agreements made by the five major meat packing companies with the three major unions in this industry to employees outside of the bargaining units represented by those unions who do the same or similar kinds of work as the included employees and whose working conditions and wage rates historically have followed the same patterns. Appeals from denials or modifications of such voluntary applications may be taken in the same manner and on the same grounds as from the rulings of Regional Boards in Form 10 cases. (Approved July 17, 1945)

E.O. 9250, Oct. 2, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, April 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

FRED E. DESMOND,
Acting Executive Director.

[F. R. Doc. 45-13973; Filed, July 30, 1945; 11:12 a. m.]

Chapter IX—Department of Agriculture (Agricultural Labor)

[Supp. 55, Amdt. 1]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN HARVESTING WHEAT IN CERTAIN WASHINGTON COUNTIES

Supplement 55 (10 F.R. 8812) is amended as follows:

Subparagraph (c) 2 (b) of § 1111.13 is amended to read as follows:

(b) Tractor driver—$15 per day plus board.

This Amendment 1 to Supplement 55 shall be effective 12:01 a. m., Pacific war time, July 30, 1945.

Issued this 27th day of July 1945.

[SEAL] K. A. BUTLER,
Acting Director of Labor, U. S. Department of Agriculture.

[F. R. Doc. 45-13983; Filed, July 30, 1945; 11:16 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 24, as Amended July 27, 1945]

EQUIPMENT NEEDED FOR THE INITIATION, RESUMPTION OR EXPANSION OF CIVILIAN PRODUCTION OR CIVILIAN SERVICES

Section 944.45 *Priorities Regulation 24* is amended to read as follows:

§ 944.45 *Priorities Regulation 24*—(a) *What this regulation does.* (1) This regulation states the rules regarding the granting of priorities assistance for getting equipment which is needed for the initiation, resumption or expansion of where no construction is involved which requires authorization under L-41. The War Production Board grants priorities assistance for these purposes only under the conditions described in paragraph (c) below.

(2) This regulation permits the filing of a single application to cover any number of items of equipment needed for the same purpose. If you need equipment for war production or for production or services which are essential to the war effort, you should file under the customary procedures and not under this regulation.

(3) This regulation applies only to equipment which will be used in the United States, its territories or possessions, or in the Dominion of Canada. In the case of other exports the usual export procedures should be followed.

(b) *Definition of "priorities assistance."* As used in this regulation, "priorities assistance" includes preference ratings and also any special authorization which is required by a War Production Board order before a purchase order for an item of equipment may be placed or accepted or delivery completed.

(c) *Conditions for passing on applications for equipment.* The general policy of the War Production Board is not to grant priorities assistance for equipment required for the initiation, resumption or expansion of civilian pro-

duction or services. The only exception is that priorities assistance may be assigned if the application shows that all of the following conditions are satisfied:

(1) There is no reasonable prospect that the items can be acquired at the times requested without a rating or special authorization. This condition will usually exist only when the items have a long manufacturing time so that unrated deliveries are difficult for the manufacturer to schedule or where unrated orders or orders not specially authorized by the War Production Board may not be accepted by the supplier under the provisions of a War Production Board order. (Explain in Block 3 of WPB-541A.)

(2) The items are only a small bottleneck portion of the total equipment needed for the civilian production or civilian services, the remainder being on hand or available without special assistance. (Explain in Block 5 of WPB-541A.)

(3) The items are actually needed to permit production or services, either in the applicant's plant or shop or in a business dependent on him, and are not to replace or supplement existing equipment which is adequate though less efficient. (Explain in Block 6 of WPB-541.)

(4) The items are needed by him in order to operate at the minimum rate consistent with efficient operations. (Explain in Block 4 of WPB-541A.)

(5) The product which the applicant will manufacture or the service he will render is one which is needed for the civilian economy. (Explain in Blocks 8 and 9 of WPB-541.)

(6) The requested delivery date is such that the applicant's initiation, resumption or expansion of presently permitted production or services will be materially delayed by failure to receive the items on the requested date. (Explain in Block 4 of WPB-541A.)

(d) *Preparation and filing of applications.* (1) All applications for equipment filed under this regulation must be made on Form WPB-541A (filed with Form WPB-541). The application should be filed with the War Production Board field office nearest the plant or shop in which the equipment will be used. All equipment for which a rating is requested must be listed. No ratings will be given for equipment which is not listed. If construction which requires authorization under L-41 is involved (see especially paragraph (e) (20) of L-41 which gives an exemption for the installation of equipment obtained on a special form), the request for an authorization should be made on Form WPB-617, in accordance with Direction 5 to Conservation Order L-41.

(2) A separate statement regarding conditions listed in paragraph (c) must be given in the specified blocks of the form with respect to each class of equipment for which priorities assistance is required. The designation "PR-24" must be written at the top of the application.

(3) If you need priorities assistance for any Y products under Order M-293, or for any of the equipment listed below, you must list the equipment on your WPB-541 application and you must also file (along with the WPB-541A) the appropriate separate form:

Machinery or equipment	Governing order	Separate WPB form
Chemical processing equipment and other machinery covered by M-293, Table 15	M-293	1319
Construction machinery listed on list 2 of L-192	L-192	1319
Laboratory instruments on list A of L-141 (not industrial equipment)	L-121	1319
Liquefied petroleum gas equipment	L-[illegible]	809
Rubber processing equipment	L-[illegible]a	1319
Textile machinery on list A of L-215	L-215	1319
Woodworking machinery (class I)	L-[illegible]	1331

(4) Do not fill out Block 2 of WPB-541A. Direction 15 to CMP Regulation 5 and other preference rating orders give priorities assistance for installation materials under certain circumstances.

(e) *Certifications.* Ratings given under this regulation on Form WPB-541-WPB-541A may be applied or extended by using the standard certification in Priorities Regulation 7 but the following statement must be added: "This rating assigned pursuant to Priorities Regulation 24." Orders bearing this certification, except orders for items covered by paragraph (d) (3), may be accepted and filled in accordance with Priorities Regulation 1 regardless of any other War Production Board order or regulation requiring that a special form be used to give priorities assistance for the item.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13385; Filed, July 27, 1945; 4:45 p. m.]

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[General Inventory Order M-161, as Amended July 28, 1945]

§ 1255.1 *General Inventory Order M-161*—(a) *What this order does.* This order excepts certain materials from inventory restrictions and from limits on the purchase of maintenance, repair, and operating supplies. The exception is made in some cases because there is no serious shortage of the material and in other cases because the material is available in quantity only in certain seasons, so that it is desirable to permit persons to buy and store it without limit.

(b) *Exception to inventory restrictions.* Section 944.14 of Priorities Regulation 1, which restricts inventory to a practicable working minimum, does not apply to the materials listed on Schedule A. Each of these materials is also exempted from all inventory restrictions in any other regulation or order of the War Production Board unless they expressly mention the material.

(c) *Exemption from restrictions on maintenance, repair, and operating supplies.* The materials listed on Schedule A are not subject to any restrictions in any regulation or order of the War Production Board which limit the quantity of material received or ordered for maintenance, repair, or operating supplies during any period on the basis of the amount of such supplies purchased during a base period. A person may receive or order for delivery any quantity of listed materials without regard to these restrictions. He does not have to change his orders for any such material against his base-period quota except to the extent that purchases of the same material were taken into account in arriving at his quota. For example, a manufacturer operating under CMP Regulation 5 is limited in his purchases of maintenance, repair, and operating supplies to the amount which he spent in the base period. A manufacturer who spent $50,000 during the base period, including $500 for a listed material, may buy any amount of that material during the current period and may use his MRO rating for that purpose, and he need include only $450 of the amount thus spent for that material in figuring the amount to be charged to his quota of MRO.

Issued this 28th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

This lists the materials which are exempt from all inventory limitations and from restrictions on the quantity which may be purchased for maintenance, repair or operating supplies.

Asbestos tape .010-.025 thickness.
Asbestos unmanufactured, all grades and types.
Borax
Boric acid.
Domestic andalusite.
Domestic dumortierite.
Ilmenite.
Phosphate rock
Potter's flint
Salt (sodium chloride) in bulk
Sodium sulfate (salt cake)
Sodium sulfite.
Stoneware clay
Sulphur.
Vermiculite.
Waste paper
Wool, raw.

[F. R. Doc. 45-13938; Filed, July 28, 1945; 12:18 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 34]

MANUFACTURERS OF CLASS B PRODUCTS ARE NOT REQUIRED TO FILE APPLICATIONS FOR ALLOTMENTS

The following interpretation is issued with respect to CMP Regulation 1:

It is not necessary for a person who wants to produce a Class B product to file an application on Form CMP-4B for an allotment or authorized production schedule for the product. He may, if he wishes, obtain his material without the use of ratings and allotments, or by extending his customers' ratings to get non-controlled materials.

Issued this 28th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13951; Filed, July 28, 1945; 12:18 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-73, Revocation]

WOOL

Section 3290.286 *General Conservation Order M-73*, and all directions thereunder are revoked. This revocation does not affect any liabilities incurred for violation of the order or directions or of actions taken by the War Production Board under the order or directions.

Issued this 28th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13952; Filed, July 28, 1945; 12:18 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 74, as Amended July 28, 1945]

SULFURIC ACID

§ 3293.1074 *Schedule 74 to General Allocation Order M-300*—(a) *Definitions.* (1) "Sulfuric acid" means all grades and strengths of sulfuric acid, both virgin and fortified, and includes oleum and recovered or spent sulfuric acid.

(2) "Supplier" means any person (on and after September 1, 1945, only a person in the States of Washington, Oregon, California, Arizona, New Mexico, Nevada, Utah, Colorado, Wyoming, Idaho, and Montana) who produces sulfuric acid for his own use or for sale, or who purchases sulfuric acid for redelivery as sulfuric acid, with or without further concentration or refinement, or who purchases sulfuric acid for his own use and redelivers the spent or recovered sulfuric acid.

(b) *General provisions.* Sulfuric acid (on and after September 1, 1945 only sulfuric acid produced in the States of Washington, Oregon, California, Arizona, New Mexico, Nevada, Utah, Colorado, Wyoming, Idaho, and Montana) is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is December 1, 1944. The allocation period is the calendar month. The small order exemption without use certificate is 500 tons (net tons, basis 100% H_2SO_4) per person per month. On and after September 1, 1945, delivery of sulfuric acid produced in States other than those referred to above is subject to General Preference Order M-340 and not to allocation under this schedule.

(c) [Deleted July 28, 1945.]

(d) [Deleted July 28, 1945.]

(e) *Residual sulfuric acid.* Any person who has received sulfuric acid on a purchase order certified for a particular purpose, or who has been specifically authorized to use sulfuric acid for a particular purpose, may use the residual sulfuric acid which is no longer suitable for the particular purpose for any other purpose except superphosphate production, without application or specific authorization. If he wishes to use the residual acid for superphosphate he shall apply for specific authorization to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-74. He may deliver the residual acid to or for the account of the person who supplied him with the original acid (if delivery is to be made to another for the account of the original supplier, the original supplier must obtain specific authorization of the War Production Board as in the case of deliveries made from the supplier's own plant). Any other delivery of the residual acid must be specifically authorized upon application pursuant to paragraph (g) of this schedule.

(f) [Deleted July 28, 1945.]

(g) *Suppliers' application on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 15th day of the month before the proposed delivery month. File a separate set of forms for each of the applicant's supplying plants. Send three copies (one certified) to the War Production Board, Washington 25, D. C., Ref: M-300-74. The unit of measure is tons (2000 lbs.) on basis of 100% H_2SO_4. Leave grade space blank.

Fill in Table I as indicated, subject to the following instructions:

(1) List each customer ordering for any of the following purposes, specifying the quantity ordered for each use:

Petroleum products
Hydrochloric acid
Ethylene dibromide
Primary chromium chemicals (including chromic acid)
Military explosives
Hydrofluoric acid
Phenol
Silica gel
Rubber (including synthetic)
Export (specify Lend-Lease requisition and contract number, or specify export license number)
Resale on further authorization.

(2) In the case of customers ordering for any of the following purposes, do not specify the customers' names in Column 1, but list in Column 4 the total quantity ordered for each use specified in Column 1a:

Iron and steel
Other metallurgical
Superphosphate fertilizer
Sodium phosphates
Sulfate of ammonia
Lead, zinc, or titanium pigments
Rayon
Cellulose film and sponges
Aluminum sulfate
Other chemical products
Exempt uncertified small orders (including certified orders for small order resale)
Miscellaneous (not specified above)

In Column 7 (Remarks) specify whether the acid referred to in each Column 4 entry is oleum, virgin, spent or fortified, and specify the strength.

A supplier seeking authorization to use any part of his own stock of sulfuric acid shall list his own requirements in the same way as for his customers. If the request is for a use listed in paragraph (g) (2) above, he shall list his own name in Column 1. However, if a supplier has purchased sulfuric acid from another supplier for use in his own manufacturing operations, he may use this acid as certified on the purchase order without application or specific authorization on Form WPB-2947.

Fill in Table II, listing oleum, virgin, spent and fortified sulfuric acid separately in Column 8 and filling in the other columns accordingly.

(h) *Certified statements of use.* Each person placing orders for delivery of more than 500 tons (net tons, 100% H_2SO_4 basis) per month of sulfuric acid in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, followed by the certification "Use certified—Ref: M-300" and authorized signature (as prescribed in Appendix D of Order M-300). Specify purpose for which the acid is ordered in terms of the purposes listed in paragraphs (g) (1) and (2) above.

(i) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-74.

Issued this 28th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13954; Filed, July 28, 1945; 12:18 p. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix I, as Amended May 30, 1945, Amdt. 2]

Appendix I, as amended May 30, 1945, to Rubber Order R-1, is hereby further amended as follows:

1. In Table B under Code No. 9B, change "Special molded belts" to "Special molded belts and conveyors."

2. In Table B under Code No. 10E, "Industrial mandrel made hose for hose masks as required by Bureau of Mines" delete "0" in the "Percent Natural Rubber" column and add in the "Special restrictions or provisions" column the following: "Natural rubber permitted in cements only."

3. In Table B under Code No. 11B, "Gaskets, including sheet, etc.", change the "Percent natural rubber" column from "5" to "2.5".

4. In Table B under Code No. 12, change the product designated "Other mechanicals" to read "Mechanicals listed in this Code 12".

5. In Table B under Code No. 12B, "Automotive and railroad parts not else-

where listed" strike the notation in the column headed "Special restrictions or provisions" and substitute the words "Non-functional automotive replacement parts for other than Government orders not permitted."

6. In Table B under Code No. 12F, immediately following the product designated "Parts for business machines and communications equipment" insert the following:

Code No.	Product	Appendix II	Percent natural rubber	Butyl	Special restrictions or provisions
12G	Oil well supplies:				
	Blowout preventers		0	0	
	Drill pipe protectors		0	0	
	Lining bumpers and swab rubbers		0	0	
	Packers—fabric reinforced		0	0	
	Packers—all rubber		0	0	
	Stabilizers		0	0	
	Slush pump pistons and liners for third packed pumps		X	0	
	Strippers		X	0	
	Stuffing box rings		0	0	
	Testing and cementing		0	0	
	Valves and parts		0	0	
	Valve cups		X	0	

8. In Table B under Code No. 17A, "Compounds for the following, limited to Government orders only:" delete the product described as "Other purposes" and the "Percent natural rubber" "0" and "Butyl" "0".

9. In Table B under Code 17B, "Compounds for: Industrial occupational protective clothing etc." change the "Butyl" column from "0" to "X"; in the column "Special restrictions or provisions" insert "Butyl permitted, except tube butyl".

10. In Table B under Code No. 17C, "Compounds for proofing, combining, etc." change the "Butyl" column from "0" to "X"; in the column "Special restrictions or provisions" insert "Butyl permitted, except tube butyl".

11. Add a new code number as follows: "17D Other purposes", and insert in the "Percent natural rubber" column "0" and in the "Butyl" column "X"; in the column "Special restrictions or provisions" insert "Butyl permitted, except tube butyl".

12. In Table B, delete Code No. 22D "Masks and respirators:" and substitute the following:

Code No.	Product	Appendix II	Percent natural rubber	Butyl	Special restrictions or provisions
22D	Masks and respirators:				
	Breathing bags for submarine lung and oxygen breathing apparatus		X	X	
	Component parts for gas masks, not listed below		0	X	Natural rubber latex permitted for adhesive for gas mask filters.
	Component parts for mine and industrial safety masks, not listed below		0	X	
	Dust respirators		0	X	
	Face pieces for shallow water diving equipment		0	X	
	Flutter valves and diaphragms		X	X	
	Inhalators		0	X	
	Parts for oxygen masks and breathing apparatus for high altitude service		X	X	

13. In Table B under Code 22E, "Miscellaneous products" after the product "Smoking pipe bits" add the following: "Stoppers, all other" and in the "Percent natural rubber" column insert "0" and in the "Butyl" column "0"; in the column "Special restrictions or provisions" insert "For medical and surgical stoppers see Code No. 18G".

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 28th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13955; Filed, July 28, 1945; 12:18 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 30]

ASSIGNMENT OF MM RATING PERCENTAGE TO CERTAIN MANUFACTURERS WHO ARE UNABLE TO EXTEND THEIR CUSTOMERS' MM RATINGS

§ 944.51 *Priorities Regulation 30—*(a) *What this regulation does.* (1) Under the revised rating system described in Priorities Regulation 29, manufacturers are generally expected to get their production materials required in 1946 for direct and indirect military orders by extending their customers' MM rated orders instead of having ratings assigned directly to them by the WPB as has been the practice for some of them under CMP and the AA rating system. However, where the WPB is satisfied that manufacturers cannot practicably get their production materials this way, it will assign them directly a MM "rating percentage" indicating the percentage of their orders for production materials which they may rate MM. This regulation explains how to apply for and use a MM "rating percentage."

(2) The rating percentage assigned to a manufacturer will be designed to give him the assistance needed to fill his direct and indirect military orders. However, in order to allow for military cutbacks, the percentage will normally be lower than the manufacturer's percentage of military shipments as indicated by his application to the WPB.

(b) *Who can qualify for use of rating percentage.* A rating percentage will be assigned only to manufacturers of Class B products (as listed in "Products and Priorities"); "unclassified products" as defined in Priorities Regulation 11B (but ordinarily only to manufacturers already operating under it); and certain Class A products treated as Class B products as explained in paragraph (k-1) of CMP Regulation 1. The rating percentage will only be assigned where the WPB is satisfied that the manufacturer cannot practicably operate by extending his customers' ratings under the rules stated in Priorities Regulation 3.

(c) *How to get a rating percentage.* If you make a product described in paragraph (b) and you cannot practicably operate by extending your customers' MM ratings you may apply for a rating percentage on Form WPB 4320. Applications should be filed before August 15, 1945 in accordance with instructions on the form. The form calls for details as to the dollar value of shipments on ratings and military symbols during the second quarter and during July and your estimated total shipments during the first quarter of 1946. The form also requires an explanation of the reasons why it is not practicable for you to get your production materials by extending your customers' ratings. The WPB will generally assign your rating percentage by September 1.

(d) *Grouping of products.* Form WPB 4320 explains how to group products for which you want a rating percentage. In the case of Class B products, you may apply for a whole product code, or for individual products or groups of products within a code. You may not combine several codes on one application.

(e) *How to use the rating percentage in rating your orders—*(1) *Amount of material to be rated.* After receiving your rating percentage you may apply the MM rating only to the percentage of your production material (including controlled materials) actually required for delivery during the indicated calendar quarter after December 31, 1945 to make the products for which the rating percentage was assigned. WPB will assign separate percentage figures for deliveries in the first, second and third calendar quarters of 1946. No percentage will be assigned for deliveries after the third quarter. *Each item in a purchase order which you place on this basis must be entirely rated or unrated.* You may not state that a percentage of your purchase order or of any item on your purchase order is rated. A supplier who receives an order purporting to bear a percentage MM rating for the entire order or for any individual item on the order must schedule the order or the individual item as entirely unrated or as separate orders or items.

(2) *Orders must be rated on a class-of-item basis.* You must use the percentage separately for each class of production materials which you buy. For example, if your rating percentage for the first quarter is 40% and you wish to use the MM rating for purchases of screw machine products and paint, you may not rate MM more than 40% of your purchases of screw machine products and 40% of your purchases of paint for delivery during the first quarter.

(3) *Adjustments where percentage is exceeded.* You must use all reasonable efforts to keep your rated orders for delivery to you in each calendar quarter within your rating percentage. (A tolerance to the nearest minimum commercially procurable quantity is allowed.) If, because of changes in your requirements or for other reasons, you have to cancel or postpone some unrated orders, or do not place as many as you expected, so that your rating percentage is exceeded, you must unrate or postpone rated orders to the extent necessary to bring them within the percentage. The percentage applies to the amount of material which your orders specify for delivery in each calendar quarter—not to actual deliveries—but you may not place either rated or unrated orders for more than your actual requirements.

(4) *Meaning of production material.* The "Production material" to which you may apply your rating percentage means only material or products (including fabricated parts and sub-assemblies) which will be physically incorporated into your product and those containers or packaging materials to which you are allowed to extend your customers' ratings under Priorities Regulation 3. The term includes the part of such material which is normally consumed or converted into scrap in the course of processing. It also includes items purchased which are normally resold with your product (such as attachments and accessories) but not including items sold as part of your product line which you do not manufacture. It does not include parts bought for resale as repair and replacement parts except where they are included in an order for parts required for production. Also, it does not include maintenance, repair and operating supplies which are not actually incorporated in the product.

(f) *"Rating percentage" used only for deliveries after December 31, 1945.* The MM rating assigned under this Regulation may be applied only to orders calling for delivery after December 31, 1945, although such orders may be placed (or rated orders previously placed may be changed to the MM rating) at any time after you receive your "rating percentage."

(g) *Extension of other ratings by person who uses rating percentage.* If you use a rating percentage to get production materials for any product or group of products, you may not extend any ratings received from your customers to get any production material for any such product or group of products, for delivery during any calendar quarter for which you place orders on the basis of your rating percentage. The only exception to this is that, if a delivery to be made by you is rated AAA, you may extend that rating to the extent necessary to get production material required to fill the order, but you may not extend it to replace material in inventory.

(h) *Adjustment of rating percentage.* If you find that the percentage the WPB assigns you is inadequate to fill your actual direct and indirect military business, you may apply to the WPB for an adjustment by filing a letter in duplicate explaining the relevant circumstances with the same office with which you filed your original application.

(i) *Manufacturers may change from a rating percentage to direct extension.* If you receive a rating percentage and subsequently decide that you are able to get your production materials by direct extension of MM ratings under Priorities Regulation 3, you may change to that method and no longer use the rating percentage method described in this regulation. If you do so, you must notify the office which assigned the rating percentage of the date on which you will change. By that date, you must adjust your outstanding purchase orders rated MM so that they are not substantially more than the amount of MM ratings you may use under the direct extension method.

(j) *Discontinuance of assignments of "rating percentages" after March 31, 1946.* The WPB does not expect generally to assign MM rating percentages directly after March 31, 1946. Instead, the WPB may announce procedures by which manufacturers will be permitted to figure their own "rating percentage" for their operations after March 31, 1946.

(k) *MM orders must be given preference.* In using ratings under this regulation, a manufacturer must plan his purchasing so as to assure the prompt filling of MM rated orders, in preference to unrated orders, as required by Priorities Regulation 1.

(l) *Effect of other orders and regulations.* This regulation is not an exception from any other orders or regulations of the WPB as to the validity or effect of ratings. For example, the procedure described in this regulation may not be used to buy items appearing on List A of Priorities Regulation 3, which states that ratings are invalid for these items, or to buy any textiles, clothing, leather or other items listed in Schedule A of Order M-328, which gives special rules for rating such items. Several WPB orders require special applications for certain materials and products; these must still be complied with.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 30th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13979; Filed, July 30, 1945; 11:14 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241, Direction 4]

REDUCTION OF DELIVERIES FOR AUGUST 1945

The following direction is issued pursuant to General Conservation Order M-241:

During the month of August, 1945, no dealer, publisher, printer or other person may accept delivery of newsprint from mills in excess of 95% of his July orders for August delivery. Fractional carloads shall be adjusted to the nearest number of whole carloads.

This direction does not apply to any person whose August deliveries of newsprint from mills would be reduced by the foregoing to less than one carload.

Issued this 30th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13978; Filed, July 30, 1945; 11:14 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[Conservation Order M-49, Revocation]

IRIDIUM

Section 3286.1 *Conservation Order M-49* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production

Board under the order. The use and delivery of Iridium remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 30th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13977; Filed, July 30, 1945; 11:14 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 21]

FISHING TACKLE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order No. 45 is amended in the following respect:

Section 1305.59 (a) (3) is amended by adding the following commodity:

Fishing tackle except rods, reels, nonmetallic lines and nets.

This amendment shall become effective August 2, 1945.

Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying Statement of Considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13918; Filed, July 28, 1945; 12:07 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 86, Amdt. 2]

ADJUSTMENT OF MAXIMUM PRICES OF CERTAIN COTTON TEXTILES AND ADJUSTABLE PRICING THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraphs (a) and (b) of § 1305.114 are amended to read as follows:

(a) *Who may apply.* Any person subject to a War Production Board direction pertaining to any of the following commodities may file an application for adjustment of his maximum price for that commodity:

(1) Any commodity covered by Schedule or Regulation Nos. 7, 11, 33, 35, 89, 118,[1] or (2) Any of the following commodities covered by the General Maximum Price Regulation:[2]

(i) Cotton knitted tubing for use as wristlets in the manufacture of work gloves;

(ii) Cotton jersey knitted fabrics for use in the manufacture of work gloves.

As used in this paragraph (a) the word "direction" means any order to produce stated quantities within specified periods, excluding purchase orders or contracts bearing preference ratings.

(b) *Amount of adjustment.* An adjustment may be granted when, and to the extent that, existing maximum prices are found by the Price Administrator to be lower than:

(1) The applicant's total unit cost of making and selling the commodity, or

(2) 102% of the applicant's total unit cost if his current net profit percentage before income taxes (computed in relation to reasonable net worth) realized from his total operations is either (i) less than twice the average percentage realized during the years 1936–1939 but not double or more than double the applicable stated percentage below, or (ii) in the case of woven or knitted goods less than 5.7% or in the case of yarn less than 4.7%. Earnings of other companies owning, owned by, or under substantially the same ownership as the applicant may be included in comparing current profits with profits during 1936–1939. Where the War Production Board directs the production of a commodity in terms of a group of constructions or yarn counts, the adjustment will be based on the group taken as a whole.

This amendment shall become effective July 28, 1945.

Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13919; Filed, July 28, 1945; 12:06 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 52]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 422 is amended in the following respects:

1. In section 39 (b) (2), the definition of "Fresh fruits" is amended to read as follows:

(2) *Fresh fruits.* "Fresh fruits" means all the fresh fruits listed, packed or in bulk, which have not been frozen, dried, canned, or otherwise processed. Wrapping, dipping, washing, or crating, shall not be considered processing. Each item of fresh fruits which has been transported from the growing area principally by air and which has been individually identified at point of shipment by stamp or label as an air-borne fruit, or which has been wrapped at point of shipment in consumer packages so identified, shall be priced separately.

2. In section 39 (b) (3), the definition of "Fresh vegetables" is amended to read as follows:

(3) *Fresh vegetables.* "Fresh vegetables" means all the fresh vegetables listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, shelling, shall not be considered processing. Each item of fresh vegetables which has been transported from the growing area principally by air and which has been individually identified at point of shipment by stamp or label as an air-borne vegetable, or which has been wrapped at point of shipment in consumer packages so identified, shall be priced separately.

This amendment shall become effective July 27, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 24, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

For the reasons set forth in the accompanying statement of considerations, I hereby approve the issuance of the accompanying amendment and find that it is necessary to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13846; Filed, July 27, 1945; 4:34 p. m.]

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[1] Revised Price Schedule No. 7—Combed Cotton Yarns and the Processing Thereof, 7 F.R. 1221, 2000, 2132, 2277, 2393, 2509, 2737, 3160, 3551, 3664, 5481, 8948, 9732, 10469; 8 F.R. 972, 5755, 9285, 11870, 12611, 14004; Maximum Price Regulation No. 11—Fine Cotton Goods, 9 F.R. 2661; Maximum Price Regulation No. 33—Carded Cotton Yarns and the Processing Thereof, 7 F.R. 7557, 8948, 10070, 8 F.R. 2345, 3526, 9750, 13497; Revised Price Schedule No. 35—Carded Grey and Colored-Yarn Cotton Goods, 8 F.R. 1963, 5306, 15903, 16744, 9 F.R. 2020, 2237, 2477, 2790; Revised Price Schedule No. 89—Bed Linens, 7 F.R. 715, 1375, 2107, 2000, 2132, 2299, 2739, 3163, 3327, 3447, 3962, 4176, 4732, 7599, 8937, 8 F.R. 8070, 11245, 9 F.R. 1717; Maximum Price Regulation No. 118—Cotton Products, 8 F.R. 12186, 12934.

[2] General Maximum Price Regulation—Commodities and Services, 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

[1] 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 50]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 423 is amended in the following respects:

1. In section 28 (b) (2), the definition of "Fresh fruits" is amended to read as follows:

(2) *Fresh fruits.* "Fresh fruits" means all the fresh fruits listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, or crating shall not be considered processing. Each item of fresh fruits which has been transported from the growing area principally by air and which has been individually identified at point of shipment by stamp or label as an air-borne fruit, or which has been wrapped at point of shipment in consumer packages so identified, shall be priced separately.

2. In section 28 (b) (3), the definition of "Fresh vegetables" is amended to read as follows:

(3) *Fresh vegetables.* "Fresh vegetables" means all the fresh vegetables listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, shelling shall not be considered processing. Each item of fresh vegetables which has been transported from the growing area principally by air and which has been individually identified at point of shipment by stamp or label as an air-borne vegetable, or which has been wrapped at point of shipment in consumer packages so identified, shall be priced separately.

This amendment shall become effective July 27, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 24, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

For the reasons set forth in the accompanying statement of considerations, I hereby approve the issuance of the accompanying amendment and find that it is necessary to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13847; Filed, July 27, 1945; 4:34 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,[1] Amdt. 31]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 364 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

(a) This regulation fixes the maximum prices at which processors and wholesalers may sell frozen fish and seafood. These maximum prices are fixed according to species, grade, style of processing and size, as listed in section 13. Maximum Price Regulation No. 579 fixes maximum prices at which processors and wholesalers may sell frozen fish or seafood of certain species not listed in section 13 of this regulation. The General Maximum Price Regulation applies to sales of frozen fish and seafood of any species or style of processing not listed in section 13 nor in Article X of Maximum Price Regulation No. 579. The provisions of this regulation do not apply to any sales at retail. A sale at retail is a sale to an ultimate consumer other than an industrial or commercial user.

The maximum price at which a person may export frozen fish and seafood covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation, and amendments.

2. Section 2 (a) is amended to read as follows:

(a) *General rule.* The processor's maximum price for sales of frozen fish or seafood except as otherwise provided in paragraphs (b), (c) and (d) of this section is the applicable listed base price in section 13 with any appropriate adjustment for kind of package as provided in section 12 plus any transportation costs allowable under section 4. This is the maximum price f. o. b. shipping point nearest freezer or other warehouse.

3. In section 2 paragraphs (e) and (f) are revoked.

4. Section 3 (b) (1) is amended to read as follows:

(1) Except as otherwise provided in subparagraph (2) of this paragraph the wholesaler's "net cost" is the amount he paid for the particular item of frozen fish or seafood delivered at his established place of doing business plus or minus any appropriate package differentials listed in section 12 less all discounts allowed him except the discount for prompt payment and excluding all charges for local trucking, hauling and handling.

When a wholesaler buys frozen fish or seafood in a style of processing for which a base price is listed in section 13 and further processes it in a style of processing for which a different price is listed he may add to his net cost the difference between the two base prices.

5. In section 3 (b) subparagraphs (3) and (4) are revoked.

6. Section 3 (f) is amended to read as follows:

(f) *Sales to governmental agencies.* The maximum prices for sales to war procurement agencies shall be determined by reference to the class of sale and kind of service performed.

7. Section 4 (a) (1) is amended to read as follows:

(1) *Fresh fish transportation.* If a processor freezes a species of fish or seafood in any place other than a port where fish or seafood of that species is landed ex-vessel or shipped in by a producer, he may include as part of his maximum price the actual per pound transportation cost, not to exceed the carload rail freight rate per pound for fresh fish, if such rate is available, from the port of entry to the freezing point. Where a carload rail freight rate is not available such per pound transportation cost must not exceed the lowest available common carrier rate.

8. Section 4 (c) (3) is amended to read as follows:

(3) The actual cost of transportation (exclusive of trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port from which a substantial volume of that species is shipped.

9. Section 4 (d) is revoked.

10. In section 6 paragraphs (e) and (f) are redesignated (b) and (c) respectively.

11. In section 10 the following definitions are revoked:

The definitions of "center cut" or "cut center"; "chunk" or "cut"; "head cut" or "cut head"; "saddles"; "tail cut" or "cut tail" and "wings".

12. In the table of base prices in section 13 the following schedules are revoked:

Schedules Nos. 11 (g), 15, 17, 25..23, 30, 31A, 31B, 32, 34, 40, 40A, 40B, 40C, 46, 60, 61, 62, 63, 64, 65, 66 and 67.

13. In the table of base prices in section 13 the following cross references are revoked:

[1] 10 F.R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514, 8015.

"Cod, Black Pacific (Sablefish). See Sched. 28;" "Cod, Red Pacific, See Sched. 25;" "Cod, Rock Pacific. See Sched. 25;" "Ocean Perch (Rosefish). See Sched. 27;" "Petrale Sole, Pleuronectidae species. See Sched. 11-(g);" "Red Perch. See Rosefish, No. Atlantic;" "Sardine-Atlantic Coast. See Herring."

14. In section 13, following the table of base prices, the following footnotes are revoked: Footnotes 9, 10 and 11.

This amendment shall become effective August 7, 1945.

Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13911; Filed, July 28, 1945; 12:06 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418[1], Amdt. 46]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 418 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

(a) This regulation fixes maximum prices at which producers and wholesalers may sell fresh fish or seafood of the species listed in section 22. It sets prices for various types of sales by wholesalers to other wholesalers, retail chain store warehouses, Government agencies, retailers and purveyors of meals.

A wholesaler is a person who buys fresh fish or seafood and resells more than 20 percent of such fresh fish or seafood to persons other than ultimate consumers.

A retailer is a person other than a purveyor of meals who buys fresh fish and seafood and resells 80 percent or more of such fresh fish or seafood to ultimate consumers.

This regulation also sets prices for sales at retail of the species of fresh fish or seafood listed in section 22 by such producers and wholesalers as are not covered in Maximum Price Regulation No. 507 and Maximum Price Regulation No. 439.

2. In section 2 (a) the first sentence is amended to read as follows: "The tables in section 22 list the species of fresh fish and seafood (including shellfish and mollusks) for which maximum prices are established by this regulation."

3. Section 3 (d) is amended to read as follows:

(d) *Branch warehouse sales.* The maximum price for a primary fish shipper sale of fresh fish or seafood (except shrimp) to a retailer or purveyor of meals where the sale is negotiated or made at a branch warehouse as herein defined and where the fish or seafood is sold and delivered from the stock of a primary fish shipper wholesaler's branch warehouse which is remote from his main place of doing business, and at which warehouse the primary fish shipper employs two or more full-time employees who are stationed at and engaged in making sales and performing services solely for the primary fish shipper from such warehouse is the price listed in Table D in section 22 plus the allowance provided in section 6 for a service and delivery sale, where such a sale is made, plus the transportation allowance in section 9, plus the appropriate container allowance in section 21. The maximum price for such a sale of shrimp, is the price listed in Table C in section 22 plus the allowance provided in section 6 for a service and delivery sale, where such a sale is made, plus the transportation allowance in section 9, plus the appropriate container allowance in section 21.

4. In section 9 (a) the reference to section 20 is amended to read "section 22".

5. In section 9 (a) in the example following the text the references to section 20 are amended to read "section 22".

6. Section 9 (c) (3) is amended to read as follows:

(3) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port where the greatest volume of that species is landed.

In determining the transportation allowance common carrier rates shall be used, and the importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood, designating which of the three bases he is using. A purchasing wholesaler or subsequent wholesalers of that fish or seafood may pass on such transportation allowance, but only if they, in turn, record it in an invoice to their customers. This paragraph (c) does not apply to Canadian lake fish listed in Schedules 51-60.

7. In section 9 paragraphs (f) and (g) are revoked.

8. In section 10 paragraph (c) is revoked.

9. In section 13 the references to section 20 are amended to read "section 22".

10. In section 15 paragraph (b) is revoked and paragraphs (c), (d) and (e) are redesignated (b), (c) and (d) respectively.

11. In section 15 (c) the references to section 19, section 7 and section 20 are amended to read "section 21", "section 9" and "section 22", respectively.

12. In section 20 the following definitions are revoked:

The definitions of "center cut" or "cut center"; "head cut" or "cut head"; "New York City"; "person"; "saddles"; "seine caught"; "tail cut" or "cut tail"; "troll caught" or "line caught" and "wings".

13. In section 22 in the text preceding the tables the reference to section 20 is amended to read "section 22".

14. In section 22, Tables A, B, C and D, Schedules Nos. 20 through 50 are revoked.

15. In section 22 following the price tables, the following footnotes are revoked: Footnotes 2 through 12; footnote 16 following Table A and footnotes 18, 19, 20, 23, 24, 25, 26, 27, 29, 30, 38, 39 and 41.

16. In section 22, following Table B, footnote 14 is amended to read as follows:

[14] All footnotes made applicable to particular species of fish in Table A, except footnote 28, are also applicable to the same species in Table B in section 22.

17. In section 22, following Table C, footnote 15 is amended to read as follows:

[15] All footnotes made applicable to particular species of fish in Table A, (except footnote 28), and footnotes 21 and 22 made applicable to particular species of fish in Table B, are also applicable to the same species in Table C in section 22.

18. In section 22, following Table D, footnote 16 is amended to read as follows:

[16] All footnotes made applicable to particular species of fish in Table A, (except footnote 28), and footnotes 21 and 22 made applicable to particular species of fish in Table B, are also applicable to the same species in Table D in section 22.

19. Section 22 (a) is revoked.

This amendment shall become effective August 7, 1945.

Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13910; Filed, July 28, 1945; 12:06 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 579, Amdt. 8]

CERTAIN SPECIES OF FRESH AND FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 579 is amended in the following respects:

1. The table of contents is amended by deleting the caption following Article III and inserting between Article III and Article X the following:

ARTICLE IV—FRESH FISH AND SEAFOOD (PACIFIC COAST SPECIES)

Sec.
4.1 General provisions.
4.2 Sales by producers.
4.3 Sales to canners.
4.4 Maximum prices for wholesale sales.
4.5 Primary fish shipper sales.
4.6 Port sales.
4.7 Wholesale sales other than primary fish shipper sales and port sales.
4.7a Importer sales.
4.7b Certain distributor sales.
4.8 Sales to ultimate consumers.
4.9 Delivery allowance.
4.10 Custom dressing allowance.

[1] 10 F.R. 5647.

Sec.
4.11 Transportation allowance.
4.12 Container allowances.
4.13 Authorization to regional office to fix prices for local varieties.

ARTICLE V—FROZEN FISH AND SEAFOOD (PACIFIC COAST SPECIES)

5.1 General provisions.
5.2 Maximum prices for sales by processors and wholesalers.
5.3 Sales by processors.
5.4 Wholesale sales generally.
5.5 Importer sales.
5.6 Primary distributor sales.
5.6a Certain distributors sales.
5.7 Wholesale sales not covered by sections 5.5 and 5.6.
5.8 Sales to ultimate consumers.
5.9 Delivery allowance.
5.10 Custom dressing allowance.
5.11 Transportation allowance.
5.12 Container differentials and allowances.
5.13 Storage allowances.
5.14 Authorization to regional office to fix prices for local varieties.

ARTICLES VI TO IX (INCLUSIVE)—TO BE INSERTED AS THE OCCASION ARISES

2. Section 1.1 (e) is amended to read as follows:

(e) *Sales to government agencies.* The maximum price for sales to government agencies shall be determined by reference to the class of sale and the type of service involved in the particular sale. However, the table price for sales of frozen fish to government agencies by processors is the price for processors' sales to wholesalers and chain store warehouses listed in Column I of the applicable table for frozen fish and seafood.

3. Section 1.4 is amended to read as follows:

SEC. 1.4 *Where this regulation applies.* The provisions of this regulation shall apply to the forty-eight States of the United States and the District of Columbia. Notwithstanding the provisions of Revised Maximum Price Regulation No. 194 they shall apply to the Territory of Alaska.

4. Section 1.5 (a) and (b) are amended to read as follows:

(a) *Fresh fish and seafood.* The following even numbered articles cover certain species of fresh fish and seafood which are listed in the fresh fish tables (designated by an "A" after the Roman numeral) in section 10.1 of Article X. Except as provided in paragraph (d), the provisions of this regulation supersede Maximum Price Regulation No. 418, as amended (Fresh Fish and Seafood), with respect to the species so listed. Maximum Price Regulation No. 418, as amended, will continue in full force and effect with respect to species not listed in the fresh fish tables in section 10.1 of Article X of this regulation.

(b) *Frozen fish and seafood.* The following odd numbered articles of this regulation cover certain species of frozen fish and seafood of certain styles of processing which are listed in the frozen fish tables (designated by a "B" after the Roman numeral) of section 10.1 of Article X. Except as provided in paragraph (d) the provisions of this regulation supersede Maximum Price Regulation No. 364, as amended, (Frozen Fish and Seafood) with respect to the species so listed. Maximum Price Regulation No. 364, as amended, will continue in full force and effect with respect to species and styles of dressing listed in section 13 of that regulation which are not listed in the frozen fish tables in section 10.1 of this regulation. The General Maximum Price Regulation applies to sales of frozen fish and seafood of any species or style of dressing not listed in the frozen fish tables of section 10.1 of this regulation or section 13 of Maximum Price Regulation No. 364.

5. Section 1.6 (a) is amended to read as follows:

(a) *Invoices, to be furnished by sellers.* Every person making a sale of fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement containing (1) the date of delivery; (2) the name and address of the buyer and seller; (3) the species sold; (4) a statement that the fish or seafood sold is fresh or is frozen; (5) the quantity, size, grades and styles of dressing of the fish or seafood sold (where price differences are based on these factors); (6) the types and sizes of containers used; (7) the price charged, including separate statements of container allowances and transportation allowances. If the statement fails to identify the size, grade, and style of dressing of any fish or seafood sold, the seller's maximum price for that fish or seafood is his maximum price for the lowest-priced size, grade or style of dressing of that fish or seafood. If the statement fails to identify the fish or seafood sold as fresh or frozen the seller's maximum price for that fish or seafood is the lower of the prices listed for that fish or seafood in the applicable column of the fresh fish tables of section 10.1 and the frozen fish tables of section 10.1.

However this paragraph does not apply to sales of fresh fish or seafood by producers (who are not also wholesalers). Such producers shall furnish to purchasers on such sales invoices, statements, or other records of the kind customarily furnished by them, if any.

6. In section 1.12 after the definition of "Carload lot" the following definition is inserted:

"Cellophane wrapped" means fish the immediate wrapper of which is cellophane and each cellophane package of which weighs not more than 2½ lbs.

7. The last paragraph of section 1.12 is amended by adding the following:

Any reference to a table price or to a price listed in any column of any table shall mean the listed price as modified by any applicable footnotes unless the context otherwise requires.

8. Section 2.4 (c) is amended to read as follows:

(c) *Maximum prices for sales of lots of more than 500 pounds.* (1) The maximum price for sales of fresh fish which is delivered or shipped to any place of business or other distribution point of the customer in lots totalling more than 500 pounds of any one species in any one day is the table price provided in the following subdivisions (i), (ii) and (iii) plus all applicable allowances:

(i) Sales to purveyors of meals by port wholesalers (other than primary fish shippers)—the price listed in Column B of Table IA (section 10.1) plus one cent.

(ii) Sales to purveyors of meals by wholesalers who bought the fish at prices based on Column E of Table IA—the price listed in Column E of Table IA (section 10.1) plus one cent.

(iii) All other sales—the applicable table price for sales to wholesalers.

(2) Where a customer takes delivery of more than 500 pounds of any one species of fresh fish on any one day at the seller's place of business or other distribution point, the maximum price for the sale of such fish is the applicable table price for sales to wholesalers plus all applicable allowances.

9. Section 2.7 (d) is amended to read as follows:

(d) *Sales of more than 500 pounds to a customer delivered in lots of 500 pounds or less.* Where a sale is made pursuant to paragraph (b) or (c) of this section but the wholesaler sells or delivers more than 500 pounds of any one species of fresh fish to the customer on any one day, the table price for that part of such fresh fish which is shipped or delivered to any place of business or other distribution point of the customer in lots totalling 500 pounds or less in any one day is the appropriate table price provided in section 2.7 (a). The table prices in paragraphs (b) and (c) do not apply to such sales.

10. Section 3.2 (b) is amended to read as follows:

(b) *Maximum prices for sales of lots of more than 500 pounds.* (1) The maximum price for sales of frozen fish, which is delivered or shipped to any place of business or other distribution point of the customer in lots totalling more than 500 pounds of any one species in any one day, is the table price provided in the following subdivisions plus all applicable allowances and plus or minus any applicable differentials:

(i) Sales to purveyors of meals by wholesalers who bought the fish at prices based on Column III of Table IB—the price listed in Column III of Table IB (section 10.1) plus one cent.

(ii) All other sales—the applicable table price for sales to wholesalers.

(2) Where a customer takes delivery of more than 500 pounds of any one species of frozen fish on any one day at the seller's place of business or other distribution point, the maximum price for the sale of such fish is the applicable table price for sales to wholesalers plus all applicable allowances and plus or minus any applicable differentials.

11. After Article III, Articles IV and V are added to read as follows:

ARTICLE IV. FRESH FISH AND SEAFOOD (PACIFIC COAST SPECIES)

SEC. 4.1 *General provisions*—(a) *Scope of this article.* This article sets maximum prices for sales by producers and wholesalers of certain species of fresh fish and seafood listed in Table IIA of section 10.1. Table IIA (Pacific Coast Species) lists only species which are primarily landed at Pacific Coast ports.

(All fresh fish and seafood of any species listed are included, even though they are occasionally landed elsewhere. Fresh fish and seafood primarily landed in other areas, such as shrimp, are not included, even though they are occasionally landed at Pacific Coast ports).

(b) *Unlisted styles of dressing and sizes.* Where a species of fresh fish (not including seafood) listed in Table IIA is sold in a style of dressing not listed in Table IIA the table price for that style of dressing is the lowest price listed in Table IIA for any style of dressing for that particular species. For the purposes of this paragraph, "round" is a style of dressing. Where a species of fresh fish or seafood listed in Table IIA is sold in a size not listed in Table IIA, the table price for that size is the price listed for the lowest priced size of that species.

(c) *Fresh fish.* As used in this article, the words "fresh fish" mean all fresh fish and seafood of the species listed in Table IIA of section 10.1, unless the context indicates otherwise.

SEC. 4.2 *Sales by producers*—(a) *What a producer is.* A "producer" is a fisherman or any other person who is allied with him in the catching or landing of fish, or who sells or delivers, at a port of entry or at any other place, fresh fish which he bought and received on a vessel owned or hired by him. A person who is a producer with respect to fresh fish listed in any schedule, is treated as a producer with respect to all the fresh fish listed in that schedule which he handles.

(b) *Maximum prices for producers' sales.* The maximum price for a sale of fresh fish, ex-vessel or otherwise, by a producer who is not also a wholesaler (see paragraph (d)), to any person other than an ultimate consumer, is the price listed in Column A of Table IIA (section 10.1) for that species and month. However, if such producer ships his fish by common carrier, or by other means of transportation, not including local trucking, hauling or handling and boxes or barrels his fish for such shipment in containers which are not returned to him, he may add one cent to the price listed in Column A. War risk insurance premiums may be paid in addition to the listed maximum prices for those species of fish and in those localities where such premiums have customarily been paid by purchasers of fish.

(c) *Regional adjustments of producers' prices.* The provisions in section 2.2 (c) as now or hereafter amended, applicable to fresh fish prices in Table IA, are hereby made applicable to fresh fish prices in Table IIA.

(d) *Sales by producers who are also wholesalers.* If a producer sells and distributes his fish from the stock of his established place of business, and also sold and distributed fish from the stock of his established place of business for the substantial portion of the year prior to July 13, 1943, he is a wholesaler with respect to such sales. Those sales are primary fish shipper sales, and are covered by section 4.5.

SEC. 4.3 *Sales to canners.* The maximum price for a sale of fresh fish to a canner by any person is the price established by section 4.2 for a sale by a producer (other than a producer-wholesaler).

SEC. 4.4 *Maximum prices for wholesale sales*—(a) *What "wholesaler" and "wholesale sales" are.* A person, other than a producer, who buys fresh fish for resale and sells more than 20 percent of it to persons other than ultimate consumers, is a "wholesaler" with respect to all his purchases (including his purchases of fish which he sells at retail). A sale by such person is a "wholesale" sale, and the seller is a "wholesaler" with respect to such sale if:

(1) He sells and distributes at least 80 percent of the fresh fish he handles from the stock of his domestic established place of business (i) in which such fish has been unloaded and warehoused (ii) at which he maintains fulltime employees for the purpose of handling and packing fish exclusively for him, or

(2) The fish is sold and delivered to a retailer or a purveyor of meals, without advance order, from the stock of the seller's motor truck or wagon in which he delivers it to the retailer's individual store or to the place of business of the purveyor of meals, and the seller has no established place of business. (This type of wholesale sale is called a wagon jobber sale, and the seller is called a wagon-jobber with respect to such sales).

With the exception of the wagon jobber sale, however, if the seller does not sell and distribute at least 80 percent of his fresh fish from the stock of his domestic established place of business as provided in subparagraph (1) of this section he is not a wholesaler but is a distributor whose sales are covered by section 1.2 or 4.7a in the case of an importing distributor or 4.7b in the case of a distributer buying from a primary fish shipper or port wholesaler.

(b) *Maximum prices for wholesale sales.* The maximum price for a wholesale sale of fresh fish (other than a sale to an affiliated retail store by a retailer-owned cooperative wholesaler) is the table price provided by Article X for that sale (section 10.1) plus all applicable allowances. If Article X does not specifically provide a table price for the sale, the maximum price is the lowest table price provided by Article X for any sale by that seller, plus all applicable allowances.

(c) *Maximum prices for sales of lots of more than 500 pounds.*—(1) The maximum price for sales (except primary fish shipper or port sales to distributors other than wholesalers, retailers or purveyors of meals) of fresh fish which is delivered or shipped to any place of business or other distribution point of the customer in lots totalling more than 500 pounds of any one species in any one day is the table price provided in the following subdivisions (i), (ii) and (iii) plus all applicable allowances:

(i) Sales to purveyors of meals by port wholesalers (other than primary fish shippers)—the price listed in Column B of Table IIA (section 10.1) plus one cent.

(ii) Sales to purveyors of meals by wholesalers who bought the fish at prices based on Column E of Table IIA—the price listed in Column E of Table IIA (section 10.1) plus one cent.

(iii) All other sales—the applicable table price for sales to wholesalers.

(2) Where a customer (except a distributor other than a wholesaler, retailer or purveyor of meals) takes delivery of more than 500 pounds of any one species of fresh fish on any one day at the seller's place of business or other distribution point the maximum price for the sale of such fish is the applicable table price for sales to wholesalers plus all applicable allowances.

(d) *Maximum prices for sales by retailer-owned cooperative wholesalers.* A retailer-owned cooperative wholesaler is a wholesaler who is either a non-profit organization or a corporation of which 51 percent or more of the stock is owned by its retail customers. The maximum price for a sale by such wholesaler to an affiliated retail store is the price computed pursuant to paragraph (b) less one cent. (The maximum price for a sale by such wholesaler to any person other than an affiliated retail store is the price computed pursuant to paragraph (b)).

(e) *Allowances generally.* No allowance provided by sections 4.9 through 4.12 of this article may be added by a seller to his table price for any sale unless he separately states that allowance on an invoice to his customer.

SEC. 4.5 *Primary fish shipper sales*—(a) *What a primary fish shipper sale is.* A primary fish shipper sale is a sale of fresh fish by a wholesaler who bought such fish from a producer, or from a distributor (other than a producer, wholesaler or retailer) who in turn bought or received it from a producer. The term also includes a sale from his established place of business by a producer who is also a wholesaler (see section 4.2 (d)).

(b) *Table prices for primary fish shipper sales.* The table price for a primary fish shipper sale, other than an inland warehouse sale covered by paragraph (c) is as follows:

(1) To a wholesaler, chain store warehouse or retailer-owned cooperative wholesaler—the price listed in Column B of Table IIA (section 10.1).

(2) To a distributor (other than a wholesaler, retailer or purveyor of meals):

(i) For a sale of fish for which the price in Column B of Table IIA is 10 cents or less and for a sale of round, drawn or dressed halibut—the price listed in Column B of Table IIA (section 10.1) minus ½ cent.

(ii) Where the sale does not fall within subdivision (i)—the price listed in Column B of Table IIA (section 10.1) minus one cent.

(3) To a retailer—the price listed in Column C of Table IIA (section 10.1).

(4) To a purveyor of meals:

(i) If the sale involves transportation to the buyer other than local trucking, hauling or handling, or if the seller is entitled to a delivery allowance for the sale under section 4.9—the price listed in Column C of Table IIA (section 10.1) plus one cent.

(ii) If the sale does not fall within subdivision (i)—the price listed in Column C of Table IIA (section 10.1).

(c) *Inland warehouse sales.* Where a primary fish shipper ships fresh fish from his domestic established place of business at which he received the fish to his warehouse (1) which is not within Alaska, the States of Washington, Oregon or California and (2) at which he maintains fulltime employees for the purpose of handling and packing fish exclusively for him—the table price for a sale of fresh fish which has been unloaded into the warehouse and is sold and distributed from the stock of such warehouse is as follows:

(1) To a wholesaler, chain store warehouse or retailer-owned cooperative wholesaler—the price listed in Column E of Table IIA (section 10.1);

(2) To a retailer—the price listed in Column F of Table IIA (section 10.1);

(3) To a purveyor of meals:

(a) If the sale involves transportation to the buyer other than local trucking, hauling or handling, or if the seller is entitled to a delivery allowance for the sale under section 4.9—the price listed in Column F of Table IIA (section 10.1) plus one cent.

(b) If the sale does not fall within subdivision (a)—the price listed in Column F of Table IIA (section 10.1).

SEC. 4.6 *Port sales*—(a) *What a port sale is.* A port sale is a wholesale sale, other than a primary fish shipper sale, of fresh fish where the sale falls within any of the following types (The seller is called a "port wholesaler" with respect to a port sale):

(1) A sale which involves delivery at or from a place other than San Francisco or Los Angeles, if such place is within 50 miles from a point where the fish was landed;

(2) A sale of fresh fish which was imported into the United States into the State of Washington and involves delivery at or from any place in the State of Washington;

(3) A sale of halibut or salmon which involves delivery at or from Alaska or Seattle;

(4) A sale of fresh fish which involves delivery from Alaska, Washington, Oregon or California to any point outside Alaska and any of the following states: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming.

(5) A sale which involves delivery at or from a place within a "port area" established for the species sold and the time of sale by the Administrator or by order pursuant to paragraph (b).

(b) *Regional designation of port areas.* Any regional office of the Office of Price Administration, or any other office which is authorized by the appropriate regional office to do so may by order designate as a port area for any species and period of time, any area within its jurisdiction in which a substantial volume of that species is landed or to which a substantial volume is shipped by producers.

(c) *Table prices for port sales.* The table price for a port sale of fresh fish is as follows:

(1) To a wholesaler, chain store warehouse or retailer-owned cooperative wholesaler—the price listed in Column B of Table IIA (section 10.1).

(2) To a distributor (other than a wholesaler, retailer or purveyor of meals):

(i) For a sale of fish for which the price in Column B of Table IIA is 10 cents or less, and for a sale of round, drawn or dressed halibut—the price listed in Column B of Table IIA (section 10.1) minus ½ cent.

(ii) Where the sale does not fall in subdivision (i)—the price listed in Column B of Table IIA (section 10.1) minus one cent.

(3) To a retailer—the price listed in Column C of Table IIA (section 10.1).

(4) To a purveyor of meals—the price listed in Column D of Table IIA (section 10.1).

SEC. 4.7 *Wholesale sales other than primary fish shipper sales and port sales*—(a) *Table prices.* The table price for a wholesale sale of fresh fish other than a primary fish shipper sale or a port sale is as follows: (but see paragraphs (b) and (c)).

(1) To another wholesaler (other than a wagon jobber), a chain store warehouse or a retailer-owned cooperative wholesaler:

(i) If the selling wholesaler makes wholesale sales of at least 20 percent of the fish which he buys from other wholesalers to persons who sell at retail or purveyors of meals—the price listed in Column E of Table IIA (section 10.1).

(ii) If the sale does not fall within subdivision (i)—the selling wholesaler must take his supplier's table prices.

(2) To a wagon jobber.

(i) If the sale and delivery is made from the wholesaler's established place of business in Washington, Oregon or California in lots containing 160 pounds or less of round, drawn or dressed halibut and or 80 pounds or less of any other fish (except fillets or steaks) to that wagon jobber in any one day and the sale involves no transportation to the buyer—the price listed in Column E of Table IIA (section 10.1) plus ½ cent.

(ii) If the sale does not fall within subdivision (i)—the price listed in Column E of Table IIA (section 10.1).

(3) To a retailer—the price listed in Column F of Table IIA (section 10.1).

(4) To a purveyor of meals:

(i) If the sale involves transportation to the buyer other than local trucking, hauling or handling, or if he is entitled to a delivery allowance for the sale under section 4.9—the price listed in Column F of Table IIA (section 10.1) plus one cent.

(ii) If the sale does not fall within subdivision (i)—the price listed in Column F of Table IIA (section 10.1).

(b) *Certain sales to retailers and purveyors of meals at Column G prices.* The provisions of section 2.7 (b) as now or hereafter amended, applicable to sales of fresh fish listed in Table IA are hereby made applicable to sales of fresh fish listed in Table IIA, except that the provision with reference to a wholesaler buying fish from New York City does not apply.

(c) *Sales to retailers at Column G prices on permission of district offices.* The provisions of section 2.7 (c) as now or hereafter amended, applicable to sales of fresh fish listed in Table IA are hereby made applicable to sales of fresh fish listed in Table IIA.

(d) *Sales of more than 500 pounds to a customer delivered in lots of 500 pounds or less.* Where a sale is made pursuant to paragraph (b) or (c) of this section but the wholesaler sells or delivers more than 500 pounds of any one species of fresh fish to the customer on any one day, the table price for that part of such fresh fish which is shipped or delivered to any place of business or other distribution point of the customer in lots totalling 500 pounds or less in any one day is the appropriate table price provided in section 4.7 (a). The table prices in paragraphs (b) and (c) do not apply to such sales.

SEC. 4.7a. *Importer sales.* (a) An importer sale is a sale of fresh fish which the seller (including the agent of a foreign shipper) imported into the United States. It also includes sales by a wholesaler or any other person of imported fish which he bought from an importing distributor (other than a wholesaler or retailer.) Such a seller is an importer with respect to such sales. The maximum prices for such sales are the table prices established for primary fish shipper sales plus all applicable allowances.

(b) *Inland warehouse sales.* Where an importing wholesaler ships imported fresh fish from his domestic established place of business at which he received the fish to his warehouse (1) which is not within Alaska, the States of Washington, Oregon or California and (2) at which he maintains fulltime employees for the purpose of handling and packing fish exclusively for him—the maximum prices for sales of fish which has been unloaded into the warehouse and is sold and distributed from the stock of such warehouse are the table prices established for inland warehouse sales (section 4.5(c)) plus all applicable allowances.

(c) *Halibut.* No person shall buy halibut landed on the Pacific Coast of Canada which halibut is intended for transshipment in bond into the United States at a price higher than the price provided for sales by producers (see (Schedule No. 4 (b), Column A of Table IIA) when the fish is bought from the producer, or the price provided for primary fish shipper sales to wholesalers

(Schedule No. 4 (b), Column B of Table IIA) when bought from any wholesaler. No producer shall sell any halibut landed on the Pacific Coast of Canada from a vessel of the United States which halibut is intended for transshipment in bond to the United States at a price higher than the price for a producer's sale (see Schedule No. 4 (b), Column A of Table IIA). No person shall sell and distribute from Canada either directly or indirectly through a foreign or domestic corporation which he owns or controls any such halibut at a price higher than the price provided for a primary fish shipper sale.

(d) Notwithstanding the provisions of paragraphs (a) and (b) the maximum price which a person may charge for a sale of fish which he receives in bond from the Pacific Coast of Canada is the appropriate table price applicable to a sale of such fish purchased from a producer (where such is the case) or from a primary fish shipper (where the fish is bought or received by the seller from a distributor in Canada who otherwise qualifies as a wholesaler) plus all applicable allowances for importer sales.

SEC. 4.7b *Certain distributor sales.* The maximum price for a sale by a distributor (other than wholesaler, retailer or purveyor of meals) of fish which he bought from a primary fish shipper or port wholesaler pursuant to section 4.5 (b) (2) or section 4.6 (c) (2) is his supplier's maximum price for such sale plus any applicable allowance. (See section 1.2).

SEC. 4.8 *Sales to ultimate consumers.* The provisions of section 2.8 as now or hereafter amended, applicable to sales of fresh fish listed in Table IA are hereby made applicable to sales of fresh fish listed in Table IIA.

SEC. 4.9 *Delivery allowance.* The provisions of section 2.9 as now or hereafter amended, applicable to sales of fresh fish listed in Table IA are hereby made applicable to sales of fresh fish listed in Table IIA.

SEC. 4.10 *Custom dressing allowance.* The provisions of section 2.10 as now or hereafter amended applicable to sales of fresh fish listed in Table IA are hereby made applicable to sales of fresh fish listed in Table IIA.

SEC. 4.11 *Transportation allowance*—(a) *General.* The allowances provided by this section for transportation costs do not apply to local trucking, hauling or handling charges for which no charge may be made. No allowance taken for transportation costs pursuant to this section may exceed the common carrier rate from shipping to receiving points. Where a wholesaler further processes the fresh fish he receives before he sells it, he may add to his table price for the processed fish an amount which will enable him to recover the full allowance provided by this section for his incoming transportation.

(b) *Wholesaler's or other distributor's incoming transportation.* Any wholesaler, or other distributor covered by section 1.2 or 4.7b who buys fresh fish from another domestic wholesaler may add to his table price the actual cost of the transportation of such fish from his seller's shipping point to his receiving point. However, no such transportation may be added for troll caught salmon transported to Seattle or Tacoma from any place other than Alaska.

(c) *Wholesalers transportation to distribution point*—(1) *Shipments to branch warehouses by wholesalers.* A wholesaler who ships fish from his principal place of business to his warehouse or other distribution point which is remote from that place of business and the sale from which is not a port sale, may add to his table price the actual cost of transportation from his place of business to that warehouse or other distribution point.

(2) *Primary fish shipper transportation of certain Alaskan fish.* A primary fish shipper who transports lingcod, sablefish, troll caught salmon, halibut, red cod or true cod landed in Alaska to any state of the United States may add to his table price the actual cost of transportation from the shipping point in Alaska to his receiving point in the United States.

(3) *Primary fish shipper's transportation of California fish.* A primary fish shipper who transports any species of fresh fish landed in California from his receiving station (including facilities for receiving, packing and shipping fish) to his principal place of business may add to his table price the actual cost of transportation from such receiving station to his principal place of business. However, he may add this transportation cost only where the receiving station is located at a point where a substantial quantity of that species of fresh fish was landed during the year preceding July 13, 1943.

(d) *Importer's incoming transportation.* An importer may add to his table price as a transportation allowance the smallest of the following:

(1) The actual transportation cost from the foreign shipper's shipping point to the importer's receiving point;

(2) The actual transportation cost to the importer's receiving point from the point at which the fish entered the United States, or the carload rail rate from the point in the United States nearest the foreign shipper's shipping point, whichever is designated by the importer;

(3) The cost of transportation for the type of shipment used to the importer's receiving point from Seattle in the case of fish imported from Canada or from San Diego, California, in the case of fish imported from Mexico.

(4) Where the importer's transportation cost from the place at which fish, imported from Canada into the State of Washington, enters the United States to the importer's receiving point is less than the transportation cost for the same type of shipment from such place of entry to Seattle the importer may add no incoming transportation.

(e) *Allowance paid by purchasing wholesaler.* A purchasing wholesaler who has paid to his domestic supplier an allowance for transportation costs pursuant to paragraphs (b), (c) or (d), may add that allowance to his table price.

(f) *Authorization to regional offices to fix transportation allowances.* The provisions of section 2.11 (f) as now or hereafter amended applicable to the transportation allowances in Article II are hereby made applicable to the transportation allowances in this Article IV.

(g) *Special rules affecting halibut.* The table price appropriate with respect to the type of sale, the style of dressing and the point of landing, plus the transportation allowance in this section shall not exceed whichever of the following three is lowest:

(1) The appropriate table price for halibut which was landed on the Pacific Coast of the continental United States (Schedule 4 (a)) plus the rail rate from Seattle to the seller's receiving point for the type of shipment used;

(2) The appropriate table price for halibut which was landed on the Pacific Coast of Canada, (Schedule 4 (b)) plus the rail rate from Prince Rupert to the seller's receiving point for the type of shipment used;

(3) The appropriate table price plus the transportation allowance as fixed in this section.

SEC. 4.12 *Container allowances.* The provisions of section 2.12 as now or hereafter amended, applicable to the container allowances in Article II are hereby made applicable to this Article IV. Any reference to sections 2.1–2.12 shall be considered a reference to sections 4.1–4.12 respectively. However, a wholesaler who otherwise qualifies for the outgoing container allowances for sales of fish other than fillets or steaks, as set out in section 2.12 (c) (2), may add that allowance for sales of round, drawn or dressed halibut where not more than 160 pounds are shipped to that customer on any one day. (See section 2.12 (c) (2) (iii)).

SEC. 4.13 *Authorization to regional office to fix prices for local varieties.* The Regional Administrator for Region VIII is hereby authorized to exercise within his region the functions, duties, powers and authority conferred upon the Price Administrator for the purpose of establishing by order specific maximum prices for all sales (other than those covered by Revised Maximum Price Regulation No. 507) of fresh fish, domestic and imported, for which maximum prices have not been established in the articles of this regulation covering fresh fish. *Provided*, That:

(a) During the year preceding the issuance of the order substantially all of such fresh fish which was consumed in the United States entered the United States at or was produced within Region VIII.

(b) Substantially all of such fresh fish during the year preceding the issuance of the order was consumed within Region VIII.

(c) The maximum price fixed for producers' sales does not exceed the 1942 weighted average price for such sales.

(d) The markup established for wholesale sales does not exceed those generally prevailing during 1942.

(e) The prices established are fixed in accordance with and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Executive Order No. 9328.

(f) The Regional Administrator shall consider the level of prices, the pattern of distribution and the allowances and deductions provided in Maximum Price Regulation No. 579.

(g) The Regional Administrator for Region VIII shall issue with each order an opinion setting out the above circumstances.

ARTICLE V—FROZEN FISH AND SEAFOOD (PACIFIC COAST SPECIES)

SEC. 5.1 *General provisions*—(a) *Scope of this article.* This article sets maximum prices for sales by processors and wholesalers of certain species of frozen fish and seafood listed in Table IIB of section 10.1. Table IIB (Pacific Coast species) lists only species which are primarily landed and frozen at Pacific Coast ports. (All frozen fish and seafood of any species and style of dressing listed are included, even though they are occasionally landed or frozen elsewhere. Frozen fish and seafood primarily landed and frozen in other areas, such as shrimp, are not included, even though they are occasionally landed and frozen at Pacific Coast ports).

(b) *Frozen fish.* As used in this article, the words "frozen fish" mean all frozen fish and seafood of the species and styles of dressing listed in Table IIB of section 10.1, unless the context indicates otherwise.

SEC. 5.2 *Maximum prices for sales by processors and wholesalers*—(a) *Maximum prices.* The maximum price for any sale of frozen fish by a processor (defined in section 5.3) or a wholesaler (defined in section 5.4) is the table price provided for that sale (by sections 5.3 through 5.8), plus all applicable allowances (provided by sections 5.9 through 5.13), and plus or minus any applicable differentials (provided by section 5.12). If this article does not specifically provide a table price for the sale, the maximum price is the lowest table price provided by this article for any sale by that seller, plus all applicable allowances, and plus or minus any applicable differential.

(b) *Maximum prices for sales of lots of more than 500 pounds.* (1) The maximum price for sales of frozen fish (other than primary processor's sales to certain distributors covered by section 5.3 (d) (2)) which is delivered or shipped to any place of business or other distribution point of the customer in lots totaling more than 500 pounds of any one species in any one day, is the table price provided in the following subdivisions plus all applicable allowances and plus or minus any applicable differential:

(i) Sales to purveyors of meals by wholesalers who bought the fish at prices based on Column III of Table IIB (section 10.1)—the price listed in Column III of Table IIB (section 10.1) plus one cent.

(ii) All other sales—the applicable table price for sales to wholesalers.

(2) Where a customer takes delivery of more than 500 pounds of any one species of frozen fish on any one day at the seller's place of business or other distribution point, the maximum price for the sale of such fish is the applicable table price for sales to wholesalers plus all applicable allowances and plus or minus any applicable differential.

(c) *Allowances generally.* No allowance or differential (provided by sections 5.9 through 5.13) may be added by a seller to his table price unless it is separately stated on an invoice to his customer.

SEC. 5.3 *Sales by processors*—(a) *What a processor is.* A "processor" of frozen fish is a person who owns the frozen fish before it leaves the original freezer.

(b) *What a secondary processor is.* A "secondary processor" with respect to frozen fish of any species, is a person other than a producer or producer-wholesaler (defined in section 4.2), of fresh fish of that species, or a primary processor of frozen fish of the same species, who freezes fresh fish which he purchased pursuant to Article IV at the table price listed in Column B of Table IIA (section 10.1) or higher, and who normally purchases 80 percent or more of the fresh fish of that species which he freezes at the table price listed in Column B of Table IIA (section 10.1) or higher. He is a secondary processor only with respect to fish of that species purchased at such prices which he freezes. The term also includes a person other than a primary processor of the same species, who acquires such frozen fish from such secondary processor before the fish leaves the original freezer.

(c) *What a primary processor is.* A processor of any frozen fish who fails to fill the requirements of paragraph (b) with respect to that frozen fish, is a primary processor of that frozen fish. A person who is a primary processor with respect to more than 20 percent of the frozen fish of any species which he sells, is considered, for the purposes of this regulation a primary processor with respect to all the frozen fish of that species which he sells.

(d) *Table prices for sales by a primary processor.* The table price for a sale of frozen fish by a primary processor, other than a sale covered in paragraph (e) is as follows:

(1) To a wholesaler, chain store warehouse or retailer-owned cooperative wholesaler—the price listed in Column I of Table IIB (section 10.1).

(2) To a distributor (other than a wholesaler, retailer or purveyor of meals):

(i) For a sale of fish for which the price in Column I of Table IIB is 10 cents or less and for a sale of round, drawn or dressed halibut—the price listed in Column I of Table IIB (section 10.1) minus ½ cent.

(ii) Where the sale does not fall within subdivision (i)—the price listed in Column I of Table IIB (section 10.1) minus one cent.

(3) To a retailer—the price listed in Column II of Table IIB (section 10.1).

(4) To a purveyor of meals:

(i) If the sale involves transportation to the buyer other than local trucking, hauling, or handling, or if the seller is entitled to a delivery allowance for the sale under section 5.9—the price listed in Column II of Table IIB (section 10.1) plus one cent.

(ii) If the sale is not covered by subdivision (i)—the price listed in Column II of Table IIB (section 10.1).

(e) *Inland warehouse sales by a primary processor.* Where a primary processor ships fish, frozen in the United States or Alaska, to a warehouse which is at least 250 miles away from the original freezer, not within Alaska, the States of Oregon, Washington or California and at which warehouse he has two or more full-time employees stationed and engaged in selling frozen fish and performing related services for him exclusively, and he sells and distributes such frozen fish from the stock of that warehouse in less-than-carload lots, his table prices for such sales are the prices listed below: *Provided, however*, That during the greater portion of the year preceding April 13, 1943, he received frozen fish of the same species at that warehouse, for the most part in carload lots, or as a portion of a whole carload lot including other species, and sold and distributed it from there for the most part in less-than-carload lots:

(1) To a wholesaler, chain-store warehouse, or retailer-owned cooperative wholesaler—the price listed in Column III of Table IIB (section 10.1) but only if such fish was received at the warehouse in carload lots, or as a portion of a whole carload lot including other species.

(2) To a retailer—the price listed in Column IV of Table IIB (section 10.1).

(3) To a purveyor of meals:

(i) If the sale involves transportation to the buyer other than local trucking, hauling or handling, or if the seller is entitled to a delivery allowance for the sale under section 5.9—the price listed in Column IV of Table IIB (section 10.1) plus one cent.

(ii) If the sale is not covered by subdivision (i)—the price listed in Column IV of Table IIB (section 10.1).

(f) *Table prices for sales by a secondary processor.* The table price for a sale of frozen fish by a secondary processor is as follows:

(1) To a wholesaler, chain-store warehouse, or retailer-owned cooperative wholesaler—the price listed in Column I of Table IIB (section 10.1).

(2) To a retailer:

(i) If the sale is made by a secondary processor who has no place of business in Alaska, the States of Oregon or Washington, and the fish is frozen at or delivered from or at, a place other than those listed above—the price listed in Column IV of Table IIB (section 10.1).

(ii) If the sale is not covered by subdivision (i)—the price listed in Column II of Table IIB (section 10.1).

(3) To a purveyor of meals:

(i) If the sale involves transportation to the buyer other than local trucking, hauling or handling, or if the seller is entitled to a delivery allowance for the sale under section 5.9—the price listed in Column IV of Table IIB (section 10.1) plus one cent.

(ii) If the sale is not covered by subdivision (i)—the price listed in Column IV of Table IIB (section 10.1).

SEC. 5.4 *Wholesale sales generally*—(a) *What "wholesale sales" and "wholesalers" are.* A person other than a processor who buys frozen fish for resale, and sells more than 20 percent of it to persons other than ultimate consumers, is a "wholesaler" with respect to all his purchases (including his purchases of fish which he sells at retail). His sales of that fish are "wholesale sales", and he is a "wholesaler" with respect to those sales, if:

(1) He sells and distributes at least 80 percent of the frozen fish he handles from the stock of his domestic established place of business (i) in which such fish has been unloaded and warehoused, (ii) at which he maintains fulltime employees for the purpose of handling and packing such fish exclusively for him, and (iii) from the stock of which he sells and distributes at least 20 percent of the frozen fish he purchases to persons who sell at retail and purveyors of meals. Except as applicable to primary distributor sales (see section 5.6), "domestic established place of business" does not include public freezing facilities; it includes only a warehouse or the freezer which is wholly owned or controlled by the seller; or

(2) He has no established place of business, and he sells and delivers such fish to a retailer or purveyor of meals, without advance order, from the stock of his motor truck or wagon in which he delivers it to the retailer's individual store or to the place of business of the purveyor of meals. (This type of wholesale sale is called a wagon jobber sale. The seller is a wagon jobber with respect to such sale).

With the exception of the wagon jobber sale, however, if the seller does not sell and distribute at least 80 percent of his frozen fish from the stock of his domestic established place of business, he is not a wholesaler, but is a distributor whose sales are covered by section 1.2 or section 5.5 in the case of an importing distributor or section 5.6a in the case of a distributor buying from a primary fish shipper or port wholesaler.

SEC. 5.5 *Importer sales.* (a) An importer sale is a sale of frozen fish, which the seller (including the agent of a foreign shipper) imported into the United States. It also includes sales by a wholesaler or any other person of imported fish which he bought from an importing distributor (other than a wholesaler or retailer). Such a seller is an importer with respect to such sales. The maximum prices for such sales are the table prices established for sales by primary processors plus all applicable allowances (provided by sections 5.9 through 5.13) and plus or minus any applicable differentials (provided by section 5.12).

(b) *Inland warehouse sales.* Where an importing wholesaler receives imported frozen fish at his domestic established place of business and ships such fish to another warehouse in less-than-carload lots or in carload lots which he assembled at his domestic established place of business, and such other warehouse and sales from it meet the qualifications set out in section 5.3 (e) (Inland warehouse sales by a primary processor), the maximum price for such sale is the table price established by that section plus all applicable allowances and plus or minus any applicable differentials.

(c) *Halibut.* No person shall buy frozen halibut originally landed fresh on the Pacific Coast of Canada which halibut is intended for transshipment in bond into the United States at a price higher than the price provided for sales by primary processors to wholesalers (see Schedule 4, footnote 3, Column I of Table IIB). No person shall sell or distribute in Canada either directly or indirectly through a foreign or domestic corporation which he owns or controls any such halibut at a price higher than the price provided for primary processors' sales to wholesalers.

(d) Notwithstanding the provisions of paragraphs (a) and (b) the maximum price which a person may charge for a sale of frozen fish which he receives in bond from the Pacific Coast of Canada is the appropriate table price applicable to a sale of such fish purchased from a primary processor plus all applicable allowances for an imported sale.

SEC. 5.6 *Primary distributor sales*—(a) *What a primary distributor sale is.* A sale by a wholesaler (other than an importer sale) to another wholesaler, chain-store warehouse or retailer-owned cooperative, of frozen fish purchased frozen in carload lots or as a portion of a whole carload lot including other species and distributed in the United States in less-than-carload lots, is a primary distributor sale: *Provided, however,* That the seller handled the same species of frozen fish during the year preceding April 13, 1943, and during the greater portion of that year bought in carload lots or as a portion of a whole carload lot including other species the greater portion of that species which he handled, and he distributed from an established place of business in the United States the greater portion in less-than-carload lots. The seller is called a primary distributor with respect to such sales. *Provided, further,* That a primary distributor sale shall not include a sale of frozen fish which involves delivery from or within Alaska, Washington, Oregon or California.

(b) *Table price.* The table price for a primary distributor sale is the price listed in Column III of Table IIB (section 10.1).

SEC. 5.6a *Certain distributor sales.* The maximum price for a sale by a distributor (other than a wholesaler, retailer or purveyor of meals) of fish which he bought from a primary processor pursuant to section 5.3 (d) (2) is his supplier's maximum price for such sale plus any applicable allowances.

SEC. 5.7 *Wholesale sales not covered by sections 5.5 and 5.6*—(a) *Table prices.* The table price for a wholesale sale of frozen fish which is not covered by section 5.5 or 5.6 is as follows: (but see paragraph (b)).

(1) To a wholesaler, chain-store warehouse or retailer-owned cooperative wholesaler:

(i) If the sale involves transportation from any point within 50 miles from the place where the fish was originally landed fresh or was frozen, other than San Francisco and Los Angeles, or, if the sale involves transportation from Alaska, Washington, Oregon, or California to any point outside Alaska or any of the following States: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming—the price listed in Column I of Table IIB (section 10.1).

(ii) If the sale does not fall within subdivision (i) and is made to a wagon jobber and involves delivery from the wholesaler's established place of business in Washington, Oregon or California in lots containing 160 pounds or less of round, drawn or dressed halibut and or 80 pounds or less of any other fish (except fillets or steaks) to that wagon jobber in any one day and the sale involves no transportation to the buyer—the price listed in Column III of Table IIB (section 10.1) plus $\frac{1}{2}$ cent.

(iii) If the sale does not fall within subdivisions (i) or (ii)—the price listed in Column III of Table IIB (section 10.1).

(2) To a retailer:

(i) By a retailer-owned cooperative wholesaler to an affiliated retail store—the price listed in Column IV of Table IIB (section 10.1) minus one cent.

(ii) By a wholesaler except as provided in the immediately preceding subdivision (i) if the sale involves transportation from any point within 50 miles from the place where the fish was originally landed fresh or was frozen, or if the sale involves transportation from Alaska, Washington, Oregon or California, to any point outside Alaska or any of the following States: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming—the price listed in Column II of Table IIB (section 10.1).

(iii) If the sale does not fall within subdivisions (i) or (ii)—the price listed in Column IV of Table IIB.

(3) To a purveyor of meals:

(i) If the sale involves transportation to the buyer other than local trucking, hauling, or handling, or if the seller is entitled to a delivery allowance for the sale under section 5.9—the price listed in Column IV of Table IIB (section 10.1) plus one cent.

(ii) If the sale is not covered by subdivision (i)—the price listed in Column IV of Table IIB (section 10.1).

(b) *Certain sales to retailers and purveyors of meals at Column V prices.* Notwithstanding the provisions of paragraph (a), a wholesaler who purchases frozen fish from a primary distributor, or from an inland warehouse of a processor or importer pursuant to section 5.3 (e) or section 5.5 (b) or from a wholesaler who prices on the basis of Column III (see section 5.7 (a) (1) (ii) or (iii)),

may sell that fish to retailers or purveyors of meals at the following table prices:

(1) To a retailer:

(i) If the seller is a retailer-owned cooperative wholesaler (defined in paragraph (a) (2) (i) selling to an affiliated retail store—the price listed in Column V of Table IIB (section 10.1) minus one cent.

(ii) If the seller is not a retailer-owned cooperative wholesaler—the price listed in Column V of Table IIB (section 10.1).

(2) To a purveyor of meals:

(i) If the sale involves transportation to the buyer other than local trucking, hauling or handling, or if the seller is entitled to a delivery allowance for the sale under section 5.9—the price listed in Column V of Table IIB (section 10.1) plus one cent.

(ii) If the sale does not fall within subdivision (i)—the price listed in Column V of Table IIB (section 10.1).

SEC. 5.8 *Sales to ultimate consumers.* The provisions of section 3.8 as now or hereafter amended applicable to sales of frozen fish listed in Table IB are hereby made applicable to sales of frozen fish listed in Table IIB.

SEC. 5.9 *Delivery allowance.* The provisions of section 3.9 as now or hereafter amended applicable to sales of frozen fish listed in Table IB are hereby made applicable to sales of frozen fish listed in Table IIB.

SEC. 5.10 *Custom dressing allowance.* The provisions of section 3.10 as now or hereafter amended applicable to sales of frozen fish listed in Table IB are hereby made applicable to sales of frozen fish listed in Table IIB.

SEC. 5.11 *Transportation allowance*—(a) *General.* The allowances provided by this section for transportation costs do not apply to local trucking, hauling or handling charges, for which no charges may be made. No allowance taken for transportation costs pursuant to this section may exceed the common carrier rate from shipping to receiving point.

(b) *Incoming fresh fish transportation for processors.* If a primary or secondary processor freezes fish in a place which is remote from the place where that fish was landed, he may add to his table price the per pound transportation costs, not to exceed the carload rail freight rate per pound for fresh fish (if such rate is available) from the nearest port where that species is landed, ex-vessel.

(c) *Incoming transportation for wholesalers and other distributors.* Any wholesaler or other distributor who purchases frozen fish from a domestic supplier may add to his table price the transportation cost from his supplier's shipping point to his receiving point.

(d) *Importer's incoming transportation.* Any importer of frozen fish may add to his table price as a transportation allowance the smallest of the following:

(1) The actual transportation cost from the foreign shipper's shipping point to the importer's receiving point;

(2) The actual transportation cost to the importer's receiving point from the point at which the fish entered the United States, or the carload rail rate from the point in the United States nearest the foreign shipper's shipping point, whichever is designated by the importer;

(3) The transportation cost for the type of shipment used to the importer's receiving point from Seattle in the case of fish imported from Canada or from San Diego in the case of fish imported from Mexico.

(4) Where the importer's transportation cost from the place at which fish, imported from Canada into the State of Washington, enters the United States to the importer's receiving point is less than the transportation cost for the same type of shipment from such place of entry to Seattle, the importer may add no incoming transportation.

(e) *Outgoing transportation for processors, wholesalers, and distributors.* Any processor, wholesaler, or other distributor, not including an importer, who ships frozen fish from one of his warehouses to another of his warehouses or to his distribution point which is remote from his shipping point and from the original freezing point, may add to his table price for frozen fish distributed from or at that remote warehouse, or other distribution point, the transportation cost from the shipping point nearest the first warehouse to such remote warehouse or other distribution point.

(f) *Allowance paid by purchasing wholesaler.* A purchasing wholesaler who has paid to his domestic supplier a transportation allowance authorized by paragraphs (a), (b), (c), (d), or (e) may add that allowance to his table price.

(g) A wholesaler who further processes the frozen fish he receives before he sells it, may add to his table price for the processed fish an amount which will enable him to recover the full incoming transportation allowance provided by paragraph (c), (d) or (f).

(h) *Mileage allowance for wholesalers.* Any wholesaler of frozen fish may add to his table price for sales to retailers and purveyors of meals 25 percent of the carload freight charge to his receiving point from Seattle or Astoria, whichever is least.

(i) *Authorization to regional offices to fix transportation allowances.* The provisions of section 3.11 (i) as now or hereafter amended applicable to the transportation allowances in Article III are hereby made applicable to the transportation allowances in this Article V.

(j) *Special rules affecting halibut*—(1) *Sales of halibut in the East.* Where any person sells or delivers halibut from a distribution point located outside Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, the table price (listed in Table IIB) appropriate with respect to the type of sale, the style of dressing and the point of landing plus the transportation allowance in this section shall not exceed whichever of the following is lower:

(i) The appropriate table price for frozen halibut which was originally landed fresh on the Pacific Coast of Canada plus the rail rate for frozen fish for the type of shipment used from Prince Rupert, B. C., to the seller's distribution point; or

(ii) The appropriate table price with respect to the point of landing plus the transportation allowance fixed in this section.

(2) *Sales of frozen halibut to government agencies.* The maximum price for a sale of frozen halibut f. o. b. Seattle to any government agency is the price applicable to frozen halibut originally landed fresh on the Pacific Coast of continental United States and listed in Column I of Table IIB. This price applies only where frozen halibut is packed according to specifications of the buying government agency. No transportation, container or other charge may be added to this maximum price.

SEC. 5.12 *Container differentials and allowances.* The provisions of section 3.12 as now or hereafter amended applicable to the container allowances and differentials in Article III are hereby made applicable to this Article V. Any reference to sections 3.1–3.12 shall be considered a reference to sections 5.1–5.12 respectively. However, a wholesaler who otherwise qualifies for the allowance for less than box lot shipments to retailers or purveyors of meals as set out in section 3.12 (b) may add that allowance for sales of round, drawn, or dressed halibut where not more than 160 pounds are shipped to that customer on any one day.

SEC. 5.13 *Storage allowances*—(a) *Inland storage.* For certain distributor sales priced in section 5.6a, inland warehouse sales, primary distributor sales, and other wholesale sales priced on the basis of Column III or IV, the seller may add $\frac{1}{2}$ cent per pound to the applicable table price if the seller has previous to the sale stored the fish in a freezer other than the original freezer. However, where a wholesaler pricing on the basis of Column III or IV has paid a storage charge pursuant to this paragraph (a), he may pass on such charge to his customer but may not himself add an additional charge for storage under this paragraph.

(b) *Winter storage.* Any person making a sale of the listed species of fish in the listed styles of dressing during the listed months may add to the appropriate table price the applicable amount:

Species	Style of dressing	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.
Lingcod, True Cod, Silver Smelt	All	½	½	¾	1	1¼	1½	1¾	2
Flounder, Dover Sole, English Sole, Petrale Sole, Rex Sole, Sand Sole, Turbot Sole	Fillets or dressed and skinned	½	½	¾	1	1¼	1½	1¾	2
Flounder, Dover Sole, English Sole, Petrale Sole, Rex Sole, Sand Sole, Turbot Sole	Round or dressed	½	½	¾	1	1	1	1	1
Chinook or King Salmon	All	0	0	0	0	½	½	¾	0

SEC. 5.14 *Authorization to regional office to fix prices for local varieties.* See Revised General Order No. 32—Amendment 19.

12. Section 10.1 is amended by adding after paragraph (b) the following paragraphs (c) and (d):

(c) TABLE IIA—PACIFIC COAST FRESH FISH AND SEAFOOD MAXIMUM PRICES IN CENTS PER POUND

Sched. No.	Species	Item No.	Style of dressing	Size	Season	A	B	C	D	E	F	G
	COD SPECIES											
1	Lingcod [1]	1	Round	All	May–Aug	5½	7½	8½	10¼	8½	9	10
		2	Dressed	All	May–Aug	8	10	11	13¼	11¼	12½	14
		3	Fillets	All	May–Aug	----	24	25	28¼	26	27½	29
		4	Steaks	All	May–Aug	----	15	16	18¼	16½	18	19
		1	Round	All	Sept.–Apr	7	9	10	11¾	10	11	12
		2	Dressed	All	Sept.–Apr	10	12	13	15¼	13½	14	16
		3	Fillets	All	Sept.–Apr	----	28¼	29½	33	30½	32	34
		4	Steaks	All	Sept.–Apr	----	17¼	18½	21	18¾	20	22
2	Red or Rock Cod [1]	1	Round	All	All year	4½	6½	7½	9¼	7½	8½	9½
		2	Drawn	All	All year	6	8	9	10¾	9	10	11
		3	Dressed	All	All year	8	10	11	13¼	11¼	12½	14
		4	Fillets	All	All year	----	25½	26½	29¾	27½	29	31
3	True Cod [1]	1	Round	All	May–Aug	4½	6½	7½	9¼	7½	8½	9½
		2	Dressed	All	May–Aug	6	8	9	10¾	9	10	11
		3	Fillets	All	May–Aug	----	21	22	25¼	23	24½	26
		1	Round	All	Sept.–Apr	6½	8½	9½	11	9½	10½	12
		2	Dressed	All	Sept.–Apr	8¼	10½	11¾	14	12	13½	15
		3	Fillets	All	Sept.–Apr	----	27	28	31¼	29	30½	32
	HALIBUT											
4	(a) Landed on the Pacific coast of the United States.	1	Round	Under 13½ pounds	All year	10½	13	14	16¼	14¼	15½	17
		2	Round	13½ through 80 pounds	All year	12	14½	15½	17¾	15¾	17	18¼
		3	Round	Over 80 pounds	All year	10½	12	13	15¼	13¼	14½	15
		4	Drawn	Under 11 pounds	All year	14¾	16½	17¾	20½	18¼	20	21
		5	Drawn	11 through 67 pounds	All year	17¾	18½	19½	22	19¾	21½	23
		6	Drawn	Over 67 pounds	All year	14¾	16½	17¾	20½	18¼	20	21
		7	Dressed	Under 10 pounds	All year	16	18½	19½	22½	20	22	24
		8	Dressed	10 through 60 pounds	All year	17½	20	20	23½	21½	23½	25
		9	Dressed	Over 60 pounds	All year	16	18½	19½	22½	20	22	24
		10	Steaks	All	All year	----	23¼	24¼	27	24½	26½	28
		11	Cheeks	All	All year	----	20	21	23¾	21½	23½	25
		12	Fillets	All	All year	----	28½	29½	32¾	30½	32½	34
	(b) Landed on the Pacific coast of Canada.	1	Round	Under 13½ pounds	All year	8	10½	11½	13¾	11¾	13½	14½
		2	Round	13½ through 80 pounds	All year	9½	12	13	15¼	13¼	14½	16
		3	Round	Over 80 pounds	All year	8	10½	11½	13¾	11¾	13½	14½
		4	Drawn	Under 11 pounds	All year	11¾	13¼	14¼	17½	15½	17	18¼
		5	Drawn	11 through 67 pounds	All year	14¼	15¾	16¾	19½	17½	19	20¼
		6	Drawn	Over 67 pounds	All year	11¾	13¼	14¼	17½	15½	17	18¼
		7	Dressed	Under 10 pounds	All year	13¾	16	17	19¾	17½	19	20¾
		8	Dressed	10 through 60 pounds	All year	15	17¼	18½	21¼	19	20¾	22¼
		9	Dressed	Over 60 pounds	All year	13½	16	17	19¾	17½	19	20¾
		10	Steaks	All	All year	----	22	23	26¼	24	25¾	27½
		11	Cheeks	All	All year	----	17	18½	21¼	19	20¾	22¼
		12	Fillets	All	All year	----	24½	25½	28¾	26½	28½	30½
	(c) Landed in Alaska [1]	---										
	(d) Landed on the Atlantic coast	1	Round	Under 13½ pounds	All year	12½	15	16	18¾	16½	18	19¼
		2	Round	13½ through 80 pounds	All year	14	16½	17¾	20¼	18	19¾	21
		3	Round	Over 80 pounds	All year	12½	15	16	18¾	16½	18	19¼
		4	Drawn	Under 11 pounds	All year	16½	18¾	19¾	22½	20¼	22	23½
		5	Drawn	11 through 67 pounds	All year	17¾	20¼	21¼	24½	22¼	24½	25½
		6	Drawn	Over 67 pounds	All year	16¼	18¾	19¾	22½	20¼	22	23½
		7	Dressed	Under 10 pounds	All year	18	20½	21½	24½	22	24	25½
		8	Dressed	10 through 60 pounds	All year	19½	22	23	25¾	23½	25½	27½
		9	Dressed	Over 60 pounds	All year	18	20½	21½	24½	22	24	25½
		10	Steaks	All	All year	----	28	29	32½	30	32	34
		11	Cheeks	All	All year	----	22	23	25¾	23½	25½	27½
		12	Fillets	All	All year	----	32	33	37	34	36½	38½
5	PITCHARDS (per lb.) [2]	1	Round	All	Aug.–Feb	$22	----	----	----	----	----	----
6	SABLEFISH	1	Round	All	All year	8½	10¾	11¾	14	12	13	14½
		2	Dressed	All	All year	11½	14	15	17¼	15¼	16	17½
		3	Fillets	All	All year	----	20	20	23¼	21	22½	24
		4	Steaks	All	All year	----	18½	19½	22¼	20	21½	23
	SALMON [3]											
7	Chinook and Silver, troll caught [4 7]											
	(a) Chinook or King, red meated	1	Round	Under 16 pounds	Jan.–Mar	18¼	20¾	21¾	25	22¾	24	26¼
		2	Round	16 pounds up	Jan.–Mar	20	22	23½	26¾	24	25½	27½
		3	Drawn	Under 14 pounds	Jan.–Mar	22	25	26	29¾	27	28½	30½
		4	Drawn	14 pounds up	Jan.–Mar	24	27	28	32	29¼	31	33
		5	Dressed	Under 12¾ pounds	Jan.–Mar	----	27¾	28¾	32	29¾	31	33
		6	Dressed	12¾ pounds up	Jan.–Mar	----	30	31	35	32½	34	36
		7	Fillets	All	Jan.–Mar	----	40	41	47½	43	45	48
		8	Steaks	All	Jan.–Mar	----	34	35	39	37¼	38½	40
		1	Round	Under 16 pounds	Apr.–Dec	15	17½	18¾	21½	19¼	20½	22
		2	Round	16 pounds up	Apr.–Dec	18¼	20¾	21¾	25	22¾	24	26¼
		3	Drawn	Under 14 pounds	Apr.–Dec	18¼	20¾	21¾	25	22¾	24	26¼
		4	Drawn	14 pounds up	Apr.–Dec	22	25	26	29¾	27	28½	30½
		5	Dressed	Under 12¾ pounds	Apr.–Dec	----	23¾	24¾	27½	25¼	26½	28½
		6	Dressed	12¾ pounds up	Apr.–Dec	----	27¼	28¼	31½	29¼	30½	32½
		7	Fillets	All	Apr.–Dec	----	32½	33¾	37¾	35½	37½	39½
		8	Steaks	All	Apr.–Dec	----	29	30	33¾	31	32½	34½
	(b) Chinook or King, well-meated	1	Round	All	All year	11½	14	15	17½	15¾	16½	18
		2	Drawn	All	All year	14	16½	17¾	20¼	18	19½	21
		3	Dressed	All	All year	----	18	19	21¾	19½	20½	22
		4	Fillets	All	All year	----	26	27	30½	28	29½	31½
		5	Steaks	All	All year	----	24½	25½	28¾	27	28½	30½
7	(c) Silver	1	Round	All	All year	13½	16	17	19¾	17¾	19	20¾
		2	Drawn	All	All year	16½	19	20	22¾	21	22½	24
		3	Dressed	All	All year	----	21	22	25¼	23	24¼	25¾
		4	Fillets	All	All year	----	29	30	33¾	31	32¾	34½
		5	Steaks	All	All year	----	24½	25¾	29	26¾	28½	30

See footnotes at end of table

(c) TABLE IIA—PACIFIC COAST FRESH FISH AND SEAFOOD MAXIMUM PRICES IN CENTS PER POUND—Continued

Sched. No.	Species	Item No.	Style of dressing	Size	Season	A	B	C	D	E	F	G
	SALMON—CONTINUED											
8	(b) Chinook or King, other than troll caught. (a) Caught in Columbia River	1	Round	All	Jan.–Mar	20	----	----	----	----	----	----
					Apr.–July	17	----	----	----	----	----	----
					Aug. 1–10	15	----	----	----	----	----	----
					Aug. 11–31	13½	----	----	----	----	----	----
					Sept.–Dec	10½	----	----	----	----	----	----
	(b) Puget Sound area [4] and all other Washington waters except (a).	1	Round	All	Jan.–Mar	20	----	----	----	----	----	----
		1	Round	All	Apr.–Dec	13½	----	----	----	----	----	----
	(c) Caught in Sacramento River	1	Round	All	Jan.–Mar	20	----	----	----	----	----	----
		1	Round	All	Apr.–Dec	15	----	----	----	----	----	----
	(d) Caught in waters of Oregon and Calif. other than (a) and (c).	1	Round	All	Jan.–Mar	20	----	----	----	----	----	----
					Apr.–July	15	----	----	----	----	----	----
					Aug.–Dec	13½	----	----	----	----	----	----
	All areas including (a) through (d) and imported.	1	Round	All	Jan.–Mar	----	22½	23½	26¾	24¼	26½	28¼
		2	Drawn	All	Jan.–Mar	----	27	28	31½	29	30½	32½
		3	Dressed	All	Jan.–Mar	----	30	31	35	32½	34	36
		4	Fillets	All	Jan.–Mar	----	39	40	44	41½	43	46
		5	Steaks	All	Jan.–Mar	----	34	35	39	36½	38	41
		1	Round	All	Apr.–Dec	----	17½	18½	21½	19	20½	22½
		2	Drawn	All	Apr.–Dec	----	20½	21½	24¾	22½	24	25¼
		3	Dressed	All	Apr.–Dec	----	22¾	23¾	27	24¾	26½	28¼
		4	Fillets	All	Apr.–Dec	----	31	32	36	33½	35½	38
		5	Steaks	All	Apr.–Dec	----	26½	27½	30¾	28½	30½	32½
9	Fall (a) Puget Sound area [4] and imported	1	Round	All	June–Dec	8	11	12	14¼	12¾	13½	15
		2	Drawn	All	June–Dec	----	12¾	13½	16	14	15¼	16¾
		3	Dressed	All	June–Dec	----	14¾	15¾	18	16	17½	18¾
		4	Fillets	All	June–Dec	----	20	21	24¾	22	23½	25¾
		5	Steaks	All	June–Dec	----	17¾	18¾	21¼	19¾	21	22½
	(b) Delivered ex-vessel anywhere in Washington or Oregon other than (a).	1	Round	All	Sept.–Dec	5	7	8	9¾	8	9½	10½
		2	Drawn	All	Sept.–Dec	----	8½	9½	11	9½	10½	11½
		3	Dressed	All	Sept.–Dec	----	9½	10½	12½	10½	11¾	12¾
		4	Fillets	All	Sept.–Dec	----	14	15	17½	15½	16¾	18
		5	Steaks	All	Sept.–Dec	----	12	13	15¼	13¼	14¾	16
10	Pink, Puget Sound Area, [4] all other Washington waters, and imported.	1	Round	All	June–Dec	5	8	9	10¾	9	10½	11½
		2	Drawn	All	June–Dec	----	9½	10½	12	10½	11½	12½
		3	Dressed	All	June–Dec	----	10¾	11¾	13½	11½	13	14½
		4	Fillets	All	June–Dec	----	16	17	19¾	17½	19½	20¾
		5	Steaks	All	June–Dec	----	14	15	17¼	15¼	16¾	18
11	Silver, other than troll caught. (a) Puget Sound area [4] and imported	1	Round	All	June–July	7	10	11	13¼	11¾	12½	14
		2	Drawn	All	June–July	----	11¾	12¾	15	13	14¼	15¾
		3	Dressed	All	June–July	----	13	14	16¾	14¾	15¾	17
		4	Fillets	All	June–July	----	19	20	23¾	21½	23¼	25¾
		5	Steaks	All	June–July	----	16¾	17¾	20	17¾	19½	21
		1	Round	All	Aug	8	11	12	14¾	12¾	13½	15
		2	Drawn	All	Aug	----	13¼	14¼	16¾	14½	16	17¾
		3	Dressed	All	Aug	----	14¾	15¾	18	16	17½	18¾
		4	Fillets	All	Aug	----	22¾	23¾	26½	24	25¾	28¼
		5	Steaks	All	Aug	----	18	19	21¾	19½	21¼	23½
		1	Round	All	Sept.–Dec	11½	15	16	18¾	16½	18¼	19¾
		2	Drawn	All	Sept.–Dec	----	17½	18½	21¼	19	20¾	22¼
		3	Dressed	All	Sept.–Dec	----	19½	20½	23¼	21	23¼	24¾
		4	Fillets	All	Sept.–Dec	----	27	28	31¾	29	32¾	34¼
		5	Steaks	All	Sept.–Dec	----	23	24	27¾	25	26¾	28¾
	(b) Delivered ex-vessel anywhere in Washington or Oregon other than (a).	1	Round	All	Aug.–Dec	9½	12¾	13½	15¾	13¾	15¼	16½
		2	Drawn	All	Aug.–Dec	----	14¾	15¾	18	16	17½	18¾
		3	Dressed	All	Aug.–Dec	----	16¾	17¾	20	17¾	19½	21
		4	Fillets	All	Aug.–Dec	----	23½	24½	27¾	25½	27½	29¾
		5	Steaks	All	Aug.–Dec	----	20	21	24¼	22	23¾	25¾
12	Sockeye (Blueback) delivered ex-vessel Neah Bay fishing grounds of Oregon and Washington and imported.	1	Round	All	May–Dec	16	19½	20½	23¼	21	22½	24¼
		2	Dressed	All	May–Dec	----	23½	24½	27½	25¼	26½	28½
		3	Steaks	All	May–Dec	----	30	31	35	32½	34	37
13	Steelhead	1	Round	All	Jan.–Mar	17½	18	19	21¾	19½	21	22¾
		2	Drawn	All	Jan.–Mar	----	21	22	25¼	23	24¾	26¼
		3	Dressed	All	Jan.–Mar	----	24½	25½	29¼	27	28¾	30½
		4	Steaks	All	Jan.–Mar	----	27¼	28¼	31½	29½	31	33
		1	Round	All	Apr.–June 10	4	6	7	8½	7	8	9
		2	Drawn	All	Apr.–June 10	----	7	8	9¾	8	9	10
		3	Dressed	All	Apr.–June 10	----	7½	8½	10½	8½	9¾	10½
		4	Steaks	All	Apr.–June 10	----	10½	11½	13¾	11¾	13½	14½
		1	Round	All	June 11–Dec	10½	13	14	16¾	14¾	15¾	17
		2	Drawn	All	June 11–Dec	----	15	16	18¾	16½	18¼	19¾
		3	Dressed	All	June 11–Dec	----	16¾	17¾	20½	18¼	20	21¾
		4	Steaks	All	June 11–Dec	----	19¼	20¼	23	20½	22½	24
14	SMELT, SILVER	1	Round	All	May–Aug	8½	10½	11½	13¾	11¾	13¼	14½
		1	Round	All	Sept.–Apr	10½	13	14	16¾	14¾	15¾	17
	SOLE AND FLOUNDER											
15	Dover Sole [5]	1	Round	All	May–Aug	5½	7½	8½	8¾	8½	9¾	10¾
		2	Dressed	All	May–Aug	----	7	8	9¾	8	9¾	10¾
		3	Dressed and skinned	All	May–Aug	----	9	10	11¾	10	11¾	12¾
		4	Fillets	All	May–Aug	----	22	23	26¼	24	25¾	27¾
		1	Round	All	Sept.–Apr	4½	6½	7½	9¼	7½	8¾	9¾
		2	Dressed	All	Sept.–Apr	----	8½	9½	11	9½	10½	11½
		3	Dressed and skinned	All	Sept.–Apr	----	10½	11½	13¾	11¾	13½	14½
		4	Fillets	All	Sept.–Apr	----	26½	27½	30½	28¾	30	32

See footnotes at end of table.

(c) TABLE IIA—PACIFIC COAST FRESH FISH AND SEAFOOD MAXIMUM PRICES IN CENTS PER POUND—Continued

Sched. No.	Species	Item No.	Style of dressing	Size	Season	A	B	C	D	E	F	G
	SOLE AND FLOUNDER—continued											
16	English Sole [4]	1	Round	Under 13 inches	May–Aug	3	5	6	7½	6	7½	5
		2	Round	13 inches up	May–Apr	4½	6½	7½	9	7½	9	6½
		3	Dressed	Under 13 inches	May–Aug		6½	7½	9	7½	9	6½
		4	Dressed	13 inches up	May–Aug		8¼	10¼	11	9½	11	8½
		5	Dressed and skinned	All	May–Aug		9½	10¼	12	10	12	9
		6	Fillets	All	May–Aug		22½	23½	26	24	26	21
		1	Round	Under 13 inches	Sept.–Apr	4	6	7	8½	6½	7½	5½
		2	Round	13 inches up	Sept.–Apr	5½	7½	8½	10¼	8½	9½	7½
		3	Dressed	Under 13 inches	Sept.–Apr		7½	8½	10¼	8½	9½	7½
		4	Dressed	13 inches up	Sept.–Apr		9½	10½	12¼	10½	11½	9½
		5	Dressed and skinned	All	Sept.–Apr		11	12	13½	12	13½	10½
		6	Fillets	All	Sept.–Apr		25½	26½	30	27½	30	24
17	Flounder [5]	1	Round	All	May–Aug	3½	5½	6½	8¼	6½	7½	5½
		2	Dressed	All	May–Aug		8	9	10½	9	10½	7½
		3	Fillets	All	May–Aug		22	23	26½	24	26½	21½
		1	Round	All	Sept.–Apr	4½	6½	7½	9¼	7½	8½	6½
		2	Dressed	All	Sept.–Apr		8½	10½	12	10½	11½	9½
		3	Fillets	All	Sept.–Apr		24½	25½	28½	26	28½	23½
18	Petrale Sole [4]	1	Round	All	May–Aug	5	7	8	9¾	8	9½	7½
		2	Dressed	All	May–Aug		9	10	11½	10	11½	9
		3	Dressed and skinned	All	May–Aug		11¼	12½	14½	12½	14½	11½
		4	Fillets	All	May–Aug		24	25	28¼	26	28¼	23½
		1	Round	All	Sept.–Apr	6	8	9	10½	9	10½	8½
		2	Dressed	All	Sept.–Apr		10¾	11¾	13¾	11¾	13¾	10¾
		3	Dressed and skinned	All	Sept.–Apr		13	14	16½	14½	16½	13½
		4	Fillets	All	Sept.–Apr		27	28	33½	29	33½	26½
19	Rex Sole	1	Round	All	May–Aug	2						
		1	Round	All	Sept.–Apr	3						
20	Sand Sole [4]	1	Round	All	May–Aug	4	6	7	8½	7	8	6
		2	Dressed	All	May–Aug		7½	8½	10½	8½	10	7½
		3	Dressed and skinned	All	May–Aug		9½	10½	12½	10½	12½	9½
		4	Fillets	All	May–Aug		22	23	26½	24	25½	21½
		1	Round	All	Sept.–Apr	5	7	8	9½	8	9	7
		2	Dressed	All	Sept.–Apr		9	10	11½	10	11	8½
		3	Dressed and skinned	All	Sept.–Apr		11½	12½	14½	12½	14	11
		4	Fillets	All	Sept.–Apr		25	26	29½	27	28½	23½
21	Turbot Sole [4]	1	Round	All	May–Aug	3½	5½	6½	8¼	6½	7½	5½
		2	Dressed	All	May–Aug		7	8	9¾	8	9½	7½
		3	Dressed and skinned	All	May–Aug		9	10	11½	10	11½	9
		4	Fillets	All	May–Aug		22	23	26½	24	25½	21½
		1	Round	All	Sept.–Apr	4½	6½	7½	9¼	7½	8½	6½
		2	Dressed	All	Sept.–Apr		8½	10½	12	10½	11½	9½
		3	Dressed and skinned	All	Sept.–Apr		10½	11½	13½	11½	13½	10½
		4	Fillets	All	Sept.–Apr		26	27	30½	28	30½	25½
	TUNA AND TUNALIKE FISH											
22	Albacore Tuna	1	Round	All	All year	10½	22	23	26¼	24	27½	22
		2	Drawn	All	All year		26¾	27¾	30½	28½	32	26
		3	Dressed	All	All year		29¾	30¾	34¼	32¼	34	29¾
		4	Center cuts	All	All year		32	33	37¼	34½	36	32
		5	Head cuts	All	All year		29½	30½	34¼	31½	33½	29½
		6	Tail cuts	All	All year		29½	30½	34¼	31½	33½	29½
		7	Steaks	All	All year		33½	34½	40	38	40	34½
		8	Fillets	All	All year		40	41	45½	42	44	39
23	Bluefin Tuna [4]	1	Round	All	All year	9½	14	15	17¼	15½	16¾	13
		2	Drawn	All	All year		16¾	17¾	20	17¾	19½	15½
		3	Dressed	All	All year		18½	19½	22½	20	21½	17½
		4	Center cuts	All	All year		20¼	21¼	24½	22¼	24	20
		5	Head cuts	All	All year		18¾	19¾	22	19¾	21	18
		6	Tail cuts	All	All year		18¾	19¾	22	19¾	21	18
		7	Steaks	All	All year		23½	24½	27½	24½	26½	22
		8	Fillets	All	All year		28½	29½	32¾	30	32	27
24	Bonito—Pacific [4]	1	Round	All	All year	7¾	11½	12½	15	13	14½	11½
		2	Drawn	All	All year		14¼	15¼	17½	15½	17	13½
		3	Dressed	All	All year		16¼	17¼	20	17¾	19	15½
		4	Center cuts	All	All year		17¾	18¾	21½	19½	21	17
		5	Head cuts	All	All year		16	17	19½	17½	19	15½
		6	Tail cuts	All	All year		16	17	19½	17½	19	15½
		7	Steaks	All	All year		20	21	23¾	22	23	20
		8	Fillets	All	All year		25	26	29¾	27	28½	24½
25	Skipjack Tuna [4]	1	Round	All	All year	9	13½	14½	16¾	14½	15½	13
		2	Drawn	All	All year		15¾	16¾	19½	17½	18½	15½
		3	Dressed	All	All year		18	19	21¾	19½	20½	17½
		4	Center cuts	All	All year		19¾	20¾	23½	21½	22½	19½
		5	Head cuts	All	All year		17¾	18¾	21½	19½	20½	17½
		6	Tail cuts	All	All year		17¾	18¾	21½	19½	20½	17½
		7	Steaks	All	All year		22	23	26¼	24	25	22
		8	Fillets	All	All year		27½	28½	32¼	29½	31	27
26	Yellowfin Tuna [4]	1	Round	All	All year	10	14½	15½	17¾	15½	17	14
		2	Drawn	All	All year		17	18	20½	18½	19½	16½
		3	Dressed	All	All year		19¾	20¾	24	21½	23	19½
		4	Center cuts	All	All year		21	22	25¼	23	24½	21
		5	Head cuts	All	All year		19	20	23¼	21	22½	19
		6	Tail cuts	All	All year		19	20	23¼	21	22½	19
		7	Steaks	All	All year		23½	24½	27¾	25½	27	23½
		8	Fillets	All	All year		29½	30½	34¼	32	34	29½

See footnotes at end of table.

(d) TABLE IIB—PACIFIC COAST FROZEN FISH AND SEAFOOD MAXIMUM PRICES IN CENTS PER POUND

Sched. No.	Species	Item No.	Style of dressing	Size	I	II	III	IV	V
	COD SPECIES								
1	Lingcod [1]	1	Dressed	All	12½	13	13½	14½	15½
		2	Fillets	All	25½	26½	27½	29½	31½
		3	Steaks	All	18	19	19½	20½	21½
2	Red or Rock Cod [2]	1	Round	All	9½	10	10½	11½	12½
		2	Drawn	All	12½	13	13½	14½	15½
		3	Dressed	All	18½	19½	20	21½	23
		4	Fillets	All	25½	26½	27½	29½	31½
3	True Cod [1]	1	Round	All	9½	10	10½	11½	12½
		2	Dressed	All	21	22	23	25	26½
		3	Fillets	All	25½	26½	27½	29½	31½
4	HALIBUT [3]	1	Round	All	17½	18½	19½	20½	22½
		2	Drawn	All	23½	24½	25½	27½	29½
		3	Dressed	Under 10 pounds	28½	29½	31	33½	35½
		4	Dressed	10 pounds up	30½	31½	33	35½	38
		5	Fillets	All	32½	33½	35	38	40½
		6	Steaks	All	23½	24½	25½	27½	29½
		7	Cheeks	All	12½	13	13½	14½	15½
5	FLOUNDERS (Fresh only)								
6	SABLEFISH [1]	1	Round	All	12½	13	13½	14½	15½
		2	Dressed	All	18½	19½	20	21½	23
		3	Fillets	All	25½	26½	27½	29½	31½
7	SALMON								
	Chinook and Silver, troll (a) and net (b) Chinook, red operated.	1	Drawn	Under 10 pounds	23½	24½	25½	27½	29½
		2	Dressed	Under 10 pounds	28½	29½	31	33½	35½
		3	Dressed	10 pounds up	30½	31½	33	35½	38
		4	Fillets	All	32½	33½	35	38	40½
		5	Steaks	All	23½	24½	25½	27½	29½
		6	Cheeks	All	12½	13	13½	14½	15½
	(c) Silver	1	Round	All	9½	10	10½	11½	12½
		2	Drawn	All	12½	13	13½	14½	15½
		3	Dressed	All	18½	19½	20	21½	23
		4	Fillets	All	25½	26½	27½	29½	31½
		5	Steaks	All	18	19	19½	20½	21½
		6	Cheeks	All	9½	10	10½	11½	12½
	Chinook, other than troll caught.	1	Round	All	12½	13	13½	14½	15½
		2	Drawn	All	18½	19½	20	21½	23
		3	Dressed	All	25½	26½	27½	29½	31½
		4	Fillets	All	32½	33½	35	38	40½
		5	Steaks	All	23½	24½	25½	27½	29½
		6	Cheeks	All	12½	13	13½	14½	15½
8	Fall [1]	1	Round	All	9½	10	10½	11½	12½
		2	Drawn	All	12½	13	13½	14½	15½
		3	Dressed	All	18½	19½	20	21½	23
		4	Fillets	All	25½	26½	27½	29½	31½
		5	Steaks	All	18	19	19½	20½	21½
		6	Cheeks	All	9½	10	10½	11½	12½
9	Jack [1]	1	Round	All	9½	10	10½	11½	12½
		2	Drawn	All	12½	13	13½	14½	15½
		3	Dressed	All	18½	19½	20	21½	23
		4	Fillets	All	25½	26½	27½	29½	31½
		5	Steaks	All	18	19	19½	20½	21½
		6	Cheeks	All	9½	10	10½	11½	12½
10	Tuna [1]	1	Round	All	9½	10	10½	11½	12½
		2	Drawn	All	12½	13	13½	14½	15½
		3	Dressed	All	18½	19½	20	21½	23
		4	Fillets	All	25½	26½	27½	29½	31½
		5	Steaks	All	18	19	19½	20½	21½
		6	Cheeks	All	9½	10	10½	11½	12½
11	Silver, other than troll caught. [1]	1	Round	All	9½	10	10½	11½	12½
		2	Drawn	All	12½	13	13½	14½	15½
		3	Dressed	All	18½	19½	20	21½	23
		4	Fillets	All	25½	26½	27½	29½	31½
		5	Steaks	All	18	19	19½	20½	21½
		6	Cheeks	All	9½	10	10½	11½	12½
12	Steelhead [1]	1	Round	All	9½	10	10½	11½	12½
		2	Dressed	All	12½	13	13½	14½	15½
		3	Steaks	All	18	19	19½	20½	21½

See footnotes at end of table.

[1] For fish which was landed overboard at the fish receiving places in Alaska, deduct as follows: Ketchikan, 1 cent; Wrangell and Petersburg, 2 cents; Juneau, Sitka and Pelican City, 3 cents; Port Williams, 4 cents; Cordova, 5 cents; Yakutat, 6 cents; Seward, 7 cents; Kodiak, 8 cents; Chignik, 9 cents; Naknek, 10 cents; Bristol Bay, 11 cents; Alaska, deduct the amount specified for the nearest listed place. Note that section 4.2 (c) authorizes the regional office for Region IX to modify the producer prices in Alaskan waters or at any Alaskan place, whether listed or not.

[2] For line-caught red or rock cod landed in Alaska, deduct as follows: Ketchikan, 1 cent; Wrangell and Petersburg, 2 cents; Juneau, Sitka and Pelican City, 3 cents; Port Williams, 4 cents; Cordova, 5 cents; Yakutat, 6 cents; Seward, 7 cents; Kodiak, 8 cents; Chignik, 9 cents; Naknek, 10 cents; Bristol Bay, 11 cents; Alaska, deduct the amount specified for the nearest listed place. Note that section 4.2 (c) authorizes the regional office for Region IX to modify the producer prices in Alaskan waters or at any Alaskan place, whether listed or not.

[3] For halibut which was landed at the following places in Alaska, deduct from the prices in Schedule 4 (b) as follows: For round, drawn, Sitka and Pelican City, 1 cent; Juneau, Ketchikan, 2 cents; Wrangell and Petersburg, 3 cents. For steaks—Ketchikan, 3 cents; Wrangell and Petersburg, 4 cents; Juneau, Sitka and Pelican City, 5 cents; Port Williams, 6 cents; Cordova, 7 cents; Yakutat, 8 cents; Seward, 9 cents; Kodiak, 10 cents; Chignik, 11 cents; Naknek, 12 cents; Bristol Bay, 13 cents; Alaska, deduct the amount specified for the nearest listed place. Note that section 4.2 (c) authorizes the regional office for Region IX to modify the producer prices in Alaskan waters or at any Alaskan place, whether listed or not.

[4] To cents is $2 per carton when handled overboard vessel in ports of entry in California. Add $1 per carton when delivered to Bonedo, Martinez or Mare Island. Add $2.40 per carton when delivered to Hueneme. The table price is 2 cents per pound when sold anywhere for bait.

[5] When a "sole or flounder" commonly sold in the state pays a tax on salmon, he may combine a component and the amount actually paid may be added to the listed prices. When halibut was landed at the following California ports, deduct as follows from California prices: Eureka, 1 cent; Fort Bragg, 2 cents; Bodega, 3 cents; San Francisco, 4 cents; Monterey, 5 cents; Morro, 6 cents; Port San Luis, 7 cents; Santa Barbara, 8 cents; Los Angeles, 9 cents; San Pedro, 10 cents; Terminal Island, 11 cents; Wilmington, 12 cents; Newport Beach, 13 cents; San Diego, 14 cents. For halibut landed at any other place in California, deduct the amount specified for the nearest listed place. Note that section 4.2 (c) authorizes the regional office for Region IX to modify the producer prices in Alaskan waters or at any Alaskan place, whether listed or not.

[6] On sales by California to persons other than canners, 2 cents per pound may be added to the prices listed in Column A only.

(c) TABLE IIA—PACIFIC COAST FRESH FISH AND SEAFOOD MAXIMUM PRICES IN CENTS PER POUND—Continued

Sched. No.	Species	Item No.	Style of dressing	Size	Season	A	B	C	D	E	F	G
	SOLE AND FLOUNDER—continued											
16	English Sole [4]	1	Round	Under 13 inches	May-Aug	3	5	6	7 1/4	6	7	8 1/4
		2	Round	13 inches up	May-Aug	4 1/2	6 1/2	7 1/2	9 1/4	7 1/2	8 1/2	9 1/4
		3	Dressed	Under 13 inches	May-Aug		6 1/4	7 1/2	9	7 1/2	8 1/2	9 1/4
		4	Dressed	13 inches up	May-Aug		8 1/4	9 1/4	11	9 1/4	10 1/2	11 1/2
		5	Dressed and skinned	All	May-Aug		9 1/4	10 1/4	12	10 1/4	11 1/2	12 1/2
		6	Fillets	All	May-Aug		22 1/2	23 1/4	26 1/2	23 1/2	25 1/2	27 1/2
		1	Round	Under 13 inches	Sept.-Apr	4	6	7 1/4	8 1/4	7 1/4	8 1/4	9 1/4
		2	Round	13 inches up	Sept.-Apr	5 1/2	7 1/2	8 1/2	10 1/4	8 1/2	9 1/2	10 1/2
		3	Dressed	Under 13 inches	Sept.-Apr		7 1/2	8 1/2	10 1/4	8 1/2	9 1/2	10 1/2
		4	Dressed	13 inches up	Sept.-Apr		9 1/2	10 1/2	12 1/4	10 1/2	11 3/4	13
		5	Dressed and skinned	All	Sept.-Apr		11	12	14 1/4	12 1/4	13 1/4	14 3/4
		6	Fillets	All	Sept.-Apr		25 3/4	26 3/4	30	27 1/4	29	31 1/4
17	Flounder [5]	1	Round	All	May-Aug	5 1/2	5 1/2	6 1/2	8 1/4	6 1/2	7 1/4	8
		2	Dressed	All	May-Aug		8	9	10 3/4	9	10 1/4	11 1/4
		3	Fillets	All	May-Aug		22	23	26 3/4	24	25 3/4	27 1/4
		1	Round	All	Sept.-Apr	4 1/2	6 1/2	7 1/2	8 1/4	7 1/2	8 1/2	9 1/4
		2	Dressed	All	Sept.-Apr		9 1/2	10 3/4	12	10 3/4	11 3/4	12 3/4
		3	Fillets	All	Sept.-Apr		26 1/4	27 1/4	30 1/2	28 1/4	30	31 3/4
18	Petrale Sole [5]	1	Round	All	May-Aug	5	7	8	9 3/4	8	9 1/4	10 1/4
		2	Dressed	All	May-Aug		9	10	11 3/4	10	11 1/4	12 1/4
		3	Dressed and skinned	All	May-Aug		11 1/4	12 1/4	14 1/2	12 1/2	14	15 1/4
		4	Fillets	All	May-Aug		24	25	28 1/4	26	27 1/4	29 1/4
		1	Round	All	Sept.-Apr	6	8	9	10 3/4	9	10 1/4	11 1/4
		2	Dressed	All	Sept.-Apr		10 1/4	11 1/4	13 1/2	11 1/2	13	14 1/4
		3	Dressed and skinned	All	Sept.-Apr		13	14	16 1/4	14 1/4	15 1/2	17
		4	Fillets	All	Sept.-Apr		27	28	31 1/4	29	30 1/4	32 1/4
19	Rex Sole	1	Round	All	May-Aug	2						
		1	Round	All	Sept.-Apr	3						
20	Sand Sole [4]	1	Round	All	May-Aug	4	6	7	8 3/4	7	8 1/4	9 1/4
		2	Dressed	All	May-Aug		7 3/4	8 3/4	10 1/2	8 3/4	10	11
		3	Dressed and skinned	All	May-Aug		9 1/2	10 1/2	12 1/2	10 1/2	11 3/4	12 3/4
		4	Fillets	All	May-Aug		22	23	26 1/4	24	25 3/4	27 1/4
		1	Round	All	Sept.-Apr	5	7	8	9 3/4	8	9 1/4	10 1/4
		2	Dressed	All	Sept.-Apr		9	10	11 3/4	10	11 1/4	12 1/4
		3	Dressed and skinned	All	Sept.-Apr		11 1/4	12 1/4	14 1/2	12 1/2	14	15 1/4
		4	Fillets	All	Sept.-Apr		25	26	29 1/4	27	28 1/4	30 1/4
21	Turbot Sole [5]	1	Round	All	May-Aug	5 1/2	5 1/2	6 1/2	8 1/4	6 1/2	7 3/4	8 3/4
		2	Dressed	All	May-Aug		7	8	9 3/4	8	9 1/4	10 1/4
		3	Dressed and skinned	All	May-Aug		9	10	11 3/4	10	11 1/4	12 1/4
		4	Fillets	All	May-Aug		22	23	26 1/4	24	25 3/4	27 1/4
		1	Round	All	Sept.-Apr	4 1/2	6 1/2	7 1/2	9 1/4	7 1/2	8 1/2	9 1/4
		2	Dressed	All	Sept.-Apr		8 1/4	9 1/4	11	9 1/4	10 1/4	11 1/2
		3	Dressed and skinned	All	Sept.-Apr		10 1/2	11 1/2	13 3/4	11 3/4	13 1/4	14 1/2
		4	Fillets	All	Sept.-Apr		26	27	30 1/4	28	29 1/4	30 3/4
	TUNA AND TUNA-LIKE FISH											
22	Albacore Tuna	1	Round	All	All year	19 1/2	22	23	26 1/4	24	25 3/4	27 1/4
		2	Drawn	All	All year		26 1/4	27 1/4	30 1/2	28 1/4	30	32
		3	Dressed	All	All year		29 3/4	30 3/4	34 3/4	32 1/4	34	36 1/4
		4	Center cuts	All	All year		52	33	37	34 1/2	36	39
		5	Head cuts	All	All year		29 1/4	30 1/4	34 1/4	31 3/4	33 1/4	35 1/4
		6	Tail cuts	All	All year		29 1/4	30 1/4	34 1/2	31 3/4	33 1/4	35 1/4
		7	Steaks	All	All year		35 1/2	36 1/2	40 1/2	38	40	42 1/2
		8	Fillets	All	All year		46	47	51 1/2	49	51	54

(d) TABLE IIB—PACIFIC COAST FROZEN FISH AND SEAFOOD MAXIMUM PRICES IN CENTS PER POUND—Con.

Sched. No.	Species	Item No.	Style of dressing	Size	I	II	III	IV	V
	SALMON—continued								
13	Steelhead [1]	1	Round	All	15	16	16¼	17¾	19½
		2	Drawn	All	17	18	18½	20¼	22¼
		3	Dressed	All	18¾	19¾	20¾	22	24
		4	Steaks	All	22¼	23¼	24¼	26	28½
	SMELTS								
14	Smelt, Silver [5]	1	Round	All	13½	14½	14¾	16¼	18
14A	Smelt, Eulachon [5]	1	Round	All	10	11	11	12¼	13¾
		2	Dressed	All	20	21	21½	23¼	25¼
	SOLE AND FLOUNDER								
15	Dover Sole	1	Round	All	7½	8½	8½	9¾	11¼
		2	Dressed	All	9	10	10	11¼	12¾
		3	Dressed and skinned	All	11	12	12	13¼	14¾
		4	Fillets	All	27	28	29	30¾	33¼
16	English Sole	1	Round	Under 13 inches	7	8	8	9¼	10¾
		2	Round	13 inches up	8½	9½	9½	10¾	12¼
		3	Dressed	Under 13 inches	8¾	9¾	9¾	10½	12
		4	Dressed	13 inches up	10¼	11¼	11¼	12½	14
		5	Dressed and skinned	All	11¼	12¼	12¼	13½	15
		6	Fillets	All	27	28	29	30¾	33¼
17	Flounder	1	Round	All	7½	8½	8½	9¾	11¼
		2	Dressed	All	10	11	11	12¼	13¾
		3	Fillets	All	27	28	29	30¾	33¼
18	Petrale Sole	1	Round	All	9	10	10	11¼	12¾
		2	Dressed	All	11	12	12	13¼	14¾
		3	Dressed and skinned	All	13¼	14¼	14½	16	17¾
		4	Fillets	All	27	28	29	30¾	33¼
19	Rex Sole	1	Round	All	5	6	6	7	8½
		2	Dressed and skinned	All	10½	11½	11½	12¾	14¼
		3	Fillets	All	27	28	29	30¾	33¼
20	Sand Sole	1	Round	All	8	9	9	10¼	11¾
		2	Dressed	All	9¾	10¾	10¾	12	13½
		3	Dressed and skinned	All	11½	12½	12½	13¾	15¼
		4	Fillets	All	27	28	29	30¾	33¼
21	Turbot Sole	1	Round	All	7½	8½	8½	9¾	11¼
		2	Dressed	All	9	10	10	11¼	12¾
		3	Dressed and skinned	All	11	12	12	13¼	14¾
		4	Fillets	All	27	28	29	30¾	33¼
	TUNA AND TUNA-LIKE FISH								
22	Albacore Tuna	1	Round	All	24	25	26	27¾	30¼
		2	Drawn	All	28¼	29¼	30¼	32	34½
		3	Dressed	All	31¼	32¼	34¼	36¼	39¼
		4	Center cuts	All	34	35	36½	38½	41½
		5	Head cuts	All	31¼	32¼	33¾	35¾	38¾
		6	Tail cuts	All	31¼	32¼	33¾	35¾	38¾
		7	Steaks	All	37½	38½	40	42	45
		8	Fillets	All	48	49	51	53	56½
23	Bluefin Tuna	1	Round	All	16	17	17¼	18¾	20½
		2	Drawn	All	18¼	19¼	19¾	21½	23½
		3	Dressed	All	20½	21½	22	23¾	25¾
		4	Center cuts	All	22¼	23¼	24¼	26	28½
		5	Head cuts	All	20¼	21¼	21¾	23½	25½
		6	Tail cuts	All	20¼	21¼	21¾	23½	25½
		7	Steak	All	24¾	25¾	26¾	28½	31
		8	Fillets	All	30½	31½	32½	34¼	36¾
24	Bonito-Pacific Coast	1	Round	All	13¾	14¾	15	16½	18¼
		2	Drawn	All	16¼	17¼	17½	19	20¾
		3	Dressed	All	18¼	19¼	19¾	21½	23½
		4	Center cuts	All	19¾	20¾	21¼	23	25
		5	Head cuts	All	18	19	19½	21¼	23¼

See footnotes at end of table.

(d) TABLE IIB—PACIFIC COAST FROZEN FISH AND SEAFOOD MAXIMUM PRICES IN CENTS PER POUND—Con.

Sched. No.	Species	Item No.	Style of dressing	Size	I	II	III	IV	V
	TUNA AND TUNA-LIKE FISH—continued								
24	Bonito-Pacific Coast—Con.	6	Tail cuts	All	18	19	19½	21¼	23¼
		7	Steaks	All	22	23	24	25¾	28¼
		8	Fillets	All	27	28	29	30¾	33¼
25	Skipjack Tuna	1	Round	All	15½	16½	16¾	18¼	20
		2	Drawn	All	17¾	18¾	19¼	21	23
		3	Dressed	All	20	21	21½	23¼	25¼
		4	Center cuts	All	21¾	22¾	23¼	25	27
		5	Head cuts	All	19¾	20¾	21¼	23	25
		6	Tail cuts	All	19¾	20¾	21¼	23	25
		7	Steaks	All	24	25	26	27¾	30¼
		8	Fillets	All	29½	30½	31½	33¼	35¾
26	Yellowfin Tuna	1	Round	All	16½	17½	17¾	19¼	21
		2	Drawn	All	19	20	20½	22¼	24¼
		3	Dressed	All	21¼	22¼	22¾	24½	26½
		4	Center cuts	All	23	24	25	26¾	29¼
		5	Head cuts	All	21	22	22½	24¼	26¼
		6	Tail cuts	All	21	22	22½	24¼	26¼
		7	Steaks	All	25½	26½	27½	29¼	31¾
		8	Fillets	All	31½	32½	34	36	39
27	Yellowtail	1	Round	All	13¼	14¼	14½	16	17¾
		2	Drawn	All	15¾	16¾	17	18½	20¼
		3	Dressed	All	17½	18½	19	20¾	22¾
		4	Center cuts	All	19	20	20½	22¼	24¼
		5	Head cuts	All	17¼	18¼	18¾	20½	22½
		6	Tail cuts	All	17¼	18¼	18¾	20½	22½
		7	Steaks	All	21½	22¼	22¾	24½	26½
		8	Fillets	All	26	27	28	29¾	32¼
28	SEA BASS, WHITE	1	Dressed	All	20	21	21½	23¼	25¼
		2	Fillets	All	38	39	40½	42½	45½

[1] For fish which was originally landed fresh at the following places in Alaska, deduct as follows: Ketchikan, 1½¢; Wrangell and Petersburg, 1¾¢, Juneau, Sitka and Pelican City, 2¢; Port Williams, 2½¢. For fish which was originally landed fresh at any other place in Alaska, deduct the amount specified for the nearest listed place.

[2] For line-caught red or rock cod originally landed fresh in California in Marin County or any point south and delivered to the purchaser in California, Nevada or Arizona, add 2½¢ to the table prices for round, drawn, and dressed fish, and 1½¢ to the table price for fillets.

[3] The table prices listed for halibut apply to frozen halibut originally landed fresh on the Pacific Coast of the continental United States. For frozen halibut originally landed fresh in Canada or Alaska deduct the following amounts from the listed prices:

Port	Style of dressing	Deductions
		Cents
Any port on the Pacific Coast of Canada	1. Round, dressed, drawn or cheeks	2½
	2. Steaks	3¼
	3. Fillets	4
Ketchikan	1. Round, dressed, drawn or cheeks	3¼
	2. Steaks	4
	3. Fillets	5
Wrangell and Petersburg	1. Round, dressed, drawn or cheeks	3½
	2. Steaks	4½
	3. Fillets	5½
Juneau, Sitka, and Pelican City	1. Round, dressed, drawn or cheeks	3¾
	2. Steaks	4¾
	3. Fillets	6
Port Williams	1. Round, dressed, drawn or cheeks	4¼
	2. Steaks	5¼
	3. Fillets	6¾
Any port in Alaska not listed	1. Round, dressed, drawn or cheeks	(*)
	2. Steaks	(*)
	3. Fillets	(*)

* Deduct the amount specified for nearest listed port.

For frozen halibut originally landed fresh on the Atlantic coast, add 1½ cent to the listed prices.

[4] Deduct 1½¢ for fish which was originally frozen in any place in Washington, or Oregon other than Seattle or Tacoma.

[5] Deduct [illegible]¢ from the appropriate column price for round smelts if they have not been [illegible] and frozen in layers, or washed and individually frozen.

13. The table in section 10.2 is designated paragraph (a) *North Atlantic Species*, and a new paragraph (b) is added as follows:

(b) *Pacific coast species.*

Schedule No.	Common Name	Scientific name
	COD SPECIES:	
1	Lingcod	Ophiodon elongatus.
2	Red or Rock Cod	Sebastodes species.
3	True Cod	Gadus macrocephalus.
4	Halibut	Hippoglossus hippoglossus.
5	Pilchards	Sardinia caerulea.
6	Sablefish	Anaplopoma fimbria.
	SALMON:	
7	Chinook and Silver, troll caught.	
7a	Chinook, red meated	Oncorhynchus tschawytscha.
7b	Chinook, white meated.	Oncorhynchus tschawytscha.
7c	Silver	Oncorhynchus kisutch.
8	Chinook or King, other than troll caught.	Oncorhynchus tschawytscha.
9	Fall	Oncorhynchus keta.
10	Pink	Oncorhynchus gorbuscha.
11	Silver, other than troll caught	Oncorhynchus kisutch.
12	Sockeye (Blueback)	Oncorhynchus nerka.
13	Steelhead	Salmo gairdnerii.
	SMELTS:	
14	Smelt, Silver	Argentinidae species.
14A	Smelt, Eulachon	Thaleichthys pacificus.
	SOLE AND FLOUNDER:	
15	Dover Sole	
16	English Sole	
17	Flounder	
18	Petrale Sole	
19	Rex Sole	
20	Sand Sole	
21	Turbot Sole	
	TUNA AND TUNA-LIKE FISH:	
22	Albacore Tuna	Germo alalunga.
23	Bluefin Tuna	Thunnus species.
24	Bonito-Pacific	Sarda chiliensis.
25	Skipjack Tuna	Euthynnus pelamis
26	Yellowfin Tuna	Neothunnus macropterus.
27	Yellowtail	Seriola dorsalis.
28	Sea Bass, White	Cynoscion nobilis.

[1] Fresh.
[2] Frozen.

This amendment shall become effective August 7, 1945.

Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13912; Filed, July 28, 1945; 12:07 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Miami,[1] Amdt. 14]

HOTELS AND ROOMING HOUSES IN MIAMI

Section 5 (b) (3) of the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area is amended to read as follows:

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph (b) may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph (b) may be decreased in accordance with the provisions of section 5 (c) (3).

If the landlord fails to file the petition or report required by this paragraph (b) within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or October 15, 1943, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order. If the Administrator finds that the landlord was not at fault in failing to comply with this paragraph (b), the order may relieve the landlord of the duty to refund. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph (b).

This amendment shall become effective August 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13916; Filed, July 28, 1945; 12:05 p. m.]

[1] 10 F.R. 318.

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, New York City,[1] Amdt. 20]

HOTELS AND ROOMING HOUSES IN NEW YORK CITY

Section 5 (b) (3) of the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area is amended to read as follows:

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph (b) may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph (b) may be decreased in accordance with the provisions of section 5 (c) (3).

If the landlord fails to file the petition or report required by this paragraph (b) within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or November 1, 1943, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order. If the Administrator finds that the landlord was not at fault in failing to comply with this paragraph (b), the order may relieve the landlord of the duty to refund. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph (b).

This amendment shall become effective August 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13917; Filed, July 28, 1945; 12:05 p. m.]

[1] 10 F.R. 224, 1452.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 53 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

The official Table of Trade Point Values (No. 27), referred to in § 1407.3027 (a) is amended in the following respects:

1. The following is added after "Ground specialty steak products" under "Miscellaneous Beef Products":

Processed food commodity [13] (Eums-burger) 3.0

2. The following footnote is added:

[13] As covered by Order 85 under Order 375 under § 1499.3 (B) of GMPR.

This amendment shall become effective July 27, 1945.

Issued this 27th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13345; Filed, July 27, 1945; 4:34 p. m.]

PART 1423—GUMS AND NATURAL RESINS

[MPR 297, Amdt. 4]

NATURAL RESINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 297 is amended in the following respects:

1. Table I of Appendix A (a) (1), § 1423.14, is amended to read as follows:

[1] 9 F.R. 6772, 7825, 7282, 7438, 8147, 8931, 9266, 9278, 9785, 9896, 10425, 10875, 10876, 10777, 11426, 11513, 11906, 11955, 11951, 12814, 12867.

Congo:	
Congo FAD	15¾
Congo No. 1	15¾
Congo No. 2	13½
Congo No. 3	12¼
Congo No. 30	55¾
Congo No. 31	21¾
Congo No. 32	16¾
Congo No. 33	14¾
Congo No. 34	9¾
Congo No. 35	15⅞
Congo No. 36	12⅞
Congo No. 37	18¼
Congo No. 38	12¼
Congo No. 39	10⅝
Congo No. 40	8½
Congo No. 41	11⅝
Momboyo:	
Momboyo No. 1	13½

2. Table III of Appendix A (c), § 1423.14, is amended to read as follows:

Resin	*Per metric ton f. o. b. Matadi, Belgian Congo*
Congo:	
Congo FAD	$225.00
Congo No. 1	225.00
Congo No. 2	170.00
Congo No. 3	155.00
Congo No. 30	880.00
Congo No. 31	310.00
Congo No. 32	245.00
Congo No. 33	200.00
Congo No. 34	110.00
Congo No. 35	230.00
Congo No. 36	157.00
Congo No. 37	265.00
Congo No. 38	165.00
Congo No. 39	115.00
Congo No. 40	80.00
Congo No. 41	135.00
Momboyo:	
Momboyo No. 1	177.50

This amendment shall become effective August 2, 1945.

Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13909; Filed, July 28, 1945; 12:06 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[1] Amdt. 25]

STOVES

A Rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order 9A is amended in the following respects:

1. Section 1.1 (c) is added to read as follows:

(c) Certain special provisions covering gas heating and gas cooking stoves and combination stoves appear in Article XV.

2. Section 2.3 (b) (3) is deleted.

3. Section 2.4 (b) (2) is deleted.

4. Section 2.5 (a) is amended to read as follows:

(a) Any consumer who wishes to have a combination stove burning oil in the heating part must show that he is eligible for an oil heating stove.

5. Section 2.5 (b) is deleted.

6. Section 27 (b) is amended by deleting the sentence beginning "However, no Board may issue . . ." and by substituting for the phrase "Nor may a Board issue" in the next sentence, the phrase "A Board may not issue".

7. Section 3.10 (c) is added as follows:

(c) *Exceptions as to gas stoves and combination stoves other than oil and gas combination stoves.* After the day on which he has filled all orders for gas stoves and combination stoves (including oil and gas combination stoves) accompanied by certificates placed with him pursuant to section 15.3 (b), or after the day on which he has filled all orders for gas stoves and combination stoves (other than oil and gas combination stoves) accompanied by certificates placed with him pursuant to section 15.3 (a), whichever is later, but not before September 1, 1945, a dealer or distributor may:

(1) Discontinue making a record of orders for gas stoves and combination stoves (other than oil and gas combination stoves) placed by or with him after that day.

(2) Discontinue keeping invoices received for gas stoves and combination stoves (other than oil and gas combination stoves) acquired by him after that day.

(3) Discontinue making a record of gas stoves and combination stoves (other than oil and gas combination stoves) transferred or acquired by him after that day.

8. Section 4.4 (c) is added as follows:

(c) After the day on which a manufacturer has filled all orders for gas stoves and all combination stoves accompanied by certificates placed with him pursuant to section 15.3 he may discontinue keeping, under this order, a record of gas stoves and combination stoves (other than oil and gas combination stoves) produced, acquired or sold after that day.

9. Section 6.2 (a) (4) is added as follows:

(4) Combination stoves burning oil and gas may be transferred to manufacturers, distributors or dealers certificate-free.

10. Section 14.1 (b) is amended by substituting for the parenthetical phrase "(Records must be kept for two years)" following the phrase "section 8.1", the parenthetical phrase "(Records must be retained until further notice)".

11. A center heading immediately preceding section 15.1 is added to read as follows:

ARTICLE XV—SPECIAL PROVISIONS FOR GAS HEATING AND GAS COOKING STOVES AND COMBINATION STOVES

12. Sections 15.1, 15.2 and 15.3 are added to read as follows:

SEC. 15.1 *Gas heating or gas cooking stoves and certain combination stoves are certificate-free.* (a) Regardless of any other provision of this order:

(1) After July 31, 1945, gas heating and gas cooking stoves and combination stoves other than oil and gas combination stoves may be transferred by any person to any other person without the surrender of certificates.

(2) After July 31, 1945, no consumer may transfer a certificate for a gas heating or gas cooking stove or a combination stove other than an oil and gas combination stove, and no person may accept such a certificate from a consumer.

(3) After August 15, 1945, no person may transfer or acquire such a certificate. (This subparagraph does not apply to the surrender of such certificates to the War Production Board under section 4.3 or to the Office of Price Administration under section 5.2 or the receipt by mail of such certificates in envelopes postmarked by 11:59 p. m. August 15, 1945, under section 15.3)

(4) No such certificate may be issued to any consumer after July 31, 1945 and no certificate for a gas heating or gas cooking stove or a combination stove including an oil and gas combination stove may be issued to any other person after August 15, 1945, except as provided in section 5.4.

(b) After August 15, 1945, the requirements stated in the sections under this Article XV and in the following sections are the only ones that apply to gas heating or gas cooking stoves and combination stoves other than oil and gas combination stoves: section 3.10 (Distributors and dealers must keep records); section 4.2 (Manufacturers must file reports); section 4.3 (Manufacturer must send in certificates with his monthly report); section 4.4 (Manufacturers must keep records); section 5.2 (Certificates are the property of the Office of Price Administration and may be revoked); section 5.4 (Combining and splitting up, or exchanging certificates); section 6.5 (Dealers, distributors and manufacturers may not discriminate in sale of stoves); section 8.1 (Records must be retained until further notice); section 8.2 (Records may be inspected by Office of Price Administration); section 8.3 (Places where stoves are kept may be inspected); section 8.4 (Records and reports are confidential); section 8.5 (Office of Price Administration may require applicants to give information); section 10.1 (Additional prohibitions); section 10.3 (Office of Price Administration must be notified of legal proceedings); section 11.1 (Office of Price Administration may issue suspension orders); section 12.1 (Persons directly affected by action taken under this order may appeal).

SEC. 15.2 *Inventory record and certificates for gas stoves.* (a) Not later than August 5, 1945, every dealer and distributor must prepare a written inventory of all gas heating and gas cooking stoves and all combination stoves (stating separately the number of oil and gas combination stoves) that were, as of the close of business July 31, 1945, physically located at his establishment or held by him at another place for his establishment.

(b) Every dealer and distributor shall also keep with the other records required by this order all certificates for gas heating and gas cooking stoves and all combination stoves which he has on August 16, 1945 and which he receives after that date.

SEC. 15.3 *Orders accompanied by certificates for gas stoves and combination stoves placed by consumers before August 1, and by dealers or distributors before August 16, 1945 are given preference over certificate-free orders.* (a) If an order from a consumer for a gas heating or gas cooking or a combination stove (other than an oil and gas combination stove) accompanied by a certificate (endorsed in the manner prescribed by section 5.3 (b)) is delivered to the supplier by 11:59 p. m. July 31, 1945 (or sent by mail and the envelope postmarked by that time) and accepted, the stove so ordered must be delivered before the dealer, distributor or manufacturer delivers stoves of the same type and model against orders (whether received before or after that date) unaccompanied by certificates from persons or agencies other than those specified in section 1.3 (c).

(b) A dealer or distributor may place orders for gas heating or gas cooking stoves or combination stoves (including oil and gas combination stoves) accompanied by certificates (endorsed in the manner prescribed by section 5.3 (b)) if the orders are delivered to his supplier by 11:59 p. m. August 15, 1945 (or are sent by mail and the envelope is postmarked by that time). Every person who receives and accepts such an order within that time limit must deliver the stoves so ordered before he delivers stoves of the same type and model against orders (whether received before or after that date) not accompanied by certificates from persons or agencies other than those specified in section 1.3 (c).

This amendment shall become effective on August 1, 1945.

NOTE: All reporting and record keeping requirements of this ration order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13913; Filed, July 28, 1945; 12:08 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 133]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 6a is added to read as follows:

SEC. 6a. *Sales of produce shipped by air.* This section applies to any commodity covered by this regulation if it has been shipped by air or loaded on an airplane at country shipping point ready for shipment by air and if it meets the other requirements of this paragraph. It must be in such units or packages that it may be sold at retail without further packaging. Each such unit (for example, a cantaloup) must be labeled or marked to show that it has been shipped by air. Each such package must be labeled or marked to show its minimum net weight and the fact that it has been shipped by air. All packaging, labeling and marking required by this section must be done before shipment.

(b) The maximum price for any sale of produce to which this section applies shall be figured as follows:

(1) In the applicable table of maximum prices in this regulation, find the Column 5 price in force on the date of delivery.

(2) Unless the sale is made f. o. b. country shipping point, add to that price (i) the actual cost of air transportation of the produce being sold or (ii) the amount that transportation would have cost figured at 42¢ per ton mile, whichever is lower.

(3) Except for berries, cantaloup, eggplant, lettuce, melons, red sour cherries and sweet potatoes, add packaging allowance as follows:

Package with net weight of less than 2 pounds	1¼¢ per pound.
Package with net weight of 2 pounds or more but less than 3 pounds	1¢ per pound.
Package with net weight of 3 to 5 pounds	¾¢ per pound.
Package with net weight of more than 5 pounds	No allowance.

(4) The total is the maximum price for any sale covered by this section and no additional charge may be made for protective services, distributive services or for any other materials furnished and services rendered.

(c) Within twenty-four hours after each sale to which this section applies, the seller must give notice of the following facts to the Office of Price Administration District Office for the district within which he makes delivery:

(1) The names and addresses of the seller and buyer.

(2) A description of the produce sold, specifying its shipping weight, the minimum net weight of retail packages covered by the sale and the number of such packages or other units.

(3) The number of air line miles of the flight, the actual cost of air transportation and the place and estimated time of delivery.

(d) This section is applicable only to deliveries made before October 1, 1945.

This amendment shall become effective July 27, 1945.

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 24, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the maximum prices it establishes for produce shipped by air are necessary to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13848; Filed, July 27, 1945; 4:35 p. m.]

PART 1345—COKE

[MPR 29, Amdt. 3]

BY-PRODUCT AND RETORT GAS COKE

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new subparagraph (4) is added to section 14 (a) to read as follows:

(4) When any producer or distributor who determines a maximum price under section 9 (a) (2) can show that:

(i) During the period December 15–31, inclusive, 1941 he made deliveries of by-product coke or retort gas coke pursuant to contracts entered into before December 15, 1941, which did not contain any provisions for price adjustment on account of changes in coal costs or other factors; and

(ii) As a consequence, the "weighted average price" which constitutes his maximum price is substantially below the offering price which he had in effect during the period December 15–31, inclusive, 1941 for the sale of the same coke to the same class of purchaser for the same use.

In granting an application filed under this subparagraph (4), the Office of Price Administration shall establish a maximum price not to exceed the offering price which the applicant had in effect during the period December 15–31, inclusive, 1941, plus any industry-wide adjustments in maximum prices for by-product and retort gas coke granted by the Office of Price Administration.

This amendment shall become effective July 28, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13907; Filed, July 28, 1945; 12:04 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[RMPR 136,[1] Amdt. 6]

MACHINES, PARTS, AND INDUSTRIAL EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 136 is amended in the following respects:

1. In section 2, a new paragraph (m) is added to read as follows:

(m) Sales of special tools, dies, jigs, fixtures, molds, gauges and patterns by manufacturers of special tooling equipment. These sales are subject to Maxi-

[1] 8 F.R. 11564.

[1] 10 F.R. 8021, 8069.

[1] 10 F.R. 3197, 5377, 6591, 7536, 7540, 7692.

mum Price Regulation 581 [1]—Industrial Services.

2. In section 12 (b) the second sentence of subparagraph (1) preceding its subdivision (i) is revised and amended to read as follows:

A "rebuilt and guaranteed" product is one that meets the following conditions at the time of its delivery to the purchaser pursuant to a contract of sale, or to the lessor pursuant to a rental-purchase contract.

This amendment shall become effective August 4, 1945.

Issued this 30th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13984; Filed, July 30, 1945; 11:38 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200 [1] Incl. Amdts. 1-21]

RUBBER HEELS AND SHOES IN THE SHOE REPAIR TRADE [2]

This compilation of Maximum Price Regulation 200 includes Amendment 21, effective August 4, 1945. The text added or amended by Amendment 21 is underscored. Changes in lists and tables are indicated by notes.

In the judgment of the Price Administrator the prices of rubber heels, rubber heels attached and attaching rubber heels have risen to an extent and in a manner inconsistent with the purpose of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rubber heels, rubber heels attached and attaching rubber heels prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[3]

In the judgment of the Price Administrator the standardization required by this regulation is the only practicable means of securing effective price control of rubber heels sold in the shoe repair trade.

[Above paragraph added by Am. 11, 8 F.R. 10980, effective 8-5-43]

[1] 10 F.R. 3232, 4348.

[2] 9 F.R. 5903.

[3] Title amended by Am. 15, 9 F.R. 9258, effective 8-3-44; and Am. 19, 10 F.R. 2181, effective 2-23-45.

[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[4] issued by the Office of Price Administration, Maximum Price Regulation No. 200 is hereby issued.

Sec.

1315.1401 Commodities and services covered by this regulation.
1315.1401a Prohibition against dealing in rubber heels and soles, rubber heels attached, and attaching rubber heels at prices in excess of the maximum.
1315.1402 Maximum manufacturers' prices for rubber heels sold in the shoe repair trade.
1315.1403 Classification and reclassification of brands for rubber heels.
1315.1404 Maximum wholesalers' prices for rubber heels sold in the shoe repair trade and maximum shoe repairmen's prices for rubber heels, attached rubber heels and attaching rubber heels.
1315.1404a Maximum manufacturers' prices for rubber soles sold in the shoe repair trade.
1315.1404b Classification and reclassification of brands of rubber soles.
1315.1404c Maximum wholesalers' and shoe repairmen's prices for rubber soles sold (unattached) in the shoe repair trade.
1315.1405 Price categories for black and brown heels.
1315.1405a Price categories for black and brown soles.
1315.1405b Maximum prices for rubber heels and soles not otherwise priced under this regulation.
1315.1406 Federal and State taxes.
1315.1407 Sales for export.
1315.1408 Less than maximum prices.
1315.1409 Evasion.
1315.1410 Marking and posting.
1315.1411 Records and reports.
1315.1412 Revoked.
1315.1413 Sales slips and receipts.
1315.1414 Enforcement.
1315.1415 Adjustable pricing.
1315.1416 Petitions for amendment.
1315.1417 Exclusions.
1315.1418 Definitions.
1315.1419 Applicability.
1315.1420 Licensing.
1315.1421 Applicability of the General Maximum Price Regulation.
1315.1422 Applicability of Maximum Price Regulation No. 165, as amended.
1315.1423 Effective date.
1315.1423a Effective dates of amendments.
1315.1424 Appendix A: Maximum prices for rubber heels, rubber heels attached and attaching rubber heels.
1315.1425 Appendix B: Maximum prices for rubber soles.

AUTHORITY: §§ 1315.1401 to 1315.1425, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1315.1401 *Commodities and services covered by this regulation.* This regulation establishes maximum prices for all sales in the shoe repair trade of rubber heels and soles, rubber heels attached, and the service of attaching rubber heels. This regulation does not cover attached rubber soles or the service of attaching them.

[§ 1315.1401 added by Am. 19, 10 F.R. 2181, effective 2-23-45]

§ 1315.1401a *Prohibition against dealing in rubber heels and soles, rubber heels attached, and attaching rubber heels at prices in excess of the maximum.* On and after the effective date of this regulation, no person shall, in the course of trade or business, buy or receive, and no person shall sell or deliver, any commodity or service covered by this regulation at a price higher than the maximum price fixed by this regulation regardless of any contract or other obligation. No person shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices may, of course, be charged.

[§ 1315.1401a, formerly § 1315.1401, amended by Am. 11, 8 F.R. 10980, effective 8-5-43; redesignated and amended by Am. 19, 10 F.R. 2181, effective 2-23-45]

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

[NOTE: 2nd Revised Supplementary Order No. 34 (10 F.R. 2014) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

§ 1315.1402 *Maximum manufacturers' prices for rubber heels sold in the shoe repair trade.* The maximum manufacturers' prices for sales of rubber heels in the shoe repair trade are set forth in Appendix A. Those prices vary depending upon whether the heel is a black or a brown heel and whether the heel in question is classed as a "corded", "super", "standard", "competitive", or "special competitive" heel. The classification of a heel for pricing purposes is dependent upon the brand name on the heel and the physical tests the heel can meet. Accordingly, in order to be sold at the maximum price for any of the particular grades in Appendix A, the heel must meet both the physical tests set forth in paragraph (c) of § 1315.1405 for that grade of heel for the color in which it is sold (or for both the black heel and the brown heel if it is sold in both colors) and must be of a brand which is listed in paragraph (a) of § 1315.1405 as belonging to that grade of heel. If the brand name of the heel of its color places it in a higher priced category than the physical tests, the physical tests shall control. If the physical tests place the heel in a higher priced category than the brand name, the brand name shall control. However, in such case, the manufacturer may apply for reclassification of the brand name in accordance with § 1315.1403. If the manufacturer marks the heel with a V-marking in accordance with paragraph (a) of § 1315.1410 to indicate the physical tests that the heel can equal or exceed, the V-marking shall control.

A classified brand name applies to both black and brown heels. If heels of both colors are sold under a classified brand name, each heel must at least equal the physical tests for its grade and color set forth in paragraph (c) of § 1315.1405. Where the physical tests that a branded heel meets in one of these colors places it in a different class than the heel of the same brand in the other color, the brand name shall be classified in the lower price class.

[§ 1315.1402 amended by Am. 19, 10 F.R. 2181, effective 2-23-45]

[4] Revised: 9 F.R. 10476, 13715.

§ 1315.1403 *Classification and reclassification of brands for rubber heels*—(a) *Reports.* A manufacturer who introduces a new brand name for a heel or who wishes to have a certain brand name reclassified shall file a report and six pairs of the heel (or six pairs of the brown heel and six pairs of the black heel if the brand name is to be used on heels of both colors) with the Office of Price Administration, Washington, D. C. This report shall include the following:

(1) The color or colors (brown, black) to be sold under that brand, and the abrasion index and tensile strength of the heel for each of the colors (brown and black) in which it is to be sold.

[Heading and above paragraphs amended by Am. 19, 10 F.R. 2181, effective 2-23-45]

(2) The classification in which he wishes the brand name to be placed.

(3) A statement indicating that all heels produced or sold by him that bear that brand name will equal or exceed the quality of the sample heels submitted.

(4) Where the manufacturer wishes a brand name reclassified, the report shall also include a statement that the reclassified heel will be marked with its appropriate V symbol (or with some other symbol or mark which must be described), as well as with its brand name, so that the reclassified heel may be readily distinguishable by the trade and by the public from the heel bearing that brand name produced under its former classification.

(b) *Approval or denial of requests for classification or reclassification.* After receipt of the report and samples, the Office of Price Administration will classify or reclassify the heel by order or by amendment of the regulation or will deny the request for classification or reclassification.

[Above paragraph amended by Am. 19, 10 F.R. 2181, effective 2-23-45]

[Paragraphs (a) and (b) amended by Am. 16, 9 F.R. 11848, effective 10-2-44; and as otherwise noted]

A brand name shall not be reclassified unless the reclassified heel is marked with its appropriate V symbol or in some other manner approved by the Office of Price Administration that will make the reclassified heel readily distinguishable from the heel of the same brand name produced under its former classification. This distinguishing symbol or mark shall be included in the reclassified brand name. Notwithstanding any other provision of this section, the Office of Price Administration may approve reclassification of a brand name without any such distinguishing symbol or mark if it is satisfied that no heels of the brand name's former classification are in any of the channels of trade.

(c) *Sales of heels with new or reclassified brand names.* A new heel whose brand name is to be classified or a heel whose brand name is to be reclassified may not be sold or delivered until the regulation has been amended or an order has been issued listing such brand name in its appropriate classification. After reclassification, a heel's brand name without the V symbol or other distinguishing mark, shall continue to be listed in the same price category as before until the Office of Price Administration is satisfied that none of the heels of the brand name's former classification are in any branches of the trade.

[Paragraph (c) added by Am. 16, 9 F.R. 11848, effective 10-2-44; and amended by Am. 19, 10 F.R. 2181, effective 2-23-45]

§ 1315.1404 *Maximum wholesalers' prices for rubber heels, attached rubber heels and attaching rubber heels. Maximum wholesalers' prices for rubber heels and maximum shoe repairmen's prices for rubber heels, rubber heels attached and attaching rubber heels are set forth in Appendix A. Those prices vary depending upon whether the heel in question is a black or brown heel and whether it is classed as a "corded", "super", "standard", "competitive", or "special competitive" heel. If the heel is not marked with a V-1, V-2, V-3, or V-4, the maximum price for selling or attaching the heel or selling it attached depends on the brand name and the color of the heel. The classification of heels by brand names for both black and brown heels is set forth in paragraph (a) of § 1315.1405. Thus, for example, if a certain brand of black heel is listed in that paragraph as being a competitive grade heel and if that heel is not marked with a V-1, V-2, V-3, or V-4, the heel may not be sold, attached, or sold attached, at a price in excess of that stated in Appendix A for a "competitive grade" black heel. If a heel is marked with a V-1, V-2, V-3, or V-4, the maximum price for selling or attaching the heel or selling the heel attached shall depend on whether the heel is black or brown and the V-marking on the heel. For example, if a black heel is marked with a "V-2" it may not be sold, attached or sold attached at a price in excess of the maximum price listed in Appendix A for a V-2 black heel.

[Last sentence amended by Am. 21, effective 8-4-45]

[§ 1315.1404 amended by Am. 19, 10 F.R. 2181, effective 2-23-45]

§ 1315.1404a *Maximum manufacturers' prices for rubber soles sold in the shoe repair trade.* The maximum manufacturers' prices for sales of rubber soles in the shoe repair trade are set forth in Appendix B. Those prices vary depending upon the size and color (black or brown) of the sole in question, and whether it is classed as a "cord insert", "cord-on-end", "flat cord", "super", "standard", or "competitive" sole. The classification of a sole for pricing purposes is dependent upon the brand name of the sole and its grade ("cord insert", "cord-on-end", "flat cord", "super", "standard", or "competitive"). Accordingly, in order to be sold at the maximum price for any of the particular grades in Appendix B (other than the maximum price for a competitive grade sole of its color), a sole must be of a brand which is listed in paragraph (a) of §1315.1405a or is classified by an order of the Office of Price Administration as belonging to that grade of sole. If the tests set forth in paragraph (c) of § 1315.1405a place the sole in a higher priced category than the brand name, the brand name shall control. However, in such case, the manufacturer may apply for reclassification of the brand name in accordance with § 1315.1404b. Notwithstanding any other provisions of the regulation, a black or brown rubber sole whose brand name is not listed in § 1315.1405a, and is not classified by an order of the Office of Price Administration, shall be deemed to be a competitive grade sole and shall have that grade's maximum price.

A classified brand name applies to both black and brown soles. If a brand name is used on soles of both colors, the sole of each color must at least equal the tests for its color set forth in paragraph (c) of § 1315.1405a. When the tests that a branded sole meets in one of these colors places it in a different class than the sole of the same brand in the other color, the brand name shall be listed in the lower price class.

§ 1315.1404b *Classification and reclassification of brands of rubber soles*—(a) *Reports.* A manufacturer who introduces a new brand name for a sole or who wishes to have a certain brand name reclassified, shall file a report and four pairs of the sole (or four pairs of the brown sole and four pairs of the black sole if the brand name is to be used on soles of both colors) with the Office of Price Administration, Washington, D. C. This report shall include the following:

(1) The color or colors (brown or black) to be sold under that brand, and the abrasion index, tensile strength and stitch tear of the sole for each color in which it is to be sold.

(2) The classification in which he wishes the brand name to be placed.

(3) A statement that all soles produced by him that bear that brand name will equal or exceed the quality of the soles submitted.

(4) Where the manufacturer wishes a brand name reclassified, the report shall include a statement that the reclassified sole will bear a sufficiently changed brand name or will be marked with an appropriate symbol or mark which must be described, as well as with its brand name, so that the reclassified sole may be readily distinguishable by the trade and by the public from the sole bearing that brand name produced under its former classification.

After receipt of the report and samples, the Office of Price Administration will compare the sole with representative soles of the class requested that are listed in the regulation, and will amend the regulation or issue an order classifying or reclassifying the sole, or will deny the request for classification or reclassification.

(b) *Sales of soles with new or reclassified brand name.* A new sole whose brand name is to be classified or a sole whose brand name is to be reclassified may not be sold or delivered until the regulation is amended or an order issued listing such brand name in its appropriate classification. A brand name shall not be reclassified unless the reclassified sole is marked in some manner approved by the Office of Price Administration that will make the reclassified sole readily distinguishable from the sole of

the same name produced under its former classification. This distinguishing mark shall be included in the reclassified brand name. However, the Office of Price Administration may approve reclassification of a brand name without any such distinguishing mark if it is satisfied that no soles of the brand's former classification are in any of the channels of trade.

§ 1315.1404c *Maximum wholesalers' and shoe repairmen's prices for rubber soles sold (unattached) in the shoe repair trade.* Maximum wholesalers' and shoe repairmen's prices for rubber soles sold (unattached) in the shoe repair trade are set forth in Appendix B. Those prices vary, depending upon the size of the sole, whether the sole in question is a black or a brown sole, and whether it is classed as a "cord insert", "cord-on-end", "flat cord", "super", "standard", or "competitive" sole. The classification for both black and brown soles is set forth in paragraph (a) of § 1315.1405a. Thus, for example, if a certain brand of black sole of a specified size is listed in that paragraph as being a competitive grade sole, the sole may not be sold at a price in excess of that stated in Appendix B for a "competitive grade" black sole of that size.

[Headnote and first sentence amended by Am. 21, effective 8-4-45]

[§§ 1315.1404a, 1315.1404b, and 1315.1404c added by Am. 19, 10 F.R. 2181, effective 2-23-45]

§ 1315.1405 *Price categories for black and brown heels.* In §§ 1315.1402 and 1315.1404 it is stated that the maximum price of a heel depends upon whether it is a black or a brown heel and whether it is classed as a "corded", "super", "standard", "competitive", or "special competitive" heel. This section is for the purpose of classifying heels into the various price categories set forth in Appendix A.

[Headnote and above paragraph amended by Am. 19, 10 F.R. 2181, effective 2-23-45]

(a) *Classification of heels, not marked with V-1, V-2, V-3 or V-4, by brand names*—(1) *Sales by persons, other than manufacturers.* The classifications of heels not marked with a V-symbol for sales by persons other than manufacturers follows:

(i) *Corded.* "Corded" means rubber heels bearing the following brand names and made by the following manufacturers:

CORDED

Brand	Manufacturer
Aristocrat Cord Grip	O'Sullivan Rubber Company
Cat's Paw Super Cord	Holtite Manufacturing Company
Corded Service	O'Sullivan Rubber Company
Biltrite Cord-on-end	Panther Panco Rubber Company
Goodyear Corded	Goodyear Tire & Rubber Company
Gro-Cord	Gro-Cord Rubber Company
Pancord Tuffgrip Hy-Bloc Cord-on-end.	Panther Panco Rubber Company
Tuftex Cord	New Jersey Rubber Co.

CORDED—Continued

Brand	Manufacturer
U. S. Royal Cord	U. S. Rubber Company
Verticord	O'Sullivan Rubber Company

[Subparagraph (i) amended by Am. 13, 9 F.R. 5903, effective 6-3-44 and Am. 21 effective 8-4-45]

(ii) *Super grade.* "Super grade" means rubber heels bearing the following brand names and made by the following manufacturers:

SUPER

Brand	Manufacturer
Adjusto-Wear	Seiberling Rubber Company
Aristocrat	O'Sullivan Rubber Company
Biltrite	Panther Panco Rubber Company
Borman Pneumatic	Borman Pneumatic Heel Company
Cat's Paw	Holtite Manufacturing Company
Columbia (V-1)	New Jersey Rubber Company
Custom-50	Goodyear Tire & Rubber Company
Delux Suprex	B. F. Goodrich Co.—Hood Rubber Co.
Fleetfoot (V-1)	New Jersey Rubber Company
Fleetfoot 60 (V-1)	New Jersey Rubber Company
Goodrich "D" Plywood-Core	B. F. Goodrich Co.—Hood Rubber Co.
Goodrich Lifelong	B. F. Goodrich Co.—Hood Rubber Co.
G-50	Goodyear Tire & Rubber Company
Monarch Certified	Monarch Rubber Company
Nojar	Cupples Company
No Jar Super 50	Cupples Company
O'Sullivan's Safety Cushion	O'Sullivan Rubber Co.
Seiberling Bonded	Seiberling Rubber Company
Tauko (V-1)	New Jersey Rubber Company
Tuffies	The I. T. S. Company
Tufford	The I. T. S. Company
U. S. Super Royal	U. S. Rubber Company

[Subparagraph (ii) amended by Am. 14, 9 F.R. 7079, effective 7-1-44, Am. 15, 9 F.R. 9258, effective 8-3-44; Am. 16, 9 F.R. 11848, effective 10-2-44]

(iii) *Standard grade.* "Standard grade" means rubber heels bearing the following brand names and made by the following manufacturers:

STANDARD

Brand	Manufacturer
Commander	Holtite Manufacturing Company
Fleetfoot 60	New Jersey Rubber Company
Hyflex	Essex Rubber Company
I. T. S.	The I. T. S. Company
Imperial	U. S. Rubber Company
L and R (STD)	The I. T. S. Company
O'Sullivan Service	O'Sullivan Rubber Company
O'Sullivan Stylist	O'Sullivan Rubber Company
Panco Triple Wear	Panther Panco Rubber Company
Presto grip	Cupples Company
Ritz	The I. T. S. Company

STANDARD—Continued

Brand	Manufacturer
Seiberling	Seiberling Rubber Company
Suprex	B. F. Goodrich Co.—Hood Rubber Co.
U. S. Royal	U. S. Rubber Company
U. S. Royal Nukup	U. S. Rubber Company
Uskide	U. S. Rubber Company
Wingfoot	Goodyear Tire & Rubber Company

[Subparagraph (iii) amended by Am. 15, 9 F.R. 9258, effective 8-3-44; Am. 16, 9 F.R. 11848, effective 10-2-44; Am. 17, 9 F.R. 12172, effective 10-10-44; Am. 18, 10 F.R. 1704, effective 2-14-45 and Am. 21, effective 8-4-45]

(iv) *Competitive grade.* "Competitive grade" means rubber heels bearing the following brand names and made by the following manufacturers:

COMPETITIVE

Brand	Manufacturer
Adlife	Hagerstown Rubber Company
Ambassador	Monarch Rubber Company
Arrow	B. F. Goodrich Co.-Hood Rubber Co.
Cupples Delux	Cupples Company
Cupples Ribbed	Cupples Company
Fleetfoot	New Jersey Rubber Company
Foster	Holtite Manufacturing Company
Gold Crown	Holtite Manufacturing Company
Grippo	Holtite Manufacturing Company
Greyhound	B. F. Goodrich Co-Hood Rubber Co
Holtite	Holtite Manufacturing Company
Jax	Holtite Manufacturing Company
L and R	The I. T. S. Company
Mercury	Goodyear Tire & Rubber Company
Monarch	Monarch Rubber Company
Monogram	Panther Panco Rubber Company
Pancrom Diamond Grip.	Panther Panco Rubber Company
Portage	Seiberling Rubber Company
Resolute	Goodyear Tire & Rubber Company
Rite Pro	Bradstone Rubber Company
Spartan (V-3)	New Jersey Rubber Company
Springstep	U. S. Rubber Company
Tredwell	O'Sullivan Rubber Company
Tite-Edge	Essex Rubber Company
Velveton	Velveton Rubber Heel Corporation

[Subparagraph (iv) amended by Am. 15, 9 F.R. 9258, effective 8-3-44; Am. 16, 9 F.R. 11848, effective 11-2-44; Am. 17, 9 F.R. 12172, effective 10-10-44 and Am. 21, effective 8-4-45]

(v) *Special competitive grade.* "Special competitive grade" means rubber heels bearing the following brand names and made by the following manufacturers, or heels bearing no brand name or a brand name not listed in this subparagraph (1).

SPECIAL COMPETITIVE

Brand	Manufacturer
Ace	Plymouth Rubber Company
Ace Double Duty	Plymouth Rubber Company
Airway	Donovan Rubber Company
Armertred	Quabaug Rubber Company
Athletic	Queens Rubber Heel Company
Camel	Victor Products Company
Columbia	New Jersey Rubber Company
Coronet	Holtite Manufacturing Company
Daisy	Schacht Rubber Manufacturing Co.
Dictator	Holtite Manufacturing Company
Duwear	Cupples Company
E Z	Hagerstown Rubber Company
Eagle	Queens Rubber Heel Company
Elmor	Queens Rubber Heel Company
Gueting	Gueting Rubber Company
Gueting Service	Gueting Rubber Company
Hi Test	Holtite Manufacturing Company
Hy Way	Holtite Manufacturing Company
Leviathan	Victor Products Company
New Yorker	Velveton Rubber Heel Corporation
Roamer	Monarch Rubber Company
Royal Balloon	P & B Rubber Company
Runner	Goodyear Tire & Rubber Company
Skylark	Essex Rubber Company
Slipknot	Plymouth Rubber Company
Slipknot Double Duty	Plymouth Rubber Company
Spartan	New Jersey Rubber Company
Streetep	Panther Panco Rubber Company
Tauko	New Jersey Rubber Company
Weartex	Monarch Rubber Company
Windsor	Hagerstown Rubber Company

[Subparagraph (v) amended by Am. 15, 9 F.R. 9258 effective 8-3-44; and Am. 16, 9 F.R. 11848, effective 10-2-44]

(2) *Sales by manufacturers.* The classifications of heels not marked with a V-symbol for sales by manufacturers are the same as those set forth in the preceding subparagraph (1). However, the restrictions as to the physical tests the heel can meet which are set forth in paragraph (c) of this section are applicable to sales by manufacturers.

(b) *Classifications of heels marked with V-1, V-2, V-3 or V-4.* The following are the classifications for heels marked with a V-symbol:

Heels marked with—	Grade
V-1	Super
V-2	Standard
V-3	Competitive
V-4	Special Competitive

Sellers, other than manufacturers, may rely on the V-symbol that appears on the heel. No manufacturer may mark a heel with a particular V-symbol unless the heel equals or exceeds the physical tests for that V-symbol set forth in paragraph (c).

(c) *Physical tests for heels sold by manufacturers*—(1) *Non-fiber heels.* The following are the physical tests that "non-fiber heels" sold by manufacturers must meet:

Grade	Black heels				Brown heels
	All types except whole heels		Whole heels		
	Minimum abrasion [1]	Tensile strength	Minimum abrasion [1]	Tensile strength	Minimum abrasion [1]
Super (V-1)	35	1,200	30	1,000	25
Standard (V-2)	30	1,000	20	700	20
Competitive (V-3)	20	700	15	600	15
Special competitive (V-4)	10	400	10	400	10

The methods of federal specifications EA-ZZ-H-141 and ZZ-R-60la shall be applicable to the specifications.

[1] A minus tolerance of 2 is permitted on Super, Standard, and Competitive brown heels. No minus tolerance is permitted on black heels or on Special Competitive brown heels

[Above table amended by Am. 19 ,10 F.R. 2181, effective 2-23-45. Footnote 1 amended by Am. 21, effective 8-4-45]

Non-fiber heels are either heels which do not contain any fiber, or heels which contain fiber only in one or more plugs, which are placed in the area of greatest wear.

[Subparagraph (1) amended by Am. 15, 9 F.R. 9258, effective 8-3-44]

(2) *Corded heels.* A "corded" heel sold by a manufacturer must have a minimum abrasion of 28. If produced after June 19, 1943, it must contain clearly discernible whole cords which at any given level lie generally parallel to each other.

(i) *Segment fiber heels.* "Segment fiber heels" are heels which have a non-fiber base stock and a segment containing fibers placed at the back of the heel in the area of greatest wear. If such heels are produced before June 20, 1943, the physical tests set forth in subparagraph (1) are applicable. However, those tests shall be applied only to the non-fiber portion of the heel. If such heels are produced on or after June 20, 1943, the physical tests applicable shall be those set forth in the next subdivision.

(ii) *Fiber heels.* A "fiber heel" is any heel containing fiber in any portion of the heel. However, for the purposes of this regulation the term "fiber heel" does not include corded heels, segment fiber heels produced before June 20, 1943, or heels which only contain fiber in one or more plugs placed in the area of greatest wear. If the manufacturer wishes, he may apply the physical tests set forth in subparagraph (1) to fiber heels. If those physical tests are used, each compound used in the manufacture of the heels must meet those requirements. If the tests just set forth are not applied, the physical tests for fiber heels shall be their wearing quality as compared with non-fiber heels. In such cases, fiber heels shall be deemed to have wearing qualities which are equal to those of a special competitive heel, until tests are made which prove a better wearing quality. If a manufacturer believes that a fiber heel sold by him has wearing qualities that are equal to a higher grade of non-fiber heel than "special competitive", he shall submit eight pairs of the fiber heel and evidence that the fiber heel wears as well as non-fiber heels in the price category in which the manufacturer wishes to place the fiber heel. After receipt of this report, the Office of Price Administration will determine whether the fiber heel wears as well as non-fiber heels in the price category in which the manufacturer wishes to place the fiber heel. Until the Office of Price Administration notifies the manufacturer that the fiber heel has such wearing qualities, the heel may not be sold at a price in excess of that established for special competitive heels.

[§§ 1315.1402 to 1315.1405, inclusive, added; former §§ 1315.1402 to 1315.1420, inclusive, redesignated 1315.1406 to 1315.1424, respectively, by Am. 11, 8 F.R. 10980, effective 8-5-43]

§ 1315.1405a *Price categories for black and brown soles.* In §§ 1315.1404a and 1315.1404c, it is stated that the maximum price of a sole depends upon whether it is classed as a "cord insert", "cord-on-end", "flat cord", "super", "standard", or "competitive" sole. This section is for the purpose of classifying soles into the various price categories set forth in Appendix B.

(a) *Classification of soles by brand names*—(1) *Sales by persons other than manufacturers.* Sellers other than manufacturers may rely on the brand name that appears on the sole. The classification of soles for sales by persons other than manufacturers, follows:

(i) *Cord-on-end and Cord insert.* "Cord-on-end" or "Cord insert" means rubber soles bearing the following brand names and made by the following manufacturers:

CORD-ON-END AND CORD INSERT

Brand:	Manufacturer
Aristocrat Cord Grip	O'Sullivan Rubber Co.
Biltrite Cord-on-End	Panther-Panco Rubber Co.
Cat's Paw Super Cord-on-End Insert	Holtite Manufacturing Co.
Hy-Flex Tuff Cord	Essex Rubber Co.
Pancord Cord-on-End	Panther-Panco Rubber Co.
Supertwist Cord Insert	Goodyear Tire and Rubber Co.
Tuffy Cord	The I. T. S. Co.

STANDARD—Continued

Brand:	*Manufacturer*
New Jersey Rubber Company	New Jersey Rubber Co.
O'Sullivan	O'Sullivan Rubber Co.
Original Label (Holtite and Jax)	Holtite Manufacturing Co.
Panco	Panther-Panco Rubber Co.
Panco Corrugated	Panther-Panco Rubber Co.
Panco Red Label	Panther-Panco Rubber Co.
Perlong	Holtite Manufacturing Co.
Safe Sole	New Jersey Rubber Co.
Selberling	Selberling Rubber Co.
Suprex	B. F. Goodrich Co.-Hood Rubber Co.
Tite Edge Twin Plug	Essex Rubber Co.
Tuffy	The I. T. S. Co.
Uskide	United States Rubber Co.
Wingfoot	Goodyear Tire and Rubber Co.

(v) *Competitive grade.* "Competitive grade" means rubber soles bearing the following brand names and made by the following manufacturers:

COMPETITIVE

Brand:	*Manufacturer*
Adlife	Hagerstown Rubber Co.
Ambassador	Monarch Rubber Co.
Arrow	B. F. Goodrich Co.-Hood Rubber Co.
•Bai Cord	Lithox Corp.
Broadway	Panther-Panco Rubber Co.
Bronco	Holtite Manufacturing Co.
Carlton	Hagerstown Rubber Co.
Dagmar	Hagerstown Rubber Co.
•Daisy	Schaelut Rubber Mfg. Co.
Dictator	Holtite Manufacturing Co.
Empire	Holtite Manufacturing Co.
E. Z.	Hagerstown Rubber Co.
Fleetfoot	New Jersey Rubber Co.
Foster	Holtite Manufacturing Co.
Gold Bond	Holtite Manufacturing Co.
Holtite Corrugated	Holtite Manufacturing Co.
Jax Corrugated	Holtite Manufacturing Co.
J. M. A.	Panther-Panco Rubber Co.
Kipson	Holtite Manufacturing Co.
L. and R.	The I. T. S. Co.
•Lithox Cord	Lithox Corp.
•Longwear	Gro-Cord Rubber Co.
Monogram	Panther-Panco Rubber Co.
Norwood	Essex Rubber Co.
Old Reliable	Holtite Manufacturing Co.
Oriole	Hagerstown Rubber Co.
Panerom	Panther-Panco Rubber Co.
Penmar	Hagerstown Rubber Co.
Portage	Selberling Rubber Co.
•Pressed Cord	Lithox Corp.
Resolite	Goodyear Tire and Rubber Co.
Ritz	The I. T. S. Co.
Roamer	Monarch Rubber Co.
Saxco	Panther-Panco Rubber Co.
Sazco	Holtite Manufacturing Co.
Signal	Holtite Manufacturing Co.
Skyfark	Panther-Panco Rubber Co.
Southern	Essex Rubber Co.
Spartan	Holtite Manufacturing Co.
•Square Cord	New Jersey Rubber Co.
Standard	Lithox Corp.
Sure Step	Holtite Manufacturing Co.
Tite Edge Corrugated	Panther-Panco Rubber Co.
	Essex Rubber Co.

•Item added by Am. 21, effective 8-4-45.

(ii) *Flat cord.* "Flat cord" means rubber soles bearing the following brand names and made by the following manufacturers:

FLAT CORD

Brand:	*Manufacturer*
Adlife Corded	Hagerstown Rubber Co.
Airwate	Holtite Manufacturing Co.
All Weather Flat Cord	Goodyear Tire and Rubber Co.
Aristocrat Corded	O'Sullivan Rubber Co.
Arrow Flat Cord	B. F. Goodrich Co.—Hood Rubber Co.
Cat's Paw Flat Cord	Holtite Manufacturing Co.
Commander Flat Cord	Holtite Manufacturing Co.
Dagmar Corded	Hagerstown Rubber Co.
Deluxe Suprex Flat Cord	B. F. Goodrich Co.—Hood Rubber Co.
Fleetfoot Heavy Duty Cord	New Jersey Rubber Co.
Green Label Flat Cord (Holtite and Jax)	Holtite Manufacturing Co.
Greyhound Flat Cord	B. F. Goodrich Co.—Hood Rubber Co.
Lifelong Flat Cord	B. F. Goodrich Co.—Hood Rubber Co.
Monarch Certified Cord	Monarch Rubber Co.
Original Label Flat Cord (Holtite and Jax)	Holtite Manufacturing Co.
Panco Flat Cord	Panther-Panco Rubber Co.
•Raw Cord	Gro-Cord Rubber Co.
Selberling All Cord	Selberling Rubber Co.
Suprex Flat Cord	B. F. Goodrich Co.—Hood Rubber Co.
Tuftex Heavy Duty Cord	New Jersey Rubber Co.
U. S. Royal Flat Cord	United States Rubber Co.
Uskide Flat Cord	United States Rubber Co.

•Item added by Am. 21, effective 8-4-45.

(iii) *Super grade.* "Super grade" means rubber soles bearing the following brand names and made by the following manufacturers:

SUPER

Brand:	*Manufacturer*
Aristocrat—Safety Grip	O'Sullivan Rubber Co.
Avon	Avon Sole Co.
Biltrite Griplug	Panther-Panco Rubber Co.
Cat's Paw Twin Gripper	Holtite Manufacturing Co.
Columbia—Heavy Duty	New Jersey Rubber Co.
Deluxe Suprex, Plug Insert	B. F. Goodrich Co.-Hood Rubber Co.
Duflex	Avon Sole Co.
Lifelong	B. F. Goodrich Co.-Hood Rubber Co.
No Jar Super Grip	United States Rubber Co.
Selberling Bonded	Selberling Rubber Co.
•Selberling HTS	Selberling Rubber Co.
Tauko Heavy Duty	New Jersey Rubber Co.
Tuftex Heavy Duty	New Jersey Rubber Co.
Tuffy (Cordise)	The I. T. S. Co.
Twin Duty	Goodyear Tire and Rubber Co.
U. S. Royal Cord	United States Rubber Co.

•Item added by Am. 21, effective 8-4-45.

(iv) *Standard grade.* "Standard grade" means rubber soles bearing the following brand names and made by the following manufacturers:

STANDARD

Brand:	*Manufacturer*
All Weather	Goodyear Tire and Rubber Co.
Commander	Holtite Manufacturing Co.
Fleetfoot—90	New Jersey Rubber Co.
Gold Crown	Holtite Manufacturing Co.
Green Label (Holtite and Jax)	Holtite Manufacturing Co.
Gripper	Holtite Manufacturing Co.
Hy-Flyer	Essex Rubber Co.
Jersey Sport	New Jersey Rubber Co.
Monarch Certified	Monarch Rubber Co.

COMPETITIVE—Continued

Brand	*Manufacturer*
Tolco	Panther-Panco Rubber Co.
Tolco	Holtite Manufacturing Co.
U. S. Springstep	United States Rubber Co.
Weartex	Monarch Rubber Co.
Windsor	Hagerstown Rubber Co.

(2) *Sales by manufacturers.* The classifications of soles for sales by manufacturers are the same as those set forth in the preceding subparagraph (1). However, the tests a sole must meet before it is classified are set forth in paragraph (c) of this section, and are applicable to sales by manufacturers.

(b) *Tests for unclassified soles.* Rubber soles not classified in paragraph (a) above, or by an order of the Office of Price Administration, must at least equal the physical tests established by the War Production Board in Order M-217.

(c) *Tests for classifying rubber soles sold by manufacturers.* (1) A manufacturer may not sell or deliver any rubber sole whose brand and manufacturer's name are not listed in paragraph (a) above at prices higher than those established for competitive grade rubber soles, unless and until an order classifying it in a grade other than competitive has been issued under § 1315.1404b. Each brand name listed in paragraph (a) is (i) a brand name used between November 1 and December 31, 1941, in the grade under which it is listed; or (ii) a new brand name used on a sole that at least equals the average specifications (abrasion, tension, and stitch tear) of representative soles listed for this grade in paragraph (a); or (iii) a brand name which qualifies for listing under (i) or (ii) and which has been reclassified after meeting the tests provided in (ii) above.

(2) *Non-fiber, corded, and fiber soles—*(i) *Non-fiber soles.* "Non-fiber soles" are either soles which do not contain any fiber or soles which contain fiber only in one or more plugs, which are placed in the area of greatest wear.

(ii) *Corded soles.* A "corded sole" must contain clearly discernible whole cords which at any given level lie generally parallel to each other.

(iii) *Fiber soles.* A "fiber sole" is any sole containing fiber in any portion of the sole. However, for the purposes of this regulation the term "fiber sole" does not include corded soles or soles which only contain fiber in one or more plugs placed in the area of greatest wear.

[§ 1315.1405a added by Am. 19, 10 F.R. 2181, effective 2-23-45]

§ 1315.1405b *Maximum prices for rubber heels and soles not otherwise priced under this regulation.* The maximum prices for all sales in the shoe repair trade of rubber heels and soles, for the shoe repairmen's sales of rubber heels attached and for the shoe repairmen's service of attaching rubber heels, which are not otherwise priced under this regulation, shall be a price consistent with the level of maximum prices established by this regulation, specifically authorized by the Office of Price Administration.

The manufacturer of any commodity required to be priced under this section, shall file this application for specific authorization of a maximum price with the Office of Price Administration, Washington, D. C., prior to first offering the commodity for sale. The application shall contain:

(a) A description of the heel or sole in question, including its brand, name, the color or colors in which it is to be sold, the abrasion index, tensile strength, and stitch tear. Four pairs of the commodity of each color in which it is to be sold shall be submitted with the application:

(b) A statement of the facts which make it necessary to price the commodity under this section:

(c) The classification in which he wishes the brand to be placed:

(d) A statement that all of the commodities sold or delivered by him that bear that brand name will equal or exceed the quality of the commodities submitted:

(e) A proposed pricing method and the price for the commodity determined in accordance with this method; and

(f) A statement of the reasons why the manufacturer believes that the use of this method results in prices which are in line with the level of maximum prices established by this regulation.

The Office of Price Administration may establish the maximum prices for sales of the commodity at all levels and for the service of attaching it (if it is a heel) and may require the manufacturer and all wholesalers who sell the heel to notify each buyer to whom he sells of such buyer's maximum prices for his sales of the commodity and (where such buyer is a shoe repairman and the commodity is a heel) for the service of attaching the commodity.

[§ 1315.1405b added by Am. 19, 10 F.R. 2181, effective 2-23-45]

§ 1315.1406 *Federal and State taxes.* (a) Except as limited in the next paragraph, any tax upon, or incident to, the sale, delivery, or processing of rubber heels or soles, imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor.

["Or soles" added by Am. 21, effective 8-4-45]

(b) No shoe repairman may add and after December 31, 1942, no wholesaler may add, the amount of Federal excise tax on rubber products paid by any prior vendor to the maximum prices established by this Maximum Price Regulation No. 200.

[§ 1315.1406, formerly 1315.1402, amended by Am. 3, 7 F.R. 10008, effective 12-5-42]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702, 9521) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942, shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1315.1407 *Sales for export.* The maximum price at which a person may export any rubber heels or soles shall be determined in accordance with the provisions of the Maximum Export Price Regulation[•] issued by the Office of Price Administration.

["Or soles" added by Am. 21, effective 8-4-45]

§ 1315.1408 *Less than maximum prices.* Lower prices than those set forth in Appendices A and B may be charged, demanded, paid or offered.

[§ 1315.1408 amended by Am. 21, effective 8-4-45]

§ 1315.1409 *Evasion.* (a) The price limitation set forth in this Maximum Price Regulation No. 200 shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rubber heels or soles alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise

(b) Every purchaser shall have the choice of buying rubber heels or soles of a particular type and grade without buying rubber heels or soles of another type and grade or buying any other commodity, and every purchaser, other than a purchaser from a shoe repairman, shall have the choice of buying rubber heels or soles of a particular type and grade without having any service performed.

(c) A purchaser of rubber heels or soles from a shoe repairman shall always have the choice of buying rubber heels or soles and having the seller attach them to shoes without having any other service performed or buying any other commodity.

["Or soles" added by Am. 21, effective 8-4-45]

§ 1315.1410 *Marking and posting*—(a) *Marking.* No person may mark any rubber heels produced after August 4, 1943, for sale in the shoe repair trade with the symbol "V-1," "V-2," "V-3" or "V-4" unless the heel in question can equal or exceed the physical tests for the particular symbol set forth in paragraph (c) of § 1315.1405. If a manufacturer uses such a "V" symbol on rubber heels it shall be marked as follows: All rubber

•2nd Revised: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432.

heels, except sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks, shall have the symbol imprinted prominently on the face of every such heel in the place receiving the least wear. If sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks are marked with a "V" symbol, they shall be marked in a manner which is approved in writing by the Office of Price Administration. The marking of the unit of sale container (in the case of sport heels, a container for 12 or less pairs of heels) is an approved method of marking sport heels and women's scoop lifts (1 and 3 nail hole) and died out toplifts. A paper sticker on each toplift strip or block is also an approved method of marking toplift strips and toplift blocks.

(b) *Posting.* On and after October 5, 1943, every shoe repairman engaged in the business of selling rubber heels or attached rubber heels or of attaching rubber heels shall keep posted in a conspicuous place in each establishment at which rubber heels are offered for sale, or at which the attaching of rubber heels is contracted for, a poster, provided by the Office of Price Administration, setting forth the maximum prices which he is permitted to charge under this regulation.

[§ 1315.1410, formerly 1315.1406, amended by Am. 2, 7 F.R. 7835, effective 10-7-42; Am. 3, 7 F.R. 10008, effective 12-5-42; Am. 4, 8 F.R. 490, effective 1-16-43; Am. 11, 8 F.R. 10980, effective 8-5-43; and Am. 12, 8 F.R. 11687, effective 8-20-43]

§ 1315.1411 *Records and reports.* (a) Every person, other than a shoe repairman or a person making a purchase from a shoe repairman, making a sale or purchase subject to this Maximum Price Regulation No. 200 after August 31, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such sale or purchase, showing the date thereof, the name and the address of the buyer or seller, the price paid or received and the quantity of each type and grade of rubber heels and soles sold or purchased.

["And soles" added by Am. 21, effective 8-4-45]

(b) Every person subject to this regulation shall submit such reports and keep such other records, in addition to or in place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require or permit.

[Section heading and paragraph (b) amended by Am. 5, 8 F.R. 1461, effective 2-6-43]

§ 1315.1412 [Revoked].

[§ 1315.1412, formerly 1315.1409, revoked by Am. 5]

§ 1315.1413 *Sales slips and receipts.* Any person subject to this Maximum Price Regulation No. 200 who has regularly furnished customers with invoices, sales slips, receipts or similar documents shall continue to do so. Every person subject to this Maximum Price Regulation No. 200 shall, regardless of previous custom, upon request of the customer, give such customer a signed receipt showing the date of the transaction, the type, brand, and grade of the rubber heels or soles sold and the price therefor.

["Or soles" added by Am. 21, effective 8-4-45]

§ 1315.1414 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 200 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 200 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1415 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

[§ 1315.1415, formerly 1315.1411, amended by Am. 8, 8 F.R. 8843, effective 7-2-43]

§ 1315.1416 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 200 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1315.1416, formerly 1315.1412, amended by Supplementary Order 26, 7 F.R. 8948, effective 11-4-42]

[NOTE: Supplementary Order No. 28 (7 F.R. 9519; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1315.1417 *Exclusions.* This Maximum Price Regulation No. 200 shall not apply to sales and deliveries of rubber heels or soles, made in accordance with military specification, pursuant to contract with:

(a) Any war procurement agency of the United States Government; or

(b) Any person who contracts to sell the purchased rubber heels or soles to any war procurement agency of the United States Government or to any contractor or subcontractor who physically incorporates the rubber heels or soles in an article being processed for any such war procurement agency.

["Or soles" added by Am. 21, effective 8-4-45]

§ 1315.1418 *Definitions.* (a) When used in this Maximum Price Regulation No. 200 the term:

(1) "Continental United States" means only the forty-eight states and the District of Columbia.

(2) "Export" means any sale between a seller in the Continental United States and a purchaser outside thereof.

(3) "Manufacturer" means any person engaged in the production of rubber heels or soles.

["Or soles" added by Am. 21, effective 8-4-45]

(4) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(5) "Rubber" means all forms and types of rubber, including synthetic and reclaimed rubber.

(6) "Rubber heels" includes all unattached heels, heel bases, scoop lifts, toplifts, toplift strips and toplift blocks, made in whole or in part of rubber.

"Rubber soles" includes all taps, full soles, midsoles, and outsoling and midsoling sheets, strips, and blocks, made in whole or in part of rubber.

[Above paragraph added by Am. 21, effective 8-4-45]

(7) "Rubber heels (or soles) sold in the shoe repair trade" means rubber heels (or soles) sold or offered for sale by or to a shoe repairman, by wholesalers to the persons who sell rubber heels (or soles) to a shoe repairman, or by manufacturers to any of the persons named in this subparagraph.

(8) "Shoe repairman" includes any person engaged in the business of replacing worn heels or soles for an ultimate consumer, other than an industrial, commercial or governmental consumer.

(9) "Wholesaler" includes any person, other than a manufacturer, who sells or offers to sell rubber heels or soles to a shoe repairman or to persons who sell or offer to sell rubber heels or soles to a shoe repairman.

["Or soles" added to subparagraphs (7), (8) and (9) by Am. 21, effective 8-4-45]

(10) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1315.1419 *Applicability.* The provisions of this Maximum Price Regulation No. 200 shall be applicable to the Continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1315.1420 *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

§ 1315.1421 *Applicability of the General Maximum Price Regulation.*[5] The provisions of this Maximum Price Regulation No. 200 supersede the provisions of the General Maximum Price Regulation, including §§ 1499.11, 1499.12, 1499.13, 1499.14, and 1499.25 thereof, with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1315.1422 *Applicability of Maximum Price Regulation No. 165, as amended.*[6] The provisions of this Maximum Price Regulation No. 200 supersede the provisions of Maximum Price Regulation No. 165, as amended, with respect to sales of consumer services for which maximum prices are established by this regulation.

[§§ 1315.1420, 1315.1421, 1315.1422, formerly 1315.1416, 1315.1417 and 1315.1418, amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1315.1423 *Effective date.* This Maximum Price Regulation No. 200 (§§ 1315.1401 to 1315.1420, inclusive) shall become effective September 1, 1942. [MPR 200 originally issued August 10, 1942]

§ 1315.1423a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

§ 1315.1424 *Appendix A: Maximum prices for rubber heels, rubber heels attached and attaching rubbers heels.* (a) The maximum prices for rubber heels, sold in the shoe repair trade shall be the prices listed in Table I-A.

[4] 8 F.R. 13240.
[5] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.
[6] Revised: 10 F.R. 2097, 2250, 3925, 6231, 7854.

TABLE 1-A—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE[1]

Item (the "V" references apply to black heels only)	Maximum price for sales to wholesalers[2]		Maximum price for sales to shoe repairmen[3]		Unit of sales to wholesalers and shoe repairmen	Maximum price to customers for heels attached by shoe repairmen (per pair)	
	Brown	Black	Brown	Black		Brown	Black
1. Men's half heels (all sizes):							
Corded	$1.88	$1.58	$2.50	$2.10	12 pairs	$0.60	$0.55
Super grade or V-1	[7] 1.80	[8] 1.50	[8] 2.40	[8] 2.00	12 pairs	.60	.55
Standard Grade or V-2	1.69	1.39	2.25	1.85	12 pairs	.55	.50
Competitive grade or V-3	1.46	1.16	1.95	1.55	12 pairs	.50	.45
Special competitive grade or V-4	1.24	.94	1.65	1.25	12 pairs	.45	.40
2. Men's whole heels (all sizes):							
Corded	-------	1.99	-------	2.65	12 pairs	-------	.65
Super grade or V-1	-------	1.73	-------	2.30	12 pairs	-------	.55
Standard grade or V-2	-------	1.65	-------	2.20	12 pairs	-------	.55
Competitive grade or V-3	-------	1.43	-------	1.90	12 pairs	-------	.50
Special competitive grade or V-4	-------	1.20	-------	1.60	12 pairs	-------	.45
3. Boys' whole heels (all sizes):							
Corded	1.88	1.58	2.50	2.10	12 pairs	.60	.55
Super or standard grade, V-1 or V-2	1.69	1.39	2.25	1.85	12 pairs	.55	.50
Competitive grade or V-3	1.46	1.16	1.95	1.55	12 pairs	.50	.45
Special competitive grade or V-4	1.24	.94	1.65	1.25	12 pairs	.45	.40
4. Women's Cuban heels (scoops or flat type) and junior wedges (all sizes):							
Super grade or V-1	[7] 1.35	[7] 1.09	[7] 1.80	[7] 1.45	12 pairs	.50	.45
Standard grade or V-2	1.31	1.05	1.75	1.40	12 pairs	.50	.45
Competitive grade or V-3	1.16	.90	1.55	1.20	12 pairs	.45	.40
**Special competitive grade or V-4	.86	.71	1.15	.95	12 pairs	.40	.35
5. Women's toplifts:							
(a) Thin Scoop Lifts (3 nail hole, fiber back, with washers (all sizes):							
Super grade or V-1 (with nails)	.94	.75	1.25	1.00	12 pairs	.40	.40
**Super grade or V-1, 6 doz. to carton (with nails)	.90	.71	1.20	.95	12 pairs	.40	.40
All other grade V-2, V-3, V-4 (with nails)	.90	.71	1.20	.95	12 pairs	.40	.40
All other grades V-2, V-3, V-4 (without nails)	.86	.68	1.15	.90	12 pairs	.40	.40
(b) 1 nail hole toplifts plain or fiber back, no washers (all grades, V-1, V-2, V-3, V-4):							
(1) 1 dozen to carton (with nails):							
By size:							
9-0	.53	.34	.70	.45	12 pairs	.35	.35
7-0	.56	.38	.75	.50	12 pairs	.35	.35
5-0	.64	.45	.85	.60	12 pairs	.35	.35
3-0	.68	.49	.90	.65	12 pairs	.35	.35
2-0	.75	.56	1.00	.75	12 pairs	.35	.35
1-0	.75	.56	1.00	.75	12 pairs	.35	.35
0-0	.79	.60	1.05	.80	12 pairs	.35	.35
2	.79	.60	1.05	.80	12 pairs	.35	.35
4	.86	.68	1.15	.90	12 pairs	.35	.35
6	.90	.71	1.20	.95	12 pairs	.35	.35
1	.86	.68	1.15	.90	12 pairs	.35	.35
3	.90	.71	1.20	.95	12 pairs	.35	.35
5	.90	.71	1.20	.95	12 pairs	.35	.35
For white add to each price	-------	.11	-------	.15	-------	-------	.10
(2) 6 dozen to carton (without nails):							
By size:							
9-0	2.93	1.80	3.90	2.40	72 pairs	.35	.35
7-0	3.15	2.03	4.20	2.70	72 pairs	.35	.35
5-0	3.38	2.25	4.50	3.00	72 pairs	.35	.35
3-0	3.83	2.70	5.10	3.60	72 pairs	.35	.35
2-0	4.05	2.93	5.40	3.90	72 pairs	.35	.35
1-0	4.05	2.93	5.40	3.90	72 pairs	.35	.35
0-0	4.20	3.08	5.60	4.10	72 pairs	.35	.35
2	4.20	3.08	5.60	4.10	72 pairs	.35	.35
4	4.61	3.49	6.15	4.65	72 pairs	.35	.35
6	4.91	3.79	6.55	5.05	72 pairs	.35	.35
1	4.61	3.49	6.15	4.65	72 pairs	.35	.35
3	4.91	3.79	6.55	5.05	72 pairs	.35	.35
5	4.91	3.79	6.55	5.05	72 pairs	.35	.35
For white add to each price	-------	.07	-------	.09	-------	-------	.10
(c) Died out toplifts, plain or fiber back:							
Super grade or V-1, by size:							
10½ iron:							
Black	-------	.56	-------	.75	Pound	-------	[9] .25
Brown or no mark black	.71	.60	.95	.80	Pound	[9] .25	[9] .25
All other grades V-2, V-3, V-4, by size:							
9 iron:							
Black	-------	.56	-------	.75	Pound	-------	[9] .25
Brown or no mark black	.71	.60	.95	.80	Pound	[9] .25	[9] .25
10½ iron:							
Black	-------	.53	-------	.70	Pound	-------	[9] .25
Brown or no mark black	.68	.56	.90	.75	Pound	[9] .25	[9] .25
12 iron:							
Black	-------	.49	-------	.65	Pound	-------	[9] .25
Brown or no mark black	.64	.53	.85	.70	Pound	[9] .25	[9] .25
(d) Toplift strips (12½" x 25"):							
(1) Plain back, black:							
Super grade or V-1, by size:							
7 iron	-------	1.13	-------	1.50	Each	-------	[9] .25
7½ iron	-------	1.13	-------	1.50	Each	-------	[9] .25
9 iron	-------	1.16	-------	1.55	Each	-------	[9] .25
10½ iron	-------	1.24	-------	1.65	Each	-------	[9] .25
12 iron	-------	1.35	-------	1.80	Each	-------	[9] .25
Standard grade or V-2, by size:							
7 iron	-------	1.09	-------	1.45	Each	-------	[9] .25
7½ iron	-------	1.09	-------	1.45	Each	-------	[9] .25
9 iron	-------	1.13	-------	1.50	Each	-------	[9] .25
10½ iron	-------	1.16	-------	1.55	Each	-------	[9] .25
12 iron	-------	1.28	-------	1.70	Each	-------	[9] .25
19 iron	-------	2.40	-------	3.20	Each	-------	-------

See footnotes end of table.

TABLE 1–A—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE [1]—Con.

Item (the "V" references apply to black heels only)	Maximum price for sales to wholesalers [2]		Maximum price for sales to shoe repairmen [3]		Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen (per pair)	
	Brown	Black	Brown	Black		Brown	Black
5. Women's topliffs—Continued.							
(d) Topliff strips (12½" x 25"):							
(1) Plain back, Black:							
**Competitive or special competitive or V–3, V–4, by size:							
7 iron	.....	$0.98	.....	$1.50	Each	.....	‡$0.25
7½ iron	.....	.98	.....	1.50	Each	.....	‡.25
9 iron	.....	1.01	.....	1.55	Each	.....	‡.25
10½ iron	.....	1.06	.....	1.40	Each	.....	‡.25
12 iron	.....	1.16	.....	1.55	Each	.....	‡.25
Fiber back add to each price	.....	.15	.....	.20	.....	.....	.00
(2) Plain back, brown and no mark black:							
Super grade or V–1, by size:							
7 iron	1.46	1.35	1.95	1.80	Each	‡$0.25	‡.25
7½ iron	1.46	1.35	1.95	1.80	Each	‡.25	‡.25
9 iron	1.54	1.43	2.05	1.90	Each	‡.25	‡.25
10½ iron	1.61	1.50	2.15	2.00	Each	‡.25	‡.25
12 iron	1.76	1.65	2.35	2.20	Each	‡.25	‡.25
Standard grade or V–2, by size:							
7 iron	1.39	1.28	1.85	1.70	Each	‡.25	‡.25
7½ iron	1.39	1.28	1.85	1.70	Each	‡.25	‡.25
9 iron	1.46	1.35	1.95	1.80	Each	‡.25	‡.25
10½ iron	1.54	1.43	2.05	1.90	Each	‡.25	‡.25
12 iron	1.69	1.58	2.25	2.10	Each	‡.25	‡.25
19 iron	2.85	2.63	3.80	3.50	Each	.....	.....
Competitive or special competitive, V–3 or V–4, by size:							
7 iron	1.28	1.16	1.70	1.55	Each	‡.25	‡.25
7½ iron	1.28	1.16	1.70	1.55	Each	‡.25	‡.25
9 iron	1.35	1.24	1.80	1.65	Each	‡.25	‡.25
10½ iron	1.43	1.31	1.90	1.75	Each	‡.25	‡.25
12 iron	1.58	1.46	2.10	1.95	Each	‡.25	‡.25
Fiber back add to each price	.15	.15	.20	.20	.....	.00	.00
(e) Topliff blocks (8½" x 12½"): [4]							
(1) Plain back, black:							
Super grade or V–1, by size:							
7 iron	.....	4.50	.....	6.00	1 dozen	.....	‡.25
9 iron	.....	4.65	.....	6.20	1 dozen	.....	‡.25
10½ iron	.....	4.95	.....	6.60	1 dozen	.....	‡.25
12 iron	.....	5.40	.....	7.20	1 dozen	.....	‡.25
Standard grade or V–2, by size:							
7½ iron	.....	4.35	.....	5.80	1 dozen	.....	‡.25
9 iron	.....	4.50	.....	6.00	1 dozen	.....	‡.25
10½ iron	.....	4.65	.....	6.20	1 dozen	.....	‡.25
12 iron	.....	5.10	.....	6.80	1 dozen	.....	‡.25
19 iron	.....	9.60	.....	12.80	1 dozen	.....	.....
Competitive or special competitive, V–3 or V–4, by size:							
7 iron	.....	3.90	.....	5.20	1 dozen	.....	‡.25
7½ iron	.....	3.90	.....	5.20	1 dozen	.....	‡.25
9 iron	.....	4.05	.....	5.40	1 dozen	.....	‡.25
10½ iron	.....	4.20	.....	5.60	1 dozen	.....	‡.25
12 iron	.....	4.65	.....	6.20	1 dozen	.....	‡.25
Fiber back add to each price	.....	.60	.....	.80	.....	.....	.00
(2) Plain back, brown and no mark black:							
Super grade or V–1 by size:							
7 iron	5.85	5.40	7.80	7.20	1 dozen	‡.25	‡.25
9 iron	6.15	5.70	8.20	7.60	1 dozen	‡.25	‡.25
10½ iron	6.45	6.00	8.60	8.00	1 dozen	‡.25	‡.25
12 iron	7.05	6.60	9.40	8.80	1 dozen	‡.25	‡.25
Standard grade or V–2, by size:							
7½ iron	5.55	5.10	7.40	6.80	1 dozen	‡.25	‡.25
9 iron	5.85	5.40	7.80	7.20	1 dozen	‡.25	‡.25
10½ iron	6.15	5.70	8.20	7.60	1 dozen	‡.25	‡.25
12 iron	6.75	6.30	9.00	8.40	1 dozen	‡.25	‡.25
19 iron	11.40	10.50	15.20	14.00	1 dozen	.....	.....
Competitive or special competitive, V–3 or V–4, by size:							
7 iron	5.10	4.65	6.80	6.20	1 dozen	‡.25	‡.25
7½ iron	5.10	4.65	6.80	6.20	1 dozen	‡.25	‡.25
9 iron	5.40	4.95	7.20	6.60	1 dozen	‡.25	‡.25
10½ iron	5.70	5.25	7.60	7.00	1 dozen	‡.25	‡.25
12 iron	6.30	5.85	8.40	7.80	1 dozen	‡.25	‡.25
Fiber back add to each price	.60	.60	.80	.80	.....	.00	.00

TABLE 1–A—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE [1]—Con.

Item (the "V" references apply to black heels only)	Maximum price for sales to wholesalers [2]		Maximum price for sales to shoe repairmen [3]		Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen (per pair)	
	Brown	Black	Brown	Black		Brown	Black
6. Orthopedic heels (all sizes):							
Men's whole	.....	$2.55	.....	$3.40	12 pairs	.....	$0.75
Men's half	$2.44	2.11	$3.25	2.85	12 pairs	$0.75	.65
Women's half	2.06	1.76	2.75	2.35	12 pairs	.66	.60
7. Combination leather and rubber lifts (all sizes):							
Men's	‡2.81	‡2.51	‡3.75	‡3.35	12 pairs	.75	.75
Women's	2.06	1.76	2.75	2.35	12 pairs	.60	.60
8. Heel bases, by thickness:							
2½/8"	.90	.71	1.20	.95	12 pairs	.25	.25
3/8"	.90	.71	1.20	.95	12 pairs	.25	.25
9. Wedge and sport heels (all sizes):							
Super, standard, V–1, V–2:							
Men's (cord and natural inserts)	2.29	1.99	3.05	2.65	12 pairs	.70	.65
Men's	1.91	1.61	2.55	2.15	12 pairs	.60	.55
Women's	1.61	1.35	2.15	1.80	12 pairs	.55	.50
10. Rubber boot heels (sizes 4–14, inc.)	.....	1.69	.....	2.25	1 dozen	.....	.....
*11. Ski heels, by thickness:							
¾"	2.25	1.69	2.65	1.99	12 pairs	.60	.55
⅝"	2.50	1.88	2.90	2.18	12 pairs	.65	.60
⅞"	3.00	2.25	3.40	2.55	12 pairs	.70	.65

CERTAIN WHITE HEELS

Item	Maximum price for sales to wholesalers [2]	Maximum price for sales to shoe repairmen [3]	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumer for heels attached by shoe repairmen, per pair
Men's half heels	$1.80	$2.40	12 pairs	$0.60
Women's cuban (scoop, flat type or junior wedges)	1.24	1.65	12 pairs	.55
Women's thin scoop super	.97	1.30	12 pairs	.40
All other grades	.91	1.26	12 pairs	.50
Women's topliffs:				
(a) Died out topliffs, plain or fiber back:				
Super grade, by size: 10½ iron	.75	1.00	Pound	‡.35
All other grades, by size:				
9 iron	.75	1.00	Pound	‡.35
10½ iron	.68	.90	Pound	‡.35
12 iron	.68	.90	Pound	‡.35
(b) Topliff strips (12½" x 25"):				
Plain back:				
All grades, by size:				
7 iron	1.61	2.15	Each	‡.35
7½ iron	1.61	2.15	Each	‡.35
9 iron	1.72	2.30	Each	‡.35
10½ iron	1.91	2.55	Each	‡.35
12 iron	2.17	2.90	Each	‡.35
Fiber back add to each price	.15	.20	Each	.00
(c) Topliff blocks (8½" x 12½"):				
Plain back:				
All grades, by size:				
7 iron	6.45	8.60	1 dozen	‡.35
9 iron	6.90	9.20	1 dozen	‡.35
10½ iron	7.65	10.20	1 dozen	‡.35
12 iron	8.70	11.60	1 dozen	‡.35
Fiber back add to each price	.60	.80	.....	.00

[1] The maximum prices for black heels established by the regulation are also applicable to heels of all colors other than brown that were produced prior to April 1, 1942, except the white heels for which specific prices are established in Table 1–A. These specific prices for white heels apply only to white heels produced before April 1, 1942.

[2] These prices shall be reduced by 5 percent if the purchaser pays cash within 30 days after delivery in accordance with the provisions of § 1315.1424 (d) (1). The maximum prices for sales by wholesalers to certain wholesalers are set forth in paragraph (h) of this section.

[3] These prices shall be decreased by the customary cash discounts in accordance with the provisions of § 1315.1424 (d) (2).

[4] If died out topliffs or topliffs cut from topliff strips or topliff blocks are attached to heels which are larger in size than a size 3–0 thin scoop lift (3 nail hole), the shoe repairman may add $0.05 per pair to the prices stated in Table 1–A for attaching these women's topliffs.

[5] Maximum prices to wholesalers and to shoe repairmen for Junior blocks (4½" x 12½") shall be determined by taking one-half (or 50%) of the maximum price for the 8½" x 12½" block for the same iron, quality, and color. Maximum prices to consumers shall be the same as those for topliffs cut from 8½" x 12½" blocks for the same iron, color, and grade.

[6] For Goodrich "D" Cushion or Vogue brand wood core heels, there shall be substituted in Table I–A $2.65 for $2.40 and $1.99 for $1.80 in brown, and $2.25 for $2.00 and $1.69 for $1.50 in black.

[7] For Goodrich "D" Cushion or Vogue brand wood core heels, there shall be substituted in Table I–A $2.10 for $1.80 and $1.58 for $1.35 in brown, and $1.75 for $1.45 and $1.31 for $1.09 in black.

[8] For Wilder Quick Work A Style, combination leather and rubber lifts, there shall be substituted in Table I–A $4.05 instead of $3.75 and $3.05 instead of $2.81 in brown, and $3.65 instead of $3.35 and $2.75 instead of $2.51 in black.

[Footnotes 6, 7 and 8 added by Am. 21, effective 8–4–45]

[Table 1–A amended by Am. 2, 7 F.R. 7835, effective 10–7–42; Am. 10, 8 F.R. 10980, effective 8–5–43; Am. 11, 8 F.R. 10980, effective 8–5–43; Am. 19, 10 F.R. 2181, effective 2–23–45; and Am. 20, 10 F.R. 3642, effective 4–9–45 *Item added; **Items amended by Am. 21, effective 8–4–45]

(b) The maximum price stated in Table I–A for a sale by a shoe repairman shall include the price of the rubber heels and the price of attaching the rubber heels to shoes. If rubber heels are sold by a shoe repairman unattached, the maximum price for such sales shall be 40% of the price listed in Table I–A for sales of rubber heels of the same type and grade by a shoe repairman. The maximum price for attaching rubber heels supplied by a purchaser shall be 60% of the price stated in Table I–A for sales of rubber heels of the same type and grade by a shoe repairman.

(c) The maximum price stated in Table I–A for a sale by a shoe repairman includes all repairs made by the shoe repairman in the process of attaching rubber heels.

[Paragraph (c) amended by Am. 2, 7 F.R. 7835, effective 10–7–42]

(d) (1) The maximum prices for sales to wholesalers shall be decreased by 5% if the purchaser pays cash within thirty days after delivery of the rubber heels.

[Subparagraph (1) amended by Am. 2, 7 F.R. 7835, effective 10–7–42]

(2) The maximum price for sales to shoe repairmen shall be reduced by any cash discounts given by the seller to shoe repairmen of the same class during March, 1942.

(e) (1) The maximum price for sales to wholesalers shall include the costs of transportation of the rubber heels to the buyer's place of business if the order in question amounts to one hundred pounds or more.

[Subparngraph (1) amended by Am. 2, 7 F.R. 7835, effective 10–7–42]

(2) The seller may add to the maximum prices stated in Table I–A for sales to shoe repairmen the same proportion of transportation costs incurred in the delivery of rubber heels, that the seller required purchasers of the same class to pay during March 1942 on deliveries of rubber heels.

[Subparagraph (2) amended by Am. 1, 7 F.R. 6938, effective 9–1–42; and Am. 19, 10 F.R. 2181, effective 2–23–45]

(f) The prices set forth in Table I–A shall not be increased by any charges for the extension of credit.

(g) [Revoked]

[Paragraph (g) amended by Am. 2, 7 F.R. 7835, effective 10–7–42; Am. 4, 8 F.R. 490, effective 1–16–43; Am. 6, 8 F.R. 4917, effective 4–20–43; Am. 7 8 F.R. 6842, effective 5–20–43; and Am. 9, 8 F.R. 9135, effective 7–8–43; revoked by Am. 11, 8 F.R. 10980, effective 8–5–43]

(h) The maximum price for sales by wholesalers to that class of wholesaler who during March, 1942, purchased rubber heels from wholesalers at prices higher than those set forth in Table I–A for sales to wholesalers is the price set forth in Table I–A for sales of the rubber heels in question to shoe repairmen, less 20 percent. The seller may add to the maximum price calculated in accordance with this paragraph the same proportion of transportation costs incurred in the delivery of rubber heels that the seller required purchasers of the same class to pay during March, 1942, on deliveries of rubber heels. The maximum price determined in accordance with the provisions of this paragraph shall be decreased by 5 percent if the purchaser pays cash within 30 days after delivery of the rubber heels.

[Paragraph (h) added by Am. 2, 7 F.R. 7835, effective 10–7–42; amended by Am. 10, 8 F.R. 10980, effective 8–5–43]

§ 1315.1425 *Appendix B: Maximum prices for rubber soles.* (a) The maximum manufacturers' and wholesalers' prices for rubber soles sold in the shoe repair trade shall be the prices listed in Table I–B:

TABLE 1–B—MAXIMUM PRICES FOR RUBBER SOLES SOLD IN THE SHOE REPAIR TRADE [1]

HALF SOLES [2] [3]

Item	Black (per dozen pairs)		Brown (per dozen pairs)	
	To shoe repairmen, list [3]	To wholesalers, net [3]	To shoe repairmen, list [3]	To wholesalers, net [3]
Composition				
14 iron (extra heavy):				
Super grade:				
*Size 17–19	$4.10	$3.08	$5.20	$3.90
13–15	3.95	2.96	5.05	3.79
9–11	3.70	2.78	4.80	3.60
7	3.30	2.48	4.40	3.30
5	3.15	2.36	4.25	3.19
Standard grade:				
Size 13–15	3.60	2.70	4.70	3.53
9–11	3.40	2.55	4.50	3.38
7	3.05	2.29	4.15	3.11
5	3.05	2.29	4.15	3.11
12 or 13 iron (heavy):				
Super grade:				
Size 17–19	3.80	2.85	4.90	3.68
13–15	3.65	2.74	4.75	3.56
9–11	3.40	2.55	4.50	3.38
7	3.05	2.29	4.15	3.11
5	2.90	2.18	4.00	3.00
Standard grade:				
Size 17–19	3.60	2.70	4.70	3.53
13–15	3.35	2.51	4.45	3.34
9–11	3.10	2.33	4.20	3.15
7	2.80	2.10	3.90	2.93
5	2.70	2.03	3.80	2.85
L. G	2.60	1.95	3.70	2.78
Competitive grade:				
Size 13–15	2.75	2.06	3.90	2.93
9–11	2.60	1.95	3.75	2.81
7	2.50	1.73	3.45	2.59
5	2.30	1.73	3.45	2.59
L. G	2.10	1.58	3.25	2.44
10½ or 11 iron (medium):				
Super grade:				
Size 13–15	3.45	2.59	4.55	3.41
9–11	3.20	2.40	4.30	3.23
7	2.90	2.18	4.00	3.00
5	2.70	2.03	3.80	2.85
L. G	2.60	1.95	3.70	2.78
Standard grade:				
Size 17–19	3.45	2.59	4.55	3.41
13–15	3.20	2.40	4.30	3.23
9–11	2.95	2.21	4.05	3.04
7	2.70	2.03	3.80	2.85
5	2.70	2.03	3.80	2.85
L. G	2.50	1.88	3.60	2.70
Competitive grade:				
Size 13–15	2.60	1.95	3.75	2.81
9–11	2.45	1.84	3.60	2.70
7	2.20	1.65	3.35	2.51
5	2.20	1.65	3.35	2.51
L. G	2.00	1.50	3.15	2.36
Women's	2.20	1.65	3.35	2.51
9 iron (light):				
Super grade:				
Size L. G	2.45	1.84	3.55	2.66
Women's	2.45	1.84	3.55	2.66
Standard grade:				
Size 9–11	2.80	2.10	3.90	2.93
7	.....	.....	.....	.....
5	.....	.....	.....	.....
L. G	2.40	1.80	3.50	2.63
Women's	2.00	1.50	3.15	2.36
Competitive grade:				
Size 13–15	1.90	1.43	3.45	2.59
9–11	1.75	1.31	3.30	2.48
7	1.75	1.31	3.15	2.36
5	1.60	1.20	2.90	2.18
L. G	1.60	1.20	2.90	2.18
Women's	2.00	1.50	3.15	2.36

TABLE I B—MAXIMUM PRICES FOR RUBBER SOLES SOLD IN THE SHOE REPAIR TRADE[1]—Continued

FULL SOLES—continued

Item	Black (per dozen pairs)		Brown (per dozen pairs)[6]	
	To shoe repairmen, list[2]	To wholesalers, net[3]	To shoe repairmen, list[2]	To wholesalers, net[3]
Composition—Continued				
Boy's full soles—Continued		$3.30		$5.06
Scuffer soles: Size 12, 13, 1, 2		2.55		3.95
Women's full soles:				
All irons	3.60	2.75	5.55	4.25
9 iron	3.65	2.79	5.60	4.30
7 iron				
Cord				
Men's full soles:				
Cord insert: 12 or 13 iron (size 6-12)	6.90	5.18	8.25	6.19
Cord-on-end: 12 or 13 iron (size 6-12)	6.00	4.50	7.35	5.51
Flat cord:				
17 iron (size 7-12)	6.55	4.91	7.95	5.96
16 iron (size 7-12)	6.30	4.73	7.70	5.78
14 iron (size 6-12)	6.30	4.35	7.70	5.40
12 or 13 iron (size 6-12)	5.30	3.96	6.70	5.03
10½ iron (size 7-12)	5.30	3.60	6.70	4.63
9 iron (size 7-12)	4.90		6.30	
Boys' full soles:				
Cord insert: 12 or 13 iron (size 2-6)	6.15	4.61	7.45	5.58
Cord-on-end:				
14 iron (size 3-6)	5.85	4.39	7.20	5.40
12 or 13 iron (size 2-6)	5.55	3.94	6.80	4.98
9 iron (size 3-6)	5.25		6.50	
Flat cord:				
14 iron (size 3-6)	5.35	4.01	6.65	4.99
12 or 13 iron (size 2-6)	5.10	3.83	6.40	4.79
9 iron (size 3-6)	4.85	3.25	6.15	4.54
Sport soles—fiber, all types				
Plain or designed:				
Men's (sizes 7, 8, 9, 10, 11, 12):				
10½ iron	5.55	4.16	6.45	4.84
12 iron	5.75	4.31	6.65	4.99
14 iron	6.15	4.61	7.05	5.29
16 iron	6.75	5.06	7.65	5.74
18 iron	7.35	5.51	8.25	6.19
21 iron	8.55	6.41	9.45	7.09
Women's (sizes 3, 4, 5, 6, 7, 8, 9):				
9 iron	3.75	2.81	4.30	3.23
10 iron	4.35	3.27	5.00	3.77
12 iron	4.50	3.37	5.30	4.03
15 iron	5.55	4.16	6.10	4.58
18 iron	6.15	4.61	6.70	5.03
21 iron	6.75	5.06	7.30	5.48
Moccasin sole:				
Men's (sizes 7, 8, 9, 10, 11, 12):				
9 iron	4.15	3.11	5.40	4.05
10½ iron	4.40	3.30	5.65	4.24
12 iron	4.65	3.49	5.90	4.43
Women's (sizes 2, 3, 4, 5, 6, 7, 8, 9):				
9 iron	3.90	2.93	5.05	3.79
10½ iron	4.05	3.02	5.15	3.86
12 iron	4.15	3.11	5.30	3.98
Boys' (sizes 3, 4, 5, 6):				
9 iron	3.65	2.74	4.80	3.60
10½ iron	3.80	2.85	5.05	3.79
12 iron	4.15	3.11	5.30	3.98
Youths' and Misses' (sizes 12-2):				
9 iron	3.90	2.74	4.90	3.70
10½ iron	3.75	2.81	5.05	3.79
12 iron	3.90	2.93		
Little Gents' (sizes 9-11):				
10½ iron	3.75	2.81	4.67	3.50
12 iron	3.65	2.74	4.57	3.43
Infants' (sizes 8-10):				
10½ iron	3.10	2.33	4.00	3.00

See footnotes at end of table.

TABLE I B—MAXIMUM PRICES FOR RUBBER SOLES SOLD IN THE SHOE REPAIR TRADE[1]—Continued

HALF SOLES—continued

Item	Black (per dozen pairs)		Brown (per dozen pairs)	
	To shoe repairmen, list[2]	To wholesalers, net[3]	To shoe repairmen, list[2]	To wholesalers, net[3]
Cord				
11 iron (extra heavy):				
Flat cord:	$4.15	$3.11	$5.30	$3.98
17 iron—19-13	4.30	3.23	5.45	4.09
13-12	4.60	3.45	5.75	4.31
9-11	3.95	2.96	5.05	3.79
7	3.45	2.59	4.40	3.30
5	3.15	2.36	4.00	3.00
L. G.				
Cord-on-end:				
Size 17-19	4.25	3.19	5.35	4.01
13-15	4.15	3.11	5.25	3.94
7-11	3.70	2.78	4.80	3.60
12 or 13 iron (heavy):				
Cord insert:				
Size 17-19	6.90	5.18	8.25	6.19
15-15	6.00	4.50	7.35	5.51
13-11	5.10	3.83	6.45	4.84
6-7	4.60	3.45	5.75	4.31
5				
Cord-on-end:				
Size 17-19	6.55	4.91	7.95	5.96
15-15	6.30	4.73	7.70	5.78
9-11	5.30	3.96	6.70	5.03
6-7	5.30	3.60	6.70	4.63
5	4.90		6.30	
L. G.				
Flat cord:				
Size 17-19	6.15	4.61	7.45	5.58
15-15				
9-11	4.70	3.52	7.00	5.25
6-7	4.35	3.26	6.65	4.99
5				
L. G.				
10½ or 11 iron (medium):				
Cord insert:				
Size 13-15	5.85	4.39	7.20	5.40
9-11	5.55	4.16	6.80	5.10
6-7	5.25	3.94	6.50	4.88
5				
L. G.				
Flat cord:				
Size 15-15	5.35	4.01	6.65	4.99
9-11	5.10	3.83	6.40	4.79
6-7	4.85	3.25	6.15	4.54
5				
L. G.				
Composition				
Men's full soles:				
Super grade:				
10 iron (sizes 7-12)	$6.15	$4.61	$7.40	$5.55
12 iron (sizes 7-12)	5.50	4.13	6.75	5.06
Standard grade:				
10 iron (sizes 6-12)	6.00	4.50	7.25	5.43
18 iron (sizes 10-12)	6.30	4.73	7.55	5.66
17 iron (sizes 7-12)	6.15	4.61	7.40	5.55
14 iron (sizes 6-12)	5.90	4.43	7.15	5.36
12 iron (sizes 6-12)	5.55	3.94	6.80	4.98
10½ iron (sizes 6-12)	5.25	3.60	6.50	4.68
9 iron (sizes 7-12)	4.95	3.11	6.20	4.05
Scuffer soles: Sizes 9, 11	4.50	3.60	5.65	4.51
Boys' full soles:				
Super grade: 12 iron (size 2-6)	5.75	4.31	7.05	5.29
Standard grade:				
12 iron (sizes 3-6)	5.30	3.98	6.60	4.95
10½ iron (sizes 3-6)	5.00	3.75	6.30	4.73
9 iron (sizes 3-6)	4.70	3.52	6.00	4.50
Youths' and Misses' (sizes 12-2):				
10½ iron	4.90	3.70	6.20	4.65
Little Gents' (sizes 9-11):				
10½ iron	4.75	3.56	6.05	4.54
Infants' (sizes 8-10):				
10½ iron	4.00	3.00	5.05	3.79

BOOT AND GALOSH SOLING

Item	Black		Brown	
	To shoe repairmen, list[1]	To wholesalers, net[2]	To shoe repairmen, list[2]	To wholesalers, net[3]
Composition				
Gum boot soling, per lb	$0.50	$0.38	$0.60	$0.45
Galosh and over-the-shoe soling slabs, 12½" x 25" plain back, per slab:				
3½ iron	1.10	.83	1.30	.98
5 iron	1.10	.83	1.30	.98
6 iron	1.15	.86	1.40	1.05
7 iron	1.20	.90	1.45	1.09
7½ iron	1.20	.90	1.45	1.09
9 iron	1.40	1.05	1.70	1.28
10½ iron	1.55	1.16	1.85	1.39
12 iron	1.70	1.28	2.05	1.54
For Holland cloth backing, add to each price	.35	.26	.35	.26
Galosh and over-the-shoe soling slabs, 12" x 24" plain back, per slab:				
3½ iron	1.01	.76	1.21	.91
5 iron	1.01	.76	1.21	.91
6 iron	1.05	.80	1.27	.95
7 iron	1.11	.83	1.33	1.00
7½ iron	1.11	.83	1.33	1.00
9 iron	1.29	.97	1.55	1.16
10½ iron	1.43	1.07	1.72	1.29
12 iron	1.57	1.18	1.89	1.41
For Holland cloth backing, add to each price	.32	.24	.32	.24

[1] These maximum prices for Black soles also apply to soles of all colors other than brown that were produced prior to April 1, 1942.

[2] These prices shall be reduced by 5 percent if the purchaser pays cash within 30 days after delivery. The discounts and transportation allowances applicable to sales by wholesalers to certain wholesalers are set forth in paragraph (h) of § 1315.1424 which is applicable to soles in accordance with the provisions of § 1315.1425(c).

[3] These prices shall be decreased by the customary cash discounts as provided in § 1315.1424(d)(d)(2).

[4] All manufacturers who had a custom in December 1941 of listing half sole prices for sizes 9, 11, 13, and 15, with different prices for each size, must continue to do so for those sizes. The maximum prices for sizes 9 and 13 must be 5 cents below the 9–11, and 13–15 prices, respectively, for the same iron and quality. The maximum prices for sizes 11 and 15 shall be 5 cents higher than the prices listed for sizes 9–11 and 13–15, respectively, for the same iron and quality.

[5] All manufacturers who had a custom in December 1941 of selling assorted sizes 9–11–13 at the 9–11 prices for a given type, quality, and color, must continue to do so.

[Table I–B amended by Am. 20, 10 F.R. 3642, effective 4–9–45. Footnotes 4 and 5 added by Am. 20. *Items added; ** prices amended by Am. 21, effective 8–4–45]

(b) *Maximum prices for rubber soles sold unattached by the shoe repairmen.* The maximum price for a sale of rubber soles by a shoe repairman shall be 40 percent of the maximum price established under the appropriate regulation of the Office of Price Administration for sales of the attached rubber soles.

(c) The provisions of paragraphs (d), (e), (f) and (h) of § 1315.1424 shall apply to rubber soles except that "sole" shall be substituted for "Heel" and "Table I–B" shall be substituted for "Table I–A".

[§ 1315.1425 added by Am. 19, 10 F.R. 2181, effective 2–23–45]

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13985; Filed, July 30, 1945; 11:39 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[1] Amdt. 14]

LIVESTOCK SLAUGHTERER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 23 (o) is added to read as follows:

[1] 10 F.R. 4605.

(o) (1) Notwithstanding the provisions of paragraph (c) of this section, no Class 1 or Class 2 slaughterer who, on or after July 29, 1945, becomes affiliated with a retail establishment, wholesale establishment, industrial user establishment, institutional user establishment or another primary distributor establishment (as those terms are defined in Revised Ration Order 16), may, during any reporting period of the slaughterer, beginning on or after July 29, 1945, deliver to any such affiliated establishment (and no such establishment during any such reporting period may accept delivery from the slaughterer of) a quantity of meat greater than the quantity arrived at by the following calculation:

(i) Take the total quantity of meat delivered by the slaughtering establishment into the county or customary trading area (if the slaughterer has been authorized to use such trading area under paragraph (g)) in which the affiliated establishment is located, during the three reporting periods of the slaughtering establishment ending on or immediately before July 29, 1945;

(ii) Take the quantity of meat included in (i) which was delivered during those three reporting periods to the establishment with which the slaughtering establishment is affiliated;

(iii) Divide the figure in (ii) by the figure in (i);

(iv) Take the total quantity of meat delivered by the slaughterer into the county (or customary trading area) in which the affiliated establishment is located, during the reporting period in question;

(v) Multiply the figure in (iv) by the result in (iii);

(vi) The result in (v) is the maximum quantity of meat which the slaughterer may deliver to the affiliated establishment during such reporting period.

(2) For the purpose of this paragraph (o), a slaughterer is affiliated with an establishment if any of the following conditions is present:

(i) Both are owned or controlled, directly or indirectly, by the same person.

(ii) Either owns or controls, directly or indirectly, more than 10% of any class of outstanding stock of the other.

(iii) Either owns or controls, directly or indirectly, a partnership equity in the other.

(iv) Either has made loans or advances, directly or indirectly, to the other in excess of 5% of the borrower's monthly sales.

(v) More than 10% of any class of outstanding stock of both is owned or controlled, directly or indirectly, by the same person.

An arrangement made on or after July 29, 1945, between a slaughterer and any establishment specified in (1) above, by which the slaughterer is to deliver to such establishment, during any reporting period beginning on or after July 29, 1945, a greater quantity of meat than that specified in (vi) of (1) above, shall for the purposes of this paragraph, (o), be deemed control of the slaughterer by such establishment.

(3) Each Class 1 or Class 2 slaughterer, who becomes affiliated with an establishment as set forth in (1) and (2) above, must, within ten (10) days after becoming affiliated, submit a written report containing the following:

(i) His name, and the name and address of his slaughtering establishment;

(ii) The name and address of each establishment specified in (1) above with which he became affiliated on or after July 29, 1945, and the date of such affiliation;

(iii) The total quantity of meat delivered by the slaughtering establishment into the county or customary trading area (if he has been authorized to use such trading area under paragraph (g)) in which each affiliated establishment is located, during the three (3) reporting periods of the slaughtering establishment ending on or immediately before July 29, 1945;

(iv) The quantity of meat included in (iii) above which was delivered during those three reporting periods to each establishment with which the slaughtering establishment is affiliated.

(4) The report must be submitted in person or by mail, by a Class 1 or Class 2A slaughterer to the Washington Office, and by a Class 2B slaughterer to the District Office with which he is registered.

(5) Each Class 1 or Class 2 slaughterer who becomes affiliated with an establishment, as set forth in (1) and (2) above, must keep at his establishment a record of the quantity of meat delivered by him on and after the date of affiliation to each establishment with which he has become affiliated.

This amendment shall become effective at 12:01 a. m. July 29, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in ac-

cordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13906; Filed, July 28, 1945; 12:04 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[3d Rev. MPR 13]

DOUGLAS FIR AND OTHER SOFTWOOD PLYWOOD

Second Revised Maximum Price Regulation No. 13 is redesignated Third Revised Maximum Price Regulation No. 13 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.

1. Sales of softwood plywood at higher than maximum prices prohibited.
2. To what products and transactions this regulation applies.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

3. Maximum prices for direct-mill sales.
4. Maximum prices for plywood distribution plant sales.
5. Maximum prices for all other warehouse or yard sales of softwood plywood.
6. Addition for storage-in-transit on direct-mill sales by warehouses or yards.
7. Pricing methods for cut-backs, rejects, and plywood produced from short length veneers.
8. Maximum prices for items not specifically priced.
9. What the invoice must contain.
10. Prohibited practices.
11. Adjustable pricing.

ARTICLE III—MISCELLANEOUS

12. Applications for adjustment and petitions for amendment.
13. Records.
14. Enforcement.
15. Licensing.
16. Imports.
17. Exports.

ARTICLE IV—APPENDICES

18. Appendix A: Moisture-resistant Douglas fir plywood.
19. Appendix B: Exterior type Douglas fir plywood.
20. Appendix C: Hemlock, Noble fir and white fir plywood.
21. Appendix D: Ponderosa pine plywood.
22. Appendix E: Estimated average weights of plywood.

AUTHORITY: § 1413.1, issued under 56 Stat. 23,765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *Sales of softwood plywood at higher than maximum prices prohibited.*—(a) Regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive softwood plywood at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *To what products and transactions this regulation applies.*—(a) *Products.* This regulation covers (1) sales of all grades and sizes of softwood plywood manufactured in the United States west of the 105th Meridian, including but not limited to, plywood made of the following species: Douglas fir (Pseudotsuga taxifolia), West Coast hemlock (Tsuga heterophylla and Tsuga mertensiana), Noble fir (Abies nobilis), white fir (Abies concolor), Ponderosa pine (Pinus ponderosa), Idaho pine (Pinus monticola), and sugar pine (Pinus lambertiana).

(2) Also covered is plastic-faced plywood with one or more laminations of softwood veneer manufactured from the species and in the area specified in (1) above, regardless of where the plastic faces are applied.

(3) This regulation does not cover technical plywood, even though all veneers are of softwood, when made according to specifications AN-NN-P511b or AN-P-69; or plywood with one or more laminations of hardwood veneer.

(b) *Transactions.* This regulation covers all sales of softwood plywood subject to this regulation within the continental limits of the United States. The regulation divides sales into three kinds: (1) direct-mill sales; (2) plywood distribution plant sales; (3) all other warehouse and yard sales.

(1) *"Direct-mill sale."* A "direct-mill sale" is a sale in which the shipment of plywood originates at a plywood mill no matter who the seller is, and no matter whether he usually is known as a mill operator, wholesaler, retailer, distributor, or anything else. A shipment is regarded as originating at a mill if the plywood reaches the purchaser without becoming an integral part of the stock of a distribution warehouse or yard. For example, if a distribution warehouse takes an order from an aircraft factory, and then obtains the plywood from a mill, puts it in the warehouse, and delivers it as needed, the sale is a direct-mill sale since the plywood never became an integral part of the stock of the warehouse.

Any sale of plywood by an "office wholesaler," regardless of where it is purchased, is a direct-mill sale. An "office wholesaler" is a person who does not maintain or operate a warehouse or yard for the stocking of lumber and/or plywood and who purchases plywood for resale, or handles it on a commission basis, without warehousing or stocking same in the regular course of business.

(2) *"Plywood distribution plant sale."* A "plywood distribution plant sale," is either of the following types of sales:

(i) Any sale by a plywood distribution plant of plywood in its regular stock at the time the order is taken is "a plywood distribution plant sale."

A plywood distribution plant is a wholesale or retail warehouse or yard which does not process plywood from softwood peeler logs and which during the first six months of 1941 received more than 20 percent of its dollar income from sales of plywood or veneer of any kind.

(ii) Any sale by a warehouse or yard to another warehouse or yard of plywood in warehouse or yard inventory at the time the order is taken is considered a "plywood distribution plant sale."

(3) *Sales included under "all other warehouse or yard sales."* The term "all other warehouse or yard sales" covers any sale of softwood plywood covered by this regulation which is not a "plywood distribution plant sale," from a warehouse or yard by a distributor who maintains a warehouse or yard where lumber and/or plywood is customarily stocked for sale.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 3. *Maximum prices for direct-mill sales.*—(a) *Maximum f. o. b. mill prices for direct-mill sales.* The maximum prices, f. o. b. mill, for direct-mill sales of softwood plywood are set out in Appendices A through D, inclusive, (sections 18 through 21, inclusive) of this regulation. For the purposes of this regulation, a shipment of 38,000 pounds or more is considered to be a carload shipment. If either Douglas fir doors or Douglas fir millwork, or both, are included in a car with one or more grades or sizes of softwood plywood, they must be included in figuring the total weight of the shipment.

The less-than-carload f. o. b. mill price for direct-mill shipments may be charged only when the shipment leaving the mill is not a carload shipment as defined above, and on which the less-than-carload rate of freight is paid.

(b) *Maximum delivered prices for direct-mill sales.* The maximum delivered price for direct-mill sales is the maximum f. o. b. mill price plus a charge for delivery to the purchaser figured as follows:

(1) *Common or contract carrier.* When delivery is by common or contract carrier, no higher weights than the estimated average weights in Appendix E (section 22) of this regulation may be applied to the applicable freight rate in figuring the allowable charge for delivery. The basing points for the applicable freight rate are as follows:

(i) Douglas fir, hemlock, Noble fir and white fir plywood: Seattle, Washington; except that in sales in the primary market the addition for delivery shall be computed at a rate of 10½ cents per hundred pounds.

(ii) Ponderosa pine plywood: Klamath Falls, Oregon.

(iii) Other softwood species: The seller must apply to the Building Materials Branch, Office of Price Administration, Washington 25, D. C., for a basing point.

"The primary market" is that portion of the States of Oregon and Washington west of the crest of the Cascade Mountains.

In any case where the appropriate rate of freight as defined in this section does not apply, the actual amount paid the carrier may be added.

(2) *Private truck.* When delivery is by truck owned or controlled by the seller, the actual cost of delivery may be added; except that in no case may this addition exceed 80 percent of the common carrier truck rate for the same shipment.

(3) *Rounding out to the nearest nickel.* The charge for delivery may be evened out to the nearest nickel per 1,000 square feet.

SEC. 4. *Maximum prices for plywood distribution plant sales.*—(a) *Maximum prices for plywood at the plywood distribution plant.* The maximum price, f. o. b. plywood distribution plant, for plywood distribution plant sales is the sum of the following three items:

Item I. The maximum carload f. o. b. mill price for direct-mill sales.

Item II. The inbound transportation charge, including tax, to the plywood distribution plant based on the applicable carload freight rate as set out in section 3 (b) and the appropriate estimated average weights set out in Appendix E (section 22) of this regulation. The incoming transportation charge may be rounded out to the nearest nickel per 1,000 square feet.

Item III. A mark-up on the sums of Items I and II as follows:

In sales of	Ponderosa pine plywood	Douglas fir, hemlock, Noble fir, and white fir plywood
	Percent	*Percent*
$200 worth or more of plywood (including this mark-up)	30	20
Less than $200 worth of plywood (when figured at the lower mark-up)	40	25

This mark-up may be rounded out to the nearest nickel per 1,000 square feet.

(b) *Maximum delivered prices for plywood distribution plant sales.*—(1) *Delivery within a free delivery zone.* If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller cannot charge for making the delivery.

(2) *Delivery outside free delivery zones.* If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, the seller may charge for delivery (outbound freight), howsoever made, not more than an amount arrived at by applying the estimated weights in Appendix E (section 22) to the applicable rail freight rate.

(c) *Example of calculating the maximum price for a plywood distribution plant sale.* An example of the correct application of this section is as follows:

Example. The buyer has ordered 10,000 square feet of Douglas fir plywall, 5/16" 3 ply S2S to ¼". The plywood distribution plant is in Baltimore, Maryland, and the plywall is delivered by rail out of the regular stock of the distribution plant to a buyer located on a rail siding in Washington, D. C. Washington is outside the free delivery zones which the seller recognized in March 1942.

	Per M sq. ft.
Item I. F. o. b. mill price for direct-mill shipment of a carload (established in Appendix A)	$33.00
Item II. Inbound transportation (94⅓¢ rate (carload) x 790 (estimated weight)), evened to nearest 5¢, plus tax	7.67
Item III. Mark-up (20 percent of items I and II on sales over $200.00), rounded out to the nearest 5¢	8.15
Maximum price at the Baltimore plywood distribution plant	48.82
Item IV. L. C. L. rail freight from Baltimore to Washington (which is outside the seller's free delivery zones) (26¢ rate (L. C. L.) x 790 (estimated weight)), evened to nearest 5¢, plus tax	2.11
Maximum price delivered to purchaser in Washington	$50.93

(d) *Special deduction for pick-up by retail and wholesale lumber yards.* When a retail or wholesale lumber yard buys plywood in a plywood distribution plant sale and picks up the plywood at the distribution plant, the maximum prices established in this section must be reduced as follows:

Thickness of plywood:	*Deduction per M sq. ft.*
¼"	$1.00
3/8" and thicker	2.00

SEC. 5. *Maximum prices for all other warehouse or yard sales of softwood plywood.* Maximum prices and permissible additions for delivery for all other warehouse or yard sales of plywood are to be computed in the same manner as the ceiling prices for plywood distribution plant sales, except that two changes are to be made in figuring the ceiling price:

(a) Inbound transportation charges are to be figured on the basis of the location of the warehouse or yard (rather than the location of the plywood distribution plant). This means that inbound transportation in all cases is to be figured at the carload freight rate as set out in section 3 (b) for a shipment direct from the mill to the warehouse or yard (regardless of whether the warehouse or yard purchased in less-than-carload quantities from a mill, or purchased from a plywood distribution plant or another warehouse or yard).

(b) The mark-up on the sum of the carload f. o. b. mill price (for direct-mill shipments) and inbound carload freight (figured according to paragraph (a) above) shall be not more than the following:

In sales of	Ponderosa pine plywood	Douglas fir, hemlock, Noble fir, and white fir plywood
	Percent	*Percent*
1,000 square feet or more of plywood	50	33⅓
Less than 1,000 square feet of plywood	60	45

SEC. 6. *Addition for storage-in-transit on direct-mill sales by warehouses or yards.* When the distribution warehouse or yard sells plywood that it does not already have in stock, and then, instead of shipping it directly from the mill to the buyer, stores it in its warehouse or yard and delivers it to the buyer as he calls for it, in quantities less than the total order, the distributor may add $3.00 per 1,000 square feet to the maximum price of so much of the plywood as is actually stored. (Note that the sale is still a direct-mill sale.)

This addition may not be made when the distributor merely reloads plywood at the warehouse or yard, or handles and stores it no more than is necessary in a normal case where the distributor receives a mill shipment, reloads it, and delivers it to the buyer.

SEC. 7. *Pricing method for cut-backs, rejects and plywood produced from short length veneers.* Plywood which has been rejected by grading process is referred to as "rejects." Reclaimed plywood of odd sizes developed by cutting back rejects and plywood produced from short lengths developed because of defects in logs are referred to as "cut-backs." The maximum prices are as follows:

Rejects: 10% below the maximum price for the grade from which the plywood has been rejected.

Cut-backs: Maximum prices in the appendices for the size, thickness and grade developed.

SEC. 8. *Maximum prices for items not specifically priced.* If a seller wishes to sell a grade or species of plywood which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, he must apply in writing to the Building Materials Branch, Office of Price Administration, Washington 25, D. C., for a maximum price.

The seller's application may be for specific approval in reference to a particular order or inquiry; or for general approval in reference to a price or price list which he seeks to set up for general use in the future on new or non-standard items.

(a) Where the application is for specific approval in reference to a particular order or inquiry, it shall be made prior to any shipment, or within 5 days after acceptance of order, whichever be the earlier date. The following information shall be set forth: (1) the requested price; (2) a complete description of the item to be priced, which may be made by reference to a standard item, with an explanation of the differences; (3) the price differential between it and the most comparable item in the price table between January 1 and October 1, 1941, from the seller's own records, or if that is impossible, from such price tables of other sellers in the trade. If no established price differential existed, detailed analysis of comparative cost of manufacture should be furnished; (4) the purchaser's name and points of origin and delivery of shipment.

If the application is for specific approval in reference to a particular order or inquiry which is identical with an order or inquiry upon which specific approval has previously been granted by the Office of Price Administration, it is sufficient for the seller to identify, by reference, such previous application and approval. In such case, the only additional information required is the purchaser's name, and points of origin and delivery of shipments.

A seller using this pricing method may quote and make sales and deliveries prior to receipt of official approval. He also may collect the price he has requested: *Provided*, That he has first received a written acknowledgment of his application from the Office of Price Administration and has so informed the purchaser, in writing. The requested price is subject to revision within 30 days after the date of the acknowledgment, and if the price is ordered to be reduced, the seller must refund any excess collected over the price which is officially approved within 10 days after the date of such approval. If a requested price is not disapproved within 30 days of the date of the acknowledgment, it is approved. Where, after receipt of an application for specific approval, the Office of Price Administration requests additional information from the seller upon which to base its approval of a ceiling price, the time within which the requested price may be revised is automatically extended to 30 days after receipt of the requested information. An officially approved price shall be subject to further adjustment at any time, even after the 30-day period, as to all shipments made after the date of such further adjustment.

An authorization number will be assigned in every case where a special price is approved. Within 10 days after receipt of such number the seller must notify the purchaser in writing of the price which has been officially approved and the authorization number assigned; and the authorization number must appear on all invoices covering shipments made after the date the number was received by the seller.

(b) Where the seller's application is for general approval in reference to a price list which he seeks to set up for general use in the future on new or nonstandard items, he shall set forth the information required for specific approvals by (1), (2) and (3) in paragraph (a) above, and, in addition, a description of the uses to which the items will be put, and the purposes they will serve.

Quotations may not be made, orders taken, or shipments commenced until a maximum price has been officially approved.

An authorization number will be assigned in every instance where a special price or price list is approved; and this number must appear on all orders accepted and sales made, as well as on all invoices covering shipments. A file of all general approvals under this section will be open for inspection at the Office of Price Administration District Office at Portland, Oregon, as well as at the National Office, Building Materials Branch, Washington, D. C.

The approval of a maximum price shall not prevent a further adjustment in ceiling prices from being made, as the result of, or without, further application by the seller; and such further adjustment may be made to apply to all sales or shipments after the date the adjustment is issued.

The Office of Price Administration may approve, disapprove or revise prices proposed or established under this section so as to make them consistent with the level of prices fixed by this regulation.

SEC. 9. *What the invoice must contain.* All invoices must contain a sufficiently complete description of the plywood to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description. The invoice must show separately the type of sale, that is, "direct-mill," "plywood distribution plant" or "other warehouse or yard sale;" transportation charges, including the rate, origin and destination of the shipment; and any additions for stofage-in-transit.

Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

SEC. 10. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, changes in discount practices, unnecessarily routing through commonly owned or controlled warehouses or yards in order to avoid customary functional discounts, or to obtain distribution plant mark-ups, and the like.

(b) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating softwood plywood, or for any related service such as "expediting"), which does not involve actual physical handling of softwood plywood, if the commission plus the purchase price results in a total payment by the buyer of softwood plywood which is higher than the maximum price of the softwood plywood. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of softwood plywood and is based directly or indirectly on the quantity, price or value of the softwood plywood in connection with which the service is rendered.

SEC. 11. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. However, when a request for a change in the applicable maximum price is pending, such authorization may be given in writing if it is deemed necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to act on the pending request for a change in price or to grant such authorization has been delegated.

ARTICLE III—MISCELLANEOUS

SEC. 12. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* Individual adjustments may be made on maximum prices in certain government contracts and subcontracts in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration.

(b) *Petititons for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 13. *Records.* All sellers must keep records which will show a complete description of the items of plywood sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 38,000 pounds[3] or more of softwood plywood. They must be retained for at least two years or the duration of the Emergency Price Control Act of 1942, as amended, whichever is the shorter period.

SEC. 14. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations.

SEC. 16. *Imports.* The maximum price for which softwood plywood produced in Canada may be purchased by a buyer covered by this regulation from a seller not covered by this regulation shall be the maximum price set forth in this regulation for direct-mill sales plus additions for actual transportation cost not to exceed the additions permissible under this regulation if the shipment had originated at Seattle, Washington.

SEC. 17. *Exports.* The maximum prices for export sales of softwood plywood are governed by the Second Revised Maximum Export Price Regulation.

ARTICLE IV—APPENDICES

SEC. 18. *Appendix A: Maximum prices: Moisture-resistant Douglas fir plywood*—(a) *Basic prices.* The maximum prices, f. o. b. mill, for direct-mill sales of moisture-resistant type Douglas fir plywood, manufactured in accordance with the standards of the United States Department of Commerce, National Bureau of Standards, published in Commercial Standard CS 45-45 (Douglas Fir Plywood, Domestic Grades), Sixth Edition, effective January 27, 1945, shall be as follows:

TABLE 1.—PLYSCORD (DOUGLAS FIR PLYWOOD SHEATHING)

Widths of 36" and 48"; lengths of 60", 72", 84" and 96"	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
¼" 3 ply, rough	$29.70	$30.90
⅜" 3 ply, rough	35.20	36.80
½" 3 or 5 ply at mill's option, rough	46.35	49.15
⅝" 3 or 5 ply at mill's option, rough	57.50	61.20

NOTE

(i) *Long lengths.* Add to the maximum price for 96" lengths:
$5.80 per M sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

TABLE 2.—FLYWALL (DOUGLAS FIR PLYWOOD WALLBOARD)

Widths of 48"; lengths of 60", 72", 84" and 96"	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply S2S to 1/4"	$33.00	$34.30
3/8" 3 ply S2S to 3/8"	44.55	47.20
3/8" 5 ply S2S to 1/2"	59.95	63.95
1/4" studding strips (per M lineal foot)	5.85	5.85

NOTE

(i) *Long lengths.* Add to the maximum price for 96" lengths:
$5.80 per M sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

TABLE 3.—PLYFORM (DOUGLAS FIR PLYWOOD CONCRETE FORM PANELS)

Widths of 36" and 48"; lengths of 60", 72", 84" and 96"	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
3/8" 3-ply S2S to 1/4" (form liners)	$48.40	$51.70
3/8" 5 ply S2S to 1/2"	83.70	91.45
5/8" 5-ply S2S to 9/16"	89.55	97.90
11/16" 7-ply S2S to 5/8"	94.05	102.45
13/16" 5-ply S2S to 3/4"	103.75	113.35

NOTES

(i) *Oiled faces.* For plyform with oiled faces: Add $1.10 per M sq. ft.
(ii) *Wide width.* For 60" widths: Add $8.80 per M sq. ft.
(iii) *Long lengths.* Add to the maximum price for 96" lengths:
$5.80 per M sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

TABLE 4.—AUTOMOBILE AND INDUSTRIAL PLYWOOD—ROUGH PANELS

Widths of 12" to 48" in even 2" breaks; lengths of 48", 60", 72", 84" and 96"	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
1/4" rough, 3 ply, sizes up to 48" x 96"	$32.10	$35.15
5/16" rough, 3 ply, sizes up to 48" x 96"	32.10	35.15
3/8" rough, 3 ply, sizes up to 48" x 96"	38.50	42.35
1/4" rough, 5 ply, sizes up to 48" x 96"	53.70	58.75
5/16" rough, 5 ply, sizes up to 48" x 96"	59.15	64.80
3/8" rough, 5 ply, sizes up to 48" x 96"	64.65	70.80
11/16" rough, 5 ply, sizes up to 48" x 96"	70.05	76.80
1/2" rough, 5 ply, sizes up to 48" x 96"	75.50	82.70
5/8" rough, 5 ply, sizes up to 48" x 96"	86.45	94.65
3/4" rough, 7 ply, sizes up to 48" x 96"	90.55	99.10

NOTES

(i) *Wide widths.* Over 48" to 60", inclusive: Add $8.80 per M sq. ft.
(ii) *Long lengths.* Add to the maximum price for 96" lengths:

	Per M sq. ft.
Over 96" to 108", inclusive	$5.80
Over 108" to 120", inclusive	8.80
Over 120" to 132", inclusive	14.60
Over 132" to 144", inclusive	17.60

TABLE 5.—PLYPANEL—SOUND 1 SIDE

Widths of 12" to 48" in even 2" breaks; lengths of 60", 72", 84" and 96"	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply S2S to 1/4", or 1/4" 3 ply S2S to 5/16":		
24" width and under	$36.45	$40.00
Over 24" to 36" width	37.55	41.05
Over 36" to 48" width	39.60	43.30
5/16" 3 ply S2S to 1/4":		
24" width and under	32.60	36.15
Over 24" to 36" width	33.70	37.20
Over 36" to 48" width	35.75	39.45
3/8" 3 ply S2S to 3/8":		
24" width and under	44.85	49.45
Over 24" to 36" width	45.85	50.55
Over 36" to 48" width	47.90	52.75
5/16" 5 ply S2S to 1/4":		
24" width and under	62.10	68.25
Over 24" to 36" width	63.10	69.30
Over 36" to 48" width	65.10	71.60
11/16" 5 ply S2S to 1/2":		
24" width and under	74.20	81.55
Over 24" to 36" width	75.25	82.65
Over 36" to 48" width	77.20	84.85
13/16" 5 ply S2S to 3/4":		
24" width and under	84.45	92.70
Over 24" to 36" width	85.35	93.70
Over 36" to 48" width	87.35	96.00
7/8" 5 ply S2S to 13/16":		
24" width and under	93.55	102.75
Over 24" to 36" width	94.55	103.75
Over 36" to 48" width	96.55	106.10
7/8" 7 ply S2S to 13/16":		
24" width and under	99.95	109.80
Over 24" to 36" width	100.95	110.85
Over 36" to 48" width	103.00	113.15
15/16" 7 ply S2S to 7/8":		
24" width and under	99.95	109.80
Over 24" to 36" width	100.95	110.85
Over 36" to 48" width	103.00	113.15
1" 7 ply S2S to 15/16":		
24" width and under	109.25	119.85
Over 24" to 36" width	110.20	120.95
Over 36" to 48" width	112.20	123.15
1 1/16" 7 ply S2S to 1":		
24" width and under	123.00	135.00
Over 24" to 36" width	124.00	136.00
Over 36" to 48" width	126.05	138.35

NOTES

(i) *Wide widths.* Over 48" to 60", inclusive: Add to the maximum price for 48" widths: $8.80 per M sq. ft.
(ii) *Long lengths.* Add to the maximum price for 96" lengths:
$5.80 per M sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

TABLE 6.—PLYPANEL—SOUND 2 SIDES

Widths of 12" to 48" in even 2" breaks; lengths of 60", 72", 84" and 96"	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
3/8" 3 ply S2S to 13/16":		
24" width and under	$96.30	$105.50
Over 24" to 36" width	97.30	106.50
Over 36" to 48" width	99.30	108.85
3/8" 7 ply S2S to 13/16":		
24" width and under	102.70	112.55
Over 24" to 36" width	103.70	113.60
Over 36" to 48" width	105.75	115.90
15/16" 7 ply S2S to 7/8":		
24" width and under	102.70	112.55
Over 24" to 36" width	103.70	113.60
Over 36" to 48" width	105.75	115.90
1 1/16" 7 ply S2S to 1":		
24" width and under	112.00	122.60
Over 24" to 36" width	112.95	123.70
Over 36" to 48" width	114.95	125.90
1 3/16" 7 ply S2S to 1 1/8":		
24" width and under	125.75	137.75
Over 24" to 36" width	126.75	138.75
Over 36" to 48" width	128.80	141.10

NOTES

(i) *Wide widths.* Over 48" to 60", inclusive: Add to the maximum price for 48" widths: $8.80 per M sq. ft.
(ii) *Long lengths.* Add to the maximum price for 96" lengths:
$5.80 per M sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

TABLE 7.—DOOR PANELS—SOUND 2 SIDES

Widths of 22", 24", 26", 28", 30", 36" and 48"; lengths of 60", 72", 84" and 96" (all sizes to be figured on actual surface measure furnished)	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply S2S to 1/4":		
22" and 24" width	$35.35	$38.90
26", 28", 30" and 36" width	36.45	39.95
48" width	38.50	42.20

(b) *Special extras.* The following additions to the maximum prices established in paragraph (a) of this section may be made for the specified special extras listed, only when specifically ordered by the customer:

(1) *Selected sound cores and crossbands.*

$2.75 per M sq. ft. for 3 ply.
$8.25 per M sq. ft. for 5 ply.
$13.75 per M sq. ft. for 7 ply.

(2) *Core stock.* (In lengths not over 48".) Add to maximum price for sound 2 sides or sound 1 side in 48" widths:

$11.00 per M sq. ft. for widths up to 96".
$16.50 per M sq. ft. for widths up to 108".
$22.00 per M sq. ft. for widths up to 120".
$27.50 per M sq. ft. for widths up to 132".
$33.00 per M sq. ft. for widths up to 144".

(3) *Redrying.*

$3.30 per M sq. ft. (no addition for 1/8" or 3/16" sanded panels).

(4) *Special gluing specifications.*

	Per M sq. ft.	
	Toxic glue lines	All other special gluing specifications (with or without toxic)
3 ply	$3.00	$5.50
5 ply	6.00	11.00
7 ply	9.00	16.50

NOTE: "All other special gluing specifications" shall include all special glue specifications and assembly requirements.

(5) *Treating panels with waterproofing agent (oiling).*

$2.75 per M sq. ft. (This addition may not be made for plyform.)

(6) *Treating panels with edge sealer.*

$1.10 per M sq. ft. (This addition may not be made for plyform.)

(7) *Treating panels with resin sealer (one or two sides).*

$11.55 per M sq. ft.

(8) *Bundling in paper packing.*

$0.40 per 1/16" in thickness per M sq. ft.

(9) *Wire or twine bundling.*

$0.55 per M sq. ft. for small cut-to-size panels, 3 ply (containing less than 9 sq. ft. per panel) tied with either twine or wire. $1.10 per M sq. ft. for small cut-to-size panels, 5 ply or heavier (containing less than 9 sq. ft. per panel) tied with either twine or wire.

(10) *Segregating and/or lot-marking on car of two or more lots.*

$2.75 per lot for each lot over one.

(11) *Non-standard sizes in plyscord, plywall and plyform only.*

For non-standard sizes within the largest sizes set forth in the tables, add to the maximum price of next standard size:

Plyscord	7½%
Plywall	7½%
Plyform	5%

(12) *Thick faces in sound 2 sides and plyform only.*

For thick faces in sound 2 sides and plyform, add $7.50 per M sq. ft. for faces over 1/2" to 3/16" before sanding; $15.00 per M sq. ft. for faces over 3/16" to 1/4" before sanding.

(13) *Panels heavier than 1 3/8" unsanded or 1 1/8" sanded 2 sides.*

Add to the maximum price for 1 1/8" sanded 2 sides in sound 2 sides or sound 1 side: $7.00 per M sq. ft. for each 1/16" in thickness over 1 1/8" S2S.

(c) *Deduction for unsanded stock.* The following deduction from the maximum prices for moisture-resistant type Douglas fir plywood stated in paragraph (a) of this section shall be made for unsanded stock in grades other than plyscord and automobile and industrial plywood:

Deduct $1.25 per M sq. ft. from the maximum price for the thickness to which the panel would regularly be sanded.

SEC. 19. *Appendix B: Maximum prices: Exterior type Douglas fir plywood.*—(a) *Basic prices.* The maximum prices, f. o. b. mill, for direct-mill sales of exterior type Douglas fir plywood manufactured in accordance with the standards of the United States Department of Commerce, National Bureau of Standards, published in Commercial Standard CS 45–45 (Douglas Fir Plywood, Domestic Grades), Sixth Edition, effective January 27, 1945, shall be as follows:

TABLE 5.—EXTERIOR

Widths of 12" to 48" in even 2" breaks; lengths of 96" and shorter	Per M sq. ft. in carload lots, f. o. b. mill			
	Marine	Sound 2 sides	Industrial grade	Sound 1 side
1/4" sanded, 3/16" unsanded	$62.25	$52.25	$40.05	$47.85
5/16" sanded, 1/4" unsanded	70.70	60.50	48.30	56.10
1/4" sanded, 3/16" unsanded	63.35	53.35	41.15	48.95
5/16" sanded, 1/4" unsanded	70.70	60.50	48.30	56.10
3/8" sanded, 5/16" unsanded	77.10	67.10	54.90	62.70
5/16" sanded, 1/4" unsanded	104.65	89.65	86.90	84.15
1/2" sanded, 7/16" unsanded	111.80	96.80	94.00	92.10
7/16" sanded, 3/8" unsanded	119.50	104.50	102.85	100.05
5/8" sanded, 11/16" unsanded	128.85	113.85	111.65	109.45
11/16" sanded, 3/4" unsanded	138.20	123.20	121.00	118.25
3/4" sanded, 13/16" unsanded	148.10	133.10	130.90	128.70
13/16" sanded, 7/8" unsanded	174.80	157.30	154.55	152.35
7/8" sanded, 15/16" unsanded	184.70	167.20	164.45	161.70
15/16" sanded, 1" unsanded	194.05	176.55	174.35	172.15
1" sanded, 1 1/16" unsanded	205.05	187.55	184.80	182.60
1 1/16" sanded, 1 1/8" unsanded	215.50	198.00	195.80	193.60
1 1/8" sanded, 1 3/16" unsanded	225.40	209.55	206.80	204.05

(b) *Special extras.* The following additions to the maximum prices established in paragraph (a) of this section may be made for the specified special extras listed, only when specifically ordered by the customer:

(1) *Wide widths.* Add to maximum price for 48" widths:

	Per M sq. ft.
Over 48" to 60", inclusive, sanded or unsanded	$8.95
Over 60" to 72", inclusive, sanded or unsanded	12.00
Over 72" to 84", inclusive, sanded or unsanded	17.95
Over 84" to 96", inclusive, sanded or unsanded	26.95
Up to 96" wide where length is not more than 48"	6.00

(2) *Long lengths.* Add to the maximum price for 96" lengths:

	Per M sq. ft.
Over 96" to 108", inclusive, sanded or unsanded	$6.00
Over 108" to 120", inclusive, sanded or unsanded	8.95
Over 120" to 132", inclusive, sanded or unsanded	14.95
Over 132" to 144", inclusive, sanded or unsanded	17.95
Over 144" to 156", inclusive, sanded or unsanded	47.85
Over 156" to 168", inclusive, sanded or unsanded	59.85
Over 168" to 180", inclusive, sanded or unsanded	71.70
Over 180" to 192", inclusive, sanded or unsanded	83.70
Over 192" to 216", inclusive, sanded or unsanded	107.70
Over 216" to 288", inclusive, sanded or unsanded	119.70
Over 288" to 360", inclusive, sanded or unsanded	150.00
Over 360" to 480", inclusive, sanded or unsanded	175.00
Over 480" to 600", inclusive, sanded or unsanded	200.00

(3) *Treating panels with waterproofing agent (oiling).*

$3.05 per M sq. ft.

(4) *Treating panels with resin sealer.*

$8.95 per M sq. ft.

(5) *Bundling in paper packing.*

$0.45 per 1/16" in thickness per M sq. ft.

(6) *Bundling: Carton packed, steel strapped.*

$0.70 per 1/16" in thickness per M sq. ft.

(7) *Sizes containing less than one square foot.*

10 percent of the maximum price stated in paragraph (a) of this section.

SEC. 20. *Appendix C: Maximum prices: Hemlock, Noble fir and white fir plywood.*—(a) *Basic prices.* The maximum prices, f. o. b. mill, for direct-mill sales of moisture-resistant type hemlock, Noble fir and white fir plywood, manufactured in accordance with the standards of the United States Department of Commerce, National Bureau of Standards, published in Commercial Standard CS 122–45 for Western Hemlock Plywood, effective March 5, 1945, shall be as follows:

TABLE 9.—PLYSCORD (PLYWOOD SHEATHING)

Widths of 36" and 48", lengths of 96"	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply, rough	$29.70	$30.80
3/8" 3 ply, rough	35.20	36.30
1/2" 3 or 5 ply at mill's option, rough	46.35	49.15
5/8" 3 or 5 ply at mill's option, rough	57.50	61.20

NOTE

(i) *Long lengths.* Add to the maximum price for 96" lengths:
$5.80 per M sq. ft. for 9' lengths.
$8.85 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

TABLE 10.—AUTOMOBILE AND INDUSTRIAL PLYWOOD—ROUGH PANELS

Widths of 12" to 48" in even 2" breaks; lengths of 48", 60", 72", 84" and 96"	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
1/4" rough, 3 ply, sizes up to 48" x 96"	$42.10	$46.15
5/16" rough, 3 ply, sizes up to 48" x 96"	32.10	35.15
3/8" rough, 3 ply, sizes up to 48" x 96"	38.50	42.35
3/8" rough, 5 ply, sizes up to 48" x 96"	53.70	58.75
9/16" rough, 5 ply, sizes up to 48" x 96"	59.15	64.80
3/4" rough, 5 ply, sizes up to 48" x 96"	64.65	70.80
13/16" rough, 5 ply, sizes up to 48" x 96"	70.05	76.80
3/4" rough, 5 ply, sizes up to 48" x 96"	75.50	82.70
3/4" rough, 5 ply, sizes up to 48" x 96"	86.45	94.65
7/8" rough, 7 ply, sizes up to 48" x 96"	90.55	99.10

NOTES

(i) *Wide widths.* Over 48" to 60", inclusive: Add $8.80 per M sq. ft.
(ii) *Long lengths.* Add to the maximum price for 96" lengths:

	Per M sq. ft.
Over 96" to 108", inclusive	$5.80
Over 108" to 120", inclusive	8.80
Over 120" to 132", inclusive	14.60
Over 132" to 144", inclusive	17.60

(b) *Special extras.* The additions established in paragraph (b) of section 18 may be made to the maximum prices established in paragraph (a) of this section 20, but only when specifically ordered by the customer.

SEC. 21. *Appendix D: Maximum prices: Ponderosa pine plywood.* (a) The maximum prices, f. o. b. mill, for direct-mill sales of Ponderosa pine plywood manufactured in accordance with the specifications set forth in paragraph (d) of this section, shall be as follows:

TABLE 11.—GOOD 2 SIDES, GOOD 1 SIDE, SOUND 2 SIDES, SOUND 1 SIDE, PLUGGED 2 SIDES

Widths of 12" to 48" in even 2" breaks; lengths of 48", 60", 72" and 84"	Price per M sq. ft. in carload lots f. o. b. mill				
	Good 2 Sides	Good 1 Side	Sound 2 Sides	Sound 1 Side	Plugged 2 Sides
1/4" 3 ply S2S to 5/32":					
36" width and under, inclusive	$64.10	$56.30	$48.50	$43.30	.....
Over 36" to 48" width, inclusive	69.30	58.90	51.10	45.90	.....
1/4" 3 ply S2S to 3/16":					
36" width and under, inclusive	64.10	56.30	48.50	43.30	.....
Over 36" to 48" width, inclusive	69.30	58.90	51.10	45.90	.....
5/16" 3 ply S2S to 1/4":					
36" width and under, inclusive	61.10	53.30	45.50	40.30	$35.10
Over 36" to 48" width, inclusive	66.30	55.90	48.10	42.90	37.70
3/8" 3 ply S2S to 5/16":					
36" width and under, inclusive	67.60	59.80	52.00	46.80	41.60
Over 36" to 48" width, inclusive	72.80	62.40	54.60	49.40	44.20
5/16" 3 ply S2S to 3/8":					
36" width and under, inclusive	74.10	66.30	58.50	53.30	48.10
Over 36" to 48" width, inclusive	79.30	68.90	61.10	55.90	50.70
1/2" 5 ply S2S to 3/16":					
36" width and under, inclusive	87.10	79.30	71.50	66.30	61.10
Over 36" to 48" width, inclusive	92.30	81.90	74.10	68.90	63.70
9/16" 5 ply S2S to 1/2":					
36" width and under, inclusive	94.90	87.10	79.30	74.10	68.90
Over 36" to 48" width, inclusive	100.10	89.70	81.90	76.70	71.50
5/8" 5 ply S2S to 9/16":					
36" width and under, inclusive	102.70	94.90	87.10	81.90	76.70
Over 36" to 48" width, inclusive	107.90	97.50	89.70	84.50	79.30
11/16" 5 ply S2S to 5/8":					
36" width and under, inclusive	$110.50	$102.70	$94.90	$89.70	$84.50
Over 36" to 48" width, inclusive	115.70	105.30	97.50	92.30	87.10
3/4" 5 ply S2S to 11/16":					
36" width and under, inclusive	118.30	110.50	102.70	97.50	92.30
Over 36" to 48" width, inclusive	123.50	113.10	105.30	100.10	94.90
13/16" 7 ply S2S to 3/4":					
36" width and under, inclusive	126.10	118.30	110.50	105.30	100.10
Over 36" to 48" width, inclusive	131.30	120.90	113.10	107.90	102.70
7/8" 7 ply S2S to 13/16":					
36" width and under, inclusive	133.90	126.10	118.30	113.10	107.90
Over 36" to 48" width, inclusive	139.10	128.70	120.90	115.70	110.50
15/16" 7 ply S2S to 7/8":					
36" width and under, inclusive	146.90	139.10	131.30	126.10	120.90
Over 36" to 48" width, inclusive	152.10	141.70	133.90	128.70	123.50
1" 7 ply S2S to 15/16":					
36" width and under, inclusive	154.70	146.90	139.10	133.90	.....
Over 36" to 48" width, inclusive	159.90	149.50	141.70	136.50	.....
1 1/16" 7 ply S2S to 1":					
36" width and under, inclusive	162.50	154.70	146.90	141.70	136.50
Over 36" to 48" width, inclusive	167.70	157.30	149.50	144.30	139.10
1 3/16" 7 ply S2S to 1 1/8":					
36" width and under, inclusive	178.10	170.30	162.50	157.30	152.10
Over 36" to 48" width, inclusive	183.30	172.90	165.10	159.90	154.70

TABLE 12.—WALLBOARD

Widths of 24", 32", 36" and 48"; lengths of 60", 72" and 84"	Price per M sq. ft. in carload lots f. o. b. mill
1/4" 3 ply S2S to 5/32"	$40.70
5/16" 3 ply S2S to 1/4"	37.70

TABLE 13—SHEATHING

Widths of 24", 32", 36" and 48"; lengths of 60", 72" and 84"	Price per M sq. ft in carload lots f. o. b. mill		Per M sq. ft.	
	#1 sheathing	#2 sheathing	Toxic glue lines	All other special gluing specifications (with or without toxic)
5/16" 3 ply, rough:				
36" width and under, inclusive	$31.05	$31.20	3 ply	$3.00	$5.00
Over 36" to 48" width, inclusive	34.05	31.20	5 ply	6.00	10.00
3/8" 3 ply, rough:			7 ply	9.00	15.00
36" width and under, inclusive	40.55	.....	9 ply	12.00	20.00
Over 36" to 48" width, inclusive	43.15	.....			
1/2" 5 ply, rough:					
36" width and under, inclusive	60.05	.....			
Over 36" to 48" width, inclusive	62.65	.....			
5/8" 5 ply, rough:					
36" width and under, inclusive	75.65	.....			
Over 36" to 48" width, inclusive	78.25	.....			
3/4" 5 ply, rough:					
36" width and under, inclusive	91.25	.....			
Over 36" to 48" width, inclusive	93.85	.....			
7/8" 7 ply, rough:					
36" width and under, inclusive	106.85	.....			
Over 36" to 48" width, inclusive	109.45	.....			

NOTE: "All other special gluing specifications" shall include all special glue specifications and assembly requirements other than resin glues used in making exterior type plywood.

(b) *Special extras.* The following additions to the maximum prices established in paragraph (a) of this section may be made for the specified special extras listed, only when specifically ordered by the customer:

(1) *96" lengths.*

Add $1.00 per M sq. ft.

(2) *3/16" thick faces (for panels thinner than 7/8" sanded 2 sides).*

Good 2 sides, good 1 side, sound 2 sides: Add $7.50 per M sq. ft.

Sound 1 side, wallboard: Add $5.00 per M sq. ft.

Plugged 2 sides and sheathing: Add $2.00 per M sq. ft.

(3) *Panels thicker than 1 3/8" unsanded or 1 1/8" sanded 2 sides.*

Add to the maximum price for 1 1/8" sanded in Table II, $7.00 per 1/16" in thickness, per M sq. ft. and $2.50 per M sq. ft. for each double glue line over 7-ply.

(4) *Special gluing specifications.*

(5) *Plywood free from voids in cores and crossbands.*

	Per M sq. ft.
3 ply add	$5.00
5 ply add	10.00
7 ply add	15.00
9 ply add	20.00

(6) *Reverse grain panels in sound 2 sides or sound 1 side.*

Add to the maximum price for 48" width: $5.00 per M sq. ft.

(7) *Bundling in paper packing.*

$0.35 per 1/16" in thickness per M sq. ft.

(8) *Twine bundling.*

$0.15 per 1/16" in thickness per M. sq. ft.

(9) *Crating or carton packing.*

$0.75 per 1/16" in thickness per M sq. ft.

(10) *Treating panels with resin sealer.*

$3.95 per M sq. ft.

(c) *Deduction for unsanded stock.* The following deduction shall be made for unsanded stock except (1) for sheathing grade, and (2) where perforated tape is used underneath the faces:

Deduct $1.25 per M sq. ft. from the maximum price for the thickness to which the panel would regularly be sanded.

(d) *Grade specifications.* The following are the grade specifications for Ponderosa pine plywood for which maximum prices are set forth in tables 11, 12 and 13 of this section.

PONDEROSA PINE PLYWOOD

Standard Grading Rules

Ponderosa pine plywood shall be graded according to both sides of the piece into the following standard grades. The grade descriptions set forth the minimum requirements and therefore the majority of panels in any shipment will exceed the specifications given.

Good 2 sides. Each face shall be of a single piece of smoothly cut veneer, except that up to 25% of panels may contain one face well matched for grain and color, and well joined of 2 pieces on widths 24 to 36 and of 2 or 3 pieces on widths over 36 to 48 inches. Faces shall be free from knots, splits, checks, pitch pockets and other open defects. The faces shall be without blue stain. Slight discoloration, heart and sap streaks admitted. Tightly closed end checks or shims that occur at ends of panels and inconspicuous well matched small patches admitted. This grade is required for uses where a light stain finish, natural finish or enamel finish is desired.

Good 1 side. One face shall be equal to that described under good 2 sides grade while the opposite face shall be equal to the sound 2 sides described below.

Sound 2 sides.—Each face shall be of one or more pieces of smoothly cut veneer. When of more than one piece it shall be well joined, and reasonably matched for grain and color at joints. It shall be free from knots, splits, checks, pitch pockets and other open defects. Streaks, discolorations, black pin head specks, shims and neatly made patches shall be admitted. This grade shall present a smooth surface suitable for painting.

Sound 1 side. The face shall be equal to that described under sound 2 sides grade. The back shall be one or more pieces of veneer open defects patched or plugged. Shall admit knots, plugs, patches and other defects in number and size that will not seriously affect the strength or serviceability of this panel.

Wallboard. The face shall be equal to that described under sound 1 side grade. The back shall be reject unplugged and unpatched and will contain knots, knot holes, pitch pockets, splits and other defects in number and size that will not seriously affect the strength or serviceability of the panel.

Plugged 2 sides. Each face shall be one or more pieces of veneer with open defects plugged. Shall admit knots, plugs and other defects in number and size that will not seriously affect the strength or serviceability of the panel.

No. 1 Sheathing. This is an unsanded plywood panel. The face shall present a solid surface except that the following will be permitted: (a) not more than ten knotholes none of which shall exceed 1½ inches with not more than five exceeding ¾ inch in greatest dimension; (b) no group of knotholes within any 12 inch diameter circle shall have an aggregate greatest dimension more than 3 inches; (c) no splits wider than ⅛ inch, nor open pitch pockets more than 1 inch wide. There may be any number of patches and plugs in the face, but the face may not be of such quality that if sanded, it will pass for a wallboard face. No belt sanding is permissible. The back shall be at least equal in quality to a wallboard grade back.

No. 2 Sheathing. 3 ply board unsanded 5/16" thickness only. Both faces may contain knots and/or knotholes and/or pitch pockets, splits and/or defects in number and size that will not seriously affect the strength or serviceability of the panel.

Standard Construction and Manufacture With Moisture Resistant Glue

Veneers. 1/16" or more in thickness before sanding, shall be used in the construction of panels.

Dimensions. A tolerance of 1/64" over or under the specified thickness shall be allowed on sanded panels and a tolerance of 1/32" on unsanded panels. A tolerance of 1/16" over or under the specified length and/or width shall be allowed but all panels shall be square within ⅛".

Faces. To be of grades specified.

Core and cross bands. On all panels unless otherwise specified, shall be one or more pieces of veneer, permitting knots, plugs and other defects that do not affect a smooth surface under the face veneers.

SEC. 22. *Appendix E: Estimated Average weights of plywood.* Estimated average weights no higher than the following may be used in figuring delivery charges:

	Pounds per M surface feet	
	Douglas fir, hemlock, Noble fir and white fir plywood	Ponderosa pine plywood
1/4"	480	
5/16"		470
3/8"	640	625
1/2"	790	760
5/8"	950	875
3/4"	1,125	1,030
7/8"	1,300	1,225
1"	1,525	1,400
1 1/8"	1,675	1,575
1 1/4"	1,825	1,750
1 3/8"	2,000	1,925
1 1/2"	2,225	2,100
1 5/8"	2,375	2,275
1 3/4"	2,600	2,450
1 7/8"	2,800	2,625
2"	3,000	2,800
2 1/8"	3,175	2,975
2 1/4"	3,350	3,150

For thicknesses greater than 1¼", use 1" weight plus weight of other thicknesses necessary.

	Pounds per M lineal feet (Douglas fir)
¾" studding strips	150

NOTE: The seller must apply to the Building Materials Branch, Office of Price Administration, Washington 25, D. C., for estimated average weights for "other softwood species."

This regulation shall become effective August 4, 1945.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 30th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13988; Filed, July 30, 1945; 11:39 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 67 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 28) (OPA Form R-1313) which is made a part hereof.

This amendment shall become effective 12:01 a. m., July 29, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13914; Filed, July 28, 1945; 12:05 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[2] Amdt. 54 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 28 and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 28 which are made a part hereof.

[1] 10 F.R. 48, 776, 924.
[2] 10 F.R. 48, 521, 857, 293, 294.

This amendment shall become effective 12:01 a. m., July 29, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13915; Filed, July 28, 1945; 12:04 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373,[1] Amdt. 11]

GROCERY ITEMS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 18 (h), Table C, Mainland Pork at Retail, is amended as follows:

Following the item "Pork shanks or hocks (fresh)", the following two items are added:

	Cents per pound
Pork neck bones	$0.20
Pork back bones	.19

This amendment shall become effective as of July 10, 1945.

Issued this 30th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13987; Filed, July 30, 1945; 11:39 a. m.]

PART 1340—FUEL

[MPR 121, Amdt. 34]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of the consideration involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 121 is amended in the following respects:

Section 1340.249 (h) (1) is amended to read as follows:

(1) (a)

Size	*Prices per net ton*
Egg, stove and nut	$5.10
Pea	3.60
Buckwheat	3.30
Rice	2.55
Culm	1.55
Special prepared ⅛" x ⅜" crusher run of mine	4.30

(b) *Exception; Great Valley Anthracite Coal Corporation.*

Size	*Prices per net ton*
Egg, stove and nut	$5.65
Pea	4.20
Buckwheat	3.70
Rice	2.95
Culm	1.55
Special prepared ⅛" x ⅜" crusher run of mine	4.75

This amendment shall become effective July 28, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

For the reasons set forth in the accompanying Statement of Considerations, and by virtue of the authority vested in me by the Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment to Maximum Price Regulation No. 121 is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13908; Filed, July 28, 1945; 12:05 p. m.]

[1] 10 F. R. 6646, 7107, 7749, 7799, 8020, 8069, 8371, 8979.

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 288,[1] Amdt. 5]

GROCERY ITEMS IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 288 is amended in the following respects:

1. In section 22 a new heading "Applesauce 2½'s" and one item under that heading are added (to precede the heading "Apricots, 2½'s"); a new item is added under the heading "Grapefruit segments #2" (to follow the item "Del Monte"); and the maximum prices of the other items named below are revised, to read as follows:

Item	Ketchikan, Wrangell, Petersburg	Juneau, Douglas, Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	None, and other west coast towns[1]	Anchorage	Palmer and railroad points south[2]	Fairbanks, Curry and railroad points north of Curry
APPLESAUCE #2½'s									
Libby	Cs. 37	Cs. 37	Cs. 37	Cs. 38	Cs. 38	Cs. 39	Cs. 39	Cs. 39	Cs. 43
APRICOTS #2½'s									
Calmia, whole, unpeeled	31	32	33	33	34	35	35	36	39
Del Monte, whole, unpeeled	31	32	33	33	34	35	35	36	39
Del Monte, halves, unpeeled	37	38	39	39	40	41	42	42	46
GRAPEFRUIT SEGMENTS #2									
Polk	28	29	29	29	30	31	31	32	34
PINEAPPLE, CRUSHED #2½'s									
S & W	36	36	37	37	38	39	40	41	44

[1] "Other west coast towns" means all places along the Coast of Alaska and the Alaska Peninsula extending from Ketchikan Sound to Bristol Bay which are accessible by seagoing vessels or lighters, including Kotzebue and Bethel.

2. In section 25, the maximum prices for the items named below are revised to read as follows:

Item	Ketchikan, Wrangell, Petersburg	Juneau, Douglas, Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	None, and other west coast towns[1]	Anchorage	Palmer and railroad points south of Curry	Fairbanks, Curry and railroad points north of Curry
ASPARAGUS #2	Cs. 39	Cs. 39	Cs. 40	Cs. 40	Cs. 41	Cs. 41	Cs. 42	Cs. 43	Cs. 45
Seapert (cut spears)									
BEANS, WAX #2									
Reliance (cut)	21	21	22	22	23	23	24	24	27

[1] "Other west coast towns" means all places along the coast of Alaska and the Alaska Peninsula extending from Ketchikan Sound to Bristol Bay which are accessible by seagoing vessels or lighters, including Kotzebue and Bethel.

[1] 10 F.R. 5909, 6802, 7794, 8370.

3. In section 27, two column headings and the maximum prices for the items named below are revised to read as follows:

Item	Unit	Ketchikan	Wrangell, Petersburg	Juneau, Douglas	Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	Anchorage	Palmer and railroad points south of Curry	Fairbanks, Curry and railroad points north of Curry	None, and other west coast towns[1]
Folger's 1-pound glass	Cs.	$0.40	$0.40	$0.40	$0.40	$0.41	$0.42	$0.43	$0.42	$0.43	$0.45	$0.44

[1] "Other west coast towns" means all places along the Coast of Alaska and the Alaska Peninsula extending from Ketchikan Sound to Bristol Bay which are accessible by seagoing vessels or lighters, including Kotzebue and Bethel.

4. In section 30, several column headings and the maximum prices for the items named below are revised to read as follows:

Item	Unit	Ketchikan	Wrangell, Petersburg	Juneau, Douglas	Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	Anchorage	Palmer and railroad points south of Curry	Fairbanks, Curry and railroad points north of Curry	None, and other west coast towns[1]
Albers:												
Rolled oats, regular	3 lb.	$0.52	$0.53	$0.53	$0.54	$0.54	$0.58	$0.59	$0.56	$0.57	$0.64	$0.66
Rolled oats, quick	3 lb.	.41	.44	.45	.45	.46	.50	.51	.47	.48	.54	.59
Rolled oats	9 lb.	.85	.87	.89	.89	.90	.94	.96	.96	.99	1.12	1.11
Mothers:												
Rolled oats, regular	3 lb.	.45	.45	.46	.46	.46	.50	.51	.49	.50	.55	.59
Rolled oats, quick	3 lb.	.52	.53	.53	.53	.54	.58	.59	.56	.57	.64	.66
Quaker:												
Rolled oats, regular	3 lb.	.45	.45	.46	.46	.46	.50	.51	.47	.48	.54	.59
Speedex:												
Rolled oats	9 lb.	.77	.79	.80	.81	.82	.86	.88	.88	.91	1.04	1.03

[1] "Other west coast towns" means all places along the coast of Alaska and the Alaska Peninsula extending from Ketchikan Sound to Bristol Bay which are accessible by seagoing vessels or lighters, including Kotzebue and Bethel.

4. In section 30, several column headings and the maximum prices for the items named below are revised to read as follows:

Item	Ketchikan, Wrangell, Petersburg	Juneau, Douglas, Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	None, and other west coast towns[1]	Anchorage	Palmer and railroad points south of Curry	Fairbanks, Curry and railroad points north of Curry
APPLESAUCE #2½									
Libby	Cs. 37	Cs. 37	Cs. 37	Cs. 38	Cs. 38	Cs. 39	Cs. 39	Cs. 39	Cs. 43
APRICOTS #2½									
Calmia, whole, unpeeled	31	32	33	33	34	35	35	36	39
Del Monte, whole, unpeeled	31	32	33	33	34	35	35	36	39
Del Monte, halves, unpeeled	37	38	39	39	40	41	42	42	46
GRAPEFRUIT SEGMENTS #2									
Polk	28	29	29	29	30	31	31	32	34
PINEAPPLE, CRUSHED #2½									
S & W	36	36	37	37	38	39	40	41	44

[1] "Other west coast towns" means all places along the coast of Alaska and the Alaska Peninsula extending from Ketchikan Sound to Bristol Bay which are accessible by seagoing vessels or lighters, including Kotzebue and Bethel.

5. In section 35 the column headings and the maximum prices for the items named below are revised to read as follows:

Item	Unit	Ketchikan, Wrangell, Petersburg	Juneau, Douglas, Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	Anchorage	Palmer and railroad points south of Curry	Fairbanks, Curry and railroad points north of Curry	None, and other west coast towns[1]
Albuquerque flour:										
Centennial Silk Sifted	5 lb.	$0.40	$0.40	$0.41	$0.42	$0.43	$0.42	$0.43	$0.46	$0.47
Centennial Silk Sifted	10 lb.	.76	.76	.78	.79	.81	.79	.82	.86	.90
Centennial Silk Sifted	25 lb.	1.57	1.57	1.61	1.64	1.70	1.63	1.69	1.78	1.84
Centennial Silk Sifted	50 lb.	3.10	3.10	3.17	3.22	3.36	3.22	3.32	3.52	3.61

[1] "Other west coast towns" means all places along the coast of Alaska and the Alaska Peninsula extending from Ketchikan Sound to Bristol Bay which are accessible by seagoing vessels or lighters, including Kotzebue and Bethel.

[1] 10 F.R. 5909, 6802, 7794, 8370.

Item	Unit	Ketchikan	Wrangell, Petersburg	Juneau, Douglas	Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	Anchorage	Palmer and railroad points south of Curry	Fairbanks, Curry, and railroad points north of Curry	Nome, and other west coast towns [1]
All-purpose flour—Con.												
Drifted Snow	4.9 or 5 lb	$0.40	$0.40	$0.41	$0.41	$0.42	$0.43	$0.45	$0.45	$0.46	$0.50	$0.47
Drifted Snow	10 lb	.76	.76	.78	.79	.79	.83	.87	.87	.88	.95	.90
Drifted Snow	25 lb	1.57	1.57	1.61	1.63	1.64	1.70	1.78	1.83	1.98	2.02	1.84
Drifted Snow	50 lb	3.10	3.10	3.17	3.22	3.25	3.36	3.53	3.62	3.94	3.99	3.64
Drifted Snow	100 lb	6.04	6.04	6.19	6.28	6.32	6.55	6.90	7.08	7.65	7.84	7.13
Fisher's Blend	5 lb	.40	.40	.41	.41	.42	.43	.45	.45	.46	.50	.47
Fisher's Blend	10 lb	.76	.76	.78	.79	.79	.83	.87	.87	.88	.95	.90
Fisher's Blend	25 lb	1.57	1.56	1.60	1.63	1.64	1.70	1.78	1.83	1.98	2.02	1.87
Fisher's Blend	50 lb	3.10	3.10	3.17	3.22	3.25	3.36	3.53	3.62	3.94	3.99	3.64
Fisher's Blend	100 lb	6.04	6.01	6.19	6.28	6.32	6.55	6.90	7.08	7.65	7.84	7.13
Flagstaff	49 lb	2.44	2.44	2.52	2.56	2.58	2.70	2.87	2.95	3.02	3.33	2.98
Gold Medal	5 lb	.41	.41	.42	.43	.43	.45	.47	.47	.47	.51	.48
Gold Medal	10 lb	.79	.79	.81	.82	.83	.86	.90	.90	.91	.98	.93
Gold Medal	25 lb	1.63	1.62	1.66	1.69	1.70	1.76	1.84	1.90	2.05	2.10	1.93
Gold Medal	50 lb	3.22	3.22	3.29	3.34	3.36	3.48	3.65	3.74	4.06	4.10	3.76
Gold Medal	100 lb	6.30	6.30	6.45	6.53	6.58	6.81	7.15	7.34	7.90	8.10	7.38
Happy Home	5 lb	.37	.37	.38	.39	.39	.41	.43	.43	.43	.47	.44
Happy Home	10 lb	.73	.73	.75	.76	.76	.79	.83	.83	.85	.92	.86

[1] "Other west coast towns" means all places along the coast of Alaska and the Alaska Peninsula extending from Kotzebue Sound to Bristol Bay which are accessible by seagoing vessels or lighters, including Kotzebue and Bethel.

6. Section 37 (b) is amended to read as follows:

(b) *Maximum prices.* For all sales and deliveries at retail by any person, the maximum prices, inclusive of Federal Excise Tax, are those set forth below, by localities, opposite each model of electric iron.

[All prices include cord set unless otherwise specified]

Name	Model No.	Description	Retail ceiling prices (including Federal excise tax)						
			First Judicial Division [1]	Cordova, Valdez, Seward	Anchorage	Palmer	Nenana, Fairbanks	Kodiak	Nome and other west coast towns [1]
American Electric Heater Co., Detroit, Mich.	55 AB	Automatic 1,000 watts	$9.50	$9.55	$9.90	$9.95	$10.10	$9.60	$9.70
Bayshore Specialties Co., Brightwater, Long Island, N. Y.	A1	Non-automatic 660 watts.	5.60	5.65	6.00	6.05	6.20	5.70	5.80
Bersted Manufacturing Company, Fostoria, Ohio.	507	Non-automatic 550 watts.	3.50	3.55	3.90	3.95	4.10	3.60	3.70
Bejur Electric Works, New York City.	A1	Non-automatic, 3 heat	12.65	12.70	13.05	13.10	13.25	12.75	12.85
Chicago Electric Mfg. Co., Chicago, Ill.	212A	Automatic 800 watts	6.60	6.65	7.00	7.05	7.20	6.70	6.80
Chicago Flexible Shaft Co., Chicago, Ill.	A4	Automatic 1,000 watts	10.05	10.10	10.45	10.50	10.65	10.15	10.25
Dominion Electrical Mfg. Co., Mansfield, Ohio.	246	do	8.50	8.55	8.10	8.95	9.10	8.60	8.70
	1002	do	8.50	8.55	8.90	8.95	9.10	8.60	8.70
	1002A	do	8.50	8.55	8.90	8.95	9.10	8.60	8.70
General Electric Co., Bridgeport, Conn.	116F112	Automatic 660 watts	5.80	5.85	6.20	6.25	6.10	5.90	6.00
	116F115	Automatic 1,000 watts	8.65	8.70	9.05	9.10	9.25	8.75	8.85
Industrial Tool and Die Works, Inc., Minneapolis, Minn.	9	Non-automatic 675 watts, wood handle.	$5.10	$5.15	$5.50	$5.55	$5.70	$5.20	$5.30
	11	Non-automatic 675 watts, plastic handle.	5.70	5.75	6.10	6.15	6.30	5.80	5.90
	10	Automatic 1,000 watts, wooden handle.	8.05	8.10	8.45	8.50	8.65	8.15	8.25
	12	Automatic 1,000 watts, plastic handle.	9.05	9.10	9.45	9.50	9.65	9.15	9.25
Knapp Monarch Co., St. Louis, Mo.	400R	Automatic 1,000 watts	6.05	6.10	6.45	6.50	6.65	6.15	6.25
Landers, Frary & Clark, New Britain, Conn.	0184	do	9.50	9.55	9.90	9.95	10.10	9.60	9.70
	0174	Automatic 800 watts	6.85	6.90	7.25	7.30	7.45	6.95	7.05
	0174X	do	6.85	6.90	7.25	7.30	7.45	6.95	7.05
Manning-Bowman Co., Meriden, Conn.	2494	Automatic 1,000 watts	11.80	11.85	12.20	12.25	12.40	11.90	12.00
National Stamping & Electric Co., Chicago, Ill.	351	do	8.45	8.50	8.85	8.90	9.05	8.55	8.65
Nelson Machine and Mfg. Co., Cleveland, Ohio.	138	Non-automatic 550 watts, without cord set.	2.40	2.45	2.80	2.85	3.00	2.50	2.60
Proctor Electric Co., Philadelphia, Pa.	975	Automatic 1,000 watts	9.40	9.45	9.80	9.85	10.00	9.50	9.60
Samson-United Corp., Rochester, N. Y.	5000	do	8.65	8.70	9.05	9.10	9.25	8.75	8.85
Son-Chief Electrics, Inc., Winsted, Conn.	C351ZM	Automatic 1,000 watts, without cord.	4.60	4.65	5.00	5.05	5.20	4.70	4.80
	C361BR	Automatic 1,000 watts, steam non-automatic.	6.75	6.80	7.15	7.20	7.35	6.85	6.95
Steem Electric Co., St. Louis, Mo.	425	Automatic 600 watts, with cord and equipment.	10.05	10.10	10.45	10.50	10.65	10.15	10.25
Stern-Brown, Inc., Long Island City, N. Y.	138	Non-automatic 600 watts, without cord set.	3.85	3.90	4.25	4.30	4.45	3.95	4.05
		With cord set	4.50	4.55	4.90	4.95	5.10	4.60	4.70
Superior Electric Products, Inc., Cape Girardeau, Mo.	205W	Non-automatic 600 watts.	3.75	3.80	4.15	4.20	4.35	3.85	3.95
	220W	Automatic 1,000 watts	7.05	7.10	7.45	7.50	7.65	7.15	7.25
	220	do	7.05	7.10	7.45	7.50	7.65	7.15	7.25
Tennessee Valley Appliances, Nashville, Tenn.	100	Non-automatic 615 watts.	7.70	7.75	8.10	8.15	8.30	7.80	7.90
Waage Mfg. Co., Chicago, Ill.	63B	Non-automatic	5.40	5.45	5.80	5.85	6.00	5.50	5.60
Waverly Tool Co., Irvington, N. J.	W410	Automatic 1,000 watts	14.35	14.40	14.75	14.80	14.95	14.45	14.55
	B200	Steam automatic, 1,000 watts.	14.35	14.40	14.75	14.80	14.95	14.45	14.55
Westinghouse Electric & Mfg. Co., Mansfield, Ohio.	LPC414	Automatic 1,000 watts	8.85	8.90	9.25	9.30	9.45	8.95	9.05
	LR24	Automatic 700 watts	6.05	6.10	6.45	6.50	6.65	6.15	6.25
Winsted Hardware Mfg. Co., Winsted, Conn.	191	Automatic 750 watts	7.20	7.25	7.60	7.65	7.80	7.30	7.40

[1] First Judicial Division includes all that part of the Territory of Alaska lying east of the one hundred and forty-first meridian of west longitude.

[1] "Other west coast towns" means all places along the coast of Alaska and the Alaska Peninsula extending from Kotzebue Sound to Bristol Bay which are accessible by seagoing vessels or lighters, including Kotzebue and Bethel.

7. Section 42 is amended as follows:
a. Paragraph (a) (6) is hereby revoked.
b. Paragraph (a) (7) is redesignated paragraph (a) (6).
c. Schedules I and II are amended to read as follows:

SCHEDULE I—MAXIMUM RETAIL PRICES FOR NEW SYNTHETIC RUBBER PASSENGER CAR TIRES AND TUBES

Tire [1] and tube [1] size	First Judicial division [3]			Cordova, Kodiak, Valdez, Seward			Nome and other West Coast Towns [4]			Anchorage			Palmer and points on railroad south of Curry			Fairbanks, Curry and points on railroad north of Curry		
	4-ply	6-ply	tube	4-ply	6-ply	tube	4-ply	6-ply	tube	4-ply	6-ply	tube	4-ply	6-ply	tube	4-ply	6-ply	tube
4.00-15	$9.10	--------	$2.95	$9.20	--------	$3.00	$10.80	--------	$3.20	$8.95	--------	$2.95	$9.00	--------	$3.00	$9.30	--------	$3.05
4.25/4.50/12	10.40	--------	2.85	10.50	--------	2.90	12.10	--------	3.10	10.25	--------	2.85	10.30	--------	2.90	10.60	--------	2.95
4.40/4.50/4.75/5.00-21 [5]	12.40	$14.95	3.05	12.50	$15.05	3.10	14.10	$16.65	3.30	12.25	$14.80	3.05	12.30	$14.85	3.10	12.60	$15.15	3.15
4.50/4.75/5.00-20 [5]	13.65	16.00	3.05	13.75	16.10	3.10	15.35	17.70	3.30	13.50	15.85	3.05	13.55	15.90	3.10	13.85	16.20	3.15
4.75/5.00-19	12.45	15.60	3.20	12.55	15.70	3.25	14.15	17.30	3.45	12.30	15.45	3.20	12.35	15.50	3.25	12.65	15.80	3.30
5.00-15	12.05	--------	2.90	12.15	--------	2.95	13.75	--------	3.15	11.90	--------	2.90	11.95	--------	2.95	12.25	--------	3.00
5.00-16	12.15	--------	2.95	12.25	--------	3.00	13.85	--------	3.20	12.00	--------	2.95	12.05	--------	3.00	12.35	--------	3.05
5.00-17	13.10	--------	3.00	13.20	--------	3.05	14.80	--------	3.25	12.95	--------	3.00	13.00	--------	3.05	13.30	--------	3.10
5.25-21	17.05	21.05	4.20	17.15	21.15	4.25	18.75	22.75	4.45	16.90	20.90	4.20	16.95	20.95	4.25	17.25	21.25	4.30
5.25/5.50-17	15.00	18.45	3.55	15.10	18.55	3.60	16.70	20.15	3.80	14.85	18.30	3.55	14.90	18.35	3.60	15.20	18.65	3.65
5.25/5.50-18	13.75	16.95	3.00	13.85	17.05	3.05	15.45	18.65	3.25	13.60	16.80	3.00	13.65	16.85	3.05	13.95	17.15	3.10
5.25/5.50-19	17.15	20.40	3.75	17.25	20.50	3.80	18.85	22.10	4.00	17.00	20.25	3.75	17.05	20.30	3.80	17.35	20.60	3.85
5.25/5.50-20	18.30	22.10	4.15	18.40	22.20	4.20	20.00	23.80	4.40	18.15	21.95	4.15	18.20	22.00	4.20	18.50	22.30	4.25
5.50-16	14.60	18.00	3.30	14.70	18.10	3.35	16.30	19.70	3.55	14.45	17.85	3.30	14.50	17.90	3.35	14.80	18.20	3.40
5.50/6.00-18	--------	--------	3.55	--------	--------	3.60	--------	--------	3.80	--------	--------	3.55	--------	--------	3.60	--------	--------	3.65
6.00-16	16.25	20.05	3.90	16.35	20.15	3.95	17.95	21.75	4.15	16.10	19.90	3.90	16.15	19.95	3.95	16.45	20.25	4.00
6.00/6.50-17	17.55	22.15	3.55	17.65	22.25	3.60	19.25	23.85	3.80	17.40	22.00	3.55	17.45	22.05	3.60	17.75	22.35	3.65
6.00/6.50-18	18.80	23.30	3.55	18.90	23.40	3.60	20.50	25.00	3.80	18.65	23.15	3.55	18.70	23.20	3.60	19.00	23.50	3.65
6.00/6.50-19	19.25	22.75	3.75	19.35	22.85	3.80	20.95	24.45	4.00	19.10	22.60	3.75	19.15	22.65	3.80	19.45	22.95	3.85
6.00/6.50-20	19.60	23.70	4.15	18.70	23.80	4.20	21.30	25.40	4.40	19.45	23.55	4.15	19.50	23.60	4.20	19.80	23.90	4.25
6.25-16	18.15	22.55	3.90	18.25	22.65	3.95	19.85	24.25	4.15	18.00	22.40	3.90	18.05	22.45	3.95	18.35	22.75	4.00
6.25/6.50-16	19.50	24.15	4.45	19.60	24.25	4.50	21.20	25.85	4.70	19.35	24.00	4.45	19.40	24.05	4.50	19.70	24.35	4.55
6.50-15	19.10	23.60	4.50	19.20	23.70	4.55	20.80	25.30	4.75	18.95	23.45	4.50	19.00	23.50	4.55	19.30	23.80	4.60
6.50-16	19.50	24.15	4.45	19.60	24.25	4.50	21.20	25.85	4.70	19.35	24.00	4.45	19.40	24.05	4.50	19.70	24.35	4.55
7.00-15	21.45	26.55	4.55	21.55	26.65	4.60	23.15	28.25	4.80	21.30	26.40	4.55	21.35	26.45	4.60	21.65	26.75	4.65
7.00-16	21.95	27.20	4.65	22.05	27.30	4.70	23.65	28.90	4.90	21.80	27.05	4.65	21.85	27.10	4.70	22.15	27.40	4.75
7.00-17	23.65	29.15	4.65	23.75	29.25	4.70	25.35	30.85	4.90	23.50	29.00	4.65	23.55	29.05	4.70	23.85	29.35	4.75
7.50-15	26.65	33.00	5.25	26.75	33.10	5.30	28.35	34.70	5.50	26.50	32.85	5.25	26.55	32.90	5.30	26.85	33.20	5.35
7.50-16	27.55	34.25	5.45	27.65	34.35	5.50	29.25	35.95	5.70	27.40	34.10	5.45	27.45	34.15	5.50	27.75	34.45	5.55
7.50-17	--------	39.30	4.65	--------	39.40	4.70	--------	41.00	4.90	--------	39.15	4.65	--------	39.20	4.70	--------	39.50	4.75
8.25-16	--------	39.40	7.00	--------	39.50	7.05	--------	41.10	7.25	--------	39.25	7.00	--------	39.30	7.05	--------	39.60	7.10
30 x 3½	10.70	11.85	2.85	10.80	11.95	2.90	12.40	13.55	3.10	10.55	11.70	2.85	10.60	11.75	2.90	10.90	12.05	2.95
14" Jumbo	--------	35.30	5.50	--------	35.40	5.55	--------	37.00	5.75	--------	35.15	5.50	--------	35.20	5.55	--------	35.50	5.60
15" Jumbo	--------	38.80	5.95	--------	38.90	6.00	--------	40.50	6.20	--------	38.65	5.95	--------	38.70	6.00	--------	39.00	6.05

SCHEDULE II—MAXIMUM RETAIL PRICES FOR NEW TRUCK AND BUS AND MUD AND SNOW TRUCK TIRES AND TUBES

Tire [1] and tube [1] size	Ply	First Judicial Division [3]			Cordova, Kodiak, Valdez, Seward			Nome and other West Coast Towns [4]			Anchorage			Palmer and points on railroad south of Curry			Fairbanks, Curry and points on railroad north of Curry		
		Truck and bus [6]	Mud and snow [6]	Tube	Truck and bus [6]	Mud and snow [6]	Tube	Truck and bus [6]	Mud and snow [6]	Tube	Truck and bus [6]	Mud and snow [6]	Tube	Truck and bus [6]	Mud and snow [6]	Tube	Truck and bus [6]	Mud and snow [6]	Tube
5.25/5.50-17	6	$19.75	--------	$3.55	$19.85	--------	$3.60	$21.45	--------	$3.80	$19.60	--------	$3.55	$19.65	--------	$3.60	$19.95	--------	$3.65
6.00-16	6	22.00	$23.05	3.90	22.10	$23.15	3.95	23.70	$24.75	4.15	21.85	$22.90	3.90	21.90	$22.95	3.95	22.20	$23.25	4.00
6.00-17	6	24.30	--------	4.05	24.40	--------	4.10	26.00	--------	4.30	24.15	--------	4.05	24.20	--------	4.10	24.50	--------	4.15
6.00-20	6	25.05	26.25	4.40	25.15	26.35	4.45	26.75	27.95	4.65	24.90	26.10	4.40	24.95	26.15	4.45	25.25	26.45	4.50
6.00-20 30 x 5	8	28.75	30.10	4.40	28.85	30.20	4.45	30.45	31.80	4.65	28.60	29.95	4.40	28.65	30.00	4.45	28.95	30.30	4.50
6.50-16	6	25.25	26.50	4.45	25.35	26.60	4.50	26.95	28.20	4.70	25.10	26.35	4.45	25.15	26.40	4.50	25.45	26.70	4.55
6.50-17	6	27.45	--------	4.05	27.55	--------	4.10	29.15	--------	4.30	27.30	--------	4.05	27.35	--------	4.10	27.65	--------	4.15
6.50-18	6	29.05	--------	5.05	29.15	--------	5.10	30.75	--------	5.30	28.90	--------	5.05	28.95	--------	5.10	29.25	--------	5.15
6.50-20	6	29.05	30.45	5.35	29.15	30.55	5.40	30.75	32.15	5.60	28.90	30.30	5.35	28.95	30.35	5.40	29.25	30.65	5.45
6.50-20 32 x 6	8	36.35	38.05	5.35	36.45	38.15	5.40	38.05	39.75	5.60	36.20	37.90	5.35	36.25	37.95	5.40	36.55	38.25	5.45
7.00-15 (15" special)	6	28.50	29.85	4.75	28.60	29.95	4.80	30.20	31.55	5.00	28.35	29.70	4.75	28.40	29.75	4.80	28.70	30.05	4.85
7.00-15 (15" special)	8	31.45	--------	4.75	31.55	--------	4.80	34.15	--------	5.00	31.30	--------	4.75	31.35	--------	4.80	31.65	--------	4.85
7.00-16	6	30.05	31.55	4.90	30.15	31.65	4.95	31.75	33.25	5.15	29.90	31.40	4.90	29.95	31.45	4.95	30.25	31.75	5.00
7.00-16	8	32.95	--------	4.90	33.05	--------	4.95	34.65	--------	5.15	32.80	--------	4.90	32.85	--------	4.95	33.15	--------	5.00
7.00-17	6	34.00	35.60	5.00	34.10	35.70	5.05	35.70	37.80	5.25	33.85	35.45	5.00	33.90	35.50	5.05	34.20	35.80	5.10
7.00-17	8	36.60	38.35	5.00	36.70	38.45	5.05	38.30	40.05	5.25	36.45	38.20	5.00	36.50	38.25	5.05	36.80	38.55	5.10
7.00-18	8	36.85	--------	5.25	36.95	--------	5.30	38.55	--------	5.50	36.70	--------	5.25	36.75	--------	5.30	37.05	--------	5.35
7.00-20	8	37.45	39.30	6.55	37.55	39.40	6.60	39.15	41.00	6.80	37.30	39.15	6.55	37.35	39.20	6.60	37.65	39.50	6.65
7.00-20 32" x 6	10	48.55	50.85	6.55	48.65	50.95	6.60	50.25	52.55	6.80	48.40	50.70	6.55	48.45	50.75	6.60	48.75	51.05	6.65
7.00-20 32 x 6	12	55.95	59.15	6.55	56.05	59.25	6.60	57.65	60.85	6.80	55.80	59.00	6.55	55.85	59.05	6.60	56.15	59.35	6.65
7.00-24	8	--------	48.35	7.05	--------	48.45	7.10	--------	50.05	7.30	--------	48.20	7.05	--------	48.25	7.10	--------	48.55	7.15
7.00-24 36 x 6	10	56.15	--------	7.05	56.25	--------	7.10	57.85	--------	7.30	56.00	--------	7.05	56.05	--------	7.10	56.35	--------	7.15
7.50-15	6	35.05	--------	7.00	35.15	--------	7.05	36.75	--------	7.25	34.90	--------	7.00	34.95	--------	7.05	35.25	--------	7.10
7.50-15	8	38.35	--------	7.00	38.45	--------	7.05	40.05	--------	7.25	38.20	--------	7.00	38.25	--------	7.05	38.55	--------	7.10
7.50-15	10	56.40	--------	7.00	56.50	--------	7.05	58.10	--------	7.25	56.25	--------	7.00	56.30	--------	7.05	56.60	--------	7.10
7.50-16	6	37.30	39.05	7.20	37.40	39.15	7.25	39.00	40.75	7.45	37.15	38.90	7.20	37.20	38.95	7.25	37.50	39.25	7.30
7.50-16	8	40.95	42.95	7.20	41.05	43.05	7.25	42.65	44.65	7.45	40.80	42.80	7.20	40.85	42.85	7.25	41.15	43.15	7.30
7.50-17	8	44.35	46.50	5.00	44.45	46.60	5.05	46.05	48.20	5.25	44.20	46.35	5.00	44.25	46.40	5.05	44.55	46.70	5.10
7.50-18	8	47.30	49.75	8.70	47.40	49.85	8.75	49.00	51.45	8.95	47.15	49.60	8.70	47.20	49.65	8.75	47.50	49.95	8.80
7.50-18 32 x 7	10	63.15	--------	8.70	63.25	--------	8.75	64.85	--------	8.95	63.00	--------	8.70	63.05	--------	8.75	63.35	--------	8.80
7.50-20	8	48.65	51.05	9.15	48.75	51.15	9.20	50.35	52.75	9.40	48.50	50.90	9.15	48.55	50.95	9.20	48.85	51.25	9.25
7.50-20 34 x 7	10	64.45	67.50	9.15	64.55	67.60	9.20	66.15	69.20	9.40	64.30	67.35	9.15	64.35	67.40	9.20	64.65	67.70	9.25
7.50-20 34 x 7	12	73.90	--------	9.15	74.00	--------	9.20	75.60	--------	9.40	73.75	--------	9.15	73.80	--------	9.20	74.10	--------	9.25
7.50-24	8	54.65	57.30	9.85	54.75	57.40	9.90	56.35	59.00	10.10	54.50	57.15	9.85	54.55	57.20	9.90	54.85	57.50	9.95
7.50-24 38 x 7	10	72.15	--------	9.85	72.25	--------	9.90	73.85	--------	10.10	72.00	--------	9.85	72.05	--------	9.90	72.35	--------	9.95
7.50-24	12	81.20	--------	9.85	81.30	--------	9.90	82.90	--------	10.10	81.05	--------	9.85	81.10	--------	9.90	81.40	--------	9.95
8.25-15	10	69.55	--------	10.10	69.65	--------	10.15	71.25	--------	10.35	69.40	--------	10.10	69.45	--------	10.15	69.75	--------	10.20
8.25-15	12	80.05	--------	10.10	80.15	--------	10.15	81.75	--------	10.35	79.90	--------	10.10	79.95	--------	10.15	80.25	--------	10.20
8.25-15	14	91.90	--------	10.10	92.00	--------	10.15	93.60	--------	10.85	91.75	--------	10.10	91.80	--------	10.15	92.10	--------	10.20
8.25-18	10	66.80	70.25	10.25	66.90	70.35	10.30	68.50	71.95	10.50	66.65	70.10	10.25	66.70	70.15	10.30	67.00	70.45	10.35
8.25-20	10	68.70	72.00	10.50	68.80	72.10	10.55	70.40	73.70	10.75	68.55	71.85	10.50	68.60	71.90	10.55	68.90	72.20	10.60
8.25-20	12	78.95	82.65	10.50	79.05	82.75	10.55	80.65	84.30	10.75	78.80	82.50	10.50	78.85	82.55	10.55	79.15	82.85	10.60
8.25-22	10	73.45	--------	11.15	73.55	--------	11.20	75.15	--------	11.40	73.30	--------	11.15	73.35	--------	11.20	73.65	--------	11.25
8.25-24	10	77.45	--------	11.90	77.55	--------	11.95	79.15	--------	12.15	77.30	--------	11.90	77.35	--------	11.95	77.65	--------	12.00
9.00-15	10	74.30	--------	11.55	74.40	--------	11.60	76.00	--------	11.80	74.15	--------	11.55	74.20	--------	11.60	74.50	--------	11.65
9.00-15	12	86.90	--------	11.55	87.00	--------	11.60	88.60	--------	11.80	86.75	--------	11.55	86.80	--------	11.60	87.10	--------	11.65
9.00-16	10	--------	79.70	11.70	--------	79.80	11.75	--------	81.40	11.95	--------	79.55	11.70	--------	79.60	11.75	--------	79.90	11.80
9.00-18	10	79.15	82.95	11.80	79.25	83.05	11.85	80.85	84.65	12.05	79.00	82.80	11.80	79.05	82.85	11.85	79.35	83.15	11.90

(Footnotes at end of tables.)

SCHEDULE II—Continued

Tire [1] and tube [1] size	Ply	First Judicial Division [3]			Cordova, Kodiak, Valdez, Seward			Nome and other West Coast Towns [4]			Anchorage			Palmer and points on railroad south of Curry			Fairbanks, Curry and points on railroad north of Curry		
		Truck and bus [5]	Mud and snow [5]	Tube	Truck and bus [5]	Mud and snow [5]	Tube	Truck and bus [5]	Mud and snow [5]	Tube	Truck and bus [5]	Mud and snow [5]	Tube	Truck and bus [5]	Mud and snow [5]	Tube	Truck and bus [5]	Mud and snow [5]	Tube
9.00–20	10	$81 80	$85 75	$12 00	$81 90	$85 85	$12 05	$85 70	$87 45	$12 25	$81 65	$85 60	$12 00	$81 70	$85 65	$12 05	$82 00	$85 95	$12 10
9.00–20/36 x 8	12	95 55	100 15	12 00	95 65	100 25	12 05	97 25	101 85	12 25	95 40	100 60	12 00	95 45	100 05	12 05	95 75	100 35	12 10
9.00–20/36 x 8	14	105 00		12 00	105 10		12 05	106 70		12 25	104 85		12 00	104 90		12 05	105 20		12 10
9.00–22	10	85 80		12 50	85 90		12 55	87 50		12 75	85 65		12 50	85 70		12 55	86 00		12 60
9.00–24	10	89 20	93 45	13 10	89 30	93 55	13 15	90 90	95 15	13 35	89 05	93 30	13 10	89 10	93 35	13 15	89 40	93 65	13 20
9.00–24/40 x 8	12	102 05	106 90	13 10	102 15	107 00	13 15	103 75	108 60	13 35	101 90	106 75	13 10	101 95	106 80	13 15	102 25	107 10	13 20
9.00–24/40 x 8	14	112 35		13 10	112 45		13 15	114 05		13 35	112 20		13 10	112 25		13 15	112 55		13 20
10.00–15	10	95 50		12 40	95 60		12 50	97 95		12 90	95 50		12 90	95 55		13 10	101 55		13 30
10.00–15	12	98 35		12 40	98 45		12 50	100 80		12 90	102 15		12 90	102 20		13 10	104 40		13 30
10.00–15	14	104 20		12 40	104 30		12 50	106 65		12 90	108 00		12 90	108 25		13 10	110 25		13 30
10.00–18	10	86 25	90 95	12 75	86 35	90 45	12 85	88 70	92 80	13 25	90 05	94 15	13 25	90 50	94 40	13 45	92 30	96 40	13 65
10.00–18	12	101 10	106 05	12 75	101 20	106 15	12 85	103 55	108 70	13 25	104 50	109 85	13 25	105 15	110 10	13 45	107 15	112 10	13 65
10.00–20	12	103 80	108 95	13 10	103 90	109 05	13 20	106 25	111 40	13 60	107 60	112 75	13 60	107 85	113 00	13 80	109 85	115 00	14 00
10.00–20/38 x 9	14	124 65	130 55	13 10	124 75	130 65	14 20	127 10	133 00	13 60	128 45	134 35	13 60	128 70	134 60	13 80	130 70	136 60	14 00
10.00–22	12	109 30	114 70	13 45	109 40	114 80	13 55	111 75	117 15	13 95	113 10	118 50	13 95	113 35	118 75	14 15	115 35	120 75	14 55
10.00–22	14	130 50		13 45	130 60		13 55	132 95		13 95	134 20		13 95	134 55		14 15	136 55		14 55
10.00–24	12	112 30	117 80	13 90	112 40	117 90	14 00	114 75	120 25	14 40	116 10	121 60	14 40	116 35	121 85	14 60	118 35	123 85	14 80
10.00–24/42 x 9	14	114 75		13 90	114 85		14 00	117 20		14 40	118 55		14 40	118 80		14 60	120 80		14 80
11.00–18	10	107 45	112 60	14 20	107 55	113 00	14 30	109 90	115 35	14 70	111 25	116 70	14 70	111 50	116 95	14 90	113 50	118 95	15 10
11.00–20	12	121 95	127 95	15 45	122 05	128 05	15 55	124 40	130 40	15 95	125 75	131 75	15 95	126 00	132 00	16 15	128 00	134 00	16 35
11.00–20	14	146 75	153 50	15 45	146 85	153 60	15 55	149 20	155 95	15 95	150 55	157 30	15 95	150 80	157 55	16 15	152 80	159 55	16 35
11.00–22	12	128 95	135 35	16 55	129 05	135 45	16 65	131 40	137 80	17 05	132 75	139 15	17 05	133 00	139 40	17 25	135 00	141 40	17 45
11.00–22	14	150 40		16 55	150 50		16 65	152 85		17 05	154 20		17 05	154 45		17 25	156 45		17 45
11.00–24	12	132 95	140 00	18 30	134 05	140 10	18 40	136 40	142 45	18 80	137 75	143 80	18 80	138 00	144 05	19 00	140 00	146 05	19 20
11.00–24	14	154 00		18 30	154 10		18 40	156 45		18 80	157 80		18 80	158 05		19 00	160 05		19 20
12.00–20	10		121 25	20 50		121 35	20 60		123 70	21 00		125 05	21 00		126 30	21 20		127 30	21 40
12.00–20	12	159 60	167 30	20 50	159 70	167 40	20 60	162 05	169 75	21 00	163 40	171 10	21 00	163 65	171 35	21 20	165 65	173 35	21 40
12.00–20/40 x 10	16	184 70	192 20	20 50	184 80	192 30	20 60	187 15	194 65	21 00	188 50	196 00	21 00	188 75	196 25	21 20	190 75	198 25	21 40
12.00–22	14	165 60		22 10	165 70		22 20	168 05		22 60	169 40		22 60	169 65		22 80	171 65		23 00
12.00–24	14	170 75	178 75	22 80	170 85	178 85	22 90	173 20	181 20	23 30	174 55	182 55	23 30	174 80	182 80	23 50	176 80	184 80	23 70
12.00–24/44 x 10	16	198 20		22 80	198 30		22 90	200 65		23 30	202 00		23 30	202 25		23 50	204 25		23 70
13.00–20	16	220 45		27 00	220 55		27 10	222 90		27 50	224 25		27 50	224 50		27 70	226 50		27 90
13.00–24	16	240 70	252 65	30 00	240 80	252 75	30 10	243 15	255 10	30 50	244 50	256 45	30 50	244 75	256 70	30 70	246 75	258 70	30 90
14.00–20	16	242 85	254 90	31 30	242 95	255 00	31 40	245 30	257 35	31 80	246 65	258 70	31 80	246 90	258 95	32 00	248 90	260 95	32 20
14.00–20	18	267 00	280 00	31 30	267 10	280 10	31 40	269 45	282 45	31 80	270 80	283 80	31 80	271 05	284 05	32 00	273 05	286 05	32 20
14.00–24	16	257 60	275 40	35 55	257 70	275 50	35 65	260 05	277 85	36 05	261 40	279 20	36 05	261 65	279 45	36 25	263 65	281 45	36 45
14.00–24	18	283 05	297 15	35 55	283 15	297 25	35 65	285 50	299 60	36 05	286 85	300 95	36 05	287 10	301 20	36 25	289 10	303 20	36 45

[1] Tires with a single size marking must take the price of that single size if listed. If not listed, they take the ceiling price of the combination size in which that single size appears.

[2] The maximum price of a combination size tube shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

[3] First Judicial Division includes all that part of the Territory of Alaska lying east of the one hundred and forty-first meridian of west longitude.

[4] "Other west coast towns" means all places along the coast of Alaska and the Alaska Peninsula extending from Kotzebue Sound to Bristol Bay which are accessible by seagoing vessels or lights, including Kotzebue and Bethel.

[5] Any combination size not specifically listed, but included in this combination size shall take the maximum prices shown for this combination.

[6] The maximum price of a rayon truck tire shall be 105% of the maximum price of a cotton truck tire of the same type, size and ply.

This amendment shall become effective August 2, 1945.
Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13986; Filed, July 30, 1945; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 581,[1] Amdt. 2]

INDUSTRIAL SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 581 is amended in the following respects:

1. Section 1 is revised and amended to read as follows:

SECTION 1. *Services and products covered*—(a) *Services.* This regulation covers the prices charged for the following services performed on material or products owned by another:

(1) All jobbing shop operations customarily performed in the fabrication, conversion, repair or maintenance of metals or metal products. These operations include abrading, adjusting, assembling, cutting, forming, grinding, machining, shaping and welding or otherwise joining. However, this regulation does not cover the forging of metals by the use of power-actuated hammers, pressing or forging machines. The forging of ferrous metals is covered by Maximum Price Regulation 351—Ferrous Forgings (MPR 351); while the forging of non-ferrous metals is covered by Revised Maximum Price Regulation 165—Services (RMPR 165).

(2) All jobbing shop operations customarily performed in the treatment, coating, or finishing of metals or metal products. These operations include annealing, anodizing, bonderizing, blasting, carbonizing, carburizing, case-hardening, cleaning, coronizing, deoxidizing, enameling, galvanizing, heat treating, heresiting, japanning, lacquering, lead coating, metallizing, nitriding, normalizing, painting, pickling, phosphate coating, plating, polishing, sherardizing, shot peening, tempering and tinning.

(3) Plating on plastics and other nonmetallic materials.

(b) *Products.* This regulation also covers the sale of the products listed below. Where in any of the following sections, except section 15, reference is made to services, it applies also to the sale of products covered by this regulation.

(1) Sales of special tools, dies, jigs, fixtures, molds, gauges, patterns and special machinery by manufacturers of special tooling equipment.

(c) *Exclusions*—(1) *Automotive and farm equipment repairs.* This regulation does not cover services rendered in connection with the repair or maintenance of automotive or farm equipment. Repair and maintenance services on automotive and farm equipment are covered by Revised Maximum Price Regulation 165.

(2) *Services covered by certain other regulations.* This regulation does not cover services covered by the following regulations:

Regulation	*Title*
MPR 4	Iron and Steel Scrap
RPS 6	Iron and Steel Products
RMPR 43	Used Steel Drums, Pails and Containers and Reconditioning of Used Steel Drums
RPS 82	Wire, Cable and Cable Accessories
RMPR 125	Nonferrous Castings
MPR 134	Construction and Road Maintenance Equipment Rental Prices and Charges for Operating and Maintenance or Repair and Rebuilding Services
MPR 246	Manufacturers' and Wholesale Prices for Farm Equipment

[1] 10 F.R. 3232, 4348.

Regulation	*Title*
MPR 251	Construction Services and Sales of Installed Building Materials

(3) *War contracts, or subcontracts thereunder.* This regulation covers all fabrication, conversion, repair or maintenance services supplied under a war contract or subcontract when performed upon any product covered by the following regulations:

Regulation	*Title*
MPR 1	Second-Hand Machine Tools
MPR 67	New Machine Tools
RMPR 136	Machines, Parts, and Industrial Equipment
MPR 375	Sales of Used Industrial Sewing Machines and Rental Rates for New and Used Industrial Sewing Machines
MPR 465	Used Pressure Vessels and Used Enclosed Atmospheric Pressure Vessels

However, this regulation does not cover any other service supplied pursuant to a war contract or subcontract thereunder when the service is performed upon the following commodities, and those component parts, subassemblies or materials going into these commodities which are not covered by any regulation just listed: Aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb sights, caissons, fire control equipment, gas mask, grenades, gun sights, military bridges, mines, mortars, projectiles, pyrotechnics, small arms, ships and boats, and torpedoes; also amphibians, armored vehicles, automobiles, tanks, trailers and trucks when sold for military purposes. As used here, "War contract" means any contract with the Army, the Navy, the Maritime Commission or the War Shipping Administration of the United States, or for Lend-Lease purposes, or with the Government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act.

(4) *Secret contracts.* This regulation does not apply to services sold by you under a contract or subcontract that is certified in writing to the OPA as being "secret" by any agency of a country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act. This certification must set forth the date of the secret contract or subcontract and its number or other designation. The certifying government agency shall notify the seller and the OPA whenever such contract or subcontract ceases to be secret. This exemption shall not apply after you receive such notification from the certifying government agency.

(5) *Developmental contracts*—(i) *Exclusion.* This regulation does not apply to services sold by you under a contract or subcontract that is certified in writing to the OPA as being "developmental" by any agency of the United States or any agency of a country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act. A contract is "developmental" during the period required for you to obtain sufficient experience to permit a fair estimate of your shop costs. If the OPA determines, after consultation with you and the appropriate government agency, that the period necessary for development has expired, and in writing so notifies you and such agency, this regulation shall apply to all subsequent sales of the service.

(ii) *Report.* You shall file a report with the Machinery Branch, Office of Price Administration, Washington 25, D. C. within ten days after you enter into a developmental contract or subcontract. This report must set forth a description of the services under the contract, a summary of the terms of the contract, and an estimate of the length of time that the work will be developmental. If you were operating under a developmental contract on March 31, 1945 (the effective date of this regulation), this report must be filed before April 30, 1945. You need not file a report if the developmental contract or subcontract is also certified as "confidential" or "restricted" by the certifying government agency.

(d) *Applicability.* This regulation applies in the forty-eight states of the United States and in the District of Columbia, but not in the territories and possessions of the United States.

2. In section 4 (b), the first sentence is revised and amended to read as follows:

The highest price or highest rate at which you contracted to sell a service which you performed more than once during the period January 1 to March 31, 1942, inclusive.

This amendment shall become effective August 4, 1945.

Issued this 30th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13989; Filed, July 30, 1945; 11:38 a. m.]

Chapter XIII—Petroleum Administration for War

[PAO 11, as Amended July 1, 1944; S. O. 4, as Amended July 28, 1945]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

OPERATIONS IN CALIFORNIA

Section 1515.10 Supplementary Order No. 4, as amended July 28, 1945, to Petroleum Administrative Order No. 11, as amended July 1, 1944.

§ 1515.10 *Supplementary Order No. 4 as amended July 28, 1945, to Petroleum Administrative Order No. 11, as amended July 1, 1944*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended July 1, 1944, or by the provisions of any specific exception issued pursuant to Conservation Order M-68 or to Petroleum Administrative Order No. 11, as amended July 1, 1944, the provisions of this supplementary order shall to the extent provided herein be applicable to the use of material in petroleum production operations in, or within two miles of, the fields and pools of the State of California listed in Exhibit A, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended July 1, 1944, shall apply in this supplementary order. In addition:

(1) "Designated area" means the pools specified in Exhibit A of this supplementary order.

(2) "New well" means any well spudded subsequent to December 23, 1941.

(c) *Authorized uses of material to drill new wells in the designated area.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended July 1, 1944, material may be used to drill, complete, and provide additions to any new well in the designated area, only where:

(1) The well is drilled to, and completed in, a pool listed in Columns 3 and 4 of Exhibit A opposite the name of the field in which the pool is located, and

(2) The well is drilled to a vertical depth not greater than the depth specified in Column 5 of Exhibit A opposite the name of the pool to which the well is drilled, or where no depth limit is specified, to a depth not greater than the lowest depth of the formations included in the pool as listed in Column 4 of Exhibit A, and

(3) The well is completed in only one pool, and

(4) The well is drilled, with respect to the pool in which it is to be completed, on a drilling unit of at least the size prescribed for that pool in Column 6 of Exhibit A and in conformity with all of the uniform well spacing provisions for such size drilling unit contained in paragraph (d), *Provided*, That where no drilling unit size is prescribed for a pool in Column 6 of Exhibit A the provisions of this paragraph (c) shall not extend to such pool, and

(5) All separate property interests in the drilling unit upon which the well is located are first consolidated, and

(6) The well is drilled with due diligence to maintain a vertical well bore.

However, a well may be intentionally deviated from the vertical if the surface location of the well (in this case, the place on the surface directly over the bore hole at the lowest level at which the well is open to production) conforms to the other provisions of this supplementary order.

Where a well is intentionally deviated from the vertical, a directional survey of the well bore must be filed with the Director of Production, District Five, within thirty days after completion of the well.

(d) *Uniform well-spacing provisions*—(1) *Uniform 5 acre well-spacing.* Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 5 acre well-spacing" only where, with respect to the pool in which the well is to be completed:

(i) The well is located on a drilling unit consisting of at least 5 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 160 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 400 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 160 feet from every lease line, property line, or sub-division line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 750 feet.

(2) *Uniform 10 acre well-spacing.* Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 10 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 10 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 250 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 500 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 300 feet from every lease line, property line, or sub-division line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 1100 feet.

(3) *Uniform 20 acre well-spacing.* Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 20 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 20 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 300 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 800 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 300 feet from every lease line, property line, or sub-division line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 2,100 feet.

(e) *Computation of acreage attributable to wells.* (1) The acreage arrtibutable to any well spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well. In no event need the attributed acreage be greater than that provided in Exhibit A for a new well to the same pool in which such well is completed.

(2) The acreage attributable to any well spudded after December 23, 1941, shall be the same as the drilling unit assigned to such well pursuant to Conservation Order M-68, Petroleum Administrative Order No. 11, as amended July 1, 1944, or any supplement or exception thereto, or any amendment thereof, whichever is applicable.

(f) *Authorized uses of material for deepening, plugging back or reworking, and recompletion of wells.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended July 1, 1944, to the extent that the use of material for deepening, plugging back, or reworking, and recompletion operations in connection therewith, is not prohibited or otherwise limited by the provisions of any exception heretofore or hereafter issued pursuant to Conservation Order M-68, Petroleum Administrative Order No. 11, as amended July 1, 1944, or any amendments thereof, such deepening, plugging back, or reworking, and recompletion operations in connection therewith, may be undertaken in the designated area without obtaining further authorization, only where the material is used for or in connection with any of the following operations:

(1) Plugging back or redrilling, and recompletion of any well in or to a shallower pool, *Provided*, That:

(i) The well is not recompleted in any shallower pool from which production is regulated pursuant to allocation schedules issued by the Petroleum Administration for War pursuant to Directive No. 19 or in any other manner, and

(ii) Redrilling does not commence from a point more than 500 feet above the top of the uppermost productive interval of the pool in which the well is to be recompleted, and

(iii) No well shall thereafter be drilled or deepened to replace a plugged-back well in the pool in which it was abandoned, unless such well could have been drilled or deepened, before the plug-back operation, under the terms of paragraph (c);

(2) Reworking or deepening, and recompletion of any well in or to the same pool in which the well was last completed: *Provided*, That,

(i) The well, in the reworking or deepening operation, is not drilled into a deeper pool, and

(ii) The operation does not involve drilling or redrilling from a point more than 500 feet above the top of the uppermost productive interval of the pool;

(3) Deepening and recompletion of any well in another pool, if, with respect to the pool in which the well is to be deepened and recompleted, the well is located on a drilling unit of at least the size prescribed for that pool in Column 6 of Exhibit A and is deepened and recompleted in conformity with the provisions of paragraph (c).

If any well recompleted in conformity with the provisions of this paragraph (f) is recompleted as a gas or condensate well, it shall not be produced other than for a test period of not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such testing of the well, until authorization has been granted by an authorized official of the Petroleum Administration for War. However, this provision shall not apply to the recompletion of any gas or condensate well in conformity with paragraph (f) (2) above.

(g) *Restrictions on wells in pools designated "E" in Column 6 of Exhibit A.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended July 1, 1944, or this supplementary order, no material may be used to drill, complete, or recomplete any well, except to recomplete in conformity with paragraph (f) (2), in any pool marked "E" in Column 6 of Exhibit A opposite the name of the field in which such pool is located, unless the use is authorized by specific exception issued by the Petroleum Administration for War in response to an application filed as provided for by paragraph (k) hereunder.

(h) *Restriction on exposing more than one pool in same well-bore.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended July 1, 1944, or any other provision of this supplementary order, no material may be used to complete or recomplete any well in the State of California in more than one pool as the pool is listed in Exhibit A, or as otherwise designated by the Petroleum Administration for War, unless the use is authorized by specific exception issued by the Petroleum Administration for War in response to an application filed as provided for by paragraph (k) hereunder.

(i) *Authorized uses of material for installation of pumping or other artificial lifting facilities.* Material may be used on any well to install, reinstall, or transfer pumping or other artificial lifting equipment, including a central pumping power unit, or to install additional tubing or sucker rods.

(j) *Authorized uses of material to drill new wells within two miles of a drilling or producible well.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended July 1, 1944, material may be used to drill, complete, and provide additions to any new well located within two miles of a drilling or producible well and not within a discovered field, in the State of California: *Provided*, That;

(1) The well is drilled in conformity with the provisions of paragraphs (c) (6), (d) (4) (i), (d) (4) (ii), (d) (4) (iii), and (d) (4) (iv) hereof, and

(2) The well is not located in an area which has been declared a "restricted area" by the Petroleum Administration for War, and

(3) The well is not located within two miles of any field or pool now or hereafter designated "E" in Column 6 of Exhibit A. If any well drilled in conformity with the provisions of this paragraph is completed as a gas or condensate well, it shall not be produced except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(k) *Application for exception to this order.* Where a person desires to use material in connection with production operations but cannot do so under the provisions of this supplementary order or Petroleum Administrative Order No. 11, as amended July 1, 1944, he may make an application for an exception by filling the information requested in PAW Form 3 (revised) attached to this supplementary order. The application shall be filed in duplicate and both copies addressed to:

(1) The District Director of Production, District Five, Petroleum Administration for War, Subway Terminal Building, Los Angeles 13, California, for a crude oil operation, including pressure maintenance, repressuring, and secondary recovery operations, or

(2) The District Director of Natural Gas and Natural Gasoline, District Five, Petroleum Administration for War, Subway Terminal Building, Los Angeles 13, California, for a natural gas, natural gasoline, or condensate operation.

(l) *Violations.* Any person who wilfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provisions of this supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

Effective date. This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319; 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 509, 78th Cong.)

Issued: July 28, 1945.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

EXHIBIT A

COASTAL

(1) Field	(2) County	(3) Pool: Name of pool	(4) Pool: Formations included in pool	(5) Vertical depth limit	(6) Drilling unit size
				Feet	*Acres*
Aliso Canyon	Los Angeles	Porter (Pliocene)	"P" to "P$_2$"		10
		Sespe	"S-1" Marker to base of Miocene		E
		Eocene	Top of Eocene to	10,000	E
Badillo	Ventura	Shallow	All above 3,500'		5
		Deep	All between 3,500' and 6,500'		E
Bradley Canyon	Santa Barbara	Sisquoc	Above Pliocene-Miocene Contact		10
		Miocene	Below Pliocene-Miocene Contact to base of Miocene.		10
Capitan	Santa Barbara	Vaqueros	Above Vaqueros-Sespe Contact		5
		Erburu	Vaqueros-Sespe Contact to Shell Oil Company's "O" Marker.		10
		Covarrubias	Shell Oil Co.'s. "O" Marker to top of Eocene.		20
Casmalia	Santa Barbara	All Zones	Sisquoc and Monterey	3,500	10
Cat Canyon East and West	Santa Barbara	Sisquoc (Shallow)	Above Pliocene-Miocene Contact		10
		Los Flores	Monterey Chert	7,000	10
Del Valle	Los Angeles and Ventura	East Del Valle Area:			
		Del Valle	"DD$_2$" to "DD$_3$"		20
		Sherman	"DV$_3$" to "DV$_4$"		E
		DL Zone	"DL$_2$" to "DL$_3$"		20
		"DL$_3$"-"DL$_4$" Zone	"DL$_3$" to "DL$_4$"		20
		Bering	"MB$_1$" to "MB$_2$"		20
		West Del Valle Area:			
		Sepulveda	"PS$_1$" to "PS$_2$"		E
		Vasquez-Velegain	"DV$_3$" to "DV$_4$"		E
		Ramona Area:			
		Sterry	"DV$_3$" to "DV$_4$"		E
		Ramona			20
Elwood	Santa Barbara	Monterey	Above top of Vaqueros		10
		Vaqueros East and West	Top of Vaqueros to top of Sespe		10
		Sespe	Below top of Sespe		E
		Sisquoc (Shallow)	Above Pliocene-Miocene Contact		10
Gato Ridge	Santa Barbara	Tognazzini	Monterey Chert	5,000	10
			Holser Zone		20
Holser Canyon	Ventura		All	3,000	20
Hopper Canyon	Ventura		Sisquoc and Monterey	3,500	10
Lompoc	Santa Barbara	All Zones	To top of 4th Zone Shale plus 150'		10
Newhall-Potrero	Los Angeles	1st, 2d, and 3d Zones	Top of 6th Zone Shale to top of 7th Zone Shale plus 150'.		20
		6th Zone			10
Oak Canyon	Los Angeles	Wickham	Above "K"		10
		Gilmour	"K-1" to "K-5"		20
		Maxwell-Weaver	"K-5" to "L"		20
		Lechler	"L" to "L" plus 500'		20
		Loel	"M" to "N"		10
Orcutt	Santa Barbara	1st, 2d, and 3d Zones	All above base of Point Sal Sand	4,500	10
Oxnard	Ventura		All	3,500	10
Padre Canyon	Ventura	Padre Canyon	All to top of Miley Shale (A.E. Marker)		10
Rincon	Ventura	East Area: [6]			
		Top-Intermediate	Above top of Miley Shale		10
		Miley	First 200' below top of Miley Shale		10
		Deep	Below bottom of Miley Pool		E
		West Area: [6]			
		Top	Top Zone Shale to Intermediate Zone		10
		Intermediate	Intermediate Zone Shale to Miley Zone Shale.		10
		Miley	First 2000' below top of Miley Shale		10
		Deep	Below bottom of the Miley Pool		E
San Miguelito	Ventura	Grubb One	Above "K" plus 150'		10
		Grubb Two	"L" to "M"		10
			All	2,500	10
Santa Barbara	Santa Barbara	Top	Sisquoc to base of Monterey plus 100'		E
Santa Maria Valley	Santa Barbara	Deep	Below base of Monterey plus 100'		E
			All	3,500	10
Sespe Canyon	Ventura		All	3,500	5
Shiells Canyon	Ventura		All	3,500	10
Simi-Northbrook	Ventura				

Footnotes at end of table.

EXHIBIT A—Continued

COASTAL—Continued

(1) Field	(2) County	(3) Pool: Name of pool	(4) Pool: Formations included in pool	(5) Pool: Vertical depth limit	(6) Drilling unit size
				Feet	*Acres*
South Mountain	Ventura		All	5,500	5
Temescal	Ventura		All	3,500	10
Tinaquaic	Santa Barbara	Monterey	Top of Monterey Chert to base of Miocene		10
Torrey Canyon	Ventura		All	2,500	10
Ventura Avenue	Ventura	A-2	"S" to "AC" in the "A" Block		10
		A-3, B-3	"AC" in the "A" Block or "X_2" in the "B" Block to "AP" in the "B" Block.		10
		B-1, B-2	"P" to "X_2" in "B" Block		10
		B-4, B-5	"AP" to "DC" in "B" Block		10
		C-1, C-2 West [a]	Taylor Thrust Fault to "AC" in the "C" Block.		10
		C-3, West [a]	"AC" to "AS" in the "C" Block		10
		C-4, West [a]	"AS" to "DC" in the "C" Block		10
		C Block East [a]	Taylor 73 Fault to the Barnard Fault		5
		D-3	Barnard Fault to "AO" in the "D" Block		10
		D-4	"AO" to "AT" in the "D" Block		10
		D-5	"AT" to "DC" in the "D" Block		10
		D-6	"DC" to "DS" in the "D" Block		10
		D-7	Interval between the "DS" Marker and the stratum penetrated by the existing well in the Ventura Avenue Oil Field having the greatest stratigraphic penetration on December 26, 1944, or the stratum 150 feet stratigraphically below the "FO" Marker, whichever is deeper stratigraphically.		20
West Mountain	Ventura	All	All	5,500	5
Zaca	Santa Barbara	Davis	Miocene Chert	6,500	20
Other fields:					
Edna					
Elsmere Canyon					
Ex-Mission					
Huasna					
Lion Mountain					
Los Gatos					
Modelo					
Newhall					
Opal					
Pico Canyon			All	3,500	10
Pismo					
Sargent					
Simi					
Sulphur Mountain					
Summerland					
Tapo-Eureka					
Timber Canyon					
Tiptop Fresno Canyon					
Topa-Topa					
Wiley-Towsley Canyon					

LOS ANGELES BASIN

Alamitos Heights	Los Angeles	North area: Bryant Pool	Formations from Shell Oil Co.'s "BA" Marker minus 300' to "BE" Marker as designated in Shell Oil Co.'s well Bryant No. 2-L.		20
		South area: All	All above base of McGrath Pool	7,300	10
Brea-Olinda District:					
Brea Canyon	Orange and Los Angeles	Pliocene ("A" Sand)	Above Pliocene-Miocene Contact		10
		Miocene (Upper and Lower "B" Sand).	Miocene Contact to "AZ"	6,000	10
Olinda	Orange	Pliocene	Above base of Pliocene basal Conglomerate.		5
		Miocene	Below base of Pliocene basal Conglomerate.	5,500	10
Tonner Canyon	Orange	Miocene	All	5,500	5
Buena Park	Orange		All		40
Buena Park, West Area	Orange		All		40
Coyote-East	Orange	Hauble-Anaheim or 1st Zone	Above "O" or base of Union foraminiferal Marker "SA".		10
		2d and 3d Zone	"O" to "U"		10
		Stearn or 5th Zone	Below "U"	7,500	10
Coyote-West	Orange and Los Angeles	East area: [c]			5
		Upper and main	Above "F"		10
		Upper "99" Zone	"F" to "I_2"		10
		Lower "99" Zone	"I_2" to "N_2"		10
		"138" Zone	"N_2" to "V_2"		10
		Emery Zone	"V" to "AQ" plus 100'		10
		West area: [c]			
		Upper and main	Above "F"		5
		"99" Zone	"F" to "V"		5
		Emery Zone	"V" to "AQ" plus 100'		10
Dominguez	Los Angeles	1st Zone	Above "AM"		10
		2d Zone	"AM" to "AU"		10
		3d, 4th, and 5th Zones	"AU" to base "CK" Shale (Miocene Contact)		10
		6th and 7th West Central Block [d]	Base "CK" Shale to base "CW" Shale		20
		8th West Central Block [d]	Base "CW" Shale to "DM" plus 100'		20
		West Block Miocene Pool [b]	Base "CK" Shale to "DM" plus 100'		20
El Segundo	Los Angeles	Schist-Conglomerate	Top Nodular Shale to Schist	8,000	20
Huntington Beach—New	Orange	Townsite Onshore and Offshore Areas:			
		Tar	All above the Jones Pool		5
		Jones (Upper)	"D" to "AM"		5
		Main (Lower)	Below "AM"	5,000	10
		A-37 Area:			
		Tar	All above the A-37 Pool		5
		A-37	"TM_1" to "TM_4" plus 200'		10

Footnotes at end of table.

EXHIBIT A—Continued

LOS ANGELES BASIN—Continued

(1) Field	(2) County	(3) Pool: Name of pool	(4) Pool: Formations included in pool	(5) Pool: Vertical depth limit	(6) Drilling unit size
				Feet	*Acres*
Huntington Beach—Old	Orange	Bolsa Area: [e]			
		Bolsa	Above "M"		5
		Upper Ashton	"M" to "C"		5
		Lower Ashton	"C" to "U" plus 1,000'		5
		Balance East [e]			
		Bolsa	Above "M"		5
		Ashton	Below "M"	5,000	10
Inglewood	Los Angeles	Vickers-Machado	Above "P"		5
		Rindge	"P" to "AB"		5
		Rubel	"AB" to "AG"		5
		Semons	Its 600' below base of Nodular Shale		E
Long Beach	Los Angeles	Wilbur-Alamitos-Brown-Deep	Above "BA"		5
		De Soto	Below "BA"	10,000	E
Montebello	Los Angeles	Baldwin 1	To top of 2nd Zone Shale		5
		Baldwin 2	From top of 2nd Zone Shale to "P"		5
		Baldwin 3	"P" to "P" plus 400'		5
		Baldwin 4	Below 3d Zone	5,000	10
		West End (5-8)	Top of 5th Zone Shale thru 8th Zone	8,000	E
		West End (9th Zone)	First 500' below base of 9th Zone Shale		E
		East End (Cruz-Nutt)	All Zones	7,500	E
Newport Area	Orange	All	All	3,500	5
Playa Del Rey-Venice	Los Angeles	Upper (Shallow)	Above top of Nodular Shale	5,000	20
		Deep (Conglomerate)	Top Nodular Shale to Schist	7,000	20
Potrero	Los Angeles	Pliocene	Above Pliocene-Miocene Contact		10
		Potrero Twp	All Miocene Formations		E
Richfield	Orange	Area E½ Section 33 and all of Section 34:			
		Chapman (including Breen Pool).	From Chapman Shale to Kraemer Shale		5
		Kraemer	From Kraemer Shale to depth limit	5,000	5
		Area—all except E½ Section 33 and Section 34:			
		Chapman-Kraemer	From Chapman Shale to depth limit	5,000	10
Rosecrans-Athens	Los Angeles	All above Zins	All above top of Zins Shale		10
		Zins	Top of Zins Shale to top of 7th Zone (O'Dea Shale).		10
		7th (O'Dea)	Top of 7th (O'Dea) Shale to top of 8th Zone Shale.		10
		8th Zone	All below 8th Zone Shale	8,000	E
Santa Fe Springs	Los Angeles		All	8,000	10
Seal Beach	Orange and Los Angeles	South Fault Block Area:			A
		Bixby	Above "D_1" Marker		10
		Selover	"D_1" to "F_2"		10
		Wasem	"F_2" to "T"		10
		Upper McGrath	"T" to "Y_1"		10
		North Fault Block Area:			
		San Gabriel	Above "C_1"		10
		Bixby	"C_1" to "D_1"		10
		Selover	"D_1" to "F_2"		10
		Wasem	"F_2" to "T"		10
		Upper McGrath	"T" to "Y_1"		10
		Lower McGrath	"Y_1" to "Y_1" plus 2500'		10
Torrence-Hermosa-Redondo	Los Angeles	Shallow (Main)	Above base "I" Shale		5
		Deep (D&B, 34, Flint, etc.)	From base of "I" Shale to Schist		10
Turnbull Canyon	Los Angeles	Clevenger	Top of "F" to bottom of "G"		10
Whittier District:					19
La Habra	Los Angeles	All	All	5,000	10
Rideout Heights					
Bartolo					
Central		Miocene	Productive formations from "W" Marker to "X" Marker plus 100'.		5
Whittier Heights No.					
Wilmington	Los Angeles	Block I: [b]			
		Tar-Ranger-Upper Terminal	Above "AC"		5
		Ford	"AM" to "AW" plus 80'		10
		Blocks II, III, IV, and V: [b]			
		Tar	"S" to "F"		5
		Ranger	"F" to "HX"		5
		Upper and Lower Terminal	"HX" to "AE"		5
		Union Pacific	"AE" to "AM"		10
		Ford	"AM" to "AW" plus 80'		10
Yorba Linda	Orange	Shell-Smith	Above base of Pliocene	3,500	10
Los Angeles District:					
Beverly Hills	Los Angeles	All	All	3,500	E
Los Angeles					
Salt Lake					
Other Fields:					
Chino	Los Angeles and Orange	All	All	3,500	10
Kraemer					
Lawndale					
Puente Hills		All	All	9,000	40
Western Avenue	do				

SAN JOAQUIN VALLEY

Antelope Hills	Kern	Williams	Above Lower Santos Shale	3,500	0
Ant Hill (m)	Kern	Olcese	The Olcese Sand		15
		Jewett	Top of the Jewett Sands to basement		20
Bellevue	Kern	Upper Stevens	To base of Upper Stevens Sand	7,000	20
		Lower Stevens	From base of Upper Stevens Sand to base of Lower Stevens Sand.	9,000	20
			Above top of Temblor		5
Beldridge North	Kern	Shallow	"A" to "P"		10
		"R" Sand	"R" to "U"		E
		Wagon Wheel	"U" to top Black Shale ("W" plus 500')		E
		"Y" Sand (includes Gibson)	Base Black Shale to "Y" plus 400'		20

Footnotes at end of table.

EXHIBIT A—Continued

SAN JOAQUIN VALLEY—Continued

(1) Field	(2) County	(3) Pool: Name of pool	(4) Pool: Formations included in pool	(5) Vertical depth limit	(6) Drilling unit size
				Feet	*Acres*
Belridge South	Kern	Shallow	Above top of Belridge Diatomite plus 200'		5
		Etchegoin	Top of Etchegoin plus 200' to top of Reef Ridge.		5
		Deep	Top of Reef Ridge to top of Temblor		10
Buena Vista Hills and Front	Kern	Upper	Above base of Calitroleum Sand	5,000	10
		Basal Etchegoin (27-B)	Base of Calitroleum Sand to top of Miocene Sand.		20
Canal	Kern	Stevens	Above base of Stevens Sand	8,500	20
Coalinga East	Fresno	Temblor Pool	Above top of Kreyenhagen Shale		10
		28-A Pool	Top of Kreyenhagen to base of Eocene Sand.		10
		Oil City Pool	To base of Cretaceous Sand	3,500	10
Coalinga Nose	Fresno	Gatchell	"EGA" to "EGZ"	8,500	20
Coalinga Northeast	Fresno	Gatchell	"EGA" to "EGZ"	8,500	E
Coalinga West	Fresno	Tar-Main	Above top of Kreyenhagen Shale	3,500	5
Coles Levee North	Kern	"21-1"	"N" plus 250' to "N" plus 550'		E
		Western	"N" plus 350' to "N" plus 1500' exclusive of "21-1" Pool.		E
Coles Levee South	Kern	Stevens	"N" to "S" plus 2000'		E
Edison	Kern	East and West	Above Schist	5,000	10
Elk Hills	Kern	Pliocene	All Pliocene Formations		10
		Miocene	Below Pliocene-Miocene Contact		40
Fairfax	Kern	All	All	5,500	10
Fresno Area:					
Burrel	Fresno	Temblor	Above top of Kreyenhagen Shale		E
Helm		Eocene	Top of Kreyenhagen Shale to top of Cretaceous and including subjacent sand in Cretaceous.		E
Lanare					
Raisin City					
Riverdale					
Fruitvale	Kern	Martin-Kernco	Above base Lower Kernco Zone	5,000	10
Gosford	Kern	Stevens	All		E
Graveyard Valley	Kern	Olig	To top of Miocene		E
Greeley	Kern	Stevens (Greeley)	Above "S" plus 500'		E
		Rio Bravo-Vedder (11-2)	"RB" to base Lower Vedder Sand	11,000	20
Jacalitos Anticline	Fresno	Upper Temblor	All formations from the top of the Temblor to the "J" Marker.		20
		Lower Temblor	All formations from the "J" Marker to the "KR" Marker.		20
Kern Front	Kern	Etchegoin-Chanac	To base of Chanac	3,500	5
Kern River	Kern	Kern River	To base of Kern River Formation	2,000	5
Kettleman No. Dome	Fresno and Kings	Temblor (LV Zone)	"A" to "S" plus 100'		E
		Temblor (Basal V Zone)	"S" plus 100' to "VA"		E
		Vaqueros (VI Zone)	"VA" to "KR"		20
		Eocene	Below "MS"	11,500	E
Lost Hills	Kern	All Zones	To base Santa Margarita	3,500	5
McKittrick District	Kern	Cymric	Above top Reef Ridge (Santa Margarita)		5
		McKittrick			
		McKittrick Front			
		Temblor Ranch			
		Seabreeze	Above top of Reef Ridge		5
Midway Sunset	Kern	H and T	Conglomerate beds below the Etchegoin (Tulare) and above the true Maricopa Shale.	3,500	5
		Republic	The Republic Sands within the upper 3000' of the true Maricopa Shale.	3,500	5
		Quality	Productive Sands within the upper 3500' of the true Maricopa Shale.	3,500	5
		Lakeview	Productive Sands at the base of the Etchegoin and in Upper Miocene.	4,500	10
	Kern	Evans	Productive Sands within the upper 2,500' of the true Maricopa Shale.	3,500	5
		Webster (Ruby)	Productive Sands within the upper 3,000' of the true Maricopa Shale.	3,500	5
		Gibson	Productive Sands within the upper 1,000' of the Miocene Shale.	4,000	10
		Hoyt	Productive Sands in the transition zone between the Pliocene and Miocene.	3,500	5
		15-191 (Standard)	Undifferentiated Miocene Sands	4,500	10
		31-R	Undifferentiated Miocene Sands	5,000	10
		Main	All productive sands not otherwise classified.	5,000	5
		North Midway (Southwestern Area).	All	3,500	5
Mt. Poso District:					
Baker		All	To base of Lower Vedder Sand	3,500	5
Dominion		All	To base of Lower Vedder Sand	3,500	5
Dorsey		All	To base of Lower Vedder Sand	3,500	5
Magee (Granite Canyon)		Vedder	All	3,500	5
Mt. Poso	Kern	Upper Vedder	All above the base of Upper Vedder Sand		5
Mt. Poso		Lower Vedder	All below the base of Upper Vedder Sand		5
Mt. Poso North		All	To base of Upper Vedder Sand		5
Sunset		All	To base of Lower Vedder Sand	3,500	5
Vedder (Corral Canyon)		All	To base of Lower Vedder Sand	3,500	5
Mountain View District:					
Arvin					
Northwest	Kern		To base of Santa Margarita	6,500	10
Southeast					
Earl Front					
Paloma	Kern				
Pleasant Valley	Fresno	Eocene	"EGA" to "EGZ"		160
Poso Creek District:					
Enas					
McVan					
Premier	Kern	Etchegoin-Chanac	To base of the Chanac	3,500	5
Premier East					
Pyramid Hills	Kings	All	All	1,500	5
Rare Flock Hill	Kern	Jewett	Jewett Sand and subjacent Sands	5,500	20
Rio Bravo	Kern	Rio Bravo-Vedder	To base Lower Vedder Sand	11,000	E
Rosedale Ranch	Kern	All	To base Chanac-Santa Margarita transitional zone.		40

Footnotes at end of table.

EXHIBIT A—Continued

SAN JOAQUIN VALLEY—Continued

(1) Field	(2) County	(3) Pool: Name of pool	(4) Pool: Formations included in pool	(5) Vertical depth limit	(6) Drilling unit size
				Feet	*Acres*
Round Mountain District:					
Coffee Canyon (Old and New)	Kern	All Zones	To base of Lower Vedder Sands	2,500	5
Round Mt. Main Area		Jewett	"J" to "T" or to the top of the Vedder		5
Round Mt. Main Area		Vedder	"T" to base of Lower Vedder Sand		5
Mon Bluff		Vedder	To base of Lower Vedder Sands		5
Oleose Nose		Jewett	"J" to "T" or to the top of the Vedder		5
Pyramid		Vedder	To base of Lower Vedder Sands	2,600	5
Sharktooth		Vedder	To base of Lower Vedder Sands		5
Sheep Springs	Kern	Carneros	Top of Temblor to top of Lower Santos Shale.		10
Strand	Kern	Upper (1 and 2 Zones)	Above "SS$_3$"		20
		Lower (3 and 4 Zones)	"SS$_3$" to "SS$_4$" plus 200'	9,000	20
Strand East	Kern	Stevens	All	9,000	40
Tejon Ranch	Kern	Richfield	All to base of Chanac	3,500	10
		Metzenbaum	All to base of Chanac	3,500	E
		Grapevine	All below base of Chanac	5,000	E
		Stevens	Above base Stevens Sand	9,000	E
Ten Section	Kern	All	Cretaceous	1,000	5
Valleeitos	San Benito	Vedder	To base Vedder Sand		40
Wasco	Kern		All Zones	4,500	10
Wheeler Ridge	Kern				
Other Fields:					
Arvin South	Kern	All		7,500	20
Blackwell's Corner				3,500	5
Canfield Ranch				8,500	20
Chico Martinez				1,500	5
Devil's Den				1,300	5
McCling		All	To base of Vedder Sand		E
Shafter				13,000	E
Union Avenue		All		5,500	20

[a] Portion east of east boundary of the railroad right-of-way adjacent to the beach.
[b] Portion west of east boundary of the railroad right-of-way adjacent to the beach.
[c] West of Taylor 99 Fault Plane.
[d] East of Taylor 99 Fault Plane.
[e] East of Fault III.
[f] West of Fault III.
[g] Between Main Inglewood Shear Fault and the X Thrust Fault.
[h] West of X Thrust Fault.
[i] Area west and northwest of the common Signal-Standard "Bolsa" lease property line.
[j] Area east of the common Signal-Standard "Bolsa" lease property line.
[k] Area west of Wilmington Fault Plane.
[l] Area east of Wilmington Fault Plane.
[m] Not more than two wells, including those previously drilled, shall be drilled or completed on each 20 surface acres.

[F. R. Doc. 45-13808; Filed, July 27, 1945; 10:53 a. m.]

PART 1545—PETROLEUM SUPPLY

[PAO 23, as Amended July 31, 1945]

LIMITATION ON SHIPMENT OF RESIDUAL FUEL OIL AND ASPHALT

The fulfillment of the requirements for the defense of the United States has created in certain areas a shortage in the supply of residual fuel oil and asphalt for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest to promote the national defense and to provide adequate supplies of residual fuel oil and asphalt for military and other essential uses.

§ 1545.7 *Petroleum Administrative Order No. 23, as amended July 31, 1945*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Residual fuel oil" means any liquid petroleum fuel oil which has a viscosity of or above 25 Saybolt Seconds Furol at 122° Fahrenheit, and includes, but is not limited to, any fuel oil commonly known as residual fuel oil, any fuel oil meeting Pacific Specifications Nos. 300 and 400, railroad and heavy industrial fuel, bunker grade fuel, light domestic fuel, and any crude oil used for the same purposes as residual fuel oil.

(3) "Asphalt" means all asphalts of petroleum origin and all asphaltic products of petroleum origin, including road oils.

(b) *Limitation on shipment of residual fuel oil and asphalt from certain areas.* (1) No person shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of residual fuel oil from any point within the area embraced by the States of Washington, Oregon, California, Nevada and Arizona, and the Counties of Ada, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Kootenai, Idaho, Latah, Lewis Nez Perce, Owyhee, Payette, Shoshone, Valley, and Washington in the State of Idaho, to any other point in the continental United States: *Provided,* That this paragraph shall not apply to deliveries by tank truck from any point within the area embraced by these states and counties to any other point in the continental United States which was normally served by such tank truck deliveries during the six months period immediately preceding the effective date of this order.

(2) No person shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of asphalt from any point within the area embraced by the States of Washington, Oregon, California, Nevada, and Arizona, to any other point in the continental United States.

(c) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director of Supply and Transportation, Petroleum Administration for War, Interior Building, Washington 25, D. C. In making an appeal hereunder, the following information shall be submitted:

(1) Name of person supplying residual fuel oil or asphalt.

(2) Point of origin of shipment.

(3) Quantity in barrels per month to be shipped.

(4) Name of person to whom shipment will be consigned.

(5) Point to which shipment will be made.

(6) Method of transportation and route over which shipment will be made.

(7) Purpose for which residual fuel oil or asphalt will be used by person receiving shipment.

(8) Nearest known alternate source of supply.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

Effective date. This order shall become effective on July 31, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong.; Pub. Laws 89 and 507, 77th Cong.; Pub. Law 509, 78th Cong.)

Issued: July 31, 1945.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 45-13966; Filed, July 30, 1945; 10:25 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 70]

PART 4003—SUPPORT PRICES; SUBSIDIES

1945 SHEEP AND LAMB SUBSIDY

The Secretary of Agriculture and the Price Administrator having submitted to me certain information and recommendations with respect to the production of sheep and lambs, and proposed a program designed to (1) encourage the raising and feeding of lambs of heavier weights, (2) bring about a more normal seasonal distribution in the marketing of lambs, (3) direct more market lambs into legitimate slaughter channels, (4) decrease the current drastic rate of liquidation of breeding sheep and (5) help producers meet increased costs without increasing consumer prices of lamb and mutton.

I hereby find that the proposed program will effectuate the policies established by Executive Orders 9250 and 9328. Accordingly, pursuant to the authority vested in me by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation, and for Other Purposes" and by Executive Order No. 9250 of October 3, 1942, and Executive Order No. 9328 of April 8, 1943, *It is hereby ordered:*

SECTION 1. The Secretary of Agriculture is hereby authorized and directed to carry out, through Commodity Credit Corporation, beginning August 5, 1945 and terminating June 30, 1946, the program of subsidy payments to sellers of lambs and sheep to authorized slaughterers which is more fully described in the Secretary's letter dated July 26, 1945.

SEC. 2. (a) The Secretary of Agriculture is directed to declare invalid, in whole or in part, any claim for payment filed by an applicant who, in the judgment of the Price Administrator, has willfully violated any meat or livestock regulation or order issued by the Price Administrator. Such judgment shall be made only in the event the alleged violation is referred to the U. S. Attorney for prosecution.

(b) Upon nisi prius determination in a civil action or proceeding (including a proceeding before a hearing Commissioner) against an applicant for payment, that such applicant has violated any substantive provision of an Office of Price Administration meat or livestock regulation or order, the Office of Price Administration shall certify the determination to the Secretary of Agriculture, including the period of time during which the violation is found to have occurred. The Secretary of Agriculture shall thereupon withhold payment on all claims of the applicant under this directive for the accounting period in which the violation is found to have occurred. In the event that the determination of violation shall be reversed and such reversal becomes final, the amount of subsidy withheld pursuant to this paragraph shall be paid forthwith. For the purposes of this section, every provision of the regulation or order shall be deemed substantive in nature unless the Office of Price Administration determines otherwise.

(c) The provisions of this section shall not be construed as prohibiting the imposition of other conditions to the receipt of payments which are authorized by law.

SEC. 3. (a) Reconstruction Finance Corporation is directed to discontinue the payment of subsidies on sheep and lambs slaughtered on and after August 5, 1945.

(b) Reconstruction Finance Corporation is directed to amend Livestock Slaughter Payments Regulation No. 3, Revised, in accordance with the provisions of this section.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 26th day of July 1945.

THOMAS I. EMERSON,
Acting Director of Economic Stabilization.

[F. R. Doc. 45-13842; Filed, July 27, 1945; 1:42 p. m.]

PART 4001—WAGE AND SALARIES

EXEMPT EMPLOYERS

Section 4001.16 of the regulations of the Director of Economic Stabilization is hereby amended to provide as follows:

§ 4001.16 *Exempt employers.* The provisions of §§ 4001.10, 4001.11, 4001.13, and 4001.14 shall not be applicable to employers who employ eight or less individuals: *Provided, however,* That the Commmissioner or the Board, as the case may be, may extend these provisions to such employers and to such extent as the Commissioner or the Board may deem necessary for the effective administration of the national wage and salary stabilization program.

(E.O. 9250, E.O. 9328)

Issued and effective this 27th day of July 1945.

THOMAS I. EMERSON,
Acting Economic Stabilization Director.

[F. R. Doc. 45-13962; Filed, July 30, 1945; 9:46 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 2, Amdt. 2]

PART 8302—PRIORITIES OF GOVERNMENT AGENCIES AND STATE OR LOCAL GOVERNMENTS

Section 8302.1 (b) of Surplus Property Board Regulation No. 2, April 24, 1945, entitled "Priorities of Government Agencies and State or Local Governments" (10 F.R. 5104, 8911) is hereby amended to read as follows:

(b) "Government agency" means any executive department, independent establishment, board, bureau, commission or other agency of the Federal Government, or any corporation wholly owned (either directly or through one or more corporations) by the United States.

This amendment shall become effective on August 1, 1945.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 25, 1945.

[F. R. Doc. 45-13970; Filed, July 30, 1945; 10:50 a. m.]

[SPB Reg. 5, Amdt. 2]

PART 8305—SURPLUS NON-INDUSTRIAL REAL PROPERTY

Surplus Property Board Regulation No. 5, May 21, 1945, entitled "Surplus Non-Industrial Real Property" (10 F.R. 6252, 7500), is hereby amended by changing the first sentence of § 8305.12 (c) (2) to read as follows: "Within sixty (60) days after a disposal agency receives a declaration of surplus real property, but in no event sooner than sixty (60) days after such agency has been allotted funds with which to operate as a disposal agency, it shall publish notice that such property is available for disposal, but this provision shall not apply to property which has been reported back to the Board with a request for reclassification."

This amendment shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 25, 1945.

[F. R. Doc. 45-13965; Filed, July 30, 1945; 10:20 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 261—TRESPASS

CIBOLA NATIONAL FOREST; REMOVAL OF TRESPASSING HORSES, MULES, AND BURROS

Whereas a number of horses, mules, and burros are trespassing and grazing on portions of the Magdalena and Red Rock Districts in the Cibola National Forest in the State of New Mexico; and

Whereas these animals are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551), and the act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), the following order for the occupancy, use, protection, and administration of land in the Magdalena and Red Rock Districts of the Cibola National Forest, is issued:

Temporary closure from livestock grazing.[1] (a) The following-described areas in the Cibola National Forest are hereby closed for the period August 1, 1945, to October 31, 1945, to the grazing of horses, mules, and burros, excepting those that are lawfully grazing on or crossing land in such allotments, pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land:

Baldy Allotment, Magdalena District. Beginning at the ¼ corner common to Sec. 19, T. 4 S., R. 2 W. and Sec. 24, T. 4 S., R. 3 W., thence north 3 miles across Six Mile Canyon, thence NW 1 mile to South Canyon, thence NE to rim rock, fenced to this point, thence NW following rim rock to Water Canyon Forest Service pasture; thence north along the west line of Emelio Papa patented land; thence SW up ridge to top of Magdalena Mountains to North Baldy Peak. Fence from Forest Service pasture to this point. From North Baldy south along crest of mountain to SE¼ of Sec. 24, T. 4 S., R. 4 W., thence SE on ridge to Saw Mill Canyon; thence NE up ridge to top of ridge between Saw Mill and Ryan Hill Canyons, thence SE along ridge to Dago Peak, thence NE on ridge to Ryan Hill Canyon. Cross Canyon at mouth of Dago Peak Canyon and Ryan Hill, thence NE to Buck Peak, thence E to Molino Spring and N. to point of beginning.

Little Rosa Allotment, Red Rock District. Beginning at the SE corner of Sec. 31, T. 4 S., R. 5 W., thence following forest boundary fence, north 3 miles, west 5 miles, north 1 mile, west one-half mile to NE corner of Monica Ranger Station pasture, then in a southerly direction up Monica Canyon to Beartrap Saddle, a distance of 4 miles, thence in a southeasterly direction for approximately 5 miles up San Mateo divide via Mt. Withington in approximately NW¼ of Sec. 21, T. 5 S., R. 6 W., thence in a northeasterly direction down divide between Potato and Dry Canyons to bluffs on east side of Big Rosa Canyon, following along bluffs in the same general direction to east line of Gozo patent in Big Rosa Canyon, then north to point of beginning, a distance of approximately 7 miles.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses, mules, and burros found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses, mules, and burros shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Cibola National Forest is located.

Done at Washington, D. C., this 28th day of July 1945. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13982; Filed, July 30, 1945; 11:16 a. m.]

[1] This affects tabulation contained in 36 CFR, § 261.50.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

TOTAL DISABILITY PROVISION FOR UNITED STATES GOVERNMENT LIFE INSURANCE

§ 10.3160 *Total disability provision for United States Government life insurance.* The total disability provision for United States Government life insurance authorized by section 311 of the World War Veterans' Act, 1924, as amended May 29, 1928 (45 Stat. 970) is as follows:

(a) Under the authority of section 311 of the World War Veterans' Act as amended May 29, 1928, the following disability provision is hereby added to and becomes a part of policy K------, effective ----------, on the life of ----------.

(b) In consideration of the application therefor and evidence of good health, and payment of the additional monthly premium of $------ payable under the same terms and conditions as the regular monthly premium on the insurance contract, until the maturity of this policy by death, total permanent disability or as an endowment, or until receipt of proof of total disability for twelve consecutive months or longer, the United States hereby agrees to pay disability benefits of $5.75 per month for each $1,000 insurance as shown on the face of the policy, upon receipt of due proof, before default in payment of any premium; that the insured hereunder is totally disabled, and has been so totally disabled for a period of twelve consecutive months or more. Monthly payments shall continue during the continuance of such total disability, and during the period of such payments all premiums on such insurance, including the premiums for this disability provision, shall be waived and any premiums tendered for such period shall be refunded to the insured, if living, otherwise, to the beneficiary. Such payment of benefits and waiver of premiums shall be effective as of the date of the beginning of total disability.

(c) The payment of a monthly income by reason of the total disability of the insured in accordance with this provision may be concurrent with or independent of the insured's right to receive total permanent disability benefits under the policy. Neither the payment of a monthly income under this provision nor the payment of total permanent disability benefits under the policy shall reduce the amount of the monthly income payment payable for the total disability under this provision, or the amount of the monthly instalment payable for total permanent disability under the policy.

(d) Total disability as referred to herein is any impairment of mind or body which continuously renders it impossible for the disabled person to follow any substantially gainful occupation. The Administrator of Veterans' Affairs shall have the right to require proof of the continuance of such total disability at any time or times during the first two years after receipt of proof of total disability, but not more frequently thereafter than once a year. If the insured shall fail to furnish satisfactory proof thereof no further premiums will be waived and no further monthly disability payments will be made hereunder on account of such disability.

(e) In the event it is found that the insured is no longer totally disabled, the payment of benefits and the waiver of premiums shall cease and the insured shall be privileged to continue the amount of insurance as provided by the terms of the policy as modified by this regulation upon payment of the monthly premium, and the total disability provision upon payment of the monthly premium specified in this agreement.

(f) The waiver of premiums and the payment of the monthly income, as herein provided shall be in addition to all other benefits and privileges under the policy including the participation in such dividends on the policy as may be determined by the Administrator of Veterans' Affairs.

No change in (g) (h) or (i) inclusive.

(j) This provision may be reinstated after lapse, together with the policy, by compliance with the same terms and conditions provided for reinstatement of the policy of insurance to which this agreement is attached. This includes the payment of all premiums in arrears with interest at 5 percentum per annum, compounded annually.

(k) This agreement takes effect on the ---------- of ----------, 19----.

All claims arising under the provisions of section 311 of the World War Veterans' Act, 1924, as amended May 29, 1928 will be settled in accordance with the provisions of § 10.3160, as hereby amended.

(Secs. 5, 300, 301, 43 Stat. 608, 624, as amended, secs 1, 2, 46 Stat. 1016; 38 U.S.C. 11, 11a, 426, 511, 512)

[SEAL] FRANK T. HINES,
Administrator.

JULY 30, 1945.

[F. R. Doc. 45-13886; Filed, July 27, 1945; 4:56 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 289]

ALASKA

WITHDRAWAL OF CERTAIN LAND AS A NAVAL PETROLEUM RESERVE

Amending Executive Order No. 3797–A of February 27, 1923, withdrawing certain land in Alaska as a naval petroleum reserve.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, Executive Order No. 3797–A of February 27, 1923, withdrawing certain lands in Alaska as a Naval Petroleum Reserve, is hereby amended by deleting therefrom the penultimate paragraph which reads as follows:

Said lands to be so reserved for six years for classification, examination, and preparation of plans for development and until otherwise ordered by the Congress or the President.

ABE FORTAS,
Acting Secretary of the Interior.

JULY 20, 1945.

[F. R. Doc. 45-13958; Filed, July 30, 1945; 9:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 341]

PART 95—CAR SERVICE

PREFERENCE IN MOVEMENT OF EMPTY FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of July, A. D. 1945.

It appearing, that empty freight cars have accumulated at Los Angeles, San Bernardino, Colton and Long Beach, California, to the extent that such accumulations are contributing to the shortage of equipment and are causing congestion of traffic; the Commission is of the opinion an emergency exists at the above named points requiring immediate action to best promote the service in the interest of the public and the commerce of the people. It is ordered, that:

(a) *Preference in movement of empty freight cars.* All common carriers by railroad subject to the Interstate Commerce Act serving Los Angeles, San Bernardino, Colton and Long Beach, California, shall accord preference in movement of empty freight cars from the above-named points over all civilian carload freight traffic.

(b) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(c) *Effective date.* This order shall become effective at 12:01 a. m., July 29, 1945.

(d) *Expiration date.* This order shall expire at 11:59 p. m., July 30, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon the Railroad Commission of the State of California, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms to that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-13895; Filed, July 28, 1945; 11:07 a. m.]

Notices

WAR DEPARTMENT.

[General Order No. 51]

CAMP FOREST, TENN., AND FORT BRAGG, N. C.

LIMITATION OF PROSTITUTION NEAR ARMY ESTABLISHMENTS

Pursuant to the act of Congress approved July 11, 1941 (Public Law 163, 77th Cong.; sec. I, WD Bul. 23, 1941), as amended by the act of Congress approved May 15, 1945 (Public Law 58, 79th Cong.; sec. II, WD Bul. 8, 1945), the Secretary of War has determined that it is needful to the efficiency, health, and welfare of the Army to restrain and prevent commission of the offense defined by said act, in areas within reasonable distances of Camp Forest, Tennessee, and Fort Bragg, North Carolina, and hereby designates and describes said areas as follows:

1. That area which lies within the following counties of the State of Tennessee: Bedford, Bledsoe, Cannon, Cheatham, Coffee, Davidson, DeKalb, Dickson, Franklin, Giles, Grundy, Lincoln, Marion, Marshall, Maury, Moore, Putnam, Robertson, Rutherford, Sequatchie, Smith, Sumner, Van Buren, Warren, White, Williamson, and Wilson.

2. That area which lies within the following counties of the State of North Carolina: Bladen, Cumberland, Harnett, Hoke, Johnston, Lee, Moore, Richmond, Robeson, Sampson, Scotland, and Wake.

EDWARD F. WITSELL, *Major General, Acting The Adjutant General.*

[F. R. Doc. 45-13844; Filed, July 27, 1945; 4:29 p. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

SAN LUIS VALLEY PROJECT, COLO.

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 23, 1945.

THE SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388).

SAN LUIS VALLEY PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 34 N., R. 4 E.,
Secs. 25, 26, 27, 34, 35 and 36.
T. 36 N., R. 4 E.,
Sec. 24, exclusive of Patented Mineral Entry No. 18859.
T. 33 N., R. 5 E.,
Sec. 1, Lots 2, 3, N½ of Lot 4, SW¼, NW¼SE¼, S½SE¼;
Sec. 2, S½NW¼, SW¼, NW¼SE¼, S½SE¼;
Sec. 3, Lot 2, S½NE¼, W½, SE¼;
Sec. 4, all;
Sec. 10, S½;
Secs. 11 and 12,
T. 34 N., R. 5 E.,
Sec. 7, E½;
Sec. 8, NE¼, NE¼NW¼, NE¼NW¼NW¼, W½NW¼NW¼, E½SE¼NW¼, SW¼SW¼SW¼, SE¼;
Sec. 17, NE¼, SW¼NW¼, SE¼;
Sec. 18, E½;
Sec. 19, E½;
Sec. 20, NE¼, SW¼NE¼NW¼, NW¼NW¼, S½NW¼, S½;
Sec. 21, W½;
Sec. 27, all;
Sec. 28, N½, W½SW¼, SE¼SW¼, NE¼SE¼;
Secs. 29 and 31;
Sec. 33, NW¼NE¼, S½NE¼, W½, SE¼;
Sec. 34, NE¼, NE¼NW¼, SW¼, N½SE¼, SW¼SE¼.
T. 33 N., R. 6 E.,
Secs. 4 to 10, inclusive;
Secs. 15, 16, and 17;
Secs. 21 to 28, inclusive;
Tracts 41 and 52.
T. 34 N., R. 6 E.,
Secs. 31 and 32.
T. 32 N., R. 7 E.,
Sec. 3, S½S½SW¼;
Sec. 4, all;
Sec. 10, W½NE¼, W½, SE¼;
Sec. 11, W½.
T. 33 N., R. 7 E.,
Sec. 29, SW¼, W½SE¼;
Sec. 30, Lot 3, NE¼SW¼, N½SE¼;
Sec. 31, Lot 1, S½NE¼;
Sec. 32, S½NE¼, N½SW¼;
Sec. 33, S½N½, S½.

Respectfully,

WILLIAM E. WARNE, *Acting Commissioner.*

I concur: July 9, 1945.

FRED W. JOHNSON, *Commissioner of the General Land Office.*

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

OSCAR L. CHAPMAN, *Assistant Secretary.*

JULY 24, 1945.

[F. R. Doc. 45-13960; Filed, July 30, 1945; 9:46 a. m.]

SAN LUIS VALLEY PROJECT, COLO.

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 23, 1945.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the act of June 17, 1902 (32 Stat. 388), and that departmental order of September 17, 1941, establishing Colorado Grazing District No. 8 be modified and made subject to the withdrawal effected by this order.

SAN LUIS VALLEY PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 32 N., R. 7 E.,
Sec. 11, E½;
Sec. 12, all.
T. 33 N., R. 7 E.,
Secs. 25 and 26, all;
Sec. 27, N½, NE¼SW¼, N½SE¼, SE¼SE¼;
Sec. 34, E½NE¼, NE¼SE¼;
Sec. 35, N½, NW¼SW¼, N½SE¼.
T. 32 N., R. 8 E., Sec. 7, NE¼, E½NW¼.
T. 33 N., R. 8 E., Sec. 30, all.

Respectfully,

WILLIAM E. WARNE, *Acting Commissioner.*

I concur:

ARCHIE D. RYAN, *Acting Director of the Grazing Service.*

JULY 9, 1945.

I concur:

FRED W. JOHNSON, *Commissioner of the General Land Office.*

JULY 9, 1945.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

OSCAR L. CHAPMAN, *Assistant Secretary.*

JULY 24, 1945.

[F. R. Doc. 45-13959; Filed, July 30, 1945; 9:45 a. m.]

General Land Office.

[Misc. 2051032]

NEW MEXICO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 21, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

NEW MEXICO PRINCIPAL MERIDIAN

T. 7 S., R. 10 W.,
Sec. 31, lot 1, NE¼NW¼, and N½NE¼.
T. 4 S., R. 13 W.,
Sec. 30, lot 2.
T. 4 S., R. 14 W.,
Sec. 25, S½N½.

The areas described aggregate 356.21 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a.m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Las Cruces, N. Mex., shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON, *Commissioner.*

[F. R. Doc. 45-13957; Filed, July 30, 1945; 9:45 a. m.]

[No. 226]

UTAH

AIR-NAVIGATION SITE WITHDRAWAL

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., Title 49, sec. 214), it is ordered as follows:

Subject to valid existing rights, the following-described public land in Utah is hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 226:

SALT LAKE MERIDIAN

T. 36 S., R. 3 W., Sec. 7, lot 1.
The area described contains 34.32 acres.

This order shall take precedence over, but shall not modify, the order of the Acting Secretary of the Interior dated March 30, 1944, establishing Utah Grazing District No. 11, so far as it affects the above-described land.

ABE FORTAS, *Acting Secretary of the Interior.*

JULY 17, 1945.

[F. R. Doc. 45-13956; Filed, July 30, 1945; 9:45 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Agency.

DELEGATION OF AUTHORITY FROM CHIEF, AGRICULTURAL ADJUSTMENT AGENCY, TO MEMBERS OF COUNTY AGRICULTURAL CONSERVATION COMMITTEES

Subject to the general direction and supervision of the respective State AAA Committees, members of County Agricultural Conservation Committees are hereby authorized to exercise the authority and perform the functions vested in the War Food Administrator by § 8307.6 of Surplus Property Board Regulation 7, dated May 29, 1945, relating to veterans' preferences, such authority and functions having been assumed by the Secretary of Agriculture under Executive Order No. 9577 and delegated to me with authority to redelegate.

Dated: July 27, 1945.

[SEAL] N. E. DODD, *Chief, Agricultural Adjustment Agency.*

[F. R. Doc. 45-13898; Filed, July 28, 1945; 11:09 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6773]

THE VOICE OF MARION

ORDER DESIGNATING APPLICATION FOR HEARING AND STATING ISSUES

In re: Application of O. E. Richardson, R. W. Widdel, and S. G. Strasburg d/b as The Voice of Marion (New), Marion, Ind., for construction permit. File No. B4–P–3750.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of July, 1945;

The Commission having under consideration an application by O. E. Richardson, R. W. Widdel, and S. G. Strasburg d/b as the Voice of Marion for construction permit for a new standard broadcast station at Marion, Indiana (File No. B4–P–3750);

It is ordered, That this application be, and it is hereby designated for hearing, to be held on the 29th day of August, 1945 upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast services available to these areas and population.

2. To determine the type and character of the program service which applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed area, in whole or in part.

3. To obtain full information concerning the applicant's proposals for the employment of personnel to construct and operate the proposed station.

4. To determine the nature, extent, and effect of any interference which would result from simultaneous operation of the proposed station and Station WHBU, Anderson, Indiana, WCPO, Cincinnati, Ohio, WBOW, Terre Haute, Indiana, and WJOB, Hammond, Indiana.

5. To determine whether the granting of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

6. To determine whether the granting of this application would be consistent with the Commission's Standards of

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 341]

PART 95—CAR SERVICE

PREFERENCE IN MOVEMENT OF EMPTY FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of July, A. D. 1945.

It appearing, that empty freight cars have accumulated at Los Angeles, San Bernardino, Colton and Long Beach, California, to the extent that such accumulations are contributing to the shortage of equipment and are causing congestion of traffic; the Commission is of the opinion an emergency exists at the above named points requiring immediate action to best promote the service in the interest of the public and the commerce of the people. It is ordered, that:

(a) *Preference in movement of empty freight cars.* All common carriers by railroad subject to the Interstate Commerce Act serving Los Angeles, San Bernardino, Colton and Long Beach, California, shall accord preference in movement of empty freight cars from the above-named points over all civilian carload freight traffic.

(b) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(c) *Effective date.* This order shall become effective at 12:01 a. m., July 29, 1945.

(d) *Expiration date.* This order shall expire at 11:59 p. m., July 30, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon the Railroad Commission of the State of California, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms to that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-13843; Filed, July 27, 1945; 4:29 p. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

SAN LUIS VALLEY PROJECT, COLO.

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 23, 1945.

THE SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388).

SAN LUIS VALLEY PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 34 N., R. 4 E.,
Secs. 25, 26, 27, 34, 35 and 36.
T. 36 N., R. 4 E.,
Sec. 24, exclusive of Patented Mineral Entry No. 18859.
T. 33 N., R. 5 E.,
Sec. 1, Lots 2, 3, N½ of Lot 4, SW¼, NW¼SE¼, S½SE¼;
Sec. 2, S½NW¼, SW¼, NW¼SE¼, S½SE¼;
Secs. 21 to 28, inclusive;
Tracts 41 and 52.
T. 34 N., R. 6 E.,
Secs. 31 and 32.
T. 32 N., R. 7 E.,
Sec. 3, S½S½SW¼;
Sec. 4, all;
Sec. 10, W½NE¼, W½, SE¼;
Sec. 11, W½.
T. 33 N., R. 7 E.,
Sec. 29, SW¼, W½SE¼;
Sec. 30, Lot 3, NE¼SW¼, N½SE¼;
Sec. 31, Lot 1, S½NE¼;
Sec. 32, S½NE¼, N½SW¼;
Sec. 33, S½N½, S½.

Respectfully,

WILLIAM E. WARNE,
Acting Commissioner.

I concur: July 9, 1945.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

OSCAR L. CHAPMAN,
Assistant Secretary.

JULY 24, 1945.

[F. R. Doc. 45-13960; Filed, July 30, 1945, 9:46 a. m.]

SAN LUIS VALLEY PROJECT, COLO.

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 23, 1945.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the act of June 17, 1902 (32 Stat. 388), and that departmental order of September 17, 1941, establishing Colorado Grazing District No. 8 be modified and made subject to the withdrawal effected by this order.

SAN LUIS VALLEY PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 32 N., R. 7 E.,
Sec. 11, E½;
Sec. 12, all.
T. 33 N., R. 7 E.,
Secs. 25 and 26, all;
Sec. 27, N½, NE¼SW¼, N½SE¼, SE¼SE¼;

Good Engineering Practice, particularly in view of the expected interference limitations to the service of Stations WHBU, WCPO, WBOW, and WJOB.

7. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the Commission's Supplemental Statement of Policy of January 26, 1944.

8. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Supplemental Statement of Policy of January 16, 1945.

9. To determine whether in view of the facts to be adduced under the foregoing issues the public interest, convenience, or necessity would be served by a grant of this application.

The applicant is hereby given the opportunity to obtain a hearing upon such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules and regulations. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules and regulations.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-13905; Filed, July 28, 1945; 11:27 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 1024]

RECONSIGNMENT OF ORANGES AT TUCSON, ARIZ.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Tucson, Arizona, July 25, 1945, by Kelm Produce Company, of car ART 19468, oranges, now on the Southern Pacific Company, to Murias Brothers Company, Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13967; Filed, July 30, 1945; 10:45 a. m.]

[2d Rev. S. O. 300, Special Permit 16]

ICING OF POTATOES FROM JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing at Jersey City, N. J. (on B. & O.), on not to exceed twenty-eight (28) refrigerator cars, loaded with potatoes, to be shipped July 24 to 29, inclusive, 1945, from points on the Long Island Railroad, consigned to Quarter Master Market Center, New Orleans, Louisiana, for export, and to accord one reicing in transit only at Cincinnati, Ohio. (Brighton—by B. & O.) on the said twenty-eight (28) cars.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13968; Filed, July 30, 1945; 10:45 a. m.]

[2d Rev. S. O. 300, Special Permit 17]

REFRIGERATION OF POTATOES FROM GREENPORT, LONG ISLAND, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on cars of potatoes, N. P. 92155, CX 50189 and FGE 37001, shipped from Greenport, Long Island, New York, and ART 20012, shipped from Hightstown, New Jersey, by F. H. Vahlsing, Inc., July 26, 1945, all consigned to Tampa, Florida (L. I.-P. R. R.-R. F. & P.-A. C. L.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13969; Filed, July 30, 1945; 10:45 a. m.]

OFFICE OF INTER-AMERICAN AFFAIRS.

DUTIES AND FUNCTIONS OF DIRECTOR

DESIGNATION AND DELEGATION OF AUTHORITY

By virtue of authority vested in the Director of Inter-American Affairs by Executive Order No. 9532 (10 F.R. 3173), Francis A. Jamieson is hereby authorized in the absence of the Director to perform and exercise as Acting Director, all of the duties, powers and functions heretofore and hereafter authorized by law to be performed and exercised by the Director, and in the absence of the Director and the said Francis A. Jamieson, George C. Dunham is authorized to perform and exercise as Acting Director the aforesaid duties, powers and functions, and in the absence of the Director and the said Francis A. Jamieson and George C. Dunham, Julien L. Schley is authorized to perform and exercise such duties, powers and functions as Acting Director, and in the absence of the Director and the said Francis A. Jamieson, George C. Dunham and Julien L. Schley, Francis Alstock is authorized to perform and exercise such duties, powers and functions as Acting Director, and in the absence of the Director, the said Francis A. Jamieson, George C. Dunham, Julien L. Schley and Francis Alstock, John W. G. Ogilvie is authorized to perform and exercise such duties, powers and functions as Acting Director.

This authorization shall remain in effect until specifically revoked by the Director.

Dated: July 27, 1945.

WALLACE K. HARRISON,
Director.

[F. R. Doc. 45-13964; Filed, July 30 1945; 9:47 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination]

CHICAGO, ILL.

POSSESSION AND OPERATION OF PROPERTY OF MOTOR CARRIERS

In accordance with the provisions of Executive Order 9554 (10 F.R. 5981), I hereby determine that possession and control of the motor carrier transportation systems of motor carriers in or about the city of Chicago, Illinois, whose motor carrier transportation systems were taken and assumed by the United States pursuant to notice and order of the Director of the Office of Defense Transportation issued May 23, 1945 (10 F.R. 6044), and notice and order of the Deputy Director of the Office of Defense Transportation issued June 15, 1945 (10 F.R. 7353), is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control of each motor carrier transportation system taken and assumed by the United States pursuant to Executive Order 9554, by notice and order issued by the Director of the Office of Defense Transportation on May 23, 1945, and by notice and order issued by the Deputy Director of the Office of Defense Transportation on June 15, 1945, including all real and personal property, plants, facilities, and other assets so taken and assumed, is hereby terminated and relinquished by the United States effective at 12:01 o'clock a. m., on August 1, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered. This Notice and Order of Termination shall not apply to any motor carrier transportation system which on the date of issuance of this Notice and Order of Termination is in the possession of the Government by virtue of Executive Order 9462 dated August 11, 1944.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C.

Issued at Washington, D. C., this 27th day of July 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-13887; Filed, July 27, 1945; 5:11 p. m.]

[Suppl. Order ODT 3, Rev. 137, Revocation]

KANSAS

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised-137 (8 F.R. 17443), filed with the Office of Defense Transportation by carriers subject thereto, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-137, be, and it hereby is, revoked, effective August 3, 1945.

Issued at Washington, D. C., this 30th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-13971; Filed, July 30, 1945; 10:59 a. m.]

[Supp. Order ODT 17-7]

KINGS, QUEENS, NASSAU, AND SUFFOLK COUNTIES, N. Y.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 17, as amended (7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 12750, 14582; 9 F.R. 2795), a copy of which plan is attached hereto as Appendix 2;[1] and,

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment of the carriers, and to conserve and providently utilize vital equipment, material, and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, schedules, contracts, or supplements to filed schedules or contracts, setting forth any changes in rates, charges, rules, regulations, or practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such schedules, contracts, or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service of another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 3, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Edward Brady, Glendale, N. Y.
Carl Busigost, St. Albans, N. Y.
Herman Coleman, Ridgewood, N. Y.
Joseph Dee, Brooklyn, N. Y.
J. Frank Ferrizz, doing business as Ferrizz Bros., Hempstead, Long Island, N. Y.
Matthew Ferrizz, Maspeth, N. Y.
Sol T. Forin, Brooklyn, N. Y.
Anthony Ganci, Brooklyn, N. Y.
James Ganci, Glendale, N. Y.
Henry W. Hallowell, Bellerose, N. Y.
Samuel Kenney, Brooklyn, N. Y.
Lotto Rose, Brooklyn, N. Y.
John A. Lynch, Kew Gardens, Long Island, N. Y.
James A. McKinney, Bookville, N. Y.
Ralston Oakes, Richmond Hill, N. Y.
Charles Rose, Brooklyn, N. Y.
Charles Ruppert, Glendale, N. Y.
John Specht, Valley Stream, N. Y.
Frank E. Reilly, Richmond Hill, N. Y.
William Wiebke, Ridgewood, Brooklyn, N. Y.
William Scarlett, Brooklyn, N. Y.
John Schaefer, Springfield Gardens, N. Y.

[F. R. Doc. 45-13972; Filed, July 30, 1945; 10:59 a. m.]

[1] Filed as part of the original document.

Good Engineering Practice, particularly in view of the expected interference limitations to the service of Stations WHBU, WCPO, WBOW, and WJOB.

7. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the Commission's Supplemental Statement of Policy of January 26, 1944.

8. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Supplemental Statement of Policy of January 16, 1945.

9. To determine whether in view of the facts to be adduced under the foregoing issues the public interest, convenience, or necessity would be served by a grant of this application.

The applicant is hereby given the opportunity to obtain a hearing upon such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules and regulations. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules and regulations.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-13905; Filed, July 28, 1945; 11:27 a. m.]

INTERSTATE COMMERCE COMMISSION.

[2d Rev. S. O. 300, Special Permit 16]

ICING OF POTATOES FROM JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing at Jersey City, N. J. (on B. & O.), on not to exceed twenty-eight (28) refrigerator cars, loaded with potatoes, to be shipped July 24 to 29, inclusive, 1945, from points on the Long Island Railroad, consigned to Quarter Master Market Center, New Orleans, Louisiana, for export, and to accord one reicing in transit only at Cincinnati, Ohio, (Brighton—by B. & O.) on the said twenty-eight (28) cars.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

Issued at Washington, D. C., this 26th day of July 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-13969; Filed, July 30, 1945; 10:45 a. m.]

OFFICE OF INTER-AMERICAN AFFAIRS.

DUTIES AND FUNCTIONS OF DIRECTOR

DESIGNATION AND DELEGATION OF AUTHORITY

By virtue of authority vested in the Director of Inter-American Affairs by Executive Order No. 9532 (10 F.R. 3173), Francis A. Jamieson is hereby authorized in the absence of the Director to perform and exercise as Acting Director, all of the duties, powers and functions heretofore and hereafter authorized by law to be performed and exercised by the Director, and in the absence of the Director and the said Francis A. Jamieson, George C. Dunham is authorized to perform and exercise as Acting Director the aforesaid duties, powers and functions, and in the absence of the Director and the said Francis A. Jamieson and George C. Dunham, Julien L. Schley is authorized to perform and exercise such duties, powers and functions as Acting Director, and in the absence of the Director and the said Francis A. Jamieson, George C. Dunham and Julien L. Schley, Francis Alstock is authorized to perform and exercise such duties, powers and functions as Acting Director, and in the absence of

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1435]

C. & S. COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

C. & S. Coal Co., c/o George D. Smith, South Zanesville, Ohio, C. & S. Mine, No. 7 Seam, Mine Index No. 4177, Muskingum County, Ohio, Subdistrict 6 for All Methods of Shipment, Strip Mine, Rail Shipping Point: South Zanesville, Ohio

	Size group Nos.												
	1	2	3	3A	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	325	325	295	295	295	295	285	245	245	250	210	....	250
Truck shipment	360	360	360	320	320	265	265	230	230	265	....	....	265

Dry Fork Coal Co. c/o H. I. Cooper Jr., Smithfield, Ohio, Dry Fork Coal Co. Mine, No. 8 Seam, Mine Index No. 4178 Jefferson County, Ohio, Subdistrict 1 for All Methods of Shipment, Deep Mine, Rail Shipping Point: Smithfield, Ohio

Rail shipments and railroad fuel	331	331	311	311	311	311	296	261	251	286	....	....	266
Truck shipment	386	386	386	346	346	316	316	291	281	316	....	....	316

Charles Givens, 236 Lincoln St., New Lexington, Ohio, Givens Mine, No. 6 Seam, Mine Index No. 4172, Perry County, Ohio, Subdistrict 6 for All Methods of Shipment, Deep Mine, Rail Shipping Point: Crooksville, Ohio

Rail shipments and railroad fuel	351	351	321	321	321	321	311	271	271	276	....	....	276
Truck shipment	386	386	386	346	346	291	291	256	256	291	....	....	291

New Albany Coal Co., 23 North Elm St., Columbiana, Ohio, New Waterford Mine, No. 6 Seam, Mine Index No. 4171, Columbiana County, Ohio, Subdistrict 4 for Rail Shipments, 4C for Truck Shipments, Strip Mine, Rail Shipping Point: New Waterford, Ohio

Rail shipments and railroad fuel	325	325	310	310	310	310	290	250	240	280	235	....	280
Truck shipment	375	375	375	335	335	305	305	270	260	305	....	....	305

Townsend Brothers Coal Co., Route 2, Pedro, Ohio, Townsend Brothers Coal Mine, No. 5 Seam, Mine Index No. 1166, Lawrence County, Ohio, Subdistrict 7 for All Methods of Shipment, Deep Mine, Rail Shipping Point: Pedro, Ohio

Rail shipments and railroad fuel	371	371	341	341	341	311	311	281	271	301	....	....	311
Truck shipment*	401	401	401	361	361	291	291	266	256	291	....	....	291

*Previously established.

This order shall become effective July 28, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13849; Filed, July 27, 1945; 4:35 p. m.]

[MPR 120, Amdts. 3 and 4 to Order 1343]

BITUMINOUS COAL IN DISTRICT 8

AUTHORIZATION OF MAXIMUM PRICES

Correction

In Federal Register Documents 45-13010 and 45-13019, appearing on page 8983 of the issue for Friday, July 20, 1945, the second headnote in each case should read "Bituminous Coal in District 8", as set forth above.

[MPR 188, Order 44 Under Order 1052]

HERRICK FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (g) of Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Herrick Furniture Company, Falconer, N. Y., may add the following additional adjustment charges to its maximum prices for sales and deliveries to retailers of the articles of wood household furniture listed below which it manufactures, resulting in the following adjusted maximum prices:

Article	Model No.	Maximum price	Adjustment per unit by Order No. 1052	Additional adjustment charge per unit by this order	Total adjusted maximum price
Dresser base	425	$24.00	$1.20	$1.51	$26.71
Mirror	425	7.75	.39	.49	8.63
Chest	425	27.25	1.36	1.72	30.33
Chest on chest	426	32.25	1.61	2.03	35.89
Vanity base	426	24.50	1.23	1.54	27.27
46 bed	425	26.50	1.33	1.29	29.12
Night table	426	10.75	.54	.68	11.97

The adjustment charges listed above may be made and collected only if each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to class of purchasers.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customers, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount.

On all sales other than sales to the ultimate consumer this additional adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted price is subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles. The adjustment charge authorized in this paragraph (b) is in addition to any adjustment charge permitted for wholesalers by Order No. 1052 under Maximum Price Regulation No. 188.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form, and is in addition to any notice required by paragraphs (d) or (e) of Order No. 1052 under Maximum Price Regulation No. 188.

(d) *Profit and loss statement.* After the effective date of this order, Herrick Furniture Company, shall submit to the Office of Price Administration, Washington, D. C., a detailed quarterly profit and loss statement within 30 days after the end of each full quarter year.

(e) All requests not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13850; Filed, July 27, 1945; 4:36 p. m.]

[MPR 188, Order 110 Under 2d Rev. Order A-3]

HUGH LYONS AND CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Hugh Lyons and Company, of Lansing, Michigan, may sell and deliver to Firestone Tire and Rubber Company, of Akron, Ohio, the articles, listed below, which it manufactures, and which are described in the manufacturer's application dated April 3, 1945, at prices no higher than its maximum prices in effect immediately prior to the issuance of this order plus the appropriate one of the following adjustment charges:

Model	Article	Amount of adjustment
A-42	Store fixture group	$1.63
A[illegible]	Appliance unit	.50
BCR-15	Clothing rack	.44
CD-451	Counter divider	.06
CTD-5	Table display	.09
DD-15	Divider display	.18
HL-50	Horn and light display	.36
LL-99	Ledge display frame	.09
LD-1	Luggage display	.15
P-50	Platform	.20
PC-25	Print cabinet	.25
PR-54	Platform riser	.15
SD-1	Sport display	.37
WC-20	Wall cabinet	.28
WCD-2	Work clothing table	.25
WU-8	Wrapping unit	.13
SSS-2	Book rack	1.06

On all sales to Firestone Tire and Rubber Company, the adjustment charges provided herein may be made and collected only if stated separately on each invoice.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to Firestone Tire and Rubber Company.

(b) *Maximum prices of Firestone Tire and Rubber Company.* In addition to its properly established maximum price in effect immediately prior to the issuance of this order for sales of the articles covered by this order on sales to its dealers, Firestone Tire and Rubber Company may collect from its customers an adjustment charge in the same amount as that authorized in paragraph (a), *Provided*, It has paid such amount to the manufacturer.

If Firestone Tire and Rubber Company did not have a properly established maximum price for sales of an article covered by this order on the issuance date of this order, it may add the amount of the adjustment charge it has paid to its supplier to the maximum price which is established hereafter under the applicable regulation for its sales of the article to its dealers. If the applicable regulation requires the maximum price to be computed on the basis of cost, Firestone Tire and Rubber Company must determine its maximum resale price, not including the permitted adjustment charge, by using as its cost, its invoice cost less any adjustment charge stated on the invoice.

On all sales other than sales to ultimate consumers, the adjustment charges, provided herein, may be made and collected only if stated separately on each invoice.

The adjusted maximum prices are subject to Firestone Tire and Rubber Company's customary terms, discounts, allowances and other price differentials on sales of the same or similar articles.

(c) *Notification.* At the time of, or prior to, the first invoice to Firestone Tire and Rubber Company, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resales of the article covered by this order. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13869; Filed, July 27, 1945; 4:35 p. m.]

[MPR 188, Amdt. 1 Order 3415]

CINDER BLOCKS PRODUCED IN WASHINGTON, D. C., METROPOLITAN AREA

ESTABLISHMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (b) is amended to read as follows:

(b) The Metropolitan Area of Washington, D. C., as used in this order means the area located within a 13 air-mile radius of the zero milestone, District of Columbia.

This amendment shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13851; Filed, July 27, 1945; 4:36 p. m.]

[MPR 188, Order 4164]

LAUTS & BRADY

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of the aluminum hot plate manufactured by Lauts and Brady, 1242 South Camden Drive, Los Angeles 35, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Jobbers	Department and chain stores	Other retailers	Consumers
Aluminum hot plate	HP-1	*Each* $0.25	*Each* $0.30	*Each* $0.34	*Each* $0.50

These prices are for the article described in the manufacturer's application dated June 29, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. The prices for the sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13852; Filed, July 27, 1945; 4:36 p. m.]

[MPR 188, Order 4165]

ANSOL MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ansol Manufacturing Company, 709 Chestnut Street, Philadelphia 6, Pennsylvania.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
		Each	*Each*	*Each*
12" hand sewn celanese satin or crepe lamp shade with braid trim top and bottom.	B-185	$1.74	$2.05	$3.70
15" hand sewn celanese satin or crepe lamp shade with braid trim top and bottom.	D-195	1.91	2.25	4.05
19" hand sewn celanese satin or crepe lamp shade with braid trim top and bottom.	F-275	2.34	2.75	4.95
16" hand sewn multifilament lamp shade with ruching top trim.	8A-423 and 424.	2.55	3.00	5.40
18" hand sewn multifilament and crepe lamp shade with braid trim and bottom.	30A-56-7 and 8.	3.09	3.25	5.85

These prices are for the articles described in the manufacturer's application dated April 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. --------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13853; Filed, July 27, 1945; 4:37 p. m.]

[MPR 188, Order 4166]

JUSTINE LAMP SHADE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Justine Lamp Shade Company, 2251 South Michigan Avenue, Chicago 16, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
			Each	*Each*
15" hand sewn rayon silk lamp shade with braid top and fold bottom trim	550	$2.76	$3.25	$5.85
16" hand sewn rayon silk lamp shade with double ruching trim top and bottom	600	3.19	3.75	6.75
19" hand sewn rayon silk lamp shade with braid trim top and bottom	770	4.05	4.75	8.55

These maximum prices are for the articles described in the manufacturer's application dated March 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13854; Filed, July 27, 1945; 4:37 p. m.]

[Administrative Notice 19]

RYE GRAIN, 1946 CROP

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES

Correction

In Federal Register Document 45-13674, appearing at page 9350 of the issue for Friday, July 27, 1945, the following changes should be made:

In the list of States under paragraph II, the second county for Minnesota should read "Beltrami".

In the "Table List of State and County Base Prices in Area B", prices per bushel for the following counties should read as follows:

Illinois:	
Williamson	1.42
Kentucky:	
Christian	1.48
Clark	1.49
Madison	1.51
South Carolina:	
Colleton	1.66
Wisconsin:	
Bayfield	1.31
Brown	1.34
Burnett	1.31

Wisconsin—Continued.	
Dodge	1.34
Door	1.35
Douglas	1.31
Florence	1.35
Forest	1.34

[MPR 188, Order 4167]

ELNOR TRADING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Elnor Trading Company, 1165 Broadway, New York 1, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Group 1-A		*Each*	*Each*	*Each*
Crystal vanity bases	153	$1.19	$1.40	$2.50
	505-112	1.19	1.40	2.50
	146-147-148	1.19	1.40	2.50
	600-601-602	.94	1.10	1.98
	91-96-152-175	.80	1.05	1.89
	70-69	1.11	1.30	2.30
	206-140-115-89	1.09	1.30	2.30
	141-131-154	1.09	1.30	2.30
	251	1.09	1.30	2.30
Group 1-B				
Crystal vanity lamp bases	99, 99R	1.70	2.00	3.60
	101-101X-101XX	1.70	2.00	3.60
	100-101R	1.70	2.00	3.60
	201-201A	1.70	2.00	3.60
	180-180X-180XX	1.70	2.00	3.60
	205-105-144	1.70	2.00	3.60
	170X-170-190	1.70	2.00	3.60
	501-500	1.70	2.00	3.60
	102-103-104	1.70	2.00	3.60
	151-150-113	1.70	2.00	3.60
Group 1-C				
Crystal lamps	T505-T112-T206	1.91	2.25	4.05
	T201-T201A-T99	1.91	2.25	4.05
	T160-T150-T100	1.91	2.25	4.05
	160-114-111-110	1.91	2.25	4.05
	121-116	1.91	2.25	4.05
	T180-T180X-T180XX	1.91	2.25	4.05
	250	1.91	2.25	4.05
	261	1.68	1.98	3.55
	T153	2.01	2.37	4.30
	T101-T101X-T101XX	2.11	2.48	4.45
	T170-T170X	2.11	2.48	4.45
	T141-T146-T251	1.83	2.15	3.89
Group 1-D				
Crystal lamps	T-121, 200	2.25	2.65	4.80
	120-106-107	2.25	2.65	4.80
	T250 (Spec)	5.38	6.33	11.40
	T550	3.85	4.53	8.15
	T551	3.76	4.42	7.96
	T124	3.30	3.88	6.98
	T501A (Spec)	2.90	3.41	6.15
	671	2.75	3.23	5.80
	T500	2.67	3.14	5.65
	T501-T103PB	2.66	3.13	5.65
	T142-T120	2.83	3.33	5.99
	T205-T105	2.57	3.02	5.45
	T190	2.81	3.30	5.95
	659	2.36	2.78	5.00
	655	2.21	2.60	4.70
	142-143-130-142X	2.20	2.59	4.65
	T103-T200-T104-T102	3.35	3.94	7.10
	T250	4.45	5.23	9.40
Group 2				
China lamp bases	307	4.62	5.43	9.80
	336	3.60	4.23	7.60
	318	3.19	3.75	6.75
	334-335	4.46	5.25	9.45
Hurricane lamp	680	2.85	3.30	6.00

These maximum prices are for the articles described in the manufacturer's application dated May 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

§F. R. Doc. 45-13855; Filed, July 27, 1945; 4:37 p. m.]

[MPR 188, Order 4168]

BRITE LITE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Brite Lite Company, 14 East 17th Street, New York 3, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Table lamp base with ruby cut front and column, Rogers gold fittings and Italian marble base	720	*Each* $11.75	*Each* $13.83	*Each* $24.90
Table lamp base with opal glass swirl column, Rogers gold fittings and marble base	716	6.80	8.00	14.40
Table lamp with decorated front and chimney	728	6.80	8.00	14.40
Table lamp with ruby cut front and column, brass fittings and hand-cut 8-inch chimney	721	14.88	17.50	31.50

These maximum prices are for the articles described in the manufacturer's application dated April 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons

other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13856; Filed, July 27, 1945; 4:37 p. m.]

[MPR 188, Order 4169]

GENESEE ELECTRIC CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Genesee Electric Company, 8 Mill Street, Mount Morris, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below;

Article	Model	Maximum prices for sales by any seller to—			
		Wholesaler (jobber)	Retailer (6 units or more)	Retailer (less than 6 units)	Consumer
Bowl heater	17	*Each* $2.35	*Each* $2.78	*Each* $2.99	*Each* $4.50

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945. They include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Order No. 4169
Model No. 17
OPA Retail Ceiling Price $4.50
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Genesee Electric Company
8 Mill Street
Mount Morris, New York
Model No. 17
OPA Retail Ceiling Price $4.50
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13857; Filed, July 27, 1945; 4:38 p. m.]

[MPR 188, Order 4170]

APPLIANCE INDUSTRIES OF AMERICA

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Appliance Industries of America, 666 North Lake Shore Drive, Chicago 11, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesaler (jobber)	Retailer (6 units or more)	Retailer (less than 6 units)	Consumer
Stendi-trio single burner table top stove:					
With metal plate protector	B-2	*Each* $1.97	*Each* $2.33	*Each* $2.51	*Each* $3.75
Without metal plate protector	B-1	1.64	2.18	2.35	3.50

These maximum prices are for the articles described in the manufacturer's application dated June 30, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days, net thirty days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and price filled in:

Order No. 4170
Model No. --------
OPA Retail Ceiling Price $------
Federal Excise Tax Included
Do Not Detach or Obliterate

Or

Appliance Industries of America
666 North Lake Shore Drive
Chicago 11, Illinois
Model No. --------
OPA Retail Ceiling Price $------
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13858; Filed, July 27, 1945; 4:38 p. m.]

[MPR 188, Order 4171]

RAYENERGY RADIO AND TELEVISION CORP., OF AMERICA

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Rayenergy Radio and Television Corp., 521 Fifth Avenue, New York 17, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by all sellers, the maximum prices are those set forth below:

Article	Maximum price to—		
	Jobber and U. S. Govt.	Retailer	Consumer
4 Tube, AC DC walnut table model radio	$8.47	$9.97	$14.95

The above maximum prices do not include Federal excise tax, and the prices to jobbers, retailers and U. S. Government are f. o. b. New York, subject to discount of 2%, net 10 days.

These maximum prices are for the articles described in the manufacturer's application and attached letter dated June 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$14.95 excluding Federal excise tax
Model No. 5 T. W.
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13859, Filed, July 27, 1945; 4:38 p. m.]

[MPR 188, Order 4172]

CAMPBELL LABORATORIES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Campbell Laboratories of 6826 San Fernando Road, Glendale 1, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Drop-ship jobbers	Retailers	Consumers
Sprinkler head wrench	None	*Each* $0.264	*Each* $0.315	*Each* $0.38	*Each* $0.63

These maximum prices are for the articles described in the manufacturer's application dated May 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$0.63 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13860; Filed, July 27, 1945; 4:39 p. m.]

[MPR 188, Order 4173]

EBERHARD FABER PENCIL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159c of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Eberhard Faber Pencil Co., of 37 Greenpoint Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the seller indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by the manufacturer to any person		
	Less than 6 dozen	6 dozen	12 dozen and over
Model 3000 mechanical pencil	*Each* $0.75	*Each* $0.715	*Each* $0.675
Model 3001 fountain pen	1.50	1.425	1.35

These maximum prices are for the articles described in the manufacturer's report dated May 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory except that on shipments of 100 lbs. or more to Chicago, Ill., Atlanta, Ga., and the states of California, Oregon and Washington, freight will be equalized. They are subject to a cash discount of two percent for payment within ten days, net sixty days; except that all sales to consumers are net.

(3) If the manufacturer wishes to make sales and deliveries to any other classes of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall affix to every article covered by this order the information set forth in section 5 of Maximum Price Regulation No. 564, in the manner described in that section.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13861; Filed, July 27, 1945; 4:39 p. m.]

[MPR 188, Order 4174]

ARROWHEAD BRASS PRODUCTS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment for sales to jobbers by any person of the following finished brass faucets manufactured by the Arrowhead Brass Products of Los Angeles, California, and as described in its application dated May 5, 1945, shall be:

	Per C
½" SSS finished brass hose faucet with tee handle	$57.60
¾" SSS finished brass hose faucet with tee handle	62.40
½" SOT finished brass hose faucet with tee handle	62.60
¾" SOT finished brass hose faucet with tee handle	66.85

(b) The maximum net prices, f. o. b. point of shipment for sales by any person on sales to plumbing and heating contractors, installers, commercial and industrial users of the following commodities shall be:

	Per C
½" SSS finished brass hose faucet with tee handle	$75.80
¾" SSS finished brass hose faucet with tee handle	82.10
½" SOT finished brass hose faucet with tee handle	82.35
¾" SOT finished brass hose faucet with tee handle	87.95

(c) The maximum net prices, f. o. b. point of shipment for sales by any person to all other persons not provided for in (a) and (b) above shall be:

	Each
½" SSS finished brass hose faucet with tee handle	$0.84
¾" SSS finished brass hose faucet with tee handle	.91
½" SOT finished brass hose faucet with tee handle	.93
¾" SOT finished brass hose faucet with tee handle	.98

(d) The maximum net prices established by this Order for sales by the Arrowhead Brass Products shall be f. o. b. point of manufacture with a freight allowance of $1.50 cwt. on shipments exceeding 100 pounds.

(e) In addition to the allowance set forth in (d) above the maximum net prices established by this order shall be subject to discounts and allowances, including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(g) Each seller, except on sales to a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(h) The Arrowhead Brass Products shall tag each of the commodities covered by this order and shall print in a conspicuous place on the tag the maximum retail prices of the commodities as established by this order and shall identify each price as the maximum retail price.

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13862; Filed, July 27, 1945; 4:39 p. m.]

[MPR 188, Order 4175]

WOODWORTH SPECIALTIES CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of manufacture, for sales of the Olsen Split Roofing Nail by the Woodworth Specialties Company of Binghamton, New York, shall be:

	Per M
On sales of quantities of less than 500,000	$1.40
On sales of quantitites from 500,000 to 999,999 incl	1.30
On sales of quantities more than 1,000,000	1.25

(b) The maximum net prices, f. o. b. point of shipment for sales by any person other than the Woodworth Specialties Company, Binghamton, New York of the Olsen Split Roofing Nail manufactured by the Woodworth Specialties Company of Binghamton, New York, shall be:

	Per M
On sales to manufacturers of building materials	$2.25
On sales to distributors or jobbers	2 80
On sales to consumers (contractors)	3 50

(c) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) Every person selling the commodities subject to this order, except on sales to consumers (contractors) shall notify in writing each of his purchasers at or before the time of the first invoice of the maximum prices established by this order for his sales to such purchasers as well as the maximum prices established for each purchaser on resale.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13863; Filed, July 27, 1945; 4:40 p. m.]

[MPR 188, Order 4176]

VICTOR PRODUCTS CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following milk coolers manufactured by the Victor Products Corporation and as described in its application dated June 26, 1945, which is on file with the Building Materials Price

Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	Compressor	On sales to—		
		Distributors	Dealers	Consumers
LC-3...	CM 3451B ¼ hp....	$142.30	$178.00	$237.00
LC-4...	CM 3451B ⅓ hp....	155.50	194.50	259.00
LC-4S...	CM 3451B ⅓ hp....	155.50	194.50	259.00
LC-5...	CM 3451B ½ hp....	161.00	201.50	268.50
LC-5S...	CM 3451B ½ hp....	161.00	201.50	268.50
LC-6...	CM 3451B ¾ hp....	170.00	220.00	293.50
LC-6...	CM 3650C ½ hp....	186.50	233.00	311.00
LC-8...	CM 3651D ½ hp....	217.50	272.00	362.50
LC-10...	CM 3651D ½ hp....	236.00	296.00	394.50
LC-10...	CM 43 B ½ hp....	252.00	315.00	420.00
LC-12...	CM 43 B ¾ hp....	295.80	370.00	493.00

(b) On sales by the Victor Products Corporation the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this Order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this Order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Victor Products Corporation shall stencil on the inside of the lid or cover of the milk coolers covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $------
Plus freight and crating as provided in Order No. 4176 under Maximum Price Regulation No. 188

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13864; Filed, July 27, 1945; 4:40 p. m.]

[MPR 188, Order 4177]

MACNEL MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezer manufactured by the Macnel Manufacturing Company and as described in its application dated July 6, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Size	On sales to—		
	Distributors	Dealers	Consumers
20.1 cu. ft. with ⅓ hp. condensing unit	$330	$396	$660

(b) On sales by the Macnel Manufacturing Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Macnel Manufacturing Company shall stencil on the inside of the lid or cover of the farm and home freezer covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price—$660.00

Plus freight and crating as provided in Order No. 4177 under Maximum Price Regulation No. 188

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13865; Filed, July 27, 1945; 4:40 p. m.]

[MPR 188, Order 4178]

L. E. NELSON CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) These maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the L. E. Nelson Company and as described in its application dated May 14, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Size	On sales to—		
	Distributors	Dealers	Consumers
20 cu. ft. with ⅓ hp. condensing unit	$270	$324	$540
35 cu. ft. with ½ hp. condensing unit	372	446	741

(b) On sales by the L. E. Nelson Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The L. E. Nelson Company shall stencil on the inside of the lid or cover of the farm and home freezers covered by this order, the maximum net prices

to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $_____
Plus freight and crating as provided in Order No. 4178 under Maximum Price Regulation No. 188

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13866; Filed, July 27, 1945; 4:40 p. m.]

[MPR 188, Order 4179]

J. L. CLEMMEY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices f. o. b. point of shipment for sales by any person of the following septic tank manufactured by the J. L. Clemmey Company shall be:

(1) On sales to consumers:

Model SST-Obround Carbon Steel Septic Tank, Asphalt Finished, $36.25.

(2) On sales to dealers the maximum price shall be that specified in (a) (1) above less a discount of 25 percent.

(3) On sales to jobbers the maximum price shall be that specified in (a) (1) above less successive discounts of 20-25 percent.

(b) The maximum prices established in (a) above for sales by the J. L. Clemmy Company shall be f. o. b. point of manufacture with full freight allowed up to $0.70 cwt.

(c) In addition to the discounts in (a) and (b) above, the maximum prices established by this order shall be subject to such discounts and allowances including transportation allowances, and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class or comparable sales of similar commodities during March 1942.

(d) The maximum prices on an installed basis of the commodity covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(e) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for sales by each seller to such purchasers and the maximum resale price established for such purchasers.

(f) The J. L. Clemmey Company shall stencil in a conspicuous place of the septic tank the maximum price to consumers established by this order and shall identify such price as the maximum price to consumers.

(g) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13867; Filed, July 27, 1945; 4:41 p. m.]

[MPR 188, Order 4180]

STANLEY KNIGHT CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1944.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following deep freeze unit manufactured by Stanley Knight Corporation and as described in its application dated June 5, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington, D. C., shall be:

Item	On sales to—		
	Distributors	Dealers	Consumers
16 cu. ft. with ¼ hp. condensing unit	$280	$336	$560

(b) On sales by Stanley Knight Corporation the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Stanley Knight Corporation shall stencil on the inside of the lid or cover of the deep freeze unit covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price—$_____

Plus freight and crating as provided in Order No. 4180 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R Doc. 45-13868; Filed, July 27, 1945; 4:41 p. m.]

[MPR 260, Amdt. 1 to Order 50]

ELK IMPORTING CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102a of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "Flor de R. Barcia-Concha Fina" and "Flor de R. Barcia-Corona Chicas" cigars set forth in paragarph (a) of Order No. 50, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor de R. Barcia	Concha Fina	50	$161.50	20
	Corona Chicas	50	161.50	20

This amendment shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13870; Filed, July 27, 1945; 4:41 p. m.]

[MPR 260, Amdt. 1 to Order 75]

DESIDERO ARNAZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102a of Maximum Price Regulation No. 260, *It is ordered*, That:

The maximum prices for the "Quintero-Perlas" cigars set forth in paragraph (a) of Order No. 75, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Quintero	Perlas	50	$135	17

This amendment shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13871; Filed, July 27, 1945; 4:41 p. m.]

[MPR 260, Amdt. 1 to Order 378]

ELK IMPORTING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102a of Maximum Price Regulation No. 260: *It is ordered*, That:

The maximum prices for the "El Caracol-Caracol Sp" and "El Caracol-Camellias" cigars set forth in paragraph (a) of Order No. 378, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
El Caracol	Caracol Sp	50	*Per M* $190	*Cents* 25
	Camelias	50	150	20

This amendment shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13872; Filed, July 27, 1945; 4:42 p. m.]

[MPR 260, Amdt. 1 to Order 743]

MERVIN FREY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "Windsor Wonder-Londres" and "Master Key-Perfecto" cigars set forth in paragraph (a) of Order No. 743 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Master Key	Perfecto	50	*Per M* $54	*Cents* 8
Windsor Wonder	Londres	50	44	2 for 11

This amendment shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13873; Filed, July 27, 1945; 4:43 p. m.]

[MPR 260, Amdt. 1 to Order 1321]

ROHNER AND VADERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "City Seal-Perfecto" cigars set forth in paragraph (a) of Order No. 1321 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
City seal	Perfecto	50	*Per M* $56	*Cents* 7

This amendment shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13874; Filed, July 27, 1945; 4:41 p. m.]

[MPR 260, Order 1637]

A. PAGES CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) A. Pages Cigar Factory, 2401 14th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
A. Pages	Violeta	50	*Per M* $93.75	*Cents* 2 for 25
	Corona	50	105.00	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13875; Filed, July 27, 1945; 4:42 p. m.]

[MPR 260, Order 1638]

JOSE R. HERNANDEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose R. Hernandez Cigar Factory, 2418 Stuart St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ariguanabo	Corona Chica	50	*Per M* $72	*Cents* 9
	Reinas	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13876; Filed, July 27, 1945; 4:42 p. m.]

[MPR 260, Order 1639]

JUSTINO FERRER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Justino Ferrer, N. Ma de Hastos, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
J. Ferrer.....	Invincibles 5¼"...	50	*Per M* $80	*Cents* 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13877; Filed, July 27, 1945; 4:43 p. m.]

[MPR 260, Order 1640]

ARCURI-MICHELLI CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Arcuri-Michelli Cigar Factory, 1702 Michigan Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Arcuri Michelli...	Londres.....	50	*Per M* $63.75	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13878; Filed, July 27, 1945; 4:43 p. m.]

[MPR 260, Order 1641]

TONY V. COSTA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tony V. Costa Cigar Factory, 1511 11th Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Silvertone.....	Panatela 1A...	50	*Per M* $86.00	*Cents* 7
	Corona.....	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13879; Filed, July 27, 1945; 4:43 p. m.]

[MPR 260, Order 1642]

BORREGO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Borrego Cigar Factory, 1310 9th Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Alphomega.....	Delicias.....	50	*Per M* $72	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13880; Filed, July 27, 1945; 4:44 p. m.]

[MPR 260, Order 1643]

SANTOS DIAZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Santos Diaz, Villa St., 223, Ponce, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price

and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Santos Diaz	Cortado 4¼"	50	$46.65	6 for 35

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13881; Filed, July 27, 1945; 4:44 p. m.]

[MPR 260, Order 1644]

ISIDRO CORDERO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Isidro Cordero, Avenue Hostos, Stop 11½, Ponce, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Isidro Cordero	Breva	50	$40	5
	4⅝"	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13882; Filed, July 27, 1945; 4:44 p. m.]

[MPR 478, Order 152]

FABRICO PRODUCTS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered:*

(a) The maximum price for sales of the following coated fabric converted by the Fabrico Products, 124 Washington Street, Haverhill, Mass., shall be as follows:

	Per linear yard
36/40" 76 x 60 1.50 drill, dyed, with 8 ozs. dry weight of pyroxylin coating and further leather finished by embossing and topping to simulate leather effects	$1.2633

(b) With or prior to the first delivery of the fabric covered by this order, to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric, which is the maximum price set forth in (a) above.

(c) All provisions of Maximum Price Regulation 443 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13883; Filed, July 27, 1945; 4:44 p. m.]

[MPR 580, Order 98]

S. BUCHSBAUM & CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 98. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-12-252.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail

of the following branded articles manufactured by S. Buchsbaum & Co., 1737 South Michigan Avenue, Chicago 16, Ill., and described in the manufacturer's application dated May 26, 1945:

Article	Brand name	Manufacturer's price line	Ceiling price at retail
		Per dozen	*Per unit*
Men's and boys' belts.	Elasti-glass	$7.20	$1.00
	do	10.50	1.50
	do	13.50	2.00
Men's and boys' suspenders.	do	7.20	1.00
	do	10.50	1.50
	do	13.50	2.00
Men's belts	Style King	3.50	.55 (2 for 1.00)
	do	7.25	1.00
	do	10.50	1.50
	do	13.50	2.00
	do	16.50	2.50
	do	21.00	3.00
	do	24.00	3.50
	do	34.50	5.00
	do	42.00	6.75
Boys' belts	do	7.00	1.00
	do	10.00	1.50
Men's and boys' suspenders.	do	3.50	.55 (2 for 1.00)
	do	7.25	1.00

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after August 10, 1945, S. Buchsbaum & Co. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $------

On and after September 10, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 10, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13884; Filed, July 27, 1945; 4:45 p. m.]

[Supp. Order 94, Order 73]

UNITED STATES DEPARTMENT OF COMMERCE, ET AL.

SPECIAL MAXIMUM PRICE FOR CORROSIVE SUBLIMATE GAUZE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes the maximum price for the sale and delivery by any reseller of the corrosive sublimate gauze which has been or may be purchased from the United States Department of Commerce, or from any other United States Government agency.

(b) *Maximum price.* The maximum price for sales and deliveries by all resellers of corrosive sublimate gauze (two ½ square yard pieces per package) purchased from the United States Government or any agency thereof, in any quantity and to any class of purchaser, shall be on the basis of $0.08 per square yard, f. o. b. shipping point, when removed from the original package and rewrapped, and sold for other than medical, cosmetic or personal hygiene use.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the aforesaid gauze to a retailer shall furnish the retailer with an invoice of sale setting forth that the maximum price for sales at retail is on the basis of $0.08 per square yard when removed from the original package and rewrapped and sold for other than medical, cosmetic or personal hygiene use, and stating that the retailer is required by the order to display conspicuously at the place where the gauze is offered for sale a suitable sign which plainly states the retail ceiling price.

(e) *Tagging.* Any person who sells the aforesaid gauze at retail shall display conspicuously at the place where it is offered for sale a suitable sign which plainly states the retail ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 31, 1945.

Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13920; Filed, July 28, 1945; 12:08 p. m.]

[MPR 188, Order 4181]

REFRIGERATION CORP. OF AMERICA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the Refrigeration Corporation of America and as described in its application dated June 15, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	Item	On sales to— Distributors	Dealers	Consumers
#300	6 cu. ft. with ½ hp. condensing unit	$180	$192	$320
#500	10 cu. ft. with ⅓ hp. condensing unit	200	240	400
#700	14 cu. ft. with ⅓ hp. condensing unit	275	316	530
#1000	20 cu. ft. with ⅓ hp. condensing unit	330	396	660

(b) On sales by the Refrigeration Corporation of America the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied:

Model:
No. 300 $4
No. 500 6
No. 700 6
No. 1000 6

(c) The maximum net prices established by this Order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following:

Model:
#300 $4
#500 6
#700 6
#1000 6

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Refrigeration Corporation of America shall stencil on the inside of the lid or cover of the farm and home freezers covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price—$------
Plus freight and crating as provided in Order No. 4181 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13922; Filed, July 28, 1945; 12:09 p. m.]

[MPR 188, Order 4182]

AMANA SOCIETY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices, f. o. b. point of manufacture for sales by any person of the following Amana Home Freezer, manufactured by the Amana Society, Refrigeration Division, and described in its application dated March 20, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington, D. C., shall be:

Amana Home Freezer Model No. 200:	
On sales to distributors	$557.20
On sales to dealers	696.50
On sales to consumers	995.00

(b) On sales by the Amana Society, Refrigeration Division, the maximum prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $6.00.

(c) The maximum prices established by this Order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to this supplier but in no instance exceeding the following: $6.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Amana Society, Refrigeration Division, shall stencil on the lid or cover of the Amana Home Freezer Model No. 200, covered by this order, the maximum price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price—$_____
Plus freight and cratings as provided in Order No. 4182 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13923; Filed, July 28, 1945; 12:09 p. m.]

[MPR 188, Order 4183]

SHAW BURNER CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices on sales by any person of the 50,000 B. t. u. capacity gas-fired floor furnace without motor, fan, or controls manufactured by the Shaw Burner Company, Incorporated, of Arkansas City, Kansas, and described in the company's letter of March 29, 1945, shall be:

(1) On sales to distributors	$43.00
(2) On sales to dealers	53.75

(b) The maximum net prices established under (a) above are subject to discounts and allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) Every person selling the commodity subject to this order except on sales to consumers shall notify each purchaser in writing at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for his sales to such purchasers as well as the maximum prices established for each purchaser on resale.

(d) This order does not establish installed prices which must be determined in accordance with the appropriate provisions of Maximum Price Regulation No. 251.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective July 28, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13924; Filed, July 28, 1945; 12:09 p. m.]

[MPR 260, Order 1645]

ALBERT D. FREY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Albert D. Frey, 665 W. Broadway, Rear, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Dale-Raye	Londres	50	*Per M* $64	*Cents*

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13925; Filed, July 28, 1945; 12:09 p. m.]

[MPR 260, Order 1646]

E. L. LESTER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) E. L. Lester, 1020 N. 6th St., St. Louis 1, Mo. (hereinafter called manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Oro	4¾".....	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13926; Filed, July 28, 1945; 12:10 p. m.]

[MPR 260, Order 1647]

F AND F CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) F and F Cigar Factory, 2303 No. 22d Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
F & F.....	Coronas Esp..	50	$82.50	11
	Palmas.....	50	155.00	24

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13927; Filed, July 28, 1945; 12:10 p. m.]

[MPR 260, Order 1648]

MERVIN FREY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Mervin Frey, R. D. #1, Wrightsville, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Lord Fairplay...	Perfecto.....	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13928; Filed, July 28, 1945; 12:11 p. m.]

[MPR 260, Order 1649]

HARRY E. HERMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Harry E. Herman, 59 W. Main, Windsor, Pa. (hereinafter called manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Otter Rest St.....	Perfecto.....	50	$64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13929; Filed, July 28, 1945; 12:11 p. m.]

[RMPR 528, Order 52]

SEARS, ROEBUCK & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for sales of the following sizes of new Allstate Logging tires shall be as follows:

Size	Ply	Maximum retail price each
8.25-20.....	12	$83.20
9.00-20.....	12	100.90
10.00-20.....	14	125.70

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 31, 1945.

Issued this 28th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13950; Filed, July 28, 1945; 12:08 p. m.]

[MPR 122, Amdt. 28 to Rev. Order 47]

SOLID FUELS IN WASHINGTON AREA AND ALEXANDRIA, VA.

ADJUSTMENT OF AUTHORIZED PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered that Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. In paragraph (c) (1) the maximum prices for Virginia anthracite are amended to read as follows:

Kind and size	Per ton net 2,000 lbs.	Per ½ ton net 1,000 lbs.
Virginia anthracite:		
Egg, stove, nut.....	$11.07	$6.34
Pea.....	9.41	5.39
Buckwheat No. 1.....	7.83	4.48

2. Paragraph (c) (2) is amended to read as follows:

(2) Maximum authorized service charges. If the buyer requests such service of him, the dealer may, upon rendering such service, or where it is rendered

by an independent serviceman to whom the dealer advances payment for the service, charge an amount not in excess of 90 cents per net ton for carry or wheel service, except that no service charge may be made on deliveries of less than one-quarter ton or of any quantity of bagged coal.

3. New paragraph (f14) is added to read as follows:

(f14) The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for the sales of The Alden Coal Company's anthracite, by no more than 40 cents per net ton for the egg, stove, nut, pea and buckwheat sizes; and by no more than 25 cents per net ton for the rice size; if:

(1) The dealer keeps The Aldon Coal Company's anthracite separate in storage and delivery from any other kind of solids fuels;

(2) The dealer keeps complete and accurate records of The Alden Coal Company's anthracite for such time as this paragraph (f14) is in effect. The records shall show the date he received the coal; the name and address of the producer; the quantity in net tons of each delivery to him of such anthracite and all invoices sent to him by the producer; and,

(3) The Alden Coal Company's anthracite is produced by The Alden Coal Company, Alden, Pennsylvania.

This amendment shall become effective July 28, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13921; Filed, July 28, 1945; 12:06 p. m.]

[MPR 260, Order 1650]

MANUEL ALIER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Manuel Alier, Mayor Cantera #214, Ponce, Puerto Rico (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Manuel Alier	Cortade 4½"...	50	$32	4
	Corona 4½"...	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13930; Filed, July 28, 1945; 12:12 p. m.]

[MPR 260, Order 1651]

CARMELO NAZARIO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Carmelo Nazario, St. 2, Bella Vista No. 6, Rio Pudios, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Carmelo Nazario	Brevas.....	50	$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13931; Filed, July 28, 1945; 12:12 p. m.]

[MPR 260, Order 1652]

MELENDEZ CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Melendez Cigar Co., 106 Rafael Cordero St., Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Melendez Cigar Co.	Maravilla	50	$115.00	15
	Invincibles	50	82.50	11
	Perfecto Corriente	50	93.75	2 for 25
	Republicano	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13932; Filed, July 28, 1945; 12:12 p. m.]

[MPR 260, Order 1653]

D. VALENTI CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) D. Valenti Cigar Factory, 2922 22d St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Torre	Cadetes	50	$108.75	2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order; but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13933; Filed, July 28, 1945; 12:12 p. m.]

[MPR 260, Order 1654]

A. SANTAELLA & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) A. Santaella & Co., 1906 N. Armenia, P. O. Box 4217, Tampa 1, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Santaellas	Royals	50	$75	10
La Optima	do	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13934; Filed, July 28, 1945; 12:13 p. m.]

[MPR 260, Order 1655]

ROSALIE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rosalie Cigar Factory, 1610 19th St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Rosalie	Londres	50	$101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13935; Filed, July 28, 1945; 12:13 p. m.]

[MPR 260, Order 1656]

K-5 CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) K-5 Cigar Factory, 1903 Rear Nebraska Ave., Tampa 3, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Alhoma	Naturals	50	$82.50	11
	Londres Chicos	50	90.00	12
	Londres	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in

the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13936; Filed, July 28, 1945; 12:13 p. m.]

[MPR 260, Order 1657]

CALIFORNIA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) California Cigar Co., 1455 Grant Ave., San Francisco, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
California Cigar.	Tommy	50	$138.00	18
	Henry	50	115.00	15
	Modern Panatelas	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13937; Filed, July 28, 1945; 12:13 p. m.]

[MPR 260, Order 1658]

W. S. STIFFLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) W. S. Stiffler, R. D. 2, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Sen. Grady DeLuxe	Perfecto	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13938; Filed, July 28, 1945; 12:14 p. m.]

[MPR 260, Order 1659]

JOHN D. SAYLOR

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) John D. Saylor, T/A Jay Vee Cigar Co., R. D. No. 1, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Joe Tinker	Duke	50	$61	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13939; Filed, July 28, 1945; 12:14 p. m.]

[MPR 260, Order 1660]

C. J. ALTLAND

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) C. J. Altland, 145 E. College Ave., York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
High Life	Queens	50	$115	15
Rey de Cuba	do	50	115	15
El Siboney	do	50	115	15
Embassy Club	do	50	115	15
Penn Athletic Club	do	50	115	15
La Festina	do	50	115	15
Carlton	do	50	115	15
Avon	do	50	115	15
La Mora	do	50	115	15
Alona	do	50	115	15
Gene Vall	do	50	115	15
Prodo de Cuba	do	50	115	15
Lo Mas	do	50	115	15
North Castle	do	50	115	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13940; Filed, July 28, 1945; 12:14 p. m.]

[MPR 260, Order 1661]

MUELLER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mueller Cigar Co., 3351 Southport Ave., Chicago 13, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Historical	Straight	50	$40	5
Union Made	Factory Smokers	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March

1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13941; Filed, July 28, 1945; 12:15 p. m.]

[MPR 260, Order 1662]

PACIFIC TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Pacific Tobacco Co., 318 Clay Street, San Francisco 11, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Bohemian	Invincible	50	$101.25	2 for 27
El Carmel	Standards	50	93.75	2 for 25
	Fancy Tails	50	130.00	3 for 50
	Queen de Luxe	50	138.00	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13942; Filed, July 28, 1945; 12:15 p. m.]

[MPR 260, Order 1663]

FLOR AROMA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Flor Aroma Cigar Co., 2916 20th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor Aroma	Manolos	50	$80	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13943; Filed, July 28, 1945; 12:15 p. m.]

[MPR 260, Order 1664]

PABLO HERNANDEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Pablo Hernandez, Jose de Diego Street, Carolina, P. R. (hereinafter called "manufacturer") and wholesalers and

retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
P. Hernandez	Brevas	50	*Per M* $32	*Cents* 4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13944; Filed, July 28, 1945; 12:15 p. m.]

[MPR 260, Order 1665]

MARIA L. MARA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Maria L. Mara, Bo. Caqui, Cayey, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Maria L. Mara	Breba	50	*Per M* $50	*Cents* 4 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13945; Filed, July 28, 1945; 12:16 p. m.]

[MPR 260, Order 1666]

JUSTINO FERRER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Justino Ferrer, E. Ma. Hostos, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
J. Ferrer	Carona Especial	50	*Per M* $105.00	*Cents* 14
	Perfectos	50	108.75	2 for 29
	Republicano	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding

sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13946; Filed, July 28, 1945; 12:16 p. m.]

[MPR 260, Order 1667]

SANTOS DIAZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Santos Diaz, Villa St. 223, Ponce, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Santos Diaz	Corona 4¾"	80	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13947; Filed, July 28, 1945; 12:16 p. m.]

[MPR 260, Order 1668]

HANS BOSSHART

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Hans Bosshart, 23 W. Davis St., Arlington Heights, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Bobby B	Panatella	50	$105.00	14
Gander Luxury	Smoker	80	97.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13948; Filed, July 28 1945; 12:17 p. m.]

[MPR 260, Order 1669]

MANOR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Manor Cigar Co., R. D. 2, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Herma	La Herma	50	$72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 30, 1945.

Issued this 28th day of July 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-13949; Filed, July 28, 1945; 12:17 p. m.]

[RMPR 528, Order 53]

TIRES AND TUBES, RECAPPING AND REPAIRING, AND CERTAIN REPAIR MATERIALS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 17 (e), 18 (c), and 19 (a) of Revised Maximum Price Regulation 528; *It is ordered:*

(a) The maximum prices for the following sizes of used airplane tires other than basic tire carcasses that are sound or that can be made sound, are the prices set forth below less the deductions shown for the repairs needed to make the tire sound. However, if the maximum retail price for a repairable tire, after deducting the prescribed amounts for needed repairs, is lower than the price set forth for such size limited service airplane tire in paragraph (c) of this order, the maximum price for such repairable tire shall not exceed the price set forth in paragraph (c) for the limited service tire of that size.

Size	Maximum retail price for sound used tires	Deductions required on unrepaired tires: Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
Smooth contour:				
24"	$7.50	$1.80	$3.75	$3.00
51"	38.10	11.30	19.35	15.50
17.50"	4.85	1.55	3.40	2.70
30.00"	17.60	5.95	11.50	9.20
14.50 x 5	4.85	1.55	3.40	2.70
12.50 x 6½	4.85	1.55	3.40	2.70
High pressure:				
36 x 8	13.80	3.65	6.00	4.80
40 x 10	23.00	7.25	13.30	10.65
8.50 x 12½	7.50	1.80	3.75	3.00
Low pressure:				
8.00–5	4.85	1.55	3.40	2.70
6.00–9	12.45	1.80	5.45	4.35
11.00–12	7.50	1.80	3.75	3.00
12.50–14	16.45	5.75	10.05	8.05
Extra low pressure, 22 x 7.25–11.50	18.05	2.65	10.25	8.20

The maximum wholesale prices for the above sizes of used airplane tires shall be determined by deducting a discount of at least 25 percent from the maximum retail prices set forth above.

(b) The maximum wholesale prices for the following sizes of airplane basic tire carcasses that are sound or that can be made sound, shall be:

Size	Maximum wholesale prices for sound basic tire carcasses	Deductions required on unrepaired basic tire carcasses: Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
Smooth contour:				
24"	$3.50	$1.20	$2.25	$1.80
51"	15.40	4.50	9.10	7.70
17.50"	2.00	.90	1.65	
30.00"	6.55	2.70	5.75	4.60
14.50 x 5	2.00	.90	1.65	
12.50 x 6½	2.00	.90	1.65	
High pressure:				
36 x 8	5.25	1.80	3.00	2.40
40 x 10	15.20	2.90	8.95	5.95
8.50 x 12½	3.50	1.20	2.25	1.80
Low pressure:				
8.00–5	2.00	.90	1.65	
6.00–9	3.50	1.20	2.25	1.80
11.00–12	3.50	1.20	2.25	1.80
12.50–14	6.50	2.30	3.75	2.50
Extra low pressure:				
22 x 7.25–11.50	5.25	1.80	5.00	4.00

The maximum retail prices for the above sizes of sound airplane basic tire carcasses, when sold on a "per tire" basis, shall not exceed the prices set forth above. The maximum retail prices for repairable basic tire carcasses shall not exceed the prices set forth above for sound basic tire carcasses less the deductions set forth in paragraph (a) above for the repairs needed to make the tire sound.

If the maximum retail or wholesale price for a repairable basic tire carcass, after deducting the prescribed amount for needed repairs, is lower than the retail price set forth for such size limited service airplane tire in paragraph (c) of this order, the maximum price for such repairable basic tire carcass shall not exceed the retail price set forth in paragraph (c) for the limited service tire of that size.

(c) The maximum prices for the following sizes of unrepaired limited service airplane tires, shall be:

Airplane	*Maximum retail price, each*
Smooth contour:	
24 inch through 30 inch	$1.30
33 inch through 44 inch	3.00
47 inch through 56 inch	6.50
10½ x 4 through 17½ x 6½	.35
High pressure:	
32 x 8 through 36 x 10	1.95
8.50 x 12½	1.25
38 x 10 through 46 x 14	3.75
Low pressure:	
6.50–8 through 11.00–12	1.25
12.50–14	4.50
Extra low pressure, all sizes	.50
Low profile, all sizes	.50

The maximum wholesale prices for the above sizes of unrepaired limited service airplane tires, shall be determined by deducting a discount of at least 25 percent from the maximum prices set forth above.

(d) The maximum retail prices for recapping the following sizes of airplane tires listed in Column I below, when recapped with truck and bus types of tread, including Stop-Start, Mud and Snow, Studded, Road Grader, Earth Mover, and Rock Service, shall be the maximum prices set forth in Table C–II of Revised Maximum Price Regulation 528 for the conventional size truck tire listed in Column II below, directly opposite the corresponding airplane size:

I Airplane	II Conventional
36 x 8	7. 50–20
12.50 x 14	9. 00–13
42 x 15–16	9. 00–16
40 x 10–20	10. 00–20
51"	13. 50–24

The maximum wholesale prices for recapping the above sizes of airplane tires shall be determined by deducting from the applicable maximum prices determined above, the discount set forth in section 18 (b) (1) (i) of Revised Maximum Price Regulation 528.

(e) The maximum retail prices for recapping the following sizes of airplane tires listed in Column I below, when recapped with tractor, implement, or industrial types of tread, shall be the maximum prices set forth in Table C–III of Revised Maximum Price Regulation 528 for the conventional size tractor, implement, or industrial tire listed in Column II below, directly opposite the corresponding airplane size:

I Airplane	II Conventional
17.50"; 14.50 x 5; 8.00–5	3. 50–5
12.50 x 6½	3. 50–6
6.00–9	6. 00–9
24"; 8.50 x 12½; 11.00 x 12	6. 00–12
22 x 7.25–11.50	7. 50–10
36 x 8	7. 50–20
30.00"	9. 00–10
42 x 15	9. 00–16
51"	13. 50–24

The maximum wholesale prices for recapping the above sizes of airplane tires shall be determined by deducting from the applicable maximum prices determined above, the discount set forth in section 18 (b) (1) (i) of Revised Maximum Price Regulation 528.

(f) The maximum retail prices for airplane tires recapped with the types of tread specified in paragraph (d) or (e) above, shall be the maximum retail prices determined in accordance with the provisions of paragraph (d) or (e), respectively, plus the maximum price for the sound basic tire carcass as set forth in paragraph (b) of this order.

The maximum wholesale prices for airplane tires recapped with the types of tread specified in paragraph (d) or (e) above, shall be determined by deducting from the applicable maximum retail price determined above, the discount set forth in section 18 (b) (1) (ii) of Revised Maximum Price Regulation 528.

(g) The maximum prices for repairing the following sizes of airplane tires, shall be:

Tire size	Maximum retail prices for repairing: Sectional repair	Reinforcement repair	Spot repair
Smooth contour:			
24"	$3. 75	$3. 00	$1. 80
51"	19. 35	15. 50	11. 30
30.00"	11. 50	9. 20	5. 95
14.50 x 5	3. 40	2. 70	1. 55
12.50 x 6½	3. 40	2. 70	1. 55
High pressure:			
56 x 8	6. 00	4. 80	3. 65
40 x 10	13. 30	10. 65	7. 25
8.50 x 12½	3. 75	3. 00	1. 80
Low pressure:			
8.00–5	3. 40	2. 70	1. 55
6.00–9	5. 45	4. 35	1. 80
11.00–12	3. 75	3. 00	1. 80
12.50–14	10. 05	8. 05	8. 75
Extra low pressure: 22 x 7.25–11.50	10. 25	8. 20	2. 66

Maximum wholesale prices for repairing the sizes of airplane tires listed above shall be determined in accordance with section 19 (b) of Revised Maximum Price Regulation 528.

(h) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(i) This order may be revoked or amended by the Administrator at any time.

This order shall become effective August 2, 1945.

Issued this 30th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45–14002; Filed, July 30, 1945; 11:41 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59–15]

NORTHERN NEW ENGLAND CO., AND NEW ENGLAND PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of July 1945.

The Commission having instituted on September 11, 1940 proceedings pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, directed to Northern New England Company and New England Public Service Company, both registered holding companies, and the Commission having issued on May 2, 1941, its findings, opinion and order requiring New England Public Service Company to change its present capitalization to one class of stock, namely, common stock, or, in the alternative, at its election, to liquidate its affairs and distribute its assets to its security holders; and

New England Public Service Company having filed a plan of reorganization on December 6, 1941 and an amended plan of reorganization on October 25, 1944 for the stated purpose of complying with the applicable provisions of section 11 of the act; and both of said plans having contemplated, among other things, that, in whole or in part, New England Public Service Company's interests, direct or indirect, in its non-utility or industrial subsidiary companies would be distributed to the stockholders of New England Public Service Company; and

Hearings having been held on said plan and on said amended plan and said hearings having been continued subject to being reconvened by the trial examiner or the Commission; and

New England Public Service Company having invited sealed bids from a limited number of persons for the purchase of any or all of its holdings, direct or indirect, in its non-utility and industrial subsidiary companies, or the assets of such subsidiary companies; and

Several bids having been received and the board of directors of New England Public Service Company having on July 13, 1945 accepted, subject to approval of the company's stockholders and to all necessary orders from the Commission, the bid of Coffin & Burr, Incorporated, and The First Boston Corporation in the amount of $15,839,000 in cash for all of New England Public Service Company's interests in New England Industries, Inc., Keyes Fibre Company and Bucksport Water Company, represented by the following securities:

New England Industries, Inc.:	
Demand notes—principal amount	$9, 862, 000
Interest at 6% per annum accrued to April 30, 1945	$4, 196, 361
	Shares
7% Preferred Stock, noncumulative, $100 par value	108, 320
Noncumulative participating preferred stock, series B, no par value	16
Common stock, no par value	225, 102½
Keyes Fibre Company:	
Prior preferred stock, $100 par value	400
Preferred stock, no par value	1, 250
Common stock, no par value	25, 000
Bucksport Water Company:	
Common stock, $50 par value	1, 533

New England Public Service Company having filed an amendment dated July 14, 1945 deleting from the amended plan of reorganization filed October 25, 1944 all provisions under the heading, "Recapitalization of Industrials", and any other provisions of said amended plan insofar as they might be inconsistent with the sale for cash by New England Public Service Company of all of its interests in New England Industries, Inc., Keyes Fibre Company and Bucksport Water Company; and having also on the same date filed an application requesting the Commission to enter an order requiring, authorizing, permitting or approving the aforesaid sale to effectuate the provisions of section 11 (b) of the act, to recite in its order that the transfers and exchanges embodied in said sale are necessary or appropriate to the simplification or integration of the New England Public Service Company system, and to specify and itemize the debt and stock which should be ordered to be transferred, exchanged and sold, all in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing should be held upon the issues raised by said amendment and by said application:

It is ordered, That the hearings in this proceeding be reconvened on August 9, 1945 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, before William W. Swift, the trial examiner heretofore designated, in such room as may be designated on such date by the hearing room clerk in Room 318, for the purpose of adducing evidence with respect to said amendment dated July 14, 1945 and with respect to said application for an order pursuant to the applicable provisions of the Internal Revenue Code.

It is further ordered, That, without limiting the scope of the issues presented by said amendment dated July 14, 1945 and by said application for an order pursuant to the applicable provisions of the Internal Revenue Code, particular attention be directed at the reconvened hearing to the following matters and questions:

1. Whether or not the proposed sale is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

2. Whether or not the proposed sale is in all respects in conformity with the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules, regulations and orders promulgated thereunder.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding who has not already done so should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before August 7, 1945.

It is further ordered, That notice of said hearing be given to the parties named as respondents herein and to persons heretofore granted participation in this proceeding by mailing copies of this notice and order forthwith by registered mail, and that notice be given to all other persons by publication of a copy of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45–13891; Filed, July 23, 1945; 10:02 a. m.]

[File No. 70–785]

AMERICAN & FOREIGN POWER CO., INC., AND ELECTRIC BOND AND SHARE CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of July A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission in connection with the above-entitled matter pursuant to the Public Utility Holding Company Act of 1935 and section 12 (b) and Rule U-45 thereunder, by American & Foreign Power Company, Inc. ("Foreign Power"), a registered holding company, and its parent, Electric Bond and Share Company ("Bond and Share"), which is likewise a registered holding company.

Notice is hereby given that any interested person may, not later than August 8, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

The Commission, on January 22, 1944, issued its order in the above-entitled matter (Holding Company Act Release No. 4855) among other things permitting the issuance by Foreign Power to Bond and Share of $30,000,000 of 3% Serial Notes consisting of four of such notes in the principal amount of $3,000,000 each, the first of which was payable on January 22, 1945 and the others of which are successively payable in the three succeeding years, and a note in the amount of $18,000,000 maturing at the end of five years.

The said order contained a condition prohibiting any payments by Foreign Power to Bond and Share with respect to the principal of any of said 3% Serial Notes at maturity or otherwise prior to the determination of the rank and status of the debt claim represented by them, except pursuant to permission of the Commission.

The Commission, on April 25, 1945, issued its further order in the above-entitled matter (Holding Company Act Release No. 5757) permitting Foreign Power and Bond and Share to enter into an agreement to extend the maturity of the $3,000,000 serial note payable January 22, 1945 to July 22, 1945, all other terms and conditions of said note remaining unchanged, and said agreement was entered into by Foreign Power and Bond and Share pursuant to said order.

The declaration states that Foreign Power has filed with this Commission under section 11 (e) of the Public Utility Holding Company Act of 1935 a plan, joined in by Bond and Share, for the reorganization of Foreign Power and that said plan proposes among other things that the 3% Serial Notes in the principal amount of $30,000,000 together with other securities of Foreign Power held by Bond and Share be surrendered to Foreign Power for the considerations, among others, of the receipt by Bond and Share of cash, debentures and common stock of Foreign Power. Said plan is pending and this Commission has not given its permission to any payment by Foreign Power or any receipt by Bond and Share with respect to the principal of said serial note due originally on January 22, 1945.

In view of the foregoing, Foreign Power and Bond and Share propose to enter into a further agreement for the extension to January 22, 1946 of the maturity date of the $3,000,000 serial note due originally on January 22, 1945. All other terms and conditions of the said note are to remain unchanged.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45–13893; Filed, July 28, 1945; 10:03 a. m.]

[File No. 70–1074]

KINGS COUNTY LIGHTING CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of July 1945.

Kings County Lighting Company, a subsidiary of Long Island Lighting Company, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of section 6 (a) of the act of the issue and sale, in accordance with the competitive bidding requirements of Rule U–50, of $4,200,000 principal amount of First Mortgage Bonds to mature August 1, 1975, the proceeds from such sale to be applied to the redemption of the company's short-term promissory note in the principal amount of $4,200,000; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, Pursuant to the applicable provisions of said act, that the aforesaid application, as amended, be, and hereby is, granted, subject to the terms and conditions prescribed in Rule U–24 of the general rules and regulations and to the following conditions with respect to the proposed issue and sale of the First Mortgage Bonds:

(1) That Kings County Lighting Company obtain from the Public Service Commission of the State of New York a final order expressly authorizing the issue and sale of said First Mortgage Bonds:

(2) That the proposed issue and sale of said First Mortgage Bonds shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

It is further ordered, That jurisdiction be and it is hereby reserved over the payment of all legal fees and expenses of counsel for prospective bidders in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45–13889; Filed, July 28, 1945; 10:02 a. m.]

[File No. 70–1100]

SOUTHERN NATURAL GAS CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of July 1945.

Southern Natural Gas Co. ("Southern"), a registered holding company and

a subsidiary of Federal Water and Gas Corporation, also a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935, particularly section 10 thereof. This application is concerned with a proposal on the part of Southern to purchase in the open market from time to time but prior to December 31, 1945, at prices current at the time of purchases, but not in excess of $9.50 per share, any or all of the outstanding 35,372 shares of common stock of Birmingham Gas Company ("Birmingham") not at the present time owned by Southern. Southern presently owning 192,176 shares of said stock.

The filing indicates that 489 of the shares proposed to be acquired by Southern are owned at the present time by C. van den Berg, Jr., a director of Southern and Chairman of the Board of Birmingham, the cost of such shares to van den Berg being $9.125 per share. Southern proposes to acquire these shares from van den Berg at their cost to him provided the price of such stock in the open market at the time of the proposed purchase is not less than the price to be paid van den Berg.

Southern proposes to charge earned surplus on its books an amount equal to the difference between the cost to it of all stock of Birmingham purchased pursuant to said application and the book value of such stock as indicated by the balance sheet of Birmingham as of the end of the month in which the stock is purchased. The Commission finding that the applicable standards of the act, particularly Section 10 thereof, are satisfied and that there is no need to make adverse findings or to impose special conditions;

It is hereby ordered, pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application be, and hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13894; Filed, July 28, 1945, 10:03 a. m.]

[File No. 70-1101]

PUBLIC SERVICE CO. OF INDIANA, INC.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of July, A. D. 1945.

Public Service Company of Indiana, Inc., a public utility subsidiary of The Middle West Corporation, a registered holding company, having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, 10 and 12 and the applicable rules thereunder, with respect, among other things, to the following transactions:

1. Public Service Company of Indiana, Inc., in order to confine its operations substantially to those of an electric public utility, proposes to cause a new corporation, Indiana Gas and Water Company, Inc., to be organized under the laws of the State of Indiana, such corporation to have authorized capital stock of 300,000 shares of common stock without par value. (An interim order was granted by this Commission on July 9, 1945, Holding Company Act Release No. 5919, authorizing the formation of Indiana Gas and Water Company, Inc., and that company was organized on July 16, 1945.) After the organization of Indiana Gas and Water Company, Inc., the two companies will enter into an agreement for the sale by Public Service Company of Indiana, Inc., and the purchase by Indiana Gas and Water Company, Inc., of the gas and water properties (and the Sheridan ice property), now owned by the Public Service Company of Indiana, Inc., for their book value at the date of closing. Such value as at December 31, 1944, is stated to have been $14,464,287. Under the agreement Indiana Gas and Water Company, Inc., will pay for said properties by the issuance and sale to the public of $6,000,000 principal amount of its First Mortgage Bonds, the proceeds from which sale will be paid over to Public Service Company of Indiana, Inc., and by the issuance of a total of 277,500 shares of its common stock to Public Service Company of Indiana, Inc., at such price as is necessary in order to enable Indiana Gas and Water Company, Inc., to complete payment for the properties to be purchased.

2. Public Service Company of Indiana, Inc., proposes to amend its Articles of Consolidation (a) to change its authorized preferred stock from 300,000 shares of Series A Preferred Stock, having a par value of $100 per share to 600,000 shares of preferred stock, composed of 300,000 shares of Series A Preferred Stock, having a par value of $100 per share, and 300,000 shares of Series B Preferred Stock, having a par value of $100 per share, (b) to provide that all the Series A Preferred Stock outstanding shall be called for redemption, either before or simultaneously with the issue of Series B Preferred Stock, as of a date not later than 60 days after the initial issue of any shares of Series B Preferred Stock and that as soon as all the shares of Series A Preferred Stock shall cease to be outstanding, such series shall cease to exist as a class of stock authorized by the Articles of Consolidation, (c) to state and limit the amount of unsecured debt which may be issued without authorization of the preferred stockholders, (d) to change the voting rights of the preferred and common stocks in the event of default of four quarter-annual dividends on the preferred stock, (e) to grant preemptive rights to the common stock except in certain cases, and (f) to place certain limitations on the payment of dividends on the common stock in relation to the company's common stock equity and to make such other changes as are provided for in the application and declaration filed in this matter, and as referred to in the proxy material sent to the shareholders.

Public Service Company of Indiana, Inc., also having proposed to solicit proxies in connection with a special meeting of the stockholders of the company to be held on or about August 31, 1945 (a) to vote on the proposed sale of the gas and water properties (and Sheridan ice property) of Public Service Company of Indiana, Inc. to Indiana Gas and Water Company, Inc. at such price and upon such other terms and conditions as may be approved by the board of directors, and (b) to vote on the proposed amendments to the Articles of Consolidation, and having filed copies of the proxy, the proposed notice of the special meeting of shareholders and proxy statement; and

Public Service Company of Indiana, Inc., having requested that the declaration with respect to the proxy solicitation material be considered and disposed of independently of the principal transactions and that the Commission enter its separate order permitting said declaration as to all such proxy solicitation material to become effective;

It appearing that the solicitation of authorizations of shareholders as proposed to be conducted, does not make it necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the act or the rules and regulations thereunder, that the Commission issue any order with respect thereto other than an order permitting the declaration as to such solicitation to become effective;

It is therefore ordered, That, without passing upon the merits of the applications or declarations filed pursuant to sections 6, 7, 10 and 12, the declaration as to solicitation of authorizations be and it is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13892; Filed, July 28, 1945; 10:03 a. m.]

[File 70-1103]

INTERNATIONAL UTILITIES CORP., AND NORTHWESTERN UTILITIES, LTD.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of July, A. D. 1945.

International Utilities Corporation, a registered holding company, and its subsidiary, Northwestern Utilities, Limited, having filed a joint application and declaration, and an amendment thereto, pursuant to sections 9, 10, 6 (a) and 7 of the Public Utility Holding Company Act of 1935 and Rule U-43 of the general rules and regulations promulgated thereunder, regarding a proposal by Northwestern Utilities, Limited, to issue and sell to International Utilities Corporation, and a proposal by International Utilities Corporation to acquire, at par, 20,000 shares of common stock $25 (Canadian) par value per share, for an aggregate price of $500,000 (Canadian), which at the present official rate of exchange will approximate $454,545 in United States currency; and

Said joint application and declaration having been filed on June 26, 1945 and the last amendment having been filed on July 7, 1945, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said joint application and declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

It appearing that the proposed issuance of 20,000 shares of common stock by Northwestern Utilities, Limited, has been authorized by the Board of Public Utility Commissioners of the Province of Alberta, Canada; and

The Commission finding that the requirements of sections 9, 10, 6 (a) and 7 and Rule U-43 are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interests of investors and consumers to grant said application and to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the said joint application and declaration be, and the same hereby are, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13890; Filed, July 28, 1945; 10:02 a. m.]

[File Nos. 59-76, 54-126]

EASTERN GAS AND FUEL ASSOCIATES

ORDER APPROVING APPLICATION AND RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 27th day of July A. D. 1945.

This Commission having by order dated May 28, 1945, instituted proceedings pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to Eastern Gas and Fuel Associates ("Eastern"), a registered holding company;

Eastern having filed its answer in the section 11 (b) (2) proceedings and having also filed a Plan of Recapitalization for the purpose of bringing the capital structure of the company into compliance with the provisions of section 11 (b) (2), which plan contemplates, among other things, (1) the write-off of intangible assets and the making of other adjustments on Eastern's consolidated balance sheet in the aggregate amount of $46,179,228, (2) the establishment of certain additional protective provisions with respect to Eastern's presently outstanding 4½% Prior Preference Stock, (3) the issuance and distribution of new common stock in exchange for the presently outstanding 6% Preferred Stock and common stock and (4) the refunding of Eastern's presently outstanding $55,497,000 principal amount of First Mortgage and Collateral Trust Bonds, Series A 5%, due 1956;

Eastern having filed an application supplementing its Plan of Recapitalization with respect to the issue and sale, pursuant to the competitive bidding requirements of Rule U-50, of $40,000,000 principal amount of First Mortgage and Collateral Trust Bonds, __% Series, due 1965, and the issue and sale privately to banks of $15,000,000 principal amount of 2½% installment promissory notes, due 1946-1955;

Eastern having requested the Commission to take action with respect to the application supplementing the Plan of Recapitalization as soon as feasible and independently of approval by the Commission of the remaining transactions involved in the Plan of Recapitalization;

Eastern having requested that the Commission enter an order finding that the proposed issue and sale of new bonds and notes are necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and that such order conform to the pertinent requirements of sections 371 and 1808 of the Internal Revenue Code, as amended, and contain the recitals, specifications and itemizations therein required;

The Commission having consolidated the said proceedings under sections 11 (b) (2) and 11 (e); a public hearing having been held, after appropriate notice, at which the security holders of Eastern and other interested persons were afforded an opportunity to be heard; and requests for specific findings, briefs and oral argument having been waived with respect to the issue and sale of said bonds and notes; and

The Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to approve the application supplementing Eastern's Plan of Recapitalization, subject to certain conditions and reservations of jurisdiction as hereinafter ordered, and to grant the request of Eastern as to the suggested recitals:

It is hereby ordered, That, pursuant to applicable provisions of the act, including section 7 thereof, and the rules and regulations promulgated thereunder, the aforesaid application supplementing Eastern's plan of recapitalization is approved, subject to the terms and conditions prescribed in Rule U-24 and to the following additional conditions:

(1) That the Commission may at any time require Eastern to adjust its accounts if such action appears to the Commission to be appropriate in the public interest or in the interest of investors or consumers.

(2) That the proposed issue and sale of bonds shall not be consummated until the results of competitive bidding pursuant to Rule U-50 have been made a matter of record in these proceedings and a further order shall have been entered by the Commission, in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate.

(3) That jurisdiction be and is hereby reserved over the payment of miscellaneous and contingent fees and expenses, in the estimated amount of $44,800, over all fees and expenses of counsel for the company and for prospective underwriters and over fees of financial advisers.

It is further ordered, That jurisdiction be and is hereby reserved to consider all matters in these proceedings not hereby determined, and specifically, without limiting the generality of the foregoing, jurisdiction is reserved over all questions presented by Eastern's Plan of Recapitalization under section 11 (e), including the question whether any adjustments in addition to those proposed in the plan should be made in the accounts of Eastern, and over the disposition of any other problem presented under section 11 (b) (2), section 11 (e) or any other applicable sections of the act; and

It is further ordered, That the issue and sale of said bonds and notes by Eastern are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935. This paragraph is included in our order at the request of Eastern in view of sections 371 and 1808 of the Internal Revenue Code, as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-13961; Filed, July 30, 1945; 9:46 a. m.]

WAR PRODUCTION BOARD.

[C-399]

MORRISON M. BUMP

CONSENT ORDER

Morrison M. Bump of Duxbury, Massachusetts, began construction in April 1944, on the premises at Surplus Street, Duxbury, Massachusetts in excess of authorizations in the amount of $1,485 granted by the War Production Board on April 6, April 27, and July 7, 1944. The work in the amount of $3,015 in excess of the War Production Board authorizations consisted of installation of two new bathrooms, electric wiring, and plumbing equipment in connection with alterations to a residence and constituted a violation of Conservation Order L-41. The construction has not yet been completed. Morrison M. Bump admits the construction as aforesaid in violation of Conservation Order L-41 but denies that it was wilful and does not care to contest the issue of wilfulness.

Wherefore, upon the agreement and consent of Morrison M. Bump, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered*, That:

(a) Neither Morrison M. Bump, his successors or assigns, nor any other person shall do any construction on the premises located on Surplus Street, Duxbury, Massachusetts, including completing or altering the premises or installing

or connecting any equipment or fixtures except as permitted in paragraph (b) of this order unless hereafter specifically authorized in writing by the War Production Board.

(b) This order shall not apply to maintenance and repair work as defined or governed by Conservation Order L–41 as amended from time to time which involves no alteration, structural or otherwise, no change in design and no change in type or kind of material.

(c) Nothing contained in this order shall be deemed to relieve Morrison M. Bump, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 26th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13725; Filed, July 28, 1945; 11:30 a. m.]

[C–377; Amdt. 1]

DOLAN STEEL CO.

CONSENT ORDER

Consent Order No. C–377 was issued on June 27, 1945 against James A. Dolan, George T. Baird, Jr., Robert T. Baird, Grace E. Dolan, and Grace E. Dolan as Trustee, partners doing business as Dolan Steel Company of Bridgeport, Connecticut.

By consent of Dolan Steel Company, the Regional Compliance Manager, the Regional Attorney and upon approval of the Compliance Commissioner, *It is hereby ordered*, That paragraph (a) of said consent order be amended to read as follows:

(a) During the second, third, and fourth calendar quarters of 1945, James A. Dolan, George T. Baird, Jr., Robert T. Baird, Grace E. Dolan, and Grace E. Dolan as Trustee, doing business as Dolan Steel Company, shall reduce by 1,600 tons per quarter its orders for general steel products for delivery to its warehouse as authorized by Order M–21–b–3, Order M–21, or any other applicable order or direction then in effect.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13812; Filed, July 27, 1945; 11:08 a. m.]

[C–397]

THE WILLIS MUSIC CO.

CONSENT ORDER

The Willis Music Company, an Ohio corporation of Cincinnati, Hamilton County, Ohio, is engaged in the general music business including the publishing of educational music, choral and instrumental music for schools. During the calendar year 1944, it exceeded its authorized quota of print paper by 48.94 tons in violation of War Production Board Limitation Order L–245. The Willis Music Company admits the violation but states that it was not wilful. The Willis Music Company does not care to contest the issue of wilfulness and has voluntarily consented to the issuance of this order.

Wherefore, upon the agreement and voluntary consent of the Willis Music Company, the Regional Compliance Chief, the Regional Attorney, and the Regional Compliance Commissioner; *It is hereby ordered*, That:

(a) The Willis Music Company shall reduce its consumption of print paper under the consumption quota it was otherwise entitled to use during said period under the provisions of Limitation Order L–245 unless otherwise authorized in writing by the War Production Board as follows:

(1) Two or more tons during the third quarter of 1945.

(2) Two or more tons during the fourth quarter of 1945.

(3) Six or more tons during the first quarter of 1946.

(4) 14.94 tons during the second quarter of 1946 or such an amount as will aggregate the sum of 24.94 tons prior to June 30, 1946.

(b) Nothing contained in this order shall be deemed to relieve the Willis Music Company from any restriction, prohibition, or provision contained in any other order and regulation of the War Production Board except as the same may be inconsistent with the provisions hereof.

(c) The restrictions contained herein shall apply to the Willis Music Company, its successors, and assigns or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 30th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13974; Filed, July 30, 1945; 11:14 a. m.]

[C–401]

THE CHILCOTE CO.

CONSENT ORDER

The Chilcote Company, 2140 Superior Avenue, Cleveland, Ohio, produces and sells photographic mountings. These mountings are made out of paperboard and packed into fiber shipping containers for delivery to its customers. During 1944, it consumed 40,372 pounds of paperboard for photo mounts in excess of its quota under General Conservation Order M–241–a. During the last three quarters of 1944, the company accepted delivery of or used 60,000 pounds and 278,000 square feet of new fibre shipping containers in excess of its quota under Limitation Order L–317, in the packing and shipping of photo mounts, but it has accepted delivery of or used 122,901 square feet and 23,657 pounds of new fibre shipping containers less than its authorized quota which savings the War Production Board agrees to credit upon its overconsumption in the earlier quarters as well as all under-consumption during the 2d quarter of 1945.

It also accepted deliveries of paperboard and fibre shipping containers during 1944, at a time when its inventory thereby became, or was excessive.

At a hearing before a Compliance Commissioner, the company contended that the total amount of paperboard acquired during the year 1944 included seconds and only about half of it was usable, and it offered explanations for its excess use of fibre shipping containers and inventory position. It does not wish to further contest the matter, and admits the violations as set forth above, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of The Chilcote Company, the Regional Compliance Manager, and the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered*, That:

(a) During each of the third and fourth quarters of 1945, and the first and second quarters of 1946, The Chilcote Company shall reduce its consumption of paperboard in the manufacture of photo mounts by not less than 10,000 pounds per quarter below what it would otherwise be entitled to use in that quarter under the provisions of General Conservation Order M–241–a, or until it has compensated for the over-use of 40,372 pounds.

(b) During each of the third and fourth quarters of 1945, the first and second quarters of 1946, The Chilcote Company shall reduce its use of containerboard content of new fibre shipping containers each quarter by at least 9,087 pounds and 38,774 square feet or until it has compensated for its over-use of 36,343 pounds and 155,099 square feet of new fibre shipping containers, unless otherwise specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve The Chilcote Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to The Chilcote Company, its successors and assigns, or any persons acting on its behalf. Prohibition against the taking of any action includes the taking indirectly of any such action.

Issued this 30th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-13976; Filed, July 30, 1945; 11:14 a. m.]